

AGENDA

PLANNING & ZONING COMMISSION REGULAR MEETING

TUESDAY, FEBRUARY 2, 2021 - 3:30 PM

MCALLEN CITY HALL, 1300 HOUSTON AVENUE

CITY COMMISSION CHAMBERS, 3RD FLOOR

Web: <https://zoom.us/join> or phone: (346) 248-7799

Meeting ID: 672 423 1883

At any time during the course of this meeting, the Planning & Zoning Board may retire to Executive Session under Texas Government Code 551.071(2) to confer with its legal counsel on any subject matter on this agenda in which the duty of the attorney to the Planning & Zoning Board under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code. Further, at any time during the course of this meeting, the Planning and Zoning Commission may retire to Executive Session to deliberate on any subject slated for discussion at this meeting, as may be permitted under one or more of the exceptions to the Open Meetings Act set forth in Title 5, Subtitle A, Chapter 551, Subchapter D of the Texas Government Code

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

1) MINUTES:

- a) Minutes for Regular Meeting held on January 19, 2021

2) PUBLIC HEARING

a) CONDITIONAL USE PERMITS:

1. Request of Juan D. Cantu, for a Conditional Use Permit, for one year, for a tire shop at Lot 14, Block 20, Hammond Addition Subdivision, Hidalgo County, Texas; 2255 Date Palm Avenue. **(CUP2020-0127)**
2. Request of Esther Oyervides, for a Conditional Use Permit, for one year, for a Home Occupation (Beauty Salon) at the W10' of Lot 1 & All of Lot 2, Block 4, Amigo Park Subdivision Unit No. 1, Hidalgo County, Texas; 4404 Gardenia Avenue. **(CUP2021-0003)**
3. Request of Raul U. Guerrero for a Conditional Use Permit, for life of the use, for a guest house at Lot 23, Quail Crossing Subdivision, Hidalgo County, Texas; 2712 Denton Creek Avenue. **(CUP2020-0132)**
4. Request of Vishal Desai for a Conditional Use Permit, for one year, for a Liquor Store at W113.49' of Lot 1 and W113.44' of Lot 2, Block 1, Golden Acres Retirement Subdivision No.1 , Hidalgo County, Texas; 301 North Ware, Suite B. **(CUP2021-0004)**

3) SUBDIVISIONS:

- a) 2nd and Dove Subdivision; 201 Dove Avenue; Alonzo Cantu; (SUB2020-0076) (Revised Preliminary) CLH
- b) Villas at Northgate Subdivision; 1701 Northgate Road; Maria De Lourdes Vela, and Luis Fabian Vela; (SUB2019-0090) (Revised Preliminary) RDE
- c) Northwood Trails Block 1 Subdivision; 10100 North 29th Street; Red Rock Real Estate Development Group, LTD; (SUB2021-0001) (Preliminary) QH&A

- d) Los Vecinos Subdivision; 2801 South Bentsen Road; Tres Vecinos, LLC; (SUB2019-0088) (Revised Preliminary) HAI
- e) Iglesias Subdvision; 4400 Pecan Boulevard; Alvaro Iglesias; (SUB2020-0072) (Revised Preliminary) MAS

4) INFORMATION ONLY:

- a) City Commission Actions: January 25, 2021

ADJOURNMENT:

IF ANY ACCOMMODATIONS FOR A DISABILITY ARE REQUIRED, PLEASE NOTIFY THE PLANNING DEPARTMENT (681-1250) 72 HOURS BEFORE THE MEETING DATE. WITH REGARD TO ANY ITEM, THE PLANNING & ZONING COMMISSION MAY TAKE VARIOUS ACTIONS, INCLUDING BUT NOT LIMITED TO RESCHEDULING AN ITEM IN ITS ENTIRETY FOR PARTICULAR ACTION AT A FUTURE DATE.

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF McAllen

The McAllen Planning and Zoning Commission convened in a Regular Meeting & Public Hearing on Tuesday, January 19, 2021 at 3:31 p.m. in the McAllen City Hall City Commission Room at 1300 Houston Avenue, McAllen, Texas.

Present:	Pepe Cabeza de Vaca Michael Hovar Michael Fallek Gabriel Kamel	Chairperson Member Member Member
Absent:	Daniel Santos Rogelio Cervantes Jose Saldana	Member Member Member
Staff Present:	Victor Flores Michelle Rivera Edgar Garcia Luis Mora Omar Sotelo Berenice Gonzalez Kaveh Forghanparast Liliana Garza Carlos Garza Mario Escamilla Hebert Camacho Porfirio Hernandez Claudia Mariscal Aime Garcia	Assistant City Attorney Assistant City Manager Planning Director Planning Deputy Director Senior Planner Planner III Planner II Planner II Planner II Planner I Planner I Planning Technician II Administrative Secretary Administrative Secretary

CALL TO ORDER- Pepe Cabeza de Vaca, Chairperson

Meeting held via Teleconference and Video Conference.

PLEDGE OF ALLEGIANCE

INVOCATION- Mr. Rogelio Cervantes

1) MINUTES:

a) Minutes for Regular Meeting held on December 19, 2021.

The minutes for the regular meeting held on December 19, 2020 were approved as submitted. The motion to approve was made by Mr. Michael Hovar. Mr. Michael Fallek seconded the motion, which carried unanimously with four members present and voting.

2) PUBLIC HEARING

a) CONDITIONAL USE PERMITS:

- 1) Request of Hidalgo County on behalf of McAllen ISD, for a Conditional Use Permit, for life of the use, for a personal wireless service facility at Lot 1 & 2, McAllen ISD Northwest Elementary Subdivision, Hidalgo County, Texas; 2901 Incarnate Word Avenue. **(CUP2020-0125)**

Ms. Liliana Garza stated the subject property was located on the southwest corner of Incarnate Word Avenue and 29th Street. The property has a zoning classification of A-O (agricultural-open space) District and surrounding zoning was A-O District to the east and south, R-1 (single family residential) District to the north, west and east. Land uses in the area included elementary schools, and family residential to the north, east, and west. A personal wireless service facility was allowed in an A-O (agricultural-open space) District with a Conditional Use Permit and in compliance with requirements. The 225 sq. ft. personal wireless service facility area was proposed to be located on the north side of the existing school pavilion located on Lot 2 of the McAllen ISD Sanchez Elementary. The applicant was proposing to place a 70 ft. three leg steel tower on the north side of the existing school pavilion located on Lot 2 with a 15 ft. by 15 ft. equipment shelter. The proposal would need to meet all minimum setbacks and building permit requirements. Federal Aviation Administration (FAA) approval must be obtained prior to beginning construction. In addition, the request must comply with requirements set forth in Section 138-118(11) of the zoning ordinance as follows:

- a. Maximum height of pole or tower structure of 80 feet within commercial zones or within 200 feet of an existing residential structure; The applicant was proposing to construct a 70 ft. in height three leg steel tower.
- b. Maximum height of pole or tower structure of 120 feet within industrial zones for measuring distance purposes, the leasehold interest area boundary or compound area boundary, whichever was greater shall be utilized; The applicant was not locating within an industrial zone;
- c. Only one pole or tower structure-allowed per lot or tract within a commercial or industrial zone; There was no other pole structure on property;
- d. The applicant shall attempt to locate the proposed facility on an existing structure, or base station, as per subsections k—m of this section. If collocation of the proposed wireless facility is not possible (as per subsections k—m of this section) then the applicant for a personal wireless service facility must submit at least two alternatives designs for antenna and supporting structure, pole or tower design (including the equipment shelter, as per subsection h, below) that was treated with an architectural material (e.g., "stealth" design) so as to conform to the predominant architectural environment in the area of the facility. Such "stealth" personal wireless service facility shall blend into its proposed surroundings such as a tree, flag pole or other feature, to be approved. When a tree-type stealth design was used, one live and growing tree of the same variety or species one-half the height of the proposed tower shall be planted at the time of installation; Collocation for proposal was not possible.
- e. Minimum spacing between poles and tower structures within commercial or industrial zones of 1,000 feet measured in a direct line of another tower; There were no co-locatable towers within

1,000 feet;

f. Minimum setback of one-half the street right-of-way from front property line, ten feet from side yard and ten feet from rear, unless greater requirements as noted on subdivision plat; The monopole was meeting minimum setbacks;

g. A masonry wall would be required as a buffer if pole or tower structure was located within the front or side yard, or adjacent to a residential use or zone;

h. The transmission equipment structure installed at the base of the proposed tower shall be not greater than 180 square feet and constructed to conform to the predominant architectural environment;

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

j. The pole or tower structure would be constructed or installed with the capabilities of locating thereon additional personal wireless service facilities when tower or pole was greater than 80 feet in height. The applicant agrees to cooperate with other personal wireless service facility providers in collocating additional facilities on permitted support structures;

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

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

m. Failure to comply with the collocation requirements of this section may result in the denial of a permit request or revocation of an existing permit;

n. If any applicant provides false or misleading information on their application, or in the application process to obtain a permit for a personal wireless facility, then their application may be denied or revoked at the expense of the applicant or the permittee;

o. If property was leased, term of conditional use permit shall be co-terminus with that term of lease of property;

p. Construction of tower and equipment facilities shall meet applicable building codes and wind loads;

q. Notwithstanding the above conditions, to the extent an applicant was fully qualified as an eligible facilities request under Section 6409, in the event of a conflict between the above conditions in this subsection and those criteria and conditions in section 138-1.A., above, and the 2014 Infrastructure Order, then section 138-1.A., and the 2014 Infrastructure Order control, subject to the city reservation of rights, as set forth in the preface to section 138-1.A.

Staff received a call inquiring about the conditional use permit request.

Staff recommended approval of the request subject to Section 138-118(11) of the zoning ordinance, compliance with co-location conditions, FAA approval, and building permit requirements. Ms. Garza also stated the request would mostly be used for a WIFI tower.

Chairperson Cabeza de Vaca asked if there was anyone present in opposition of the request, there was none. Mr. Daniel Salinas the IT Director stated he was present on behalf of Hidalgo County, to answer any questions in regards to the requested personal wireless tower.

Being no discussion, Mr. Michael Fallek moved to approve with favorable recommendation. Mr. Gabriel Kamel seconded the motion, which was approved with four members present and voting.

2) Request of Melissa Burton for a Conditional Use Permit, for life of the use, for a dog kennel at a 1.00 acre tract of land out of the South 19.39 acres of Lot 387, John H. Shary Subdivision, Hidalgo County, Texas, 6820 North Taylor Road. (CUP2020-0131)

Mr. Hebert Camacho stated the property was located on the east side of North Taylor Road approximately 1,400 ft. north of Lark Avenue and was zoned A-O (agricultural-open space) District. The adjacent zoning was A-O District to the north, south and east, and outside city limits properties to the west. Surrounding land uses include single family residences and vacant land. A dog kennel was allowed in an A-O District zone with a Conditional Use Permit and in compliance with requirements.

The item initially was presented before the P&Z Board on April 7, 2020, as per applicant the item was tabled. The request remained table for four P&Z Meetings until the meeting of June 2, 2020. At the Planning and Zoning Commission, meeting of June 2, 2020 one neighbor appeared in opposition to the conditional use permit. The neighbor stated his concerns about dogs barking all day, traffic issues, and the operation of a business in a residential area. The Board voted unanimously to recommend disapproval of the conditional use permit. The CUP initially appeared at the City Commission Meeting of April 13, 2020. The request was tabled as per applicant for the next five meetings until the meeting of June 22, 2020. At the City Commission Meeting of June 22, 2020, one neighbor appeared in opposition of the request, his concerns were the same mentioned on the P&Z meeting. After some discussion between the Commissioners and applicant, the Board decided to approve the Conditional Use Permit with conditions:

1. Dogs must be inside the residence from 8:00 PM to 6:00 AM, unless they need to go outside for their necessities.

2. Drop off and pick up should be limited to no earlier than 6:00AM and no later than 8:00PM
3. 50 dogs limit at all times
4. A sign was required to let customers know of business location

The Code Enforcement Department responded to a complaint on February 4, 2019 for a possible business running from a residential area with a sign erected. On May 2019, the Code Enforcement Department received another complaint and requested a "complaint and summons." The applicant had appeared at Municipal Court on several occasions to resolve this issue since then. On September 28, 2020, a complaint was issued for trash and debris on side of road.

There was an approximately 2,700 sq. ft. single family residence in the 1-acre property. The applicant divided the backyard and front yard into 4 different playgrounds for the dogs. The applicant was proposing to continue operating a dog daycare from the existing residence and the outdoor playgrounds in the property. There were 1-2 employees/volunteers in the location. Boarding was also available and no grooming services are offered. The CUP was never fully executed; applicant never came to pick up and sign the permit nor the application. The applicant erected a Business sign for location purposes; however, there are no permits on file with the building department. Some signage was allowed on A-O without a sign permit (Sec.130-60), however the existing sign will not qualify for an identification, wall or ground sign (Sec.130-60 (10)) since a fence was not considered a wall square footage was limited to 4 square feet. The sign measures 2 ft. by 5 ft. and 2 ft. 10 inches above ground. A sign was required as a condition by City Commission in order to prevent customers going into the wrong location and disturb surrounding neighbors. A site visit revealed that the sign was not easily visible. There was some sight obstruction from an existing mailbox, keypad access gate and dumpster. The Health Department has inspected the establishment, and the property was in compliance. Fire Department final inspection was pending. The establishment must also meet the requirements set forth in Section 138-163 (8) of the Zoning Ordinance and specific requirements as follows:

- 1) Located a minimum of 300 feet from the nearest residence. The operations take place inside the residence and outdoors in the different dog playgrounds.
- 2) On parcels of 5 acres or more. This property is a 1-acre parcel.

Staff had received a letter in opposition in regards to this request. Concerns were mainly about the Barking Ordinance (Sec. 14-39), Animal cruelty Ordinance (Sec 14-16 (C)) and how the services she provided would not meet standard requirements. An opposition map was attached. A 35.6% was opposed of the request.

Staff recommended disapproval of the request based on noncompliance with requirements #1(distance) and #2 (property size) of Section 138-163 (8) of the Zoning Ordinance.

Chairperson Cabeza de Vaca asked if there was anyone present in opposition of the request. Mr. Hector Hernandez who resides on 6912 North Taylor Road, was present for opposition of the request. Mr. Hernandez stated he was against the requested Dog Kennel permit due to noise nuisance, the devalue of property, and customers going to his residence. He also stated the

animals are not being kept in any kind of Dog Kennel which then causes the animals to leave their waste and urine throughout the yard. He was concerned for the smell around his residence along with infections and bacteria's that could be left behind. Mr. Hernandez was also concerned with the amount of dogs (20-30 at most) being confined at her residence, and stated this was considered animal cruelty.

Property owner Ms. Melissa Burton who resides at 6820 N Taylor Road stated the City of McAllen, Planning Department advised her she would be needing a Home Occupation application, which she stated she had done and also moved to another location in order to be in a rural area where she could maintain her dogs with no residential disturbance. She stated she was in an agricultural zoning area and did not see a problem with the location of where she holds her business. Mr. Alexander Burton who also resides at 6820 N Taylor Road wanted to add a statement that any Dog would most likely contract a disease if kept inside a kennel for too long. Ms. Burton stated she was very aware of dog diseases and kennel cough and required the dogs to be vaccinated. Ms. Burton stated she had support from the community and clients for her services. Mr. Fallek asked the applicant how many dogs she had, as to which the applicant responded 28-30 dogs at a time with 2 pet care attendants and herself. Mr. Fallek stated to applicant that it was difficult for Mr. Hernandez who has resided at his home for 30 years to get used to now having 28-30 dogs living next door to him. Mr. Fallek also stated that the City of McAllen code required a 5-acre parcel in order to receive that permit. Ms. Burton stated she was granted a permit with City Commission for a permit with a variance. She also stated her establishment has camera's showing there was no activity of animal cruelty, or traffic outside her residence. Chairperson Cabeza De Vaca stated he did not believe there were any signs of animal cruelty and asked applicant to have her petition available to present to City Commission Board. Mr. Edgar Garcia clarified that no petition was ever brought into the Planning Department. Chairperson Cabeza De Vaca stated there was an issue with the residence and the issue with the size as part of the ordinances and the code. Mr. Kamel stated that he agreed that he did not see any animal cruelty and that he believed Mr. Hernandez had more issues with the way the dogs were being kept and treated than to what affects this business had toward his property. John with the public requested to speak, he didn't state where he was located but he did state that he has heard dogs barking at different hours and did not sign up for that type of business to be in that area. Mr. Hovar asked for clarification on the permit as to which Mr. Camacho stated the Conditional Use Permit was approved for 6 months with conditions. Chairperson Cabeza De Vaca stated he was leaning more to a Life of Use permit with variances and to let City Commission decide what would be the final outcome.

After discussion, Mr. Gabriel Kamel moved to disapprove with a favorable recommendation. Mr. Michael Hovar seconded the motion, which was disapproved with a favorable recommendation with four members present and voting.

- 3) Request of Jorge A. Gonzalez, for a Conditional Use Permit, for one year, for a bar at Lot 2A, Valram Heights Subdivision, Hidalgo County, Texas; 2801 Expressway 83, Building 200, Suites 280 & 290. **(CUP2020-0124)**

Mr. Escamilla state that the property was located at the southeast corner of South 29th Street and U.S. Expressway 83 and was zoned C-3 (general business) District. The adjacent zoning was C-3 District to the north, east and west, R-1 (single family residential) District to the south, and C-4 (commercial industrial) District to the southwest. Surrounding land uses include commercial businesses, restaurants, single family residences, and vacant land. A bar was permitted in a C-3

zone with a Conditional Use Permit and in compliance with requirements. The applicant was proposing to continue to operate a retail store for Cigars & Luxury Goods and a lounge (Elephant Bar and Cigar Lounge) out of an approximate 2,950 sq. ft. lease area, from an existing 15,872 sq. ft. multi-tenant commercial building. The proposed days and hours of operation are Monday through Saturday from 12:00 p.m. to 2:00 a.m. There was a conditional use permit for IL Regalo Preferito approved initially on January 12, 2015. The establishment changed its name to Elephant Bar and Cigar Lounge in 2017. The last conditional use permit was approved on January 13, 2020 by the City Commission with a variance to the distance requirement. Should the conditional use permit be approved, the applicant would be required to sign the certificate acknowledging and agreeing to the conditions of the permit. The Health Department has inspected the building and found it to be in compliance, Fire Department is still pending inspection. Attached is a police report from January 2020 to the present. The Planning Department has received no complaints regarding the present use as a bar. As per Section 138-400 of the Zoning Ordinance, the parking lot must be properly striped and free of potholes. The bar must also comply with requirements set forth in Section 138-118(a)(4) of the Zoning Ordinance and specific requirements as follows:

- 1) The property line of the above mentioned businesses 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 proposed bar was within 400 ft. of the adjacent residential zone and use to the south.
- 2) The business must be as close as possible to a major arterial and shall not allow traffic generated by such businesses onto residential streets or allow such traffic to exit into a disrupt residential areas. The bar has access to U.S. Expressway 83 and South 29th Street, and does not generate traffic into residential areas;
- 3) The business must provide parking in accordance with the city off-street parking ordinance as a minimum, and make provisions to prevent the use of adjacent streets for parking. The 2950 sq. ft. combined retail and lounge area would require a total of 16 parking spaces. The above mentioned business meets zoning ordinance parking requirements;
- 4) The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties;
- 5) The business shall provide sufficient lighting to eliminate dark areas and maximize visibility from a public street in order to discourage vandalism and criminal activities;
- 6) The business must make provisions to keep litter to a minimum and keep it from blowing onto adjacent properties; and
- 7) The above mentioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Planning Director.

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

Chairperson Cabeza de Vaca asked if there was anyone present in opposition of the request, there was none.

Being no discussion, Mr. Michael Fallek moved to disapprove with favorable recommendation. Mr. Michael Hovar seconded the motion, which was disapproved with a favorable recommendation with four members present and voting.

- 4) Request of Jessica Aguilar for a Conditional Use Permit, for one year, for a Bar at Lot A-1, Nolana Tower Subdivision, Hidalgo County, Texas; 400 Nolana Avenue, Suite Q. **(CUP2020-0135)**

Mr. Carlos Garza state that the property was located at the northeast corner of Nolana Avenue and North 6th Street, and was zoned C-3 (general business) District. The adjacent zoning was C-1 (office building) District to the north, C-3 District to the east, south and west, R-1 (single family residential) District to the east and A-O (agricultural and open space) District to the west. Surrounding land uses include commercial businesses, offices, restaurants, single and multifamily residences, vacant land, and a water tower. A bar is allowed in a C-3 zone with a Conditional Use Permit and in compliance with requirements. The applicant was proposing to operate a bar (The Bearded Lady) from the existing 1,940 sq. ft. The proposed hours of operation would be from 12:00 p.m. to 2:00 a.m. Monday through Sunday. The Fire Department inspection was pending. The Health Department has inspected the establishment, and the property was in compliance. The police activity report is attached, which indicates service calls from January 2020 to present. The Planning Department has not received any calls in opposition to the request. The establishment must also meet the requirements set forth in Section 138-118(4) of the Zoning Ordinance and specific requirements as follows:

- a) The property line of the lot of any of the above mentioned businesses 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 proposed establishment was within 400 ft. of residential zones and uses, and a water tower;
- b) The above mentioned 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 Nolana Avenue, North 4th Street, and North 6th Street. The existing gates on North 4th Street need to be closed as required from other Conditional Use Permits in this commercial plaza;
- c) The above mentioned 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. Currently there is a multi-tenant commercial building on the property. The shopping center was a mixture of office, retail, vacant suites, restaurants, a children's event center, and bars. The proposed bar was required 20 parking spaces; 729 parking spaces are provided on the common parking area in the front and rear of the building. For the 729 parking spaces of the common parking area, 15 accessible parking spaces are required and are provided on site, as per section 138-400(a) of the Off-Street Parking and Loading requirements, all off-street parking

must be clearly striped and free of potholes.

- d) The above mentioned 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;
- e) The above mentioned 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 as much as possible of the site from a public street;
- f) The above mentioned businesses must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties;
- g) The above mentioned 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. The occupancy load for this establishment will be established by the Building department as part of the building permit review.

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

Chairperson Cabeza de Vaca asked if there was anyone present in opposition of the request, there was none.

Being no discussion, Mr. Michael Fallek moved to disapprove with favorable recommendation. Mr. Gabriel Kamel seconded the motion, the CUP was disapproved with a favorable recommendation with four members present and voting.

b) REZONING

1. Rezone from A-O (agricultural and open space) District to R-1 (single-family residential) District: 14.664 acres out of Lot 2, Sharyland I.S.D. Junior High School Subdivision, Hidalgo County, Texas; 4500 Dove Avenue. **(REZ2020-0049)**.

Mr. Forghanparast stated that the property was located on the northwest corner of North Bentsen Road and Dove Avenue. The tract had 605.25 ft. of frontage along Dove Avenue with a depth of 1,014 ft. at the deepest point for a lot size of 14.664 acres. The applicant was requesting to rezone the property to R-1 (single-family residential) District in order to construct single-family residences. A subdivision plat for the subject property under the name of The Medici Subdivision depicting 58 lots was approved in preliminary form on November 3, 2020, by the Planning and Zoning Commission. The adjacent zoning was A-O (agricultural and open space) District to the north and west, R-1 (single-family residential) District to the east and south, and C-2 (neighborhood commercial) District to the south. The property was vacant. Surrounding land uses included single-

family residences, Donna Wernecke Elementary School, Sharyland North Junior High School, and vacant land. The Foresight McAllen Comprehensive Plan designated the future land use for this property as Special Use, which was assigned to civic and public uses including schools and public libraries. The development trend for this area along North Bentsen Road was single-family residential. The tract was annexed into the city and initially zoned A-O (agricultural and open space) District in 1999. Sharyland I.S.D. Junior High School Subdivision was recorded on August 9, 2005. A Conditional Use Permit, for life of the use, for an institutional use (elementary school), for Lot 2, Sharyland I.S.D. Junior High School Subdivision, was approved by the City Commission on May 8, 2006. The requested zoning did not conform to the Special Use land use designation as indicated on the Foresight McAllen Comprehensive Plan; however, it followed the rezoning trend to R-1 District of the surrounding area. The proposed development would be in proximity to a compatible use, Donna Wernecke Elementary School and Sharyland North Junior High School, since institutional uses were located within residential neighborhoods. The maximum density in R-1 (single-family residential) District was 8 dwelling units per acre. Therefore, the maximum number of units for the subject property was approximately 117 single-family houses. A recorded subdivision plat and approved site plan were required prior to building permit issuance. Required park land dedication or a fee in lieu of land comprising \$700 per dwelling unit was required prior to recording a subdivision plat. Staff had not received any calls or emails in opposition to the rezoning request.

Staff recommended approval of the rezoning request to R-1 (single-family residential) District.

Chairperson Cabeza de Vaca asked if there was anyone present in opposition of the request, there was none.

Being no discussion, Mr. Gabriel Kamel moved to approve. Mr. Michael Hovar seconded the motion, which was approved with four members present and voting.

3) SUBDIVISIONS:

a) Verdin Heights Subdivision, 7401 North Bentsen Road- Sergio Guzman (Revised Preliminary) (SUB2020-0057)

Ms. Gonzalez stated that the subdivision was located on North Bentsen Road 30 ft. of dedication required for a 50 ft. from centerline for 100 ft. ROW Paving 65 ft. Curb & gutter on both Sides. Monies must be escrowed if improvements were not built prior to recording. Must label centerline to verify if any ROW dedication was required prior to final. The Planning and Zoning Board, at their November 3, 2020 meeting, approved the subdivision in Revised Preliminary form with a variance request to allow a block length greater than the maximum allowed 800 ft. Engineer had also requested a variance to dedicate only 20 ft. instead of the required 30 ft. for North Bentsen Road. The Planning and Zoning Board did not approve this requested variance. Plat submitted on December 2, 2020 shows the 30 ft. ROW dedication required on North Bentsen Road. North 48th Street 30 ft. dedication for 30 from centerline for 60 ft. ROW Paving 40 ft. Curb & gutter on Both Sides. Monies must be escrowed if improvements were not built prior to recording. Must label centerline to verify if any additional ROW dedication was required prior to final. Interior streets: 50 ft. ROW Paving: 32 ft. Curb & gutter on Both Sides. Streets names are subject to change prior to final. Provide temporary turn around and/or barricade on the west end of proposed Umar Avenue and Verdin Avenue as may be applicable. Must provide a temporary turn around and/or barricade

on the north end of proposed North 45th Street as may be applicable. A paving curb & gutter 810 block length was being proposed by the Engineer; maximum block length allowed is 800 ft. The Planning and Zoning Board, at their November 3, 2020 meeting, approved the subdivision in Revised Preliminary form with a variance request to allow a block length greater than the maximum allowed 800 ft. only. This variance was approved for the blocks of Lots 40-55 and Lots 86-100. The engineer submitted a revised letter on January 14, 2021 requesting a variance for the block length of Lots 1-27 (1,390 ft.). Plat submitted on January 5, 2020 does not provide a stub out street north as shown on the previously approved plat. Alley ROW of 20 ft. and paving: 16 ft. Alley/service drive easement was required for commercial properties. Setbacks for front was 25 ft. or greater for easements. Rear setbacks 10 ft. or greater for easements except 25 ft. for double fronting lots. The Planning and Zoning Board approved the subdivision in Revised Preliminary form with a variance request to allow a block length greater than the maximum allowed 800 ft. only at their November 3, 2020 meeting. Engineer had also requested a variance to allow a "10 ft. or greater for easements" setback instead of the required "25 ft. or greater for easements" on double fronting lots (Lots 27-31). The Planning and Zoning Board did not approve the requested variance. The Planning and Zoning Board approved a variance on December 2, 2020 to allow a 10 ft. or greater for easements on the rear setback for double fronting lots (Lots 27-31) instead of the required 25 ft. setback or greater for easements. The interior sides setbacks were 6 ft. or greater for easements. Corner setbacks 10 ft. or greater for easements. Garage setbacks 18 ft. except where greater setback was required, greater setback applies. All setbacks are subject to increase for easements or approved site. A 4 ft. wide minimum sidewalk was required on North Bentsen Road, North 48th Street, and both sides of all interior streets. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer was required from adjacent/between multi-family residential and commercial, and industrial zones/uses, and along North Bentsen Road and North 48th Street. A plat note must be shown above prior to final. An 8 ft. masonry wall was required between single family residential and commercial, industrial, or multi-family residential zones/uses. A perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along North Bentsen Road and North 48th Street. Common Areas, and any private Streets must be maintained by the lot owners and not the City of McAllen. The 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 applied for public subdivisions. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. HOA Document was required to be recorded simultaneously with a subdivision plat. A minimum lot width and lot area was required with lots fronting public streets. Existing zoning A-O, proposed to R-1. Rezoning request approved by the Planning and Zoning Board on October 6, 2020, and by the City Commission on October 26, 2020. Land dedication in lieu of fee. As per Parks Department, subdivision would be subject to review by the Park Land Dedication Advisory Board. A park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, subdivision would be subject to review by the Park Land Dedication Advisory Board Pending review by the Parkland Dedication Advisory Board and CC. As per Parks Department, subdivision would be subject to review by the Park Land Dedication Advisory Board. A park fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, subdivision would be subject to review by the Park Land Dedication Advisory Board. Subdivision was pending review by the Parkland Dedication Advisory Board and CC. As per Parks department, subdivision would be subject to review by the Park Land Dedication Advisory Board. As per Traffic Department, Trip Generation was required to determine if TIA was required, prior to final plat. Must comply with City's

Access Management Policy. Verification with Traffic Department was needed if a Master Plan was required prior to final.

Staff recommended approval of the subdivision in revised preliminary form subject to conditions noted, and utilities and drainage approvals and clarification on variance requested.

Mr. Fallek asked engineer if one lot was preventing 45th Street from continuing thru the neighborhood. Engineer Steve Spoor responded that the main focus was the street stub to the North. Mr. Spoor stated he did not request the variance because he did not think it was a requirement because it is not within the subdivision ordinance. Mr. Mora stated when block lanes aren't supposed to be stubbed out there have been variance granted by the commission but had to be looked at to see if there were existing properties or existing homes. Mr. Fallek asked City staff if it were to be rejected would 45th Street continue to the North as to which Mr. Mora stated it would not continue to 45th Street. Mr. Hovar stated that he preferred for the block to remain walkable for residents.

