

## **AGENDA**

### **PLANNING & ZONING COMMISSION REGULAR MEETING TUESDAY, AUGUST 22, 2023 - 3:30 PM MCALLEN CITY HALL, 1300 HOUSTON AVENUE CITY COMMISSION CHAMBERS, 3<sup>RD</sup> FLOOR**

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

**CALL TO ORDER -**

**PLEDGE OF ALLEGIANCE -**

**INVOCATION -**

**1) MINUTES:**

- a) Approval/disapproval of the minutes for the August 8, 2023 meeting.

**2) PUBLIC HEARING**

a) **CONDITIONAL USE PERMITS:**

1. Request of Ricardo Vega and Melinda V. Vega on behalf of Maddie's Pumpkin Patch, for a Conditional Use Permit, for three years, and adoption of an ordinance, for an Event Center (Picture Venue) at 4.983 acres out of Lot 78, La Lomita Irrigation and Construction Company Subdivision, Hidalgo County, Texas; 6712 North Bentsen Road. **(CUP2023-0094)**
2. Request of Samuel Avila on behalf of Cigar Bar, for a Conditional Use Permit, for one year, and adoption of an ordinance, for a Bar, at Lot 1, Nolana West Subdivision, Hidalgo County, Texas; 2200 Nolana Avenue, Suites 2212 & 2214. **(CUP2023-0096)**
3. Request of Dionicio D. Longoria, for a Conditional Use Permit, for one year, and adoption of an ordinance, for a Smoke Shop and Art Gallery, at Lot 4, Block 4, Orange Terrace Subdivision, NO. 3. Hidalgo County, Texas: 1013 Pecan Boulevard, Suite B. **(CUP2023-0097)**
4. Request of Oralia Davila on behalf of Iglesia Casa de Refugio y Restauracion Pentecostes Inc. for a Conditional Use Permit, for life of the use, and adoption of an ordinance for an Institutional Use (Church) at Lots 7, 8, and 9, Block 1, Young's

Subdivision, Hidalgo County, Texas; 21 South 24th Street. **(CUP2023-0092)TABLED ON 8/8/2023.**

**b) REZONING:**

1. Rezone from R-1 (single-family residential) District to R-3A (multifamily residential apartments) District: 0.878 acres out of Lot 308, John H. Shary Subdivision, Hidalgo County, Texas; 3925 North Bentsen Road. **(REZ2023-0043)**
2. Rezone from R-1 (single family residential) District to R-3A (multifamily apartment residential) District: 76.461 acres (77.76 acres deed call), being all of Lots 11, 19, and 20, Section 234, Texas-Mexican Railway Company's Survey, said 77.76 acre tract also being all of Lots 17, 18, 19, 20, 21, 22, 23, and 24, Palmland Groves, Hidalgo County, Texas; 12501 North Rooth Road. **(REZ2023-0036)TABLED ON 8/8/2023**

**3) CONSENT:**

- a) Villas on Bentsen Subdivision, 5912 N. 42nd Street, Carlo and Brooke Cantu, **(SUB2023-0086) (FINAL) QHA**

**4) SUBDIVISIONS:**

- a) Austin 495 Plaza Subdivision, 4101 Pecan Boulevard, Jinguo Liu **(SUB2022-0126) (REVISED PRELIMINARY) TE (TABLED ON 8/8/2023)**
- b) Melissa Palma Estate Subdivision, 400 Northgate Lane, Cesar Palma and Melissa Ann Tijerina **(SUB2023-0078) (PRELIMINARY) RDE**
- c) Silverado Moon Subdivision, 8100 North Taylor Road, Fortis Land Company, LLC **(SUB2023-0053) (REVISED PRELIMINARY) RDE**
- d) ZOHO Corporation Subdivision, 3300 South Ware Road, City Of McAllen **(SUB2023-0077) (PRELIMINARY) CH**
- e) Sharpless Square, 3501 Auburn Avenue, Moon City Endevors, LLC **(SUB2023-0083) (PRELIMINARY) RDE**
- f) Barton Subdivision, 8501 North Main Street; Antonio Esparza **(SUB2023-0082) (PRELIMINARY) TE**
- g) Bright Woods Subdivision, 2700 Sprague Road, Star Trail Holdings, LLC, **(SUB2023-0084) (PRELIMINARY) S2E**

**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 on Tuesday August 8, 2023, at 3:30p.m. at the McAllen City Hall, 3<sup>rd</sup> Floor Commission Chambers Room, 1300 Houston Avenue, McAllen, Texas.

<b>Present:</b>	<b>Michael Fallek</b> <b>Marco Suarez</b> <b>Emilio Santos Jr.</b> <b>Erica De la Garza</b> <b>Aaron Rivera</b>	<b>Chairperson</b> <b>Member</b> <b>Member</b> <b>Member</b> <b>Member</b>
<b>Absent:</b>	<b>Gabriel Kamel</b> <b>Jose Saldana</b>	<b>Vice Chairperson</b> <b>Member</b>
<b>Staff Present:</b>	<b>Austin Stevenson</b> <b>Edgar Garcia</b> <b>Luis Mora</b> <b>Jose Humberto De la Garza</b> <b>Omar Sotelo</b> <b>Mario Escamilla</b> <b>Kaveh Forghanparast</b> <b>Samuel Nunez</b> <b>Adriana Solis</b> <b>Eduardo Garza</b> <b>Jacob Salazar</b> <b>Jessica Puga</b> <b>Magda Ramirez</b>	<b>Assistant City Attorney III</b> <b>Planning Director</b> <b>Deputy Director</b> <b>Development Coordinator</b> <b>Senior Planner</b> <b>Planner III</b> <b>Planner III</b> <b>Planner II</b> <b>Planner II</b> <b>Planner II</b> <b>Planner Technician I</b> <b>Planner Technician I</b> <b>Administrative Assistant</b>

**CALL TO ORDER** – Chairperson Mr. Michael Fallek

**PLEDGE OF ALLEGIANCE**

**INVOCATION-** Mr. Marco Suarez

**1) MINUTES:**

- a) Approval/disapproval of the minutes for the July 26, 2023 meeting.

The minutes for the regular meeting held on July 26, 2023 was approved as submitted by Mr. Emilio Santos Jr. Seconding the motion was Mr. Aaron Rivera carried unanimously with 5 members present and voting.

**2) PUBLIC HEARING:**

a) **CONDITIONAL USE PERMITS:**

- 1) Request of Norberto Hernandez for a Conditional Use Permit, for life of the use, and adoption of an ordinance for a portable food concession stand, at Lots 1, 2, and 3, Block 2, Young's Subdivision, Hidalgo County, Texas; 2401

**W Highway 83. (CUP2023-0091)**

Mr. Eduardo Garza stated that the subject property is located on the southwest corner of West Highway 83 and South 24th Street. The property is zoned I-1 (light industrial) District. The adjacent zone is I-1 in all directions. Surrounding land uses include Fogon Restaurant Equipment, Boost Mobile, Jessie's Meat Market, and vacant land. A portable food concession stand is permitted in a I-1 District with a Conditional Use Permit and in compliance with requirements.

The initial Conditional Use Permit was approved for this location, for one year, by the Planning and Zoning Commission on February 21, 2012. Since the initial permit was approved, the permit has been approved for different applicants. The latest CUP was approved on February 16, 2021 for a portable building greater than 10ft by 12ft. The applicant is proposing to use the portable building as a storage for his food truck materials.

There is currently a commercial block building and a 160 sq. ft. portable food concession stand on the property. The applicant is proposing use the portable building as a storage unit for his food truck materials. Hours of operation are from Monday to Saturday from 8:00 AM to 2:00 PM.

A site inspection by staff revealed that there are four tables being used for a sitting area. Based on the number of 16 seats, 4 parking spaces are required, additionally the food truck requires 4 parking spaces for a total of 8 parking spaces. There are 11 parking spaces in front of the commercial block building; out those spaces 7 are required for the retail lease spaces and 8 will be used by the applicant to meet parking requirements, leaving a deficiency of 4 parking spaces.

The Health and Fire Department have completed and approved the necessary inspections. The portable building must also meet the requirements set forth in Section 138-118(a)(9) of the Zoning Ordinance and specific requirements as follows:

- 1) The proposed use shall not be located in a residentially zoned area. The portable food concession stand is located in a I-1 District;
- 2) The proposed use shall be inspected by the Building Inspector and comply with applicable building codes;
- 3) The proposed use and adjacent business shall comply with the Off-street Parking and Loading Ordinance; Based on the food truck and number of seats provided, 8 parking spaces are required. There are 11 parking spaces in front of the commercial block building; out of those spaces, 7 are required for the retail lease spaces and 8 will be used by the applicant leaving a deficiency of 4 parking spaces.
- 4) A portable building or trailer for the proposed use shall be properly anchored to the ground;
- 5) The proposed use shall comply with the zoning district setback requirements;
- 6) Water and sewer facilities shall be required to the tract and may be required to the proposed use.

Staff did not receive any phone calls, emails, or letters in opposition to request. Staff recommends disapproval of the request based on noncompliance with requirement #3 (parking) of Section 138-

118(a)(9) of the Zoning Ordinance.

Chairperson Mr. Michael Fallek asked if there was anyone present in opposition of the proposed conditional use permit request. There was none.

Mr. Marco Suarez asked if there would be restrooms available. Mr. Eduardo Garza stated yes.

After a short discussion, Mr. Marco Suarez moved to disapprove with favorable recommendation for one year conditional use permit and not life of use. Mr. Emilio Santos Jr. seconded the motion, which was disapproved with favorable recommendation for a one year conditional use permit with five members present and voting.

- 2) Request of Oralía Davila on behalf of Iglesia Casa de Refugio y Restauración Pentecostes Inc. for a Conditional Use Permit, for life of the use, and adoption of an ordinance for an Institutional Use (Church) at Lots 7, 8, and 9, Block 1, Young's Subdivision, Hidalgo County, Texas; 21 South 24th Street. **(CUP2023-0092)**

Mr. Eduardo Garza stated that the applicant requested to table the item.

Being no discussion, Ms. Erica De la Garza moved to table the item. Mr. Aaron Rivera seconded the motion, which was tabled with five members present and voting.

- 3) Request of Wendy Jordan Hovarka for a Conditional Use Permit, for one year, for a portable building greater than 10 feet by 12 feet on Lot 6A, Block 2, Market Center Subdivision, Hidalgo County, Texas; 909 North Jackson Road. **(CUP2023-0093)**

Mr. Eduardo Garza stated that the subject property is located on the southwest corner East Jasmine Avenue and North Jackson Road. The property is zoned C-4 (commercial industrial) District. The adjacent zoning is C-4 to the north, south, and west. Surrounding land uses include Entravision Communications, El Bingo Grande, and other commercial businesses. A portable building for commercial use is permitted in the C-4 District with a Conditional Use Permit and in compliance with requirements.

Lot 6A, Block 2 Market Center Subdivision was recorded on September 09, 1997. An application for a Conditional Use Permit was submitted to the Planning Department on July 13, 2023.

The applicant is requesting a Conditional Use Permit for a portable building to be located on the north side of the commercial establishment. The portable building dimensions are 14 feet by 70 feet as per the proposed site plan. The portable building will be used as a hyperbaric oxygen therapy modular building to supplement services provided by the existing medical building. The portable building will not be placed on any existing parking spaces. The applicant is also proposing an additional 18 parking spaces on the south side of the property. Any addition or canopy on site would require the necessary permits and must comply with our city ordinances.

The Fire Department is still pending their review. Should the Conditional Use Permit be approved, the applicant would be required to sign the application acknowledging and agreeing to the conditions of the permit.

The establishment must also meet the requirements set forth in Section 138-118 of the Zoning Ordinance and specific requirements as follows:

Section 138-118 (3) of the Zoning Ordinance as follows:

- 1) Portable buildings shall not be used for living quarters. The portable building will be used as a hyperbaric oxygen therapy modular building;
- 2) Portable buildings shall be located in such a manner as to have access to a public right-of-way within 200 feet;
- 3) Portable buildings approved for occupancy shall be connected to an approved water distribution and sewage disposal system;
- 4) Portable buildings shall be provided with garbage and trash collection services;
- 5) No form of pollution shall emanate beyond the immediate property line of the permitted use; and
- 6) Additional reasonable restrictions or conditions such as increased open space, loading and parking requirements, suitable landscaping, curbing, sidewalks or other similar improvements may be imposed in order to carry out the spirit of the Zoning Ordinance or mitigate adverse effects of the proposed use.

If approval is granted to this request, the applicant must still comply with all other Zoning Ordinance, Building Code and Fire Department requirements that will be requested during the building permit process.

Staff did not receive any phone calls, letters, or emails in opposition to the request.

Staff recommends approval of the request, for one year, subject to compliance with requirements on Section 138-118 (3) of the Zoning Ordinance, and Building Permits and Fire Department requirements

Chairperson Mr. Michael Fallek asked if there was anyone present in opposition of the proposed conditional use permit request. There was none.

Being no discussion, Ms. Erica De la Garza moved to approve. Mr. Emilio Santos Jr. seconded the motion, which was approved with five members present and voting.

b) REZONING:

- 1) Initial zoning to C-3 (general business) District: a 2.460-acre Tract of land, more or less, out of Lot 52, out of Lots 35-68, Inclusive, Section 229, Tex-Mex Subdivision, Hidalgo County, Texas; 13931 North Ware Road (East).  
**(REZ2023-0037)**

Ms. Adriana Solis stated that the property is located along the west side of North Ware Road, approximately 300 feet north of Russell Road.

The applicant is proposing an initial zoning to property to C-3 (general business) District in order to develop the tract of land for commercial use. A feasibility or site plan has not been submitted for the proposal.

The adjacent zoning is R-1 (single-family residential) District to the northeast and east. The adjacent zoning is C-4 (light commercial) District to the north.

The subject property is vacant with a portion of a pond located at the northwest corner. Surrounding land uses include single-family residences, a pet boarding facility, agricultural use and vacant land.

The Envision McAllen Future Land Use Plan categorizes the future land use for this property under Complete Communities. Mixed-use urban, neighborhood scale and single-family detached are the most appropriate developments for this type of use. This includes proposals such as retail, office and diverse housing options supporting surrounding neighborhoods. Thus promoting walkability and 10-minute neighborhoods.

The development trend for this area is also Complete Communities along North Ware Road.

The requested zoning does conform to the Future Land Use Plan designation and the development trend. The proposed development is also compatible with the existing structure to the south of the subject property, the pet boarding services.

The applicant is requesting to be annexed into the City of McAllen, this tract is part of a larger tract. The annexation will require the applicant to subdivide the property and be in compliance with all other conditions subject to the Zoning Ordinance.

Potential uses within a C-3 District zoned property includes the following: retail, restaurants, hospital, all uses listed within the C-1 (office building) and C-2 (neighborhood commercial) zoning districts as per the ordinance. Conditional uses include all uses listed in C-1 District, gasoline services, bars, automotive repair, flea markets, etc. as per Sec. 138-278 of the Zoning Ordinance.

A recorded subdivision plat is required prior to building permit issuance. Should the subject property be zoned to C-3 District, site plan review may be required as Ware Road is a hi-speed arterial road with 150 feet.

Staff has not received any phone calls, emails, or letters in opposition to the initial zoning request.

Staff recommends approval of the rezoning request to C-3 (general business) District as it does conform to future land use and follows the development trend along North Ware Road.

Chairperson Mr. Michael Fallek asked if there was anyone present in opposition of the proposed rezoning request. There was none.

Being no discussion, Mr. Marco Suarez moved to approve. Mr. Aaron Rivera seconded the motion

which was approved with five members present and voting.

- 2) Initial zoning to R-2 (duplex-fourplex) District: a 2.227-acre Tract of land, more or less, out of Lots 52 thru 54, out of Lots 35-68, Inclusive, Section 229, Tex-Mex Subdivision, Hidalgo County, Texas; 13931 North Ware Road (West).  
**(REZ2023-0038)**

Ms. Adriana Solis stated that the property is located along the west side of North Ware Road, approximately 300 feet north of Russell Road.

The applicant is proposing to rezone the property to R-2 (duplex-fourplex residential) District in order to develop the tract of land for a duplex-fourplex construction. A feasibility or site plan has not been submitted for the proposal.

The adjacent zoning is R-1 (single-family residential) District to the northeast and east. The adjacent zoning is C-4 (light commercial) District to the north.

The subject property is vacant with a portion of a pond located at the northeast corner. Surrounding land uses include single-family residences, a pet boarding facility, agricultural use and vacant land.

The Envision McAllen Future Land Use Plan categorizes the future land use for this property under Complete Communities. Mixed-use urban on a neighborhood scale, small multi-family, duplex and triplex/quadplex are the most appropriate developments for this type of use.

The development trend for this area is also Complete Communities along North Ware Road.

The requested zoning does conform to the Future Land Use Plan designation. The proposed development does conform to the existing character of the vicinity, as well as the development trend.

The applicant is requesting to be annexed into the City of McAllen, this tract is part of a larger tract. The annexation will require the applicant to subdivide the property and be in compliance with all other conditions subject to the Zoning Ordinance.

If the applicant subdivides the property, the following requirements will apply: minimum lot area in square feet: 5,600 (duplex), 6,700 (triplex), or 7,800 (quadplex). After applicable setback requirements, the lot could support a duplex development with up to 35 dwelling units as per the maximum dwelling units permitted per gross acre. A maximum of 16 dwelling units per gross acre in accordance to Sec. 138-356 of the Zoning Ordinance.

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

Staff has not received any phone calls, emails, or letters in opposition to the initial zoning request.

Staff recommends approval of the rezoning request to R-2 (duplex-fourplex residential) District as it does conform to future land use and follows the development trend along North Ware Road.

Chairperson Mr. Michael Fallek asked if there was anyone present in opposition of the proposed rezoning request. There was none.

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

- 3) Rezone from R-1 (single family residential) District to R-3A (multifamily apartment residential) District: 76.461 acres (77.76 acres deed call), being all of Lots 11, 19, and 20, Section 234, Texas-Mexican Railway Company's Survey, said 77.76 acre tract also being all of Lots 17, 18, 19, 20, 21, 22, 23, and 24, Palmland Groves, Hidalgo County, Texas; 12501 North Rooth Road. **(REZ2023-0036)**

Mr. Samuel Nunez stated that the applicant requested to table the item. Mr. Nunez stated there were citizens present that are opposed to the request. Chairperson Mr. Michael Fallek stated that the citizens may present their concerns at this time:

Citizen Mr. Kenneth Johnson (12101 N. Rooth Road) stated that if apartments are built in this area the density that the apartments create would affect the infrastructure and traffic. Citizen Mr. Gilbert Ozuna (12409 N. Rooth Rd) agrees with Mr. Johnson's concerns but also stated that there is drainage issues.

Citizen Jane Kross stated she resides near this location. Her concerns are the issues with heavy traffic in the school zones.

After a long discussion, Ms. Erica De la Garza motioned to table the item. Mr. Emilio Santos Jr. seconded the motion which item was tabled with five members present and voting.

- 4) Rezone from R-1 (single-family residential) District to R-2 (duplex-fourplex residential) District: Lot 12, Block 4, Cathay Courts Addition, Hidalgo County, Texas; 324 South Cynthia Street. **(REZ2023-0040)**

Mr. Samuel Nunez stated that the property is located along the west side of South Cynthia Street, approximately 115 feet north of East Dallas Avenue.

The applicant is proposing to rezone the property to R-2 (duplex-fourplex residential) District in order to develop the tract of land for a duplex construction. A feasibility or site plan has not been submitted for the proposal.

The adjacent zoning is R-1 (single-family residential) District in all directions.

The subject property is mostly vacant with a residential structure overlapping into the lot from the north by 7.16 feet, as per the submitted survey. A "4.5 feet by 4.5 feet chimney" is also shown on the submitted survey. Surrounding land uses include single-family residences and City of McAllen Fire Sub-Station No. 3.

The Envision McAllen Future Land Use Plan categorizes the future land use for this property under Complete Communities. Single family residential and duplex uses are considered most

appropriate for this area. Mixed-use Urban (neighborhood scale), Civic and Parks and Open Space uses are also considered appropriate for this area.

The development trend for this area is single family residential.

The requested zoning conforms to the Future Land Use Plan designation. However, the proposed development does not conform to the existing character of the vicinity.

The existing overlapping structure from the north makes this lot non-compliant. The applicant will have to subdivide the property or remove the overlapping structure in order to develop the tract of land for the proposed duplex construction.

If the applicant subdivides the property, the following requirements will apply: minimum lot area in square feet: 5,600 (duplex), 6,700 (triplex), or 7,800 (quadplex). After applicable setback requirements, the lot would only support a duplex development with a maximum of 16 dwelling units per gross acre, as per the minimum regulatory criteria for an R-2 District (Sec. 138-356).

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

Staff has not received any phone calls, emails, or letters in opposition to the initial zoning request.

Staff recommends disapproval of the rezoning request to R-2 (duplex-fourplex residential) District.

Chairperson Mr. Michael Fallek asked if there was anyone present in opposition of the proposed rezoning request. There was one in opposition and two in favor:

Citizen Mr. Ford Sasser stated he resides on the East side to this property and has property on the north east side of Dallas and Cynthia street . He stated that he wants to keep the property an R1.

Applicant Mr. Albert Garza stated there is a fire station next to the stated property. He also stated 108 S. Cynthia is zoned an R2 & C3 which is two blocks from this location. Because of this, he feels it is justifiable in building a duplex-fourplex in the area.

Citizen Mr. Ori Gomez stated he lives on Pekin Street which is one block west of the property. He is in favor of rezoning request because he feels that if they change the rezoning, they can enhance the area.

Citizen Isaac Gomez (312 S. Pekin St.(Rear side) stated that he is in favor of this rezoning. He stated that if they develop a duplex, the issue with the alley ways and the pest infestation would clear out.

Chairman Mr. Michael Fallek stated that these concerns can be resolved through an R-1 District development as well.

After a lengthy discussion, Mr. Marco Suarez moved to approve. Ms. Erica De la Garza seconded the motion which was approved with five members present and voting with one member, Mr.



Michael Fallek opposing the motion.

- 5) Rezone from R-1 (single-family residential) District to R-3T (multifamily townhouse residential) District: 6.84 acres, more or less, being a part or portion of Lot 80, La Lomita Irrigation & Construction Company's Subdivision, Hidalgo County, Texas; 6201 North Ware Road. **(REZ2023-0041)**

Mr. Samuel Nunez stated that the property is located along the west side of North Ware Road, approximately 330 feet south of Lark Avenue.

The applicant is proposing to rezone the property to R-3T (multifamily townhouse residential) District in order to develop the tract of land for townhomes. No feasibility plan or site plan have been submitted for the proposal.

The adjacent zoning is R-1 (single-family residential) District in all directions, except to the south where there is C-3 (general business) District, and the west where there is A-O (agricultural and open space) District.

The subject property is vacant.

The Envision McAllen Future Land Use Plan categorizes this property as Complete Communities along a Mixed Use Corridor (North Ware Road). This area would be most appropriate for single-family detached homes, duplexes, neighborhood scale mixed-use urban projects, and Civic and Parks and Open Space uses.

Since this property is along a Mixed Use Corridor, small multifamily (8-12 units) and large multifamily (12+ units) uses would be appropriate as they can be used as a transition between other uses. Small to large scale mixed uses and shopping centers are considered appropriate as well, according to the Future Land Use Plan.

The development trend for this area along North Ware Road is primarily single family residential with some commercial and institutional uses; restaurant and school.

The requested zoning conforms to the Future Land Use Plan designation and may serve as a transition between single-family residential and commercial uses in the area.

The proposed development area would have 6.84 acres (297,950.40 square feet). Based on the table of height and yard requirements (Sec. 138-356), the following requirements will apply to this proposal: minimum lot area: 2,000 square feet. The following minimum setbacks will apply: 10 feet (front); 0 feet with an approved firewall, or 6 feet for interior lots and 10 feet for corner lots (sideyard); and the same will apply for rear yard setbacks as for sideyard setbacks. The minimum lot width requirement is 20 feet. Finally, a maximum of 20 dwelling units per gross acre will apply. Based on this requirement, 137 dwelling units would be permitted in total.

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

Staff has not received any phone calls, emails, or letters in opposition to the zoning request.

Staff recommends approval of the rezoning request to R-3T (multifamily townhome residential) District since it would serve as a good transition between single-family residential zone/uses and commercial zone/uses.

Chairperson Mr. Michael Fallek asked if there was anyone present in opposition of the proposed rezoning request. There was none.

Being no discussion, Ms. Erica De la Garza moved to approve. Mr. Aaron Rivera seconded the motion which item was approved with five members present and voting.

### **3) SITE PLAN:**

- a) Site plan approval for lot 2b, Santa Ana Plaza lots 2a & 2b subdivision, Hidalgo County, Texas; 721 East Nolana Avenue. **(SPR2023-0001)**

Mr. Samuel Nunez stated that the subject property is located on the north side of Nolana Avenue, approximately 220 feet east of North McColl Road. The subject property is zoned C-3 (general business) District. Adjacent properties are zoned C-3 District in all directions. Surrounding land uses include commercial retail and office uses.

