

AGENDA

**PLANNING & ZONING COMMISSION REGULAR MEETING
TUESDAY, AUGUST 04, 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 21, 2015

2) SITE PLANS:

- a) Lot 1, Nolana Crossing Subdivision; 2709 Nolana Avenue – Bury-San, Inc.
(SPR2015-0026)
- b) Lot 1, El Cedro Subdivision; 1100 E. Cedar Avenue – Beind Investments
(SPR2015-0021)

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, 07/21/2015) PDE

4) SUBDIVISIONS:

- a) Taylor Villas Subdivision; 2020 S. Taylor Road - John Shin **(Revised Preliminary)**
(SUB2015-0028)(TABLED: 07/21/2015) MASE
- b) SSFCU E. PECAN AT N. MCCOLL Subdivision 621 E. Pecan Boulevard - Robert W. Williamson **(Preliminary/Final)(SUB2015-0048) SEC**
- c) Las Palmas Industrial Park Subdivision; 7701 S. 10th Street - RTE Investments, LLC.
(Preliminary)(SUB2015-0046) MASE
- d) Beech Commerce Subdivision; 111 N. 23rd Street – Absolute Premium Denim, LLC.
(Preliminary)(SUB2015-0045) SEC
- e) Las Villas Del Rio Subdivision; 2000 S. Taylor Road - Las Villas Del Rio Development, CO, LLC. **(Preliminary)(SUB2015-0047) M & H**

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

a) AMENDMENT:

1. Amendment to Foresight McAllen Comprehensive Plan: Figure 4.2 Thoroughfare Plan; Changing Mile 9 Road from Ware Road to Shary Road from a Minor Arterial with 100 feet of Right-of-Way to a Minor Collector with 60 Feet of Right-of-Way.

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, 07/07/201, 07/21/2015)**

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 ($\frac{1}{4}$) 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, 07/07/2015,07/21/2015)**
2. Request of Adriana Fox, for a Conditional Use Permit, for life of the use, for a guest house at Lot 73, Fairway Grande #2 Subdivision, Hidalgo County, Texas; 408 East Nassau Avenue. **(CUP2015-0096)**
3. Request of Julio A. Ortiz, for a Conditional Use Permit, for one year, for a guest house at Lot A, Tito's Subdivision, Hidalgo County, Texas; 4721 North Bentsen Road. **(CUP2015-0098)**
4. Request of Luis E. Flores, for a Conditional Use Permit, for one year, for a portable food concession stand at Lot 1, Plaza Del Norte Subdivision, Hidalgo County, Texas; 3420 North 10th Street. **(CUP2015-0099)**
5. Request of Jamie Sanchez, for a Conditional Use Permit, for one year, for a portable food concession stand at Lot 1, Block 2, Young's Subdivision, Hidalgo County, Texas; 2401 Highway 83. **(CUP2015-0101)**

d) REZONINGS:

1. 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, 07/21/2015)**
2. Rezone from R-2 (duplex-fourplex residential) District to C-3L (light commercial) District: Lots 10, 11, and 12, Block 1, South McAllen Addition, Hidalgo County, Texas; 819 South Bicentennial Boulevard and 1716 Ithaca Avenue. **(REZ2015-0087)**
3. Rezone from C-3 (general business) District to R-3A (multifamily residential apartments) District: 2.121 acres out of Lot 5, Block 2, C. E. Hammonds Subdivision, Hidalgo County, Texas; 3804 Pecan Boulevard. **(REZ2015-0088)**

e) A-O REZONINGS PROJECT:

1. City Initiated rezoning from A-O (agricultural-open space) District for **District 2 Tracts 1-12A:**
 - A) **Tract 1:** Rezone from A-O (agricultural-open space) District to R-1 (single family residential) District: 6.635 acres out of Lot 298, John H. Shary Subdivision, Hidalgo County, Texas; 3309-3329 North Bentsen Road. **(REZ2015-0089)**
 - B) **Tract 2:** Rezone from A-O (agricultural-open space) District to R-1 (single family residential) District: 24.805 acres out of Lot 297, John H. Shary Subdivision, and Lots 1-3. Amigo Park #3 Hidalgo County, Texas; 3220-3320 North Taylor Road, 4816-4822 Daffodil Avenue, 3117 N 46th Street Rear. **(REZ2015-0090)**
 - C) **Tract 3:** Rezone from A-O (agricultural-open space) District to C-3L (light commercial) District: 1.827 acres out of Lot 317, John H. Shary Subdivision, Hidalgo County, Texas; 4000-4004 North Taylor Road. **(REZ2015-0091)**
 - D) **Tract 4A1:** Rezone from A-O (agricultural-open space) District to R-1 (single family residential) District: 17.84 acres out of Lot 327, John H. Shary Subdivision, Hidalgo County, Texas; 4220-4400 North Taylor Road. **(REZ2015-0092)**
 - E) **Tract 4B:** Rezone from A-O (agricultural-open space) District to R-1 (single family residential) District: 3.605 acres out of Lot 327, John H. Shary Subdivision, Hidalgo County, Texas; 4801a-D, 4805, 4809 Buddy Owens Blvd. **(REZ2015-0094)**

- F) Tract 4C:** Rezone from A-O (agricultural-open space) District to R-1 (single family residential) District: 1.743 acres out of Lot 317, John H. Shary Subdivision, Hidalgo County, Texas; 4012-4016 North Taylor Road. **(REZ2015-0095)**
- G) Tract 5B:** Rezone from A-O (agricultural-open space) District to R-1 (single family residential) District: 5.00 acres out of Lot 103, La Lomita (HOIT) Subdivision, Hidalgo County, Texas; 4201 Buddy Owens Boulevard. **(REZ2015-0096)**
- H) Tract 6A:** Rezone from A-O (agricultural-open space) District: to C-4 (commercial industrial): 4.584 acres out of Lots 103 District & 104, La Lomita (HOIT) Subdivision, Hidalgo County, Texas; 4021 Buddy Owens Boulevard & 4012 Primrose Avenue. **(REZ2015-0097)**
- I) Tract 6B:** Rezone from A-O (agricultural-open space) District to C-3 (general business) District: 9.745 acres out of Lot 104, La Lomita (HOIT) Subdivision, Hidalgo County, Texas; 3801-3909 Buddy Owens Boulevard. **(REZ2015-0098)**
- J) Tract 6C:** Rezone from A-O (agricultural-open space) District to R-1 (single family residential) District: 16.525 acres out of Lot 113, La Lomita (HOIT) Subdivision, Hidalgo County, Texas; 4100 N 41st Street, 4101 N Ware Road. **(REZ2015-0099)**
- K) Tract 7:** Rezone from A-O (agricultural-open space) District to C-3 (general business) District: 7.945 acres out of Lot 105, La Lomita (HOIT) Subdivision, Hidalgo County, Texas; 4200 N Ware Road. **(REZ2015-0100)**
- L) Tract 8:** Rezone from A-O (agricultural-open space) District to C-3 (general business) District: 22.30 acres out of Lots 111 & 112, La Lomita (HOIT) Subdivision, Hidalgo County, Texas; 4101 North 29th Street, 3300 Nolana Avenue. **(REZ2015-0101)**
- M) Tract 9A:** Rezone from A-O (agricultural-open space) District to C-3 (general business) District: 2.56 acres out of Lot 107, La Lomita (HOIT) Subdivision, Hidalgo County, Texas; 2801 Buddy Owens Boulevard. **(REZ2015-0102)**
- N) Tract 9B:** Rezone from A-O (agricultural-open space) District to C-3 (general business) District: 0.473 acres out of Lot 107, La Lomita (HOIT) Subdivision, Hidalgo County, Texas; 2501 Buddy Owens Boulevard. **(REZ2015-0103)**

- O) Tract 10:** Rezone from A-O (agricultural-open space) District to C-3 (general business) District: 8.26 acres out of Lot 16, Block 1, C.E. Hammond's Subdivision, Hidalgo County, Texas; 5400 North 21st Street. **(REZ2015-0104)**
- P) Tract 11:** Rezone from A-O (agricultural-open space) District to C-1 (office building) District: 0.926 acres out of Lot 95, La Lomita (Hoit) Subdivision, Hidalgo County, Texas; 5404 North 29st Street. **(REZ2015-0105)**
- Q) Tract 12A:** Rezone from A-O (agricultural-open space) District to C-3L (light commercial) District: 0.368 Acres out of Lot 100, La Lomita (Hoit) Subdivision, Hidalgo County, Texas; 3300 Buddy Owens Boulevard. **(REZ2015-0106)**

6) DISCUSSION:

7) INFORMATION ONLY:

- a) City Commission Actions: July 27, 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 21, 2015, at 3:43 p.m. in the Municipal Building City Commission Room at City Hall, 1300 Houston Avenue, McAllen, Texas.

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

CALL TO ORDER - Chairman – Leonel Garza, III

1. MINUTES:

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

The minutes for the regular meeting held on July 7, 2015 were approved as submitted. The motion to approve was made by Rudy Elizondo. Mr. John Millin seconded the motion which carried unanimously with four members present and voting.

2. SITE PLAN:

- a) Proposed, Lot 1, McAllen SH 107 Subdivision; 7129 State Highway 107 – AEC Engineering (**SPR2015-0028**) AEC

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

The property was part of McAllen SH 107 Subdivision, which was not recorded but would 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 was 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 were required; 30 parking spaces were 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 was proposed to be from one 35 ft. wide curb cut along SH 107. Project engineer was proposing a private service drive easement for the maneuvering of delivery vehicles onsite. The use of the street would not be permitted for maneuvering purposes. Required landscaping for the lot was 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 was 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 was 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 was required between single-family residential and commercial, industrial, or multi-family residential zones/uses to the east, south, and west. No structures were permitted over easements. All building setbacks were in compliance with the plat note requirements and zoning ordinance.

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

Being no discussion of the item, Mr. Rudy Elizondo **moved** to approve the site plan subject to the conditions noted, paving and building permit requirements. Mr. John Millin seconded the motion with five members present and voting.

**b) Lot 19, Lots 13 & 19 Citrus Grove Plaza Subdivision; 4313 Expressway
83 – Nueva Vista, LLC – (SPR2015-0027) TE**

Mr. Martinez stated the vacant property was located on the east side of S. Bentsen Rd., approximately 230 ft. south U.S. Expressway 83., and was zoned C-3 (general business) District. The adjacent zoning was 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 was 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 was 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 were required; 68 parking spaces were provided. Three accessible parking spaces were required, one of which must be van accessible with an 8 ft. wide aisle. Access to the site was proposed to be from access easements along the frontage

road and S. Bentsen Rd. The access easement would be shared with the adjacent lots and must also be built and paved prior to occupancy. Required landscaping for the lot was 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 was required inside the property line along S. Bentsen Rd. Fifty percent of the landscaping must be visible in front areas, and each parking space must be within 50 ft. of a landscaped area with a tree, as required by ordinance. A 4 ft. sidewalk was 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 was required around the dumpster if visible from the street. No structures were permitted over easements. Setbacks were as follows: S. Bentsen Rd. – 40ft. All other setbacks would be in compliance with the plat note requirements and the zoning ordinance.

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

Being no discussion of the item, Mr. Pepe Cabeza de Vaca **moved** to approve the site plan subject to the conditions noted, paving and building permit requirements. Mr. John Millin seconded the motion with five 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, 06/16/2015,07/07/2015)
PDE

Item to remain tabled.

The property was a one 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 improvement 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 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 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 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.

**b) McAllen SH 107 Subdivision; 7129 State Highway 107 - Isidro Quintero –
(Final)(SUB2015-0043) AEC**

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

The property was a one lot subdivision located on the south side of State Highway 107 between Glasscock and Stewart Road. The preliminary plat was approved by the Planning and Zoning Commission on May 19, 2015. The revised preliminary plat was approved by the Planning and Zoning Commission on June 16, 2015. The request to rezone from R-1 (single family residential) to C-3 (general business) was approved by the City Commission at their meeting of June 8, 2015. S.H. 107 had 172 ft. of existing ROW with paving and curb and gutter to be done by the state. An alley was required for commercial properties. Project engineer, on behalf of the developer had previously requested a variance to the alley requirement; however, the request had since been withdrawn. A 10 ft. alley ROW would 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 recording. Front setbacks on S.H. 107 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. All setbacks were subject to increase for easements or approved site plan. A 5 ft. wide minimum sidewalk was required on S.H. 107. Perimeter sidewalks must be built or money escrowed if not built at that 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. The Trip Generation was approved by the Traffic Operation Department and the Traffic Analysis was not required. Must comply with the City's Access Management Policy.

Staff recommended approval of the subdivision in final form.

As part of the consent agenda, Mr. John Millin **moved** to approve the subdivision in final form. Mr. Pepe Cabeza de Vaca seconded the motion with five members present and voting.

- a) Sky Sports Subdivision; 4801 Cobath Road - John Shin
(Final)(SUB2015-0044) MASE

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

Mr. Mora stated the property was a one lot subdivision located on the south side of Colbath Road, east of South Taylor Road. Annexation and Initial Zoning (c-3) was approved by the City Commission on June 22, 2015. Colbath Road had 20 ft. ROW dedication required for 40 ft. from centerline for an 80 ft. ROW with 52 ft. - 65 ft. of paving with curb and gutter on both sides. A 24 ft. service drive easement provided for the commercial property, which shall extend to the west property line. Front setbacks on Colbath Road were 40 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 required on Colbath Road. 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 site plan must be approved by the Planning and Zoning Commission prior to building permit issuance. Per Director of Traffic on July 13, 2015, the Trip Generation and the Traffic Impact Analysis would be deferred to the site plan. Must comply with the City's Access Management Policy.

Staff recommended approval of the subdivision in final form.

As part of the consent agenda, Mr. John Millin **moved** to approve the subdivision in final form. Mr. Pepe Cabeza de Vaca seconded the motion with five members present and voting.

4. SUBDIVISIONS:

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

Mr. Mora advised the board the applicant had requested item to be tabled.

The subdivision consisted of a 43 lot plat located within the ETJ at the northeast corner of Uvalde Avenue and South Taylor Road. The preliminary plat was approved by the Planning and Zoning Commission on May 19, 2015 and the revised preliminary plat with the variance to the 800 ft. block length was approved by the Planning and Zoning Commission on June 16, 2015. South Taylor Road had 10 ft. ROW dedication required for 40 ft. from centerline for an 80 ft. ROW with 52 ft. - 65 ft. of paving with curb and gutter on both sides. Owner must escrow monies for improvements if not built prior to recording. Uvalde Avenue had 80 ft. - 90 ft. ROW existing with 52 ft. - 65 ft. of paving with curb and gutter on both sides. Project engineer was to provide document to verify existing ROW. Interior Streets had 60 ft. ROW (proposed as private) with 40 ft. of paving with curb and gutter on both sides. Interior Streets were proposed with ROW width that varies from 50 ft. to 53.25 to 55 ft. Private streets were to comply with and built according to City standards. The block lengths exceeded the maximum allowed under Section 134-118 of the Subdivision Ordinance. Project engineer, on behalf of the developer had submitted a variance request to allow the block lengths to exceed 800 ft. on

length without a cross street. A Variance to the 800 ft. block length was approved by the City Commission at their meeting on July 13, 2015. Front setbacks on South Taylor Road were 40 ft. or greater for easements (Lots 14 & 15), Uvalde Avenue were 20 ft. or greater for easements (Lots 1-13, & 43-44), and Interior Streets were 20 ft. or greater for easements (including double fronting lots such as Lots 16-26). Rear setbacks were 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. Interior side setbacks were in accordance with the Zoning Ordinance, or greater for easements. Corner setbacks were 10 ft. or greater for easements (Lots 1 & 2, 5, 29 & 30, 36 & 37) and 20 ft. on the south side of Lot 20 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 required on S. Taylor Road, Uvalde Avenue and on both sides of all interior streets. 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 and along S. Taylor Road and Uvalde Avenue. An 8 ft. masonry wall was required between single family residential and commercial, industrial, or multi-family residential zones/uses. Perimeter buffers along South Taylor Road and Uvalde Avenue must be built at time of Subdivision Improvements. A note on the plat stated no curb cut, access, or lot frontage permitted along South Taylor Road and Uvalde Avenue. Common areas and private streets must be maintained by the lot owners and not the City of McAllen. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording and addressing maintenance obligations per section 134-168 of the Subdivision Ordinance. Perimeter streets to remain public and interior streets proposed as private. Plat was pending review by the Parkland Dedication Advisory Board and City Commission; pending additional information for consideration of land dedication or park fees. A Trip Generation was needed to determine if a Traffic Impact Analysis (TIA) would be required prior to final plat approval. Project engineer was to clarify the use of Lot 44 and if it's a buildable lot. Gate detail and mechanism needed for staff review and approval.

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

Mr. John Millin **moved** to table the subdivision request. Mr. Mark Wright seconded the motion with five members present and voting.

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

a) SUBDIVISION:

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

Mr. Mora stated that the property was a 1 lot resubdivision plat located between N. McColl Road and N. "K" Center Street, south of E. Redbud Avenue. The Preliminary plat was approved by the Planning and Zoning Commission on March 20, 2012 and a revised preliminary plat was approved by the Planning and Zoning Commission on May 5, 2015. The property was proposed for R-3A (multifamily residential apartments) District. N. McColl Road had a 60 ft. ROW existing from centerline for 120 ft. ROW with paving and curb & gutter by the state. N. "K" Center Street (east boundary) had 35 ft. ROW existing from centerline for 70 ft. ROW with 44 ft. of paving and curb & gutter on both sides. Owner was to escrow monies as may be required for the improvements if not built prior to plat recording. Existing 60 ft. private access and utility easement was provided. E. Redbud Avenue had 30 ft. from centerline for 60 ft. ROW existing with paving of 40 feet with curb & gutter on both sides. Minimum building setbacks in the front along N. McColl Road were 60 ft. or greater for approved site plan. N. "K" Center Street had a 35 ft. setback or greater for approved site plan or easement. E. Redbud Avenue had a 30 ft. setback or greater for approved site plan or easement. The interior sides were as per the Zoning Ordinance, or greater for approved site plan or easement. Garage setbacks were 18 ft. except where greater setback was required; greater setbacks applied. A 4 ft. wide minimum sidewalk was required on N. McColl Road, N. "K" Center Street and E. Redbud Avenue. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, or industrial zones/uses. An 8 ft. masonry wall was required between single family residential and commercial, industrial, or multi-family residential zones/uses. Site plan must be approved by the Planning and Zoning Commission prior to building permit issuance. Park Fee of \$124,600 based on 178 dwelling units at \$700 each was required to be paid prior to recording. 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. As per Traffic on July 13, 2015 A TIA was not required. Existing plat notes remain the same for the resubdivision. An agreement from the respective Gas Company was needed for any improvements over the easement.

Staff recommended approval of the resubdivision in final form.

Mr. Leonel Garza, III, Chairperson, asked if there was anyone present in opposition of the resubdivision being requested and there was no one to speak in opposition.

The board inquired regarding a 60 ft. access to Redbud and if there was an adjoining driveway on the opposite side or any connecting driveway across Redbud. Mr. Mora stated the developer was in the design process and had submitted a rezoning request. The item was on the agenda but had been tabled for the past several meetings due to waiting for owner's clarification.

The boards concerns where the alignment was. Mr. Mora stated the proposed Vida Buena subdivision had a drive that ran from McColl Road on the south side and went northeast to Redbud Avenue directly across. There was an existing apartment complex and the driveway lined up with the drive already. Mr. Wright stated that on the south west corner it did not line up.

Mr. Mora stated it had an off set at that location.

The Board inquired regarding the Redbud alley and the "K" Center development. They noticed that all dedication had been done on all tracts, except on the one on the east side. Mr. Mora stated it was a gated and closed property and the developer had proposed to gate Redbud. It would have access to Redbud and off McColl Road and any future developments would not come next to the drive.

Mr. Mora stated the drainage ditch to the north side of Redbud Avenue was open and to the south it was an underground drainage. "K" Center Street would curve northeast then continue north until the property to east developed. The road would not be built and the developer would have to escrow the money.

Following discussion of the item, Mr. John Millin moved to approve the resubdivision in final form. Mr. Pepe Cabeza de Vaca seconded the motion which carried unanimously with five members present and voting.

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)(7/07/2015)**

This item remained tabled.

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)(REMAINEDTABLED FOR THE FOLLOWING MEETINGS 02/03/2015,02/17/2015,03/03/2015,03/17/2015,04/07/2015,04/21/2015,05/05/2015,05/17/2015,06/02/2015,06/16/2015.- 7/07/2015)**

This item is to remain tabled.

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)**

Ms. Garcia stated the property was located on the north side of Sycamore Avenue, approximately 181 ft. east of North 16th Street 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 church. 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 graphic designing business from the existing residence. The proposed hours of operation would 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 had inspected the building and had met all the minimum standards and applicable ordinances. The business must comply with requirements set forth in Section 138-118(1) of the Zoning Ordinance and other specific requirements as follows:

- 1) The home occupation must be clearly secondary to the residential use. The applicant lives at the residence;
- 2) No signs were permitted. No sign was proposed;
- 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. No additional employees were proposed;
- 5) There shall be no outside storage of materials or products. The applicant proposes no outside storage;
- 6) The permitted use shall not create frequent or heavy traffic, not greater than ten percent (10%) of the average load per hour as determined by the city traffic engineer. The applicant 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 was proposed to take place in the primary residential structure; and
- 10) The activity must take place at the location of which the permit was issued.

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

Mr. Leonel Garza, III, Chairperson, asked if there was anyone present in opposition of the Conditional Use permit being requested and there was no one to speak in opposition. The applicant was present.

Being no discussion of the item, Mr. Pepe Cabeza de Vaca moved to approve the request for one year, subject to compliance with Section 138-118(1) of the Zoning Ordinance and Fire Department requirements. Mr. John Millin seconded the motion with five members present and voting.

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)**

Ms. Garcia stated the property was 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 was zoned C-4 (commercial industrial) District. The adjacent zoning was C-4 District in all directions and surrounding land uses include industrial, retail, restaurants and vacant land. A portable food concession stand was permitted in a C-4 zone with a Conditional Use Permit and in compliance with requirements.

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 was a new applicant, who was advised by a Code Enforcement Officer about the conditional use permit process subsequently, an application was submitted.

The applicant was proposing to operate and utilize the existing 5 ft. by 14 ft. portable food concession stand at this location. The proposed hours of operation were from Monday thru Friday 9:00 am. to 7:00 p.m. and Saturday 9:00 a.m. to 5:00 p.m. There was 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 were required for the portable food concession stand and covered seating area; seven spaces were 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 was 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 was 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 were required for the portable food concession stand and covered seating area; seven spaces were 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 were provided on site.

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

Mr. Leonel Garza, III, Chairperson, asked if there was anyone present in opposition of the Conditional Use permit being requested and there was no one to speak in opposition. The applicant not present.

The board inquired if there was access to restrooms.

Ms. Garcia stated the restrooms were located behind the storage and they would also have restroom access at Suite Lot F-1.

Mr. Pepe Cabeza de Vaca **moved** to approve the request, for one year, subject to compliance with Section 138-118(9) of the Zoning Ordinance, Health and Fire Department requirements.. Mr. John Millin seconded the motion with five members present and voting.

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)**

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

Currently, there was 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 had 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 was a new applicant; therefore was had to come before the Planning and Zoning for consideration and approval.

The new applicant was proposing to continue to use the building as an automotive service & repair (tire shop) business. The hours of operation were 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 were required; 7 parking spaces were 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 was covered with a black tarp used as storage and the work on vehicles was being done at the rear of the building.

The Fire Department had inspected the establishment and was 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. was required. The subject property had approximately 13,851 sq. ft.;
- 2) All service, repair, maintenance, painting and other work shall take place within an enclosed area. Work on vehicles was proposed to be done at the rear of the building;
- 3) Outside storage of materials was 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 was to take place shall be a minimum of 100 ft. from the nearest residence. The existing residences were located approximately 127 ft. south of this building;
- 5) A 6 ft. opaque buffer fence was required for the proposed use from any residential zone / use. A 6 ft. opaque fence was required on the north and west sides of the building. There was 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.

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

Mr. Leonel Garza, III, Chairperson, asked if there was anyone present in opposition of the Conditional Use permit being requested and there was no one to speak in opposition. The

applicant was present.

Ms. Kiley Ingram was in opposition of the request. She stated her concerns were traffic congestion, maintaining a peaceful neighborhood and walking pedestrian's and children's safety. She stated there were no personal issues just that the property was primarily residential.

Ms. B.J. Ingram was in opposition of the request. She stated the applicant was not going to succeed in the business due to history of the location. There have been different tenants and none have succeeded.

The board inquired where the vehicle work was being done and if work was being done outside, they had concerns with the noise it may cause on the neighborhood.

Staff indicated he was proposing the work to be done at the rear of the building within the enclosed gate; however, the official approval was the existing carport had to be enclosed so the work be done inside an enclosed area but was currently used as storage and covered with a black tarp.

Mr. Fidel Lopez, the applicant, approached the podium and stated he was willing to remove the tarps and enclose the carport so the work can be done inside an enclosed area. He was already starting the process but needed to obtain a building permit.

The board advised the neighbors that Mr. Lopez was in the correct zone to be able to have a commercial business. The permit he was requesting was complaint driven and if for any reason he does not comply they can call the city so they may investigate. The permit if approved may be revoked if he does not comply with the conditions of the conditional use permit.

Mr. John Millin moved to reconsider. Mr. Mark Wright seconded the motion with five members present and voting.

Mr. John Millin moved to approve the request, for one year, subject to compliance with Section 138-118(9) of the Zoning Ordinance, Health and Fire Department requirements and conditions to repair the structure and the parking lot. Mr. Pepe Cabeza de Vaca seconded the motion with five members present and voting.

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)**

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

The initial conditional use permit for this establishment (Simon Sez II) was approved by the Planning and Zoning Commission on March 16, 1993 and had been renewed annually. The last permit was approved for renewal on June 17, 2014.

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

Attached was the Police Activity report for service calls from 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 was not visible and cannot be heard from the residential areas. The establishment was within 300 ft. of the McAllen International Museum; however, staff had not received any complaints from the McAllen International Museum Board;
- 2) The property must be as close as possible to a major arterial and shall not generate traffic onto residential sized streets. The establishment had direct access to Orchid Avenue and was near Nolana Avenue;
- 3) The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance as a minimum, and make provisions to prevent the use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional on site parking. Based on the square footage of the building, 24 parking spaces were required. Seven parking spaces were provided on site. Parking agreements were submitted to meet parking requirements with a total of 17 spaces available, totaling 24 spaces. The parking agreements were valid with an expiration date of March 31, 2017 (five year term);
- 4) The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties by providing, when necessary, fences, hedges or reorientation of entrances and exits under the vegetation ordinance. The unpaved areas (east side) cannot be used for parking. This area was not fenced off;
- 5) The business shall provide sufficient lighting to eliminate dark areas and maximize visibility from a public street in order to discourage vandalism and criminal activities;
- 6) The business must make provisions to keep litter to a minimum and keep it from blowing onto adjacent properties; and
- 7) The above mentioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Planning Director. The allowable number of persons within the building shall be restricted to 96 persons.

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

Mr. Leonel Garza, III, Chairperson, asked if there was anyone present in opposition of the Conditional Use permit being requested and there was no one to speak in opposition. The applicant was present.

The board expressed concerns with the parking lot, the unimproved area to the east, lighting, and if the parking agreements were verified.

Staff indicated the parking area which pertained to the applicant were the spaces fronting the establishment. The unimproved area should not be used for parking but there was no fence or structure from impeding. The parking agreements were verified every year and for this particular request one of the agreements was no longer valid because the business closed. They still comply with the required parking.

Mr. John Simon, the applicant, stated he had been at this location for 20 years. He stated the owner from X-Cess gave him permission to place flood lights on the east side to illuminate the buildings mural and the area. There were security lights in the front of the building. Also stated Ms. Ruth Bridgewater and Noe Pro Insurance Agency from across the street were some of the businesses he has parking agreements with.

After discussion of the item, Mr. Rudy Elizondo moved to approve the request, for one year, subject to conditions noted, requirements in Section 138-118(4) of the Zoning Ordinance, Health and Fire Department requirements. Mr. Pepe Cabeza de Vaca seconded the motion with four members voting ayes and one abstention. Mr. John Millin abstained.

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)**

Ms. Garcia stated the property was located on the south side of Expressway 83 eastbound frontage, approximately 1,390 ft. east of North Ware Road and was zoned C-3 (general business) District. The adjacent zoning was 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 was allowed in a C-3 zone with a conditional use permit and in compliance with requirements.

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

The applicant was 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 was proposing to use the total square footage of the

building Monday thru Sunday. Based on the total square footage, 90 parking spaces were required; 96 parking spaces were 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 were obstructing the parking spaces. The parking spaces would need to be cleared and restriped for staff to determine compliance.

The Health and Fire Departments have inspected the establishment; however, a final inspection would be finalized during the building permit process. A police report was not requested since the establishment had 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 was within 600 ft. of residentially zoned properties to the south;
- 2) The property must be as close as possible to a major arterial and shall not generate traffic onto residential sized streets. The establishment had direct access to Expressway 83 eastbound frontage and Colbath Road. Only 20 ft. exist between the buildings, the driveway was 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 would 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 were required; 96 parking spaces were 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 were obstructing the parking spaces. The parking would need to be cleared and restriped for staff to determine compliance. If the permit was approved, these areas must remain cleared of any trailers, pallets, etc., so the required parking was 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 would be determined at time of building permit.

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

Mr. Mario Salinas, the project engineer, stated the valet parking would be offered and customers would enter through the Expressway 83 and then exit to Colbath Road making the driveway one way. He stated the parking lot would be cleared and stripped.

Mr. Leonel Garza, III 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, non-compliance with requirement #1 (distance) and #3 (parking) of Section 138-118 (4) of the Zoning Ordinance, but with favorable recommendation to grant the variance to the distance requirements with the conditions. Mr. Rudy Elizondo seconded the motion with five members present and voting

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)**

Mr. Sanchez stated the tract was 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. The applicant was 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 was R-2 (duplex-fourplex residential) District in all directions except to the south there was C-3 (general business) District. The property consists of two vacant lots. Adjacent land uses were single family residential, multiple residences, and vacant lots.

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

The area was stable single family with vacant lots where substandard housing had been removed. The property was zoned R-2 (duplex-fourplex residential) District during comprehensive zoning in 1999 but the area had not developed into duplexes. There have been no rezoning requests on this property since that time. 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 was less than 50 feet that restricts the lots to single family residential. The resubdivision of Lots 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 was out of character with the existing neighborhood. The two lots could be resubdivided into a single lot and developed as a fourplex that was more compatible with adjacent single family residences. Resubdivision and an approved site plan were required prior to issuance of any building permits.

Staff recommended disapproval of the rezoning request.

Mr. Leonel Garza III, Chairperson, asked if there was anyone present in opposition of the rezoning request and there was no one present to speak in opposition. The applicant was present.

Mr. Gilbert R. Ramirez, the applicant, stated the proposed apartments are planned to be 225 square feet in size and he would be paving the alley to 23rd Street.

Chairman Leonel Garza III stated that his concerns were density and the alley being used as access which would encourage access use by other traffic.

Board member John Millin stated the request was out of character with existing type of housing in the block.

Mr. Mark Wright **moved** to recommend disapproval of the rezoning request to R-3A (multifamily residential apartment) District. Mr. John Millin seconded the motion. The Board unanimously voted to recommend disapproval of the rezoning request with five members present and voting.

Mr. Leonel Garza left.

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)**

Mr. Sanchez stated the subject property was located along the south side of Mile 7 Road east of Stewart Road. The tract had 134 feet of frontage on Mile 7 Road and a depth of 290 feet for a tract size of .892 acres. The applicant was 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 was R-1 (single family residential) District to the east, west and there was C3L (light commercial) District to the north. The property to the south was not within the City of McAllen city limits. There was an existing commercial building on the property that was used as a welding shop with the name of WFL Welding and Fabrication. Adjacent land uses were single family residences, mobile homes, Morales Construction, All American

Hydraulics, Tree of the Christian Ministry and vacant land.

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

The development trend in the immediate area was 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 was zoned C-3L District and two lots to the east was zoned C-4 District. 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 Mile 7 Road between Glasscock Road and Stewart Road had mixed uses of single family and commercial business. The existing commercial building became a nonconforming use upon annexation and was limited to remodeling for ordinary repair and cannot expand the building. Recent development along this section of 7 Mile Road was commercial uses. An eight foot masonry wall may be required along the east and west property lines to buffer a commercial use from residential uses or districts.

Staff recommended approval of the rezoning request.

Mr. John Millin, member, asked if there was anyone present in opposition of the rezoning request and there was no one present to speak in opposition. The applicant was not present.

Board member Mr. Pepe Cabeza de Vaca stated since the property had adjacent zoning of R-1 (single family residential) District to the east and west, rezoning the property to C-4 District may be similar to "spot zoning".

Mr. Rudy Elizondo moved to recommend approval of the rezoning request to C-4 (commercial-industrial) District. Mr. Mark Wright seconded the motion. The Board unanimously voted to recommend approval of the rezoning request with four members present the vote was voting aye and one nay. Mr. Pepe Cabeza de Vaca voted nay.

3. Initial zoning to R-2 (duplex- fourplex residential) District: 12.27 acres out of Lot 167, John H. Shary Subd ivision, Hidalgo County, Texas; 2101 South Taylor Road. **(REZ2015-0085)**

The applicant requested item to be withdrawn.

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)**

The applicant requested item to be withdrawn.

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)**

Item remained tabled.

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. 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.

5) DISCUSSION:

6) INFORMATION:

a) City Commission Actions: July 13 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. Pepe Cabeza de Vaca adjourned the meeting at 5:23 p.m. Mr. Mark Wright seconded the motion which carried unanimously with four members present and voting.

Chairman, Leonel Garza, III

ATTEST: _____
Susana De La Cerda, Secretary

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff 

DATE: July 30, 2015

**SUBJECT: SITE PLAN APPROVAL FOR LOT 1, NOLANA CROSSING SUBDIVISION;
2709 NOLANA AVE.**

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 southeast corner of Nolana Ave and N 27th ½ St. and is zoned C-3 (general business) District. The adjacent zoning is C-3 in all directions and C-2 (neighborhood commercial) District adjacent to the west.

The property is part of Nolana Crossing Subdivision, which was recorded on June 3, 2015. 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.

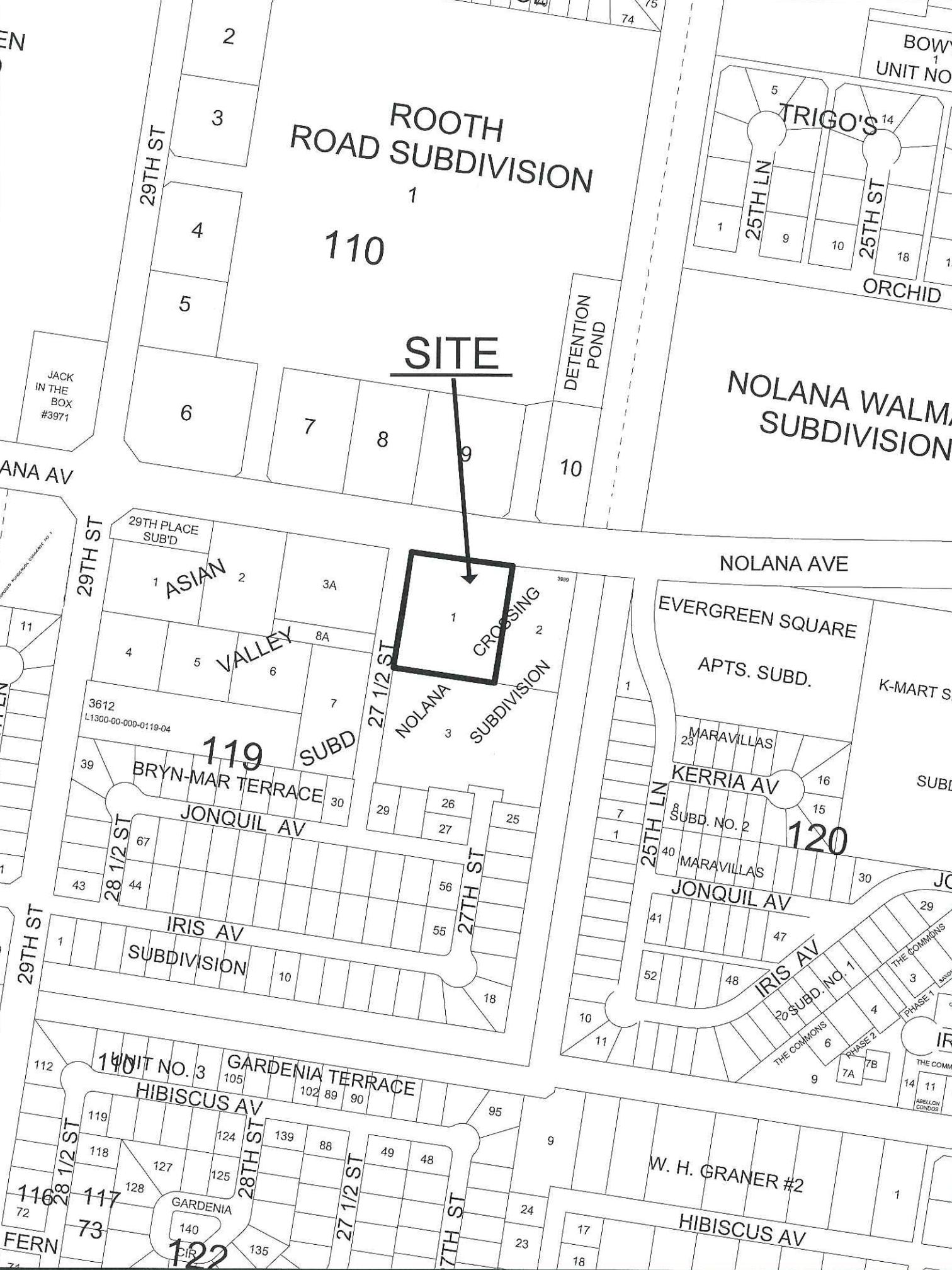
The applicant is proposing to construct a 5,463 sq. ft. building for restaurant use. Based on the square footage and 288 sq. ft. for outside dining, 77 parking spaces are required, 71 spaces are provided. Three of the proposed parking spaces must be accessible, one of which must be van accessible with an 8 ft. wide aisle. A special exception to allow 71 parking spaces instead of the required 77 spaces was approved by the Zoning Board of Adjustment and Appeals on June 3rd, 2015. Access to the site will be from Nolana Ave via a shared access easement between Lots 1 & 2, and a 25 ft. wide curb cut along N. 27th ½ St. Required landscaping for the lot is 7,112 sq. ft. with trees required as follows: 20 – 2 ½” caliper trees, or 10 – 4” caliper trees, or 5 – 6” caliper trees, or 40 palm trees. A minimum 10 ft. wide landscaped strip is required inside the lot line along Nolana Ave & N. 27th ½ St. Fifty percent of the landscaping must be visible in front areas, and each parking space must be within 50 ft. of a landscaped area with a tree. All landscape areas must be in compliance with minimum requirements. A 4 ft. wide sidewalk is required along Nolana Ave. & N. 27th ½ St., as well as a 6 ft. buffer around dumpsters if they are visible from the street. A 6 ft. buffer is required from adjacent multifamily residential and commercial, or industrial zones/uses. An 8 ft masonry wall is required between single-family residential and commercial, industrial, or multifamily residential zones/uses. Setbacks are as follows: North – 60’; East – 175’; South – 107’; West – 40’. All building setbacks are in compliance with the plat note requirements and zoning ordinance.

OPTIONS:

1. Approve the site plan
2. Table the item for additional information.
3. Disapprove the site plan.

RECOMMENDATION:

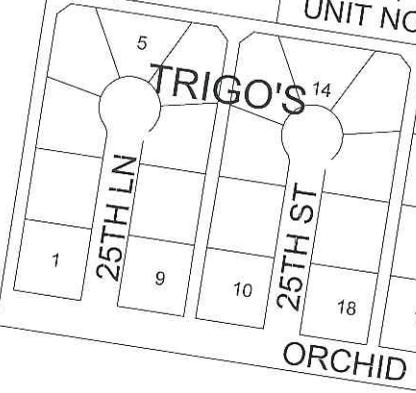
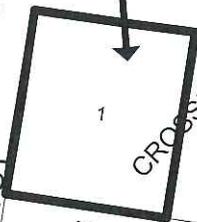
Staff recommends approval of the site plan subject to the conditions noted, the Subdivision and Zoning and Landscape Ordinance, and paving and building permit requirements.



