

AGENDA

**PLANNING & ZONING COMMISSION REGULAR MEETING
TUESDAY, OCTOBER 4, 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

INVOCATION

PLEDGE OF ALLEGIANCE

1) MINUTES:

- a) Minutes for Regular Meeting held on September 20, 2016

2) SITE PLAN:

- a) STC West 20 Acre Subdivision; 3401 Pecan Boulevard (**SPR2016-0026**) PCE

3) CONSENT:

- a) Villas Bensten Lake Subdivision; 1940 South Bentsen Road- Francisco De La Fuente (**Final**)(**SUB2016-0073**) NAIN

4) SUBDIVISIONS:

- a) LYM Subdivision; 6700 North Bentsen Road- Erica Guerra (**Preliminary**)(**SUB2016-0068**) MASE
- b) Auburn Assisted Living Subdivision; 8100 North 23rd Street- Fred G. Karle (**Preliminary**)(**SUB2016-0071**) SAMES
- c) Bil Tex Industrial, Lot 1A Subdivision; 4301 North 23rd Street- Enrike Kalifa (**Preliminary**)(**SUB2016-0067**) NAIN

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

e) La Herencia Subdivision; 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) M & H

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

a) SUBDIVISION:

1. Believe Subdivision; 2213 U. S. Expressway 83- Believe Investments, LLC.(**Final**)(SUB2016-0069) AGES

b) REZONING:

1. Rezone from R-1 (single family residential) District to R-3A (multifamily residential apartment) District: 0.90 acres out of Lot 207, John H. Shary Subdivision, Hidalgo County, Texas; 301 South Taylor Road. (**REZ2016-0032**)(TABLED:08/02/2016)(REMAINED TABLED: 08/16/2016, 09/20/2016)
2. 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. (**REZ2016-0037**)

c) 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**)
2. 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. (**CUP2016-0136**)
3. 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**)

4. 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)**
5. 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)**
6. Request of Stephan E. Manwell, for a Conditional Use Permit, for one year, for a home occupation (office/ online sporting good sales) at Lot 2, Block 1, The Village North Subdivision Unit 1, Hidalgo County, Texas; 5004 North 4th Street. **(CUP2016-0132)**
7. Request of Graciela Luna, for a Conditional Use Permit, for one year, for a home occupation (daycare) at Lot 38, Buena Vista Unit 1, Hidalgo County, Texas; 3016 Nyssa Avenue. **(CUP2016-0134)**
8. Request of Ernestina Garza, for a Conditional Use Permit, for one year, for an event center at Lot 7, Las Cañadas Subdivision, Hidalgo County, Texas; 2914 South Jackson Road. **(CUP2016-0138)**
9. Request of Cisco and Damanda, LLC., for a Conditional Use Permit, for one year, for a bar at Lots 1 and 2, Mejia #1 Subdivision, Hidalgo County, Texas; 2000 Nolana Avenue. **(CUP2016-0139)**
10. Request of Daniel R. Duran, for a Conditional Use Permit, for one year, for a bar at Lot all of Block 4, North Center Subdivision, Hidalgo County, Texas; 1700 North 10th Street, Suite K. **(CUP2016-0140)**

6) DISCUSSION:

7) INFORMATION ONLY:

a) City Commission Action of September 26, 2016

b) Proclamation: Community Planning Month – October 2016

Where: City Commission Chambers

When: October 10, 2016

Time: 5:00pm

**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, A September 20, 2016, at 3:31 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
	Robert Luciano	Member
	Michael D. Hovar	Member
Absent:	Brenton M. Baldree	Member
Staff Present:	Julianne Rankin	Director of Planning
	Michelle Leftwich	Assistant City Manager
	Victor Flores	Assistant City Attorney
	Luis Mora	Senior Planner
	Kimberly Guajardo	Planner III
	Rodrigo Sanchez	Planner II
	Cristina Garcia	Planner I
	Patrizia Longoria	Deputy Director of Traffic
	Marlen Gonzalez	Engineering Department
	Gardenia Perez	Administrative Supervisor
	Susana De La Cerda	Secretary
	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 August 16, 2016

The minutes for the regular meeting held on August 16, 2016 were approved as submitted. The motion to approve was made by Mr. John Millin. Mr. Roberto Luciano seconded the motion, which carried unanimously with six members present and voting.

b) Minutes for Special Meeting held on September 14, 2016

The minutes for the regular meeting held on September 14, 2016 were approved as submitted. The motion to approve was made by Mr. John Millin. Mr. Mark Wright seconded the motion, which carried unanimously with six members present and voting.

2. SITE PLANS:

a) Lot 1, South Texas College Technology Campus Subdivision; 3900 Military Highway (**SPR2016-0029**) HEI

Ms. Guajardo stated the property was located on the northwest corner of S. Ware Rd., and Military Highway, and was zoned I-2 (heavy industrial) District. The adjacent zoning was I-2 to the north, south, and west, and L-1 (light industrial) District to the east.

The property was part of South Texas College Technology Campus Subdivision which was recorded on August 2013. A note on the plat stated 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 remodel an existing 71,339 sq. ft. building for institutional use. The building would have 24 classrooms and 28 offices. They plan to add a 5,000 sq. ft. canopy at the rear of the building for an outdoor welding area. Five parking spaces were required per classroom and 1.5 parking spaces for each administrative office. They would also be adding a parking area for students to practice maneuvering 18-wheelers. Based on classrooms and offices, 162 spaces were required and an additional 144 parking spaces would be added to the existing parking. Access would be from existing drives that lead to S. Ware Rd and Military Highway. Required landscaping for the area of development was 35,914 sq. ft. with trees required as follows: 58 – 2 ½” caliper trees, or 29 – 4” caliper trees, or 15– 6” caliper trees, or 116 palm trees. A minimum 10 ft. wide landscaped strip was required inside the property line along S. Ware Road and Military Highway. 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. All landscape areas must have a minimum area of 40 square feet. A minimum 4 ft. wide sidewalk was required within the street right of way along S. Ware Road and Military Highway. A 6 ft. opaque buffer was required between multi-family residential, commercial, or industrial zones/uses, and around dumpsters if visible from the street. An 8 ft. masonry wall was required between single-family residential, multi-family residential, commercial, and industrial zones/uses. No structures were permitted over easements. All building setbacks would be in compliance with the zoning ordinance and subdivision requirements.

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

Being no discussion of the item, Mr. Mark Wright **moved** to approve the site plan subject to the conditions noted, the Subdivision and Zoning Ordinances, and paving and building permit requirements. Mr. John Millin seconded the motion, which was approved unanimously with six members present and voting.

b) McAllen Youth Baseball Complex; 8201 North 29th Street (**SPR2016-0023**) COM

Ms. Guajardo stated the property was located on the northwest corner of Auburn Ave & N. 29th Street and was zoned A-O (agricultural open space) District. The adjacent zoning was A-O to the north, south, and west, R-1 (single-family residential) District to the east, west and southwest.

The property was part of the proposed McAllen Youth Baseball Park Subdivision, which received final plat approval by the Planning and Zoning Commission at their meeting on September 14, 2016.

A note on the plat indicated 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 11 baseball fields along with a concession stand on Lot 1. Based on the number of fields, at 30 parking spaces per field, 330 parking spaces were required; 401 were provided. Nine of the provided parking spaces must be accessible, one of which must be van accessible with an 8 ft. wide aisle. Access to the property would be from two 24 ft. wide curb cuts on N. 29th Street and two 24 ft. wide curb cuts on Auburn Avenue. Required landscaping for Lot 1 was 215,218 sq. ft. with trees required as follows: 283 – 2 ½” caliper trees, or 142 – 4” caliper trees, or 71– 6” caliper trees, or 566 palm trees.

A minimum 10 ft. wide landscaped strip was required inside the property line along N. 29th Street & Auburn Avenue. Fifty percent of the landscaping must be visible in front areas, and each parking space must be within 50 ft. of a landscaped area with a tree, as required by ordinance. A 4 ft. wide sidewalk was required along N 29th Street & Auburn Avenue. A 6 ft. buffer was required around dumpsters if visible from the street and from adjacent single-family residential zones/uses. No structures were permitted over easements. All building setbacks would be in compliance with the zoning ordinance and subdivision requirements.

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. Robert Luciano moved to approve the site plan subject to the conditions noted, paving and building permit requirements, and the subdivision and zoning ordinances. Mr. John Millin seconded the motion which was approved unanimously with six members present and voting.

3. CONSENT:

- a) Spanish Oaks at Frontera Subdivision; 8400 North 10th Street - Verturo Intrests, LLC. (Final) SUB2016-0070) M&H

The property consisted of 18.8 gross acres with 72 lots proposed for residential development and Lot 73 was proposed for commercial use and had frontage on North 10th Street. The property was zoned and proposed C-3 & R- 1. N. 10th Street had 10 ft. ROW dedication required for 60 ft. from centerline for 120 ft. ROW with paving and curb & gutter by the state. Frontera Road had 60 ft. ROW with 40 ft. of paving and curb & gutter on both sides. N. 8th Street (private) had 66 ft. - 74 ft. ROW proposed with approximately 48 ft. of paving and curb & gutter on both sides. Grayson & Grambling Avenues (private) had 50 ft. ROW with 32 ft. of paving and curb & gutter on both sides. Private streets must comply and built according to city standards. Alley ROW had 20 ft. - 26 ft. with 16 ft. - 24 ft. of paving proposed in residential area. Alleys were provided within the residential portion of the subdivision (private). 20 ft. by 20 ft. ROW clip was required at all alley/alley intersections. 1.5 ft. Fence easement was provided along Frontera Road since alley was parallel to the street. 25 ft. by 25 ft. sight obstruction easement was needed at the street intersection. Lot 73 had 20 ft. service drive easement provided for the commercial property; separate from the residential area. Setbacks for Lots 1 – 72: Front setbacks were 20 ft., rear setbacks were 18 ft., side setbacks were 7 ft. on the east side and 1 ft. on the west side such that minimum setback between buildings were 8 ft. with 6 ft. minimum between roof lines. No overhang was allowed over lot lines; 10 ft. on the east side of Lots 18, 36, 54 and 72, and west side of Lots 1, 19, 37 and 55.

Corner setbacks were 10 ft., and garage setbacks were 18 ft. except where greater setback was required; greater setback applied. Setbacks for Lot 73: N. 10th Street had 60 ft. or greater for approved site plan or easements. Frontera Road 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 for Lots 1-72. All setbacks were subject to increase for easements or approved site plan for Lot 73. A 4 ft. wide minimum sidewalk was required on Frontera Road, and on both sides of all interior streets. A 5 ft. wide sidewalk was required on N. 10th Street; verify 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, or industrial zones/uses and along Frontera Road. An 8 ft. masonry wall was required between single-family residential and commercial, industrial, or multi-family residential zones/uses. Perimeter buffers must be built at time of Subdivision Improvements. A note on the plat would state a site plan must be approved by the Planning and Zoning Commission prior to building permit issuance for Lot 73. 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 residential streets were proposed as private. Parkland Dedication Fee of \$50,400 based on 72 dwelling units at \$700 each shall be paid prior to plat recording. The project engineer submitted a variance request to pay park fees in lieu of land dedication. The City Commission granted a variance to pay park fees in lieu of land dedication at their meeting of August 22, 2016. Trip Generation and TIA were approved by the Traffic Department. Per Traffic, a Level 1 TIA was required and had been approved by the Traffic Operations Department. Preliminary plat was approved by the Planning and Zoning Commission at their meeting of May 17, 2016. Revised Preliminary plat with the request to reduce the setbacks for the residential lots was approved by the Planning and Zoning Commission at their meeting of July 5, 2016. Request to reduce the setbacks for the single family residential lots (Lots 1-72) was approved by the Planning and Zoning Commission on July 5, 2016. A 26 ft. fire access was provided on the west side of Lot 1 in compliance with the Fire Department's requirement of a secondary access for 30 or more dwelling units. Gate detail had been reviewed and approved by the Traffic Operations Department. Per Engineering Department, access points along Frontera Avenue shall meet Access Management.

Staff recommended approval of the subdivision in final form.

As part of the consent agenda, Mr. Millin **moved** to approve the subdivision in final form. Mr. Wright seconded the motion which was approved unanimously with six members present and voting.

4. SUBDIVISIONS:

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

Ms. Guajardo stated the property was located on the southwest corner of North 1st Street and East La Vista Avenue. The property was proposed for townhouse development with 18 townhouse lots a one common detention lot. E. La Vista Avenue had 20 ft. ROW dedication required for 40 ft. from centerline for an 80 ft. ROW with 52 ft. - 65 ft. of paving and curb & gutter on both sides. Project

engineer, on behalf of the developer was requesting a variance to the 20 ft. ROW dedication requirement; 10 ft. ROW dedication was proposed. N. 1st Street had 5 ft. ROW dedication for 30 ft. from centerline for a 60 ft. ROW with 40 ft. of paving and curb & gutter on both sides. Staff was reviewing the need to widen this section of N. 1st Street; to be determined prior to final plat. E. Walnut Avenue had 25 ft. ROW dedication required for 50 ft. ROW with 40 ft. of paving and curb & gutter on both sides. Turnaround was required at the east end of E. Walnut Avenue; street could not dead-end. N. 1st Lane had 60 ft. ROW with 40 ft. of paving and curb & gutter on both sides. Alley had 20 ft. ROW with 16 ft. of paving. Alley/service drive easement as may be required by Public Works; engineer was to submit site plan with dumpster location(s) for determination of alley/service drive requirement. Front setbacks were 10 ft. or greater for easements, including 10 ft. for double fronting lots along N. 1st Street. Rear and Interior side setbacks were in accordance with the Zoning Ordinance, or greater for easements. Corner setbacks were 10 ft. or greater for easements along E. Walnut Avenue and E. La Vista Avenue. 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 E. La Vista Avenue, N. 1st Street, E. Walnut Avenue and on both sides of N. 1st Lane. 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 and along E. La Vista, N. 1st Street and E. Walnut Avenue. An 8 ft. masonry wall was required between single-family residential and commercial, industrial, or multi-family residential zones/uses. Perimeter buffers must be built at time of Subdivision Improvements. A note on the plat would state no curb cut, access, or lot frontage permitted along E. La Vista Avenue, N. 1st Street and E. Walnut Avenue. Common Areas, Private Streets must be maintained by the lot owners and not the City of McAllen. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Should the subdivision be proposed as public, then a homeowner's association was required per Section 110-72(e) of the Vegetation Ordinance with regards to maintenance obligations as it related to common areas or areas that were unimproved and lie between the subdivision and adjacent public streets. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Park Fee of \$700 per dwelling unit was required to be paid prior to recording. A Trip Generation was needed to determine if TIA was required, prior to final plat. Project engineer was to label drainage detention facility with a lot number. Per the Engineering Department, a homeowner's association would be required for maintenance of drainage detention facility. Project engineer was to provide a note regarding exclusive use of the drainage detention facility; need to coordinate with the Engineering Department. Plat was being reviewed as public subdivision based on owner's acknowledgement. Additional requirements/comments as may be applicable would be noted should subdivision be proposed as private.

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

The Board asked if the existing Walnut Avenue was a half- street, which serviced the 4 lots on the south side. They also inquired about the 25 ft. ROW coming out to complete the 50 ft. The board also inquired on the variance for 20 ft. for La Vista Avenue.

Ms. Guajardo stated that staff was not ready to make a recommendation on the variance. The City had a policy on not to present variances to ROW requirements without the trip generation and/or

Traffic Impact Analysis.

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

- b) Villanueva Estates at Trinity Oaks Subdivision; 10520 North 31st Street - Martin Villanueva Construction and Rosendo and Stephanie Benitez (Preliminary)(SUB2016-0066) M&H**

Ms. Guajardo stated the property was a 130-lot subdivision zoned and proposed for single-family use located at N. 31st Street and on both sides of Brazos Avenue. Brazos Avenue had 35 ft. ROW from centerline for 70 ft. ROW with 44 ft. of paving and curb & gutter on both sides. Mile 6 1/2 North Road had 20 ft. ROW dedication required for 40 ft. from centerline for 80 ft. ROW; to clarify 30 ft. ROW dedication with 52 ft. - 65 ft. of paving and curb & gutter on both sides. N. 33rd Street (west boundary) had 35 ft. ROW dedication required for 70 ft. ROW with 44 ft. of paving and curb & gutter on both sides. Owner must escrow monies for improvements if not built prior to plat recording for mile 6 1/2 North Road and North 33rd Street. Project engineer was to correct the street name from N. 33rd Lane to N. 33rd Street. Interior Streets had 50 ft. ROW required with 32 ft. of paving and curb & gutter on both sides. Block lengths cannot exceed 800 ft. in length without a cross street. Project engineer was to identify stub out locations to the east and west sides of the subdivision. Front setbacks were 25 ft. or greater for easements. Rear setbacks were 10 ft. or greater for easements except 25 ft. for the double fronting lots. Interior Side setbacks were 6 ft. or greater for easements, corner setbacks were 10 ft. or greater for easements and 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 Brazos Avenue, N. 33rd Street (west boundary), Mile 6 1/2 North Road, and on 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, or industrial zones/uses and along Brazos Avenue, N. 33rd Street, and Mile 6 1/2 North Road. An 8 ft. masonry wall was required between single-family residential and commercial, industrial, or multi-family residential zones/uses. Perimeter buffers must be built at time of Subdivision Improvements. A note on the plat would state no curb cut, access, or lot frontage permitted along Brazos Avenue, N. 33rd Street, and Mile 6 1/2 North Road. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. If proposed as public, then a homeowner's association was required for maintenance of common areas or areas that lie between the subdivision and adjacent public streets in accordance with Section 110-72(e) of the Vegetation Ordinance. General note #10 referenced HOA for private subdivision; engineer would need to clarify. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Project engineer was to revise the plat so that all lots met the minimum 50 ft. lot frontage requirement, including cul-de-sac and irregular lots. Corner lots shall be 4 ft. wider than the minimum lot frontage requirement. Plat was pending review by the Parkland Dedication Advisory Board and CC with regards to the park fee or land dedication requirement. A Trip Generation was needed to determine if TIA was required, prior to final plat. Project engineer was to provide a site plan for the irregular lots, such as Lots 64 and 70 to ensure compliance with setback requirements. Project engineer was to verify minimum lot width and lot

areas requirements and revise accordingly. All lots shall comply with the minimum 50 ft. of frontage and corner lots shall be 4 ft. wider than the minimum requirement. 25 ft. by 25 ft. sight obstruction easement needed at all street intersections. Street names to comply with City assigned street names: Romeo Avenue shall be York Avenue; Villanueva Avenue shall be Zurich Avenue; Stephanie Avenue shall be Arroyo Avenue; Marisol Avenue shall be Colorado Avenue; N. 32nd Lane instead of N. 32nd Street; N. 33rd Street instead of N. 33rd Lane.

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

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

**c) Parkway Estates No. 3; 2401 Trenton Road - Valmor Service Corp. (Preliminary)
(SUB2016-0065) SEC**

Ms. Guajardo stated the property was a 15-lot subdivision located on the south side of Trenton Road and west of N. 23rd Street. Lots 1-6 were zoned single-family use while the other lots would be proposed as duplex-fourplex. Trenton Road had 60 ft. from centerline for 120 ft. ROW existing with 65 ft. of paving and curb & gutter on both sides. N. 25th Lane had 50 ft. ROW with 10 ft. sidewalk & utility easements on both sides with paving to be determined and curb & gutter on both sides. Per discussion with project engineer, he needed to check with Traffic Department regarding the possibility of extending N. 25th Lane out to Trenton Road; paving width to be determined based on whether the street was a cul-de-sac or extended north. A 25 ft. private service drive easement provided at the rear of Lots 7-14 and west side of Lot 7 & the east side of Lot 14; 24 ft. of paving. Front setbacks for Lots 1-6 (R-1) were 25 ft., Lots 7-15 (R-2) were 40 ft. or greater for greater for easements; 52 ft. proposed. Rear setbacks for Lots 1-6 (R-1) were in accordance with the Zoning Ordinance, or greater for easements except 25 ft. for the double fronting lots (Lots 3 & 4) along Trenton Road. Side setbacks for Lots 1-6 (R-1) were 6 ft. except 10 ft. along the south sides of Lots 1 & 6 for the easements. Lots 7-15 (R-2): were in accordance with the Zoning Ordinance, or greater for easements except 25 ft. on the west side of Lot 7 and east side of Lot 14 for the private service drive. 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 both sides of N. 25th Lane and Trenton Road. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer was required from adjacent/between multi-family residential and commercial, or industrial zones/uses and along Trenton Road for Lots 3 & 4. An 8 ft. masonry wall was required between single-family residential and commercial, industrial, or multi-family residential zones/uses. Perimeter buffers must be built at time of Subdivision Improvements. A note on the plat would state no curb cut, access, or lot frontage permitted along Trenton Road for all lots. Project engineer was to provide dimensions to determine if all lots met the minimum 50 ft. frontage requirements. Per Parks Department, engineer was to clarify lots designated for single family and those for duplex-fourplex to determine park fee/land dedication requirement. Trip Generation was needed to determine if TIA was required, prior to final plat. Per Section 134-106(4)(a)(1) of the Subdivision Ordinance, in addition to the front setback, a 20 ft. planting area between such lot and the major or minor arterial or major collector shall be provided. Per the Fire Department, cul-de-sac must be 96 ft. wide curb to curb. Per Engineering, driveways as per the City's Access Management Policy and construction of the roadway extension shall meet City standards. Per Traffic, engineer to submit a site plan to show

internal circulation.

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

Mr. Hovar inquired if the plat would come back with a revision to have access to Trenton Avenue.

Ms. Guajardo stated the project engineer would be submitting a revision showing N. 25th Lane being extended to Trenton Avenue.

Following a brief discussion of the item, Mr. Santos moved to approve the subdivision in preliminary form subject to conditions noted, and utility & drainage approvals. Mr. Millin seconded the motion which was carried with five members present and voting and one abstention. Mr. Wright abstained.

d) Gaeli Subdivision; 1813 North Jackson Road - Lone Star National Bank (Revised Preliminary)(SUB2016-0053)(TABLED: 09/14/2016) NE

Ms. Guajardo stated the project engineer requested that the item remain tabled.

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. ROW dedication proposed for 60 ft. from centerline and future total 120 ft. ROW with paving and curb & gutter to be done by the state. N. "K" Center Street had 60 ft. ROW - 86.56 ft. shown on the preliminary plat. 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 Street with 40 ft. of paving and curb & gutter on both sides. E. Sycamore Ave - (E/W interior street) had 60 ft. ROW with 40 ft. of 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 E. Sycamore Ave. exceeded the 800 ft. block length allowed without a "stub out" street. Alley ROW was 20 ft. with 16 ft. of paving. Alley/service drive required for this multi-family residential development. ROW and paving width may increase for parking areas. Front setbacks were 30 ft. setback or greater for approved site plan or easements. Property 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 were 60 ft. or greater for approved site plan or easements. N. "K" Center Street were 30 ft. or greater for approved site plan or easements. Garage setbacks were 18 ft. except where greater setback was required, greater setback applies. All setbacks were subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk required on N. Jackson Road, and both sides of N. "K" Center Street and E. Sycamore Avenue. 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 required from adjacent/between multi-family residential and commercial, and industrial zones/uses. If the property was rezoned, additional buffers may be required prior to final. An 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. If the property was rezoned, additional buffers may be required prior to final. Perimeter buffers must be built at time of Subdivision Improvements. A note on the plat stated no curb cut, access, or lot frontage permitted along N. Jackson Road and N. "K" Center Street. A plat note would state that a 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. Based on number of units proposed, Parkland Dedication Advisory Board and City Commission was required. Park Fee of \$700 to be paid prior to recording. If the fee was applied, it would 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. Trip Generation was reviewed and approved and a T.I.A was not needed. 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. required for this multi-family development. 20 ft. by 20 ft. ROW clips 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.

- d) La Herencia Subdivision; 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)(REMAINED TABLED:09/14/2016)** M & H

Item remained tabled.

The property was a 10 lot subdivision located on the north side of 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 were 10 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.

1. Rezone from R-1 (single family residential) District to R-3A (multifamily residential apartment) District: 0.90 acres out of Lot 207, John H. Shary Subdivision, Hidalgo County, Texas; 301 South Taylor Road. **(REZ2016-0032)(TABLED:08/02/2016)(REMAINED TABLED: 08/16/2016)**

The representative for the applicant requested item to remain tabled.

The property was located along the east side of South Taylor Road approximately 830 feet south of Highway 83. The tract had 73.6 feet of frontage along South Taylor Road and a depth of 535 feet for a tract size of .90 acres. The applicant was requesting R-3A (multifamily residential apartment) District in order to construct apartments. A feasibility plan had been submitted to the Planning Department showing 14 apartments. Adjacent zoning was R-1 (single family residential) District to the south, R-4 (modular home and mobile home) District to the north and east and the City of Mission to the west. The tract comprises one lot that contains a single-family residence. Surrounding land uses were single family residential and mobile homes.

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

The development trend in the area was single family and mobile homes. The property was zoned A-O (agriculture-open space) District upon annexation in 1999 and subsequently rezoned to R-1 District in 2015 as part of the City of McAllen A-O District rezoning project. There have been no rezoning requests on the property since that time. A property to the south was rezoned for R-1 (single family residential) District in 2006 for Cortez Subdivision. Two tracts located to the south were rezoned to R-3A District in 2012 and 2015 and were currently vacant land.

The requested zoning does not conform to the Auto Urban Residential land use designation as indicated on the Foresight McAllen Comprehensive Plan. The property was rezoned to R-1 District in 2015 to support existing single-family uses. The existing residence had a septic system. A single-family residence was constructed in Cortez Subdivision located to the south in 2006 with a septic system and escrow payment for future sewer improvements. McAllen Public Utilities grants a variance

for septic systems for a single-family residence but not for apartment uses. The feasibility plan shows 14 apartment units. Apartment use for the subject property would require extension of a sewer line approximately 1,400 feet. The applicant had not determined the feasibility of extending the sewer line at this time. The number of vehicle trips generated by low-rise apartments was 6.59 vehicle trips per day or 92 trips per day. Taylor Road was designated as a major collector with 80 feet of right-of-way and constructed as a 2 lane rural roadway with no shoulders, no curb and gutter, no street lights, and a posted speed limit of 45 miles per hour. A masonry screen with a height of 8 feet was required along lot lines in common with a single-family use or zone. A park fee of \$700 per unit was required prior to recording of the plat. A recorded subdivision plat and approved site plan was required prior to issuance of any building permit.

At the Planning and Zoning Commission meeting of August 2, 2016 no one appeared in opposition of the rezoning request. The applicant requested that the rezoning request be tabled in order to allow time to determine feasibility of extending sewer service to the proposed development tract. The Board voted to table the rezoning request with four members present and voting. The rezoning request had remained tabled since that time to allow the applicant time to determine feasibility of extending sewer to the proposed development.

Staff recommended disapproval of the rezoning request at this time since the applicant had not determined the feasibility of extending sewer service.

2. 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)(TABLED:07/19/2016)(TABLED:08/02/2016)(TABLED: 08/16/2016)**

Mr. Millin made a motion to remove the item from the table. Mr. Luciano seconded the motion which carried unanimously with six members present and voting.

Mr. Sanchez stated the property was located at the southeast corner of Lark Avenue (4 Mile Line) and North Taylor Road. The tract had 229 feet of frontage along North Taylor Road and a depth of 816.80 feet for a tract size of 4.30 acres. The applicant was requesting R-3A (multifamily residential apartment) District in order to sell the property for apartments. A feasibility plan showing 48 apartments had been submitted to the Planning Department. Adjacent zoning was 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. The tract comprises one lot that was vacant. Surrounding land uses were single family residential, apartments, Iglesia Union Cristiana, McAllen Iglesia Del Nazareno, and Chamsarang Korean Presbyterian Church of McAllen.

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

The development trend in the area was 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.

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 feasibility plan

shows 48 apartment units. The number of vehicle trips generated by low-rise apartments was 6.59 vehicle trips per day or a total of 316 trips per day. The number of apartment units likely to be constructed would be limited based upon parking and landscaping requirements. Taylor Road was designated as a major collector with 80 feet of right-of-way and currently had currently 50 feet of right-of-way and was constructed as a rural collector with two travel lanes and no shoulders. Lark Avenue was designated as a minor arterial with 100 feet of right-of-way and was currently 40 feet of right-of-way with two travel lanes and no shoulders. There was a pattern of commercial use along Taylor Road at arterial intersections. Commercial uses were more suitable at arterial intersections due to large traffic volume and high visibility.

At the Planning and Zoning Commission meetings of July 19 through August 16, 2016 no one spoke in opposition of the rezoning request. Upon written request by the representative for the applicant, the Board unanimously voted on July 19, 2016 to table the rezoning request with five members present and voting. At the request of the representative for the applicant, the rezoning request had remained tabled since that time in order for the applicant to develop a feasibility plan in compliance with requirements. Planning Department had received two phone calls regarding the rezoning request and one of the calls was in opposition of the request.

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 someone present to speak in opposition. The applicant was present.

Mrs. Cynthia Contreras Gutierrez stated she was concerned with apartments coming into the area. The majority of the area was single-family and would prefer for the area to stay as such. She stated she owned a home a quarter mile away from the subjectproperty.

Mr. David Salinas, applicant representative, stated the conceptual plan was done to show what the developer would want to do with the property. The applicant would have to go through rezoning before anything is concrete because the property would still need to go through subdivision and site plan process.

Mr. Sanchez stated the reason for staff's recommendation for disapproval was due to arterial intersection being more suitable for commercial use. During the A-O project, the property was rezoned from A-O to C3-L and property owners were given an opportunity for input.

Following a brief discussion of the item, Mr. Millin moved to recommend disapproval of the rezoning request. Mr. Luciano seconded the motion. The Board voted to recommend disapproval of the rezoning request with six members present and voting.

3. Rezone from C-3 (general business) District to R-3A (multifamily residential apartments) District: 10 acres out of Lot 4, Block 5, A.J. McColl Subdivision, Hidalgo County, Texas; 1813 North Jackson Road. **(REZ2016-0033)**

Mr. Garces stated the property was located along the west side of Jackson Road approximately 580 feet north of Pecan Boulevard. The tract had 310 feet of frontage along Jackson Road and a depth of 1,380 feet for a tract size of 9.45 acres. The applicant was requesting R-3A (multifamily residential apartment) District in order to construct an apartment complex of duplexes–fourplexes. At the Planning

and Zoning special meeting of September 15, 2016, the Board voted to table a subdivision in revised preliminary form by the name of Gaeli Subdivision showing 28 lots and 116 apartments. Adjacent zoning was I-1 (light industrial) District to the north, C-3 (general business) District and C-4 (commercial-industrial) District to the south, and R-3A (multifamily residential apartments) District to the west. The tract comprises one lot that was currently vacant. Some surrounding land uses on the north side were South Texas Collision Center, Yancy Automotive, Ramos Woodwork, HVAC Supply, and Garza Cabinets. Some surrounding land uses on the south side were Lifetime Industries, CRT Flooring Concepts, Jean's Restaurants Supply, Wilson Construction, and All Valley Glass.

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

The development trend in the area was commercial and industrial. The property was rezoned to C-3 (general business) District in 2008. There have been no rezoning requests on the property since that time. The property to the west was rezoned to R-3A District in 2004 and was currently vacant. The property to the north was rezoned to I-1 (light industrial) District and the property to the south was rezoned to C-3 (general business) District as part of A-O city initiated rezoning in 2014.

The requested zoning does not conform to the Industrial land use designation for the property as indicated on the Foresight McAllen Comprehensive Plan. The requested zoning was not in character with the surrounding area as the adjacent uses were primarily commercial and industrial uses.

Permitted uses in the adjacent I-1 (light industrial) District were manufacturing of food products, metals, stone, wood, ceramic, sheet metal, machine shops, laboratories, and uses permitted in the C-4 (commercial-industrial) District.

Permitted uses in the C-4 District were auto and body repair shops, contractor yards, heavy equipment services, wholesale trade, freight terminal, and junk yards. C-4 District uses may be objectionable due to noise from heavy service operations and truck traffic. Adjacent properties used for open storage facilities for materials and equipment were required to be obscured by a wall on sides abutting R-3A District. Proposed alleys adjacent to commercial and industrial uses may be used by commercial traffic.

The property was located in the Pharr – San Juan – Alamo Independent School District with school assignments to Allen & William Arnold Elementary School, Liberty Middle School, and PSJA North High School.

Jackson Road was designated as a principal arterial that was constructed as a 4 lane roadway with a left turn lane, bicycle lanes, curb and gutter, street lights and a posted speed limit of 50 miles per hour. There were no sidewalks along Jackson Road. A recorded subdivision plat and an approved site plan were required prior to issuance of any building permits.

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.

The board questioned the wall requirement, and whether there would be access of alleyway for the commercial uses to the north and south of the property.

Mr. Garces stated the streets to the north and south were alleys and not service drives, if they were service drives they would be limited to the residents of the property. The ordinance stated a buffer was required to separate the different uses. The type of buffer would be determined at site plan approval.

Mr. Guillermo Arratia stated the subdivision was tabled at the last meeting due to secondary access for Fire. The developer had decided to extend the street all the way to the west for future connection. The property to the west was zoned as R-3A, and commercial zoning to the north and south. An 8 ft. fence or wall would be placed along the north, south and alley. He also stated the alleys would be considered as service drives. He would include a wall to create a buffer to separate the residential & commercial uses.

Following a lengthy discussion of the item, Mr. Millin moved to recommend disapproval of the rezoning request. Mr. Luciano seconded the motion. The Board voted to recommend disapproval of the rezoning request with six members present.

4. 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. **(REZ2016-0034)**

The item was withdrawn.

5. 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. **(REZ2016-0035)**

Mr. Sanchez stated the property was located on the south side of Ivy Avenue, 160 feet east of 23rd Street. The tract had 60 feet of frontage along Ivy Avenue and a depth of 120 feet for a tract size of 7,316 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 surrounding area to the east of 23rd Street was residential. The current zoning district for the subject property permits a home occupational 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 applied for permit must reside at location for which

permit was applied. 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 8 parking spaces as shown in the feasibility plan. Two (2) parking spaces were required for the 1 bedroom apartment. Six (6) parking spaces were required for the daycare occupying 1,209 square feet on the first floor. The minimum parking stall depth was 18 feet. The parking stalls shown in the feasibility plan as 1 through 5 have a depth of 18 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. Compliance with off-street parking, landscaping, buffers and various building and fire codes are 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.

Mr. Sanchez stated two people had visited the office in regards to the legal notice that was received and voiced their opposition to the request and were intending on turning in a petition against the rezoning request.

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 person present to speak in opposition. The applicant representative was present.

Mr. Sanchez stated the pattern in the area was for single-family use. There have been six different rezonings in the area of 29th Street and Trenton Avenue. The applicant was the owner of the property as well as the owner of the adjacent lot to the south.

Tom Brownmiller, applicant representative, approached the podium and stated there are many different uses in the area. The potential buyer was present with their attorney to speak on behalf of them.

Mrs. Cynthia Contreras Gutierrez, representing the buyer, approached the podium, she stated the potential owner had done the feasibility plan not the current owners. She handed the board members a copy of the feasibility plan. The potential owner would be living next to the state-of-the-art laundromat, which would be a family-friendly place for the commercial uses in the area. There was also a petition in support of the laundromat.

A motion by Mr. Mark Wright to disapprove the rezoning request did not receive a second. Mr. Millin moved to recommend approval of the rezoning request. Mr. Santos seconded the motion. The vote was called for and it carried with five members voting aye. Mr. Wright voted nay. There were six members present and voting.

b) CONDITIONAL USE PERMITS:

1. Request of John A. Simon, for a Conditional Use Permit, for one year, for a bar at Lot 23, Continental Trade Center Subdivision, Hidalgo County, Texas; 2007 Orchid Avenue. **(CUP2016-0111)**

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

The initial conditional use permit for this establishment (Simon Sez II) was approved by the Planning and Zoning Commission on March 16, 1993 and had been renewed annually. The last permit was approved for renewal on July 21, 2015.

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

Attached was the Police Activity report for service calls from August 2015 to present. No concerns or complaints have been received by the Planning Department. The Fire and Health Departments have inspected and cleared the establishment. The establishment must also meet the requirements set forth in Section 138-118(4) of the Zoning Ordinance and specific requirements as follows:

- 1) The property line of those businesses having late hours (after 10:00 p.m.) must be at least 300 ft. from the nearest residence, church, school or publicly-owned property or must provide sufficient buffer and sound insulation of the building such that the building was not visible and cannot be heard from the residential areas. The establishment was within 300 ft. of the McAllen International Museum; however, staff had not received any complaints from the McAllen International Museum Board;
- 2) The property must be as close as possible to a major arterial and shall not generate traffic onto residential sized streets. The establishment had direct access to Orchid Avenue and was near Nolana Avenue;
- 3) The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance as a minimum, and make provisions to prevent the use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional on site parking. Based on the square footage of the building, 24 parking spaces were required. Seven parking spaces were provided on site. Parking agreements were submitted to meet parking requirements with a total of 17 spaces available, totaling 24 spaces. The parking agreements were valid with an expiration date of March 31, 2017 (five year term). The applicant had been advised of the closeness of the parking agreement terms. He submitted updated agreements valid from August 31, 2016 to August 31, 2021;
- 4) The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties by providing, when necessary, fences, hedges or reorientation of entrances and exits under the vegetation ordinance. The unpaved areas (east side) cannot

be used for parking. This area was not fenced off;

- 5) The business shall provide sufficient lighting to eliminate dark areas and maximize visibility from a public street in order to discourage vandalism and criminal activities;
- 6) The business must make provisions to keep litter to a minimum and keep it from blowing onto adjacent properties; and
- 7) The above mentioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Planning Director. The allowable number of persons within the building shall be restricted to 96 persons.

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

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

Mr. John A. Simon, the applicant, stated that he had already resurface, restriped and placed the handicap sign fronting the building.

Mr. Luciano **moved** to approval of the request, for one year, subject to compliance with requirements in Section 138-118(4) of the Zoning Ordinance, Health and Fire Department requirements with added condition of the paving to be resurfaced and restriped with handicap signs as needed with staff verifying. Mr. Wright seconded the motion with five members voting aye and one abstention. Mr. Millin abstained.

2. Request of Samuel Avila, for a Conditional Use Permit, for one year for a bar at Lot 1, Nolana West Subdivision, Hidalgo County, Texas; 2200 Nolana Avenue, Suites 2212 and 2214. **(CUP2016-0114)**

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

The initial Conditional Use Permit was approved by the City Commission on June 22, 2009 with a variance to the 600 ft. distance requirement. The permit had been renewed annually. The last permit was approved by the City Commission with a variance to the distance requirement on September 22, 2015.

The applicant was proposing to continue to operate a bar (Cigar Bar) from the existing 4,500 sq. ft. commercial lease space. The proposed hours of operation have changed to 10:00 a.m. to 2:00 a.m. Monday through Sunday.

Attached was the police activity report indicating service calls from September 2015 to present. The Fire and Health Departments have inspected the establishment, which was in compliance with the health and safety codes and regulations. Should the Conditional Use Permit be approved, the applicant would be required to sign the application acknowledging and agreeing to the conditions of the permit. The establishment must also meet the requirements set forth in Section 138-118(4) of the Zoning Ordinance and specific requirements as follows:

- 1) The property line of the lot of any of the above mentioned businesses must be at least 600 ft. from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruption of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The proposed establishment was within 600 ft. from residential zones/uses and McAllen's Public Library;
- 2) The property must be as close as possible to a major arterial and shall not generate traffic onto residential sized streets. The establishment was located on two major arterials, Nolana Avenue and North 23rd Street, and does not generate traffic into residential areas;
- 3) The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance as a minimum, and make provisions to prevent the use of adjacent streets for parking. Currently there was a multi-tenant commercial building on the property. The building was a mixture of retail, a restaurant, bars and a vacant suites. At this time, there were two restaurants (Cabritos Nuevo Leon & Sonias Tamales), 43,109 sq. ft. of retail suites including Dollar General and the 0.99 Cent store in use, 2,800 sq. ft. of vacant suites, two bars (Rana's & DeLoreans), and a kid's event center. Based on the existing uses that were opened during the day, 218 parking spaces were required. The proposed 4,500 sq. ft. bar would require 60 parking spaces for a total of 278 spaces required. The existing bar uses and the proposed bar have a peak time of 11 p.m., requiring 124 parking spaces. There were 294 parking spaces provided on site. However, the majority of the businesses close by 8:00 p.m., except the restaurant Cabrito Nuevo Leon, 0.99 cent Store, and Dollar General.
- 4) The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties;
- 5) The business shall provide sufficient lighting to eliminate dark areas and maximize visibility from a public street in order to discourage vandalism and criminal activities;
- 6) The business must make provisions to keep litter to a minimum and keep it from blowing onto adjacent properties; and
- 7) The above mentioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Planning Director. The allowable number of persons within the existing establishment was 187 persons.

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

Chairperson, Pepe Cabeza de Vaca, asked if there was anyone present in opposition of the conditional use permit being requested and there was no one present to speak in opposition. The applicant was not present.

The board inquired if there were any parking complaints in the area.

Mrs. Garcia stated staff had not received any complaints.

Following a brief discussion, Mr. Wright **moved** to recommend disapproval of the conditional use permit request, for one year, 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 requirement. Mr. Santos seconded the motion, which carried with five members voting aye and one abstention. Mr. Millin abstained.

3. Request of Miguel A. Gonzalez on behalf of MNC Entertainment, LLC. for a Conditional Use Permit, for one year, for a bar at the 1.24 acres out of Lot 2, Block 11, Hidalgo Canal Company Subdivision, Hidalgo County, Texas; 5524 North 10th Street. **(CUP2016-0117)**

the property was located on the east side of North 10th Street, approximately 250 ft. south of Dove Avenue and was zoned C-3 (general business) District. The adjacent zoning was C-3 District to the north, west and south and R-1 (single family residential) District to the east. Surrounding land uses include retail, offices, Bill Schupp Park and single family homes. A bar was allowed in a C-3 zone with a Conditional Use Permit and in compliance with requirements.

The initial Conditional Use Permit was approved for a bar at this location by the Planning and Zoning Commission in 1997, and renewed in 1998, and 2001. In 2003 -2007 and 2009 – 2013, the permit was renewed and approved with a variance to the 600 ft. distance requirement with additional conditions as noted by the City Commission. The last permit was approved for 6 months only by City Commission on November 9, 2015. The establishment was currently not in operation.

There was a new applicant proposing to operate a bar from the existing building. The applicant proposes to operate the (3,526 sq. ft.) bar and the outdoor area (2,070 sq. ft.).

The proposed hours of operation were from 7 p.m. to 2:00 a.m. seven days a week. Based on the existing uses, Driving Zone Defensive Driving School (10 a.m. to 7 p.m.) and a Law Office (8 a.m. to 6 p.m.), 13 parking spaces were required; 36 spaces were provided on site. Based on the proposed 5,596 sq. ft. bar, 64 parking spaces were required, leaving a deficiency of 28 spaces. The applicant was advised about the deficiency of the 28 parking spaces. He stated that he would obtain a parking agreement. The applicant submitted a parking agreement for an additional 30 parking spaces from an adjacent business that closes at 6 p.m. If the conditional use permit was approved the applicant also stated he would construct on site an additional 13 parking spaces so that he may open at 11:00 a.m. (indoor only) and after 9:00 p.m. he would open the outdoor area. If he constructs the additional onsite parking spaces and with the parking agreement he would have a total of 79 parking spaces for the indoor and outdoor area.

However, previous conditional use permit approvals have included the condition that the outside area not be used.

As well as previous permits have been approved with the following additional conditions: 1) No live

music; 2) No expansion of the existing dance floor (11' X 11') without permission of the city; 3) must operate a kitchen with food service; 4) Cannot hear the business from the residential area after 10:00 p.m. and; 5) No Wet "T" Shirt Contests.

Attached was a police activity report, which indicates service calls from September 2015 to present for the previous establishment. The Fire and Health Departments have conducted their inspections, but a final inspection was pending once the building permit was complete. 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 was within 600 ft. from the nearest residence and Bill Schupp Park;
2. The property must be as close as possible to a major arterial and shall not generate traffic onto residential sized streets. The bar was located on a major arterial, North 10th Street and does not generate traffic into residential areas;
3. The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance as a minimum, and make provisions to prevent the use of adjacent streets for parking. Based on the existing uses, Driving Zone Defensive Driving School (10 a.m. to 7 p.m.) and a Law Office (8 a.m. to 6 p.m.), 13 parking spaces were required; 36 spaces were provided on site. Based on the proposed 5,596 sq. ft. bar, 64 parking spaces were required, leaving a deficiency of 28 spaces. The applicant was advised about the deficiency of the 28 parking spaces. He stated that he would obtain a parking agreement. The applicant submitted a parking agreement for an additional 30 parking spaces from an adjacent business that closes at 6 p.m. If the conditional use permit was approved the applicant also stated he would construct on site an additional 13 parking spaces so that he may open at 11:00 a.m. (indoor only) and after 9:00 p.m. he would open the outdoor area. If he constructs the additional onsite parking spaces and with the parking agreement he would have a total of 79 parking spaces for the indoor and outdoor 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 for this established was set at 188.

Should the conditional use permit be approved, additional conditions would apply including no

outside seating or music and conditions as previously noted on previous approvals.

Staff recommended disapproval of the request based on 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 being requested and there was no one present to speak in opposition. The applicant was present.

Mr. Miguel Gonzalez, the applicant, stated he had made parking agreements with surrounding business owners to comply with parking requirements. He also stated that he would provide security to control loitering, noise levels, make sure the parking would be more along 10th Street and limit the parking at the rear. The outside area would not have any music instead it would be a quiet area for customers.

Following a brief discussion, Mr. Millin moved to recommend approval of the conditional use permit for one year, 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 and parking requirements. Mr. Wright seconded the motion, which carried with six members voting and present.

4. Request of Rhodes Enterprises, Inc., for a Conditional Use Permit, for life of the use, for an associated recreation at the 40.882 acres consisting of a 35.454 acres tract and a 5.428 acres tract out of Section 232, Texas-Mexican Railway Company Survey, Hidalgo County, Texas; 5100 Tres Lagos Boulevard. **(CUP2016-0119)**

Ms. Garcia stated the property was located approximately ½ mile north of Russell Road and 2,300 ft. west of North Ware Road. Once Tres Lagos Boulevard was constructed, the recreation areas would be located on the north and south sides of the street. The property was zoned C-4 (industrial commercial) District and R-1 (single family residential) District. The adjacent zoning was R-1 District includes all directions with some areas C-4 (commercial industrial) District to the north, small portion in the center, and east. The surrounding land uses include vacant land. An institutional use was permitted in an R-1 zone with a conditional use permit and in compliance with requirements.

The property was part of Community Center at Tres Lagos Subdivision, which had four lots and received preliminary approval on July 5, 2016. A note on the plat states that a site plan must be approved by the Planning and Zoning Commission prior to issuance of a building permit.

Currently, the property was vacant; however, the infrastructure improvements were under construction. The applicant was proposing to construct recreation areas in the property for the overall development. Lot 1 would consist of a community center building with parking spaces; Lot 2 would consist of a park with a pavilion, an amphitheater, basketball courts, tennis courts, volley ball court, a soccer field, restrooms, and a lake; Lot 3 would consist of a pool and parking spaces; and Lot 4 would consist of a park with trails, restrooms, and parking spaces.

The site must comply with all requirements on the building permit, including setbacks, landscaping, parking etc. The proposed use shall meet all the minimum standards and must comply with the

applicable subdivision ordinances, the zoning ordinance and specific requirements as follows:

- 1) No form of pollution shall emanate beyond the immediate property line of the permitted use;
- 2) Additional reasonable restrictions or conditions such as 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;
- 3) The associated recreation shall comply with the requirements established for accessory uses. The recreation areas proposed were for the use of the overall development;
- 4) The associated recreation shall be customarily incidental to and maintained and operated as a part of the primary residential use. The recreation areas would be maintained by the Homeowner's Association/Public Improvement District (PID);
- 5) The associated recreation shall not be hazardous to and does not impair the uses or enjoyment of nearby residential uses in a greater degree than the residential uses;
- 6) The associated recreation shall not add to levels of noise, odor, vibration and lighting or degrees of traffic congestion, dust or pollutants, in a greater amount than the adjacent residential uses.

Staff recommended approval of the request, for life of the use, subject to recording of the subdivision plat, compliance with the Subdivision and Zoning Ordinance, Fire Department and building permit requirements, and an exception allowing a portion of the recreation areas to be in a C-4 Zoning District.

Chairperson, Pepe Cabeza de Vaca, asked if there was anyone present in opposition of the conditional use permit being requested and there was no one present to speak in opposition. The applicant was not present.

Being no discussion, Mr. Luciano **moved** to recommend approval of the request, for the life of the use, subject to subject to recording of the subdivision plat, compliance with the Subdivision and Zoning Ordinance, Fire Department and building permit requirements, and an exception allowing a portion of the recreation areas to be in a C-4 Zoning District. Mr. Santos seconded the motion with six members present and voting.

5. Request of Pastor Enrique Miranda on behalf of Iglesia Sinai Alianza, for a Conditional Use Permit, for life of the use, for an institutional use (church) at Lots 5 & 6, Block 1, Athel Subdivision and Lots 5, 6 and 7 Block 1, Hackberry Homesites Subdivision, Hidalgo County, Texas; 819 North 19th Street. **(CUP2016-0121)**

Ms. Garcia stated the property was located on the west side of North 19th Street, approximately 220 ft. north of Hackberry Avenue. It was zoned R-1 (single family residential) District. The adjacent zoning was R-1 District to the north, west, and south, and C-2 (neighborhood commercial) District to the east and south. Surrounding land uses include commercial businesses, and single and multi-family residence. An institutional use was permitted in an R-1 zone with a Conditional Use Permit and in compliance with requirements.

Currently, there was an existing church building (1,510 sq. ft.) fronting North 19th Street with concrete parking and a residence at the rear fronting North 20th Street. The applicant was proposing to add an additional 6,653 sq. ft. to the existing church building. The existing home on the lots to the rear of the church will be demolished and replaced with a new parking lot for the church. The new seating capacity will be 176 seats and the second floor area will consist of seven classrooms. The existing church will have the fellowship hall, lounge, two offices, and the restrooms. Based on the 176 seats in the new main sanctuary 44 parking spaces were required; 47 spaces were proposed.

