#### AGENDA PLANNING & ZONING COMMISSION REGULAR MEETING TUESDAY, MAY 4, 2021 - 3:30 PM MCALLEN CITY HALL, 1300 HOUSTON AVENUE CITY COMMISSION CHAMBERS, 3<sup>RD</sup> FLOOR Web: <u>https://zoom.us/join</u> 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 April 20, 2021

#### 2) PUBLIC HEARING

- a) CONDITIONAL USE PERMITS:
  - 1. Request of Ricardo Macias on behalf of Mooncussers Inc. DBA DeLoreans, for a Conditional Use Permit, for one year for a bar at Lot 1, Nolana West Subdivision, Hidalgo County, Texas; 2200 Nolana Avenue STE 2204. (CUP2021-0036).
  - Request of Sandra Gomez, for a Conditional Use Permit, for a year, for a bar at Lot A, Jose G. Ortegon Subdivision, Hidalgo County, Texas, 6328 South 23rd Street. (CUP2021-0038)
  - Request of Adrian Gutierrez on behalf of Ministerio Pan De Vida, for a Conditional Use Permit, for five years, for an Institutional Use (Church) at Lot 8, Block 18, Hammond Addition Subdivision, Hidalgo County, Texas; 2029 Date Palm Avenue. (CUP2021-0034)
  - Request of Kien Quoc Tran for a Conditional Use Permit, for one year, for a bar/social club at Lot 1, Ginther Estates Subdivision, Hidalgo County, Texas, 5025 Expressway 83, Suite 100. (CUP2021-0039)
  - Request of Jessica Aguilar, for a Conditional Use Permit, for one year for a bar at the North 20' of Lot 1 & All of Lot 2 excluding the Northwest 225' X 240' of Lot 2, Plaza Del Norte Subdivision, Hidalgo County, Texas; 3424 North 10th Street. (CUP2021-0035)
- **b)** REZONING:
  - Rezone from C-4 (commercial industrial) District to R-4 (mobile and modular home) District: 1.23 acres out of Lot 2, Rancho De La Fruta Subdivision No.2, Hidalgo County, Texas; 901 East Fir Avenue. (REZ2021-0018)
  - Rezone from R-1 (single family residential) District to R-3A (multifamily apartment residential) District: 11.419 acres out of Lot 234 and 235, Pride O' Texas Subdivision, of a part of La Lomita Irrigation and Construction Company, Hidalgo County, Texas; 6100 North Bentsen Road. (REZ2021-0021)

- Initial zoning to R-1 (single-family residential) District: 18.663 acres out of Lot 45, La Lomita Irrigation & Construction Company's Subdivision, Hidalgo County, Texas; 8300 North Ware Road. (REZ2021-0014)
- Rezone from C-3 (general business) District to R-3A (multifamily residential apartment) District: Lot 8, Block 42, North McAllen Addition, Hidalgo County, Texas; 218 North 17th Street. (REZ2021-0020)

## 3) CONSENT:

- a) Warehouse Kingdom Subdivision Phase II; 6001 South 23rd Street-Abasto Corporation (SUB2021-0044) (Final) JHE
- b) McAllen South Industrial Park Subdivision; 1501 Military Highway- T5, Inc., a Texas Corporation (SUB2021-0045) (Final) SEC

#### 4) SUBDIVISIONS:

- a) Cris-Auto Service Subdivision; 7500 North 23rd Street Cristobal Moreno (SUB2021-0040) (Preliminary) MAS
- b) Re-Plat of Paseo del Lago Patio Homes Subdivision; 3900 South Jackson Road Alonzo Cantu (SUB2021-0042) (Preliminary) CLH
- c) 4700 Ware Subdivision; 4900 North Ware Road Rhodes Development Inc. (SUB2021-0041) (Preliminary) M&H
- d) Silver Valley Subdivision; 1920 North Taylor Road -Delicia's Catering LLC (SUB2021-0018) (Revised Preliminary)M2E

#### 5) INFORMATION ONLY:

a) City Commission Actions: April 26, 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, April 20, 2021 at 3:34 p.m. in the McAllen City Hall City Commission Room at 1300 Houston Avenue, McAllen, Texas.

Present:	Pepe Cabeza de Vaca Daniel Santos Michael Hovar Michael Fallek Gabriel Kamel Marco Suarez	Chairperson Vice-Chairperson Member Member Member Member
Staff Present:	Victor Flores	Assistant City Attorney
	Michelle Rivera	Assistant City Manager
	Edgar Garcia	Planning Director
	Luis Mora	Deputy Planning Director
	Omar Sotelo	Senior Planner
	Rodrigo Sanchez	Senior Planner
	Jose Humberto De La Garza	Planner III
	Berenice Gonzalez	Planner III
	Kaveh Forghanparast	Planner II
	Liliana Garza	Planner II
	Carlos Garza	Planner II
	Porfirio Hernandez	Planning Technician II
	Julian Hernandez	Planning Technician I
	Claudia Mariscal	Administrative Secretary
	Magda Ramirez	Administrative Secretary

CALL TO ORDER- Pepe Cabeza de Vaca, Chairperson

Meeting held via Teleconference and Video Conference.

PLEDGE OF ALLEGIANCE

#### INVOCATION- Mr. Pepe Cabeza de Vaca, Chairperson

#### 1) MINUTES:

a) Minutes for Regular Meeting held on April 20, 2021.

The minutes for the regular meeting held on April 20, 2021 were approved as submitted. The motion to approve was made by Mr. Daniel Santos and Mr. Michael Fallek seconded the motion, which carried unanimously with six members present and voting.

#### 2) PUBLIC HEARING

#### a) CONDITIONAL USE PERMITS:

 Request of Homer Jasso, DBA Don Pepe's Restaurant, for a Conditional Use Permit, for one year, for a Portable Building greater than 10' by 12' at Lots 3-5; Rancho De La Fruta #2 Subdivision being a resubdivision of Lot 6, Block 12, Steele and Pershing Subdivision, Hidalgo County, Texas; 306 North McColl Road. (CUP2021-0028)

Ms. Garza stated that the property is located on the east side of North McColl Road, approximately 100 ft. north of Cedar Avenue. The property is zoned C-3 (general business) District. The adjacent zoning is C-3 District to the north, C-4 (commercial industrial) District to the south, I-1 (light industrial) District to the west, and R-2 (duplex-fourplex residential) District to the east. Surrounding land uses include commercial businesses, a church, and single-family residences. A portable building is allowed in a C-3 District with a Conditional Use Permit and in compliance with requirements.

The initial conditional use permit was approved for the portable building by the Planning and Zoning Commission on August 6, 2019. The permit was expired as it was never picked up by the applicant. The applicant received an enforcement warning on March 4, 2021 due to operating without renewing CUP. The applicant submitted a new application on March 5, 2021 for the same use.

The applicant proposes to utilize a portable building measuring 40 ft. by 14 ft. as preparation area for food and then deliver it at other locations. The Fire and Health Departments have conducted their inspection, and found the establishment to be in compliance. The portable building must also meet the requirements set forth in Section 138-118(3) of the Zoning Ordinance as follows:

- 1) Portable buildings shall not be used for living quarters. The portable building will be used for preparation area for food only.
- 2) Portable buildings shall be located in such a manner as to have access to a public right-ofway within 200 ft. The property fronts North McColl Road.
- 3) The proposed use and adjacent businesses shall comply with the off-street parking and loading ordinance. 108 parking spaces are required for the restaurant and the portable building to operate simultaneously, and 134 parking spaces are provided.
- 4) Must provide for garbage and trash collection and disposal. A dumpster area is provided.
- 5) Must be connected to an approved water distribution and sewage disposal system; Portable building is connected to water distribution and sewer system.
- 6) No form of pollution shall emanate beyond the immediate property line of the permitted use; and
- 7) 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.

Staff recommended approval of the request, for one year, subject to Section 138-118(3) of the Zoning Ordinance and Health and Fire Department requirements.

Chairperson Cabeza de Vaca asked if there was anyone present in opposition of the proposed Conditional use permit, there was none.

Being no discussion, Mr.Gabriel Kamel moved to approve. Mr. Marco Suarez seconded the motion, which was approved with six members present and voting.

2. Request of Blake Smith for a Conditional Use Permit, for one year, for a Portable Building greater than 10' by 12' at Lot A, Valley Health Plaza, Hidalgo County, Texas; 1020 Zinnia Avenue. (CUP2021-0032)

Mr. Garza stated the property was located on the southwest corner of North 10<sup>th</sup> Street and Zinnia Avenue. The property was zoned C-3 (general business) District. The adjacent zoning is C-3 District to the north, east, and south and R-1 (single family residential) District to the south west, A-O (agricultural and open space) District to the west. Surrounding land uses include Centex Studies, Inc., Valley Medical Arts Clinic & Laboratory, Zinnia Plaza, Town and Country Shopping Center, MedPlex Plaza, Bill Schupp Park, and single-family residences. A portable building was allowed in a C-3 District with a Conditional Use Permit and in compliance with requirements.

The applicant proposes to utilize a portable building measuring 12 ft. by 60 ft. as for use of clinical research. The Fire Department has conducted their inspection, and found the establishment to be in compliance. The portable building must also meet the requirements set forth in Section 138-118(3) of the Zoning Ordinance as follows:

- 1) Portable buildings shall not be used for living quarters. The portable building will be used for clinical research;
- Portable buildings shall be located in such a manner as to have access to a public right-ofway within 200 ft. The property fronts North 10<sup>th</sup> Street;
- 3) The proposed use and adjacent businesses shall comply with the off-street parking and loading ordinance. 7 parking spaces are required for the portable building, and 105 parking spaces are provided;
- 4) Must provide for garbage and trash collection and disposal;
- 5) Must be connected to an approved water distribution and sewage disposal system;
- 6) No form of pollution shall emanate beyond the immediate property line of the permitted use; and
- 7) 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.

Staff recommended approval of the request, for one year, subject to Section 138-118(3) of the Zoning Ordinance and Fire Department requirements.

Chairperson Cabeza de Vaca asked if there was anyone present in opposition of the proposed Conditional use permit, there was none

Being no discussion, Mr. Marco Suarez moved to approve with conditions noted. Mr. Gabriel Kamel seconded the motion, which was approved with six members present and voting.

#### b) REZONING:

1. Rezone from R-2 (duplex-fourplex residential) District to R-3A (multifamily residential apartments) District: 21.18 acres out of Lot 14, La Lomita Irrigation and Construction Company Subdivision, Hidalgo County, Texas; 11200 North La Lomita Road. (REZ2021-0023)

Mr. Carlos Garza stated that the subject property consists of 21.18 acres with a frontage of 699 ft. along La Lomita Road.

The applicant is requesting to rezone the property to R-3A (single-family residential) District. An application for a subdivision for the subject property under the name of Stonebriar at Trinity Oaks Subdivision in order to establish unattached duplex units has been submitted and received approval in preliminary form on June 2, 2020 by the Planning and Zoning Commission.

The adjacent zoning is R-1 (single-family residential) District to the north, east, and west, R-4 (mobile homes) District to the northeast, R-2 (duplex-fourplex residential) District to the south, and A-O (agriculture and open space) District to the east.

The property is currently vacant. Surrounding land uses are single-family residences, and vacant lots.

The Foresight McAllen Comprehensive Plan designates the future land use for this property as Urban Single Family, which is comparable to R-1 District.

The development trend for the area along La Lomita Road is single family residential

The property was zoned A-O District during comprehensive zoning in May 1979.

On January 23, 2006, The City Commission Board approved a rezoning request from to A-O District to R-2 District.

The requested zoning does not conform to the Urban Single Family land use designation as indicated on the Foresight McAllen Comprehensive Plan. The proposed zoning is not consistent with the development and rezoning trends for this area.

A recorded subdivision plat and approved site plan are required prior to building permit issuance.

There have been no calls received in opposition to the request.

PLANNING AND ZONING COMMISSION MEETING OF SEPTEMBER 16, 2020:

At the Planning and Zoning Commission meeting of September 16, 2020, the applicant was present. No one appeared in opposition to the rezoning request. The Board unanimously voted to table the rezoning request in order to allow the applicant time to consider the option of a Planned Unit Development. There were six members present and voting.

#### PLANNING AND ZONING COMMISSION MEETING OF OCTOBER 06, 2020:

At the Planning and Zoning Commission meeting of October 06, 2020, the applicant was present. No one appeared in opposition to the rezoning request. The Board unanimously voted to table the rezoning request in order to allow the applicant time to consider the option of a Planned Unit Development. There were four members present and voting.

On November 03, 2020, the applicant requested to withdraw the rezoning request via email in order to continue consulting with the property owner. After discussing with staff, the applicant decided to move forward with the rezoning request instead of the Planned Unit Development.

Staff recommends approval of the rezoning request to R-3A (multifamily residential apartments) District

Chairperson Cabeza de Vaca asked if there was anyone present in opposition of the proposed Conditional use permit, there was none.

Being no discussion, Mr. Daniel Santos moved to approve. Mr. Michael Fallek seconded the motion, which was approved with six members present and voting.

 Rezone from R-2 (duplex-fourplex residential) District to R-1 (single family residential) District: 18.82 acres out of Lot 14, La Lomita Irrigation and Construction Company Subdivision, Hidalgo County, Texas; 11300 North La Lomita Road. (REZ2021-0022)

Mr. Garza stated that the property is a tract that fronts La Lomita Road and has a frontage of 621 ft. along La Lomita Road.

The applicant is requesting to rezone the property to R-1 (single-family residential) District. An application for a subdivision for the subject property under the name of Stonebriar at Trinity Oaks Subdivision for single-family residences has been submitted and received approval in preliminary form on June 2, 2020 by the Planning and Zoning Commission.

The adjacent zoning is R-1 (single-family residential) District to the east, and west, R-2 (duplexfourplex residential) District to the north, and A-O (agriculture and open space) District to the south and east.

The property is currently vacant. Surrounding land uses are single-family residences, and vacant lots.

The Foresight McAllen Comprehensive Plan designates the future land use for this property as

Urban Single Family, which is comparable to R-1 District.

The development trend for the area along La Lomita Road is single family residential

The property was zoned A-O District during comprehensive zoning in May 1979.

On January 23, 2006, The City Commission Board approved a rezoning request from to A-O District to R-2 District.

The requested zoning conforms to the Urban Single Family land use designation as indicated on the Foresight McAllen Comprehensive Plan. The proposed zoning is consistent with the development and rezoning trends for this area.

A recorded subdivision plat and approved site plan are required prior to building permit issuance.

There have been no calls received in opposition to the request.

#### PLANNING AND ZONING COMMISSION MEETING OF SEPTEMBER 16, 2020:

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At the Planning and Zoning Commission meeting of October 06, 2020, the applicant was present. No one appeared in opposition to the rezoning request. The Board unanimously voted to table the rezoning request in order to allow the applicant time to consider the option of a Planned Unit Development. There were four members present and voting.

On November 03, 2020, the applicant requested to withdraw the rezoning request via email in order to continue consulting with the property owner. After discussing with staff, the applicant decided to move forward with the rezoning request instead of the Planned Unit Development.

Staff recommends 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 proposed Conditional use permit, there was none

Being no discussion, Mr. Gabriel Kamel moved to approve. Mr. Marco suarez seconded the motion, which was approved with six members present and voting.

 Rezone from C-3 (general business) District to R-3A (multifamily residential apartment) District: 4.34 acres out of Lot 2, Block 7, Steele and Pershing Subdivision, Hidalgo County, Texas; 4601 North McColl Road. (REZ2021-0005)

Mr. Forghanparast stated that the property was located on the west side of North McColl Road, 300 ft. south of Violet Avenue. The irregularly shaped tract had 177.13 ft. of frontage along North

McColl Road with a depth of 660 ft. for a lot size of 4.34 acres.

The applicant was requesting to rezone the property to R-3A (multifamily residential apartments) District in order to construct multiple apartments. A feasibility plan submitted by the applicant was included in the packet.

The adjacent zoning was A-O (agricultural and open space) District to the south, R-3A (multifamily residential apartment) District to the west and north, and C-3 (general business) District to the north and east.

The subject property was currently vacant. Surrounding land uses include offices, apartments, single-family residences, Valley Worship Center, and vacant land.

The Foresight McAllen Comprehensive Plan designated the future land use for this property as Suburban Commercial along North McColl Road and Auto Urban Multifamily for the interior portion of the tract. Suburban Commercial was comparable to C-1 (office building) to C-3L (light commercial) Districts and Auto Urban Multifamily was comparable to R-2 (duplex-fourplex residential) to R-3 (multifamily residential) Districts.

The development trend for this area along North McColl Road was office building.

The tract was annexed into the city and initially zoned A-O (agricultural and open space) District on August 5, 1985. A rezoning request to C-3 (general business) District for the subject property was approved by the City Commission on March 11, 1996. There had been no other rezoning request for the subject property since then.

A City-initiated rezoning request to R-3A for the adjacent property to the north was approved by the City Commission on November 9, 2015. Another rezoning request to R-3A for the adjacent property to the west was approved by the City Commission on May 17, 1982.

The requested zoning did not conform to the Suburban Commercial land use designation; however, it conformed to the Auto Urban Multifamily land use designation as indicated on the Foresight McAllen Comprehensive Plan. It also followed the rezoning trend to R-3A (multifamily residential apartment) District in the area.

The maximum density in R-3A (multifamily residential apartments) District was 29 three-bedroom units (1,500 sq. ft.) per acre to 43 one-bedroom apartment units (1000 sq. ft.) per acre. Therefore, the maximum number of units for the subject property was approximately 125 three-bedroom units to 186 one-bedroom units.

A recorded subdivision plat and approved site plan was required prior to building permit issuance. Required park land dedication or a fee in lieu of land comprising \$700 per dwelling unit is required prior to recording a subdivision plat.

Staff had not received a letter or call in opposition to the rezoning request.

Staff recommended approval of the rezoning request to R-3A (multifamily residential apartment) District.

Chairperson Cabeza de Vaca asked if there was anyone present in opposition of the proposed Conditional use permit, Mr. Cris Palvaro was concerned as to what type of housing was going to be allowed. He was advised by the Chairperson Micheal Fallek that this was a zoning issue and those concerns were for a different forum. Vice Chairperson, Mr. Daniel Santos abstained from voting.

Being no discussion, Mr. Gabriel Kamel moved to approve. Mr. Marco Suarez seconded the motion, which was approved with five members present and voting.

Chairperson Michael Fallek stated out of an abundance of caution, he will have abstained from voting on this item.

Michael Fallek left the meeting.

 Rezone from A-O (agricultural and open space) District to R-3A (multifamily residential apartment) District: 14.615 acres out of Lot 317, John H. Shary Subdivision, Hidalgo County, Texas; 4128 North Taylor Road. (REZ2021-0017)

Mr. Forghanparast stated that the property was located 185 ft. east of North Taylor Road, approximately 400 ft. north of Nolana Avenue. The tract consisted of 14.615 acres and has no street R.O.W. frontage but was proposed to be part of another tract that will provide access to North Taylor Road.

The applicant was requesting to rezone the property to R-3A (multifamily residential apartments) District in order to construct detached duplexes. A 48-lot subdivision under the name of Taylor Creek Villages Subdivision for the subject property was approved in preliminary form by the Planning and Zoning Commission on April 6, 2021.

The adjacent zoning was A-O (agricultural and open space) District to the north and south, R-1 (single-family residential) District to the west, and C-4 (commercial-industrial) District to the east.

The property was currently vacant. Surrounding land uses included single-family residences, vacant land, Spirit of Peace Lutheran Church, and City of McAllen Recycling Center.

The Foresight McAllen Comprehensive Plan designated the future land use for this property as Suburban Residential which was comparable to R-1 (single-family residential) District.

The development trend for this area along North Taylor Road is single-family residential.

The tract was annexed into the city and initially zoned A-O (agricultural and open space) District on April 12, 1999. There had been no rezoning requests for the subject property since then.

The requested zoning did not conform to the Suburban Residential land use designation as indicated on the Foresight McAllen Comprehensive Plan. It also did not follow the rezoning or development trend to single-family residences in the area. If approved, R-3A District would increase the density and traffic in the area far beyond the intended density for Suburban Residential land use designation.

The maximum density in R-3A (multifamily residential apartments) District was 29 three-bedroom units (1,500 sq. ft.) per acre to 43 one-bedroom apartment units (1000 sq. ft.) per acre. Therefore, the maximum number of units for the subject property was approximately 423 three-bedroom units to 628 one-bedroom units.

Section 110-49 (a) Vegetation Ordinance required a masonry screen eight ft. in height where a commercial, industrial, or multifamily use has a side or rear property line in common with a single-family use or zone. Where such use has 200 feet or less in common with any residential use or zone, the buffer shall be eight feet in height but may be cedar planks.

A recorded subdivision plat was 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 received a letter in opposition to the rezoning request that is included in the packet for your review.

Staff recommened disapproval of the rezoning request to R-3A (multifamily residential apartment) District.

Chairperson Cabeza de Vaca asked if there was anyone present in opposition of the proposed Rezoning request.

Mr. Jay Hanshaw, 4324 North Taylor Road, opposed the proposed request because of future traffic congestion due to Taylor Road being too narrow.

Mr. Antonio de Lizardi, 4120, 4124 North Taylor Road, opposed the proposed request because the density of having an apartment complex will be too high and the future traffic congestion due to Taylor Road being too narrow.

Mr. Tim Curl, 4205 North Taylor Road, opposed the proposed request because he felt that having an apartment complex would de-evaluate his property.

Ms. Kay Kriedler, 1601 Orchid, opposed the proposed request because she was the owner of the cemetery on Taylor Road and had concerns about the future traffic congestion.

Mr. Albert Cooper, 4024 North Taylor Road, was present via-zoom and opposes the proposed request because he did not want a wall built behind his land.

Mr. Trevino, Project Engineer, 200 S. 10<sup>th</sup> Street Suite 1303, stated how many units were on the plan.

After the discussion, Mr. Gabriel Kamel moved to disapprove. Mr. Marco Suarez seconded the motion, which was approved with five members present and voting.

residential apartment) District: 1.024 acres out of Lot 317, John H. Shary Subdivision, Hidalgo County, Texas; 4016 North Taylor Road. (**REZ2021-0019**)

Mr. Forghanparast stated that the property was located on the east side of North Taylor Road, approximately 590 ft. north of Nolana Avenue. The tract had 198.90 ft. of frontage along North Taylor Road with a depth of 225 ft. for a lot size of 1.024 acres.

The applicant was requesting to rezone the subject property as part of a larger development that includes 14.615 acres of the adjacent property to the east to R-3A (multifamily residential apartments) District in order to construct detached duplexes. A 48-lot subdivision under the name of Taylor Creek Villages Subdivision for the subject properties was approved in preliminary form by the Planning and Zoning Commission on April 6, 2021.

The adjacent zoning was A-O (agricultural and open space) District to the east and R-1 (singlefamily residential) District to the north and south. The properties to the west of North Taylor Road were outside the city limits.

The property was currently vacant. Surrounding land uses included single-family residences, vacant land, Spirit of Peace Lutheran Church, and City of McAllen Recycling Center.

The Foresight McAllen Comprehensive Plan designated the future land use for this property as Suburban Residential which was comparable to R-1 (single-family residential) District.

The development trend for this area along North Taylor Road was single-family residential.

The tract was annexed into the City and initially zoned A-O (agricultural and open space) District on April 12, 1999. A City-initiated application to rezone the subject property to R-1 (single-family residential) District was approved by the City Commission on August 24, 2015. There had been no other rezoning requests for the subject property since then.

The requested zoning did not conform to the Suburban Residential land use designation as indicated on the Foresight McAllen Comprehensive Plan. It also did not follow the rezoning or development trend to single-family residences in the area. If approved, R-3A District would increase the density and traffic in the area far beyond the intended density for Suburban Residential land use designation.

The maximum density in R-3A (multifamily residential apartments) District was 29 three-bedroom units (1,500 sq. ft.) per acre to 43 one-bedroom apartment units (1000 sq. ft.) per acre. Therefore, the maximum number of units for the subject property was approximately 29 three-bedroom units to 44 one-bedroom units.

Section 110-49 (a) Vegetation Ordinance required a masonry screen eight ft. in height where a commercial, industrial, or multifamily use has a side or rear property line in common with a single-family use or zone. Where such use had 200 feet or less in common with any residential use or zone, the buffer shall be eight feet in height but may be cedar planks.

A recorded subdivision plat was 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 received a letter of opposition to the rezoning request that is included in the packet.

Staff recommended disapproval of the rezoning request to R-3A (multifamily residential apartment) District.

Chairman Cabeza de Vaca stated since this item was part of the previous rezone proposal, a discussion was not necessary.

Being no discussion, Mr. Gabriel Kamel moved to disapprove. Mr. Marco Suarez seconded the motion, which was approved with five members present and voting.

# C) RESUBDIVISION:

1. Replat of Lot 9 and North Half of Lot 10, Antigua Subdivision to Lot 9A, Antigua Subdivision; 3208 Zenaida Avenue- Structure Team, LLC (SUB2021-0036) (Final) M&H

Mr. De La Garza stated that the property was located on Zenaida Avenue: 50 ft. ROW existing Paving: 32 ft. Curb & gutter: Both sides. Subdivision Ordinance: Section 134-105. 600 ft. Maximum Cul-de-Sac. Subdivision Ordinance: Section 134-105. Front: 25 ft. or greater for easements. Zoning Ordinance: Section 138-356. Rear: 10 ft. or greater for easements. Zoning Ordinance: Section 138-356. Sides: 6 ft. or greater for easements. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required; greater setback applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk required on both sides of Zenaida Avenue. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Landscaping Ordinance: Section 110-46 and an 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. Common Areas, private streets 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. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. HOA President will have to sign plat before recording. Subdivision Ordinance: Section 110-72. Lots fronting public streets. Zoning Ordinance: 138-1. Minimum lot width and lot area. Zoning Ordinance: Section. 138-356. Ex Zoning Ordinance: Article V. Rezoning Needed Before Final Approval. Zoning Ordinance: Article V. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Traffic Department, Trip Generation waived for a single family house. No TIA required. Must comply with City's Access Management Policy. Add reference "Private" under Zenaida Avenue and anywhere where is applicable.

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

Being no discussion, Mr. Marco Suarez moved to approve. Mr. Gabriel Kamal seconded the motion, which was approved with five members present and voting.

 Replat of Lot 34, Villas Jardin Subdivision to Lot 34A and Lot 34B, Villas Jardin Subdivision; 2800 South 2nd Street- Villas Jardin Homeowner's Association (SUB2021-0037) (Final) SEC

Mr. De La Garza stated that the property was located on South 2nd Street: 60 ft. of existing ROW. Thoroughfare Plan calls for 120 ft. of ROW for that section of South 2nd Street. Paving: 65 ft. Curb & gutter: Both sides Existing paving approximately of 48 ft. on South 2nd Street. Must label centerline to verify if any dedication is required prior to recording. COM Thoroughfare Plan Villas Jardin Drive: 50 ft. existing ROW. Paving: 30 ft. approximately of existing paving Curb & gutter: Both sides Section 134-105 800 ft. Block Length. Section 134-118 ROW: 56.5 ft. of alley existing Paving: 38 ft. approximately of existing paving. Alley/service drive easement required for commercial properties. Parking areas provided as part of the alley area. Subdivision Ordinance: Section 134-105. Front: 25 feet or greater for easements. Please revise plat note as shown above prior to recording. Zoning Ordinance: Section 138-356. Rear: 25 ft. (double fronting lots) or greater for easements. Please revise plat note as shown above prior to recording. Zoning Ordinance: Section 138-356. Interior Sides: 6 ft. except 10 ft. for south side of Lot 34B or greater for easements. Please revise plat note as shown above prior to recording. Zoning Ordinance: Section 138-356 Corner setbacks: See above. Garage: 18 ft. except where greater setback is required; greater setback applies. Please add setback plat note as shown above prior to recording. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required along South 2nd Street and Villas Jardin Drive. Subdivision Ordinance: Section 134-120 Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46 Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along South 2nd Street. Plat note must be added prior to recording. City's Access Management Policy. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Comply with PUD requirements. Common Areas, private drives/streets 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. Landscaping Ordinance: Section 110-72 Subdivision Ordinance: Section 134-168. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. A revised HOA document might be required to be recorded simultaneously with replat. HOA will be recorded simultaneously with plat. Subdivision Ordinance: Section 110-72 Minimum lot width and lot area. Zoning Ordinance: 138-1 Lots fronting public streets. Zoning Ordinance: Section. 138-356 Existing: R-1 Proposed: R-1 Zoning Ordinance: Article V Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, \$1,400 (2 lots) are due prior to recording. As per Traffic Department, Trip Generation waived for two single family houses. Not TIA is required. Must comply with City's Access Management Policy. Subdivision must comply with revised PUD requirements as approved by City Commission on August 24, 2020.

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

Being no discussion, Mr. Marco Suarez moved to approve. Mr. Daniel Santos seconded the motion, which was approved with five members present and voting.

# 3) CONSENT:

 a) Taylor View Subdivision; 1600 North Taylor Road-DG and GG Investments. (SUB2021-0033) (Final) SEC

The property was located on N. Taylor Road: 10 ft. dedication for 40 ft. from centerline for 80 ft. ROW, Paving: 52 ft. - 65 ft. Curb & gutter: both sides. Must escrow monies for improvements if not built prior to recording. Pecan Ave.: 60 ft. ROW, Paving: 40 ft. Curb & gutter: both sides. Cul-de-Sac is proposed with 50 ft. ROW radius and 10 ft. sidewalk easement back of curb. This 10 ft. easement might also be used as a Utility Easement as per MPU and it will be shown on plat prior to recording. 800 ft. Block Length Compliance. 600 ft. Maximum Cul-de-Sac. Front: 25 ft. Rear: 10 ft. or greater for easements. Interior Sides: In accordance with the Zoning Ordinance, or greater for easements. Corner side: 10 ft. Garage: 18 ft. except where greater setback is required, greater setback applies. All setbacks are subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk is required on N. Taylor Road, and both sides of Pecan Ave. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opague buffer is 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. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along N. Taylor Road. Revise spelling for Taylor Road on Note #11 prior to recording. Common areas, private services drives, etc. must be maintained by the lot owners and not the City of McAllen. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 110-72 applies for public subdivisions. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Lots fronting public streets Compliance. Minimum lot width and lot area. Existing: R-1 Proposed: R-1 Compliance. Rezoning application reviewed by Planning and Zoning Board at the meeting of November 17, 2020 and approved by City Commission on December 14, 2020. Park Fee of \$700 per 21 proposed lots = \$14,700 to be paid prior to recording. Trip Generation has been waived, per Traffic Department. No TIA required. Must comply with City's Access Management Policy. Subdivision was approved in revised preliminary form at the meeting of November 3, 2020. Rezoning application from R-3T to R-1 reviewed by Planning and Zoning Board at the meeting of November 17, 2020 and approved by City Commission on December 14, 2020.

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

Being no discussion, Mr. Daniel Santos moved to approve. Mr. Gabriel Kamal seconded the motion, which was approved with five members present and voting

### 4) SUBDIVISION:

 a) Bentsen Village Subdivision; 420 South Bentsen Road-Arnold Gonzalez (SUB2021-0052) (Revised Preliminary Extension) NE

Ms. Gonzalez stated that the property was located on S. Bentsen Road: Plat indicates an existing 60 ft. ROW from centerline for 120 ft. ROW Paving: 65 ft. Curb & gutter: both sides. Must escrow or pay reimbursements as needed for improvements, prior to recording. Indicate on the plat the document number or how the ROW was dedicated, prior to final. Interior Street: 60 ft. ROW Paving: 40 ft. Curb & gutter: both sides. Street extension of the interior is under review and may be required to provide frontage for any landlocked property, prior to final. 800 ft. Block Length. 600 ft. Maximum Cul-de-Sac. Per Fire Department, 96 ft. paving diameter required on the cul-de-sac. Increase ROW diameter of the cul-de-sac as needed to provide a min. 10 ft. ROW back of curb, etc. As proposed, the cul-de-sac is approximately 520 ft. verify prior to final. Front: 10 ft. or greater for easements. If the property is rezoned other than R-3T, setbacks will increase accordingly. Rear: In accordance with the Zoning Ordinance, or greater for easement. Sides: In accordance with the Zoning Ordinance, or greater for easements, Corner: As now proposed, the plat shows two detention areas along S. Bentsen Road and are not for construction/buildings. Should this change, setbacks will be established as may be applicable, but no less than the Zoning Ordinance, prior to final. Garage: 18 ft. except where greater setback is required, greater setback applies. Need to add a note as noted above on plat submitted March 29, 2021. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required on S. Bentsen Road and both sides of all interior streets. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses, and along S. Bentsen Road. Revise Note #9 as noted. 8 ft. masonry wall 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 S. Bentsen Road. Need note on the plat as noted. \* Common Areas, Private Streets 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 referenced will be 110-72 if it will be a public subdivision. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Lots fronting public streets. Is the proposed development public or private - please clarify. Minimum lot width and lot area. Based on R-3T zoning. If the use zoning changes, the lot size, frontage requirements, etc. will need to meet requirements as required. Existing: R-3T Proposed: R-3T. Rezoning Needed Before Final Approval. If the use changes, rezoning will be required, prior to final. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. Per Parks Department, park fees apply at a rate of \$700 per dwelling unit. 24 X \$700 = \$16,800 and payable prior to plat recording. Trip Generation to determine if TIA is required, prior to final plat. Per Traffic Department, need to submit a trip generation to see if a TIA is required, prior to final. Traffic Impact Analysis (TIA) required prior to final plat. Must comply with City's Access Management Policy. Need to clarify if the property will be private or public. Need to submit an ownership map to assure no landlocked property exists, or if additional streets are required to provide street frontage to adjacent properties, prior to final. Street extension of the interior is under review and may be required to provide frontage for any landlocked property, prior to final. Engineer to label the detention areas as Common Areas A, B, etc. or lot number with corresponding plat notes. Also, what would be permitted in the common areas as needed by Engineering. Subdivision

was approved in preliminary form at the P&Z meeting held August 20, 2019. Engineer submitted a six-month extension request to the original preliminary approval.

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

After a brief discussion, Mr. Gabriel Kamel moved to approve. Mr. Michael Hovar seconded the motion, which was approved with five members present and voting.

 b) Tesoro Del Valle Subdivision; 14928 North Rooth Road- Javier Ledesma (SUB2021-0038) (Preliminary) MGE

Mr. De La Garza stated that the property was located on North Rooth Road: 30 ft. 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. Label centerline to verify if any additional ROW dedication is required prior to final. Add "North" to every Rooth Road wherever is applicable prior to final. Verify alignment of North Rooth Road with TX-Dot prior to final. COM Thoroughfare Plan County Road E/W: 10 ft. dedication for 30 ft. from centerline for 60 ft. ROW. Paving: 40 ft. Curb & gutter: Both sides Monies must be escrowed if improvements are not built prior to recording. Subdivision Ordinance: Section 134-105. Tesoro Del Valle Lane (Interior E/W Road): 50 ft. ROW Paving: 32 ft. Curb & gutter: both sides Monies must be escrowed if improvements are not built prior to recording. Please clarify use to determine if ROW dedication will be required to be increased prior to final. Temporary turnaround/barricades as required prior to recording on the west end of interior street. Tesoro del Valle Lane (Interior E/W Road) will be extended once property to the west develops. Street names might have to be revised prior to final. Subdivision Ordinance: Section 134-105. 20 ft. Paving: 16 ft. Alley required for commercial properties. Subdivision Ordinance: Section 134-106. Front: 25 ft. or greater for easements. Plat note must be added prior to final as shown above. Zoning Ordinance: Section 138-356 Rear: 10 ft. except 25 ft. for double fronting lots or greater for easements. Please add plat note as shown above prior to final. Zoning Ordinance: Section 138-356 Interior Sides: 6 ft. or greater for easements. Please add plat note as shown above. Zoning Ordinance: Section 138-356. \* Corner: 10 ft. or greater for easements. Please add plat note as shown above. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required; greater setback applies. Please add plat note as shown above. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. Required setbacks are based on R-1 (single-family use). if a different use or annexation is proposed, different setbacks might be required. A 4 ft. wide minimum sidewalk required along North Rooth Road, and all perimeter and both sides of interior streets as may be applicable prior to final. Sidewalk requirements will be established prior to final. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. A 4 ft. wide minimum sidewalk required along North Rooth Road, and all perimeter and both sides of interior streets as may be applicable prior to final. Sidewalk requirements will be established prior to final. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses, along North 29th Street, and any other perimeter streets as may be applicable prior to final. Plat note must be added prior to final. Landscaping Ordinance: Section 110-46. A 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Plat note must be added prior to final. Landscaping Ordinance: Section 110-46 Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot

frontage permitted along North 29th Street, E/W street along north property line, and any other perimeter street as may be applicable prior to final. City's Access Management Policy. Common Areas, any private streets/drives, temporary turnarounds, barricades, etc. must be maintained by the lot owners and not the City of McAllen Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 110-72 applies if private subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Subdivision Ordinance: Section 110-72. Minimum lot width and lot area. Lots fronting public streets. \* Existing: ETJ Proposed: ETJ (Single-family residential). Engineer must clarify if property is proposed to be annexed. If annexation and initial zoning are proposed; they must be must be finalized prior to final plat review. Zoning Ordinance: Article V. Rezoning Needed Before Final Approval. Engineer must clarify if property is proposed to be annexed. If annexation and initial zoning are proposed; they must be must be finalized prior to final plat review. Zoning Ordinance: Article V. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. If annexation is proposed, Park Fees might be required to be paid prior to recording. Must comply with City's Access Management Policy. Engineer must clarify if property is proposed to be annexed. If annexation and initial zoning are proposed; they must be must be finalized prior to final plat review. Street names might have to be revised prior to final. Provide ownership map prior to final to determine compliance with requirements prior to final. Please clarify if subdivision is proposed to be public or private prior to final. Submit a master plan to finalize requirements prior to final such as street requirements, setbacks, block length, sidewalks, etc.

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

Being no discussion, Mr. Gabriel Kamel moved to approve. Mr. Marco Suarez seconded the motion, which was approved with five members present and voting.

#### 6) INFORMATION ONLY:

a) City Commission Actions: April 12, 2021

#### ADJOURNMENT:

There being no further business to come before the Planning & Zoning Commission, Mr. Marco Suarez adjourned the meeting at 4:25 p.m., and Mr. Gabriel Kamel seconded the motion, which carried unanimously with five members present and voting.

Chairperson, Pepe Cabeza de Vaca

ATTEST: \_\_\_\_\_ Magda Ramirez, Secretary

# Memo

TO: Planning and Zoning Commission

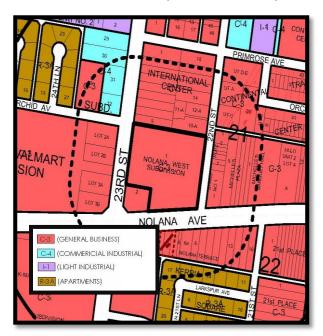
FROM: Planning Staff

**DATE:** April 22, 2021

SUBJECT: REQUEST OF RICARDO MACIAS ON BEHALF OF MOONCUSSERS INC. DBA DELOREANS, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A BAR AT LOT 1, NOLANA WEST SUBDIVISION, HIDALGO COUNTY, TEXAS; 2200 NOLANA AVENUE, STE 2204. (CUP2021-0036)

#### **DESCRIPTION:**

The property is located on the northeast corner of North 23<sup>rd</sup> Street and Nolana Avenue and is zoned C-3 (general business) District. The adjacent zoning is C-3 District in all directions, R-3A (multifamily apartments) District to the south and C-4 (commercial industrial) District to the north. Surrounding land uses include commercial businesses, offices, restaurant, New Life Family Church and McAllen's Public Library. A bar is allowed in a C-3 zone with a Conditional Use Permit and in compliance with requirements.





#### HISTORY:

The initial Conditional Use Permit for this property was approved by City Commission on November 14, 2011 with a variance to the distance requirement. The last Conditional Use Permit for this location was approved on November 25. 2019 with a variance to the distance requirement by City Commission.

#### ANALYSIS:

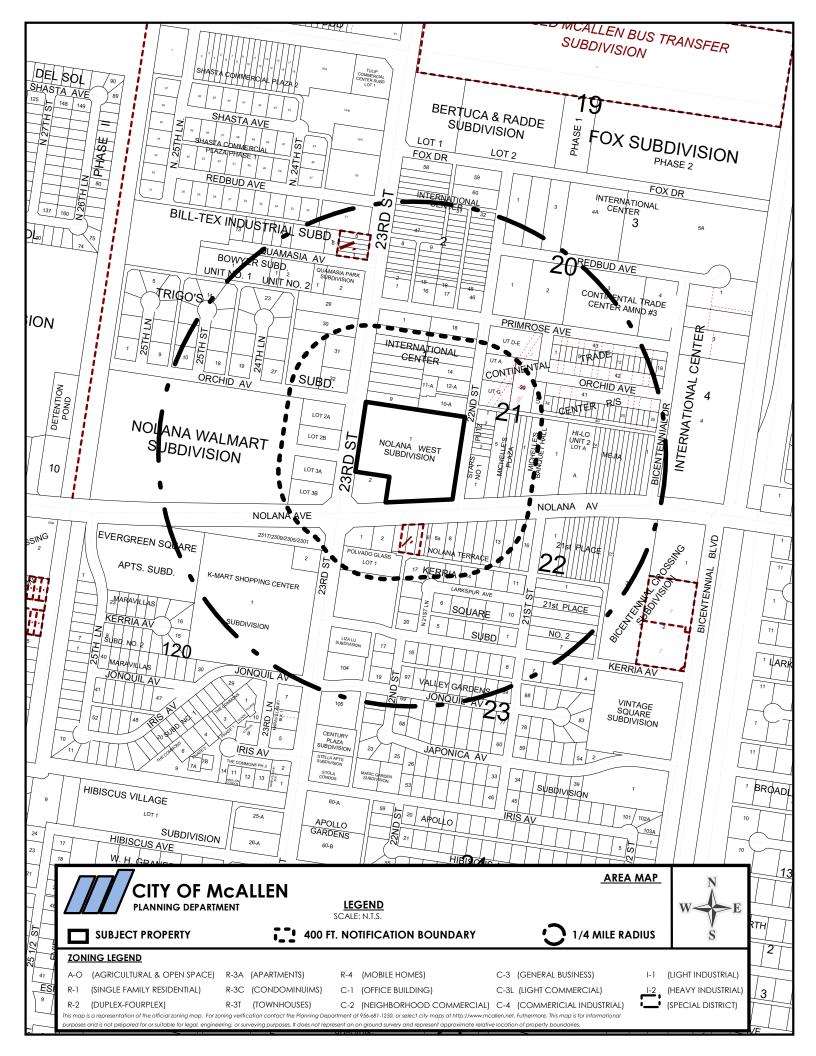
The applicant is proposing to continue operating a bar (DeLoreans) from Suite 2203 with an area of approximately 2,115 sq. ft. The hours of operation would from 6:00 p.m. to 2:00 a.m. Monday through Sunday.