The applicant is proposing to construct a 664 square-foot building and operate a coffee drive thru by the name of "Scooter's Coffee."

Access to the site is from East Nolana Avenue and adjacent lots to the north, east, and west. No alley exists or is proposed.

Based on 664 square feet that will be used for a coffee, 5 parking spaces are required for the site. 7 parking spaces are proposed. Moreover, 1 of the proposed regular parking spaces must be accessible for van accessibility with an 8-foot wide aisle. The applicant is meeting parking requirements for the new development.

3,364.13 square feet of green area is required for the new development and 10,146 square feet is proposed. The tree requirement is as follows: 13 two-and-a half-inch-caliper trees, 7 four-inch caliper trees, 3 six-inch caliper trees, or 5 palm trees. A minimum 10 feet wide landscaped strip is required inside the front property line. Fifty percent of the required green area for the new development must be visible from the street or front property line, and each parking space must be within 100 feet of a landscaped area with a tree. Finally, a 6-foot buffer is required around dumpsters/compactors if visible from the street. The applicant is meeting landscaping requirements for green area and trees.

There is a 60-foot front yard setback, a 5-foot rear yard setback, and 10-foot side yard setbacks due to existing utility easements. No structures are permitted to be built over any easements. The new development will be complying with all required setbacks for the property.

A 4-foot wide minimum sidewalk is required along East Nolana Avenue.

The Building Permit Site Plan must comply with requirements noted on the Development Team Review sheet.

Staff recommends approval of the site plan subject to the conditions noted, Building Permit requirements and the subdivision and zoning ordinances.

Being no discussion, Ms. Erica De la Garza moved to approve subject to conditions noted. Mr. Marco Suarez seconded the motion, which was approved with five members present and voting.

#### **4) CONSENT:**

Mr. Kaveh Forghanparast requested Item 4a be taken out of consent form.

- a) Palmridge Park Lot 1A Subdivision (Previously McCollbak), 2100 South McColl Road, Bakke Development **(SUB2023-0081) (FINAL) HA**

Mr. Kaveh Forghanparast stated S. McColl Road: dedication as required for 50 ft. from centerline for 100 ft. total ROW Paving: by the State Curb & gutter: by the State Revisions needed: If 100 ft. is existing ROW, please label accordingly and provide a copy for staff review, prior to final/recording. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. COM Thoroughfare Plan. S. "D" Street: dedication as needed for 30 ft. from centerline for 60 ft. total ROW Paving: 40 ft. Curb & gutter: both sides Revisions needed: If 60 ft. is existing ROW, please label accordingly and provide a copy for staff review, prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. COM Thoroughfare Plan. 1,200 ft. Block Length. Subdivision Ordinance: Section 134-118. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties. Plat note No. 16 indicates, "Minimum 26 ft. wide private service drive easement for City services will be provided as part of the site plan review for this property." Subdivision Ordinance: Section 134-106. S. McColl Road: 50 ft. or greater per approved site plan or easement. The subdivision is proposed as a replat of 1.944 acres out of Lot 1, Palmridge Park Subdivision. Vacating of lot 1, Palmridge Park Subdivision is not proposed; therefore, Palmridge Park Subdivision plat notes apply. Zoning Ordinance: Section 138-356. South "D" Street: 30 ft. or greater per approved site plan. The subdivision is proposed as a replat of 1.944 acres out of Lot 1, Palmridge Park Subdivision. Vacating of lot 1, Palmridge Park Subdivision is not proposed; therefore, Palmridge Park Subdivision plat notes apply. Zoning Ordinance: Section 138-356. Proposed Sides: 21 ft. or greater for approved site plan or easement, whichever is greater. The engineer stated that the owner has requested the minimum setback to be mentioned as 21 ft. based on the proposed building height. Staff informed them that if the plat is recorded as proposed, then any proposed side setback less than 21 ft. in future, will requires an approved variance by the Zoning Board of adjustment in addition to an approved site plan. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required on S. McColl Road and S. "D" Street. Revise plat note #7 as shown above prior to final/recording. Proposed: 4 ft. wide minimum sidewalk required on E. WICHITA AVE., S. McColl Road, and S. "D" Street. Engineering Department may require 5 ft. sidewalk. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/use. Revise plat note #10 as shown above prior to final/recording. Additional buffer might be required at the time of site plan review to screen refuse areas, outdoor storage areas, and loading docks from public streets. Landscaping Ordinance: Section 110-46. 8ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. Site plan must be approved by the Planning and Zoning

Commission prior to building permit issuance. The subdivision is proposed as a replat of 1.944 acres out of Lot 1, Palmridge Park Subdivision. Vacating of lot 1, Palmridge Park Subdivision is not proposed; therefore, Palmridge Park Subdivision plat notes apply. Common Areas, any private streets/drives, gate areas, 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. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: C-3 Proposed: C-3. Zoning Ordinance: Article V. As per Traffic Department, Trip Generation is approved, no TIA required. The subdivision is proposed as a replat of 1.944 acres out of Lot 1, Palmridge Park Subdivision. Vacating of lot 1, Palmridge Park Subdivision is not proposed. All notes and restrictions of the original subdivision apply. Please add lot number for Medcath Subdivision shown on the plat on the west side of South "D" Street prior to recording. Signature blocks must follow Sec.134-61 of the subdivision ordinance. Must comply with City's Access Management Policy.

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

After a short discussion, Ms. Erica De la Garza moved to approve subject to the conditions noted. Mr. Aaron Rivera seconded the motion, which was approved with five members present and voting.

- b) Limas Subdivision, 418 Frontera Road, Flor Aurora Limas **(SUB2023-0080) (FINAL) CHLH**
- c) Aqualina at Tres Lagos Phase III Subdivision, 6617 Tres Lagos Boulevard, Rhodes Development, Inc. **(SUB2023-0079) (FINAL) M&H**

Being no discussion, Ms. Erica De la Garza moved to approve subdivision in consent form for Item 4b & 4c. Mr. Marco Suarez seconded the motion, which was approved with five members present and voting.

## 5) SUBDIVISIONS:

- a) Northwest Creek Subdivision, 3420 Mile 6 ½ Road, Garman Investments, LP **(SUB2022-0037) (REVISED PRELIMINARY) M&H**

Mr. Kaveh Forghanparast stated La Lomita Rd.(Mile 6 1/2 Road): 40 ft. ROW dedication for 80 ft. total ROW Paving: 52 ft. - 65 ft. Curb & gutter: both sides Revisions needed: Include document numbers on plat and provide any documents as applicable regarding any existing ROW prior to final. Label total ROW after accounting for dedication. Remove 40 ft. future south ROW line and label prior to final/recording and only show the existing ROW line and dimensions on the south side. A variance request to not dedicate 60 ft. from centerline and not align with the existing ROW on the east side (VAR2023-0006) and dedicate 40 ft. from centerline has been submitted by the engineer. The variance request was reviewed and could be approved administratively as long as the Engineering department does not require additional ROW to transition the ROW from the existing ROW on the east side. A paving transition layout has been submitted by the project engineer and is under review by the Engineering Department. As per Engineering Department, a revised plat showing corner clips and a revised paving layout showing travel lanes stripes will be required prior to final to determine if additional ROW will be required. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording . COM Thoroughfare Plan Non-compliance. Brazos Avenue (E/W 1/4 mile Collector on Northern

Boundary): 35 ft. ROW dedication for 70ft. total ROW Paving: 44 ft. Curb & gutter: both sides  
Revisions required: 70 ft. ROW does not exist. Remove the note for 70 ft. existing ROW and  
reference the ROW dedicated by this plat or provide a copy of the document for staff review prior  
to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are  
required prior to recording. Interior Street: 60 ft. total ROW. Paving: 40 ft. Curb & gutter: both sides  
Revisions needed: Submit gate details showing minimum 20 ft. of paving face to face around the  
island, sidewalks, pedestrian gate, etc. prior to final/recording. If additional ROW is required at the  
entrance, must be finalized prior to final. Street names will be finalized prior to final. If the  
subdivision is proposed as private subdivision, add "(private street)" after the name of the interior  
streets. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are  
required prior to recording. COM Thoroughfare Plan. N. 33rd Street (N/S 1/4 mile Collector on  
Eastern Boundary): 35 ft. ROW dedication for 70 ft. ROW Paving: 44 ft. Curb & gutter: both sides  
Revisions needed: Provide document number on plat and a copy of the document for staff review,  
prior to final. Remove any note referencing "future" from the plat. Villanueva Estates at Trinity  
Oaks provided 35ft. of ROW dedication along Western Boundary for N. 33rd Street. Subdivision  
Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to  
recording. 1,200 ft. Block Length. The submitted variance application (VAR2023-0006) did not  
include a variance to the block length requirement. Based on the revised layout, an approved  
variance for the block length requirement is needed prior to final or the plat layout must be revised  
to comply with block length requirement. Subdivision Ordinance: Section 134-118. ROW:20 ft.  
Paving: 16 ft. There has been an agreement between Public Works Department and the project  
engineer to provide dumpster locations on front side of some lots for City services in this  
subdivisions. Development departments had not objection to the agreement. A revised plat,  
showing common lots or easements for the dumpster areas will be needed prior to final. Dumpsters  
must be screened if visible from the street and their gates may not open to the street ROW. Clarify  
the alley/service drive easement on the middle lots and label correctly prior to final. It seems that  
it's inside the lot and not dedicated as alley ROW. Also, based on the submitted dumpster layout,  
it seems that the easement will not be used for City Services. Alley/service drive easement required  
for commercial and multi-family properties. Subdivision Ordinance: Section 134-106. Front: 20 ft.  
or greater for easements. Revise the plat note as shown above prior to final. Proposed: 20 ft. or  
greater for easement or approved site plan. Based on the revised application, only one duplex is  
proposed on each lot and the zoning is R-2 District. Duplexes do not require site plan review.  
Zoning Ordinance: Section 138-356. Rear: Proposing:10 ft. except 25 ft. for double fronting lots in  
accordance with the zoning ordinance or greater for easements or approved site plan. The  
ordinance for double fronting lots requiring rear setback to be the same as front setback was  
amended by City Commission and the rear setback can be "10 ft. or greater for easements"; clarify  
prior to final. Based on the revised application, only one duplex is proposed on each lot and the  
zoning is R-2 District. Duplexes do not require site plan review. Zoning Ordinance: Section 138-  
356. Sides: 6 ft. or greater for easements. Revise the setback note as shown above prior to final  
Proposed: 6 ft. in accordance with the zoning ordinance or greater for easements or approved site  
plan. Based on the revised application, only one duplex is proposed on each lot and the zoning is  
R-2 District. Duplexes do not require site plan review. Zoning Ordinance: Section 138-356. Corner:  
Proposing: 10 ft. or greater for easements - Revise the setback note as shown above prior to final  
Proposed: 10 ft. or greater for easements or approved site plan. Based on the revised application,  
only one duplex is proposed on each lot and the zoning is R-2 District. Duplexes do not require site  
plan review. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is  
required, greater setback applies. Zoning Ordinance: Section 138-356. All setbacks are subject to  
increase for easements or approved site plan. 4ft. wide minimum sidewalk required along La  
Lomita Rd.(Mile 6 1/2 Road), Brazos Avenue, N.33rd Street, and both sides of all interior streets.

Revise plat note as shown above prior to final. Sidewalk requirement may increase to 5ft. prior to final per Engineering Department requirements. Subdivision Ordinance: Section 134-120 Non-compliance. 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 La Lomita Rd.(Mile 6 1/2 Road) ,Brazos Avenue, N.33<sup>rd</sup> Street Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along La Lomita Rd.(Mile 6 1/2 Road), Brazos Avenue, and N.33<sup>rd</sup> Street. Must comply with City Access Management Policy. Common Areas, any private streets/drives, gate areas, 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. Add a plat note as shown above prior to final/recording. Section 134-168 applies if private subdivision is proposed. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-16. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Homeowner's Association Covenants must be submitted for staff review, prior to recording. A plat note to cross reference the HOA document on the plat must be finalized prior to recording. Section 134-168 applies if private subdivision is proposed. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Lots fronting public/private streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: R-2 Proposed: R-2. Annexation and initial zoning to R-3A approved by City commission on May 23, 2022 for the West 330 ft. and on August 8,2022 a rezoning request from R-1 District to R-3A District for the east 330 ft. was approved by the City Commission. Two rezoning requests for the west half and east half of the subdivision from R-3A District to R-2 District were approved by the City Commission on January 23, 2023. Zoning Ordinance: Article V. Rezoning Needed Before Final Approval. Zoning Ordinance: Article V. Land dedication in lieu of fee. Based on 70 residential lots and a duplex on each lot (140 total units) a park land dedication of 2.226 acres will be required prior to recording as per Parks Department. If park fee (\$700 per dwelling unit) in lieu of land dedication is proposed, it must be reviewed and approved by the City Manager's Office, and paid prior to recording. Park Fee required at \$700 per lot/dwelling unit to be paid prior to recording, if land dedication is not applicable. Based on 70 residential lots and a duplex on each lot (140 total units) a park land dedication of 2.226 acres will be required prior to recording as per Parks Department. If park fee in lieu of land dedication is proposed, it must be reviewed and approved by the City Manager's Office, and paid prior to recording. Pending review by the City Manager's Office. Based on 70 residential lots and a duplex on each lot (140 total units) a park land dedication of 2.226 acres will be required prior to recording as per Parks Department. If park fee in lieu of land dedication is proposed, it must be reviewed and approved by the City Manager's Office, and paid prior to recording. As per Traffic Department, Trip Generation was approved. TIA approved with conditions: a. construction of 33<sup>rd</sup> Street. Proper signage, pavement marking and street light will be installed based on standard requirements by the City of McAllen which will be reviewed at time of review for construction plans. Traffic Impact Analysis (TIA) approved with conditions: a. construction of 33<sup>rd</sup> Street. Proper signage, pavement marking and street light will be installed based on standard requirements by the City of McAllen which will be reviewed at time of review for construction plans. Subdivision presented as private subdivision please provide gate details for staff review, prior to final. Please submit a revised layout complying with the requirements, prior

to final. Verify and correct the legal description under the name of the subdivision prior to final. Verify and correct the metes and bounds of the subdivision on the plat prior to final. Use smaller font for "Private Subdivision" and use parentheses around it on the name of the subdivision prior to final. Add "(Private Street)" after the name of interior streets prior to final. Provide distance and bearing of the original property boundary on the plat prior to final. Show the legal description of the adjacent lots on all sides including Villanueva Estates at Trinity Oaks subdivision on the east side prior to final. Show the layout of the Villanueva Estates at Trinity Oaks subdivision on the vicinity map prior to final. Revise the city of McAllen limits on the vicinity map prior to final. Signature blocks wording must comply with Sec. 134-61 of the subdivision ordinance prior to final. Verify the name of the owner(s) and wording prior to final. Combine plat note #12 and #14 prior to final. Combine plat note #8 and #15 prior to final. Must comply with City's Access Management Policy. At the Special Planning and Zoning Commission meeting of October 13, 2022, the Board approved the subdivision in revised preliminary form subject to conditions noted, drainage, and utility approval.

Staff recommends approval of the subdivision in revised preliminary form, subject to the conditions noted.

Being no discussion, Mr. Marco Suarez moved to approve in revised preliminary form. Mr. Emilio Santos Jr. seconded the motion, which was approved with five members present and voting.

b) Casa Corsica Subdivision, 3700 North Ware Road, Graco Real Estate **(SUB2023-0048) (REVISED PRELIMINARY) KH**

Mr. Kaveh Forghanparast stated N. Ware Road: Dedication as required for 60 ft. from centerline for 120 ft. total ROW Paving: By the State Curb & gutter: By the State Revisions needed: Show the width of Called exhibit "E" on the plat prior to final. Based on the submitted documents, it's not clear how the existing ROW on the east side of the centerline is 60 ft. Clarify prior to final. All ROW requirements must be addressed prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. Nolana Avenue: Dedication as required for 60 ft. from centerline for 120 ft. total ROW Paving: 65 ft. to 85 ft. Curb & gutter: Both sides Revisions needed: Show and label "total ROW" including the dedication on the plat prior to final. All ROW requirements must be addressed prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. Subdivision Ordinance: Section 134-105 Monies must be escrowed if improvements are required prior to final. 1,200 ft. Block Length. Subdivision Ordinance: Section 134-118. ROW: 20 ft. Paving: 16 ft. Proposed: variable width private access/service drive easement (by this plat). It's not clear where the Private Access/Service Drive Easement starts to include Utility and Drainage Easement. Use a dashed line to show the boundary prior to final. Access/service drive easement layout must be approved by Fire and Public Works Departments, prior to final. Alley/service drive easement required for commercial properties. Private access/service drive easement must be at least 24 ft. wide. Proposed private access/service drive easement ranges from 26 ft. to 45 ft. wide. Subdivision Ordinance: Section 134-106. Nolana Avenue/N. Ware Road: In accordance with the Zoning Ordinance or greater for approved site plan or easements or inline with existing structures, whichever is greater applies. Revise plat note #2 as shown above, prior to final (Remove "15 ft.") Proposed Front: 15 ft. Nolana Avenue/N. Ware Road: In accordance with the Zoning Ordinance or greater for approved site plan or easements or inline with existing structures, Zoning Ordinance: Section 138-356. Rear: In accordance with the Zoning Ordinance or greater for approved site plan or easements, whichever is greater applies. Revise plat note #2 as shown above, prior to final

(Remove "5 ft.). Proposed Rear: 5 ft. In accordance with the Zoning Ordinance or greater for approved site plan or easements, whichever is greater applies. Zoning Ordinance: Section 138-356. Interior Sides: In accordance with the Zoning Ordinance or greater for approved site plan or easements, whichever is greater applies. Revise plat note #2 as shown above, prior to final (Remove "1.00 ft. for every two feet in height") Proposed Corner/Side: 1.00 ft. for every two feet in height. In accordance with the Zoning Ordinance or greater for approved site plan or easements, whichever is greater applies. Zoning Ordinance: Section 138-356. Corner: In accordance with the Zoning Ordinance or greater for approved site plan or easements or inline with existing structures, whichever is greater applies. Revise plat note #2 as shown above, prior to final (Remove "1.00 ft. for every two feet in height"). Proposed Corner/Side: 1.00 ft. for every two feet in height. In accordance with the Zoning Ordinance or greater for approved site plan or easements or inline with existing structures, whichever is greater applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required on N. Ware Road and Nolana Avenue. Revise plat note #13 as shown above prior to final. Sidewalk requirement may increase to 5 ft. as per the Engineering Department prior to final. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Revise plat note #14 as shown above prior to final. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Remove plat note #7 prior to final, since it's the same as plat note #12. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. Must comply with City Access Management Policy Applied. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Common Areas, any private/service drive easements, 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. Lots fronting public streets. Lot 5 proposed to be a "flag" lot with a 15 ft. wide portion of the lot extending north and widening to 50 ft. at Nolana Ave. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: C-3 Proposed: C-3. Zoning Ordinance: Article V. As per Traffic Department, Trip Generation is approved. TIA level 3 is approved with conditions. Traffic Impact Analysis (TIA) level 3 is approved with conditions. Use Sec. 134-61 of the subdivision ordinance for the signature blocks' wording, including the owner's acknowledgement prior to recording and clarify why there are two owner's signature blocks. Must comply with City's Access Management Policy. The Planning and Zoning Commission approved the subdivision in preliminary form at the meeting of June 6, 2023, subject to the conditions noted, drainage, and Utilities approval. As per the Utilities Department, the subdivision has received MPU Board approval.

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

Being no discussion, Mr. Aaron Rivera moved to approve in revised preliminary form. Ms. Erica De la Garza seconded the motion, which was approved with five members present and voting.

- c) McAllen Oaks North Subdivision, 2701 State Highway 107, Mark Wilkins and Noe Gonzalez **(SUB2023-0015) (REVISED PRELIMINARY) MDCE**



Mr. Kaveh Forghanparast stated State Highway 107: 150 ft. ROW Paving: By the state Curb & gutter: By the state Revisions needed: Please provide how existing ROW was dedicated on plat by referencing the document number prior to final. Label existing ROW on both sides of the centerline and total existing ROW. Please provide copy of the document where ROW was dedicated to verify if any additional ROW dedication is required prior to final. Show and label ROW dedication from the property line, centerline, and total ROW after dedication to determine any dedication requirements, prior to final. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. Interior Streets: 60 ft. ROW Paving: 40 ft. Curb & gutter: Both sides. A variance request (VAR2023-0018) to provide 50 ft. ROW for interior streets instead of 60 ft. was requested by the engineer. If the variance is approved by the Planning and Zoning Commission, a 10 ft. sidewalk easement will be required on both sides. Revisions Required: Interior dedications range from 50-60 ft. of ROW, please see ROW requirements above, revise as applicable prior to final. Knuckles are required at the interior street intersection. Please revise the ROW to show knuckles for the south east/west street (if it's not a quarter mile collector) prior to final. Street names will be established prior to final and plat will need to be revised accordingly. ROW is subject to increase for gate areas after the required revision is submitted, finalize prior to final. Gate details are required prior to final to determine if ROW width meets the paving, sidewalk, curb and gutter, island, etc. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. E/W Quarter Mile Collector (south boundary): Dedication as needed 60 ft. ROW Paving: 40 ft. Curb & gutter: Both sides. A variance request (VAR2023-0018) to not dedicate ROW for E/W Quarter Mile Collector (south boundary) was requested by the engineer. If the request is approved by the City Commission, ROW for a future E/W quarter mile collector will be requested from other properties Pending Items: Please provide ownership map to verify that no landlocked properties exist or will be created. Street alignment and R.O.W being reviewed and plat would need to be revised accordingly prior to final. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. 1,200 ft. Block Length. A variance request (VAR2023-0018) for the block length requirement was requested by the engineer. The interior blocks comply with the requirement. The East and west block lengths are proposed as 1,293.70 ft. and 1,294.93 ft. Since the subdivision is proposed as private subdivision, the project engineer requested not to provide stub outs for future connectivity to the east and west side. If the quarter mile collector variance is approved by the City Commission, block length variance could be reviewed administratively. Revisions Needed: Subdivision layout does not comply with block length requirement, finalize block length requirements prior to final. Subdivision Ordinance: Section 134-118. ROW: 20 ft. Paving: 16 ft. A variance request (VAR2023-0018) to not provide alley/service drive easement was submitted by the engineer. As per Public Works Department, if the variance request is approved by the City Commission, centralized dumpster locations complying with City requirements must be provided prior to final. As per Public Works Department service drive or alley required to provide waste collection service. Finalize alley/service drive requirements prior to final. Alley/service drive easement required for commercial and multi-family properties. Subdivision Ordinance: Section 134-106. Front: 20 ft. or greater for approved site plan or easements. Revise setback note as shown above prior to final. Proposed: In accordance with the zoning ordinance or greater for easements or approved site plan. Pending Items: The application submitted on February 9, 2023, proposed 51 commercial and multi-family lots; however, the latest plat seems to be 62 multifamily lots. Please revise the application prior to final. Approved rezoning is required prior to final. Setbacks to be established once zoning requirements have been finalized. The proposed setback is for commercial properties. Please clarify/revise plat note #2 as shown above prior to final. Note wording subject to change once zoning requirements have been

finalized. Zoning Ordinance: Section 138-356. Rear: 10 ft. or greater for easements or approved site plan. Revise setback note as shown above prior to final. Proposed: In accordance with the zoning ordinance or greater for easements or site plan. Pending Items: The application submitted on February 9, 2023, proposed 51 commercial and multi-family lots; however, the latest plat seems to be 62 multifamily lots. Please revise the application prior to final. Approved rezoning is required prior to final. Setbacks to be established once zoning requirements have been finalized. The proposed setback is for commercial properties. Please clarify/revise plat note #2 as shown above prior to final. Note wording subject to change once zoning requirements have been finalized. Zoning Ordinance: Section 138-356. Interior Sides: 6 ft. or greater for easements or approved site plan. Revise setback note as shown above prior to final. Proposed: In accordance with the zoning ordinance or greater for easements or site plan. Pending Items: The application submitted on February 9, 2023, proposed 51 commercial and multi-family lots; however, the latest plat seems to be 62 multifamily lots. Please revise the application prior to final. Approved rezoning is required prior to final. Setbacks to be established once zoning requirements have been finalized. The proposed setback is for commercial properties. Please clarify/revise plat note #2 as shown above prior to final. Note wording subject to change once zoning requirements have been finalized. Zoning Ordinance: Section 138-356. Proposed: Side Corner: 10 ft. or greater for easements or site plan. Side (Hwy 107): 30 ft. or greater for easement or site plan Pending Items: The application submitted on February 9, 2023, proposed 51 commercial and multi-family lots; however, the latest plat seems to be 62 multifamily lots. Please revise the application prior to final. Setbacks to be established once zoning requirements have been finalized. Please clarify corner setback prior to final. Note wording subject to change once zoning requirements have been finalized. Zoning Ordinance: Section 138-356. Garage: 18 ft. except wherever greater setback is required, greater setback applies. Revisions Needed: Add note as shown above, prior to final. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required on State Highway 107, collector street, and both sides of all interior streets. Revisions Needed: Sidewalk wording for note #9 will be finalized prior to final based on the collector street requirement. finalize note wording prior to final. Sidewalk requirements may increase to 5 ft. prior to final per Engineering Department requirements, finalize prior to final. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses, along State Highway 107, and along the collector street, if applicable. Revisions Needed: The application submitted on February 9, 2023, proposed 51 commercial and multi-family lots; however, the latest plat seems to be 62 multifamily lots. Please revise the application prior to final. Approved rezoning is required prior to final. Buffer requirements to be established once zoning requirements have been finalized. Buffer requirements will be finalized prior to final based on the collector street, if applicable, and zoning requirements. finalize note wording prior to final. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along State Highway 107 and quarter mile collector as required. A plat note similar to the above will be required prior to final and will be finalized based on the quarter mile collector requirements. The application submitted on February 9, 2023, proposed 51 commercial and multi-family lots; however, the latest plat seems to be 62 multifamily lots. Please revise the application prior to final. Approved rezoning is required prior to final. Setbacks to be established once zoning requirements have been finalized. Must comply with City Access Management Policy Non-compliance. Site plan must be approved by the Planning and Development Departments prior to building permit issuance for 5 or more dwelling units on each lot if applicable. Submit a site plan to clarify the number of units per lot prior to final.

