AGENDA

PLANNING & ZONING COMMISSION SPECIAL MEETING TUESDAY, MARCH 10, 2020 - 3:30 PM DEVELOPMENT CENTER, 311 NORTH 15TH STREET EXECUTIVE CONFERENCE ROOM

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) SUBDIVISIONS:
 - a) JR Frontera Subdivision; 1701 Frontera Road- John Rodriguez (Final) (Tabled 2/18/2020) (Remained Tabled 3/3/2020) (SUB2020-0004) UIG
 - b) 2621 South 23rd Subdivision; 2621 South 23rd Street- Joel De Leon (Final) (SUB2019-0096) SEA
 - c) Reynolds Estates Subdivision; 4600 North 29th Street- Reynolds Estates LLC (Preliminary) (SUB2020-0011) AEC
 - d) Genesis 2nd Subdivision; 4701 North Ware Road- Carl & Sherri Rowland (Preliminary) (SUB2020-0014) TE&M

2) DISCUSSION:

a) Consideration and Possible Approval on Ordinance Exempting Restaurants From Certain ECOD Requirements

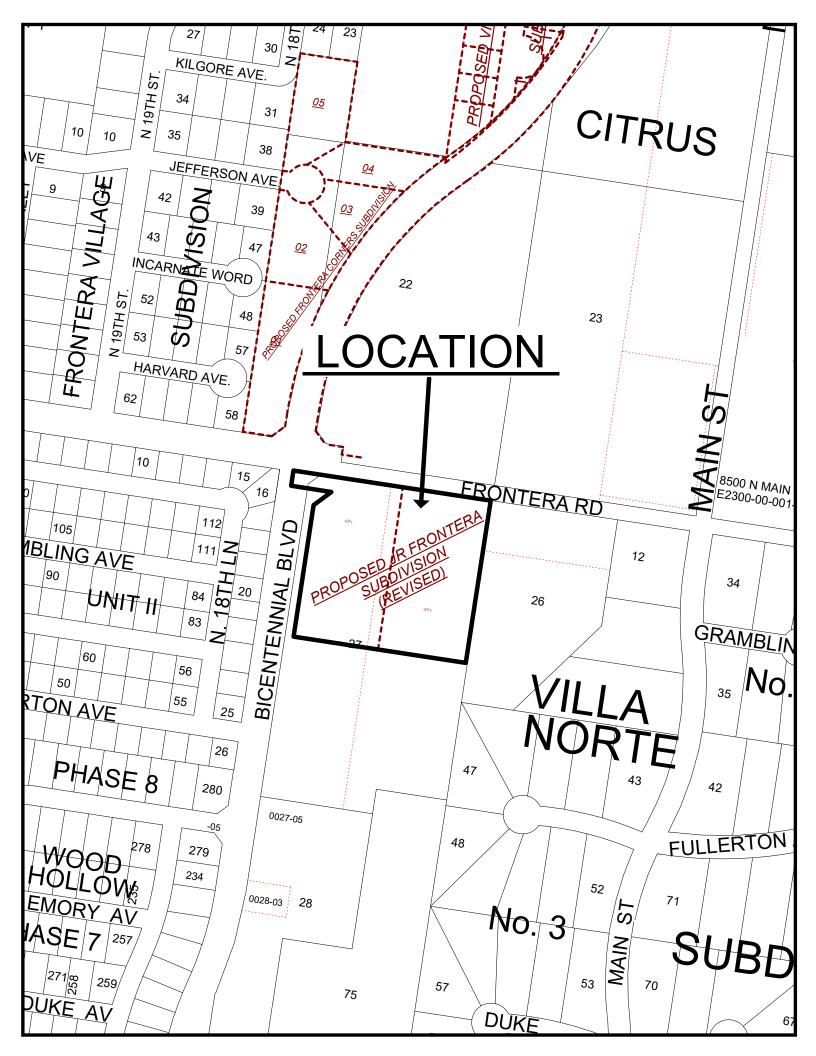
ADJOURNMENT:

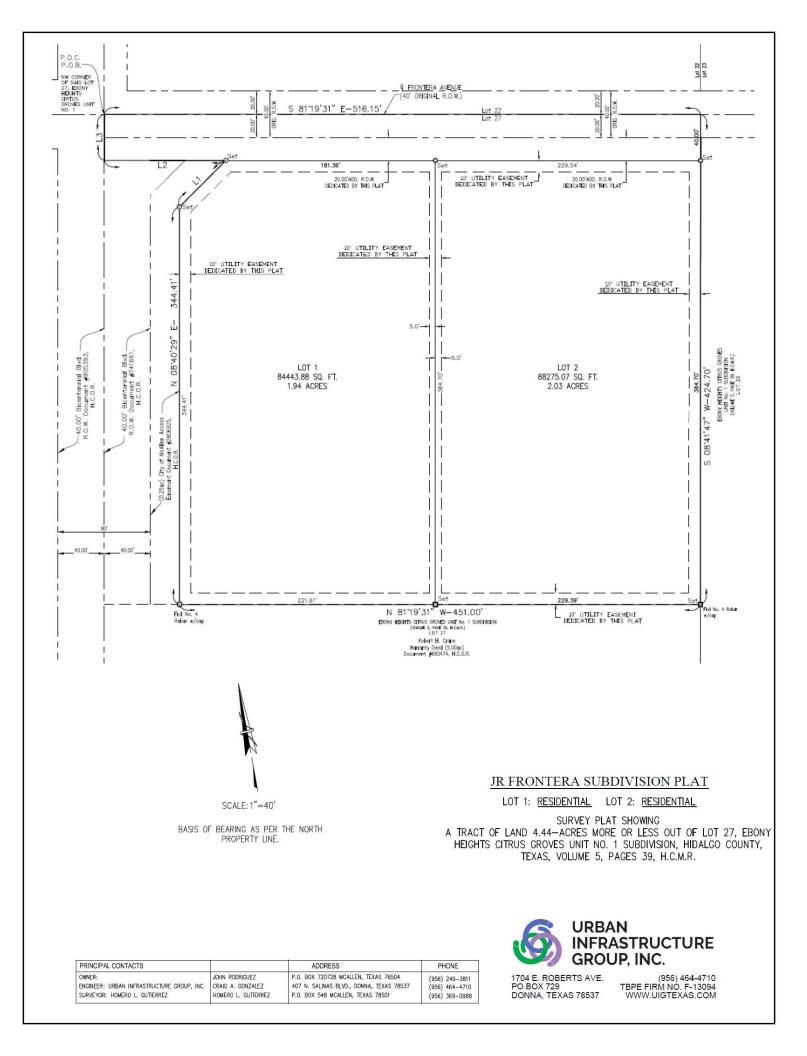
IF ANY ACCOMMODATIONS FOR A DISABILITY ARE REQUIRED, PLEASE NOTIFY THE PLANNING DEPARTMENT (681-1250) 72 HOURS BEFORE THE MEETING DATE. WITH REGARD TO ANY ITEM, THE PLANNING & ZONING COMMISSION MAY TAKE VARIOUS ACTIONS, INCLUDING BUT NOT LIMITED TO RESCHEDULING AN ITEM IN ITS ENTIRETY FOR PARTICULAR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

