# PLANNING \& ZONING COMMISSION REGULAR MEETING TUESDAY, SEPTEMBER 1, 2020-3:30 PM MCALLEN CITY HALL, 1300 HOUSTON AVENUE CITY COMMISSION CHAMBERS, 3RD FLOOR <br> Web: https://zoom.us/join or phone: (346) 248-7799 Meeting ID: 6724231883 

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

## CALL TO ORDER

## PLEDGE OF ALLEGIANCE

INVOCATION

1) MINUTES:
a) Minutes for Regular Meeting held on August 18, 2020

## 2) CONSENT:

a) Primrose Terrace, Unit 11 Lot 12A thru 12D Subdivision; 5001 North Main Street- Linda Emmons Gale (Revised Final) (SUB2017-0040) BDE
b) La Contessa Subdivision; 609 South Bentsen Road- Gabriel Sosa \& Blanca L. Garza (Final) (SUB2020-0054) SEA

## 3) SUBDIVISIONS:

a) Highland Oaks Subdivision; 4900 North 29th Street- RBY Reynolds Estates, LLC (Revised Final) (SUB2020-0008) M\&H
b) Trenton Pecan Subdivision Phase I Lot 1A; 1705 Umar Avenue- Valmor Service Corp. (Preliminary) (SUB2020-0050) SEC
c) McAllen South Industrial Park Subdivision; 1501 Military Highway- T5, Inc. A Texas Corporation (Preliminary) (SUB2020-0051) SEC
d) Balboa Acres, The West $1 / 2$ of Lot 22, Block 25, Subdivision; 3410 Covina Avenue- Irma Perez and Rodolfo Perez (Preliminary) (SUB2020-0053) MF
e) Balboa Acres, The East $1 ⁄ 2$ of Lot 22, Block 25, Subdivision; 3408 Covina Avenue- Irma Perez and Rodolfo Perez (Preliminary) (SUB2020-0052) MF

## 4) PUBLIC HEARING

a) REZONING:

1. Rezone from C-3 (general business) District to R-3C (multifamily residential condominiums) District: Lot 7, Rio Grande Securities Co. Inc. Subdivision No. 3, Hidalgo County, Texas; 822 Chicago Avenue. (REZ2020-0021) WITHDRAWN
b) CONDITIONAL USE PERMITS:
2. Request of Vincent G. Huebinger on behalf of Verizon Wireless, for a Conditional Use Permit, for life of the use, for a personal wireless service facilities at the west 900 sq . ft . lease area and a 30 ft . wide access out of a called 4.74 acre tract out of Lot 61, La Lomita (HOIT), Hidalgo County, Texas; 2560 Trenton Rd. (CUP20200080)
3. Request of Cesar P. Cal Camarillo, for a Conditional Use Permit, for one year, for a Home Occupation (virtual teaching room), at Lot 21, Trinity Oaks Phase I Subdivision, Hidalgo County, Texas; 3209 Guadalupe Avenue. (CUP2020-0084)

## 5) INFORMATION ONLY:

a) City Commission Actions: August 24, 2020

## 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, August 18, 2020 at 3:34 p.m. in the McAllen City Hall City Commission Room at 1300 Houston Avenue, McAllen, Texas.

| Present: | Pepe Cabeza de Vaca <br> Daniel Santos <br> Michael Hovar <br> Rogelio Cervantes <br> Gabriel Kamel <br> Michael Fallek | Chairperson <br> Vice-Chairperson <br> Member <br> Member <br> Member <br> Member |
| :---: | :---: | :---: |
| Absent: | Jose Saldana | Member |
| Staff Present: | Victor Flores <br> Michelle Rivera <br> Edgar Garcia <br> Luis Mora <br> Berenice Gonzalez <br> Jose De La Garza Jr. <br> Hebert Camacho <br> Kaveh Forghanparast <br> Carlos Garza <br> Iris Alvarado <br> Juan Martinez <br> Bilkis Olazaran Martinez <br> Martina Mejia <br> Porfirio Hernandez <br> Claudia Mariscal | Assistant City Attorney <br> Assistant City Manager <br> Director <br> Deputy Director <br> Planner III <br> Planner III <br> Planner I <br> Planner I <br> Planner I <br> Planner I <br> Development Coordinator <br> Engineering Department (Virtual) <br> Traffic Department <br> Planning Technician II <br> Administrative Secretary |

## CALL TO ORDER- Daniel Santos, Vice Chairperson

## Meeting held via Teleconference and Video Conference.

## PLEDGE OF ALLEGIANCE

INVOCATION- Mr. Michael Hovar

1) MINUTES:
a) Minutes for Regular Meeting held on August 4, 2020.

The minutes for the regular meeting held on August 4, 2020 were approved as submitted. The motion to approve was made by Mr. Michael Hovar. Mr. Gabriel Kamel seconded the motion, which carried unanimously with six members present and voting.
2) CONSENT:
a) M2 Subdivision; 10401 La Lomita Road- Lee Castro and Judith Castro (Final) (SUB2019-0014) CSJ

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N. La Lomita Road: 20 ft . dedication for 40 ft . from centerline for 80 ft . ROW Paving: 52. ft. Curb \& gutter: both sides. Must escrow monies if improvements are not constructed prior to recording. Show the ROW from the centerline to the existing ROW on the east side of the centerline. 800 ft . Block Length. Front: 45 ft . or greater for easements. Rear: 10 ft . or greater for easements. Sides: In accordance with the Zoning Ordinance or greater for easements. Garage: 18 ft . except where greater setback is required, greater setback applies. Add note to the plat as part of Note \#4 as noted above. All setbacks are subject to increase for easements or approved site plan. 4 ft . wide minimum sidewalk required on N. La Lomita Road. Remove "at Building Permit stage" from note \#9 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. 8 ft . masonry wall required between single family residential and commercial, industrial, or multifamily residential zones/uses. Perimeter buffers must be built at time of Subdivision Improvements. Common Areas must be maintained by the lot owners and not the City of McAllen. Lots fronting public streets. Minimum lot width and lot area. Park Fee of $\$ 700$ per dwelling unit/lot to be paid prior to recording.

Staff recommends approval of the subdivision in final form subject to conditions noted.
Being no discussion, Mr. Michael Hovar moved to approved. Mr. Gabriel Kamel seconded the motion, which was approved with seven members present and voting.

## 3) SUBDIVISIONS:

a) The Villas on Freddy Phase I Subdivision; 1400 Freddy Gonzalez- The Villas on Freddy, LLC. (Revised Final) (SUB2019-0020) M\&H

Mr. De La Garza stated that the property is located on Freddy Gonzalez - 20 ft . ROW dedication, for 50 ft . from center line for 100 ft . ROW Paving:65 ft. Curb \& gutter: both sides. Must escrow monies if improvements are not constructed prior to recording. N. 16th Street (Private): 60 ft . ROW Paving 40 ft ., Curb \& gutter both sides City Commission approved variance request for proposed 36 ft . pavement in 50 ft . ROW with 5 ft . easement Yale Avenue, Xavier Avenue, N. 15th Street and N 13th. Street (Private): 30 ft . ROW Paving 30 ft . Curb \& gutter both sides Variance request for 30 ft . ROW width, and 30 ft . paving back to back approved by City Commission on May 13, 2019. Fire Lanes and HOA enforcement of no parking on the streets per Fire Department requirements. Yale Avenue and Xavier Avenue should be identified as private streets on plat, as noted above. 800 ft . Block Length Variance request to the 800 ft . block length requirement approved by City Commission at the May 13, 2019 meeting. 600 ft . Maximum Cul-de-Sac - N. 16th Street appropriately 632 ft . in length Variance request to the 600 ft . maximum length approved by City Commission at the May 13, 2019 meeting. Front: Lots 1-70: 10 ft . or greater for easements Plat identifies the frontage of each lot where setback applies. Lots 71-95: 23 ft . proposed (fronting west) Subdivision was approved in Final Form on the P\&Z meeting of March 3, 2020. Engineer submitted a letter on August 7, 2020 to revise the approved setbacks of Lots $71-95$ from 23 ft . to 20 ft . or greater for easements. Rear: Lots 1-70: 23 ft . proposed Plat identifies the frontage of each lot where setback applies. Lots 71-95: 10 ft . or greater for easements Interior Sides: As follows: Lots 1-12: 3 ft . west side and 7 ft . east side, Lots 13-28: 3 ft . north side and 7 ft . south side, Lots 29-44: 7 ft . north and 3 ft . south side Lots 45-60: 3 ft . north side and 7 ft . south side, Lots 61-70: 7 ft . west side and 3 ft . east side, Lots 71-95: 3 ft . north side and 7 ft . south side. Corner: 5 ft . or greater for easements as approved by Planning and Zoning Commission on May 7, 2019. Garage: 23 ft. proposed except where greater setback is required, greater setbacks applies. Garage setback

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proposed so vehicles do not overlap over the sidewalks. Based on meetings engineer/developer and staff, garage setbacks provided to increase to assure vehicles do not overhang over the sidewalks, prior to recording. All setbacks are subject to increase for easements or approved site plan. 4 ft . wide minimum sidewalk required on Freddy Gonzalez Rd and both sides of all interior streets. Variance request for sidewalk requirement was approved by the City Commission on May 13, 2019 as per Walking Trails Plan for the interior streets, etc. Engineer submitted a Revised Walking Trails plan on August 14, 2020 which provides for sidewalks located along some streets, while others are within common areas. 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 Freddy Gonzalez. 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 Freddy Gonzalez Will apply to Bicentennial Blvd. also - located on the west side of the property as part of Phase 2 based on meetings with engineer/developer and staff. 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. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Lots fronting public streets Minimum lot width and lot area - All lots must be minimum 20 ft . wide and corner lot must be minimum 24 ft . wide in R-3T district. Existing: R3T Proposed: R3T Conditional Use Permit for Associated Recreation prior to recording, as may be required. Land dedication in lieu of fee. Park Land Dedication Advisory Board approved a variance for land dedication in lieu of fees at the meeting held on September 19, 2019. City Commission approved the variance to waive fees due to 3.9 acres of green space allocation at the meeting of October 28, 2019. Park Fee of $\$ 700$ per dwelling unit/lot to be paid prior to recording Park Land Dedication Advisory Board approved variance for land dedication in lieu of fees at the meeting held on September 19, 2019. City Commission approved the variance to waive fees due to 3.9 acres of green space allocation at the meeting of October 28, 2019. Pending review by the Parkland Dedication Advisory Board and CC. Park Land Dedication Advisory Board approved a variance for land dedication in lieu of fees at the meeting held on September 19, 2019. City Commission approved the variance to waive fees due to 3.9 acres of green space allocation at the meeting of October 28, 2019. Trip Generation to determine if TIA is required, prior to final plat. Trip Generation has been approved per Traffic Department, TIA waived. Must comply with City's Access Management Policy. Engineers to clarify 50 ft . canal ROW on the north side of the property as it is not shown in the plat, and finalize proposal not to have east/west collector street on the north side, part of Phase 2. Engineer to clarify 12.5 ft ./25 ft. additional ROW dedication for Bicentennial Blvd. on the west side as it is not indicated in plat, part of Phase 2. Based on meetings with the engineer/developer and staff, need to show Bicentennial Blvd. on the west boundary with the ROW and dedication for 150 ft . ROW. Alignment should reflect city plans for the extension of Bicentennial Blvd., as part of Phase 2. Must comply with secondary street access requirements for private subdivisions over 30 lots, as well as Fire Department secondary access requirements. Gate detail must be submitted and approved, prior to recording. Conditional Use Permit for Associated Recreation prior to recording, as may be required. Tabled by P\&Z at the meeting of April 16, 2019, at the next P\&Z meeting on May 7, 2019 the Board approved the subdivision in revised preliminary form, with conditions; including recommendation regarding variances requested for 1. cul-de-sac length, 2. 800 block length,3. sidewalks, and 4. street paving width and ROW. City Commission unanimously approved the

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requested variances on May 13, 2019. Subdivision approved in Final Form subject to conditions on the P\&Z meeting of March 3, 2020.

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

Mr. Fallek asked for clarification on the change of sidewalk location going from sidewalks on both sides of the street to only sidewalks on one side of the sidewalk, or if the sidewalk was going from one side of the street to the other side. Mr. De La Garza explained that what was initially proposed and approved by City Commission was the sidewalk on this street was going to be placed on the east side; and now the engineer was proposing to change it to the west side.

Mr. Fallek asked why the item came back for approval after it had been approved, and Mr. De La Garza explained that the reason for that was because a 23 -foot setback was initially approved but they are now changing it to 20 feet. Mr. Fallek asked if there was a variance for the 23 -foot setback and Mr. De La Garza said there was not. Chairperson Cabeza de Vaca asked if they were requesting to reduce the setback by 3 more feet and Mr. De La Garza confirmed. Chairperson Cabeza de Vaca asked the reason for the reduction.

