

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF McALLEN

The McAllen Planning and Zoning Commission convened in a Regular Meeting on Tuesday, January 6, 2026 at 3: 30p.m.at the McAllen City Hall, 3rd. Floor Commission Chambers Room,1300 Houston Avenue, McAllen, Texas.

Present:	Marco Suarez Gabriel Kamel Emilio Santos Jesse Ozuna	Chairperson Vice Chairperson Member Member
Absent:	Raul Sestin Reza Badiozzamani Jose L. Caso	Member Member Member
Staff Present:	Austin Stevenson Omar Sotelo Eduardo Garza Kaveh Forghanparast Julio Constantino Natalie Moreno Marcos Johnson Samantha Trevino Porfirio Hernandez Nicolas Lopez Even Gonzalez Miguel Hernandez Ofelia Camacho	City Attorney Planning Director Development Coordinator Senior Planner Planner III Planner III Planner III Planner II Planner II Planner II Development Engineer Planner Technician I Administrative Assistant

CALL TO ORDER – 3:37 pm Mr. Gabriel Kamel, Vice Chairperson

PLEDGE OF ALLEGIANCE

INVOCATION. Mr. Emilio Santos Jr.

1) MINUTES:

- a) Approval of the minutes for November 4, 2025 meeting minutes

Being no discussion, Mr. Gabriel Kamel motioned to approve November 4, 2025 meeting minutes. Mr. Emilio Santos Jr. second the motion with four members present and voting.

2) PUBLIC HEARING:

a) REZONING:

1. Rezone from C-2 (Regional Commercial-UDC) District to M-2 (Regional Mixed Use-UDC) District: A 5.0 Acre tract of land consisting of all of Lot 11, Kings Highway Subdivision, Hidalgo County, Texas; 421 South Ware Road.
(REZ2025-0269)

Ms. Mia Fuentes stated that the subject property is the subject property is located on the northeast corner of South Ware Road and Erie Avenue. The applicant is requesting to rezone the property to

M-2 (Regional Mixed Use-UDC) District under the new McAllen Unified Development Code (UDC) for hotel/ restaurant use. The adjacent properties are zoned C-3 (General Business–OC) District to the north, south, west and southeast, R-1 (Single Family Residential–OC) & A-O (Agricultural & Open Space District to the east and R-3A (Multi-family Residential Apartment-OC) District to the west.

Surrounding land uses include, single-family residences, hotels, commercial businesses and McAllen Convention Center.

The Envision McAllen Future Land Use Plan designates the future land use for this property as Public/Semi-Public. This category covers government, institutional, and religious uses—such as city buildings, emergency services, schools, places of worship, and municipal utility or storage sites. Because they are essential to community functioning, Public/Semi-Public facilities can be included within any other future land-use category.

The development trend in this area along South Ware Road indicates a shift toward mixed commercial uses, including new retail stores, dining establishments, and hotel accommodations.

The property was rezoned to the new C-2 (Regional Commercial) UDC on August 25, 2025. This rezoning request was submitted on November 25, 2025. A proposed subdivision for the subject property under the name of Bravac Park Subdivision (previously known as Erie Marketplace Subdivision) was approved in revised preliminary form by the Planning and Zoning Commission on December 16, 2025.

The requested zoning does conform to the future land use designation as shown on the Envision McAllen Future Land Use Plan. It also follows the development trend in this area. The subject property is along South Ware Road, a major roadway on the thoroughfare map which makes it suitable for higher density mixed uses.

Any future constructions must comply with all development and conditional use permit requirements as applicable under the UDC.

Staff has not received any phone calls, letters, or emails in opposition to the rezoning request.

Staff recommends approval of the rezoning request.

Chairperson Mr. Marco Suarez asked if there was anyone present in opposition of the proposed rezoning request. There was none.

Being no discussion, Vice Chair Person, Mr. Gabriel Kamel moved to approve the rezoning request. Mr. Emilio Santos Jr. second the motion with four members present and voting.

b) CONDITIONAL USE PERMITS:

1. Request of Eloy Morin, on behalf of Texas Borders Hemp Company, LLC, for a Conditional Use Permit for one year, and adoption of an Ordinance, for a Smoke Shop at North ½ of Lot 19 Block 1, Eltus Subdivision, Hidalgo County, Texas; 1631 North 10th Street. **(CUP2025-0115)**

Ms. Mia Fuentes stated that the subject property is the subject property is located west of North 10th Street and south of Redwood Avenue. The property is zoned C-3 (General Business-OC) District and

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the adjacent zoning is C-3 District in all directions. Surrounding land uses include commercial uses and multi-family and single-family residences. A smoke shop is permitted in a C-3 District with a Conditional Use Permit and in compliance with all requirements.