The application submitted on February 9, 2023, proposed 51 commercial and multi-family lots; however, the latest plat seems to be 62 multifamily lots. Please revise the application prior to final. Approved rezoning is required prior to final. Setbacks to be established once zoning requirements have been finalized. Non-compliance. Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Add a plat note as shown above prior to final. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Add a plat note as shown above prior to final. Section 134-168 applies if private subdivision is proposed. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Homeowner's Association Covenants must be submitted for staff review, prior to recording. A plat note to cross reference the HOA document number after recording is required on the plat prior to recording. Section 134-168 applies if private subdivision is proposed. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: R-1(single-family Residential) District & C-3 (general business) District Proposed: R-3A (apartment residential) District/C-3 (commercial) General Business District. The application submitted on February 9, 2023, proposed 51 commercial and multi-family lots; however, the latest plat seems to be 62 multifamily lots. Please revise the application prior to final. REZ2023-0032 & REZ2023-0033 to rezone the property to R-3A is scheduled to be heard by the City Commission on August 8, 2023. Approved rezoning is required prior to final. Engineer must verify if proposed subdivision is within appropriate zoning as it may prompt changes to plat and or rezoning process, review and finalize prior to final. Zoning Ordinance: Article V. Rezoning Needed Before Final Approval. Rezoning process must be finalized before final plat approval. Engineer must verify if proposed subdivision is within appropriate zoning as it may prompt changes to plat and or rezoning process, review and finalize prior to final. REZ2023-0032 & REZ2023-0033 to rezone the property to R-3A is scheduled to be heard by the City Commission on August 8, 2023. Approved rezoning is required prior to final. Zoning Ordinance: Article V. Land dedication in lieu of fee. Park Fee required at \$700 per lot/dwelling unit to be paid prior to recording, if land dedication is not applicable. Please provide number of dwelling units prior to final. The application submitted on February 9, 2023, proposed 51 commercial and multi-family lots; however, the latest plat seems to be 62 multifamily lots. Please revise the application and submit a site plan to clarify the total number of units prior to final. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording, if land dedication is no required. Please provide number of dwelling units prior to final. The application submitted on February 9, 2023, proposed 51 commercial and multi-family lots; however, the latest plat seems to be 62 multifamily lots. Please revise the application and submit a site plan to clarify the total number of units prior to final. Pending review by City Managers Office. Once clarified if land dedication is applicable to this development, a written request must be submitted if requesting fees in lieu of land to be reviewed by the City Manager's office. The application submitted on February 9, 2023, proposed 51 commercial and multi-family lots; however, the latest plat seems to be 62 multifamily lots. Please revise the application and submit a site plan to clarify the total number of units prior to final. As per Traffic Department, Trip Generation is approved and TIA is waived, prior to final plat. Must comply with City's Access Management Policy. Any abandonments must be done by separate instrument and referenced on the plat, and may not be done by plat. Rezoning process must be finalized before final plat approval. Engineer must verify if proposed subdivision

is within appropriate zoning as it may prompt changes to plat and or rezoning process, review and finalize prior to final. Clarify if subdivision is proposed to be public or private prior to final, as there is a gate plan submitted, but the owner's signature references public subdivision. If the subdivision is proposed to be private, add "(Private Subdivision)" under the name of the subdivision in smaller font. The name of the interior streets will be finalized prior to final. If the subdivision is proposed to be private, add "(private street)" after the name of the streets prior to recording. Based on the submitted gate detail, additional ROW at the gate might be required which must be finalized prior to final. Show lot lines and the legal description of the properties on the north side of State Highway 107. Acknowledgement references public subdivisions. Additional requirements may be triggered for private subdivision. Signature blocks must follow Sec.134-61 of the subdivision ordinance. At the Planning and Zoning Commission meeting of February 21, 2022, the board voted to approve the subdivision in preliminary form subject to conditions noted, drainage and utility approvals. At the Planning and Zoning Commission meeting of June 20, 2023, the board voted to approve the subdivision in revised preliminary form subject to conditions noted, drainage and utilities approvals. The project engineer submitted VAR2023-0018 including the following variances on June 30, 2023: 1.Variance to the block length requirement. 2.Variance to the E/W quarter mile collector requirement (southern boundary) 3.Variance to request 50 ft. ROW for interior streets for multifamily development instead of 60 ft. required ROW 4.Variance to not provide alley/service drive easement for multifamily development.

Staff recommends approval of the subdivision in revised preliminary form, subject to the conditions noted, drainage, and utilities approval and the board's clarification of the requested variances.

Mr. Mario Ortiz from Public Works Department was present at the meeting. He stated that the developer did not want to provide an alley or centralized dumpster location and requested a roll out bins for multifamily development. Therefore, Public Works recommended disapproval of variance #4.

After a lengthy discussion regarding alleys and trash bins/dumpsters, Mr. Marco Suarez moved to approve in revised preliminary form subject to the conditions noted, drainage and utilities and approved 3 variances and disapproved 1 variance (#4 variance). Ms. Erica De la Garza seconded the motion, which was approved with five members present and voting and variance #4 disapproved.

- d) Austin 495 Plaza Subdivision, 4101 Pecan Boulevard, Jinguo Liu **(SUB2022-0126) (REVISED PRELIMINARY) TE**

Mr. Mario Escamilla stated that the applicant requested to table item.

Being no discussion, Ms. Erica De la Garza moved to table item. Mr. Marco Suarez second the motion which was tabled with five members present and voting.

- e) Silverado Moon Subdivision, 8100 North Taylor Road, Fortis Land Company, LLC **(SUB2023-0053) (REVISED PRELIMINARY) RDE**

Mr. Mario Escamilla stated North Taylor Road: Proposing 10 ft. of dedication for 40 ft. from enterline for 80 ft. total ROW Paving: 52 ft. Curb & gutter: both sides Revisions Needed: Provide existing dedications from centerline along subdivision boundary prior to final. Label total ROW after accounting for dedication from center line prior to final. Label total ROW after accounting for

dedication from Existing ROW line across North Taylor Road, prior to final. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. Auburn Avenue (5 Mile Line Road): Proposing 40 ft. of dedication for 60 ft. from centerline for 120 ft. total ROW. Paving: 65 ft. Curb & gutter: Both sides Revision Needed: Centerline should be a continuous line, review and revise prior to final. Revise street name as shown above where applicable prior to final. Label total ROW after accounting for dedication from center line prior to final Label total ROW after accounting for dedication from Existing ROW line across Auburn Avenue (5 Mile Line Road), prior to final. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. Interior Street: Dedication as needed for 50 ft. total ROW. Paving: 32 ft. Curb & gutter: Both Sides Revisions Needed: Subdivision layout currently exhibits stub outs, clarify stub outs along lots 90 and 91 and lots 108 and 109, subdivision layout will have to be revised to provide for "Knuckle" design as dead end street are not permitted as this is a private subdivision, review and revise prior to final. As per plat submitted on July 19th,2023, subdivision provides for knuckle design. Street names will be established prior to final and plat will need to be revised accordingly. As per plat submitted on June 2nd,2023 subdivision proposed to be private and for single family use, gate details are required. Submit gate details and ROW are subject to increase for gate areas, finalize prior to final. Auto Turn Study may be required to verify compliance with maneuvering space needed along lots 82-84, subdivision layout along lots may have to be adjusted to allow for maneuvering space finalize prior to final. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. E/W Quarter Mile Collector (northern boundary): Dedication as needed for 60 ft. total ROW Paving: 40 ft. Curb & gutter: Both sides ending Items: Engineer submitted a variance application on July 7, 2023 in reference to the ROW dedication requirements for the E/W collector(1/4 Mile Collector) along the Northern Boundary the engineer has indicated that the street would not be able to extend east as there is an existing drain ditch and there are existing established developments to the north of this subdivision. After review of the ownership map submitted on July 12,2023, due to the developed properties to the north and existing canal to the west and collector alignment, the E/W collector street along the northern boundary is not feasible. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. 1,200 ft. Block Length. Subdivision layout does not comply with 1200 ft. block length requirement. Engineer submitted a variance application on August 1, 2023 ,requesting a variance to the 1200ft. Block Length requirement. Under the authority and review of the Planning Director the Variance request to the block length was approved administratively. Subdivision Ordinance: Section 134-118. 600 ft. Maximum Cul-de-Sac Revisions Needed: Provide "Cul-De Sac" and "Knuckle" details prior to final. Auto Turn Study may be required to verify compliance with maneuvering space needed at "Cul-De Sac" and "Knuckle's", prior to final. ROW at "Cul-De Sac" areas may have to be increased to comply with Fire Department requirements, finalize prior to final. As per Fire Department requirements, 96 ft. of paving face to face required, and 10 ft. of ROW back of curb around Cul-de-Sac required. Subdivision Ordinance: Section 134-105. Front: 25 ft. or greater for easements. Zoning Ordinance: Section 138-356. Rear:10 ft. or greater for easements. Zoning Ordinance: Section 138-356. Interior sides: 6 ft. or greater for easements. Zoning Ordinance: Section 138-356. Corner: 10 ft. or greater for easements. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required; greater setback applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required along Auburn Avenue (5 Mile Line Road), North Taylor Road, and both sides of all interior streets. Revisions needed: Revise note#8 as shown above prior to final. Sidewalks required on both sides of all interior streets, including entrance streets. Proposing: Minimum 4 ft.

wide sidewalk required on both sides of all interior streets, except sidewalks are not required on lots 88,89,2 and 3. 5 ft. wide sidewalk required on Auburn Avenue. 5 ft. sidewalk might be required by Engineering Dept. prior to final. Finalize note wording requirements prior to final. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along Auburn Avenue (5 Mile Line Road) and North Taylor Road. Revision Needed: Revise note#11 as shown above prior to final. Proposing: 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along Auburn Ave (Mile 5 North). Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along Auburn Avenue (5 Mile Line Road) and North Taylor Road. Revisions Needed: Revise note#9 as shown above prior to final. Proposing: No curb cut, access, or lot frontage permitted along Auburn Avenue (Mile 5 North) and North Taylor Road. Must comply with City Access Management Policy. Common Areas, any private streets/drives, gate areas, 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 134-168 applies if private subdivision is proposed. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Homeowner's Association Covenants must be submitted for staff review, prior to recording. Section 134-168 applies if private subdivision is proposed. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Lots fronting public streets. Private Subdivision proposed as per plat submitted on June 2nd,2023. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: (Extraterritorial jurisdiction) Proposed:(Extraterritorial jurisdiction). As per application dated June 2nd,2023 proposed land use is single-family. Pending Items: Engineer must clarify annexation status as zoning requirements must be finalized prior to final. -Subdivision requirements subject to change once zoning requirements are finalized. Zoning Ordinance: Article V. Rezoning Needed Before Final Approval Pending Items: Engineer must clarify annexation status as zoning requirements must be finalized prior to final. Zoning Ordinance: Article V. Land dedication in lieu of fee. As per Parks Department, per application dated June 2nd,2023 proposed 121 lot single-family subdivision is not within City limits,(ETJ) therefore City of McAllen Park Land Dedication and Park Development Fees Ordinance does not apply unless annexed. Engineer must clarify annexation status prior to final. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, per application dated June 2nd,2023 proposed 121 lot single-family subdivision is not within City limits,(ETJ) therefore City of McAllen Park Land Dedication and Park Development Fees Ordinance does not apply unless annexed. Engineer must clarify annexation status prior to final. Pending review by City Manager's Office. As per Parks Department, per application dated June 2nd,2023 proposed 121 lot single-family subdivision is not within City limits,(ETJ) therefore City of McAllen Park Land Dedication and Park Development Fees Ordinance does not apply unless annexed. Engineer must clarify annexation status prior to final. As per Traffic Department, Trip Generation required 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. Any abandonments must be done by separate process, not by plat. As per plat submitted on June 2nd,2023 subdivision

proposed to be private and for single family use, gate details are required. Submit gate details and ROW are subject to increase for gate areas, finalize prior to final. Engineer must clarify annexation status as zoning requirements must be finalized prior to final subdivision requirements subject to change once zoning requirements are finalized.

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

Being no discussion, Mr. Emilio Santos Jr. moved to approve the subdivision in revised preliminary form subject to conditions noted, drainage and utilities approvals and clarification of the requested variance. Ms. Erica De la Garza seconded the motion, which was approved with five members present and voting.

- f) Zuma Subdivision, 4001 Mile 7 Road, Zuma Development Company, LLC  
**(SUB2022-0048) (PRELIMINARY 6-MONTH EXTENSION) CHLH**

Mr. Mario Escamilla stated the applicant requested a six months extension and a hold on the voting for the variance request.

Being no discussion, Ms. Marco Suarez moved to approve the six month extension and table the variance request. Mr. Aaron Rivera seconded the motion, which was approved with five members present and voting.

- g) La Casita Deli Subdivision, 901 East Fir Avenue, Bernardo Flores **(SUB2023-0074) (PRELIMINARY)PS**

Mr. Mario E. FIR Avenue: Dedication as needed for 60 ft. total ROW. Paving: 40 ft. Curb & gutter: Both Sides. Revisions Needed: Label "Existing" ROW on both sides of centerline with document number on plat, and provide a copy for staff review prior to final. Label "Total" ROW from centerline and existing ROW line across E. Fir Avenue to new plat boundary prior to final. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. 1,200 ft. Block Length. Subdivision Ordinance: Section 134-118. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial, industrial, and multi-family properties. Revisions Needed: Provide for alley or service drive easement on the plat prior to final. Alley or service drive easement cannot dead-end. Clarify if proposed 25.0' Private Access Easement will connect to existing 25' Fire Lane, or if any cross access easement will be established, finalize prior final. Additional notes and requirements subject to change once clarified. Private Access Service Drive Easement must be minimum 24 ft. with 24 ft. of paving and in compliance with Fire and Public Works Department requirements. Provide for corner clips as needed, prior to final. Subdivision Ordinance: Section 134-106. Front: In accordance with zoning ordinance, or greater for easements or approved site plan, or in line with average setback, whichever is greater applies. Revisions Needed: Include note as shown above prior to final. Zoning Ordinance: Section 138-356. Rear: In accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Revision Needed: Include note as shown above prior to final. Zoning Ordinance: Section 138-356. Sides: In accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Revision Needed: Include note as shown above prior to final. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site Plan. 4 ft. wide minimum sidewalk required along E. Fir Avenue. Revisions Needed: Include note as shown above prior to

final. Sidewalk requirements may increase to 5 ft. prior to final per Engineering Department requirement. Finalize plat note wording prior to final. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and as may be required by ordinance. Revisions Needed: Finalize note wording as may be required prior to final. A buffer shall be provided to screen refuse areas (including refuse dumpsters, compactors and contained compactors), outdoor storage areas and loading docks from public streets. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Revisions Needed: Include note as shown above prior to final. Landscaping Ordinance: Section 110-46. Non-compliance. Perimeter buffers must be built at time of Subdivision Improvements. Must comply with City Access Management Policy. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Required. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Revisions Needed: Include note as shown above, prior to final. Note subject to change once subdivision requirements have been finalized. Finalize wording prior to final. Lots fronting public streets. Revisions Needed: Plat currently exhibits detention lot as separate lot, which shown does not front a street, plat must be revised accordingly or presented as a easement, finalize prior to final. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: C-4(Commercial-Industrial) District Proposed: C-4(Commercial-Industrial) District. Rezoning to C-4(Commercial Industrial) District approved at the City Commission meeting of May 22, 2023. Engineer must verify if proposed subdivision is within appropriate zoning as it may prompt changes to plat and or rezoning process, review and finalize prior to final. Zoning Ordinance: Article V. Rezoning Needed Before Final Approval. Zoning Ordinance: Article V. As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. Traffic Impact Analysis (TIA) required prior to final plat. Pending Items: As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. Must comply with City's Access Management Policy. Any abandonments must be done by separate process, not by plat.

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

Being no discussion, Mr. Aaron Rivera moved to approve in preliminary form subject to the conditions noted drainage, and utilities approval. Ms. Erica De la Garza seconded the motion, which was approved with five members present and voting.

**ADJOURNMENT:**

There being no further business to come before the Planning & Zoning Commission, Ms. Erica De la Garza adjourned the meeting at 4:33p.m. with Mr. Emilio Santos Jr. seconding the motion with five members present and voting.

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Chairperson Michael Fallek

ATTEST: \_\_\_\_\_  
Magda Ramirez, Administrative Assistant



## Memo

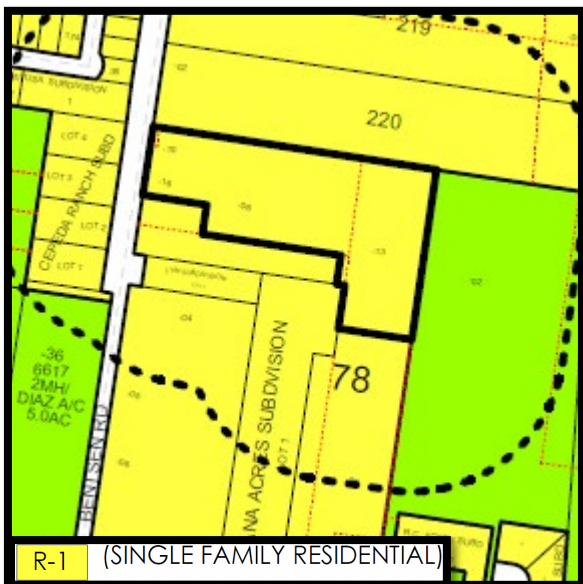
**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

**DATE:** August 9, 2023

**SUBJECT: REQUEST OF RICARDO VEGA AND MELINDA V. VEGA ON BEHALF OF MADDIE'S PUMPKIN PATCH, FOR A CONDITIONAL USE PERMIT, FOR THREE YEARS, AND ADOPTION OF AN ORDINANCE, FOR AN EVENT CENTER (PICTURE VENUE) AT 4.983 ACRES OUT OF LOT 78, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS; 6712 NORTH BENTSEN ROAD. (CUP2023-0094)**

**BRIEF DESCRIPTION:** The property is located on the east side of North Bentsen Road, approximately 960 ft. north of Lark Avenue and is zoned R-1 (single-family residential) District. The adjacent zoning is R-1 (single family residential) District to the north, west, and south, and A-O (agricultural and open space) District to the east. Surrounding land uses includes single-family residences, an orchard, agriculture, and vacant land. An event center is allowed in a C-3 (general business) District with a Conditional Use Permit and in compliance with the requirements.



**HISTORY:** The initial application for a Conditional Use Permit for an event center and picture venue for the subject property, known as Maddie's Pumpkin Patch, was submitted on September 8, 2021. City Commission approved the CUP for the subject property for 9 months subject to dust mitigation and fencing the property, which the applicant has done. The Conditional Use Permit was signed and picked up by the applicant on April 14, 2021, which

ended up expiring On August 22, 2022. The applicant then applied to continue the operations for another year on August 2, 2022, which was approved by Board. The current CUP was submitted July 18, 2023 for 3 years.

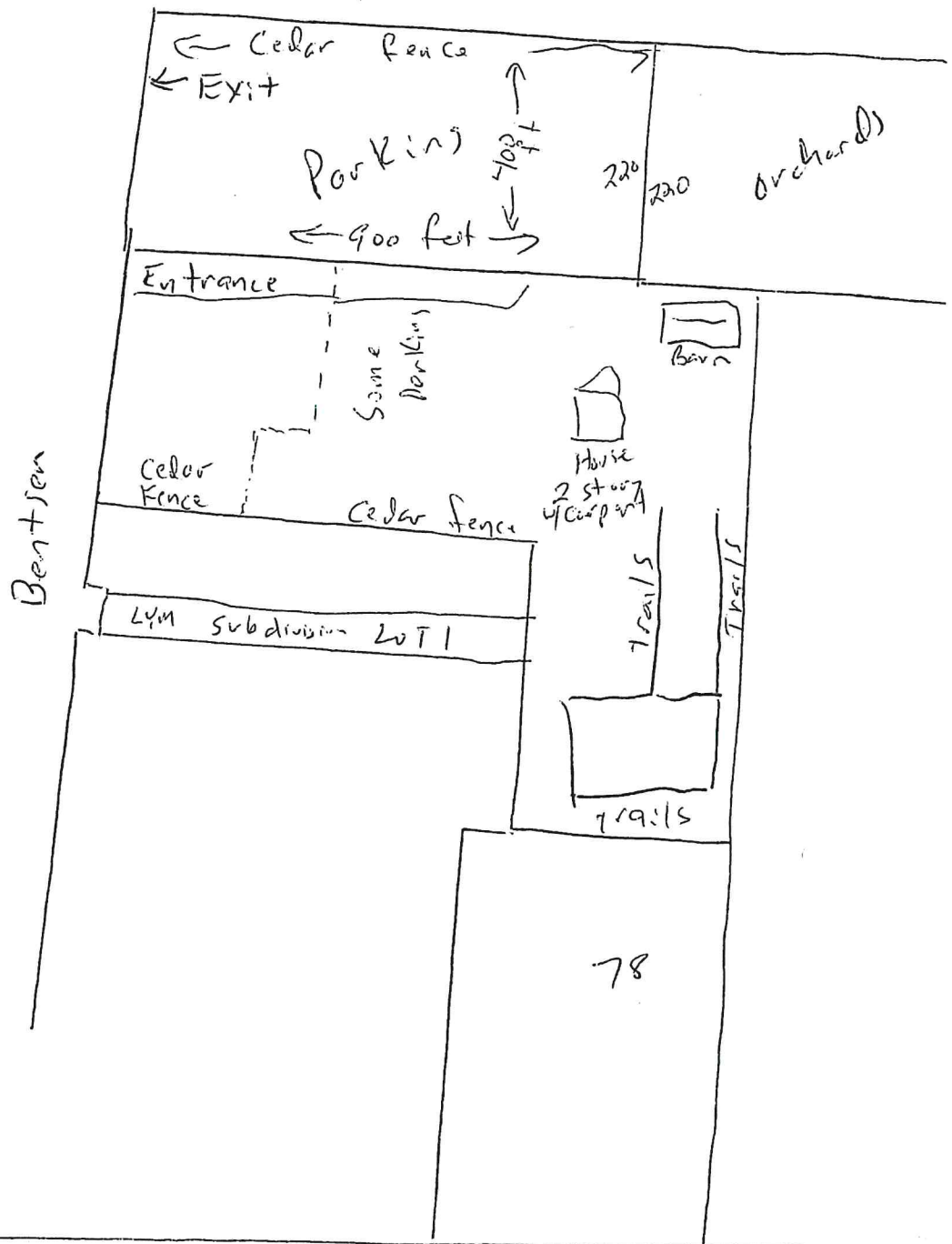
**SUMMARY/ANALYSIS:** The applicant is proposing to continue the operation of a picture venue and event center from approximately 8 ½ acre property. Approximately, 5 acres are being used for the event center and venue area and 3 ½ acres for the parking area. The hours of operation are from Monday to Sunday from 8:00 A.M. to 8:00 P.M.