City of McAllen
Planning Department
APPLICATION FOR
SUBDIVISION PLAT REVIEW

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

	Subdivision Name JR Frontera Subdivision
uo	Location Frontera Ave., approximately 2,364 ft east of 23rd st.
	City Address or Block Number
pti	Number of lots Gross acres4.127 Net acres4.07
cri	Existing Zoning <u>R-1</u> Proposed <u>R-1</u> Rezoning Applied For \Box Yes \boxtimes No Date <u>N/A</u>
Des	Existing Land Use <u>Resd.</u> Proposed Land Use <u>Resd.</u> Irrigation District #_2_
Project Description	Residential Replat Yes 🗆 No 🛛 Commercial Replat Yes 🗆 No 🖄 🛛 ETJ Yes 🗆 No 🖄
oje	Agricultural Tax Exemption Yes No Estimated Rollback tax due
Pr	Legal Description A tract of land 4.127-acres more or less out of
	lot 27, Ebony Heights Citrus Groves Unit #1 Subdivision.
	Name John Rodriguez Phone (956)249-3811
ler	Address P.O. BOX 720728
Owner	City McAllen State TX Zip 78504
0	E-mail jjrs.rodriguez81@gmai
	Name John Rodriguez Phone (956)249-3811
Developer	Address P.O. BOX 720728
elo	City McAllen State TX Zip 78504
eve	Contact Person John Rodriguez
	E-mail_jjrs.rodriguez81@gmai
5	Name Urban Infrastructure Group Phone (956)464-4710
eer	Address 1704 E. Roberts Ave.
Output City Donna State Texas Zip 78537 Octate Person Craig Gonzalez P.E.	
ED	Contact Person Craig Gonzalez, P.E.
	E-mail_cgonzalez@uigtexas.com
5	Name Homero L. Gutierrez Phone (956)369-0988
eyo	Address P.O. BOX 548
5	FFB () 4 2019
un	City McAllen State TX Zip 78501
Surveyor	FFB () 4 2019







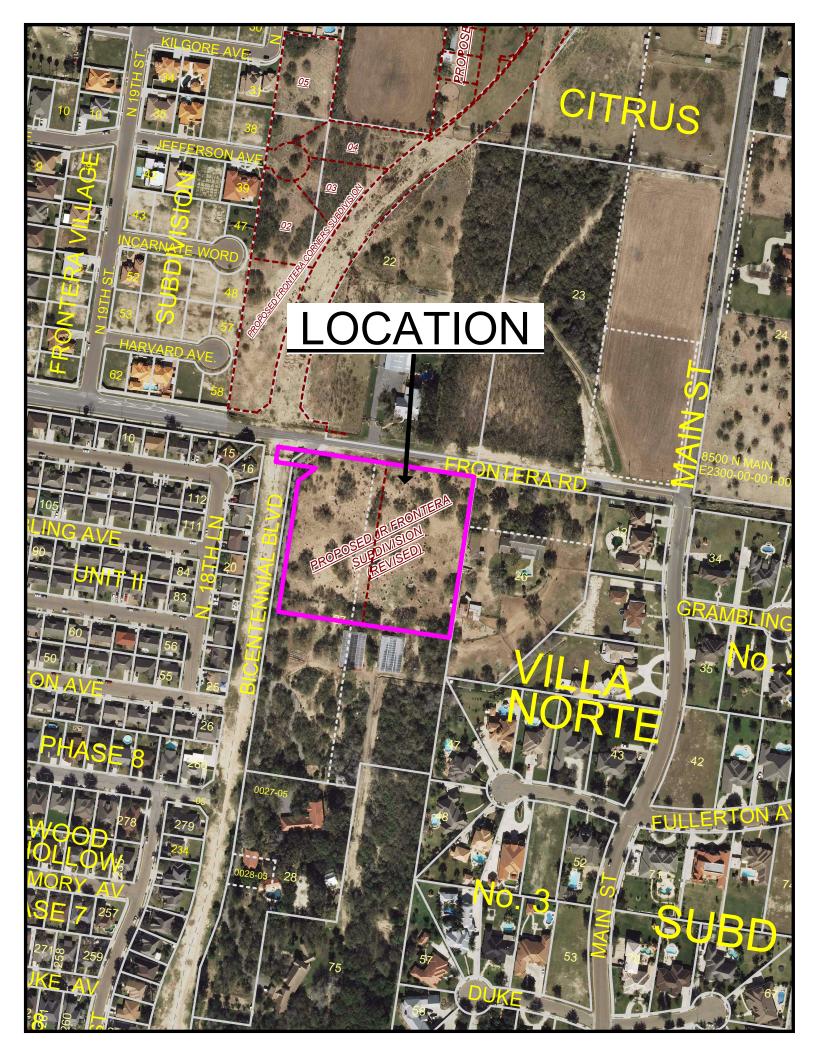
City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 2/14/2020

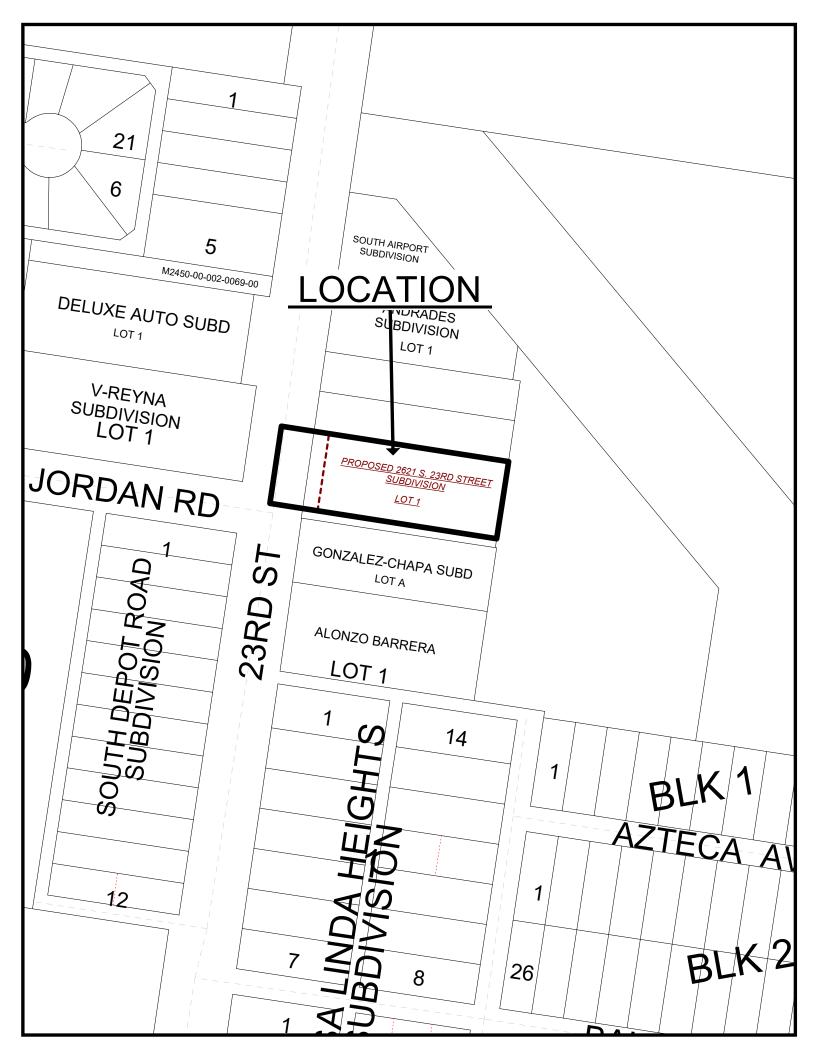
SUBDIVISION NAME: JR FRONTERA	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
Frontera Road: 20 ft. dedication for 40 ft. from centerline for 80 ft. ROW Paving: min. 52 ft. Curb & gutter: both sides **Must escrow monies, prior to plat recording, if not constructed at this time.	Applied
Bicentennial Blvd 150 ft. ROW Paving: min. 52 ft. Curb & gutter: Both sides **Thoroughfare plan shows 150 ft. ROW for Bicentennial. ***Plat submitted by the engineer on February 10, 2020 shows that this property does not connect to Bicentennial Blvd. as there is a strip of land owned by a different owner, thus no dedication is proposed. Existing 80 ft. ROW remains as now exist.	Applied
 Paving Curb & gutter	Applied
* 800 ft. Block Length	Compliance
* 600 ft. Maximum Cul-de-Sac	NA
ALLEYS	
ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties	NA
SETBACKS	
* Front: 45 ft. or greater for easements, or in line with the average setback of existing structures, whichever is greater.	Applied
* Rear: Proposing 15 ft. or greater for easements.	Applied
* Sides: Proposing 6 ft. or greater for easements.	Applied
* Corner: Applies only if the property is along Bicentennial Blvd finalize prior to final.	Applied
* Garage: 18 ft. except where greater setback is required, greater setback applies.	Applied
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
SIDEWALKS	
* 4 ft. wide minimum sidewalk required on Frontera Road. **Revise Note #8 as noted above	Required
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Applied
BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses, and along Bicentennial Boulevard. **Plat submitted February 10, 2020 shows Note regarding 6 ft. buffer	Compliance
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. **Plat note required as noted above, prior to final.	Applied
*Perimeter buffers must be built at time of Subdivision Improvements.	Applied
NOTES	
* No curb cut, access, or lot frontage permitted along Bicentennial Boulevard.	Applied