The applicant submitted an application for a Conditional Use Permit on November 21, 2025. The proposed days and hours for the Smoke Shop are Monday through Sunday from 10:00 AM to 12:00 AM. A Conditional Use Permit for a previous Smoke Shop at the same location was disapproved by the Planning & Zoning Commission in August 2024, but approved by City Commission on September 9, 2024.

As per Section 138-400 of the Zoning Ordinance, the parking lot must be properly striped and free of potholes. The establishment must also meet the requirements set forth in Section 138-118(a)(4) of the Zoning Ordinance and specific requirements as follows:

- 1) The property line of those businesses having late hours (after 10:00 PM) must be at least 400 feet from the nearest residence, church, school or publicly-owned property or must provide sufficient buffer and sound insulation of the building such that the building is not visible and cannot be heard from the residential areas. This establishment is within 400 ft. of the above mentioned land 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 North 10th Street and does not generate traffic into residential areas;
- 3) The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance as a minimum, and make provisions to prevent the use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional on-site parking. Six parking spaces are required, and three spaces are provided on site;
- 4) The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties by providing, when necessary, fences, hedges or reorientation of entrances and exits under the vegetation ordinance;
- 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.

If approval is granted, the establishment must comply with all other Zoning Ordinances, Building Codes, and Fire Department requirements.

Staff has not received any phone calls, emails, or letters in opposition to this request.

Staff recommends disapproval of this request, for one year, due to noncompliance of distance requirement.

Chairperson Mr. Marco Suarez if there was anyone present in opposition of the proposed conditional use permit request. There was none.

After a brief discussion, Mr. Gabriel Kamel disapproval with a favorable recommendation. Mr. Emilio Santos Jr. second the motion with four members present and voting.

2. Request of Ramon R. Martinez, on behalf of Believe Investments, LLC, for a Conditional Use Permit, for one year, and adoption of an ordinance, of a Food Truck Park, at Lot 1, Valley Salvage Center Subdivision, Hidalgo County, Texas; 701 East US Business 83. **(CUP2025-0118)**

Ms. Mia Fuentes stated that the subject property is the subject property is located north of East US Business 83 and east of North McColl Road. The property is zoned I-1 (Light Industrial-OC) District. Surrounding land uses include commercial and industrial uses. A food truck park is permitted in an I-1 District with a Conditional Use Permit and in compliance with all requirements.

The first Conditional Use Permit for this location was originally approved in September of 2022. The current permit expired on November 25, 2025, and the applicant submitted a new application on November 28, 2025. The Food Truck Park's days and hours of operation are currently Monday through Sunday from 8:00 AM to 12:00 AM and will remain the same.

The Fire Department has not completed their inspection on the subject property. The Health Department has completed their inspection and approved the Conditional Use Permit. The Food Truck Park and its vendors must comply with the requirements set forth in Section 54-52 of the Zoning Ordinance for mobile food vendor courts and the following specific requirements:

- 1) The property line of the lot must be at least 200 feet from the nearest residence or residentially zoned property; the location of the Food Truck Park is at least 200 feet from the nearest residence and residentially zoned property;
- 2) The name, address, phone number and email address of a contact person who shall be available 24 hours per day, 7 days per week for the purposes of responding to complaints regarding the operation of the mobile food vendor court; the applicant has provided their contact information;
- 3) Mobile food vendor courts shall not operate between the hours of 2:00 AM and 7:00 AM; the proposed hours of operation are between 8:00 AM and 12:00 AM;
- 4) Each mobile food vendor court shall provide access to a restroom on or within 600 feet of the property lines of the track of land on which it is situated;
- 5) Mobile food vendor courts must provide one (1) garbage receptacle, to hold a minimum of thirteen (13) gallons, per each vendor located on premises for public use. This requirement is in addition to the receptacles required of each individual vendor;
- 6) Mobile food vendors may not be placed or parking on unimproved surfaces;
- 7) Adequate lighting, as determined by the Health Director, to enable clear and unobstructed visibility of mobile food vendors and patrons shall be provided at all entrances and exits of the mobile food vendor court;

8) Mobile food vendor courts shall provide on premise parking areas sufficient to accommodate staffing needs and seating areas.

Each food truck is required to obtain an approved permit through the Mobile Food Vendors application process with the City's Environmental Health and Code Enforcement Department.

Staff has not received any phone calls, emails, or letters in opposition to this request.

Staff recommends approval of this conditional use permit request.

Staff recommends disapproval of the request based on noncompliance with requirement #1 (distance) to publically owned land of Section 138-118(a) (4) of the Zoning Ordinance.

Chairperson Mr. Marco Suarez asked if there was anyone present in opposition of the proposed subdivision. There was none.

Being no discussion, Vice Chairperson, Mr. Gabriel Kamel motion to approve. Mr. Emilio Santos Jr. second the motion with four members present and voting.