The Fire Department has inspected the establishment, and allowed the CUP process to continue. The Health Department stated that the establishment must obtain required health permits for any food sales, provide required restrooms for the public, and trash receptacles. The establishment must also meet the requirements set forth in Section 138-118(4) of the Zoning Ordinance and specific requirements as follows:

1. The property line of the lot of any of the above mentioned businesses must be at least 400 ft. from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruption of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The proposed establishment is within 400 ft. of residential properties; however, the proposed hours of operation is from 8:00 A.M. to 8:00 P.M.;
2. The property must be as close as possible to a major arterial and shall not generate traffic onto residential sized streets. The establishment has direct access to North Bentsen Road;
3. The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance as a minimum, and make provisions to prevent the use of adjacent streets for parking. Based on the square footage and use of the picture venue and event area, 1,525 parking spaces are required and no paved parking spaces are provided. A 3 ½ acre of unpaved tract is being used for the parking area. On-site parking will need to be paved and striped and be clear of potholes to comply with City standards;
4. The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties.
5. The business shall provide sufficient lighting to eliminate dark areas and maximize visibility from a public street in order to discourage vandalism and criminal activities;
6. The business must make provisions to keep litter to a minimum and keep it from blowing onto adjacent properties; and
7. The above-mentioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Planning Director.

**RECOMMENDATION:** Staff recommends disapproval of the request based on noncompliance with the required zoning (C-3 District), requirements #1 (distance), and #3 (parking) of Section 138-118(4) of the Zoning Ordinance.

To be included with CUP 2021-0124  
Renewal.



LARK









VEGA RANCH

6712

NOTICE  
EVENT CENTER  
FOR  
THIS PROPERTY  
CUP 2023-0094



## Memo

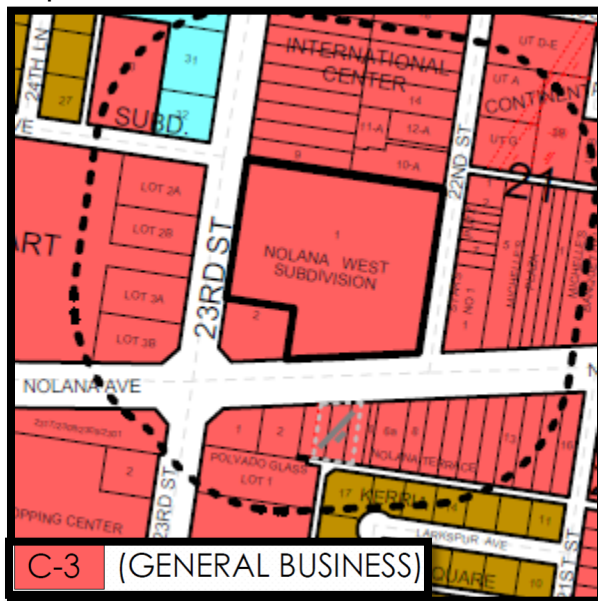
**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

**DATE:** August 15, 2023

**SUBJECT: REQUEST OF SAMUEL AVILA ON BEHALF OF CIGAR BAR, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE, FOR A BAR, AT LOT 1, NOLANA WEST SUBDIVISION, HIDALGO COUNTY, TEXAS; 2200 NOLANA AVENUE, SUITES 2212 & 2214. (CUP2023-0096)**

**BRIEF DESCRIPTION:** The property is located on the northeast corner of North 23<sup>rd</sup> Street and Nolana Avenue. It is zoned C-3 (general business) District. The adjacent zoning is C-3 District in all directions. There is R-3A (multifamily residential apartments) District to the south and C-4 (commercial-industrial) District to the northwest. Surrounding land uses are commercial businesses, offices, bars, churches, libraries and restaurants. A bar is allowed in a C-3 district with a Conditional Use Permit and in compliance with requirements.



**HISTORY:** The initial Conditional Use Permit was approved by the City Commission on June 22, 2009 with a variance to the 400 ft. distance requirement. The last approval by the City Commission was on March 28, 2022 with a variance to the distance requirement of being at least 400 ft. from the nearest residence or residentially zoned property, church, school, or publicly owned property.

**SUMMARY/ANALYSIS:** The applicant is proposing to continue operating a bar (Cigar Bar) from combined suites 2212 and 2214 as shown on the submitted site plan. The applicant is

also proposing to continue using an outdoor seating area as shown on the submitted site plan. The applicant will be utilizing the area for outdoor dining and as well as provide customers a place to smoke. The proposed days and hours of operation are, Monday through Sunday from 1:00 PM to 2:00 AM.

The Fire and Health Departments have inspected the bar and allowed the CUP process to continue. The police activity report for service calls from 2022 to present is attached. The Planning Department has received no complaints regarding the present use as a bar. As per Section 138-400 of the Zoning Ordinance, the parking lot must be properly striped and free of potholes. The establishment must comply with requirements set forth in Section 138-118(a)(4) of the Zoning Ordinance and specific requirements as follows:

- 1) The property line of the lot of any of the above mentioned businesses must be at least 400 ft. from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruption of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The proposed establishment is within 400 ft. from the nearest residence and residentially zoned property to the southeast, a church across the street on the south side of Nolana Avenue, and publicly owned property (McAllen's Public Library) to the west;
- 2) The property must be as close as possible to a major arterial and shall not generate traffic onto residential sized streets. The property has access from North 23<sup>rd</sup> Street and Nolana Avenue.
- 3) The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance as a minimum, and make provisions to prevent the use of adjacent streets for parking. The proposed 4,650 sq. ft. bar would require 47 parking spaces; there are 305 parking spaces provided on site. In a site visit conducted by staff, staff noticed that the parking lot was repaved, restriped and re-configured.
- 4) The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties;
- 5) The business shall provide sufficient lighting to eliminate dark areas and maximize visibility from a public street in order to discourage vandalism and criminal activities;
- 6) The business must make provisions to keep litter to a minimum and keep it from blowing onto adjacent properties; and
- 7) The above mentioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Planning Director.

**RECOMMENDATION:** Staff recommends disapproval of the request due to noncompliance with requirement #1 (distance) of Section 138-118(a)(4) of the Zoning Ordinance.



23RD

22ND

99¢ store

dollar bins

vacant

vacant

Ranas

tattoo

r & indian

big blast

vacant

vacant

club retro

cigar bar

smoke shop

beauty salon

vacant

rebeccas

compas bank

vacant

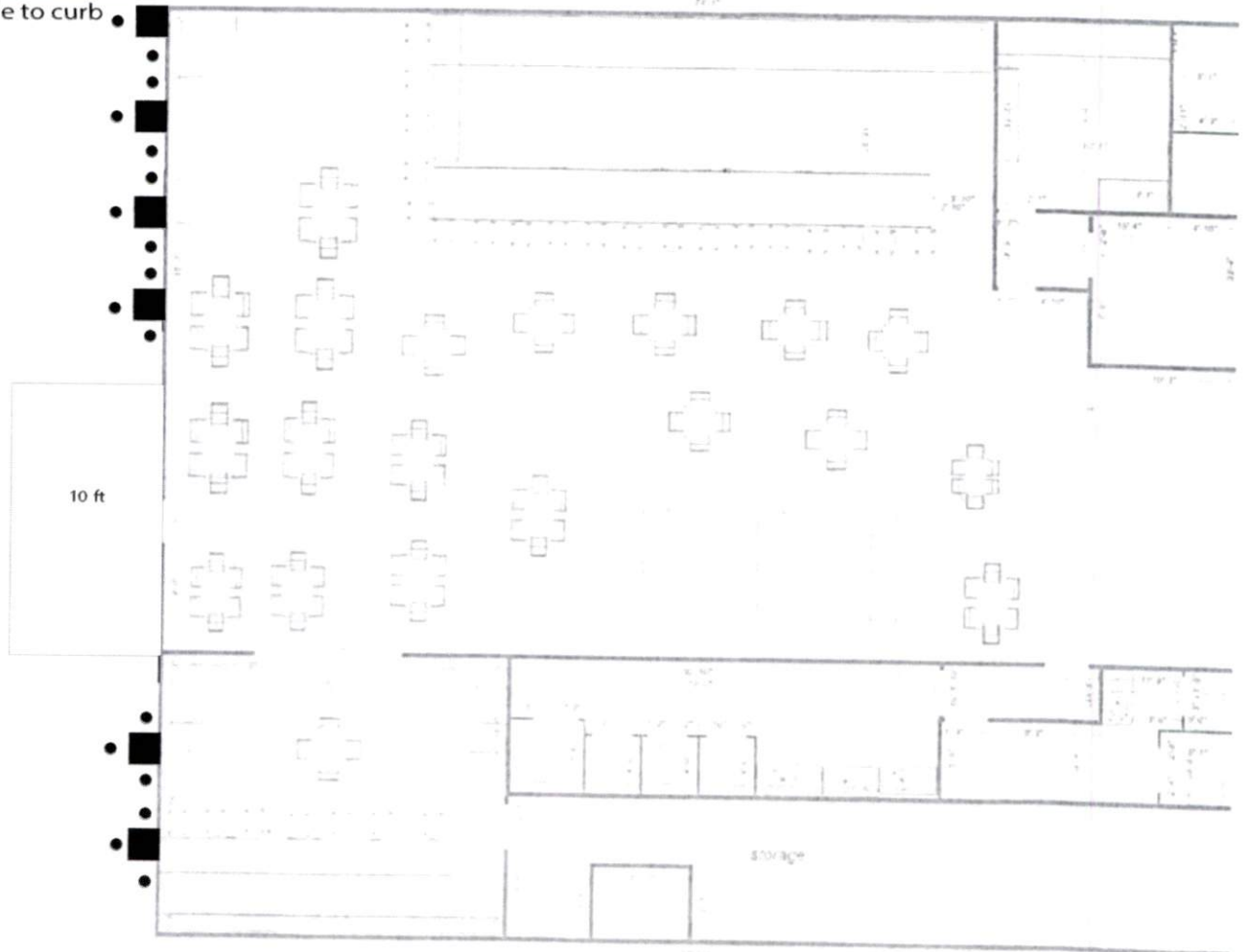
278 PARKING SPACES

NOLANA



15 ft from edge of curb to wall

2.5ft from edge of table to curb



Black squares are 30"x30" tables.







**Cigar Bar**

OPEN  
2212

2212

2208

DejaVu  
SMOKE SHOP

CURB-SIDE  
PICK UP  
HONK HORN  
956-661-1166

CURB-SIDE  
PICK UP  
HONK HORN  
956-661-1166

TEXAS  
HSZ-6551



**NOTICE  
BAR  
FOR  
THIS PROPERTY  
CUP2023-0096**

 CITY OF MCALLEN PLANNING DEPT.  
956-684-1250  
WWW.MCALLEN.NET





## Memo

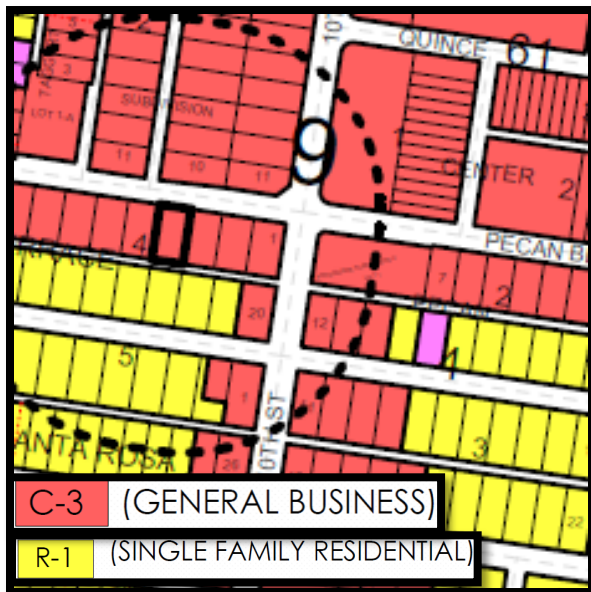
**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

**DATE:** August 15, 2023

**SUBJECT:** REQUEST OF DIONICIO D. LONGORIA, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE, FOR A SMOKE SHOP AND ART GALLERY, AT LOT 4, BLOCK 4, ORANGE TERRACE SUBDIVISION, NO. 3. HIDALGO COUNTY, TEXAS: 1013 PECAN BOULEVARD, SUITE B. (CUP2023-0097)

**BRIEF DESCRIPTION:** The property is located on the South side of Pecan Boulevard between North 10<sup>th</sup> Street and North 12<sup>th</sup> Street, and is zoned C-3 (general business) District. The adjacent zoning is C-3 to the north, east, and west, and R-1(single family residential) District to the south. A smoke shop is allowed in a C-3 (general business) District with a Conditional Use Permit and in compliance with requirements.



**HISTORY:** This is the initial Conditional Use Permit application for this location for a smoke shop and art gallery.

**SUMMARY/ANALYSIS:** The applicant is proposing to operate a smoke shop and art gallery under the name of Interstate 420 from the existing suite on the first story of the building. The proposed hours of operation are Monday – Thursday from 10.00 A.M. to 10.00 P.M. and Friday- Saturday from 10:00 A.M. to 12:00 A.M.

The Fire Department conducted an inspection of the establishment and determined to be in compliance. The establishment must also meet the requirements set forth in Section 138-118(a)(4) of the Zoning Ordinance and specific requirements as follows:

- a) The property line of the lot of the above mentioned business must be at least 400 ft. from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruption of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The proposed establishment is within 400 ft. of residential zones and uses;
- b) The abovementioned business must be as close as possible to a major arterial, and shall not allow the traffic generated by such business onto residential streets, or allow such traffic to exit into and disrupt residential areas. The property has direct access to Pecan Boulevard;
- c) The abovementioned business must provide parking in accordance with the city off-street parking ordinance as a minimum, and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional onsite parking. Currently there is a multi-tenant commercial/residential building on the property. The plaza consists of beauty shop next door and some apartments on the second story. The proposed smoke shop shall require 9 parking spaces; parking spaces are proposed to be provided on the front and side of the building. For the parking spaces of the common parking area, 1 accessible parking space is required and provided on site, as per section 138-400(a) of the Off-Street Parking and Loading requirements, all off-street parking must be clearly striped and free of potholes;
- d) The abovementioned business must do everything possible to prevent the unauthorized parking by the patrons of such business on adjacent businesses or residential properties including, when necessary, the installation of fences and hedges, and the reorientation of entrances;
- e) The abovementioned business should do everything possible and be designed to discourage criminal activities and vandalism, both on the site and on adjacent properties. Included would be provision of sufficient lighting and perimeter fencing, elimination of dark areas, and the orientation of the building such that it provides maximum visibility as much as possible of the site from a public street;
- f) The abovementioned business must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties;
- g) The abovementioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Director of Planning. The occupancy load for this establishment will be established by the Building Inspection Department as part of the building permit review process.

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

## Interstate 420 Business Plan

### **Introduction:**

This executive summary introduces a business plan for an innovative venture called Interstate 420, which combines a smoke shop and an art gallery. The business aims to create a unique and memorable experience for customers by offering carefully selected smoking products alongside a showcase of local artists' work. By seamlessly integrating these two elements, Interstate 420 intends to attract a diverse clientele and establish a prominent presence in the market.

Moreover, it is worth noting that the medicinal properties of CBD (cannabidiol) and delta-8-THC (delta-8-tetrahydrocannabinol) have demonstrated potential in assisting the treatment of cancer and various ailments. These compounds have been associated with pain management, reduction of chemotherapy-induced nausea and vomiting, appetite stimulation, improved sleep quality, and the possibility of inhibiting the growth of cancer cells. This knowledge is not only rooted in scientific research but also holds personal significance, as the owner, Dino Longoria, is a cancer survivor who personally experienced the life-saving benefits of these products during his own treatment.

By combining a heartfelt understanding of the therapeutic potential of these substances with a professional and empathetic approach, Interstate 420 aims to provide customers with a comprehensive and holistic experience that caters to their well-being and artistic appreciation.

### **Market Opportunity:**

Interstate 420 targets two overlapping markets: smoking enthusiasts and art appreciators. With the growing acceptance and legalization of cannabis, there is a significant demand for high-quality smoking products. Additionally, the local art scene has a vibrant community of talented artists seeking exposure. By catering to these markets, the business can tap into a niche segment with untapped potential.

### **Business Model:**

Interstate 420 will offer a wide range of smoking products, including pipes, vaporizers, rolling papers, and accessories. These items will be sourced from reputable suppliers to ensure quality and variety. The art gallery will showcase rotating exhibits of local artists, providing them with a platform to display and sell their artwork. The business will generate revenue through product sales, art commissions, and hosting events.

**Competitive Advantage:**

Interstate 420 differentiates itself through its unique blend of products and experiences. By combining the smoke shop and art gallery concepts, the business offers a distinctive value proposition that sets it apart from traditional smoke shops or art galleries. The curated selection of smoking products and the opportunity to discover and support local artists create a compelling and memorable customer experience.

**Marketing and Sales Strategy:**

To reach its target audience, the business will employ a multi-channel marketing approach. This will include online promotion through social media platforms, a user-friendly e-commerce website, and collaborations with local influencers. In addition, the business will actively participate in community events and establish partnerships with nearby businesses to increase visibility and attract foot traffic.

**Financial Projections:**

Based on market research and conservative estimates, Interstate 420 expects steady revenue growth over the next three years. Initial startup costs include inventory procurement, store setup, and marketing expenses. The business will closely monitor expenses, optimize inventory management, and seek to achieve a healthy profit margin. Detailed financial projections are available in the full business plan.

**Conclusion:**

The Interstate 420 business plan outlines an exciting opportunity to establish a unique and profitable venture. By combining smoking products and art exhibits, the business aims to captivate a diverse customer base and carve out a distinct position in the market. With a solid marketing strategy, a focus on quality products, and an engaging customer experience, the business is poised for success in the ever-growing smoke shop and art industry.

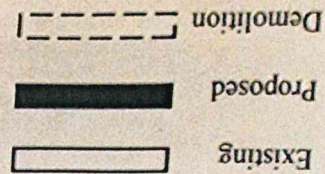




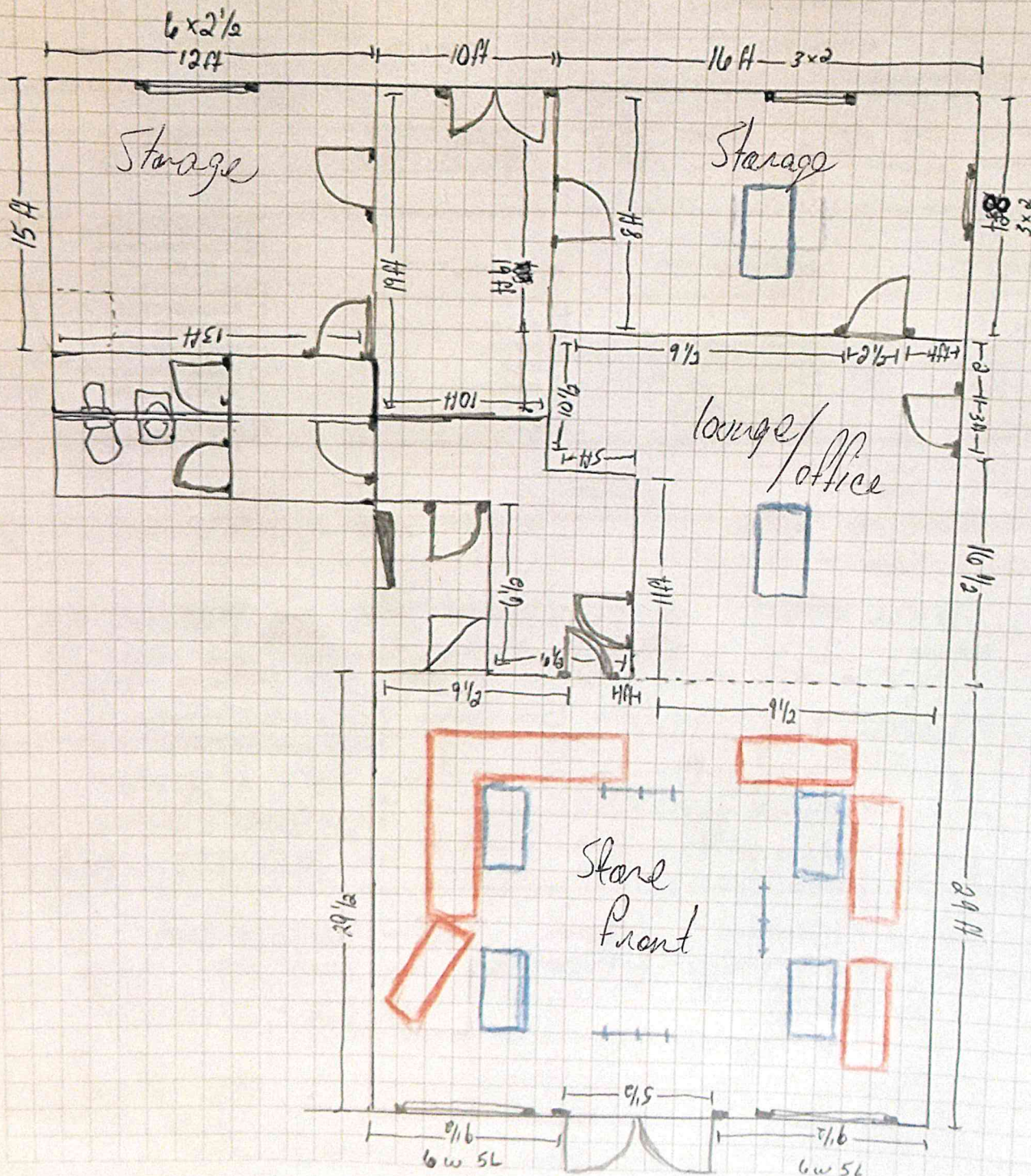
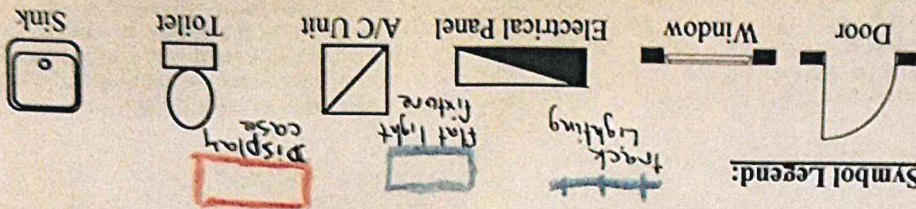


Application and documents can be submitted electronically to

Wall Legend:



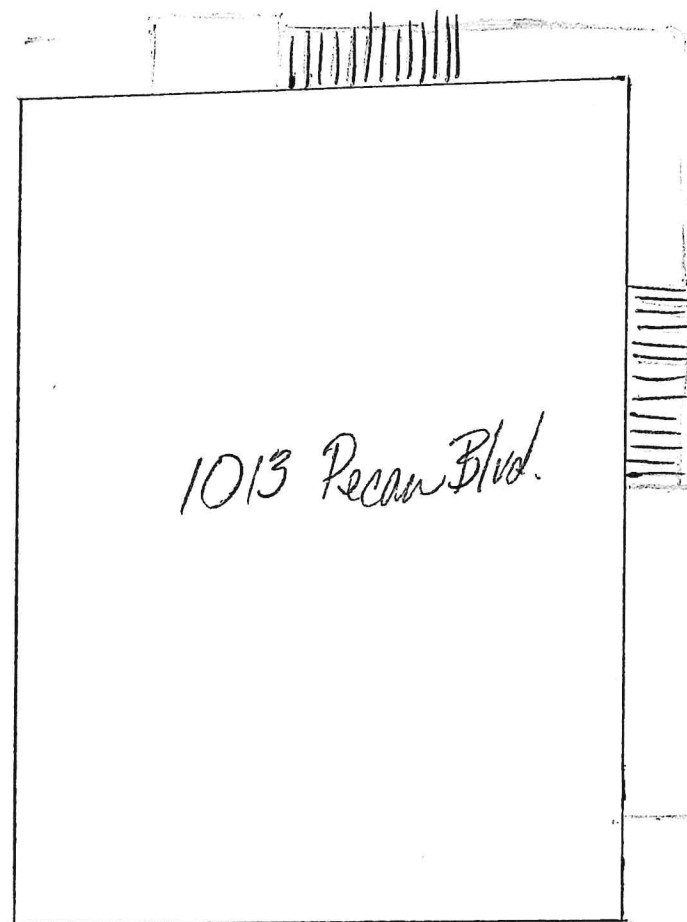
Symbol Legend:





Parking

81 | 21 | 91 | 51 | 71



13  
12  
11  
10  
9  
8  
7  
6

1 | 2 | 3 | 4 | 5

Pecan Blvd.