After a discussion, Mr. Michael Hovar moved to disapprove. Mr. Michael Fallek seconded the motion, which was disapproved with four members present and voting.

b) Campo De Suenos Phase II Subdivision; 8300 North Ware Road- Riverside Development Services Services, LLC (Revised Preliminary) (SUB2020-0060)

Ms. Gonzalez stated that the subdivision was located north of 33rd Street of 30 ft. of dedication for 60 ft. of ROW, paving a 40 ft. curb & gutter on both sides. Must escrow monies if improvements were not constructed prior to recording. Duke Avenue (collector) of 60 ft. Engineer was proposing 50 ft. paving a 40 ft. curb & gutter on both sides. Street name might be revised prior to final. The engineer was proposing a 10 ft. sidewalk and utility easements along the front of all lots (70-98) with frontage onto Duke Avenue (collector road) in lieu of the required 60 ft. of ROW. North 33rd Lane of 50 ft. ROW paving of 32 ft. curb & gutter on both sides. It must escrow monies if improvements were not constructed prior to recording. It must show document number for agreement/permit for HCID #1 to connect North 33rd Lane to Phase 1 to the north of Phase 2. Any documents/permits must be finalized or recorded prior to final. Other interior streets of 50 ft. ROW paving a 32 ft. curb & gutter on both sides. A paving Curb & gutter was applied on 800 ft. block length. The combined length of the easternmost block of Phase 1 and Phase 2 was approximately 960 ft. Please revise plat to comply with requirements or request a variance prior to final. An engineer submitted a variance letter on December 3, 2020 to allow a block length of 960 ft. instead of the maximum allowed 800 ft. along the easternmost block of Phase 1 and 2. Front: 25 ft. or greater for easements. An engineer submitted a variance letter on December 3, 2020 to allow a front setback of 20 ft. or greater for easements instead of the required 25 ft. or greater for easements. Setbacks for Lots 70-98 (Duke Avenue) are proposed to have a ROW of 50 ft. instead of the required 60 ft. of ROW rear of 10 ft. or greater for easements except 25 ft. for double fronting lots. An engineer submitted a variance letter on December 3, 2020 to allow a rear setback of 10 ft. or greater for easements for double fronting lots instead of the required 25 ft. or greater for easements for Lots 56-70. Setbacks for interior sides of 6 ft. or greater for easements. An engineer submitted a variance letter on December 3, 2020 to allow an interior side setback of 5 ft. or greater for easements instead of the required 6 ft. or greater for easements. Corner setbacks of 10 ft. or greater for easements. Garage setbacks were 18 ft. except where greater setbacks were required, greater setback applies. All setbacks are subject to increase for easements or approved site plan.

A 4 ft. wide minimum sidewalk was required on North 33rd Street and both sides of all interior streets. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer was required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along North 33rd Street. Others as may be applicable prior to final. A 8 ft. masonry wall was required between single family residential and commercial, industrial, or multi-family residential zones/uses. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along North 33rd Street. Common Areas for commercial developments provided for common parking, access, setbacks, landscaping, etc. Common Areas, any private streets/drives, and detention pond, must be maintained by the lot owners and not the City of McAllen. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 110-72 applies if Public Subdivision. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Lots required fronting public streets. Required minimum lot width and lot area. Not all lots meet the minimum frontage requirement of 50 ft. for interior lots and 54 ft. for corner lots. Frontage dimensions range from 39.64 ft. to 72.07 ft. Please show frontage for detention/common areas wherever is applicable. A variance request would be presented before the Zoning Board of Adjustments and Appeals at the February 3, 2020 meeting. Engineer must specify which lots is the variance being requested for. Existing zoning ETJ. If annexation was requested, annexation and initial zoning/rezoning process must be finalized prior to final. Rezoning needed before a final approval. If annexation was requested, annexation and initial zoning/rezoning process must be finalized prior to final. If property was annexed prior to recording, park fees or Park Land, a dedication Advisory Board review might be required. Park Fee of \$700 per dwelling unit/lot to be paid prior to recording. As per Traffic Department, Trip Generation approved; TIA required prior to final. Must comply with City's Access Management Policy. As per Traffic and Fire Dept., a submitted gate detail if applicable prior to final. Must show document number for crossing agreement/permit for HCID #1 to connect North 33rd Lane to Phase 1 to the north of Phase 2. Any documents/permits must be finalized or recorded prior to final. If annexation was requested, it must be finalized prior to final. Street names must be revised prior to final. A master plan must be submitted prior to final for overall review.

Mr. Fallek asked if the two subdivisions were the same and stated the variances did not seem to affect the outside communities. Mr. Mora gave clarification that this subdivision was similar to Campo De Suenos I to which City Commission had approved. Mr. Mario Reyna who was resident at 201 S Bell Road, made a statement on behalf of Mr. Tony Aguirre and Mike Rhobes that this was a master plan they were trying to accomplish. He also stated they could do the changes that were asked of them. Mr. Hovar asked applicant if he could add additions to the plat as to which Mr. Reyna responded with they could do that addition and no issues with the owner to request this change.

Staff recommended approval of the subdivision in revised preliminary form subject to conditions noted, drainage and utilities approvals, and clarification on the requested variances.

After discussion, Mr. Gabriel Kamel moved to approve with recommendations and variances with conditions noted. Mr. Michael Hovar seconded the motion, which was approved with four members present and voting.

c) Campo De Suenos Phase III; 8300 North Ware Road- Riverside Development Services, LLC (Revised Preliminary) **(SUB2020-0061)**

Ms. Gonzalez stated that the subdivision was located north Ware Road: 35 ft. dedication for 75 ft. from centerline for 150 ft. of ROW paving by the state curb & gutter by the state. Monies must be escrowed if improvements are not built prior to final. Duke Avenue (collector) 60 ft. engineer was proposing 50 ft. paving of 40 ft. curb & gutter on both sides. Must escrow monies if improvements were not constructed prior to recording. Street name might be revised prior to final. Engineer was proposing a 10 ft. Sidewalk and Utility Easements along the front of all lots (142 -152) with frontage onto Duke Avenue (collector road) in leu of the required 60 ft. of ROW. Other interior streets of 50 ft. ROW Paving of 32 ft. curb & gutter on both sides. Must escrow monies if improvements are not constructed prior to recording. Paving curb & gutter of 800 ft. block Length. Front setbacks of 25 ft. or greater for easements. Engineer submitted a variance letter on December 3, 2020 to allow a front setback of 20 ft. or greater for easements instead of the required 25 ft. or greater for easements. Lots 142-152 (Duke Avenue) were proposed to have a ROW of 50 ft. instead of the required 60 ft. of ROW. Rear setbacks of 10 ft. or greater for easements except 25 ft. for double fronting lots. Interior sides setbacks of 6 ft. or greater for easements. Engineer submitted a variance letter on December 3, 2020 to allow an interior side setback of 5 ft. or greater for easements instead of the required 6 ft. or greater for easements. Corner setbacks of 10 ft. or greater for easements. Garage setbacks of 18 ft. except where greater setback was required, greater setback applies. All setbacks are subject to increase for easements or approved plan. A 4 ft. wide minimum sidewalk was required on both sides of all interior streets and 5 ft. wide minimum sidewalk required along North Ware Road as per Engineering Department. The perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer was required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along North Ware Road. An 8 ft. masonry wall was required between single family residential and commercial, industrial, or multi-family residential zones/uses. The perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage was permitted along North Ware Road. Common Areas, any private streets, and detention areas must be maintained by the lot owners and not the City of McAllen. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 110-72 applied for Public Subdivisions. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. A minimum lot width and lot area. Not all lots meet the minimum frontage requirement of 50 ft. for interior lots and 54 ft. for corner lots. Frontage dimensions range from 43.85 ft. to 84.30 ft. Must show frontage for detention/common areas wherever was applicable. Variance request would be presented before the Zoning Board of Adjustments and Appeals at the February 3, 2020 meeting. Engineer must specify which lots was the variance being requested for. Lots fronting public streets. An existing zoning ETJ Proposed: ETJ. If annexation was requested, annexation and initial zoning/rezoning process must be finalized prior to final. If property was annexed prior to recording, park fees or Park Land Dedication Advisory Board review would be required. A Park Fee of \$700 per dwelling unit/lot to be paid prior to recording. As per Traffic Department, Trip Generation approved; TIA required prior to final. Must comply with City's Access Management Policy. As per Traffic and Fire Dept., a gate detail must be submitted if applicable prior to final. Must show document number for agreement/permit for HCID #1 to connect North 33rd Lane to Phase 1 to the north of Phase 2. Any documents/permits must be finalized or recorded prior to final. If annexation was requested, annexation and initial zoning/rezoning process must be finalized prior to final. Clarify use of Lot 138. If Detention Area

was proposed, please label accordingly. Street names would have to be revised prior to final. A revised plat to show all lot dimensions prior to final. A master plan must be submitted prior to final for overall review.

Staff recommended approval of the subdivision in revised preliminary form subject to conditions noted, drainage and utilities approvals, and clarifications on requested variances.

Being no discussion, Mr. Michael Fallek moved to approve with conditions from previous item. Mr. Gabriel Kamel seconded the motion, which was approved with four members present and voting.

d) Lot 9A, Re-Plat of Lots 9 & 10, Block 49, Original Townsite McAllen Subdivision; 609 South 11th Street- Rafaqut P. Sultan (Preliminary) (SUB2020-0098)

Ms. Gonzalez stated that the subdivision was located South 11th Street on 65 ft. of ROW paving approximately 35 ft. existing curb & gutter on both sides. Must clarify total ROW for South 11th Street since plat references "60.00 ft." and "65.00 ft." prior to final. If applicable, must escrow monies if improvements were not built prior to recording. Paving curb & gutter. A ROW of 20 ft. paving of 16 ft. Alley/service drive easement were required for commercial properties. Front setbacks of 20 ft. or greater for easements or approved site plan or in line with the average of existing structures, whichever was greater. A revised plat note was needed to be shown above prior to final. Rear setback of 10 ft. or greater for easements or approved site plan. Side setbacks in accordance with the Zoning Ordinance or approved site plan or greater for easements; whichever is greater. Garage setbacks of 18 ft. except where greater setback was required; greater setback applied. All setbacks are subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk was required on South 11th Street. The perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer was required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along the south property line. An 8 ft. masonry wall was required between single family residential and commercial, industrial, or multi-family residential zones/uses. The 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 for commercial developments provided for common parking, access, setbacks, landscaping, etc. The Common Areas, any private streets/drives must be maintained by the lot owners and not the City of McAllen. A Minimum lot width and lot area with Lots fronting public streets. An existing zoning R-3A proposed to R-3A. A land dedication was in lieu of fee. As per Parks Department, an engineer must clarify number of units prior to final to determine if land dedication or park fees would be required prior to recording. A park Fee of \$700 per lot/ dwelling unit to be paid prior to recording. A pending review by the Parkland Dedication Advisory Board and CC. As per Traffic Department, an engineer must clarify number of units to determine if a Trip Generation and/or Traffic Impact Analysis will be needed prior to final. Must comply with City's Management Access Policy. An engineer must clarify number of units prior to final for staff to review. A Subdivision name would have to be revised to "McAllen Addition, Lot 9A, Block 49A" prior to final. A replacement of "Original Townsite McAllen" with "McAllen Addition" wherever was applicable on the plat.

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

Being no discussion, Mr. Gabriel Kamel moved to approve. Mr. Michael Hovar seconded the motion, which was approved with four members present and voting.

4) INFORMATION ONLY:

a) City Commission Actions: January 11, 2021

Mr. Garcia gave a brief presentation about the City Commission meeting on January 11, 2021

ADJOURNMENT:

There being no further business to come before the Planning & Zoning Commission, Mr. Michael Hovar adjourned the meeting at 5:13 p.m., and Mr. Gabriel Kamel seconded the motion, which carried unanimously with four members present and voting.

Chairperson, Pepe Cabeza de Vaca

ATTEST: _____
Aime Garcia, Secretary

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: January 29, 2021

SUBJECT: REQUEST OF JUAN D. CANTU, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A TIRE SHOP AT LOT 14, BLOCK 20, HAMMOND ADDITION SUBDIVISION, HIDALGO COUNTY, TEXAS; 2255 DATE PALM AVENUE. (CUP2020-0127)

BRIEF DESCRIPTION:

The property is located at the southeast corner of North 23rd Street and Date Palm Avenue. The property has 140 ft. of frontage along North 23rd Street and 50 ft. of frontage along Date Palm Avenue. It is zoned C-3 (general business) District. The adjacent zoning is C-3 (general business) District to the north, east and south, I-1 (light industrial) District to the west. Surrounding land uses include single-family residences, multifamily uses, car lots and automotive repair shops. An automotive service and repair shop (tire shop) is allowed in a C-3 zone with a Conditional Use Permit and in compliance with requirements.



REQUEST/ANALYSIS:

There is an existing office and garage on the subject property with an approximate combined floor space of 700 sq. ft. The office consists of approximately 300 sq. ft., and the garage is approximately 400 sq. ft. The property was previously the site for Fast Auto Sales. The applicant is proposing to continue utilizing the office and garage as a tire shop. The proposed days and hours of operation are, Monday through Saturday from 7:00 AM to 8:00 PM. Based on the floor area, 5 parking spaces are required and must comply with city standards.

Fire Department has inspected the proposed tire shop, and has pending requirements. Should the conditional use permit be approved, the applicant would be required to sign the certificate acknowledging and agreeing to the conditions of the permit. 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 138-281 of the Zoning Ordinance and specific requirements as follows:

- 1) A minimum lot size of 10,000 sq. ft. is required. The subject property is approximately 7,000 sq. ft.
- 2) All service, repair, maintenance, painting and other work shall take place within an enclosed area. The work will take place in the garage area;
- 3) Outside storage of materials is prohibited. The tires will be stored in the garage and utility trailer, as per applicant the old tires will be disposed on a weekly basis;
- 4) The building where the work is to take place shall be at least 100 ft. from the nearest residence. The automotive service and repair establishment is approximately 50 ft. to the nearest residence.
- 5) A 6 ft. opaque fence buffered the proposed use from any residential use or residentially zoned area is required. There is an existing 6 ft. opaque fence to the east side of the property.
- 6) New buildings and conversions of existing buildings shall meet current building and fire code requirements concerning separation of high hazard uses from other occupancy use classifications.

RECOMMENDATION:

Staff recommends disapproval of the request for a conditional use permit due to noncompliance with requirements # 1 (minimum lot size requirement), and # 4 (distance to nearest residence) of Section 138-281 of the Zoning Ordinance.



CITY OF McALLEN, TEXAS
311 NORTH 15TH STREET, McALLEN, TX 78501
P. O. BOX 220, McALLEN, TEXAS 78505-0220 • (956) 681-1250 • FAX (956) 681-1279

Permit No. **CUP2020-0127**

AUTOMOTIVE SERVICE AND REPAIR

.....CONDITIONAL USE PERMIT APPLICATION.....
(Please print or type)

Application Date 12/10/20

Juan D Cantu
Applicant (first) (initial) (last)

PHONE NO.: 956-467-75-23

819 Comedy Ln Edinburg TX 78542
Mailing Address (city) (state) (zip)

Juan D Cantu
Property Owner (first) (initial) (last)

PHONE NO.: 956-467-7988

Same
Mailing Address (city) (state) (zip)

2255 Date Palm Ave. McAllen TX
Property Location (street address)

Homestead Addition Lot 14 Blk 20
Property Legal Description (if metes and bounds, attach survey of the property) (subdivision) (block) (lot)

Gar Lot Tire shop
Current use of property Proposed use of property

TERM OF PERMIT: 1 YEAR ☒ MORE THAN 1 YEAR (requires City Commission approval)

SITE PLAN (attach a drawing of the property showing the following)

<input type="checkbox"/> Scale, north arrow, legal description of property	<input type="checkbox"/> Landscaping and fencing of yard
<input type="checkbox"/> Location and height of all structures	<input type="checkbox"/> Off-street parking and loading
<input type="checkbox"/> Setback from property lines and between structures	<input type="checkbox"/> Driveway location & design
<input type="checkbox"/> Proposed changes and uses	<input type="checkbox"/> Location, type, height and lighting of all signs

Juan D Cantu
(Applicant signature)

12-10-20 Juan D Cantu
(date) (Property owner signature)

12-10-20
(date)

GENERAL INFORMATION

NOTIFICATION AND PUBLIC HEARING: Property owners within 200' of the subject property shall be notified within at least 10 working days of the Planning and Zoning Commission public hearing. Upon considering the recommendation of the Director of Planning, the Planning and Zoning Commission shall approve or disapprove the application.

APPEALS PROCEDURE: Any decision of the Planning and Zoning Commission may be appealed to the City Commission by presenting a petition to the City Commission within 10 days after the decision of the Planning and Zoning Commission and specifying the grounds for the appeal. A vote of 3/4 of the City Commission is required to overrule a vote of the Planning and Zoning Commission denying a conditional use permit.

CANCELLATION: A conditional use permit is automatically cancelled if not used within 6 months.

REVOCATION: A conditional use permit may be revoked by the Planning and Zoning Commission at a public hearing upon failure of the applicant to remedy a violation of the conditions of the permit within a specified time period (10 to 30 days) as specified in a written notice to the applicant by the Code Enforcement Officer or Building Inspector.

RENEWAL PERIOD: A conditional use permit shall expire within 1 year unless otherwise specified by the Planning and Zoning Commission. Application for renewal of a permit shall be made prior to 20 days before permit expiration. A permit for more than 1 year shall be approved by the City Commission.

COMMENT

Automotive repair as an accessory use to a permitted retail use, such as retail sale of automobiles or automotive parts is a permitted use in C-3 districts.
Automotive repair as a primary use is a permitted use in C-4 to I-2 districts.

REC'D DEC 10 **AK**

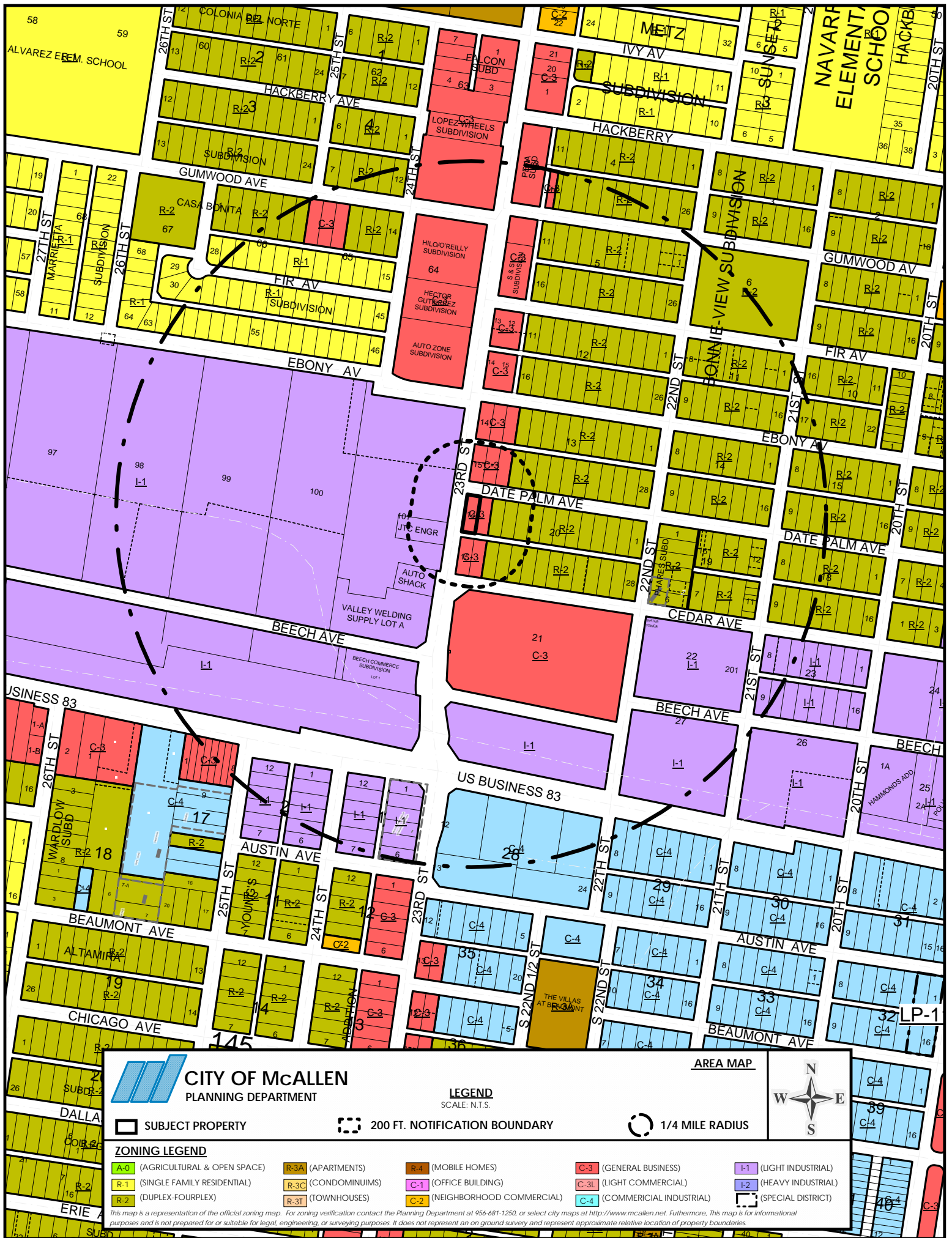
05/12

W

23 RD

Garage

Office





EBONY AV

14

13

15

DATE PALM AVE

101
JTC ENGR

14

20

23RD ST

15

AUTO
SHACK

CEDAR AVE

LEY WELDING
SUPPLY LOT A


21

EECH COMM
SUBDIVISK
LOT 1



CITY OF McALLEN
PLANNING DEPARTMENT

AERIAL MAP
SCALE: N.T.S.

 **SUBJECT PROPERTY**

 **200' NOTIFICATION BOUNDARY**



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







NOTICE
AUTO REPAIR
FOR
THIS PROPERTY
CUP2020-0127



Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: January 29, 2021

SUBJECT: REQUEST OF ESTHER OYERVIDES, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A HOME OCCUPATION (BEAUTY SALON) AT THE W10' OF LOT 1 & ALL OF LOT 2, BLOCK 4, AMIGO PARK SUBDIVISION UNIT NO. 1, HIDALGO COUNTY, TEXAS; 4404 GARDENIA AVENUE. (CUP2021-0003)

BRIEF DESCRIPTION:

The property is located on the north side of Gardenia Avenue, approximately 65 ft. west Bentsen Road. It is zoned R-4 (mobile homes and modular home) District. The adjacent zoning is R-1 (single-family residential) District to the north, A-O (agricultural and open space) District to the east, and R-4 District to the south and west. Surrounding land uses include mobile homes and single family homes. A home occupation is allowed in the R-4 District with a Conditional Use Permit and in compliance with requirements.



REQUEST ANALYSIS:

Currently, there is an existing 1,182 sq. ft. single family home on the property. The applicant is proposing to operate a beauty salon from the existing residence. The work will take place in an 11 ft. by 25 ft. designated room as shown on the submitted site plan. The proposed days and hours of operation are Tuesday through Saturday from 10:00 A.M to 6:00 P.M, by appointment only.

Should the conditional use permit be approved, the applicant would be required to sign the certificate acknowledging and agreeing to the conditions of the permit. The establishment must also comply with requirements set forth in Section 138-118(a)(1) of the Zoning Ordinance and other specific requirements as follows:

- 1) The home occupation must be clearly secondary to the residential use. The applicant lives in the residence;
- 2) No signs are permitted. No signs are proposed;
- 3) There shall be no exterior display or alterations indicating that the building is being used for any purpose other than that of a dwelling. The applicant proposes no exterior display or alterations;
- 4) There shall be no more than one additional unrelated employee other than immediate members of the family residing on the premises;
- 5) There shall be no outside storage of materials or products. The applicant proposes no outside storage;
- 6) The permitted use shall not create frequent or heavy traffic, not greater than ten percent (10%) of the average load per hour as determined by the city traffic engineer. The applicant has stated that customer visits will be by appointment only.
- 7) No retail sales (items can be delivered). No retail sales are being proposed;
- 8) No additions to the residence or accessory building specifically to accommodate the business. The applicant proposes no additions or accessory buildings;
- 9) The business must take place in the primary residential structure on the property rather than in a detached garage or separate accessory building;
- 10) The activity must take place at the location of which the permit was issued.

RECOMMENDATION:

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



CITY OF McALLEN, TEXAS
311 NORTH 15TH STREET, McALLEN, TX 78501
P. O. BOX 220, McALLEN, TEXAS 78505-0220 • (956) 681-1250 • FAX (956) 681-1279

Permit No. Cup 2021-0003

HOME OCCUPATION

CONDITIONAL USE PERMIT APPLICATION

Application Date 1/5/21

(Please print or type)

MPU ACCOUNT NUMBER: _____

Applicant Esther Overvides
(first) (initial) (last)

PHONE NO: (956) 776-7330

Mailing Address 4404 W. Gardenia McAllen TX. 78501
(city) (state) (zip)

Property Owner Esther Overvides
(first) (initial) (last)

PHONE NO: (956) 776-7330

Mailing Address 4404 W. Gardenia Ave. McAllen TX. 78501
(city) (state) (zip)

Property Location (street address) Gardenia Ave & Bentzen Road / 4404 W Gardenia Ave

Property Legal Description (if metes and bounds, attach survey of the property) Arriaga Park UT NO. 1 W10' LOT 1 & ALL LOT 2 B1K 4
(subdivision) (block) (lot)

Current use of property Family Home

Proposed use of property Beauty Salon

TERM OF PERMIT: ☒ 1 YEAR

FLOOR PLAN & SITE PLAN (attach a drawing of the property showing the following)

Scale, north arrow, legal description of property
Location and height of all structures
Setback from property lines and between structures
Proposed changes and uses

Landscaping and fencing of yard
Off-street parking and loading
Driveway location & design
Location, type, height and lighting of all signs

Applicant signature Esther Overvides

(date) 1/1/21

Property owner signature Esther Overvides

(date) 1/1/21

Hours of Operation 10:00-6:00 Number of Employees 1

Martes a Sabado / por cita.

GENERAL INFORMATION

NOTIFICATION AND PUBLIC HEARING: Property owners within 200' of the subject property shall be notified within at least 10 working days of the Planning and Zoning Commission public hearing. Upon considering the recommendation of the Director of Planning, the Planning and Zoning Commission shall approve or disapprove the application.

APPEALS PROCEDURE: Any decision of the Planning and Zoning Commission may be appealed to the City Commission by presenting a petition to the City Commission within 10 days after the decision of the Planning and Zoning Commission and specifying the grounds for the appeal. A vote of 3/4 of the City Commission is required to overrule a vote of the Planning and Zoning Commission denying a conditional use permit.

CANCELLATION: A conditional use permit is automatically cancelled if not used within 6 months.

REVOCAION: A conditional use permit may be revoked by the Planning and Zoning Commission at a public hearing upon failure of the applicant to remedy a violation of the conditions of the permit within a specified time period (10 to 30 days) as specified in a written notice to the applicant by the Code Enforcement Officer or Building Inspector.

RENEWAL PERIOD: A conditional use permit shall expire within 1 year unless otherwise specified by the Planning and Zoning Commission. Application for renewal of a permit shall be made prior to 20 days before permit expiration. A permit for more than 1 year shall be approved by the City Commission.

DEFINITIONS

Home Occupation - An activity carried on by a member of the immediate family residing on the premises that meets the provision of Section 138-118.

Home Occupation - Pg. 1 - REVISED 10/16



pd w/CC.

AG

FOR OFFICIAL USE ONLY

APPLICATION FILING FEE: ☐ \$300.00 One Year cash/check # ☐ \$150.00 APPEAL Amount paid

ZONING DISTRICT REQUIREMENTS

REQUIRED ZONING DISTRICT: A-O TO I-2
 REZONING REQUIRED: ☐ NO
 SETBACKS: FRONT ☐ SIDE ☐ REAR ☐
 MINIMUM LOT SIZE: ☐

CURRENT ZONING DISTRICT:
☐ YES, attach rezoning application
 MAXIMUM HEIGHT: ☐

CONDITIONAL USE REQUIREMENTS

The proposed use meets 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.

GENERAL 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.

SPECIFIC REQUIREMENTS:

1. The home occupation shall be clearly secondary to the residential use.
2. Signs shall not be permitted except a nameplate bearing the person's name or occupation; and attached against the wall of the main building; and exceeding 2 square feet located within R-2 to R-4 districts and 12 square feet located within an A-O, C-1 and C-2 districts.
3. No exterior display or alterations indicating that the building is being used for any purpose other than residential shall be permitted.
4. No more than 1 additional unrelated employee other than immediate family members residing on the premises shall be permitted.
5. No outside storage of materials or products shall be permitted.
6. Traffic generated by the proposed use shall not exceed 10% of the average load per hour per street.
7. No retail sales shall be permitted. (Items may be delivered)
8. No additions to the residence or accessory building specifically to accommodate the use shall be permitted.
9. The proposed use shall take place in the primary residential structure rather than a detached garage or accessory building.
10. The proposed use shall take place at the location specified on the permit.

DEPARTMENTAL REQUIREMENTS

REQUIRED CONDITIONS	DEPARTMENT	MONTH/DAY
Complies with regulations	Health Inspection	/
Meet standard requirements	Fire Inspection	/
Subject to section: 138-118 ()	Planning	/
Permit #	Building/Electrical/Plumbing	/
	Other	/

CITY BOARD REQUIREMENTS

PLANNING & ZONING COMMISSION DATE ☐ / ☐ / ☐ APPROVED ☐ DISAPPROVED ☐ 1 YEAR ☐ OTHER ☐
 REQUIRED CONDITIONS:

CITY COMMISSION DATE ☐ / ☐ / ☐ APPROVED ☐ DISAPPROVED ☐ 1 YEAR ☐ OTHER ☐
 REQUIRED CONDITIONS:

ACKNOWLEDGEMENT AND AGREEMENT TO CONDITIONS

Note: Approval of this permit does not constitute approval to construct, alter or repair. Appropriate building permits must be obtained. The foregoing is a true and correct description of the existing conditions and contemplated action and I will have full authority over the operation and/or construction of same, and hereby agree to comply with all ordinances of the City and applicable Deed Restrictions and assume all responsibility for such compliance. I further agree to discontinue any violations of the conditions of the permit upon notice given to me or anyone in charge of the above property by the Code Enforcement Officer. If the permit is revoked I agree to cease operation of the use upon notification of revocation. I understand that any violation of this ordinance is subject to a Five Hundred Dollar (\$500.00) fine for each day of violation. **Please note that approval of this permit may result in a higher sanitation rate on your utility bill. Customer must notify the City that Conditional Use Permit is not in use for removal of charges.**

(Applicant signature)

(date)

In consideration of the above application, a permit is hereby granted for the above action conditioned upon the terms and specifications set forth above, and the faithful observance of all provisions of the City Building Code, Zoning Ordinance, and all other ordinances applicable to the same.