ROOTH ROAD SUBDIVISION

110

SITE

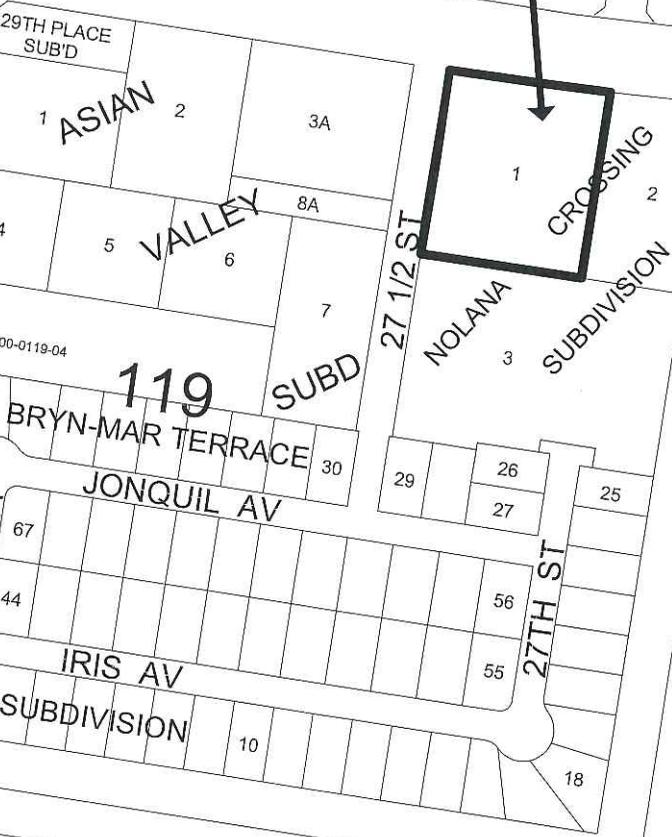


NOLANA WALM SUBDIVISION

NOLANA AVE

EVERGREEN SQUARE APTS. SUBD.

120



119

BRYN-MAR TERRACE

JONQUIL AV

IRIS AV SUBDIVISION

GARDENIA TERRACE

HIBISCUS AV

W. H. GRANER #2

HIBISCUS AV

122

GARDENIA

116 117 73

FERN

BOW UNIT NO

ORCHID

K-MART S

SUBD

THE COMMONS

PHASE 1

THE COMM

ABELLON LONDON

JACK IN THE BOX #3971

ANA AV

11

1

29TH ST

112

28 1/2 ST

119

118

UNIT NO. 3

105 102 89 90

124 139 88

127 125

140

135

28TH ST

27 1/2 ST

49 48

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27TH ST

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7TH ST

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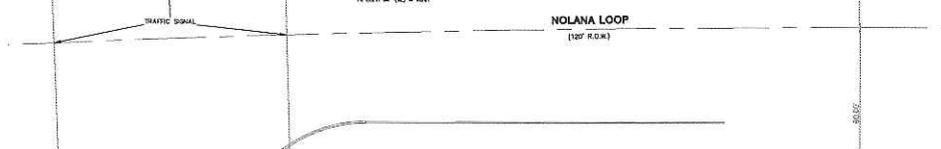
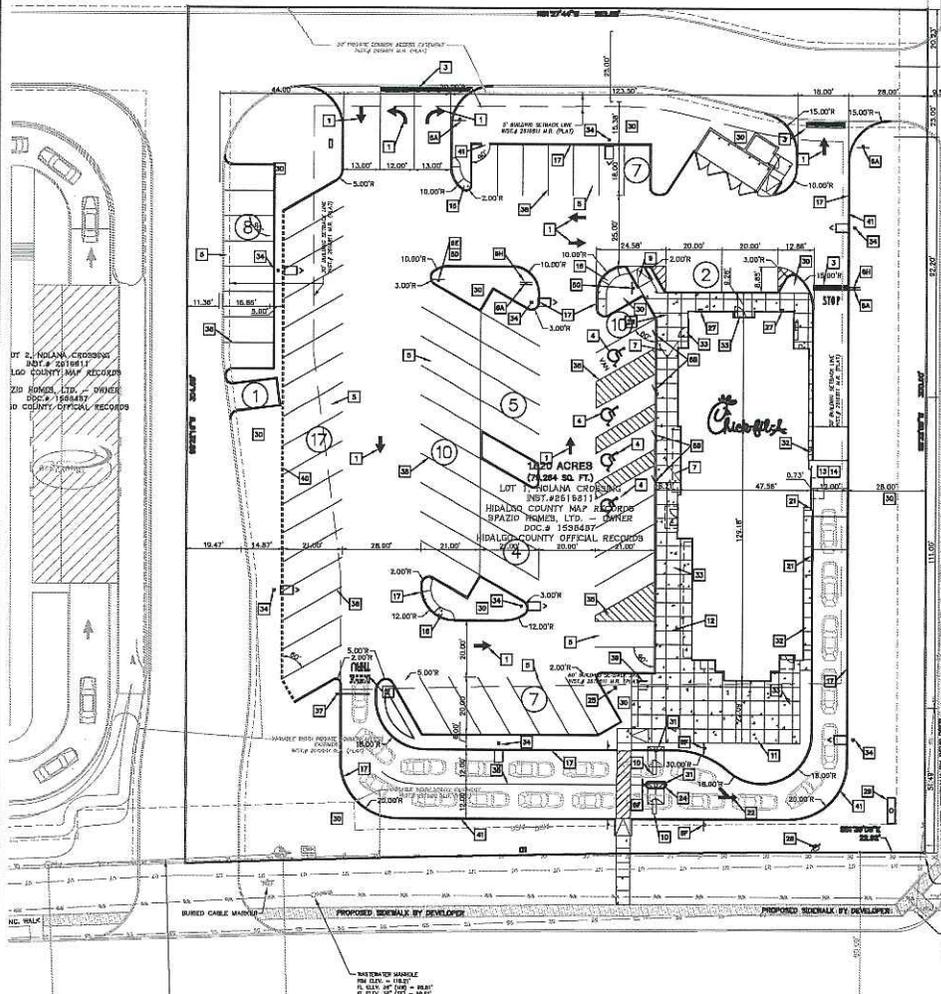
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LOT 3, NOLANA CROSSING
 INT# 0618311
 HIDALGO COUNTY MAP RECORDS
 SPAZIO HOMES, LTD. - OWNER
 DDC# 1558487
 HIDALGO COUNTY OFFICIAL RECORDS



LAYOUT NOTES

- 1 DIRECTIONAL ARROW
- 2 DRIVE-THRU GRAPHICS
- 3 STOP LINE GRAPHICS
- 4 PAINTED HANDICAP PARKING SYMBOL
- 5 STANDARD PARKING STALL (5'x14.00' PARKING) (IF 400.00' PARKING)
- 6 DIRECTIONAL SIGNAGE
 ALL SIGNS SHALL CONFORM TO THE "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES" BY THE U.S. DEPARTMENT OF TRANSPORTATION.
 REFER TO SIGNAGE PLAN BY CHANGLER SIGNS FOR MORE INFORMATION.
- 6A STOP SIGN
- 6B HANDICAP SIGN (WITH BOLLARD)
- 6C "CIRCLE BUILDING FOR ENTRANCE TO DRIVE-THRU" (NOT USED)
- 6D "DRIVE-THRU" SIGN
- 6E "ONE WAY" SIGN (USE APPLICABLE DIRECTION)
- 6F "LANE WEDGE" SIGN
- 6G "PEDESTRIAN CROSSWALK" SIGN
- 6H "DO NOT ENTER" SIGN
- 7 SIDEWALK ACCESSIBLE RAMP
- 8 CURVED RAMP w/ FLARED SIDES (NOT USED)
- 8A CURVED RAMP w/ SHORT FLARED SIDES (NOT USED)
- 9 RETURNED CURB ACCESSIBLE RAMP
- 10 MENU BOARD LOOP DETECTION SYSTEM
- 11 TYPICAL CONCRETE SIDEWALK
- 12 SIDEWALK WITH CURB SECTION
- 13 DRIVE THRU PLAN
- 14 DRIVE-THRU ISOMETRIC
- 15 CROSSWALK
- 16 LANDSCAPE & IRRIGATION PROTECTOR
- 17 CONCRETE CURB
- 18 SANITARY SEWER CLEAN OUT (REFER TO PS-1-0)
- 19 STORM WEEP HOLE (REFER TO PS-1-0)
- 20 ENTRY DOOR FROST SLAB (IF REQUIRED)
- 21 CONCRETE BOLLARD
- 22 MULTI-LANE DIRECTIONAL GRAPHICS
- 23 ALUMINUM HANDRAIL (NOT USED)
- 24 DRIVE THRU ORDER POINT ISLAND CURB
- 25 FLAGPOLE
 ECK SERIES 50 FOOT FLAG POLE PACKAGE, BY APPROVED VENDORS. THE FLAG COMPANY OR LOCAL FLAG.
- 26 POLE MOUNTED TRANSFORMER (REFER TO ELECTRIC PLANS)
- 27 ROOF DOWNPOUT (TO CONNECT TO SITE DRAINAGE SYSTEM)
- 28 GREASE TRAP
- 29 PROPOSED PAVED SIGN (REFER TO CHANGLER SIGNAGE PLANS)
- 30 LANDSCAPED AREA (REFER TO LANDSCAPE PLANS)
- 31 MENU BOARD & CANOPY CROSSING STATION
- 32 4" THICK CONCRETE STRIP BETWEEN BUILDING AND BACK OF CURB
- 33 6"x6" LANDING
- 34 PROPOSED LIGHT POLE
- 35 4" SQUARE @ 40' 4" O.C. REFER TO NOTES ON DETAIL 5 ON SHEET C-4-0
- 36 DUMPSTER ENCLOSURE (REFER TO ARCHITECTURAL PLANS)
- 37 CLEARANCE BAR (BY CHANGLER SIGNS)
- 38 STANDARD PARKING LOT STRIPING
- 39 BICYCLE RACK
- 40 SAWTOOTH CURB
- 41 3" CURB CUT

UTILITY CONTACTS			
UTILITY	UTILITY COMPANY	CONTACT	PHONE
ELECTRIC	AMERICAN ELECTRIC POWER (AEP) 5700 N. CAJAL BLVD. PHOENIX, TEXAS 78508	MS. KRISTAL BERNARDZ	(956) 283-2305 WK. (956) 283-2382 FX.
GAS	TEXAS GAS SERVICE 5900 E. GERMES RD. HARLINGEN, TEXAS 78553	MR. GLEBERT ORTIZ	(956) 730-2972 WK. (956) 830-8274 WK.
TELEPHONE	AT&T	MR. LINDA EASON	(956) 881-1777 WK.
CABLE	TIME WARNER CABLE 2921 S. EXPRESSWAY 83 HARLINGEN, TEXAS 78500	MR. LUIS LEON	(956) 881-1777 WK. (956) 887-1179 FX.
WASTEWATER	CITY OF MCALLEN PUBLIC UTILITY 311 N. 19TH ST., POB 239 MCALLEN, TEXAS 78001	MR. CARLOS GONZALEZ	(956) 881-1777 WK. (956) 887-1179 FX.
WATER	CITY OF MCALLEN PUBLIC UTILITY 311 N. 19TH ST., POB 239 MCALLEN, TEXAS 78001	MR. CARLOS GONZALEZ	(956) 881-1777 WK. (956) 887-1179 FX.
STORM DRAINAGE	CITY OF MCALLEN PLANNING & ZONING 311 N. 19TH ST., POB 239 MCALLEN, TEXAS 78001	MR. MARLEN GONZALEZ	(956) 881-1850 WK. (956) 881-1874 FX.

PROJECT INFORMATION	
ADDRESS:	2701 W. NOLANA AVENUE MCALLEN, TX 78504
CURRENT ZONING:	N/A
SITE AREA:	70,118 S.F. (1.610 AC.)
BUILDING AREA:	5,463 S.F.
PATIO AREA:	288 S.F.
BUILDING HEIGHT:	25'-0"
TOTAL SEATING:	180 SEATS
PARKING PROVIDED:	71 SPACES (4 ACCESSIBLE)
PARKING REQUIRED:	77
(1 SPACE/75 S.F.)	

NOTES

1. ALL ON-SITE CONSTRUCTION SHALL BE IN ACCORDANCE WITH CURRENT CHICK-FIL-E SPECIFICATIONS.
2. ALL CONSTRUCTION IN CITY RIGHT-OF-WAYS AND/OR EASEMENTS SHALL BE IN ACCORDANCE WITH CITY OF MCALLEN STANDARD SPECIFICATIONS.
3. ALL ON-SITE CONSTRUCTION SHALL ALSO BE IN ACCORDANCE WITH CITY OF MCALLEN STANDARD SPECIFICATIONS.
4. BUILDING IS PARALLEL TO THE NORTH PROPERTY LINE (IMP/29'5").
5. PRIOR TO STARTING CONSTRUCTION, THE CONTRACTOR SHALL MAKE CERTAIN THAT ALL REQUIRED PERMITS AND APPROVALS HAVE BEEN OBTAINED. NO CONSTRUCTION OR FABRICATION SHALL BEGIN UNLESS THE CONTRACTOR HAS RECEIVED AND THOROUGHLY REVIEWED ALL PLANS AND OTHER DOCUMENTS AS APPROVED BY ALL OF THE PERMITTING AUTHORITIES.
6. THE CONTRACTOR SHALL GIVE THE CITY A WINDOW OF 48 HOURS NOTICE BEFORE BEGINNING EACH PHASE OF CONSTRUCTION.
7. THE CONTRACTOR IS RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES DURING THE CONSTRUCTION OF THIS PROJECT.
8. IF CONTRACTOR FINDS A DISCREPANCY WITH THE TOPOGRAPHIC INFORMATION ON THESE PLANS, HE/SHE SHALL CONTACT THE CONSTRUCTION MANAGER/SUPERVISOR IMMEDIATELY.
9. CONTRACTOR SHALL PROTECT ALL BENCHMARKS AND PROPERTY IDENTIFICATION AND SHALL REPLACE OR REPAIR, AT HIS OWN EXPENSE, BENCHMARKS AND MONUMENTATION DISTURBED DURING CONSTRUCTION.
10. IF CONTRACTOR REDUCES OR SETS NEW BENCHMARKS, THE VERTICAL ELEVATIONS OF THE BENCHMARKS SHALL BE SET TO A TOLERANCE OF 0.010 FT.
11. ALL DIMENSIONS SHOWN ARE TO FACE OF CURB, BUILDING FACE OF BRICK.
12. REFER TO ARCHITECTURAL PLANS FOR DETAILED BUILDING DIMENSIONS.
13. ALL CURB RADI SHALL BE 5.0' UNLESS OTHERWISE NOTED.
14. THE AMERICAN WITH DISABILITIES ACT (ADA) GUIDELINES, BOTH FEDERAL AND STATE ARE TO BE INCORPORATED IN ALL CONSTRUCTION DOCUMENTS, IF ANY CRITERIA CANNOT BE MET WITH CHICK-FIL-E IT IS TO BE ALERTED OF THE CONDITION AND INFORMED OF THE MEASURES THAT WOULD BE NECESSARY TO BE IN CONFORMANCE.

FIELDNOTE CROSSING

LOT 1, NOLANA CROSSING, ACCORDING TO THE PLAT THERE OF AS RECORDED BY THE INSTRUMENT #218611 OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS

BENCHMARK LIST	
ELEVATIONS SHOWN HEREIN ARE NAVD 83 UPS REDUND.	
BM "A"	CHISELED SQUARE SET IN STREET LAMP CONCRETE BASE NEAR NORTHWEST LOT CORNER ELEV. = 24.85'
BM "B"	CHISELED SQUARE SET IN TRANSFORMER CONCRETE PAD NEAR SOUTHEAST LOT CORNER ELEV. = 24.78'



5200 Buffington Rd.
 Atlanta Georgia,
 30349-2966

Revisions:

Mark	Date	By



BURY
 STATE OF TEXAS
 LICENSED PROFESSIONAL ENGINEER
 LICENSE NO. 108138
 EXPIRES 07/25/2015

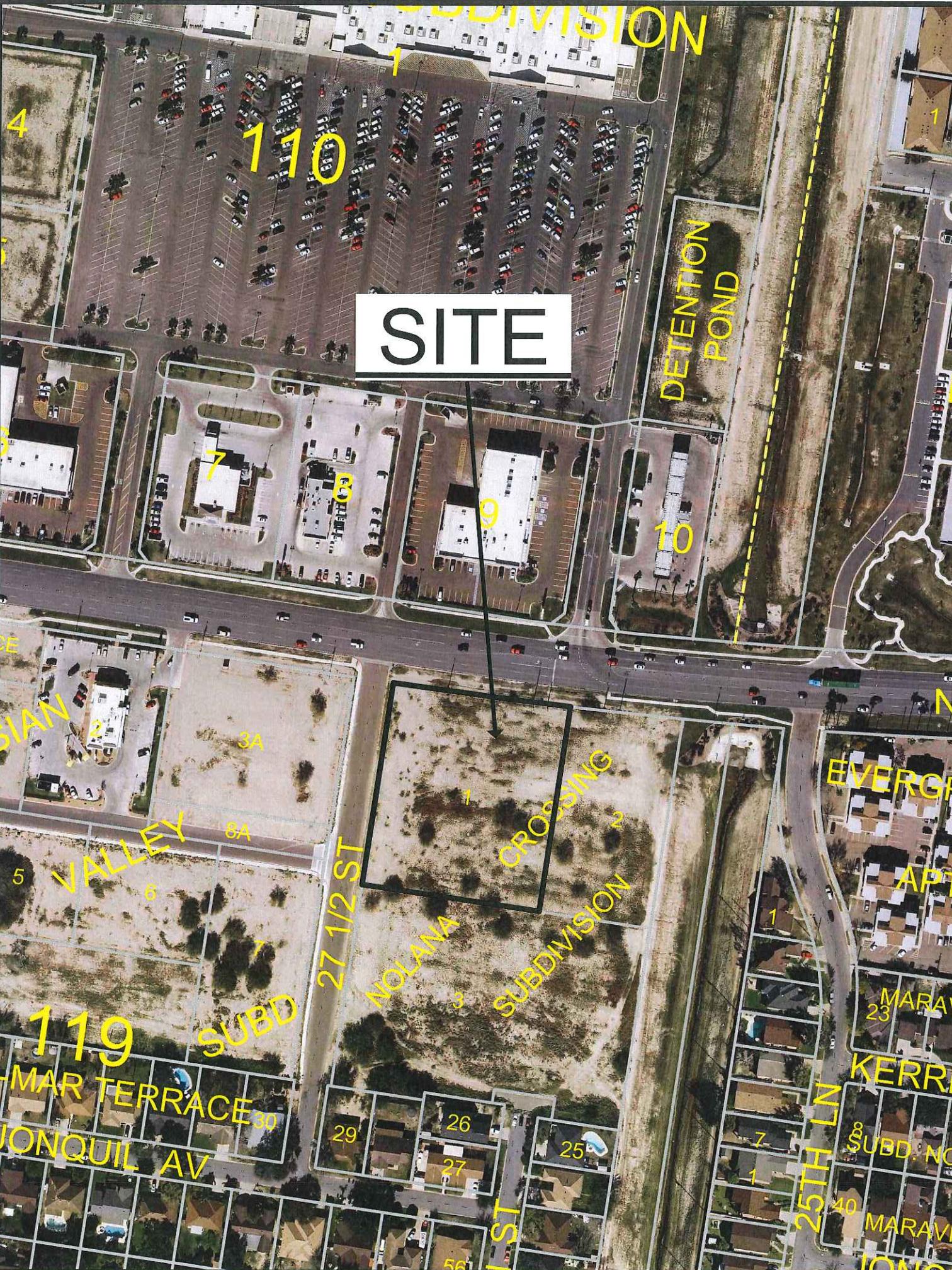
STORE
 27th & NOLANA
 FSU

2701 W. NOLANA
 AVE MCALLEN, TX
 78504

SHEET TITLE
 SITE
 PLAN

Job No. : R0100722123
 Store : 03556
 Date : 07-24-15
 Drawn By : MW
 Checked By : JL
 Sheet

C-2.0



SITE

110

DETECTION POND

27 1/2 ST

NOLANA CROSSING

119 SUBD
MAR TERRACE
IONQUIL AV

25TH LN
KERRA
SUBD. NO
MARA
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IONQUIL

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MARA

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SUBDIVISION

SUBDIVISION MAP OF NOLANA CROSSING

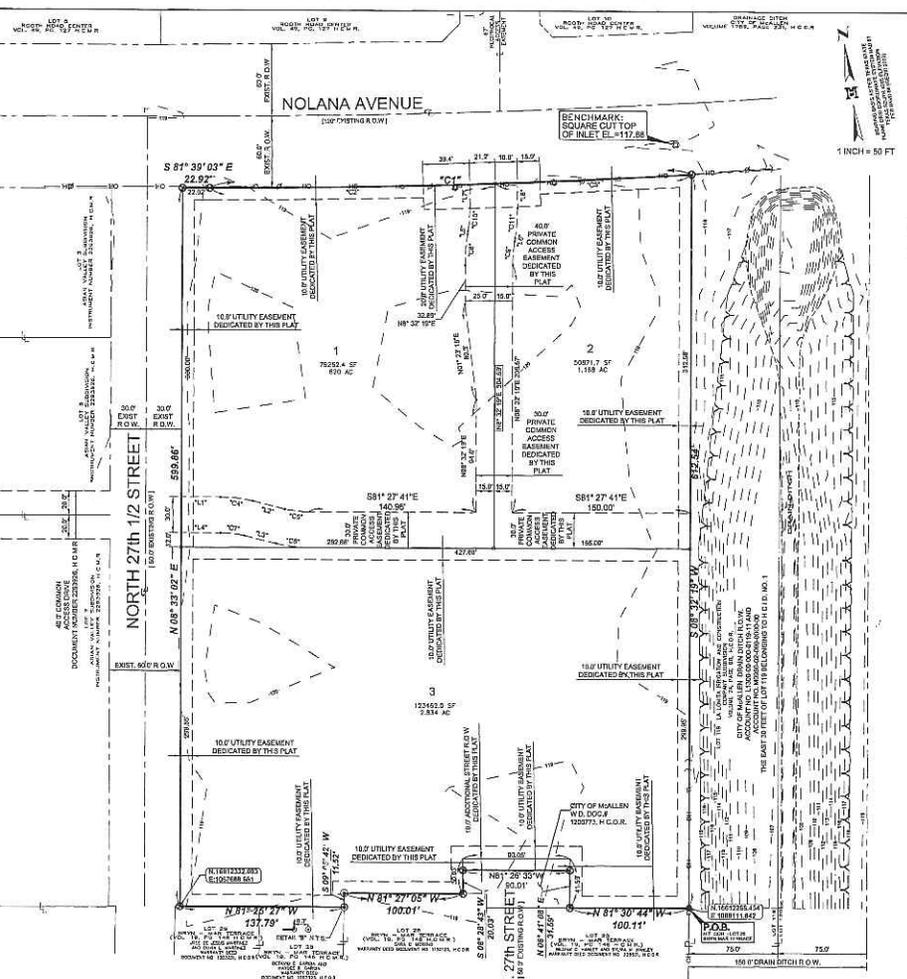
BEING 5.842 ACRES OUT OF THE NORTH HALF OF LOT 119,
LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY SUBDIVISION
OF PORCIONES 61, 62 & 63,
VOLUME 24, PAGE 68 H.C.D.R.,
CITY OF McALLEN, HIDALGO COUNTY, TEXAS

THE STATE OF TEXAS
COUNTY OF HIDALGO

I, THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THIS PLAN AND DESIGNATED HEREIN AS THE NOLANA CROSSING SUBDIVISION TO THE CITY OF McALLEN, TEXAS, AND WHEREAS SAID SUBDIVISION HEREBY DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, WATERSOURCES, DRAINS, EASEMENTS, WATER LINES, SEWER LINES, STORM SEWERS, FIRE HYDRANTS, AND OTHER UTILITIES WHICH ARE OR WHICH I WILL CAUSE TO BE INSTALLED, THEREON OR NOT THEREON, IF REQUIRED, OR OTHERWISE TO BE INSTALLED OR OTHERWISE UNDER THE SUPERVISION AND CONTROL OF THE CITY OF McALLEN, ALL THE SAME FOR THE PURPOSES THEREIN EXPRESSED, EITHER ON THE "PLAT HEREON" OR ON THE OFFICIAL MAPS OF THE APPLICABLE DEPARTMENT OF THE CITY OF McALLEN.

4/1/2015
DATE

SPAZO ROBERTO C. LOPEZ GENERAL PARTNER
JOSUE PALMA MANAGER
205 S JACKSON ROAD
UNIT 4-G
PARKS, TEXAS 78157



METES AND BOUNDS DESCRIPTION:
A TRACT OF LAND CONTAINING 5.842 ACRES, SITUATED IN THE CITY OF McALLEN, HIDALGO COUNTY, TEXAS, BEING PART OR PORTION OUT OF LOT 119, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 24, PAGE 68, HIDALGO COUNTY DEED RECORDS, AND 3.445 ACRES ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

1. THENCE N 81° 24' 42" E ALONG THE NORTH BOUNDARY LINE OF SAID LOT 23, A DISTANCE OF 100.15 FEET TO A NO. 5 REBAR FOUND FOR AN OUTSIDE CORNER OF THIS TRACT.
2. THENCE N 0° 41' 02" E ALONG A BOUNDARY LINE OF SAID BRYNMAH TERRACE, A DISTANCE OF 51.69 FEET TO A NO. 5 REBAR FOUND FOR AN INSIDE CORNER OF THIS TRACT.
3. THENCE N 81° 29' 33" W ALONG A NORTH BOUNDARY LINE OF SAID BRYNMAH TERRACE, A DISTANCE OF 300.1 FEET TO A NO. 5 REBAR FOUND FOR AN INSIDE CORNER OF THIS TRACT.
4. THENCE S 20° 24' 47" W ALONG A BOUNDARY LINE OF SAID BRYNMAH TERRACE, A DISTANCE OF 293.2 FEET TO A NO. 5 REBAR FOUND ON THE NORTH BOUNDARY LINE OF LOT 24 OF SAID BRYNMAH TERRACE SUBDIVISION FOR AN OUTSIDE CORNER OF THIS TRACT.
5. THENCE N 81° 27' 01" W ALONG THE NORTH BOUNDARY LINE OF SAID LOT 24, A DISTANCE OF 100.01 FEET TO A PIPE FOUND AT THE NORTHWEST CORNER OF LOT 26, BRYNMAH TERRACE SUBDIVISION FOR AN INSIDE CORNER OF THIS TRACT.
6. THENCE S 0° 09' 04" W ALONG THE WEST BOUNDARY LINE OF SAID LOT 24, A DISTANCE OF 119.92 FEET TO A NO. 4 REBAR SET AT THE NORTHEAST CORNER OF LOT 24 OF SAID BRYNMAH TERRACE SUBDIVISION, FOR AN OUTSIDE CORNER OF THIS TRACT.
7. THENCE N 20° 27' 21" W ALONG THE NORTH BOUNDARY LINE OF SAID BRYNMAH TERRACE SUBDIVISION, A DISTANCE OF 137.79 FEET TO A NO. 5 REBAR FOUND MEETING 150.1233 FEET EASTING INTERSECTIONS ON THE EXISTING EAST RIGHT-OF-WAY LINE OF N 27th 1/2 STREET FOR THE SOUTHWEST CORNER OF THIS TRACT.
8. THENCE N 0° 33' 03" E ALONG THE EXISTING EAST RIGHT-OF-WAY LINE OF N 27th 1/2 STREET, A DISTANCE OF 89.64 FEET TO A NO. 5 REBAR FOUND ON THE EXISTING SOUTH RIGHT-OF-WAY LINE OF NOLANA AVENUE FOR THE NORTHWEST CORNER OF THIS TRACT.
9. THENCE S 81° 30' 23" E ALONG THE EXISTING SOUTH RIGHT-OF-WAY LINE OF NOLANA AVENUE, A DISTANCE OF 22.92 FEET TO A NO. 5 REBAR FOUND FOR AN ANGLE POINT OF THIS TRACT.
10. THENCE IN AN SOUTHEASTERLY DIRECTION ALONG THE EXISTING SOUTH RIGHT-OF-WAY LINE OF NOLANA AVENUE AND A CURVE TO THE LEFT, WITH A CENTRAL ANGLE OF 90° 14' 42", A RADIUS OF 700.00 FEET, AN ARC LENGTH OF 104.87 FEET, A TANGENT OF 222.32 FEET, AND A CHORD THAT BEARS S 81° 31' 54" E A DISTANCE OF 104.87 FEET TO A NO. 5 REBAR FOUND IN A POINT ON THE WEST LINE OF AN EXISTING GRASSY CHORD RIGHT-OF-WAY FOR THE NORTHEAST CORNER OF THIS TRACT.
11. THENCE S 0° 32' 32" W ALONG THE WEST LINE OF SAID EXISTING DRAIN DITCH RIGHT-OF-WAY, A DISTANCE OF 512.84 FEET TO THE POINT OF BEGINNING AND CONTAINING 5.842 ACRES OF LAND, MORE OR LESS.

GENERAL NOTES:

1. THIS SUBDIVISION IS IN FLOOD ZONE "B" DEFINED AS AREAS BETWEEN LIMITS OF THE 100 YEAR FLOOD AND 500-YEAR FLOOD ON CERTAIN AREAS 0.00 TO 7.00 FEET ABOVE MEAN SEA LEVEL WITH AN AVERAGE DEPTH OF LESS THAN ONE (1) FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN ONE (1) SQUARE MILE, OR AS FAR PRESCRIBED BY AN ACT FROM THE RADE FLOOD.
2. MINIMUM PERMISSIBLE FINISH FLOOR ELEVATION SHALL BE 18 INCHES ABOVE THE FRONT TOP OF CURB MEASURED FROM THE CENTER OF THE LOT ALONG NOLANA AVENUE.
3. MINIMUM SETBACKS SHALL COMPLY WITH THE CITY OF McALLEN ZONING CODE.

FRONT: NOLANA AVENUE 10 FEET OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS
N 27th 1/2 STREET 30 FEET OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS

REAR: IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS, WHICHEVER IS GREATER. LOTS 1 & 2 SHALL HAVE 5 FEET REAR YARD FROM THE COMMON ACCESS EASEMENT LINE.

INTERIOR SIDES: IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS TO EXCEED 30 FEET FROM THE COMMON ACCESS EASEMENT LINE ON THE EAST SIDE OF LOT 1 AND THE WEST SIDE OF LOT 2

CORNER: N 27th 1/2 STREET 30 FEET OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS, WHICHEVER IS GREATER
N 27th STREET 25 FEET OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS

4. REQUIRED DETENTION FOR STORM SEWER RUNOFF AS PER THE APPROVED DRAINAGE REPORT, LOT 1: 18.103 CUBIC FEET, LOT 2: 11.818 CUBIC FEET, LOT 3: 29.281 CUBIC FEET
5. CITY OF McALLEN BENCHMARK "1" FROM THE CITY OF McALLEN G.P.S. REFERENCE MARKS LIST PREPARED BY ARANDA & ASSOCIATES IN OCTOBER, 1994 BEING LOCATED AT THE NORTHWEST CORNER OF 23rd STREET AND POWERS STREET. ELEVATION = 180.78 (BENCHMARK)
6. TEMPORARY BENCHMARK SQUARE CUT SET ON TOP OF MILE LOCATED CLOSE TO THE NORTHEAST CORNER OF THIS SUBDIVISION ALONG THE SOUTH SIDE OF NOLANA AVENUE. GEODETIC S.P. TEXAS STATE PLAIN, GRID COORDINATES SYSTEM NAD 83. TRIMBLE SOUTH COLE. ELEVATION PER MANUSCRIPT RECORDS: 144.890000 (2005); 150.000000 (2007); 147.17 (2008)
7. AN ENGINEERED DRAINAGE DETENTION PLAN, APPROVED BY THE CITY OF McALLEN ENGINEERING DEPARTMENT, SHALL BE REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMIT
8. NO BUILDING ALLOWED OVER ANY EASEMENT.
9. NO RECORDING EASEMENT FOUND FOR THE TRAFFIC CONTROL, ROX, TRAFFIC LIGHT POLES, OVERHEAD ELECTRIC, AND POWER POLE ALONG THE NORTH LINE OF SUBJECT TRACT. A TEN FOOT UTILITY EASEMENT IS DEDICATED BY THIS PLAN TO COVER THESE UTILITIES.
10. NO RECORDING EASEMENT FOUND FOR THE POWER POLE, OVERHEAD ELECTRIC, AND GUY WIRES FOUND CLOSE TO THE SOUTHWEST CORNER OF SUBJECT TRACT. A TEN FOOT UTILITY EASEMENT IS DEDICATED BY THIS PLAN TO COVER THESE UTILITIES.
11. 6 FEET DEEP DRAINAGE BARRIERS REQUIRED FROM ADJACENT BOUNDARIES BETWEEN MULTIFAMILY RESIDENTIAL AND COMMERCIAL, OR INDUSTRIAL ZONING AREAS.
12. 15 FEET MASONRY WALL REQUIRED BETWEEN SINGLE-FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTIFAMILY RESIDENTIAL ZONING AREAS AND ALONG N 27th STREET.
13. COMMON AREAS MUST BE MAINTAINED BY LOT OWNERS AND NOT THE CITY OF McALLEN.
14. 4 FOOT WIDE MINIMUM SIDEWALK REQUIRED ON NOLANA AVENUE, N 27 1/2 STREET AND ON BOTH SIDES OF N 27th STREET.
15. NO CURB CUT, ACCESS, OR LOT FRONTAGE PERMITTED ALONG N 27th STREET.
16. SITE PLANS MUST BE APPROVED BY THE PLANNING AND ZONING COMMISSION PRIOR TO BUILDING PERMIT ISSUANCE.
17. PRIVATE, COMMON ACCESS EASEMENTS ARE FOR THE BENEFIT OF ALL LOTS.
18. A 2' X 2' SITE OBSTRUCTION EASEMENT IS REQUIRED AT ALL STREET INTERSECTIONS.

THE STATE OF TEXAS
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PREVIOUSLY APPEARED JESSE PALMA KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN COVERED UNDER MY HAND AND SEAL OF OFFICE, THIS 13th DAY OF April, 2015.

NOTARY PUBLIC FOR THE STATE OF TEXAS
MY COMMISSION EXPIRES: _____

FILE FOR RECORD IN
HIDALGO COUNTY CLERK
ARTURO GUJARDO JR.
HIDALGO COUNTY CLERK

DATE: 5/14/2015

I, THE UNDERSIGNED, OWNER OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF McALLEN HEREBY CERTIFY THAT THIS SUBDIVISION MAP CONFORMS TO ALL REQUIREMENTS OF THE CITY OF McALLEN BY APPROVAL IS REQUIRED.

DATE: 5/14/2015

JAMES E. DAWLEY
CHAIRMAN OF THE PLANNING AND ZONING COMMISSION
CITY OF McALLEN

THE STATE OF TEXAS
COUNTY OF HIDALGO

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT I AM A MEMBER OF THE PROFESSIONAL ENGINEERS SOCIETY OF TEXAS, MY CERTIFICATE NUMBER IS 52715.

DATE: 5/14/2015

THE STATE OF TEXAS
COUNTY OF HIDALGO

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

DATE: 13th DAY OF March, 2015

MARIO REVAL
REGISTERED PROFESSIONAL ENGINEER NO. 9421
STATE OF TEXAS

DATE: 05-08-15
ENGINEERING JOB NO. 1871-10

FILE FOR RECORD IN
HIDALGO COUNTY CLERK
ARTURO GUJARDO JR.
HIDALGO COUNTY CLERK

DATE: 05/10/15

THE STATE OF TEXAS
COUNTY OF HIDALGO

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

DATE: 16th DAY OF March, 2015

JESSE PALMA
REGISTERED PROFESSIONAL ENGINEER NO. 9421
STATE OF TEXAS

DATE: 05-08-15
ENGINEERING JOB NO. 1871-10

FILE FOR RECORD IN
HIDALGO COUNTY CLERK
ARTURO GUJARDO JR.
HIDALGO COUNTY CLERK

DATE: 05/10/15

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

BY: ARTURO GUJARDO, MANAGER

DATE: 05/10/15

FILE FOR RECORD IN
HIDALGO COUNTY CLERK
ARTURO GUJARDO JR.
HIDALGO COUNTY CLERK

ON 10-3-15 AT 3:02 AM

INSTRUMENT NUMBER 2016111

OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS

BY: _____ DEPUTY

MELDEN & HUNT INC.
CONSULTANTS - ENGINEERS & SURVEYORS

115 W. MONTVIEW
EDINBURG, TX 78841
PH: (830) 381-0281
FAX: (830) 381-0839

221 N. 14th STREET
RIO GRANDE CITY, TX 78282
PH: (956) 451-9888
FAX: (956) 464-4481

LOCATION MAP

Lot Line Table

Line #	Length	Bearing
1	32.27	S81°39'03"E
2	27.42	S87°52'47"E
3	27.42	S87°52'47"E
4	32.87	S91°39'28"E
5	2.80	N17°09'59"W
6	2.80	N17°09'59"W
7	18.89	N68°32'19"E
8	21.10	N45°32'19"E

Curve Table

Curve #	Data	Radius	Length	Tangent	Chord Distance	Chord Length
001	00° 16' 43"	7,000.00	425.14	203.63	393° 31' 51"	455.02
002	01° 01' 58"	7,000.00	238.80	119.59	326° 37' 47"	258.84
003	01° 27' 13"	7,000.00	165.19	82.68	234° 12' 07"	165.19
004	01° 48' 21"	116.89	37.64	13.81	N74° 45' 52"W	37.64
005	01° 39' 00"	85.00	20.10	10.12	S74° 48' 11"W	20.10
006	01° 39' 00"	116.89	37.28	13.70	S74° 48' 11"W	37.28
007	01° 48' 21"	85.00	30.49	15.27	N04° 40' 30"W	30.30
008	00° 37' 31"	125.00	39.32	19.34	N15° 51' 04"W	39.32
009	00° 37' 31"	150.00	28.82	14.36	N15° 51' 04"W	28.52
010	00° 37' 31"	185.00	24.84	12.44	N15° 51' 04"W	24.82

LEGEND

- FOUND IN 4 REBAR
- KEY TO REBAR WITH PLASTIC CAP STAMPED MELDEN & HUNT
- ROUND IRON REBAR
- ROUND PIPE
- ROUND ALUMINUM DISK
- SET SQUARE CUT
- POWER POLE
- TRAFFIC LIGHT POLE

N.O.D. - HIDALGO COUNTY DEED RECORDS
M.O.D. - MONTVIEW DISTRICT RECORDS
P.F. - PLANNING AND ZONING COMMISSION
S.F. - SQUARE FEET
C.L. - CENTER LINE

HIDALGO COUNTY OFFICIAL RECORDS
C.L.C. NO. 1 - HIDALGO COUNTY IRRIGATION DISTRICT NO. 1
R.O.W. - RIGHT-OF-WAY
M.C.M. - HIDALGO COUNTY MAP RECORDS
V.C. - VERTICAL CURVE
O.V.E. - OVERHEAD POWER LINE
C. - CENTER LINE OF STREET

DRAWN BY: JLN DATE: 06-08-2014
SURVEYED/ CHECKED: M.A. DATE: 3-13-15
FINAL CHECK: G.S. DATE: 3-13-15

PRINCIPAL CONTACTS

NAME	ADDRESS	CITY	STATE	PHONE	FAX
OWNER: SPAZO ROBERTO C. LOPEZ	774 S JACKSON AVENUE UNIT 4-G	PARKS, TX	78157	N/A	N/A
ENGINEER: MARIO REVAL, P.E.	115 W MONTVIEW	EDINBURG, TX	78841	(830) 381-0281	(830) 381-0839
SURVEYOR: JESSE PALMA, P.L.S.	115 W MONTVIEW	EDINBURG, TX	78841	(830) 381-0281	(830) 381-0839

THIS PLAN APPROVED BY THE HIDALGO COUNTY IRRIGATION DISTRICT NO. 1
ON THIS 19th DAY OF April, 2015

ARTURO GUJARDO JR.
SECRETARY

JESSE PALMA
PRESIDENT

FILE FOR RECORD IN
HIDALGO COUNTY CLERK
ARTURO GUJARDO JR.
HIDALGO COUNTY CLERK

ON 10-3-15 AT 3:02 AM

INSTRUMENT NUMBER 2016111

OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS

BY: _____ DEPUTY

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff 

DATE: July 30, 2015

SUBJECT: SITE PLAN APPROVAL FOR LOT 1, EL CEDRO SUBDIVISION; 1100 E CEDAR AVENUE.