3) CONSENT:

- a) Habitat at Hackberry, 3302 Hackberry Ave, Habitat Developers, LLC (**SUB2024-0119**)
(Revised Final) 6-Month Ext. SPEC

Being no discussion, Mr. Jesse Ozuna moved to approve consent items request. Vice Chairperson Mr. Gabriel Kamel second the motion with four members present and voting.

4) SUBDIVISIONS

- a) Las Brisas Phase II, 3105 Monte Cristo Road, Rhodes Development, Inc. (**SUB2025-0111**)
(Final) M&H (Tabled on 12/16/2025)

Mr. Julio Constantino stated that the property located on 50 ft. ROW. Paving: 32 ft. Curb & gutter: both sides. Street names will be finalized, prior to final. Temporary paved turnarounds as shown on plat by separate document will need to be recorded, prior to recording. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. 1,200 ft. Block Length: Common Areas and access walks/drives provided per agreement. Subdivision Ordinance: Section 134-118. 600 ft. Maximum Cul-de-Sac. Please provide dimensions of Cul-de-Sacs. Please clarify if islands are proposed and provide paving dimensions around all islands to determine compliance prior to final. Paving must be 96 ft. in diameter face to face and island must meet 32 ft. paving all around and must be fire lane striped, as applicable. Subdivision Ordinance: Section 134-105. Front: 20 feet minimum or greater for easements. Zoning Ordinance: Section 138-356. Rear: 11 feet or greater for easements. Zoning Ordinance: Section 138-356. Sides: 5 feet or greater for easements. Zoning Ordinance: Section 138-356. Corner: 10 feet or greater for easements. Remove side from corner setback. Zoning Ordinance: Section 138-356. Garage: 18 feet except where greater setback is required; greater setback applies. Revise plat note as shown above, prior to final. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. Interior sidewalks shall be installed at building permit stage as per sidewalk plan filed with the city by registered engineer designing the unit of development, per agreement. City ordinance will not apply provided a sidewalk having at least an adequate width for pedestrian and bike traffic is provided in a

plan that is sealed by the registered engineer designing the unit of development, per agreement. Must provide sidewalk, prior to final. Revise plat note #16 as shown above, prior to final. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Revise plat note as shown above, prior to final. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Common Areas, etc. must be maintained by the lot owners/PID and not the City of McAllen. Revise plat note as shown above, prior to final/Recording. Public Improvement District (PID) (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 110-72 of the Vegetation Ordinance, including but not limited to common areas. Section 110-72 applies if public subdivision is proposed. Section 134-168 applies if private subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Public Improvement District (PID) Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Section 110-72 applies if public subdivision is proposed. Section 134-168 applies if private subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Lots fronting public streets. Access to subdivision from Las Brisas Phase I Subdivision, which has access to Monte Cristo Road. The subdivision must comply with minimum access points, as per agreement. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Lots must comply with the minimum 50 ft. frontage requirement and 54 ft. on corner lots, or in compliance per Agreement. Lots 44, 46, 77, 79 don't appear to meet minimum lot frontage as per Agreement, plat must be revised to comply, prior to final. Zoning Ordinance: Section 138-356. Existing: R-1 Proposed: R-1. Zoning Ordinance: Article V. Land dedication in lieu of fee. As per Parks Department, in this case Park fees do not apply because Park land dedication exceeds City's requirements as of 10/30/2014, as per agreement. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, in this case Park fees do not apply because Park land dedication exceeds City's requirements as of 10/30/2014, as per agreement. Pending review by the City Manager's Office. As per Parks Department, in this case Park fees do not apply because Park land dedication exceeds City's requirements as of 10/30/2014, as per agreement. As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. As per Traffic, Phase II was included and approved in the Master TG approved, Master TIA approved with conditions. Traffic Impact Analysis (TIA) required prior to final plat. As per Traffic, Master TIA approved with conditions. Any abandonments must be done by separate process, not by plat, prior to final. Signature blocks must be revised to show correct subdivision name. Clarify dotted line shown outside subdivision boundary line at the southwest corner. Must comply with City's Access Management Policy. At the Planning and Zoning Commission meeting of 12/02/25, this item was tabled, pending clarification on outfall & drainage requirements. At the Planning and Zoning Commission meeting of 12/16/25, this item remained tabled.

Staff recommended approval of the subdivision in final form subject to the conditions noted.

No motion was given, case will remain tabled as per Director of Planning Department, Omar Sotelo.