A building permit application will need to be submitted and reviewed by the City departments. All requirements must be met for the building permit 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 North 19th Street and had access to North 20th 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. Based on the 176 seats in the main sanctuary, 44 parking spaces were required; 47 spaces were proposed;
- 3) The proposed use shall prevent the unauthorized parking of its patrons on adjacent businesses or residences by providing fences, hedges or reorientation of entrances and exits;
- 4) The proposed use shall provide sufficient lighting to eliminate dark areas, perimeter fencing, and an orientation of the building to provide maximum visibility from a public street in order to discourage vandalism and criminal activities;
- 5) Provisions shall be made to prevent litter from blowing onto adjacent streets and residential areas;
- 6) The number of persons within the building shall be restricted to 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. A 6 ft. opaque fence was required on the north and south sides.

Staff recommended approval of the request, for life of the use, subject to 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 being requested and there were surrounding neighbors present to speak in opposition. The applicant and the project engineer were present.

Mr. Raul Villegas, Yvonne Lazoia, and Mrs. Tijerina Suarez, surrounding neighbors, had concerns with the subject property because they had heard rumors that the addition to the church would be utilized as a shelter for the homeless and/or immigrants. In addition, other concerns were with additional traffic in the neighborhood due to children playing in the area.

The board inquired about the expansion being over the lot line and whether it would need a replat and how many members were in the church and the hours of operation.

Mr. Jamie Enriquez, the Project Engineer, stated that they were needing to confirm with the Planning Department in regards to platting. However, the church like approval for the expansion of the church first. The drawings were preliminary and would be revised as needed.

Mr. Enrique Miranda, the applicant stated the facility's expansion would accommodate for additional members due to the church growing in number. The property would not be used in any other way. There were about 75 members present for Sunday services and on Wednesday would have approximately 50 people who attend services and the expansion would double the amount of members.

Following a brief discussion, Mr. Millin moved to recommend approval of the request, for the life of the use, subject to conditions as noted, compliance with the Zoning, Fire Department and building permit requirements. Mr. Santos seconded the motion with six members present and voting.

6. Request of Raul Garza, for a Conditional Use Permit for a for one year, for a portable building greater than 10'x12' (wood pallet treatment), at the 21.90 acres out of the North 415.60 ft. of Lot 19 and the South 108.62 ft. of Lot 18, Block 1, C.E. Hammond Subdivision, Hidalgo County, Texas; 1919 Trophy Drive. **(CUP2016-0116)**

Ms. Garcia stated the property was located on the southeast corner of North 23rd Street and Trophy Drive. The property was zoned I-1 (light industrial) District. The adjacent zoning was I-1 to the west, south, and north and R-1 (single family residential) District to the east. Surrounding land uses include commercial businesses, industrial businesses and single family residences. A portable building was allowed in an I-1 District with a Conditional Use Permit and in compliance with requirements.

The initial conditional use permit was approved for this site for one year by the Planning and Zoning Commission on June 16, 2004. The permit was renewed annually up until November 2012. There was a new applicant; therefore, it had to come before the Planning and Zoning Commission for consideration and approval.

The applicant was proposing to continue to use the 10 ft. X 57 ft. portable building on the property for pallet heat treatments. The required parking was four spaces and 13 spaces are required for the existing buildings; 24 parking spaces are provided on site. Access to the property would continue to be from two-30 ft. wide curb along Trophy Drive.

The Fire Department had inspected the location and was in compliance with 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:

- 1) Portable buildings must not be used for living quarters. The building would be used for pallet heat treatments;
- 2) Must be located in such a manner as to have access to a public right-of-way within 200 ft. The property fronts Trophy Drive;
- 3) The proposed use and adjacent businesses shall comply with the off-street parking and loading ordinance. The required parking was four spaces and 13 spaces are required for the existing buildings; 24 parking spaces are provided on site;
- 4) Must provide for garbage and trash collection and disposal. The proposed building would have access to the dumpster already located on site;
- 5) Must be connected to an approved water distribution and sewage disposal system;
- 6) No form of pollution shall emanate beyond the immediate property line of the permitted use; and
- 7) Additional reasonable restrictions or conditions such as increased open space, loading and parking requirements, suitable landscaping, curbing, sidewalks or other similar improvements may be imposed in order to carry out the spirit of the Zoning Ordinance or mitigate adverse effects of the proposed use.

Staff recommended approval of the request, for one year, 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 being requested and there was no one present to speak in opposition. The applicant was not present.

Being no discussion, Mr. Luciano **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. Santos seconded the motion which carried with five members voting aye and one abstention. Mr. Millin abstained.

7. Request of Jorge Calleja Barrett on behalf of Barrett Auto Gallery, for a Conditional Use Permit, for one year, for a portable building greater than 10'x12' (office), at Lot 2B, Valram Heights Subdivision, Hidalgo County, Texas; 2703 Expressway 83. **(CUP2016-0125)**

Ms. Garcia stated the property was located on the south side of Expressway 83, approximately 380 ft. west of S. 26th Street. The property was zoned C-3 (general business) District. The adjacent zoning was C-3 District to the west, north, east and R-1 (single family residential) District to the south. Surrounding land uses include the Land Rover Dealership building, which was now closed, vacant land and residential homes. A portable building was allowed in a C-3 District with a Conditional Use Permit and in compliance with requirements.

The initial conditional use permit was approved for the portable building by the Planning and Zoning

Commission on September 17, 2002 and was renewed annually. The permit was last renewed on June 7, 2005. The applicant then, canceled the permit in August 21, 2006 due to the portable building being removed from the property. Another conditional use permit was approved for a portable building for one year by the Planning and Zoning Commission on April 5, 2011. The permit was renewed on April 2012; however, no renewal followed after that. Due to the expiration time frame it had to come before the Planning and Zoning Commission of consideration and approval.

The applicant proposes to continue to utilize the portable building (23 ft. by 50 ft.) for an automotive sales office use. The site and floor plan indicates that the 1,150 sq. ft. portable building had four offices and two restrooms. Nine parking spaces were required based on the square footage and use of the building. As per site plan, there was 109 parking spaces provided, of which 12 parking spaces would be for customers, one being accessible, 33 for employees/trade in cars, and 64 for the automotive sales. A 6 ft. buffer was required from adjacent residential zone/use and around dumpsters if visible from the street. A building permit for the portable building would be required and must comply with parking, setbacks, landscaping, and other permit requirements.

The Fire Department had inspected the building; however, a final inspection was pending. The portable building must also meet the requirements set forth in Section 138-118(3) of the Zoning Ordinance as follows:

- 1) Portable buildings must not be used for living quarters. The building would be used for office purposes;
- 2) Must be located in such a manner as to have access to a public right-of-way within 200 ft. The property fronts Expressway 83;
- 3) The proposed use and adjacent businesses shall comply with the off-street parking and loading ordinance. Nine parking spaces are required based on the square footage and use of the building. As per site plan, there was 109 parking spaces provided, of which 12 parking spaces would be for customers, one being accessible, 33 for employees/trade in cars, and 64 for the automotive sales;
- 4) Must provide for garbage and trash collection and disposal;
- 5) Must be connected to an approved water distribution and sewage disposal system;
- 6) No form of pollution shall emanate beyond the immediate property line of the permitted use; and
- 7) Additional reasonable restrictions or conditions such as increased open space, loading and parking requirements, suitable landscaping, curbing, sidewalks or other similar improvements may be imposed in order to carry out the spirit of the Zoning Ordinance or mitigate adverse effects of the proposed use.

Staff recommended approval of the request, for one year, 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 being requested and there was no one present to speak in opposition. The

applicant was present.

Being no discussion, Mr. Wright **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. Millin seconded the motion which carried unanimously with six members voting and present.

8. Request of San Juanita Quintanilla, for a Conditional Use Permit, for one year, for a home occupation (office) at Lot 128, Ponderosa Park Phase 2 Subdivision, Hidalgo County, Texas; 3220 Kerria Avenue. **(CUP2016-0126)**

Ms. Garcia stated the property was located on the northwest corner of the cul-de-sac of Kerria Avenue and North 32nd Lane, and was zoned R-1 (single family residential) District. The adjacent zoning was R-1 district to the west, east, and south and C-3 (general business) District to the north. Surrounding land uses include single family residences, vacant land, and McAuliffe Elementary School. A home occupation was permitted in an R-1 zone with a Conditional Use Permit and in compliance with requirements.

The applicant was proposing to operate an office for a marketing business from the existing residence. The business would operate Monday through Friday from 9 a.m. to 5 p.m. Most orders would be taken by email and/or by the applicant visiting customers at their locations. Any customers that come by the residence would be by appointment only.

Should the conditional use permit be approved, the applicant would be required to sign the certificate acknowledging and agreeing to the conditions of the permit.

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

- 1) The home occupation must be clearly secondary to the residential use. The applicant lives at the residence;
- 2) No signs were permitted. No signs were proposed;
- 3) There shall be no exterior display or alterations indicating that the building was being used for any purpose other than that of a dwelling. No exterior display was proposed;
- 4) There shall be no more than one additional unrelated employee other than immediate members of the family residing on the premises. The applicant stated that there will be one additional employee;
- 5) There shall be no outside storage of materials or products. The applicant proposes no outside storage;
- 6) The permitted use shall not create frequent or heavy traffic, not greater than ten percent (10%) of the average load per hour as determined by the city traffic engineer. Most orders would be taken by email and/or by the applicant visiting customers at their locations. Any

customers that come by the residence would be by appointment only;

- 7) No retail sales (items can be delivered). No retail sales proposed onsite, all items would be delivered;
- 8) No additions to the residence or accessory building specifically to accommodate the business. The applicant proposes no additions or accessory building to accommodate the business;
- 9) The business must take place in the primary residential structure on the property rather than in a detached garage or separate accessory building. The occupation was proposed to take place in the primary residential structure; and
- 10) The activity must take place at the location of which the permit was issued.

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

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

Being no discussion, Mr. Millin **moved** to recommend approval of the conditional use permit, for one year, subject to Section 138-118(1) of the Zoning Ordinance and Fire Department requirements. Mr. Luciano seconded the motion, which carried with six members present and voting.

9. Request of Ivette A. Garza, for a Conditional Use Permit, for one year, for a portable food concession stand at Lots 14 & 15, Block 2, Balboa Acres Subdivision, Hidalgo County, Texas; 4310 South 23rd Street. **(CUP2016-0122)**

Ms. Garcia stated the property was located on the west side of South 23rd Street, approximately 750 ft. north of Idela Avenue. It was zoned C-3 (general business) District. The adjacent zoning was C-3 District to the north, south, and east and R-1 (single family residential) District to the west. Surrounding land uses include single family residential, retail, offices, and vacant land. A portable food concession stand was permitted in a C-3 zone with a conditional use permit.

Currently, there was a commercial convenience drive thru store on the property. The applicant was proposing to place a 9 ft. by 20 ft. (180 sq. ft.) portable food concession stand on the property for restaurant use. The hours of operation were from 12:00 p.m. to 10:00 p.m. Monday – Sunday.

Should the conditional use permit be approved, the applicant must obtain a building permit to place the portable building on site, and must also comply with parking, landscaping, and setback requirements. Access would be from existing curb cut on South 23rd Street.

The Fire Department had conducted an inspection; however, once the portable concession stand building permit was finalized it would require a re-inspection for final approval. The Health Department would also conduct inspections to ensure compliance with their requirements at time of final

inspection. The establishment must also comply with requirements set forth in Section 138-118(9) of the Zoning Ordinance and other specific requirements as follows:

- 1) The proposed use shall not be located in a residentially zoned area. The property was zoned C-3 District;
- 2) The proposed use shall be inspected by the Building Inspector and comply with applicable building codes. A building permit was required for the portable building;
- 3) The proposed use and adjacent businesses shall comply with the off-street parking and loading ordinance. Based on the existing use 7 parking spaces were required. Based on the 180 total sq. ft. of restaurant use, four parking spaces were required for a total of 11 spaces required. Currently, there were 6 parking spaces on site. The applicant indicated that she can accommodate 5 more parking spaces;
- 4) A portable building or trailer for the proposed use shall be properly anchored to the ground;
- 5) The proposed use shall comply with the zoning district setback requirements; and
- 6) Water and sewage disposal facilities must be available and may be required to the proposed use. Restroom facilities would be provided on site from the existing commercial building.

Staff recommended approval of the request, for one year, subject to compliance with Section 138-118(9) of the Zoning Ordinance, building permit, Health and Fire Department requirements, and providing the total parking spaces required.

Chairperson, Pepe Cabeza de Vaca, asked if there was anyone present in opposition of the conditional use permit being requested and there was no one present to speak in opposition. The applicant was not present.

Being no discussion, Mr. Millin **moved** to recommend approval of the conditional use permit, for one year, subject to Section 138-118(9) of the Zoning Ordinance, building permit, Health and Fire Department requirements and providing the total parking spaces required. Mr. Luciano seconded the motion, which carried with six members present and voting.

10. Request of Alma Torres, for a Conditional Use Permit, for one year, for a portable food concession stand at Lot 1, Block 2, Young's Subdivision, Hidalgo County, Texas; 2401 Highway 83. (CUP2016-0128)

Ms. Garcia stated the property was located at the southwest corner of Business Highway 83 and South 24th Street. The property was zoned I-1 (light industrial) District. The adjacent zoning was I-1 District in all directions. Surrounding land uses include commercial business, multi-family residences, and vacant land. A portable food concession stand was permitted in an I-1 zone with a conditional use permit.

The initial conditional use permit was approved for this location for one year by the Planning and Zoning Commission on February 21, 2012 since the initial permit was approved, the permit had been approved for different applicants. A same request had previously come before the Planning and Zoning Commission and was approved for one year on August 2, 2016. There was again a new

applicant; therefore, it had to come before the Planning and Zoning Commission for consideration and approval.

There was currently a commercial block building and a 160 sq. ft. portable food concession stand on the property. The applicant was proposing to continue to operate a snow cone stand from the 160 sq. ft. portable food concession stand. It would be take out only and no seating was proposed. Based on the area of the 160 sq. ft. portable food concession stand, 4 parking spaces were required. There were 13 parking spaces in front of the commercial block building, out of those spaces, 7 were required for the retail lease spaces and 4 would be used by the applicant to meet parking requirements, leaving 2 available. During the onsite inspection, staff observed that the parking lot still needs maintenance and the potholes need to be fixed.

The Health and Fire Departments have inspected the establishment, which meets all the minimum safety codes and regulations. 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 I-1 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. Based on the area of the 160 sq. ft. portable food concession stand, 4 parking spaces were required. There were 13 parking spaces in front of the commercial block building; out of those spaces, 7 were required for the retail lease spaces and 4 would be used by the applicant to meet parking requirements, leaving 2 available. During the onsite inspection, staff observed that the parking lot still needs maintenance and the potholes need to be fixed;
- 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 were provided on site from one of the retail lease spaces from the commercial block building.

Staff recommended approval of the request, for one year, subject to compliance with Section 138-118(9) of the Zoning Ordinance, Health and Fire Department requirements, and repairing the parking lot as needed.

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

Being no discussion, Mr. Millin moved to recommend approval of the conditional use permit, for one year, subject to Section 138-118(9) of the Zoning Ordinance, building permit, Health and Fire Department requirements and repairing the parking lot as needed. Mr. Hovar seconded the motion,

which carried with six members present and voting.

11. Request of Elida Moreno, for a Conditional Use Permit, for one year, for a banquet hall at Lot 1, Nolana Heights Subdivision, Hidalgo County, Texas; 601 East Nolana Avenue. (CUP2016-0123)

Ms. Garcia stated the property was located on the north side of East Nolana Avenue, approximately 140 ft. west of North McColl Road and was zoned C-3 (general business) District. The adjacent zoning was C-3 District in all directions. Surrounding land uses includes commercial businesses, offices, restaurants, a church and vacant land. 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 for a bar was approved in April of 1999 and was renewed annually until 2005. The bar was closed and a new application was submitted and approved for a dancehall in May of 2008 and had been renewed annually. The last approval was in September 14, 2015 by the City Commission with a variance to the distance requirement.

The applicant was proposing to continue to operate the banquet hall (De Mor Banquet & Conference Center) from the existing building which would be rented for special events from 2:00 p.m. to 1:00 a.m. daily.

Attached was the Police Activity Report from September 2015 to present. The Health and Fire Departments have inspected the establishment and was in compliance with health and safety codes and regulations. Should the conditional use permit be approved, the applicant would be required to sign the application acknowledging and agreeing to the conditions of the permit. The establishment must also meet the requirements set forth in Section 138-118(4) of the Zoning Ordinance and specific requirements as follows:

- 1) The property line of the lot of any of the above mentioned businesses must be at least 600 ft. from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruption of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The proposed establishment was within 600 ft. of a residentially zoned property to the northwest, a church (First United Methodist) to the northeast, and a synagogue (Temple Emmanuel) to the northwest;
- 2) The property must be as close as possible to a major arterial and shall not generate traffic onto residential sized streets. The establishment had direct access to East Nolana Avenue and North McColl Road and does not generate traffic into residential areas;
- 3) The business must provide parking in accordance with the Zoning Ordinance parking requirements as a minimum, and make provision to prevent the use of adjacent streets for parking. Based on the square footage of the building, 125 parking spaces were required and were provided on the lot, which had common access easements to the north and west;
- 4) The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties or residences by providing, when necessary, fences, hedges or reorientation of entrances and exists;

- 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 Marshall, Building Official and Planning Director. The allowable number of persons based upon the floor area of the establishment was set a maximum capacity of 498 persons.

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

Chairperson, Pepe Cabeza de Vaca, asked if there was anyone present in opposition of the conditional use permit being requested and there was no one present to speak in opposition. The applicant was not present.

Being no discussion, Mr. Millin moved to recommend disapproval with a favorable recommendation of the conditional use permit, for one year, based on noncompliance with requirement #1 (distance) of Section 138-118(4) of the Zoning Ordinance. Mr. Hovar seconded the motion, which carried with five members voting aye and one abstention. Mr. Wright abstained.

6) DISCUSSION: NONE

7) INFORMATION ONLY:

- a) City Commission Action of September 12, 2016
- b) American Planning Association – Texas Chapter Conference – San Antonio, TX
November 2-4, 2016 – Registration may be done at: <http://www.txplanning.org/>.
- 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.

There being no further business to come before the Planning & Zoning Commission, Mr. John Millin adjourned the meeting at 5:50 p.m., Mr. Daniel Santos seconded the motion which carried unanimously with six members present and voting.

Chairperson, Pepe Cabeza de Vaca

ATTEST: _____
Susana De La Cerda, Secretary

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: September 29, 2016

**SUBJECT: SITE PLAN APPROVAL FOR LOT 1, STC WEST 20 ACRE SUBDIVISION;
3401 PECAN 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:

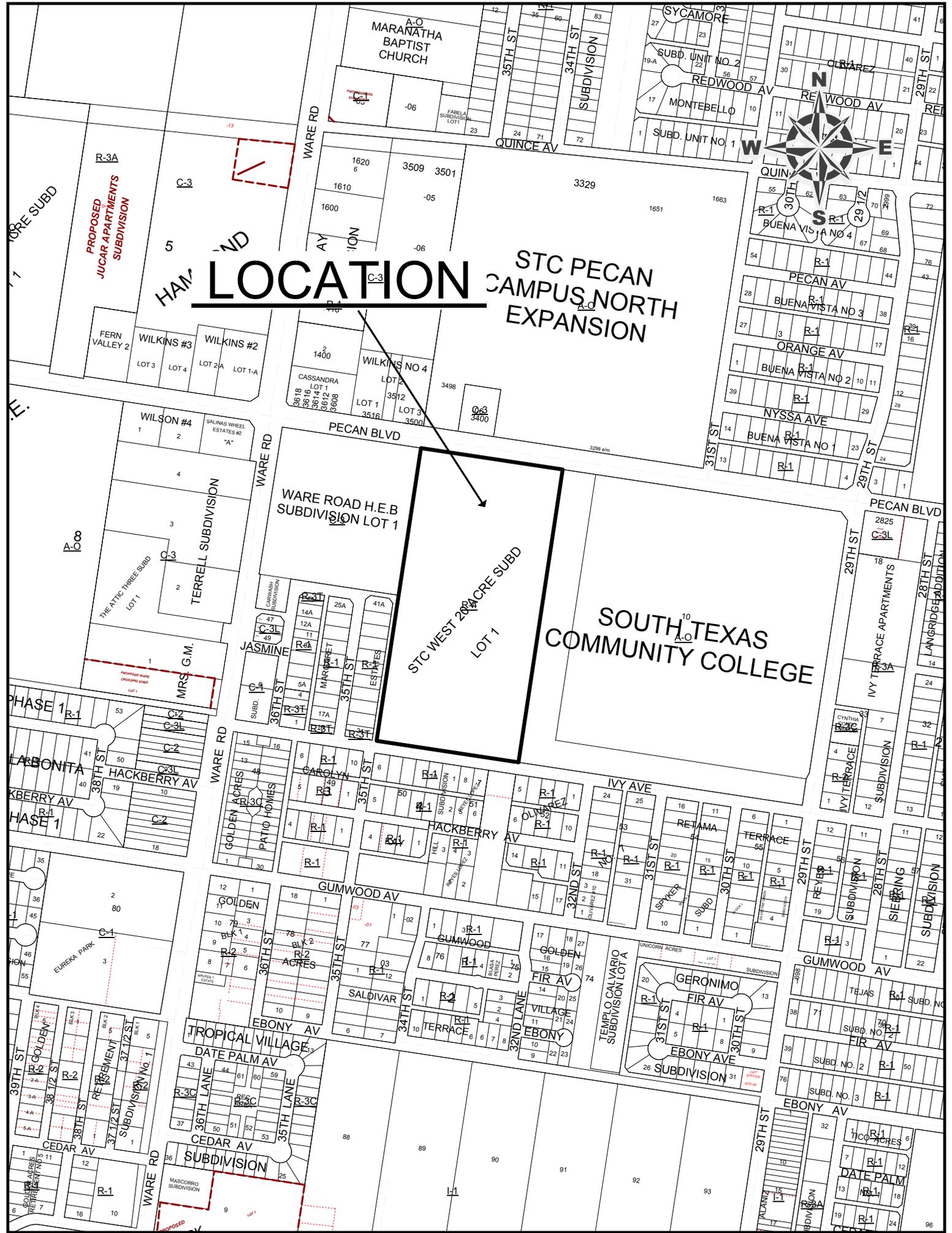
The property is located on the south side of Pecan Boulevard approximately 630 ft. east of N. Ware Rd, and is zoned R-4 (mobile home and modular home) District. The adjacent zoning to the north and east is A-O (agricultural open space) R-1 (single-family residential) and west and C-3 (general commercial) District to the northwest.

The property is part of STC West 20 Acre Subdivision which was recorded on August 2010. 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 to construct two academic buildings for institutional use on the property. The buildings combined will have 26 classrooms and 54 offices. Five parking spaces are required per classroom and 1.5 parking spaces for each administrative office. Based on the number of classrooms and offices, 212 parking spaces are required and 297 parking spaces will be built on the same lot. Access will be from existing drives that lead to Pecan Blvd and N. 29th Street. Required landscaping for the area of development is 48,469 sq. ft. and 108,662 sq. ft. will be provided with trees required as follows: 75 – 2 ½” caliper trees, or 38 – 4” caliper trees, or 19– 6” caliper trees, or 150 palm trees. A minimum 10 ft. wide landscaped strip is required inside the property line along Pecan Boulevard. Fifty percent of the landscaping must be visible in front areas, and each parking space must be within 50 ft. of a landscaped area with a tree. A minimum 4 ft. wide sidewalk is required within the street right of way along Pecan Boulevard. A 6 ft. opaque buffer is required between multi-family residential, commercial, or industrial zones/uses, and 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

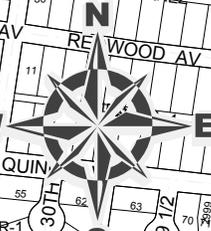
STC PECAN CAMPUS NORTH EXPANSION

STC WEST 20+ ACRE SUBD
LOT 1

SOUTH TEXAS
COMMUNITY COLLEGE

WARE ROAD H.E.B
SUBDIVISION LOT 1

PROPOSED
JUCAR APARTMENTS
SUBDIVISION



WILKINS #3
LOT 4

WILKINS #2
LOT 2A LOT 1-A

WILSON #4

WILKINS NO 4
LOT 1 LOT 3

MRS. G.M.

LABONITA
HACKBERRY AV

EUREKA PARK

RETIRED
SUBDIVISION

TROPICAL VILLAGE

DATE PALM AV

CEDAR AV

SUBDIVISION

GUMWOOD AV

GOLDEN

EBONY AV

TERRACE

EBONY

EBONY

EBONY

EBONY

EBONY

EBONY

HACKBERRY AV

GUMWOOD

IVY AV

RETAMA

TERRACE

REVERA

GERONIMO

FIR AV

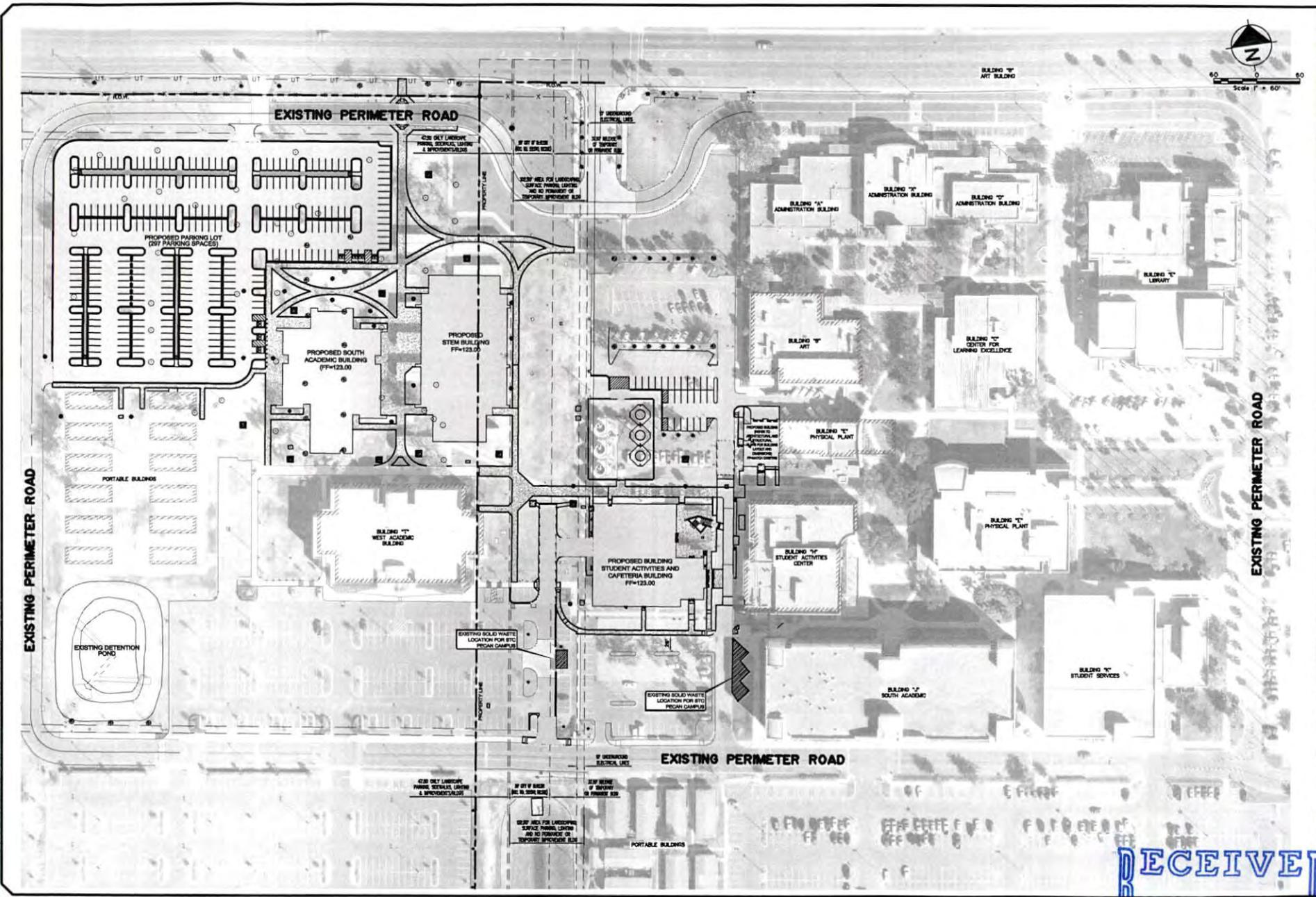
EBONY AV

EBONY

TEJAS

DATE PALM

2016-08-22 10:56:44 AM
 2016-08-22 10:56:44 AM
 2016-08-22 10:56:44 AM



60% CONSTRUCTION DOCUMENTS
 NOT FOR CONSTRUCTION
 THE PROJECT IS THE PROPERTY OF THE CLIENT
 AND IS NOT TO BE REPRODUCED OR COPIED
 WITHOUT THE WRITTEN PERMISSION OF
 PCE CONSULTING ENGINEERS
 10000 W. 14TH STREET, SUITE 100
 FORT WORTH, TEXAS 76134
 TEL: 817.441.1000
 FAX: 817.441.1001

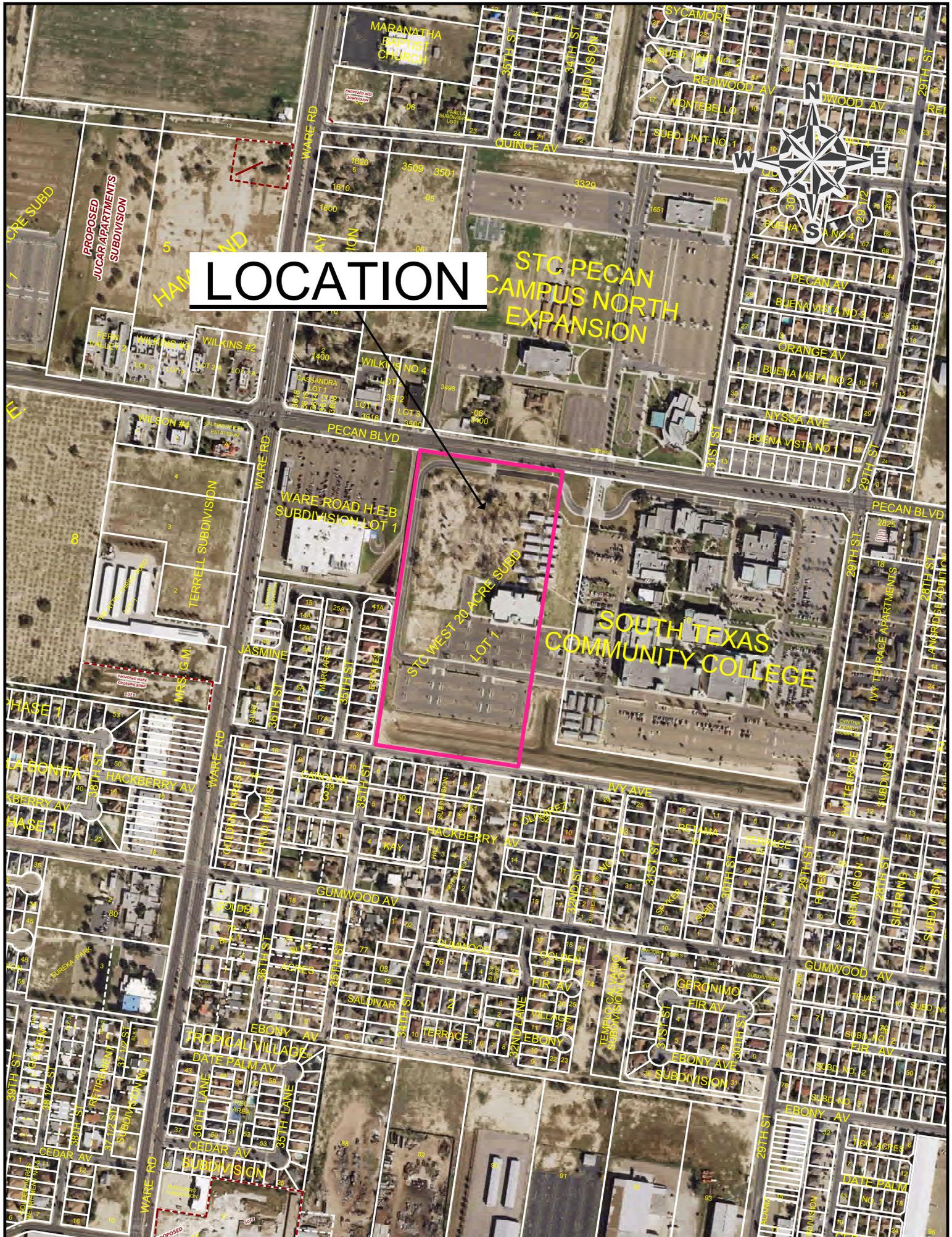


STC PECAN CAMPUS
PARKING LOT & SITE IMPROVEMENTS
 MCKALEN, TEXAS
SITE PLAN

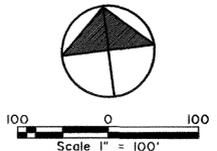
FILE OR JOB NO.	DATE	BY	NO. REVISION
FILE	DATE 08-22-2016		
	DESIGNED BY		
	CHECKED BY		
	SCALE		
	DATE		
	BY		
	NO. REVISION		

RECEIVE
 AUG 12 2016
 BY: *SLC@4:24PM*

LOCATION



LOT 1
STC PECAN CAMPUS NORTH
EXPANSION SUBDIVISION
(VOL. 49, PG. 170, H.C.M.R.)



LEGEND:
● 1/2" IRON ROD FOUND
⊙ COTTON PICKER SPINDLE
○ 1/2" IRON ROD SET
P.U.E. DENOTES PUBLIC UTILITY EASEMENT

BENCHMARK:
T.B.M. - CPS AT N.W. CORNER OF LOT 2, J.C. ENGELMAN SUBDIVISION EL.-94.45' TAKEN FROM CITY OF MCALLEN BENCHMARK MC-70.

METES AND BOUNDS DESCRIPTION
19.52 ACRES OF LAND
C.E. HAMMOND SUBDIVISION
HIDALGO COUNTY, TEXAS

A TRACT OF LAND CONTAINING 19.52 ACRES, SITUATED IN HIDALGO COUNTY, TEXAS AND ALSO BEING A PART OR PORTION OF LOT 9, BLOCK 2, C.E. HAMMOND SUBDIVISION, MAP REFERENCE VOLUME 1, PAGE 8, H.C.D.R. AND ALSO BEING A PART OR PORTION OF TWIN PALMS MOBILE HOME, LTD., RECORDED IN DOCUMENT NO. 1195922, H.C.D.R. AND SAID 19.52 ACRES ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING, ON A 1/2" IRON ROD FOUND ON THE SOUTHEAST CORNER OF LOT 9;
THENCE N 81° 29' 53" W, ALONG THE SOUTH LINE OF SAID LOT 9, A DISTANCE OF 640.60 FEET, TO A 1/2" IRON ROD WITH A PLASTIC CAP STAMPED "CVQ LS" SET ON THE SOUTHEAST CORNER OF MARGARET ESTATES, RECORDED IN VOLUME 23, PAGE 27, H.C.M.R., FOR THE SOUTHWEST CORNER OF THIS TRACT;
THENCE N 08° 25' 00" E, A DISTANCE OF 1,327.23 FEET TO 1/2" IRON ROD FOUND ON THE SOUTH RIGHT-OF-WAY LINE OF PECAN BLVD. (FM 495), AS RECORDED IN DOCUMENT NO. 484265, H.C.D.R., FOR THE NORTHWEST CORNER OF THIS TRACT;
THENCE S 81° 35' 00" E, ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID PECAN BLVD. (FM 495), A DISTANCE OF 640.60 FEET TO A 1/2" IRON ROD FOUND, ON THE EAST LINE OF SAID LOT 9, FOR THE NORTHEAST CORNER OF THIS TRACT;
THENCE S 08° 25' 00" W, ALONG THE EAST LINE OF SAID LOT 9, A DISTANCE OF 1,328.18 FEET TO THE POINT OF BEGINNING, CONTAINING 19.52 ACRES OF LAND, MORE OR LESS.
BEARING BASIS AS PER STATE PLANE COORDINATES SYSTEM NAD 1983, SOUTH ZONE.

STATE OF TEXAS
COUNTY OF HIDALGO
SOUTH TEXAS COLLEGE, OWNER OF THE REAL PROPERTY THE SUBJECT OF THIS PLAT, AND DESIGNATED HEREIN AS **STC WEST 20 ACRE SUBDIVISION** TO THE CITY OF MCALLEN, HIDALGO COUNTY, TEXAS, DO HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER THOSE PORTIONS OF THE SUBDIVISION DESIGNATED AS STREETS, ALLEYS, EASEMENTS, PARKS, WATERCOURSES AND DRAINS, EXCEPT THAT THE UNDERSIGNED SHALL INDEMNIFY AND HOLD HARMLESS THE CITY OF MCALLEN, TEXAS.

WITNESS MY HAND ON THIS THE 18th DAY OF Aug. A.D. 2010
Shirley A. Reed
DR. SHIRLEY A. REED
SOUTH TEXAS COLLEGE PRESIDENT
P.O. Box 9701
MCALLEN, TEXAS 78502

STATE OF TEXAS
COUNTY OF HIDALGO
ON THIS DAY PERSONALLY APPEARED DR. SHIRLEY A. REED, SOUTH TEXAS COLLEGE PRESIDENT WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT OF WRITING, AND ACTING IN THE CAPACITY THEREIN STATED.

WITNESS MY HAND ON THIS THE 18th DAY OF Aug. A.D. 2010
Velisa Reyes
NOTARY PUBLIC



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 THEIR DETERMINATIONS.

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1
Gayle Green
BY:

APPROVAL RECOMMENDED
THIS PLAT HAS BEEN SUBMITTED AND CONSIDERED BY THE PLANNING COMMISSION OF THE CITY OF MCALLEN AND HEREBY APPROVED BY SUCH COMMISSION.

DATED THIS THE 23rd DAY OF Aug. A.D. 2010
Ronnie Tavarez
RONNIE TAVAREZ, CHAIRMAN
PLANNING AND ZONING COMMISSION
MCALLEN, TEXAS

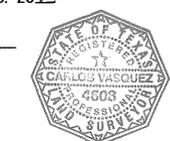
APPROVED
I, RICHARD F. CORTEZ, MAYOR OF THE CITY OF MCALLEN, TEXAS HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THE CITY WHEREIN MY APPROVAL IS REQUIRED.

DATED THIS THE 20th DAY OF Aug. A.D. 2010
Richard F. Cortez
RICHARD F. CORTEZ, MAYOR
CITY OF MCALLEN, TEXAS



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

DATED THIS THE 17th DAY OF Aug. A.D. 2010
Carlos Vasquez
CARLOS VASQUEZ, R.P.L.S. No. 4608
CVQ LAND SURVEYORS
517 BEAUMONT AVE.
MCALLEN, TEXAS 78501

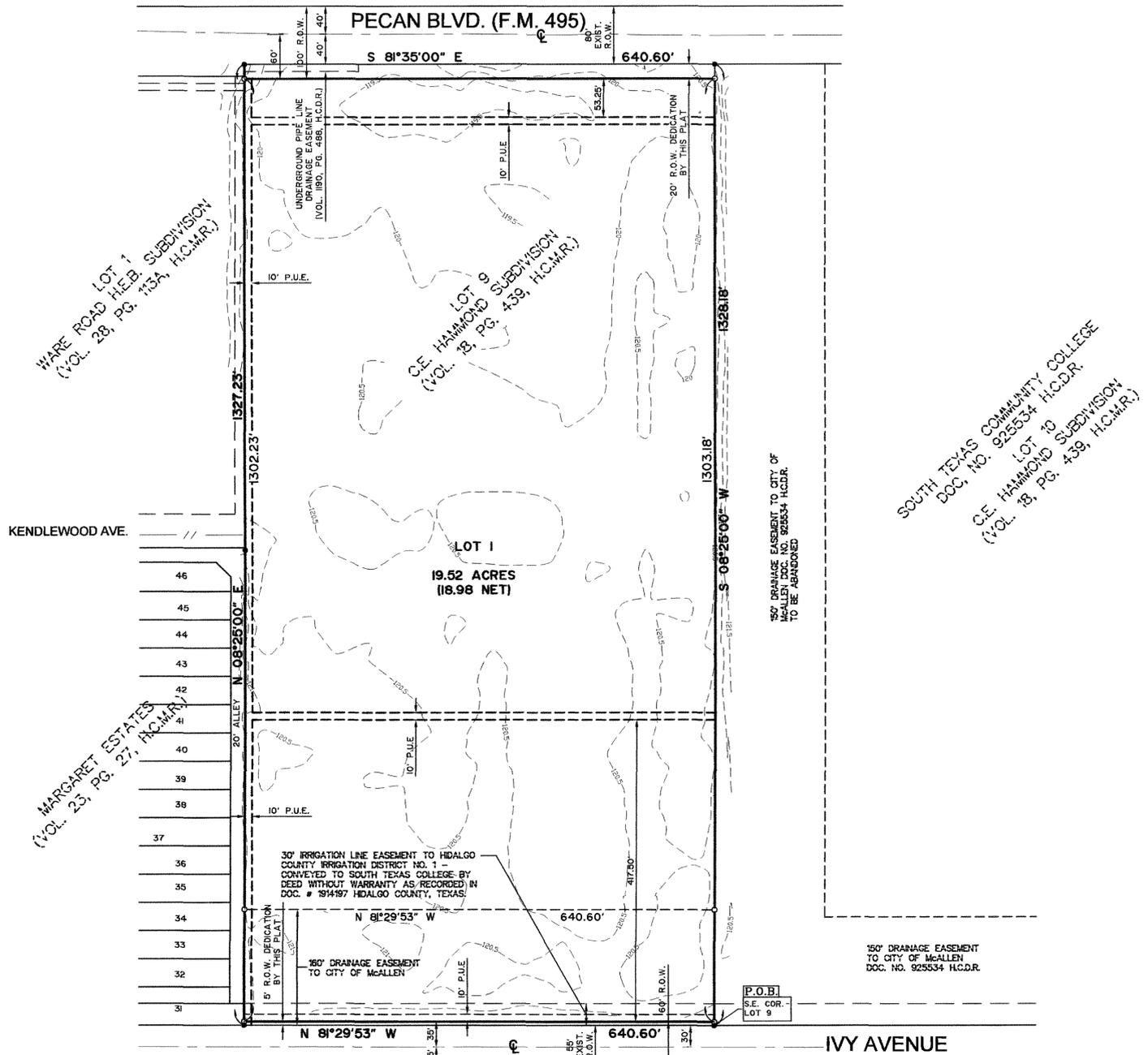


STATE OF TEXAS
COUNTY OF HIDALGO
I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION WAS GIVEN TO THIS PLAT.

DATED THIS THE 17th DAY OF Aug. A.D. 2010
Jorge D. Perez
JORGE D. PEREZ, P.E.
REGISTERED PROFESSIONAL ENGINEER
NO. 34594

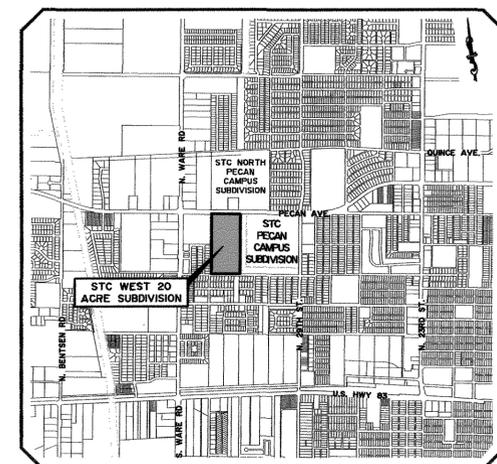


Texas Registered Engineering Firm F-2158
808 Dallas Ave. McAllen, Texas 78501
(956) 631-4482 fax (956) 682-1545
DATE OF PREPARATION: JULY 22, 2010



GENERAL NOTES:

- BUILDING SETBACKS SHALL BE AS FOLLOWS: PECAN BLVD. - 60 FT. OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS; IVY AVENUE - 30 FT. OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS; OTHER SETBACKS IN ACCORDANCE WITH THE ZONING ORDINANCE OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS.
- THE FLOOD ZONE DESIGNATION FOR THIS PROPERTY IS FLOOD ZONE "B", AREAS OF MINIMAL FLOODING ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL NO. 480343 005 C, REVISED NOVEMBER 2, 1982. FLOOD ZONE IS DETERMINED BY GRAPHIC PLOTTING ONLY.
- THE FINISH FLOOR OF ANY BUILDING CONSTRUCTED WITHIN THIS SITE SHALL BE SET AT A MINIMUM ELEVATION OF 18 INCHES ABOVE TOP OF CURB OR 18 INCHES ABOVE NATURAL GROUND, WHICHEVER IS HIGHER.
- NO BUILDING SHALL BE CONSTRUCTED OVER ANY EASEMENT.
- DRAINAGE DETENTION REQUIREMENTS FOR THE SUBDIVISION SHALL BE 2.77 ACRE-Feet AND SHALL BE DETAINED BY ON-SITE DETENTION PONDS.
- AN ENGINEERED DRAINAGE DETENTION PLAN APPROVED BY THE CITY OF MCALLEN ENGINEERING DEPARTMENT IS REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMITS.
- ANY BUILDING OR STRUCTURE LOCATED BEYOND 300 FEET FROM A HYDRANT WILL REQUIRE EXTENSION OF FIRE PROTECTION LINES.
- A 4 FT. SIDEWALK IS REQUIRED ALONG PECAN BOULEVARD (F.M. 495) AND IVY AVENUE.
- A 6 FT. HIGH BUFFER IS REQUIRED FROM ANY ADJACENT MULTIFAMILY RESIDENTIAL, COMMERCIAL OR INDUSTRIAL USE ZONES OR USES. AN 8 FT. HIGH MASONRY WALL IS REQUIRED BETWEEN ADJACENT TO SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL OR MULTIFAMILY ZONES OR USES.
- SITE PLANS MUST BE APPROVED BY PLANNING AND ZONING COMMISSION PRIOR TO ISSUANCE OF BUILDING PERMIT.
- ADDITIONAL PUBLIC UTILITY IMPROVEMENTS MAY BE REQUIRED AS PART OF THE BUILDING APPROVAL PROCESS.
- BENCHMARK: THE BENCHMARK USED FOR THIS SUBDIVISION IS DESIGNATED AS "MC 70" (MCALLEN CITY DATUM) LOCATED ON THE SOUTHWEST CORNER OF WARE RD./FM495) INTERSECTION. THE MONUMENT IS 270 FT FROM THE CENTERLINE OF WARE RD. AND 23 FT FROM THE BACK OF CURB OF (FM495); ELEVATION = 122.69 (NGVD 88).
- THE UTILITY EASEMENTS SHOWN ON THE PLAT ARE DEDICATED UTILITY EASEMENTS. ALL UTILITIES FOR THIS SUBDIVISION SHALL BE UNDERGROUND.



LOCATION MAP SCALE: 1" = 2000'

FILED FOR RECORD IN
HIDALGO COUNTY
ARTURO GUJARDO, JR.
HIDALGO COUNTY CLERK
ON: 8/31/10 AT 3:15 AM (PM)
INSTRUMENT NUMBER 2134012
OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS
BY: *Imelda Feal* DEPUTY

STC WEST 20 ACRE SUBDIVISION
McAlLEN, TEXAS

A 19.52 ACRE TRACT OF LAND OUT OF LOTS 9, BLOCK 2
C.E. HAMMONDS SUBDIVISION, HIDALGO COUNTY, TEXAS

WARE ROAD H.E.B. SUBDIVISION (VOL. 28, PG. 113A, H.C.M.R.)
LOT 1 SUBDIVISION (VOL. 49, PG. 170, H.C.M.R.)
C.E. HAMMOND SUBDIVISION (VOL. 18, PG. 439, H.C.M.R.)
SOUTH TEXAS COMMUNITY COLLEGE (DOC. NO. 925534 H.C.D.R.)
LOT 10 SUBDIVISION (VOL. 18, PG. 439, H.C.M.R.)
KENDLEWOOD AVE.
LOT 1 (19.52 ACRES (18.98 NET))
30' IRRIGATION LINE EASEMENT TO HIDALGO COUNTY IRRIGATION DISTRICT NO. 1 - CONVEYED TO SOUTH TEXAS COLLEGE BY DEED WITHOUT WARRANTY AS RECORDED IN DOC. # 194187 HIDALGO COUNTY, TEXAS
150' DRAINAGE EASEMENT TO CITY OF MCALLEN (DOC. NO. 925534 H.C.D.R.)
150' DRAINAGE EASEMENT TO CITY OF MCALLEN (DOC. NO. 925534 H.C.D.R.)
P.O.B. S.E. COR. LOT 9
IVY AVENUE
CAROLYN KAY SUBDIVISION (VOL. 18, PG. 29, H.C.M.R.)
H.L. SUBDIVISION (VOL. 22, PG. 173, H.C.M.R.)
REYES L. LOPEZ SUBDIVISION (VOL. 20, PG. 29, H.C.M.R.)
LOT 51
C.E. HAMMOND'S SUBDIVISION (VOL. 18, PG. 439, H.C.M.R.)
OLIVAREZ SUBDIVISION (VOL. 20, PG. 29, H.C.M.R.)