# Supreme Kings

BARBER SHOP

TV'S DVD PLAYERS SUBWOOFERS INSTALLATIONS

INTERSTATE  
TEXAS  
**420**  
RGV  
GLASS, ART & ACCESSORIES

1013-A

1013  
23502B

*Lipstick*  
BEAUTY & NAIL  
SALON  
956-682-6768  
SUNDAY & MONDAY  
CLOSED  
TUESDAY - FRIDAY  
9AM - 6PM  
SATURDAY  
9AM - 5PM  
LIPSTICKBEAUTYSALON





# Supreme Kings

BARBER SHOP

STEREOS

AMPLIFIERS

TV'S

DVD PLAYERS

SUBWOOFERS

INSTALLATIONS

1013-A

1013

OPEN

*Lupita's*

BEAUTY & NAIL SALON

956-682-6768

*Lupita's*

BEAUTY & NAIL SALON

956-682-6768

SUNDAY & MONDAY CLOSED

TUESDAY - FRIDAY 9AM - 6PM

SATURDAY 9AM - 5PM

LUPITA'S BEAUTY SALON

NOTICE  
SMOKE  
SHOP  
FOR  
THIS PROPERTY  
CUP2023-0097

INTERSTATE  
TEXAS  
420  
RCV  
GLASS, ART & ACCESSORIES



## Memo

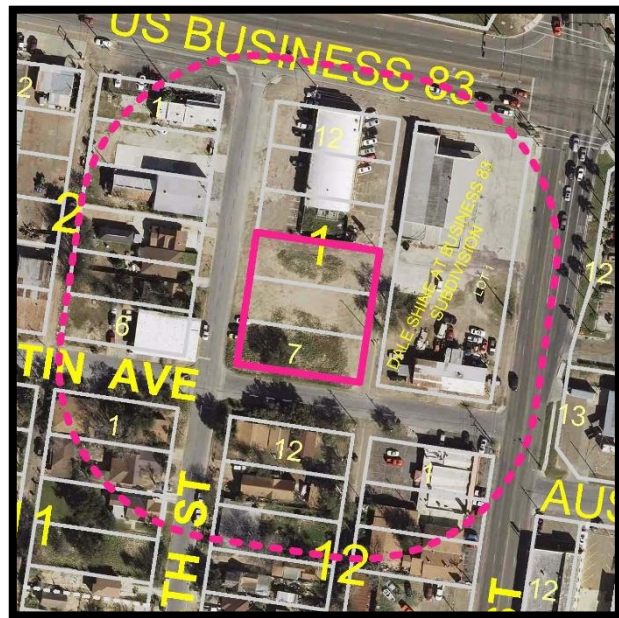
**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

**DATE:** August 18, 2023

**SUBJECT:** REQUEST OF ORALIA DAVILA ON BEHALF OF IGLESIA CASA DE REFUGIO Y RESTAURACION PENTECOSTES INC. FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, AND ADOPTION OF AN ORDINANCE FOR AN INSTITUTIONAL USE (CHURCH) AT LOTS 7, 8, AND 9, BLOCK 1, YOUNG'S SUBDIVISION, HIDALGO COUNTY, TEXAS; 21 SOUTH 24TH STREET. (CUP2023-0092)

**BRIEF DESCRIPTION:** The subject property is located on the northeast corner of Austin Avenue and South 24<sup>th</sup> Street. The property is zoned I-1 (light industrial) District. The adjacent zoning is I-1 (light industrial) District to the north, east, and west, and R-2 (duplex-fourplex) District and C-3 (general business) District to the south. Surrounding land uses include Jessie's Meat Market, Go Car Wash, and apartments. An institutional use is permitted in an I-1 District with a Conditional Use Permit and in compliance with requirements.



**HISTORY:** This is the first Conditional Use Permit request for this property. The Conditional Use Permit request application was submitted on July 10, 2023.

**SUMMARY/ANALYSIS:** The applicant is proposing to operate a church with a main sanctuary area and a play area for the children. Based on the 100 seats proposed in the sanctuary area, 25 parking spaces are required; the applicant is proposing 30 parking spaces on site. The site plan must also show proper amount of maneuvering space of 24 feet and won't be allowed to

back up onto the street. The proposed hours of operation for the sanctuary are Wednesdays from 5 PM to 8:30 PM and Saturdays from 5 PM to 8:30 PM.

An approved building permit showing correct parking spaces and maneuvering space will be required and will be subject to compliance with all requirements. The Fire Department will conduct their inspections once the construction for the proposed church is completed and prior to occupancy.

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 church must comply with the Zoning Ordinance and specific requirements as follows:

- 1) The proposed use shall not generate traffic onto residential size streets or disrupt residential areas, and shall be as close as possible to a major arterial. The property fronts Austin Avenue and has access from South 24<sup>th</sup> Street.
- 2) The proposed use shall comply with the McAllen Off-Street Parking Ordinance and make provisions to prevent the use of street parking especially in residential areas. Based on the proposed 100 seats, 25 parking spots are required; the applicant is proposing 30 parking spaces on site.
- 3) The proposed use shall prevent the unauthorized parking of its patrons on adjacent businesses or residences by providing fences, hedges, or reorientation of entrances and exits;
- 4) The proposed use shall provide sufficient lighting to eliminate dark areas, perimeter fencing, and an orientation of the building to provide maximum visibility from a public street in order to discourage vandalism and criminal activities;
- 5) Provisions shall be made to prevent litter from blowing onto adjacent streets and residential areas;
- 6) The number of persons within the building shall be restricted to those allowed by the Fire Marshal and Building Official at the time of permit issuance;
- 7) Sides adjacent to a residentially zoned or used property shall be screened by a 6 ft. opaque fence.

If approval is granted, the church must comply with all other Zoning Ordinance, Building Code, and Fire Department requirements that will be requested during the building permitting process.

Staff did receive one phone call in opposition to the request citing possible traffic concerns.

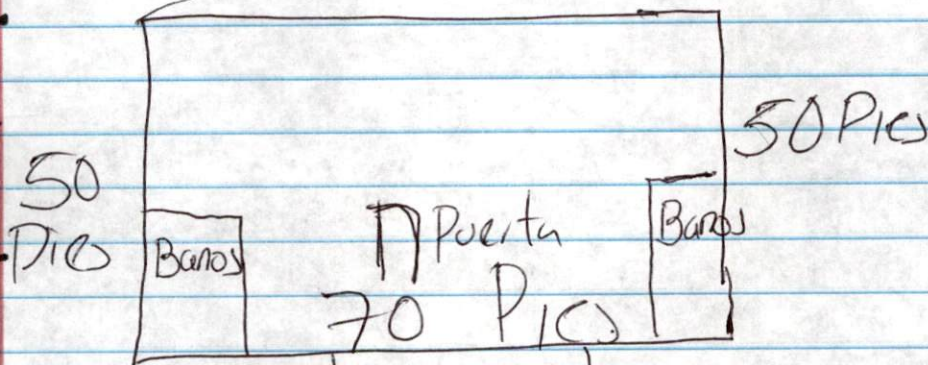
**RECOMMENDATION:** Staff recommends approval of the request, for life of the use, subject to compliance with requirements of the Zoning Ordinance, Building Department, and Fire Department requirements.



24" de Reversa



# Costruccion del Templo



area de juegos para los niños 30 por 30

100 Sillas

30 ó 40 Pies  
Pies.  
Largo

Techo

ancho  
15 ó  
20 Pies.

~~Estacionamiento~~

Austin Av.

16 Estacionamientos









NOTICE  
INSTITUTIONAL  
USE  
FOR  
THIS PROPERTY  
CUP2023-0092



## Planning Department

### Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

**DATE:** August 16, 2023

**SUBJECT: REZONE FROM R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENTS) DISTRICT: 0.878 ACRES OUT OF LOT 308, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS; 3925 NORTH BENTSEN ROAD (REZ2023-0043)**

**LOCATION:** The property is located on the southwest corner of Nolana Avenue and North Bentsen Road. The tract has 194.29 ft. of frontage along North Bentsen Road and 204.20 ft. of frontage along Nolana Avenue according to the submitted survey.

**PROPOSAL:** The applicant is proposing to rezone the property to R-3A (multifamily residential apartments) District in order to develop the tract of land for a multifamily apartment development. A proposed subdivision under the name Brier Village Phase II was approved in preliminary form on June 20, 2023.



**ADJACENT ZONING:** The adjacent zoning is A-O (agricultural and open space) District to the east, R3-A (multifamily residential apartment) District to the west and south, and C-4 (commercial-industrial) District to the north.

**LAND USE:** The subject property is vacant. Surrounding land uses are City of McAllen Public Works Department and Recycling Center, Hidalgo County Irrigation District No. 1 canal right-of-way, single family residences, and vacant land.

**FUTURE LAND USE PLAN:** The Envision McAllen Future Land Use Plan categorizes this property as Complete Communities. This area would be most appropriate for single-family detached homes, duplexes, neighborhood scale mixed-use urban projects, and Civic and Parks and Open Space uses.

**DEVELOPMENT TRENDS:** The development trend for this area along North Bentsen Road is primarily single family residential and multifamily residential along Nolana Avenue.

**ANALYSIS:** The requested zoning does not conform to the Future Land Use Plan designation. However, there is a R-3A (multifamily apartment residential) District to the south and west.

The proposed development area would have 0.878 acres (38,245.68 square feet). Based on the maximum density per gross acres in the R-3A District: 38-one bedroom units, 30-two bedroom units, and 25-three bedroom units would be allowed. Seven thousand square feet represents the minimum lot area for any R-3 multifamily residential district use, exclusive of a townhouse. Max allowable density per acre will be defined on site plan approval, once a final subdivision plat is recorded.

A recorded subdivision plat, site plan review by the development team, and access management curb cut approvals is required prior to building permit issuance. Required park land dedication or a fee in lieu of land comprising \$700 per dwelling unit is required prior to recording a subdivision plat.

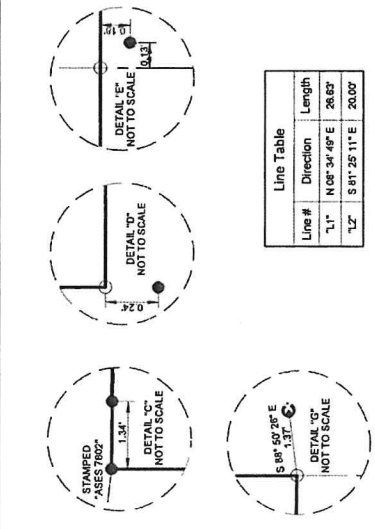
Staff did not receive any phone calls, emails, or letters in opposition to the zoning request.

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

BEARING BASIS AS PER TEXAS  
COORDINATE SYSTEM OF 1983 (TEXAS SOUTH)  
ELEVATION DATUM AS PER NAVD 88 (GEOID 2012B)  
SCALE: 1"=60'

# **FLOOD ZONE** **ZONE "C"**

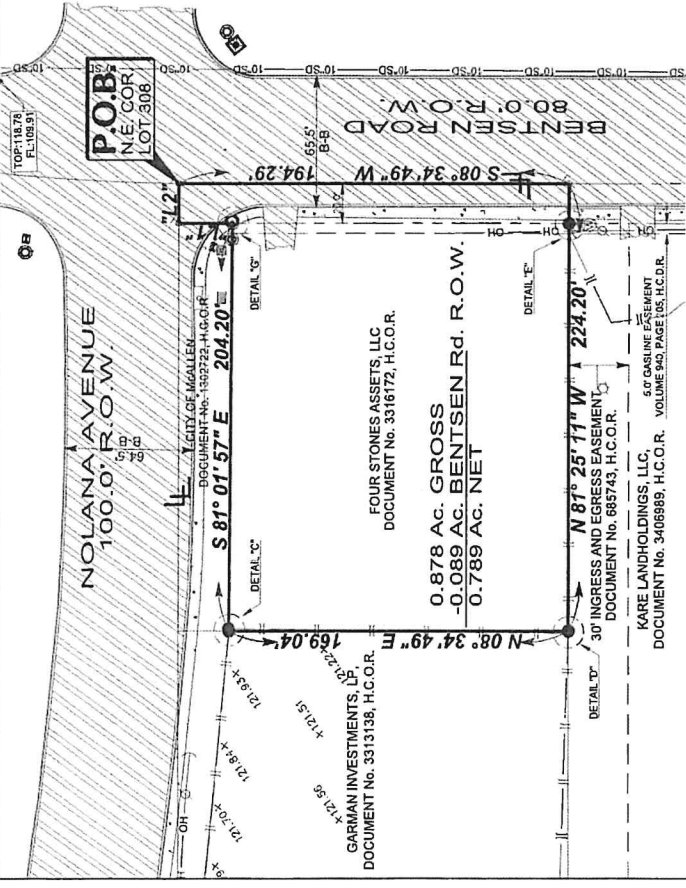
AREAS OF MINIMAL FLOODING.  
COMMUNITY-PANEL NUMBER: 460334 0400 C  
MAP REVISED: NOVEMBER 16, 1992



Line #	Direction	Length
1.1"	N 08° 34' 49" E	28.63'
1.2"	S 81° 25' 11" E	20.00'

## **LEGEND**

- FOUND PIPE (SIZE AS NOTED)
- FOUND "X" MARK ON CONCRETE
- FOUND NO. 4 REBAR
- SET NO. 4 REBAR WITH PLASTIC
- CAP STAMPED MELDEN & HUNT
- ✱ SET NAIL
- ✱ POWER POLE
- ✱ LIGHT POLE
- ✱ POWER POLE WITH LIGHT
- ✱ GUY WIRE
- ✱ WATER METER
- ✱ TYPE "A" INLET
- ✱ GRATE INLET
- ✱ TRAFFIC SIGNAL BOX
- ✱ ELECTRIC BOX
- ✱ TRANSFORMER
- ✱ TRAFFIC LIGHT POLE
- ✱ HOG WIRE FENCE
- OH - OVERHEAD POWER LINE
- 10"SD - 10" STORM SEWER LINE
- ASPHALT AREA
- CONCRETE AREA
- B-B - BACK OF CURB TO BACK OF CURB
- H.C.D.R. - HIDALGO COUNTY DEED RECORDS
- H.C.C.R. - HIDALGO COUNTY OFFICIAL RECORDS
- R.O.W. - RIGHT OF WAY
- R.O.W. - RIGHT OF WAY
- H.C.M.R. - HIDALGO COUNTY MAP RECORDS
- N.E. COR. - NORTHEAST CORNER
- Ac. - OF ONE ACRE
- Rd. - ROAD
- LF - LOT LINE



**PLAT SHOWING**  
**0.878 OF ONE ACRE BEING OUT OF**  
**LOT 308,**  
**JOHN H. SHARY SUBDIVISION**  
**VOLUME 1, PAGE 17, H.C.M.R.**  
**CITY OF McALLEN,**  
**HIDALGO COUNTY, TEXAS**



I, RUBEN JAMES DE JESUS, A REGISTERED PROFESSIONAL  
LAND SURVEYOR, DO HEREBY CERTIFY THE FOREGOING  
PLAT TO BE TRUE AND CORRECT REPRESENTATION OF A  
SURVEY MADE ON THE GROUND UNDER MY DIRECTION  
AND SUPERVISION.

6-2-2023  
DATE:  
RUBEN JAMES DE JESUS, RPLS No. 6813

- NOTES:**  
SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL & SIGNATURE OF SURVEYOR.
1. SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A PREVIOUS SURVEY. THE SURVEYOR IS ADVISING THE RECIPIENT OF THIS PLAT THAT ADDITIONAL EASEMENTS MAY AFFECT THIS TRACT.
  2. NOT ALL IMPROVEMENTS WERE LOCATED ON SUBJECT TRACT.
  3. ELEVATION DATUM PER NAVD 88 (GEOID 2012B)

**MELDEN & HUNT INC.**  
CONSULTANTS • ENGINEERS • SURVEYORS

BOOK: 1, P. 17  
DATE: 06/01/2023  
JOB NO. 21210.02  
FILE NAME: 21210.02-Abigail tract  
DRAWN BY: B.M.  
www.meldenandhunt.com

115 W. MCINTYRE  
EDINBURG, TX 78541  
(956) 381-1839  
FAX: (956) 381-1839  
ESTABLISHED 1947  
www.meldenandhunt.com



June 1, 2023

**METES AND BOUNDS DESCRIPTION  
0.878 OF ONE ACRE BEING OUT OF LOT 308  
JOHN H. SHARY SUBDIVISION  
CITY OF McALLEN, HIDALGO COUNTY, TEXAS**

A tract of land containing 0.878 of one acre situated in the City of McAllen, Hidalgo County, Texas, being a part or portion out of Lot 308, John H. Shary Subdivision, according to the plat thereof recorded under Volume 1, Page 17, Hidalgo County Map Records, said 0.878 of one acre was conveyed to Four Stones Assets, LLC, by virtue of a Warranty Deed with Vendor's Lien recorded under Document Number 3316172, Hidalgo County Official Records, said 0.878 of one acre also being more particularly described as follows;

BEGINNING, at a Nail set at the Northeast corner of said Lot 308 and within the existing right-of-way of Nolana Avenue and Bentsen Road, for the Northeast corner and POINT OF BEGINNING of this herein described tract;

1. THENCE, S 08° 34' 49" W along the East line of said Lot 308 and within the existing right-of-way of Bentsen Road, a distance of 194.29 feet to a Nail set, for the Southeast corner of this tract;
2. THENCE, N 81° 25' 11" W at a distance of 40.00 feet pass a No. 4 rebar set on the existing West right-of-way line of Bentsen Road from which a No. 4 rebar found bears S 26° 44' 16" E a distance of 0.23 feet, continuing a total distance of 224.20 feet to a No. 4 rebar set, from which a No. 4 rebar found bears S 19° 17' 40" E, a distance of 0.27 feet, for the Southwest corner of this tract;
3. THENCE, N 08° 34' 49" E a distance of 169.04 feet to a No. 4 rebar set, on the existing South right-of-way line of Nolana Avenue, for the Northwest corner of this tract;
4. THENCE, S 81° 01' 57" E along the existing South right-of-way of Nolana Avenue, at a distance of 1.34 feet pass a No. 4 rebar found in line, continuing a total distance of 204.20 feet to a No. 4 rebar set on the existing West right-of-way line of Bentsen Road, from which a cut "X" in concrete found bears S 88° 50' 26" E, a distance of 1.37 feet, for an inside corner of this tract;
5. THENCE, N 08° 34' 49" E, along the existing West right-of-way line of Bentsen Road, a distance of 26.63 feet to a Nail set for an outside corner of this tract;
6. THENCE, S 81° 25' 11" E a distance of 20.00 feet to the POINT OF BEGINNING and containing 0.878 of one acre, of which 0.089 of one acre lies within the existing right-of-way of Bentsen Road leaving a net of 0.789 of one acre of land, more or less.

I, RUBEN JAMES DE JESUS, A REGISTERED PROFESSIONAL LAND SURVEYOR DO HEREBY AFFIRM THAT THIS METES AND BOUNDS DESCRIPTION REPRESENTS THE RESULTS OF A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

  
RUBEN JAMES DE JESUS, R.P.L.S. #6813

6-2-2023

DATE:











NOTICE  
OF REZONING  
FOR  
THIS PROPERTY  
REZ2023-0043



## Planning Department

### Memo

**TO:** Planning and Zoning Commission

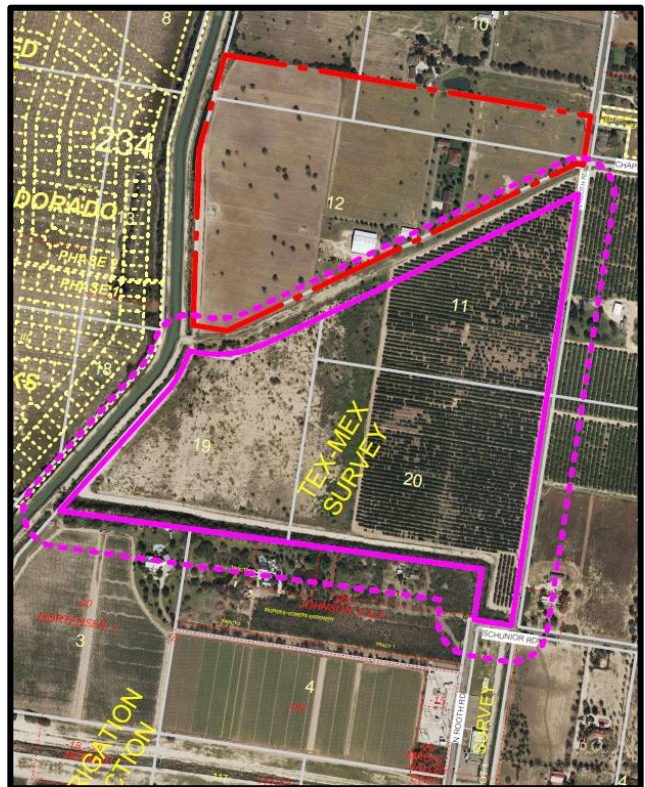
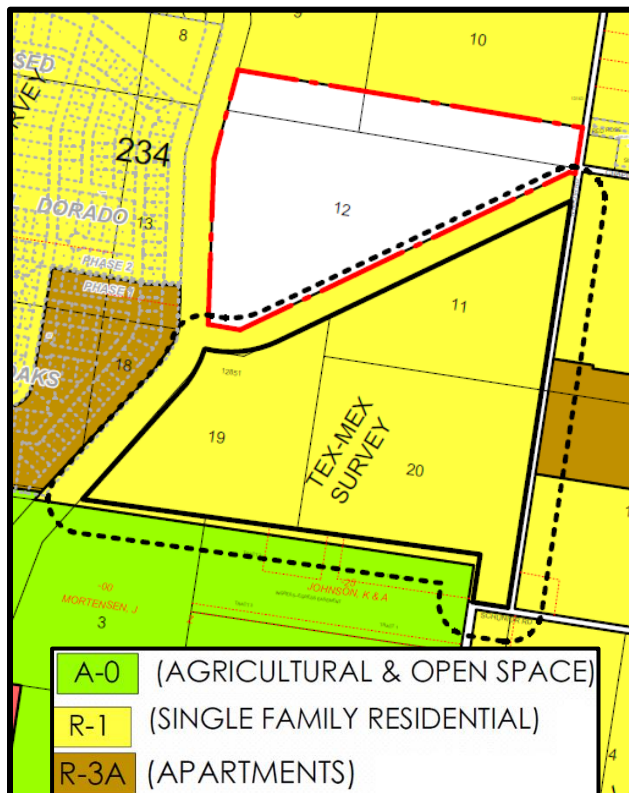
**FROM:** Planning Staff

**DATE:** August 18, 2023

**SUBJECT:** REZONE FROM R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO R-3A (MULTIFAMILY APARTMENT RESIDENTIAL) DISTRICT: 76.461 ACRES (77.76 ACRES DEED CALL), BEING ALL OF LOTS 11, 19, AND 20, SECTION 234, TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY, SAID 77.76 ACRE TRACT ALSO BEING ALL OF LOTS 17, 18, 19, 20, 21, 22, 23, AND 24, PALMLAND GROVES, HIDALGO COUNTY, TEXAS; 12501 NORTH ROUTH ROAD. (REZ2023-0036)

**LOCATION:** The property is located along the northwest corner of North Routh Road and Schunior Road.

**PROPOSAL:** The applicant is proposing to rezone the property to R-3A (multifamily apartment residential) District in order to develop the tract of land for detached fourplex development. No feasibility plan or site plan have been submitted for the proposal.



**ADJACENT ZONING:** The adjacent zoning is R-1 (single-family residential) District to the east across North Rooth Road, A-O (agricultural and open space) District to the south, and R-3A (multifamily apartment residential) District to the west and east.

**LAND USE:** The subject property is vacant.

**FUTURE LAND USE PLAN:** The Envision McAllen Future Land Use Plan categorizes this property as Complete Communities. Single-family detached homes, duplexes, townhomes, civic, and parks and open spaces uses are considered most appropriate for this area.

**DEVELOPMENT TRENDS:** The development trend for this area along North Rooth Road is primarily single-family residential with surrounding agricultural uses or vacant land.

**ANALYSIS:** The requested zoning does not conform to the Future Land Use Plan designation. However, there are two existing and one potential R-3A (multifamily apartment residential) District properties to the east and west.

The proposed development area would have 76.461 acres (3,330,641.16 square feet). Based on the maximum density per gross acres in the R-3A District: 3,331-one bedroom units, 2,665-two bedroom units, and 2,220-three bedroom units would be allowed. Seven thousand square feet represents the minimum lot area for any R-3 multifamily residential district use, exclusive of townhouse. Max allowable density per acre will be defined on site plan approval, once a final subdivision plat is recorded.

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

Staff has not received any phone calls, emails, or letters in opposition to the initial zoning request.

**RECOMMENDATION:** Staff recommends approval of the rezoning request to R-3A (multifamily townhome residential) District.

#### **PLANNING AND ZONING COMMISSION MEETING OF AUGUST 8, 2023:**

At the Planning and Zoning Commission meeting of August 8, 2023 three adjacent owners appeared in opposition to this request. Staff received an email from the applicant requesting to table this item. After the Board was informed of this request, they asked to speak to the owners who were present in opposition to this request. The owners made public comment individually citing how this proposal would be at odds with the surrounding uses and how Rooth Road would not support the traffic density this proposal would bring. Their comments were taken for public record and the owners were informed that this item would be heard at the next available meeting.



