

AGENDA

**PLANNING & ZONING COMMISSION REGULAR MEETING
TUESDAY, JULY 21, 2015 – 3:30 PM
McALLEN MUNICIPAL BUILDING, 1300 HOUSTON AVENUE
CITY COMMISSION CHAMBERS, 3RD FLOOR**

CALL TO ORDER – LEONEL GARZA III, CHAIRPERSON

1) MINUTES:

- a) Minutes for Regular Meeting held on July 7, 2015

2) SITE PLAN:

- a) Proposed, Lot 1, McAllen SH 107 Subdivision; 7129 State Highway 107 – AEC Engineering **(SPR2015-0028)** AEC
- b) Lot 19, Lots 13 & 19 Citrus Grove Plaza Subdivision; 4313 Expressway 83 – Nueva Vista, LLC – **(SPR2015-0027)** TE

3) CONSENT:

- a) The Shops at Solana Subdivision; 1300 S. 10th Street – Provident Realty Advisors, Inc. **(Final) (SUB2015-0019) (TABLED:04/21/2015) (REMAINED TABLED:05/05/2015, 05/19/2015, 06/02/2015, 06/16/2015, 07/07/2015)** PDE
- b) McAllen SH 107 Subdivision; 7129 State Highway 107 - Isidro Quintero – **(Final)(SUB2015-0043)** AEC
- c) Sky Sports Subdivision; 4801 Cobath Road - John Shin **(Final)(SUB2015-0044)** MASE

4) SUBDIVISIONS:

- a) Taylor Villas Subdivision; 2020 S. Taylor Road - John Shin **(Revised Preliminary) (SUB2015-0028)** MASE

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

a) SUBDIVISION:

- 1. Vida Buena Subdivision; 1100 E. Redbud & 4224 N. McColl Road –McAllen Heart Surgeons Bldg, LLC **(Final)(SUB2012-0019)** M & H

b) ORDINANCES:

1. An Ordinance of the City of McAllen, Texas, creating A Planned Unit Development (PUD) on certain property described as a 13.66 acre tract of land bound by 1-2 access road, South 12th Street, Lindberg Avenue, and South 10th Street and approving the concept plan and development standards for the PUD. **(TABLED:04/21/2015)(REMAINED TABLED: 05/05/2015, 05/19/2015, 06/02/2015, 06/16/2015, 07/07/2015)**

c) CONDITIONAL USE PERMITS:

1. Request of Provident Realty Advisors, Inc., for a Conditional Use Permit, for life of the use, for a planned unit development, at the 13.661 acres coming out of Lots 9 and 16 in the Northwest Quarter (¼) of Section 7, Hidalgo Canal Company's Subdivision, Hidalgo County, Texas; 1300 South 10th Street. **(CUP2015-0003)(TABLED:02/03/2015)(REMAINED TABLED: 02/17/2015, 03/03/2015, 04/07/2015, 04/21/2015, 05/05/2015, 05/19/2015, 06/02/2015, 06/16/2015,07/07/2015)**
2. Request of Brandon R. Garcia, for a Conditional Use Permit, for one year, for a home occupation (office) at Lot 12, Sycamore Heights Subdivision, Hidalgo County, Texas; 1500 Sycamore Avenue. **(CUP2015-0089)**
3. Request of Guillermo Rangel, for a Conditional Use Permit, for one year, for a portable food concession stand at Lot F-3, McAllen Produce Terminal Market Subdivision, Hidalgo County, Texas; 2517 Military Highway. **(CUP2015-0084)**
4. Request of Fidel Lopez, for a Conditional Use Permit, for one year, for an automotive service and repair (tire shop) at Retiree Haven #1 assessors tract out of unnumbered lot, Unit 1, also known as the 0.32 acres out of lot 6, Block 4, Hidalgo Canal Company's Subdivision, Hidalgo County, Texas; 6416 South 10th Street. **(CUP2015-0085)**
5. 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. **(CUP2015-0088)**
6. Request of Nohemi Cavazos, for a Conditional Use Permit, for one year, for an event center at Lots 1, 2, and 3, Tex - Mex #2 Subdivision, Hidalgo County, Texas; 3321 Expressway 83. **(CUP2015-0090)**

d) REZONINGS:

1. Rezone from R-2 (duplex- fourplex residential) District to R-3A (multifamily residential Apartment) District: Lots 20 & 21, Block 20, Hammond Addition, Hidalgo County, Texas; 2234 Cedar Avenue. **(REZ2015-0083)**

2. Rezone from R-1 (single family residential) District to C-4 (commercial-industrial) District: Lot 1, Ruben Rodriguez Subdivision, Hidalgo County, Texas; 7523 Mile 7 Road. **(REZ2015-0084)**
3. Initial zoning to R-2 (duplex- fourplex residential) District: 12.27 acres out of Lot 167, John H. Shary Subdivision, Hidalgo County, Texas; 2101 South Taylor Road. **(REZ2015-0085)**
4. Initial zoning to R-3C (multifamily residential condominium) District: 0.242 acres out of Lot 167, John H. Shary Subdivision, Hidalgo County, Texas; 2021 South Taylor Road. **(REZ2015-0086)**
5. Rezone from C-1 (office building) District to R-3A (multifamily residential apartments) District: 4.038 acres out of Block 3A, of Blocks 3A, 4A, and 5A, Lakes Business Park Phase 2 Subdivision, Hidalgo County, Texas; 901 East Redbud Avenue. **(REZ2015-0079)(TABLED:06/16/2015)(REMAINED TABLED: 07/07/2015)**

6) DISCUSSION:

7) INFORMATION ONLY:

- a) City Commission Actions: July 13, 2015

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 OR 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, July 7, 2015, at 3:35 p.m. in the Municipal Building City Commission Room at City Hall, 1300 Houston Avenue, McAllen, Texas.

Present:	Sonia Falcon	Vice-Chairman
	Pepe Cabeza de Vaca	Member
	Mark Wright	Member
	Ric Godinez	Member
Absent:	Leonel Garza, III	Chairman
	John Millin	Member
	Rudy Elizondo, Jr.	Member
Staff Present:	Julianne R. Rankin	Director of Planning
	Michelle Leftwich	Assistant City Manager
	Victor Flores	Assistant City Attorney
	Luis Mora	Senior Planner
	Kimberly Guajardo	Planner III
	Miguel Martinez	Planner II
	Cristina Garcia	Planner I
	Rodrigo Sanchez	Planner II
	Marlen Gonzalez	Engineering Department
	Patrizia Longoria	Deputy Traffic Director
	Gardenia Perez	Administrative Supervisor
	Susana De La Cerda	Secretary
	Gabriela Luna	Receptionist

CALL TO ORDER - Vice-Chairman – Sonia Falcon

1. MINUTES:

- a) Minutes for Regular Meeting held on June 16, 2015.

The minutes for the regular meeting held on June 16, 2015 were approved as submitted. The motion to approve was made by Mr. Pepe Cabeza de Vaca. Mr. Mark Wright seconded the motion which carried unanimously with four members present and voting.

2. SITE PLAN:

- a) Lot 3, Trenton Crossing Shopping Center Phase 3 Subdivision – 8000 N 10th St – Mariano Garcia Engineering (**SPR2015-0022**) MGE

Mr. Martinez stated the property was located on the northeast corner of Wisconsin Road & North 10th Street and was zoned C-3 (general commercial) District. The adjacent zoning was C-3 in all

directions. The property was part of Trenton Crossing Shopping Center Phase 3 Subdivision, which was recorded in October, 2007. A note on the plat indicates that a site plan must be approved by the Planning and Zoning Commission prior to issuance of a building permit. The applicant was proposing to construct a 4,417 sq. ft. building on the property for a bank with drive-thru lanes. Based on the square footage of the building, 25 parking spaces were required, 30 spaces were provided. One of the proposed parking spaces must be van accessible. Access to the site was proposed to be from internal drives only. No driveways/curb cuts were proposed along N. 10th Street. Required landscaping for the lot was 6,278 sq. ft. with trees required as follows: 19 – 2 ½” caliper trees, or 10 – 4” caliper trees, or 5 – 6” caliper trees, or 38 palm trees. A minimum 10 ft. wide landscaped strip was required inside the property line along N. 10th Street & Wisconsin Road. Fifty percent of the landscaping must be visible in front areas, and each parking space must be within 50 ft. of a landscaped area with a shade tree. A 4 ft. wide sidewalk was required along Wisconsin Rd and N. 10th St., as well as a 6 ft. buffer around dumpsters and from adjacent residential zones/uses. Gates for the dumpster enclosure can not swing into the drives. No structures were permitted over easements. All building setbacks were in compliance with the plat note requirements and zoning ordinance.

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

The board inquired regarding curb cuts and about a break in the median.
Ms. Falcon inquired if Wisconsin Road would connect to 2nd Street.

Mr. Martinez stated the access would be through the internal drive and there would not be any additional curb cuts on Wisconsin Road.

Marlen Gonzalez with the Engineering Department stated they were in the planning process with TxDot to connect Wisconsin Road with Main Street and a traffic signal and there would be a median between Lot 1 and Lot 2 not through 10th Street and Wisconsin Road. She stated they would take the ROW only when a development come through and the project engineer for the subdivision would be including it in their plans and the City would be reimbursing the developer.

Mr. Ric Godinez **moved** to approve the site plan subject to the conditions noted, paving and building permit requirements. Mr. Pepe Cabeza de Vaca seconded the motion with four members present and voting.

**b) Lot 4, Citrus Grove Plaza Subdivision – 4001 U.S. Expressway 83 –
AEC Engineering (SPR2015-0023) AEC**

Mr. Martinez stated the property was located on the south side of U.S. Expressway 83, approximately ¼ mile west of S. Ware Rd. and was zoned C-3 (general business) District. The adjacent zoning was C-3(general business) District in all directions.

The property was part of Citrus Grove Plaza Subdivision, which was recorded on February 17, 2012. A note on the plat indicates that a site plan be approved by the Planning and Zoning Commission prior to issuance of a building permit.

The applicant was proposing to construct a 14,960 sq. ft. building for a furniture retail store. Based on the square footage of the building, 41 parking spaces were required; 68 parking

spaces were provided. Three of the provided parking spaces must be accessible, one of which must be van accessible with an 8 ft. wide aisle. Access to the site was proposed to be from the internal common drives. Required landscaping for the lot was 6,316 sq. ft. with trees required as follows: 19 – 2 ½” caliper trees, or 10 – 4” caliper trees, or 5 – 6” caliper trees, or 38 palm trees. A minimum 10 ft. wide landscaped strip was required inside the property line along U.S. Expressway 83. Fifty percent of the landscaping must be visible in front areas, and each parking space must be within 50 ft. of a landscaped area with a tree, as required by ordinance. A 4 ft. wide minimum sidewalk was required along U.S. Expressway 83. A 6 ft. opaque buffer was required from adjacent multifamily residential and commercial, or industrial zones/uses and around dumpsters/compactors if visible from the street. An 8 ft. masonry wall was required between single-family residential and commercial, industrial, or multi-family residential zones/uses. No structures were permitted over easements. All building setbacks were in compliance with the plat note requirements and zoning ordinance.

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

Mr. Pepe Cabeza de Vaca **moved** to approve the site plan subject to the conditions noted, paving and building permit requirements. Mr. Ric Godinez seconded the motion with four members present and voting.

3. CONSENT:

- a) The Shops at Solana Subdivision; 1300 S. 10th Street –Provident Realty Advisors, Inc.(Final)(SUB20150019)(Tabled:04/21/2015)
(Remained Tabled: 05/05/2015, 05/19/2015, 06/16/2015) PDE

Item to remain tabled.

The property was a 1 lot commercial subdivision plat located between South 10th Street and South 12th Street on the north side of U.S. Expressway 83. The property was zoned and proposed for commercial development. There was a Conditional Use Permit which was tabled since February 3, 2015 by the Planning and Zoning Board for Planned Unit Development. The Conditional Use Permit must be approved prior to final plat approval. U.S. Expressway 83 had 339.3 ft. existing ROW that varied with paving and curb and gutter to be done by the state. South 10th Street had minimum of 12 ft. ROW dedication required for 52 ft. from centerline for 100 ft. of ROW with improvements to be done by the state. South 12th Street had 60 ft. ROW dedication with 40 ft. of paving and curb & gutter on both sides. Lindberg Avenue had a 50 ft. ROW dedication; approximately 30 ft. of paving was existing with curb & gutter on both sides. Additional pavement as needed. Owners must escrow monies for the improvements as maybe applicable prior to plat recording. An alley or service drive easement was needed for the commercial property. All building setbacks were to be determined based on the Conditional Use Permit for the Planned Unit Development. All setbacks were subject to increase for easements or approved site plan. A 4 ft. wide sidewalk was required along U.S. Expressway 83, South 10th Street, South 12th Street and Lindberg Avenue. Perimeter sidewalks must be built or money escrowed if not built at this time. Buffers included a 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, or industrial zones/uses. An 8 ft. masonry wall was required between single family residential and commercial, industrial, or multi-family residential zones/uses. A note on

the plat stated that a site plan must be approved by the Planning and Zoning Commission prior to building permit issuance. A Homeowners Association Covenants must be recorded and submitted with document number on the plat, prior to recording as may be required as a part of the Conditional Use Permit for the PUD. The trip generation and TIA were approved by the Traffic Department. Must comply with the City's Access Management Policy. Existing plat notes remain the same for the subdivision. Owner must escrow monies for improvements as may be needed prior to plat recording. Sight Obstruction easements and/or ROW clips at street intersections was may be needed.

Staff recommended approval of the subdivision in final form subject to the conditions noted, and the Conditional Use Permit for the Planned Unit Development.

4. SUBDIVISIONS:

- a) Terranova Subdivision; 8220 N. 29th Street – Ricardo Corripio Cadena (Revised Final)(SUB2015-0024) NAIN

Ms. Guajardo stated it was a 4 lot subdivision plat located at the southeast corner of Fullerton Avenue and North 29th Street. Preliminary plat was approved by the Planning and Zoning Commission on February 17, 2015, and the rezoning request to R-1 (single family residential) District was approved by the City Commission at their meeting on April 27, 2015. Final Plat was approved by the Planning and Zoning Commission on May 5, 2015. N. 29th Street had 50 ft. from centerline for 100 ft. ROW existing with minimum 65 ft. of paving with curb & gutter both sides. Fullerton Avenue had 50 ft. ROW existing with 32 ft. of paving with curb & gutter on both sides. Front setbacks on Fullerton Avenue were 25 ft. or greater for easements. Front setbacks on N. 29th Street were 45 ft. or greater for easements for Lot 1. Project engineer, on behalf of the developer submitted a request to reduce the front yard setback to 20 ft. along Fullerton Avenue for Lots 1- 4 and to reduce the corner setback along N. 29th Street to 15 ft. for Lot 1. Rear and interior side setbacks were in accordance with the Zoning Ordinance, or greater for easements. Garage setbacks were 18 ft. except where greater setback was required; greater setback applied. All setbacks were subject to increase for easements. A 4 ft. wide minimum sidewalk was required on Fullerton Avenue and N. 29th Street. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer was required from adjacent/between multi-family residential and commercial, or industrial zones/uses and along N. 29th Street. 8 ft. masonry wall was required between single family residential and commercial, industrial, or multi-family residential zones/uses. Perimeter buffers must be built at time of Subdivision Improvements. A note on the plat stated no curb cut, access, or lot frontage was permitted along N. 29th Street. A Park Fee of \$2,800 based on 4 lots at \$700/lot was required to be paid prior to recording. The trip generation worksheet was waived by the Traffic Operations Department.

Staff recommended approval of the subdivision in revised final form subject to clarification/recommendation on the request to reduce the front yard and corner setbacks.

The board inquired regarding where was the main entrance was going to be.

Ms. Guajardo stated the main entrance would be along Fullerton Avenue. There was a note requiring a buffer along N. 29th Street as well as no curb cut, access, or lot frontage permitted

along N. 29th Street. Ms. Guajardo also informed the Board that the adjacent subdivision Santa Cruz Subdivision was approved and recorded with 20 ft. front yard setbacks. There was also discussion regarding the 15 ft. setback proposed along N. 29th Street.

Following discussion of the item, Mr. Pepe Cabeza de Vaca **moved** to approve the subdivision in revised final form with the request to reduce the front yard setback to 20 ft. and the corner setbacks at 15 ft. along N. 29th Street with the conditions that there be no curb cut, access or lot frontage along N. 29th Street. Mr. Ric Godinez seconded the motion with four members present and voting.

- b) The Villages at Crosspointe Subdivision; 4217 N. McColl Road - Domain Development Corp (Revised Final)(SUB2014-0021) M&H**

Ms. Guajardo stated the property consisted of a one lot commercial subdivision plat located on the west side of N. McColl Road and future E. Redbud Avenue. The preliminary plat was approved by the Planning and Zoning Commission on October 21, 2015. The final plat approval was approved by the Planning and Zoning Commission on April 21, 2015. The property was zoned and proposed for C-3 (general business) District. N. McColl Road had 15 ft. ROW dedication required for 60 ft. from centerline for a 120 ft. ROW with paving and curb and gutter to be done by the state. E. Redbud Avenue had a 30 ft. ROW dedication for a 60 ft. ROW with 40 ft. of paving and curb and gutter on both sides. A 24 ft. service drive easement was provided for the commercial property. Front setbacks on N. McColl Road were 60 ft. or greater for approved site plan or easements. Rear and interior side setbacks were in accordance with the Zoning Ordinance, or greater for approved site plan or easements. Corner setbacks on E. Redbud Avenue were 30 ft. or greater for approved site plan or easements. Project engineer, on behalf of the developer was requesting that the corner setback be reduced from 30 ft. to 20 ft. along E. Redbud Avenue. All setbacks were subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk was required on N. McColl Road and E. Redbud Avenue. Perimeter sidewalks must be built or money escrowed if not built at this time. Buffers included a 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, or industrial zones/uses. An 8 ft. masonry wall was required between single family residential and commercial, industrial, or multi-family residential zones/uses. A note on the plat stated a site plan must be approved by the Planning and Zoning Commission prior to building permit issuance. Per Traffic, Trip Generation Worksheet approved; Level 1 TIA was required. Per Traffic, Trip Generation Worksheet was approved; and had been approved with conditions. Must comply with the City's Access Management Policy with regards to driveway spacing along N. McColl Road.

Staff recommended approval of the subdivision in revised final form with clarification/recommendation on the request to reduce the corner setbacks along E. Redbud Avenue.

Mr. Godinez inquired about the property owner to the north who had the proposed concerns with some apartments at Villa Regal Subdivision. He stated he had not heard anything from the property owner to the north. Mr. Godinez stated the curb cut would be too close to Mr. Jose Garcia's property.

Ms. Guajardo stated it had been a while since they heard from the property owner to the north which had been approved with a 30 ft. corner setback. The proposed subdivision was to

dedicate the balance of the ROW to complete E. Redbud Avenue at a 60 ft. ROW and the apartments to the west were Villa Regal Subdivision. They would need East Redbud access. Whichever subdivision would record first would have to dedicate ROW. The Board inquired about the traffic study. Ms. Guajardo stated a Level One TIA was required and approved by the Traffic Operations Department.

The Board asked the project engineer what types of uses were proposed for the property.

Mr. Fred Kurth stated the property was to have commercial use with different tenants and with a drive thru. They had no use for the 30 ft. setback and would rather use it as a drive through on the north side. He advised the board there would 2 entrances on Redbud Avenue.

After discussion of the item, Mr. Mark Wright **moved** to approve the subdivision in revised final form with the request to reduce the corner setback along E. Redbud Avenue to 20 ft. as requested. Mr. Ric Godinez seconded the motion with four members present and voting.

- c) Citrus Grove Plaza, Lots 14, 15 & 16, Subdivision; 4201 U.S. Expressway 83 - Solloa & Associates, LLC. **(Preliminary)(SUB2015-0039)** MASE

Ms. Guajardo stated it was a three lot subdivision plat located on the south side of the U.S. Expressway 83, east of S. Bentsen Road. The property was zoned for commercial development. U.S. Expressway 83 had 300 ft. with ROW existing with improvements to be done by the state. Alley / service drive easement was required for commercial properties per Section 134-106(c) of the Subdivision Ordinance. Front setbacks on U.S. Expressway 83 were 75 ft. or greater for approved site plan or easements. Rear and side setbacks were in accordance with the Zoning Ordinance, for approved site plan or greater for easements. All setbacks were subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk was required on U.S. Expressway 83. 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. An 8 ft. masonry wall was required between single family residential and commercial, industrial, or multi-family residential zones/uses. A note on the plat stated a site plan must be approved by the Planning and Zoning Commission prior to building permit issuance. Common Area for commercial developments provide for common parking, access, setbacks, landscaping, etc. Per Traffic, the previous Traffic Impact Analysis (TIA) would be honored subject to compliance with the Access Management Policy. The trip generation worksheet was waived by the Traffic Operations Department. Per Traffic, they need to keep access easements to provide internal circulation. Per meeting with project engineer, an existing easement was to be abandoned and rerouted to allow for building construction. An abandonment of existing easement(s) was needed by separate instrument, prior to final plat approval.

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. Ric Godinez **moved** to approve the subdivision in preliminary form subject to the conditions noted, and utility & drainage approvals. Mr. Pepe Cabeza de Vaca seconded the motion with four members present and voting.

d) Jonquil Heights Subdivision; 3600 N. 6th Street – Jim & Mary Kay Moffitt Family, LTD (Preliminary)(SUB2015-0040) SPC

Ms. Guajardo stated it was a one lot subdivision plat located on the east side of N. 6th Street north of Iris Avenue. The property was zoned R-3A (multifamily residential apartments) District. Jonquil Avenue had 30 ft. from centerline for a 60 ft. ROW existing with 40 ft. of paving; approximately 36 ft. of existing paving and curb and gutter on both sides. Owner must escrow monies if not built prior to plat recording. A 10 ft. ROW dedication was proposed for the alley to match with the existing alley to the south; balance of the ROW to be dedicated by separate instrument. Public Works Department was requiring that the alley be built completely with 20 ft. ROW; 16 ft. of pavement. MPU had indicated that a 10 ft. utility easement would be needed along the south property line. Front setbacks on N. 6th Street were 20 ft. or in line with existing structures, whichever was greater. Rear and interior side setbacks were in accordance with the Zoning Ordinance, or greater for easements. Garage setbacks were 18 ft. except where greater setbacks were required; greater setbacks applied. All setbacks were subject to increase for easements. A 4 ft. wide minimum sidewalk was required on N. 6th Street. Perimeter sidewalks must be built or money escrowed if not built at this time. Buffers included a 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, or industrial zones/uses. An 8 ft. masonry wall was required between single family residential and commercial, industrial, or multi-family residential zones/uses. The Parks Department needed additional information to determine the parks fee/land requirements prior to final approval. The trip generation was needed to determine if a Traffic Impact Analysis was required prior to final. Project engineer was to clarify the balance of alley dedication. Existing plat notes remain the same for the resubdivision. Public Hearing was required at time of final for the resubdivision.

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

Being no discussion of the item, Mr. Pepe Cabeza de Vaca **moved** to approve the subdivision in preliminary subject to the conditions noted, and utility & drainage approvals. Mr. Ric Godinez seconded the motion with four members present and voting.

e) State Farm Place, Lot 1A Subdivision; 701 E. U.S. Expressway 83 - State Farm Mutual Auto Insurance (Preliminary)(SUB2015-0041) SPC

Ms. Guajardo stated it was a one lot commercial replat located at the northeast corner of U.S. Expressway 83 and S. McColl Road. The rezoning request was on same agenda as a public hearing item. U.S. Expressway 83 had 360 ft. ROW existing with paving and curb & gutter to be done by the state. S. McColl Road had 50 ft. from centerline for 100 ft. ROW with approximately 48 ft. of existing paving and curb and gutter on both sides. Owner must escrow monies for improvements, as may be needed prior to recording. An Alley / service drive easement was required for commercial properties. Front setbacks along U.S. Expressway 83 were 75 ft. or greater for approved site plan or easements. Rear and interior side setbacks were in accordance with the Zoning Ordinance, or greater for approved site plan or easements. Corner setbacks on S. McColl Road were 50 ft. or greater for approved site plan easements. All setbacks were subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk was required on U.S. Expressway 83 and S. McColl Road. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque

buffer was required from adjacent/between multi-family residential and commercial, or industrial zones/uses. An 8 ft. masonry wall was required between single family residential and commercial, industrial, or multi-family residential zones/uses. Perimeter buffers must be built at time of Subdivision Improvements. A note on the plat stated a site plan must be approved by the Planning and Zoning Commission prior to building permit issuance. A trip generation was needed to determine if a Traffic Impact Analysis was required prior to final. A Vacate and replat of Lot 1, State Farm Place was proposed in order to eliminate a restriction/general note as recorded in the original plat regarding the 7 ft. high opaque buffer fence requirement along S. McColl Road as previously approved by the Planning and Zoning Commission on February 6, 1990 and 6 ft. high buffer on the north line of the subdivision from the adjacent residential zone/use. A public hearing at time of final for the replat and vacating instrument. Project engineer was to show/clarify existing 10 ft. utility easement along the north property line as recorded with the original plat. Must comply with the City's Access Management Policy.

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

The board inquired if he would have access to the property to the east. Access to the east was not proposed.

Ms. Guajardo stated they were to demolish the existing building and build a new bank facility required to be rezoned to C-3 due to the height proposed.

Ford Sasser with Rio Bank stated they were inquiring about purchasing the property from State Farm. He advised the board they wanted to build a 4 story bank and the requirements for the closing process was to assure it could be rezoned to C-3 zone due to the height of the proposed bank. The second requirement was to eliminate the existing 7 ft. high wall that existed along S. McColl Road. He stated a meeting at his residence with the neighborhood people had been done to inform them of their intentions to build the bank. He advised the board he did not have any opposition from the neighbors he wanted to continue with the request. He stated neighbors were glad it would not be a strip center. Mr. Sasser stated it was zoned C-3 to the left and right and across the Expressway from the proposed property.

The board inquired if he would have access to the property to the east.

Mr. Sasser stated he did not have access to the east but he would have access to the north 81 feet of continuous border with property he already owns. He would run from the Expressway to Jackson Avenue to help with traffic flow. They would also have access to Jackson Avenue from his property.

Following discussion of the item, Mr. Pepe Cabeza de Vaca moved to approve the subdivision in preliminary subject to the conditions noted, and utility & drainage approvals. Mr. Ric Godinez seconded the motion with four members present with three voting aye and one abstention. Mr. Mark Wright abstained.

- f) Believe Subdivision; 2213 U.S Expressway 83 - Believe Investments, LLC. **(Preliminary)(SUB2015-0038)** AGES

Ms. Guajardo stated it was a one lot commercial resubdivision plat located on the south side of U.S. Expressway 83, east of S. 23rd Street. The property was zoned C-4. U.S. Expressway 83, project engineer was to label existing ROW with paving and curb & gutter to be done by the state. Portland Avenue, project engineer to clarify 50 ft. ROW as shown to be abandoned with paving and curb and gutter to be determined. S. 22nd Street, project engineer to label ROW dimensions as shown to be abandoned. An alley / service drive easement was required for commercial properties per Section 134-106(c) of the Subdivision Ordinance. Front setbacks on U.S. Expressway 83 were 75 ft. or greater for approved site plan or easements. Rear and side setbacks were in accordance with the Zoning Ordinance, or greater for approved site plan or easements. All setbacks were subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk was required on U.S. Expressway 83. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer was required from adjacent/between multi-family residential and commercial, or industrial zones/uses. An 8 ft. masonry wall was required between single family residential and commercial, industrial, or multi-family residential zones/uses. A note on the plat stated a site plan must be approved by the Planning and Zoning Commission prior to building permit issuance. The Trip Generation was needed to determine if a Traffic Impact Analysis was required prior to final. Project engineer was to clarify Portland Avenue ROW width to be abandoned. Abandonment of S. 22nd Street and Portland Avenue ROW's by separate instrument was needed, prior to final plat approval. A Conditional Use Permit for Automotive Service or repair was needed prior to final plat approval. Existing plat notes remain the same for that portion of the resubdivision. Public Hearing without legal notices was required at time of final, for that portion of the resubdivision.

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

Being no discussion of the item, Mr. Ric Godinez moved to approve the subdivision in preliminary subject to the conditions noted, and utility & drainage approvals. Mr. Pepe Cabeza de Vaca seconded the motion with four members present and voting.

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

a) ORDINANCES:

1. An Ordinance of the City of McAllen, Texas, creating A Planned Unit Development (PUD) on certain property described as a 13.66 acre tract of land bound by 1-2 access road, South 12th Street, Lindberg Avenue, and South 10th Street and approving the concept plan and development standards for the PUD. **(TABLED:04/21/2015)(REMAINED TABLED: 05/05/2015, 05/19/2015, 06/02/2015,06/16/2015)**

This item remained tabled.

b) CONDITIONAL USE PERMITS:

1. Request of Provident Realty Advisors, Inc., for a Conditional Use Permit, for life of the use, for a planned unit development, at the 13.661 acres coming out of Lots 9 and 16 in the Northwest Quarter (¼) of Section 7, Hidalgo Canal Company's Subdivision, Hidalgo County, Texas; 1300 South 10th Street. **(CUP2015-0003)(REMAINED TABLED FOR THE FOLLOWING MEETINGS 02/03/2015,02/17/2015,03/03/2015,03/17/2015,04/07/2015,04/21/2015,05/05/2015,05/17/2015,06/02/2015 AND 06/16/2015).**

This item is to remain tabled.

2. Request of Milton Gonzalez on behalf of Covenant Christian Academy, for a Conditional Use Permit, for one year, for an institutional use (school), at Lot 12A, Kingwood Estates Subdivision, Hidalgo County, Texas; 5281 North 23rd Street. **(CUP2015-0081)**

Ms. Garcia stated the property was located on the west side of North 23rd Street, approximately 380 ft. south of Dove Avenue and was zoned C-3 (general business) District. The adjacent zoning was C-3 District to the north, east, and south, and R-1 (single family residential) District to the west. Surrounding land uses include industrial single and multi-family residential, McAllen's Fire Station No. 5, and commercial businesses. An institutional use was permitted in a C-3 zone with a conditional use permit and in compliance with requirements.

Currently, there was a multi-tenant building on the property. The applicant proposes to lease a space from the building for temporary classrooms for high school students. The lease space was a temporary expansion to their main location which was located at 4201 North Ware Road. Their main location had a conditional use permit for life of the use that was approved by the City Commission on April 2008. Based on the number of one classroom and one office, seven parking spaces were required and 293 were provided on site as part of the common parking area for the development.

An institutional use was permitted in a C-3 zone with a conditional use permit. The proposed use 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 had direct access to North 23rd Street and through Zinnia Avenue;
- 2) The proposed use shall comply with the McAllen Off-Street Parking Ordinance and make provisions to prevent the use of street parking, especially in residential areas. Based on the number of one classroom and one office, seven parking spaces were required and 293 were provided on site as part of the common parking area for the development;

- 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 capacity for the building; and
- 7) Sides adjacent to commercially and residentially zoned or used properties shall be screened by a 6 ft. opaque fence.

Staff recommended approval of the request, subject to compliance with the Zoning Ordinances, Fire Department and building permit requirements.

Ms. Sonia Falcon, Vice-Chairperson asked if there was anyone present in opposition of the conditional use permit being requested and there was no one present to speak in opposition. The applicant was not present.

Being no discussion of the item, Mr. Ric Godinez **moved** to approve the conditional use permit for one year, subject to compliance with the Zoning Ordinances, Fire Department and building permit requirements. Mr. Pepe Cabeza de vaca seconded the motion with four members present and voting.

3. Request of William J. Edwards, for a Conditional Use Permit, for one year, for a home occupation (office/ transportation service) at Lot 4, Block 1, Hampshire Homes Subdivision, Hidalgo County, Texas; 708 North 8th Street. **(CUP2015-0083)**

Ms. Garcia stated the property was located on the east side of North 8th Street, approximately 170 ft. south of Hackberry Avenue and was zoned R-1 (single family residential) District. The adjacent zoning was R-1 District in all directions. Surrounding land uses include single family residences and commercial businesses. 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 transportation service business from the existing residence. The proposed hours of operation from 8:00 a.m. to 12:00 a.m. seven days a week. There would be no customers visiting the residence. The applicant stated that he would be providing services to individuals who cross the border and drop them off at various locations across the valley. During inspection, staff observed a transportation bus on site, the applicant stated that if approved he would relocate the bus to a commercial location in the city of Alamo.

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

not be operational until issuance of the certificate. The Fire Department had inspected the residence and had met all the minimum standards and applicable ordinances. The business must comply with requirements set forth in Section 138-118(1) of the Zoning Ordinance and other specific requirements as follows:

- 1) The home occupation must be clearly secondary to the residential use. The applicant lives at the residence;
- 2) No signs were permitted. During inspection, staff observed a transportation bus on site, however, it does not have signs;
- 3) There shall be no exterior display or alterations indicating that the building was being used for any purpose other than that of a dwelling;
- 4) There shall be no more than one additional unrelated employee other than immediate members of the family residing on the premises. The applicant was proposing one additional employee;
- 5) There shall be no outside storage of materials or products. The applicant proposes no outside storage. During inspection, staff observed a transportation bus on site, the applicant stated that if approved he would relocate the bus to a commercial location in the city of Alamo;
- 6) The permitted use shall not create frequent or heavy traffic, not greater than ten percent (10%) of the average load per hour as determined by the city traffic engineer. The applicant was proposing to operate the occupation for office use only and no clients would be visiting the residence;
- 7) No retail sales (items can be delivered). No retail sales proposed;
- 8) No additions to the residence or accessory building specifically to accommodate the business. The applicant proposes no additions or accessory building to accommodate the business;
- 9) The business must take place in the primary residential structure on the property rather than in a detached garage or separate accessory building. The occupation was proposed to take place in the primary residential structure; and
- 10) The activity must take place at the location of which the permit was issued.

Staff recommended approval of the request subject to the transportation bus being relocated to a commercial site, compliance with Section 138-118(1) of the Zoning Ordinance, and Fire Department requirements.

Ms. Sonia Falcon, Vice-Chairperson asked if there was anyone present in opposition of the conditional use permit being requested and there was no one present to speak in opposition. The applicant was present.

Being no discussion of the item, Mr. Ric Godinez **moved** to approve the conditional use permit for one year, subject to the transportation bus being relocated to a commercial site, compliance with Section 138-118(1) of the Zoning Ordinance, and Fire Department requirements. Mr. Pepe Cabeza de Vaca seconded the motion with four members present and voting.

4. Request of X-Cess Entertainment, Inc., for a Conditional Use Permit, for one year, for a bar at Lots 28-31, Continental Trade Center Subdivision, Hidalgo County, Texas; 2021 Orchid Avenue.(**CUP2015-0080**)

Ms. Garcia stated the property was located on the south side of Orchid Avenue, approximately 250 ft. west of Bicentennial Drive and was zoned C-3 (general business) District. The adjacent zoning was C-3 District in all directions and surrounding land uses include commercial businesses, restaurants and bars. 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 (Metropolis) was approved by the Planning and Zoning Commission in November of 1984. The permit was renewed annually to different tenants by the Planning and Zoning Commission until October 20, 2009. A renewal was not done for the years 2010 and 2011. Code Enforcement issued a notice of violation at that time. The City Commission approved the conditional use permit request with a variance to the distance requirement with an added condition for nightly trash pickup and extra security on April 9, 2012. The last permit renewal was approved on May 27, 2014 by the City Commission with a variance to the distance requirement and with the same conditions as the previous year.

The applicant was proposing to continue to operate the bar from 8:30 p.m. to 2:00 a.m. Tuesdays, Thursdays, Fridays and Saturdays. During inspection, staff observed that the parking lot needs some maintenance, pothole repair, and restriping in some parking lot spaces.

A police activity report was attached indicating service calls from June 2014 – present. The Health and Fire Departments have inspected the establishment which was in compliance with health and safety codes and regulations. Staff did receive a letter of opposition from a surrounding neighbor who stated their business was affected by discarded beer bottles and trash from the surrounding bars in the area.

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 establishment was within 600 ft. of publicly owned property, 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 streets. The location was near Nolana Avenue and has direct access to Orchid Avenue, and does not generate traffic into residential area;
- 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 upon the occupancy of 700 persons, 175 parking spaces were required; 75 parking spaces were part of the property owned by the establishment. Parking agreements were submitted for an additional 108 parking spaces, for a total of 183 parking spaces available, which were still current until March 2017;
- 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. The establishment provides a clean-up crew; and
- 7) The above mentioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Planning Director. The maximum number of persons allowed was 700.

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

Ms. Sonia Falcon, Vice-Chairperson 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. Applicant was present.

Being no discussion of the item, Mr. Pepe Cabeza de Vaca moved to disapprove the request, based on noncompliance with requirements #1 (distance) of Section 138-118(4) of the Zoning Ordinance, but with favorable recommendation to grant the variance to the distance requirements with the conditions of providing clean-up after hours, lighting and security and subject to fixing the pot holes and restriping the parking lot where needed. Mr. Ric Godinez seconded the motion with four members present and voting.

c) REZONINGS:

1. Rezone from C-1 (office building) District to C-3 (general business)
District: Lot 1, State Farm Place Subdivision, Hidalgo County, Texas;
701 East Expressway 83. **(REZ2015-0080)**

Mr. Sanchez stated the tract was located along the northeast corner of Expressway 83 and South McColl Road. The tract was comprised of one lot and had 286.23 feet of frontage along Expressway 83 of 286.23 feet and a depth of 744.02 feet for a tract size of 2.75 acres. The

applicant was proposing to construct a bank building with a height of 3 stories or more. A subdivision plat by the name of State Farm Place Lot 1 was submitted to the Planning Department on June 25, 2015 to remove a plat note regarding a buffer along McColl Road. A feasibility plan had not been submitted. Adjacent zoning was C-1 (office building) District to the north, C-3 (general business) to the east, west, and to the south across Expressway 83. There was R-1 (single family residential) District to the west. State Farm Service Center was located on the subject property. Adjacent land uses were Joe's Crab Shack, Rio Bank, Biltmore Assisted Living Facility, single family residential, and vacant land.

