

STATE OF TEXAS  
COUNTY OF HIDALGO  
CITY OF McALLEN

The McAllen Planning and Zoning Commission convened in a Regular Meeting on Wednesday, January 21, 2026 at 3: 30p.m.at the McAllen City Hall, 3<sup>rd</sup>. Floor Commission Chambers Room,1300 Houston Avenue, McAllen, Texas.

Present:	Marco Suarez	Chairperson
	Gabriel Kamel	Vice Chairperson
	Emilio Santos Jr.	Member
	Jesse Ozuna	Member
	Reza Badiozzamani	Member
	Jose L. Caso	Member
Absent:	Raul Sesin	Member
Staff Present:	Michelle Rivera	Deputy City Manager
	Norma Borrego	Assistant City Attorney I
	Eduardo Mendoza	Director Engineering
	Marlen Garza	Director of Traffic Operations
	Omar Sotelo	Planning Director
	Eduardo Garza	Development Coordinator
	Luis Mora	Deputy Director
	Kaveh Forghanparast	Senior Planner
	Esteban Ramos	Traffic Designer
	Julio Constantino	Planner III
	Natalie Moreno	Planner III
	Marcos Johson	Planner III
	Samantha Trevino	Planner II
	Porfirio Hernandez	Planner II
	Noah del Bosque	Planner II
	Nicolas Lopez	Planner II
	Mia Fuentes	Planner I
	Even Gonzalez	Development Engineer
	Miguel Hernandez	Planner Technician I
	Jonathan Gutierrez	Planner Technician I
	Deysi De La Rosa	Administrative Supervisor
	Ofelia Camacho	Administrative Assistant
	Valerie Ramos	Administrative Clerk

**CALL TO ORDER** – 3:31pm Mr. Marco Suarez, Chairperson

**PLEDGE OF ALLEGIANCE**

**INVOCATION.** Mr. Emilio Santos Jr.

**1) 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. **Rezoning from R-2 (Duplex-Fourplex-OC) District under the Old Code (OC) to R-2 (Medium Density Residential-UDC) District under the new Unified Development Code (UDC) for the following properties:**

**CASE REZ2025-0251:**

Las Canadas Subdivision Lots 1-8 & 15-20 Block 1 Hidalgo County, Texas.

3000 3104 South "K Center" Street

Las Canadas Subdivision Lots 10-14 & 33-36 Block 1 Hidalgo County, Texas.

1200-1312 East Pineridge Avenue

Las Canadas Subdivision Lots 21-29A Block 1 Hidalgo County, Texas.

3002-3017 South "L" Street

Las Canadas Subdivision Lots 30-32 & 37-39 Hidalgo County, Texas.

3002-3011 South "L" Lane

Las Canadas Subdivision Lots 40-42 Block 1 Hidalgo County, Texas.

3000-3008 South "M" Street

2. **Rezoning from R-3A (Multi-Family Residential Apartment-OC) District under the Old Code (OC) to R-3 (High Density Residential-UDC) District under the New Unified Development Code (UDC) for the following property:**

**CASE REZ2025-0249:**

Las Canadas, Lot 9, Hidalgo County, Texas.

3108 South "K" Center Street

3. **Rezoning from I-1 (Light Industrial - OC) District to I-1 (Light Industrial- UDC) District:**

**CASE REZ2025-0250:**

Jackson South Subdivision, Lot 1, Hidalgo County, Texas.

1400 South Jackson Road

1330 East Oakland Avenue (Prop ID: 231175)

4. **Rezoning from A-O (Agricultural & Open Space-OC) District under the Old Code (OC) to A-O (Agricultural & Open Space-UDC) District under the new Unified Development Code (UDC) for the following properties:**

**CASE REZ2025-0248:**

3100 South Jackson Road (PID: 231208)

5. **Rezoning from A-O (Agricultural & Open Space-OC) District and R-3A (Multi-family Residential Apartment-OC) District under the Old Code (OC) to M-2 (Regional Mixed Use-UDC) District under the new Unified Development Code (UDC) for the following properties:**

**CASE REZ2025-0247:**

2000 South Ware Road (PID: 230670, 230672, 230671)

6. **Rezoning from A-O (Agricultural and Open Space-OC), I-1 (Light Industrial-OC), and C-1 (Office Building-OC) District under the Old Code (OC) to A-O (Agricultural and Open Space-UDC) District under the new Unified Development Code (UDC) for the following properties:**

**CASE REZ2025-0272:**

3101 Jordan Road Rear (PID: 230684).  
2301-3401 Jordan Road (PID: 230681, 230682, 230683).  
2701-3501 South Ware Road (PID: 230656, 230637, 270303, 270304, 270305).

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

Being no discussion, Mr. Emilio Santos Jr. moved to approve. Mr. Reza Badiozzamani second the motion with six members present and voting.

**b) REZONING:**

1. **Rezone from R-1 (Single Family Residential - OC) District to R-2 (Medium-Density Residential - UDC) District: 2.70 of an acre tract of land out of Lot 129, La Lomita Irrigation and Construction Company's Subdivision, Hidalgo County, Texas; 2604 North Ware Road (REZ2025-0271)**

Mr. Noah del Bosque stated this property is located in the subject property located on the east side of North Ware Road, south of Harvey Drive. The applicant is requesting to rezone the property to R-2 (Medium-Density Residential – UDC) District for townhome development. The adjacent properties are zoned R-1 (Single Family Residential – OC) District to the north, east, and west, R-3A (Multifamily Residential – OC) District to the north, and A-O (Agricultural & Open Space – OC) District to the south. Surrounding land uses include single-family homes, multifamily homes, and vacant land.

The Envision McAllen Future Land Use Plan designates the future land use for this property as Mixed Use Corridor, which is a land use designation that consists of residential and nonresidential land uses. This can be appropriate provided that the overall area also contains mixed-use buildings and/or shopping centers with which this product integrates in a manner to promote walkability and access.

The development trend along this area consists of single-family residential, multifamily residential, and vacant land.

The subject property is currently going through the subdivision review process under the proposed name of "Verona Heights Subdivision" which was approved in preliminary form at the Planning and Zoning Commission meeting of December 16, 2025. The rezoning request was submitted on December 4, 2025.