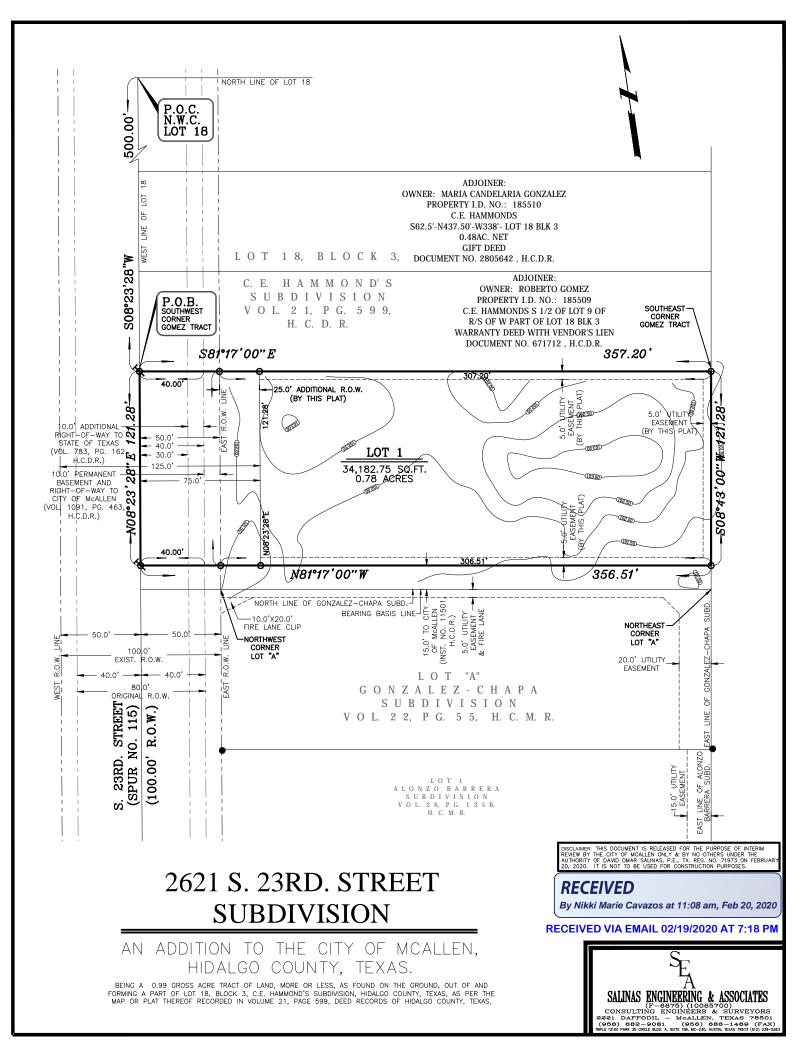
* Site plan must be approved by the Planning and Zoning Commission prior to building permit issuance.	NA
* Common Areas must be maintained by the lot owners and not the City of McAllen	Applied
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	NA
* 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.	NA
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.	NA
LOT REQUIREMENTS	
* Lots fronting public streets	Compliance
* Minimum lot width and lot area	Compliance
ZONING/CUP	
* Existing: R-1 Proposed: R-1	Compliance
* Rezoning Needed Before Final Approval	NA
PARKS	
* Land dedication in lieu of fee	NA
* Park Fee of \$700 per dwelling unit/lot to be paid prior to recording. **Park fee of \$1,400 (based on 2 dwelling units/lots x \$700) required to be paid prior to recording.	Applied
* Pending review by the Parkland Dedication Advisory Board and CC.	NA
TRAFFIC	
* Trip Generation to determine if TIA is required, prior to final plat. Per Traffic Department, Trip Generation has been waived for 2 single residential homes	Complete
* Traffic Impact Analysis (TIA) required prior to final plat.	NA
COMMENTS	
Comments: Must comply with City's Access Management Policy. **Must escrow monies for required improvements, prior to plat recording, if not constructed at this time. ***Finalize Bicentennial Blvd. alignment and whether it affects this property, prior to final as needed. Based on submitted January 6, 2020 a 35 ft. dedication is required. ****Plat submitted February 10, 2020 shows no additional dedication is required for Bicentennial Blvd. ***Plat submitted February 10, 2020 shows that this property does not connect to Bicentennial Blvd. as there is a strip of land owned by a different owner, thus no dedication is proposed. Existing 80 ft. ROW remains as now exist.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM, SUBJECT TO CONDITIONS NOTED.	Applied



