

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF McALLEN

The McAllen Planning and Zoning Commission convened in a Regular Meeting on Tuesday, August 4, 2026 at 3:32 p.m. at the McAllen City Hall, 3rd Floor Commission Chambers Room, 1300 Houston Avenue, McAllen, Texas.

Present:	Gabriel Kamel	Vice Chairperson
	Emilio Santos Jr.	Member
	Jesse Ozuna	Member
	Amanda Gomez	Member
	Raul Sesin	Member
	Isela V. Rios	Member

Absent:	Marco Suarez	Member
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Staff Present:	Martin Canales	Assistant City Attorney III
	Omar Sotelo	Planning Director
	Luis Mora	Planning Deputy Director
	Natalie Moreno	Planner III
	Noah Del Bosque	Planner III
	Nicolas Lopez	Planner II
	Magda Ramirez	Planner I
	Even Gonzalez	Development Engineer
	Miguel Hernandez	Technician I
	Valerie Ramos	Administrative Assistant

CALL TO ORDER – 3:32 pm Mr. Gabriel Kamel, Vice Chairperson

PLEDGE OF ALLEGIANCE

INVOCATION. Mr. Emilio Santos Jr.

1) MINUTES:

- a) Approval of July 21, 2026 meeting minutes.

Being no discussion, Board member Emilio Santos motioned to approve the minutes. Ms. Isela V. Rios second the motion with six members present and voting.

2) PUBLIC HEARING:

- a) **ROUTINE ITEMS CITY INITIATED REZONINGS:** (All Rezoning's listed under this section come with a favorable recommendation from Planning & Zoning Staff and will be enacted by one motion. However, if there is opposition at the meeting or a discussion is desired, that item(s) will be removed from the Routine Items section of the agenda and will be considered separately.)

1. Ms. Magda Ramirez stated that the City of McAllen is requesting to Rezone from R-1 (Single-Family Residential-OC) District under the Old Code (OC) to R-1 (Low-Density Residential-UDC) District under the new Unified Development Code (UDC) for the following properties:

CASE REZ2026-0109:

Augusta Village Subdivision, Lots 1-3, Hidalgo County, Texas
1005, 1009 and 1013 East Augusta Avenue
702 East El Rancho Road (PID: 290268)
704 East El Rancho Road (PID: 290273)
708 East El Rancho Road and Rear (PID: 290271 and 500072)
706 East El Rancho Road (PID: 290272)
712 East El Rancho Road (Drive) (PID: 290269)
800 East El Rancho Road and Rear (PID: 290270 and 290291)
810 East El Rancho Road and Rear (PID: 290263 and 796354)
900 East El Rancho Road (PID: 20826014, 290264, 290261 and 290262)
1000 East El Rancho Road (PID: 290265)
3401 South McColl Road (PID: 290266)
3413 South McColl Road (PID: 290267)
3417 South McColl Road (PID: 625707)
3419 South McColl Road (PID: 695405)
3421 South McColl Road (PID: 290258)
3501 South McColl Road (PID: 290259)
3521 South McColl Road (PID: 290278)
705 East Augusta Avenue (PID: 290279)
709 East Augusta Avenue (PID: 290280)
825 East Augusta Avenue (PID: 290281)
901 East Augusta Avenue (PID: 290282)
905 East Augusta Avenue (PID: 290283)
909 East Augusta Avenue (PID: 290284)
1001 East Augusta Avenue (PID: 290285)
1101 East Augusta Avenue (PID: 290288)
1109 East Augusta Avenue (PID: 290289)
3551 South "K" Center Street (PID: 943783)

2. **Ms. Magda Ramirez stated that the City of McAllen is requesting to Rezone from R-1 (Single-Family Residential-OC) District under the Old Code (OC) to R-1 (Low-Density Residential-UDC) District under the new Unified Development Code (UDC) for the following properties:**

CASE REZ2026-0110:

Las Vinas Subdivision, Lots 1-58; Orangewood East Subdivision, Lots 1-6 and 9-29;
Orangewood East Addition Subdivision, Lots 8-A and 30-41, Hidalgo County, Texas

1000-1013 East Covina Avenue
3700-3913 South "J" Street
3700-3725 South "I" Street
3612-3708 South "H" Street
3612-3624 South "G" Street
700-1109 East Balboa Avenue
700-925 East Sundown Drive
3800-3801 and 3824-3908 South "F" Street
701-924 East Burns Drive

3. **Ms. Magda Ramirez stated that the City of McAllen is requesting to Rezone from R-1 (Single-Family Residential-OC) District under the Old Code (OC) to R-1 (Low-Density Residential-UDC) District under the new Unified Development Code (UDC) for the**

following properties:

CASE REZ2026-0111:

Del Lago Subdivision, Lots 1-39 and Common Area & Private Lake, and Lago Vista Subdivision, Lots 1-55, Hidalgo County, Texas

701-1001 East Francisca Avenue

812-1312 East Helena Avenue

4300-4416 South "F" Street

4400-4421 South "H" Street

4300-4501 South "J" Street

4200-4413, 4500 and 4512 South "K" Center Street

4202-4403 South "K" Lane

4200-4401 South "L" Street

4200-4401 and 4501 South "M" Street

4. **Ms. Magda Ramirez stated that the City of McAllen is requesting to Rezone from R-1 (Single-Family Residential-OC) District under the Old Code (OC) to R-1 (Low-Density Residential-UDC) District under the new Unified Development Code (UDC) for the following properties:**

CASE REZ2026-0112:

Orangewood Subdivision Unit No. 1 Subdivision, Lots 1 -18; Orangewood Subdivision Unit No. 3 Subdivision, Lot 1; Ritaglen Subdivision, Lot "A"; and Orangewood South Subdivision, Lots 1-31, Hidalgo County, Texas

200-300 Chris Lane

3300- 3325 Sandy Lane ("A" Street)

3300-3325 Kent Lane ("B" Street)

400 East El Rancho Road

300 East Burns Avenue

3800-3824 Sundown Court West

3801-3825 Sundown Court East

3900-3930 Sundown Drive

3800-4117 Burns Drive South

4001-4025 Burns Court

5. **Ms. Magda Ramirez stated that the City of McAllen is requesting to Rezone from R-1 (Single-Family Residential-OC) District under the Old Code (OC) to R-1 (Low-Density Residential-UDC) District under the new Unified Development Code (UDC) for the following properties:**

CASE REZ2026-0113:

EL Rancho Santa Cruz Subdivision Phase 1 Subdivision, Lots 11-36; Lots 5 and 6, El Rancho Santa Cruz Subdivision Phase 1, Lots 5 and 6; Lots 37-A Thru 37-G Inclusive El Rancho Santa Cruz Subdivision Phase 1, Lots 37-A – 37-G; El Rancho Santa Cruz Phase 2 Subdivision, Lots 82-91; El Rancho Santa Cruz Subdivision Phase 4 Subdivision, Blocks 1-8; Isela & Jose Fuentes Subdivision, Lot 1; Snell Subdivision, Lots 1-3; Fuentes Davila Subdivision, Lot 1; Fuentes II Subdivision, Lot 1; R. Martinez Subdivision, Lots 1-3; R. Martinez Family Subdivision, Lots 1-4; Maximo Jr. Subdivision, Lot 1; Olympia Place Subdivision, Lots 1-2; Lara Subdivision, Lot 1; and Rancho Cruz Subdivision, Lots 1-6, Hidalgo County, Texas.

700 –1113 East Pineridge Avenue
3009, 3011, 3016, 3024 and 3025 South "J" Street
2901, 2913, 2917, 3001, 3013, 3017, 3109, 3113, 3201, 3205, 3209, 3213,
3301, 3305 and 3313 South McColl Road
704, 708, 710, 712, 800, 804, 808, 812 and 820 East Nassau Avenue
801-845 East Olympia Avenue
2913, 3001 and 3108-3313 South "H" Street
2910, 2912, 2916, 3000, 3001, 3009 and 3208-3313 South "G" Street
3209-3316 South "G" Lane
3208-3313 South "H" Lane
3108-3313 South "H" Street
3021 South "J" Street (PID: 273940)
3017 South "J" Street (PID: 273944)
3013 South "J" Street (PID: 273942)
3001 South "J" Street (PID: 273939)
2909 South "J" Street (PID: 273938)
2905 South "J" Street (PID: 273937)
2901 South "J" Street (PID: 273936)
2900 South "J" Street (PID: 273946)
2904 South "J" Street (PID: 273947)
2908 South "J" Street (PID: 273948)
3000 South "J" Street (PID: 273949)
3004 South "J" Street (PID: 273950)
3008 South "J" Street (PID: 273951)
3012 South "J" Street (PID: 273952)
901 East Pineridge Avenue (PID: 273954)
3013 South "H" Street (PID: 273955)
3009 South "H" Street (PID: 273956)
2905 South "H" Street (PID: 273960)
2901 South "H" Street (PID: 273961)
841 East Pineridge Avenue (PID: 273957)
825 East Pineridge Avenue (PID: 273923)
821 East Pineridge Avenue (PID: 273919)
817 East Pineridge Avenue (PID: 273914)
3005 South McColl Road (PID: 273908)
835 East Olympia Avenue (PID: 167594)
828 East Nassau Avenue (PID: 273921)
832 East Nassau Avenue (PID: 273926)
836 East Nassau Avenue (PID: 273930 and 273931)
844 East Nassau Avenue (PID: 273934)
812 East Pineridge Avenue (PID: 274158)
3009 South McColl Road (PID: 273909)
1021 East El Rancho Road (PID: 274155)