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 E. Cedar Avenue approximately ¼ mile east of McColl Rd., and is zoned R-3A (multifamily residential apartments) District. The adjacent zoning is R-1 (single family residential) District, R-2 (duplex-fourplex) District, & R-3A to the North, and C-4 (commercial industrial) District to the west, R-3A to the south, and the east is outside city limits.

The property is part of El Cedro Subdivision, which was recorded on April 21, 2015. A site plan must be approved by the Planning and Zoning Commission prior to issuance of a building permit when five or more apartment units are proposed on the property.

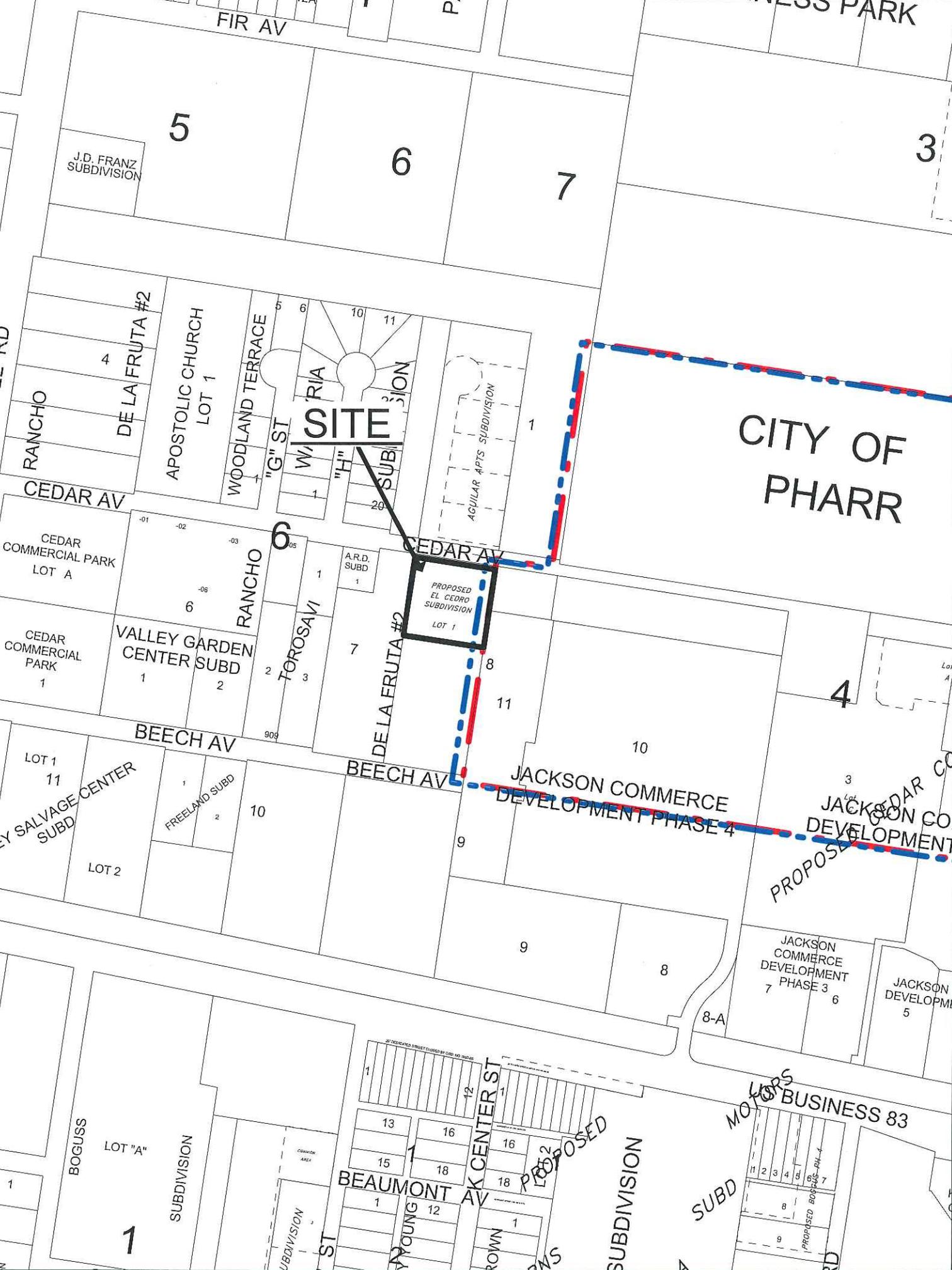
The applicant is proposing to build 22 2 bedroom apartments. Based on 22 units at 2-bedrooms, 44 parking spaces are required; 44 parking spaces are provided. Access to the site is proposed to be from two 24 ft. wide curb cuts along E. Cedar Ave. Required landscaping for the lot is 4,928 sq. ft. with 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 landscape strip is required inside the property line along E. Cedar Ave. A minimum of fifty percent of the area within the required front yard of any residential parcel shall be devoted to landscape material. A 4 ft. wide sidewalk is required along E. Cedar Avenue, as well as 6 ft. buffer around dumpsters if visible from the street. A 6 ft. opaque buffer is required between the properties to the east and west. No structures are permitted over easements. All building setbacks and separations 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.



FIR AV

5

6

7

3

J.D. FRANZ
SUBDIVISION

DE LA FRUTA #2

APOSTOLIC CHURCH
LOT 1

WOODLAND TERRACE

SITE

ACULAR APTS
SUBDIVISION

CITY OF
PHARR

CEDAR AV

CEDAR
COMMERCIAL PARK
LOT A

VALLEY GARDEN
CENTER SUBD

CEDAR AV

PROPOSED
EL CEDRO
SUBDIVISION
LOT 1

BEECH AV

BEECH AV

JACKSON COMMERCE
DEVELOPMENT PHASE 4

JACKSON CO
DEVELOPMENT

LOT 1
11
SALVAGE CENTER
SUBD

FREELAND SUBD

DE LA FRUTA #2

PROPOSED

JACKSON
COMMERCE
DEVELOPMENT
PHASE 3

JACKSON
DEVELOPMENT

LOT "A"

BEAUMONT AV

BUSINESS 83

SUBDIVISION

YOUNG ST

AK CENTER ST

PROPOSED

SUBDIVISION

SUBD

1

13

16

15

18

16

18

18

16

18

18

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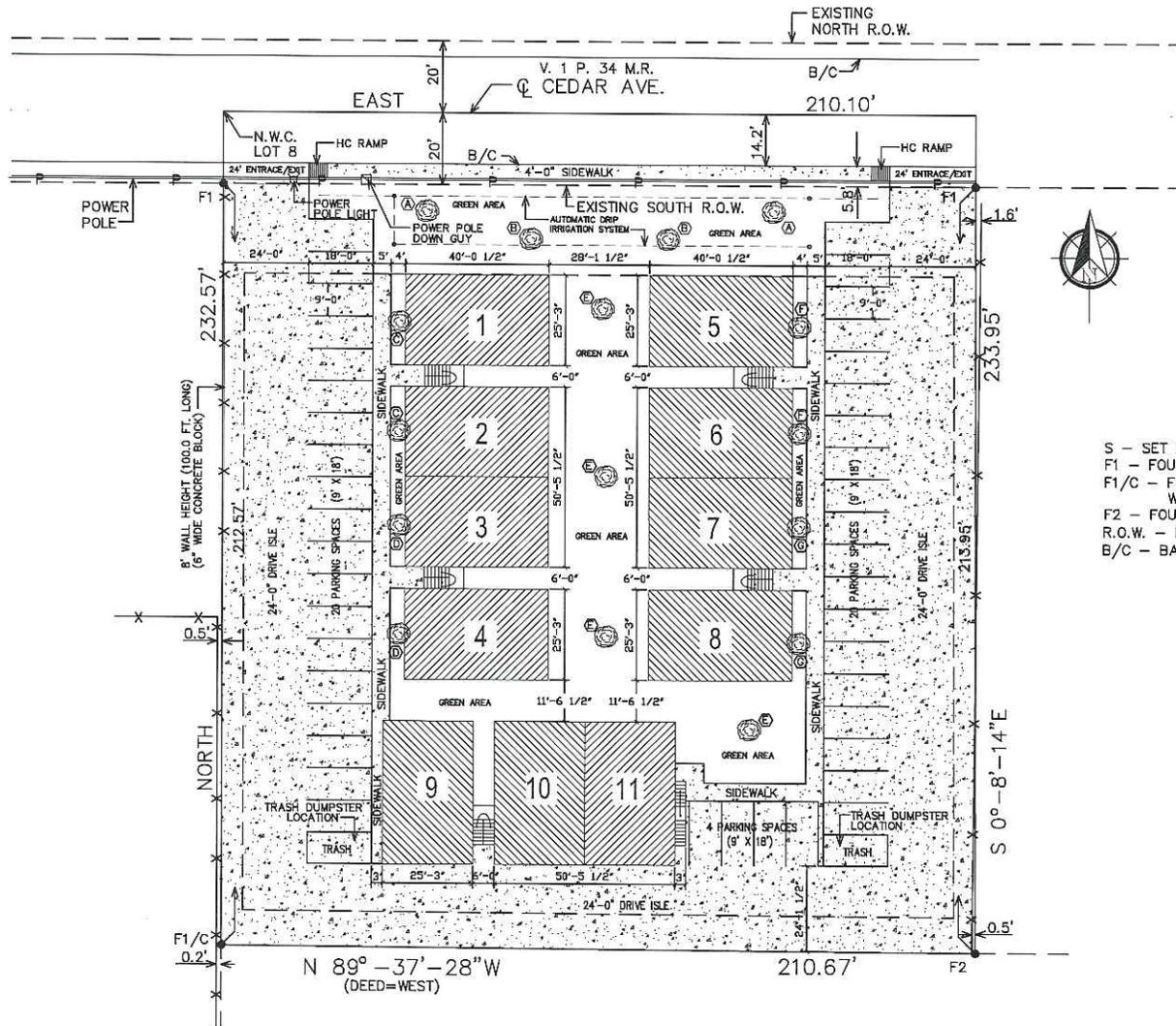
21

22

23

24

25



162'

N.E.C. LOT 8
OUT OF LOT 6
BLOCK 12 RANCHO
DE LA FRUTA SUB'D

LEGEND

- S - SET 1/2" DIAMETER IRON ROD
- F1 - FOUND 1/2" DIAMETER IRON ROD
- F1/C - FOUND 1/2" DIAMETER IRON ROD
W/ CAP STAMPED "FNM"
- F2 - FOUND 3/4" DIAMETER IRON PIPE
- R.O.W. - RIGHT OF WAY
- B/C - BACK OF CONCRETE CURB & GUTTER

UNIT-1 THRU UNIT-11	
FIRST FLOOR	- 948 SQ.FT.
PORCH	- 80 SQ.FT.
SECOND FLOOR	- 948 SQ.FT.
PORCH	- 80 SQ.FT.
TOTAL	- 2056 SQ.FT.
TOTAL	- 22816 SQ.FT.

LANDSCAPE		
GREEN AREA - 10117 SQ. FT.		
(A) 2	MESQUITE	2.5 IN. CALIPER 10.0 FT. HGT.
(B) 2	TEXAS SOPHORA	2.5 IN. CALIPER 10.0 FT. HGT.
(C) 2	MEXICAN REDBUD	2.5 IN. CALIPER 10.0 FT. HGT.
(D) 2	ESPERANZA	2.5 IN. CALIPER 10.0 FT. HGT.
(E) 4	JACARANDA	2.5 IN. CALIPER 10.0 FT. HGT.
(F) 2	BRASIL	2.5 IN. CALIPER 10.0 FT. HGT.
(G) 2	TEXAS EBONY	2.5 IN. CALIPER 10.0 FT. HGT.

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

PROJECT: CEDRO APARTMENTS
SIGMA CONSTRUCTION
JOSE ALFREDO FUENTES (956) 227-6578

DATE: 8-1-2014
SCALE: 1/16" = 1'-0"
DRAWN BY: EDGAR PEÑA

PEÑA'S
DRAFTING & DESIGN
3305 PROVIDENCE McALLEN TX
(956) 776-3858

"EL CEDRO SUBDIVISION"
TOPOGRAPHIC AND UTILITY LAYOUT



SITE

CEDAR AV

PROPOSED EL CEDRO SUBDIVISION LOT 1

JACKSON COMMERCE DEVELOPMENT PHASE 4

BEECH AV

DE LA FRUTA #2

TOROSAIN

WALKYRIA

WOODLAND TERRACE

APOSTOLIC CHURCH LOT 1

GARDEN SUBD

CH AV

REF. MID SUBD

AGUILAR APTS SUBDIVISION

6

10

9

10

8

11

1

20

8

DIVISION

"H" ST

6

10

11

2

3

7

6

2

3

2

3

2

3

2

3

STATE OF TEXAS
 COUNTY OF HIDALGO
 I, THE UNDERSIGNED OWNER OF THE LAND SHOWN ON THIS PLAN AND DESIGNATED HEREIN AS "EL CEDRO SUBDIVISION", AN ADDITION TO THE CITY OF McALLEN, HIDALGO COUNTY, TEXAS, AND WHOSE NAME IS SUBSCRIBED HEREIN, HEREBY DEDICATED TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, SEWER LINES, WATER COURSES, STORM SEWERS, FIRE HYDRANTS AND PUBLIC PLACES WHICH ARE INSTALLED OR WHICH WILL CAUSE TO BE INSTALLED OR DEDICATED UNDER THE SUBDIVISION APPROVAL PROCESS OF THE CITY OF McALLEN ALL THE SAME FOR THE PURPOSES THEREIN EXPRESSED AND ON THE PLAN OR ON THE OFFICIAL MINUTES OF THE APPLICABLE AUTHORITIES OF THE CITY OF McALLEN.

MARIA TERESA BERLANGA PENA MBR
 315 N. SHARY
 MISSION, TX 78572
 OWNER: BEIND INVESTMENTS LLC

STATE OF TEXAS
 COUNTY OF HIDALGO
 BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, ON THIS DAY THE OWNER PERSONALLY APPEARED, MARIA TERESA BERLANGA PENA, TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.
 ALL GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE 24th DAY OF APRIL, 2015 A.D.



Maribel Hernandez
 NOTARY PUBLIC, STATE OF TEXAS
 MY COMMISSION EXPIRES ON:
 4-10-2015

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

Oliver E. Paredes
 MAYOR, CITY OF McALLEN
 DATE: 4-10-2015



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

DATE: 4/10/2015
 CHAIRMAN, PLANNING AND ZONING COMMISSION

HIDALGO COUNTY IRRIGATION DISTRICT No. 2
 THIS PLAN APPROVED BY THE HIDALGO COUNTY IRRIGATION DISTRICT No. 2 ON THIS DATE: 4/10/2015

NO IMPROVEMENTS OF ANY KIND (INCLUDING WITHOUT LIMITATION, TREES, FENCES, AND BUILDINGS) SHALL BE PAID UPON HIDALGO COUNTY IRRIGATION DISTRICT No. 2, RIGHT OF WAYS OR EASEMENTS.
 President: [Signature] 4/10/15
 Attest: [Signature] 4/10/15
 Secretary: [Signature]

HIDALGO COUNTY DRAINAGE DISTRICT No. 1 HEREBY CERTIFIES THAT THE DRAINAGE PLANS FOR THIS SUBDIVISION COMPLY WITH THE MINIMUM STANDARDS OF THE DISTRICT APPROVED UNDER TEXAS WATER CODE § 49.21(6) THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES DESCRIBED ARE APPROPRIATE FOR THE SPECIFIC SUBDIVISION, BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA. IT IS THE RESPONSIBILITY OF THE DEVELOPER OF THE SUBDIVISION AND ITS ENGINEER TO MAKE THESE DETERMINATIONS.

HIDALGO COUNTY DRAINAGE DISTRICT No. 1
 BY: [Signature] 4/10/15
 DISTRICT MANAGER

I, PABLO PEÑA, II, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAN WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

[Signature] 4-1-15
 PABLO PEÑA, II, REGISTERED PROFESSIONAL LAND SURVEYOR No. 9242
 PEÑA ENGINEERING, LLC
 10011 W. WHITENING AVE.
 McALLEN, TEXAS 78501
 (956) 682-8812 DATE SURVEYED: 04/18/2014

I, PABLO F. PEÑA, JR., REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAN WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

[Signature] 2-24-15
 PABLO F. PEÑA, JR., P.E.
 REGISTERED PROFESSIONAL ENGINEERING - CIVIL



DATE OF PREPARATION 04/10/2014

PENA ENGINEERING
 POST OFFICE BOX 4320
 McALLEN TEXAS 78502
 OFFICE (956) 682-8812
 FAX (956) 631-7362
 TBE FIRM #F4950

SUBDIVISION PLAT OF "EL CEDRO SUBDIVISION"

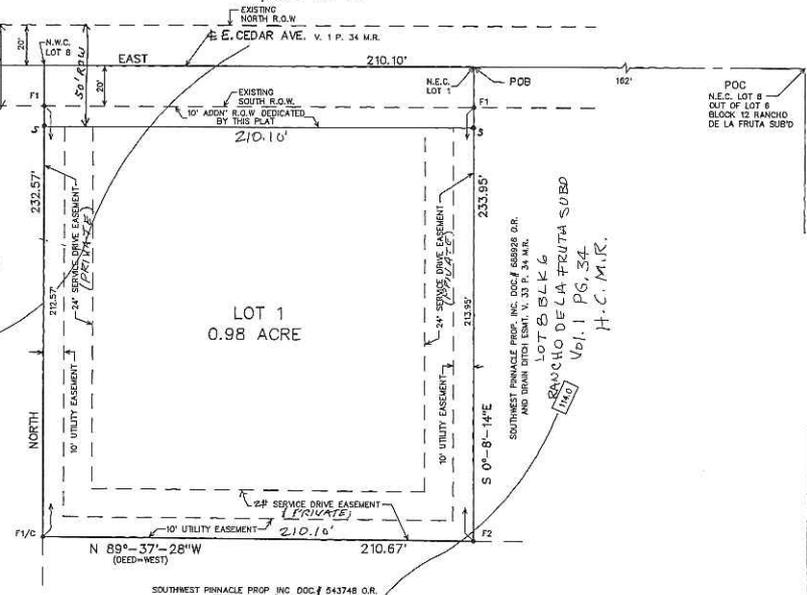
A 1.13 ACRE TRACT OF LAND OUT THE NORTH 2.0 ACRES OF LOT EIGHT (8), RANCHO DE LA FRUTA SUBDIVISION, HIDALGO COUNTY, TEXAS AS PER MAP THEREOF RECORDED IN VOLUME 1 PAGE 34 OF THE MAP RECORDS OF SAID COUNTY;

NORTH
 SCALE: 1"=30'
 CAD: SUBORDNO
 JOB: 53247

LEGEND
 S - SET 1/2" DIAMETER IRON ROD
 F1 - FOUND 1/2" DIAMETER IRON ROD
 F1/C - FOUND 1/2" DIAMETER IRON ROD
 W/ CAP STAMPED "F1"
 F2 - FOUND 3/4" DIAMETER IRON PIPE
 R.O.W. - RIGHT OF WAY

NOTE: BASIS OF BEARING IS THE NORTH LINE OF LOTS 6 THRU 8, RANCHO DE LA FRUTA SUBD NO. 2 V. 1 P. 34 M.R.

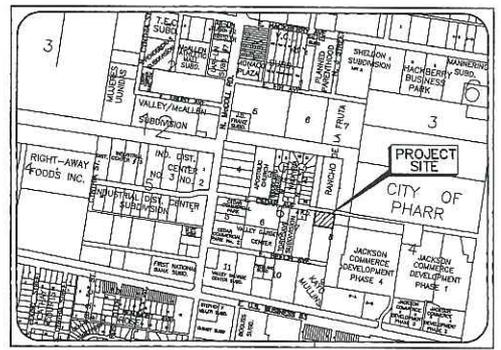
LOT 1 BLOCK 6
 RANCHO DE LA FRUTA SUBD.
 Vol. 1 Pg. 34
 H.C.M.R.



SOUTHWEST PINNACLE PROP. INC. DOC# 543748 O.R.
 PROPERTY ID 024718
 LOT 2 BLK 6
 RANCHO DE LA FRUTA SUBD.
 Vol. 1 Pg. 34
 H.C.M.R.

- PLAT NOTES AND RESTRICTIONS
- FLOOD ZONE NOTES: THIS AREA IS IN FLOOD ZONE "B" MINIMUM FLOODING: COMMUNITY PANEL NUMBER 48143 0005 C MAP REVISION: NOVEMBER 2, 1982. ZONE: "B" - THIS CERTIFIES THAT THIS PROPERTY IS NOT IN FLOOD PRONE AREA. HOWEVER LIMITS BETWEEN THE 100 YEAR AND 500 YEAR FLOOD ARE SUBJECT TO FLOODING WITH AVERAGE DEPTHS LESS THAN ONE FOOT.
 - MINIMUM BUILDING SETBACK LINES ARE AS FOLLOWS:
 FRONT: E. CEDAR AVE. - 20 FEET OR IN LINE WITH EXISTING STRUCTURES, WHICHEVER IS GREATER.
 REAR: IN ACCORDANCE WITH THE ZONING ORDINANCE OR GREATER FOR EASEMENTS, SIDES: IN ACCORDANCE WITH THE ZONING ORDINANCE OR GREATER FOR EASEMENTS. GARAGE: 10 FEET EXCEPT WHERE GREATER SETBACK IS REQUIRED; GREATER SETBACK APPLIES.
 - MINIMUM FINISHED FLOOR ELEVATION SHALL BE 18 INCHES ABOVE THE TOP OF CURB AS MEASURED FROM THE CENTER OF THE LOT.
 - BM 1 - BENCHMARK 30" ALUMINUM PIPE WITH A 3-1/4" BRASS MONUMENT CAP ON TOP LOCATED APPROXIMATELY AT THE NORTHEAST CORNER OF THE INTERSECTION OF BUSINESS 83 AND McALLAN BOULEVARD, CITY BLOCK 12 RANCHO DE LA FRUTA SUBD NO. 2 V. 1 P. 34 M.R.
 - NO STRUCTURE SHALL BE PERMITTED OVER ANY EASEMENTS OR LOT LINES.
 - A SITE PLAN MUST BE APPROVED BY PLANNING AND ZONING COMMISSION PRIOR TO ISSUANCE OF BUILDING PERMITS.
 - AN ENGINEERED DRAINAGE DETENTION PLAN, APPROVED BY THE ENGINEERING DEPARTMENT IS REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMITS.
 - A TOTAL OF 8000 CUBIC FEET, OR 0.24 ACRE FEET OF STORM WATER DRAINAGE DETENTION IS REQUIRED FOR THIS SUBDIVISION.
 - MINIMUM 4.00 FOOT SIDEWALK IS REQUIRED ON E. CEDAR AVENUE.
 - A 5 FOOT OPAQUE BUFFER REQUIRED FROM ADJACENT MULTI-FAMILY RESIDENTIAL AND COMMERCIAL OR INDUSTRIAL ZONES/USES.
 - 8 FOOT MASHCHY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONES/USES.

METES AND BOUNDS DESCRIPTION:
 A 1.13 ACRE TRACT OF LAND OUT OF THE NORTH 2.0 ACRES OF LOT EIGHT (8), RANCHO DE LA FRUTA SUBDIVISION, UNIT No. 2, HIDALGO COUNTY, TEXAS, AS PER MAP THEREOF RECORDED IN VOLUME 1 PAGE 34 OF THE MAP RECORDS OF SAID COUNTY; SAID 1.13 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
 BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 8, FOR THE NORTHWEST CORNER HEREOF;
 THENCE WITH THE NORTH LINE OF SAID LOT, THE CENTERLINE OF CEDAR AVENUE EAST 210.10 FEET TO THE NORTHEAST CORNER HEREOF;
 THENCE WITH THE WEST LINE OF SOUTHWEST PINNACLE PROPERTY'S DESCRIBED IN DOCUMENT NUMBER 68928 OFFICIAL RECORDS, SOUTH 00°-08'-14" EAST, AT 20.00 FEET FOUND A ONE-HALF (1/2) INCH DIAMETER IRON ROD AT THE SOUTH RIGHT OF WAY OF CEDAR AVENUE, AT 233.95 FEET IN ALL TO A THREE-QUARTER (3/4) INCH DIAMETER IRON PIPE FOR THE SOUTHWEST CORNER HEREOF;
 THENCE WITH THE NORTH LINE OF SOUTHWEST PINNACLE PROPERTY'S TRACT DESCRIBED IN DOCUMENT NUMBER 543748 OFFICIAL RECORDS, NORTH 89°-37'-28" WEST (DEED: WEST) 210.67 FEET TO A ONE-HALF (1/2) INCH DIAMETER IRON ROD WITH CAP STAMPED "F1" FOUND FOR THE SOUTHWEST CORNER HEREOF;
 THENCE WITH THE WEST LINE OF SAID LOT, NORTH, AT 213.95 FEET FOUND A ONE-HALF (1/2) INCH DIAMETER IRON ROD AT THE SOUTH RIGHT OF WAY OF SAID AVENUE, AT 232.57 FEET IN ALL TO THE PLACE OF BEGINNING, CONTAINING ONE AND THIRTEEN HUNDREDTHS (1.13) ACRES, MORE OR LESS.



FILE FOR RECORD IN
 HIDALGO COUNTY
 ARCHIVO GUILARDO, JR.,
 HIDALGO COUNTY CLERK

ON: April 24, 2015 AT 11:00 AM
 INSTRUMENT NUMBER 21004720
 RECORDED IN VOLUME PAGE
 OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS.
 BY: [Signature] DEPUTY

PRINCIPAL CONTACTS:
 OWNER: MARIA TERESA BERLANGA PENA 315 N. SHARY MISSION, TX 78572 PH: (956) 739-5435
 SURVEYOR: PABLO PEÑA II 10011 W. WHITENING McALLEN, TX 78501 PH: (956) 682-8814 FAX: (956) 631-PENA
 ENGINEER: PABLO F. PEÑA, JR. 10011 W. WHITENING McALLEN, TX 78501 PH: (956) 682-8814 FAX: (956) 631-7362


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

Compliance

*Additional pavement as needed.

**Owner must escrow monies for improvements, as may be applicable prior to plat recording

* 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

* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses	Applied
*Perimeter buffers must be built at time of Subdivision Improvements.	NA
NOTES	
* No curb cut, access, or lot frontage permitted along:	NA
* Site plan must be approved by the Planning and Zoning Commission prior to building permit issuance.	Applied
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	NA
* Common Areas, Private Streets must be maintained by the lot owners and not the City of McAllen	NA
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.	NA
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording - AS MAY BE REQUIRED AS PART OF THE CUP FOR THE PUD.	Applied
LOT REQUIREMENTS	
* Lots fronting public streets:	Compliance
* Minimum lot width and lot area:	Compliance
ZONING/CUP	
* Existing: C-3 Proposed: C-3	Compliance
* Rezoning Needed Before Final Approval	NA
PARKS	
* Land dedication in lieu of fee:	NA
* Park Fee of \$700 per dwelling unit is required to be paid prior to recording	NA
* Pending review by the Parkland Dedication Advisory Board and CC.	NA
TRAFFIC	
* Trip Generation to determine if TIA is required, prior to final plat.	Compliance
* Traffic Impact Analysis (TIA) required prior to final plat.	Compliance
COMMENTS	
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.	Applied

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



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

Sub 2015-0028

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 Taylor Villas
 Location North-east corner of Uvalde Avenue and Taylor Road
 City Address or Block Number _____
 Number of lots 39 Gross acres 12.50 Net acres 12.12
 Existing Zoning ETJ Proposed _____ Rezoning Applied For Yes No Date _____
 Existing Land Use Vacant Proposed Land Use multi-family Irrigation District # United
 Residential Replat Yes No Commercial Replat Yes No ETJ Yes No
 Agricultural Tax Exemption Yes No Estimated Rollback tax due 0
 Legal Description A 12.5 acre tract of land out of lot 167
John H. Shany Subdivision

Owner

Name JOHN SHIN Phone (956) 469-3856
 Address 704 E. COMA ST
 City HIDALGO State Tx Zip 78501
 E-mail jshin@rgv.net

Developer

Name Same as owner Phone _____
 Address _____
 City _____ State _____ Zip _____
 Contact Person _____
 E-mail _____

Engineer

Name Marie A. Salinas Phone (956) 537-1311
 Address 4037 W. Expressway 83
 City McAllen State Tx Zip 78501
 Contact Person Marie A. Salinas
 E-mail msalinas6973@att.net

Surveyor

Name David Salinas Phone (956) 682-9081
 Address 2221 Dattodil Avenue
 City McAllen State Tx Zip 78501
 E-mail dsalinas@salinasengineering.com

RECEIVED

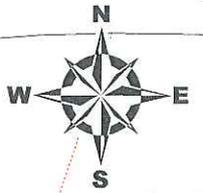
Rec # 285705 pd \$2250

APR 28 2015

BY: [Signature] 2:39pm

U.S. 83 EXPRESSWAY

U.S. 83



PLACE SUBDIVISION

GINTHER
ESTATES

SHARY GATEWAY
SUBDIVISION

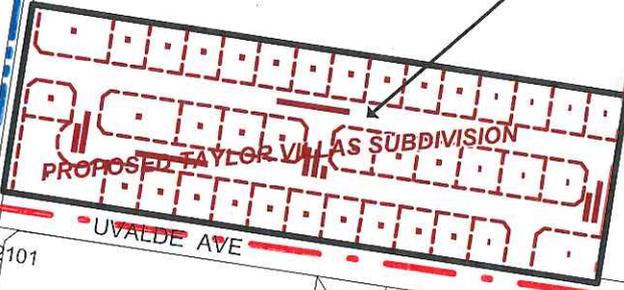
COLBATH RD
COLBATH
PLAZA

-35
SKY SPORTS
SUBDIVISION

166

167

LOCATION



UVALDE AVE

TAYLOR RD

SHARYLAND NEW
ELEMENTARY SCHOOL

157
R-1

VERMONT AVE

PH. 4

WICHITA AVE

CARDONA A

VERMONT AVE

PHASE 1

VICTORIA AVE

WICHITA AVE

PHASE 2

BEN HOGAN DR

BENTSEN LAKES

158

A. J. McCOLL'S ADDITION

147

MAP OF TAYLOR VILLAS SUBDIVISION

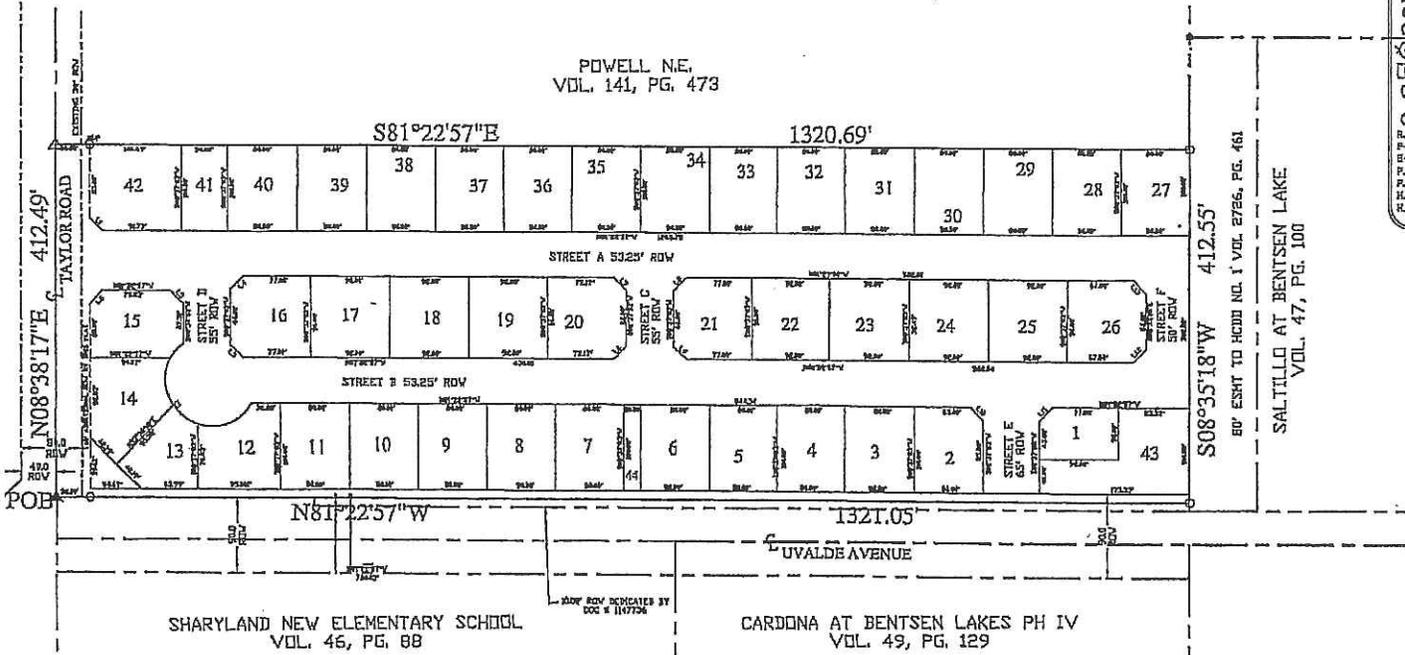


McALLEN, TEXAS

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 DISK
- FOUND 1/2" IRON ROD
- SET 1/2" IRON ROD
- FIRE HYDRANT
- GAS MARKER
- LIGHT POLE
- WATER VALVE
- RIGHT OF WAY
- PROPERTY LINE TO BACK OF
- BACK OF CURB TO BACK OF
- POINT OF COMMENCEMENT
- POINT OF BEGINNING
- HIDALGO COUNTY DEED 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 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).
- 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.- 6.0 FOOT OPAQUE BUFFER IS REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, OR INDUSTRIAL ZONES/USES.
- 8.- BENCHMARK TOP OF EXISTING MANHOLE - N-18594674.59, EA 1057351.82, 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.



METES AND BOUNDS

BEING 12.500 ACRES OF LAND OUT OF LOT 167, JOHN H. SHARY SUBDIVISION, RECORDED IN VOLUMES 1, PAGE 17, MAP RECORDS HIDALGO COUNTY, TEXAS, AND BEING THE SAME LAND DESCRIBED AS 12.5 ACRES OUT OF SAID LOT 167, BY WARRANTY DEED WITH VENDOR'S LIES FROM HARRY H. POWELL AND MARY MAY POWELL, CO-TRUSTEES OF THE HARRY H. AND MARY MAY POWELL LIVING TRUST, DATED NOVEMBER 29, 2000, RECORDED IN DOCUMENT NO. 22321, 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 08°38'17"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°20'09"E, A DISTANCE OF 0.07 FEET, FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 81°22'07"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°20'09"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 80.0 EASEMENT TO HCCO NO. 1, RECORDED IN VOLUME 2725, 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

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.

* 600 ft. Maximum Cul-de-Sac:

Complete

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

Comments: *Preliminary plat approved by the Planning and Zoning Commission on May 19, 2015.

**Revised Preliminary plat with the variance to the 800 ft. block length approved by the Planning and Zoning Commission on June 16, 2015.

***Gate detail and mechanism needed for staff review and approval.

****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.

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

LOCATION

SAVANNAH AVE

LA VERANDA SUBDIVISION

SONOBEA AVE

SUBDIVISION

SWEETWATER AVE

SALTILLO AT BENTSON

TORONTO AVE

PROPOSED TAYLOR VILLAS SUBDIVISION

UVALDE AVE

GARDOMA AT BENTSON

TAYLOR RD

SHARYLAND NEW ELEMENTARY SCHOOL

157

VERMONT AVE

VERMONT AVE

PHASE 1

VICTORIA AVE

WICHITA AVE

PHASE 2

BEN HOGAN DR

BENTSEN LAKES

158

A. J. McCOLL'S ADDITION

117

Sl. 02015-0048



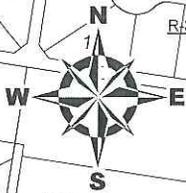
City of McAllen
Planning Department

APPLICATION FOR
SUBDIVISION PLAT REVIEW

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

Project Description	Subdivision Name <u>SSFCU E. Pecan at N. McColl</u> Location <u>NW corner of E. Pecan (FM 495) and N. McColl (FM 2061)</u> City Address or Block Number <u>1701 N. McColl Rd</u> Number of lots <u>1</u> Gross acres <u>1.672</u> Net acres <u>1.480</u> Existing Zoning <u>C3L</u> Proposed <u> </u> Rezoning Applied For Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Date <u> </u> Existing Land Use <u>Undeveloped</u> Proposed Land Use <u>Credit Union with Drive-thru</u> Residential Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Commercial Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> ETJ Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Agricultural Tax Exemption Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Estimated Rollback tax due <u> </u> Legal Description <u>1.672 acres out of Lot 5, Block 10, Steele and</u> <u>Pershing Subdivision of Porciones 66 & 67, Hidalgo County, Texas</u>
Owner	Name <u>Security Service Federal Credit Union</u> Phone <u>(210) 877-3563</u> Address <u>16211 La Cantera Parkway</u> City <u>San Antonio</u> State <u>TX</u> Zip <u>78256-2419</u> E-mail <u>rwilliamson@ssfcu.org</u>
Developer	Name <u>Security Service Federal Credit Union</u> Phone <u>(210) 877-3563</u> Address <u>16211 La Cantera Parkway</u> City <u>San Antonio</u> State <u>TX</u> Zip <u>78256-2419</u> Contact Person <u>Robert W. Williamson</u> E-mail <u>rwilliamson@ssfcu.org</u>
Engineer	Name <u>Pape-Dawson Engineers</u> Phone <u>(210) 375-9000</u> Address <u>2000 NW Loop 410</u> City <u>San Antonio</u> State <u>TX</u> Zip <u>78213</u> Contact Person <u>Gary Smith</u> E-mail <u>gsmith@pape-dawson.com</u>
Surveyor	Name <u>Michael Fabian Surveying, Inc.</u> Phone <u>(956) 630-1432</u> Address <u>1203 E. Hackberry Ave.</u> City <u>McAllen</u> State <u>TX</u> Zip <u>78501</u> E-mail <u>survey@mfabiansurveying.com</u>

RC# 305034# 300.00
RECEIVED
JUL 21 2015
BY: S Ollam



NO. 2
NO. 1
UPAS AV
SUBDIVISION

RAMAL PH
SUBDIVIS
PHASE 1

M.I.S.D. #13 SUBD
LOT 1

LOCATION

PROPOSED
SSFCU E. PECAN
AT N. MCCOLL
SUBDIVISION

DUVON ORCHAR

PECAN EAST
NO. 1

PECAN BLVD

PECAN BLVD

LOT "B"
EAGLE PLACE
LOT "A"
2

495 COMMERCE
CENTER
PHASE 3

495 COMMERCE
CENTER PH 2
2-A

LAKEVIEW DR (PVT)

495 COMMERCE
CENTER PHASE 1

495 COMMERCE
CENTER PHASE 5
901

11

MENTS
ORITY


City of McAllen
SUBDIVISION PLAT REVIEW

Reviewed On: 7/30/2015

SUBDIVISION NAME: SSFCU E. PECAN AT N. MCCOLL**REQUIREMENTS****STREETS AND RIGHT-OF-WAYS**

N. McColl Road: 20 ft. ROW dedication required for 60 ft. from centerline for 120 ft. ROW
 Paving: by the state Curb & gutter: by the state

Compliance

E. Pecan Blvd: 10 ft. ROW dedication required for 60 ft. from centerline for 120 ft. ROW
 Paving: by the state Curb & gutter: by the state

Compliance

* 800 ft. Block Length:

Compliance

* 600 ft. Maximum Cul-de-Sac:

NA

ALLEYS

*30 ft. shared access & private service drive easement provided by separate instrument.