SUB2019-0041

	City of McAllen Planning Department APPLICATION FOR SUBDIVISION PLAT REVIEW 311 North 15 th Street McAllen, TX 78501 P. O. Box 220 McAllen, TX 78505-0220 (956) 681-1250 (956) 681-1279 (fax)
Project Description	Subdivision Name 24215.23^{PO} Location <u>S. 23^{PO} C JORDAN ROAD</u> , EAST SIDE OF City Address or Block Number 24215.23^{PO} ST. Number of lots <u>I</u> Gross acres <u>1.00</u> Net acres <u>0.89</u> Existing Zoning <u>C-3</u> Proposed <u>C-3</u> Rezoning Applied For <u>Yes</u> No Date Existing Land Use <u>Commercial</u> Replat Yes No <u>District</u> # Residential Replat Yes <u>No</u> <u>Commercial</u> Replat Yes <u>No</u> <u>ETJ</u> Yes <u>No</u> Agricultural Tax Exemption Yes <u>No</u> <u>Source</u> Estimated Rollback tax due <u>1500</u> Legal Description <u>1.0 AC</u> <u>0/0</u> <u>Cott 18</u> , <u>Bik. 3</u> , <u>C-E</u> . <u>HammonD's Source</u> , <u>H.C-T</u> .
Owner	Name Joel Deleon Phone 9 56-605-2680 Address 2621 5. 2320 57. City MEANEW State Tag Zip 78501 E-mail
Developer	Name BIG STAR MGM.'T Phone (713) 823-8786 Address 303 S. 6674. ST. City HOUSTON State T-10 Contact Person ADMAN Moldamman E-mail MAIL BIGSTARMGMT.COM
Engineer	Name Descrip State Phone LBZ-9081 Address ZZZI DAFFODIL AUE. City ME AINEW State Zip 78501 Contact Person Dawid D E-mail dsalinas @ saliwasenquoeeenuo G. Com
Surveyor	Name Some Phone Address







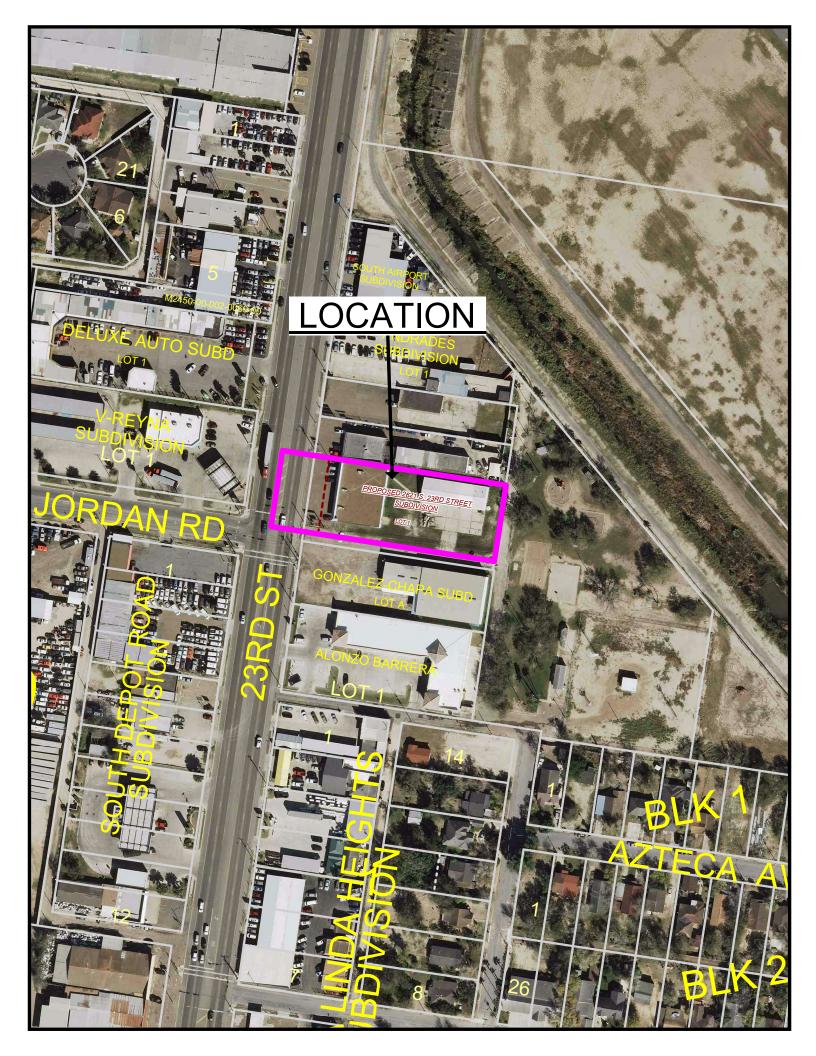
City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 3/6/2020

SUBDIVISION NAME: 2621 S. 23RD STREET		
REQUIREMENTS		
STREETS AND RIGHT-OF-WAYS		
S. 23rd Street: 25 ft. dedication for 75 ft. from centerline for 150 ft. ROW Paving: by the state Curb & gutter: by the state **Plat submitted February 20, 2020 provides the required 25 ft. dedication for S. 23rd Street. Engineer also submitted a letter on February 27, 2020 indicating he does not want to pursue the license agreement recommended by the P&Z Board on December 3, 2019.	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. ***Clarify existing easement on the south, prior to final. ****Plat submitted on February 20, 2020 shows adjacent tracts south and east owned by the City.	Applied	
SETBACKS		
* Front: 50 ft. or greater for approved site plan or easements.	Applied	
* 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	NA	
* Garage **Revise Note #1 on plat submitted February 20, 2020 since garage setbacks do not apply for commercial properties.	NA	
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied	
SIDEWALKS		
* 5 ft. wide minimum sidewalk required on S. 23rd Street.	Compliance	
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Applied	
BUFFERS		
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial	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 **Engineer submitted a variance request to allow one curb cut at the entrance along the east side of S. 23rd Street.	TBD	
* Site plan must be approved by the Planning and Zoning Commission prior to building permit issuance.	Applied	

* Common Areas, Private Streets must be maintained by the lot owners and not the City of McAllen	Applied
* 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.	NA
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.	NA
LOT REQUIREMENTS	
* Lots fronting public streets	Compliance
* Minimum lot width and lot area	Compliance
ZONING/CUP	
* Existing: C-3 Proposed: C-3	Applied
* Rezoning Needed Before Final Approval	NA
PARKS	
* Land dedication in lieu of fee	NA
* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording	NA
* Pending review by the Parkland Dedication Advisory Board and CC.	NA
TRAFFIC	
* Trip Generation to determine if TIA is required, prior to final plat.	Complete
* Traffic Impact Analysis (TIA) required prior to final plat.	NA
COMMENTS	
Comments: **Remove reference to garage setback ***Engineer submitted a variance requesting a curb cut along S. 23rd Street	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM, SUBJECT TO CONDITIONS NOTED.	Applied



	SEA SALINAS ENGINEERING & ASSOCIATES 2221 DAFFODIL AVE., MCALLEN, TEXAS, 78501 (956) 682-9081/(956) 686-1489 FACSIMILE (956) 648-8899 CELL DSALINAS@SALINASENGINEERING.COM
	INTRA-OFFICE MEMORANDUM
TO:	Ms. Berenice Gonzalez, Planner SUBJECT 2621 S. 23 rd . Street Subd. License Agreement
	CITY OF MCALLEN (Via Email on 02/27/20)
FROM	David Omar Salinas, P.E., MSEE DATE: 02/27/20 JOB NO: R.P.L.S., CFM