6. Ms. Magda Ramirez stated that the City of McAllen is requesting to Rezone from R-1 (Single-Family Residential-OC) District under the Old Code (OC) to R-1 (Low-Density Residential-UDC) District under the new Unified Development Code (UDC) for the following properties:

CASE REZ2026-0114:

Las Cabanas Subdivision, Lots 1-60; and Paseo Del Lago Subdivision, Lots 1-51;
Hidalgo County, Texas.

1200-1420 East Balboa Avenue
3600-3613 and 3800-3917 South "L" Street
3602-3615 South "L" Lane
3602-3615 South "K" Lane
3600-3613 and 3800-3916 South "M" Street
3602-3615 South "M" Lane
3713-3917 South "K" Center Street
3912 South Jackson Road (PID: 231261)
3908 South Jackson Road (PID: 231262)
3820 South Jackson Road Unit A (PID: 231264)
3820 South Jackson Road Unit D (PID: 231266)
3830 South Jackson Road (PID: 231259)
3800B South Jackson Road (PID: 344482)
3820 South Jackson Road and Rears 1-6 (PID: 231259, 344482, 231263, 351364,
231265 and 538337) - (133 Clearview Place, Clearview Drive)

Vice Chairperson Mr. Gabriel Kamel asked if there was anyone present in opposition of the proposed city initiated rezoning request 2a1 -2a6. There was none.

Being no discussion, Board Member Mr. Jesse Ozuna moved to approve the city initiated rezoning request. Mr. Emilio Santos second the motion with six members present and voting.

b) REZONING:

1. Rezoning from C-3 (General Business-OC) District to R-3 (High Density Residential-UDC): 10.18 Acres out of Lot 6, Block 22, Steele and Pershing Subdivision, Hidalgo County, Texas; 8401 South McColl Road. **(REZ2026-0103)**

The subject property is located along South McColl Road, north of East Dicker Road.

The applicant is requesting to rezone the property to R-3 (High Density Residential-UDC) District under the new McAllen Unified Development Code (UDC).

The adjacent properties are zoned C-3 (General Business-OC) District in all directions.

The subject property is currently vacant. Surrounding properties are vacant in all directions within the City limits.

The Envision McAllen Future Land Use Plan designates the future land use for these properties as Industrial.

The zoning trend in this area is commercial and high density residential. Most properties in this area are still vacant.

The property was annexed and zoned C-3 on November 23, 2015.

The requested zoning does not conform to the future land use designation as shown on the Envision McAllen Future Land Use Plan. However, it is compatible with the adjacent zones and follows the development trend in this area.

If the rezoning is approved, any future construction must comply with all development and conditional use permit requirements where 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

Vice Chairperson Mr. Gabriel Kamel asked if there was anyone present in opposition of the proposed rezoning request. There was none.

Being no discussion, Board member Jesse Ozuna moved to approve the rezoning request. Mr. Emilio Santos second the motion with six members present and voting.

2. Rezoning from R-1 (Single-Family Residential-OC) District to R-1 (Low-Density Residential-UDC) District: Lot 1 Block 2, Maple Heights Subdivision, Hidalgo County, Texas; 1321 North 8th Street. (REZ2026-0105)

The subject property is located on the southwest corner of Nyssa Avenue and North 8th Street.

The adjacent properties are zoned C-3 (General Business-OC) District to the west, and R-1 (Single-Family Residential-OC) to the north, south and east.

The applicant has requested to rezone the property to R-1 (Low-Density Residential-UDC) District for residential use.

Surrounding uses included single-family residences, offices and retail stores.

The Envision McAllen Future Land Use Plan designates the future land use for this property as Complete Communities. Complete Communities allow for established low-density neighborhoods to welcome compatible density and commercial uses into their neighborhoods via incremental infill. Most of the close-in existing neighborhoods in McAllen have been included under this future land use. These areas are majority residential, with some office, retail, and other nonresidential uses that serve residents.