A previous rezoning request to be zoned R-3 (High Density Residential – UDC) District was recommended for disapproval by the Planning & Zoning Commission on May 20, 2025. The City Commission moved to approve the request to R-2 (Medium Density Residential – UDC) District on the meeting of June 9, 2025, but the motion failed due to not meeting the supermajority that was required.

An adjacent property on the Northside along North Ware Road, was approved to be rezoned from R-1 (Single Family Residential – OC) District to R-3A (Multifamily Residential Apartment – OC) District by the City Commission on August 12, 1996.

Harvest Creek at Ware Subdivision Phase I, which is located approximately 720 feet south of the property on the west side of North Ware Road, was approved to be rezoned from A-O (Agricultural & Open Space – OC) District to R-3A (Multifamily Residential Apartment – OC) District by the City Commission on February 14, 2022.

The requested rezoning does conform to the Future Land Use Plan designation as shown on the Envision McAllen Future Land Use Plan and follows the rezoning trend to high-density residential in this area.

The latest layout for the proposed Verona Heights Subdivision proposes access off of North Ware Road and is not proposing access off of any alleys. North Ware Road is designated as a principal arterial road with 120 feet Right-of-Way, of which the subject property has direct access to.

Any future construction must comply with all development requirements where applicable under the UDC.

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

Staff recommends approval of the rezoning request to R-2 (Medium-Density Residential – UDC) District.

Project engineer Luis Mendez, SAMES engineering on behalf of the developer. Briefly described the future use.

Board member Mr. Jose Caso questioned the property on the east side being land locked. Mr. Omar Sotelo, Director of Planning clarified the property is undergoing subdivision process.

After brief discussion, Vice Chairperson Mr. Gabriel Kamel moved to approve. Mr. Jose Caso second the motion with six members present and voting.

**c) CONDITIONAL USE PERMITS:**

1. Request of Nathan Chamberlain, P.E. on behalf of AEP Texas. for a Conditional Use Permit, for two years, for an Electric Substation at a 5.55-acre tract described as West 250 feet of the East 756.45 feet of the South 986.84 feet of land out of Lot 328, John H. Shary Subdivision, Save and Except the West 100 feet of the North 50 feet, Hidalgo County, Texas; 4551 Buddy Owens Boulevard.  
**(CUP2025-0129)**

Mr. Noah del Bosque stated the subject property is located on the south side of Buddy Owens Boulevard, approximately 500 feet west of North Bentsen Road and is zoned C-3 (General Business – OC) District and R-1 (Single Family Residential – OC) District. The adjacent zoning is R-1 (Single Family Residential – OC) District to the north, east, and south, R-2 (Duplex-Fourplex Residential – OC) District to the west, C-3 (General Business – OC) District to the east, and C-4 (Commercial Industrial – OC) District to the north and west. The applicant is proposing to construct a temporary power skid

station on the subject property. The electric substation is proposed to be located on the north portion of the property with access to Buddy Owens Boulevard. The applicant is proposing to lease an area of 175 feet by 250 feet for a total of one acre from the City of McAllen. The proposed development will require an 8-foot-tall buffer on the east side, which may be by cedar planks, since it shares less than 200 feet in common with the residential use.

The proposed substation must also comply with the following:

1. The proposed electric substation shall meet all the minimum standards established in applicable city ordinances; and will not be detrimental to the health welfare and safety of the surrounding neighborhood or its occupants, nor be substantially or permanently injurious to neighboring properties.
2. No form of pollution shall emanate beyond the immediate property line of the permitted use.
3. Additional reasonable restrictions or conditions such as increased open space, loading and parking requirements, suitable landscaping, curbing, sidewalks or other similar improvements may be imposed in order to carry out the spirit of the Zoning Ordinance or mitigate adverse effects of the proposed use.
4. New railroad facilities and structures for private utilities, other than the usual poles, wires and underground utilities; shall require a permit.

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

Staff recommends approval of the Conditional Use Permit, for two years, subject to Section 110-49 (a), conditions noted, paving and building permit requirements, and the subdivision and zoning ordinances.

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

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

2. Request of Roan G. Gomez, for a Conditional Use Permit, for Life of Use and adoption of an ordinance, for Institutional Use (School) at Lot 1 at Idea Public Schools-McAllen Subdivision, Hidalgo County, Texas; 201 North Bentsen Road.  
**(CUP2025-0124)**

Mr. Nicolas Lopez stated that the property is located at the northwest corner of US Highway 83 and North Bentsen Road and is zoned R-1 (Single-Family Residential -OC) District. The adjacent zoning is R-1 (Single-Family Residential -OC) District to the north, south and east, I-1 (Light Industrial-OC) and C-4 (Commercial Industrial-OC) District to the east, and A-O (Agricultural & Open Space-OC) to the west. A school is permitted in the R-1(OC) District with a Conditional Use Permit and in compliance with requirements.

The original Conditional Use Permit for an Institutional Use for a school for this property was approved on July 25, 2011. An application to amend the Conditional Use Permit for Life of Use was approved on September 4, 2012, for an addition of a two-story gym.

The applicant is requesting to amend the Conditional Use Permit for Life of the Use with the addition of a proposed high school wing, utility, and parking improvements.

The Fire Department inspection is still pending. Should the Conditional Use Permit be approved, the applicant would be required to sign the application acknowledging and agreeing to all conditions noted on the permit. The proposed use must also comply with the Zoning Ordinance and specific requirements as follows:

- 1) The proposed use shall not generate traffic onto residential size streets or disrupt residential areas, and shall be as close as possible to a major arterial. Access to the property is from North Bentsen Road.
- 2) The proposed use shall comply with the McAllen Off-Street Parking Ordinance and make provisions to prevent the use of parking along street, especially in residential areas. The parking must be clear of potholes and be properly striped per city requirements. According to approved Site Plan Review, the total parking spaces required will be 148 spaces and they are providing 184 parking spaces.
- 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; applicant has fences on perimeter of property.
- 6) The number of persons within the main building shall be determined by the Building Inspections Department; and
- 7) Sides adjacent to commercially zoned or use property shall be screened by a 6 ft. opaque fence.

Staff has received one phone call in opposition to the CUP, citing concerns about increased traffic in nearby neighborhood.

Staff recommends approval of the request, for Life of the Use, subject to the conditions noted, Zoning Ordinance, Unified Development Code, Building Code, and Fire Department requirements.

Chairperson Mr. Marco Suarez asked if there was anyone present in opposition of the proposed subdivision. There was one person.