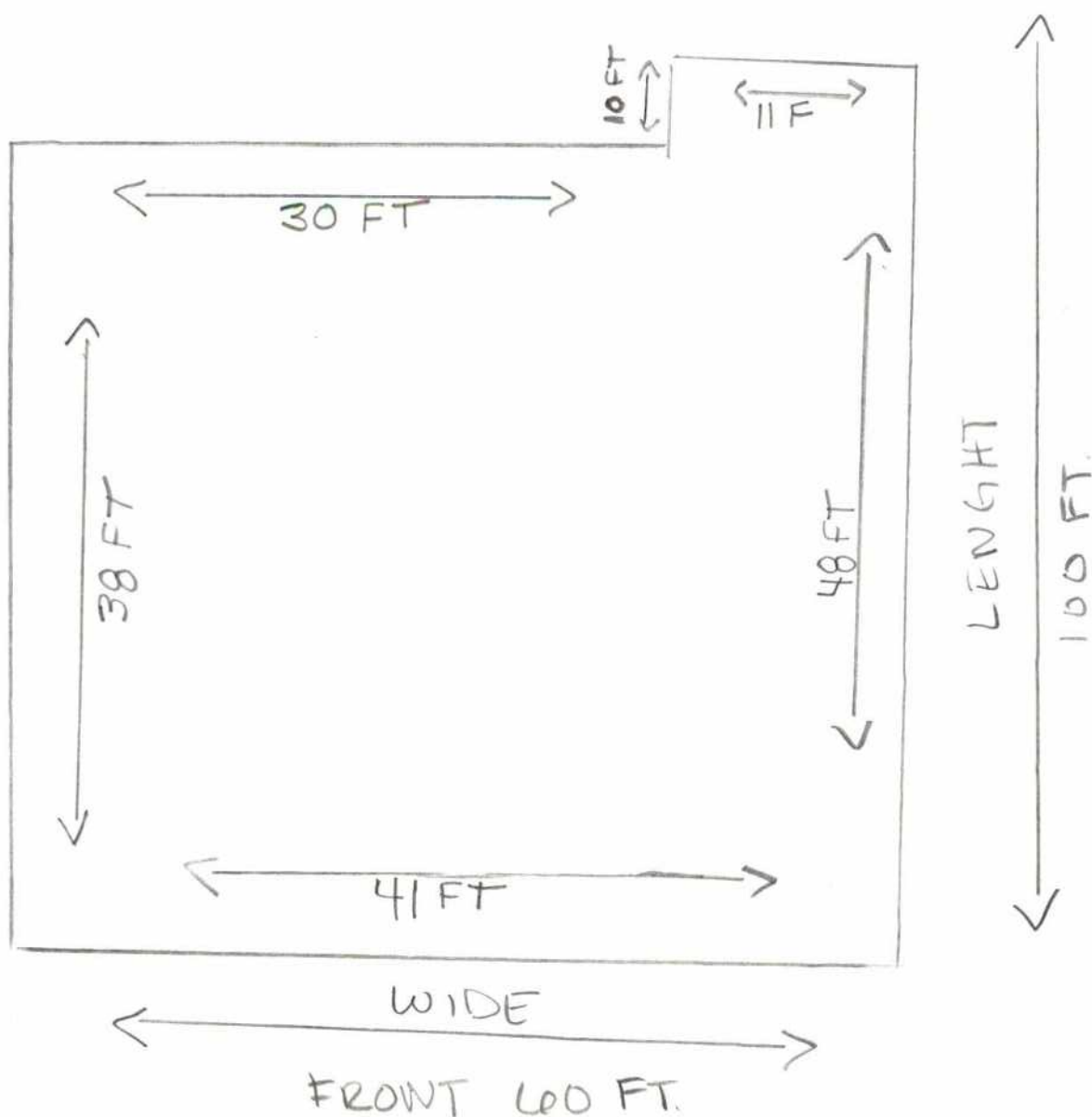
City Manager (or Agent)

(date)

Floor Plan

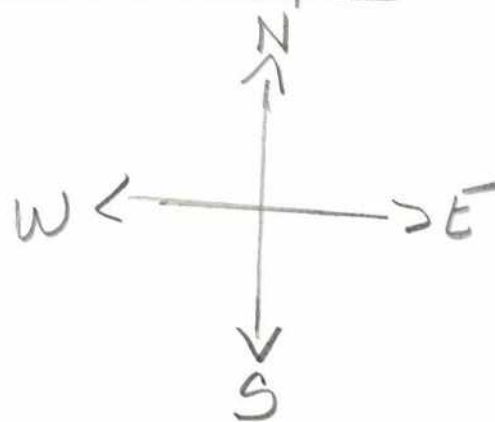


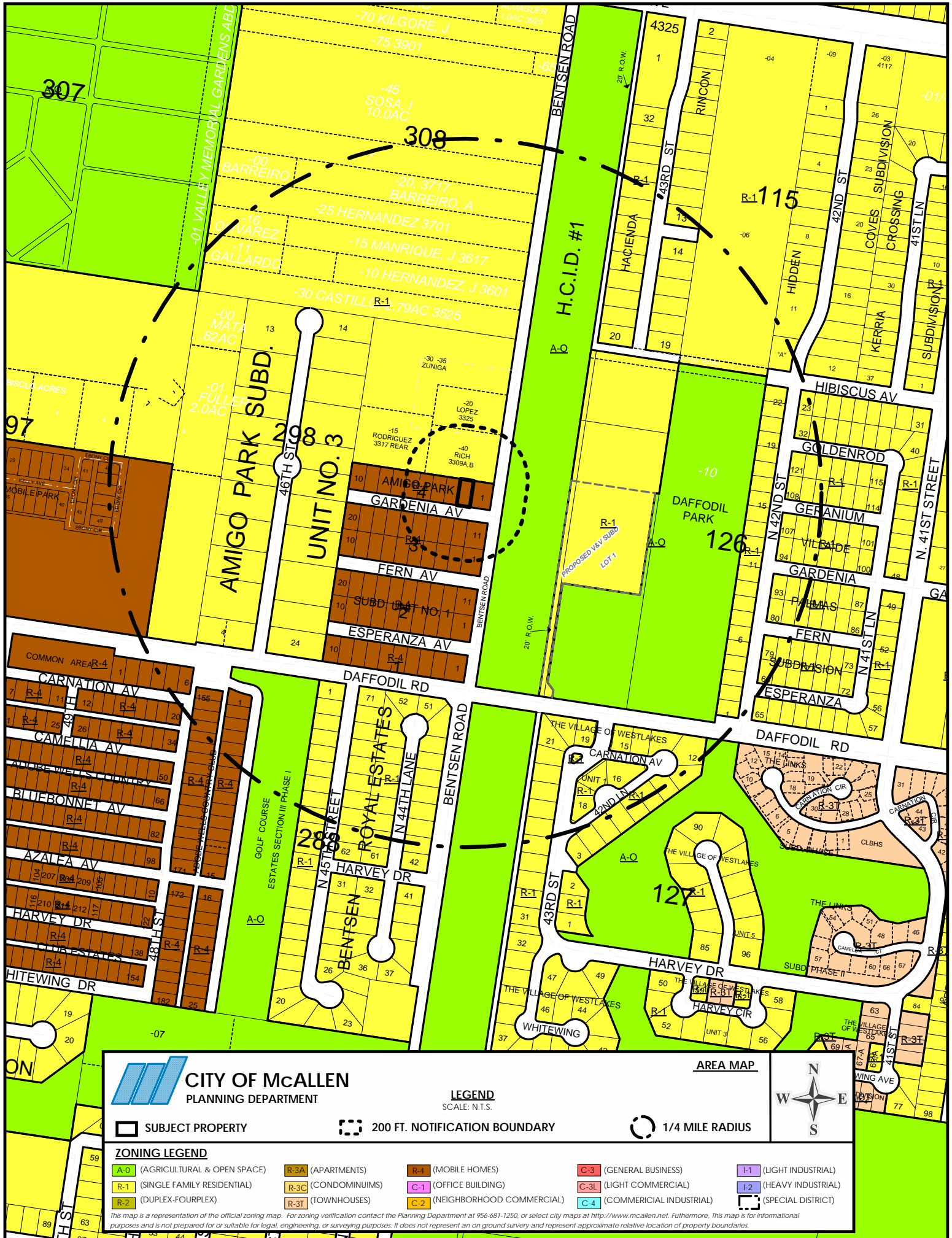
Storage



BENTSEN RD.

GARDENIA AVE.





CITY OF McALLEN
PLANNING DEPARTMENT

LEGEND
SCALE: N.T.S.

SUBJECT PROPERTY

200 FT. NOTIFICATION BOUNDARY

1/4 MILE RADIUS



ZONING LEGEND

A-0 (AGRICULTURAL & OPEN SPACE)	R-3A (APARTMENTS)	R-4 (MOBILE HOMES)	C-3 (GENERAL BUSINESS)	I-1 (LIGHT INDUSTRIAL)
R-1 (SINGLE FAMILY RESIDENTIAL)	R-3C (CONDOMINIUMS)	C-1 (OFFICE BUILDING)	C-3L (LIGHT COMMERCIAL)	I-2 (HEAVY INDUSTRIAL)
R-2 (DUPLEX-FOURPLEX)	R-31 (TOWNHOUSES)	C-2 (NEIGHBORHOOD COMMERCIAL)	C-I (COMMERCIAL INDUSTRIAL)	(SPECIAL DISTRICT)

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



CITY OF McALLEN
PLANNING DEPARTMENT

AERIAL MAP
SCALE: N.T.S.



SUBJECT PROPERTY



200' NOTIFICATION BOUNDARY



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











NOTICE
HOME
OCCUPATION
FOR
THIS PROPERTY
CUP2021-0003



Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

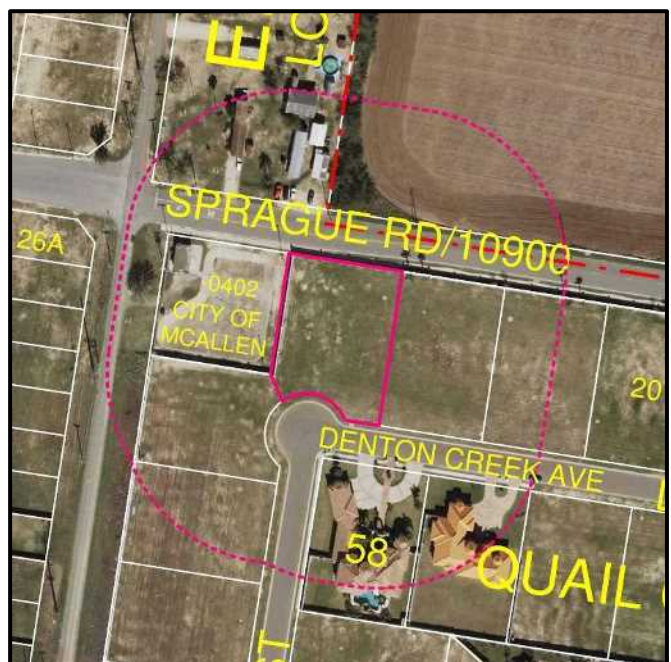
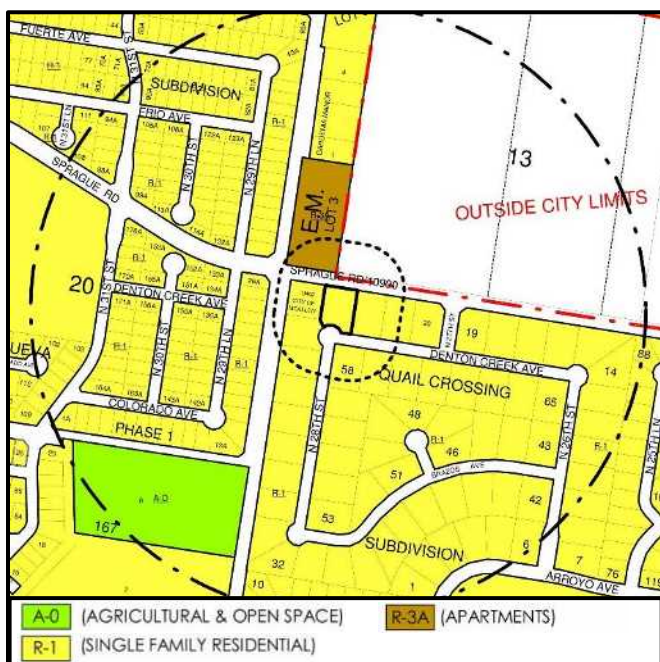
DATE: January 28, 2021

SUBJECT: REQUEST OF RAUL U. GUERRERO FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, FOR A GUEST HOUSE AT LOT 23, QUAIL CROSSING SUBDIVISION, HIDALGO COUNTY, TEXAS; 2712 DENTON CREEK AVENUE. (CUP2020-0132)

BRIEF DESCRIPTION:

The subject property is a double fronting lot, located on the south side of Sprague Road, at the intersection of Denton Creek Avenue and North 28th Street. It has 140.51 ft. of frontage along Sprague Road, 195.19 ft. of frontage along Denton Creek Avenue, and a depth of 191.01 ft. at its deepest point for a lot size of 24,751 sq. ft. Quail Crossing Subdivision was recorded on February 15, 2006, and the house was built in 2019 according to the Appraisal District records.

The property is zoned R-1 (single-family residential) District. The adjacent zoning is R-1 (single-family residential) District to the east, west, and south, and R-3A (multifamily residential apartment) District to the northwest. The properties to the northeast of the subject property on the north side of Sprague Road are outside the City limits. Surrounding land uses include single-family residences, a lift station, mobile homes, and vacant land. A guest house is allowed in R-1 District with a conditional use permit and in compliance with requirements.



SUMMARY/ANALYSIS:

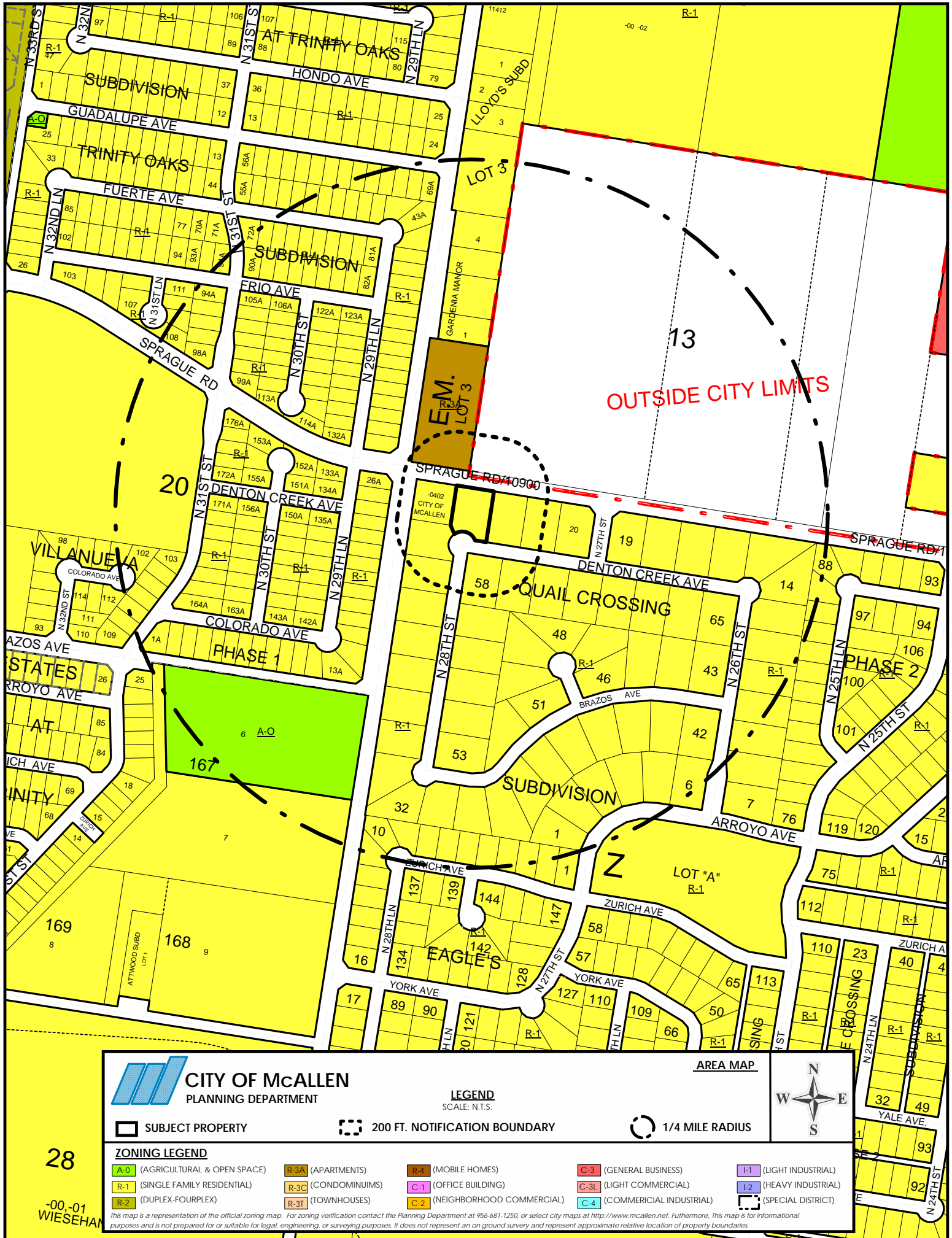
The applicant is proposing to construct a one-story guest house measuring 11 ft. by 27 ft. at the rear of the property. The proposed guest house will include a bedroom, a bathroom, and a closet, and will serve as an accessory use to the main house. The submitted floor plan depicts that there will be a canopy attached to the proposed guest house which consists of a grill area and a sitting area measuring 17.66 ft. by 27 ft. which will be used as an outdoor recreation according to the applicant. A building permit application for the guest house and the canopy was submitted on December 8, 2020, which was disapproved during the permit review process due to the proposed bedroom. During a conversation with the staff, the applicant indicated that the bedroom will be used for temporary residence of his guests, therefore it would require a Conditional Use Permit (CUP). A CUP application for a guest house for the subject property was submitted on December 17, 2020. The Fire Department has conducted the inspection, and found the establishment to be in compliance.

The guest house must meet the requirements set forth in Section 138-118(a)(5) of the Zoning Ordinance and specific requirements as follows:

- 1) Only one guest house shall be permitted on the property;
- 2) The proposed use shall comply with setback requirements. Proposed structure's setbacks are in compliance;
- 3) The proposed use shall be connected to the same utilities as the primary residence;
- 4) Lot size must be a minimum 8,000 sq. ft. The subject property is 24,751 sq. ft.;
- 5) Separate driveways or garages for the proposed use shall not be permitted. Applicant is not proposing an independent driveway for the proposed guesthouse;
- 6) The proposed use shall not be rented;
- 7) The permit shall be revoked if money is ever paid for rent or utility expenses are shared with the proposed use.

RECOMMENDATION:

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



CITY OF McALLEN
PLANNING DEPARTMENT

LEGEND
SCALE: N.T.S.

SUBJECT PROPERTY

200 FT. NOTIFICATION BOUNDARY

1/4 MILE RADIUS



ZONING LEGEND

A-0 (AGRICULTURAL & OPEN SPACE)	R-3A (APARTMENTS)	R-4 (MOBILE HOMES)	C-3 (GENERAL BUSINESS)	I-1 (LIGHT INDUSTRIAL)
R-1 (SINGLE FAMILY RESIDENTIAL)	R-3C (CONDOMINIUMS)	C-1 (OFFICE BUILDING)	C-3L (LIGHT COMMERCIAL)	I-2 (HEAVY INDUSTRIAL)
R-2 (DUPLEX-FOURPLEX)	R-3I (TOWNHOUSES)	C-2 (NEIGHBORHOOD COMMERCIAL)	C-4 (COMMERCIAL INDUSTRIAL)	(SPECIAL DISTRICT)

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



RESIDENTIAL PERMIT APPLICATION

REV 10/16

P.O. BOX 220 MCALLEN, TEXAS 78501-0220

APPLICATION MUST BE COMPLETE

(Please type or print in block or blue ink)

PERMIT APPLICATION REFERENCE NUMBER

RES2020-09092

APPLICANT

NAME Raul Guerrero PHONE [Redacted]

ADDRESS 2712 Denton Creek

CITY McAllen STATE TX ZIP 78504

CONTACT NAME Same as Above PHONE [Redacted]

☒ OWNER ☐ CONTRACTOR ☐ TENANT ☐ OTHER

OWNER

NAME Raul Guerrero PHONE [Redacted]

ADDRESS 2712 Denton Creek

CITY McAllen STATE TX ZIP 78504

OWNER INFORMATION NOT PROVIDED, INITIAL

☒ NEW ☐ ADDITION ☐ REMODELING ☐ REPAIR ☐ MOVE ☐ REMOVE

BEDS 756 NO PARKING SPACES 0 SQ. FT. LOT 0 LOT FRONT 0 FLOOR EL. ABOVE CURB 0

EXISTING USE NEW USE NEW

SCOPE OF WORK TO BE DONE Outdoor Kitchen, bedroom, bathroom, Storage Closet

PROJECT

FOR RESIDENTIAL USE ONLY NO. OF UNITS 2 NO. BORMS 2 NO. BATHS 2 SQ. FT. NONLIVING 384 SQ. FT. LIVING 240

FOUNDATION ☒ CONCRETE S. AS ☐ CONCRETE PIER ☐ CONCRETE BLOCK ☐ CONCRETE BEAM ☐ WOOD POSTS ☐

EXT WALL ☐ MASONRY VENEER ☐ MASONRY SOLID ☐ METAL SIDING ☐ COMPOSITION ☐ WOOD ☒ Stucco

ROOF ☐ WOOD SHINGLE ☐ COMPOSITION ☒ METAL ☐ BUILD UP ☐

SPECIAL CONDITIONS ☐ FIRE SPRINKLER SYSTEM ☐ TYPE OF CONSTRUCTION ☐ ASBESTOS SURVEY ☐ CONDEMNED STRUCTURE

LOT 23 BLOCK [Redacted] SUBDIVISION Queils Crossing

SITE ADDRESS ST. NO. 2712 ST. NAME Denton Creek

CITY USE ONLY

ZONING [Redacted] PERMIT FEE \$ 120.96 DOUBLE FEE \$ [Redacted]

PARK DEV. ☐ PERMIT REVIEW FEE \$ [Redacted]

ZONE # [Redacted] TOTAL PERMIT FEE \$ [Redacted]

PARK DEVELOPMENT FEE \$ [Redacted]

RECEIVED BY [Signature]

DATE 12/8/2020

TIME [Redacted]

The foregoing is a true and correct description of the improvement proposed by the undersigned applicant and the applicant states that he will have full authority over construction of same. This building permit shall not be held to permit or be an approval of the violation or modification of any provisions of City ordinances, codes, subdivision regulations or State law or be a waiver by the City of such violation. Alteration changes or deviations from the plans authorized by this permit is unlawful without written authorization from the Building Inspection Department. The applicant hereby agrees to comply with all City ordinances, codes, subdivision regulations and State law and assume all responsibility for same compliance. It is understood that the improvements shall not be occupied until a Certificate of Occupancy has been issued. Every permit issued shall become invalid unless the work authorized by such permit is commenced within six months after its issuance or if the work authorized by such permit is uncompleted or abandoned for six months after the time of work is commenced. This permit is good for one year only.

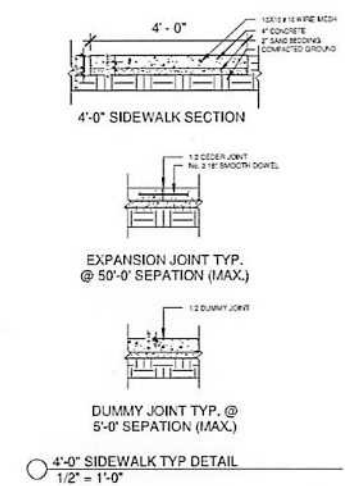
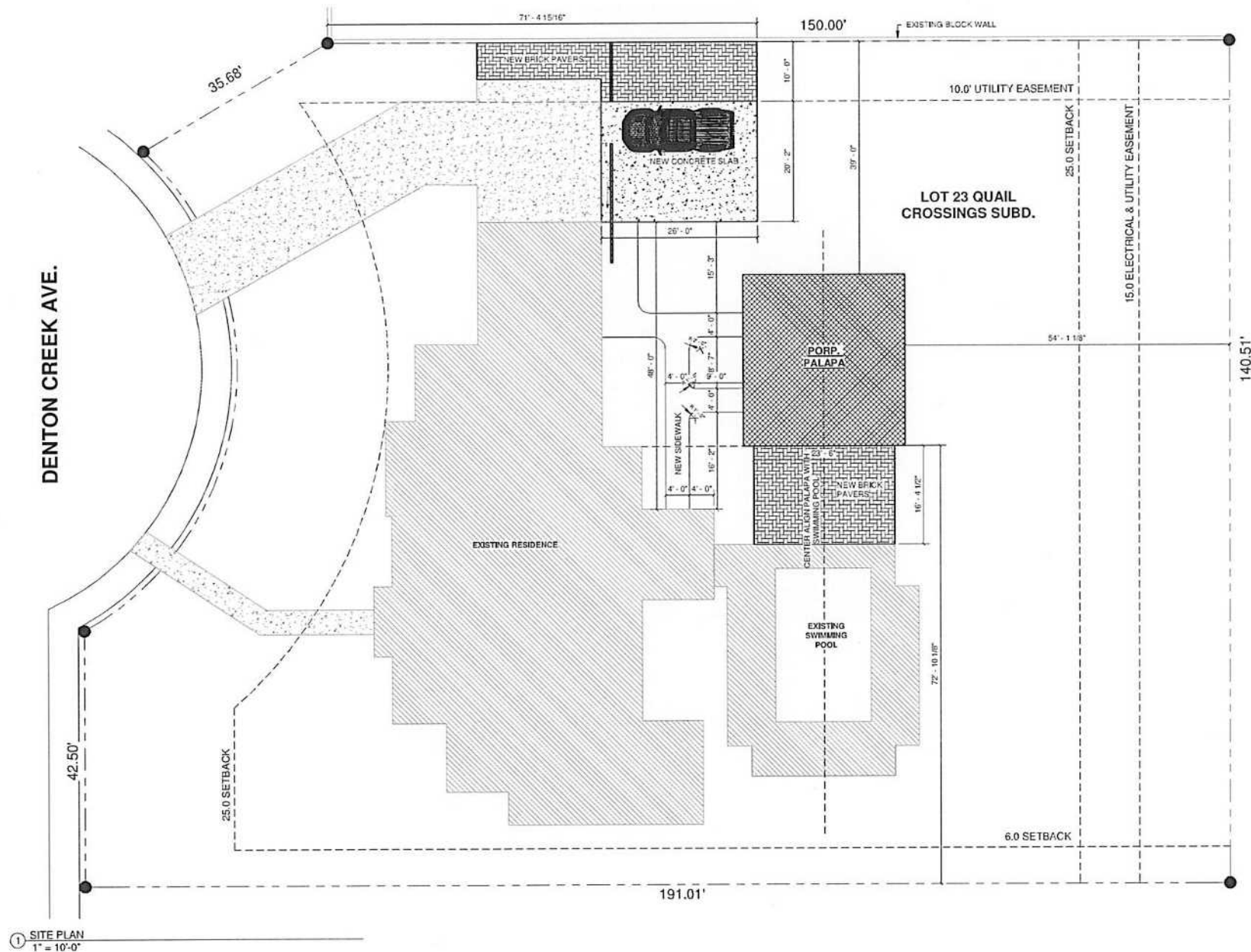
PRINT (AUTHORIZED AGENT/OWNER)

SIGNATURE

EMAIL ADDRESS (required)

DATE

Raul Guerrero[Signature][Redacted]12-8-2020



- GENERAL NOTES**
1. ALL DIMENSIONS AND LEVELS ARE TO BE DETERMINED AND OR CHECKED BY THE CONTRACTOR ON SITE.
 2. THE CONTRACTOR/BUILDER SHALL BE RESPONSIBLE FOR THE DESIGN AND IMPLEMENTATION OF ALL TEMPORARY WORKS AND ADJACENT STRUCTURES DURING CONSTRUCTION.
 3. STRUCTURAL ENGINEERED DRAWINGS AS PER CONTRACTOR AND/OR OWNER.
 4. THE CONTRACTOR/BUILDER IS RESPONSIBLE FOR LOCATING ANY EXISTING SERVICES AND/OR CONTACT 811 FOR UTILITY IDENTIFICATION. CONTRACTOR SHALL VERIFY CONNECTIONS OF SEPTIC TANKS WITH LICENSED SEPTIC TANK INSTALLER.
 5. CONTRACTOR/BUILDER IS RESPONSIBLE TO VERIFY ALL FINISH MATERIALS WITH OWNER INCLUDING BUT NOT LIMITED TO THE FOLLOWING: FLOOR FINISH MATERIALS, INTERIOR WALL AND CEILING FINISH MATERIALS, PAINT COLORS, EXTERIOR FINISHES (COVERINGS, COLOR, MATERIALS, CLADDING), MILLWORK, PLUMBING FIXTURES, ELECTRICAL FIXTURES, APPLIANCES, DOOR TYPES, WINDOW TYPES, ROOF COVERINGS, HARDWARE, AND ANY MATERIAL NOT IDENTIFIED ON THESE PLANS.
 6. DESIGNER IS NOT RESPONSIBLE FOR ANY CONSTRUCTION PRACTICES PERFORMED BY CONTRACTOR USING THESE PLANS.
 7. FIELD VERIFY ALL DIMENSIONS PRIOR TO CONSTRUCTION, DEMOLITION (STRUCTURE AND/OR SITE WORK), AND JOB BIDDING, AND ESTIMATING.
 8. CONTRACTOR/BUILDER AND/OR OWNER IS RESPONSIBLE FOR OBTAINING REQUIRED PERMITS AND COMPLYING WITH STATE REQUIRED PERMITS AND COMPLYING WITH STATE REQUIREMENTS PRIOR CONSTRUCTION.
 9. CONTRACTOR/BUILDER AND/OR OWNER IS RESPONSIBLE FOR OBTAINING ANY ADDITIONAL DOCUMENTS (OTHER THAN PLANS PROVIDED IN THIS SET) REQUIRED BY THE MUNICIPALITY, COUNTY, STATE, AND/OR GOVERNING JURISDICTION.
 10. FIRE EXTINGUISHERS MUST BE PROVIDED ON SITE AT ALL TIMES.
 11. DESIGN IS NOT RESPONSIBLE FOR ANY CONTRACTING AND/OR CONSTRUCTION. CUSTOMER/OWNER AND/OR BUILDER IS RESPONSIBLE FOR CONTRACTING AND/OR CONSTRUCTION.
 12. CUSTOMER/OWNER AND/OR BUILDER IS RESPONSIBLE FOR COMPLYING WITH ANY SUBDIVISION ARCHITECTURAL COMMITTEES AND/OR HOMEOWNERS ASSOCIATION.