May 1, 2023

**METES AND BOUNDS DESCRIPTION**  
**76.461 ACRES BEING ALL OF**  
**LOTS 11, 19, AND 20, SECTION 234,**  
**TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY,**  
**CITY OF McALLEN**  
**HIDALGO COUNTY, TEXAS**

A tract of land containing 76.461 acres (77.76 acres deed call) situated in the City of McAllen, Hidalgo County, Texas, being all of Lots 11, 19, and 20, Section 234, Texas-Mexican Railway Company's Survey, according to the plat or map thereof recorded in Volume 3, Page 14, Hidalgo County Map Records, said 76.461 acres (77.76 acres deed call) were conveyed to Monica Grunberger De Burillo and Leilah Daniela Burillo Grunberger, by virtue of Special Warranty Deed with Vendor's Lien recorded in Instrument Number 2129033, Hidalgo County Official Records, said 76.461 acres (77.76 acres deed call) also being more particularly described as follows:

BEGINNING on a Nail set [Northing: 16641294.804, Easting: 1071783.463] at the Southeast corner of said Lot 20 and being within the existing right-of-way of Schunior Road, for the Southeast corner of this herein described tract;

1. THENCE, N 80° 51' 09" W (N 80° 40' W deed call) along a South line of said Lot 20 and being within the existing right-of-way of Schunior Road, a distance of 233.19 feet (233.22 feet deed call) to a Nail set at the Southernmost Southwest corner of this tract;
2. THENCE, N 08° 47' 51" E (N 08° 59' E deed call) along a West line of said Lot 20, a distance of 308.80 feet to a No. 4 rebar set for an inside corner of this tract;
3. THENCE, N 82° 08' 09" W (N 81° 57' W deed call) at a distance of 1,086.95 feet [1086.8 feet map call] pass the Southwest corner of said Lot 20 and the Southeast corner of said Lot 19, continuing a total distance of 2,365.10 feet (2,342.70 feet map call) for the Northernmost Southwest corner of this tract;
4. THENCE, N 42° 11' 51" E along the East right-of-way line claimed by Hidalgo County Irrigation District No. 1, according to plat or map of said Texas-Mexican Railway Company's Survey and by virtue of an Affidavit recorded under Document No. 2880111, Hidalgo County Official Records, at a distance of 24.22 feet pass a No. 4 rebar set on the existing North right-of-way line of an unopened road, continuing a total distance of 859.40 feet to a No. 4 rebar set for an angle point of this tract;
5. THENCE, in a Northeasterly direction, along a boundary line of said right-of-way line claimed by Hidalgo County Irrigation District No. 1 and a curve to the left with a central angle of 24° 40' 10", a radius of 672.96 feet, an arc length of 289.75 feet, a tangent of 147.16 feet, and a chord that bears N 29° 51' 46" E a distance of 287.52 feet to a No. 4 rebar set for the Northwest corner of this tract; from which a No. 4 rebar found bears S 00° 20' 36" W a distance of 103.54 feet; and from which another No. 4 rebar bears N 71° 59' 44" E a distance of 71.74 feet; and from which further another No. 4 rebar bears N 85° 53' 02" E a distance of 173.78 feet;
6. THENCE, in a Northeasterly direction, along a boundary line of said right-of-way line claimed by Hidalgo County Irrigation District No. 1 and a curve to the left with a central angle of 39° 12' 36", a radius of 647.96 feet, an arc length of 443.42 feet, a tangent of 230.79 feet, and a chord that bears N 84° 03' 08" E a distance of 434.82 feet to a No. 4 rebar set for an angle point of this tract;
7. THENCE, N 64° 26' 50" E (N 64° 41' E deed call) at a distance of 1,915.03 feet pass a No. 4 rebar set on the existing West right-of-way line of Rooth Road, continuing a total distance of 1,939.25 feet (1,919.31 feet deed call) to a Nail set at the Northernmost corner of said Lot 11, for the Northeast corner of this tract;

JUN 23 2023

BY: \_\_\_\_\_

8. THENCE, S 08° 47' 51" W (S 08° 59' W deed call) along the East line of said Lot 11, at a distance of 1,144.56 feet pass the Southeast corner of said Lot 11 and the Northeast corner of said Lot 20, continuing a total distance of 2,462.36 feet (2,498.13 feet deed call) for the POINT OF BEGINNING and containing 76.461 acres (77.76 acres deed call), of which 2.450 acres lie within the existing rights-of-way of Rooth Road and an unopened road, leaving a net of 74.011 acres of land, more or less.

I, ROBERTO N. TAMEZ, A REGISTERED PROFESSIONAL LAND SURVEYOR DO HEREBY AFFIRM THAT THIS METES AND BOUNDS DESCRIPTION REPRESENTS THE RESULTS OF A SURVEY MADE ON THE GROUND ON 04/05/2023 UNDER MY DIRECTION AND SUPERVISION.



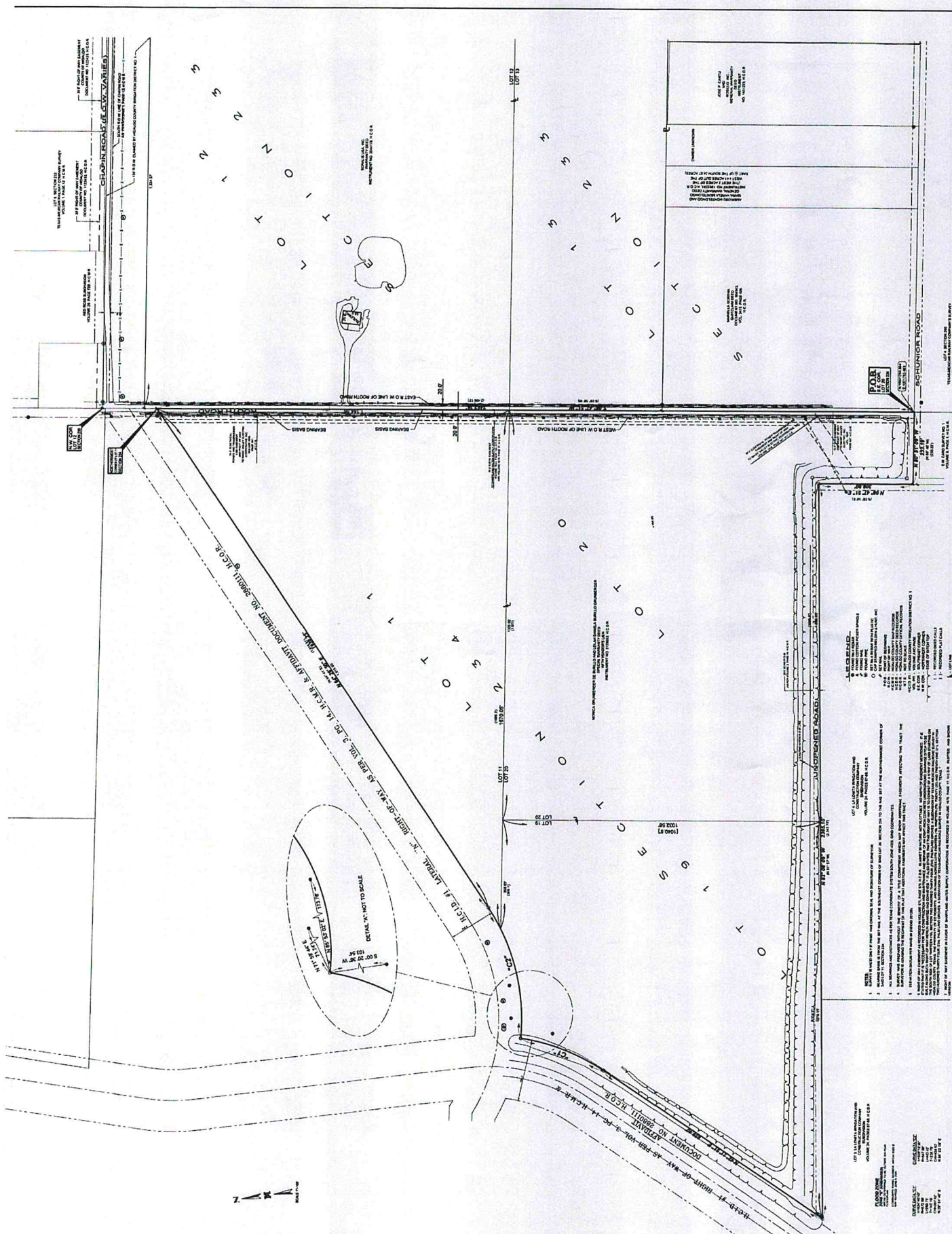
ROBERTO N. TAMEZ, R.P.L.S. #6238

05/01/2023

DATE:







76.461 ACRES GROSS (77.76 ACRES) -2.490 ACRES ROTH ROAD & UNOPENED ROAD R.O.W. 73.971 ACRES NET	TOTAL ACRES
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JUN 23 2023

PLAT SHOWING  
76.461 ACRES  
BEING ALL OF  
LOTS 11, 19, AND 20  
SECTION 234  
TEXAS-MEXICAN RAILWAY  
COMPANY'S SURVEY  
VOLUME 3, PAGE 14 H.C.M.R.  
CITY OF McALLEN  
HIDALGO COUNTY, TEXAS

ROBERTSON JAMES REQUESTED IMMEDIATELY  
LEAD SURVIVOR. DO HERSEY CERTIFY THE  
PROPOSED PLAN TO BE TRUE AND CORRECT  
AND THAT THE INFORMATION CONTAINED  
ON THE CHARGE ON SEARCHES UNDER MY DIRECTION  
AND SUPERVISION AND WAS NOT INTENDED TO  
SPURN OR DECEASE MEMBERS.

*[Signature]*  
ROBERTSON JAMES  
11-10-57

ORDER NO. <b>23355.08</b> ORDERING DATE 8/19/23 ORDER BY J.G.A.H. PO Number 23355 08 -XXX, PO XXX	REVISION DATE BY
---	------------------------

118 N. Main Street • Springfield, TX 75084  
**REIDEN & HUNT INC.**  
 COMMERCIAL TIRE SERVICE • TIRE CARE





NOTICE  
REZONING  
FOR  
THIS PROPERTY  
REZ2023-0036



SUB 2023-0001



# City of McAllen

## Planning Department

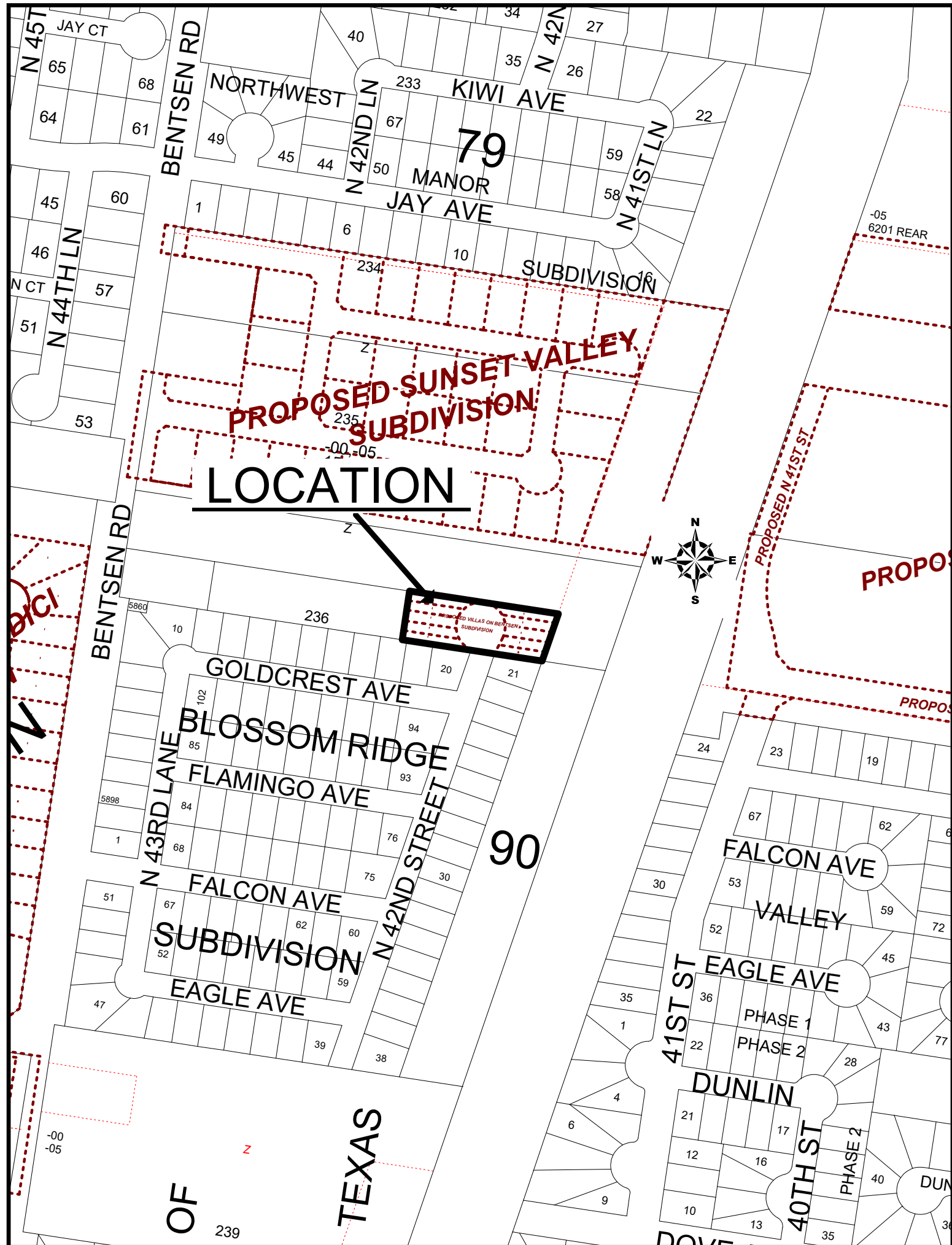
311 NORTH 15<sup>TH</sup> STREET • (956) 681-1250 • (956) 681-1279 (fax)  
**SUBDIVISION PLAT REVIEW APPLICATION**

Project Information	Subdivision Name <u>Villas on Bentsen Subdivision</u>	
	Location _____	
	City Address or Block Number <u>5912 N. 42<sup>ND</sup> ST</u>	
	Number of Lots <u>4</u>	Gross Acres <u>0.73</u> Net Acres _____ ETJ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Existing Zoning <u>A-0</u> Proposed Zoning <u>R-1</u> Rezoning Applied for <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date <u>2/7/23</u>	
	Existing Land Use <u>Vacant</u> Proposed Land Use <u>MF</u> Irrigation District # _____	
	Replat <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Commercial _____ Residential _____	
	Agricultural Exemption <input type="checkbox"/> Yes <input type="checkbox"/> No Estimated Rollback Tax Due _____	
	Parcel # _____ Tax Dept. Review <u>✓</u> <u>P8500-00-000-0236-08</u>	
	Water CCN <input type="checkbox"/> MPU <input type="checkbox"/> Sharyland Water SC Other _____	
Legal Description <u>A 0.73 of an acre tract of land out of Lot 236, Pride O' Texas Subdivision, Hidalgo County, Texas.</u>		
Owner	Name <u>Carlo and Brooke Cantu</u> Phone <u>(208) 972-1192</u>	
	Address <u>2016 S. 45th Street</u> E-mail <u>carlo@crcdesign-build.com</u>	
	City <u>McAllen</u> State <u>TX</u> Zip <u>78503</u>	
Developer	Name <u>Carlo and Brooke Cantu</u> Phone <u>(208) 972-1192</u>	
	Address <u>2016 S. 45th Street</u> E-mail <u>carlo@crcdesign-build.com</u>	
	City <u>McAllen</u> State <u>TX</u> Zip <u>78503</u>	
	Contact Person <u>Carlo Cantu</u>	
Engineer	Name <u>Quintanilla, Headley &amp; Associates, Inc.</u> Phone <u>(956) 381-6480</u>	
	Address <u>124 E. Stubbs Street</u> E-mail <u>alfonsoq@qha-eng.com</u>	
	City <u>Edinburg</u> State <u>TX</u> Zip <u>78539</u>	
	Contact Person <u>Alfonso Quintanilla, P.E.</u>	
Surveyor	Name <u>Quintanilla, Headley &amp; Associates, Inc.</u> Phone <u>(956) 381-6480</u>	
	Address <u>124 E. Stubbs Street</u> E-mail <u>alfonsoq@qha-eng.com</u>	
	City <u>Edinburg</u> State <u>TX</u> Zip <u>78539</u>	

ENTERED

JAN 03 2023

Initial: NM









# City of McAllen

## SUBDIVISION PLAT REVIEW

Reviewed On: 8/17/2023

### SUBDIVISION NAME: VILLAS ON BENTSEN

#### REQUIREMENTS

##### STREETS AND RIGHT-OF-WAYS

N.42nd Street:50ft. of total ROW dedication.

Paving: 32 ft. Curb & gutter: Both Sides

\*\*Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan

\*\*Monies must be escrowed if improvements are required prior to recording.

Applied

Paving \_\_\_\_\_ Curb & gutter \_\_\_\_\_

\*\*Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan

\*\*Monies must be escrowed if improvements are required prior to recording.

NA

Paving \_\_\_\_\_ Curb & gutter \_\_\_\_\_

\*\*Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan

\*\*Monies must be escrowed if improvements are required prior to recording.

NA

\* 1,200 ft. Block Length.

\*\*Subdivision Ordinance: Section 134-118

NA

\* 900 ft. Block Length for R-3 Zone Districts.

\*\*As per updated application submitted on February 7th,2023 single family residential lots proposed.

\*\*Subdivision Ordinance: Section 134-118

NA

\* 600 ft. Maximum Cul-de-Sac.

\*\*As per Fire Department requirements, 96 ft. of paving face-to face required, and 10 ft. of ROW back of curb around Cul-de-Sac required.

\*\*\*Based on subdivision boundary restrictions subdivision proposes 107 ft. of ROW at Cul-De-Sac with 5 ft. Utility Easement along lots.

\*\*\*\*Subdivision Ordinance: Section 134-105

Applied

##### ALLEYS

ROW: 20 ft. Paving: 16 ft.

\*Alley/service drive easement required for commercial and multi-family properties.

\*\*As per updated application submitted on February 7th,2023 single family residential lots proposed, if use changes from single family residential a Alley/service drive easement will be required.

\*\*\*Subdivision Ordinance: Section 134-106

Applied

##### SETBACKS

\* Front: 25 ft. or greater for easements, whichever is greater applies.

\*\*Zoning Ordinance: Section 138-356

Applied

\* Rear: 10 ft. or greater for easements, whichever is greater applies

\*\*Zoning Ordinance: Section 138-356

Applied

\* Sides: 6 ft. or greater for easements, whichever is greater applies

\*\*Zoning Ordinance: Section 138-356

Applied

**These comments are for subdivision requirements only – additional requirements may apply at time of site plan review**



<ul style="list-style-type: none"> <li>* Corner: 10 ft. or greater for easements, whichever is greater applies</li> <li>**Current subdivision layout does not propose any buildable lots abutting a street, if layout changes and buildable lot abuts a street intersection, the corner setback note will be required.</li> <li>***Zoning Ordinance: Section 138-356</li> <li>* Garage: 18 ft. except where greater setback is required, greater setback applies.</li> <li>**Zoning Ordinance: Section 138-356</li> <li>*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN</li> </ul>	NA
	Applied
	Applied
<b>SIDEWALKS</b>	
<ul style="list-style-type: none"> <li>* 4 ft. wide minimum sidewalk required on both sides of N. 42nd Street and around Cul-de-Sac.</li> <li>**Sidewalk requirements may increase to 5 ft. per Engineering Department requirements. Finalize wording for note prior to recording.</li> <li>****Subdivision Ordinance: Section 134-120</li> <li>* Perimeter sidewalks must be built or money escrowed if not built at this time.</li> </ul>	Applied
	Required
<b>BUFFERS</b>	
<ul style="list-style-type: none"> <li>* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses.</li> <li>**Landscaping Ordinance: Section 110-46</li> <li>* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.</li> <li>**Landscaping Ordinance: Section 110-46</li> <li>*Perimeter buffers must be built at time of Subdivision Improvements.</li> </ul>	Applied
	Applied
	Required
<b>NOTES</b>	
<ul style="list-style-type: none"> <li>*Must comply with City Access Management Policy</li> <li>* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.</li> <li>* Common Areas, any Cul-de Sacs/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen.</li> <li>* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.</li> <li>* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.</li> <li>**Section 134-168 applies if private subdivision is proposed.</li> <li>***Section 110-72 applies if public subdivision is proposed.</li> <li>****Landscaping Ordinance: Section 110-72</li> <li>*****Subdivision Ordinance: Section 134-168</li> <li>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</li> <li>**Homeowner's Association Covenants must be submitted for staff review, prior to recording.</li> <li>***Section 134-168 applies if private subdivision is proposed.</li> <li>****Section 110-72 applies if public subdivision is proposed.</li> <li>*****Landscaping Ordinance: Section 110-72</li> <li>*****Subdivision Ordinance: Section 134-168</li> </ul>	Applied
	NA
	Applied
	NA
	Required
	Required

**These comments are for subdivision requirements only – additional requirements may apply at time of site plan review**



LOT REQUIREMENTS	
* Lots fronting public streets. **Subdivision Ordinance: Section 134-1	Compliance
* Minimum lot width and lot area. **Zoning Ordinance: Section 138-356	Compliance
ZONING/CUP	
* Existing: R-1(Single-Family) Residential District Proposed: R-1(Single-Family) Residential **Rezoning to R-1 approved at the City commission meeting of February 27, 2023. ***Zoning Ordinance: Article V	Applied
* Rezoning Needed Before Final Approval **Rezoning to R-1 approved at the City commission meeting of February 27, 2023. ***Zoning Ordinance: Article V	Complete
PARKS	
* Land dedication in lieu of fee. As per updated application submitted on February 7th,2023 a total of 4 lots proposed park fees total to \$2,800 (\$700 X4 per lot/dwelling unit) payable prior to plat recording. If the number of lots/dwelling units changes fees will be adjusted accordingly.	NA
* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per updated application submitted on February 7th,2023 a total of 4 lots proposed park fees total to \$2,800 (\$700 X4 per lot/dwelling unit) payable prior to plat recording. If the number of lots/dwelling units changes fees will be adjusted accordingly.	Required
*Pending review by the City Manager's Office. As per updated application submitted on February 7th,2023 a total of 4 lots proposed park fees total to \$2,800 (\$700 X4 per lot/dwelling unit) payable prior to plat recording. If the number of lots/dwelling units changes fees will be adjusted accordingly.	NA
TRAFFIC	
* As per Traffic Department, Trip Generation waived for 4- single family lots.	Completed
* Traffic Impact Analysis (TIA) required prior to final plat. **As per Traffic Department, Trip Generation waived for 4- single family lots.	NA
COMMENTS	
Comments: *Must comply with City's Access Management Policy. **Based on the ownership map submitted by the engineer on August 16th,2023, it appears that no landlocked parcels exist or will be created. ***Subdivision approved in Revised Preliminary form at the Planning and Zoning Commission meeting of February 21st ,2023.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM SUBJECT TO CONDITIONS NOTED.	Applied

**These comments are for subdivision requirements only – additional requirements may apply at time of site plan review**







SUB2022-0126



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

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

Project Description	<p>Subdivision Name <u>AUSTIN 495 PLAZA SUBDIVISION</u></p> <p>Location <u>SOUTH SIDE OF PECAN AVE. (FM 495) APPROXIMATELY 1,180 FT EAST OF BENTSEN RD.</u></p> <p>City Address or Block Number <u>4101 PECAN BLVD</u></p> <p>Number of lots <u>1</u> Gross acres <u>0.995</u> Net acres <u>0.940</u></p> <p>Existing Zoning <u>C-3</u> Proposed <u>C-3</u> Rezoning Applied For <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____</p> <p>Existing Land Use <u>GENERAL BUSINESS</u> Proposed Land Use <u>GENERAL BUSINESS</u> Irrigation District # <u>1</u></p> <p>Residential Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Commercial Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> ETJ Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>Agricultural Tax Exempt Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Estimated Rollback tax due _____</p> <p>Parcel No. _____ Tax Dept. Review _____</p> <p>Legal Description <u>A 0.995 OF AN ACRE TRACT BEING OUT OF LOT 7, BLOCK 2, C.E. HAMMOND SUBDIVISION IN HIDALGO COUNTY, TEXAS, AS PER MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 8, AMP RECORDS IN THE OFFICE OF THE COUNTY CLERK OF HIDALGO COUNTY, TEXAS.</u></p>
Owner	<p>Name <u>JINGUO LIU</u> Phone <u>(646) 289-1560</u></p> <p>Address <u>3308 SANTA OLIVIA</u></p> <p>City <u>MISSION</u> State <u>TX</u> Zip <u>78572</u></p> <p>E-mail <u>hellosamliu@gmail.com</u></p>
Developer	<p>Name <u>JINGUO LIU</u> Phone <u>(646) 289-1560</u></p> <p>Address <u>3308 SANTA OLIVIA</u></p> <p>City <u>MISSION</u> State <u>TX</u> Zip <u>78572</u></p> <p>Contact Person <u>JINGUO LIU</u></p> <p>E-mail <u>hellosamliu@gmail.com</u></p>
Engineer	<p>Name <u>IDEN I. TREVINO</u> Phone <u>956-283-8847</u></p> <p>Address <u>200 S. 10 ST. SUITE 1303</u></p> <p>City <u>McAllen</u> State <u>TX</u> Zip <u>78501</u></p> <p>Contact Person <u>IDEN TREVINO</u></p> <p>E-mail <u>ident@trevinoengineering.com, karime@trevinoengineering.com</u></p>
Surveyor	<p>Name <u>HOMERO LUIS GUTIERREZ</u> Phone <u>956-369-0988</u></p> <p>Address <u>P.O. BOX 548</u></p> <p>City <u>McALLEN</u> State <u>TX</u> Zip <u>78505</u></p>

ENTERED

OCT 26 2022

Initial: Nm



## Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

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

### PLAT TO SHOW:

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

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

Owner's Signature

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

Signature  Date 10/24/2022

Print Name IDEN I. TREVINO

Owner ☐

Authorized Agent ☒





City of McAllen

Planning Department

VARIANCE TO SUBDIVISION

PROCESS APPLICATION

VAR2023-0021

311 North 15<sup>th</sup> Street  
McAllen, TX 78501  
P. O. Box 220

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

Av 8km 495 PLAZA SUB.