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

The development trend along Expressway 83 was general business. The property was zoned to C-1 (office building) District in October 1990. A rezoning request to C-3 District for Lot 2 was approved in 1993 and was the site for Joe's Crab Shack. The requested zoning conforms to the Auto Urban Commercial land use designation as indicated on the Foresight McAllen Comprehensive Plan. A bank was a permitted use in the C-1 (office building) District but was restricted to two stories. Rio Bank was requesting the C-3 (general business) District to construct a bank with a height greater than two stories. An approved site plan was required prior to issuance of any building permits.

Staff recommended approval of the rezoning request.

Ms. Sonia Falcon, Vice-Chairperson, asked if there was anyone present in opposition of the rezoning request. There was no one present to speak in opposition of the request. The owner was present.

The board inquired if the footprint would comprise the whole length close to the expressway and how and how many people would be working at this location.

Mr. Ford Sasser, the applicant, replied that the preliminary foot print was not available yet.

Mr. Ford Sasser with Rio Bank stated he spoke to the people on the west side of McColl and not to the people north of Jackson. He stated his friend Mike Walker that lives within the neighborhood helped him with email addresses and contact information for the neighbors to bring them together to attend a meeting that was held at his residence. He stated no one opposed to the bank request and he did indicate he told them he might move the curb by the frontage road further north and no one opposed to it.

Mr. Ford Sasser stated he did not have a site plan but was working with an architect out of San Antonio. The architect had mentioned the proposed site plan would be a four story building with 17, 000 square feet per floor. Mr. Sasser stated he would have approximately 50 bank employees since he would be closing the San Juan Branch and mentioned they did not have the site plan yet but he suspected the property on Jackson would be a free standing drive thru separate from the bank.

Mr. Pepe Cabeza de Vaca **moved** to recommend approval of the rezoning request to C-3 (general business) District. Mr. Ric Godinez seconded the motion. The Board unanimously

voted to recommend approval of the rezoning request with four members present with three voting aye and one abstention. Mark Wright abstained.

2. Rezone from R-1 (single family residential) District to R-2 (duplex-fourplex residential) District: Lot 6, Block 4, Colonia McAllen, Hidalgo County, Texas; 2700 South 26th Street. **(REZ2015-0081)**

Mr. Sanchez stated the tract was located at the southwest corner of South 26th Street and Jordan Road. The tract had 62.64 feet of frontage along South 26th Street, and lot depth of 123.31 feet for a tract size of 6,125 square feet. The applicant was proposing to rezone the property to R-2 (duplex-fourplex residential) District in order to remodel the existing residence into a duplex. Adjacent zoning was R-1 (single family residential) District to the south and east, R-3A (multifamily residential apartments) District to the west and R-2 (duplex-fourplex residential) District to the north. Adjacent land uses were single family residential, triplex, apartments, and Bonham Elementary School.

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

The development trend along this area of Jordan Road was multifamily. The property was zoned R-1 (single family residential) District during comprehensive zoning in 1979. There have been no rezoning requests on this property since that time. A rezoning request to R-2 (duplex-fourplex residential) District for the property to the north was approved in 1997. A rezoning request to R-3A (multifamily residential apartments) District for the property to the west was approved in 1994. The requested zoning conforms to the Urban Residential Mixed land use designation as indicated on the Foresight McAllen Comprehensive Plan. Adjacent zoning and land uses along Jordan Road were primarily multifamily. Bonham Elementary was located to the east. The lot area exceeds the minimum lot size requirement for a duplex. Two parking spaces per living unit were required for a duplex. An approved site plan was required prior to issuance of any building permits.

Staff recommended approval of the rezoning request.

Ms. Sonia Falcon, Vice-Chairperson asked if there was anyone present in opposition of the rezoning request. There was no one present to speak in opposition of the request. The owner was not present.

Being no discussion of the item, Mr. Ric Godinez **moved** to recommend approval of the rezoning request to R-2 (duplex-fourplex residential) District. Mr. Mark Wright seconded the motion. The Board unanimously voted to recommend approval of the rezoning request with four members present and voting.

3. Rezone from A-O (agriculture-open space) District to C-3 (general business) District: 1.40 acres out of Lot 108, Pride O' Texas Subdivision, Hidalgo County, Texas; 4000 SH 107. **(REZ2015-0082)**

Mr. Sanchez stated the tract was located at the northwest corner of SH 107 and Ware Road. The tract had 185 feet of frontage along SH 107 and a depth of 265 feet at its deepest point for a tract size of 1.40 acres. The applicant was requesting C-3 (general business) District to construct a

convenience type of commercial development. A subdivision plat by the name of Kamary Subdivision received revised preliminary approval on July 3, 2012. Adjacent zoning was A-O (agriculture-open space) District and C-3 (general business) District. Adjacent areas to the north and west were located outside the city limits. The tract was a part of All American Home Park that was being cleared for redevelopment.. Surrounding land uses were mobile homes, single family residential and vacant land.

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

The development trend along SH 107 was commercial. The property to the south was zoned C-3 (general business) District upon annexation in 2012 and was the site of a future HEB store. The property to the east was zoned A-O (agriculture-open space) District upon annexation in 1995. The requested zoning conforms to the Auto Urban Commercial land use designation as indicated on the Foresight McAllen Comprehensive Plan. The tract was located at the signalized intersection of 2 high speed arterials. SH 107 had a right-of-way of 170 feet containing 4-6 travel lanes, median and shoulders. Ware Road was currently a rural collector with 80 feet of right-of-way containing 2 travel lanes with shoulders. Ware Road was listed as a roadway project for further widening. Arterial intersections were appropriate locations for commercial development. A recorded subdivision plat and an approved site plan were required prior to issuance of any building permits.

Staff recommended approval of the rezoning requests

Ms. Sonia Falcon, Vice-Chairperson, asked if there was anyone present in opposition of the rezoning request. There was no one present to speak in opposition of the request. The owner was not present.

Mr. Pepe Cabeza de Vaca **moved** to recommend approval of the rezoning request to C-3 (general business) District. Mr. Mark Wright seconded the motion. The Board unanimously voted to recommend approval of the rezoning request with four members present and voting.

4. Rezone from C-1 (office building) District to R-3A (multifamily residential apartments) District: 4.038 acres out of Block 3A, of Blocks 3A, 4A, and 5A, Lakes Business Park Phase 2 Subdivision, Hidalgo County, Texas; 901 East Redbud Avenue. **(REZ2015-0079)**

Mr. Sanchez stated he had received a call from the applicant requesting for the item to remain tabled.

Mr. Sanchez stated that the subject property was located on the north side of East Redbud Avenue approximately 270 feet east of North McColl Road. The irregularly shaped tract had a 212.5 feet of frontage along East Redbud Avenue and a depth of 341 feet at its deepest point for a tract size of 4.038 acres.

The applicant was requesting R-3A (multifamily residential apartments) District to construct apartments. Adjacent zoning was C-1 (office building) District to the south, C-3 (general business) District to the west, A-O (agriculture-open space) District to the north, and R-3A (multifamily residential apartments) District to the east.

The property currently had paved parking lots and vacant condominium building sites. Surrounding land uses were Palm Valley Health Care II, Primos DME Inc., Lifetime Living, Inc., Redbud Place Apartments, and vacant land.

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

The development trend adjacent to the property was multifamily apartments along Redbud Avenue. The property was zoned to C-1 (office building) District upon annexation in 1989. The property to the east was rezoned to R-3A (multifamily residential apartments) District in 2002. Properties to the southeast of the subject property were rezoned to R-3A (multifamily residential apartments) District in between 2003 and 2012. The requested zoning does not conform to the Auto Urban Commercial land use designation as indicated on the Foresight McAllen Comprehensive Plan. The maximum number of apartment units permitted on the subject property based upon the tract size ranges from 164 1-bedroom units to, 131 2-bedroom units, and 110 3-bedroom units. The number of vehicle trips generated by low-rise apartments was 6.59 vehicle trips per day or a total of 1081 to 725 per day depending on the units. The number of apartment units likely to be constructed would be limited based upon parking and landscaping requirements. A feasibility plan had not been submitted to the Planning Department. A recorded subdivision plat and approved site plan were required prior to issuance of any building permit.

Staff recommended approval of the rezoning request.

5) DISCUSSION:

6) INFORMATION:

- a) City Commission Actions: June 22, 2015.

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

ADJOURNMENT

There being no further business to come before the Planning & Zoning Commission, Mr. Ric Godinez adjourned the meeting at 4:40 p.m. Mr. Mark Wright seconded the motion which carried unanimously with four members present and voting.

Vice-Chairman, Sonia Falcon

ATTEST: _____
Susana De La Cerda, Secretary

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff 

DATE: July 16, 2015

SUBJECT: SITE PLAN APPROVAL FOR PROPOSED LOT 1, MCALLEN SH 107 SUBDIVISION; 7129 SH 107.

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 SH 107 approximately 1,000 ft. west of Glasscock Rd. The property is zoned C-3 (general business) District. The adjacent zoning is R-1 (single-family residential) District to the east, south, and west. The north is outside city limits.

The property is part of McAllen SH 107 Subdivision, which is not recorded but will be on the same agenda for final plat approval by the Planning & Zoning Commission. A note on the plat indicates that a site plan must be approved by the Planning and Zoning Commission prior to issuance of a building permit.

The applicant is proposing to construct a 9,100 sq. ft. building on the property for retail use. Based on the use and building square footage, 26 parking spaces are required; 30 parking spaces are provided. Two of the provided parking spaces must be accessible, one of which must be van accessible with an 8 ft. wide aisle. Access to the site is proposed to be from one 35 ft. wide curb cut along SH 107. Project engineer is proposing a private service drive easement for the maneuvering of delivery vehicles onsite. The use of the street will not be permitted for maneuvering purposes. Required landscaping for the lot is 6,381 sq. ft. with trees required as follows: 19 – 2 ½" caliper trees, or 10 – 4" caliper trees, or 5 – 6" caliper trees, or 38 palm trees. A minimum 10 ft. wide landscape strip is required inside the property line along SH 107. 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. All landscape areas require permanent automatic irrigation systems. R.O.W. to be landscaped and irrigated with permanent automatic drip irrigation systems at all times. A 4 ft. wide sidewalk is required along SH 107, as well as a 6 ft. buffer around dumpsters, loading/unloading areas if visible from the street. An 8ft. high masonry buffer is required between single-family residential and commercial, industrial, or multi-family residential zones/uses to the east, south, and west. No structures are permitted over easements. All building setbacks are in compliance with the plat note requirements and zoning ordinance.

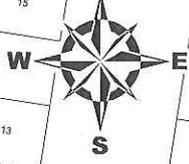
OPTIONS:

1. Approve the site plan with conditions as noted or as required by the Planning and Zoning Commission.
2. Table the item for additional information.
3. Disapprove the site plan.

RECOMMENDATION:

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

933 FLORES



01
EXCALIBUR
SUBDIVISION
07

502

LOCATION

CANTU
LOT 1
SUBD.

7200

491

STATE HIGHWAY 107

PROPOSED
LOT 1
MCALLEN SH 107

492

BOGERT SUBD

MORALES SUBD

7 MILE RD

GLASSCOCK SPUR

BEN RODRIGUEZ SID

481

482

OUTSIDE CITY LIMITS

GLASSCOCK ROAD (6800)





33 FLORES



EXCALIBUR SUBDIVISION

LOCATION

502

7200

491

PROPOSED
MCALLEN SH 107

492

BOGERT SUBD

EN RODRIGUEZ SID

7 MILE RD

MORALES SUBD

GLASSCOCK SPIUR

481

482

OUTSIDE CITY LIMITS

GLASSCOCK ROAD (6800)

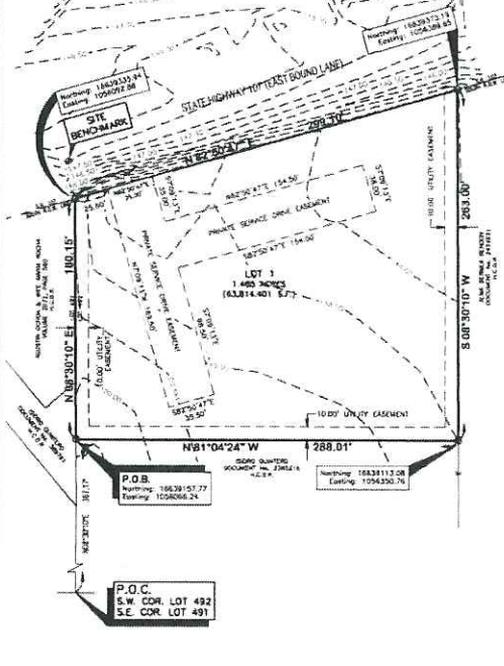
McAllen SH 107 Subdivision

Being a 1.465-acre tract of land out of Lot 492, John H. Shary Subdivision, Hidalgo County, Texas, according to the Map or Plat thereof recorded in Volume 1, Page 17, Map Records of Hidalgo County, Texas

Plat Scale: 1"=60' JOB # 1145.003
Issue Date: APRIL 9, 2015
Drawn by: G. S.



SCALE: 1"=60'



METES AND BOUNDS DESCRIPTION
A 1.465-ACRE (63,834.00) SQUARE FEET TRACT OF LAND OUT OF LOT 492, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 17, MAP RECORDS OF HIDALGO COUNTY, TEXAS, SAID 1.465-ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

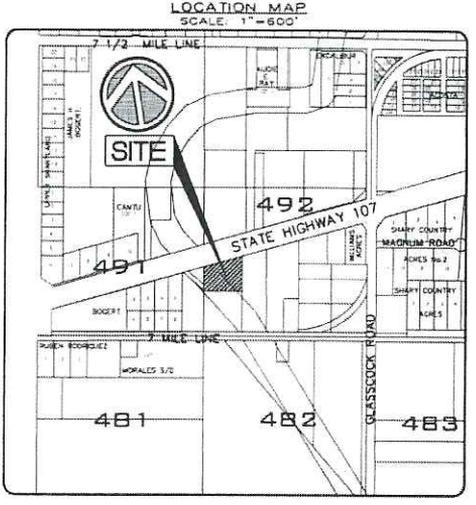
COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 492 AND THE SOUTHWEST CORNER OF LOT 491, JOHN H. SHARY SUBDIVISION AND IN THE RIGHT-OF-WAY OF MILE 7 ROAD (SAME BEING THE SOUTHWEST CORNER OF A TRACT OF LAND DECEDED TO ISRAID GONZALEZ, DOCUMENT NO. 238512, DEED RECORDS, HIDALGO COUNTY, TEXAS, THENCE NORTH 06°10'00" EAST, ALONG THE WEST LINE OF SAID LOT 492 AND THE EAST LINE OF SAID LOT 491 AT A DISTANCE OF 35.00 FEET PASS THE NORTH RIGHT-OF-WAY LINE OF SAID MILE 7 ROAD, AND CONTINUING A TOTAL DISTANCE OF 169.27 FEET TO A 3/4" IRON ROD SET ON THE SOUTHWEST CORNER AND POINT OF BEGINNING OF THIS HEREIN DESCRIBED TRACT OF LAND;

THENCE NORTH 06°10'00" EAST, CONTINUING WITH THE WEST LINE OF SAID LOT 492 AND THE EAST LINE OF SAID LOT 491, A DISTANCE OF 140.15 FEET TO A 1/2" IRON ROD FOUND ON THE NORTHEAST CORNER OF SAID QUARTER TRACT OF LAND AND THE NORTHWEST CORNER OF A TRACT OF LAND DECEDED TO ALMA BEVERA HERRON, RECORDED IN DOCUMENT NO. 244461, DEED RECORDS, HIDALGO COUNTY, TEXAS, FOR THE NORTHWEST CORNER OF THIS HEREIN DESCRIBED TRACT OF LAND;

THENCE NORTH 82°57'47" EAST, ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY 107, A DISTANCE OF 29.10 FEET TO A 1/2" IRON ROD FOUND ON THE NORTHEAST CORNER OF SAID QUARTER TRACT OF LAND AND THE NORTHWEST CORNER OF A TRACT OF LAND DECEDED TO ALMA BEVERA HERRON, RECORDED IN DOCUMENT NO. 244461, DEED RECORDS, HIDALGO COUNTY, TEXAS, FOR THE NORTHWEST CORNER OF THIS HEREIN DESCRIBED TRACT OF LAND;

THENCE SOUTH 06°10'00" WEST, ALONG THE COMMON LINE OF SAID QUARTER TRACT OF LAND AND HERRON TRACT OF LAND, A DISTANCE OF 26.60 FEET TO A 1/2" IRON ROD SET, FOR THE SOUTHWEST CORNER OF THIS HEREIN DESCRIBED TRACT OF LAND;

THENCE NORTH 82°57'47" WEST, A DISTANCE OF 138.61 FEET TO THE SOUTHWEST CORNER AND POINT OF BEGINNING OF THIS HEREIN DESCRIBED TRACT, CONTAINING 1.465 ACRES (63,834.00) SQUARE FEET OF LAND, MORE OR LESS.



LEGEND

- - SET 1/2 INCH IRON ROD
- ◆ - SITE BENCHMARK

Bearing Basis:
NAD83 Texas State Planes,
South Zone, US Foot

PLAT NOTES AND RESTRICTIONS

1. FLOOD ZONE DESIGNATION: ZONE "X" COMMUNITY-PANEL NUMBER: 480334 0293 0 MAP REVISED: JUNE 6, 2000
ZONE "X" IS DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD PLAN.
2. THE MINIMUM FINISH FLOOR ELEVATION FOR ANY PROPOSED BUILDING/STRUCTURE SHALL BE SET 18" ABOVE TOP OF ASPHALT MEASURED AT THE FRONT-CENTER OF THE LOT.
3. SETBACKS:
FRONT S.H. 107: 90 FEET OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS.
REAR: IN ACCORDANCE WITH THE ZONING ORDINANCE OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS.
SIDE: IN ACCORDANCE WITH THE ZONING ORDINANCE OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS.
4. A TOTAL STORM WATER RUNOFF DETENTION OF 0.08 AC-FT (3,522 CUBIC FEET) IS REQUIRED BY THIS SUBDIVISION. DETENTION SHALL REQUIRE BOTH SITE PLAN AS WELL AS DRAINAGE APPROVAL PRIOR TO BUILDING PERMIT ISSUANCE.
**STORM WATER RUNOFF GENERATED FROM DEVELOPMENT SHALL BE DETAINED ON-SITE (DETENTION AREAS ON EAST AND WEST SIDE OF PROPOSED BUILDING) AND RELEASED INTO AN APPROVED STORM SEWER SYSTEM AT THE PRE-DEVELOPMENT RATE FOR A 10-YEAR FREQUENCY STORM EVENT.
5. AN ENGINEERED DRAINAGE DETENTION PLAN APPROVED BY THE CITY OF McALLEN ENGINEERING DEPARTMENT SHALL BE REQUIRED PRIOR TO THE ISSUANCE OF BUILDING PERMITS.
6. 8 FT. OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL OR INDUSTRIAL ZONES/USES.
7. 8 FT. MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONES/USES.
8. BENCHMARKS: A COTTON PICKER SPINDLE SET ON THE PAVEMENT (ASPHALT) WITHIN THE ROAD RIGHT-OF-WAY OF S.H. 107. SAID COTTON PICKER SPINDLE IS LOCATED APPROXIMATELY 26.7 FEET NORTH AND 6.5 FEET WEST FROM THE NORTHWEST CORNER OF THIS SUBDIVISION (AS INDICATED HEREIN). GRID ZONE: TEXAS SOUTH ZONE, HORIZONTAL: NAD 83, VERTICAL: NAD 83, ELEVATION: 148.53
THE NEAREST CITY OF McALLEN BENCHMARK IS "MC 36". SAID BENCHMARK IS LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF CLASSCOCK RD. & MILE 7 RD. TYPE OF MARK: AND IS MARKED WITH A 30" ALUMINUM PIPE WITH A 3-1/4" BRASS MONUMENT CAP ON TOP. MARK STAMPED: "MC 36", GRID ZONE: TEXAS SOUTH ZONE, HORIZONTAL: NAD 83, VERTICAL: NAD 83, LATITUDE: 26°18'39.44454" N, LONGITUDE: 098°16'37.83803" W, ELEVATION: 149.19.
9. A MINIMUM 5-FOOT WIDE SIDEWALK IS REQUIRED ALONG S.H. 107.
10. SITE PLAN MUST BE APPROVED BY THE PLANNING AND ZONING COMMISSION PRIOR TO BUILDING PERMIT ISSUANCE.
11. ALL UTILITY EASEMENTS SHOWN HEREIN ARE DECATED BY THIS PLAT.

STATE OF TEXAS
COUNTY OF HIDALGO

I, (WE), THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS "McALLEN SH 107 SUBDIVISION" TO THE CITY OF McALLEN, TEXAS, AND WHOSE NAME(S) IS/ARE SUBSCRIBED HEREIN, HEREBY DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, SANITARY SEWER LINES, WATER COURSES, STORM SEWERS, FIRE HYDRANTS AND PUBLIC PLACES WHICH ARE INSTALLED OR WHICH (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.

ISRAID GONZALEZ DATE _____
7200 MILE 7 ROAD
MISSION, TEXAS 78573-5807

STATE OF TEXAS
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED _____ KNOWN TO ME TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE (SHE) EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ DAY OF _____, 20____.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES _____

STATE OF TEXAS
COUNTY OF HIDALGO

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

REGISTERED PROFESSIONAL SURVEYOR DATE _____
JOSE MARIO GONZALEZ, R.P.L.S.
810 SOUTH SURVEYORS 24933 P.M. 88
24593 P.M. 88, MONTE ALTO, TEXAS 78538
TEL: 956-380-5154 FAX: 956-380-5156
NO. 5571 STATE OF TEXAS



STATE OF TEXAS
COUNTY OF HIDALGO

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

REGISTERED PROFESSIONAL ENGINEER DATE _____
CARLOS GARZA, P.E.
AEC ENGINEERING, L.L.C. P.O. BOX 480
EDINBURG, TEXAS 78840
TEL: 956-380-8558 FAX: 956-380-6110
NO. 65862 STATE OF TEXAS



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

MAYOR, CITY OF McALLEN _____
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 OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF McALLEN _____
DATE _____

THIS PLAT IS HEREBY APPROVED BY UNITED IRRIGATION DISTRICT SUBJECT TO THE CONDITION THAT IF IRRIGATION FROM SAID DISTRICT IS DESIRED TO THE INDIVIDUAL LOTS IN SAID SUBDIVISION, PROVISION SHALL BE MADE FOR APPROPRIATE EASEMENTS FOR THE INSTALLATION OF NECESSARY IRRIGATION FACILITIES TO SAID LOTS FROM THE CLOSEST WATER DISTRICT DELIVERY POINT, AND IT SHALL BE THE RESPONSIBILITY OF THE OWNER OF THE PROPERTY TO INSTALL SUCH NECESSARY FACILITIES.
DATED THIS _____ DAY OF _____, 20____.

ATTEST:

PRESIDENT SECRETARY

UNITED IRRIGATION DISTRICT NOTES:

- A. ALL IRRIGATION EASEMENTS ARE EXCLUSIVE TO UNITED IRRIGATION DISTRICT, AND THE DISTRICT ALLOWS NO OTHER UTILITIES OR USE WITHOUT EXPRESS APPROVAL.
- B. NO UTILITY COMPANY OR OTHER PERSON IS ALLOWED TO CROSS ABOVE OR BELOW GROUND ANY DISTRICT EASEMENT OR RIGHT-OF-WAY WITH LINES, POLES, OPEN DITCHES OR OTHER USE WITHOUT FIRST OBTAINING A CROSSING PERMIT FROM THE DISTRICT.
- C. NO PERMANENT STRUCTURE, (EXAMPLE, FENCES OF ANY CONSTRUCTION) WILL BE ALLOWED TO BE CONSTRUCTED OR EXIST ON ANY DISTRICT EASEMENT OR RIGHT-OF-WAY WITHOUT WRITTEN APPROVAL BY THE DISTRICT. ANY UNAUTHORIZED STRUCTURE IN THE EASEMENT AREA IS SUBJECT TO REMOVAL.
- D. SHOULD ANY ENTITY HAVING AUTHORITY OVER THE RECORDED EASEMENTS DEPICTED HEREIN NEED TO REPAIR, REPLACE, INSTALL OR IN ANY WAY REQUIRE EXCAVATION ACCESS TO THE LINES THEREIN, THAT ENTITY SHALL HAVE THE RIGHT TO ACCESS THE EASEMENT WHICH MAY CAUSE INCIDENTAL DAMAGE TO PRIVATE IMPROVEMENTS INCLUDING BUT NOT LIMITED TO FENCES, WALLS, SLABS, LANDSCAPING, AND PRIVATE IRRIGATION SYSTEMS. OWNER(S) OF PROPERTIES SHALL HOLD HARMLESS AND INDEMNIFY ANY SUCH ENTITY FROM THE DAMAGES AND/OR REPLACEMENT COST CAUSED BY SUCH NEEDED WORK.

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 OF THE SUBDIVISION AND ITS ENGINEER TO MAKE THESE DETERMINATIONS.
HIDALGO COUNTY DRAINAGE DISTRICT NO. 1
BY: _____



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

AEC ENGINEERING, L.L.C.
Agricultural * Environmental * Civil
P.O. Box 480 Office (956) 380-8558
Edinburg, Texas 78840 Fax: (956) 380-6110
www.aecengineering.net
A TEXAS REGISTERED ENGINEERING FIRM - F9688

MAY 05 2015

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff



DATE: July 16, 2015

SUBJECT: SITE PLAN APPROVAL FOR LOT 19, LOTS 13 & 19 CITRUS GROVE PLAZA SUBDIVISION; 4313 EXPWY 83.

GOAL:

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

BRIEF DESCRIPTION:

The vacant property is located on the east side of S. Bentsen Rd., approximately 230 ft. south U.S. Expressway 83., and is zoned C-3 (general business) District. The adjacent zoning is C-3 to the north, east, and south, and C-4 (commercial industrial) District & R-1(single-family residential) District to the west.

The property is part of Lots 13 & 19, Citrus Groves Subdivision, which was recorded April 24, 2015. A note on the plat indicates that a site plan must be approved by the Planning and Zoning Commission prior to building permit issuance.

The applicant is proposing to construct a 13,060 sq. ft. building for restaurant/retail use on the property. Based on 10,158 sq. ft. for retail use (29 spaces required) & 2,902 sq. ft. for restaurant use (39 spaces required), 68 parking spaces are required; 68 parking spaces are provided. Three accessible parking spaces are required, one of which must be van accessible with an 8 ft. wide aisle. Access to the site is proposed to be from access easements along the frontage road and S. Bentsen Rd. The access easement will be shared with the adjacent lots and must also be built and paved prior to occupancy. Required landscaping for the lot is 4,869 sq. ft. with trees required as follows: 16 – 2 ½” caliper trees, or 8 – 4” caliper trees, or 4 – 6” caliper trees, or 32 palm trees. A minimum 10 ft. wide landscaped strip is required inside the property line along S. Bentsen Rd. Fifty percent of the landscaping must be visible in front areas, and each parking space must be within 50 ft. of a landscaped area with a tree, as required by ordinance. A 4 ft sidewalk is required on S. Bentsen Rd., as well as an 8 ft. masonry buffer between single-family residential and commercial, industrial or multi-family residential zones/uses. A 6 ft. opaque buffer is required around the dumpster if visible from the street. No structures are permitted over easements. Setbacks are as follows: S. Bentsen Rd. – 40ft. All other setbacks will be in compliance with the plat note requirements and the zoning ordinance.

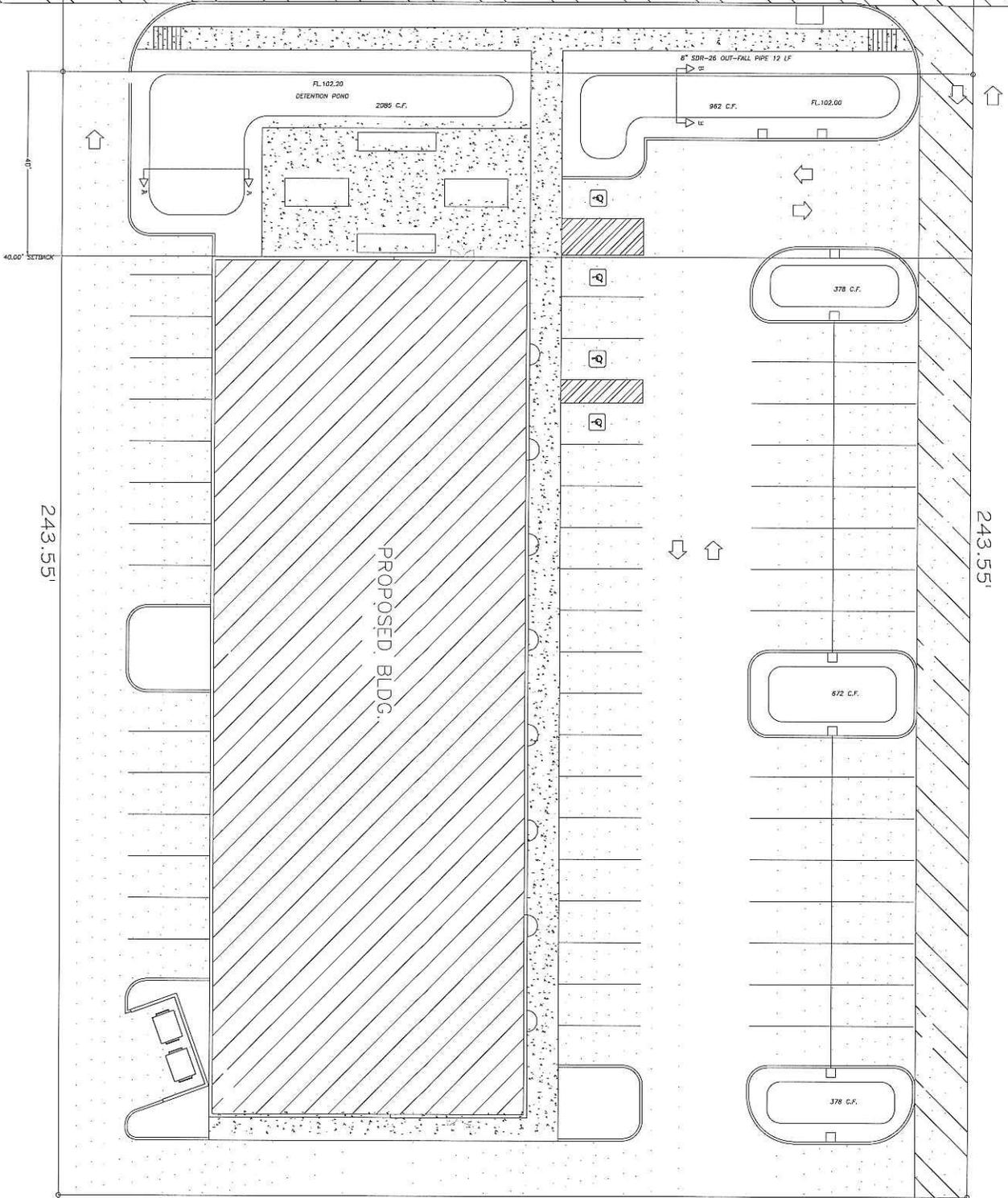
OPTIONS:

1. Approve the site plan with conditions as noted or as required by the Planning and Zoning Commission.
2. Table the item for additional information.
3. Disapprove the site plan.

RECOMMENDATION:

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

BENTSEN ROAD





162



LA VILLA REAL

1204

L208500000000100

KENT BIEL
4220

LOCATION

83 EXPRESSWAY

178

BETHEL MISSIONARY
LOT 1

35 -30
1100

15 -10
1112

007-05
1124

25
1204

1220

00
4400

01
MATA
SUBDIVISION

BENTSEN ROAD PLAZA
SUBDIVISION

GUZMAN
SUBD.
LOT 1

McALLEN SUBURBAN CITRUS GROVES

163

PHASE 1A

CITRUS GROVE PLAZA

PROPOSED CITRUS GROVES
PLAZA PHASE 1
LOT 10

COLBATH RD

COLBATH RD

NAH AVE

ANDA

AVE

ION

RAVE

T BENTSEN LAKES

VE

SUBDIVISION

TYLER AVE

45TH ST

SUBDIVISION

BENTSEN RD

PASEO

42ND ST

ALTA LINDA

41TH ST

40TH ST

SONORA AV

TORONTO AVE

DEL

S 43RD ST

42ND ST

TYLER

THE PALMS
TOWER SUBD

01
421

98

84

83

69

45

91

90

77

10

91

90

77

10

91

90

77

10

91

90

77

10

91

90

77

60

60

60

60

60

60

60

60

60

60

60

60

60

60

MAP OF CITRUS GROVE PLAZA LOT 13 & 19 SUBDIVISION

McALLEN, TEXAS

BEING A 1.95 ACRE TRACT OF LAND, MORE OR LESS, OUT OF AND FORMING A PART OF LOT 72, R.E. HORN'S ADDITION TO McALLEN FIRST SUBURBAN CITRUS GROVES SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER THE MAP OR PLAT THEREOF RECORDED IN VOLUME 05, PAGE 26, MAP RECORDS OF HIDALGO COUNTY, TEXAS.

METES AND BOUNDS DESCRIPTION

BEING A 1.95 ACRE TRACT OF LAND, MORE OR LESS, OUT OF AND FORMING A PART OF LOT 72, R.E. HORN'S ADDITION TO McALLEN FIRST SUBURBAN CITRUS GROVES SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER THE MAP OR PLAT THEREOF RECORDED IN VOLUME 05, PAGE 26, MAP RECORDS OF HIDALGO COUNTY, TEXAS; SAID 1.95 ACRE TRACT OF LAND IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A POINT LOCATED ON THE SOUTHWEST CORNER OF CITRUS GROVES PLAZA LOT 12 SUBDIVISION, McALLEN, HIDALGO COUNTY, TEXAS, AS PER THE MAP OR PLAT THEREOF RECORDED IN DOCUMENT NO. 249119C, MAP RECORDS OF THE COUNTY CLERK OF HIDALGO COUNTY, TEXAS, IN THE CENTER OF BENTSEN ROAD FOR THE ANGLE WESTERN CORNER, AND POINT OF BEGINNING OF THIS HERIN DESCRIBED TRACT; SAID CORNER IS FURTHER LOCATED NORTH ON DEGREES 85 MINUTES 47 SECONDS EAST, CONSIDERENT WITH THE WEST LINE OF SAID LOT 72, A DISTANCE OF 396.08 FEET FROM THE SOUTHWEST CORNER OF SAID LOT 72.

(1) NORTH BY DEGREES 24 MINUTES 13 SECONDS EAST, CONSIDERENT WITH THE SOUTH LINE OF SAID LOT 12, A DISTANCE OF 40.0 FEET, PASS AN "X" CUT IN A CONCRETE DRIVEWAY LOCATED ON INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF SAID ROAD, AT A DISTANCE OF 159.73 FEET IN ALL TO AN "X" CUT ON A CONCRETE DRIVEWAY LOCATED ON THE SOUTHWEST CORNER OF SAID LOT 12 FOR AN INSIDE CORNER OF THIS HERIN DESCRIBED TRACT.

(2) THENCE, NORTH 88 DEGREES 35 MINUTES 47 SECONDS EAST, CONSIDERENT WITH THE EAST LINE OF SAID LOT 12, A DISTANCE OF 227.73 FEET TO A 3/4 INCH DIAMETER IRON ROD WITH YELLOW CAP MARKED "VVO 15" FOUND ON THE NORTHEAST CORNER OF SAID LOT 12 BEING FURTHER LOCATED ON INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF THE EASTERING FRONTAGE ROAD OF U.S. EXPRESSWAY 83 FOR THE NORTHEAST CORNER OF THIS HERIN DESCRIBED TRACT.

(3) THENCE, SOUTH 81 DEGREES 21 MINUTES 39 SECONDS EAST, CONSIDERENT WITH THE SOUTH RIGHT-OF-WAY LINE OF SAID FRONTAGE ROAD, A DISTANCE OF 123.82 FEET TO A 3/4 INCH IRON ROD WITH YELLOW CAP MARKED "SEA 5782" SET FOR THE NORTHEAST CORNER OF THIS HERIN DESCRIBED TRACT.

(4) THENCE, SOUTH 08 DEGREES 35 MINUTES 47 SECONDS WEST, ALONG A LINE PARALLEL TO THE EAST LINE OF SAID LOT 12, A DISTANCE OF 427.57 FEET TO A 1/2 INCH DIAMETER IRON ROD WITH YELLOW CAP MARKED "SEA 5782" SET FOR THE SOUTHWEST CORNER OF THIS HERIN DESCRIBED TRACT.

(5) THENCE, NORTH 81 DEGREES 24 MINUTES 13 SECONDS WEST, ALONG A LINE PARALLEL TO THE SOUTH LINE OF SAID LOT 12, A DISTANCE OF 243.55 FEET TO A 3/4 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 283.55 FEET IN ALL TO A POINT FOR THE SOUTHWEST CORNER OF THIS HERIN DESCRIBED TRACT.

