**AGENDA**

**PLANNING & ZONING COMMISSION REGULAR MEETING**
**TUESDAY, OCTOBER 20, 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 October 6, 2015

**2) SITE PLANS**:

**a)** Proposed Lots 1 and 3, La Vista Crossing Subdivision: 2500 N. McColl Road – Jorge Gonzalez **(SPR2015-0013)** SEC

**3) CONSENT:**

**a)** Elizondo Acres Subdivision; 1130 N. Bentsen Road – Jesus Eloy Elizondo **(Final)(SUB2015-0075)** SEA

**4) SUBDIVISIONS:**

**a)** Sanchez Residence Subdivision; 500 Martin Avenue – Sergio J. Sanchez – **(Preliminary/Final)(SUB2015-0074)** PPE

**b)** The Heights at McColl Subdivision; 2701 S. McColl Road - Meyerhoff Family Trust - **(Revised Preliminary)(SUB2015-0057)** QH & A

**c)** Sharyland Business Park, Lots 23A & 25; 6901 S. International Parkway – Hunt Valley Development, Argent McAllen Realty **(Preliminary)(SUB2015-0071)** HA

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

**a) Ordinance Amendment:**

**1.** An Ordinance Amending the Code of Ordinances of the City of McAllen by Amending Division 13 ("Heart of the City Overlay Districts") to Article V ("Districts") of Chapter 138 ("Zoning") to revise restrictions pertaining to the "Entertainment and Cultural Overlay District" and to eliminate the "Downtown Retail Overlay District" providing for publication; providing for severability, and ordaining other provisions related to the subject matter hereof**.**

**b) CONDITIONAL USE PERMITS:**

1. Request of Jamie S. Ortiz on behalf of Nations for Christ Church, for a Conditional Use Permit, for life of the use, for an institutional use (church) at Lots 3, 4 and the West 30 feet- East 525 feet of Lots 42 and 43, R/S Continental Trade Center Subdivision, Hidalgo County, Texas; 2032 Orchid Avenue. **(CUP2015-0139)**

2. Request of Ricardo De Luna,for a Conditional Use Permit, for one year, for a home occupation (office/ tours) at Lot 10, Block 2, Bryan Younger Subdivision, Hidalgo County, Texas; 208 Beech Avenue. **(CUP2015-0145)**

3. Request of Bradley A. Denno, for a Conditional Use Permit, for one year, for a home occupation (office/ sporting goods mail order) at Lot 53, Tiffany Estates Subdivision, Hidalgo County, Texas; 6002 North 44th Lane. **(CUP2015-0138)**

4. Request of Alim U. Ansari on behalf of South Texas Educational Technologies, Inc., for a Conditional Use Permit, for one year, for an institutional use (school) at Lots 1 through 6, Block 44 and Lots 7 and 8, Block 45, North McAllen Townsite Subdivision, Hidalgo County, Texas; 221 North Main Street. **(CUP2015-0144)**

5. Request of Raul Hernandez on behalf of Linda Calderon, for a Conditional Use Permit, for one year, for a guest house at Lot 1, Graham Subdivision, Hidalgo County, Texas; 1119 South "E" Street. **(CUP2015-0141)**

6. Request of Victor Barrera on behalf of D' Gala, for a Conditional Use Permit, for one year, for a banquet hall at Lot 1, Michelle's Banquet Hall Subdivision, Hidalgo County, Texas; 2100 Nolana Avenue. **(CUP2015-0137)**

7. Request of Jose R. Aguilar, for a Conditional Use Permit, for one year, for a bar at Lots 1, 2 and 3A, Sue's Place Subdivision, Hidalgo County, Texas; 6500 North 10th Street, Suites I and J. **(CUP2015-0047)**

8. Request of Samantha Salas, for a Conditional Use Permit, for one year, for a children's event center at the North 100 feet of Block 8, Broadlawn Terrace No. 2, Hidalgo County, Texas; 3515 North 10th Street. **(CUP2015-0142)**

**c) REZONINGS:**

1. Rezone from C-2 (neighborhood commercial) District to C-3 (general business) District: Lot A, Sal- Eli Subdivision, Hidalgo County, Texas; 900 East Hackberry Avenue. **(REZ2015-0173)**

2. Rezone from A-O ( agricultural- open space) District to C-3 (general business) District: 30.54 acre tract of land out of Lots 71 and 73, R.E. Horn Addition and Lot 162, la Lomita Irrigation and Construction Company Subdivision, Hidalgo County, Texas; 4100 Expressway 83 and 1101 South Bentsen Road. **(REZ2015-0174)**

**d) A-O REZONINGS PROJECT:**

**1**. City Initiated rezoning from A-O (agricultural-open space) District for **District 3 Tracts 1- 9F:**

**A) TRACT 1:** Rezone from A-O (agricultural-open space) District to C-3 (general business) District: 3.089 acres out Of Lot 15, Block 11, Hidalgo Canal Company, Hidalgo County, Texas; 4012 – 4112 North 10th Street. **(REZ2015-0175)**

**B) TRACT 2:** Rezone from A-O (agricultural-open space) District to R-3A (multifamily residential apartment) District: 2.009 acres out of Lot 2, Block 7, Steele & Pershing Subdivision, Hidalgo County, Texas; 516 – 524 East Violet Avenue. **(REZ2015-0176)**

**C) TRACT 3A:** Rezone from A-O (agricultural-open space) District to C-3 (general business) District: 3.451 acres out of Lot 6, Block 6, Steele & Pershing Subdivision, Hidalgo County, Texas; 4900 North McColl Road. **(REZ2015-0177)**

**D) TRACT 3B:** Rezone from A-O (agricultural-open space) District to C-4 (commercial industrial) District: .6083 acres out of Lot 1, Block 7, Steele & Pershing Subdivision, Hidalgo County, Texas; 816 East Violet Avenue. **(REZ2015-0178)**

**E) TRACT 3C:** Rezone from A-O (agricultural-open space) District To C-3 (General Business) District: 2.674 acres out of Lot 1, Block 7, Steele & Pershing Subdivision, Hidalgo County, Texas; 4500 North McColl Road**. (REZ2015-0179)**

**F) TRACT 3D:** Rezone from A-O (agricultural-open space) District to R-3A (multifamily residential apartment) District: 12.031 acres out of Lot 1, Block 7, Steele & Pershing Subdivision, Hidalgo County, Texas; 900 – 1100 East Violet Avenue. **(REZ2015-0180)**

**G) TRACT 4A:** Rezone from A-O (agricultural-open space) District to C-3 (general business) District: 8.464 acres out of Lot 3, Block 3, McColl Tract, Hidalgo County, Texas; 5401 North Jackson Road. **(REZ2015-0181)**

**H) TRACT 4B:** Rezone from A-O (agricultural-open space) District to C-3 (general business) District: 7.938 acres out of Lot 4, Block 3, McColl Tract, Hidalgo County, Texas; 5001 North Jackson Road. **(REZ2015-0182)**

**I) TRACT 4C:** Rezone from A-O (agricultural-open space) District to R-3T (multifamily residential townhouse) District: 15.79 acres out of Lot 4, Block 3, McColl Tract, Hidalgo County, Texas; 1101 – 1401 East Violet Road, 5001 North Jackson Road**. (REZ2015-0183)**

**J) TRACT 4D:** Rezone from A-O (agricultural-open space) District to C-1 (office building) District: 6.712 acres out of Lot 4, Block 3, McColl Tract, Hidalgo County, Texas; 1200 East Zinnia Avenue. **(REZ2015-0184)**

**K) TRACT 5:** Rezone from A-O (agricultural-open space) District to C-1 (office building) District: 1.635 acres out of Lot 1, Block 11, Hidalgo Canal Company, Hidalgo County, Texas; 609 Dove Avenue. **(REZ2015-0185)**

**L) TRACT 7A:** Rezone from A-O (agricultural-open space) District to C-3 (general business) District: 5.464 acres out of Lot 4, Block 3, Steele & Pershing Subdivision, Hidalgo County, Texas; 120 Trenton Road. **(REZ2015-0187)**

**M) TRACT 7B:** Rezone from A-O (agricultural-open space) District to C-3L (light commercial) District 2.929 acres out of Lot 4, Block 3, Steele & Pershing Subdivision, Hidalgo County, Texas; 101 East Trenton Road. **(REZ2015-0188)**

**N) TRACT 8A:** Rezone from A-O (agricultural-open space) District to C-3 (general business) District 0.898 acres out of Lot 14, Block 13, Hidalgo Canal Company Subdivision, Hidalgo County, Texas; 1316 Trenton Road. **(REZ2015-0189)**

**O) TRACT 8B:** Rezone from A-O (agricultural-open space) District to C-1 (office building) District 1.883 acres out of Lot 4, Block 12, Hidalgo Canal Company Subdivision, Hidalgo County, Texas; 1701 Trenton Road. **(REZ2015-0190)**

**P) TRACT 9A:** Rezone from A-O (agricultural-open space) District to C-3 (general business) District 6.396 acres out of Lot 6, Block 13, Hidalgo Canal Company Subdivision, Hidalgo County, Texas; 8321, 8501, 8505 North 10th Street. **(REZ2015-0191)**

**Q) TRACT 9B:** Rezone from A-O (agricultural-open space) District to C-3 (general business) District 12.411 acres out of Lot 17, Block 1, Ebony Heights Citrus Groves & Lot 3, Block 13, Hidalgo Canal Company Subdivision, Hidalgo County, Texas; 8601 – 9017 North 10th Street. **(REZ2015-0192)**

**R) TRACT 9C1:** Rezone from A-O (agricultural-open space) District to C-3 (general business) District 5.297 acres out of Lot 5, Block 1, Ebony Heights Citrus Groves Subdivision, Hidalgo County, Texas; 9301 North 10th Street. **(REZ2015-0193)**

**S) TRACT 9C2:** Rezone from A-O (agricultural-open space) District to R-1 (single family residential) District 6.791 acres out of Lot 5, Block 1 Ebony Heights Citrus Groves Subdivision & Lot 9, Card Strip, Hidalgo County, Texas; 9301 North 10th Street. **(REZ2015-0194)**

**T) TRACT 9D:** Rezone from A-O (agricultural-open space) District to R-1 (single family residential) District 5.173 acres out of Lots 1, 2, Northgate Estates Units 1, 2, Hidalgo County, Texas; 1201 – 1313 Northgate Lane. **(REZ2015-0195)**

**U) TRACT 9E:** Rezone from A-O (agricultural-open space) District to R-1 (single family residential) District 13.635 acres out of Lots 20, 21, Block 1, Ebony Heights Citrus Groves, Hidalgo County, Texas; 1609 – 1717 Northgate Lane. **(REZ2015-0196)**

**V) TRACT 9F:** Rezone from A-O (agricultural-open space) District to R-1 (single family residential) District 7.689 acres out of Lot 32, Block 2, Ebony Heights Citrus Groves, Hidalgo County, Texas; 1900 Northgate Lane. **(REZ2015-0197)**

**6) DISCUSSION**:

**7) INFORMATION ONLY**:

**a. Upcoming Holiday Schedule**

| NOVEMBER 2015 | | | | | | | DECEMBER 2015 | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat |
| 1 | 2 | 3 | 4 D 12/1 & 12/2 | 5 | 6 | 7 | | | 1 | 2 HPC D - 1/5 & 1/6 | 3 | 4 | 5 |
| 8 | 9 AD 12/1 & 12/2 | 10 | 11 N 12/1 & 12/2 | 12 | 13 | 14 | 6 | 7 AD - 1/5 & 1/6 | 8 | 9 N - 1/5 & 1/6 | 10 | 11 | 12 |
| 15 | 16 | 17 | 18 D 12/16 & 12/17 | 19 | 20 | 21 | 13 | 14 | 15 | 16 D 1/19 & 1/20 | 17 | 18 | 19 |
| 22 | 23 AD - 12/16 & 12/17 | 24 | 25 N 12/16 & 12/17 | 26 HOLIDAY | 27 | 28 | 20 | 21 AD 1/19&1/20 | 22 | 23 N - 1/19 & 1/20 | 24 HOLIDAY | 25 HOLIDAY | 26 |
| 29 | 30 | | | | | | 27 | 28 | 29 | 30 | 31 | | |

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

**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, October 06, 2015, at 3:35 p.m. in the Municipal Building City Commission Room at City Hall, 1300 Houston Avenue, McAllen, Texas.

| | | |
|---|---|---|
| **Present:** | **Leonel Garza, III** | **Chairman** |
| | **Sonia Falcon** | **Vice-Chairman** |
| | **Pepe Cabeza de Vaca** | **Member** |
| | **John Millin** | **Member** |
| | **Ric Godinez** | **Member** |
| | **Rudy Elizondo, Jr.** | **Member** |
| **Absent:** | **None** | |
| **Staff Present:** | **Julianne R. Rankin** | **Director of Planning** |
| | **Luis Mora** | **Senior Planner** |
| | **Kim Guajardo** | **Planner III** |
| | **Miguel Martinez** | **Planner II** |
| | **Cristina Garcia** | **Planner I** |
| | **Allan Garces** | **Planner I** |
| | **Marlen Gonzalez** | **Engineering Department** |
| | **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 September 16, 2015.

The minutes for the regular meeting held on September 16, 2015 were approved as submitted. The motion to approve was made by Mr. John Millin. Ms. Sonia Falcon seconded the motion which carried unanimously with seven members present and voting.

2. **SITE PLANS:**

   **a)** Proposed Lot 5, Dove Town Square Phase 2 Subdivision; 2100 Dove Avenue - Lockard McAllen Holdings, LLC **(SPR2015-0018)**

Mr. Martinez stated the property was located on the north side of Dove Avenue between N. 23rd Street & Bicentennial Boulevard. The property was zoned C-3 (general business) District. The adjacent zoning R-1 (single-family residential) District to the north, C-3 to the east, C-2 to the south and R-1 to the west.

The property was part of Phase II Dove Town Square Subdivision, which was scheduled for final consideration by the Planning & Zoning Commission on October 6, 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 was proposing to construct a 63,486 sq. ft. multi-tenant building for retail use on the property. Based on the use and square footage of the building, 159 parking spaces were required; 274 parking spaces were provided. Seven of the provided parking spaces must be van accessible with an 8 ft. wide aisle. Access to the site was proposed to be from a new 36 ft. wide curb cut/access easement on Dove Avenue. Access would also be provided from two existing 36 ft. wide curb cuts, one on N. 23rd Street. one on Dove Avenue, thru an existing access agreement. No access to Flamingo Avenue would be permitted as per plat. Required landscaping for the lot was 46,681 sq. ft. with trees required as follows: 72–2 ½" caliper trees, or 36–4" caliper trees, or 18–6" caliper trees, or 144 palm trees. A minimum 10 ft. wide landscape strip was required inside the property line along N. 23rd Street, Dove Avenue, and Flamingo Avenue. Fifty percent of the landscaping must be visible in front areas, and each parking space must be within 50 ft. of a landscaped area with a tree, as required by ordinance. A 4 ft. wide sidewalk was required along N. 23rd Street, Dove Avenue, and Flamingo Avenue. An 8 ft. masonry wall was required between single family residential and commercial, industrial, or multi-family residential zones/uses to the north. No structures were permitted over easements. All building setbacks would be in compliance with the plat note requirements and zoning ordinance.

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

The Board inquired if there would be any share drives along Lots 9 & 10, Mr. Cris Biggers, project engineer stated they were not planning and share drives there at this moment only the ones on the site plan.

Following a brieft discussion of the item, Ms. Sonia Falcon **moved** to approve the site plan subject to the conditions noted, paving and building permit requirements, and the subdivision and zoning ordinances. Mr. Mark Wright seconded the motion with seven members present and voting.

**b)** Plaza Las Fuentes Phase 1-A Subdivision – 5800 N. 10th Street - El Pistalon, LLP **(SPR2015-0038)**

Mr. Martinez stated the property was located on the northeast corner of Dove Avenue and N. 10th Street. The property was vacant and was zoned C-3 (general business) District. The adjacent zoning was C-3 in all directions.

The property was part of proposed Plaza Las Fuentes Phase I-A Subdivision, which was scheduled for preliminary/final consideration by the Planning & Zoning Commission on October 6, 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 30,000 sq. ft. building for retail use on the property. Based on the use, 78 parking spaces were required; 144 were existing on the newly created lot, and were part of the existing shared common parking and access for the overall development. A

shared access/parking agreement would be provided to the city by the property owner. The original master site plan required 1,229 parking spaces and 1,695 were provided. Twenty-seven of the provided parking spaces must be accessible parking spaces for the overall, four of which must be van accessible with an 8 ft. wide aisle. Access to the site was from existing curb cuts. The existing landscaping on this site would remain and was part of the original 132,249 sq. ft. required for the overall development. Tree requirements for the overall development would also remain and were based on: 166 – 2½" caliper trees, or 83 – 4" caliper trees, or 56 – 6" caliper trees, or 332 palm trees. Other landscape requirements including landscape strips, visibility, and distance of parking spaces to landscape areas were in compliance with the original approved master plan. A 6 ft. buffer was required around dumpsters, compactors, loading/unloading areas, and loading docks if visible from the street. A 10 ft. masonry wall was required between the commercial and residential areas. No structures were permitted over easements. All setbacks would be in compliance with the plat note requirements and the zoning ordinance.

Other requirements which were part of the overall development would remain and were as follows:

1) No Wal-Mart of Sam's Club to be developed; 2) Commercial buildings shall have rear parapet walls to hide rooftop equipment such as air conditioners; 3) Lighting on the rear of the development adjacent to residential shall be directed away from the residents and face toward the commercial development; 4) No water retention pond for commercial run-off in the residential area; 5) providing access to the cell tower located to the north of this property so that a landlocked parcel was not created since Hawk Avenue had been abandoned; and 6) these agreements run with the land so that future owners were bound by it.

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, Ms. Sonia Falcon **moved** to approve the site plan subject to the conditions noted, paving and building permit requirements, and the subdivision and zoning ordinances. Mr. Pepe Cabeza de Vaca seconded the motion with seven members present and voting.

**3) CONSENT:**

**a)** La Vista Crossing Subdivision: 2500 N. McColl Road – Jorge Gonzalez **(Revised Final)(SUB2015-0026) SEC**

Item was not heard but approved with conditions.

The property consisted of a three lot subdivision plat located on the north side of E. La Vista Avenue and east of the North McColl Road. The property was zoned R-3A (multifamily apartments) District. The plat received preliminary plat approval by the Planning and Zoning Commission on November 18, 2014 and final plat approval by the Planning and Zoning Commission on May 5, 2015. N. McColl Road had 20 ft. ROW dedication for 50 ft. from centerline for 100 ft. ROW with 65 ft. of paving and curb & gutter on both sides. E. La Vista Avenue had a 10 ft. ROW dedication for 30 ft. from centerline for a 60 ft. ROW with paving of

40 ft. and curb gutter on both sides. Front setbacks on N. McColl Road were 40 ft. or greater for easements. Rear and side setbacks were in accordance with the Zoning Ordinance, or greater for approved site plan or easements. Corner setbacks on E. La Vista Avenue were 40 ft. or greater for easements. Garage setbacks were 18 ft. except where greater setback was required; greater setback applied. All setbacks were subject to increase for easements. A 4 ft. wide minimum sidewalk was required on N. McColl Road and E. La Vista 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. Park fee was approved by the City Commission at their meeting of January 12, 2015. Park fee of $103,600 which was based on 148 units at $700 per dwelling unit was required to be paid prior to recording. Trip Generation was approved by the Traffic Operations Department and Traffic Impact Analysis was not required. Must comply with City's Access Management Policy. Agreement from respective gas company for improvements such as paving and parking over the easement was needed prior to site plan approval. Cross/ shared access easements needed for shared use of driveways and parking.

Staff recommended approval of the subdivision in revised final form.

As part of the consent agenda, Mr. Pepe Cabeza de Vaca **moved** to approve the subdivision in revised final form. Ms. Sonia Falcon seconded the motion which carried unanimously with five members present and voting.

**b)** Barrera Acres Subdivision; 4212 Buddy Owens Boulevard – Dagoberto Barrera, Jr. **(Final)(SUB2015-0050)** SEA

Item was not heard but approved with conditions.

The subdivision consisted of one lot proposed for single family residential use. Preliminary plat approval was received on May 5, 2015 and a revised preliminary plat was approved by the Planning and Zoning Commission at their meeting of May 19, 2015. The property was located on the north side of Buddy Owens Boulevard between N. 44th Street and North Bentsen Road. Buddy Owens Boulevard (Mile 3 North) F.M. 1924 had 160 ft. ROW existing with paving, curb and gutter to be done by the state. Violet Avenue had 50 ft. ROW with 32 ft. of paving with curb and gutter on both sides. Front setbacks on Buddy Owens Boulevard (Mile 3 North) F.M. 1924 were 45 ft. or greater for easements and on Violet Avenue front setbacks were 25 ft. or greater for easements. Rear and side setbacks were in accordance with the Zoning Ordinance, or greater for easements. Garage setbacks were 18 ft. except where greater setback was required; greater setback applied. All setbacks were subject to increase for easements. A 4 ft. wide minimum sidewalk was required on Buddy Owens Boulevard (Mile 3 North) F.M. 1924 and on Violet Avenue. Project engineer, on behalf of the developer had submitted a variance request to the sidewalk requirement on Buddy Owens Boulevard. City Commission granted the variance at their meeting of June 8, 2015. 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 Park fee of $700 based on one single family

residential/dwelling was required to be paid prior to recording. As per Traffic, the Trip Generation Worksheet was being waived for the proposed one lot single family residential subdivision. Plat must comply with Section 134-106 of the Subdivision Ordinance, which stated "In residential subdivisions which have lots abutting major or minor arterials or major collectors, the residences on such lots shall not face the major or minor arterial or major collector, unless there was a 20 ft. planting area between such lot and the major or minor arterial or major collector." An agreement from respective Gas Company as may be needed for any improvements within easement.

Staff recommended approval of the subdivision final form.

As part of the consent agenda, Mr. Pepe Cabeza de Vaca **moved** to approve the subdivision in revised final form. Ms. Sonia Falcon seconded the motion which carried unanimously with five members present and voting.

**4) SUBDIVISIONS:**

**Members Mr. Godinez and Mr. Elizondo stepped in.**

**a)** The Oaks Unit 4 Subdivision; 301 Violet Avenue – Paul E. Johnson **(Revised Final)(SUB2015-0065)** JHE

Ms. Guajardo stated that the property consisted of a one lot subdivision plat located on the south of E. Violet Avenue between N. 3rd Street and 4th Street. The plat received preliminary approval on September 16, 2015 by the Planning and Zoning Commission. The property was zoned R-3T (multifamily residential townhouse) and the proposed use was a single family residence. Violet Avenue had 60 ft. ROW existing with minimum of 40 ft. of paving and curb & gutter on both sides. Front setbacks were 45 ft. or in line with existing structures, whichever was greater. Project engineer, on behalf of the developer was requesting a 35 ft. front yard setback in lieu of 45 ft. as previously approved by the Planning and Zoning Commission on September 16, 2015.Rear and side setbacks were in accordance with the Zoning Ordinance, or greater for easements. Garage setbacks were 18 ft. except where greater setbacks were required; greater setback applied. All setbacks were subject to increase for easements. A 4 ft. wide minimum sidewalk was required on Violet 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 Park fee of $700 based on one single family residence was required to be paid prior to recording. Per Traffic the trip generation was waived for the single family residential lot.

Staff recommended approval of the subdivision in revised final form with the 35 ft. front yard setback.

Being no discussion of the item, Mr. Pepe Cabeza de Vaca **moved** to approve the subdivision in revised final form. Mr. Rudy Elizondo seconded the motion with seven members present and voting.

**b)** Elizondo Acres Subdivision; 1130 N. Bentsen Road – Jesus Eloy Elizondo **(Preliminary)(SUB2015-0064)** SEA

Ms. Guajardo stated the property consisted of a 2 lot subdivision plat located on the east side of N. Bentsen Road and south of Pecan Boulevard. Lot 2 had a zoning of R-2 (duplex fourplex) and Lot 1 had existing R-1 zoning (single family residential). N. Bentsen Road had 50.83 ft. ROW from centerline for 101.66 ft. ROW with 65 ft. of paving and curb & gutter on both sides. Owner must escrow monies for improvements if not built prior to plat recording. Per Engineering Department, a reimbursement was required for the roadway improvements. Front setbacks for Lot 1 - 45 ft. or greater for easements (R-1) and Lot 2 were 40 ft. or greater for easements (R2). Rear and sides setbacks were in accordance with the Zoning Ordinance, or greater for easements. Garage setbacks were 18 ft. except where greater setbacks are required; greater setbacks apply. All setbacks are subject to increase for easements. Setbacks for existing structures remain; however, any new addition on new construction shall comply with the setbacks as noted. A 4 ft. wide minimum sidewalk was required on N. Bentsen 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. The Parks Department was pending review by the Parkland Dedication Advisory Board and City Commission. They were pending the number of units being proposed to determine if a park fee would be required. Per Traffic, the trip generation was waived if it remained residential. Per Traffic, they would require a circular driveway or head out driveway to N. Bentsen Road (Access Management). Per Engineering, a reimbursement was required for N. Bentsen roadway improvements.

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

Ms. Falcon inquired what would be built. Ms. Guajardo stated there was an existing home on the R-2 zone which was Lot 2 and Lot 1, the R-1 (single family residential) property was vacant. She stated they would be building a home on the Lot 1 and had already requested building permits.

After a brief discussion of the item, Ms. Sonia Falcon **moved** to approve the subdivision in preliminary form subject to the conditions noted, and utility & drainage approvals. Mr. Rudy Elizondo seconded the motion with seven members present and voting.

**c)** Magda Subdivision; 2900 N. Ware Road – Maria Magdalena Sanchez **(SUB2011-0056)(Revised Preliminary)** IGE

Ms. Guajardo stated it was 2 lot commercial subdivision plat that was located on the northeast corner of N. Ware Road and future Camelia Avenue. The property was zoned C-1 (office) District. Preliminary plat was approved by the Planning and Zoning Commission at their meeting on December 6, 2011. Camellia Avenue (south boundary) had 10 ft. ROW dedication required for future 60 ft. ROW; project engineer was to label the centerline and show existing ROW on both sides for 30 ft. from centerline for 60 ft. ROW with 40 ft. of paving with curb & gutter on both sides. The owner must escrow monies for improvements if not done prior to

recording. Project engineer, must provide document as shown along Camelia Avenue. N. Ware Road, the project engineer was to show the existing ROW on both sides of the centerline to determine dedication requirements for 120 ft. ROW, with paving and curb & gutter by the state. Project engineer, must clarify ROW in front of plat boundary along N. Ware Road. Two - 20 ft. access easements were provided on Lots 1 & 2; however they dead –end. Project engineer needed to clarify. An alley/service drive easement was required for commercial properties. Front setbacks along N. Ware Road were 60 ft. or greater for approved site plan or easements. Rear and interior sides were in accordance with the Zoning Ordinance, or greater for approved site plan or easements. The corner setback along Camellia Avenue was 30 ft. along the south side of Lots 1 & 2, or greater for approved site plan or easements. All setbacks were subject to increase for easements or approved site plan. Setbacks for the existing structures remain; however, once additions and/or new construction were proposed then new setbacks would apply. A 4 ft. wide minimum sidewalk was required on N. Ware Road and along Camellia Avenue. Owner must escrow monies for the sidewalk if not built prior to recording for Camellia Avenue. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer was required from adjacent/between multi-family residential and commercial, or industrial zones/uses. An 8 ft. masonry wall was required between single family residential and commercial, industrial, or multi-family residential zones/uses. 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 required to determine if a TIA was required, prior to final plat. Must also comply with the Access Management Policy.

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

Mr. Garza inquired about the purpose of the access easement. Ms. Guajardo stated commercial properties were required to provide for alleys in lieu of alleys city staff accepted service drives. In this case they were both dead ends, so staff was asking to loop to Ware Road or Camellia Avenue. Mr. Elizondo inquired if the land would be dedicated for Camellia. Ms. Guajardo stated he was showing an instrument number and staff was asking engineer to provide the document as shown along Camellia Avenue, so staff could verify the ROW.

After a brief discussion of the item, Mr. Rudy Elizondo **moved** to approve the subdivision in preliminary form subject to the conditions noted, and utility & drainage approvals. Mr. Ric Godinez seconded the motion with seven members present and voting.

**d)** Beech Commerce Subdivision; 111 N. 23rd Street- Absolute Premium Denim, LLC **(Revised Preliminary)(SUB2015-0045) SEC**

Ms. Guajardo stated it was a one lot commercial subdivision plat located at the southwest corner of N. 23rd Street and Beech Avenue. Plat received preliminary approval by the Planning and Zoning Commission on August 4, 2015. The property was zoned light industrial. N. 23rd Street had 6 ft. - 25 ft. ROW dedication proposed for 50 ft. from centerline for 100 ft. ROW with paving and curb and gutter to be done by the state. Beech Avenue had a 5 ft. ROW dedication required for 30 ft. from centerline for 60 ft. ROW with 40 ft. of paving and curb and gutter on both sides. Owner must escrow monies for improvements if not built prior to recording. Project engineer, on behalf of the developer was requesting a variance to the ROW dedication and paving along Beech Avenue. It stated that the original 50 ft. of dedication for Beech Avenue

was granted by document in 1927 and an additional 5 ft. was added to the north by the subdivision plat in 1980. Beech Avenue was currently 28 ft. wide with curb and gutter existing on the south side. No curb and gutter on the north side of the pavement. If Beech Avenue was to be widened it would be from the north side. An Alley/ service drive easement was required for commercial properties. Project engineer, on behalf of the developer was requesting a variance to the alley requirement that was required for nonresidential development. City staff stated that as an alternative, the service drive could be reviewed as part of the site plan. Front setbacks on N. 23rd Street were 50 ft. or greater for approved site plan or easements. Rear and interiors setbacks were in accordance with the Zoning Ordinance, or greater for approved site plan or easements. Corner setbacks on Beech Avenue were 30 ft. or greater for approved site plan or easements. All setbacks were subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk was required on N. 23rd Street and Beech 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 Trip Generation was needed to determine if a Traffic Impact Analysis (TIA) would be required prior to final plat approval. ROW clip as may be needed at the street intersection. Plat must comply with the City's Access Management Policy. Per the Engineering Department be no driveways were allowed on N. 23rd Street.

Staff recommended approval of the subdivision in revised preliminary form subject to the conditions noted, recommendation/clarification on the requested variances, and utility & drainage approvals. However, staff recommended the trip generation and/or TIA be submitted and reviewed by traffic prior to a recommendation on the requested variance to the ROW and paving requirement for Beech Avenue.

Mr. Leonel Garza asked Mr. Steve Spoor, project engineer to explain the variance requests. Mr. Steve Spoor, Project engineer, discussed the alley and service drives. Mr. Spoor stated there was a City Ordinance that required that all commercial subdivisions require an alley. He stated the piece of property was located at the corner of Beech Avenue on the north of 23rd on the east and was surrounded on the other side by railroad right of Way. He stated a service drive could not continue on to Business 83. He stated later on a site plan would be presented to the Planning and Zoning Commission where they would be able to see the driveway access points, building and parking. Mr. Leonel Garza state if the service drive could be incorporated with the parking area he did not think that Mr. Spoor would require the variance. Mr. Spoor decided to withdraw his variance request.

Mr. Spoor stated they were requesting a variance to ROW on Beech Avenue. He stated staff requested another 5 ft. of ROW with curb and gutter. If they were to dedicate another 5 ft. it would decrease the building area, encroach into the lot and would also increase the distance from the curb to the property line to 15 ft. it got offset in the old ROW.

Mr. Garza inquired if there were any other properties that had dedicated additional 5ft. ROW from Beech Avenue to the skating ring. Ms. Guajardo there wasn't any and would require a Trip generation and a TIA to be done first to see if there would be any action or recommendation on this particular variance request. Mr. Steve Spoor stated he had a trip generation but was in the verge of requiring a TIA.

After a lengthy discussion of the item, Mr. Ric Godinez **moved** to approve the subdivision in revised preliminary form subject to the conditions noted, and utility & drainage approvals and the 2nd variance request which was regarding the 5 ft. additional ROW dedication on Beech Avenue. The variance to the alley requirement was withdrawn by Mr. Steve Spoor. Ms. Sonia Falcon seconded the motion with seven members present and voting.

**e)** Pecan Development Center Subdivision; 1201 E. Pecan Boulevard – Armando Regalado & Lucia Regalado Living Trust **(Preliminary) (SUB2015-0061) SEC**

Ms. Guajardo stated it was one lot commercial subdivision plat located on the north side of E. Pecan Boulevard, west of north Jackson Road. The property was zoned C-3 (general business) District. E. Pecan Boulevard had 10 ft. ROW dedication required for 60 ft. from centerline for 120 ft. ROW with paving and curb & gutter to be done by the state. Alley/service drive easement was required for commercial properties. Front setbacks on E. Pecan Boulevard were 60 ft. or greater for approved site plan or easements. Rear and side setbacks were in accordance with the Zoning Ordinance, or greater for approved site plan or easements. All setbacks were subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk was required on E. Pecan Boulevard. 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 required between single family residential and commercial, industrial, or multi-family residential zones/uses. Perimeter buffers must be built at time of Subdivision Improvements. A note on the plat stated a site plan must be approved by the Planning and Zoning Commission prior to building permit issuance. Trip Generation was needed to determine if a TIA was required, prior to final plat. Must comply with the City's Access Management Policy. An ownership map was needed to ensure no landlocked properties existed.
Project engineer to clarify what appeared to be ROW running E/W along the northern portion of the plat.

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

Mr. Steve Spoor, project engineer stated subdivision to the east did not have a service drive designated on the plat, Industrial Distribution Center Subdivision. He stated the title information did not show a gas line and the Industrial Distribution Center did not show any either. The current owner purchased the two pieces. He would continue to research and address the non-dead alley on the piece of property.

After a brief discussion of the item, Ms. Sonia Falcon **moved** to approve the subdivision in preliminary form subject to the conditions noted, and utility & drainage approvals. Mr. Ric Godinez seconded the motion with seven members present and voting.

**f)** Cobble Stone Subdivision; 7517 N. Taylor Road - RGV Horizon Developers **(Preliminary)(SUB2015-0068)** JRE

Ms. Guajardo stated the subdivision plat consisted of 19.50 acres and 108 lots were proposed

for single family residential use located on the west side of N. Taylor Road about a quarter mile south of 5 Mile. N. Taylor Road had 10 ft. ROW dedication required for 40 ft. from centerline for an 80 ft. ROW with paving of 52 ft. - 65 ft. and curb & gutter on both sides. N. 56th Street had 35 ft. ROW dedication required for 70 ft. ROW with paving of 44 ft. and curb & gutter on both sides. Owner must escrow monies for improvements if not built prior to plat recording. Project engineer was to clarify 20 ft. by 120 ft. strip at the NW boundary of the plat. Xenops Avenue had 60 ft. ROW required for a neighborhood residential collector with 40 ft. of paving and curb & gutter on both sides. Project engineer was proposing 50 ft. ROW along Lots 16-23; clarification of pavement width was required. Other Interior Streets had 50 ft. ROW with 32 ft. of paving and curb & gutter on both sides. As proposed, the E/W block length along Xenops Avenue exceeded 800 ft. without a cross street. Front setbacks were 25 ft. Rear setbacks were in accordance with the Zoning Ordinance, or greater for easements and rear setback for the double fronting lots shall be 25 ft. for Lots 78-86 and the west rear portion of Lot 87 along N. 56th Street. Interior Sides were in accordance with the Zoning Ordinance, or greater for easements. Corner setbacks were 10 ft. or greater for easements. Garage setbacks were 18 ft. except where greater setback was required. All setbacks were subject to increase for easements. 4 ft. wide minimum sidewalk was required on N. Taylor Road, N. 56th Street, 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 N. Taylor Road and N. 56th Street. An 8 ft. masonry wall was required between single family residential and commercial, industrial, or multi-family residential zones/uses. Perimeter buffers must be built at time of Subdivision Improvements. A note on the plat stated no curb cut, access, or lot frontage permitted along N. Taylor Road and N. 56th Street. Project engineer to ensure all lots have minimum 50 ft. of frontage and corner lots shall be 4 ft. wider. Plat was pending review by the Parkland Dedication Advisory Board and City Commission Board; therefore, park fee was to be determined. Ms. Guajardo stated there was a request by the developer's attorney that based on 108 lots the park fee would be $81,000. Their request was for the City to require half of the park fee at the beginning of the project and the other balance when completed. Another request was that the City considers waiving the escrow requirement for N. 56$^{th}$ Street on the west boundary. It was being reviewed by the Engineering Department and should be going to City Commission. A Trip Generation was needed to determine if a TIA was required, prior to final plat. Temporary turnaround as may be needed at the south end of N. 54th Street.

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

Ms. Falcon inquired how many new subdivisions had we received along Taylor Road. Her concern was the narrowing of the road.

Marlen Gonzalez with the City's Engineering Department stated she spoke to the City Engineer and the widening along Taylor Road was going into the environmental phase to get funding from TX-Dot. It would take 3-4 years. Once funds were received, the improvements would be from the Expressway all the way to Buddy Owens Boulevard.

Following a brief discussion of the item, Ms. Sonia Falcon **moved** to approve the subdivision in preliminary form subject to the conditions noted, and utility & drainage approvals. Mr. Mark Wright the motion with seven members present and voting.

**g)** Vacating Plat of Lot 1, State Farm Place Subdivision; 701 E. U.S. Expressway 83 - State Farm Mutual Auto Insurance **(Preliminary/Final) SEC**

Ms. Guajardo stated it was a vacating instrument to vacate a portion of State Farm Place Subdivision, Lot 1 at the northeast corner of S. McColl Road and Expressway 83 Frontage. Vacating instrument was to eliminate a restriction on the plat that would require a 7 ft. buffer that was required by the Planning and Zoning Commission back in 1990. There was a replat of the subdivision to be heard in the public hearing agenda. The instrument and plat would be recorded simultaneously.

Being no discussion of the item, Mr. Ric Godinez **moved** to approve the subdivision vacating instrument in preliminary/final form. Mr. Rudy Elizondo the motion with seven members present and voting.

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

**a) SUBDIVISIONS:**

**1**. State Farm Place, Lot 1A Subdivision; 701 E. U.S. Expressway 83 – State Farm Mutual Auto Insurance **(Final)(SUB2015-0041) SEC**

Ms. Guajardo stated it was a one lot commercial replat located at the northeast corner of U.S. Expressway 83 frontage and S. McColl Road. Preliminary plat was approved by the Planning and Zoning Commission on July 7, 2015. U.S. Expressway 83 had 360 ft. ROW existing with paving and curb & gutter to be done by the state. S. McColl Road had 50 ft. from centerline for 100 ft. ROW with approximately 48 ft. of existing paving and curb and gutter on both sides. Owner must escrow monies for improvements, as may be needed prior to recording. A service drive was to be reviewed as part of the site plan. Front setbacks along U.S. Expressway 83 were 75 ft. or greater for approved site plan or easements. Rear setbacks on the north property line had 10 ft. (per recorded plat). Interior side setbacks were in accordance with the Zoning Ordinance at time of building permit issuance per recorded plat. Corner setbacks on S. McColl Road were 50 ft. or greater for approved site plan or easements. All setbacks were subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk was required on U.S. Expressway 83 and S. McColl Road. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer was required from adjacent/between multi-family residential and commercial, or industrial zones/uses. An 8 ft. masonry wall was required between single family residential and commercial, industrial, or multi-family residential zones/uses. A note on the plat stated a site plan must be approved by the Planning and Zoning Commission prior to building permit issuance. A Trip Generation and TIA had been approved by the Traffic Operations Department. A Vacate and replat of Lot 1, State Farm Place was proposed in order to eliminate a restriction/general note as recorded in the original plat regarding the 7 ft. high opaque buffer fence requirement along S. McColl Road as previously approved by the Planning and Zoning Commission on February 6, 1990 and 6 ft. high buffer on the north line of the subdivision from the adjacent residential zone/use. Per Engineering,

driveways as per access management. No additional driveways would be granted; they would honor the existing along Expressway 83 and S. McColl Road. Must comply with the City's Access Management Policy.

Staff recommended approval of the resubdivision in final form.

Mr. Leonel Garza III, Chairperson, asked if there was anyone present in opposition of the subdivision request. There was no one present in opposition. The Steve Spoor was present.

Mr. Godinez inquired what was located to the east, west and if we buffers were required Ms. Guajardo stated Joe's Crab Shack and a buffer would not be required to separate commercial property. The restriction being eliminated as part of the vacating process was a buffered along S. McColl Road.

Following a brief discussion of the item, Mr. Ric Godinez **moved** to approve the resubdivision in final form. Mr. Rudy Elizondo the motion with seven members present and voting.

**2.** Plaza Las Fuentes Phase 1-A Subdivision – 5800 N. 10th Street - El Pistalon, LLP **(Preliminary/Final)(SUB2015-0066)** SEA

Ms. Guajardo stated it was a one lot replat and the property was zoned and proposed for commercial use located on the east of N. 10th Street and north of Dove Avenue. N. 10th Street had 60 ft. ROW existing from centerline for 120 ft. ROW with paving and curb & gutter to be done by the state. A service drive was to be reviewed as part of the site plan. Front yard setback along N. 10th Street was 60 ft. or greater for approved site plan or easements. Rear and side setbacks were in accordance with the Zoning Ordinance, or greater for approved site plan or easements. All setbacks were subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk was required on N. 10th Street. Buffers included a 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, or industrial zones/uses, or greater as per agreement. An 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. A note on the plat stated that a site plan must be approved by the Planning and Zoning Commission prior to building permit issuance. A 50 ft. minimum frontage was provided; however, that portion of the flag lot was reduced to 12 ft. in width. Per Traffic, they would honor the previous approvals as long as there were no additional access points proposed. Existing plat notes remain the same for the resubdivision. Public Hearing without notices was required at time of final for the resubdivision. Shared/cross access easements needed for the shared use of drives and parking.

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

Mr. Leonel Garza III, Chairperson, asked if there was anyone present in opposition of the subdivision request. There was no one present in opposition. The applicant was present.

Mr. Pepe Cabeza de Vaca inquired about the odd shape of the plat. Mr. Eddie Rodriguez who works for the developer stated the property belonged to Mr. Ramon Garcia and a part was sold to Lowe's. The odd shape was due to a parking space that was left to divide property evenly.

Following a brief discussion of the item, Mr. Pepe Cabeza de Vaca **moved** to approve the resubdivision in preliminary/final form. Mr. Ric Godinez the motion with seven members present and voting.

**3.** Dove Town Square Phase 2 Subdivision; 2100 Dove Avenue - Lockard McAllen Holdings, LLC. **(Final)(SUB2015-0070)** DA

Ms. Guajardo stated the development was located between Dove Avenue and Flamingo Avenue on the west side of N. Bicentennial Boulevard. The property was zoned C-3 (general business) District. Dove Avenue had 25 ft. ROW dedication required for 75 ft. from centerline for 150 ft. ROW with a minimum of 65 ft. and curb & gutter on both sides. N. Bicentennial Boulevard had 160 ft. ROW existing with paving minimum of 65 ft. with curb & gutter on both sides. Flamingo Avenue had 10 ft. ROW dedication proposed for 60 ft. ROW with 40 ft. of paving and curb & gutter on both sides. Owner must escrow monies for improvements if not built prior to plat recording. The service drive was to be reviewed as part of the site plan. Front setbacks along Dove Avenue and N. Bicentennial Boulevard were 75 ft. or greater for approved site plan or easements. Front setbacks along Flamingo Avenue were 30 ft. or greater for approved site plan or easements. Rear and Interior side setbacks were in accordance with the Zoning Ordinance, or greater for approved site plan or easements. Corner setbacks along Dove Avenue had 75 ft. or greater for approved site plan or easements. Corner setbacks along Flamingo Avenue had 30 ft. or greater for approved site plan or easements. All setbacks were subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk was required on N. Bicentennial Blvd., Dove Avenue and Flamingo Avenue. Perimeter sidewalks must be built or money escrowed if not built at this time. Buffers included a 6 ft. opaque buffer from adjacent/between multi-family residential and commercial, or industrial zones/uses and along Flamingo Avenue from the residential zone/use. An 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Perimeter buffers must be built at time of Subdivision Improvements. Additional buffer requirements along N. Bicentennial Boulevard and Flamingo Avenue as may be required as part of the site plan. A note on the plat stated No curb cut, access, or lot frontage permitted along Flamingo Avenue. A site plan must be approved by the Planning and Zoning Commission prior to building permit issuance. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Common Areas, Private Streets must be maintained by the lot owners and not the City of McAllen. A Trip generation and the TIA have both been approved by the Traffic Operations Department. Project engineer to revise plat name to Dove Town Square Phase II since there was a recorded plat under the name of Dove Town Square. Per Traffic, the proposed access point to Bicentennial Blvd. must be designed for a right turn-in, right turn-out. Existing plat notes remain the same for that portion of the resubdivision (Lot 3R). Public Hearing without legal notices needed at time of final for the resubdivision.

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 request. There was no one present in opposition. The applicant was present.

Mr. Leonel Garza inquired regarding the access points. Ms. Guajardo stated the Traffic Department had already reviewed the TIA and the access points had already been

predetermined in compliance with the access management and the TIA.

Mr. Leonel Garza, III stated his concern was the number of access points due to the speed of traffic and stacking of cars. He stated it was a very busy intersection.

The Board inquired if there would be an access point along Dove Avenue. Ms. Guajardo stated there would one along Lot 6 and if there was one on Lot 7 it may be a shared drive. The Board inquired if there would be an exit along Bicentennial Boulevard. Ms. Guajardo stated it would be through Flamingo Avenue as a right-in and right-out.
Following discussion of the item, Ms. Sonia Falcon **moved** to approve the resubdivision in final form. Mr. Ric Godinez the motion with seven members present and voting.

**4.** Balboa Acres, East ½ of Lot 12, Block 18 Subdivision; 2909 Elmira Avenue – Daniel Rangel Zuniga **(Final)(SUB2015-0062)**

Ms. Guajardo stated the property was located on the south side of Elmira Avenue, west of south 29th Street. It had an existing house on the property. They were creating a split of the property to sell of the balance of it, which was vacant. The property was zoned single family residential. Elmira Avenue had 80 ft. ROW existing with approximately 34 ft. existing of paving and curb & gutter on both sides. The alley had 20 ft. of paving with existing conditions remain. Front setbacks were 25 ft. Rear and side setbacks were in accordance with the Zoning Ordinance. Garage setbacks were 18 ft. except where greater setback was required; greater setback applied. All setbacks were subject to increase for easements. A park fee of $ 700 per dwelling unit was required to be paid prior to recording. Existing plat notes remain the same for the resubdivision.

staff recommended approval in final form.

Mr. Leonel Garza III, Chairperson, asked if there was anyone present in opposition of the subdivision request. There was no one present in opposition. The applicant was present.

Being no discussion of the item, Ms. Sonia Falcon **moved** to approve the resubdivision in final form. Mr. Ric Godinez the motion with seven members present and voting.

**5.** Balboa Acres, West ½ of Lot 12, Block 18 Subdivision; 2907 Elmira Avenue – Daniel Rangel Zuniga **(Final)(SUB2015-0063)**

Ms. Guajardo stated this western part of the lot was vacant and would require a park fee before the recording of the survey. The property was zoned single family residential. Elmira Avenue had 80 ft. ROW existing with approximately 34 ft. of existing of paving and curb & gutter on both sides. The alley had 20 ft. of ROW with existing conditions to remain. Front setbacks were 25 ft. Rear and side setbacks were in accordance with the Zoning Ordinance. Garage: 18 ft. except where greater setback was required; greater setback applied. All setbacks were subject to increase for easements. A park fee of $ 700 per dwelling unit was required to be paid prior to recording. Existing plat notes remain the same for the resubdivision.

staff recommended approval in final form.

Mr. Leonel Garza III, Chairperson, asked if there was anyone present in opposition of the subdivision request. There was no one present in opposition. The applicant was present.

Being no discussion of the item, Mr. Ric Godinez Ms. Sonia Falcon **moved** to approve the resubdivision in final form. Ms. Sonia Falcon the motion with seven members present and voting.

**b) CONDITIONAL USE PERMITS:**

**1.** Request of Jorge L. Cisneros, on behalf of Safe Global Services, for a Conditional Use Permit, for life of the use, for a Communication Tower at Lot 2-C, McAllen Southwest Industrial District Unit 4 Subdivision, Hidalgo County, Texas; 4201 Military Highway. **(CUP2015-0136)**

Ms. Garcia stated the property was located at the southwest corner of Military Highway and South 42nd Street, approximately 540 feet east of South Bentsen Road and was zoned I-2 (heavy industrial) District. The adjacent zoning was I-2 District in all directions. Surrounding land uses include industrial businesses and vacant land. A communication tower was permitted in an I-2 zone with a conditional use permit.

Currently, there was an existing building on the property. The applicant was proposing to install a 100 feet tall tower on the west side, approximately 43 ft. south of the existing building.

The proposal would need to meet all minimum setbacks and building permit requirements, and be made co-locatable. Federal Aviation Administration (FFA) approval must be obtained prior to beginning construction. In addition, the request must comply with requirements set forth in Section 138-118(11) of the Zoning Ordinance as follows:

1) Broadcast pole structure shall comply with the height requirements of the Airport Zoning Ordinance and the requirements set forth by the McAllen International Airport Advisory Board. FAA approval must be obtained prior to beginning construction;

2) Maximum height of pole or tower structure of 80 ft. within commercial zones or within 200 ft. of an existing residential structure;

3) Maximum height of pole or tower structure of 120 ft. within industrial zones for measuring distance purposes, the leasehold interest area boundary or compound area boundary, whichever was greater shall be utilized. The communication tower was proposed at 100 ft. in height;

4) One broadcast pole structure allowed per lot within commercial or industrial zone. There was no other pole structure on the property;

5) Only one pole or tower structure allowed per lot or tract within a commercial or industrial zone;

6) The applicant shall attempt to locate the proposed facility on an existing structure, as per subsection k-m of this section. If co-location of the proposed wireless facility was not possible (as per subsections k-m of this section) then the applicant for a personal wireless service facility must submit at least two alternatives designs for antenna and supporting structure, pole or tower design (including the equipment shelter, as per subsection "h" below) that was treated with architectural material (e.g.) "stealth" design so as to conform to the predominant architectural environment in the area of the facility. Such "stealth" personal wireless service facility shall blend into its proposed surroundings such as a tree, flag pole or other feature, to be approved. When a tree-type stealth design was used, one live and growing tree of the same variety or species one-half the height of the proposed tower shall be planted at the time of installation. The proposed100 ft. tower was not stealth;

7) Minimum spacing between poles and tower structures within commercial or industrial zones of 1,000 ft. measured in a direct line of another tower. There were no co-locatable towers within 1,000 feet;

8) Minimum setback of one-half the street right of way from the property line, 10 ft. from side yard, and 10 ft. from rear, unless greater requirements as noted on subdivision plat. The proposed 100 ft. tower meets all minimum setbacks;

9) A masonry wall shall be required as a buffer if pole or tower structure located within the front or side yard, or adjacent to a residential use or zone;

10) The equipment structure installed at the base of the proposed tower shall be not be greater than 180 sq. ft. and constructed to conform to the predominant architectural environment;

11) A landscaped buffer area to soften the visual impact shall commence along the perimeter of the lease area or the property line. At least one row of shrubs shall be installed as well as trees as appropriate shall be included. Materials shall be of a variety which can be expected to grow to form a continuous hedge at least six feet in height within two years of planting;

12) The pole or tower structure must be constructed or installed with the capabilities of locating thereon additional PWSF when tower or pole was greater than 80 ft. in height. The applicant agrees to cooperate with other PWSF providers in co-locating additional facilities on permitted support structures;

13) A permittee shall exercise good faith in co-locating with other providers and sharing the permitted structure, provided such shared use does not give rise to a substantial technical level impairment of the ability to provide the permitted use (i.e., a significant interference in broadcast or reception capabilities as opposed to a competitive conflict or financial burden). Such good faith shall include sharing technical information to evaluate the feasibility of co-location. In the event a dispute arises as to whether a permittee had exercised good faith in accommodating other users, the city may require a third party technical study at the expense of either or both the applicant and permittee;

14) All conditional use applicants shall demonstrate good-faith, reasonable efforts in developing a co-location alternative for their proposed PWSF site, which efforts shall be documented to the City and shall include, but not limited to, providing technical details sufficient to determine co-locations efforts. If the applicant asserts that co-location was not possible, the applicant must provide, in addition to the foregoing, an affidavit in a form provided by the city stating that all efforts to co-locate the PWSF at an existing facility have been exhausted and that there was no possibility of co-location on the existing towers;

15) Failure to comply with the co-location requirements of this section may result in denial of a permit request or revocation of an existing permit; and

16) No form of pollution shall emanate beyond the immediate property line of the permitted use.

Staff recommended disapproval of the request based on non-compliance with requirement #6 (stealth) of Section 138-118(11) 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 of the request. The applicant was not present.

Being no discussion of the item, Mr. Mark Wright **moved** to disapprove the conditional use permit, based on noncompliance with requirements #6 (stealth) of Section 138-118(11) of the Zoning Ordinance, but with favorable recommendation to grant the variance to the requirement #6 (stealth) of Section 138-118(11). Mr. Pepe Cabeza de Vaca seconded the motion which carried unanimously with seven members present and voting.

**2.** Request of Angela A. Rocha, for a Conditional Use Permit, for one year, for a home occupation (day care) at Lot 46, Ponderosa Park Phase 7 Subdivision, Hidalgo County, Texas; 3301 North 33rd Street. **(CUP2015-0129)**

Ms. Garcia stated the property was located on the west side of North 33rd Street, approximately 230 ft. north of Fern Avenue and was zoned R-1 (single family residential) District. The adjacent zoning was R-1 District in all directions. Surrounding land uses include single family residences, commercial businesses, and a school (McAuliffe Elementary). A day care was allowed in an R-1 zone with a conditional use permit and in compliance with requirements.

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

The Fire and Health Departments have inspected and cleared the establishment. The business must comply with requirements set forth in Section 138-118(8) of the Zoning Ordinance and other specific requirements as follows:

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

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

3) Provide paved area adjacent to street for pickup and delivery of children. The residence had a two car garage and a drop off area in the driveway in front of the property;

4) Area used for the day care facility should be clearly secondary to the use of the structure. The site plan indicates that an area in the first floor would be used for the daycare;

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

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

7) No more than one day care shall be located on a dead-end street or cul-de-sac. Gumwood Avenue was not a dead end or cul-de-sac street;

8) Day care facilities shall not be located on a half street or a street that was accessed by a half street. North 33rd Street was not a half street or a street accessed by a half street;

9) Day care facilities that care for more than 12 children shall not be permitted in a residential zoning district. The applicant was proposing to care for up to 12 children;

10) No signs were permitted. No signs were proposed;

11) No more than one additional employee that does not reside on the premises was permitted. The applicant was proposing one additional employee; and

12) The property owner shall sign the application or the applicant shall provide a letter of authorization from the property owner. The applicant was the property owner.

Staff recommended approval of the request, for one year, subject to Section 138-118(8) of the Zoning Ordinance, and 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 of the request. The applicant was not present.

Being no discussion of the item, Mr. Pepe Cabeza de Vaca **moved** to approve the conditional use permit request for one year, subject to Section 138-118(8) of the Zoning Ordinance, and Health and Fire Department requirements. Mr. Ric Godinez seconded the motion which carried unanimously with seven members present and voting.

**3.** Request of Jeanette Cottrell, for a Conditional Use Permit, for one year, for a home occupation (day care) at Lot 14, Olivarez #4 Subdivision, Hidalgo County, Texas; 3005 Redwood Avenue. **(CUP2015-0131)**

Ms. Garcia stated the property was located on the south side of Redwood Avenue, approximately 150 ft. east of North 31st Street and was zoned R-1 (single family residential) District. The adjacent zoning wasR-1 District in all directions. Surrounding land uses include single family residences and schools (STC and Lincoln Jr. High). A day care was allowed in an R-1 zone with a conditional use permit and in compliance with requirements.

The initial conditional use permit was approved for one year by the Planning and Zoning Commission on September 02, 1997. The permit had been renewed but not on a yearly basis. The last permit was renewed on December 03, 2013. Due to the expiration length, the permit had to come before the Planning and Zoning Commission for consideration and approval.

The applicant was proposing to continue to operate a day care facility from the existing residence. The proposed hours of operation were from 7:30 a.m. to 5:30 p.m. Monday through Friday. The proposed use shall meet all the minimum standards and applicable ordinances. Should the conditional use permit be approved, the applicant would be required to sign the application acknowledging and agreeing to the conditions of the permit. The occupation may not be operational until issuance of the certificate.

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

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

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

3) Provide paved area adjacent to street for pickup and delivery of children. The residence had two car driveway and a third parking at the rear of the property with access from the alley; however, the pickup and delivery of the children shall only use the driveway in Redwood Avenue;

4) Area used for the day care facility should be clearly secondary to the use of the structure. The site plan indicates the a room would be used for the daycare;

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

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

7) No more than one day care shall be located on a dead-end street or cul-de-sac. Redwood Avenue was not a dead end or cul-de-sac street;

8) Day care facilities shall not be located on a half street or a street that was accessed by a half street. Redwood Avenue was not a half street or a street accessed by a half street;

9) Day care facilities that care for more than 12 children shall not be permitted in a residential zoning district. The applicant was proposing to care for up to 12 children;

10) No signs were permitted. No signs were proposed;

11) No more than one additional employee that does not reside on the premises was permitted. The applicant was proposing one additional employee; and

12) The property owner shall sign the application or the applicant shall provide a letter of authorization from the property owner. The applicant was the property owner.

Staff recommended approval of the request, for one year, subject to Section 138-118(8) 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 of the request. The applicant was not present.

Being no discussion of the item, Ms. Sonia Falcon **moved** to approve the conditional use permit request for one year, subject to Section 138-118(8) of the Zoning Ordinance, and Health and Fire Department requirements. Mr. Ric Godinez seconded the motion which carried unanimously with seven members present and voting.

**4.** Request of Armando Sotelo, for a Conditional Use Permit, for one year, for a portable building greater than 10'x12' (storage) at Lot 2, Jackson Triangle Subdivision, Hidalgo County, Texas; 1420 East Expressway 83. **(CUP2015-0134)**

Ms. Garcia stated the property was located at the intersection of East Expressway 83 east bound Frontage Road and South Jackson Road. The property was zoned C-3 (general business) District. The adjacent zoning was C-3 to the north, west, and south. The area to the east was outside city limits. Surrounding land uses include commercial businesses and vacant land. A portable building was allowed in a C-3 District with a Conditional Use Permit and in compliance with requirements.

The property currently had a restaurant business, Krispy Kreme Donuts, on the property. While Code Enforcement was conducting inspections in the area, they noticed a portable building was placed on the property without a conditional use permit and/or a building permit. The officer issued a citation, subsequently the applicant submitted an application for a conditional use permit for the portable building.

The applicant was proposing to utilize the 8 ft. X 40 ft. portable building on the property for additional storage. The site plan submitted indicates that the proposed 320 sq. ft. portable building was located on the northeast side of the property. Based on the main building use

(restaurant), 56 parking spaces were required; 56 parking spaces were provided. The location of the portable building eliminates 5 parking spaces, which leaves only 51 assessable spaces.

The portable building must comply with all required setbacks, including a 60 ft. setback along South Jackson Road and a 75 ft. setback along East Expressway 83. Setbacks were not being met and due to the portable building there was a shortage of parking spaces; however the applicant had submitted an application for a variance. The variance was heard and tabled by the Zoning Board of Adjustments on August 19, 2015 to allow the conditional use permit to be heard.

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

1) Portable buildings must not be used for living quarters. The portable building will be used for storage purposes only;

2) Must be located in such a manner as to have access to a public right-of-way within 200 ft. The property fronts East Expressway 83 eastbound Frontage Road. The site had access to eastbound Frontage Road and South Jackson Road;

3) The proposed use and adjacent businesses shall comply with the off-street parking and loading ordinance. Based on the main building use (restaurant) 56 parking spaces were required; 56 parking spaces were provided. However, due to the location of the portable building, it had eliminates 5 parking spaces, which leaves only 51 assessable spaces;

4) Must provide for garbage and trash collection and disposal. One exist and was located at the rear of the building and its accessed through Jackson Road;

5) Must be connected to an approved water distribution and sewage disposal system;

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

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

Staff recommended disapproval of the request due to non-compliance with requirement #3 (parking) and not meeting setbacks of Section 138-118(3) 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 of the request. The applicant was not present.

Being no discussion of the item, Mr. Pepe Cabeza de Vaca **moved** to disapprove due to non-compliance with requirement #3 (parking) and not meeting setbacks of Section 138-118(3) of the

Zoning Ordinance. Mr. Mark Wright seconded the motion which carried unanimously with seven members present and voting.

**5.** Request of Luis Martinez, for a Conditional Use Permit, for one year, for an institutional use (church), at Lot 14, Colonia McAllen Unit 5 Subdivision, Hidalgo County, Texas; 2801 Colbath Avenue. **(CUP2015-0135)**

Ms. Garcia stated the property was located at the southeast corner of Colbath Road and South 29th Street, and was zoned C-2 (neighborhood commercial) District. The adjacent zoning was R-1 (single family residential) District to the north, east, south, and west and C-4 (commercial industrial) District to the northwest. An institutional use was permitted in a C-2 zone with a conditional use permit and in compliance with requirements.

There was currently a commercial building with individual lease spaces on the property. The initial conditional use permit was approved for one year, for an institutional use (church) on June 19, 2012 by the Planning and Zoning Commission. The permit had been renewed by different applicants. The last permit approval was on January 7, 2014. Due to the expiration length, the permit had to come before the Planning and Zoning Commission for consideration and approval.

The applicant proposes to continue to use one of the lease spaces consisting of 1,825 sq. ft. for a church. Based on 60 persons in the main sanctuary, 15 parking spaces were required; 35 parking spaces were provided on site. The parking spaces were provided as part of the existing commercial development. The schedule for worship services was proposed to be Wednesday and Friday at 7:00 p.m. and Sunday at 10:00 a.m. & 7:00 p.m. The parking spaces for the other businesses do not interfere with the church's parking based on the times of operation for the majority of the businesses, which close at 6:00 p.m. Monday thru Friday and most being closed on Sundays. The Fire Department had inspected the lease space, which was in compliance with safety codes and regulations. Should the conditional use permit be approved, the applicant would be required to sign the application acknowledging and agreeing to other conditions of the permit. The proposed use must also comply with the zoning ordinance and specific requirements as follows:

1) The proposed use shall not generate traffic onto residential size streets or disrupt residential areas, and shall be as close as possible to a major arterial. The property fronts Colbath Road.

2) The proposed use shall comply with the McAllen Off-Street Parking Ordinance and make provisions to prevent the use of street parking, especially in residential areas. Based on 60 persons in the main sanctuary, 15 parking spaces were required; 35 parking spaces were provided on site. The parking spaces were provided as part of the existing commercial development. The parking spaces for the other businesses do not interfere with the church's parking based on the times of operation for the majority of the businesses, which close at 6:00 p.m. Monday thru Friday and most being closed on Sunday's;

3) The proposed use shall prevent the unauthorized parking of its patrons on adjacent businesses or residences by providing fences, hedges or reorientation of entrances and exits;

4) The proposed use shall provide sufficient lighting to eliminate dark areas, perimeter fencing, and an orientation of the building to provide maximum visibility from a public street in order to discourage vandalism and criminal activities;

5) Provisions shall be made to prevent litter from blowing onto adjacent streets and residential areas;

6) The number of persons within the building shall be restricted to the existing seating capacity for the building; and

7) Sides adjacent to commercially and residentially zoned or used properties shall be screened by a 6 ft. opaque fence.

Staff recommended approval of the request, for one year, subject to compliance with the conditions noted, Zoning Ordinance, Fire Department and building permit 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 of the request. The applicant was not present.

Being no discussion of the item, Ms. Sonia Falcon **moved** to approve the conditional use permit request for one year, subject to compliance with the conditions noted, Zoning Ordinance, Fire Department and building permit requirements. Mr. Pepe Cabeza de Vaca seconded the motion which carried unanimously with seven members present and voting.

**6) DISCUSSION: The Workshop on September 29. 2015.**

Mr. Leonel Garza, III, Chairperson stated that he was very impressed with what the city had done. He notified the absent members about the discussion at the work shop. He stated the city had list of properties that the city had initiated to identify properties to be rehabilitated in curtain points. He stated that in some cases like with the Imagine Tomorrow programs the city would help by providing construction dumpster for the demolishing of the home at no cost. If the home could be fixed by repairing it and the developer would spend more than $20,000 there were some incentives the City would give back to the developer. The City would help by waiving the back City taxes, building permits, demolishing and construction costs. Mr. Garza stated that by the City helping the citizens fix one or two properties it would motivate other neighboring citizens to beautify their home as well. He stated the list was available for the citizens.

**7) INFORMATION:**

Ms. Julianne Rankin, Planning Director, gave some information on the Planning and Zoning history.

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

**ADJOURNMENT**

There being no further business to come before the Planning & Zoning Commission, Mr. John Millin adjourned the meeting at 4:52 p.m. Mr. Ric Godinez seconded the motion which carried unanimously with five members present and voting.

_____
Chairperson, Leonel Garza, III

ATTEST: _____
Susana De La Cerda, Secretary

Planning Department

# Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

**DATE:** October 15, 2015

**SUBJECT:** **SITE PLAN APPROVAL FOR PROPOSED LOTS 1&3, LOTS 1, 2, & 3 LA VISTA CROSSING SUBDIVISION; 2500 N MCCOLL RD.**

---

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

**BRIEF DESCRIPTION:**
The property is located at the northeast corner of N. McColl Rd. & E. La Vista Ave, and is zoned R-3A (multifamily residential apartment) District. The adjacent zoning is C-4 (commercial industrial) District to the north, R-2 & R-3T (duplex-fourplex/townhouse) District to the east, A-O (agricultural open land) District to the south, and C-2, C-3L, & C-3 (neighborhood commercial, light commercial, & general business) District to the west.

The property is part of proposed La Vista Crossing Subdivision which has not been recorded, but received final approval by Planning & Zoning Commission at the meeting of October 6, 2015. A site plan must be approved by the Planning and Zoning Commission prior to issuance of a building permit when five or more units are proposed to be constructed on the same lot.

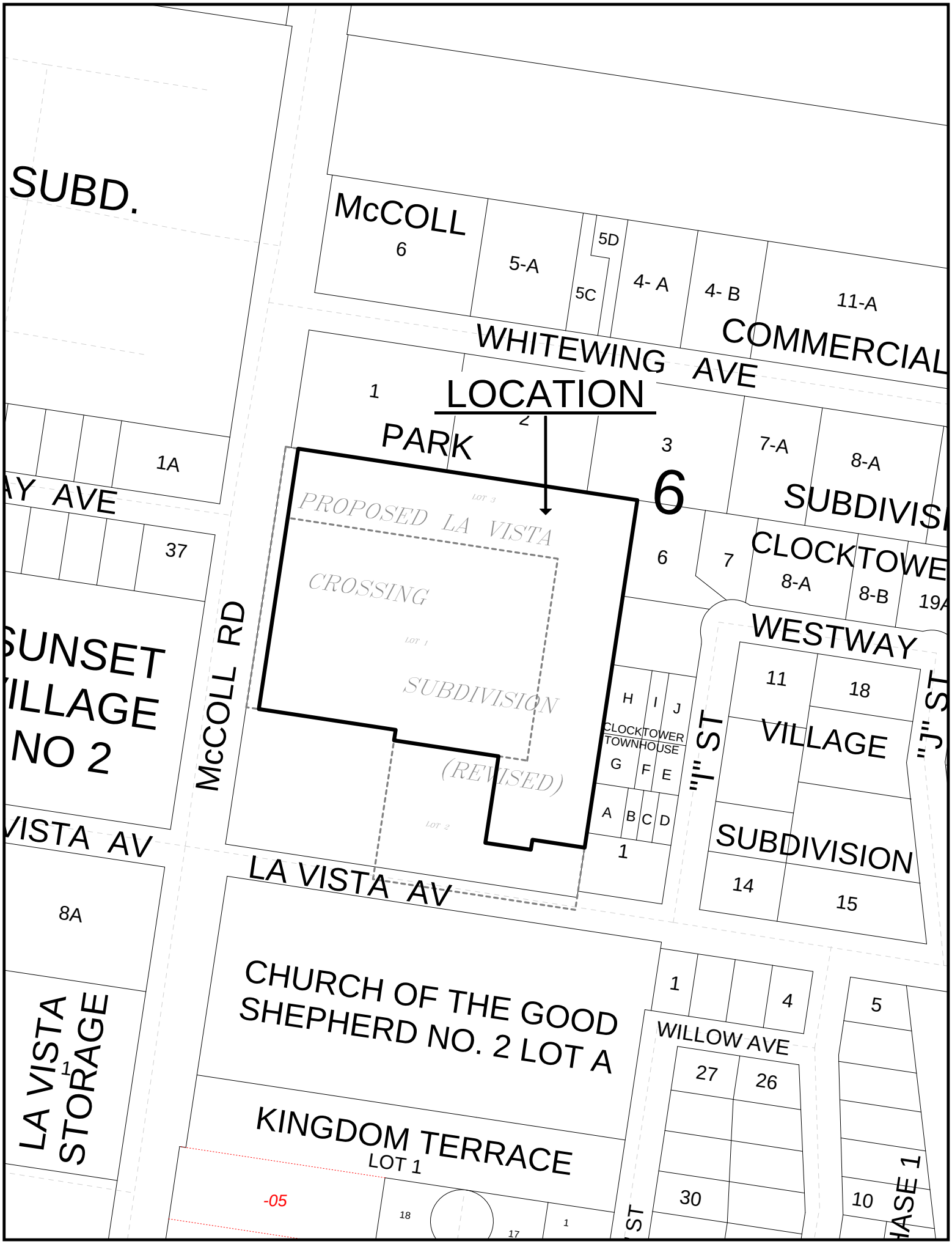
The applicant is proposing to construct 141 apartment units on the property. Based on 63 - 1 bedroom units (95 parking spaces), and 78 - 2 bedroom units (156 parking spaces), a total of 251 parking spaces are required; 261 parking spaces are provided. Access to the site is proposed to be from a 42 ft. wide curb cut along N. McColl Rd., and through a shared 26 ft. access/curb cut along E. La Vista Ave. The access drive will go through Lot 2 which is not part of this site plan. An agreement will be done by plat or separate instrument and must be submitted prior to building permit issuance. Required landscaping for the lot is 27,010 sq. ft. with trees required as follows: 48 – 2 ½" caliper trees, or 24 – 4" caliper trees, or 12 – 6" caliper trees, or 96 palm trees. A minimum 10 ft. wide landscape strip is required inside the property line along N. McColl Rd. Every parking space needs to be within 50 ft. of a landscape area with a shade tree. A 4 ft. wide sidewalk is required along N. McColl Rd. & E. La Vista Avenue. A 6 ft. buffer is required around dumpsters if visible from the street, and from adjacent residential and commercial zones/uses. A 6 ft. opaque buffer is required on the north and east side of the property. No structures are permitted over easements. An agreement to allow parking over gas easement between the gas company and the property owner has been provided to the city. All building setbacks and separations are in compliance with the plat note requirements and zoning ordinance.

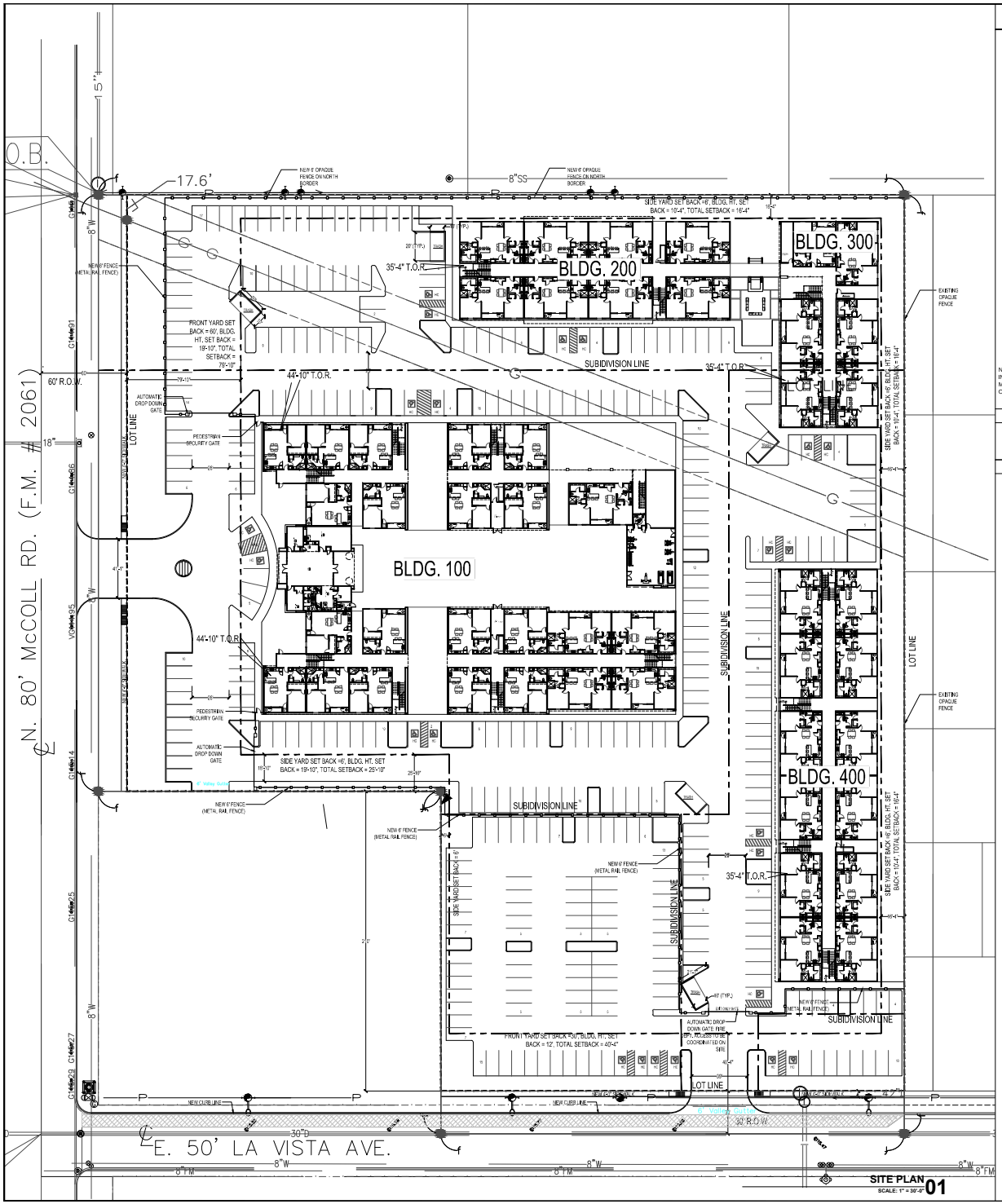
**OPTIONS:**

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.


SUBD.
McCOLL
6
5-A
5D
5C
4- A
4- B
11-A
COMMERCIAL
WHITEWING AVE
LOCATION
1
2
PARK
3
7-A
8-A
6
SUBDIVISI
1A
AY AVE
PROPOSED LA VISTA
CROSSING
SUBDIVISION
(REVISED)
6
7
CLOCKTOWE
8-A
8-B
19A
37
WESTWAY
SUNSET
ILLAGE
NO 2
McCOLL RD
H
I
J
CLOCKTOWER
TOWNHOUSE
G
F
E
A
B
C
D
1
"I" ST
11
18
VILLAGE
"J" ST
SUBDIVISION
14
15
VISTA AV
LA VISTA AV
8A
CHURCH OF THE GOOD
SHEPHERD NO. 2 LOT A
1
4
5
WILLOW AVE
LA VISTA
STORAGE
1
27
26
KINGDOM TERRACE
LOT 1
-05
18
17
1
30
10
ST
HASE 1




SITE PLAN 01
SCALE: 1" = 30'-0"

## TABULATION OF LIVING UNITS AND BUILDINGS

| UNITS | TOTAL UNITS | NET. FLOOR AREA | TOTAL RENT. S.F. |
|---|---|---|---|
| UNIT A (1 BED) | 63 | 875 | 55,125 |
| UNIT B (2 BED) | 66 | 1,221 | 80,586 |
| UNIT C (2 BED 1 LOFT) | 12 | 1,396 | 16,752 |
| A - STORAGE | 3 | 235 | 705 |
| C - STORAGE | 12 | 173 | 2,076 |

| RESIDENTIAL / BLDG NUMBER/TYPE | NO. LEVELS | UNIT A | UNIT B | UNIT C | TOTAL UNITS PER BLDG | NET FLOOR AREA PER BLDG (RENTABLE S.F.) | BUILDING AREA A/C (GROSS S.F. PER BLDG) | BUILDING AREA NON A/C (GROSS S.F.: BREEZWAYS, PORTICES, OPEN | CLUB (GROSS S.F.) | GYM (GROSS S.F.) | TOTAL BUILDING AREA (GROSS S.F.) |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | 4 | 42 | 9 | 9 | 60 | 60,303 | 64,426 | 24,623 | 2,527 | 2,378 | 93,954 |
| 2 | 3 | 9 | 16 | - | 25 | 27,411 | 28,993 | 9,820 | | | 38,813 |
| 3 | 3 | 3 | 15 | - | 18 | 20,940 | 22,110 | 6,007 | | | 28,117 |
| 4 | 3 | 9 | 26 | 3 | 38 | 43,809 | 46,305 | 11,442 | | | 57,747 |
| NON-RESIDENTIAL | | | | | | | | | | | |
| STORAGE | | | | | | | 3,019 | | | | |
| CLUB | | | | | | 2,005 | 2,527 | | | | |
| GYM | | | | | | 2,148 | 2,378 | | | | |
| TOTAL | | 63 | 66 | 12 | 141 | 156,616 | 169,758 | 51,892 | | | 218,631 |

| PARKING CALCULATIONS | RESIDENTAL | OFFICE | TOTAL REQUIRED | TOTAL PROVIDED |
|---|---|---|---|---|
| REQUIRED | 251 | 13 | 264 | 265 |
| HANDICAP REQUIRED | 7 | 1 | 8 | 15 |
| VAN H.C. REQUIRED | 1 | | 1 | |

NET RENTABLE SQUARE FOOTAGE:
INCLUDES ENCLOSED CONDITIONED SPACE MEASURED TO ENCLOSING EXTERIOR WALLS OUTSIDE STUD FACE.