Chairperson Marco Suarez, questioned Roan Gomez GMS Architects, regarding traffic, and removing 7 portables no addition on student population, to avoid the traffic.

Board member, Reza Badiozzamani mentioned traffic control and providing a solution to be done for a better solution.

Aide Trevino, Summer Breeze 4625 Cedar Avenue, resident was concern regarding the traffic nearby her subdivision, because of the Idea Public schools. Chairperson Marco Suarez, clarified the parking will be expanded for traffic controlled.

After lengthy discussion, Mr. Reza Badiozzamani moved to approve. Board member, Mr. Jesse Ozuna second the motion with six members present and voting.

3. Request of Fermin Leija Jr., for a Conditional Use Permit adoption of an ordinance, for Life of Use, for a Single Family Dwelling (Home) at South ½ of lot 11, Block 56, McAllen Addition Subdivision, Hidalgo County, Texas; 619 South Bicentennial

**Boulevard. (CUP2025-0125)**

Mr. Nicolas Lopez stated that the property is located along the east side of South Bicentennial Boulevard. The subject property is zoned C-3 (General Business-OC) District. The adjacent zonings are C-3 (General Business District -OC) in all directions. Surrounding land uses include, Single-Family homes, commercial uses, vacant land and a motel. A single-family dwelling is allowed within a C-3 (General Business -OC) District with a Conditional Use Permit (CUP) and in compliance with requirements.

A Certificate of Compliance for this property was approved on November 28, 2025.

The applicant intends to demolish the existing home and construct a new home on this property. A building permit application for the proposed house has not been submitted. A CUP application for a single-family dwelling for the subject property was submitted on December 10, 2025. The Fire Department inspection is still pending.

The proposed residence must comply with the following requirements:

- 1) No form of pollution shall emanate beyond the immediate property line of the permitted use;
- 2) Additional reasonable restrictions or conditions such as increased open space, loading and parking requirements, suitable landscaping, curbing, sidewalks or other similar improvements may be imposed in order to carry out the spirit of the Zoning Ordinance or mitigate adverse effects of the proposed use; and
- 3) In a C-3 District, a single family dwelling shall be located on a minimum lot size of 5,000 sq. ft. and in compliance with setbacks of the respective zoning district. The subject property is 3,500 sq. ft.

Should the Conditional Use Permit be approved, it will be subject to compliance with Sections 138-118 and 138-238 of the Zoning Ordinance, Fire Department and Building Permit requirements.

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

Staff recommends disapproval of the request due to not meeting the minimum lot size requirement of 5,000 square feet.

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

Vice Chairperson, Gabriel Kamel had questions regarding the CUP. Mr. Kaveh Forghanparast, Senior Planner clarified that the theirs two options rezoning the property, and property is not permitted without a CUP on a commercial zone.

Board member Jose Caso, questioned what will happen if the resident does not demolish. Senior Planner Kaveh Forghanparast mentioned if the variance gets approved the cup is given for life of the use for current property.

After lengthy discussion, Mr. Gabriel Kamel moved to disapprove with favorable recommendation. Mr. Emilio Santos Jr. second the motion with six members present and voting.

4. Request of Michael Fallek for a Conditional Use Permit, for life of use, and adoption of an ordinance, for a Planned Unit Development at 13.661 Acres out of Lot 9 & 16 Section 7, Hidalgo Canal Company's Subdivision, Hidalgo County, Texas; 1300 South 10th Street **(CUP2025-0126)**

Mr. Porfirio Hernandez stated that the subject property is located on the northwest corner of South 10th Street and U.S. Expressway 83. The property is zoned C-3 (General Business-OC) District. The adjacent zoning is C-3 (General Business-OC) District in all directions and R-2 (Duplex-Fourplex Residential-OC) District to the west. Surrounding land uses include hotels, restaurants, commercial and a cemetery.

A Conditional Use Permit application for a PUD on the subject property was first submitted on January 6, 2015, which was approved at the City Commission meeting of April 27, 2015. At the time, the PUD was approved with 14 proposed buildings on site. These buildings proposed retail, restaurant, and hotel uses. An application for a proposed subdivision was submitted on April 6, 2023 for a 7-lot development under the name of "McAllen City Center" and was approved in final form at the Planning and Zoning Commission meeting of February 4, 2025. The PUD was amended at the City Commission meeting of June 24, 2024.

The applicant is proposing to use the existing 13.661 gross acres of vacant land to establish a PUD for a Planned shopping center and retail food and beverage stores. Under the currently approved PUD, Lots 5 and 6 were designated for a parking garage and hotel use. The applicant is now proposing to amend the PUD to modify the approved use of these lots. The revised site plan proposes the use of Lots 5 and 6 for surface parking only. PUDs allow a variety of land uses that complement each other within the development and with existing land uses in the vicinity. Specific requirements for the approval of PUDs are set forth in Section 2.3.4 for Planned Developments of the Unified Development Code, and are summarized as the following:

1. **CONCEPTUAL SITE PLAN:** Development and use of the property must comply with the conditional use permit conceptual site plan.
2. **PERMITTED USES:** Proposed uses are uses permitted in the C-3 (General Business-OC) District for a shopping center, food and beverage stores.
3. **OFF-STREET PARKING AND LOADING:** Except as provided, parking and loading must comply with City of McAllen parking requirement;
  - a. Due to the mixed-use nature of the development, shared parking and parking reductions may be approved at the time of development by the director, based on recognized standards from Urban Land Institute, Institute of Transportation Engineers, or other parking data from acceptable publications.
  - b. Parallel parking is allowed in or adjacent to Lindberg Street right-of-way.
  - c. Alternate parking locations may be approved by the director.
4. **LANDSCAPING:** In General;
  - a. Except as provided, landscaping must comply with City of McAllen Landscape requirements;
  - b. The national monument tree that is located on PUD property, shall at Developer's sole cost and expense be relocated within the property and maintained thereafter.
  - c. Heritage trees over 20 inches in DBH (diameter at breast height) will be allowed, at City's sole cost and expense, to be relocated to other City owned property.