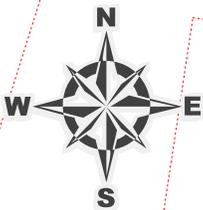
City of McAllen
 Planning Department
**APPLICATION FOR
 SUBDIVISION PLAT REVIEW**

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

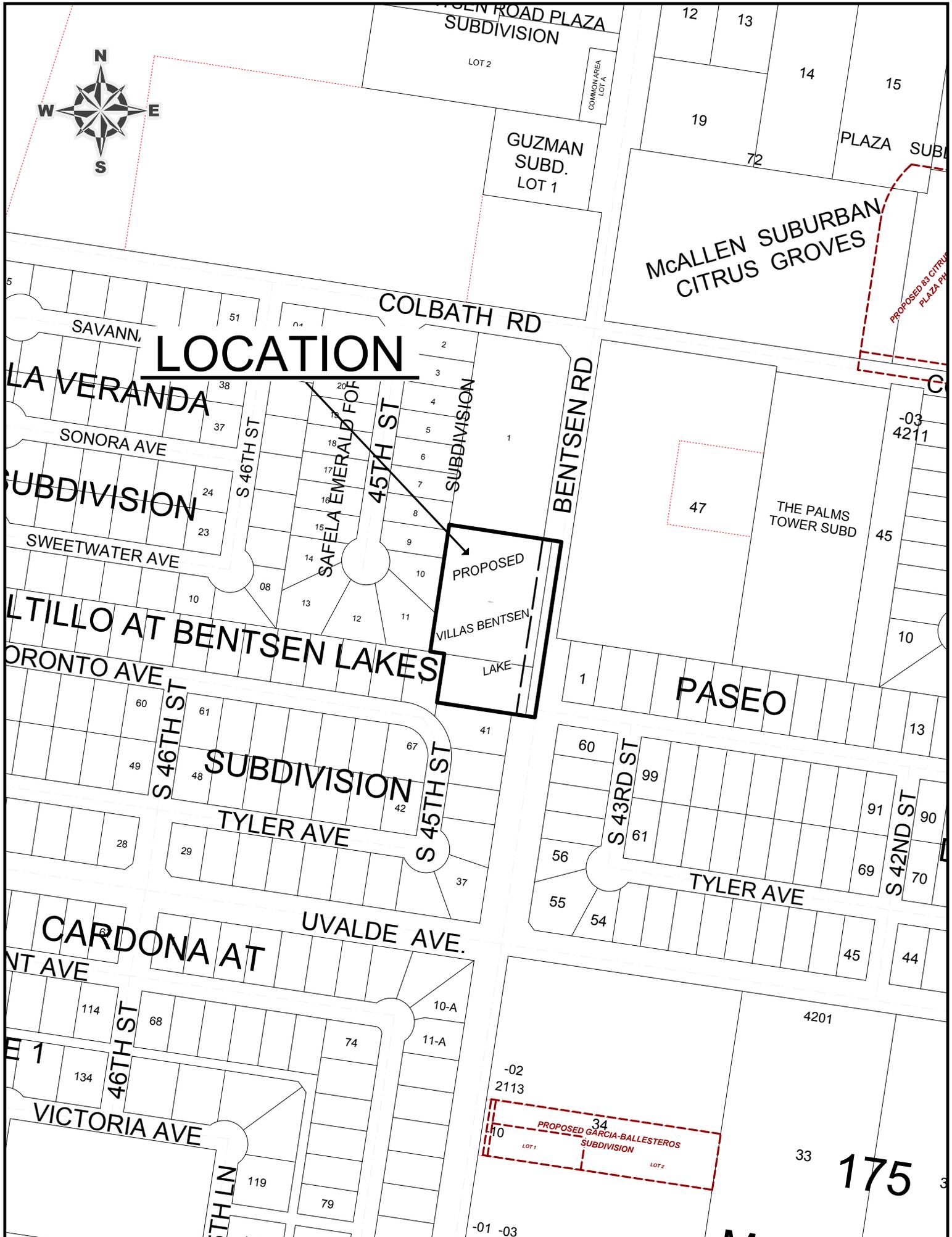
Project Description	Subdivision Name <u>VILAS BENTSEN LAKE</u> Location <u>WEST SIDE OF S. BENTSEN RD. 453 FEET SOUTH OF COLBATH AVE</u> City Address or Block Number _____ Number of lots <u>1</u> Gross acres <u>2.0</u> Net acres <u>1.65</u> Existing Zoning <u>R3A</u> Proposed <u>R3A</u> Rezoning Applied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

RECEIVED
 APR 29 2016

BY: DC 3:29pm



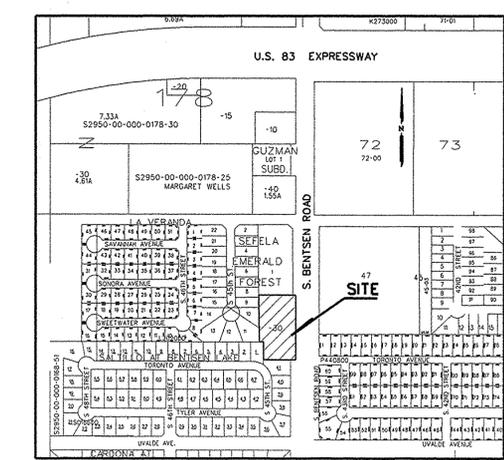
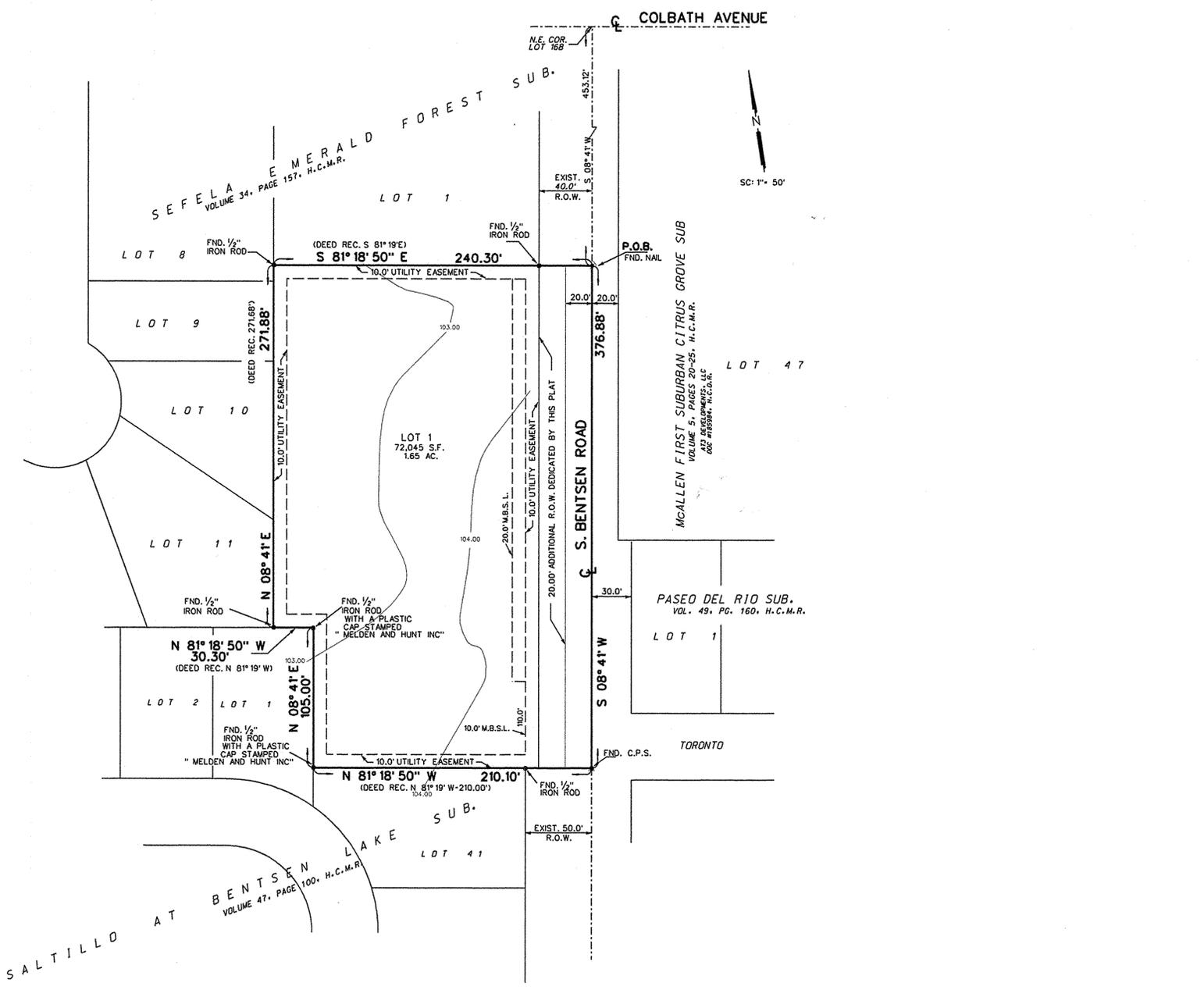
LOCATION



PROPOSED
VILLAS BENTSEN
LAKE

PROPOSED GARCIA-BALLESTEROS
SUBDIVISION
LOT 1 LOT 2

175



VILLAS BENTSEN LAKE

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

METES AND BOUNDS

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

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

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

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

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

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

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

THENCE S 81° 18' 50" E, (DEED S 81° 19' E) WITH THE SOUTH LINE OF LOT 1, SEFELA EMERALD FOREST SUBDIVISION, AT A DISTANCE OF 200.30' PASS A 1/2" IRON ROAD FOUND FOR THE SOUTHEAST CORNER OF SAID LOT 1 AND CONTINUING FOR A TOTAL DISTANCE OF 240.30 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.0 ACRES OF LAND MORE OR LESS.

STATE OF TEXAS
COUNTY OF HIDALGO

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

OWNER: FRANCISCO DE LA FUENTE
ADDRESS: _____
DATE: _____

STATE OF TEXAS
COUNTY OF HIDALGO

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

NOTARY PUBLIC, FOR THE STATE OF TEXAS

APPROVED BY DRAINAGE DISTRICT:

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

HIDALGO COUNTY DRAINAGE DISTRICT No. 1

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

- GENERAL NOTES:**
- MINIMUM BUILDING SETBACK LINES SHALL BE AS FOLLOWS:
FRONT: 40.0' OR GREATER FOR EASEMENTS
REAR SIDE: IN ACCORDANCE WITH THE ZONING ORDINANCE OR GREATER FOR EASEMENTS
INTERIOR SIDE: IN ACCORDANCE WITH THE ZONING ORDINANCE OR GREATER FOR EASEMENTS
GARAGE: 18 FT, EXCEPT WHERE GREATER SETBACK IS REQUIRED; GREATER SET BACK APPLIES
 - NO STRUCTURE SHALL BE PERMITTED OVER ANY EASEMENT.
 - MINIMUM FINISH FLOOR ELEVATION TO BE 18" ABOVE TOP OF CURB AT CENTER OF THE LOT.
 - FLOOD ZONE "B" - AREAS BETWEEN LIMITS OF THE 100-YEAR FLOOD AND 500-YEAR FLOOD; OR CERTAIN AREAS SUBJECT TO 100-YEAR FLOODING WITH AVERAGE DEPTHS LESS THAN ONE(1) FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN ONE SQUARE MILE; AREAS PROTECTED BY LEVEES FROM THE BASE FLOOD.
COMMUNITY-PANEL No. 480334 0400 C
MAP REVISED: NOVEMBER 16, 1982
 - ALL LOT CORNERS MARKED WITH No. 4 REBAR UNLESS OTHERWISE NOTED.
 - BENCH MARK ELEV. = 107.00, MC 80
 - DRAINAGE DETENTION REQUIRED FOR THIS PROPERTY IS 0.02 AC-FT
 - SWPPP WILL BE REQUIRED AT THE TIME OF CONSTRUCTION.
 - 4 FT WIDE MINIMUM SIDEWALK REQUIRED ON S. BENTSEN ROAD
 - A 6.0 FT OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, OR INDUSTRIAL ZONES/USES
A 8 FT MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONES/USES.
 - AN ENGINEERED DETENTION PLAN APPROVED BY THE ENGINEERING DEPARTMENT IS REQUIRED TO ISSUANCE OF A BUILDING PERMIT.
 - SITE PLAN MUST BE APPROVED BY THE PLANNING & ZONING COMMISSION PRIOR TO ISSUANCE OF BUILDING PERMIT.
 - LOT 1 WILL BE FOR MULTI-FAMILY USE.

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

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

MAYOR, CITY OF McALLEN

STATE OF TEXAS
COUNTY OF HIDALGO

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

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

STATE OF TEXAS
COUNTY OF HIDALGO

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

Guillermo A. Arratia 5/22/16
GUILLERMO A. ARRATIA
LICENSED PROFESSIONAL ENGINEER No. 94001
526 N. 5TH ST.
DONNA, TEXAS, 78537
DATE: _____



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

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

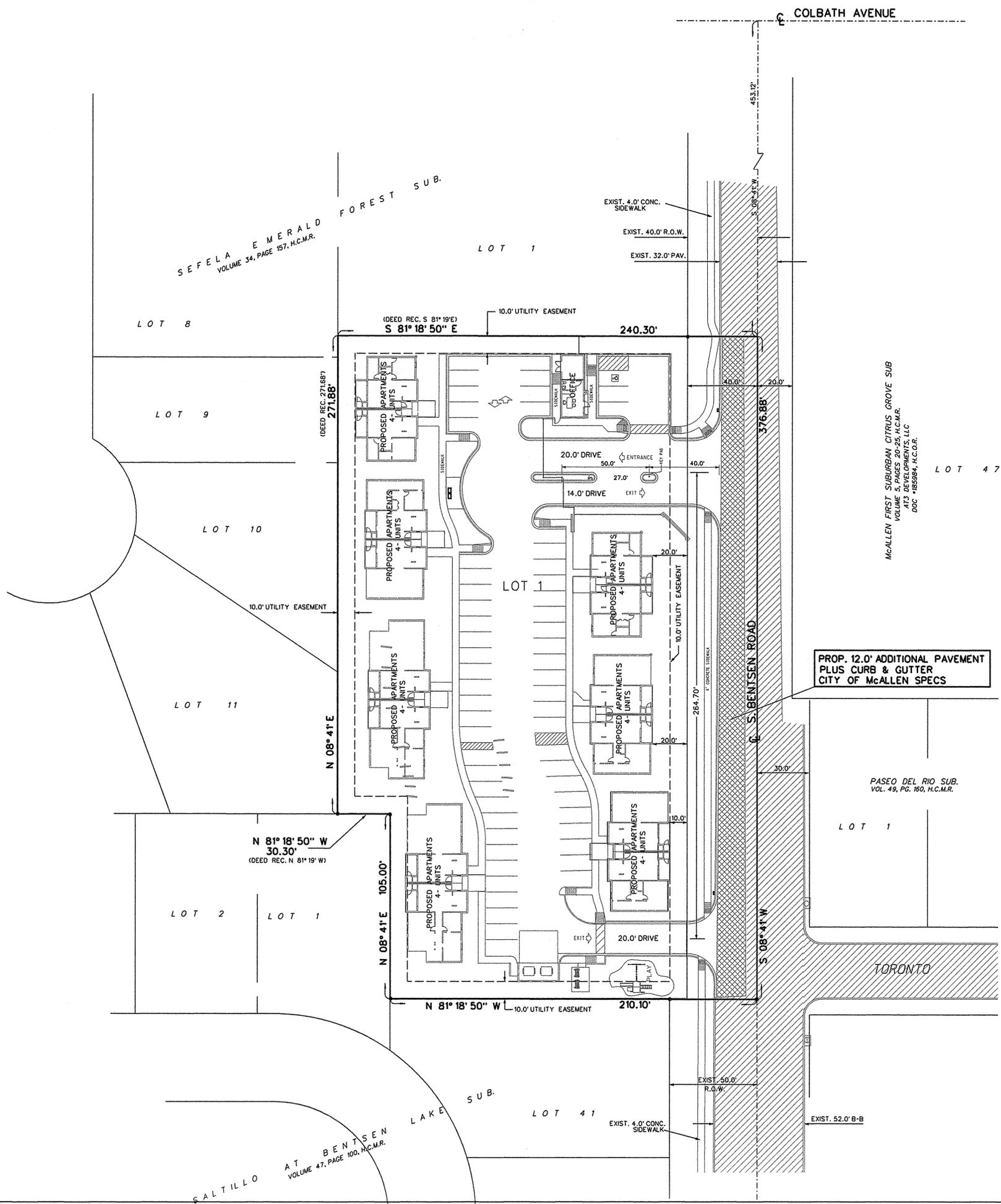


RECEIVED
By Nikki Marie Cavazos at 8:05 am, May 24, 2016

DATE OF PREPARATION: APRIL 2016

NAIN ENGINEERING, L.L.C.
CONSULTING ENGINEER

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



Guillermo A. Arratia, P.E.
5/22/16

VILLAS BENTSEN
LAKE

SITE PLAN
PROPOSED APARTMENTS - 28 UNITS

NAIN ENGINEERING, L.L.C.
CONSULTING ENGINEER
FIRM No. F-9050
PH. (956) 784-0218
E-MAIL: NAINENGINEERING@YAHOO.COM
526 N. 5TH STREET
DONNA, TEXAS, 78537

SEFELA EMERALD FOREST SUB.
VOLUME 34, PAGE 157, H.C.M.R.

COLBATH AVENUE



LOT 8

LOT 9

LOT 10

LOT 11

LOT 2

LOT 1

LOT 1

LOT 47

PASEO DEL RIO SUB.
VOL. 49, PG. 160, H.C.M.R.

LOT 1

TORONTO

EXIST. 8" WATERLINE

(DEED REC. S 81° 19' E)
S 81° 18' 50" E 240.30'

(DEED REC. 271.68')
271.68'

N 08° 41' E

N 81° 18' 50" W
30.30'
(DEED REC. N 81° 19' W)

N 08° 41' E 105.00'

N 81° 18' 50" W 210.10'

S 08° 41' W

EXIST. 50.0' R.O.W.

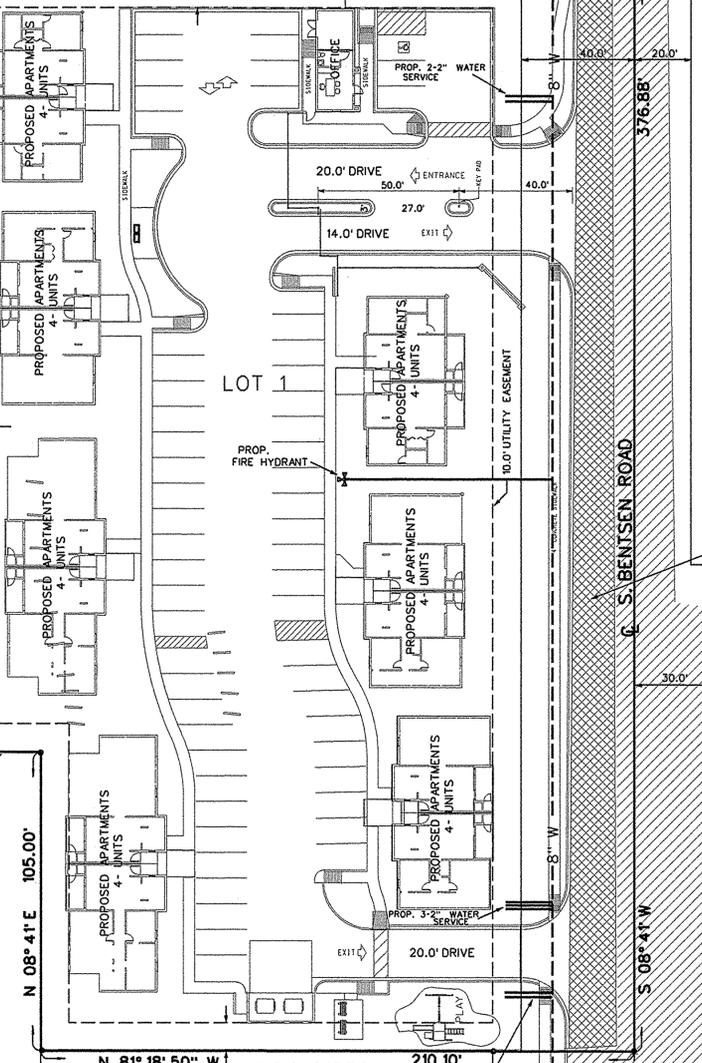
EXIST. 4.0' CONC. SIDEWALK

EXIST. 52.0' B-B

S. BENTSEN ROAD

S 08° 41' W

453.12'



PROP. 12.0' ADDITIONAL PAVEMENT
PLUS CURB & GUTTER
CITY OF McALLEN SPECS

McALLEN FIRST SUBURBAN CITRUS GROVE SUB
VOLUME 5, PAGES 20-25, H.C.M.R.
ATC DEVELOPMENTS, LLC
DOC #485847, H.C.M.R.

- GENERAL NOTES:
- IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO CONTACT ALL UTILITY COMPANIES PRIOR TO START OF CONSTRUCTION.
 - IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO LOCATE UNDERGROUND UTILITIES, WHETHER SHOWN OR NOT SHOWN ON THE DRAWINGS, SUFFICIENTLY IN ADVANCE OF OPERATIONS TO PRECLUDE DAMAGE TO SAME.
 - WATER, SEWER, OR OTHER UTILITY SERVICES NOT BE INTERRUPTED. ANY DAMAGES TO EXISTING UTILITIES WILL BE THE CONTRACTOR'S RESPONSIBILITY.
 - IN THE EVENT OF DAMAGE TO UNDERGROUND FACILITIES, WHETHER SHOWN OR NOT SHOWN IN THE DRAWINGS, THE CONTRACTOR SHALL MAKE THE NECESSARY REPAIRS TO PLACE THE FACILITIES BACK IN SERVICE AT NO INCREASE IN THE CONTRACTOR'S PRICE AND ALL SUCH REPAIRS SHALL CONFORM TO THE REQUIREMENTS OF THE COMPANY OR AGENCY SERVICING THE FACILITY.
 - THE CONTRACTOR SHALL EXERCISE EXTRA CARE TO PREVENT DAMAGE TO ALL OTHER STRUCTURES IN THE AREA INCLUDING BUILDINGS, FENCES, ROADS, PIPELINES UTILITIES, ETC., WHETHER PUBLICLY OR PRIVATELY OWNED.
 - UNTIL ACCEPTANCE BY THE ENGINEER OF ANY PART OR ALL OF THE CONSTRUCTION AS PROVIDED FOR IN THE PLANS AND THESE SPECIFICATION, IT SHALL BE UNDER THE CHARGE AND CARE OF THE CONTRACTOR, AND HE SHALL TAKE EVERY NECESSARY PRECAUTION AGAINST INJURY OR DAMAGE TO ANY PART OF THE WORK. THE CONTRACTOR SHALL REBUILD, REPAIR, RESTORE AND MAKE GOOD, AT HIS OWN EXPENSE, ALL INJURIES OR DAMAGE TO ANY PORTION OF THE WORK BEFORE ITS COMPLETION AND ACCEPTANCE.
 - CONTRACTOR WILL BE RESPONSIBLE FOR TRAFFIC CONTROL PLAN.
 - NO OPEN TRENCHES OR EXCAVATION SHALL BE LEFT OPEN OVERNIGHT.

SALTILLO AT BENTSEN LAKE SUB.
VOLUME 47, PAGE 100, H.C.M.R.



Guillermo A. Arratia, P.E.
5/22/16

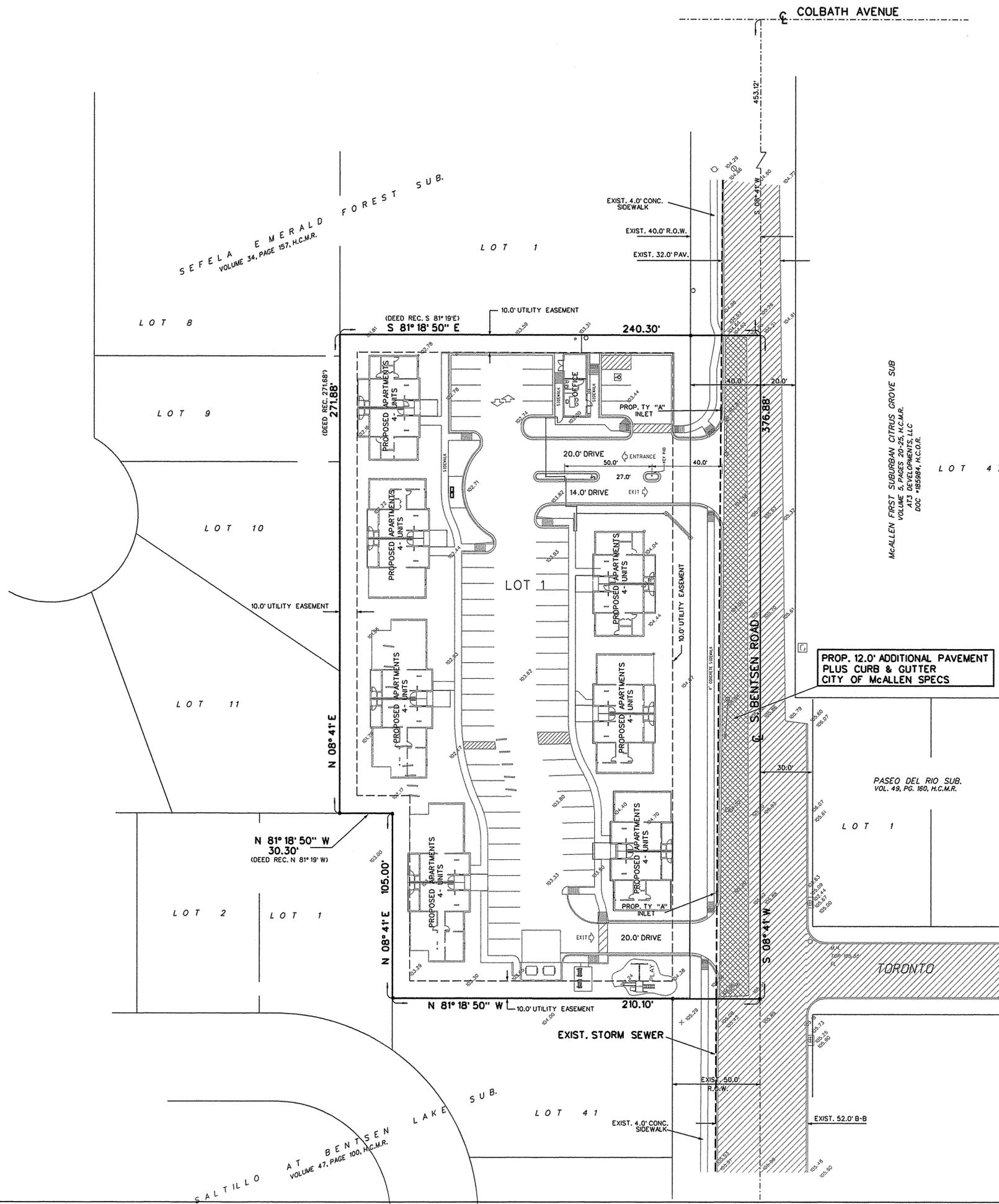
VILLAS BENTSEN LAKE

WATERLINE LAYOUT

NAIN ENGINEERING, L.L.C.
CONSULTING ENGINEER

FIRM No. F-9050
PH. (956) 784-0218
E-MAIL: NAINENGINEERING@YAHOO.COM

526 N. 5TH STREET
DONNA, TEXAS, 78537



- LEGEND
- FOUND 1/2" IRON ROD
 - FOUND COTTON PICKER SPINDLE
 - FOUND NAIL
 - POWER POLE
 - LIGHT POLE
 - ANCHOR EYE
 - GAS SIGN
 - WATER VALVE
 - WATER METER
 - WOOD FENCE



VILLAS BENTSEN
LAKE

PAVING &
DRAINAGE LAYOUT

NAIN ENGINEERING, L.L.C.
CONSULTING ENGINEER
FIRM No. F-9050
E-MAIL: NAINENGINEERING@AHOQ.COM

PH. (956) 784-0218
526 N. 5TH STREET
DONNA, TEXAS, 78537



Guillermo A. Arratia
5/22/16

PROP. 12.0' ADDITIONAL PAVEMENT
PLUS CURB & GUTTER
CITY OF McALLEN SPECS

McALLEN FIRST SUBURBAN CITRUS GROVE SUB
VOLUME 5, PAGES 20-25, H.C.M.R.
AT3 DEVELOPMENTS, LLC
DOC #185984, H.C.D.R.

PASEO DEL RIO SUB.
VOL. 49, PG. 160, H.C.M.R.

SEFELA EMERALD FOREST SUB.
VOLUME 34, PAGE 157, H.C.M.R.

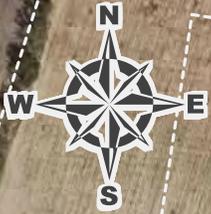
SALTILLO AT BENTSEN LAKE SUB.
VOLUME 47, PAGE 100, H.C.M.R.



Reviewed On: 9/29/2016

SUBDIVISION NAME: VILLAS BENTSEN LAKE	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
S. Bentsen Road: 20 ft. ROW dedication required for 40 ft. from centerline for 80 ft. ROW Paving: 52 ft. - 65 ft. Curb & gutter: both sides *Owner must escrow monies for improvements if not built prior to plat recording.	Compliance
* 800 ft. Block Length:	Compliance
* 600 ft. Maximum Cul-de-Sac:	NA
ALLEYS	
ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties	NA
SETBACKS	
* Front: S. Bentsen Road: 40 ft. setback required if buildings face S. Bentsen Road. 20 ft. except 10 ft. for the south approximate 115 ft. if the buildings back up to S. Bentsen Road and face the interior common parking area (as approved by P&Z on June 7, 2016).	Applied
* Rear: in accordance with the Zoning Ordinance, or greater for easements	Applied
* Sides: in accordance with the Zoning Ordinance, or greater for easements	Compliance
* Corner:	NA
* Garage: 18 ft. except where greater setback is required; greater setback applies	Compliance
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS	Applied
SIDEWALKS	
* 4 ft. wide minimum sidewalk required on S. Bentsen Road.	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.	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

<p>* Common Areas, Private Streets must be maintained by the lot owners and not the City of McAllen.</p>	<p>NA</p>
<p>* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.</p>	<p>NA</p>
<p>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</p>	<p>NA</p>
<p>LOT REQUIREMENTS</p>	
<p>* Lots fronting public streets:</p>	<p>Compliance</p>
<p>* Minimum lot width and lot area:</p>	<p>Compliance</p>
<p>ZONING/CUP</p>	
<p>* Existing: R-3A Proposed: apartments</p>	<p>Compliance</p>
<p>* Rezoning Needed Before Final Approval</p>	<p>NA</p>
<p>PARKS</p>	
<p>* Land dedication in lieu of fee:</p>	<p>NA</p>
<p>* Park Fee of \$19,600 based on 28 dwelling units at \$700 each is required to be paid prior to recording.</p>	<p>Applied</p>
<p>* Pending review by the Parkland Dedication Advisory Board and CC.</p>	<p>NA</p>
<p>TRAFFIC</p>	
<p>* Trip Generation to determine if TIA is required, prior to final plat.</p>	<p>Compliance</p>
<p>* Traffic Impact Analysis (TIA) required prior to final plat.</p>	<p>NA</p>
<p>COMMENTS</p>	
<p>Comments: *Preliminary plat approved by the Planning and Zoning Commission at their meeting of May 17, 2016. **Revised Preliminary plat (with request to reduce front yard setback) approved by the Planning and Zoning Commission at their meeting of June 7, 2016.</p>	<p>Applied</p>
<p>RECOMMENDATION</p>	
<p>Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM.</p>	<p>Applied</p>



LOCATION



PROPOSED
VILLAS BENTSEN
LAKE

PROPOSED GARCIA-BALLESTEROS
SUBDIVISION

175



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

Sub 2016-0068
 1300 Houston Avenue
 McAllen, TX 78501
 P. O. Box 220
 McAllen, TX 78505-0220
 (956) 681-1250
 (956) 681-1279 (fax)

Project Description	Subdivision Name <u>LYM SUBDIVISION</u> Location <u>N. BENTSEN RD APPROX. 900 N. OF LARK - ON THE EAST SIDE</u> City Address or Block Number <u>6700 N. BENTSEN RD.</u> Number of lots <u>1</u> Gross acres <u>0.67</u> Net acres <u>0.58</u> Existing Zoning <u>R1</u> Proposed <u>R1</u> Rezoning Applied For <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____ Existing Land Use <u>AG</u> Proposed Land Use <u>RES</u> Irrigation District # <u>3</u> Residential Replat Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Commercial Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> ETJ Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Agricultural Tax Exemption Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Estimated Rollback tax due <u>\$300.00</u> Legal Description <small>BEING A 0.674 GROSS ACRE TRACT OF LAND, MORE OR LESS, OUT OF AND FORMING A PART OF LOT 78, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER THE MAP OR PLAT THEREOF RECORDED IN VOLUME 24, PAGE 68, DEED RECORDS OF HIDALGO COUNTY, TEXAS</small>
Owner	Name <u>ERICA GUERRA</u> Phone <u>956-358-6929</u> Address <u>3012 ORANGE ST.</u> City <u>MCALLEN</u> State <u>TEXAS</u> Zip <u>78501</u> E-mail <u>ERICA83@CITRUSGROVE.COM</u>
Developer	Name <u>ERICA GUERRA</u> Phone <u>956-358-6929</u> Address <u>3012 ORANGE ST.</u> City <u>MCALLEN</u> State <u>TEXAS</u> Zip <u>78501</u> Contact Person <u>ERICA GUERRA</u> E-mail <u>ERICA83@CITRUSGROVE.COM</u>
Engineer	Name <u>MAS ENGINEERING, LLC</u> Phone <u>956-537-1311</u> Address <u>3911 N. 10th STREET, SUITE H</u> City <u>MCALLEN</u> State <u>TEXAS</u> Zip <u>78501</u> Contact Person <u>MARIO A. SALINAS</u> E-mail <u>MSALINAS6973@ATT.NET</u>
Surveyor	Name <u>SALINAS ENGINEERING & ASSOC</u> Phone <u>956-682-9081</u> Address <u>2221 W DAFFODIL AVE</u> City <u>MCALLEN</u> State <u>TEXAS</u> Zip <u>78501</u> E-mail <u>DSALINAS@SALINASENGINEERING.COM</u>

RECEIVED
 SEP 14 2016
 BY: *DL@3:23pm*

GAP

121 122 128

QUAIL AVE.



136 167 129 174

31

-02 6920

GUZMAN FAMILY SUBDIVISION

EMMA SUBD

219

190 191 192 LUDAYUSA SUBDIVISION 3 2 1

-02

LOCATION

-25 6724

LOT 4

-34 6712

LOT 3

-32 6700

LOT 2

-33 6616

LOT 1

CEPEDA RANCH SUBD

-10

-16

-08

PROPOSED NIRVANA SUBD

PROPOSED LYM SUBDIVISION

R-1

-13

-02

UNION CRISTIANA SUBDIVISION LOT "A" 6500

-36 6617 2MH/ DIAZ A/C 5.0AC

BENTSEN RD

-04

RETANA ACRES SUBDIVISION LOT 1

78

-05

-06

-12

-29 6416

CHRISTIAN FELLOWSHIP -28 4500

-07

R.C. ACRES SUBD LOT 1 LOT 1

-15

K AVE (4 MILE LINE)

82

77

LARK AVE

L & B SUBD

4213

4209

31

MENDEZ LAR

4208

41ST

AVE

89

MAP OF LYM SUBDIVISION McALLEN, TEXAS



BEING A 0.674 GROSS ACRE TRACT OF LAND, MORE OR LESS, OUT OF AND FORMING A PART OF LOT 78, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER THE MAP OR PLAT THEREOF RECORDED IN VOLUME 24, PAGE 68, DEED RECORDS OF HIDALGO COUNTY, TEXAS



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

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

STATE OF TEXAS:
COUNTY OF HIDALGO:

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

ERICA GUERRA
3012 ORANGE ST MCALLEN, TEXAS 78501

DATE

STATE OF TEXAS:
COUNTY OF HIDALGO:

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

NOTARY PUBLIC

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

CHAIRMAN, PLANNING COMMISSION

DATE

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

MAYOR, CITY OF McALLEN

DATE

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

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

BY:

RAUL E. SESIN P.E. DISTRICT MANAGER

DATE

STATE OF TEXAS
COUNTY OF HIDALGO

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

BY: DARRYL K. LEMKE - TRUSTEE DATE _____
BANK OF SOUTH TEXAS
840 N. CAGE BLVD.
PHARR, TEXAS 78577

STATE OF TEXAS
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED DARRYL K. LEMKE, KNOWN TO ME TO BE
BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING
THIS THE _____ DAY OF _____, 2016.

NOTARY PUBLIC

STATE OF TEXAS
COUNTY OF HIDALGO

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

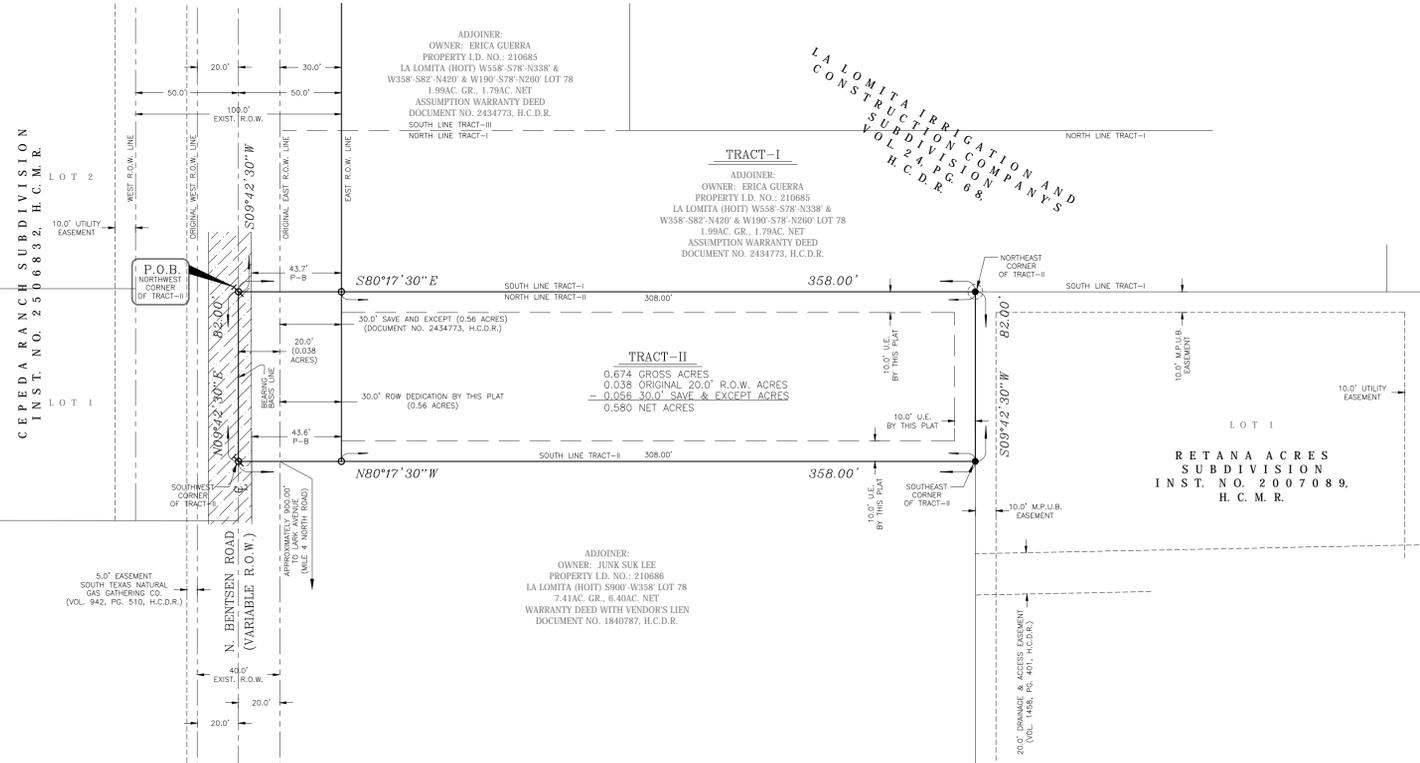
STATE OF TEXAS
COUNTY OF HIDALGO

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

MARIO A. SALINAS DATE _____
LICENSED PROFESSIONAL ENGINEER # 96611
3911 N. 10TH STREET, SUITE H MCALLEN, TEXAS 78501

SALINAS ENGINEERING & ASSOCIATES DATE _____
CONSULTING ENGINEERS & SURVEYORS
2221 DAFFOIL AVE.
McALLEN, TEXAS 78501
(956) 682-9081

DATE OF PREPARATION: 09-01-2016



METES AND BOUNDS DESCRIPTION

BEING A 0.674 GROSS ACRE TRACT OF LAND, MORE OR LESS, OUT OF AND FORMING A PART OF LOT 78, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER THE MAP OR PLAT THEREOF RECORDED IN VOLUME 24, PAGE 68, DEED RECORDS OF HIDALGO COUNTY, TEXAS; SAID 0.674 ACRE TRACT OF LAND IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 78 LOCATED IN THE CENTER OF N. BENTSEN ROAD; THENCE, AS FOLLOWS:

SOUTH 09 DEGREES 42 MINUTES 30 SECONDS WEST, COINCIDENT WITH THE WEST LINE OF SAID LOT 78, A DISTANCE, OF 338.0 FEET TO A NAIL SET FOR THE NORTHWEST CORNER AND POINT OF BEGINNING OF THIS HEREIN DESCRIBED TRACT;

- (1) THENCE, SOUTH 80 DEGREES 17 MINUTES 30 SECONDS EAST, AT A RIGHT ANGLE FROM THE PREVIOUS CALL, A DISTANCE OF 50.0 FEET PASS A 1/2 INCH DIAMETER IRON ROD WITH YELLOW CAP MARKED "SEA 5782" SET ON INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF SAID ROAD, AT A DISTANCE OF 358.0 FEET IN ALL TO ALL TO A 1/2 INCH DIAMETER IRON ROD FOUND FOR THE NORTHEAST CORNER OF THIS HEREIN DESCRIBED TRACT;
- (2) THENCE, SOUTH 09 DEGREES 42 MINUTES 30 SECONDS WEST, AT RIGHT ANGLE FROM THE PREVIOUS CALL SAME BEING ALONG A LINE PARALLEL TO THE WEST LINE OF SAID LOT 78, A DISTANCE OF 82.0 FEET TO A 1/2 INCH DIAMETER IRON ROD FOUND FOR THE SOUTHEAST CORNER OF THIS HEREIN DESCRIBED TRACT;
- (3) THENCE, NORTH 80 DEGREES 17 MINUTES 30 SECONDS WEST, AT A RIGHT ANGLE FROM THE PREVIOUS CALL, A DISTANCE OF 308.0 FEET PASS A 1/2 INCH DIAMETER IRON ROD WITH YELLOW CAP MARKED "SEA 5782" SET ON INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF SAID ROAD, AT A DISTANCE OF 358.0 FEET IN ALL TO A NAIL SET ON INTERSECTION WITH THE WEST LINE OF SAID LOT 78 FOR THE SOUTHWEST CORNER OF THIS HEREIN DESCRIBED TRACT;
- (4) THENCE, NORTH 09 DEGREES 42 MINUTES 30 SECONDS EAST, COINCIDENT WITH THE WEST LINE OF SAID LOT 78, A DISTANCE OF 82.0 FEET TO THE POINT OF BEGINNING, CONTAINING 0.674 GROSS ACRES OF LAND, MORE OR LESS, OF WHICH THE WEST 50.0 FEET (OR 0.094 ACRES, MORE OR LESS) ARE WITHIN THE RIGHT-OF-WAY OF SAID N. BENTSEN ROAD, LEAVING 0.580 NET ACRES OF LAND, MORE OR LESS.

BASIS OF BEARING: WEST LINE OF SAID LOT 78.

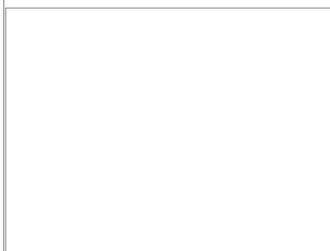
NOTES:

- 1.- MINIMUM BUILDING SETBACK SHALL BE AS FOLLOWS:
FRONT: 25 FEET OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS.
REAR: 10 FEET OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS.
SIDE: 6 FEET OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS.
- 2.- MINIMUM FINISH FLOOR ELEVATION SHALL BE 18 INCHES ABOVE TOP OF CURB MEASURED AT FRONT CENTER OF LOT.
- 3.- THIS PROPERTY FALLS IN ZONE "C" OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 480334 0400 C, MAP REVISED: NOVEMBER 16, 1982. FLOOD ZONE "C" IS DEFINED AS AREAS BETWEEN LIMITS OF THE 100-YEAR FLOOD AND 500-YEAR FLOOD; OR CERTAIN AREAS SUBJECT TO 100-YEAR FLOODING WITH AVERAGE DEPTHS LESS THAN ONE (1) FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN ONE SQUARE MILE; OR AREAS PROTECTED BY LEVEES FROM THE BASE FLOOD. (MEDIUM SHADING)
- 4.- STORM WATER DETENTION OF XX AC-FT. IS REQUIRED FOR THIS SUBDIVISION.
- 5.- AN ENGINEERED STORM WATER DETENTION PLAN APPROVED BY THE CITY'S ENGINEERING DEPT. IS REQUIRED PRIOR TO ISSUANCE OF A BUILDING PERMIT.
- 6.- A 4 FOOT WIDE MINIMUM SIDEWALK IS REQUIRED ALONG N. BENTSEN RD.
- 7.- BENCHMARK: CITY OF McALLEN SURVEY CONTROL POINT (MC 53) IS A 30" ALUMINUM PIPE WITH A 3-1/4" BRASS MONUMENT CAP ON TOP LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF WARE RD. & MILE 4 RD. (ELEV. 125.83) COORDINATES: X=1065626.59002 & Y=16621278.72036
- 8.- AN 8 FOOT MASONRY WALL IS REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL OR MULTI-FAMILY RESIDENTIAL ZONES/USES.
- 9.- 6.0 FOOT OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, OR INDUSTRIAL ZONES/USES.



VICINITY MAP

1"=500'



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

3911 N. 10TH STREET, SUITE H
McALLEN, TEXAS. 78501

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

RECEIVED VIA EMAIL 09/02/2016 AT 10:06 AM

RECEIVED
By Nikki Marie Cavazos at 11:45 am, Sep 06, 2016



Reviewed On: 9/28/2016

SUBDIVISION NAME: LYM	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
N. Bentsen Road: 30 ft. ROW dedication required for 50 ft. from centerline for 100 ft. ROW Paving: 65 ft. Curb & gutter: both sides *Owner must escrow monies for improvements if not built prior to plat recording. * 800 ft. Block Length: * 600 ft. Maximum Cul-de-Sac:	Applied
	Compliance
	NA
ALLEYS	
ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties	NA
SETBACKS	
* Front: 45 ft. or in line with existing structures, whichever is greater * Rear: 10 ft. for the easements * Sides: 10 ft. for the easements * Corner: * Garage: 18 ft. except where greater setback is required; greater setback applies *ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS	Non-compliance
	Non-compliance
	Non-compliance
	NA
	Non-compliance
	Applied
SIDEWALKS	
* 4 ft. wide minimum sidewalk required on N. Bentsen Road * Perimeter sidewalks must be built or money escrowed if not built at this time.	Compliance
	Applied
BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, or industrial zones/uses. * 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. *Perimeter buffers must be built at time of Subdivision Improvements.	Compliance
	Compliance
	NA
NOTES	
* No curb cut, access, or lot frontage permitted along: * Site plan must be approved by the Planning and Zoning Commission prior to building permit issuance. * Common Areas, Private Streets must be maintained by the lot owners and not the City of McAllen.	NA
	NA
	NA

<p>* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.</p>	<p>NA</p>
<p>* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.</p>	<p>NA</p>
<p>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</p>	<p>NA</p>
<p>LOT REQUIREMENTS</p>	
<p>* Lots fronting public streets:</p>	<p>Compliance</p>
<p>* Minimum lot width and lot area:</p>	<p>Compliance</p>
<p>ZONING/CUP</p>	
<p>* Existing: R-1 Proposed: R-1</p>	<p>Compliance</p>
<p>* Rezoning Needed Before Final Approval</p>	<p>NA</p>
<p>PARKS</p>	
<p>* Land dedication in lieu of fee:</p>	<p>NA</p>
<p>* Park Fee of \$700 based on one single family residence is required to be paid prior to recording.</p>	<p>Applied</p>
<p>* Pending review by the Parkland Dedication Advisory Board and CC.</p>	<p>NA</p>
<p>TRAFFIC</p>	
<p>* Trip Generation to determine if TIA is required, prior to final plat.</p>	<p>Non-compliance</p>
<p>* Traffic Impact Analysis (TIA) required prior to final plat.</p>	<p>TBD</p>
<p>COMMENTS</p>	
<p>Comments: *Project engineer to submit an ownership map of the surrounding area to ensure that there are no landlocked properties and to determine if additional streets will be required. **Project engineer to submit document for 30 ft. save and except as shown on the plat.</p>	<p>Applied</p>
<p>RECOMMENDATION</p>	
<p>Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM SUBJECT TO THE CONDITIONS NOTED, AND UTILITY & DRAINAGE APPROVALS.</p>	<p>Applied</p>



LOCATION

GAP

QUAIL AVE.