- b) Vacating a Portion of Racquet Club and Replat to Villages at Park West, 1400 Sprague Road, Domain Development, CORP
(SUB2025-0007) (REVISED FINAL) M&H (Tabled on 12/16/2025)

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North Bicentennial Boulevard: Dedication as required for 75 ft. from centerline for 150 ft. total ROW Paving: 65 ft. 105 ft. Curb & gutter: both sides. Provide a copy of R.O.W. documents shown on the plat for staff review as applicable, prior to final/recording. Clarify the dashed lines shown on the North and South sections of N. Bicentennial Blvd. Clarify Document labeled as ""Deed Without Warranty."" The engineer submitted a variance application (VAR2024-0045) submitted on 10-11-24, including a variance proposal to dedicate 15 ft. of additional R.O.W. for 70 ft. from centerline for 140 ft. total R.O.W. instead of the required 20 ft. of R.O.W. dedication for 75 ft. from centerline for 150 ft. of R.O.W. Variance was tabled at the meeting of November 5, 2024 and presented at the P&Z meeting of November 19, 2024, the item was removed off the tabled agenda, and the subdivision was approved in Revised-Preliminary along with the approvals the Variances. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. Sprague Road: Dedication as required for 40 ft. from centerline for 80 ft. total ROW. Paving: 52 ft. Curb & gutter: both sides. Provide a copy of R.O.W. documents shown on the plat for staff review as applicable, prior to final/recording. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan Interior Streets: Dedication as required for 60 ft. total R.O.W. Paving: 40 ft. Curb & gutter: both sides. Additional R.O.W. required at the gate area. The engineer submitted a variance application. (VAR2024-0045) submitted on 10-11-24, including a variance proposal to internal roads to be 50 ft. of R.O.W. with 40 ft. of paving with a 10 ft. utility & sidewalk easements on both sides of the streets instead of the required 60 ft. of R.O.W. Variance was approved at the meeting November 5, 2024. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final/recording. COM Thoroughfare Plan. 600 ft. Maximum Cul-de-Sac. Subdivision Ordinance: Section 134-105. R.O.W.: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial/multi-family properties. Subdivision layout is proposing a 24 ft. alley for interior lots only. The engineer submitted a variance application (VAR2024-0045) submitted on 10-11-24, including a variance proposal for a 24 ft private alley for internal blocks ONLY. Variance was approved at the CC meeting of November 25, 2024. Subdivision Ordinance: Section 134-106. Front: 20 ft. or greater for easements or approved site plan. Engineer submitted Variance request on December 18, 2025 proposing: 20 ft. or greater for easements or approved site plan except 10 ft. front setback for unenclosed carports only for Lots 1-88. If variance request for the front setback for unclosed carports for Lots 1-88, front setback note wording must be finalized prior to recording. Zoning Ordinance: Section 138-356. Rear: 10 ft. or greater for easements or approved site plan. Zoning Ordinance: Section 138-356. Sides: 6 ft. or greater for easements or approved site plan. The Engineer submitted a variance application (VAR2025-0046) requesting side setback to be reduced from 6 ft. to 5 ft. To be presented at the P&Z meeting of December 16, 2025. Zoning Ordinance: Section 138-356 Corner: 10 ft. or greater for easements or approved site plan. Zoning Ordinance: Section 138-356. 18 ft. except where greater setback is required; greater setback applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan Sidewalks. 4 ft. wide minimum sidewalk required on North Bicentennial Boulevard, Sprague Road, and on both sides of all interior streets. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along North Bicentennial Boulevard and Sprague Road. Landscaping Ordinance: Section 110-46 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along North Bicentennial Boulevard and Sprague Road. Must comply with City Access Management Policy. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Any owner, builder or developer of a multiple-family, condominium or townhouse dwelling complex of five units or more on a single lot or parcel, or five single-family attached units, shall submit to the planning department for review a site and building plan for the proposed development. Submit a site plan or clarify to determine

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requirement, prior to final. Zoning Ordinance: Section 138-210. Common/Detention Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Revise plat note #14 as shown above, prior to final/recording. 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. Revise Plat note # 15 with the Full Subdivision Plat Name. Section 110-72 applies if public subdivision is proposed. Section 134-168 applies if private subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Homeowner's Association Covenants must be submitted for staff review, prior to recording. Revise Plat note # 15 with the Full Subdivision Plat Name. Section 110-72 applies if public subdivision is proposed. Section 134-168 applies if private subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Lots fronting public/private streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: R-2, R-3T, C-3 Proposed: R-3A. Applications for zoning change received, approved at the P&Z meeting of 11/19/24. A rezoning application (REZ2025-0232) was submitted to change zoning from R-3A to R-3 (UDC) but was withdrawn at the request of the engineer on 12/11/25. Zoning Ordinance: Article V Rezoning Needed Before Final Approval. Zoning Ordinance: Article V. As per plat submitted on July 05, 2024, plat depicts 88 residential lots, a request to pay park fees in lieu of land dedication for The Replat of Villages at Park West subdivision has been submitted and approved by the City Manager's office. The request includes paying half of the park fees prior to recording and the other half prior to building permit issuance. Half of the park fees (\$30,800) based on \$350 per 88 proposed dwelling units is needed prior to recording, and \$350 per dwelling unit must be paid prior to building permit issuance. If the number of dwelling unit's increases, additional park fees will apply. A plat notes to reflect the approved park fee variance is needed prior to recording. Plat note regarding parkland dedication is shown as Plat Note #19. 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Submit a master plan for overall development to determine compliance with subdivision requirements, streets, etc and any additional requirements that may be needed. Application would need to be corrected to reflect the finalized name of the subdivision. At the Planning and Zoning Commission meeting of 12/16/25, this item was tabled as per the request of the Engineer, due to a change to the conditions of their variance request, in which they will be adding an additional request for the Front Setbacks (Carports). Any abandonments must be done by separate document, not by plat, must be finalized prior to recording. Must comply with City's Access Management Policy.