Mr. Rogelio Hernandez with Rhodes Enterprises was present to answer those questions. Mr. Hernandez explained that they are reducing the 3 feet to better fit the houses they are intending to sell. Originally they had 23 feet which was not a variance because he understood that the front setback for a townhome was 10 feet but are now wanting it to be 20 feet to fit the homes better at the beginning there were issues with the driveway and sidewalk which is why they moved the sidewalk. Mr. Hovar wanted to clarify that if the sidewalk was being removed from lots 71-99 because that it what he had heard but then he understood it was going to be added. Mr. Hernandez explained that they were eliminating the sidewalks from lots 71-95 but transitioning them to 13-28 and 70 to continue on to phase II. Mr. Hovar stated that they were moving the sidewalks to the lots on the interior to prevent pedestrians walking in front of cars. Mr. Hernandez confirmed. Mr. De La Garza included that the engineer had proposed for the sidewalks to be 4 feet within the properties and the driveway 23 feet to keep the cars from parking on the sidewalks. Now that they are requesting to move the sidewalk they can reduce the 23 -foot setback.

After the discussion, Mr. Michael Hovar moved to approved based on conditions noted with the variance request. Mr. Gabriel Kamel seconded the motion, which was approved with six members present and voting.
b) Garcia Estates Subdivision; 2901 Gumwood Avenue- Sonia Garcia and Erik Mora (Preliminary) (SUB2020-0048) M\&H

## Chairperson Cabeza de Vaca suggested to move on item 3) e) due to Ms. Gonzalez was having technical difficulties making it hard to hear her.

Ms. Gonzalez stated that the property is located on N. 29th Street: 10 ft . ROW dedication required for 50 ft . from centerline required for 100 ft . total ROW Paving: min. 52 ft . Curb \& gutter: Both sides Revise plat and label ROW on both sides of centerline to establish dedication requirements prior to final. Gumwood Avenue: Proposing 5 ft . dedication for 40 ft . from centerline for a total of 80 ft . ROW Paving: min. 52 ft. Curb \& gutter: Both sides. Show existing ROW on both sides of centerline to determine dedication requirements. Show total ROW to centerline after accounting for ROW

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dedications. 800 ft . Block Length ROW: 20 ft . Paving: 16 ft . Alley/service drive easement required for commercial properties. Existing alley to the south currently not paved. * Front: 45 ft . or greater for approved site plan or easements. Please revise plat note as shown above prior to final. Rear: 10 ft . or greater for approved site plan or easements. Sides: 6 ft . or greater for approved site plan or easements. Corner side: 25 ft . or greater for easements. Revise plat as noted above. Garage: 18 ft . except where greater setback is required, greater setback applies. All setbacks are subject to increase for easements or approved site plan. 4 ft . wide minimum sidewalk required on Gumwood Avenue and N. 29th Street. 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 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 Engineer to show access locations due to Gumwood Avenue being a collector road requiring 200 ft . spacing between accesses. Common Areas, Private Streets, service 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. Minimum lot width and lot area. Please verify lots frontage dimensions on Gumwood Avenue prior to final. Lots fronting public streets Park Fee of $\$ 700$ per dwelling unit/lot to be paid prior to recording. Per parks Department $\$ 700 \times 3$ lots = \$2,100 As per Traffic Department, Trig Generation waived for three single-family residences. No TIA required. Must comply with City's Access Management Policy Clarify ROW dedication on Gumwood Avenue and N. 29th Street. Clarify lot frontage dimensions on Gumwood Avenue prior to final. As per Public Works, please provide site plan dumpster location review.

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

Being no discussion, Mr. Gabriel Kamel moved approved with conditions noted. Mr. Michael Hovar seconded the motion, which was approved with six members present and voting.
c) Campo de Suenos Subdivision; 8600 North Ware Road- Riverside Development Services, LLC. (Revised Preliminary) (SUB2018-0080) M\&H

Ms. Gonzalez stated that the property is located on N. Ware Road: min. 15 ft . dedication for 75 ft. from centerline for 150 ft . ROW Paving: by the state Curb \& gutter: by the state. Label centerline and clarify 35 ft . dedication and 75 ft . dedication shown on the plat for 75 ft . from centerline. N. 33rd Street: 30 ft . dedication for 60 ft . ROW Paving: 40 ft . Curb \& gutter: both sides. Must escrow monies if improvements are not constructed prior to recording. E/W Interior Street: min. 50 ft . ROW Paving: 32 ft . Curb \& gutter: both sides Remove prop. from the ROW being dedicated by this plat. N. 34th Street: min. 50 ft . ROW Paving: 32 ft . Curb \& gutter: both sides Escrows required if improvements are not built prior to recording. N. 33rd Lane: min. 50 ft . ROW Paving: 32 ft . Curb \& gutter: both sides. Need to provide a temporary turnaround/easement at the south end of N. 33rd Lane and barricades as may be required by Traffic Department. Plat has been revised to show a temporary turnaround which is to be removed once property to the south develops. Escrows required for the removal of the temporary turnaround Crossing Agreement required with Hidalgo County Irrigation District No. 1 prior to final. Escrows required for the extension for N. 33rd Lane may apply. 800 ft . Block Length: As proposed, the E/W Interior

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Street is approximately $1,100 \mathrm{ft}$. in length without a street stub out to the north or to the south. Engineer has submitted a letter requesting a variance to not provide for the 800 ft . stub out streets to the north and south. City Commission approved the variance as requested on April 22, 2019. 600 ft . Maximum Cul-de-Sac: Revised subdivision layout no longer has a cul-de-sac at the east end of the E/W Interior Street, but instead connects to N. 33rd Street located on the east boundary of the subdivision. Previous layout had the E/W street with a cul-de-sac with an approximate length of $1,100 \mathrm{ft}$. which would have required a variance and subject to increasing the ROW and paving widths. Cul-de-sac paving - 96 ft . as required by Fire Department. Increase ROW (Approx. 111 ft . back to back diameter of cul-de-sac ROW) accordingly so as to maintain minimum 7 ft . back of curb. Front: 25 ft . or greater for easements. Subdivision was previously approved in final form at the P\&Z meeting of May 21, 2019 with 25 ft . front setback under its former name. Engineer submitted a variance request letter on July 24, 2020 asking for a front setback of 20 ft . instead of the required 25 ft . * Front: 25 ft . or greater for easements. Subdivision was previously approved in final form at the P\&Z meeting of May 21, 2019 with 25 ft . front setback under its former name. Engineer submitted a variance request letter on July 24, 2020 asking for a front setback of 20 ft . instead of the required 25 ft . P\&Z Board Disapproved the variance request at the meeting of August 4, 2020. Engineer submitted revised variance letter asking for a 20 ft . setback for Lots 36-40. Rear: 10 ft . or greater for easements except 25 ft . for double fronting lots. Interior Sides: 6 ft . or greater for easements. Subdivision was previously approved in final form at the May 21, 2019 meeting with a 6 ft . side setback under its former name. Engineer submitted a variance request letter on July 24, 2020 asking for a side setback of 5 ft . instead of the required 6 ft . P\&Z Board disapproved variance request at the August 4, 2020 meeting. Engineer submitted a revised letter on August 14, 2020 is again an interior 5 ft . side setback instead of the required 6 ft . Corner: 10 ft . or greater for easements. Garage: 18 ft . except where greater setback is required, greater setback applies. All setbacks are subject to increase for easements or approved site plan. 4 ft . wide minimum sidewalk required on N. 33rd Street and both sides of all interior streets. A 5 ft . wide minimum sidewalk required on N. Ware Road. 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 N. Ware Road and N. 33rd Street. 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. Ware Road and N. 33rd Street. Common Areas, detention pond must be maintained by the lot owners and not the City of McAllen. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 110-72 of the Code of Ordinances will apply if the subdivision is public. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Lots fronting public streets: Minimum lot width and lot area. All lots for must be a minimum of 50 ft . wide, including Lot 53 - Detention Pond. Corner lots must be a minimum 4 ft . wider than the minimum 50 ft . Property subject to being annexed. Application has been submitted for annexation with initial zoning. Annexation and initial zoning to R-1 approved by the City Commission on April 7, 2019. Rezoning Needed Before Final Approval. Initial zoning of R1 processed simultaneously with the annexation. Annexation and initial zoning to R-1 approved by the City Commission on April 7, 2019. Park Fee of $\$ 700$ per dwelling unit/lot to be paid prior to recording. Per Parks Department, a park fee of $\$ 36,400$ (based on 52 lots at $\$ 700$ per dwelling unit/lot) to be paid prior to the plat being recorded should the property be annexed. Annexation and initial zoning to R-1 approved by the City Commission on April 7, 2019; therefore, park fee applies and must be paid prior to recording. Trip Generation to determine if TIA is required, prior to final

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plat. Per Traffic Department, Trip Generation approved; no TIA required. Must comply with City's Access Management Policy. Need to clarify if the subdivision will be public or private. If private, need to submit Gate Details for staff review to assure compliance with requirements, including increasing the ROW, etc., prior to final. Proposed as public. P\&Z approved the subdivision in preliminary form, with conditions, at the meeting of November 20, 2018. Will need to vacate Ware Oaks Subdivision if restrictions or covenants are being removed or amended as may be applicable, prior to recording. Subdivision name has been changed from Westwood Two Subdivision to Villa Torre Estates At Ware Road. Subdivision name has changed once more to Campo de Sueños Subdivision. Revise metes and bounds description as it still references prior name. Need to include note on plat regarding temporary for N. 33rd Lane as required by Public Works. Need note on plat regarding removal of the temporary turnaround to be done once property to the south develops. Variance request for front and side setbacks was disapproved by P\&Z Board on August 4, 2020. Engineer has submitted a revised variance letter on August 14, 2020 to be presented at P\&Z meeting of August 18, 2020.

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

Chairperson Cabeza de Vaca asked for clarification on the variance request. Ms. Gonzalez stated that they were requested 20 feet front setbacks instead of 25 feet and 5 feet side setbacks instead of the required 6 , she also mentioned the front setback variance request was only for the cul-desac lots 36-40; but the variance request for the side setbacks were for all lots. Mr. Kamel asked for clarification on the fire department requirements, 95 feet was mentioned but 110 is what is required. Mr. Rogelio Hernandez from Rhodes Enterprises stated the 95 feet on the cul-de-sac is a calibration error. Ms. Gonzalez stated that the requirements minimum clearing of 96 foot face to face the engineer did clarify that intended to show but did not show it on the site plan. Ms. Gonzalez explained that the minimum ROW paving required calculation in order to meet fire department requirements and the backup curb is 111 feet for the total paving in the cul-de-sac. Both Mr. Kamel and Mr. Fallek wanted to clarify that the 96 foot shown was complying with the fire department requirements. Mr. Mora explained that the fire department requires is a paving diameter of 96 feet face to face, in order to accommodate this there is a certain amount of ROW behind the curb to the property line therefore 111 feet is needed diameter of ROW, so there are two diameters one is the paving diameter and the other is ROW diameter. Mr. Hovar stated that he saw a 57 radius, which equals to 114 diameter. Mr. Hernandez confirmed. Chairperson Cabeza de Vaca wanted to clarify why the applicant was requesting a variance for the side setbacks. Mr. Mario Reyna the engineer with Melden and Hunt, stated that the pavement width is 96 feet and the back to back is 98 feet, approved by the fire Marshall. Mr. Reyna also explained that the reason for the 20 -foot variance request on lots $36-40$ is to fit the model homes better. Mr. Reyna mentioned the reduced side setback request; he stated by fire code requirements, structures need to be 10 feet apart and he also stated that in previous subdivisions they have worked on they have requested the 5 foot setback. Mr. Tony Aguirre 604 Wisteria, the owner, was present as well.

After the discussion, Mr. Gabriel Kamel moved approved with variances. Mr. Michael Hovar seconded the motion, which was approved with six members present and voting.
d) Warehouse Kingdom Subdivision Phase II; 6001 South 23rd Street- Abasto Construction (Preliminary) (SUB2020-0047) JHE

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Ms. Gonzalez stated that the property is located on 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 Show centerline and label existing ROW on each side. 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 800 ft . Block Length 600 ft . Maximum Cul-de-Sac ROW: 20 ft . Paving: 16 ft . Alley/service drive easement required for commercial properties Plat needs to be revised to meet this requirement Front (S. 23rd St.-F.M. 1926): 75 ft . or greater for approved site plan or easements Revise street name on front setback note to include F.M. 1926 Rear: In accordance with the zoning ordinance, or greater for approved site plan, or easements Sides: In accordance with the zoning ordinance, or greater for approved site plan, or easements. All setbacks are subject to increase for easements or approved site plan. 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. Revise Note \#7 as shown above. 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. 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. Site plan must be approved by the Planning and Development Departments, prior to building permit issuance. Common Areas, service drives, etc. must be maintained by the lot owners and not the City of McAllen. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Trip Generation to determine if TIA is required, prior to final plat. Per Traffic Department, submit a Trip Generation to determine if a TIA will be required. Traffic Impact Analysis (TIA) required prior to final plat. Must comply with City's Access Management Policy. Site plan required for review for Fire and Public Works Department. Need to submit an ownership map to ensure there are no landlocked properties, prior to final. if landlocked property exist, additional streets may be required to provide proper access to landlocked parcel.

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

Mr. Fallek asked if there were any variance requests, and Ms. Gonzalez stated not at the moment. Chairperson Cabeza de Vaca mentioned that the owner needs to map for landlock purposes.