## LANDSCAPE REQUIREMENTS

(REFER TO LANDSCAPE PLANS FOR MORE INFORMATION)

## CODE NOTES

GENERAL REQUIREMENTS :

1. ALL DRAWINGS SHALL BE PROPERLY COORDINATED WITH STRUCTURAL, SOIL, CIVIL, AND MEP ENGINEER BEFORE COMMENCEMENT OF OF CONSTRUCTION.

2. COMPLY WITH ALL STATE, COUNTY, AND LOCAL BUILDING CODES, ORDINANCES AND REGULATIONS PERTAINING TO CONSTRUCTION.

3. CONSTRUCTION SHALL NOT RESTRICT A FIVE FOOT CLEAR AND UNOBSTRUCTED ACCESS TO ANY WATER OR POWER DISTRIBUTION FACILITIES (POWER POLES, PULL-BOXES, TRANSFORMERS, VAULTS, PUMPS, VALVES, METERS, APPURTENANCES, ETC.) OR TO THE LOCATION OF THE HOOK-UP. THE CONSTRUCTION SHALL NOT BE WITHIN TEN FEET OF ANY POWER LINES-WHETHER OR NOT THE LINES ARE LOCATED ON THE PROPERTY. FAILURE TO COMPLY MAY CAUSE CONSTRUCTION DELAYS AND/OR ADDITIONAL EXPENSES.

4. PROVIDE ONE HR FIRE RESISTIVE MATERIALS ON ALL WALLS, CEILINGS, POSTS, AND BEAMS ADJACENT TO OR SUPPORTING THE DWELLING; SPECIFY 5/8" TYPE 'X' GYP. BD, OR OTHER 1-HOUR MATERIALS.

5. PROVIDE WALL COVERINGS IN TUBS AND SHOWERS OF NONABSORBENT MATERIAL 70" ABOVE DRAIN. ENCLOSURES MUST BE OF APPROVED SHATTER-RESISTANT MATERIALS, AND DOOR MUST SWING OUT OF SHOWERS.

6. ROOF ASSEMBLY AND INSULATION SHALL BE LISTED BY AN APPROVED TESTING AGENCY. ROOF SYSTEMS TBD BY OWNER.

7. CONNECT WATER, GAS, AND ELECTRIC LINES TO EXISTING UTILITIES IN ACCORDANCE WITH LOCAL CITY BUILDING CODE, VERIFY WITH ENGINEER FOR ISSUES AND DISCREPANCIES IN DRAWINGS.

8. MINIMUM FINISHED FLOOR ELEVATION TO BE AT LEAST 6" PLUS 1% ABOVE LOW POINT OF LOT MINIMUM FEMA FLOOD ELEVATION, UNLESS NOTED OTHERWISE ON STRUCTURAL AND/OR CIVIL PLANS .

9. ALL NEW FOOTINGS TO EXTEND BELOW GRADE MINIMUM AS PER LOCAL CODE @ BEARING WALLS. INTERIOR BEARING FOOTINGS SHALL EXTEND 6" INTO NATURAL GRADE U.N.O. VERIFY WITH STRUCTURAL ENGINEER FOR ISSUES AND DISCREPANCIES IN DRAWINGS.

10. VENTILATE BATH ROOM/CHANGING ROOM AND STORAGE ROOM(VERIFY WITH ENGINEER) WITH AN APPROVED MECHANICAL CIRCULATION FAN CAPABLE OF 5 AIR CHANGES PER HOUR.

11. PROVIDE RAIN GUTTERS PER PLAN AND CONVEY RAIN WATER TO LOCATIONS NOTED ON CIVIL PLANS. SCUPPERS SHALL NOT CORRUPT ELEVATIONS AS DESIGNED, AND SHALL NOT BE PLACED SO AS TO DRAIN ON TO THE BUILDING BELOW. PROVIDE VISUALLY AESTHETIC SPLASH BLOCKS WHEN REQUIRED. PROVIDE SAMPLE TO OWNER AND DESIGNER BEFORE INSTALLING.

14. ALL NEW GRADING SHALL DIRECT DRAINAGE TOWARD AREAS INDICATED BY CIVIL PLANS SO THAT WATER DOES NOT POOL AROUND OR FLOW TOWARD BUILDING (S).

15. IF BUDGET ALLOWS, PROVIDE RADIANT BARRIER OSB ROOF OR EQ. IN ROOF SHEATHING.

16.BUILDING(S) TO BE FULLY SPRINKLERED.

17. PROVIDED WINDOW SHADE SYSTEM WHICH SHALL ALSO BE APPROVED BY DESIGNER.

18. PLAN DIMENSIONS ARE TO STUD, UNLESS NOTED OTHERWISE

SOIL:

VERIFY WITH STRUCTURAL ENGINEER FOR MIN. PSI. MINIMUM FOOTING DEPTH AS PER STRUCTURAL ENGINEER.

CONCRETE WORK WORK SHOWN IN ARCH. PLANS TO BE VERIFIED WITH STRUCTURAL ENGINEER DRAWINGS BEFORE POURING. CONTRACTOR, SHALL COORDINATE WITH ARCH PLANS, STRUCTURAL AND CIVIL ENGINEER AS TO EXACT SLOPE ANGLES AND DRAWINGS BEFORE POURING .

GLASS:

1. ALL EXTERIOR AND INTERIOR GLAZING TO COMPLY WITH LOCAL CODES.
2. ALL EXTERIOR GLAZING SHALL BE DOUBLE PANE LOW-E.(SEE WINDOW SCHED. FOR MORE INFO).

PLUMBING:

PLUMBING SHALL BE VERIFIED WITH PLUMBING ENGINEER:

1. PLUMBING FIXTURES TO BE DEFINED BY OWNER AND COORDINATED WITH ARCH. PLAN DIMENSIONS BEFORE PURCHASE/ORDER.
2. INSULATE ALL HOT WATER PIPING
3. PROVIDE PVC PIPING TO EXTERIOR FROM HOT WATER RELIEF VALVES.
4. FLOOR DRAINS OR HUB DRAINS SHALL NOT BE PLACED IN RETURN AIR SPACE OF AIR HANDLERS.
5. DISHWASHER (IF INSTALLED) TO HAVE AIR GAPS INSTALLED.
6. PROVIDE WATER HEATER WITH TEMPERATURE RELIEF VALVE.
7. ALL WATER SUPPLY PIPES MATERIAL AND INSTALLATION PER LOCAL CODES (SEE PLUMBING PLANS).
8. ALL WASTE AND VENT PIPE MATERIAL AND INSTALLATION PER LOCAL CODES.
9. PROVIDE LOCATION IN PIPING FOR ATTACHMENT OF SOFTENER SYSTEM WHEN APPLICABLE (TO BE CONFIRMED BY OWNER).

INSULATION:

1. MINIMUM INSULATION TO PROVIDED TO MEET CORRESPONDING COMCHECK REQUIREMENTS. CONTRACTOR TO PROVIDE COST SAVING ALTERNATES IF THEY MEET OR EXCEED PERFORMANCE IN COMCHECK REPORT. RIGID INSULATION TO BE USED FOR ROOFS, AND CONFIRMED BY OWNER.
2. ATTIC (ROOF) VENTILATION: WHERE REQUIRED BY BUILDING OFFICIAL, ATTICS SHALL HAVE NET FREE VENTILATION OF 1/150 OF THE AREA OF THE SPACE TO BE VENTILATED, OR 1/300 IF CROSS-VENTILATED.
3. INSULATION SHALL NOT BE LAID ON TOP OF RECESSED LIGHTING FIXTURES BETWEEN JOISTS, UNLESS FIXTURES ARE RATED FOR SUCH CONDITION.

ELECTRICAL:

1. ELECTRIC SERVICE PER LOCAL CODES AND LOCAL UTILITY. REFER TO ELECTRICAL SHEETS FOR MORE INFO.
2. ALL ELECTRICAL DEVICES ON FIRE RATED WALLS SHALL BE RATE FOR THAT WALL. INSULATION SHALL BE RATED AS PER UL REQUIREMENTS.
3. SMOKE DETECTORS AND FIRE NOTIFICATIONS SYSTEMS HALL HAVE POWER WIRING TO THEM.
4.PROVIDE ARCH FAULT PROTECTION CIRCUIT BREAKERS WHEN REQUIRED BY CODE.
5.TEMPORARY ELECTRIC SERVICE TO BE PROVIDED FOR CONSTRUCTION.

SMOKE DETECTORS:

1. PER LOCAL CODE REQUIREMENTS. SMOKE DETECTORS SHALL BE INSTALLED IN ROOMS AND STORAGE ROOM, AND AT A POINT CENTRALLY LOCATED IN THE CORRIDOR OR AREA GIVING ACCESS TO EACH SEPARATE ROOM. SMOKE DETECTORS SHALL RECEIVE PRIMARRY POWER FROM BUILDING WIRING, AND BE EQUIPPED WITH BATTERY BACKUP AND LOW BATTERY SIGNAL EXCEPT AT EXISTING CONSTRUCTION, WHERE THEY MAY BE BATTERY POWERED. SEE ELECTRICAL PLANS FOR LOCATIONS.

FIRE ALARMS

1.FIRE ALARMS NOT REQUIRED WHERE AUTOMATIC SPRINKLER ALSO AUTOMATICALLY PROJECTS FIRE NOTIFICATION IN NOTIFICATION AREAS. DESIGN OF FIRE ALARM SYSTEM AND SPRINKLER SYSTEM TO BE DONE BY OTHERS.

# 2500 N McCOLL APARTMENTS

**PROJECT DESCRIPTION:**
**MULTIFAMILY APARTMENT COMPLEX**
**OWNER:**
**2500 NORTH McCOLL APARTMENTS**

| | | DATE |
|---|---|---|
| | ISSUED FOR PERMIT | 08.10.15 |
| | FOR CONSTRUCTION | 09.08.15 |
| | | |
| | | |
| | | |

**ADDRESS: 2500 N. McCOLL RD, McALLEN, TX 78501**

DESIGNED: EA
DRAWN: JC
CHECKED: CCG
REVIEWED: DB
--------

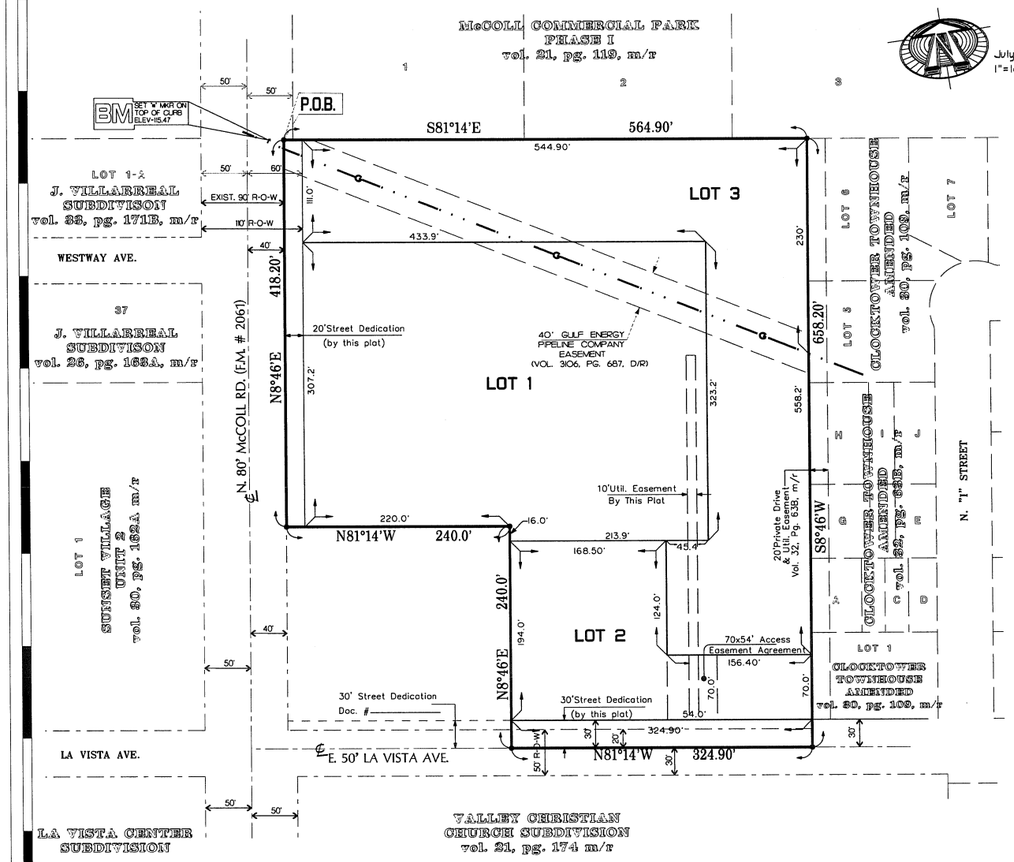
ELEVATE ARCHITECTURE LLC
RESIDENTIAL • COMMERCIAL • URBAN DESIGN
WWW.ELEVATEARCHITECTURE.COM
(E) CHRIS@ELEVATEARCHITECTURE.COM
FIRM #: BR156
2620 YORK AVE.
McALLEN, TX. 78504
(P) 956.688.8180
(F) 956.287.0480

All ideas, designs, and plans indicated or represented by these drawings are owned by and are property of ELEVATE ARCHITECTURE LLC and were created and developed for use in connection with the specified project. None of such ideas, designs, or plans shall be used for any purpose whatsoever without the written permission of ELEVATE ARCHITECTURE LLC.
©2015 ELEVATE ARCHITECTURE LLC

SEAL: REGISTERED ARCHITECT — DANIEL R. BURKE — 8101 — STATE OF TEXAS

PROJECT NO.: 1501-MCOLL-APTS
SCALE: AS NOTED
DRAWING NO.: G1.04
SITE PLAN

LOCATION
PROPOSED LA VISTA
CROSSING
SUBDIVISION
(REVISED)
LOT 3
LOT 1
LOT 2
McCOLL RD
LA VISTA AV
WHITEWING AVE
WESTWAY
WILLOW AVE
McCOLL
PARK
SUNSET VILLAGE NO 2
LA VISTA STORAGE
CHURCH OF THE GOOD SHEPHERD NO. 2 LOT A
KINGDOM TERRACE
LOT 1
CLOCKTOWER TOWNHOUSE
VILLAGE
SUBDIVISION
PHASE 1

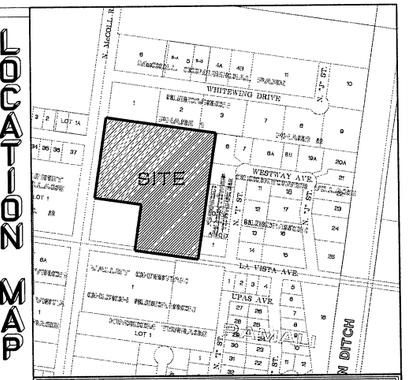



# MAP OF LA VISTA CROSSING

*McAllen, Texas*

BEING A SUBDIVISION OF A 7.21 AC. TRACT OF LAND OUT OF THE SOUTH 1/2 LOT 6, BLOCK 9, STEELE AND PERSHING SUBDIVISION, OF PORCIONS 66 AND 67 Hidalgo County, Texas according to plat recorded in vol. 8, page. 115 , Deed Records Hidalgo County, Texas. Containing 7.21 ac. of land, more or less.

LOCATION MAP




Prepared by:
Spoor Engineering Consultants, Inc.
FIRM - F-6003
Consulting Engineers - Civil Land Planning
202 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, OWNER(S) OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED AS THE "LA VISTA CROSSING" SUBDIVISION TO THE CITY OF McALLEN, TEXAS, AND WHOSE NAME(S) IS (ARE) SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS, WATWER 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.

DREAMHOMES BY J & J - REAL ESTATE CO. ,
A TEXAS CORPORATION

By: Jorge Gonzalez - Pres.
509 E. Pike Suite A
Weslaco, Texas 78596

STATE OF TEXAS:
COUNTY OF HIDALGO:

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JORGE GONZALEZ, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE (SHE) EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE _____ DAY OF _____, 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 # 5242 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.

DATE

PABLO (PAUL) PENA III
REGISTERED PROFESSIONAL LAND SURVEYOR
1001 WHITEWING AVE.
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 WHERE IN MY APPROVAL IS REQUIRED.

MAYOR, CITY OF McALLEN DATE

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

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

BY: _____

## NOTES:

1.) MINIMUM BUILDING SETBACK SHALL BE AS FOLLOWS:
A. LOT 1 - a.- FRONT ( N. McColl RD. ) - 60.0 FT OR GREATER FOR APPROVED SITE PLAN
b.- SIDE ( E. LA VISTA AVE. ) - 30.0 FT. OR GREATER FOR EASEMENT OR APPROVED SITE PLAN
c.- OTHERS- IN ACCORDANCE WITH ZONING ORDINANCE OR GREATER FOR EASEMENT OR APPROVED SITE PLAN

2.) MINIMUM FINISH FLOOR ELEVATION SHALL BE 18 INCHES ABOVE TOP OF CURB MEASURED AT FRONT CENTER OF LOT.

3.) THIS PROPERTY FALLS IN ZONE "B" OF THE FLOOD INSURANCE RATE MAP, PANEL NO. 480 343 0010-C, REVISED NOVEMBER 2, 1982.

4.) A 6' BUFFER OPAQUE IS REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY 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.

5.) 4' SIDEWALK REQUIRED ALONG E. LA VISTA AVE. AND N. McCOLL RD.

6). BENCHMARK- STATION NAME: MC 59 SET BY ARANDA & ASSOC. LOCATED AT THE SOUTHEAST CORNER OF EXPRESSWAY 83 AND WARE RD. ELEV.= 106.50 FT (NAVD88)

7). 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. MASTER DRAINAGE AND DETENTION IS ON FILE A CITY ENGINEERING DEPT.

8.) STORM WATER DETENTION FOR EACH LOT IS AS FOLLOWS:
LOT # - VOLUME (Cubic Feet)

9.) SITE PLAN APPROVAL PRELIMINARY PLANNING & ZONING COMMISSIONER IS REQUIRED PRIOR TO BUILDING PERMIT ISSUARANCE

METES & BOUNDS

A 7.21 ACRE TRACT OF LAND OUT OF THE WEST 604.90 FEET OF THE SOUTH 1/2 OF LOT 6, BLOCK 9, STEELE AND PERSHING SUBDIVISION OF PORCIONES 66 AND 67, HIDALGO COUNTY, TEXAS, ACCORDING TO PLAT RECORDED IN VOLUME 8, PAGE 115, DEED RECORDS, HIDALGO COUNTY, TEXAS.

BEGINNING at a point on the South line of Lot 6, South 81 Deg. 14 Min. East, 604.90 feet from the Southwest corner of Lot 6, for the Southeast corner of the following described tract of land, said point being in East La Vista Avenue, said point being on the southerly projection of the West line of Lot 1, Clocktower Village, City of McAllen, recorded in Volume 30, Page 108A, Map Records;

THENCE, with the South line of Lot 6, in East La Vista Avenue, North 81 Deg. 14 Min. West, 324.90 feet to a point for the most southerly Southwest corner hereof;

THENCE, parallel to the West line of Lot 6, North 08 Deg. 46 Min. East, at 20.0 feet pass the North line of East La Vista Avenue, and at 240.0 feet, a point for an interior corner hereof;

THENCE, parallel to the South line of Lot 6, N. 81 Deg. 14 Min. West, 240 to a point on the East line of N. McColl Road, for the most northerly Southwest corner hereof;

THENCE, with the East line of N. McColl Road, North 08 Deg. 46 Min. East, 418.2 feet to a point for the Northwest corner hereof;

THENCE, with the North line of the South 1/2 of Lot 6, Block 9, South 81 Deg. 14 Min. East, 564.90 feet to the Northwest corner of Lot 6, Clocktower Village, City of McAllen, for the Northeast corner hereof;

THENCE, with the West line of Lots 6, 5, 4, 3, 2, and 1, Clocktower Village, South 08 Deg. 46 Min. West, at 628.2 feet pass the Southwest corner of Lot 1, Clocktower Village, and 638.2 feet pass the North line of East La Vista Avenue, and at 658.2 feet the POINT OF BEGINNING, Containing 7.60 acres of land, more or less, of which the South 20.0 feet, comprising 0.15 acres lies in East La Vista Avenue.

SUB2015-0064

# 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: ELIZONDO ACRES SUBD. BENTSEN RD.

Location: ±600' S. OF PECAN ALONG EAST SIDE OF

City Address or Block Number: 1130 N. BENTSEN RD (LOT 2)

Number of lots: 2 Gross acres: 1.51 Net acres: 1.51

Existing Zoning: R-1/R-2 Proposed: R-1/R-2 Rezoning Applied For ☐ Yes ☒ No Date ____

Existing Land Use: OPEN Proposed Land Use: HOME Irrigation District # ____
ON R-1 ON R-1

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

Agricultural Tax Exemption Yes ☐ No ☒ Estimated Rollback tax due 1500.00

Legal Description: 1.51 AC. O/O LOT 3, RE-SUBD. OF LOTS 15 & 16, BLK. 2, HAMMOND'S SUBD., N.C.T.

**Owner**

Name: JESUS RUDY ELIZONDO Phone: 279-6681

Address: 503 W. GRIFFIN PKWY.

City: MISSION State: TX Zip: 78572

E-mail: ____

**Developer**

Name: SAME AS OWNER Phone: ____

Address: ____

City: ____ State: ____ Zip: ____

Contact Person: ____

E-mail: ____

**Engineer**

Name: DAVID SALINAS Phone: 682-9081

Address: 2221 DAFFODIL AVE.

City: MCALLEN State: TX Zip: 78501

Contact Person: DAVID

E-mail: dsalinas@salinasengineering.com

**Surveyor**

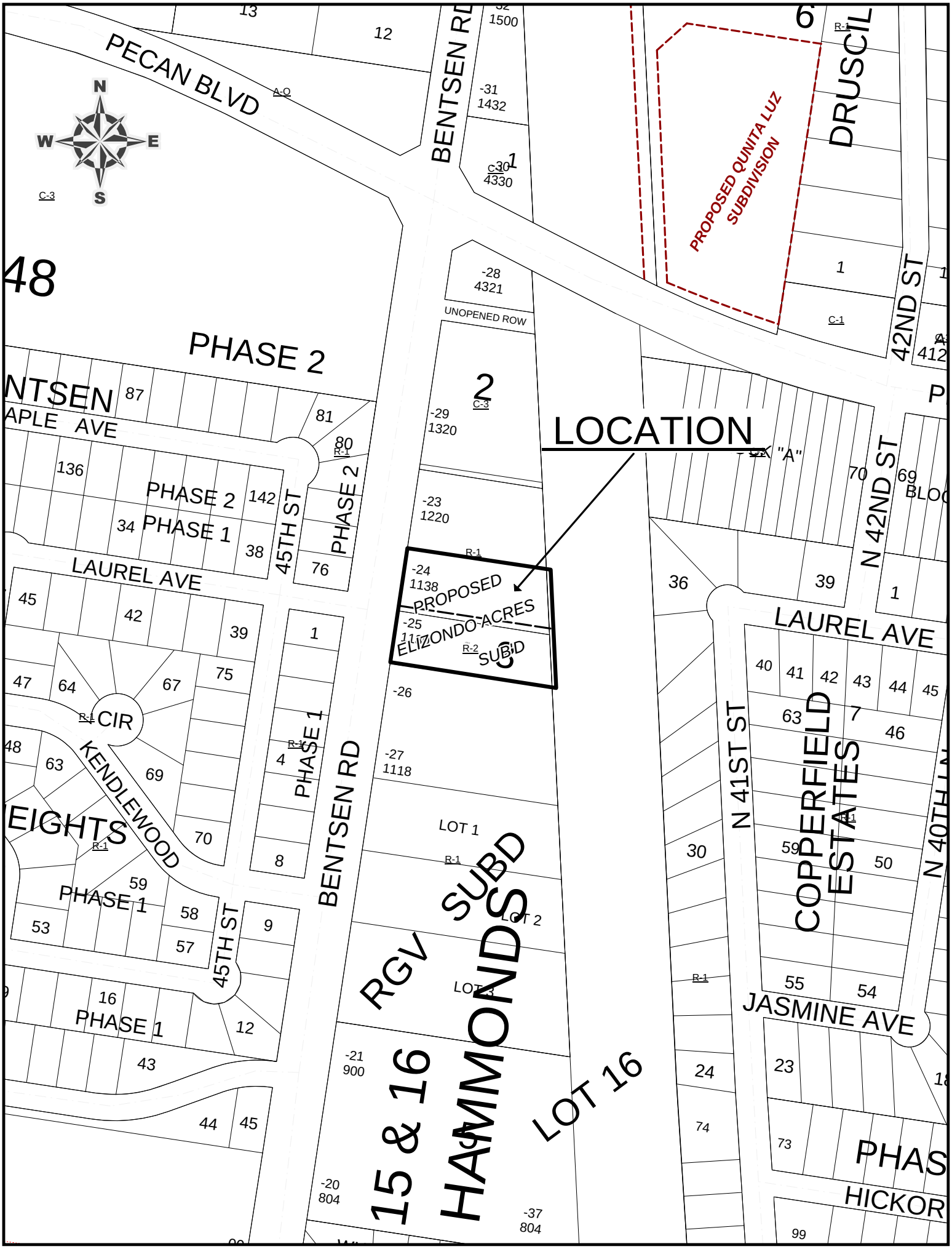
Name: SAME AS ENGR Phone: ____

Address: ____

City: ____ State: ____ Zip: ____

E-mail: ____

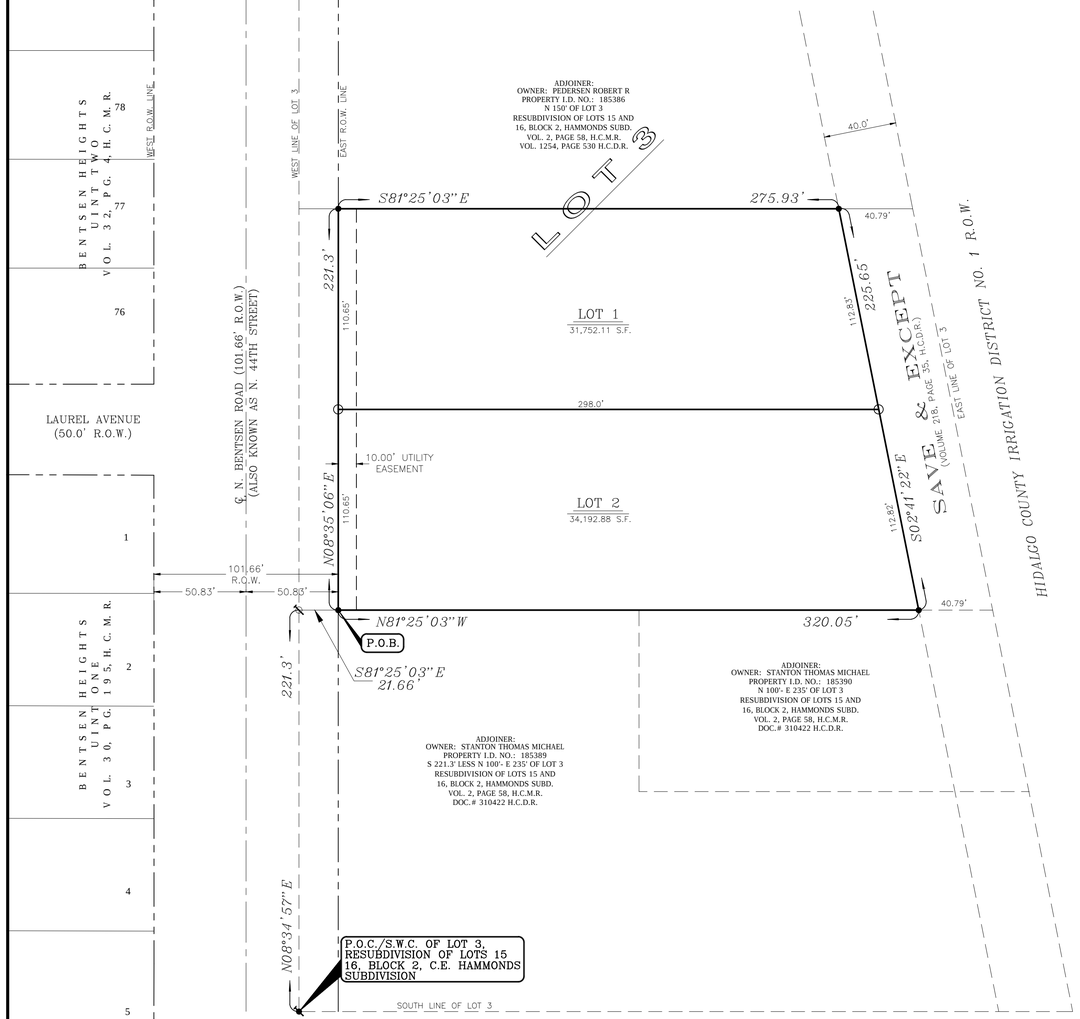
RECEIVED
SEP 16 2015
BY: 4:07pm


PECAN BLVD
BENTSEN RD
PROPOSED QUNITA LUZ SUBDIVISION
DRUSCIL
42ND ST
N 42ND ST
LOCATION
PROPOSED ELIZONDO ACRES SUBD
UNOPENED ROW
PHASE 2
PHASE 1
LAUREL AVE
45TH ST
KENDLEWOOD CIR
N 41ST ST
COPPERFIELD ESTATES
JASMINE AVE
LOT 1
LOT 2
LOT 3
LOT 16
15 & 16
RGV SUBD
HAMMONDS
N
S
E
W

# ELIZONDO ACRES SUBDIVISION

## AN ADDITION TO THE CITY OF MCALLEN
## HIDALGO COUNTY, TEXAS

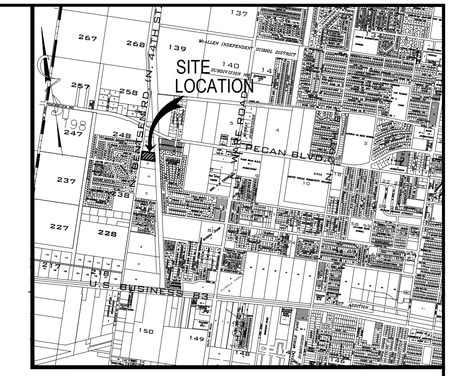
BEING A 1.51 ACRE TRACT OF LAND, MORE OR LESS, CARVED OUT OF THAT CERTAIN 1.81 ACRE TRACT OF LAND KNOWN AS THE NORTH 221.3 FEET OF THE SOUTH 442.6 FEET OF LOT 3, RE-SUBDIVISION OF LOTS 15 AND 16, BLOCK 2, HAMMOND'S SUBDIVISION OUT OF PORCIONES 61 TO 64, INCLUSIVE IN HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 02, PAGE 58, MAP RECORDS OF HIDALGO COUNTY, TEXAS.




SCALE: 1"=40'

LEGEND

- ○ SET 1/2" IRON ROD
- ● FOUND 1/2" IRON ROD
- SET 60-D NAIL
- FOUND 60-D NAIL
- R.O.W RIGHT OF WAY
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING




LOCATION MAP SCALE : 1" = 2000'

METES AND BOUNDS DESCRIPTION:

BEING A 1.51 ACRE TRACT OF LAND, MORE OR LESS, CARVED OUT OF THAT CERTAIN 1.81 ACRE TRACT OF LAND KNOWN AS THE NORTH 221.3 FEET OF THE SOUTH 442.6 FEET OF LOT 3, RE-SUBDIVISION OF LOTS 15 AND 16, BLOCK 2, HAMMOND'S SUBDIVISION OUT OF PORCIONES 61 TO 64, INCLUSIVE IN HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 02, PAGE 58, MAP RECORDS OF HIDALGO COUNTY, TEXAS, SAVING AND EXCEPTING A STRIP OF LAND ALONG THE EAST SIDE THEREOF HERETOFORE CONVEYED TO THE COUNTY OF HIDALGO WATER IMPROVEMENT DISTRICT NO. 4 BY DEED DATED JUNE 05, 1925, RECORDED IN VOLUME 218, PAGE 35, DEED RECORDS OF HIDALGO COUNTY, TEXAS; SAID 1.51 ACRE TRACT OF LAND IS MORE PARTICULLARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A 60-D NAIL FOUND ON THE SOUTHWEST CORNER OF SAID LOT 3 LOCATED WITHIN THE RIGHT-OF-WAY OF NORTH BENTSEN ROAD; THENCE, AS FOLLOWS:

NORTH 08 DEGREES 34 MINUTES 57 SECONDS EAST, COINCIDENT WITH THE WEST LINE OF SAID LOT 3, A DISTANCE OF 221.3 FEET TO A 60-D NAIL SET ON THE SOUTHWEST CORNER OF SAID 1.81 ACRE TRACT; THENCE,

SOUTH 81 DEGREES 25 MINUTES 03 SECONDS EAST, COINCIDENT WITH THE SOUTH LINE OF SAID 1.81 ACRE TRACT, A DISTANCE OF 21.66 FEET TO A ½ INCH DIMAETER IRON ROD FOUND ON INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF SAID NORTH BENTSEN ROAD FOR THE SOUTHWEST CORNER AND POINT OF BEGINNING OF THIS HEREIN DESCRIBED TRACT;

(1) THENCE, NORTH 08 DEGREES 35 MINUTES 06 SECONDS EAST, COINCIDENT WITH THE EAST RIGHT-OF-WAY LINE OF SAID NORTH BENTSEN ROAD, A DISTANCE OF 221.3 FEET TO A ½ INCH DIAMETER IRON ROD FOUND FOR THE NORTHWEST CORNER OF THIS HEREIN DESCRIBED TRACT;

(2) THENCE, SOUTH 81 DEGREES 25 MINUTES 03 SECONDS EAST, A DISTANCE OF 275.94 FEET TO A ½ INCH DIAMETER IRON ROD FOUND ON INTERSECTION WITH THE WEST LINE OF A 40.0 FOOT HIDALGO COUNTY IRRIGATION DISTRICT No.1 (PREVIOUSLY H.C.W.I.D. No.4) RIGHT-OF-WAY FOR THE NORTHEAST CORNER OF THIS HEREIN DESCRIBED TRACT;

(3) THENCE, SOUTH 02 DEGREES 41 MINUTES 22 SECONDS EAST, COINCIDENT WITH THE WEST LINE OF SAID CANAL RIGHT-OF-WAY LINE, A DISTANCE OF 225.65 FEET TO A ½ INCH DIAMETER IRON ROD FOUND FOR THE SOUTHEAST CORNER OF THIS HEREIN DESCRIBED TRACT;

(4) THENCE, NORTH 81 DEGREES 25 MINUTES 03 SECONDS WEST, A DISTANCE OF 320.05 FEET TO THE POINT OF BEGINNING, CONTAINING 1.51ACRES OF LAND, MORE OR LESS.

BEARING SOURCE: SURVEY PLAT OF NORTH BENTSEN ROAD RIGHT-OF-WAY ACQUISITION PROVIDED BY THE CITY OF MCALLEN.

STATE OF TEXAS
COUNTY OF HIDALGO

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

OWNER: JESUS E. ELIZONDO
1130 N. BENTSEN ROAD
MCALLEN. TEXAS 78501

OWNER: THELMA L. ELIZONDO
1130 N. BENTSEN ROAD
MCALLEN. TEXAS 78501

STATE OF TEXAS
COUNTY OF HIDALGO

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

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

OF _____, 2015.

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

STATE OF TEXAS
CITY OF MCALLEN

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

_____ _____
MAYOR DATE

STATE OF TEXAS
CITY OF MCALLEN

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

_____
CHAIRMAN,
PLANNING AND ZONING COMMISSION

_____
DATE

STATE OF TEXAS
COUNTY OF HIDALGO

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

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

STATE OF TEXAS
COUNTY OF HIDALGO

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

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

APPROVED BY DRAINAGE DISTRICT:

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

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

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

HIDALGO COUNTY IRRIGATION DISTRICT NO. 1

THIS PLAT APPROVED BY HIDALGO COUNTY IRRIGATION DISTRICT NO. 1
ON THIS _____ DAY OF _____ A.D. 200___ .

HIDALGO COUNTY IRRIGATION DISTRICT NO. 1 WILL NOT BE RESPONSIBLE FOR DRAINAGE OR DELIVERY OF WATER TO ANY LOT OF THIS SUBDIVISION. IF DESIRED THIS WILL NOT BE AT DISTRICTS EXPENSE.

_____ _____
SECRETARY PRESIDENT

GENERAL PLAT NOTES:

1. MINIMUM SETBACK LINES = FRONT: 50.0 FEET
   SIDE: 6.0 FEET
   REAR: 10.0 FEET
2. LANDS CONTAINED WITHIN THIS SUBDIVISION LIE IN ZONE "C" ACCORDING TO THE FIRM (FLOOD INSURANCE RATE MAP) DATED 11/02/82, COMMUNITY PANEL NO. 480343 0005 C.
3. MINIMUM FINISHED FLOOR ELEVATION ON ALL NEW CONSTRUCTION SHALL BE A MINIMUM OF 18.0 INCHES ABOVE THE TOP OF THE CURB AS MEASURED FROM THE CENTER OF THIS LOT ALONG N. BENTSEN ROAD.
4. 4 FT. WIDE MINIMUM SIDEWALK REQUIRED ON N. BENTSEN ROAD.
5. THIS SUBDIVISION PLAT SHALL BE REQUIRED TO DETAIN A TOTAL OF 4,660.92 CUBIC FEET, OR, 0.107 ACRE-FEET OF DRAINAGE RUNOFF VOLUME.
6. THE CONSTRUCTION OF ANY STRUCTURES ON OR WITHIN ANY EASEMENTS SHALL BE PROHIBITED.
7. A 6' OPAQUE BUFFER IS REQUIRED FROM ANY ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL OR INDUSTRIAL ZONE/ USE. AN 8' MASONARY WALL IS REQUIRED BETWEEN SINGLE-FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL OR MULTI-FAMILY RESIDENTIAL ZONE/ USE.
8. AN ENGINEERED DRAINAGE DETENTION PLAN, APPROVED BY THE ENGINEERING DEPARTMENT, IS REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMITS.
9. BENCHMARK: MCALLEN SURVEY CONTROL POINT NO. 69, LOCATED AT THE NORTH BOUND OF F.M. 495. 90 FEET EAST OF TAYLOR ROAD AND 7 FEET NORTH FROM BACK OF CURB OF F.M. 495. ELEVATION=123.59
10. SITE PLAN MUST BE APPROVED BY THE PLANNING AND ZONING COMMISSION PRIOR TO BUILDING PERMIT ISSUANCE.

PRINCIPAL CONTACTS

| | NAME | ADDRESS | CITY & ZIP | PHONE | FAX |
|---|---|---|---|---|---|
| OWNER: | JESUS & THELMA ELIZONDO | 1130 N. BETSEN ROAD | MCALLEN, TEXAS 78501 | (956) 631-0797 | NONE |
| ENGINEER: | DAVID O. SALINAS | 2221 DAFFODIL AVE. | McALLEN, TEXAS 78501 | (956) 682-9081 | (956) 686-1489 |
| SURVEYOR: | DAVID O. SALINAS | 2221 DAFFODIL AVE. | McALLEN, TEXAS 78501 | (956) 682-9081 | (956) 686-1489 |

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW BY THE CITY OF MCALLEN ONLY & BY NO OTHERS UNDER THE AUTHORITY OF DAVID OMAR SALINAS, P.E., TX. REG. NO. 71973 ON SEPTEMBER 15, 2015. IT IS NOT TO BE USED FOR CONSTRUCTION PURPOSES.


SEA
SALINAS ENGINEERING & ASSOC.
(F-6675)
CONSULTING ENGINEERS & SURVEYORS
2221 DAFFODIL — McALLEN, TEXAS 78501
(956) 682-9081 (956) 686-1489 (FAX)

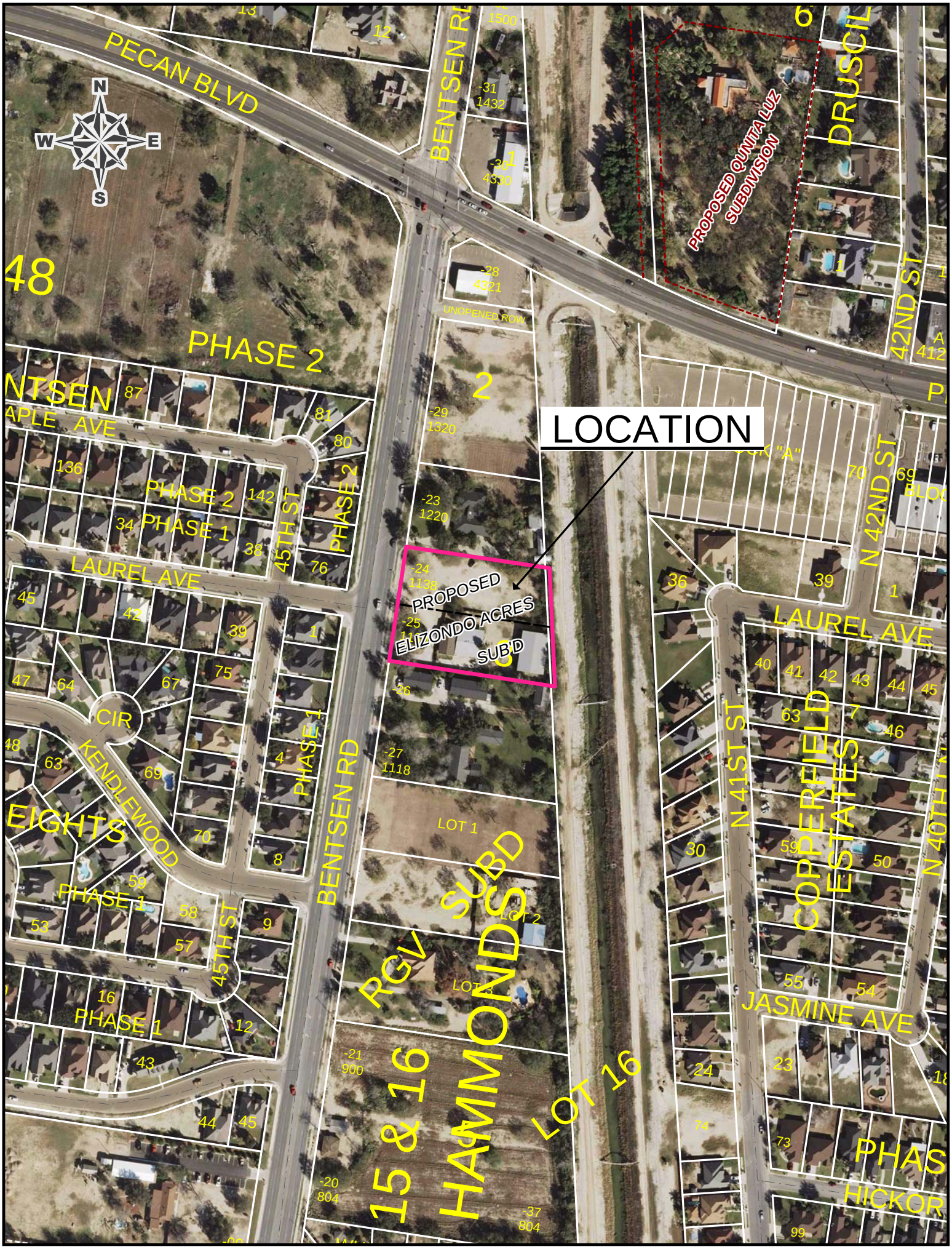
# City of McAllen

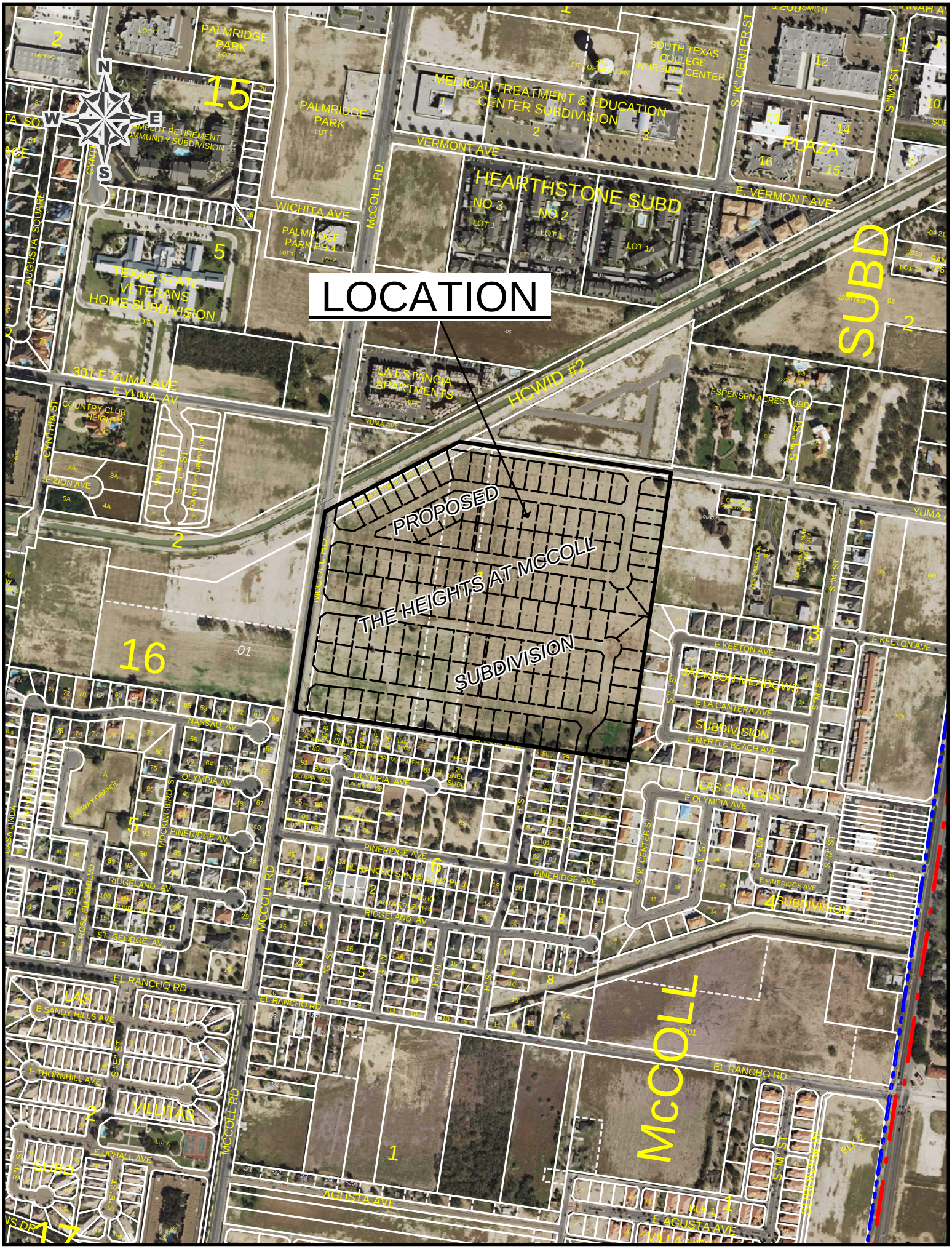
## SUBDIVISION PLAT REVIEW

Reviewed On: 10/15/2015

| SUBDIVISION NAME: ELIZONDO ACRES SUBDIVISION | |
|---|---|
| **REQUIREMENTS** | |
| **STREETS AND RIGHT-OF-WAYS** | |
| N. Bentsen Road: 50.83 ft. ROW from centerline for 101.66 ft. ROW<br>Paving: 65 ft. Curb & gutter: both sides<br>*Owner must escrow monies for improvements if not built prior to plat recording.<br>**Per Engineering Department, a reimbursement is required for the roadway improvements. | Applied |
| * 800 ft. Block Length: | Compliance |
| * 600 ft. Maximum Cul-de-Sac: | NA |
| **ALLEYS** | |
| ROW: 20 ft. Paving: 16 ft.<br>*Alley/service drive easement required for commercial properties | NA |
| **SETBACKS** | |
| * Front: Lot 1 - 45 ft. or in line with existing structures, whichever is greater for easements (R-1)<br>Lot 2: 40 ft. or in line with existing structures, whichever is greater for easements (R-2) | Applied |
| * Rear: in accordance with the Zoning Ordinance, or greater for easements | Applied |
| * Sides: in accordance with the Zoning Ordinance, or greater for easements | Applied |
| * Corner: | NA |
| * Garage: 18 ft. except where greater setbacks are required; greater setbacks apply. | Applied |
| *ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS<br>**SETBACKS FOR EXISTING STRUCTURE(S) REMAIN; HOWEVER, ANY NEW CONSTRUCTION AND/OR ADDITIONS SHALL COMPLY WITH SETBACKS AS NOTED. | Applied |
| **SIDEWALKS** | |
| * 4 ft. wide minimum sidewalk required on N. Bentsen Road. | Compliance |
| * Perimeter sidewalks must be built or money escrowed if not built at this time. | Applied |
| **BUFFERS** | |
| * 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, or industrial zones/uses. | Compliance |
| * 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. | Compliance |
| *Perimeter buffers must be built at time of Subdivision Improvements. | NA |
| **NOTES** | |
| * No curb cut, access, or lot frontage permitted along: | NA |
| * Site plan must be approved by the Planning and Zoning Commission prior to building permit | NA |

| | |
|---|---|
| issuance. | |
| * Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. | NA |
| * Common Areas, Private Streets must be maintained by the lot owners and not the City of McAllen. | NA |
| * Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. | NA |
| * Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. | NA |
| **LOT REQUIREMENTS** | |
| * Lots fronting public streets: | Compliance |
| * Minimum lot width and lot area: | Compliance |
| **ZONING/CUP** | |
| * Existing: R-1 & R-2 Proposed: R-1 & R-2 | Compliance |
| * Rezoning Needed Before Final Approval | NA |
| **PARKS** | |
| * Land dedication in lieu of fee: | NA |
| * Park Fee of $700 per dwelling unit is required to be paid prior to recording. | Applied |
| * Pending review by the Parkland Dedication Advisory Board and CC. | NA |
| **TRAFFIC** | |
| * Trip Generation to determine if TIA is required, prior to final plat.<br>**Per Traffic, the trip generation is waived if it remains residential. | NA |
| * Traffic Impact Analysis (TIA) required prior to final plat. | NA |
| **COMMENTS** | |
| Comments: *Per Traffic, they will require a circular driveway or head out driveway to N. Bentsen Road (Access Management).<br>**Per Engineering, a reimbursement is required for N. Bentsen roadway improvements. | Applied |
| **RECOMMENDATION** | |
| Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM. | Applied |


PECAN BLVD
BENTSEN RD
PROPOSED QUNITA LUZ SUBDIVISION
DRUSCIL
42ND ST
UNOPENED ROW
PHASE 2
LOCATION
PROPOSED
ELIZONDO ACRES
SUB'D
LAUREL AVE
45TH ST
PHASE 1
CIR
KENDLEWOOD
EIGHTS
BENTSEN RD
LOT 1
LOT 2
RGV SUBD
15 & 16
HAMMONDS
LOT 16
N 41ST ST
N 42ND ST
COPPERFIELD ESTATES
JASMINE AVE
HICKOR


LOCATION
PROPOSED
THE HEIGHTS AT MCCOLL
SUBDIVISION
N
S
E
W
PALMRIDGE PARK
MEDICAL TREATMENT & EDUCATION CENTER SUBDIVISION
SOUTH TEXAS COLLEGE NURSING CENTER
VERMONT AVE
HEARTHSTONE SUBD
NO 3
NO 2
E. VERMONT AVE
WICHITA AVE
McCOLL RD.
TEXAS STATE VETERANS HOME SUBDIVISION
LA ESTANCIA APARTMENTS
HCWID #2
ESPENSEN ACRES SUBD
301 E YUMA AVE
E YUMA AV
COUNTRY CLUB HEIGHTS
E ZION AVE
E KEETON AVE
JACKSON MEADOWS SUBDIVISION
E LA CANTERA AVE
E MYRTLE BEACH AVE
LAS CANADAS
E OLYMPIA AVE
NASSAU AV
OLYMPIA AV
PINERIDGE AV
RIDGELAND AV
ST. GEORGE AV
EL RANCHO RD
E SANDY HILLS AVE
E THORNHILL AVE
VILLITAS
E UPHALL AVE
AGUSTA AVE
E AGUSTA AVE
McCOLL
SUBD
SUBDIVISION

SUB2015-0057.

# 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: The Heights at McColl

Location: SE Corner of Yuma & McColl

City Address or Block Number: N/A

Number of lots: 149 Gross acres: 43.97 Net acres: 34.60

Existing Zoning: C-3L, R-2 & R-1 Proposed: R1 & R3A Rezoning Applied For ☑ Yes ☐ No Date ____

Existing Land Use: Open Land Proposed Land Use: Single Family & Four Plex Irrigation District #: 2

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

Agricultural Tax Exemption Yes ☐ No ☑ Estimated Rollback tax due: $0.00

Legal Description: A 43.97 acre tract of land out of Lot 1, Block 16, Steele & Pershing Subdivision, Hidalgo County, Texas

**Owner**

Name: Meyerhoff Family Trust Phone: ____

Address: ____

City: ____ State: ____ Zip: ____

E-mail: ____

**Developer**

Name: Esponjas Development, LTD Phone: ____

Address: 2912 S. Jackson Rd.

City: McAllen State: Texas Zip: 78503

Contact Person: Eddie Cantu / CRUZ CANTU III

E-mail: EddieCantu@me.com

**Engineer**

Name: Alfonso Quintanilla, P.E. Phone: (956) 381-6480

Address: 124 E. Stubbs

City: Edinburg State: Texas Zip: 78589

Contact Person: Alfonso Quintanilla, P.E.

E-mail: alfonsoq@qhaengineering.com

**Surveyor**

Name: Alfonso Quintanilla, R.P.L.S. Phone: (956) 381-6480

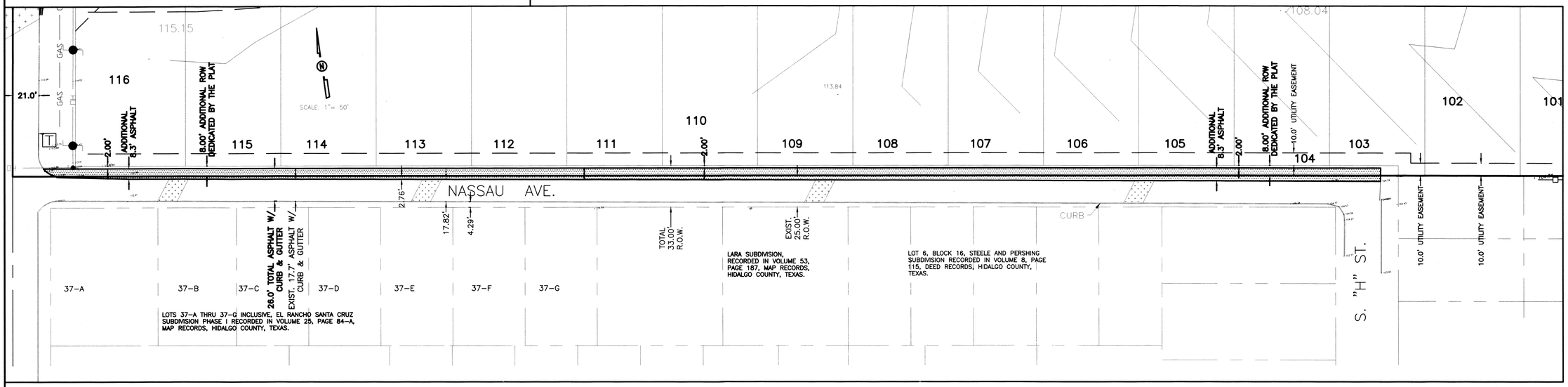
Address: 124 E. Stubbs

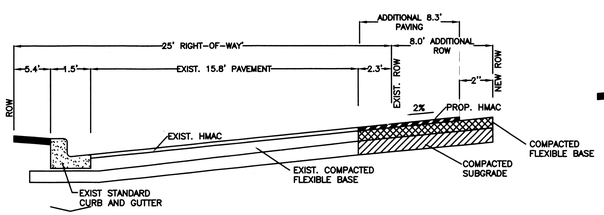
City: Edinburg State: Texas Zip: 78539

E-mail: alfonsoq@qhaengineering.com

RECEIVED
AUG 28 2015
BY: DC 1:20pm

# ADDITIONAL PAVING ON NASSAU STREET

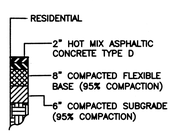



ALLEY SECTION

NOTES:

A. ALLEY GUTTER, SEE CURB AND GUTTER DETAIL FOR INFORMATION.
B. TRANSVERSE SLOPE OF ALLEY PAVEMENT SURFACE SHALL BE 2% MIN.
C. USE LOCAL STREET SECTION FOR RESIDENTIAL ALLEY. (SEE PVMT. DESIGN TABLE)
D. USE PRINCIPLE ARTERIAL STREET SECTION FOR COMMERCIAL ALLEY.



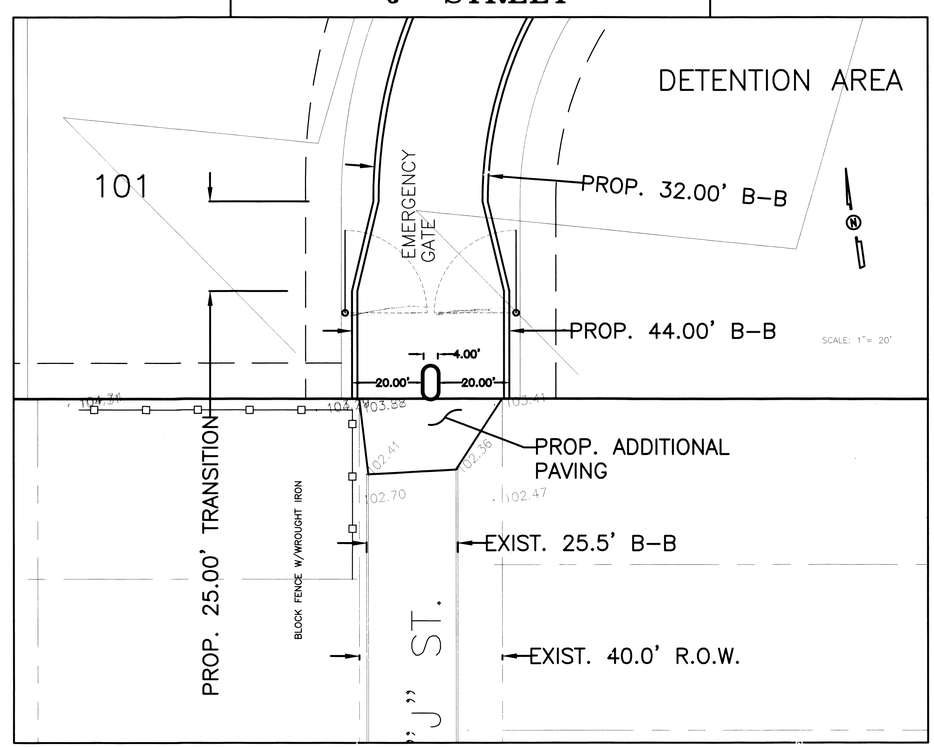

PAVEMENT SECTION

REINFORCED CONCRETE PAVEMENT MAY REQUIRED FOR HEAVY VEHICULAR TRAFFIC LOADS. DESIGN SHALL BE SUBMITTED TO CITY ENGINEER FOR APPROVAL.

## ADDITIONAL PAVING DETAIL
(NASSUA STREET)

NOT TO SCALE

# EMERGENCY GATE DETAIL "J" STREET



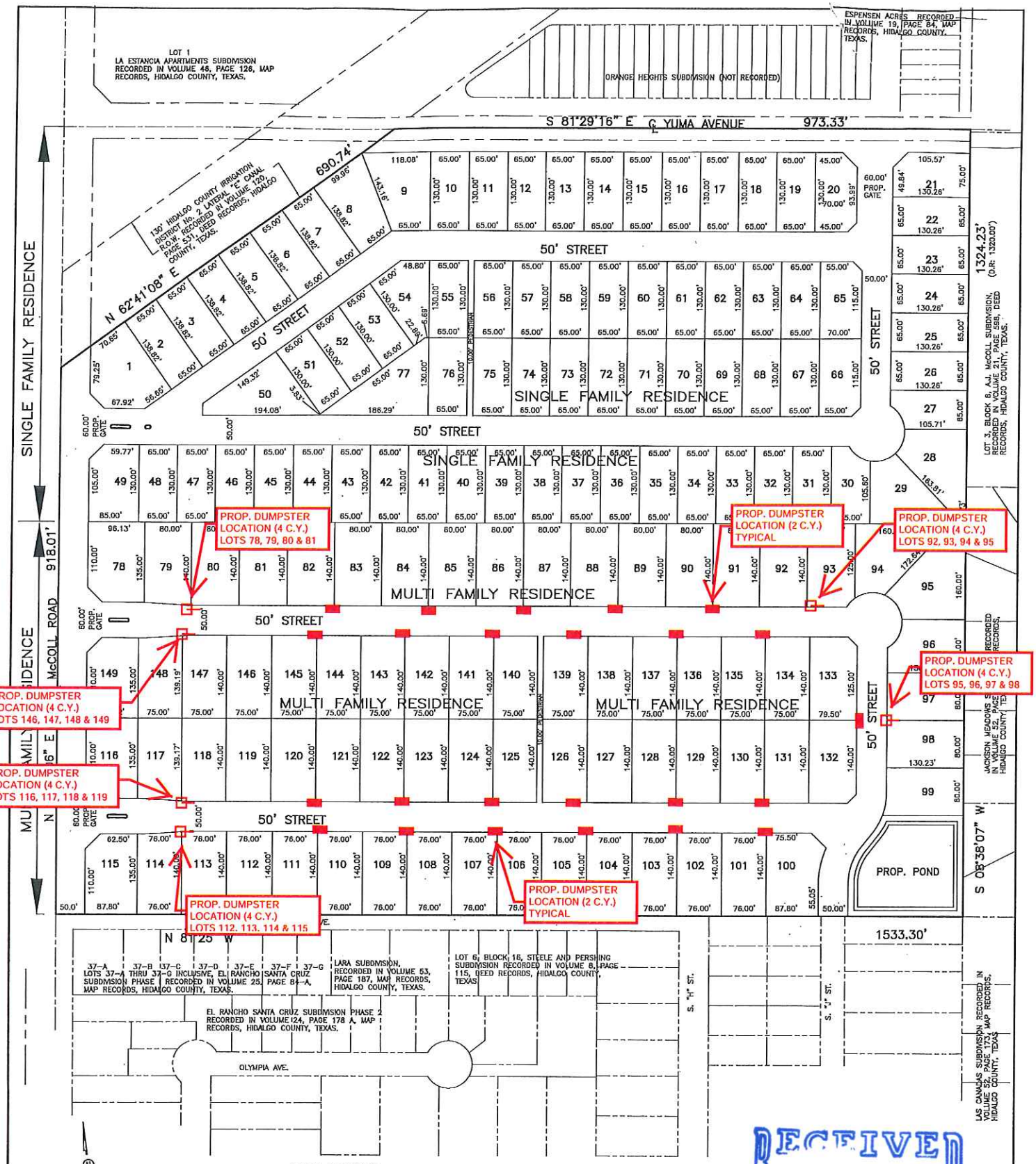

| FILENAME :F:\DATA\SURF\MCALLEN\THE HEIGHTS AT McCOLL\PAVING | | | |
|---|---|---|---|
| DATE PREPARED | PREPARED BY | CHECKED BY | APPROVED BY |
| 8-31-15 | M. GONZALEZ | | |
| DATE REVISED | REVISED BY | CHECKED BY | APPROVED BY |
| | | | |

JOB NO.
DATE 8-31-15
REVISION
SCALE 1"= 100'
DRAWN BY M.G.
SHEET

# THE HEIGHTS AT McCOLL NASSAU STREET & J STREET DETAIL

STATE OF TEXAS
ALFONSO QUINTANILLA
JR.
98654
PROFESSIONAL ENGINEER
10-12-15


QUINTANILLA, HEADLEY AND ASSOCIATES, INC.
CONSULTING ENGINEERS · LAND SURVEYORS
124 E. STUBBS ST.
EDINBURG, TEXAS 78539
PHONE 956-381-6480
FAX 956-381-0527
OFFICE@QHAENGINEERING.COM
REGISTRATION NUMBER F-1513




PLAT SHOWING

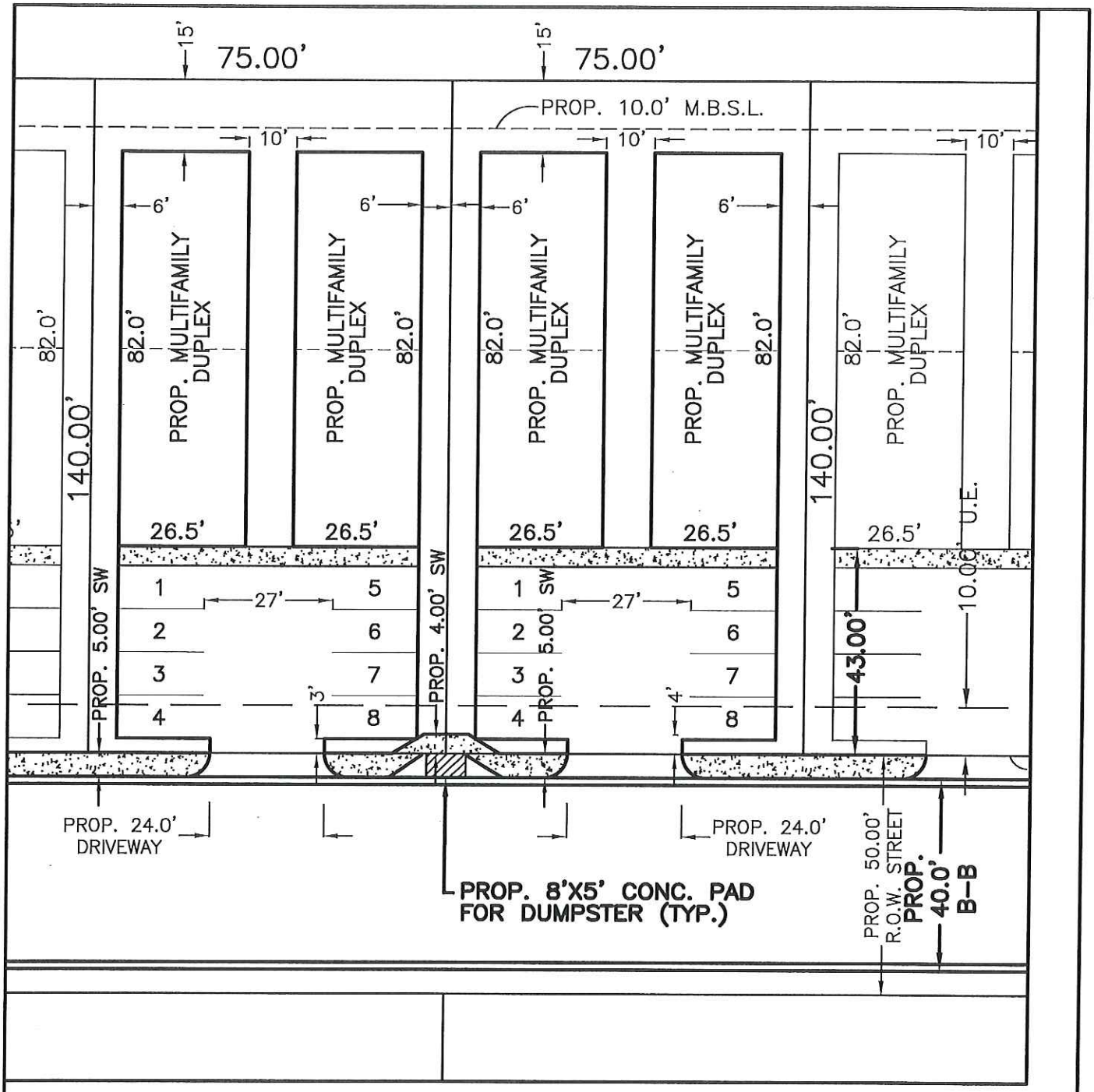
A 43.97 ACRE TRACT OF LAND OUT OF LOT 1, BLOCK 16, STEELE AND PERSHING SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 8, PAGE 115, DEED RECORDS, HIDALGO COUNTY, TEXAS, AND ACCORDING TO WARRANTY DEED RECORDED UNDER COUNTY CLERK'S DOCUMENT NUMBER , OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, AND ACCORDING TO WARRANTY DEEDS RECORDED IN VOLUME 913, PAGE 395, VOLUME 930, PAGE 186 AND IN VOLUME 1296, PAGE 170, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS.

RECEIVED
SEP 02 2015
BY: 2:02pm

QUINTANILLA, HEADLEY AND ASSOCIATES, INC.
CONSULTING ENGINEERS
124 E. STUBBS ST.
EDINBURG, TEXAS 78539
ENGINEERING REGISTRATION NUMBER F-1513
SURVEYING REGISTRATION NUMBER 100411-00
LAND SURVEYORS
PHONE 956-381-6450
FAX 956-381-0527
OFFICE@QHAENGINEERING.COM

PRELIMINARY LAYOUT
FOR REVIEW PURPOSES ONLY
OPTION C

PRE\CRUZ CANTU\YUMA-McCOLL\PRELIMINARY




# TYPICAL DUMPSTER LOCATION EXHIBIT
# NOTE: ONE LOCATION WILL SERVE 2 LOTS

N


QUINTANILLA, HEADLEY AND ASSOCIATES, INC.

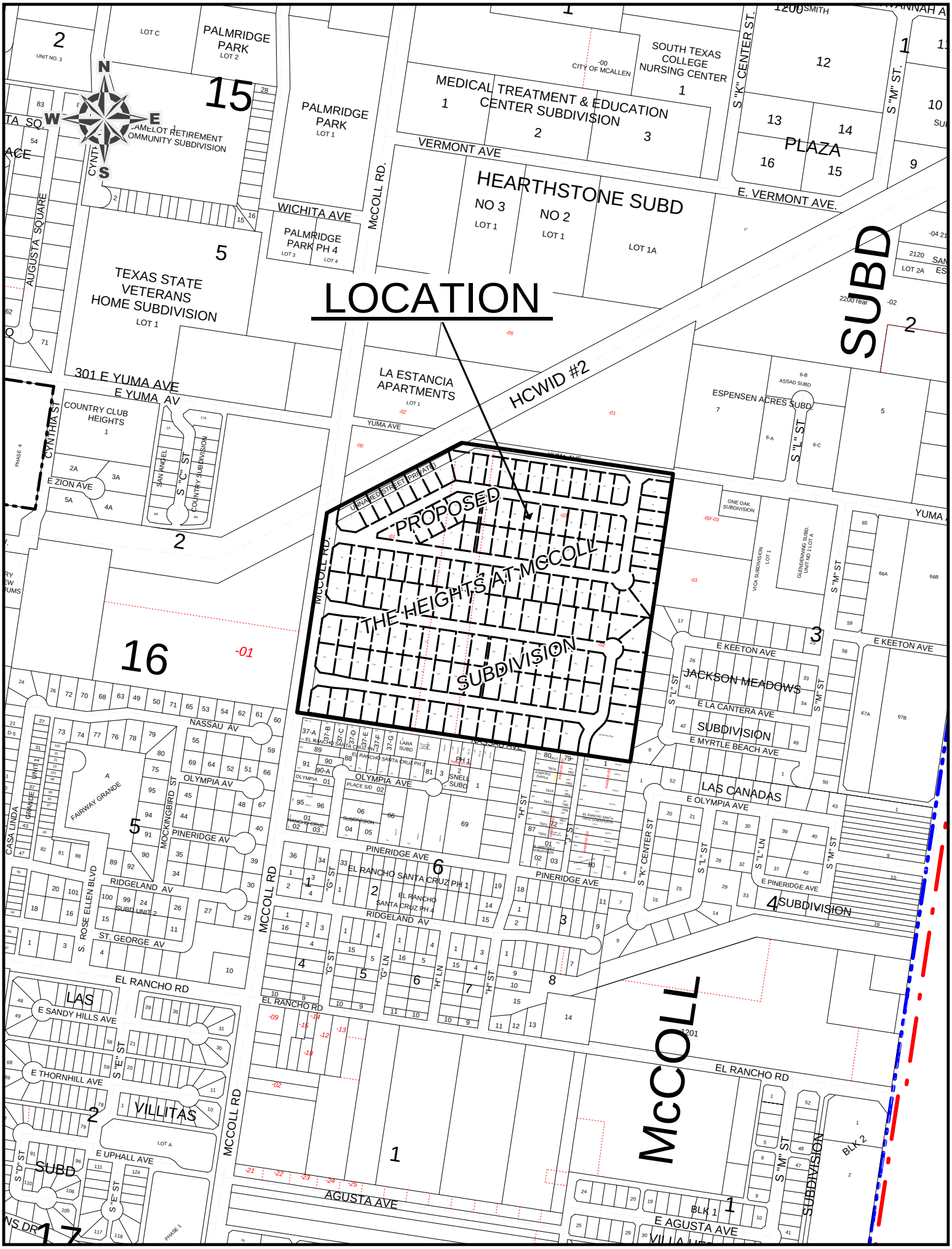
CONSULTING ENGINEERS
124 E. STUBBS ST.
EDINBURG, TEXAS 78539
ENGINEERING REGISTRATION NUMBER F-1513
SURVEYING REGISTRATION NUMBER 100411-00

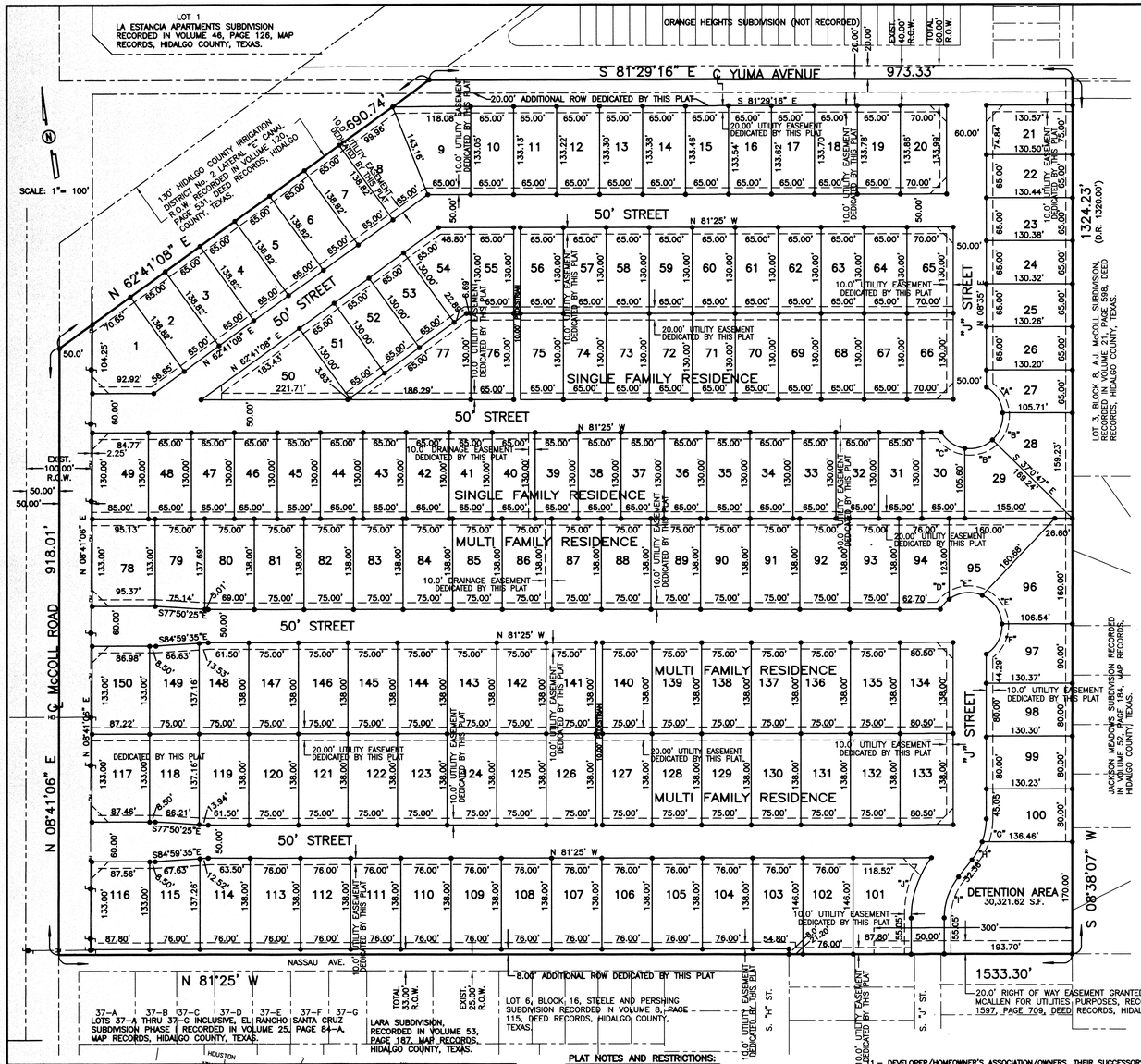
LAND SURVEYORS
PHONE 956-381-6480
FAX 956-381-0527
OFFICE@QHAENGINEERING.COM

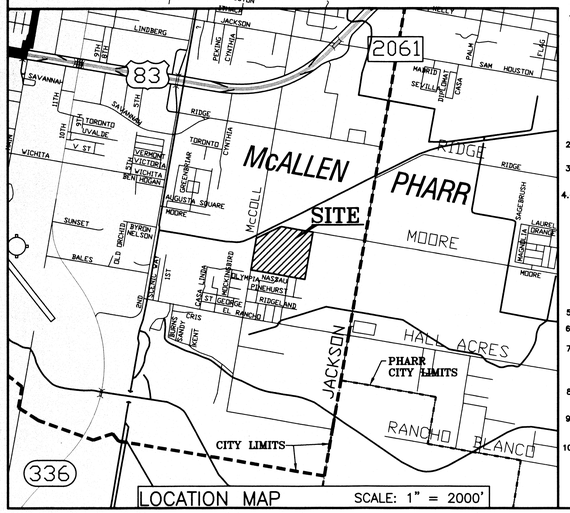


RECEIVED
SEP 02 2015
BY: 2:02pm


SCALE: 1"= 30'


LOCATION
PROPOSED
THE HEIGHTS AT McCOLL
SUBDIVISION
UNNAMED STREET (PRIVATE)
McCOLL RD.
HCWID #2
PALMRIDGE PARK
LOT 1
LOT 2
LOT C
UNIT NO. 3
SOUTH TEXAS COLLEGE NURSING CENTER
CITY OF MCALLEN
MEDICAL TREATMENT & EDUCATION CENTER SUBDIVISION
VERMONT AVE
E. VERMONT AVE.
HEARTHSTONE SUBD
NO 3
NO 2
LOT 1
LOT 1A
PLAZA
S "K" CENTER ST.
S "M" ST.
WICHITA AVE
PALMRIDGE PARK PH 4
LOT 3
LOT 4
AUGUSTA SQUARE
TEXAS STATE VETERANS HOME SUBDIVISION
LOT 1
301 E YUMA AVE
E YUMA AV
LA ESTANCIA APARTMENTS
YUMA AVE
ESPENSEN ACRES SUBD.
ASSAD SUBD
S "L" ST
COUNTRY CLUB HEIGHTS
CYNTHIA ST
E ZION AVE
SAN ANGEL
S "C" ST
COUNTRY SUBDIVISION
ONE OAK SUBDIVISION
VICA SUBDIVISION
GLENDENNING SUBD. UNIT NO 1 LOT A
S "M" ST
E KEETON AVE
JACKSON MEADOWS
SUBDIVISION
E LA CANTERA AVE
E MYRTLE BEACH AVE
NASSAU AV
OLYMPIA AV
OLYMPIA AVE
PINERIDGE AV
PINERIDGE AVE
RIDGELAND AV
ST. GEORGE AV
S. ROSE ELLEN BLVD
MOCKINGBIRD ST
FAIRWAY GRANDE
CASA LINDA
EL RANCHO SANTA CRUZ PH 1
EL RANCHO SANTA CRUZ PH 4
SNELL SUBD
LARA SUBD
PLACE S/D
SUBDIVISION
MCCOLL RD
"G" ST
"H" ST
"H" LN
"I" ST
"I" LN
EL RANCHO RD
LAS CANADAS
E OLYMPIA AVE
S "L" ST
S "L" LN
E PINERIDGE AVE
SUBDIVISION
LAS
E SANDY HILLS AVE
E THORNHILL AVE
S "E" ST
VILLITAS
E UPHALL AVE
SUBD
S "D" ST
S "E" ST
AGUSTA AVE
E AGUSTA AVE
McCOLL
SUBDIVISION
BLK 1
BLK 2
PHASE 1
PHASE 4




LOCATION MAP SCALE: 1" = 2000'

SUBDIVISION PLAT OF :

# THE HEIGHTS AT MCCOLL SUBDIVISION

(PRIVATE SUBDIVISION)

A 43.97 ACRE TRACT OF LAND OUT OF LOT 1, BLOCK 16, STEELE AND PERSHING SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 8, PAGE 115, DEED RECORDS, HIDALGO COUNTY, TEXAS, AND ACCORDING TO WARRANTY DEED RECORDED UNDER COUNTY CLERK'S DOCUMENT NUMBER , OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, AND ACCORDING TO WARRANTY DEEDS RECORDED IN VOLUME 913, PAGE 395, VOLUME 930, PAGE 186 AND IN VOLUME 1296, PAGE 170, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS.