The development trend along this area is single family residential, and commercial use.

Maple Heights Subdivision was recorded on July 22, 1940. The property was zoned R-1 (Single-Family Residential-OC) District during the comprehensive zoning in 1979. There have been no other rezoning requests for this property since then.

The requested zoning does conform to the future land use designation as shown on the Envision McAllen Future Land Use Plan. It is also compatible with surrounding uses and the development trend in the area.

If the rezoning is approved, any future construction must comply with all development and conditional use permit requirements where applicable under the UDC.

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

Staff recommends approval of the rezoning request.

Vice Chairperson Mr. Gabriel Kamel asked if there was anyone present in opposition of the proposed rezoning request. There was none.

Being no discussion, Board Member Mr. Jesse Ozuna moved to approve the rezoning request. Mr. Raul Sesin Second the motion with six members present and voting.

3. Rezoning from C-1 (Local Commercial-OC) and C-3 (General Commercial-OC) Districts to R-1 (Low-Density Residential-UDC) District: 2.34 acres out of Lot 5, Block 15, Steele & Pershing Subdivision, Hidalgo County, Texas; 500 East Wichita Avenue. **(REZ2026-0106)**

The subject property is located on the west side of South McColl Road, south of East Wichita Avenue.

The applicant is requesting to rezone the property to R-1 (Low-Density Residential-UDC) District under the new McAllen Unified Development Code (UDC).

The adjacent properties are zoned R-3 (High-Density Residential-UDC) District to the south and northwest, C-3 (General Business-OC) District to the north, south and east, and C-1 (Office Building-OC) to the west.

The subject property is currently vacant. Surrounding uses include commercial uses, residential homes, a veteran's home facility, and vacant land.

The Envision McAllen Future Land Use Plan designates the future land use for these properties as Regional Commercial. Development types most compatible with Regional Commercial include shopping centers on a neighborhood and community scale.

The development trend in this area is single-family, multi-family residential, medical, and office use.

The property was annexed and zoned on November 27, 1995.

The requested zoning does conform to the future land use designation as shown on the Envision McAllen Future Land Use Plan. It is compatible with the adjacent zones and follows the development trend in this area.

If the rezoning is approved, any future construction must comply with all development and conditional use permit requirements where 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.

Vice Chairperson Mr. Gabriel Kamel asked if there was anyone present in opposition of the proposed rezoning request. There was none.

Being no discussion, Board Member Mr. Emilio Santos moved to approve the rezoning request. Mr. Raul Sesin Second the motion with six members present and voting.

4. Rezoning from C-3 (General Business-OC) District to C-2 (Regional Commercial-UDC) District: Lot 1, Chili Pepper Express Subdivision, and Lot 1, Replat of Park West Subdivision, Hidalgo County, Texas; 11001 & 11201 North 10th Street. **(REZ2026-0107)**

The subject properties are located along North 10th Street, south of Jackson Creek Ave.

The applicant is requesting to rezone the properties to C-2 (Regional Commercial -UDC) District under the new McAllen Unified Development Code (UDC).

The adjacent properties are zoned R-1 (Single-Family Residential-OC) to the west, C-3 (General Business-OC) District to the south, and M-2 (Regional Mixed Use-UDC) to the north, The property to the east is outside city limits.

The subject property is currently vacant. Surrounding land uses include proposed single-family residential homes

and vacant land.

The Envision McAllen Future Land Use Plan designates the future land use for these properties as Regional Commercial. Development types most compatible with Regional Commercial include shopping centers on a neighborhood and community scale.

The development trend along North 10th Street is commercial.

The properties are full lots of record from different subdivisions. (Chili Pepper Express, Lot 1 and Replat of Park West Subdivision Lot 1.)

The requested zoning does conform to the future land use designation as shown on the Envision McAllen Future Land Use Plan. It is compatible with the zoning and follows the development trend in this area.

If the rezoning is approved, any future construction must comply with all development and conditional use permit requirements where 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.

Vice Chairperson Mr. Gabriel Kamel asked if there was anyone present in opposition of the proposed rezoning request. There was none.

Being no discussion, Board Member Jesse Ozuna moved to approve the rezoning request. Mr. Raul Sesin Second the motion with six members present and voting.

5. Rezoning from C-4 (Commercial Industrial-OC) District to C-2 (Regional Commercial-UDC) District: Lots 1-7, Shops at Tres Lagos Subdivision, Hidalgo County, Texas; 4304, 4312, 4400, 4200, 4208, 4212, 4300 Tres Lagos Boulevard (REZ2026-0108)

The subject properties are located on the north side of Tres Lagos Boulevard, west of North Ware Road.