Compliance

SETBACKS

* Front: E. Pecan Blvd. - 60 ft. or greater for approved site plan or easements

Compliance

* Rear: 15 ft. for the easement, or greater for approved site plan

Applied

* Interior Side: in accordance with the Zoning Ordinance, or greater for approved site plan or easements

Compliance

* Corner: N. McColl Road - 60 ft. or greater for approved site plan or easements

Compliance

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

NA

*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN

Applied

SIDEWALKS

* 4 ft. wide minimum sidewalk required on N. McColl Road and E. Pecan Blvd.

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: C-3 Proposed: C-3	Compliance
* Rezoning Needed Before Final Approval	NA
PARKS	
* Land dedication in lieu of fee:	NA
* Park Fee of \$700 per dwelling unit is required to be paid prior to recording.	NA
* Pending review by the Parkland Dedication Advisory Board and CC.	NA
TRAFFIC	
* Trip Generation to determine if TIA is required, prior to final plat. **Per Traffic on July 24, 2015, trip generation approved.	Compliance
* Traffic Impact Analysis (TIA) required prior to final plat. **Per Traffic on July 24, 2015, TIA approved.	Compliance
COMMENTS	
Comments: *Additional ROW clip as may be need at the intersection. **Plat must comply with the City's Access Management Policy. ***30 ft. shared access and private service drive easements provided; to be built and maintained by the lot owner(s) and not the City of McAllen. ****Per Traffic, Engineering & MPU, previous approvals to be honored since this is a resubmittal of an approved plat that was never recorded. *****Preliminary plat approved on July 19, 2011 and Final plat approved on August 2, 2011 (previous application).	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY/FINAL FORM.	Applied



LOCATION

PROPOSED
SFCUE, PECAN
AT N. MCCOLL
SUBDIVISION

UPAS AV
NO. 1
NO. 2
SUBDIVISION

M.I.S.D. #13 SUBD
LOT 1

RAMAL PH
SUBDIVISION
PHASE 1

DUVON ORCHAR

PECAN EAST
NO 1

EAGLE PLACE
LOT 2

COLLISION
CENTER

495 COMMERCE
CENTER PHASE 2

495 COMMERCE
CENTER PHASE 1

495 COMMERCE
CENTER PHASE 5

495 CO
PHA
LG

11

1

LAKESIDE

LAKESIDE

LAKESIDE

UNIVERSITY



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

SWO 2015-0046
 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>Las Palmas Industrial Park</u> Location <u>Hwy 336 "S. 10th St." between: RG Speedway Rd & Dicker Rd</u> City Address or Block Number _____ Number of lots <u>20</u> Gross acres <u>50.40</u> Net acres <u>48.86</u> Existing Zoning <u>N/A</u> Proposed <u>N/A</u> Rezoning Applied For <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____ Existing Land Use <u>Vacant</u> Proposed Land Use <u>Industrial</u> Irrigation District # _____ Residential Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Commercial Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> ETJ Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Agricultural Tax Exemption Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Estimated Rollback tax due <u>A</u> Legal Description <u>HIDALGO CANAL CO-VV N 790'-S 1010' LOTS 7 & 8 BLK 3 50.40 AC GR-48.86 AC NET</u>
Owner	Name <u>RTE INVESTMENTS</u> Phone _____ Address <u>PO BOX 4230</u> City <u>McAllen</u> State <u>Texas</u> Zip <u>78501</u> E-mail _____
Developer	Name <u>RTE INVESTMENTS</u> Phone _____ Address <u>PO BOX 4230</u> City <u>McAllen</u> State <u>Texas</u> Zip <u>78501</u> Contact Person <u>Roberto Tudor</u> E-mail _____
Engineer	Name <u>Mario A. Salinas, P.E.</u> Phone <u>956-537-1311</u> Address <u>4037 W. Expressway 83, Site 150</u> City <u>McAllen</u> State <u>Texas</u> Zip <u>78501</u> Contact Person <u>Mario A. Salinas, P.E.</u> E-mail <u>msalinas6973@att.net</u>
Surveyor	Name <u>Salinas Engineering & Associates</u> Phone <u>956-682-9081</u> Address <u>2221 Daffodil</u> City <u>McAllen</u> State <u>Texas</u> Zip <u>78501</u> E-mail <u>dsalinas@salinasengineering.com</u>

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BY: *DC* 4:37.
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-05
103.38AC
QOT, INC

-03
63.4AC
QOT, INC

-00
80.54AC
AG ENTERPRISES

14

15

16

6600

3

7000

4

LOCATION

2

-11
7401
13.93AC
ERREQUIN, M

-00
5.47AC
GOMEZ, J

-10
19.59AC
VASQUEZ, F

-10
8.95AC
DEJON, T

-05
15.0AC
JOHNSON, J

-00
15.46AC
JOHNSON, J

7401
25 FT ROAD
EASEMENT

40 FT ROAD EASEMENT
-15 / 1.37AC / THESER, R

7501

7400

6

3

3

7800

PROPOSED LAS PALMAS INDUSTRIAL PARK SUBDIVISION

1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	

DICKER RD

14

15

16

3

4

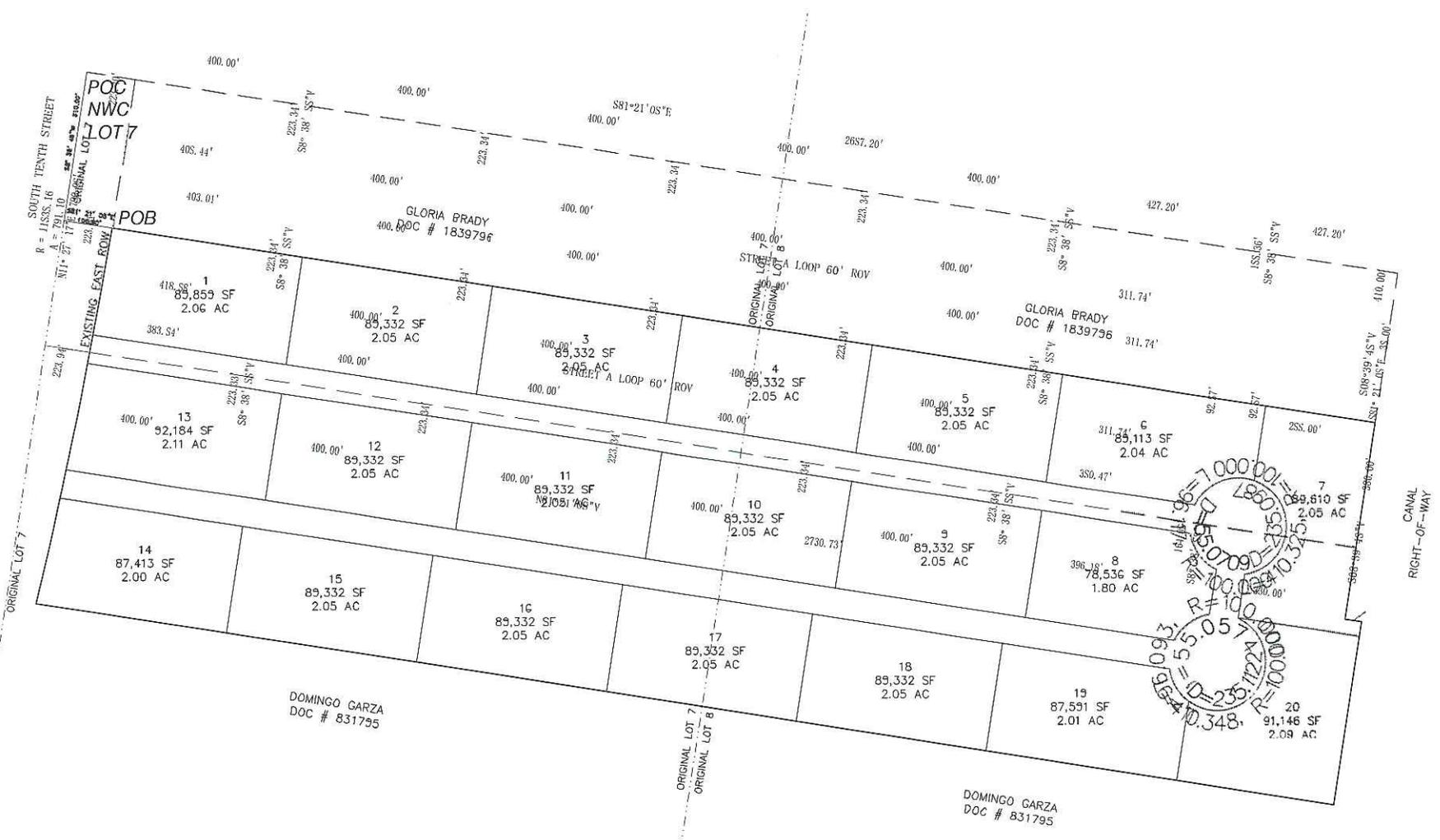
2

1

3

was Palmas Industrial
Park - sub 2015-0044

LAS PALMAS INDUSTRIAL PARK
Hidalgo County, TX



RECEIVED
JUL 15 2015

BY: [Signature] 4:37pm


City of McAllen
SUBDIVISION PLAT REVIEW

Reviewed On: 7/30/2015

SUBDIVISION NAME: LAS PALMAS INDUSTRIAL PARK	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
S. 10th Street: Project engineer to show centerline and label existing ROW on both sides to determine dedication requirements for 75 ft. from centerline for 150 ft. ROW Paving: by the state Curb & gutter: by the state	Non-compliance
N/S 1/2 Mile: 70 ft. ROW Paving: 44 ft. Curb & gutter: both sides	Non-compliance
N/S 1/4 Mile Road: 60 ft. ROW Paving: 40 ft. Curb & gutter: both sides	Non-compliance
Interior Streets: 60 ft. ROW Paving: 40 ft. Curb & gutter: both sides	Non-compliance
* 800 ft. Block Length: As proposed, the layout does not comply with the maximum block length allowed without a cross street.	Non-compliance
* 600 ft. Maximum Cul-de-Sac:	NA
ALLEYS	
ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for non-residential zoning districts per Section 134-106 of the Subdivision Ordinance.	Non-compliance
SETBACKS	
* Front: TBD based on revised layout and street requirements.	TBD
* Rear: TBD based on revised layout and street requirements.	TBD
* Sides: TBD based on revised layout and street requirements.	TBD
* Corner: TBD based on revised layout and street requirements.	TBD
* Garage: 18 ft. except where greater setback is required; greater setback applies.	NA
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS	Applied
SIDEWALKS	
* 4 ft. wide minimum sidewalk required on S. 10th Street, N/S 1/2 Mile, N/S 1/4 Mile 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, and 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.	TBD
* 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: industrial	Compliance
* Rezoning Needed Before Final Approval	NA
PARKS	
* Land dedication in lieu of fee:	NA
* Park Fee of \$700 per dwelling unit is required to be paid prior to recording.	NA
* Pending review by the Parkland Dedication Advisory Board and CC.	NA
TRAFFIC	
* Trip Generation to determine if TIA is required, prior to final plat.	Non-compliance
* Traffic Impact Analysis (TIA) required prior to final plat.	TBD
COMMENTS	
Comments: *Plat must comply with the City's Access Management Policy.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM SUBJECT TO THE CONDITIONS NOTED, AND UTILITY & DRAINAGE APPROVALS.	Applied



LOCATION

PROPOSAD LAS PALMAS
INDUSTRIAL PARK
SUBDIVISION

DICKER RD

14

15

16

3

4

6

3

3

4

13

9

15

16

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Sub 2015-0045.

 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

Project Description

Subdivision Name Beech Commerce
Location North 23rd Street and Beech Avenue
City Address or Block Number 111 North 23rd. Street
Number of Lots 1 Gross acres 0.835 Net acres 0.835
Existing Zoning C-3 Proposed C-3 Rezoning Applied For Yes No Date n/a
Existing Land Use Vacant Proposed Land Use Commercial Irrigation District # 1
Residential Replat Yes No Commercial Replat Yes No ETJ Yes No
Agricultural Tax Exemption Yes No Estimated Rollback tax due N/A
Legal Description C.E. Hammonds Subdivision Lot 101, Block 2

Owner

Name Absolute Premium Denim, LLC Telephone (956)607-6017
Address 808 S. Shary Rd., Ste. 140
City Mission State TX Zip 78574
E-mail dru@kahlenbergholdings.com

Developer

Name Absolute Premium Denim, LLC Telephone (956)607-6017
Address 808 S. Shary Rd., Ste. 140
City Mission State TX Zip 78574
E-mail dru@kahlenbergholdings.com

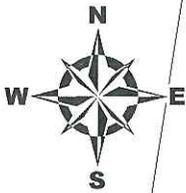
Engineer

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

Surveyor

Name Carlos Vasquez, CVQ Land Surveyors Telephone (956)618-1551
Address 517 Beaumont Street
City McAllen State Texas Zip 78501
E-mail cvq@cvqls.com

RECEIVED
JUL 15 2015
BY DO 10:50 am
RET 30113225



EBONY AV

AUTO ZONE
SUBDIVISION

LOCATION

PROPOSED
BEECH COMMERCE
SUBDIVISION

VALLEY WELDING
SUPPLY LOT A

101
JTC ENGR

AUTO
SHACK

BEECH AV

DATE PALM AV

23RD ST

21

C-3

US BUSINESS 83

AUSTIN AV

25TH ST

YOUNG'S

24TH ST

28

22TH ST

NT AV

17

11

12

35

S 22ND 1/2 ST

S 22ND ST

R-3A
THE VILLAS
AT BEAUMONT

98

99

100

101

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L-1

L-1

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C-4

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7-A

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17

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12

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C-4

7

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17

12

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C-4

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R-2

R-2

R-2

C-3

12

C-4

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14

BITION

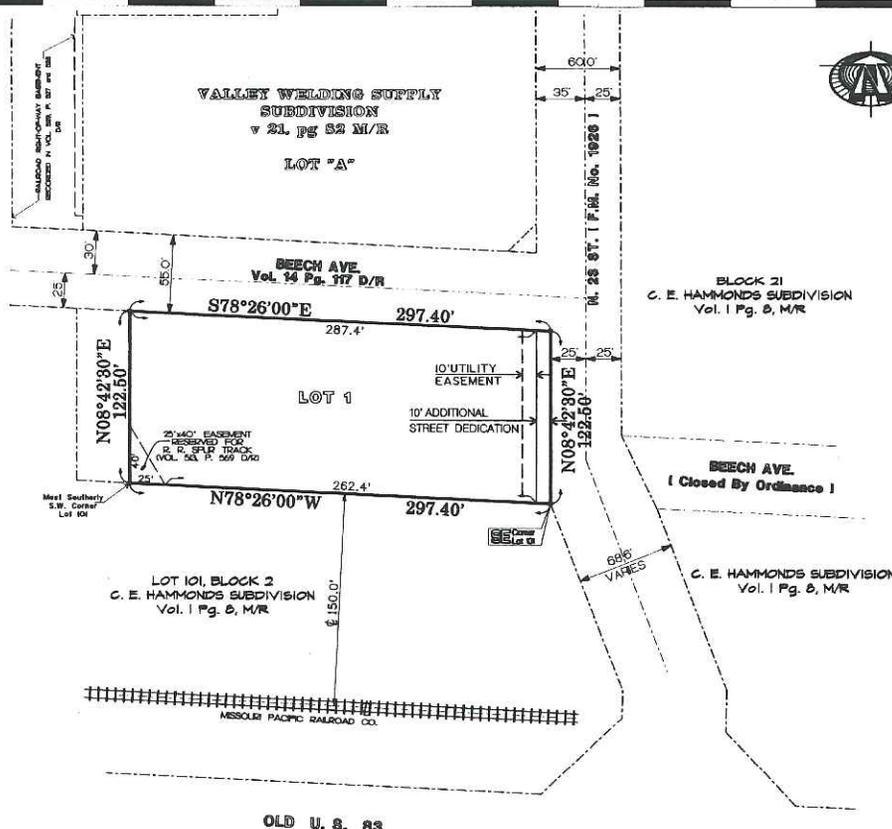
C-3

12

C-4

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Sub 20150045

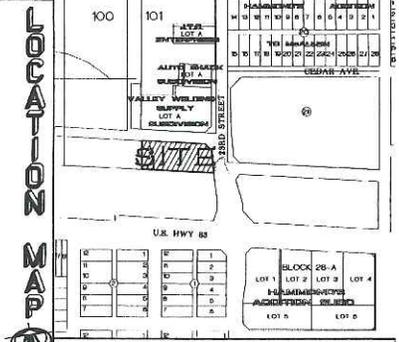


July 10-2015
11:40'

MAP OF BEECH COMMERCE

McAllen, Texas

BEING A SUBDIVISION OF A 0.835 AC. TRACT OF LAND OUT OF LOT 101, BLOCK 2, C.E. HAMMONDS SUBDIVISION, Hidalgo County, Texas; according to plat recorded in vol. 1, page 8, Map Records Hidalgo County, Texas



Prepared by:
Spoor Engineering Consultants, Inc.
FIRM # F-8003
Consulting Engineers - Civil Land Planning
328 South 4th Street
McAllen, Texas 78501
TEL. (956) 683-1000 FAX (956) 683-1002
spooreng@sbcglobal.net

STATE OF TEXAS
COUNTY OF HIDALGO

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

Absolute Premium Death, LLC
a Texas Limited Liability Company

By: Laura E. Kattenberg, Manager
908 S. Shary Road, Suite 140
Mission, Texas 78574

STATE OF TEXAS
COUNTY OF HIDALGO

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

NOTARY PUBLIC DATE

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

CHAIRMAN, PLANNING COMMISSION DATE

STATE OF TEXAS
COUNTY OF HIDALGO

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR # 4608 IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE AND IS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

CARLOS VASQUEZ, IRLS # 4608
CIVIL LAND SURVEYORS
57 BEALMONT ST.
McALLEN, TEXAS 78501

STATE OF TEXAS
COUNTY OF HIDALGO

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

REGISTERED PROFESSIONAL ENGINEER
P. E. REGISTRATION No. 56752

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

MAYOR, CITY OF McALLEN DATE

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 HEREBY CERTIFIES THAT THE DRAINAGE PLANS FOR THIS SUBDIVISION COMPLY WITH THE MINIMUM STANDARDS OF THE DISTRICT ADOPTED UNDER TEX. WATER CODE 4926(a) THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES DESCRIBED ARE APPROPRIATE FOR THE SPECIFIC SUBDIVISION BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA. IT IS THE RESPONSIBILITY OF THE DEVELOPER OF THE SUBDIVISION AND HIS ENGINEER TO MAKE THESE DETERMINATIONS.

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1
BY: _____

RECEIVED
DATE JUL 15 2015
BY: _____

NOTES:

- MINIMUM BUILDING SETBACK SHALL BE AS FOLLOWS:
A. FRONT - 50' OR GREATER FOR APPROVED SITE PLAN
B. OTHERS - IN ACCORDANCE WITH ZONING ORDINANCE OR GREATER FOR APPROVED SITE PLAN OR EASEMENT
- MINIMUM FINISH FLOOR ELEVATION SHALL BE 18 INCHES ABOVE TOP OF CURB MEASURED AT CENTER OF LOT.
- THIS PROPERTY FALLS IN ZONE "B" OF THE FLOOD INSURANCE RATE MAP, PANEL NO. 480 343 0005 C, REVISED NOVEMBER 2, 1982.
- A 6' BUFFER OPAQUE IS REQUIRED FROM ADJACENT/BETWEEN MULTIFAMILY RESIDENTIAL AND COMMERCIAL OR INDUSTRIAL ZONES/USES. AN 8' MASONRY WALL IS REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL OR MULTI-FAMILY RESIDENTIAL ZONES/USES.
- 4' SIDEWALK REQUIRED ALONG N. 23RD ST. AND BEECH AVE.
- BENCHMARK- STATION NAME: MC 77 SET BY ARANDA & ASSOC. LOCATED AT THE NORTH-WEST CORNER OF N. 23rd ST. AND MILE 9 RD. ELEV.- 126.53 FT (NAVD83)
- OWNER IS REQUIRED TO PROVIDE AN ENGINEERED STORM WATER DETENTION PLAN APPROVED BY THE CITY OF McALLEN ENGINEERING DEPT. PRIOR TO ISSUANCE OF BUILDING PERMIT.
- STORM WATER DETENTION OF 0.10 AC-FT IS REQUIRED FOR THIS SUBDIVISION.
- SITE PLAN APPROVAL IS REQUIRED FROM PLANNING & ZONING COMMISSION PRIOR TO BUILDING PERMIT ISSUANCE.

METES & BOUNDS

A 0.835 ACRE TRACT OF LAND OUT OF LOT 101, BLOCK 2, C.E. HAMMONDS SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO PLAT RECORDED IN VOLUME 1, PAGE 8, MAP RECORDS, HIDALGO COUNTY, TEXAS

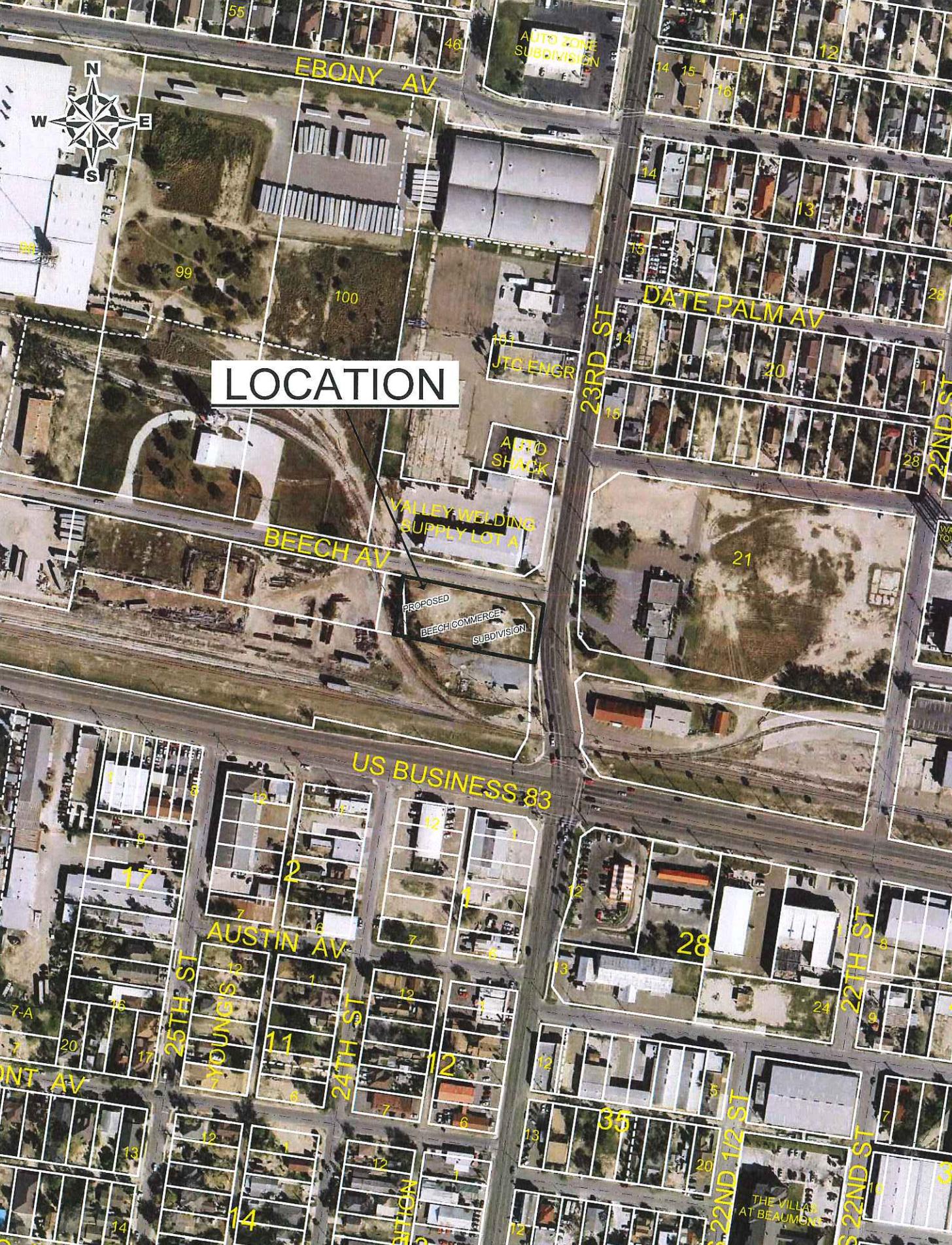
BEGINNING at the Southeast corner of Lot 101, for the Southeast corner of the following described tract of land, said point being on the West line of North 23rd Street (FM 5235), THENCE, with the South line of Lot 101, North 78 Deg, 28 Min, West, 297.40 feet to the most southerly Southwest corner of Lot 101, for the Southwest corner hereof.
THENCE, with the most easterly west line of Lot 101, North 08 Deg, 42 Min, 30 Sec, East, 122.50 feet to a point on the South line of Beech Avenue, for the Northeast corner hereof.
THENCE, with the South line of Beech Avenue, South 78 Deg, 28 Min, East, at 262.4 feet pass the West line of North 23rd Street, and at 297.40 feet a point on the East line of Lot 101, for the Northeast corner hereof.
THENCE, with the East line of Lot 101, in North 23rd Street, South 08 Deg, 42 Min, 30 Sec, West, 122.50 feet to the POINT OF BEGINNING, Containing 0.835 acres of land, more or less.


City of McAllen
SUBDIVISION PLAT REVIEW

Reviewed On: 7/30/2015

SUBDIVISION NAME: BEECH COMMERCE	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
N. 23rd Street: 25 ft. ROW dedication required for 50 ft. from centerline for 100 ft. ROW Paving: by the state Curb & gutter: by the state	Non-compliance
Beech Avenue: 5 ft. ROW dedication required for 30 ft. from centerline for 60 ft. ROW Paving: 40 ft. Curb & gutter: both sides *Owner must escrow monies for improvements if not built prior to recording.	Non-compliance
* 800 ft. Block Length:	Compliance
* 600 ft. Maximum Cul-de-Sac:	NA
ALLEYS	
ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties	Non-compliance
SETBACKS	
* Front: N. 23rd Street - 50 ft. or greater for approved site plan or easements	Non-compliance
* Rear: in accordance with the Zoning Ordinance, or greater for approved site plan or easements	Compliance
* Interior Side: in accordance with the Zoning Ordinance, or greater for approved site plan or easements	Compliance
* Corner: Beech Avenue - 30 ft. or greater for approved site plan or easements	Non-compliance
* Garage: 18 ft. except where greater setback is required; greater setback applies.	NA
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
SIDEWALKS	
* 4 ft. wide minimum sidewalk required on N. 23rd Street and Beech 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: I-1 Proposed: commercial	Compliance
* Rezoning Needed Before Final Approval	NA
PARKS	
* Land dedication in lieu of fee:	NA
* Park Fee of \$700 per dwelling unit is required to be paid prior to recording	NA
* Pending review by the Parkland Dedication Advisory Board and CC.	NA
TRAFFIC	
* Trip Generation to determine if TIA is required, prior to final plat.	Non-compliance
* Traffic Impact Analysis (TIA) required prior to final plat.	TBD
COMMENTS	
Comments: *Plat must comply with the City's Access Management Policy. **ROW clip as may be needed at the street intersection.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM SUBJECT TO THE CONDITIONS NOTED, AND UTILITY & DRAINAGE APPROVALS.	Applied



LOCATION

EBONY AV

DATE PALM AV

BEECH AV

US BUSINESS 83

AUSTIN AV

YOUNG ST

25TH ST

24TH ST

23RD ST

22ND ST

22ND 1/2 ST

S 22ND ST

AUTO ZONE SUBDIVISION

JTC ENGR

AUTO SHACK

VALLEY WELDING SUPPLY LOT A

PROPOSED BEECH COMMERCE SUBDIVISION

THE VILLAS AT BEAUMONT



Sub 2015-0047



City of McAllen
Planning Department
APPLICATION FOR

SUBDIVISION PLAT REVIEW

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

Project Description

Subdivision Name Las Villas Del Rio
Location East side of Taylor Ro. - Approx. 500' South of Colbath
City Address or Block Number _____
Number of lots 96 Gross acres 18.50 Net acres 17.90
Existing Zoning R-3T Proposed R-3T Rezoning Applied For Yes No Date _____
Existing Land Use vacant Proposed Land Use Residential Irrigation District # _____
Residential Replat Yes No Commercial Replat Yes No ETJ Yes No
Agricultural Tax Exemption Yes No Estimated Rollback tax due \$105,000
Legal Description Approximately 18.5 acres out of Lot 167,
John H. Shang Subdivision

Owner

Name Norman E Powell, JR Phone _____
Address P.O. Box 383 (SEE ATTACHED DOCUMENTS)
City McAllen State TX Zip 78505
E-mail _____

Developer

Name Las Villas Del Rio Dev. Co., LLC Phone (956) 213-8244
Address P.O. Box 610
City McAllen State TX Zip 78505
Contact Person Joseph Holand
E-mail jwholand@verturointerests.com

Engineer

Name Melden & Hunt, Inc. Phone (956) 381-0981
Address 115 W. Mc Intyre St.
City Edinburg State TX Zip 78541
Contact Person FRED KURTH
E-mail fkurth@meldenandhunt.com

Surveyor

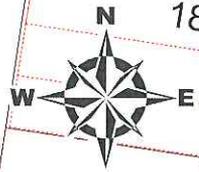
Name Melden & Hunt, Inc. Phone (956) 381-0981
Address 115 W. Mc Intyre St.
City Edinburg State TX Zip 78541
E-mail fkurth@meldenandhunt.com

RECEIVED
JUL 17 2015

BY: (Signature)
RC # 304300 # 380

TAYLOR EXPRESSWAY
COMMERCIAL SUB.

LOCATION



SHARYLAND PLACE SUBDIVISION

U.S. 83 EXP

166



156

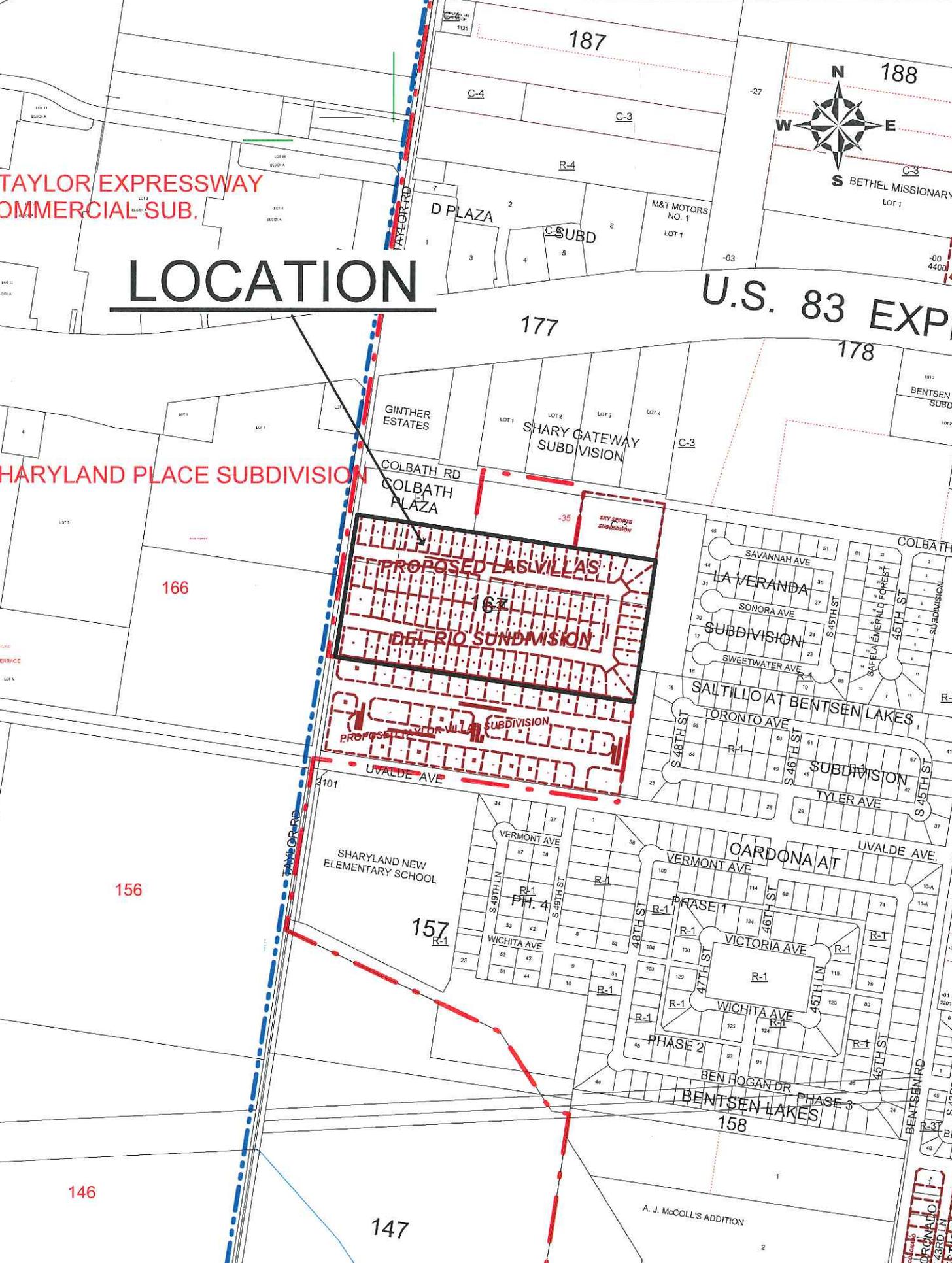
SHARYLAND NEW
ELEMENTARY SCHOOL

157

146

147

A. J. McCOLL'S ADDITION



COLBATH AVE.

P.O.C.
N: XXXXXXXX.XXXX
E: XXXXXXXX.XXXX

P.O.B.
N: XXXXXXXX.XXXX
E: XXXXXXXX.XXXX

LOT 1
COLBATH PLAZA SUBDIVISION
REC. IN VOL. 48, PG. 140, H.C.M.R.

SHIN FOUNDATION I, LTD (7.49 AC.)
REC. IN DOC. No 928321, H.C.O.R.
OUT OF LOT 167,
JOHN H. SHARY SUBDIVISION
REC. IN VOL. 1, PG. 17, H.C.M.R.

N: XXXXXXXX.XXXX
E: XXXXXXXX.XXXX

12' ONE WAY ACCESS AND UTILITY EASEMENT, VOL. 48, PG. 140, H.C.M.R.

S81° 19' 00"E 1320.00'

SWEETWATER AVENUE (60.00' R.O.W.) PRIVATE RD.

180.00' H.C.D.D. #1 R.O.W.
RADO DRAIN DITCH
VOL. 2762, PG. 609,
H.C.D.R.

N08° 41' 00"E 610.55' TAYLOR RD

S08° 41' 00"W 610.55'

TORONTO AVENUE (60.00' R.O.W.) PRIVATE RD.

49TH ST (50.00' R.O.W.) PRIVATE RD.

48TH ST (60.00' R.O.W.) PRIVATE RD.

SCALE:
1 INCH = 100 FEET

MAP OF
LAS VILLAS DEL RIO
BEING RESUBDIVISION OF 18.50 ACRES
OUT OF LOT 167, JOHN H. SHARY SUBDIVISION,
RECORDED IN VOLUME 1, PAGE 17,
HIDALGO COUNTY, MAP RECORDS,
CITY OF McALLEN, HIDALGO COUNTY, TEXAS

N81° 19' 00"W 1320.00'

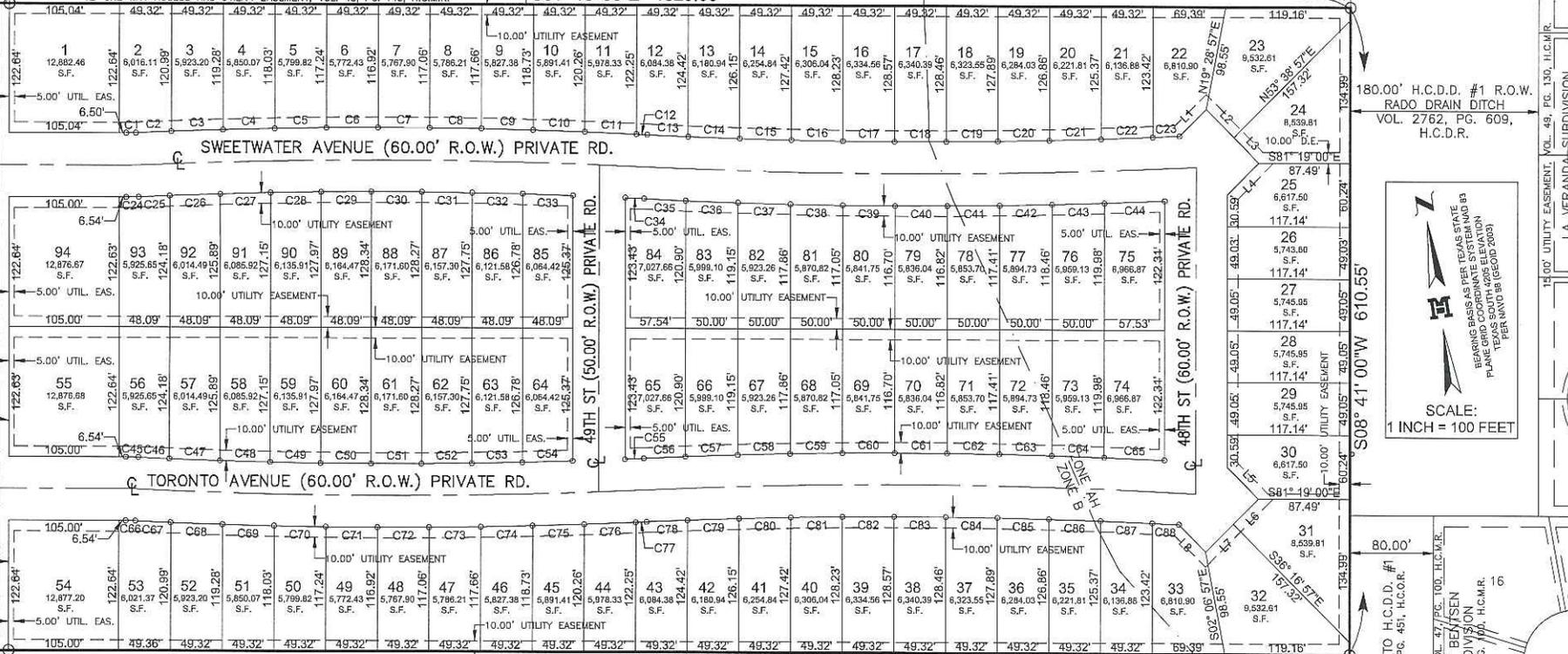
SHIN FOUNDATION I, LTD (12.50 AC.)
REC. IN DOC. No 928321, H.C.O.R.
OUT OF LOT 167,
JOHN H. SHARY SUBDIVISION
REC. IN VOL. 1, PG. 17, H.C.M.R.

80.00'
EASEMENT TO H.C.D.D. #1
REC. IN VOL. 2726, PG. 451, H.C.O.R.

100' UTILITY EASEMENT VOL. 47 PG. 100, H.C.M.R.

SALTILLO AT BEVISEN
LAKE SUBDIVISION
REC. IN VOL. 47, PG. 100, H.C.M.R.

RECEIVED
JUL 30 2015
BY: [Signature] 4:23pm




City of McAllen
SUBDIVISION PLAT REVIEW

Reviewed On: 7/30/2015

SUBDIVISION NAME: LAS VILLAS DEL RIO**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

Interior Streets (proposed as private): 60 ft. ROW required

Paving: 40 ft. Curb & gutter: both sides

*Private streets must comply with and be built according to City standards.