Being no discussion, Mr. Michael Fallek moved to approved. Mr. Gabriel Kamel seconded the motion, which was approved with six members present and voting.
e) Just a Closet \# 4 Subdivision; 2500 South McColl Road- Just a Closet \#4, LLC. (Preliminary) (SUB2020-0049) RDE

Mr. De La Garza stated that the property is located on South McColl Road: 50 ft . from centerline for 100 ft . ROW Paving: 65 ft . Curb \& gutter: Both sides Please provide copy of document \#546770 for ROW dedication. Monies must be escrowed if improvements are not built prior to recording. Any ROW dedication must be finalized prior to final. East Yuma Avenue: 10 ft . dedication for 40 ft . from centerline for 80 ft . ROW Paving: 52-65 ft. Curb \& gutter: Both sides Monies must be escrowed if improvements are not built prior to recording. ROW: 20 ft . Paving: 16 ft . Alley/service drive easement required for commercial properties Front: South McColl Road- 50 ft . or greater for easements or approved site plan East Yuma Avenue: 40 ft . or greater for easements or approved site plan. Rear: In accordance with the Zoning Ordinance, or greater for easements or approved site plan. Sides: In accordance with the Zoning Ordinance, or greater for easements or approved

Planning and Zoning Commission Meeting
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site plan. Please add plat note as shown above. All setbacks are subject to increase for easements or approved site plan. 4 ft . wide minimum sidewalk required on South McColl Road and East Yuma avenue. Engineer is proposing 5 ft . sidewalk along South McColl Road. 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 South McColl Road and East Yuma Avenue as may be applicable. Please add plat note as shown above. 8 ft . masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses and along west property line. Please revise plat note as shown above prior to final. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Common Areas, Private service drives, etc. must be maintained by the lot owners and not the City of McAllen As per Traffic Department, Trip Generation to determine if TIA is required, prior to final plat. Traffic Impact Analysis (TIA) required prior to final plat. Must comply with City's Access Management Policy. As per Fire and Traffic Departments, please submit site plan for staff's review prior to final. As per Fire and Traffic Departments, please submit gate detail prior to final.

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

Being no discussion, Mr. Daniel Santos moved to approved based on recommendation. Mr. Gabriel Kamel seconded the motion, which was approved with six members present and voting.

## After voting, Chairperson Cabeza de Vaca attempted to return back to item 3) b) but Ms. Gonzalez was still having issues. He then moved on to public hearing.

## 4) PUBLIC HEARING

## a) REZONING:

1. Rezone from A-O (agricultural and open space) District to R-1 (singlefamily residential) District: 8.48 acres out of Lot 57, La Lomita Irrigation and Construction Company's Subdivision, Hidalgo County, Texas; 3308 Yellowhammer Avenue (REZ2020-0017)

Mr. Carlos Garza stated that the property is an interior tract that fronts Yellowhammer Avenue and has a frontage of 50 ft . along Yellowhammer Avenue.

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 Villatorre Estates at Almon Subdivision for single-family homes has been submitted and received approval in preliminary form on August 4, 2020 by the Planning and Zoning Commission.

The adjacent zoning is R-1 (single-family residential) District to the east, south, and west, C-1 (office building) District to the west, C-3 (general business) District to the north west, and A-O (agriculture and open space) District to the north.

The property is currently vacant. Surrounding land uses are single-family residences, Michael E.

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Fossum Middle School, and a motorcycle repair shop.
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.

The development trend for the area along Yellowhammer Avenue is single-family residential.
The property was zoned A-O District during comprehensive zoning in May 1979. There has been no other rezoning requests on the property since then.

On October 26, 1998, The City Commission Board approved a rezoning request from to R-1 District and a subdivision under the name of Paseo Del Norte Phase II with 40 residential lots was established.

The requested zoning conforms to the Auto Urban Residential 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.
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 rezone proposal, there was none. Chairperson asked staff if they had received phone calls or emails in opposition, Mr. Garza stated that there was none.

After the discussion, Mr. Gabriel Kamel moved to approve. Mr. Michael Hovar seconded the motion, which was approved with six members present and voting.
2. Rezone from C-3 (general business) District to R-3T (multifamily residential townhouse) District: Lot 3, Nolana Crossing Subdivision, Hidalgo County, Texas; 2705 Nolana Avenue. (REZ2020-0018)

Mr. Forghanparast stated that the property was located on the east side of $271 / 2$ Street, approximately 300 ft . south of Nolana Avenue. The tract had 299.86 ft . of frontage along $271 / 2$ Street and a depth of 427.88 ft . for a lot size of 2.834 acres.

The applicant was requesting to rezone the property to R-3T (multifamily residential townhouse) District in order to construct townhomes. A feasibility plan showing twenty-three townhomes had been submitted.

The adjacent zoning was R-1 (single-family residential) District to the east and south and C-3 (general business) District to the north and west.

The property was currently vacant. Surrounding land uses included single-family residential, BlueWave Express Car Wash, Chick-fil-A, Goodwill, McDonald's, and the City of McAllen Drain Ditch.

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The Foresight McAllen Comprehensive Plan designated the future land use for this property as Auto Urban Multifamily, which was comparable to R-3T (multifamily residential townhouse) District.

The development trend for this area along Nolana Avenue was commercial and multifamily residential.

The property was zoned R-1 (single-family residential) District and R-3A (multifamily residential apartment) District during comprehensive zoning in May 1979. A request to rezone to C-3 (general business) District on the subject was approved on October 9, 2000. There had been no other rezoning requests since then.

The requested zoning conformed to the land use designation on the Foresight McAllen Comprehensive Plan for this property.

The maximum density in R-3T (multifamily residential townhouse) District was 20 units per acre. Therefore, the maximum number of units for the subject property was approximately 56 townhomes.

Staff had not received any calls in opposition to the rezoning request.
A recorded resubdivision plat and approved site plan were required prior to building permit issuance. Required park land dedication or a fee in lieu of land comprising $\$ 700$ per dwelling unit was required prior to replat.

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

Chairperson Cabeza de Vaca asked if there was anyone present in opposition of the proposed rezoning and Mr. Forghanparast stated that Mr. Hanley was present in opposition. Mr. Hanley stated that he did not prepare to gather a petition with signatures but that he could by the next meeting. Mr. Forghanparast informed Mr. Hanley to gather the signatures and turn it in time for staff to calculate the percentage. Mr. Hanley stated that $27^{\text {th }}$ street was hazardous to turn onto because of traffic and no stop sign; he asked how many townhomes were proposed. Mr. Forghanparast stated that a feasibility site plan was received and it showed 23 townhomes. Mr. Hanley also had concerns about property value. Chairperson Cabeza de Vaca asked if there was anyone else in opposition, however staff stated there was none.

After a brief discussion, Mr. Michael Fallek moved to approve. Mr. Rogelio Cervantes seconded the motion, which was approved with six members present and voting.
3. Rezone from R-1 (single-family residential) District to R-3A (multifamily residential apartment) District: Lot 11, Block 4, Milmor Addition to McAllen Subdivision, Hidalgo County, Texas; 1704 Laurel Avenue. (REZ2020-0019)

Mr. Camacho stated that the property has frontage on Laurel Avenue, approximately 200 ft . east of Bicentennial Blvd. The tract has 50 ft . of frontage along Laurel Avenue and 160 ft . of depth for a lot size of 0.1837 acres.

The applicant is requesting to rezone the property to R-3A (multifamily residential apartments)

Planning and Zoning Commission Meeting
August 4, 2020
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District. The applicant wishes to remodel existing two single-family structures on the property.
The adjacent zoning is R-1 (single-family residential) District in all directions and R-3A District to the west.

Currently the property contains two existing single-family homes. Surrounding land uses are singlefamily residential, apartments, and vacant land.

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

The development trend for this area along Laurel Avenue is single-family residential and multifamily apartments along Bicentennial Boulevard.

The property was zoned R-1 (single-family residential) District during comprehensive zoning in May 1979. There has been no other rezoning requests on the property since then. Surrounding properties have had rezoning requests. City Commission approved an application to a rezoning request from R-1 District to R-3A District for Lots 7-9, Block 4, in Milmor Addition to McAllen in October 1979.

The trend for this area is for multifamily developments only by Bicentennial Boulevard. Interior lots including the subject property are primarily single family residential in character.

The applicant stated that the reason for the submission of a rezoning application was to remodel the existing structures on the property. Remodeling of the structure may require a variance for the $10 \%$ limitation of Non-conforming structures. The variance process may be more appropriate for the intended purposes stated by the applicant.

Staff has received one phone call in opposition to the rezoning request.
Staff recommends disapproval of the rezoning request to R-3A (multifamily apartments) District.
Chairperson Cabeza de Vaca asked if there was anyone in opposition for the proposed rezoning, there was none. Chairperson Cabeza de Vaca asked if the property was grandfathered because there were two houses on one lot and Mr. Camacho confirmed that the structure dates back to 1976 according to Hidalgo County records and it has been existing. Mr. Camacho mentioned that the reason the applicant applied to rezone is because they want to remodel more than ten percent of the limitation for nonconforming structures. Chairperson Cabeza de Vaca asked why rezone the property to R-3A and Mr. Camacho stated that there are two existing ones, one has the main house and the other has it as an apartment therefore if his request approved it will be on the conforming side because it is already an R-3A zone. Mr. Fallek asked why rezone when they can do so with a variance. Mr. Camacho explained that a variance was the route the applicant should have gone. Mr. Felipe Cavazos was present who is the applicant wants to remodel without having issues when the time comes to sell the property. Assistant City Attorney Victor Flores stated that to rezone the property becomes a blank slate and it can change what is on the property. As for a variance, it is a step by step process which is decided by Zoning Board of Adjustments (ZBOA). Applicant was encouraged to meet with staff to discuss the proper process for a variance.

After the discussion, Mr. Daniel Santos moved to disapprove. Mr. Michael Hovar seconded the

Planning and Zoning Commission Meeting
August 4, 2020
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motion, which was approved with six members present and voting
4. Rezone from C-2 (neighborhood commercial) District to C-3 (general business) District: Lot A, 29th Place Subdivision, Hidalgo County, Texas; 3928 North 29th Street. (REZ2020-0020)

Mr. Sotelo stated that the subject property is located at the southeast corner of North 29th Street and Nolana Avenue. The vacant property has 35 ft . of frontage on North 29th Street and 210 ft . of frontage on Nolana Avenue for a total lot size of 0.4798 acre.

The applicant is requesting to rezone to C-3 (general business) District in order to connect this property to the adjacent properties for a future development. The subject property will be occupied by a portion of the new building on the north end. The proposed over all development includes self-storage units, retail spaces and restaurants with a drive-thru. 29th Place Subdivision was recorded on July 9, 2001.

Adjacent zoning is C-3 (general business) District in all directions.
The subject property is vacant. Surrounding land uses include Stripes gas station to the northwest, retail shopping center to the north, McDonald's, Chick-fil-A to the east as well as Bluewave Express Car Wash along Nolana Avenue.

The Foresight McAllen Comprehensive Plan designates the future land use for this property as Auto Urban Multifamily which is comparable to apartment use.

The development trend for this area along Nolana Avenue is commercial.
The requested zoning does not conform to the Foresight McAllen Comprehensive Plan; however, the proposed rezoning of the property would be in line with the surrounding land uses in all directions.

Uses allowed in the C-3 (general business) District include office, retail, hospitals, hotels, restaurants with $51 \%$ of food sales, and as specified in Section 138-276 in land use regulations. If the rezoning is approved a recorded subdivision plat and an approved site plan are required prior to the issuance of any building permits. Compliance with building setbacks, signage requirements, off-street parking, drive-thru stacking requirements, landscaping, and various building and fire codes are required as part of the building permit process.
Commercial uses are suitable on arterial intersection due to large traffic volume and high visibility.
Staff recommends approval of the rezoning request.
Chairperson Cabeza de Vaca asked if there was anyone present in opposition of the proposed rezone, Mr. Sotelo stated there was none.

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

## b) CONDITIONAL USE PERMITS:

Planning and Zoning Commission Meeting

1. Request of Rogelio Hernandez, for a Conditional Use Permit, for life of the use, for an associated recreation (common area) at 1.55 acres out of Lot 5, Block 278, Tex-Mex Survey, also known as Lot Common Area D, The Villas on Freddy Phase I Subdivision (proposed), Hidalgo County, Texas; 10300 North 14th Lane. (CUP2020-0076)

Ms. Alvarado stated that the property is an interior tract located on a cul-de-sac north of 14th Lane. The property is zoned R-3T (multi-family residential townhouse) district. The adjacent zoning in all directions is R-3T (multi- family residential townhouse) district. An associated recreation use is permitted in an R-3T district with a conditional use permit and in compliance with requirements.

The property will be used as an associated recreation area for the proposed subdivision, The Villas on Freddy Subdivision, Phase I has 95 lot and Phase II has 97 lots totaling 192 lots. The subdivision has not been recorded. The Villas on Freddy Phase I subdivision was approved in its final form March 3, 2020 and is in the process of a Revised final. The Villas on Freddy Phase II was approved in its final form on July 7, 2020.

The applicant is proposing to construct a recreation area which is associated with the overall development. The submitted site plan labels this area as Common Area D and will consist of a common area building with a gym, men's and women's restrooms.