CONCEPTUM
DRAFTING & DESIGN

956-537-0237
ara.restoranos@gmail.com

PROJECT NO.
Project Number

SHEET NO.
A-1.0

SCALE:
As indicated

DATE:
Issue Date

DESIGN BY:
APPR BY:
Designer Checker

SHEET NAME
SITE PLAN

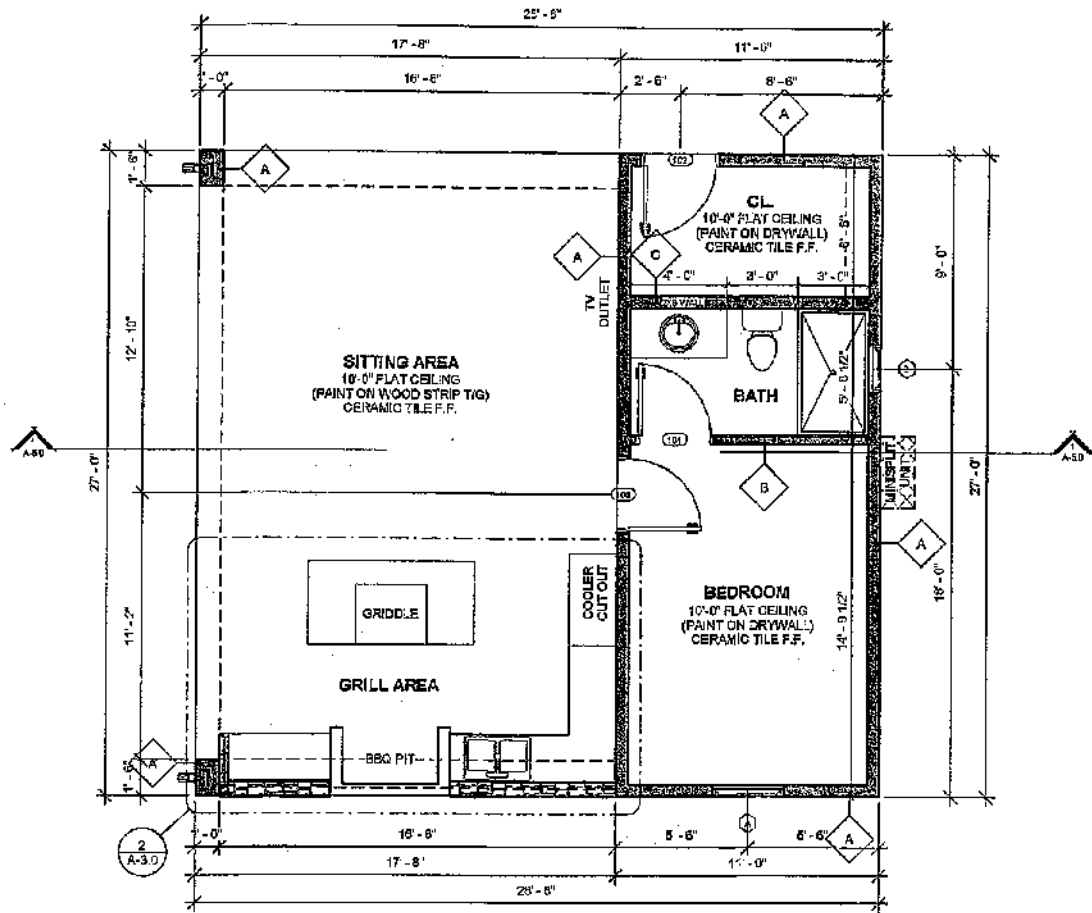
CLIENT INFORMATION
GUERRERO FAMILY

PROJECT ADDRESS
2712 DENTON CREEK AVE,
MCALLEN, TX

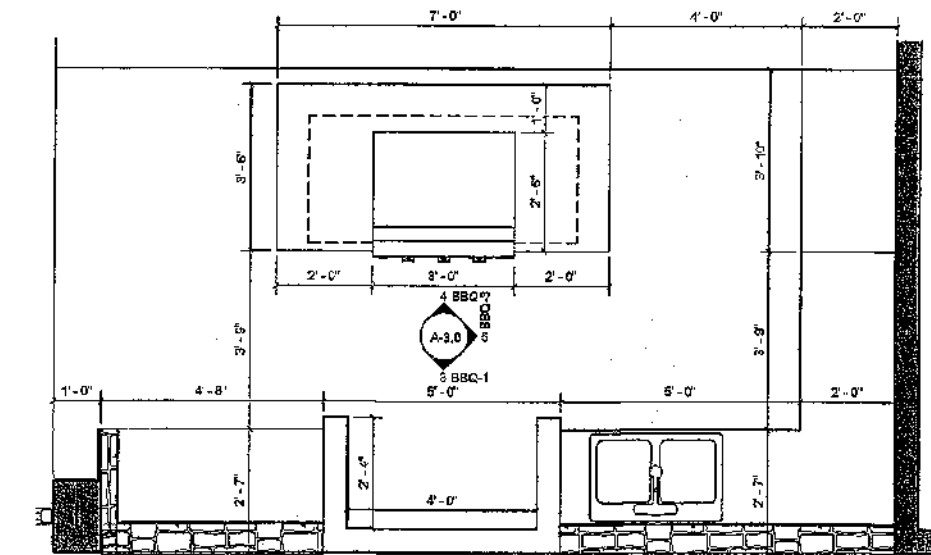
PROJECT INFORMATION
LOT 23 QUAIL CROSSINGS
SUBD., MCALLEN, TX

RIGHTS RESERVED ON THIS PLAN BY
CONCEPTUM DRAFTING & DESIGN. THIS
BUILDING. NO PART OF THIS PLAN MAY BE
REPRODUCED OR TRANSMITTED IN ANY FORM
OR BY ANY MEANS, ELECTRONIC OR MECHANICAL,
INCLUDING PHOTOCOPYING, RECORDING, OR BY
ANY INFORMATION STORAGE AND RETRIEVAL
SYSTEM, WITHOUT PERMISSION IN WRITING FROM
CONCEPTUM DRAFTING & DESIGN. THE
CONTRACTOR IN THE JOB SITE MUST CHECK ALL
DIMENSIONS AND LEVELS AND BE
RESPONSIBLE FOR THE SAME.

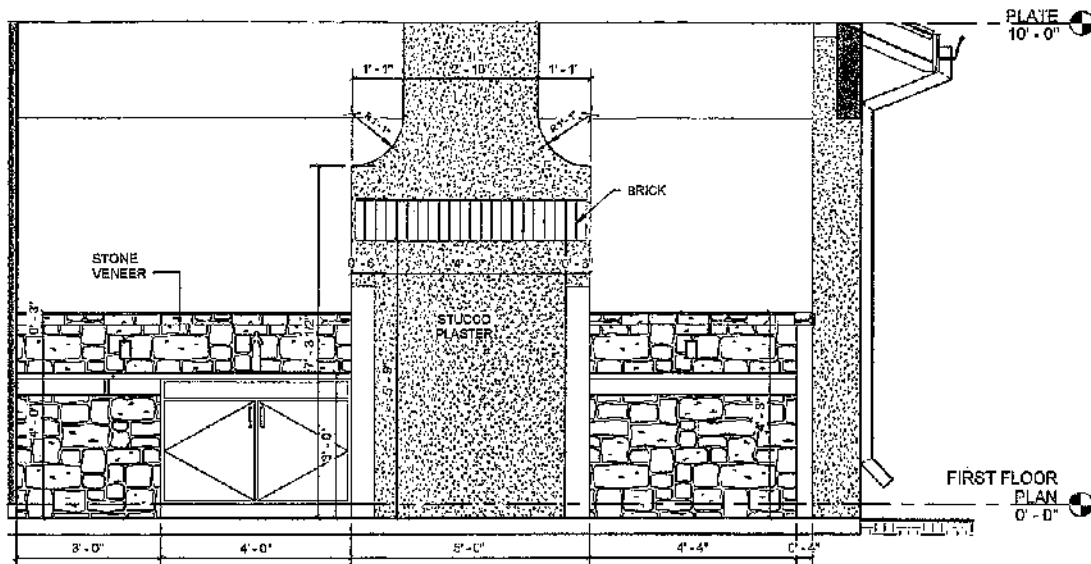
PRINT SCALE
11X17 = 1/8" = 1'-0"
24X36 = 1/4" = 1'-0"



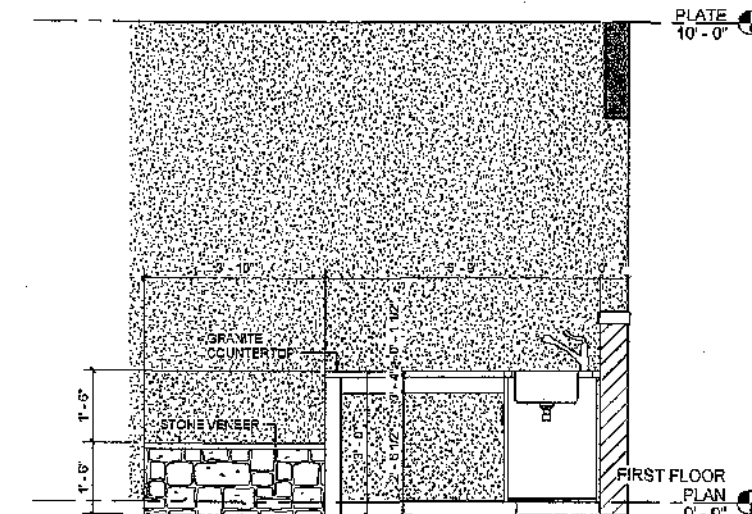
1 FIRST FLOOR PLAN
1/4" = 1'-0"



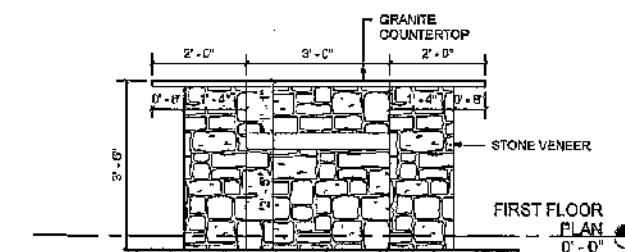
2 FIRST FLOOR PLAN - BBQ
1/2" = 1'-0"



3 BBQ-1
1/2" = 1'-0"



5 BBQ-3
1/2" = 1'-0"



4 BBQ-2
1/2" = 1'-0"

ROOM AREAS		
Name	Area	Perimeter
GRILL AREA	Not Enclosed	Not Enclosed
BATH	53 SF	30'-8"
CL	55 SF	30'-11"
SITTING AREA	Not Enclosed	Not Enclosed
BEDROOM	143 SF	48'-7"

DOOR SCHEDULE				
Mark	Count	Width	Height	Comments
100	1	3'-0"	8'-0"	SECURITY/ RH
101	1	3'-0"	8'-0"	PRIVACY/ H
102	1	3'-0"	8'-0"	SECURITY/ RH

WINDOW SCHEDULE				
Mark	Count	Width	Height	Comments
A	1	3'-0"	5'-0"	SH
C	1	2'-0"	3'-0"	SH/OBSCURE

Grand total: 2

WALL TYPES	
A	STUCCO PLASTER VAPOR BARRIER (TYVEK) 7/16" OSB 2x4 @ 16" O.C. STUDS 1/2" DRYWALL
B	1/2" DRYWALL 2x4 @ 16" O.C. STUDS 1/2" DRYWALL
C	1/2" DRYWALL 2x6 @ 16" O.C. STUDS 1/2" DRYWALL

GENERAL NOTES

- ALL DIMENSIONS AND LEVELS ARE TO BE DETERMINED AND OR CHECKED BY THE CONTRACTOR ON SITE.
- THE CONTRACTOR/BUILDER SHALL BE RESPONSIBLE FOR THE DESIGN AND IMPLEMENTATION OF ALL TEMPORARY WORKS AND ADJACENT STRUCTURES DURING CONSTRUCTION.
- STRUCTURAL ENGINEERED DRAWINGS AS PER CONTRACTOR AND/OR OWNER.
- THE CONTRACTOR/BUILDER IS RESPONSIBLE FOR LOCATING ANY EXISTING SERVICES AND/OR CONTACT 811 FOR UTILITY IDENTIFICATION. CONTRACTOR SHALL VERIFY CONNECTIONS OF SEPTIC TANKS WITH LICENSED SEPTIC TANK INSTALLER.
- CONTRACTOR/BUILDER IS RESPONSIBLE TO VERIFY ALL FINISH MATERIALS WITH OWNER INCLUDING BUT NOT LIMITED TO THE FOLLOWING: FLOOR FINISH MATERIALS, INTERIOR WALL AND CEILING FINISH MATERIALS, PAINT COLORS, EXTERIOR FINISHES (COVERINGS, COLOR, MATERIALS, CLADDING), MILLWORK, PLUMBING FIXTURES, ELECTRICAL FIXTURES, APPLIANCES, DOOR TYPES, WINDOW TYPES, ROOF COVERINGS, HARDWARE, AND ANY MATERIAL NOT IDENTIFIED ON THESE PLANS.
- DESIGNER IS NOT RESPONSIBLE FOR ANY CONSTRUCTION PRACTICES PERFORMED BY CONTRACTOR USING THESE PLANS.
- FIELD VERIFY ALL DIMENSIONS PRIOR TO CONSTRUCTION, DEMOLITION (STRUCTURE AND/OR SITEWORK), AND JOB BOOKING AND ESTIMATING.
- CONTRACTOR/BUILDER AND/OR OWNER IS RESPONSIBLE FOR OBTAINING REQUIRED PERMITS AND COMPLYING WITH STATE REQUIREMENTS PRIOR TO CONSTRUCTION.
- CONTRACTOR/BUILDER AND/OR OWNER IS RESPONSIBLE FOR OBTAINING ANY ADDITIONAL DOCUMENTS (OTHER THAN PLANS PROVIDED IN THIS SET) REQUIRED BY THE MUNICIPALITY, COUNTY, STATE, AND/OR GOVERNING JURISDICTION.
- FIRE EXTINGUISHERS MUST BE PROVIDED ON SITE AT ALL TIMES.
- DESIGN IS NOT RESPONSIBLE FOR ANY CONTRACTING AND/OR CONSTRUCTION, CUSTOMER/OWNER AND/OR BUILDER IS RESPONSIBLE FOR CONTRACTING AND/OR CONSTRUCTION.
- CUSTOMER/OWNER AND/OR BUILDER IS RESPONSIBLE FOR OBTAINING ANY ADDITIONAL ARCHITECTURAL COMMITTEES AND/OR HOMEOWNERS ASSOCIATION.



954-537-0237
architectural@concept.com

PROJECT NO. Project Number
SHEET NO. A-3.0

SCALE: As indicated
DATE: 9/16/2020
APPR. BY: MS
DSGN BY: NS

SHEET NAME: FIRST FLOOR PLAN
CLIENT INFORMATION: GUERRERO FAMILY

PROJECT ADDRESS: 2712 DENTON CREEK AVE, MCALLEN, TX
PROJECT INFORMATION: LOT 23 QUAIL CROSSINGS SUBD, MCALLEN, TX



RIGHTS RESERVED ON THIS PLAN BY CONCEPT DRAFTING & DESIGN. NO PART OF THIS PLAN MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT PERMISSION IN WRITING FROM CONCEPT DRAFTING & DESIGN.

PRINT SCALE: 11x17 = 1/8" = 1'-0"
24x36 = 1/4" = 1'-0"



NOTICE
GUEST
HOUSE
FOR
THIS PROPERTY
CUP2020-0132



PLEASE KEEP CANIS A MINIMUM OF 5
FEET FROM ALL OBJECTS.

DO NOT
DON'T

Place out by 7am &
Retrieve After Service

Memo

TO: Planning and Zoning Commission

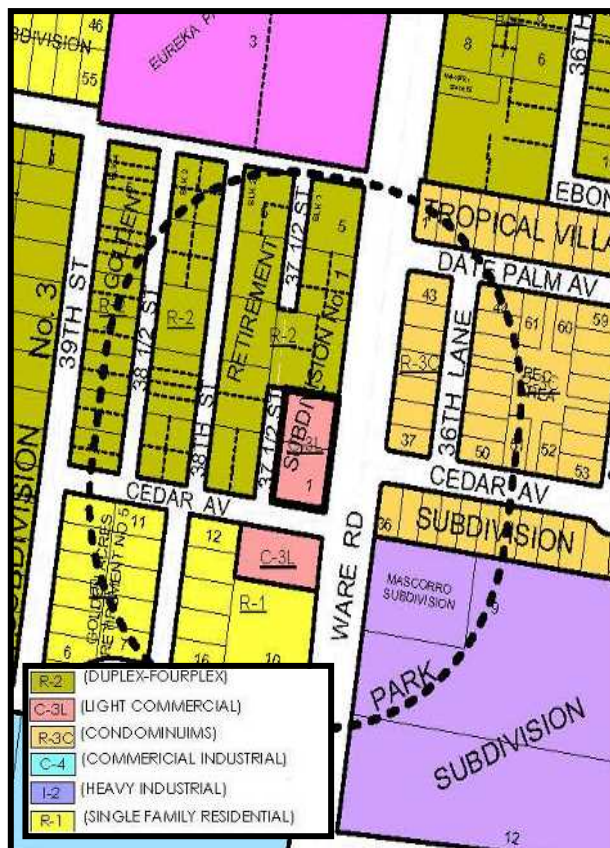
FROM: Planning Staff

DATE: January 22, 2021

SUBJECT: REQUEST OF VISHAL DESAI FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A LIQUOR STORE AT W113.49' OF LOT 1 AND W113.44' OF LOT 2, BLOCK 1, GOLDEN ACRES RETIREMENT SUBDIVISION NO.1, HIDALGO COUNTY, TEXAS; 301 NORTH WARE, SUITE B. (CUP2021-0004)

BRIEF DESCRIPTION:

The property is located at the northwest corner of North Ware Road and Cedar Avenue, and is zoned C-3L (light commercial) District. The adjacent zoning is R-2 (duplex-fourplex residential) District to the north and west, C-3L District to the south, and R-3C (multifamily condominiums) District to the east. Surrounding land uses include Los Rieles Plaza, Tropical Village, single-family residences, duplex-fourplex residences, and vacant land. A liquor store is allowed in a C-3L zone with a Conditional Use Permit and in compliance with requirements.



REQUEST/ANALYSIS:

The applicant is proposing to operate a liquor store (Fiesta Liquor) from the existing 832 sq. ft. building. The proposed hours of operation will be from 10:00 a.m. to 9:00 p.m. Monday through Saturday.

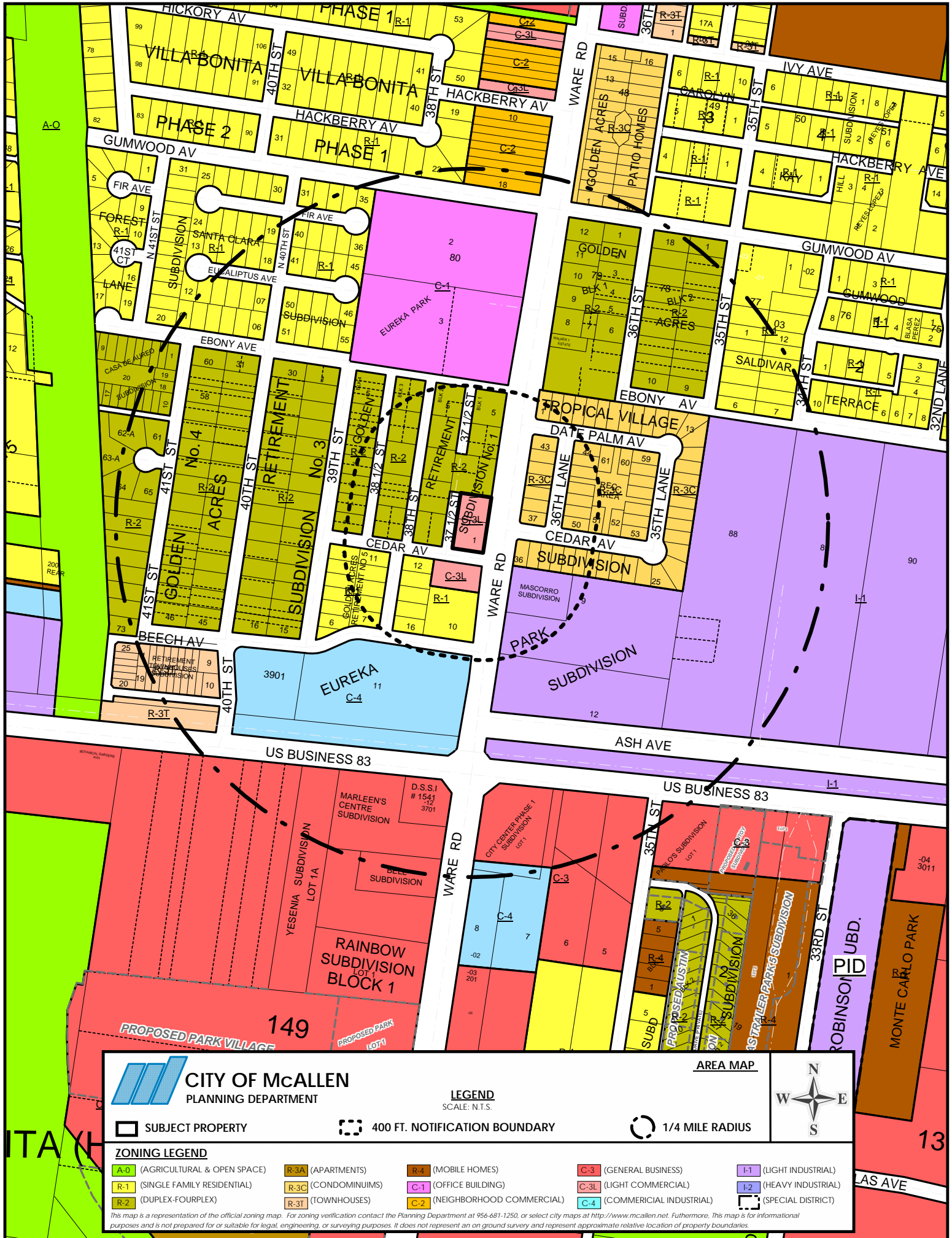
The Fire Department inspection is pending. The Health Department has inspected the establishment, and the property is in compliance. The Planning Department has not received any calls in opposition to the request. The establishment must also meet the requirements set forth in Section 138-118(4) of the Zoning Ordinance and specific requirements as follows:

- a) The property line of the lot of any of the above mentioned businesses 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 proposed establishment is within 400 ft. of residential zones and uses;
- 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 North Ware Road;
- 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. Currently there is a multi-tenant commercial building on the property. The plaza is a mixture of retail and vacant suites. The proposed liquor store is required 10 parking spaces; 19 parking spaces are provided on the common parking area in the front of the building. For the 19 parking spaces of the common parking area, 2 accessible parking spaces are required and are provided on site;
- 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;
- 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 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. The occupancy load for this establishment will be established by the Building department as part of the building permit review.

RECOMMENDATION:

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



CITY OF McALLEN PLANNING DEPARTMENT

LEGEND
SCALE: N.T.S.

AREA MAP



SUBJECT PROPERTY

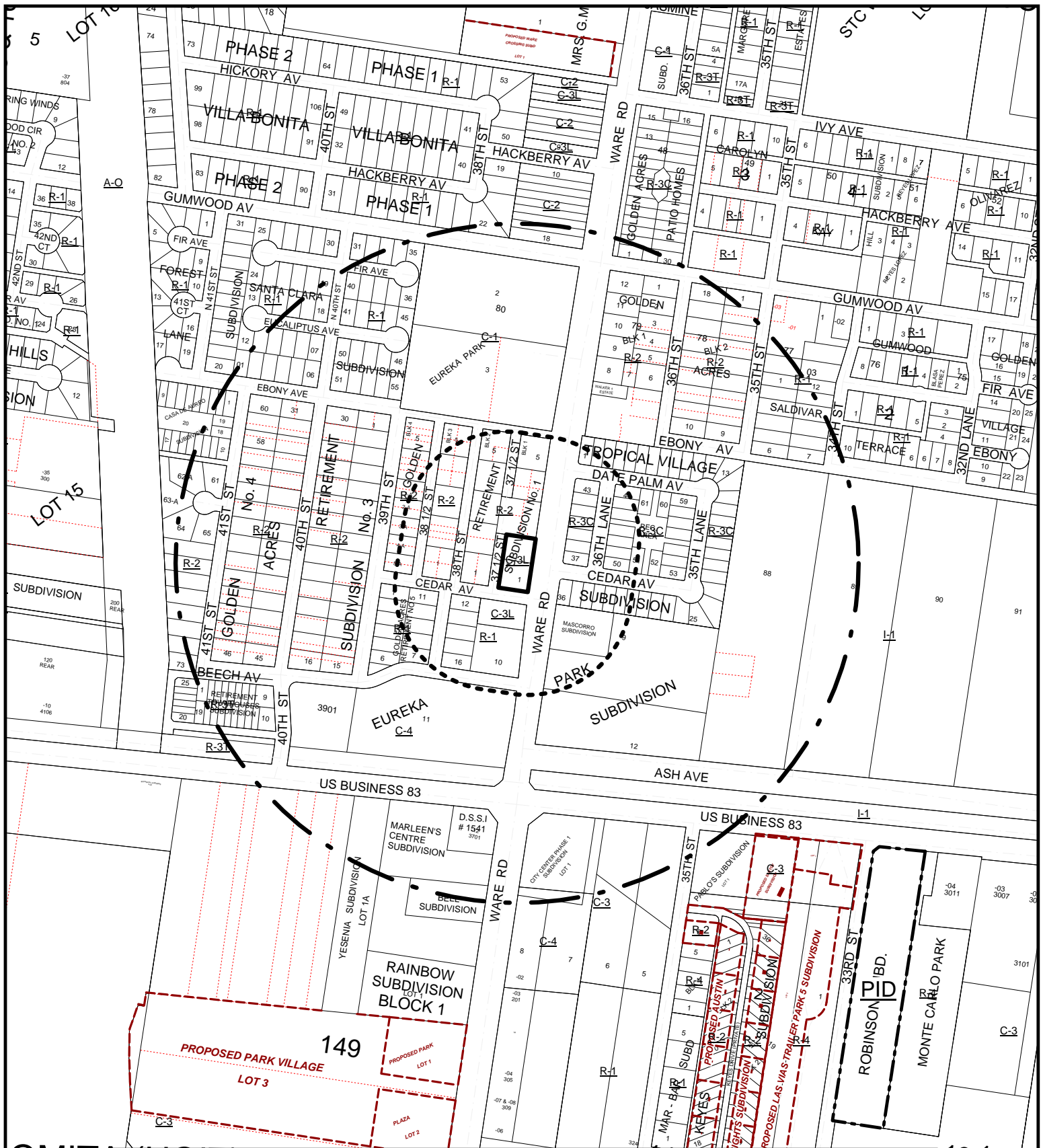
400 FT. NOTIFICATION BOUNDARY

1/4 MILE RADIUS


ZONING LEGEND

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

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




OMITA



CITY OF McALLEN
PLANNING DEPARTMENT

LEGEND
SCALE: N.T.S.

AREA MAP



SUBJECT PROPERTY

ZONING LEGEND

A-O (AGRICULTURAL & OPEN SPACE)

R-1 (SINGLE FAMILY RESIDENTIAL)

R-2 (DUPLEX-FOURPLEX)

R-3A (APARTMENTS)

R-3C (CONDOMINIUMS)

R-3T (TOWNHOUSES)

R-4 (MOBILE HOMES)

C-1 (OFFICE BUILDING)

C-2 (NEIGHBORHOOD COMMERCIAL)

C-3 (GENERAL BUSINESS)

C-3L (LIGHT COMMERCIAL)

C-4 (COMMERCIAL INDUSTRIAL)

I-1 (LIGHT INDUSTRIAL)

I-2 (HEAVY INDUSTRIAL)

(SPECIAL DISTRICT)

400 FT. NOTIFICATION BOUNDARY

1/4 MILE RADIUS

13 147

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

PROJECT:
TIME PLAZA

OWNER:
LIC. RUBEN VALDES

LOCATION:
301 N. WARE RD
MCALLEN TX. 78501

Gonzalez
Design & Drafting

JUAN GONZALEZ
(956) 961 1633
design.juan@yahoo.com

AREAS

BUILDING 1

Suite 1	832 sq.ft.
Suite 2	832 sq.ft.
Suite 3	832 sq.ft.
Total	2,496 sq.ft.

BUILDING 2

Suite 1	832 sq.ft.
Suite 2	832 sq.ft.
Suite 3	832 sq.ft.
Total	2,496 sq.ft.

GRAPHIC SYMBOLS:

DOOR

WIDTH
26
feet
inches

NOTES:

EXTERIOR WALLS TO BE 8" CONCRETE BLOCK WITH STUCCO FINISH.

INTERIOR WALLS TO BE 5/8" GYPSUM BOARD WITH WALL INSULATION, AS FOLLOWS:
FRONT & SIDE EXTERIOR WALLS TO BE FURR IN WITH 4" 25 Ga. METAL STUDS @ 16" O.C., 3-1/2" BLOWN INSULATION, AND 5/8" FIRE CODE GYPSUM BOARD.
BACK EXTERIOR WALLS TO BE FURR IN WITH 4" 25 Ga. METAL STUDS @ 16" O.C., 3-1/2" BATT INSULATION, AND 5/8" FIRE CODE GYPSUM BOARD.
DEMISING PARTITION WALLS TO BE BUILT WITH 6" 25 Ga. METAL STUDS @ 16" O.C., 6-1/4" BATT INSULATION, AND 5/8" FIRE CODE GYPSUM BOARD.

SEE FLOOR PLAN DETAILS ON SHEET A-3.