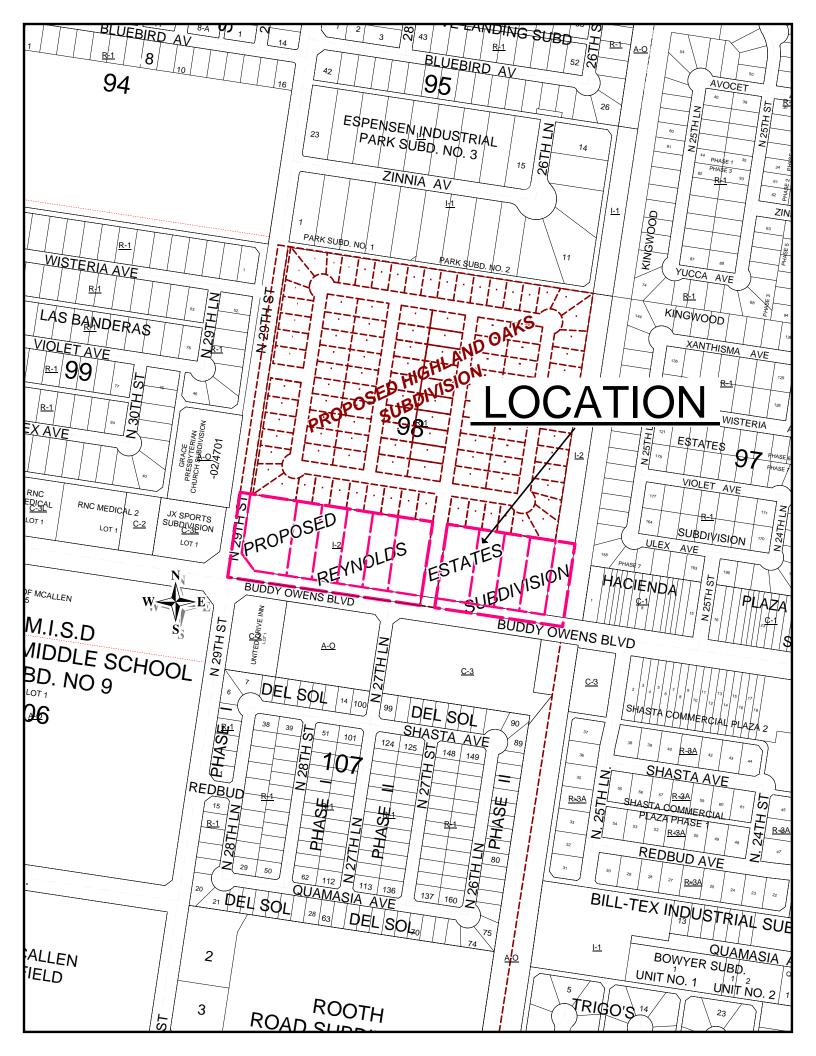
Berenice, effective immediately please remove for the time being any further consideration of the License Agreement for the 2621 S. 23rd. Street Plat. We have as you know agreed to dedicate the 25 feet of additional ROW along S. 23rd. Street without conditions. Do not discard the license agreement packet we have provided to the City. The issue of the license agreement may come up at a later time. Thank-you.

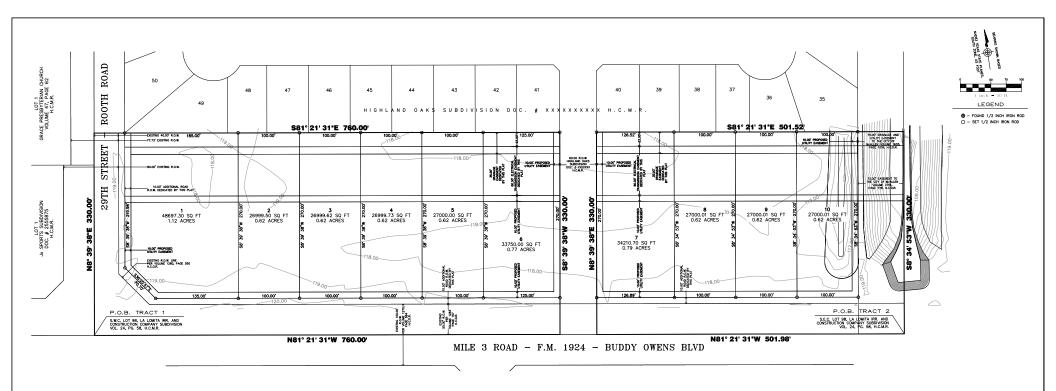
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SUB2020-0011

	City of McAllen Planning Department APPLICATION FOR SUBDIVISION PLAT REVIEW 311 North 15 th Street McAllen, TX 78501 P. O. Box 220 McAllen, TX 78505-0220 (956) 681-1250 (956) 681-1279 (fax)
Project Description	Subdivision Name Reynolds Estates Subdivision Location Northwest corner of Mile 3 Rd (Buddy Owens Blvd.) and N. 29th Street City Address or Block Number Address not assigned yet Number of lots 10 Gross acres 9.558 ac Net acres 7.01 ac Existing Zoning Industrial Proposed Industrial Rezoning Applied For Yes XNo Date Existing Land Use Vacant Proposed Land Use Vacant Irrigation District #
Owner	Name Reuben Bar-Yardin Phone 956-380-6558 Address 4629 Macro Dr. City San Antonio State Texas Zip 78218 E-mail
Developer	Name Reuben Bar-Yardin Phone 956-380-6558 Address 4629 Macro Dr.
Engineer	Name Carlos Garza, P.E. Phone 956-380-6558 Address P.O. Box 480 2ip 78540 City Edinburg State Texas Zip 78540 Contact Person Carlos Garza, P.E. E-mail carlos@aecengineering.net Carlos Carlos
Surveyor	Name Jose Mario Gonzalez, RPLS Phone 956-380-5154 DECEVE Address 8207 Mateo Escobar FEB 2 0 2020 City Monte Alto State Texas Zip 78538

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Reynolds Estates Subdivision

A SUBDIVISION OF 9.558 ACRES (GROSS), 7.01 ACRES (NET) OUT OF LOT 98 LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY SUBDIVISION VOLUME 24, PAGE 68, H.C.D.R. CITY OF MCALLEN, TEXAS – HIDALGO COUNTY, TEXAS 10 Industrial Lots Plat Scale: 1"=50' JOB # 1141.038 Date: February 18, 2020 Drawn by: R. Hernandez