EMMA SUBD

GUZMAN FAMILY SUBDIVISION

LUDAYUSA SUBDIVISION

CERPEDA RANCH SUBD

UNION CRISTIANA SUBDIVISION LOT "A"

CHRISTIAN FELLOWSHIP

RETANA ACRES SUBDIVISION

R.C. ACRES SUBD

AVE (4 MILE LINE)

LARK AVE

L & B SUBD

MENDEZ

41ST ST

219

78

PROPOSED NIRVANA SUBD

PROPOSED LYM SUBDIVISION

6724

6712

6700

6616

6500

6416

4500

6617
2MH/
DIAZ A/C
5.0AC

6920

31

36

LOT 4

LOT 3

LOT 2

LOT 1

LOT 1

LOT 1
LOT 1

121

122

128

129

174

136

167

190

191

192

3

2

1

-25

-34

-32

-33

-10

-16

-03

-13

-02

-04

-05

-06

-12

-15

-03

82

77

89

4213

4209

31

4206



SUB2016-0071

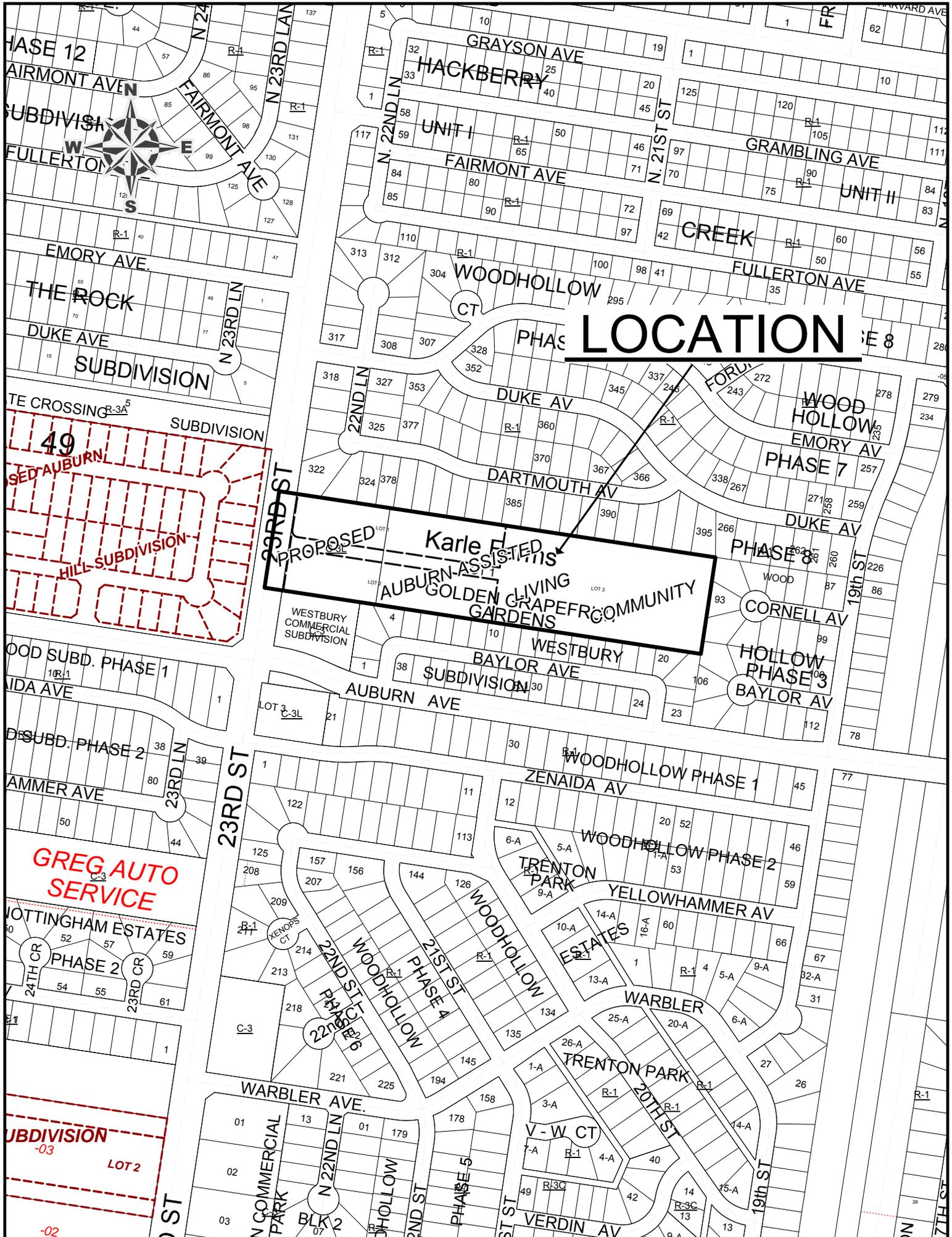


City of McAllen
Planning Department
APPLICATION FOR
SUBDIVISION PLAT REVIEW

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

Project Description	Subdivision Name <u>AUBURN ASSISTED LIVING COMMUNITY SUBDIVISION</u> Location <u>APPROX. 180 FEET NORTH OF AUBURN AVE ON 23rd ST.</u> City Address or Block Number <u>8100 N 23rd ST.</u> Number of lots <u>3</u> Gross acres <u>10.005</u> Net acres <u>10.005</u> Existing Zoning <u>AU</u> Proposed <u>C3</u> Rezoning Applied For <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date <u>only</u> Existing Land Use <u>AG</u> Proposed Land Use <u>Comm/Assist</u> Irrigation District # <u>Unimp</u> Residential Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Commercial Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> ETJ Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Agricultural Tax Exemption Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Estimated Rollback tax due <u>0</u> Legal Description <u>A 10.05 Ac. Tract of Land Being all of Lt. 1, Blk 1, Golden</u> <u>Crap and Gardens, Tract No. 2 SUB. AS RECORDED IN VOL 6, PG 31, HEMA</u>
Owner	Name <u>Fred Con Karle</u> Phone <u>956 570-0592</u> Address <u>8100 N. 23rd ST</u> City <u>McAllen</u> State <u>TX</u> Zip <u>78504</u> E-mail <u>saul@samengineering-surveying.com</u>
Developer	Name <u>Jim Dominguez / James Dandford</u> Phone <u>(956) 570-0592</u> Address <u>8100 N. 23rd ST</u> City <u>McAllen</u> State <u>TX</u> Zip <u>78504</u> Contact Person <u>Jim Dominguez</u> E-mail <u>saul@samengineering-surveying.com</u>
Engineer	Name <u>SANCS INC</u> Phone <u>(956) 702-8886</u> Address <u>200 S. 10th St. Ste. 1607</u> City <u>McAllen</u> State <u>TX</u> Zip <u>78501</u> Contact Person <u>Saul Maldonado</u> E-mail <u>saul@samengineering-surveying.com</u>
Surveyor	Name <u>SANCS INC</u> Phone <u>(956) 702-8886</u> Address <u>200 S. 10th St. Ste. 1607</u> City <u>McAllen</u> State <u>TX</u> Zip <u>78501</u>

RECEIVED
SEP 16 2016
BY: [Signature]
am



LOCATION

Karl... ASSISTED
AUBURN ASSISTED
GOLDEN LIVING
GRAPEFRUIT COMMUNITY
GARDENS

49
HILL SUBDIVISION

GREG AUTO SERVICE

NOTTINGHAM ESTATES
PHASE 2

SUBDIVISION
LOT 2

S:\SAMES\INC\SUB\2016\SUB 16.009 PUD Assisted Living\dwg\SHIT 2 - PLAT.dwg, Layout2, 9/16/2016 10:38:27 AM, CAD2



LOT 1
WESTBURY COMMERCIAL SUBDIVISION
VOL. 34, PG. 186
H.C.M.R.

AUBURN ASSISTED LIVING COMMUNITY SUBDIVISION

RECIEVED VIA EMAIL 09/16/2016 AT 10:43 AM

RECEIVED
By Nikki Marie Cavazos at 10:48 am, Sep 16, 2016



SAM Engineering & Surveying

200 S. 10TH ST. SUITE 1607 TEL: (956) 702-8880
McALLEN, TEXAS 78501 FAX: (956) 702-8883
SURVEY FIRM REG. No. 101416-00

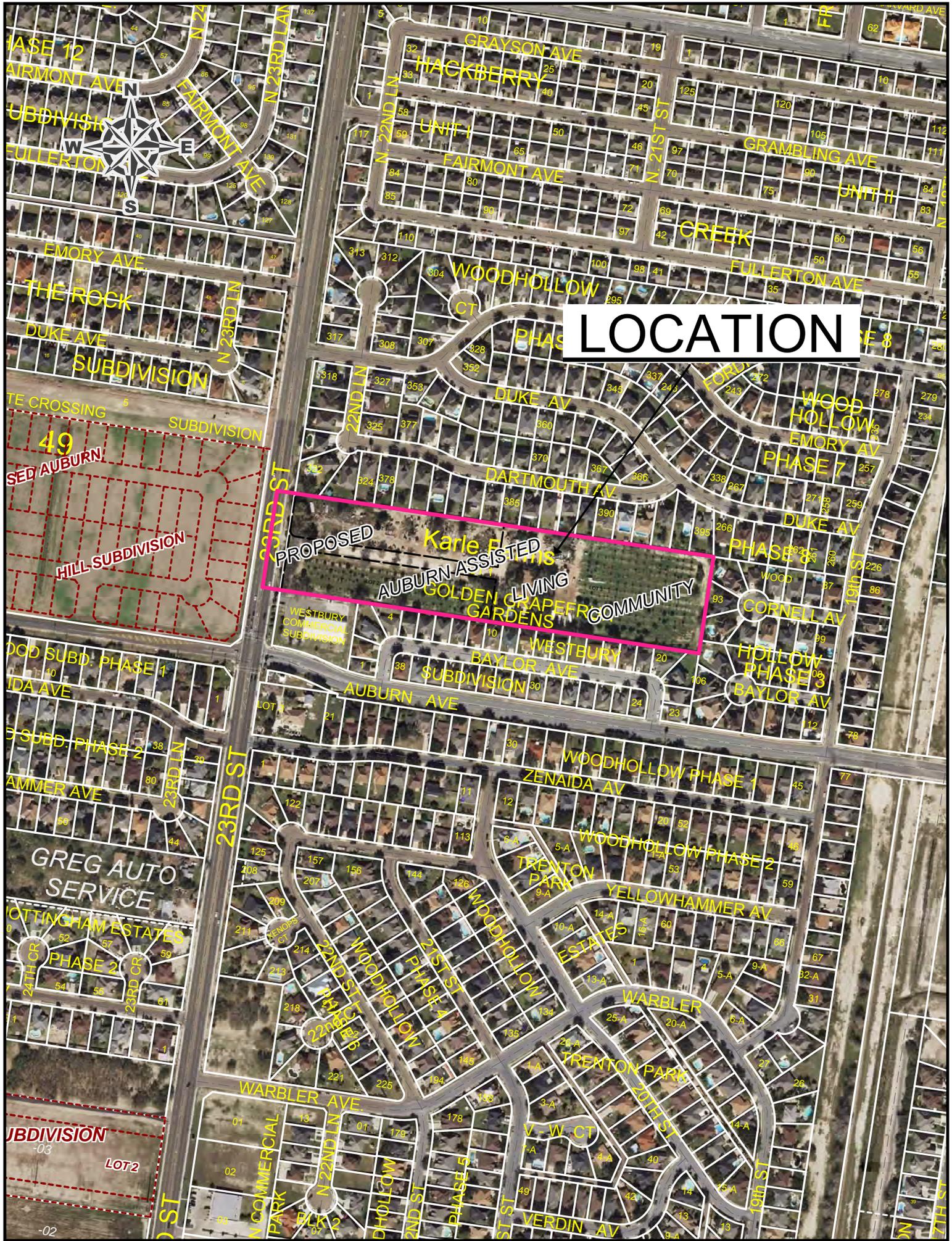
JOB NUMBER
SUB 16.009



Reviewed On: 9/29/2016

SUBDIVISION NAME: AUBURN ASSISTED LIVING COMMUNITY	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
N. 23rd Street: 20 ft. ROW dedication required for 60 ft. from centerline for 120 ft. ROW Paving: by the state Curb & gutter: by the state	Non-compliance
* 800 ft. Block Length:	NA
* 600 ft. Maximum Cul-de-Sac:	NA
ALLEYS	
ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties	Non-compliance
SETBACKS	
* Front: N. 23rd Street - 60 ft. or greater for approved site plan or easements	TBD
* Rear: in accordance with the Zoning Ordinance, or greater for approved site plan or easements	TBD
* Sides: in accordance with the Zoning Ordinance, or greater for approved site plan or easements	TBD
* Corner:	NA
* Garage: 18 ft. except where greater setback is required; greater setback applies.	TBD
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
SIDEWALKS	
* 4 ft. wide minimum sidewalk required on N. 23rd Street. Project engineer to verify sidewalk width with the City Engineering Department.	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, and industrial zones/uses.	Non-compliance
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.	Non-compliance
*Perimeter buffers must be built at time of Subdivision Improvements.	NA
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.	TBD
* Common Areas, Private Streets must be maintained by the lot owners and not the City of McAllen.	NA

<p>* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.</p> <p>* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.</p> <p>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</p>	<p>NA</p>
	<p>TBD</p>
	<p>TBD</p>
<p>LOT REQUIREMENTS</p>	
<p>* Lots fronting public streets:</p>	<p>Compliance</p>
<p>* Minimum lot width and lot area: Project engineer to provide dimensions for all the lots to verify compliance with the lot frontage and lot area requirements.</p>	<p>TBD</p>
<p>ZONING/CUP</p>	
<p>* Existing: C-3L & R-1 Proposed: assisted living facility</p> <p>**CUP for PUD has been applied for.</p>	<p>Non-compliance</p>
<p>* Rezoning Needed Before Final Approval</p>	<p>TBD</p>
<p>PARKS</p>	
<p>* Land dedication in lieu of fee:</p>	<p>TBD</p>
<p>* Park Fee of \$700 per dwelling unit is required to be paid prior to recording.</p>	<p>TBD</p>
<p>* Pending review by the Parkland Dedication Advisory Board and CC.</p>	<p>TBD</p>
<p>TRAFFIC</p>	
<p>* Trip Generation to determine if TIA is required, prior to final plat.</p>	<p>Non-compliance</p>
<p>* Traffic Impact Analysis (TIA) required prior to final plat.</p>	<p>TBD</p>
<p>COMMENTS</p>	
<p>Comments: *PUD for Assisted Living Facility needed prior to final.</p> <p>**Setbacks are subject to change based on zoning and use of the property.</p> <p>***Alley required for commercial property.</p> <p>****Per Traffic, the plat must comply with the City's Access Management Policy.</p> <p>*****Per Parks Department, clarification is needed on the use of the property since the property is zoned R-1 to determine if park fees apply.</p>	<p>Applied</p>
<p>RECOMMENDATION</p>	
<p>Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM SUBJECT TO THE CONDITIONS NOTED, AND UTILITY & DRAINAGE APPROVALS.</p>	<p>Applied</p>



LOCATION

PROPOSED KARLE PLAZA
AUBURN ASSISTED
GOLDEN LIVING
GARDENS COMMUNITY

PHASE 12
AIRMONT AVENUE
UBDIVISION
FULLERTON
EMORY AVE
THE ROCK
DUKE AVE
SUBDIVISION
TE CROSSING
SUBDIVISION
49
SED AUBURN
HILL SUBDIVISION
WOOD SUBD: PHASE 1
IDA AVE
SUBD: PHASE 2
HAMMER AVE
GREG AUTO SERVICE
OTTINGHAM ESTATES
PHASE 2
SUBDIVISION
LOT 2

GRAYSON AVE
HACKBERRY
UNIT I
FAIRMONT AVE
N 22ND LN
N 21ST ST
GRAMBLING AVE
UNIT II
CREEK
WOODHOLLOW
CT
DUKE AV
DARTMOUTH AV
WOODHOLLOW
EMORY AV
PHASE 7
DUKE AV
PHASE 8
CORNELL AV
HOLLOW
PHASE 3
BAYLOR AV
WOODHOLLOW PHASE 1
ZENAIDA AV
WOODHOLLOW PHASE 2
TRENTON PARK
ESTATES
YELLOWHAMMER AV
WARBLER
TRENTON PARK
VERDIN AV
N 23RD LN
N 22ND LN
N 21ST ST
N 20TH ST
N 19TH ST
N 18TH ST
N 17TH ST
N 16TH ST
N 15TH ST
N 14TH ST
N 13TH ST
N 12TH ST
N 11TH ST
N 10TH ST
N 9TH ST
N 8TH ST
N 7TH ST
N 6TH ST
N 5TH ST
N 4TH ST
N 3TH ST
N 2TH ST
N 1ST ST



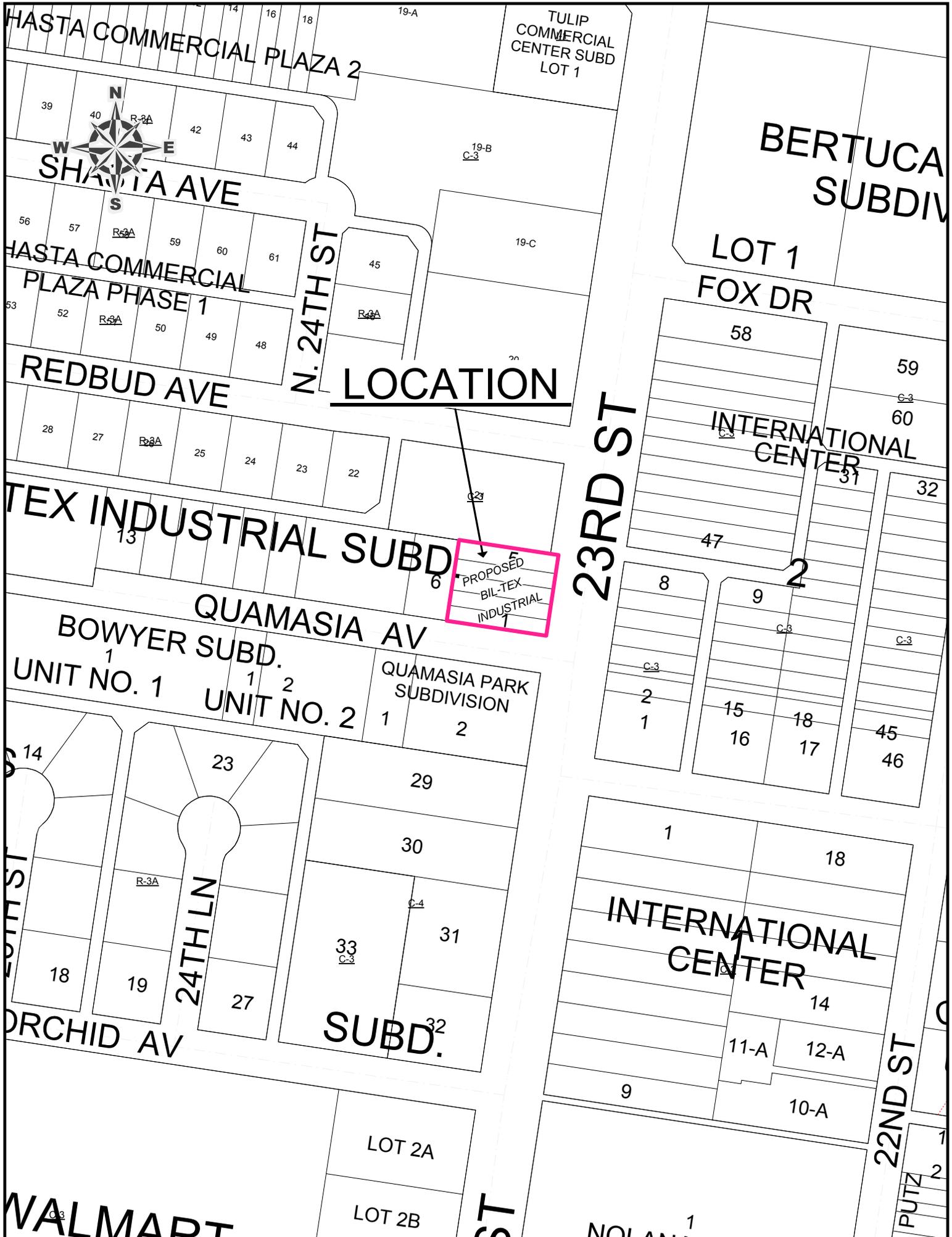
City of McAllen
 Planning Department
**APPLICATION FOR
 SUBDIVISION PLAT REVIEW**

Sub 2016-0007
 1300 Houston Avenue
 McAllen, TX 78501
 P. O. Box 220
 McAllen, TX 78505-0220
 (956) 681-1250
 (956) 681-1279 (fax)

Project Description	<p>Subdivision Name <u>RE- PLAT OF BIC - TEX INDUSTRIAL SUBDIVISION, LOTS 1, 2, 3, 4 AND 5.</u></p> <p>Location <u>Northwest corner of N. 23rd St. and Guadalupe Ave.</u></p> <p>City Address or Block Number <u>4301 N. 23rd St.</u></p> <p>Number of lots <u>1</u> Gross acres <u>0.4975</u> Net acres <u>0.4476</u></p> <p>Existing Zoning <u>I-1</u> Proposed <u>I-1</u> Rezoning Applied For <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____</p> <p>Existing Land Use <u>PAINT SACKS</u> Proposed Land Use <u>PAINT SACKS</u> Irrigation District # <u>4A</u></p> <p>Residential Replat Yes <input type="checkbox"/> No <input type="checkbox"/> Commercial Replat Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> ETJ Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Agricultural Tax Exemption Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Estimated Rollback tax due <u>0</u></p> <p>Legal Description <u>ALL OF LOTS 1, 2, 3, 4, AND 5, BIC-TEX INDUSTRIAL SUBDIVISION, Vol. 19, PAGE 87, MAP RECORDS, HIDALGO COUNTY, TX</u></p>
Owner	<p>Name <u>Enrike Kalifa</u> Phone <u>522-1192</u></p> <p>Address <u>4301 N. 23rd St.</u></p> <p>City <u>McAllen</u> State <u>Tx</u> Zip <u>78504</u></p> <p>E-mail _____</p>
Developer	<p>Name <u>Enrike Kalifa</u> Phone _____</p> <p>Address <u>4301 N. 23rd St.</u></p> <p>City <u>McAllen</u> State <u>Tx</u> Zip <u>78504</u></p> <p>Contact Person <u>Orlando</u></p> <p>E-mail _____</p>
Engineer	<p>Name <u>GIUSEPPE ADRIANO</u> Phone <u>784-0218</u></p> <p>Address <u>520 N. 5th St. Donna Tx 78537</u></p> <p>City <u>Donna</u> State <u>Tx</u> Zip <u>78537</u></p> <p>Contact Person <u>Willie</u></p> <p>E-mail <u>nainengineering@yahoo.com</u></p>
Surveyor	<p>Name <u>REYNALDO ROBLES</u> Phone <u>968-2422</u></p> <p>Address <u>107 W. HUISACHE ST</u></p> <p>City <u>WESLARO</u> State <u>Tx</u> Zip <u>78559</u></p> <p>E-mail _____</p>

RECEIVED
 SEP 07 2016

BY: AW / 248



HASTA COMMERCIAL PLAZA 2

TULIP COMMERCIAL CENTER SUBD LOT 1



SHASTA AVE

BERTUCA SUBDIV

HASTA COMMERCIAL PLAZA PHASE 1

LOT 1
FOX DR

N. 24TH ST

LOCATION

REDBUD AVE

BIL-TEX INDUSTRIAL SUBD

PROPOSED
BIL-TEX
INDUSTRIAL

23RD ST

INTERNATIONAL CENTER

QUAMASIA AV

BOWYER SUBD.

UNIT NO. 1

UNIT NO. 2

QUAMASIA PARK SUBDIVISION

24TH LN

SUBD.

INTERNATIONAL CENTER

ORCHID AV

LOT 2A

LOT 2B

22ND ST

WALMART

PUTZ ST

NOLAN ST

RE-PLAT OF BIL-TEX INDUSTRIAL SUBDIVISION LOTS 1,2,3,4, AND 5

A 0.4775 ACRE TRACT OF LAND BEING ALL OF LOTS 1,2,3,4, AND 5, BIL-TEX INDUSTRIAL SUBDIVISION, ACCORDING TO THE MAP RECORDED IN VOLUME 19, PAGE 87, MAP RECORDS, HIDALGO COUNTY, TEXAS.

METES AND BOUNDS
A 0.4775 ACRE TRACT OF LAND BEING ALL OF LOTS 1,2,3,4, AND 5, BIL-TEX INDUSTRIAL SUBDIVISION, ACCORDING TO THE MAP RECORDED IN VOLUME 19, PAGE 87, MAP RECORDS, HIDALGO COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
BEGINNING AT A 1/2" IRON ROD FOUND FOR THE SOUTHEAST CORNER OF LOT 1 AND THE SOUTHEAST CORNER OF THIS TRACT:
THENCE: N 81°17'30" W, 160.00 FEET, WITH THE SOUTH LINE OF SAID LOT 1 AND WITH THE NORTH R.O.W. LINE OF QUAMASIA AVENUE TO A POINT FOR THE SOUTHWEST CORNER OF SAID TRACT HEREIN DESCRIBED, FROM WHICH A CHAIN LINK FENCE POST BEARS S 81°17'30" E, 2.4 FEET;
THENCE: N 08°42'30" E, 130.00 FEET, WITH THE EAST LINE OF LOT 6 AND THE WEST LINE OF SAID LOTS 1,2,3,4, AND 5 TO A POINT FOR THE NORTHWEST CORNER OF SAID LOT 5 AND THE NORTHWEST CORNER OF SAID TRACT HEREIN DESCRIBED FROM WHICH A CHAIN LINK FENCE CORNER BEARS S 81°17'30" E, 0.7 FEET AND S 08°42'30" W, 0.5 FEET;
THENCE: S 81°17'30" E, 160.00 FEET, WITH THE NORTH LINE OF LOT 5 AND WITH THE SOUTH LINE OF SHASTA COMMERCIAL PLAZA PHASE I SUBDIVISION AS PER MAP RECORDED IN VOLUME 41, PAGE 24 OF THE HIDALGO COUNTY MAP RECORDS, TO A 1/2" IRON ROD WITH A PLASTIC CAP STAMPED "R&A" SET FOR THE NORTHEAST CORNER OF SAID LOT 5 AND THE NORTHEAST CORNER OF SAID TRACT HEREIN DESCRIBED;
THENCE: S 08°42'30" W, 130.00 FEET, WITH THE EAST LINE OF LOTS 1,2,3,4, AND 5, AND WITH THE WEST R.O.W. LINE OF N. 23RD STREET TO THE POINT OF BEGINNING AND CONTAINING 0.4775 OF ONE ACRE OF LAND MORE OR LESS.

GENERAL NOTES:

- MINIMUM BUILDING SETBACK LINES SHALL BE AS FOLLOWS:
FRONT: N. 23RD STREET - 30.0' OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS
SIDES: AS PER ZONING ORDINANCE OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS
REAR: AS PER ZONING ORDINANCE OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS
CORNER: AS PER ZONING ORDINANCE OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS
- NO STRUCTURE SHALL BE PERMITTED OVER ANY EASEMENT.
- MINIMUM FINISH FLOOR ELEVATION TO BE 18" ABOVE TOP OF CURB AT CENTER OF THE LOT.
- FLOOD ZONE "B" - AREAS BETWEEN LIMITS OF THE 100-YEAR FLOOD AND 500-YEAR FLOOD OR CERTAIN AREAS SUBJECT TO 100-YEAR FLOODING WITH AVERAGE DEPTHS LESS THAN ONE(1) FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN ONE SQUARE MILE; AREAS PROTECTED BY LEVEES FROM THE BASE FLOOD.
COMMUNITY-PANEL No. 480343 0005 C
MAP REVISED: NOVEMBER 2, 1982
- ALL LOT CORNERS MARKED WITH NO. 4 REBAR UNLESS OTHERWISE NOTED.
- BENCH MARK:
TOP OF NORTH NORTHEAST BOLT ON TOP
RANGE OF FIRE HYDRANT LOCATED BY
THE SOUTHWEST CORNER OF LOT 1
ELEV. 120.89
CITY OF McALLEN BENCHMARK MC 65
BEING A BRASS CAP SET IN CONCRETE
LOCATED ON THE NORTHWEST CORNER OF
DAFFODIL STREET AND N. 23RD STREET
ELEV. 120.15
- DRAINAGE DETENTION REQUIRED FOR THIS PROPERTY IS 0.10 AC-FT
- SWPPP WILL BE REQUIRED AT THE TIME OF CONSTRUCTION.
- A 6.0 FT OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, AND INDUSTRIAL ZONES/USES AND 40.0 FT SERVICE ALLEY.
A 8 FT MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONES/USES.
- AN ENGINEERED DETENTION PLAN APPROVED BY THE ENGINEERING DEPARTMENT IS REQUIRED TO ISSUANCE OF A BUILDING PERMIT.
- 4 FT WIDE MINIMUM SIDEWALK REQUIRED ON THE WEST SIDE OF N. 23RD STREET AND ON THE NORTH SIDE OF QUAMASIA AVENUE AT THE TIME OF BUILDING PERMIT

STATE OF TEXAS
COUNTY OF HIDALGO

I (WE), THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS THE RE-PLAT BIL-TEX INDUSTRIAL SUBDIVISION LOTS 1,2,3,4, AND 5, TO THE CITY OF McALLEN, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS, WATER LINES, SEWER LINES, STORM SEWERS, FIRE HYDRANTS AND PUBLIC PLACES WHICH ARE INSTALLED OR WHICH I (WE) WILL CAUSE TO BE INSTALLED THEREON, SHOWN OR NOT SHOWN, IF REQUIRED OTHERWISE TO BE INSTALLED OR DEDICATED UNDER THE SUBDIVISION APPROVAL PROCESS OF THE CITY OF McALLEN, ALL THE SAME FOR THE PURPOSES THEREIN EXPRESSED EITHER ON THE PLAT HEREOF OR ON THE OFFICIAL MINUTES OF THE APPLICABLE AUTHORITIES OF THE CITY OF McALLEN.

OWNER: ENRIQUE KALFA
ADDRESS: 4301 N. 23RD STREET
McAllen, TEXAS, 78504

DATE

OWNER: JUANA A. KALFA
ADDRESS: 4301 N. 23RD STREET
McAllen, TEXAS, 78504

DATE

STATE OF TEXAS
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED ENRIQUE KALFA AND JUANA A. KALFA, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE _____ DAY OF _____, 20____.

NOTARY PUBLIC, FOR THE STATE OF TEXAS

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

HIDALGO COUNTY DRAINAGE DISTRICT No.1

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

DATE

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

CHAIRMAN, PLANNING COMMISSION

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

MAYOR, CITY OF McALLEN

STATE OF TEXAS
COUNTY OF HIDALGO

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

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

DATE

STATE OF TEXAS
COUNTY OF HIDALGO

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

Guillermo Arratia, P.E.
GUILLERMO A. ARRATIA
LICENSED PROFESSIONAL ENGINEER No. 94001
526 N. 5TH ST.
DONNA, TEXAS, 78537

DATE 9/6/16



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

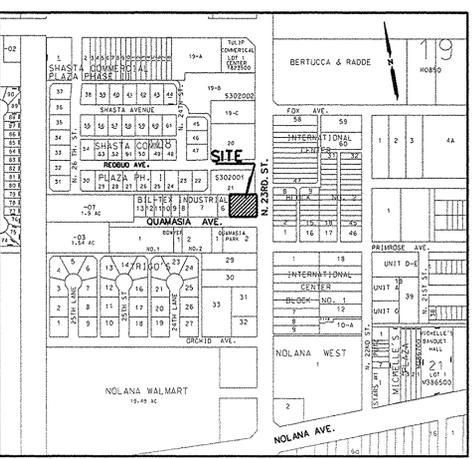
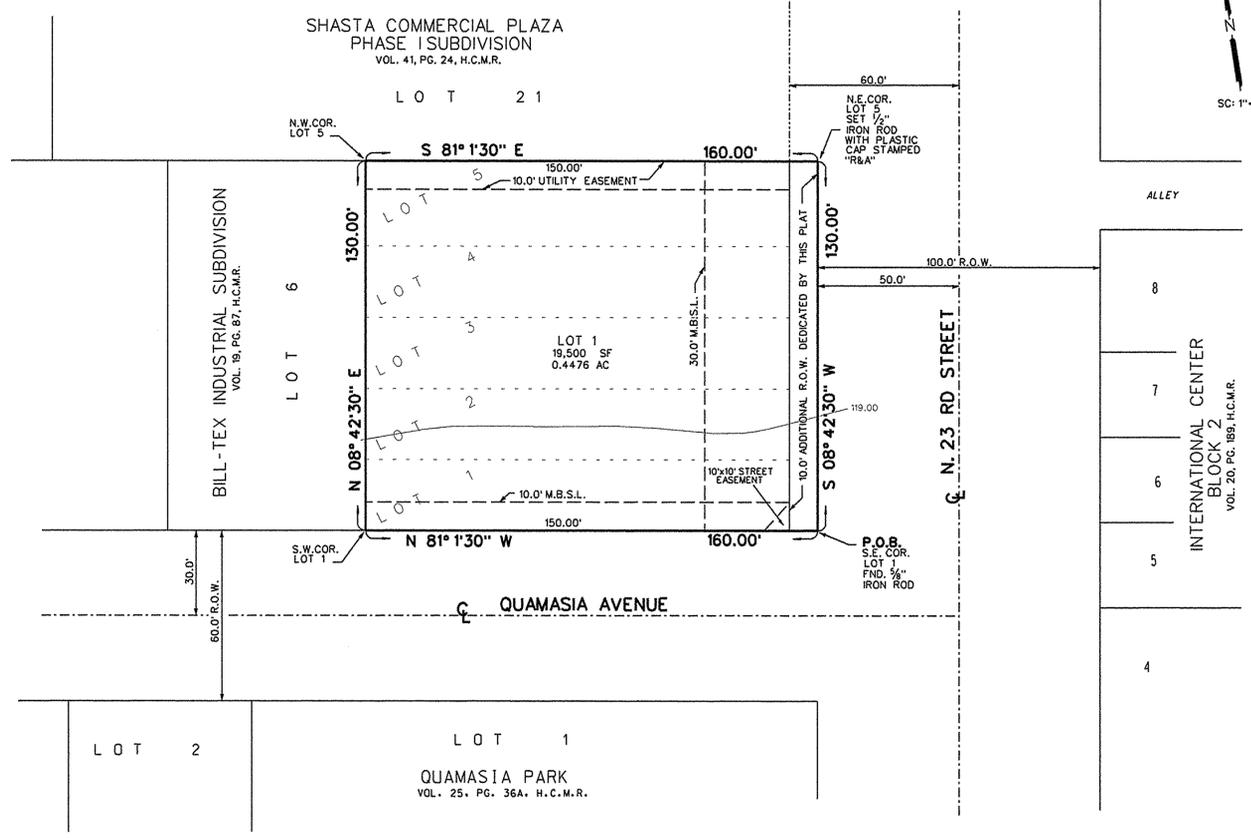
RECEIVED VIA EMAIL 09/07/2016 AT 1:57 PM

RECEIVED
By Nikki Marie Cavazos at 8:04 am, Sep 08, 2016

DATE OF PREPARATION: SEPTEMBER 2, 2016

NAIN ENGINEERING, L.L.C.
CONSULTING ENGINEER

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



LOCATION MAP



Reviewed On: 9/29/2016

SUBDIVISION NAME: BIL-TEX INDUSTRIAL, LOT 1A	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
<p>N. 23rd Street: 10 ft. ROW dedication required for 60 ft. from centerline for 120 ft. ROW Paving: by the state Curb & gutter: by the state</p> <p>Quamasia Avenue: 30 ft. from centerline for 60 ft. ROW existing Paving: 40 ft. Curb & gutter: both sides *Owner must escrow monies for widening if not built prior to plat recording; coordinate with City Engineering Department.</p> <p>* 800 ft. Block Length:</p> <p>* 600 ft. Maximum Cul-de-Sac:</p>	Compliance
	Applied
	Compliance
	NA
ALLEYS	
<p>ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties</p>	Applied
SETBACKS	
<p>* Front: N. 23rd Street - 60 ft. or greater for approved site plan or easements</p> <p>* Rear: in accordance with the Zoning Ordinance, or greater for approved site plan or easements.</p> <p>* Interior Side: in accordance with the Zoning Ordinance, or greater for approved site plan or easements</p> <p>* Corner: Quamasia Avenue - 30 ft. or greater for approved site plan or easements</p> <p>* Garage: 18 ft. except where greater setback is required; greater setback applies</p> <p>*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN</p> <p>*SETBACKS FOR EXISTING STRUCTURE(S) TO REMAIN; HOWEVER, ANY NEW ADDITIONS AND/OR NEW CONSTRUCTION SHALL COMPLY WITH SETBACKS AS NOTED.</p>	Non-compliance
	Compliance
	Compliance
	Non-compliance
	NA
	Applied
SIDEWALKS	
<p>* 4 ft. wide minimum sidewalk required on N. 23rd Street and Quamasia Avenue. **Project engineer to verify sidewalk width along N. 23rd Street with the City's Engineering Department.</p> <p>* Perimeter sidewalks must be built or money escrowed if not built at this time.</p>	Non-compliance
	Applied
BUFFERS	
<p>* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, or industrial zones/uses.</p> <p>* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.</p> <p>*Perimeter buffers must be built at time of Subdivision Improvements.</p>	Non-compliance
	Compliance
	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.	TBD
* Common Areas, Private Streets must be maintained by the lot owners and not the City of McAllen.	NA
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	NA
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.	NA
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.	NA
LOT REQUIREMENTS	
* Lots fronting public streets:	Compliance
* Minimum lot width and lot area:	Compliance
ZONING/CUP	
* Existing: I-1 Proposed: I-1	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.	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.	TBD
* Traffic Impact Analysis (TIA) required prior to final plat.	Applied
COMMENTS	
Comments: *Public hearing without legal notices is required at time of final for the resubdivision. **Per Traffic, the site does not comply with the access management policy. Both driveways close to the intersection of N. 23rd Street and Quamasia Avenue will need to be closed. Project engineer to coordinate with the Traffic Operations Department. ***ROW clip as may be required at the street intersection. ****License agreement as may be required for portion of parking improvements within TxDOT ROW after 10 ft. ROW dedication. *****Project engineer to revise the subdivision name to Bil-Tex Industrial, Lot 1A Subdivision. *****Project engineer to meet with staff to discuss project and site improvements.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE RESUBDIVISION IN PRELIMINARY FORM SUBJECT TO THE CONDITIONS NOTED, AND UTILITY & DRAINAGE APPROVALS.	Applied



HASTA COMMERCIAL PLAZA 2

TULIP COMMERCIAL CENTER SUBD LOT 1

BERTUCA SUBDIV

SHANTA AVE

LOT 1
FOX DR

HASTA COMMERCIAL PLAZA PHASE 1

REDBUD AVE

LOCATION

N. 24TH ST

23RD ST

INTERNATIONAL CENTER

TEX INDUSTRIAL SUBD

PROPOSED
BIL-TEX
INDUSTRIAL

QUAMASIA AV

BOWYER SUBD.

QUAMASIA PARK SUBDIVISION

UNIT NO. 1 UNIT NO. 2

24TH LN

INTERNATIONAL CENTER

ORCHID AV

SUBD.

22ND ST

WALMART

LOT 2A

LOT 2B

PUTZ



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

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

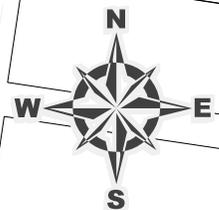
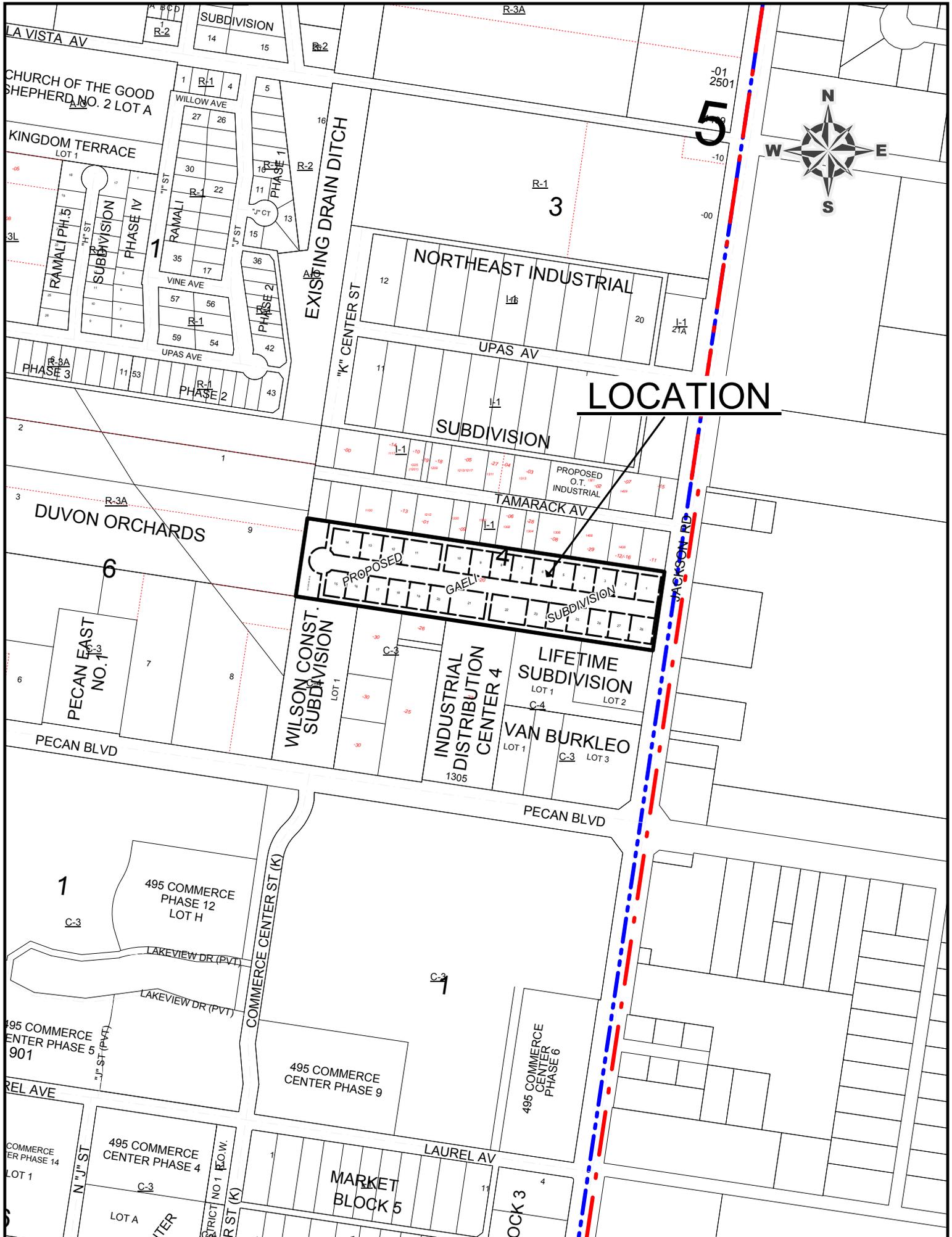
Project Description	Subdivision Name <u>Gaeli SubDivision</u> Location <u>West Side Jackson Rd 679 Feet North of 495</u> City Address or Block Number _____ Number of lots <u>29</u> Gross acres <u>9.45</u> Net acres <u>9.45</u> Existing Zoning <u>R3</u> Proposed <u>R3</u> Rezoning Applied For <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____ Existing Land Use <u>Vac</u> Proposed Land Use <u>Duplex</u> Irrigation District # <u>2</u> Residential Replat Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Commercial Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> ETJ Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Agricultural Tax Exemption Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Estimated Rollback tax due <u>0</u> Legal Description <u>A 9.45 ACRE Tract Land out of Lot 4 Block 5</u> <u>A.J. McColl SubDivision, Hidalgo County Texas</u>
Owner	Name <u>Lone Star National Bank</u> Phone _____ Address <u>P.O BOX 1127</u> City <u>Pharr</u> State <u>Tx</u> Zip <u>78504</u> E-mail _____
Developer	Name <u>JUAN Muniz</u> Phone <u>491-9837</u> Address <u>5219 N McColl</u> City <u>McAllen</u> State <u>Tx</u> Zip <u>78504</u> Contact Person <u>JUAN MUNIZ</u> E-mail <u>jmuniz33@yahoo.com</u>
Engineer	Name <u>Guillermo Arratia</u> Phone <u>956 784-0218</u> Address <u>526 N. 5th st</u> City <u>Donna</u> State <u>Tx</u> Zip <u>78537</u> Contact Person <u>Willie</u> E-mail <u>naingineering@yahoo.com</u>
Surveyor	Name <u>Reynaldo Robles</u> Phone <u>956 968 4222</u> Address <u>107 W. Huisache St</u> City <u>Westlaco</u> State <u>Tx</u> Zip <u>78594</u>

SUB 2016-0053

RECEIVED

AUG 01 2016

Pd \$300 - BY: [Signature] RC# 395243



LOCATION

5

PROPOSED
GAELE
SUBDIVISION

LOCATION

5

PROPOSED
GAELE
SUBDIVISION



Reviewed On: 9/2/2016

SUBDIVISION NAME: GAELI	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
N. Jackson Road: 10 ft. ROW dedication proposed for 60 ft. from centerline and future total 120 ft. ROW Paving: by the state Curb & gutter: by the state	Applied
N. "K" Center Street: 60 ft. ROW - 86.56 ft. shown on the preliminary plat. However, the plat has since been revised without N. "K" Center Street. The project engineer, on behalf of the developer is requesting a variance to not require N. "K" Center Street. Paving: 40 ft. Curb & gutter: both sides	Non-compliance
E. Sycamore Ave - (E/W interior street): 60 ft. ROW Paving: 40 ft. Curb & gutter: both sides *As proposed, E. Sycamore Avenue exceeds the 600 ft. maximum street length allowed for a cul-de-sac street.	Non-compliance
* 800 ft. Block Length: The block shown for Sycamore Ave. exceeds the 800 ft. block length allowed without a "stub out" street.	Non-compliance
* 600 ft. Maximum Cul-de-Sac	NA
ALLEYS	
ROW: 20 ft. Paving: 16 ft. *Alley/service drive required for this multi-family residential development. **ROW and paving width may increase for parking areas.	Applied
SETBACKS	
* Front: 30 ft. setback or greater for approved site plan or easements. **Property currently zoned C-3 (general commercial) District. If it is rezoned, front setbacks may be revised prior to final.	TBD
* Rear: As per Zoning Ordinance or greater for approved site plan or easements.	Compliance
* Interior sides: As per Zoning Ordinance or greater for approved site plan or easements.	Compliance
* Corner: N. Jackson Road - 60 ft. or greater for approved site plan or easements. N. "K" Center Street: 30 ft. or greater for approved site plan or easements. **The property is currently zoned C-3 (general commercial) District. If the property is rezoned, setbacks may be revised.	TBD
* Garage: 18 ft. except where greater setback is required, greater setback applies.	Applied
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
SIDEWALKS	
* 4 ft. wide minimum sidewalk required on N. Jackson Road, and both sides of N. "K" Center Street and E. Sycamore Ave. **Engineer to verify 5 ft. sidewalk requirement on N. Jackson Road with Engineering Department.	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, and industrial zones/uses. **If the property is rezoned, additional buffers may be required prior to final.		Applied
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. **If the property is rezoned, additional buffers may be required prior to final.		Applied
*Perimeter buffers must be built at time of Subdivision Improvements.		Applied
NOTES		
* No curb cut, access, or lot frontage permitted along N. Jackson Road and N. "K" Center Street.		Non-compliance
* Site plan must be approved by the Planning and Zoning Commission prior to building permit issuance. **If the property is rezoned prior to final, this note may not be applicable.		Applied
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.		Applied
* 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.		Non-compliance
* 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.		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: E. Sycamore Ave.		Compliance
* Minimum lot width and lot area		Compliance
ZONING/CUP		
* Existing: C-3 Proposed: R-3A		Incomplete
* Rezoning Needed Before Final Approval		Applied
PARKS		
* Land dedication in lieu of fee: Based on number of units proposed, Parkland Dedication Advisory Board and City Commission equired.		Applied
* Park Fee of \$700 to be paid prior to recording. If the fee is applied, it will be based on \$700 per dwelling unit, and must be paid prior to recording.		Applied
* Pending review by the Parkland Dedication Advisory Board and City Commission prior to final.		Applied
TRAFFIC		
* Trip Generation to determine if TIA is required, prior to final plat.		Non-compliance
* Traffic Impact Analysis (TIA) required prior to final plat.		TBD

COMMENTS	
Comments: *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. required for this multi-family development. ***20 ft. by 20 ft. ROW clips required at all alley/alley intersections. ***Must escrow monies for improvements not constructed prior to recording.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION PLAT IN REVISED PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED, CLARIFICATION/RECOMMENDATION ON THE REQUESTED VARIANCES, AND DRAINAGE & UTILITY APPROVALS.	Applied

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

September 02, 2016

To: Kim Guajardo
City of McAllen

Re: **Gaeli Subdivision**

Kim,
We want to request a Variance as follows;

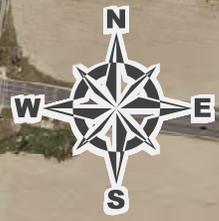
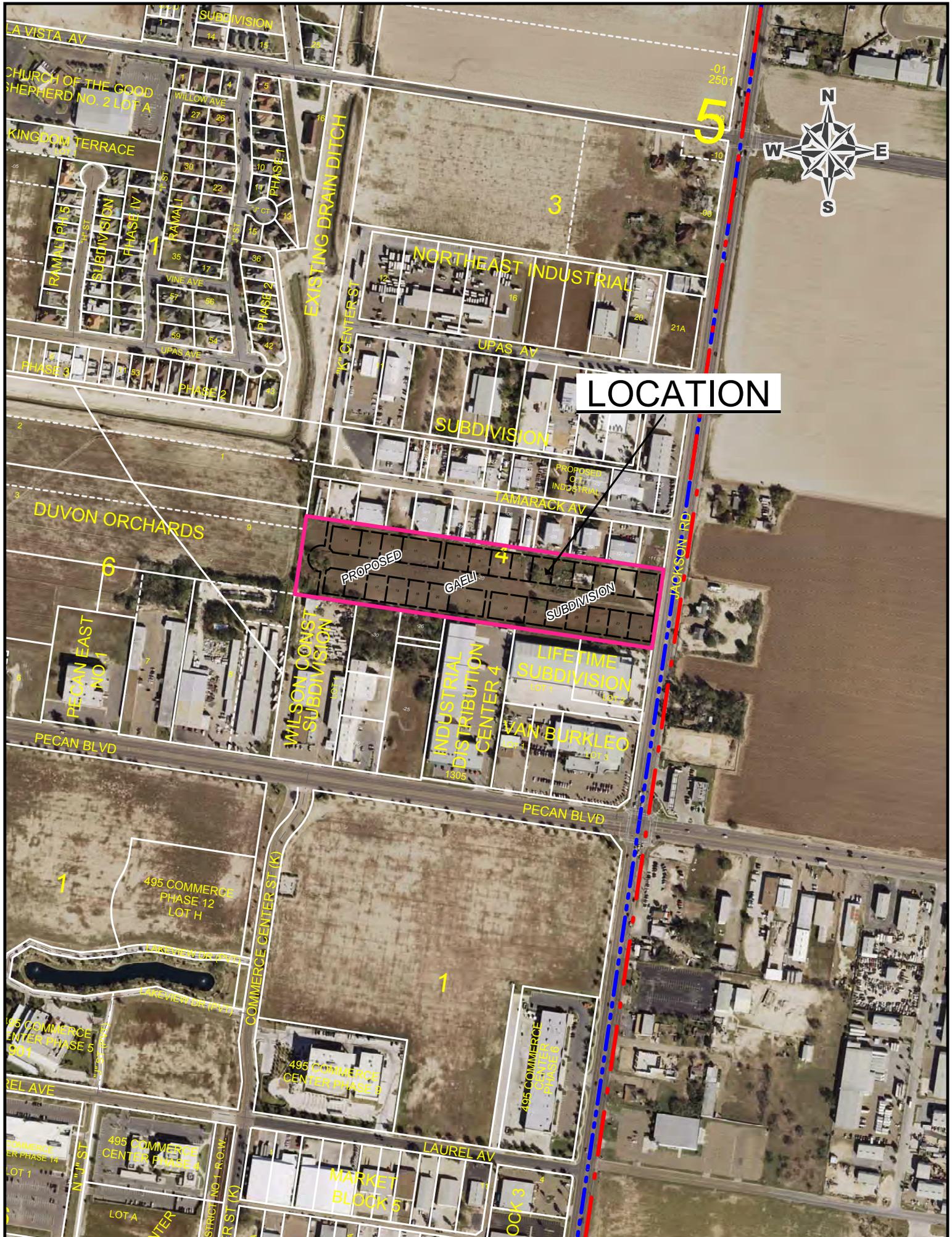
1. VARIANCE FOR BLOCK LENGTHS NOT TO EXCEED 800 FEET
2. VARIANCE TO ALLOW CUL-DE-SAC MORE THAN 600 FEET
3. VARIANCE FOR NOT TO CONNECT TO .N. "K" STREET


Guillermo A. Arratia, P.E.