Project	Legal Description	A 0.995 OF AN ACRE TRACT BEING OUT OF LOT 7, BLOCK 2, C.E. HAMMOND SUBDIVISION IN HIDALGO COUNTY, TEXAS, AS PER MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 8, MAP RECORDS IN THE OFFICE OF THE COUNTY CLERK OF HIDALGO, COUNTY, TEXAS	
	Street Address	SOUTH SIDE OF PECAN AVE (FM 495) APPROX. 1,180 FT EAST OF BENTSEN RD.	
Applicant	Number of lots	1	Gross acres 0.995
	Existing Zoning	C-3 General Business	Existing Land Use Agriculture
Owner	<input checked="" type="checkbox"/> Current Survey and Metes and Bounds (if the legal description of the tract is a portion of a lot) is required		
	Name	Iden I. Treviño	
Authorization	Phone	(956) 283-8847	
	E-mail	IdenI@trevinoengineering.com karime@trevinoengineering.com	
Office	City	McAllen, TX	
	State	TX	
Office	Zip	78501	
	Name	Jinkou Liu	
Office	Phone	(46) 289-1560	
	Address	3308 Santa Olivia	
Office	E-mail	heliosamliu@gmail.com	
	City	Mission	
Office	State	TX	
	Zip	78512	
Office	To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated?		
	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Office	I certify that I am the actual owner of the property described above and this application is being submitted with my consent (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 07/14/2023	
Office	Print Name	Iden I. Treviño	
		<input type="checkbox"/> Owner <input checked="" type="checkbox"/> Authorized Agent	
Office	*FOR OFFICE USE ONLY*		
	APPLICATION FILING FEE:	<input type="checkbox"/> \$250.00	
Office	Accepted by	Payment received by	
	Date	Date	
Office	Rev 10/18		
	RECEIVED JUL 18 2023 By GMM		





# City of McAllen

## Planning Department

### REASON FOR APPEAL

Notes: As per McAllen Code of Ordinances Sec. 134-6, financial hardships alone are **not** an eligible standing for a variance. Please submit for consideration and review any combination of the following: (*If necessary, please use an additional page to complete responses*)

\*\*Information provided here by the applicant does not guarantee that the Commission will grant a variance.

\*\*\*Applicant should include all information they determine is relevant, but it is not required to provide responses to all sections listed below.

Reason for Appeal

1. Describe the special circumstances or conditions affecting the land involved such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of his land.

The City of McAllen requires as per ordinance a front 15 ft, or in-line with existing, based on Copperfield Estates plat note, the existing front setback of the block is 127 ft, the proposed setback for Austin 495 Plaza Subdivision is 85 ft.

2. Describe how the variance is necessary for the preservation and enjoyment of the legal property rights of its owner.

The variance is necessary to avoid front setback of 127 ft, because Copperfield Estates plat has an existing 50.00' gas line easement in front of the property.

3. Describe how the variance will not be detrimental to the public health, safety or welfare or injurious to the legal rights other property owners enjoy in the area.

The building will remain as is.

4. Describe how the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of this chapter.

The building is at ft setback in lieu of 85 ft.



DRUSCILL

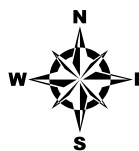
**SUBDIVISION**

STC WEST 15 ACRE SUB  
LOT 1

**PROPOSED  
JUCAR APARTM  
SUBDIVISIO**

FERN  
VALLEY 2

# LOCATION



PECAN BLVD

C.E.

PROPOSED AUSTIN 495  
PLAZA SUBDIVISION

H0850-00-002-0007-02

4101

N 42ND ST

BLOCK "B"

PHASE 1A

LOT 1

LOT 2

LAUREL AVE

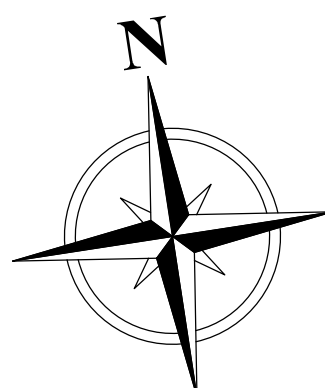
# ESTATES

N 40TH LN  
UBDIVISION<sup>1</sup>

N 41ST ST

THE ATTIC THREE  
LOT 1





### LEGEND

	FOUND IRON ROD
	1/2" IRON ROD

THE SUBDIVISION IS IN FLOOD ZONE "C" DEFINED AS AREAS OF MINIMAL FLOODING.  
COMMUNITY PANEL NO. 480343 0005 C  
MAP REVISED NOVEMBER 2, 1982.

2. BENCHMARK = COTTON PICKER SPINDLE @ POWER POLE LOCATED APPROXIMATELY 46.67 FEET EAST OF THE NORTHWEST CORNER OF THIS SUBDIVISION.  
ELEV. 125.72

3. MINIMUM BUILDING SETBACKS

FRONT: 85 FEET OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS  
SIDE: 15 FEET IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER  
FOR APPROVED SITE PLAN OR EASEMENTS  
REAR: 10 FEET IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER  
FOR APPROVED SITE PLAN OR EASEMENTS

4. A TOTAL OF 0.156 ACRE FEET (8,073 CUBIC FEET) OF STORM WATER DETENTION IS REQUIRED FOR THIS SUBDIVISION.

5. ALL LOT CORNER MARKED WITH A 1/2-INCH DIAMETER ROD

6. ALL UTILITIES IN THIS SUBDIVISION SHALL BE UNDERGROUND

7. A 5 FT WIDE SIDEWALK IS REQUIRED ALONG PECAN BLVD. (F.M. 495)  
A 4 FT WIDE SIDEWALK OF THE INTERIOR PROPOSED SUBDIVISION  
SIDEWALK REQUIRED AS PART OF SUBDIVISION IMPROVEMENTS, INTERIOR SIDEWALKS AT THE TIME OF BUILDING PERMITS.

8. OWNER/DEVELOPER SHALL BE RESPONSIBLE FOR MAINTENANCE OF DETENTION POND

9. SHOULD ANY ENTITIES HAVING AUTHORITY OVER THE RECORDED EASEMENTS DEDICATED HEREIN NEED TO REPAIR, REPLACE, INSTALL, OR IN ANY WAY REQUIRE EXCAVATION ACCESS TO THE LINES THEREIN, THAT ENTITY SHALL HAVE THE RIGHT TO ACCESS THE EASEMENT WHICH MAY CAUSE INCIDENTAL DAMAGE TO PRIVATE IMPROVEMENTS INCLUDING BUT NOT LIMITED TO FENCES, WALLS, SUGS, LANDSCAPING AND PRIVATE IRRIGATION SYSTEMS OWNERS(S) OF PROPERTIES SHALL HAVE HARMLESS AND INDEMNIFY ANY SUCH ENTITY FROM THE DAMAGES AND/OR REPLACEMENT COSTS CAUSED BY NEEDED WORK.

10. ALL IRRIGATION DISTRICT EASEMENTS, IF SHOWN, ARE EXCLUSIVE TO HIDALGO COUNTY IRRIGATION DISTRICT NO.1, AND THE DISTRICT ALLOWS NO OTHER UTILITIES OR OUTSIDE USE WITHOUT IT EXPRESS WRITTEN APPROVAL.

11. UTILITY COMPANY, PUBLIC ENTITY, PARTY OR PERSON IS ALLOWED TO CROSS ABOVE OR BELOW GROUND ANY IRRIGATION DISTRICT EASEMENT OR RIGHT OF WAY WITH LINES, POLES, OPEN FITTINGS, OR OTHER USE WITHOUT FIRST OBTAINING A CROSSING PERMIT FROM IRRIGATION DISTRICT NO.1.

12. NO PERMANENT STRUCTURE, UTILITY POLE, HOLE, WALL, FENCE, DRIVEWAY OR ROAD WILL BE ALLOWED TO BE CONSTRUCTED OR EXIST ON ANY DISTRICT EASEMENT OR RIGHT OF WAY WITHOUT WRITTEN APPROVAL BY HIDALGO COUNTY IRRIGATION DISTRICT NO.1. ANY UNAUTHORIZED STRUCTURE WITHIN THE EASEMENT BOUNDARY IS SUBJECT TO IMMEDIATE REMOVAL AT VIOLATORS EXPENSE.

13. 8 FOOT MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL OR MULTI-FAMILY RESIDENTIAL ZONE/USES

14. 6 FOOT OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, AND INDUSTRIAL ZONE/USES

15. COMMON AREAS, PRIVATE SERVICE DRIVES, ETC. MUST BE MAINTAINED BY THE LOT OWNER AND NOT THE CITY OF McALLEN.

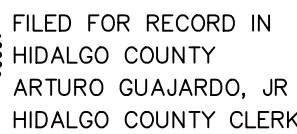
HIDALGO COUNTY DRAINAGE DISTRICT No. 1, HEREBY CERTIFIES THAT THE DRAINAGE PLANS FOR THE SUBDIVISION COMPLY WITH THE MINIMUM STANDARDS OF THE DISTRICT ADOPTED UNDER TEXAS WATER CODE 49.211(c). THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES DESCRIBED ARE APPROPRIATE FOR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

DATE \_\_\_\_\_

THIS PLAT IS HEREBY APPROVED BY THE HIDALGO COUNTY IRRIGATION DISTRICT #1 ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, NO IMPROVEMENTS OF ANY KIND (INCLUDING WITHOUT LIMITATION, TREES, FENCES, AND BUILDINGS) SHALL BE PLACED UPON HIDALGO COUNTY IRRIGATION DISTRICT #1 RIGHTS OF WAYS OR EASEMENTS.

\_\_\_\_\_  
PRESIDENT

\_\_\_\_\_  
ATTEST:  
SECRETARY



ON: \_\_\_\_\_ AT \_\_\_\_\_ AM/PM  
INSTRUMENT NUMBER \_\_\_\_\_  
OF MAP RECORDS OF HIDALGO COUNTY TEXAS  
BY: \_\_\_\_\_ DEPUTY

(WE), THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS THE AUSTIN 495 PLAZA SUBDIVISION, TO THE CITY OF McALLEN, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC THE SEWER LINES, STORM SEWERS, FIRE HYDRANTS, AND PUBLIC PLACES WHICH ARE INSTALLED OR WHICH I (WE) WILL CAUSE TO BE INSTALLED THEREON, SHOWN OR NOT SHOWN, IF REQUIRED OTHERWISE TO BE INSTALLED OR DEDICATED UNDER THE SUBDIVISIONS APPROVAL, AND AS THE CITY OF McALLEN, ALL THE SAME FOR THE BENEFIT OF THE PUBLIC THEREIN, AND THE CITY OF McALLEN, ALL THE SAME FOR THE BENEFIT OF THE APPLICABLE AUTHORITIES OF THE CITY OF McALLEN.

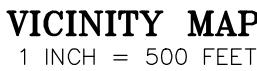
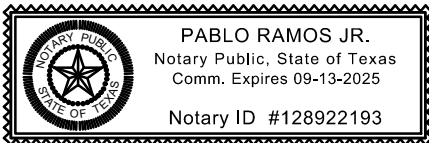
JINGUO LIU  
OWNER/REPRESENTATIVE

DATE \_\_\_\_\_

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, ON THIS DAY PERSONALLY APPEARED \_\_\_\_\_ KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

NOTARY PUBLIC, HIDALGO COUNTY, TEXAS  
MY COMMISSION EXPIRES ON :



AN 0.995% OF AN ACRE TACT OF LAND, MORE OR LESS, OUT OF LOT 7, BLOCK 2, C.E. HAMMOND SUBDIVISION, AS PER MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 8, HIDALGO MAP RECORDS IN THE OFFICE OF THE COUNTY CLERK OF HIDALGO COUNTY, TEXAS; AND AS FURTHER DESCRIBED IN SPECIAL WARRANTY DEED RECORDED VIA DOCUMENT No. 2008-1951767, OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS REFERENCE TO WHICH IS HERE MADE FOR ALL PURPOSE, LOCATED IN THE CITY OF McALLEN ON THE SOUTH SIDE OF PECAN AVENUE (FM 495) APPROXIMATELY 1,180 FEET EAST OF BENTSEN ROAD, IS DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

THE POINT OF COMMENCEMENT (P.O.C.) BEING AT A No.4 REBAR FOUND AT AN EXISTING CONCRETE BLOCK WALL CORNER FOR THE APPARENT SOUTHWEST CORNER OF SAID 0.995-OF AN ACRE TRACT, ALSO BEING THE POINT OF BEGINNING (P.O.B.) OF SAID 0.995-OF AN ACRE TRACT OF LAND HEREIN DESCRIBED:

THENCE, N 08 DEGREES 24 MINUTES 00 SECOND E, ALONG AN EXISTING CONCRETE BLOCK WALL TO THE LEFT, AND WITH THE APPARENT WEST LOT LINE OF SAID 0.995-OF AN ACRE TRACT PASSING THE END OF THE BLOCK WALL, THENCE WITH AN EXISTING CEDAR FENCE TO THE LEFT VARYING FROM 4.6 FEET TO ZERO FEET, A DISTANCE OF 341.12 FEET PASSED A FOUND NO.4 REBAR ON THE APPARENT EXISTING SOUTH-RIGHT-OF-WAY LINE OF SAID PECAN AVENUE, CONTINUING FOR A TOTAL A DISTANCE OF 361.12 FEET (363.12 FEET (363.00 FEET RECORDED) TO A POINT BEING 20.00 FEET SOUTH OF THE ORIGINAL 40-FOOT EXISTING RIGHT-OF-WAY CENTERLINE OF SAID PECAN AVENUE FOR THE APPARENT NORTHWEST CORNER OF SAID 0.995-OF AN ACRE TRACT OF LAND HEREIN DESCRIBED;

THENCE, S 81 DEGREES 55 MINUTES 00 SECONDS E, WITH A LINE 20.00 FEET SOUTH OF AND PARALLEL TO THE SAID PECAN AVENUE ORIGINAL 40-FOOT EXISTING RIGHT-OF-WAY CENTERLINE, AND WITH THE APPARENT NORTH LOT LINE OF SAID LOT 7 AND OF SAID 0.995-OF AN ACRE TRACT, A DISTANCE OF 120.00 FEET TO A POINT WITHIN EXISTING RIGHT-OF-WAY OF SAID PECAN AVENUE, AND BEING 20.00 FEET SOUTH OF THE SAID PECAN AVENUE ORIGINAL 40-FOOT EXISTING RIGHT-OF-WAY CENTERLINE FOR THE APPARENT NORTHEAST CORNER OF SAID 0.995-OF AN ACRE TRACT OF LAND HEREIN DESCRIBED;

THENCE, S 08 DEGREES 25 MINUTES 00 SECOND W, WITH THE APPARENT EAST LOT LINE OF SAID 0.995-OF AN ACRE TRACT, A DISTANCE OF 20.00 FEET TO A FOUND No. 4 REBAR FOUND ON THE SAID PECAN AVENUE SOUTH RIGHT-OF-WAY LINE CONTINUING FOR A TOTAL DISTANCE OF 361.12 FEET (363.00 FEET RECORDED) TO A FOUND No.4 REBAR FOR THE APPARENT SOUTHEAST CORNER OF SAID 0.995-OF AN ACRE TRACT OF LAND HEREIN DESCRIBED;

THENCE, N 81 DEGREES 33 MINUTES 00 SECONDS W, WITH THE APPARENT SOUTH LOT LINE OF SAID 0.995-OF AN ACRE TRACT, A DISTANCE OF 120.0 FEET TO THE SAID FOUND No.4 REBAR FOR THE SOUTHWEST CORNER OF 0.995-OF AN ACRE TRACT OF LAND HEREIN DESCRIBED, AND FOR THE POINT OF BEGINNING, CONTAINING A GROSS OF 0.995-OF AN ACRE OF LAND, OF WHICH 0.055 OF AN ACRE LIES IN EXISTING ROAD RIGHT-OF-WAY, FOR A NET OF 0.940 OF AN ACRE, MORE OR LESS.

BEARING BASIS AS PER THE NORTHERNMOST EAST LOT LINE OF COPPERFIELD ESTATES, RECORDED IN VOLUME 37, PAGE 127, HIDALGO COUNTY MAP RECORDS, HIDALGO COUNTY, TEXAS.

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

MAYOR, CITY OF McALLEN	DATE	CITY SECRETARY	DATE
------------------------	------	----------------	------

I, THE UNDERSIGNED, CHAIRMAN OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF McALLEN HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THIS CITY WHEREIN MY APPROVAL IS REQUIRED.

CHAIRMAN, PLANNING COMMISSION

DATE \_\_\_\_\_

I, HOMERO LUIS GUTIERREZ, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE AND IS PREPARED FROM AN ACTUAL SURVEY ON THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.



DATE \_\_\_\_\_

I, THE UNDERSIGNED, IDEN J. TREVINO, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE AND IS PREPARED FROM AN ACTUAL SURVEY ON THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.



DATE \_\_\_\_\_

DATE OF PREPARATION: OCTOBER 21, 2022

A 0.995 OF AN ACRE TRACT BEING OUT OF LOT 7,  
CLOCK 2, C.E. HAMMOND SUBDIVISION IN HIDALGO COUNTY, TEXAS,  
AS PER MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 8,  
MAP RECORDS IN THE OFFICE OF THE COUNTY CLERK OF HIDALGO  
COUNTY, TEXAS.

PRINCIPAL CONTACTS:

	ADDRESS
OWNER: JINGUO LIU	3308 SANTA OLIVIA
ENGINEER: IDEN I. TREVINO, P.E.	200 S. 10TH ST. SUITE 1303
SURVEYOR: HOMERO LUIS GUTIERREZ, RPLS	P.O. BOX 548

CITY & ZIP	PHONE
<u>MISSION, TEXAS 78572</u>	<u>(646) 289-1560</u>
<u>McALLEN, TEXAS 78501</u>	<u>(956) 283-8847</u>
<u>McALLEN, TEXAS 78505</u>	<u>(956) 369-0988</u>





# City of McAllen

## SUBDIVISION PLAT REVIEW

Reviewed On: 8/3/2023

### SUBDIVISION NAME: AUSTIN 495 PLAZA SUBDIVISION

#### REQUIREMENTS

##### STREETS AND RIGHT-OF-WAYS

Pecan Boulevard: Dedication as needed for 60 ft. from centerline for 120 ft. total ROW.  
Paving :65 -85 ft. Curb & gutter Both Sides.

Revisions Needed:

- Label total ROW after accounting for dedication from center line as "Total", prior to final.
- Label total ROW after accounting for dedication from Existing ROW line across Pecan Boulevard as "Total", prior to final.
- Provide a copy of document regarding referenced existing dedications prior to final.
- Clarify proposed dedications across Pecan Blvd, as they appear to be outside plat boundaries, finalize prior to final.
- Clarify additional lines within the existing dedications, prior to final.

\*\*\*Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan

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

Non-compliance

NA

Paving \_\_\_\_\_ Curb & gutter \_\_\_\_\_

\*\*\*Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan

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

\* 1,200 ft. Block Length.

\*\*Subdivision Ordinance: Section 134-118

\* 900 ft. Block Length for R-3 Zone Districts.

\*\*Subdivision Ordinance: Section 134-118

\* 600 ft. Maximum Cul-de-Sac.

\*\*Subdivision Ordinance: Section 134-105

Compliance

NA

NA

##### ALLEYS

ROW: 20 ft. Paving: 16 ft.

\*Alley/service drive easement required for commercial, industrial, and multi-family properties.

Revisions Needed:

- Provide for alley or service drive easement on the plat prior to final. Alley or service drive easement cannot dead-end.

\*\*Private Access Service Drive Easement must be minimum 24 ft. with 24 ft. of paving and in compliance with Fire and Public Works Department requirements.