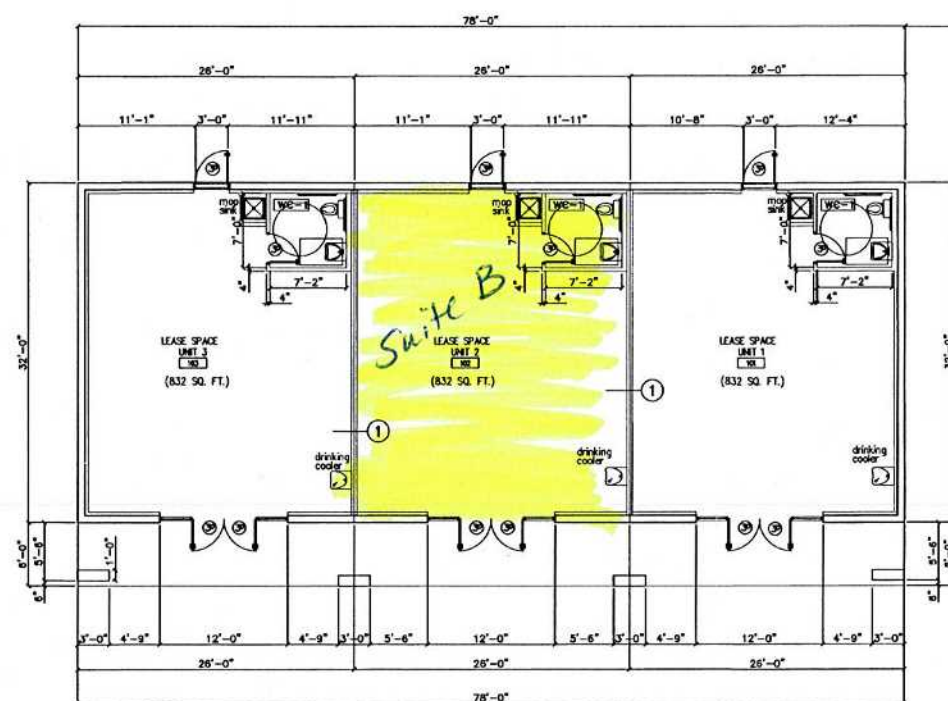
DIRECTION

REVISION

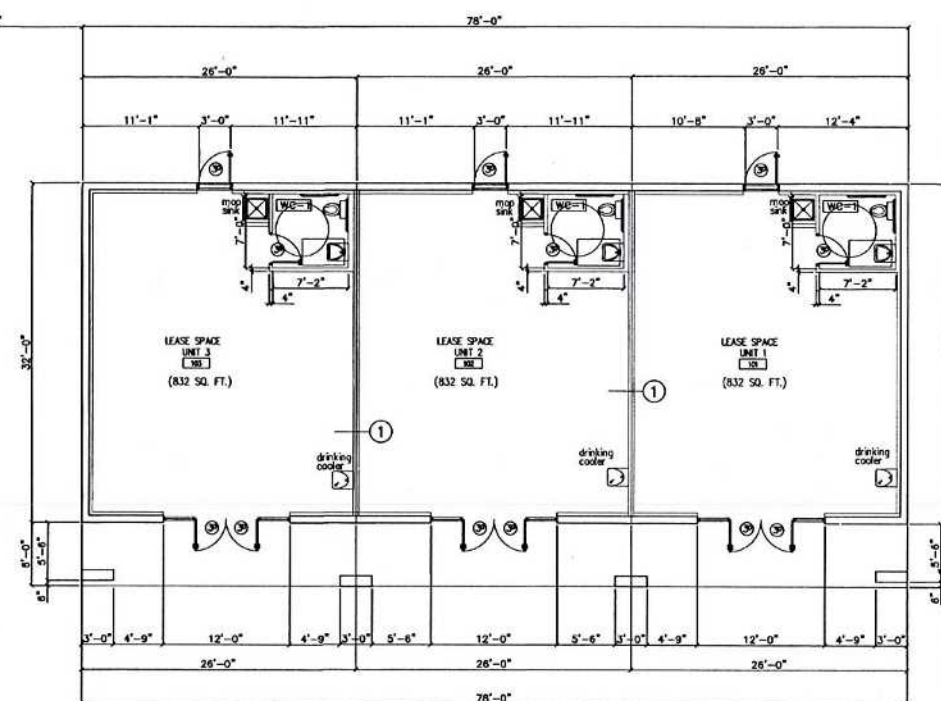
PLAN
FLOOR PLAN

DATE:
11/29/18
DRAWN BY:
JUAN GONZALEZ

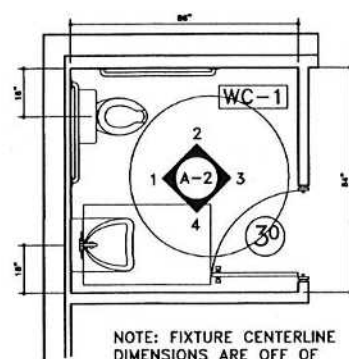
SHEET No:
A1.1



B FLOOR PLAN BUILDING 2
SCALE: 1/8" = 1'-0"

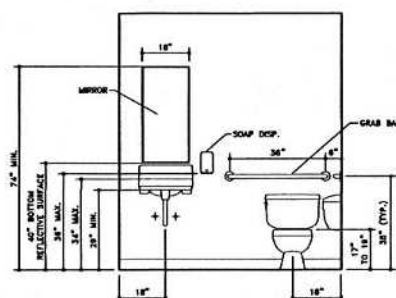


A FLOOR PLAN BUILDING 1
SCALE: 1/8" = 1'-0"



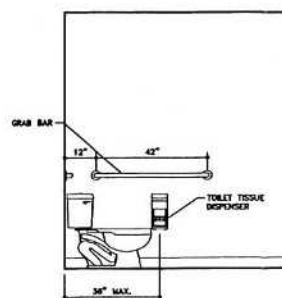
NOTE: FIXTURE CENTERLINE DIMENSIONS ARE OFF OF FINISH WALL.

WC-1 RESTROOM PLAN
SCALE: 3/8" = 1'-0"

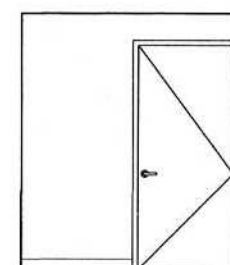


NOTE: PROTECT HOT WATER AND DRAIN PLUMBING AS PER ADA (TYP.).

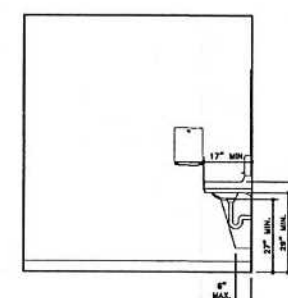
1 ELEV. RESTROOM WC-1
SCALE: 3/8" = 1'-0"



2 ELEV. RESTROOM WC-1
SCALE: 3/8" = 1'-0"

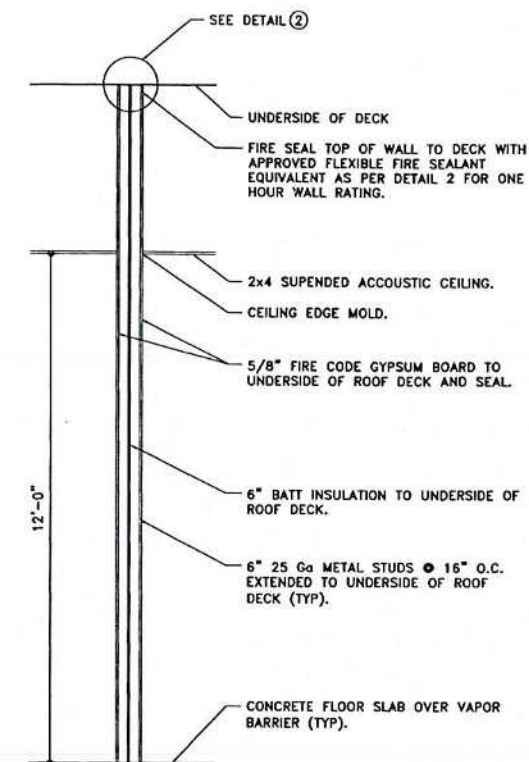


3 ELEV. RESTROOM WC-1
SCALE: 3/8" = 1'-0"

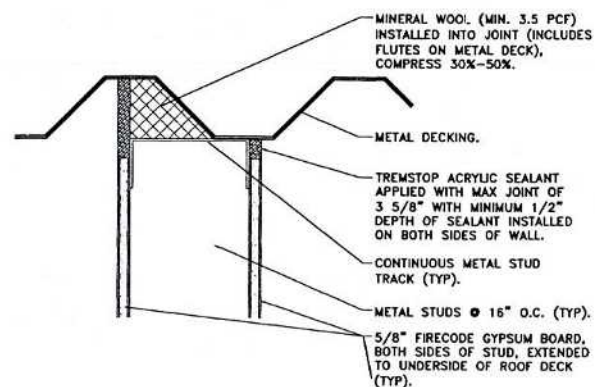


NOTE: PROTECT HOT WATER AND DRAIN PLUMBING AS PER ADA (TYP.).

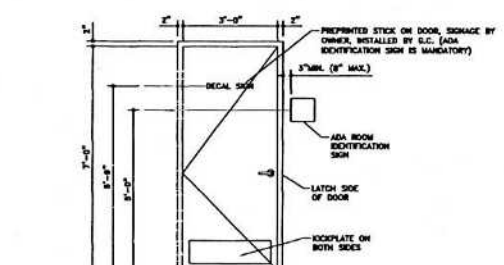
4 ELEV. RESTROOM WC-1
SCALE: 3/8" = 1'-0"



1 TYPICAL DEMISING PARTITION WALL
SCALE: 1/2" = 1'-0"



2 SMOKE & FIRE SEAL @ ONE HOUR WALL RATE
SCALE: N.T.S.



D TYPICAL ACCESSIBLE SIGN LOCATION
SCALE: 1/2" = 1'-0"

PROJECT:
TIME
PLAZA

OWNER:
LIC. RUBEN VALDES

LOCATION:
301 N. WARE RD
MCALLEN TX. 78501

Gonzalez
Design & Drafting

JUAN GONZALEZ
(956) 961 1633
designjuan@yahoo.com

DIRECTION:

REVISION:

PLAN:
FLOOR PLAN
DETAILS

DATE:
11/29/18

DRAWN BY:
JUAN GONZALEZ

SHEET No:
A1.2

JUAN GONZALEZ
(956) 961 1633
designjuan@yahoo.com

AREAS

BUILDING 1		
Suite 1	832	sq.ft.
Suite 2	832	sq.ft.
Suite 3	832	sq.ft.
Total	2,496	sq.ft.

BUILDING 2		
Suite 1	832	sq.ft.
Suite 2	832	sq.ft.
Suite 3	832	sq.ft.
Total	2,496	sq.ft.

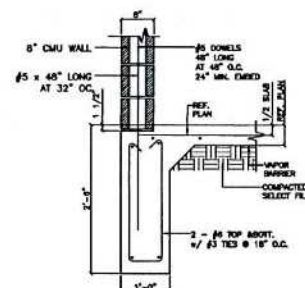
GRAPHIC SYMBOLS

DIRECTION

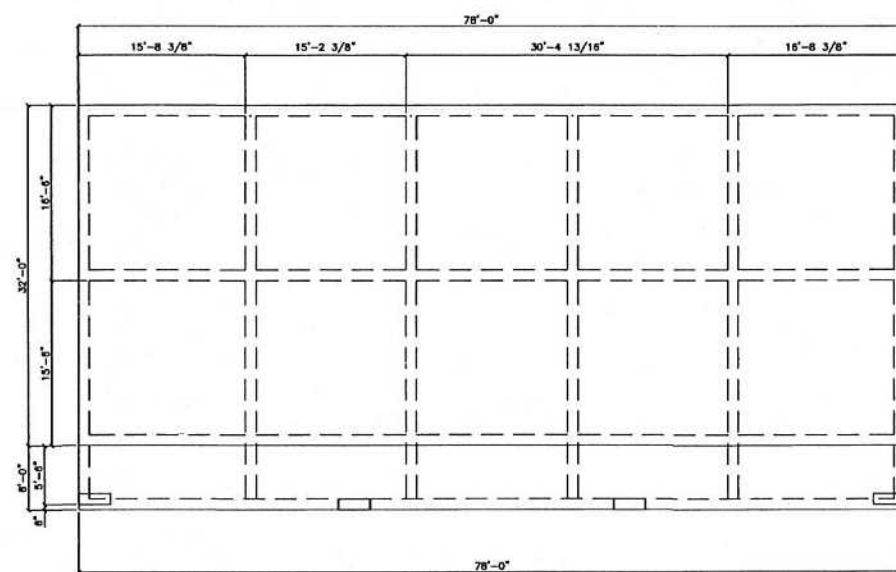
REVISION:

PLAN
FLOOR PLAN

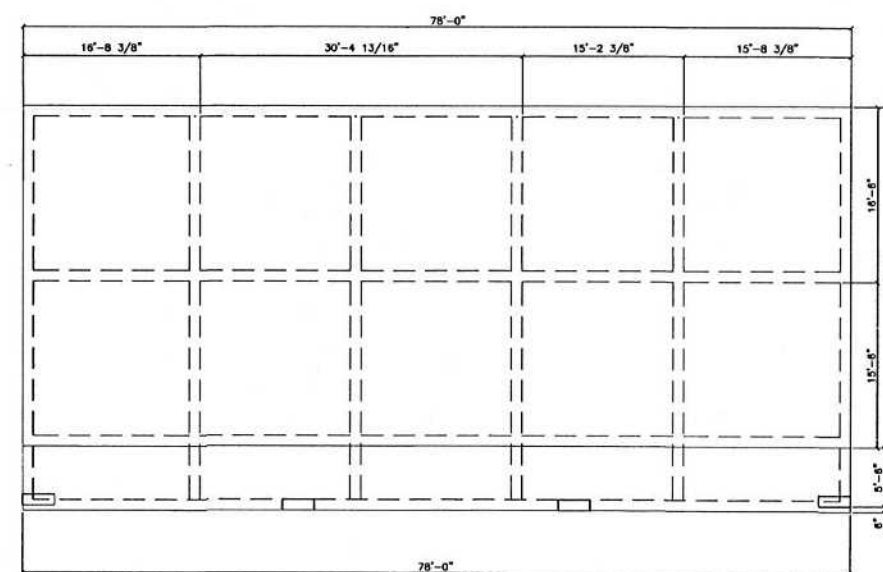
DATE: 11/29/18	SHEET No: A2.1
DRAWN BY: JUAN GONZALEZ	




③ PERIMETER BEAM
SCALE: 1/8" = 1'-0"



 **B** FOUNDATION PLAN BUILDING 2
SCALE : 1/8" = 1'-0"



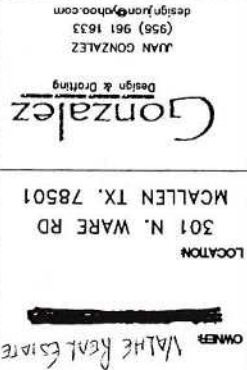
 **A** FOUNDATION PLAN BUILDING 1
SCALE : 1/8" = 1'-0"



REARER LANDSCAPE AREA (10% OF TOTAL LOT AREA) 2,362 SQ. FT.	PROVIDED LANDSCAPE AREA (10%) 4,284 SQ. FT.
TOTAL LOT AREA 23,622 square ft.	23,622 square ft.

PAID AS REQUIRED

LEASABLE TOTAL SQ. FOOTAGE DIVIDED BY 200 PLUS 3
 (\$1.00) OF OFFERED BY 200 + 3 = 20.0000 PAVING SPACES
 34 ACTUAL PAVING SPACES





JUANNY'S
PROFESSIONAL LAB

JUANNY'S

301 N.
Ste. B

301 N.
Ste. C

SAFE STOP
INSURANCE
AUTO - HOME
Ste. B

NOTICE
BAR
FOR
THIS PROPERTY
CUP2021-0004

SUB 2020-0074



City of McAllen
Planning Department
APPLICATION FOR

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

SUBDIVISION PLAT REVIEW

Project Description	Subdivision Name <u>2nd & Dove subdivision</u> Location <u>2nd St. & Dove Ave</u> City Address or Block Number <u>201 Dove</u> Number of lots <u>21</u> Gross acres <u>1.231</u> Net acres _____ Existing Zoning <u>T3</u> Proposed <u>T3</u> Rezoning Applied For <input type="checkbox"/> Yes <input type="checkbox"/> No Date _____ Existing Land Use <u>vacant</u> Proposed Land Use <u>Townhouse</u> Irrigation District # _____ Residential Replat Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Commercial Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> ETJ Yes <input type="checkbox"/> No <input type="checkbox"/> Agricultural Tax Exempt Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Estimated Rollback tax due _____ Parcel No. _____ Tax Dept. Review _____ Legal Description <u>1.231 Acres of Lot 1 Sec. 11, Hidalgo Canal Company</u> <u>Subdivision, Hidalgo County</u>
Owner	Name <u>Alonzo Cantu</u> Phone <u>956-631-1273</u> Address <u>5221 N. McAllen</u> City <u>McAllen</u> State <u>TX</u> Zip <u>78502</u> E-mail <u>Alonzoc cantu construction.com</u>
Developer	Name <u>Alonzo Cantu</u> Phone <u>956-631-1273</u> Address <u>5221 N. McAllen</u> City <u>McAllen</u> State <u>TX</u> Zip <u>78502</u> Contact Person <u>Oscar Falcon</u> E-mail <u>Oscar@cantuconstruction.com</u>
Engineer	Name <u>Clow Hinojosa</u> Phone <u>956-222-5423</u> Address <u>701 S. 15th</u> City <u>McAllen</u> State <u>TX</u> Zip <u>78503</u> Contact Person <u>Clow Hinojosa</u> E-mail <u>Chengineeringola@yahoo.com</u>
Surveyor	Name <u>Ivan Garcia/Ido Delta</u> Phone <u>956-380-5152</u> Address <u>24593 FM 99 921 S. 10th Ave.</u> City <u>Edinburg</u> State <u>TX</u> Zip _____ <u>Edinburg</u>

RECEIVED
OCT 15 2020
BY: [Signature]

NEREA

LOCATION

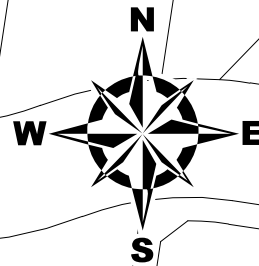
(COL ROWE BLVD)

FALCON AVE

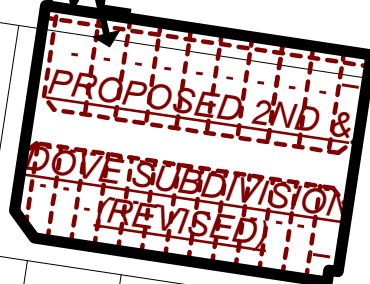
1ST LN

EAGLE

SUBD



DOVE AVE



2ND ST

CONDOR

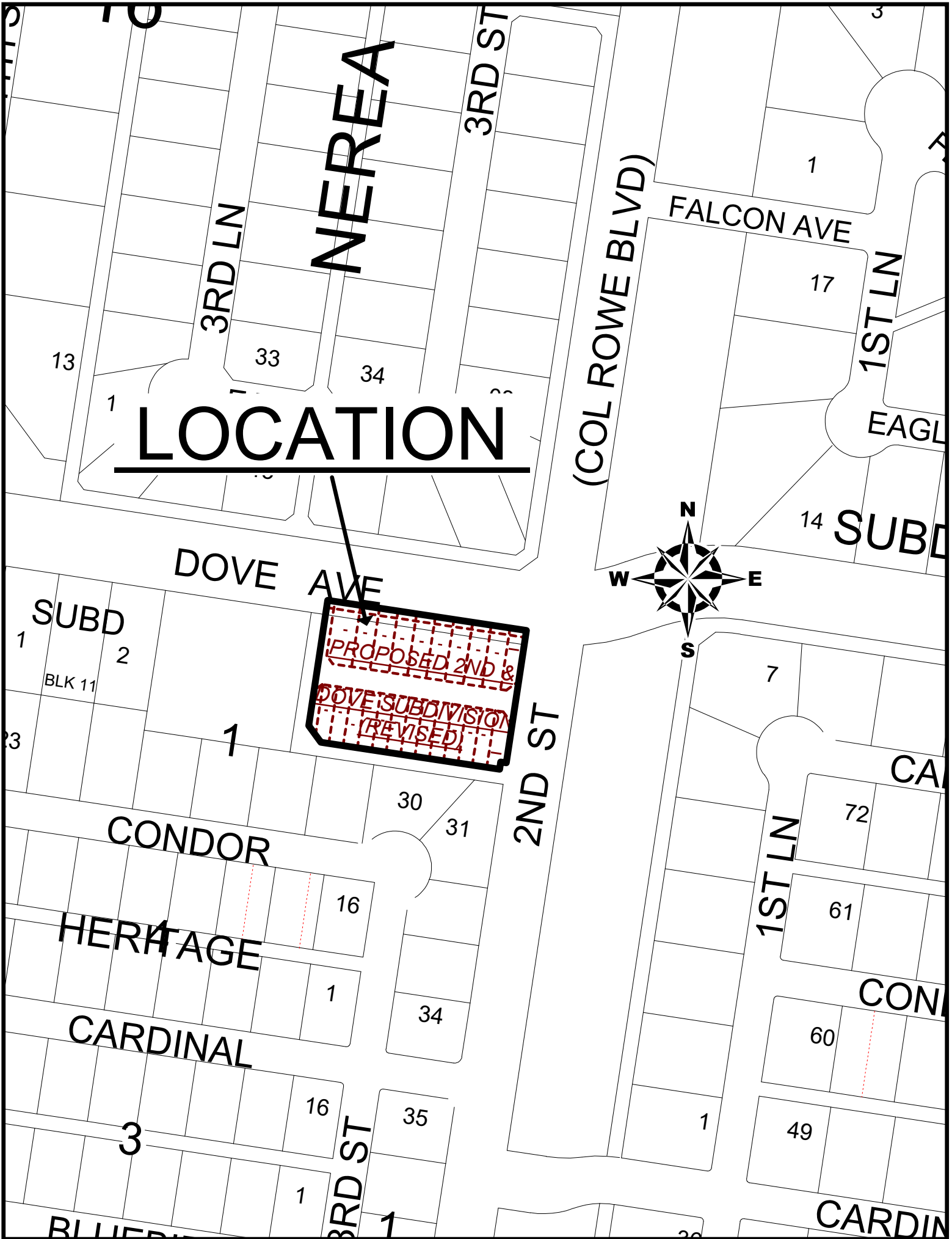
HERITAGE

CARDINAL

1ST LN

CON

CARDIN





Reviewed On: 1/29/2021

SUBDIVISION NAME: 2ND & DOVE SUBDIVISION**REQUIREMENTS****STREETS AND RIGHT-OF-WAYS**

Interior E/W Street: 60 ft. ROW
 Paving: 40 ft. Curb & gutter: both sides
 **Variance letter proposing a street with 30 ft. ROW and 30 ft. pavement back to back submitted January 25, 2021.
 ***Variance request letter to convert a portion of the 20 ft. alley ROW into a 30 ft. street ROW submitted January 25, 2021.
 ****Submit any gate details if applicable prior to final for staff to review.

Non-compliance

Dove Avenue: Dedication required for 75 ft. from centerline for total 150 ft. ROW.
 Paving: min. 65 ft. Curb & gutter: both sides
 **Clarify how are the 20 ft. shown in plat dedicated, show document number information.
 ***Variance letter received January 25, 2021 asking to not provide additional ROW dedication. Plat submitted shows 100 ft. existing ROW, and 46 ft. ROW from centerline; it appears approximately 29 ft. are required.

Non-compliance

North Col. Rowe Boulevard (N. 2nd Street): Dedication for 60 ft. from centerline required for total of 120 ft. ROW
 Paving : min. 65 ft. Curb & gutter: both sides
 ****Variance letter received January 25, 2021 asking to not provide additional ROW dedication. Plat submitted shows 80 ft. existing ROW, and 40 ft. ROW from centerline; 20 ft. of additional ROW dedication are required.

Non-compliance

* 800 ft. Block Length

Compliance

* 600 ft. Maximum Cul-de-Sac

Compliance

ALLEYS

ROW: 20 ft. Paving: 16 ft.
 *Alley/service drive easement required for commercial properties
 **Existing 20 ft. alley ROW along the south and west of property dedicated by subdivision to the south.
 ***Variance request letter to convert a portion of the 20 ft. alley ROW into a 30 ft. street ROW submitted January 25, 2021.

TBD

SETBACKS

* Front: Proposed 18 ft. at front entry garage.
 * Rear: 10 ft. in accordance with the zoning ordinance, or greater for approved site plan or easements.
 **Plat submitted January 25, 2021 indicates Lots 1-13 will have a 5 ft. rear setback; variance letter submitted by engineer requests a 0 ft. setback. Plat needs to be revised accordingly prior to final approval.
 * Interior Sides: In accordance with the zoning ordinance, or greater for approved site plan or easements.
 * Corner: 10 ft. or greater for easements
 **If detention areas become lots, it will also apply to these lots.
 * Garage: 18 ft. except where greater setback is required, greater setback applies.

Applied

Non-compliance

Applied

TBD

Applied

*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
SIDEWALKS	
* 4 ft. wide minimum sidewalk required on Dove Avenue, North Col. Rowe Blvd. (N. 2nd Street), and both sides of all interior streets, and entrance street from Dove Avenue. *****Letter submitted January 25, 2021 requesting a variance to not provide sidewalks along north side of interior street and both sides of entrance N/S street portion from Dove Avenue. * Perimeter sidewalks must be built or money escrowed if not built at this time.	Non-compliance
	Applied
BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along Dove Avenue and N. Col Rowe (N. 2nd Street).	Compliance
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. **Engineer must clarify if any buffers are proposed to be installed on ROW. If any buffers are proposed to be installed on ROW, a License Agreement might be required prior to final. *Perimeter buffers must be built at time of Subdivision Improvements.	TBD
	Required
NOTES	
* No curb cut, access, or lot frontage permitted along North Col. Rowe Boulevard (N. 2nd Street) and Dove Avenue. **Per Traffic Department, no connection to N. Col. Rowe Boulevard (N. 2nd Street) allowed due to spacing requirements of a principal arterial of 360 ft. not being met. * Site plan must be approved by the Planning and other Development Departments prior to building permit issuance. * Common Areas, private service drives, 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. * 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 for public subdivisions * Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.	Applied
	Applied
	Applied
	NA
	Required
	Applied
LOT REQUIREMENTS	
* Lots fronting public streets	Applied
* Minimum lot width and lot area **Engineer submitted a variance letter to not comply with the minimum lot area requirement of 2,000 sq. ft. Proposed layout shows Lots 2-12 have 1,580 sq. ft., Lot 13 has an area of 1,863 sq. ft. and Lots 16-21 1,705 sq. ft. to the Zoning Board of Adjustments on November 18, 2020.	Compliance
ZONING/CUP	
* Existing: R-1 Proposed: R-3T **Rezoning from R-1 to R-3T was approved by Planning and Zoning Board at the August 4, 2020 meeting. City Commission approved the rezoning request at the August 10, 2020 meeting.	Completed

<ul style="list-style-type: none"> * Rezoning Needed Before Final Approval **Rezoning from R-1 to R-3T was approved by Planning and Zoning Board at the August 4, 2020 meeting. City Commission approved the rezoning request at the August 10, 2020 meeting. 	Completed
PARKS	
<ul style="list-style-type: none"> * Land dedication in lieu of fee 	NA
<ul style="list-style-type: none"> * Park Fee of \$700 per dwelling unit/lot to be paid prior to recording. 21 lots are proposed x \$700 = \$14,700 due prior to recording. 	Required
<ul style="list-style-type: none"> * Pending review by the Parkland Dedication Advisory Board and CC. 	NA
TRAFFIC	
<ul style="list-style-type: none"> * Trip Generation has been approved, no TIA is required. 	Compliance
<ul style="list-style-type: none"> * Traffic Impact Analysis (TIA) required prior to final plat. 	NA
COMMENTS	
<p>Comments:</p> <ul style="list-style-type: none"> **Must comply with City's Access Management Policy. ***Engineer submitted a variance letter to not comply with the minimum lot area requirement of 2,000 sq. ft. Proposed layout showed Lots 2-12 at 1,580 sq. ft., Lot 13 - 1,863 sq. ft. and Lots 16-21 - 1,705 sq. ft. approved by the Zoning Board of Adjustments on November 18, 2020. ****Engineer submitted variances to not dedicate additional ROW on Dove Avenue, N. 2nd St. (Col. Rowe Blvd.), to convert the existing 20 ft. alley into a 30 ft. interior street, to allow a street with 30 ft. of ROW instead of the required 60 ft. per City ordinance, to only provide sidewalks along the south side lots, eliminate sidewalks along the entrance from Dove Avenue and to reduce the rear setback from 10 ft. to 0 for the south lots (1-13). *****If a gate is proposed in an interior public street, a license agreement may apply *****Gated exit to 2nd Street (N. Col. Rowe) is proposed to be used as an emergency exit only, and for City's Public Works Department. 	Applied
RECOMMENDATION	
<p>Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED PRELIMINARY FORM, DRAINAGE AND UTILITIES APPROVALS, AND SUBJECT TO CLARIFICATION ON THE REQUESTED VARIANCES.</p>	Applied



3RD LN

NE

FALCON AVE

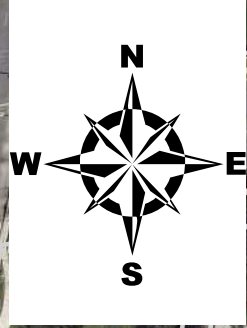
1ST LN

EAGLE AVE

LOCATION

(COL ROWE BLVD

DOVE AVE



PROPOSED 2ND &
DOVE SUBDIVISION

2ND ST

CONDOR

1ST LN

ERAGE

ARDINAL

RD ST



January 25, 2021

Edgar Garcia
Planning Director
City of McAllen
1300 Houston Avenue
McAllen, Texas 78501

Re: Variance for Proposed 2nd & Dove Subdivision

Dear Mr. Garcia:

On behalf of my client, I am respectfully requesting these variances for the proposed 2nd & Dove Subdivision.

Variance #1:

The variance request is to keep the existing 80 feet Right of Way for 2nd Street and not increase it to 120 feet as per city future thoroughfare plan.

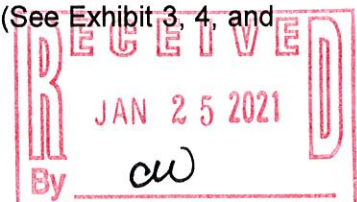
A 120' ROW on 2nd Street would encroach on the houses that are to the north and south of this lot. We can't foresee the widening of 2nd Street a possibility with so many residence in the way. (See Exhibit 1.)

Variance #2:

The variance request is to keep the existing 100 feet Right of Way for Dove Avenue and not increase it to 150 feet as per city future thoroughfare plan.