RECEIVED VIA EMAIL 09/02/2016 AT 4:43 PM

RECEIVED

By Nikki Marie Cavazos at 11:39 am, Sep 06, 2016



LOCATION

EXISTING DRAIN DITCH

PROPOSED

CAELI

SUBDIVISION

NORTHEAST INDUSTRIAL

SUBDIVISION

WILSON COAST SUBDIVISION

INDUSTRIAL DISTRIBUTION CENTER 4

LIFETIME SUBDIVISION

VAN BURKLEO

DUVON ORCHARDS

PECAN EAST NO. 1

495 COMMERCE CENTER PHASE 12 LOT H

495 COMMERCE CENTER PHASE 9

495 COMMERCE CENTER PHASE 4

MARKET BLOCK 5

495 COMMERCE CENTER PHASE 3

LA VISTA AV
CHURCH OF THE GOOD SHEPHERD NO. 2 LOT A
KINGDOM TERRACE
RAMALI PHASE 3
RAMALI PHASE 4
RAMALI PHASE 1
WILLOW AVE
VINE AVE
UPAS AVE
PHASE 2
PHASE 1
PHASE 2
PHASE 3

K CENTER ST

UPAS AV

LAMARACK AV

PECAN BLVD

PECAN BLVD

COMMERCE CENTER ST (K)

LAUREL AV

JACKSON RD

5

3

6

1

1

OCK 3

495 COMMERCE CENTER PHASE 5 LOT 1

REL AVE

COMMERCE CENTER PHASE 14 LOT 1

LOT A

STREET NO. 1 R.O.W.
R ST (K)



City of McAllen
Planning Department

APPLICATION FOR
SUBDIVISION PLAT REVIEW

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

Project Description	<p>Subdivision Name <u>LA HERENCIA ESTATES</u></p> <p>Location <u>North side of S.H. 107 and approximately 450 feet west of Mayberry Road</u></p> <p>City Address or Block Number <u>N/A</u></p> <p>Number of lots <u>10</u> Gross acres <u>8.919</u> Net acres <u>8.919</u></p> <p>Existing Zoning <u>N/A</u> Proposed _____ Rezoning Applied For <input type="checkbox"/> Yes <input type="checkbox"/> No Date _____</p> <p>Existing Land Use <u>N/A</u> Proposed Land Use _____ Irrigation District # <u>UID</u></p> <p>Residential Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Commercial Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> ETJ Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>Agricultural Tax Exemption Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Estimated Rollback tax due <u>-0-</u></p> <p>Legal Description _____ <u>Being a resubdivision of 8.919 acres o/o Lot 49-8, West Addition to Sharyland Subdivision</u></p>
Owner	<p>Name <u>See attached Owner's Authorizations</u> Phone _____</p> <p>Address _____</p> <p>City _____ State _____ Zip _____</p> <p>E-mail _____</p>
Developer	<p>Name <u>See attached Owner's authorizations</u> Phone _____</p> <p>Address _____</p> <p>City _____ State _____ Zip _____</p> <p>Contact Person _____</p> <p>E-mail _____</p>
Engineer	<p>Name <u>Melden & Hunt, Inc.</u> Phone <u>956-381-0981</u></p> <p>Address <u>115 W. McIntyre Street</u></p> <p>City <u>Edinburg</u> State <u>TX</u> Zip <u>78541</u></p> <p>Contact Person <u>KelleyHeller-Vela</u></p> <p>E-mail <u>kelley@meldenandhunt.com</u></p>
Surveyor	<p>Name <u>Same as Engineer</u> Phone _____</p> <p>Address _____</p> <p>City _____ State _____ Zip _____</p>

SUBMIT-036

RECEIVED

JUN 06 2016

BY: [Signature] 09:58am

Ref # 381919, Pd # 300

Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

- ~~1000~~ \$225 Preliminary Review Fee and \$75 Final Approval Fee
- Title Report
- 8 ½" by 11" Original Sealed Survey showing existing structures/ easements or 3 blueline copies
- 2 Location Maps
- 2 8 ½" by 11" copies/legible copies of plat with name & north arrow
- 6 Folded blueline prints of the proposed plat
- 2 Warranty Deeds (Identifying owner on application)
- Autocad 2005 DWG file and PDF of plat
- Letter of Authorization from the owner, if applicable
- Proof of authority of person signing application on behalf of partnership/corporation, if applicable

Original Needed

PLAT TO SHOW:

- ✓ Metes and bounds
- ✓ Lots numbered with dimensions and area of irregular lots noted
- ✓ Surrounding platted lots and/or lot lines for unplatted tracts
- ✓ Name and address of owner, lienholder, developer, engineer and surveyor shown along with signature lines
- ✓ North arrow, scale and vicinity map
- ✓ Name & dimension of adjoining street ROWs (total width & width from centerline)

Note: Though the original submittal for application to process a subdivision plat does not require the drainage report or utility plans, it is advisable that they be included with the original submittal to expedite the review process. Complying with the minimum requirements for the original plat submittal does not constitute meeting the deadline for drainage and utility review by the appropriate boards. Additional information will be required during the review to properly complete the subdivision process. Any revisions would require resubmission of blueline copies prints and 8 ½" by 11" copies/legible copy of the plat, affected by changes.

Owner's Signature

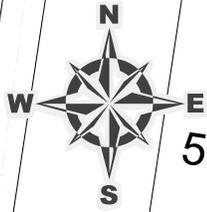
I certify that I am the actual owner of the property described above and (include corporate name if applicable); or I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

Signature Kelley Heller-Vela Date 6/3/2016

Print Name KELLEY HELLER-VELA, P.E.

Owner

Authorized Agent



50-7

50-8

ESCOBEDO LOT 1

50-9

LOCATION

10,000

DEVAN DR

DEVAN ESTATES

DURKEE SUBD.

7 MILE LINE (11000)

WARSHAK LOT 1



CIELO LINDO

49-9

48-7

48-8

-43 9021

48-9

MAYBERRY ROAD (9200)

47-7

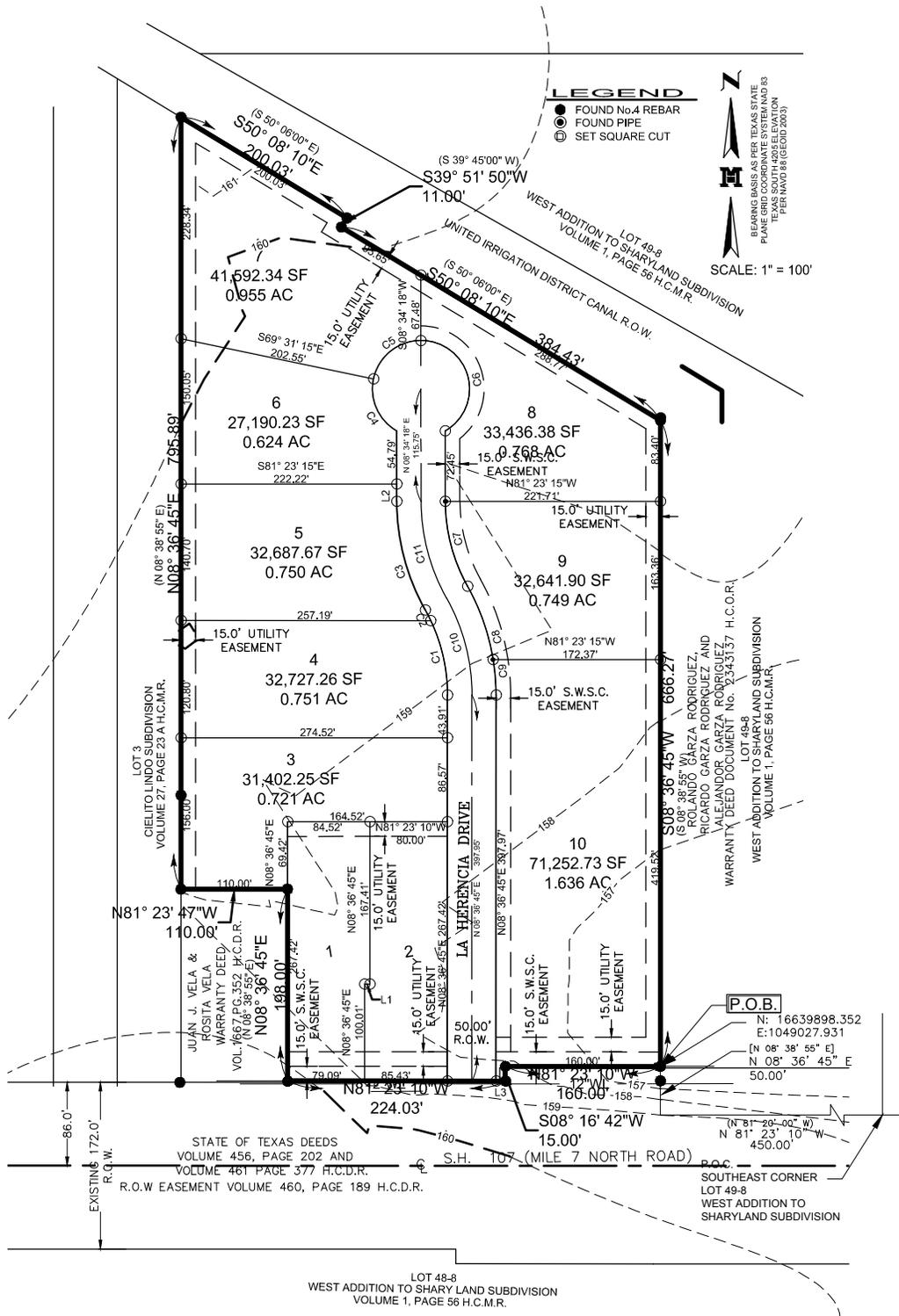
EL F. VILLARREAL SUB'D.

ZURICH AVE

47-8

47-9

ST



SUBDIVISION MAP OF LA HERENCIA ESTATES SUBDIVISION

BEING A RESUBDIVISION OF 8.919 ACRES
OUT OF LOT 49-8
WEST ADDITION TO SHARYLAND SUBDIVISION
VOLUME 1, PAGE 56, H.C.M.R.
HIDALGO COUNTY, TEXAS.

RECEIVED

By Nikki Marie Cavazos at 11:52 am, Jul 20, 2016



Reviewed On: 7/26/2016

SUBDIVISION NAME: LA HERENCIA ESTATES	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
<p>S. H. 107: 172 ft. ROW existing; Engineer to show centerline to determine additional ROW as needed.</p> <p>N/S Interior Street: 50 ft. ROW Paving: 32 ft. proposed Curb & gutter: both sides *interior cul-de-sac shown is approximately 775 ft. in length; exceeds the maximum 600 ft. allowed. **Subject to 40 ft. pavement width if cul-de-sac variance is granted. * 800 ft. Block Length _____</p> <p>* 600 ft. Maximum Cul-de-Sac: Proposed 775 ft. length shown exceeds maximum 600 ft. allowed. **Project Engineer has 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 is granted, it would be subject to 40 ft. of paving with curb & gutter on both sides.</p>	TBD
	Non-compliance
	NA
	Non-compliance
ALLEYS	
<p>ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties. Initial plat submittal shows Lot 10 proposed for commercial use, which would require an alley.</p>	TBD
SETBACKS	
<p>* Front: S. H. 107 - 75 ft. or greater for approved site plan N/S Interior Street - 25 ft. for Lots 3 thru 9</p> <p>* Rear: 15 ft. or greater for approved site plan or easements.</p> <p>* Sides: Proposing 6 ft. or greater for easements.</p> <p>* Corner : 10 ft. or greater for easements. Lots 2 & 10 - 25 ft. if use is commercial.</p> <p>* Garage: 18 ft. except where greater setback is required, the greater setback applies.</p> <p>*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN</p>	Non-compliance
	Applied
	TBD
	TBD
	Applied
SIDEWALKS	
<p>* 4 ft. wide minimum sidewalk required on S. H. 107 and both sides of the N/S interior street. **5 ft. wide sidewalk on S. H. 107; verify with Engineering Department.</p> <p>* Perimeter sidewalks must be built or money escrowed if not built at this time.</p>	Non-compliance
	Applied
BUFFERS	
<p>* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses.</p>	Non-compliance

<p>* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.</p>	<p>Non-compliance</p>
<p>*Perimeter buffers must be built at time of Subdivision Improvements.</p>	<p>Applied</p>
<p>NOTES</p>	
<p>* No curb cut, access, or lot frontage permitted along _____</p>	<p>TBD</p>
<p>* Site plan must be approved by the Planning and Zoning Commission prior to building permit issuance. ** If commercial use is proposed, site plan approval may be required.</p>	<p>TBD</p>
<p>* Common Areas, Private Streets must be maintained by the lot owners and not the City of McAllen</p>	<p>TBD</p>
<p>* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.</p>	<p>TBD</p>
<p>* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.</p>	<p>TBD</p>
<p>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</p>	<p>TBD</p>
<p>LOT REQUIREMENTS</p>	
<p>* Lots fronting public streets _____</p>	<p>Compliance</p>
<p>* Minimum lot width and lot area: 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 that 100 ft. of frontage and 1 acre in size on June 28, 2016.</p>	<p>Complete</p>
<p>ZONING/CUP</p>	
<p>* Existing: ETJ Proposed: ETJ **If the property is annexed, initial zoning of the property will be needed prior to final consideration..</p>	<p>TBD</p>
<p>* Rezoning Needed Before Final Approval: If property is annexed, initial zoning will be required prior to final consideration.</p>	<p>TBD</p>
<p>PARKS</p>	
<p>* Land dedication in lieu of fee _____</p>	<p>NA</p>
<p>* Park Fee: If the property is annexed, park fee will be required prior to recording.</p>	<p>Applied</p>
<p>* Pending review by the Parkland Dedication Advisory Board and CC.</p>	<p>NA</p>
<p>TRAFFIC</p>	
<p>* Trip Generation to determine if TIA is required, prior to final plat.</p>	<p>Applied</p>
<p>* Traffic Impact Analysis (TIA) required prior to final plat.</p>	<p>Applied</p>

COMMENTS	
Comments: *Engineer to clarify if the subdivision is 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. ****Annexation/Initial zoning request needed prior to final plat consideration. *****Must escrow monies for improvements if not constructed prior to plat recording.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION PLAT IN REVISED PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED, AND UTILITY AND DRAINAGE APPROVALS.	Applied



TBPE Firm # F-1435
TBPLS # 10096900

MELDEN & HUNT INC.

CONSULTANTS • ENGINEERS • SURVEYORS
FRED L. KURTH • ALLAN F. BOOE • KELLEY A. HELLER-VELA • ROBERTO N. TAMEZ • MARIO REYNA

July 6, 2016

Mr. Luis Mora, Senior Planner
CITY OF MCALLEN PLANNING DEPT.
311 N. 15th St.
McAllen, TX 78501

Re: La Herencia Estates – Variance Request to Section 134-105 Street Requirements of the Subdivision Ordinance/Cul-de Sac length

Dear Mr. Mora:

On behalf of the owners, Vela Development, LLC, Eliza Vela & Sylvia Vela and Maria Marcelina Vela & Ramona Vela and in reference to La Herencia Estates, we respectfully request a variance for the following item:

1. Maximum Cul-de-Sac length in subdivisions shall not exceed 600 ft. – Section 134-105 of the Subdivision Ordinance. We ask that the length be allowed as shown, currently 775 ft.

Your consideration on this matter is greatly appreciated at your next Planning & Zoning Meeting. If you have any questions or comments, please contact our office. Thank you.

Sincerely,
MELDEN & HUNT, INC.

Kelley Heller-Vela
Kelley Heller-Vela, P.E.
Vice-President

cc: Vela Development, LLC, Eliza Vela & Sylvia Vela and Maria Marcelina Vela & Ramona Vela, Owners

RECEIVED
JUN 19 2016
BY: BC 3:41pm



50-7

50-8

50-9

LOCATION

DURKEE SUBD.

49 ELVA ESTATES

49-8
PROPOSED
LA HERENCIA
ESTATES
SUBDIVISION

49-9

7 MILE LINE (11000)

48-7

48-8

48-9

47-7

47-8

47-9

AVE (10,000)

MAYBERRY

ESCOBEDO

DEVAN DR

DEVAN DR

OLIVE ST

MAYBERRY ROAD (9200)

43
9021

EL F. VILLARREAL SUBD.

ZURICH AVE

ST

Sub 2015-0038.



City of McAllen
Planning Department

APPLICATION FOR
SUBDIVISION PLAT REVIEW

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

Project Description

Subdivision Name BELIEVE SUBDIVISION
Location SOUTH SIDE OF EXPRESSWAY 83 EAST OF SOUTH 23RD STREET
City Address or Block Number 2200 WEST EXPRESSWAY 83
Number of lots 1 Gross acres 0.73 Net acres 0.73
Existing Zoning C4 Proposed C4 Rezoning Applied For Yes No Date _____
Existing Land Use RETAIL Proposed Land Use RETAIL Irrigation District # 3
Residential Replat Yes No Commercial Replat Yes No ETJ Yes No
Agricultural Tax Exemption Yes No Estimated Rollback tax due 0.00
Legal Description 0.73 AC. PORTION OF LOT 2, SUBD. OF S. 12 AC. OF LOT 13, & N. PART OF LT 14, BLK 3, C.E. HAMMOND'S & PART OF LT 1, BLK 1, JUAREZ.

Owner

Name BELIEVE INVESTMENTS, LLC Phone 956-532-5873
Address 1605 S. 23RD STREET
City McALLEN State TEXAS Zip 78503
E-mail mtzappliance@gmail.com

Developer

Name BELIEVE INVESTMENTS, LLC Phone 956-532-5873
Address 1605 S. 23RD STREET
City McALLEN State TEXAS Zip 78503
Contact Person RAMON MARTINEZ
E-mail mtzappliance@gmail.com

Engineer

Name ARTURO GARCIA ENGINEERING Phone 956-630-3340
Address P.O. BOX 4526
City McALLEN State TEXAS Zip 78502
Contact Person ARTURO GARCIA, JR.
E-mail ages-pllc@rgv.rr.com

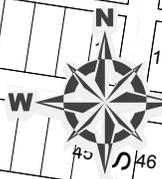
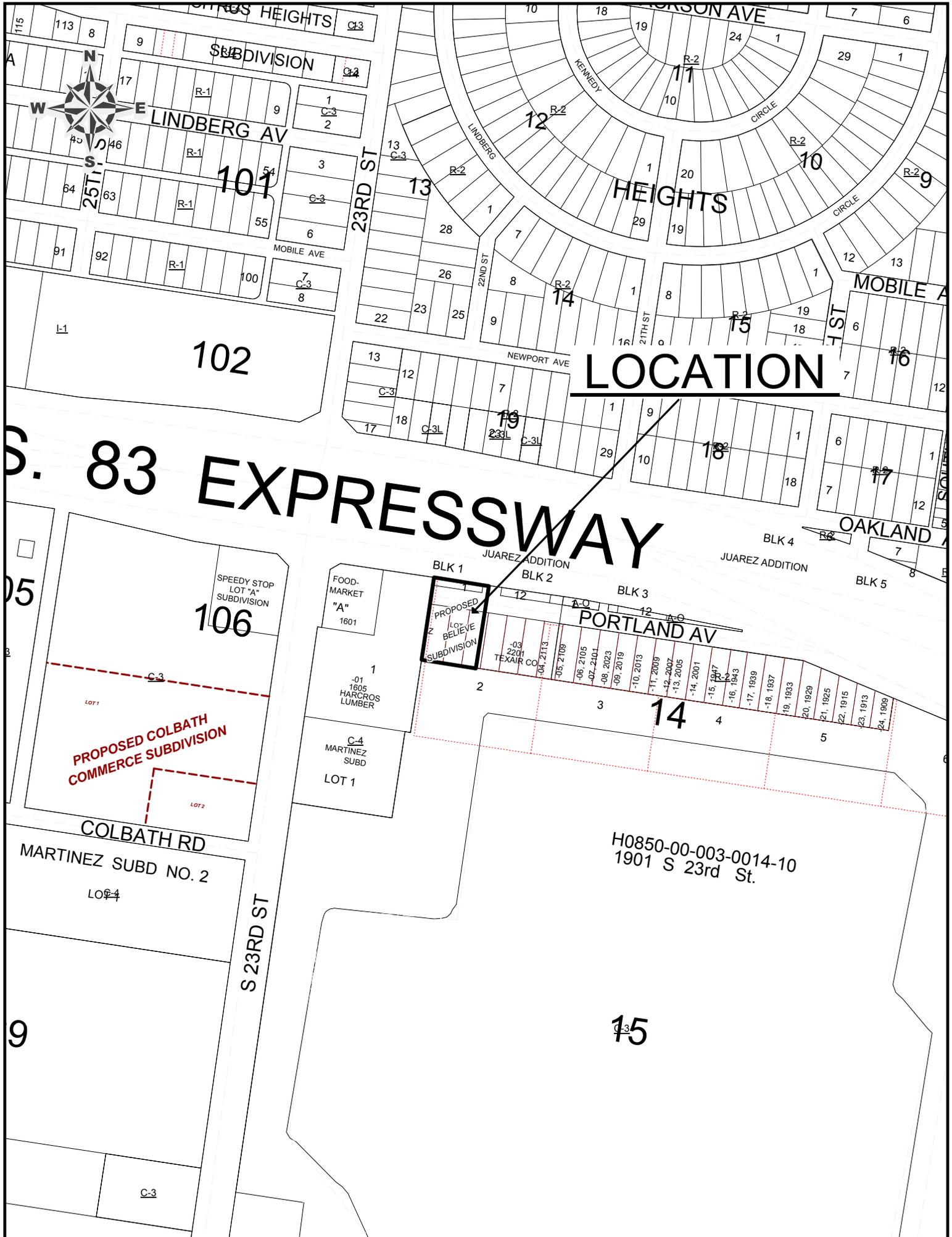
Surveyor

Name PABLO SOTO, JR. Phone 956-460-1605
Address 1208 IRONWOOD
City PHARR State TEXAS Zip 78577
E-mail pablosotojr54@yahoo.com

RECEIVED
JUN 19 2015

BY: BO 3:19 pm

RC# 208505.



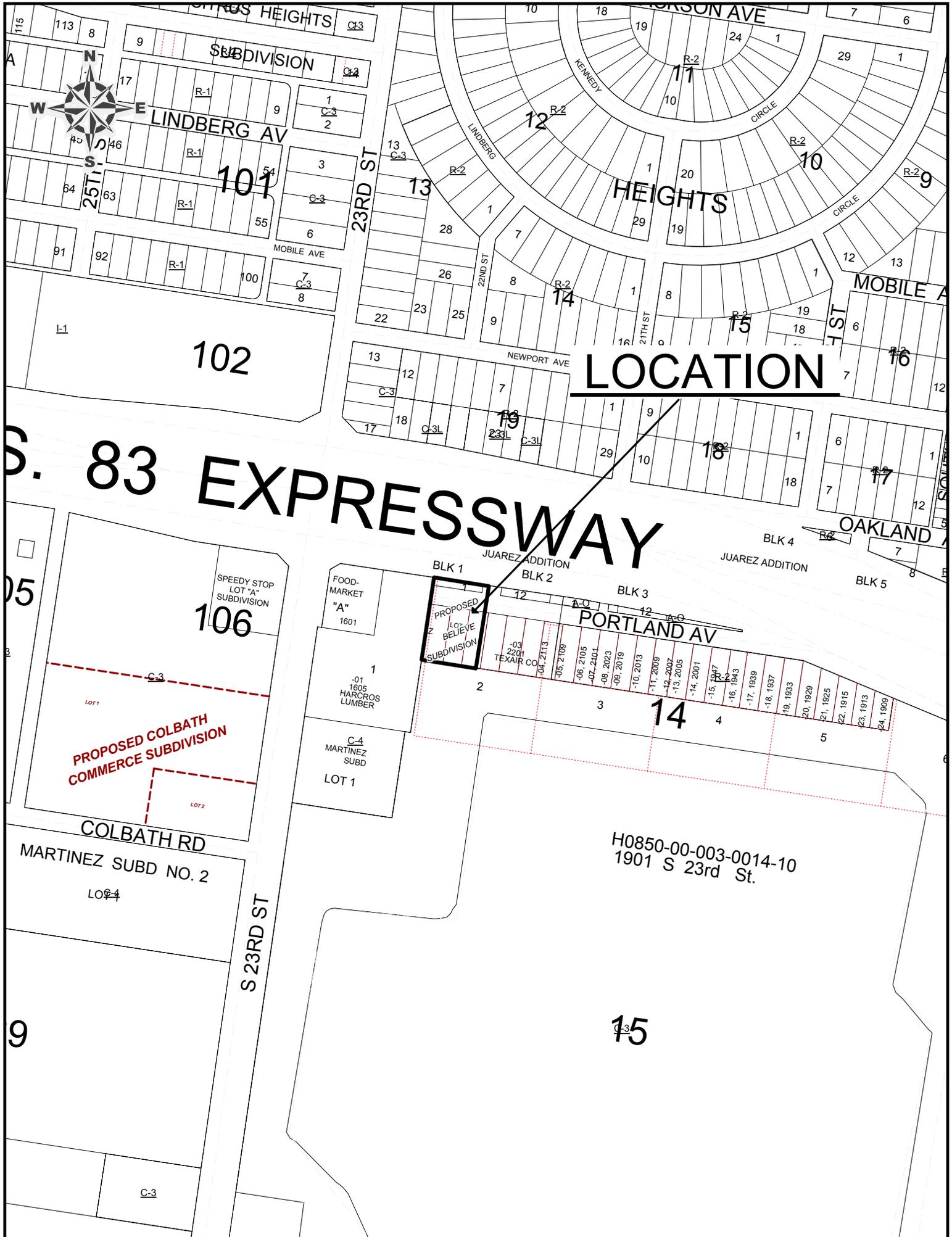
LOCATION

S. 83 EXPRESSWAY

PROPOSED
L.C. BELIEVE
SUBDIVISION

PROPOSED COLBATH
COMMERCE SUBDIVISION

H0850-00-003-0014-10
1901 S 23rd St.





Reviewed On: 9/28/2016

SUBDIVISION NAME: BELIEVE SUBDIVISION	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
U.S. Expressway 83: 180 ft. from centerline for 330 ft. ROW; ROW varies Paving: by the state Curb & gutter: by the state	Compliance
Portland Avenue: Project engineer shows that the 50 ft. ROW was previously abandoned by Ordinance #1967-16 Paving: N/A Curb & gutter: N/A	NA
S. 22nd Street: Project engineer shows that the 50 ft. ROW was previously abandoned by Ordinance #1967-16 Paving: N/A Curb & gutter: N/A	NA
* 800 ft. Block Length:	Compliance
* 600 ft. Maximum Cul-de-Sac:	NA
ALLEYS	
*Private service drive to be reviewed as part of the site plan.	Applied
SETBACKS	
* Front: U.S. Expressway 83 - 75 ft. or greater for approved site plan or easements	Compliance
* Sides: in accordance with the Zoning Ordinance, or greater for approved site plan or easements	Compliance
* Corner:	NA
* Rear: in accordance with the Zoning Ordinance, or greater for approved site plan or easements	Compliance
* Garage: 18 ft. except where greater setback is required; greater setback applies	NA
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
SIDEWALKS	
* 4 ft. wide minimum sidewalk required on U.S. Expressway 83; verify sidewalk width with Engineering Department.	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.	Applied
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.	Applied
*Perimeter buffers must be built at time of Subdivision Improvements.	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 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: C-4 Proposed: commercial	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	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.	NA
COMMENTS	
Comments: *Preliminary plat was approved by the Planning and Zoning Commission on July 7, 2015. **Abandonment of S. 22nd Street and Portland Avenue ROWs done by separate instrument; Ordinance #1967-16. ***Existing plat notes remain the same for that portion of the resubdivision.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE RESUBDIVISION IN FINAL FORM.	Applied



LOCATION

S. 83 EXPRESSWAY

PORTLAND AV

COLBATH RD

MARTINEZ SUBD NO. 2

9

15

101

102

106

14

H0850-00-003-0014-10
1901 S 23rd St.

**PROPOSED
Lo BELIEVE
SUBDIVISION**

**PROPOSED GOLBATH
COMMERCE SUBDIVISION**



Memo

TO: Planning & Zoning Commission

FROM: Planning Staff

DATE: September 28, 2016

SUBJECT: REZONE FROM R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENT) DISTRICT: 0.90 ACRES OUT OF LOT 207, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS; 301 SOUTH TAYLOR ROAD. (REZ2016-0032)

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 east side of South Taylor Road approximately 830 feet south of Highway 83. The tract has 73.6 feet of frontage along South Taylor Road and a depth of 535 feet for a tract size of .90 acres.

PROPOSAL: The applicant is requesting R-3A (multifamily residential apartment) District in order to construct apartments. A feasibility plan has been submitted to the Planning Department showing 14 apartments.

ADJACENT ZONING: Adjacent zoning is R-1 (single family residential) District to the south, R-4 (modular home and mobile home) District to the north and east and the City of Mission to the west.

LAND USE: The tract comprises one lot that contains a single family residence. Surrounding land uses are single family residential and mobile homes.

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

DEVELOPMENT TRENDS: The development trend in the area is single family and mobile homes. The property was zoned A-O (agriculture-open space) District upon annexation in 1999 and subsequently rezoned to R-1 District in 2015 as part of the City of McAllen A-O District rezoning project. There have been no rezoning requests on the property since that time. A property to the south was rezoned for R-1 (single family residential) District in 2006 for Cortez Subdivision. Two tracts located to the south were rezoned to R-3A District in 2012 and 2015 and

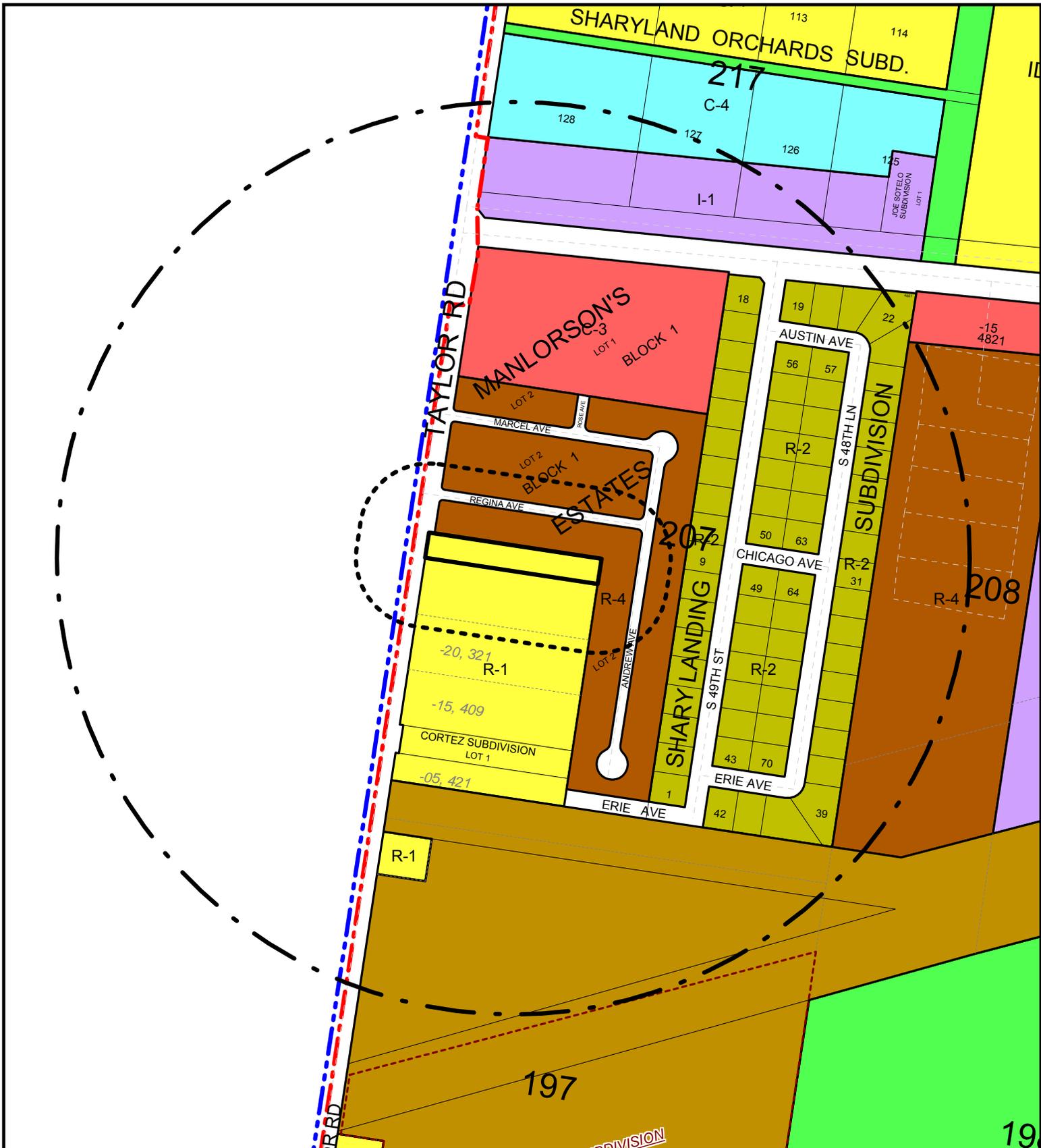
are currently vacant land.

ANALYSIS: The requested zoning does not conform to the Auto Urban Residential land use designation as indicated on the Foresight McAllen Comprehensive Plan. The property was rezoned to R-1 District in 2015 to support existing single family uses. The existing residence has a septic system. A single family residence was constructed in Cortez Subdivision located to the south in 2006 with a septic system and escrow payment for future sewer improvements. McAllen Public Utilities grants a variance for septic systems for a single family residence but not for apartment uses. The feasibility plan shows 14 apartment units. The number of vehicle trips generated by low-rise apartments is 6.59 vehicle trips per day or 92 trips per day. Taylor Road is designated as a major collector with 80 feet of right-of-way and constructed as a 2 lane rural roadway with no shoulders, no curb and gutter, no street lights, and a posted speed limit of 45 miles per hour. A masonry screen with a height of 8 feet is required along lot lines in common with a single family use or zone. A park fee of \$700 per unit is required prior to recording of the plat. A recorded subdivision plat and approved site plan is required prior to issuance of any building permit.

PLANNING AND ZONING COMMISSION MEETING OF AUGUST 2 – SEPTEMBER 21, 2016:

At the Planning and Zoning Commission meeting of August 2, 2016 no one appeared in opposition of the rezoning request. The applicant requested that the rezoning request be tabled in order to allow time to determine feasibility of extending sewer service to the proposed development tract. The Board voted to table the rezoning request with four members present and voting. The applicant has contacted the adjacent property owner and McAllen Public Utilities regarding connection to existing sewer line.

RECOMMENDATION: Staff recommends approval of the rezoning request.



CITY OF McALLEN
PLANNING DEPARTMENT

AREA MAP

LEGEND
SCALE: N.T.S.



SUBJECT PROPERTY

200 FT. NOTIFICATION BOUNDARY

1/4 MILE RADIUS

ZONING LEGEND

(AGRICULTURAL & OPEN SPACE)	(APARTMENTS)	(MOBILE HOMES)	(GENERAL BUSINESS)	(LIGHT INDUSTRIAL)
(SINGLE FAMILY RESIDENTIAL)	(CONDOMINIUMS)	(OFFICE BUILDING)	(LIGHT COMMERCIAL)	(HEAVY INDUSTRIAL)
(DUPLEX-FOURPLEX)	(TOWNHOUSES)	(NEIGHBORHOOD COMMERCIAL)	(COMMERCIAL INDUSTRIAL)	(SPECIAL DISTRICT)

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



CITY OF McALLEN

PLANNING DEPARTMENT

AERIAL MAP

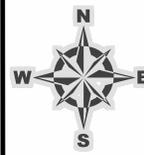
SCALE: N.T.S.



SUBJECT PROPERTY



200 FT. NOTIFICATION BOUNDARY



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

N. 77th - 57th Ave.
 100' x 125' LOT 25
 800 ACRES
 JOHN H. STACY
 MCALLEN, TX
 381 S. YATKOR BL.

BUILDING SETBACK REQUIREMENTS
 FRONT (WALL) 40'-0"
 NORTH SIDE 5'-0"
 SOUTH SIDE 47'-0"
 REAR (EAST) 10'-0"

CITY AREA
 CITY REQUIREMENTS: 10% OF LOT AREA
 73,625' - 71,124 FT²
 73,181 FT² x 10% = 7,318 FT² TOTAL REQUIRED

FRONT YARD AREA REQUIRED (OUT OF FRONT YARD)
 73,625' - 2,544 FT² = 1,471 FT² REQUIRED
 1,500 FT² PROVIDED

GREEN AREA PROVIDED: AREA 1 = 212 FT²
 AREA 2 = 1,718 FT²
 AREA 3 = 412 FT²
 AREA 4 = 722 FT²
 AREA 5 = 1,628 FT²
 AREA 6 = 822 FT²
 TOTAL PROVIDED = 7,514 FT²

IRRIG: PROVIDE IRRIG ALONG FRONT WALL OF HOUSE, 1 GAL MINIMUM PER 100' SQUARE FEET. SMALLER TREES OR BARKS 40-60" W/0 CENTER OF HOUSE.

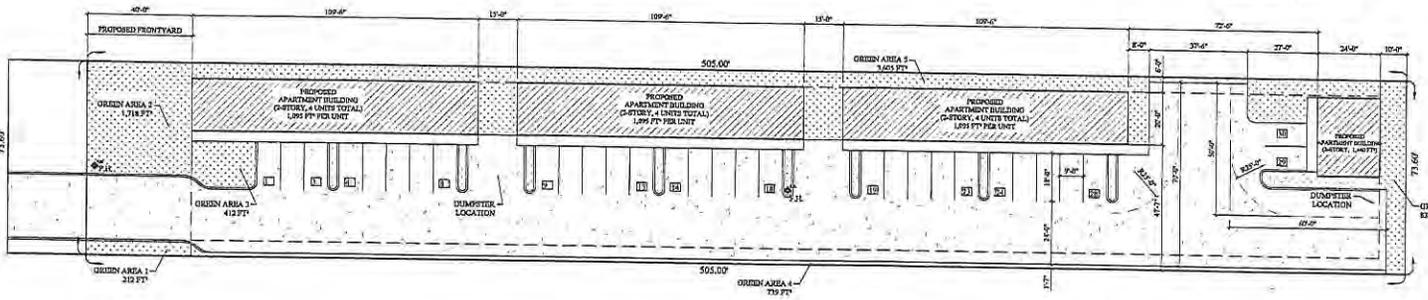
PLANTING IRRIG: ALL PLANTING BEDS SHALL BE MULCHED OR COVERED WITH GROUND COVER.

PARKING (2 SPACES PER UNIT)
 PROPOSED UNITS 14 x 2 = 28 PARKING SPACES REQUIRED
 28 PARKING SPACES PROVIDED

GENERAL SITE PLAN NOTES

1. SITE LAYOUT INCLUDING BUILDING IS FOR REFERENCE ONLY, AND IS NOT CONSIDERED A SURVEY, AND SHOULD NOT BE USED AS A SURVEY. SITE PLAN SHOULD NOT BE USED FOR ANY DEVELOPMENT. SITE CONSTRUCTION, ANCHOR BUILDING CONSTRUCTION, IF DONE, AND/OR CONTRACTOR OBLIGED TO THE THIS SITE PLAN FOR SITE CONSTRUCTION, IS AT OWN RISK. SURVEY RECOMMENDED.
2. SITE PLAN PROPERTY LINES DRAWN AS PER LOT DIMENSIONS AVAILABLE FROM RECORDED SUBDIVISION PLAT AND LEGAL DESCRIPTION.
3. OWNER CONTRACTOR TO VERIFY WITH CITY ON ANY REQUIRED BLOW PERMITS, SUBDIVISION REQUIREMENTS, 201804, TLOOT PERMITS, CITY PERMITTED, CITY CITY APPROVED, MINIMUM AND MAXIMUM SIZE PERMITTED.
4. LEAK DETECTION SYSTEM REQUIRED FOR SUBDIVISION HOMEOWNERS ASSOCIATION, IRRIGATION PLANS, PERMIT, AND INSTALLATION BY LICENSED IRRIGATOR.
5. FIELD VERIFY ALL MEASUREMENTS OF SITE LAYOUT, INCLUDING BOUNDARY LOCATION PRIOR TO DEVELOPMENT AND/OR CONSTRUCTION. DESIGNER IS NOT RESPONSIBLE FOR ANY CONSTRUCTION AND/OR DEVELOPMENT. CONTRACTOR IS RESPONSIBLE FOR ALL MEASUREMENT VERIFICATION FROM TO DEVELOPMENT AND/OR CONSTRUCTION.
6. OWNER CONTRACTOR IS RESPONSIBLE TO OBTAIN APPROVAL FROM CITY AND/OR OTHER ENTITIES AS REQUIRED, FOR SITE LAYOUT.
7. OTHER CIVIL DRAWINGS IF REQUESTED BY MUNICIPALITY, ARE TO BE OBTAINED BY CONTRACTOR AND/OR OWNER.
8. CONTRACTOR IS RESPONSIBLE FOR VERIFYING LOCATION OF ALL EASEMENTS AND/OR E.O.W. OR AGREEMENT TO PROPERTY FROM TO CONSTRUCTION.
9. CONTRACTOR RESPONSIBLE FOR REQUESTING UTILITY IDENTIFICATION AND/OR LOCATIONS FROM X11.

 CONCRETE
 GREEN AREA
 ASPHALT PAVING



NOTE: THESE PLANS ARE AT A PRELIMINARY STAGE AND ARE SUBJECT TO CHANGE WITHOUT NOTICE AND WITHOUT LIABILITY TO THE DESIGNER. THE DESIGNER IS NOT RESPONSIBLE FOR ANY CONSTRUCTION AND/OR DEVELOPMENT. CONTRACTOR IS RESPONSIBLE FOR ALL MEASUREMENT VERIFICATION FROM TO DEVELOPMENT AND/OR CONSTRUCTION.

NOTE:
 1. CONTRACTOR/CUSTOMER/OWNER IS RESPONSIBLE CONTRACTOR FOR THIS PROJECT. DESIGNER IS NOT RESPONSIBLE FOR ANY CONSTRUCTION AND/OR DEVELOPMENT.

Scale: 1:20

SITE PLAN

BUILDING AREA	CUSTOMER:	JOHN H. STACY
	CONTRACTOR:	MCALLEN, TX
	DATE:	7-25-16
REVISIONS:	REVISIONS:	
	REVISIONS:	
SCALE:	PER DETAIL	
PAGE NO.:	1.0	
PROJECT NO.:	26-016	

RECEIVED
 JUL 05 2016
 BY: *AC0233*
DM

Memo

TO: Planning & Zoning Commission

FROM: Planning Staff

DATE: September 28, 2016

SUBJECT: 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. (REZ2016-0037)

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 tract is located at the southeast corner of North Taylor Road and Dove Avenue. The tract has 1,180 feet of frontage along North Taylor Road and a depth of 1,280 feet for a tract size of 35.59 acres. The tract also has 1,030 feet of frontage along North 48th Street.

PROPOSAL: The applicant is requesting A-O (agricultural-open space) District for growing trees in a natural habitat and timber production.

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

LAND USE: The tract consists of one parcel containing brush and pasture. Surrounding land uses are single family residences, Sharyland North Junior High, orchards, and vacant land.

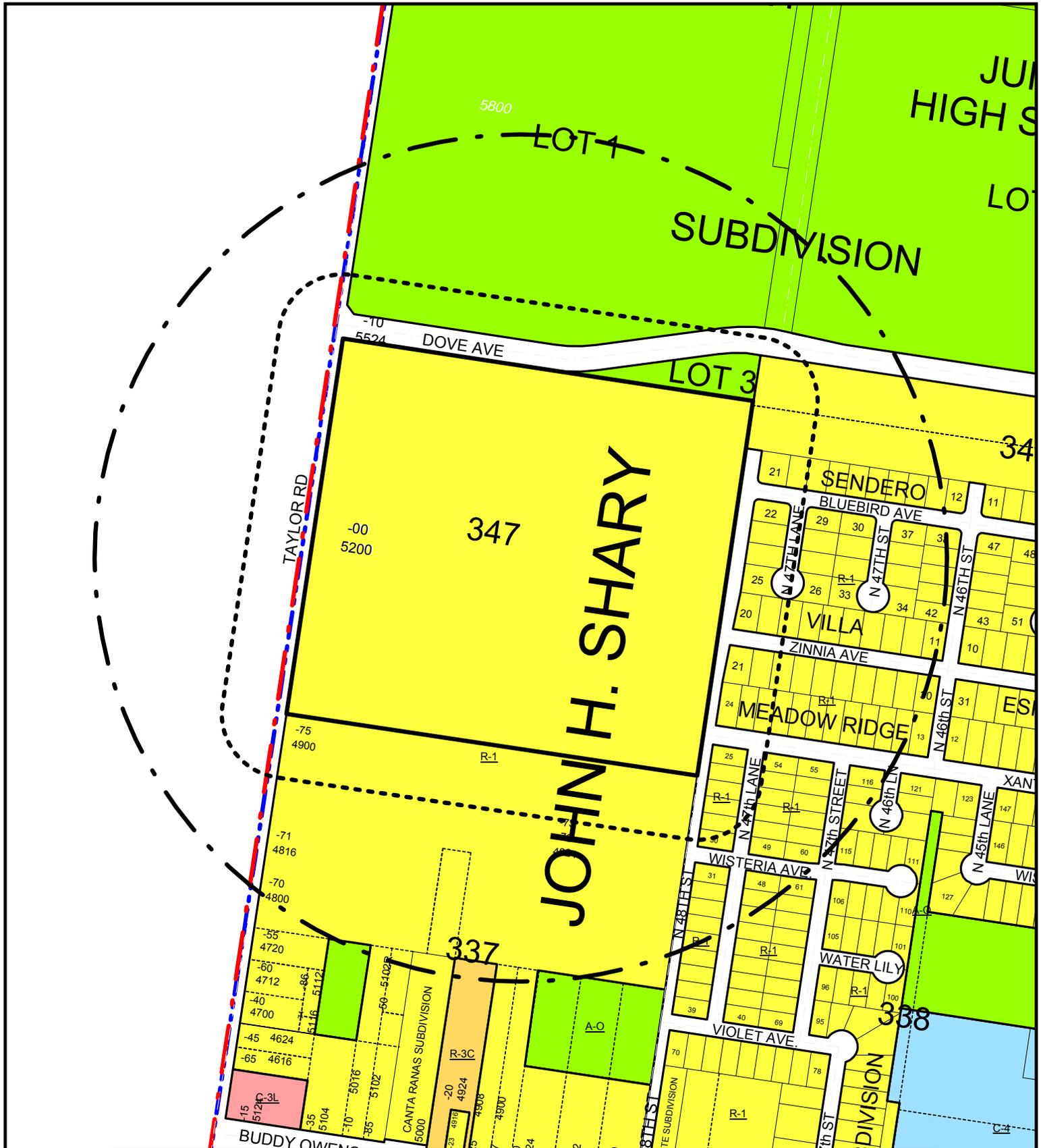
COMPREHENSIVE PLAN: The Foresight McAllen Comprehensive Plan designates the future land use as Suburban Residential.

DEVELOPMENT TRENDS: The development trend for this area is single family residential. The subject property was rezoned to R-1 (single family residential) District as part of the city initiated A-O rezoning project in 2015. There have been no rezoning requests on the property since that time. Several city initiated rezoning requests for R-1 (single family residential) District on adjacent tracts to the south were approved in 2015.

ANALYSIS: The requested zoning does not conform to the Suburban Residential land use designation for the property as indicated on the Foresight McAllen Comprehensive Plan. The current R-1 (single family residential) District allows growing trees in a natural habitat for timber production. The R-1 District does

not impact the agricultural use exemption. The purpose of the R-1 District rezoning was to establish the future land use development for the property and adjacent property owners. The A-O District does not exclude enforcement of environmental health issues such as weedy lots, accumulation of brush and debris that may breed mosquitoes and other pests. Taylor Road is designated as a major collector with 80 feet of right-of-way and currently has 50 feet of right-of-way and is constructed as a rural collector with two travel lanes and no shoulders.

RECOMMENDATION: Staff recommends approval.





CITY OF McALLEN
PLANNING DEPARTMENT

LEGEND
SCALE: 1" = 500'

AREA MAP



SUBJECT PROPERTY

200 FT. NOTIFICATION BOUNDARY

1/4 MILE RADIUS

ZONING LEGEND

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

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Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: September 28, 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.

