

AGENDA

**PLANNING & ZONING COMMISSION SPECIAL MEETING
MONDAY, NOVEMBER 9, 2020 - 12:00 PM
MCALLEN DEVELOPMENT CENTER, 311 NORTH 15TH STREET
EXECUTIVE CONFERENCE ROOM
Web: <https://zoom.us/join> or phone: (346) 248-7799
Meeting ID: 672 423 1883**

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

1) SUBDIVISIONS:

- a) Vacate and Resubdivision of Phase One Office Park Subdivision to Avanti Legacy Valor Heights Subdivision; 220 South 1st Street -Frank A. Smith Sales, Inc. (Revised Final)
(SUB2020-0074) CE

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.

SUB2020-0028



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

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

Project Description

Subdivision Name Avanti Legacy Valor Heights
 Location East side of Col. Rowe Blvd. (S. 2nd St.) approximately 330 ft. south of U.S. Business 83
 City Address or Block Number Lots 1, 2, 3, 4, 5, 6, 7, 8, and 9, Phase One Office Park Subdivision, Hidalgo County, Texas 201, 205, 209, 213, 217, 225, 229, 233, and 221 South 2nd Street
 Number of lots 9 Gross acres 3.93 Net acres 3.93
 Existing Zoning R-3A Proposed R-3A Rezoning Applied For ☒ Yes ☐ No Date 4/27/2020 ^{Approved}
 Existing Land Use vacant Proposed Land Use Residential MF Irrigation District # 2
 Residential Replat Yes ☐ No ☒ Commercial Replat Yes ☒ No ☐ ETJ Yes ☐ No ☒
 Agricultural Tax Exempt Yes ☐ No ☒ Estimated Rollback tax due N/A
 Parcel No. 639013-639021 Tax Dept. Review _____
 Legal Description Lots 1, 2, 3, 4, 5, 6, 7, 8, and 9, Phase One Office Park Subdivision

Owner

Name Frank A Smith Sales, Inc. Phone 956-343-0725
 Address PO BOX 2947
 City McAllen State TX Zip 78502
 E-mail Rsmith@franksmith.us

Developer

Name Avanti Legacy Valor Heights, LP Phone 512-982-1359
 Address 8500 Shoal Creek blvd, Building 4, Suite 208
 City Austin State TX Zip 78757
 Contact Person Enrique Flores
 E-mail henry@madhousedevlopment.net

Engineer

Name Carney Engineering, PLLC Phone 469-443-0861
 Address 5700 Granite Parkway, Suite 200
 City Plano State TX Zip 75024
 Contact Person Craig Carney
 E-mail Craig@Eng-Firm.com

Surveyor

Name Canada Bass Phone 361-881-8044
 Address 710 Buffalo St #700
 City Corpus Christi State TX Zip 78401



Pct# 714489 pd \$300

Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

- ☒ \$225 Preliminary Review Fee and \$75 Final Approval Fee
- ☒ Title Report
- ☒ 8 ½" by 11" Original Sealed Survey showing existing structures/easements or 3 blueline copies
- ☒ 2 Location Maps
- ☒ 2 8 ½" by 11" copies/legible copies of plat with name & north arrow
- ☒ 6 Folded blueline prints of the proposed plat
- ☒ 2 Warranty Deeds (Identifying owner on application)
- ☒ Autocad 2005 DWG file and PDF of plat
- ☒ Letter of Authorization from the owner, if applicable
- ☒ Proof of authority of person signing application on behalf of partnership/corporation, if applicable

PLAT TO SHOW:

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

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

Owner's Signature

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

Signature Enrique Flores Date 4/30/20

Print Name Enrique Flores

Owner ☐

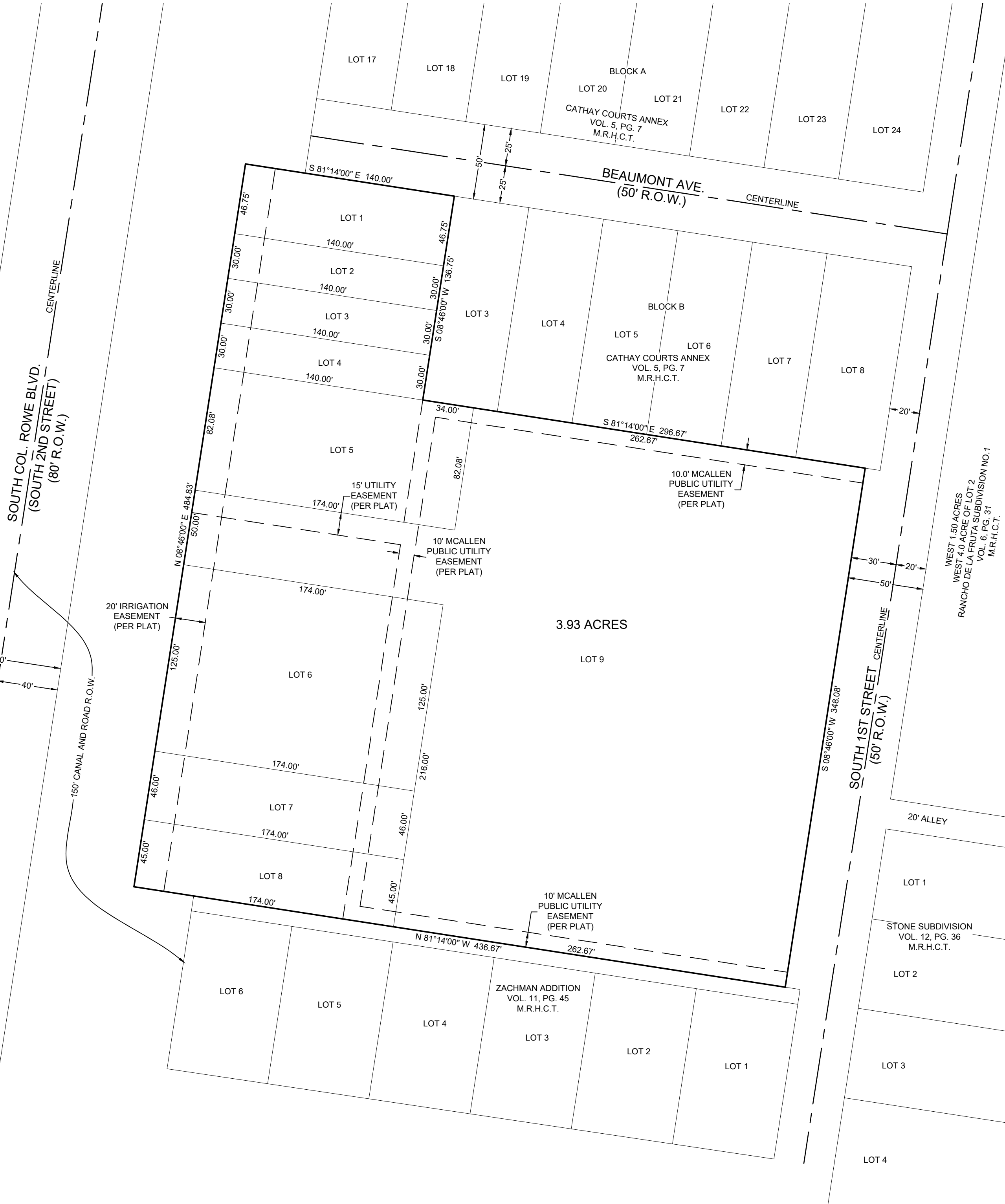
Authorized Agent ☒

LOCATON



VACATING A PORTION OF PHASE ONE OFFICE PARK

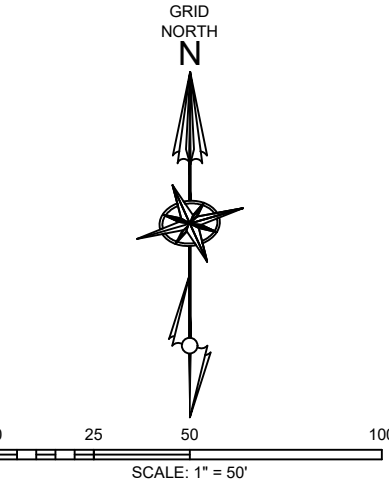
Being a 3.93 acre tract of land situated in the Jose Felix Hinojosa Survey, Abstract No. 39, Hidalgo County, Texas, being a portion of Lots 3 and 4, Rancho de la Fruta Subdivision No. 1, as recorded in Volume 1, page 38, of the Map Records of Hidalgo County, Texas, being all of Lots 1 through 9, PHASE ONE OFFICE PARK, an addition to the City of McAllen, Hidalgo County, Texas, according to the map thereof recorded in Volume 38, Page 129, of the Map Records of Hidalgo County, Texas