- d. Developer will provide and thereafter maintain replacement trees with like caliper trees equal or greater caliper inch for caliper inch to the Heritage trees' caliper that will be removed to be located within the PUD property or in right-of-way abutting the PUD property.
- e. Landscaping must be provided in compliance with the conditional use permit conceptual site and landscaping plan.
- f. The director may authorize changes to the approved conceptual site and landscaping plan.  
Landscape Buffers: Landscape buffers may be provided as follows and as shown on the conceptual landscaping plan:
  - a. On the 1-2 Access Road a continuous landscaping strip is required.
  - b. On South 12th Street and on Lindberg Avenue no landscaping strip is required.
  - c. On South 10th Street, surface parking may project into the required landscaping strip.

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

5. **SIGNS:**

- a. Except as provided, signs must comply with City of McAllen ordinances.
- b. The property shall be considered one lot for purposes of signage.
- c. Unless otherwise authorized herein, off premise signs are prohibited.

Additionally, permitted signs: The following signs are also permitted;

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

6. **STREETS AND SETBACKS:** Final setbacks and right-of-way dedication have been established through the recording of the subdivision plat.

7. **DRAINAGE:** Except as provided herein, drainage must be in accordance with the City of McAllen Standard Design Guide. Drainage on the PUD property must comply with the approved drainage plan Final drainage detention and design will be approved by City prior to issuance of a building permit for vertical construction.

8. **REPUDIATION AND TERMINATION OF PUD:** City of McAllen, through the city commission, reserves the right to terminate and repeal this ordinance creating the PUD and accompanying concept plan and development standards described herein, by resolution passed by the city commission, any time such termination and repeal becomes necessary. The determination by the city commission of the need for termination and repeal is final and binding and the provisions of this ordinance will be of no further force and effect thereafter.

9. **ADDITIONAL PROVISIONS:**

- a. This district is considered a commercial zoning district.
- b. Excluding South 12th Street and Lindberg Avenue, internal drives may be shut down for

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special events with the approval of the director.

- c. If there is a conflict with the City's Code of Ordinances and this ordinance, this ordinance controls.
  - d. Any persons, jointly or severally, aggrieved by any decision of the director, may present to the Planning and Zoning Commission objections in the form of a petition for review, setting forth that such decision is unjust, in whole or part, and specifying the grounds for injustice. The aggrieved party must submit the petition to the City's Planning Department within ten days after the director's final decision, and not thereafter. Such a review shall be scheduled at the next available Planning and Zoning Commission meeting. After reviewing the contents of the petition, the Planning and Zoning Commission shall adopt a recommendation and submit such to the Board of Commissioners, Thereafter, upon reviewing the recommendation issued by the Planning and Zoning Commission and the petition presented, the Board of Commissioners will make a final determination on the petition at the next regular meeting of the Board of Commissioners.
10. Owner, Engineer and Surveyor certification and signature block needs to be shown on the PUD site plan.

Building permit issuance is subject to approval of the current submittal for a PUD amendment.

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

Staff recommends approval of the Planned Unit Development as presented, for life of the use, subject to all aforementioned conditions.

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 moved to approve. Mr. Emilio Santos second the motion with six members present and voting.

5. Request of M2 Engineering, PLLC, for a Conditional Use Permit, for life of use, and adoption of an ordinance, for an amendment to a Planned Unit Development for Lots 1-36, Sunset Valley Subdivision, Hidalgo County, Texas: 6100 North Bentsen Road. **(CUP2025-0120)**

The subject property is located along North 23rd north of Zinnia Avenue. The property is zoned C-3 (General Business-OC) District. Surrounding land uses are C-3 (General Business-OC) District to the north and east, R-1 (Single-Family Residential-OC) District to the west and R-3A (Multi-family Residential Apartment-OC) to the south. An event center is allowed in a C-3 District with a Conditional Use Permit and in compliance with requirements.

The first Conditional Use Permit for this location was originally approved by City Commission on March 14, 2022 for a one-year term. The current permit was approved for a two-year term and expired on January 9, 2026. The applicant submitted an application on December 1, 2025 and is requesting a two-year term. The proposed days and hours of operation are to be from 10:00 AM to 10:00 PM Monday through Sunday.

The Fire Department completed their inspection and have determined the property is in compliance. As per Section 138-400 of the Zoning Ordinance, the parking lot must be properly striped and free of

potholes. The business must 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 the lot of any of the above mentioned business must be at least 400 ft. from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruption of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The subject property is within 400 feet of single-family residential properties.
- 2) The abovementioned business must be as close as possible to a major arterial, and shall not allow the traffic generated by such business onto residential streets, or allow such traffic to exit into and disrupt residential areas. The subject property has frontage along Zinnia Avenue and North 23rd Street.;
- 3) 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. The 2,340 square feet commercial suite requires twenty-three parking spaces, which is provided within 55 shared parking spaces for the plaza.
- 4) The abovementioned business must do everything possible to prevent the unauthorized parking by the patrons of such business on adjacent businesses or residential properties including, when necessary, the installation of fences and hedges, and the reorientation of entrances;
- 5) The abovementioned business 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 as much as possible of the site from a public street;
- 6) The abovementioned business must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties;
- 7) The abovementioned 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 Director of Planning. The occupancy load for this establishment will be established by the Building and Inspections Department as part of the building permit review process.

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

Mr. Porfirio Hernandez stated. Item was removed from the agenda, to be heard on the meeting of **02/17/2026.**

6. Request of M2 Engineering, PLLC, for a Conditional Use Permit, for life of use, and adoption of an ordinance, for an amendment to a Planned Unit Development for Lots 1-36, Sunset Valley Subdivision, Hidalgo County, Texas: 6100 North Bentsen Road. (CUP2025-0120)

Ms. Samantha Trevino stated that the subject property is located on the east side of North Bentsen

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Road, 101.95 ft. south of Jay Avenue. The irregularly-shaped tract has 286.87 ft. of frontage along North Bentsen Road and a depth of 1,206.37 ft. at its deepest point for a lot size of 13.116 acres. The property is zoned R-1 (single-family residential-OC) District. The adjacent zoning is R-1(Single-Family Residential-OC) District to the north, west, and south and A-O (agricultural-open space-OC) District to the east and southwest. Surrounding land use include single-family residences, Donna Wernecke Elementary School, Hidalgo County Drainage District No.1 Ditch R.O.W and vacant land. A Planned Unit Development is permitted in an R-1 District with a conditional use permit and in compliance with Article IV Planned Developments of the Subdivision Ordinance. A rezoning request to R-3A (multifamily residential apartment-OC) District for the subject property was withdrawn by the applicant after it was disapproved by the Planning and Zoning Commission on May 4, 2021. The Planning and Zoning Commission voted to approve the proposed subdivision in preliminary form subject to conditions noted on October 5, 2021. A submitted Conditional Use Permit request for a Planned Unit Development for the subject property was withdrawn on January 21, 2022, after being tabled at the Planning and Zoning Commission meeting on December 21, 2021, and the City Commission meeting on January 10, 2022, for pending revisions and documents. A Conditional Use Permit request for a Planned Unit Development for the subject property was submitted on October 5, 2022 and approved. A new Conditional Use Permit was submitted December 2, 2025.