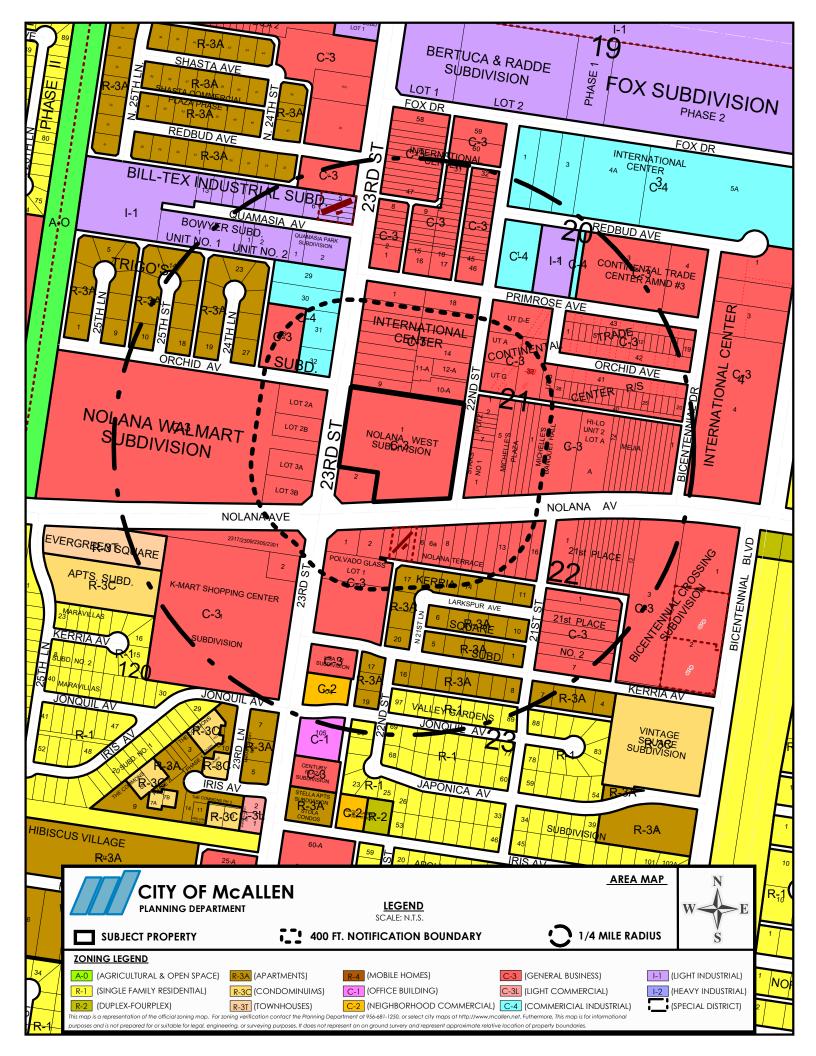
The Fire and Health Department has inspected the bar and the property is in compliance. The police activity report for service calls from April 2020 to present is attached. The Planning Department has received no complaints regarding this use. As per Section 138-400 of the Zoning Ordinance, the parking lot must be properly striped and free of potholes. The establishment must also meet the requirements set forth in Section 138-118(4) of the Zoning Ordinance and specific requirements as follows:

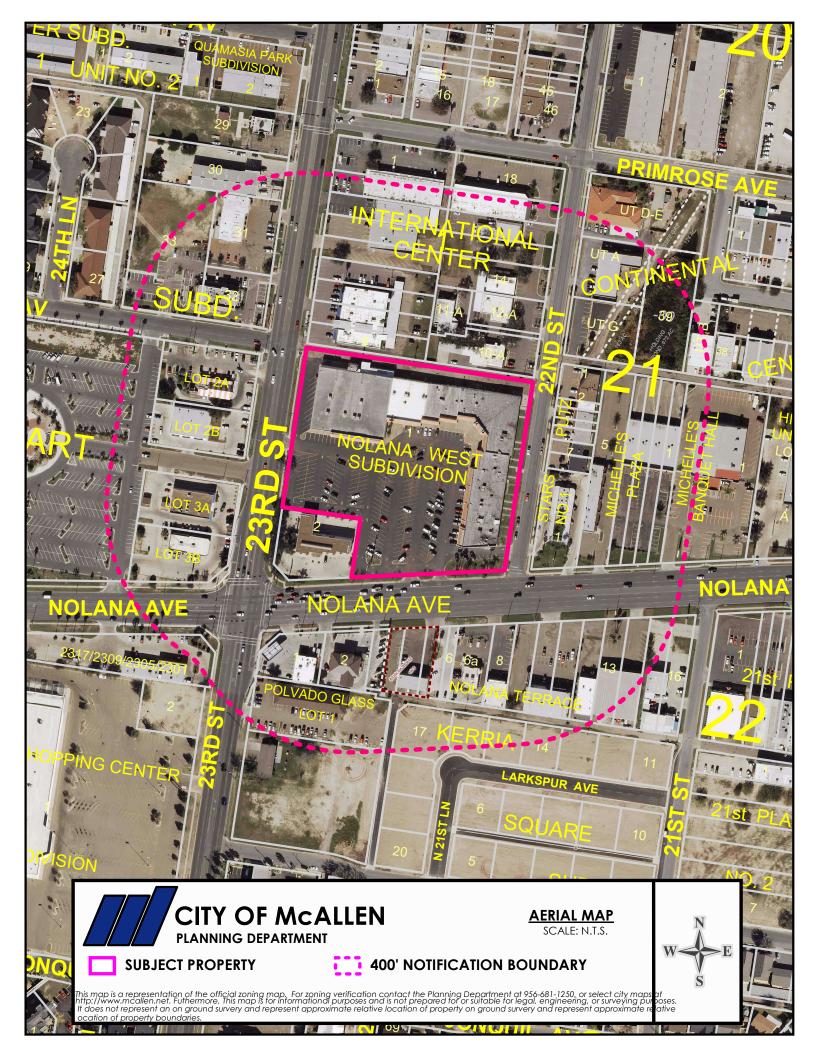
- 1) The property line of the lot of any of the above mentioned businesses must be at least 400 ft. from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruption of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The proposed establishment is within 400 ft. from residential zones/uses, New Life Family Church and McAllen's Public Library;
- The property must be as close as possible to a major arterial and shall not generate traffic onto residential sized streets. The establishment is located on two major arterials, Nolana Avenue and North 23<sup>rd</sup> Street, and does not generate traffic into residential areas;
- 3) The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance as a minimum, and make provisions to prevent the use of adjacent streets for parking. The proposed 2,115 sq. ft. bar would require 22 parking spaces. For every business to run simultaneously in the commercial plaza, 289 parking spaces would be required; there are 291 parking spaces provided on site;
- 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. Occupancy load is 160 people.

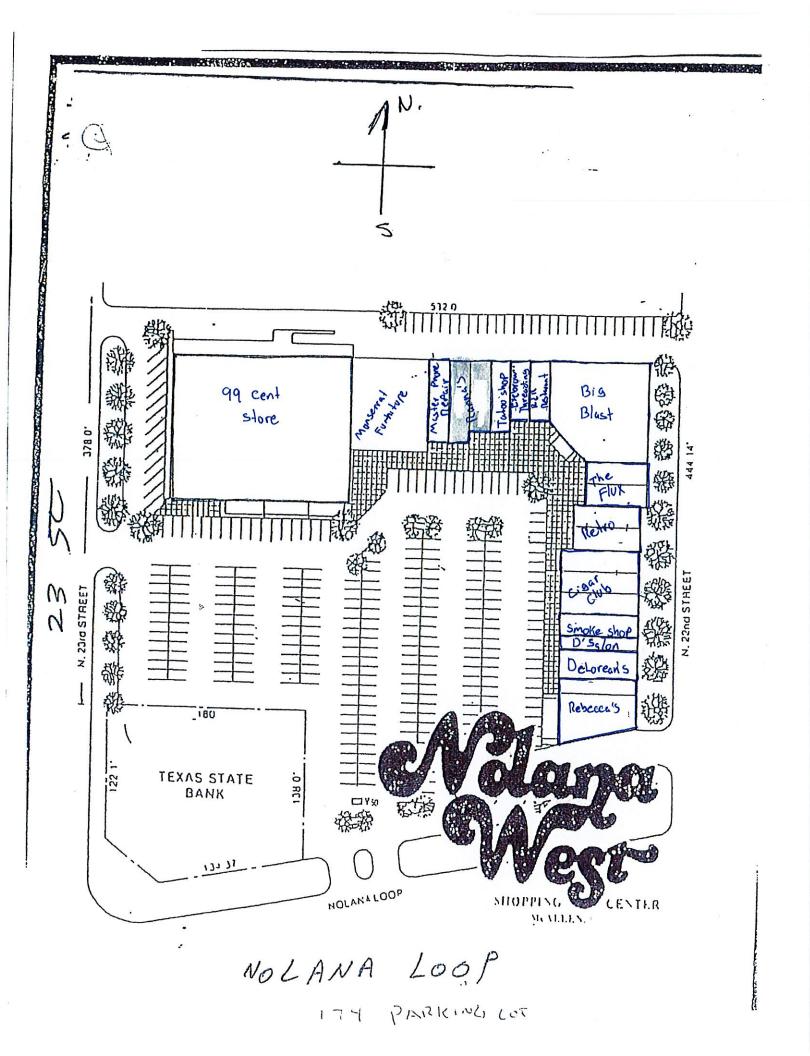
#### **RECOMMENDATION:**

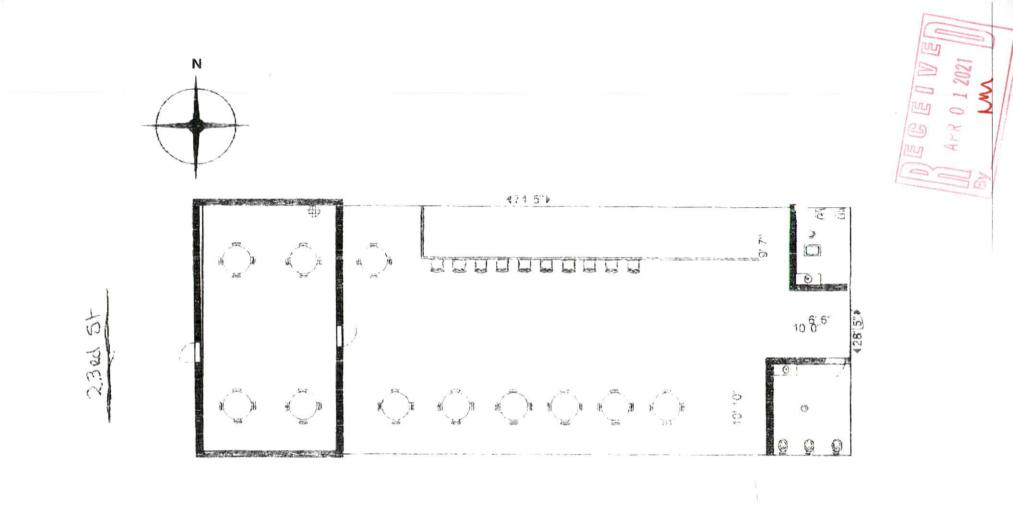
Staff recommends disapproval of the request, based on noncompliance with requirement #1 (distance) of Section 138-118(4) of the Zoning Ordinance.

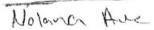












RICARDO MACIAS DBA - DELORANS 2200 W NOLANA SUITE 2226 MCALLEN TEXAS 78504 956-225-7834

#### Form 201

Secretary of State P.O. Box 13697 Austin, TX 78711-3697 FAX: 512/463-5709

Filing Fee: \$300



#### Certificate of Formation For-Profit Corporation

Filed in the Office of the Secretary of State of Texas Filing #: 801076220 01/20/2009 Document #: 243430280003 Image Generated Electronically for Web Filing

#### Article 1 - Entity Name and Type

The filing entity being formed is a for-profit corporation. The name of the entity is:

#### MOONCUSSERS INCORPORATED

The name must contain the word "corporation," "company," "incorporated," "limited," or an abbreviation of one of these terms. The name must not be the same as, deceptively similar to or similar to that of an existing corporate, limited liability company, or limited partnership name on file with the secretary of state. A preliminary check for "name availability" is recommended.

#### Article 2 – Registered Agent and Registered Office

A. The initial registered agent is an organization (cannot be corporation named above) by the name of:

#### **101 REALTY LLC**

OR

B. The initial registered agent is an individual resident of the state whose name is set forth below:

C. The business address of the registered agent and the registered office address is:

#### Street Address: 4308 NORTH 10TH ST SUITE C MCALLEN TX 78501

Article 3 - Directors

The number of directors constituting the initial board of directors and the names and addresses of the person or persons who are to serve as directors until the first annual meeting of shareholders or until their successors are elected and qualified are set forth below:

Director 1: RICARDO MACIAS

Address: 1516 FLAMINGO AVE MCALLEN TX, USA 78504

Director 2: RICARDO A MACIAS Jr

Address: 1516 FLAMINGO AVE MCALLEN TX, USA 78504

Director 3: MARCO A GARZA

Address: 500 EL RANCHO RD 2 MCALLEN TX, USA 78501

Director 4: LUIS A MACIAS

Address: 1516 FLAMINGO AVE MCALLEN TX, USA 78501

Article 4 - Authorized Shares

The total number of shares the corporation is authorized to issue and the par value of each of such shares, or a statement that such shares are without par value, is set forth below.

Number of Shares	Par Value (must choose and complete either A or B)	Class	Series
1000	<ul> <li>A. has a par value of \$</li> <li>B. without par value.</li> </ul>	A	
1000	<ul> <li>A. has a par value of \$</li> <li>B. without par value.</li> </ul>	В	

If the shares are to be divided into classes, you must set forth the designation of each class, the number of shares of each class, and the par value (or statement of no par value), of each class. If shares of a class are to be issued in series, you must provide the designation of each series. The preferences, limitations, and relative rights of each class or series must be stated in space provided for supplemental information.

#### Article 5 - Purpose

The purpose for which the corporation is organized is for the transaction of any and all lawful business for which corporations may be organized under the Texas Business Organizations Code.

#### Supplemental Provisions / Information

[The attached addendum, if any, is incorporated herein by reference.]

#### **Effectiveness of Filing**

OR

A. This document becomes effective when the document is filed by the secretary of state.

B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of its signing. The delayed effective date is:

Organizer

The name and address of the organizer is set forth below. RICARDO MACIAS 1516 FLAMINGO AVE

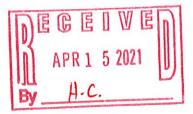
Execution

The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument.

#### **RICARDO MACIAS**

Signature of organizer

FILING OFFICE COPY









# **Incident Analysis Report**

Summary

Print Date/Time:	04/29/2021 11:28			McAllen Police Department		
Login ID:	mcpd7004	From Date:	04/29/2020 00:01		ORI Number:	TX1080800
Incident Type:	All	To Date:	04/29/2021 11:00	Officer ID:	All	
Call Source: All				Location:	2200 NOLANA AVE 2204,	
Incident Date/T	ime Incident Number Incid	lent Type	Location			

Total Matches:

0



# Memo

TO: Planning and Zoning Commission

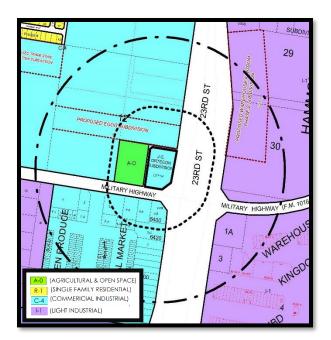
FROM: Planning Staff

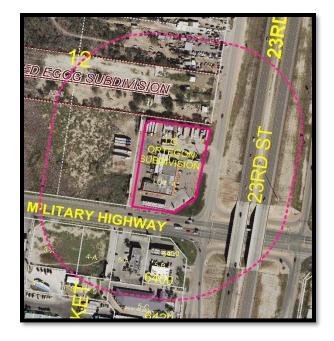
**DATE:** April 20, 2021

SUBJECT: REQUEST OF SANDRA GOMEZ FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A BAR AT LOT A, J.G. ORTEGON SUBDIVISION; 6328 SOUTH 23<sup>RD</sup> STREET. (CUP2021-0038)

#### **DESCRIPTION:**

The property is located at the northwest corner of South 23<sup>rd</sup> Street and Military Highway and is zoned C-4 (commercial industrial) District. The adjacent zoning is C-4 District to the north and south, I-1 (light industrial) District to the east and A-O (agricultural and open space) District to the west, and I-1 (light industrial) District to the east. Surrounding land uses include a convenience store, car sales, the McAllen Produce Terminal Market, Burger King, Stripes, Texas Inn Hotel and vacant land. A bar is allowed in a C-4 zone with a Conditional Use Permit and in compliance with requirements.





#### **HISTORY:**

The initial conditional use permit was approved for this establishment by the Planning and Zoning Commission in September of 1991 and has been renewed annually to different tenants. The last permit was approved for one year on March 3, 2019.

#### **REQUEST/ANALYSIS:**

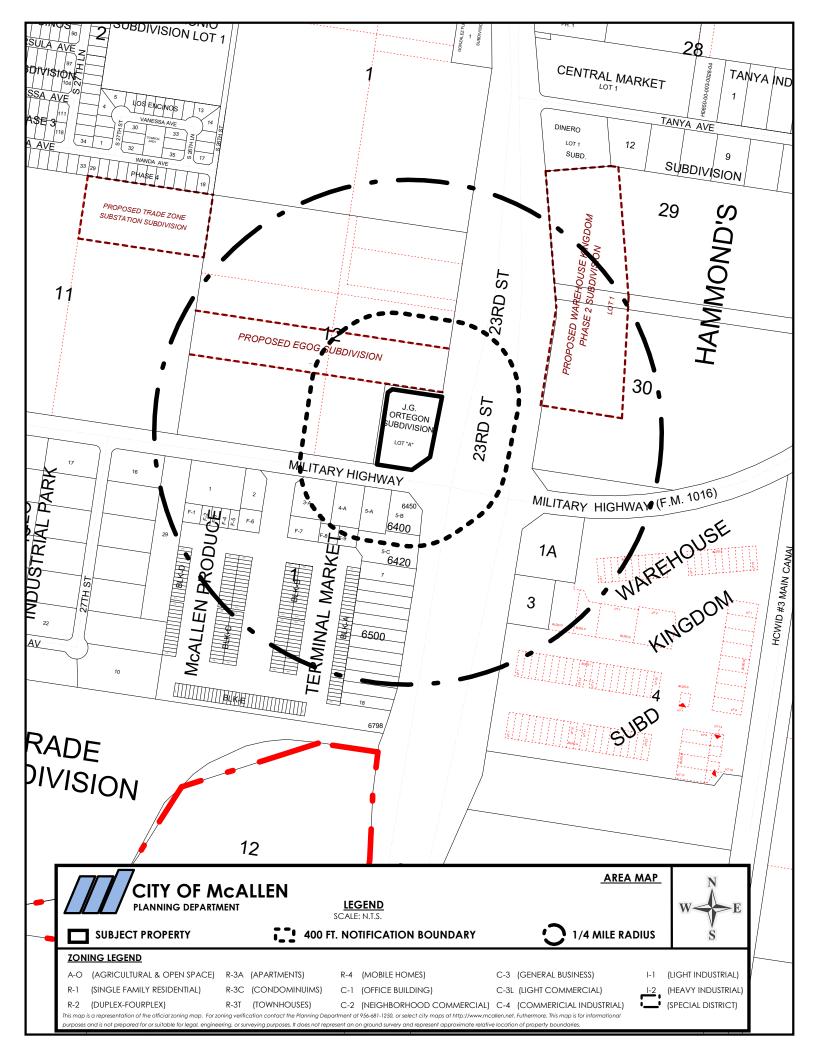
The applicant is proposing to continue to operate a bar (Desperado Saloon) from the existing lease space. The hours of operation will be from 5:00 p.m. to 2:00 a.m. Monday through Saturday.

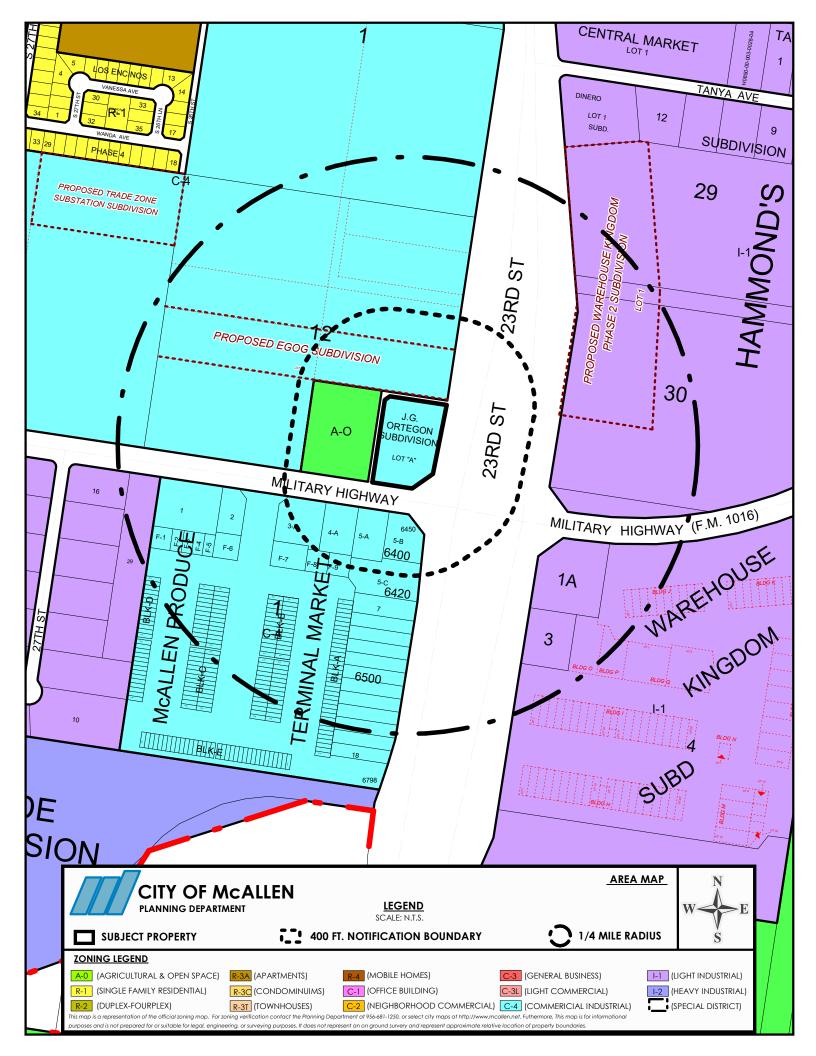
A police activity report is attached for service calls from April 2020 to present. The Health and Fire Departments have inspected and cleared the establishment. Should the Conditional Use Permit be approved, the applicant will be required to sign the application acknowledging and agreeing to the conditions of the permit. The establishment must also meet the requirements set forth in Section 138-118(4) of the Zoning Ordinance and specific requirements as follows:

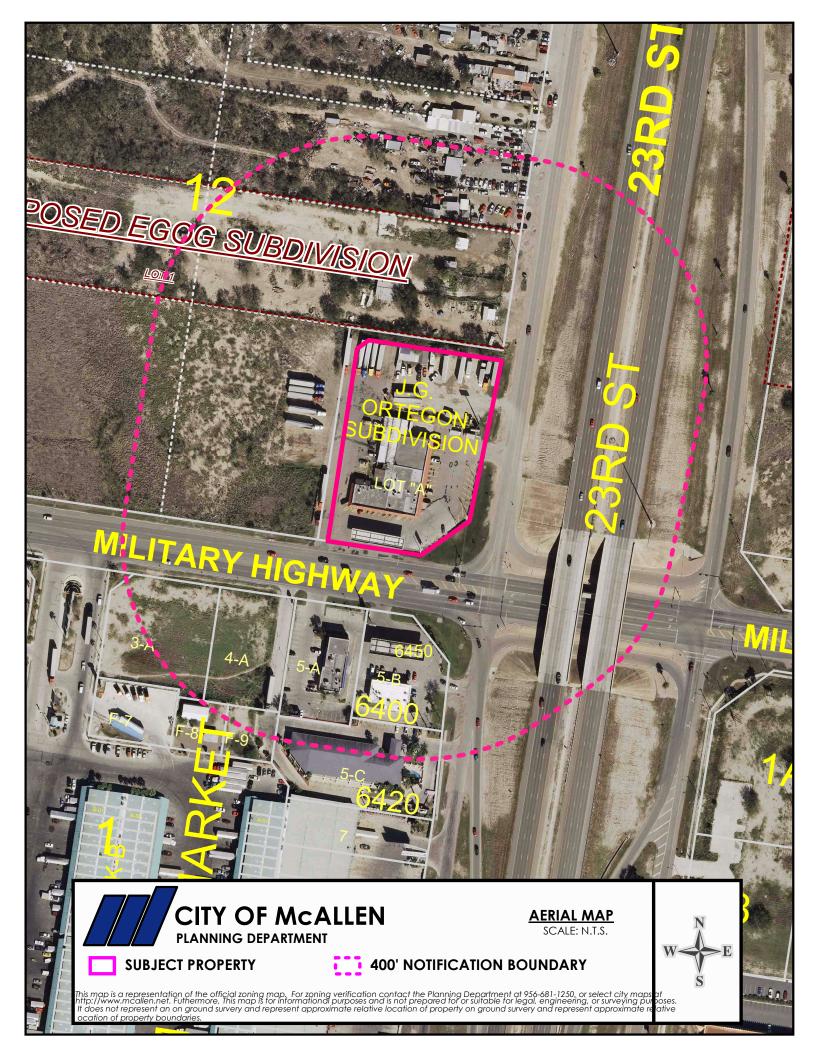
- 1) The property line of those businesses having late hours (after 10:00 p.m.) must be at least 400 feet from the nearest residence, church, school or publicly-owned property or must provide sufficient buffer and sound insulation of the building such that the building is not visible and cannot be heard from the residential areas. This establishment is not within 400 feet of the above mentioned zones or uses;
- The property must be as close as possible to a major arterial and shall not generate traffic onto residential sized streets. The establishment has direct access to South 23<sup>rd</sup> Street and Military Highway;
- 3) The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance as a minimum, and make provisions to prevent the use of adjacent streets for parking. Based on the square footage of the establishment 2036 square feet. 21 parking spaces are required for this use and 21 additional spaces are required for the remainder of the building. There are 56 parking spaces provided in the common parking area in the front and rear of the building.
- 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. The allowable number of persons within the building is 116 persons.

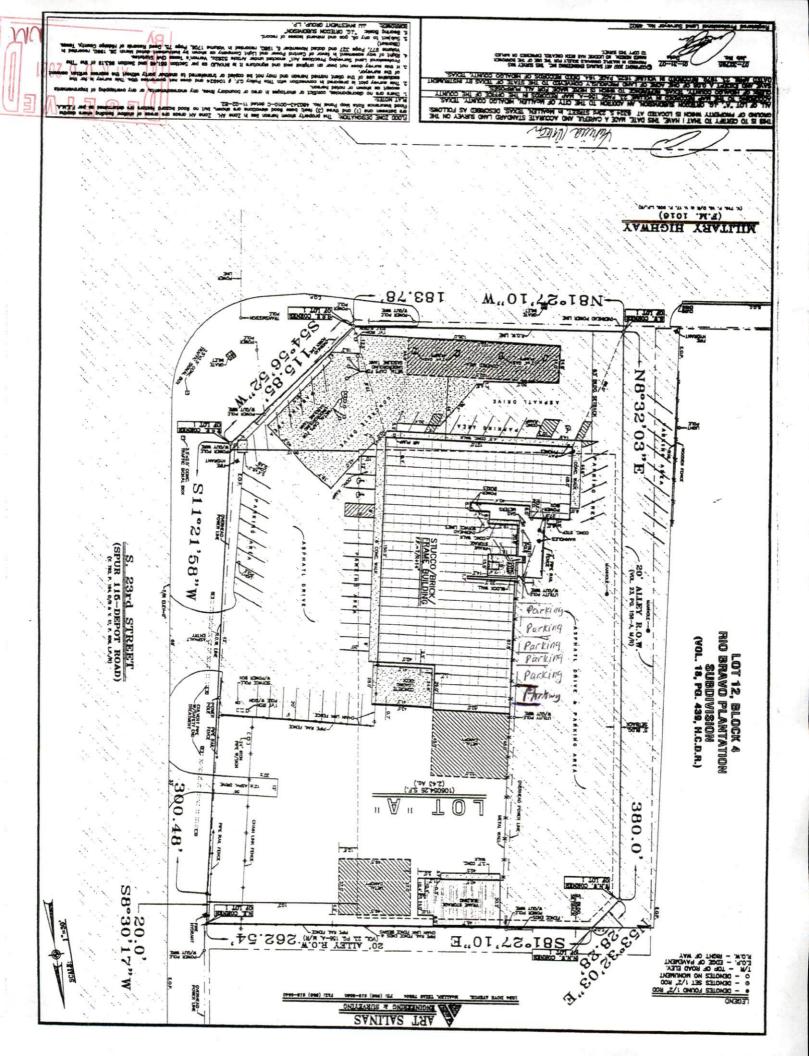
#### **RECOMMENDATION:**

Staff recommends approval of the request, for one year, subject to compliance with requirements in Section 138-118(4) of the Zoning Ordinance, Health and Fire Department requirements, and striping of rear parking lot and fixing of potholes.

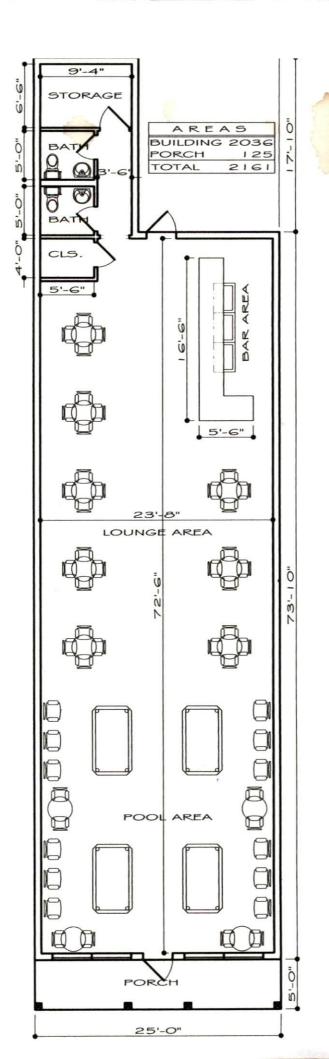












April 1, 2021

To Whom It May Concern,

I, Jorge L Ortegon, owner of JJJ Investments LP, authorize Sandra Gomez to open 6328 S 23<sup>rd</sup> McAllen, Texas for the purpose of a bar.

Sincerely,

Jorge L Ortegon









# **Incident Analysis Report**

Crime Records Office

СОРҮ

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Summary

Print Date/Time:	04/29/2021 11:30				McAllen Poli	ce Department
Login ID:	mcpd7004	From Date:	04/29/2020 00:01		ORI Number:	TX1080800
Incident Type:	All	To Date:	04/29/2021 11:00	Officer ID:	All	
Call Source:	All			Location:	6328 S 23RD ST, MC	CALLEN
Incident Date/T	ime Incident Number Inc	cident Type	Location			

Total Matches:

0



Planning Department

## Memo

TO: Planning and Zoning Commission

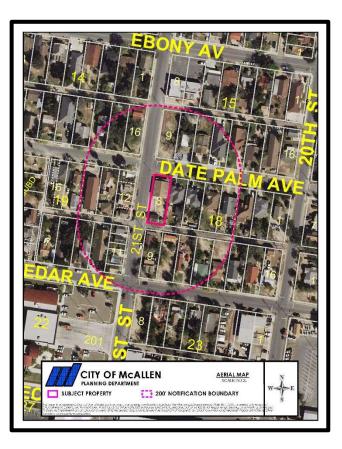
FROM: Planning Staff

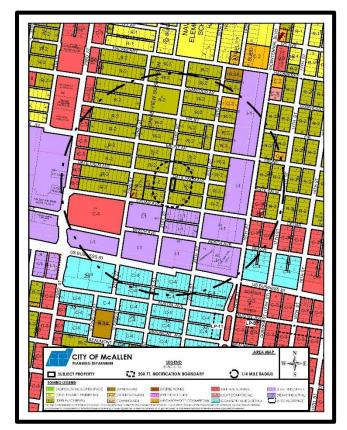
**DATE:** April 28, 2021

SUBJECT: REQUEST OF ADRIAN GUTIERREZ ON BEHALF OF MINISTERIO PAN DE VIDA, FOR A CONDITIONAL USE PERMIT, FOR FIVE YEARS, FOR AN INSTITUTIONAL USE (CHURCH) AT LOT 8, BLOCK 18, HAMMOND ADDITION SUBDIVISION, HIDALGO COUNTY, TEXAS; 2029 DATE PALM AVENUE. (CUP2021-0034)

## **BRIEF DESCRIPTION:**

The property is located at the southeast corner of North 21<sup>st</sup> Street and Date Palm Avenue and is zoned R-2 (Duplex-Fourplex) District. The adjacent zoning is R-2 in all directions and surrounding land uses include single family residences and multi-family residences. An institutional use is permitted in an R-2 zone with a conditional use permit and in compliance with requirements.





## **HISTORY:**

The initial conditional use permit was approved for one year on July 5, 2011 by the Planning and Zoning Commission. The permit was renewed annually until 2015. The last permit was approved by the City Commission on November 23, 2015 for five years. There is now a new applicant who is requesting the permit for five years; therefore, it has to come before the Planning and Zoning Commission for consideration.

### **REQUEST/ANALYSIS:**

The main building was built prior to the 1979 Zoning Ordinance and has been previously used as a church. The 1,672 sq. ft. main building consists of an auditorium, two rooms, one office and two restrooms as shown on the submitted site plan. The second building located at the rear of the property is vacant. The applicant proposes to operate a church (Ministerio Pan De Vida) on Thursdays from 7:00 PM to 9:00 PM and on Sundays from 10:00 AM to 12:00 PM.

The church is proposing a seating arrangement of 40 chairs in the main auditorium. Based on the seating capacity of 40 persons, 10 parking spaces are required. The applicant proposes to provide parking on an area in the front and west side of the building, as had been the case with the previous churches. Parking and landscaping on the property are considered to be nonconforming.

The Fire Department has conducted the necessary inspection for this property and is in compliance with applicable code requirements. Should the conditional use permit be approved, the applicant would be required to sign the application acknowledging and agreeing to all conditions of the permit. The proposed use must also comply with the zoning ordinance and specific requirements as follows:

- 1) The proposed use shall not generate traffic onto residential size streets or disrupt residential areas, and shall be as close as possible to a major arterial. The property is approximately 910 feet north of U.S Business 83.
- 2) The proposed use shall comply with the McAllen Off-Street Parking and Loading Ordinance and make provisions to prevent the use of street parking, especially in residential areas. Based on the seating area of 40 seats, 10 parking spaces are required; 10 parking spaces are provided on the submitted site plan. Existing conditions for parking predate the City's parking requirements and are proposed to remain unchanged;
- The proposed use shall prevent the unauthorized parking of its patrons on adjacent businesses or residences by providing fences, hedges or reorientation of entrances and exits;
- 4) The proposed use shall provide sufficient lighting to eliminate dark areas, perimeter fencing, and an orientation of the building to provide maximum visibility from a public street in order to discourage vandalism and criminal activities;
- 5) Provisions shall be made to prevent litter from blowing onto adjacent streets and residential areas;

- 6) The number of persons within the building shall be restricted to the existing seating capacity for the building; and
- 7) Sides adjacent to commercially and residentially zoned or use property shall be screened by a 6 ft. opaque fence. Existing conditions for landscaping predate the City's requirements and will remain unchanged.

## **RECOMMENDATION:**

Staff recommends approval of the request, for five years, subject to compliance with the Zoning Ordinance, Building Permits and Fire Department requirements.

12.		
14	CITY OF MCALLEN, TEXAS Permit No. 0140034	
14	311 NORTH 15 <sup>TH</sup> STREET, McALLEN, TX 78501         NEW           P. O. BOX 220, McALLEN, TEXAS 78505-0220 • (956) 681-1250• FAX (956) 681-1279         NEW	
ni ,	(asper planning Diret, ) INSTITUTIONAL USES	
1	CONDITIONAL USE PERMIT APPLICATION	
1	(Please print or type)	
	Application Date/ 956 212-7582	
	Adrian Gutierrez Behave of PHONE NO: 956 212-7582 Applicant (first) (initial) (last) MINISTERIO PAN DE VIDE	
	521 N. 20th St McAllen, TX 78501	
	Mailing Address (city) (state) (zip)	
	Yolanda Garcia PHONE NO: 956-342-2806	
	Property Owner (first) (initial) (last)	
	1020 N. 4th St McAllen, TX 78501	
	Mailing Address (city) (state) (zip)	
	2029 Date Palm Ave. MCAllen, TX 78501	
	Property Location (street address)	
	Hammond Addition 18 8	
	Property Legal Description (if metes and bounds, attach survey of the property) (subdivision) (block) (lot)	
	Vacant Church Thur 700 pm Sin 100m 12	pr
	Current use of property Proposed use of property	
	TERM OF PERMIT:1 YEAR1 YEAR	
	SITE PLAN & FLOOR PLAN (attach a drawing of the property & buildings showing the following) 5 years	
	Scale, north arrow, legal description of propertyLandscaping and fencing of yard	
~	Location and height of all structuresOff-street parking and loadingOff-street parking and loadingDriveway location & design	
$\left  \right\rangle$	Proposed changes and uses	
$-\gamma$	Alundeller 3/24/21 × Malarela Sigar 3/24/21	
1	(Applicant signature) (date) (Property owner signature) (date)	
	Applicant signature) (Applicant signature) Advice General INFORMATION (Applicant Signature) Jo Jan da. Garcia (date) <u>GENERAL INFORMATION</u> <u>Location, type, noight and ignite</u> <u>Jo Jan da</u> . Garcia (date)	
	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	
	and zoning commonion papilo rounning. Open considering the recommendation of the birector of rightining, the rightining and zoning commission shall approve	

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.

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

Institutional - A nonprofit organization or building, public or private, for the benefit of the public; or educational facilities, churches, temples, hospitals, clubs, fire stations, police stations, libraries, museums, city offices, etc. Institutional Use - Pg. 1 - REVISED 10/16

K.F. 82

APPLICATION FILING FEE:

#### .FOR OFFICIAL USE ONLY ..

□ \$150.00 APPEAL □ \$500.00 Life of the Use

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.

S300.00 One Year

cash/check #

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 proposed use shall not generate traffic onto residential size streets or disrupt residential areas, and shall be as close as possible to a major arterial.
- 2. The proposed use shall comply with the Off-street Parking and Loading Ordinance and make provisions to prevent the use of street parking especially in residential areas.
- The proposed use shall prevent the unauthorized parking of its patrons on adjacent businesses or residences by providing fences, hedges, or reorientation of entrances and exits.
- The proposed use shall provide sufficient lighting to eliminate dark areas, perimeter fencing, and an orientation of the building to provide maximum visibility from a public street in order to discourage vandalism and criminal activities.
- 5. Provisions shall be made to prevent litter from blowing onto adjacent streets and residential areas.
- The number of persons within the building shall be restricted to
- 7. Sides adjacent to a residentially zoned or used property shall be screened by a 6' opaque fence.

#### DEPARTMENTAL REQUIREMENTS

REQUIRED CONDITIONS	DEPARTMENT	MONTH/DAY
Complies with regulations	Health Inspection	1
Meet standard requirements	Fire Inspection	1
Subject to:	Planning	1
Permit #	Building/Electrical/Plumbing	1
	Other	1

#### CITY BOARD REQUIREMENTS

PLANNING & ZONING COMMISSION REQUIRED CONDITIONS:	DATE_	/	/	APPROVED	DISAPPROVED	1 YEAR	OTHER
CITY COMMISSION	DATE	/	/	APPROVED	DISAPPROVED	_ 1 YEAR	OTHER

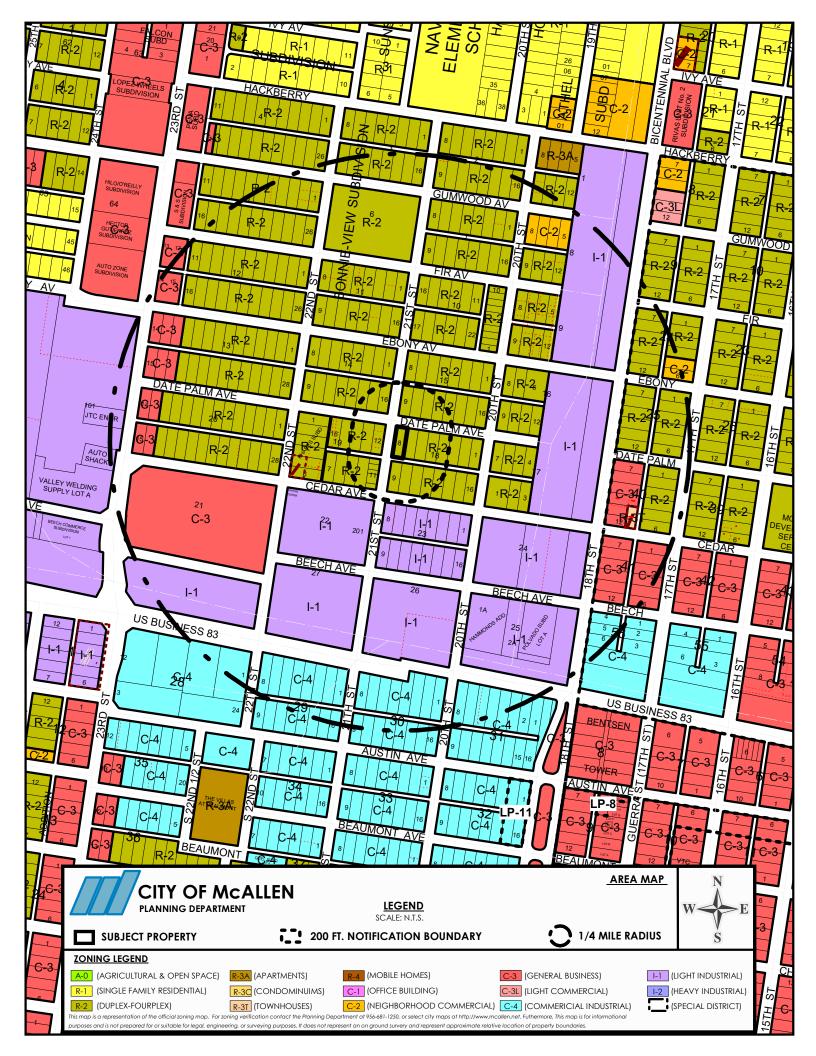
### .....ACKNOWLEDGEMENT AND AGREEMENT TO CONDITIONS ...

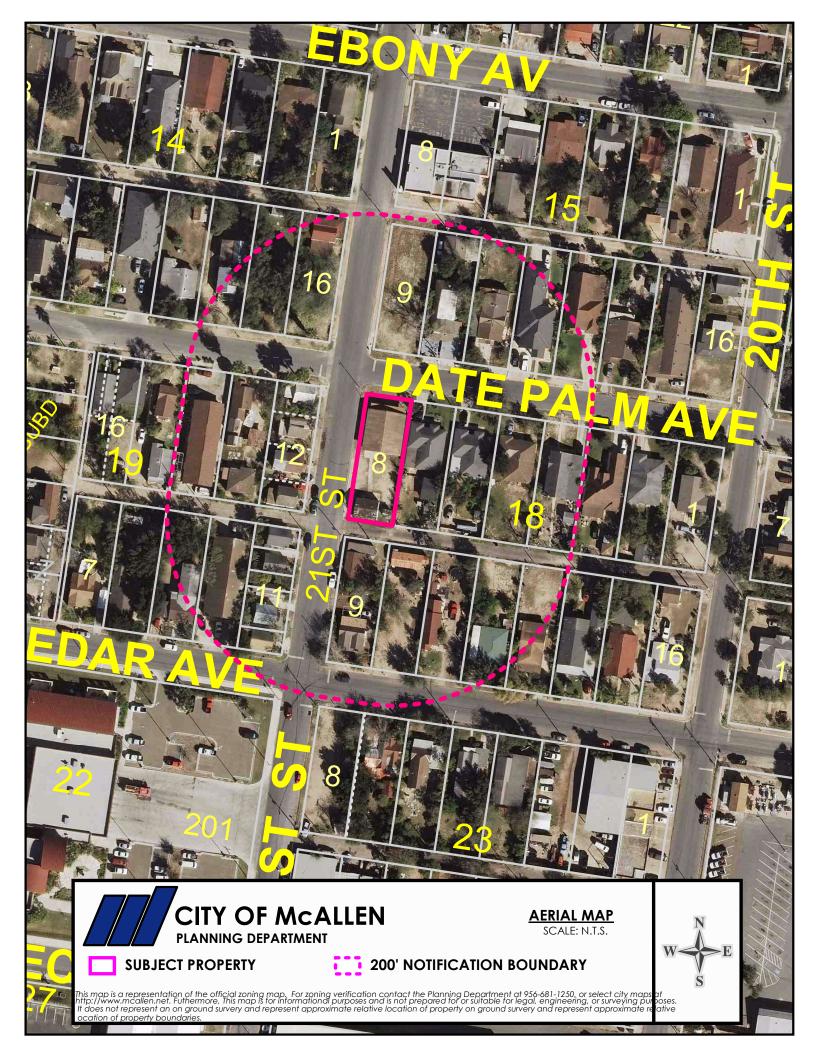
Note: <u>Approval of this permit does not constitute approval to construct, alter or repair.</u> <u>Appropriate building permits must be obtained</u>. The foregoing is a true and correct description of the existing conditions and contemplated action and I will have full authority over the operation and/or 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.