(6) THENCE, NORTH 08 DEGREES 35 MINUTES 47 SECONDS EAST, CONSIDERENT WITH THE EAST RIGHT-OF-WAY LINE OF SAID ROAD, A DISTANCE OF 199.84 FEET TO THE POINT OF BEGINNING, CONTAINING 1.95 ACRES OF LAND, MORE OR LESS.

BASES OF BEARING: SOUTH LINE OF SAID LOT 12

NOTES:

- Minimum building setback shall be as follows:
FRONT: U.S. Expressway 83 = 75 feet or greater for approved site plan or easements.
S. Bentsen Road = 40 feet or greater for approved site plan or easements.
REAR: In accordance with the Zoning Ordinance, or greater for approved site plan or easements.
SIDE: In accordance with the zoning ordinance, or greater for approved site plan or easements.
- Minimum finish floor elevation shall be 18 inches above top of curb measured at front center of lot.
- This property falls in Zone "B" of the Flood Insurance Rate Map, Community Panel No. 480343 0010 G, Map Revised: November 2, 1982.
Flood Zone "B" 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)
- Storm water detention of 0.38 ac-ft. is required for this subdivision, 0.14 Ac-ft for Lot 13 and 0.24 Ac-ft for Lot 19.
- An engineered storm water detention plan approved by the City's Engineering Dept. is required prior to issuance of a building permit.
- A 4 foot wide minimum sidewalk is required on U.S. Expressway 83 and S. Bentsen Road.
- Benchmark City of McAllen Survey Control Point (MC 81) is a 30" aluminum pipe with a 3-1/4" brass monument cap on top, located at the southeast corner of the intersection of Exp.83 and Wore Rd. The monument is located 5' ft south from Eo of the Frontage Rd. and 50-ft east from the centerline of Wore Rd. (Elev.=106.50)
- Site Plan approval from the Planning & Zoning Commission is required prior to Building permit issuance.
- Common areas for commercial developments provide for Common Parking, Access, Setbacks, and Landscaping and shall be maintained by the lot owner and not the City of McAllen.
- No direct access (driveway) will be permitted for Lot 13 to U.S. Expressway 83 Frontage Road. The shared driveway on S. Bentsen Road will be of approximately 200.00 ft. from the intersection.
- An 8 foot masonry wall is required between single family residential and commercial, industrial or multi-family residential zones/uses.
- 5.0 foot opaque buffer required from adjacent/between multi-family residential and commercial, or industrial zones/uses.

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.

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

4/9/15
DATE



STATE OF TEXAS
COUNTY OF HIDALGO:

I, (WE), THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED AS THE CITRUS GROVE PLAZA LOT 13 & 19 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.

Fernando Solloa
By: *Fernando Solloa*, President and member.
200 S. 10th St. #905
McAllen Tx. 78501

6-10-15
DATE

STATE OF TEXAS
COUNTY OF HIDALGO:

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED FERNANDO SOLLOA, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE (SHE) EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE DAY 10TH OF APRIL, 2015.

Alma Ruben Van Ramshorst
NOTARY PUBLIC



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

Scott A. ...
CHAIRMAN, PLANNING COMMISSION
DATE

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



James E. ...
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 49.21(c). THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES DESCRIBED ARE APPROPRIATE FOR THE SPECIFIC SUBDIVISION, BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA. IT IS THE RESPONSIBILITY OF THE DEVELOPER OF THE SUBDIVISION AND ITS ENGINEER TO MAKE THESE DETERMINATIONS.

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

BY: *Raul E. ...*
RAUL E. BESINLE, DISTRICT MANAGER
DATE

STATE OF TEXAS
COUNTY OF HIDALGO

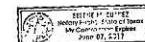
I/WE THE UNDERSIGNED HOLDER(S) (OR DULY AUTHORIZED OFFICERS OF THE HOLDER(S)) OF A SECURITY INTEREST IN THE ABOVE DESCRIBED PROPERTY, BEING THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS CITRUS GROVE PLAZA LOT 13 & 19 SUBDIVISION OF THE CITY OF McALLEN, TEXAS, DO HEREBY CONSENT TO THE SUBDIVISION 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.

Maribel Dueck
THE ESTATE OF JOHN VAN RAMSHORST
BY: MARIBEL DUECK
DATE

STATE OF TEXAS
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED MARIBEL DUECK, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING THIS THE 10TH DAY OF APRIL, 2015.

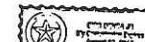
Alma Ruben Van Ramshorst
NOTARY PUBLIC



STATE OF TEXAS
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED ALMA RUBY VAN RAMSHORST, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING THIS THE 18TH DAY OF APRIL, 2015.

Alma Ruby Van Ramshorst
NOTARY PUBLIC



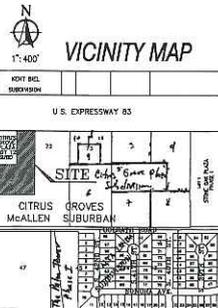
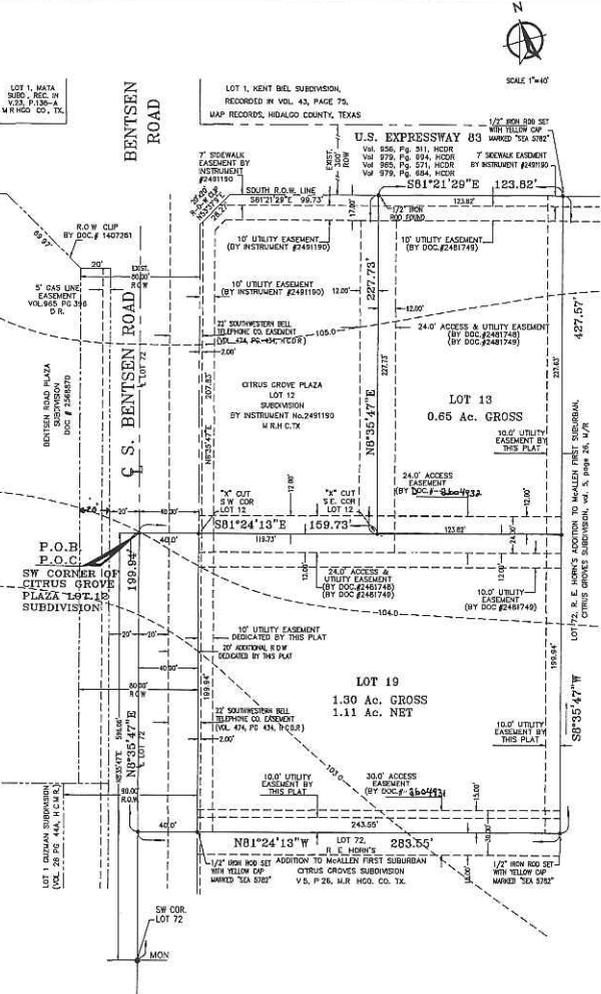
STATE OF TEXAS
COUNTY OF HIDALGO

I, THE UNDERSIGNED, DAVID G. 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.

David Omar Salinas
DAVID OMAR SALINAS
2221 DARFO, AVE.
MCALLEN, TEXAS 78501



DATE OF PREPARATION: 4-06-2015



FILED FOR RECORD IN
HIDALGO COUNTY
ARTURO GUJARDO, JR.
HIDALGO COUNTY CLERK
ON: 4-24-15 AT 11:22 AM
INSTRUMENT NUMBER: 2015054
OF MAP RECORDS OF HIDALGO COUNTY, TEXAS
BY: *Daniel ...* DEPUTY

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

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

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



LOCATION

**THE SHOPS AT SOLANA
SUBDIVISION**

ROSE LAWN CEMETERY

**FAIRFIELD PLACE
UNIT NO 2
LOT 'A'**

**TIFFANY PLAZA
SUBDIVISION**

KENNEDY AV

LINDBERG AVE

**GATEWAY PLAZA
SHOPPING CITY**

EXPRESSWAY

7

**TOYS-R-US
SUBDIVISION**

**INTER NATIONAL
BANK
LOT 1-A**

**H.L.H.
ENTERPRISES, INC**

**THE LAREDO
NATIONAL BANK**

SAVANNAH AVE

COUNTRY CLUB ACRES

10TH ST

H2550-00-007-0010-03

H2550-00-007-0010-02

SAVANNAH

FUNVILLE

10

**SAVANNAH PARK
SUBDIVISION**

LOT 5A

**STUDIO PLAZA
SUBDIVISION
LOT-1**

RED LOBSTER

LOT 1

LOT 1A

LOT 2A

MAIN ST

PLAZA

CLUB ACRES

11

5A

6A

LOT 1

LA COPA INN

SUBDIVISION

6TH ST

LOT 2

LOT 1

LOT 2

LOT 3

LOT 4

LOT 5

LOT 6

LOT 7

LOT 8

LOT 9

LOT 10

LOT 11

LOT 12

LOT 13

LOT 14

LOT 15

LOT 16

LOT 17

LOT 18

LOT 19

LOT 20

LOT 21

LOT 22

LOT 23

LOT 24

LOT 25

LOT 26

LOT 27

LOT 28

LOT 29

LOT 30

LOT 31

LOT 32

LOT 33

LOT 34

LOT 35

LOT 36

LOT 37

LOT 38

LOT 39

LOT 40

LOT 41

LOT 42

LOT 43

LOT 44

LOT 45

LOT 46

LOT 47

LOT 48

LOT 49

LOT 50

LOT 51

LOT 52

LOT 53

LOT 54

LOT 55

LOT 56

LOT 57

LOT 58

LOT 59

LOT 60

LOT 61

LOT 62

LOT 63

LOT 64

LOT 65

LOT 66

LOT 67

LOT 68

LOT 69

LOT 70

LOT 71

LOT 72

LOT 73

LOT 74

LOT 75

LOT 76

LOT 77

LOT 78

LOT 79

LOT 80

LOT 81

LOT 82

LOT 83

LOT 84

LOT 85

LOT 86

LOT 87

LOT 88

LOT 89

LOT 90

LOT 91

LOT 92

LOT 93

LOT 94

LOT 95

LOT 96

LOT 97

LOT 98

LOT 99

LOT 100

LOT 101

LOT 102

LOT 103

LOT 104

LOT 105

LOT 106

LOT 107

LOT 108

LOT 109

LOT 110

LOT 111

LOT 112

LOT 113

LOT 114

LOT 115

LOT 116

LOT 117

LOT 118

LOT 119

LOT 120

LOT 121

LOT 122

LOT 123

LOT 124

LOT 125

LOT 126

LOT 127

LOT 128

LOT 129

LOT 130

LOT 131

LOT 132

LOT 133

LOT 134

LOT 135

LOT 136

LOT 137

LOT 138

LOT 139

LOT 140

LOT 141

LOT 142

LOT 143

LOT 144

LOT 145

LOT 146

LOT 147

LOT 148

LOT 149

LOT 150

LOT 151

LOT 152

LOT 153

LOT 154

LOT 155

LOT 156

LOT 157

LOT 158

LOT 159

LOT 160

LOT 161

LOT 162

LOT 163

LOT 164

LOT 165

LOT 166

LOT 167

LOT 168

LOT 169

LOT 170

LOT 171

LOT 172

LOT 173

LOT 174

LOT 175

LOT 176

LOT 177

LOT 178

LOT 179

LOT 180

LOT 181

LOT 182

LOT 183

LOT 184

LOT 185

LOT 186

LOT 187

LOT 188

LOT 189

LOT 190

LOT 191

LOT 192

LOT 193

LOT 194

LOT 195

LOT 196

LOT 197

LOT 198

LOT 199

LOT 200

LOT 201

LOT 202

LOT 203

LOT 204

LOT 205

LOT 206

LOT 207

LOT 208

LOT 209

LOT 210

LOT 211

LOT 212

LOT 213

LOT 214

LOT 215

LOT 216

LOT 217

LOT 218

LOT 219

LOT 220

LOT 221

LOT 222

LOT 223

LOT 224

LOT 225

LOT 226

LOT 227

LOT 228

LOT 229

LOT 230

LOT 231

LOT 232

LOT 233

LOT 234

LOT 235

LOT 236

LOT 237

LOT 238

LOT 239

LOT 240

LOT 241

LOT 242

LOT 243

LOT 244

LOT 245

LOT 246


City of McAllen
SUBDIVISION PLAT REVIEW

Reviewed On: 5/12/2015

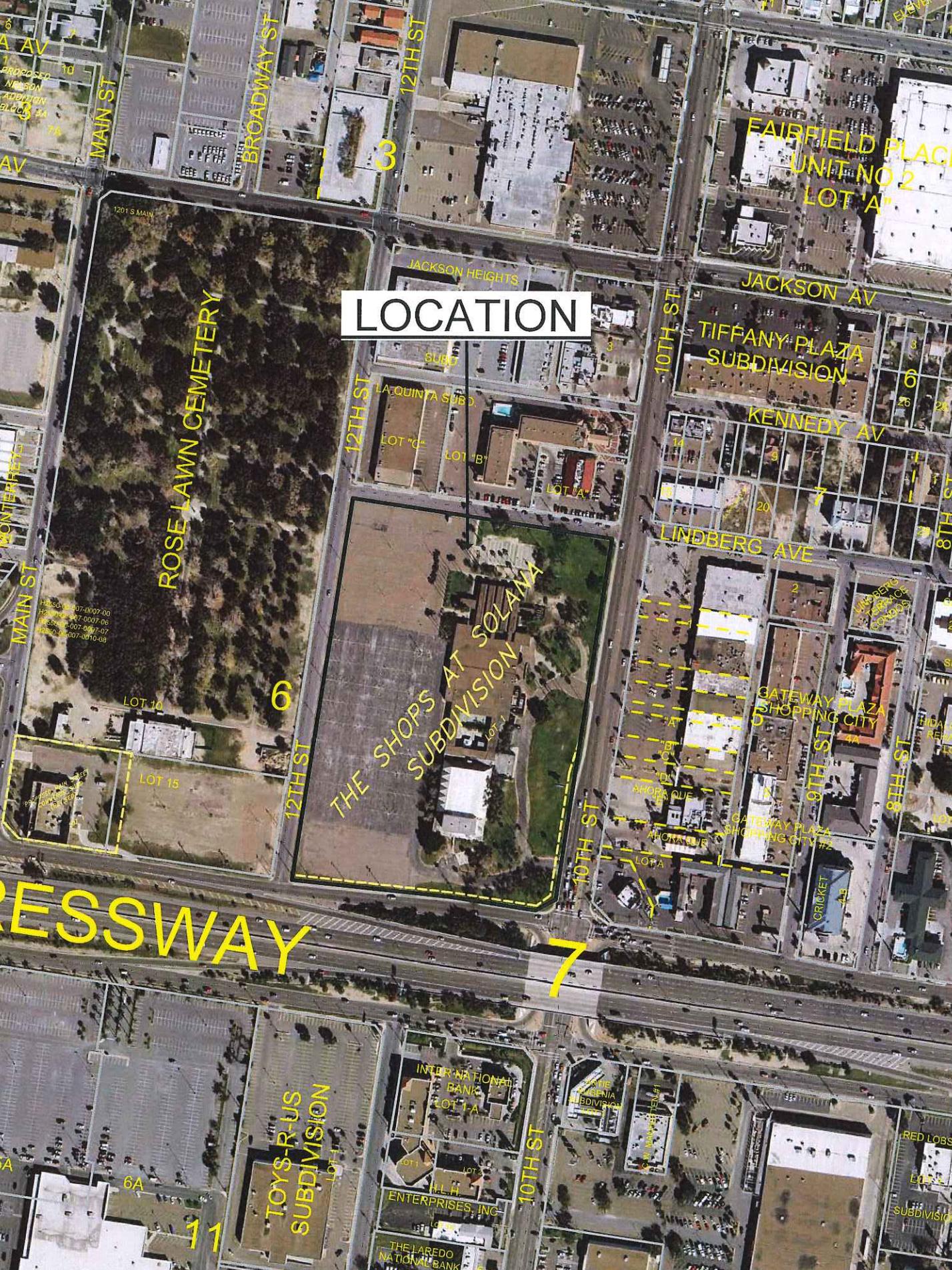
SUBDIVISION NAME: THE SHOPS AT SOLANA	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
U.S. Expressway 83: 339.3 ft. existing; ROW varies Paving: by the state Curb & gutter: by the state	Compliance
S. 10th Street: 12 ft. ROW dedication for 52 ft. from centerline for 100 ft. ROW Paving: by the state Curb & gutter: by the state	Compliance
S. 12th Street: 60 ft. ROW dedication Paving: 40 ft. Curb & gutter: both sides	Compliance
Lindberg Avenue: 50 ft. ROW dedication Paving: approx. 30 ft. existing Curb & gutter: both sides *Additional pavement as needed. **Owner must escrow monies for improvements, as may be applicable 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	Non-compliance
SETBACKS	
* Front: Setbacks as per the Conditional Use Permit for the Planned Unit Development, or greater for approved site plan or easements	Applied
* Sides: Setbacks as per the Conditional Use Permit for the Planned Unit Development or greater for approved site plan or easements	Applied
* Corner: Setbacks as per the Conditional Use Permit for the Planned Unit Development or greater for approved site plan or easements	Applied
* Rear: Setbacks as per the Conditional Use Permit for the Planned Unit Development or greater for approved site plan or easements	Applied
* Garage: Setbacks as per the Conditional Use Permit for the Planned Unit Development or greater for approved site plan or easements	Applied
*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, S. 10th Street, S. 12th Street and Lindberg Avenue	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

<p>* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses</p>	<p>Applied</p>
<p>*Perimeter buffers must be built at time of Subdivision Improvements.</p>	<p>NA</p>
<p>NOTES</p>	
<p>* No curb cut, access, or lot frontage permitted along:</p>	<p>NA</p>
<p>* Site plan must be approved by the Planning and Zoning Commission prior to building permit issuance.</p>	<p>Applied</p>
<p>* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.</p>	<p>NA</p>
<p>* Common Areas, Private Streets must be maintained by the lot owners and not the City of McAllen</p>	<p>NA</p>
<p>* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.</p>	<p>NA</p>
<p>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording - AS MAY BE REQUIRED AS PART OF THE CUP FOR THE PUD.</p>	<p>Applied</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: C-3 Proposed: C-3</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 per dwelling unit is required to be paid prior to recording</p>	<p>NA</p>
<p>* Pending review by the Parkland Dedication Advisory Board and CC.</p>	<p>NA</p>
<p>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>Compliance</p>
<p>COMMENTS</p>	
<p>Comments: *Conditional Use Permit for the Planned Unit Development to be considered by the Planning and Zoning Commission and City Commission. **Must comply with the City's Access Management Policy. ***Owner must escrow monies for street improvements as may be needed prior to plat recording. ****Sight Obstruction easements and/or ROW clips at street intersections as may be needed.</p>	<p>Applied</p>

RECOMMENDATION

Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM SUBJECT TO CONDITIONS AS NOTED, AND THE CONDITIONAL USE PERMIT FOR THE PLANNED UNIT DEVELOPMENT.

Applied



LOCATION

ROSE LAWN CEMETERY

THE SHOPS AT SOLANA
SUBDIVISION

FAIRFIELD PLACE
UNIT NO 2
LOT 'A'

JACKSON AV
TIFFANY PLAZA
SUBDIVISION

LINDBERG AVE

GATEWAY PLAZA
SHOPPING CITY

GATEWAY PLAZA
SHOPPING CITY

TOYS-R-US
SUBDIVISION

INTERNATIONAL
BANK
LOT 1-A

ENTERPRISES, INC

THE LAREDO
NATIONAL BANK

EXPRESSWAY

STREET NAMES: MAIN ST, BROADWAY ST, 12TH ST, 10TH ST, 9TH ST, 8TH ST, JACKSON AV, KENNEDY AV, LINDBERG AVE, MONTEPITZ ST, 1201 S MAIN

LOT NUMBERS: 1, 2, 3, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

Other labels: SUBD, LA QUINTA SUBD, SHOPS PLZ, ANORA PLZ, CRICKET, RED LOSS, GARDEN SUBDIVISION, H.L.H.



City of McAllen
Planning Department

APPLICATION FOR
SUBDIVISION PLAT REVIEW

Pr: SUB 2015-0031

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

FIN: SUB 2015-0043

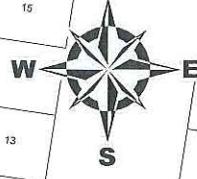
Project Description	<p>Subdivision Name <u>McAllen SH 107 Subdivision</u></p> <p>Location <u>1,080' west of Glasscock Rd on the south side of SH 107</u></p> <p>City Address or Block Number <u>TBD</u></p> <p>Number of lots <u>1</u> Gross acres <u>1.465</u> Net acres <u>1.465</u></p> <p>Existing Zoning <u>R-1</u> Proposed <u>C4</u> Rezoning Applied For <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date <u>04-22-2015</u></p> <p>Existing Land Use <u>Residential</u> Proposed Land Use <u>Commercial</u> 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 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>0.00</u></p> <p>Legal Description <u>1.465 ac portion of 3.65 tract of land out of Lot 492, John H. Shary Subdivision (Deed # 2012-2365216)</u></p>
Owner	<p>Name <u>Isidro Quintero</u> Phone <u>956-222-7472</u></p> <p>Address <u>7200 Mile 7 Rd</u></p> <p>City <u>McAllen</u> State <u>TX</u> Zip <u>78573</u></p> <p>E-mail <u>iquintero@sharylandisd.org</u></p>
Developer	<p>Name <u>Isidro Quintero</u> Phone <u>956-222-7472</u></p> <p>Address <u>7200 Mile 7 Rd</u></p> <p>City <u>McAllen</u> State <u>TX</u> Zip <u>78573</u></p> <p>Contact Person <u>Isidro Quintero</u></p> <p>E-mail <u>iquintero@sharylandisd.org</u></p>
Engineer	<p>Name <u>AEC Engineering, LLC.</u> Phone <u>956-380-6558</u></p> <p>Address <u>PO BOX 480</u></p> <p>City <u>Edinburg</u> State <u>TX</u> Zip <u>78540</u></p> <p>Contact Person <u>Carlos Garza, P.E., P.G.</u></p> <p>E-mail <u>carlos@aecengineering.net</u></p>
Surveyor	<p>Name <u>Rio Delta Surveying</u> Phone <u>956-380-5154</u></p> <p>Address <u>24593 FM 88</u></p> <p>City <u>Monte Alto</u> State <u>TX</u> Zip <u>78538</u></p> <p>E-mail <u>mario@riodeltasurveying.com</u></p>

RC# 287,474 Pd \$300.00

RECEIVED
MAY 05 2015

BY: [Signature] 11-26

933 FLORES



01
EXCALIBUR
SUBDIVISION
07

502

LOCATION

CANTU
LOT 1
SUBD.

7200

491

STATE HIGHWAY 107

PROPOSED
LOT 1
MCALLEN SH 107

492

BOGERT SUBD

2 3 4 5
9 8 7 6

R-1

C-3

WILLIAMS ACRES SUBD

R-1

7 MILE RD

GLASSCOCK SPUR

R-1
UBEN RODRIGUEZ SID

-05
7329

MORALES SUBD

1

R-1

C-4

481

482

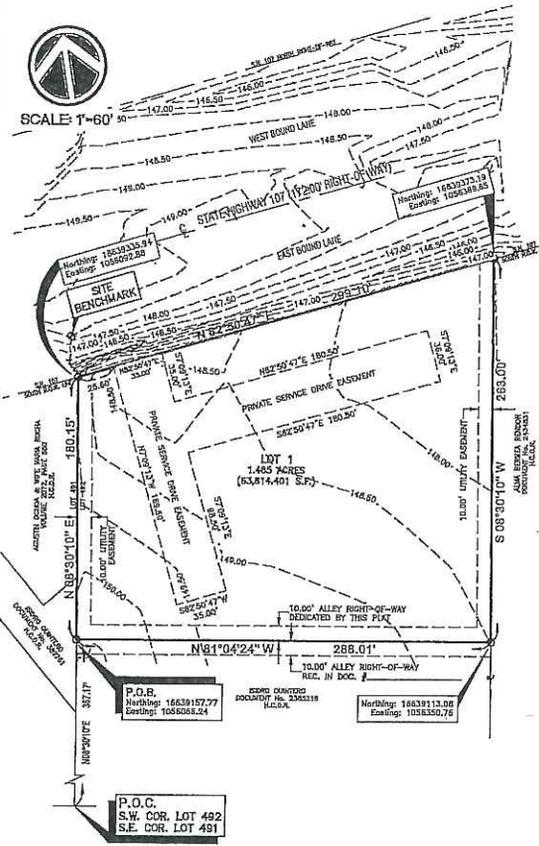
OUTSIDE CITY LIMITS

A-O

GLASSCOCK ROAD (6800)



SCALE 1"=60'



McAllen SH 107 Subdivision

Being a 1.465-acre tract of land out of Lot 492, John H. Shary Subdivision, Hidalgo County, Texas, according to the Map or Plat thereof recorded in Volume 1, Page 17, Map Records of Hidalgo County, Texas

Plat Scale: 1"=60' JOB # 1145.003
Issue Date: June 05, 2015
Drawn by: G. S.

METES AND BOUNDS DESCRIPTION
A 1.485-ACRE (63,814.401 SQUARE FEET) TRACT OF LAND OUT OF LOT 492, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 17, MAP RECORDS OF HIDALGO COUNTY, TEXAS; SAID 1.485-ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

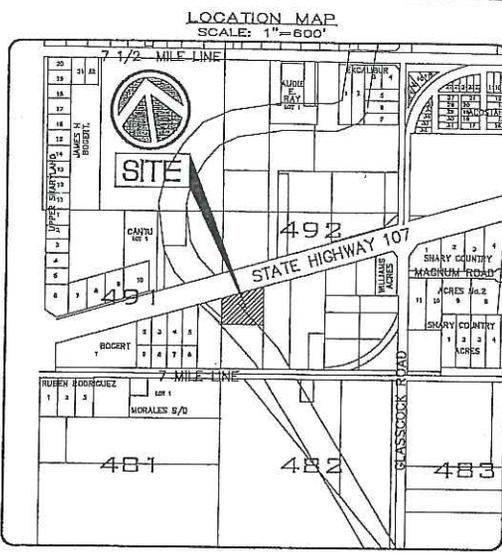
COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 492 AND THE SOUTHEAST CORNER OF LOT 493, JOHN H. SHARY SUBDIVISION AND IN THE RIGHT-OF-WAY OF MILE 7 ROAD SAME BEING THE SOUTHWEST CORNER OF A TRACT OF LAND DEEDED TO ISIDRO QUINTERO, DOCUMENT NO. 2389216, DEED RECORDS, HIDALGO COUNTY, TEXAS; THENCE NORTH 08°30'10" EAST, ALONG THE WEST LINE OF SAID LOT 492 AND THE EAST LINE OF SAID LOT 493, AT A DISTANCE OF 35.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SAID MILE 7 ROAD, AND CONTINUING A TOTAL DISTANCE OF 857.37 FEET TO A 1/2" IRON ROD SET ON THE SOUTHWEST CORNER AND POINT OF BEGINNING OF THIS HEREIN DESCRIBED TRACT OF LAND;

THENCE NORTH 08°30'10" EAST, CONTINUING WITH THE WEST LINE OF SAID LOT 492 AND THE EAST LINE OF SAID LOT 493, A DISTANCE OF 295.10 FEET TO A 1/2" IRON ROD FOUND ON THE NORTHWEST CORNER OF SAID QUINTEO TRACT OF LAND AND THE NORTHWEST CORNER OF A TRACT OF LAND DEEDED TO ALMA BERNA RENDON, RECORDED IN DOCUMENT NO. 2434831, DEED RECORDS, HIDALGO COUNTY, TEXAS; FOR THE NORTHEAST CORNER OF THIS HEREIN DESCRIBED TRACT OF LAND;

THENCE NORTH 82°50'42" EAST, ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY 107, A DISTANCE OF 295.10 FEET TO A 1/2" IRON ROD FOUND ON THE NORTHWEST CORNER OF SAID QUINTEO TRACT OF LAND AND THE NORTHWEST CORNER OF A TRACT OF LAND DEEDED TO ALMA BERNA RENDON, RECORDED IN DOCUMENT NO. 2434831, DEED RECORDS, HIDALGO COUNTY, TEXAS; FOR THE NORTHEAST CORNER OF THIS HEREIN DESCRIBED TRACT OF LAND;

THENCE SOUTH 08°30'10" WEST, ALONG THE COMMON LINE OF SAID QUINTEO TRACT OF LAND AND RENDON TRACT OF LAND, A DISTANCE OF 263.00 FEET TO A 1/2" IRON ROD SET, FOR THE SOUTHEAST CORNER OF THIS HEREIN DESCRIBED TRACT OF LAND;

THENCE NORTH 81°04'24" WEST, A DISTANCE OF 288.01 FEET TO THE SOUTHWEST CORNER AND POINT OF BEGINNING OF THIS HEREIN DESCRIBED TRACT, CONTAINING 1.485 ACRES (63,814.401 SQUARE FEET) OF LAND, MORE OR LESS.



LEGEND

- - SET 1/2 INCH IRON ROD
- ⊕ - SITE BENCHMARK

Bearing Basis:
NAD83 Texas State Planes,
South Zone, US Foot

PLAT NOTES AND RESTRICTIONS

- FLOOD ZONE DESIGNATION: ZONE "X" COMMUNITY-PANEL NUMBER: 480334 0295 D MAP REVISED JUNE 6, 2000. ZONE "X" IS DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD PLAIN.
- THE MINIMUM FINISH FLOOR ELEVATION FOR ANY PROPOSED BUILDING/STRUCTURE SHALL BE SET 18" ABOVE TOP OF ASPHALT MEASURED AT THE FRONT-CENTER OF THE LOT.
- SETBACKS:
FRONT S.H. 107: 50 FEET OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS.
REAR: IN ACCORDANCE WITH THE ZONING ORDINANCE OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS.
SIDE: IN ACCORDANCE WITH THE ZONING ORDINANCE OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS.
- A TOTAL STORM WATER RUNOFF DETENTION OF 0.08 AC-FT (3,522 CUBIC FEET) IS REQUIRED BY THIS SUBDIVISION. DETENTION SHALL REQUIRE BOTH SITE PLAN AS WELL AS DRAINAGE APPROVAL PRIOR TO BUILDING PERMIT ISSUANCE.
**STORM WATER RUNOFF GENERATED FROM DEVELOPMENT SHALL BE DETAINED ON-SITE (DETENTION AREAS ON EAST AND WEST SIDE OF PROPOSED BUILDING) AND RELEASED INTO AN APPROVED STORM SEWER SYSTEM AT THE PRE-DEVELOPMENT RATE FOR A 10-YEAR FREQUENCY STORM EVENT.
- AN ENGINEERED DRAINAGE DETENTION PLAN APPROVED BY THE CITY OF McALLEN ENGINEERING DEPARTMENT SHALL BE REQUIRED PRIOR TO THE ISSUANCE OF BUILDING PERMITS.
- 8 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.
- BENCHMARK: A COTTON PICKER SPINDLE SET ON THE PAVEMENT (ASPHALT) WITHIN THE ROAD RIGHT-OF-WAY OF S.H. 107. SAID COTTON PICKER SPINDLE IS LOCATED APPROXIMATELY 26.7 FEET NORTH AND 6.5 FEET WEST FROM THE NORTHWEST CORNER OF THIS SUBDIVISION (AS INDICATED HEREIN). GRID ZONE TEXAS SOUTH ELEVATION: 148.53.
THE NEAREST CITY OF McALLEN BENCHMARK IS "MC 38". SAID BENCHMARK IS LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF GLENSCOCK RD. & MILE 7 RD. POINT OF MARK: AND IS MARKED WITH A 30" ALUMINUM PIPE WITH A 3-1/4" BRASS MONUMENT CAP ON TOP. MARK STAMPED: "MC 38". GRID ZONE: TEXAS SOUTH 4205. HORIZONTAL: NAD 83. VERTICAL: NAD 83. ELEVATION: 2618'39.44494" N. LONGITUDE: 098°16'37.63883" W. ELEVATION: 149.19.
- A MINIMUM 5-FOOT WIDE SIDEWALK IS REQUIRED ALONG S.H. 107.
- SITE PLAN MUST BE APPROVED BY THE PLANNING AND ZONING COMMISSION PRIOR TO BUILDING PERMIT ISSUANCE.
- ALL UTILITY EASEMENTS SHALL BE FULLY DEDICATED BY THIS PLAT.

RECEIVED
JUL 13 2015

FILED FOR RECORD IN
HIDALGO COUNTY
CLERK
ANGELA M. GARZA, JR.
HIDALGO COUNTY CLERK

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

AEC ENGINEERING, L.L.C.
Agricultural * Environmental * Civil
P.O. Box 480 Office: (956) 380-8558
Edinburg, Texas 78540 Fax: (956) 380-8110
www.aecengineering.net
A TEXAS REGISTERED ENGINEERING FIRM - F9888

STATE OF TEXAS
COUNTY OF HIDALGO

I, (WE), THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS "McALLEN SH 107 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, SANITARY SEWER LINES, WATER COURSES, STORM SEWERS, FIRE HYDRANTS AND PUBLIC PLACES WHICH ARE INSTALLED OR WHICH (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.

ISIDRO QUINTERO DATE
71200 MILE 7 ROAD
MISSION, TEXAS 78753-5807

STATE OF TEXAS
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON(S) WHOSE NAME(S) IS(ARE) SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE (THEY) EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE _____ DAY OF _____, 20____.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES _____
ANGELA M. GARZA
Notary Public State of Texas
My Commission Expires FEBRUARY 01, 2019

STATE OF TEXAS
COUNTY OF HIDALGO

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

REGISTERED PROFESSIONAL SURVEYOR DATE
JOSE MARIO GONZALEZ, R.P.L.S.
RIO DELTA SURVEYING 24293 F.M. 88
24583 F.M. 88, MONTE ALTO, TEXAS 78538
TEL: 956-380-5154 FAX: 956-380-5156
NO. 5571 STATE OF TEXAS



STATE OF TEXAS
COUNTY OF HIDALGO

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

REGISTERED PROFESSIONAL ENGINEER DATE
CARLOS GARZA, P.E.
AEC ENGINEERING, L.L.C. P.O. BOX 480
EDINBURG, TEXAS 78540
TEL: 956-380-8558 FAX: 956-380-8110
NO. 92802 STATE OF TEXAS



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

MAYOR, CITY OF McALLEN

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 OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF McALLEN

DATE _____

THIS PLAT IS HEREBY APPROVED BY UNITED IRRIGATION DISTRICT SUBJECT TO THE CONDITION THAT IF IRRIGATION FROM SAID DISTRICT IS DESIRED TO THE INDIVIDUAL LOTS IN SAID SUBDIVISION, PROVISION SHALL BE MADE FOR APPROPRIATE EASEMENTS FOR THE INSTALLATION OF NECESSARY IRRIGATION FACILITIES TO SAID LOTS FROM THE CLOSEST WATER DISTRICT DELIVERY POINT AND IT SHALL BE THE RESPONSIBILITY OF THE OWNER OF THE PROPERTY TO INSTALL SUCH NECESSARY FACILITIES.

DATED THIS THE _____ DAY OF _____, 20____.

ATTEST:

PRESIDENT SECRETARY

UNITED IRRIGATION DISTRICT NOTES:

- ALL IRRIGATION EASEMENTS ARE EXCLUSIVE TO UNITED IRRIGATION DISTRICT, AND THE DISTRICT ALLOWS NO OTHER UTILITIES OR USE WITHOUT EXPRESS APPROVAL.
- NO UTILITY COMPANY OR OTHER PERSON IS ALLOWED TO CROSS ABOVE OR BELOW GROUND ANY DISTRICT EASEMENT OR RIGHT-OF-WAY WITH LINES, POLES, OPEN DITCHES OR OTHER USE WITHOUT FIRST OBTAINING A CROSSING PERMIT FROM THE DISTRICT.
- NO PERMANENT STRUCTURE, (EXAMPLE, FENCES OF ANY CONSTRUCTION) WILL BE ALLOWED TO BE CONSTRUCTED OR EXIST ON ANY DISTRICT EASEMENT OR RIGHT-OF-WAY WITHOUT WRITTEN APPROVAL BY THE DISTRICT. ANY UNAUTHORIZED STRUCTURE IN THE EASEMENT AREA IS SUBJECT TO REMOVAL.
- SHOULD ANY ENTITY HAVE AUTHORITY OVER THE RECORDED EASEMENTS DEPICTED HEREIN NEED TO REPAIR, REPLACE, INSTALL OR IN ANY WAY REQUIRED EXCAVATION ACCESS TO THE LINES THEREIN, THAT ENTITY SHALL HAVE THE RIGHT TO ACCESS THE EASEMENT WHICH MAY CAUSE INCIDENTAL DAMAGE TO PRIVATE IMPROVEMENTS INCLUDING BUT NOT LIMITED TO FENCES, WALLS, SLABS, LANDSCAPING, AND PRIVATE IRRIGATION SYSTEMS. OWNER(S) OF PROPERTIES SHALL HOLD HARMLESS AND INDEMNIFY ANY SUCH ENTITY FROM THE DAMAGES AND/OR REPLACEMENT COST CAUSED BY SUCH NEEDED WORK.

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 OF THE SUBDIVISION AND ITS ENGINEER TO MAKE THESE DETERMINATIONS.