The site must comply with all requirements of the building permit, including setbacks, landscaping, parking etc. The proposed use shall meet all the minimum standards and must comply with the applicable subdivision ordinances, the zoning ordinance and specific requirements as follows:

1) No form of pollution shall emanate beyond the immediate property line of the permitted use;
2) Additional reasonable restrictions or conditions such as 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;
3) The associated recreation shall comply with the requirements established for accessory uses. The recreation areas proposed are for the use of the overall development.
4) The associated recreation shall be customarily incidental to and maintained and operated as a part of the primary residential use;
5) The associated recreation shall not be hazardous to and does not impair the uses or enjoyment of nearby residential uses in a greater degree than the residential uses;
6) The associated recreation shall not add to levels of noise, odor, vibration and lighting or degrees of traffic congestion, dust or pollutants, in a greater amount than the adjacent residential uses.

Staff recommends approval of the request, for life of the use, subject to compliance with the Subdivision and Zoning Ordinance, Fire Department and building permit requirements.

Planning and Zoning Commission Meeting
August 4, 2020
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Chairperson Cabeza de Vaca asked if there was anyone present in opposition but there was none.
Being no discussion, Mr. Gabriel Kamel moved to approve subject to conditions noted. Mr. Rogelio Cervantes seconded the motion, which was approved with six members present and voting.

Once voting was done Chairperson Cabeza de Vaca returned back to Subdivisions items 3) b), 3) c), and 3) d).

## 5) INFORMATION ONLY:

## a) City Commission Actions: August 10, 2020

Mr. Edgar Garcia stated that the rezoning at 201 Dove Avenue was approved by super majority. Mr. Fallek asked if their concern with density was mentioned at the meeting and Mr. Garcia confirmed.

## ADJOURNMENT:

There being no further business to come before the Planning \& Zoning Commission, Chairperson Cabeza de Vaca did not adjourn the meeting, meeting ended at 5:24p.m.

Chairperson, Pepe Cabeza de Vaca
ATTEST:
Claudia Mariscal, Secretary

# City of McAllen Planning Department APPLICATION FOR SUBDIVISION PLAT REVIEW 

311 North $15^{\text {th }}$ Street McAllen, TX 78501
P. O. Box 220

McAllen, TX 78505-0220
(956) 681-1250
(956) 681-1279 (fax)

Lots 12A. $125,12 C$ and $12 D H$ Subdivision Name Re-Plat of, Lot 12, Primrose Terrace " 11 Location N. Main e Xanthisma Ave.


Name Linda Emmons Gale Phone 956.821 .5528

Address $\qquad$
City McAllen State TX Zip 78504
E-mail emmonsgale co aol. com
Name J. Tom Ashley iI), FAIA
Phone 956 . 369 . 1976 Address 1209 XanthismA Ave.
City Hue Allen
State IX.
Zip 78504
Contact Person Tom
E-mail ar. tom ashley e yahoo.com
Name Bu" "D" Enquieering
Address Po Box 721025 Phone ${ }^{\circ} 3421372$
City McAllen
State $I_{x}$ Zip 78504
Contact Person Dario Guerra E-mail Braclengune@a0l.com
Name Michael Fabian Sumeying Phone 630. 1432
Address 1283 Є. Hackberry Ave.


City McAllen, TX.
State TX.
Zip 78501


$\underset{O F}{M A P}$
PRIMROSE TERRACE, UNIT \#11
LOTS 12A THRU 12D
city of mcallen,
hidalgo county, TEXAS
being a resubdivision of Lot 12
PRIMROSE TERRACE, UNIT \#11
CONTAINING o.711 ACRES OF LAND
RECORDED IN VOL.19, PG. $83 \mathrm{M} / \mathrm{R}$

## RECEIVED

By Nikki Marie Cavazos at 9:33 am, Aug 25, 2020
RECEIVED VIA EMAIL 08/25/2020 AT 8:47 AM
MICHAEL FABIAN SURVEYING, INC
1203 E. HACKBERRY AVE.
MCALLEN, TEXAS 78501 ${ }_{\text {(956) }}{ }^{\text {F8S }} 14660$

|  | MCALLEN, TEXAS 78501 |
| :---: | :---: |
|  | MICHAEL FABIAN REGISTERED PROFESSIONAL LAND SURVEYOR |


| W.O.\# 3120TOPO | CRD : |
| :--- | :---: |
| SCALE: $\frac{1^{*}=30^{\prime}}{}$ |  |
| EMAIL ADDRESS: SURVEY @ MFABE: LETTER |  |

EMAIL ADDRESS: SURVEY @ MFABIANSURVEYING.COM

City of McAllen

## SUBDIVISION PLAT REVIEW

Reviewed On: 8/27/2020

| SUBDIVISION NAME: PRIMROSE TERRACE UNIT NO. 11, LOTS 12A-12D |  |
| :---: | :---: |
| REQUIREMENTS |  |
| STREETS AND RIGHT-OF-WAYS |  |
| N . Main Street: 30 ft . from centerline for 60 ft . ROW existing Paving: 40 ft . Curb \& gutter: both sides | Compliance |
| * 800 ft . Block Length: | Compliance |
| * 600 ft . Maximum Cul-de-Sac: | NA |
| ALLEYS |  |
| ROW: 20 ft . Paving: 16 ft . | Compliance |
| SETBACKS |  |
| * Front: N. Main Street - 10 ft . or greater for easements <br> **Planning and Zoning Board approved a 10 ft . setback or greater for easements along N . Main Street at the meeting of August 16, 2017, as requested by project engineer on behalf of developer. | Applied |
| * Rear (alley): 5 ft . or greater for easements. <br> **Planning and Zoning Commission approved a 5 ft . rear setback or greater for easements at the meeting of August 16, 2017. <br> ***Revise note as shown above prior to recording. | Required |
| * Interior Sides: 6 ft . except 5 ft . side along the alley, or greater for easements <br> **Planning and Zoning Commission approved 6 ft . interior side setbacks or greater for easements at the meeting of August 16, 2018. It also included a 5 ft . 9 ft . side setback or greater for easements along the alley. Please clarify as the plat submitted December 10, 2018, February 12, 2019 and May 24, 2019 does not reflect this. <br> ****Side setbacks are 6 ft . except 5 ft . side along the alley as approved by P\&Z Board on August 6, 2019.. *****Revise Note \#1 as needed, prior to recording to reflect setbacks approved at the meeting of August 6, 2019. | Required |
| * Corner: See side setback reference above as approved by the Planning and Zoning Board on August 16, 2017. | Applied |
| * Garage: 18 ft . except where greater setback is required; greater setback applies. <br> **Revise Note \#1 regarding garage setbacks as noted above, prior to recording. | Required |
| *ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS. <br> ${ }^{* *}$ Note as needed should existing structure is within required setbacks, prior to recording. | Applied |
| SIDEWALKS |  |
| * 4 ft . wide minimum sidewalk required on N . Main Street. <br> **Planning and Zoning Board recommended approval of the variance on August 16, 2017, and City Commission approved the variance at the meeting of August 28, 2017 to not require sidewalks on N. Main Street. | NA |
|  | Applied |
| BUFFERS |  |
| * 6 ft . opaque buffer required from adjacent/between multi-family residential and commercial, or industrial zones/uses. <br> **Clarify Note \#6 regarding gates, prior to recording. | 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. | NA |


| NOTES |  |
| :---: | :---: |
| * No curb cut, access, or lot frontage permitted along: <br> * Site plan must be approved by the Planning and other Development Departments prior to building permit issuance. <br> * Common Areas/Drives must be maintained by the lot owners and not the City of McAllen. <br> * Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. <br> * 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 110-72 of the Vegetation Ordinance, including but not limited to common areas. <br> * Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. | NA |
|  | NA |
|  | Applied |
|  | NA |
|  | Applied |
|  | Applied |
| LOT REQUIREMENTS |  |
| * Lots fronting public streets: <br> * Minimum lot width and lot area: | Compliance |
|  | Compliance |
| ZONING/CUP |  |
| * Existing: R-1 Proposed: R-1 <br> * Rezoning Needed Before Final Approval | Compliance |
|  | NA |
| PARKS |  |
| * Land dedication in lieu of fee: <br> * Park Fee of $\$ 700$ per lot is required to be paid prior to recording. Per latest plat submitted; 4 lots are proposed but only 3 rates apply due to one lot having an existing house. 3 Lots $\times \$ 700$ $=\$ 2,100$ due prior to recording <br> * Pending review by the Parkland Dedication Advisory Board and CC. | NA |
|  | Required |
|  | NA |
| TRAFFIC |  |
| * Trip Generation to determine if TIA is required, prior to final plat. <br> **Per Traffic, trip generation will be waived for the three single family residences. <br> * Traffic Impact Analysis (TIA) required prior to final plat. | NA |
|  | NA |
| COMMENTS |  |
| Comments: *Existing plat notes remain the same for the resubdivision. <br> **Public Hearing with legal notices, for the resubdivision held on August 16, 2017. <br> ***Per Traffic, vehicles shall exit front-first onto N. Main Street. <br> ****Plat must comply with the City's Access Management Policy. <br> *****Project engineer to provide agreement from the respective Gas Company for improvements over the gas easement, prior to recording/permit issuance. <br> ******Common access easement needed between the lots. <br> *******Site Plan for existing home on Lot 12D is needed to ensure the structure complies with setback requirements and is not considered non-conforming as a result of the replat, prior to recording. <br> *******Subdivision was approved in final form at the P\&Z meeting held August 6, 2019. <br> *********Engineer submitted a revised plat on July 9, 2020 changing the lot layout approved in August 6, 2019. <br> ${ }_{* * * * * * * * * S u b d i v i s i o n ~ w a s ~ s c h e d u l e d ~ f o r ~ a p p r o v a l ~ i n ~ r e v i s e d ~ f i n a l ~ f o r m ~ a t ~ t h e ~ P \& Z ~ m e e t i n g ~ o f ~}^{\text {for }}$ <br> July 21, 2020; however, engineer submitted a letter requesting the item to be withdrawn | Applied |
| RECOMMENDATION |  |
| Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED FINAL FORM, SUBJECT TO CONDITIONS NOTED. | Applied |



# City of McAllen Planning Department APPLICATION FOR SUBDIVISION PLAT REVIEW 

311 North $\mathbf{1 5}^{\text {th }}$ Street McAllen, TX 78501
P. O. Box 220

McAllen, TX 78505-0220
(956) 681-1250
(956) 681-1279 (fax)

## Proposed Plat Submittal

## ___ $\$ 225$ Preliminary Review Fee and $\$ 75$ Final Approval Fee Title Report

 $81 / 2^{\prime \prime}$ by $11^{\prime \prime}$ Original Sealed Survey showing existing structures/ easements or 3 blueline copies
## 2 Location Maps

$281 / 2^{\prime \prime}$ by $11^{\prime \prime}$ copies/legible copies of plat with name \& north arrow 6 Folded blueline prints of the proposed plat 2 Warranty Deeds (Identifiying 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:

$\checkmark$ Metes and bounds
$\checkmark$ Lots numbered with dimensions and area of irregular lots noted
$\checkmark$ Surrounding platted lots and/or lot lines for uplatted tracts
$\checkmark$ Name and address of owner, lienholder, developer, engineer and surveyor shown along with signature lines
$\checkmark$ North arrow, scale and vicinity map
$\checkmark$ 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 $11^{\prime \prime}$ copies/legible copy of the plat, affected by changes.

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


Owner



## $\square$ City of McAllen <br> SUBDIVISION PLAT REVIEW

Reviewed On: 8/28/2020

## SUBDIVISION NAME: LA CONTESSA

## REQUIREMENTS

STREETS AND RIGHT-OF-WAYS
South Bentsen Road: 50 ft from centerline for 100 ft . ROW
Paving: 65 ft . Curb \& gutter: Both sides
Galveston Avenue: Existing 28.45 ft . from centerline for 56.89 ft ROW
Paving: Approximately 36 ft . existing Curb \& gutter: Both sides

Paving $\qquad$ Curb \& gutter $\qquad$

* 800 ft . Block Length.
* 600 ft . Maximum Cul-de-Sac.


## ALLEYS

ROW: 20 ft . Paving: 16 ft .
*Alley/service drive easement required for commercial properties
SETBACKS

* Front (Galveston Avenue): 25 ft . or greater for easements.
**Please revise plat note as shown above.
* Rear: 10 ft . or greater for easements.
* Sides: 6 ft . or greater for easements or in accordance with the Zoning Ordinance.
**Please revise plat note as shown above.
* Corner (South Bentsen Road): 10 ft. or greater for easements.
**Please revise plat note as shown above.
* Garage: 18 ft . or except where greater setback is required; greater setback applies.
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN
SIDEWALKS
* 4 ft . wide minimum sidewalk required on South Bentsen Road and Galveston Avenue.
* Perimeter sidewalks must be built or money escrowed if not built at this time.