RECEIVED

By Nikki Marie Cavazos at 9:03 am, Feb 26, 2020

RECEIVED VIA EMAIL 02/20/2020 AT 9:16 AM



City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 3/5/2020

SUBDIVISION NAME: REYNOLDS ESTATES	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
Buddy Owens Blvd. (Mile 3 Rd FM 1924): Proposed 10 ft. dedication for 60 ft. from centerline Paving: 65 ft. Curb & gutter: By the state **Plat shows 10 ft. dedication, show centerline to verify dedication required prior to final. ***Use a parenthesis for Mile 3 Rd FM 1924	Non-compliance
 N. 29th Street (Rooth Road): Proposed 10 ft. dedication for 50 ft. from centerline Paving: 65 ft. Curb & gutter: Both sides **Label centerline on plat and show how much ROW exists at various points on both sides to finalize dedication. ***Once information is provided we will finalize any additional ROW dedication. ***Rooth Road should be in parenthesis and reference N. 29th Street, instead of 29th Street currently shown. 	Non-compliance
* North/south interior street: Plat references 60 ft. ROW between Lots 6 and 7 from Highland Oaks which is not a recorded plat yet. Highland Oaks shows this street to be private, clarify prior to final to address street requirements. Paving: 40 ft. Curb & gutter: Both sides	Non-compliance
Paving Curb & gutter	Applied
Paving Curb & gutter	Applied
* 800 ft. Block Length	Compliance
* 600 ft. Maximum Cul-de-Sac	NA
ALLEYS	
ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties **Plat submitted February 20, 2020 needs to be revised to provide for alley or private service drive. **Alley cannot dead end ***If a private service drive is proposed, it cannot dead end and should have a 24 ft. pavement width with turnaround as needed.	Non-compliance
SETBACKS	
Setbacks on: Buddy Owens Blvd. (Mile 3 Road - FM 1924) 60 ft. or greater for easements or approved site plan	Required
N. 29th Street (Rooth Rd.) - 50 ft. or greater for easements or approved site plan **Revise Note #3 accordingly.	
* Rear: **Plat shows proposed 50 ft. rear setback, however plat submitted reflects a total of 113 ft. of different easements, need to clarify.	Non-compliance
* Interior Sides: In accordance with the zoning ordinance or greater for easements or approved site plan. **Revise sides as noted above.	Non-compliance

* Corner: Lots 6 & 7: 10 ft. or greater for easements or approved site plan **Final plat will reflect street name once established.	Required
* Garage	NA
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
SIDEWALKS	
* 4 ft. wide minimum sidewalk required on N. 29th Street, Buddy Owens Blvd and both sides of interior street.	Required
Sidewalk along Buddy Owens Blvd. may increase to 5 ft. per Engineering requirement. *Note #7 will need to be revised accordingly prior to final.	
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Applied
BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. **Note needed on plat as shown above.	Non-compliance
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses **Note needed on plat as shown above	Non-compliance
*Perimeter buffers must be built at time of Subdivision Improvements.	Applied
NOTES	
 * No curb cut, access, or lot frontage permitted along **Must comply with City's Access Management Policy **Highland Oaks Subdivision was approved as a private development with N. 27th Street being a private street. Clarify prior to final. 	TBD
* Site plan must be approved by the Planning and other Development Departments prior to building permit issuance.	Required
* Common Areas, private service drives must be maintained by the lot owners and not the City of McAllen	Required
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc., between the lots? **Is there intent to share common parking, landscaping, access, etc? Who will be responsible for maintenance? Need to clarify so we can establish proper notes.	Required
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.	NA
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.	NA
OT REQUIREMENTS	
* Lots fronting public streets	Compliance
 * Minimum lot width and lot area **Does Lot 10 include a drainage easement, or is it proposed to be a common area? Need to be labeled on plat accordingly. ***Remove design and label it as easement or identify it with a lot number. 	TBD
CONING/CUP	
* Existing: I-2 Proposed: I-2	Applied
* Rezoning Needed Before Final Approval	NA
PARKS	-
	NA

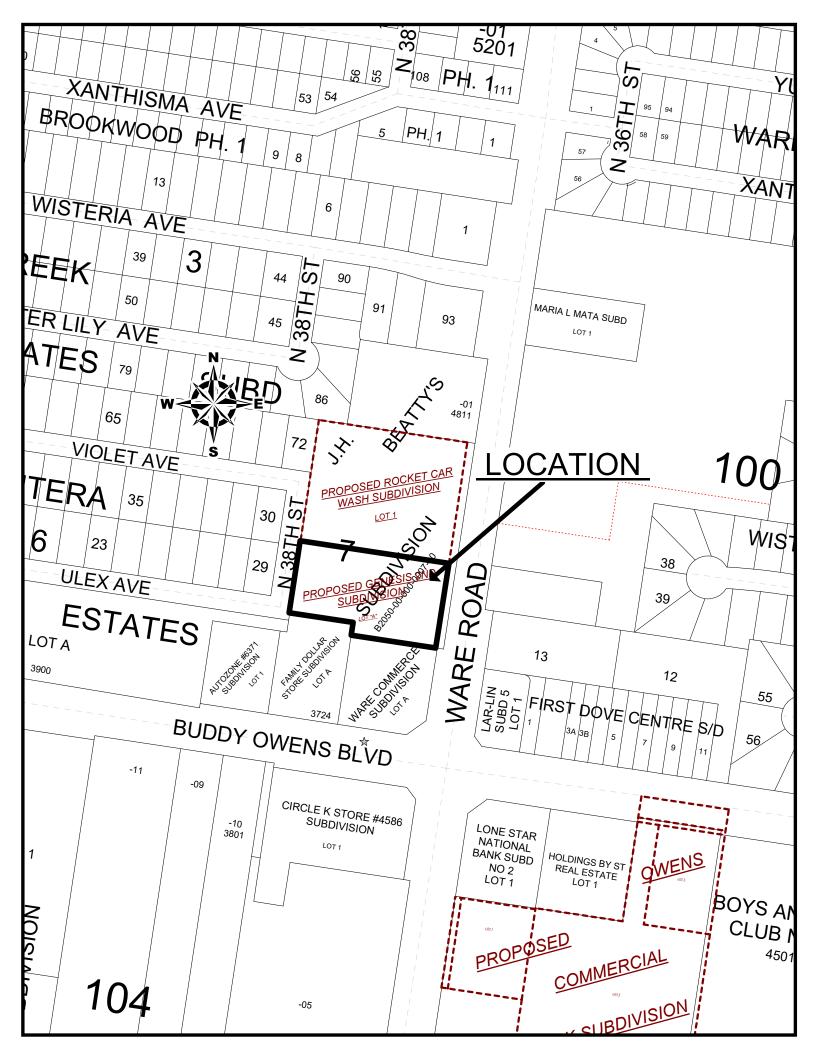
* Park Fee of \$700 per dwelling unit/lot to be paid prior to recording	NA
* Pending review by the Parkland Dedication Advisory Board and CC.	NA
TRAFFIC	
* Trip Generation to determine if TIA is required, prior to final plat. Per Traffic Department needs to submit Trip Generation to determine if a TIA will be required.	Applied
* Traffic Impact Analysis (TIA) required prior to final plat.	TBD
COMMENTS	
Comments: **Remove any references to "proposed" easements or ROW, simply reference "by this plat" ***N. 27th St. is a private street as part of proposed Highland Oaks Subdivision. Need to clarify. ****Plat should show legal descriptions in all directions. The north side references lots and subdivision that has not been recorded which may need to be revised depending on which plat gets recorded first. *****Revise vicinity map to show subdivision boundaries.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM, SUBJECT TO CONDITIONS NOTED, UTILITY AND DRAINAGE APPROVALS IN ADDITION TO THE VARIANCE REQUEST.	Applied