METES AND BOUNDS

A 43.97 ACRE TRACT OF LAND OUT OF LOT 1, BLOCK 16, STEELE AND PERSHING SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 8, PAGE 115, DEED RECORDS, HIDALGO COUNTY, TEXAS, AND ACCORDING TO WARRANTY DEED RECORDED IN VOLUME 913, PAGE 395, VOLUME 930, PAGE 186. AND VOLUME 1296, PAGE 170, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, REFERENCE TO WHICH IS HERE MADE FOR ALL PURPOSES AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS.

BEGINNING AT A COTTON PICKER SPINDLE SET IN THE CENTERLINE OF McCOLL ROAD FOR THE SOUTHWEST CORNER OF LOT 1 AND THE SOUTHWEST CORNER OF THIS TRACT.

THENCE; N 08°41'06" E, ALONG THE WEST LINE OF LOT 1 AND THE CENTERLINE OF McCOLL ROAD, A DISTANCE OF 918.01 FEET TO A COTTON PICKER SPINDLE SET FOR THE MOST SOUTHERLY NORTHWEST CORNER OF THIS TRACT.

THENCE; N 62°41'08" E, ALONG THE SOUTH LINE OF THE HIDALGO COUNTY IRRIGATION DISTRICT No.2 LATERAL "E" CANAL RIGHT OF WAY (RECORDED IN VOLUME 120, PAGE 531, DEED RECORDS, HIDALGO COUNTY, TEXAS), PASSING AT 61.72 FEET THE EAST RIGHT OF WAY LINE OF McCOLL ROAD, PASSING AT 656.83 FEET THE SOUTH RIGHT OF WAY LINE OF YUMA AVENUE, A TOTAL DISTANCE OF 690.74 FEET TO A 5/8" IRON ROD WITH CAP STAMPED FNM FOUND ON THE NORTH LINE OF LOT 1 AND IN THE CENTERLINE OF YUMA AVENUE FOR THE MOST NORTHERLY NORTHWEST CORNER OF THIS TRACT.

THENCE; S 81°29'16" E, ALONG THE NORTH LINE OF LOT 1 AND THE CENTERLINE OF YUMA AVENUE, A DISTANCE OF 973.33 FEET TO A PK NAIL FOUND FOR THE NORTHEAST CORNER OF LOT 1 AND THE NORTHEAST CORNER OF THIS TRACT.

THENCE; S 08°38'07" W, ALONG THE EAST LINE OF LOT 1, PASSING A 1/2" IRON ROD FOUND AT 20.00 FEET FOR THE SOUTH RIGHT OF WAY LINE OF YUMA AVENUE, A TOTAL DISTANCE OF 1,324.23 FEET (MAP RECORD: 1,320.00 FEET) TO A 1/2" IRON ROD FOUND FOR THE SOUTHEAST CORNER OF LOT 1 AND THE SOUTHEAST CORNER OF THIS TRACT.

THENCE; N 81°25' W, ALONG THE SOUTH LINE OF LOT 1, PASSING A 5/8" IRON ROD WITH CAP STAMPED FNM FOUND AT 1,483.30 FEET FOR THE EAST RIGHT OF WAY LINE OF McCOLL ROAD, A TOTAL DISTANCE OF 1,533.30 FEET TO THE POINT OF BEGINNING AND CONTAINING 43.97 ACRES OF LAND MORE OR LESS.

BEARINGS ARE IN ACCORDANCE WITH LARA SUBDIVISION, RECORDED IN VOLUME 53, PAGE 187, MAP RECORDS, HIDALGO COUNTY, TEXAS.

STATE OF TEXAS
COUNTY OF HIDALGO

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

STATE OF TEXAS REGISTERED ALFONSO QUINTANILLA 4856 PROFESSIONAL LAND SURVEYOR

ALFONSO QUINTANILLA
R.P.L.S. No. 4856

8-26-15
DATE

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

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

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

DATE

| CURVE DATA | | | |
|---|---|---|---|
| CURVE | LENGTH | RADIUS | DELTA |
| "A" | 48.12' | 50.00' | 55°8'42" |
| "B" | 45.27 | 50.00' | 51°52'27" |
| "C" | 44.60' | 50.00' | 51°6'24" |
| "D" | 20.18' | 50.00' | 23°7'48" |
| "E" | 52.85' | 50.00' | 60°33'55" |
| "F" | 56.21' | 50.00' | 64°24'25" |
| "G" | 35.70' | 100.00' | 20°27'23" |
| "H" | 31.54' | 100.00' | 18°4'20" |
| "I" | 67.25' | 100.00' | 38°31'43" |
| "J" | 90.31' | 150.00' | 34°29'41" |

| RESIDENTIAL LOTS | | |
|---|---|---|
| LOT # | AREA (S.F.) | (AC.) |
| 1 | 13679.55 | 0.31 |
| 2–7 | 9023.30 | 0.21 |
| 8 | 11449.97 | 0.26 |
| 9 | 12179.32 | 0.28 |
| 10 | 8654.11 | 0.20 |
| 11 | 8659.36 | 0.20 |
| 12 | 8664.61 | 0.20 |
| 13 | 8669.87 | 0.20 |
| 14 | 8675.12 | 0.20 |
| 15 | 8680.37 | 0.20 |
| 16 | 8685.62 | 0.20 |
| 17 | 8690.87 | 0.20 |
| 18 | 8696.13 | 0.20 |
| 19 | 8701.38 | 0.20 |
| 20 | 9376.59 | 0.22 |
| 21 | 9779.37 | 0.22 |
| 22 | 8480.51 | 0.19 |
| 23 | 8476.67 | 0.19 |
| 24 | 8472.84 | 0.19 |
| 25 | 8469.00 | 0.19 |
| 26 | 8465.16 | 0.19 |
| 27 | 7799.13 | 0.18 |
| 28 | 11635.89 | 0.27 |
| 29 | 11694.90 | 0.27 |
| 30 | 7873.97 | 0.18 |
| 31–48 | 8450.00 | 0.19 |
| 49 | 11035.00 | 0.25 |
| 50 | 12171.50 | 0.28 |
| 51–53 | 8450.00 | 0.19 |
| 54 | 9319.96 | 0.21 |
| 55–64 | 8450.00 | 0.19 |
| 65–66 | 9100.00 | 0.21 |
| 67–76 | 8450.00 | 0.19 |
| 77 | 12544.14 | 0.29 |

| MULTIFAMILY LOTS | | |
|---|---|---|
| LOT # | AREA (S.F.) | (AC.) |
| 78 | 12668.02 | 0.29 |
| 79 | 10150.78 | 0.23 |
| 80 | 10349.22 | 0.24 |
| 81–93 | 10350.00 | 0.24 |
| 94 | 10374.65 | 0.24 |
| 95 | 12225.30 | 0.28 |
| 96 | 14491.04 | 0.33 |
| 97 | 10940.57 | 0.25 |
| 98 | 10426.89 | 0.24 |
| 99 | 10421.08 | 0.24 |
| 100 | 10487.78 | 0.24 |
| 101 | 13708.24 | 0.31 |
| 102 | 11096.00 | 0.25 |
| 103 | 10657.60 | 0.24 |
| 104–113 | 10488.00 | 0.24 |
| 114 | 10483.12 | 0.24 |
| 115 | 10250.38 | 0.24 |
| 116 | 11661.45 | 0.27 |
| 117 | 11790.33 | 0.27 |
| 118 | 10113.20 | 0.23 |
| 119 | 10344.30 | 0.24 |
| 120–132 | 10350.00 | 0.24 |
| 133–134 | 11109.00 | 0.26 |
| 135–147 | 10350.00 | 0.24 |
| 148 | 10344.30 | 0.24 |
| 149 | 10113.20 | 0.23 |
| 150 | 11583.08 | 0.27 |

## PLAT NOTES AND RESTRICTIONS:

1.– FLOOD ZONE DESIGNATION: ZONE "B"
AREAS BERWEEN LIMITS OF THE 100–YEAR FLOOD AND 500–YEAR; OR CERTAIN AREAS SUBJECT TO 100–YEAR FLOODING WITH AVERAGE DEPTHS LESS THAN (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).

FLOOD ZONE DESIGNATION: ZONE "C"
AREAS OF MINIMAL FLOODING. ( NO SHADING ).

COMMUNITY–PANEL NUMBER 480334 0425 C
MAP REVISED: NOVEMBER 16, 1982

2.– MINIMUM FINISH FLOOR ELEVATION: 18" ABOVE THE TOP OF CURB OF THE STREET AT MID POINT OF EACH LOT.

3.– LEGEND ● – DENOTES 1/2"x 24" IRON ROD SET WITH PLASTIC CAP STAMPED RPLS 4856, UNLESS OTHERWISE NOTED.

4.– MINIMUM BUILDING SETBACK LINES:
FRONT R–1 LOTS (1 THROUGH 77).....25.00 FT.OR GREATER FOR EASEMENTS.
FRONT R–3A LOTS (78 THROUGH 150)...20.00 FT.OR GREATER FOR EASEMENTS.
REAR ..... IN ACCORDANCE WITH THE ZONING ORDINANCE OR GREATER FOR EASEMENTS.
INTERIOR SIDES .....IN ACCORDANCE WITH THE ZONING ORDINANCE OR GREATER FOR EASEMENTS.
CORNER: McCOLL ROAD & YUMA AVENUE.....10.00 FT. OR GREATER FOR EASEMENTS.
GARAGE ..... 18.00' EXCEPT WHERE GREATER SETBACK IS REQUIRED, GREATER SETBACK APPLIES

5.– NO BUILDINGS NOR DRAINAGE DETENTION AREAS SHALL BE CONSTRUCTED OVER ANY EASEMENT.

6.– REQUIRED DRAINAGE DETENTION IS: _____ C.F. ( _____ AC./FT.) TOTAL

7.– BENCHMARK No. 1= FOUND TOP OF INLET LOCATED ON THE NORTHEAST CORNER OF LOT OF THE SUBDIVISION. N.A.V.D. 88 DATUM
CITY OF MCALLEN BENCHMARK–MC 53 =123.30 30" ALUM. PIPE FOUND AT THE SOUTHEAST CORNER OF NORTH TAYLOR AND DAFFODIL STREET.. N.A.V.D. 88 DATUM

8.– AN ENGINEERED DRAINAGE DETENTION PLAN APPROVED BY THE ENGINEERING DEPARTMENT IS REQUIRED PRIOR TO ISSUANCE OF A BUILDING PERMIT.

9.– FOUR (4.0) FOOT WIDE MINIMUM SIDEWALK REQUIRED ON McCOLL ROAD, YUMA ROAD AND, ON SIDES OF ALL INTERIOR STREETS.

10.– COMMON AREAS MUST BE MAINTAINED BY THE DEVELOPER/HOMEOWNER'S ASSOCIATION/OWNERS, THEIR SUCCESSORS AND/OR ASSIGNEES AND NOT THE CITY OF MCALLEN.

11.– DEVELOPER/HOMEOWNER'S ASSOCIATION/OWNERS, THEIR SUCCESSORS AND ASSIGNEES, AND NOT THE CITY OF MCALLEN SHALL BE RESPONSIBLE FOR THE COMPLIANCE OF INSTALLATION AND MAINTENANCE AND OTHER REQUIREMENTS PER SECTION 134–168 OF THE SUBDIVISION ORDINANCE, INCLUDING BUT NOT LIMITED TO COMMON AREAS AND ITS PRIVATE STREETS.

12.– AS PER DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR THE HEIGHTS AT McCOLL SUBDIVISION, RECORDED AS DOCUMENT NUMBER , HIDALGO COUNTY, DEED RECORDS, DEVELOPER/HOMEOWNER'S ASSOCIATION/OWNERS, THEIR SUCCESSORS AND/OR ASSIGNEES, AND NOT THE CITY OF MCALLEN SHALL BE RESPONSIBLE FOR INSTALLATION, MAINTENANCE AND OTHER REQUIREMENTS AS PER SECTION 134–168 OF THE CODE OF ORDINANCE OF THE CITY OF MCALLEN, INCLUDING BUT NOT LIMITED TO COMMON AREAS AND PRIVATE STREETS. ANY AMENDMENT TO DECLARATIONS THAT CONFLICT WITH THE REQUIREMENTS OF SECTION 134–168 SHALL BE NULL AND VOID.

13.– 6.00 FT OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTIFAMILY RESIDENTIAL AND COMMERCIAL OR INDUSTRIAL ZONES/USES AND ALONG NORTH TAYLOR ROAD

14.– 8.00 FT MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI–FAMILY RESIDENTIAL ZONES/USES.

15.– NO CURB CUT, ACCESS, OR LOT FRONTAGE PERMITTED ALONG McCOLL ROAD AND YUMA AVENUE

16.– LOTS 1 THROUGH 77 SHALL BE FOR RESIDENTIAL USE. LOTS 78 THROUGH 150 SHALL BE FOR MULTIFAMILY USE.

17.– A 25 FT. X 25 FT. SIGHT OBSTRUCTION EASEMENT IS REQUIRED AT ALL STREET INTERSECTIONS.


QUINTANILLA, HEADLEY AND ASSOCIATES, INC.
CONSULTING ENGINEERS
124 E. STUBBS ST.
EDINBURG, TEXAS 78539
ENGINEERING REGISTRATION NUMBER F–1513
SURVEYING REGISTRATION NUMBER 100411–00
LAND SURVEYORS
PHONE 956–381–6480
FAX 956–381–0527
OFFICE@QHAENGINEERING.COM


STATE OF TEXAS
COUNTY OF HIDALGO

THE OWNERS OF THE LAND ON THIS PLAT AND DESIGNATED HEREIN AS THE PLAT OF **THE HEIGHTS AT MCCOLL SUBDIVISION**, AN ADDITION TO THE CITY OF MCALLEN, AND WHOSE NAME IS SUBSCRIBED HERETO, DO HEREBY GRANT AN EASEMENT TO THE SAID CITY AND THOSE WHO MAY NOW OR HEREAFTER HOLD FRANCHISE UNDER SAID CITY. THE USE OF THE STREETS IS RESTRICTED TO THE EMPLOYEES AND AGENTS OF THE CITY OF MCALLEN, EMPLOYEES OF UTILITY COMPANIES UNDER FRANCHISE TO SAID CITY, AND RESIDENTS OF THE SUBDIVISION AND THEIR GUESTS. THE OWNER DOES HEREBY DEDICATE TO THE USE OF THE PUBLIC THE PORTION OF NORTH TAYLOR ROAD FOR USE AS STREET RIGHT OF WAY DEDICATED TO THE CITY OF MCALLEN BY THIS PLAT.

ESPONJAS DEVELOPMENT, LTD.
BY: ESPONJAS, LLC
IT'S GENERAL PARTNER
BY: EDUARDO CANTU, VICE PRESIDENT
810 W. FERGUSON,
PHARR, TEXAS. 78577

DATE

STATE OF TEXAS
COUNTY OF HIDALGO

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

Given under my hand and seal of office this _____ day of _____, 20___.

LILIA A. QUINTANILLA
Notary Public, State of Texas
My Commission Expires
July 23, 2018

LILIA A. QUINTANILLA–Notary Public

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

CHAIRMAN, PLANNING COMMISSION

DATE

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

MAYOR

DATE

ATTEST:

CITY SECRETARY

DATE

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

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

PRESIDENT

ATTEST:

SECRETARY

COUNTY OF HIDALGO
STATE OF TEXAS

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

STATE OF TEXAS LICENSED ALFONSO QUINTANILLA 95534 PROFESSIONAL ENGINEER

P.E.

ALFONSO QUINTANILLA
P.E. No. 95534

10-13-15
DATE

THE COUNTY OF HIDALGO TEXAS

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

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

| FILENAME : F:\DATA\SUBD\McALLEN\THE HEIGHTS AT MCCOLL SUBDIVISION\PLAT | | | |
|---|---|---|---|
| DATE PREPARED | PREPARED BY | CHECKED BY | APPROVED BY |
| AUG. 26, 2015 | M. GONZALEZ | | |
| DATE REVISED | REVISED BY | CHECKED BY | APPROVED BY |

# City of McAllen

## SUBDIVISION PLAT REVIEW

Reviewed On: 10/15/2015

| SUBDIVISION NAME: THE HEIGHTS AT MCCOLL | |
|---|---|
| **REQUIREMENTS** | |
| **STREETS AND RIGHT-OF-WAYS** | |
| S. McColl Road: 50 ft. from centerline for 100 ft. ROW<br>Paving: min. 65 ft.; approx. 40 ft. existing Curb & gutter: both sides<br>*Owner must escrow monies for improvements if not built prior to recording. | Applied |
| E. Yuma Avenue: 20 ft. ROW dedication required for 40 ft. from centerline for an 80 ft. ROW<br>Paving: 52 ft. - 65 ft. Curb & gutter: both sides<br>*Owner must escrow monies for improvements if not built prior to plat recording.<br>**Temporary turnaround as needed on the west end of E. Yuma Avenue. | Applied |
| E. Nassau Avenue: 25 ft. ROW dedication required for 50 ft. from centerline<br>Paving: 32 ft. Curb & gutter: both sides<br>*Per Section 134-105(4)(b) of the Subdivision Ordinance, half streets are not permitted in new subdivisions.<br>**Project engineer, on behalf of the developer is requesting a variance to not dedicate the additional 25 ft. ROW and is proposing to dedicate 8 ft. of ROW with an additional 8.3 ft. of pavement.<br>***E. Nassau Avenue has an existing 25 ft. of ROW with approximately 16 ft. of paving. | Non-compliance |
| S. "J" Street & Interior Streets (proposed as private):<br>Lots 1-77: R-1 Zone - 50 ft. ROW<br>Paving: 32 ft. Curb & gutter: both sides<br><br>Lots 78-150: R-3A Zone - 60 ft. ROW; 50 ft. ROW is proposed with a 10 ft. sidewalk and utility easement on both sides<br>Paving: 40 ft. Curb & gutter: both sides<br>*32 ft. - 44 ft. of paving is proposed for a portion of S. "J" Street between Lot 101 and the detention detention area/common lot for the secondary access.<br>**Private streets to comply with and built according to City standards. | Applied |
| * 800 ft. Block Length: As proposed, the block lengths exceed 800 ft. without a cross street.<br>**Section 134-118 of the Subdivision Ordinance states that block lengths shall not exceed 800 ft.<br>***No stub outs are proposed to E. Yuma nor E. Nassau Avenues. There is no connection proposed between the R-1 & R-3A lots.<br>****Project engineer, on behalf of the developer is requesting a variance to the Ordinance and is proposing to construct walkways between the lots to break up the block length. The Planning and Zoning Commission recommended approval of the variance to the 800 ft. block length at their meeting of September 16, 2015. | Non-compliance |
| * 600 ft. Maximum Cul-de-Sac: | NA |
| **ALLEYS** | |
| ROW: 20 ft. Paving: 16 ft.<br>*Alley/service drive easement required for commercial properties | NA |
| **SETBACKS** | |
| * Front: Proposed R-1 lots - 25 ft. or greater for easements<br>Proposed R-3A lots - 20 ft. or greater for easements | Compliance |
| * Rear: in accordance with the Zoning Ordinance, or greater for easements except 25 ft. for the double fronting lots (Lots 9-20 & 50) and 20 ft. for the double fronting lots (Lots 102-115) | Complete |

| | |
|---|---|
| **Project engineer, on behalf of the developer has submitted a variance request to reduce the rear yard setback for the double fronting lots to 10 ft.<br>***Planning and Zoning Commission approved request to allow 10 ft. rear yard setback for the double fronting lots at their meeting of September 16, 2015. | |
| * Interior Sides: in accordance with the Zoning Ordinance, or greater for easements | Compliance |
| * Corner: 10 ft. or greater for easements | Compliance |
| * Garage: 18 ft. except where greater setback is required; greater setback applies | Compliance |
| *ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS | Applied |
| **SIDEWALKS** | |
| * 4 ft. wide minimum sidewalk required on S. McColl Road, E. Yuma & E. Nassau Avenues, and on both sides of all interior streets.<br>**Project engineer, on behalf of the developer is requesting a variance to the sidewalk requirement along E. Nassau Avenue. | 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. McColl Road and E. Yuma & E. Nassau Avenues. | 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 - along S. McColl Road and E. Yuma & E. Nassau Avenues. | Applied |
| **NOTES** | |
| * No curb cut, access, or lot frontage permitted along S. McColl Road and E. Yuma & E. Nassau Avenues. | 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 - REGARDING MAINTENANCE OBLIGATIONS. | Applied |
| * Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. | Applied |
| **LOT REQUIREMENTS** | |
| * Lots fronting public streets: Interior streets proposed as private | Applied |
| * Minimum lot width and lot area: all lots to comply with minimum 50 ft. frontage requirement; corner lots shall be 4 ft. wider than the minimum | Applied |
| **ZONING/CUP** | |
| * Existing: C-3L, R-2 & R-1 Proposed: R-1 & R-3A | Non-compliance |
| * Rezoning Needed Before Final Approval | Applied |

| | |
|---|---|
| **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.<br>**Variance request to the parkland dedication was considered by the Parkland Dedication Advisory Board at their meeting of October 1, 2015; scheduled for the City Commission meeting on October 26, 2015. | 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 at their meeting of September 16, 2015.<br>**Abandonment of a 20 ft. ROW easement by separate instrument is needed prior to final plat.<br>***Project engineer to submit site plan for irregular lots for review and to ensure that they are buildable lots and that they comply with the building setbacks.<br>****All lots to comply with minimum 50 ft. frontage requirement; corner lots shall have 54 ft. of frontage. Project engineer to verify that all lots comply with the minimum lot areas required for R-1 and R-3A zoning districts.<br>*****Dumpsters proposed to be provided along streets ROWs, therefore sidewalk easements as may be needed are to be provided on lots with the proposed dumpsters.<br>******Detention lot to be identified with a lot number; project engineer to coordinate with the Engineering Department regarding use of detention lot and its exclusivity.<br>******Provide for a turnaround with detail on S. "J" Street as required by the Public Works Department. | Applied |
| **RECOMMENDATION** | |
| Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED PRELIMINARY FORM SUBJECT TO A CLARIFICATION/RECOMMENDATION ON THE REQUESTED VARIANCES, AND UTILITY & DRAINAGE APPROVALS. | Applied |

QUINTANILLA, HEADLEY AND ASSOCIATES, INC.

**Consulting Engineers ★ Land Surveyors**
Alfonso Quintanilla, P.E. # 95534 R.P.L.S #4856 Eulalio Ramirez, P.E. # 77062
Engineering Firm Registration No. F-1513
Surveying Firm Registration No. 100411-00
Municipal & County Projects ★ Subdivisions ★ Surveys

October 7, 2015

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

**Re: Proposed The Heights At McColl Subdivision**

Dear Ms. Rankin:

On behalf of the developer, this is the updated request for the following variances from the City's requirements:

1. The 800 foot block length requirement for our proposed subdivision. Due to the layout of our property, which is also proposed to be a gated community, we are requesting variance to the 800' block length. The developer is proposing to construct a walkway between the lots as an alternative to creating a short block length. This will allow for shorter walking distances from the north side of the development to the south side (already approved by Planning and Zoning Commission on September 16, 2015).
2. Nassau Avenue. Additional right of way dedication of 25.0 feet be reduced to 8.0 feet. Additional 16.0 feet of paving with curb and gutter be reduced to 8.0 feet without curb and gutter. Sidewalk be waived. Our proposed development will be private and no additional traffic will be added to Nassau Avenue.
3. Interior Streets for the Multi-Family Lots. The Right of Way of 60.0 feet be reduced to 50.0 feet with a 10.0 foot utility and sidewalk easement on each side, but the paving requirement of 40.0 feet shall remain intact.
4. Reduction on the rear setback of the double fronting multi-family lots 103 through 116 from 20 feet to 10 feet. Also, for the rear setbacks of the double fronting residential lots 9 through 20 from 25 feet to 10 feet. This will make the rear setbacks uniform throughout the subdivision (already approved by Planning and Zoning Commission on September 16, 2015).

Should you have any questions or require additional information, please feel free to call me at (956) 381-6480.

Respectfully,

P.E.

Alfonso Quintanilla, P.E., R.P.L.S.
President

RECEIVED
OCT 09 2015
BY: 11:04am

124 E. Stubbs, Edinburg, TX 78539 ★ Phone 956/381-6480 ★ Fax 956/381-0527 ★ Email: office@qhaengineering.com ★ www.qhaengineering.com

SUB2015-0049

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

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

**Project Description**

Subdivision Name Sanchez Residence

Location Approx. 1,114' West of Colonel Rowe Blvd, North of Martin Ave.

City Address or Block Number

Number of lots 1 Gross acres 2.81 Net acres 2.67

Existing Zoning C-3 Proposed -- Rezoning Applied For ☐Yes ☑No Date

Existing Land Use Residential Proposed Land Use Residential Irrigation District # 3

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

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

Legal Description A 2.81 acre tract of land out of Lot 8, Section 12, HIDALGO CANAL COMPANY'S SUBDIVISION, Hidalgo County, Texas,

**Owner**

Name Sergio J. Sanchez Phone

Address 7008 N. 3rd St.

City McAllen State Texas Zip 78504

E-mail

**Developer**

Name Eagle Homes Phone 956-972-0000

Address P.O. Box 5953

City McAllen State TX Zip 78502

Contact Person Enrique L. Lando

E-mail lando.enrique@gmail.com

**Engineer**

Name Craig Gonzalez, Phone 956-464-4710

Address 407 N. Salinas Blvd.

City Donna State TX Zip 78537

Contact Person Craig Gonzalez

E-mail cgonzalez@uigtexas.com

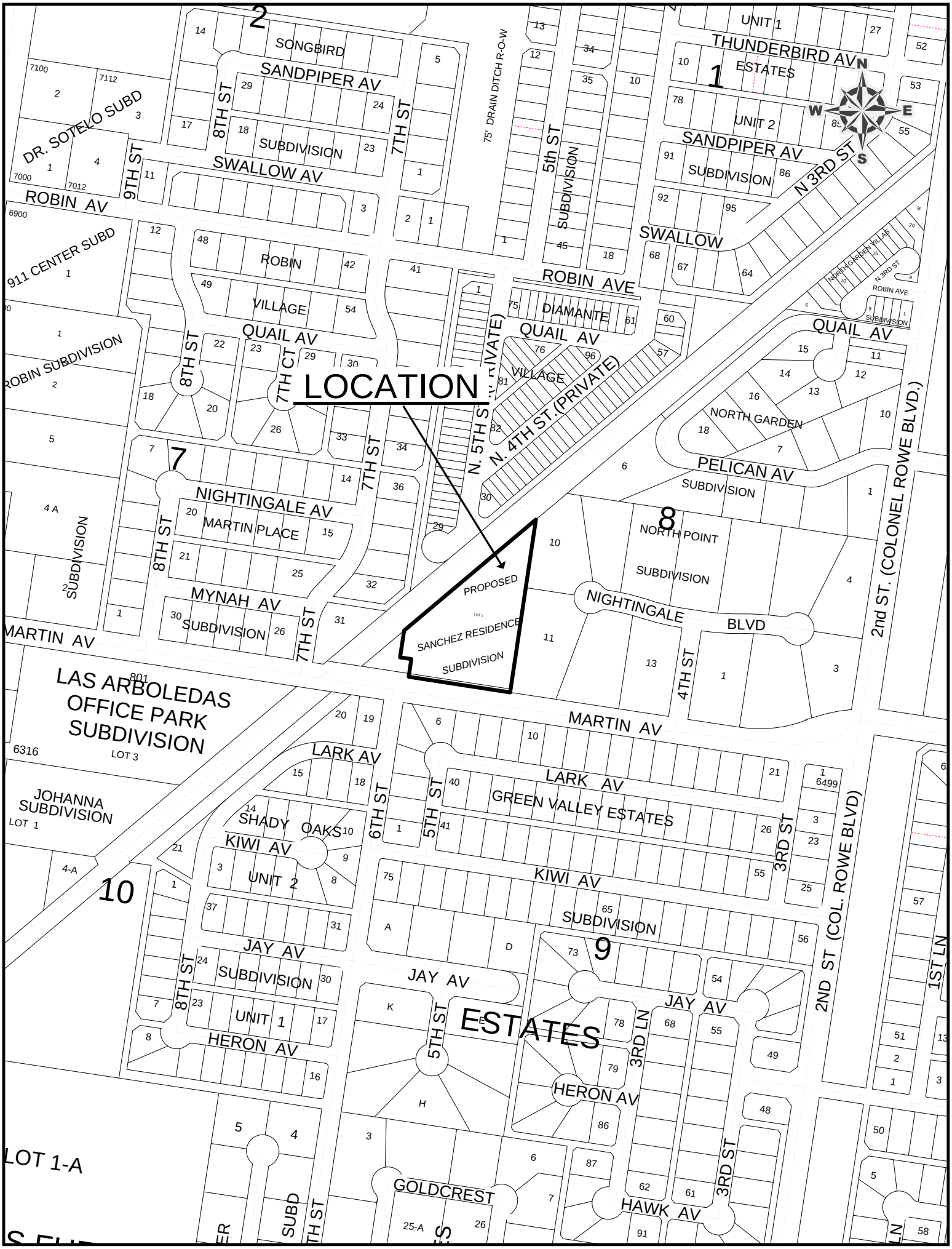
**Surveyor**

Name Pablo Peña, III Phone (956) 682-8814

Address 1001 W. Whitewing Ave.

City McAllen State TX Zip 78502

RECEIVED
SEP 2 3 2015
1:22 pm
BY:


LOCATION
PROPOSED
SANCHEZ RESIDENCE
SUBDIVISION
SONGBIRD
SANDPIPER AV
SUBDIVISION
DR. SOTELO SUBD
SWALLOW AV
ROBIN AV
911 CENTER SUBD
ROBIN
VILLAGE
QUAIL AV
ROBIN SUBDIVISION
NIGHTINGALE AV
MARTIN PLACE
MYNAH AV
SUBDIVISION
MARTIN AV
LAS ARBOLEDAS
OFFICE PARK
SUBDIVISION
LOT 3
JOHANNA
SUBDIVISION
LOT 1
LARK AV
SHADY OAKS
KIWI AV
UNIT 2
JAY AV
SUBDIVISION
UNIT 1
HERON AV
LOT 1-A
GOLDCREST
HAWK AV
ESTATES
GREEN VALLEY ESTATES
SUBDIVISION
75' DRAIN DITCH R-O-W
5th ST
SUBDIVISION
ROBIN AVE
DIAMANTE
N. 5TH ST.(PRIVATE)
N. 4TH ST.(PRIVATE)
THUNDERBIRD AV
UNIT 1
ESTATES
UNIT 2
SANDPIPER AV
SUBDIVISION
N 3RD ST
SWALLOW
NORTH GARDEN VILLAS
N 3RD ST
ROBIN AVE
SUBDIVISION
QUAIL AV
NORTH GARDEN
PELICAN AV
SUBDIVISION
NORTH POINT
SUBDIVISION
NIGHTINGALE
BLVD
2nd ST. (COLONEL ROWE BLVD.)
2ND ST (COL. ROWE BLVD)
1ST LN
3RD ST
4TH ST
5TH ST
6TH ST
7TH ST
7TH CT
8TH ST
9TH ST
3RD LN
N
S
E
W

# SUBDIVISION PLAT OF
# "SANCHEZ RESIDENCE"

A 2.81 ACRE TRACT OF LAND OUT OF LOT EIGHT (8), SECTION TWELVE (12), HIDALGO CANAL COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS AS PER MAP THEREOF RECORDED IN VOLUME "Q" PAGE 177 OF THE DEED RECORDS OF SAID COUNTY;

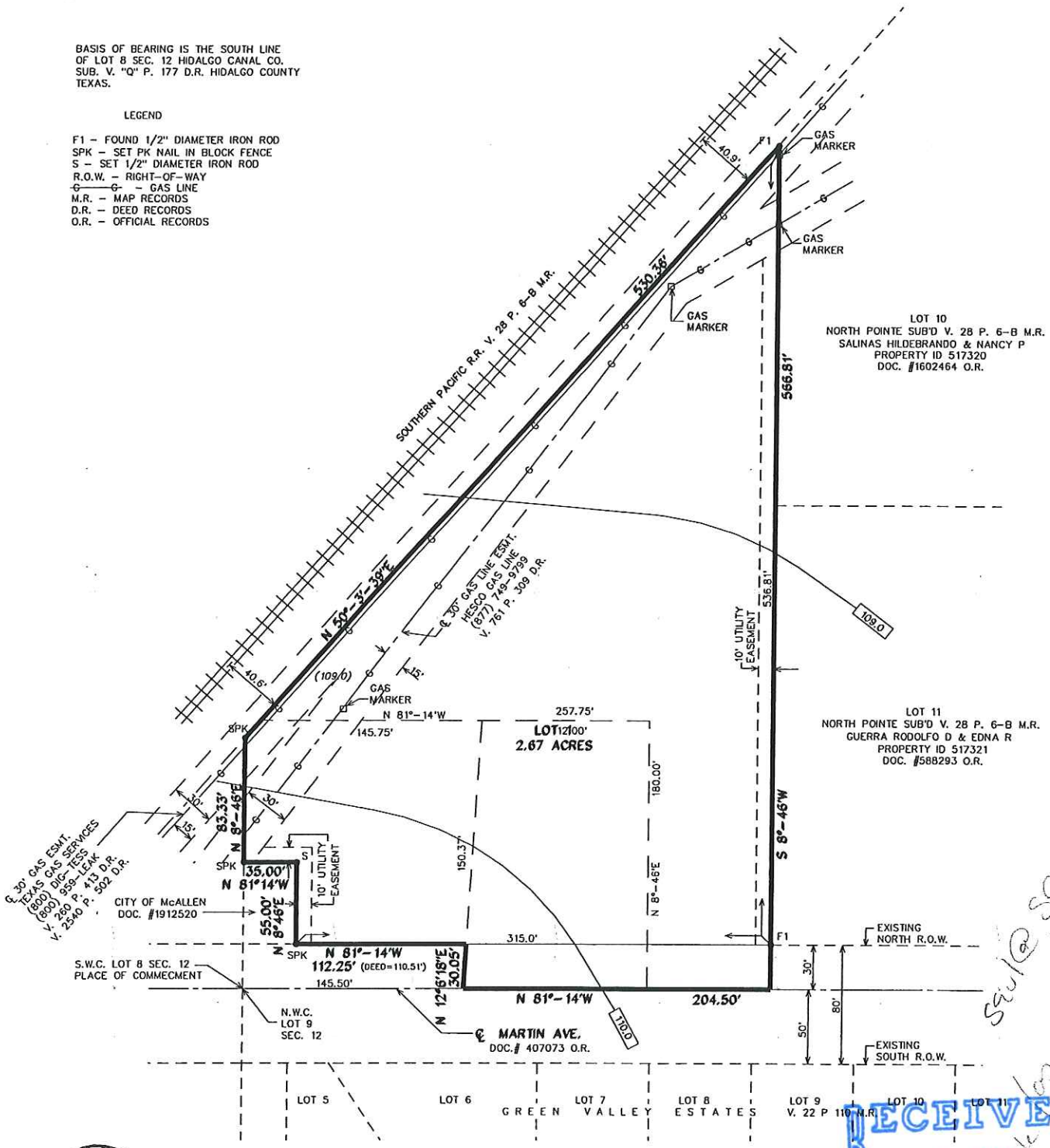
NORTH

CAD5 – SUBSANCHEZRESIDANCE
SCALE: 1" = 50'
JOB# 52704

BASIS OF BEARING IS THE SOUTH LINE OF LOT 8 SEC. 12 HIDALGO CANAL CO. SUB. V. "Q" P. 177 D.R. HIDALGO COUNTY TEXAS.

LEGEND

F1 – FOUND 1/2" DIAMETER IRON ROD
SPK – SET PK NAIL IN BLOCK FENCE
S – SET 1/2" DIAMETER IRON ROD
R.O.W. – RIGHT-OF-WAY
G — G – GAS LINE
M.R. – MAP RECORDS
D.R. – DEED RECORDS
O.R. – OFFICIAL RECORDS




Sw/@ same entry & 8 w-4 lots
Side loo plan

THE COUNTY OF HIDALGO TEXAS

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

RECEIVED
SEP 23 2015
BY: N @ 1:22pm

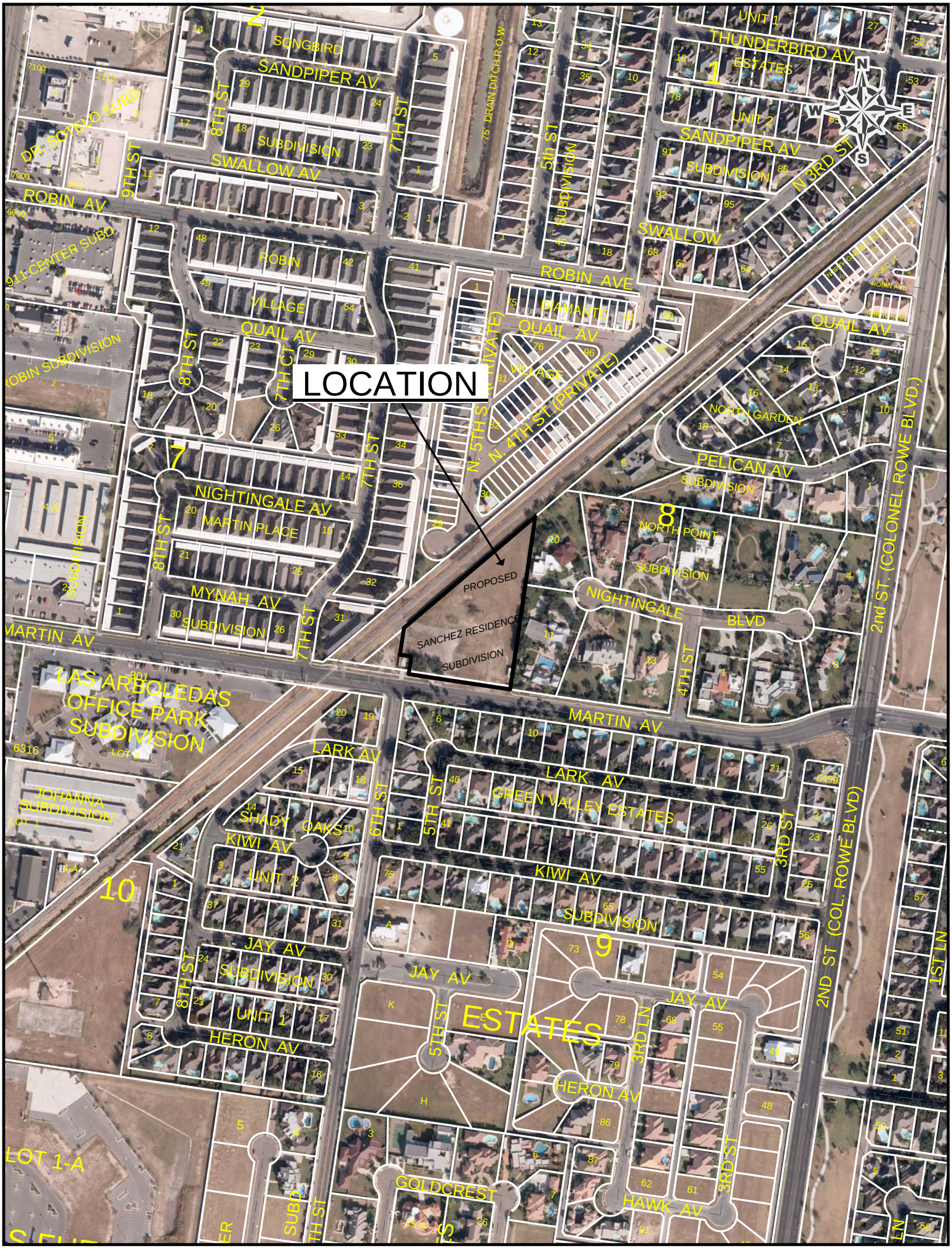
# City of McAllen

## SUBDIVISION PLAT REVIEW

Reviewed On: 10/15/2015

| SUBDIVISION NAME: SANCHEZ RESIDENCE | |
|---|---|
| **REQUIREMENTS** | |
| **STREETS AND RIGHT-OF-WAYS** | |
| Martin Avenue: 30 ft. ROW dedication required for 80 ft. ROW<br>Paving: 52 ft. - 65 ft. Curb & gutter: both sides | Compliance |
| * 800 ft. Block Length: | Compliance |
| * 600 ft. Maximum Cul-de-Sac: | NA |
| **ALLEYS** | |
| ROW: 20 ft. Paving: 16 ft.<br>*Alley/service drive easement required for commercial properties | NA |
| **SETBACKS** | |
| * Front: Martin Avenue - 45 ft. or in line with existing structures, whichever is greater | Compliance |
| * Rear: in accordance with the Zoning Ordinance, or greater for easements | Compliance |
| * Sides: in accordance with the Zoning Ordinance, or greater for easements | Compliance |
| * Corner: | NA |
| * Garage: 18 ft. except where greater setback is required; greater setback applies | Compliance |
| *ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS | Applied |
| **SIDEWALKS** | |
| * 4 ft. wide minimum sidewalk required on Martin 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. | NA |
| * Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. | NA |
| * Common Areas, Private Streets must be maintained by the lot owners and not the City of McAllen. | NA |

| | |
|---|---|
| * Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. | NA |
| * Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. | NA |
| **LOT REQUIREMENTS** | |
| * Lots fronting public streets: | Compliance |
| * Minimum lot width and lot area: | Compliance |
| **ZONING/CUP** | |
| * Existing: R-1 Proposed: R-1<br>**Rezoning request from A-O to R-1 approved by the City Commission on May 12, 2014. | Compliance |
| * Rezoning Needed Before Final Approval | NA |
| **PARKS** | |
| * Land dedication in lieu of fee: | NA |
| * Park Fee of $700 is required to be paid prior to recording | Applied |
| * Pending review by the Parkland Dedication Advisory Board and CC. | NA |
| **TRAFFIC** | |
| * Trip Generation to determine if TIA is required, prior to final plat. | NA |
| * Traffic Impact Analysis (TIA) required prior to final plat. | NA |
| **COMMENTS** | |
| Comments: *Owner must escrow monies for improvements along Martin Avenue if not built prior to plat recording.<br>**Access to Martin Avenue to comply with the City of McAllen Access Management Policy.<br>***Must comply with Public Works requirements as needed for garbage pickup. | Applied |
| **RECOMMENDATION** | |
| Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY/FINAL FORM. | Applied |


LOCATION
PROPOSED
SANCHEZ RESIDENCE
SUBDIVISION
SONGBIRD
SANDPIPER AV
SUBDIVISION
SWALLOW AV
ROBIN AV
ROBIN
VILLAGE
QUAIL AV
ROBIN SUBDIVISION
DR. SOTELO SUBD
911 CENTER SUBD
9TH ST
8TH ST
7TH ST
7TH CT
5th ST
75' DRAIN DITCH R-O-W
THUNDERBIRD AV
ESTATES
UNIT 1
UNIT 2
N 3RD ST
SWALLOW
ROBIN AVE
DIAMANTE
N. 5TH ST (PRIVATE)
N. 4TH ST (PRIVATE)
NORTH GARDEN
PELICAN AV
NORTH POINT
NIGHTINGALE AV
MARTIN PLACE
MYNAH AV
NIGHTINGALE
BLVD
MARTIN AV
LAS ARBOLEDAS
OFFICE PARK
SUBDIVISION
JOHANNA
SUBDIVISION
LARK AV
GREEN VALLEY ESTATES
SHADY OAKS
KIWI AV
JAY AV
HERON AV
ESTATES
GOLDCREST
HAWK AV
6TH ST
5TH ST
4TH ST
3RD ST
3RD LN
2nd ST. (COLONEL ROWE BLVD.)
2ND ST (COL. ROWE BLVD)
1ST LN
LOT 1-A
N
S
E
W

# 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 Sharyland Business Park Lots 23A & 25

Location 2,500 ft South of Military Hwy, on eastside of International Parkway

City Address or Block Number 6901 S. International Parkway

Number of lots 2 Gross acres 26.73 Net acres 25.40

Existing Zoning I-1 Proposed I-1 Rezoning Applied For ☐Yes ☒No Date ____

Existing Land Use Vacant Proposed Land Use Industrial Irrigation District # 19

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

Agricultural Tax Exemption Yes ☐ No ☐ Estimated Rollback tax due Non E.V.

Legal Description 26.73 acre tract of land out of Lot 38 and Lot 48 of the Amended Map of John H. Shary Subdivision and all of Lot 23 of Sharyland Business Park No. 5

**Owner**

Name Hunt Valley Development, Argent McAllen Realty Phone (956) 585-9595, (214) 393-6066

Address 3506 Los Milagros, 3131 McKinney Ave, Suite 215

City Mission, Dallas State TX Zip 78572, 75204

E-mail pcurtin@sharylandplantation.com, jstites@argentproperty.com

**Developer**

Name Hunt Valley Development Phone (956) 585-9595

Address 3506 Los Milagros

City Mission State TX Zip 78572

Contact Person Paul J. Curtin

E-mail pcurtin@sharylandplantation.com

**Engineer**

Name Halff Associates Phone (956) 664-0286

Address 5000 W. Military Hwy, Suite #100

City McAllen State TX Zip 78503

Contact Person Raul Garcia Jr.

E-mail rgarcia@halff.com

**Surveyor**

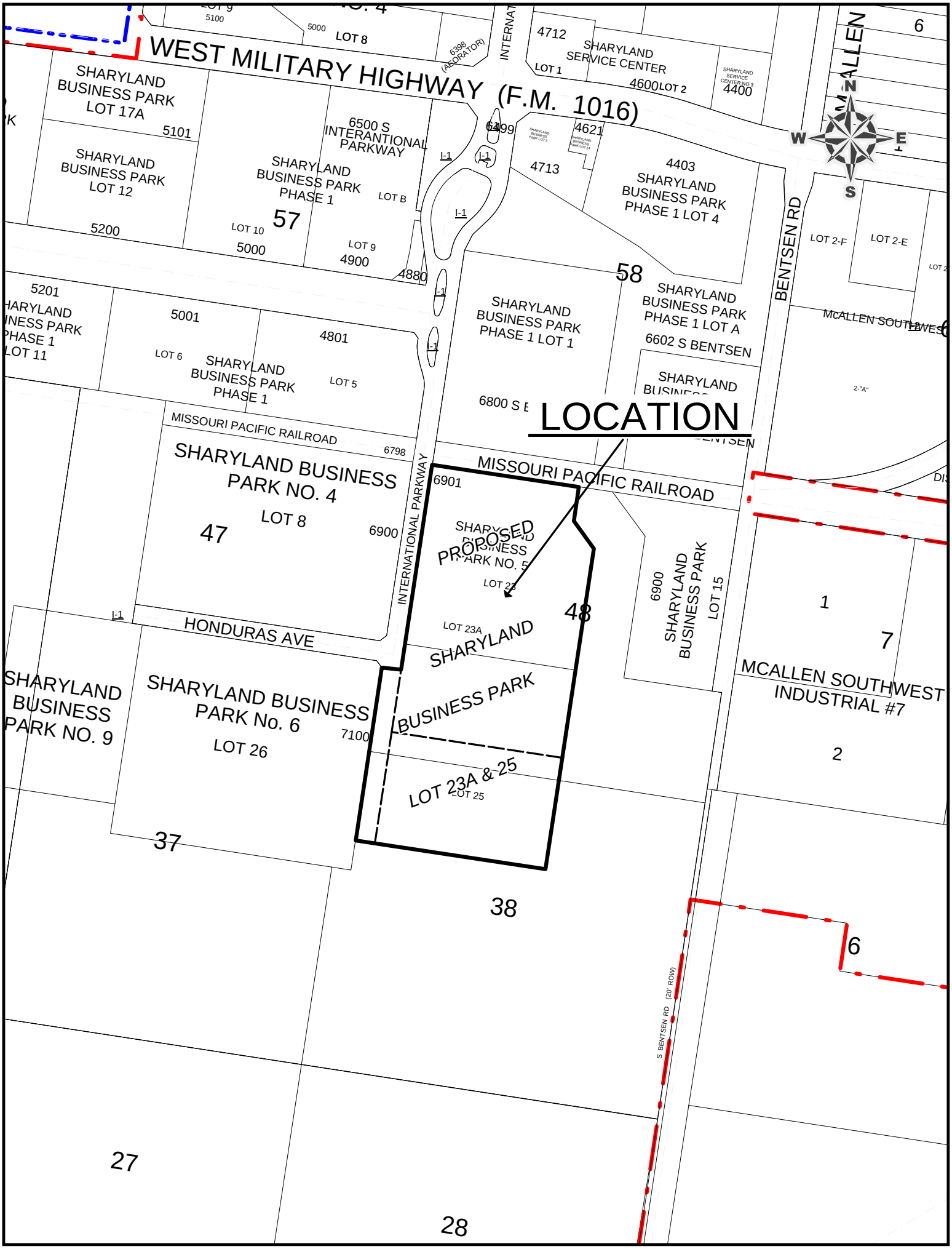
Name Halff Associates - Cory Silva Phone (512) 777-4600

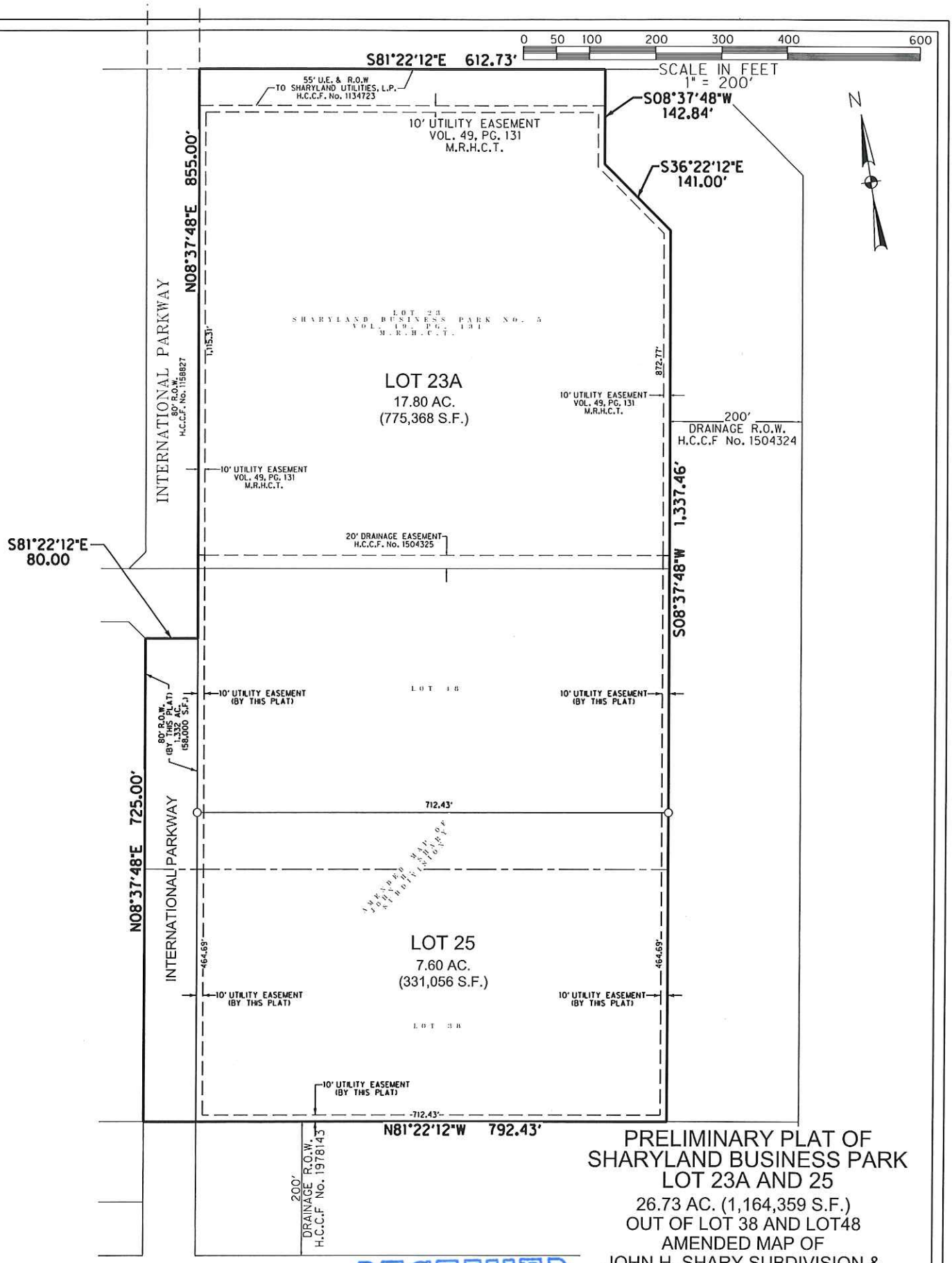
Address 4030 W. Braker Lane, Suite 450

City Austin State TX Zip 78759

E-mail csilva@halff.com

RECEIVED
OCT 0 2 2015
BY: @ 3:34pm
RCT 321792/321795 $300


WEST MILITARY HIGHWAY (F.M. 1016)
LOCATION
PROPOSED
SHARYLAND BUSINESS PARK LOT 17A
SHARYLAND BUSINESS PARK LOT 12
6500 S INTERANTIONAL PARKWAY
SHARYLAND BUSINESS PARK PHASE 1
LOT B
LOT 10
LOT 9
57
5101
5200
5000
4900
4880
5100
LOT 8
6398 (ACCURATOR)
INTERNAT
4712
SHARYLAND SERVICE CENTER
LOT 1
4600
LOT 2
SHARYLAND SERVICE CENTER NO 3
4400
6499
4621
4713
4403 SHARYLAND BUSINESS PARK PHASE 1 LOT 4
58
SHARYLAND BUSINESS PARK PHASE 1 LOT 1
SHARYLAND BUSINESS PARK PHASE 1 LOT A
6602 S BENTSEN
6800 S B
BENTSEN RD
LOT 2-F
LOT 2-E
MCALLEN SOUTHWES
5201
SHARYLAND BUSINESS PARK PHASE 1 LOT 11
5001
LOT 6
SHARYLAND BUSINESS PARK PHASE 1
LOT 5
4801
MISSOURI PACIFIC RAILROAD
6798
SHARYLAND BUSINESS PARK NO. 4
LOT 8
47
6900
6901
INTERNATIONAL PARKWAY
SHARYLAND BUSINESS PARK NO. 5
LOT 23
LOT 23A
48
6900 SHARYLAND BUSINESS PARK LOT 15
1
7
MCALLEN SOUTHWEST INDUSTRIAL #7
2
HONDURAS AVE
SHARYLAND BUSINESS PARK
LOT 23A & 25
LOT 25
SHARYLAND BUSINESS PARK NO. 9
SHARYLAND BUSINESS PARK No. 6
LOT 26
7100
37
38
6
S BENTSEN RD (20' ROW)
27
28
N
S
E
W




# PRELIMINARY PLAT OF SHARYLAND BUSINESS PARK LOT 23A AND 25

26.73 AC. (1,164,359 S.F.)
OUT OF LOT 38 AND LOT48
AMENDED MAP OF
JOHN H. SHARY SUBDIVISION &
ALL OF LOT 23 SHARYLAND
BUSINESS PARK NO. 5

DATE: OCTOBER 2015 AVO: 28342-WT14

RECEIVED
OCT 0 2 2015
BY: 3:34pm

HALFF

4030 WEST BRAKER LANE SUITE 450 AUSTIN, TEXAS 78759 (512) 777-4600
TBPLS FIRM NO. 10029607

10/1/2015 8:17:47 AM ah1880 HALFF Sheet I:\28000s\28342\WT14\CADD\Sheets\VEXH-PLAT-28342-WT14.dgn

# City of McAllen

## SUBDIVISION PLAT REVIEW

Reviewed On: 10/14/2015

| SUBDIVISION NAME: SHARYLAND BUSINESS PARK, LOTS 23A & 25 | |
|---|---|
| **REQUIREMENTS** | |
| **STREETS AND RIGHT-OF-WAYS** | |
| International Parkway: 80 ft. ROW required<br>Paving: 52 ft. - 65 ft. Curb & gutter: both sides<br>*Temporary, paved turnaround easement as needed at the south end of International Parkway | Compliance |
| * 800 ft. Block Length: | Compliance |
| * 600 ft. Maximum Cul-de-Sac: | NA |
| **ALLEYS** | |
| ROW: 20 ft. Paving: 16 ft.<br>*Alley/service drive easement required for commercial properties | Non-compliance |
| **SETBACKS** | |
| * Front: International Parkway - 40 ft. or greater for approved site plan or easements | Applied |
| * Rear: in accordance with the Zoning Ordinance, or greater for approved site plan or easements | Applied |
| * Sides: in accordance with the Zoning Ordinance, or greater for approved site plan or easements | Applied |
| * Corner: | NA |
| * Garage: 18 ft. except where greater setback is required; greater setback applies. | NA |
| *ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN | Applied |
| **SIDEWALKS** | |
| * 4 ft. wide minimum sidewalk required on International Parkway. | 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: I-1 | Compliance |
| * Rezoning Needed Before Final Approval | NA |
| **PARKS** | |
| * Land dedication in lieu of fee: | NA |
| * Park Fee of $700 per dwelling unit is required to be paid prior to recording. | NA |
| * Pending review by the Parkland Dedication Advisory Board and CC. | NA |
| **TRAFFIC** | |
| * Trip Generation to determine if TIA is required, prior to final plat. | Non-compliance |
| * Traffic Impact Analysis (TIA) required prior to final plat. | TBD |
| **COMMENTS** | |
| Comments: *Existing plat notes remain the same for the resubdivision.<br>**Public Hearing at time of final for that portion of the resubdivision.<br>***Temporary paved turnaround easement as needed at the south end of International Parkway.<br>****Abandonment of 20 ft. drainage easement by instrument or by plat - in discussions with Legal Department and developer's representatives with regards to process of abandoning the easement.<br>*****Must comply with the City's Access Management Policy. | Applied |
| **RECOMMENDATION** | |
| Recommendation: STAFF RECOMMENDS APPROVAL OF THE RESUBDIVISION IN PRELIMINARY FORM SUBJECT TO THE CONDITIONS NOTED, AND UTILITY & DRAINAGE APPROVALS. | Applied |

WEST MILITARY HIGHWAY (F.M. 1016)
SHARYLAND BUSINESS PARK LOT 17A
SHARYLAND BUSINESS PARK LOT 12
SHARYLAND BUSINESS PARK PHASE 1
6500 S INTERANTIONAL PARKWAY
SHARYLAND SERVICE CENTER
SHARYLAND BUSINESS PARK PHASE 1 LOT 4
SHARYLAND BUSINESS PARK PHASE 1 LOT 1
SHARYLAND BUSINESS PARK PHASE 1 LOT A
6602 S BENTSEN
BENTSEN RD
MCALLEN SOUTHWEST
MISSOURI PACIFIC RAILROAD
SHARYLAND BUSINESS PARK NO. 4
LOT 8
INTERNATIONAL PARKWAY
HONDURAS AVE
SHARYLAND BUSINESS PARK NO. 6
LOT 26
SHARYLAND BUSINESS PARK NO. 9
PROPOSED
LOCATION
SHARYLAND BUSINESS PARK
LOT 23A & 25
LOT 23A
LOT 25
MCALLEN SOUTHWEST INDUSTRIAL #7
S BENTSEN RD (20' ROW)
47
57
58
43
37
38
27
28
6
7
1
2

**ORDINANCE NO. 2015-**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF McALLEN BY AMENDING DIVISION 13 ("HEART OF THE CITY OVERLAY DISTRICTS") TO ARTICLE V ("DISTRICTS") OF CHAPTER 138 ("ZONING") TO REVISE RESTRICTIONS PERTAINING TO THE "ENTERTAINMENT AND CULTURAL OVERLAY DISTRICT" AND TO ELIMINATE THE "DOWNTOWN RETAIL OVERLAY DISTRICT;" PROVIDING FOR PUBLICATION; PROVIDING FOR SEVERABILITY, AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF.**

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

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

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

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

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

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

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

DIVISION 13. - HEART OF THE CITY OVERLAY DISTRICTS

FOOTNOTE(S):

--- (**18**) ---

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

Sec. 138-331. - Definitions.

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

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

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

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

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

(1) Presentations by single or multiple performers, such as comedians, musical song or dance acts, plays, concerts, demonstrations of talent, shows, reviews, hypnotists, pantomimes, or any other similar activity which may be attended by members of the public;

(2) Cabarets, dancehalls, discotheques, discos, music venues, nightclubs, restaurants, bars, and schools of dance.

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

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

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

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

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

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

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

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

~~(b) This Division 13 shall sunset ten years after its effective date. The board of commissioners shall review this division one year prior to its sunset date and consider whether to continue, amend or allow it to sunset. The director of planning in cooperation with the Heart of the City of McAllen Improvement Corporation, Inc., no later than five years after the effective date of this division, shall conduct an interim study of the effectiveness of the provisions of this division in meeting its stated goals and objectives, on the basis of which it shall report its findings to the planning and zoning commission for its consideration. The planning and zoning commission shall consider the report and hold a public hearing prior to forwarding its interim findings and recommendations to the board of commissioners.~~

(b) Any establishment that as of the effective date of this division is located or seeks to locate within an overlay district established by this division may apply for any special permit available to it. Any such application must be filed by or with the written consent of the property owner, and shall be filed with the director of planning, together with an application a fee of $100.00. All such applications shall be reviewed, considered and acted upon by the director of planning. A special permit shall be issued to the establishment specified in the application, will not run with the land, will not transferable and will be subject to revocation as provided in this division.

(c) The denial or revocation of a special permit may be subject to reconsideration under section 138-337, and may be appealed to the board of commissioners pursuant to section 138-338

(d) In the event ~~this division should sunset or~~ the board of commissioners repeals this division then, except as provided in subsection ~~(f)~~ (e) hereof, the overlay districts established hereunder shall dissolve and no special ~~or residential~~ permits shall be issued or renewed.

(e) Notwithstanding anything to the contrary in this article, any permit issued under this division shall be valid through its expiration date even if it extends beyond any repeal ~~or sunset date~~.

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

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

(a) An Entertainment and Cultural Overlay District ("ECOD") is hereby established within the City of McAllen encompassing all of Blocks and Lots of the McAllen Addition Subdivision as follows: all of Blocks 1, 2, 3, 4, 5, 9, 24, 25, 40, 41, 56 and 57; Lots 6 through 12 out of Block 10; Lots 6 and 7 out of Block 11; Lots 11, 12 and 13 out of Block 12; Lots 6, 7 and 8 out of Block 13, as well as Lots 7 through 12 each out of Blocks 23, 26, 39, 42, and 55 of the same subdivision, as shown in Map A.

(b) The ECOD shall be indicated on the zoning map with the base district symbol followed by a slash and the ECOD district symbol (i.e., ("R-2/ECOD")).

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

(1) The following establishments may not operate within the ECOD without a special permit:

a. Any entertainment or cultural establishment seeking to locate within the ECOD, and

b. Any entertainment or cultural establishment located within the ECOD on the effective date of this division that applies to the building official for a building permit or a miscellaneous inspection.

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

(2) Any bar, cocktail lounge, tavern, saloon or cantina, and any nightclub, discotheque, disco or dancehall that is issued an ECOD special permit does not require a conditional use permit and is exempted from the minimum distance requirements of Chapter 6 ("Alcoholic Beverages"), section 6-2 and of section 138-118(a)(4) of the McAllen Code of Ordinances.

(3) A special permittee shall make necessary and reasonable efforts to discourage criminal activity and vandalism, both on the site and on adjacent properties. Such measures may include the provision of adequate and sufficient lighting, the elimination of dark areas, and the hiring of security personnel.

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

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

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

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

(5) A special permit applicant shall submit for approval a plan describing the efforts that will be made and the measures that will be implemented to accomplish the aims of (3) and (4), above. The applicant may amend the proposed plan. If the director of planning is satisfied that the proposed plan, as presented or as amended, reasonably addresses the

above aims, it shall be approved, and compliance with the plan shall be made a condition for approval of the special permit.

(6) A special permittee shall restrict the number of persons within its premises to those allowed by the director of planning at the time of special permit issuance. In determining an establishment's occupancy limit the director of planning shall take into account the recommendations and requirements of the fire marshal and the building official, and such limit shall not exceed the maximum number that may otherwise be provided for in the City Code of Ordinances.

(7) The director of planning may impose additional requirements or limitations as may be appropriate and reasonable to carry out the purposes of the ECOD and to mitigate any adverse effects that could be generated by the proposed use.

(8) An ECOD special permittee, no later than 60 days prior to its expiration, may apply for renewal of its special permit. Special permit renewals shall be processed as an original application.

(9) Any change in ownership of an establishment shall cause the special permit to expire, and require a miscellaneous inspection by the building official. It shall be a condition of a special permit that the permittee notify the director of planning in writing of any change in ownership, and further notify any prospective new owner in writing of the requirement to apply for a special permit in order to qualify for the special treatment of subsection (c) hereof, and for the issuance of residential permits under section 138-335

(10) The amount of special permits approved for non-restaurant, entertainment use at a given time shall be limited to 35% of the parcels within the ECOD.

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

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

~~(a) A "Downtown Retail Overlay District" ("DROD") is hereby established within the City of McAllen to include the Masso Condos Subdivision and that area of the McAllen Addition Subdivision encompassing all of Lots 1 through 5 out of Block 10; Lots 1 through 5 and 8 through 12 out of Block 11; Lots 1 through 10 and 14 through 18 out of Block 12; Lots 1 through 5 and 9 through 18 out of Block 13; Lots 1 through 12 out of Block 21, and Lots 1 through 6 each out of Blocks 23, 26, 39, 42, and 55; also, all of Blocks 14, 19, 20, 22, 27, 28, 29, 30, 35, 36, 37, 38, 43, 44, 45, 46, 51, 52, 53, 54, 59 and 60, as shown in Map B.~~

~~(b) The DROD shall be indicated on the zoning map with the base district symbol followed by a slash and the DROD district symbol (i.e., ("R-2/ DROD")).~~

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

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

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

~~(1) A residential permit application may be filed with the director of planning only by the property owner, together with an application a fee of $100.00. A residential permit shall~~

~~be issued to the property owner for life of the use, conditioned on compliance with all the requirements and limitations hereunder, and will be subject to termination or revocation as provided in this division.~~

~~(2) Each residential unit requires its own residential permit.~~

~~(3) The off-street parking requirements of section 138-336 shall apply.~~

~~(4) No residential uses will be allowed on the first floor of a building.~~

~~(5) No residential uses will be allowed on any floor above the first when the floor also has a non-residential use. However, property owners or first-floor establishment owners residing in a floor above the first floor may also use part of that floor as an office.~~

~~(6) Abandonment of a permitted residential use will be cause for revocation of the residential permit. Abandonment shall be presumed whenever any part of the space subject to the residential permit is converted to a non-residential use, except as specifically allowed by the provisions of this division.~~

~~(7) A violation of any requirement or limitation shall be cause for revocation of the residential permit by the director of planning.~~

~~(8) Inspections shall be allowed as provided in section 138-337~~

~~(9) The denial or revocation of a residential permit may be subject to reconsideration under section 138-337, and may be appealed to the zoning board of adjustments and appeals pursuant to section 138-338~~

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

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

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

| **Gross Square Footage** | **Fee** |
|---|---|
| Less than 2,500 sq. ft. | $1,000.00 |
| 2,501—5,000 sq. ft. | $1,500.00 |
| 5,001—10,000 sq. ft. | $2,000.00 |

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

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

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

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

(a) The provisions of this division shall be administered and enforced by the director of planning, and there shall be the right to enter upon any premises at any reasonable time for the purpose of making inspection of buildings or premises necessary to carry out the duties in the enforcement of this division.

(b) Whenever there is reason to believe that any permittee is in violation of any permit condition, requirement or limitation, a notice of violation shall be issued to the permittee, addressed to the last known address as reflected in the department's files or the city's tax records, advising that on the basis of the violation being alleged the permit shall be revoked as of the tenth calendar day following the date on the said notice.

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

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

| | |
|---|---|
| before major accident or DWI) | greater |
| Human Trafficking | 4 weeks or period of TABC suspension, whichever greater |
| Responsible Alcohol Service-Sale to Minor | 1 week or period of TABC suspension, whichever greater |
| Responsible Alcohol Service Sale to Intoxicated Person | 2 weeks or period of TABC suspension, whichever greater |
| Responsible Alcohol Service- Civil Liability | 1 week or period of TABC suspension, whichever greater |

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

(Ord. No. 2005-95, § 1, 11-14-05)

Sec. 138-338. - Appeals.

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

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

Sec. 138-339. - Penalty for violations.

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

(Ord. No. 2005-95, § 1, 11-14-05)

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

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

(1) The enterprise shall locate within the central business district;

(2) The enterprise shall first apply with the Heart of the City of McAllen Redevelopment Corporation, Inc. and receives its positive recommendation;

(3) The commissioners find that entering into a 380 agreement will serve the long-term economic interests of the city and promote the development purposes and goals of the Heart of the City.

(Ord. No. 2007-72, § 1, 9-10-07)

Secs. 138-341—138-345. - Reserved.

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

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

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

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

**CONSIDERED, PASSED, and APPROVED** this ____ day of June, 2015 at the regular meeting of the Board of Commissioners of the City of McAllen, Texas at which quorum was present and which was held in accordance to Chapter 551 of the Texas Government Code.

**SIGNED** this ___ day June, 2015.

CITY OF MCALLEN

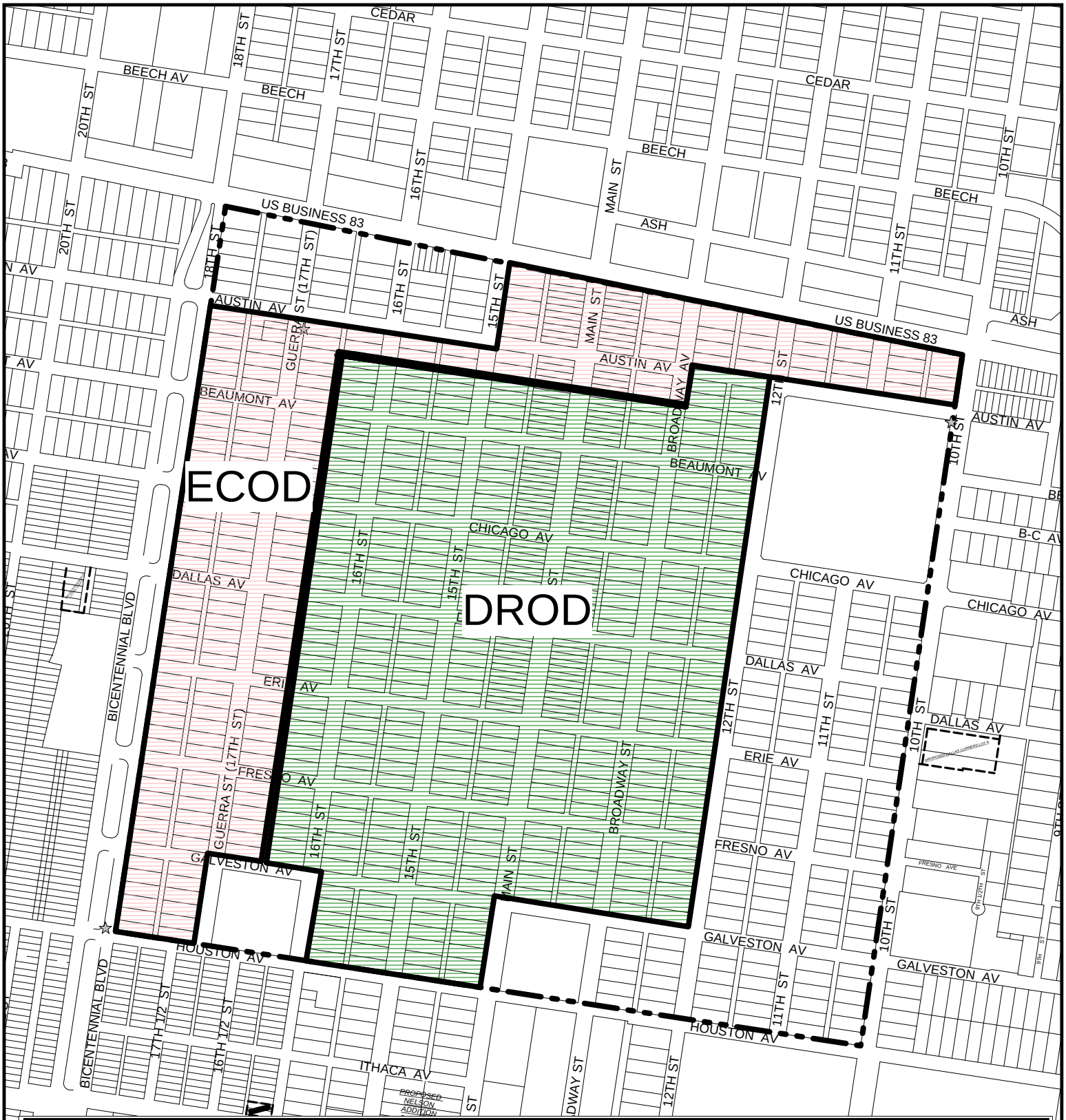
_____
By: James E. Darling, Mayor

ATTEST:

By:_____
Perla Lara, Deputy City Secretary

Approved as to form:

By:_____
Kevin Pagan, City Attorney




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

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

Planning Department

# Memo

**TO:** Roel "Roy" Rodriguez, P.E, City Manager

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

**DATE:** September 14th, 2015

**SUBJECT: Heart of the City Overlay District Meeting Summary (September 10, 2015)**

---

**BRIEF DESCRIPTION:** An overview of the district, potential downtown improvements, and preliminary options and committee recommendations regarding the district's future were presented to the property owners during the meeting. Following the presentation, time was made for the property owners to voice their comments and concerns.

**GENERAL CONSENSUS OF THOSE PRESENT ON KEY TOPICS IS SUMMARIZED BELOW:**

- Lighting of the alleys and streets was noted as top priority for the property owners. Many owners agreed that the lack of lighting throughout the Entertainment and Cultural Overlay and the Downtown Retail Overlay Districts caused security problems. Commercial grade lights are preferred.

- Comments were made regarding parking and parking meters. Property owners would like for customers to be able to park near their establishment without having to worry about the meter expiring. The owners want the quarter to allow more time than 30 minutes if the use of parking meters continue. It was mentioned that the fee is too high for the short amount of time given.

- Security concerns for people charging for parking in lots they do not own was brought to attention. Owners mentioned that crime occurs in those areas due lack of security and lighting. They do not approve of people charging for parking in lots not are not lit and do not have security.

- By parking near the bus station, taxi services are not conveniently located according to the property owners. The distance of the taxis is too far from the establishments.

**OTHER COMMENTS INCLUDED THE FOLLOWING:**

- Not in favor of closing South 17th Street in the evening solely for pedestrian access.

- Not in favor of the creation of a 21 and over area.

- BYOB establishment should not be permitted in the district.
- Food trucks in the area could be allowed.
- Create an appealing appearance with lighted areas, decorative sculptures, and murals was suggested by several property owners.
- Press publications should be released showing the positive factors that occur and will occur within the district.