BUFFERS

* 6 ft . opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along South Bentsen Road.
**Please revise plat note as shown above prior to recording.
* 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.

| NOTES |  |
| :---: | :---: |
| * No curb cut, access, or lot frontage permitted along South Bentsen Road. <br> * Site plan must be approved by the Planning and Zoning Commission prior to building permit issuance. | Compliance |
|  | NA |
| * Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. | NA |
| * Common Areas, Private Streets must be maintained by the lot owners and not the City of McAllen | NA |
| * Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other 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 a public subdivision. | Applied |
| * Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. | Applied |
| ZONING/CUP |  |
| * Existing: R-1 Proposed: R-1 <br> * Rezoning Needed Before Final Approval | Compliance |
|  | NA |
| LOT REQUIREMENTS |  |
| * Lots fronting public streets. <br> * Minimum lot width and lot area. | Compliance |
|  | Compliance |
| PARKS |  |
| * Land dedication in lieu of fee. <br> * Park Fee of $\$ 700$ per dwelling unit to be paid prior to recording. As per plat submitted on June 22, 2020, 4 lots are proposed. ( $4 \times \$ 700=\$ 2,800$ ). Amount to be paid might vary depending on the amount of lots/dwelling units proposed. <br> * Pending review by the Parkland Dedication Advisory Board and CC. | NA |
|  | Required |
|  | Applied |
| TRAFFIC |  |
| * As per Traffic Department, Trip generation waived for 4 single residential homes, no traffic impact analysis required. <br> * * As per Traffic Department, Trip generation waived for 4 single residential homes, no traffic impact analysis required. | Completed |
|  | NA |
| COMMENTS |  |
| Comments: Must comply with City's Access Management Policy. <br> **As per Traffic and Fire Dept., please submit site plan for review prior to final as may be required. | Applied |
| RECOMMENDATION |  |
| Recommendation: Subdivision approved at P\&Z meeting of July 7, 2020 in Preliminary form. **See attached comments. | Applied |




## Proposed Plat Submittal


\$225 Preliminary Review Fee and \$75 Final Approval Fee Title Report
$81 / 2^{\prime \prime}$ by $11^{\prime \prime}$ Original Sealed Survey showing existing structures/ easements or 3 blueline copies 2 Location Maps
$281 / 2^{\prime \prime}$ by $11^{\prime \prime}$ copies/legible copies of plat with name \& north arrow 6 Folded blueline prints of the proposed plat 2 Warranty Deeds (Identifiying 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:

$\checkmark$ Metes and bounds
$\checkmark$ Lots numbered with dimensions and area of irregular lots noted
$\checkmark$ Surrounding platted lots and/or lot lines for uplatted tracts
$\checkmark$ Name and address of owner, lienholder, developer, engineer and surveyor shown along with signature lines
$\checkmark$ North arrow, scale and vicinity map
$\checkmark$ 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 $81 / 2^{\prime \prime}$ by 11 " copies/legible copy of the plat, affected by changes.

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 $\qquad$ Print Name

Fred L.Kurth
Owner $\quad$


09/15


## HI

## City of McAllen

SUBDIVISION PLAT REVIEW
Reviewed On: 8/26/2020

| SUBDIVISION NAME: HIGHLAND OAKS SUBDIVISION |  |
| :---: | :---: |
| REQUIREMENTS |  |
| STREETS AND RIGHT-OF-WAYS |  |
| Buddy Owens Blvd. min. 10 ft . dedication or 60 ft . from centerline for 120 for ROW <br> Paving: 65 ft . Curb \& gutter: both sides <br> **Must escrow monies as needed if improvements are not constructed prior to recording. | Applied |
| N. 29th Street: min. 10 ft . dedication for 50 ft . from centerline for 100 ft . ROW Paving: 65 ft . Curb \& gutter: both sides. <br> Must escrow monies as needed if improvements are not constructed prior to recording. | Applied |
| N. 27th Lane: 60 ft . ROW <br> Paving: 40 ft . Curb \& gutter: both sides <br> **Must comply with gate detail requirements including 20 ft . face to face paving width on both sides of center island | Applied |
| Violet Avenue: 60 ft . ROW <br> Paving: 40 ft . Curb \& gutter: both sides <br> ${ }^{* *}$ Must comply with gate detail requirements including 20 ft . face to face paving width on both sides of center island | Applied |
| Other interior streets: 50 ft . ROW <br> Paving: 32 ft . Curb \& gutter: both sides | Applied |
| * 800 ft . Block Length. | Compliance |
| * 600 ft . Maximum Cul-de-Sac | NA |
| ALLEYS |  |
| ROW: 20 ft . Paving: 16 ft . <br> *Alley/service drive easement required for commercial properties. <br> **Rezoning to R-1 approved during the City Commission meeting of November 25, 2019. | NA |
| SETBACKS |  |
| * Front: 25 ft . or greater for easements. <br> **The engineer submitted a variance letter on August 14, 2020 requesting a 20 ft . setback instead of the previously approved setback of 25 ft . for Lots 5-8, 20-23, 32-35, and 46-49. | Non-compliance |
| * Rear: 10 ft . except 25 ft . for double fronting lots, or greater for easements. <br> **The engineer submitted a variance letter on August 14, 2020 requesting a 15 ft . setback instead of the previously approved setback of 25 ft . for double fronting Lots 1-6 and 48-53. | Non-compliance |
| * Interior Sides: 6 ft . or greater for easements. | Compliance |
| * Corner: 10 ft . or greater for easements. | Compliance |
| * Garage: 18 ft . except where greater setback is required, greater setback applies. | Compliance |
| *ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN | Applied |
| SIDEWALKS |  |
| * 4 ft . wide minimum sidewalk required on both sides of all interior streets, including both sides of the entry streets, and along Buddy Owens Boulevard and N. 29th Street. <br> **Note \#7 on plat submitted February 10, 2020 needs to be revised as noted above prior to recording. | Required |
| * Perimeter sidewalks must be built or money escrowed if not built at this time. | Applied |

## BUFFERS

* 6 ft . opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses, and along N. 29th Street.
**Plat submitted on $2 / 11 / 20$ shows note to comply with this requirement.
* 8 ft . masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.
**Plat submitted on $2 / 11 / 20$ shows note to comply with this requirement.
*Perimeter buffers must be built at time of Subdivision Improvements.


## NOTES

* No curb cut, access, or lot frontage permitted along N. 29th street.
**Plat submitted on $2 / 11 / 20$ shows note to comply with this requirement.
* Site plan must be approved by the Planning Department and other Development departments prior to building permit issuance.
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.
* Common Areas, private streets/service drives, Lot A Common Detention Area, 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.
* Homeowner's Association Covenants must be recorded and submitted with document

Compliance


|  |  |
| :--- | :--- | number on the plat, prior to recording.

**Need HOA documents for review prior to recording

## LOT REQUIREMENTS

* Lots fronting public streets.
**Streets proposed to be private
* Minimum lot width and lot area
**Lot proposed for drainage detention needs to be identified with a letter or number and must meet minimum lot width requirements fronting a street.
***Plat submitted February 10, 2020 identifies Lot "A" common detention area with frontage of 25 ft .


## ZONING/CUP

* Existing: l-2 Proposed: R-1

Applied

* Rezoning Needed Before Final Approval
**P\&Z Board recommended approval for R-1 zoning on November 15, 2019, and City Commission approved R-1 zoning on November 25, 2019.


## PARKS

* Land dedication in lieu of fee
**Must comply with Parks Department requirements
* Park Fee of $\$ 80,500$ (Based on 115 lots/dwelling units at $\$ 700$ lots/dwelling units) must be paid prior to record as per Parks Department.

Should the number of lots/dwelling units change, the Park fees will be adjusted accordingly prior to recording.

* Pending review by the Parkland Dedication Advisory Board and CC.
**Must comply with Parks Department requirement
***Considered by the Parks Board on 12/18/19 and approved by City Commission on 1/13/20. Approval was for fees to be paid in lieu of land dedication.

| TRAFFIC |  |
| :---: | :---: |
| * Trip Generation to determine if TIA is required, prior to final plat. <br> ${ }^{* *}$ Per Traffic Department Trip Generation and TIA have been approved | Complete |
| * Traffic Impact Analysis (TIA) required prior to final plat. <br> ${ }^{* *}$ Per Traffic Department Trip Generation and TIA have been approved | Complete |
| COMMENTS |  |
| Comments: Must comply with City's Access Management Policy ***Subdivision received final approval with conditions at the P\&Z meeting of February 18, 2020. | Applied |
| RECOMMENDATION |  |
| Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED FINAL FORM, SUBJECT TO CONDITIONS NOTED, AND CLARIFICATION ON VARIANCE REQUESTED. | Applied |



August 14, 2020

Edgar Garcia, Planning Director<br>CITY OF MCALLEN PLANNING DEPT.<br>311 N. 15th Street<br>McAllen, Texas 78505

## RE: Variance Request to Setbacks on Lots 1 thru 6 \& 48 thru 53 Highland Oaks

Dear Mr. Garcia:
On behalf of developer, Domain Development Corporation, Melden \& Hunt, Inc. is respectfully requesting a variance to the City of McAllen's required setbacks.

We are respectfully requesting to modify the double fronting lots rear setback along $\mathrm{N} 29^{\mathrm{TH}}$ Street (Lots $1-6 ; 48-53$ ) from 25 ft to 15 ft .

In addition, we would like to request front setbacks at all the cul-de-sac lots (Lot 5-8; 20-23; 32-35; 4649) to be reduced from 25 feet to 20 feet.

If you need additional information, please don't hesitate to contact us. We look forward to presenting this item at your next $P \& Z$ Meeting. Thank you.

Sincerely,

## MILDEN \& HUNT, INC.


fred L. Kurth, P.E.
President



# City of McAllen Planning Department APPLICATION FOR SUBDIVISION PLAT REVIEW 

311 North $15^{\text {th }}$ Street
McAllen, TX 78501
P. O. Box 220

McAllen, TX 78505-0220
(956) 681-1250
(956) 681-1279 (fax)

Subdivision Name $\qquad$ Location Trenton and N. 17th Street

City Address or Block Number 1705 Umar Avenue
Number of lots 1 Gross acres 0.71 Net acres 0.71
Existing Zoning R1 Proposed _R1 Rezoning Applied For $\square$ res $\boxtimes N o$ Date $\qquad$ Existing Land Use vacant Proposed Land Use residential Irrigation District \#3 Residential Replay Yes $\square$ No $\otimes$ Commercial Replant Yes $\square$ No $\otimes$ ETJ Yes $\square$ No $ष$ Agricultural Tax Exempt Yes $\square$ No $\otimes$ Estimated Rollback tax due 0
Parcel No. 666549
Tax Dept. Review


Legal Description Trenton Pecans Subdivision Phase I, Lots 1, 2, and 3

Name Valmor Service Corp.
Phone 956-682-8373
Address P.O. Box 2814
City McAllen State TX Zip 78501

E-mail wdmoschel@att.net
Name same as owner
Address $\qquad$
City $\qquad$ State $\qquad$ Zip $\qquad$
Contact Person $\qquad$
E-mail
Name Spoor Engineering Consultants, Inc. Phone 956-683-1000
Address 202 So. 4th Street
City McAllen State TX Zip 78501
Contact Person Steve Spoor, P.E.
E-mail SEC@SpoorEng.com
Name Pena Engineering
Address 1001 Whitewing Avenue
City McAllen State $\qquad$ Zip 78501
Phone 956-682-8812

## Proposed Plat Submittal

## \$225 Preliminary Review Fee and \$75 Final Approval Fee Title Report

$81 / 2^{\prime \prime}$ by $11^{\prime \prime}$ Original Sealed Survey showing existing structures/ easements or 3 blueline copies 2 Location Maps
$\qquad$ $28 \frac{1}{2 \prime \prime}$ by $11^{\prime \prime}$ copies/legible copies of plat with name \& north arrow 6 Folded blueline prints of the proposed plat 2 Warranty Deeds (Identifiying 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:
\checkmark ~ M e t e s ~ a n d ~ b o u n d s
\checkmark ~ L o t s ~ n u m b e r e d ~ w i t h ~ d i m e n s i o n s ~ a n d ~ a r e a ~ o f ~ i r r e g u l a r ~ l o t s ~ n o t e d ~
\checkmark ~ S u r r o u n d i n g ~ p l a t t e d ~ l o t s ~ a n d / o r ~ l o t ~ l i n e s ~ f o r ~ u p l a t t e d ~ t r a c t s
\checkmark ~ N a m e ~ a n d ~ a d d r e s s ~ o f ~ o w n e r , ~ l i e n h o l d e r , ~ d e v e l o p e r , ~ e n g i n e e r ~ a n d
surveyor shown along with signature lines
\checkmark ~ N o r t h ~ a r r o w , ~ s c a l e ~ a n d ~ v i c i n i t y ~ m a p
\checkmark ~ N a m e ~ \& ~ d i m e n s i o n ~ o f ~ a d j o i n i n g ~ s t r e e t ~ R O W s ~ ( t o t a l ~ w i d t h ~ \& ~ w i d t h ~ 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 $81 / 2^{\prime \prime}$ by $11^{\prime \prime}$ copies/legible copy of the plat, affected by changes.

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 $07 / 22 / 20$
Print Name
Steve Spoor, P.E.