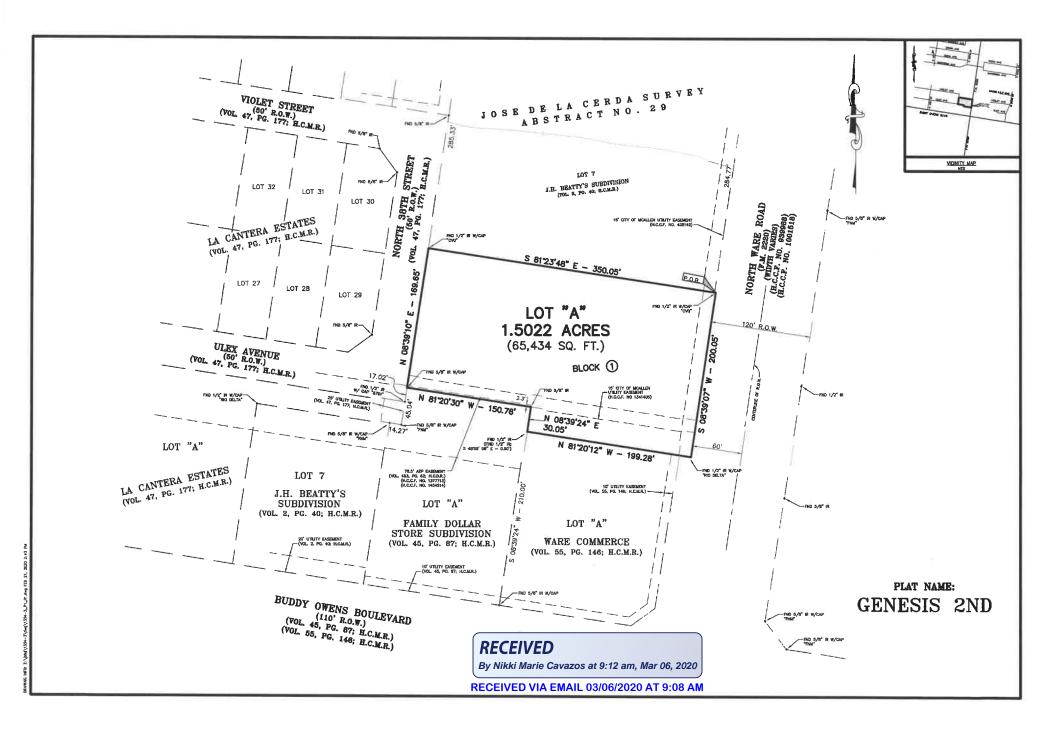


Sub2020-0014

	City of McAllen 311 North 15 th Street McAllen, TX 78501 Planning Department APPLICATION FOR (956) 681-1250 (956) 681-1279 (fax)
Project Description	Subdivision Name
Owner	Name CARL B: SHERRI ROWLAN Phone 956.330.2657 Address 5509 N. WARE RD City M'ALLEN State TX Zip 78504 E-mail Carl budrowland C. gmail.com
Developer	Name Same as owner info Phone Address
Engineer	Name <u>Chad Nesvadba</u> Phone <u>281-491-2525</u> Address <u>12718</u> <u>Certury</u> Drive City <u>Staffard</u> <u>State Texas</u> <u>Zip 77477</u> Contact Person <u>Chad Mesvadba tof Texas Engineering</u> and <u>Mapping Computing</u> E-mail <u>Chesvadbage fegm-Civil.com</u>
Surveyor	Name Brian Nesutidha Phone <u>784-491-2525</u> Address <u>12718</u> Century Drive City <u>Staffurd</u> <u>State Texas</u> <u>Zip 77477</u> <u>DECETVE</u> <u>Dresuadba@team-Civil.com</u>
	PEB 28 2020

Minimum Developer's Requirements Submitted with Application	Proposed Plat Submittal \$225 Preliminary Review Fee and \$75 Final Approval Fee \$1000000000000000000000000000000000000
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 $(aubble described describe$
MO	Owner V Authorized Agent 10/19



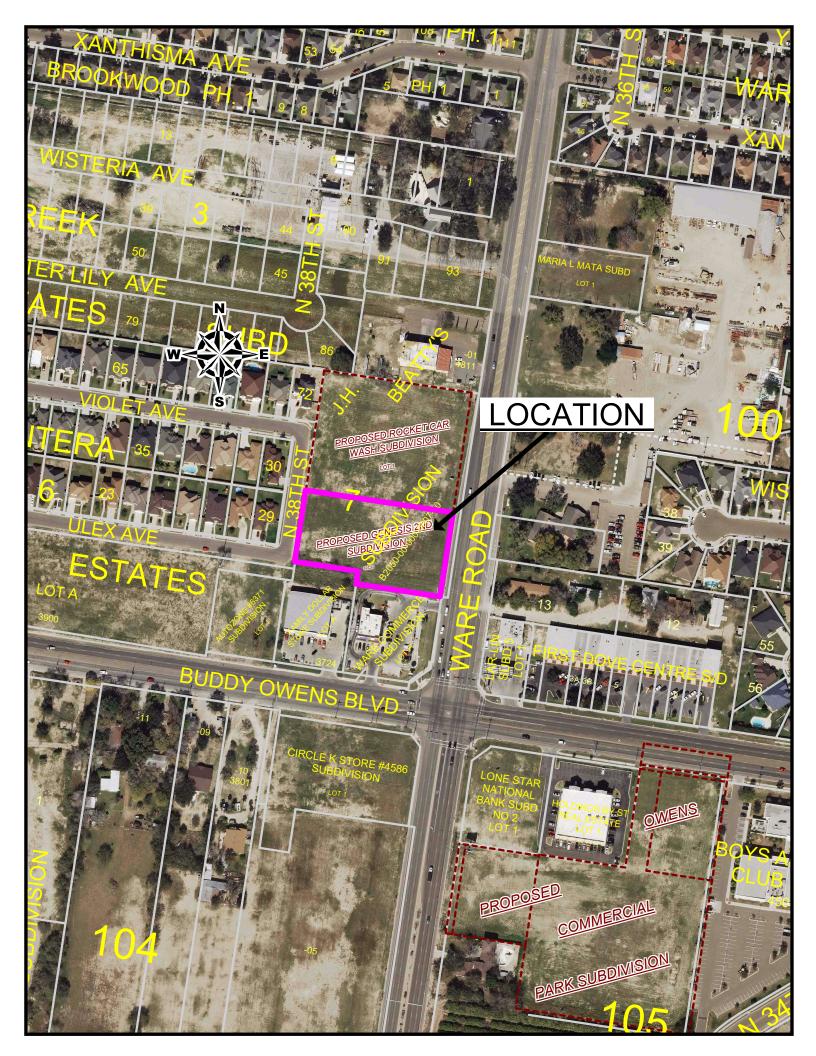




Reviewed On: 3/5/2020

SUBDIVISION NAME: GENESIS 2ND	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
*North Ware Road: 15 ft. ROW dedication required for 75 ft. from centerline for 150 ft. ROW Paving: by the state Curb & gutter: by the state	Non-compliance
*North 38th Street: 50 ft. ROW Paving: 32 ft. Curb & gutter: Both Sides ** Must escrow monies if improvements are not built prior to recording.	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: 75 ft. or greater for easements or approved site plan. **Add note to plat as noted above prior to final. 	Non-compliance
* Rear: In accordance with Zoning Ordinance, or greater for easements or approved site plan. **Add note to plat as noted above prior to final.	Non-compliance
* Sides: In accordance with Zoning Ordinance, or greater for easements or approved site plan. *Add note to plat as noted above prior to final.	Non-compliance
* Corner:	NA
* Garage:	NA
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
SIDEWALKS	
*4 ft. wide minimum sidewalk required along North 38th Street **5 ft. wide minimum sidewalk required on N. Ware Road (as per Engineering Dept.) and ***Note must be added to plat prior to final.	Non-compliance
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Applied
BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses, and along North 38th Street. **Note must be added to plat prior to final.	Non-compliance
 * 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. **Add note to plat as noted above prior to final. 	Non-compliance
*Perimeter buffers must be built at time of Subdivision Improvements.	Applied