**ORDINANCE NO. 2015-**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF McALLEN BY AMENDING DIVISION 13 ("HEART OF THE CITY OVERLAY DISTRICTS") TO ARTICLE V ("DISTRICTS") OF CHAPTER 138 ("ZONING") TO REVISE RESTRICTIONS PERTAINING TO THE "ENTERTAINMENT AND CULTURAL OVERLAY DISTRICT" AND TO ELIMINATE THE "DOWNTOWN RETAIL OVERLAY DISTRICT;" PROVIDING FOR PUBLICATION; PROVIDING FOR SEVERABILITY, AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF.**

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

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

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

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

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

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

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

DIVISION 13. - HEART OF THE CITY OVERLAY DISTRICTS

FOOTNOTE(S):

--- (**18**) ---

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

Sec. 138-331. - Definitions.

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

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

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

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

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

(1) Presentations by single or multiple performers, such as comedians, musical song or dance acts, plays, concerts, demonstrations of talent, shows, reviews, hypnotists, pantomimes, or any other similar activity which may be attended by members of the public;

(2) Cabarets, dancehalls, discotheques, discos, music venues, nightclubs, restaurants, bars, and schools of dance.

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

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

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

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

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

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

(a) The overlay districts established in this division supersede, modify and/or supplement any conflicting requirements and limitations of Article V ("Districts") otherwise applicable to any underlying base district. All of the Article V requirements and limitations of any underlying base district that do not conflict with those of the overlay district shall continue to apply. In

the event of any conflict between the overlay district requirements or limitations and those of Article V, the overlay district requirements or limitations shall prevail.

~~(b) This Division 13 shall sunset ten years after its effective date. The board of commissioners shall review this division one year prior to its sunset date and consider whether to continue, amend or allow it to sunset. The director of planning in cooperation with the Heart of the City of McAllen Improvement Corporation, Inc., no later than five years after the effective date of this division, shall conduct an interim study of the effectiveness of the provisions of this division in meeting its stated goals and objectives, on the basis of which it shall report its findings to the planning and zoning commission for its consideration. The planning and zoning commission shall consider the report and hold a public hearing prior to forwarding its interim findings and recommendations to the board of commissioners.~~

(b) Any establishment that as of the effective date of this division is located or seeks to locate within an overlay district established by this division may apply for any special permit available to it. Any such application must be filed by or with the written consent of the property owner, and shall be filed with the director of planning, together with an application a fee of $100.00. All such applications shall be reviewed, considered and acted upon by the director of planning. A special permit shall be issued to the establishment specified in the application, will not run with the land, will not transferable and will be subject to revocation as provided in this division.

(c) The denial or revocation of a special permit may be subject to reconsideration under section 138-337, and may be appealed to the board of commissioners pursuant to section 138-338

(d) In the event ~~this division should sunset or~~ the board of commissioners repeals this division then, except as provided in subsection ~~(f)~~ (e) hereof, the overlay districts established hereunder shall dissolve and no special ~~or residential~~ permits shall be issued or renewed.

(e) Notwithstanding anything to the contrary in this article, any permit issued under this division shall be valid through its expiration date even if it extends beyond any repeal ~~or sunset date~~.

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

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

(a) An Entertainment and Cultural Overlay District ("ECOD") is hereby established within the City of McAllen encompassing all of Blocks and Lots of the McAllen Addition Subdivision as follows: all of Blocks 1, 2, 3, 4, 5, 9, 24, 25, 40, 41, 56 and 57; Lots 6 through 12 out of Block 10; Lots 6 and 7 out of Block 11; Lots 11, 12 and 13 out of Block 12; Lots 6, 7 and 8 out of Block 13, as well as Lots 7 through 12 each out of Blocks 23, 26, 39, 42, and 55 of the same subdivision, as shown in Map A.

(b) The ECOD shall be indicated on the zoning map with the base district symbol followed by a slash and the ECOD district symbol (i.e., ("R-2/ECOD")).

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

(1) The following establishments may not operate within the ECOD without a special permit:

a. Any entertainment or cultural establishment seeking to locate within the ECOD, and

b. Any entertainment or cultural establishment located within the ECOD on the effective date of this division that applies to the building official for a building permit or a miscellaneous inspection.

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

(2) Any bar, cocktail lounge, tavern, saloon or cantina, and any nightclub, discotheque, disco or dancehall that is issued an ECOD special permit does not require a conditional use permit and is exempted from the minimum distance requirements of Chapter 6 ("Alcoholic Beverages"), section 6-2 and of section 138-118(a)(4) of the McAllen Code of Ordinances.

(3) A special permittee shall make necessary and reasonable efforts to discourage criminal activity and vandalism, both on the site and on adjacent properties. Such measures may include the provision of adequate and sufficient lighting, the elimination of dark areas, and the hiring of security personnel.

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

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

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

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

(5) A special permit applicant shall submit for approval a plan describing the efforts that will be made and the measures that will be implemented to accomplish the aims of (3) and (4), above. The applicant may amend the proposed plan. If the director of planning is satisfied that the proposed plan, as presented or as amended, reasonably addresses the above aims, it shall be approved, and compliance with the plan shall be made a condition for approval of the special permit.

(6) A special permittee shall restrict the number of persons within its premises to those allowed by the director of planning at the time of special permit issuance. In determining an establishment's occupancy limit the director of planning shall take into account the

recommendations and requirements of the fire marshal and the building official, and such limit shall not exceed the maximum number that may otherwise be provided for in the City Code of Ordinances.

(7) The director of planning may impose additional requirements or limitations as may be appropriate and reasonable to carry out the purposes of the ECOD and to mitigate any adverse effects that could be generated by the proposed use.

(8) An ECOD special permittee, no later than 60 days prior to its expiration, may apply for renewal of its special permit. Special permit renewals shall be processed as an original application.

(9) Any change in ownership of an establishment shall cause the special permit to expire, and require a miscellaneous inspection by the building official. It shall be a condition of a special permit that the permittee notify the director of planning in writing of any change in ownership, and further notify any prospective new owner in writing of the requirement to apply for a special permit in order to qualify for the special treatment of subsection (c) hereof, and for the issuance of residential permits under section 138-335

(10) The amount of special permits approved for non-restaurant, entertainment use at a given time shall be limited to 35% of the parcels within the ECOD.

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

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

~~(a) A "Downtown Retail Overlay District" ("DROD") is hereby established within the City of McAllen to include the Masso Condos Subdivision and that area of the McAllen Addition Subdivision encompassing all of Lots 1 through 5 out of Block 10; Lots 1 through 5 and 8 through 12 out of Block 11; Lots 1 through 10 and 14 through 18 out of Block 12; Lots 1 through 5 and 9 through 18 out of Block 13; Lots 1 through 12 out of Block 21, and Lots 1 through 6 each out of Blocks 23, 26, 39, 42, and 55; also, all of Blocks 14, 19, 20, 22, 27, 28, 29, 30, 35, 36, 37, 38, 43, 44, 45, 46, 51, 52, 53, 54, 59 and 60, as shown in Map B.~~

~~(b) The DROD shall be indicated on the zoning map with the base district symbol followed by a slash and the DROD district symbol (i.e., ("R-2/ DROD")).~~

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

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

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

~~(1) A residential permit application may be filed with the director of planning only by the property owner, together with an application a fee of $100.00. A residential permit shall be issued to the property owner for life of the use, conditioned on compliance with all the requirements and limitations hereunder, and will be subject to termination or revocation as provided in this division.~~

~~(2) Each residential unit requires its own residential permit.~~

~~(3) The off-street parking requirements of section 138-336 shall apply.~~

~~(4) No residential uses will be allowed on the first floor of a building.~~

~~(5) No residential uses will be allowed on any floor above the first when the floor also has a non-residential use. However, property owners or first-floor establishment owners residing in a floor above the first floor may also use part of that floor as an office.~~

~~(6) Abandonment of a permitted residential use will be cause for revocation of the residential permit. Abandonment shall be presumed whenever any part of the space subject to the residential permit is converted to a non-residential use, except as specifically allowed by the provisions of this division.~~

~~(7) A violation of any requirement or limitation shall be cause for revocation of the residential permit by the director of planning.~~

~~(8) Inspections shall be allowed as provided in section 138-337~~

~~(9) The denial or revocation of a residential permit may be subject to reconsideration under section 138-337, and may be appealed to the zoning board of adjustments and appeals pursuant to section 138-338~~

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

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

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

| **Gross Square Footage** | **Fee** |
|---|---|
| Less than 2,500 sq. ft. | $1,000.00 |
| 2,501—5,000 sq. ft. | $1,500.00 |
| 5,001—10,000 sq. ft. | $2,000.00 |
| 10,001—15,000 sq. ft. | $2,500.00 |
| 15,001—20,000 sq. ft. | $3,000.00 |
| Over 20,000 sq. ft. | $3,500.00 |

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

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

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

(a) The provisions of this division shall be administered and enforced by the director of planning, and there shall be the right to enter upon any premises at any reasonable time for the purpose of making inspection of buildings or premises necessary to carry out the duties in the enforcement of this division.

(b) Whenever there is reason to believe that any permittee is in violation of any permit condition, requirement or limitation, a notice of violation shall be issued to the permittee, addressed to the last known address as reflected in the department's files or the city's tax records, advising that on the basis of the violation being alleged the permit shall be revoked as of the tenth calendar day following the date on the said notice.

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

| **Regulated by TABC** | **Proposed Suspension Penalty** |
|---|---|
| Age Verification/Checking IDs | 3 days or period of TABC suspension, whichever greater |
| Underage Drinking | 1 week or period of TABC suspension, whichever greater |
| Public Safety- Minors | 2 weeks or period of TABC suspension, whichever greater |
| Public Safety- Intoxicated Persons | 1 week or period of TABC suspension, whichever greater |
| Public Safety- Drugs | 3 weeks or period of TABC suspension, whichever greater |
| Public Safety- Breaches of Peace (fighting) | 1 week or period of TABC suspension, whichever greater |
| Public Safety- Sales or Consumption of Alcoholic Beverages During Prohibited Hours | 2 weeks or period of TABC suspension, whichever greater |
| Source Investigation (drinks served before major accident or DWI) | 2 weeks or period of TABC suspension, whichever greater |
| Human Trafficking | 4 weeks or period of TABC suspension, whichever greater |
| Responsible Alcohol Service-Sale to Minor | 1 week or period of TABC suspension, whichever greater |
| Responsible Alcohol Service Sale to Intoxicated Person | 2 weeks or period of TABC suspension, whichever greater |

| | |
|---|---|
| Responsible Alcohol Service- Civil Liability | 1 week or period of TABC suspension, whichever greater |

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

(Ord. No. 2005-95, § 1, 11-14-05)

Sec. 138-338. - Appeals.

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

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

Sec. 138-339. - Penalty for violations.

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

(Ord. No. 2005-95, § 1, 11-14-05)

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

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

(1) The enterprise shall locate within the central business district;

(2) The enterprise shall first apply with the Heart of the City of McAllen Redevelopment Corporation, Inc. and receives its positive recommendation;

(3) The commissioners find that entering into a 380 agreement will serve the long-term economic interests of the city and promote the development purposes and goals of the Heart of the City.

(Ord. No. 2007-72, § 1, 9-10-07)

Secs. 138-341—138-345. - Reserved.

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

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

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

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

**CONSIDERED, PASSED, and APPROVED** this ____ day of June, 2015 at the regular meeting of the Board of Commissioners of the City of McAllen, Texas at which quorum was present and which was held in accordance to Chapter 551 of the Texas Government Code.

**SIGNED** this ___ day June, 2015.

CITY OF MCALLEN

_____
By: James E. Darling, Mayor

ATTEST:

By:_____
Perla Lara, Deputy City Secretary

Approved as to form:

By:_____
Kevin Pagan, City Attorney

Planning Department

# Memo

**TO:** Planning & Zoning Commission

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

**DATE:** October 15, 2015

**SUBJECT:** **Ordinance amending the Code of Ordinances of the City of McAllen by amending Division 13 ("Heart of the City Overlay District") to Article V ("Districts") of Chapter 138 ("Zoning") to revise restrictions pertaining to the "Entertainment and Cultural Overlay District" and to eliminate the "Downtown Retail Overlay District" providing for publication: providing for severability, and ordaining other provisions related to the subject matter hereof.**

---

**GOAL:** To evaluate the goals and objectives of the overlay districts within Division 13: Heart of the City Overlay Districts known as the Entertainment and Cultural Overlay District (ECOD) and the Downtown Retail Overlay District (DROD) to consider whether to continue, amend, or allow such sun setting to occur.

**DISTRICT LOCATION AND VICINITY:** Division 13 of the McAllen Zoning Ordinance has two Overlay Districts known as the Entertainment and Cultural Overlay District (ECOD) and the Downtown Retail Overlay District (DROD). The ECOD and DROD are located in downtown McAllen south of Highway 83 and north of Houston Avenue as shown in the attached map. Zoning within the ECOD and DROD is comprised of C-3 (general business) District and R-3A (multifamily residential apartments) District.

**BACKGROUND:** The Entertainment and Culture Overlay District (ECOD) and the Downtown Retail Overlay District (DROD) are set to sunset as of November 14, 2015. A preliminary discussion concerning the topic was held by the City Commissioners a year prior to the sunset date on November 10, 2015 with a follow up City Commission Workshop on December 8, 2014. Various city staff from several departments met on January 8, 2015 to discuss the future vision of the downtown. Subsequently, staff met with City Commissioner John Ingram on March 19, 2015 and City Commissioner Hilda Salinas on March 23, 2015. During the meetings staff made a brief presentation of the history of Division 13 of the Zoning Ordinance and recommendations for potential improvements. Following the presentation was a discussion pertaining to the recommendations and the vison for the ECOD and the DROD. A draft ordinance was prepared and reviewed by the City Commission in a July retreat. Subsequently all property owners in the Entertainment District were invited to a neighborhood meeting held at the McAllen Library to

comment on the proposed ordinance. A memo summarizing the discussion at that meeting is attached to this report.

**PROPOSED ORDINANCE AMENDMENTS:** Attached here is the draft ordinance reflecting recommendations made by the City Commission Committee and input from property owners. Changes to the Heart of the City Overlay Districts includes the following:

1) Delete Section 138-332 regarding sunset provisions,

2) The period of special permits is reduced from 5 years to 3 years,

3) Section 138-333(c)(3) modified to include requirements for lighting, security personnel and installation of security cameras,

4) Repeal Section 138-334 regarding Downtown Retail Overlay District

5) Modify Section 138-336 eliminating DROD and residential permits and

6) Add Section 138-337(c) regarding suspension and revocation of a special permit based upon TABC violation.

**SUMMARY:** A public hearing is scheduled before the Planning and Zoning Commission on October 20, 2015. A workshop is scheduled with the Board of Commissioners on October 26, 2015, with public hearing to follow on November 9, 2015. Public notification of the hearings to property owners by mail and publication of public hearings in the newspaper will be made as required by State law and City ordinance, prior to the sunset date of November 15, 2015.

**OPTIONS:**

1. Approve the proposed amendment to ordinance
2. Table the proposed amendment to ordinance for additional information.
3. Recommend alternates to proposed amendment to ordinance.
4. Disapprove the proposed amendment to ordinance

**RECOMMENDATION:** Staff recommends approval of the proposed amendments.

Attachments

Planning Department

# Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

**DATE:** October 15, 2014

**SUBJECT: REQUEST OF JAIME S. ORTIZ ON BEHALF OF NATIONS FOR CHRIST CHURCH, FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, FOR AN INSTITUTIONAL USE (CHURCH) AT LOTS 3, 4, AND THE WEST 30 FEET – EAST 525 FEET OF LOTS 42 & 43, R/S CONTINENTAL TRADE CENTER SUBDIVISION, HIDALGO COUNTY, TEXAS; 2032 ORCHID AVENUE.**

---

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

**BRIEF DESCRIPTION:**
The property is located on the north side of Orchid Avenue, approximately 527 ft. west of Bicentennial Drive and is zoned C-3 (general business) District. The adjacent zoning is C-3 District in all directions, also I-1 (light industrial) District and C-4 (commercial industrial) District to the northwest. The surrounding land uses include general business, bars, and the International Museum of Arts (IMAS). An institutional use is permitted in a C-3 zone with a conditional use permit and in compliance with requirements.

**HISTORY:**
Currently, there are two stucco buildings on the property, one being two-stories high. The initial conditional use permit was approved for one year on October 21, 2014 by the Planning and Zoning Commission. The applicant is now requesting the conditional use permit for the life of the use; therefore, it has to come before the Planning and Zoning Commission for consideration and approval. The applicant has purchased the property.

**REQUEST/ANALYSIS:**
The applicant is proposing to continue to occupy approximately 6,800 sq. ft. of space for a church. The hours of services will be Monday from 7:00 p.m. to 9:30 p.m., Thursday from 7:00 p.m. to 9:30 p.m., Sunday 10:00 a.m. to 12:00 p.m. and once a month on Wednesday from 7:00 p.m. to 9:30 p.m. The applicant has a seating capacity of 75 persons in the main sanctuary. There are 11 parking spaces available on site, which allows for a maximum seating capacity of 44. However, the applicant has submitted a parking agreement for an additional 8 parking spaces in order to have a seating

capacity of 75, which requires 19 parking spaces. The parking agreement is valid for four years with an expiration date of October 20, 2019.

The proposed use must also comply with the zoning ordinance and specific requirements as follows:

1. The proposed use shall not generate traffic onto residential size streets or disrupt residential areas, and shall be as close as possible to a major arterial. The property fronts Orchid Avenue and also has access to Primrose Avenue;

2. The proposed use shall comply with the McAllen Off-Street Parking Ordinance and make provisions to prevent the use of street parking, especially in residential areas. The applicant has a seating capacity of 75 persons in the main sanctuary. There are 11 parking spaces available on site, which allow a 44 maximum seating capacity. However, the applicant submitted a parking agreement for an additional 8 parking spaces in order to have a seating capacity of 75, which requires 19 parking spaces. The parking agreement is valid for four years with an expiration date of October 20, 2019;

3. The proposed use shall prevent the unauthorized parking of its patrons on adjacent businesses or residences by providing fences, hedges or reorientation of entrances and exits;

4. The proposed use shall provide sufficient lighting to eliminate dark areas, perimeter fencing, and an orientation of the building to provide maximum visibility from a public street in order to discourage vandalism and criminal activities;

5. Provisions shall be made to prevent litter from blowing onto adjacent streets and residential areas;

6. The number of persons within the building shall be restricted to those allowed by the Fire Marshal and Building Official at the time of permit issuance; and

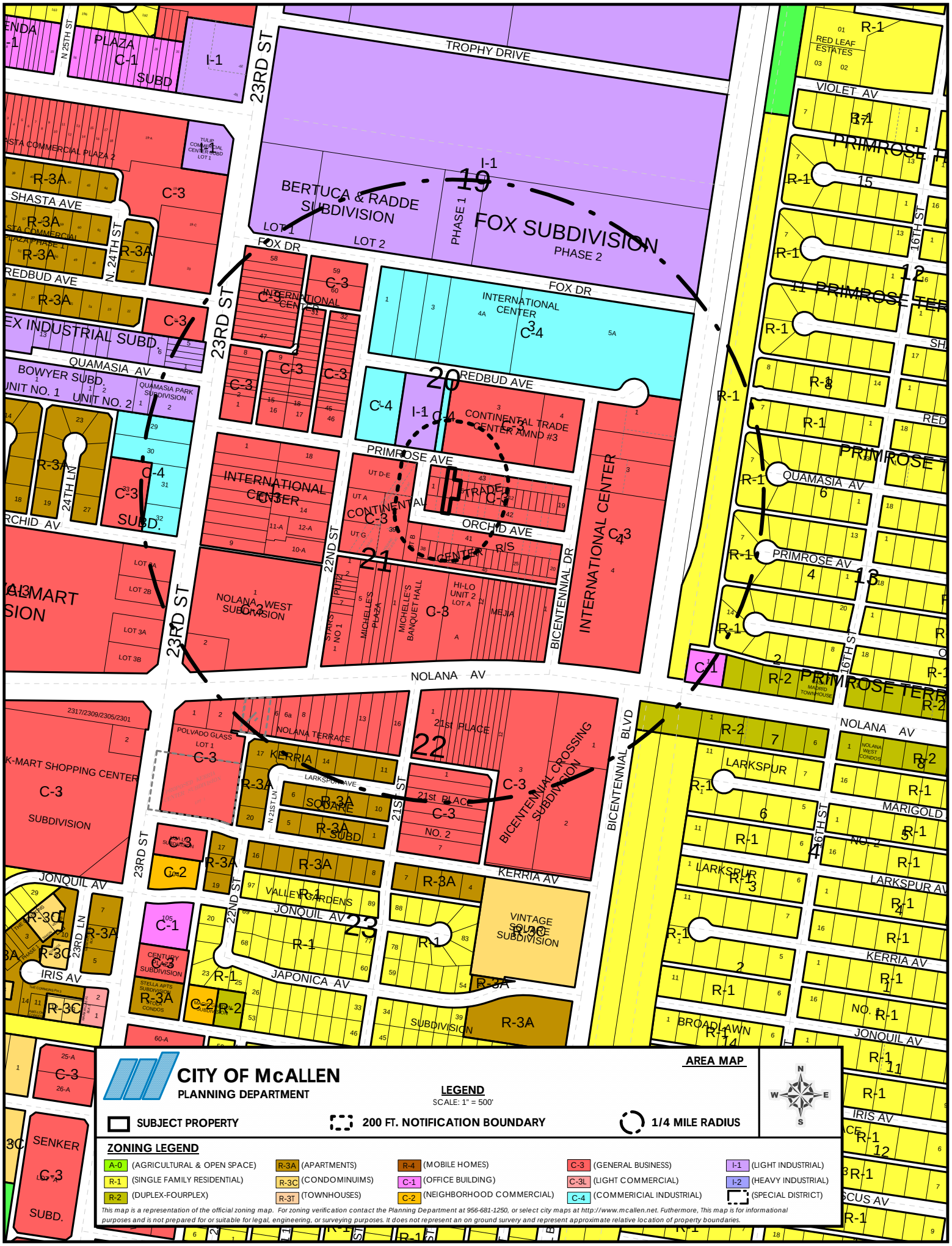
7. Sides adjacent to commercially and residentially zoned or used properties shall be screened by a 6 ft. opaque fence.

**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 four years only, subject to the conditions noted, Zoning Ordinance and Fire Department requirements.


CITY OF McALLEN
PLANNING DEPARTMENT
AREA MAP
LEGEND
SCALE: 1" = 500'
SUBJECT PROPERTY
200 FT. NOTIFICATION BOUNDARY
1/4 MILE RADIUS
ZONING LEGEND
A-0 (AGRICULTURAL & OPEN SPACE)
R-1 (SINGLE FAMILY RESIDENTIAL)
R-2 (DUPLEX-FOURPLEX)
R-3A (APARTMENTS)
R-3C (CONDOMINUIMS)
R-3T (TOWNHOUSES)
R-4 (MOBILE HOMES)
C-1 (OFFICE BUILDING)
C-2 (NEIGHBORHOOD COMMERCIAL)
C-3 (GENERAL BUSINESS)
C-3L (LIGHT COMMERCIAL)
C-4 (COMMERICIAL INDUSTRIAL)
I-1 (LIGHT INDUSTRIAL)
I-2 (HEAVY INDUSTRIAL)
(SPECIAL DISTRICT)
This map is a representation of the official zoning map. For zoning verification contact the Planning Department at 956-681-1250, or select city maps at http://www.mcallen.net. Futhermore, This map is for informational purposes and is not prepared for or suitable for legal, engineering, or surveying purposes. It does not represent an on ground survey and represent approximate relative location of property boundaries.
TROPHY DRIVE
23RD ST
BERTUCA & RADDE SUBDIVISION
FOX SUBDIVISION
PHASE 1
PHASE 2
LOT 1
LOT 2
FOX DR
INTERNATIONAL CENTER
REDBUD AVE
QUAMASIA AV
BOWYER SUBD.
UNIT NO. 1
UNIT NO. 2
QUAMASIA PARK SUBDIVISION
PRIMROSE AVE
ORCHID AVE
CONTINENTAL TRADE CENTER AMND #3
CONTINENTAL TRADE CENTER
INTERNATIONAL CENTER
NOLANA WEST SUBDIVISION
MICHELLE'S PLAZA
MICHELLE'S BANQUET HALL
HI-LO UNIT 2
MEJIA
BICENTENNIAL DR
NOLANA AV
NOLANA TERRACE
POLVADO GLASS
KERRIA
LARKSPUR AVE
21st PLACE
BICENTENNIAL CROSSING SUBDIVISION
BICENTENNIAL BLVD
VALLEY GARDENS
JONQUIL AV
JAPONICA AV
KERRIA AV
VINTAGE SQUARE SUBDIVISION
IRIS AV
SHASTA AVE
REDBUD AVE
24TH LN
22ND ST
21ST ST
16TH ST
VIOLET AV
PRIMROSE TERR
QUAMASIA AV
PRIMROSE AV
MARIGOLD
LARKSPUR AV
BROADLAWN
SENKER
K-MART SHOPPING CENTER
SUBDIVISION
SUBD.
PLAZA
C-1
SUBD
I-1
C-3
C-4
R-1
R-2
R-3A
R-3C
C-2
C-1
19
20
21
22
23
12
13
14
15
4
6
7
8
11
2
3

**CITY OF McALLEN**
**PLANNING DEPARTMENT**

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

**SUBJECT PROPERTY**

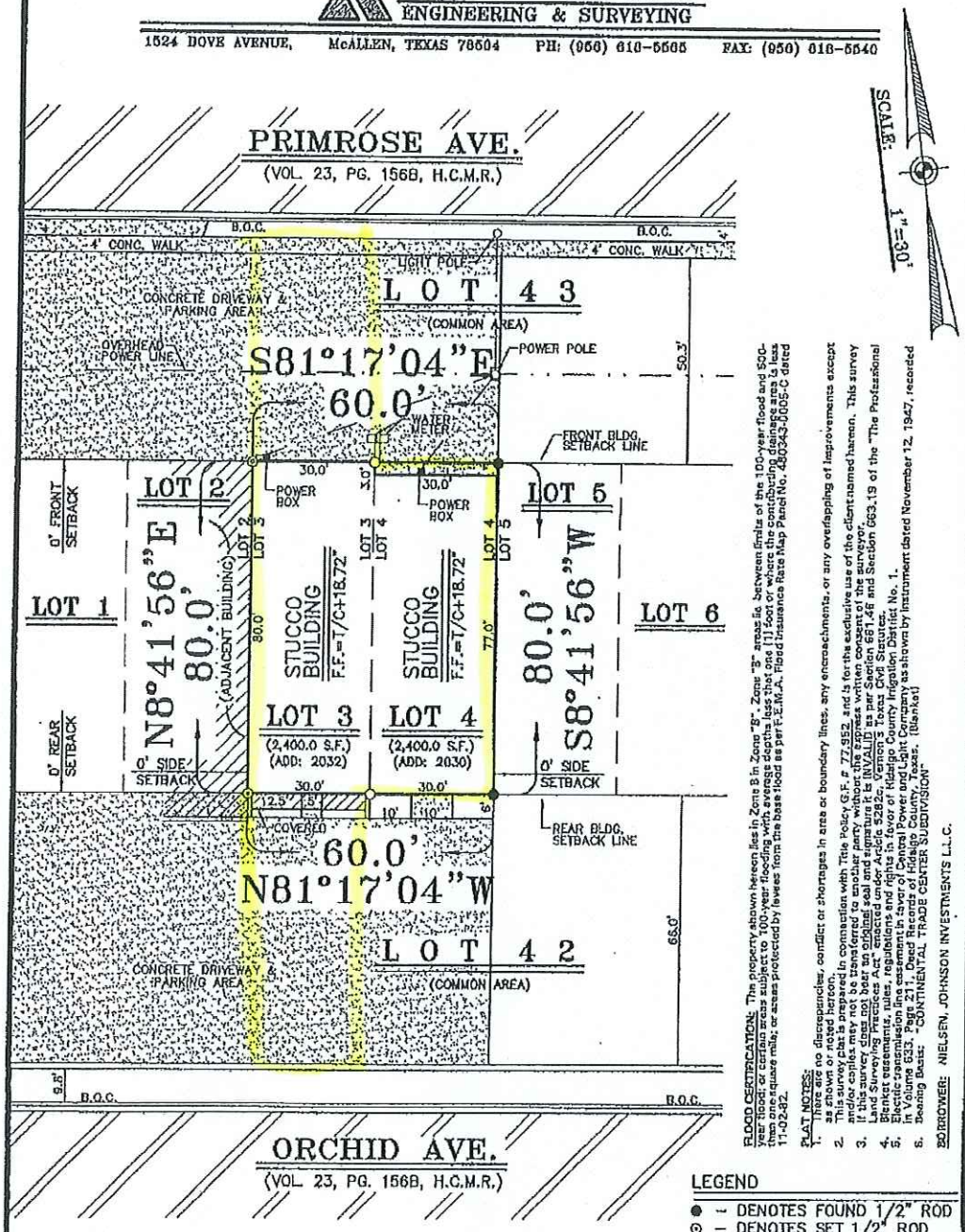
**200 FT. NOTIFICATION BOUNDARY**

*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. Futhermore, This map is for informational purposes and is not prepared for or suitable for legal, engineering, or surveying purposes. It does not represent an on ground survery and represent approximate relative location of property on ground survery and represent approximate relative ocation of property boundaries.*

N
W E
S

# ART SALINAS
ENGINEERING & SURVEYING

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


**FLOOD CERTIFICATION:** The property shown hereon lies in Zone B in Zone "B", Zone "B" areas lie between limits of the 100-year flood and 500-year flood; or certain areas subject to 100-year flooding with average depths less that one (1) foot or where the contributing drainage area is less than one square mile; or areas protected by levees from the base flood as per F.E.M.A. Flood Insurance Rate Map Panel No. 480343-0005-C dated 11-02-82.

**PLAT NOTES:**

1. There are no discrepancies, conflict or shortages in area or boundary lines, any encroachments, or any overlapping of improvements except as shown or noted hereon.
2. This survey plat is prepared in connection with Title Policy G.F. # 77,952, and is for the exclusive use of the client named hereon. This survey and/or copies may not be transferred to another party without the express written consent of the surveyor.
3. If this survey does not bear an original seal and signature it is INVALID as per Section 681.46 and Section 663.19 of the "The Professional Land Surveying Practice Act" enacted under Article 5282c, Vernon's Texas Civil Statutes.
4. Blanket easements, rules, regulations and rights in favor of Hidalgo County Irrigation District No. 1.
5. Electric transmission line easement in favor of Central Power and Light Company as shown by instrument dated November 12, 1947, recorded in Volume 633, Page 211, Deed Records of Hidalgo County, Texas. (Blanket)
6. Bearing Basis: "CONTINENTAL TRADE CENTER SUBDIVISION"

**BORROWER:** NIELSEN, JOHNSON INVESTMENTS L.L.C.

**LEGEND**

- ● – DENOTES FOUND 1/2" ROD
- ⊙ – DENOTES SET 1/2" ROD
- ◎ – DENOTES SET COTTON PICKER SPINDLE

THIS IS TO CERTIFY TO THAT I HAVE, THIS DATE, MADE A CAREFUL AND ACCURATE STANDARD LAND SURVEY ON THE GROUND OF PROPERTY WHICH IS LOCATED AT 2330 & 2032 PRIMROSE AVE. In McALLEN, TEXAS, DESCRIBED AS FOLLOWS: ALL OF LOTS 3 AND 4, RESUBDIVISION OF CONTINENTAL TRADE CENTER SUBDIVISION, AN ADDITION TO THE CITY OF McALLEN, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP RECORDED IN VOLUME 23, PAGE 156B, MAP RECORDS IN THE OFFICE OF THE COUNTY CLERK OF HIDALGO COUNTY, TEXAS, REFERENCE TO WHICH IS HERE MADE FOR ALL PURPOSES.

02-19159
Job No.

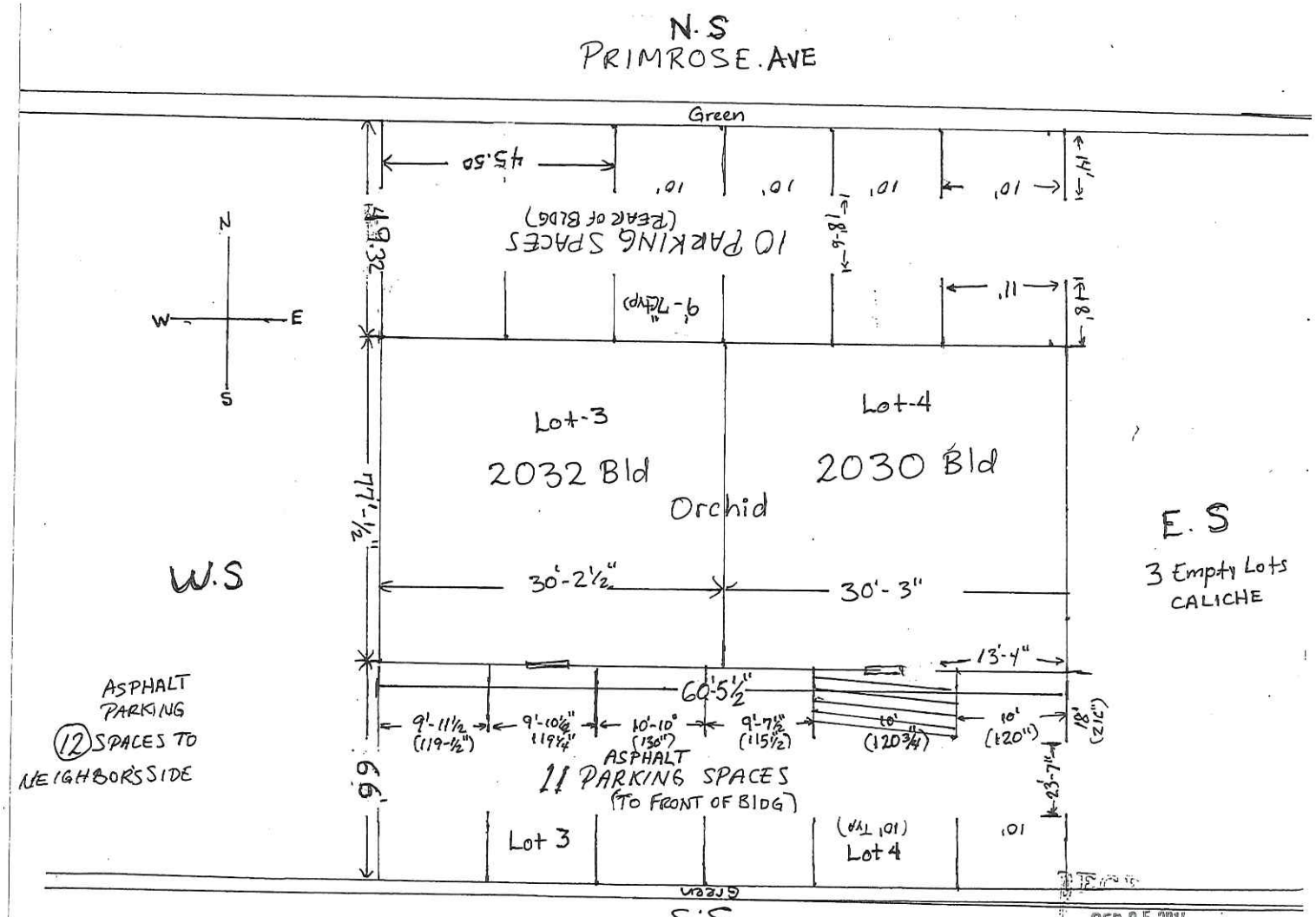
06-06-02
Date

©COPYRIGHT 2002 ART SALINAS ENGINEERING INC. THIS SURVEY WAS PROVIDED IN MULTIPLE ORIGINALS FOR A SINGLE TRANSACTION BY THE BORROWER NAMED HEREON. NO LICENSE HAS BEEN CREATED, EXPRESSED OR IMPLIED TO COPY THIS SURVEY.

STATE OF TEXAS REGISTERED ARTURO A. SALINAS III 4802 PROFESSIONAL LAND SURVEYOR

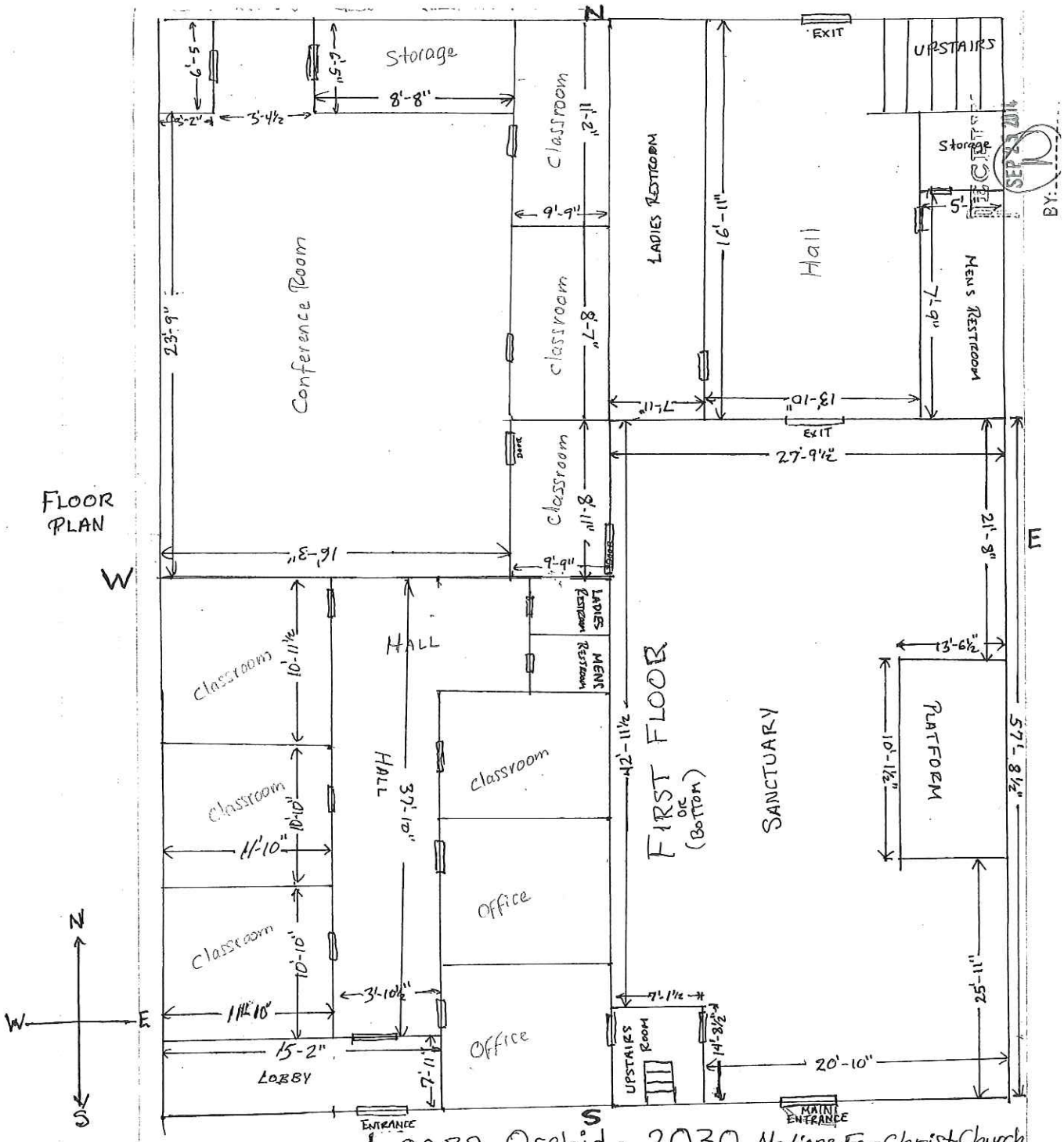
Registered Professional Land Surveyor No. 4802

RECEIVED
SEP 25 2014
BY:




SEP 25 2014

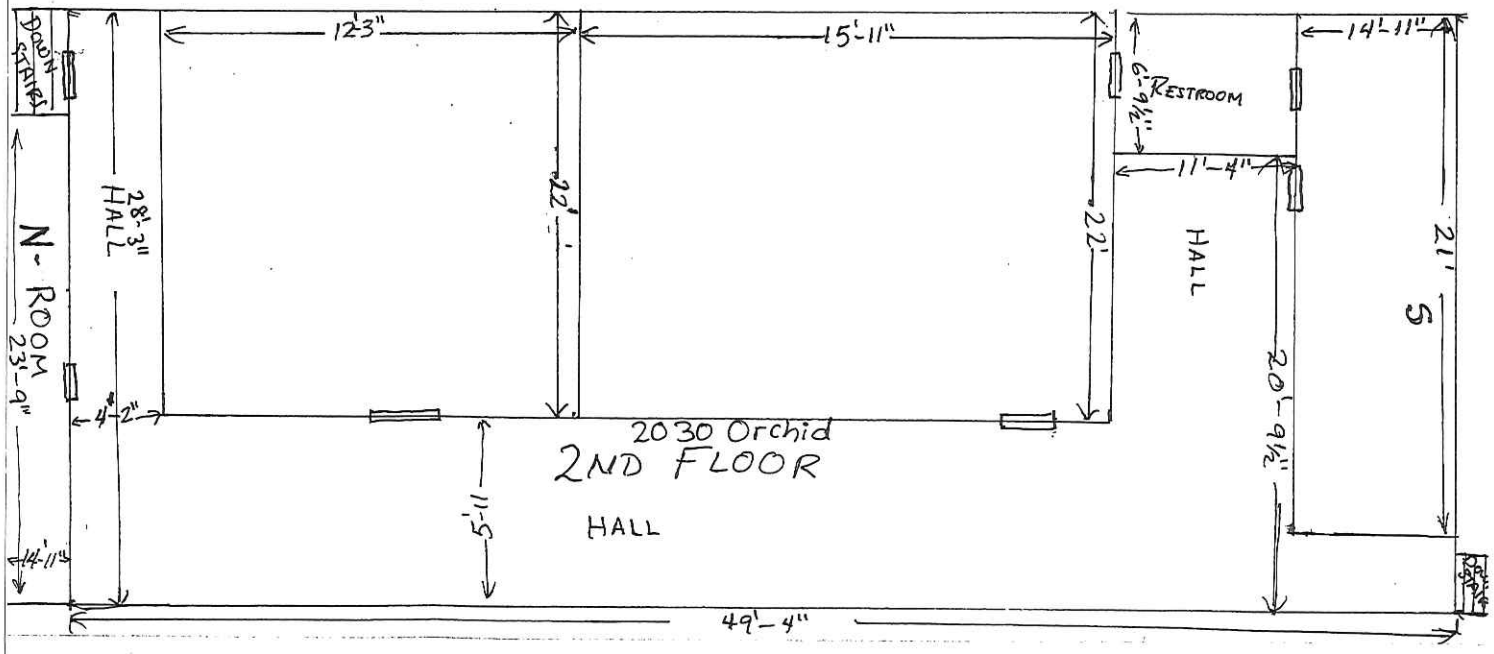
BY: 1




2032 Orchid · 2030 Nations For Christ Church

E

NATIONS FOR CHRIST CHURCH




W

RECEIVED
SEP 25 2014
BY:

N M CONTRACTING LLC

2022 ORCHID AVE. McALLEN, TX 78504

#956-631-5667

## Parking Agreement

N M CONTRACTING LLC located at 2022 orchid Ave, McAllen, TX 78504 Has entered into an agreement for extra parking spaces with the management of Nations for Christ Church located at 2032 Orchid. The agreement is that Nations for Christ Church will have access to thirteen (13) parking spaces from our area for a period of a five (5) year term. The effective date is 10-20-2014 thru 10-20-2019. Lesser and Lessee shall notify the Planning Director, City of McAllen in writing in the event this agreement is terminated or modified in any way prior its five (5) year term. A sign will be provided on Nations for Christ Church advising patrons of the availability of parking spaces.

N M CONTRACTING LLC operating hours are from 8:00 a.m. to 5:00 p.m. Monday thru Friday the hours of operation do not interfere with our business.

N M CONTRACTING LLC

Noel Munoz
Print

vice-president
(Title & signature)

Jaime S. Ortiz

Nations for Christ Church
Jaime S. Ortiz
Senior Pastor

RECEIVED
OCT 20 2014
BY: CG

TEXAS
BVW-0260
TEXAS
FZR-9002

**Planning Department**

# Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

**DATE:** October 13, 2015

**SUBJECT: REQUEST OF RICARDO DE LUNA, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A HOME OCCUPATION (OFFICE/TOURS) AT LOT 10, BLOCK 2, BRYAN YOUNGER SUBDIVISION, HIDALGO COUNTY, TEXAS; 208 BEECH AVENUE.**

---

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

**BRIEF DESCRIPTION:**
The property is located on the north side of Beech Avenue, approximately 120 ft. west of North 2nd Street and is zoned C-3 (general business) District. The adjacent zoning is C-3 district in all directions. Surrounding land uses include commercial businesses, single family residences, and the Fireman's Park. A home occupation is permitted in a C-3 zone with a Conditional Use Permit and in compliance with requirements.

**REQUEST/ANALYSIS:**
The applicant is proposing to operate a tour business office from the existing residence. The business will operate from 8:00 a.m. to 5:00 p.m. Monday thru 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 Fire Department has inspected and cleared the residence which meets all the minimum standards and applicable ordinances. The occupation may not be operational until requirements are complied with and issuance of the certificate. The home occupation must also comply with requirements set forth in Section 138-118(1) of the Zoning Ordinance and other specific requirements as follows:

1) The home occupation must be clearly secondary to the residential use. The applicant lives at the residence;

2) No signs are permitted. No signs are proposed;

3) There shall be no exterior display or alterations indicating that the building is being used for any purpose other than that of a dwelling. No exterior display is proposed;

4) There shall be no more than one additional unrelated employee other than immediate members of the family residing on the premises. The applicant has stated that there will be no other employees;

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;

7) No retail sales (items can be delivered). No retail sales are proposed;

8) No additions to the residence or accessory building specifically to accommodate the business. The applicant proposes no additions or accessory building to accommodate the business;

9) The business must take place in the primary residential structure on the property rather than in a detached garage or separate accessory building. The occupation is proposed to take place in the primary residential structure; and

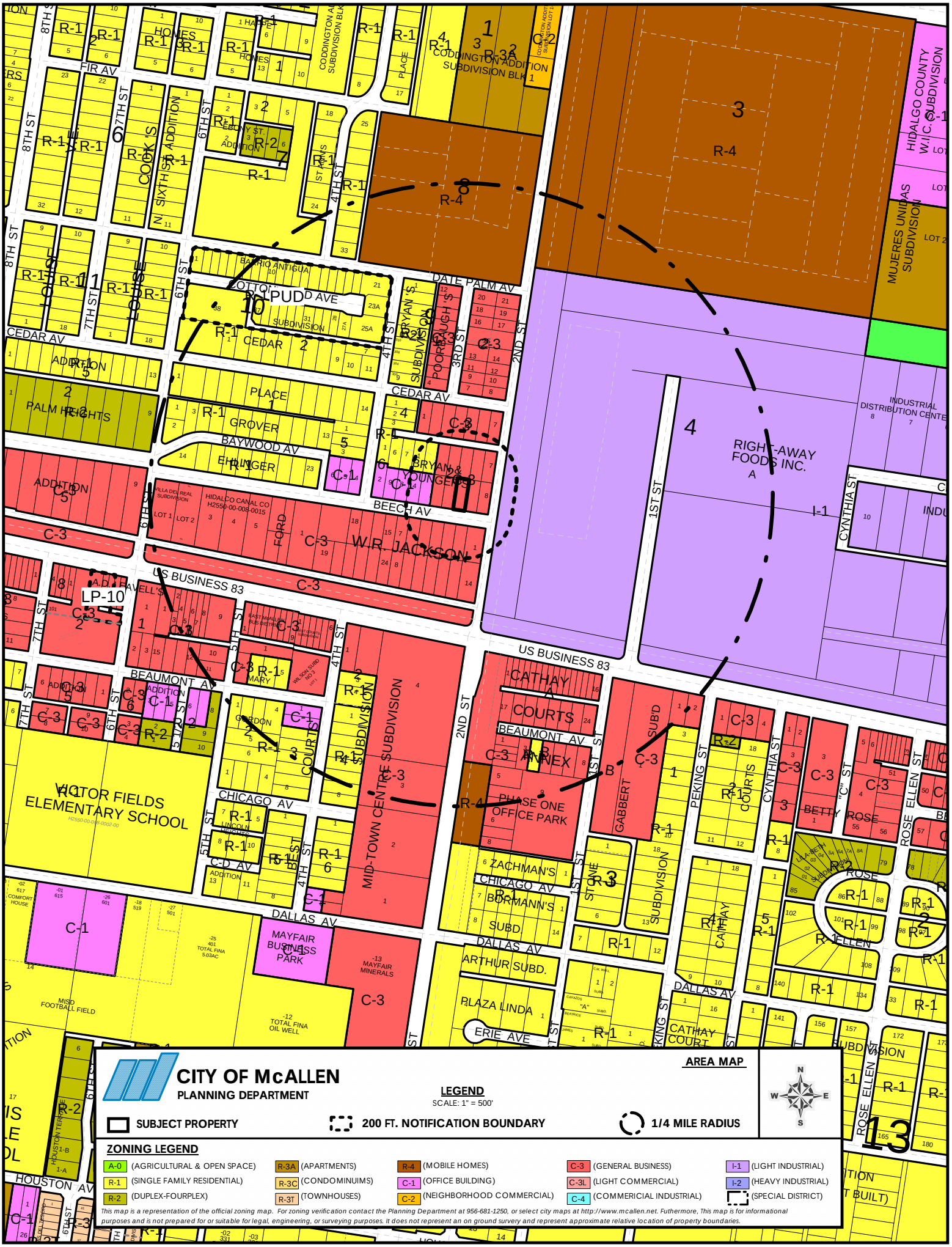
10) The activity must take place at the location of which the permit was issued.

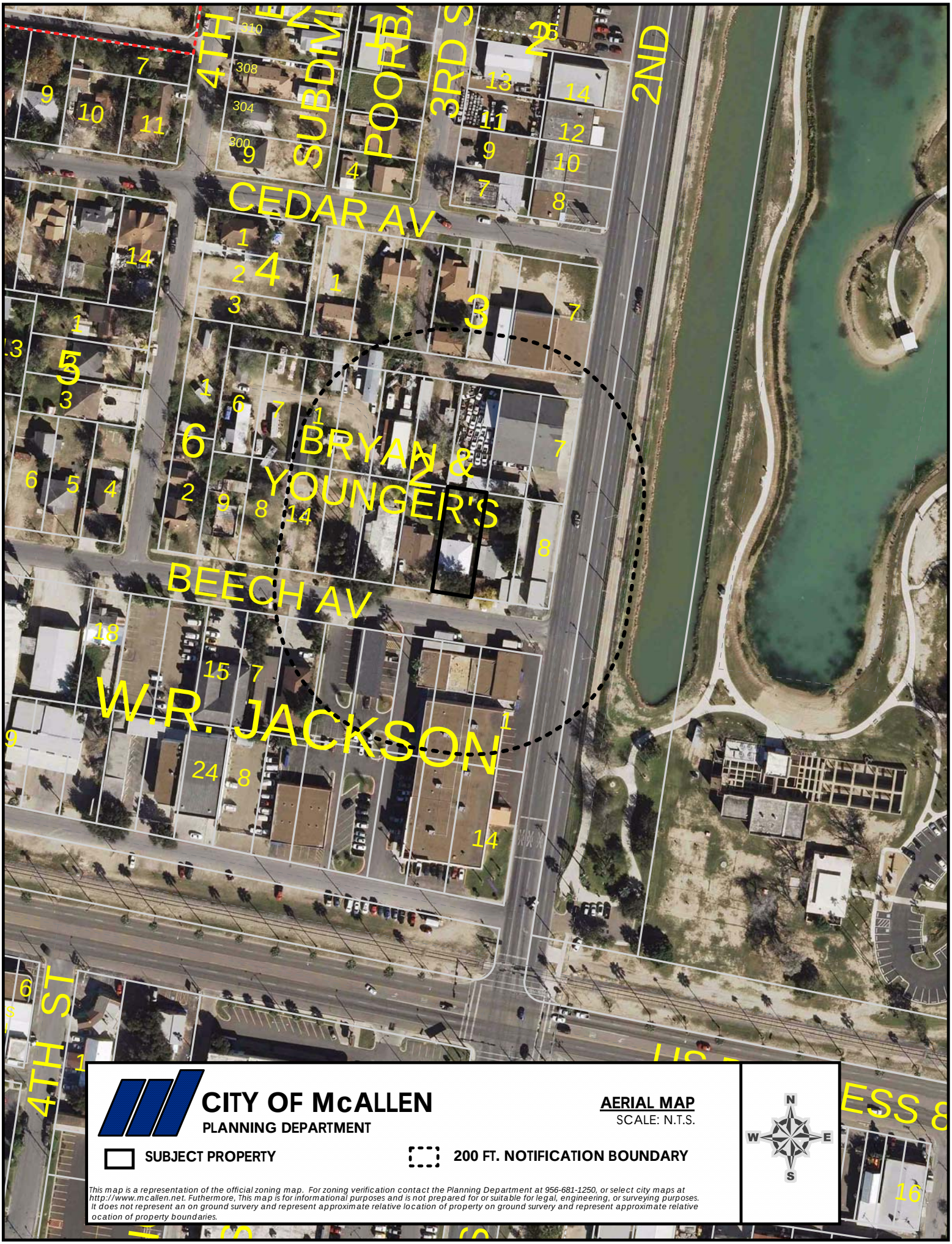
**OPTIONS:**

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

**RECOMMENDATION:**

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


CITY OF McALLEN
PLANNING DEPARTMENT
AREA MAP
LEGEND
SCALE: 1" = 500'
SUBJECT PROPERTY
200 FT. NOTIFICATION BOUNDARY
1/4 MILE RADIUS
ZONING LEGEND
A-0 (AGRICULTURAL & OPEN SPACE)
R-1 (SINGLE FAMILY RESIDENTIAL)
R-2 (DUPLEX-FOURPLEX)
R-3A (APARTMENTS)
R-3C (CONDOMINUIMS)
R-3T (TOWNHOUSES)
R-4 (MOBILE HOMES)
C-1 (OFFICE BUILDING)
C-2 (NEIGHBORHOOD COMMERCIAL)
C-3 (GENERAL BUSINESS)
C-3L (LIGHT COMMERCIAL)
C-4 (COMMERICIAL INDUSTRIAL)
I-1 (LIGHT INDUSTRIAL)
I-2 (HEAVY INDUSTRIAL)
(SPECIAL DISTRICT)
This map is a representation of the official zoning map. For zoning verification contact the Planning Department at 956-681-1250, or select city maps at http://www.mcallen.net. Futhermore, This map is for informational purposes and is not prepared for or suitable for legal, engineering, or surveying purposes. It does not represent an on ground survey and represent approximate relative location of property boundaries.
LP-10
PUD
VICTOR FIELDS ELEMENTARY SCHOOL
MID-TOWN CENTRE SUBDIVISION
PHASE ONE OFFICE PARK
RIGHT-AWAY FOODS INC.
W.R. JACKSON
MAYFAIR BUSINESS PARK
MISD FOOTBALL FIELD
TOTAL FINA OIL WELL
MAYFAIR MINERALS
US BUSINESS 83
BEAUMONT AV
CHICAGO AV
DALLAS AV
ERIE AVE
HOUSTON AV
BEECH AV
CEDAR AV
FIR AV
DATE PALM AV
BAYWOOD AV
8TH ST
7TH ST
6TH ST
5TH ST
4TH ST
3RD ST
2ND ST
1ST ST
SIXTH ST
CYNTHIA ST
PEKING ST
ROSE ELLEN ST
"C" ST
13




**CITY OF McALLEN**
**PLANNING DEPARTMENT**

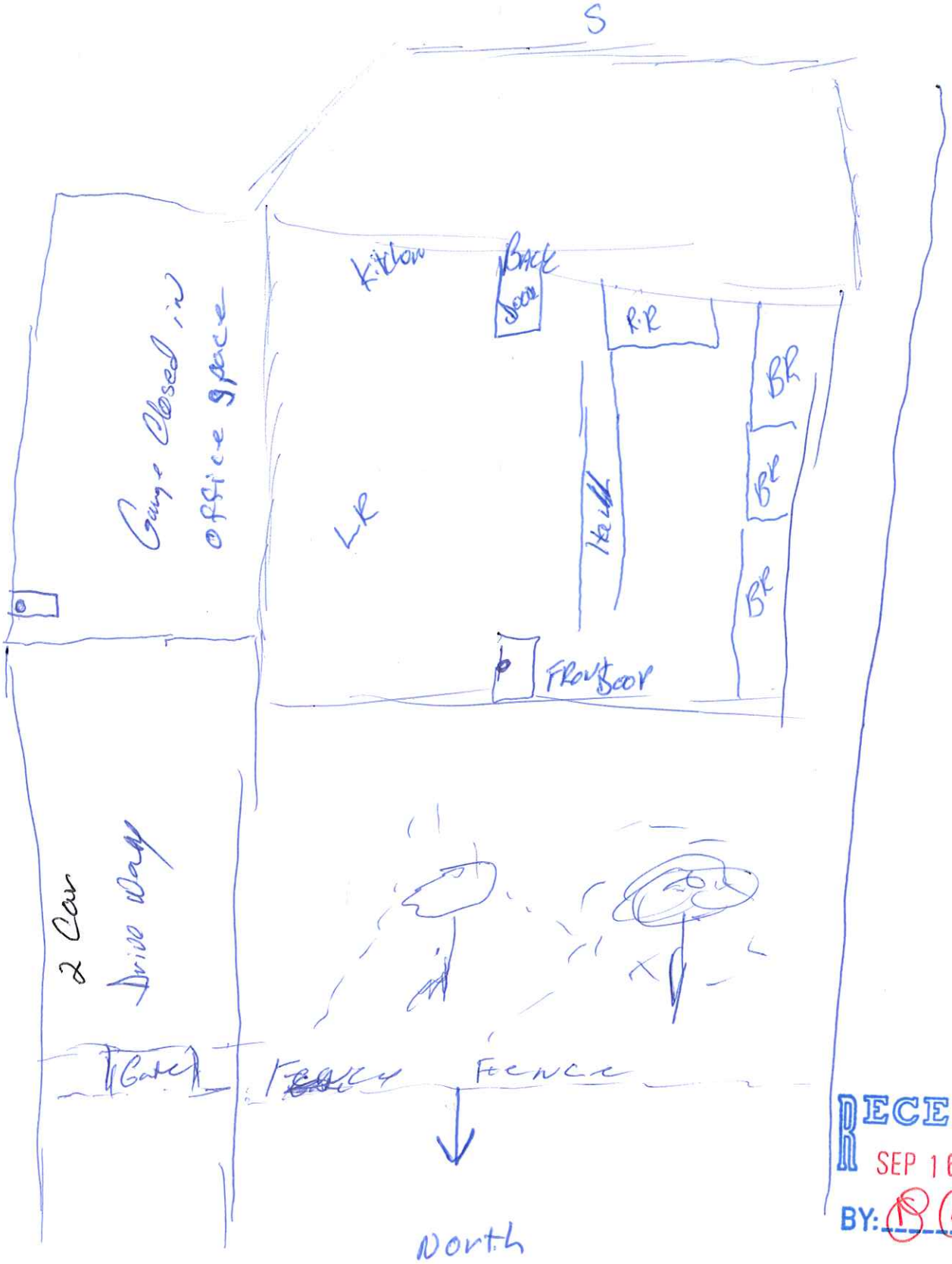
**AERIAL MAP**
SCALE: N.T.S.

**SUBJECT PROPERTY**

**200 FT. NOTIFICATION BOUNDARY**

N
W E
S

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




RECEIVED
SEP 16 2015
BY: B.C. 3:04pm.

10-9-15

NOTICE
HOME BUSINESS
For
This Property
CUP2015-0145

**Planning Department**

# Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

**DATE:** October 14, 2015

**SUBJECT:** **REQUEST OF BRADLEY A. DENNO FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A HOME OCCUPATION (OFFICE/SPORTING GOODS MAIL ORDER) AT LOT 53, TIFFANEY ESTATES SUBDIVISION; 6002 NORTH 44$^{TH}$ LANE.**

---

**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 44$^{th}$ Lane, approximately 510 feet south of Jay Avenue and is zoned R-1 (single family residential) District. The adjacent zoning is R-1 District to the east, north and west, and A-0 (agricultural & open space) District to the south. Surrounding land uses include single family residences, Sharyland Jr. High School, and vacant land. A home occupation is permitted in an R-1 zone with a Conditional Use Permit and in compliance with requirements.

**REQUEST/ANALYSIS:**
The applicant is proposing to operate an office for a sporting goods mail order from the existing residence. The proposed hours of operation will be between 9:00 A.M. to 5:00 P.M. Monday through Friday by appointment only. This business consists of customers coming by the residence to either place an order to purchase a particular firearm or pick up a firearm that was transferred and/or bought from a website or another location. The customer purchasing the firearm will fill out a background form which is then reviewed and approved by the Alcohol Tobacco Firearms (ATF). If the customer is approved, the firearm would be mailed to the applicant's residence for the customer to pick up. Currently, the applicant has had an approved license to sale in Edinburg; however, he wishes to relocate the license to his residence now, which requires approval by the ATF.

There have been several calls from the surrounding neighbors with concerns with the traffic of delivery trucks. They stated that there are children who play outside in the afternoons and due to the location of the residence being at the end of a cul-de-sac, they feel it is not safe for them. A signed petition was submitted with a 16.5% of opposition.

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

1) The home occupation must be clearly secondary to the residential use. The applicant does live at the residence;

2) No signs are permitted. No signs proposed are at the residence;

3) There shall be no exterior display or alterations indicating that the building is being used for any purpose other than that of a dwelling. None are proposed;

4) There shall be no more than one additional unrelated employee other than immediate members of the family residing on the premises. No additional employees are proposed;

5) There shall be no outside storage of materials or products. No outside storage is proposed;

6) The permitted use shall not create frequent or heavy traffic, not greater than ten percent (10%) of the average load per hour as determined by the city traffic engineer. Customers will visit the residence by appointment only;

7) No retail sales (items can be delivered). Retail sales are proposed;

8) No additions to the residence or accessory building specifically to accommodate the business. The applicant proposes no additions or accessory building to accommodate the business;

9) The business must take place in the primary residential structure on the property rather than in a detached garage or separate accessory building. The occupation is proposed to take place in the primary residential structure; and

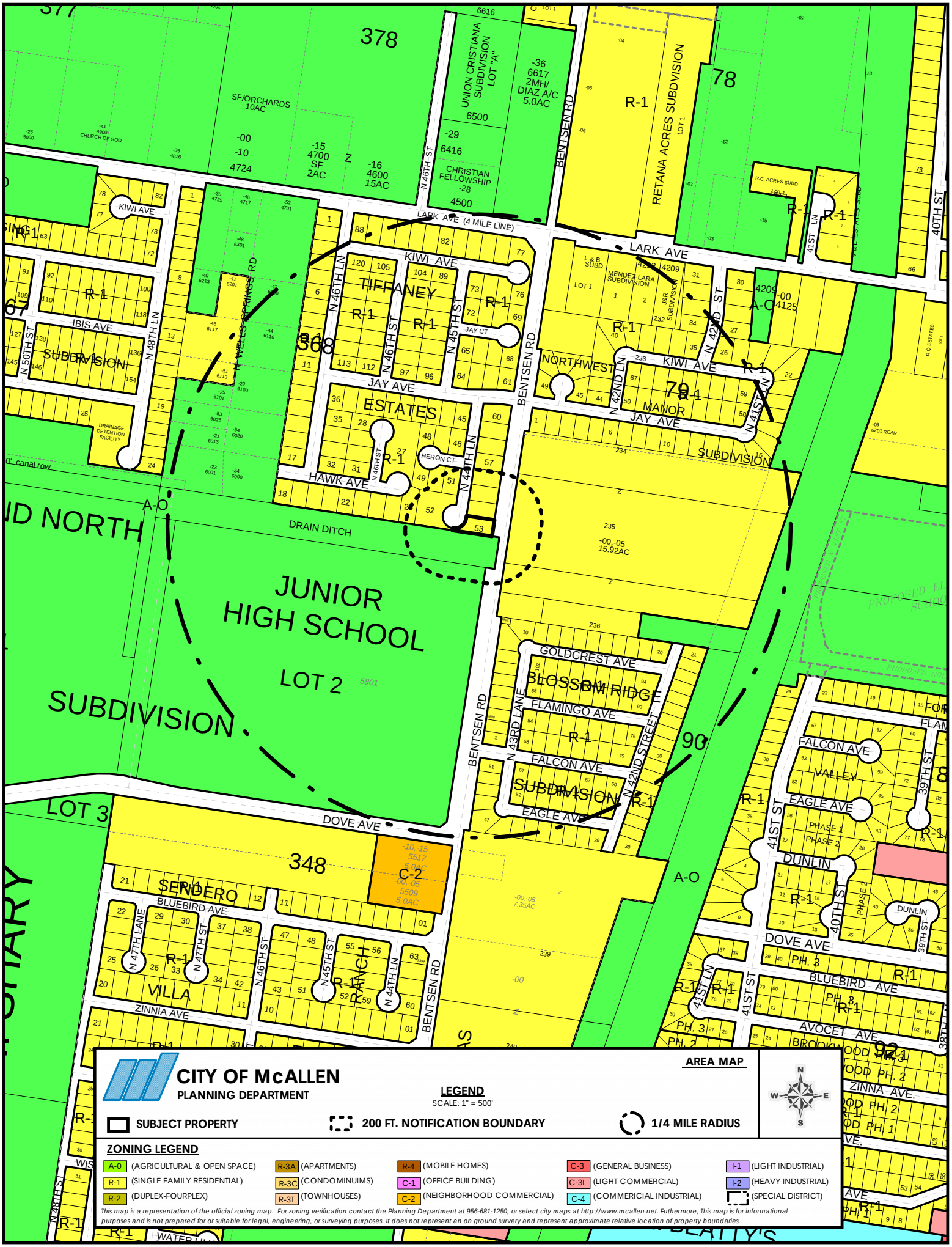
10) The activity must take place at the location of which the permit was issued.

**OPTIONS:**

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

**RECOMMENDATION:**

Staff recommends disapproval of the request due to non-compliance with requirements #7 (retail sales) with Section 138-118(1) of the Zoning Ordinance.


CITY OF McALLEN
PLANNING DEPARTMENT
AREA MAP
LEGEND
SCALE: 1" = 500'
SUBJECT PROPERTY
200 FT. NOTIFICATION BOUNDARY
1/4 MILE RADIUS
ZONING LEGEND
A-0 (AGRICULTURAL & OPEN SPACE)
R-1 (SINGLE FAMILY RESIDENTIAL)
R-2 (DUPLEX-FOURPLEX)
R-3A (APARTMENTS)
R-3C (CONDOMINUIMS)
R-3T (TOWNHOUSES)
R-4 (MOBILE HOMES)
C-1 (OFFICE BUILDING)
C-2 (NEIGHBORHOOD COMMERCIAL)
C-3 (GENERAL BUSINESS)
C-3L (LIGHT COMMERCIAL)
C-4 (COMMERICIAL INDUSTRIAL)
I-1 (LIGHT INDUSTRIAL)
I-2 (HEAVY INDUSTRIAL)
(SPECIAL DISTRICT)
This map is a representation of the official zoning map. For zoning verification contact the Planning Department at 956-681-1250, or select city maps at http://www.mcallen.net. Futhermore, This map is for informational purposes and is not prepared for or suitable for legal, engineering, or surveying purposes. It does not represent an on ground survey and represent approximate relative location of property boundaries.
JUNIOR HIGH SCHOOL
LOT 2
SUBDIVISION
LOT 3
TIFFANEY
ESTATES
SUBDIVISION
NORTHWEST
MANOR
SUBDIVISION
BLOSSOM RIDGE
SUBDIVISION
SENDERO
VILLA
VALLEY
PHASE 1
PHASE 2
PHASE 3
DUNLIN
BROOKWOOD PH. 1
BROOKWOOD PH. 2
BROOKWOOD PH. 3
LARK AVE (4 MILE LINE)
KIWI AVE
IBIS AVE
JAY AVE
HAWK AVE
JAY CT
HERON CT.
DOVE AVE
BLUEBIRD AVE
ZINNIA AVE
GOLDCREST AVE
FLAMINGO AVE
FALCON AVE
EAGLE AVE
AVOCET AVE
BENTSEN RD
N 46TH ST
N 45TH ST
N 44TH LN
N 42ND ST
N 41ST LN
41ST ST
40TH ST
39TH ST
N 48TH LN
N 50TH ST
N 47TH LANE
N 47TH ST
N 43RD LANE
N 42ND STREET
N WELLS SPRINGS RD
DRAIN DITCH
DRAINAGE DETENTION FACILITY
UNION CRISTIANA SUBDIVISION LOT "A"
CHRISTIAN FELLOWSHIP
RETANA ACRES SUBDIVISION
MENDEZ-LARA SUBDIVISION
CHURCH OF GOD
SF/ORCHARDS 10AC
15.92AC
7.35AC
5.0AC
A-O
R-1
C-2

**CITY OF McALLEN**
**PLANNING DEPARTMENT**

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

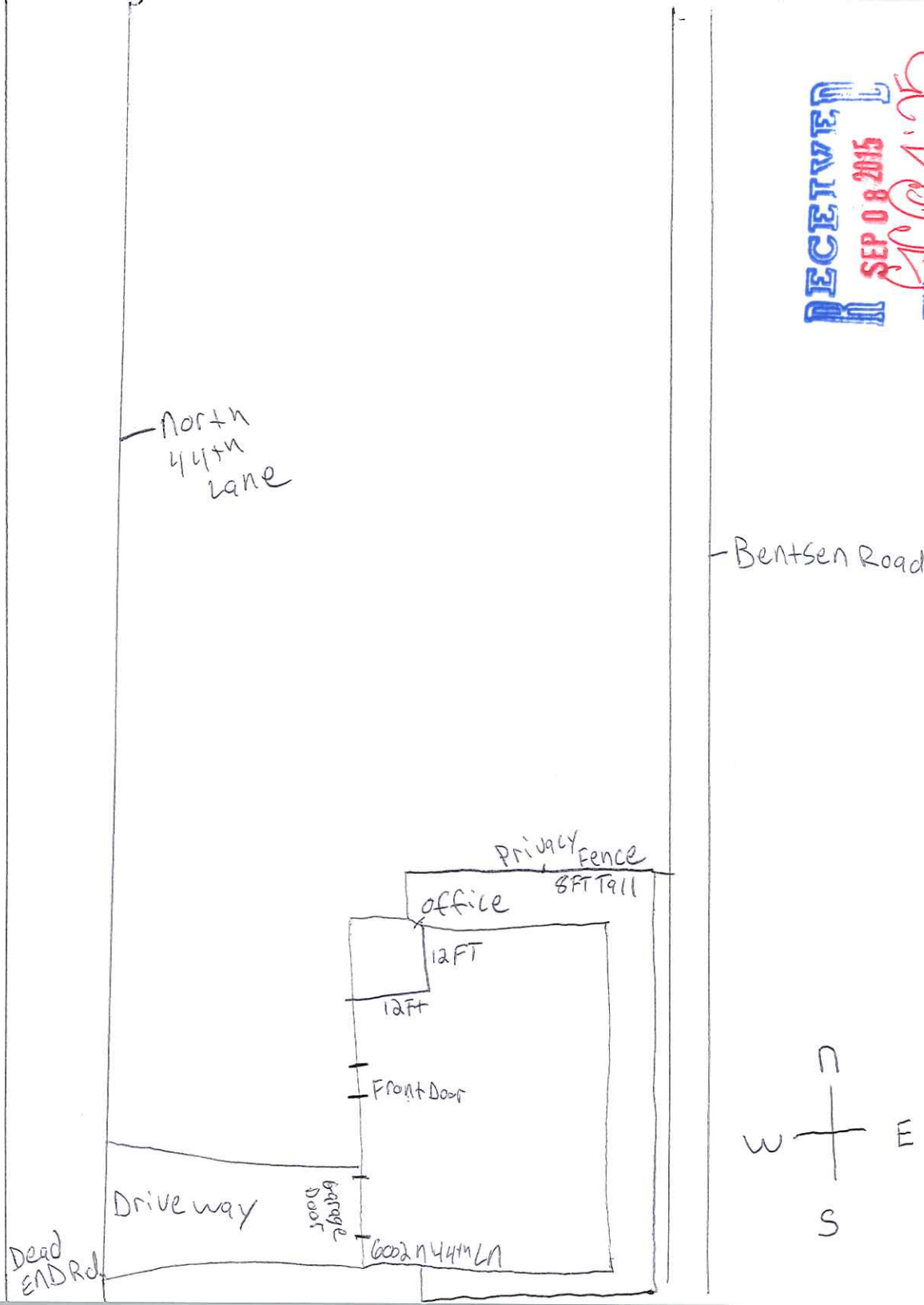
**SUBJECT PROPERTY**

**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. Futhermore, This map is for informational purposes and is not prepared for or suitable for legal, engineering, or surveying purposes. It does not represent an on ground survery and represent approximate relative location of property on ground survery and represent approximate relative ocation of property boundaries.*

N
W E
S

- No outside Physical Chages Proposed.
- 3 car Garage
- 12 FT X 12 FT office will be used for business
- 8 FT Privacy Fence around Property Location
- No Signs will be used outside
- There will not be a high volume of traffic as a result of this business.
- Parking Space will be available in the Drive way




RECEIVED
SEP 08 2015
BY: 10:42 am

CITY OF
McALLEN

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

ROEL RODRIGUEZ, P.E., City Manager

October 15th, 2015

6002 N 44th Ln.
CUP2015-0138
Petition in opposition for CUP(Home Occupation)

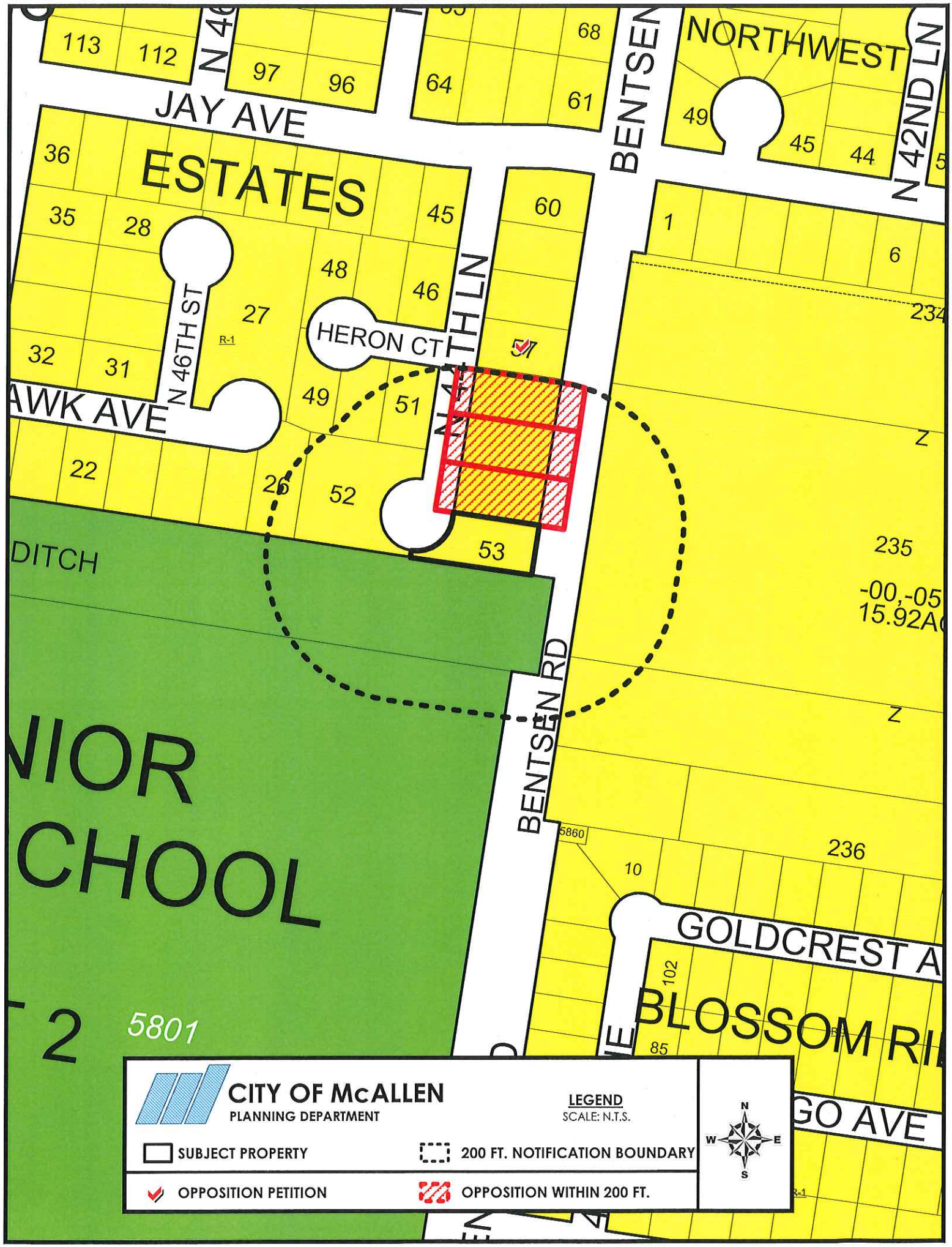
---

200 Ft. Radius: 225,700 Sq. Ft.
Subject Property: 9,480 Sq. Ft.
Total Area of Opposition: 35,710 Sq. Ft.

---

| 200 Ft Radius<br>- Subject Property<br>Total Adjusted Area | Total Area of Opposition / Total Adjusted Area | = 0.*** x 100 = | Percentage of Opposition |
|---|---|---|---|
| 225,700 Sq.Ft.<br>- 9,480 Sq.Ft.<br>216,220 Sq.Ft. | 35,710 Sq.Ft. / 216,220 Sq.Ft. | = 0.165 x 100 = | **16.5%** Opposition |

Prepared By: Planning Department


JAY AVE
ESTATES
NORTHWEST
BENTSEN
N 42ND LN
N 46TH ST
HERON CT
AWK AVE
DITCH
NIOR
CHOOL
BENTSEN RD
GOLDCREST A
BLOSSOM RI
GO AVE
5801
CITY OF McALLEN
PLANNING DEPARTMENT
LEGEND
SCALE: N.T.S.
SUBJECT PROPERTY
200 FT. NOTIFICATION BOUNDARY
OPPOSITION PETITION
OPPOSITION WITHIN 200 FT.
N
W
E
S

6002
6002
NOTICE
HOME BUSINESS
For
This Property
CUP2015-0138
City of McAllen Planning Dept 681-1250
www.mcallen.net
J95-67L

**Planning Department**

# Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

**DATE:** October 14, 2015

**SUBJECT:** **REQUEST OF ALIM U. ANSARI ON BEHALF OF SOUTH TEXAS EDUCATIONAL TECHNOLOGIES, INC. FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR AN INSTITUTIONAL USE (SCHOOL) AT LOTS 1 THROUGH 6, BLOCK 44 AND LOTS 7 AND 8, BLOCK 45, NORTH MCALLEN TOWNSITE SUBDIVISION; 221 NORTH MAIN 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 along the east and west sides of North Main Street, between Beech and Cedar Avenues. The property is zoned C-3 (general business) District. The adjacent zoning is C-3 in all directions. Surrounding land uses include the Renaissance Hotel, Archer Park, The Village Condominiums and commercial and office buildings. An institutional use (school) is permitted in the C-3 zone with a conditional use permit.