## 管完 <br> 发过 <br> OF <br> TRENTON PECANS SUBDIVISION，PHASE II LOT 1A

Being a Subdivision of Lots 1,2 and 3 ， Trenton Pecans Subdivision，Phase I，City of McAdem Hidalgo County，Texas，according to plat record Vol．42，Pg．41，Map Records，Map Records， Hidalgo County，Texas．


## 7 City of McAllen SUBDIVISION PLAT REVIEW

Reviewed On: 8/26/2020

| SUBDIVISION NAME: TRENTON PECANS PHASE I, LOT 1A |  |
| :---: | :---: |
| REQUIREMENTS |  |
| STREETS AND RIGHT-OF-WAYS |  |
| Trenton Road: 60 ft . from centerline for 120 ft . of ROW Paving: Minimum 65 ft . Curb \& gutter: Both sides. <br> ${ }^{* *}$ Monies must be escrowed if improvements are not built prior to recording. | Applied |
| North 17th Street (Entrance): 30 ft . from centerline for 60 ft . of ROW Paving: 40 ft . Curb \& gutter: Both sides | Applied |
| Umar Avenue: 25 ft . from centerline for 50 ft . ROW Paving: 32 ft . Curb \& gutter: Both sides | Applied |
|  | Applied |
|  | Applied |
| Paving ___ Curb \& gutter |  |
| * 800 ft . Block Length. | NA |
| * 600 ft . Maximum Cul-de-Sac. | NA |
| ALLEYS |  |
| ROW : 20 ft . Paving: 16 ft . <br> *Alley/service drive easement required for commercial properties | NA |
| SETBACKS |  |
| * Front: 25 ft . or greater for easements | Applied |
| * Rear: 15 ft . or greater for easements for double fronting lots (south side) <br> 10 ft . or greater for easements (west side) <br> **Please revise plat note as shown above. | Applied |
| * Sides: 6 ft . or greater for easements. | Applied |
| * Corner: 10 ft . or greater for easements. <br> **Please add plat note as shown above. | Non-compliance |
| * 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 Trenton Road, both sides of North 17th Street, and both sides Umar Avenue <br> **Please revise plat note as shown above. <br> * Perimeter sidewalks must be built or money escrowed if not built at this time. | Non-compliance <br> Applied |


| BUFFERS |  |
| :---: | :---: |
| * 6 ft . opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along Trenton Road. <br> **Please revise plat note \# 5 as shown above. <br> * 8 ft . masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. <br> **Please add plat note as shown above. <br> *Perimeter buffers must be built at time of Subdivision Improvements. | Non-compliance <br> Non-compliance <br> Applied |
| NOTES |  |
| * No curb cut, access, or lot frontage permitted along Trenton Road. <br> * Site plan must be approved by the Planning and Zoning Commission prior to building permit issuance. <br> * Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. <br> * Common Areas, Private Streets must be maintained by the lot owners and not the City of McAllen <br> * 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. <br> * Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. | Applied <br> NA <br> NA <br> NA <br> NA <br> Applied |
| LOT REQUIREMENTS |  |
| * Minimum lot width and lot area. <br> * Lots fronting public streets. | Compliance |
| PARKS |  |
| * Land dedication in lieu of fee. <br> * Park Fee of $\$ 700$ per lot/dwelling unit to be paid prior to recording <br> * Pending review by the Parkland Dedication Advisory Board and CC. | NA Applied NA |
| ZONING/CUP |  |
| * Existing: R-1 Proposed: R-1 <br> * Rezoning not needed Before Final Approval | Compliance |
| TRAFFIC |  |
| * As per Traffic Department, Trip Generation waived for one single family residence. No TIA required. <br> * Traffic Impact Analysis (TIA) required prior to final plat. | Completed |


| COMMENTS |  |
| :--- | :---: |
| Comments: Must comply with City's Access Management Policy <br> $* *$ Change subdivision name to "Trenton Pecan Subdivision Phase 1A, Lot1A" prior to final. <br> $* *$ Existing plat notes will remain. <br> $* * * *$ Add plat note "25 ft. x 25 ft. site obstruction easement required at all street intersections" <br> as shown on original plat. | Applied |
| RECOMMENDATION |  |
| Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN <br> PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED, DRAINAGE AND UTILITIES <br> APPROVALS. | Applied |



## City of McAllen Planning Department APPLICATION FOR

 SUBDIVISION PLAT REVIEW311 North ${ }^{15}{ }^{\text {th }}$ Street McAllen, TX 78501
P. O. Box 220

McAllen, TX 78505-0220
(956) 681-1250
(956) 681-1279 (fax)

|  | Subdivision Name McAllen South Industrial Park <br> Location Military Highway, west of So. 10th Street <br> City Address or Block Number 1411 So. Military Highway <br> Number of lots 3 $\qquad$ Gross acres $\qquad$ 23.87 Net acres 23.87 Existing Zoning $\qquad$ 11 Proposed 11 $\qquad$ Rezoning Applied For $\square$ Yes 区No Date $\qquad$ <br> Existing Land Use vacant Proposed Land Use commercial Irrigation District \#3 $\qquad$ <br> Residential Replat Yes $\square$ No $\otimes$ Commercial Replat Yes $\square$ No』 ETJ Yes $\square$ Noø <br> Agricultural Tax Exempt $\mathrm{Yes} \otimes$ No $\quad$ Estimated Rollback tax due <br> Parcel No. $\qquad$ Tax Dept. Review Huhs a <br> Legal Description Hidalgo Canal Co. Subd., Lots 4 and 5, Section 4 |
| :---: | :---: |
| $\frac{\grave{2}}{\substack{ \pm}}$ | Name $\qquad$ T5, Inc., a Texas Corporation Phone 956-683-1000 |
|  | Name Same as Owner $\qquad$ Phone $\qquad$ <br> Address $\qquad$ <br> City $\qquad$ State $\qquad$ Zip $\qquad$ <br> Contact Person John Townsend, Jr. <br> E-mail $\qquad$ |
| $\begin{aligned} & \text { ㅎ } \\ & \text { © } \\ & \text { 프주 } \\ & \hline \end{aligned}$ | Name Spoor Engineering Consultants, Inc. Phone 956-683-1000 <br> Address 202 So. 4th S <br> City McAllen $\qquad$ State TX $\qquad$ Zip 78501 <br> Contact Person Steve Spoor, P.E. <br> E-mail SEC@SpoorEng.com $\qquad$ |
| $\begin{aligned} & \grave{2} \\ & \vdots \\ & \frac{1}{3} \\ & \vdots \end{aligned}$ | Name CVQ Land Surveyors $\qquad$ Phone $\qquad$ 956-618-155 <br>  Address 517 Beaumont Avenue City McAllen State $\qquad$ TX Zip $78501$ |




# City of McAllen <br> SUBDIVISION PLAT REVIEW 

Reviewed On: 8/27/2020

| 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 <br> **Remove "PROP." reference from plat | Applied |
| S. 16th Street: 70 ft . ROW <br> Paving: 44 ft . Curb \& gutter: both sides <br> **Remove 70' reference, show only street name <br> ***South 16th Street dead ends. Plat needs to be revised to comply with City Code, provide turnaround/barricades as applicable. | Non-compliance |
| Paving <br> Curb \& gutte | Applied |
| * 800 ft . Block Length <br> **Revise plat to comply with City requirements and/or submit variance request letter for review and consideration | Non-compliance |
| * 600 ft . Maximum Cul-de-Sac <br> **Revise plat to comply with City requirements <br> ***Provide master plan for review | Non-compliance |
| ALLEYS |  |
| ROW: 20 Paving: 16 ft . <br> *Alley/service drive easement required for commercial properties <br> **Plat shows a proposed 30 ft . service drive along the east; however, it dead ends. Plat needs to be revised to comply with City Code. Revise plat and provide temporary turnaround/barricades as applicable. <br> ${ }^{* * *}$ Need a site plan for departments' review. | Non-compliance |
| SETBACKS |  |
| * Front: <br> - Military Highway: 75 ft . or greater for approved site plan or easements <br> -S. 16th Street: 35 ft . or greater for approved site plan or easements **Revise plat as noted above | Non-compliance |
| * Rear: 35 ft . or greater for easements or approved site plan <br> **Revise plat as noted above | Non-compliance |
| * Sides: In accordance with the zoning ordinance or greater for easements or approved site plan. | Applied |
| * Corner side (Military Highway - F.M. 1016): 75 ft . or greater for easements or approved site plan <br> **Revise plat as noted above | Non-compliance |
| * Garage | NA |
| *ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN | Applied |
| SIDEWALKS |  |
| * 4 ft . wide minimum sidewalk required on Military Highway and both sides of South 16 th Street. <br> **Revise plat as noted above | 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 | 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 | TBD |
| * Site plan must be approved by the Planning and other Development Departments prior to building permit issuance. | Applied |
| * Common Areas, private streets, service drives, etc. must be maintained by the lot owners and not the City of McAllen | Applied |
| * Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. | Applied |
| * Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. | NA |
| * Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. | NA |
| LOT REQUIREMENTS |  |
| * Lots fronting public streets | Compliance |
| * Minimum lot width and lot area | Compliance |
| ZONING/CUP |  |
| * Existing: l-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 |  |
| * Trip Generation to determine if TIA is required, prior to final plat. Per Traffic Department, need to submit a Trip generation to determine if a TIA will be required. | Non-compliance |
| * Traffic Impact Analysis (TIA) required prior to final plat. | TBD |
| COMMENTS |  |
| Comments: <br> *Must comply with City's Access Management Policy <br> **Provide site plan for Departments' review <br> ***Provide Master Plan for review <br> ****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. | Applied |
| RECOMMENDATION |  |
| Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM, SUBJECT TO CONDITIONS NOTED, AND UTILITIES AND DRAINAGE APPRVALS. | Applied |



II City of McAllen
Planning Department APPLICATION FOR

311 North $15^{\text {th }}$ Street
McAllen, TX 78501
P. O. Box 220

McAllen, TX 78505-0220
(956) 681-1250 (956) 681-1279 (fax) SUBDIVISION PLAT REVIEW
Subdivision Name $\qquad$ Bal
Lit 2
Number $\qquad$ 1 Gross acres $\qquad$ 0.126 Net acres 0.126
Existing Zoning RI Proposed $\qquad$ RI Rezoning Applied For $\square$ Yes $\qquad$ Existing Land Use Res, Proposed Land Use Res Irrigation District \# 3 Residential Replay Yes $\square$ No $\square$ Commercial Replat Yes $\square$ No $\square$ ETJ Yes $\square$ No $\square$ Agricultural Tax Exemption Yes $\square$ No o Legal Description
 Bal Doa Acres
$\qquad$ Name
City $\qquad$ State TX. Zip $\qquad$ 78503
E-mail $\qquad$
Name $\qquad$ Phone $\qquad$
Address $\qquad$
City $\qquad$ State $\qquad$ Zip
Contact Person $\qquad$
E-mail $\qquad$ Name Michael Fabian Sui Phone 956)630-1432
Address $\frac{1203 \text { East Hackberry AVe }}{\text { City }}$ MCAllen State IK Zip 78501
No Payment (East side only)



## $\sqrt{1}$

## City of McAllen <br> SUBDIVISION PLAT REVIEW

Reviewed On: 8/27/2020

| SUBDIVISION NAME: BALBOA ACRES, THE WEST HALF OF LOT 22, BLOCK 25 |  |
| :---: | :---: |
| REQUIREMENTS |  |
| STREETS AND RIGHT-OF-WAYS |  |
| Covina Avenue: 60 ft . ROW <br> Paving: Approx. 38 ft . existing Curb \& gutter: both sides | Applied |
| * 800 ft . Block Length | NA |
| * 600 ft . Maximum Cul-de-Sac | NA |
| ALLEYS |  |
| ROW: 20 ft . Paving: existing conditions remain *Alley/service drive easement required for commercial properties | Applied |
| SETBACKS |  |
| * Front: 25 ft . | Applied |
| * Rear: In accordance with the Zoning Ordinance or grater for easements. | Applied |
| * Sides: In accordance with the Zoning Ordinance or grater for easements. | Applied |
| * Corner | NA |
| * 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 | NA |
| * Perimeter sidewalks must be built or money escrowed if not built at this time. | NA |
| BUFFERS |  |
| * 6 ft . opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses | NA |
| * 8 ft . masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses | NA |
| *Perimeter buffers must be built at time of Subdivision Improvements. | NA |
| NOTES |  |
| * No curb cut, access, or lot frontage permitted along | NA |
| * Site plan must be approved by the Planning and other Development Departments prior to building permit issuance. | NA |
| * Common Areas, Private Streets, alleys, must be maintained by the lot owners and not the City of McAllen | NA |
| * Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. | NA |
| * Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. | NA |


| * Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. | Applied |
| :---: | :---: |
| LOT REQUIREMENTS |  |
| * Lots fronting public streets <br> * Minimum lot width and lot area: Survey for the west half of Lot 22 , Block 25 shows 50 ft . width. | Applied |
|  | Applied |
| ZONING/CUP |  |
| * Existing: R-1 Proposed: R-1 <br> * Rezoning Needed Before Final Approval | Applied |
|  | NA |
| PARKS |  |
| * Land dedication in lieu of fee <br> * Park Fee of $\$ 700$ per lot to be paid prior to recording <br> * Pending review by the Parkland Dedication Advisory Board and CC. | NA |
|  | Applied |
|  | NA |
| TRAFFIC |  |
| * Per Traffic Department Trip Generation is waived. No TIA required. <br> * Traffic Impact Analysis (TIA) required prior to final plat. | Applied |
|  | NA |
| COMMENTS |  |
| Comments: Existing plat notes remain the same <br> **Public hearing required for the re-subdivision of the lot <br> ***Must comply with other department requirements prior to recording as may be applicable | Applied |
| RECOMMENDATION |  |
| Recommendation: STAFF RECOMMENDS APPROVAL OF THE RESUBDIVISION IN PRELIMINARY FORM SUBJECT TO THE CONDITIONS NOTED, AND UTILITIES AND DRAINAGE APPROVAL AS REQUIRED. | Applied |