**Project engineer to label ROW widths on the plat to verify compliance.

* 800 ft. Block Length: At the City Commission meeting of July 13, 2015, the City Commission granted a variance to allow the block lengths to exceed 800 ft. without a cross street.

Complete

* 600 ft. Maximum Cul-de-Sac:

NA

ALLEYS

ROW: 20 ft. Paving: 16 ft.

*Alley/service drive easement as may be needed per the Public Works Department for city services.

TBD

SETBACKS

* Front: 20 ft. or greater for easements

Compliance

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

Non-compliance

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

Compliance

* Corner: 10 ft. or greater for easements

Non-compliance

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

Non-compliance

*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS

Applied

SIDEWALKS

* 4 ft. wide minimum sidewalk required on S. Taylor Road 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.

Non-compliance

* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.

Compliance

*Perimeter buffers must be built at time of Subdivision Improvements.

Applied

NOTES	
* No curb cut, access, or lot frontage permitted along S. Taylor Road.	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 - REGARDING MAINTENANCE OBLIGATIONS.	Applied
LOT REQUIREMENTS	
* Lots fronting public streets: Interior Streets proposed as private and shall be built according to City standards.	Applied
* Minimum lot width and lot area:	Compliance
ZONING/CUP	
* Existing: R-3T Proposed: R-3T **Annexation and Initial Zoning (R-3T) approved by the City Commission at their meeting of June 8, 2015.	Complete
* Rezoning Needed Before Final Approval	Complete
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	
Comments: *Project engineer to submit gate detail for staff review to ensure compliance with the standard design guide. **Must comply with Fire department requirements, such as fire apparatus access and spacing of secondary access. ***Plat must comply with the City's Access Management Policy.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM SUBJECT TO THE CONDITIONS NOTED, AND UTILITY & DRAINAGE APPROVALS.	Applied

LOCATION



187

188

177

U.S. 83 EXP

178

167

PROPOSED LAS VILLAS DEL RIO SUBDIVISION

UVALDE AVE

157

158

147

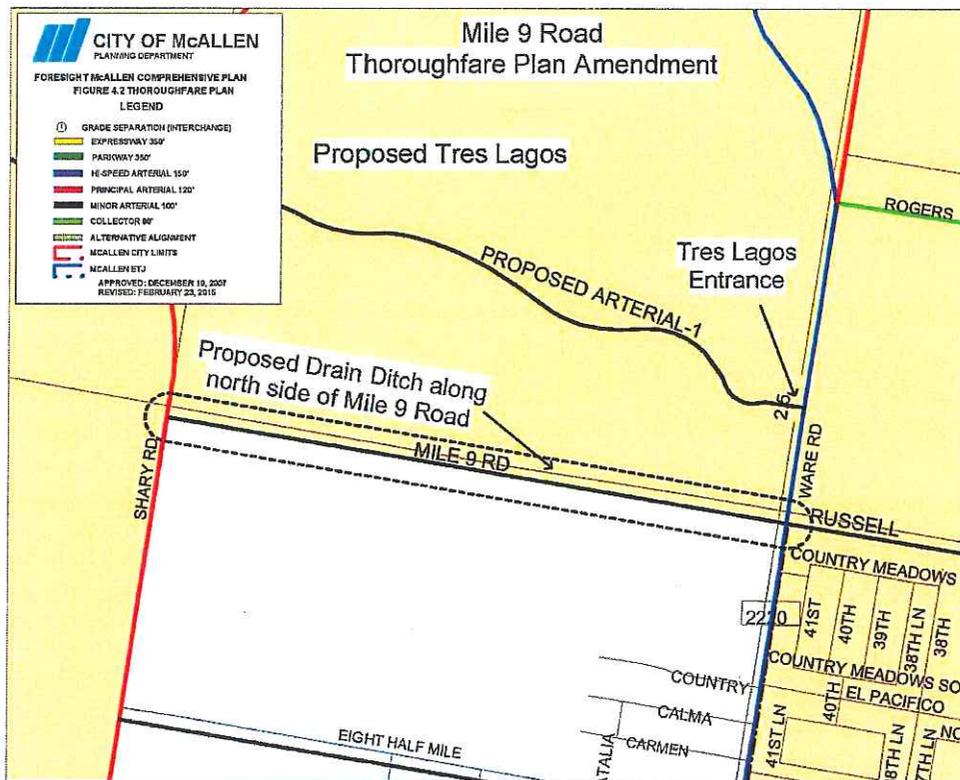
A. J. MCCOLL'S ADDITION

AMENDMENT TO FORESIGHT MCALLEN COMPREHENSIVE PLAN: FIGURE 4.2 THOROUGHFARE PLAN; CHANGING MILE 9 ROAD FROM WARE ROAD TO SHARY ROAD FROM A MINOR ARTERIAL WITH 100 FEET OF RIGHT-OF-WAY TO A MINOR COLLECTOR WITH 60 FEET OF RIGHT-OF-WAY.

LOCATION: The amendment to the Thoroughfare Plan is located along Mile 9 Road between Ware Road and Shary Road.

PROPOSAL: The applicant is proposing to change Mile 9 Road from a minor arterial to a minor collector since the Thoroughfare Plan was previously amended for the Tres Lagos Master Plan Community that provided a minor arterial approximately 880 feet north of Mile 9 Road as the main entrance to Tres Lagos. The applicant has indicated that the property owner on the northeast corner of Mile 9 Road (a/k/a Russell Road) has been contacted concerning realigning 9 Mile Road east of Ware Road to intersect with the proposed entrance to Tres Lagos. A drainage ditch is proposed along the north side of Mile 9 Road from Ware Road to Shary Road as part of the Tres Lagos master plan. The applicant is proposing a minor collector with 60 feet of right-of-way to service the south side of Mile 9 Road.

ADJACENT ZONING: Adjacent zoning is A-O (agricultural-open space) District to the northeast and R-1 (single family residential) District to the north and southeast. Adjacent area to the south is located outside the city limits.



LAND USE: Surrounding land uses are farmland, single family residential on rural tracts.

THOROUGHFARE PLAN: The Foresight McAllen Thoroughfare Plan currently shows Mile 9 Road as a minor arterial between Ware Road and Shary Road. Mile 9 Road ends on the west end at Shary Road. A proposed arterial is located approximately 880 feet north of Mile 9 Road at the entrance of the Tres Lagos Master Planned Community. The Thoroughfare Plan shows a grid of east-west and north-south arterial's at 1 mile spacing.

DEVELOPMENT TRENDS: Thoroughfare Plan amendments were approved on February 23, 2015 to modify the Thoroughfare Plan as part of the Tres Lagos Master Planned Community. A minor arterial was approved for the entrance of Tres Lagos approximately 880 feet north of Mile 9 Road. The proposed arterial winds through the Tres Lagos development and provides east-west access between Ware Road and Cantu Road (FM 2993). Mile 9 Road ends on the west end at Shary Road. A drainage ditch is proposed along the north side of Mile 9 Road between Ware Road and Shary Road. The applicant has contacted the property owner to the northeast of Mile 9 Road and Ware Road to realign Mile 9 Road to connect with the proposed Tres Lagos entrance that will provide a continuous east-west arterial.

ANALYSIS: The proposed Thoroughfare Plan amendment is consistent with the Tres Lagos Master Planned Community that provides an east-west arterial through the Tres Lagos development. A proposed drainage ditch along the north side of Mile 9 Road and the proposed development layout of Tres Lagos eliminates any access to Mile 9 Road from the north side. The realignment of Mile 9 Road (a/k/a Russell Road) east of Ware Road to the entrance of Tres Lagos eliminates through arterial traffic onto Mile 9 Road between Ware Road and Shary Road. The tract fronting along the south side of Mile 9 Road between Ware and Shary Road comprises 146.1 acres. The future land use plan for the tract along the south side of Mile 9 Road is Suburban Residential with a density of 2.2 dwelling units per acre or approximately 321 dwelling units. A minor collector with 60 feet of right-of-way, 42 feet of pavement and sidewalks is adequate to provide access and movement for the south side of Mile 9 Road between Ware and Shary Road.

The Planning Department received several phone calls regarding information on the proposed amendment but no one spoke in opposition to the amendment.

RECOMMENDATION:

Staff recommends approval of the Thoroughfare Plan amendment.



TBPE Firm # F-1435
TBPLS # 10096900

MELDEN & HUNT INC.

CONSULTANTS • ENGINEERS • SURVEYORS
FRED L. KURTH • ALLAN F. BOOE • KELLEY A. HELLER-VELA • ROBERT TAMEZ

July 7, 2015

Mr. Ed Taylor
City of McAllen
1300 Houston Avenue
McAllen, Texas 78501

Re: Mile 9 ROW Between Ware Road and Shary Road
McAllen Foresight McAllen Comprehensive Plan – Thoroughfare Plan

Dear Ed,

As discussed, the City of McAllen Foresight McAllen Comprehensive Plan – Thoroughfare Plan shows Mile 9 between Ware Road and Shary Road as a proposed Minor Arterial with 100 feet of ROW. Existing ROW is 40 feet – 20 feet either side of the original lot line. As you are aware, the Tres Lagos Master Plan plans to align Mile 9 with the main entrance to Tres Lagos approximately 880 feet north of the current Mile 9. We have coordinated with the land owner to the east of Ware Road and he is excited to align with the new location of Mile 9.

We request consideration to revise the Foresight McAllen Thoroughfare Plan to have the existing Mile 9 between Ware Road and Shary Road be 60 feet – 30 feet either side of the original lot line. There are large tracks of residential home sites along the south side of this road and a drainage ditch is planned along the north side.

Please place on earliest available P&Z/City Commission scheduled meetings.

Sincerely,

MELDEN & HUNT, INC.

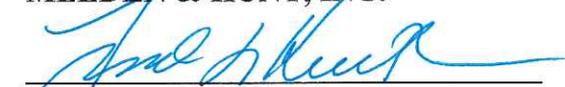
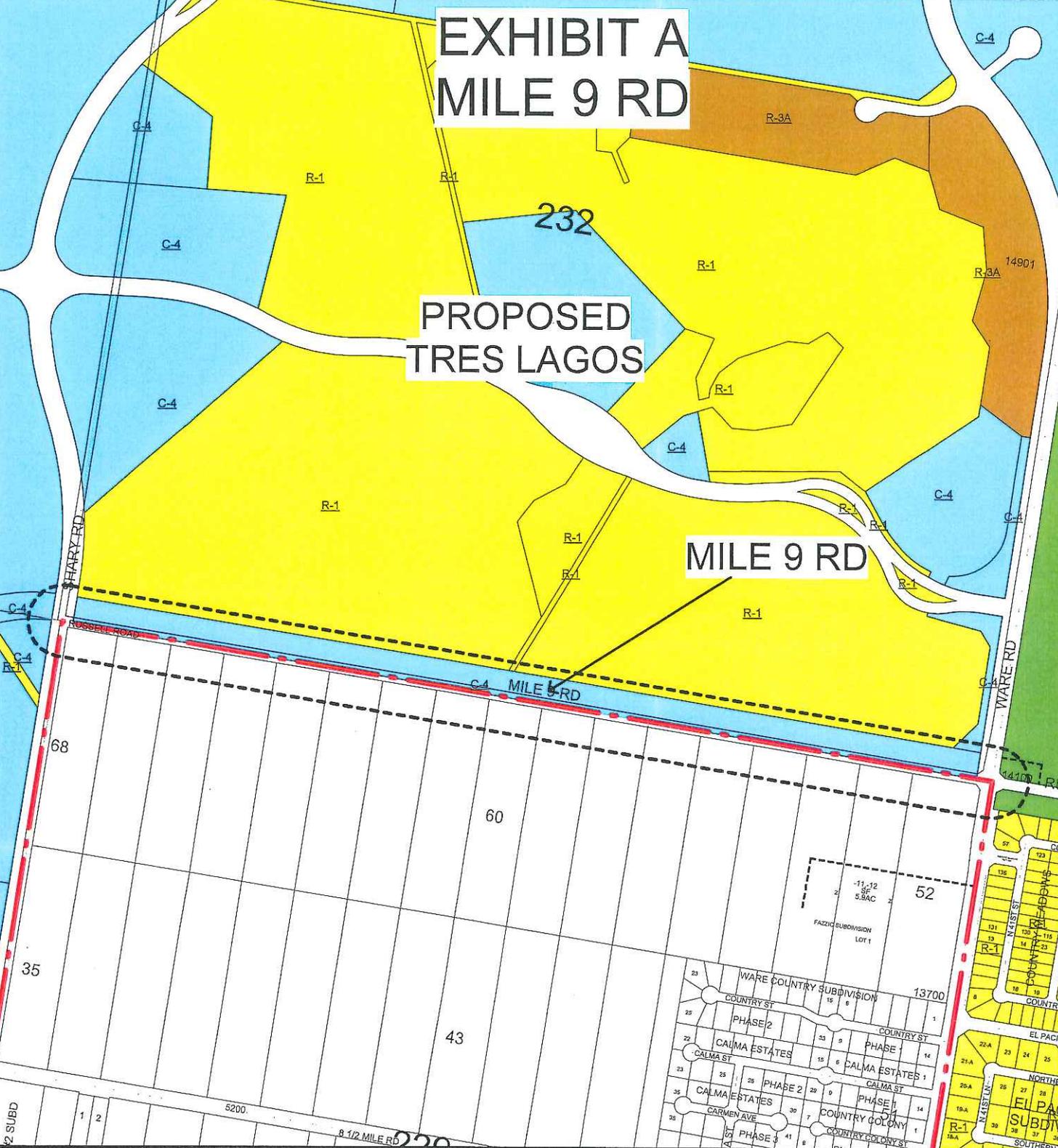

By: Fred L. Kurth, P.E., and R.P.S.
President



EXHIBIT A MILE 9 RD

PROPOSED
TRES LAGOS

MILE 9 RD



CITY OF McALLEN
PLANNING DEPARTMENT

AREA MAP

4

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 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.

EXHIBIT A MILE 9 RD

232

PROPOSED TRES LAGOS

MILE 9 RD

MILE 9 RD

68

60

52

35

43

229



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 ¼ 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.

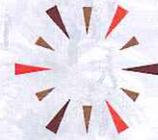
Fred L. Kurth
FRED L. KURTH, R.P.L.S. #4750 DATE: 1-5-15



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

*To be awarded JBA
Hold for redemption*

RECEIVED
JAN 06 2015
BY: *RB*



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

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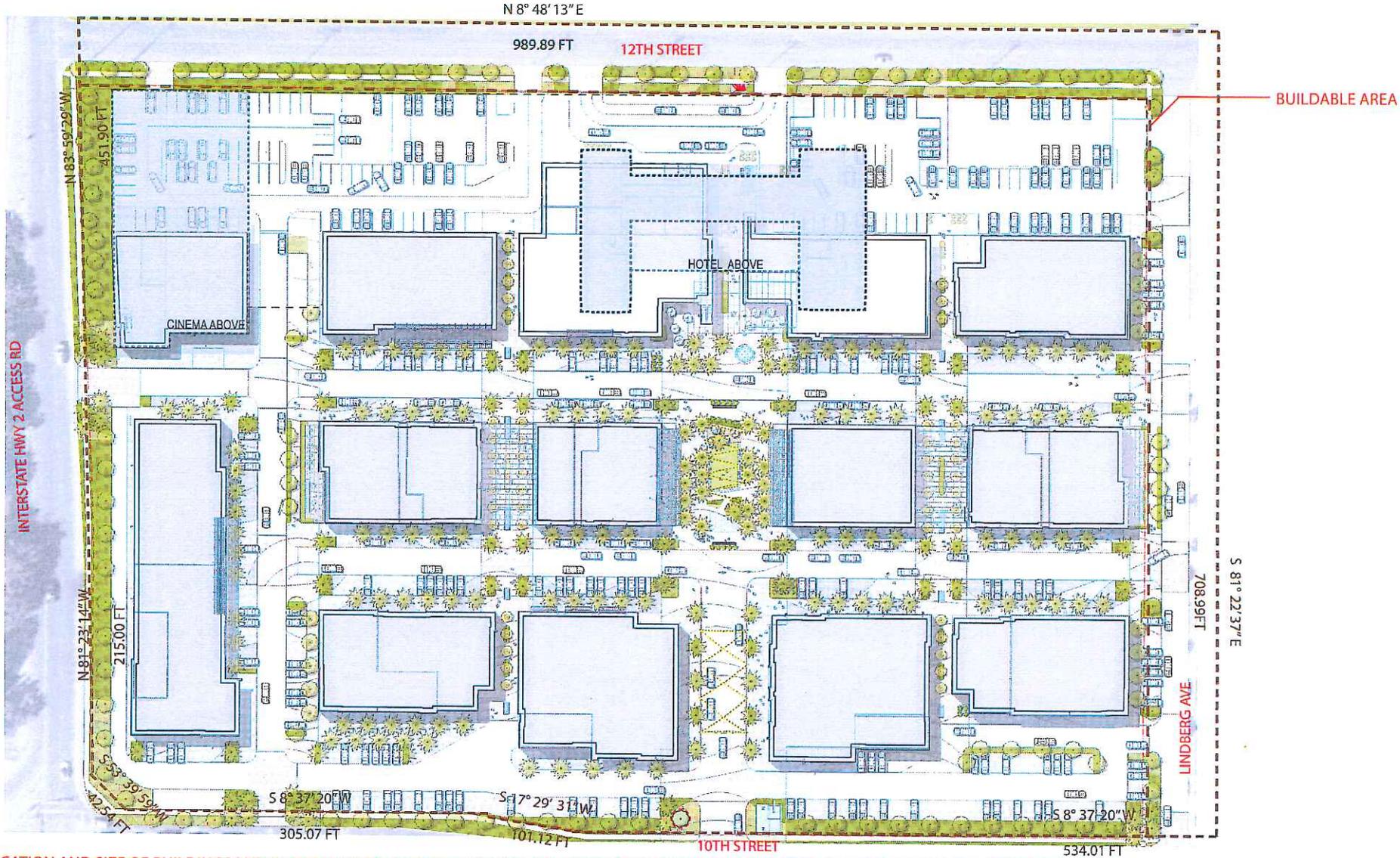


EXHIBIT B

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

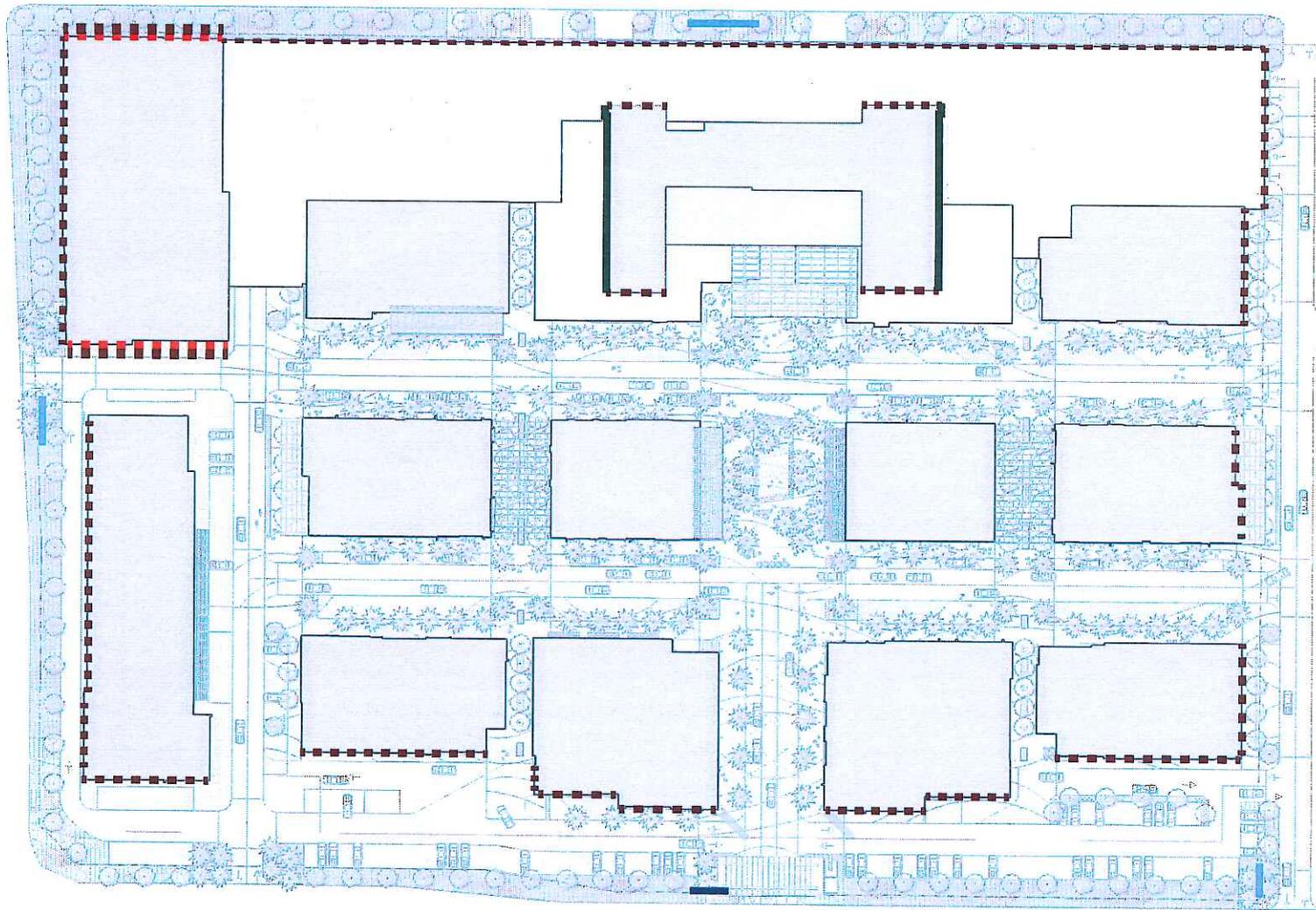
Palo Verde @ 6 inch caliper (4 credits) – 48 trees = 192 tree credits

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

Tepehuaje Tree existing treet - 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

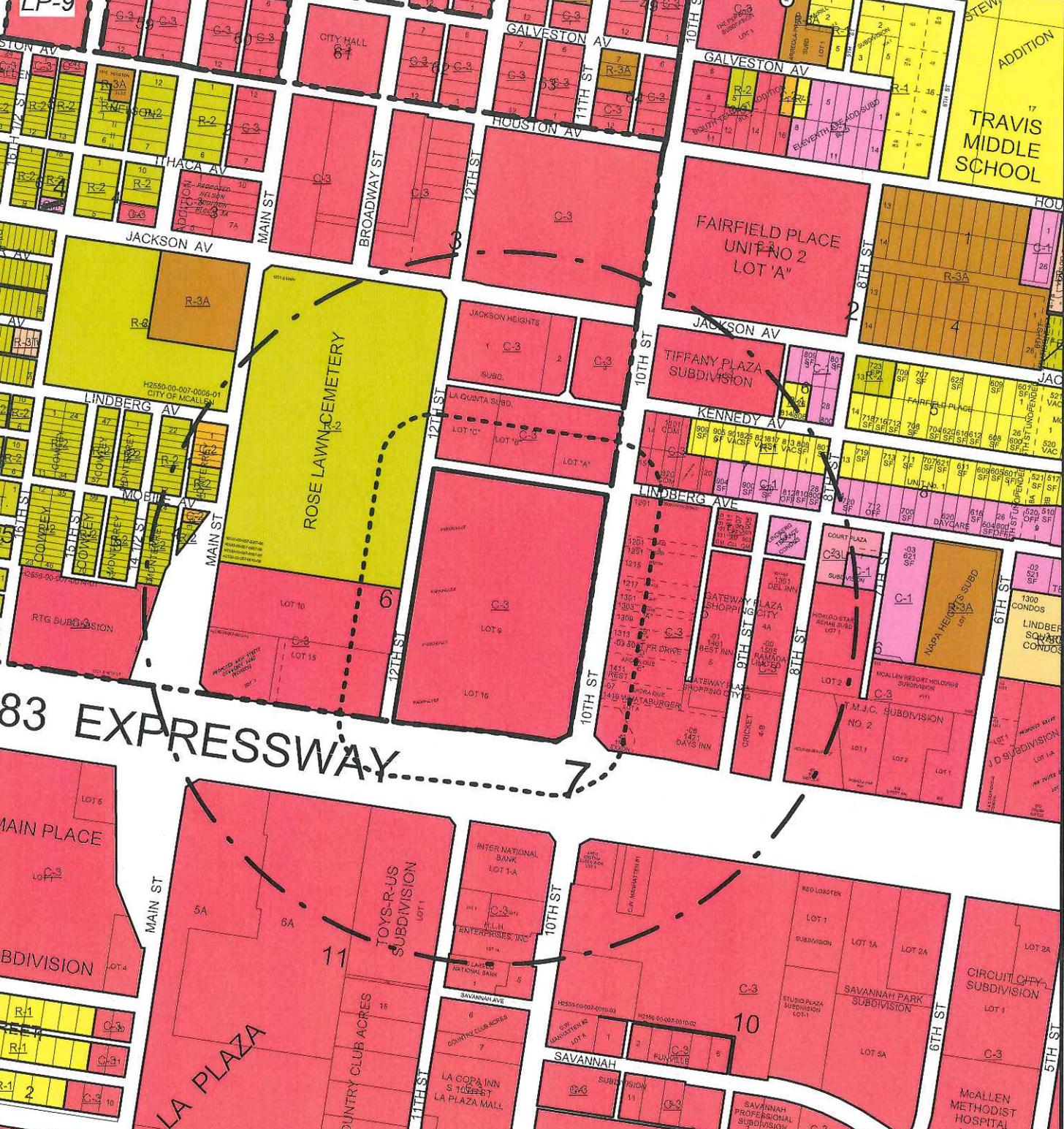
Jim Darling, Mayor

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 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.



ROSE LAWN CEMETERY

FAIRFIELD PLACE
UNIT NO 2
LOT 'A'

TIFFANY PLAZA
SUBDIVISION

KENNEDY AV

LINDBERG AVE

GATEWAY PLAZA
SHOPPING CITY

GATEWAY PLAZA
SHOPPING CITY 2

TOYS-R-US
SUBDIVISION

INTERNATIONAL
BANK
LOT 1-A

H.L.H.
ENTERPRISES, INC

RED LOBSTER
SUBDIVISION

STUDIO PLAZA
SUBDIVISION
LOT 1



CITY OF McALLEN
PLANNING DEPARTMENT

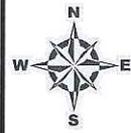
AERIAL MAP
SCALE: N.T.S.



SUBJECT PROPERTY



200 FT. NOTIFICATION BOUNDARY



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

NOTICE
PLANNED DEVELOPMENT
For
This Property
CUP2015-0003

 City of McAllen Planning Dept 651-1250
www.mcallen.net



Memo

TO: Planning and Zoning Commission

FROM: Planning Staff 

DATE: July 30, 2015

SUBJECT: REQUEST OF ADRIANA FOX FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, FOR A GUEST HOUSE AT LOT 73, FAIRWAY GRANDE #2 SUBDIVISION; 408 EAST NASSAU AVENUE.

GOAL:

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

DESCRIPTION:

The property is located on the south side of east Nassau Avenue, approximately 130 ft. east of Casa Linda Street, and is zoned R-1 (single family residential) District. The adjacent zoning is R-1 District to the north and east, and R-3T (townhouses) District to the west and south. Surrounding land uses include single family residences, McAllen Country Club, and vacant land.

REQUEST/ANALYSIS:

Currently, there is an existing one story brick residence with a garage at the rear on the property. The applicant is proposing to construct a 484 sq. ft. guest house as a second floor above the garage. The guest house consist of one bedroom, one bath, and one closet. The guest house will serve as an accessory use to the existing main house, and will share the existing driveway and utilities with the main residence.

The required setbacks are 10 ft. rear, 6 ft. on the sides, and 25 ft. on the front. The site plan submitted shows the guest house in compliance with the required setbacks including the rear setback of 10 ft. from the property line. Staff has received calls from surrounding neighbors with concerns with the guest house and expressed opposition.

A guest house is permitted in an R-1 zone with a conditional use permit. A guest house is an accessory building designed for the temporary occupancy of guests of the primary dwelling for which there is no remuneration. Required setbacks and a 12 ft. separation must be met. The guest house must meet the requirements set forth in Section 138-118(5) of the Zoning Ordinance and specific requirements as follows:

- 1) Only one guest house shall be permitted on the property;
- 2) The proposed use shall comply with setback requirements. Required setbacks and building separation are being met;
- 3) The proposed use shall be connected to the same utilities as the primary residence. The guest house will share the utilities with the primary residence;
- 4) Lot size must be a minimum 8,000 sq. ft. The subject property is approximately 9,200 sq. ft.;
- 5) Separate driveways or garages for the proposed use shall not be permitted. The guest house will be utilizing the existing driveway;
- 6) The proposed use shall not be rented; and
- 7) The permit shall be revoked if rent is paid or utility expenses are shared with the proposed use.

OPTIONS:

1. Approve the conditional use permit, for the life of the use.
2. Approve the conditional use permit, for one year only.
3. Table the item for additional information.
4. Disapprove the request.

RECOMMENDATION:

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



CITY OF McALLEN
PLANNING DEPARTMENT

AERIAL MAP
SCALE: N.T.S.

 SUBJECT PROPERTY

 200 FT. NOTIFICATION BOUNDARY



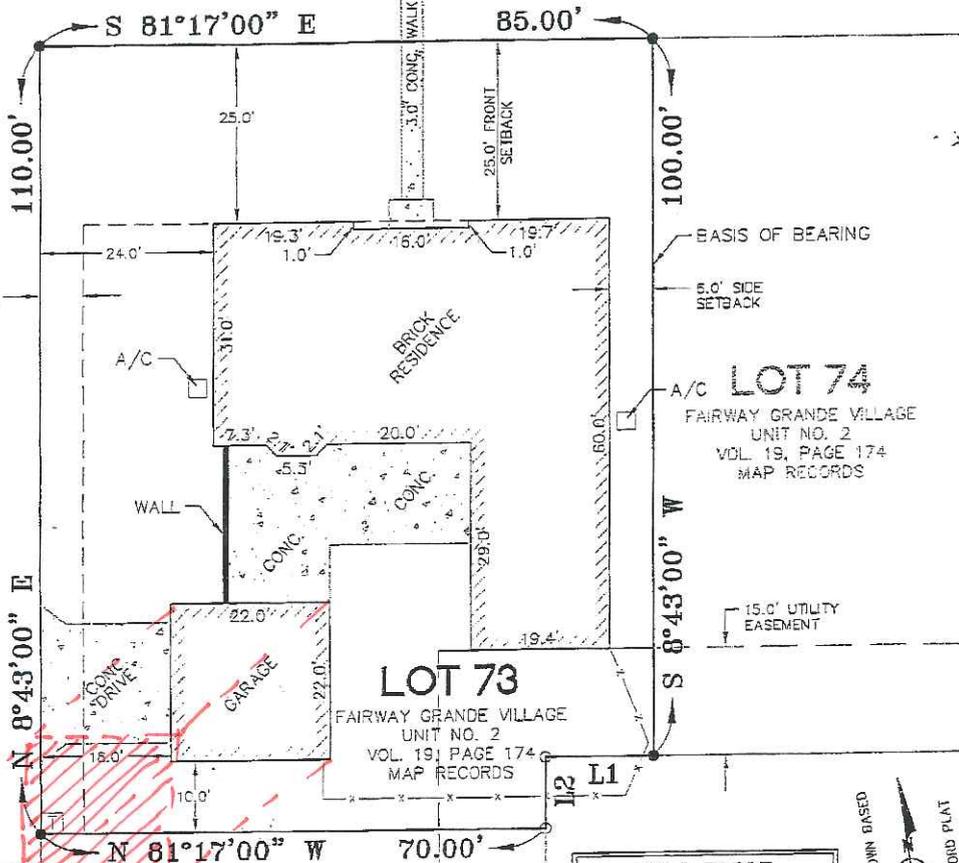
on ground survey and represent approximate relative location of property boundaries.

C. OF E. NASSAU AVE.

(50' R.O.W.)

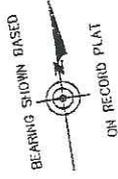
B.O.C.

B.O.C.



Proposed 2nd floor Bedroom

LINE TABLE		
NO.	LENGTH	BEARING
L1	15.00'	N 81°17'00" W
L2	10.00'	S 8°43'00" W



SCALE: 1" = 20'

THE FOLLOWING EASEMENTS AFFECT THIS PROPERTY

- A.) STATUTORY RIGHTS, RULES, REGULATIONS, EASEMENTS AND LIENS IN FAVOR OF HIDALGO COUNTY IRRIGATION DISTRICT NO. 2, PURSUANT TO APPLICABLE SECTIONS OF THE TEXAS WATER CODE. (BLANKET)
- C.) EASEMENT AND RIGHT OF WAY GRANTED TO CENTRAL POWER AND LIGHT COMPANY FOR UNDERGROUND ELECTRIC SEWERAGE LATERAL TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS AS REFLECTED ON THE MAP OR PLAT THEREOF RECORDED IN VOLUME 19, PAGE 174, MAP RECORDS, HIDALGO COUNTY, TEXAS.
- J.) CONTRACT, EASEMENT AND USE RESTRICTION ENTERED INTO BY AND BETWEEN CENTRAL POWER AND LIGHT COMPANY AND FAIRWAY GRANDE, INC., RECORDED IN VOLUME 1491, PAGE 965, DEED RECORDS, HIDALGO COUNTY, TEXAS.

NOTE:
6'x6' EASEMENT TO CENTRAL POWER & LIGHT CO. FOR TRANSFORMER SPACE, SPECIFIC LOCATION SHOWN IN MAP BY THIS SYMBOL. □

Principal Nov 29, 05

LEGEND	
○	SET 1/2 INCH IRON ROD
●	FD. 1/2 INCH IRON ROD
-x-x-	FENCE
B.O.C.	BACK OF CURB

PLAT SHOWING

LOT SEVENTY THREE (73), FAIRWAY GRANDE VILLAGE UNIT NO. 2, AN ADDITION TO THE CITY OF McALLEN, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 19, PAGE 174, MAP RECORDS OF HIDALGO COUNTY, TEXAS.

GF#: 052406833
ADDRESS: 408 E. NASSAU AVE.
McALLEN, TX 75503
SURVEYED: NOVEMBER 21, 2005
REQUESTED BY: SANDRA SAN MIGUEL

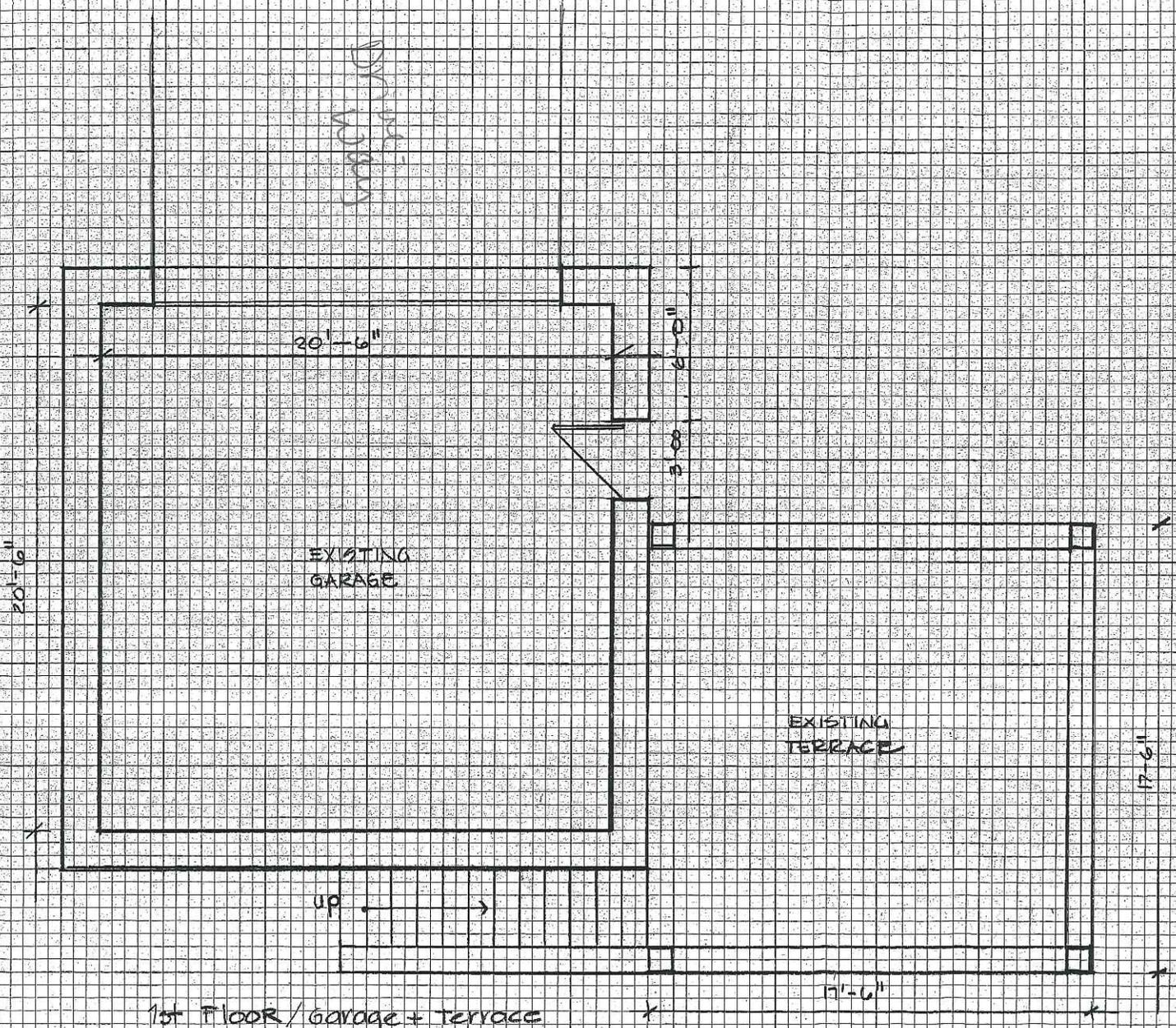
FLOOD ZONE DESIGNATION: ZONE "C"
COMMUNITY-PANEL NUMBER: 480343 0010 C
MAP REVISED: NOVEMBER 2, 1982

I, JOSE MARIO GONZALEZ, CERTIFY THAT THE ABOVE PLAT IS AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION AND THAT THERE ARE NO VISIBLE EASEMENTS OR ENCROACHMENTS EXCEPT AS SHOWN AND THAT ALL CORNERS HAVE BEEN LOCATED AS INDICATED.