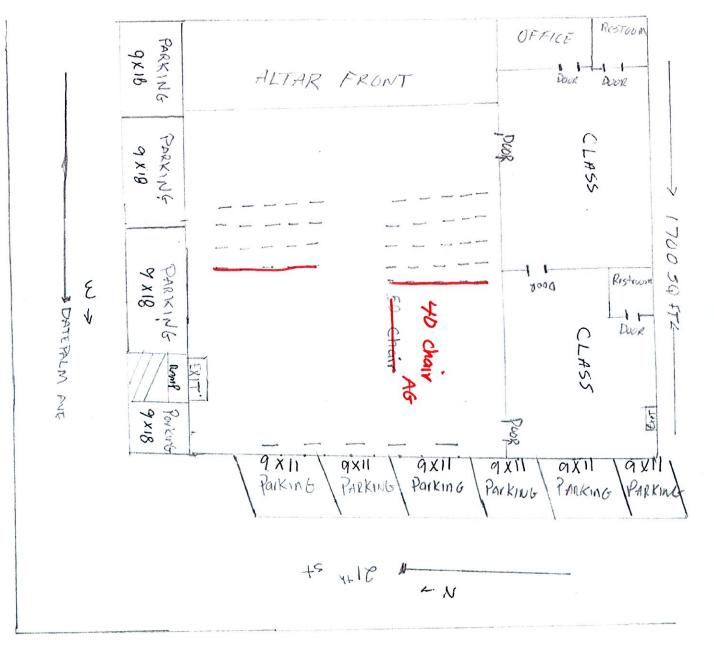
(Applicant signature)

(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.









CHURCH SITE PLAN





**Planning Department** 

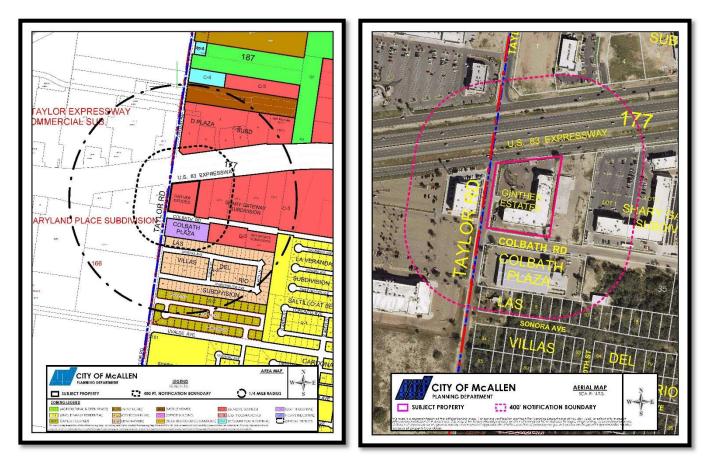
## Memo

TO: Planning and Zoning Commission

- FROM: Planning Staff
- **DATE:** April 28, 2021
- SUBJECT: REQUEST OF KIEN QUOC TRAN FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A BAR/SOCIAL CLUB AT LOT 1, GINTHER ESTATES SUBDIVISION, HIDALGO COUNTY, TEXAS, 5025 EXPRESSWAY 83, SUITE 100. (CUP2021-0039)

## **DESCRIPTION:**

The property is located at the southeast corner of the intersection Expressway 83 and Taylor Road. The subject property is zoned C-3 (general business) District. The adjacent zoning is C-3 District to the north and east, and I-1 (light industrial) District to the south. The surrounding land uses include commercial businesses, restaurants, beauty salon, gym, and bars. A bar/social club is allowed in a C-3 zone with a conditional use permit and in compliance with requirements.



## **HISTORY**:

The previous tenant K.O Social Club was issued a certificate of occupancy for a restaurant on March 1, 2019. The last conditional use permit for a social club (K.O Social Club) was approved by the City Commission on October 26, 2020 for one year. Since then the social club has changed ownership and name, therefore it has to come before the Planning and Zoning Commission for consideration.

## ANALYSIS:

The applicant is proposing a bar/social club (H & K Social Club), in an existing 7,000 sq. ft. building. The proposed hours of operation are from 4:00 P.M. to 2:00 A.M. daily. A Conditional Use Permit is required for a bar/social club. The applicant must comply with the Health and Fire Department requirements. The establishment must also meet the requirements set forth in Section 138-118(a)(4) of the Zoning Ordinance and specific requirements as follows:

- 1) The property line of the lot of any of the abovementioned businesses must be at least 400 feet from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruptions of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The establishment is less than 400 ft. of a residential subdivision to the south of the subject property;
- 2) 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 subject property has frontage on expressway 83 and does not generate traffic into residential areas;
- 3) The abovementioned businesses must provide parking in accordance with the city offstreet parking ordinance as a minimum, and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional onsite parking. The proposed bar requires 58 parking spaces, there are 149 total parking spaces provided. Parking spaces must comply with Section 138-400 of the Ordinance and must be clearly striped and pavement surface shall be maintained free of litter, debris, loose gravel, cracks and potholes before final inspection of building permit;
- 4) 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;
- 5) The abovementioned businesses should do everything possible and be designed to discourage criminal activities and vandalism, both on the site and on adjacent properties. Included would be provision of sufficient lighting and perimeter fencing, elimination of dark areas, and the orientation of the building such that it provides maximum visibility of as much as possible of the site from a public street;
- 6) The abovementioned businesses must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties;

7) The abovementioned businesses shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Director of Planning. This number cannot exceed the number provided for in existing city ordinances.

## **RECOMMENDATION:**

Staff recommends disapproval of the request based on non-compliance with requirement #1 (distance) of Section 138-118(a)(4) of the Zoning Ordinance. If approved, Conditional Use Permit must comply with conditions noted.

P:1-5/4/21 P. O. BOX 220, MCALLEN, TEXAS 78505-0220 • (956) 681-1250 • FAX (956) 681-1279 BARS, COCKTAIL LOUNGES, TAVERNS, CANTINAS, SALOONS
DANCEHALLS, DISCOTHEQUES, DISCOS OR NIGHTCLUBS, EVENT CENTERS
Application Date 03 129 12021 (Please print or type)
Applicant (first) (initial) (last) PHONE NO.: 814-245-6789
5025 WUS Highway 83 Ste 100 MCAUCH TX 78503 Mailing Address (city) (state) (zip)
Mailing Address (city) (state) (zip)
Property Owner (first) (initial) (last)
5025 Expression 83 ste 100 MCAIRENTX 78503
Mailing Address (city) (state)
<u>5025 Equession</u> , <u>83 ste 100 McAllen TX 78503</u> Mailing Address (city) (state) (zip), <u>5025 Equession</u> , <u>83 ste 100 McAllen TX 78503</u> Property location (street address)
Ginther Estates Lot 1
Property Legal Description (if metes and bounds, attach survey of the property) (subdivision) (block) (lot) BAR, Abciae Clube
TERM OF PERMIT: <u>1</u> YEAR <u>N/A</u> MORE THAN 1 YEAR (requires City Commission approval)
7 days a week 4M-2AM
FLOOR PLAN & SITE PLAN (attach a drawing of the property showing the following) Scale, north arrow, legal description of property Landscaping and fencing of yard
Location and height of all structuresOff-street parking and loading
Setback from property lines and between structuresDriveway location & design
Proposed changes and uses
03/29/2021 03/29/202/
(Applicant signature) (date) (Property owner signature) (date)
(Applicant signature) (date) (Property owner signature) (date) (date)
GENERAL INFORMATION
NOTIFICATION AND PUBLIC HEARING: Property owners within 600' of the subject property shall be notified within at least 10 working days of the Planning

**NOTIFICATION AND PUBLIC HEARING:** Property owners within 600' 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.

Case Number:	CRouted	DECEIVEN
P&Z meeting:	Scanned	APR 0 7 2021
Receipt No.: <u>783233</u>		By the
# 783233		

#### DEFINITIONS

Bar, Cocktail Lounge, Tavern, Cantina, Saloon - An establishment where alcoholic beverages are sold for on-premise consumption other than a restaurant. A restaurant is defined as a building where the primary business is the on-premise sale of prepared food, with adequate kitchen facilities and where at least 51% of the gross income is derived from the sale of food.

Dancehall, Discotheque, Disco, Nightclub - An establishment whose primary activity is the provision of facilities for dancing including a dance floor and live entertainment or amplified music. Such establishments may or may not provide on-premise consumption of alcoholic beverages. Schools of dance are exempted from this definition.

	FOR	OFFICIAL USE ONLY		
	APPLICATION FILING FEE:	😼 \$525.00 One year and appeal		
	cash/check #	Amount paid	)	
	ZONING D	DISTRICT REQUIREMENTS		
REQUIRED ZONING DISTRICT: C-3, C-4		CURRENT ZONIN	G DISTRICT:	
REZONING REQUIRED NO		YES, attach	rezoning application	

CONDITIONAL USE REQUIREMENTS

MAXIMUM HEIGHT:

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:**

SETBACKS: FRONT

MINIMUM LOT SIZE:

1. No form of pollution shall emanate beyond the immediate property line of the permitted use.

RFAR

 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 property line shall be at least 600' from the nearest residence, church, school or publicly-owned property; or provide sufficient buffering of the building such that the business is not visible or audible from residential areas and does not disrupt the character of adjacent residential areas.

Requirement:

 The proposed use shall not generate traffic onto residential-size streets or disrupt residential areas and shall be as close as possible to a major arterial. Requirement:

3. The proposed use shall comply with the Off-street Parking and Loading Ordinance and make provisions to prevent the use of street parking, especially in residential areas.
Requirement:

4. The proposed use shall prevent the unauthorized parking of its patrons on adjacent businesses or residences by providing fences, hedges, or reorientation of entrances and exits. Requirement:

5. The proposed use shall provide sufficient lighting to eliminate dark areas, perimeter fencing and an orientation of the building to provide maximum visibility from a public street in order to discourage vandalism and criminal activities. Requirement: \_\_\_\_\_\_

6. Provisions shall be made to prevent litter from blowing onto adjacent streets and residential areas. Requirement\_\_\_\_\_

7. The number of persons within the building shall be restricted to \_\_\_\_

SIDE

### DEPARTMENTAL REQUIREMENTS

REQUIRED CONDITIONS	DEPARTMENT	MONTH/DAY
Complies with regulations	Health Inspection	1
Meet standard requirements	Fire Inspection	1
Subject to Section: 138-118 ( )	Planning	1
Permit #	Building/Electrical/Plumbing	1
	Other	1

#### CITY BOARD REQUIREMENTS

PLANNING & ZONING COMMISS REQUIRED CONDITIONS:	ION DATE/	/ APPROVED	DISAPPROVED	1 YEAR	OTHER
CITY COMMISSION REQUIRED CONDITIONS:	DATE / /	APPROVED	DISAPPROVED	1 YEAR	OTHER

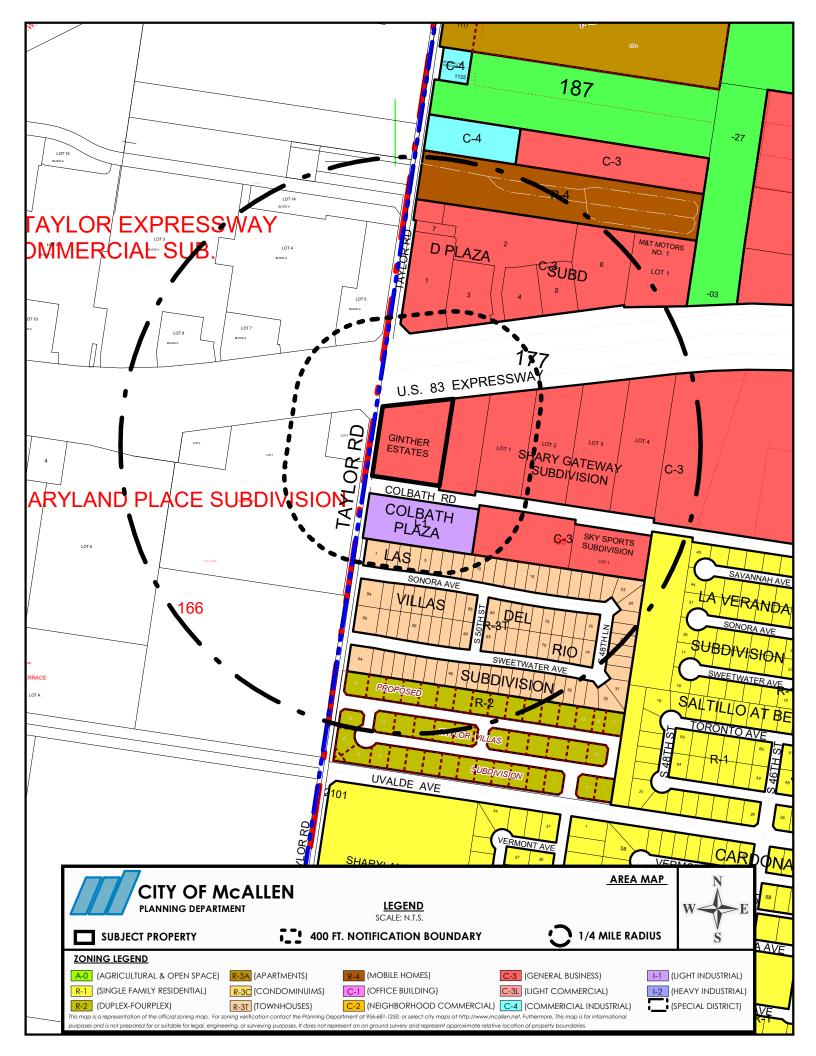
#### ACKNOWLEDGEMENT AND AGREEMENT TO CONDITIONS...

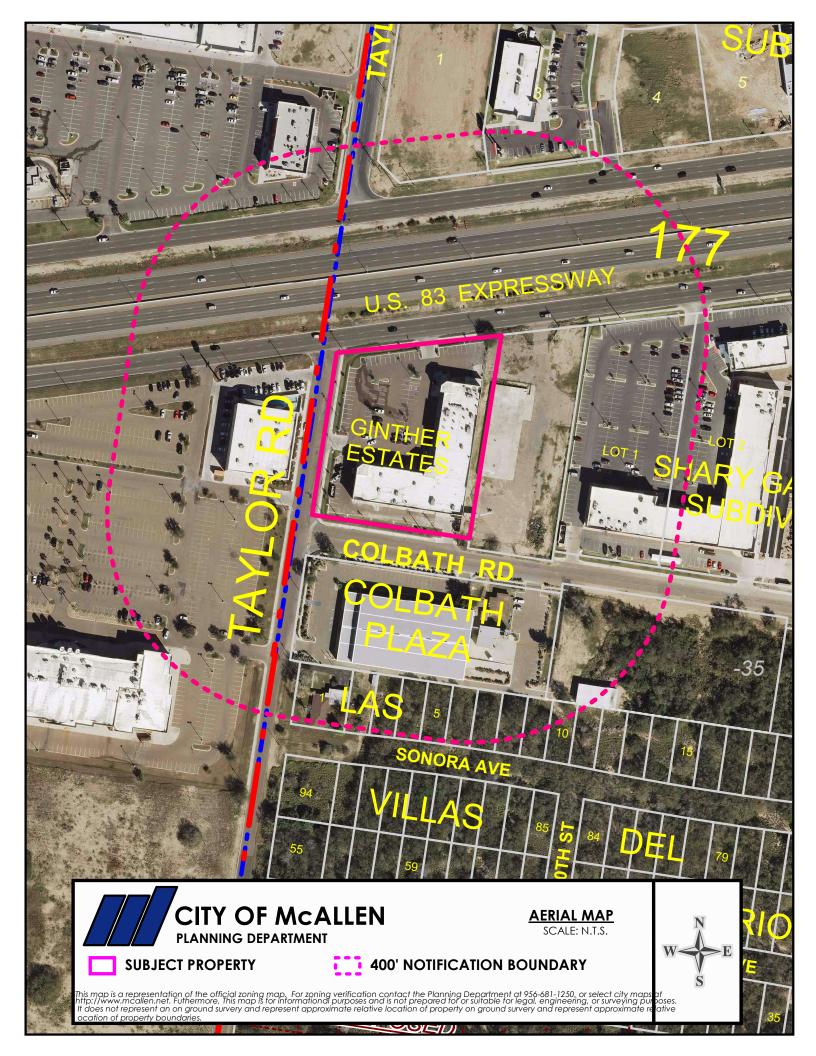
Note: <u>Approval of this permit does not constitute approval to construct, alter or repair.</u> Appropriate building permits must be obtained. The foregoing is a true and correct description of the existing conditions and contemplated action and I will have full authority over the operation and/or construction 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.

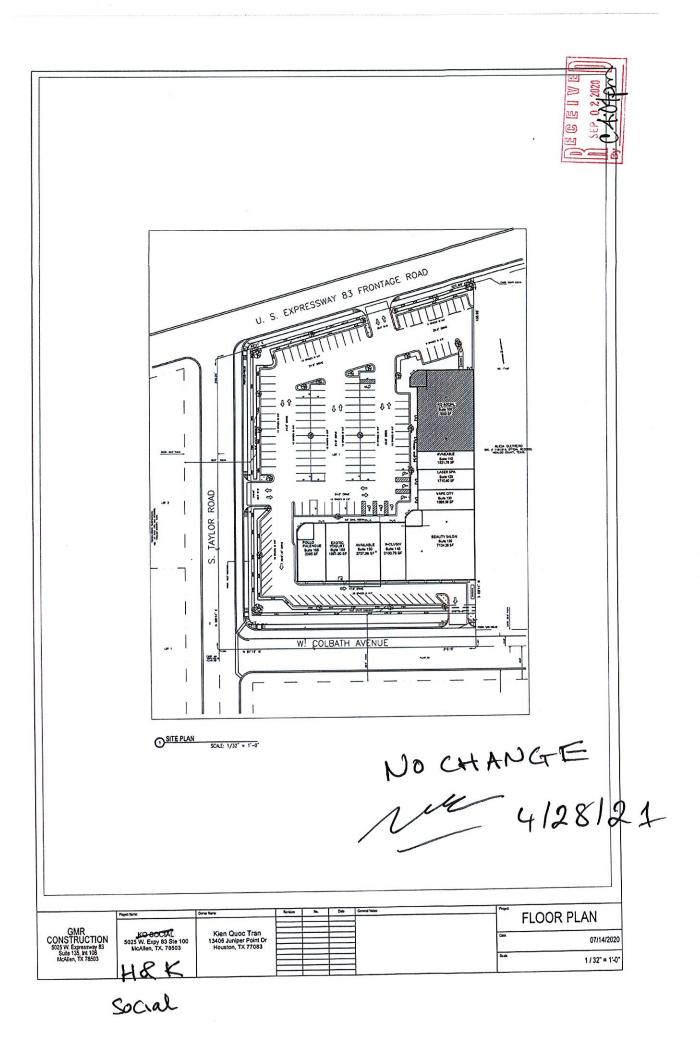
(Applicant signature)

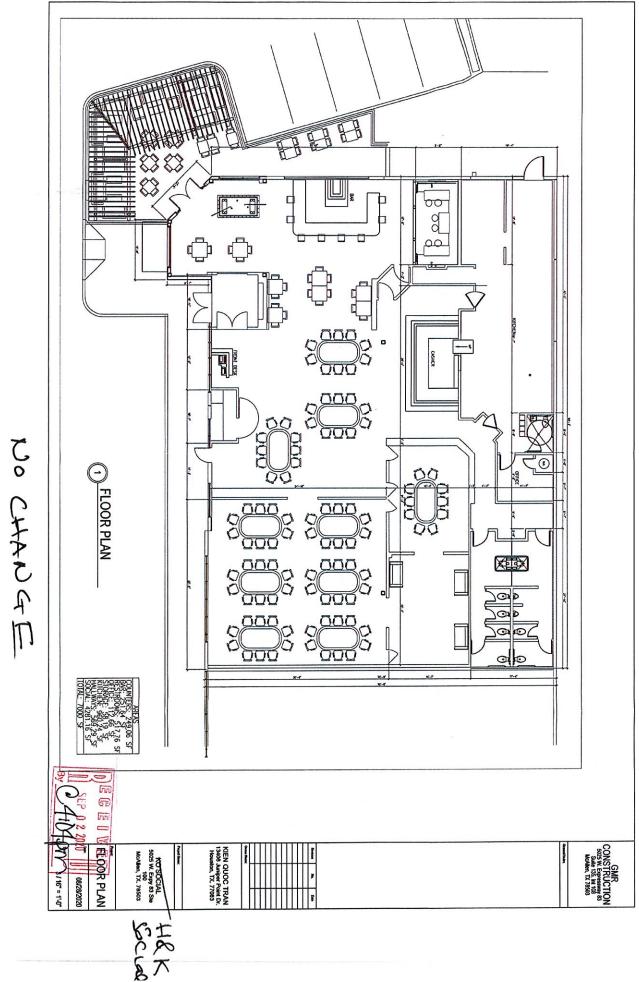
(date)

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.









les 4/28/21















MINH NGUYEN I, KIEN QUOC TRAN AUthONIZE to Representive any nessesary of meeting for the application for conditional at 50 25 WEXPY 83 Suite 100 MC, TX 78503

KIENTRAN 4128/21

RECEIVED Hait Hait

## Planning Department

## Memo

TO: Planning and Zoning Commission

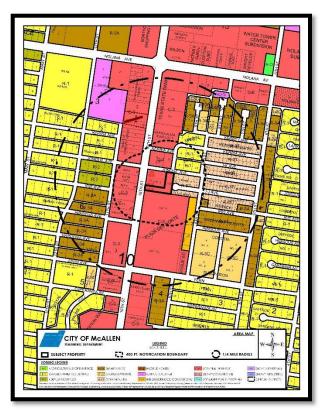
FROM: Planning Staff

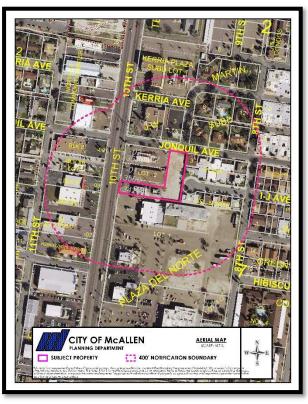
**DATE:** April 29, 2021

SUBJECT: REQUEST OF JESSICA AGUILAR, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR FOR A BAR AT THE NORTH 20' OF LOT 1 & ALL OF LOT 2 EXCLUDING THE NORTHWEST 225' X 240' OF LOT 2, PLAZA DEL NORTE SUBDIVISION, HIDALGO COUNTY, TEXAS; 3424 NORTH 10<sup>TH</sup> STREET. (CUP2021-0035)

## **BRIEF DESCRIPTION:**

The property is located on the east side of North 10<sup>th</sup> Street, approximately 200 ft. south of Jonquil Avenue. The property is zoned C-3 (general business) District. The adjacent zoning is C-3 to the north, south and west, and R-3T (multifamily-townhouse residential) District to the east. Surrounding land uses include to retail stores, restaurants, and multifamily residences. A bar is permitted in a C-3 District with a Conditional Use Permit and in compliance with requirements.





## **HISTORY:**

The previous tenant Korea Garden was issued a certificate of occupancy for a restaurant on January 27, 2010. There is now a new occupant who would like to operate a restaurant/bar at this location, therefore it has come before the Planning and Zoning Commission for consideration.

## ANALYSIS:

The applicant is proposing a restaurant/bar, in an existing 3,850 sq. ft. building. A Conditional Use Permit is required for a bar.

A site inspection by staff revealed that the parking lot does not comply with Section 138-400 of the Zoning Ordinance. Parking spaces need to be restriped and loose gravel and debris are visible. If approved, a follow up inspection will be needed to ensure compliance with the parking requirement

The applicant must comply with the Health and Fire Department requirements. The establishment must also meet the requirements set forth in Section 138-118(a)(4) of the Zoning Ordinance and specific requirements as follows:

- 1) The property line of the lot of any of the abovementioned businesses must be at least 400 feet from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruptions of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The establishment is less than 400 ft. of a residential subdivision to the northeast and east of the subject property;
- 2) 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 subject property has frontage along on north 10<sup>th</sup> street and does not generate traffic into residential areas;
- 3) The abovementioned businesses must provide parking in accordance with the city off-street parking ordinance as a minimum, and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional onsite parking. The proposed bar requires 39 parking spaces. Parking spaces must comply with Section 138-400 of the Ordinance and must be clearly striped and pavement surface shall be maintained free of litter, debris, loose gravel, cracks and potholes before final inspection of building permit;
- 4) 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;
- 5) The abovementioned businesses should do everything possible and be designed to discourage criminal activities and vandalism, both on the site and on adjacent properties. Included would be provision of sufficient lighting and perimeter fencing, elimination of dark areas, and the orientation of the building such that it provides maximum visibility of as much as possible of the site from a public street;

- 6) The abovementioned businesses must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties;
- 7) The abovementioned businesses shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Director of Planning. This number cannot exceed the number provided for in existing city ordinances.

## **RECOMMENDATION:**

Staff recommends disapproval of the request based on non-compliance with requirement #1 (distance) of Section 138-118(a)(4) of the Zoning Ordinance. If approved, Conditional Use Permit must comply with conditions noted.

CITY OF MCALLEN, TEXAS 311 NORTH 15 <sup>TH</sup> STREET, MCALLEN, TX 78501	
P. O. BOX 220, MCALLEN, TEXAS 78505-0220 • (956) 681-1250 • FAX (956) 681-1279 BARS, COCKTAIL LOUNGES, TAVERNS, CANTINAS, SALOONS	
DANCEHALLS, DISCOTHEQUES, DISCOS OR NIGHTCLUBS, EVENT CENTERS, LIQUOR	
STORES, VAPORIZER STORES	
	•
Application Date 03 / 31 / 21 (Please print or type) (Please print or type)	1
Jessico Aquilar Jesikahhallagmail.com	
Applicant (first) (initial) (last) EMAIL PHONE NO.	
<u>Nailing Address</u> (city) (state) (zip)	
Forn Corporation c/o wp moschel (956) 682-8323	
Property Owner (first) (initial) (last) EMAIL PHONE NO.	
PO Box 2814 McAllen TX 78502	
3424 N. 10th st McAllen Texas 78504	
Property Location (street address) Plaza Del Novita N 20' of Lot 1 & All Lot 2 EXC NW 225 X240' OF Lot 21.144 ACN	et
Property Legal Description (if metes and bounds, attach survey of the property) (subdivision) (block) (lot)	(
Restaurant Restaurant Bare	
Current use of property Proposed use of property	
TERM OF PERMIT:      1 YEAR         DAYS AND HOURS OF OPERATION:	
FLOOR PLAN & SITE PLAN (attach a drawing of the property showing the following)	
Scale, north arrow, legal description of propertyLandscaping and fencing of yardLocation and height of all structuresOff-street parking and loading	
Setback from property lines and between structures	
Proposed changes and uses 33121 Location, type, height-and lighting of all signs	
(Applicant signature) (date) (Property owner signature) (date)	
GENERAL INFORMATION	
<b>NOTIFICATION AND PUBLIC HEARING:</b> Property owners within 400' of the subject property shall be notified within at least 10 working days of the Planning and Zoning Commission public begins. Upon considering the recommendation of the Director of Planning and Zoning and Zoning Commission public begins.	

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.

Case Number: Cur	2021-0035	□ Routed			
P&Z meeting: 50	1/2021		Receipt No .:	Pd b	C.C.
Bar Cocktail Lounge Tavern Cant	ina Saloon An establishm	DEFINITIONS	MAR 31		attion other than a restaurant. A

Bar, Cocktail Lounge, Lavern, Cantina, Saloon - An establishment where alcoholic beverages are sold for on-premise consumption other than a restaurant. A restaurant is defined as a building where the primary business is the on-premise sale of prepared food, with aregulate kitchen facilities and where at least 51% of the gross income is derived from the sale of food.

Dancehall, Discotheque, Disco, Nightclub - An establishment whose primary activity is the provision of facilities for dancing including a dance floor and live entertaihment or amplified music. Such establishments may or may not provide on-premise consumption of alcoholic beverages. Schools of dance are exempted from this definition.

\* Vape Shop- An establishment whose primary activity is the retail sale of products and equipment for vaping.

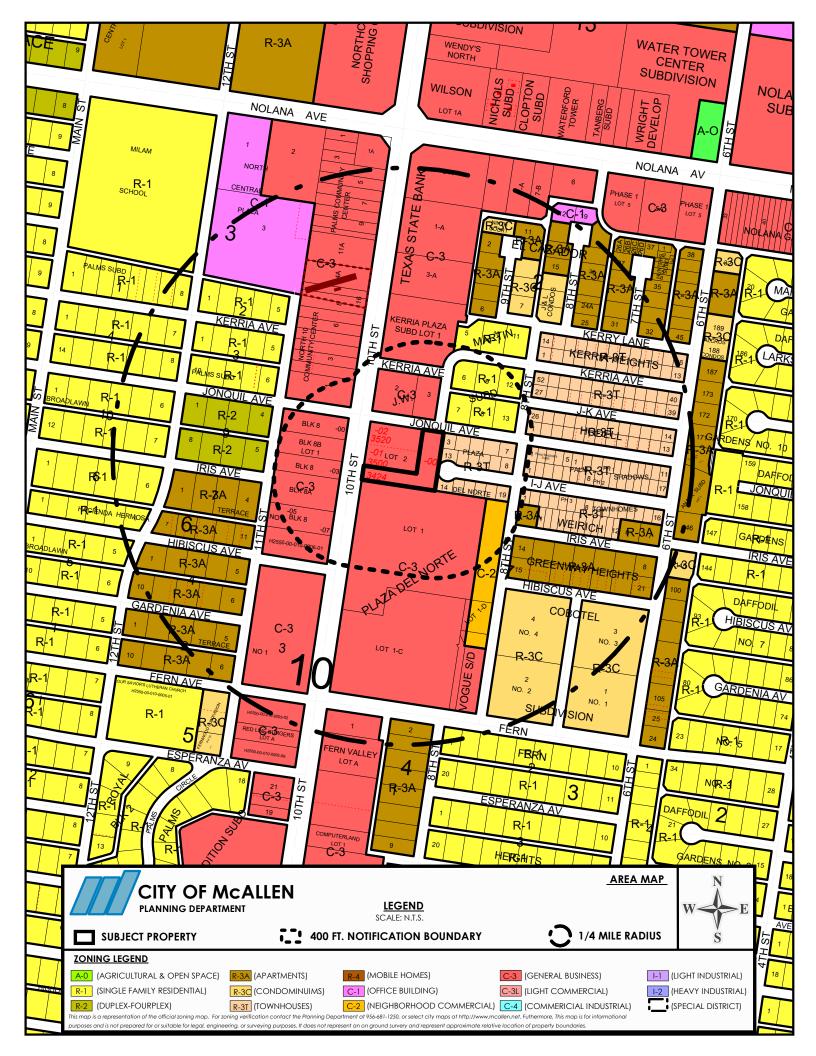
Liquor Store- An establishment whose primary activity is the retail sale of alcohol	· · · · · · · · · · · · · · · · · · ·	
	ROFFICIAL USE ONLY	
APPLICATION FILING FEE: cash/check #	□ \$525.00 One year and appeal Amount paid	
	DISTRICT REQUIREMENTS	
REQUIRED ZONING DISTRICT: C-3, C-4,	CURRENT ZONING DISTRICT.	
REQUIRED ZONING DISTRICT (LIQUOR STORE ONLY): C-3L	CURRENT ZONING DISTRICT: YES, attach rezoning application	
REZONING REQUIRED:NO		
SETBACKS: FRONT SIDE REAR MINIMUM LOT SIZE:	MAXIMUM HEIGHT:	
	DNAL USE REQUIREMENTS	
The proposed use meets all the minimum standards established in applicable neighborhood or its occupants, nor be substantially or permanently injurious to no <u>GENERAL REQUIREMENTS:</u> 1. No form of pollution shall emanate beyond the immediate property line of the	city ordinances; and will not be detrimental to the health, welfare eighboring properties.	and safety of the surrounding
<ol><li>Additional reasonable restrictions or conditions such as increased open space other similar improvements may be imposed in order to carry out the spirit of t</li></ol>	e, loading and parking requirements, suitable landscaping, curbing, s	sidewalks or se.
SPECIFIC REQUIREMENTS:		
<ol> <li>The property line of the lot of any of the abovementioned businesses must be a owned property, and must be designed to prevent disruptions of the character Requirement:</li> </ol>	tt least 400 feet from the nearest residence or residentially zoned pro r of adjacent residential areas, and must not be heard from the resid	perty, church, school, or publicly ential area after 10:00 p.m.
<ol> <li>The abovementioned businesses must be as close as possible to a major arte traffic to exit into and disrupt residential areas. Requirement:</li> </ol>	erial, and shall not allow the traffic generated by such businesses on	to residential streets, or all such
<ol><li>The abovementioned businesses must provide parking in accordance with th streets for parking, especially those in adjacent residential areas, by providing</li></ol>	he city off-street parking ordinance as a minimum, and make provis additional onsite parking.	ions to prevent use of adjacent
Requirement:		
4. The abovementioned businesses must do everything possible to prevent the ur including, when necessary, the installation of fences and hedges, and the reo Requirement:	nauthonzed parking by the patrons of such businesses on adjacent b rientation of entrances	usiness or residential properties
5. The abovementioned businesses should do everything possible and be desi	and to discourse original activities and vendeliers both on the	the send on addressed second to a
Included would be provision of sufficient lighting and parimeter feasing aligned	gried to discourage criminal activities and vandalism, both on the s	site and on adjacent properties.
Included would be provision of sufficient lighting and perimeter fencing, elimin	lation of dark areas, and the orientation of the building such that it p	rovides maximum visibility of as
much as possible of the site from a public street. Requirement:		
<ol> <li>The abovementioned businesses must make provisions to keep litter to a minii Requirement:</li> </ol>	mum, and to keep it from blowing onto adjacent streets and properti	es.
7. The abovementioned businesses shall restrict the number of persons within the	as building to those allowed by the elements and entire elements in	
after having taken into account the recommendations of the fire marshal, build city ordinances. Requirement:	ing official and director of planning. This number cannot exceed the	number provided for in existing
	MENTAL REQUIREMENTS	
REQUIRED CONDITIONS DEP	ARTMENT MONT	
Complies with regulations		H/DAY
Meet standard requirements	Health Inspection	1
	Fire Inspection	1
Subject to Section: 138-118 ( )	Planning	/
Permit #	Building/Electrical/Plumbing	1
	Other	1
<u>CITY B</u>	OARD REQUIREMENTS	
PLANNING & ZONING COMMISSION DATE / API REQUIRED CONDITIONS:	PROVED DISAPPROVED 1 YEAR OTH	ER
CITY COMMISSION DATE / APPROV REQUIRED CONDITIONS:	ED DISAPPROVED 1 YEAR OTHER	
ACKNOWLEDGEMEN	T AND AGREEMENT TO CONDITIONS	
lote: Approval of this permit does not constitute approval to construct, alter or rer	pair. 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	er the operation and/or construction of same, and hereby agree to or	amply with all ordinances of the
City and applicable Deed Restrictions and assume all responsibility for such comp	liance. I further agree to discontinue any violations of the conditions	of the permit upon notice civen
o me or anyone in charge of the above property by the Code Enforcement Office	er. If the permit is revoked I agree to case operation of the use up	on the permit upon notice given
inderstand that any violation of this ordinance is subject to a Five Hundred Dolla	ar (\$500.00) fine for each day of violation. Please note that approve	al of this permit may result in a
igher sanitation rate on your utility bill.	(esecution) into the basis day of Holdborn. Thease note that approve	ar or and permit may result in a

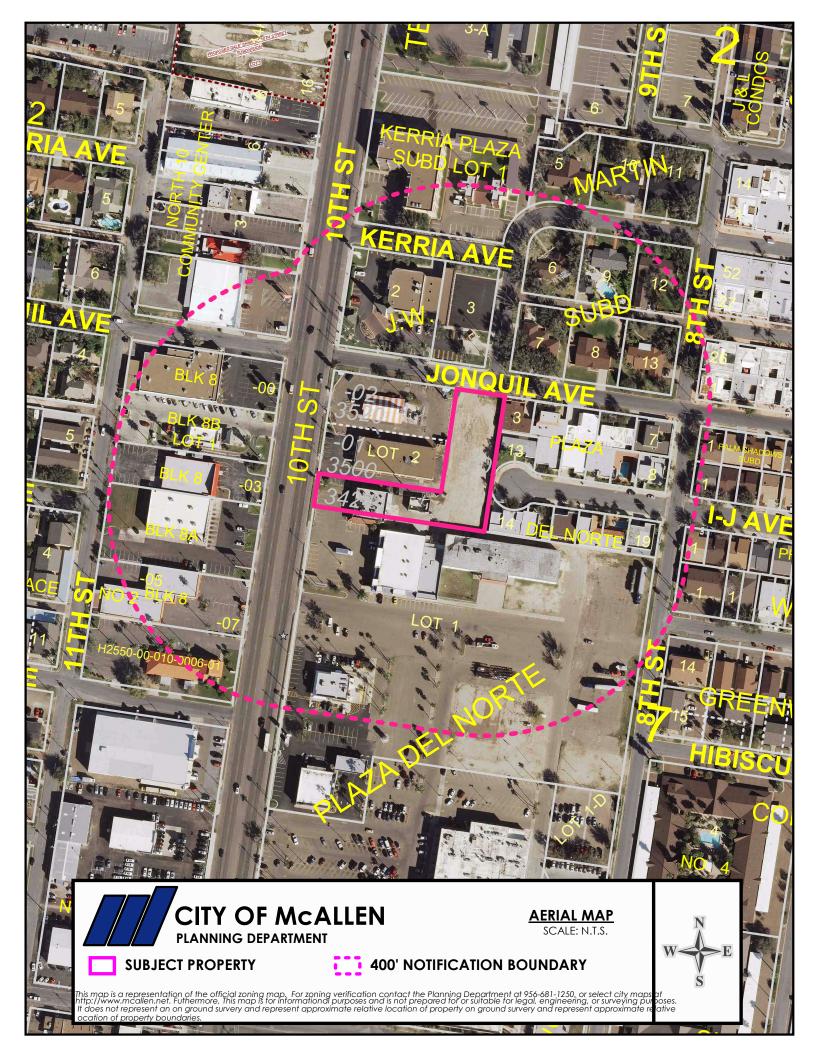
(Applicant signature)

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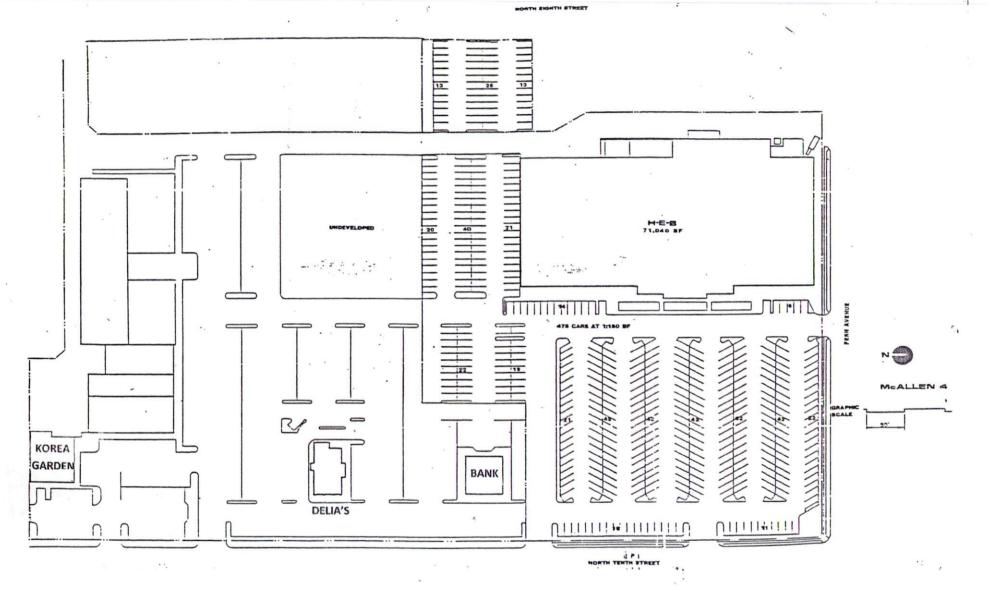
(date)

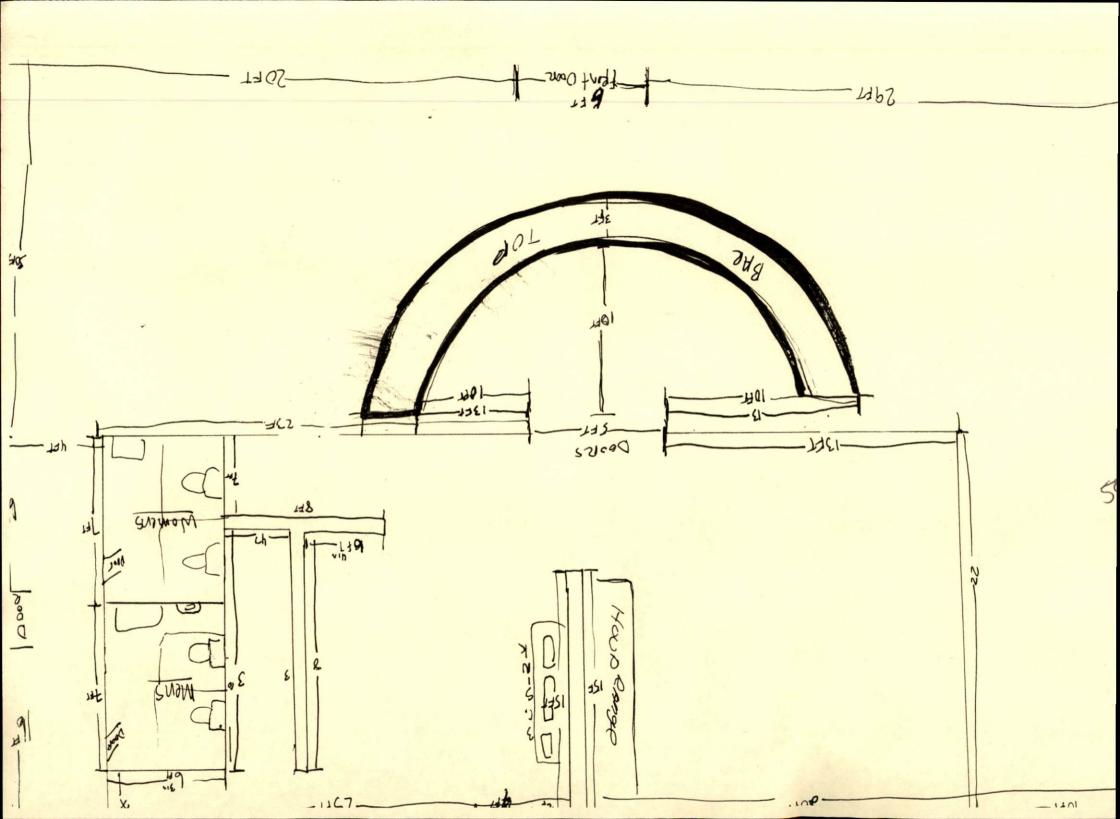
In consideration of the above application, a permit is hereby granted for the above action conditioned upon the terms and specifications set forth above, and the faithful observance of all provisions of the City Building Code, Zoning Ordinance, and all other ordinances applicable to the same.