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

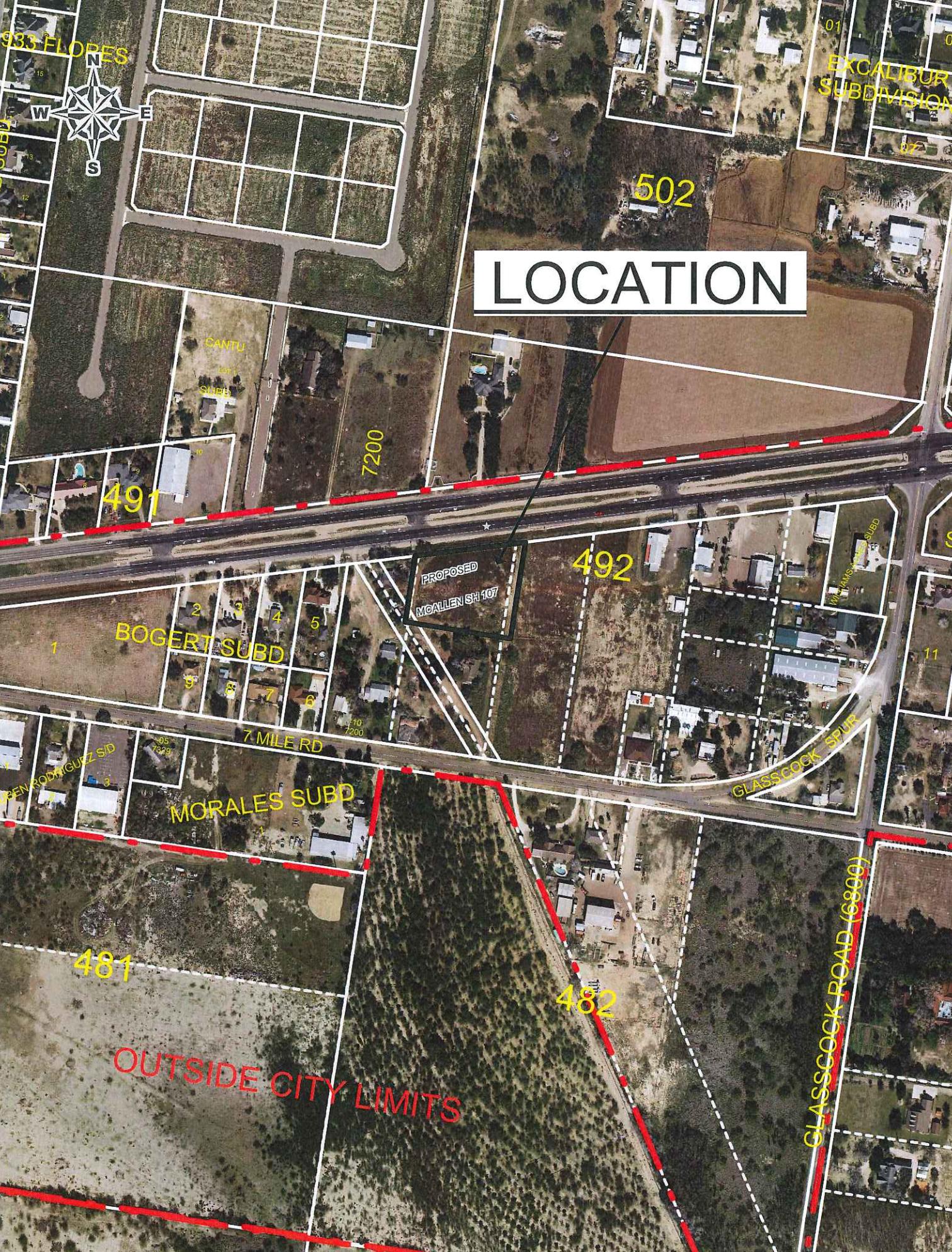
BY: _____


City of McAllen
SUBDIVISION PLAT REVIEW

Reviewed On: 7/14/2015

SUBDIVISION NAME: MCALLEN SH 107 SUBDIVISION	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
S.H. 107: 172 ft. ROW existing Paving: by the state Curb & gutter: by the state	Compliance
* 800 ft. Block Length:	Compliance
* 600 ft. Maximum Cul-de-Sac:	NA
ALLEYS	
ROW: 20 ft. Paving: 16 ft. *Project engineer, on behalf of the developer had previously requested a variance to the alley requirement; however, the request has since been withdrawn. **10 ft. alley ROW will be dedicated by the plat with additional 10 ft. alley ROW to be dedicated by separate instrument. ***Owner must escrow monies for the alley if not built prior to plat recording.	Applied
SETBACKS	
* Front: S.H. 107 - 75 ft. or greater for approved site plan or easements	Applied
* Rear: in accordance with the Zoning Ordinance, 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
* 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	
* A minimum 5 ft. wide sidewalk is required on S.H. 107.	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.	Compliance
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	NA
* Common Areas, Private Streets must be maintained by the lot owners and not the City of McAllen.	NA
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.	NA
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.	NA
LOT REQUIREMENTS	
* Lots fronting public streets:	Compliance
* Minimum lot width and lot area:	Compliance
ZONING/CUP	
* Existing: R-1 Proposed: C-3	Compliance
* Rezoning Needed Before Final Approval **Request to rezone from R-1 to C-3 approved by the City Commission at their meeting of June 8, 2015.	Complete
PARKS	
* Land dedication in lieu of fee:	NA
* Park Fee of \$700 per dwelling unit is required to be paid prior to recording.	NA
* Pending review by the Parkland Dedication Advisory Board and CC.	NA
TRAFFIC	
* Trip Generation to determine if TIA is required, prior to final plat.	Compliance
* Traffic Impact Analysis (TIA) required prior to final plat.	NA
COMMENTS	
Comments: *Preliminary plat approved by the Planning and Zoning Commission on May 19, 2015. **Revised Preliminary plat approved by the Planning and Zoning Commission on June 16, 2015. ***Must comply with the City's Access Management Policy.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM.	Applied



LOCATION

PROPOSED
MCGALLEN SH 107

BOGERT SUBD

MORALES SUBD

OUTSIDE CITY LIMITS

GLASSCOCK ROAD (6800)

WILLIAMS SUBD

EXCALIBUR
SUBDIVISION

933 FLORES

502

7200

491

492

481

482





City of McAllen
 Planning Department
 APPLICATION FOR

SUBDIVISION PLAT REVIEW

Sub 2015-0027

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>Sky Sports</u> Location <u>Colbath between Taylor Road and Benton Road</u> City Address or Block Number <u>4801 Colbath Road</u> Number of lots <u>1</u> Gross acres <u>2</u> Net acres <u>1.67</u> Existing Zoning <u>ETJ</u> Proposed <u>C-3</u> Rezoning Applied For <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date _____ Existing Land Use <u>Vacant</u> Proposed Land Use <u>Commercial</u> Irrigation District # <u>United</u> Residential Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Commercial Replat Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> ETJ Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Agricultural Tax Exemption Yes <input type="checkbox"/> No <input type="checkbox"/> Estimated Rollback tax due <u>0</u> Legal Description <u>A 2 acre tract out of Lot 167 John H Shroy Subd.</u>
Owner	Name <u>JOHN SHIN</u> Phone <u>(956) 469-3856</u> Address <u>704 E. COMA ST</u> City <u>HIDALGO</u> State <u>TX</u> Zip <u>78501</u> E-mail <u>jshin@rgv.net</u>
Developer	Name <u>Same as owner</u> Phone _____ Address _____ City _____ State _____ Zip _____ Contact Person _____ E-mail _____
Engineer	Name <u>Mario A. Salinas</u> Phone <u>(956) 537-1311</u> Address <u>1437 W. Erpway 83 Suite 150</u> City <u>McAllen</u> State <u>TX</u> Zip <u>78501</u> Contact Person <u>Mario A. Salinas</u> E-mail <u>msalinas6973@att.net</u>
Surveyor	Name <u>David Salinas</u> Phone <u>(956) 648-8899</u> Address <u>2221 Daffodil</u> City <u>McAllen</u> State <u>TX</u> Zip <u>78501</u> E-mail <u>dsalinas@salinas-engineering.com</u>

APR 28 2015
 BY: 9@11:42am


City of McAllen
SUBDIVISION PLAT REVIEW

Reviewed On: 7/14/2015

SUBDIVISION NAME: SKY SPORTS	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
Colbath Road: 20 ft. ROW dedication required for 40 ft. from centerline for an 80 ft. ROW Paving: 52 ft. - 65 ft. Curb & gutter: both sides	Compliance
* 800 ft. Block Length:	Compliance
* 600 ft. Maximum Cul-de-Sac:	NA
ALLEYS	
*24 ft. service drive easement provided for the commercial property, which shall extend to the west property line.	Applied
SETBACKS	
* Front: Colbath Road - 40 ft. or greater for approved site plan or easements	Applied
* Rear: in accordance with the Zoning Ordinance, or greater for approved site plan or easements	Applied
* Sides: in accordance with the Zoning Ordinance, or greater for approved site plan or easements	Applied
* Corner:	NA
* Garage: 18 ft. except where greater setback is required; greater setback applies	NA
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
SIDEWALKS	
* 4 ft. wide minimum sidewalk required on Colbath Road	Applied
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Applied
BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, or industrial zones/uses.	Compliance
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.	Compliance
*Perimeter buffers must be built at time of Subdivision Improvements.	NA
NOTES	
* No curb cut, access, or lot frontage permitted along:	NA
* Site plan must be approved by the Planning and Zoning Commission prior to building permit issuance.	Compliance
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	NA

* Common Areas, Private Streets must be maintained by the lot owners and not the City of McAllen.	NA
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.	NA
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.	NA
LOT REQUIREMENTS	
* Lots fronting public streets:	Compliance
* Minimum lot width and lot area:	Compliance
ZONING/CUP	
* Existing: ETJ Proposed: commercial **Annexation and Initial Zoning (C-3) approved by the City Commission on June 22, 2015.	Complete
* Rezoning Needed Before Final Approval **Annexation and Initial Zoning (C-3) approved by the City Commission on June 22, 2015.	Complete
PARKS	
* Land dedication in lieu of fee:	NA
* Park Fee of \$700 per dwelling unit is required to be paid prior to recording.	NA
* Pending review by the Parkland Dedication Advisory Board and CC.	NA
TRAFFIC	
* Trip Generation to determine if TIA is required, prior to final plat. **Per Director of Traffic on 7-13-15, the trip generation will be deferred to the site plan.	Applied
* Traffic Impact Analysis (TIA) required prior to final plat. **Per Director of Traffic on 7-13-15, the TIA as may be needed will be deferred to the site plan.	Applied
COMMENTS	
Comments: *Must comply with the City's Access Management Policy.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM.	Applied



TAYLOR RD

D PLAZA

SUBD

WEST MOUNTAIN
NO. 1
LOT 1

U.S. 83 EXP

177

178

LOCATION

GINTHER
ESTATES

SHARY GATEWAY
SUBDIVISION

BENTSEN F
SUBDIV

COLBATH RD

COLBATH
PLAZA

PROPOSED
SKY SPORTS
SUBDIVISION

167

SAVANNAH AVE

LA VERANDA

SONORA AVE

SUBDIVISION

SWEETWATER AVE

SALTILLO AT BENTSEN LAKES

TORONTO AVE

SUBDIVISION

TYLER AVE

PROPOSED TAYLOR VILAS SUBDIVISION

UVALDE AVE

#101

SHARYLAND NEW
ELEMENTARY SCHOOL

VERMONT AVE

PHASE 1

GARDOMA AT

UVALDE AVE

157

WICHITA AVE

VERMONT AVE

PHASE 1

VICTORIA AVE

TAYLOR RD

S 48TH ST

S 46TH ST

S 44TH ST

S 42TH ST

S 40TH ST

S 38TH ST

S 36TH ST

S 34TH ST

S 32TH ST

S 30TH ST

S 28TH ST

S 26TH ST

S 48TH ST

S 46TH ST

S 44TH ST

S 42TH ST

S 40TH ST

S 38TH ST

S 36TH ST

S 34TH ST

S 32TH ST

S 30TH ST

S 28TH ST

S 26TH ST



City of McAllen
 Planning Department
APPLICATION FOR

Sub 2015-0028

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

SUBDIVISION PLAT REVIEW

Project Description	Subdivision Name <u>Taylor Villas</u> Location <u>North-east corner of Uvalde Avenue and Taylor Road</u> City Address or Block Number _____ Number of lots <u>39</u> Gross acres <u>12.50</u> Net acres <u>12.12</u> Existing Zoning <u>ETJ</u> Proposed _____ Rezoning Applied For <input type="checkbox"/> Yes <input type="checkbox"/> No Date _____ Existing Land Use <u>Vacant</u> Proposed Land Use <u>multi-family</u> Irrigation District # <u>Unit</u> Residential Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Commercial Replat Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> ETJ Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Agricultural Tax Exemption Yes <input type="checkbox"/> No <input type="checkbox"/> Estimated Rollback tax due <u>0</u> Legal Description <u>A 12.5 acre tract of land out of lot 167</u> <u>John H. Shary Subdivision</u>
Owner	Name <u>JOHN SHIN</u> Phone <u>(956) 469-3856</u> Address <u>704 E. LOMA ST</u> City <u>HIDALGO</u> State <u>Tx</u> Zip <u>78501</u> E-mail <u>jshin@rgv.net</u>
Developer	Name <u>Same as owner</u> Phone _____ Address _____ City _____ State _____ Zip _____ Contact Person _____ E-mail _____
Engineer	Name <u>Mano A. Salinas</u> Phone <u>(956) 537-1311</u> Address <u>4037 W. Expressway 83</u> City <u>McAllen</u> State <u>Tx</u> Zip <u>78501</u> Contact Person <u>Mano A. Salinas</u> E-mail <u>msalinas6973@att.net</u>
Surveyor	Name <u>David Salinas</u> Phone <u>(956) 682-9081</u> Address <u>2221 Dattodil Avenue</u> City <u>McAllen</u> State <u>Tx</u> Zip <u>78501</u> E-mail <u>dsalinas@salinasengineering.com</u>

Rec # 285705 pd \$2250

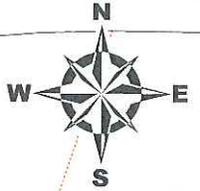
RECEIVED

APR 28 2015

BY [Signature]

U.S. 83 EXPRESSWAY

U.S. 83



PLACE SUBDIVISION

GINTHER ESTATES

SHARY GATEWAY SUBDIVISION

COLBATH PLAZA

SKY SPORTS SUBDIVISION

166

167

LOCATION



UVALDE AVE

2101

TAYLOR RD

SHARYLAND NEW ELEMENTARY SCHOOL

VERMONT AVE

PH. 4

157

WICHITA AVE

VERMONT AVE

PHASE 1

CARDONA AT

VICTORIA AVE

PHASE 2

WICHITA AVE

BEN HOGAN DR

BENTSEN LAKES

158

A. J. MCCOLL'S ADDITION

147

MAP OF TAYLOR VILLAS SUBDIVISION

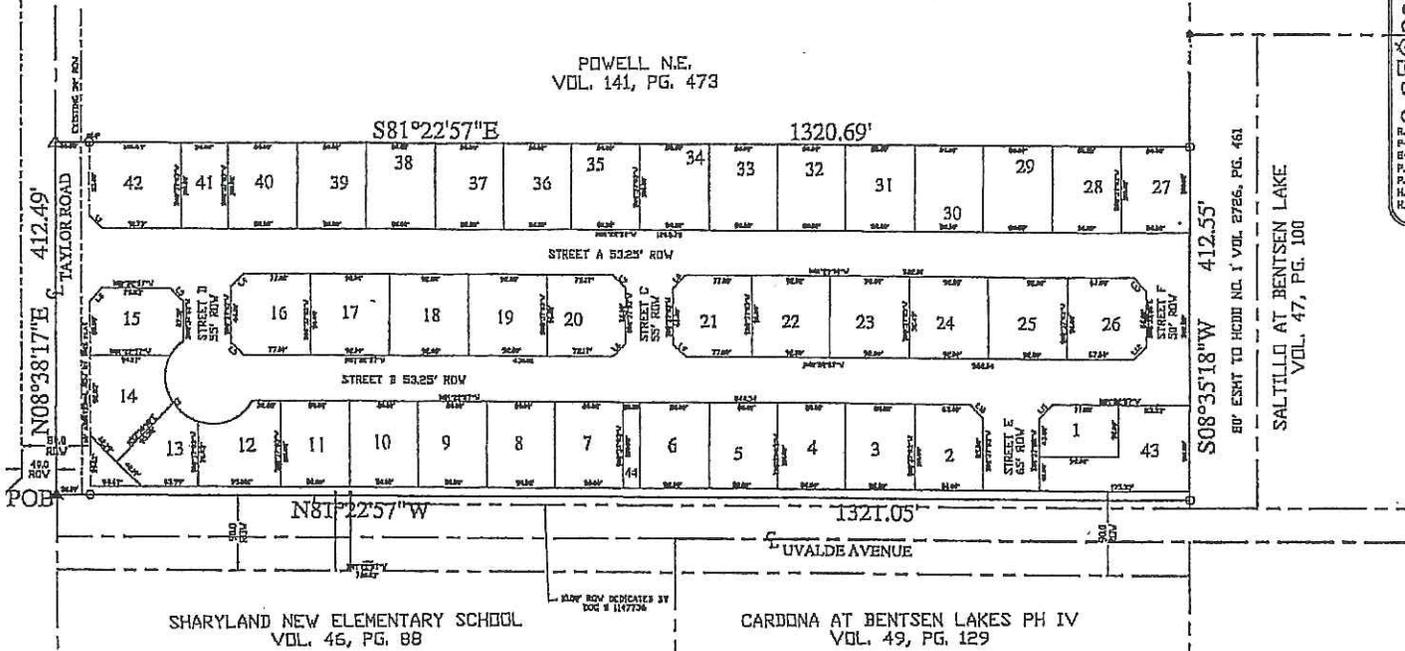


McALLEN, TEXAS

BEING A 12.500 ACRE TRACT OF LAND OUT OF LOT 167, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS ACCORDING TO PLAT RECORDED IN VOLUME 1, PAGE 17, DEED RECORDS, HIDALGO COUNTY, TEXAS

LEGEND

- FOUND ALUMINUM BAK
- FOUND 1/2" IRON ROD
- SET 1/2" IRON ROD
- FIRE HYDRANT
- GAS MARKER
- LIGHT POLE
- WATER VALVE
- RIGHT OF WAY
- BACK OF CURB TO BACK OF
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- H.C.D.R. HIDALGO COUNTY DEED RECORD
- H.C.M.R. HIDALGO COUNTY MAP RECORD



LINE TABLE

LINE	LENGTH	BEARING
L1	21.21	N36°22'20"W
L2	21.22	S53°37'40"W
L3	21.21	N36°22'57"W
L4	21.21	N53°37'03"E
L5	21.21	N36°22'57"W
L6	21.21	S53°37'03"W
L7	21.21	N36°22'57"W
L8	21.21	N53°37'03"E
L9	21.21	S36°22'57"E
L10	21.21	N36°22'57"W
L11	21.21	S53°37'03"W
L12	21.21	S53°36'10"W
L13	21.22	S36°23'50"E

CURVE TABLE

CURVE	LENGTH	RADIUS	TANGENT	DELTA	BEARING	CHORD
C1	174.77	50.00	279.65	200°16'27"	S34°22'32"E	

NOTES:

- 1.- MINIMUM BUILDING SETBACK LINES SHALL BE AS FOLLOWS:
 - A) FRONT= _____
 - B) REAR= _____
 - C) SIDE= _____
 - D) GARAGE= 10 FT. EXCEPT WHERE GREATER SETBACK IS REQUIRED; GREATER SETBACK APPLIES.
- 2.- THIS PROPERTY FALLS IN ZONE "B" OF THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL No. 480334 0400 C, REVISED NOV. 10, 1982. FLOOD "ZONE B" IS DEFINED AS AREAS BETWEEN UNITS 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).
- 3.- STORM WATER DETENTION OF _____ C.F. OR _____ AC-FT IS REQUIRED FOR THIS SUBDIVISION; (_____ -FT OR _____ C.F. EACH LOT).
- 4.- MINIMUM FINISH FLOOR ELEVATION SHALL BE 18 INCHES ABOVE TOP CENTERLINE OF PAVEMENT MEASURED AT FRONT CENTER OF EACH LOT.
- 5.- A 4.0 FT. SIDEWALK IS REQUIRED ALONG TAYLOR ROAD AND UVALDE AVENUE.
- 6.- NO BUILDING SHALL BE CONSTRUCTED OVER ANY EASEMENT OR LOT LINE.
- 7.- 5.0 FOOT OPAQUE BUFFER IS REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, OR INDUSTRIAL ZONES/PURSES.
- 8.- BENCHMARK: TOP OF EXISTING MANHOLE - N-18504074.50, EA-1057351.52, ELEVATION = 107.77.
- 9.- OWNER IS REQUIRED TO PROVIDE AN ENGINEERED DRAINAGE DETENTION PLAN, APPROVED BY THE ENGINEERING DEPARTMENT, PRIOR TO ISSUANCE OF BUILDING PERMITS.
- 10.- ALL EASEMENTS ARE SHOWN ON PLAT NO. 1 VOL. 2726, PG. 461.



METES AND BOUNDS

BEING 12.500 ACRES OF LAND OUT OF LOT 167, JOHN H. SHARY SUBDIVISION, RECORDED IN VOLUME 1, PAGE 17, MAP RECORDED HIDALGO COUNTY, TEXAS, AND BEING THE SAME LAND DESCRIBED AS 12.5 ACRES OUT OF SAID LOT 167, BY WARRANTY DEED WITH VENDOR'S LIEN FROM HARRY H. POWELL AND MARY MAY POWELL, CO-TRUSTEES OF THE HARRY H. AND MARY MAY POWELL LIVING TRUST, DATED NOVEMBER 28, 2000, RECORDED IN DOCUMENT NO. 928311, DEED RECORDS HIDALGO COUNTY, TEXAS, SAID 12.500 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A COTTON PICKER SPINDLE FOUND, THE SOUTHWEST CORNER OF THE SAID LOT 167, AND SAME BEING THE CENTERLINE OF TAYLOR ROAD FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT AND THE POINT AND PLACE OF BEGINNING;

THENCE N 09°30'17" E ALONG THE WEST LINE OF THE SAID LOT 167 AND WITHIN THE RIGHT-OF-WAY OF TAYLOR ROAD, A DISTANCE OF 412.49 FEET TO AN IRON ROD SET, FROM WHICH AN IRON ROD FOUND BEARS N 10°23'03" E, A DISTANCE OF 0.07 FEET, FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 81°22'57" E ACROSS THE SAID LOT 167, SAME BEING THE NORTH LINE OF THE SAID CALLED 12.5 ACRE TRACT, A DISTANCE OF 1320.69 FEET TO AN IRON ROD SET, FROM WHICH AN IRON ROD FOUND BEARS N 10°23'03" E, A DISTANCE OF 0.07 FEET, FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 08°35'18" W ALONG THE EAST LINE OF THE SAID LOT 167, SAME BEING THE WEST LINE OF AN 80.8 EASEMENT TO HCOB NO. 1, RECORDED IN VOLUME 2726, PAGE 461, HIDALGO COUNTY DEED RECORDS, A DISTANCE OF 412.55 FEET TO AN IRON ROD SET ON THE NORTH RIGHT-OF-WAY OF UVALDE AVENUE, FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 01°22'57" W ALONG THE SOUTH LINE OF THE SAID LOT 167, SAME BEING THE NORTH LINE OF SAID LOT 167, A DISTANCE OF 1321.05 FEET TO THE POINT AND PLACE OF BEGINNING.

RECEIVED

JUL 08 2015

BY: @ 9:25 AM


City of McAllen
SUBDIVISION PLAT REVIEW

Reviewed On: 7/14/2015

SUBDIVISION NAME: TAYLOR VILLAS**REQUIREMENTS****STREETS AND RIGHT-OF-WAYS**

S. Taylor Road: 10 ft. ROW dedication required for 40 ft. from centerline for an 80 ft. ROW
 Paving: 52 ft. - 65 ft. Curb & gutter: both sides
 *Owner must escrow monies for improvements if not built prior to recording.

Compliance

Uvalde Avenue: 80 ft. - 90 ft. ROW existing
 Paving: 52 ft. - 65 ft. Curb & gutter: both sides
 *Project engineer to provide document to verify existing ROW.

Applied

Interior Streets: 60 ft. ROW required (proposed as private)
 Paving: 40 ft. Curb & gutter: both sides
 *Interior Streets have a proposed ROW width that varies from 50 ft. to 53.25 ft. to 55 ft.
 **Private streets to comply with and built according to City standards.

Non-compliance

* 800 ft. Block Length: block lengths exceed maximum allowed under Section 134-118 of the
 Subdivision Ordinance.
 **Project engineer, on behalf of the developer has submitted a variance request to allow the
 block lengths to exceed 800 ft. in length without a cross street.
 ***Variance to the 800 ft. block length approved by the City Commission at their meeting on
 July 13, 2015.

Complete

* 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. Taylor Road: 40 ft. or greater for easements (Lots 14 & 15)
 Uvalde Avenue: 20 ft. or greater for easements (Lots 1-13, & 43-44)
 Interior Streets: 20 ft. or greater for easements (including double fronting lots such
 as Lots 16-26)

Non-compliance

* Rear: in accordance with the Zoning Ordinance, or greater for easements (Lots 6-20),
 except 20 ft. for Lots 1-5, and 21-39 for the double fronting lots.

Non-compliance

* Interior Sides: in accordance with the Zoning Ordinance, or greater for easements

Non-compliance

* Corner: 10 ft. or greater for easements (Lots 1 & 2, 5, 29 & 30, 36 & 37)
 20 ft. on the south side of Lot 20 or greater for easements

Non-compliance

* Garage: 18 ft. except where greater setback is required; greater setback applies

Compliance

*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS

Applied

SIDEWALKS

* 4 ft. wide minimum sidewalk required on S. Taylor Road, Uvalde Avenue and on both sides
 of all interior streets.

Non-compliance

* Perimeter sidewalks must be built or money escrowed if not built at this time.

Applied

BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, or industrial zones/uses and along S. Taylor Road and Uvalde Avenue.	Non-compliance
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.	Compliance
*Perimeter buffers along S. Taylor Road and Uvalde Avenue must be built at time of Subdivision Improvements.	Applied
NOTES	
* No curb cut, access, or lot frontage permitted along S. Taylor Road and Uvalde Avenue.	Non-compliance
* Site plan must be approved by the Planning and Zoning Commission prior to building permit issuance.	NA
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	NA
* Common Areas, Private Streets must be maintained by the lot owners and not the City of McAllen.	Applied
* 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.	Applied
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording-ADDRESSING MAINTENANCE OBLIGATIONS PER SECTION 134-168 OF THE SUBDIVISION ORDINANCE.	Applied
LOT REQUIREMENTS	
* Lots fronting public streets: Perimeter streets to remain public; interior streets proposed as private.	Compliance
**Private streets must comply with and built according to City standards.	
* Minimum lot width and lot area:	Compliance
ZONING/CUP	
* Existing: ETJ Proposed: R-3A & R-3C	Applied
* Rezoning Needed Before Final Approval	Non-compliance
**Annexation and Initial Zoning Needed.	
***Per the project engineer, Lot 42 will have a proposed zoning of R-3A (multifamily residential apartments) District and the balance of the lots are proposed to be zoned R-3C (condominiums) District.	
PARKS	
* Land dedication in lieu of fee:	TBD
* Park Fee of \$700 per dwelling unit is required to be paid prior to recording.	TBD
* Pending review by the Parkland Dedication Advisory Board and CC.	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	
<p>Comments: *Preliminary plat approved by the Planning and Zoning Commission on May 19, 2015.</p> <p>**Revised Preliminary plat with the variance to the 800 ft. block length approved by the Planning and Zoning Commission on June 16, 2015.</p> <p>***Gate detail and mechanism needed for staff review and approval.</p> <p>****Project engineer to clarify clip shown at the rear portion of Lots 13 & 14 as well as Lot 44. Project engineer to clarify the use of Lot 44 and if it's a buildable lot.</p>	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED PRELIMINARY FORM SUBJECT TO THE CONDITIONS NOTED, AND UTILITY & DRAINAGE APPROVALS.	Applied

U.S. 83 EXPRESSWAY U.S. 83



GINTHER ESTATES SHARY GATEWAY SUBDIVISION

COLBATH RD COLBATH PLAZA SKYSPORTS SUBDIVISION

167 PROPOSED TAYLOR VILLAS SUBDIVISION

LOCATION

TAYLOR RD

UVALDE AVE

SHARYLAND NEW ELEMENTARY SCHOOL 157

VERMONT AVE PHASE 1 PHASE 2

SAVANNAH AVE LA VERANDA SUBDIVISION SALTILLO AT BENT TORONTO AVE SU

VERMONT AVE PHASE 1 PHASE 2 VICTORIA AVE WICHITA AVE

BEN HOGAN DR BENTSEN LAKES 158

A J MCGOLL'S ADDITION

147



City of McAllen
 Planning Department
 APPLICATION FOR

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

SUBDIVISION PLAT REVIEW

2012-0019

Project Description

Subdivision Name VIDA BUENA
 Location McAllen
 City Address or Block Number 1100 E. Redbud & 4224 N. McColl
 Number of lots 1 Gross acres 8.284 Net acres 8.284
 Existing Zoning R3C/R3A Proposed R3A Rezoning Applied For Yes No Date _____
 Existing Land Use vacant Proposed Land Use apartment Irrigation District # ACID #2
 Residential Replat Yes No Commercial Replat Yes No ETJ Yes No
 Agricultural Tax Exemption Yes No Estimated Rollback tax due 10,573.98
 Legal Description 0.284 ac being all of Lots 4 and 5, Lakes Business Park Phase 3, Vol. 47, Pg. 165, H.C.M.R

Owner

Name McAllen Heart Surgeons Bldg. LLC Phone (956) 630-9430 / (956) 458-7480
 Address 500 E. Ridge Road, Suite 201
 City McAllen State TX Zip 78503
 E-mail docrodff@gmail.com

Developer

Name Filiberto Rodriguez, MD Phone (956) 630-9430 / (956) 458-7480
 Address 500 E. Ridge Road, Suite 201
 City McAllen State TX Zip 78503
 Contact Person Filiberto Rodriguez
 E-mail docrodff@gmail.com

Engineer

Name Melden and Hunt, Inc Phone (956) 381-0981
 Address 115 W. Mc Intyre
 City Edinburg State TX Zip 78541
 Contact Person Fred Kurth or Gracie Lira
 E-mail fkurth@meldenandhunt.com / graciel@meldenandhunt.com

Surveyor

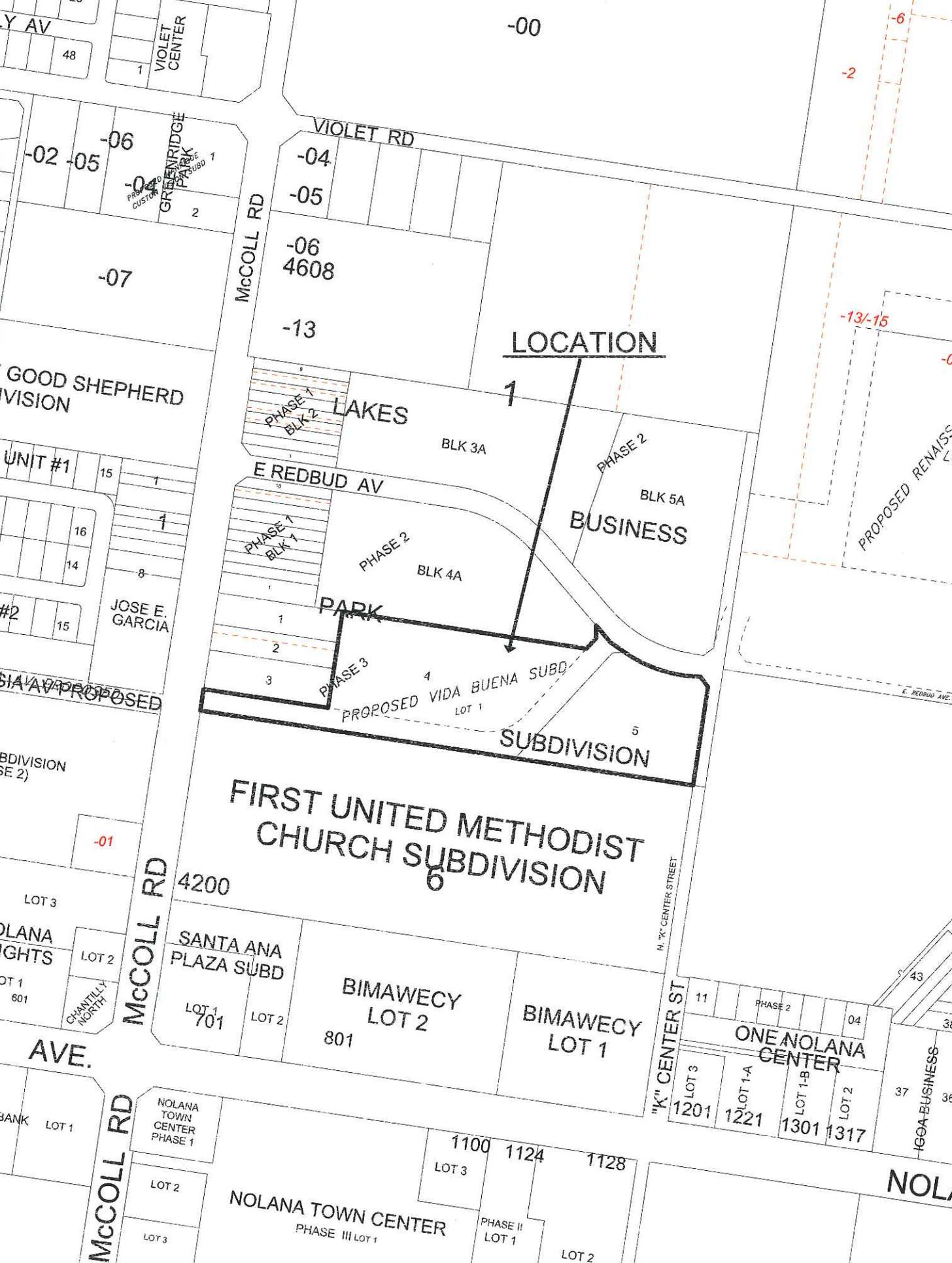
Name Same as "Engineer" Phone _____
 Address _____
 City _____ State _____ Zip _____
 E-mail _____

RCPT # 7896

RECEIVED

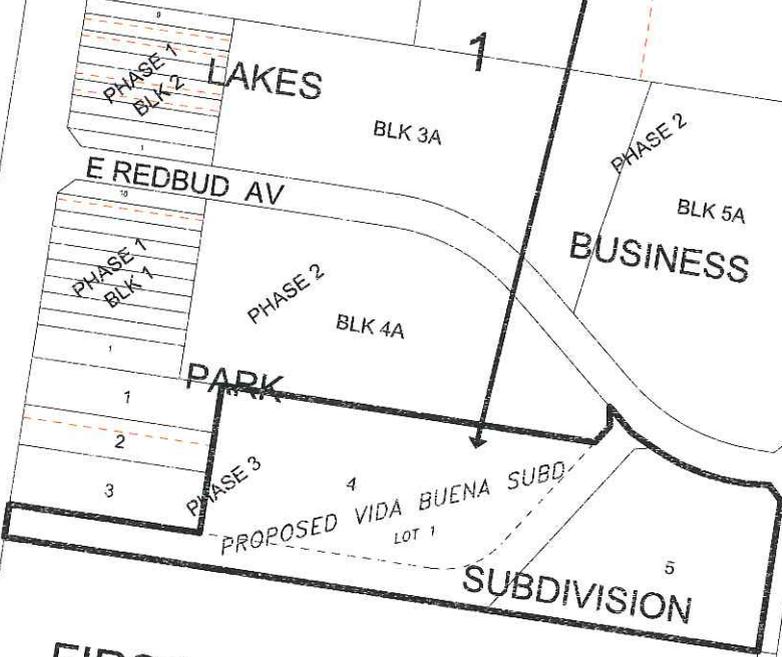
MAR 2 2012

Initial: SLW 1047



LOCATION

1



FIRST UNITED METHODIST CHURCH SUBDIVISION
6

McCOLL RD

VIOLET RD

E REDBUD AV

N "K" CENTER STREET

McCOLL RD

"K" CENTER ST

AVE.