Jose Mario Gonzalez
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5571



RIO DELTA SURVEYING
323 W. CANO, SUITE 101, EDINBURG TEXAS 78539
(TEL) 956-380-5154 (FAX) 956-380-5156
EMAIL: JMGONZALEZRPPLS@MSN.COM



20'-6"

20'-6"

EXISTING GARAGE

EXISTING TERRACE

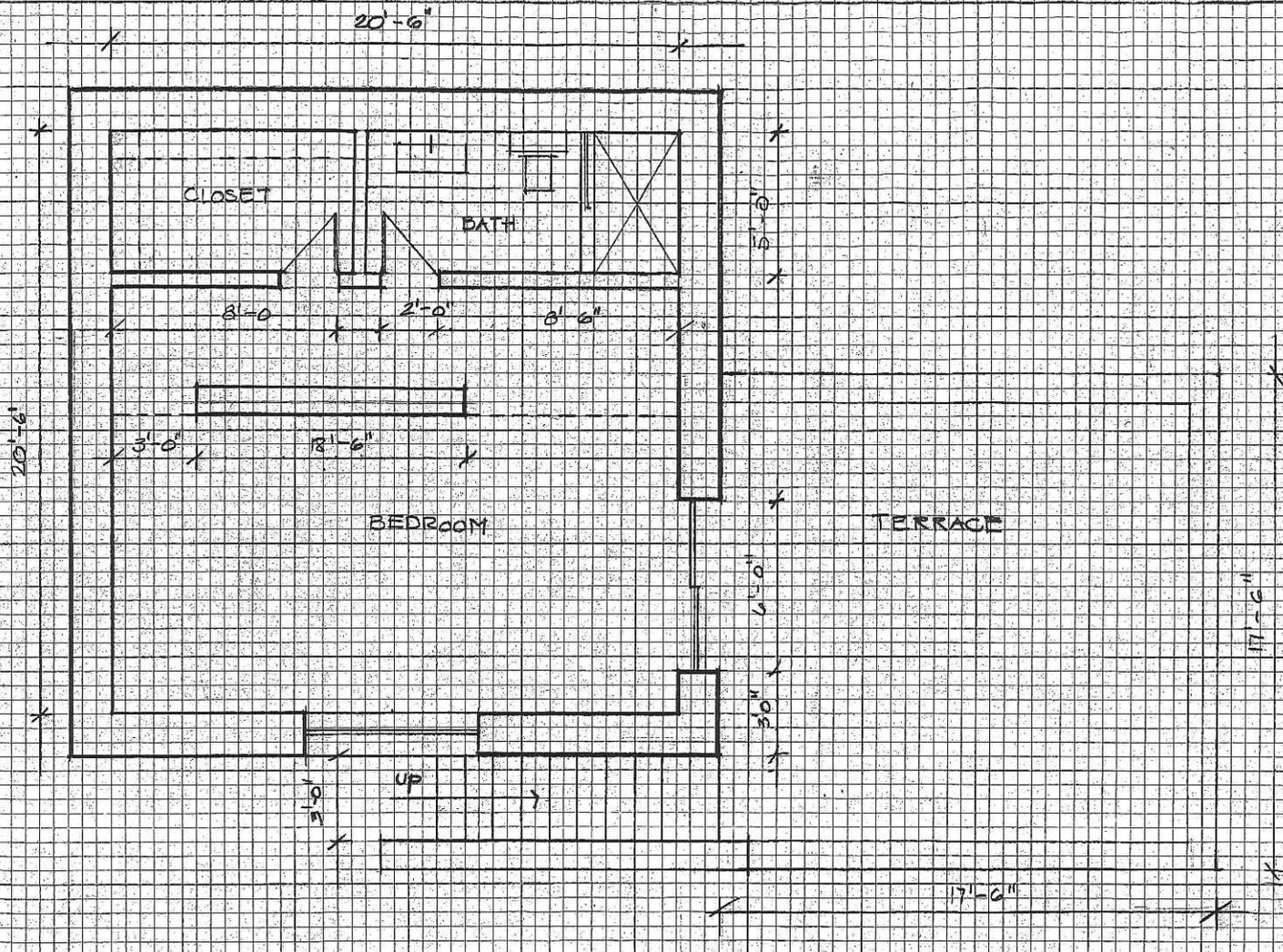
up →

17'-6"

17'-6"

1st Floor / Garage + Terrace

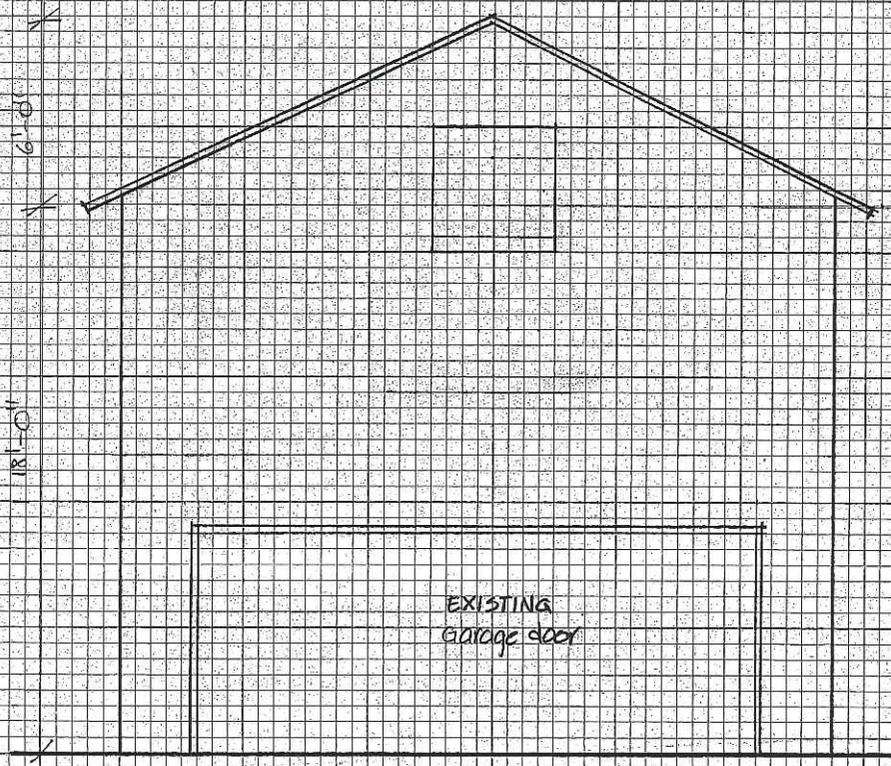
MR. + MRS. R. MARTINEZ
408 E. NASSAU AVE.
MCKENNA TX 78503
PROPOSED GARAGE.



2ND FLOOR / BEDROOM & Terrace

JUL 08 2015
 BY: *[Signature]*

MR + MRS R. MARTINEZ
 408 E. NASSAU AVE
 MCALLEN TX 78503
 PROPOSED 2ND FLOOR



front view

PREPARED BY
JUL 06 2016
BY *[Signature]*

MR + MRS MARTINEZ
48 E. NASSAU AVE
MEALON TX 78503
PROPOSED FRONT VIEW



NOTICE
GUEST HOUSE
For
This Property
CUP2015-0096

City of McAllen Planning Dept 681-1288
www.ci.mca.tx.us



Memo

TO: Planning and Zoning Commission

FROM: Planning Staff 

DATE: July 30, 2015

SUBJECT: REQUEST OF JULIO A. ORTIZ FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A GUEST HOUSE AT LOT A, TITO'S SUBDIVISION; 4721 NORTH BENTSEN ROAD.

GOAL:

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

DESCRIPTION:

The property is located on the west side of North Bentsen Road, approximately 540 ft. north of Buddy Owens Boulevard, and is zoned C-4 (commercial industrial) District. The adjacent zoning is A-O (agricultural & open space) District to the north and east, and C-4 District to the west and south. Surrounding land uses include single family residences, general commercial and industrial businesses, and vacant land.

REQUEST/ANALYSIS:

Currently, there is an existing one story brick residence and a metal garage with two access driveways on the property. The applicant is proposing to enclose and convert the metal garage for a guest house. The guest house will serve as an accessory use to the existing main house, and will share the existing driveway and utilities with the main residence. The required setbacks are 10 ft. rear, 6 ft. on the sides, and 40 ft. on the front. The site plan submitted shows a rear setback of 20 ft. from the property line with a 72 ft. building separation. Other setbacks are also in compliance with the minimum requirements.

A guest house is permitted in a C-4 zone with a conditional use permit. A guest house is an accessory building designed for the temporary occupancy of guests of the primary dwelling for which there is no remuneration. Required setbacks and a 12 ft. separation must be met. The guest house must meet the requirements set forth in Section 138-118(5) of the Zoning Ordinance and specific requirements as follows:

- 1) Only one guest house shall be permitted on the property;
- 2) The proposed use shall comply with setback requirements. Required setbacks and building separation are being met;
- 3) The proposed use shall be connected to the same utilities as the primary residence. The guest house will share the utilities with the primary residence;
- 4) Lot size must be a minimum 8,000 sq. ft. The subject property is approximately 43,400 sq. ft.;
- 5) Separate driveways or garages for the proposed use shall not be permitted. The guest house will be utilizing the existing driveways;
- 6) The proposed use shall not be rented; and
- 7) The permit shall be revoked if rent is paid or utility expenses are shared with the proposed use.

OPTIONS:

1. Approve the conditional use permit, for the life of the use.
2. Approve the conditional use permit, for one year only.
3. Table the item for additional information.
4. Disapprove the request.

RECOMMENDATION:

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



CITY OF McALLEN
PLANNING DEPARTMENT

AREA MAP



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)	S (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

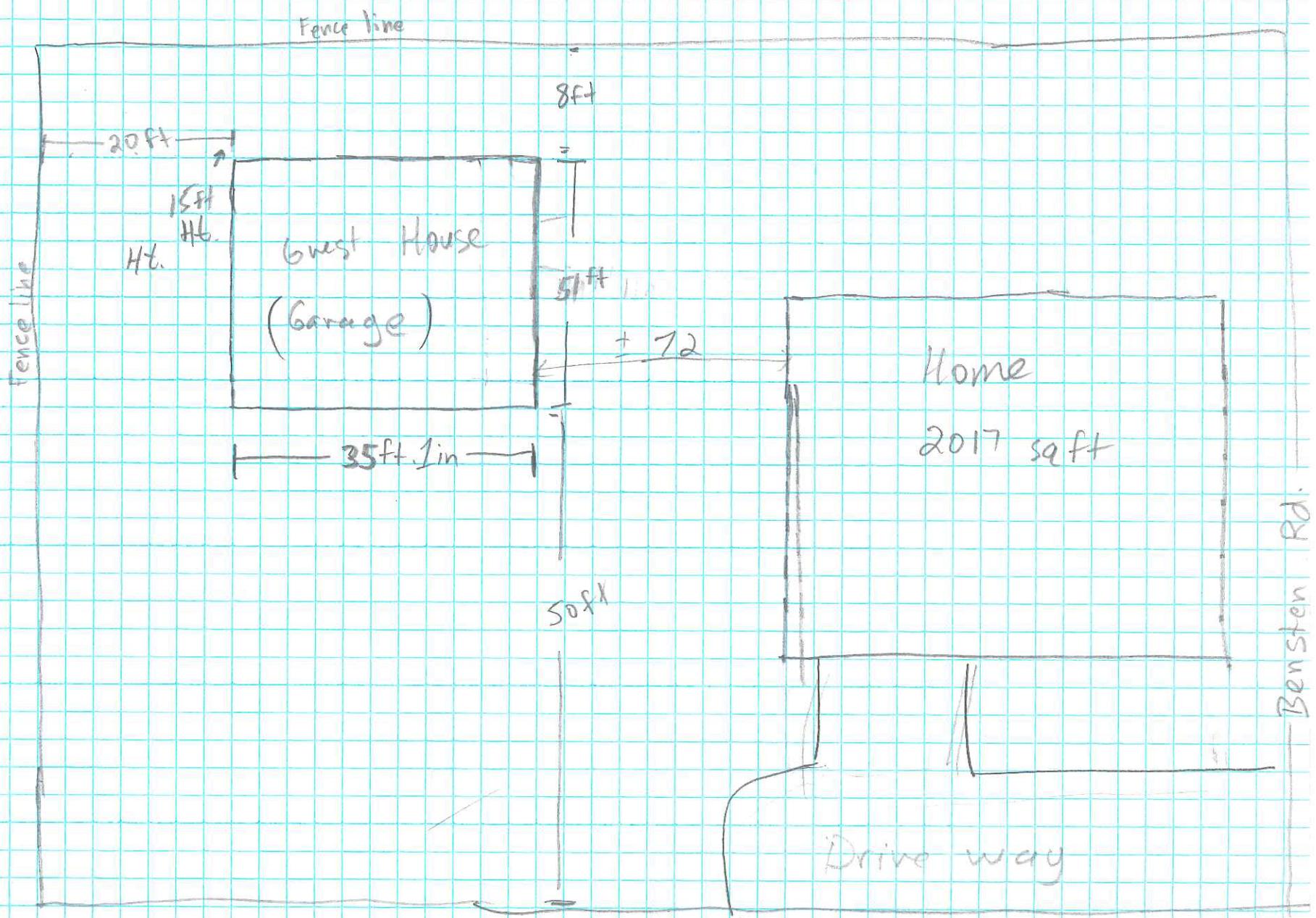


on ground survey and represent approximate relative location of property boundaries.

4721 N. Bensten Rd
McAllen TX 78504

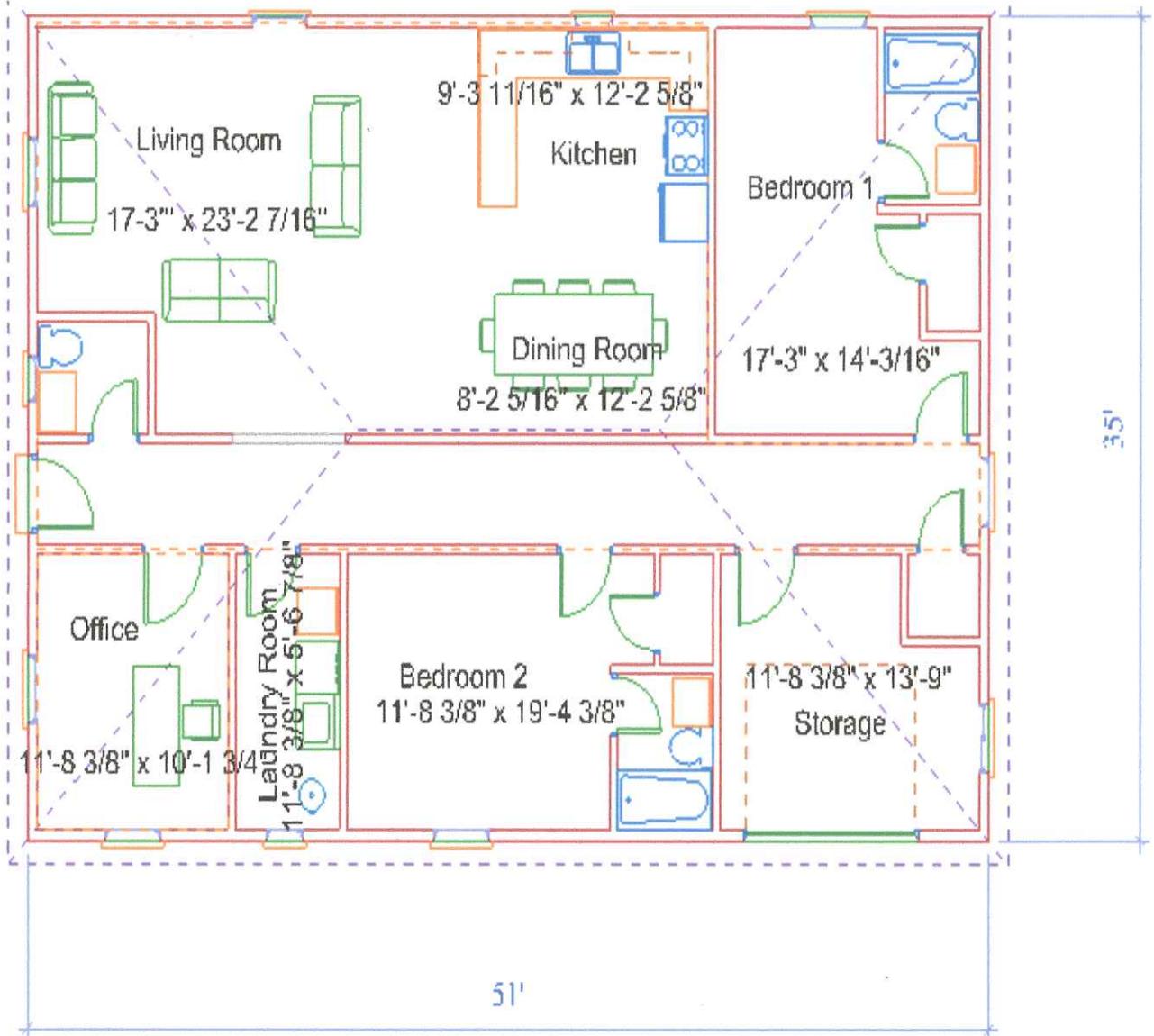


Site Plan



4721 N. Bensten Rd.
McAllen TX 78504

Guest House





NOTICE
GUEST HOUSE
For
This Property
CUP2015-0098

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff *Cf*

DATE: July 30, 2015

SUBJECT: REQUEST OF LUIS E. FLORES, FOR A CONDITIONAL USE PERMIT, FOR A YEAR, FOR A PORTABLE FOOD CONCESSION STAND AT LOT 1, PLAZA DEL NORTE SUBDIVISION; 3420 NORTH 10TH STREET.

GOAL:

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

BRIEF DESCRIPTION:

The property is located on the east side of North 10th Street, approximately 580 ft. north of Fern Avenue. It is zoned C-3 (general business) District and the east 100 ft. is C-2 (neighborhood commercial) District. The adjacent zoning is C-3 District to the north, south, and west, and R-3A (apartments) District to the east. Surrounding land uses include single and multi-family residences and commercial businesses. A portable food concession stand is permitted in a C-3 zone with a conditional use permit.

HISTORY:

The initial Conditional Use Permit was approved for an 8 ft. by 12 ft. portable building on this property on May 18, 2004 by the Planning & Zoning Commission. However, the initial permit was not renewed and the building was removed. On March 5, 2013 a new request, for a portable food concession stand was approved, for one year, by the Planning and Zoning Commission. There was an approval, for one year, on February 17, 2015 to a different applicant; however, the applicant is no longer there.

REQUEST/ANALYSIS:

There is currently a 12 ft. by 16 ft. vacant portable food concession stand on an undeveloped portion of the property. There is a new applicant proposing to operate the portable food concession stand; therefore, it must be considered by the Planning and Zoning Commission as a new request. The applicant is proposing to operate between the hours of 11:00 a.m. to 9:00 p.m. Monday – Sunday; it will be strictly take out with no seating being proposed. Access will be from existing curb cuts on North 10th Street.

The Fire Department and Health Department have conducted their inspections, which is in compliance with safety code and regulations. The establishment must also comply with requirements set forth in Section 138-118(9) of the Zoning Ordinance and other specific requirements as follows:

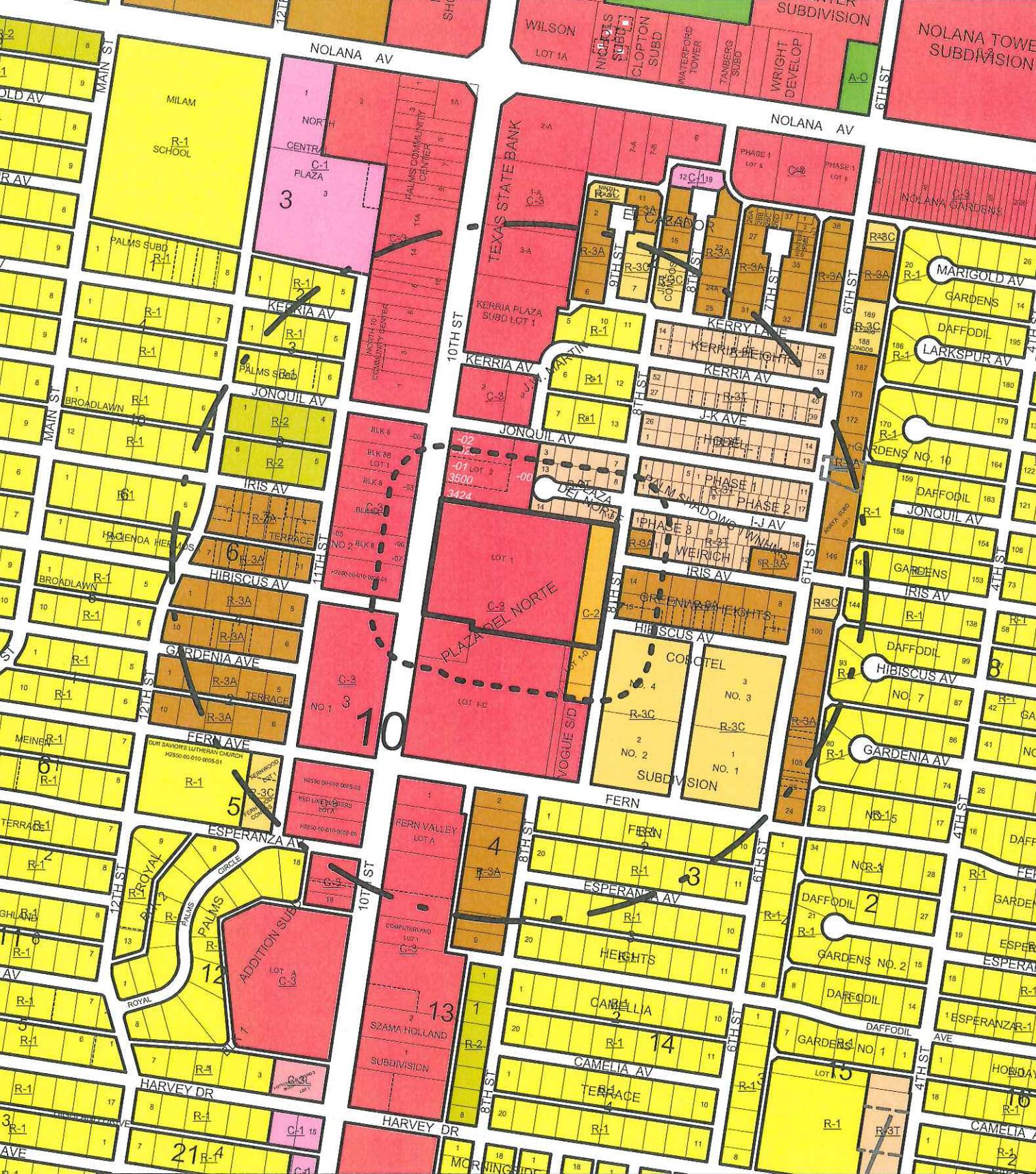
- 1) The proposed use shall not be located in a residentially zoned area. The property is zoned C-3 District;
- 2) The proposed use shall be inspected by the Building Inspector and comply with applicable building codes;
- 3) The proposed use and adjacent businesses shall comply with the off-street parking and loading ordinance. Four parking spaces are required for the concession stand, with no seating proposed, and are provided on site as part of the common parking area;
- 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 will be provided from the adjacent business (see attached letter).

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 Department and Fire Department requirements.



CITY OF McALLEN
PLANNING DEPARTMENT

LEGEND
SCALE: 1" = 500'

AREA MAP



SUBJECT PROPERTY

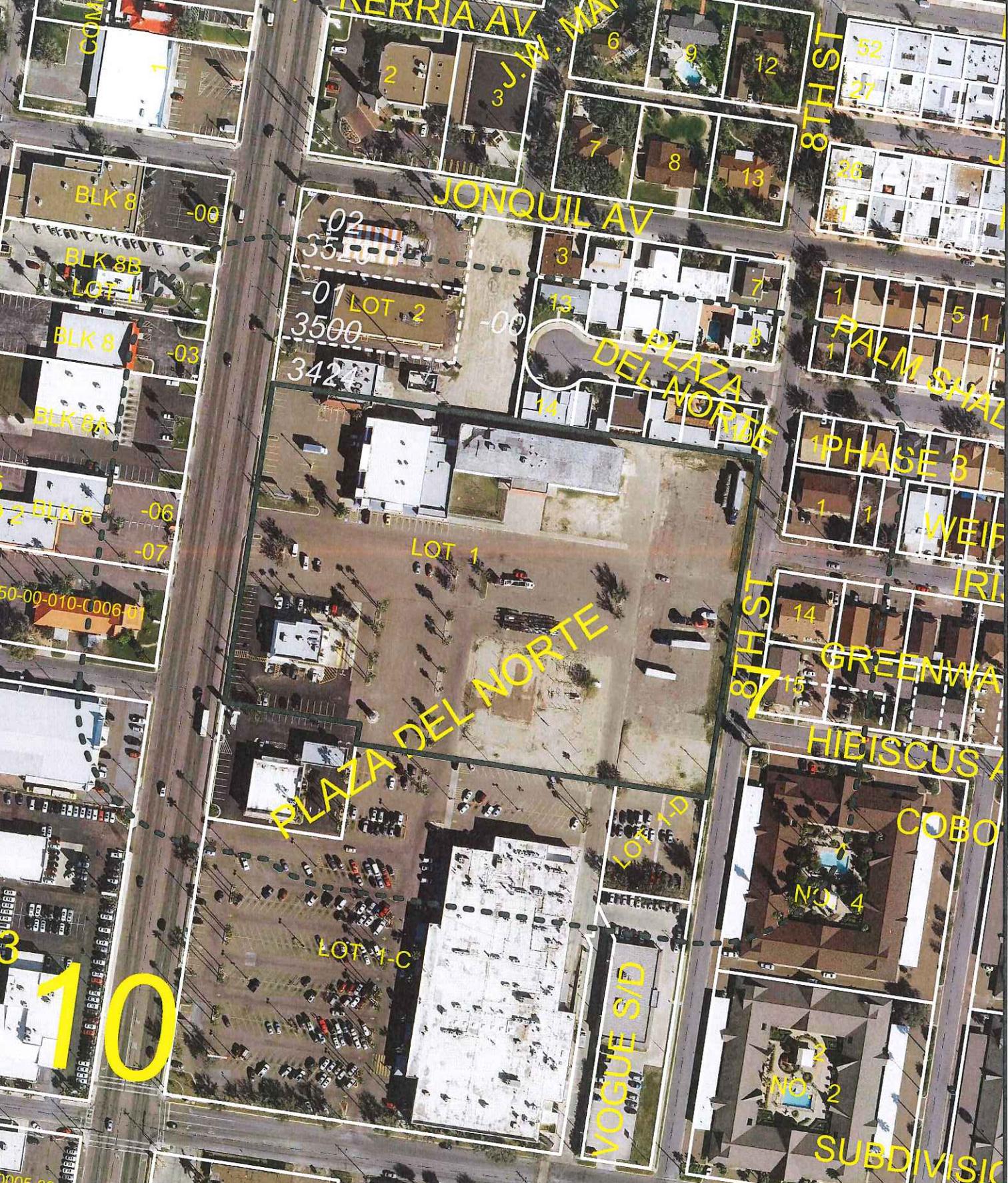
200 FT. NOTIFICATION BOUNDARY

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

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CITY OF McALLEN
PLANNING DEPARTMENT

AERIAL MAP
SCALE: N.T.S.





SUBJECT PROPERTY

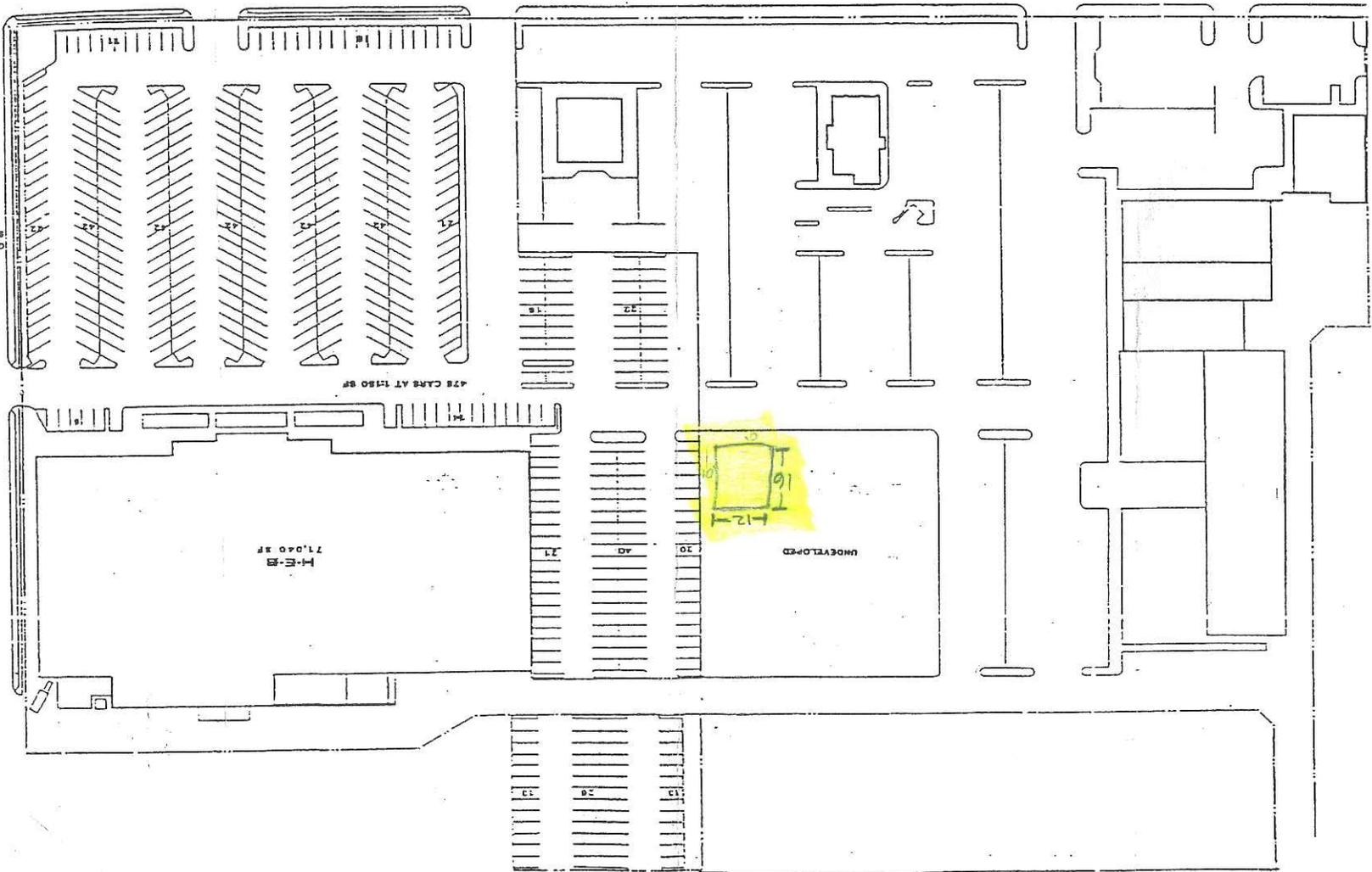


200 FT. NOTIFICATION BOUNDARY

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

10

NORTH TENTH STREET

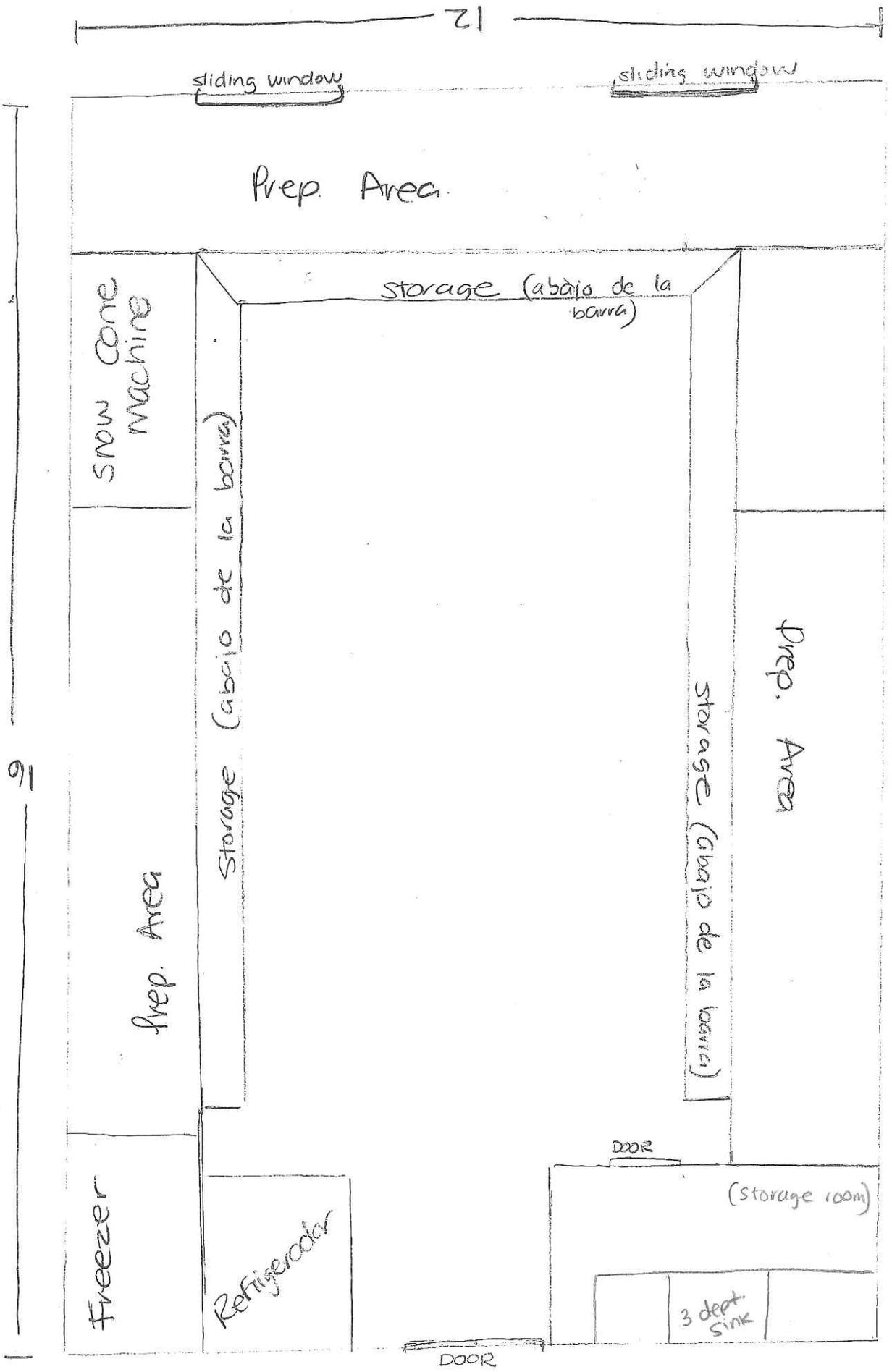


GRAPHIC SCALE

PENN AVENUE

MALLEN &





12

sliding window

sliding window

Prep. Area

Snow Cone Machine

Storage (abajo de la barra)

Storage (abajo de la barra)

Prep. Area

Storage (abajo de la barra)

Prep. Area

Freezer

Refrigerador

DOOR

(Storage room)

3 dept. sink

DOOR

9

TO Whom it may concern :

Vogue College of Cosmetology at 800 W. Fern Ave

in McAllen, TX, allows customers from

"Chamoyadas El Jardin" to use our restrooms

anytime during business hours. If you have

any questions, please don't hesitate to contact

me.

Thank you.

Maria Anne

956-687-6149

8am - 8:30 pm.

RECEIVED

JUL 08 2015

BY: je



Delia's
RESTAURANT & BAR

NOTICE
PORTABLE FOOD
For
This Property
CUP2015-0099

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff



DATE: July 30, 2015

SUBJECT: REQUEST OF JAIME SANCHEZ FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A PORTABLE FOOD CONCESSION STAND AT LOT 1, BLOCK 2, YOUNG'S SUBDIVISION; 2401 HIGHWAY 83.

GOAL:

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

DESCRIPTION:

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

HISTORY:

The initial conditional use permit was approved for this location for one year by the Planning and Zoning Commission on February 21, 2012. The permit has been approved for different tenants. The last permit approval was on December 3, 2013 for one year by the Planning and Zoning Commission. Due to the length of the expiration, the permit has to come before the Planning and Zoning Commission for consideration and approval.

REQUEST/ANALYSIS:

There is currently a commercial block building and a 160 sq. ft. portable food concession stand on the property. The applicant is proposing to continue to operate a snow cone stand from the 160 sq. ft. portable food concession stand. It will be take out only and no seating is proposed. Based on the area of the 160 sq. ft. portable food concession stand, 4 parking spaces are required. There are 13 parking spaces in front of the commercial block building, out of those spaces 7 are required for the retail lease spaces and 4 will be used by the applicant to meet parking requirements, leaving 2

available. During inspection, staff observed that the parking lot needs maintenance and the potholes need to be fixed.

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

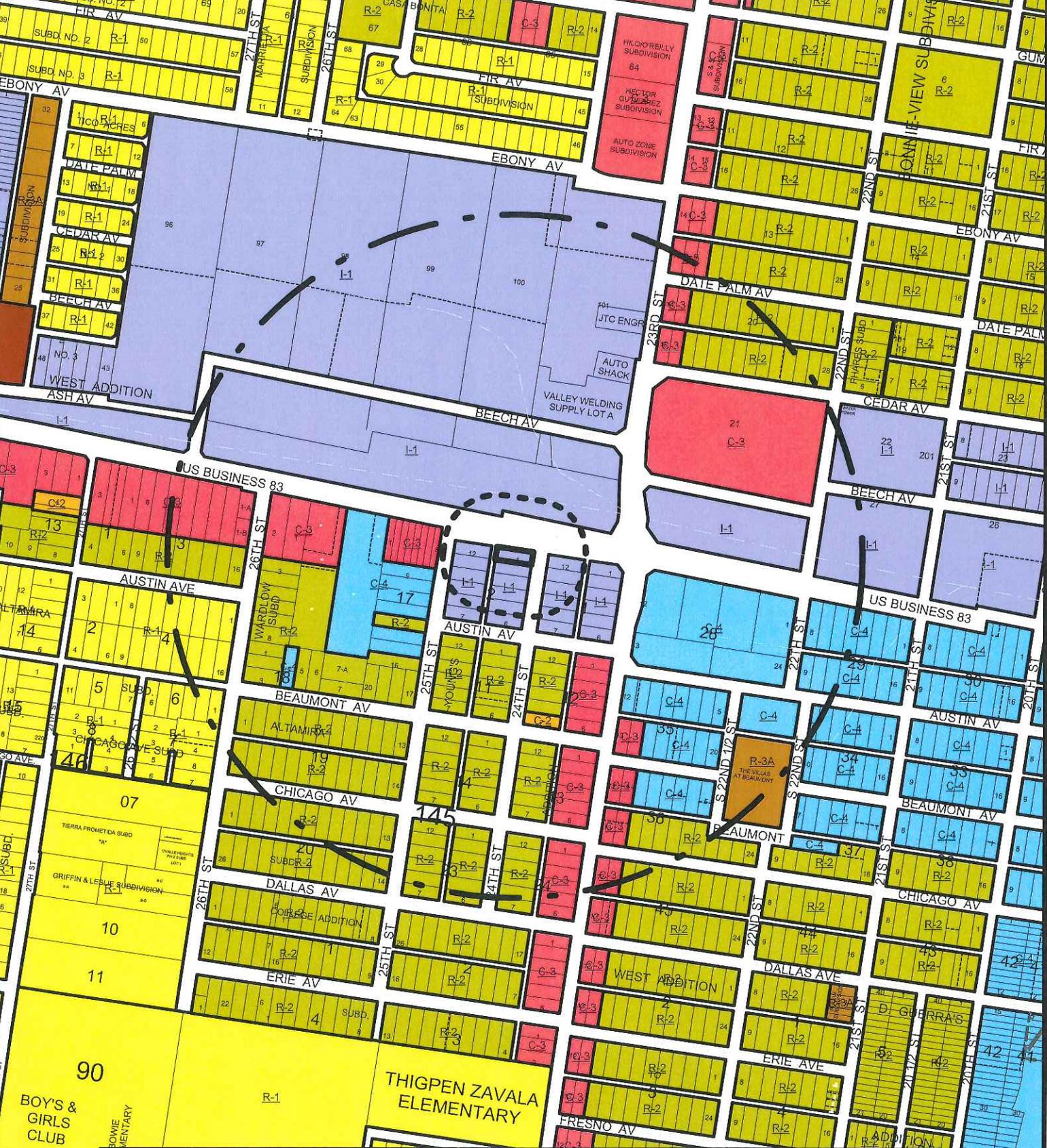
- 1) The proposed use shall not be located in a residentially zoned area. The portable food concession stand is located in a I-1 District;
- 2) The proposed use shall be inspected by the Building Inspector and comply with applicable building codes;
- 3) The proposed use and adjacent businesses shall comply with the off-street parking and loading ordinance. Based on the area of the 160 sq. ft. portable food concession stand, 4 parking spaces are required. There are 13 parking spaces in front of the commercial block building, out of those spaces 7 are required for the retail lease spaces and 4 will be used by the applicant to meet parking requirements, leaving 2 available. During inspection, staff observed that the parking lot needs maintenance and the potholes need to be fixed;
- 4) A portable building or trailer for the proposed use shall be properly anchored to the ground;
- 5) The proposed use shall comply with the zoning district setback requirements; and
- 6) Water and sewage disposal facilities must be available and may be required to the proposed use. Bathroom facilities are provided on site from one of the retail lease spaces from the commercial block building.