Subdivision For AVANTI LEGACY VALOR HEIGHTS

1 Lot, 1 Block

Being a 3.484 acre tract of land situated in the Jose Felix Hinojosa Survey, Abstract No. 39, Hidalgo County, Texas, being a portion of Lots 3 and 4, Rancho de la Fruta Subdivision No. 1, as recorded in Volume 1, page 38, of the Map Records of Hidalgo County, Texas, being all of Lots 1 through 9, PHASE ONE OFFICE PARK, an addition to the City of McAllen, Hidalgo County, Texas, according to the map thereof recorded in Volume 38, Page 129, of the Map Records of Hidalgo County, Texas



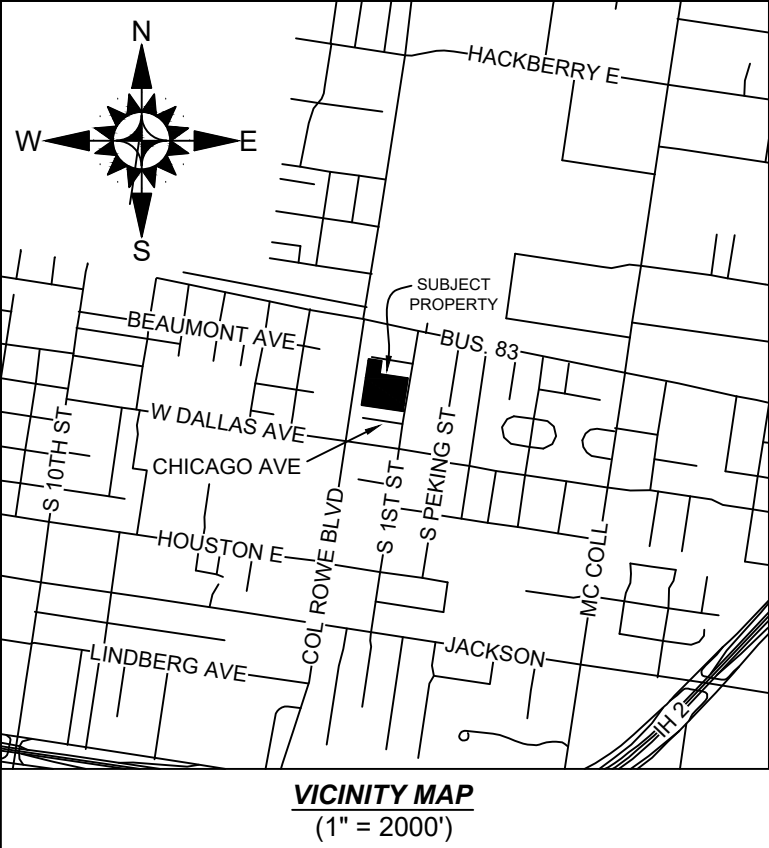
LEGEND
● SET 5/8" IRON ROD WITH CAP
STAMPED "FRONTIER 10082900"
● FOUND 5/8" IRON ROD



On: _____ At: _____ AM / PM

Instrument Number
of the Map Records of Hidalgo County, Texas

By: _____
Deputy



Subdivision For

AVANTI LEGACY VALOR HEIGHTS

1 Lot, 1 Block

Being a 3.484 acre tract of land situated in the Jose Felix Hinojosa Survey, Abstract No. 39, Hidalgo County, Texas, being a portion of Lots 3 and 4, Rancho de la Fruta Subdivision No. 1, as recorded in Volume 1, page 38, of the Map Records of Hidalgo County, Texas, being all of Lots 1 through 9, PHASE ONE OFFICE PARK, an addition to the City of McAllen, Hidalgo County, Texas, according to the map thereof recorded in Volume 38, Page 129, of the Map Records of Hidalgo County, Texas

METES AND BOUNDS DESCRIPTION:

BEING a 3.484 acre tract of land situated in the Jose Felix Hinojosa Survey, Abstract No. 39, Hidalgo County, Texas, being a portion of Lots 3 and 4, Rancho de la Fruta Subdivision No. 1, as recorded in Volume 1, page 38, of the Map Records of Hidalgo County, Texas (M.R.H.C.T.), being all of Lots 1 through 9, PHASE ONE OFFICE PARK, an addition to the City of McAllen, Hidalgo County, Texas, according to the map thereof recorded in Volume 38, Page 129, M.R.H.C.T., and being more particularly described by metes and bounds as follows:

COMMENCING at the common east corner of said Lots 3 and 4;

THENCE North 08°34'34" East, along the east line of said Lot 3, a distance of 214.24 feet;

THENCE North 81°20'41" West, a distance of 10.00 feet to a 5/8-inch iron rod with cap stamped "FRONTIER 10082900" set (Y = 16,598.191,08', X = 1,076.101,02') for the POINT OF BEGINNING of the herein described tract, being the northeast corner of said PHASE ONE OFFICE PARK addition, being on the south line of Block B, Cathay Courts Annex, as recorded in Volume 5, Page 7, M.R.H.C.T., and being on the west line of South Col. Rowe Blvd. (S. 2nd Street) (a 50-foot wide right-of-way);

THENCE South 08°34'34" West, along said west line, a distance of 347.96 feet to a 5/8-inch iron rod with cap stamped "FRONTIER 10082900" set marking the southeast corner of said PHASE ONE OFFICE PARK addition, being on the north line of Zachman Addition, as recorded in Volume 11, Page 45, M.R.H.C.T.,

THENCE North 81°25'28" West, along said north line, a distance of 396.67 feet to a 5/8-inch iron rod with cap stamped "FRONTIER 10082900" set on east line of a 150-foot wide Hidalgo County Irrigation District #2 right-of-way;

THENCE North 08°36'12" East, along said east line, a distance of 485.12 feet to a 5/8-inch iron rod with cap stamped "FRONTIER 10082900" set marking the southwest corner of Beaumont Avenue (a 50-foot wide right-of-way);

THENCE South 81°20'41" East, along the south line of said Beaumont Avenue, a distance of 100.00 feet to a 5/8-inch iron rod found marking the common north corner of aforesaid PHASE ONE OFFICE PARK addition and aforesaid Block B;

THENCE South 08°31'10" West, a distance of 136.62 feet to a 5/8-inch iron rod with cap stamped "FRONTIER 10082900" set marking the common corner of said PHASE ONE OFFICE PARK addition and said Block B;

THENCE South 81°20'41" East, a distance of 296.30 feet to the POINT OF BEGINNING and containing 3.484 acres (151,186 square feet) of land.

OWNER'S DEDICATION, CERTIFICATION AND ATTESTATION:

The undersigned owner(s) of the land shown on this plat and designated herein as the Avanti Legacy Valor Heights to the City of McAllen, Texas, and whose name(s) are subscribed hereto, hereby dedicate to the use of the public all streets, alleys, parks, watercourses, drains, easements, water lines, sewer lines, storm sewers, fire hydrants and public places which are installed or which we will cause to be installed thereon, shown or not shown, if required otherwise to be installed or dedicated under the subdivision approval process of the City of McAllen, all the same for the purposes therein expressed, either on the plat hereof or on the official minutes of the applicable authorities of the City of McAllen.

State of Texas
County of Hidalgo

Owner: Frank A Smith Sales, Inc.
a Texas Corporation
By: Roland F. Smith,
President

Date

State of Texas
County of Hidalgo

Before me, the undersigned authority, on this day personally appeared Roland F. Smith known to me to be the person(s) whose names are subscribed to the foregoing instrument, and acknowledged to me that he/she (they) executed the same for purposes and considerations therein stated.

Given under my hand and seal of office this ____ day of _____, 2020.

Notary Public

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 CERTIFICATION

State of Texas
County of Hidalgo

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 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 and his Engineer to make these determinations.

Hidalgo County Drainage District No. 1

Raul E. Sesin, P.E., C.F.M.
General Manager

Date

PLANNING AND ZONING COMMISSION CERTIFICATION

I, the undersigned, Chairman of the Planning & Zoning Commission of the City of McAllen, hereby certify that this subdivision plat conforms to all requirements of the Subdivision Regulations of this City wherein my approval is required.