PLAZA DEL NORTE





April 27, 2021

To whom it may concern;

I authorize Eric Peña to speak on my behalf in reference to any businesses under my name. More specifically, 3424 N 10th in McAllen, TX. CUP2021-0035

If you have any questions feel free to contact me (956)212-5649

Thank you Jessica Aguilar

4/27/21



**Planning Department** 

# Memo

**TO:** Planning and Zoning Commission

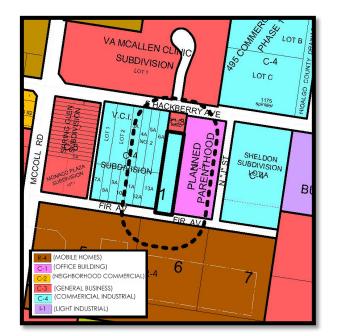
FROM: Planning Staff

**DATE:** April 29, 2021

SUBJECT: REZONE FROM C-4 (COMMERCIAL-INDUSTRIAL) DISTRICT TO R-4 (MOBILE AND MODULAR HOME) DISTRICT: 1.23 ACRESOUT OF LOT 2, RANCHO DE LA FRUTA SUBDIVISION NO. 2, HIDALGO COUNTY, TEXAS; 901 EAST FIR AVE. (REZ2021-0018)

**LOCATION:** The property is located on the south side of East Fir Avenue, approximately 700 ft. east of North McColl Road. The tract has 105 ft. of frontage along East Fir Avenue and a depth of 510 ft. for a lot size of 1.23 acres.

**PROPOSAL:** The applicant is requesting to rezone the property to R-4 (mobile and modular home) District, in order to develop mobile homes. A feasibility plan has not been submitted.





**ADJACENT ZONING:** The adjacent zoning is C-4 (commercial-industrial) District to the west, C-3 (general business) District to the north, C-1 (office) District to the east and R-4 District to the south.

**LAND USE:** The property is currently vacant. Surrounding land uses are Homestead Ranch Mobile Home Park, Mary Dansby English Center, Access Esperanza Clinics, Auto Diagnostic Center, Southern Fastening System, and Department of Veterans Affairs.

**<u>COMPREHENSIVE PLAN</u>**: The Foresight McAllen Comprehensive Plan designates the future land use for this property as industrial, which is comparable to C-4 District.

**DEVELOPMENT TRENDS:** The development trend for this area along East Fir Avenue is a mix of mobile homes and modular home and commercial.

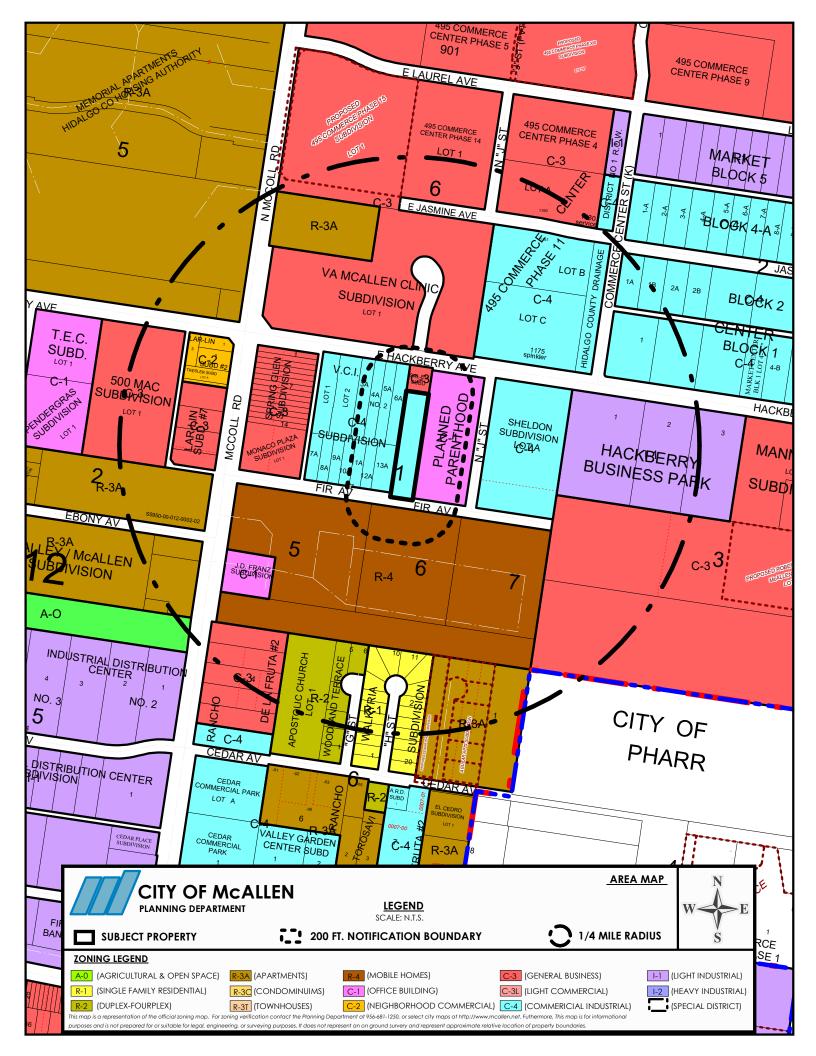
**<u>HISTORY</u>**: The property was zoned A-O (agriculture and open space) District during comprehensive zoning in May 1979. The subject property was later rezoned from A-O District to C-3 District in 2014. A rezoning application to change from C-3 District to C-4 District was approved by City Commission on June 10, 2019.

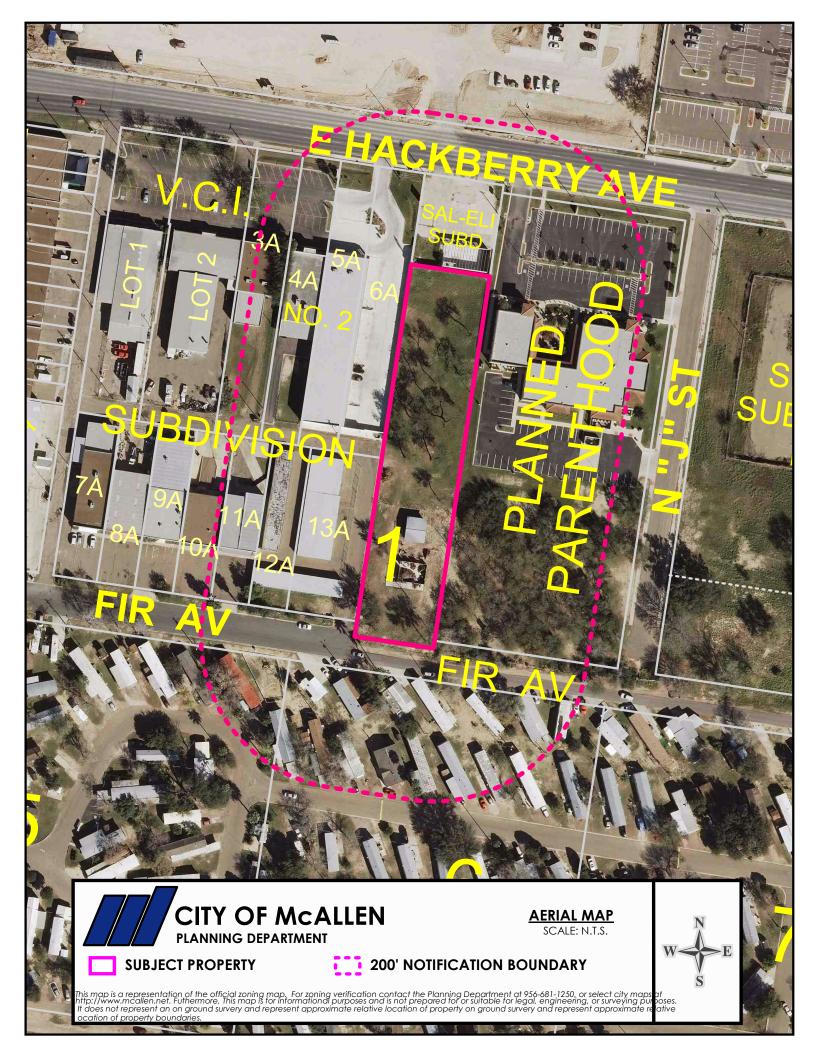
**<u>ANALYSIS</u>**: The requested zoning does not conform to the Industrial land use designation as indicated on the Foresight McAllen Comprehensive Plan; however, the zoning trend along East Fir Avenue is both mobile and modular homes and commercial.

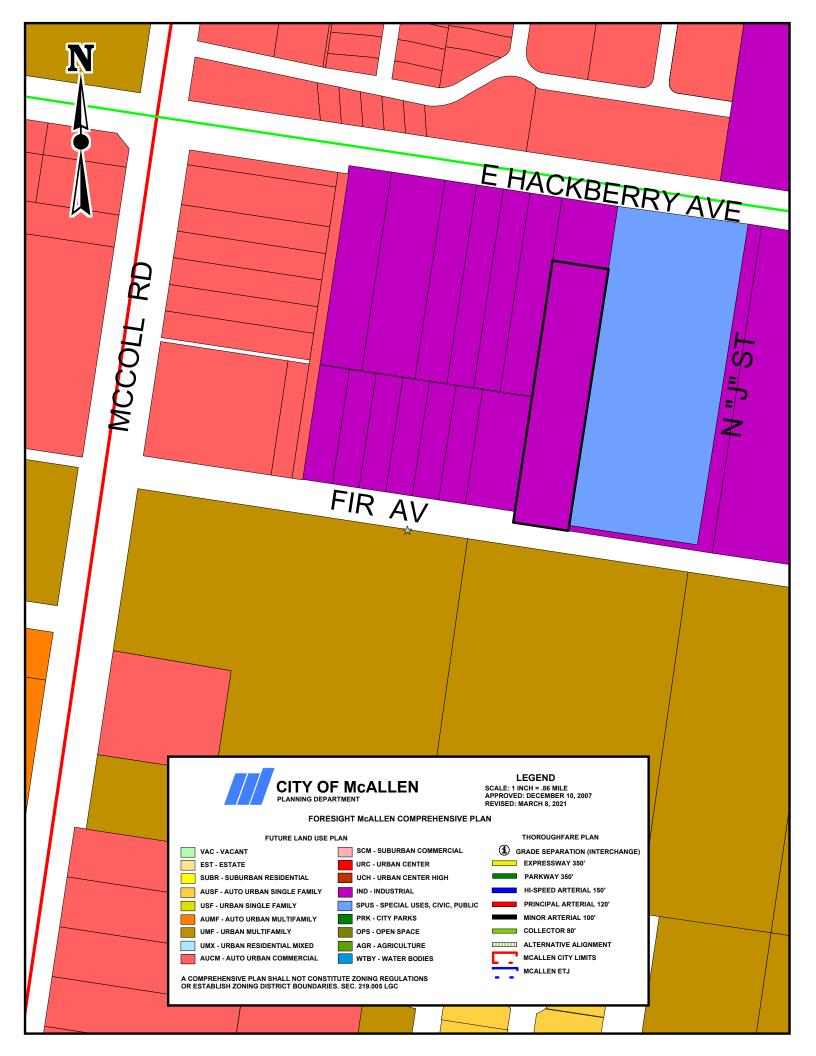
A recorded subdivision plat and approved site plan are required prior to building permit issuance. Compliance with off-street parking, landscaping, and various building and fire codes are required as part of the building permit process.

Staff has not received any calls or letters of opposition to the request.

**<u>RECOMMENDATION</u>**: Staff recommends approval of the rezoning request to R-4 (mobile and modular home) District.







## **Metes and Bounds**

A 1.23 acre tract of land being the South 510.00 feet of the West 105.00 feet of Lot 2, Rancho De La Fruta Subdivision No. 2, Hidalgo County, Texas, as per map recorded in Volume 1, Page 34, Map Records of Hidalgo County, Texas, said 1.23 acre tract of land being more particularly described by metes and bounds as follows:

COMMENCING at a pk-nail found at the Southwest corner of Lot 2 for the Southwest corner of this tract of land and the POINT OF BEGINNING;

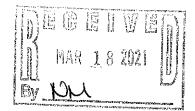
THENCE North 08 degrees 46 minutes 00 seconds East, with the West line of said Lot 2, at 20.00 feet pass a half (1/2) inch iron rod found at the North right of way line of E. Fir Avenue, at 510.00 feet in all to a half (1/2) inch iron rod found at the Southwest corner of Lot "A", Sal-Eli Subdivision as per map recorded in Volume 25, Page 136, Map Records for the Northwest corner of this tract of land;

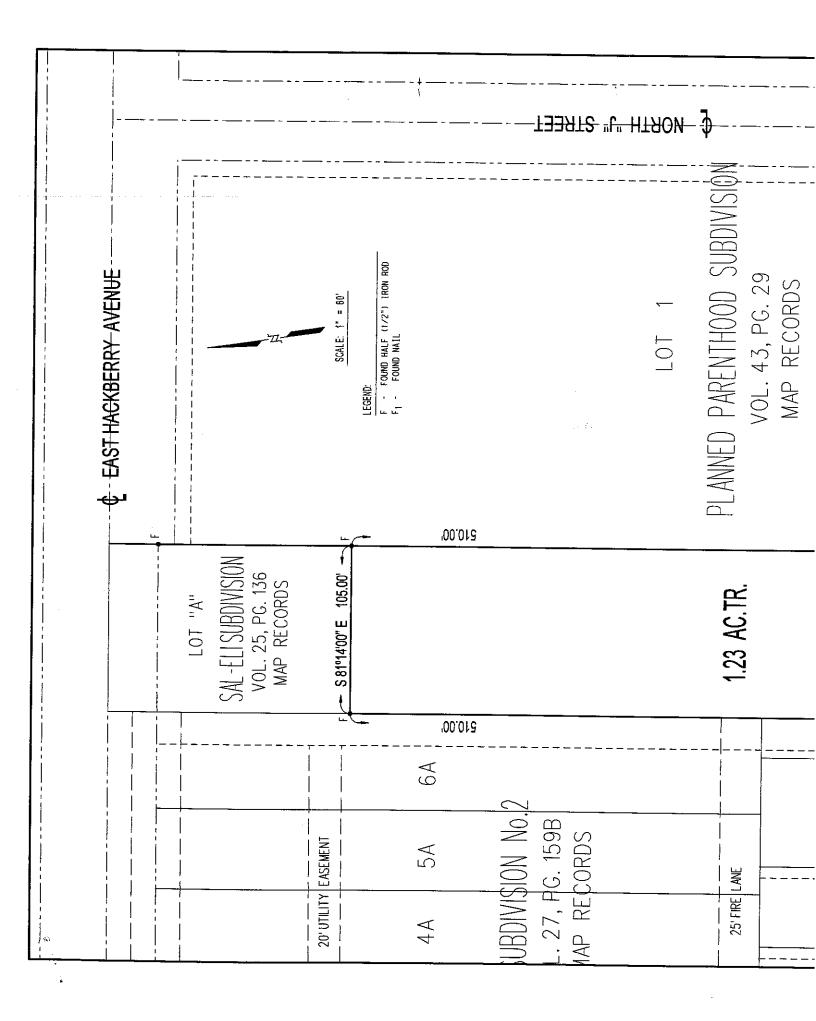
THENCE South 81 degrees 14 minutes 00 seconds East, with the South line of said Lot "A", a distance of 105.00 feet to a half (1/2) inch iron rod found at the Southeast corner of said Lot "A" for the Northeast corner of this tract of land;

THENCE South 08 degrees 46 minutes 00 seconds West, with the West line of Lot 1, Planned Parenthood Subdivision as per map recorded in Volume 43, Page 29, Map Records, at 490.00 feet pass a half (1/2) inch iron rod found at the North right of way line of said E. Fir Avenue, at 510.00 feet in all to a pk-nail found at the South line of said Lot 2 for the Southeast corner of this tract of land;

THENCE North 81 degrees 14 minutes 00 seconds West, with the South line of said Lot 2, a distance of 510.00 feet to the POINT OF BEGINNING, containing 1.23 acres, more or less.









# Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

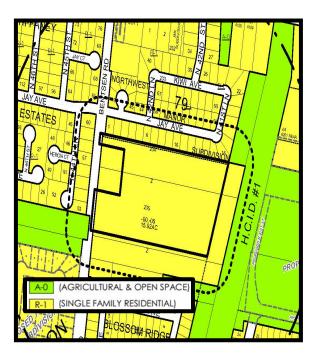
**DATE:** April 29, 2021

SUBJECT: REZONE FROM R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO R-3A (MULTIFAMILY APARTMENT RESIDENTIAL) DISTRICT: 11.419 ACRES OUT OF LOT 234 AND 235, PRIDE O' TEXAS SUBDIVISION, OF A PART OF LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY, HIDALGO COUNTY, TEXAS; 6100 NORTH BENTSEN ROAD. (REZ2021-0021)

<u>LOCATION</u>: The property is located on the east side of North Bentsen Road, approximately 100 ft. south of Jay Avenue. The irregular tract has 286.87 ft. of frontage along North Bentsen Road for a lot size of 11.419 acres.

<u>PROPOSAL</u>: The applicant is requesting to rezone the property to R-3A (multifamily residential apartments) District in order to construct 2 unattached duplex on 35 lots. A feasibility plan submitted by the applicant is included in the packet.

<u>ADJACENT ZONING</u>: The adjacent zoning is A-O (agricultural and open space) District to the southwest and R-1 (single-family residential) District to the north, south, west, and east.





<u>LAND USE</u>: The property is currently vacant. Surrounding land uses include single-family residences, vacant land, and Donna Wernecke Elementary School.

<u>COMPREHENSIVE PLAN</u>: The Foresight McAllen Comprehensive Plan designates the future land use for this property as Auto Urban Residential which is comparable to R-1 (single-family residential) District.

<u>DEVELOPMENT TRENDS</u>: The development trend for this area along North Bentsen Road is single-family residential.

<u>HISTORY</u>: The property was zoned A-O (agricultural & open space) District upon annexation in 1999. A City-initiated application to rezone the subject property to R-1 (single-family residential) District was approved by the City Commission on September 2015. There have been no other rezoning requests for the subject property since then.

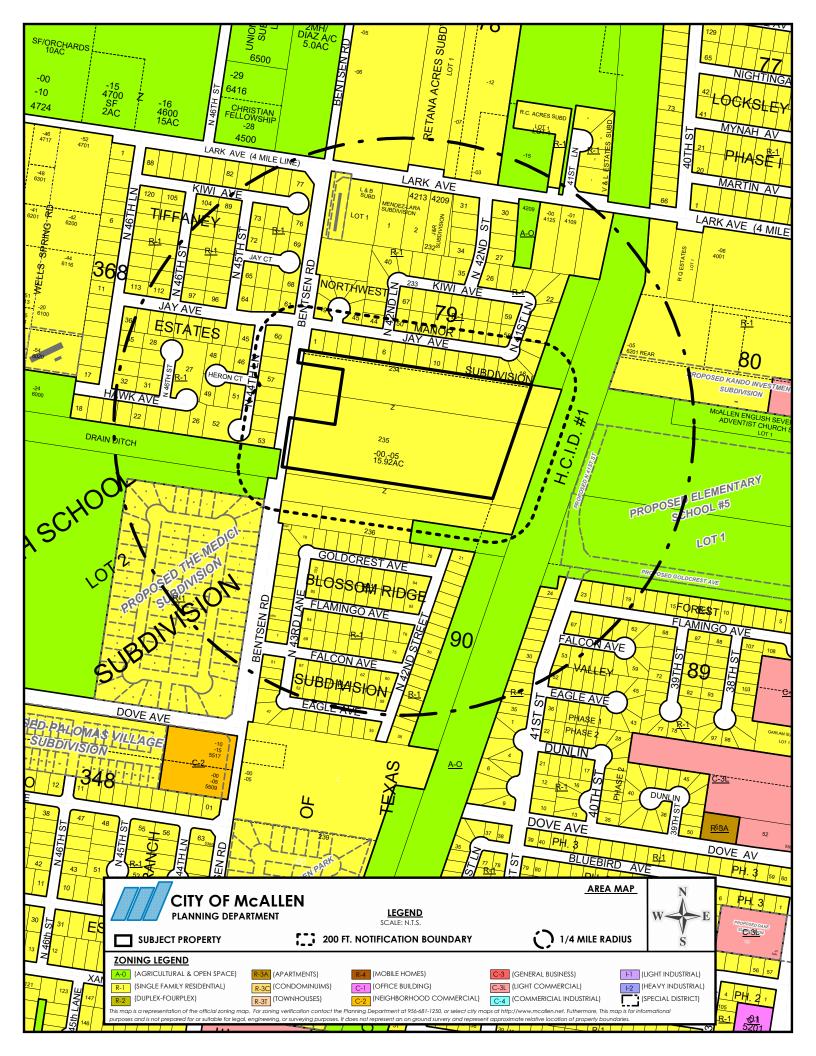
<u>ANALYSIS:</u> The requested zoning does not conform to the Auto Urban Residential land use designation as indicated on the Foresight McAllen Comprehensive Plan. It also does not follow the rezoning or development trend to single-family residences in the area.

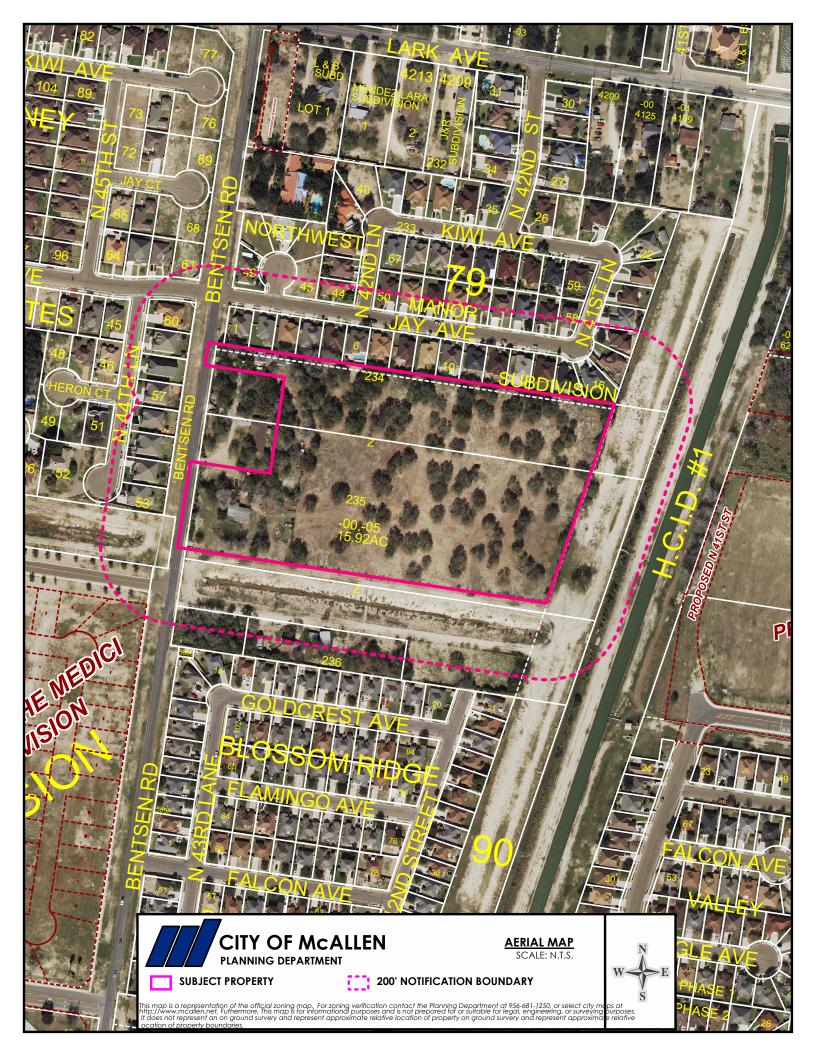
Section 110-49 (a) Vegetation Ordinance requires a masonry screen eight ft. in height where a commercial, industrial, or multifamily use has a side or rear property line in common with a single-family use or zone. Where such use has 200 feet or less in common with any residential use or zone, the buffer shall be eight feet in height but may be cedar planks.

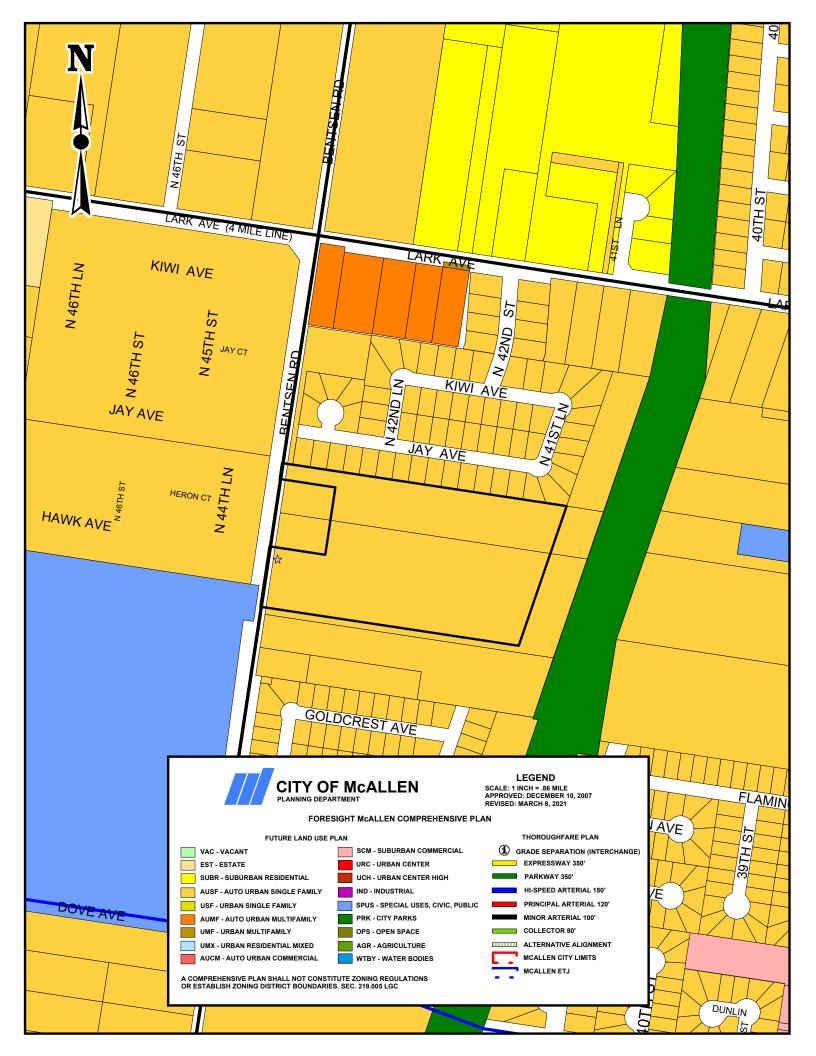
A recorded subdivision plat is required prior to building permit issuance. Required park land dedication or a fee in lieu of land comprising \$700 per dwelling unit is required prior to recording a subdivision plat.

Staff has received one email in opposition to the request.

<u>RECOMMENDATION:</u> Staff recommends disapproval of the rezoning request to R-3A (multifamily residential apartment) District.









October 9, 2020

Mr. Roberto Garza Garman Investments 1804 N. 23<sup>rd</sup> Street McAllen, Texas 78501

## Re: Feasibility Study for 13.92 AC North Bentsen Road & Mile 4 Road Residential Development in McAllen, Texas

M2 Engineering, PLLC (M2E) conducted a Feasibility Study for the site, a 13.92-acre tract of land, Pride O'Texas Subdivision, according to the map recorded in Volume 5, Page 58, in the Map Records of Hidalgo County, Texas.

The feasibility study includes civil infrastructure costs and fee requirements, which consist of sidewalk paving, water, drainage, and sanitary sewer. Additionally, proposed lighting requirements may be necessary for the multi-family lot which will depend on the City of McAllen Engineering and Planning Department. Below is a short summary of descriptions regarding key items and an Engineer's Opinion of Probable Construction Cost Table.

## Paving:

Based on the Hidalgo County Metropolitan Planning Organization (HCMPO), is an existing local City road with plan of expansion of 100 right-of-way (ROW). North Bentsen Road has a functional classification of a major collector road. Upon subdividing, the developer will be required to grant the additional ROW required to meet the HCMPO planning ROW.

The proposed subdivision will require a 32' B-B (Back to Back of Curb) Road, that includes a concrete curb & gutter and asphalt pavement. Proposed construction of roads within the City of McAllen typically consist of 2" HMAC Type "D", 8" of flexible base compacted to standards, 6" lime treated subgrade, as per City of McAllen Standard Design Guide for Public Infrastructure Improvements. If a geotechnical investigation is performed the proposed pavement section recommendations may vary.

## Drainage:

As per the FEMA Community Panel Number 480334 0400C Map Revised: November 16, 1982, the proposed multi-family lot is located in Zone "C" (No Shading): Areas of minimal flooding. As per City of McAllen Standard Design Guide for Public Infrastructure Improvements, The City of McAllen follows the Hidalgo County Drainage District No. 1 detention requirements, which requires that each development detain the volume difference of runoff between an existing 10-year storm and a post development 50-year storm.

The proposed drainage infrastructure will consist of curb inlets Type "A", Reinforced Concrete Pipe (RCP), and Storm Discharge Structures. Proposed drainage improvements will consist of sheet flow to the proposed curb inlet structures via curb and gutter, and proposed onsite detention areas and thereon outfall into the existing drainage ditch located South of property via storm drainage piping.

## Water:

Based on the Public Utility Commission GIS Map Viewer, the site is located within the City of McAllen Certificate of Convenience and Necessity (CCN) jurisdiction. The existing infrastructure consists of an existing 8" waterline running along the East side (North/South) of North Bentsen Road.

The proposed water system infrastructure will consist of connecting to the existing waterline located at North Bentsen Road and extend to the proposed subdivision to service the proposed lots, and loop back towards North Bentsen Road routed via a proposed Right of Way and Proposed Utility Easements of the Proposed Subdivision. The feasibility study was performed with a water meter to each apartment, which consist of 8" PVC C900 DR18, each multi-family lot will require a service connection with a water meter. As per the City of McAllen, a proposed fire hydrant will be required and shall be located with a maximum spacing of 500-ft in areas with multi-family use, as per City of McAllen Standards Guide.

The City of McAllen has fees in order to provide water service; the fees are approximately a total of \$500.00 per lot, which will cover the following requirements:

- Water Rights
- Inspection
- Water Meter & Installation

#### Sanitary Sewer:

The site is located within the City of McAllen CCN for Sanitary Sewer Service. The existing infrastructure consists of an existing sanitary sewer line located Westside of North Bentsen Road. Survey topography and elevations of the existing sanitary sewer infrastructure is required to assure that the existing elevations of the infrastructure is indeed at a depth to be able to service the subdivision. The feasibility is taking into account that the existing sanitary sewer infrastructure is deep enough to be able to provide service to the proposed subdivision.

The proposed sanitary sewer collection system consisting of fiberglass manholes, 8-inch PVC SDR 26 sanitary sewer lines, and 4-inch PVC SDR 35 service connections, which will connect to the existing sanitary sewer line located at North Bentsen Road.

Sanitary Sewer Capital Fees for Multi-Family are:

Fourplex: \$670.00

## Other Fees:

The City of McAllen requires construction plans for grading, drainage, paving, and utility plan to be submitted to the Engineering Department and Planning. Construction plans will require survey topography for design, engineering, and City coordination for approval of drainage reports, construction permits, etc. Additionally, other cost such as dry utilities (electrical, cable, gas, etc.) were not included as part of this study, and may be additional should they be required. Below is a breakdown of the proposed improvements:

Cost breakdown table of civil infrastructure, construction, and fee requirements costs is on Page 3:

2

# COST BREAKDOWN TABLE:

Proposed 13.92 AC Multi-Family Development				
Improvements	Costs			
Paving:	\$271,823.50			
Drainage:	\$191,751.00			
Water:	\$107,227.60			
Sanitary Sewer:	\$147,805.00			
General Project:	\$30,880.00			
Roll Back Taxes:	\$61,070.43			
City of McAllen Meter Fees:	\$17,500.00			
City of McAllen Sewer & Water Fees:	\$40,950.00			
City of McAllen & HCDD1 Review Fees:	\$2,000.00			
Engineering Design & Plat:	\$52,000.00			
Geotechnical Engineering:	\$5,000.00			
Testing & Inspection Fees (5%):	\$37,474.36			
Contingency (15%)	\$112,423.07			
TOTAL:	\$1,077,904.96			

Please call should you have any questions or require additional information at (956) 600-8628.

Respectfully,

v

.

Emigdio "Milo" Salinas, P.E. President *M2 Engineering, PLLC* 



M2 Engineering, PLLC

ITEM NO.	DESCRIPTION	UNIT	EST. QNTY.	UNIT PRICE		TOTAL PRICE
3.92 A	Acre Development - North Bentsen Road & 4 Mile Road	1				
	General F	Project				
1-1	Clearing & Grubbing property as required; complete in place	AC	13.92	\$ 1,500.00	\$	20,880.0
1-2	Suggested Erosion Control; complete in place	LS	1	\$ 10,000.00	\$	10,000.0
		Total Ger	eral Project	\$		30,880.0
124101	SITE IMPRO		CALL AND		Series.	
	Wate	er				
2-1	Connect to Exist. 8-inch Water Line, according to the plans and specifications; complete in place.	EA	1	\$ 2,500.00	\$	2,500.0
2-2	Furnish and Install 8-inch PVC C900 DR18 Water Line and all required fittings, according to the plans and specifications; complete in place.	LF	1,698	\$ 27.50	\$	46,695.0
2-3	Furnish and Install 16-inch Steel Casing, according to the plans and specifications; complete in place.	LF	60	\$ 105.00	\$	6,300.0
2-4	Furnish and Install Fire Hydrant Assembly, according to the plans and specifications; complete in place	EA	4	\$ 5,500.00	\$	22,000.0
2-5	Furnish and Install Single Long Service Connection with 2" PVC Sleeve, according to the plans and specifications; complete in place	EA	1	\$ 800.00	\$	800.0
2-6	Furnish and Install Double Short Water Service Connection to property; according to the plans and specifications; complete in place.	EA	4	\$ 950.00	\$	3,800.0
2-7	Furnish and Install Double Long Service Connection with 2" PVC Sleeve, according to the plans and specifications; complete in place	EA	13	\$ 1,450.00	\$	18,850.0
2-8	Furnish and Install 8-inch Gate Valve and Box according to the plans and specifications; complete in place	EA	3	\$ 1,850.00	\$	6,282.6
	Tota	al Water In	provements	\$		107,227.6
	Sanitary	Sewer				
3-1	Connect to Exist. Sanitary Sewer Manhole, according to the plans and specifications; complete in place.	EA	1	\$ 2,500.00	\$	2,500.0
3-2	Furnish and Install 16-inch Steel Casing by Bore Construction, according to the plans and specifications; complete in place.	LF	60	\$ 185.00	\$	11,100.0
3-3	Furnish and Install Standard Fiberglass Sanitary Sewer Manhole, according to the plans and specifications; complete in place.	EA	5	\$ 6,000.00	\$	30,000.0



M2 Engineering, PLLC

ITEM NO.	DESCRIPTION	UNIT	EST. QNTY.		UNIT PRICE		TOTAL PRICE
<u>NO.</u>	DESCRIPTION	UNIT	GNTT.		TRICE		TRICE
13.92 A	Acre Development - North Bentsen Road & 4 Mile Road	le estate					
3-4	Furnish and Install 8-inch PVC SDR26 Sanitary Sewer Line, according to the plans and specifications; complete in place.	EA	2,093	\$	35.00	\$	73,255.00
3-5	Furnish and Install 4-inch PVC SDR35 Sanitary Sewer Service Connections (Long), according to the plans and specifications; complete in place.	EA	8	\$	1,000.00	\$	8,000.00
3-6	Furnish and Install 4-inch PVC SDR35 Sanitary Sewer Service Connections (Short), according to the plans and specifications; complete in place.	EA	27	\$	850.00	\$	22,950.00
and the second s							and the second
	Total Sanitary	y Sewer In	nprovements	\$			147,805.00
				No. Mark		205	
	Draina	age					
4-1	Furnish and Install 18-Inch RCP Storm Line, according to the plans and specifications; complete in place	LF	175	\$	55.00	\$	9,625.00
4-2	Furnish and Install 24-Inch RCP Storm Line, according to the plans and specifications; complete in place	LF	1571	\$	65.00	\$	102,115.00
4-5	Furnish and Install Type "A" Curb Inlet, according to the plans and specifications; complete in place	EA	11	\$	5,000.00	\$	55,000.00
4-6	Furnish and Install Storm Discharge Structure, according to the plans and specifications; complete in	EA	2	\$	1,750.00	\$	3,500.00
4-8	Earthwork for Excavation of Proposed Detention Pond; according to the plans and specifications; complete in place.	CY	2200	\$	7.00	\$	15,400.00
4-9	Install and Maintain Trench Protection per the approved Trench Safety Plan (if needed)	LF	1746	\$	3.50	\$	6,111.00
	Total D	rainage Im	provements	\$			191,751.00
							A CARLES AND A MARKA
	Pavir	ıg					
5-1	Place 2-inch Hot Mix Asphalt Concrete Type "D" (2-inch compacted thickness), according to the plans and specifications; complete in place.	SY	7095	\$	13.00	\$	92,235.00
5-2	Prime Coat (MC-30) (0.2 GAL/SY), according to the plans and specifications; complete in place.	GAL	1419	\$	7.00	\$	9,933.00
5-3	8-inch Compacted Caliche Base compacted to 95% of standard proctor; according to the geotechnical report, plans and specifications; complete in place.	SY	8982	\$	7.00	\$	62,874.00



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M2 Engineering, PLLC

ITEM			EST.		UNIT		TOTAL
NO.	DESCRIPTION	UNIT	QNTY.	10-10-10-10-10-10-10-10-10-10-10-10-10-1		PRICE	
3.92 /	ا Acre Development - North Bentsen Road & 4 Mile Road						
5-4	6-inch lime stabilized subgrade compacted to 95% of standard proctor; according to the geotechnical report, plans and specifications; complete in place.	SY	8982	\$	4.50	\$	40,419.0
5-5	Furnish and Install Curb & Gutter according to the plans and specifications; complete in place	LF	4,265	\$	12.50	\$	53,312.5
5-6	7" Concrete Apron according to the plans and specifications; complete in place	SY	174	\$	75.00	\$	13,050.0
5-7	Furnish and Install Street Lighting as per Hidalgo County requirements; complete in place	LS	1	\$	-	\$	-
	Total	Paving Im	provements	\$			271,823.5
					State and state of the state of the state of the		and the second
14-14-14	Total Const	ruction Im	nprovements	\$			749,487.1
	Total Const	ruction In	nprovements	\$			749,487.1
		ruction Im	nprovements	φ			
	Total Construction Improvements	ruction Im	nprovements	\$			749,487.10 61,070.4
	Total Construction Improvements Roll Back Taxes	ruction Im	nprovements	\$ \$			749,487.1
	Total Construction Improvements Roll Back Taxes City of McAllen Meter Fees (\$500.00)	ruction Im	provements	\$ \$ \$			749,487.1 61,070.4 17,500.0 40,950.0
	Total Construction Improvements Roll Back Taxes City of McAllen Meter Fees (\$500.00) City of McAllen Sewer & Water Fees	ruction Im	nprovements	φ \$ \$ \$			749,487.1 61,070.4 17,500.0 40,950.0 5,000.0
	Total Construction Improvements Roll Back Taxes City of McAllen Meter Fees (\$500.00) City of McAllen Sewer & Water Fees Geotechnical Engineering	ruction Im	provements	₽ \$ <p< td=""><td></td><td></td><td>749,487.1 61,070.4 17,500.0 40,950.0 5,000.0 2,000.0</td></p<>			749,487.1 61,070.4 17,500.0 40,950.0 5,000.0 2,000.0
	Total Construction Improvements         Roll Back Taxes         City of McAllen Meter Fees (\$500.00)         City of McAllen Sewer & Water Fees         Geotechnical Engineering         City of McAllen & HCDD #1 Review Fees	ruction Im	provements	<b>→ →</b>			749,487.1 61,070.4 17,500.0 40,950.0 5,000.0 2,000.0 52,000.0
	Total Construction Improvements Roll Back Taxes City of McAllen Meter Fees (\$500.00) City of McAllen Sewer & Water Fees Geotechnical Engineering City of McAllen & HCDD #1 Review Fees Engineering Design & Plat	ruction Im	provements	\$         \$			749,487.10 61,070.4 17,500.0

# Iselda Garza

From:	Marie De La Rosa <mdelarosa@hidalgoad.org></mdelarosa@hidalgoad.org>
Sent:	Tuesday, October 6, 2020 8:24 AM
То:	Iselda Garza
Subject:	ROLLBACK ESTIMATION FOR ACCT# (502639) P8500-00-000-0234-05

Good morning,

# This is your request for an estimation of Rollback taxes for account #:

(502639) P8500-00-000-0234-05 for 13.92acs for the years 2017-2019.

CITY OF MCALLEN (CML)=	\$11,612.02
DRAINAGE DISTRICT #1 (DR1)=	\$2,360.72
HIDALGO COUNTY (GHD)=	\$13,892.79
SOUTH TEXAS COLLEGE (JCC)=	\$4,297.98
SOUTH TEXAS SCHOOL (SST)=	\$1,181.74
MCALLEN ISD (SML)=	\$27,725.18
TOTAL =	<mark>\$61,070.43</mark>

This is only an estimation of Rollback taxes and does not represent a tax statement. If you have any questions please feel free to let me know.