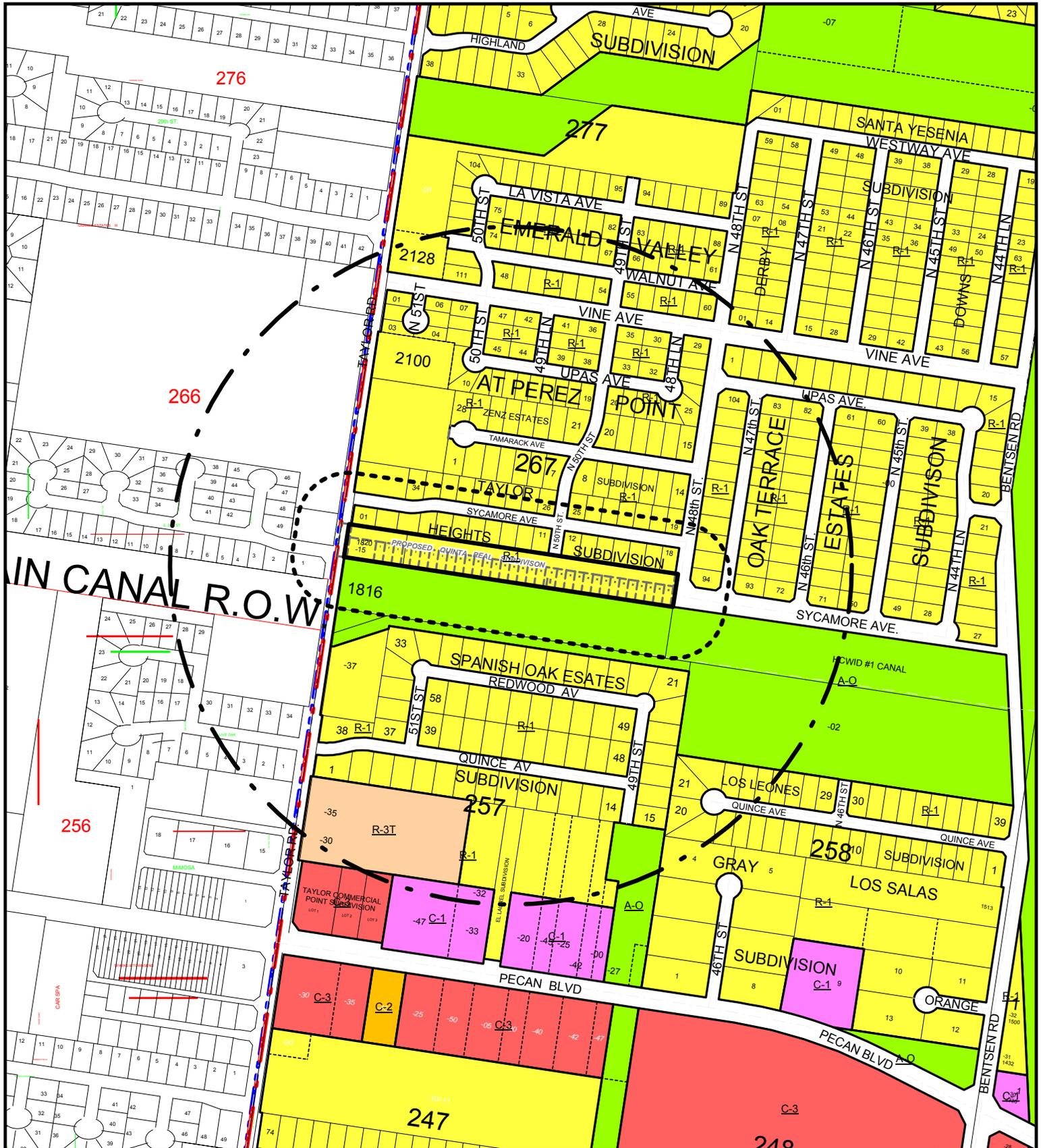
The applicant is proposing to develop a Planned Unit Development, which will include only townhouses. Planned unit developments allow a variety of land uses that complement each other within the development and with existing land uses in the vicinity. Specific requirements for approval are specified 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.

RECOMMENDATION:

Staff recommends to table the item to allow the applicant time to submit the necessary information and submittals to verify compliance.



CITY OF McALLEN
PLANNING DEPARTMENT

LEGEND
SCALE: 1" = 500'

SUBJECT PROPERTY

200 FT. NOTIFICATION BOUNDARY

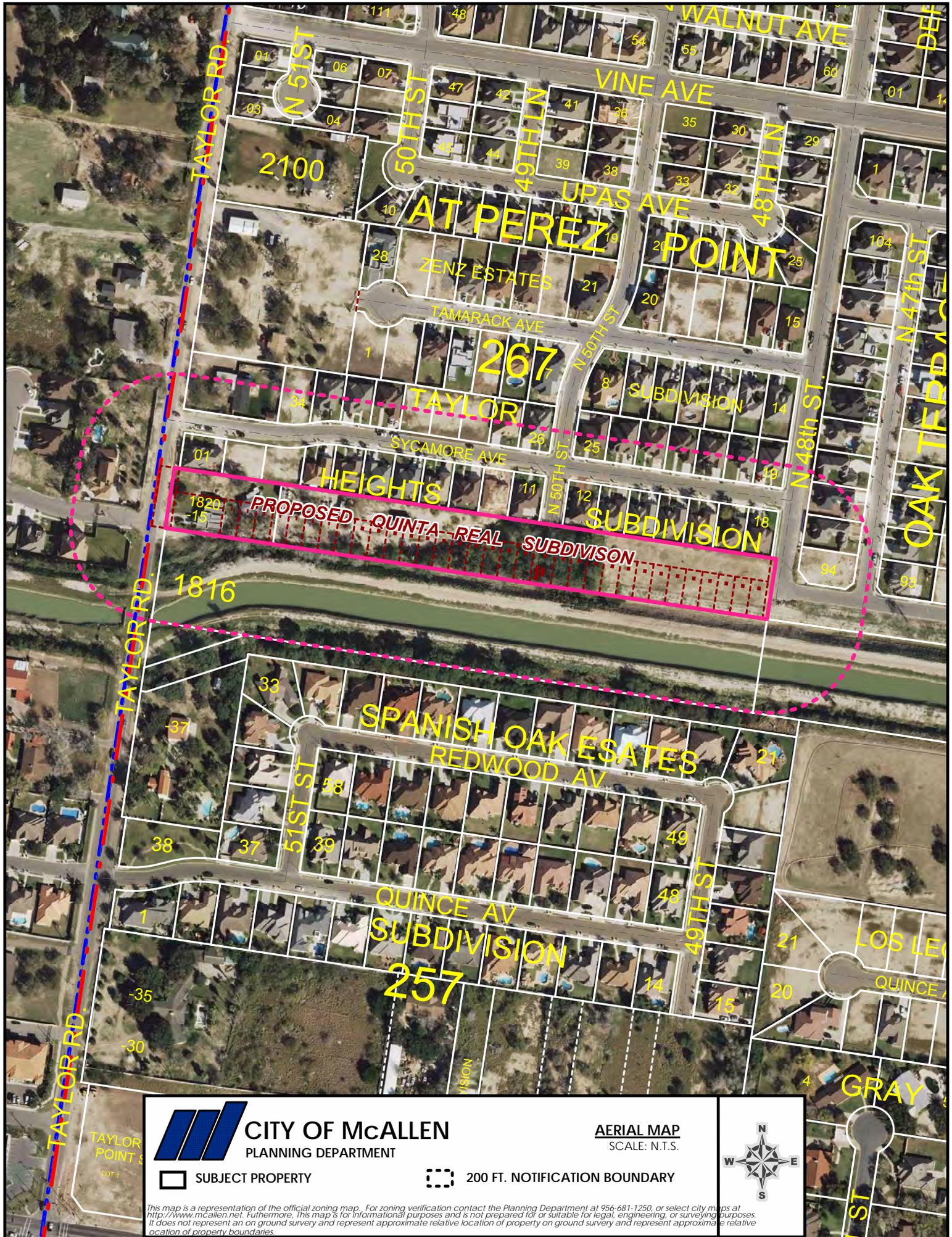
1/4 MILE RADIUS



ZONING LEGEND

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

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CITY OF McALLEN
PLANNING DEPARTMENT

AERIAL MAP
SCALE: N.T.S.

 SUBJECT PROPERTY

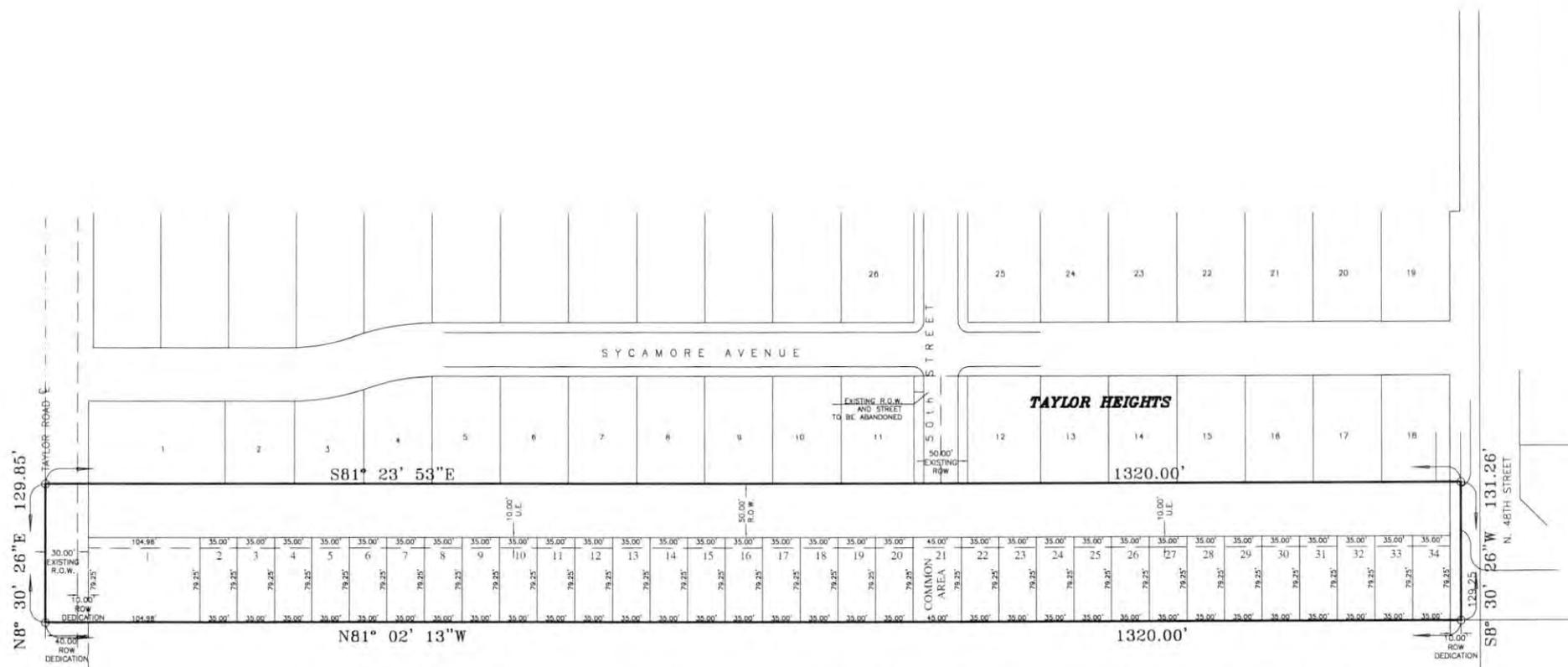
 200 FT. NOTIFICATION BOUNDARY



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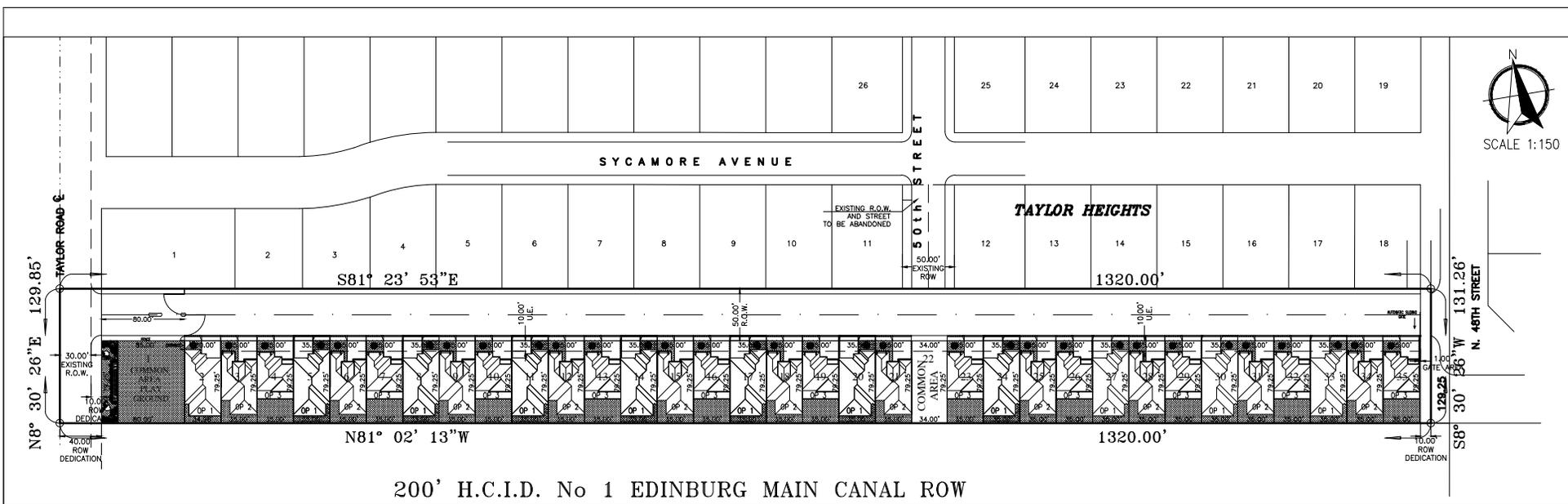


SCALE 1"=150'

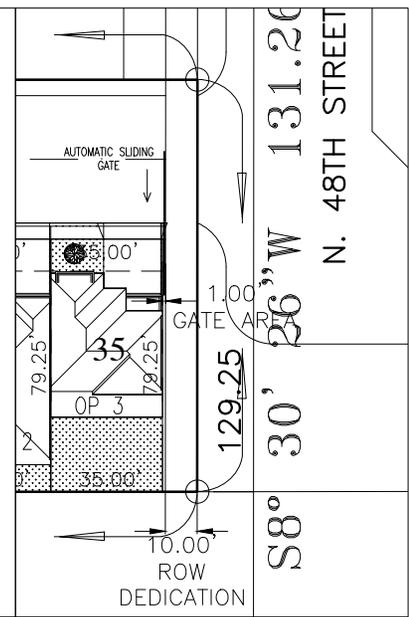
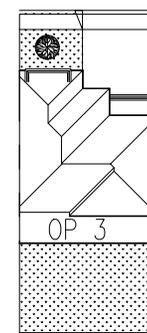
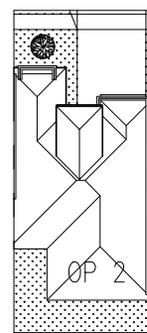
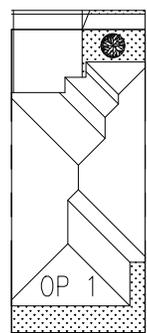
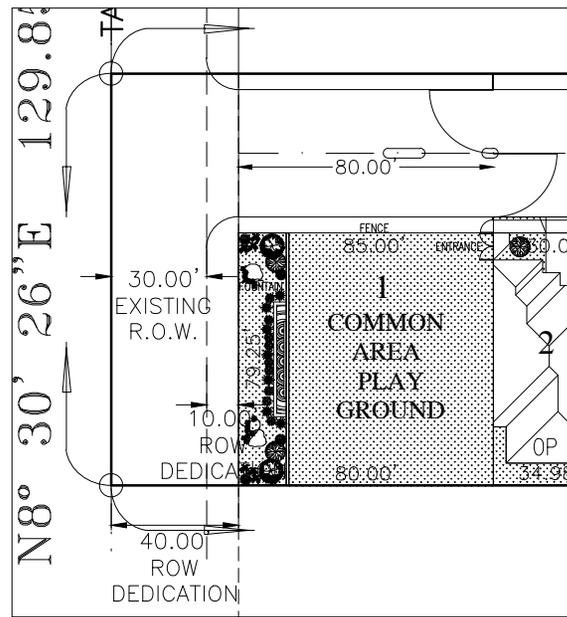


**MAP
OF
QUINTA REAL SUBDIVISION
McALLEN, TEXAS**

BY: *[Signature]*
RECEIVED
 MAY 31 2016
[Signature]



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
 MCALEN, TEXAS. 78501

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



NOTICE
PUD
For
This Property
CUP2016-0133

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: September 28, 2016

SUBJECT: 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; 1311 NORTH 24TH 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 side of North 24th Street, approximately 260 ft. north of Maple Avenue. The property is zoned C-3 (general business) District. The adjacent zoning is C-3 and R-3A (apartments) to the west, C-1 (office building) District to the north, C-2 (neighborhood commercial) District to the south, and R-1 (single family residential) District and R-2 (duplex-fourplex) District to the east. Surrounding land uses include single family residences, multi-family residences, commercial businesses and Lincoln Jr. High School. An institutional use is permitted in a C-3 zone with a conditional use permit and in compliance with requirements.

REQUEST/ANALYSIS:

There is currently a vacant residence on the property. The applicant is proposing to remodel the interior of the residence to accommodate a nursing school. The nursing school will consist of two classrooms, one lab, two offices, a storage, and breakroom. The maximum number of students will be approximately 30 students.

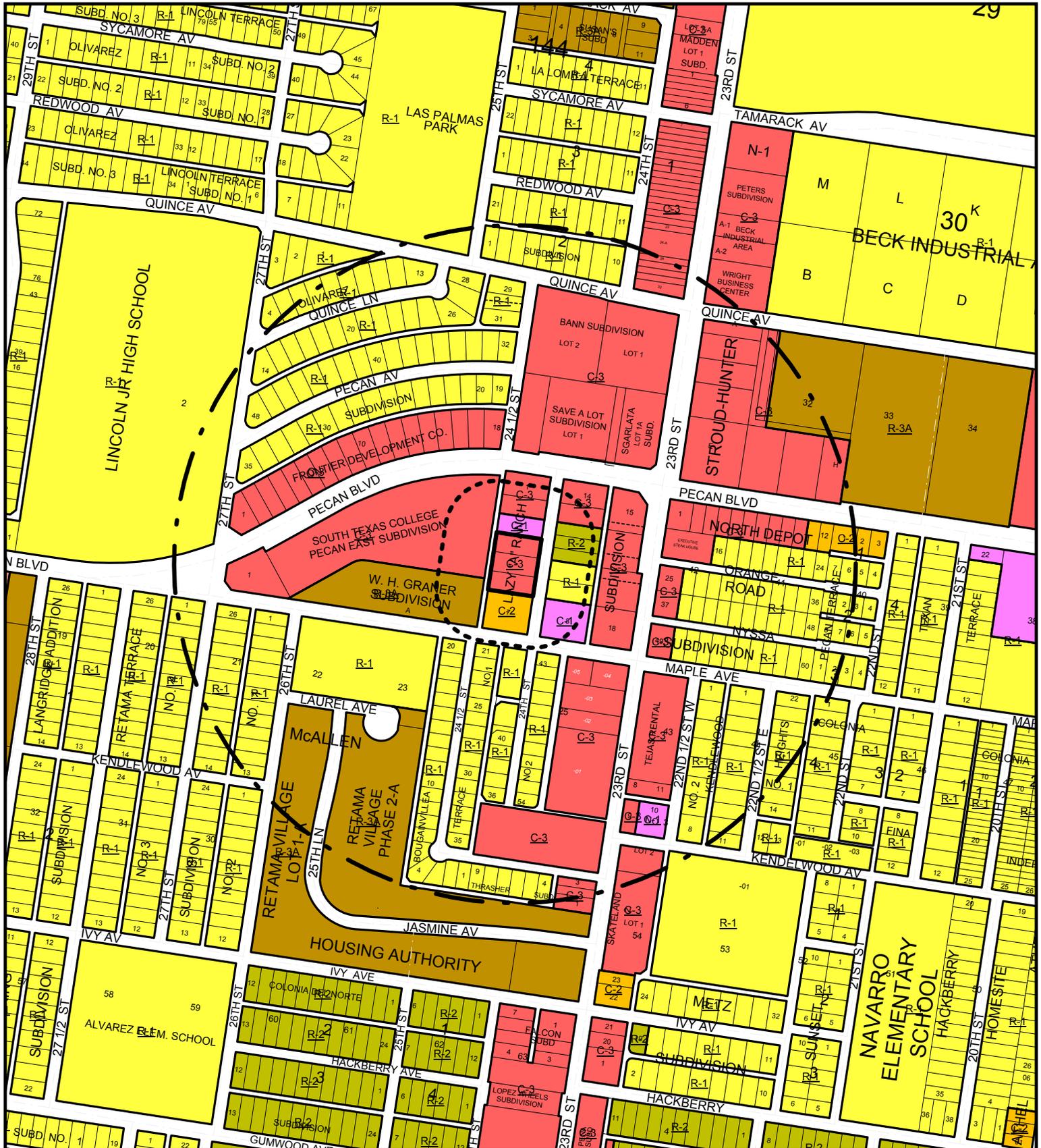
The applicant stated that there may be future plans to expand the building within the lot boundaries of Lot 5 and future parking to accommodate the expansion on Lot 6.

The Fire Department has inspected the building; however, a final inspection is pending once the remodeling is finalized. Should the conditional use permit be approved, the applicant would be required to sign the application acknowledging and agreeing to other conditions of the permit. The proposed use must also comply with the zoning ordinance and specific requirements as follows:

- 1) The proposed use shall not generate traffic onto residential size streets or disrupt residential areas, and shall be as close as possible to a major arterial. The property fronts North 24th Street, and is approximately 360 ft. south of Pecan Boulevard.
- 2) The proposed use shall comply with the McAllen Off-Street Parking Ordinance and make provisions to prevent the use of street parking, especially in residential areas. Based on the number of classrooms and offices, 20 parking spaces are required for the use; 24 parking spaces are being provided on site. If additional spaces are required to meet the school needs the applicant would need to provide additional parking spaces and prevent parking on the street or surrounding areas. The parking must meet city standards;
- 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.

RECOMMENDATION:

Staff recommended approval of the request, for life of the use, subject to the Zoning Ordinance, Fire Department and building permit requirements.



CITY OF McALLEN
PLANNING DEPARTMENT

LEGEND
SCALE: 1" = 500'

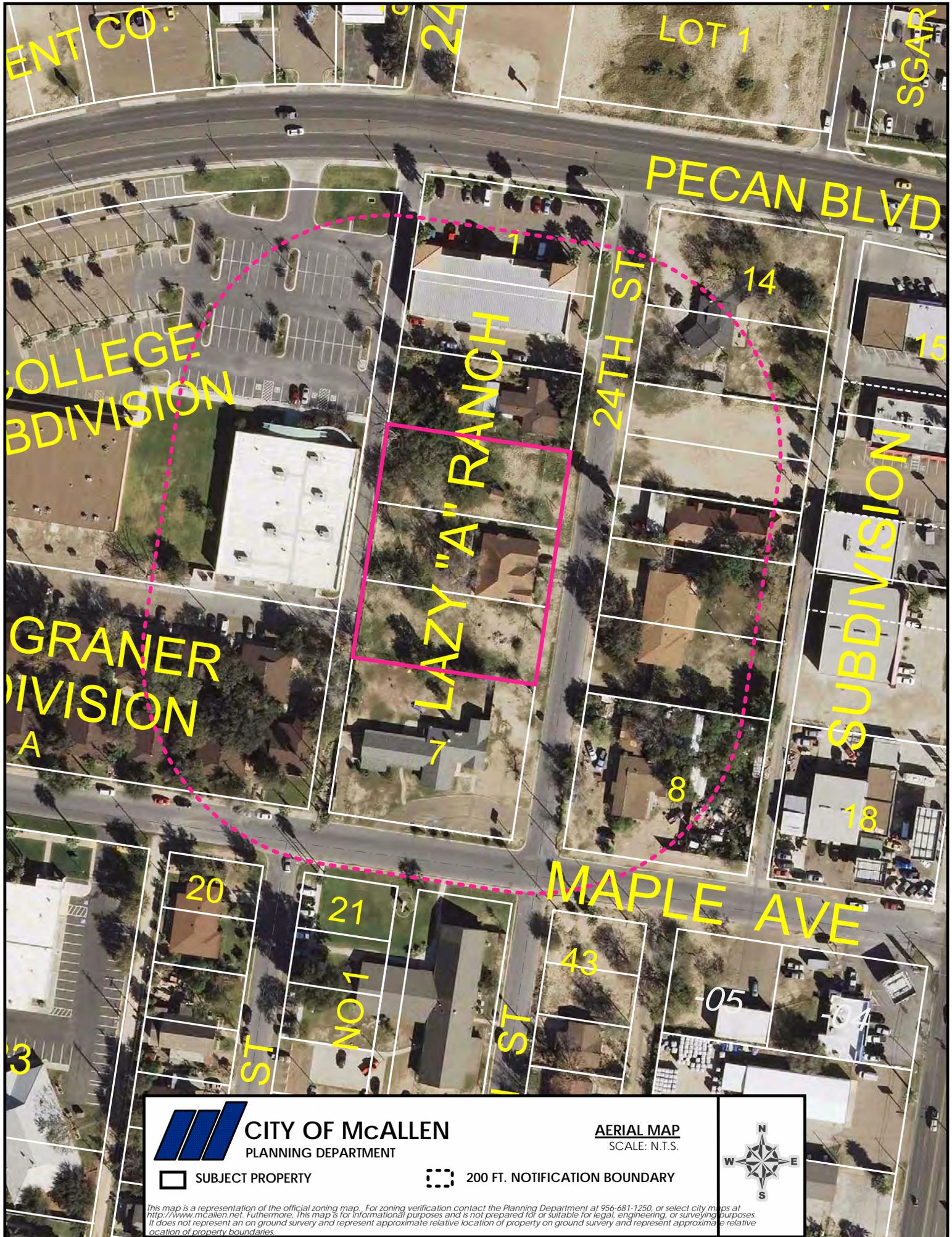
SUBJECT PROPERTY	200 FT. NOTIFICATION BOUNDARY	1/4 MILE RADIUS
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ZONING LEGEND			
A-0 (AGRICULTURAL & OPEN SPACE)	R-3A (APARTMENTS)	R-4 (MOBILE HOMES)	C-3 (GENERAL BUSINESS)
R-1 (SINGLE FAMILY RESIDENTIAL)	R-3C (CONDOMINIUMS)	C-1 (OFFICE BUILDING)	C-3L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

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AREA MAP





ENT CO.

24

LOT 1

SGAR

PECAN BLVD

COLLEGE
DIVISION

24TH ST

14

15

GRANER
DIVISION
A

"LAZY "A" RANCH

SUBDIVISION

8

18

MAPLE AVE

20

21

NO 1

43

-05

-04

3

ST

ST



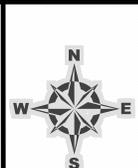
SUBJECT PROPERTY



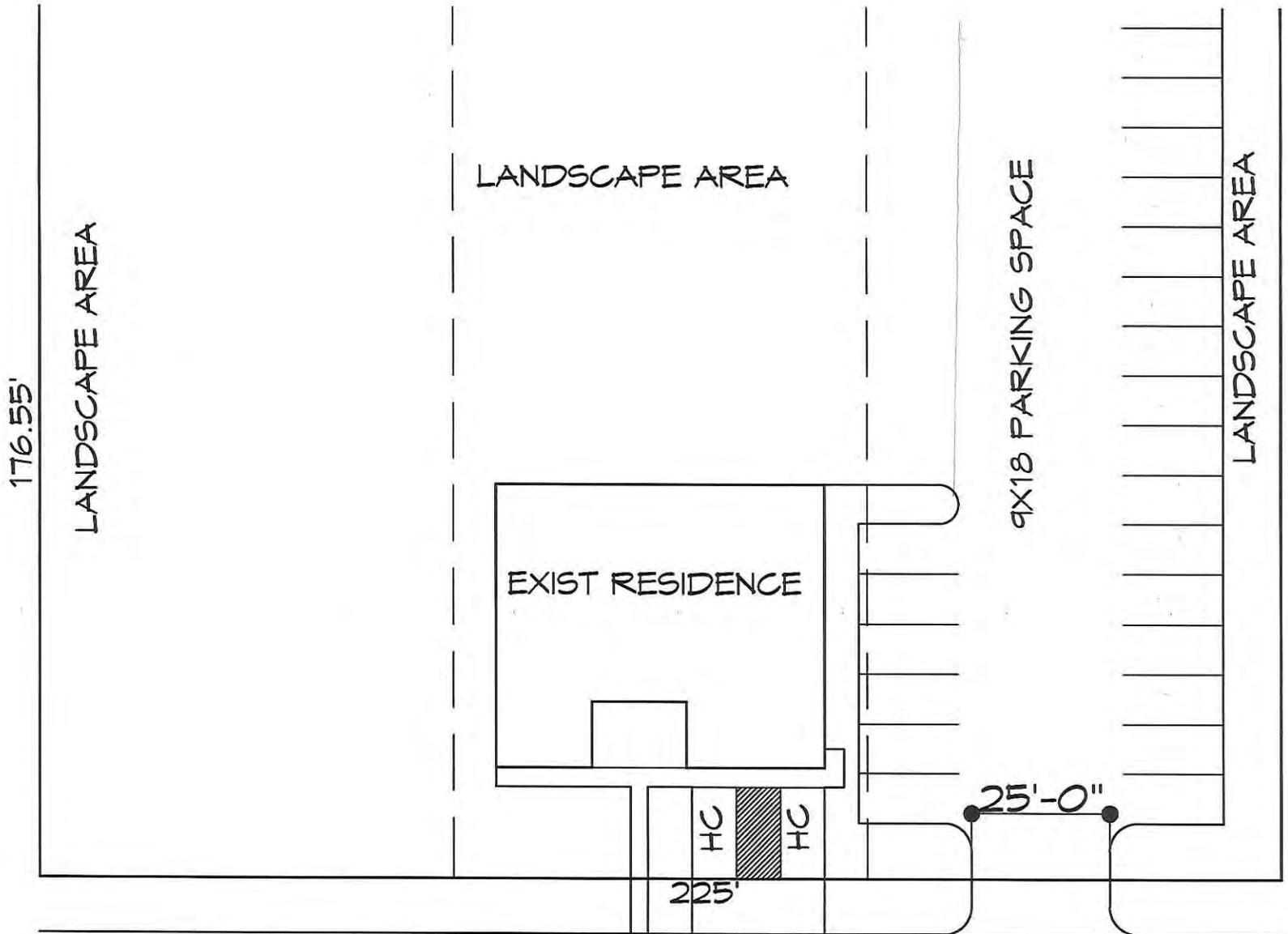
200 FT. NOTIFICATION BOUNDARY

CITY OF McALLEN
PLANNING DEPARTMENT

AERIAL MAP
SCALE: N.T.S.



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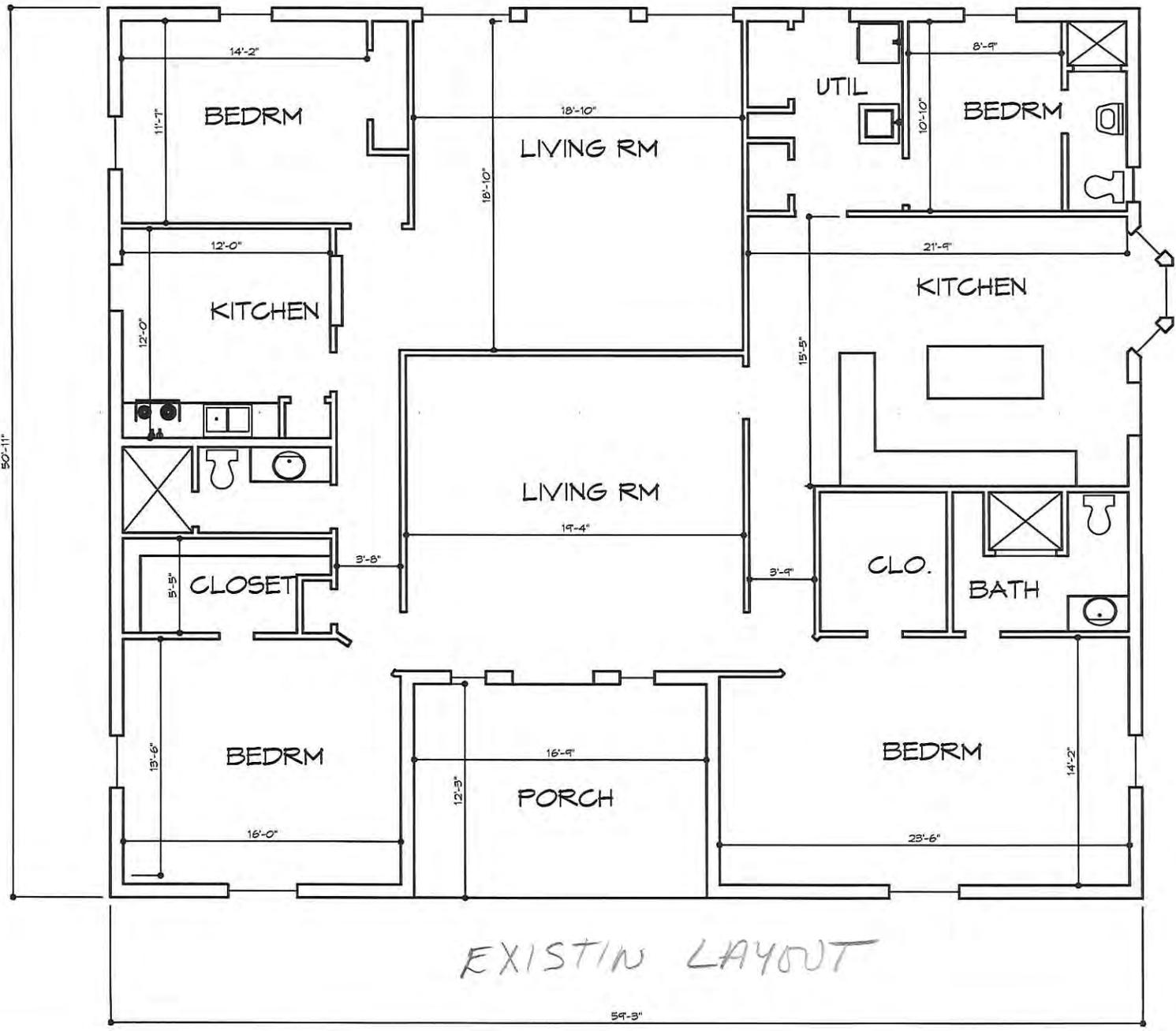
NORTH 24th STREET



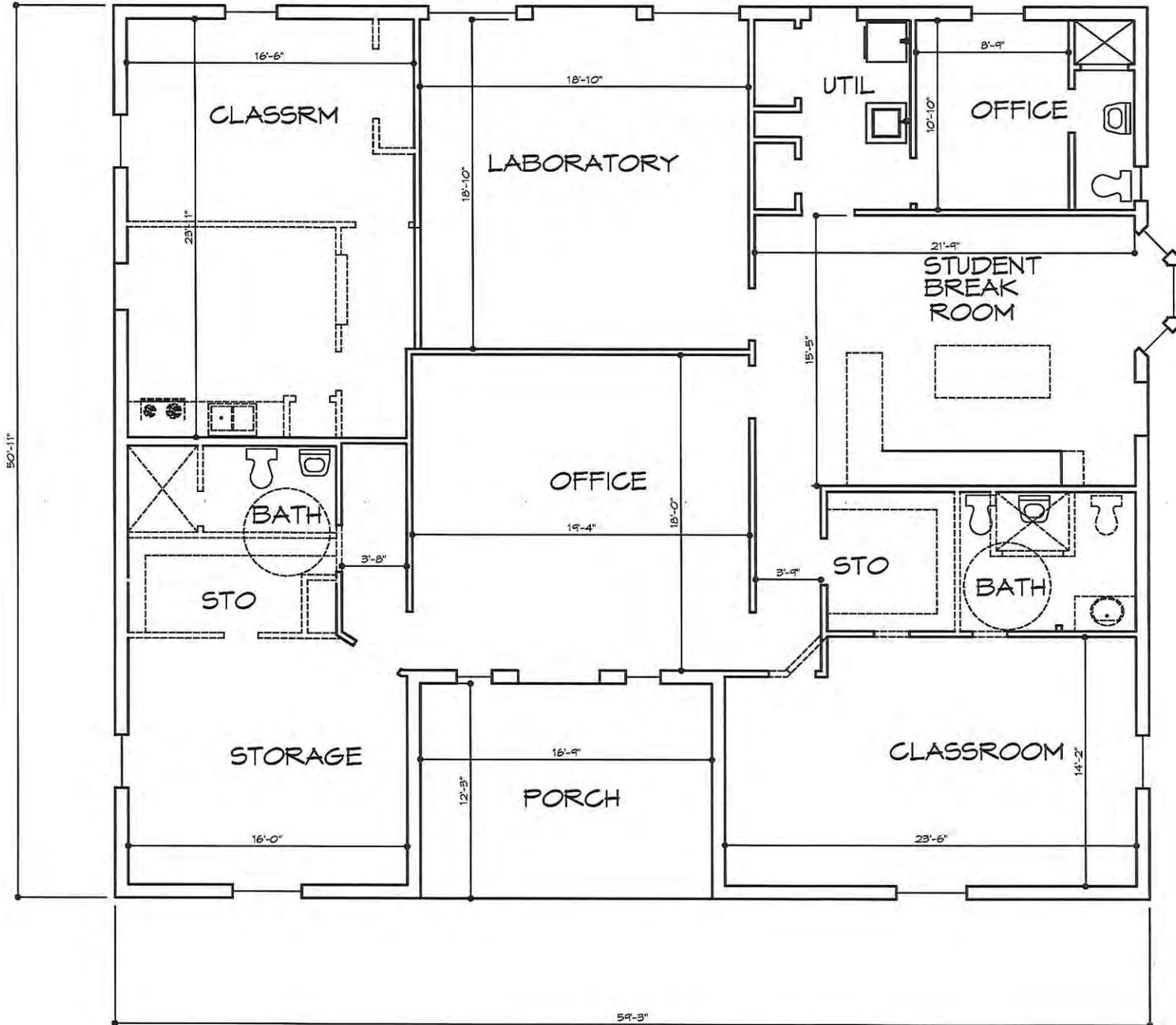
PROPOSED IMPROVEMENTS

LOT AREA 225' X 176' = 39,600 SQ. FT.
 LANDSCAPE AREA REQ'D. 3 960 SQ. FT.

RECEIVED
 AUG 31 2016
 BY: *[Signature]*



RECEIVED
 AUG 31 2016
 BY: *Bob L. O. AM*



RECEIVED
 AUG 31 2016
 BY: [Signature]
 AM

PROP. FLOOR 1 PLAN
 LIVING AREA 281200 FT









NOTICE
INSTITUTIONAL
For
This Property
CUP2016-0136

City of Madison Planning Dept 601-220-
www.madisonwi.gov

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: September 28, 2016

SUBJECT: 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; 3618 PECAN BOULEVARD.

GOAL:

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

BRIEF DESCRIPTION:

The property is located at the northeast corner of North Ware Road and Pecan Boulevard. The property is zoned C-3 (general business) District. The adjacent zoning is 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 is allowed in a C-3 District with a Conditional Use Permit and in compliance with requirements.

HISTORY:

Currently, there is 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 is a new representative for Stripes and due to the expired time frame, it has to come before the Planning and Zoning Commission for consideration and approval.

REQUEST/ANALYSIS:

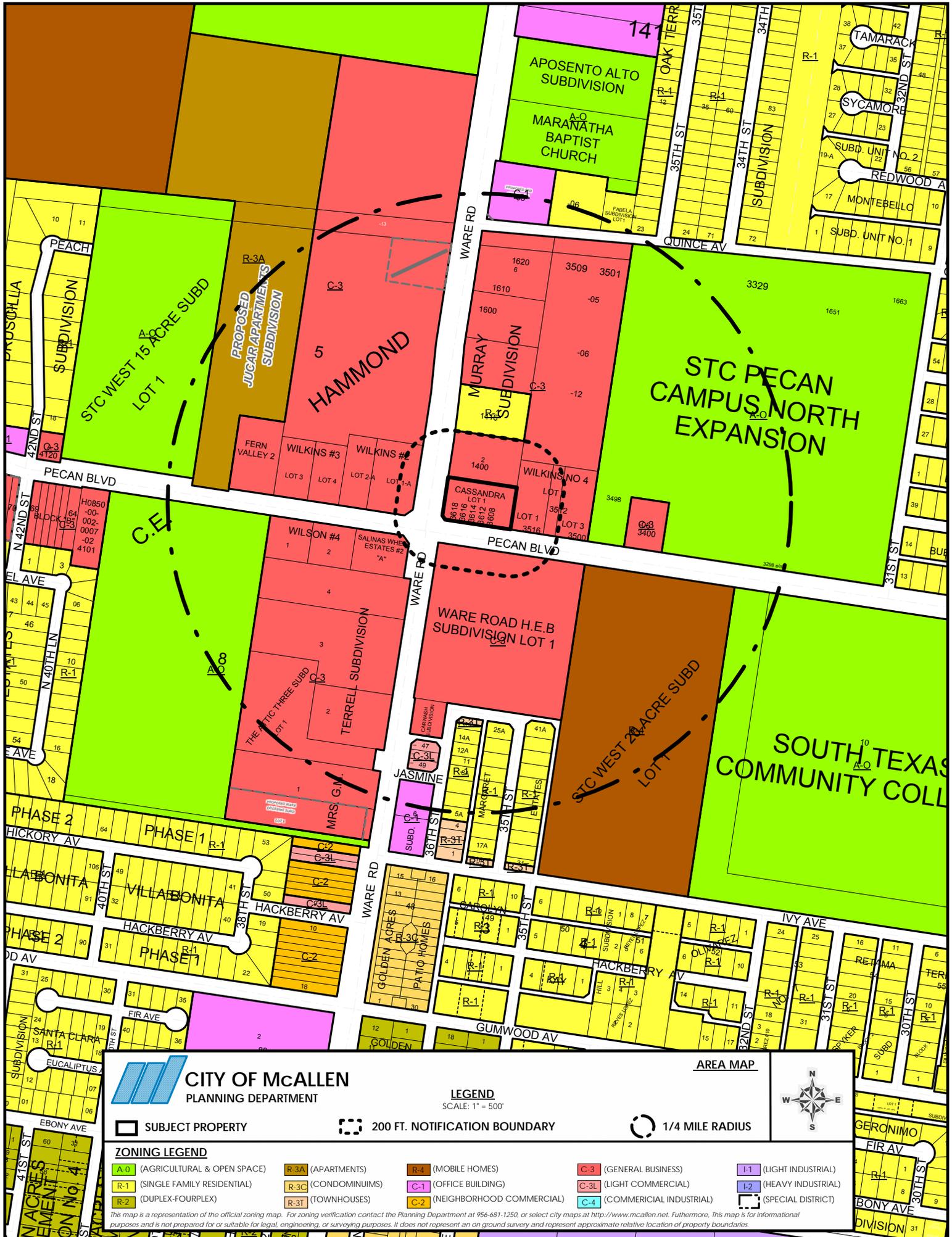
The new representative is proposing to continue to utilize an 8 ft. X 20 ft. portable building on the property for storage for the existing business (Stripes Convenience Store). The proposed 160 sq. ft. portable building is located at the front of the building, which eliminates one parking space. Based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

The Fire Department has 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:

- 1) Portable buildings must not be used for living quarters. The building is being used for storage purposes;
- 2) Must be located in such a manner as to have access to a public right-of-way within 200 ft. The property fronts North Ware Road.
- 3) 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 are required; 17 parking spaces are provided;
- 4) Must provide for garbage and trash collection and disposal. A dumpster is already provided on site.
- 5) Must be connected to an approved water distribution and sewage disposal system;
- 6) No form of pollution shall emanate beyond the immediate property line of the permitted use; and
- 7) Additional reasonable restrictions or conditions such as increased open space, loading and parking requirements, suitable landscaping, curbing, sidewalks or other similar improvements may be imposed in order to carry out the spirit of the Zoning Ordinance or mitigate adverse effects of the proposed use.

RECOMMENDATION:

Staff recommends approval of the request for one year, subject to Section 138-118(3) of the Zoning Ordinance, comply with minimum setbacks, and Fire Department requirements.



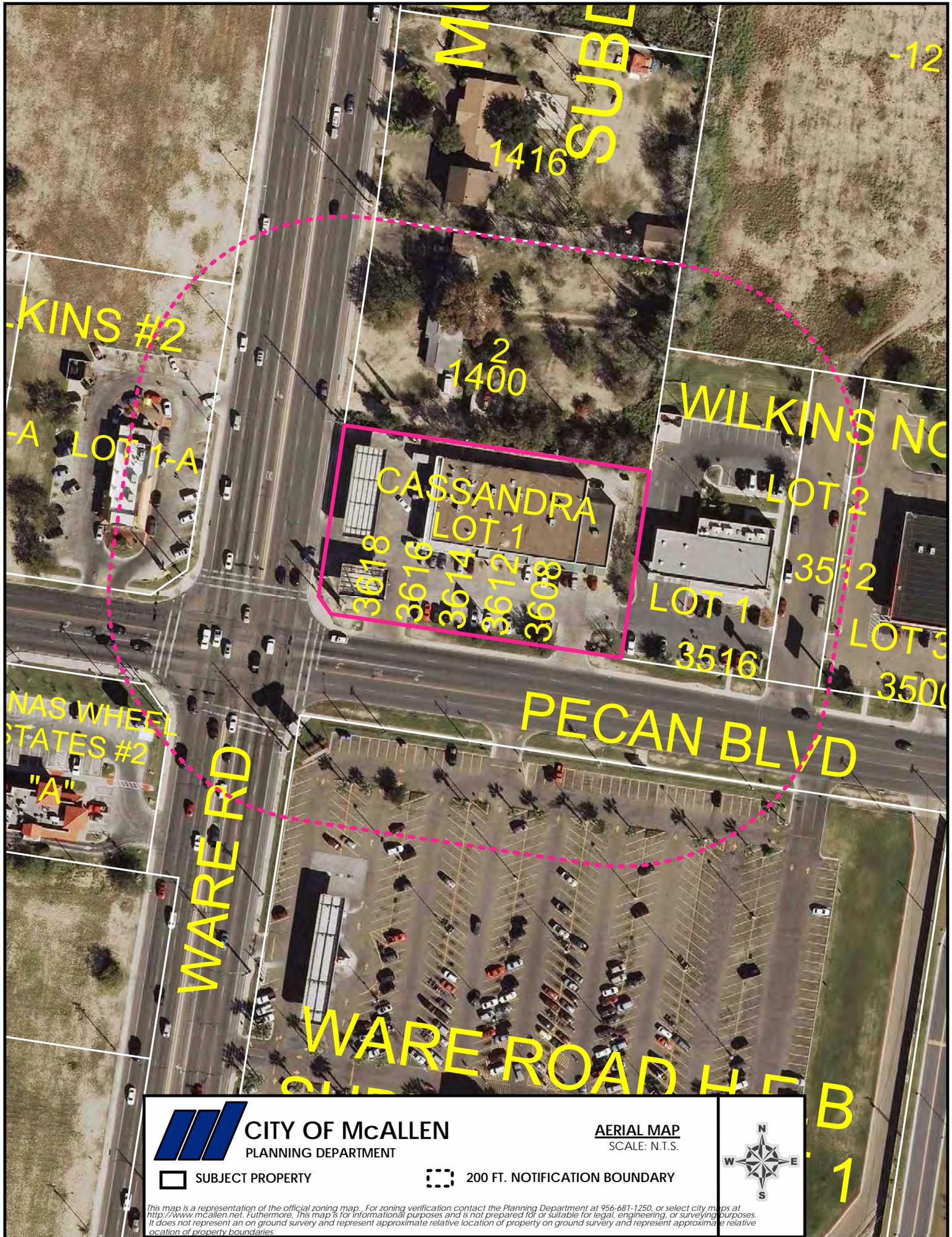
CITY OF McALLEN
PLANNING DEPARTMENT

LEGEND
SCALE: 1" = 500'

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

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

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WILKINS #2

LOT 1-A

WILKINS WHEEL STATES #2 "A"

WILKINS NO. 2
1416

1400

CASSANDRA LOT 1
3618
3616
3614
3612
3608

WILKINS NO. 1
LOT 2

LOT 1
3516

3512

LOT 3
3500

WARE RD
PECAN BLVD

WARE ROAD



CITY OF McALLEN
PLANNING DEPARTMENT

AERIAL MAP
SCALE: N.T.S.



SUBJECT PROPERTY



200 FT. NOTIFICATION BOUNDARY



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Storage

Pumps

Store

495

Pumps

10ft 6in
unit to store
15ft 2in
unit to Trash
36ft. 11in
To pumps
80ft 6in
to street
were 76.

RECEIVED
AUG 19 2016
BY: *BC*

Wase Rd.



NOTICE
PORTABLE BUILDING
For
This Property
CUP2016-0129

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



1-866-320-BEST (2378)
www.bestrestaurantssupply.com

TEXAS
DSP-9244



stripe

VALERO

VALERO

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LAGO TR

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: September 28, 2016

SUBJECT: 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; 1225 NORTH 23RD 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, 2) only for a limited period of time, 3) is required for all conditional uses as set forth in the conditional use paragraph of each use district, and 4) at no time may a structure or property be adapted to a conditional use without first obtaining a conditional use permit.

BRIEF DESCRIPTION:

The property is located at the southwest corner of North 23rd Street and Maple Avenue. The property is zoned C-3 (general business) District. The adjacent zoning is 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 is allowed in a C-3 District with a Conditional Use Permit and in compliance with requirements.

HISTORY:

Currently, there is 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 in a concrete pad or paved area. No renewal followed after that. There is a new representative for Stripes and due to the expired time frame, it has to come before the Planning and Zoning Commission for consideration and approval.

REQUEST/ANALYSIS:

The new representative is 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 is located north of the building along Maple Avenue. During inspection staff observed that the portable is 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.