**HISTORY:**
The initial Conditional Use Permit was approved for this use, for one year, by the Planning and Zoning Commission on September 6, 2005. Renewal requests were submitted and approved, for one year, in 2006 and 2007. When the request was presented in 2007, there were concerns with traffic flow during the times of pick up and drop off of the children. A traffic control pattern was established by the Traffic Operations Department to alleviate traffic concerns of neighboring property owners. The Traffic Operations Department also recommended an enrollment cap of 425 students. Renewal requests were submitted and approved, for one year, in 2008, 2009 and 2010. The last permit approval, for one year, was on November 5, 2013 by the Planning and Zoning Commission.

**REQUEST/ANALYSIS:**
The applicant is proposing to continue to operate a school from the existing building. The total number of classrooms and offices for the school is 28. Based on 1.5 parking spaces per classroom and office, 42 parking spaces are required and 45 spaces provided on site. The existing 45 spaces will remain and must be maintained. Should the number of offices and classrooms increase, then additional parking will be required. The traffic circulation is still in effect and there have been no complaints by the Traffic Department. A neighbor has spoken with staff and expressed concerns with the traffic circulation.

A circulation pattern has been used by the school that was approved by the Traffic Commission. The intersection of North Main Street and Cedar Avenue have a signalized intersection, which is under a stop sign control (eastbound & westbound) by the schools security guard, who sets out portable crosswalk pedestrian warning signs before school hours. The portable crosswalk pedestrian warning signs are to be removed after school hours. The layout plans for the traffic circulation for the pickup and drop off of the children and the signalized intersection were submitted a year after the initial approval (see attached plans).

The proposed use must meet the requirements set forth in Section 138-118 of the Zoning Ordinance and specific requirements as follows:

1) The proposed use shall not generate traffic onto residential size streets or disrupt residential areas, and shall be as close as possible to a major arterial. The property has direct access to North Main Street and Cedar Avenue;

2) The proposed use shall comply with the McAllen Off-Street Parking Ordinance and make provisions to prevent the use of street parking, especially in residential areas. Based on 1.5 parking spaces per classroom and office, the required parking is 42 spaces; 45 spaces are provided. Two of the provided spaces are required to be accessible, one of which must be van accessible. Should the number of offices and classrooms increase, then additional parking will be required;

3) The proposed use shall prevent the unauthorized parking of its patrons on adjacent businesses or residences by providing fences, hedges or reorientation of entrances and exits. The school must comply with the circulation pattern approved by the Traffic Operations Department;

4) The proposed use shall provide sufficient lighting to eliminate dark areas, perimeter fencing, and an orientation of the building to provide maximum visibility from a public street in order to discourage vandalism and criminal activities;

5) Provisions shall be made to prevent litter from blowing onto adjacent streets and residential areas;

6) The number of persons within the building shall be restricted to those allowed by the Fire Marshal and Building Official at the time of permit issuance; and

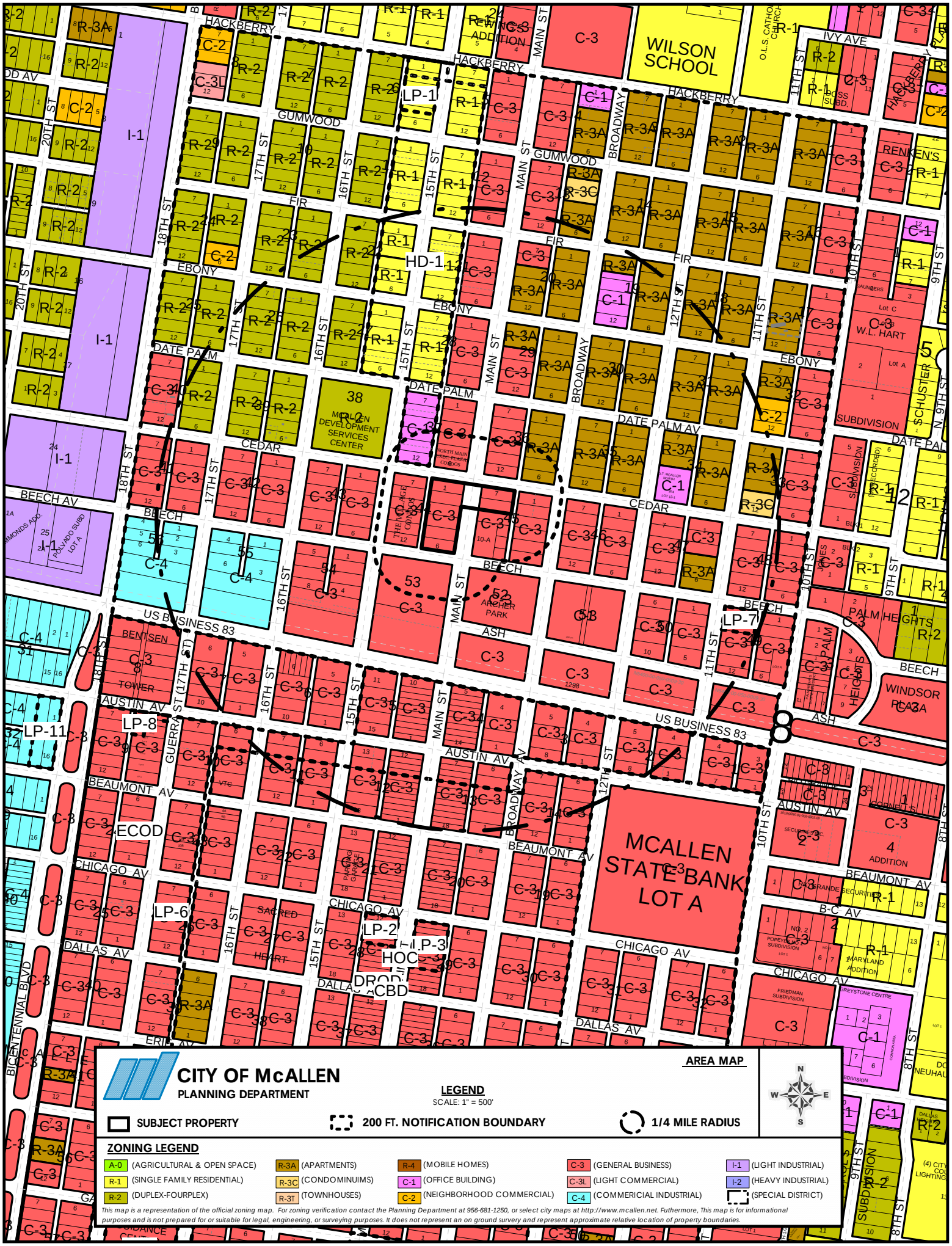
7) Sides adjacent to commercially and residentially zoned or used properties shall be screened by a 6 ft. opaque fence.

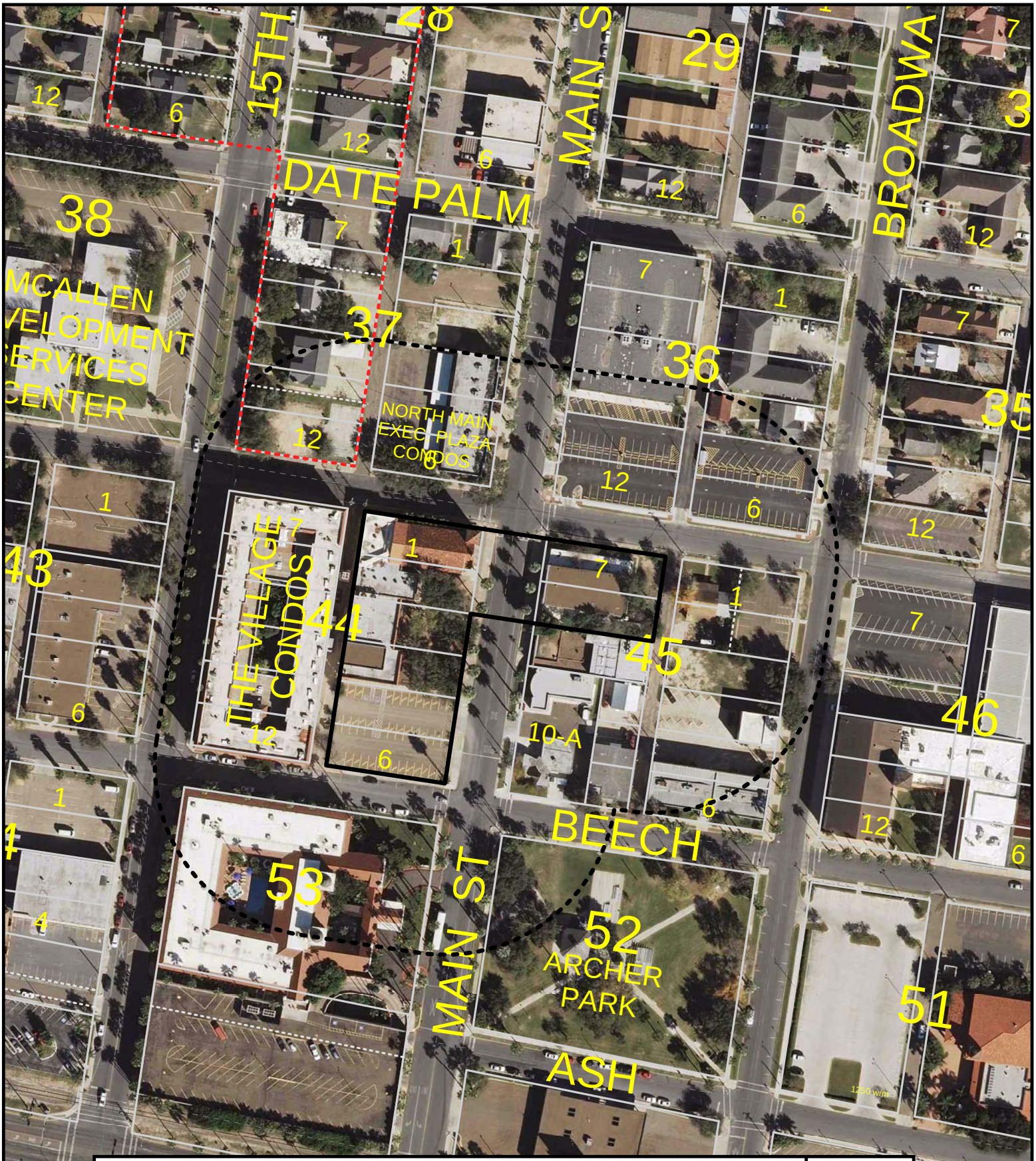
**OPTIONS:**

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 only, subject to the Zoning Ordinance, compliance with the circulation pattern approved by the Traffic Operations Department, and Fire Department requirements.


CITY OF McALLEN
PLANNING DEPARTMENT
AREA MAP
LEGEND
SCALE: 1" = 500'
SUBJECT PROPERTY
200 FT. NOTIFICATION BOUNDARY
1/4 MILE RADIUS
ZONING LEGEND
A-0 (AGRICULTURAL & OPEN SPACE)
R-1 (SINGLE FAMILY RESIDENTIAL)
R-2 (DUPLEX-FOURPLEX)
R-3A (APARTMENTS)
R-3C (CONDOMINUIMS)
R-3T (TOWNHOUSES)
R-4 (MOBILE HOMES)
C-1 (OFFICE BUILDING)
C-2 (NEIGHBORHOOD COMMERCIAL)
C-3 (GENERAL BUSINESS)
C-3L (LIGHT COMMERCIAL)
C-4 (COMMERICIAL INDUSTRIAL)
I-1 (LIGHT INDUSTRIAL)
I-2 (HEAVY INDUSTRIAL)
(SPECIAL DISTRICT)
This map is a representation of the official zoning map. For zoning verification contact the Planning Department at 956-681-1250, or select city maps at http://www.mcallen.net. Futhermore, This map is for informational purposes and is not prepared for or suitable for legal, engineering, or surveying purposes. It does not represent an on ground survey and represent approximate relative location of property boundaries.
WILSON SCHOOL
MCALLEN STATE BANK LOT A
MCALLEN DEVELOPMENT SERVICES CENTER
ARCHER PARK
W.L. HART
WINDSOR PLAZA
HACKBERRY
GUMWOOD
FIR
EBONY
DATE PALM
DATE PALM AV
CEDAR
BEECH
BEECH AV
ASH
US BUSINESS 83
AUSTIN AV
BEAUMONT AV
CHICAGO AV
DALLAS AV
ERIE AV
IVY AVE
MAIN ST
BROADWAY
10TH ST
11TH ST
12TH ST
15TH ST
16TH ST
17TH ST
18TH ST
20TH ST
GUERRA ST (17TH ST)
BICENTENNIAL BLVD
LP-1
HD-1
LP-2
LP-3
LP-6
LP-7
LP-8
LP-11
HOC
DROP
CBD
ECOD




**CITY OF McALLEN**
**PLANNING DEPARTMENT**

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

**SUBJECT PROPERTY**

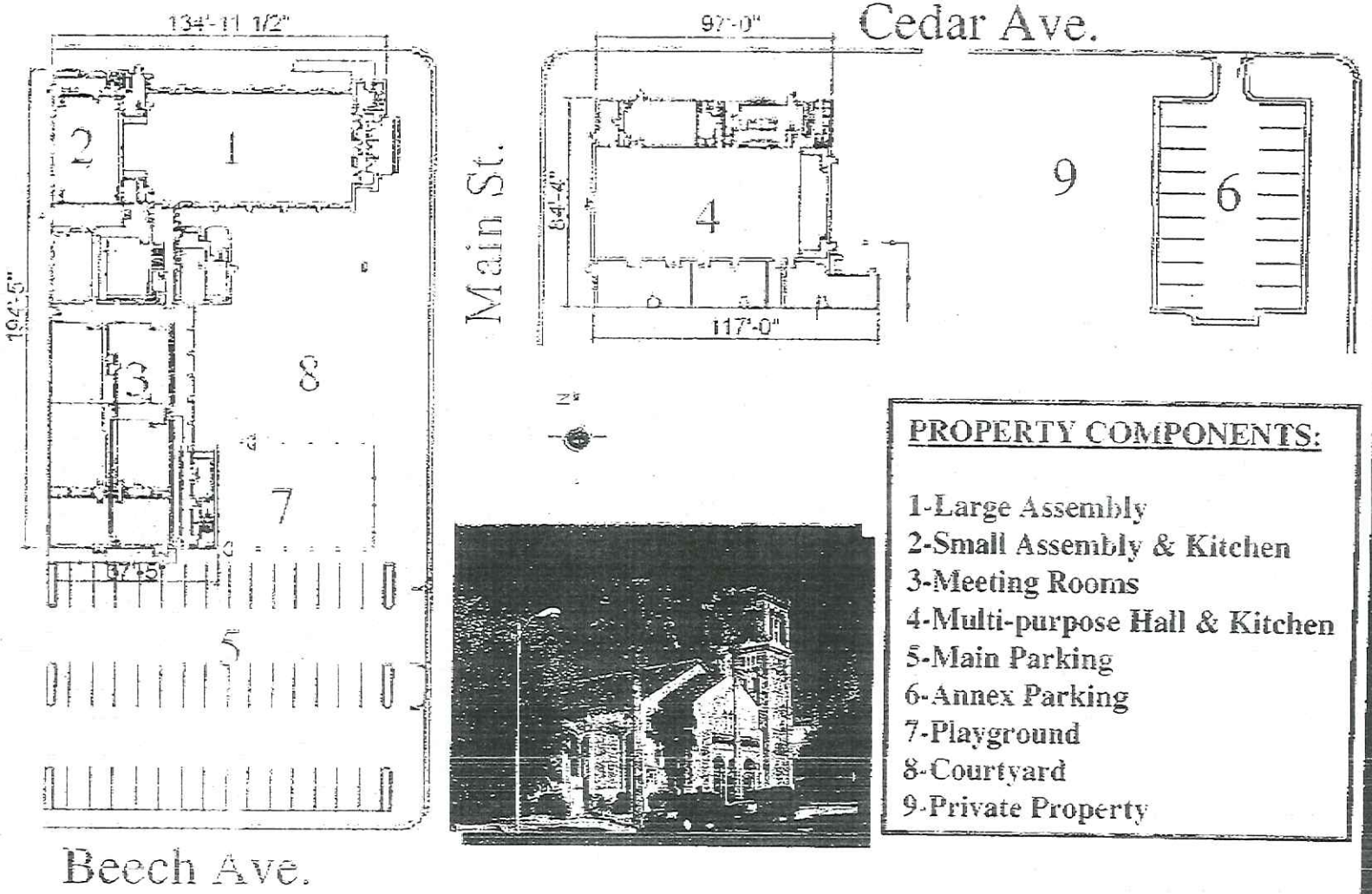
**200 FT. NOTIFICATION BOUNDARY**

*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. Futhermore, This map is for informational purposes and is not prepared for or suitable for legal, engineering, or surveying purposes. It does not represent an on ground survery and represent approximate relative location of property on ground survery and represent approximate relative ocation of property boundaries.*

N
W E
S

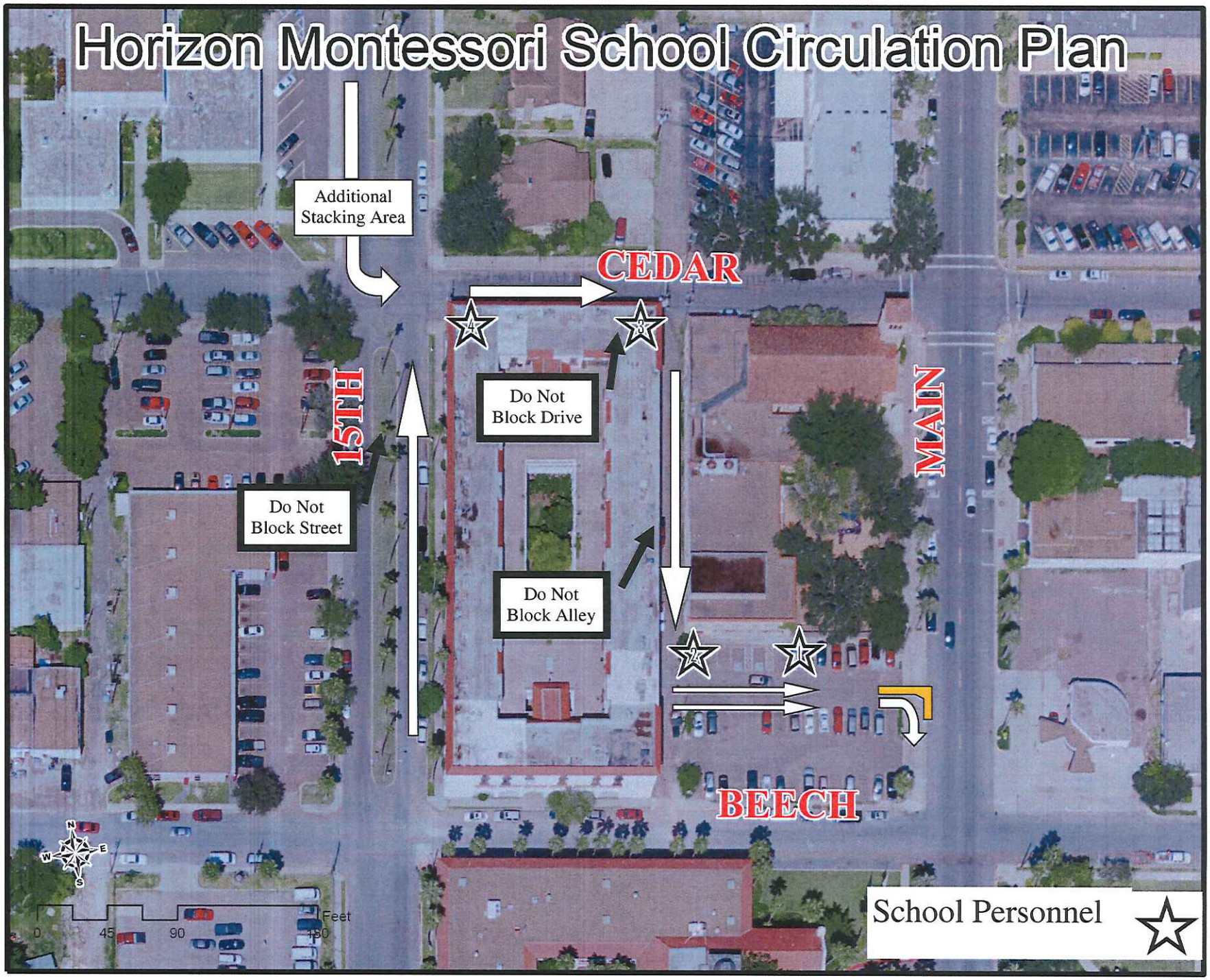
Attn: Myra

# Adaptability & Reuse




**PROPERTY COMPONENTS:**

1-Large Assembly
2-Small Assembly & Kitchen
3-Meeting Rooms
4-Multi-purpose Hall & Kitchen
5-Main Parking
6-Annex Parking
7-Playground
8-Courtyard
9-Private Property


Horizon Montessori School Circulation Plan
Additional Stacking Area
CEDAR
15TH
MAIN
BEECH
Do Not Block Drive
Do Not Block Street
Do Not Block Alley
School Personnel
Feet
0
45
90
180

# MAIN STREET & CEDAR AVENUE

## ALTERNATIVE

PARKING AREA
RESERVED FOR
HORIZON
MONTESSORI
NOTICE
INSTITUTIONAL
For
This Property
CUP2015-0144

Planning Department

# Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

**DATE:** October 14, 2015

**SUBJECT: REQUEST OF RAUL HERNANDEZ ON BEHALF OF LINDA CALDERON FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A GUEST HOUSE AT LOT 1, GRAHAM SUBDIVISION; 1119 SOUTH "E" STREET.**

---

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

**DESCRIPTION:**
The property is located on the east side of South "E" Street, approximately 530 ft. south of East Jackson Avenue, and is zoned R-1 (single family residential) District. The adjacent zoning is R-1 District in all directions. Surrounding land uses include single family residences, general commercial and offices, and vacant land.

**REQUEST/ANALYSIS:**
Currently, there is an existing one story residence in the front area of the lot with other structures at the rear of the property. The structures include an existing garage, pool house, and a storage area. All attached with a covered walkway. The applicant is proposing to demolish the storage structure in order to comply with the rear setback, and to remodel the existing pool house. The proposed floor plan for the pool house provides for a living area; therefore, a conditional use permit for a guest house is required.

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 proposed setbacks are 13 ft. rear, 9 ft. on the south side, and 35 ft. on the front. The site plan submitted shows an 11.5 ft. building separation between the existing pool house and the existing garage.

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. The proposed setbacks are 13 ft. rear, 9 ft. on the south side, and 35 ft. on the front. The site plan submitted shows an 11.5 ft. building separation between the existing pool house and the existing garage;

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 18,054 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

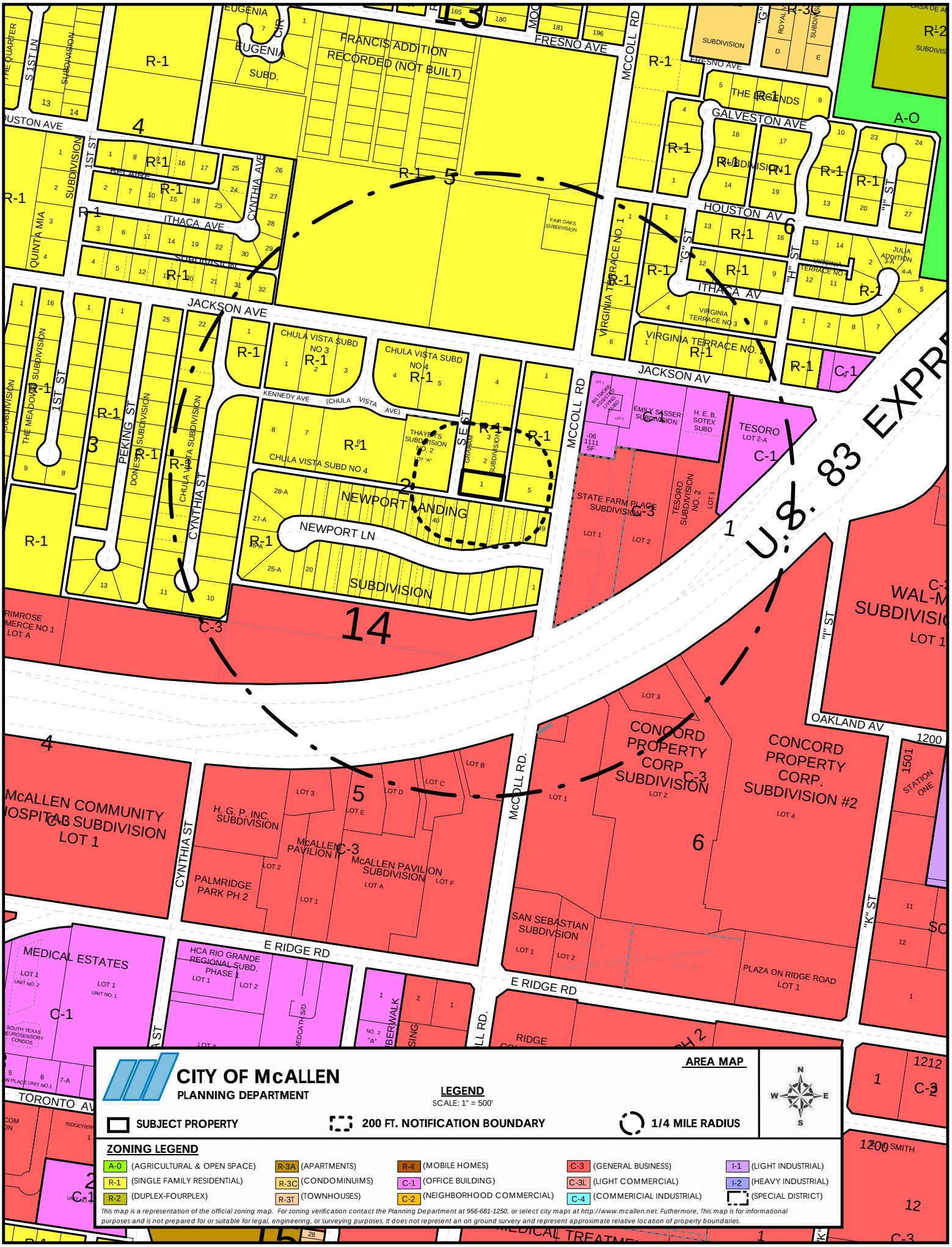
7) The permit shall be revoked if rent is paid or utility expenses are shared with the proposed use.

**OPTIONS:**

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

**RECOMMENDATION:**

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


CITY OF McALLEN
PLANNING DEPARTMENT
AREA MAP
LEGEND
SCALE: 1" = 500'
SUBJECT PROPERTY
200 FT. NOTIFICATION BOUNDARY
1/4 MILE RADIUS
ZONING LEGEND
A-0 (AGRICULTURAL & OPEN SPACE)
R-1 (SINGLE FAMILY RESIDENTIAL)
R-2 (DUPLEX-FOURPLEX)
R-3A (APARTMENTS)
R-3C (CONDOMINUIMS)
R-3T (TOWNHOUSES)
R-4 (MOBILE HOMES)
C-1 (OFFICE BUILDING)
C-2 (NEIGHBORHOOD COMMERCIAL)
C-3 (GENERAL BUSINESS)
C-3L (LIGHT COMMERCIAL)
C-4 (COMMERICIAL INDUSTRIAL)
I-1 (LIGHT INDUSTRIAL)
I-2 (HEAVY INDUSTRIAL)
(SPECIAL DISTRICT)
This map is a representation of the official zoning map. For zoning verification contact the Planning Department at 956-681-1250, or select city maps at http://www.mcallen.net. Futhermore, This map is for informational purposes and is not prepared for or suitable for legal, engineering, or surveying purposes. It does not represent an on ground survey and represent approximate relative location of property boundaries.
FRANCIS ADDITION RECORDED (NOT BUILT)
FRESNO AVE
MCCOLL RD
GALVESTON AVE
HOUSTON AV
ITHACA AVE
JACKSON AVE
JACKSON AV
KENNEDY AVE (CHULA VISTA AVE)
CHULA VISTA SUBD NO 4
NEWPORT LANDING
NEWPORT LN
SUBDIVISION
U.S. 83 EXPR
TESORO
STATE FARM PLACE SUBDIVISION
CONCORD PROPERTY CORP SUBDIVISION
CONCORD PROPERTY CORP. SUBDIVISION #2
OAKLAND AV
McALLEN COMMUNITY HOSPITAL SUBDIVISION LOT 1
H. G. P. INC. SUBDIVISION
McALLEN PAVILION II
McALLEN PAVILION SUBDIVISION
PALMRIDGE PARK PH 2
CYNTHIA ST
McCOLL RD.
E RIDGE RD
SAN SEBASTIAN SUBDIVSION
PLAZA ON RIDGE ROAD LOT 1
MEDICAL ESTATES
HCA RIO GRANDE REGIONAL SUBD. PHASE 1
TORONTO AV
"K" ST
STATION ONE

**CITY OF McALLEN**
**PLANNING DEPARTMENT**

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

**SUBJECT PROPERTY**

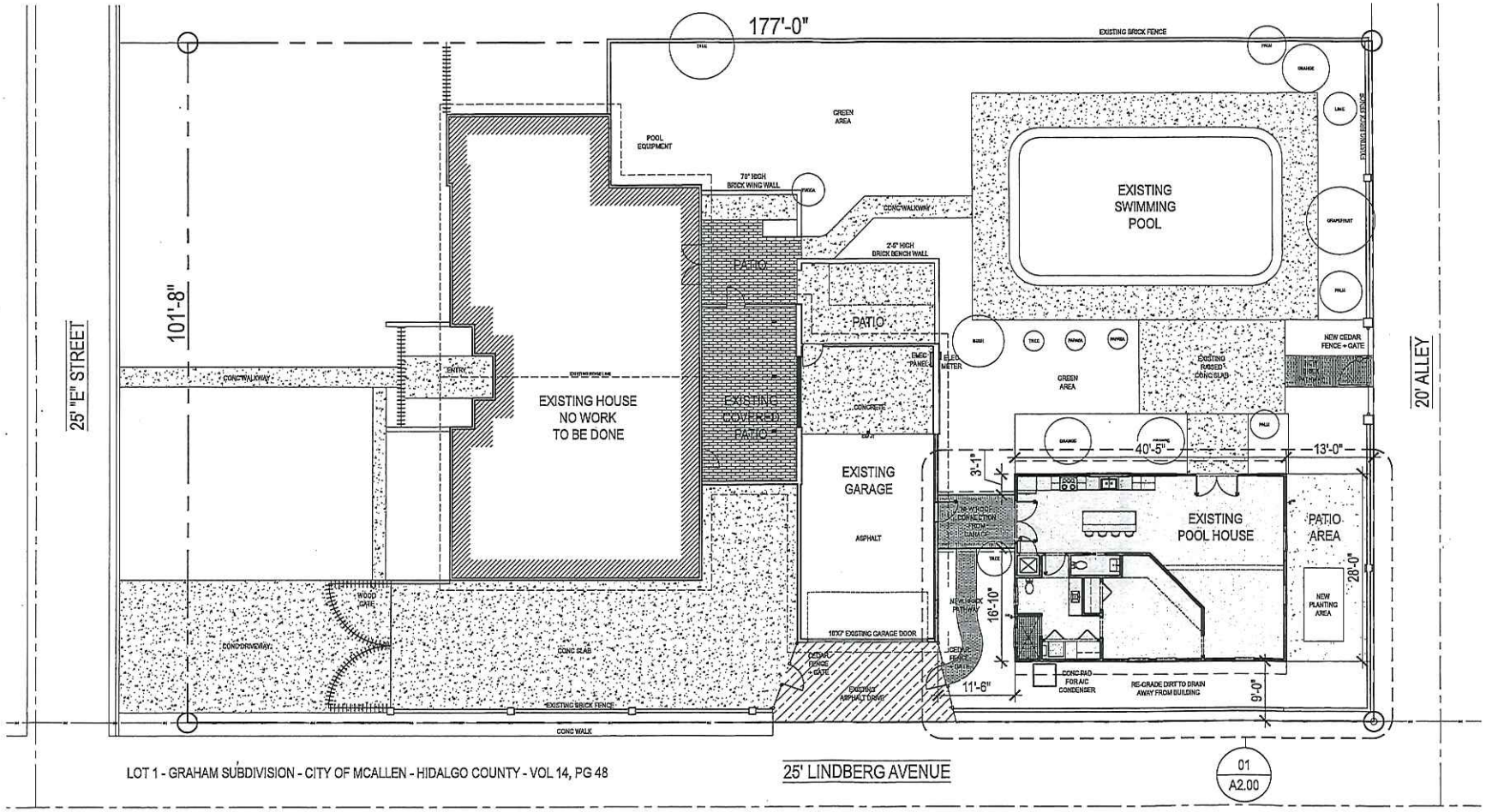
**200 FT. NOTIFICATION BOUNDARY**

*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. Futhermore, This map is for informational purposes and is not prepared for or suitable for legal, engineering, or surveying purposes. It does not represent an on ground survery and represent approximate relative location of property on ground survery and represent approximate relative ocation of property boundaries.*

N
W E
S

## GENERAL SITE NOTES

| | |
|---|---|
| A | PROTECT EXISTING TREES + SWIMMING POOL DURING CONSTRUCTION. |
| B | GRADE EARTH AWAY FROM BUILDING FOUNDATION. |
| C | VERIFY EXACT SIZE OF BRICK PATHWAYS WITH OWNER + ARCHITECT |




PROPOSED SITE PLAN
SCALE 1/16" = 1'-0"
01

25' 10' 5' 0'

ORANGE MADE

602 ORANGE AVE
MCALLEN, TEXAS 78501

WWW.ORANGE-MADE.COM

SEAL

09.03.2015

PROJECT
# REMODEL
1119 S "E" STREET
MCALLEN, TEXAS 78501

PROJECT NO
15007

ISSUE FOR
PERMIT

ISSUE DATE
09.03.2015

| REVISION | DATE |
|---|---|
| - | - |
| - | - |
| - | - |
| - | - |
| - | - |

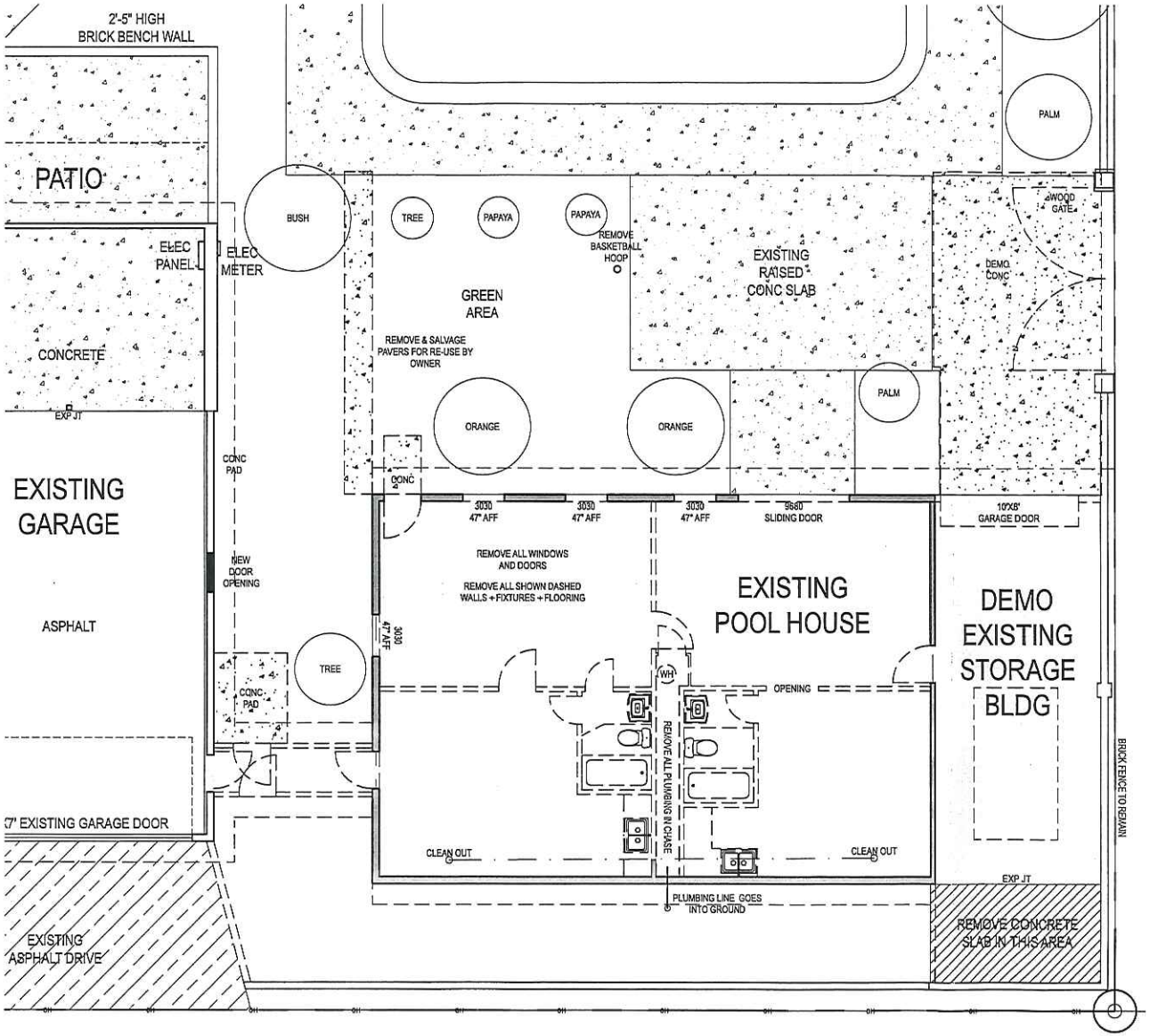
PROPOSED
SITE PLAN

A1.01

COPYRIGHT 2015 ORANGE MADE LLC

## DEMOLITION NOTES

| | |
|---|---|
| A | PROTECT EXISTING TREES + SWIMMING POOL DURING CONSTRUCTION. |
| B | GRADE EARTH AWAY FROM BUILDING FOUNDATION. |
| C | SALVAGE GARAGE DOOR OF STORAGE BUILDING |
| D | REMOVE ALL DOORS + WINDOWS + FIXTURES |
| E | REMOVE ALL FLOORING |
| F | ALL AREAS SHOWN DASHED TO BE DEMOLISHED AS NOTED |
| G | REMOVE WALLS + ROOF STRUCTURE OF STORAGE BUILDING AREA, BRICK WALLS TO REMAIN - COORDINATE WITH EXISTING ROOFER FOR WARRANTY ISSUES PRIOR TO DOING ANY ROOF WORK |
| H | COORDINATE WITH OWNER AND ARCHITECT SIZE F PLANTER TO BE MADE IN SLAB OF STORAGE AREA |
| J | CLOSE OFF EXISTING GARAGE DOOR CONNECTION AND CREATE NEW DOOR OPENING WHERE THE NEW ROOF CONNECTION WILL BE LOCATED. |




DEMOLITION PLAN
SCALE 1/16" = 1'-0"
01

ORANGE MADE

602 ORANGE AVE
MCALLEN, TEXAS 78501
WWW.ORANGE-MADE.COM

SEAL

09.03.2015

PROJECT
REMODEL
1119 S "E" STREET
MCALLEN, TEXAS 78501

PROJECT NO
15007

ISSUE FOR
PERMIT

ISSUE DATE
09.03.2015

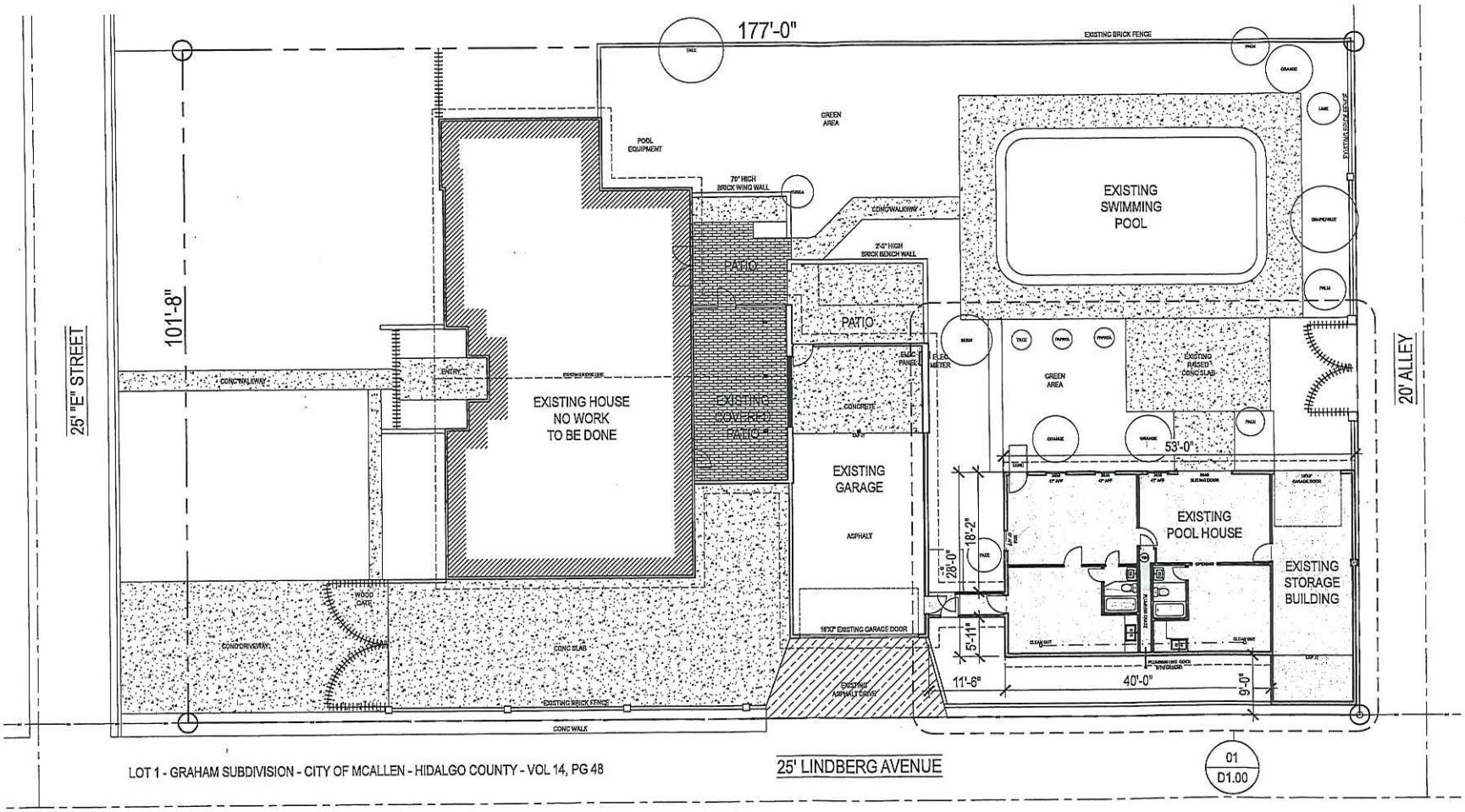
| REVISION | DATE |
|---|---|
| - | - |
| - | - |
| - | - |
| - | - |
| - | - |

DEMOLITION PLAN

D1.00

COPYRIGHT 2015 ORANGE MADE LLC

1956 House
1974 pool House
1963
1977 > Bldg. permit




EXISTING SITE PLAN
SCALE 1/16" = 1'-0"
01

25' 10' 5' 0'

ORANGE MADE

602 ORANGE AVE
MCALLEN, TEXAS 78501

WWW.ORANGE-MADE.COM

SEAL

REGISTERED ARCHITECT
CAROLINA CIVAROLO
22202
STATE OF TEXAS

09.03.2015

PROJECT
REMODEL
1119 S "E" STREET
MCALLEN, TEXAS 78501

PROJECT NO
15007

ISSUE FOR
PERMIT

ISSUE DATE
09.03.2015

| REVISION | DATE |
|---|---|
| - | - |
| - | - |
| - | - |
| - | - |

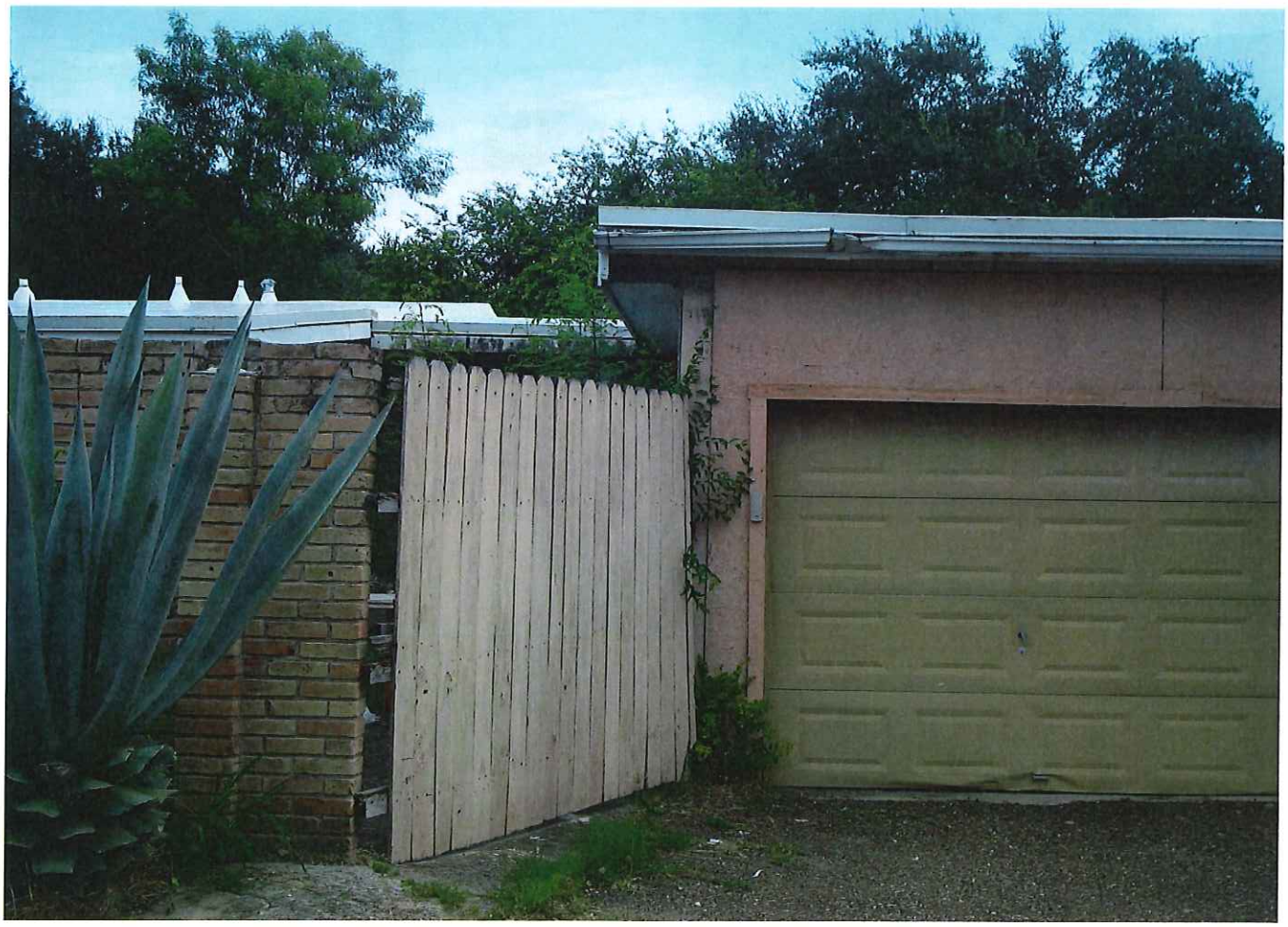
EXISTING
SITE PLAN

A1.00

COPYRIGHT 2015 ORANGE MADE LLC

10-9-15

10-9-15



NOTICE
GUEST HOUSE
For
This Property
CUP2015-0141
City of McAllen Planning Dept 681-1250
www.mcallen.net
ADT

**Planning Department**

# Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

**DATE:** October 14, 2015

**SUBJECT:** **REQUEST OF VICTOR BARRERA ON BEHALF OF D'GALA FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A BANQUET HALL AT LOT 1, MICHELLE'S BANQUET HALL SUBDIVISION; 2100 NOLANA AVENUE.**

---

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

**BRIEF DESCRIPTION:**
The property is located on the north side of Nolana Avenue, approximately 280 ft. east of North 22nd Street. The property has 193 ft. of frontage along Nolana Avenue and a depth of 416 ft. at its deepest point. The property, as well as the surrounding area, is zoned C-3 (general business) District. Surrounding land uses include restaurants, commercial businesses, offices, bars, the International Museum of Arts & Science (IMAS) and McAllen's Library. A banquet hall is allowed in a C-3 zone with a conditional use permit and in compliance with requirements.

**HISTORY:**
The initial Conditional Use Permit was approved for a dancehall at this location on November 21, 2000 for one year by the Planning and Zoning Commission and had been renewed annually up until August 4, 2009. A renewal was not done for the year 2010 and 2011. Code Enforcement issued a notice of violation and the applicant submitted an application on November 21, 2011. The permit was approved January 23, 2012 by the City Commission with a variance to the distance requirement. The last permit was approved, for one year, for a banquet hall on November 10, 2014 by the City Commission with a variance to the distance requirement.

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

A police activity report is attached indicating service calls from October 2014 to present. The Health and Fire Departments have inspected the establishment which is in

compliance with health and safety codes and regulations. The establishment must comply with requirements set forth in Section 138-118(4) of the Zoning Ordinance and specific requirements as follows:

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

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

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

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

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

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

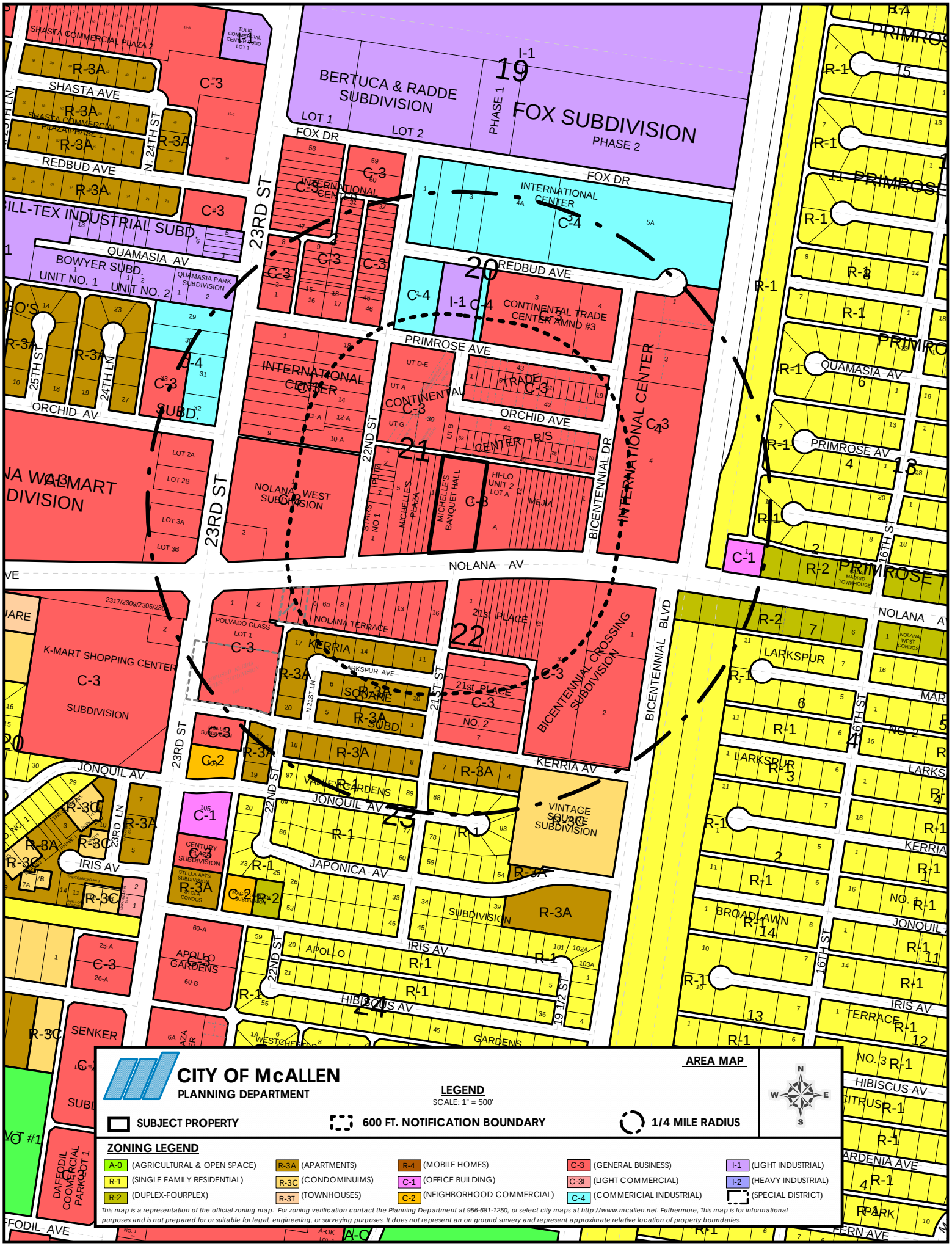
7) The above mentioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Planning Director. The maximum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

**OPTIONS:**

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

**RECOMMENDATION:**

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


CITY OF McALLEN
PLANNING DEPARTMENT
AREA MAP
LEGEND
SCALE: 1" = 500'
SUBJECT PROPERTY
600 FT. NOTIFICATION BOUNDARY
1/4 MILE RADIUS
ZONING LEGEND
A-0 (AGRICULTURAL & OPEN SPACE)
R-1 (SINGLE FAMILY RESIDENTIAL)
R-2 (DUPLEX-FOURPLEX)
R-3A (APARTMENTS)
R-3C (CONDOMINUIMS)
R-3T (TOWNHOUSES)
R-4 (MOBILE HOMES)
C-1 (OFFICE BUILDING)
C-2 (NEIGHBORHOOD COMMERCIAL)
C-3 (GENERAL BUSINESS)
C-3L (LIGHT COMMERCIAL)
C-4 (COMMERICIAL INDUSTRIAL)
I-1 (LIGHT INDUSTRIAL)
I-2 (HEAVY INDUSTRIAL)
(SPECIAL DISTRICT)
This map is a representation of the official zoning map. For zoning verification contact the Planning Department at 956-681-1250, or select city maps at http://www.mcallen.net. Futhermore, This map is for informational purposes and is not prepared for or suitable for legal, engineering, or surveying purposes. It does not represent an on ground survey and represent approximate relative location of property boundaries.
BERTUCA & RADDE SUBDIVISION
FOX SUBDIVISION PHASE 2
FOX DR
REDBUD AVE
PRIMROSE AVE
ORCHID AVE
NOLANA AV
KERRIA AV
JONQUIL AV
IRIS AV
JAPONICA AV
HIBISCUS AV
23RD ST
22ND ST
21ST ST
BICENTENNIAL DR
BICENTENNIAL BLVD
16TH ST
N. 24TH ST
25TH ST
24TH LN
23RD LN
N.21ST LN
INTERNATIONAL CENTER
CONTINENTAL TRADE CENTER AMND #3
CONTINENTAL TRADE CENTER
MICHELLES BANQUET HALL
MICHELLES PLAZA
HI-LO UNIT 2
MEJIA
NOLANA WEST SUBDIVISION
NOLANA TERRACE
POLVADO GLASS
K-MART SHOPPING CENTER SUBDIVISION
BICENTENNIAL CROSSING SUBDIVISION
21st PLACE
VINTAGE SQUARE SUBDIVISION
APOLLO GARDENS
CENTURY PLAZA SUBDIVISION
SHASTA COMMERCIAL PLAZA 2
SHASTA AVE
SHASTA COMMERCIAL PLAZA PHASE 1
BILL-TEX INDUSTRIAL SUBD.
QUAMASIA AV
BOWYER SUBD. UNIT NO. 1
UNIT NO. 2
QUAMASIA PARK SUBDIVISION
LARKSPUR
BROADLAWN
TERRACE
SENKER
DAFFODIL COMMERCIAL PARK LOT 1
PRIMROSE
MADRID TOWNHOUSE
NOLANA WEST CONDOS

# CITY OF McALLEN

**PLANNING DEPARTMENT**

**AERIAL MAP**

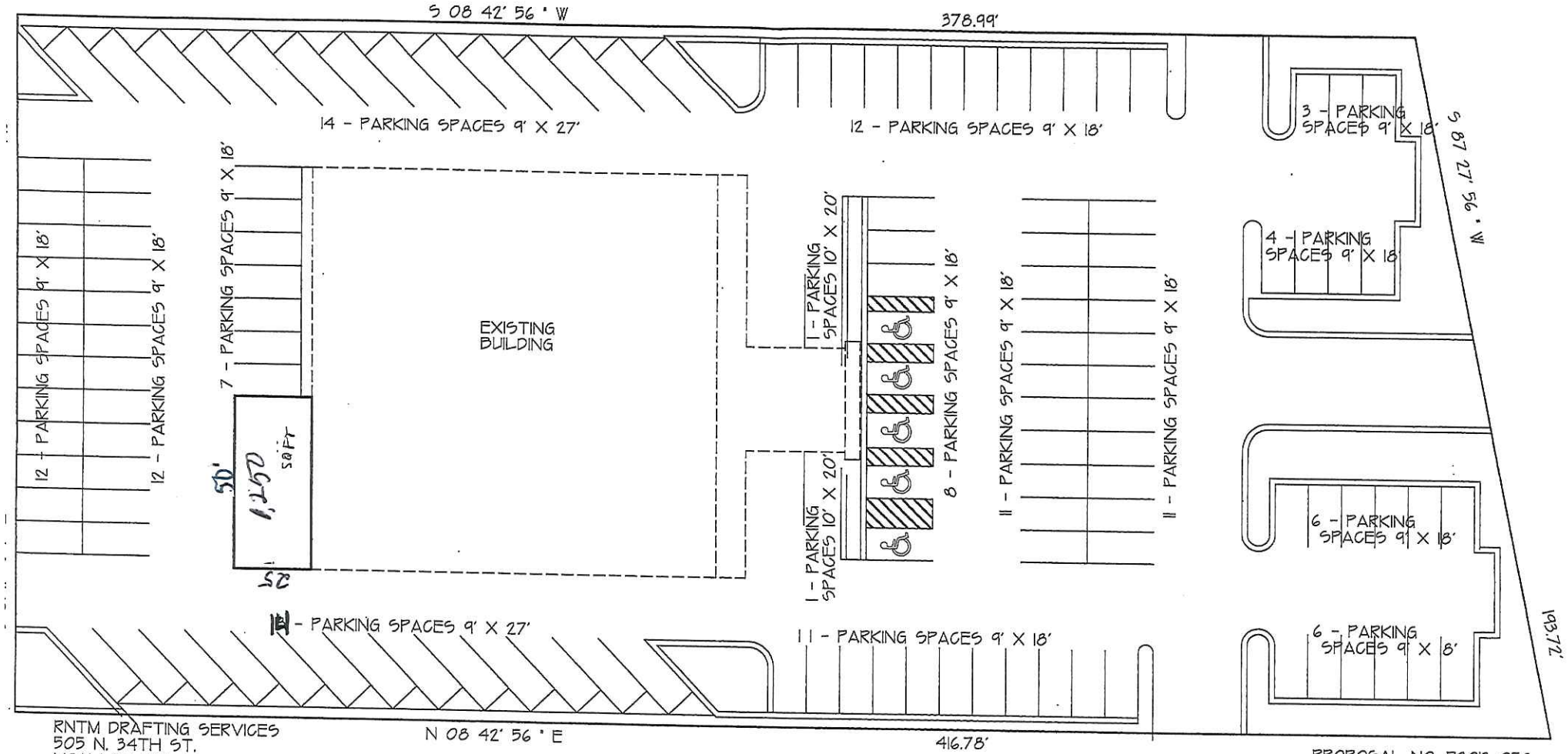
SCALE: N.T.S.

**SUBJECT PROPERTY**

**600 FT. NOTIFICATION BOUNDARY**

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

N S E W



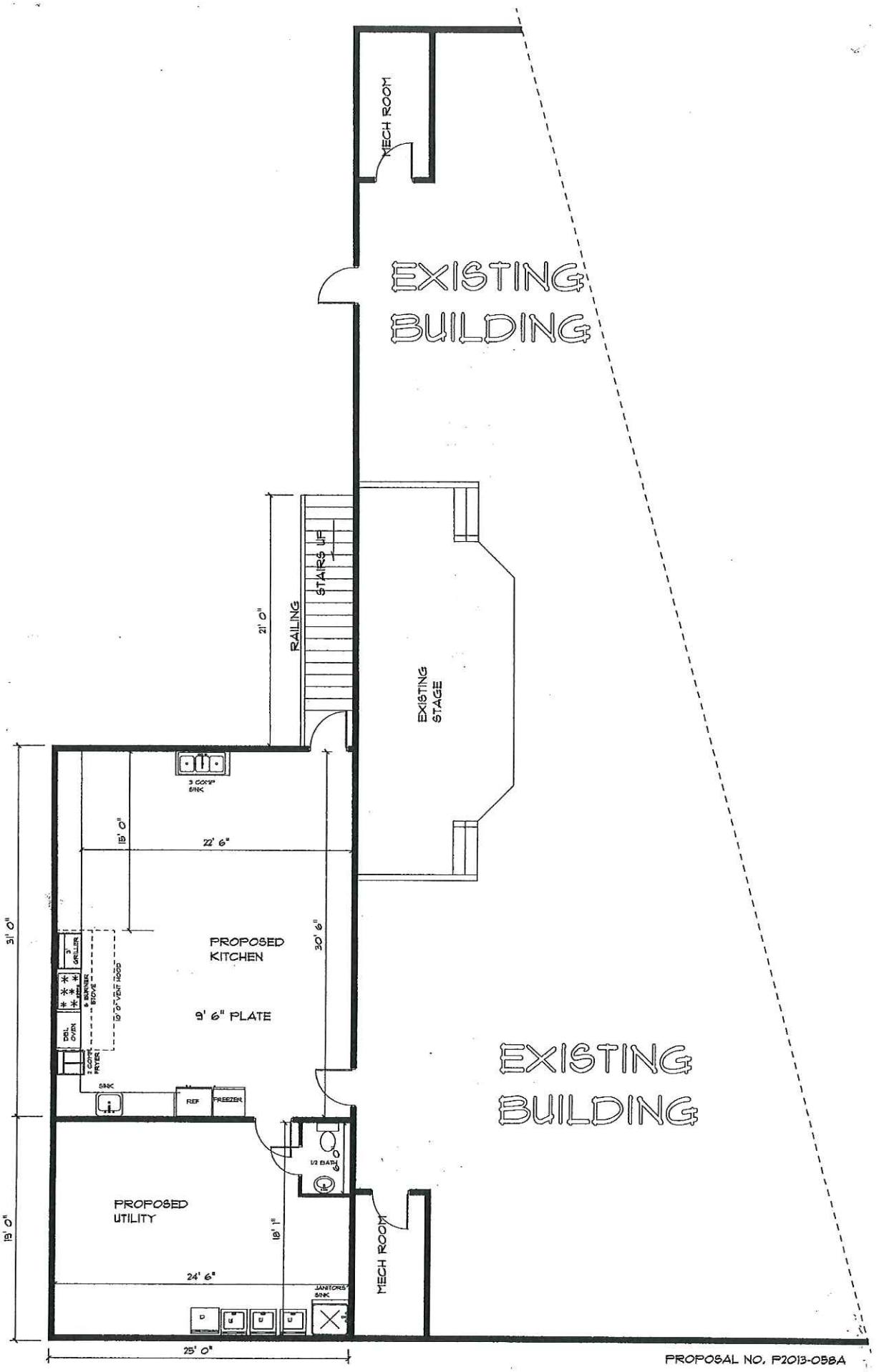

RNTM DRAFTING SERVICES
505 N. 34TH ST.
MCALLEN TX
OFFICE 956-630-1047

PROPOSAL NO. P2013-058
OPTION A

Site Plan

132 p.s.

RECEIVED
OCT 28 2013
Initial:_____




PROPOSAL NO. P2013-058A

# BOTTOM FLOOR PLAN

# Incident Analysis Report

Summary

Crime Records Office
COPY

**Print Date/Time:** 10/09/2015 14:49
**Login ID:** mcpd7004
**Incident Type:** All
**Call Source:** All

**From Date:** 10/01/2014 00:01
**To Date:** 10/09/2015 14:00

McAllen Police Department
**ORI Number:** TX1080800
**Officer ID:** All
**Location:** 2100 NOLANA AVE, MCALLEN

| Incident Date/Time | Incident Number | Incident Type | Location | Caller | Source |
|---|---|---|---|---|---|
| 11/08/2014 02:18 | 2014-00083976 | PI | 2100 NOLANA AVE | security | Officer Initiated |
| 11/18/2014 15:11 | 2014-00086616 | CIVIL MATTER | 2100 NOLANA AVE | EDGAR SANTOS | Phone |
| 11/29/2014 00:57 | 2014-00089361 | Suspicious Person/Vehicle | 2100 NOLANA AVE | KAZUO | Phone |
| 01/04/2015 01:49 | 2015-00000817 | Police Services | 2100 NOLANA AVE | MALE | 911 |
| 01/20/2015 18:46 | 2015-00004863 | Accident w/Injuries | 2100 NOLANA AVE | PASSERBY | 911 |
| 01/31/2015 02:12 | 2015-00007627 | Traffic Complaint/ | 2100 NOLANA AVE | FEMALE | Phone |
| 02/02/2015 12:06 | 2015-00008231 | MINOR ACC | 2100 NOLANA AVE | | Phone |
| 05/03/2015 02:40 | 2015-00032528 | Domestic Disturbance | 2100 NOLANA AVE | MALE | 911 |
| 05/05/2015 02:15 | 2015-00033045 | MINOR ACC | 2100 NOLANA AVE | FRANCISCO | Phone |
| 05/17/2015 02:07 | 2015-00036427 | Domestic Disturbance | 2100 NOLANA AVE | FRANSICO | Phone |
| 06/06/2015 09:13 | 2015-00041870 | CRIMINAL MISCHIEF | 2100 NOLANA AVE | EDITH LOPEZ | Phone |
| 06/25/2015 13:26 | 2015-00046808 | Alarm Burglary | 2100 NOLANA AVE | RUBY | Phone |
| 06/28/2015 02:13 | 2015-00047564 | Domestic Disturbance | 2100 NOLANA AVE | CALLER FEMALE | Phone |
| 06/28/2015 02:35 | 2015-00047570 | MINOR ACC | 2100 NOLANA AVE | | Phone |
| 07/26/2015 00:53 | 2015-00054993 | Domestic Disturbance | 2100 NOLANA AVE | FEM | 911 |
| 07/28/2015 00:05 | 2015-00055479 | Traffic Complaint/ Investigation | 2100 NOLANA AVE | MALE | Officer Initiated |
| 07/28/2015 00:17 | 2015-00055481 | MINOR ACC | 2100 NOLANA AVE | MALE | Officer Initiated |
| 08/01/2015 22:18 | 2015-00056721 | MINOR ACC | 2100 NOLANA AVE | | Phone |
| 09/12/2015 13:22 | 2015-00068039 | Assault | 2100 NOLANA AVE | CECILIA CANALES | Phone |
| 09/21/2015 02:05 | 2015-00070332 | DCONDUCT | 2100 NOLANA AVE | MALE | Phone |
| 09/21/2015 14:06 | 2015-00070432 | CIVIL MATTER | 2100 NOLANA AVE | IRMA GARCES | Phone |

**Total Matches:** 21

D'Gala
NOTICE
BANQUET HALL
For
This Property
CUP2015-0137

**Planning Department**

# Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

**DATE:** October 14, 2015

**SUBJECT: REQUEST OF JOSE R. AGUILAR FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A BAR AT LOTS 1, 2, AND 3A, SUE'S PLACE SUBDIVISION; 6500 NORTH 10TH STREET, SUITES I AND J.**

---

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

**BRIEF DESCRIPTION:**
The property is located at the northeast corner of N. 10th Street and Martin Avenue and is zoned C-3 (general business) District. The adjacent zoning is C-3 District to the north, south, and west, also C-1 (office building) District to the southeast and northwest, and R-2 (duplex-fourplex) District to the east. Surrounding land uses include a shopping centers, restaurants, offices, multi-family residences, and vacant land. A bar is allowed in a C-3 zone with a Conditional Use Permit and in compliance with requirements.

**HISTORY:**
The initial conditional use permit for this establishment was approved August 23, 2010 by the City Commission with a variance to the distance requirement. The last permit was approved by the City Commission on October 13, 2014 with a variance to the 600 ft. distance requirement.

**REQUEST/ANALYSIS:**
Currently, there is a multi-tenant commercial building on the property. The building is a mixture of retail and offices. The applicant is proposing to continue to operate a bar from Suite I and J with a total lease space area of 4,150 sq. ft. The hours of operation will be from 3:30 p.m. to 2:00 a.m. Monday through Sunday. Based on the square footages and current uses, 85 parking spaces are required. The proposed bar would require an additional 56 parking spaces, for a total of 141 spaces; 161 parking spaces are provided on site, which are part of the common parking area.

Attached is a police report, which indicates service calls from October 2014 to present. The Health and Fire Departments have inspected and cleared the establishment which is in compliance with health and safety codes and regulations. Should the Conditional Use

Permit be approved, the applicant would be required to sign the application acknowledging and agreeing to the conditions of the permit. The establishment must also meet the requirements set forth in Section 138-118(4) of the Zoning Ordinance and specific requirements as follows:

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

2. The property must be as close as possible to a major arterial and shall not generate traffic onto residential sized streets. The establishment has direct access to N. 10th Street and Martin Avenue;

3. The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance as a minimum, and make provisions to prevent the use of adjacent streets for parking. Based on the square footages and current uses, 85 parking spaces are required. The proposed bar would require an additional 56 parking spaces, for a total of 141 spaces; 161 parking spaces are provided on site, which are part of the common parking area;

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

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

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

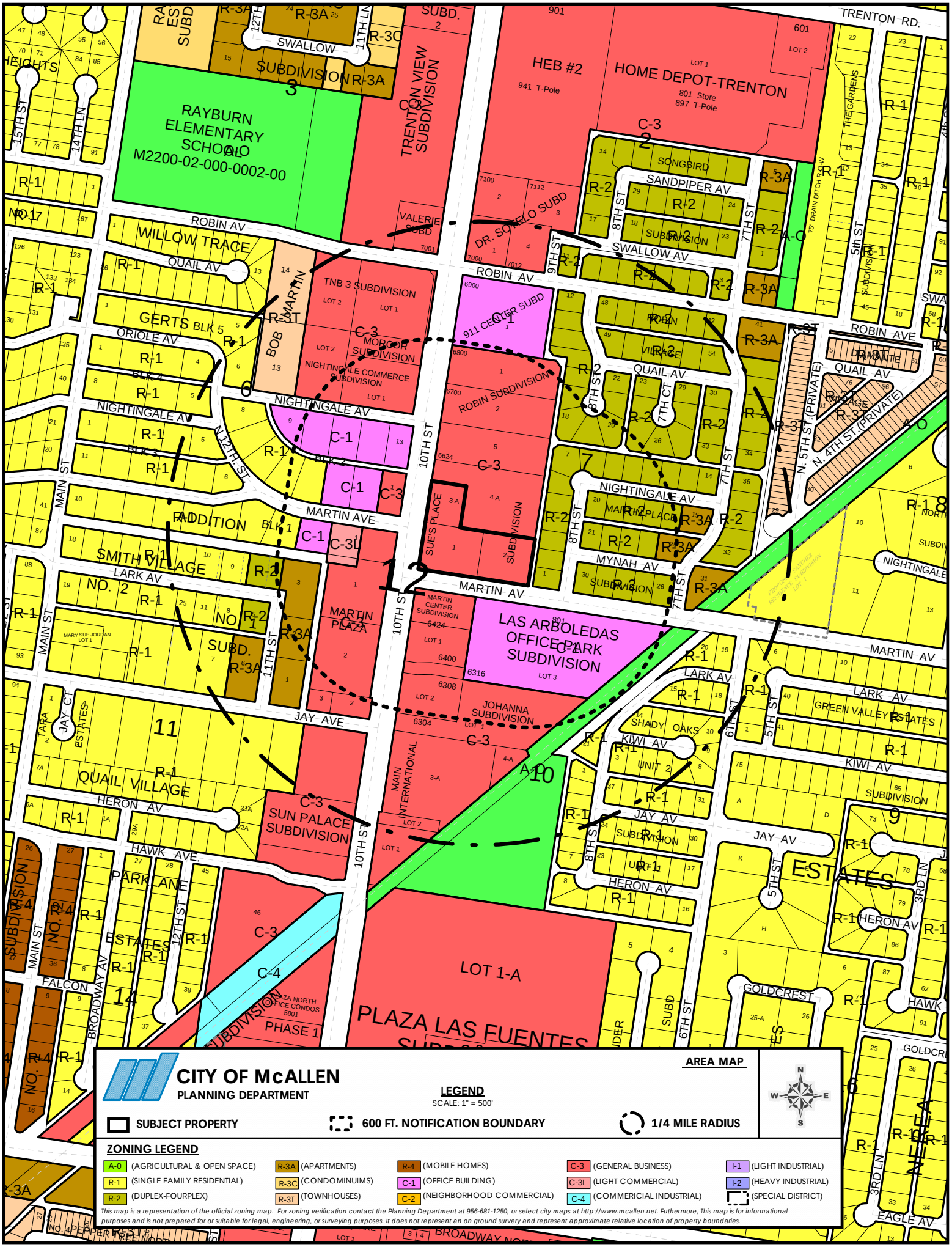
7. The above mentioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Planning Director. The maximum occupancy of the establishment allowed is 228 persons.

**OPTIONS:**

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

**RECOMMENDATION:**

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


CITY OF McALLEN
PLANNING DEPARTMENT
AREA MAP
LEGEND
SCALE: 1" = 500'
SUBJECT PROPERTY
600 FT. NOTIFICATION BOUNDARY
1/4 MILE RADIUS
N
E
S
W
ZONING LEGEND
A-0 (AGRICULTURAL & OPEN SPACE)
R-1 (SINGLE FAMILY RESIDENTIAL)
R-2 (DUPLEX-FOURPLEX)
R-3A (APARTMENTS)
R-3C (CONDOMINUIMS)
R-3T (TOWNHOUSES)
R-4 (MOBILE HOMES)
C-1 (OFFICE BUILDING)
C-2 (NEIGHBORHOOD COMMERCIAL)
C-3 (GENERAL BUSINESS)
C-3L (LIGHT COMMERCIAL)
C-4 (COMMERICIAL INDUSTRIAL)
I-1 (LIGHT INDUSTRIAL)
I-2 (HEAVY INDUSTRIAL)
(SPECIAL DISTRICT)
This map is a representation of the official zoning map. For zoning verification contact the Planning Department at 956-681-1250, or select city maps at http://www.mcallen.net. Futhermore, This map is for informational purposes and is not prepared for or suitable for legal, engineering, or surveying purposes. It does not represent an on ground survey and represent approximate relative location of property boundaries.
TRENTON RD.
HEB #2
HOME DEPOT-TRENTON
RAYBURN ELEMENTARY SCHOOL
M2200-02-000-0002-00
TRENTON VIEW SUBDIVISION
WILLOW TRACE
ROBIN AV
QUAIL AV
SWALLOW AV
SANDPIPER AV
SONGBIRD
GERTS BLK 5
ORIOLE AV
NIGHTINGALE AV
MARTIN AVE
MARTIN AV
LARK AV
JAY AVE
HERON AV
HAWK AVE
KIWI AV
MYNAH AV
ROBIN AVE
10TH ST
11TH ST
12TH ST
7TH ST
8TH ST
9TH ST
5th ST
6TH ST
MAIN ST
N. 5TH ST. (PRIVATE)
N. 4TH ST. (PRIVATE)
LAS ARBOLEDAS OFFICE PARK SUBDIVISION
SUN PALACE SUBDIVISION
PLAZA LAS FUENTES
LOT 1-A
PLAZA NORTH OFFICE CONDOS 5801
PHASE 1
QUAIL VILLAGE
SMITH VILLAGE NO. 2
PARK LANE ESTATES
GREEN VALLEY ESTATES
SHADY OAKS UNIT 2
GOLDCREST
EAGLE AV
BROADWAY AV
FALCON
PEPPER TREE

**CITY OF McALLEN**
**PLANNING DEPARTMENT**

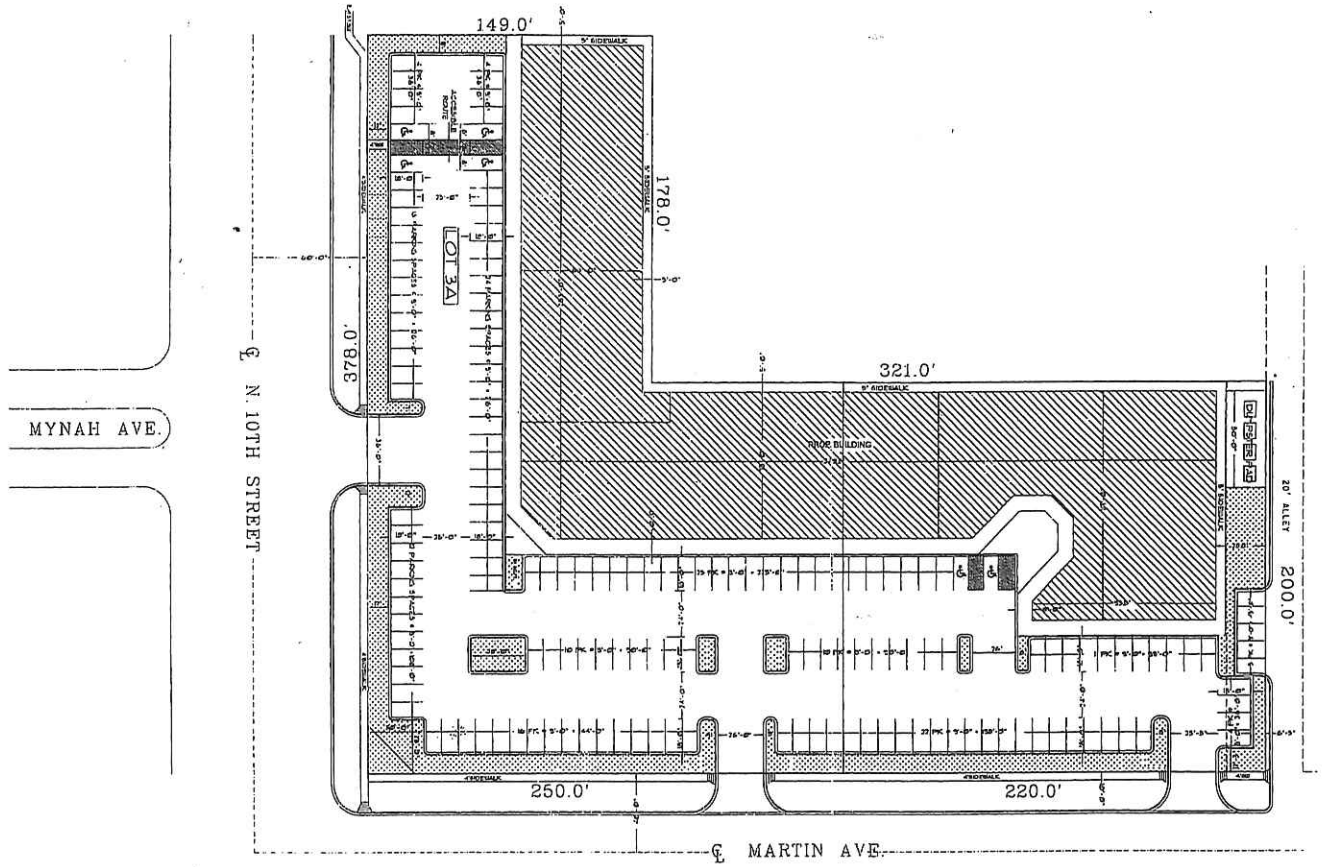
**AERIAL MAP**
SCALE: N.T.S.