The adjacent properties are zoned R-1 (Single-Family Residential-OC) District on all sides.

The applicant has requested to rezone the properties to C-2 (Regional Commercial-UDC) district for commercial use.

The subject properties include retail stores, offices, restaurants, health clinic, bank, and barbershop.

The Envision McAllen Future Land Use Plan designates the future land use for this property as Complete Communities. Complete Communities allow for established low-density neighborhoods to welcome compatible density and commercial uses into their neighborhoods via incremental infill. Most of the close-in existing neighborhoods in McAllen have been included under this future land use. These areas are majority residential, with some office, retail, and other nonresidential uses that serve residents.

The development trend along this area is single family residential, and commercial use.

Tres Lagos Development properties were annexed into the City of McAllen and initially zoned R-1 (Single Family Residential-OC) District on November 17, 2014. The subject property was rezoned to C-4 (Commercial-Industrial-OC) District on February 23, 2015. The Shops at Tres Lagos Subdivision was recorded on September 8, 2022.

The requested zoning does conform to the future land use designation as shown on the Envision McAllen Future Land Use Plan. It is also compatible with the existing land use and the development trend in this area.

Planning and Zoning Commission Regular Meeting

August 8, 2026

Page 9

If the rezoning is approved, any future construction must comply with all development and conditional use permit requirements where applicable under the UDC.

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

Staff recommends approval of the rezoning request.

Vice Chairperson Mr. Gabriel Kamel asked if there was anyone present in opposition of the proposed rezoning request. There was none.

Being no discussion, Board Member Mr. Jesse Ozuna moved to approve the rezoning request. Mr. Emilio Santos Second the motion with six members present and voting.

c) CONDITIONAL USE PERMIT:

1. Request of Juan F. Garza, on Behalf of Var 37 LLC, for a Conditional Use Permit, for one year, and adoption of an ordinance, for a Restaurant/Bar (Var 37) at the North 19.43 feet of Lot 3 and all of Lot 4, Block 2, McAllen Addition Subdivision, Hidalgo County, Texas; 1101 Business Highway 83. **(CUP2026-0055)**

The subject property is located along the south side of Business Highway 83, between South 12th Street and South 11th Street, and is zoned CC-DT (City-Core Downtown-UDC) District. Adjacent zoning is C-3 (General Business-OC) District to the north, CC-DT (City-Core Downtown) to the south, east, and west. A bar is permitted in a CC-DT (City-Core Downtown-UDC) District with a Conditional Use Permit and in compliance with all requirements.

The subject property has been used as a nightclub/bar since 2011. Special Use Permits for a bar/nightclub were approved in 2011, 2016, 2018, 2020, 2024, and 2025.

The applicant is proposing to operate a bar under the name Var 37 from a 9,694 sq. ft. lease space. The bar will require payment for parking fees. Their proposed days and hours of operation are Monday to Sunday from 11:00 a.m. to 12:00 a.m.

The proposed bar must comply with all conditions of Section 3.2.5.A of the UDC, including, but not limited to, the following:

- Adequate Lighting, including, but not limited to, all entrances and exits
- Security personnel based on occupancy load
- Security cameras with a minimum retention load of 30 days at the entrance, exit, and based on the square footage
- Noise control
- Age verification device with capability to produce reports
- Mark all occupants that are under the age of 21 years with UV ink
- Litter control
- Maximum occupancy load established by the building official

If approval is granted, the applicant must sign an acknowledgement and agreement to all conditions.

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

Staff recommends approval of the request, for one year, subject to conditions noted in Section 3.2.5.A of the UDC, Fire Department, and Building Code requirements.

Vice Chairperson Mr. Gabriel Kamel asked if there was anyone present in opposition of the conditional use permit. There was none.

Being no discussion, Board Member Mr. Jesse Ozuna moved to approve the conditional use permit. Mr. Raul Sesin Second the motion with six members present and voting.