NOTES	
* No curb cut, access, or lot frontage permitted along North 38th Street. **Add note to plat prior to final.	Non-compliance
* Site plan must be approved by the Planning Department and other development departments prior to building permit issuance.	Applied
* Common Areas and any private service drives must be maintained by the lot owners and not the City of McAllen	Applied
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. must be mainteined by the owners and not the City of McAllen. **Add note to plat as noted above.	Required
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.	NA
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.	NA
LOT REQUIREMENTS	
* Lots fronting public streets.	Compliance
* Minimum lot width and lot area.	Compliance
ZONING/CUP	
* Existing: C-3 Proposed: C-3	Complete
* Rezoning Needed Before Final Approval	NA
PARKS	
* Land dedication in lieu of fee.	NA
* Park Fee of \$700 to be paid prior to recording	NA
* Pending review by the Parkland Dedication Advisory Board and CC.	NA
TRAFFIC	
* As per Traffic Department, must submit Trip of Generation to determine if a TIA will be required prior to final.	Non-compliance
* Traffic Impact Analysis (TIA) required prior to final plat.	TBD
COMMENTS	
Comments: Must comply with City's Access Management Policy. **Public Works Department has requested a site plan to establish drives, and dumpster locations, etc. ***Comply with Traffic Department requirements regarding access and throat length requirements for drives on site plan.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED, UTILITIES AND DRAINAGE APPROVAL.	Applied



Planning Department

Memo

TO: Planning & Zoning Commission

FROM: Edgar I. Garcia, AICP, CNU-A Director

DATE: March 6, 2020

SUBJECT: ORDINANCE EXEMPTING RESTAURANTS IN THE ECOD FROM CERTAIN REQUIREMENTS

BACKROUND:

Currently, all entertainment and cultural establishments, which includes restaurants, in the Entertainment and Cultural Overlay District (ECOD) are required to make necessary and reasonable efforts to discourage criminal activity and vandalism. Part of these requirements include providing security personnel, installing security cameras, and the use of age-verification devices and the marking of all occupants under the age of 21 with UV ink.

The Planning Department has fielded concerns from restaurants within the ECOD in regards to being required to provide security personnel as well as the use of age-verification devices. Specifically, restaurant owners believe the presence of security personnel affects the ambience of their establishment and causes patrons to believe the restaurants have safety issues. Likewise, restaurants operating during normal lunch and dinner hours believe the use of UV ink on all occupants under the age of 21 to be excessive.

DISCUSSION:

ECOD regulations presently do not distinguish between restaurants and bars. All ECOD requirements apply equally to any entertainment or cultural establishments, which are defined as cabarets, dancehalls, discotheques, discos, music venues, nightclubs, restaurants, bars, and schools of dance. The proposed ordinance would exempt restaurants in the ECOD from safety requirements aimed at bars, nightclubs, and cabarets. All other ECOD requirements would remain unchanged.

ACTIONS:

- 1. Recommend approval of ordinance exempting restaurants in the ECOD from providing security personnel
- 2. Recommend disapproval of ordinance exempting restaurants in the ECOD from providing security personnel
- 3. Take no recommendation action and send ordinance back to Ordinance Review Committee for further discussion

ORDINANCE NO. 2020-____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MCALLEN AT CHAPTER 138 ("ZONING"), ARTICLE V ("DISTRICTS"), DIVISION 13 ("HEART OF THE CITY OVERLAY DISTRICTS"), PROVIDING FOR PUBLICATION; PROVIDING FOR SEVERABILITY, AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF.

WHEREAS, the City of McAllen desires to regulate the Entertainment and Cultural

Overlay District to promote public safety and general welfare,

WHEREAS, the City of McAllen desires said regulations with economic development

and business interests,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MCALLEN, TEXAS, THAT:

SECTION I: The Code of Ordinances, City of McAllen, Chapter 138 ("Zoning"), Article

V ("Districts"), Division 13 ("Heart of the City Overlay Districts") is amended at Section138-

333(d)(3) as follows:

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

. . .

(d) ECOD special permits may be issued to entertainment or cultural establishments within the boundaries of the ECOD, for a period of three years, subject to the following requirements and limitations: (3) A special permittee <u>operating as a bar</u> shall make necessary and reasonable efforts to discourage criminal activity and vandalism, both on the site and on adjacent properties. Such measures may include the provision of adequate and sufficient lighting, the elimination of dark areas, and the hiring of security personnel.

. . . .

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

SECTION III: The City Secretary of the City of McAllen is hereby authorized and directed to cause the language in Chapter 138, Article V, Division 13, hereinabove, to be published in the appropriate location in the said Code of Ordinances.

SECTION IV: This Ordinance shall be and remain in full force and effect from and after its passage by the Board of Commissioners, and execution by the Mayor.

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

CONSIDERED, PASSED and **APPROVED** this _____ day of _____, 2020, at a regular meeting of the Board of Commissioners of the City of McAllen, Texas at which a quorum was present and which was held in accordance with Chapter 551 of the

Texas Government Code.

SIGNED this _____ day _____, 2020.

CITY OF McALLEN

By: _____ James E. Darling, Mayor

Attest:

Perla Lara, TRMC, City Secretary

Approved as to form:

Austin W. Stevenson, Assistant City Attorney

2020 ATTENDANCE RECORD FOR PLANNING AND ZONING COMMISSION MEETINGS																									
	01/07/20	01/21/20	02/04/20	02/18/20	03/03/20	03/17/20	04/07/20	04/21/20	05/05/20	05/19/20	06/02/20	06/16/20	07/07/20	07/21/20	08/04/20	08/18/20	09/01/20	09/16/20	10/06/20	10/20/20	11/03/20	11/17/20	12/01/20	12/16/20	
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Daniel Santos	Ρ	Ρ	Ρ	Ρ	Ρ																				
Mike Hovar	Ρ	Ρ	Ρ	Ρ	Α																				
Rogelio Cervantes	Ρ	Ρ	Ρ	Ρ	Ρ																				
Gabriel Kamel	Ρ	Ρ	Ρ	Ρ	Ρ																				
Michael Fallek	Ρ	Ρ	Ρ	Ρ	Ρ																				
Jose B. Saldana	Ρ	Ρ	Ρ	Α	Α																				
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Daniel Santos																									
Mike Hovar																									
Rogelio Cervantes																									
Gabriel Kamel																									
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McAllen311 N 15th StreetPhone: 956-681-1250																
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CITY	OF
McAl	len

PLANNING DEPARTMENT



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

2020 CALENDAR

		Meetings:	Deadlines:													
	City Commis		D- Zoning/CUP Application N - Public Notification													
	ublic Utility I			-	oard of Adju	* Helidey, Office is alread										
HPC	Historic Pr		* Holiday - Office is closed													
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Deadlir	les and Meetin	g Dates are	subject to cha	nge at any ti	me. Please o	contact th	e Plannin	g Department	at (956) 681	-1250 if you h	ave any que	stions.	1			