The property is currently being developed. The applicant is proposing convert Lot 36 to a common area lot.

The proposed PUD for Sunset Valley was previously approved at the City Commission meeting of November 28, 2022 with the following variances:

- Request a variance to allow multifamily lots on R-1 District.
- Request a variance to allow 10 ft. separation instead of 12 ft.
- Request a variance to allow a 20 ft. front setback instead of 25 ft.
- Request a variance to 55 ft. or right-of-way on interior streets and 5 ft. utility easement on both sides, and 40 ft. of pavement back to back, instead of 60 ft. right-of-way.

The proposed PUD for Sunset Valley is requesting the follow amendment:

- Usage of Lot 36 as Common Area

PUDs allow a variety of land uses that complement each other within the development and with existing land uses in the vicinity. Specific requirements for the approval of PUDs are set forth on Article IV for Planned Developments of the Subdivision Ordinance, and are summarized as the following:

1. **CONCEPTUAL SITE PLAN:** Development and use of the property must comply with the conditional use permit conceptual site plan.
2. **PERMITTED USES:** Permitted uses are uses permitted in the R-1 District for buildings designated as residential. The applicant is proposing multifamily residences, allowed in R-3A District.
3. **OFF-STREET PARKING AND LOADING:** Parking should be in compliance with Chapter 134 Article VI, which requires two parking spaces per unit, with one being located beyond the front yard setback. Must provide floor plan with garage to determine if in compliance.
4. **LANDSCAPING:** Each lot requires 10% landscaping and a minimum of 50% of the area within the required front yard of any residential lot shall be devoted to landscape material including the portion of the front yard located between the property line and the extension of the side yard

setback line. Tree requirement for multifamily development is calculated as per Section 110-51 of Vegetation Ordinance. A landscape strip area with a minimum width of ten feet shall be provided along and within the property lines of all nonresidential and multifamily uses contiguous to a public street, excluding driveway entrances and exits. For properties having a lot depth of less than 200 feet, the landscaped strip may be reduced to a minimum width of five feet with a landscape hedge not exceeding three feet in height.

5. **STREETS AND SETBACKS:** A minimum of 60 ft. right-of-way with 40 ft. of pavement width is required on all internal streets, as well as a minimum of 96 ft. pavement on cul-de-sacs face to face. The applicant is proposing 55 ft. of right-of-way, 5 ft. utility and sidewalk easement on both sides, and 40 ft. of pavement back to back. An R-1 zone requires a front yard setback of 25 ft. on interior streets; 20 ft. is being proposed. The side setback for corner lots is 10 ft. or greater for easements, whichever is greater; Rear: 10 ft. or greater or easements; A 4 ft. wide minimum sidewalk required on North Bentsen Road and both sides of all interior streets. 5 ft. sidewalk might be required by Engineering Department prior to final plat review. Sidewalk must comply with subdivision requirement. No encroachment is allowed over the setback or easements.
6. **DRAINAGE:** The drainage report must be approved
7. **ADDITIONAL PROVISIONS:** The Conditional Use Permit site plan controls if there is conflict with other City ordinances. A decision by the Planning Director may be reviewed by Planning and Zoning Commission for recommendation to Board of Commissioners for final determination. The Conditional Use Permit calls for mixed use and a minimum of five (5) acres. The development has 13.116 acres and includes multifamily residences. The proposed site plan must be approved by Development Departments.
8. Owner, Engineer and Surveyor certification and signature block needs to be shown on the PUD site plan. Submitted site plan meets requirements.
9. A The subdivision plat and the Planned Unit Development site plan must be recorded prior to issuance of building permits. Therefore, Sunset Valley Subdivision process must be completed, and recorded together with the site plan.

If the subdivision layout changes, the PUD will need to be amended to resemble the approved subdivision plat. Any changes regarding ownership or the approved building layout may also require an amendment of the PUD. The PUD must comply with all City department requirements, including but not limited to, the Building Permit & Inspections Department, Planning Department, Engineering Department, Utilities Department, Traffic Department, Fire Department, and the Environmental and Health Code Compliance Department. Finally, if this request is granted approval, all proposed structures and improvements on the recorded Subdivision Plat and PUD site plan will be required during the building permitting process.

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

Staff recommends approval of the amendment to the Planned Unit Development as presented, for Life of the Use, subject to all aforementioned conditions.

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 moved to approve. Mr. Emilio Santos Jr.

second the motion with six members present and voting.

**d) SUBDIVISION:**

**1. Balboa Acres Subdivision #7, Block 29 (East Half), 3417 Francisca Ave, Raul Macias (SUB2026-0006) (Final) SEA**

Ms. Natalie Moreno stated that the property is located Francisca Avenue: 60 ft. ROW (existing) Paving: 37.8 ft. B-B Curb & gutter: both sides. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. ROW: 20 ft. Existing conditions remain. Alley/service drive easement required for commercial properties. Subdivision Ordinance: Section 134-106. Front: 25ft. Zoning Ordinance: Section 138-356. Rear: In accordance with the Zoning Ordinance or greater for easements. Zoning Ordinance: Section 138-356. Sides in accordance with the Zoning Ordinance or greater for easements. Zoning Ordinance: Section 138-356. Garage: 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. 4 ft. wide minimum sidewalk required on Francisca Avenue. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. Perimeter buffers must be built at time of Subdivision Improvements. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area: Survey for east half of Lot 7 Block 29 shows a 50 ft. width. Zoning Ordinance: Section 138-356. Existing: R-1 (Low Density Residential District Proposed: R-1 (Low Density Residential District. As part of city initiated rezoning, Balboa Acres was rezoned to the UDC R-1 Low Density Residential District. Zoning Ordinance: Article V. Rezoning Needed Before Final Approval. Zoning Ordinance: Article V. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. 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. Existing plat notes remain the same. Public Hearing is required for the subdivision of the lot. Canopy/structure will be relocated to comply with setbacks as per Engineer Must comply with other departments requirements prior to recording as may be applicable. Must comply with City's Access Management Policy.