2. Request of Juan Carlos Marquez, on behalf of Apostolic Assembly of the Faith in Christ Jesus, for a Conditional Use Permit, for life of the use, and adoption of an ordinance for an Institutional Use (Apostolic Church) at Lot 1, Apostolic Church Subdivision, Hidalgo County, Texas; 801 East Cedar Avenue. **(CUP2026-0056)**

The subject property is located east of North McColl Road along East Cedar Avenue and is zoned R-2 (Duplex-Fourplex Residential-OC) District. The adjacent zoning includes C-3 (General Business-OC) and C-4 (Commercial Industrial) District to the west, R-2 (Duplex-Fourplex Residential-OC) District to the east, R-3A (Multifamily Residential Apartments-OC) to the south, and R-4 (Mobile Home & Modular Home-OC) to the north. An institutional use is permitted in the R-2 District with a conditional use permit and in compliance with all

Apostolic Church Subdivision was recorded on August 16, 1988. A Conditional Use Permit for this institutional use facility was issued on October 7, 1988. Another Conditional Use Permit was issued in 2018, for the same church, for the addition of a 6,000 square foot dining hall. This request is for the same institutional use for the proposed expansion of the existing building to include additional seating, a general office, pastor's office, classrooms, and restrooms. The total building area added will be 3,527 square feet, and 883 square feet of porch area.

The church's proposed days and hours of operation are Sundays 8:00 a.m. to 3:00 p.m. and Wednesdays from 6:00 p.m. to 10:00 p.m. If approval is granted, the establishment must comply with all other Zoning Ordinances, Building Codes, and Fire Department requirements. As per Section 138-400 of the Zoning Ordinance, the parking lot must be properly striped and maintained free of potholes.

The Fire Department is pending review for CUP process The proposed use must meet the requirements set forth in Section 138-118 of the Zoning Ordinance and the following specific requirements:

- 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.
- 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. Required parking is 90 spaces; 93 spaces are provided.
- 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;

- 7) Sides adjacent to a residentially zoned or used property shall be screened by a 6 ft. opaque fence;

Staff did not receive any phone calls, emails, or letters in opposition to this request.

Staff recommends approval of the request subject to compliance with Section 138-118 of the Zoning Ordinance, Fire, and Building Departments' requirements.

Vice Chairperson Mr. Gabriel Kamel asked if there was anyone present in opposition of the conditional use permit. There was none.

Being no discussion, Board Member Mr. Jesse Ozuna moved to approve the conditional use permit. Mr. Raul Sesin Second the motion with six members present and voting.

3. Request of Jesus F. Davila, on behalf of OTBG North Park LLC., for a Conditional Use Permit, for one year, and adoption of an ordinance, for a Restaurant/Bar (Oak Texas Bar & Grill-North Park) at Lot 3, North Park Village Phase 2 Subdivision, Hidalgo County, Texas; 1200 Auburn Avenue, Bldg. 300, Suite 300. **(CUP2026-0058)**

The subject property is located along the north side of Auburn Avenue, west of North 10th Street, and is zoned C-3 (General Business-OC) District. Adjacent zonings are, R-1 (Single-Family Residential-OC) and A-O (Agricultural and Open Space-OC) districts to the north, R-3A (Multi-Family Residential Apartments-OC) and R-3T (Multi-Family Residential Townhouse-OC) districts to the south, and C-3 (General Business-OC) districts to the south and east. A restaurant/bar is permitted in a C-3 District with a Conditional Use Permit and in compliance with all requirements.

The first Conditional Use Permit for a restaurant/bar for this suite was approved by the City Commission on April 22, 2024 with a variance to the distant requirement and was renewed in 2025. The applicant submitted the new application on June 15, 2026.

The applicant is proposing to continue to operate a restaurant/bar under the name Oak Texas Bar & Grill-North Park from 3,536 sq. ft. of lease space. The proposed business hours are, Monday – Sunday from 11:00 a.m. to 2:00 a.m. As per Section 138-403 of the Zoning Ordinance, the parking lot must be properly striped and maintained free of potholes. The establishment must also meet the requirements set forth in Section 138-118(a)(4):

- a) The property line of the lot of any of the abovementioned businesses must be at least 400 feet from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruptions of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The establishment is within 400 feet of residential zone/use.
- b) The abovementioned businesses must be as close as possible to a major arterial, and shall not allow the traffic generated by such businesses onto residential streets, or allow such traffic to exit into and disrupt residential areas. The property has direct access to Auburn Avenue.
- c) The abovementioned businesses must provide parking in accordance with the city off-street parking ordinance as a minimum, and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional onsite parking. Based on 3,536 sq. ft. of restaurant/bar use, 35 parking spaces are required and more than 250 are provided as per site plan with shared parking within the plaza.
- d) The abovementioned businesses must do everything possible to prevent the unauthorized parking by the patrons of such businesses on adjacent business or residential properties including, when necessary, the installation of fences and hedges, and the reorientation of entrances.