McCOLL RD

-04

-05

-06
4608

-13

1

LAKES

BLK 3A

PHASE 2

BLK 5A

BUSINESS

PHASE 1
BLK-2

PHASE 1
BLK-1

PHASE 2

BLK 4A

PARK

PHASE 3

PROPOSED VIDA BUENA SUBD
LOT 1

SUBDIVISION

4200

SANTA ANA PLAZA SUBD

LOT 1
701

LOT 2

BIMAWECY
LOT 2

801

BIMAWECY
LOT 1

ONE NOLANA CENTER

LOT 3
1201

LOT 1-A
1221

LOT 1-B
1301

LOT 2
1317

1100

1124

1128

LOT 3

PHASE II
LOT 1

LOT 2

NOLANA TOWN CENTER
PHASE III LOT 1

LOT 2

LOT 3

NOLANA TOWN CENTER
PHASE 1

NOLANA

1604-BUSINESS

43

37

38

39

40

41

42

43

44

45

46

47

48

49

50

51

52

53

54

55

56

57

58

59

60

61

62

63

64

65

66

67

68

69

70

71

72

73

74

75

76

77

78

79

80

81

82

83

84

85

86

87

88

89

90

91

92

93

94

95

96

97

98

99

100

101

102

103

104

105

106

107

108

109

110

111

112

113

114

115

116

117

118

119

120

121

122

123

124

125

126

127

128

129

130

131

132

133

134

135

136

137

138

139

140

141

142

143

144

145

146

147

148

149

150

151

152

153

154

155

156

157

158

159

160

161

162

163

164

165

166

167

168

169

170

171

172

173

174

175

176

177

178

179

180

181

182

183

184

185

186

187

188

189

190

191

192

193

194

195

196

197

198

199

200

201

202

203

204

205

206

207

208

209

210

211

212

213

214

215

216

217

218

219

220

221

222

223

224

225

226

227

228

229

230

231

232

233

234

235

236

237

238

239

240

241

242

243

244

245

246

247

248

249

250

251

252

253

254

255

256

257

258

259

260

261

262

263

264

265

266

267

268

269

270

271

272

273

274

275

276

277

278

279

280

281

282

283

284

285

286

287

288

289

290

291

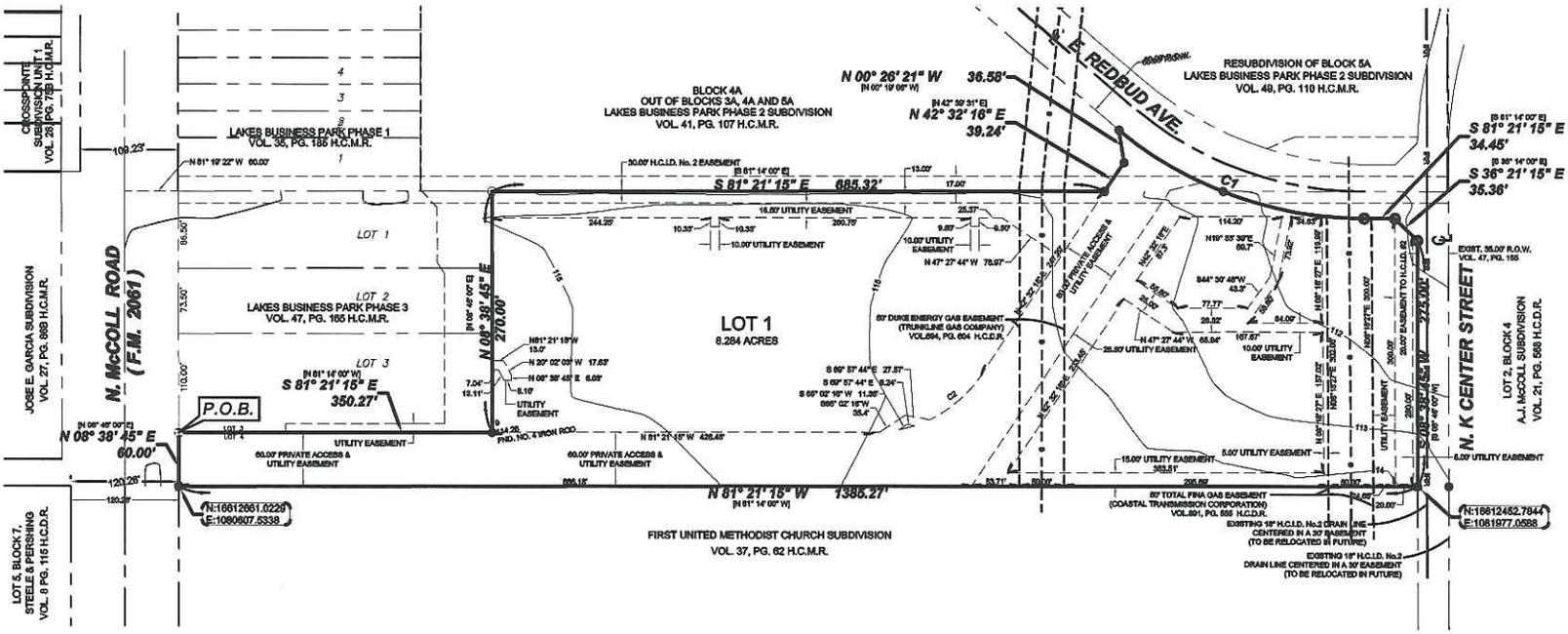
292

293

294



SCALE: 1"=200'



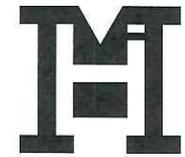
SUBDIVISION MAP OF VIDA BUENA SUBDIVISION

BEING A SUBDIVISION OF 8.284 ACRES
ALL OF LOTS 4 AND 5, LAKES BUSINESS PARK PHASE 3 SUBDIVISION
AS RECORDED IN VOLUME 47, PAGE 165, HIDALGO COUNTY MAP RECORDS,
AN ADDITION TO THE CITY OF McALLEN,
HIDALGO COUNTY, TEXAS

LEGEND

- FOUND No.4 REBAR
- FOUND No.5 REBAR
- FOUND "X" MARK ON CONCRETE
- SET No.4 REBAR
- R.O.W. - RIGHT OF WAY
- H.C.M.R. - HIDALGO COUNTY MAP RECORDS
- S.E. COR. - SOUTHEAST CORNER
- P.O.B. - POINT OF BEGINNING
- ⌈ - RECORDED MAP CALLS
- ⊕ - CENTER LINE

Curve Table						
Curve #	Length	Radius	Delta	Chord Direction	Chord Length	Tangent
C1	297.22'	430.00'	038° 38' 14"	S81° 33' 08"E	291.34'	164.83
C2	78.17'	148.50'	030° 34' 14"	N57° 49' 23"E	77.24'	40.04



MELDEN & HUNT INC.

CONSULTANTS • ENGINEERS • SURVEYORS

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

BOOK T, PG.
DATE: 07-13-15
JOB NO. 12040
FILE NAME: PLAT
DRAWN BY: R. DE JESUS/EM

115 W. MCINTYRE
EDINBURG, TX 78541
PH: (956) 381-0981
FAX: (956) 381-1839
ESTABLISHED 1947
www.meldenaandhunt.com

JUL 14 2015


City of McAllen
SUBDIVISION PLAT REVIEW

Reviewed On: 7/13/2015

SUBDIVISION NAME: VIDA BUENA	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
N. McColl Road: 60 ft. ROW from centerline existing for 120 ft. ROW Paving: by the state Curb & gutter: by the state	Compliance
N. "K" Center Street (east boundary): 35 ft. ROW existing from centerline for 70 ft. ROW Paving: 44 ft. Curb & gutter: both sides *Owner to escrow monies, as may be required for the improvements if not built prior to plat recording	Applied
E. Redbud Avenue: 30 ft. from centerline for 60 ft. ROW existing Paving: 40 ft. Curb & gutter: both sides	Compliance
* 800 ft. Block Length:	Compliance
* 600 ft. Maximum Cul-de-Sac:	NA
ALLEYS	
*Existing 60 ft. private access & utility easement provided.	Applied
SETBACKS	
* Front: N. McColl Road: 60 ft. or greater for approved site plan N. "K" Center Street: 35 ft. or greater for approved site plan or easement E. Redbud Avenue: 30 ft. or greater for approved site plan or easement	Compliance
* Rear:	NA
* Interior Side: as per the Zoning Ordinance, or greater for approved site plan or easement	Compliance
* Corner:	NA
* Garage: 18 ft. except where greater setback is required; greater setback applies.	Applied
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS	Applied
SIDEWALKS	
* 4 ft. wide minimum sidewalk required on N. McColl Road, N. "K" Center Street and E. Redbud Avenue	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.	Compliance
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	NA
* Common Areas, Private Streets must be maintained by the lot owners and not the City of McAllen.	NA
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.	NA
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.	NA
LOT REQUIREMENTS	
* Lots fronting public streets:	Compliance
* Minimum lot width and lot area:	Compliance
ZONING/CUP	
* Existing: R-3A Proposed: R-3A	Compliance
* Rezoning Needed Before Final Approval	NA
PARKS	
* Land dedication in lieu of fee:	NA
* Park Fee of \$124,600 based on 178 dwelling units at \$700 each is required to be paid prior to recording.	Applied
**Parks Advisory Board recommended fee in lieu of land at their meeting of June 29, 2015.	
***City Commission approved fee in lieu of land at their meeting of July 13, 2015.	
* Pending review by the Parkland Dedication Advisory Board and CC.	Complete
**Parks Advisory Board recommended fee in lieu of land at their meeting of June 29, 2015.	
***City Commission approved fee in lieu of land at their meeting of July 13, 2015.	
TRAFFIC	
* Trip Generation to determine if TIA is required, prior to final plat.	Compliance
* Traffic Impact Analysis (TIA) required prior to final plat.	NA
**Per Traffic on July 13, 2015, TIA is not required.	
COMMENTS	
Comments: *Preliminary plat approved by the Planning and Zoning Commission on March 20, 2012. **Revised Preliminary plat approved by the Planning and Zoning Commission on May 5, 2015. **Existing plat notes remain the same for the resubdivision. ***Agreement from the respective Gas company needed for any improvements over the gas easement.	Applied

RECOMMENDATION

Recommendation: STAFF RECOMMENDS APPROVAL OF THE RESUBDIVISION IN FINAL FORM.

Applied

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: April 15, 2015

SUBJECT: AN ORDINANCE OF THE CITY OF MCALLEN, TEXAS CREATING A PLANNED UNIT DEVELOPMENT (PUD) ON CERTAIN PROPERTY DESCRIBED AS A 13.66 ACRE TRACT OF LAND BOUND BY I-2 ACCESS ROAD, SOUTH 12TH STREET, LINDBERG AVENUE, AND SOUTH 10TH STREET AND APPROVING THE CONCEPT PLAN AND DEVELOPMENT STANDARDS FOR THE PUD.

BRIEF DESCRIPTION:

The property is located on the northwest corner of the Expressway 83 and South 10th Street and is the site of the McAllen Civic Center that is being sold for redevelopment by Provident Realty Advisors, Inc. that is scheduled to close on the property by the end of the month. Provident Realty Advisors has requested adoption of an ordinance establishing the terms of the Planned Unit Development (PUD) similar to the adoption of a zoning ordinance for a specific property and a ordinance designating historic landmarks. The PUD ordinance is filed with other city ordinances and is not codified within the Code of Ordinances of the City of McAllen. PUD ordinance is a common practice for most zoning ordinances within the State of Texas. The McAllen Zoning Ordinance allows a Planned Unit Development in the C-3 (general business) District with a conditional use permit and in compliance with Article IV Planned Developments of the Subdivision Ordinance. The specific requirements for the conditional use permit for the PUD will reference the PUD ordinance. The conditional use permit for the PUD will be considered as a separate agenda item.

REQUEST/ANALYSIS:

The property boundaries are I-2 Access Road (Expressway 83 frontage road) on the south, Lindberg Avenue on the north, 10th Street on the east and 12th Street on the west. The property is zoned C-3 (general business) District. The adjacent zoning is C-3 (general business) District to the north, east, south, and R-2 (duplex-fourplex residential) District to the west. Surrounding land uses are a hotel, restaurants, retail stores and Rose Lawn Cemetery. The applicant is proposing to develop a Planned Unit Development comprising commercial uses containing various retail stores and restaurants. Planned unit developments allow a variety of land uses that complement each other within the development and with existing land uses in the vicinity. The ordinance establishes specific requirements for approval of Planned Unit Development that are summarized as the following:

1. CONCEPTUAL SITE PLAN: Development and use of the property must comply with the conditional use permit conceptual site plan (Exhibit B).
2. The Director of Planning may authorize changes to the approved conditional use permit conceptual site plan and landscape plan.

3. PERMITTED USES: Permitted uses are uses permitted in the C-3 District, Planned Shopping Center, retail food and beverage stores, personal wireless service facilities excluding towers, new and unlisted uses comparable to permitted uses approved by the Director of Planning and bars not exceeding 15% of gross leasable area of shopping center.
4. YARD, LOT, AND SPACE REGULATIONS: There are no minimum lot area and yards requirements. Maximum height is 120 feet. Maximum building coverage is 90%. Maximum lodging units per gross acre is 20 lodging units per acre. Minimum of 200,000 square feet of permitted uses. Structured or surface parking for 200,000 square feet of permitted uses.
5. OFF-STREET PARKING AND LOADING: Parking and loading in compliance with Chapter 138, Article VII. Director of Planning may approve shared parking and parking reductions based upon Urban Land Institute, Institute of Transportation Engineers or other acceptable publications. Parallel parking allowed on Lindberg Avenue. Alternative parking locations may be approved by Director of Planning.
6. LANDSCAPING: National monument tree to be relocated and maintained within the site. Heritage trees (trees over 20 inches DBH) shall be replaced with like caliper trees within the site. Landscaping shall be in compliance with Exhibit B. Director of Planning may authorize changes from landscaped plan. Continuous landscape strip along I-2 access road required. No landscape strip required along 12th Street or Lindberg Avenue. Parking may project into landscape strip along 10th Street. Director of Planning may allow for additional tree credit and may approve alternate tree species and caliper.
7. SIGNS: Signs shall comply with Chapter 130 except as listed below. Signs visible from I-2, 12th Street, Lindberg Avenue and 10th Street shall comply with Exhibit C. Signs in compliance with Chapter 130 or not visible from said roadways are not shown on Exhibit C. Director of Planning may authorize additional signs and changes to approved signage plan. No pylon or poles sign permitted. CEVMS signs permitted as shown on Exhibit C or as approved by Director of Planning. CEVMS signs are allowed to host off-premise signage not exceeding 20% annual expose time per CEVMS. Signs on Exhibit C may be CEVMS. Any sign may contain name, logo of district, business, and tenant or announce project or activity in district. Property is considered as one lot for signage purposes. Building wraps signs authorized for initial 6 months after written notice of signs completion date and limited to on-site events. Additional review and approval of building wraps after initial 6 months for off-premise signage consideration. Project and tenant identification signs permitted.
8. ADDITIONAL PROVISIONS: Director of Planning may approve closing 12th Street, Lindberg Avenue, internal streets and drives for special events subject to special event permit. 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.

RECOMMENDATION:

Staff recommends approval of the PUD Ordinance and attached exhibits.

5/17/15

ORDINANCE NO. 2015-

AN ORDINANCE OF THE CITY OF MCALLEN, TEXAS, CREATING A PLANNED UNIT DEVELOPMENT (PUD) ON CERTAIN PROPERTY DESCRIBED AS A 13.66 ACRE TRACT OF LAND BOUND BY 1-2 ACCESS ROAD, SOUTH 12TH STREET, LINDBERG AVENUE, AND SOUTH 10TH STREET AND APPROVING THE CONCEPT PLAN AND DEVELOPMENT STANDARDS FOR THE PUD.

WHEREAS, the developer Provident Realty Advisors, Inc. ("Provident") intends to create high level or urban amenities and design standards while allowing flexibility in the use and development of the land;

WHEREAS, the City Commission has determined that the PUD is in keeping with the purpose and intent of the PUD is to provide a high level of urban amenities and design standards while allowing flexibility in the use and development of the land; and

WHEREAS, the proposed PUD is consistent with the comprehensive plan, the purpose of Chapter ___ of the McAllen Code of Ordinances, and the planned unit development regulations;

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

Section 1: All the recitals and preambles hereinabove stated are found to be true and correct, and are incorporated herein and made a part of this ordinance.

Section 2: This ordinance, together with the attached Exhibits A-C, are the land use plan for the PUD created by this ordinance. The PUD will conform to the limitations and conditions set forth in the land use plan. If this ordinance and the attached exhibits conflict, this ordinance applies. Except as otherwise specifically provided by this ordinance, all other rules, regulations and ordinances of the City of McAllen in effect on the effective date of this ordinance shall apply to the PUD.

Section 3: The attached exhibits are incorporated into this ordinance in their entirety as though set forth fully in the text of this ordinance. The exhibits are as follows:

- Exhibit A: Legal Description of the PUD's Metes and Bounds
- Exhibit B: Conditional Use Permit Conceptual Site and Landscaping Plan
- Exhibit C: Signage Plan

Section 4: PURPOSE.

The Planned Unit Development ("PUD") recognizes that the development does not conform in all respects with the land use pattern designated on the zoning map or the district regulations prescribed in by the zoning ordinance yet, complements the development pattern in the area. The objectives of these standards are as follows:

1. To promote the health, safety, welfare, convenience, and enjoyment of the public.
2. To create a welcoming landmark for the citizens of and visitors to the City of McAllen.
3. To create a community gathering place and tourist destination where guests can spend the whole day shopping, eating and fostering greater connections with family, friends, and community.
4. To achieve buildings more urban in form.
5. To create a high-quality mixed-use destination that will serve as a model for future development.
6. To achieve buildings efficient in design and utilization of space.

Section 5: PROPERTY LOCATION AND SIZE.

The property is bounded by I-2 Access Road, South 12th Street, Lindberg Avenue, and South 10th Street. The size of the PUD is approximately 13.661 acres.

Section 6: DEFINITIONS.

Unless otherwise stated, the definitions and interpretations in City's Code of Ordinances apply. In this district:

1. *Building wrap sign* means an attached sign created from a film which covers a building wall or windows.
2. *Changeable electronic variable message sign or CEVMS* means an electric sign which permits light to be turned on or off intermittently or which is operated in a way whereby light is turned on or off intermittently, including any illuminated sign on which such illumination is not kept stationary or constant in intensity and color at all times when such sign is in use, including an LED (light emitting diode) or digital sign, and which varies in intensity or color. A CEVMS sign does not include a sign located within the right-of-way that functions as a traffic control device and that is described and identified in the Manual on Uniform Traffic Control Devices (MUTCD) approved by the Federal Highway Administrator as the National Standard.
3. *Project identity sign* means a monument sign that identifies the name or logo of the district, business, or tenant.
4. *Retail food and beverage store* means an establishment for the retail sale and on premise consumption of food and beverage items that are sold, packaged, or prepared on-site. This use may also include the retail sale of goods.

5. *Tenant identification sign* means an attached sign constructed of rigid material, mesh or fabric surface, or a projection of a light image onto a wall face that identifies the name or logo of the district, business, or tenant or announces a project or activity in the district.

Section 7: CONDITIONAL USE PERMIT REQUIRED.

In general. Development and use of the property must generally comply with the conditional use permit conceptual plan (Exhibit B).

Site plan. The director may authorize changes to the approved conditional use permit conceptual site plan.

Section 8: PERMITTED USES.

The uses permitted in the C-3 general business districts and the additional main uses are permitted:

1. Planned shopping center.
2. Retail food and beverage stores.
3. Personal wireless service facilities, excluding towers, when part of a planned shopping center.
4. New and previously unlisted uses are allowed pursuant to the director's approval.

Section 9: BARS

Bar means, for purposes of the PUD, an establishment in a building or premises which is devoted to the serving of alcoholic beverages for on-premises consumption and in which more than 50 percent of its gross income is derived from sales of alcoholic beverages, excluding such establishments located within a hotel or motel.

No greater than 15% of the PUD's gross leasable area of the shopping center shall be allocated for the development of bars as described herein.

Section 10: YARD, LOT, AND SPACE REGULATIONS.

The requirements set out in this section have been established as the minimum regulatory criteria to conserve and enhance the environment and character of the property, and to protect the health, safety and general welfare of the residents of that district. All uses of the property must meet the required minimum lot size, width, and front, side and rear dimensions and/or must not exceed the maximum height, building coverage or density per gross acre as required in this section.

1. Minimum lot area. No minimum lot area.
2. Minimum yard requirements. No minimum yard requirements.
3. Maximum height. Maximum structure height is 120 feet.
4. Maximum building coverage as a percent of total lot area. Maximum building coverage is 90%.
5. Maximum number of lodging units per gross acre. Maximum number of lodging units is 20 per gross acre.
6. Minimum square footages.
 - a. A minimum of 200,000 square feet of permitted uses are required.
 - b. Structured and surface required parking required for the 200,000 square feet of permitted uses.

Section 11: OFF-STREET PARKING AND LOADING.

Except as provided, parking and loading must comply with Chapter 138, Article VII.

1. Due to the mixed-use nature of the development, shared parking and parking reductions may be approved at the time of development by the director, based on recognized standards from the Urban Land Institute, Institute of Transportation Engineers, or other parking data from acceptable publications.
2. Parallel parking is allowed in or adjacent to Lindberg Street right-of-way.
3. Alternate parking locations may be approved by the director.

Section 12: LANDSCAPING.

In general.

1. Except as provided, landscaping must comply with Chapter 110.
2. The national monument tree that is located on PUD property, shall at Provident's sole cost and expense be relocated within the property and maintained thereafter.
3. Heritage trees over 20 inches in DBH (diameter at breast height) will be allowed, at City's sole cost and expense, to be relocated to other City owned property.
4. Provident will provide and thereafter maintain replacement trees with like caliper trees equal or greater caliper inch for caliper inch to the Heritage trees' caliper

that will be removed to be located within the PUD property or in right-of-way abutting the PUD property.

5. Landscaping must be provided in compliance with the conditional use permit conceptual site and landscaping plan (Exhibit B).
6. The director may authorize changes to the approved conceptual site and landscaping plan.

Landscape buffers. Landscape buffers may be provided as follows and as shown on the conceptual landscaping plan:

1. On the I-2 Access Road a continuous landscaping strip is required.
2. On South 12th Street and on Lindberg Avenue no landscaping strip is required.
3. On South 10th Street, surface parking may project into the required landscaping strip.

Credit for trees. Tree calculations on conceptual site and landscaping plan are approximate. The director may allow for additional tree credit and may approve alternate tree species and caliper.

Section 13: SIGNS.

In general.

1. Except as provided, signs must comply with Chapter 130.
2. Additionally permitted signs visible from the I-2 Access Road, South 12th Street, Lindberg Avenue, and South 10th Street must comply with the signage plan (Exhibit C).
3. The director may authorize additional signs and changes to the approved signage plan.
4. Signs determined to be in compliance with Chapter 130 are not required to be shown on the signage plan.
5. Sign not visible from the I-2 Access Road, South 12th Street, Lindberg Avenue, and South 10th Street are not required to be shown on a signage plan.
6. Pylon and pole signs are prohibited.
7. Changeable electronic variable message signs ("CEVMS").

- a. A sign permit is required. A sign permit shall not be issued to erect, install or place a CEVMS sign on a property until after the issuance of a building permit for a building on the property.
 - b. CEVMS signs shall be permitted only in the areas shown on the signage plan or as approved by the director.
 - c. The maximum brightness of a CEVMS shall not exceed 5,000 candelas per square meter during daylight hours and 500 candelas per square meter) between dusk to dawn. The sign must have an automatic dimmer control which produces a distinct illumination change from a higher allowed illumination level to a lower allowed level for the time period between one-half hour before sunset and one-half hour after sunrise. User must submit documentation of this capability and compliance with sign permit application.
 - i. CEVMS colors shall not include the red, yellow or green color spectrum used for traffic control devices. No CEVMS signs may be of such intensity or brilliance as to interfere with the effectiveness of an official traffic sign, device or signal. CEVMS signs shall not produce glare or other lighting nuisances.
 - ii. CEVMS shall not display a message or picture that scrolls, fades, blinks, bursts, flashes, travels, or by any other means that does not provide constant illumination. Every message or picture display must remain static for a minimum of eight seconds and must accomplish a change in display within two seconds or less.
 - iii. All approved CEVMS signs shall be made available for usage for Amber Alerts and other emergency community notifications as deemed necessary by the chief of police or emergency management coordinator.
 - d. CEVMS signs shall be permitted to host off-premise signage. However, CEVMS off-premise signage shall not exceed 20% of annual exposure time per CEVMS.
8. Signs identified on the attached signage plan may be a changeable electronic variable message sign.
 9. Any sign may also contain the name or logo of the district, business, or tenant or announces a project or activity in the district.
 10. The property shall be considered one lot for purposes of signage.

11. Unless otherwise authorized herein, off premise signs are prohibited.

Additionally permitted signs. The following signs are also permitted:

1. Building wrap signs. Upon substantial completion of the PUD, building wrap signs are authorized for an initial six (6) month period after the date Provident, or its authorized agent, submits a written notice, including but not limited to the signs' construction start and completion dates, to the Planning Director. Advertising on building wrap signs shall be limited to advertise on-site events during the initial six month period described herein. Additional review and approval by the City of McAllen is required for authorization of building wrap signs beyond the initial six (6) month period described herein.
2. Project identity signs.
3. Tenant identification signs.

Section 14: REPUDIATION AND TERMINATION OF PUD

City of McAllen, through the city council, reserves the right to terminate and repeal this ordinance creating the PUD and accompanying concept plan and development standards described herein, by resolution passed by the city council, any time such termination and repeal becomes necessary. Provident's failure to close a purchase of the PUD property (as described in Exhibit A) within 90 days of the passage of this ordinance shall expressly authorize such a termination and repeal. The determination by the city council of the need for termination and repeal is final and binding and the provisions of this ordinance will be of no further force and effect thereafter. Until Provident's closing of the purchase of the PUD property, no rights shall vest as a result of the passing of this ordinance.

Section 15: ADDITIONAL PROVISIONS.

1. This district is considered a commercial zoning district.
2. Excluding South 12th Street and Lindberg Avenue, internal drives and streets may be shut down for special events with the approval of the director.
3. If there is a conflict with the City's Code of Ordinances and this ordinance, this ordinance controls.
4. Any persons, jointly or severally, aggrieved by any decision of the director, may present to the planning and zoning commission objections in the form of a petition for review, setting forth that such decision is unjust, in whole or part, and specifying the grounds for injustice. The aggrieved party must submit the petition to the city's planning department within ten days after the director's final decision, and not thereafter. Such a review shall be scheduled at the next available planning and zoning commission meeting. After reviewing the contents of the petition, the planning and zoning commission shall adopt a recommendation and submit such to the board of commissioners.

Thereafter, upon reviewing the recommendation issued by the planning and zoning commission and the petition presented, the board of commissioners will make a final determination on the petition at the next regular meeting of the board of commissioners.

Section 16: This ordinance shall not be published in the Code of Ordinances of the City of McAllen as it is not amendatory thereof.

Section 17: This ordinance shall be effective immediately upon its passage and execution in accordance with the law.

CONSIDERED, PASSED and APPROVED this ____ day of _____, 2015 at a Regular Meeting of the Board of Commissioners of the City of McAllen, Texas, at which a quorum was present and which was held in accordance with Chapter 551, Texas Government Code.

SIGNED this _____ day of _____, 2015.

CITY OF McALLEN

Jim Darling, Mayor

ATTEST:

Annette Villarreal, TRMC/CMC, CPM

APPROVED AS TO FORM:

Kevin Pagan, City Attorney

EXHIBIT A

January 5, 2015

**METES AND BOUNDS DESCRIPTION
13.661 ACRES OUT OF LOT 9 AND 16
NORTHWEST 1/4 OF SECTION 7
HIDALGO CANAL COMPANY'S SUBDIVISION
CITY OF McALLEN
HIDALGO COUNTY, TEXAS**

A tract of land containing 13.661 acres situated in the City of McAllen, Hidalgo County, Texas, being a part or portion of Lots 9 and 16 in the Northwest Quarter (1/4) of Section 7, Hidalgo Canal Company's Subdivision, according to the plat thereof recorded in Volume Q, Page 177, Hidalgo County Deed Records, said 13.661 acres also being more particularly described as follows:

COMMENCING at an iron pipe found (Northing: 16595555.596, Easting: 1071434.793) for the Northwest corner of said Lot 9;

THENCE, S 81° 22' 37" E along the North line of said Lot 9, a distance of 60.00 feet;

THENCE, S 08° 48' 13" W a distance of 50.00 feet to the Northwest corner and POINT OF BEGINNING of this herein described tract;

1. THENCE, S 81° 22' 37" E along a line parallel to and 50.00 feet South of the North line of said Lot 9, a distance of 649.15 feet to the Northeast corner of this tract;
2. THENCE, S 08° 37' 20" W along the West right-of-way line of South 10th Street (State Highway 336), a distance of 484.01 feet to a No. 4 rebar set for an angle point of this tract;
3. THENCE, S 17° 29' 31" W along the West right-of-way line of South 10th Street (State Highway 336), a distance of 101.12 feet to a No. 4 rebar set for an angle point of this tract;
4. THENCE, S 08° 37' 20" W along the West right-of-way line of South 10th Street (State Highway 336), a distance of 305.07 feet to a No. 4 rebar set for the Easternmost Southeast corner of this tract;
5. THENCE, S 53° 39' 59" W along a right-of-way clip line, a distance of 42.54 feet to a No. 4 rebar set for the Westernmost Southeast corner of this tract;
6. THENCE, N 81° 26' 14" W along the North right-of-way line of U.S. Expressway 83, a distance of 215.00 feet to a No. 4 rebar set set for an angle point of this tract;
7. THENCE, N 83° 59' 29" W along the North right-of-way line of U.S. Expressway 83, a distance of 391.83 feet to the Southwest corner of this tract, which said corner bears S 83° 59' 29" E a distance of 60.07 feet from a Texas DOT monument found (Northing: 16594577.304, Easting: 1071283.281);
8. THENCE, N 08° 48' 13" E along a line parallel to and 60.00 feet East of the West lines of Lots 16 and 9 and the West right-of-way line of South 12th Street, at a distance of 360.76 feet pass the North line of said Lot 16 and the South line of said Lot 9, continuing a total distance of 937.15 feet to the POINT OF BEGINNING, and containing 13.661 acres of land, more or less.

I, FRED L. KURTH, A REGISTERED PROFESSIONAL LAND SURVEYOR DO HEREBY AFFIRM THAT THIS METES AND BOUNDS DESCRIPTION REPRESENTS THE RESULTS OF A SURVEY MADE ON THE GROUND ON 12-05-2014 UNDER MY DIRECTION AND SUPERVISION.

Fred L. Kurth
FRED L. KURTH, R.P.L.S. #4750 1-5-15 DATE:



Z:\SURVEY\2014\114010.14\METES AND BOUNDS\M&B 13.661 AC.

*To be ANNOUNCED JBA
HOLD FOR REQUIREMENT*

RECEIVED
JAN 06 2015
BY: *(Signature)*



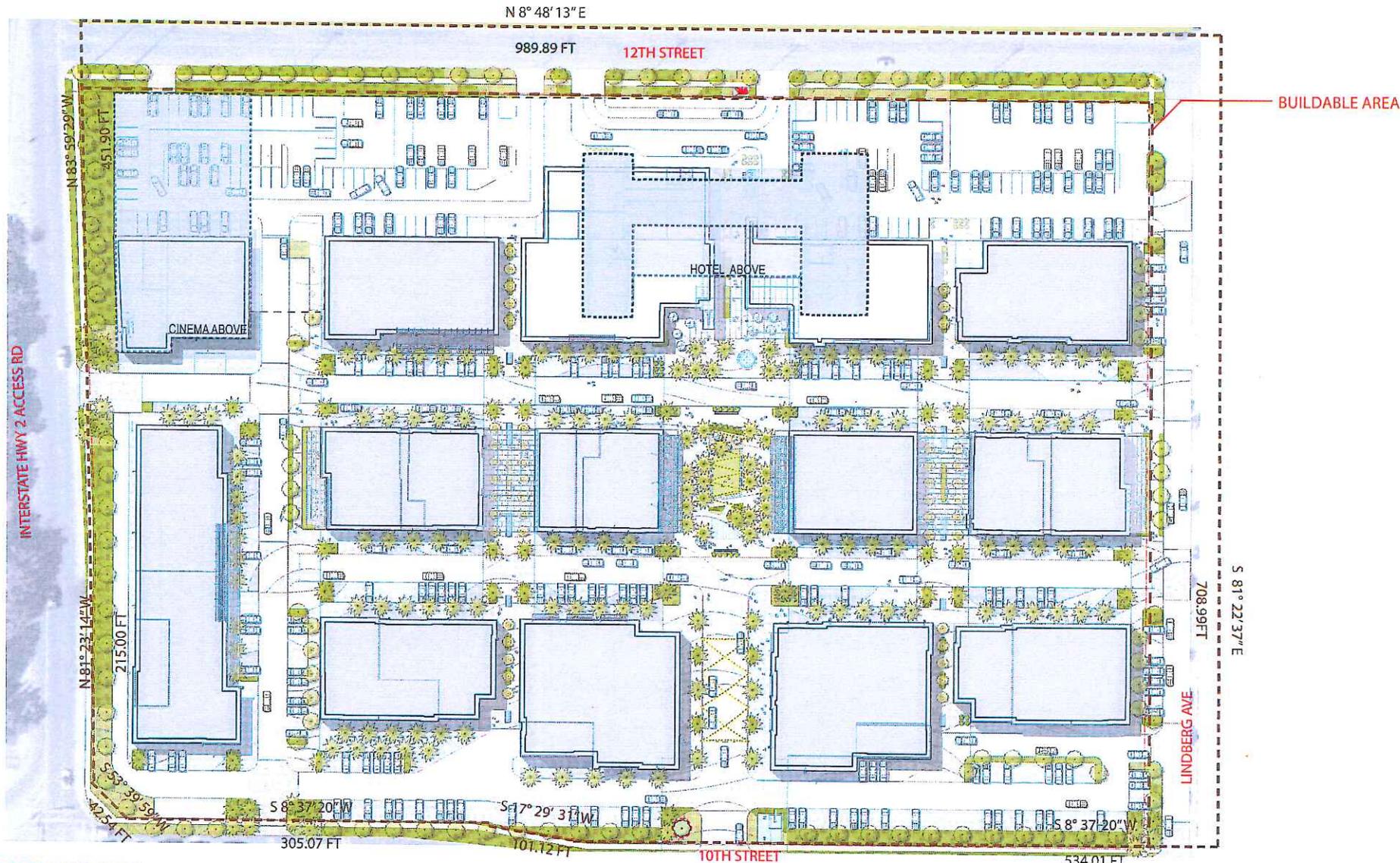
THE SHOPS AT
SOLANA

01.05.2015

A development of Provident Realty Advisors, Inc.

P **ec** **OJB** | THE OFFICE OF JAMES BURNETT
LANDSCAPE ARCHITECTURE **RTKL**
AN ARCADIS COMPANY

For use by the City of McAllen and not to be reproduced or further distributed.



BUILDABLE AREA

EXHIBIT B

LOCATION AND SIZE OF BUILDINGS MAY BE DETERMINED AT TIME OF PERMIT AND IS SUBJECT TO DIRECTOR APPROVAL IN CONFORMITY WITH PUD STANDARDS.

LEGEND

 **Date Palm**
Phoenix dactylifera medjool

207 trees

 **Escarpment Live Oak**
Quercus fusiformis

118 trees

 **Desert Museum Palo Verde**
Parkinsonia x 'Desert Museum'

46 trees

 **Relocated Tepehuaje Tree**
Leucaena pulverulenta

1 trees to be relocated on site

The site is 595,091 sqft.

The tree planting requirement for the project is 757 trees (26 for the first 10,000 sq ft + 731 for the remaining at 1 tree per 800 sq ft).

The current design shows: 459 trees

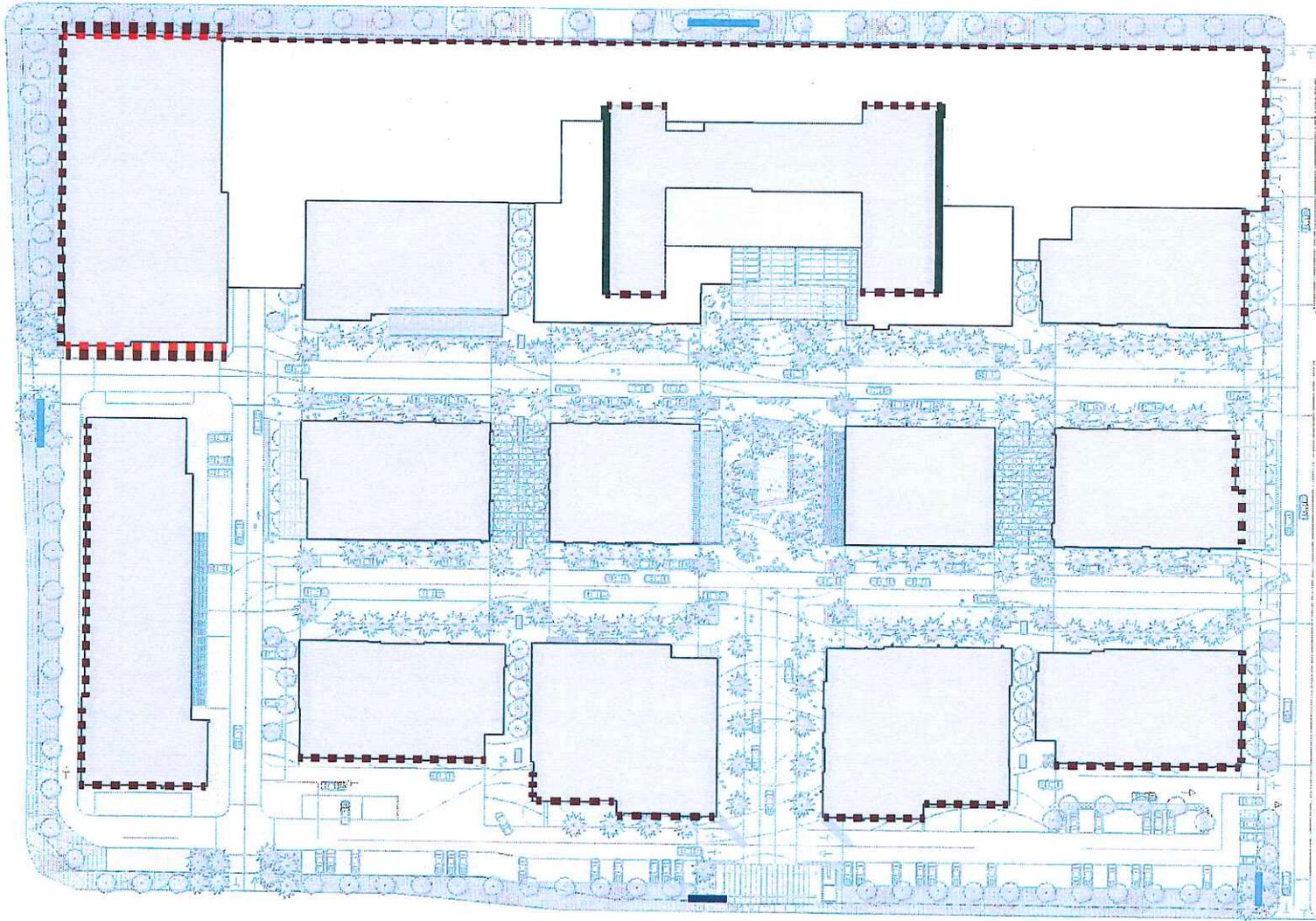
Palm @ 22ft height (0.5 credits)– 205 trees = 102.5 tree credits

Palo Verde @ 6 inch caliper (4 credits) – 48 trees = 192 tree credits

Live Oaks @ 6 inch caliper (4 credits) – 126 trees = 504 tree credits

Tepehuaje Tree existing tree - 1 tree = 1 credit

Total tree credits = 799.5 tree credits



- DIGITAL SIGNAGE*
(CHANGEABLE ELECTRONIC VARIABLE MESSAGE)
- TENANT IDENTIFICATION SIGNAGE
- PROJECT IDENTITY SIGN
- BUILDING WRAP SIGNAGE*
- * OFF-PREMISE SIGNAGE ALLOWED

EXHIBIT C

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: April 15, 2015

SUBJECT: REQUEST OF PROVIDENT REALTY ADVISORS, INC. FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, FOR A PLANNED UNIT DEVELOPMENT AT THE 13.661 ACRES COMING OUT OF LOTS 9 AND 16 IN THE NORTHWEST QUARTER (1/4) OF SECTION 7, HIDALGO CANAL COMPANY'S SUBDIVISION; 1300 SOUTH 10TH STREET. (CUP2015-0003)

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 northwest corner of the Expressway 83 and South 10th Street and is zoned C-3 (general business) District. The adjacent zoning is C-3 District to the north, east, south, and R-2 (duplex-fourplex residential) District to the west. Surrounding land uses are a hotel, restaurants, retail stores and Rose Lawn Cemetery. A Planned Unit Development is permitted in a C-3 (general business) District with a conditional use permit and in compliance with Article IV Planned Developments of the Subdivision Ordinance.