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

Ms. Natalie Moreno stated to the board if they can make a motion together for items d-1 and d-2.

Chairperson Mr. Marco Suarez asked if there was anyone present in opposition of the proposed subdivision. There was none. Staff recommends approval of the subdivision in preliminary form, subject to conditions noted by drainage and utilities department.

Being no discussion, Mr. Gabriel Kamel asked regarding fire department moved to approve the subdivision in preliminary form, subject to the conditions noted. Mr. Emilio Santos Jr. second the motion on voting for items d-1 and d-2 with six members present and voting.

**2. Balboa Acres Subdivision #7, Block 29 (West Half), 3501 Francisca Ave, Raul Macias (SUB2026-0007) (FINAL) SEA**

Ms. Natalie Moreno stated the property was located on Francisca Avenue: 60 ft. ROW (existing) Paving: 37.8 ft. B-B (existing) Curb & gutter: both sides. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. ROW: 20 feet. Paving: Existing conditions remain. Alley/service drive easement required for commercial

properties. Subdivision Ordinance: Section 134-106. Front: 25 feet. Zoning Ordinance: Section 138-356. Rear: In accordance with the Zoning Ordinance or greater for easements. Zoning Ordinance: Section 138-356. Sides: In accordance with the Zoning Ordinance or greater for easements. Zoning Ordinance: Section 138-356. Garage: 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 Francisca Avenue. Subdivision Ordinance: Section 134-120. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area: Survey for west half of Lot 7 Block 29 shows a 50 ft. width. Zoning Ordinance: Section 138-356. Existing: R-1 (Low Density Residential District) Proposed: R-1 (Low Density Residential District). As part of city initiated rezoning, Balboa Acres was rezoned to the UDC R-1 Low Density Residential District. Zoning Ordinance: Article V. Rezoning Needed Before Final Approval. Zoning Ordinance: Article V. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. 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. Existing Plat notes remain the same. Public Hearing is required for the subdivision of the lot. Must comply with other departments requirements prior to recording as may be applicable. Must comply with City's Access Management Policy.

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

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

Board member, Mr. Jose Caso dismissed himself for the day at 4:00pm.

**3. Balboa Acres Lot #18, Block 30 (West Half), 3515 Helena Ave, Alex Lozano  
(SUB2026-0009) (FINAL) AS**

Helena Avenue: 60 ft. ROW (existing) paving approximately 35 ft. existing. Curb & gutter both sides Subdivision Ordinance section 134-105. Monies must be escrowed if improvements are required prior to recording. COM Thoroughfare Plan ROW. 20 feet. Paving: Existing conditions remain. Alley/service drive easement required for commercial properties. Subdivision Ordinance: Section 134-106. Front: 25 ft. Zoning Ordinance: Section 138-356. Rear: In accordance with the Zoning Ordinance or greater for easements. Zoning Ordinance: Section 138-356. Sides: In accordance with the Zoning Ordinance or greater for easements Zoning Ordinance: Section 138-356. Garage: 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. 4 feet wide minimum sidewalk required on Helena Ave. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. Lots fronting public streets subdivision Ordinance: Section 134-1. Minimum lot width and lot area: Survey for the WEST half of Lot 18, Block 30 shows a 50 ft. width. Zoning Ordinance: Section 138-356 Existing: R-1 (Low-Density Residential District) Proposed: R-1 (Low-Density Residential District). As part of the City Initiated Rezoning, Balboa Acres was Rezoned to the UDC R-1 for Low-Density Residential District. Zoning Ordinance: Article V Rezoning Needed Before Final Zoning Ordinance: Article V. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Traffic Department, TG waived for 2 Lot Single Family. Traffic Impact Analysis (TIA) required prior to final plat. As per Traffic Department, TG waived for 2 Lot Single Family. Existing plat notes remain the same. Public hearing is required for the subdivision of the lot. Must comply with other department requirements prior to recording as may be applicable.

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

Mr. Julio Constantino requested for the board to make a motion together for items d-3 and d-4

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

Being no discussion, Mr. Gabriel Kamel oved to approve the subdivision in preliminary form, subject to the conditions noted, drainage & utilities approval. Mr. Emilio Santos Jr. second the motion on voting for items d-3 and d-4 with five members present and voting.

**4. Balboa Acres Lot #18, Block 30 (East-Half), 3512 Helena Ave, Alex Lozano (SUB2026-0010) (FINAL) AS**

Helena Avenue: 60 ft. ROW (existing) paving approximately 35 ft. existing curb & gutter both sides. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. COM Thoroughfare Plan. ROW: 20 ft. Paving: Existing conditions remain. Alley/service drive easement required for commercial properties. Subdivision Ordinance: Section 134-106. Front: 25 feet. Zoning Ordinance: Section 138-356. Rear: In accordance with the Zoning Ordinance or greater for easements. Zoning Ordinance: Section 138-356. Sides: In accordance with the Zoning Ordinance or greater for easements. Zoning Ordinance: Section 138-356. Garage: 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 feet wide minimum sidewalk required on Helena Avenue. Subdivision Ordinance: Section 134-120 perimeter sidewalks must be built or money escrowed if not built at this time. Lots fronting public streets subdivision ordinance Section 134-1. Minimum lot width and lot area: Survey for the EAST half of Lot 18, Block 30 shows a 50 ft. width. Zoning Ordinance: Section 138-356. Existing: R-1 (Low-Density Residential District) Proposed: R-1(Low-Density Residential District). As part of the City Initiated Rezoning, Balboa Acres was Rezoned to the UDC R-1 for Low-Density Residential District. Zoning Ordinance: Article V Rezoning Needed Before Final Approval. Zoning Ordinance: Article V. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Traffic Department, TG waived for 2 Lot Single Family. Traffic Impact Analysis (TIA) required prior to final plat. As per Traffic Department, TG waived for 2 Lot Single Family. Existing plat notes remain the same. Public hearing is required for the subdivision of the lot. Must comply with other department requirements prior to recording as may be applicable.