Staff recommends approval of the subdivision in revised final form, subject to the conditions noted. Staff has no objection to variance request to side setback variance.

After a lengthy discussion, Vice Chairperson Mr. Gabriel Kamel moved to approve the subdivision in revised final form, subject to the conditions noted, also the variance request. Mr. Emilio Santos Jr. second the motion with four members present and voting.

c) Zuma Subdivision, 11001 N. Bentsen Palm Drive, Zuma Development Co, LLC. (SUB2025-0107) (REVISED PRELIMINARY) CHLH (Tabled on 12/16/2025)

Mr. Julio Constantino stated that the property located Mile 7 Road (F.M. 2221): 35ft. of dedication for 75ft. from centerline for 150 ft. total R.O.W. Paving 65 ft. to 105 ft. Curb & gutter: Both Sides. Revise street name as shown above prior to final. Clarify if any issues with Easement to Sharyland Water Supply Corporation overlapping with required ROW dedications & provide document for staff review prior to final. Clarify 40.00' R.O.W. easement to County with staff, provide document for staff review prior to final. Need to label the "Total R.O.W." after accounting for the dedication from center line, prior to final. Label as "Total", prior to final. Boundary of Subdivision seems to extend up to the Centerline on the Survey, clarify on the plat prior to final. Clarify all the bold lines being shown on Mile 7 Road, need to provide 'Housekeeping'. Abandonment of easements cannot be done by plat, must be done by a separate instrument/document. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. North Bentsen Palm Drive: 5 ft. of dedication for 40 ft. from centerline for 80 ft. total R.O.W. Paving: 52 ft. Curb & gutter: Both Sides. Revise street name as shown above prior to final. Clarify the dimensions on the plat, plat shows existing 70 ft. of R.O.W. and provides an "Additional 5' R.O.W. dedication," however, there is an arrow dimension of 80 ft. being shown, so where did the extra 5 ft. of R.O.W. come from. Need to label the "Total R.O.W." after accounting for dedication from center line prior to final. Clarify the multiple bold lines being shown on N. Bentsen Palm Drive, need to provide 'Housekeeping'. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. N/S collector Street (Western Boundary 1/4 Mile Location): Dedication as needed for 30 ft. from centerline for 60 ft. total R.O.W. 40 ft. Curb & gutter: Both Sides. Please clarify the R.O.W. area shown on the plat. Need to provide an Area map to verify for street alignments/offsets. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording." 1,200 ft. Block Length. Subdivision layout submitted on July 22, 2025 does not comply with the 1,200 ft. block length requirement, plat submitted shows an approximate 1,455.83' block length. Subdivision Ordinance: Section 134-118. R.O.W.: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial, industrial, and multi-family properties. Proposing for alley or service drive easement South of the plat. Alley or service drive easement cannot dead-end. Private Access Service Drive Easement must be minimum 24 ft. and in compliance with Fire and Public Works Department requirements. Subdivision Ordinance: Section 134-106. Front Mile 7 Road (F.M. 2221): Proposing 10 ft. or greater for easements. Setbacks must be established prior to final, once annexation status has been clarified, property currently in ETJ. Note wording subject to change once annexation status has been clarified. If proposed to remain in ETJ coordinate with County regarding setback requirements, the greater would apply. Finalize wording for note prior to final. If annexed change front setback notes to: In accordance with zoning ordinance, or greater for easements or approved site plan, or in line with average setback, whichever is greater applies. Zoning Ordinance: Section 138-356. Proposing 10 ft. or greater for easements. Setbacks must be established prior to final, once annexation status has been clarified, property currently in ETJ. Note wording subject to change once annexation status has been clarified. If proposed to remain in ETJ coordinate with County regarding setback requirements, the greater would