A 150' ROW on Dove Ave would encroach on the houses that are to the west and east of this lot. We can't foresee the widening of Dove Avenue a possibility with so many residence in the way. (See Exhibit 2)

Also, there are approximately 13.5 feet from the existing curb and gutter to the existing south ROW and approximately 24 feet from the existing curb and gutter to the existing North ROW on Dove Avenue. There is plenty of room within the existing 100' ROW to build a right turn lane at the intersection of 2nd Street and Dove Ave. if the city determines it's required in the future. (See Exhibit 3, 4, and 8)



Variance #3:

The variance request is to allow a 30 feet Right of Way in lieu of the 60 ft. as per city ordinance. We are requesting this variance to increase the buildable area on each lot so a townhome could be built and for this development to be feasible.

The proposed street will be a 30 feet back to back street section. The sidewalks required will be built within the utility and sidewalk easement.

The City of McAllen has other subdivision that have an existing 30' ROW. One of these subdivisions has recently received approval, The Villas on Freddy.

We have extended and additional 10' of Street ROW fronting the lot that has the detention pond to have a 40' ROW and ease a 3 point turn around for vehicles. (See Plat layout and Exhibit 6, 7, and 9)

Variance #4:

The variance request is to convert portion of the existing 20' alley located on the west side of the lot to become part of the 30' ROW to serve as the entrance to the Subdivision from W. Dove Avenue. The limits of the change of alley to ROW would end at the street that extends into the subdivision. (See Plat Layout & Exhibit 5)

Variance #5:

The variance request is to have sidewalks along the south side lots only. The north Side lots will have garage in the front and will have concrete driveways. (See Exhibit 6 & 7)

Variance #6:

The variance request is to eliminate the sidewalks along the entrance drive from Dove Ave. (See Exhibit 5)

Thank you for your time and consideration, should any questions arise or any further information is required, please feel free to contact me at my office at (956) 687-5560.

Respectfully submitted,

Cloromiro Hinojosa Jr., P.E.
CLH Engineering, Inc.
Firm No. 8719
Structural & Civil Engineering
701 S 15th Street. McAllen, Texas 78501
Office (956) 687-5560 Fax (956) 687-5561

1-25-21



C. Hinojosa Jr.

CLH

ENGINEERING, INC.
Firm No. 8719

January 25, 2021

Edgar Garcia
Planning Director
City of McAllen
1300 Houston Avenue
McAllen, Texas 78501

Re: Variance for 0' Rear Setback for North Lots 1-13 of Proposed 2nd & Dove Subdivision

Dear Mr. Garcia:

On behalf of my client, I am respectfully requesting this variance for the proposed 2nd & Dove Subdivision.

The variance request is to reduce the rear setback from 10' to 0' for the south lots 1-13.

Lots 1-13 have a rear garage and there is an existing 20' Alley ROW.

Thank you for your time and consideration, should any questions arise or any further information is required, please feel free to contact me at my office at (956) 687-5560.

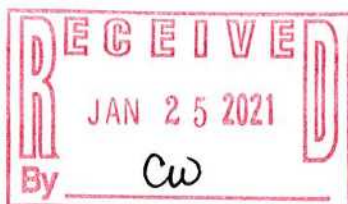
Respectfully submitted,

Cloromiro Hinojosa Jr., P.E.
CLH Engineering, Inc.
Firm No. 8719
Structural & Civil Engineering
701 S 15th Street. McAllen, Texas 78501
Office (956) 687-5560 Fax (956) 687-5561

1-25-21



C. Hinojosa Jr.



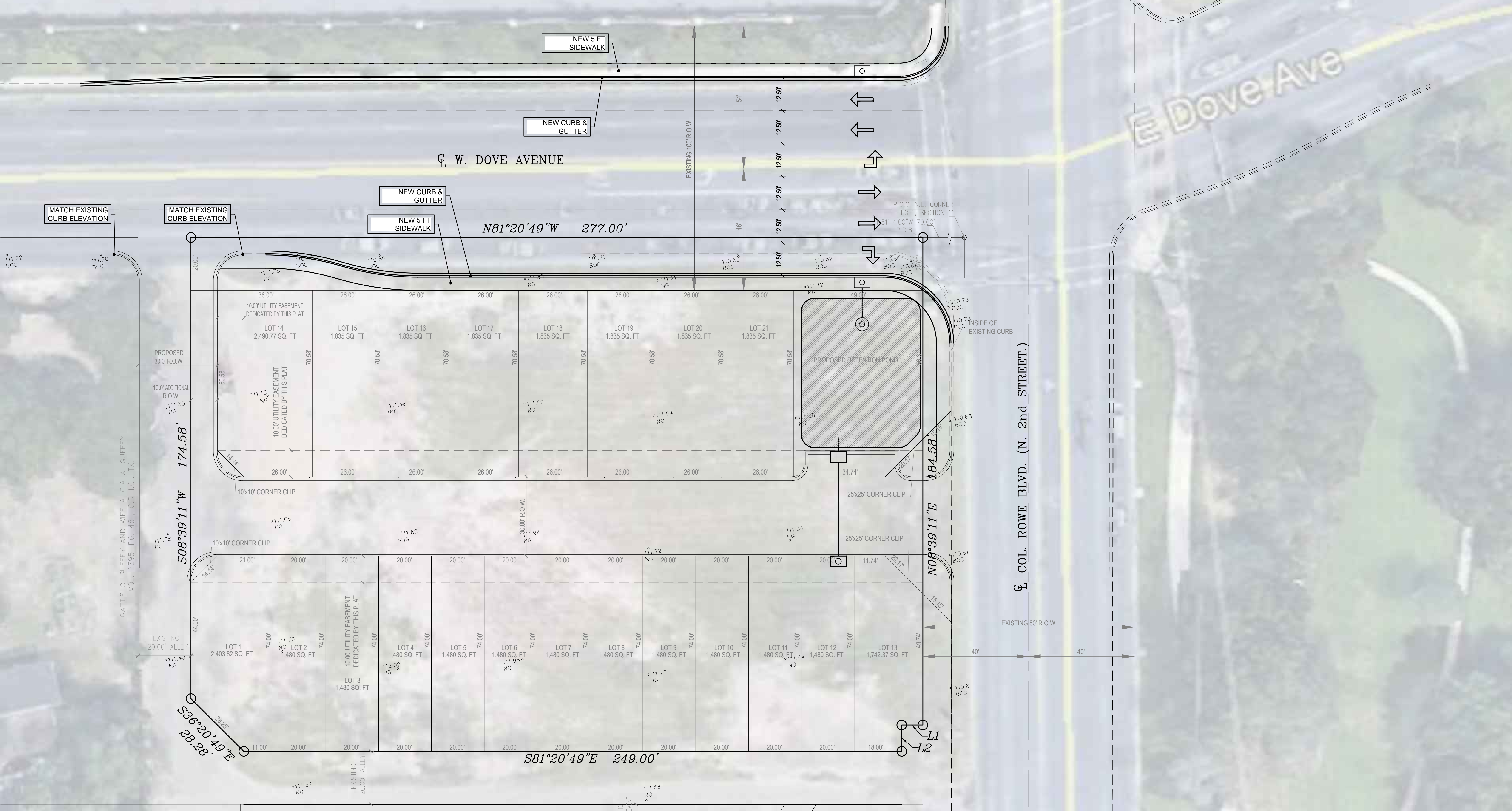




SUBDIVISION PLAT OF "2nd & DOVE" SUBDIVISION
MCALLEN, TEXAS

1.231 ACRE TRACT OF LAND OUT OF LOT 1, SECTION 11, HIDALGO CANAL COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER MAP RECORDED IN VOLUME Q, PAGE 177, DEED RECORDS OF HIDALGO COUNTY, TEXAS; SAID 1.231 ACRE TRACT OF LAND IS VESTED TO JAVIER PEREZ FROM CREATIVE HOLDINGS, INC., A TEXAS CORPORATION BY VIRTUE OF A WARRANTY DEED DATED MARCH 24, 1999, RECORDED IN DOCUMENT NO. 765088, OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS.

L1	N81°14'00"W	8.00'
L2	S08°46'00"W	10.00'



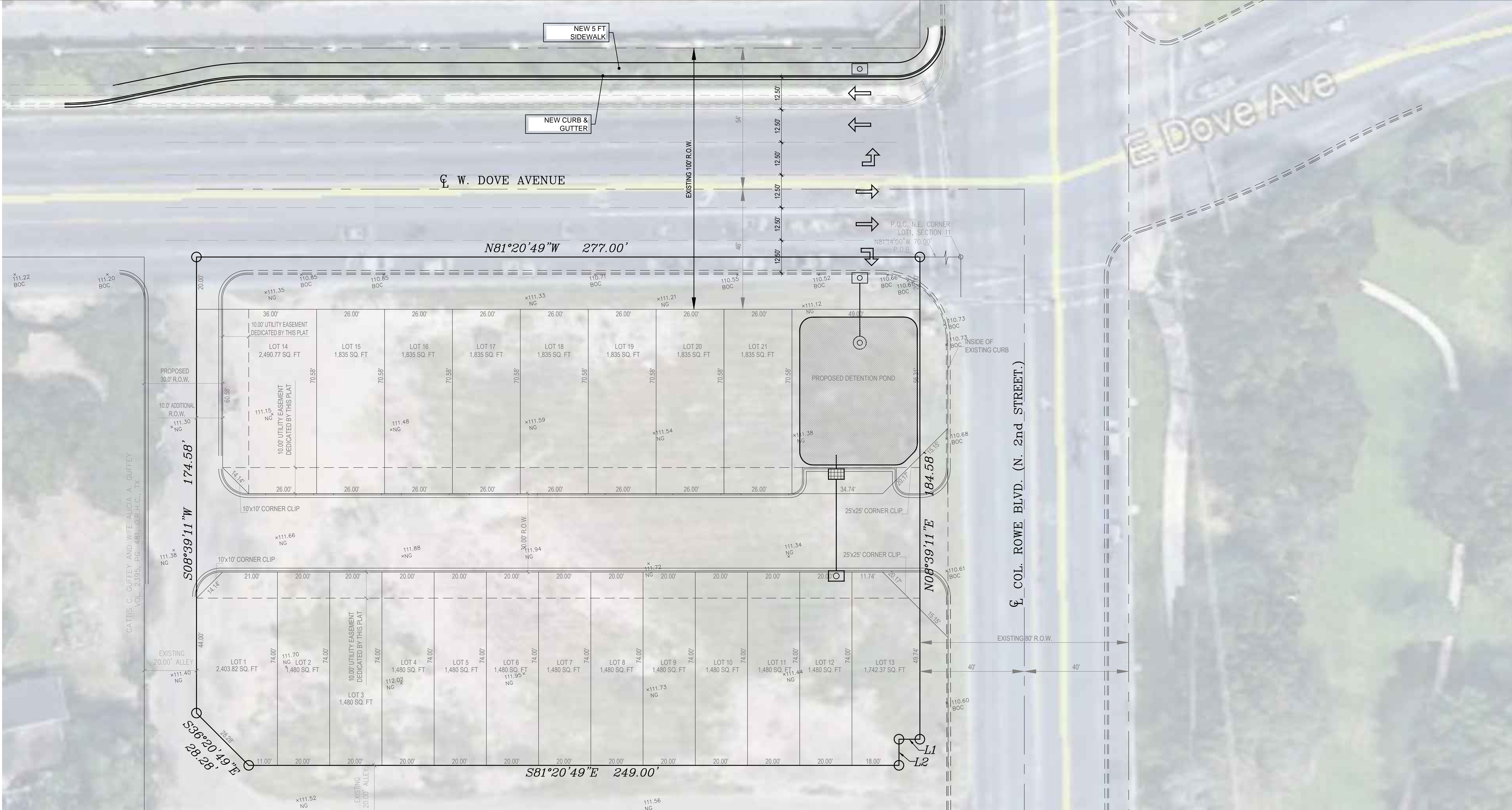
SUBDIVISION PLAT OF "2nd & DOVE" SUBDIVISION
MCALEN, TEXAS

1.231 ACRE TRACT OF LAND OUT OF LOT 1, SECTION 11, HIDALGO CANAL COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER MAP RECORDED IN VOLUME Q, PAGE 177, DEED RECORDS OF HIDALGO COUNTY, TEXAS, SAID 1.231 ACRE TRACT OF LAND IS VESTED TO JAVIER PEREZ FROM CREATIVE HOLDINGS, INC., A TEXAS CORPORATION BY VIRTUE OF A WARRANTY DEED DATED MARCH 24, 1999, RECORDED IN DOCUMENT NO. 760098, OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS.

L1	N81°14'00"W	8.00'
L2	S08°46'00"W	10.00'

CLH
ENGINEERING, INC.
TBPE FIRM No. F-8719
701 S. 15th STREET MCALEN, TX. 78501
(956) 687-5560 (956) 687-5561 FAX

OPTION 2



SUBDIVISION PLAT OF "2nd & DOVE" SUBDIVISION
MCALLEN, TEXAS

1.231 ACRE TRACT OF LAND OUT OF LOT 1, SECTION 11, HIDALGO CANAL COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER MAP RECORDED IN VOLUME Q, PAGE 177, DEED RECORDS OF HIDALGO COUNTY, TEXAS, SAID 1.231 ACRE TRACT OF LAND IS VESTED TO JAVIER PEREZ FROM CREATIVE HOLDINGS, INC., A TEXAS CORPORATION BY VIRTUE OF A WARRANTY DEED DATED MARCH 24, 1999, RECORDED IN DOCUMENT NO. 760088, OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS.

L1	N81°14'00"W	8.00'
L2	S08°46'00"W	10.00'

CLH
ENGINEERING, INC.
TBPE FIRM No. F-8719
701 S. 15th STREET McALLEN, TX. 78501
(956) 687-5560 (956) 687-5561 FAX

OPTION 1



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

2019-0090
1300 Houston Avenue
McAllen, TX 78501
P. O. Box 220
McAllen, TX 78505-0220
(956) 681-1250
(956) 681-1279 (fax)

Project Description

Subdivision Name Villas at Northgate E.P.
~~FABIAN VELA SUBDIVISION~~
1/3/20
2,600 FEET WEST FROM THE INTERSECTION OF N. 10TH ST. AND NORTHGATE LN.
Location ON THE SOUTH RIGHT-OF-WAY OF NORTHGATE LN.
City Address or Block Number 1701 NORTHGATE LN JF0
Number of lots 16 Gross acres 3.96 ACRES GROSS Net acres _____
Existing Zoning R-1 Proposed R-1 Rezoning Applied For ☐ Yes ☒ No Date _____
Existing Land Use AGRICULTURAL Proposed Land Use RESIDENTIAL Irrigation District # H.C.I.D. #2
Residential Replat Yes ☐ No ☒ Commercial Replat Yes ☐ No ☒ ETJ Yes ☐ No ☒
Agricultural Tax Exemption Yes ☐ No ☒ Estimated Rollback tax due 0.00
BEING A 3.816 ACRES TRACT OF LAND OUT OF AND FORMING PART OR PORTION OF LOT 21, EBONY HEIGHTS CITRUS GROVES UNIT
Legal Description 1, RECORDED IN VOLUME 5, PAGE 39, MAP RECORDS OF HIDALGO COUNTY, TEXAS,

Owner

Name MARIA DE LOURDES VELA, LUIS FABIAN VELA Phone _____
Address 1777 NORTHGATE LANE
City MCALLEN, TEXAS State TX Zip 78539
E-mail _____

Developer

Name MARIA DE LOURDES VELA, LUIS FABIAN VELA Phone _____
Address 1777 NORTHGATE LANE
City MCALLEN, TEXAS State TX Zip 78539
Contact Person Fabian Vela
E-mail _____

Engineer

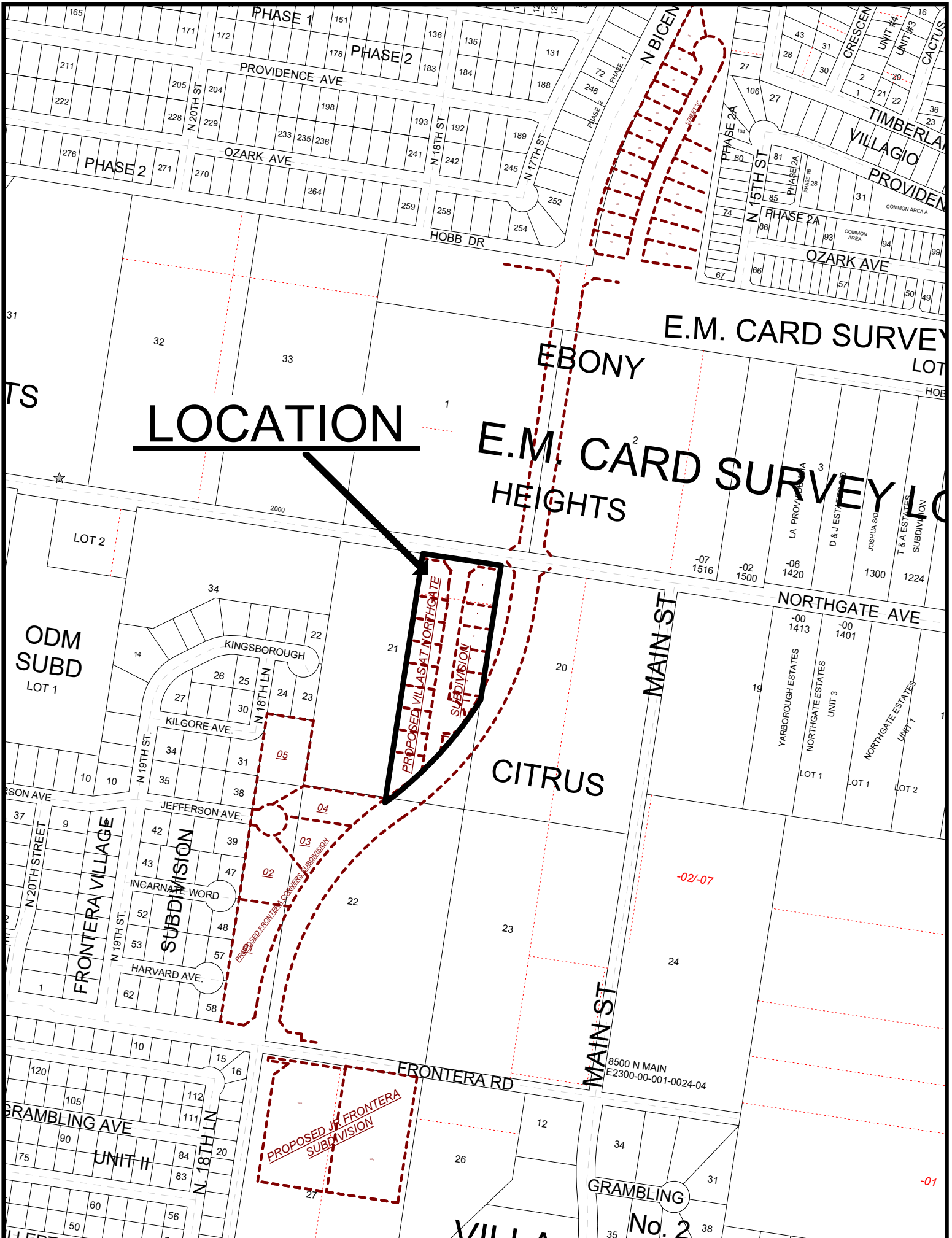
Name IVAN GARCIA, PE., R.P.L.S. Phone (956) 380-5152
Address 921 S. 10TH AVE.
City EDINBURG State TX Zip 78539
Contact Person IVAN GARCIA, P.E., R.P.L.S.
E-mail RIDELTA2004@YAHOO.COM

Surveyor

Name IVAN GARCIA, PE., R.P.L.S. Phone (956) 380-5152
Address 921 S. 10TH AVE.
City EDINBURG State TX Zip 78539
E-mail RIDELTA2004@YAHOO.COM

RECEIVED
NOV 04 2019

BY: Ne 12:16 pm



LOCATION

EBONY
E.M. CARD SURVEY
HEIGHTS

CITRUS

MAIN ST

MAIN ST

FRONTERA RD

PROPOSED FRONTERA SUBDIVISION

PROPOSED VILLAS AT NORTHGATE SUBDIVISION

FRONTERA VILLAGE

INCARNATE WORD SUBDIVISION

FRONTERA VILLAGE

ODM SUBD
LOT 1

UNIT II

GRAMBLING
No. 2

-02/-07

-01

8500 N MAIN
E2300-00-001-0024-04

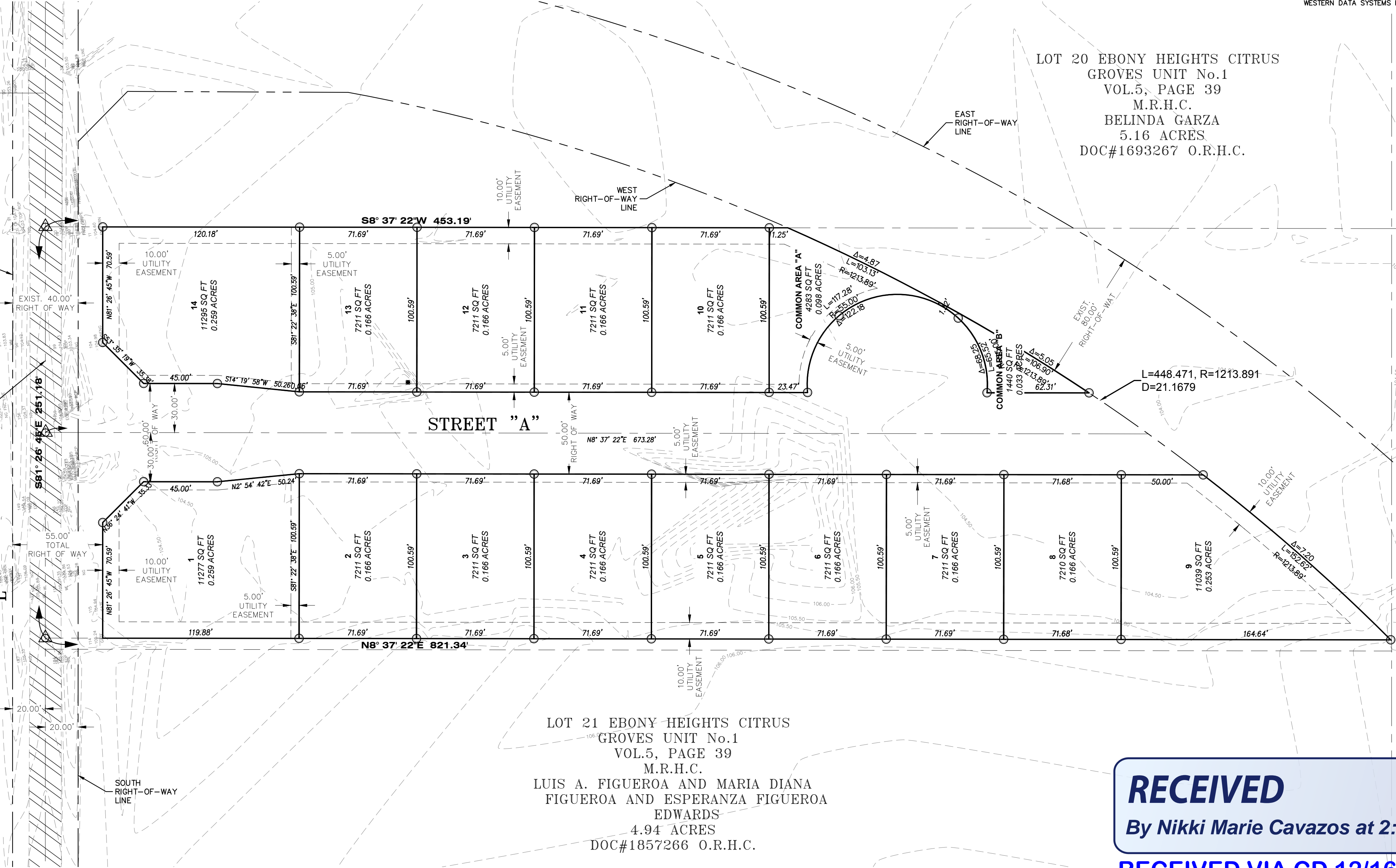
VILLAS AT NORTHGATE

BEING A 4.078 ACRES TRACT OF LAND OUT OF AND FORMING PART OR PORTION OF LOT 21, EBONY HEIGHTS CITRUS GROVES UNIT No. 1, RECORDED IN VOLUME 5, PAGE 39, MAP RECORDS OF HIDALGO COUNTY, TEXAS.

LOT 2 EBONY HEIGHTS CITRUS GROVES UNIT No.1
VOL.5, PAGE 39, M.R.H.C.
LONE STAR NATIONAL BANK
7.62 ACRES
DOC#1012705 O.R.H.C.

LOT 1 EBONY HEIGHTS CITRUS GROVES UNIT No.1
VOL.5, PAGE 39, M.R.H.C.
JIM MELHART AND WIFE BETTY J. MELHART
VOL. 2232, PG. 124, O.R.H.C.

NORTHGATE LANE



SCALE: 1" = 40'
BASIS OF BEARING
TEXAS STATE PLANE COORDINATES
NAD 83
TEXAS SOUTH ZONE (4205)
WESTERN DATA SYSTEMS NETWORK

ABBREVIATION LEGEND	
R.O.W.	RIGHT-OF-WAY
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
N.W.C.	NORTHWEST CORNER
F.T.	FARM TRACT
F.M.	FARM-TO-MARKET
U.E.	UTILITY EASEMENT
C.L.	CENTER LINE
L	LOT LINE

LEGEND	
○	CAPPED 1/2" IRON ROD SET
●	1/2" IRON ROD FOUND
△	CALCULATED POINT
△	COTTON PICKER SPINDLE SET
X	"X" MARK SET IN CONCRETE

LOT 21 EBONY HEIGHTS CITRUS GROVES UNIT No.1
VOL.5, PAGE 39
M.R.H.C.
LUIS A. FIGUEROA AND MARIA DIANA FIGUEROA AND ESPERANZA FIGUEROA EDWARDS
4.94 ACRES
DOC#1857266 O.R.H.C.

RECEIVED

By Nikki Marie Cavazos at 2:02 pm, Dec 18, 2019

RECEIVED VIA CD 12/16/2019 AT 7:52 AM



City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 1/28/2021

SUBDIVISION NAME: VILLAS AT NORTHGATE	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
<p>Northgate Lane - min. 15 ft. dedicated for 35 ft. from centerline for 70 ft. ROW Paving: 44 ft. Curb & gutter: both sides *Clarify dedication on plat **Must escrow monies if improvements not constructed prior to recording. **Staff is reviewing cul-de-sac design as proposed, will need to be finalized prior to final.</p>	Applied
<p>N. 17th Lane - 50-60 ROW. Paving: 32 ft. Curb & gutter: both sides *20 ft. paving clearance required on both sides of the gate entrance if a private subdivision. If a public subdivision; gates islands not allowed on public ROW. **Staff is reviewing cul-de-sac design as proposed ***Provide autoturn requested by Traffic Department for review prior to final approval ****Revise street name as noted above</p>	Non-compliance
<p>Bicentennial Boulevard - 80 ft. existing ROW Paving: 65 ft. Curb & gutter: both sides **Finalize any dedication and escrows as may be applicable for improvements prior to final. ***Thoroughfare shows 150 ft. ROW for Bicentennial.</p>	Applied
* 800 ft. Block Length.	Applied
* 600 ft. Maximum Cul-de-Sac	TBD
*Minimum paving diameter of cul de sac 96 ft. with 10 ft. ROW back of curb around the cul-de-sac area.	
ALLEYS	
<p>ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties</p>	NA
SETBACKS	
* Front: 25 ft. or greater for easements.	Compliance
* Rear: In accordance with the zoning ordinance or greater for easements.	Compliance
* Interior sides: In accordance with the zoning ordinance or greater for easements.	Compliance
* Corner: 10 ft. or greater for easements.	Non-compliance
**Plat submitted January 14, 2021 is missing this note, revise as noted above.	
* Garage: 18 ft. except where greater setback is required, greater setback applies.	Compliance
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
SIDEWALKS	
<p>* 4 ft. wide minimum sidewalk required on Northgate Lane and both sides of interior street. **Revise Note #9 on plat submitted January 14, 2021 as noted above.</p>	Non-compliance
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Applied
BUFFERS	
<p>* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses, and along Northgate Lane and Bicentennial Blvd. **Plat submitted January 14, 2021 is missing this note, revise as needed prior to final approval.</p>	Non-compliance

* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.	Compliance
*Perimeter buffers must be built at time of Subdivision Improvements.	Applied
NOTES	
* No curb cut, access, or lot frontage permitted along Northgate Lane and Bicentennial Blvd. **Plat submitted January 14, 2021 needs to reference Bicentennial Blvd., in addition to Northgate Ln.	Non-compliance
* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.	Applied
* Common Areas, private streets must be maintained by the lot owners and not the City of McAllen. **Note #16 on plat submitted January 14, 2021, needs to be revised since names do not match.	Non-compliance
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	Applied
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 110-72 if a public subdivision.	Applied
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.	Applied
LOT REQUIREMENTS	
* Lots fronting public streets. **Clarify if development is a public or private subdivision.	TBD
* Minimum lot width and lot area	Compliance
ZONING/CUP	
* Existing: R-1 Proposed: R-1	Applied
* Rezoning Needed Before Final Approval	Applied
PARKS	
* Land dedication in lieu of fee	NA
* Park Fee of \$700 per dwelling unit/lot to be paid prior to recording **14 Lots x \$700 = \$9,800 if lot # change fees change.	Required
* Pending review by the Parkland Dedication Advisory Board and CC.	NA
TRAFFIC	
* Trip Generation to determine if TIA is required, prior to final plat per Traffic Department	Non-compliance
* Traffic Impact Analysis (TIA) required prior to final plat.	TBD
COMMENTS	
Comments: Per plat submitted December 16, 2019 subdivision will be private. **Must comply with City's Access Management Policy. ***Revise Note #4 to reflect corner setback requirements ****Revise Note #9 to reflect 4 ft. sidewalk requirement. *****Revise Note #11 to reflect 6 ft. opaque buffer requirement along Bicentennial Blvd. *****Revise Note #16 for reference to "Fabian Vela Subdivision". *****As proposed on plat submitted December 16, 2019, cul-de-sac may trigger lot reconfiguration since it does not meet department requirements (Fire, Traffic and Public Works) *****Plat submitted January 14, 2021 does not meet cul-de-sac requirements, autoturn template requested for review prior to final approval.	Applied

*****Extension letter received January 14, 2021 to be presented at the P&Z meeting scheduled for February 2, 2021.	
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF A SIX MONTH EXTENSION ON REVISED PLAT.	Applied



LOCATION

July 22, 2020

City of McAllen
Planning and Zoning Commission
1300 West Houston Ave.
McAllen, TX 78501

Re: Villas at Northgate – Subdivision Process

Dear Sirs,

Re: Villas at Northgate

Dear Sirs,

On behalf of Fabian Vela, property owner of the subdivision to be named "Villas at Northgate", we are requesting a six-month extension for subdivision process, and described as follows:

Being the East 3.816 acres tract of land out of and forming part or portion of Lot 21, Ebony Heights Citrus Groves, Unit No.1, recorded in Volume 5, Page 39, Map Records of Hidalgo County, Texas.