Planning and Zoning Commission Regular Meeting

August 8, 2026

Page 12

- e) The abovementioned businesses should do everything possible and be designed to discourage criminal activities and vandalism, both on the site and on adjacent properties. Included would be provision of sufficient lighting and perimeter fencing, elimination of dark areas, and the orientation of the building such that it provides maximum visibility of as much as possible of the site from a public street.
- f) The abovementioned businesses must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties.
- g) The abovementioned businesses 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 director of planning. This number cannot exceed the number provided for in existing city ordinances.

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

Staff has not received any letters, emails, or phone calls in opposition of this conditional use permit request.

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

Vice Chairperson Mr. Gabriel Kamel asked if there was anyone present in opposition of the conditional use permit. There was none.

Being no discussion, Board Member Mr. Raul Sesin moved to approve the conditional use permit. Mr. Emilio Santos Second the motion with six members present and voting.

3) CONSENT:

- a) Verona Heights Subdivision, 2604 N. Ware Road, 11-11 Developments, LLC (Ricardo Kalife); **(SUB2025-0180) (Final) SAMES**
- b) Lumen Palace Subdivision, 3401 La Lomita Road, Ahmad Gorabi; **(SUB2025-0087) (Revised Final) (6-MONTH EXTENSION) SEC**
- c) Bentsen Oaks Ph I Subdivision, 7401 N. Bentsen Road, Guzman Construction; **(SUB2020-0057) (Revised Preliminary) (6-MONTH EXTENSION) SEC**

Vice Chairperson Mr. Gabriel Kamel asked if there was anyone present in opposition of the Consent subdivision. There was none.

Being no discussion, Board Member Mr. Emilio Santos moved to approve the consent items from 3a-3c. Mr. Jesse Ozuna Second the motion with six members present and voting

4) SUBDIVISIONS

- a) Alhambra on 10th Phase II Subdivision, 11401 N. 10th Street, Mouavad Development, LLC; **(SUB-2026-0103) (Final) RIOPLEX**

Ms. Natalie Moreno stated the property located at 11401 N. 10th Street (S. H. 336): ROW dedication needed for 60 ft. from centerline for 120 ft. total ROW. Paving: By State Curb & gutter: By State. Revisions needed: Label Centerline and show new lot line after dedication. Provide a copy of the existing ROW documents for staff review

Planning and Zoning Commission Regular Meeting

August 8, 2026

Page 13

prior to final. Subdivision Ordinance: Section 134-105 and/or UDC. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. N. Bicentennial Boulevard: Dedication as needed for 75 ft. from centerline for 150 ft. total ROW. Paving: 65-105 ft. Curb & gutter: both sides. Revisions needed: label centerline. Provide documents referenced on plat, prior to final. Subdivision Ordinance: Section 134-105 and/or UDC. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. Interior Street: ROW dedication needed for 60 ft. total ROW. Paving: 40 ft. Curb & gutter: both sides. Revisions required: Name of streets will be finalized and sent, prior to final. The engineer submitted a variance request to the 50ft row and 40 ft of back-to-back. The variance will be heard at the planning and zoning meeting of May 19, 2026 and CC on June 8, 2026. the variance request was approved. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. Max Block Length in the R-2 District shall not exceed 800 feet or twelve lots whichever is less. Engineer submitted a variance request to the max block length. P&Z board on May 19th and was approved. Subdivision Ordinance: Section 134-118. 900 ft. Block Length for R-3 Zone Districts. Subdivision Ordinance: Section 134-118. 600 ft. Maximum Cul-de-Sac Length. Subdivision Ordinance: Section 134-105. ROW: 20 ft. Paving: 16 ft. Engineer must clarify if alley or service drive will be provided for lot 1. If service drive is proposed a plat note stating "A minimum 24 ft. private service drive will be established as part of the site plan and must be maintained by the lot owners and not the City of McAllen", Alley/service drive easement required for commercial properties/ multifamily. Subdivision Ordinance: Section 134-106 and/or UDC. Front: Lot 1 - In accordance with the UDC or greater for easements. Front: Lots 2-69: 20 ft. or greater for easements. Please revise setbacks as the subdivision is under the new UDC code. Please keep in mind that the M2 (mix-use) district has a max setback. Front: Lot 1 - In accordance with the UDC or greater for easements. Front: Lots 2-69: 10 ft. or greater for easements. Please revise setbacks as the subdivision is under the new UDC code. Zoning Ordinance: Section 138-356. Front: Lot 1 - In accordance with the UDC or greater for easements. Front: Lots 2-69: 5 ft. or greater for easements. Please revise setbacks as the subdivision is under the new UDC code. Corner: Lot 1 - In accordance with the UDC or greater for easements. Corner: 10ft or greater for easements. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required, greater setbacks 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 North 10th street, Bicentennial Boulevard and 4 ft. wide minimum sidewalk requirements on both sides of interior streets. Revisions needed: revise plat note as shown above, prior to final. Sidewalks shall comply with the sidewalk design requirements provided in the SDG, as per the UDC. 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. 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. 10th street and Bicentennial Boulevard. Must comply with City Access Management Policy. Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Add plat note as shown above, prior to final. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. 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. if rezoning is approved to the new UDC, the minimum requirements for a townhouse development is lot width of 20 ft and the minimum lot area is 2,250 sqft. Zoning Ordinance: Section 138-356. Existing R-2 & C-3 (OLD CODE) Proposed R-2 & M2 (UDC) Zoning Ordinance: Article V. Rezoning Needed Before Final Approval. Zoning Ordinance: Article V. The rezoning for the property will be heard at the Planning and Zoning Commission meeting of March 17, 2026 and City Commission on April 13, 2026. If rezoning is approved, new requirements may be applicable. Land dedication in lieu of fee. Park Fee of \$700 per dwelling unit to be paid prior to recording. A park fee of \$47,600 (68 x \$700) will be required prior to recording. If the number of dwelling units changes, the park fee will be adjusted accordingly. Park Fee of \$700 per dwelling unit to be paid prior to recording. A park fee of \$47,600 (68 x \$700) will be required prior to recording. If the number of dwelling units changes, the park fee will be adjusted