apply. Finalize wording for note prior to final. If annexed change rear setback notes to: In accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Zoning Ordinance: Section 138-356. Interior Sides: Proposing: In accordance with the zoning ordinance or greater for easements. Setbacks must be established prior to final, once annexation status has been clarified, property currently in ETJ. Note wording subject to change once annexation status has been clarified. If proposed to remain in ETJ coordinate with County regarding setback requirements, the greater would apply. Finalize wording for note prior to final. If annexed change side setback notes to: In accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Zoning Ordinance: Section 138-356. Corner: Proposing 10 ft. or greater for easements. Setbacks must be established prior to final, once annexation status has been clarified, property currently in ETJ. Note wording subject to change once annexation status has been clarified. If proposed to remain in ETJ coordinate with County regarding setback requirements, the greater would apply. Finalize wording for note prior to final. If annexed change corner setback notes to: In accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. Sidewalks 4 ft. wide minimum sidewalk required along Mile 7 Road, North Bentsen Palm Drive and N/S collector street. Finalize wording for note prior to final. Sidewalk requirements might increase to 5 ft. prior to final as per Engineering Department requirements. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Include note as shown above prior to final. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along. Must comply with City Access Management Policy Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Please remove plat note #15 prior to final, as it is a requirement not a required plat note. Common Areas, any private drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Note wording for note#11 must be finalized prior to final, once subdivision requirements have been finalized. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Please remove plat note #12 prior to final, as it is a requirement not a required plat note. Clarify if each lot will be able to meet their individual requirements as noted above, additional requirements may be required once clarified, finalize prior to final. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 110-72 applies if subdivision is proposed to be public. Section 134-168 applies if subdivision is proposed to be private. Clarify note #13 as this a commercial development, remove plat note prior to final. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Homeowner's Association Covenants must be submitted for staff review, prior to recording. Section 134-168 applies if private subdivision is proposed. Section 110-72 applies if public subdivision is proposed. Clarify note #14 as this a commercial development, remove plat note prior to final. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: ETJ Proposed: Commercial. If annexation is proposed, process must be finalized prior to final along with initial zoning process. Zoning Ordinance: Article V. Rezoning Needed Before Final Approval. If annexation is proposed, process must be finalized prior to final along with initial zoning process. Zoning Ordinance: Article V. As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. Traffic Impact Analysis (TIA) required prior to final plat. Subdivision is missing the 'Metes and

Bounds,' needs to be shown on the plat. Subdivision is missing the 'Legend Table,' needs to be shown on the plat. In addition to preparation date, please include revision dates as changes are being made, where applicable. Pending parcel information for area located on the South-West portion of the Plat. On the Location map, add an arrow annotation that reads "SITE", use the parcel maps, make the street names bigger, add recorded subdivisions information, add the North arrow. Survey Bearings and Distances does not match what is shown on the plat, please clarify this discrepancy. If required, will need to provide an updated survey. Need to add Metes & Bounds to the Plat. At the request of the Engineer, Zuma is being presented in revised preliminary form with the Variance request. Pending submittal of Doc. No's for the West Side/HCID#6 Easement. Any variances requested must be processed/finalized prior to final. At the Planning and Zoning Commission meeting of 12/16/25, this item was tabled, pending the document to be provided for the West Portion of the Property regarding the Existing Irrigation Easement. Disclaimer: Any abandonments must be done by a separate process, cannot be done by plat. Previous Subdivision Case was (SUB2022-0048) & (SUB2023-0016). Resubmitted due to conclusion of 6-Month extension. Must comply with City's Access Management Policy.

Staff recommends approval of the subdivision in revised preliminary form, subject to the conditions noted, drainage & utilities approval.

If no document provided for the west portion of the property regarding the irrigation easement, staff recommends item be tabled, however, if a document is submitted, board's clarification on the requested variance required.

Staff recommended approval of the subdivision in final form subject to the conditions noted.

Vice Chairperson Mr. Gabriel Kamel moved to have item removed from being tabled. Mr. Emilio Santos Jr. second the motion with four members present and voting.

Austin Stevenson our City attorney he clarified regarding items being tabled multiple times, however it was requested to be withdrawn.

Mr. Jesse Ozuna moved to withdraw item from the agenda. Vice chairperson Mr. Gabriel Kamel second the motion with four members present and voting.

**d) The Hills at Sharyland Lot 20A, 9306 N. 56th Lane, Aldape Development, LLC
(SUB2024-0092) (REVISED PRELIMINARY) MAS**

Mr. Julio Constantino stated that the property located North 56th Street: 30 ft. R.O.W. dedication required for future 60 ft. R.O.W. 15 ft. existing R.O.W. is shown on the plat as per approved variance for future 60 ft. R.O.W. Paving: 40 ft. Curb & gutter: Both Sides. At the meeting of April 5, 2022, the P&Z commission recommended approval of a variance for 10-15 ft. of R.O.W. dedication for N. 56th Street. At the meeting of April 25, 2022 the City Commission approved the variance request for R.O.W. dedication requirements for N. 56th Street. The Actions on this variance will apply to this subdivision. Please provide document number of recorded R.O.W. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. Interior Streets: 60 ft. of R.O.W. (The recorded plat of the Hills proposed 50 ft. R.O.W. with 40 ft. of paving and sidewalk easements provided on both sides.) Paving: 40 ft. Curb & gutter: both sides. Variances approved by P&Z for 50 ft R.O.W. with 10 ft. sidewalk & utility easements will apply. The Actions on this variance will apply to this subdivision. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. 900 ft. Block Length for