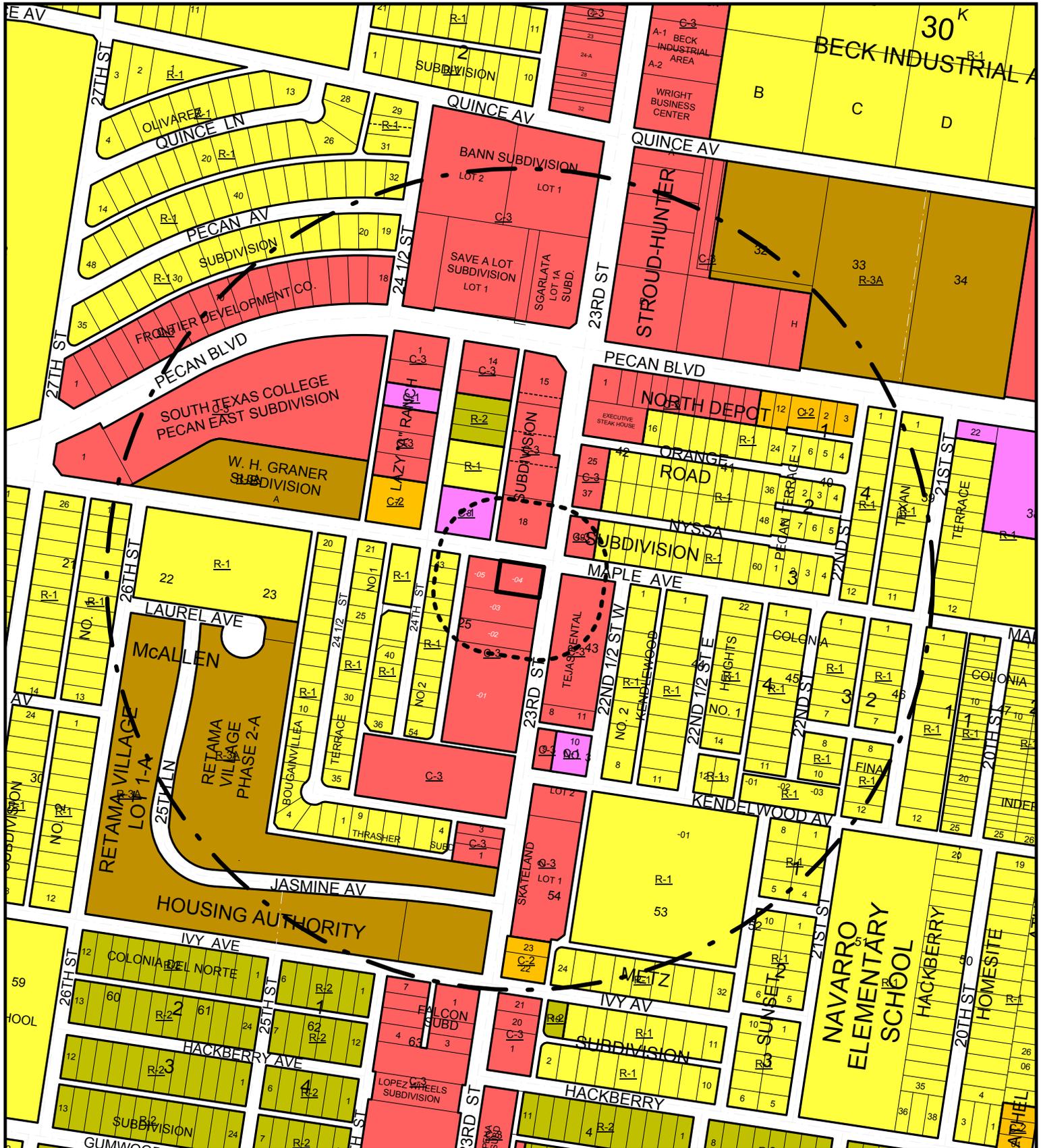
Based on the retail store business, 6 parking spaces are required; 10 parking spaces are provided. The portable building must comply with all required setbacks, including a 10 ft. corner setback.

The Fire Department has 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:

- 1) Portable buildings must not be used for living quarters. The building will be used for storage purposes;
- 2) Must be located in such a manner as to have access to a public right-of-way within 200 ft. The property fronts North 23rd Street.
- 3) The proposed use and adjacent businesses shall comply with the off-street parking and loading ordinance. Based on the retail store business, 6 parking spaces are required; 10 parking spaces are provided;
- 4) Must provide for garbage and trash collection and disposal. A dumpster is already provided on site.
- 5) Must be connected to an approved water distribution and sewage disposal system;
- 6) No form of pollution shall emanate beyond the immediate property line of the permitted use; and
- 7) Additional reasonable restrictions or conditions such as increased open space, loading and parking requirements, suitable landscaping, curbing, sidewalks or other similar improvements may be imposed in order to carry out the spirit of the Zoning Ordinance or mitigate adverse effects of the proposed use.

RECOMMENDATION:

Staff recommends approval of the request for one year, 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.



CITY OF McALLEN
PLANNING DEPARTMENT

AREA MAP

LEGEND
SCALE: 1" = 500'



SUBJECT PROPERTY

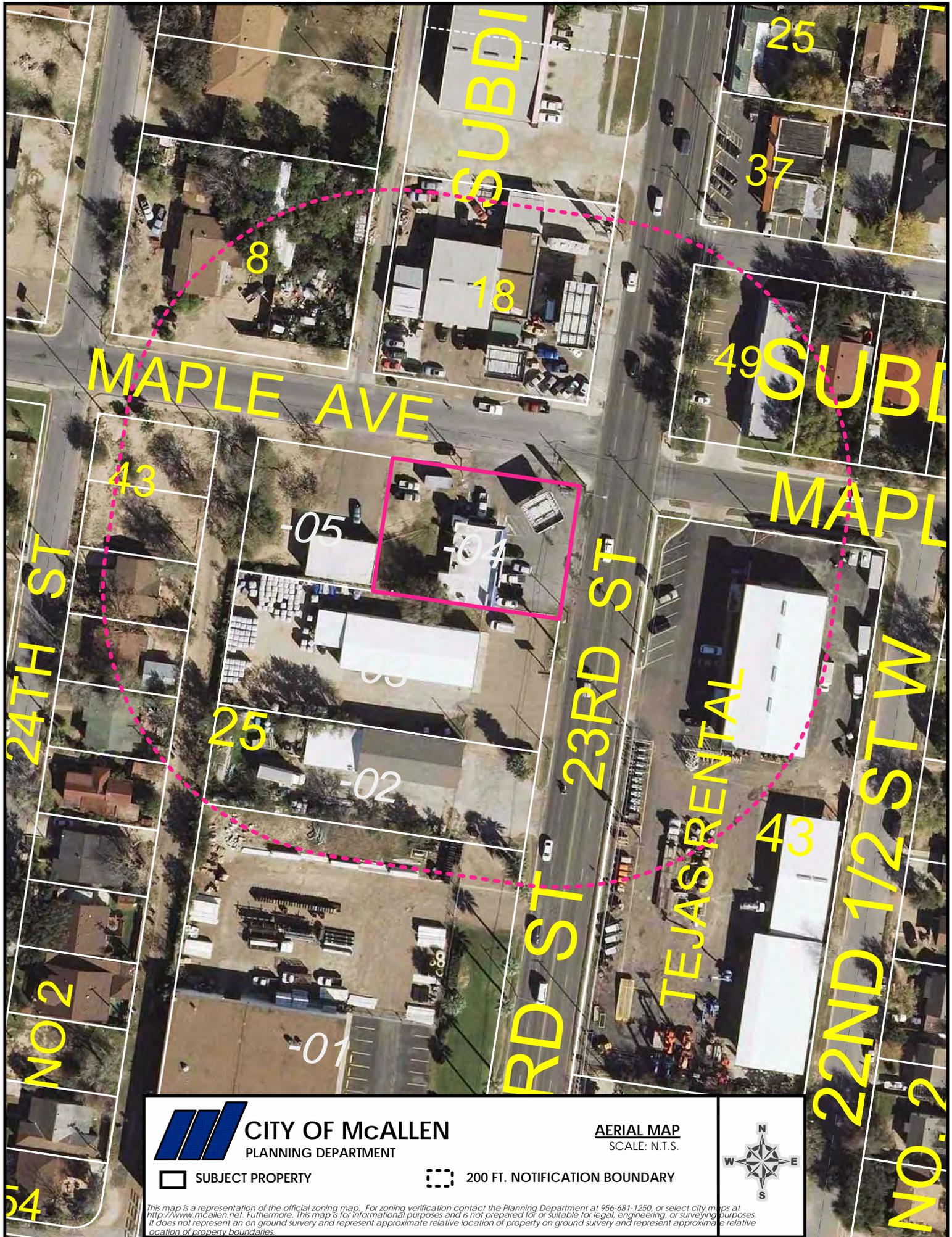
200 FT. NOTIFICATION BOUNDARY

1/4 MILE RADIUS

ZONING LEGEND

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

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CITY OF McALLEN
PLANNING DEPARTMENT

AERIAL MAP
SCALE: N.T.S.



SUBJECT PROPERTY



200 FT. NOTIFICATION BOUNDARY



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Container 19ft. 11 inches length

height 8ft. 3in

width 8ft

32ft 2in. from building

32ft 4in to trash can

13ft to street

64ft to pumps

23rd St.

Maple

Portable unit

Store

sidings

Parking

Pumps

23rd St.

RECEIVED
AUG 19 2016
BY: [Signature]





VALERO

FUEL DISCOUNT CARD PRICE

1.069
1.017

NOTICE
PORTABLE BUILDING
For
This Property
CUP2016-0130
City of McAllen Planning Dept 681-1250
www.mcallen.net

TRANS
CA 16

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: September 28, 2016

SUBJECT: 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; 4839 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, 2) only for a limited period of time, 3) is required for all conditional uses as set forth in the conditional use paragraph of each use district, and 4) at no time may a structure or property be adapted to a conditional use without first obtaining a conditional use permit.

BRIEF DESCRIPTION:

The property is located at the southwest corner of North 10th Street and Wisteria Avenue. The property is zoned C-3 (commercial business) District. The adjacent zoning is 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 is allowed in a C-3 District with a Conditional Use Permit and in compliance with requirements.

HISTORY:

Currently, there is 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 is a new representative for Stripes and due to the timeframe, it has to come before the Planning and Zoning Commission for consideration and approval.

REQUEST/ANALYSIS:

The new representative is 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 is located by the building along Wisteria Avenue, is placed within the 10 ft. corner setback requirements and is approximately 2 ft. in the right-of-way of Wisteria Avenue. Based on the retail store business, 6 parking spaces are

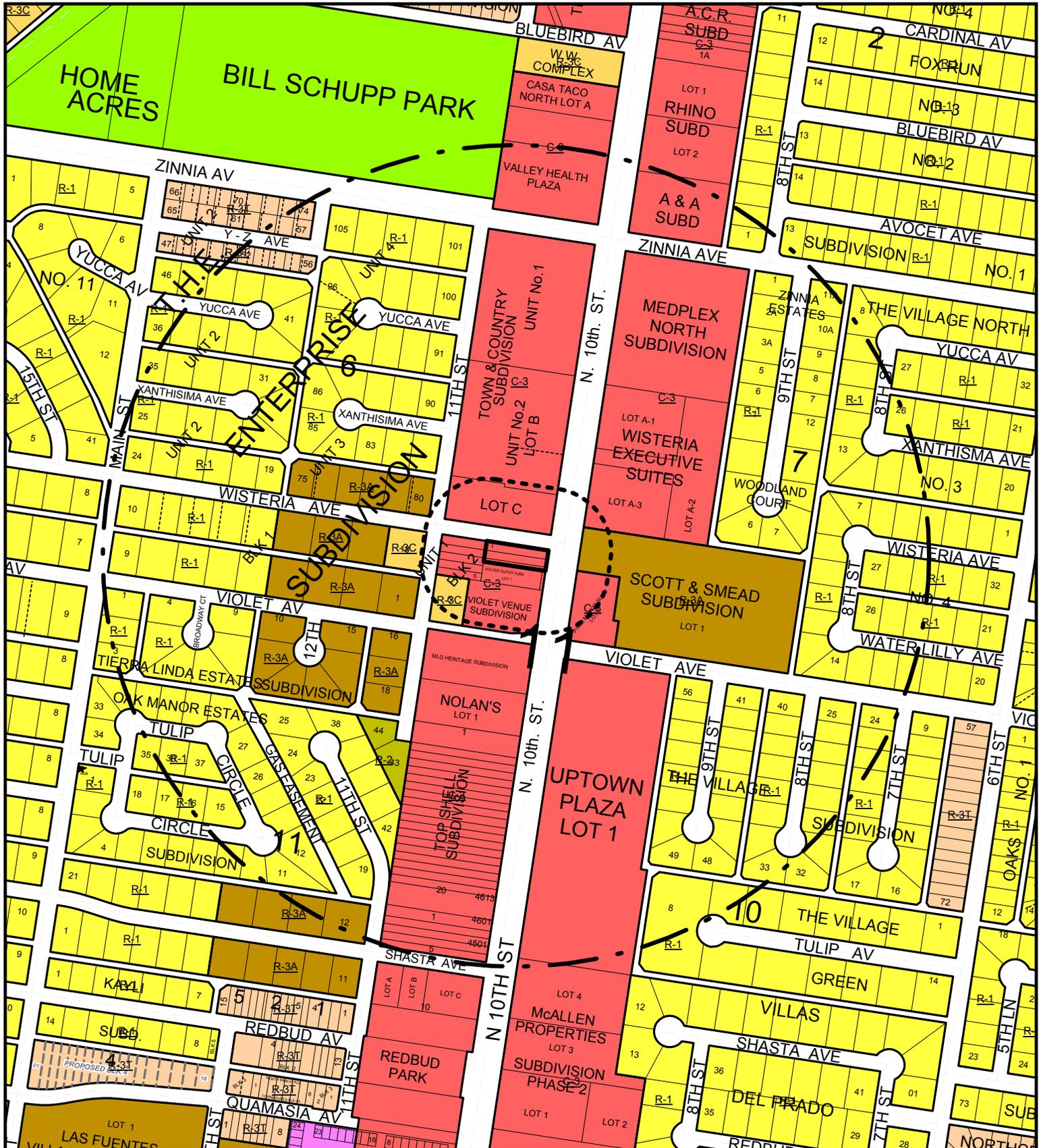
required; 6 parking spaces are provided. The portable building will be required to comply with all required setbacks, including a 10 ft. corner setback.

The Fire Department has 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:

- 1) Portable buildings must not be used for living quarters. The building will be used for storage purposes;
- 2) Must be located in such a manner as to have access to a public right-of-way within 200 ft. The property fronts North 10th Street.
- 3) 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 are required; 6 parking spaces are provided;
- 4) Must provide for garbage and trash collection and disposal. A dumpster is already provided on site.
- 5) Must be connected to an approved water distribution and sewage disposal system;
- 6) No form of pollution shall emanate beyond the immediate property line of the permitted use; and
- 7) Additional reasonable restrictions or conditions such as increased open space, loading and parking requirements, suitable landscaping, curbing, sidewalks or other similar improvements may be imposed in order to carry out the spirit of the Zoning Ordinance or mitigate adverse effects of the proposed use.

RECOMMENDATION:

Staff recommends approval of the request, for one year, subject to Section 138-118(3) of the Zoning Ordinance, comply with the minimum setbacks and fire department requirements.



CITY OF McALLEN
PLANNING DEPARTMENT

LEGEND
SCALE: 1" = 500'

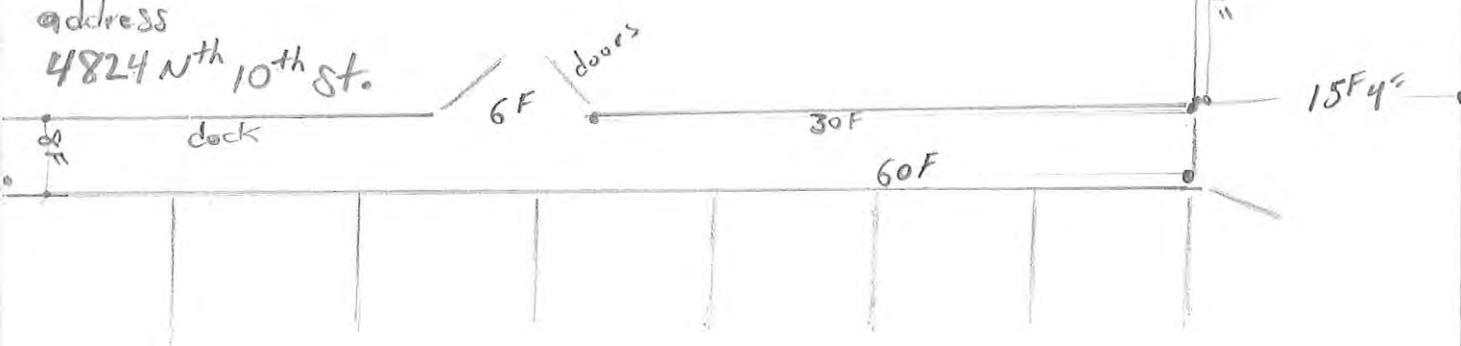
- SUBJECT PROPERTY
- 200 FT. NOTIFICATION BOUNDARY
- 1/4 MILE RADIUS
- AREA MAP

ZONING LEGEND

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

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container
 8'W 20'FL 8'6"H
 building from Wisteria Ave
 15'4"
 container from st wisteria Ave
 5'4"
 container from dock
 21'1"
 container to front doors
 51'1"
 address
 4824 Nth 10th St.



gas island

Wisteria Ave W 1000

N 10th St 4900

RECEIVED
 AUG 19 2016
 BY: *[Signature]*





VALERO

DESIGNS
MATTRESSES

MATTRESSES
FURNITURE



atm

OS

TRY OUR NEW BARBACOA-TACOS

99¢

MAGNET!
Tacos!

- Barbacoa
- Beef Fajitas
- Chicken Fajitas
- Picadillo
- Carne Guisada
- Carnitas

2/\$4

NOTICE
PORTABLE BUILDING
For
This Property
CUP2016-0131



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



Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: September 28, 2016

SUBJECT: REQUEST OF STEPHEN E. MANWELL FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A HOME OCCUPATION (OFFICE/ONLINE SPORTING GOODS SALES) AT LOT 2, BLOCK 1, THE VILLAGE NORTH SUBDIVISION UNIT 1; 5004 NORTH 4TH 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 south side of North 4th Street, approximately 95 feet northeast of Xanthisma Avenue, and is zoned R-1 (single family residential) District. The adjacent zoning is R-1 District in all directions. Surrounding land uses include single family residences. A home occupation is permitted in an R-1 zone with a Conditional Use Permit and in compliance with requirements.

REQUEST/ANALYSIS:

The applicant is proposing to operate an office for a sporting goods sales order business from the existing residence. The proposed days of operation will be Monday through Friday by appointment only. This business consists of customers placing orders online to purchase a particular firearm or by contacting the applicant requesting a particular firearm. The firearm that is either ordered online or bought by the applicant, will be delivered to the applicant's residence. The applicant charges a broker fee for the background check and the transfer of firearms. He stated that he would deliver the firearms to the customers. However, ATF regulations indicate that customers need to do all transactions at the residence, including all paperwork that needs to be filled out, and the actual transaction must take place at the address corresponding to the license. The applicant has had an approved license to sale firearms at a commercial location; however, he wishes to transfer the license to his residence, which requires approval by the ATF.

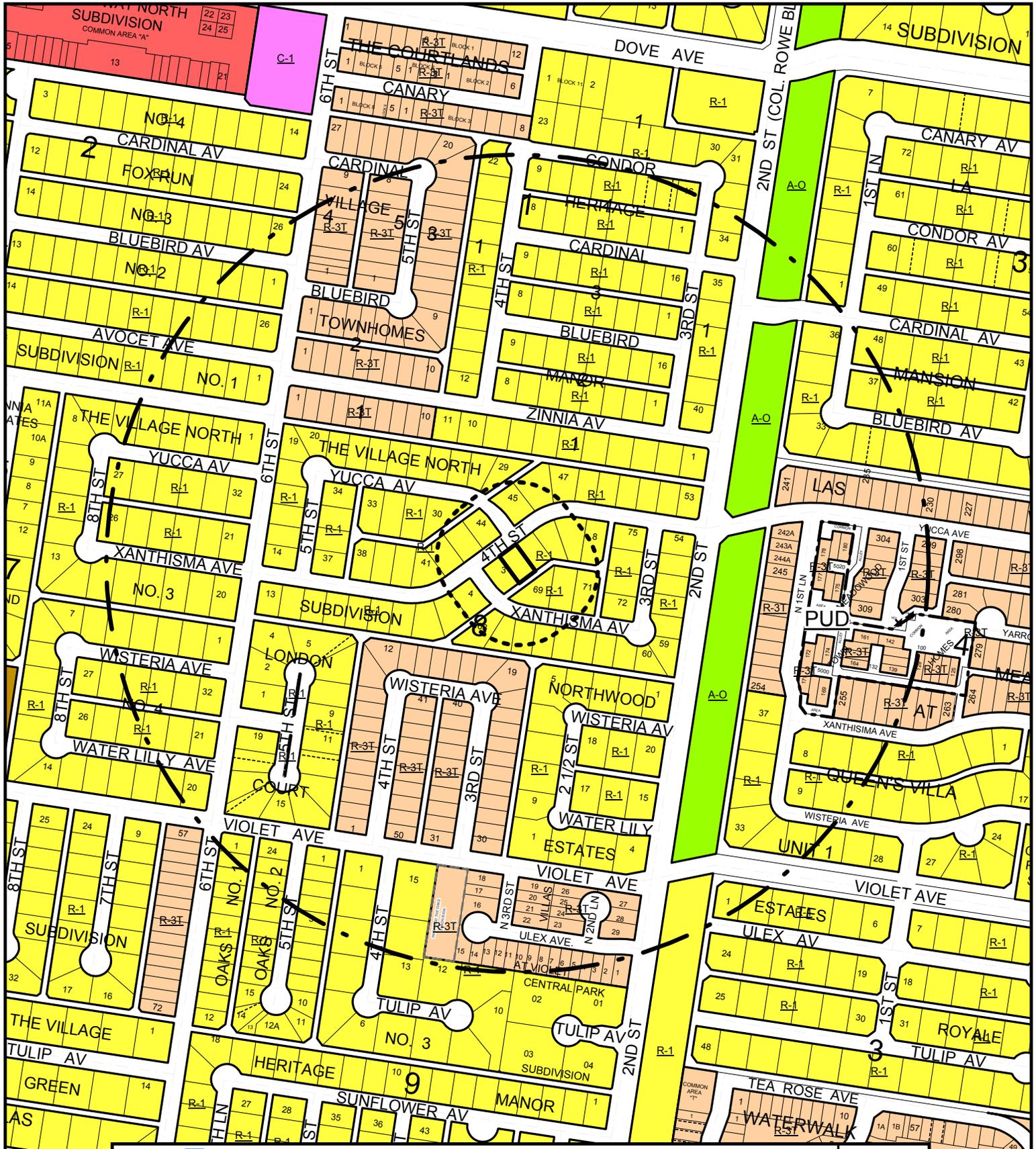
Should the conditional use permit be approved, the applicant would be required to sign the certificate acknowledging and agreeing to the conditions of the permit. The occupation may not be operational until issuance of the certificate. The Fire Department has inspected the

residence and meets all the minimum standards and applicable ordinances. The business must comply with requirements set forth in Section 138-118(1) of the Zoning Ordinance and other specific requirements as follows:

- 1) The home occupation must be clearly secondary to the residential use. The applicant does live at the residence;
- 2) No signs are permitted. No signs are proposed at the residence;
- 3) There shall be no exterior display or alterations indicating that the building is being used for any purpose other than that of a dwelling. None are proposed;
- 4) There shall be no more than one additional unrelated employee other than immediate members of the family residing on the premises. No additional employees are proposed;
- 5) There shall be no outside storage of materials or products. No outside storage is proposed;
- 6) The permitted use shall not create frequent or heavy traffic, not greater than ten percent (10%) of the average load per hour as determined by the city traffic engineer. Customers may visit the residence by appointment only;
- 7) No retail sales (items can be delivered). Retail sales are proposed;
- 8) No additions to the residence or accessory building specifically to accommodate the business. The applicant proposes no additions or accessory building to accommodate the business;
- 9) The business must take place in the primary residential structure on the property rather than in a detached garage or separate accessory building. The occupation is proposed to take place in the primary residential structure; and
- 10) The activity must take place at the location for which the permit was issued.

RECOMMENDATION:

Staff recommends disapproval of the request based on requirement #7 (retail sales) of Section 138-118(1) of the Zoning Ordinance.





CITY OF McALLEN
PLANNING DEPARTMENT

LEGEND
SCALE: 1" = 500'

AREA MAP



SUBJECT PROPERTY

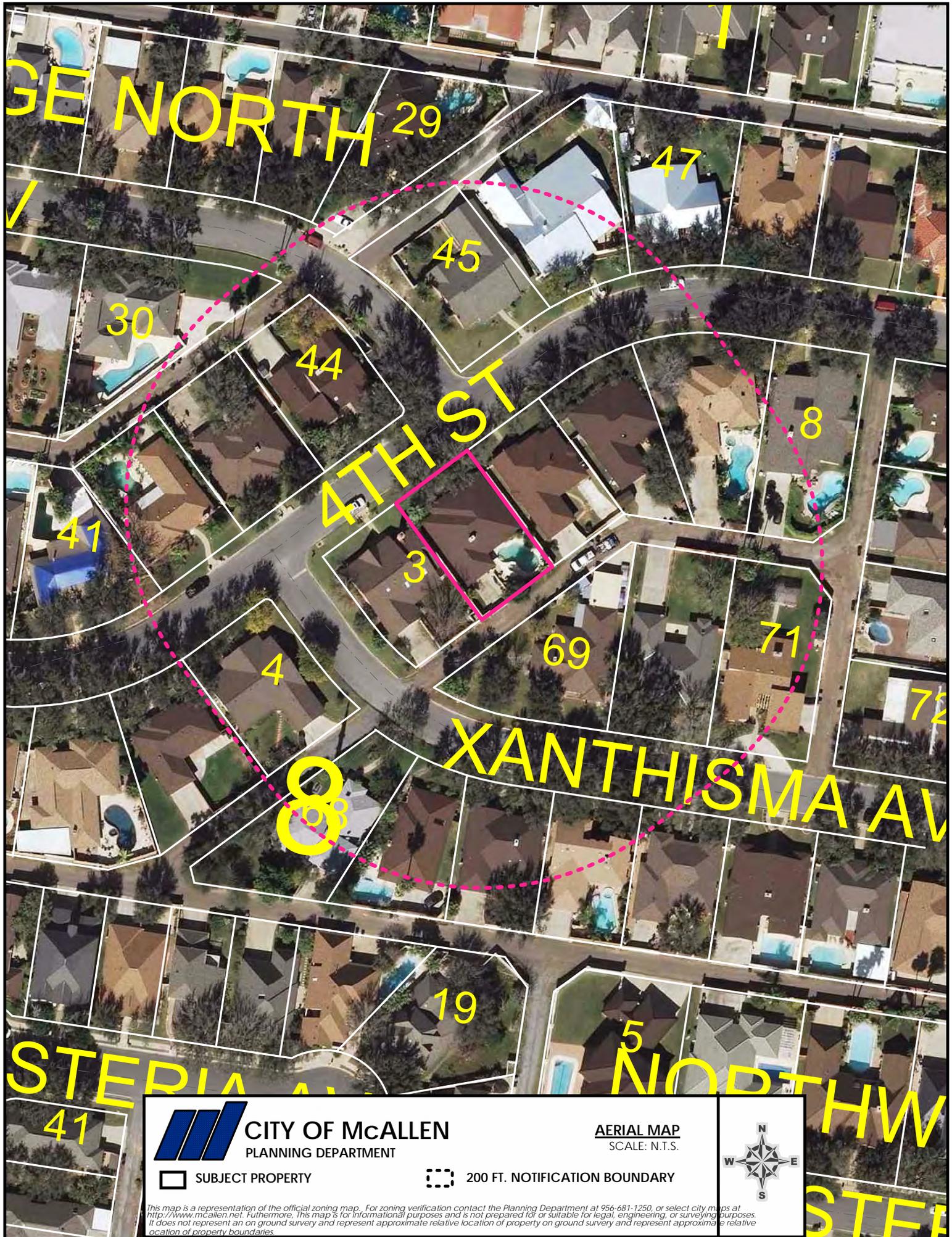
200 FT. NOTIFICATION BOUNDARY

1/4 MILE RADIUS

ZONING LEGEND

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

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CITY OF McALLEN
 PLANNING DEPARTMENT

AERIAL MAP
 SCALE: N.T.S.

 SUBJECT PROPERTY

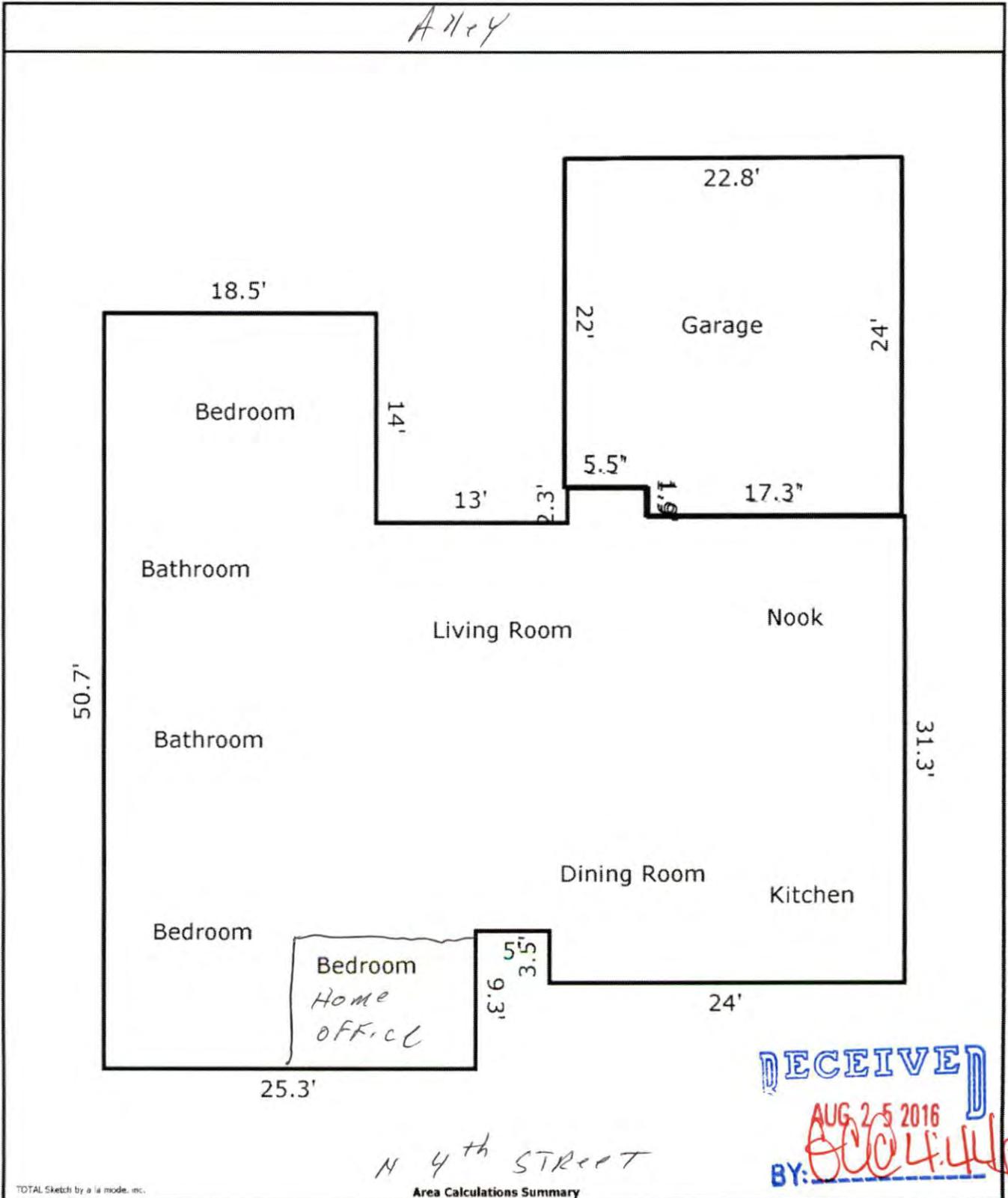
 200 FT. NOTIFICATION BOUNDARY



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Building Sketch

Borrower/Client	Stephen Marwell			
Property Address	5004 N 4th St			
City	McAllen	County	Hidalgo	State TX Zip Code 78504
Lender/Client	Quicken Loans, Inc.			



Area Calculations Summary		Calculation Details	
Living Area	2085.68 Sq ft	18.5 × 14	= 259
First Floor		36.7 × 25.3	= 928.51
		31.3 × 17.3	= 541.49
		6.7 × 7.5	= 50.25

Maria Garcia

From: Romelia.Reyes@usdoj.gov
Sent: Thursday, September 29, 2016 3:31 PM
To: Maria Garcia
Cc: Edward.D.Saavedra@usdoj.gov
Subject: Firearms regulations

Hello Ms Garcia

Mr. Manwell has a federal firearms license and is conducting firearms sales from his residence located at 5004 North 4th St. in McAllen, TX. He conducts internet sales and transfers of firearms. Individuals at that point are required to come to his residence to fill out ATF Form 4473 and background check is conducted, as per ATF 27 CFR 478.102(a). All transactions are to be conducted where the license is issued, which in Mr. Manwell case will be his residence.

As per ATF regulation 27 CFR 478.50, Locations covered by license:

The license cover the class of business or the activity specified in the license at the address specified therein. A separate license must be obtained for each location at which a firearms or ammunition business or activity requiring a license under this part is conducted except.

All transactions are required to be done from his residence because that is the address listed on the federal firearms license. If Mr. Manwell decides to move to his commercial location, a change of address is required 30 days prior and ATF has to conduct an inspection of the new location to verify it is in compliance with ATF regulations and zoning requirements. If you need further assistance feel free to contact me.

Thanks

Romelia Reyes
ATF Investigator
McAllen, TX
office: 956-661-7958
cell: 956-342-2087

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From: Maria Garcia [mailto:mkgarcia@mcallen.net]
Sent: Wednesday, September 28, 2016 1:30 PM
To: Reyes, Romelia <Romelia.Reyes@atf.gov>
Subject: RE: 5004 North 4th Street

Hello,
Any update on the status for Mr. Manwell? (see below)

From: Maria Garcia
Sent: Monday, September 26, 2016 3:14 PM
To: 'romelia.reyes@atf.gov' <romelia.reyes@atf.gov>
Subject: 5004 North 4th Street

NOTICE
HOME BUSINESS
For
This Property
CUP2016-0132

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

51014



Memo

TO: Planning and Zoning Commission
FROM: Planning Staff
DATE: September 28, 2016
SUBJECT: REQUEST OF GRACIELA LUNA FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A HOME OCCUPATION (DAYCARE) AT LOT 38, BUENA VISTA UNIT 1 SUBDIVISION; 3016 NYSSA AVENUE.

GOAL:

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

BRIEF DESCRIPTION:

The property is located on the north side of Nyssa Avenue, approximately 60.5 ft. east of N. 31st Street and is zoned R-1 (single family residential) District. The adjacent zoning is R-1 in all directions and A-O (agricultural & open space) District also to the west. The surrounding land uses include single family residences, South Texas College, apartments, and Lincoln Jr. High School. A day care is allowed in an R-1 zone with a Conditional Use Permit and in compliance with requirements.

HISTORY:

The initial Conditional Use Permit for this property was approved by the Planning and Zoning Commission on November 1, 2005. The last administrative renewal was approved on February 3, 2009. No renewal followed after that, until May 2011 and August 2012. No renewal of the permit was submitted and processed for 2014 and 2015. Due to the time frame of no renewal, the request has to come back to the Planning and Zoning Commission meeting for approval.

REQUEST/ANALYSIS:

The applicant is proposing to continue to operate a day care facility from the existing residence. The proposed hours of operation are from 7:00 a.m. to 6:00 p.m. Monday thru Friday. The proposed use shall meet all the minimum standards and applicable ordinances. Should the conditional use permit be approved, the applicant would be required to sign the application acknowledging and agreeing to the conditions of the permit. The occupation may not be operational until issuance of the certificate.

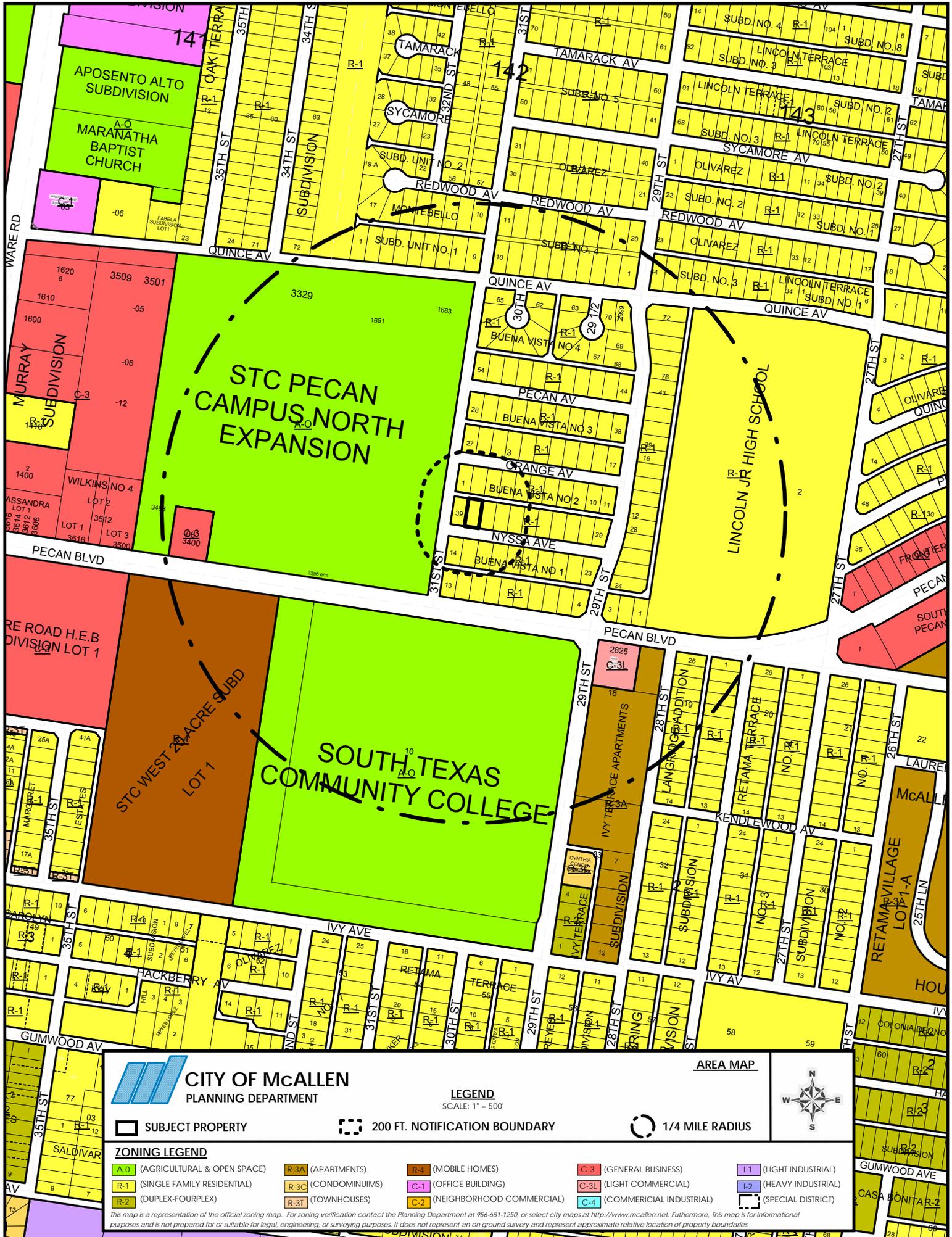
The Health and Fire Departments have inspected and cleared the residence and

compliance with health and safety codes and regulations. The business must comply with requirements set forth in Section 138-118(8) of the Zoning Ordinance and other specific requirements as follows:

- 1) Meet the requirements of the Department of Human Services;
- 2) Provide a fenced in area for outside play of children. A fenced area is provided;
- 3) Provide paved area adjacent to street for pickup and delivery of children. The site plan shows a two-car paved driveway and a two-car enclosed garage;
- 4) Area used for the day care facility should be clearly secondary to the use of the structure; The applicant proposes to use the family room for the day care area as per the attached floor plan;
- 5) Person who applies for permit must reside at location for which the permit is granted. The applicant lives in the residence;
- 6) There shall be no more than two (2) day care facilities within 600 ft. of each other as measured over the shortest distance of street right-of-way between the facilities. There is no other day care within 600 ft.;
- 7) No more than one day care shall be located on a dead-end street or cul-de-sac; Nyssa Avenue is not a dead-end street or cul-de-sac;
- 8) Day care facilities shall not be located on a half street or a street that is accessed by a half street; Nyssa Avenue is not a half street or a street accessed by a half street;
- 9) Day care facilities that care for more than 12 children shall not be permitted in a residential zoning district. The applicant is proposing to care for up to 12 children;
- 10) No signs are permitted; no signs are proposed;
- 11) No more than one additional employee that does not reside on the premises is permitted. The applicant is not proposing an additional employee; and
- 12) The property owner shall sign the application or the applicant shall provide a letter of authorization from the property owner. The applicant is the owner.

RECOMMENDATION:

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



CITY OF McALLEN
PLANNING DEPARTMENT

LEGEND
SCALE: 1" = 500'

AREA MAP



SUBJECT PROPERTY [Solid black outline]

200 FT. NOTIFICATION BOUNDARY [Dashed black outline]

1/4 MILE RADIUS [Dotted black outline]

ZONING LEGEND

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

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CITY OF McALLEN
PLANNING DEPARTMENT

AERIAL MAP
SCALE: N.T.S.



SUBJECT PROPERTY

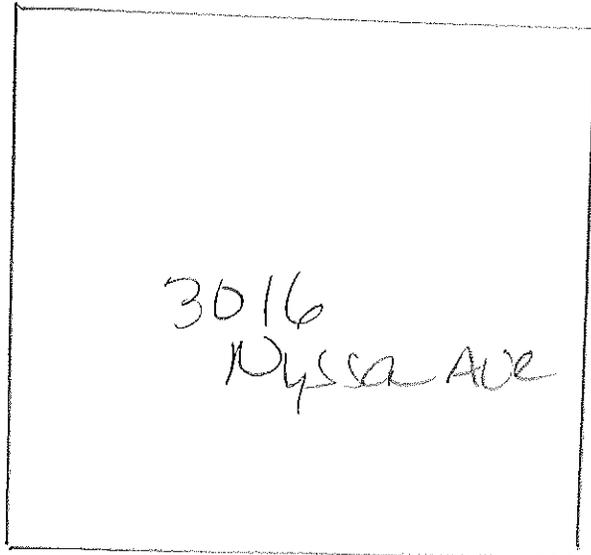


200 FT. NOTIFICATION BOUNDARY



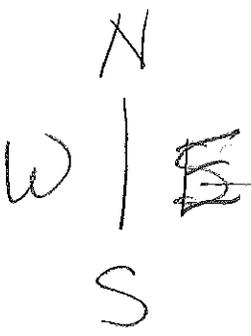
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N 31st St.



N 29th St.

Nyssa Ave



Pecan

Wire fence left tall

~~Wire fence~~ Door

Storage room

40 ft from home to alley

Patio with cement 20 x 11

Exit Back door

5 ft side west fence

7 ft east

Entrance

Garage 492 sq ft
2 car Garage

RECEIVED
OCT 25 2005
PLANNING DEPARTMENT

50 ft from street to the horse

Wire Fence Gate



18 ft door
2 car driveway
Driveway 35 ft from street

Gracieluna

3016 Nysa ave street

35 ft

**NOTICE
HOME BUSINESS
For
This Property
CUP2016-0134**

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

3016

3016



Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: September 28, 2016

SUBJECT: REQUEST OF ERNESTINA GARZA FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR AN EVENT CENTER AT LOT 7, LAS CAÑADAS SUBDIVISION; 2914 SOUTH JACKSON 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 west side of South Jackson Road, approximately 1,140 ft. north of El Rancho Road and is zoned C-3 (general business) District. The adjacent zoning is C-3 District to the north and south, R-2 (duplex-fourplex) District to the west and the area to the east is outside city limits. Surrounding land uses include commercial businesses, fourplex units, single family residential, and vacant land. An event center is allowed in a C-3 zone with a conditional use permit and in compliance with requirements.

HISTORY:

Currently, there is a multi-tenant commercial building on the property. The initial conditional use permit was approved for this establishment by the City Commission with a variance to the distance requirement on March 11, 2013. There was no renewal in 2014. Code Enforcement issued a citation for an expired conditional use permit and an expired Health permit. The permit was renewed and approved by City Commission on appeal on May 28, 2016. There is a new applicant; therefore, a new permit is required.

REQUEST/ANALYSIS:

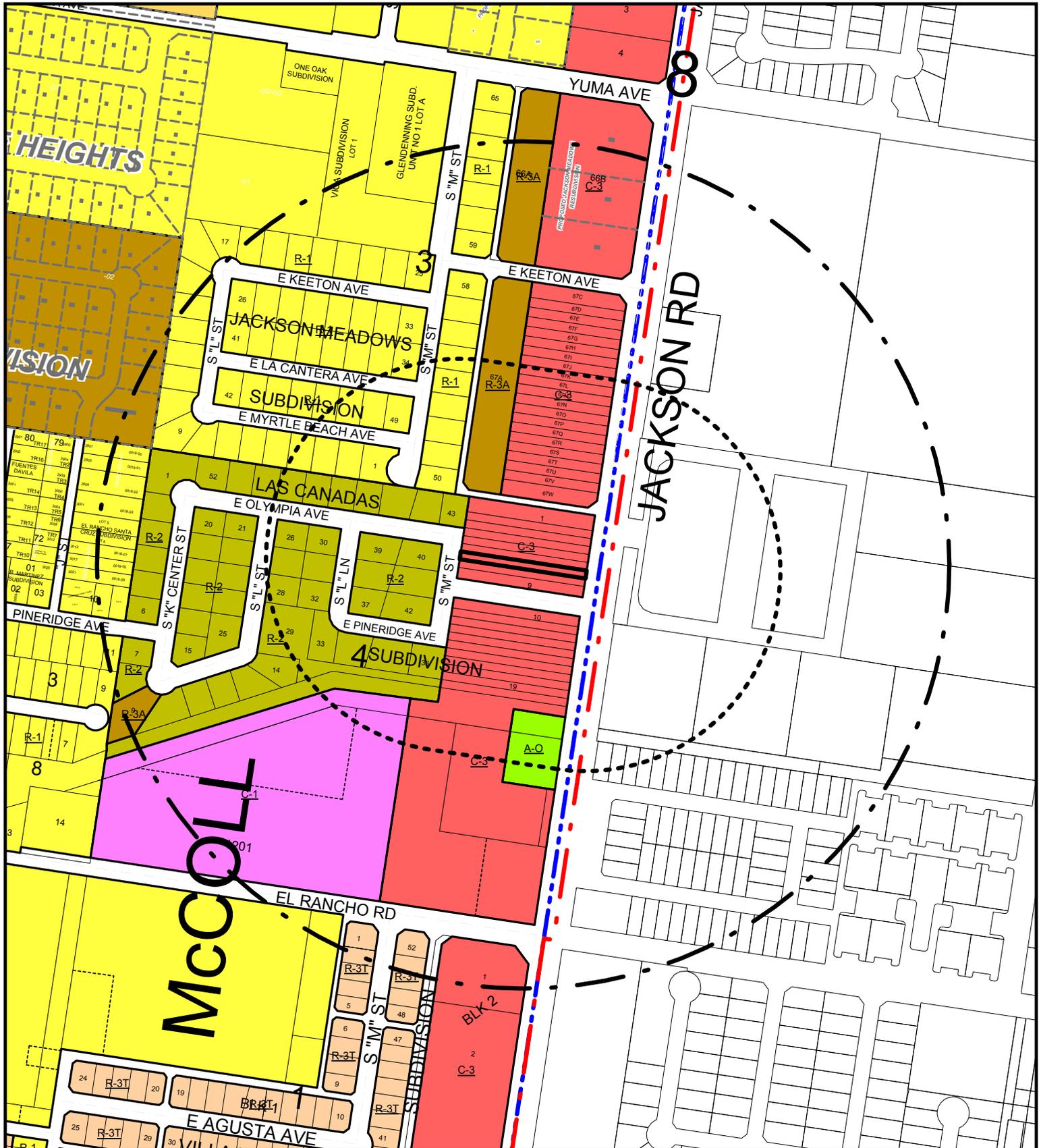
The new applicant is proposing to continue to operate an event center from one of the suites within the multi-tenant commercial building that's located on the property. The suite consist of 2,950 sq. ft. and will be used for birthday parties, quinceñeras, and weddings. The hours of operation are from 10:00 a.m. 1:00 a.m. Monday thru Sunday.

The Health and Fire Departments have inspected and cleared the establishment which is in compliance with health and safety codes and regulations. Attached is the police report indicating service calls from September 2015 to present. The establishment must also comply with requirements set forth in Section 138-118(4) of the Zoning Ordinance and specific requirements as follows:

- 1) The property line of the lot of any of the above mentioned businesses must be at least 600 ft. from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruption of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The proposed establishment is within 600 ft. of residentially zoned properties;
- 2) The property must be as close as possible to a major arterial and shall no generate traffic onto residential sized streets. The establishment has direct access to South Jackson Road;
- 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 multi-tenant commercial building consists of two restaurants, retail businesses, and offices. Based on these uses and square footages, 135 parking spaces are required. An additional 30 parking spaces are required for the 2,950 sq. ft. event center, which brings the total required parking spaces for the development to 165; 175 parking spaces are provided on the common parking area;
- 4) The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties;
- 5) The business shall provide sufficient lighting to eliminate dark areas and maximize visibility from a public street in order to discourage vandalism and criminal activities;
- 6) The business must make provisions to keep litter to a minimum and keep it from blowing onto adjacent properties; and
- 7) The above mentioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Planning Director. The maximum number of persons is set at 126 for the event center.