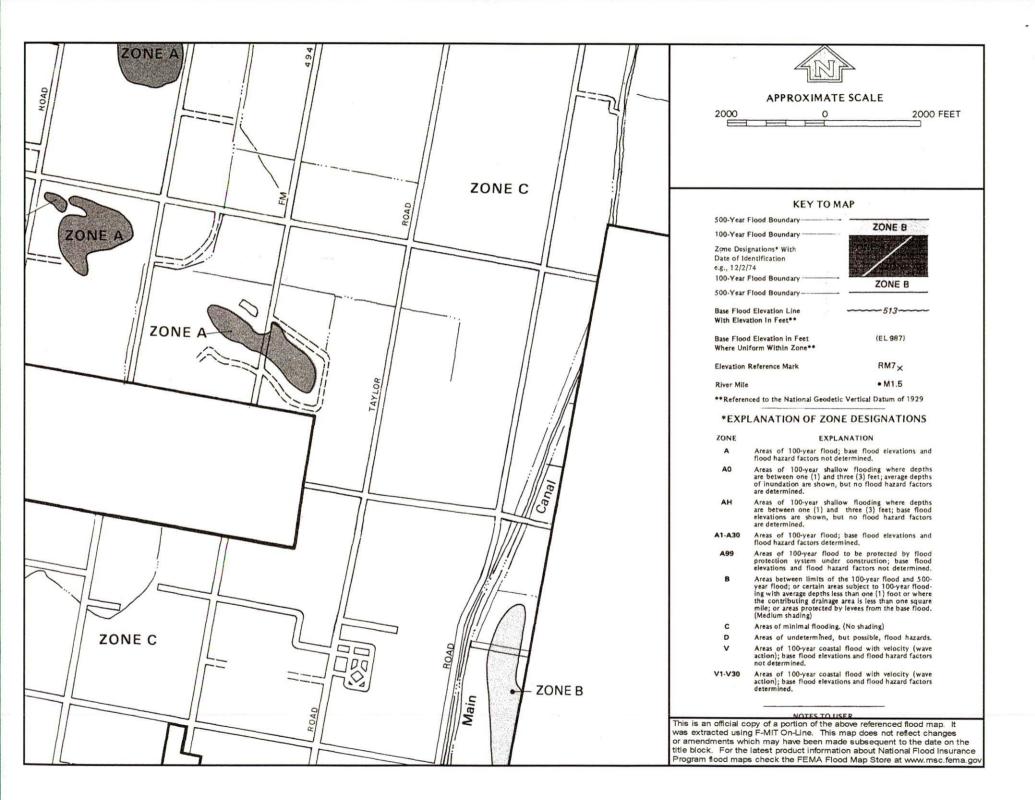
Thank you,

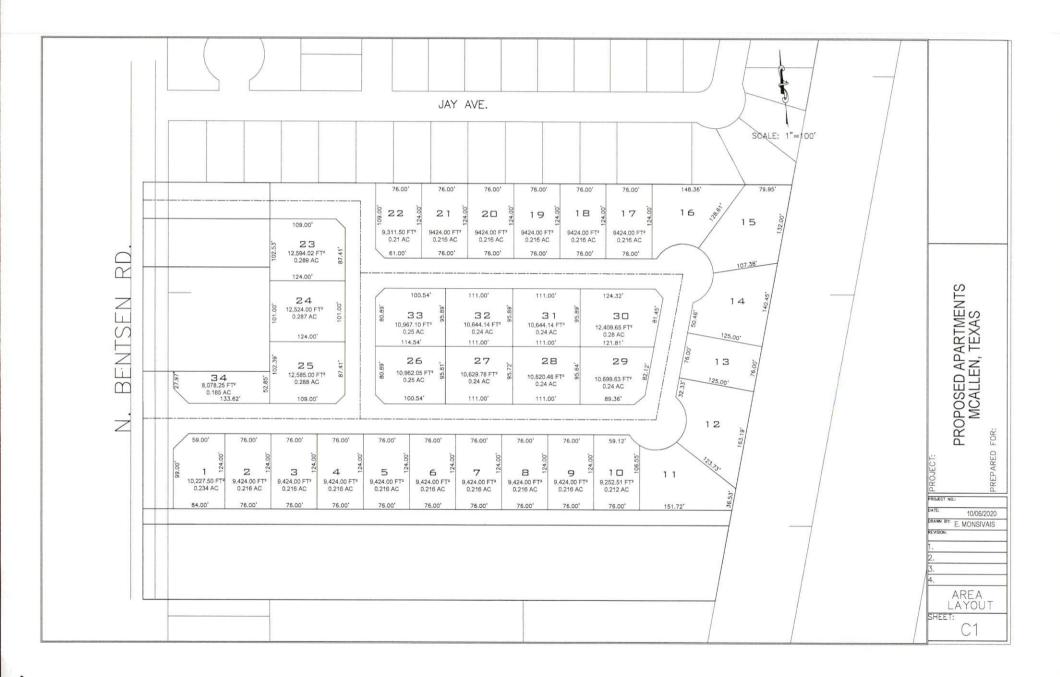
Marie E. De La Rosa New Subdivision Tech 1 956-381-8466 ext. 183 <u>mdelarosa@hidalgoad.org</u>

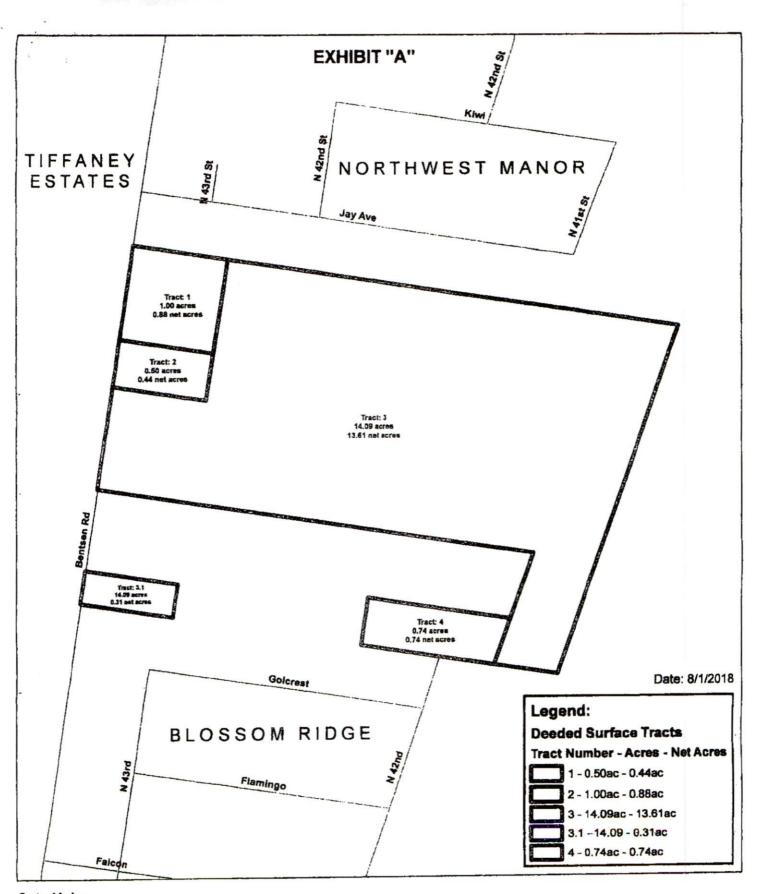


From: Iselda Garza [mailto:Iselda@m2-engineers.com] Sent: Monday, October 5, 2020 3:34 PM









# Soto Heirs

Deeded Tracts Lots 234, 235 and 236 Pride O' Texas Subdivision Hidalgo County, Texas

Special Power of Attorney Page 15 of 15

1 " = 200 '

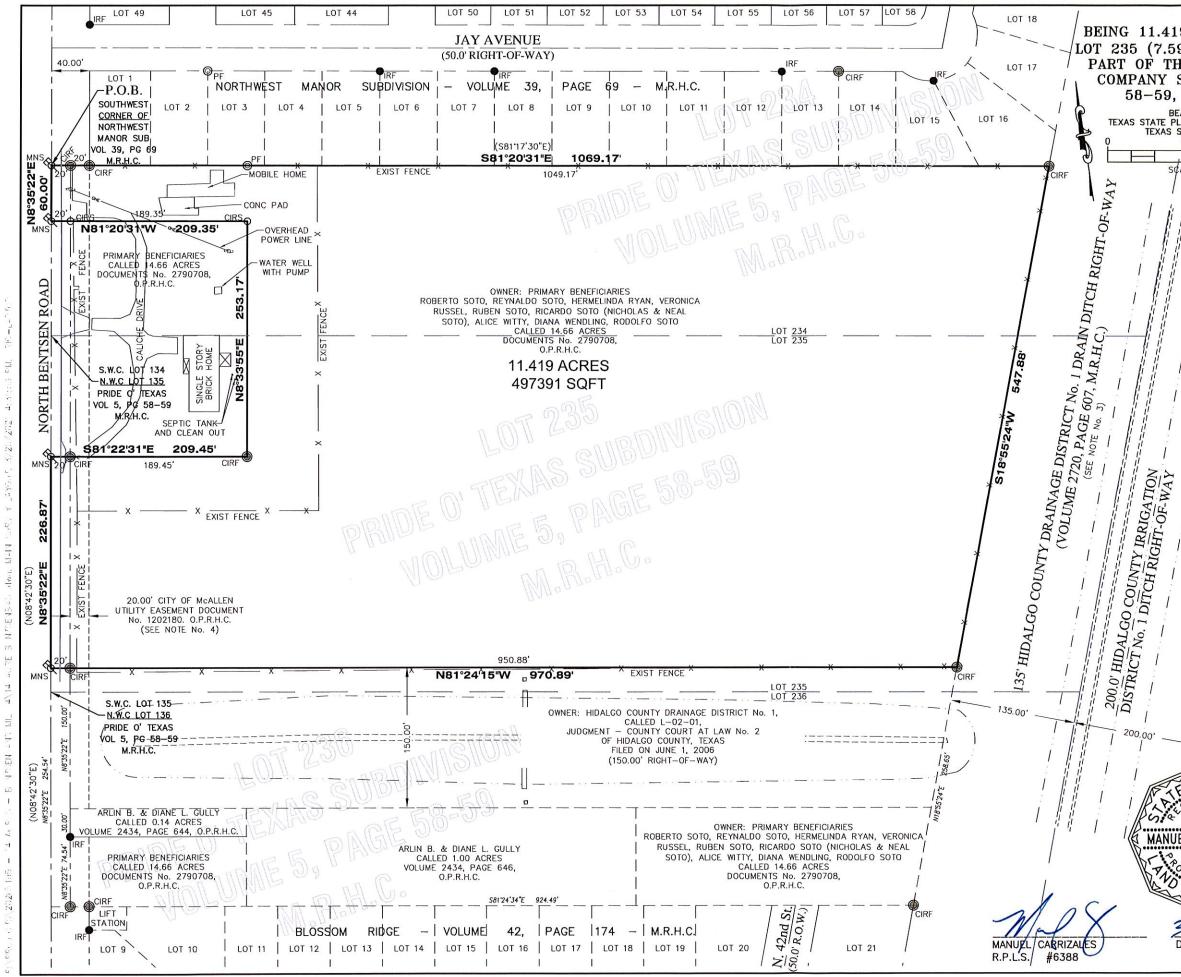
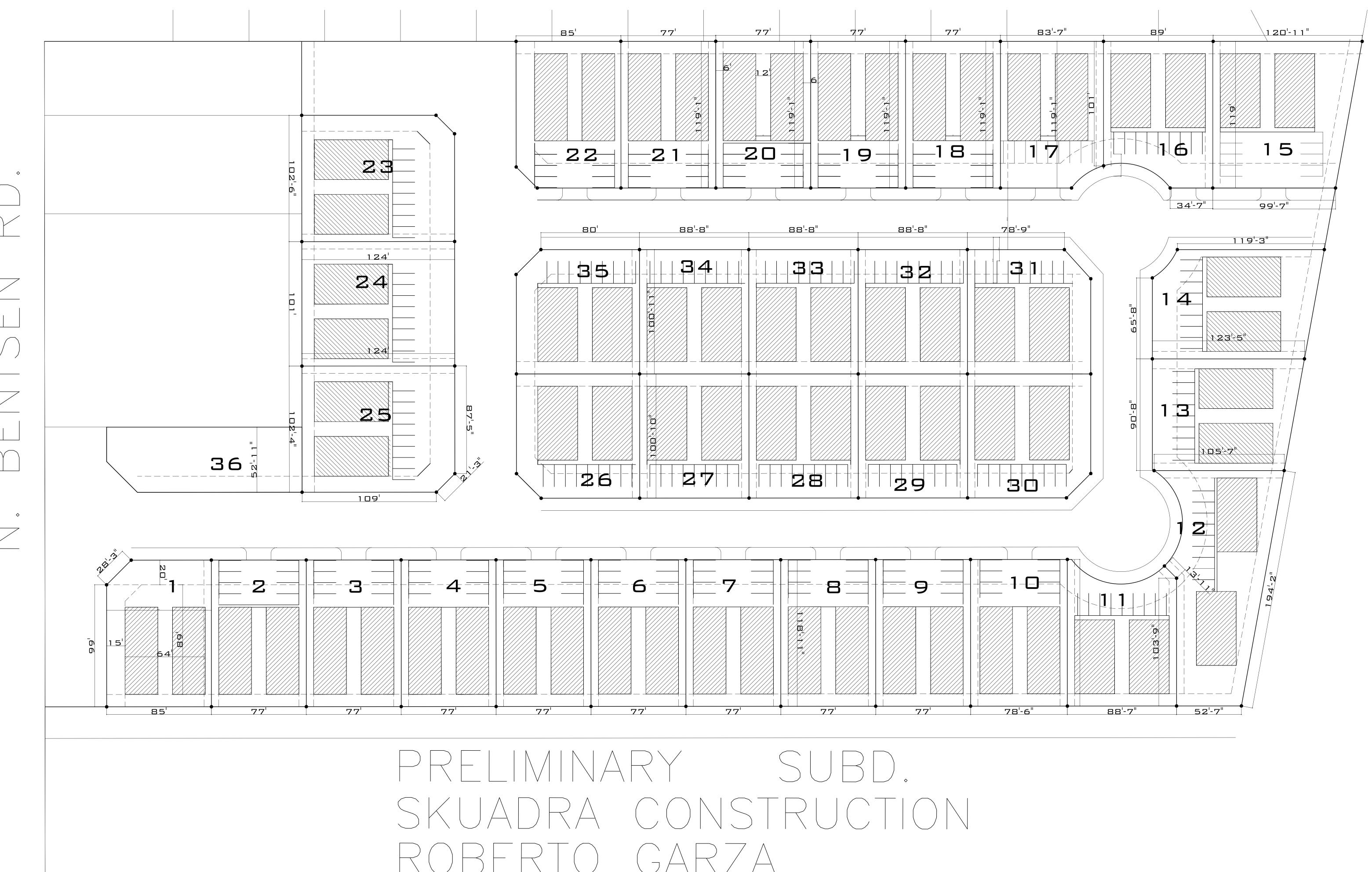


EXHIBIT B
19 ACRES OUT OF LOT 234 (3.853 ACRES) AND 590 ACRES), PRIDE O' TEXAS SUBDIVISION, OF A
HE LA LOMITA IRRIGATION AND CONSTRUCTION
SUBDIVISION, RECORDED IN VOLUME 5, PAGE
, MAP RECORDS HIDALGO COUNTY, TEXAS.
ELARE COORDINATE SYSTEM, SOUTH ZONE 4205
100 200 • 1/2" IRON ROD FOUND "IRF"
Feet
(S0'00'00"W 0.0') - RECORD BEARING & DISTANCE NOTES: MAG NAIL SET "MNS"
1. THIS SURVEY WAS PREPARED WITH THE BENEFIT OF COMMITMENT FOR TITLE I INSURANCE ISSUED BY: SIERRA TITLE INSURANCE GUARANTY COMPANY, INC, GF NO. 0003187330, EFFECTIVE DATE: SEPTEMBER 14, 2020, ISSUED: SEPTEMBER 23, 2020. THE FOLLOWING EXCEPTIONS ARE LISTED ON THE SCHEDULE B OF THE TITLE COMMITMENT: I
1 2. SUBJECT TO EASEMENTS ROAD, CANAL, DRAINAGE, AND OIL AND GAS RIGHT OF WAYS RESERVED IN DEEDS DATED NOVEMBER 25, 1942, FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK OF HIDALGO COUNTY, TEXAS IN VOLUME 858, PAGES 207 AND 211, DEED RECORDS HIDALGO COUNTY, TEXAS. (SEE 10B)
3. SUBJECT TO EASEMENT AND RIGHT OF WAY GRANTED TO HIDALGO COUNTY DRAINAGE DISTRICT NO. 1, BY ROBERT A. SOTO, ET AL, DATED FEBRUARY 22, 1989, FILED FOR RECORD ON MARCH 1, 1989, IN THE OFFICE OF THE COUNTY CLERK OF HIDALGO COUNTY, TEXAS IN VOLUME 2720, PAGE 607, DEED RECORDS HIDALGO COUNTY, TEXAS. (SEE 10C)
4. SUBJECT TO UTILITY EASEMENT GRANTED TO CITY OF MCALLEN, BY ANITA SOTO, DATED MAY 15, 2003, FILED FOR RECORD ON MAY 23, 2003 IN THE OFFICE OF THE COUNTY CLERK OF HIDALGO COUNTY, TEXAS, UNDER CLERK'S DOCUMENT NO. 1202180. (AS TO TRACT 1) (SEE 10D)
5. SUBJECT TO EASEMENTS AND CONDITIONS AS SHOWN ON THE MAP RECORDED IN VOLUME 5, PAGE 58, MAP RECORDS OF HIDALGO COUNTY, TEXAS. (SEE 10F)
6. <b>SUBJECT TO</b> EASEMENTS, RIGHTS, RULES, AND REGULATIONS IN FAVOR OF HIDALGO COUNTY IRRIGATION DISTRICT NO. 1. (SEE 10G)
7. SUBJECT TO EASEMENTS, OR CLAIMS OF EASEMENTS, WHICH ARE NOT OF PUBLIC RECORD. (SEE 10H)
8. <b>SUBJECT TO</b> PRESCRIPTIVE RIGHTS FOR ROADS, PUBLIC OR PRIVATE, DITCHES, CANALS AND/OR UTILITIES WHICH ARE NOT A PART OF THE PUBLIC RECORD, BUT VISIBLE FROM AN INSPECTION OF THE PROPOSED INSURED LAND(S) OR REVEALED BY A PROPER SURVEY. (SEE 10L)
9. <b>SUBJECT TO</b> ALL RIGHTS, TITLES AND INTERESTS IN AND TO ALL PORTIONS OF THE PROPOSED INSURED LAND LYING WITHIN A DRAINAGE DITCH, DRAINAGE PIPE, DRAINAGE LINE, A CANAL OR AN IRRIGATION LINE AS MAY BE CLAIMED IN FEE BY HIDALGO COUNTY IRRIGATION DISTRICT NO. 1. (SEE 10N)
10. SUBJECT TO ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF THE LAND. (NOTE: UPON RECEIPT OF A SURVEY ACCEPTABLE TO COMPANY, THIS EXCEPTION WILL BE DELETED. COMPANY RESERVES THE RIGHT TO ADD ADDITIONAL EXCEPTIONS PER ITS EXAMINATION OF SAID SURVEY.) (SEE 10Q)
11. A METES AND BOUNDS DESCRIPTION OF THE PROPERTY WITH EVEN DATE HEREBY ACCOMPANIES THIS SURVEY PLAT.
12. THIS SURVEY IS ONLY VALID WITH ORIGINAL SIGNATURE.
13. FLOOD INSURANCE RATE MAP (FIRM): ZONE "B" - FIRM MAP No. 480334 0400 C, EFFECTIVE DATE: NOVEMBER 16, 1982.
I, MANUEL CARRIZALES, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY TO SIERRA TITLE INSURANCE GUARANTY COMPANY, INC, THAT THIS SURVEY IS A TRUE AND CORRECT SURVEY AND WAS MADE ON THE GROUND UNDER MY SUPERVISION, AND THAT THERE ARE NO VISIBLE EASEMENTS OR ENCROACHMENTS OR BOUNDARY LINE CONFLICTS, EXCEPT AS SHOWN. JOB No. 20–195
UEL CARRIZALES D
SURVEY SURVEYING, LLC
3-29-2221 DATE
By



# EXHIBIT A METES AND BOUNDS 11.419 ACRE TRACT

BEING 11.419 ACRES OUT OF LOT 234 (3.853 ACRES) AND LOT 235 (7.590 ACRES), PRIDE O' TEXAS SUBDIVISION, OF A PART OF THE LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY SUBDIVISION, RECORDED IN VOLUME 5, PAGE 58-59, MAP RECORDS HIDALGO COUNTY, TEXAS. SAID 11.419 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** AT A MAG NAIL SET, THE SOUTHWEST CORNER OF NORTHWEST MANOR SUBDIVISION RECORDED IN VOLUME 39, PAGE 69, MAP RECORDS HIDALGO COUNTY, TEXAS, FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT, AND THE **POINT OF BEGINNING**;

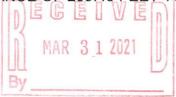
**THENCE**, S81°20'31"E, ALONG THE SOUTH LINE OF THE SAID NORTHWEST MANOR, PASSING AT A DISTANCE OF 20.00 FEET A CAPPED IRON ROD FOUND ON THE EAST RIGHT-OF-WAY LINE OF NORTH BENTSEN ROAD, AND HAVING A TOTAL DISTANCE OF 1069.17 FEET TO A CAPPED IRON ROD FOUND, THE SOUTHEAST CORNER OF THE SAID NORTHWEST MANOR, SAME BEING A POINT ON THE WEST LINE OF THE HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 RIGHT-OF-WAY, RECORDED IN VOLUME 2720, PAGE 607, OFFICIAL PUBLIC RECORDS HIDALGO COUNTY, TEXAS, FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

**THENCE**, S18°55'24"W, ALONG THE WEST LINE OF THE SAID HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 RIGHT-OF-WAY, A DISTANCE OF 547.88 FEET TO A CAPPED IRON ROD FOUND, ON THE WEST LINE OF THE SAID HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 RIGHT-OF-WAY, FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

**THENCE**, N81°24'15"W, ACROSS THE SAID LOT 235, PASSING AT A DISTANCE 950.88 FEET AN CAPPED IRON ROD FOUND ON THE EAST RIGHT-OF-WAY LINE OF BENTSEN ROAD, AND HAVING A TOTAL DISTANCE OF 970.89 FEET TO A MAG NAIL SET ON THE WEST LINE OF THE SAID LOT 235, FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

**THENCE**, N08°35'22"E, ALONG THE WEST LINE OF THE SAID LOT 235, A DISTANCE OF 226.87 FEET TO A MAG NAIL SET ON THE WEST LINE OF THE SAID LOT 235, FOR AN EXTERIOR CORNER OF THE HERIN DESCRIBED TRACT;

**THENCE**, S81°22'31"E, ACROSS THE SAID LOT 235, PASSING AT A DISTANCE OF 20.00 FEET A CAPPED IRON ROD FOUND ON THE EAST RIGHT-OF-WAY LINE OF NORTH BENTSEN ROAD, AND HAVING A TOTAL A DISTANCE OF 209.45 FEET TO



JOB No. 20-195

A CAPPED IRON ROD FOUND, FOR AN INTEROR CORNER OF THE HEREIN DESCRIBED TRACT;

**THENCE**, N08°33'55"E, ACROSS THE SAID LOT 235 AND LOT 234, A DISTANCE OF 253.17 FEET TO A 1/2 INCH IRON ROD WITH A PINK CAP SET FOR AN INTEROR CORNER OF THE HEREIN DESCRIBED TRACT;

**THENCE**, N81°20'31"W, ACROSS THE SAID LOT 234, PASSING AT A DISTANCE OF 189.35 FEET A 1/2 INCH IRON ROD WITH A PINK CAP SET ON THE EAST RIGHT-OF-WAY LINE OF NORTH BENTSEN ROAD, AND HAVING A TOTAL DISTANCE OF 209.35 FEET TO A MAG NAIL SET ON THE WEST LINE OF THE SAID LOT 234, FOR AN EXTERIOR CORNER OF THE HERIN DESCRIBED TRACT;

THENCE, N08°35'22"E, ALONG THE WEST LINE OF THE SAID LOT 234, A DISTANCE OF 60.00 FEET TO THE **POINT OF BEGINNING**, AND CONTAINING 11.419 ACRES OF LAND, MORE OR LESS.

A SURVEY PLAT OF EVEN DATE HEREBY ACCOMPANIES THESE METES AND BOUNDS DESCRIPTION

3-29-2021

MANUEL CARRIZALES DATE: REGISTERED PROFESSIONAL LAND SURVEYOR NO.6388 TBPLS FIRM NO: 10194417 4807 GONDOLA AVENUE EDINBURG, TX 78542 512-470-1489 fnfcad@gmail.com



JOB No. 20-195



#### Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

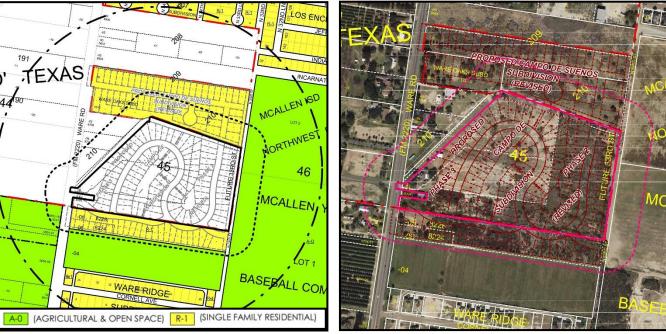
**DATE:** April 29, 2021

SUBJECT: INITIAL ZONING TO R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT: 18.663 ACRES OUT OF LOT 45, LA LOMITA IRRIGATION & CONSTRUCTION COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS; 8300 NORTH WARE ROAD. (REZ2021-0014)

<u>LOCATION</u>: The property is located on the east side of North Ware Road, approximately 1250 ft. north of Auburn Avenue. The irregularly-shaped tract has 115.6 ft. of frontage along North Ware Road with a depth of 1,320 ft. at its deepest point for a lot size of 18.663 acres.

<u>PROPOSAL</u>: The tract is currently outside the City limits and is undergoing voluntary annexation. The initial zoning to R-1 (single-family residential) District will become effective upon the annexation of the tract into the City. The applicant is requesting R-1 District for two proposed subdivisions under the names of Campo De Suenos Phase II and Campo De Suenos Phase III Subdivisions which were approved in revised preliminary form on January 19, 2021, by the Planning and Zoning Commission.

<u>ADJACENT ZONING</u>: The adjacent zoning is A-O (agricultural and open space) District to the east, and R-1 (single-family residential) District to the north and south. The properties to the west of the subject property are outside the City limits.



LAND USE: The property is currently vacant. Surrounding land uses include single-family residences, Texan Ranch Apartments, and vacant land.

<u>COMPREHENSIVE PLAN</u>: The Foresight McAllen Comprehensive Plan designates the future land use for this property as Auto Urban Single Family, which is comparable to R-1 District.

<u>DEVELOPMENT TRENDS</u>: The development trend for this area along North 29<sup>th</sup> Street is single-family residential.

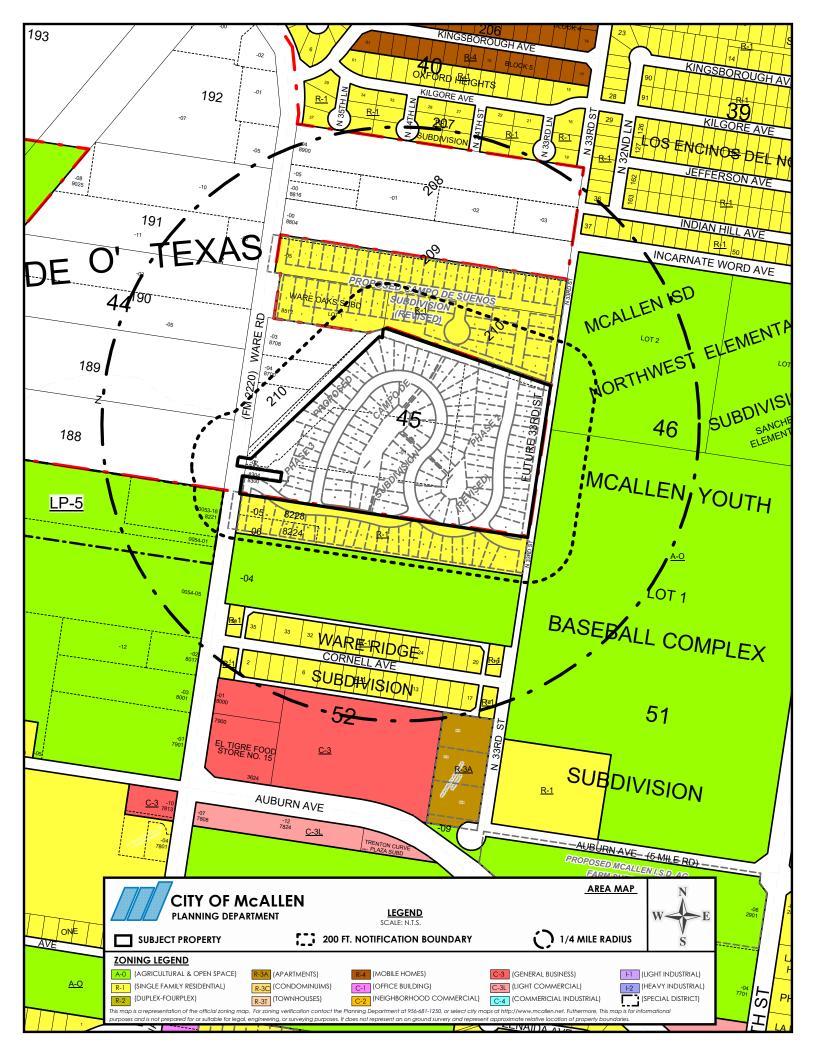
<u>HISTORY:</u> The tract has been in the City's ETJ (Extra-Territorial Jurisdiction) since October 15, 1973. A subdivision application for the subject property was submitted on September 16, 2020, which was approved in revised preliminary form on January 19, 2021, by the Planning and Zoning Commission. An annexation and initial zoning requests for the subject property are scheduled to be heard at the City Commission meeting of May 24, 2021.

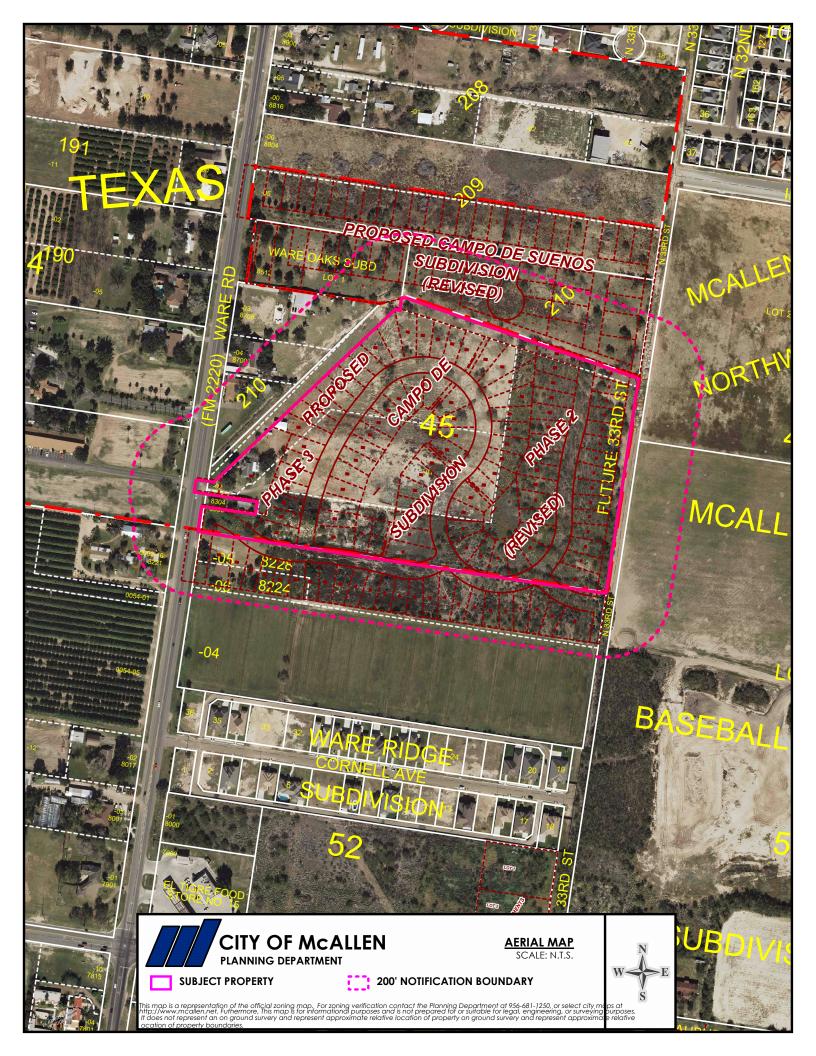
<u>ANALYSIS:</u> The requested zoning conforms to the Auto Urban Single Family land use designation as indicated on the Foresight McAllen Comprehensive Plan. It also follows the R-1 zoning and development trend of the surrounding area.

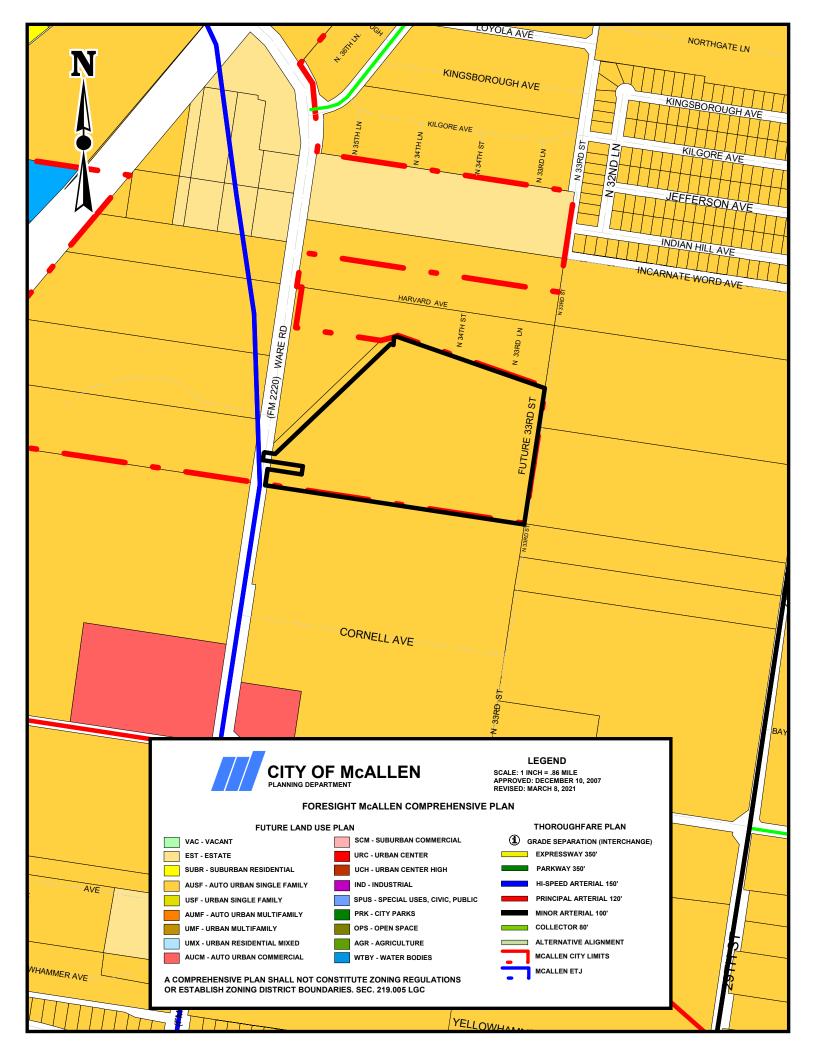
A recorded subdivision plat is required prior to building permit issuance. The R-1 District designation permits continuation of the subdivision process for a residential subdivision.

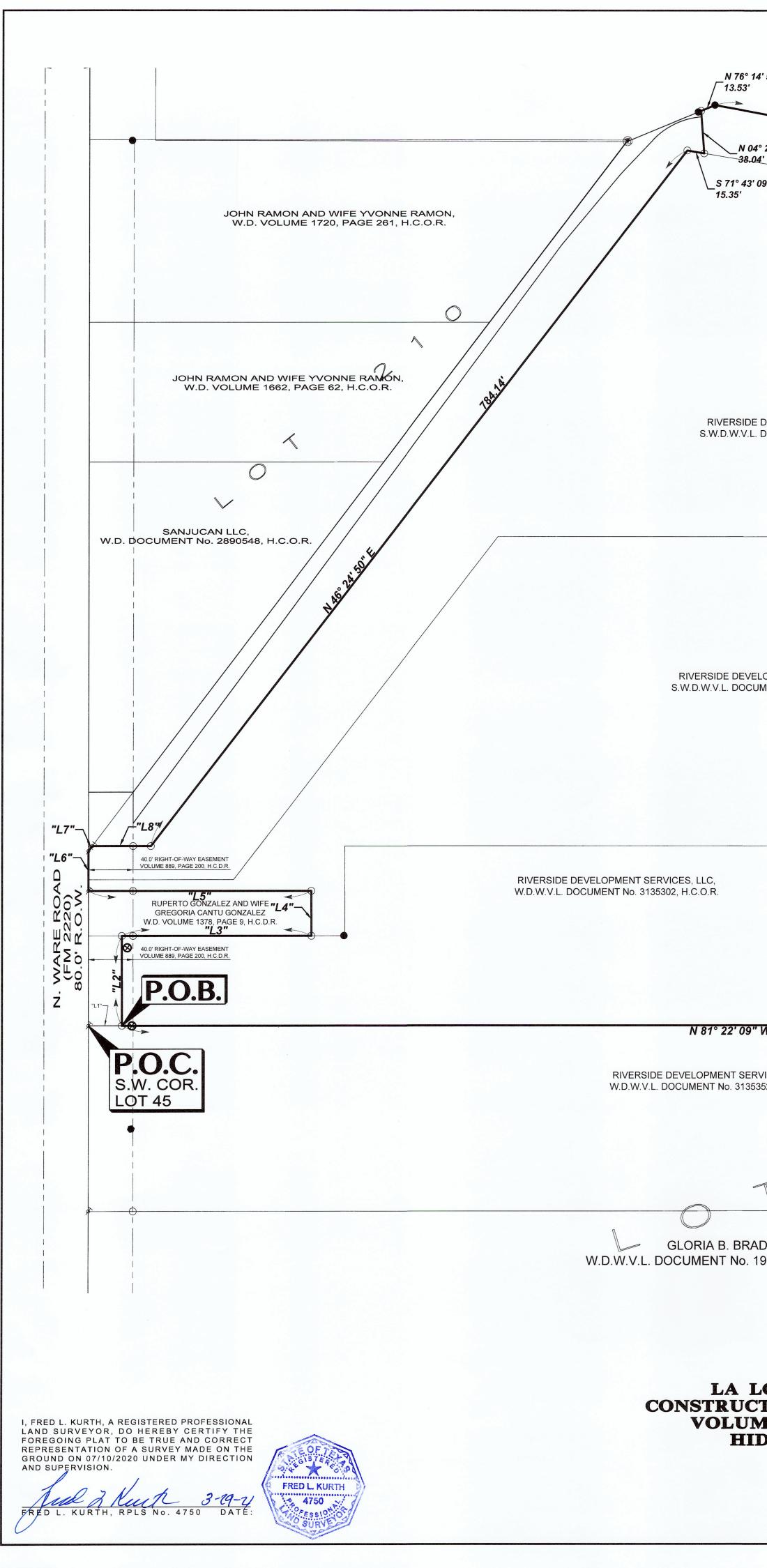
Staff has not received any calls or emails in opposition to the rezoning request.

<u>RECOMMENDATION</u>: Staff recommends approval of the rezoning request to R-1 (single-family residential) District.









57" E			
21' 48" E " E	<b>S 70° S</b> RIVERSIDE DEVELOPMENT SERVICES, LL D.W.W. DOCUMENT No. 3205186, H.C.O.R	<u>51'03''E 771.73'</u> LC, R.	
			*
EVELOPMENT SERVICES, LLO OCUMENT No. 3158972, H.C.C	C, D.R.	Acts, LLC, 02, H.C.O.R,	
		RIVERSIDE DEVELOPMENT SERVICES, LLC, W.D.W.V.L. DOCUMENT No. 3135302, H.C.O.R.	679.36'
DPMENT SERVICES, LLC, IENT No. 3158972, H.C.O.R.		5	S 08° 37' 51" W
			•
CES, LLC, 2, H.C.O.R.	1290.00'		RD STREET .0' R.O.W.
Y 57645, H.C.O.R.			N. 331 30.

LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY'S SUBDIVISION

VOLUME 24, PAGES 67-68, H.C.D.R. HIDALGO COUNTY, TEXAS



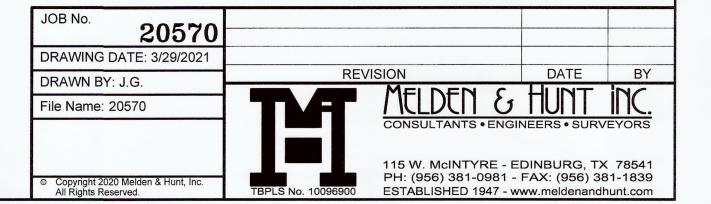
FLOOD ZONE ZONE "X" (UNSHADED) AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN.

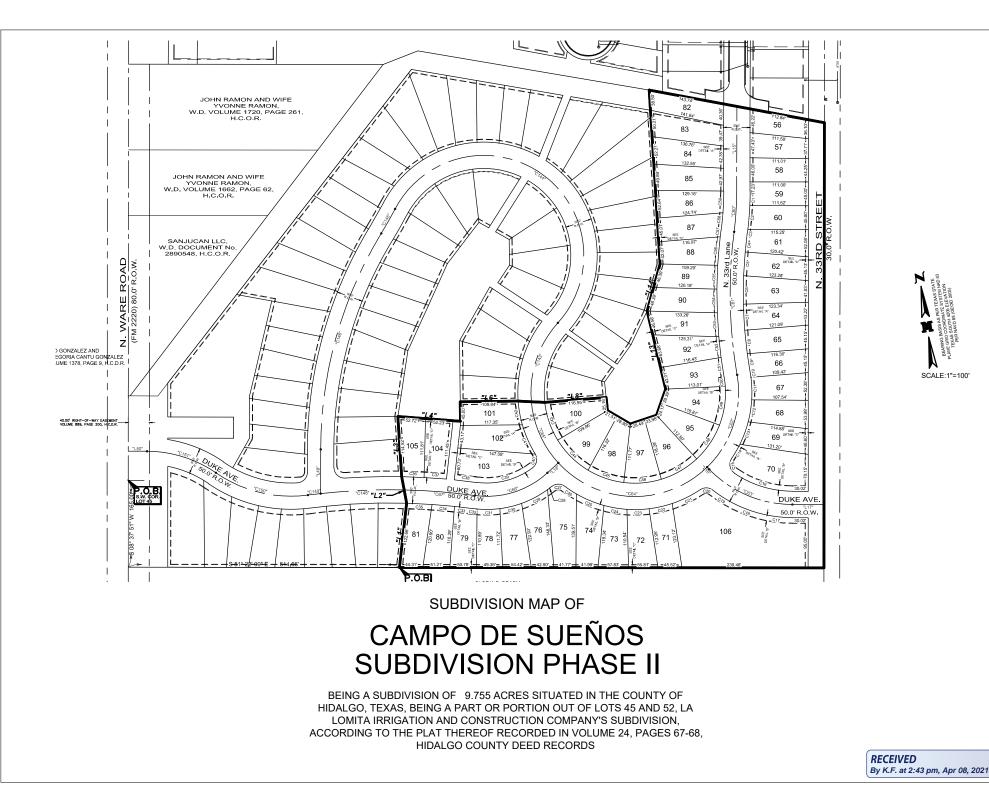
COMMUNITY-PANEL NUMBER: 480334 0295 D MAP REVISED: JUNE 6, 2000

	Line Table	
Line #	Direction	Length
"L1"	S 81° 22' 09" E	30.00'
"L2"	N 08° 37' 51" E	80.00'
"L3"	S 81° 22' 09" E	170.00'
"L4"	N 08° 37' 51" E	40.00'
"L5"	N 81° 22' 09" W	200.00'
"L6"	N 08° 37' 51" E	35.60'
"L7"	N 45° 56' 21" E	5.53'
"L8"	S 81° 22' 09" E	52.65'

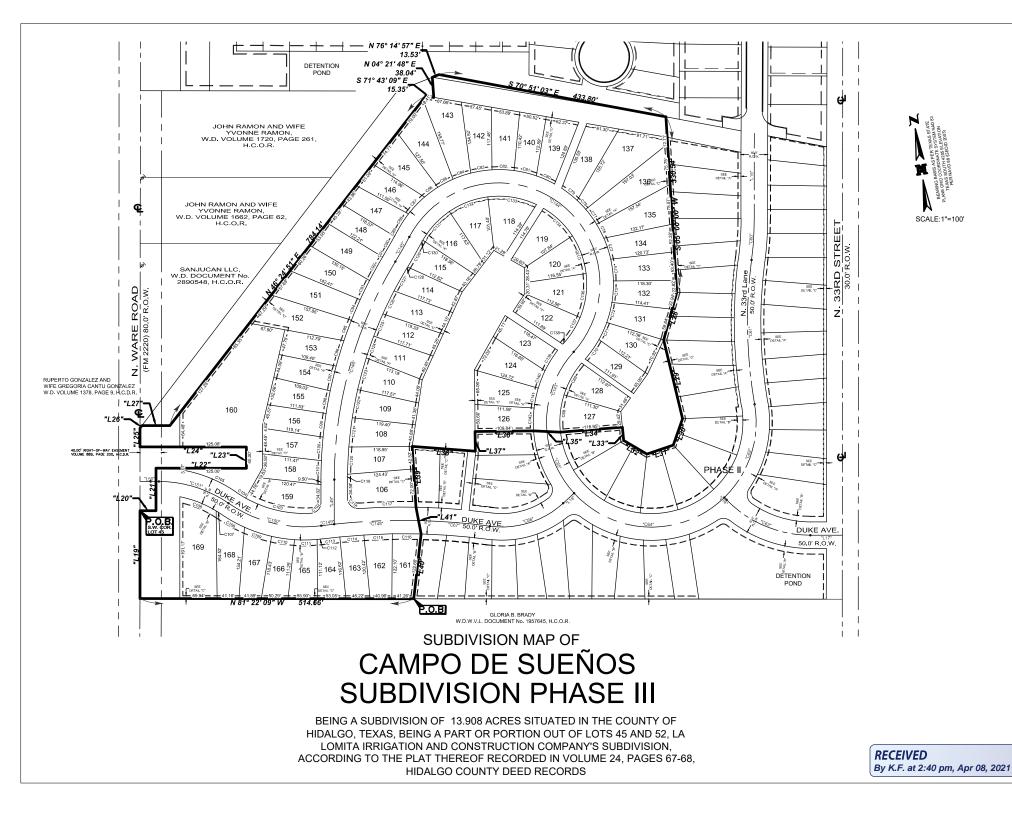


NOTES: SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL & SIGNATURE OF SURVEYOR. SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT WHICH MAY SHOW EASEMENTS AFFECTING THIS TRACT. THE SURVEYOR IS ADVISING THE RECIPIENT OF THIS PLAT THAT EASEMENTS MAY AFFECT THIS TRACT. 3. ALL BEARINGS AND DISTANCES ARE BASED ON GRID COORDINATES.





Y:\Land Development\Residential\McAllen\20145 - Campo De Suenos II & III (Riverside Development\\Autocad files\20145-1.dwg, 4/7/2021 4;41:24 PM, DWG To PDF,pc3





#### Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

**DATE:** April 29, 2021

SUBJECT: REZONE FROM C-3 (GENERAL BUSINESS) DISTRICT TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENT) DISTRICT: LOT 8, BLOCK 42, NORTH MCALLEN ADDITION, HIDALGO COUNTY, TEXAS; 218 NORTH 17TH STREET. (REZ2021-0020)

<u>LOCATION</u>: The property is located on the east side of North 17<sup>th</sup> Street, 50 ft. south of Cedar Avenue. The tract has 50 ft. of frontage along North 17<sup>th</sup> Street, with a depth of 140 ft., for a lot size of 7,000 sq. ft.

<u>PROPOSAL</u>: The applicant is requesting to rezone the property to R-3A (multifamily residential apartment) District in order to construct a fourplex. A feasibility plan has not been submitted. Section 138-356 of the Zoning Ordinance requires a minimum lot size of 7,800 sq. ft. for a fourplex in R-2 (duplex-fourplex residential) District. Since the lot size is 7,000 sq. ft., the applicant requested R-3A District to build a fourplex.

ADJACENT ZONING: The adjacent zoning is C-3 (general business) District on all directions.



<u>LAND USE</u>: There is a duplex on the subject property, proposed to be demolished. Surrounding land uses include single-family residences, duplexes, Triumph Public High Schools, offices, and retail stores.

<u>COMPREHENSIVE PLAN</u>: The Foresight McAllen Comprehensive Plan designate the future land use for the subject property as Auto Urban Commercial which is comparable to C-1 (office building) to C-3 (general business) Districts.

<u>DEVELOPMENT TREND</u>: The area is an established stable neighborhood of mostly single-family, duplex residences, and some commercial properties.

<u>HISTORY:</u> The subject property was zoned C-3 (general business) District during comprehensive zoning in 1979. There have been no other rezoning requests since then.

<u>ANALYSIS:</u> The requested zoning does not conform to the Auto Urban Commercial land use designation as indicated on the Foresight McAllen Comprehensive Plan. It also does not fit the character of the neighborhood. None of the properties on the south side of Gumwood Avenue and north side of Dallas Avenue, between Main Street and 22<sup>nd</sup> Street are zoned R-3A (multifamily residential apartment) District.

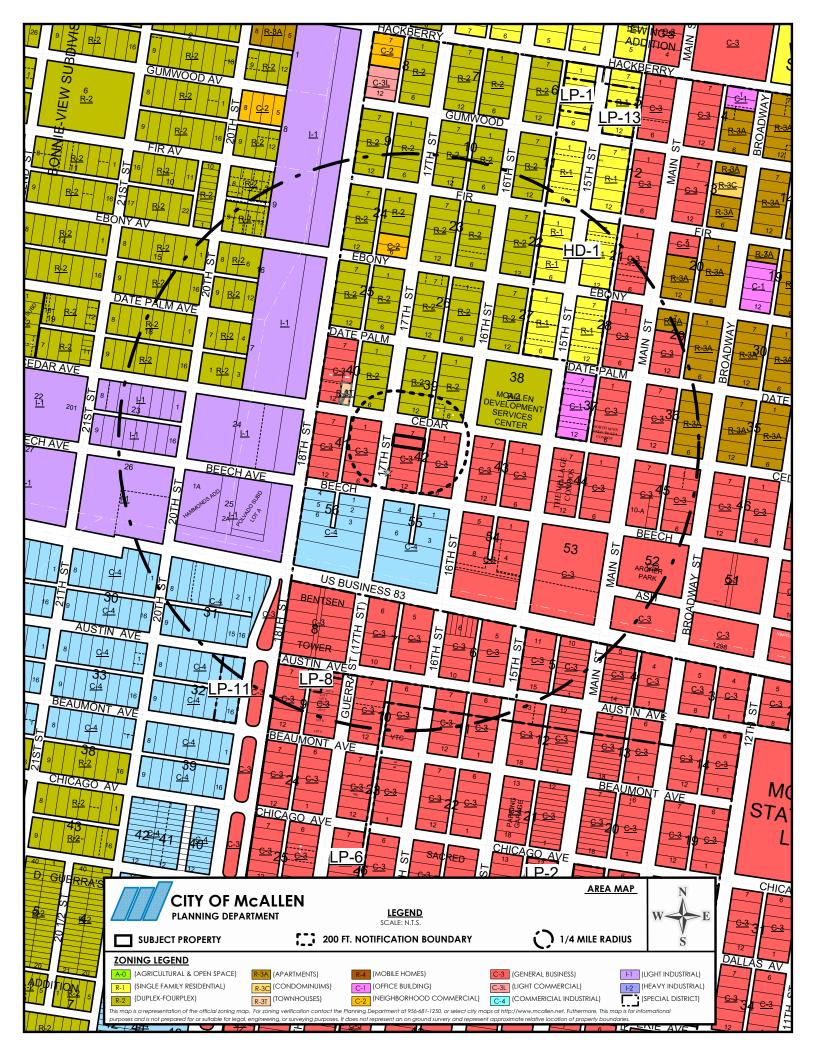
If the request is approved, it may encourage other property owners to apply for a rezoning to R-3A (multi-family residential apartment) District as well, which will increase the density and traffic in the area.

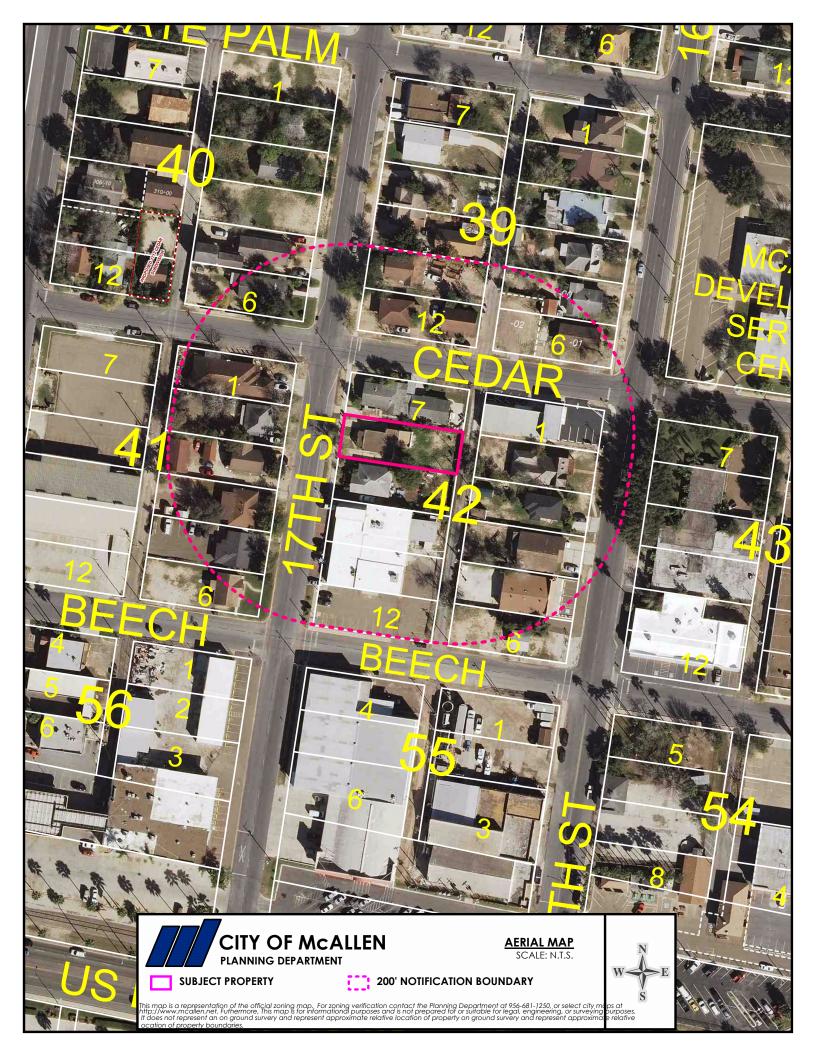
The maximum density in R-3A (multifamily residential apartments) District is 29 three-bedroom units (1,500 sq. ft.) per acre to 43 one-bedroom apartment units (1000 sq. ft.) per acre. Therefore, the maximum number of units for the subject property is approximately 4 three-bedroom units to 7 one-bedroom units.

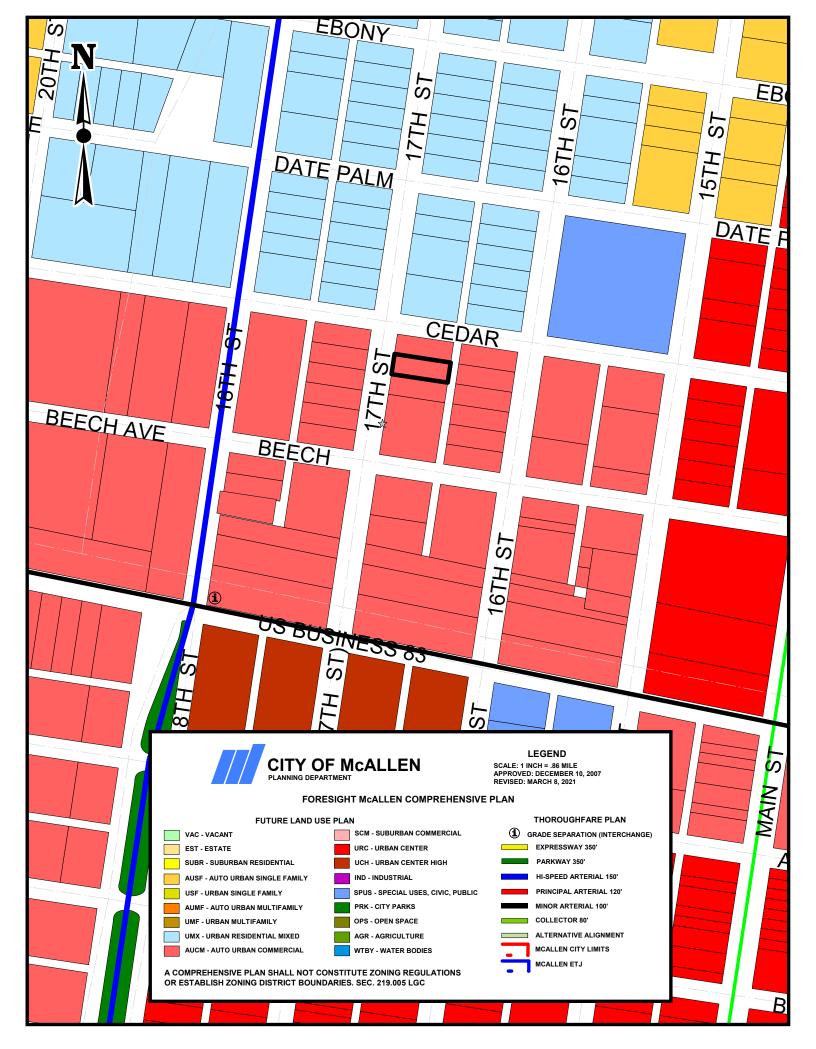
An approved site plan is required prior to building permit issuance for 5 or more dwelling units. Required park land dedication or a fee in lieu of land comprising \$700 per dwelling unit might be required prior to building permit issuance.

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

<u>RECOMMENDATION:</u> Staff recommends disapproval of the rezoning request to R-3A (multifamily residential apartment) District.









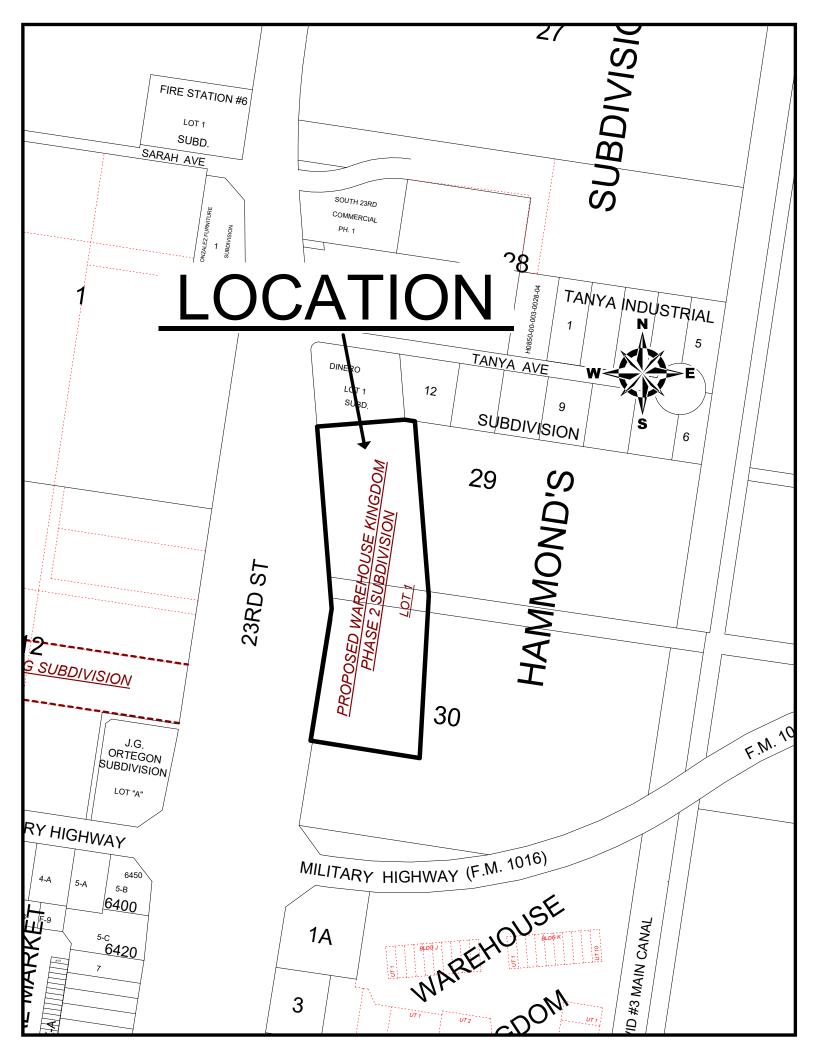
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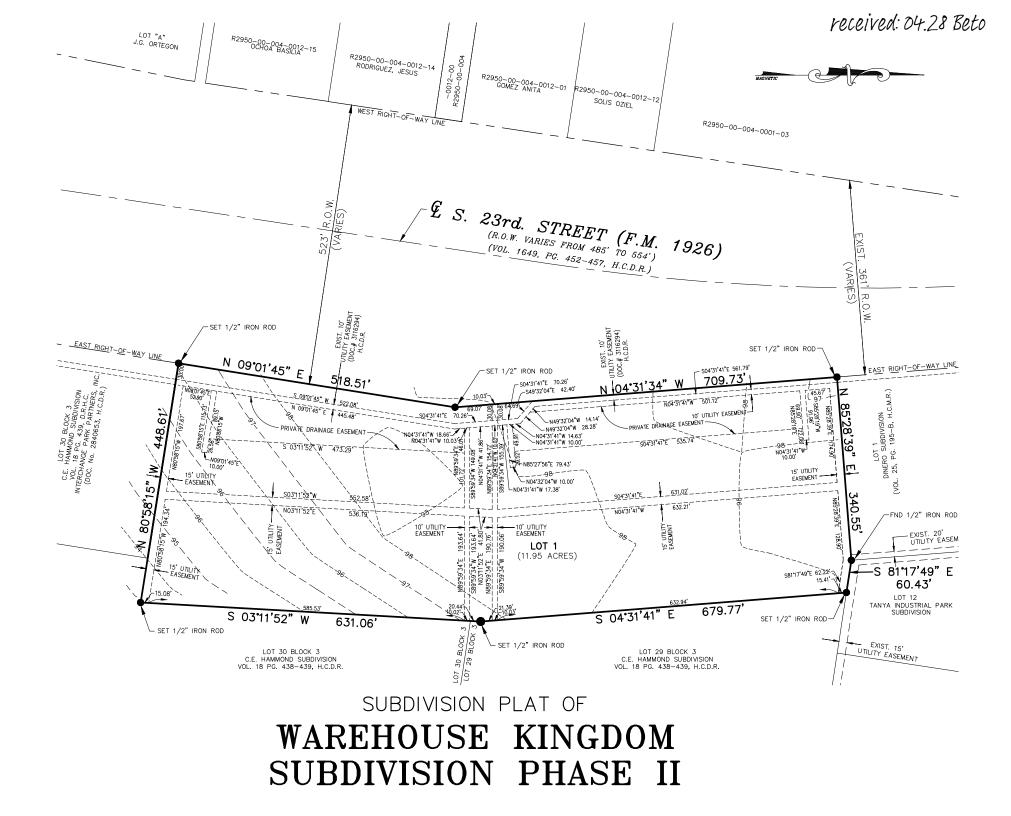
Subavao-0047

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

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

		Subdivision Name Warehouse Kingdom Subdivision Phase II
	_	Location East side of S. 23rd Street approximately 500' north of FM 1016
	ion	City Address or Block Number
	ipt	Number of lots Gross acres Net acres
	scr	Existing Zoning L-1 Proposed L-1 Rezoning Applied For Yes X No Date
	De	Existing Land Use <u>Open</u> Proposed Land Use <u>Warehousing</u> Irrigation District # 3
	ct	Residential Replat Yes □ No ऄ Commercial Replat Yes □ No ऄ ETJ Yes □ No ऄ
	Project Description	Agricultural Tax Exemption Yes $\Box$ No $\Breve{A}$ Estimated Rollback tax due <u>N/A</u>
	4	Legal Description 11.35 acres out of Lots 29 and 30, Block 3 C.E. Hammond Subdivision
		as recorded in Volume 18, Pages 438 and 439 Deed Records of Hidalgo County, Texas.
		Name Abasto Corporation Phone (956) 631-2133
	ler	Address 2501 Military Highway, Suite F-8
	Owner	City McAllen State Texas Zip 78503
	0	E-maileliojb@usa.net
	L	Name Abasto Corporation Phone (956) 631-2133
	Developer	Address _2501 Military Highway, Sutie F-8
	elo	City McAllen State Texas Zip 78503
	)eV	Contact Person Elio Botello
		E-mail_eliojb@usa.net
	-	Name _ Javier Hinojosa Engineering Phone(956) 668-1588
	Engineer	Address 416 E. Dove Avenue
	gin	City McAllen State Texas Zip 78504
	ш	Contact Person Javier Hinojosa, P.E. E-mail javhin@rgv.rr.com
	5	Name CVQ Land Surveyors, LLC Phone (956) 618-1551 E G E V E
	/ey	Address 517 Beaumont Avenue
	Surveyor	City <u>McAllen</u> State <u>Texas</u> Zip <u>78501</u> Cut 4 45 Contact Person: <u>Carlos Vasquez, R.P.L.S.</u> E-mail: cvq@cvqls.com
Rct	72759	11 Pd \$30000 600



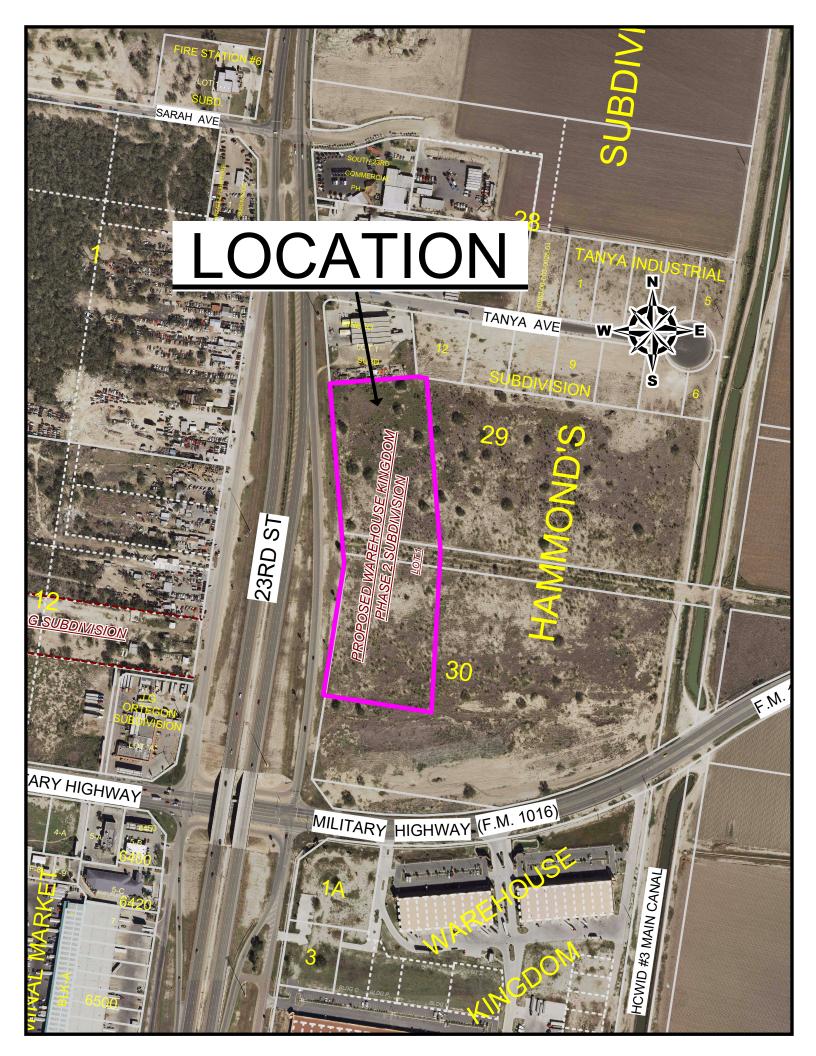




Reviewed On: 4/30/2021

SUBDIVISION NAME: WAREHOUSE KINGDOM PHASE II	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
S. 23rd Street (F.M. 1926): 150 ft. ROW. Existing ROW varies from 361 ft. to 523 ft. Paving: min. 52 ft. Curb & gutter: Both sides **Label existing ROW on each side of centerline	Required
N/S 1/4 mile street: 60-70 ft. ROW Paving: 40-44 ft. Curb & gutter: Both sides **Will apply when adjacent property develops to the east	Required
* 800 ft. Block Length	Applied
* 600 ft. Maximum Cul-de-Sac	Applied
ALLEYS	
ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties **** Minimum 24 ft. private service drive to provide city services required. It will be maintained by the property owners, and not the City of McAllen. It will be on the site plan and also on the plat as may be needed, prior to recording. Plat note will be required to be noted on the plat regarding the service drive, prior to recording. ****Provide document number for temporary turnaround shown outside plat boundaries and indicate owner will be responsible for its removal. This temporary turnaround will designed and paved to City Standards prior to recording.	Required
SETBACKS	
* Front (S. 23rd StF.M. 1926): 75 ft. or greater for approved site plan or easements	Applied
* Rear: In accordance with the zoning ordinance, or greater for approved site plan, or easements	Applied
* Sides: In accordance with the zoning ordinance, or greater for approved site plan, or easements	Applied
* Corner	NA
* Garage:	NA
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
SIDEWALKS	
* 5 ft. wide minimum sidewalk required on the east side of South 23rd Street (F.M. 1926) and 4 ft. wide minimum sidewalk required for any interior streets as may be applicable.	Applied
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Required
BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses.	Applied
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses	Applied

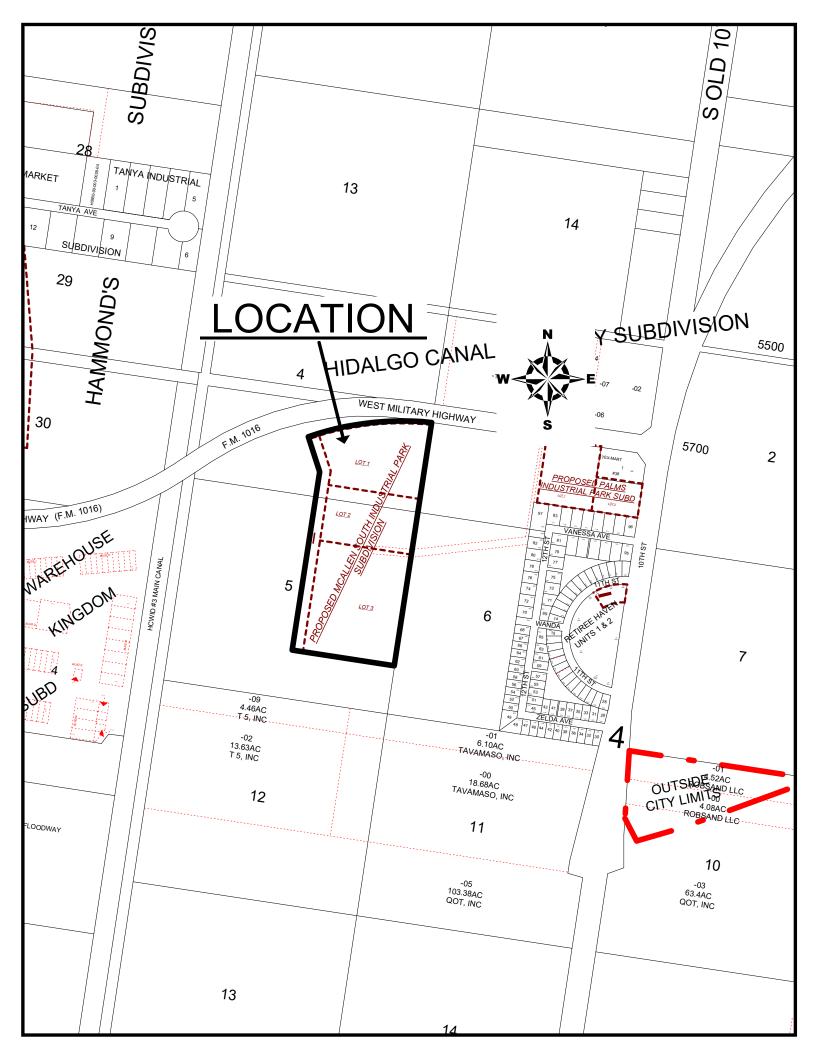
*Perimeter buffers must be built at time of Subdivision Improvements.	Required
IOTES	
* No curb cut, access, or lot frontage permitted along	Applied
* Site plan must be approved by the Planning and Development Departments, prior to building permit issuance.	Required
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	Applied
* Common Areas, any private streets or service drives, etc. must be maintained by the lot owners and not the City of McAllen	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	Compliance
ONING/CUP	
* Existing: I-1 Proposed: I-1	Compliance
* Rezoning Needed Before Final Approval	NA
ARKS	
* Land dedication in lieu of fee	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
RAFFIC	
* As per Traffic Department, Trip Generation has been reviewed and a TIA will be waived. More requirements may be triggered once adjacent properties or future phases develop.	Completed
* Traffic Impact Analysis (TIA) required prior to final plat.	N/A
OMMENTS	
Comments: *Must comply with City's Access Management Policy **Site Plan requirements will be reviewed during site plan review. ***Temporary turnaround located at the east end of the property will be built to City Standards and installed and maintained by property owner. Provide document/instrument number and show on plat and/or site plan as may be needed prior to recording. ****Comply with Traffic Department requirements as may be needed prior to recording. ****Comply with any Drainage requirements that may be needed prior to recording.	Applied
ECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM SUBJECT TO CONTIIONS NOTED.	Applied

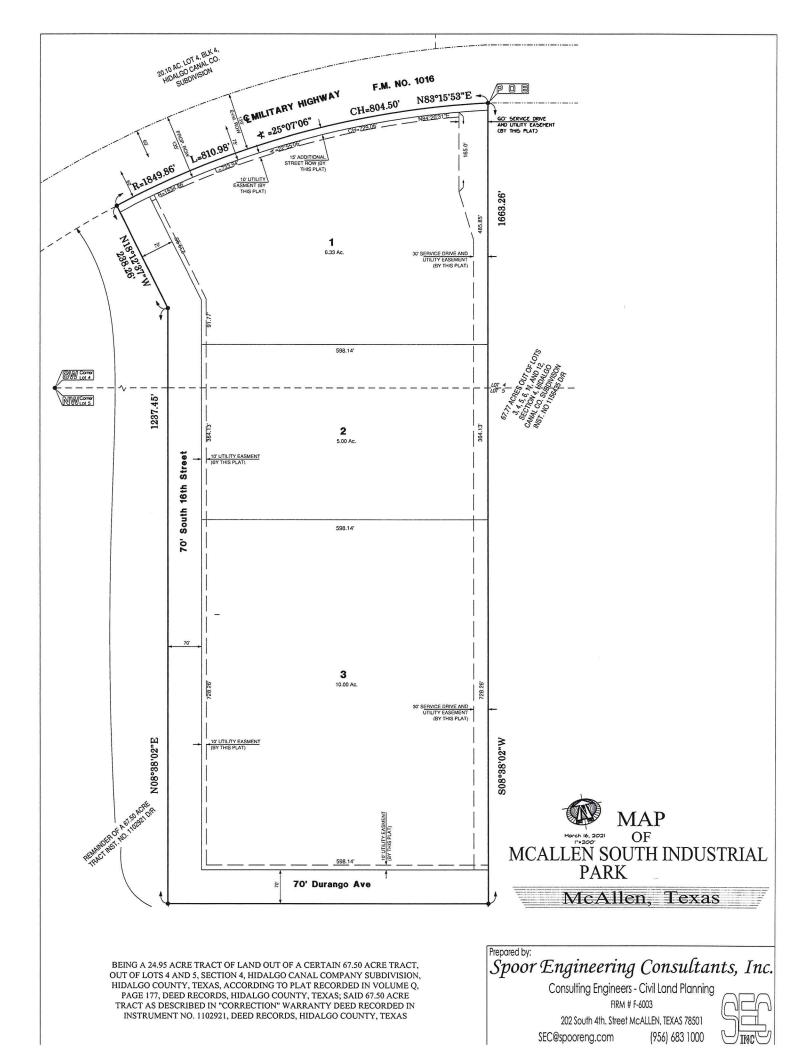


SUB2020-0051

	City of McAllen Planning Department APPLICATION FOR SUBDIVISION PLAT REVIEW 311 North 15 <sup>th</sup> Street McAllen, TX 78501 P. O. Box 220 McAllen, TX 78505-0220 (956) 681-1250 (956) 681-1279 (fax)
Project Description	Subdivision Name       McAllen       South       Industrial Park         Location       Military       Highway, west of So. 10th       Street         City       Address or Block Number       1411 So. Military       Highway         Number of lots       3       Gross acres       23.87       Net acres       23.87         Existing Zoning       11       Proposed       Rezoning       Applied       For       Yes       Xo Date         Existing Land       Use       vacant       Proposed       Land       Use       commercial       Irrigation       District       #3         Residential       Replat       Yes       No       Xo       Estimated       Rollback       Kax due       Yu         Parcel       No.       644891, 644890       Tax       Dept.       Review       Mutual       Legal       Description       Hidalgo       Canal       Co. Subd., Lots 4 and 5, Section 4
Owner	Name       T5, Inc., a Texas Corporation       Phone       956-683-1000         Address       P.O. Box 8015         City       Mission       State       TX       Zip       78573         E-mail       sec@spooreng.com
Developer	Name       Same as Owner       Phone         Address
Engineer	Name       Spoor Engineering Consultants, Inc.       Phone       956-683-1000         Address       202 So. 4th Street
Surveyor	Name <u>CVQ Land Surveyors</u> Address <u>517 Beaumont Avenue</u> City <u>McAllen</u> State <u>TX</u> Zip <u>78501</u> City <u>1201</u> City <u>1201</u> City <u>1201</u> City <u>1201</u> City <u>1201</u> City <u>7201</u> City <u>7201</u> City <u>7201</u> City <u>7201</u> City <u>7201</u> City <u>7201</u> City <u>7201</u> City <u>7201</u> City <u>7201</u> City <u>78501</u> City <u>7950</u> City <u></u>

ACT# 179628 bd#882 0







# City of McAllen

SUBDIVISION PLAT REVIEW

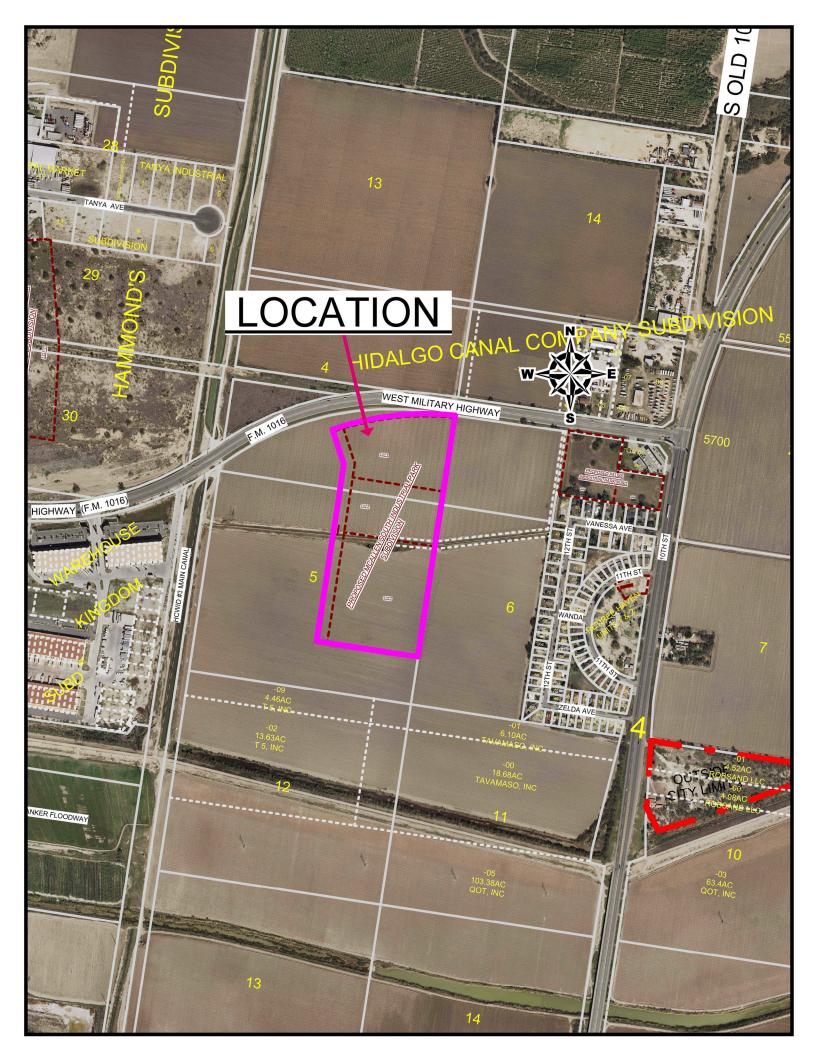
Reviewed On: 04/30/2021

SUBDIVISION NAME: MCALLEN SOUTH INDUSTRIAL PARK	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
Military Highway (F.M. 1016): 75 ft. ROW from centerline required for 150 ft. total ROW Paving: 65 ft. Curb & gutter: Both sides **Remove "PROP. ROW" reference from plat	Applied
S. 16th Street: 70 ft. ROW Paving: 44 ft. Curb & gutter: both sides	Applied
Durango Avenue: 70 ft. ROW Paving: 44 ft. Curb & gutter: both sides ***Temporary turnaround required at the east end of Durango Avenue and/or barricades ****If temporary turnaround is installed, a note will be required on the plat regarding the maintenance and removal to be responsibility of the lot owner and not the City of McAllen. Plat note will be on plat prior to recording. *****Durango Avenue will be extended east when the properties to the east develop.	Applied
<ul> <li>* 800 ft. Block Length</li> <li>**Engineer submitted a variance request on March 26, 2021 asking to allow a block measuring 1,500 ft. in length.</li> <li>**Variance to block length requirement approved by Planning and Zoning Board at the meeting of April 6, 2021 and City Commission on April 26, 2021.</li> </ul>	Complete
* 600 ft. Maximum Cul-de-Sac	NA
LLEYS	
ROW: 30 Paving: 30 ft. *Alley/service drive easement required for commercial properties **Plat shows a proposed 30 ft. service drive along the east boundary and connects with Durango Avenue	Applied
ETBACKS	
<ul> <li>* Front:</li> <li>- Military Highway: 75 ft. or greater for approved site plan or easements</li> <li>- S. 16th Street: 35 ft. or greater for approved site plan or easements</li> <li>**Revise plat as noted above prior to final. Military Highway setback plat note is repeated.</li> </ul>	Required
<ul> <li>* Rear: 5 ft. setback from west end of service drive easement located along east property line or greater for easements or approved site plan.</li> <li>**Please revise plat note prior to recording.</li> </ul>	Required
* Sides: In accordance with the zoning ordinance or greater for easements or approved site plan.	Applied
* Corner: See above	Applied
* Garage:	NA
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
DEWALKS	
<ul> <li>* 5 ft. wide minimum sidewalk required on Military Highway as per Engineering Department.</li> <li>**Revise plat as noted above</li> <li>***Engineer submitted a variance request letter to not provide sidewalks along South 16th</li> <li>Street and Durango Avenue, to be reviewed at the P&amp;Z meeting of April 6, 2021.</li> </ul>	Required

****Planning and Zoning Board approved a variance to not provide sidewalks along South 16 <sup>th</sup> Street and Durango Avenue subject to prohibit street parking on both sides of the streets at their April 6, 2021 meeting. City Commission approved variance on the April 26, 2021 meeting subject to the conditions recommended by Planning and Zoning Board.	
* 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	Applied
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses	Applied
*Perimeter buffers must be built at time of Subdivision Improvements.	Applied
NOTES	
* No curb cut, access, or lot frontage permitted along.	Applied
* Site plan must be approved by the Planning and other Development Departments prior to building permit issuance.	Required
* Common Areas, any private streets, service drives, etc. 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.	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: I-1 Proposed: I-1	Applied
* 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	NA
* Pending review by the Parkland Dedication Advisory Board and CC.	NA
TRAFFIC	
* As per Traffic Department, Trip Generation and TIA approved.	Complete
* As per Traffic Department, Trip Generation and TIA approved.	Complete
COMMENTS	
Comments: *Must comply with City's Access Management Policy **Site plan will be reviewed by Development Departments prior to building permit issuance. ****A portion of the west area of McAllen South Industrial Park was part of T5 Industrial Park Subdivision -application submitted: November, 2007- which was never recorded. *****Comply with drainage requirements as may be needed prior to recording.	Applied
RECOMMENDATION	

Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM SUBJECT TO CONDITIONS NOTED.