R-3 Zone Districts. Subdivision Ordinance: Section 134-118. 600 ft. Maximum Cul-de-Sac. Subdivision Ordinance: Section 134-105. R.O.W.: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties and multifamily residential districts. Residential subdivision with commercial service. As per public works, this project does not provide for service drives, to be done at the time of site plan review. Subdivision Ordinance: Section 134-106. Front: 20 feet except 15 feet for unenclosed carport or greater for easement. Scripter error on recorded plat. At the meeting of April 5, 2022, the P&Z commission recommended approval of a variance for 15 ft. front setback for unenclosed carports. Zoning Ordinance: Section 138-356. Rear: 10.00 feet or greater for easement. Zoning Ordinance: Section 138-356. Sides: 6.00 feet or greater for easement. Zoning Ordinance: Section 138-356. Corner: 10.00 feet or greater for easement. Zoning Ordinance: Section 138-356. Garage: 18.00 feet except where a greater setback is required, greater setback applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 5 ft. wide minimum sidewalk required on N. 56th street per recorded plat and a 4 ft. sidewalk on both sides of interior streets on N. 56th Ln & Ozark Ave. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along N. 56th street. Buffer lots side only to N. 56th St. Landscaping Ordinance: Section 110-46 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along N. 56th Street. Property only sides only up to N. 56th Street. Must comply with City Access Management Policy Common Areas, any private service drives, etc. must be maintained by the lot owners and not the City of McAllen. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 110-72 applies if private subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Section 110-72 applies if private subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: R-3A. Proposed: R-3A. R-3A (Apartment Residential District). Zoning Ordinance: Article V. Land dedication in lieu of fee. For the recorded Plat of the Hills, as per Parks Department, a waiver to McAllen's Park Land Dedication and Park Development Fees Ordinance was granted as part of the annexation process, Park fees were waived. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. For the recorded Plat of the Hills, as per Parks Department, a waiver to McAllen's Park Land Dedication and Park Development Fees Ordinance was granted as part of the annexation process, Park fees were waived. Pending review by the Parkland Dedication Advisory Board and CC. For the recorded Plat of the Hills, as per Parks Department, a waiver to McAllen's Park Land Dedication and Park Development Fees Ordinance was granted -- as part of the annexation process, Park fees were waived. As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. As per Traffic Department, TG Waived for replat of the two lots. Traffic Impact Analysis (TIA) required prior to final plat. As per Traffic department, TG Waived for replat of the two lots. Need to revised application as per the revised name. For Aldape Development, LLC please verify how many owners will be requiring signatures. This would also need to be reflected on the Notary signatures. Please add the legal for the parcels for the surrounding lots. If Pioneer Estates gets recorded, legal would need to be updated to be shown on the plat & Vicinity Map. Needs to add a plat note for the HOA acknowledgement that this replat is part of the original subdivision, finalize prior to final. Plat note shown may require revision. Lot Layout Has Changed & Name has Changed. Must comply with City's Access Management Policy.

Staff recommends approval of the subdivision in revised-preliminary form, subject to the conditions noted, drainage & utilities approval.

Being no discussion, Mr. Jesse Ozuna moved to approve the subdivision in revised final form, subject to the conditions noted. Vice Chairperson Mr. Gabriel Kamel second the motion with four members present voting.

e) Condominiums at Freddy Gonzalez (Previously Townhomes at Freddy Gonzalez) Subdivision, 1200 Freddy Gonzalez, Auriel investments (SUB2025-0048) (REVISED PRELIMINARY) M&H