**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. Futhermore, This map is for informational purposes and is not prepared for or suitable for legal, engineering, or surveying purposes. It does not represent an on ground survey and represent approximate relative location of property on ground survey and represent approximate relative ocation of property boundaries.*

N
W E
S




SUMMARY:

120,522 SQ.FT. OF PROPERTY
12,053 SQ.FT. OF LANDSCAPING REQUIRED
13,180 SQ.FT. OF LANDSCAPING PROVIDED
8,511 SQ.FT. OF FRONTAGE LANDSCAPING PROVIDED

| | |
|---|---|
| TOTAL BUILDING AREA - | 41,037 SF. |
| 1.- RESTAURANT AREA - | 4,108 SF. |
| 2.-OFFICE AREA - | 2,283 SF. |
| 3.-RETAIL AREA - | 34,646 SF. |

TOTAL PARKING SPACES REQUIRED
1.-RESTAURANT - 4108 / 75= 55 PS.
2.-OFFICE - (2283 / 200) + 3= 15 PS.
3.-RETAIL - 34646 / 400 = 87 PS.
TOTAL PS REQUIRED - 157 PS.
(6 PS MUST BE ACCESIBLE SPACES)

TOTAL PARKING SPACES PROVIDED
REGULAR - 160 PS.
HANDICAP - 6 PS.
TOTAL - 166 PS PROVIDED

LEGAL DESCRIPTION

LOTS 1& 2 SUE'S PLACE SUBDIVISION AND LOT 3A, SUBDIVISION PLAT OF LOTS 3A AND 4A, SUE'S PLACE SUBDIVISION, AN ADDITION TO THE CITY OF MCALLEN, HIDALGO COUNTY, TEXAS, ACCORDING TO MAP THEREOF RECORDED IN VOL. 40 PAGE 78, MAP RECORDS OF HIDALGO COUNTY.

PREPARED BY
SPOOR ENGINEERING SEC CONSULTANTS, INC.
TEL: (956)682-1006 ADD: N. 4TH ST. MCALLEN, TEXAS 78501 FAX (956)682-1007
STEVE SPOOR
PROFESSIONAL ENGINEER

| | | |
|---|---|---|
| B.O. # SEN BREAKOUT | | |
| SCALE 1"= 20' | DATE: 12-13-03 | |
| BOOK No. | PAGE No. | REVISION: 03/11/04 |

Revised 06-24-05

ALL DRAWINGS AND WRITTEN MATERIALS HEREIN CONSTITUTE ORIGINAL WORK OF LA PAZ PLAN SERVICE, L.L.C. AND MAY NOT BE DUPLICATED WITHOUT THE EXPRESSED WRITTEN CONSENT OF LA PAZ PLAN SERVICE, L.L.C.

ISSUES/REVISIONS
REV. 12/18/03

GENERAL NOTES

LA PAZ PLAN SERVICE, L.L.C.
COMMERCIAL & RESIDENTIAL * DESIGN & PLANNING
305 W EXPRESSWAY 83
PHARR, TEXAS 78577
TEL (956) 781-9781
FAX (956) 781-7113

SEAL

SUE'S PLACE SUBDIVISION
McALLEN, TEXAS

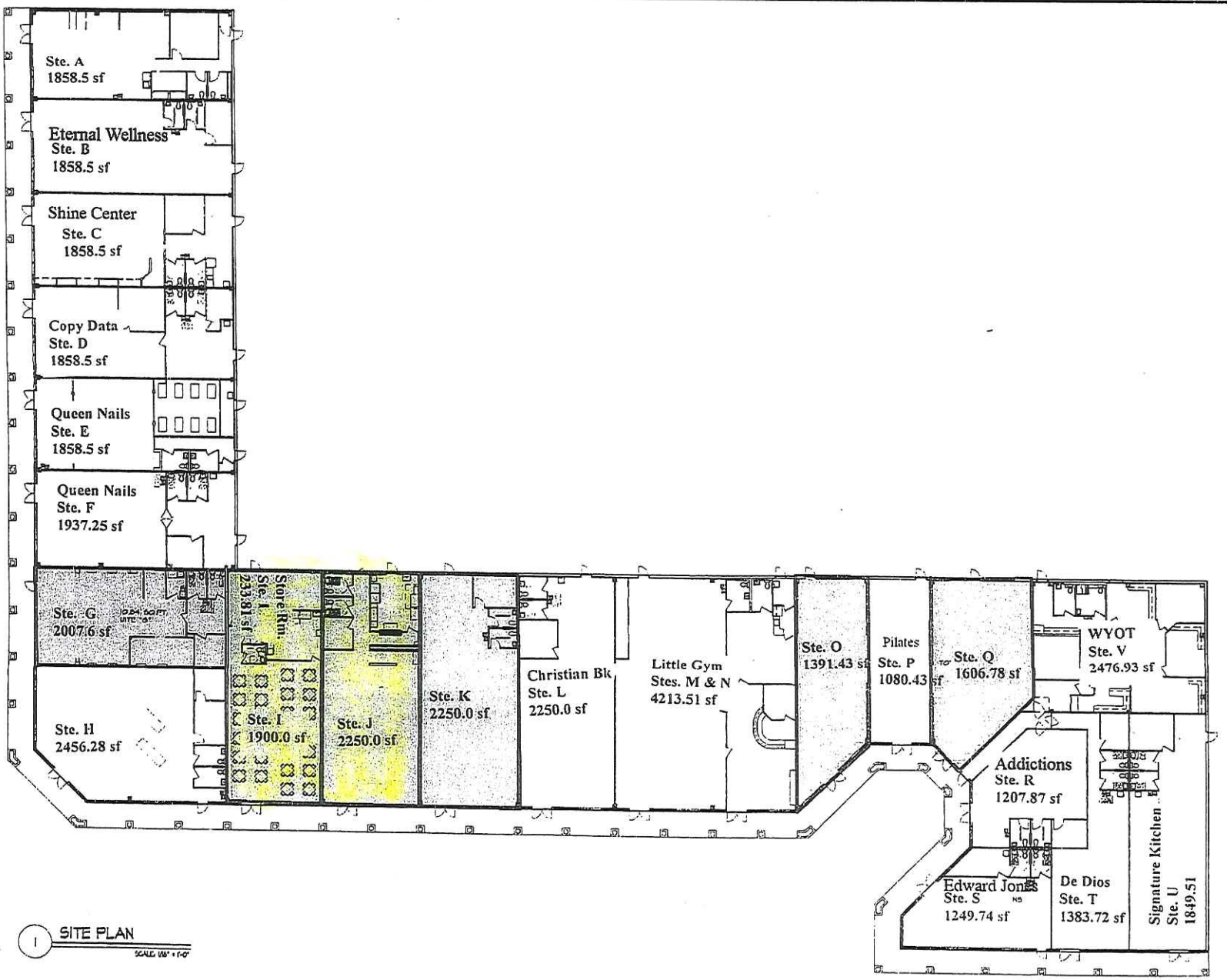
TITLE
SITE PLAN

C1 OF 1 SHEET 1
IN CONSECUTIVE ORDER

DATE JUNE 18, 2004
DRAWN BY FJR
CHECKED BY
SCALE 1" = 20'-0"
FILE NAME 3000 CIRIC

Ken Dockout\Site Plan.dgn 06/24/2005 02:29:56 PM

RECEIVED
JUN 25 2010
Initial:




1 SITE PLAN

RECEIVED
JUN 25 2010

Initial.

Crime Records Office
COPY

# Incident Analysis Report

Summary

**Print Date/Time:** 10/09/2015 14:46
**Login ID:** mcpd7004
**Incident Type:** All
**Call Source:** All

**From Date:** 10/01/2014 00:01
**To Date:** 10/09/2015 14:00

McAllen Police Department
**ORI Number:** TX1080800
**Officer ID:** All
**Location:** 6500 N 10TH ST, MCALLEN

| Incident Date/Time | Incident Number | Incident Type | Location | Caller | Source |
|---|---|---|---|---|---|
| 12/01/2014 02:13 | 2014-00089939 | CIVIL MATTER | 6500 N 10TH ST | MATTHEW RIOS | Phone |
| 12/13/2014 00:59 | 2014-00093065 | Domestic Disturbance | 6500 N 10TH ST | MALE CALLER | 911 |
| 12/18/2014 10:13 | 2014-00094516 | Suspicious Person/Vehicle | 6500 N 10TH ST | EMILY LUNA | Phone |
| 12/22/2014 13:12 | 2014-00095726 | Accident w/Injuries | 6500 N 10TH ST | MARY | Phone |
| 01/05/2015 03:00 | 2015-00001033 | Domestic Disturbance | 6500 N 10TH ST | 566 | Officer Initiated |
| 01/11/2015 01:27 | 2015-00002484 | Traffic Complaint/ | 6500 N 10TH ST | FEMALE CALLER | Phone |
| 01/23/2015 21:15 | 2015-00005683 | Alarm Burglary | 6500 N 10TH ST | BALDEMAR | Phone |
| 03/13/2015 14:53 | 2015-00018417 | MINOR ACC | 6500 N 10TH ST | joseph cano | Phone |
| 03/13/2015 15:46 | 2015-00018427 | Lost/Found Property | 6500 N 10TH ST | | Phone |
| 05/15/2015 02:46 | 2015-00035810 | Assault | 6500 N 10TH ST | JACKYLN | Phone |
| 05/29/2015 17:05 | 2015-00039800 | Police Services | 6500 N 10TH ST | NARALY | Phone |
| 07/09/2015 02:07 | 2015-00050405 | Police Services | 6500 N 10TH ST | michelle | Phone |
| 07/11/2015 23:35 | 2015-00051244 | Traffic Complaint/ | 6500 N 10TH ST | | Phone |
| 10/04/2015 19:15 | 2015-00073976 | Alarm Burglary | 6500 N 10TH ST | SUPERIOR | Phone |

**Total Matches:** 14

QUEEN NAILS
OPEN
NOTICE
BAR
For
This Property
CUP2015-0147

CHIROPRACTIC CENTER OF McALLEN
DR. DAN ALBRACHT
DR. JOEY LONGORIA
PIZZA
PAPA JOHNS
OPEN
Fade-N-Blade
BARBER SHOP
TATTOOS
NOTICE
EVENT CENTER
For
This Property
CUP2015-0142

**Planning Department**

# Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

**DATE:** October 14, 2015

**SUBJECT: REQUEST OF SAMANTHA SALAS, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A CHILDREN'S EVENT CENTER AT THE NORTH 100 FEET OF BLOCK 8, BROADLAWN TERRACE NO. 2 SUBDIVISION; 3515 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 at the southwest corner of North 10th Street and Jonquil Avenue, and it is zoned C-3 (general business) District. The surrounding zoning is C-3 to the north, south, and east, and R-2 (duplex-fourplex) District to the west, and R-1 (single family residential) District to the northwest. Surrounding land uses include single and multi-family residences, retail, and restaurants. A children's event center is allowed in a C-3 zone with a conditional use permit and in compliance with requirements.

**REQUEST/ANALYSIS:**
The applicant is proposing to operate a children's event center in a lease space located at the rear side of the building fronting Jonquil Avenue. The hours of operation will be from 6:00 p.m. to 12:00 a.m. Friday to Sunday.

The Health and Fire Departments have inspected the establishment; however, a final inspection will be required once the building permit is complete. A police activity report was not requested since the children's event center has not been in operation during the past year. The establishment must also meet the requirements set forth in Section 138-118(4) of the Zoning Ordinance and specific requirements as follows:

1) The property line of the lot of the above mentioned business, having late hours (after 10:00 p.m.) must be at least 600 ft. from the nearest residence, church, school or publicly-owned property, and must be designed to prevent disruption of the character of adjacent residential area. The shopping center is within 600 ft. of residences zones/uses;

2) The property must be as close as possible to a major arterial and shall not generate traffic onto residential sized streets. The property has direct access to Jonquil Avenue, North 11th Street, and North 10th Street and may generate traffic into residential areas;

3) The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance as a minimum, and make provisions to prevent the use of adjacent streets for parking. Currently there is a shopping center on the property. The shopping center is a mixture of a Dr.'s office, a Smoke Shop. Papa John's, and a Tattoo parlor. The proposed 3,734 sq. ft. children's event center requires 38 parking spaces; 44 parking spaces are provided on the common parking area in the front and rear of the building. The existing businesses require 35 parking spaces and close at various times as follows: The Dr.'s office closes at 6:00 p.m., The Smoke Shop closes at 7:00 p.m., and Tattoo parlor closes at 9:00 p.m., and Papa John's closes at 12:00 a.m. Due to the times most businesses close there would be a shortage of about 15 parking spaces from 6 p.m. to 7 p.m., after The Smoke Shop closes there would be a shortage of about 8 parking spaces from 7 p.m. to 9 p.m. For all businesses to run simultaneously 73 parking spaces are required;

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

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

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

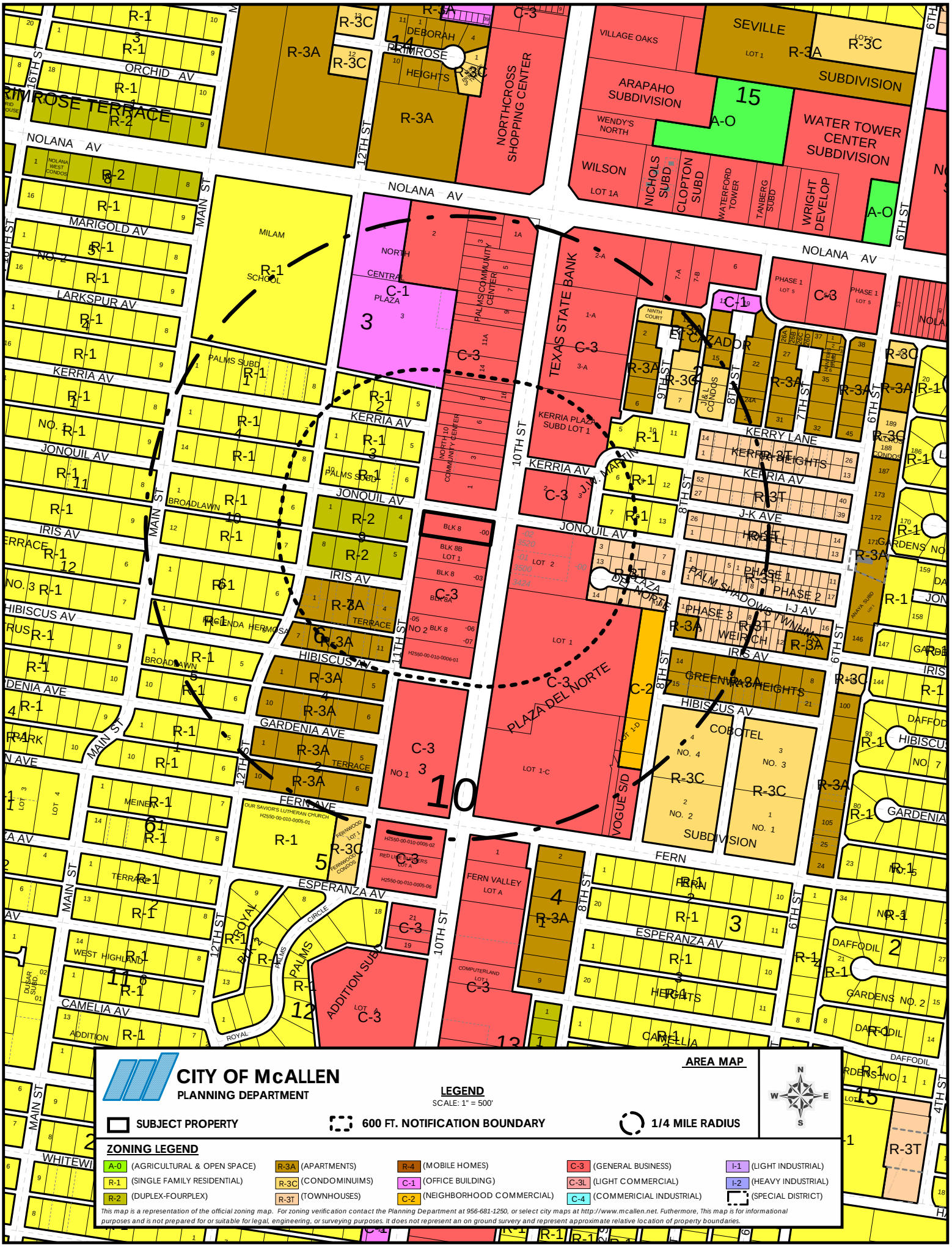
7) The above mentioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Planning Director. The maximum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

**OPTIONS:**

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

**RECOMMENDATION:**

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


CITY OF McALLEN
PLANNING DEPARTMENT
AREA MAP
LEGEND
SCALE: 1" = 500'
SUBJECT PROPERTY
600 FT. NOTIFICATION BOUNDARY
1/4 MILE RADIUS
ZONING LEGEND
A-O (AGRICULTURAL & OPEN SPACE)
R-1 (SINGLE FAMILY RESIDENTIAL)
R-2 (DUPLEX-FOURPLEX)
R-3A (APARTMENTS)
R-3C (CONDOMINUIMS)
R-3T (TOWNHOUSES)
R-4 (MOBILE HOMES)
C-1 (OFFICE BUILDING)
C-2 (NEIGHBORHOOD COMMERCIAL)
C-3 (GENERAL BUSINESS)
C-3L (LIGHT COMMERCIAL)
C-4 (COMMERICIAL INDUSTRIAL)
I-1 (LIGHT INDUSTRIAL)
I-2 (HEAVY INDUSTRIAL)
(SPECIAL DISTRICT)
This map is a representation of the official zoning map. For zoning verification contact the Planning Department at 956-681-1250, or select city maps at http://www.mcallen.net. Futhermore, This map is for informational purposes and is not prepared for or suitable for legal, engineering, or surveying purposes. It does not represent an on ground survey and represent approximate relative location of property boundaries.
NOLANA AV
ORCHID AV
MARIGOLD AV
LARKSPUR AV
KERRIA AV
JONQUIL AV
IRIS AV
HIBISCUS AV
GARDENIA AVE
FERN AVE
ESPERANZA AV
CAMELIA AV
KERRY LANE
J-K AVE
I-J AV
MAIN ST
12TH ST
10TH ST
8TH ST
7TH ST
6TH ST
9TH ST
11TH ST
16TH ST
RIMROSE TERRACE
NORTHCROSS SHOPPING CENTER
WATER TOWER CENTER SUBDIVISION
SEVILLE SUBDIVISION
ARAPAHO SUBDIVISION
VILLAGE OAKS
WENDY'S NORTH
WILSON
NICHOLS SUBD
CLOPTON SUBD
WATERFORD TOWER
TANBERG SUBD
WRIGHT DEVELOP
MILAM SCHOOL
NORTH CENTRAL PLAZA
PALMS COMMUNITY CENTER
NORTH 10 COMMUNITY CENTER
TEXAS STATE BANK
EL CAZADOR
KERRIA PLAZA SUBD LOT 1
PLAZA DEL NORTE
PALM SHADOWS TOWNHOMES
GREENVILLE HEIGHTS
COBOTEL SUBDIVISION
VOGUE S/D
FERN VALLEY
COMPUTERLAND
ADDITION SUBD
OUR SAVIOR'S LUTHERAN CHURCH
RED LINE SUPPERS
FERNWOOD CONDOS
J&L CONDOS
NINTH COURT
NOLANA WEST CONDOS
PALMS SUBD
BROADLAWN
MEINER
TERRACE
WEST HIGHLAND
ROYAL
PALMS CIRCLE
DAFFODIL
GARDENS NO. 2
HERITAGE HEIGHTS
WHITEWING

# CITY OF McALLEN

**PLANNING DEPARTMENT**

**AERIAL MAP**

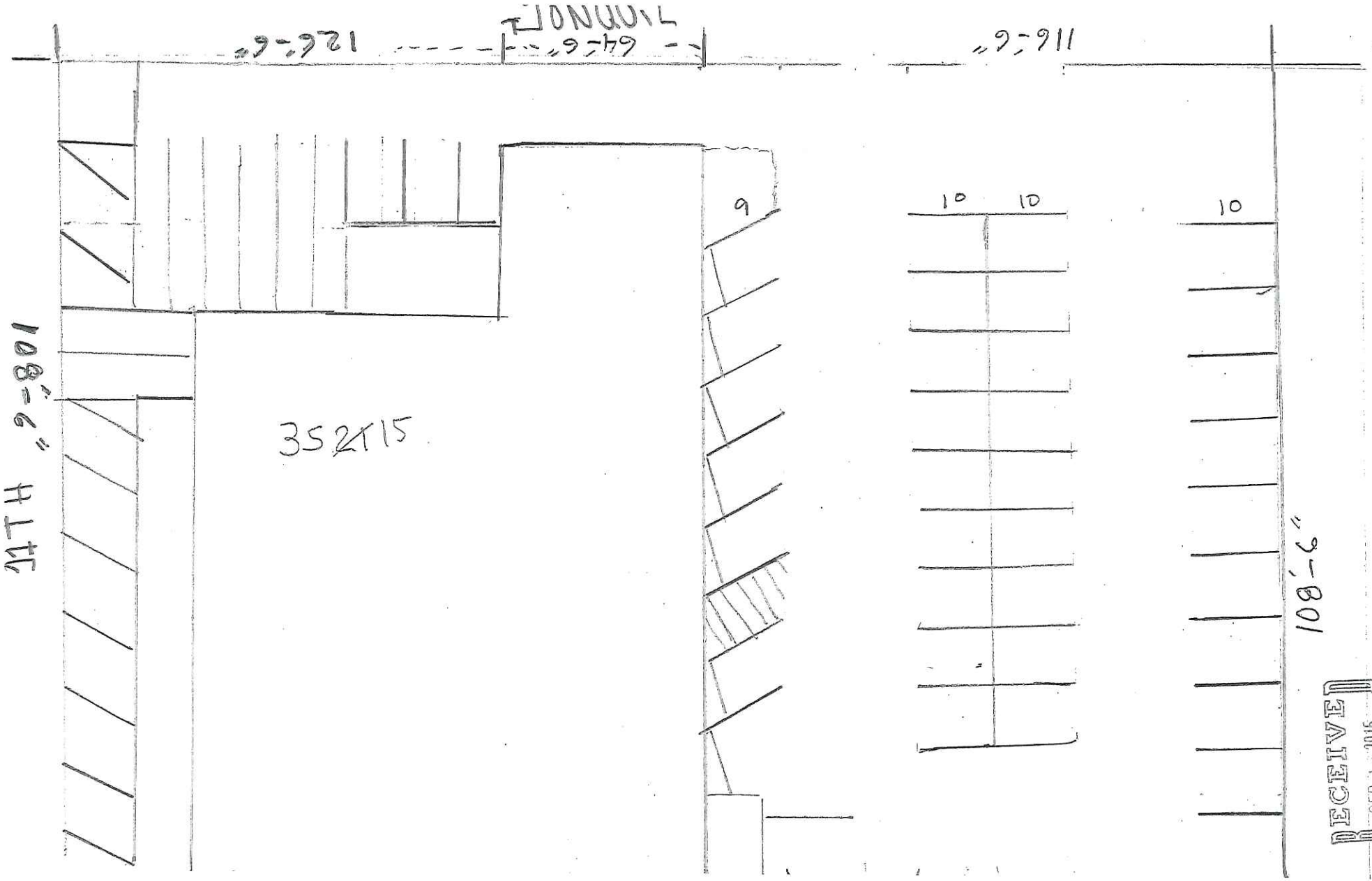
SCALE: N.T.S.

**SUBJECT PROPERTY**

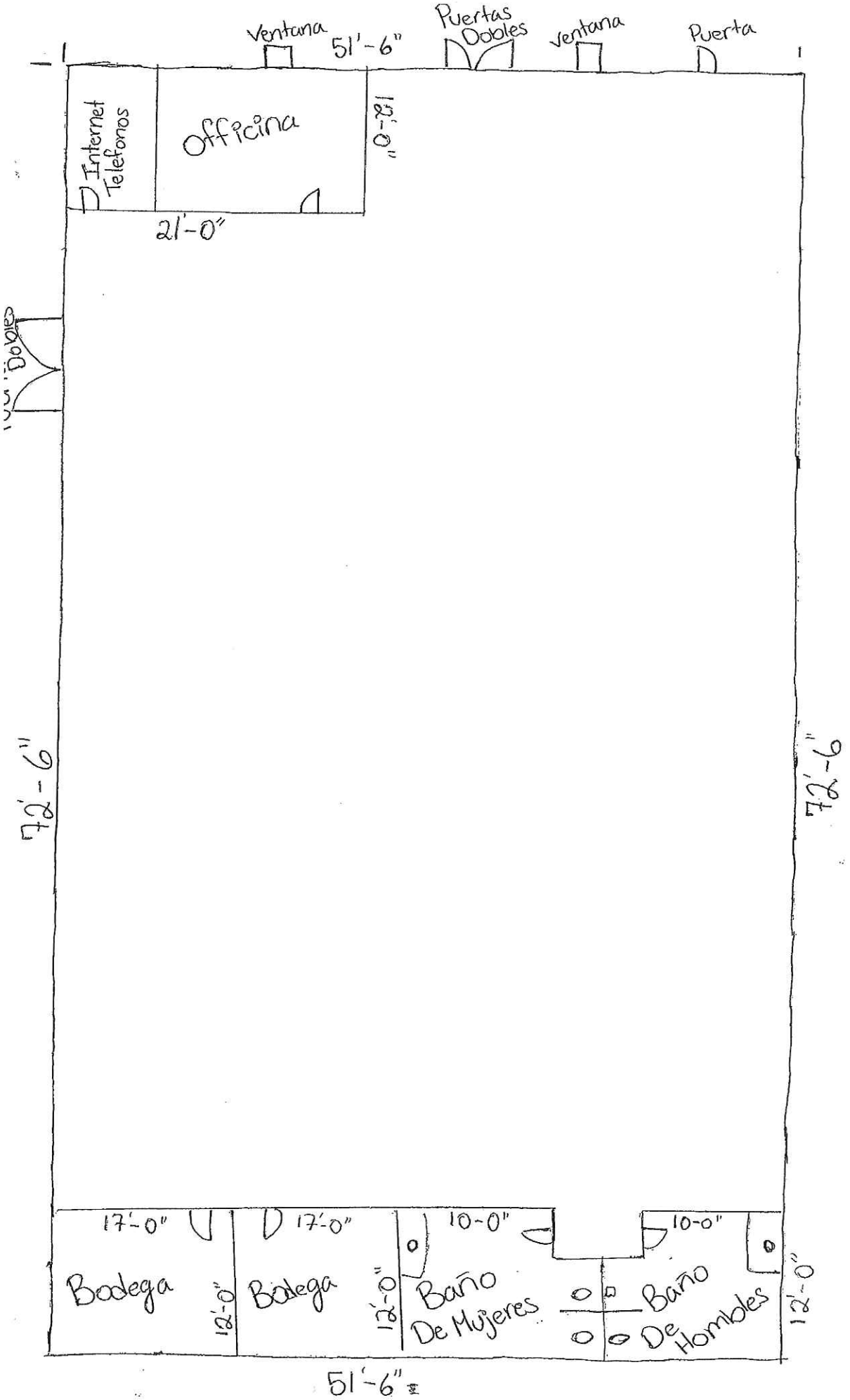
**600 FT. NOTIFICATION BOUNDARY**

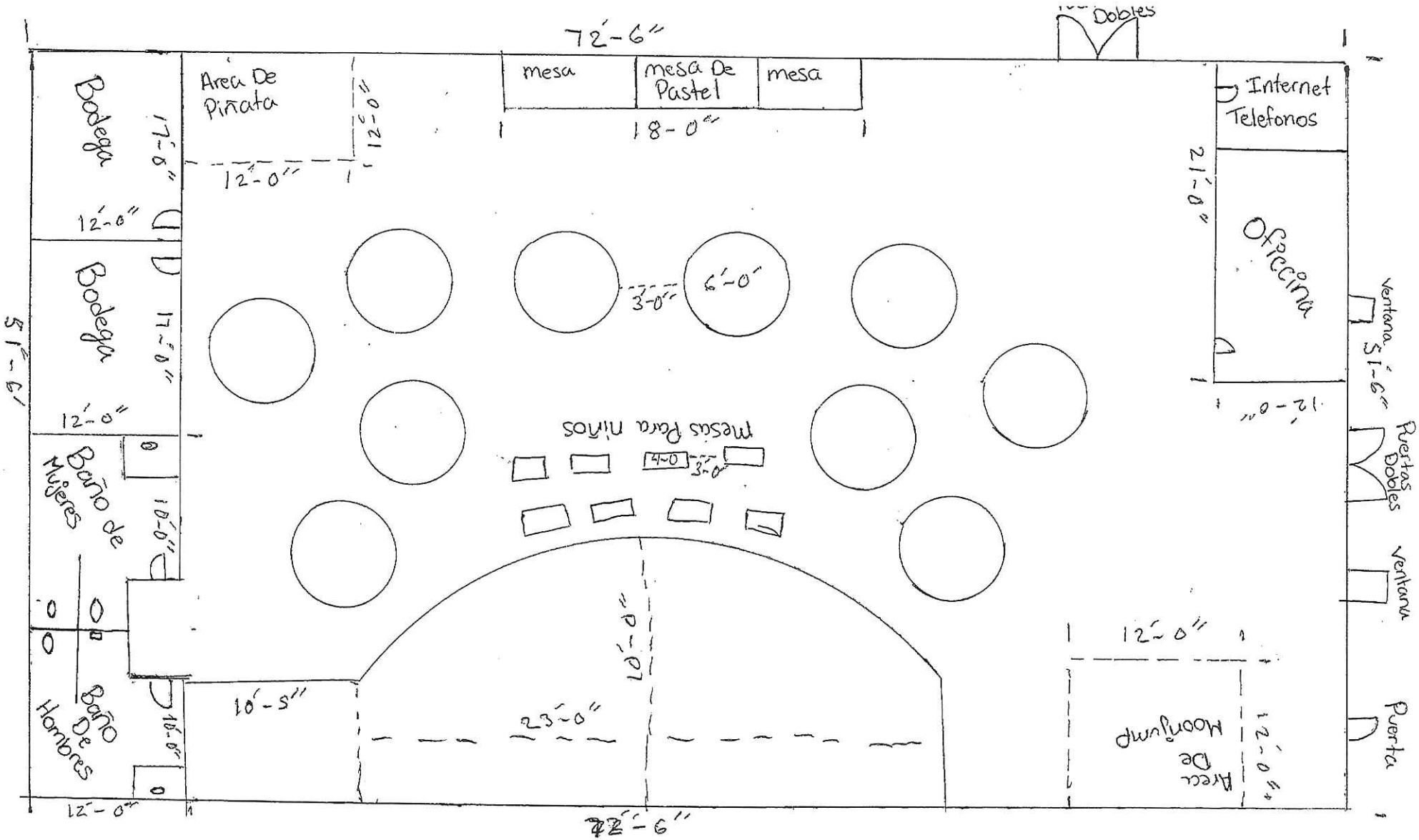
*This map is a representation of the official zoning map. For zoning verification contact the Planning Department at 956-681-1250, or select city maps at http://www.mcallen.net. Futhermore, This map is for informational purposes and is not prepared for or suitable for legal, engineering, or surveying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

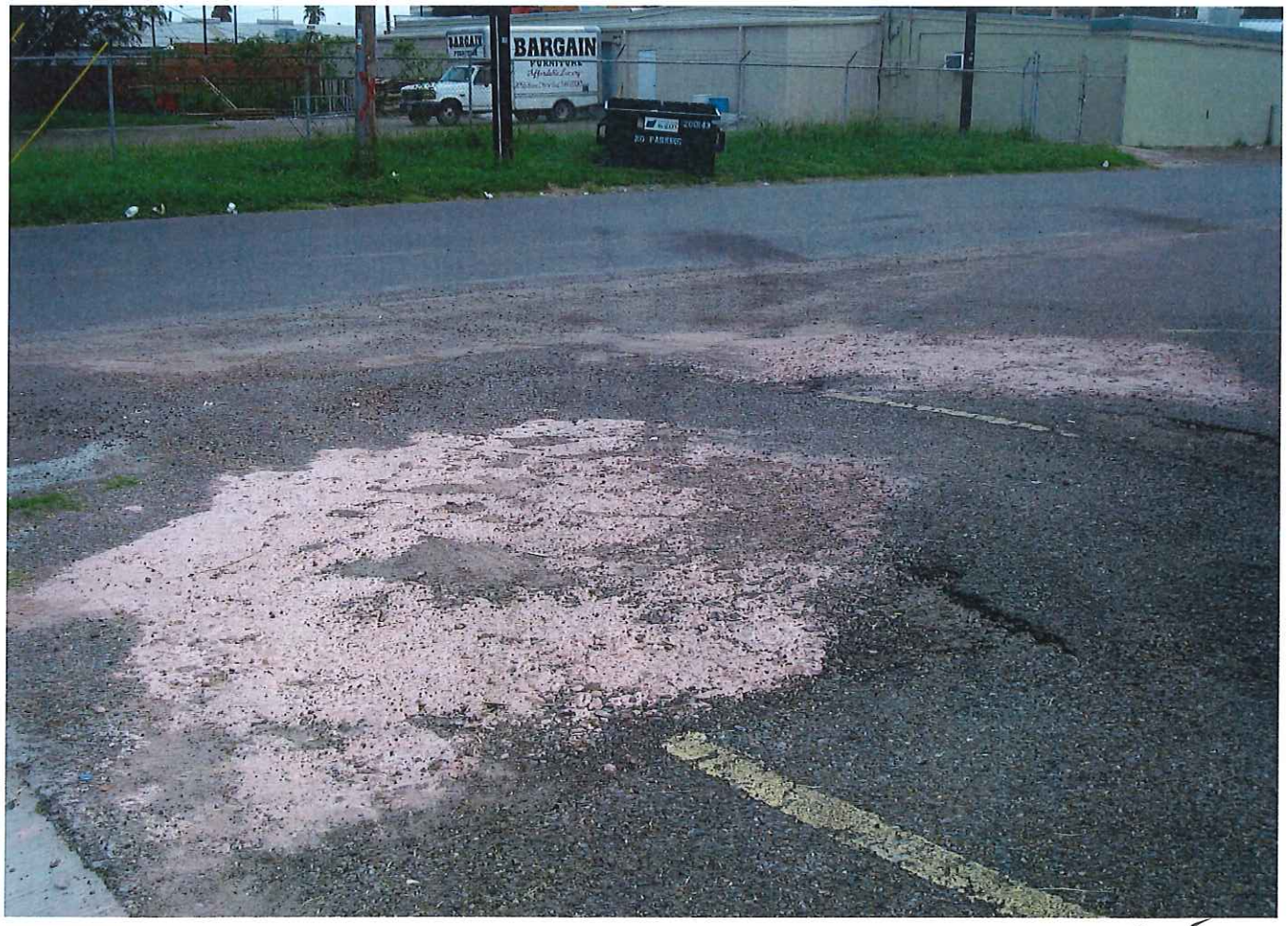
N
W E
S




RECEIVED
SEP 1 2015
BY:


Ventana
51'-6"
Puertas Dobles
ventana
Puerta
Internet Telefonos
Officina
18'-0"
21'-0"
Dobles
74'-6"
74'-6"
17'-0"
17'-0"
10-0"
10-0"
Bodega
18'-0"
Bodega
18'-0"
Baño De Mujeres
Baño De Hombres
18'-0"
51'-6"


72'-6"
Dobles
mesa
mesa De Pastel
mesa
18-0"
Area De Piñata
12'-0"
12'-0"
Internet Telefonos
21'-0"
Oficina
12'-0"
Bodega
17'-0"
12'-0"
Bodega
17'-0"
12'-0"
51'-6"
6'-0"
3'-0"
Mesas Para niños
4'-0
3'-0"
Baño de Mujeres
10'-0"
Baño De Hombres
10'-0"
12'-0"
10'-5"
23'-0"
10'-0"
12'-0"
Area De Moonjump
12'-0"
72'-6"
Ventana
51'-6"
Puertas Dobles
Ventana
Puerta




10-09-15

Fade-N-Blade
BARBER SHOP
PIZZA
PAPA JOHN'S
TATTOOS
INFAMOUS INK

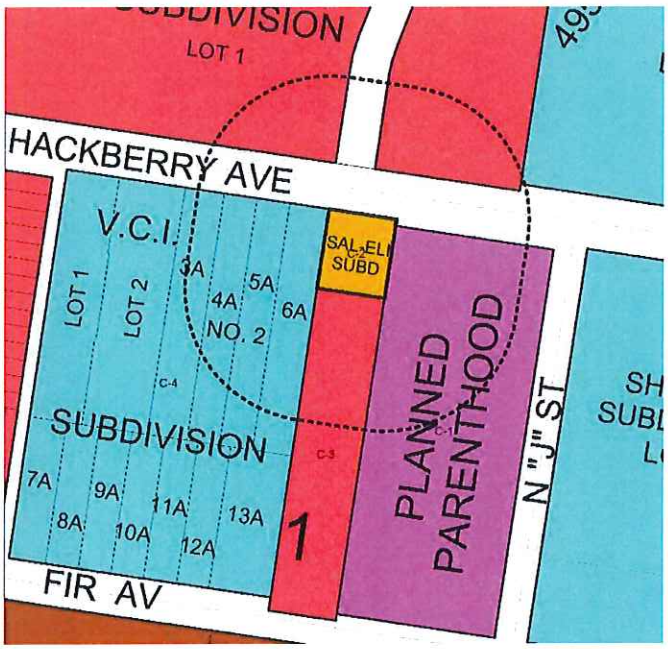
CHIROPRACTIC
CENTER OF McALLEN
SMOKE
SHOP
DISCOUNT CIGARETTES
3517
OPE
Jeep
CRT-0107

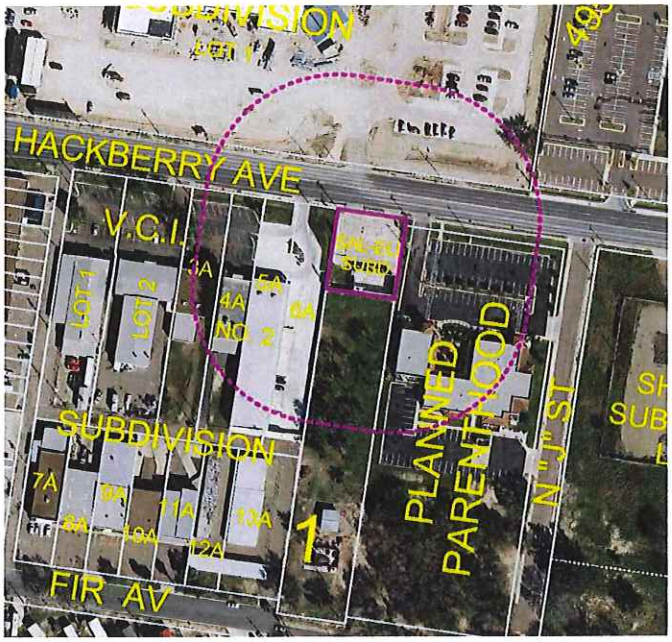
**REZ2015-0173: REZONE FROM C-2 (NEIGHBORHOOD COMMERCIAL) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: LOT A, SAL–ELI SUBDIVISION, HIDALGO COUNTY, TEXAS; 900 EAST HACKBERRY AVENUE. (REZ2015-0173)**

LOCATION: The tract is located along the south side of East Hackberry Avenue and 700 feet east of North McColl Road. The tract has 105 feet of frontage along East Hackberry Avenue and a depth of 118 feet for a tract size of 0.2870 acres.

PROPOSAL: The applicant is requesting C-3 (general business) District in order to establish an auto service and repair location. A feasibility plan has not been submitted to the Planning Department.

ADJACENT ZONING: Adjacent zoning is C-3 (general business) District to the north and south, C-1 (office building) District to the east, and C-4 (commercial-industrial) District to the west.



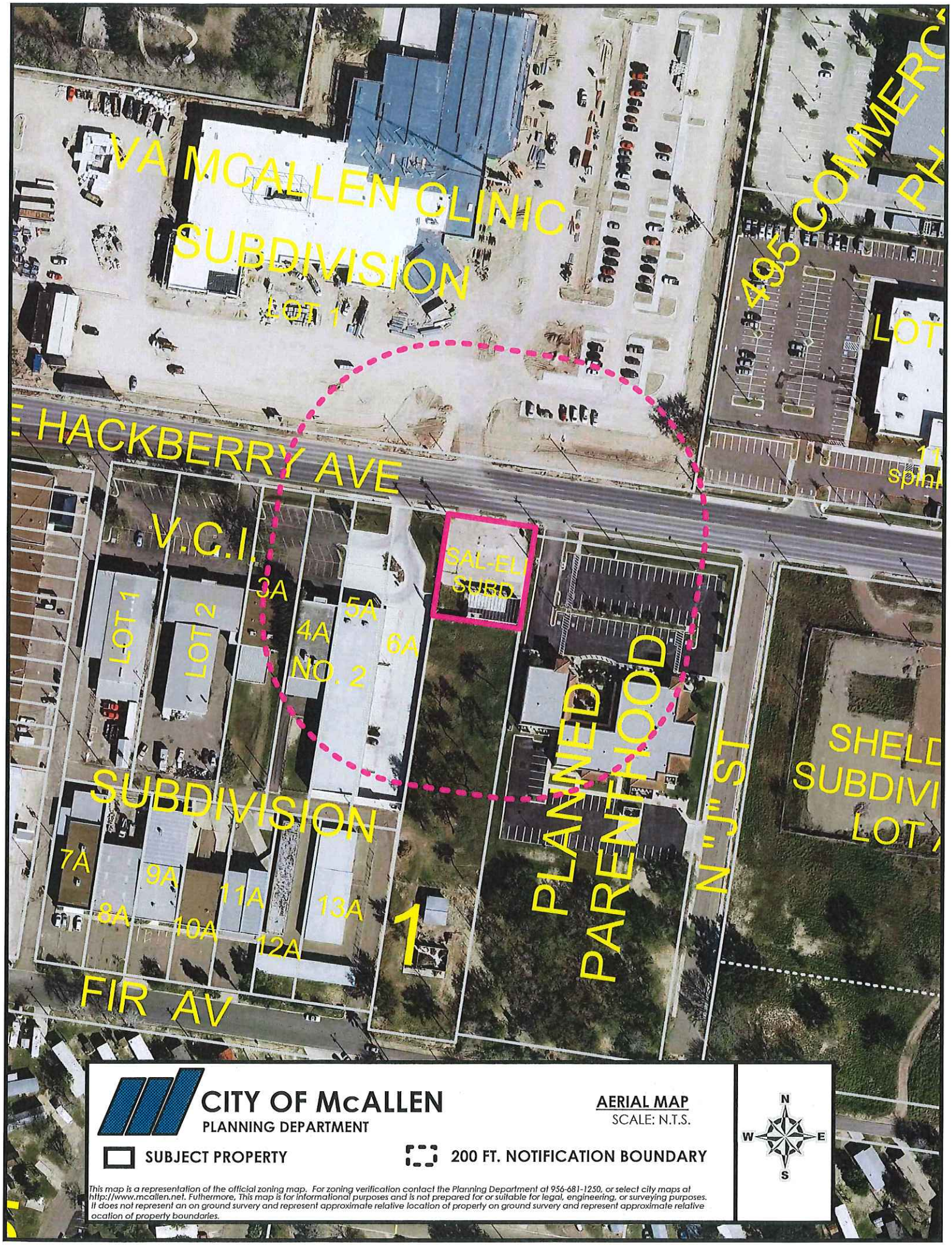

LAND USE: The tract comprises one parcel that currently contains a partial structure formerly a business by the name of Manila Food Plaza. Adjacent land uses are McAllen Business Center to the west which includes Ramirez Law Firm and other commercial business services. The Department of Veterans Affairs and McAllen VA outpatient clinic are located to the north. Access Esperanza Clinics and Mari Dansby English Center are located to the east. The area to the south is mostly vacant land.

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

DEVELOPMENT TRENDS: The development trend in the area is commercial-industrial along Hackberry Avenue. A rezoning request for the subject property for C-2 (neighborhood-commercial) District was approved in September 1987 and Sal-Eli Subdivision was recorded. A rezoning request to C-1 (office building) District for the adjacent property to the east was approved on April 14, 1998 and Planned Parenthood was constructed. The property to the west received approval for C-4 (commercial-industrial) District zoning in 1991 and VCI Subdivision was developed. The property to the north was approved for C-3 (general business) District in 2004.

ANALYSIS: The requested zoning conforms to the Industrial land use designation as indicated on the Foresight McAllen Comprehensive Plan. East Hackberry Avenue is designated as a major collector street with 80 feet of right of way and is constructed as a 4 lane roadway, curb and gutter, street lights, and a posted speed limit of 35 miles per hour. An approved site plan is required before any building permits are issued. A conditional use permit is required for auto service and repair and the applicant has been informed of this.

RECOMMENDATION:
Staff recommends approval of the rezoning request.




**CITY OF McALLEN**
PLANNING DEPARTMENT

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

SUBJECT PROPERTY

200 FT. NOTIFICATION BOUNDARY

N W E S

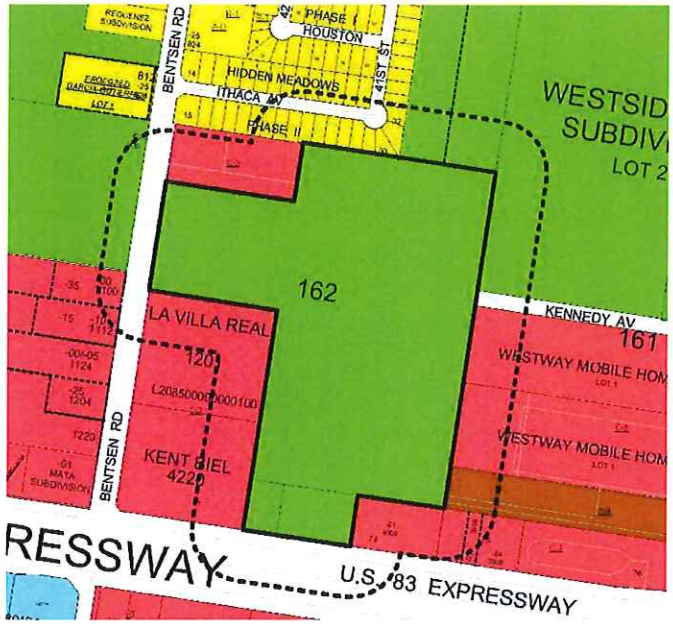
*This map is a representation of the official zoning map. For zoning verification contact the Planning Department at 956-681-1250, or select city maps at http://www.mcallen.net. Futhermore, This map is for informational purposes and is not prepared for or suitable for legal, engineering, or surveying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

**REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO C-3 (GENERALBUSINESS) DISTRICT: A 30.54 ACRE TRACT OF LAND OUT OF LOTS 71 & 73, R. E. HORN ADDITION AND LOT 162, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS; 4100 EXPRESSWAY 83 AND 1101 SOUTH BENTSEN ROAD. (REZ2015-0174)**

LOCATION: The tract is located along the east side of South Bentsen Road and along the north side of Expressway 83. The tract has 422.95 frontage along South Bentsen Road and 434.96 feet of frontage along Expressway 83 comprising 30.54 acres.

PROPOSAL: The applicant is requesting C-3 (general business) District in order to market the property for future development.

ADJACENT ZONING: Adjacent zoning is R-1 (single family residential) District to the north, A-O (agricultural-open space) District to the northeast and west across South Bentsen Road, C-3 (general business) District to the east, west and north, and R-4 (mobile home-modular home) District to the east.



LAND USE: The subject property is vacant land. Adjacent land uses are single family residences, mobile homes, Harley Davidson dealership, GMC auto dealership, Westside Park, and vacant land.

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

DEVELOPMENT TRENDS: The development trend for the area along Expressway 83 and South Bentsen Road is C-3 (general business) District. A city initiated rezoning to C-3 (general business) District in 2015 was withdrawn by the owner. Rezoning requests to C-3 (general business) District on adjacent tracts excluding the Gegenheimer tract were approved from 1999 to 2015. The requested zoning is consistent with the Auto Urban Commercial land use designation as shown on the Foresight McAllen Comprehensive Plan and the Ware Road Development Plan.

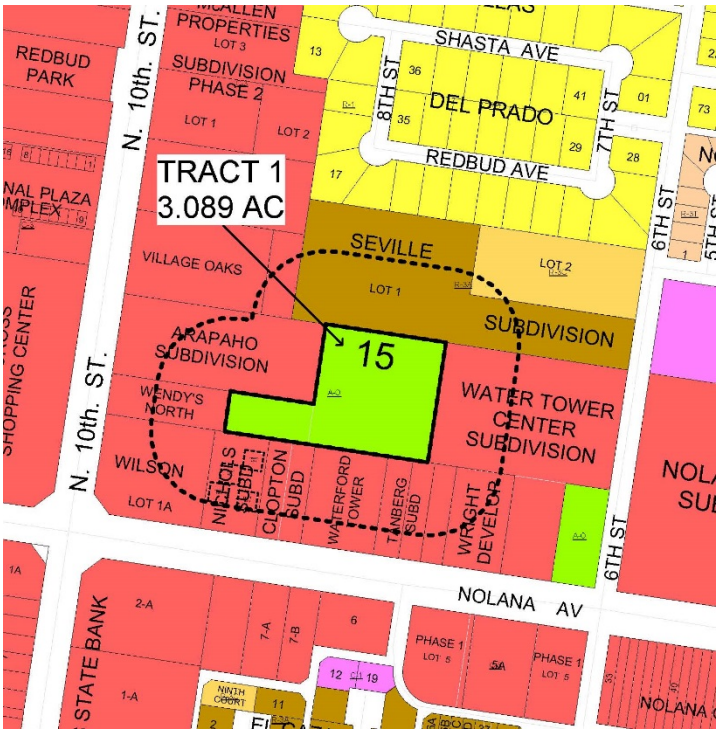
RECOMMENDATION:
Staff recommends approval of the rezoning request.

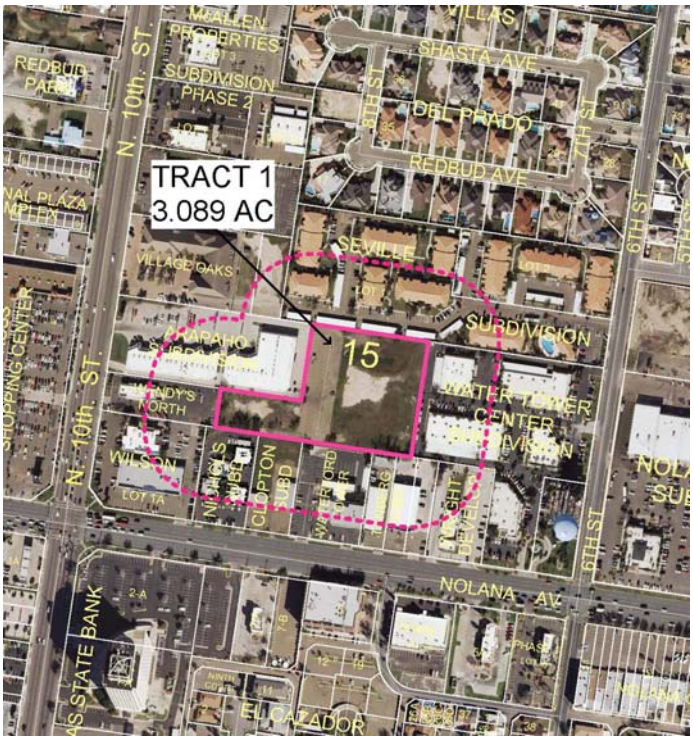
GALVESTON
MONTERREY ST
REQUENEZ SUBDIVISION
BENTSEN RD
42ND ST
PHASE I
HOUSTON
PROPOSED GARCIA-GUTIERREZ
LOT 1
HIDDEN MEADOWS
ITHACA AV
PHASE I
41ST ST
WESTSIDE SUBDIVI
LOT 2
162
LA VILLA REAL
1201
L20850000000100
KENNEDY AV
161
WESTWAY MOBILE HOME
WESTWAY MOBILE HOME
KENT HIEL
1221
MATA SUBDIVISION
BENTSEN RD
PRESSWAY
U.S. 83 EXPRESSWAY
ENTSEN ROAD PLAZA SUBDIVISION
163
GUZMAN SUBD.
LOT 1
SUBURBAN CITRUS GROVES
PHASE 1A
CITRUS GROVE PLAZA SUBD
McALLEN
164
STONE O
PHASE
STONE OAK PLAZ
ASE 1 SUBD
LOT 2
BATH RD
BENTSEN RD
COLBATH
CITY OF McALLEN
PLANNING DEPARTMENT
AERIAL MAP
SCALE: N.T.S.
N
W
E
S
SUBJECT PROPERTY
200 FT. NOTIFICATION BOUNDARY
on ground survery and represent approximate relative location of property boundaries.

**TRACT 1: REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: 3.089 ACRES OUT OF LOT 15, BLOCK 11, HIDALGO CANAL COMPANY, HIDALGO COUNTY, TEXAS; 4012 – 4112 NORTH 10TH STREET. (REZ2015-0175)**

LOCATION: The tract is an interior tract located 270 feet north of Nolana Avenue and 550 feet east of 10th Street. The tract has a width of 560 feet and a depth of 330 feet for a tract size of 3.089 acres.

ADJACENT ZONING: Adjacent zoning is C-3 (general business) District to the east, south, and west, and R-3A (multifamily residential apartment) and R-3C (multifamily residential condominium) Districts to the north.




LAND USE: The tract comprises two parcels that are currently a parking lot and vacant land. Adjacent land uses are Water Tower Retail Center, Burger King, Osment's Appliance Center, Inter National Bank, Sun Plaza, House of China, Jimmy's Egg, and Village Oaks Retail Center,

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

DEVELOPMENT TRENDS: The development trend is general business commercial for tracts fronting 10th Street and Nolana Avenue. 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. Four rezoning requests for C-3 (general business) District on the adjacent tracts were approved from 1986 to 1995 and were developed as a restaurant, retail and offices. The tracts are owned by adjacent properties fronting 10th Street and could be subdivided to provide expansion of adjacent commercial uses.

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

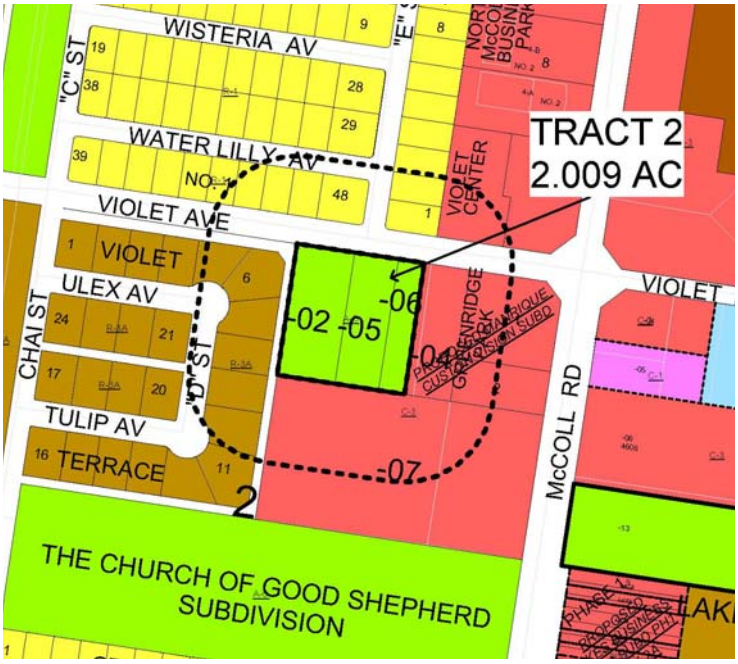
RECOMMENDATION:
Staff recommends approval.

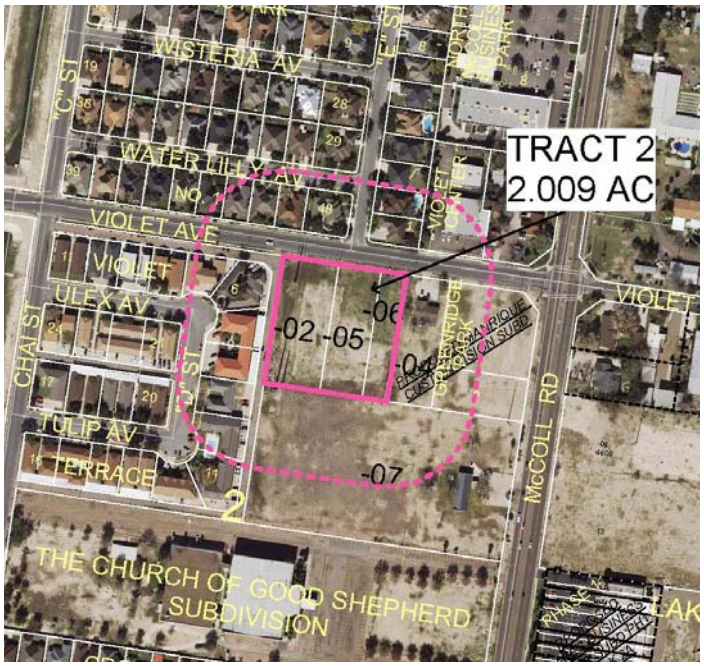
TRACT 1
3.089 AC
15
GREEN
VILLAS
SHASTA AVE
DEL PRADO
REDBUD AVE
McALLEN PROPERTIES SUBDIVISION PHASE 2
REDBUD PARK
N. 10th. ST.
8TH ST
7TH ST
6TH ST
5TH ST
SEVILLE
SUBDIVISION
VILLAGE OAKS
ARAPAHO SUBDIVISION
WENDY'S NORTH
WATER TOWER CENTER SUBDIVISION
WILSON
LOT 1A
NICHOLS SUBD
CLOPTON SUBD
WATERFORD TOWER
TANBERG SUBD
WRIGHT DEVELOP
NOLANA SUB
NOLANA AV
TEXAS STATE BANK
NINTH COURT
EL CAZADOR
2
J&L CONDOS
KERRIA PLAZA SUBD LOT 1
KERRY LANE
PHASE 1 LOT 5
PHASE 1 LOT 3
NOLANA G
SHOPPING CENTER

**TRACT 2: REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENT) DISTRICT: 2.009 ACRES OUT OF LOT 2, BLOCK 7, STEELE & PERSHING SUBDIVISION, HIDALGO COUNTY, TEXAS; 516 – 524 EAST VIOLET AVENUE. (REZ2015-0176)**

LOCATION: The tract is located along the south side of Violet Avenue and 280 feet west of McColl Road. The tract has a width of 290 and a depth of 300 feet for a tract size of 2.009 acres.

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



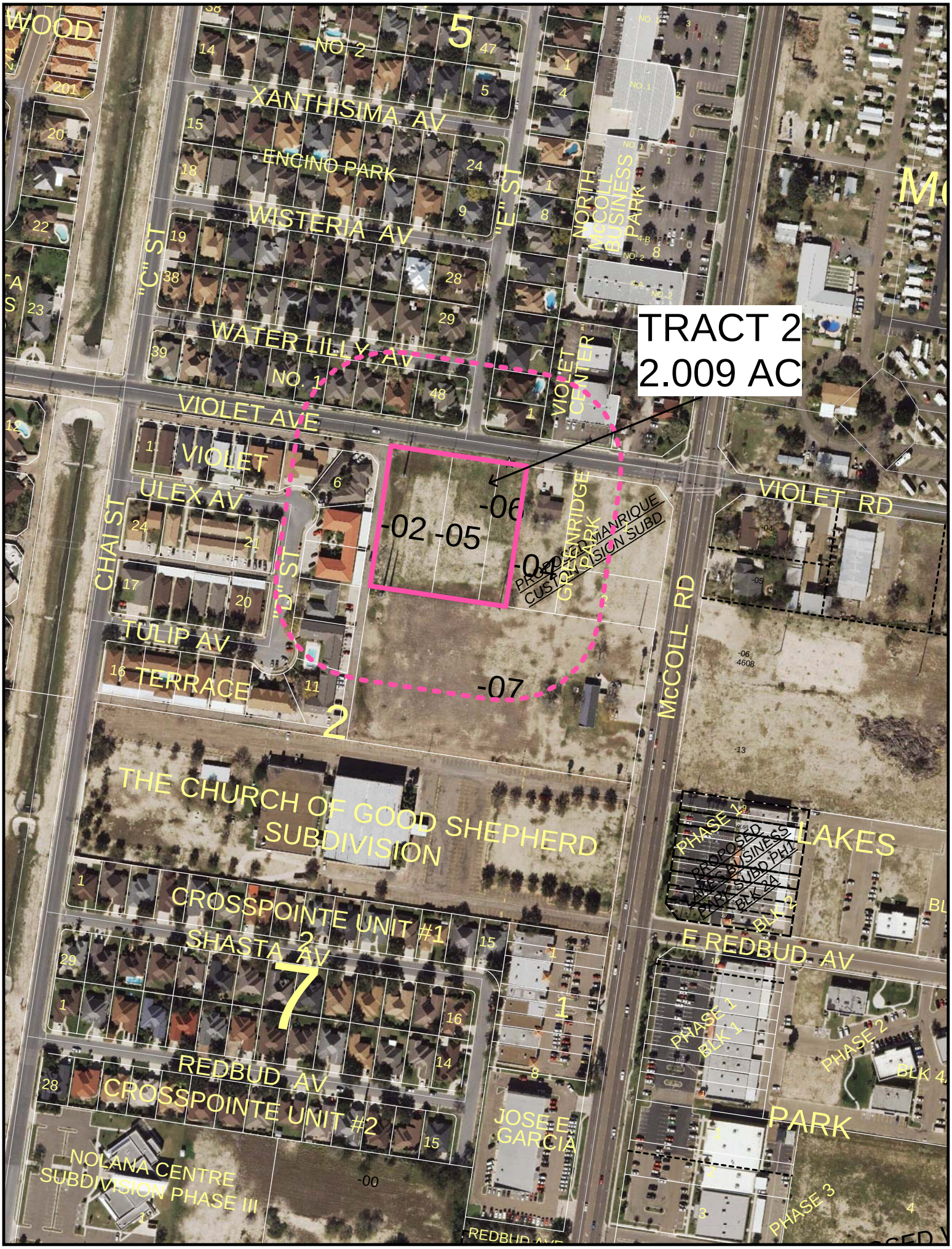

LAND USE: The tract comprises three parcels that are currently vacant land. Adjacent land uses are a single family residences, multifamily apartments, Roberto Salazar Law Office, The Red Barn BBQ, and McAllen Mobile Park.

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

DEVELOPMENT TRENDS: The development trend for properties along the south side of Violet Avenue and west of McColl Road is apartments. The property was zoned A-O (agricultural & open space) District upon annexation in 1985. There have been no rezoning requests on the property since that time. Two rezoning requests for C-3 (general business) District on adjacent tracts to the east and south were approved in 1996 and one tract was developed as a law office. A rezoning request for R-3A (multifamily residential apartment) District on the adjacent tract to the west was approved in 1982 and Violet Terrace Subdivision was developed for apartments. A rezoning request for R-1 (single family residential) District for the tract to the north was approved in 1989 and Encino Park Unit 1 was developed for single family residences. Violet Avenue is designated as a major collector with 80 feet of right-of-way and is constructed with 40 feet of pavement providing 2 travel lanes and 2 parking lanes.

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

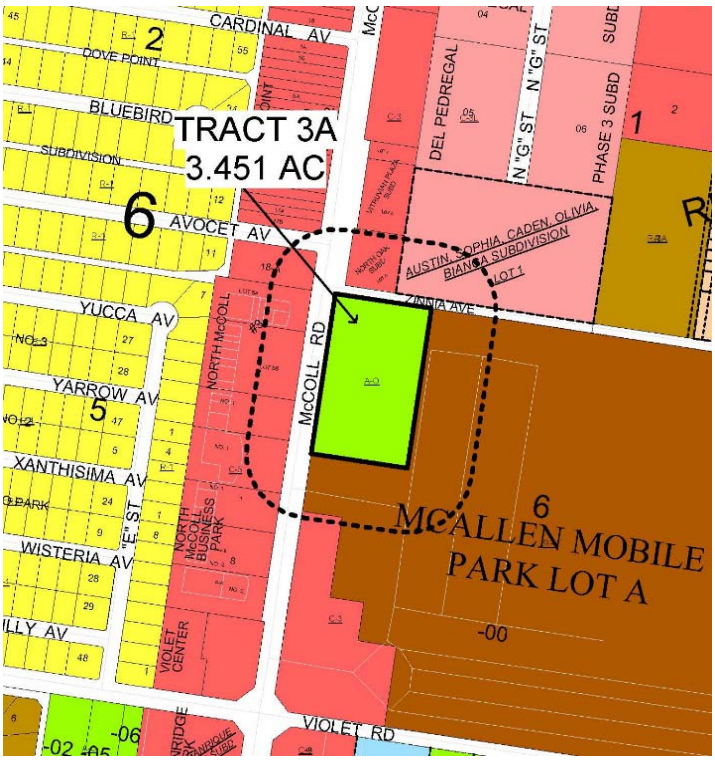
RECOMMENDATION:
Staff recommends approval.

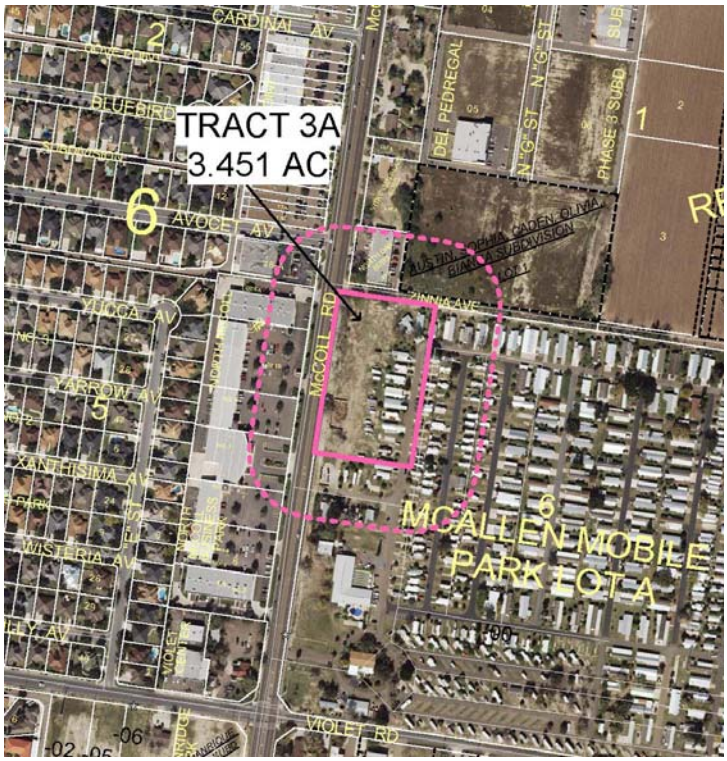

TRACT 2
2.009 AC
XANTHISIMA AV
ENCINO PARK
WISTERIA AV
WATER LILLY AV
VIOLET AVE
VIOLET
ULEX AV
TULIP AV
TERRACE
CHAI ST
"C" ST
"D" ST
"E" ST
McCOLL RD
VIOLET RD
NORTH McCOLL BUSINESS PARK
VIOLET CENTER
GREENRIDGE PARK
PROPOSED CUSTOMANRIQUE DIVISION SUBD
-02
-05
-06
-07
THE CHURCH OF GOOD SHEPHERD SUBDIVISION
CROSSPOINTE UNIT #1
SHASTA AV
REDBUD AV
CROSSPOINTE UNIT #2
NOLANA CENTRE SUBDIVISION PHASE III
JOSE E. GARCIA
PHASE 1
PHASE 2
PHASE 3
PROPOSED LAKES BUSINESS PARK SUBD PH1
E REDBUD AV
PARK

**TRACT 3A: REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: 3.451 ACRES OUT OF LOT 6, BLOCK 6, STEELE & PERSHING SUBDIVISION, HIDALGO COUNTY, TEXAS; 4900 NORTH MCCOLL ROAD. (REZ2015-0177)**

LOCATION: The tract is located at the southwest corner of Zinnia Avenue and McColl Road. The tract has 500 feet of frontage along McColl Road and a depth of 300 feet for a tract size of 3.541 acres.

ADJACENT ZONING: Adjacent zoning is C-3 (general business) District to the north and west, C-3L (light commercial) District to the northeast and R-4 (mobile home and modular home) District to the east and south.



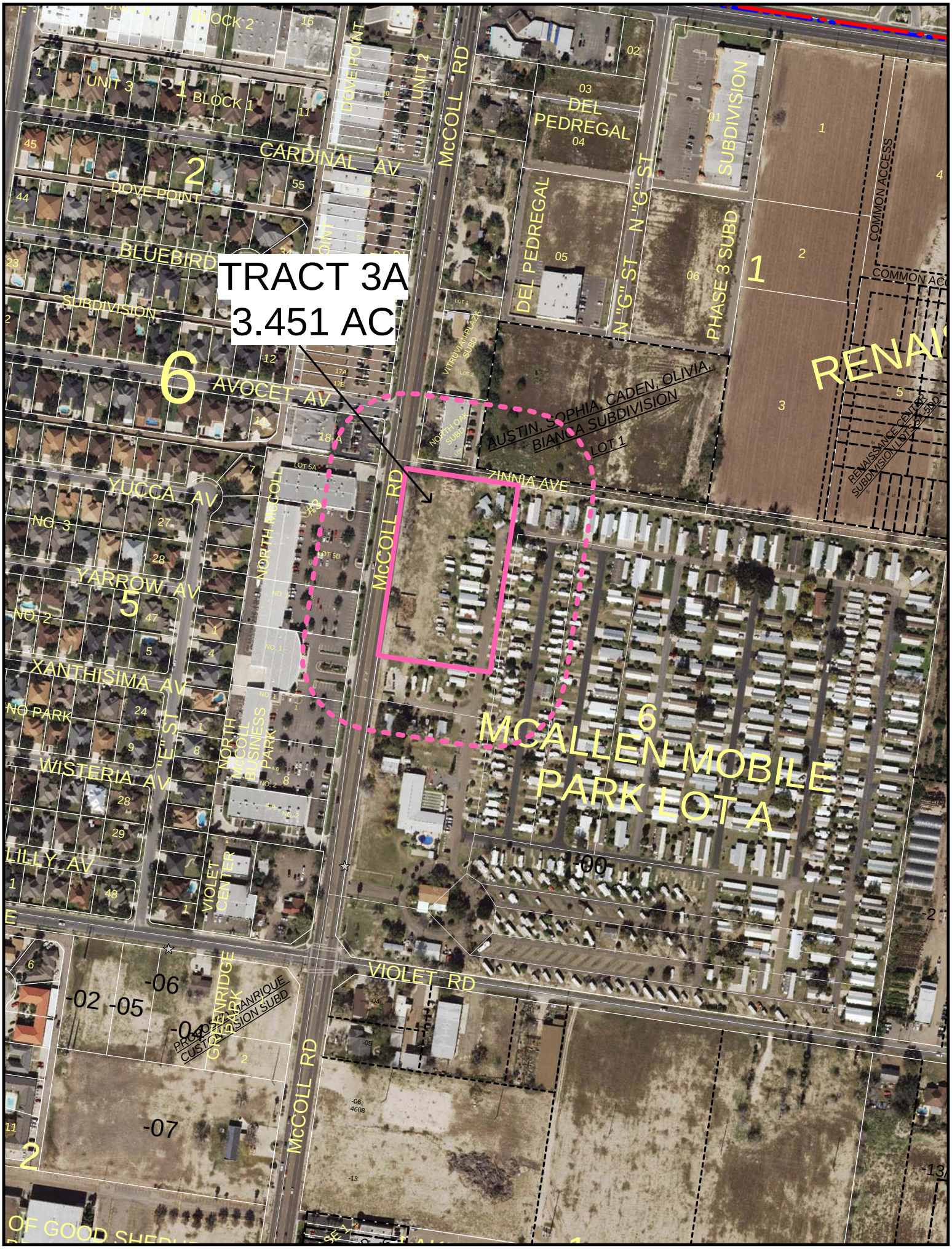

LAND USE: The tract comprises one parcel that contains vacant land and mobile homes. Adjacent land uses are mobile homes, National Nursing and Rehab, North McColl Business Park, and Cantu Construction.

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

DEVELOPMENT TRENDS: The development trend for properties fronting along this area of McColl Road is general business commercial. The property was zoned A-O (agricultural & open space) District upon annexation in 1989. There have been no rezoning requests on the property since that time. An initial zoning request for R-4 (mobile home and modular home) District on the adjacent tract to the east was approved in 1989 for the existing McAllen Mobile Park. Four rezoning request for C-3 (general business) District and C-3L (light commercial) District on adjacent tracts were approved from 1992 to 2006 and commercial uses including restaurants, retail and offices were developed. McColl Road is designated as a principal arterial with 120 feet of right-of-way and currently contains right-of-way ranging between 80 feet and 100 feet providing 4 travel lanes, a left turn land and no shoulders.

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

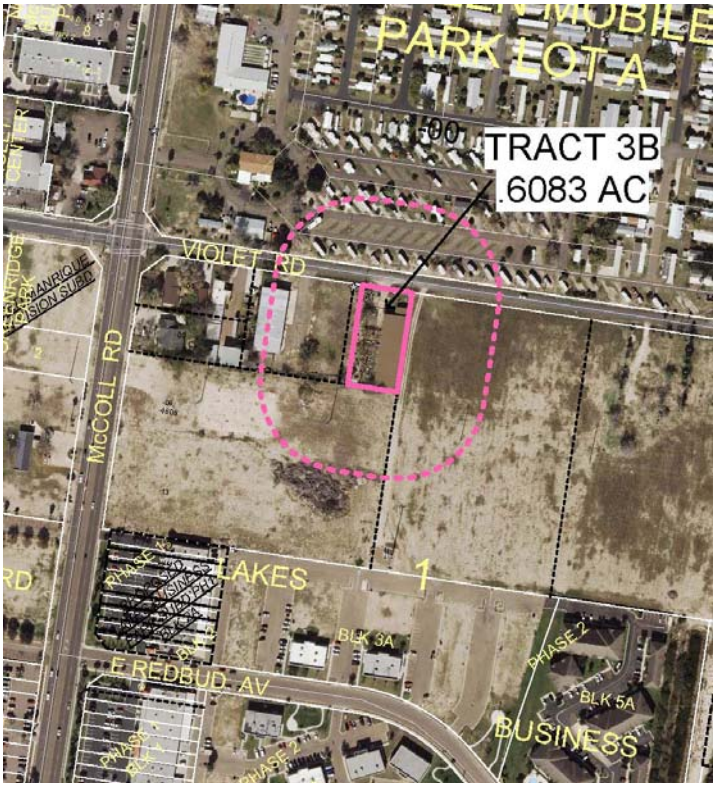
RECOMMENDATION:
Staff recommends approval.


TRACT 3A
3.451 AC
McCOLL RD
CARDINAL AV
DOVE POINT
BLUEBIRD
SUBDIVISION
AVOCET AV
YUCCA AV
YARROW AV
XANTHISIMA AV
WISTERIA AV
LILLY AV
NORTH McCOLL
NORTH McCOLL BUSINESS PARK
VIOLET CENTER
DEL PEDREGAL
N "G" ST
PHASE 3 SUBD
COMMON ACCESS
RENAISSANCE CENTER SUBDIVISION LOT 2 SUBD
AUSTIN, SOPHIA, CADEN, OLIVIA, BIANCA SUBDIVISION
LOT 1
ZINNIA AVE
MCALLEN MOBILE PARK LOT A
VIOLET RD
GREENRIDGE PARK
PROPOSED CUSTOM SUBDIVISION SUBD
OF GOOD SHEPH

**TRACT 3B: REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO C-4 (COMMERCIAL INDUSTRIAL) DISTRICT: .6083 ACRES OUT OF LOT 1, BLOCK 7, STEELE & PERSHING SUBDIVISION, HIDALGO COUNTY, TEXAS; 816 EAST VIOLET AVENUE. (REZ2015-0178)**

LOCATION: The tract is located along the south side of Violet Road and 450 feet east of McColl Road. The tract has 110 feet of frontage along Violet Avenue and a depth of 230 feet for a tract size of .6083 acres.