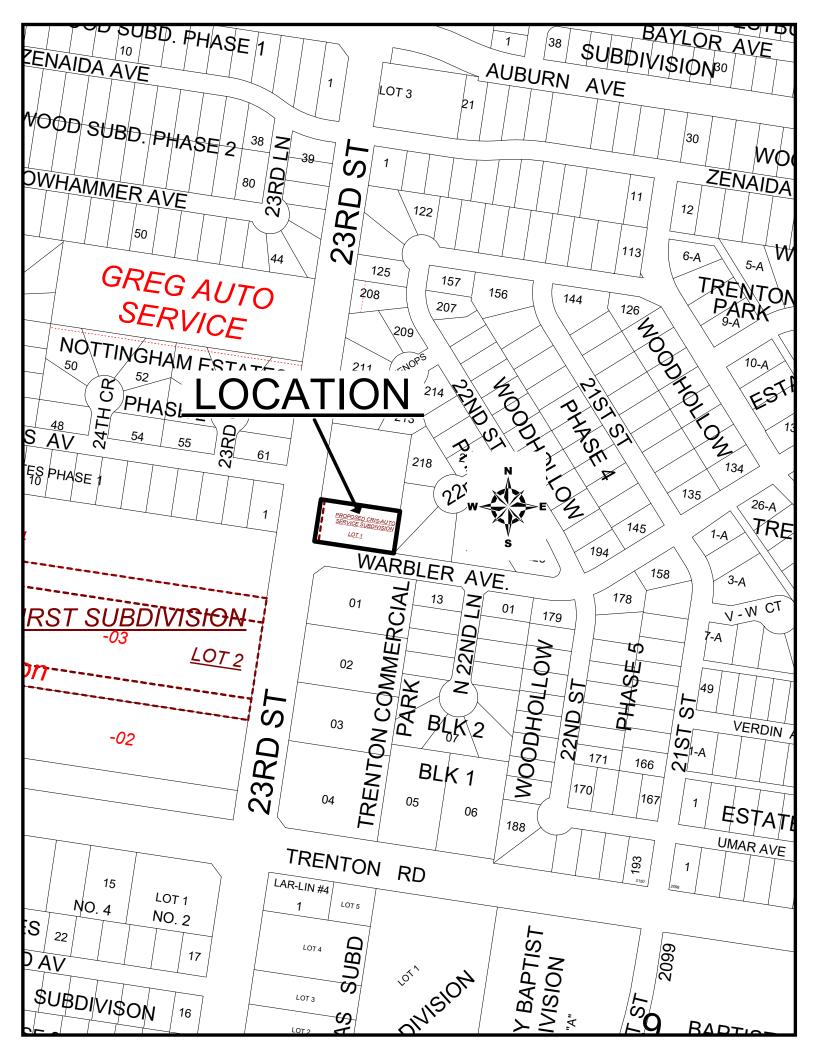
Applied

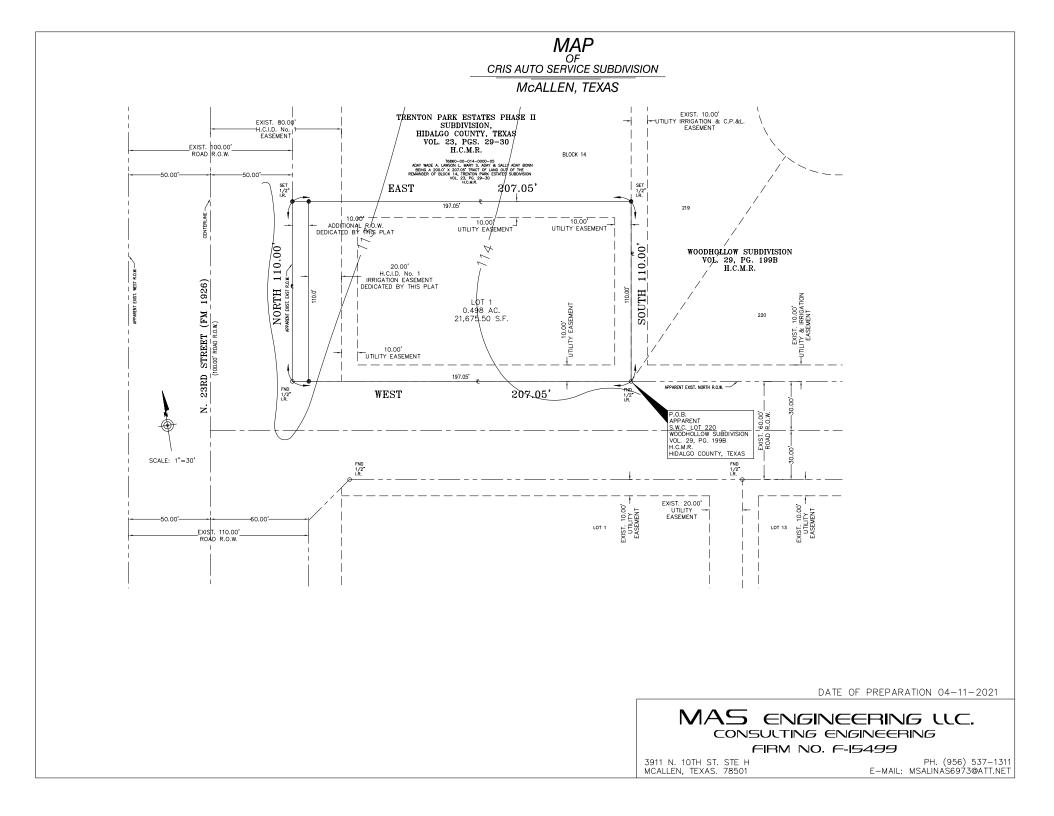


	City of McAllen Planning Department APPLICATION FOR SUBDIVISION PLAT REVIEW SUBDIVISION PLAT REVIEW
Project Description	Subdivision Name <u>Cris</u> - Acto Service Location <u>Abreh east corner of N. 23<sup>rd</sup> Street and Ukrbler Ave.</u> City Address or Block Number <u>N. 23<sup>rd</sup> street Black Monder 7500</u> Number of lots <u>I</u> Gross acres <u>0.523</u> Net acres <u>0.490</u> Existing Zoning <u>C3</u> Proposed <u>C3</u> Rezoning Applied For <u>Ves</u> No Date Existing Land Use <u>Maant</u> Proposed Land Use <u>Connecceal</u> Irrigation District # <u>I</u> <b>Residential</b> Replat Yes <u>No</u> <u>Commercial</u> Replat Yes <u>No</u> <u>D</u> Agricultural Tax Exemption Yes <u>No</u> <u>Estimated Rollback tax due</u> Legal Description <u>0.523</u> <u>Trenton</u> <u>Part Estates</u> <u>Phase II</u> <u>Subdivision</u>
Owner	Name Cristobul Moreno-PresidentPhone (956)358-0452Address 7613 N. 25th StreetCity McAllenState Texas Zip 78501E-mail Moreno-cris 1 C hot mail.com
Developer	Name         Same         Phone           Address
Engineer	Name       MAS       Engineering       Phone       (156)       537 - 1311         Address       3911       N. 10 <sup>th</sup> Street       Suite       H         City       McAllen       State       Tx       Zip       78501         Contact Person       Manio       A       Salinas         E-mail       Msalinas 6973 C aft. net
Surveyor	Name Salinas Engineering & Surveying Phone (956) 682-9081 or (956) 648-889 Address <u>2221</u> Dattodil Ave City <u>McAllen</u> State Texas Zip 78501 E-mail <u>dsalinas Csalinas engineering</u> : con By BIAM

	Proposed Plat Submittal
Submitted with Application	<ul> <li>\$225 Preliminary Review Fee and \$75 Final Approval Fee</li> <li>Title Report</li> <li>8 ½" by 11" Sealed Survey showing existing structures/easements</li> <li>or 3 blueline copies</li> <li>2 Location Maps</li> <li>2 8 ½" by 11" copies/legible copies of plat with name &amp; north arrow</li> <li>6 Folded blueline prints of the proposed plat</li> <li>2 Warranty Deeds (Identifiying owner on application)</li> <li>Autocad DWG file of plat</li> <li>Letter of Authorization from the owner, if applicable</li> <li>Proof of authority of person signing application on behalf of partnership/corporation, if applicable</li> </ul>
Minimum Developer's Requirements Sub	<ul> <li>PLAT TO SHOW:</li> <li>Metes and bounds</li> <li>Lots numbered with dimensions and area of irregular lots noted</li> <li>Surrounding platted lots and/or lot lines for uplatted tracts</li> <li>Name and address of owner, lienholder, developer, engineer and surveyor shown along with signature lines</li> <li>North arrow, scale and vicinity map</li> <li>Name &amp; dimension of adjoining street ROWs (total width &amp; width from centerline)</li> </ul> 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       Crestic Moreo         Print Name       Date         Owner I       Authorized Agent I

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## City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 4/29/2021

SUBDIVISION NAME: CRIS-AUTO SERVICE SUBDIVISION	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
N. 23rd Street: 10 ft. dedicated for 60 ft. from centerline for 120 ft. ROW Paving: By the state Curb & gutter: By the state **Show ROW from centerline and total ROW on N. 23rd Street to new property line after accounting for ROW dedication prior to final. ***Please clarify if "Exist. 80 ft. H.C.I.D No. 1 Easement" will encroach on proposed ROW dedication prior to final. **COM Thoroughfare Plan	Non-compliance
Warbler Avenue: 60 ft. ROW Paving: 40 ft. Curb & gutter: Both sides **Monies must be escrowed if improvements are not built prior to recording. *** Show document number of instrument where ROW for Warbler Avenue was dedicated. ****Subdivision Ordinance: Section 134-105	Applied
Paving Curb & gutter	Applied
* 800 ft. Block Length **Subdivision Ordinance: Section 134-118	NA
* 600 ft. Maximum Cul-de-Sac **Subdivision Ordinance: Section 134-105	NA
ALLEYS	
ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties. **Revise plat accordingly prior to final. ***Subdivision Ordinance: Section 134-106	Non-compliance
SETBACKS	
<ul> <li>* Front: North 23rd Street: 60 ft. or In accordance with Zoning Ordinance or greater for easements or approved site plan. Warbler Avenue: In accordance with Zoning Ordinance or greater for easements or approved site plan.</li> <li>**Front setbacks will be established prior to final.</li> <li>**Zoning Ordinance: Section 138-356</li> </ul>	TBD
<ul> <li>* Rear: In accordance with zoning Ordinance or greater for easements or approved site plan.</li> <li>** Please revise plat note as shown above prior to final.</li> <li>**Zoning Ordinance: Section 138-356</li> </ul>	Applied
<ul> <li>* Interior Sides: In accordance with zoning Ordinance or greater for easements or approved site plan.</li> <li>** Please revise plat note as shown above prior to final.</li> <li>**Zoning Ordinance: Section 138-356</li> </ul>	Applied

* Corner: See front setback. **Plat note for corner setback not required since both corners are covered under front setback section. **Zoning Ordinance: Section 138-356	Applied
* Garage: 18 ft. except where greater setback is required; greater setback applies. **Zoning Ordinance: Section 138-356	NA
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
SIDEWALKS	
<ul> <li>* 5 ft. wide minimum sidewalk required on N. 23rd Street and 4 ft. wide minimum sidewalk required on Warbler Ave.</li> <li>**Required 5 ft. along N. 23rd Street as per Engineering</li> <li>***Subdivision Ordinance: Section 134-120</li> </ul>	Applied
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Applied
BUFFERS	
<ul> <li>* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses.</li> <li>**Add plat note as shown above prior to final.</li> <li>**Landscaping Ordinance: Section 110-46</li> </ul>	Non-compliance
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses **Landscaping Ordinance: Section 110-46	Applied
*Perimeter buffers must be built at time of Subdivision Improvements.	Applied
NOTES	
* No curb cut, access, or lot frontage permitted along N. 23rd Street with access only from Warbler Avenue indicated on plat note #15 **City's Access Management Policy	Required
* Site plan must be approved by the Planning and Development Departments prior to building permit issuance. **Pleas remove plat note #8 since is not required.	Required
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	Required
* Common areas, private streets/service drives must be maintained by the lot owners and not the City of McAllen ****Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168	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. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168	NA
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. **Subdivision Ordinance: Section 110-72	NA

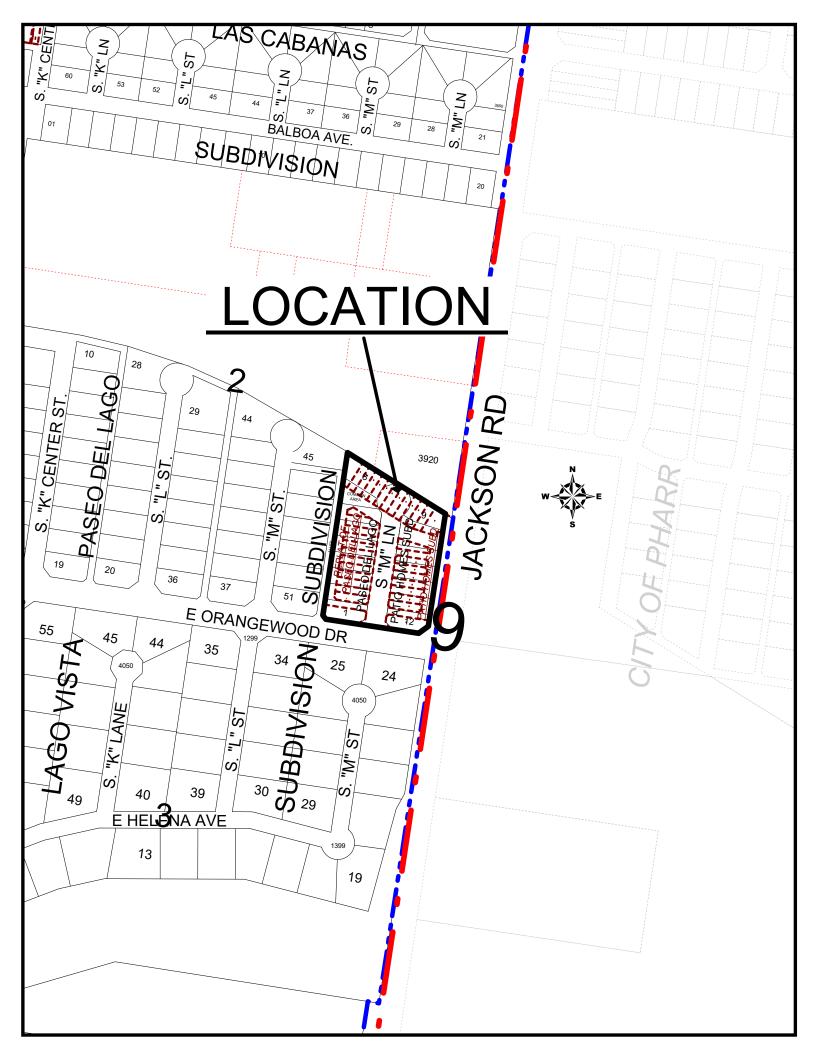
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LOT REQUIREMENTS	
* Minimum lot width and lot area. **Zoning Ordinance: 138-1	Compliance
* Lots fronting public streets. **Zoning Ordinance: Section. 138-356	Compliance
ZONING/CUP	
<ul> <li>* Existing: C-3 Proposed: Commercial</li> <li>**Engineer to clarify proposed use prior to final to determine if a rezoning or a conditional use permit is required. If a rezoning or CUP is required; it must be finalized prior to final.</li> <li>**Zoning Ordinance: Article V</li> </ul>	TBD
<ul> <li>* Rezoning Needed Before Final Approval</li> <li>**Engineer to clarify proposed use prior to final to determine if a rezoning or a conditional use permit is required. If a rezoning or CUP is required; it must be finalized prior to final.</li> <li>**Zoning Ordinance: Article V</li> </ul>	TBD
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. ***As per Parks Department, Parks requirements do not apply to commercial properties. If proposed use changes, Parks requirements might apply.	NA
TRAFFIC	
* As per Traffic Department, Engineer to clarify use to determine if a Trip Generation will be required prior to final. Trip Generation will also determine if a TIA will be required prior to final.	Non-compliance
* As per Traffic Department, Engineer to clarify use to determine if a Trip Generation will be required prior to final. Trip Generation will also determine if a TIA will be required prior to final.	TBD
COMMENTS	
Comments: Must comply with City's Access Management Policy ***As per Fire and Public Works Departments, please submit site plan prior to final to review compliance with requirements such as dumpsters location, service drives location, access location, etc. **Engineer to clarify proposed use prior to final to determine if a rezoning or a conditional use permit is required. If a rezoning or CUP is required; it must be finalized prior to final.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED, DRAINAGE AND UTIILITES APPROVALS.	Applied

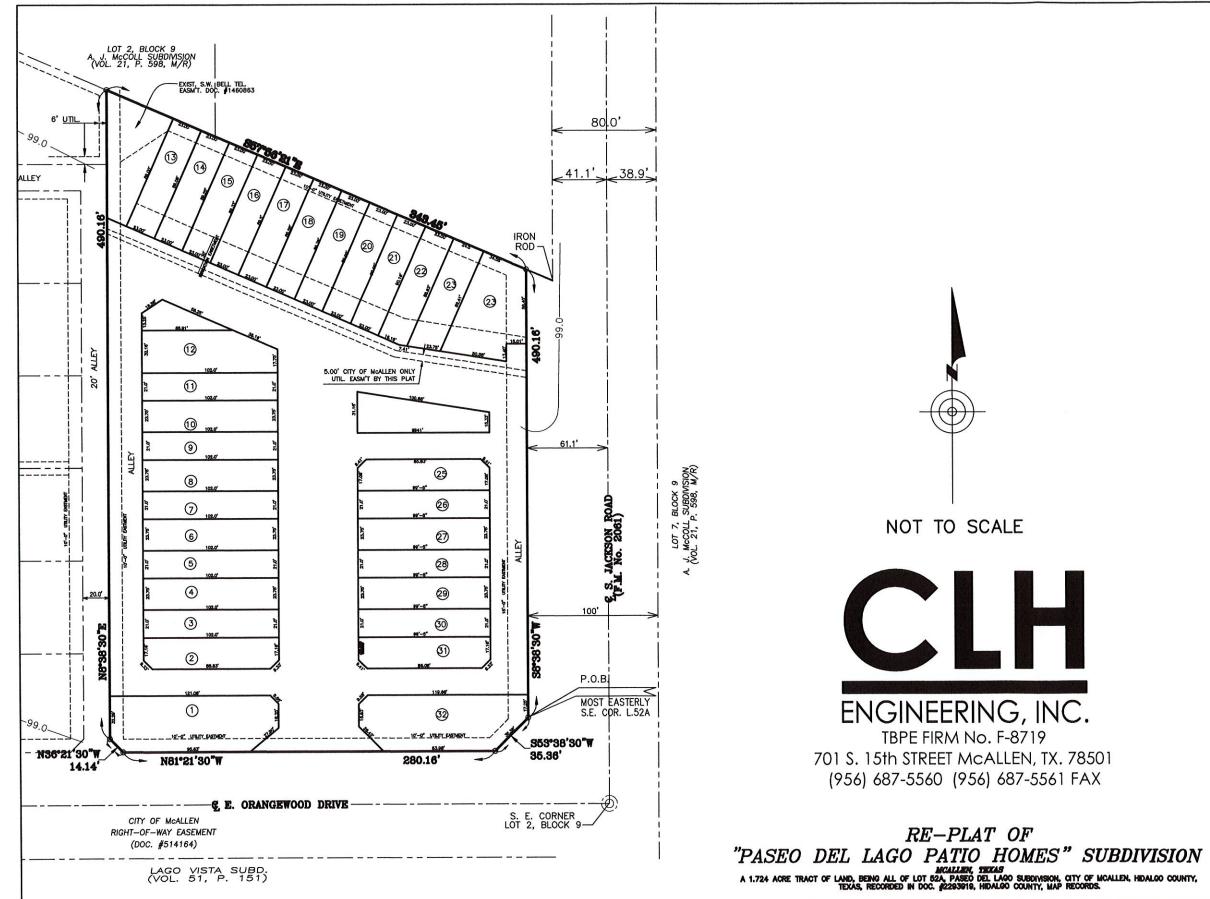


SUB202	-004	2
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	City of McAllen Planning Department APPLICATION FOR SUBDIVISION PLAT REVIEW 311 North 15 <sup>th</sup> Street McAllen, TX 78501 P. O. Box 220 McAllen, TX 78505-0220 (956) 681-1250 (956) 681-1279 (fax)
<b>Project Description</b>	Subdivision Name <u>Re-PLAT of Faseo del Lago Patio Homes</u> Location <u>northwest corner of S. Jackson Rd. &amp; E. Drange word Dr.</u> City Address or Block Number <u>Lot 52 A Paseo del Lago Subdivision</u> Number of lots <u>33</u> Gross acres <u>3.116</u> Net acres Existing Zoning <u>R-3T</u> Proposed <u>R-3T</u> Rezoning Applied For <u>Yes</u> to Date <u></u> Existing Land Use <u>Vac.</u> Proposed Land Use <u>Townhomes</u> Irrigation District # <u>2</u> Residential Replat Yes No <u>Commercial Replat Yes</u> No <u>S</u> ETJ Yes No <u>S</u> Agricultural Tax Exempt Yes <u>No</u> <u>S</u> Estimated Rollback tax due <u></u> Parcel No. <u></u> Tax Dept. Review <u></u> Legal Description <u>A</u> 3.116 acree treet of Land being all of Lot 52A <u>A</u> <u>faseo del Lago Subdivision in MAllen TM. Hidalgo Courty # 22,93919</u>
Owner	Name <u>Alonzo Cantu</u> Phone <u>956-631.1273</u> Address <u>5221 N. McColl RZ.</u> City <u>McAllen</u> State <u>TX</u> Zip <u>18504</u> E-mail <u>alonzo@cantuconstruction.com</u>
Developer	Name <u>Canto Construction</u> Phone <u>956-631-1273</u> Address <u>5221 N. McColl P2.</u> City <u>McAllon</u> State <u>TX</u> Zip <u>78504</u> Contact Person <u>Alonzo Canto</u> E-mail <u>alonzo@canto construction.com</u>
Engineer	Name <u>CLH Engineering, Inc.</u> Phone <u>956.687.5560</u> Address <u>701 5. 15th St.</u> City <u>HEAllen</u> State <u>TX</u> . Zip <u>78501</u> Contact Person <u>Cloromire Hinejesa</u> <u>Jr.</u> E-mail <u>chinejesa Eclhengineering inc.com</u>
Surveyor	Name     Ivan     Garcia     Phone     936.380.5152       Address     921     5.10th Are.       City     Edinburg     State     TX     Zip     78539

	Proposed Plat Submittal
Submitted with Application	<ul> <li>\$225 Preliminary Review Fee and \$75 Final Approval Fee</li> <li>Title Report</li> <li>8 ½" by 11" Original Sealed Survey showing existing structures/ easements or 3 blueline copies</li> <li>2 Location Maps</li> <li>2 8 ½" by 11" copies/legible copies of plat with name &amp; north arrow</li> <li>6 Folded blueline prints of the proposed plat</li> <li>2 Warranty Deeds (Identifiying owner on application)</li> <li>Autocad 2005 DWG file and PDF of plat</li> <li>Letter of Authorization from the owner, if applicable</li> <li>Proof of authority of person signing application on behalf of partnership/corporation, if applicable</li> </ul>
Minimum Developer's Requirements S	<ul> <li>PLAT TO SHOW:</li> <li>✓ Metes and bounds</li> <li>✓ Lots numbered with dimensions and area of irregular lots noted</li> <li>✓ Surrounding platted lots and/or lot lines for uplatted tracts</li> <li>✓ Name and address of owner, lienholder, developer, engineer and surveyor shown along with signature lines</li> <li>✓ North arrow, scale and vicinity map</li> <li>✓ Name &amp; dimension of adjoining street ROWs (total width &amp; width from centerline)</li> </ul> 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 Print Name Alonzo Cantu
OWL	Owner 🖌 Authorized Agent 🗆 10/19







# City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 4/29/2021

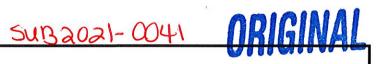
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
E. Orangewood Drive: 80 ft. existing ROW. Paving: 52 ft. Curb & gutter: both sides **Subdivision Ordinance: Sec.134-105	Applied
S. Jackson Road: 61.1 ft. from centerline for total 120 ft. total ROW Paving: by the state. Curb & gutter: by the state **Subdivision Ordinance: Sec.134-105	Applied
<ul> <li>S. "M" Lane (private): 60 ft. ROW</li> <li>Paving: 40 ft. Curb &amp; gutter: both sides</li> <li>**S. "M" Lane was recorded as a private street. Plat may need to be vacated.</li> <li>***Label all interior street and alleys width; and reference all internal streets and alleys as</li> <li>"private" if subdivision is proposed to continue being private prior to final.</li> <li>***Subdivision Ordinance: Sec.134-105</li> </ul>	Non-compliance
Paving Curb & gutter	Applied
* 800 ft. Block Length **Subdivision Ordinance: Sec.134-118	Applied
<ul> <li>* 600 ft. Maximum Cul-de-Sac</li> <li>**Replat does not show cul-de-sac at the north end South "M" Lane as shown on the current recorded plat. Maneuverability requirements will be reviewed by staff prior to final to determine if proposed layout is acceptable.</li> <li>***Please label ROW width of all interior streets and alleys to determine compliance prior to final.</li> <li>**Subdivision Ordinance: Section 134-105</li> </ul>	TBD
ALLEYS	
ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties **Alleys are only permitted in private residential developments ***A private service drive paved to city standards is allowed in lieu of the proposed alley. Revise plat and label accordingly prior to final ***Subdivision Ordinance: Sec.134-106	Non-compliance
SETBACKS	
<ul> <li>* Front: 10 ft. or greater for easements. Lot 32 is a double fronting lot.</li> <li>**Revise plat as noted above</li> <li>***Zoning Ordinance: Section 138-356</li> </ul>	Non-compliance
<ul> <li>* Rear: Lots 1-8, 10 ft. or greater for easements; rear along S. Jackson Road - 15 ft. or greater for the double fronting lots</li> <li>**Proposed plat shows an alley between S. Jackson Road; revise rear setback note as needed prior to final</li> <li>***Zoning Ordinance: Sec.138-356</li> </ul>	Non-compliance

* Sides: In accordance with the zoning ordinance or greater for easements **Zoning Ordinance: Sec.138-356	Applied
* Corner: 10 ft. or greater for easements **Zoning Ordinance: Sec.138-356	Applied
* Garage: 18 ft. except where greater setback is required, greater setback applies **Zoning Ordinance: Section 138-356	Applied
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
SIDEWALKS	
<ul> <li>* 5 ft. wide sidewalk required along South Jackson Road, and a 4 ft. wide minimum sidewalk required on East Orangewood Drive and both sides all interior streets.</li> <li>*****Please revise plat note as shown above.</li> <li>***5 ft. sidewalk requirement as per Engineering Department.</li> <li>*****Additional sidewalk requirements as needed prior to final depending on the street layout being proposed.</li> <li>**Subdivision Ordinance: Sec.134-120</li> </ul>	Required
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Required
BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses, along South Jackson Road and and East Orangewood Drive. **Landscaping Ordinance: Sec.110-46	Applied
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses **Landscaping Ordinance: Section 110-46	Applied
*Perimeter buffers must be built at time of Subdivision Improvements.	Required
NOTES	
* No curb cut, access, or lot frontage permitted along South Jackson Road and East Orangewood Drive. **City's Access Management Policy	Applied
* Site plan must be approved by the Planning and other Development Departments prior to building permit issuance.	Applied
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	NA
<ul> <li>* Common areas, private service drives, etc. must be maintained by the lot owners and not the City of McAllen</li> <li>**Identify common areas on plat, or label accordingly if lot #'s are missing i.e. adjacent remnants contiguous to lots 12, 13.</li> <li>***Also label the piece shown between lots 25 and 23</li> <li>****Revise lot # sequence, since there are 2 lots numbered 23.</li> </ul>	Non-compliance
* 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 requirments 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	Required
<ul> <li>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</li> <li>**An HOA document will be required to be recorded simultaneously with plat. If existing HOA will remain active, HOA President might be required to sign plat. Please clarify prior to final.</li> </ul>	Required

LOT REQUIREMENTS	
<ul> <li>* Minimum lot width and lot area</li> <li>**Please label proposed streets and alleys to determine if corner lots comply with minimum lot width requirements prior to final.</li> <li>***Please provide square footage for lots to determine compliance with minimum lot size requirements prior to final.</li> <li>****If any variances to the Zoning Board of Adjustments are required they must be finalized prior to final plat review.</li> <li>**Zoning Ordinance: Section 138-356</li> </ul>	TBD
* Lots fronting public streets **Zoning Ordinance: Section 138-1	Applied
ZONING/CUP	
* Existing: R-3T Proposed: R-3T **Zoning Ordinance: Section 138-176	Compliance
* Rezoning Needed Before Final Approval **Zoning Ordinance: Section 138-176	NA
PARKS	
* Land dedication in lieu of fee	NA
* Park Fee of \$700 per dwelling unit/lot to be paid prior to recording. As per Parks Department, park fee requirements will be determined prior to final. If Parks fees are applicable, they must be paid prior to recording.	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. Trip generation has been waived, per Traffic Department.	NA
* Traffic Impact Analysis (TIA) required prior to final plat.	NA
COMMENTS	
Comments: *Must comply with City's Access Management Policy **Clarify whether subdivision is proposed to continue as private prior to final. Vacating of existing plat required if any of the existing plat requirements are proposed to be removed or if a public subdivision is proposed. ***Alleys are not permitted in residential developments unless they are private. Clarify prior to final to determine compliance with requirements, ****Label all streets and alleys to determine compliance with requirements prior to final. Label them as "private" if subdivision is proposed to continue being private. *****Submit gate details if applicable prior to final. ******Please clarify if access is proposed on South Jackson Road. Plat note #8 of recorded "Paseo del Lago Patio Homes" does not allow curb cuts or access on South Jackson Road. ******Label Lot/Area located between Lots 21-23 and Lot 25. Compliance with lot requirements for this lot will be reviewed prior to final depending on proposed use for this lot/area. ********Please clarify if Lots 1 and 32 will also be used for residential-townhouse use prior to final. ********Label Lot/area located west of Lot 13 prior to final. ********Label Lot/area located west of Lot 13 prior to final.	Applied

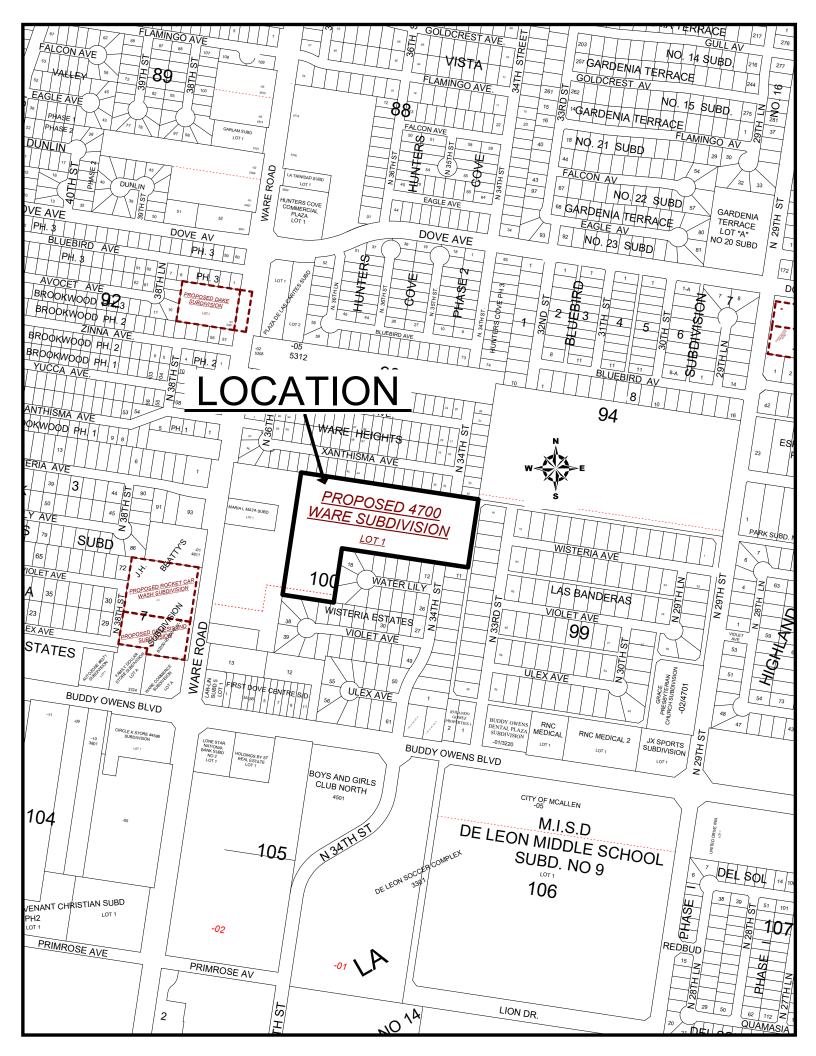
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM, SUBJECT TO CONDITIONS NOTED, UTILITIES, AND DRAINAGE APPROVALS.	Applied

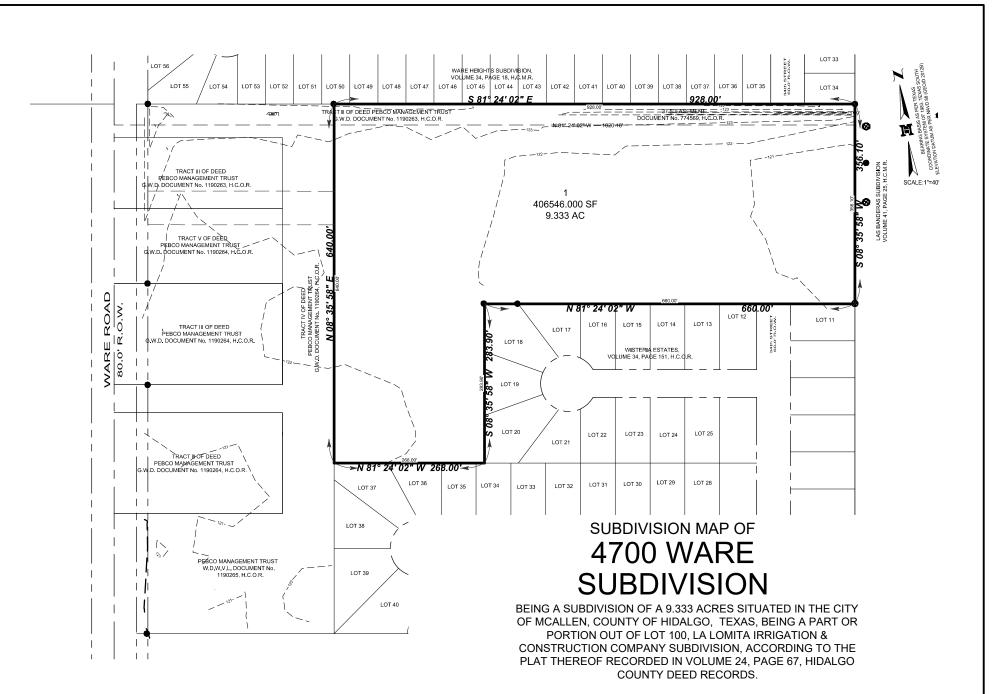




	City of McAllen 311 North 15th McAllen, TX	
	Planning Department P. O. Box 2 McAllen, TX 785	20
	APPLICATION FOR (956) 681-12	250
	SUBDIVISION PLAT REVIEW (956) 681-1279	(fax)
Project Description	Subdivision Name 4700 WAYL SUDDIVISION Location 609 Stoc of WAYL ROAC City Address or Block Number 4920 N. WAYL ROAD Number of lots 600 Gross acres 9,333 Net acres 9.333 Existing Zoning 60 Proposed A34 Rezoning Applied For 60 See No Date Existing Land Use 100 Proposed Land Use 400 MIL Prigation District #	9 9 15/24
Jes	Residential Replat Yes No  Commercial Replat Yes No  ETJ Yes No	
ct I	Agricultural Tax Exempt Yes  No  Estimated Rollback tax due	
oje	Parcel No.512661/210163 Tax Dept. Review	
Pre	Legal Description 9.338 Acres, more or legs, out o	of
	Lot 100, La Comita Ivrigation & Constr. Comp	Danus
	Name Rindes Development, The Phone 98 287-2800	)
ler	Address 200 S. 10th St., Ste. 1700	
Owner	City MCALLEN State Tx Zip 78501	
0	E-mail mike am rhodes, com	
<u>د</u>	Name Rivedes Duelopment, Inc. Phone 956 287-230	0
per	Address 2005. 10th St., Ste. 1700	
Develo	City MCAILER State TX Zip 78501	_
)ev	Contact Person Mike Rhodes	
	E-mail mike mirhodes com	
Engineer	Name Melden & Hunt, Inc. Phone (956) 381-0981 Address 115 W. Mc Inture St.	
ıgir	City Edinburg State TX Zip 7854 Contact Person Marto A. Reuna N.E.	
Ш	Contact Person <u>NIGTOA. REUNA V.E.</u> E-mail <u>Marian Meldenand Junt. com</u>	
r		
Surveyor	Name Melden & HUNT, INC. Phone (956) 381-0981 Address 115 W. Mc Intrare St.	
<b>N</b> N	City Edinburg State TX Zip 7864	1 E M
S	City Edition of State Zip APR 19 20	021
	By CM	Contraction of the second second

Submitted with Application	<ul> <li>Proposed Plat Submittal</li> <li>\$225 Preliminary Review Fee and \$75 Final Approval Fee Title Report</li> <li>8 ½" by 11" Original Sealed Survey showing existing structures/ easements or 3 blueline copies</li> <li>2 Location Maps</li> <li>2 8 ½" by 11" copies/legible copies of plat with name &amp; north arrow</li> <li>6 Folded blueline prints of the proposed plat (1) 24×36 Ui&amp; CIMU</li> <li>2 Warranty Deeds (Identifiying owner on application)</li> <li>Autocad 2005 DWG file and PDF of plat</li> <li>Letter of Authorization from the owner, if applicable</li> <li>Proof of authority of person signing application on behalf of partnership/corporation, if applicable</li> </ul>
Minimum Developer's Requirements \$	<ul> <li>PLAT TO SHOW:</li> <li>Metes and bounds</li> <li>Lots numbered with dimensions and area of irregular lots noted</li> <li>Surrounding platted lots and/or lot lines for uplatted tracts</li> <li>Name and address of owner, lienholder, developer, engineer and surveyor shown along with signature lines</li> <li>North arrow, scale and vicinity map</li> <li>Name &amp; dimension of adjoining street ROWs (total width &amp; width from centerline)</li> </ul> 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 Date Date Date Alto/2021 Print Name Print Name Date Authorized Agent Authorized Agent 10/19





Received: Beto 4/16/21

Y.\Land Development\Residentia\\McAllen\20177 - 4700 Ware (RHODES)\Autocad files\20177 dwg, 4/16/2021 3:26:41 PM, DWG To PDF.pc3



Reviewed On: 4/27/2021

SUBDIVISION NAME: 4700 WARE SUBDIVISION	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
North Ware Road: 75 ft. from centerline for 150 ft. of total ROW Paving: by the state Curb & gutter: by the state **Please clarify if property will have access/frontage through North Ware Road prior to final to determine ROW dedication requirements, street paving requirements, paving improvements, etc. ***COM Thoroughfare Plan	TBD
North 34th Street: 60 ft. ROW Paving: 40 ft. Curb & gutter: Both sides **Monies must be escrowed if improvements are not built prior to recording. ***Street must be extended to connect north and south ends. Plat must be revised prior to final to comply with requirements. ****Dead-end streets are not permitted. *****Subdivision Ordinance: Section 134-105	Non-compliance
Paving Curb & gutter	Applied
* 800 ft. Block Length. **Subdivision Ordinance: Section 134-118	NA
* 600 ft. Maximum Cul-de-Sac. **Subdivision Ordinance: Section 134-105	NA
ALLEYS	
ROW: 20 ft. Paving: 16 ft. *Alley required for commercial properties. **Subdivision Ordinance: Section 134-106	Applied
SETBACKS	
* Front: 20 ft. or greater for easements or approver site plan. **Please clarify frontage prior to final. ****Setbacks are subject to change prior to final. **Zoning Ordinance: Section 138-356	TBD
<ul> <li>* Rear: In accordance with Zoning Ordinance or greater for easements or approved site plan.</li> <li>**Please clarify frontage prior to final.</li> <li>****Setbacks will be established prior to final.</li> <li>**Zoning Ordinance: Section 138-356</li> </ul>	TBD
* Sides: In accordance with Zoning Ordinance or greater for easements or approved site plan. **Please clarify frontage prior to final. ****Setbacks will be established prior to final. **Zoning Ordinance: Section 138-356	TBD

* Corner: In accordance with Zoning Ordinance or greater for easements or approved site plan. **Please clarify frontage prior to final. ****Setbacks will be established prior to final.	TBD
**Zoning Ordinance: Section 138-356 * Garage: 18 ft. except where greater setback is required; greater setback applies.	Applied
**Zoning Ordinance: Section 138-356 *ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
SIDEWALKS	
<ul> <li>* 4 ft. wide minimum sidewalk required on both sides of North 34th Street.</li> <li>**Please revise plat note #7 as shown above.</li> <li>***Please clarify if access on North Ware Road will be proposed prior to Final to determine sidewalk requirements.</li> <li>****Subdivision Ordinance: Section 134-120</li> </ul>	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 west property line, and others as needed prior to final. **Please revise plat note as shown above prior to final. **Landscaping Ordinance: Section 110-46	Non-compliance
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses, and others as needed prior to final. **Please revise plat note as shown above prior to final. **Landscaping Ordinance: Section 110-46	Non-compliance
*Perimeter buffers must be built at time of Subdivision Improvements.	Applied
NOTES	
* No curb cut, access, or lot frontage permitted along. **City's Access Management Policy	TBD
* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.	Required
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	Applied
* Common Areas, private streets/drives, detention and common areas, etc. must be maintained by the lot owners and not the City of McAllen	Required
<ul> <li>* 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.</li> <li>**Section 110-72 applies if private subdivision is proposed.</li> <li>**Landscaping Ordinance: Section 110-72</li> <li>**Subdivision Ordinance: Section 134-168</li> </ul>	Applied
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. **Subdivision Ordinance: Section 110-72	Applied

LOT REQUIREMENTS	
* Minimum lot width and lot area. **Zoning Ordinance: 138-1	Compliance
<ul> <li>* Lots fronting public streets.</li> <li>**Plat must be revised to show extension of North 34th Street prior to final.</li> <li>***Please clarify if access/frontage from North Ware Road is being proposed prior to final.</li> <li>**Zoning Ordinance: Section. 138-356</li> </ul>	Non-compliance
ZONING/CUP	
<ul> <li>* Existing : R-3A Proposed: R-3A</li> <li>**Rezoning to R-3A approved by Planning and Zoning Board at their P&amp;Z meeting of November 3, 2020 and by City commission on November 9, 2020.</li> <li>**Zoning Ordinance: Article V</li> </ul>	Complete
<ul> <li>* Rezoning Needed Before Final Approval.</li> <li>**Rezoning to R-3A approved by Planning and Zoning Board at their P&amp;Z meeting of November 3, 2020 and by City commission on November 9, 2020.</li> <li>**Zoning Ordinance: Article V</li> </ul>	Completed
PARKS	
* Land dedication in lieu of fee. As per Parks Department, please clarify number units to determine if land dedication or fees will be required prior to recording.	TBD
* Park Fee of \$700 per dwelling unit to be paid prior to recording. As per Parks Department, please clarify number units to determine if land dedication or fees will be required prior to recording.	TBD
* Pending review by the Parkland Dedication Advisory Board and CC. As per Parks Department, please clarify number units to determine if land dedication or fees will be required prior to recording.	TBD
TRAFFIC	
<ul> <li>* Trip Generation to determine if TIA is required, prior to final plat.</li> <li>**As per Traffic Department, please clarify number units to determine if a TIA will be required prior to final.</li> </ul>	TBD
<ul> <li>* Traffic Impact Analysis (TIA) required prior to final plat.</li> <li>**As per Traffic Department, please clarify number units to determine if a TIA will be required prior to final.</li> </ul>	TBD
COMMENTS	
Comments: Must comply with City's Access Management Policy **Clarify if access from North Ware Road is proposed. ***North 34th Street must be extended to connect north and south end; dead-end streets are not permitted. Please revise plat prior to final to comply with requirements. ****As per Fire Department, a second access might be required depending on the number of unit proposed. *****Please provide copy of Doc. 1190263 (37.5 ft. easement) along the north property line prior to final for staff to review.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED, UTILITY AND DRAINAGE APPROVALS.	Applied



	SUB2021-0018
	City of McAllen Planning Department APPLICATION FOR SUBDIVISION PLAT REVIEW 311 North 15 <sup>th</sup> Street McAllen, TX 78501 P. O. Box 220 McAllen, TX 78505-0220 (956) 681-1250 (956) 681-1279 (fax)
<b>Project Description</b>	Subdivision Name       Silver Valley Subdivision         Location       East side of N. Taylor Road, approximately 400 feet North of Sycamore Avenue, McAllen, Texas 78501         City Address or Block Number       1920 N. Taylor Rd, McAllen, TX 78501         Number of lots       2       Gross acres       Net acres       2.01         Existing Zoning       R-1       Proposed       Rezoning Applied For       Yes       XNo Date         Existing Land Use       None       Proposed Land Use       Residential       Irrigation District #_1         Residential Replat Yes       No x       Commercial Replat Yes       No x       ETJ Yes       No x         Agricultural Tax Exempt Yes       No       Estimated Rollback tax due
Owner	Name       Delicias Catering, LLC       Phone       (956)600-3202         Address       220 W. 5th Street
Developer	Name       Delicias Catering, LLC       Phone       (956)600-3202         Address       220 W. 5th Street
Engineer	Name       M2 Engineering, PLLC       Phone       (956)600-8628         Address       1810 East Griffin Parkway         City       Mission       State       Texas       Zip       78573         Contact Person       Hector Moreno         E-mail       hector@m2-engineers.com
Surveyor	Name       Manuel Carrizales, RPLS       Phone       (956)576-2167       DECENVE         Address       4807 Gondola Avenue       FEB 11 2021         City       Edinburg       State       Texas       Zip       78542

F

# Proposed Plat Submittal

\$225 Preliminary	<b>Review Fee</b>	and \$75	Final A	Approval F	-ee
Title Report					

- 8 ½" by 11" Original Sealed Survey showing existing structures/ easements or 3 blueline copies
- 2 Location Maps
  - 2 8 <sup>1</sup>/<sub>2</sub>" 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 2005 DWG file and PDF of plat
- N/A Letter of Authorization from the owner, if applicable
- <u>N/A</u> 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 uplatted 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  $\frac{1}{2}$ " by 11" copies/legible copy of the plat, affected by changes.

Owner's Signature

Submitted with Application

Requirements

Developer's

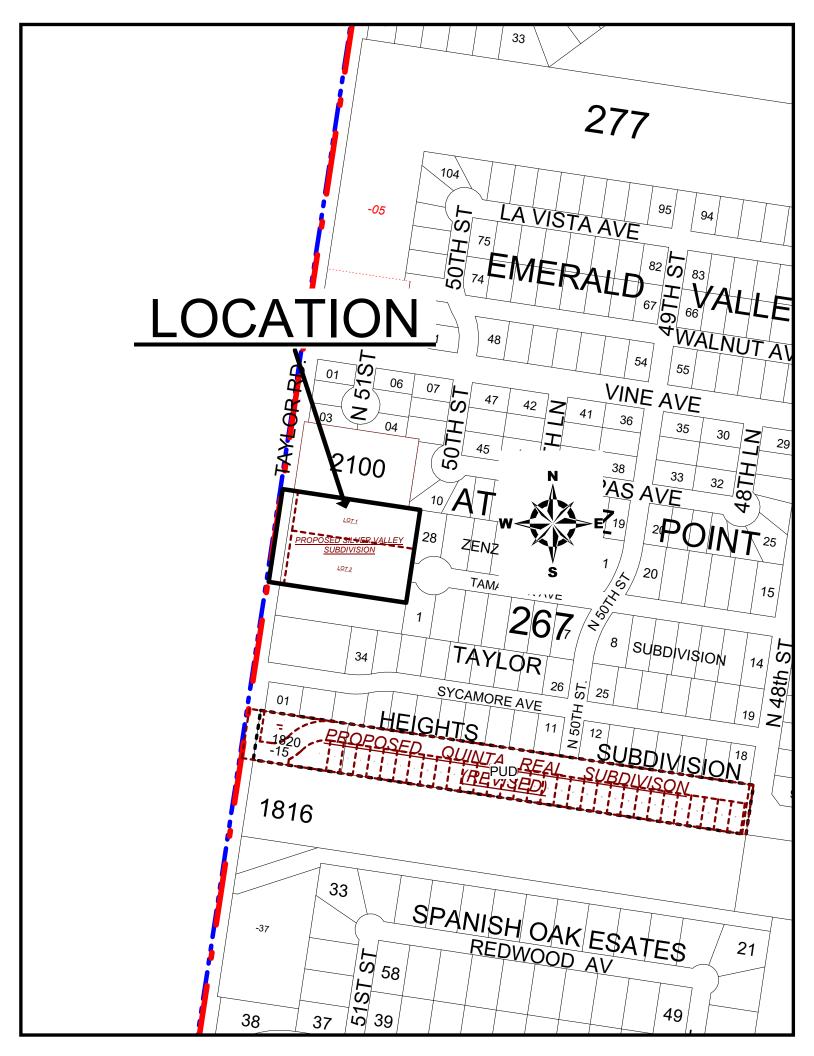
Minimum

I certify that I am the actual owner of the prop corporate name if applicable); or I am authorized	
application and have attached written evidence of su	
Signature	Date/10/21
Print Name Dobuto (Sc. R.)	. ,

Owner 🖈

Authorized Agent





	GENERAL PLAT NOTES & RESTRICTIONS		.O.C. THWES		
1.	FLOOD ZONE STATEMENT: FLOOD ZONE DESIGNATION: ZONE "C"	COR	NER O		
	ZONE "C" AREAS (NO SHADE), AREAS OF MINIMAL FLOODING ACCORDING TO COMMUNITY—PANEL NO. 480334 0400 C, MAP REVISED: NOVEMBER 16, 1982		-	EXIST RIGHT-C	
2.	SETBACKS: FRONT: 50.00 FEET. REAR: 15.00 FEET OR EASEMENT WHICHEVER IS GREATER SIDE: 6.00 FEET OR EASEMENT WHICHEVER IS GREATER GARAGE: 18.00 FEET EXCEPT WHERE GREATER SETBACK IS REQUIRED, GREATER SETBACK APPLIES.		P.O.B	N08*41'00"E) S8:34'47"W 416.13'	
3.	NO MORE THAN ONE—SINGLE FAMILY DETACHED DWELLING SHALL BE LOCATED ON EACH LOT. THIS MUST BE STIPULATED ON ALL DEEDS AND CONTRACTS FOR DEEDS. APPLICATIONS FOR CONSTRUCTION ARE REQUIRED PRIOR TO OCCUPYING THE LOT. THERE SHALL BE NO OTHER USE THAN RESIDENTIAL.				-
4.	MINIMUM FINISHED FLOOR ELEVATION SHALL BE 24" ABOVE THE CENTER LINE OF STREET OR 24" ABOVE NATURAL GROUND AND NO LOWER THAN THE HIGHEST FINISH FLOOR IN THE SURROUNDING NEIGHBORING PROPERTY, WHICHEVER IS GREATER. ELEVATION CERTIFICATE WILL BE REQUIRED.		30.	, <b>78</b> , 100	-
5.	THE FOLLOWING BENCHMARKS ARE IDENTIFIED ON THE FACE OF THE PLAT AND ON THE ATTACHED ENGINEERING PLANS. ON-SITE B.M. NO, ELEVATION:, DESCRIPTION: GPS POINT, GRID COORDINATES NORTHING:xxx.xxx, EASTING:xxx.xxx,			242.	
	CITY OF MCALLEN BENCHMARK MC, ELEVATION:, DESCRIPTION:				
6.	IN ACCORDANCE WITH THE HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 AND HIDALGO COUNTY REQUIREMENTS, THIS DEVELOPMENT WILL BE REQUIRED TO DETAIN A TOTAL OF <u>00.00</u> CUBIC—FEET OR <u>00.00</u> ACRE—FEET OF STORM WATER RUNOFF. RUNOFF WILL BE DETAINED IN DETENTION GREEN AREAS IN THE LOT.			ROAD	
7.	NO STRUCTURE SHALL BE PERMITTED OVER ANY EASEMENT. EASEMENTS SHALL BE KEPT CLEAR OF BUILDINGS, SHEDS, SHRUBS TREES, AND OTHER PLANTINGS (EXCEPT LOW, LESS THAN 18 INCHES MATURE HEIGHT, GROUND COVER, GRASS, OR FLOWERS) AND OTHER OBSTRUCTIONS THAT WOULD INTERFERE WITH THE OPERATIONS AND MAINTENANCE OF THE EASEMENT.			<sup>7</sup> TAYLOR	
8.	EACH PURCHASE CONTRACT MADE BETWEEN A SUBDIVIDER AND PURCHASER OF A LOT IN THIS SUBDIVISION SHALL CONTAIN A STATEMENT DESCRIBING HOW AND WHEN WATER, SEWER, ELECTRICITY, AND GAS SERVICES WILL BE MADE AVAILABLE TO THE SUBDIVISION.			¢ OF	
9.	ALL PUBLIC UTILITIES EASEMENTS DEDICATED BY THIS PLAT SHALL BE A MINIMUM WIDTH OF 15.00 FEET AS PER THE HIDALGO COUNTY MODEL SUBDIVISION RULES. BY SIGNING THIS PLAT, DEVELOPER AND ENGINEER CERTIFY THAT ALL OTHER EASEMENTS SHOWN COMPLY WITH THE SIZE REQUIRED BY EACH UTILITY PROVIDER OCCUPYING AN EASEMENT.			E	   
10	. THERE ARE NO WATER WELLS WITHIN 150 FEET FROM THE BOUNDARIES ON THIS SUBDIVISION			۳۲.	Ì
11	. ANY ADDITION TO EXISTING RESIDENCE STRUCTURE OR NEW PROPOSED DWELLING ON THE LOT MUST COMPLY WITH ALL SETBACK RESTRICTIONS RECORDED ON THIS PLAT.			•34'4	
12	. THE LOT SHALL HAVE A POST DEVELOPMENT FINISHED GRADE FROM THE CENTER OF THE LOT TO THE CURB AND/OR ROADSIDE DITCH AT A 0.25 % SLOPE TO ACCOMPLISH POSITIVE DRAINAGE. THIS IS IN ACCORDANCE WITH HIDALGO COUNTY SUBDIVISION RULES APPENDIX 3.1.4.1.			N 08	
13	. A 5 FOOT WIDE MINIMUM SIDEWALK REQUIRED ON TAYLOR ROAD		- 00.9		124.00
14	. A 6 FOOT OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, OR				

INDUSTRIAL ZONES/USES. PERIMETER BUFFERS MUST BE BUILT AT TIME OF SUBDIVISION IMPROVEMENTS. 15. AN ENGINEERED DRAINAGE DETENTION PLAN, APPROVED BY THE ENGINEERING DEPARTMENT, WILL BE REQUIRED PRIOR

TO ISSUANCE OF BUILDING PERMITS. 16. 8 FT. MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONES/USES.

#### STATE OF TEXAS COUNTY OF HIDALGO

\_\_\_\_\_

OWNER'S DEDICATION, CERTIFICATION, AND ATTESTATION

\_\_\_\_\_

I <u>DELICIAS CATERING. LLC</u> SUBDIVIDER, AS OWNER OF THE <u>2.007</u> TRACT OF LAND ENCOMPASSED WITHIN THE PROPOSED <u>SILVER VALLEY SUBDIVISION</u>, HEREBY SUBDIVIDE THE LAND AS DEPICTED IN THIS SUBDIVISION PLAT AND DEDICATE TO THE STREETS AND EASEMENTS SHOWN HEREON.

I CERTIFY THAT I HAVE COMPLIED THE REQUIREMENTS OF TEXAS LOCAL GOVERNMENT CODE 232.032 AND SECTION 134-61 (e)(5) OF THE SUBDIVISION ORDINANCE, THAT

(A) THE WATER QUALITY AND CONNECTIONS TO THE LOTS MEET, OR WILL MEET THE MINIMUM STATE STANDARDS; (B) SEWER CONNECTIONS TO THE LOTS OR SEPTIC TANKS MEET OR WILL MEET THE MINIMUM REQUIREMENTS OF STATE STANDARDS (C) ELECTRICAL CONNECTIONS PROVIDED TO THE LOTS MEET OR WILL MEET THE MINIMUM STATE STANDARDS; AND (D) GAS CONNECTIONS, IF AVAILABLE, PROVIDED TO THE LOTS MEET OR WILL MEET THE MINIMUM STATE STANDARDS. I ATTEST THAT THE MATTERS ASSERTED IN THIS PLAT ARE TRUE AND COMPLETE.

\_\_\_\_\_

ROBERTO GARZA 220 W. 5th STREET WESLACO, TEXAS 78596 DATE:

# STATE OF TEXAS COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED <u>ROBERTO GARZA</u>, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ \_\_\_\_\_, 2020

NOTARY PUBLIC, HIDALGO COUNTY, TEXAS

DATE MY COMMISSION EXPIRES

# STATE OF TEXAS COUNTY OF HIDALGO

THAT FALCON INTERNATIONAL BANK, THE LIEN HOLDER OF THAT CERTAIN 2.007 ACRE TRACT OF LAND RECORDED IN DOCUMENT No. 3619555, OFFICIAL PUBLIC RECORDS, HIDALGO COUNTY, TEXAS DO HEREBY CONSENT TO SILVER VALLEY SUBDIVISION OF THAT CERTAIN 2.007 ACRE TRACT OF LAND SITUATED IN THE CITY OF MCALLEN, HIDALGO COUNTY, TEXAS, AND DO FURTHER HEREBY JOIN, APPROVE, AND CONSENT TO THE DEDICATION TO THE PUBLIC FOREVER USE OF THE STREETS, ALLEYS, EASEMENTS AND ALL OTHER LANDS INTENDED FOR PUBLIC DEDICATION AS SHOWN HEREON.

RAMIRO GONZALEZ DATE: FALCON INTERNATIONAL BANK 1st VICE PRESIDENT 500 E. HWY BUSINESS 83 McALLEN TX, 78501

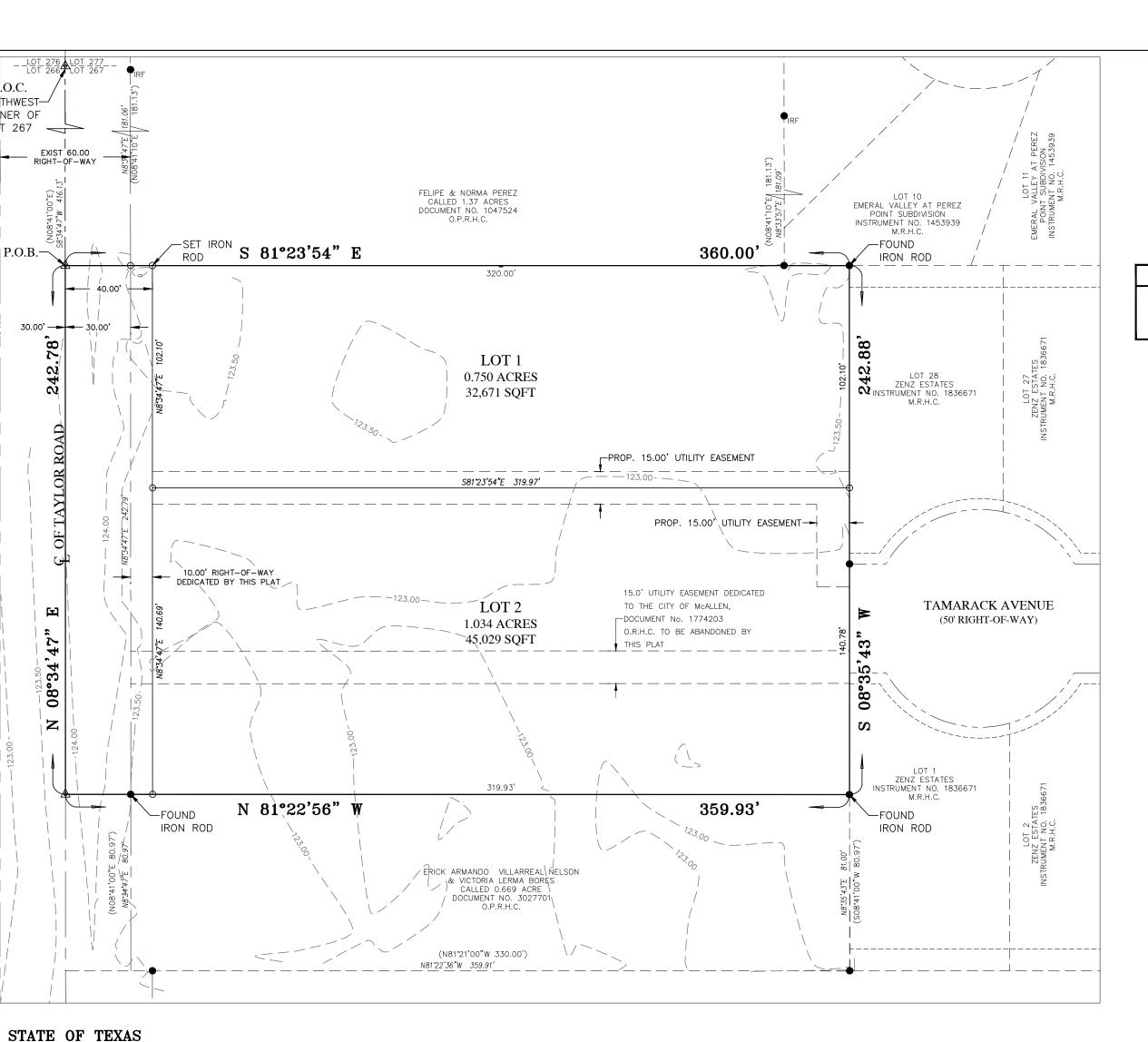
# UNITED IRRIGATION DISTRICT

THIS PLAT IS HEREBY APPROVED BY THE UNITED IRRIGATION DISTRICT OF HIDALGO COUNTY SUBJECT TO THE CONDITION THAT IF IRRIGATION FROM THIS SAID DISTRICT IS DESIRED TO THE INDIVIDUAL LOTS IN THIS SAID SUBDIVISION. PROVISIONS SHALL BE MADE FOR APPROPRIATE EASEMENTS FOR THE INSTALLATION OF NECESSARY IRRIGATION DELIVERY FACILITIES. AS REQUIRED BY THE DISTRICTS SUBDIVISION POLICIES TO SUCH LOTS FROM THE CLOSEST DISTRICT DELIVERY POINT AND BY VIRTUE OF THESE REQUIREMENTS. IT SHALL BE THE RESPONSIBILITY OF THE OWNERS OF THE PROPERTY TO INSTALL AND MAINTAIN SUCH FACILITIES. DATED THIS\_\_\_\_DAY OF\_\_\_\_\_, 2020 ATTEST: SECRETARY DATE: PRESIDENT DATE:

# HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 CERTIFICATE

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 HEREBY CERTIFIES THAT THE DRAINAGE PLANS FOR THIS SUBDIVISION COMPLY WITH THE MINIMUM STANDARDS OF THE DISTRICT ADOPTED UNDER TEXAS WATER CODE NO. 49.211(C). THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES DESCRIBED ARE APPROPRIATE FOR THE SPECIFIC SUBDIVISION, BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA. IT IS THE RESPONSIBILITY OF THE DEVELOPER OF THE SUBDIVISION AND ITS ENGINEER TO MAKE THESE DETERMINATIONS.

RAUL E. SESIN, P.E., C.F.M. GENERAL MANAGER



# COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED RAMIRO GONZALE KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ . 2020

NOTARY PUBLIC, HIDALGO COUNTY, TEXAS

DATE MY COMMISSION EXPIRES

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

DATE

## STATE OF TEXAS CITY OF MCALLEN PLANNING AND ZONING COMMISSION

I THE UNDERSIGNED, CHAIRMAN OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF MCALLEN HEREBY CERTIFY THIS <u>SILVER VALLEY SUBDIVISION</u> PLAT WHICH CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THE CITY WHEREIN MY APPROVAL IS REQUIRED.

DATED THIS\_\_\_\_DAY OF\_\_\_\_\_, 2020

CHAIRMAN OF PLANNING AND ZONING COMMISSION

## STATE OF TEXAS CITY OF MCALLEN MAYOR APPROVAL

I, THE UNDERSIGNED MAYOR OF THE CITY OF MCALLEN HEREBY CERTIFY TAHT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THIS CITY WHEREIN MY APPROVAL IS REQUIRED.

DATE: MAYOR, CITY OF MCALLEN ATTESTED BY:

DATE: CITY SECRETARY

# HIDALGO COUNTY CERTIFICATE OF PLAT APPROVAL

HIDALGO COUNTY ENVIRONMENTAL HEALTH DIVISION MANAGER

I THE UNDERSIGNED CERTIFY THAT THIS PLAT OF SILVER VALLEY SUBDIVISION WAS REVIEWED AND APPROVED BY THE HIDALGO COUNTY HEALTH DEPARTMENT ON,\_\_\_\_\_, \_\_\_\_\_.

> FILED FOR RECORD IN HIDALGO COUNTY Å ARTURO GUAJARDO, JR. HIDALGO COUNTY CLERK

ON: \_\_\_\_\_ \_\_\_\_AT\_\_\_\_ \_\_\_\_ AM/PM INSTRUMENT NUMBER OF THE MAP RECORDS OF HIDALGO COUNTY,

DATE

DEPI

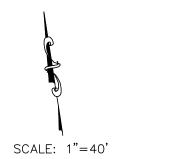
PRINCIPAL CONTACTS: ADDRESS NAME 
 OWNER:
 DELICIAS CATERING, LLC
 220 W. 5th STREET - WESLACO, TX 78596
 (956) 655-2393

 ENGINEER:
 EMIGDIO SALINAS
 P.E.
 PO BOX 5069 - McALLEN, TX 78502
 (956) 600-8628

 SURVEYOR:
 MANUEL CARRIZALES
 R.P.L.S.
 4807 GONDOLA AVE - EDINBURG, TX 78542
 (956) 567-2167

# Received: 04.23 Beto





• - FOUND 1/2"	IRON ROD	(IRF)
0 - SET 1/2" IR	ON ROD	
💩 – CALCULATED	POINT	

BEING 2.007 ACRES OUT OF THE NORTH 7.36 ACRES OF THE SOUTH 9.81 ACRES OF THE NORTH 22.42 ACRES OF LOT 267, JOHN H. SHARY SUBDIVISION OF PORCIONES 58, 59, AND 60, RECORDED IN VOLUME 1, PAGE 17, MAP RECORDS HIDALGO COUNTY, TEXAS, SAME BEING DESCRIBED IN WARRANTY DEED WITH VENDOR'S LIEN CONVEYED TO DELICIAS CATERING, LLC, RECORDED IN DOCUMENT No. 3169555, OFFICIAL PUBLIC RECORDS HIDALGO COUNTY, TEXAS, SAID 2.007 ACRES AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A CALCULATED POINT THE NORTHWEST CORNER OF THE SAID LOT 267 THENCE, SO8'34'47"W, ALONG WEST LINE OF THE SAID LOT 267, A DISTANCE OF 416.13 FEET TO A CALCULATE POINT. SAME BEING THE SOUTHWEST CORNER OF A CALLED 1.37 ACRE TRACT CONVEYED TO FELIPE AND NORMA PEREZ, RECORDED IN DOCUMENT No. 1047524, OFFICIAL PUBLIC RECORDS HIDALGO COUNTY, TEXAS, FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT AND THE POINT OF BEGINNING

THENCE, S81\*23'54"E, ALONG THE SOUTH LINE OF THE SAID CALLED 1.37 ACRE TRACT, SAME BEING THE NORTH LINE OF THE SAID DELICIAS CATERING TRACT. PASSING AT 40.00 FEET AN IRON ROD WITH PINK CAP SET ON THE EAST RIGHT-OF-WAY LINE OF TAYLOR ROAD, CONTINUING FOR A TOTAL DISTANCE OF 360.00 FEET TO AN IRON ROD FOUND THE NORTHWEST CORNER OF ZENZ ESTATES SUBDIVISION RECORDED IN INSTRUMENT No. 1836671, MAP RECORDS HIDALGO COUNTY, TEXAS, FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT:

THENCE, SO8'35'43"W, ALONG THE WEST LINE OF THE SAID ZENZ ESTATES, SAME BEING THE EAST LINE OF THE SAID DELICIAS CATERING TRACT, A DISTANCE OF 242.88 FEET TO AN IRON ROD FOUND A POINT ON THE WEST LINE OF THE SAID ZENZ ESTATES, SAME BEING THE NORTHEAST CORNER OF A CALLED 0.669 ACRE TRACT CONVEYED TO ERICK ARMANDO NELSON VILLARREAL AND VICTORIA LERMA BORES, RECORDED IN DOCUMENT No. 3027701, OFFICIAL PUBLIC RECORDS HIDALGO COUNTY, TEXAS, FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, N81°22'56"W, ALONG THE NORTH LINE OF THE SAID CALLED 0.669 ACRE TRACT, SAME BEING THE SOUTH LINE OF THE SAID DELICIAS CATERING TRACT, PASSING AT 319.93 FEET AN IRON ROD FOUND ON THE EAST RIGHT-OF-WAY LINE OF TAYLOR ROAD, WITH A TOTAL DISTANCE OF 359.93 FEET TO A CALCULATED POINT ON THE WEST LINE OF THE SAID LOT 267, SAME BEING THE NORTHWEST CORNER OF THE SAID CALLED 0.669 ACRE TRACT, FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NO8'34'47"E, ALONG THE WEST LINE OF THE SAID LOT 267, A DISTANCE OF 242.78 FEET TO THE POINT OF BEGINNING, AND CONTAINING 2.007 ACRES OF LAND, MORE OR LESS.

#### STATE OF TEXAS COUNTY OF HIDALGO

I, THE UNDERSIGNED, MANUEL CARRIZALES, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE AND IS PREPARE FROM AN ACTUAL SURVEY ON THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND AND THAT THE CORNER MONUMENTS WERE PROPERLY PLACED UNDER MY SUPERVISION AND THAT ALL ASPECTS OF IT ARE IN ACCORDANCE WITH THE CITY OF MCALLEN SUBDIVISION ORDINANCE AND ALL STATE STATUTES GOVERNING SURVEYS.

MANUEL CARRIZALES, R.P.L.S. DATE TEXAS R.P.L.S. No. 6388 TEXAS REG. SURVEYING FIRM No. 101194417

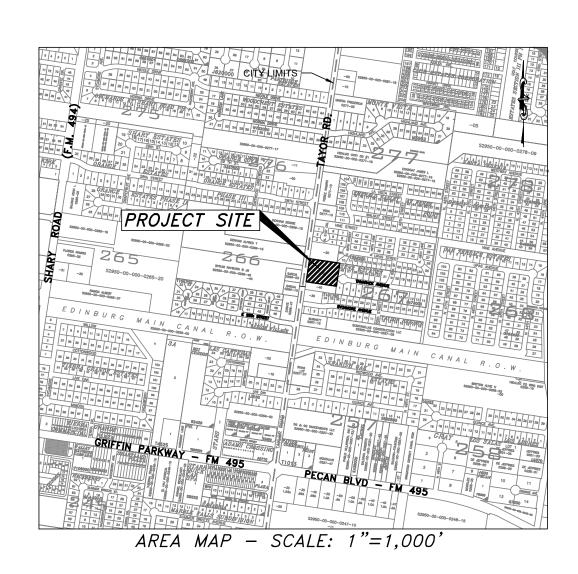


## STATE OF TEXAS COUNTY OF HIDALGO

I, THE UNDERSIGNED, JAMES W. GRIFFITH, A LICENSED PROFESSIONAL ENGINEER, IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN TO THIS PLAT.

EMIGDIO "MILO" SALINAS, P.E. LICENSED PROFESSIONAL ENGINEER No. 107703 FIRM REGISTERED No. F-19545





PLAT OF SILVER VALLEY SUBDIVISION BEING 2.007 ACRES OUT OF THE NORTH 7.36 ACRES OF THE SOUTH 9.81 ACRES OF THE NORTH 22.42 ACRES OF LOT 267, JOHN H. SHARY SUBDIVISION OF PORCIONES 58, 59, AND 60, RECORDED IN VOLUME 1, PAGE 17, MAP RECORDS HIDALGO COUNTY, TEXAS, SAME BEING DESCRIBED IN WARRANTY DEED WITH VENDOR'S LIEN CONVEYED TO DELICIAS CATERING, LLC, RECORDED IN DOCUMENT No. 3169555, OFFICIAL PUBLIC RECORDS HIDALGO COUNTY, TEXAS

,	_ TEXAS	S
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	REVISION NOTE TABLE									
No.	DESCRIPTION	DATE	BY							
1										
2										
3										
4										
5										

CONSTRUCTION SE	T PAGE: 1 OF 4
DATE OF PREPARATION: JANUA	RY 15, 20201
M2 Engineering, PLLC milo@r	)-8628
McAllen – HIDALGO COUNTY	PAGE: 1 OF X

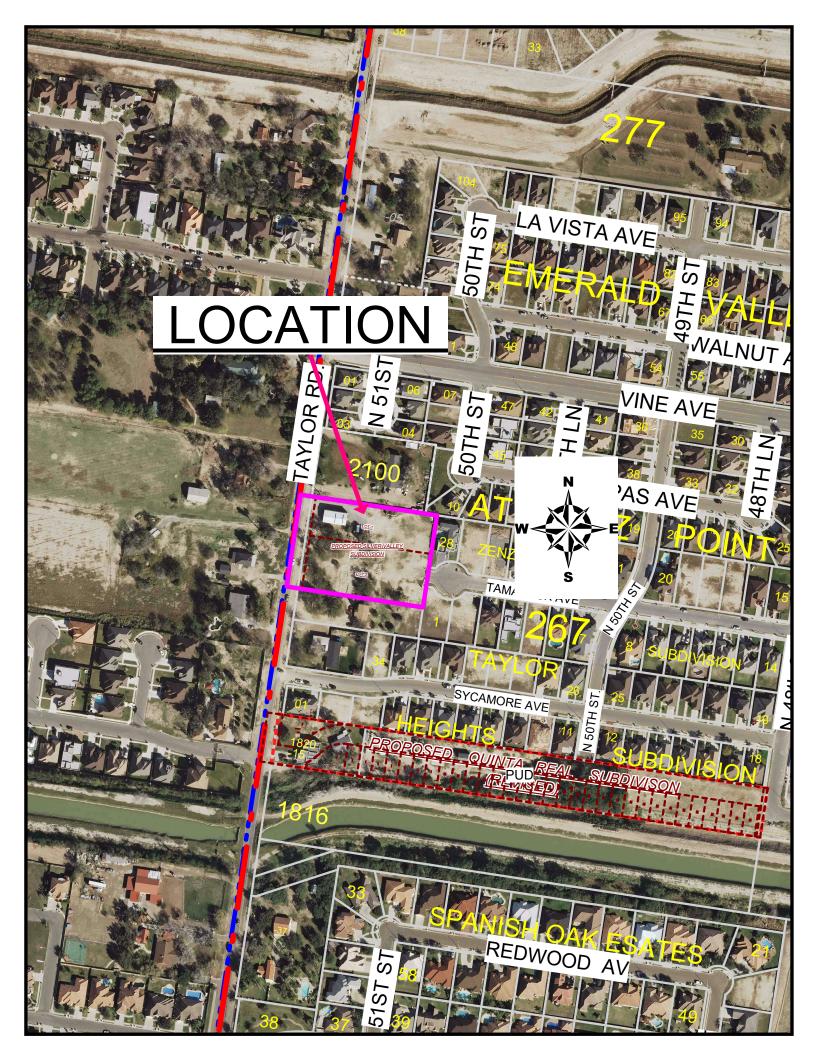


#### Reviewed On: 4/28/2021

SUBDIVISION NAME: SILVER VALLEY SUBDIVISION	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
North Taylor Road: 10 ft. dedication for 40 ft. from centerline for 80 ft. ROW Paving: 52 ft. Curb & gutter: Both sides **Monies must be escrowed if improvements are not built prior to recording. ***Add "North" to every Taylor Road reference on plat prior to final. ****City of McAllen Thoroughfare Plan	Applied
Tamarack Avenue: 50 ft. ROW Paving: 32 ft. Curb & gutter: Both sides **Monies must be escrowed if improvements are not built prior to recording. ***Tamarack Avenue to be extended west to connect with North Taylor Road. Revise plat to comply with requirements prior to final. ****Engineer submitted a letter on April 23, 2021 requesting a variance to not extend Tamarack Avenue west to connect with North Taylor Road. ****Subdivision Ordinance: Section 134-105	Non-compliance
Paving Curb & gutter	Applied
* 600 ft. Maximum Cul-de-Sac. **Subdivision Ordinance: Section 134-105	NA
* 800 ft. Block Length. **Subdivision Ordinance: Section 134-118	NA
ALLEYS	
ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties SETBACKS	NA
* Front: 50 ft. (Proposed). 45 ft. or greater for easements (Required) **Engineer to clarify setback prior to final. **Zoning Ordinance: Section 138-356	Non-compliance
* Rear: 15 ft. or greater for easements (Proposed). **10 ft. except 25 ft. for Lot 2 or greater for easements (Required) **Engineer to clarify setback prior to final. **Zoning Ordinance: Section 138-356	Non-compliance
* Sides: 6 ft. or greater for easements. **Please revise plat note as shown above prior to final. **Zoning Ordinance: Section 138-356	Applied
* Corner: 10 ft. or greater for easements. ***Zoning Ordinance: Section 138-356	Required
* Garage: 18 ft. except where greater setback is required; greater setback applies. ***Zoning Ordinance: Section 138-356	Applied
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied

BIDEWALKS	
<ul> <li>* 4 ft. wide minimum sidewalk required on North Taylor Road and both sides of Tamarack Avenue.</li> <li>**Revise plat note as shown above prior to final.</li> <li>****Subdivision Ordinance: Section 134-120</li> </ul>	Non-complianc
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Applied
UFFERS	
<ul> <li>* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses.</li> <li>**Revise plat note as shown above prior to final.</li> <li>**Landscaping Ordinance: Section 110-46</li> </ul>	Applied
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. ****Landscaping Ordinance: Section 110-46	Applied
*Perimeter buffers must be built at time of Subdivision Improvements.	Applied
OTES	
* No curb cut, access, or lot frontage permitted along.	TBD
* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.	NA
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	NA
<ul> <li>* Common Areas, any private streets/drives must be maintained by the lot owners and not the City of McAllen</li> <li>**Landscaping Ordinance: Section 110-72</li> <li>**Subdivision Ordinance: Section 134-168</li> </ul>	Applied
<ul> <li>* 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.</li> <li>**Landscaping Ordinance: Section 110-72</li> <li>**Subdivision Ordinance: Section 134-168</li> </ul>	Applied
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. **Subdivision Ordinance: Section 110-72	Applied
OT REQUIREMENTS	
* Minimum lot width and lot area. **Zoning Ordinance: Section. 138-356	Applied
* Lots fronting public streets. **Zoning Ordinance: 138-1	Applied
ONING/CUP	
* Existing: R-1 Proposed: R-1 (single family residential) **Zoning Ordinance: Section 138-176	Compliance
* Rezoning Needed Before Final Approval **Zoning Ordinance: Section 138-176	NA

PARKS	
* Land dedication in lieu of fee.	NA
* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, two single-family residences are proposed; \$1,400 must be paid prior to recording. If the amount of proposed lots changes, Park fees will be adjusted accordingly.	Required
* Pending review by the Parkland Dedication Advisory Board and CC.	NA
TRAFFIC	
* As per Traffic Department, number of units proposed are needed to determine if a Trip Generation is needed 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 **Tamarack must be extended west to connect with North Taylor Road. Please revise plat to comply with requirements prior to final. ***Utility easement abandonment must be done by different instrument/document and not by this plat. Please revise plat and complete abandonment process prior to final. *****Please verify signature blocks wording complies with City of McAllen's requirements prior to final.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED, UTUILITY AND DRAINAGE APPROVALS, AND CLARIFICATION ON THE REQUESTED VARIANCE.	Applied



Received: Beto 04.23



April 23, 2021

City of McAllen Planning Department 311 N. 15<sup>th</sup> Street McAllen, Texas 78501

#### Re: Silver Valley 2-Lot Residential Subdivision (2.007-acres) – Variance Request

To Whom It May Concern,

We are currently in the process of subdividing this property into a 2-Lot residential subdivision (Silver Valley Subdivision). During our first submittal to City of McAllen, we received comment/requirements from City Staff from, Planning, Utilities, Fire, Engineering, Traffic departments and we are in agreement and will comply.

However, we are respectfully requesting a variance to allow existing R-1 property that fronts N. Taylor Road to stay in present condition in lieu of extending Tamarack Ave to connect to N. Taylor Road.

We look forward to hearing from you at your earliest convenience and would like to thank you for all of your assistance with the subdivision. Please call should you have any questions or desire additional information.

Respectfully,

Emigdio "Milo" Salinas, P.E. President *M2 Engineering, PLLC* 

# Planning Department

# Memo

TO: Planning & Zoning Commission

FROM Edgar I. Garcia, AICP, CNU-A

**DATE:** April 30, 2021

### SUBJECT: City Commission Actions on April 26, 2021

### **REZONING:**

- 1. Rezone from R-2 District to R-3A District: 21.18 acres out of Lot 14, La Lomita Irrigation and Construction Company Subdivisions; 11200 N La Lomita Rd
  - Planning and Zoning Commission recommended approval
  - City Commission approved as recommended
- 2. Rezone from R-2 District to R-1 District: 18.82 acres out of Lot 14, La Lomita Irrigation and Construction Company Subdivisions; 11300 N La Lomita Rd
  - Planning and Zoning Commission recommended approval
  - City Commission approved as recommended

## **CONDITIONAL USE PERMITS:**

- 1. Request of Jennifer Bright, for a Conditional Use Permit, for one year, for a vape and smoke shop: Lots 1 & 2, Lazy-A-Ranch Addition Subdivision; 2401 W Pecan Blvd, Suite C
  - Planning and Zoning Commission disapproved with a favorable recommendation
  - City Commission approved as recommended

### **ORDINANCES:**

- 1. Amendment to front yard setbacks for commercially zoned properties
  - Planning and Zoning Commission recommended adoption
  - City Commission adopted ordinance as recommended
- 2. Amendment to parking lot lighting requirements
  - Planning and Zoning Commission recommended adoption
  - City Commission adopted ordinance as recommended

## **VARIANCES:**

- 1. Variance to block length requirement at El Dorado at Thousand Oaks I, II, and III Subdivision; 12500 N Ware Rd
  - Planning and Zoning Commission recommended approval
  - City Commission approved as recommended
- Variance to block length requirement at Northwood Trails Block 1 Subdivision; 10100 N 29<sup>th</sup> St
  - Planning and Zoning Commission recommended approval
  - City Commission approved as recommended
- 3. Variance to alley dedication requirement at Santoy Subdivision; 10100 N 29<sup>th</sup> St
  - Planning and Zoning Commission recommended approval
  - City Commission approved as recommended
- 4. Variance to block length and sidewalk requirement at McAllen South Industrial Park Subdivision; 1501 Military Highway
  - Planning and Zoning Commission recommended approval
  - City Commission approved as recommended

2021 ATTENDA	NC	ER	EC	OR	<u>D F</u>	OR	PL/	<u>AN</u>	VIN	G A	ND	ZO	NIN	<u>G</u> C	<u>ON</u>		<u>SSI</u>	ON	ME	ETI	NG	S	
	01/05/21	01/19/21	02/02/21	02/16/21	03/02/21	03/16/21	04/06/21	04/20/21	05/04/21	05/18/21	06/01/21	06/16/21	07/06/21	07/20/21	08/03/21	08/17/21	09/07/21	09/21/21	10/05/21	10/19/21	11/02/21	11/16/21	12/07/21
Pepe Cabeza de Vaca	Ρ	Ρ	Ρ	Р	Ρ	Ρ	Ρ	Ρ															
Daniel Santos	Α	Α	Ρ	Р	Ρ	Α	Ρ	Ρ															
Mike Hovar	Ρ	Ρ	Ρ	Р	Ρ	Ρ	Ρ	Ρ															
Rogelio Cervantes	Ρ	Α	Α	Α	Α	Α	Α																
Gabriel Kamel	Ρ	Ρ	Ρ	Р	Ρ	Ρ	Ρ	Ρ															
Michael Fallek	Ρ	Ρ	Ρ	Р	Ρ	Ρ	Ρ	Ρ															
Jose B. Saldana	Ρ	Α	Α	Р	Α	Ρ	Ρ	Α															
Marco Suarez								Ρ															
2021 ATTENDANCE RECORD FOR PLANNING AND ZONING COMMISSION WORKSHOPS																							
Pepe Cabeza de Vaca																							
Daniel Santos																							
Mike Hovar																							
Rogelio Cervantes																							
Gabriel Kamel																							
Michael Fallek																							
Jose B. Saldana Marco Suarez																							

Marco Suarez

CITYOF       PLANNING DEPARTMENT         McAllen       311 N 15th Street McAllen, TX 78501         Phone: 956-681-1250       Fax: 956-681-1279         2021 CALENDAR																
City Commission     City Commission     Public Utility Board     Dublic Utility Board     D								Deadlines:         D- Zoning/CUP Application       N - Public Notification         * Holiday - Office is closed								
JANUARY 2021								FEBRUARY 2021								
Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat			
					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 A-1/19 & 1/20	5	6 N-1/19 & 1/20 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	HPC N-2/2 & 2/3 D-2/16 & 2/17	21	22	23	21	22	23	<sup>24</sup> HPC	25	26	27			
24 31	25	26	27	28	29	30	28									
		MA	<b>RCH 2</b> (	)21			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	HOLIDAY				
7	8	9	10	11	12	13	4	5 A-4/20 & 4/21	6	7 N-4/20 & 4/21 D-5/4 & 5/5	8	9	10			
14	15	16	17 D-4/20 & 4/21	18	19	20	11	12	13 🔺	14	15	16	17			
21	22	23	24 HPC N-4/6 & 4/7	25	26	27	18	19 A- 5/5 & 5/6	20	21 HPC N- 5/4 & 5/5 D-5/18 & 5/19	22	23	24			
28	29	30	31				25	26	27	28	29	30				
	MAY 2021							<b>JUNE 2021</b>								
Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat			
						1			D PZ MTG.	2 N-6/16 & 6/17 D-7/1 & 7/7	/	4	5			
2	3 A- 5/18 & 5/19	4	5 D: 6/1 & 6/2 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	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						
<sup>30</sup> Deadlin	HOLIPAY 3 es and Meetir	'I ng Dates are	subject to cha	I nge at any t	A-6/16 & 6/17 time. Please	L contact th	ne Plannir	g Department	t at (956) 68	1-1250 if you l	nave any qu	estions.				

CITYOF       PLANNING DEPARTMENT       Definition         311 N 15th Street McAllen, TX 78501       311 N 15th Street McAllen, TX 78501       McAllen         Phone: 956-681-1250       Fax: 956-681-1279       2021 CALENDAR												len			
				2	021	CA		NDA	R						
Meetings:								Deadlines:							
City Commission Planning & Zoning Board								D- Zoning/CUP Application N - Public Notification							
Public Utility Board     Zoning Board of Adjustment															
HPC - Historic Pres Council								* Holiday - Office is closed							
a	JULY 2021						AUGUST 2021SunMonTueWedThuFriSat								
Sun	Mon	Tue	Wed	Thu 1	<b>Fri</b>	Sat		2	3	4	5	6	7		
										N- 8/18 & 8/19 D-9/1 & 9/2					
4	5	6	7	8	<b>A-7/20 &amp; 7/21</b> 9	10	8	A- 8/18 & 819	10	11	12	13	14		
	HOLIDAY		N-7/20 & 7/21 D-8/4 & 8/5					-							
11	12	13	14	15	16	17	15	16	17	18	19	20	21		
								A-ZBA 9/1		N-ZBA 9/1 D-9/16 & 9/17					
18	19	20	And A STAR AND AND AND AND AND AND	22	23	24	22	23	24	25	26	27	28		
	A-8/4 & 8/5		N-8/4 & 8/5 D-8/18 & 8/19					A-PZ 9/7		HPC N-PZ 9/7	n de la composición de				
25	26	27	TO T	29	30	31	29	30	31						
			N-8/18 & 8/19					A-ZBA 9/15							
		SEPT	DMBDR	2021					ост	<b>OBER</b> 2	2021				
Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat		
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			N-ZBA 9/15 D-10/5 & 10/6		A-PZ 9/21										
5	6 HOLIDAY	7	8	9	10	11	3	4	5	6 N-10/19& 10/20	7	8	9		
	HOLIDA		N-PZ 9/21					A-10/19& 10/20		D-11/2 & 11/3					
12	13	14 🔺	15	16	17	18	10	11 🔴	12	13	14	15	16		
			D-10/19 & 10/20						A 03 450	224.000	507 Mar		23		
19	20	21	22 <b>Π۲</b> υ	23	24	25	17	18	1 PZ MTG	N- 11/2 & 11/3		22	23		
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26	27	28	29	30			24	25	26	<sup>2</sup> HPC	20	23			
	E REDEREN SERVICE						31				9091				
			EMBER			C 4	9	Mon	Tue	OMBER Wed	Thu	Fri	Sat		
Sun	Mon		Wed 3	Thu 4	5	Sat	Sun	Mon	1 ue	HPC	2	3	4		
		2	N-11/16 & 11/1		Ŭ	Ů				N-ZBA 12/15					
7	A-11/16 & 11/1	1 <mark>7</mark>	D-12/1 & 12/7	11	12	13	5	6	7	D-1/4 & 1/5	9	10	11		
	j –	<b>°</b>								N- PZ 12/21					
14	15	16	17	18	19	20	12	A-PZ 12/21	14	15	16	17	18		
			N-ZBA 12/1							D-1/18 & 1/19					
21	A-ZBA 12/1	23	D-PZ-12/21 24	25	26	27	19	20	21	22	23	24	25		
			N-PZ 12/7	HOLIDAY				A- 1/4 & 1/5		N- 1/4 & 1/5	HOLIDAY	HOLIDAY			
28	A-PZ 12/7 29	30	N-FZ 12/1				26	27	28	29	30	31			
	A-ZBA 12/15						1.00					HOLIDAY			
Deadlin	es and Meetir	ng Dates are	e subject to cha	inge at any t	ime. Please	contact th	ne Plannin	g Department	t at (956) 68	1-1250 if you h	nave any que	stions.			