RECOMMENDATION:

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



CITY OF McALLEN
PLANNING DEPARTMENT

AREA MAP

SUBJECT PROPERTY

600 FT. NOTIFICATION BOUNDARY

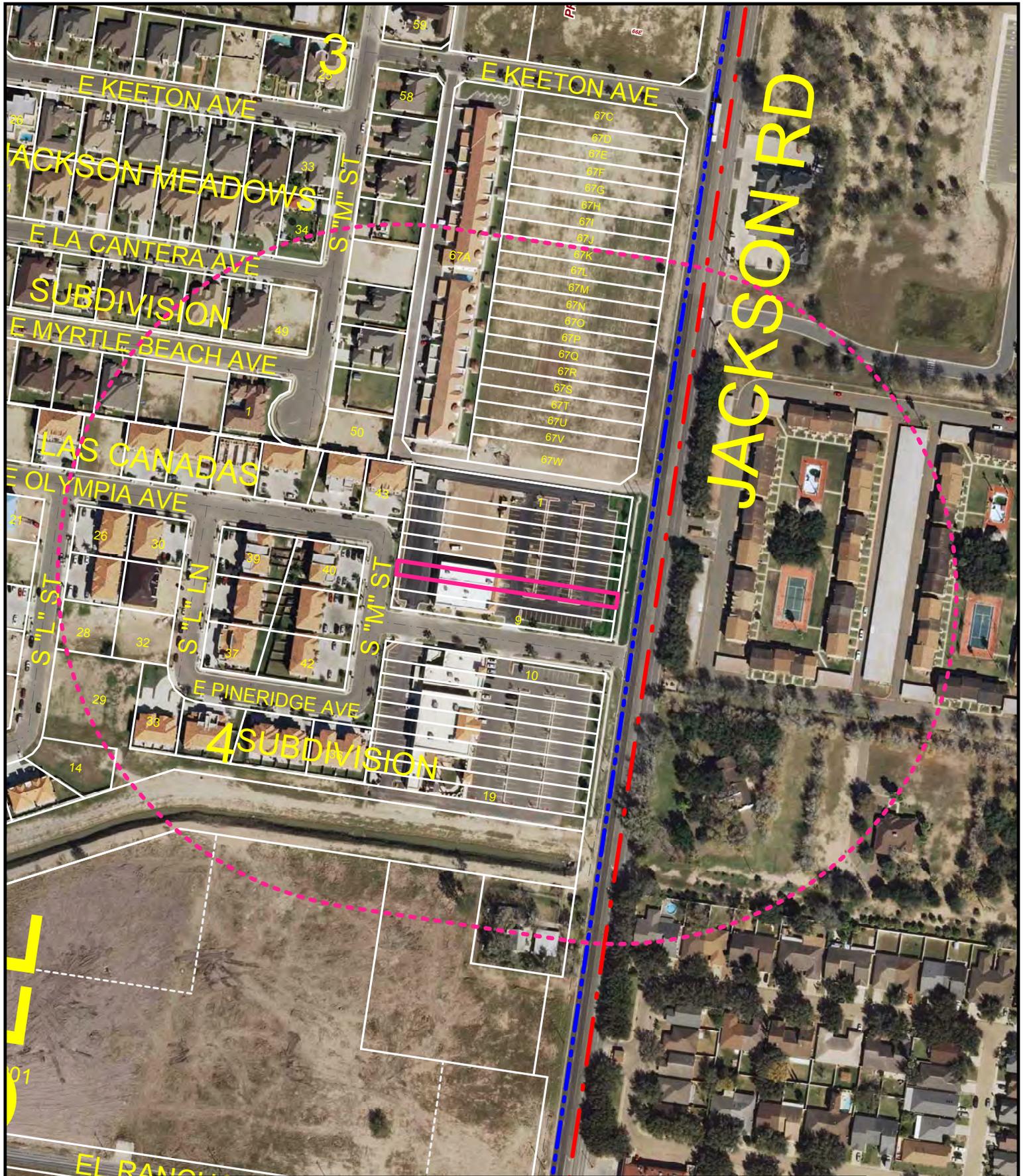
1/4 MILE RADIUS



ZONING LEGEND

(AGRICULTURAL & OPEN SPACE)	(APARTMENTS)	(MOBILE HOMES)	(GENERAL BUSINESS)	(LIGHT INDUSTRIAL)
(SINGLE FAMILY RESIDENTIAL)	(CONDOMINIUMS)	(OFFICE BUILDING)	(LIGHT COMMERCIAL)	(HEAVY INDUSTRIAL)
(DUPEX-FOURPLEX)	(TOWNHOUSES)	(NEIGHBORHOOD COMMERCIAL)	(COMMERCIAL INDUSTRIAL)	(SPECIAL DISTRICT)

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



CITY OF McALLEN
PLANNING DEPARTMENT

AERIAL MAP
SCALE: N.T.S.



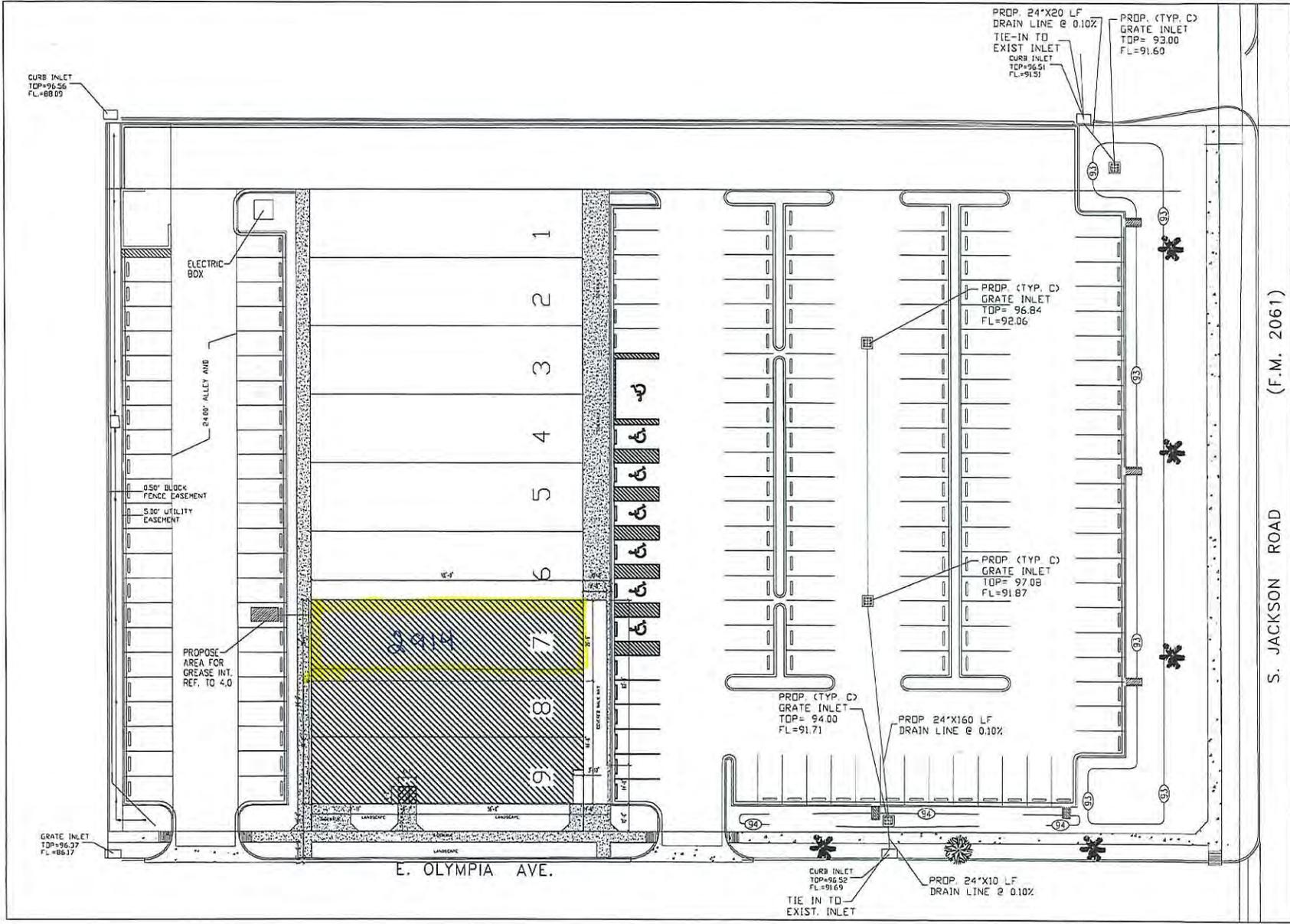
SUBJECT PROPERTY



600 FT. NOTIFICATION BOUNDARY



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RECEIVED

JAN 17 2013
Initial: *[Signature]*

HA	
HIGH CONCEPT DESIGNS	
PROJECT NUMBER: 034-12 DESIGN BY: TOMAS ALVIZO REVISIONS: 12/28/2012	PROJECT NUMBER: Lot # 7 LAS CAÑADAS RETAIL CENTER McAllen, Texas SCALE: 1/8" = 1'-0"
BUILDING CONTRACTOR: CASTLE BRIDGE HOMES 4121 N. 10TH STREET SUITE 135 McALLEN, TEXAS, 78504 (956) 867-3282	
FLOOR PLAN SHEET NUMBER <div style="font-size: 2em; font-weight: bold; text-align: center;">1.0</div> 1 OF 6	

S. JACKSON ROAD (F.M. 2061)

H1

**HIGH
CONCEPT
DESIGNS**

PROJECT/OWNER:
**Lot # 7
LAS CAÑADAS
RETAIL CENTER**
McAllen, Texas

BUILDER/CONTRACTOR:
CASTLE BRIDGE HOMES
4121 N. TOUL STREET, SUITE 138
MCALLEN, TEXAS, 78504
956-867-3282

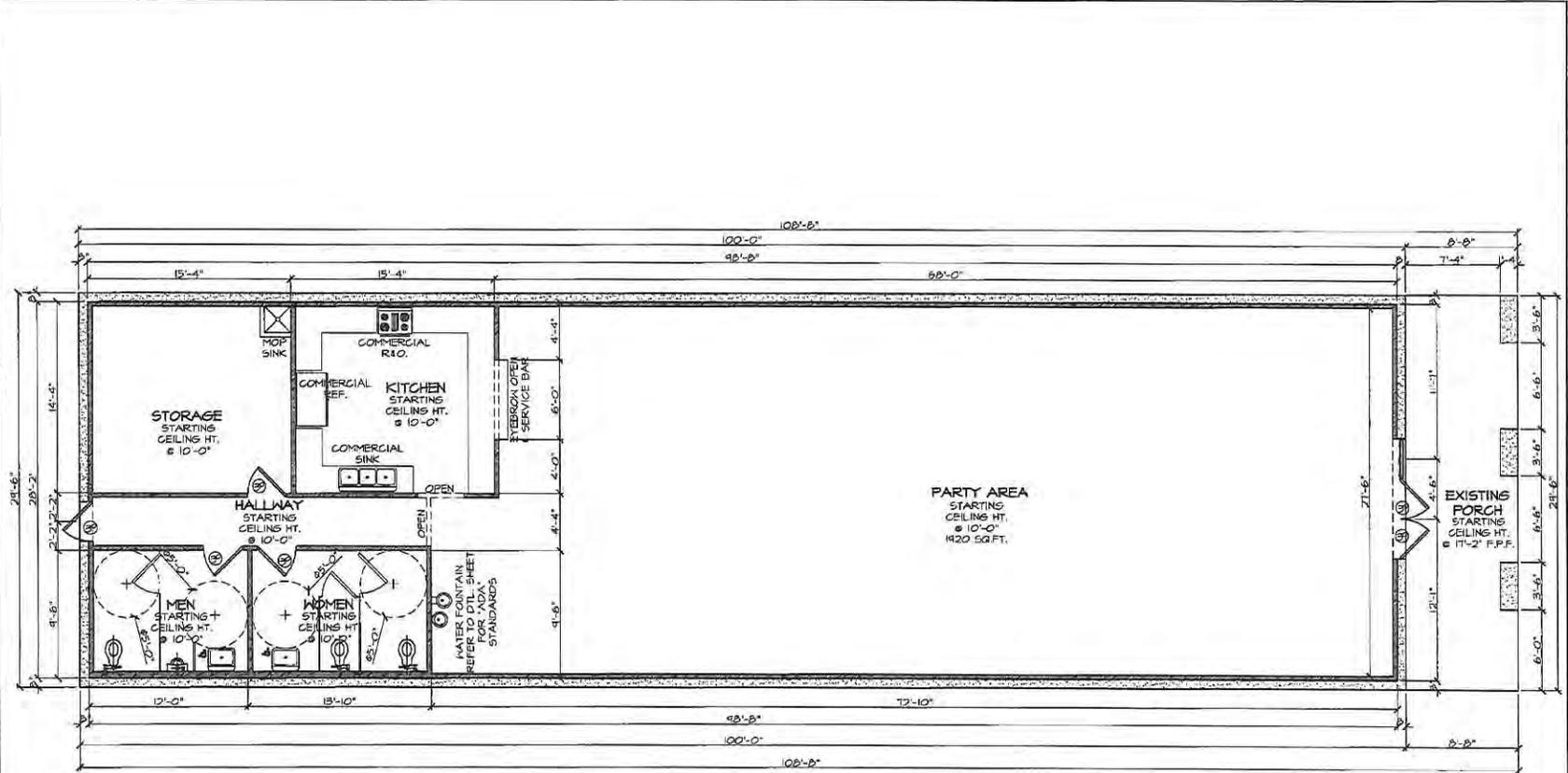
HIGH CONCEPT DESIGNS
RESIDENTIAL & COMMERCIAL
MCALLEN, TEXAS
(956) 821-2359

PROJECT NUMBER:
091-12
DRAWN BY:
TOMAS ALVIZO
REVISIONS:
12/1/2012
12/12/2012
12/20/2012

SHEET NUMBER
1.1
2 OF 6

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

FLOOR PLAN



GENERAL FRAMING NOTES:

- 1-BUILDER/CONTRACTOR MUST VERIFY ALL DIMENSIONS BEFORE BEGINNING ANY WORK.
- 2-ALL CONSTRUCTION MUST MEET LOCAL, CITY, & INTERNATIONAL CODES; AS WELL AS ANY "ADA" REQUIREMENTS.
- 3-ALL INTERIOR WALLS TO BE 3 3/8" METAL STUD, COMMERCIAL GRADE, OR BETTER, WITH 1/2" GYPSUM BOARD, UNLESS NOTED OTHER WISE.
- 4-STARTING CEILING HEIGHT @ 10'-0" (ACOUSTIC), UNLESS NOTED OTHER WISE.
- 5-PROVIDE BRACING AT MID HEIGHT OF ALL WALLS.
- 6-ALL JOIST & RAFTERS SHALL BE ALIGNED OVER STUDS BELOW.
- 7-FRAMER TO INSTALL DOUBLE FLOOR JOIST UNDER PARTITION WALL PARALLEL TO JOIST DIRECTION.
- 8-BUILDER SHALL VERIFY ATTIC ACCESS, & AIR RETURN LOCATIONS WITH OWNER & CONTRACTOR.
- 9-BUILDER/CONTRACTOR SHALL REFER TO DTL. SHEET FOR ALL "ADA" STANDARDS.
10. BUILDER/FRAMER SHOULD ALSO FOLLOW ENGINEERING PLANS, (WINDSTORM PLANS) IF PROVIDED.

AREAS:

LIVING	2,950 SQ. FT.
PORCH	256 SQ. FT.
TOTAL	3,206 SQ. FT.

WALL LEGEND:

- EXISTING CMU, TYP.
- METAL STUD, COMMERCIAL GRADE, TYP.

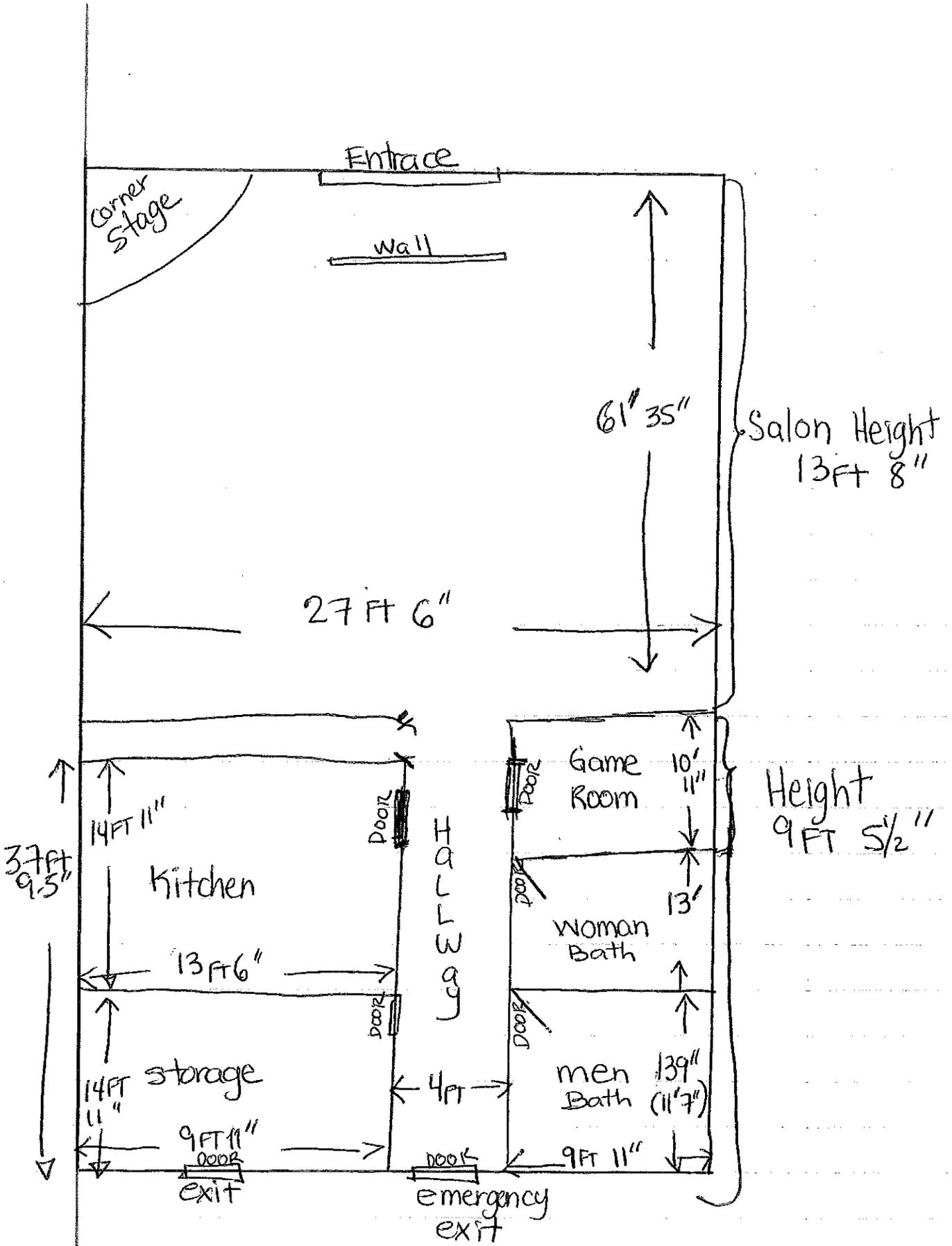


NORTH

FLOOR PLAN

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

Initial: RECEIVED
JAN 17 2013





Incident Analysis Report

Summary

Print Date/Time: 09/27/2016 10:29
Login ID: mcpd7004
Incident Type: All
Call Source: All

From Date: 09/01/2015 00:01
To Date: 09/26/2016 23:59

McAllen Police Department
ORI Number: TX1080800
Officer ID: All
Location: 2914 S JACKSON RD, EDINBURG

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



REA
Salads
&
More

CHERRIES
Social Events

CANTU
REAL ESTATE

2914

2912

NOTICE
EVENT CENTER
For
This Property
CUP2016-0138
City of McAllen Planning Dept 681-1250
www.mcallen.net

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: September 28, 2016

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

GOAL:

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

DESCRIPTION:

The property is located at the northwest corner of Nolana Avenue and Bicentennial Drive and is zoned C-3 (general business) District. The adjacent zoning is C-3 District in all directions and R-1 (single family residential) District to the east. Surrounding land uses include the commercial businesses, offices, restaurants, bars, multi-family residences, and the International Museum of Arts & Science (IMAS). A bar is allowed in a C-3 zone with a Conditional Use Permit and in compliance with requirements.

HISTORY:

The initial conditional use permit was approved by the City Commission on September 29, 2009 with a variance to the 600 ft. distance requirement. The permit since then has been renewed annually by different tenants with variances to the distance requirement by the City Commission. The last approval was on June 13, 2016 for one year, by the City Commission with a variance to the 600 ft. distance requirement, and with the condition for nightly trash pickup and extra security. There is now a new applicant; therefore it has to come before the Planning and Zoning Commission for consideration.

REQUEST/ANALYSIS:

The new applicant is proposing to continue to operate a bar with an outdoor patio area. The proposed hours of operation are Thursday thru Sunday from 9:00 p.m. to 2:00 a.m. Attached is the police report indicating service calls from May 2016 to present for the establishment. The Health and Fire Departments have inspected and cleared the establishment. Should the conditional use permit be approved, the applicant would be required to sign the application acknowledging and agreeing to the conditions of the permit. The establishment must also

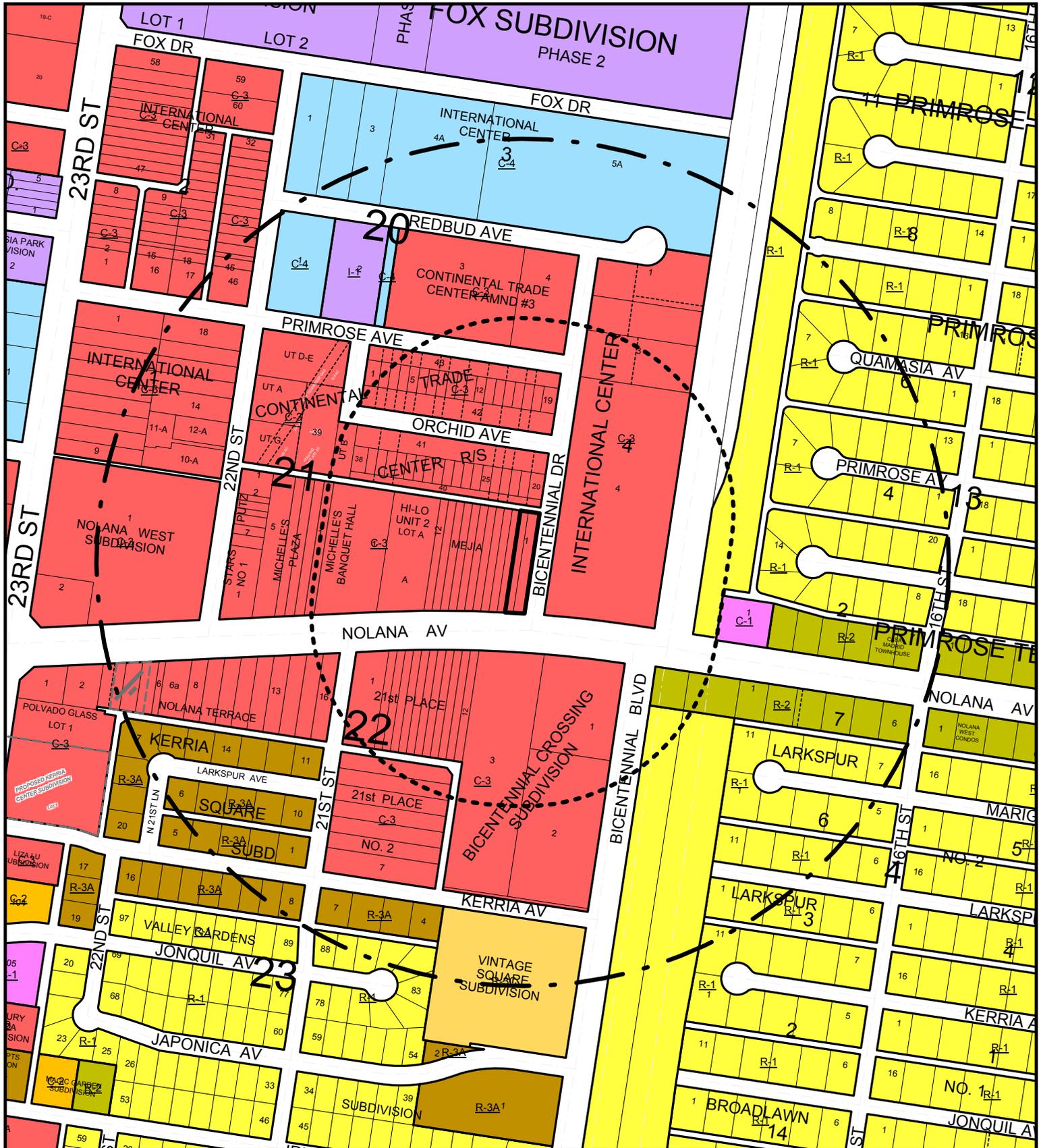
meet the requirements set forth in Section 138-118(4) of the Zoning Ordinance and specific requirements as follows:

- 1) The property line of the lot of any of the above mentioned businesses must be at least 600 ft. from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruption of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The proposed establishment is within 600 ft. of residentially zones & uses and the International Museum of Arts & Science (IMAS);
- 2) The property must be as close as possible to a major arterial and shall not generate traffic onto residential sized streets. The establishment has access to Nolana Avenue and Bicentennial Drive and does not generate traffic into residential areas;
- 3) The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance as a minimum, and make provisions to prevent the use of adjacent streets for parking. Currently there is a multi-tenant commercial plaza on the property. The plaza is a mixture of retail, fast food restaurants, and bars. At this time, there are two fast food restaurants (Dominos & Billy's BBQ), commercial uses (such as a laundry matt, beauty salon, etc.), a bar (Rehab) and a vacant lease space that had previously been used as a bar. Based on the current uses (except Rehab), 34 parking spaces are required. The existing bar (Rehab) requires 46 parking spaces. The proposed bar would require an additional 73 parking spaces bringing the total parking required for all the uses to 153 spaces; 125 spaces are provided on site.; leaving a deficiency of 28 parking spaces. The previous applicant submitted a parking agreement in 2014 for a 5 year term, for 28 additional parking spaces in order to comply with parking. An updated parking agreement will need to be submitted. If the vacant space is again occupied for a bar, it would require 46 additional parking spaces and parking would need to be provided;
- 4) The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties;
- 5) The business shall provide sufficient lighting to eliminate dark areas and maximize visibility from a public street in order to discourage vandalism and criminal activities;
- 6) The business must make provisions to keep litter to a minimum and keep it from blowing onto adjacent properties; and
- 7) The above mentioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Planning Director. The maximum occupancy of the establishment will be set at time of building permit.

Should the conditional use permit be approved, conditions as previously noted on the previous approval such as nightly trash pickup and providing extra security would be applied to this request. As well as an updated parking agreement to comply with the parking requirements.

RECOMMENDATION:

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



CITY OF McALLEN
PLANNING DEPARTMENT

LEGEND
SCALE: 1" = 500'

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)
R-1 (SINGLE FAMILY RESIDENTIAL)	R-3C (CONDOMINIUMS)	C-1 (OFFICE BUILDING)	C-3L (LIGHT COMMERCIAL)
R-2 (DUPLIX-FOURPLEX)	R-3I (TOWNHOUSES)	C-2 (NEIGHBORHOOD COMMERCIAL)	C-4 (COMMERCIAL INDUSTRIAL)
			I-1 (LIGHT INDUSTRIAL)
			I-2 (HEAVY INDUSTRIAL)
			(SPECIAL DISTRICT)

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CONTINENTAL TRADE CENTER AMND #3

PRIMROSE AVE

INTERNATIONAL CENTER

TRADE CENTER

ORCHID AVE

CENTER RIS

21

MICHELLE'S BANQUET HALL

HI-LO UNIT 2 LOT A

MEJA

BICENTENNIAL DR

NOLANA AV

21st PLACE

22

21st PLACE

BICENTENNIAL CROSSING SUBDIVISION

BICENTENNIAL BLVD



SUBJECT PROPERTY



600 FT. NOTIFICATION BOUNDARY

CITY OF McALLEN
PLANNING DEPARTMENT

AERIAL MAP
SCALE: N.T.S.



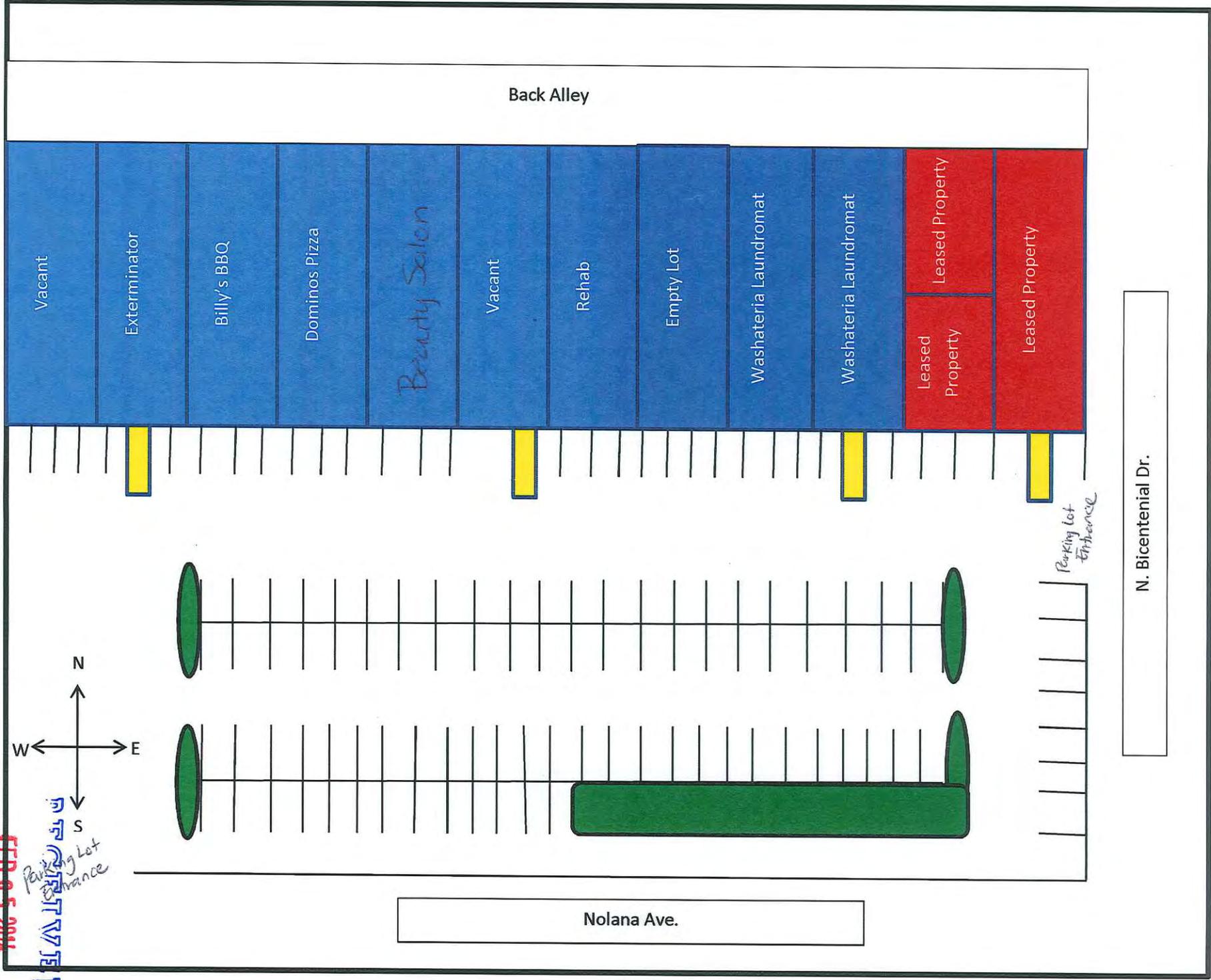
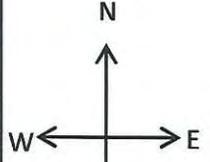
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1 LAR



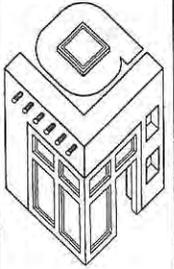
FEB 05 2014

1102 S 0 0771
Parking Lot Entrance



Nolana Ave.

N. Bicentennial Dr.



M/A
Custom Plans

3605 HARVEY MCALLEN, TX
(956) 648.6870
MADESIGN57@GMAIL.COM
WWW.MACUSTOMPLANS.COM

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

PROJECT INFORMATION

DATE: JANUARY 04, 2014
PROJ. No.: RES 2014-04-309
OWNER: GERARDO RODRIGUEZ
ELEMENT BAR
SITE: 2100 NOLANA STREET
MCALLEN, TX
956-310-1847

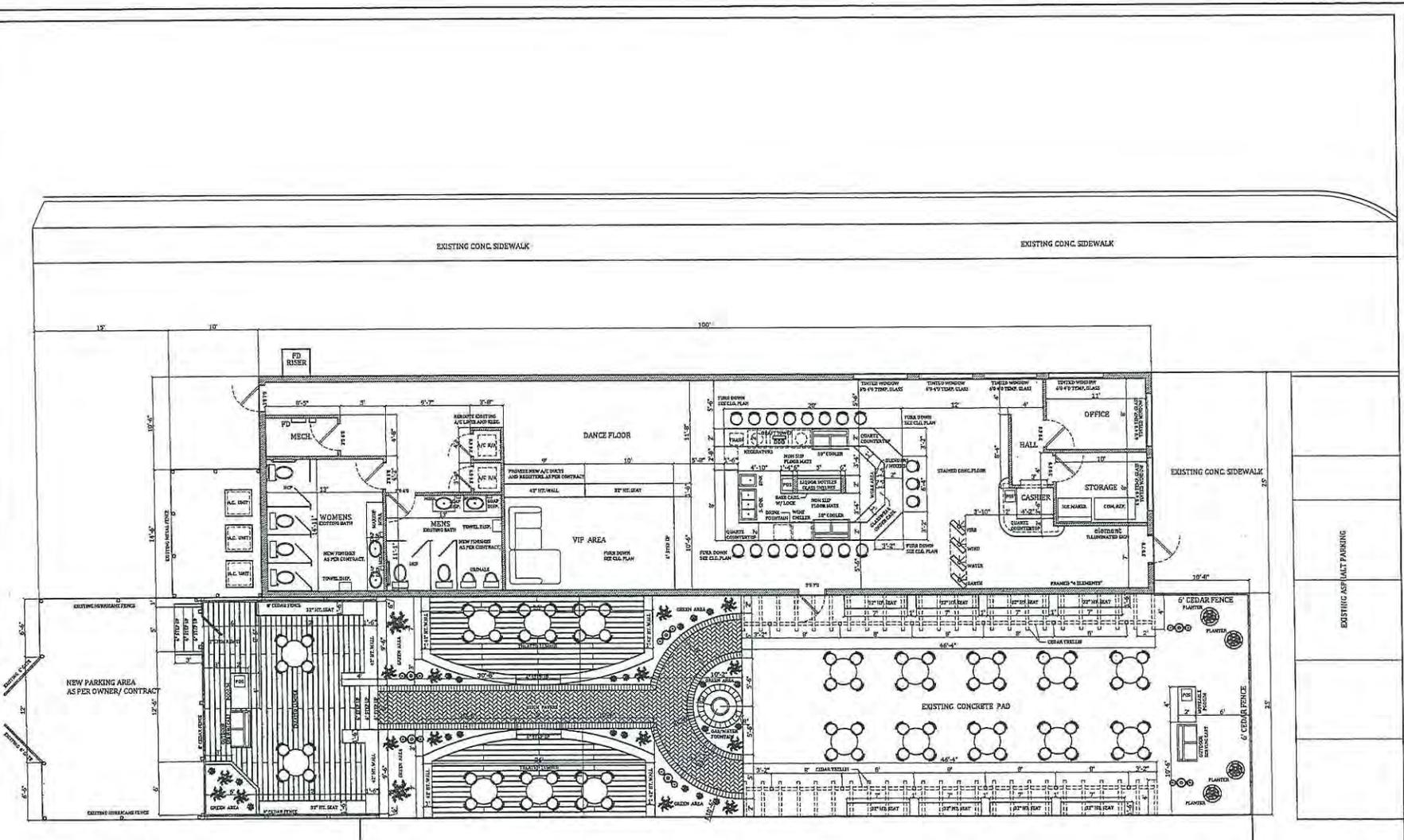
PROJECT DATA

Updated Plans

WWW.MACUSTOMPLANS.COM

SHEET No.: 1 of 2

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



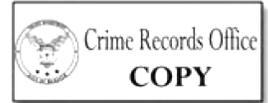
PARKING SPACES	
EXISTING BUILDING AREA	2,500 SF
EXISTING CONCRETE PAD	1,425 SF
BRICK PAVEMENT AREA	270 SF
SINGLE LEVEL DRIVEWAYS	470 SF
MAIN SITTING DRUG	492 SF
NEW PARKING AREA	454 SF
GREEN AREAS / FOUNTAIN	273 SF
TOTAL AREA	5,892 SF

RECEIVED
FEB 18 2014

PROPOSED FLOOR PLAN

SCALE: 3/16" = 1'

BY: CW



Incident Analysis Report

Summary

Print Date/Time: 09/28/2016 14:21
Login ID: mcpd7004
Incident Type: All
Call Source: All

From Date: 05/01/2016 00:01
To Date: 09/28/2016 14:00

McAllen Police Department
ORI Number: TX1080800
Officer ID: All
Location: 2000 NOLANA AVE, MCALLEN

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



**NOTICE
BAR
For
This Property
CUP2016-0139**

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




element
PAVING SOLUTIONS



Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: September 28, 2016

SUBJECT: REQUEST OF DANIEL R. DURAN FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A BAR AT LOT ALL OF BLOCK 4, NORTH CENTER SUBDIVISION; 1700 NORTH 10TH STREET, SUITE K.

GOAL:

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

BRIEF DESCRIPTION:

The property is located on the southeast corner of North 10th Street and Redwood Avenue and is zoned C-3 (general business) District. The adjacent zoning is C-3 District to the north, east, west, and south and R-2 (duplex-fourplex) District also to the north. Surrounding land uses include commercial businesses and multi-family residential. A bar is allowed in a C-3 zone with a conditional use permit and in compliance with requirements.

HISTORY:

There is currently a multi-tenant commercial plaza on the property. The uses in the plaza is a mixture of retail and a restaurant. The initial conditional use permit was approved by the Planning and Zoning Commission on July 20, 1999. The bar permit was renewed by different applicants up until January 2004. In April 22, 2013 City Commission approved a kid's party event center at this location; however, it never operated.

REQUEST/ANALYSIS:

There is a new applicant who is proposing to operate a 4,950 sq. ft. bar from the vacant suite. The hours of operation are from 6:00 p.m. to 2:00 a.m. Monday thru Sunday. Based on the current uses, approximately 99 parking spaces are required; 138 spaces are provided on site as part of the common parking area. The proposed 4,950 sq. ft. bar requires 66 parking spaces for a total of 165 spaces for the plaza, having a deficiency of 27 parking spaces.

Staff did receive a call from a surrounding neighbor with concerns with the noise.

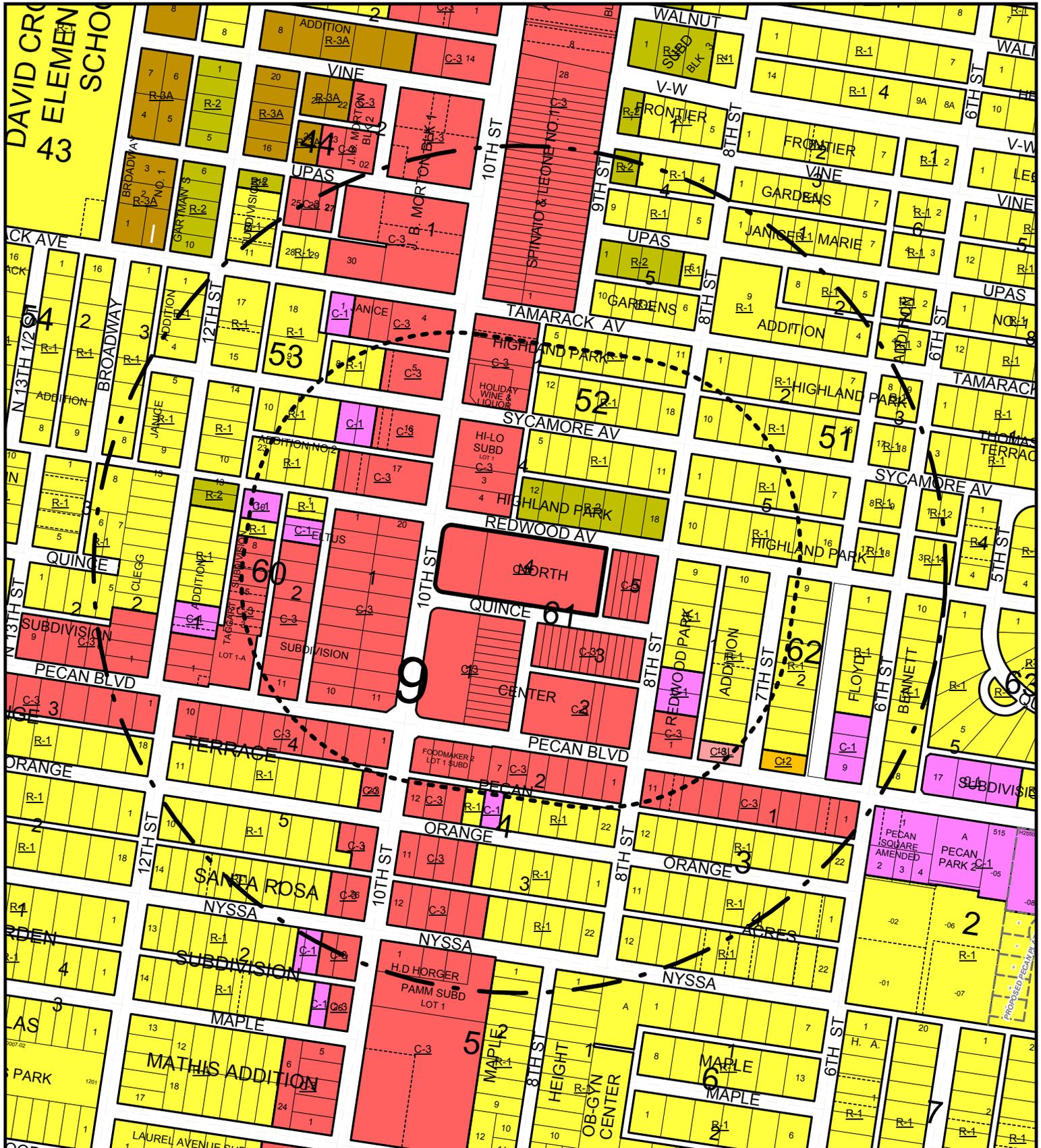
The Health and Fire Departments have inspected and cleared the establishment which is in compliance with health and safety codes and regulations. A police report was not requested since the establishment has not been in operation. The establishment must

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

1. The property line of the lot of any of the above mentioned businesses must be at least 600 ft. from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruption of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The proposed establishment is within 600 ft. of residentially zoned properties;
2. The property must be as close as possible to a major arterial and shall no generate traffic onto residential sized streets. The establishment has direct access to North 10th Street and Quince 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. Currently there is a multi-tenant commercial plaza on the property. The plaza is a mixture of retail and a restaurant. Based on the current uses, approximately 99 parking spaces are required; 138 spaces are provided on site as part of the common parking area. The proposed 4,950 sq. ft. bar requires 66 parking spaces for a total of 165 spaces for the plaza, having a deficiency of 27 parking spaces;
4. The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties;
5. The business shall provide sufficient lighting to eliminate dark areas and maximize visibility from a public street in order to discourage vandalism and criminal activities;
6. The business must make provisions to keep litter to a minimum and keep it from blowing onto adjacent properties; and
7. The above mentioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Planning Director. The maximum occupancy of the establishment will be determined at time of building permit.

RECOMMENDATION:

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



CITY OF McALLEN
PLANNING DEPARTMENT

LEGEND
SCALE: 1" = 500'

AREA MAP



SUBJECT PROPERTY	600 FT. NOTIFICATION BOUNDARY	1/4 MILE RADIUS
ZONING LEGEND		
A-0 (AGRICULTURAL & OPEN SPACE)	R-3A (APARTMENTS)	R-4 (MOBILE HOMES)
R-1 (SINGLE FAMILY RESIDENTIAL)	R-3C (CONDOMINIUMS)	C-3 (GENERAL BUSINESS)
R-2 (DUPEX-FOURPLEX)	R-31 (TOWNHOUSES)	C-3L (LIGHT COMMERCIAL)
	C-1 (OFFICE BUILDING)	C-4 (COMMERCIAL INDUSTRIAL)
	C-2 (NEIGHBORHOOD COMMERCIAL)	I-1 (LIGHT INDUSTRIAL)
		I-2 (HEAVY INDUSTRIAL)
		(SPECIAL DISTRICT)

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CITY OF McALLEN
 PLANNING DEPARTMENT

AERIAL MAP
 SCALE: N.T.S.

 SUBJECT PROPERTY

 60 FT. NOTIFICATION BOUNDARY

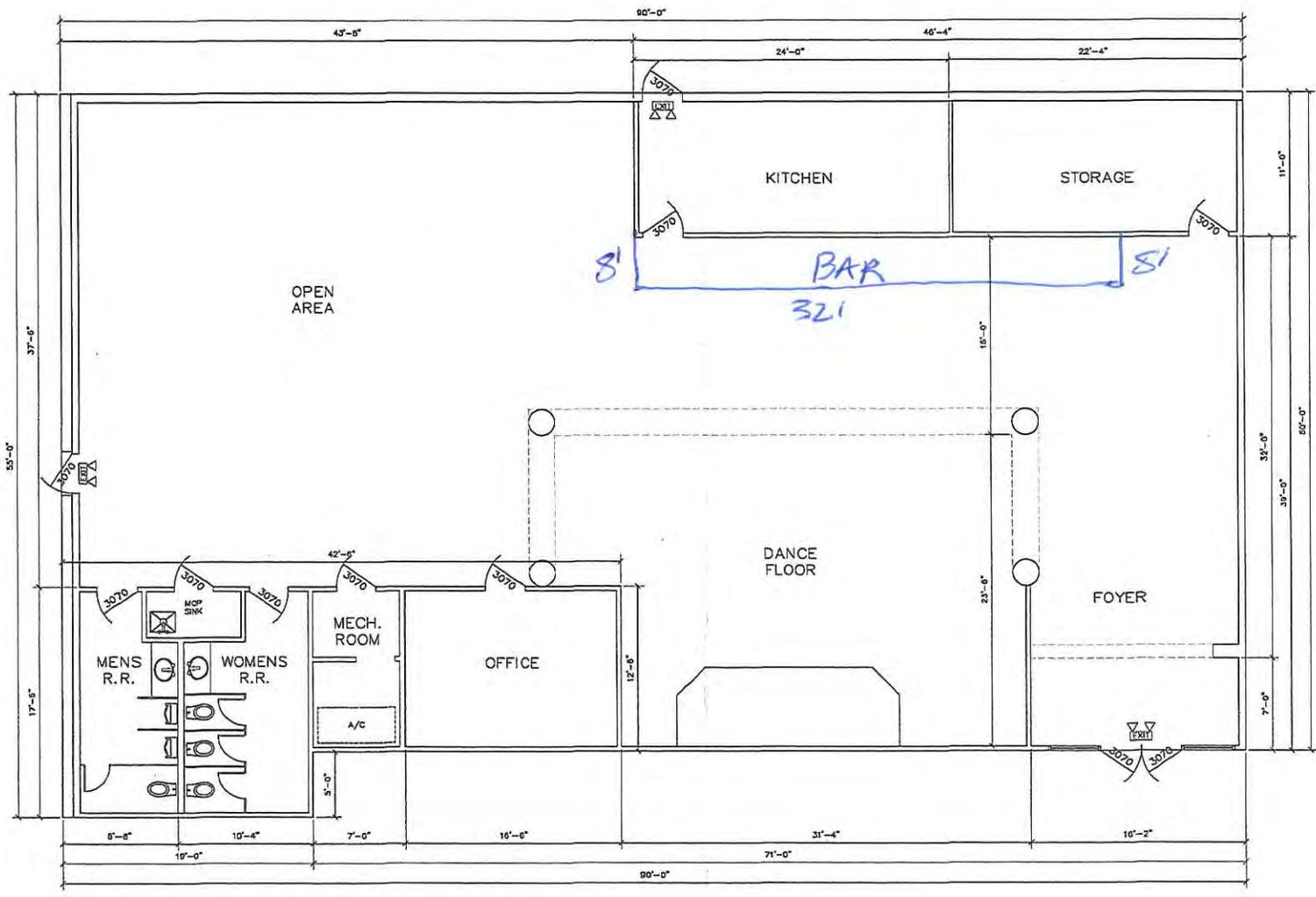


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INNOVATIVE
DRAFTING &
DESIGN SERVICES
-CONSULTING
-RFPs, etc.
CELL: 867-7757

BLDG. AREA	4,595 SQ. FT.
MISC.	0 SQ. FT.
PORCH	0 SQ. FT.
TOTAL AREA	4,595 SQ. FT.



1 FLOOR PLAN
SCALE 1/8"=1'-0"

EVENT CENTER
1700 N. 10th STREET
McALLEN, TX

5/16/16

PROJECT NO.	06990
DRAWN BY	LEONIE HANCOCK
DATE	03/27/2016
DESIGNER	

SHEET NUMBER

RECEIVED
SEP 06 2016
BY: *Alan Z...*
PM



4 LUNCH ESPECIALS
\$5.99 a
Monday - Friday 11:00 AM - 3:00 PM
INCLUDES TEA

Caldos

Caldo de Pollo

OPEN

USSTI

Kitby's.com

Daily Massage

NOTICE
BAR
For
This Property
CUP2016-0140

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



TEXAS
FRL-92

Memo

TO: Planning & Zoning Commission
FROM: Julianne R. Rankin, FAICP – Director of Planning
DATE: September 30, 2016
SUBJECT: City Commission Actions of September 26, 2016

REZONINGS:

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

2. Rezone from R-1 (single family residential) District to R-3A (multifamily residential apartment) District: 0.90 acres out of Lot 207, John H. Shary Subdivision, Hidalgo County, Texas; 301 South Taylor Road.
 - **Planning and Zoning Commission tabled**
 - **City Commission tabled**

3. 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.
 - **Planning and Zoning Commission tabled**
 - **City Commission tabled**

CONDITIONAL USE PERMITS:

1. Request of Griselda Castro appealing the decision of the Planning & Zoning Commission of the August 16, 2016 meeting, denying a Conditional Use Permit, for one year, for a home occupation (daycare) at the north 18 ft. of Lot 56 & the south 47 ft. of Lot 57, Block 2, Golden Acres Retirement #4 Subdivision, Hidalgo County, Texas; 400 North 41st Street.
 - **Planning and Zoning Commission disapproved**
 - **City Commission tabled**

2016 CALENDAR

Meetings:

- City Commission
- ▲ Public Utility Board
- Planning & Zoning Board
- Zoning Board of Adjustment
- HPC - Historical 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 <small>D - 8/2 & 8/3</small>	7	8	9
10	11 <small>A - 8/2 & 8/3</small>	12 ▲	13 <small>N - 8/2 & 8/3</small>	14	15	16
17	18	19 	20 <small>D - 8/16 & 8/17</small>	21	22	23
24	25 ●	26 ▲	27 HPC	28	29	30
31 <small>A - 8/16 & 8/17</small>			<small>N - 8/16 & 8/17</small>			

AUGUST 2016

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

SEPTEMBER 2016

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

OCTOBER 2016

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

NOVEMBER 2016

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

DECEMBER 2016

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