Sub2000-0052

|  |  |
| :---: | :---: |
|  | Subdivision Name Ba(boa Acres <br> Location EY hot 22 ( $50,0^{\prime}$ ) <br> City Address or Block Number_Block 25 <br> Number of lots $\qquad$ 1 Gross acres $\qquad$ 0,126 Net acres O, 126 <br> Existing Zoning R1 Proposed Rl Rezoning Applied For $\square$ Yes $\square$ No Date NA Existing Land Use ReSident Rerpposed Land Use Desidentical Irrigation District\#3 Residential Replat Yes $\square$ No $\square$ Commercial Replat Yes $\square$ No $\square$ ETJ Yes $\square$ No $\square$ Agricultural Tax Exemption Yes $\square$ No Estimated Rollback tax due $\qquad$ $\qquad$ Legal Description E1/2 Lot 22 , BLOCK25, Bulboa Acres |
| $\frac{\vdots}{\vdots}$ | Name Rodolfo Perez Phone (956) 734-6916 Address 3408 Cowinn Ave. <br> City $\qquad$ $M \subset A$ State $\qquad$ Jeyas Zip 78503 E-mail $\qquad$ |
|  | Name $\qquad$ Phone $\qquad$ <br> Address $\qquad$ <br> City $\qquad$ State $\qquad$ Zip $\qquad$ <br> Contact Person $\qquad$ <br> E-mail $\qquad$ |
|  | Name $\qquad$ Phone <br> Address <br> City $\qquad$ State $\qquad$ Zip |
|  | Name Michael Fabian $\qquad$ Phone 956le30-1432 Address 1203 E Hacliberry AVE. City $\qquad$ MCALLEX state $\qquad$ TX zip 78501 |

## Proposed Plat Submittal

$\qquad$ \$225 Preliminary Review Fee and \$75 Final Approval Fee Title Report
$\qquad$ $81 / 2^{\prime \prime}$ by $11^{\prime \prime}$ Original Sealed Survey showing existing structures/ easements or 3 blueline copies
Minimum Developer's Requirements Submitted with Application 2 Location Maps
$28^{1 / 2 "}$ by $11^{\prime \prime}$ copies/legible copies of plat with name \& north arrow 6 Folded blueline prints of the proposed plat 2 Warranty Deeds (Identifiying 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:

$\checkmark$ Metes and bounds
$\checkmark$ Lots numbered with dimensions and area of irregular lots noted
$\checkmark$ Surrounding platted lots and/or lot lines for uplatted tracts
$\checkmark$ Name and address of owner, lienholder, developer, engineer and surveyor shown along with signature lines
$\checkmark$ North arrow, scale and vicinity map
$\checkmark$ 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 $8 \frac{1}{2 \prime \prime}$ by $11^{\prime \prime}$ copies/legible copy of the plat, affected by changes.

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 8/17/20 Print Name $\qquad$
Owner $\quad$
Authorized Agent $\quad$ ■



## $\sqrt{5}$

## City of McAllen

SUBDIVISION PLAT REVIEW
Reviewed On: 8/27/2020

| SUBDIVISION NAME: BALBOA ACRES, THE EAST HALF OF LOT 22, BLOCK 25 |  |
| :---: | :---: |
| REQUIREMENTS |  |
| STREETS AND RIGHT-OF-WAYS |  |
| Covina Avenue: 60 ft . ROW <br> Paving: 38 ft . existing Curb \& gutter: Both sides | Applied |
| * 800 ft . Block Length | NA |
| * 600 ft . Maximum Cul-de-Sac | NA |
| ALLEYS |  |
| ROW: 20 ft . Paving: existing conditions remain *Alley/service drive easement required for commercial properties | Applied |
| SETBACKS |  |
| * Front: 25 ft . | Applied |
| * Rear: In accordance with the Zoning Ordinance or greater for easements. | Applied |
| * Sides: In accordance with the Zoning Ordinance or greater for easements. | Applied |
| * Corner | NA |
| * 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 | NA |
| * Perimeter sidewalks must be built or money escrowed if not built at this time. | NA |
| BUFFERS |  |
| * 6 ft . opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses | NA |
| * 8 ft . masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses | NA |
| *Perimeter buffers must be built at time of Subdivision Improvements. | NA |
| NOTES |  |
| * No curb cut, access, or lot frontage permitted along | NA |
| * Site plan must be approved by the Planning and other Development Departments prior to building permit issuance. | NA |
| * Common Areas, Private Streets, must be maintained by the lot owners and not the City of McAllen | NA |
| * Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. | NA |
| * Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirments 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 <br> * Minimum lot width and lot area: Survey for the east half of Lot 22 , Block 25 shows a 50 ft . width. | Applied |
|  | Applied |
| ZONING/CUP |  |
| * Existing: R-1 Proposed: R-1 <br> * Rezoning Needed Before Final Approval | Applied |
|  | NA |
| PARKS |  |
| * Land dedication in lieu of fee <br> * Park Fee of $\$ 700$ per lot to be paid prior to recording <br> * Pending review by the Parkland Dedication Advisory Board and CC. | NA |
|  | Applied |
|  | NA |
| TRAFFIC |  |
| * Per Traffic Department Trip Generation is waived. No TIA required. <br> * Traffic Impact Analysis (TIA) required prior to final plat. | Applied |
|  | NA |
| COMMENTS |  |
| Comments: Existing plat notes remain the same <br> **Public hearing required for the subdivision of the lot <br> ${ }^{* * *}$ Must comply with other department requirements prior to recording as may be applicable | Applied |
| RECOMMENDATION |  |
| Recommendation: STAFF RECOMMENDS APROVAL OF THE SUBDIVISION IN PRELIMINARY FORM, SUBJECT TO THE CONDITIONS NOTED, AND UTILITY AND DRAINAGE APPROVALS AS REQUIRED. | Applied |



| From: | Ronnie Cavazos [ronnie@thestructureteam.com](mailto:ronnie@thestructureteam.com) |
| :--- | :--- |
| Sent: | Friday, August 28, 2020 9:51 AM |
| To: | Iris Alvarado |
| Subject: | Re: 822 Chicago Ave |
| Attachments: | image002.png |

Hi Iris,
I want to officially retract my request for rezoning at
822 Chicago Ave
McAllen, Tx 78501
Please let me know if you have any questions. Thank you

## Ronnie Cavazos

Structure Team LLC
On Fri, Aug 28, 2020, 9:42 AM Iris Alvarado [ialvarado@mcallen.net](mailto:ialvarado@mcallen.net) wrote:
Good Morning Mr. Cavazos,

Just a friendly reminder we are pending the detailed email.

Sincerely,

Iris Alvarado - Padilla

Planner I
City of McAllen Planning Department

311 North $15^{\text {th }}$ Street | McAllen, Texas 78501
窟 956-681-1250

亿 ialvarado@mcallen.net

- 956-681-1279
www.mcallen.net or www.buildmcallen.com


## Memo

TO: Planning and Zoning Commission
FROM: Planning Staff
DATE: August 27, 2020


#### Abstract

SUBJECT: REQUEST OF VINCENT G. HUEBINGER ON BEHALF OF VERIZON WIRELESS, FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, FOR A PERSONAL WIRELESS SERVICE FACILITIES AT A WEST 900 SQ. FT. LEASE AREA AND A 30 FT. WIDE ACCESS OUT OF A CALLED 4.74 ACRE TRACT OUT OF LOT 61, LA LOMITA (HOIT); HIDALGO COUNTY, TEXAS; 2560 TRENTON ROAD. (CUP2020-0080)


## BRIEF DESCRIPTION:

The subject property is located on the north side of Trenton Road, approximately $1,000 \mathrm{ft}$. west of N. $23^{\text {rd }}$ Street. The 900 sq. ft. property is an interior tract that is part of a 4.74-acre tract that has a zoning classification of C-3 (general business) District. Surrounding zoning is C-3 to the north and east, R-1 (single family residential) District to the west and south, and R-2 (duplex-fourplex residential) District to the south. Land uses in the area include an electrical substation and vacant land to the north, Vantage Bank and O'Reilly Auto parts to the west, and single family residential and vacant land to the south. A personal wireless service facility is allowed in a C-3 (general business) District with a Conditional Use Permit and in compliance with requirements.


The property in question is described by metes and bounds, and is located on the west portion of a 4.74 -acre tract without benefit of subdivision. Mr. Vincent G. Huebinger, on behalf of the property owner, Ronald A. Hirn, requested a variance from Section 134-5 of the Subdivision Ordinance, which requires land to be subdivided prior to issuance of a building permit. The variance to not subdivide the property was approved on September 24, 2020 by City Commission.

## HISTORY:

Back in 2004, the applicant initially proposed three locations for a tower south of where the request is now being proposed. The first two locations on the south side of Trenton were not approved by Planning and Zoning Commission due to adjacent property owners in opposition. The third location on the north side of Trenton Road was approved by Planning and Zoning Commission on October 19, 2004; however, at the City Commission meeting of November 8, 2004, the request was tabled. The applicant then withdrew the conditional use permit request at the City Commission meeting of November 22, 2004.

## PROPOSAL:

The applicant is proposing to place a 80 ft . high monopole tower on the property with a 30 ft . by 30 ft . equipment shelter. The property is vacant and Verizon Wireless wishes to construct a Personal Wireless Service Facility on the west 900 sq. ft. lease area out of the 4.74 -acre tract of land. The proposal will need to meet all minimum setbacks and building permit requirements. Federal Aviation Administration (FAA) approval must be obtained prior to beginning construction. In addition, the request must comply with requirements set forth in Section 138-118(11) of the zoning ordinance as follows:
a. Maximum height of pole or tower structure of 80 feet within commercial zones or within 200 feet of an existing residential structure;
o The applicant is proposing to construct an 80 ft . in height monopole with a 2 ft . antenna wire sitting on top; overall height of tower structure will be 82 ft .
b. Maximum height of pole or tower structure of 120 feet within industrial zones for measuring distance purposes, the leasehold interest area boundary or compound area boundary, whichever is greater shall be utilized;
o The applicant is not locating within an industrial zone;
c. Only one pole or tower structure-allowed per lot or tract within a commercial or industrial zone;
o There is no other pole structure on property;
d. The applicant shall attempt to locate the proposed facility on an existing structure, or base station, as per subsections $k$ - $m$ of this section. If collocation of the proposed wireless facility is not possible (as per subsections $k-m$ of this section) then the applicant for a personal wireless service facility must submit at least two alternatives designs for antenna and supporting structure, pole or tower design (including the equipment shelter, as per subsection h , below) that is treated with an architectural material (e.g., "stealth" design) so as to conform to the predominant architectural environment in the area of the facility. Such "stealth" personal wireless service facility shall blend into its proposed surroundings such as a tree, flag pole or other feature, to be approved. When a tree-type stealth design is used, one live and growing tree of the same variety or species one-half the height of the proposed tower shall be planted at the time of installation;
o Collocation for proposal is not possible. To alleviate any visual obstruction, along with the existing power poles in the sub-station to the north, the design will be a stealth monopole with antennas concealed within the monopole;
e. Minimum spacing between poles and tower structures within commercial or industrial zones of 1,000 feet measured in a direct line of another tower;
o There are no co-locatable towers within 1,000 feet;
f. Minimum setback of one-half the street right-of-way from front property line, ten feet from side yard and ten feet from rear, unless greater requirements as noted on subdivision plat;
o The monopole is meeting minimum setbacks;
g. A masonry wall shall be required as a buffer if pole or tower structure is located within the front or side yard, or adjacent to a residential use or zone;
o A 6 ft . masonry is required and is being proposed around the 30 ft . by 30 ft . facility area;
h. The transmission equipment structure installed at the base of the proposed tower shall be not greater than 180 square feet and constructed to conform to the predominant architectural environment;
i. A landscaped buffer area to soften the visual impact shall commence along the perimeter of the lease area or the property line. At least one row of shrubs shall be installed as well as trees as appropriate shall be included. Materials shall be of a variety which can be expected to grow to form a continuous hedge at least six feet in height within two years of planting;
j. The pole or tower structure will be constructed or installed with the capabilities of locating thereon additional personal wireless service facilities when tower or pole is greater than 80 feet in height. The applicant agrees to cooperate with other personal wireless service facility providers in collocating additional facilities on permitted support structures;
k. A permittee shall exercise good faith in collocating with other providers and sharing the permitted structure, provided such shared use does not give rise to a substantial technical level impairment of the ability to provide the permitted use (i.e., a significant interference in broadcast or reception capabilities as opposed to a competitive conflict or financial burden). Such good faith shall include sharing technical information to evaluate the feasibility of colocation. In the event a dispute arises as to whether a permittee has exercised good faith in accommodation other users, the city may require a third party technical study at the expense of either or both the applicant and permittee;
I. All conditional use applicants shall demonstrate good-faith, reasonable efforts in developing a collocation alternative for their proposed personal wireless service facility site, which efforts shall be documented to the city and shall include, but not be limited to, providing technical details sufficient to determine co-locations efforts. If the applicant asserts that co-location is not possible, the applicant must provide, in addition to the foregoing, an affidavit in a form provided by the city stating that all efforts to collocate the personal wireless facility at an existing facility have been exhausted and that there is no possibility of co-location on the existing towers;
m . Failure to comply with the collocation requirements of this section may result in the denial of a permit request or revocation of an existing permit;
n. If any applicant provides false or misleading information on their application, or in the application process to obtain a permit for a personal wireless facility, then their application may be denied or revoked at the expense of the applicant or the permittee;
o. If property is leased, term of conditional use permit shall be co-terminus with that term of lease of property;
p. Construction of tower and equipment facilities shall meet applicable building codes and wind loads;
q. Notwithstanding the above conditions, to the extent an applicant is fully qualified as an eligible facilities request under Section 6409, in the event of a conflict between the above conditions in this subsection and those criteria and conditions in section 138-1.A. , above, and the 2014 Infrastructure Order, then section 138-1.A., and the 2014 Infrastructure Order control, subject to the city reservation of rights, as set forth in the preface to section 138-1.A.