Approved this the ____ day of _____, 2020

Chairman, Planning and Zoning Commission

HIDALGO COUNTY IRRIGATION DISTRICT NO. 2 CERTIFICATION

State of Texas
County of Hidalgo

This Plat is hereby approved by the Hidalgo County Irrigation District No. 2 on this, the ____ day of _____, 2020.

No improvements of any kind (including without limitation, trees, fences, and buildings) shall be placed upon Hidalgo County Irrigation District No. 2 rights of ways or easements.

President

Secretary

MAYOR CERTIFICATION

I, the undersigned, Mayor of the City of McAllen, hereby certify that this subdivision plat conforms to all requirements of the subdivision regulations of this City wherein my approval is required.

Mayor
City of McAllen

Date

ATTEST:

Clerk
City of McAllen

Date

SURVEYOR'S CERTIFICATION

I, Allen W. Kerley, a Registered Professional Land Surveyor of the State of Texas for Frontier Surveying Company, hereby certify that this plat is true and correctly made and is prepared from an actual survey on the property made under my supervision on the ground.

This the ____ day of _____, 2019

ENGINEER'S CERTIFICATION

State of Texas
County of _____

I, the undersigned, a registered professional engineer in the State of Texas, hereby certify that proper engineering consideration has been given to this plat.

This the ____ day of _____, 2019.

T. Craig Carney
Registered Professional Engineer No. 55714

PRINCIPAL CONTACTS
Owner Ronald F. Smith, Frank A Smith Sales, Inc.
Surveyor Allen W. Kerley, Frontier Surveying Company, TBPLS Firm No. 10082900
Engineer T. Craig Carney, Carney Engineering, PLLC

PO Box 2947, McAllen, TX 78502
710 Buffalo St, Suite 700, Corpus Christi, TX 78401
5700 Granite Parkway, Suite 200, Plano, TX 75024

PH: (956) 343-0725
PH: (361) 881-8944
PH: (469) 443-0861

NOTES

- Coordinates and bearings are NAD83 (2011), Texas South Zone. All distances are U.S. Survey Feet (grid). Elevations are based NAVD 88 (GEOID 12B). Contour interval equals one-foot.
- Title Commitment issued by Old Republic National Title Insurance Company, G.F. No. 20584990-COM, effective date October 15, 2020, 8:00 am.
- The subject property has a Zone "B" rating (medium shading) according to Map No. 4803430005C, dated November 2, 1982, published by the Federal Emergency Management Agency. Zone "B" is defined as "Areas between limits of the 100-year flood and 500-year flood; or certain areas subject to 100-year flooding with average depths less than one (1) foot or where the contributing drainage area is less than one square mile; or areas protected by levees from the base flood."
- No structure shall be permitted over any easement.
- All common areas, private drives/access easements and detention areas will be maintained by the lot owners, not the City of McAllen.
- Erosion and sedimentation control during construction shall be in accordance with current Texas Pollution Discharge Elimination System (T.P.D.E.S.) guidelines.
- Minimum finish floor shall be 18" above top of curb or Base Flood Elevation, whichever is greater.
- Additional fire protection may be required during the plan review phase in order to provide any addition fire protection requirements.
- All fire protection shall be installed by a licensed fire protection company.
- Building setbacks:
South 1st Street: 25-feet or greater for easements or approved site plan
Beaumont Avenue: 25-feet or in line with existing structures but no less than the Ordinance requirements
South 2nd Street: 25-feet or in line with existing structures or approved site plan; whichever is greater but not less than the Zoning Ordinance
Sides: In accordance with the Zoning Ordinance, or greater for easements or approved site plan
Rear: In accordance with the Zoning Ordinance, or greater for easements or approved site plan
Corner: In accordance with the Zoning Ordinance, or greater for easements or approved site plan
Garage: 18-feet except where greater setback is required, greater setback applies
- A six (6) foot opaque buffer is required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along the west side of South 1st Street.
- 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family zones/uses.
- Storm water detention of 31,064 cubic-feet (0.713 acre-feet) is required for this subdivision.
- 4 ft. wide minimum sidewalk required on South 2nd Street, west side of South 1st Street and south side of Beaumont Avenue.
- A 25 ft. by 25 ft. sight obstruction easement is required at all street intersections.
- Curb cut on South 1st Street will be used as an exit for residences, emergency and city services only.