REQUEST/ANALYSIS:

The existing building was built prior to the 1979 Zoning Ordinance and was the McAllen Civic Center. The applicant is proposing to develop a Planned Unit Development comprising commercial uses containing various retail stores and restaurants. 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 (Exhibit B).
2. The Director of Planning may authorize changes to the approved conditional use permit conceptual site plan and landscape plan.
3. PERMITTED USES: Permitted uses are uses permitted in the C-3 District, Planned Shopping Center, retail food and beverage stores, personal wireless service facilities excluding towers, new and unlisted uses comparable to permitted uses approved by the

Director of Planning and bars not exceeding 15% of gross leasable area of shopping center.

4. YARD, LOT, AND SPACE REGULATIONS: There are no minimum lot area and yards requirements. Maximum height is 120 feet. Maximum building coverage is 90%. Maximum lodging units per gross acre is 20 lodging units per acre. Minimum of 200,000 square feet of permitted uses. Structured or surface parking for a minimum of 200,000 square feet of permitted uses.
5. OFF-STREET PARKING AND LOADING: Parking and loading in compliance with Chapter 138, Article VII. Director of Planning may approve shared parking and parking reductions based upon Urban Land Institute, Institute of Transportation Engineers or other acceptable publications. Parallel parking allowed on Lindberg Avenue. Alternative parking locations may be approved by Director of Planning.
6. LANDSCAPING: National monument tree to be relocated and maintained within the site. Heritage trees (trees over 20 inches DBH) shall be replaced with like caliper trees within the site. Landscaping shall be in compliance with Exhibit B. Director of Planning may authorize changes from landscaped plan. Continuous landscape strip along I-2 access road required. No landscape strip required along 12th Street or Lindberg Avenue. Parking may project into landscape strip along 10th Street. Director of Planning may allow for additional tree credit and may approve alternate tree species and caliper.
7. SIGNS: Signs shall comply with Chapter 130 except as listed below. Signs visible from I-2, 12th Street, Lindberg Avenue and 10th Street shall comply with Exhibit C. Signs in compliance with Chapter 130 or not visible from said roadways are not shown on Exhibit C. Director of Planning may authorize additional signs and changes to approved signage plan. No pylon or poles sign permitted. CEVMS signs permitted as shown on Exhibit C or as approved by Director of Planning. CEVMS signs are allowed to host off-premise signage not exceeding 20% annual expose time per CEVMS. Signs on Exhibit C may be CEVMS. Any sign may contain name, logo of district, business, and tenant or announce project or activity in district. Property is considered as one lot for signage purposes. Building wraps signs authorized for initial 6 months after written notice of signs completion date and limited to on-site events. Additional review and approval of building wraps after initial 6 months for off-premise signage consideration. Project and tenant identification signs permitted.
8. ADDITIONAL PROVISIONS: Director of Planning may approve closing 12th Street, Lindberg Avenue, internal streets and drives for special events subject to special event permit. 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.
9. Owner, Engineer and Surveyor certification and signature block needs to be shown on the PUD site plan.
10. A recorded subdivision plat is required prior to issuance of building permits.

OPTIONS:

1. Approve the conditional use permit subject to specified conditions.
2. Approve the conditional use permit subject to modified conditions.

3. Table the item for additional information.
4. Disapprove the request.

RECOMMENDATION:

Staff recommends approval of the PUD as provided in the PUD Ordinance and the attached exhibits.

5/17/15

ORDINANCE NO. 2015-

AN ORDINANCE OF THE CITY OF MCALLEN, TEXAS, CREATING A PLANNED UNIT DEVELOPMENT (PUD) ON CERTAIN PROPERTY DESCRIBED AS A 13.66 ACRE TRACT OF LAND BOUND BY 1-2 ACCESS ROAD, SOUTH 12TH STREET, LINDBERG AVENUE, AND SOUTH 10TH STREET AND APPROVING THE CONCEPT PLAN AND DEVELOPMENT STANDARDS FOR THE PUD.

WHEREAS, the developer Provident Realty Advisors, Inc. (“Provident”) intends to create high level or urban amenities and design standards while allowing flexibility in the use and development of the land;

WHEREAS, the City Commission has determined that the PUD is in keeping with the purpose and intent of the PUD is to provide a high level of urban amenities and design standards while allowing flexibility in the use and development of the land; and

WHEREAS, the proposed PUD is consistent with the comprehensive plan, the purpose of Chapter ___ of the McAllen Code of Ordinances, and the planned unit development regulations;

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

Section 1: All the recitals and preambles hereinabove stated are found to be true and correct, and are incorporated herein and made a part of this ordinance.

Section 2: This ordinance, together with the attached Exhibits A-C, are the land use plan for the PUD created by this ordinance. The PUD will conform to the limitations and conditions set forth in the land use plan. If this ordinance and the attached exhibits conflict, this ordinance applies. Except as otherwise specifically provided by this ordinance, all other rules, regulations and ordinances of the City of McAllen in effect on the effective date of this ordinance shall apply to the PUD.

Section 3: The attached exhibits are incorporated into this ordinance in their entirety as though set forth fully in the text of this ordinance. The exhibits are as follows:

- Exhibit A: Legal Description of the PUD’s Metes and Bounds
- Exhibit B: Conditional Use Permit Conceptual Site and Landscaping Plan
- Exhibit C: Signage Plan

Section 4: PURPOSE.

The Planned Unit Development (“PUD”) recognizes that the development does not conform in all respects with the land use pattern designated on the zoning map or the district regulations prescribed in by the zoning ordinance yet, complements the development pattern in the area. The objectives of these standards are as follows:

1. To promote the health, safety, welfare, convenience, and enjoyment of the public.
2. To create a welcoming landmark for the citizens of and visitors to the City of McAllen.
3. To create a community gathering place and tourist destination where guests can spend the whole day shopping, eating and fostering greater connections with family, friends, and community.
4. To achieve buildings more urban in form.
5. To create a high-quality mixed-use destination that will serve as a model for future development.
6. To achieve buildings efficient in design and utilization of space.

Section 5: PROPERTY LOCATION AND SIZE.

The property is bounded by I-2 Access Road, South 12th Street, Lindberg Avenue, and South 10th Street. The size of the PUD is approximately 13.661 acres.

Section 6: DEFINITIONS.

Unless otherwise stated, the definitions and interpretations in City's Code of Ordinances apply. In this district:

1. *Building wrap sign* means an attached sign created from a film which covers a building wall or windows.
2. *Changeable electronic variable message sign or CEVMS* means an electric sign which permits light to be turned on or off intermittently or which is operated in a way whereby light is turned on or off intermittently, including any illuminated sign on which such illumination is not kept stationary or constant in intensity and color at all times when such sign is in use, including an LED (light emitting diode) or digital sign, and which varies in intensity or color. A CEVMS sign does not include a sign located within the right-of-way that functions as a traffic control device and that is described and identified in the Manual on Uniform Traffic Control Devices (MUTCD) approved by the Federal Highway Administrator as the National Standard.
3. *Project identity sign* means a monument sign that identifies the name or logo of the district, business, or tenant.
4. *Retail food and beverage store* means an establishment for the retail sale and on premise consumption of food and beverage items that are sold, packaged, or prepared on-site. This use may also include the retail sale of goods.

5. *Tenant identification sign* means an attached sign constructed of rigid material, mesh or fabric surface, or a projection of a light image onto a wall face that identifies the name or logo of the district, business, or tenant or announces a project or activity in the district.

Section 7: CONDITIONAL USE PERMIT REQUIRED.

In general. Development and use of the property must generally comply with the conditional use permit conceptual plan (Exhibit B).

Site plan. The director may authorize changes to the approved conditional use permit conceptual site plan.

Section 8: PERMITTED USES.

The uses permitted in the C-3 general business districts and the additional main uses are permitted:

1. Planned shopping center.
2. Retail food and beverage stores.
3. Personal wireless service facilities, excluding towers, when part of a planned shopping center.
4. New and previously unlisted uses are allowed pursuant to the director's approval.

Section 9: BARS

Bar means, for purposes of the PUD, an establishment in a building or premises which is devoted to the serving of alcoholic beverages for on-premises consumption and in which more than 50 percent of its gross income is derived from sales of alcoholic beverages, excluding such establishments located within a hotel or motel.

No greater than 15% of the PUD's gross leasable area of the shopping center shall be allocated for the development of bars as described herein.

Section 10: YARD, LOT, AND SPACE REGULATIONS.

The requirements set out in this section have been established as the minimum regulatory criteria to conserve and enhance the environment and character of the property, and to protect the health, safety and general welfare of the residents of that district. All uses of the property must meet the required minimum lot size, width, and front, side and rear dimensions and/or must not exceed the maximum height, building coverage or density per gross acre as required in this section.

1. Minimum lot area. No minimum lot area.
2. Minimum yard requirements. No minimum yard requirements.
3. Maximum height. Maximum structure height is 120 feet.
4. Maximum building coverage as a percent of total lot area. Maximum building coverage is 90%.
5. Maximum number of lodging units per gross acre. Maximum number of lodging units is 20 per gross acre.
6. Minimum square footages.
 - a. A minimum of 200,000 square feet of permitted uses are required.
 - b. Structured and surface required parking required for the 200,000 square feet of permitted uses.

Section 11: OFF-STREET PARKING AND LOADING.

Except as provided, parking and loading must comply with Chapter 138, Article VII.

1. Due to the mixed-use nature of the development, shared parking and parking reductions may be approved at the time of development by the director, based on recognized standards from the Urban Land Institute, Institute of Transportation Engineers, or other parking data from acceptable publications.
2. Parallel parking is allowed in or adjacent to Lindberg Street right-of-way.
3. Alternate parking locations may be approved by the director.

Section 12: LANDSCAPING.

In general.

1. Except as provided, landscaping must comply with Chapter 110.
2. The national monument tree that is located on PUD property, shall at Provident's sole cost and expense be relocated within the property and maintained thereafter.
3. Heritage trees over 20 inches in DBH (diameter at breast height) will be allowed, at City's sole cost and expense, to be relocated to other City owned property.
4. Provident will provide and thereafter maintain replacement trees with like caliper trees equal or greater caliper inch for caliper inch to the Heritage trees' caliper

that will be removed to be located within the PUD property or in right-of-way abutting the PUD property.

5. Landscaping must be provided in compliance with the conditional use permit conceptual site and landscaping plan (Exhibit B).
6. The director may authorize changes to the approved conceptual site and landscaping plan.

Landscape buffers. Landscape buffers may be provided as follows and as shown on the conceptual landscaping plan:

1. On the I-2 Access Road a continuous landscaping strip is required.
2. On South 12th Street and on Lindberg Avenue no landscaping strip is required.
3. On South 10th Street, surface parking may project into the required landscaping strip.

Credit for trees. Tree calculations on conceptual site and landscaping plan are approximate. The director may allow for additional tree credit and may approve alternate tree species and caliper.

Section 13: SIGNS.

In general.

1. Except as provided, signs must comply with Chapter 130.
2. Additionally permitted signs visible from the I-2 Access Road, South 12th Street, Lindberg Avenue, and South 10th Street must comply with the signage plan (Exhibit C).
3. The director may authorize additional signs and changes to the approved signage plan.
4. Signs determined to be in compliance with Chapter 130 are not required to be shown on the signage plan.
5. Sign not visible from the I-2 Access Road, South 12th Street, Lindberg Avenue, and South 10th Street are not required to be shown on a signage plan.
6. Pylon and pole signs are prohibited.
7. Changeable electronic variable message signs ("CEVMS").

- a. A sign permit is required. A sign permit shall not be issued to erect, install or place a CEVMS sign on a property until after the issuance of a building permit for a building on the property.
 - b. CEVMS signs shall be permitted only in the areas shown on the signage plan or as approved by the director.
 - c. The maximum brightness of a CEVMS shall not exceed 5,000 candelas per square meter during daylight hours and 500 candelas per square meter) between dusk to dawn. The sign must have an automatic dimmer control which produces a distinct illumination change from a higher allowed illumination level to a lower allowed level for the time period between one-half hour before sunset and one-half hour after sunrise. User must submit documentation of this capability and compliance with sign permit application.
 - i. CEVMS colors shall not include the red, yellow or green color spectrum used for traffic control devices. No CEVMS signs may be of such intensity or brilliance as to interfere with the effectiveness of an official traffic sign, device or signal. CEVMS signs shall not produce glare or other lighting nuisances.
 - ii. CEVMS shall not display a message or picture that scrolls, fades, blinks, bursts, flashes, travels, or by any other means that does not provide constant illumination. Every message or picture display must remain static for a minimum of eight seconds and must accomplish a change in display within two seconds or less.
 - iii. All approved CEVMS signs shall be made available for usage for Amber Alerts and other emergency community notifications as deemed necessary by the chief of police or emergency management coordinator.
 - d. CEVMS signs shall be permitted to host off-premise signage. However, CEVMS off-premise signage shall not exceed 20% of annual exposure time per CEVMS.
8. Signs identified on the attached signage plan may be a changeable electronic variable message sign.
 9. Any sign may also contain the name or logo of the district, business, or tenant or announces a project or activity in the district.
 10. The property shall be considered one lot for purposes of signage.

11. Unless otherwise authorized herein, off premise signs are prohibited.

Additionally permitted signs. The following signs are also permitted:

1. Building wrap signs. Upon substantial completion of the PUD, building wrap signs are authorized for an initial six (6) month period after the date Provident, or its authorized agent, submits a written notice, including but not limited to the signs' construction start and completion dates, to the Planning Director. Advertising on building wrap signs shall be limited to advertise on-site events during the initial six month period described herein. Additional review and approval by the City of McAllen is required for authorization of building wrap signs beyond the initial six (6) month period described herein.
2. Project identity signs.
3. Tenant identification signs.

Section 14: REPUDIATION AND TERMINATION OF PUD

City of McAllen, through the city council, reserves the right to terminate and repeal this ordinance creating the PUD and accompanying concept plan and development standards described herein, by resolution passed by the city council, any time such termination and repeal becomes necessary. Provident's failure to close a purchase of the PUD property (as described in Exhibit A) within 90 days of the passage of this ordinance shall expressly authorize such a termination and repeal. The determination by the city council of the need for termination and repeal is final and binding and the provisions of this ordinance will be of no further force and effect thereafter. Until Provident's closing of the purchase of the PUD property, no rights shall vest as a result of the passing of this ordinance.

Section 15: ADDITIONAL PROVISIONS.

1. This district is considered a commercial zoning district.
2. Excluding South 12th Street and Lindberg Avenue, internal drives and streets may be shut down for special events with the approval of the director.
3. If there is a conflict with the City's Code of Ordinances and this ordinance, this ordinance controls.
4. Any persons, jointly or severally, aggrieved by any decision of the director, may present to the planning and zoning commission objections in the form of a petition for review, setting forth that such decision is unjust, in whole or part, and specifying the grounds for injustice. The aggrieved party must submit the petition to the city's planning department within ten days after the director's final decision, and not thereafter. Such a review shall be scheduled at the next available planning and zoning commission meeting. After reviewing the contents of the petition, the planning and zoning commission shall adopt a recommendation and submit such to the board of commissioners.

Thereafter, upon reviewing the recommendation issued by the planning and zoning commission and the petition presented, the board of commissioners will make a final determination on the petition at the next regular meeting of the board of commissioners.

Section 16: This ordinance shall not be published in the Code of Ordinances of the City of McAllen as it is not amendatory thereof.

Section 17: This ordinance shall be effective immediately upon its passage and execution in accordance with the law.

CONSIDERED, PASSED and APPROVED this ____ day of _____, 2015 at a Regular Meeting of the Board of Commissioners of the City of McAllen, Texas, at which a quorum was present and which was held in accordance with Chapter 551, Texas Government Code.

SIGNED this _____ day of _____, 2015.

CITY OF McALLEN

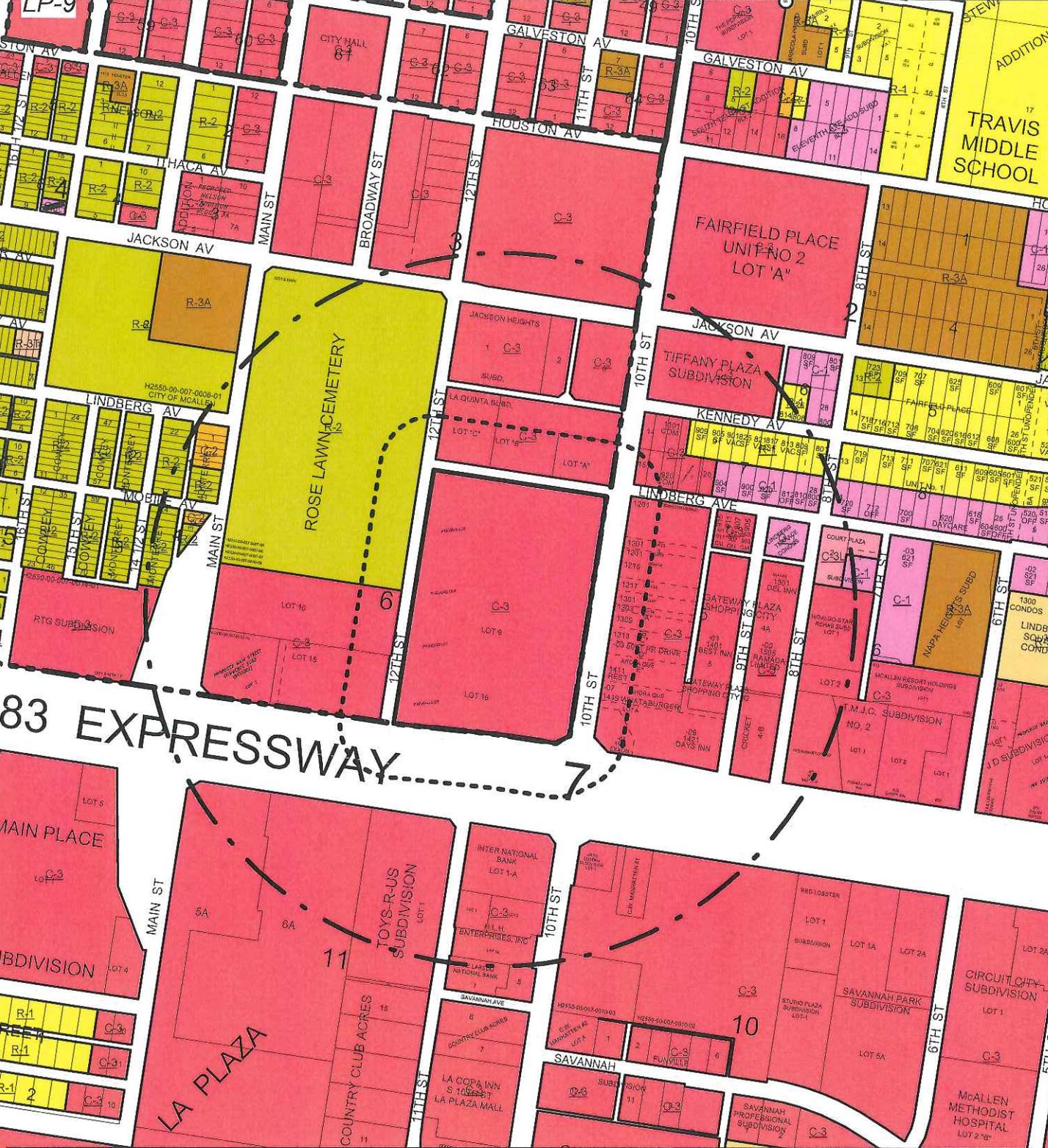
Jim Darling, Mayor

ATTEST:

Annette Villarreal, TRMC/CMC, CPM

APPROVED AS TO FORM:

Kevin Pagan, City Attorney



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-3T (TOWNHOUSES)	C-2 (NEIGHBORHOOD COMMERCIAL)	C-4 (COMMERCIAL INDUSTRIAL)	(SPECIAL DISTRICT)

This map is a representation of the official zoning map. For zoning verification contact the Planning Department at 955-681-1250, 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.

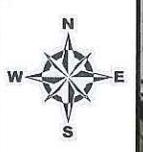


CITY OF McALLEN
PLANNING DEPARTMENT

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 956-681-1230, or select city maps at <http://www.mcallen.net>. This map is for informational purposes only and is not to be used for any other purpose. The map is not a legal document and does not represent approximate relative location of property boundaries.

NOTICE
PLANNED DEVELOPMENT
For
This Property
CUP2015-0003

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



Memo

TO: Planning and Zoning Commission

FROM: Planning Staff 

DATE: July 14, 2015

SUBJECT: REQUEST OF BRANDON R. GARCIA FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A HOME OCCUPATION (OFFICE) AT LOT 12, SYCAMORE HEIGHTS SUBDIVISION; 1500 SYCAMORE 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 Sycamore Avenue, approximately 181 ft. east of North 16th Street and is zoned R-1 (single family residential) District. The adjacent zoning is R-1 District in all directions. Surrounding land uses include single family residences and church. A home occupation is permitted in an R-1 zone with a Conditional Use Permit and in compliance with requirements.

REQUEST/ANALYSIS:

The applicant is proposing to operate an office for a graphic designing business from the existing residence. The proposed hours of operation will be by appointment only between 8:00 a.m. to 5:00 p.m. Monday through Friday.

Should the conditional use permit be approved, the applicant would be required to sign the certificate acknowledging and agreeing to the conditions of the permit. The occupation may not be operational until issuance of the certificate. The Fire Department has inspected the building and has met all the minimum standards and applicable ordinances. The business must comply with requirements set forth in Section 138-118(1) of the Zoning Ordinance and other specific requirements as follows:

- 1) The home occupation must be clearly secondary to the residential use. The applicant lives at the residence;
- 2) No signs are permitted. No sign is proposed;

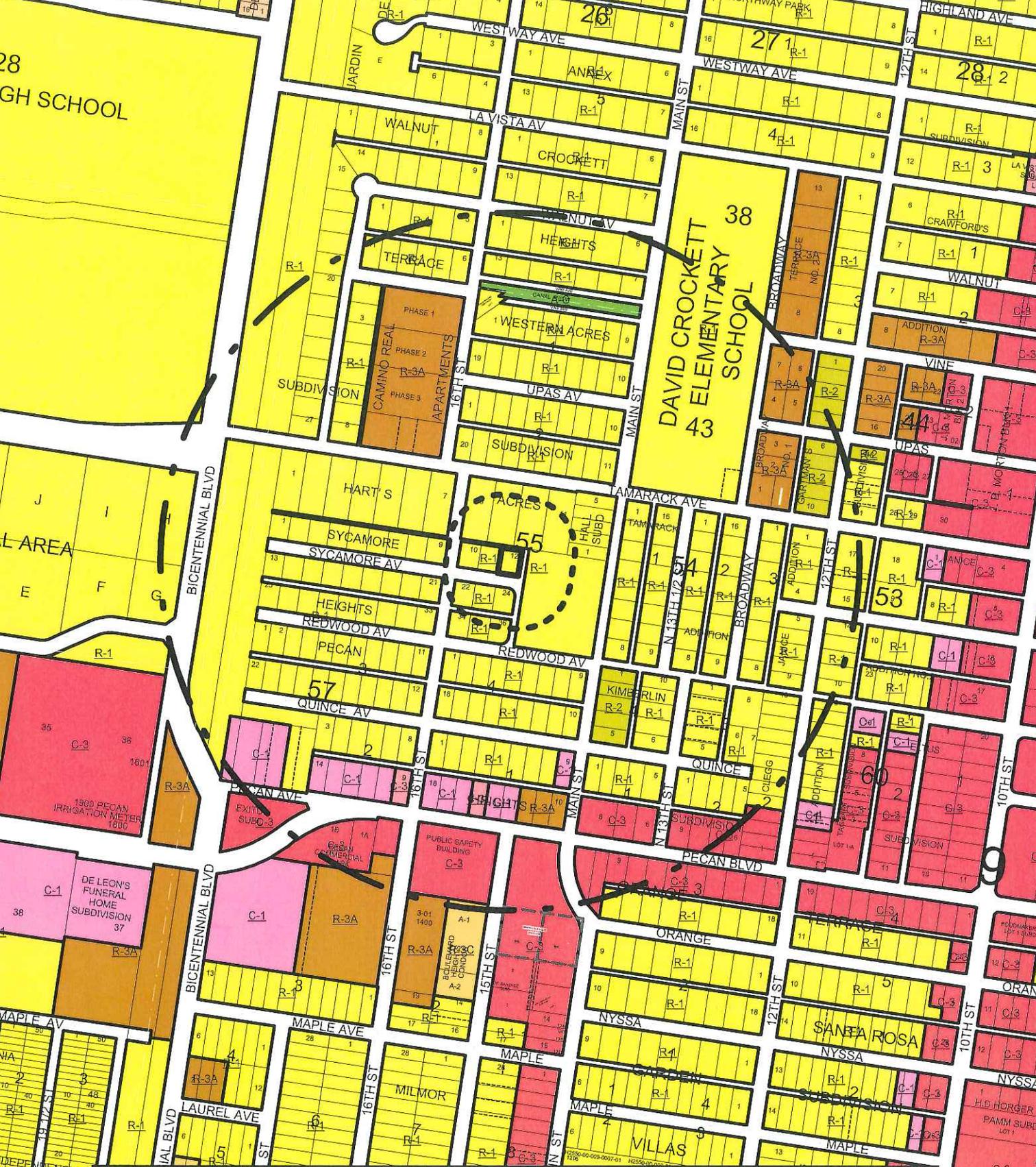
- 3) There shall be no exterior display or alterations indicating that the building is being used for any purpose other than that of a dwelling;
- 4) There shall be no more than one additional unrelated employee other than immediate members of the family residing on the premises. No additional employees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

OPTIONS:

1. Approve the conditional use permit.
2. Table the item for additional information.
3. Disapprove the request.

RECOMMENDATION:

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





CITY OF McALLEN
PLANNING DEPARTMENT

LEGEND
SCALE: 1" = 500'

AREA MAP





SUBJECT PROPERTY



200 FT. NOTIFICATION BOUNDARY



1/4 MILE RADIUS

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-3T (TOWNHOUSES)	 C-2 (NEIGHBORHOOD COMMERCIAL)	 C-4 (COMMERCIAL INDUSTRIAL)	 SD (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 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.



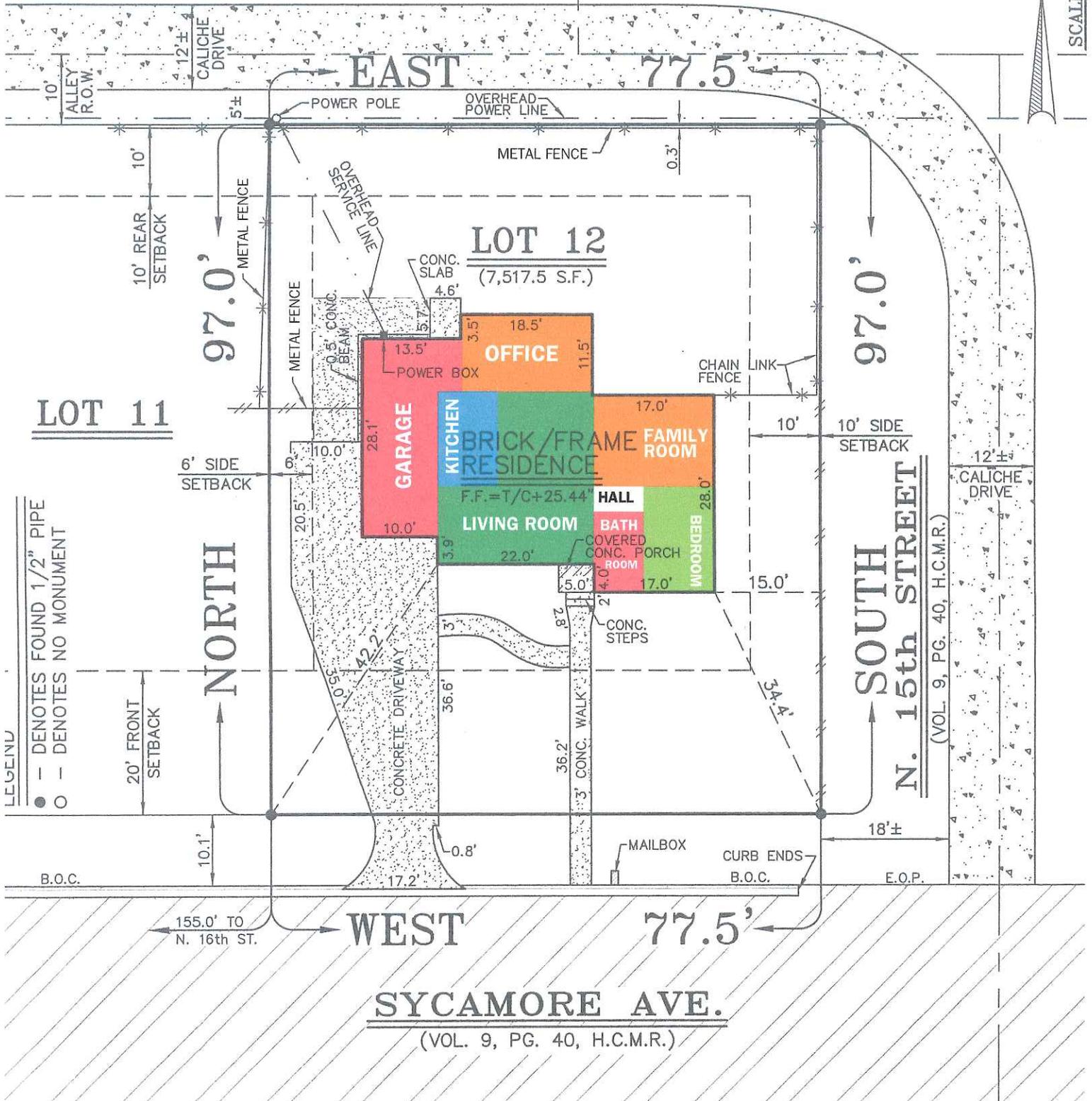
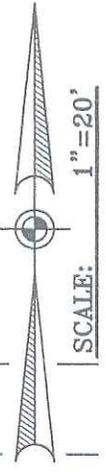
ART SALINAS ENGINEERING & SURVEYING

1524 DOVE AVENUE, McALLEN, TEXAS 78504 PH: (956) 618-5565 FAX: (956) 618-5540

LOT 9

LOT 10

HARTS ACRES
(VOL. 8, PG. 37, H.C.M.R.)



LEGEND

- DENOTES FOUND 1/2" PIPE
- DENOTES NO MONUMENT

LOOD ZONE CERTIFICATION: The property shown hereon lies in Zone "B". Zone "B" areas lie 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

Wednesday, June 24, 2015

Dear McAllen Planning and Zoning Commission,

I am writing to thank you for reviewing my application for a Conditional Use Permit, and I wanted to take this opportunity to briefly introduce myself.

My name is Brandon Garcia. I am a self-employed artist and graphic designer. I live alone in my home at 1500 Sycamore, which I have owned and resided in since 2008.

I have been investing much time, money and effort into making my yard and my home an attractive and valuable asset to District 5, and I am confident my neighbors would affirm that my artistic presence is having a positive effect on the neighborhood.

I believe I am an ideal candidate for a Conditional Use Permit, and I am very eager to join the ranks of McAllen's hard-working, properly accredited citizens who earn a living from home.

Thank you so much for your time.

Sincerely,

A handwritten signature in black ink that reads "Brandon Garcia". The signature is written in a cursive, flowing style with a large initial "B" and "G".

Brandon Garcia

brandon.r.garcia@gmail.com

(512) 773-3107

NOTICE
HOME BUSINESS
For
This Property
CUP2015-0089

City of Dallas Planning Dept 981-2513
www.dallas.gov



Memo

TO: Planning and Zoning Commission

FROM: Planning Staff 

DATE: July 15, 2015

SUBJECT: REQUEST OF GUILLERMO RANGEL FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A PORTABLE FOOD CONCESSION STAND AT LOT F-3, MCALLEN PRODUCE TERMINAL MARKET SUBDIVISION; 2517 MILITARY HIGHWAY.

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 Military Highway within the McAllen Produce Terminal Market Subdivision, approximately 1,060 ft. west of South 23rd Street and is zoned C-4 (commercial industrial) District. The adjacent zoning is C-4 District in all directions and surrounding land uses include industrial, retail, restaurants and vacant land. A portable food concession stand is permitted in a C-4 zone with a Conditional Use Permit and in compliance with requirements.

HISTORY:

The initial Conditional use permit was approved for this location for different tenants by the Planning and Zoning Commission in 2001. Various applicants have applied for new Conditional Use Permits since that time to operate a food concession stand at this location. The last permit was approved on June 7, 2011 for one year. There is a new applicant, who was advised by a Code Enforcement Officer about the conditional use permit process subsequently, an application was submitted.

REQUEST/ANALYSIS:

The applicant is proposing to operate and utilize the existing 5 ft. by 14 ft. portable food concession stand at this location. The proposed hours of operation are from Monday thru Friday 9:00 am. to 7:00 p.m. and Saturday 9:00 a.m. to 5:00 p.m. There is also a 10 ft. by 12 ft. portable building on the property used for storage for the concession stand and a 12 ft. by 20 ft. metal canopy utilized for seating area. Seven parking spaces

are required for the portable food concession stand and covered seating area; seven spaces are provided on site. The applicant stated that he may also use the parking spaces located within the McAllen Produce Terminal Market and would submit a letter from the owner.

The Health and Fire Departments have conducted their inspections and is in compliance with the requirements. 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 business may not be operational until issuance of the certificate and completion of all building permit conditions. The establishment must also comply with requirements set for in Section 138-118(9) of the Zoning Ordinance and other specific requirements as follows:

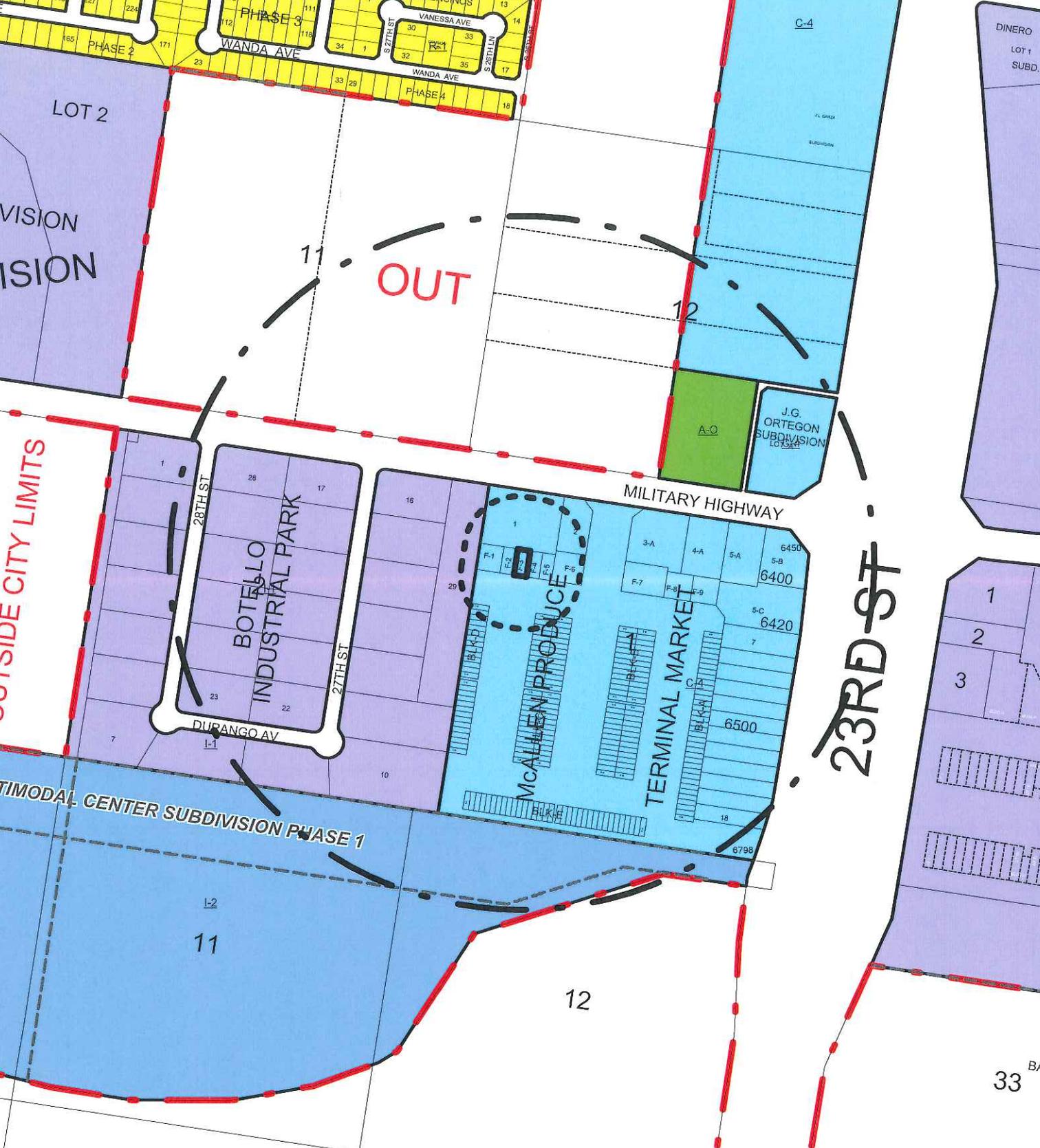
- 1) The proposed use shall not be located in a residentially zoned area. The property is zoned C-4 District;
- 2) The proposed use shall be inspected by the Building Inspector and comply with applicable building codes;
- 3) The proposed use and adjacent businesses shall comply with the off-street parking and loading ordinance. Seven parking spaces are required for the portable food concession stand and covered seating area; seven spaces are provided on site. The applicant stated that he may also use the parking spaces located within the McAllen Produce Terminal Market and would submit a letter from the owner;
- 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 are provided on site.

OPTIONS:

1. Approve the conditional use permit.
2. Table the item for additional information.
3. Disapprove the request.

RECOMMENDATION:

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





CITY OF McALLEN
PLANNING DEPARTMENT

LEGEND
SCALE: 1" = 500'

AREA MAP



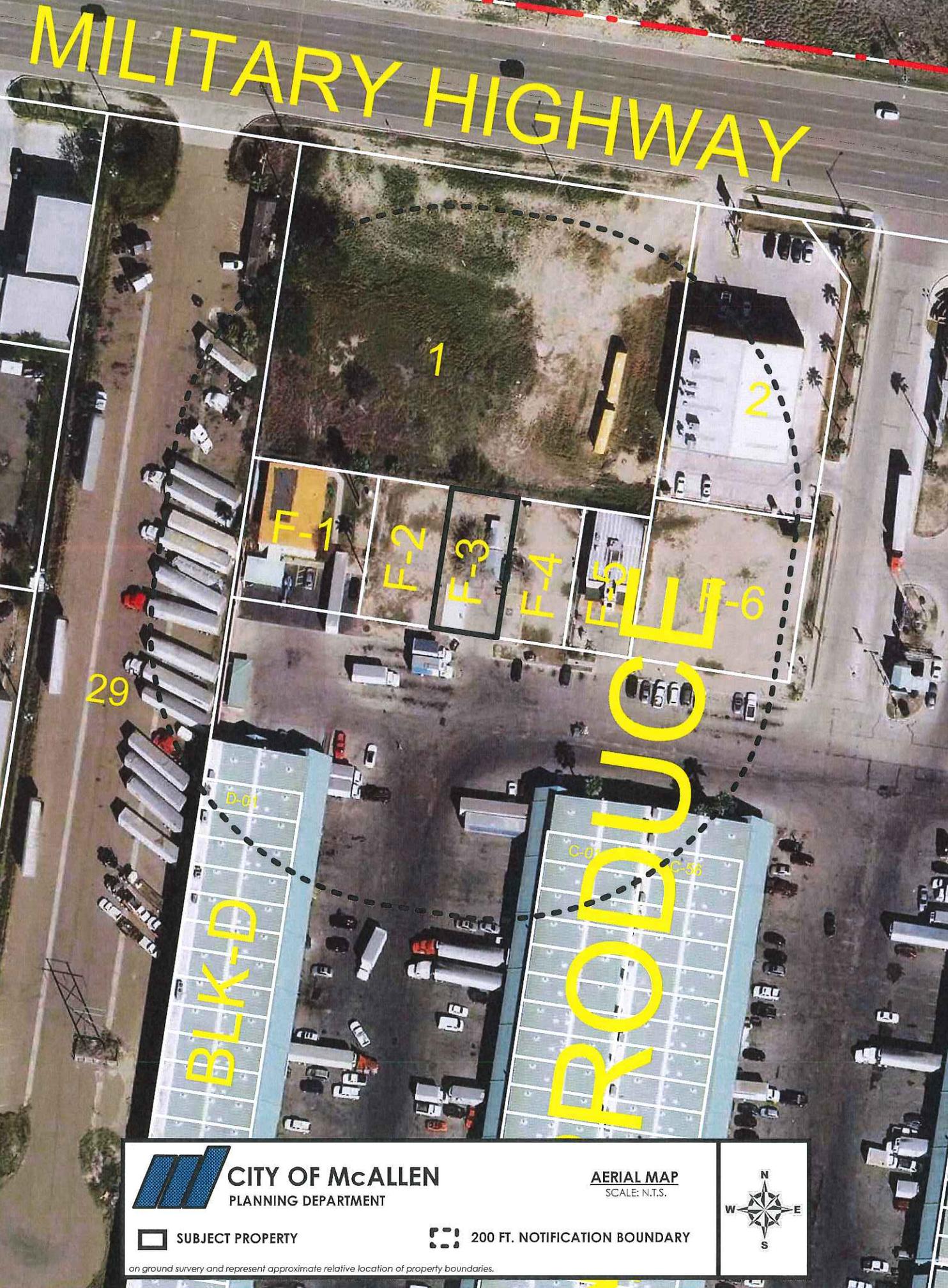
SUBJECT PROPERTY	200 FT. NOTIFICATION BOUNDARY	1/4 MILE RADIUS	
------------------	-------------------------------	-----------------	--

ZONING LEGEND

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

This map is a representation of the official zoning map. For zoning verification contact the Planning Department at 936-681-1250, 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.

MILITARY HIGHWAY



CITY OF McALLEN
PLANNING DEPARTMENT

AERIAL MAP
SCALE: N.T.S.



SUBJECT PROPERTY



200 FT. NOTIFICATION BOUNDARY

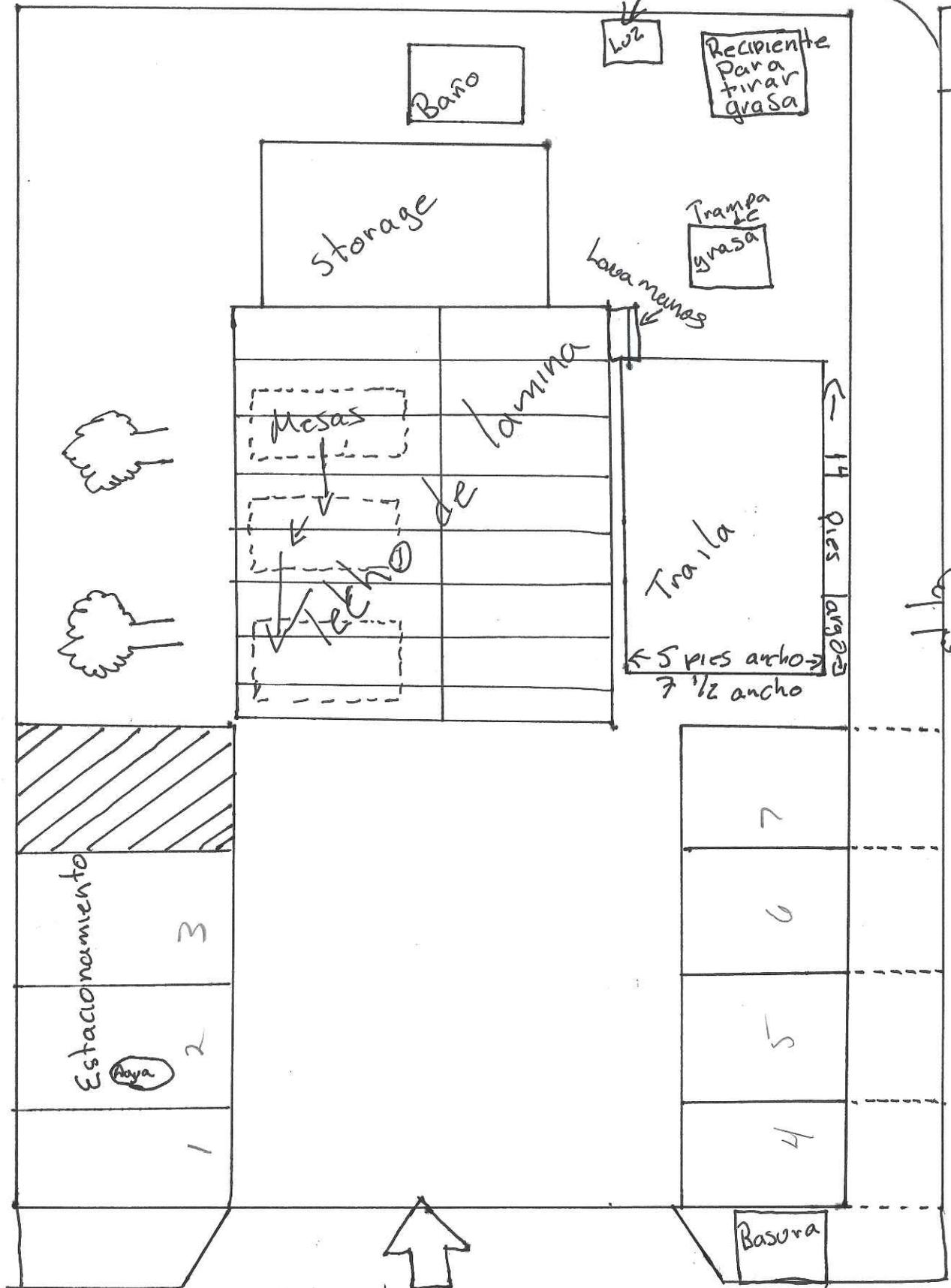


on ground survey and represent approximate relative location of property boundaries.

← 50-pies →

Transformador

← 100 pies →



Entrada

Basura

Estacionamiento

Traila

Storage

Baño

Recipiente Para tirar grasa

Trampa de grasa

Lava platos

Laminas de

Mesas

Vehículo

5 pies ancho
7 1/2 ancho

14 pies

3

2

1

7

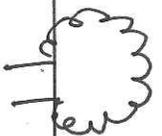
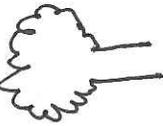
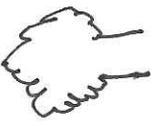
6

5

4

Poya

Luz





NOTICE
PORTABLE FOOD
For
This Property
CUP2015-0084

City of McAllen Planning Dept 687-1250
www.mcallen.net

201249
McAllen
KING

Memo

TO: Planning & Zoning Commission

FROM: Planning Staff 

DATE: July 14, 2015

SUBJECT: REQUEST OF FIDEL LOPEZ FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR AN AUTOMOTIVE SERVICE AND REPAIR (TIRE SHOP) AT RETIREE HAVEN #1 ASSESSORS TRACT OUT OF UNNUMBERED LOT, UNIT 1, ALSO KNOWN AS THE 0.32 ACRES OUT OF LOT 6, BLOCK 4, HIDALGO CANAL COMPANY'S SUBDIVISION; 6416 SOUTH 10TH STREET.

GOAL:

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

DESCRIPTION:

The property is located on the northwest corner of South 10th Street and S. 11th Street north of Wanda Avenue. It is zoned C-3 (general business) District. Adjacent zoning is R-1 (single family residential) District to the north, south, and west. The area to the east is outside city limits. Surrounding land uses include, single-family residences, commercial buildings and vacant land. An automotive service and repair business is allowed in a C-3 (general business) District with a Conditional Use Permit and in compliance with requirements.

HISTORY:

Currently, there is a 1,000 sq. ft. commercial building with a covered carport to the building used for storage and a canopy on the property. This building was built in 1981 and was annexed by the city in December 1989. This building has been used for various commercial uses. The initial conditional use permit was approved for one year by the City Commission on January 13, 2014 subject to the enclosure of the carport, buffer being installed, and providing the parking on site. There is a new applicant; therefore is has to come before the Planning and Zoning for consideration and approval.

REQUEST/ANALYSIS:

The new applicant is proposing to continue to use the building as an automotive service & repair (tire shop) business. The hours of operation are from 9:00 A.M. to 7:00 P.M.

Monday thru Saturday. Based on the total 1,504 sq. ft. for the automotive service and repair, 7 parking spaces are required; 7 parking spaces are provided on site. During inspection, staff observed that the parking lot needs maintenance and potholes repair. The applicant stated that he would repair the parking lot. Also, the carport that was subject to enclosure is covered with a black tarp used as storage and the work on vehicles is being done at the rear of the building.

The Fire Department has inspected the establishment and is in compliance with safety codes and regulations. The establishment must also meet the requirements set forth in Section 138-281 of the Zoning Ordinance and specific requirements as follows:

- 1) A minimum lot size of 10,000 sq. ft. is required. The subject property has approximately 13,851 sq. ft.;
- 2) All service, repair, maintenance, painting and other work shall take place within an enclosed area. Work on vehicles is proposed to be done at the rear of the building;
- 3) Outside storage of materials is prohibited. The applicant proposes to display tires outside the building during the business' hours of operation; however, would not be permitted to store tires outside during any other time;
- 4) The building where the work is to take place shall be a minimum of 100 ft. from the nearest residence. The existing residences are located approximately 127 ft. south of this building;
- 5) A 6 ft. opaque buffer fence is required for the proposed use from any residential zone / use. A 6 ft. opaque fence is required on the north and west sides of the building. There is a 6 ft. opaque fence buffer on the north and west sides of the property;
- 6) New buildings and conversions of existing buildings shall meet current building and fire code requirements concerning separation of high hazard uses from other occupancy use classifications.

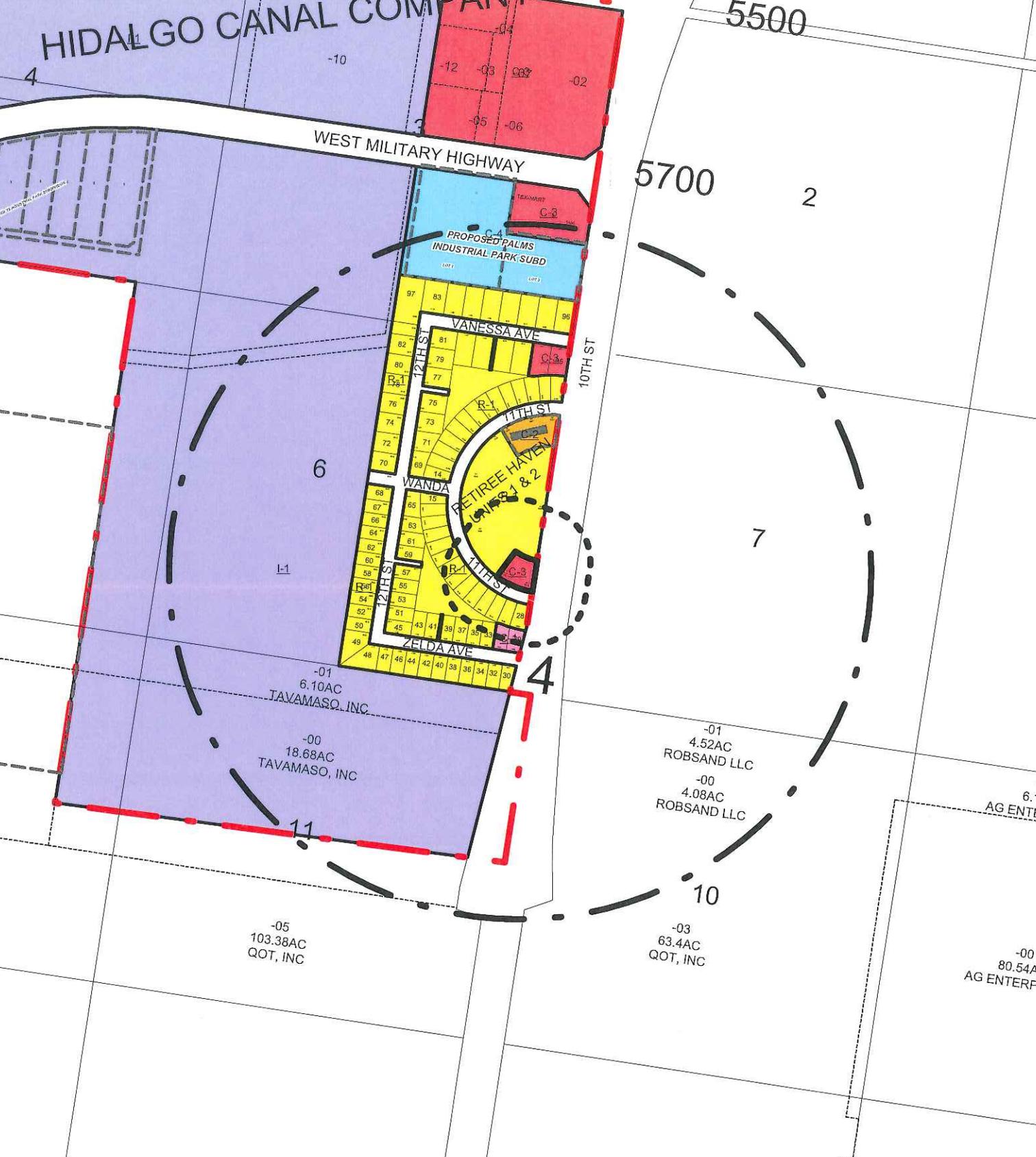
OPTIONS:

1. Approve the request for one year.
2. Table the item for additional information.
3. Disapprove the request.

RECOMMENDATION:

Staff recommends disapproval of the request due to non-compliance with requirement #2 (work proposed outside) of Section 138-281 of the Zoning Ordinance.

HIDALGO CANAL COM...



CITY OF McALLEN
PLANNING DEPARTMENT

AREA MAP

LEGEND
SCALE: 1" = 500'



SUBJECT PROPERTY

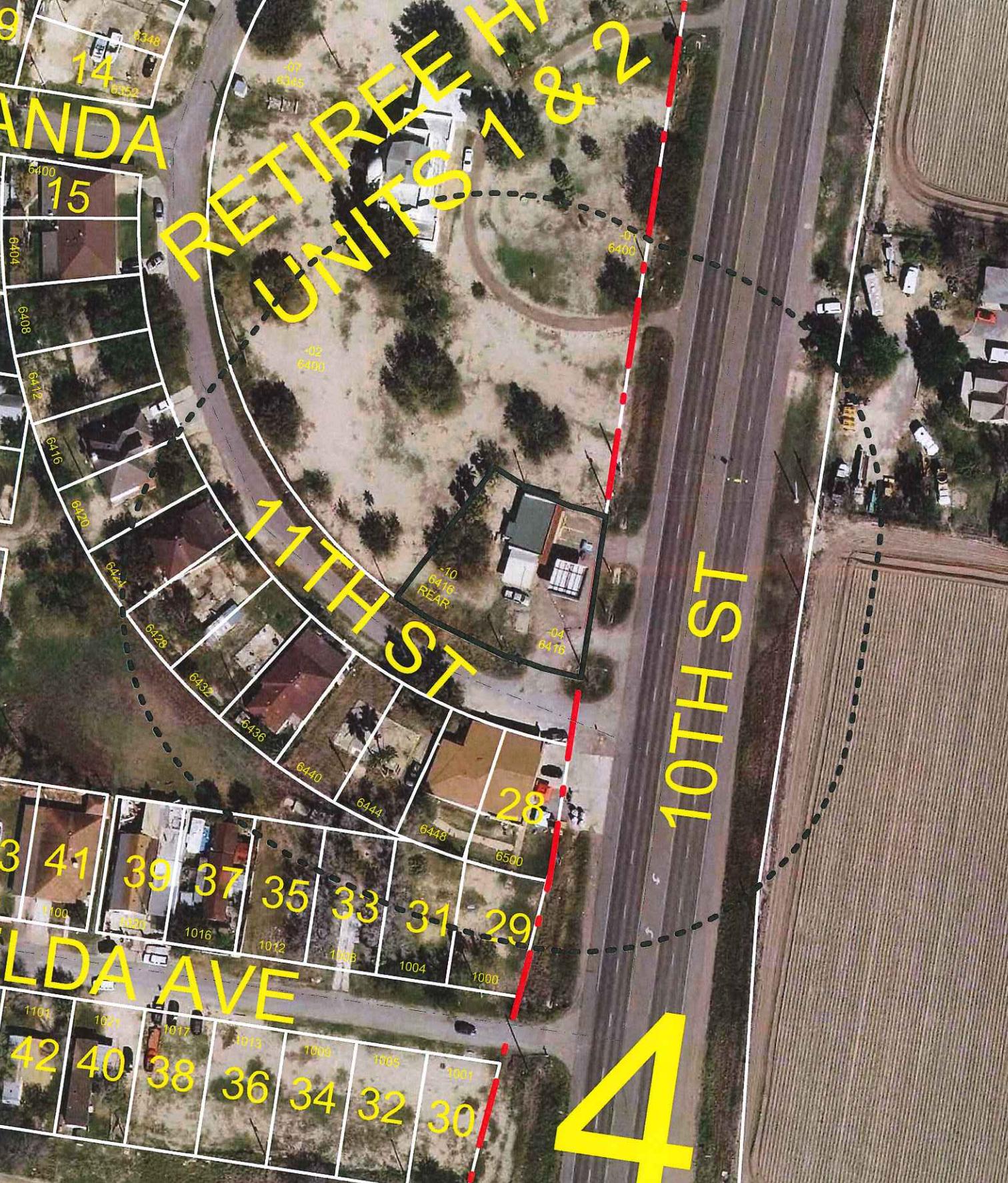
200 FT. NOTIFICATION BOUNDARY

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 (DUPLEX-FOURPLEX)	R-3T (TOWNHOUSES)	C-2 (NEIGHBORHOOD COMMERCIAL)	C-4 (COMMERCIAL INDUSTRIAL)	(SPECIAL DISTRICT)

This map is a representation of the official zoning map. For zoning verification contact the Planning Department at 936-681-1250, or select city maps at <http://www.mcallen.net>. Furthermore, this map is for informational



CITY OF McALLEN
 PLANNING DEPARTMENT

AERIAL MAP
 SCALE: N.T.S.

 SUBJECT PROPERTY

 200 FT. NOTIFICATION BOUNDARY

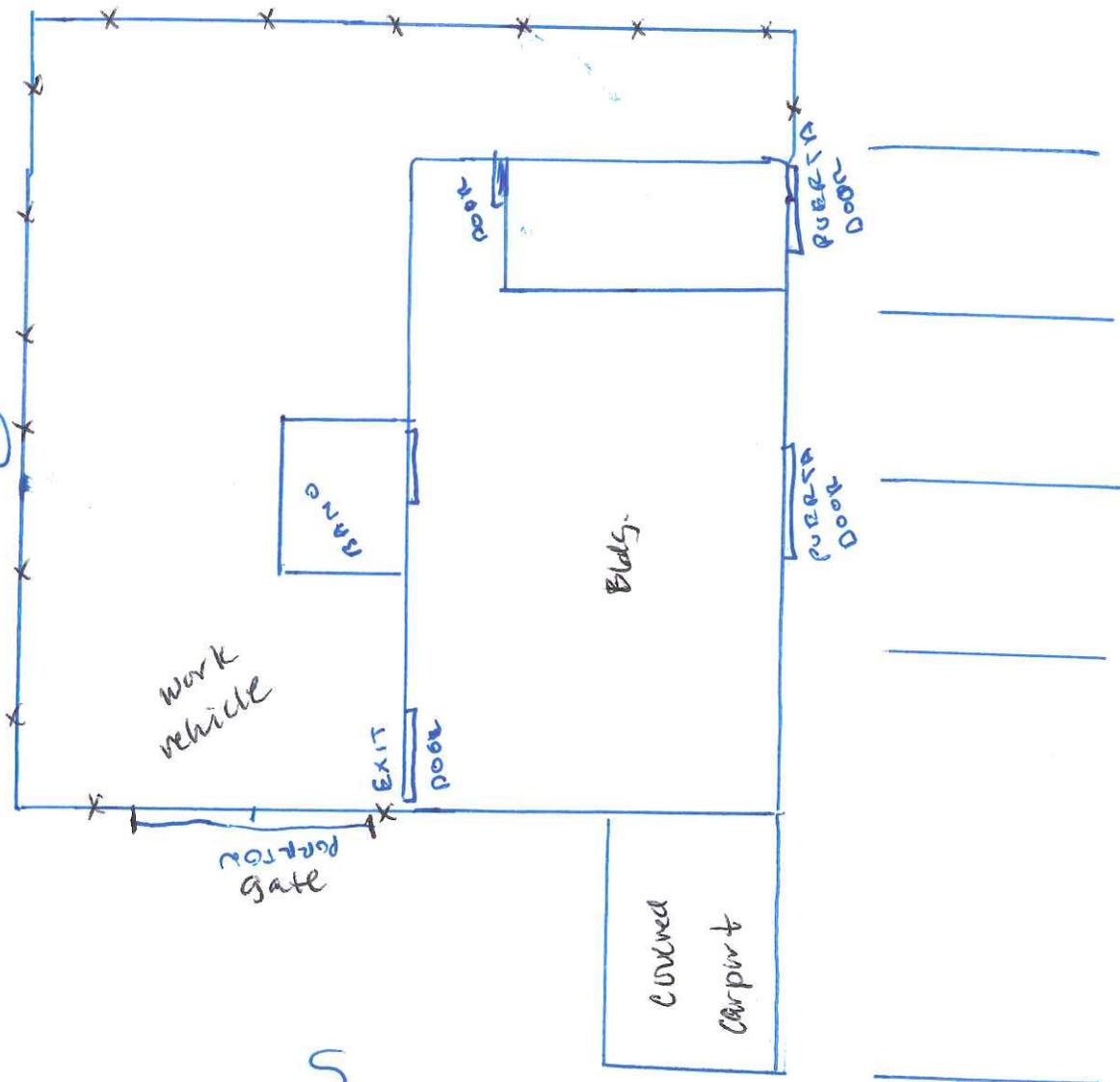


on ground survey and represent approximate relative location of property boundaries.

~~Street View S 11 + 4 St (E)~~

N ↑

S ↓



177

STOR

fs 01



4416 S. 10th St



6416 S. 10th St.

LOPEZ TIRES (956) 402.0092

TIRE SALE

NOTICE
OF ABANDON
FOR
THE PROPERTY
AT 22015-0000



Memo

TO: Planning and Zoning Commission

FROM: Planning Staff 

DATE: July 14, 2015

SUBJECT: REQUEST OF JOHN A. SIMON FOR RENEWAL OF A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A BAR AT LOT 23, CONTINENTAL TRADE CENTER SUBDIVISION; 2007 ORCHID AVENUE.

GOAL:

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

BRIEF DESCRIPTION:

The property is located on the south side of Orchid Avenue, approximately 100 ft. west of Bicentennial Drive and is zoned C-3 (general business) District. The surrounding zoning is C-3 District in all directions. Surrounding land uses include the museum, gymnasium, dance studio, offices, retail, nightclubs and vacant properties. 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 for this establishment (Simon Sez II) was approved by the Planning and Zoning Commission on March 16, 1993 and has been renewed annually. The last permit was approved for renewal on June 17, 2014.

REQUEST/ANALYSIS:

The applicant is proposing to continue to operate a bar from the existing building. The hours of operation will 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 is the Police Activity report for service calls from June 2014 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 is not visible and cannot be heard from the residential areas. The establishment is within 300 ft. of the McAllen International Museum; however, staff has 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 has direct access to Orchid Avenue and is 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 are required. Seven parking spaces are provided on site. Parking agreements were submitted to meet parking requirements with a total of 17 spaces available, totaling 24 spaces. The parking agreements are valid with an expiration date of March 31, 2017 (five year term);
- 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 is 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.

OPTIONS:

1. Approve the Conditional Use Permit request.
2. Table the item for additional information.
3. Disapprove the Conditional Use Permit.

RECOMMENDATION:

Staff recommends 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.





CITY OF McALLEN
PLANNING DEPARTMENT

LEGEND
SCALE: 1" = 500'

AREA MAP



SUBJECT PROPERTY



200 FT. NOTIFICATION BOUNDARY

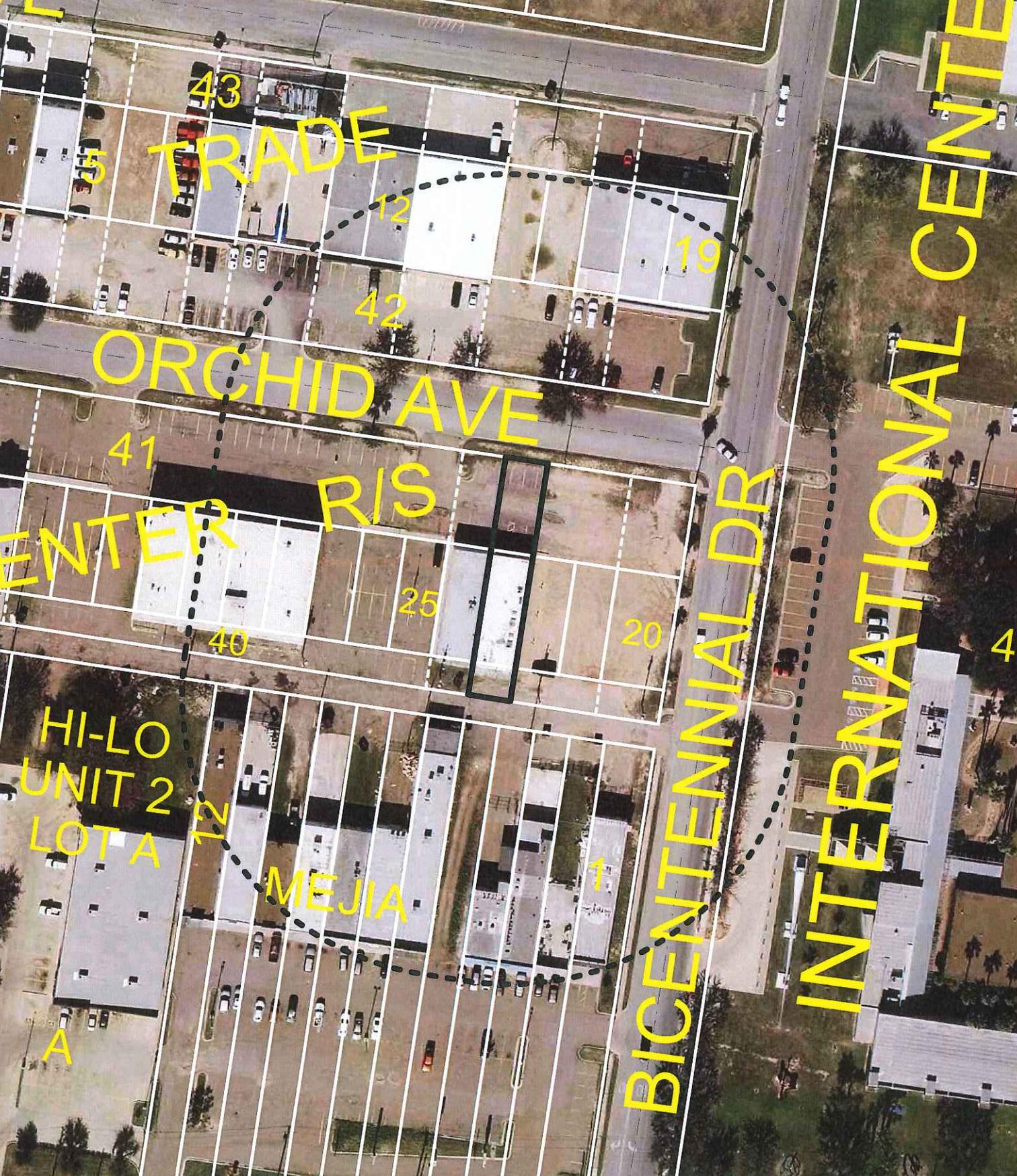


1/4 MILE RADIUS

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 (DUPLEX-FOURPLEX)	 R-3T (TOWNHOUSES)	 C-2 (NEIGHBORHOOD COMMERCIAL)	 C-4 (COMMERCIAL INDUSTRIAL)
			 I-1 (LIGHT INDUSTRIAL)
			 I-2 (HEAVY INDUSTRIAL)
			 (SPECIAL DISTRICT)

This map is a representation of the official zoning map. For zoning verification contact the Planning Department at 936-981-1250, 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



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

RECEIVED
Feb 15, 2009
4:20pm BT

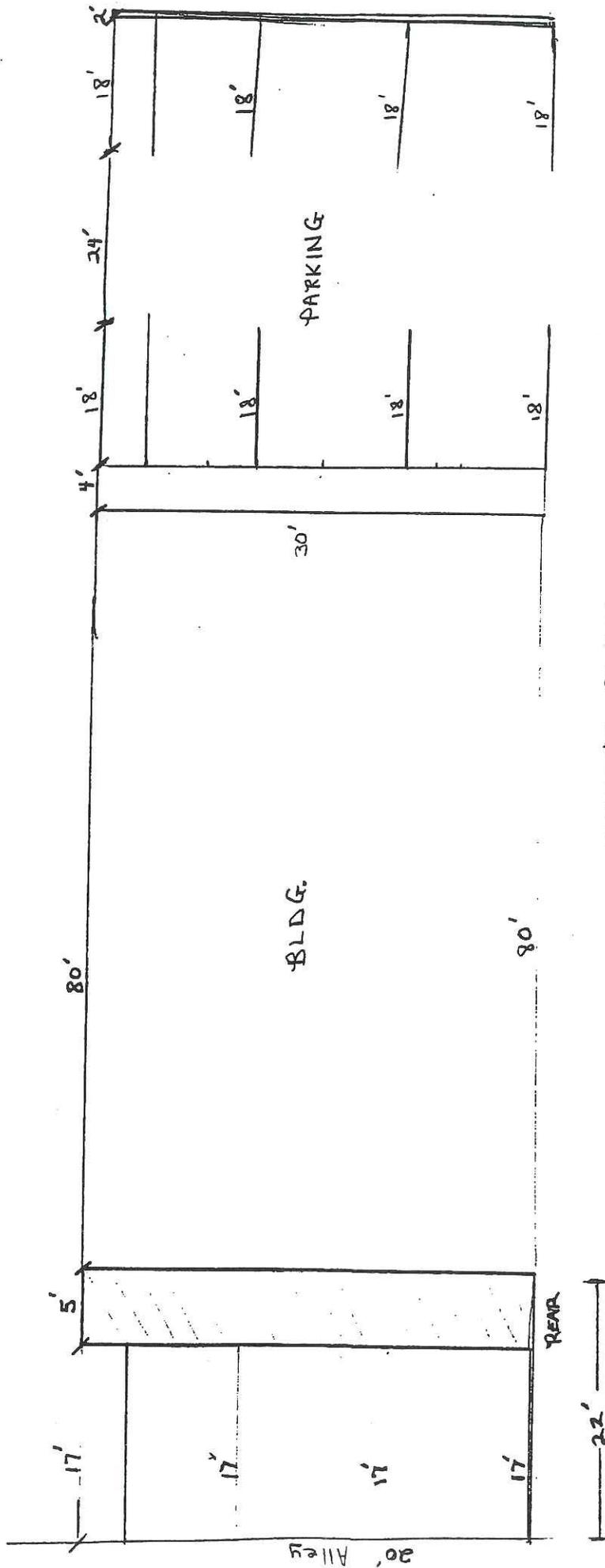


REAR

80'

SIDE ELEVATION

FRONT

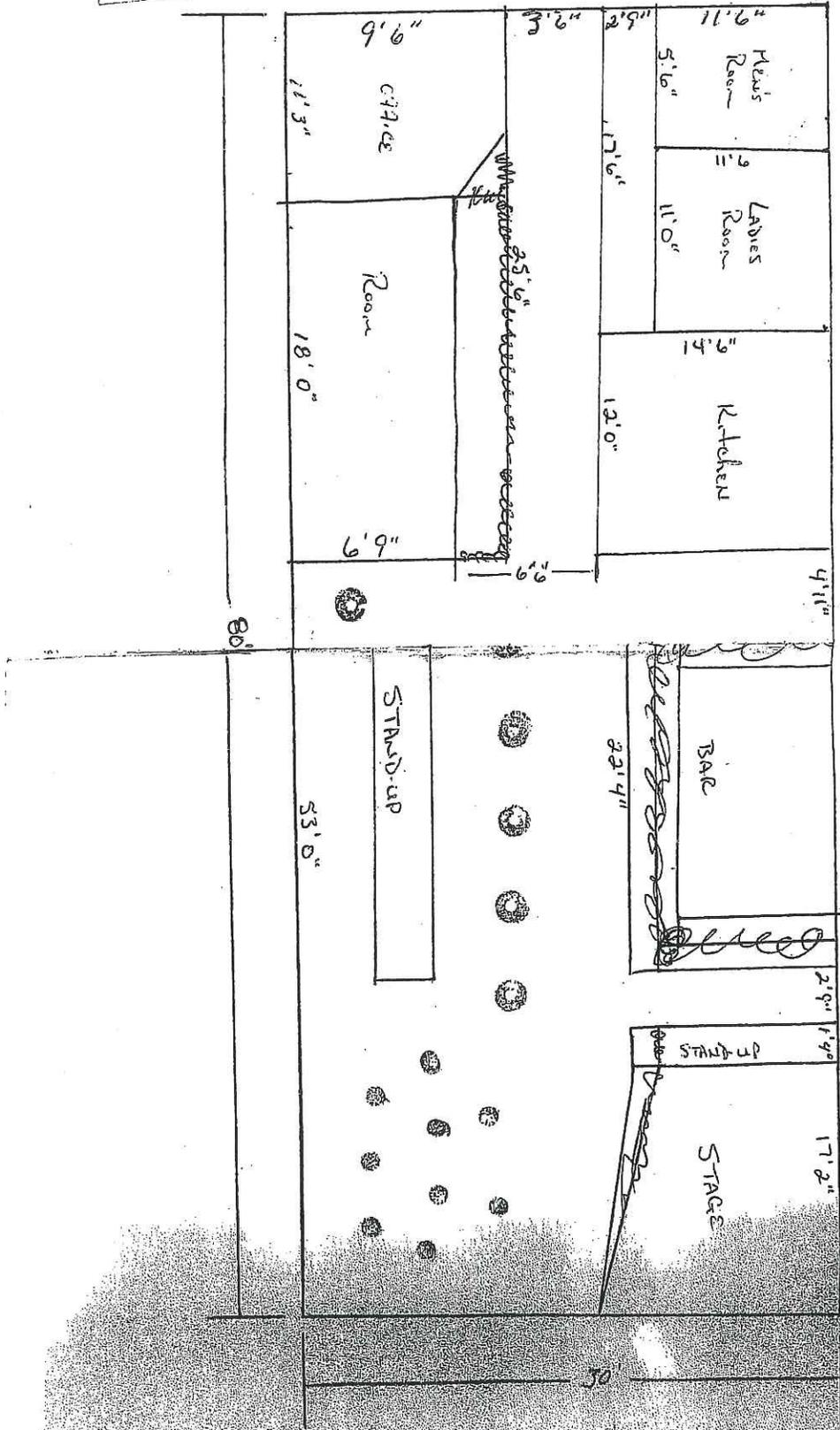


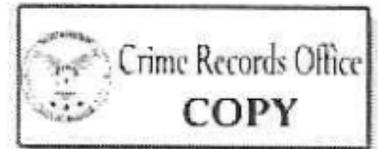
SITE PLAN



RECEIVED
 FEB 28 2006
 MAR 3 2006
 PLANNING DEPARTMENT

SIMON SEZ
2007 ORCHID
MCALLEN, TX 78504





Incident Analysis Report

Summary

Print Date/Time: 07/09/2015 10:28
Login ID: mcpd7004
Incident Type: All
Call Source: All

From Date: 07/01/2014 00:01
To Date: 07/09/2015 10:00

McAllen Police Department
ORI Number: TX1080800
Officer ID: All
Location: 2007 ORCHID AVE, MCALLEN

<u>Incident Date/Time</u>	<u>Incident Number</u>	<u>Incident Type</u>	<u>Location</u>	<u>Caller</u>	<u>Source</u>
---------------------------	------------------------	----------------------	-----------------	---------------	---------------

Total Matches: 0





BELLAS ARTES SALON
618 - 5050

NOTICE
BAR
For
This Property
CUP2015-0088

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff 

DATE: July 15, 2015

SUBJECT: REQUEST OF NOHEMI CAVAZOS FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR AN EVENT CENTER AT LOTS 1, 2, AND 3, TEX-MEX #2 SUBDIVISION; 3321 EXPRESSWAY 83.