ADJACENT ZONING: Adjacent zoning is R-4 (mobile home and modular home) District to the north, A-O (agriculture-open space) District to east, C-3 (general business) District to the south, and C-4 (commercial industrial) District to the west.




LAND USE: The tract comprises one parcel that contains McAllen Radiator Services. Adjacent land uses are McAllen Mobile Park, Peterson Construction and vacant land.

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

DEVELOPMENT TRENDS: The development trend for properties located at McColl and Violet Avenue is commercial. The property was zoned A-O (agricultural & open space) District upon annexation in 1989. There have been no rezoning requests on the property since that time. Four commercial rezoning requests on adjacent tracts were approved from 1989 to 1994 for existing commercial uses that were developed prior to annexation. The subject property is an existing commercial uses that was developed prior to annexation and is a permitted use within the C-4 (commercial industrial) District. The tract to the west was rezoned to C-4 (commercial industrial) District in 1990 for a contractor's yard and office for Peterson Construction. Violet Avenue is designated as a major collector with 80 feet of right-of-way and currently contains 40 feet of right-of-way for a rural street with 2 travel lanes and no shoulders.

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

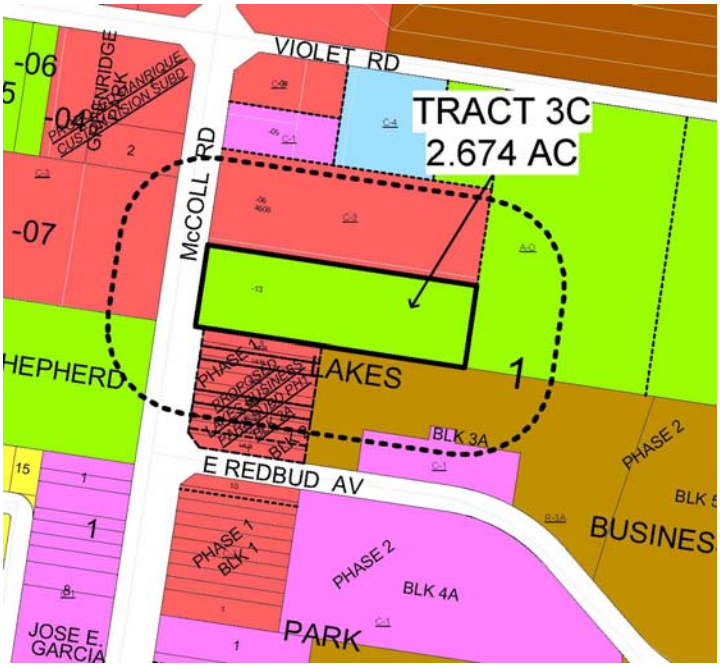
RECOMMENDATION:
Staff recommends approval.

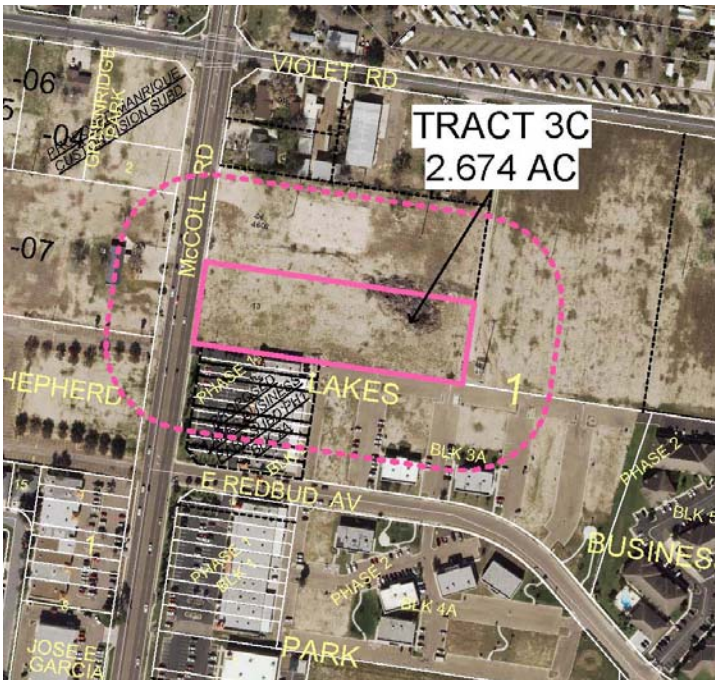
TRACT 3B
.6083 AC
MCALLEN MOBILE PARK LOT A
VIOLET RD
McCOLL RD
NORTH McCOLL BUSINESS PARK
VIOLET CENTER
GREENRIDGE PARK
PROP. CUSTOM MANRIQUE DIVISION SUBD
PHASE 2
PROPOSED BUSINESS PARK SUBD PH1
BLK 2A
BLK 2
LAKES
BLK 3A
E REDBUD AV
PHASE 2
BLK 5A
BUSINESS
PHASE 1
BLK 1
PHASE 2
BLK 4A
PARK
JOSE E. GARCIA
PHASE 3
PROPOSED VIDA BUENA SUBD
LOT 1
SUBDIVISION
EDBUD AVE

**TRACT 3C: REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: 2.674 ACRES OUT OF LOT 1, BLOCK 7, STEELE & PERSHING SUBDIVISION, HIDALGO COUNTY, TEXAS; 4500 NORTH MCCOLL ROAD. (REZ2015-0179)**

LOCATION: The tract is located along the east0 side of McColl Road and 240 feet north of Redbud Avenue. The tract has 190 feet of frontage along McColl Road and a depth of 620 feet for a tract size of 2.674 acres.

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



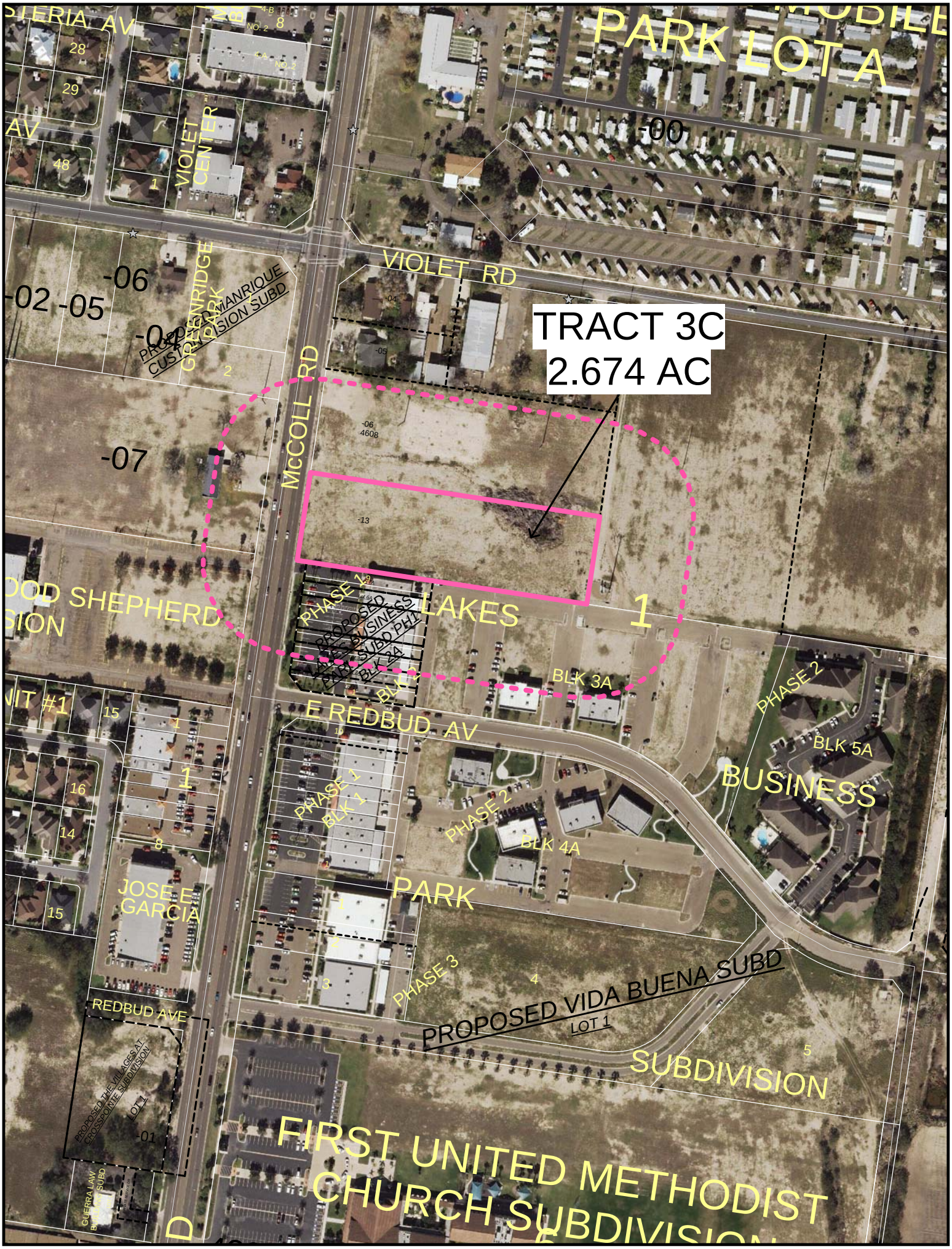

LAND USE: The tract comprises one parcel that is currently vacant land. Adjacent land uses are The Lakes Business Park, Valley Worship Center, and The Law Office of Roberto Salazar.

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

DEVELOPMENT TRENDS: The development trend for properties located at McColl and Violet Avenue is commercial. The property was zoned A-O (agricultural & open space) District upon annexation in 1989. There have been no rezoning requests on the property since that time. Four rezoning requests for C-3 (general business) District and C-1 (office building) District on the adjacent tracts were approved from 1994 to 2001 and commercial developments were constructed for offices. McColl Road is designated as a principal arterial with 120 feet of right-of-way and currently contains right-of-way ranging between 80 feet and 100 feet providing 4 travel lanes, a left turn land and no shoulders.

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

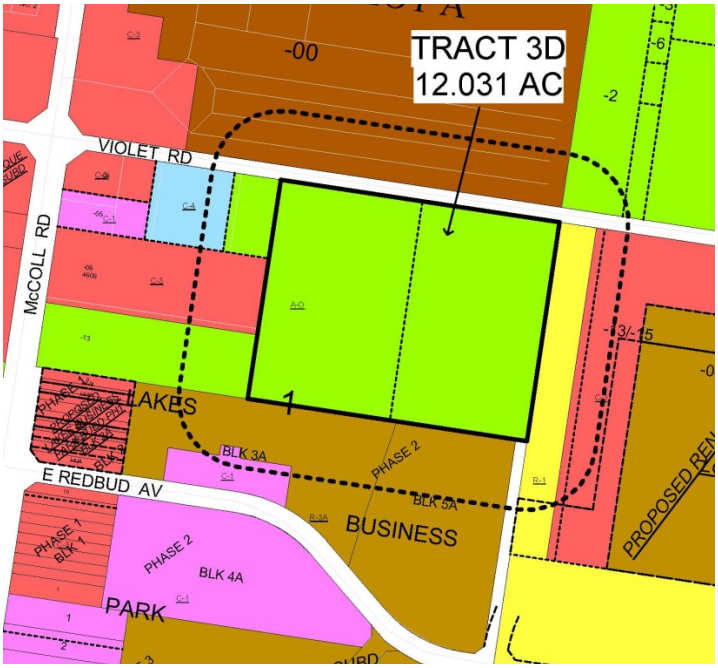
RECOMMENDATION:
Staff recommends approval.

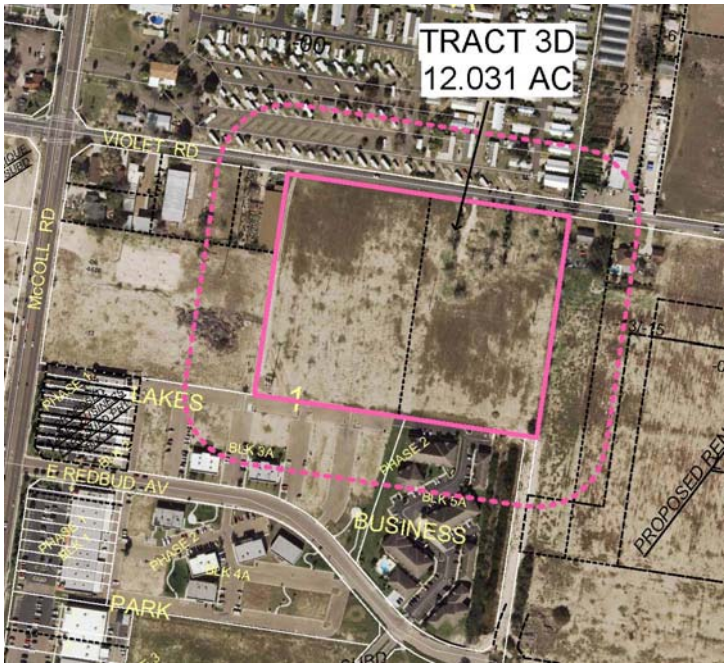

TRACT 3C
2.674 AC
PARK LOT A
VIOLET RD
McCOLL RD
E REDBUD AV
REDBUD AVE
VIOLET CENTER
GREENRIDGE PARK
PROPOSED CUSTOMANRIQUE SUBDIVISION SUBD
PHASE 1
PROPOSED BUSINESS PARK SUBD PH1
BLK 1
BLK 2A
BLK 3A
BLK 4A
BLK 5A
PHASE 2
PHASE 3
BUSINESS
PARK
LAKES
JOSE E. GARCIA
PROPOSED VIDA BUENA SUBD
LOT 1
SUBDIVISION
PROPOSED THE VILLAGES AT CROSSPOINTE SUBDIVISION
LOT 1
GUERRA LAW BUSINESS SUBD
FIRST UNITED METHODIST CHURCH SUBDIVISION
-00
-01
-02
-05
-06
-07
-13

**TRACT 3D: REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENTS) DISTRICT: 12.031 ACRES OUT OF LOT 1, BLOCK 7, STEELE & PERSHING SUBDIVISION, HIDALGO COUNTY, TEXAS; 900 – 1100 EAST VIOLET AVENUE. (REZ2015-0180)**

LOCATION: The tract is located along the south side of Violet Avenue and 620 feet east of McColl Road. The tract has 820 feet of frontage along Violet Avenue and a depth of 640 feet for a tract size of 12.031 acres.

ADJACENT ZONING: Adjacent zoning is R-4 (mobile home) District to the north, R-1 (single family residential) District to the east, R-3A (multifamily apartments) District to the south, and C-3 (general business) District and A-O (agriculture-open space) Districts to the west,



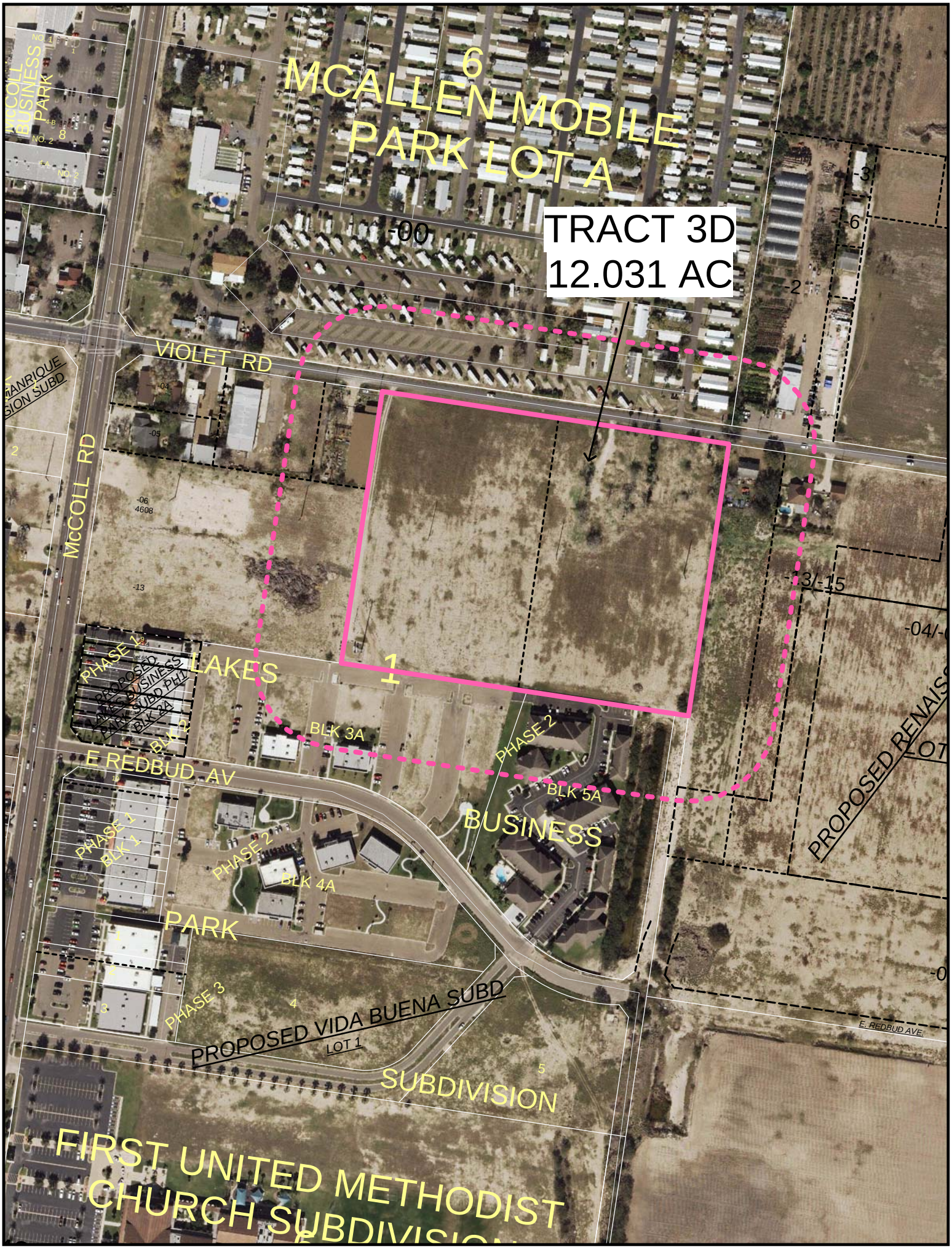

LAND USE: The tract comprises two parcels that are currently vacant land with a cell tower. Adjacent land uses are The McAllen Mobile Home Park, McAllen Radiator Services, The Lakes Apartments, a single family residence and vacant land.

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

DEVELOPMENT TRENDS: The development trend for properties in the area is multifamily apartments. The property was zoned A-O (agricultural & open space) District upon annexation in 1989. There have been no rezoning requests on the property since that time. Four rezoning requests for R-3A (multifamily residential apartments) on adjacent tracts were approved from 2002 to 2015 and The Lakes Apartment was constructed. A rezoning request to R-3A (multifamily residential apartment) District was approved on a tract to the east but is currently vacant land. Violet Avenue is designated as a major collector with 80 feet of right-of-way and currently contains 40 feet of right-of-way for a rural street with 2 travel lanes and no shoulders.

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

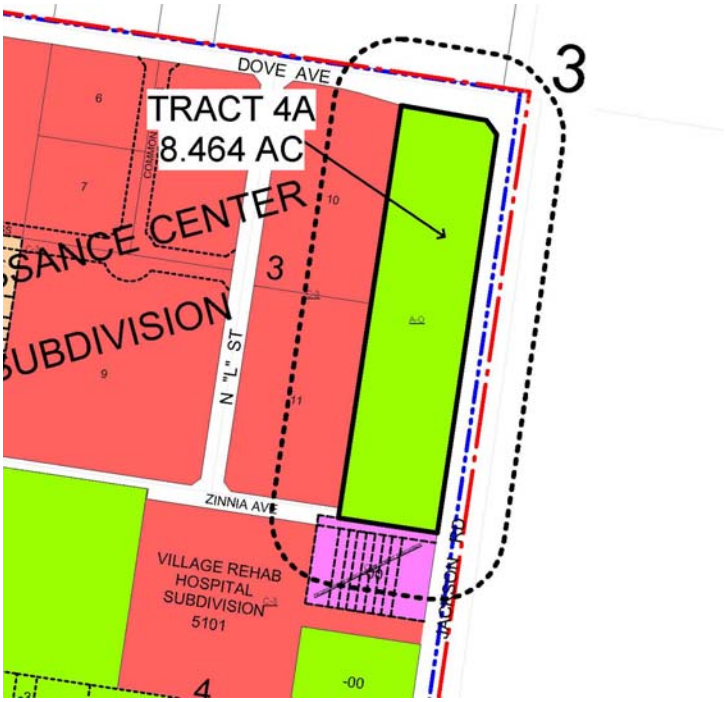
RECOMMENDATION:
Staff recommends approval.

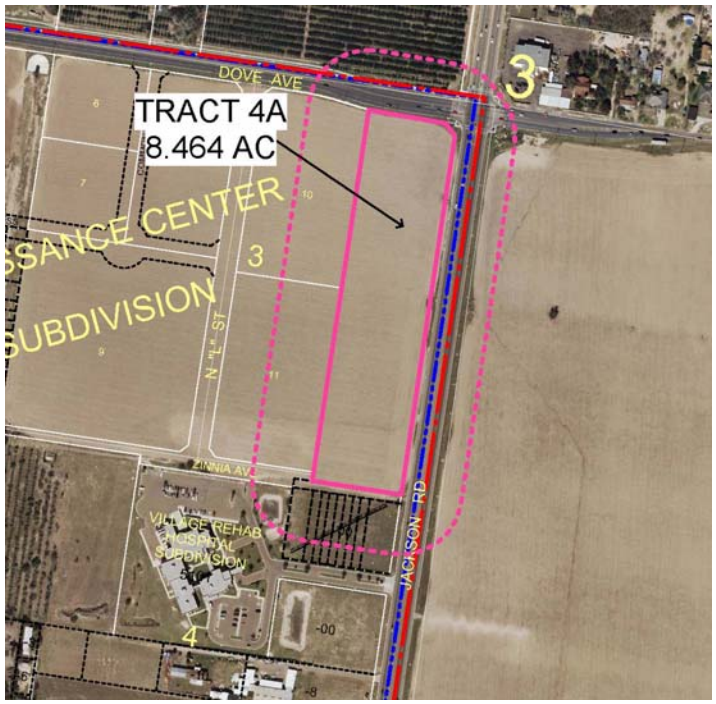

TRACT 3D
12.031 AC
MCALLEN MOBILE PARK LOT A
VIOLET RD
McCOLL RD
McCOLL BUSINESS PARK
PHASE 2
PROPOSED BUSINESS PARK SUBD PH1
BLK 2A
BLK 1
LAKES
1
BLK 3A
PHASE 2
BLK 5A
E REDBUD AV
BUSINESS
PHASE 1
BLK 1
PHASE 2
BLK 4A
PARK
PHASE 3
PROPOSED VIDA BUENA SUBD
LOT 1
SUBDIVISION
FIRST UNITED METHODIST CHURCH SUBDIVISION
PROPOSED RENAISSANCE
E. REDBUD AVE.

**TRACT 4A: REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: 8.464 ACRES OUT OF LOT 3, BLOCK 3, MCCOLL TRACT, HIDALGO COUNTY, TEXAS; 5401 NORTH JACKSON ROAD. (REZ2015-0181)**

LOCATION: The tract is located at the southwest corner of Dove Avenue and Jackson Road. The tract has 300 feet of frontage along Dove Avenue and 1,210 feet of frontage along Jackson Road for a tract size of 8.464 acres.

ADJACENT ZONING: Adjacent zoning is C-3 (general business) District to the west and C-1 (office) District to the south. The City of Edinburg is located to the north and the City of Pharr is located to the east.



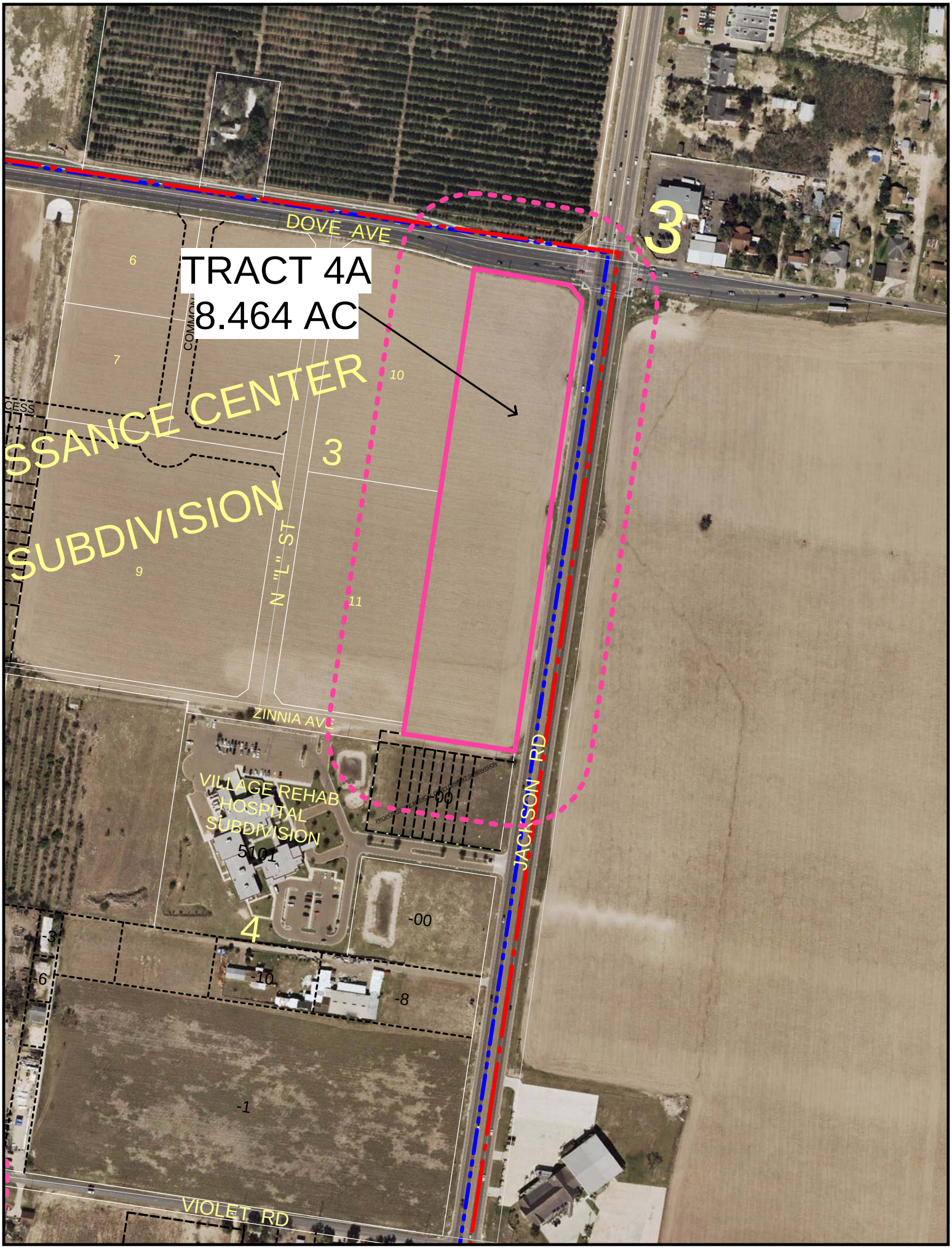

LAND USE: The tract comprises one parcel that is currently farmland. Adjacent land uses are vacant land and Life Care Hospitals of South Texas – McAllen.

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

DEVELOPMENT TRENDS: The development trend for properties along this area of Dove Avenue is commercial. The property was zoned A-O (agricultural & open space) District upon annexation in 1995. There have been no rezoning requests on the property since that time. Three rezoning requests for C-3 (general business) District and C-1 (office building) District on adjacent tracts were approved from 2004 to 2014 and a hospital, medical office and pharmacy were constructed. Jackson Road is designated as a principal arterial with 120 feet of right-of-way and currently contains 120 feet of right with 4 travel lanes, a left turn lane and shoulders. Dove Avenue is designated as a high speed arterial with 150 feet of right-of-way and currently contains 100 feet of right-of-way with 4 travel lanes, left turn lanes at intersections and no shoulders.

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

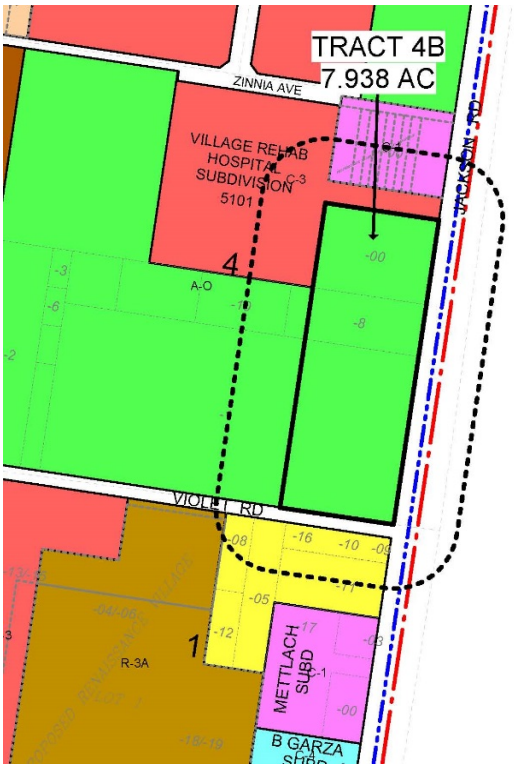
RECOMMENDATION:
Staff recommends approval.

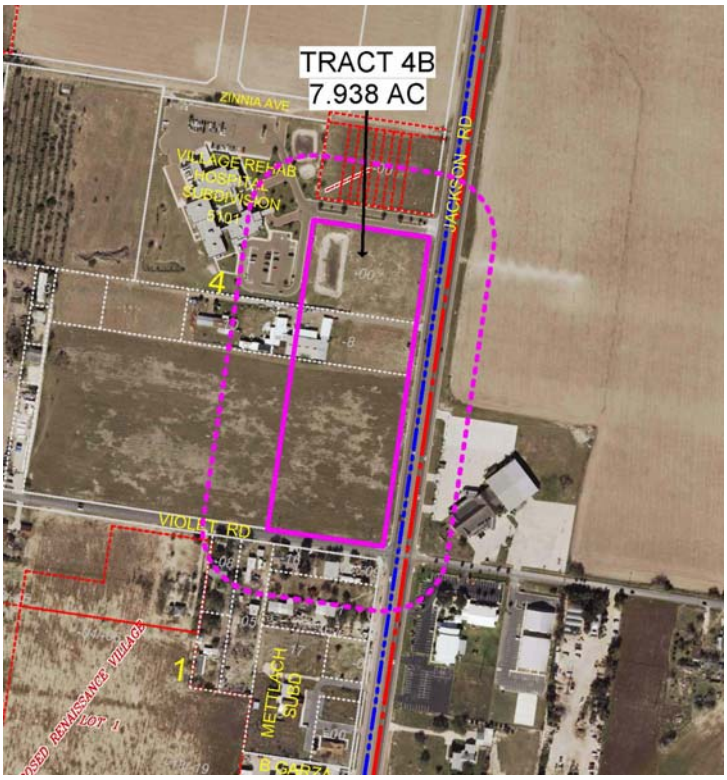

TRACT 4A
8.464 AC
DOVE AVE
3
6
7
10
COMMON
SSANCE CENTER
SUBDIVISION
3
9
11
N "L" ST
ZINNIA AVE
VILLAGE REHAB
HOSPITAL
SUBDIVISION
5101
-00
JACKSON RD
4
-00
-3
-6
-10
-8
-1
VIOLET RD

**TRACT 4B: REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: 7.938 ACRES OUT OF LOT 4, BLOCK 3, MCCOLL TRACT, HIDALGO COUNTY, TEXAS; 5001 NORTH JACKSON ROAD. (REZ2015-0182)**

LOCATION: The tract is located at the northwest corner of Violet Road and Jackson Road. The tract has 360 feet of frontage along Violet Road and 960 feet of frontage along North Jackson Road for a tract size of 7.938 acres.

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



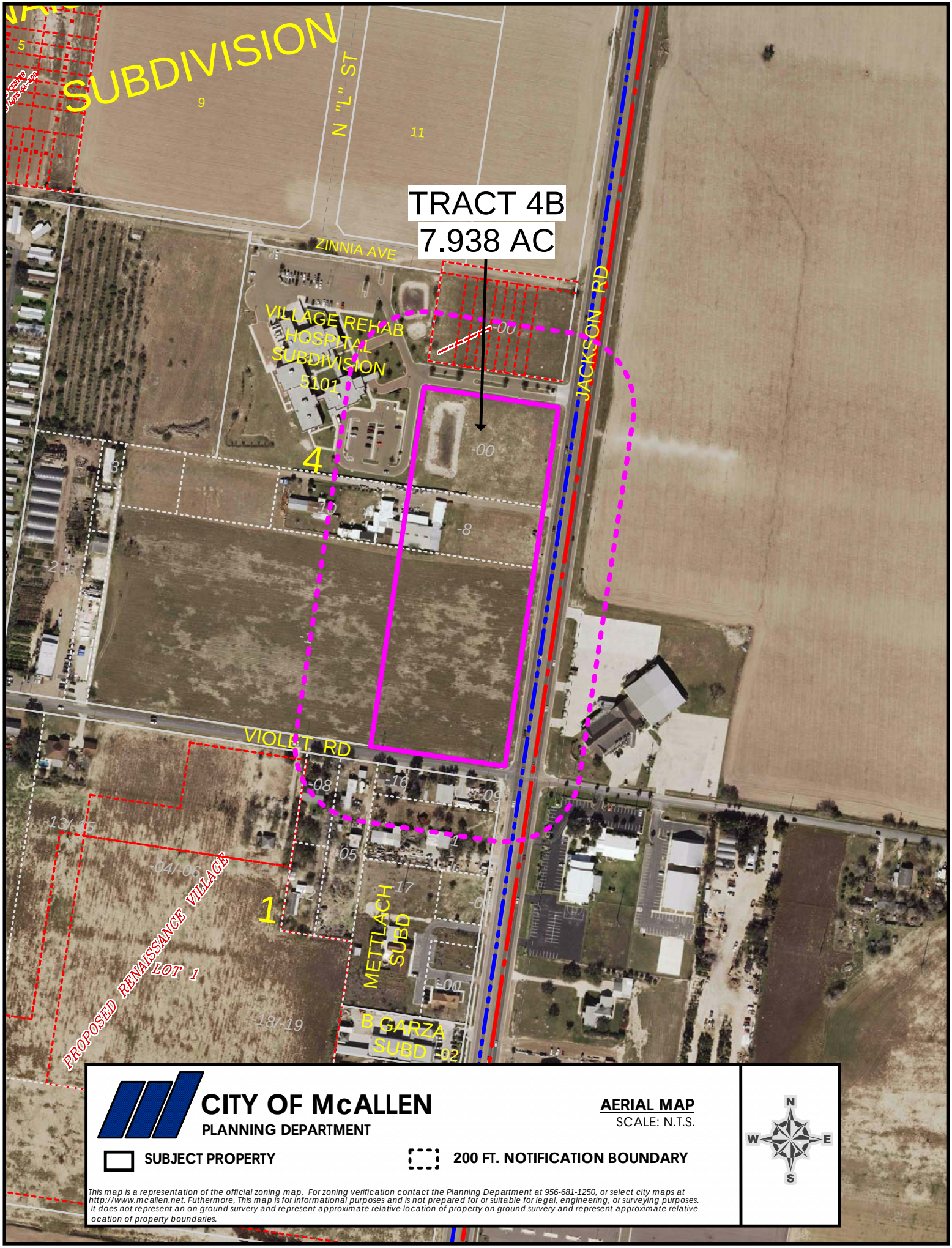

LAND USE: The tract comprises one parcel that contains vacant land and a commercial warehouse. Adjacent land uses are, Life Care Hospitals of South Texas – McAllen, Rock of Ages Assembly of God Church in Pharr, single family residences and vacant land

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

DEVELOPMENT TRENDS: The development trend for properties along this area of Jackson Road is commercial. The property was zoned A-O (agricultural & open space) District upon annexation in 1995. There have been no rezoning requests on the property since that time. Two rezoning requests for C-3 (general business) District and C-1 (office building) District on adjacent tracts were approved from 2004 to 2014 and a hospital was constructed. Jackson Road is designated as a principal arterial with 120 feet of right-of-way and currently contains 120 feet of right with 4 travel lanes, a left turn lane and shoulders.

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

RECOMMENDATION:
Staff recommends approval.




**CITY OF McALLEN**
**PLANNING DEPARTMENT**

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

**SUBJECT PROPERTY**

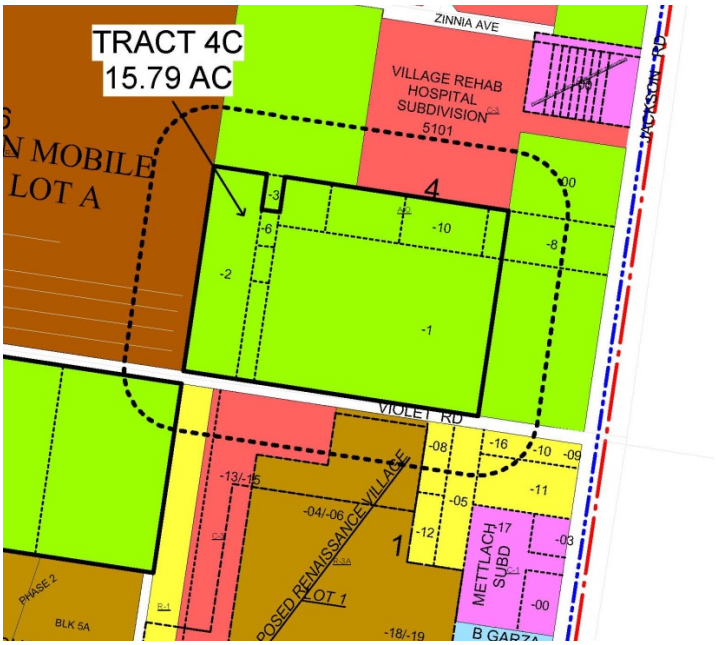
**200 FT. NOTIFICATION BOUNDARY**

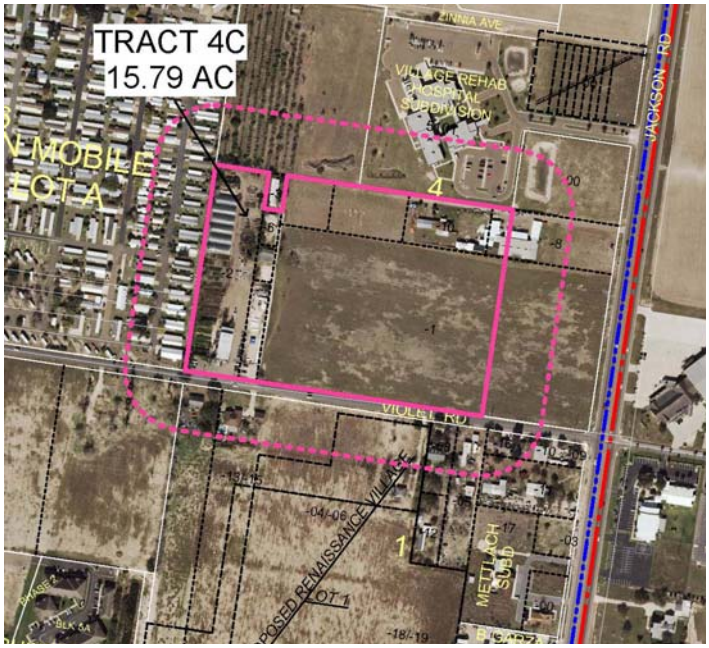
*This map is a representation of the official zoning map. For zoning verification contact the Planning Department at 956-681-1250, or select city maps at http://www.mcallen.net. Futhermore, This map is for informational purposes and is not prepared for or suitable for legal, engineering, or surveying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

**TRACT 4C: REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO R-3T (MULTIFAMILY RESIDENTIAL TOWNHOUSE) DISTRICT: 15.79 ACRES OUT OF LOT 4, BLOCK 3, MCCOLL TRACT, HIDALGO COUNTY, TEXAS; 1101 – 1401 EAST VIOLET ROAD, 5001 NORTH JACKSON ROAD. (REZ2015-0183)**

LOCATION: The tract is located along the north side of Violet Road and 360 feet west of North Jackson Road. The tract has 1,000 feet of frontage along Violet Road and a depth of 700 feet for a tract size of 15.79 acres.

ADJACENT ZONING: Adjacent zoning is A-O (agriculture-open space) District to the north and west, C-3 (general business) District to the north and south, R-3A (multifamily apartments) District and R-1 (single family residential) District to the south, and R-4 (mobile home) District to the west.



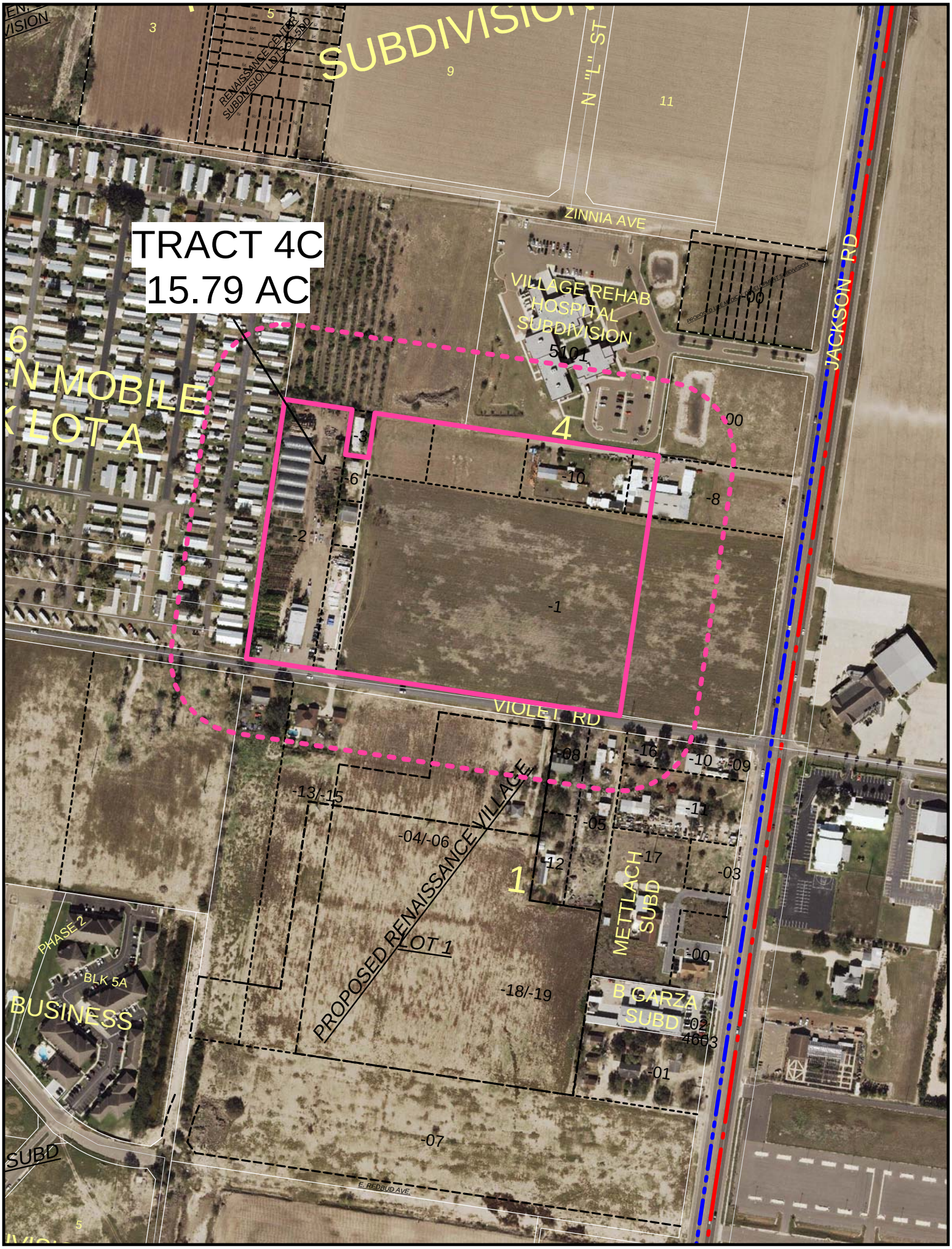

LAND USE: The tract comprises 10 parcels that contain a commercial warehouse, Earth Irrigation Landscaping, Fundacion Medicina Para La Gente De Dios, a mobile home and vacant land. Adjacent land uses are vacant land, single family residence, Life Care Hospitals of South Texas – McAllen, and McAllen Mobile Home Park.

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

DEVELOPMENT TRENDS: The development trend for properties along Violet Avenue is mobile homes, commercial uses existing prior to annexation and proposed apartments. The property was zoned A-O (agricultural & open space) District upon annexation in 1985. There have been no rezoning requests on the property since that time. Two rezoning requests for C-3 (general business) District on adjacent tracts to the north and south were approved from 2004 to 2009 and a hospital was constructed. A rezoning request to R-3A (multifamily residential apartment) was approved in 2007 and the property is currently vacant land. A rezoning request for R-3T (multifamily residential townhouse) on a tract to the north was approved in 2015 and townhouses are under construction. Townhouse development offers greater housing opportunities than single family residential and is compatible with adjacent commercial, apartment and mobile home uses. Violet Avenue is designated as a major collector with 80 feet of right-of-way and currently contains 40 feet of right-of-way for a rural street with 2 travel lanes and no shoulders.

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

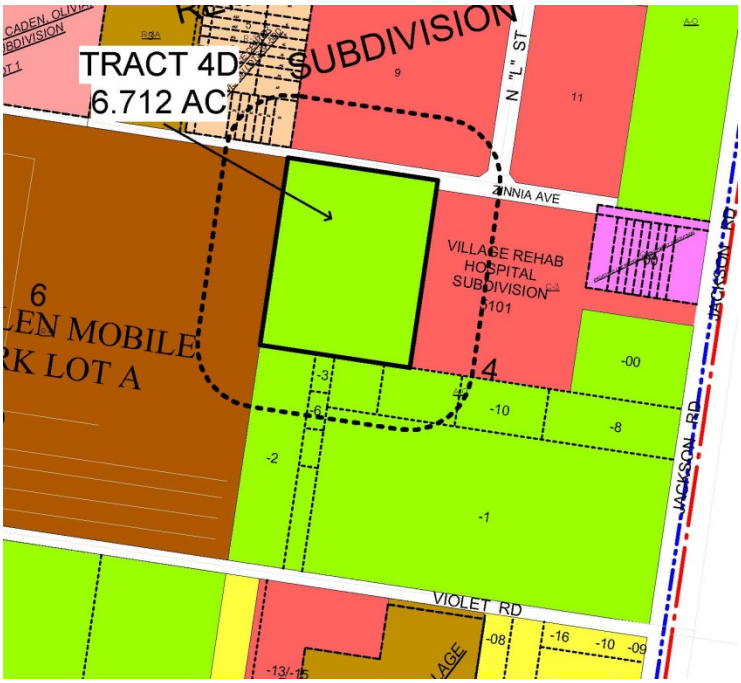
RECOMMENDATION:
Staff recommends approval.

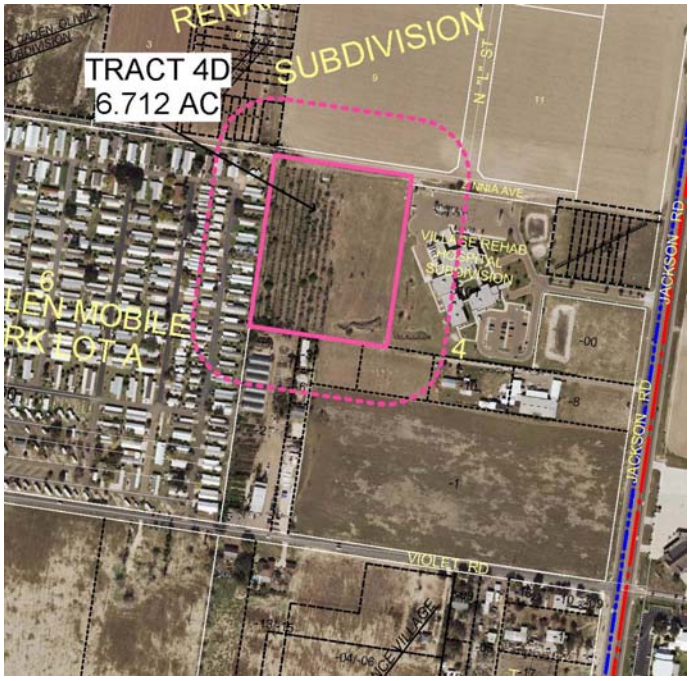

TRACT 4C
15.79 AC
SUBDIVISION
N "L" ST
ZINNIA AVE
VILLAGE REHAB HOSPITAL SUBDIVISION
5101
JACKSON RD
VIOLET RD
4
1
-1
-2
-3
-6
-8
-10
-00
-08
-09
-11
-12
-13/-15
-04/-06
-05
-17
-03
-18/-19
-02
-01
-07
4003
PROPOSED RENAISSANCE VILLAGE
LOT 1
METTLACH SUBD
B GARZA SUBD
PHASE 2
BLK 5A
BUSINESS
SUBD
E REDBUD AVE
N MOBILE
LOT A

**TRACT 4D: REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO C-1 (OFFICE BUILDING) DISTRICT: 6.712 ACRES OUT OF LOT 4, BLOCK 3, MCCOLL TRACT, HIDALGO COUNTY, TEXAS; 1200 EAST ZINNIA AVENUE. (REZ2015-0184)**

LOCATION: The tract is located along the south side of Zinnia Avenue, 870 feet west of North Jackson Road. The tract has 480 feet of frontage along Zinnia Avenue and a depth of 610 feet for a tract size of 6.712 acres.

ADJACENT ZONING: Adjacent zoning is C-3 (general business) District to the north and east, A-O (agriculture-open space) District to the south, and R-4 (mobile home) District to the west.



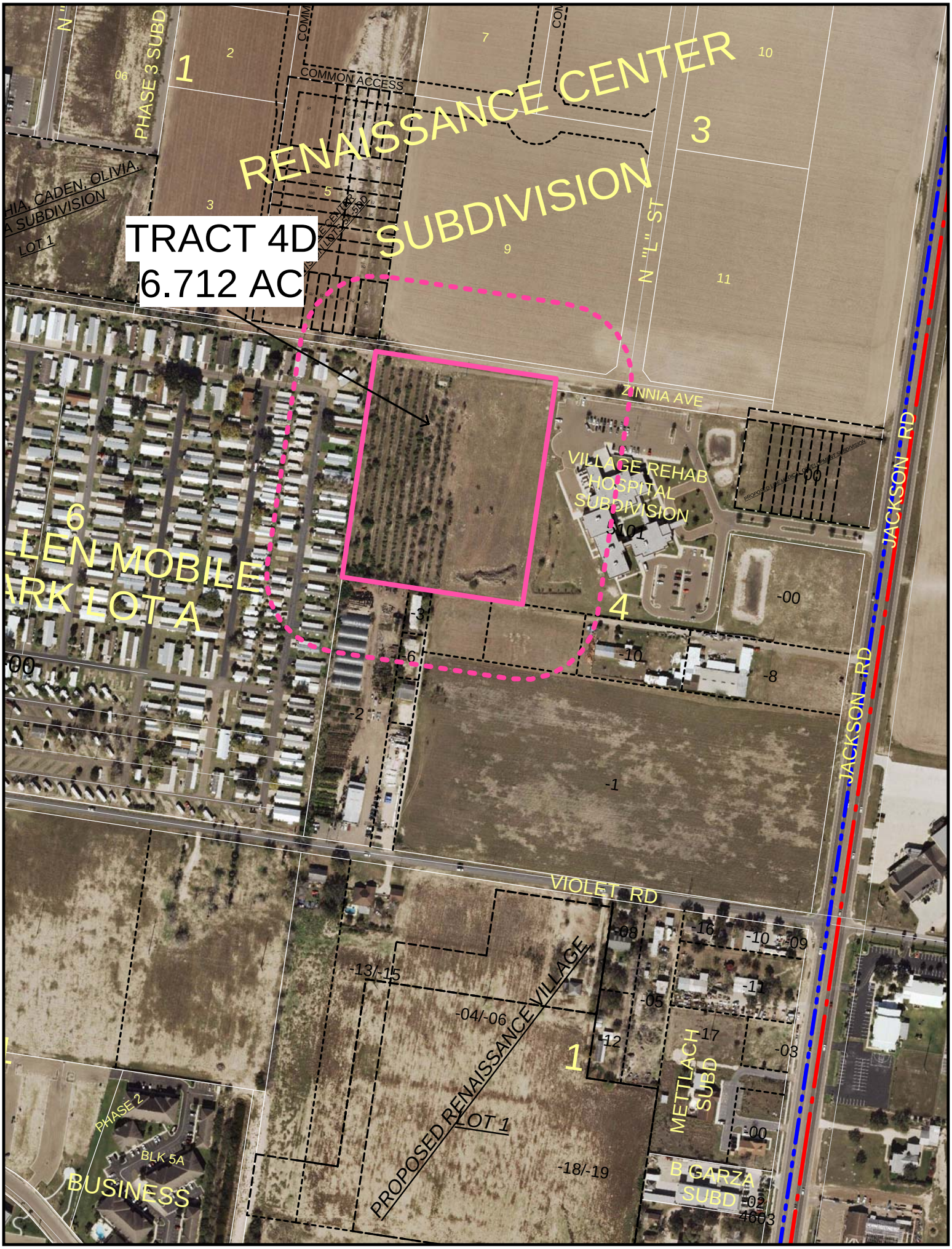

LAND USE: The tract comprises one parcel that contains vacant land. Adjacent land uses are, Life Care Hospitals of South Texas – McAllen, Earth Irrigation and Landscaping, McAllen Mobile Home Park, townhouses under construction and vacant land.

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

DEVELOPMENT TRENDS: The development trend for the adjacent area is offices for medical purposes and townhouses. The property was zoned A-O (agricultural & open space) District upon annexation in 1995. There have been no rezoning requests on the property since that time. Three rezoning request for C-3 (general business) District and C-1 (office building) District on adjacent tracts were approved from 2004 to 2014 and Life Care Hospital of South Texas and medical offices were constructed. A rezoning request for R-3T (multifamily residential townhouse) District on the adjacent tract to the northwest was approved in 2015 and townhouses are under construction. Zinnia Avenue is proposed as a minor collector with 60 feet of right-of-way and is currently 30 feet of right-of-way with 24 feet of pavement providing 2 travel lanes.

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

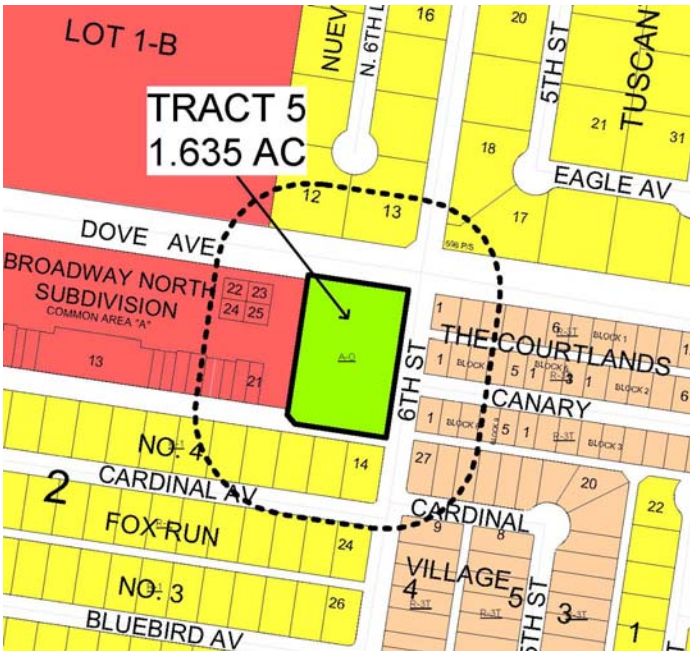
RECOMMENDATION:
Staff recommends approval.


TRACT 4D
6.712 AC
RENAISSANCE CENTER
SUBDIVISION
PHASE 3 SUBD
COMMON ACCESS
N "L" ST
ZINNIA AVE
VILLAGE REHAB
HOSPITAL
SUBDIVISION
JACKSON RD
VIOLET RD
PROPOSED RENAISSANCE VILLAGE
LOT 1
METTLACH
SUBD
B GARZA
SUBD
PHASE 2
BLK 5A
BUSINESS
LOT 1

**TRACT 5: REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO C-1 (OFFICE BUILDING) DISTRICT: 1.635 ACRES OUT OF LOT 1, BLOCK 11, HIDALGO CANAL COMPANY, HIDALGO COUNTY, TEXAS; 609 DOVE AVENUE. (REZ2015-0185)**

LOCATION: The tract is located at the southwest corner of Dove Avenue and 6th Street. The tract has 220 feet of frontage along Dove Avenue and 330 feet of frontage along 6th Street for a tract size of 1.635 acres.

ADJACENT ZONING: Adjacent zoning is R-1 (single family residential) District to the north and south, R-3T (multifamily residential townhouse) District to the east, and C-3 (general business) District to the west.



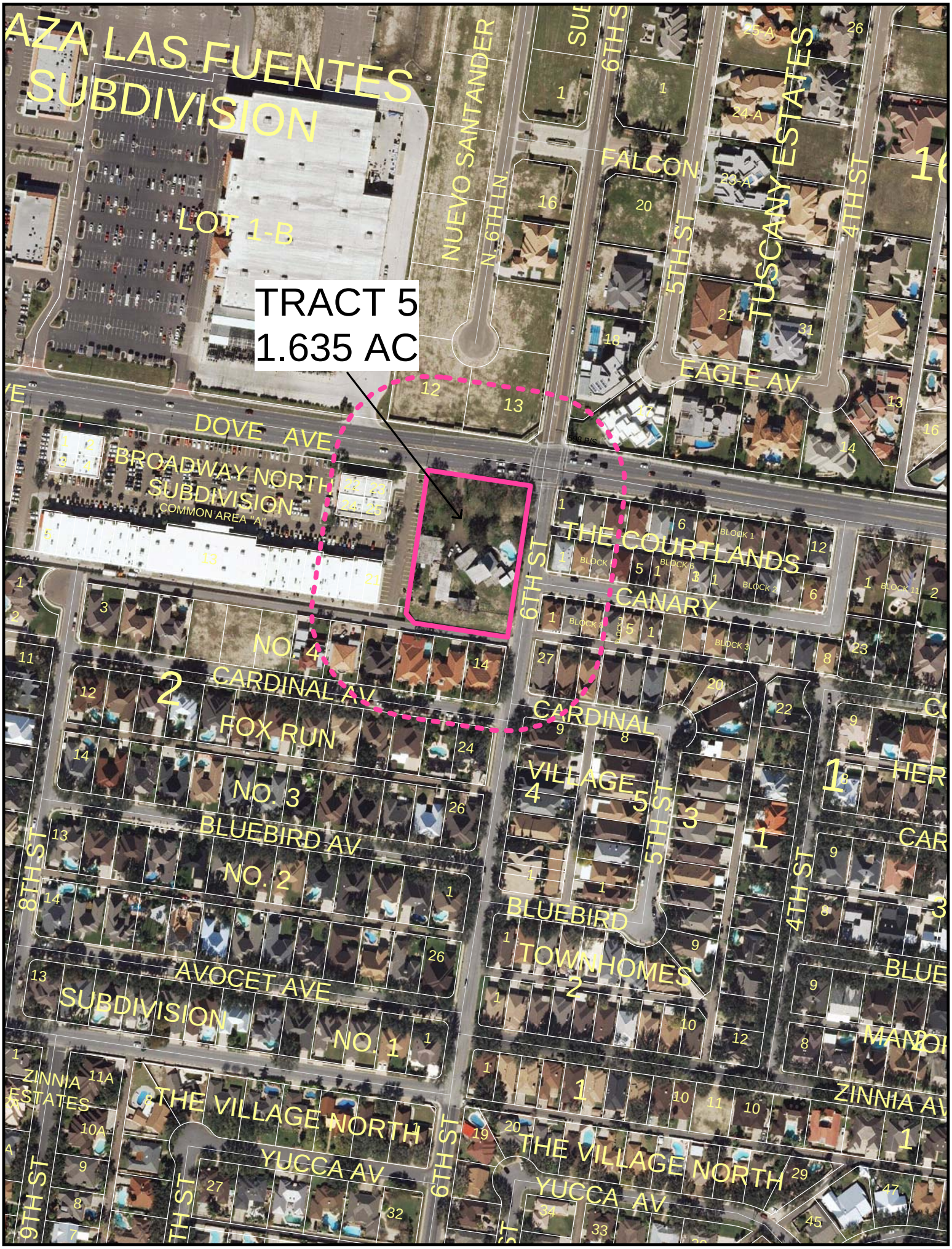
LAND USE: The tract comprises one parcel that contains a single family residence. Adjacent land uses are single family residences, townhomes, Holiday Wine & Liquor Store, Bob Stark's Beef Shop, automobile repair, Broadway North Shopping Center, Lowe's Hardware Store and vacant residential lots.

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

DEVELOPMENT TRENDS: The development trend for properties fronting along this section of Dove Avenue is commercial. 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. Two rezoning requests for C-3 (general business) District on the adjacent tract to the west were approved from 1997 to 2004 and Broadway North Shopping Center and Lowe's Hardware Store were constructed. A rezoning request for R-3T (multifamily residential townhouse) for the tract to the east was approved in 1982 and townhouses were constructed fronting a local street that was improved to a minor arterial. C-1 (office building) District provides a transitional zone between C-3 (general business) District uses to the west and R-3T (multifamily residential townhouse) District to the east. Dove Avenue is designated as a high speed arterial with 150 feet of right-of-way and is currently 100 feet of right-of-way with 4 travel lanes, a left turn lane at intersections, sidewalks and no shoulders.

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

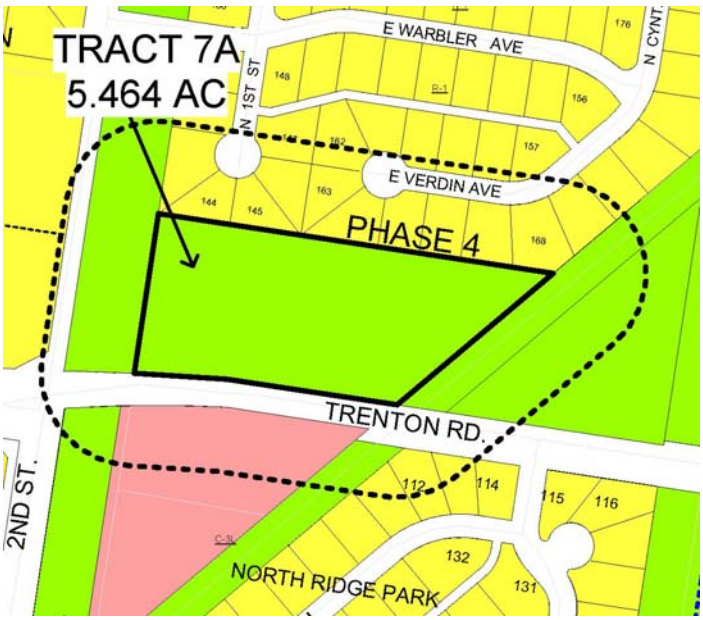
RECOMMENDATION:
Staff recommends approval.

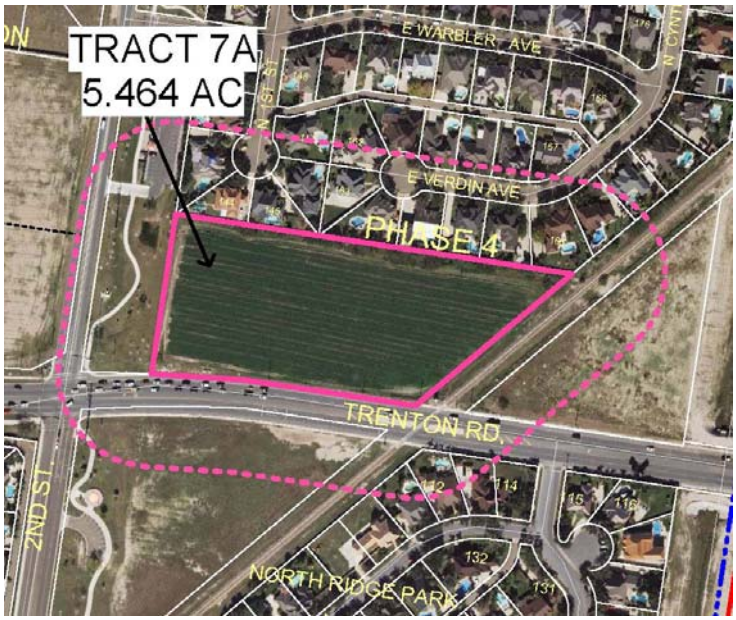

TRACT 5
1.635 AC
AZA LAS FUENTES
SUBDIVISION
LOT 1-B
NUEVO SANTANDER
N. 6TH LN.
6TH ST
FALCON
5TH ST
TUSCANY ESTATES
4TH ST
EAGLE AV
DOVE AVE
BROADWAY NORTH
SUBDIVISION
COMMON AREA "A"
THE COURTLANDS
CANARY
NO. 4
CARDINAL AV
FOX RUN
NO. 3
BLUEBIRD AV
NO. 2
AVOCET AVE
SUBDIVISION
NO. 1
CARDINAL
VILLAGE 4
VILLAGE 5
BLUEBIRD
TOWNHOMES
2
ZINNIA
ESTATES
THE VILLAGE NORTH
YUCCA AV
8TH ST
9TH ST
ZINNIA AV

**TRACT 7A: REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: 5.464 ACRES OUT OF LOT 4, BLOCK 3, STEELE & PERSHING SUBDIVISION, HIDALGO COUNTY, TEXAS; 120 TRENTON ROAD. (REZ2015-0187)**

LOCATION: The tract is located along the north side of Trenton Road and 150 feet east of 2nd Street. The tract has 570 feet of frontage along Trenton Road and a depth of 350 feet for a tract size of 5.464 acres.

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



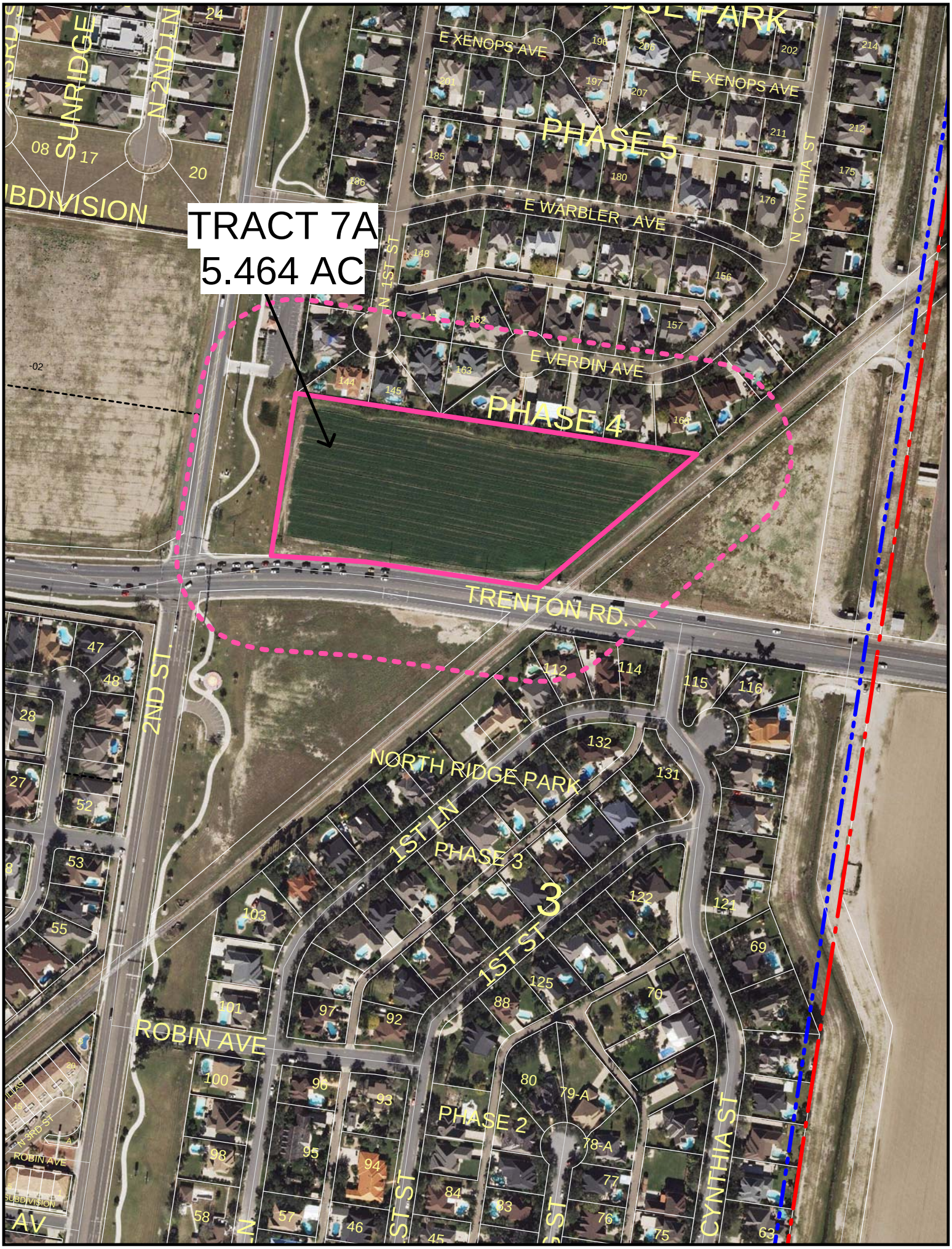

LAND USE: The tract comprises one parcel that is currently vacant land. Adjacent land uses are single family residences, McAllen 2nd Street Hike & Bike trail and vacant land

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

DEVELOPMENT TRENDS: The development trend for properties fronting Trenton Road at the intersection of 2nd Street is light commercial. The property was zoned A-O (agricultural & open space) District upon annexation in 1994. There have been no rezoning requests on the property since that time. Five rezoning requests to R-1 (single family residential) District were approved on adjacent tracts from 1993 to 1995 and were developed as North Ridge Park, Royal Oaks and Sunridge Subdivisions. A rezoning request for C-3L (light commercial) District on the tract to the south was approved in 2001 and is currently vacant land. Three rezoning requests for C-3 (general business) District for the adjacent tract to the east were withdrawn from 2005 to 2006 and is currently vacant land. Two rezoning requests for C-1 (office building) District and a Planned Unit Development for the tract to the west were withdrawn from 2005 to 2006 and the property is currently vacant land. Permitted uses within the C-3 (general business) District are hospitals, hotels, restaurants, auto sales and auto repair as an accessory use, any personal and business services, any retail and wholesale trades with certain exceptions and building heights greater than two stories. Uses requiring a conditional use permit in the C-3 District are gasoline service stations, bars and auto repair as a primary use. Permitted uses within the C-3L (light commercial) District are uses listed in C-1 (office building) District, C-2 (neighborhood commercial) District excluding gasoline service stations and specific retail businesses compatible with adjacent residences. Gasoline service stations, bars, auto sales and repair services are not allowed within the C-3L District. Trenton Road is designated as a principal arterial with 120 feet of right-of-way and is currently constructed with 4 travel lanes, a left turn lane and shoulders.

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

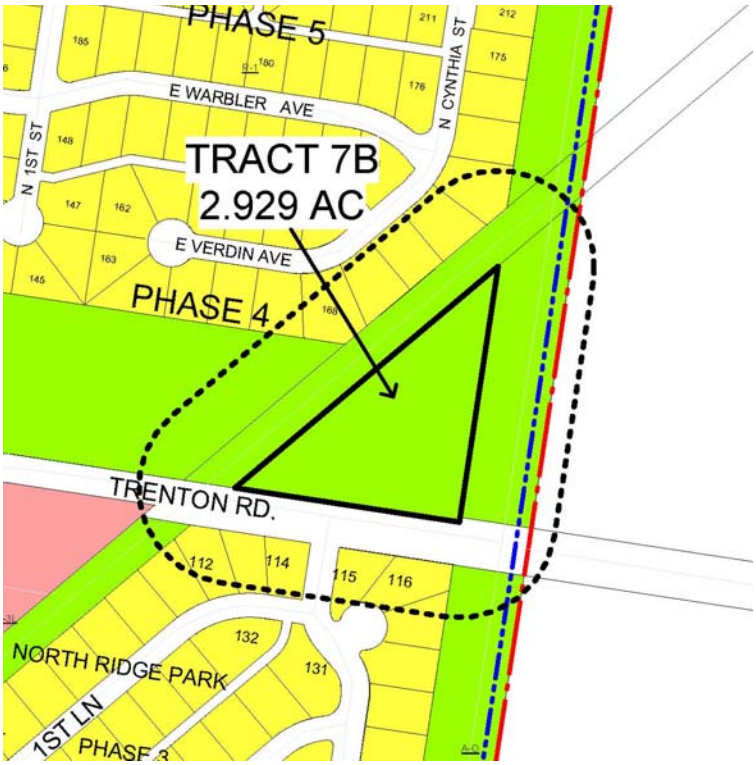
RECOMMENDATION:
Staff recommends approval.

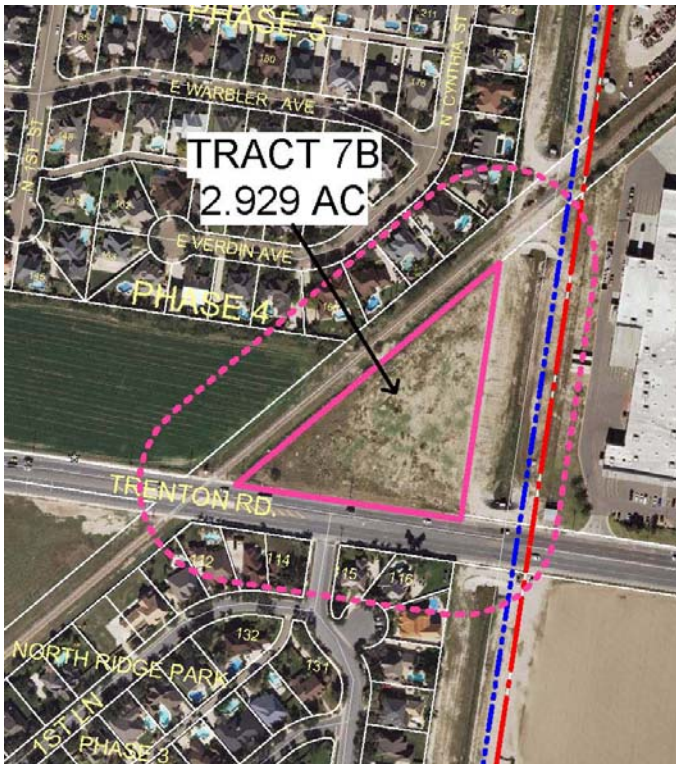

TRACT 7A
5.464 AC
SUNRIDGE
N 2ND LN
E XENOPS AVE
PHASE 5
E WARBLER AVE
N 1ST ST
N CYNTHIA ST
E VERDIN AVE
PHASE 4
TRENTON RD.
2ND ST.
NORTH RIDGE PARK
1ST LN
PHASE 3
1ST ST
ROBIN AVE
PHASE 2
CYNTHIA ST

**TRACT 7B: REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO C-3L (LIGHT COMMERCIAL) DISTRICT 2.929 ACRES OUT OF LOT 4, BLOCK 3, STEELE & PERSHING SUBDIVISION, HIDALGO COUNTY, TEXAS; 101 EAST TRENTON ROAD. (REZ2015-0188)**

LOCATION: The tract is located along the north side of Trenton Road, 830 feet east of 2nd Street. The tract has 470 feet of frontage along Trenton Road and a depth of 540 feet for a tract size of 2.929 acres.

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



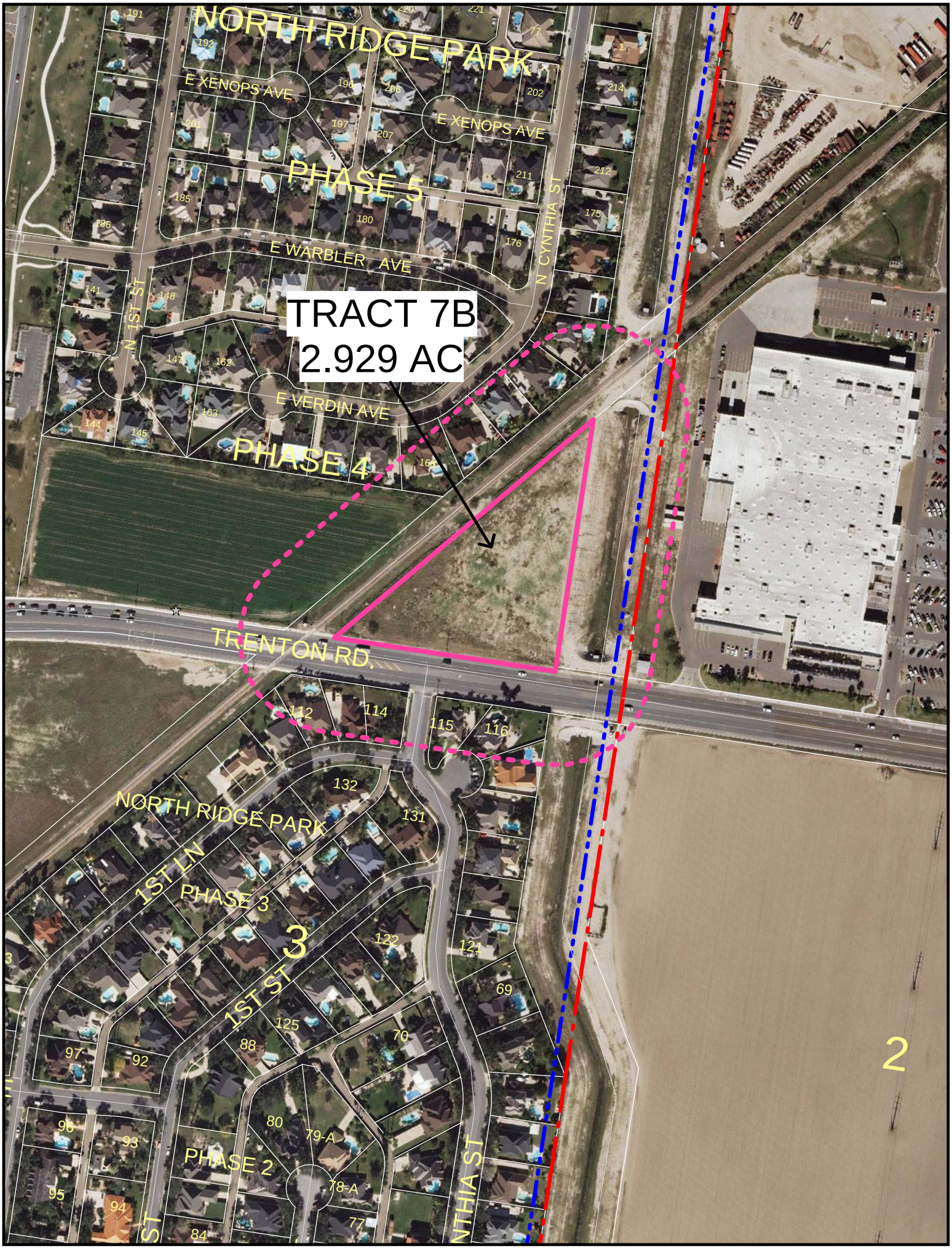

LAND USE: The tract comprises one parcel that is currently vacant land. Adjacent land uses are single family residences, Walmart Supercenter in Edinburg, drainage ditch, railroad tracts and vacant land.