On: _____ At: _____ AM / PM

Instrument Number _____
of the Map Records of Hidalgo County, Texas

By: _____
Deputy



Reviewed On: 11/6/2020

SUBDIVISION NAME: AVANTI LEGACY VALOR HEIGHTS**REQUIREMENTS****STREETS AND RIGHT-OF-WAYS**

South 2nd Street: 40 ft. from centerline for 80 ft. of ROW
Paving: 65 ft. Curb & gutter: both sides

Applied

South 1st Street: 30 ft. from centerline existing for 50 ft. of ROW
Paving: 32 ft. Curb & gutter: Both sides

Applied

**Monies must be escrowed if improvements are not built prior to recording.

Beaumont Avenue: 25 from centerline for 50 ft. of ROW
Paving: 32 ft. Curb & gutter: Both sides

Applied

**Monies must be escrowed if improvements are not built prior to final.

Paving _____ Curb & gutter _____

Applied

Paving _____ Curb & gutter _____

Applied

* 800 ft. Block Length.

NA

* 600 ft. Maximum Cul-de-Sac.

NA

ALLEYS

ROW: 20 ft. Paving: 16 ft.

Applied

*Alley/service drive easement required for commercial properties.

SETBACKS

**South 1st Street: 25 ft. or greater for easements or approved site plan.

Applied

***Beaumont Avenue: 25 ft. or line with existing structures but no less than the Ordinance requirements.

****South 2nd Street: 40 ft. or greater for easements.

* Rear: In accordance with Zoning Ordinance or greater for easements or approved site plan.

Applied

* Sides: In accordance with Zoning Ordinance or greater for easements or approved site plan.

Applied

* Corner: In accordance with Zoning Ordinance, or greater for easements or approved site plan.

Applied

* Garage: 18 ft. except where greater setback is required, greater setback applies.

Applied

*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN

Applied

SIDEWALKS

* 4 ft. wide minimum sidewalk required on South 2nd Street, west side of South 1st Street and south side of Beaumont Avenue.

Applied

**Revise plat note as shown above.

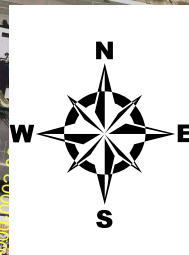
* Perimeter sidewalks must be built or money escrowed if not built at this time.

Applied

BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along west side of South 1st Street.	Applied
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses and along the south property line. **Please revise plat note as shown above prior to final. ***Engineer has requested a variance to provide a 8 ft. wooden fence instead of the required 8 ft. masonry wall along the south property line. The variance will be presented before the Zoning Board of Adjustments and Appeals on their October 21, 2020 meeting. If variance is approved, plat note will have to be revised accordingly prior to recording. *Perimeter buffers must be built at time of Subdivision Improvements.	Required
	Applied
NOTES	
* 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.	Applied
* Common Areas, private streets/drives must be maintained by the lot owners and not the City of McAllen	Applied
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	Applied
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.	Applied
* 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	Applied
ZONING/CUP	
* Existing: R-3A Proposed: R-3A **P&Z approved rezoning to R-3A April 7, 2020 ***C.C. approved rezoning to R-3A April 27, 2020	Compliance
P&Z approved rezoning to R-3A April 7, 2020 *C.C. approved rezoning to R-3A April 27, 2020	Completed
PARKS	
* Land dedication in lieu of fee. Subject to Park Land Advisory Board review	NA
* Park Fee of \$700 per dwelling unit to be paid prior to recording. Subdivision is subject to Park Land Advisory Board review to determine land dedication or fee prior to final.	TBD
* Pending review by the Parkland Dedication Advisory Board and CC. **Variance was considered and approved by City Commission on September 14, 2020	Complete
TRAFFIC	
* As per Traffic Dept., Trip Generation approved; TIA is not required.	Completed
* * As per Traffic Dept., Trip Generation approved; TIA is not required.	NA

COMMENTS	
Comments: *Must comply with City's Access Management Policy ***Abandonment for existing utility easements by separate instrument/document will need to be finalized prior to recording.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION ON REVISED FINAL FORM SUBJECT TO CONDITIONS NOTED, AND ABANDONMENT BEING RECORDED.	Applied

LOCATION



CITY OF McALLEN
PLANNING DEPARTMENT

AERIAL MAP
SCALE: N.T.S.



SUBJECT PROPERTY



200' NOTIFICATION BOUNDARY



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