GOAL:

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

BRIEF DESCRIPTION:

The property is located on the south side of Expressway 83 eastbound frontage, approximately 1,390 ft. east of North Ware Road and is zoned C-3 (general business) District. The adjacent zoning is C-3 District to the north and west, C-4 (commercial industrial) District to the east, and R-1 (single family residential) District to the south. Surrounding land uses include commercial businesses, single family residential, Escandon Elementary School, and vacant land. An event center is allowed in a C-3 zone with a conditional use permit and in compliance with requirements.

REQUEST/ANALYSIS:

Currently, there are six commercial buildings on the property. All six commercial buildings have operating businesses. The applicant is proposing to utilize the northwest building with approximately 9,000 sq. ft. for an event center. There is currently a furniture store in this building that will be closing.

The applicant is proposing to use Salon #3 (front ¼ of the building) during the hours of 9:00 a.m. to 1:00 p.m. Monday thru Sunday utilizing the parking fronting the building. For the hours from 6:00 p.m. to 2:00 a.m. the applicant is proposing to use the total square footage of the building Monday thru Sunday. Based on the total square footage, 90 parking spaces are required; 96 parking spaces are provided on site as per site plan. In order to comply with the parking requirements, all other businesses must be closed in order to use all the parking spaces on site.

During inspection, staff observed that the parking lot needs restriping and there was accumulation of materials such as 18 wheel trailers, pallets, and two boats that are obstructing the parking spaces. The parking spaces will need to be cleared and restriped for staff to determine compliance.

The Health and Fire Departments have inspected the establishment; however, a final inspection will be finalized during the building permit process. 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 to the south;
- 2) The property must be as close as possible to a major arterial and shall no generate traffic onto residential sized streets. The establishment has direct access to Expressway 83 eastbound frontage and Colbath Road. Only 20 ft. exist between the buildings, the driveway is also limited to 20 ft. instead of the 24 ft. required for two-way traffic. If traffic enters or exists on Colbath Road, it could create a disturbance to the residential areas to the south after 10:00 p.m. The applicant stated that Colbath Road would be blocked and would offer valet parking. Then traffic will enter and exit onto the Expressway frontage Road. Two-way traffic, if done on site, would be impeded due to the width of the driveway being limited to 20 ft.;
- 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 total square footage, 90 parking spaces are required; 96 parking spaces are provided on site as per site plan. In order to comply with the parking requirements, all other businesses must be closed in order to use all the parking spaces on site. During inspection, staff observed that the parking lot needs restriping and there was accumulation of materials such as 18 wheel trailers, pallets, and two boats that are obstructing the parking spaces. The parking will need to be cleared and restriped for staff to determine compliance. If the permit is approved, these areas must remain cleared of any trailers, pallets, etc., so the required parking is 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. There should be sufficient lighting between buildings and driveway areas;
- 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

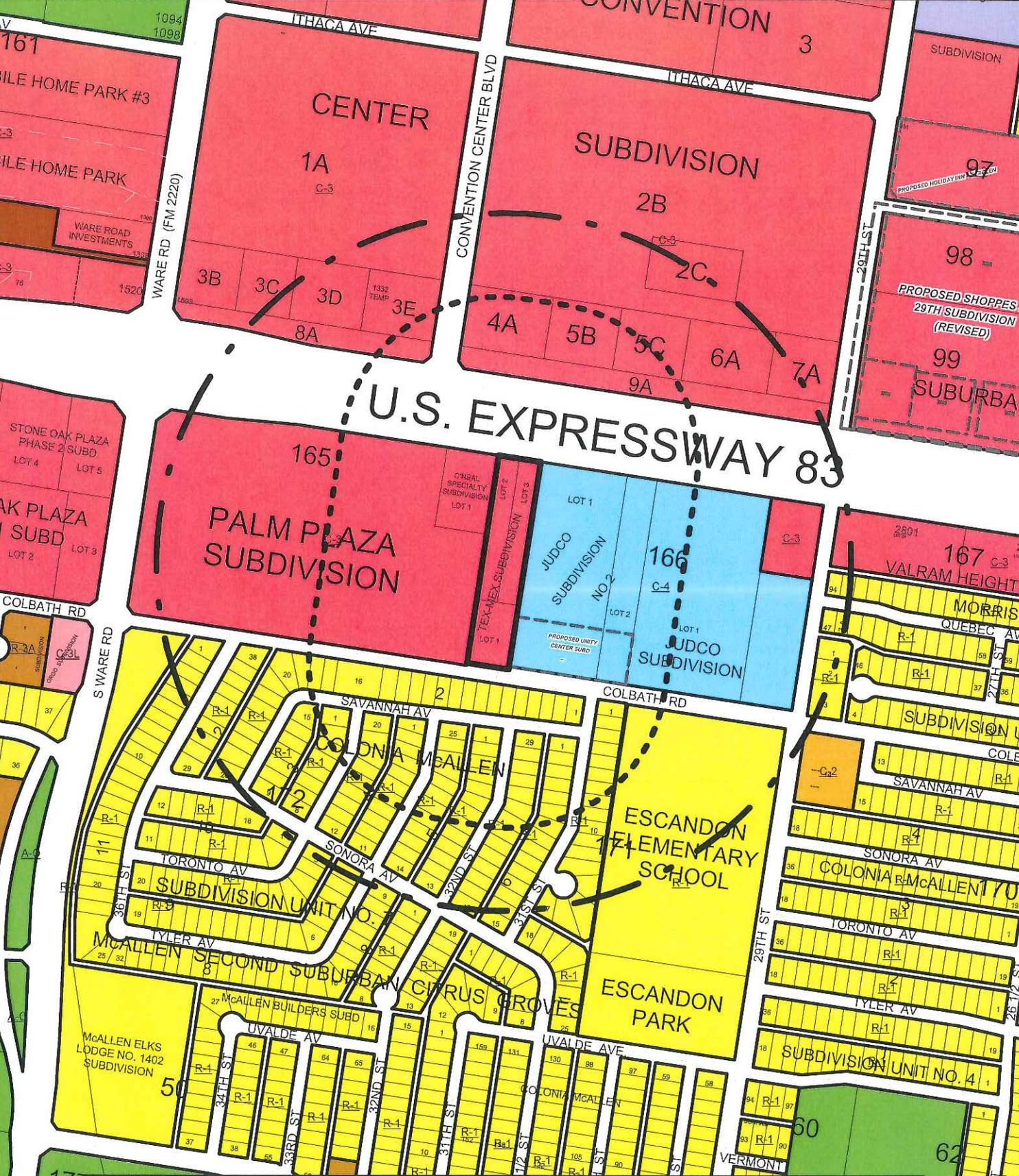
Fire Marshal, Building Official and Planning Director. The maximum occupancy of the establishment will be determined at time of building permit.

OPTIONS:

1. Table the item for additional information.
2. Disapprove the request.

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)	 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-3T (TOWNHOUSES)	 C-2 (NEIGHBORHOOD COMMERCIAL)	 C-4 (COMMERCIAL INDUSTRIAL)	 SD (SPECIAL DISTRICT)

This map is a representation of the official zoning map. For zoning verification contact the Planning Department at 955-691-1250, 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.



U.S. EXPRESSWAY

ALM PLAZA
SUBDIVISION

O'NEAL
SPECIALTY
SUBDIVISION
LOT 1

TEX-MEX SUBDIVISION
LOT 1
LOT 2
LOT 3

PROPOSED UNITY
CENTER SUBD
LOT 1
LOT 2

JUDCO
SUBDIVISION
LOT 1

SAVANNAH AV

COLONIA McALLEN

COLBATH RD

ESCONDON
ELEMENTARY
SCHOOL



CITY OF McALLEN
PLANNING DEPARTMENT

AERIAL MAP
SCALE: N.T.S.



 SUBJECT PROPERTY

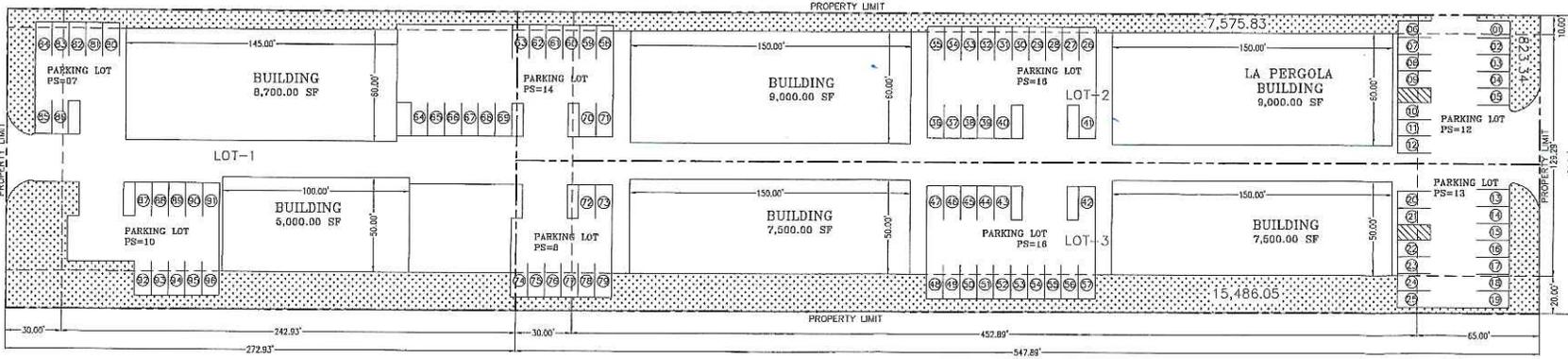
 600 FT. NOTIFICATION BOUNDARY

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

**SITE PLAN
TEX-MEX SUBDIVISION
LOT 2 (LA PERGOLA)**



TOTAL AREA:	
130,846.92 S.F.	
BUILDING TOTAL AREA =	9,000.00 s.f.
P.S. Required =	90.00 spaces
P.S. Provided =	96.00 spaces



PROJECT NAME:

EVENT CENTER

ADDRESS:

McAlLEN, TX

CLIENT INFORMATION:

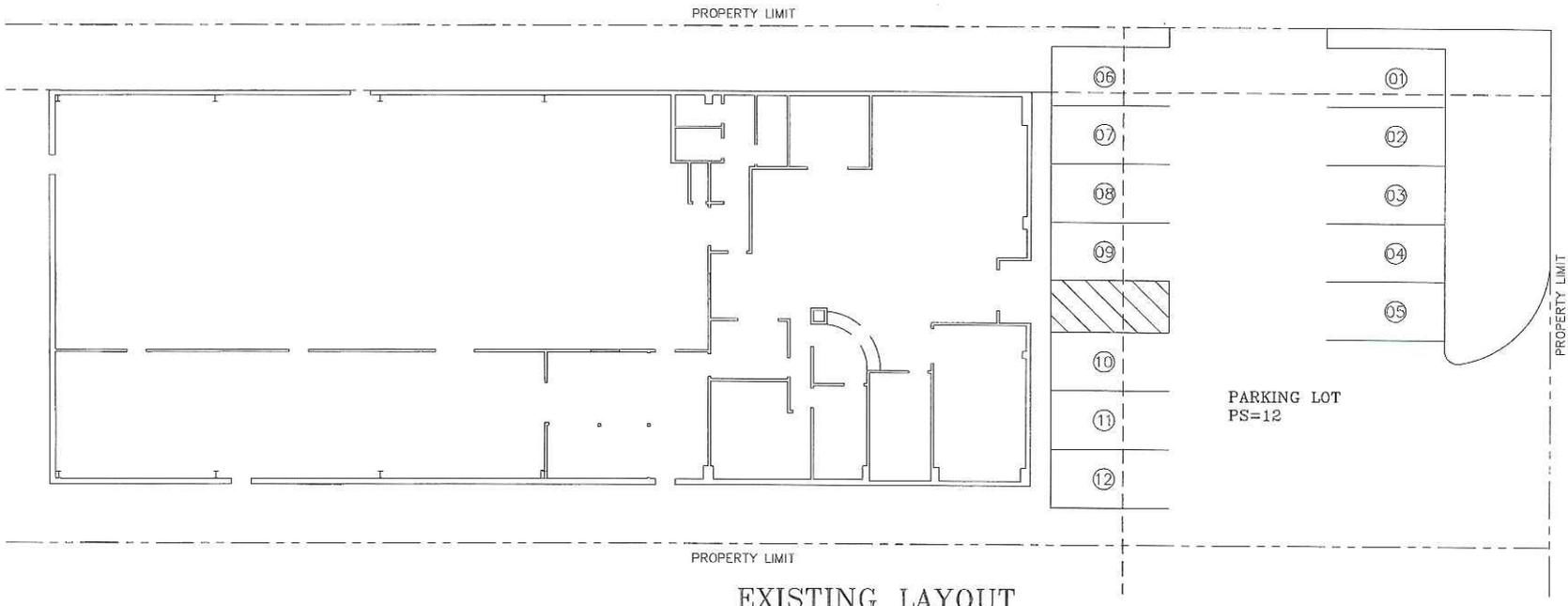
SRA. CAVAZOS

MAS ENGINEERING U.C.C.
CONSULTING ENGINEERING
FIRM NO. F-15499

4037 EXPRESSWAY 83, STE 150
MCALLEN, TEXAS, 78501
PH. (956) 537-1311
E-MAIL: MSALINAS69@GMAIL.NET
THIS IS THE PROPERTY OF THE PROFESSIONAL ENGINEER WHOSE SEAL APPEARS ON THIS DRAWING AND IT IS UNLAWFUL TO REUSE THIS DRAWING OR ANY OTHER PROJECT OR TO COPY, TRACE OR IN ANY OTHER WAY REPRODUCE ANY OF ALL PORTIONS OF THIS DRAWING WITHOUT THE WRITTEN CONSENT OF THE ENGINEER.

U.S. EXPRESSWAY 83

REVISION:	BY:	APPROVED BY:
1	NS	MAS
DATE:		
06/24/2015		
PROJECT No.:		SHEET No.:
-----		S-1



EXISTING LAYOUT

U.S. EXPRESSWAY 83

PROJECT NAME	EVENT CENTER
ADDRESS	MCALLEN, TX
CLIENT INFORMATION	SRA. CAVAZOS

MAS ENGINEERING LLC
CONSULTING ENGINEERING
FIRM NO. F-15499

4037 EXPRESSWAY 83, STE 150
MCALLEN, TEXAS, 78501

PH. (956) 537-1311
E-MAIL: MSALINAS597@ATT.NET

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

REVISION:	BY:	APPROVED BY:
1	NS	MAS

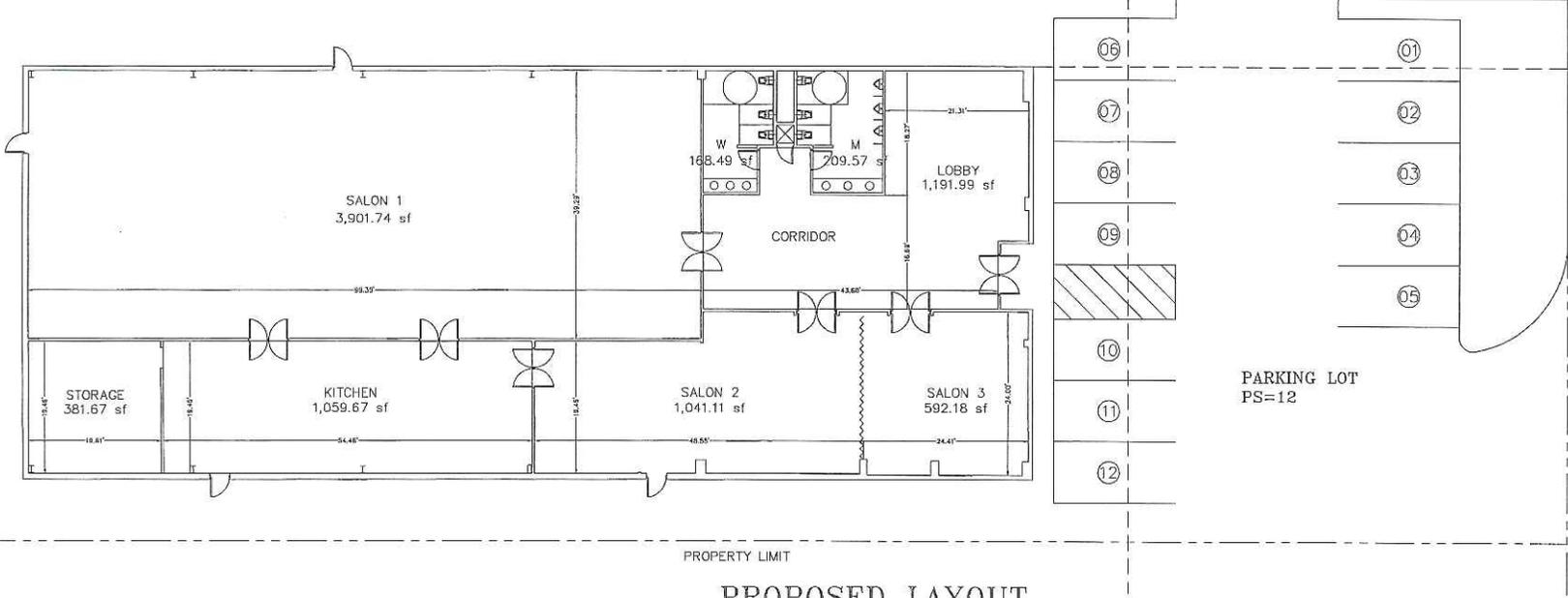
DATE:
06/24/2015

PROJECT No.	SHEET No.
-----	A-1



PROPERTY LIMIT

PROPERTY LIMIT



U.S. EXPRESSWAY 83

PROJECT NAME:	EVENT CENTER
ADDRESS:	McALLEN, TX
CLIENT INFORMATION:	SRA. CAVAZOS

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

4037 EXPRESSWAY 83, STE 150
 McALLEN, TEXAS 78501

PH: (361) 637-3311
 E-MAIL: MSALIN@973@ATT.NET

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

REVISION:	DATE:	APPROVED BY:
1	NS	MAS

DATE: 06/24/2015

PROJECT No.	SHEET No.
-----	A-1





La Pergola

OUTLET

FURNITURE - RUGS - ACCESSORIES

GOING OUT OF BUSINESS

EXTRA 20%
EVERYTHING IN STORE

50-75% OFF

NOTICE
BY THE COURT
TAL PERGOLA
C/P 04/18/2000

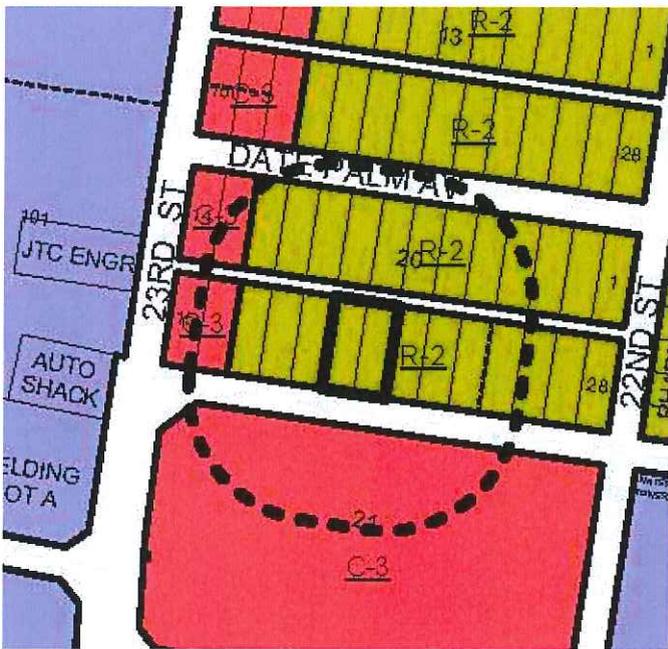
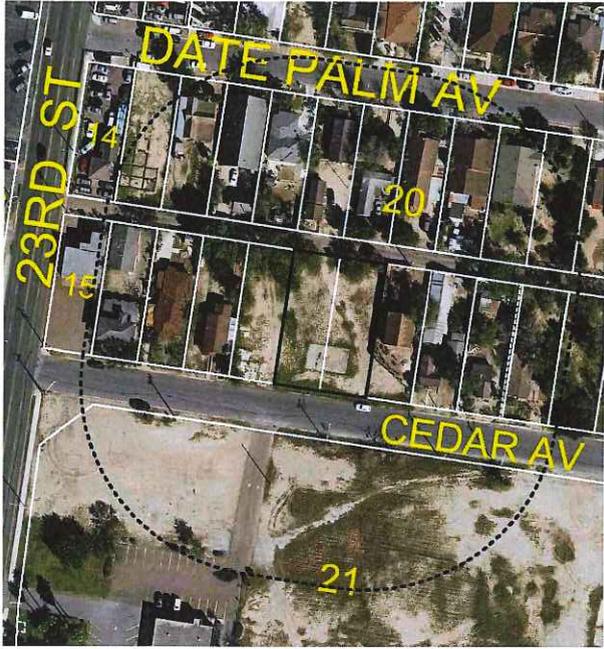
WALK
ROW!

REZONE FROM R-2 (DUPLEX-FOURPLEX RESIDENTIAL) DISTRICT TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENTS) DISTRICT: LOTS 20-21, BLOCK 20, HAMMOND ADDITION, HIDALGO COUNTY, TEXAS; 2234 CEDAR AVENUE. (REZ2015-0083)

LOCATION: The tract is located along the north side of Cedar Avenue and 240 feet east of 23rd Street. The tract consists of two lots with 96 feet of frontage along Cedar Avenue and a depth of 140 feet for a tract size of 13,440 square feet.

PROPOSAL: The applicant is proposing to rezone the property to R-3A (multifamily residential apartments) District in order to construct a 12 unit apartment development on the subject properties as shown in the attached feasibility plan.

ADJACENT ZONING: Adjacent zoning is R-2 (duplex-fourplex residential) District in all directions except to the south there is C-3 (general business) District.



LAND USE: The property consists of two vacant lots. Adjacent land uses are single family residential, multiple residences, and vacant lots.

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

DEVELOPMENT TRENDS: The area is a stable single family with vacant lots where substandard housing has been removed. The property was zoned R-2 (duplex-fourplex residential) District during comprehensive zoning in 1999 but the area has not developed into duplexes. There have been no rezoning requests on this property since that time.

ANALYSIS: The requested zoning conforms to the Urban Residential Mixed land use designation as indicated on the Foresight McAllen Comprehensive Plan. The minimum lot width for most of the lots in Block 20 is less than 50 feet that restricts the lots to single family residential. The resubdivision of Lot 20 and 21 into a single lot would allow apartments on the lot. The proposed 12 unit apartment complex located in the middle of single family residences is out of character with the existing neighborhood. The two lots could be resubdivided into a single lot and developed as a fourplex that is more comparable with adjacent single family residences. Resubdivision and an approved site plan are required prior to issuance of any building permits.

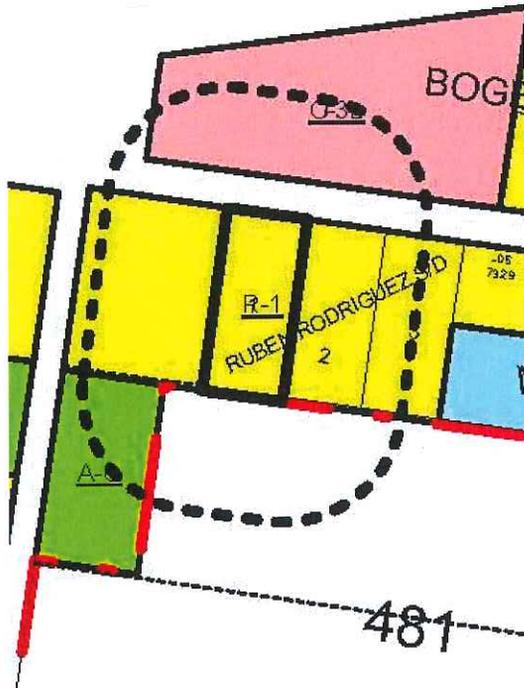
RECOMMENDATION:
Staff recommends disapproval of the rezoning request.

**REZONE FROM R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO C-4 (COMMERCIAL-INDUSTRIAL) DISTRICT:
LOT 1, RUBEN RODRIGUEZ SUBDIVISION, HIDALGO COUNTY, TEXAS; 7523 MILE 7 ROAD. (REZ2015-0084)**

LOCATION: The subject property is located along the south side of Mile 7 Road east of Stewart Road. The tract has approximately 134 feet of frontage on Mile 7 Road and a depth of 290 feet for a tract size of .892 acres.

PROPOSAL: The applicant is requesting C-4 (commercial-industrial) District in order to upgrade an existing electrical meter and for expansion of the existing welding shop building.

ADJACENT ZONING: Adjacent zoning is R-1 (single family residential) District to the east, west and there is C3L (light commercial) District to the north. The property to the south is not within the City of McAllen city limits.



LAND USE: There is an existing commercial building on the property that is used as a welding shop with the name of WFL Welding and Fabrication. Adjacent land uses are single family residences, mobile homes, Morales Construction, All American Hydraulics, Tree of the Christian Ministry and vacant land.

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

DEVELOPMENT TRENDS: The development trend in the immediate area is mixed with single family and commercial business. The property was zoned to R-1 (single family residential) District upon annexation in 2012. There have been no rezoning requests on the property since then. The property across the street is zoned C-3L District and two lots to the east is zoned C-4 District.

ANALYSIS: The requested zoning does not conform to the Auto Urban Residential land use designation as indicated on the Foresight McAllen Comprehensive Plan. The area along 7 Mile Road between Glasscock Road and Stewart Road has mixed uses of single family and commercial business. The existing commercial building became a nonconforming use upon annexation and is limited to remodeling for ordinary repair and cannot expand the building. Recent development along this section of 7 Mile Road is commercial uses. An eight foot masonry wall would be required along the east and west property lines to buffer a commercial use from residential uses or districts.

RECOMMENDATION:
Staff recommends approval of the rezoning request.

5d3) WITHDRAWN

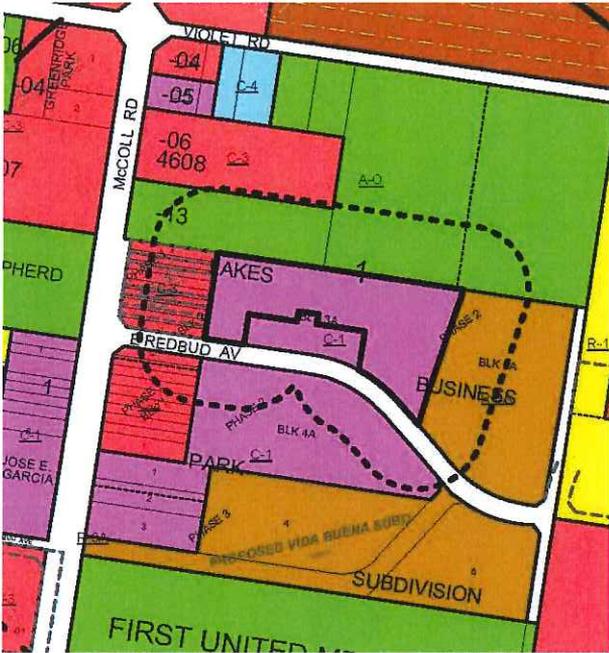
5d4) WITHDRAWN

REZONE FROM C-1 (OFFICE BUILDING) DISTRICT TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENTS) DISTRICT: 4.038 ACRES OUT OF BLOCK 3A, OUT OF BLOCKS 3A, 4A, AND 5A, LAKES BUSINESS PARK PHASE 2 SUBDIVISION, HIDALGO COUNTY, TEXAS; 901 EAST REDBUD. (REZ2015-0079)

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

PROPOSAL: The applicant is requesting R-3A (multifamily residential apartments) District to construct apartments.

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



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

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

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

ANALYSIS: The requested zoning does not conform to the Auto Urban Commercial land use designation as indicated on the Foresight McAllen Comprehensive Plan. The maximum number of apartment units permitted on the subject property based upon the tract size ranges from 164 1-bedroom units to, 131 2-bedroom units, and 110 3-bedroom units. The number of vehicle trips generated by low-rise apartments was 6.59 vehicle trips per day or a total of 1081 to 725 per day depending on the units. The number of apartment units likely to be constructed would be limited based upon parking and landscaping requirements. A feasibility plan has not been submitted to the Planning Department. A recorded subdivision plat and approved site plan are required prior to issuance of any building permit.

RECOMMENDATION: Staff recommends approval of the rezoning request. At the Planning and Zoning Commission meeting of June 16, 2015 no one appeared in opposition of the rezoning request. The Board unanimously voted to recommend table the rezoning request to allow time for the applicant to clarify ownership of the subject property.

Memo

TO: Planning & Zoning Commission

FROM: Julianne R. Rankin, Director of Planning

DATE: July 17, 2015

SUBJECT: City Commission Actions of July 13, 2015

REZONINGS:

1. Rezone from R-1 (single family residential) District to R-2 (duplex-fourplex residential) District: Lots 12 & 13, Block 1, Clegg Addition, Hidalgo County, Texas; 1121 Redwood Avenue and 1718 North 12th Street.
 - **Planning and Zoning Commission approved**
 - **City Commission approved**
- Rezone from C-1 (office building) District to R-3A (multifamily residential apartments) District: 4.038 acres out of Block 3A, of Blocks 3A, 4A, and 5A, Lakes Business Park Phase 2 Subdivision, Hidalgo County, Texas; 901 East Redbud Avenue.
 - **Planning and Zoning Commission approved**
 - **City Commission tabled**
2. Rezone from C-3 (general business) District to R-3A (multifamily residential apartments) District: 4.10 acres out of Lot 52, La Lomita Irrigation and Construction Company Subdivision, Hidalgo County, Texas; 3320 Auburn Avenue.
 - **Planning and Zoning Commission approved**
 - **City Commission tabled**

CONDITIONAL USE PERMITS:

1. Request of Julie Degollado on behalf of Logos Community Church, for a Conditional Use Permit, for life of the use, for an institutional use (church) at the 3.03 acres coming out of Lot 20, Section 10, Hidalgo Canal Company Subdivision, Hidalgo County, Texas; 2718 North 10th Street
 - **Planning and Zoning Commission approved**
 - **City Commission approved**
2. Request of Provident Realty Advisors, Inc, for a Conditional Use Permit, for life of the use, for a planned unit development, at the 13.661 acres coming out of Lots 9 and 16 in the northwest quarter (¼) of Section 7, Hidalgo Canal Company's Subdivision, Hidalgo County, Texas; 1300 South 10th Street.
 - **Planning and Zoning Commission tabled**
 - **City Commission remained tabled**

ORDINANCES:

1. Ordinance of the City of McAllen, Texas, creating A Planned Unit Development (PUD) on certain property described as a 13.66 acre tract of land bound by 1-2 access road, South 12th Street, Lindberg Avenue, and South 10th Street and approving the concept plan and development standards for the PUD.
 - **Planning and Zoning Commission tabled**
 - **City Commission remained tabled**

2015 CALENDAR

Meetings:  City Commission  Planning & Zoning Board  Public Utility Board  Zoning Board of Adjustment HPC - Historical Preservation Council							Deadlines: D- Zoning/CUP Application N - Public Notification						
JULY 2015							AUGUST 2015						
Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1 N - 7/21 P&Z	2	3 HOLIDAY	4							1
5	6	7 	8 D - 8/4 & 8/5	9	10	11	2	3	4 	5 D - 9/1 & 9/2	6	7	8
12	13	14 	15 	16	17	18	9	10	11 	12 	13	14	15
19	20	21 	22 HPC D - 8/18 & 8/19	23	24	25	16	17	18 	19 D - 9/16 & 9/17	20	21	22
26	27	28 	29 	30	31		23	24 AD - 9/16 & 9/17	25 	26 HPC	27	28	29
							30	31		N - 9/16 & 9/17			
SEPTEMBER 2015							OCTOBER 2015						
Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1 	2 D - 10/6 & 10/7	3	4 AD 10/6 & 10/7	5					1	2	3
5	7 HOLIDAY	8	9 N - 10/6 & 10/7	10	11	12	4	5	6 	7 D - 11/3 & 11/4	8	9	10
13	14 	15 	16 	17	18	19	11	12	13 	14 	15	16	17
20	21 AD 10/20&10/21	22	23 HPC N 10/20&10/21	24	25	26	18	19	20 	21 D - 11/17&11/18	22	23	24
27	28 	29 	30				25	26	27 	28 	29 HPC	30	31
									AD 11/17 & 11/18	N 11/17 & 11/18			
NOVEMBER 2015							DECEMBER 2015						
Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3 	4 D 12/1 & 12/2	5	6	7			1 	2 HPC D - 1/5 & 1/6	3	4	5
8	9	10 	11 	12	13	14	6	7	8	9 N - 1/5 & 1/6	10	11	12
15	16	17 	18 D 12/16 & 12/17	19	20	21	13	14	15 	16 	17	18	19
22	23	24 	25 	26	27	28	20	21	22	23	24	25	26
29	30						AD 1/19&1/20			N - 1/19 & 1/20	HOLIDAY	HOLIDAY	