COMPREHENSIVE PLAN: The Foresight McAllen Comprehensive Plan designates the future land use as City Parks.

DEVELOPMENT TRENDS: The development trend for properties fronting along this section of Trenton Road is light commercial. The property was zoned A-O (agricultural & open space) District upon annexation in 1994. Three rezoning requests for C-3 (general business) District for the subject tract were withdrawn from 2005 to 2006. A rezoning request for C-3L (light commercial) District on the tract to the southwest was approved in 2001 and is currently vacant land. Two rezoning requests for C-1 (office building) District and a Planned Unit Development for the tract at the northwest corner of Trenton Road and 2nd street were withdrawn from 2005 to 2006 and the property is currently vacant land. Five rezoning requests to R-1 (single family residential) District were approved on adjacent tracts from 1993 to 1995 and were developed as North Ridge Park, Royal Oaks and Sunridge Subdivisions. Permitted uses within the C-3L (light commercial) District are uses listed in C-1 (office building) District, C-2 (neighborhood commercial) District excluding gasoline service stations and specific retail businesses compatible with adjacent residences. Gasoline service stations, bars, auto sales and repair services are not allowed within the C-3L District. Trenton Road is designated as a principal arterial with 120 feet of right-of-way and is currently constructed with 4 travel lanes, a left turn lane and shoulders.

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

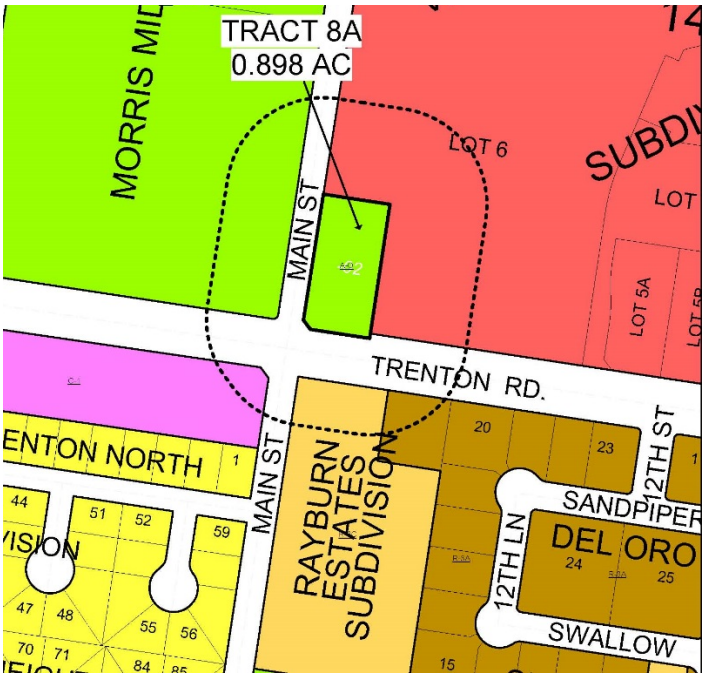
RECOMMENDATION:
Staff recommends approval.

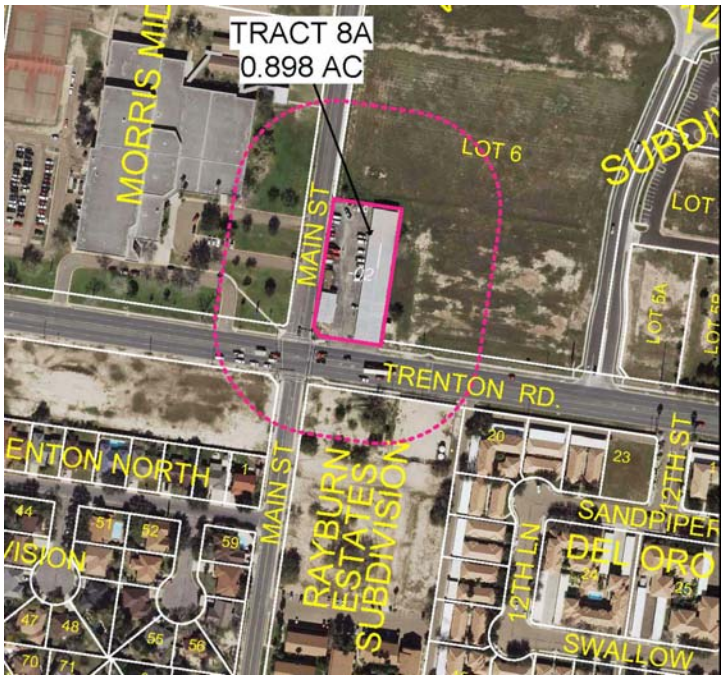

NORTH RIDGE PARK
E XENOPS AVE
E XENOPS AVE
PHASE 5
E WARBLER AVE
N 1ST ST
N CYNTHIA ST
TRACT 7B
2.929 AC
E VERDIN AVE
PHASE 4
TRENTON RD.
NORTH RIDGE PARK
1ST LN
PHASE 3
3
1ST ST
PHASE 2
NTHIA ST
2

**TRACT 8A: REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT 0.898 ACRES OUT OF LOT 14, BLOCK 13, HIDALGO CANAL COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS; 1316 TRENTON ROAD. (REZ2015-0189)**

LOCATION: The tract is located at the northeast corner of Trenton Road and Main Street. The tract has 150 feet of frontage along Trenton Road and 260 feet of frontage along Main Street for a tract size of 0.898 acres.

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



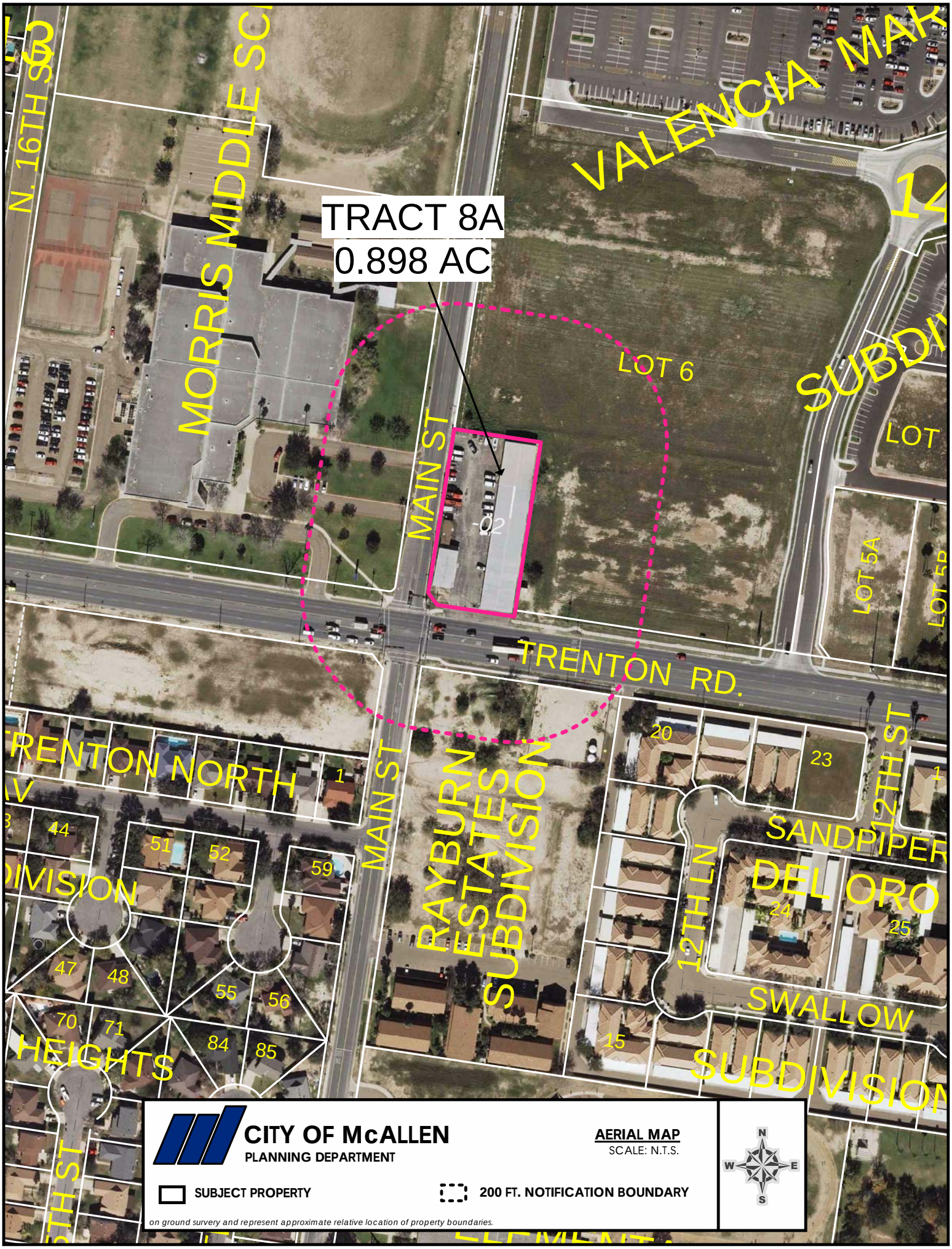

LAND USE: The tract comprises one parcel that contains Lube and Tune Auto Service, Motorcycle Repair, and U-B Cool services. Adjacent land uses are Morris Middle School, Del Oro Apartment and vacant land.

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

DEVELOPMENT TRENDS: The development trend for properties fronting along this section of Trenton Road between 10th Street and Main Street is general business. The property was zoned A-O (agricultural & open space) District upon annexation in 1985. There have been no rezoning requests on the property since that time. Existing commercial buildings on the property are nonconforming uses and are limited to repairs not exceeding 10% improvement value per year and no building additions or expansion of existing uses. Three rezoning requests for C-3 (general business) District for the adjacent tract to the east were approved from 1994 to 2005 and First National Bank, Walgreens, Chucky Cheese Pizza and Sam's were constructed. A rezoning request for C-1 (office building) District for the tract to the southwest was approved in 2004 and the property is currently vacant land. Permitted uses within the C-3 (general business) District are hospitals, hotels, restaurants, auto sales and auto repair as an accessory use, any personal and business services, any retail and wholesale trades with certain exceptions and building heights greater than two stories. Uses requiring a conditional use permit in the C-3 District are gasoline service stations, bars and auto repair as a primary use. Trenton Road is designated as a principal arterial with 120 feet of right-of-way and is currently constructed with 4 travel lanes, a left turn lane and no shoulders.

PUBLIC COMMENT: Staff received a request from Mario Huerta, the property owner, to remain A-O (agricultural-open space) District in order have more time to consider commercial zoning on the property.

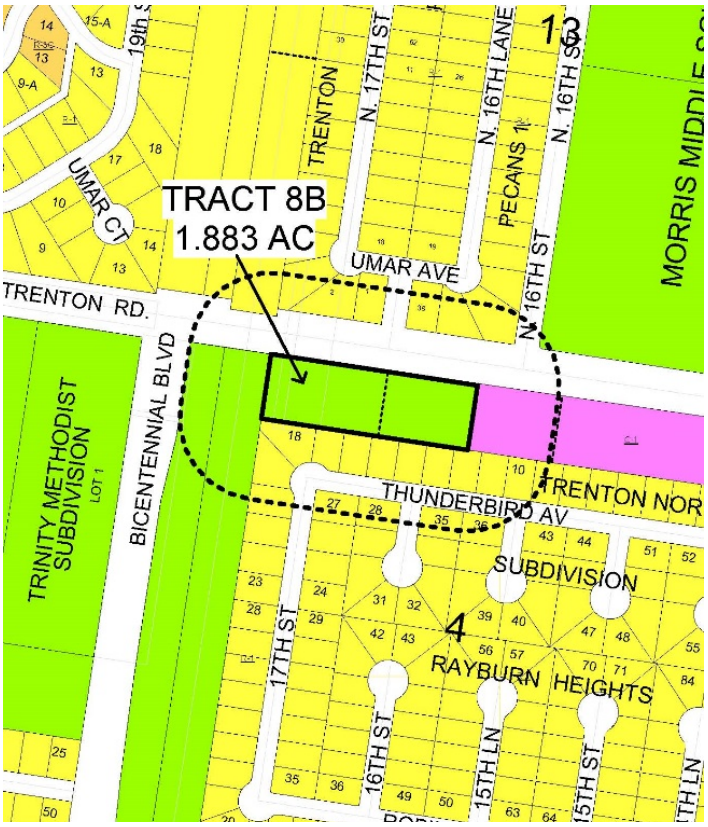
RECOMMENDATION:
Staff recommends approval.

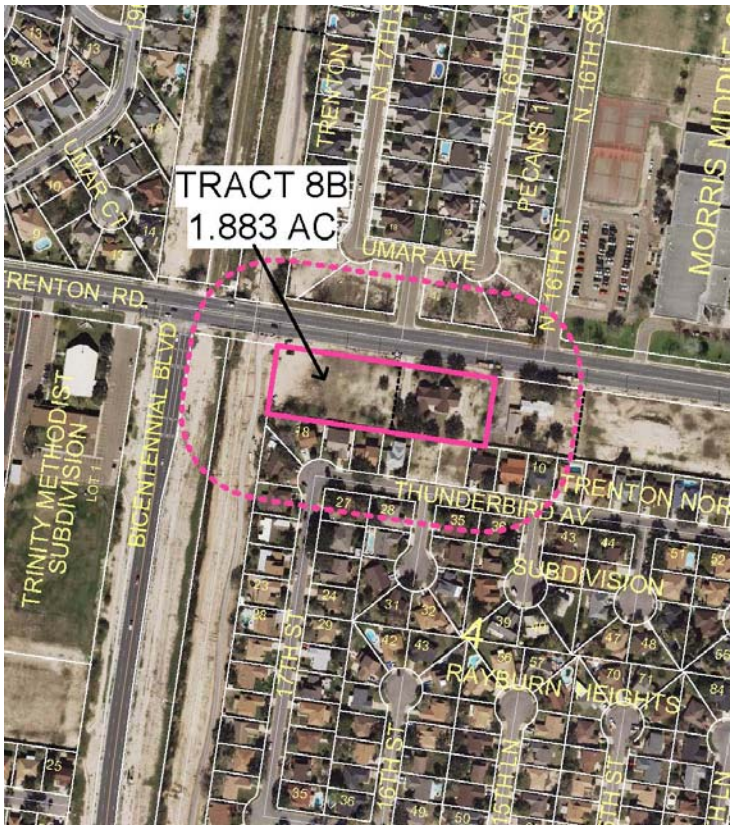

TRACT 8A
0.898 AC
MORRIS MIDDLE SCH
N. 16TH ST
VALENCIA MAR
LOT 6
SUBDIV
LOT
LOT 5A
LOT 5B
MAIN ST
-02
TRENTON RD.
TRENTON NORTH
DIVISION
HEIGHTS
RAYBURN ESTATES SUBDIVISION
12TH ST
12TH LN
SANDPIPER
DEL ORO
SWALLOW
SUBDIVISION
1
44
51
52
59
47
48
55
56
70
71
84
85
20
23
24
25
15
CITY OF McALLEN
PLANNING DEPARTMENT
AERIAL MAP
SCALE: N.T.S.
SUBJECT PROPERTY
200 FT. NOTIFICATION BOUNDARY
on ground survery and represent approximate relative location of property boundaries.
N
W
E
S

**TRACT 8B: REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO C-1 (OFFICE BUILDING) DISTRICT 1.883 ACRES OUT OF LOT 4, BLOCK 12, HIDALGO CANAL COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS; 1701 TRENTON ROAD. (REZ2015-0190)**

LOCATION: The tract is located along the south side of Trenton Road and 200 east of Bicentennial Boulevard. The tract has 510 feet of frontage along Trenton Road and a depth of 160 feet for a tract size of .898 acres.

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



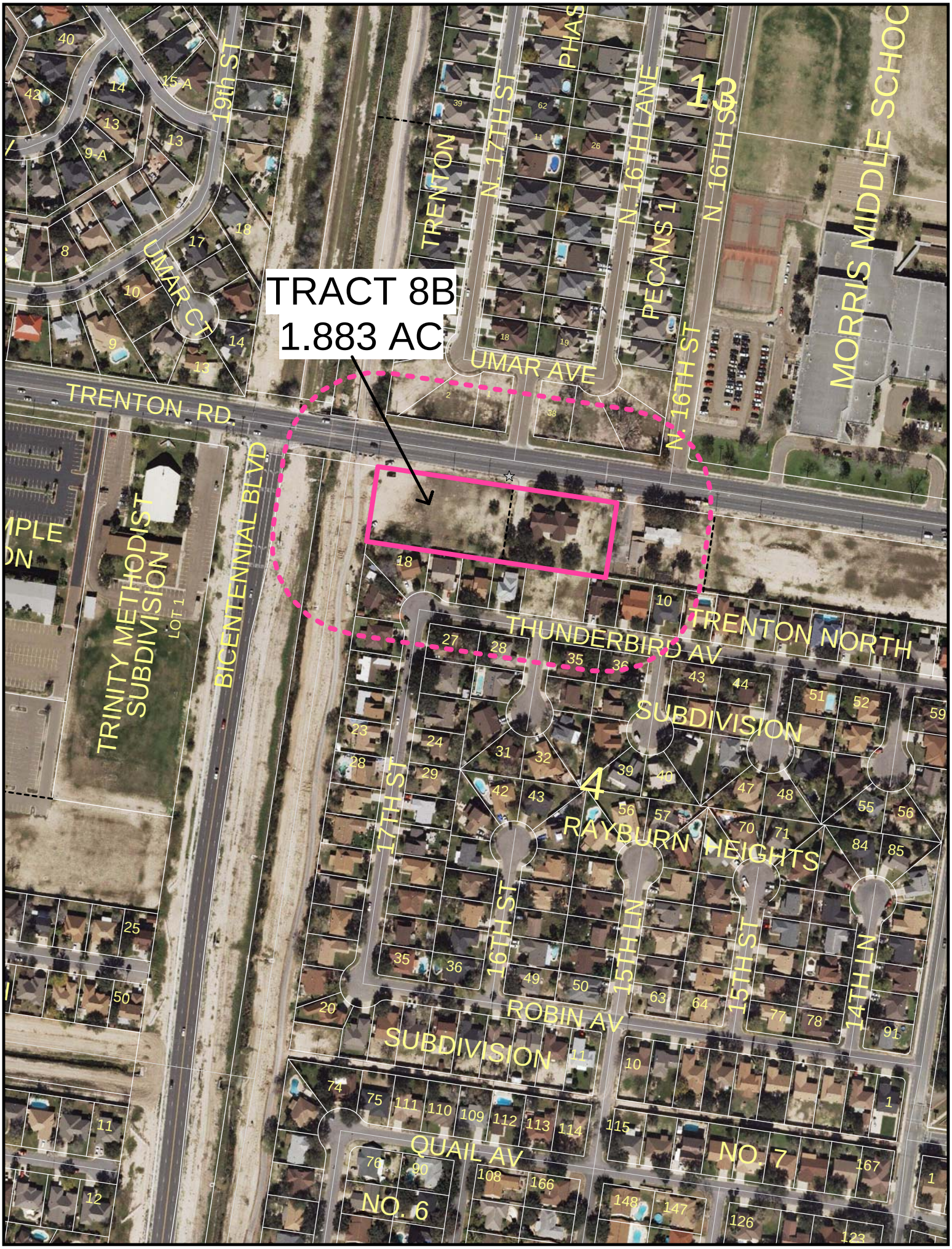

LAND USE: The tract comprises one parcel that contains a single family residence and vacant land. Adjacent land uses are single family residences, Kids Being Kids Preschool & Childcare Center, Morris Middle School and Bicentennial Hike and Bike Trail.

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

DEVELOPMENT TRENDS: The development trend for properties fronting along this section of Trenton Road between Main Street and Bicentennial Boulevard 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. An existing single family residence on the property is a nonconforming use and is limited to repairs not exceeding 10% improvement value per year and no building additions or expansion of existing uses. Two rezoning requests for C-1 (office building) District for the adjacent tracts to the east were approved from 2004 to 2013 and a single family residence was converted into a day care. Permitted uses for C-1 (office building) District are offices for professional, medical and financial services, personal services, accessory uses and parking facilities for commercial uses. Trenton Road is designated as a principal arterial with 120 feet of right-of-way and is currently constructed with 4 travel lanes, a left turn lane and no shoulders

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

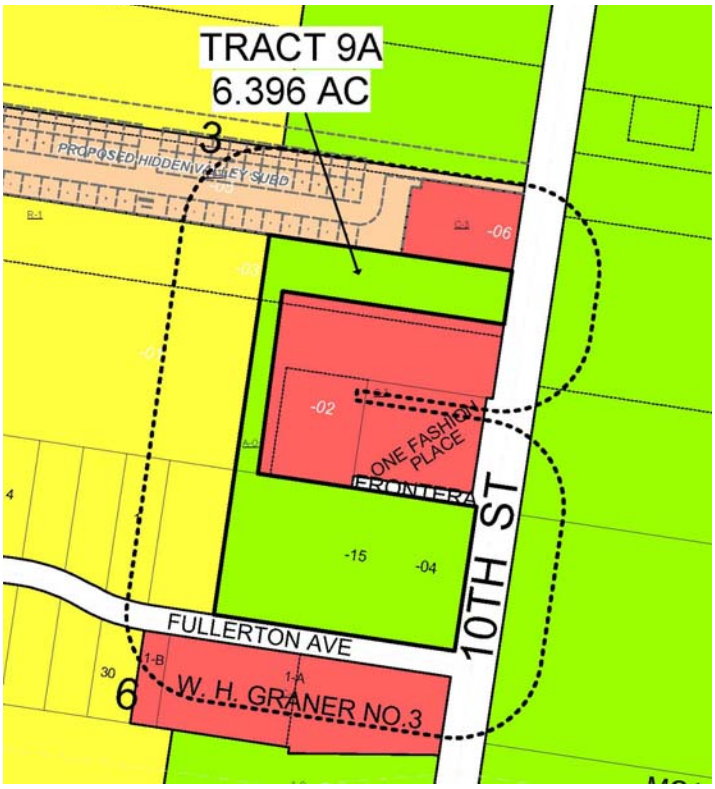
RECOMMENDATION:
Staff recommends approval.


TRACT 8B
1.883 AC
TRENTON RD.
UMAR AVE
UMAR CT
19th ST
TRENTON
N. 17TH ST
N. 16TH LANE
N. 16TH ST
PECANS 1
MORRIS MIDDLE SCHOO
BICENTENNIAL BLVD
TRINITY METHODIST SUBDIVISION
LOT 1
THUNDERBIRD AV
TRENTON NORTH
SUBDIVISION
RAYBURN HEIGHTS
17TH ST
16TH ST
15TH LN
15TH ST
14TH LN
ROBIN AV
SUBDIVISION
QUAIL AV
NO. 6
NO. 7

**TRACT 9A: REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT 6.396 ACRES OUT OF LOT 6, BLOCK 13, HIDALGO CANAL COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS; 8321, 8501, 8505 NORTH 10TH STREET. (REZ2015-0191)**

LOCATION: The tract is located at the northwest corner of 10th Street and Fullerton Avenue. The tract has 470 feet of frontage along 10th Street and a depth of 560 feet for a tract size of 6.396 acres.

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



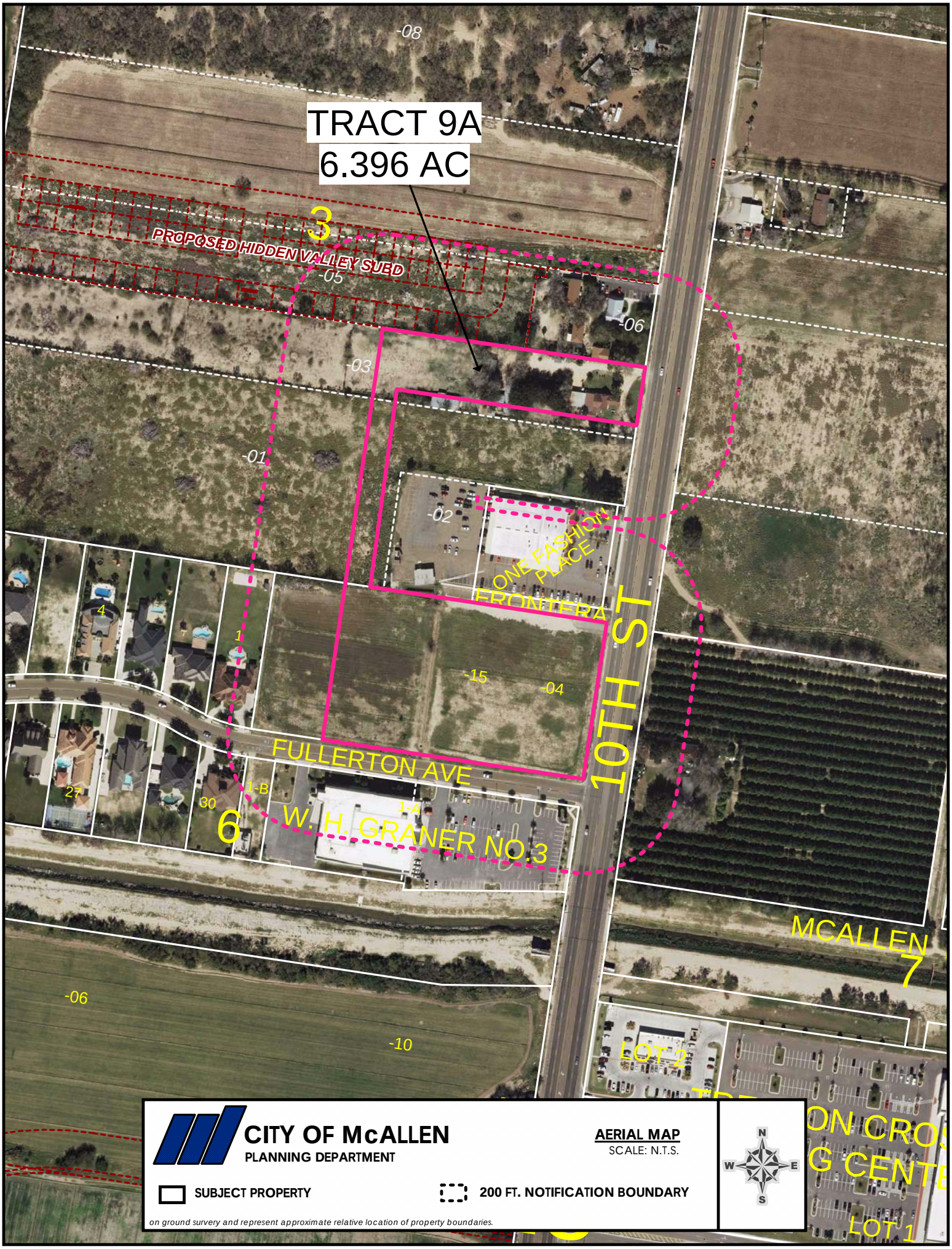
LAND USE: The tract comprises three parcels containing a single family residence and vacant land. Adjacent land uses are single family residences, Conn's Home Plus Store, The University of Cosmetology Arts and vacant land.

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

DEVELOPMENT TRENDS: The development trend for properties fronting along this section of 10th Street is general business. The property was zoned A-O (agricultural & open space) District upon annexation in 1985. There have been no rezoning requests on the property since that time. An existing single family residence on the property is a permitted use in the A-O (agricultural-open space) District on 5.0 acres or more. A rezoning request for R-3T (multifamily residential townhouse) District was approved in 2011 and the property is currently vacant land. Six rezoning requests for C-3 (general business) District for adjacent tracts to the north and south were approved from 1987 to 2007 and the University of Cosmetology Arts, Conn's Home Plus Store and Whole Life Chiropractic were constructed. Permitted uses within the C-3 (general business) District are hospitals, hotels, restaurants, auto sales and auto repair as an accessory use, any personal and business services, any retail and wholesale trades with certain exceptions and building heights greater than two stories. Uses requiring a conditional use permit in the C-3 District are gasoline service stations, bars and auto repair as a primary use. 10th Street is designated as a principal arterial with 120 feet of right-of-way and is currently constructed with 4 travel lanes, a left turn lane and shoulders.

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

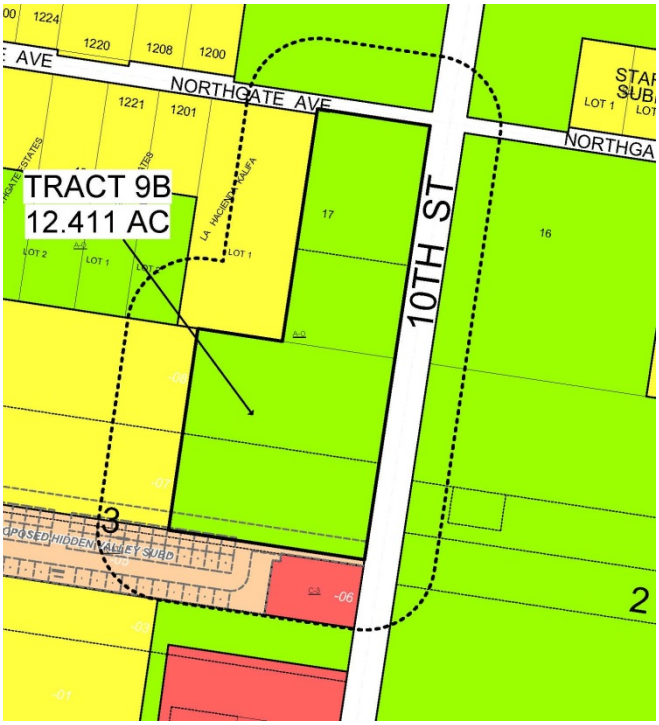
RECOMMENDATION:
Staff recommends approval.

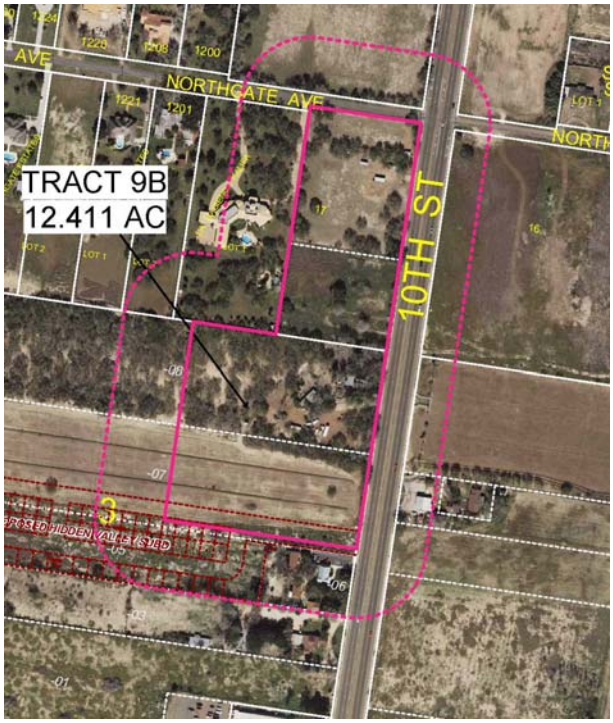

TRACT 9A
6.396 AC
PROPOSED HIDDEN VALLEY SUBD
3
-08
-05
-06
-03
-01
-02
ONE FASHION PLACE
FRONTERA
10TH ST
-15
-04
FULLERTON AVE
1-B
1-A
W. H. GRANER NO.3
6
30
27
4
1
MCALLEN
7
-06
-10
LOT 2
LOT 1
CITY OF McALLEN
PLANNING DEPARTMENT
AERIAL MAP
SCALE: N.T.S.
N
W
E
S
SUBJECT PROPERTY
200 FT. NOTIFICATION BOUNDARY
on ground survery and represent approximate relative location of property boundaries.

**TRACT 9B: REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT 12.411 ACRES OUT OF LOT 17, BLOCK 1, EBONY HEIGHTS CITRUS GROVES & LOT 3, BLOCK 13, HIDALGO CANAL COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS; 8601 – 9017 NORTH 10TH STREET. (REZ2015-0192)**

LOCATION: The tract is located at the southwest corner of Northgate Lane and North 10th Street. The tract has 1,240 feet of frontage along 10th Street a depth ranging between 320 and 520 feet for a tract size of 12.411 acres.

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



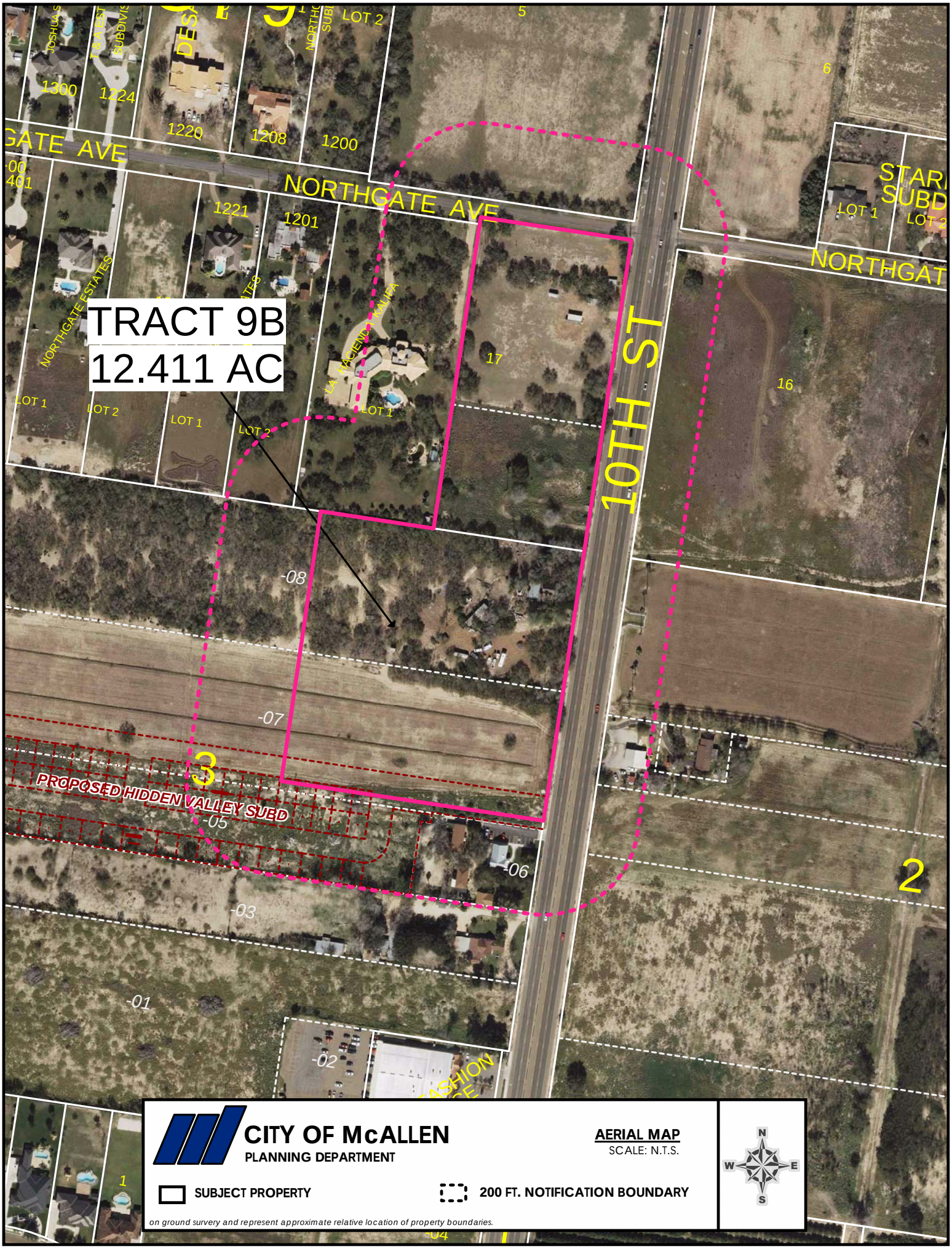

LAND USE: The tract comprises four parcels containing a single family residence, farm and ranch related structures, farmland and vacant land. Adjacent land uses are single family residences, lawn mower repair business, Whole Life Chiropractic, The University of Cosmetology Arts, farmland and vacant land.

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

DEVELOPMENT TRENDS: The development trend for properties fronting along this section of 10th Street is general business. The property was zoned A-O (agricultural & open space) District upon annexation in 1985. A rezoning request for C-3L (light commercial) District at 8703 North 10th Street was withdrawn in 2006. An existing single family residence on the property is a permitted use in the A-O (agricultural-open space) District on 5.0 acres or more. A rezoning request for R-3T (multifamily residential townhouse) District was approved in 2011 and the property is currently vacant land. Six rezoning requests for C-3 (general business) District for tracts located to the south were approved from 1987 to 2007 and the University of Cosmetology Arts, Conn's Home Plus Store and Whole Life Chiropractic were constructed. Permitted uses within the C-3 (general business) District are hospitals, hotels, restaurants, auto sales and auto repair as an accessory use, any personal and business services, any retail and wholesale trades with certain exceptions and building heights greater than two stories. Uses requiring a conditional use permit in the C-3 District are gasoline service stations, bars and auto repair as a primary use. 10th Street is designated as a principal arterial with 120 feet of right-of-way and is currently constructed with 4 travel lanes, a left turn lane and shoulders.

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

RECOMMENDATION:
Staff recommends approval.




**CITY OF McALLEN**
**PLANNING DEPARTMENT**

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

N W E S

SUBJECT PROPERTY

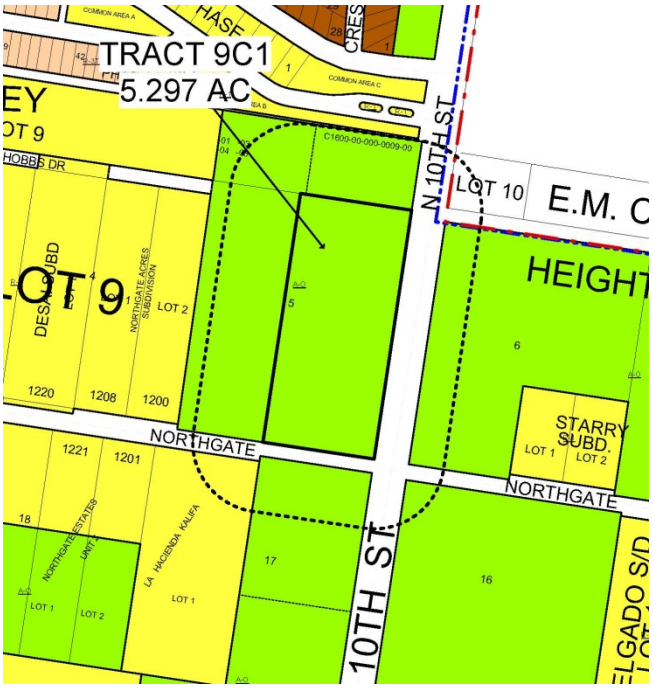
200 FT. NOTIFICATION BOUNDARY

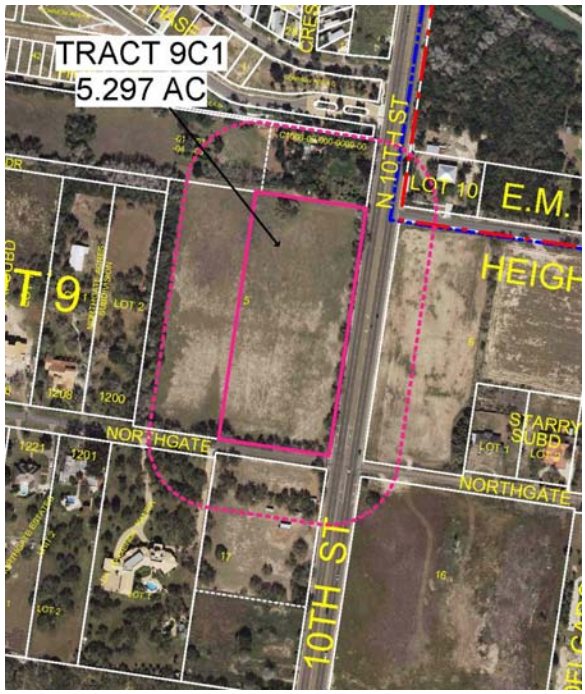
*on ground survery and represent approximate relative location of property boundaries.*

**TRACT 9C1: REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT 5.297 ACRES OUT OF LOT 5, BLOCK 1, EBONY HEIGHTS CITRUS GROVES SUBDIVISION, HIDALGO COUNTY, TEXAS; 9301 NORTH 10TH STREET. (REZ2015-0193)**

LOCATION: The tract is located at the northwest corner of Northgate Lane and North 10th Street. The tract has 720 feet of frontage along 10th Street and a depth of 320 feet for a tract size of 5.297 acres.

ADJACENT ZONING: Adjacent zoning is A-O (agricultural-open space) District in all directions and R-1 (single family residential) District to the north, southwest and west.



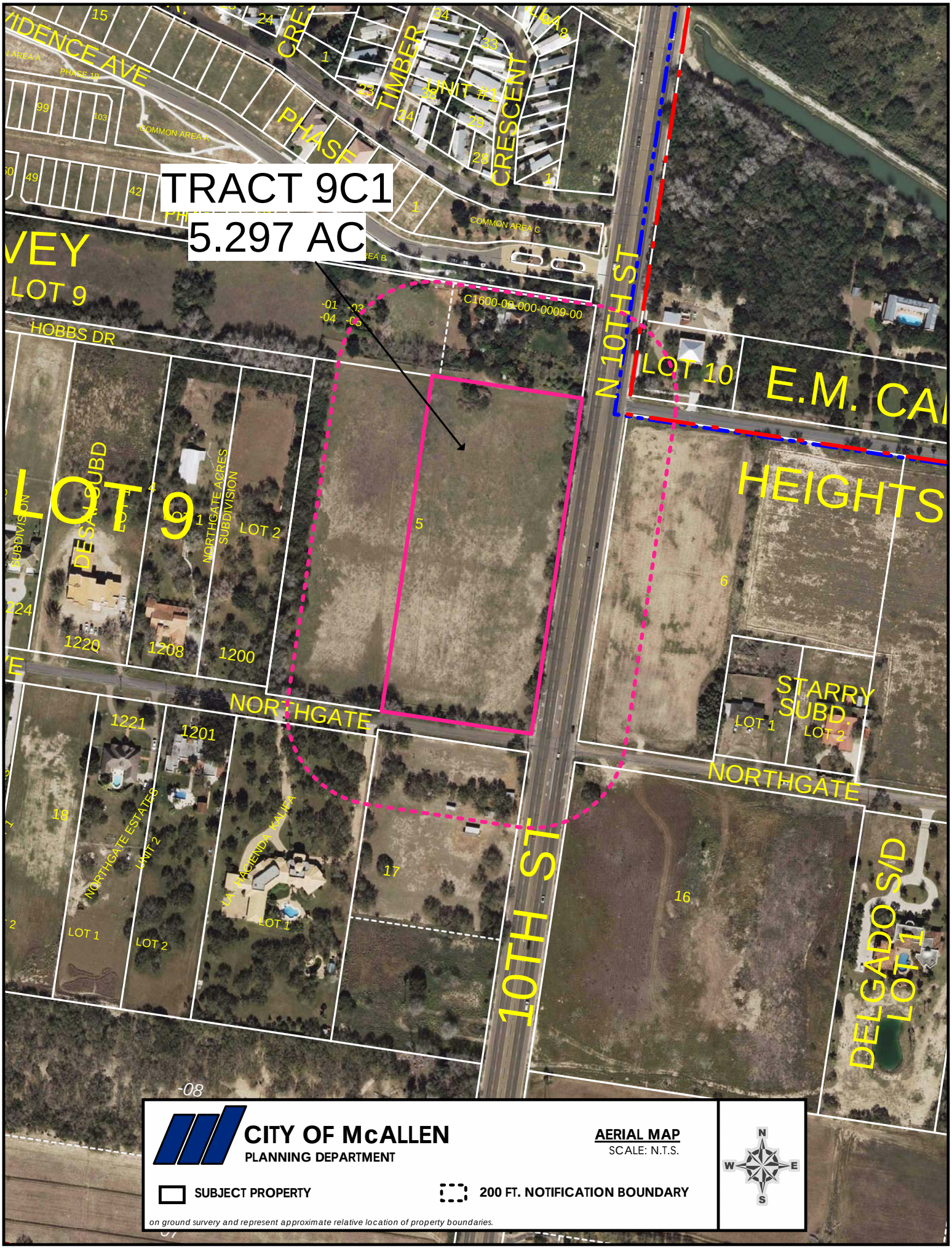

LAND USE: The tract comprises one parcel that contains farmland. Adjacent land uses are a single family residence, farmland and vacant land.

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

DEVELOPMENT TRENDS: The development trend for properties fronting along this section of 10th Street is general business. The property was zoned A-O (agricultural & open space) District upon annexation in 1985. There have been no rezoning requests on the property since that time. Two rezoning requests for R-1 (single family residential) District on adjacent tracts were approved in 2004 and 2007 and a single family residence and a residential subdivision were constructed on the properties. Six rezoning requests for C-3 (general business) District for tracts located to the south were approved from 1987 to 2007 and the University of Cosmetology Arts, Conn's Home Plus Store and Whole Life Chiropractic were constructed. Permitted uses within the C-3 (general business) District are hospitals, hotels, restaurants, auto sales and auto repair as an accessory use, any personal and business services, any retail and wholesale trades with certain exceptions and building heights greater than two stories. Uses requiring a conditional use permit in the C-3 District are gasoline service stations, bars and auto repair as a primary use. 10th Street is designated as a principal arterial with 120 feet of right-of-way and is currently constructed with 4 travel lanes, a left turn lane and shoulders.

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

RECOMMENDATION:
Staff recommends approval.




**CITY OF McALLEN**
**PLANNING DEPARTMENT**

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

N W E S

**SUBJECT PROPERTY**

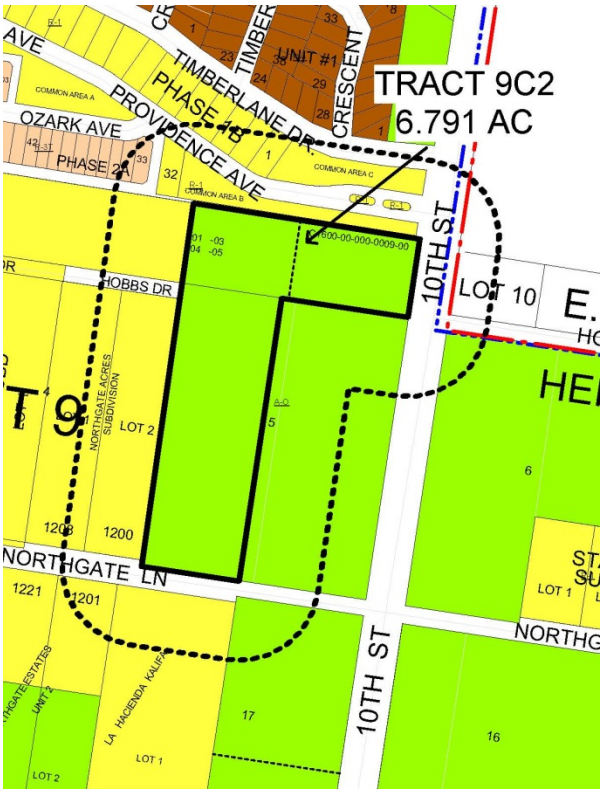
**200 FT. NOTIFICATION BOUNDARY**

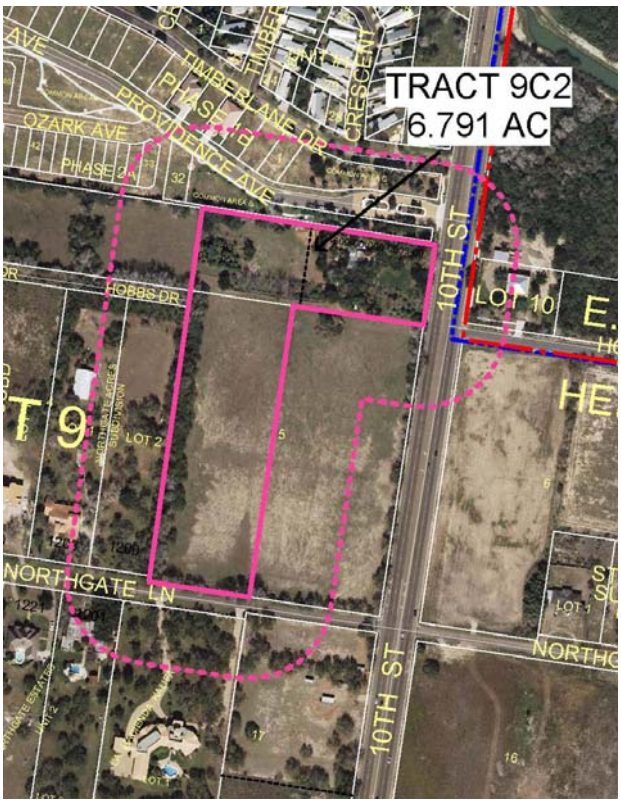
*on ground survery and represent approximate relative location of property boundaries.*

**TRACT 9C2: REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT 6.791 ACRES OUT OF LOT 5, BLOCK 1 EBONY HEIGHTS CITRUS GROVES SUBDIVISION & LOT 9, CARD STRIP, HIDALGO COUNTY, TEXAS; 9301 NORTH 10TH STREET. (REZ2015-0194)**

LOCATION: The tract is located along the north side of Northgate Lane, 320 feet west of North 10th Street and along the west side of 10th Street at Hobbs Drive. The tract has 250 feet of frontage along Northgate Lane and a depth of 920 feet for a tract size of 6.791 acres. The tract has 200 feet of frontage along 10th Street.

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



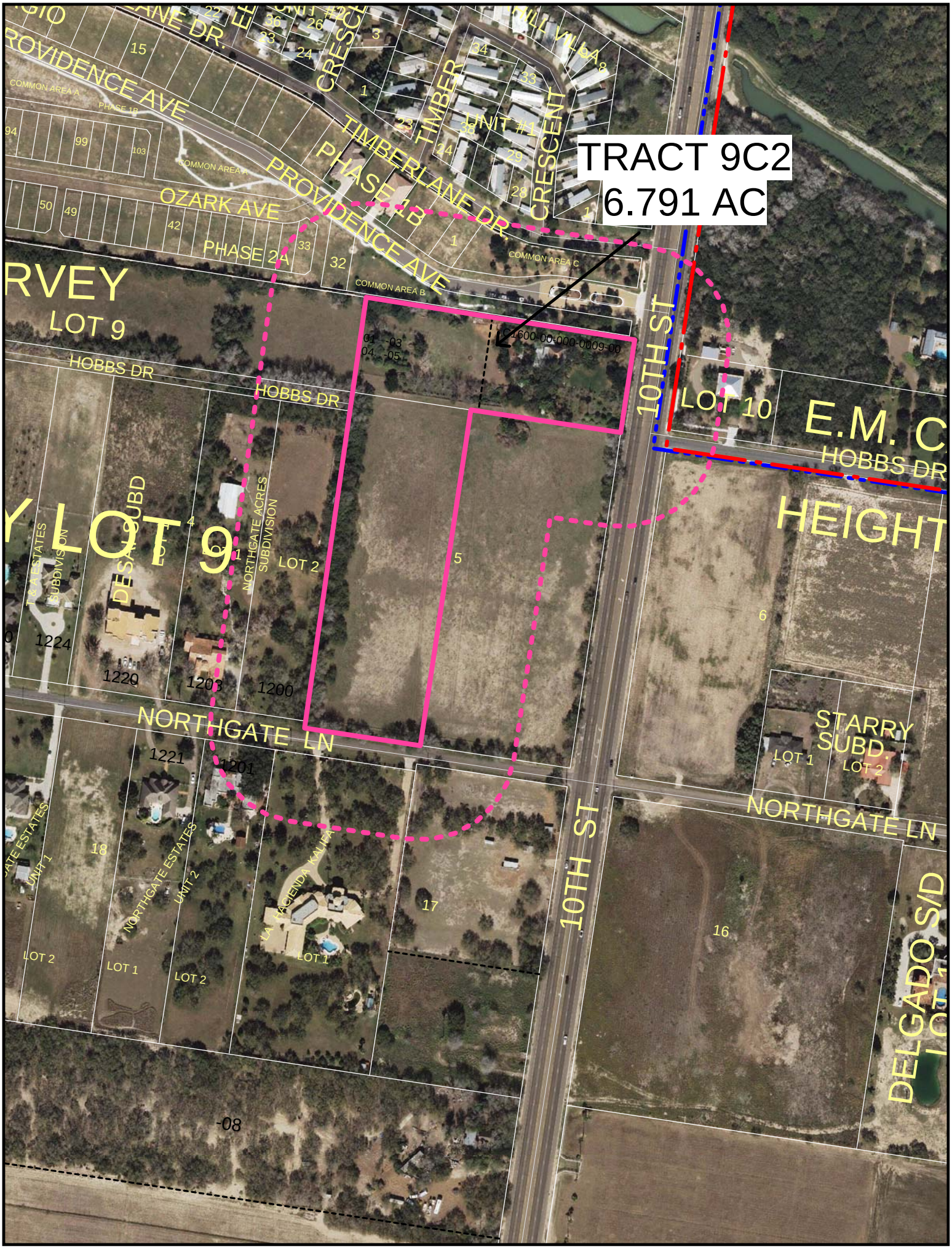

LAND USE: The tract comprises four parcels that contain a single family residence and farmland. Adjacent land uses are single family residences and farmland.

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

DEVELOPMENT TRENDS: The development trend for properties fronting along this section of Northgate Lane is single family residential. The property owner requested R-1 (single family residential) District for the existing single family residence fronting along 10th Street. The property was zoned A-O (agricultural & open space) District upon annexation in 1985. There have been no rezoning requests on the property since that time. Two rezoning requests for R-1 (single family residential) District for adjacent tracts were approved in 2004 and 2007 and a single family residence and a residential subdivision were constructed on the properties. 10th Street is designated as a principal arterial with 120 feet of right-of-way and is currently constructed with 4 travel lanes, a left turn lane and shoulders.

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

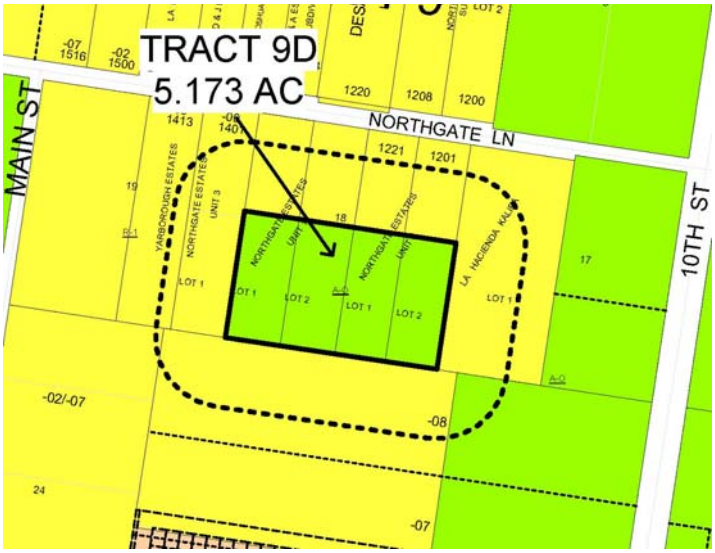
RECOMMENDATION:
Staff recommends approval.

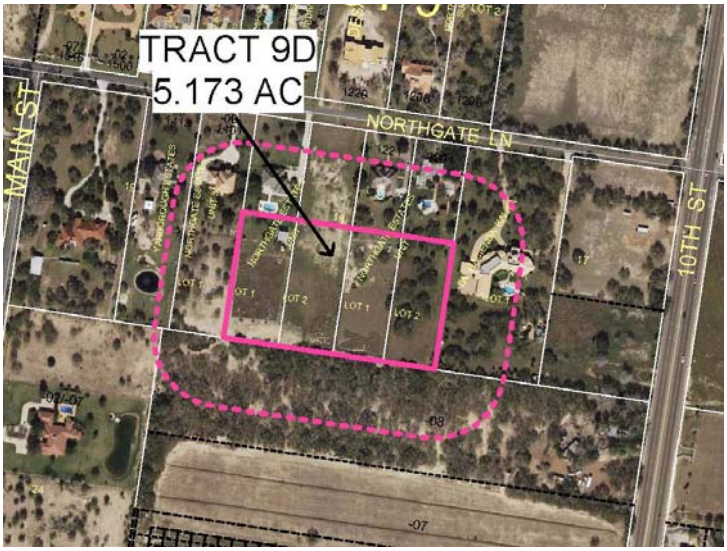

TRACT 9C2
6.791 AC
PROVIDENCE AVE
TIMBERLANE DR.
TIMBER CRESCENT
UNIT #1
PHASE 1B
PHASE 2A
OZARK AVE
COMMON AREA A
COMMON AREA B
COMMON AREA C
HOBBS DR
10TH ST
LOT 9
LOT 10
E.M. C
HEIGHT
DESAR SUBD
NORTHGATE ACRES SUBDIVISION
LOT 2
NORTHGATE LN
STARRY SUBD.
LOT 1
LOT 2
NORTHGATE ESTATES
UNIT 1
UNIT 2
LA HACIENDA KALIEA
DELGADO S/D
1224
1220
1203
1200
1221
1201
-08

**TRACT 9D: REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT 5.173 ACRES OUT OF LOTS 1, 2, NORTHGATE ESTATES UNITS 1, 2, HIDALGO COUNTY, TEXAS; 1201 – 1313 NORTHGATE LANE. (REZ2015-0195)**

LOCATION: The tract is located 290 feet south of Northgate Lane and 620 feet west of 10th Street. The tract has a width of 610 feet and a depth of 370 feet for a tract size of 5.173 acres.

ADJACENT ZONING: Adjacent zoning is R-1 (single family residential) District in all directions.




LAND USE: The tract comprises four parcels that contain three single family residences and a vacant lot. Adjacent land uses are single family residences and vacant land.

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

DEVELOPMENT TRENDS: The development trend for properties fronting along Northgate Lane is single family residential. The property was zoned A-O (agricultural & open space) District upon annexation in 1985. The portion of the lots fronting along Northgate Lane was rezoned to R-1 (single family residential) District in 1992 as part of the Northgate Estates Units 1 & 2 Subdivisions. The property owner requested A-O (agricultural-open space) District in 1992 for the subject tract in order to allow livestock on the property. A rezoning request for R-1 (single family residential) District for the adjacent tract to the east was approved in 2004 and a single family residence was constructed. Northgate Lane is a minor collector with right-of-way varying between 40 and 70 feet providing a rural street section with 2 travel lanes, roadside ditches and no shoulders.

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

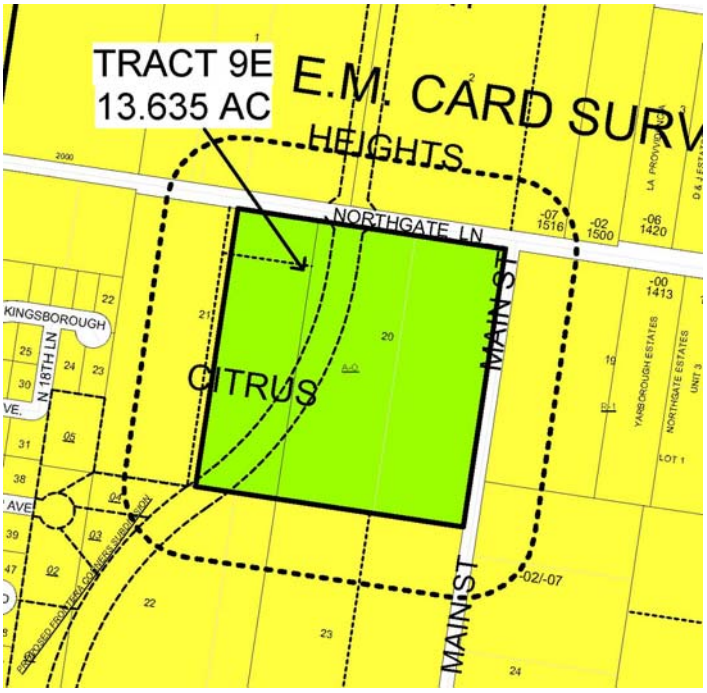
RECOMMENDATION:
Staff recommends approval.

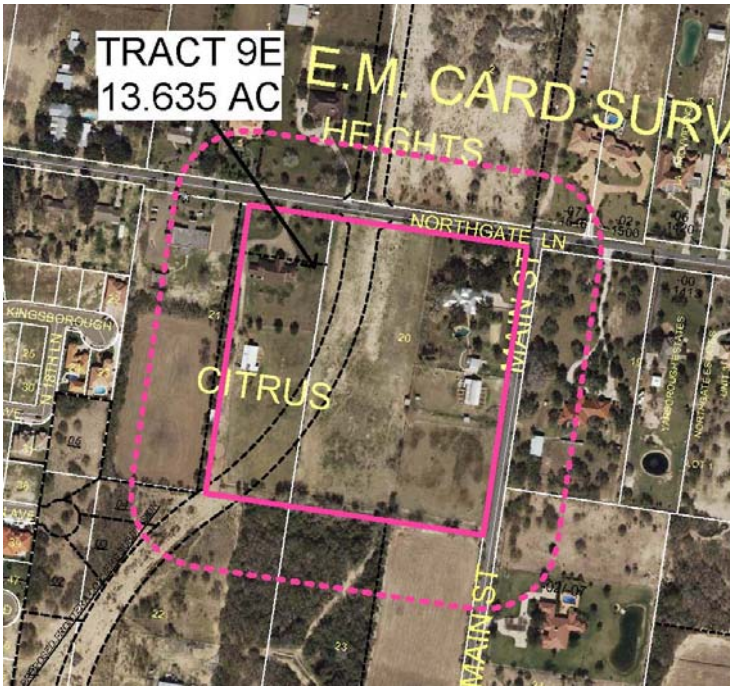
CARD SURVEY LOT 9
TRACT 9D
5.173 AC
LOT 9
HOBBS DR
HOBBS DR
NORTHGATE LN
MAIN ST
MAIN ST
10TH ST
10TH ST
GRAMBLING
No. 2
FULLERTON AVE
ONE FASHION PLACE
FRONTERA
PROPOSED HIDDEN VALLEY SUBD
8500 N MAIN
E2300-00-001-0024-04
YARBOROUGH ESTATES
NORTHGATE ESTATES UNIT 3
NORTHGATE ESTATES UNIT 1
NORTHGATE ESTATES UNIT
LA HACIENDA KALIFA
NORTHGATE ACRES SUBDIVISION
DESOTO SUBD
LOT 1
LOT 2
LOT 1
LOT 2
LOT 1
LOT 2
LOT 1
1516
1500
1413
1401
1220
1208
1200
1221
1201
-02/-07
-08
-07
-05
-06
-03
-01
-02
-15
-04

**TRACT 9E: REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT 13.635 ACRES OUT OF LOTS 20, 21, BLOCK 1, EBONY HEIGHTS CITRUS GROVES, HIDALGO COUNTY, TEXAS; 1609 – 1717 NORTHGATE LANE. (REZ2015-0196)**

LOCATION: The tract is located at the southwest corner of Northgate Lane and Main Street. The tract has 760 feet of frontage along Northgate Lane and 790 feet of frontage along Main Street for a tract size of 13.635 acres.

ADJACENT ZONING: Adjacent zoning is R-1 (single family residential) District in all directions.



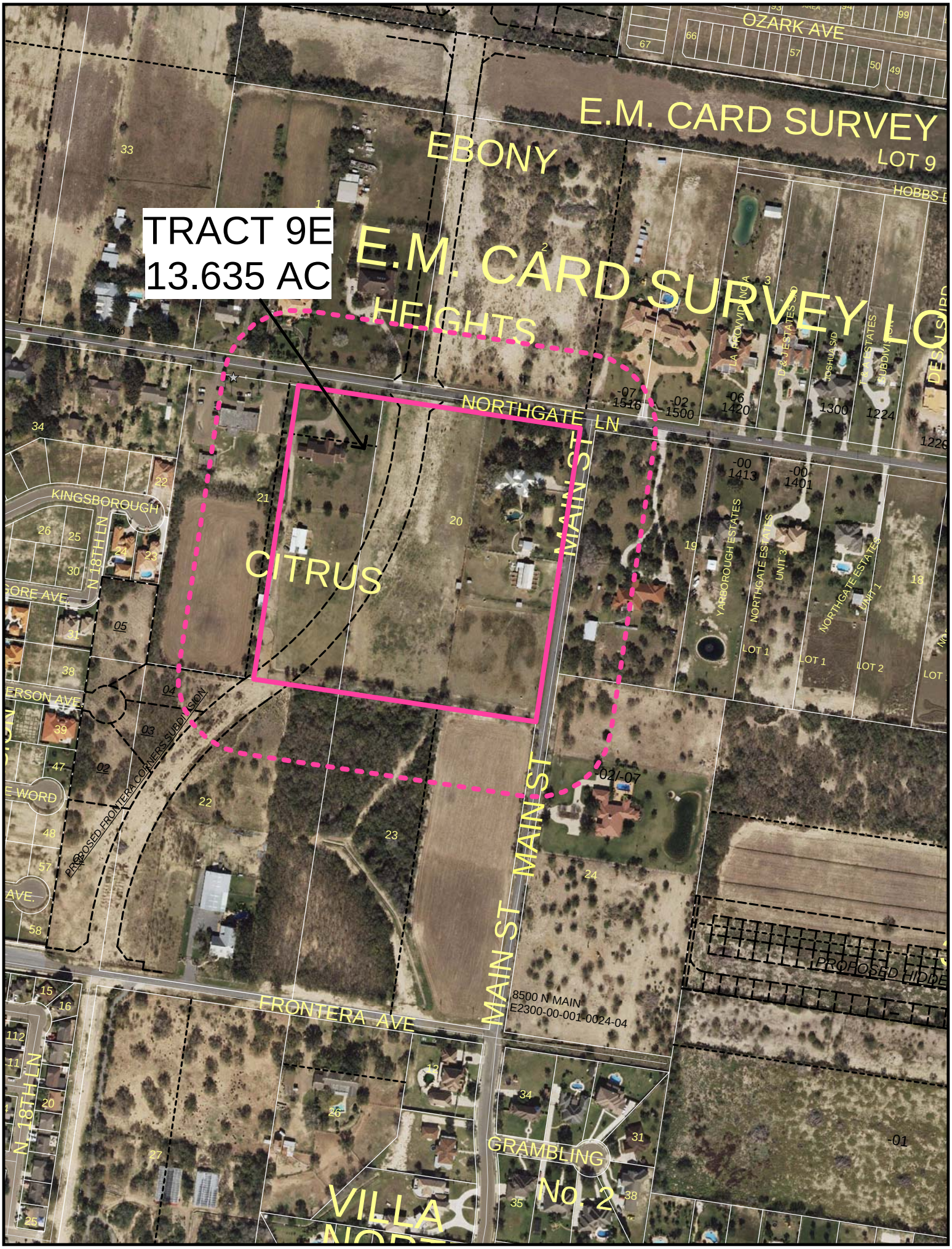

LAND USE: The tract comprises four parcels that contain two single family residences and vacant land. Adjacent land uses are single family residences, Resurrected Life Church and vacant land.

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

DEVELOPMENT TRENDS: The development trend for properties fronting along Northgate Lane is single family residential. The property was initially zoned A-O (agricultural & open space) District upon annexation in 1995 at the request of the property owners in order to allow livestock on the properties. Three rezoning requests for R-1 (single family residential) District for tracts to the east were approved in 1992 and 2004 and single family residences were constructed. A rezoning request for A-O (agricultural-open space) District for a tract to the east was approved in 1992 to allow livestock on the property. Northgate Lane is a minor collector with right-of-way varying between 40 and 70 feet providing a rural street section with 2 travel lanes, roadside ditches and no shoulders. Main Street is a minor collector with 40 feet of right-of-way providing a rural street section with 2 travel lanes, roadside ditches and no shoulders.

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

RECOMMENDATION:
Staff recommends approval.


TRACT 9E
13.635 AC
E.M. CARD SURVEY
LOT 9
EBONY
E.M. CARD SURVEY
HEIGHTS
CITRUS
NORTHGATE LN
MAIN ST
MAIN ST
MAIN ST
OZARK AVE
KINGSBOROUGH
N 18TH LN
PROPOSED FRONTERA CORNERS SUBDIVISION
FRONTERA AVE
GRAMBLING
VILLA
No. 2
8500 N MAIN
E2300-00-001-0024-04
PROPOSED HIDDE
YARBOROUGH ESTATES
NORTHGATE ESTATES
UNIT 3
NORTHGATE ESTATES
UNIT 1
LOT 1
LOT 1
LOT 2
LA PROVIDENCIA
D & J ESTATES SUBD
JOSHUA S/D
T & A ESTATES SUBDIVISION

**TRACT 9F: REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT 7.689 ACRES OUT OF LOT 32, BLOCK 2, EBONY HEIGHTS CITRUS GROVES, HIDALGO COUNTY, TEXAS; 1900 NORTHGATE LANE. (REZ2015-0197)**

LOCATION: The tract is located along the north side of Northgate Lane and 1,240 feet east of 23rd Street. The tract has 410 feet of frontage along Northgate Lane and a depth of 950 feet for a tract size of 8.910 acres.

ADJACENT ZONING: Adjacent zoning is R-1 (single family residential) District in all directions.

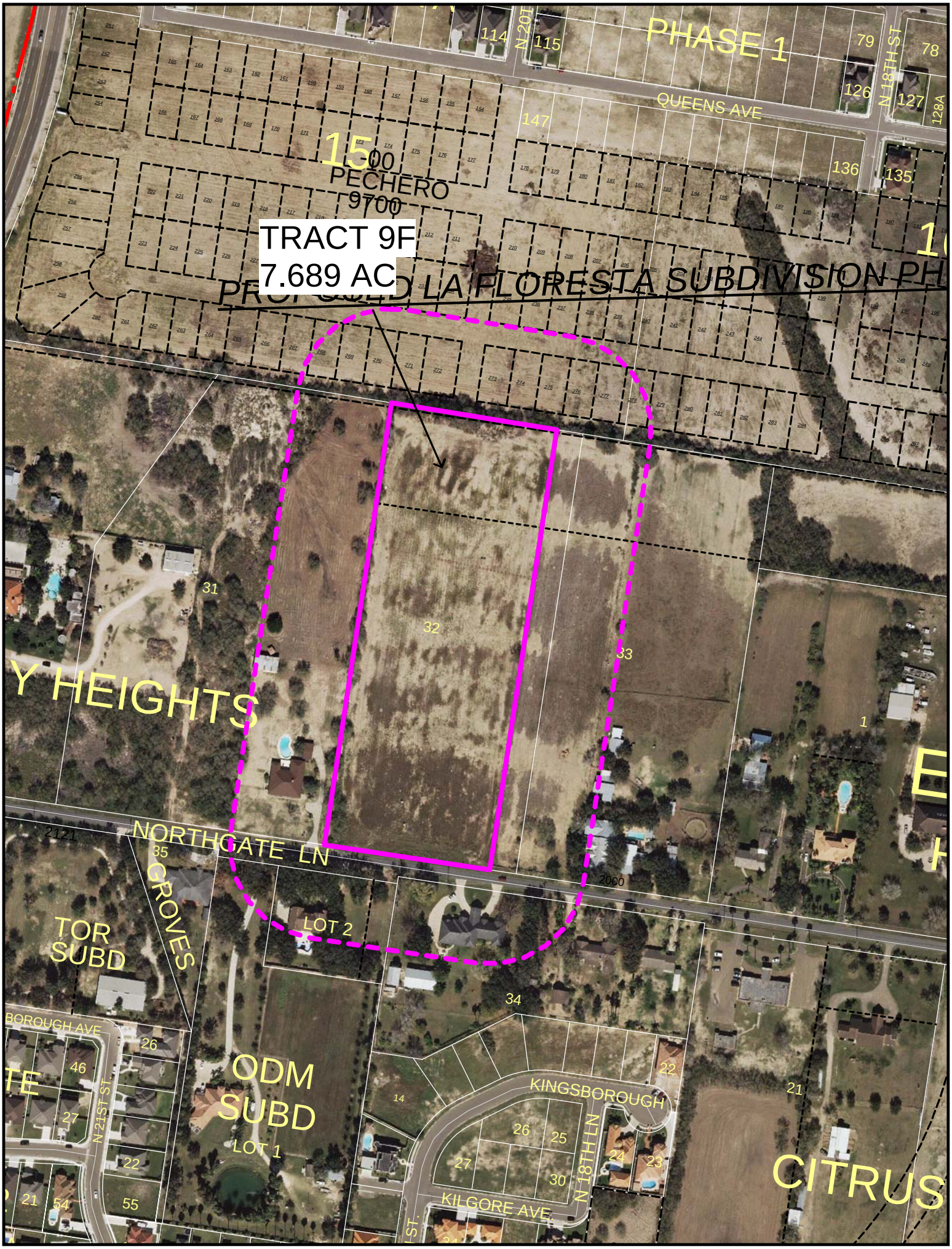
LAND USE: The tract comprises one parcel that has a residence under construction. Adjacent land uses are single family and farmland.

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

DEVELOPMENT TRENDS: The development trend for properties fronting along Northgate Lane is single family residential. The property was initially zoned R-1 (single family residential) District upon annexation in 1995. A rezoning request to A-O (agricultural-open space) District was approved in 1998 for farming purposes. Three rezoning requests for R-1 (single family residential) District for tracts to the east were approved in 1992 and 2004 and single family residences were constructed. Northgate Lane is a minor collector with right-of-way varying between 40 and 70 feet providing a rural street section with 2 travel lanes, roadside ditches and no shoulders..

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

RECOMMENDATION:
Staff recommends approval.


TRACT 9F
7.689 AC
PROPOSED LA FLORESTA SUBDIVISION PH
PHASE 1
QUEENS AVE
N 20T
N 18TH ST
PECHERO
9700
NORTHGATE LN
GROVES
TOR SUBD
ODM SUBD
LOT 1
LOT 2
KINGSBOROUGH
KILGORE AVE
N 18TH LN
N 21ST ST
CITRUS
Y HEIGHTS

## 2015 ATTENDANCE RECORD FOR PLANNING AND ZONING COMMISSION

| | 01/06/15 | 01/20/15 | 02/03/15 | 02/17/15 | 03/03/15 | 03/17/15 | 04/07/15 | 04/21/15 | 05/05/15 | 05/19/15 | 06/02/15 | 06/16/15 | 07/07/15 | 07/21/15 | 08/04/15 | 08/18/15 | 09/01/15 | 09/16/15 | 10/06/15 | 10/20/15 | 11/03/15 | 11/17/15 | 12/01/15 | 12/16/15 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Leonel Garza III** | P | P | P | A | P | P | P | P | P | A | P | A | A | P | P | P | P | A | P | | | | | |
| **Sonia Falcon** | P | P | P | P | P | P | P | P | P | P | P | P | P | A | P | P | P | P | P | | | | | |
| **Rudy Elizondo** | P | P | A | A | P | P | P | P | P | A | P | P | A | P | P | P | P | A | P | | | | | |
| **Ric Godinez** | A | P | P | A | P | P | P | P | A | A | A | P | P | A | P | P | A | P | P | | | | | |
| **Pepe Cabeza de Vaca** | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | | | | | |
| **John Millin** | P | P | P | P | A | A | P | A | P | P | A | P | A | P | P | P | P | P | P | | | | | |
| **Mark Wright** | P | A | P | P | A | P | P | P | P | P | P | P | P | P | A | A | P | P | P | | | | | |

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

## 2015 ATTENDANCE RECORD FOR PLANNING AND ZONING WORKSHOPS

| | 09/29/15 | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Leonel Garza III** | P | | | | | | | | | | | | | | | | | | | | | | | |
| **Sonia Falcon** | A | | | | | | | | | | | | | | | | | | | | | | | |
| **Rudy Elizondo** | P | | | | | | | | | | | | | | | | | | | | | | | |
| **Ric Godinez** | A | | | | | | | | | | | | | | | | | | | | | | | |
| **Pepe Cabeza de Vaca** | P | | | | | | | | | | | | | | | | | | | | | | | |
| **John Millin** | P | | | | | | | | | | | | | | | | | | | | | | | |
| **Mark Wright** | P | | | | | | | | | | | | | | | | | | | | | | | |

# PLANNING DEPARTMENT

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

# 2015 CALENDAR

**Meetings:**

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

**Deadlines:**

D- Zoning/CUP Application
N - Public Notification

## JULY 2015

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

## AUGUST 2015

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

## SEPTEMBER 2015

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

## OCTOBER 2015

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

## NOVEMBER 2015

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

## DECEMBER 2015

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

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