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, and repairing the parking lot as needed.



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)	MOB (MOBILE HOMES)	C-3 (GENERAL BUSINESS)	L-1 (LIGHT INDUSTRIAL)
R-1 (SINGLE FAMILY RESIDENTIAL)	R-3C (CONDOMINIUMS)	C-1 (OFFICE BUILDING)	C-3L (LIGHT COMMERCIAL)	L-2 (HEAVY INDUSTRIAL)
R-2 (DUPLEX-FOURPLEX)	R-3T (TOWNHOUSES)	C-2 (NEIGHBORHOOD COMMERCIAL)	C-4 (COMMERCIAL INDUSTRIAL)	(SPECIAL DISTRICT)

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CITY OF McALLEN
PLANNING DEPARTMENT

AERIAL MAP
SCALE: N.T.S.



SUBJECT PROPERTY



200 FT. NOTIFICATION BOUNDARY



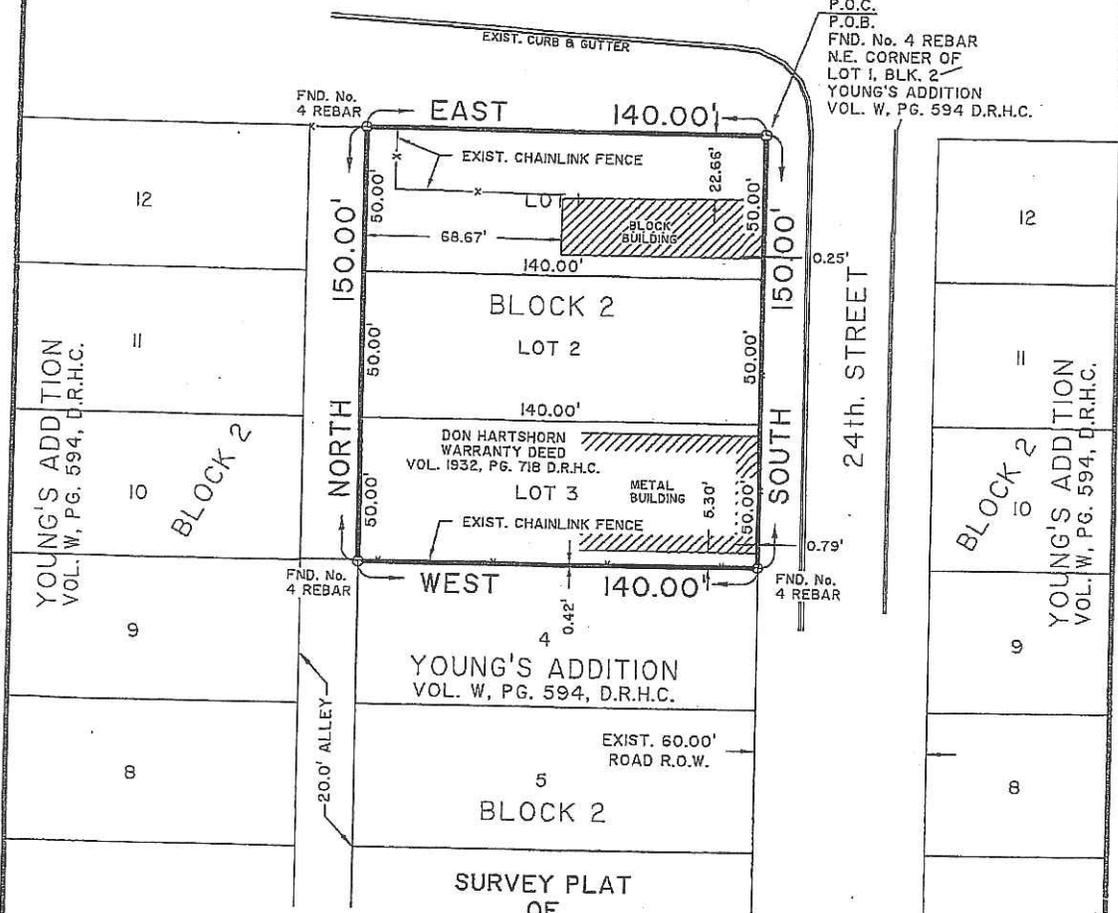
on ground survey and represent approximate relative location of property boundaries.

MO PAC RAILROAD

SCALE: 1" = 50'
BEARING BASIS AS PER
YOUNG'S ADDITION
VOL. W, PG. 594 D.R.H.C.

HIGHWAY 83 (LOOP 374)

P.O.C.
P.O.B.
FND. No. 4 REBAR
N.E. CORNER OF
LOT 1, BLK. 2
YOUNG'S ADDITION
VOL. W, PG. 594 D.R.H.C.

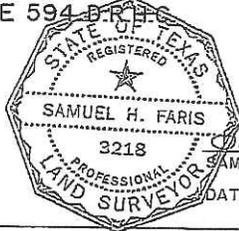


SURVEY PLAT
OF
LOTS 1, 2 AND 3, BLOCK 2
YOUNG'S ADDITION
AN ADDITION TO THE
CITY OF McALLEN, HIDALGO COUNTY, TEXAS
ACCORDING TO MAP RECORDED IN
VOLUME W, PAGE 594 D.R.H.C.

Any certification expressed or implied herein is invalid without the original signature and seal of Samuel H. Faris. Alteration of this document, except by a licensed land surveyor is illegal.

This plat was prepared without the benefit of a title research.

I, Samuel H. Faris, hereby certify that this survey was performed on the ground under my supervision and that this survey correctly represents the facts found at the time of the survey.



Samuel H. Faris
SAMUEL H. FARIS - R.P.L.S. No. 3218
DATE: 9/27/05

FLOOD ZONE	<input type="checkbox"/> A <input type="checkbox"/> AO <input checked="" type="checkbox"/> C <input type="checkbox"/> X <input type="checkbox"/> AH <input type="checkbox"/> B <input type="checkbox"/> D <input type="checkbox"/> OTHER	Com.-Panel No.: 480343 0005 C	County: Hidalgo	City: McALLEN	State: TX
Description: Areas of minimal flooding.		Map Revised: NOV.02, 1982			

Owner: DON HARTSHORN	Mailing Address: P.O. BOX 720142	City: McALLEN	State: TX	Zip Code: 78504
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Job No.: SUR05.077	Date: 09-23-05	FB: 486	PG: 44	Drawn By: RG	CHECKED BY: SF
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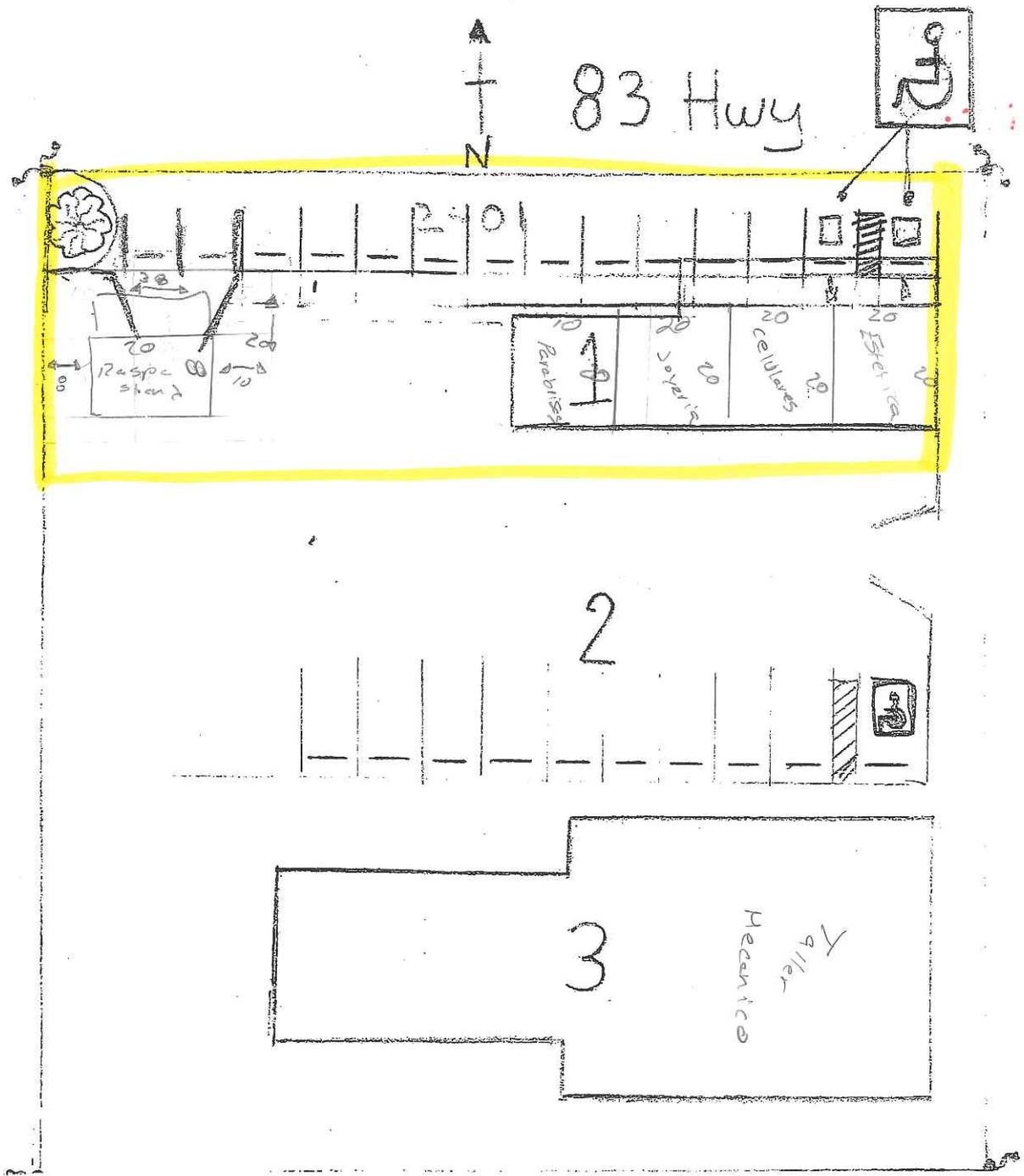
R. Gutierrez Eng. Corp. • 130 E. Park Ave. • (956) 782-2557

RECEIVED

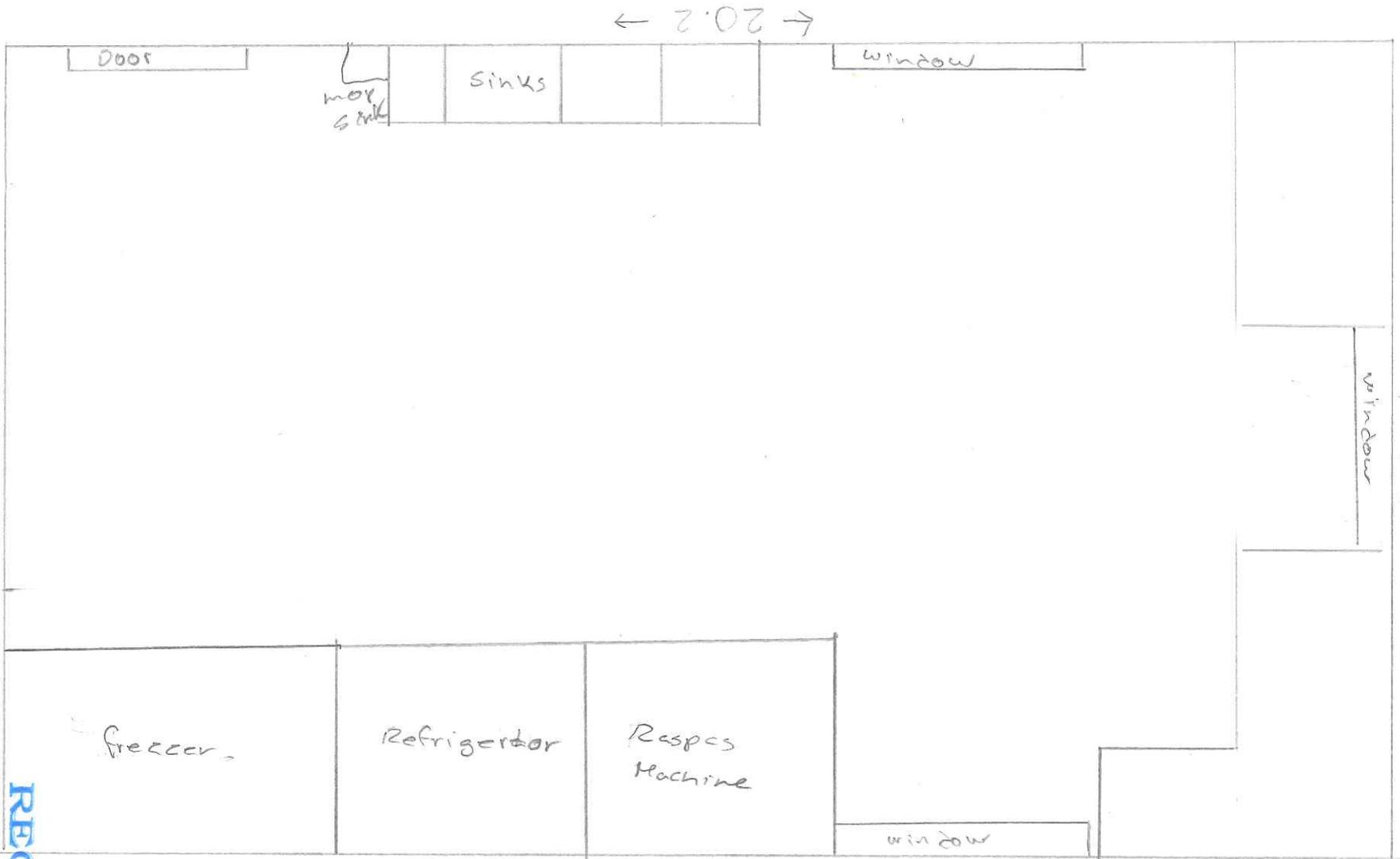
NOV 06 2013

Initial: RB

ESTACIONAMIENTO



24th St



← 20.2 →

Door

mov
sink

Sinks

Window

Freezer

Refrigerator

Respas
Machine

Window

Window

← 8.2 →

RECE



AUTO GLASS
REPAIRS
24 HOURS
743-7838

SUPER MARKET

NAILS & BEAUTY SALON



Blue Star
SNACKS

NOTICE
PORTABLE FOOD
For
This Property
CUP2015-0101

TIRE SHOP
MECHANICAL
AUTO ELECTRIC
AIR SERVICE
BODY SHOP

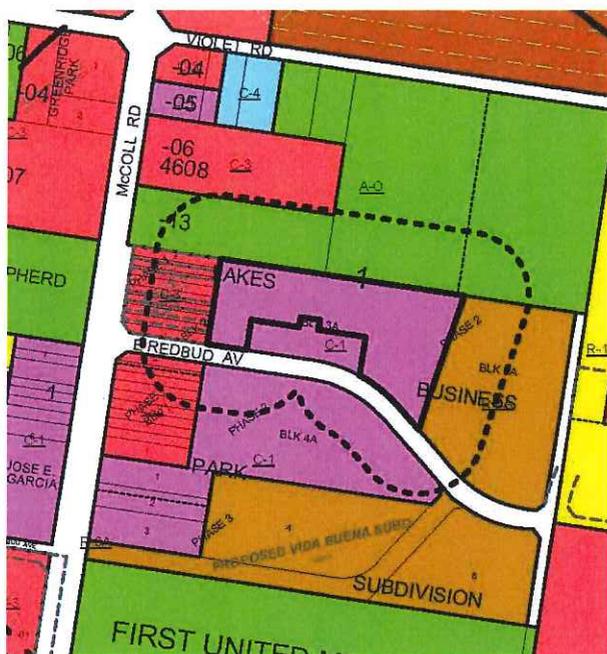
FIX FLATS - OIL CHANGES
WASH WAX POLISH
BRAKES - CAR WAXES
TUNE UP - DRIVE SHAFTS
BODY SHOP

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.

REZONE FROM R-2 (DUPLEX-FOURPLEX RESIDENTIAL) DISTRICT TO C-3L (LIGHT COMMERCIAL) DISTRICT: LOTS 10, 11, AND 12, BLOCK 1, SOUTH MCALEN ADDITION, HIDALGO COUNTY, TEXAS; 819 SOUTH BICENTENNIAL BOULEVARD AND 1716 ITHACA AVENUE. (REZ2015-0087)

LOCATION: The tract is located at the northeast corner of Bicentennial Boulevard and Ithaca Avenue. The tract consists of three lots and has 75 feet of frontage along Bicentennial Boulevard, and lot depth of 95 feet for a tract size of 7,125 square feet.

PROPOSAL: The applicant is proposing to rezone the property to C-3L (light commercial) District in order to establish commercial use.

ADJACENT ZONING: Adjacent zoning is R-2 (duplex-fourplex residential) District in all directions.



LAND USE: The property is currently three vacant lots. Adjacent land uses are single family residential, Lil's Orange Tires and Wheels, Bicentennial Hike and Bike Trail, and vacant lots .

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

DEVELOPMENT TRENDS: The development trend along this area is single family. The property was zoned R-2 (duplex-fourplex residential) District during comprehensive zoning in 1979. On August 11, 2014 a rezoning request for the subject property to C-3L (light commercial) District was disapproved. In 1998 a rezoning to C-3 (general business) District was approved at the southeast corner of Houston Avenue and Bicentennial Boulevard and a tire store was constructed. In 1997 and 2001 two rezoning requests to C-1 (office building) District were disapproved at the southeast corner of Kennedy Avenue and Bicentennial Boulevard. On September 12, 2011 a rezoning request to C-3 at the southeast corner of Jackson Avenue and South Bicentennial Boulevard was disapproved.

ANALYSIS: The requested zoning does not conform to the Urban Residential land use designation as indicated on the Foresight McAllen Comprehensive Plan. The proposed zoning is not consistent with residential uses in the area. The depth of the lot is inadequate for commercial uses in complying with setbacks, parking and landscaping requirements. Alleys are required along the rear of commercial for dumpster location, loading and buffering adjacent residential uses. An unpaved 10 foot alley is adjacent to the property and is adequate for commercial use. An eight foot masonry wall is required to buffer commercial from adjacent single family residences. Commercial use is not in character with the adjacent residential use. Trees in commercial zones with a diameter of 20 inches or greater are protected and require a permit prior to removal. A recorded subdivision plat and an approved site plan is required prior to issuance of any building permits.

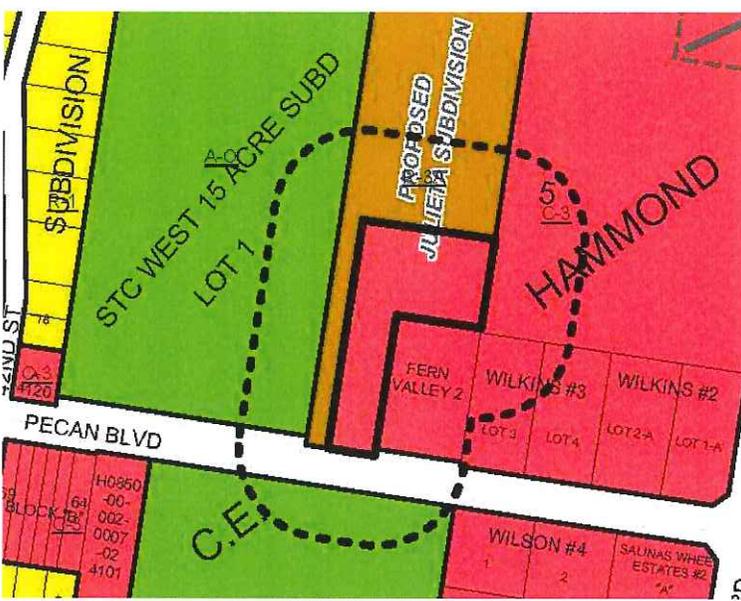
RECOMMENDATION:
Staff recommends disapproval of the rezoning request.

REZONE FROM C-3 (GENERAL BUSINESS) DISTRICT TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENTS) DISTRICT: 2.121 ACRES OUT OF LOT 5, BLOCK 2, C.E. HAMMONDS SUBDIVISION, HIDALGO COUNTY, TEXAS; 3804 PECAN BOULEVARD. (REZ2015-0088)

LOCATION: The subject property is located on the north side of Pecan Boulevard approximately 525 feet west of Ware Road. The tract has 105 feet of frontage on Pecan Boulevard and a depth of 510 feet for a tract size of 2.121 acres.

PROPOSAL: The applicant is requesting R-3A (multifamily residential apartments) District in order to construct apartments. A subdivision plat by the name of Jucar Subdivision was submitted February 14, 2014 and received preliminary plat approval on March 4, 2014.

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



LAND USE: The property is currently vacant. Surrounding land uses are STC Parking Lot, Sonic Restaurant, Subway Restaurant, and other commercial uses, and vacant land.

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

DEVELOPMENT TRENDS: The development trend along the north side of Pecan Boulevard is commercial. The adjacent property to the west was rezoned to R-3A (multifamily residential apartments) District in 2006. The property was rezoned to C-3 (general business) District in 2006. The adjacent property to the east was rezoned C-3 (general business) District in 2000 and a subdivision under the name of Fern Valley #2 and a commercial development was established.

ANALYSIS: The requested zoning does not conform to the Auto Urban Residential 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 92 1-bedroom units to, 73 2-bedroom units, and 51 3-bedroom units. The number of vehicle trips generated by low-rise apartments is 6.59 vehicle trips per day or a total of 336 to 606 per day depending on the number of units. The number of apartment units likely to be constructed would be limited based upon parking and landscaping requirements. Access to the property is provided by Pecan Boulevard that is designated as a principal arterial with 120 feet right-of-way. 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.

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: July 28, 2015

SUBJECT: CITY INITIATED REZONING FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT FOR CITY COMMISSIONER DISTRICT 2 TRACTS 1 -12A

GOAL:

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

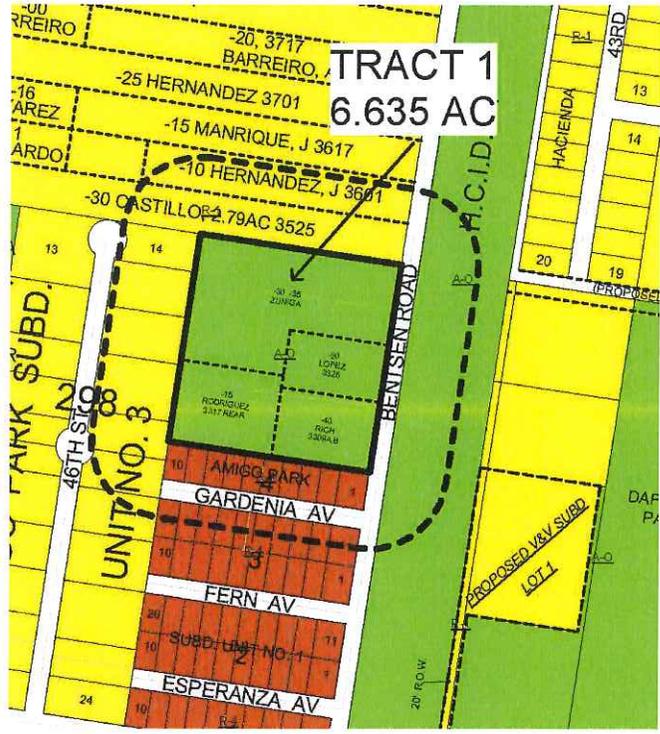
BRIEF DESCRIPTION:

The Board of Commissioners directed the Planning Department to consider city initiated rezoning of tracts of land zoned A-O (agricultural-open space) District. The purposes for rezoning tracts of land that are zoned A-O District are to: 1) implement Foresight McAllen Comprehensive Plan, 2) stabilize neighborhoods and adjacent properties with a permanent zoning for vacant tracts and 3) assist development of vacant tracts that are in accordance with the comprehensive plan. The Board discussed city initiated rezoning by Commissioner Districts with public meetings within each district to discuss the proposed rezoning with the residents of the district. The purpose of meeting with the property owners is to discuss the proposed zoning district, modify the proposed zoning or request retaining the existing A-O District. A public meeting was held with property owners in District 2 on July 9, 2015 to discuss the proposed rezoning. The schedule for public hearings to adopt the rezoning for A-O District would be incorporated within the regular schedule of public hearings for Planning and Zoning Commission and City Commission beginning August 4th and ending September 16th. A legal notice for Tracts 1 to 12A were mailed to property owners within 200 feet of proposed rezoning, advertised in The Monitor on July 19, 2015 and public notice signs were installed ten days prior to the public hearing. The Board of Commissioners will consider the Planning and Zoning recommendations on August 24, 2015 at 5 PM. A brief description of the proposed rezoning requests for Tracts 1 to 12A are as follows:

TRACT 1: REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT: 6.635 ACRES OUT OF LOT 298, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS; 3309-3329 NORTH BENTSEN ROAD. (REZ2015-0089)

LOCATION: The tract is located along the west side of North Bentsen Road and approximately 750 feet north of Daffodil Avenue. The tract has 550 feet of frontage along Bentsen Road and a depth of 530 feet for a tract size of 6.635 acres.

ADJACENT ZONING: Adjacent zoning is R-1 (single family residential) District to the north and west, R-4 (mobile home/modular home) District to the south, and A-O (agricultural-open space) District to the east.



LAND USE: The property contains 4 single family residences on 5 tracts. Adjacent land uses are single family residences and mobile homes.

COMPREHENSIVE PLAN: The Foresight McAllen Comprehensive Plan designates the future land use as urban multifamily.

DEVELOPMENT TRENDS: The development trend for the area along this section of Bentsen Road is single family residential. The property was zoned A-O (agricultural & open space) District upon annexation in 1986. There have been no rezoning requests on the property since that time. The adjacent properties to the north and west were zoned R-1 (single family residential) District in 1998 and 1986 respectively. Rezoning requests for multifamily, office and general business along this section of Bentsen Road were disapproved in 2004 and 2006.

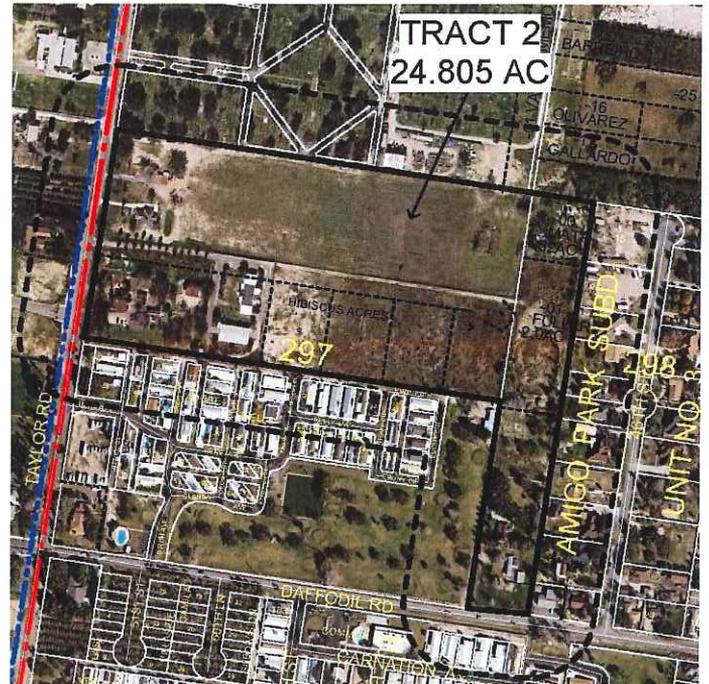
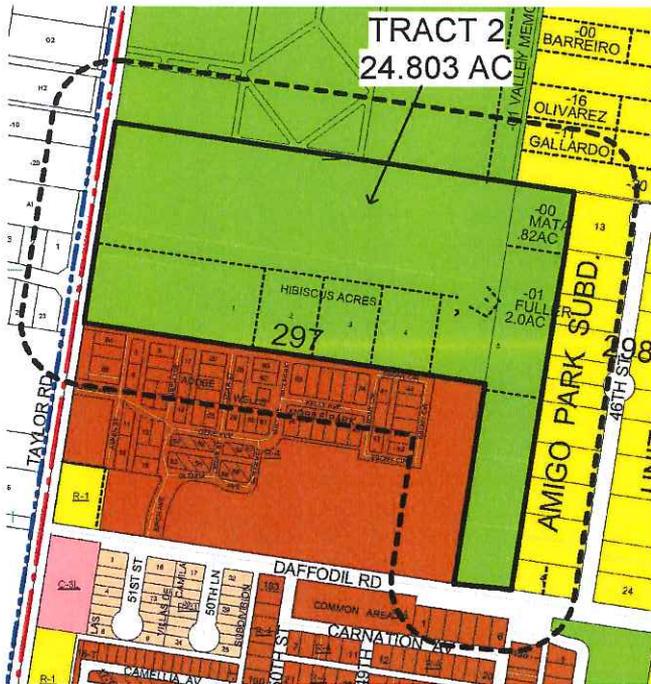
PUBLIC COMMENT: Staff has not received any inquires pertaining to the subject property.

RECOMMENDATION:
Staff recommends approval.

TRACT 2: REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT: 24.805 ACRES OUT OF LOT 297, JOHN H. SHARY SUBDIVISION, LOTS 1-3. AMIGO PARK #3 HIDALGO COUNTY, TEXAS; 3220-3320 NORTH TAYLOR ROAD, 4816-4822 DAFFODIL AVENUE, 3117 N 46TH STREET REAR. (REZ2015-0090)

LOCATION: The tract is located along the east side North Taylor Road approximately 650 feet north of Daffodil Avenue. The tract has 650 feet of frontage along Taylor Road and a depth of 1,290 feet for a tract size of 24.805 acres. A portion of the tract has 180 feet of frontage along Daffodil Avenue with a depth of 1,320 feet.

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



LAND USE: The tract comprises 7 parcels containing 5 single family residences, a mobile home, farm related structures and vacant land. Adjacent land uses are mobile homes, Valley Memorial Gardens Cemetery, single family and vacant land.

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

DEVELOPMENT TRENDS: The development trend for this area along Taylor Road is single family on rural tracts and within residential subdivisions. The property was zoned A-O (agricultural & open space) District upon annexation in 1986. A rezoning request on a 10.0 tract to R-2 (duplex-fourplex residential) District was disapproved in 2007 due to neighborhood opposition. Amigo Park Unit 3 was rezoned to R-1 (single family residential) District in 1986.

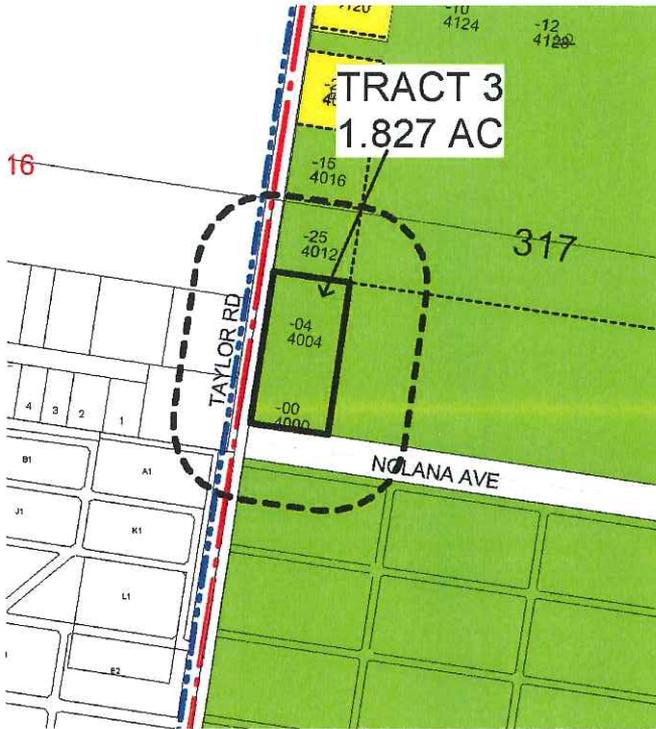
PUBLIC COMMENT: Staff has not received any inquires pertaining to the subject property.

RECOMMENDATION:
Staff recommends approval.

TRACT 3: REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO C-3L (LIGHT COMMERCIAL) DISTRICT: 1.827 ACRES OUT OF LOT 317, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS; 4000-4004 NORTH TAYLOR ROAD. (REZ2015-0091)

LOCATION: The tract is located at the northeast corner of Taylor Road and Nolana Avenue. The tract has 400 feet of frontage along Taylor Road and a depth of 200 feet for a tract size of 1.827 acres.

ADJACENT ZONING: Adjacent zoning is A-O (agricultural-open space) District in all directions and the City of Mission to the west.



LAND USE: The tract contains 1 parcel used as a Kreidler Memorial Chapel/Spirit of Peace Lutheran Church. Adjacent land uses are Valley Memorial Gardens, J Five Mobile Home and RV Park, single family residential and farmland.

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

DEVELOPMENT TRENDS: The development trend for this area along Taylor Road is single family residential. The property was zoned A-O (agricultural & open space) District upon annexation in 1999. There have been no rezoning requests on the property since that time. Properties to the north were rezoned R-1 (single family residential) District in 1999 and 2002 for existing single family residences on rural tracts. Nolana Avenue is designated as a principal arterial with 120 feet of right-of-way and is constructed with 4 travels lands and a left turn late. Taylor Road is designated as a major collector and is currently constructed as a rural collector with 50 feet of right-of-way and 2 travel lanes. A memorial chapel is a permitted use within the C-3L (light commercial) District. A church is an institutional use that is allowed in any zone with a conditional use permit.

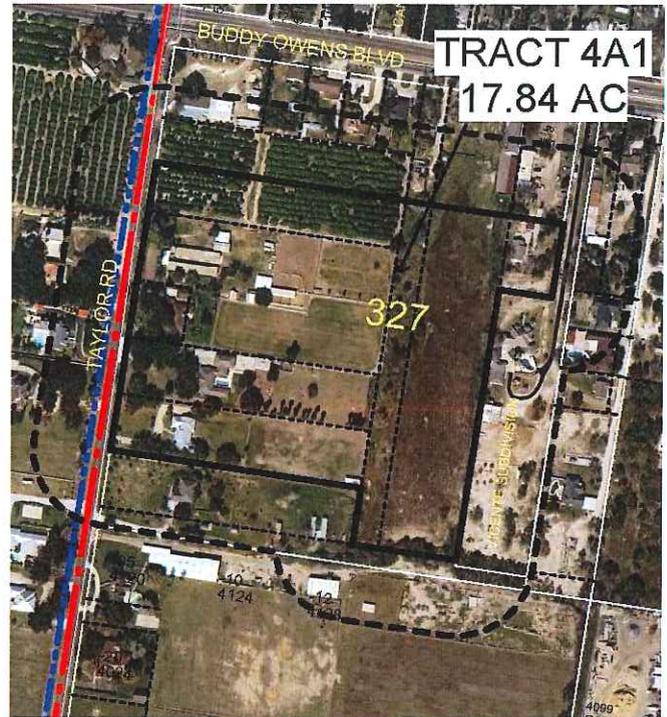
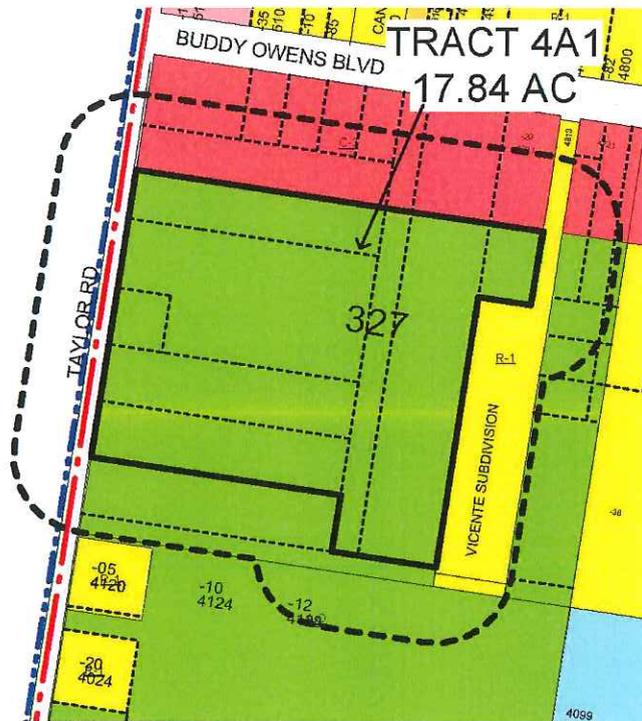
PUBLIC COMMENT: Staff has not received any inquires pertaining to the subject property.

RECOMMENDATION:
Staff recommends approval.

TRACT 4A1: REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT: 17.84 ACRES OUT OF LOT 327, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS; 4220-4400 NORTH TAYLOR ROAD. (REZ2015-0092)

LOCATION: The tract is located along the east side of Taylor Road approximately 310 feet south of Buddy Owens Boulevard. The tract has 770 feet of frontage along Taylor Road and a depth of 930 feet for a tract size of 17.84 acres.

ADJACENT ZONING: Adjacent zoning is R-1 (single family residential) District to the east, C-3 (general business) District to the north, A-O (agricultural-open space) District to the south and the City of Mission to the west.



LAND USE: The tract comprises 8 parcels containing 5 single family residences, farm related structures, orchards and farmland. Adjacent land uses are single family residences on rural tracts, Klement Groves, Tierra Santa Worship Center, apartments and M Razo Auto Sales and Auto Repair.

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

DEVELOPMENT TRENDS: The development trend for the area along Taylor Road is single family residential. The property was zoned A-O (agricultural & open space) District upon annexation in 1999. There have been no rezoning requests on the property since that time. The adjacent properties to the north were initially zoned C-3 (general business) District and the property to the east was initially zoned R-1 (single family residential) District in 1999. A rezoning request for R-3A (multifamily residential apartments) at 4721 Buddy Owens Boulevard for an assisted living center was withdrawn by the applicant in 2010. Taylor Road is designated as a collector and is currently a rural collector with 50 feet of right-of-way with 2 travel lanes.

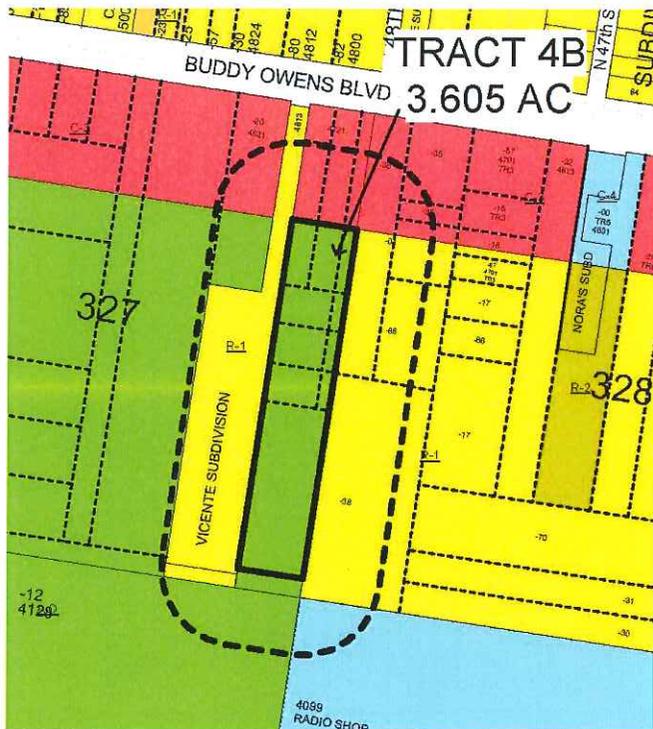
PUBLIC COMMENT: Staff has not received any inquires pertaining to the subject property.

RECOMMENDATION:
Staff recommends approval.

TRACT 4B: REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT: 3.605 ACRES OUT OF LOT 327, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS; 4801A-D, 4805, 4809 BUDDY OWENS BLVD. (REZ2015-0094)

LOCATION: The subject property is an interior tract located along the south side of Buddy Owens Boulevard approximately 1,120 feet east of Taylor Road and 300 feet south of Buddy Owens Boulevard. The tract has a width of 170 feet and a length of 920 feet for a tract size of 3.605 acres.