## RECOMMENDATION:

Staff recommends approval of the request subject tp Section 138-118(11) of the zoning ordinance, compliance with co-location conditions, FAA approval, and building permit requirements.








Planning and Development
City of McAllen Texas

RE: Landowner Authorization letter, LA LONITTA (HOHT) AN IRR TR S165'- N660' - LOT 61 4.74 AC GR 4 . 8 \ONES, JPN 210617 . McAllen Texas 78504

Mr. Garcia:
Unless this process changes my agriculture exemption
As record owner (s) of the tract described in the above legal description or address, I hereby authorize Verizon Wireless, and their agent. Vincent Gerard \& Associates, to file all appropriate zoning , plans and permits on the specified tract listed above for Verizon Wireless. This application is for a permanent facility to be constructed on the above address. If you have any questions please feel free to call me al 956.821-4645. Under no circumstances shall these changes have, my consent if they remove ag exempt status.


FURTHER, Affiant saycth not.



Notary Public, in and for the State of Texas

My commission expires
04112023


5804 Tri County Parkway
Schertz, TX 78154

To Whom it may concern:
I, Tim Caletka (Principal Const. Engineer-Verizon Wireless) hereby authorize Vincent Gerard \&Associates to file and pull all appropriate documents, permits and applications with respect to Verizon permits on our projects. Vincent Gerard \& Associates is an authorized agent for Verizon Wireless.

Thank You,


Tim Caletka -Sr. Construction Engineer

RECMMED
JUL 282020
BY:
: ..............................

# Verizon Wireless Communication Facility 

## Engineering Necessity Case - Depot

Prepared by Shelia Bendele
July 2020
verizon ${ }^{\checkmark}$
RECRFVED
JUL 282020
BY:..... .4

## Project Need Overview

The primary objective for this project is to improve service quality in the residential and commercial area near Trenton/Depot Rd. This new site will provide increased coverage and capacity which will allow for greater throughput and reliability in the area.

Our engineering data shows that this area is trending toward data capacity limits. The existing sites, Auburn and North 10th need to have some of the area it covers moved onto another site to allow it to keep performing well. This new site, Depot, does an good job of moving traffic onto a more localized site, better able to serve this area.

Additional details and explanations follow in this presentation.

## Introduction:

Coverage and/or capacity deficiencies are the two main drivers that prompt the need for a new wireless communications facility (WCF). Most WCF provide a mixture of both capacity and coverage for the benefit of the end user.

Coverage describes the existence or lack of wireless service in an area. The request for improved service often comes from our customers or emergency services personnel that have no service or poor service. Coverage used to refer to the ability to make or place a call in vehicles, however, as usage patterns have shifted, coverage is now determined based on whether or not sufficient WCF exist to provide a reliable signal inside of buildings and residential areas, as well. Historically, when wireless was still in its infancy, coverage was the primary means to measure the effectiveness of the network in a given area.

Capacity is the metric used to determine if sufficient wireless resources exist and is now the primary means to measure how a community's wireless needs are being addressed. "Five bars" no longer means guaranteed coverage and capacity because each WCF has a limited amount of resources to handle voice calls, data connections and data volume. When these limits are reached and the WCF becomes overloaded (meaning there is more demand than signal to service it), the user experience quickly degrades preventing customers from making/receiving calls or getting applications to run. A WCF short on capacity could also make internet connections time out or delay information to emergency response personnel

## Explanation of Wireless Coverage



Coverage is best shown via coverage maps. RF engineers use tools that take into account terrain, vegetation, building types, and WCF specifics to model the existing coverage and prediction what we expect to see with the addition of a proposed WCF.

## Explanation of Wireless Capacity



Capacity is the amount of resources that a WCF has to service customer demand. Verizon utilizes sophisticated programs and customer feedback to monitor current usage trends and to forecast future needs. Because it takes an average of 2-3 years to complete a WCF, we have to start the process of adding a new WCF several years in advance of when the WCF will be needed.

Location, Location, Location. A good capacity WCF needs to be in the center of a user population which insures that traffic is evenly distributed around the WCF. A typical WCF is configured into three sectors (like a pie cut into three pieces), with each slice (sector) having $33 \%$ of the WCF resources. If one sector is under-utilized, it's resources can not necessarily be diverted to another sector. Therefore, optimal performance is only obtained when all three sectors have an even traffic distribution.

## Wireless Data Growth

Each year Verizon sees large increases in how much data its customers need. As the resolution of the pictures we send increases, the quality of the video we watch improves and the complexity of the applications grow, we commonly see tremendous growth year-over-year

Machine to Machine communications will also increase the data burden on wireless networks, as over the next five (5) years more and more services that improve our safety and make our lives easier will be available over the wireless infrastructure, such as:

- Cars that notify 911 when an airbag deploys.
- "Driverless" cars needing traffic data and maps to reach your destination as quickly as possible.
- Medical monitors that will alert us should a loved one neglect taking their prescription drugs.
- Home alarms that notify you when your child arrives home from school.
- Smart street lights that notify the city when they are not working.
- City garbage cans that let people know when they need to be emptied.
- Tracking watches will aid in finding lost Alzheimer patients.


## Radio Emission Safety

## A common question received is "Are the radio emissions safe?"

Verizon goes to great effort to ensure that all of its projects meet the standards established by the FCC to ensure safety of the public and its employees. The links below are to three reputable organizations that have performed extensive reviews of the science available on this subject and have good educational articles on the results of their research.

World Health Organization
http://www.who.int/peh-emf/about/WhatisEMF/en/index1.html
American Cancer Society
https://www.cancer.org/cancer/cancer-causes/radiation-exposure/cellular-phone-towers.html
FCC Radio Frequency Safety
https://www.fcc.gov/general/radio-frequency-safety-0

## Current Coverage

Current coverage near the proposed Depot site

verizon
Verizon confidential and proprietary. Unauthorized disclosure, reproduction or other use prohibited.

## Proposed Coverage

Although this site is proposed primarily to offload capacity from the Auburn and North $10^{\text {th }}$ sites, an added benefit is improved coverage in the area around the proposed Depot site, improving data throughput.

## verizon



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## Serving Sector Maps



Best Server without Depot Site


Best Server with Depot Site

The proposed site footprint on the right will improve both capacity and coverage in the highlighted area. The plots above show the best servers or sectors that cover this area with each sector shown in a different color. The left map shows what sectors currently cover this area with the overloaded sectors showing in light and dark green. The right map shows the area this new site will cover. This project will improve service by providing necessary capacity to support the growth we are seeing in 4 G data traffic. The area around the proposed site will see much better service. If the site is not built the area in green on the left map will see data speeds and new 4 G voice service start to degrade as the site overloads.

## Capacity Projection




Summary: The existing Auburn and North $10^{\text {th }}$ sites will not be able to support the traffic in the area they cover in the future as shown above by the orange trend line meets the red exhaustion threshold. When this occurs 4G data speeds slow to unacceptable levels.

## Details:

The graphs above show FDV (Forward Data Volume) which is a measurement of the customer data usage that this sector currently serves. The blue line shows the daily data use on this sector of the wireless facility site. The orange line is a projection based on the last years usage to show when we expect to see our customers begin to see their data speeds begin to slow down. The red line is the limit where the sector becomes exhausted and service starts to degrade. The point in time where we see the orange line go above the red line is when we will start seeing service begin to degrade. Service will quickly degrade after that point as usage continues to grow.

To aid in resolving this, we ask to add a 3 sector communications facility as proposed to improve wireless service capacity and coverage in this area by offloading commercial traffic from this growing sector with the proposed site. We are requesting this site in advance to meet customer demand before service is degraded.

Verizon confidential and proprietary. Unauthorized disclosure, reproduction or other use prohibited.

## Verizon Wireless

## Verizon is part of your community. <br> Because we live and work there too.



We believe technology can help solve our biggest social problems.

We're working with innovators, community leaders, non-profits. universities and our peers to address some of the unmet challenges in education, healthcare and energy management.

Learn more about our corporate social responsibility at wnw.verizon.com.

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## Planning Department

## Memo

TO: Planning and Zoning Commission
FROM: Planning Staff
DATE: August 28, 2020

## SUBJECT: REQUEST OF CESAR P. CAL CAMARILLO, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A HOME OCCUPATION (VIRTUAL TEACHING ROOM), AT LOT 21, TRINITY OAKS PHASE I SUBDIVISION, HIDALGO COUNTY, TEXAS; 3209 GUADALUPE AVENUE. (CUP2020-0084)

## BRIEF DESCRIPTION:

The subject property is located on the south side of Guadalupe Avenue, 414 ft . west of North 31st Street. It has 51 ft . of frontage and a depth of 110 ft . for a lot size of $5,610 \mathrm{sq}$. ft. Trinity Oaks Subdivision Phase I was recorded on September 26, 2006, and the residential home was built in 2018 according to the Appraisal District records.

The property is zoned R-1 (single-family residential) District, and the adjacent zoning is R-1 District in all directions. Surrounding land use is single-family residences. A home occupation is permitted in the R-1 zone with a Conditional Use Permit and in compliance with the requirements.


## REQUEST/ANALYSIS:

The applicant is proposing to use an existing bedroom as a virtual music teaching room due to the pandemic. The proposed space approximately comprises 148 sq . ft . out of the existing $1,270 \mathrm{sq} . \mathrm{ft}$. residence. The hours of operation will be daily from 12 p.m. to 6 p.m. To alleviate the living space shortage, the applicant has also applied for a special exception request to enclose the existing garage.

Should the conditional use permit be approved, the applicant would be required to sign the certificate, acknowledging and agreeing to the conditions of the permit. The occupation may not be operational until the issuance of the certificate. The Fire Department has inspected the building which shows compliance with the safety codes and regulations. The business must comply with the requirements set forth in Section 138-118(1) of the Zoning Ordinance and the specific requirements are as follows:

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

## RECOMMENDATION:

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





# Planning <br> Department 

## Memo

TO: Planning \& Zoning Commission<br>FROM Edgar I. Garcia, AICP, CNU-A<br>DATE: August 27, 2020<br>SUBJECT: City Commission Actions on August 24, 2020

## REZONINGS:

1. Rezone from C-2 to C-3 District: Lot A, $29^{\text {th }}$ Place Subdivision; 3928 N $29^{\text {th }}$ St.

- Planning and Zoning Commission recommended approval
- City Commission approved as recommended


## CONDITIONAL USE PERMITS:

1. Request of Melissa West on behalf of Villas Jardin HOA, for a Conditional Use Permit, for life of the use, for a Planned Unit Development: Lot 34, Villas Jardin Subdivision, 301 Byron Nelson Dr.

- Planning and Zoning Commission recommended approval
- City Commission approved as recommended

2. Request of Dwight H. Jander on behalf of South Texas Electric Cooperative, for a Conditional Use Permit, for life of the use, for an electrical substation: 12.23 acres of land out of Lot 482, John H. Shary Subdivision; 6801 Mile 7 Rd.

- Planning and Zoning Commission recommended approval with masonry wall
- City Commission approved as recommended

2020 ATTENDANCE RECORD FOR PLANNING AND ZONING COMMISSION MEETINGS

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| Pepe Cabeza de Vaca | P | P | P | A | A |  | P | NM | P | P | P | P | P | P | P | A | A | NM | P | P |  |  |  |  |  |  |  |  |
| Daniel Santos | P | P | P | P | P |  | A | NM | P | P | P | P | P | P | P | P | P | NM | P | P |  |  |  |  |  |  |  |  |
| Mike Hovar | P | P | P | P | A |  | P | NM | P | P | P | P | P | P | P | P | P | NM | P | P |  |  |  |  |  |  |  |  |
| Rogelio Cervantes | P | P | P | P | P |  | P | NM | P | P | P |  | P | P | P | P |  | NM | P | P |  |  |  |  |  |  |  |  |
| Gabriel Kamel | P | P | P | P | P |  | P | NM | P | P | P |  | P | P | P | P |  | NM | P | P |  |  |  |  |  |  |  |  |
| Michael Fallek | P | P | P | P | P |  | P | NM | P | P | P |  |  | P | P | P |  | NM | P | P |  |  |  |  |  |  |  |  |
| Jose B．Saldana | P | P | P | A | A |  | P | NM | P | P | A |  | P | P | A | P | P | NM | P | A |  |  |  |  |  |  |  |  |
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2020 ATTENDANCE RECORD FOR PLANNING AND ZONING COMMISSION WORKSHOPS

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| Pepe Cabeza de Vaca |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |