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

**e) ORDINANCE**

1. Consideration and possible approval of an ordinance updating the Unified Development Code.

Mr. Omar Sotelo, Director of Planning discussed, following the adoption of the Unified Development Code (UDC) last year, a comprehensive review was conducted to identify revisions needed to correct omissions, clarify standards, and ensure consistent application. This review was led by the Ordinance Review Committee, consisting of three Commissioners, Development Department Directors, and the Deputy City Manager, with input from all City Department Heads. It is normal and expected to have adjustments after such a major code transition. It will be an on-going process and we expect to have further modifications as we work with developers and the nuances of this new code. Key updates clarify position responsible for making a decision, modify elements that don't exactly match legal requirements as modified (i.e. carwash ordinance), added in missing elements that may have been eliminated in the repeal of the original code (i.e. front yard parking, double fronting lot requirements and semi-trailers in

neighborhoods). Other modifications include required garage setback at 18 feet unless a greater setback applies; prohibit parking on unpaved surfaces; allow zero side-yard setbacks in commercial zones when development occurs within the same zoning district; and specify that where easements exist, the greater setback requirement governs. Numerous tables previously referencing the Planning Director were revised to clearly identify the appropriate Department Head authorized to approve or administer specific provisions. Lot size standards missing from the City Core District were added to correct this omission. The Use Table was amended to reflect current development needs, including permitting carports and pools in districts where they were previously restricted. Bar regulations were revised to merge 75% and 51% bar requirements and add more restrictions to C-1 and CC-DT bars and adding requirements similar to ECOD requirements for all bars. This includes requiring age-verification devices to reinforce compliance with alcohol consumption laws, lighting and security standards and reporting requirements as needed. An existing ordinance establishing distance requirements for car washes was incorporated into the UDC. Additionally, the Definitions section—previously divided into two parts—was consolidated into a single section for improved clarity and usability. Sign regulations were modified to allow increased advertising opportunities while maintaining appropriate controls. Provisions related to pylon signs were clarified to allow one pylon sign within a subdivision to serve all lots, eliminating the need for off-premise signage variances from the City Commission. Certain technical design standards, including requirements for corner clips, drive-through stacking, and dumpster design and pickup configurations, were removed from the UDC and relocated to the Standard Design Guide. This change allows greater flexibility and easier updates as vehicle sizes, service equipment, and operational needs evolve. We eliminated processes that are no longer used, such as conveyance plats, subdivision proportionality appeals, and warranty bonds, and we added protections for nonconforming uses created when the city acquires right-of-way through means other than subdivision dedication. Street right-of-way requirements were adjusted to ensure service vehicles such as trash and fire trucks are able to function properly. No widths were increased beyond original requirements and some were left at the lower standard as appropriate. Throughout the process, meetings were held with all Department Heads to review proposed amendments and resolve operational concerns, ensuring the revisions function effectively across all departments. We will continue to monitor developer needs as well as potential unintended consequences to ensure we have a workable, development-friendly UDC.

Mr. Omar Sotelo Director of Planning discussed new updates with Board Members regarding the Unified Development Code.

After lengthy discussion, Mr. Reza Badiozzamani moved to approve the Unified Development Code updates as mention, Mr. Emilio Santos Jr. second the motion with five members present and voting.

## 2) SUBDIVISIONS:

- a) **Balboa Acres #5, Block 19 (East Half), 3111 Daytona Ave, Anarcasis Davila (SUB2025-0184) (PRELIMINARY) SEA**

Mr. Marcos Johnson stated the property located on Daytona Avenue: 60 ft. ROW. Paving: 37.6 BB Curb & gutter: Both Sides. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. ROW: 20 feet. Paving Existing conditions remain. Alley/service drive easement required for commercial properties. Subdivision Ordinance: Section 134-106. Front: 25 feet. Zoning Ordinance: Section 138-356. Rear: In accordance with the Zoning Ordinance or greater for easements. Zoning Ordinance: Section 138-356. Sides: In accordance with the Zoning Ordinance or greater for easements. Zoning Ordinance: Section 138-356. Garage: 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 Daytona Avenue. Subdivision Ordinance: Section 134-120. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area Survey for East half of Lot 5 Block 19 shows 48 ft. width. Zoning Ordinance: Section 138-356. Existing: R-1 (Low density Residential District) Proposed: R-1 (Low density Residential District). Zoning Ordinance: Article V. Rezoning Needed Before Final Approval. Zoning Ordinance: Article V. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. 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. Existing Plat notes remain the same. Public Hearing is required for the subdivision of the lot. Must comply with other departments requirements prior to recording as may be applicable. Must comply with City's Access Management Policy.

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

Mr. Juan Johnson requested for board members to make a motion together for items 2a and 2b.

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

Being no discussion, Board member Mr. Jesse Ozuna motion to approve subdivision in preliminary form subject to conditions noted, drainage and utility approvals. For items 2a and 2b, Mr. Emilio Santos Jr. second the motion with five members present voting.

**b) Balboa Acres #5, Block 19 (West Half), 3113 Daytona Ave, Anarcasis Davila  
(SUB2025-0185) (PRELIMINARY) SEA**

Mr. Marcos Johnson stated the property located on Daytona Avenue: 60 ft. ROW Paving: 37.6 ft. BB Curb & gutter: Both Sides Subdivision Ordinance Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. ROW: 20 feet. Paving: Existing Conditions Remain. Alley/service drive easement required for commercial properties. Subdivision Ordinance: Section 134-106. Front: 25 feet. Zoning Ordinance: Section 138-356. Rear: In accordance with the Zoning Ordinance or greater for easements. Zoning Ordinance: Section 138-356. Sides: In accordance with the Zoning Ordinance or greater for easements. Zoning Ordinance: Section 138-356. Garage: 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. 4 feet wide minimum sidewalk required on Daytona Avenue. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. Perimeter buffers must be built at time of Subdivision Improvements. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area Survey for west half of lot 5 block 19 shows 48 ft. width. Zoning Ordinance: Section 138-356 Existing: R-1 (Low Density Residential District) Proposed: R-1 (Low Density Residential District). Zoning Ordinance: Article V. Rezoning Needed Before Final Approval. Zoning Ordinance: Article V. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. 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. Existing Plat notes remain the same. Public Hearing is required for the subdivision of the lot. Must comply with other departments requirements prior to recording as may be applicable. Must comply with City's Access Management Policy. Must comply with City's Access Management Policy.

Staff recommends approval of the subdivision in preliminary form subject to conditions noted, drainage

- c) McAllen O.T. Lots 1A & 2A, Block 58 Subdivision, 1619 Galveston Ave, Marc & Angela Millis **(SUB2025-0131) (REVISED PRELIMINARY) SEA**

Ms. Natalie Moreno, notified board members. The engineer requested for item to be tabled.

Being no discussion, Mr. Jesse Ozuna move to table the item. Mr. Emilio Santos second the motion with five members present voting.

- d) Livsmart Subdivision, 1001 S. 29th St, Stay in McAllen, LLC **(SUB2026-0002) (PRELIMINARY) SPEC**

Ms. Natalie Moreno stated the property located South 29th Street: 50 ft. dedication for a total of 100 ft. ROW. Paving: 65 feet curb & gutter both sides. There is an existing 35 ft. ROW along S. 29th street, plat indicates 50 feet road ROW dedicated by this plat. Please revise and clarify how much dedication will be dedicated. Provide document numbers for existing ROW dedication and provide copy for staff review. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. Lindberg Ave: 30 ft. dedication for a total of 60 ft. ROW. Paving 40 feet curb & gutter both sides. There is an Existing 25 ft. ROW along Lindberg Ave, plat indicates a 30 ft. ROW being dedicated by plat. Please revise and clarify how much dedication will be dedicated. Provide document numbers for existing ROW dedication and provide copy for staff review. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. ROW 20 feet paving 16 feet. Engineer must clarify if alley or service drive will be provided, prior to final. Alley or service drive cannot dead end. Alley/service drive easement required for commercial properties. Subdivision Ordinance: Section 134-106. In accordance with the Zoning Ordinance or greater for easements. Zoning Ordinance: Section 138-356. In accordance with the Zoning Ordinance or greater for easements. Zoning Ordinance Section 138-356 in accordance with the Zoning Ordinance or greater for easements. Zoning Ordinance Section 138-356 in accordance with the Zoning Ordinance or greater for easements. Zoning Ordinance Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required on S. 29th street and Lindberg Avenue. Please revise 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- must be on separate plat note. Landscaping Ordinance Section 110-46 8 feet masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses- must be on separate plat note. 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. Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: C3 Proposed:C3. Zoning Ordinance: Article V. Rezoning Needed Before Final 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. Remove the letter "W" from Lindberg Avenue on plat. Label the property to the east side of the property line. If owned by the City of McAllen, please label. Alleys and streets on north side of the property must be addressed. May not dead end, Revise as needed. There is an existing 25 ft. ROW along Lindberg Ave, plat indicates a 30 ft. ROW being dedicated by plat. Please revise and clarify how much dedication will be dedicated. There is an existing 35 ft. ROW along S. 29th street, plat indicates 50 ft. road ROW dedicated by this plat. Please revise and clarify how much dedication will be dedicated. Must comply

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

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

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

- e) Las Brisas Phase II, 3105 Monte Cristo Rd., Rhodes Development, INC. (SUB2025-0111) (FINAL) M&H (Tabled on 12/02/2025)

Mr. Julio Constantino stated property is located on Interior Streets: 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. 11 feet or greater for easements. Zoning Ordinance: Section 138-356. 5 feet or greater for easements. Zoning Ordinance: Section 138-356. 10 feet or greater for easements. Remove side from corner setback. Zoning Ordinance: Section 138-356. 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 feet 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. 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.

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

Mr. gabriel kamel moved to have item removed from the table and Mr. Jesse Ozuna seconded the motion with five members present and voting.

Being no discussion, Vice Chairperson, Gabriel Kamel motion to remove item from the agenda. Mr. Jesse Ozuna second the motion with five members present and voting.

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

f) **RMZ Development, 2900 Colbath Ave, RMZ investments, INC.  
(SUB2026-0008) (FINAL) ME**

Ms. Natalie Moreno stated the property is located on South 29th Street: 40 ft. from centerline for a total of 80 ft. ROW. Paving: 65 ft. - 85 ft. Curb & gutter: both sides. Engineer submitted a variance request on July 15, 2025 to reduce the ROW requirements from 100 ft. to 80 ft. ROW. The variance request was approved on August 16, 2022. and the variance will be applied to this plat. Provide a copy of documents referenced on the plat, prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final COM Thoroughfare Plan. Colbath Road: 40 ft. dedication from centerline for 80 ft. total ROW. Paving 52 feet Curb & gutter both sides. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. ROW 20 feet Paving 16 ft. Alley/service drive easement required for commercial properties. 65 feet common access easement must be maintained by lot owners and not the City of McAllen. Proposing 65 feet common access easement. Alley or service drive cannot dead-end. 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", prior to final. Subdivision Ordinance: Section 134-106

Front: (Proposing): S. 29th Street/ Colbath Road: In accordance with the zoning ordinance, or greater for easements or approved site plan, or in line with average setback, whichever greater applies. Zoning Ordinance: Section 138-356. Proposing in accordance with the zoning ordinance, or greater for easements or approved site plan, whichever greater applies. Zoning Ordinance: Section 138-356 Sides proposing in accordance with the zoning ordinance, or greater for easements or approved site plan, whichever greater applies. Zoning Ordinance: Section 138-356 Corner: (Proposing) see front setback section above. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan 4 ft. wide minimum sidewalk required on S. 29th Street and Colbath Road. May increase to 5 ft. as per Engineering Department Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 feet 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 remove plat note. 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. Add plat note as stated above, prior to final. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing C-4 Proposed: C-4. Zoning Ordinance: Article V Rezoning Needed Before Final Approval 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. Engineer submitted a variance request on July 15, 2025 to reduce the ROW requirements from 100 ft. to 80 ft. ROW. The variance request was approved on August 16, 2022. and the variance request will be applied to this plat. Remove plat note #14. Must comply with City's Access Management Policy.

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

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 moved to approve the subdivision in final form. Mr. Emilio Santos second the motion with five members present and voting.

### **3) DISCUSSION:**

No discussion.


### **4) INFORMATION ONLY:**

No information was given.

### **ADJOURNMENT:**

There being no further business to come before the Planning & Zoning Commission, Vice Chairperson Mr. Gabriel Kamel adjourned the meeting at 4:20 p.m. with Mr. Emilio Santos Jr. second the motion with five members present and voting.

  
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Marco Suarez, Chairperson

ATTEST:   
\_\_\_\_\_  
Ofelia Camacho, Administrative Assistant