ADJACENT ZONING: Adjacent zoning is R-1 (single family residential) District to the east and west, C-3 (general business) District to the north, C-4 (commercial industrial) to the southeast and A-O (agricultural-open space) District to the south.



LAND USE: The tract comprises 6 parcels containing 4 single family residences and a mobile home. Adjacent land uses are single family residences and mobile homes on unsubdivided tracts, M. Razo Auto Sales and Repair and vacant land.

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

DEVELOPMENT TRENDS: The development trend for the area located south of the commercial corridor along Buddy Owens Boulevard is single family residential. The property was zoned A-O (agricultural & open space) District upon annexation in 1999. There have been no rezoning requests on the property since that time. The adjacent properties to the north were initially zoned C-3 (general business) District and the properties to the east and west were initially zoned R-1 (single family residential) District in 1999. A rezoning request for R-3A (multifamily residential apartments) at 4721 Buddy Owens Boulevard for an assisted living center was withdrawn by the applicant in 2010.

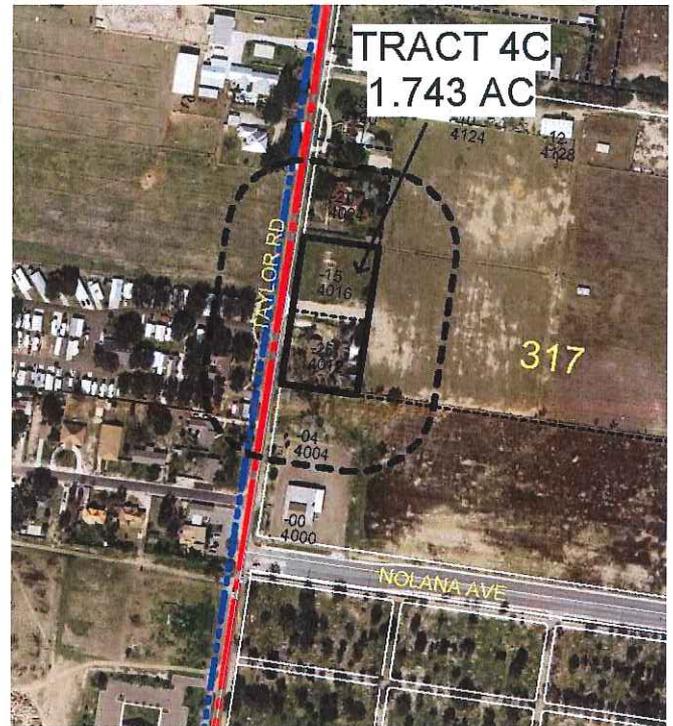
PUBLIC COMMENT: Staff has not received any inquires pertaining to the subject property.

RECOMMENDATION:
Staff recommends approval.

TRACT 4C: REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT: 1.743 ACRES OUT OF LOT 317, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS; 4012-4016 NORTH TAYLOR ROAD. (REZ2015-0095)

LOCATION: The tract is located along the east side of Taylor Road approximately 400 feet north of Nolana Avenue. The tract has approximately 390 feet of frontage along Taylor Road and a depth of 200 feet for a tract size of 1.743 acres.

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



LAND USE: The tract comprises 2 parcels containing a single family residence and a vacant lot. Adjacent land uses are single family residences on rural tracts, mobile homes, a chapel and farmland.

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

DEVELOPMENT TRENDS: The development trend for the area along Taylor Road is single family residential. The property was zoned A-O (agricultural & open space) District upon annexation in 1999. There have been no rezoning requests on the property since that time. The adjacent properties to the north were zoned R-1 (single family residential) District in 1999 and 2002. Taylor Road is designated as a collector and is currently a rural collector with 50 feet of right-of-way providing 2 travel lanes.

PUBLIC COMMENT: Staff has not received any inquires pertaining to the subject property.

RECOMMENDATION:
Staff recommends approval.

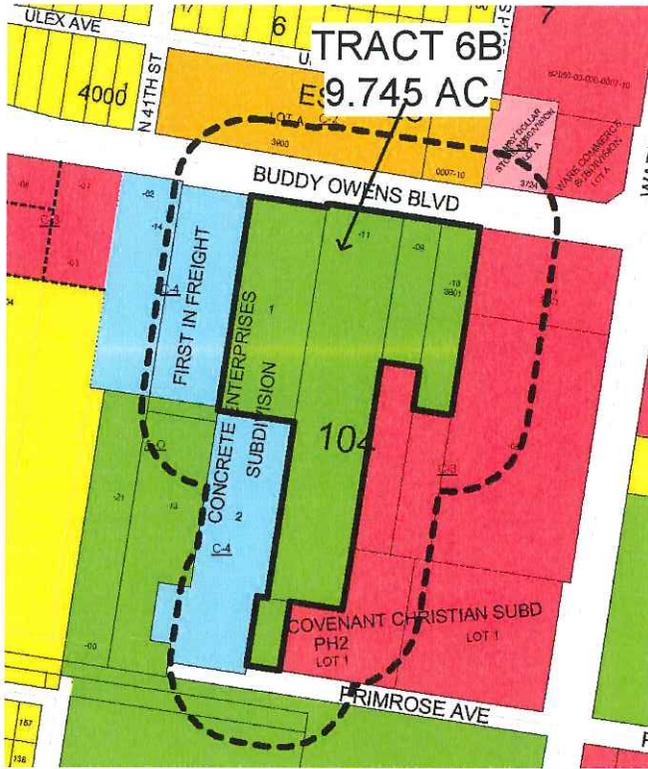
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TRACT 6B: REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: 9.745 ACRES OUT OF LOT 104, LA LOMITA (HOIT) SUBDIVISION, HIDALGO COUNTY, TEXAS; 3801-3909 BUDDY OWENS BOULEVARD. (REZ2015-0098)

LOCATION: The tract is located along the south side of Buddy Owens Boulevard approximately 370 feet west of Ware Road. The tract has approximately 600 feet of frontage along Buddy Owens Boulevard and a depth of 1,220 feet for a tract size of 9.745 acres. A part of the tract has 90 feet of frontage along Primrose Avenue.

ADJACENT ZONING: Adjacent zoning is C-3 (general business) District to the east, C-4 (commercial industrial) to the west, C-2 (neighborhood commercial) District and C-3L (light commercial) District to the north and A-O (agricultural-open space) District to the south and west.



LAND USE: The tract comprises 5 parcels containing 4 single family residences, G & R Lawnmower sales and repair, a parking lot and vacant land. Adjacent land uses are Covenant Christian School, a cardboard recycling business, First In Freight, Family Dollar, Burger King and vacant land.

COMPREHENSIVE PLAN: The Foresight McAllen Comprehensive Plan designates the future land use as a mix of Auto Urban Commercial, Special Use and Auto Urban Residential.

DEVELOPMENT TRENDS: The development trend for the area at the intersection of Buddy Owens Boulevard and Ware Road is general business and commercial industrial. The property was zoned A-O (agricultural & open space) District upon comprehensive rezoning in 1979. There have been no rezoning requests on the property since that time. The adjacent properties to the east were rezoned to C-3 (general business) District in 1994 and 2001 and are currently vacant land. The adjacent properties to the west were rezoned to C-4 (commercial-industrial) District from 1984 to 1998 and were developed for concrete batch plant, a trucking business and cardboard recycling. The properties along the north side of Buddy Owens Boulevard were rezoned to C-3 (general business) District, C-3L (light commercial) District and C-2 (neighborhood commercial) from 2003 to 2008 and a Burger King and Family Dollar businesses were constructed.

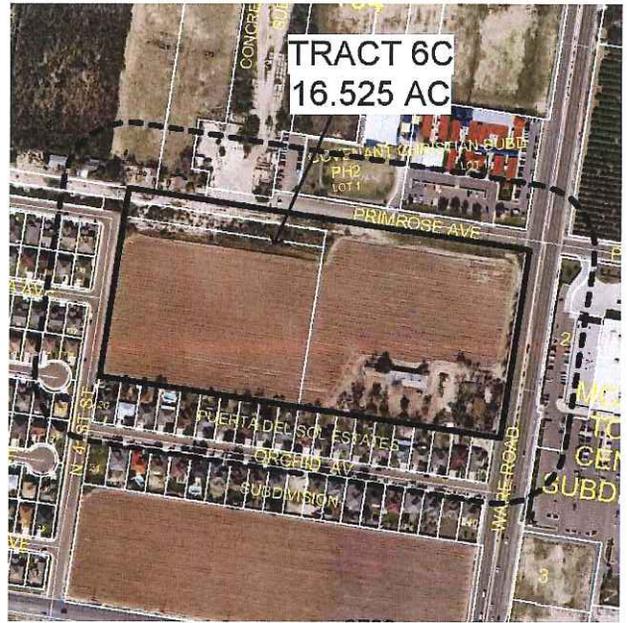
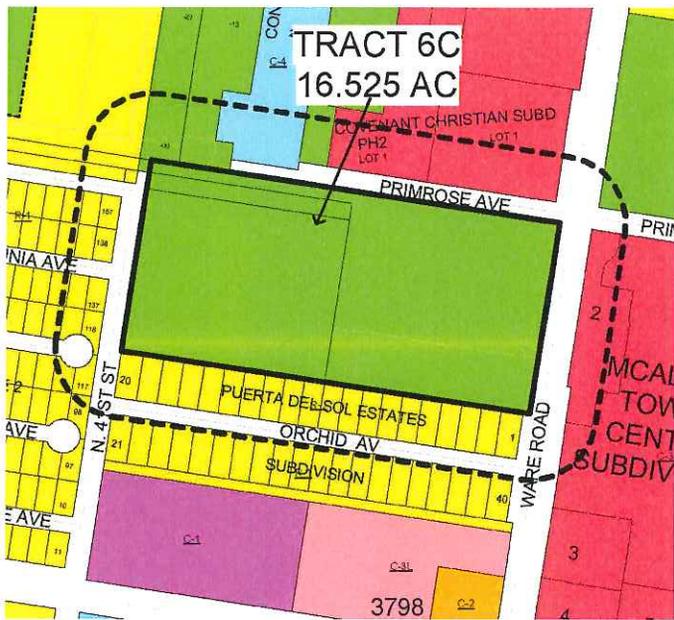
PUBLIC COMMENT: Staff has not received any inquires pertaining to the subject property.

RECOMMENDATION:
Staff recommends approval.

TRACT 6C: REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT: 16.525 ACRES OUT OF LOT 113, LA LOMITA (HOIT) SUBDIVISION, HIDALGO COUNTY, TEXAS; 4100 N 41ST STREET, 4101 N WARE ROAD. (REZ2015-0099)

LOCATION: The tract is located at the southwest corner of Ware Road and Primrose Avenue. The tract has 580 feet of frontage along Ware Road and 41st Street and a depth of 1,240 feet for a tract size of 16.525 acres. The tract has 1,010 feet of frontage along Primrose Avenue.

ADJACENT ZONING: Adjacent zoning is R-1 (single family residential) District to the south and west, C-3 (general business) District to the north and east, C-4 (commercial industrial) to the north and A-O (agricultural-open space) District to the northeast and northwest.



LAND USE: The tract comprises 2 parcels containing a single family residence, farm related structures and farmland. Adjacent land uses are Covenant Christian School, a cardboard recycling business, Target, single family residential subdivisions, orchards and brush land.

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

DEVELOPMENT TRENDS: The development trend for the area along the west side of Ware Road between Orchid Avenue and Primrose Avenue is single family residential. The property was zoned A-O (agricultural & open space) District upon comprehensive rezoning in 1979. A rezoning request for C-3 (general business) District for the parcel fronting Ware Road was disapproved in 2005 due to neighborhood opposition from the residents of Puerta Del Sol. A rezoning request for the parcel fronting 41st Street for R-3C (multifamily residential condominium) District was withdrawn by the applicant in 2014 and the property was purchased by Covenant Christian School. The adjacent property to the north was rezoned to C-3 (general business) in 1994 and subsequently developed as Covenant Christian School in 2007 with a conditional use permit. The property to the east was rezoned to C-3 (general business) District in 2005 and developed as McAllen Towne Center with a Target store. Ware Road is designated as a high speed arterial with 120 feet of right-of-way with 6 travel lanes, a raised landscaped median and bicycle lanes.

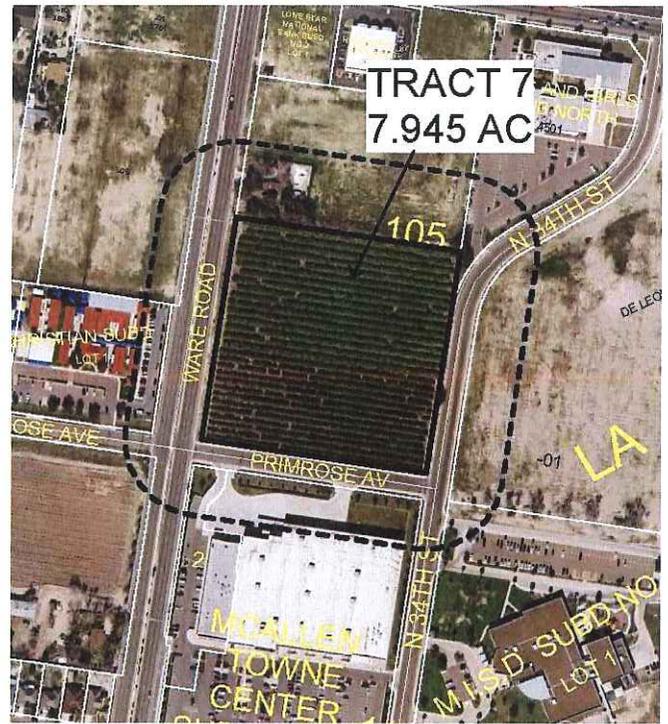
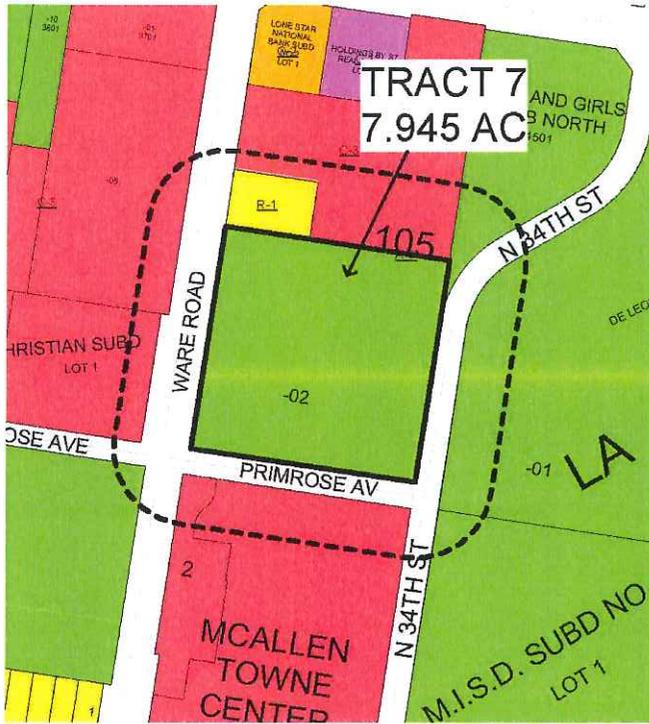
PUBLIC COMMENT: Staff has not received any inquires pertaining to the subject property.

RECOMMENDATION:
Staff recommends approval.

TRACT 7: REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: 7.945 ACRES OUT OF LOT 105, LA LOMITA (HOIT) SUBDIVISION, HIDALGO COUNTY, TEXAS; 4200 N WARE ROAD. (REZ2015-0100)

LOCATION: The tract is located at the northeast corner of Ware Road and Primrose Avenue. The tract has 590 feet of frontage along Ware Road and a depth of 590 feet for a tract size of 7.945 acres. The tract has 590 feet of frontage along Primrose Avenue and 450 feet of frontage along 34th Street.

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



LAND USE: The tract comprises a single parcel that contains an orchard. Adjacent land uses are Target, McAllen Boys and Girls Club, De Leon Soccer Complex, Castaneda Elementary School, Covenant Christian School, a single family residence and farmland.

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

DEVELOPMENT TRENDS: The development trend for the area along the east side of Ware Road between Nolana Avenue and Buddy Owens Boulevard is general business. The property was zoned A-O (agricultural & open space) District upon comprehensive rezoning in 1979. There have been no rezoning requests on the subject property since annexation. A rezoning request for C-3 (general business) District for a tract to the north was approved in 2009 but no development plans have been submitted on the property. A rezoning request to R-1 (single family residential) District for an existing residence to the north was approved in 1996 to allow for improvements to the residence. A rezoning request to C-3 (general business) District for the tract to the west was approved in 1994 and subsequently a portion of the tract was developed as Covenant Christian School in 2007 with a conditional use permit. The property to the south was rezoned to C-3 (general business) District in 2005 and developed as McAllen Towne Center with a Target store. Ware Road is designated as a high speed arterial with 120 feet of right-of-way with 6 travel lanes, a raised landscaped median and bicycle lanes.

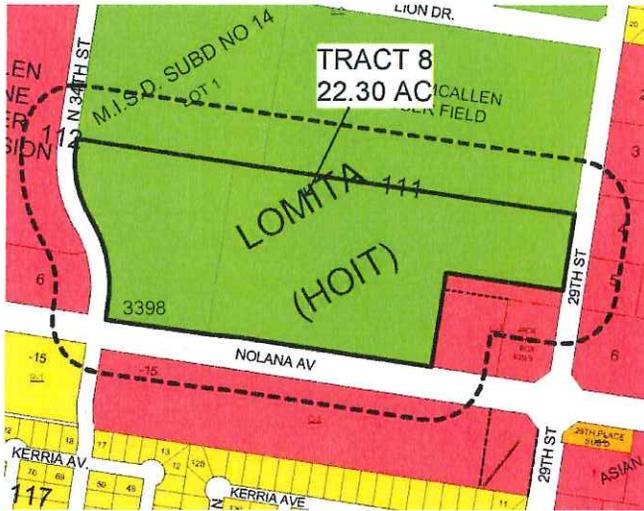
PUBLIC COMMENT: Staff has not received any inquires pertaining to the subject property.

RECOMMENDATION:
Staff recommends approval.

TRACT 8: REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: 22.30 ACRES OUT OF LOTS 111 & 112, LA LOMITA (HOIT) SUBDIVISION, HIDALGO COUNTY, TEXAS; 4101 NORTH 29TH STREET, 3300 NOLANA AVENUE. (REZ2015-0101)

LOCATION: The tract is located along the north side of Nolana Avenue between 29th and 34th Street. The tract has approximately 1,120 feet of frontage along Nolana Avenue and a depth of 640 feet for a tract size of 22.30 acres. The tract has 290 feet of frontage along 29th Street and 700 feet along 34th Street.

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



LAND USE: The tract comprises 2 parcels containing farmland. Adjacent land uses are Castaneda Elementary School, De Leon Soccer Complex, Walmart, Jack-in-the-Box, Shell Gas Station, Dollar Tree, Target and vacant land.

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

DEVELOPMENT TRENDS: The development trend for this area along Nolana Avenue is general business. The property was zoned A-O (agricultural & open space) District upon comprehensive rezoning in 1979. There have been no rezoning requests on the property since that time. The adjacent property at the northwest corner of Nolana and 29th Street was zoned C-3 (general business) District in 1997 and a convenience store was constructed. The tract on the southeast corner of Nolana Avenue and 29th Street was rezoned to C-2 (neighborhood commercial) District in 1992 but the planned convenience store has not developed. The tract to the west was rezoned to C-3 (general business) District in 2005 and Target was constructed. The tract to the east was rezoned to C-3 (general business) District in 2000 and Walmart and commercial outparcels were developed. The tract to the south was rezoned to C-3 (general business) District in 1997 and 1999 but the tract has not developed into a commercial use.

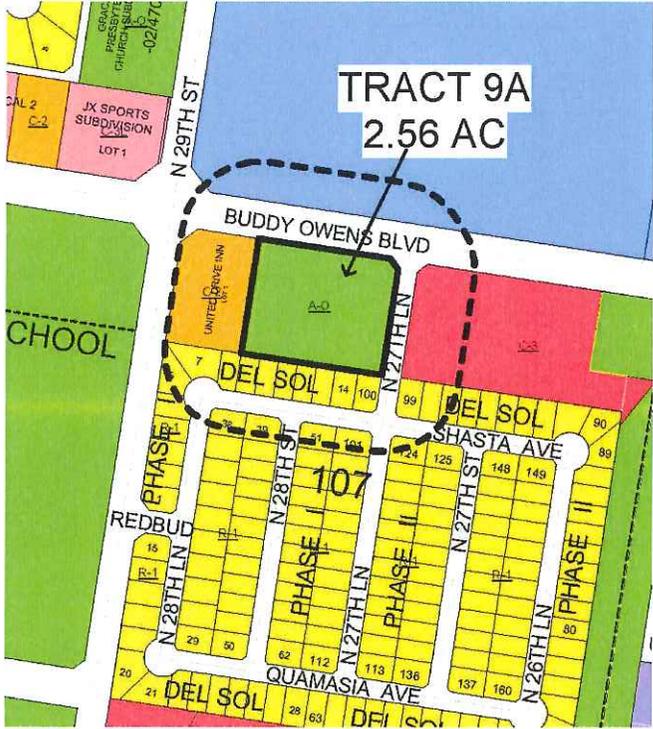
PUBLIC COMMENT: Staff has not received any inquires pertaining to the subject property.

RECOMMENDATION:
Staff recommends approval.

TRACT 9A: REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: 2.56 ACRES OUT OF LOT 107, LA LOMITA (HOIT) SUBDIVISION, HIDALGO COUNTY, TEXAS; 2801 BUDDY OWENS BOULEVARD. (REZ2015-0102)

LOCATION: The tract is located at the southwest corner of Buddy Owens Boulevard and 27th Lane. The tract has approximately 370 feet of frontage along Buddy Owens Boulevard and a depth of 300 feet for a tract size of 2.56 acres.

ADJACENT ZONING: Adjacent zoning is R-1 (single family residential) District to the south, C-2 (neighborhood commercial) District to the west, I-2 (heavy industrial) District to the north and C-3 (general business) District to the east.



LAND USE: The tract comprises a single parcel that is currently vacant land. Adjacent land uses are single family residential, De Leon Middle School and Soccer Complex and vacant land.

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

DEVELOPMENT TRENDS: The development trend for this area along Buddy Owens Boulevard is a mix of office and general business. The property was zoned A-O (agricultural & open space) District upon comprehensive rezoning in 1979. There have been no rezoning requests on the property since that time. The adjacent property to the west was rezoned to C-2 (neighborhood commercial) District in 1999 for a convenience store by the name of United Drive-In but tract is currently vacant land. The property to the east was rezoned to C-3 (general business) District in 2007 for Centerpointe Business Plaza but the tract is currently vacant land, A tract at the northwest corner of Buddy Owens Boulevard and 29th Street was rezoned to C-3L (light commercial) District in 2014 and JX Sports Subdivision was developed.

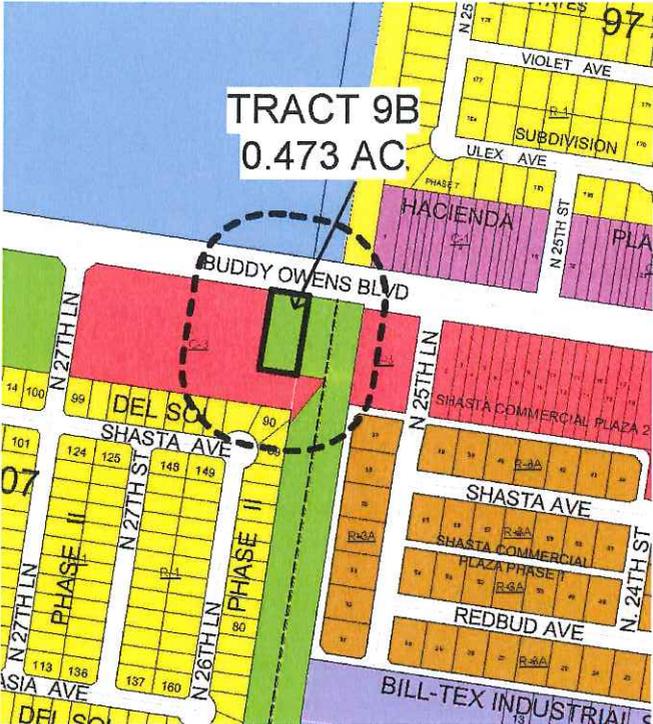
PUBLIC COMMENT: Staff has not received any inquires pertaining to the subject property.

RECOMMENDATION:
Staff recommends approval.

TRACT 9B: REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: 0.473 ACRES OUT OF LOT 107, LA LOMITA (HOIT) SUBDIVISION, HIDALGO COUNTY, TEXAS; 2501 BUDDY OWENS BOULEVARD. (REZ2015-0103)

LOCATION: The tract is located along the south side of Buddy Owens Boulevard approximately 390 feet west of 25th Lane. The tract has approximately 100 feet of frontage along Buddy Owens Boulevard and a depth of 210 feet for a tract size of 0.473 acres.

ADJACENT ZONING: Adjacent zoning is C-3 (general business) District to the south and west, R-1 (single family residential) District to the south, I-2 (heavy industrial) District to the north and A-O (agricultural-open space) District to the east.



LAND USE: The tract comprises a single parcel containing a single family residence. Adjacent land uses are Framboyant Learning Center, Capri Realty, single family residential and vacant land.

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

DEVELOPMENT TRENDS: The development trend for this area along Buddy Owens Boulevard is a mix of office and general business. The property was zoned A-O (agricultural & open space) District upon comprehensive rezoning in 1979. There have been no rezoning requests on the property since that time. The adjacent property to the west was rezoned to C-3 (general business) District in 2007 for Centerpointe Business Plaza but the tract is currently vacant land. The property to the east was rezoned to C-3 (general business) District in 2002 for Shasta Commercial Plaza and offices, daycare and retail businesses were constructed. A tract to the northeast was rezoned to C-1 (office building) District in 2002 for Hacienda Plaza and an office center was developed.

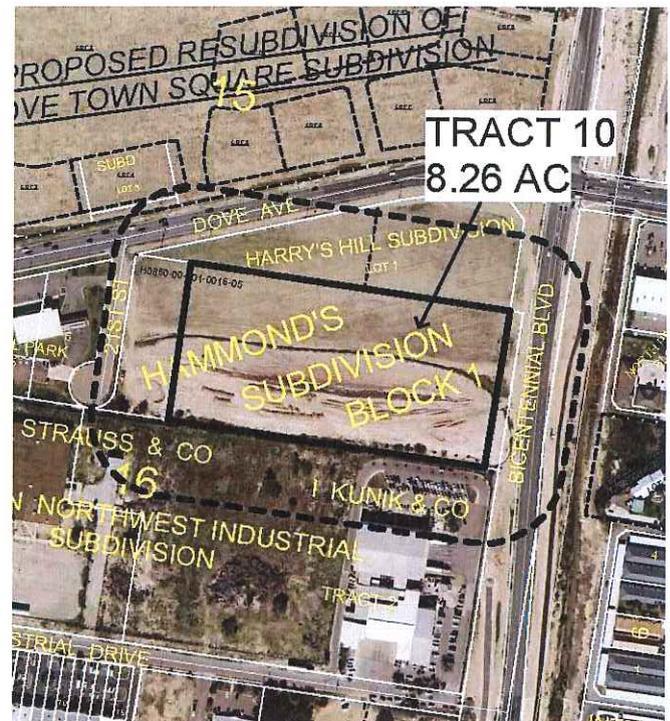
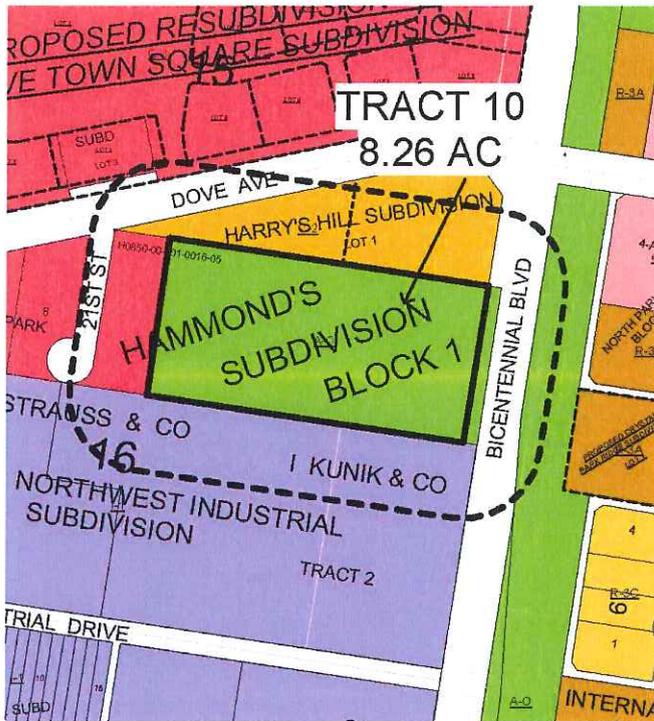
PUBLIC COMMENT: Staff has not received any inquires pertaining to the subject property.

RECOMMENDATION:
Staff recommends approval.

TRACT 10: REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: 8.26 ACRES OUT OF LOT 16, BLOCK 1, C.E. HAMMOND'S SUBDIVISION, HIDALGO COUNTY, TEXAS; 5400 NORTH 21ST STREET. (REZ2015-0104)

LOCATION: The tract is located along the west side of Bicentennial Boulevard approximately 290 feet south of Dove Avenue. The tract has approximately 420 feet of frontage along Bicentennial Boulevard and a depth of 830 feet for a tract size of 8.26 acres.

ADJACENT ZONING: Adjacent zoning is C-2 (neighborhood commercial) District to the north, I-1 (light industrial) District to the south, C-3 (general business) District to the west and A-O (agricultural-open space) District to the east.



LAND USE: The tract comprises a single parcel that is vacant land containing a stock pile of excavated dirt. Adjacent land uses are Stripes Convenience Store, I. Kunik Inc. packing and distribution center, South Texas Federal Credit Union, Walmart Neighborhood Center and vacant land.

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

DEVELOPMENT TRENDS: The development trend for the area along Dove Avenue and Bicentennial Boulevard is a mix of light commercial and general business. The property was zoned A-O (agricultural & open space) District upon comprehensive rezoning in 1979. There have been no rezoning requests on the property since that time. The adjacent property to the west was rezoned to C-3 (general business) District in 1994 for Dove Commercial Park and a credit union, day care and auto repair business were constructed. The adjacent property to the north was rezoned to C-2 (neighborhood commercial) District in 2013 for Harry's Hill Subdivision and a Stripe's convenience store was constructed. The tract along the north side of Dove Avenue and west of Bicentennial Boulevard was rezoned to C-3 (general business) District in 2013 and a Walmart Neighborhood Store was constructed.

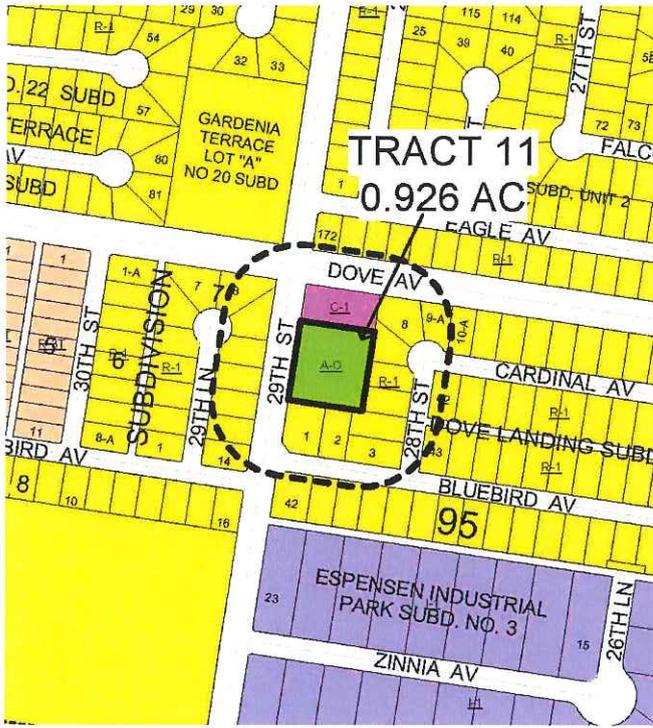
PUBLIC COMMENT: Staff has not received any inquires pertaining to the subject property.

RECOMMENDATION:
Staff recommends approval.

TRACT 11: REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO C-1 (OFFICE BUILDING) DISTRICT: 0.926 ACRES OUT OF LOT 95, LA LOMITA (HOIT) SUBDIVISION, HIDALGO COUNTY, TEXAS; 5404 NORTH 29ST STREET. (REZ2015-0105)

LOCATION: The tract is located along the east side of 29th Street approximately 100 feet south of Dove Avenue. The tract has approximately 210 feet of frontage along 29th Street and a depth of 190 feet for a tract size of 0.926 acres.

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



LAND USE: The tract contains a single parcel containing a single family residence. Adjacent land uses are single family residential, Church of Jesus Christ of Latter-day Saints and vacant land.

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

DEVELOPMENT TRENDS: The development trend for the southeast corner of Dove Avenue and 29th Street is office building. The property was zoned A-O (agricultural & open space) District upon comprehensive rezoning in 1979. There have been no rezoning requests on the property since that time. The adjacent property to the north was rezoned to C-1 (office building) District in 2002 for a proposed office building but the tract is currently vacant land. The adjacent property to the east was rezoned R-1 (single family residential) District in 1999 for Dove Landing Subdivision that was developed. The tract to the west was rezoned to R-1 (single family residential) District in 1981 for Bluebird Subdivision that was developed. The tract to the northwest was rezoned to R-1 (single family residential) District in 1995 and the Church of Jesus Christ of Latter-day Saints was constructed. North 29th Street is designated as a minor arterial and is constructed with 4 travel lanes and bicycle lanes.

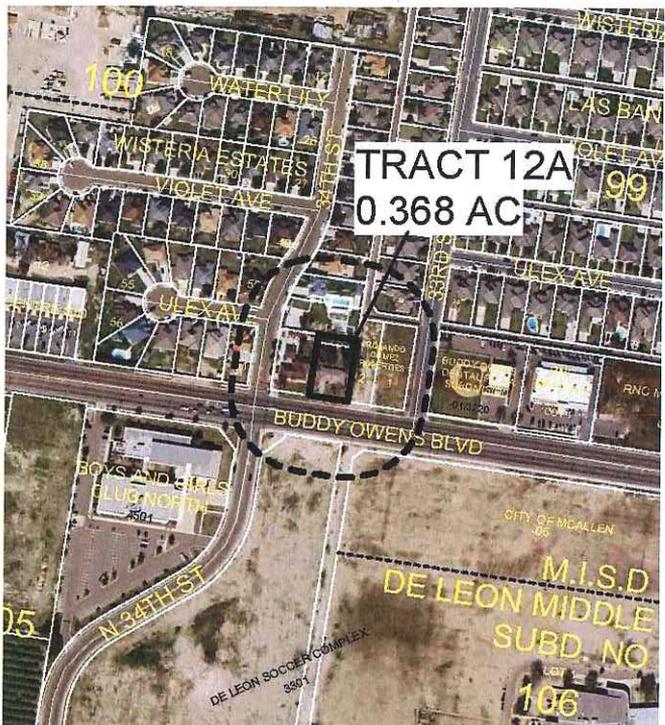
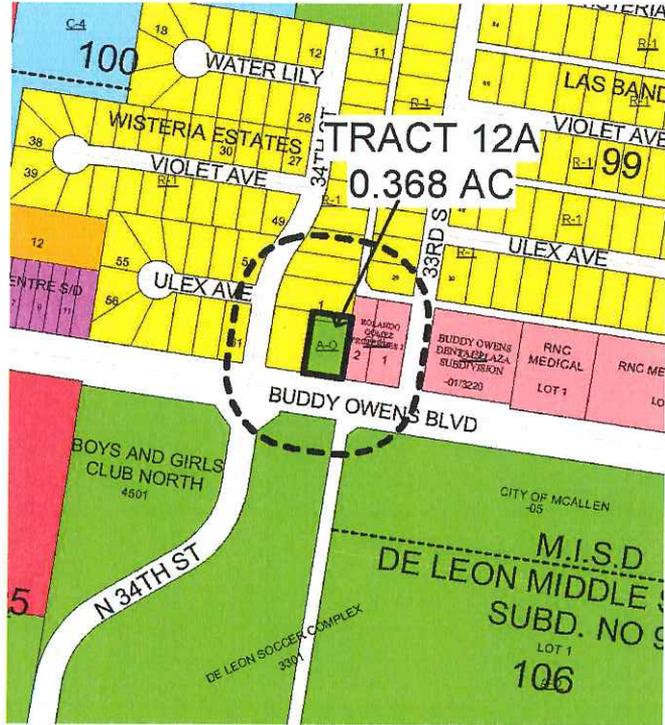
PUBLIC COMMENT: Staff has not received any inquires pertaining to the subject property.

RECOMMENDATION:
Staff recommends approval.

TRACT 12A: REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO C-3L (LIGHT COMMERCIAL) DISTRICT: 0.368 ACRES OUT OF LOT 100, LA LOMITA (HOIT) SUBDIVISION, HIDALGO COUNTY, TEXAS; 3300 BUDDY OWENS BOULEVARD. (REZ2015-0106)

LOCATION: The tract is located along the north side of Buddy Owens Boulevard approximately 148 feet west of 33rd Street. The tract has approximately 100 feet of frontage along Buddy Owens Boulevard and a depth of 161 feet for a tract size of 0.368 acres.

ADJACENT ZONING: Adjacent zoning is R-1 (single family residential) District to the north and west, C-3L (light commercial) District to the east and A-O (agricultural-open space) District to the south.



LAND USE: The tract comprises a single parcel containing a single family residence. Adjacent land uses are single family residences, McAllen Boys and Girls Club, De Leon Soccer Complex, Freels Orthodontics and vacant land.

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

DEVELOPMENT TRENDS: The development trend for this area along Buddy Owens Boulevard is office and institutional uses. The property was zoned A-O (agricultural & open space) District upon comprehensive zoning in 1979. There have been no rezoning requests on the property since that time. The adjacent property to the west was rezoned to R-1 (single family residential) District in 1998 for improvements to an existing single family residence. The adjacent property to the east was rezoned to C-1 (office building) District in 2003 for an office building and subsequently to C-3L (light commercial) District in 2007 for an ice cream parlor but the property is currently vacant land. The property to the north was rezoned to R-1 (single family residential) District in 1996 and 1997 for Wisteria Estates Subdivision that was developed. Buddy Owens Boulevard is designated as a principal arterial and is constructed with 4 travel lanes, a left turn and shoulders.

PUBLIC COMMENT: Staff has not received any inquires pertaining to the subject property.

RECOMMENDATION:
Staff recommends approval.

Memo

TO: Planning & Zoning Commission

FROM: Julianne R. Rankin, FAICP – Director of Planning

DATE: July 31, 2015

SUBJECT: **City Commission Actions of July 27, 2015**

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.
 - **Planning and Zoning Commission approved**
 - **City Commission approved**
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.
 - **Planning and Zoning Commission approved**
 - **City Commission approved**
3. Initial zoning to C-3 (general business) District: 1.40 acres out of Lot 108, Pride O' Texas Subdivision, Hidalgo County, Texas; 4000 SH 107.
 - **Planning and Zoning Commission approved**
 - **City Commission approved**
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.
 - **Planning and Zoning Commission tabled**
 - **City Commission tabled**
5. 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 withdrawn**

CONDITIONAL USE PERMITS:

1. Request of X-Cess Entertainment, Inc., appealing the decision of the Planning and Zoning Commission of the July 7, 2015 meeting, denying a Conditional Use Permit, for one year, for a bar at Lots 28-31, Continental Trade Center Subdivision, Hidalgo County, Texas 2021 Orchid Avenue.
 - **Planning and Zoning Commission disapproved with a favorable recommendation**
 - **City Commission approved w/variance**
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**