Planning and Zoning Commission Regular Meeting

August 8, 2026

Page 14

accordingly. 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. Comments: Plat note #20 references 58 lots, since lots increased, please revise. M2 District has a max setback, please review M2 standards, prior to recording. Subdivision should be recorded with Alhambra phase One subdivision prior to recording. If residential units are proposed in the future for lot 1, park fees will apply at the time of building permit. The rezoning for the property will be heard at the Planning and Zoning - Park Fee of \$700 per dwelling unit to be paid prior to recording. meeting of March 17, 2026 and City Commission on April 13, 2026, going from R-2 & C-3 (OLD CODE) to M-2 and R2 (UDC) If rezoning is approved, new requirements may be applicable. The engineer submitted a variance requests. The variances will be heard at the planning and zoning meeting of May 19, 2026 and CC on June 8, 2026 Must comply with City's Access Management Policy.

Staff recommends approval of the subdivision in final Form subject conditions noted and subject to tia waiver conditions.

Vice Chairperson Mr. Gabriel Kamel asked if there was anyone present in opposition of the subdivision. There was none.

Being no discussion, Board member Mr. Raul Sesin moved to approve the subdivision in final form. Mr. Jesse Ozuna Second the motion with six members present and voting.

b) Excelente Meat Market Subdivision, 601 E. Dicker Road, Jesus Guadalupe Ortiz Gonzalez; (SUB2026-0100) (Preliminary) STIG

Mr. Noah del Bosque stated the property located at 601 East Dicker Road, 1,200 ft. Block Length. Subdivision Ordinance: Section 134-118. Front: In accordance to the Zoning Ordinance or greater for easements or in line with existing structures, whichever greater applies. Proposed: 20 ft. or greater for easements, or in line with existing structures, which ever greater applies. Subject to change pending City Initiated Rezoning (REZ2026-0098). Zoning Ordinance: Section 138-356. Rear: In accordance with the Zoning Ordinance, or greater for easements. Proposing: 10 ft. or greater for easements, which ever greater applies. Subject to change pending City Initiated Rezoning (REZ2026-0098). Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site Plan. 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. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. Lots fronting public streets. Fronting East Dicker Road (FM 3072). Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: C-3 (OC) Proposed: C-3 (OC). Zoning Ordinance: Article V.

Staff recommends approval of the subdivision in Preliminary Form, subject to the conditions noted, drainage, and utilities approval.

Vice Chairperson Mr. Gabriel Kamel asked if there was anyone present in opposition of the subdivision. There was none.

Being no discussion, Board Member Mr. Raul Sesin moved to approve the subdivision in preliminary form. Mr. Emilio Santos Second the motion with six members present and voting.

5) INFORMATION ONLY:

Planning Director, Mr. Omar Sotelo was informing board members on the city commission cases that were presented in the meeting.

ADJOURNMENT:

There being no further business to come before the Planning & Zoning Commission, Board member Emilio Santos adjourned the meeting at 3:56 p.m. with Mr. Raul Sesin second the motion with four members present and voting.

ATTEST:



Valerie Ramos, Administrative Assistant

Gabriel Kamel, Vice Chairperson