Mr. Marcos Johnson stated that the property located on Freddy Gonzalez Road - 20 ft. R.O.W. dedication, for 50 ft. from center line for 100 ft. ROW Paving:65 ft. Curb & gutter: both sides. Label Centerline to determine dedication requirements, prior to final. Label the arrow dimensions for "Total R.O.W." and from centerline prior to final. Include document numbers for existing R.O.W. on the plat, provide documents for staff review prior to final. If R.O.W. varies, show arrow dimensions where R.O.W. varies on the plat. Disclaimer: Any abandonments must be done by a separate document/instrument, cannot be done by plat. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final/recording. COM Thoroughfare Plan. Street A (Private), Street B (Private), Street C (Private), Street D (Private), Street E (Private), Street F (Private). Dedication as needed for 60 ft. Total R.O.W. Paving: 40 ft. Curb & gutter: Both Sides. Plat shows 40 ft. R.O.W. (Street A) & 30 ft. R.O.W. (B-F) for interior streets with a partial 'cul-de-sac' at the End. Show R.O.W. dedication as needed above and clarify the 'cul-de-sac'. Review and revise as applicable prior to final. Street names will be established prior to final, need to add the "(Private)" wording on it. Subdivision is proposed as private, gate details are required and R.O.W. is subject to increase for gate areas, sidewalks, islands, etc. finalize prior to final. Need to submit gate details as applicable. A secondary access shall be required for gated streets providing access to 30 or more dwelling units. Streets B-F are dead-ending into the proposed Alleys, please clarify prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final COM Thoroughfare Plan. 900 ft. Block Length for R-3T Zone Districts. Plat layout submitted on March 14, 2025 does not comply with block length requirement, please revise accordingly. Subdivision Ordinance: Section 134-118. 600 ft. Maximum Cul-de-Sac. The preliminary plat considered from July 2023 appears to not comply with the maximum cul-de-sac length requirement. Please revise accordingly. Provide 'Cul-de-sac' details regarding R.O.W. and paving details to assure compliance prior to final. Subdivision Ordinance: Section 134-105. R.O.W.: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial and multi-family properties. Subdivision Ordinance: Section 134-106. Front: 10 ft. or greater for easements, whichever is greater applies. Proposing: Front: 20 Feet or greater for easements. Zoning Ordinance: Section 138-356. Rear: 10 ft. or greater for easements, whichever is greater applies. Include note as shown above prior to final. Zoning Ordinance: Section 138-356. Sides in accordance with the zoning ordinance or greater for easements, whichever is greater applies. Include note as shown above prior to final. Zoning Ordinance: Section 138-356. Corner:10 ft. or greater for easements, whichever is greater applies. Include note as shown above prior to final. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required, greater setback applies. Include note as shown above prior to final. Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required on Freddy Gonzalez road and along both sides of all interior streets. Include note as shown above prior to final.

Disclaimer: Sidewalk requirements may increase to 5 ft. as per Engineering department requirements, finalize prior to final. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. 6 ft. opaque buffer required from

adjacent/between multi-family residential and commercial, and industrial zones/uses and along Freddy Gonzalez Road. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along Freddy Gonzalez road for lots 1-5. Must comply with City Access Management Policy. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Needs to finalize plat note prior to final. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Add plat note as shown above prior to final. Section 134-168 applies if private subdivision is proposed. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Proposing Plat note #15. Section 134-168 applies if private subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Lots fronting public streets. Plat note #20: "No curb cut, access or lot frontage permitted along Freddy Gonzalez road for lots 1 through 5. Disclaimer: Need to clarify with staff if lots are facing public streets or alleys on the plat. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Lot 42 dimension being shown as 13.17 ft. fronting Street F. Zoning Ordinance: Section 138-356. Existing: R-3T (Townhouse Residential District). Proposed: R-3T (Townhouse Residential District). Zoning Ordinance: Article V Rezoning Needed Before Final Approval. Zoning Ordinance: Article V Land dedication in lieu of fee. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. Park Fee applies to residential properties, for a 42 Lot Townhouse development, fee would be \$29,400.00. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. Proposing Plat note# 19 in regards to 50% park fees to be paid prior to recording and at time of building permit issuance. Pending review by the Parkland Dedication Advisory Board and CC. As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. Traffic Impact Analysis (TIA) required prior to final plat. Need to add the wording for (Private Subdivision) under the title of the plat. Verify owner's signature being shown on the plat. There are two notary signatures being shown on the plat. Boundary of the plat refers to plat sheet 2 of 2 but there is only one sheet of the plat. On the location map, needs to add frame on the word 'site' so that it is clearly shown. Add names of the subdivisions surrounding this development. You can remove the City Secretary signature. We don't require the Irrigation District signature block, but if it's on the plat you need to get their signature. For plat notes 14,15, & 22 please refer to Section 134-168 for public subdivisions. Needs to provide staff with all copies of the recorded easements/R.O.W.'s being shown on the plat for staff review prior to final. Needs to show the Contour Elevations on the map. Disclaimer: The Surveyor's Seal has a small misspelling, it currently reads "Registered" instead of the word "Registered" on the Seal. Application on file refers to gross acreage as 5.734 a.c. and warranty deed description refers to 5.743 a.c. Need to clarify discrepancy prior to final. Variance application (VAR2025-0008) is currently under review. Must comply with City's Access Management Policy.

Staff recommends approval of the subdivision in preliminary form, subject to the conditions noted, drainage & utilities approvals.

Being no discussion, Mr. Jesse Ozuna moved to approve the revised subdivision in preliminary form, subject to the conditions noted, drainage & utilities approval. Mr. Emilio Santos Jr. second the motion with four members present and voting.

6) DISCUSSION:

No discussion.

7) INFORMATION ONLY:

No Information and updates given.

ADJOURNMENT:

There being no further business to come before the Planning & Zoning Commission, Mr. Jesse Ozuna adjourned the meeting at 3:44p.m. with Mr. Emilio Santos seconding the motion with four members present and voting.



Marco Suarez, Chairperson

ATTEST: 

Ofelia Camacho, Administrative Assistant