Please call Rio Delta Engineering at (956) 380-5152 or E-mail at riodelta2004@yahoo.com if you have any questions, comments or need anything else regarding this matter.

Respectfully submitted,



Ivan Garcia P.E., R.P.L.S.
Authorized Agent





City of McAllen
Planning Department
APPLICATION FOR

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

SUBDIVISION PLAT REVIEW

Project Description	<p>Subdivision Name <u>Northwood Trails Block I</u></p> <p>Location <u>North 29th Street 195.0' north of Freddy Gonzalez Drive</u></p> <p>City Address or Block Number _____</p> <p>Number of lots <u>46</u> Gross acres <u>31.77</u> Net acres _____</p> <p>Existing Zoning <u>R-1</u> Proposed <u>R-1</u> Rezoning Applied For <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____</p> <p>Existing Land Use <u>Vacant</u> Proposed Land Use <u>Single Family</u> Irrigation District # <u>1</u></p> <p>Residential Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Commercial Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> ETJ Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Agricultural Tax Exemption Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Estimated Rollback tax due <u>\$ 0</u></p> <p>Legal Description <u>31.77 acres out of Lot 28, La Lomita Irrigation and Construction Company Subdivision, Hidalgo County, Texas</u></p>
Owner	<p>Name <u>Red Rock Real Estate Development Group, Ltd.</u> Phone <u>(956)800-1333</u></p> <p>Address <u>2912 S. Jackson Rd.</u></p> <p>City <u>McAllen</u> State <u>TX</u> Zip <u>78503</u></p> <p>E-mail <u>riocantu@yahoo.com</u></p>
Developer	<p>Name <u>Red Rock Real Estate Development Group, Ltd.</u> Phone <u>(956)800-1333</u></p> <p>Address <u>2912 S. Jackson Rd.</u></p> <p>City <u>McAllen</u> State <u>TX</u> Zip <u>78503</u></p> <p>Contact Person <u>Manuel Cantu</u></p> <p>E-mail <u>riocantu@yahoo.com</u></p>
Engineer	<p>Name <u>Quintanilla, Headley & Associates, Inc.</u> Phone <u>(956)381-6480</u></p> <p>Address <u>124 E. Stubbs</u></p> <p>City <u>Edinburg</u> State <u>TX</u> Zip <u>78539</u></p> <p>Contact Person <u>Alfonso Quintanilla, P.E.</u></p> <p>E-mail <u>alfonsoq@qha-eng.com</u></p>
Surveyor	<p>Name <u>Quintanilla, Headley & Associates, Inc.</u> Phone <u>(956)381-6480</u></p> <p>Address <u>124 E. Stubbs</u></p> <p>City <u>Edinburg</u> State <u>TX</u> Zip <u>78539</u></p> <p>E-mail <u>alfonsoq@qha-eng.com</u></p>



Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

- _____ \$225 Preliminary Review Fee and \$75 Final Approval Fee
- _____ Title Report
- _____ 8 ½" by 11" Sealed Survey showing existing structures/easements
or 3 blueline copies
- _____ 2 Location Maps
- _____ 2 8 ½" by 11" copies/legible copies of plat with name & north arrow
- _____ 6 Folded blueline prints of the proposed plat
- _____ 2 Warranty Deeds (Identifying owner on application)
- _____ Autocad DWG file of plat
- _____ Letter of Authorization from the owner, if applicable
- _____ Proof of authority of person signing application on behalf of
partnership/corporation, if applicable

PLAT TO SHOW:

- ✓ Metes and bounds
- ✓ Lots numbered with dimensions and area of irregular lots noted
- ✓ Surrounding platted lots and/or lot lines for unplatted tracts
- ✓ Name and address of owner, lienholder, developer, engineer and
surveyor shown along with signature lines
- ✓ North arrow, scale and vicinity map
- ✓ Name & dimension of adjoining street ROWs (total width & width
from centerline)

Note: Though the original submittal for application to process a subdivision plat does not require the drainage report or utility plans, it is advisable that they be included with the original submittal to expedite the review process. Complying with the minimum requirements for the original plat submittal does not constitute meeting the deadline for drainage and utility review by the appropriate boards. Additional information will be required during the review to properly complete the subdivision process. Any revisions would require resubmission of blueline copies prints and 8 ½" by 11" copies/legible copy of the plat, affected by changes.

Owner's Signature

I certify that I am the actual owner of the property described above and (include corporate name if applicable); or I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

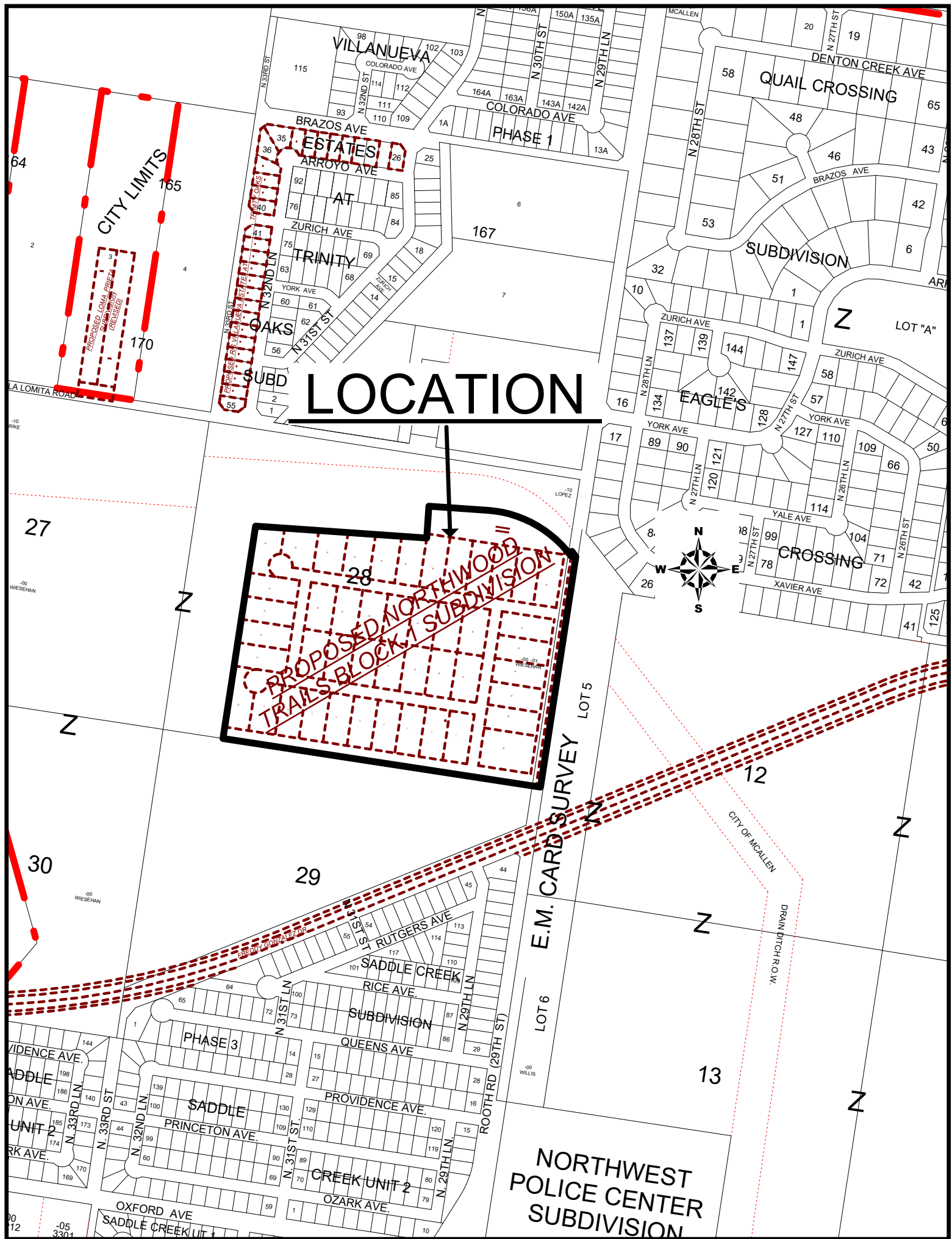
Signature _____ Date 11-12-20

Print Name _____

Owner ☐

Authorized Agent ☐

Rev 03/11



QUINTANILLA, HEADLEY AND ASSOCIATES, INC.

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

[illegible]

P.O.B.
S.E. COR.
LOT 28
FND. 1/2"
IRON ROD WITH
PLASTIC CAP
STAMPED RPLS 4856

25.0' EASEMENT IN FAVOR OF MAGIC VALLEY ELECTRIC COOPERATIVE RECORDED IN VOLUME 1824, PAGE 927, DEED RECORDS OF HIDALGO COUNTY, TEXAS. SAID EASEMENT HAS BEEN CONVEYED TO SOUTH TEXAS ELECTRIC COOPERATIVE, INC., RECORDED UNDER DOCUMENT NUMBER 2009-2016222, OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS.



Reviewed On: 1/26/2021

SUBDIVISION NAME: NORTHWOOD TRAILS BLOCK 1**REQUIREMENTS****STREETS AND RIGHT-OF-WAYS**

North 29th Street (Rooth Road): 30 ft. of dedication for 50 ft. from centerline for 100 ft. total ROW

Paving: 65 ft. Curb & gutter: Both sides

**Must escrow monies if improvements are not built prior to recording.

***Please submit copies of documents of the 25 ft. MVEC easement (Vol. 1824, P. 927) and 15 ft. SWSC ROW easement (Vol. 1592, P. 320) that run along North 29th Street. ROW will have to be cleared from these easements prior to final.

****Show existing ROW on both sides of centerline and total ROW after accounting for any dedication prior to final.

Non-compliance

E/W Collector (South Boundary): 60 ft. required ROW, 50 ft. ROW are proposed. Engineer must clarify if extra 10 ft. of required ROW will be dedicated from subdivision to the south or dedicated with this subdivision.

Paving: 40 ft. Curb & gutter: Both sides

**Must escrow moneys if improvements are not built prior to recording.

***Please submit masterplan for staff to review if future phases will also be serviced by this collector road, and any other street requirements that may be applicable.

****Submit gate details for staff to review prior to final.

Non-compliance

Entrance Streets: 60 ft. of ROW

Paving: 40 ft. Curb & gutter: Both sides

**Must escrow monies if improvements are not built prior to final.

***Submit gate details for staff to review prior to final. Gate details may increase ROW required prior to final.

Non-compliance

Internal Streets: 50 ft. ROW

Paving: 32 ft. Curb & gutter: Both sides

**Must escrow monies if improvements are not built prior to recording.

**Add reference "Private" too all streets applicable prior to final.

***Submit gate details for staff to review prior to final. Gate details may increase ROW required prior to final.

Non-compliance

Paving _____ Curb & gutter _____

* 600 ft. Maximum Cul-de-Sac.

***Cul-de-sacs with minimum paving of 96 ft. and 10 ft. of ROW back of curb. Please revise plat to comply with requirements prior to final.

* 800 ft. Block Length.

**Please provide Master Plan to assure compliance with this requirement prior to final.

Applied

Non-compliance

Non-compliance

ALLEYS

ROW: 20 ft. Paving: 16 ft.

*Alley/service drive easement required for commercial properties

NA

SETBACKS

* Front: 25 ft. or greater for easements.

**Please revise plat note #4 as shown above.

* Rear: 10 ft. except 25 ft. for double fronting lots or greater for easements.

**Please revise plat note #4 as shown above.

Non-compliance

Non-compliance

<ul style="list-style-type: none"> * Interior sides: 6 ft. or greater for easements. **Please revise plat note #4 as shown above. * Corner: 10 ft. or greater for easements. **Please revise plat note #4 as shown above. * Garage: 18 ft. except where greater setback is required; greater setback applies. *ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN 	Non-compliance
	Applied
	Applied
	Applied
SIDEWALKS	
<ul style="list-style-type: none"> * 4 ft. wide minimum sidewalk required on North 29th Street, on both sides of interior streets and any other applicable street. **Sidewalk requirements will be established prior to final. * Perimeter sidewalks must be built or money escrowed if not built at this time. 	TBD
	Applied
BUFFERS	
<ul style="list-style-type: none"> * 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along North 29th Street and collector road along south property line. ***Buffer requirements will be established prior to final. * 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. **Buffer requirements will be established prior to final. *Perimeter buffers must be built at time of Subdivision Improvements. 	TBD
	TBD
	Applied
NOTES	
<ul style="list-style-type: none"> * No curb cut, access, or lot frontage permitted along North 29th Street or collector road along south property line. ***Curb cut restrictions will be established prior to final. * Site plan must be approved by the Planning and Development Departments prior to building permit issuance. * Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. * Common Areas, any private streets/drives must be maintained by the lot owners and not the City of McAllen * Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. * Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. ** HOA document will be recorded simultaneously with subdivision plat. 	Non-compliance
	NA
	NA
	Required
	Required
	Required
LOT REQUIREMENTS	
<ul style="list-style-type: none"> * Minimum lot width and lot area. * Lots fronting public streets. 	Compliance
	Compliance
ZONING/CUP	
* Existing: R-1 Proposed: R-1	Compliance

<ul style="list-style-type: none"> * Rezoning Needed Before Final Approval ****Planning and Zoning Board approved a rezoning request for R-1 (single-family residential) at their December 16, 2020 meeting and City Commission approved it at their January 11, 2021 meeting . 	Completed
PARKS	
<ul style="list-style-type: none"> * Land dedication in lieu of fee. **Master plan needed to determine requirements prior to final. 	TBD
<ul style="list-style-type: none"> * Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, based on preliminary plat, 46 lots which means \$32,200 in park fees is required prior to recording. Park fees may vary depending on the amount of proposed lots and master plan. **Master plan needed to determine if requirements will vary prior to final. 	Required
<ul style="list-style-type: none"> * Pending review by the Parkland Dedication Advisory Board and CC. **Master plan needed to determine requirements prior to final. 	TBD
TRAFFIC	
<ul style="list-style-type: none"> * As per Traffic Department, submit master trip generation to determine if Traffic impact Analysis. **Submit master plan to determine compliance with spacing requirements prior to final. 	Non-compliance
<ul style="list-style-type: none"> * As per Traffic Department, submit master trip generation to determine if Traffic impact Analysis. **Submit master plan to determine compliance with spacing requirements prior to final. 	Non-compliance
COMMENTS	
<p>Comments: Must comply with City's Access Management Policy.</p> <p>**Please provide Master Plan for staff to review prior to final to establish requirements from various departments.</p> <p>***Please provide an ownership map of surrounding properties to assure that no properties are left undevelopable prior to final. Also, to verify if any ROW dedication is needed for La Lomita Road.</p> <p>****Indicate dimensions of HCID No. 1 Main Canal ROW located north of proposed subdivision prior to final.</p> <p>*****Cul-de-sacs with minimum paving of 96 ft. as per Fire Department and 10 ft. of ROW back of curb. Pleas revise plat to comply with requirements prior to final.</p> <p>*****Remove "Proposed" from Lot A Detention Area.</p>	Applied
RECOMMENDATION	
<p>Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED, AND DRAINAGE AND UTILITIES APPROVALS.</p>	Applied





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

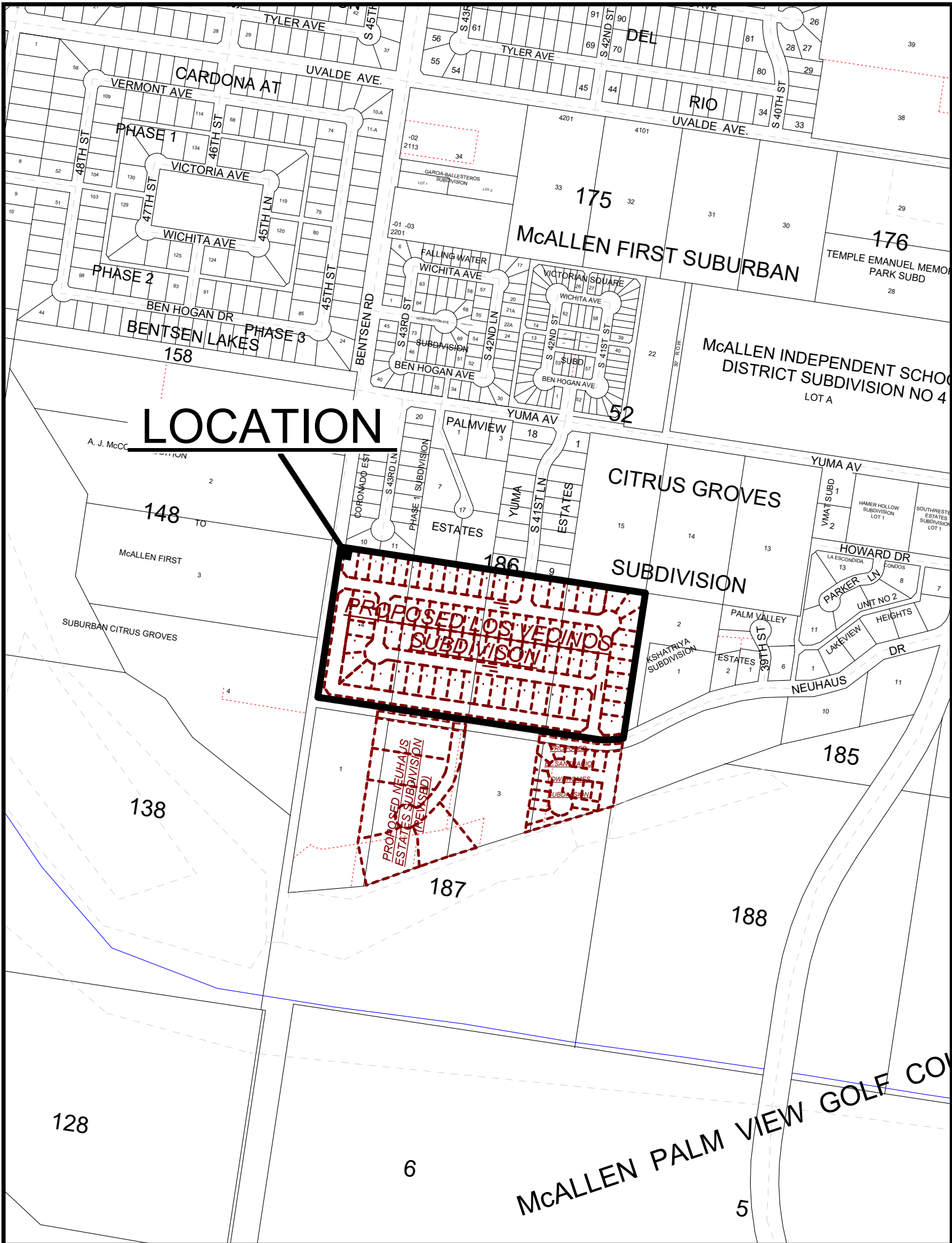
8082019-0088

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

Project Description	Subdivision Name <u>Los Vecinos Subdivision</u> At the northeast corner of the intersection of Location <u>Neauhaus Road and Bensten Road</u> City Address or Block Number <u>Lots 4,5,6 & 7 of the McAllen First Suburan</u> <u>Citrus Grove</u> Number of lots <u>83</u> Gross acres <u>19.106</u> Net acres <u>19.106</u> Existing Zoning <u>R-1</u> Proposed <u>R-1</u> Rezoning Applied For <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____ Existing Land Use <u>N/A</u> Proposed Land Use <u>Residential</u> Irrigation District # <u>1</u> Residential Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Commercial Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> ETJ Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Agricultural Tax Exemption Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Estimated Rollback tax due _____ Legal Description <u>A subdivision of 19.106 acres situated in the City of McAllen</u> <u>Hidalgo County, Texas and being out of Lots 4,5,6 & 7 of the</u> <u>McAllen First Suburan Citrus Groves Subdivision</u>
	Owner
Developer	Name <u>Tres Vecinos, LLC</u> Phone <u>956-802-9070</u> Address <u>P.O. Box 1258</u> City <u>Mission</u> State <u>Tx</u> Zip <u>78573</u> E-mail <u>dannydoublea@aol.com</u>
Engineer	Name <u>Same as Owner</u> Phone _____ Address _____ City _____ State _____ Zip _____ Contact Person _____ E-mail _____
Surveyor	Name <u>Halff Associates Inc</u> Phone <u>956-445-5227</u> Address <u>5000 W Military Hwy Suite 100</u> City <u>McAllen</u> State <u>TX</u> Zip <u>78503</u> Contact Person <u>Raul Garcia, PE or Roxxie Mann, EIT</u> E-mail <u>rgarcia@halff.com or rmann@halff.com</u>

Rct# L071450pd \$3000





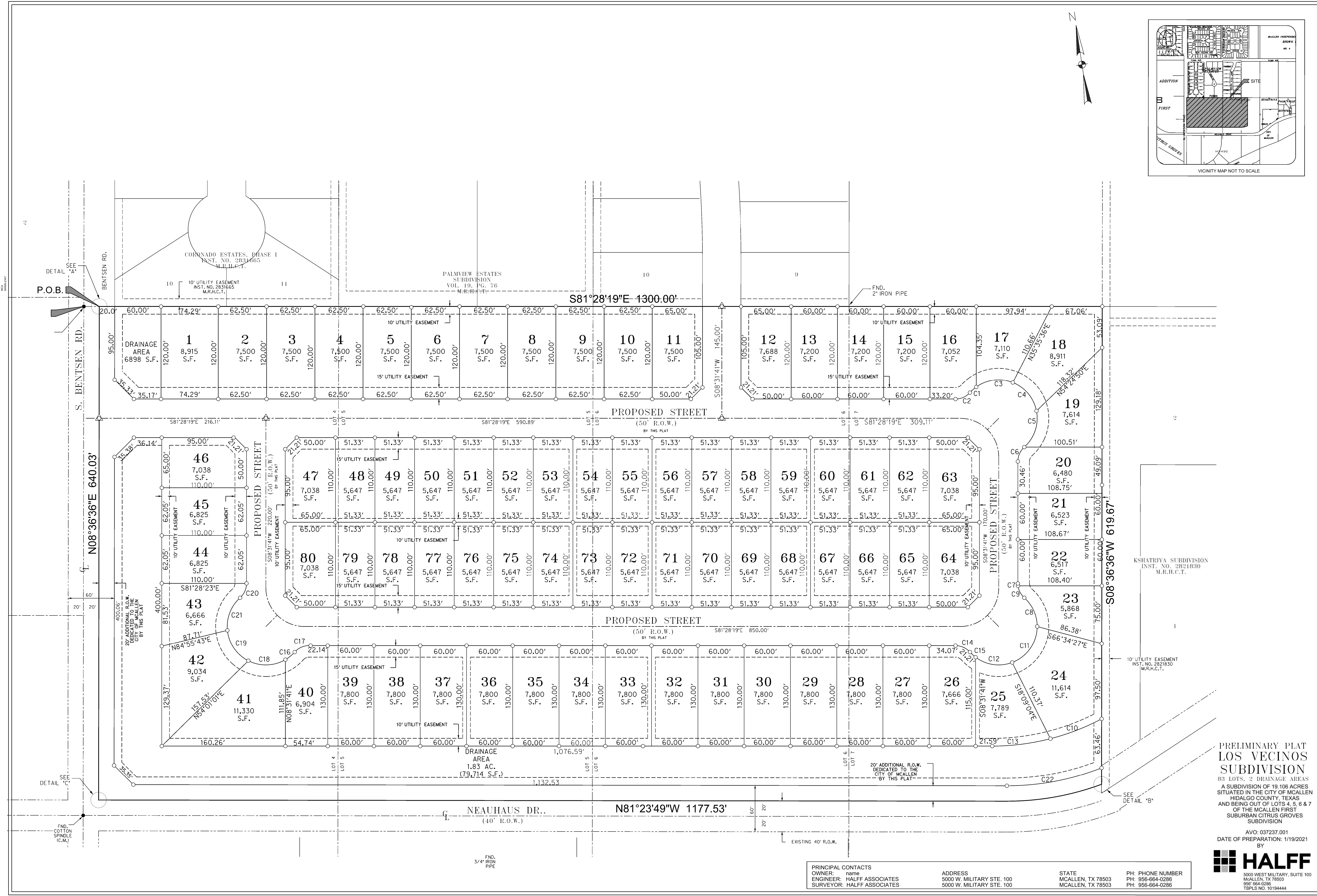
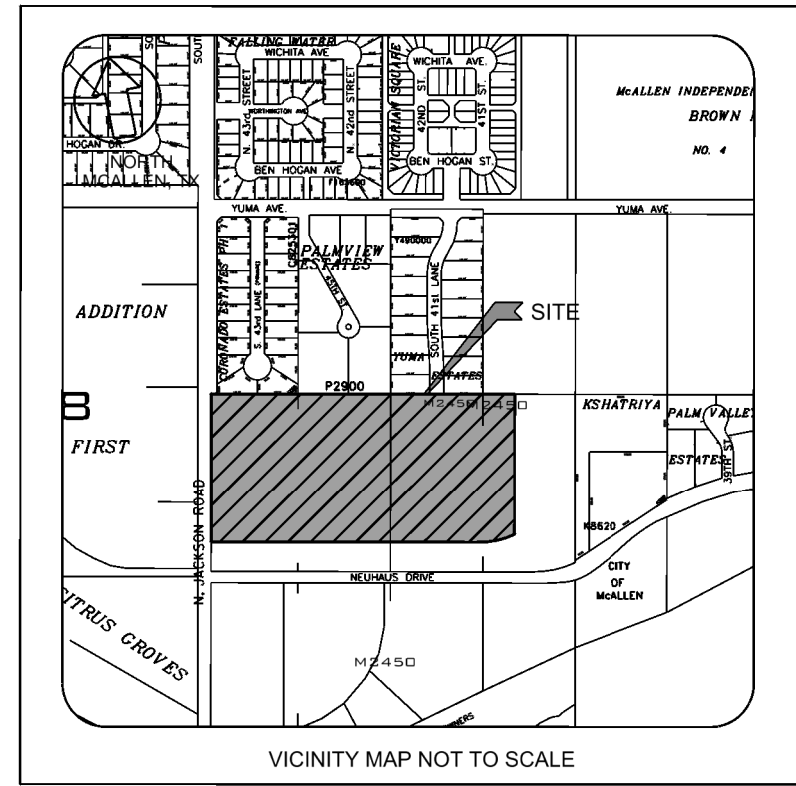
LOCATION

PROPOSED LOS YEPINDO
SUBDIVISION

PROPOSED NEUHAUS
ESTATES SUBDIVISION
(REVISED)

PROPOSED LOS YEPINDO
SUBDIVISION

McALLEN PALM VIEW GOLF COURSE



PRELIMINARY PLAT
LOS VECINOS
SUBDIVISION
83 LOTS, 2 DRAINAGE AREAS
A SUBDIVISION OF 19.106 ACRES
SITUATED IN THE CITY OF MCALLEN
HIDALGO COUNTY, TEXAS
AND BEING OUT OF LOTS 4, 5, 6 & 7
OF THE MCALLEN FIRST
SUBURBAN CITRUS GROVES
SUBDIVISION

AVO: 037237.001
DATE OF PREPARATION: 1/19/2021
BY

HALFF
5000 WEST MILITARY, SUITE 100
MCALLEN, TX 78503
956-664-0286
TSPS NO. 10194444

PRINCIPAL CONTACTS
OWNER: name
ENGINEER: HALFF ASSOCIATES
SURVEYOR: HALFF ASSOCIATES

ADDRESS
5000 W. MILITARY STE. 100
5000 W. MILITARY STE. 100

STATE
MCALLEN, TX 78503
MCALLEN, TX 78503

PH: PHONE NUMBER
PH: 956-664-0286
PH: 956-664-0286



City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 1/28/2021

SUBDIVISION NAME: LOS VECINOS	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
<p>S. Bentsen Rd. 20 ft. ded. for 40 ft. from centerline for 80 ft. ROW Paving: 52 ft. Curb & gutter: Both sides **Must escrow monies if improvements are not built prior to recording.</p>	Required
<p>Neuhaus Drive - 20 ft. dedication for 60 ft. ROW, and must match existing to east Paving: 40 ft. Curb & gutter: Both sides **Must escrow monies if improvements are not built prior to recording. ***Engineer submitted a variance letter on February 19, 2019, to not provide escrows for Neuhaus Dr. expansion.</p>	Compliance
<p>S. 41st Street - 50 ft. ROW Paving: 32 ft. Curb & gutter: Both sides **Align/match with existing street to the north.</p>	Applied
<p>Other interior streets - 50 ft. ROW Paving: 32 ft. Curb & gutter: Both sides</p>	Applied
<p>Paving _____ Curb & gutter _____</p>	Applied
<p>* 800 ft. Block Length - As proposed block length is approximately 900 ft. without cross streets or stub out streets. **Variance approved by P&Z Board for block exceeding 800 ft. length at the meeting held May 19, 2020.</p>	Applied
<p>* 600 ft. Maximum Cul-de-Sac</p>	NA
ALLEYS	
<p>ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties</p>	NA
SETBACKS	
<p>* Front: 25 ft. or greater for easements. **Clarify reference to 30 ft. setback on Bentsen Road and 40 ft. on Neuhaus Drive, prior to final approval.</p>	Non-compliance
<p>* Rear: In accordance with the Zoning Ordinance, or greater for easements, except 25 ft. for double fronting lots as may be applicable.</p>	Applied
<p>* Interior sides: In accordance with the Zoning Ordinance, or greater for easements.</p>	Compliance
<p>* Corner: 10 ft. or greater for easements.</p>	Applied
<p>* Garage: 18 ft. except where greater setback is required, greater setback applies.</p>	Applied
<p>*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN</p>	Applied
SIDEWALKS	
<p>* 4 ft. wide minimum sidewalk required on: S. Bentsen Road, Neuhaus Drive and both sides of all interior streets.</p>	Compliance
<p>* Perimeter sidewalks must be built or money escrowed if not built at this time.</p>	Applied

BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along S. Bentsen Road and Neuhaus Drive.	Compliance
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.	Compliance
*Perimeter buffers must be built at time of Subdivision Improvements.	Applied
NOTES	
* No curb cut, access, or lot frontage permitted along S. Bentsen Road and Neuhaus Drive.	Compliance
* Site plan must be approved by the Planning and Zoning Commission prior to building permit issuance.	NA
* Common Areas, any private streets, detention areas, etc, must be maintained by the lot owners and not the City of McAllen.	Required
**Note on the plat will be required once established, prior to final/recording.,	
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	NA
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.	Required
**If a public subdivision, section 110-72 applies.	
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.	Applied
LOT REQUIREMENTS	
* Lots fronting public streets.	Compliance
* Minimum lot width and lot area.	Compliance
ZONING/CUP	
* Existing: R-1 Proposed: R-1	Applied
**Not all lots appear to meet minimum requirements; revise plat as needed.	
* Rezoning Needed Before Final Approval	NA
PARKS	
* Land dedication in lieu of fee: The Parkland Dedication Advisory Board met on May 5, 2020 to review a variance for fees in lieu of land dedication and City Commission approved it. Park fees will apply at \$700 x 80 lots proposed = \$56,000 due prior to recording.	Required
* Park Fee of \$700 x 80 proposed lots = \$56,000 to be paid prior to recording.	Required
* Pending review by the Parkland Dedication Advisory Board and CC. Required prior to final to establish requirements, etc.	Required
TRAFFIC	
* Trip Generation to determine if TIA is required, prior to final plat.	Completed
*Per Traffic Department, Trip generation has been approved - no TIA required.	
* Traffic Impact Analysis (TIA) required prior to final plat.	NA
COMMENTS	
Comments: Drainage area needs to have lot # or common lot A,B, etc.	Applied
**Need note on plat regarding maintenance of common lots, detention areas, etc., prior to final/recording.	
***HOA notes also required on plat, prior to final/recording.	
****Subdivision disapproved in preliminary form at the meeting of November 19, 2019; due to missing ownership documentation.	
*****Subdivision will be presented in revised preliminary form at the meeting scheduled	

February 2, 2021; Lots decreased from 83 to 80 and South 41st Street no longer extends to Neuhaus Dr.	
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED PRELIMINARY FORM.	Applied

LOCATION

PROPOSED LOS VECINOS
SUBDIVISION

PROPOSED NEULUS
ESTATES SUBDIVISION

McALLEN PALM VIEW GOLF CO

McALLEN FIRST SUBURBAN

McALLEN INDEPENDENT SCHOOL DISTRICT SUBDIVISION NO 4

CITRUS GROVES
SUBDIVISION

PHASE 1
PHASE 2
PHASE 3
BENTSEN LAKES

TEMPLE EMANUEL MEMO PARK SUBD

HOWARD DR
PARKER LN
UNIT NO 2
HELEN DR

NEUHAUS

185

188

187

138

148

175

176

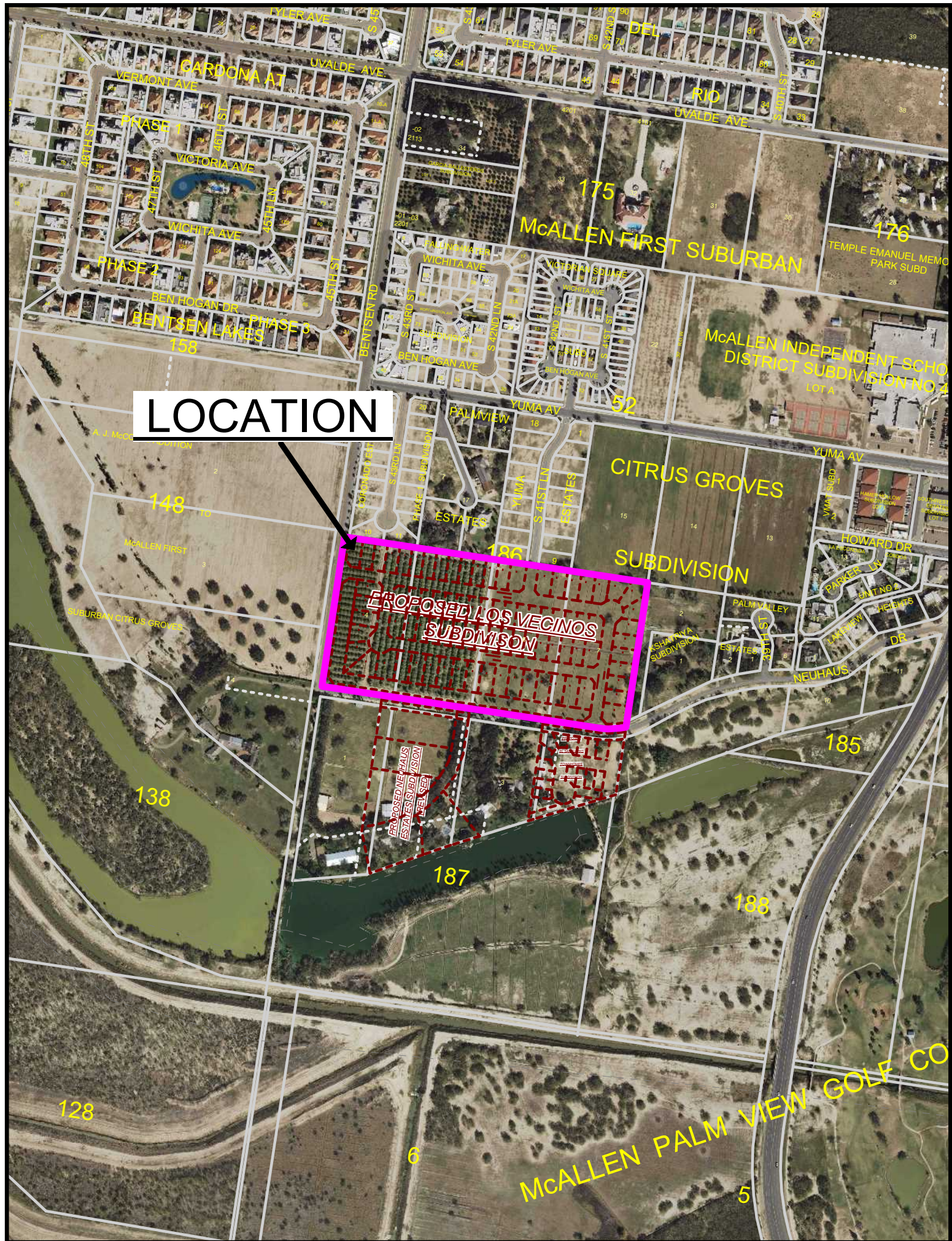
52

186

128

6

5



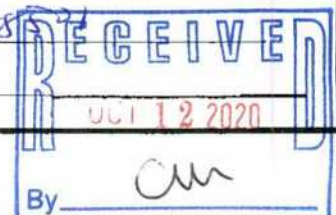


City of McAllen
Planning Department

APPLICATION FOR
SUBDIVISION PLAT REVIEW

SUB2020-0072
1300 Houston Avenue
McAllen, TX 78501
P. O. Box 220
McAllen, TX 78505-0220
(956) 681-1250
(956) 681-1279 (fax)

Project Description	Subdivision Name <u>Iglesias Subdivision</u>
	Location <u>Northwest corner of Pecan Blvd. and Bonfau Road</u>
City Address or Block Number _____	Number of lots <u>1</u> Gross acres <u>1.0</u> Net acres _____
	Existing Zoning <u>C-1</u> Proposed _____ Rezoning Applied For <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____
Existing Land Use <u>Vacant</u> Proposed Land Use <u>Commercial</u> Irrigation District # _____	Residential Replat Yes <input type="checkbox"/> No <input type="checkbox"/> Commercial Replat Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> ETJ Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
	Agricultural Tax Exemption Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Estimated Rollback tax due _____
Legal Description <u>A 1.079 Ac out of lot 248 John H. Shary</u>	
	<u>Subdivision Vol. 1, Page 17</u>
Owner	Name <u>Alvaro Iglesias</u> Phone <u>956-313-8813</u>
	Address <u>3589 W Turtle Dr</u>
City <u>Rio Grande</u> State <u>TX</u> Zip <u>78582</u>	E-mail <u>Alvaro.Iglesias911@gmail.com</u>
Developer	Name <u>Same as Owner</u> Phone _____
	Address _____
City _____ State _____ Zip _____	Contact Person _____
	E-mail _____
Engineer	Name <u>MAS Engineering LLC</u> Phone <u>(956) 537-1311</u>
	Address <u>3911 N. 10th Street</u>
City <u>McAllen</u> State <u>Texas</u> Zip <u>78501</u>	Contact Person <u>Mario A. Salinas</u>
	E-mail _____
Surveyor	Name <u>David Salinas</u> Phone <u>(956) 682-9081</u>
	Address <u>2221 Bartolli</u>
City <u>McAllen</u> State <u>Texas</u> Zip <u>78501</u>	E-mail <u>dsalinas@salinasengineering.com</u>



Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

- ☒ \$225 Preliminary Review Fee and \$75 Final Approval Fee
- ☐ Title Report
- ☒ 8 1/2" by 11" Sealed Survey showing existing structures/easements
or 3 blueline copies
- ☒ 2 Location Maps
- ☒ 2 8 1/2" by 11" copies/legible copies of plat with name & north arrow
- ☒ 6 Folded blueline prints of the proposed plat
- ☒ 2 Warranty Deeds (Identifying owner on application)
- ☒ Autocad DWG file of plat
- ☐ Letter of Authorization from the owner, if applicable
- ☐ Proof of authority of person signing application on behalf of
partnership/corporation, if applicable

PLAT TO SHOW:

- ☒ Metes and bounds
- ☒ Lots numbered with dimensions and area of irregular lots noted
- ☒ Surrounding platted lots and/or lot lines for unplatted tracts
- ☒ Name and address of owner, lienholder, developer, engineer and
surveyor shown along with signature lines
- ☒ North arrow, scale and vicinity map
- ☒ Name & dimension of adjoining street ROWs (total width & width
from centerline)

Note: Though the original submittal for application to process a subdivision plat does not require the drainage report or utility plans, it is advisable that they be included with the original submittal to expedite the review process. Complying with the minimum requirements for the original plat submittal does not constitute meeting the deadline for drainage and utility review by the appropriate boards. Additional information will be required during the review to properly complete the subdivision process. Any revisions would require resubmission of blueline copies prints and 8 1/2" by 11" copies/legible copy of the plat, affected by changes.

Owner's Signature

I certify that I am the actual owner of the property described above and (include corporate name if applicable); or I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

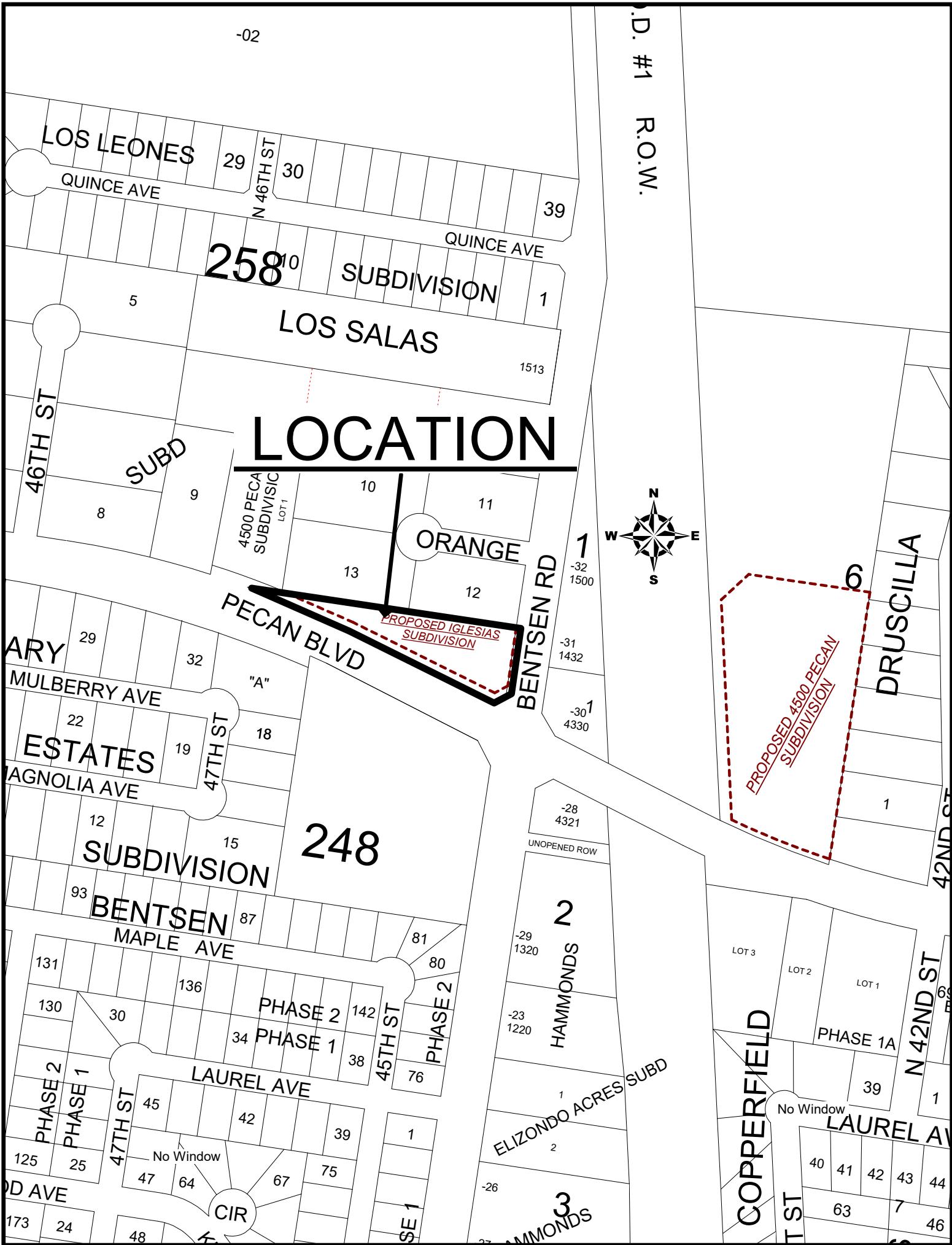
Signature  Date 10-8-20

Print Name Alvaro Iglesias

Owner ☐

Authorized Agent ☐

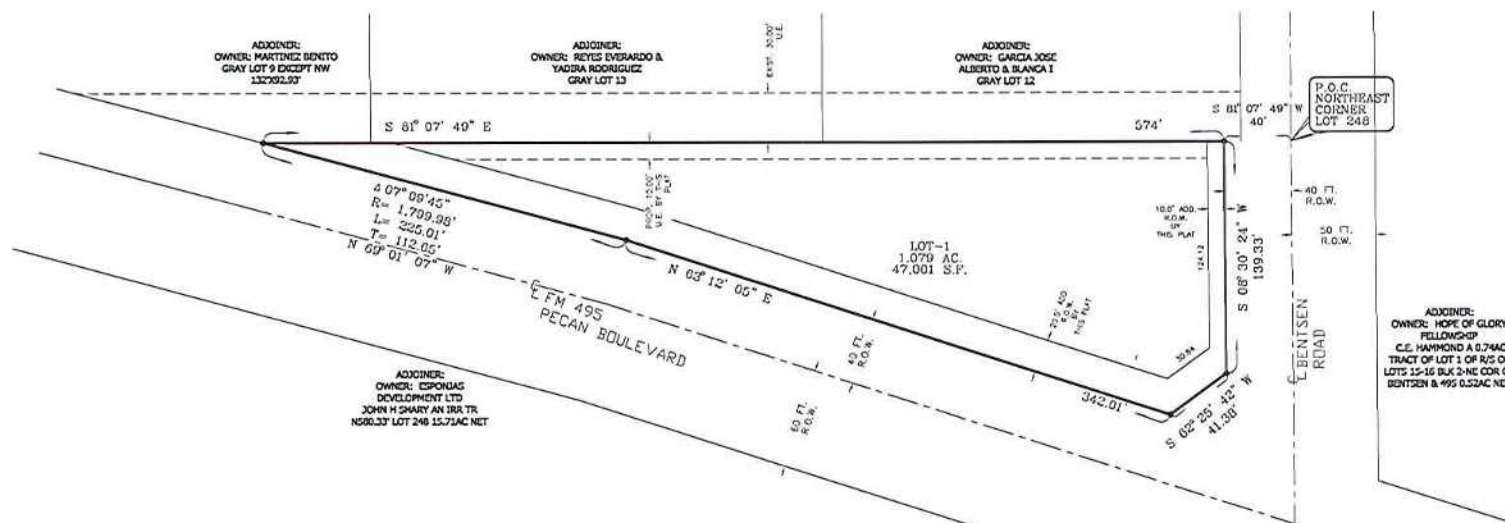
Rev 03/11



MAP OF IGLESIAS SUBDIVISION

McALLEN, TEXAS

BEING A 1.079 ACRE TRACT OF LAND, OUT OF LOT 248, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER MAP RECORDED IN VOLUME 1, PAGE 17, MAP RECORDS OF HIDALGO COUNTY, TEXAS.



VICINITY MAP



DATE OF PREPARATION: OCTOBER 9, 2020

MAS ENGINEERING LLC.
CONSULTING ENGINEERING
FIRM NO. F-15499

3911 N. 10TH ST. STE H
MCALLEN, TEXAS. 78501

PH. (956) 537-1311
E-MAIL: MSALINAS6973@ATT.NET

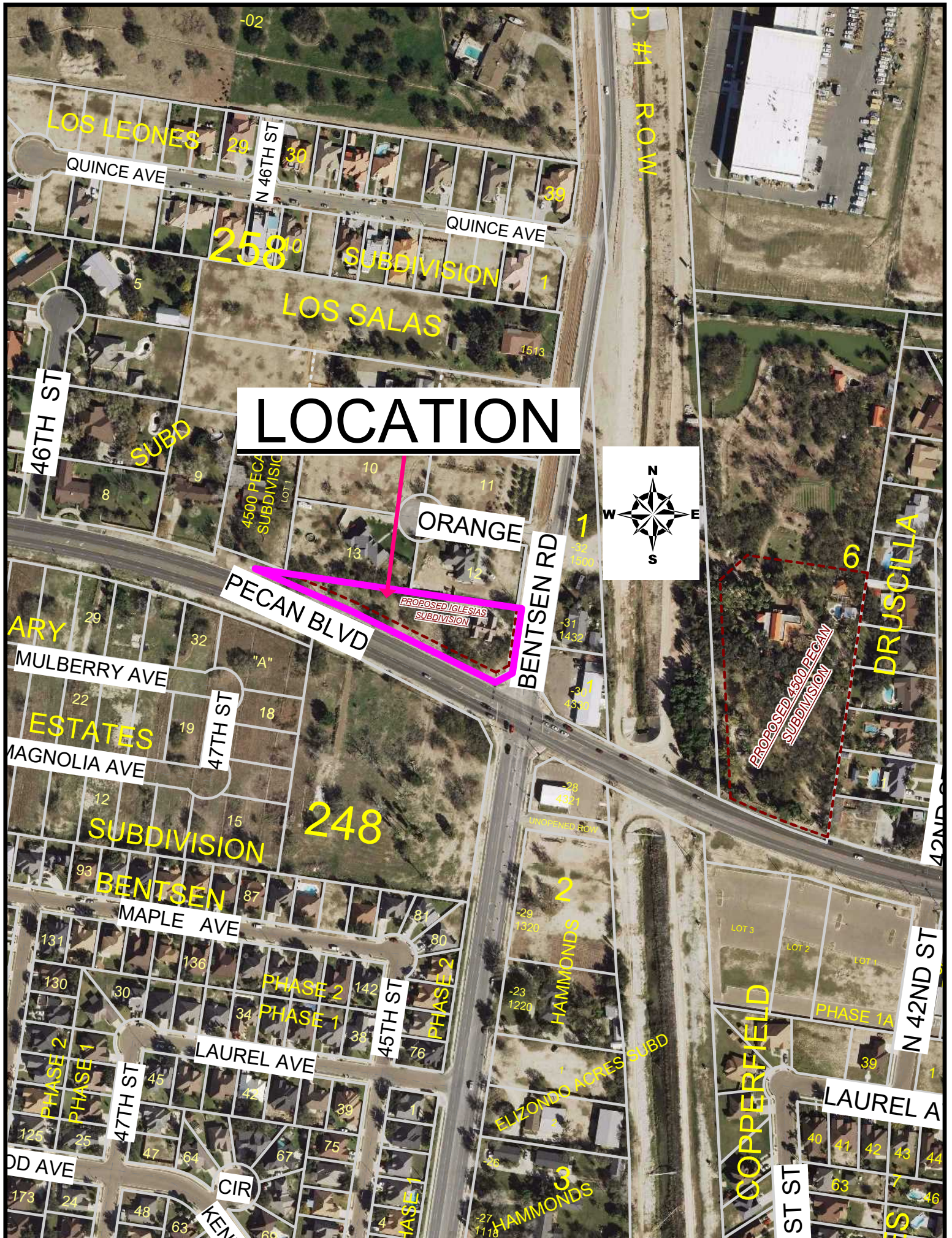


Reviewed On: 1/27/2021

SUBDIVISION NAME: IGLESIAS SUBDIVISION	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
Pecan Boulevard (FM 495): 20 ft. dedication for 60 ft. from centerline for 120 ft. total ROW Paving: By the state Curb & gutter: By the state	Applied
North Bentsen Road: 10 ft. of dedication for 50 ft. from centerline for 100 ft. total ROW Paving: 65 ft. Curb & gutter: Both sides **Monies must be escrowed if improvements are not built prior to recording.	Applied
Paving _____ Curb & gutter _____	Applied
Paving _____ Curb & gutter _____	Applied
Paving _____ Curb & gutter _____	Applied
* 800 ft. Block Length.	NA
* 600 ft. Maximum Cul-de-Sac.	NA
ALLEYS	
ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties	Non-compliance
SETBACKS	
* Front: **Pecan Boulevard: 60 ft. or greater for easements or approved site plan. ***North Bentsen Road: 50 ft. or greater for easements or approved site plan. ****Engineer submitted a letter on January 27, 2021 requesting a variance to allow 52 ft. or greater for easements setback on Pecan Boulevard instead of the required 60 ft. and 25 ft. or greater for easements on North Bentsen Road instead of the required 50 ft. or greater for easements.	Non-compliance
* Rear: In accordance with the Zoning Ordinance or greater for easements or approved site plan.	Applied
* Interior Sides: In accordance with the Zoning Ordinance or greater for easements or approved site plan.	Applied
* Corner: See setbacks above.	Applied
* Garage:	NA
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
SIDEWALKS	
*4 ft. wide minimum sidewalk required along west side of North Bentsen Road. ** 5 ft. wide minimum sidewalk required along north side of Pecan Boulevard (FM 495) as per Engineering Department	Applied
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Applied

BUFFERS	
<ul style="list-style-type: none"> * 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. * 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses and along north property line where abutting to residential zone/use. **Please revise plat note as shown above prior to final. *Perimeter buffers must be built at time of Subdivision Improvements. 	Applied
	Non-compliance
	Applied
NOTES	
<ul style="list-style-type: none"> * No curb cut, access, or lot frontage permitted along Pecan Boulevard (FM 495) * Site plan must be approved by the Planning and Development Departments prior to building permit issuance. **Remove plat note #11 since plat note is not needed. * Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. * Common Areas, any private streets/drives must be maintained by the lot owners and not the City of McAllen * Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. * Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. 	TBD
	Required
	Required
	Required
	NA
	NA
ZONING/CUP	
<ul style="list-style-type: none"> * Existing: C-1 Proposed: C-1 **Engineer must clarify use prior to final. If a rezoning is required, rezoning must be finalized prior to final. * Rezoning Needed Before Final Approval **Engineer must clarify use prior to final. If a rezoning is required, rezoning must be finalized prior to final. 	Applied
	TBD
LOT REQUIREMENTS	
<ul style="list-style-type: none"> * Minimum lot width and lot area. * Lots fronting public streets. 	Applied
	Applied
PARKS	
<ul style="list-style-type: none"> * Land dedication in lieu of fee. * Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. * Pending review by the Parkland Dedication Advisory Board and CC. 	NA
	NA
	NA
TRAFFIC	
<ul style="list-style-type: none"> * As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. * As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. 	Non-compliance
	TBD

COMMENTS	
Comments: Must comply with City's Access Management Policy. **As per Utilities and Public Works Department, please submit site plan for review prior to final. ***Engineer must clarify use prior to final.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED, UTILITIES AND DRAINAGE APPROVALS, AND CLARIFICATION ON REQUESTED VARIANCES.	Applied



LOCATION



258

248

2

3

6

42ND ST

N 42ND ST

LAUREL A

ST ST

ORANGE

PECAN BLVD

BENTSEN RD

DRUSCILLA

COPPERFIELD

ELIZONDO ACRES SUBD

HAMMONDS

45TH ST

LAUREL AVE

47TH ST

47TH ST

N 46TH ST

LOS LEONES

SUBDIVISION

LOS SALAS

SUBD

4500 PECAN SUBDIVISION

SUBDIVISION

BENTSEN

MAPLE AVE

ESTATES

MULBERRY AVE

MAGNOLIA AVE

OD AVE

CIR

45TH ST

40

41

42

43

44

63

7

46

47

48

63

64

67

75

39

42

45

47

48

49

50

51

52

53

54

55

56

57

60

61

62

63

64

65

66

67

68

69

70

71

72

73

74

75

76

77

78

79

80

81

82

83

84

85

86

87

88

89

90

91

92

93

94

95

96

97

98

99

100

101

102

103

104

105

106

107

108

109

110

111

112

113

114

115

116

117

118

119

120

121

122

123

124

125

126

127

128

129

130

131

132

133

134

135

136

137

138

139

140

141

142

143

144

145

146

147

148

149

150

151

152

153

154

155

156

157

158

159

160

161

162

163

164

165

166

167

168

169

170

171

172

173

174

175

176

177

178

179

180

181

182

183

184

185

186

187

188

189

190

191

192

193

194

195

196

197

198

199

200

201

202

203

204

205

206

207

208

209

210

211

212

213

214

215

216

217

218

219

220

221

222

223

224

225

226

227

228

229

230

231

232

233

234

235

236

237

238

239

240

241

242

243

244

245

246

247

248

249

250

251

252

253

254

255

256

257

258

259

260

261

262

263

264

265

266

267

268

269

270

271

272

273

274

275

276

277

278

279

280

281

282

283

284

285

286

287

288

289

290

291

292

293

294

295

296

297

298

299

300

301

302

303

304

305

306

307

308

309

310

311

312

313

314

315

316

317

318

319

Memo

TO: Planning & Zoning Commission
FROM Edgar I. Garcia, AICP, CNU-A
DATE: January 29, 2021
SUBJECT: City Commission Actions on January 25, 2021

REZONINGS:

1. Rezone from R-2 to R-3A District: 1.00 acre out of Lot 2, Rancho de La Fruta No. 2 Subdivision; 1009 E Cedar Ave
 - Planning and Zoning Commission recommended approval
 - City Commission approved as recommended
2. Rezone from R-4 to C-3 District: 3.811 acres out of Lot 161, La Lomita Irrigation and Construction Company Subdivision; 1312 S Ware Rd (Rear)
 - Planning and Zoning Commission recommended approval
 - City Commission approved as recommended

CONDITIONAL USE PERMITS:

1. Request of Hilda Sewell, for a Conditional Use Permit, for one year, for a bar (nightclub): Lot 1, Nolana West Subdivision; 2200 Nolana Ave, Suites 2232 & 2234
 - Planning and Zoning Commission disapproved with a favorable recommendation
 - City Commission approved as recommended

2021 ATTENDANCE RECORD FOR PLANNING AND ZONING COMMISSION MEETINGS

[illegible]

2021 ATTENDANCE RECORD FOR PLANNING AND ZONING COMMISSION WORKSHOPS

[illegible]



PLANNING DEPARTMENT

311 N 15th Street McAllen, TX 78501
Phone: 956-681-1250 Fax: 956-681-1279



2021 CALENDAR

Meetings:				Deadlines:			
 City Commission	 Planning & Zoning Board			D- Zoning/CUP Application	N - Public Notification		
 Public Utility Board	 Zoning Board of Adjustment						
HPC - Historic Preservation Council				* Holiday - Office is closed			

JANUARY 2021							FEBRUARY 2021						
Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1 HOLIDAY	2		1 A- 2/16 & 2/17	2	3 N- 2/16 & 2/17 D- 3/2 & 3/3	4	5	6
3	4	5	6 D-2/2 & 2/3	7	8	9	7	8	9	10	11	12	13
10	11	12	13	14	15	16	14	15 A-3/2 & 3/3	16	17 N-3/2 & 3/3 D-3/16 & 3/17	18	19	20
17	18 A-2/2 & 2/3	19	20 HPC N-2/2 & 2/3 D-2/16 & 2/17	21	22	23	21	22	23	24 HPC	25	26	27
24	25	26	27	28	29	30	28						
31													

MARCH 2021							APRIL 2021						
Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1 A-3/16 & 3/17	2	3 N-3/16 & 3/17 D-4/6 & 4/7	4	5	6					1	2 HOLIDAY	3
7	8	9	10	11	12	13	4	5 A-4/20 & 4/21	6	7 N-4/20 & 4/21 D-5/5 & 5/6	8	9	10
14	15	16	17 D-4/20 & 4/21	18	19	20	11	12	13	14	15	16	17
21	22 A-4/6 & 4/7	23	24 HPC N-4/6 & 4/7	25	26	27	18	19 A- 5/5 & 5/6	20	21 HPC N- 5/5 & 5/6 D-5/18 & 5/19	22	23	24
28	29	30	31				25	26	27	28	29	30	

MAY 2021							JUNE 2021						
Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1			1	2 N-6/16 & 6/17 D-7/1 & 7/7	3	4	5
2	3 A- 5/18 & 5/19	4	5 N-5/18 & 5/19	6	7	8	6	7	8	9	10	11	12
9	10	11	12	13	14	15	13	14	15	16 D-7/15 & 7/21	17	18	19
16	17 A-6/1 & 6/2	18	19 N-6/1 & 6/2 D-6/16 & 6/17	20	21	22	20	21 A-7/1 & 7/7	22	23 HPC N-7/1 & 7/7	24	25	26
23	24	25	26 HPC	27	28	29	27	28	29	30			
30	31 HOLIDAY												

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

2021 CALENDAR

Meetings:

- City Commission
- ▲ Public Utility Board
- HPC - Historic Pres Council
- Planning & Zoning Board
- Zoning Board of Adjustment

Deadlines:

- D- Zoning/CUP Application
- N - Public Notification

* Holiday - Office is closed

JULY 2021

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

AUGUST 2021

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

SEPTEMBER 2021

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

OCTOBER 2021

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

NOVEMBER 2021

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

DECEMBER 2021

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

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