\*\*Subdivision Ordinance: Section 134-106

Non-compliance



SETBACKS	
<p>* Front: In accordance with zoning ordinance, or greater for easements or approved site plan, or in line with average setback, whichever is greater applies.</p> <p>Pending Items:</p> <p>-As per application dated July 28,2023, Engineer has submitted Variance request for a proposed front setback request of 85 ft. in reference to the required setback as per ordinance of 92 ft. as that is the average of the existing structures along that block.</p> <p>Proposing: 85 feet or greater for approved site plan or easements.</p> <p>**Note wording must be finalized prior to final.</p> <p>***Zoning Ordinance: Section 138-356</p>	Non-compliance
<p>* Rear: In accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies.</p> <p>Revisions needed:</p> <p>-Clarify proposed note finalize wording, prior to final.</p> <p>*Proposing: 10 feet in accordance with the zoning ordinance, or greater for approved site plan or easements.</p> <p>**Zoning Ordinance: Section 138-356</p>	Non-compliance
<p>* Sides In accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies.</p> <p>Revisions needed:</p> <p>-Clarify proposed note finalize wording, prior to final.</p> <p>*Proposing: 15 feet in accordance with the zoning ordinance, or greater for approved site plan or easements.</p> <p>**Zoning Ordinance: Section 138-356</p>	Non-compliance
<p>* Corner: Interior Lot</p> <p>**Zoning Ordinance: Section 138-356</p>	NA
<p>* Garage: Commercial Development.</p> <p>**Zoning Ordinance: Section 138-356</p>	NA
<p>*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN</p>	Applied
SIDEWALKS	
<p>* 5 ft. wide minimum sidewalk required along Pecan Boulevard (F.M. 495).</p> <p>Revisions needed:</p> <p>- Clarify proposed note, as subdivision is a 1-lot subdivision with frontage along Pecan Blvd, and no interior streets proposed, prior to final</p> <p>**Proposing: A 5 ft. wide sidewalk is required along Pecan Blvd. (F.M. 495). A 4 ft. wide sidewalk of the interior proposed subdivision sidewalk required as part of subdivision improvements, interior sidewalks at the time of building permits.</p> <p>**5 ft. sidewalk as per Engineering Department.</p> <p>**Subdivision Ordinance: Section 134-120</p>	Non-compliance
<p>* Perimeter sidewalks must be built or money escrowed if not built at this time.</p>	Required
BUFFERS	
<p>* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses.</p> <p>Revisions Needed:</p> <p>-Add note as shown above, prior to final.</p> <p>**Landscaping Ordinance: Section 110-46</p>	Applied
<p>* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.</p> <p>**Landscaping Ordinance: Section 110-46</p>	Applied

**These comments are for subdivision requirements only – additional requirements may apply at time of site plan review**



*Perimeter buffers must be built at time of Subdivision Improvements.	Required
<b>NOTES</b>	
**Must comply with City Access Management Policy	Applied
* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.	Required
* Common Areas, private service drives, etc. must be maintained by the lot owners and not the City of McAllen.	Applied
**Note requirements will be established prior to final.	
* 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
**Section 110-72 applies if subdivision is proposed to be public.	
**Landscaping Ordinance: Section 110-72	
**Subdivision Ordinance: Section 134-168	
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.	NA
**Homeowner's Association Covenants must be submitted for staff review, prior to recording.	
***Section 134-168 applies if private subdivision is proposed.	
****Section 110-72 applies if public subdivision is proposed.	
*****Landscaping Ordinance: Section 110-72	
*****Subdivision Ordinance: Section 134-168	
<b>LOT REQUIREMENTS</b>	
* Lots fronting public streets.	Compliance
**Subdivision Ordinance: Section 134-1	
* Minimum lot width and lot area.	Compliance
**Zoning Ordinance: Section 138-356	
<b>ZONING/CUP</b>	
* Existing: C-3 (General Business) District Proposed: C-3 (General Business) District	Compliance
**Zoning Ordinance: Article V	
* Rezoning Needed Before Final Approval	NA
***Zoning Ordinance: Article V	
<b>PARKS</b>	
* Land dedication in lieu of fee. As per application dated October 26,2022 proposed land use is C-3 General Business, commercial developments do not apply to Parks.	NA
* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per application dated October 26,2022 proposed land use is C-3 General Business, commercial developments do not apply to Parks.	NA
* Pending review by the City Manager's Office. As per application dated October 26,2022 proposed land use is C-3 General Business, commercial developments do not apply to Parks.	NA
<b>TRAFFIC</b>	
* As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat.	Non-compliance

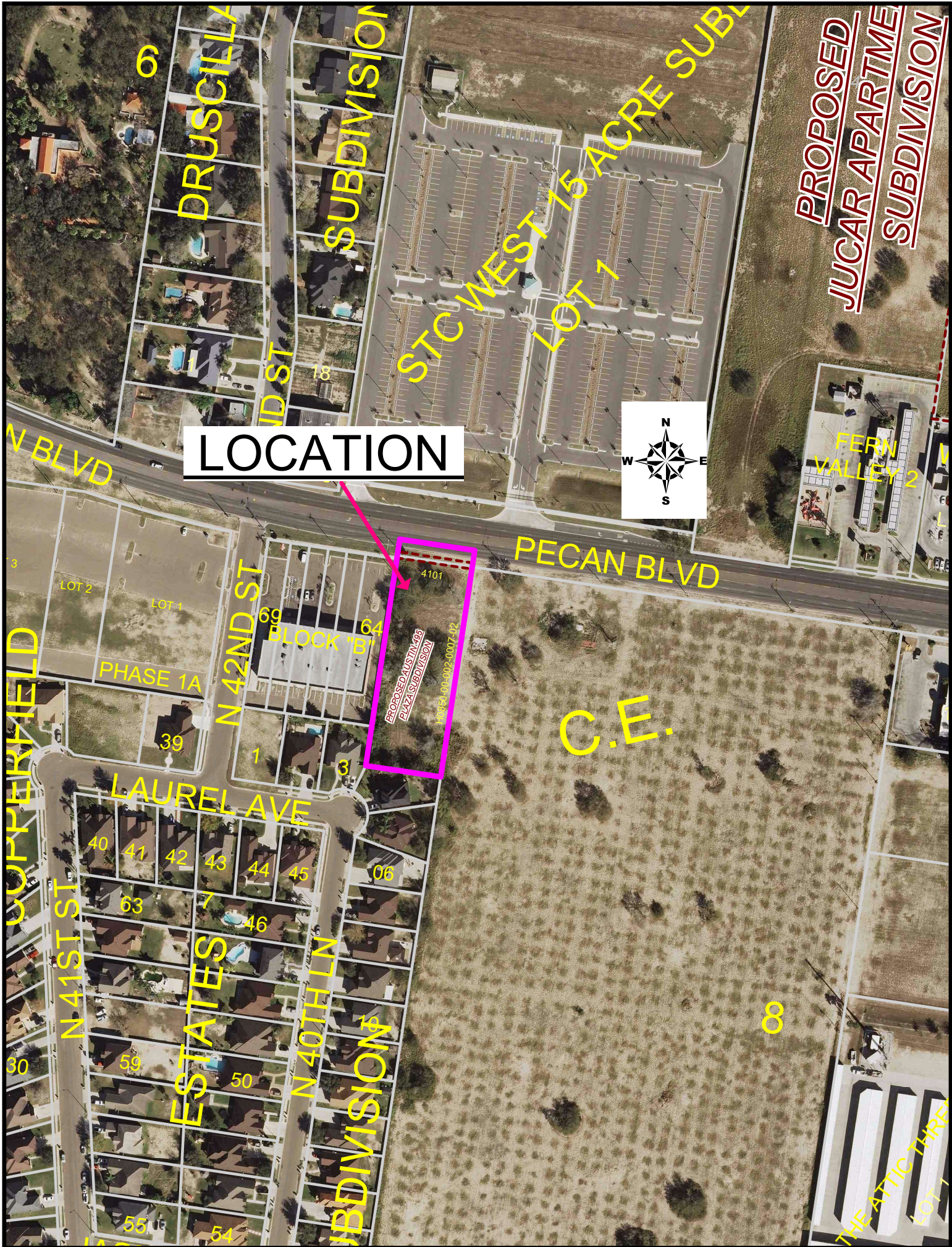
**These comments are for subdivision requirements only – additional requirements may apply at time of site plan review**



* Traffic Impact Analysis (TIA) required prior to final plat.	TBD
<b>COMMENTS</b>	
Comments: *Must comply with City's Access Management Policy. *Any abandonments must be done by separate process, not by plat *Clarify 300.00' radius with dashed line prior to final, and ensure that only appropriate layers are visible for plat review, finalize prior to final. *Subdivision approved in Preliminary form at the Planning and Zoning Commission meeting of November 16th,2022, subject to conditions noted in Planning Review.	Applied
<b>RECOMMENDATION</b>	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED, DRAINAGE AND UTILITIES APPROVALS AND CLARIFICATION OF THE REQUESTED VARIANCE.	Applied



LOCATION







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

SUB 2023-0078

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

Project Description	Subdivision Name <u>MELISSA PALMA ESTATE</u>
	Location <u>APPROXIMATELY 1,900 FEET EAST OF THE INTERSECTION OF N. 10 STREET AND NORTHGATE LANE.</u>
Project Description	City Address or Block Number <u>400 NORTHGATE LN</u>
	Number of lots <u>1</u> Gross acres <u>2.72</u> Net acres <u>N/A</u>
Project Description	Existing Zoning <u>R-1</u> Proposed <u>R-1</u> Rezoning Applied For <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____
	Existing Land Use <small>SINGLE FAMILY RESIDENTIAL</small> Proposed Land Use <small>SINGLE FAMILY RESIDENTIAL</small> Irrigation District # <u>2</u>
Project Description	Residential Replat Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Commercial Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> ETJ Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
	Agricultural Tax Exempt Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Estimated Rollback tax due <u>0</u>
Project Description	Parcel No. <u>1461140</u> Tax Dept. Review <u>(M)</u>
	Legal Description <u>BEING A 2.72 ACRES TRACT OF LAND OUT OF AND FORMING PART OR PORTION OF LOT 9 AND THE WEST 1.88 ACRES OF LOT 10, FRONY HEIGHTS CITRUS GROVES UNIT NO. 1, RECORDED IN VOLUME 5, PAGE 39, MAP RECORDS OF HIDALGO COUNTY, TEXAS.</u>
Owner	Name <u>CESAR PALMA AND MELISSA ANN TIJERINA</u> Phone _____
	Address <u>16210 THE HILLS DRIVE</u>
Owner	City <u>EDINBURG</u> State <u>TEXAS</u> Zip <u>78542</u>
	E-mail <u>cpalma002@yahoo.com</u>
Developer	Name <u>CESAR PALMA AND MELISSA ANN TIJERINA</u> Phone _____
	Address <u>16210 THE HILLS DRIVE</u>
Developer	City <u>EDINBURG</u> State <u>TEXAS</u> Zip <u>78542</u>
	Contact Person <u>CESAR PALMA</u>
Developer	E-mail <u>cpalma002@yahoo.com</u>
	Name <u>RIO DELTA ENGINEERING</u> Phone <u>(956) 380-5152</u>
Engineer	Address <u>921 S. 10TH AVE.</u>
	City <u>EDINBURG</u> State <u>TEXAS</u> Zip <u>78539</u>
Engineer	Contact Person <u>IVAN GARCIA P.E., R.P.L.S.</u>
	E-mail <u>RIODELTA2004@YAHOO.COM</u>
Surveyor	Name <u>RIO DELTA ENGINEERING</u> Phone <u>(956) 380-5152</u>
	Address <u>921 S. 10TH AVE.</u>
Surveyor	City <u>EDINBURG</u> State <u>TEXAS</u> Zip <u>78573</u>





## Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

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

### PLAT TO SHOW:

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

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

Owner's Signature

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

Signature \_\_\_\_\_ Date 7/27/23

Print Name Ivan Garcia, P.E., R.P.L.S. - Rio Delta Engineering

Owner ☐

Authorized Agent ☒



RVEY

LOT 11

HOBBS DR

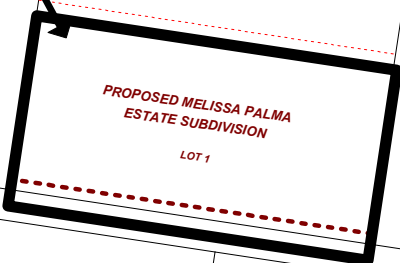
9299

LOCATION



10

9



CARLINA SUBDIVISION  
LOT 1

NORTHGATE LN

IT 1

14

13

12

11

OVES

LOT 1  
EBONY CENTER  
SUBDIVISION  
LOT 2

N 2ND ST

0013-01

-02

-01

-04

0013-06

0013-02

PROPOSED LIMAS  
SUBDIVISION

PROPOSED EAGLE'S NEST  
SUBDIVISION

7

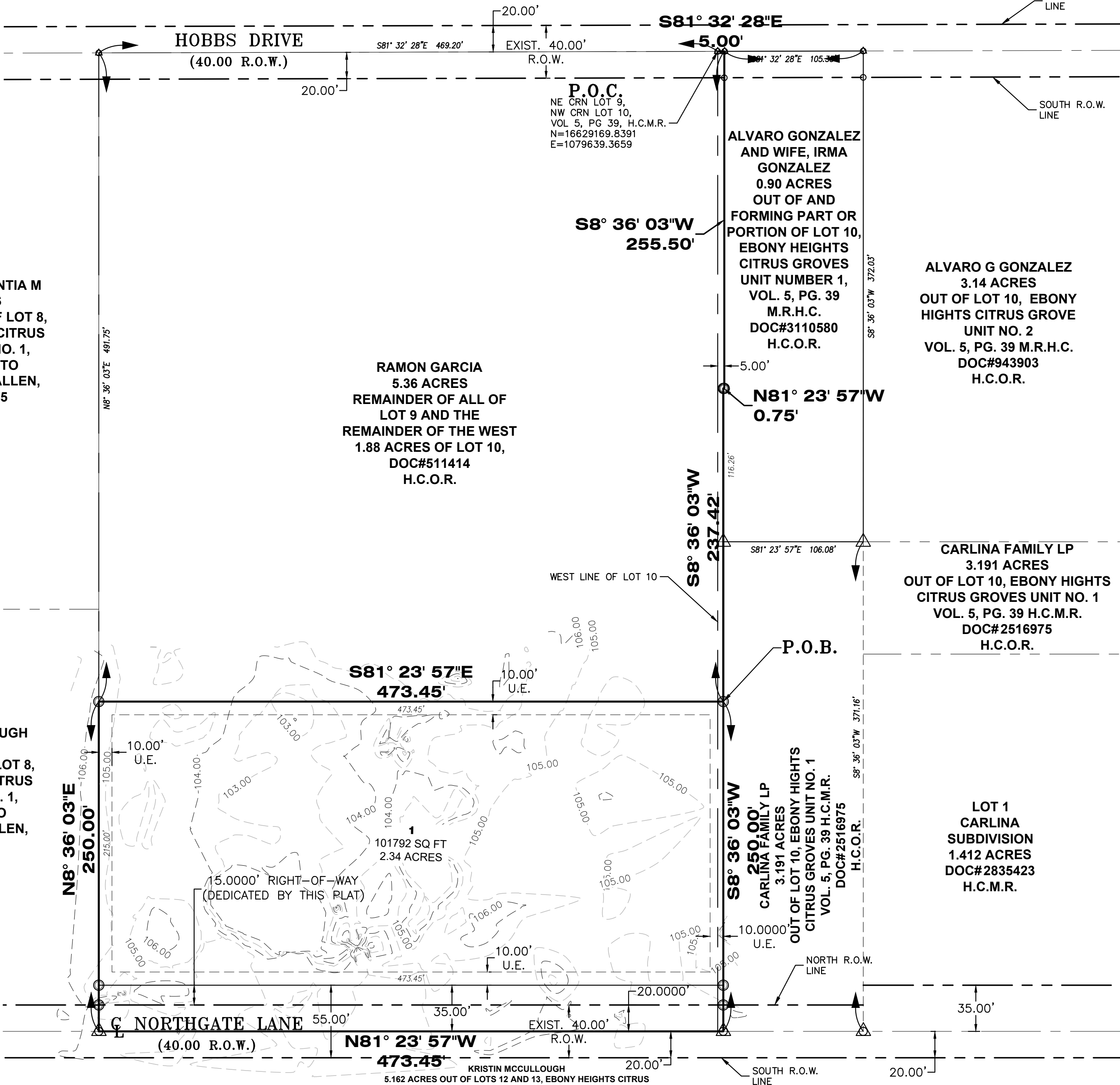


# MELISSA PALMA ESTATE SUBDIVISION

BEING A 2.72 ACRES TRACT OF LAND OUT OF AND FORMING PART OR PORTION OF LOT 9 AND THE WEST 1.88 ACRES OF LOT 10, EBONY HEIGHTS CITRUS GROVES UNIT NO. 1, RECORDED IN VOLUME 5, PAGE 39, MAP RECORDS OF HIDALGO COUNTY, TEXAS.

GREGORY LAMANTIA M  
5.16 ACRES  
THE NORTH 1/2 OF LOT 8,  
EBONY HEIGHTS CITRUS  
GRAVES UNIT NO. 1,  
AN ADDITION TO  
THE CITY OF MCALLEN,  
DOC#2303965  
H.C.O.R.

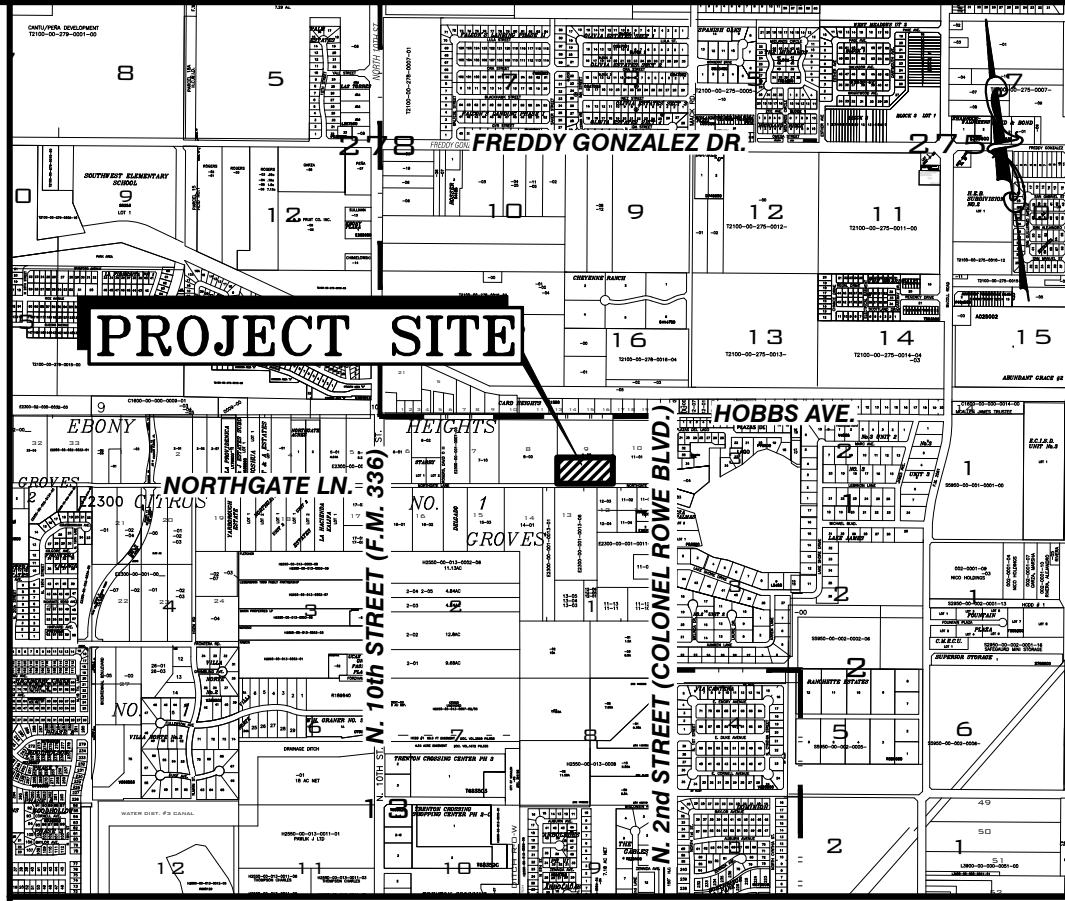
KRISTIN MCCULLOUGH  
5.162 ACRES  
THE SOUTH 1/2 OF LOT 8,  
EBONY HEIGHTS CITRUS  
GRAVES UNIT NO. 1,  
AN ADDITION TO  
THE CITY OF MCALLEN,  
DOC#2135252  
H.C.O.R.



SCALE: 1" = 60'  
BEARING BASIS  
TX STATE PLANE  
COORDINATES NAD 83  
TEXAS SOUTH ZONE (4205)  
WESTERN DATA  
SYSTEMS NETWORK

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

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



SCALE: 1" = 2000'

## METES AND BOUNDS DESCRIPTION:

BEING A 2.72 ACRES TRACT OF LAND OUT OF AND FORMING PART OR PORTION OF LOT 9 AND THE WEST 1.88 ACRES OF LOT 10, EBONY HEIGHTS CITRUS GROVES UNIT NO. 1, RECORDED IN VOLUME 5, PAGE 39, MAP RECORDS OF HIDALGO COUNTY, TEXAS, AND SAID 2.72 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 9 OF THE SAID EBONY HEIGHTS CITRUS GROVES UNIT NO. 1, SAME POINT BEING THE NORTHWEST CORNER OF THE SAID LOT 10, AND SAME BEING A POINT ON THE CENTERLINE OF HOBBS DRIVE;

THENCE S 81° 32' 28" E ALONG THE NORTH LINE OF THE SAID LOT 10, SAME BEING ALONG THE CENTERLINE OF HOBBS DRIVE, A DISTANCE OF 5.00 FEET TO A CALCULATED POINT;

THENCE S 8° 36' 03" W ACROSS THE SAID LOT 10, SAME BEING PARALLEL TO THE WEST LINE OF THE SAID LOT 10, A DISTANCE OF 255.50 FEET TO A CALCULATED POINT;

THENCE N 81° 23' 57" W ACROSS THE SAID LOT 10, SAME BEING PARALLEL TO THE SOUTH LINE OF THE SAID LOT 10, A DISTANCE OF 0.75 FEET TO A CALCULATED POINT;

THENCE S 8° 36' 03" W ACROSS THE SAID LOT 10, SAME BEING PARALLEL TO THE WEST LINE OF THE SAID LOT 10, A DISTANCE OF 237.42 FEET TO A CALCULATED POINT, FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT AND THE POINT OF BEGINNING;

THENCE S 8° 36' 03" W ACROSS THE SAID LOT 10, PASSING AT A DISTANCE OF 230.00 FEET A 1/2-INCH IRON ROD FOUND ON THE EXISTING NORTH RIGHT-OF-WAY LINE OF NORTHGATE LANE, AND CONTINUING FOR A TOTAL DISTANCE OF 250.00 FEET TO A CALCULATED POINT, FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 81° 23' 57" W ALONG THE SOUTH LINE OF THE SAID LOTS 10 AND 9, SAME BEING ALONG THE CENTERLINE OF NORTHGATE LANE, A DISTANCE OF 473.45 FEET TO A CALCULATED POINT, FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 8° 36' 03" E ACROSS THE SAID LOT 9, SAME BEING PARALLEL TO THE WEST LINE OF THE SAID LOT 10, PASSING AT 20.00 FEET A CALCULATED POINT ON THE EXISTING NORTH RIGHT-OF-WAY LINE OF NORTHGATE LANE, AND CONTINUING FOR A TOTAL DISTANCE OF 250.00 FEET TO A CALCULATED POINT, FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 81° 23' 57" E ACROSS THE SAID LOT 9, SAME BEING PARALLEL TO THE SOUTH LINE OF THE SAID LOT 9, A DISTANCE OF 473.45 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 2.72 ACRES OF LAND, MORE OR LESS, OUT OF WHICH THE SOUTH 20.00 FEET (0.22 ACRES) LIES WITHIN THE EXISTING RIGHT-OF-WAY OF NORTHGATE LANE (40.00 FOOT ROAD).

## GENERAL PLAT NOTES:

- THE BUILDABLE AREAS OF EACH LOT LIE IN ZONE "A" WHEN PERTAINING TO FLOOD INSURANCE RATE MAP COMMUNITY PANEL 480334 0325 D MAP REVISED JUNE 6, 2000.
- MINIMUM FINISH FLOOR NOTE:  
MINIMUM FINISH FLOOR ELEVATION SHALL BE 107.00 (NAVD 88). ELEVATION CERTIFICATE MAY BE REQUIRED FOR LOTS LOCATED OUTSIDE A DESIGNATED FLOOD ZONE AT THE TIME FOR A DEVELOPMENT PERMIT APPLICATION TO VERIFY PRE AND POST CONSTRUCTION FINISH FLOOR ELEVATIONS. AN ELEVATION CERTIFICATE SHALL BE REQUIRED FOR ALL LOTS WITHIN A DESIGNATED FLOOD ZONE AT THE TIME FOR A DEVELOPMENT PERMIT APPLICATION.
- 18" ABOVE TOP OF CURB IN FRONT OF THE CENTER-POINT OF THE LOT OR 18" ABOVE TOP OF CURB, WHICHEVER IS HIGHER.
- MINIMUM BUILDING SETBACKS SHALL COMPLY WITH THE CITY OF MCALLEN ZONING CODE:  
FRONT: 45 FT. OR IN LINE WITH AVERAGE SETBACKS OF EXISTING STRUCTURES OR GREATER FOR EASEMENTS, WHICHEVER IS GREATER APPLIES.  
REAR: 10 FT. OR GREATER FOR EASEMENTS.  
SIDES: 6 FT. OR GREATER FOR EASEMENTS.  
GARAGE: 18 FT. EXCEPT WHERE GREATER SETBACK IS REQUIRED; GREATER SETBACK APPLIES.
- A DRAINAGE DETENTION OF 5,928 CF OR 0.138 ACRE FEET IS REQUIRED FOR THIS SUBDIVISION, OR 1,200 CF OR 0.022 PER LOT. THE CITY OF MCALLEN WILL NOT MAINTAIN DETENTION AREA.
- ENGINEERED DRAINAGE DETENTION PLAN, APPROVED BY THE ENGINEERING DEPARTMENT, PRIOR TO ISSUANCE OF BUILDING PERMIT. GRADING MUST COMPLY WITH MASTER PLAN.
- EASEMENTS SHALL BE KEPT CLEAR OF FENCES, BUILDINGS, SHEDS, SHRUBS, TREES, AND OTHER PLANTINGS (EXCEPT LOW, GROUND COVER, GRASS OR FLOWERS) AND OTHER OBSTRUCTIONS TO THE OPERATIONS AND MAINTENANCE OF THE EASEMENT.
- 4 FT. WIDE MINIMUM SIDEWALK REQUIRED ON NORTHGATE LANE.
- CITY OF MCALLEN BENCHMARK (MCS-01) SET BY J.A. GARZA ASSOCIATES L.L.C. A 30" ALUMINUM PIPE WITH A 3-1/4" BRASS MONUMENT CAP ON TOP. LOCATED AT THE WEST BOUND OF 10TH STREET, IN BETWEEN TRENTON ROAD AND FULLERTON ROAD.  
NORTHING=16628260.81559 EASTING= 1076787.99709 ELEV= 106.511
- 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.
- ALL UTILITY AND DRAINAGE EASEMENTS TO BE DEDICATED BY THIS PLAT, UNLESS STATED OTHERWISE.
- A 25FT. X 25FT. SIGHT OBSTRUCTION EASEMENT REQUIRED AT ALL STREET INTERSECTIONS.
- AS PER DECLARATIONS OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR SAN FELIPE ON NORTHGATE LANE SUBDIVISION, RECORDED AS INSTRUMENT NUMBER \_\_\_\_\_ HIDALGO COUNTY, DEED RECORDS. DEVELOPER/HOMEOWNER'S ASSOCIATION/OWNER, THEIR SUCCESSORS AND/OR ASSIGNEES, AND NOT THE CITY OF MCALLEN SHALL BE RESPONSIBLE FOR THE INSTALLATION, MAINTENANCE AND OTHER REQUIREMENTS AS PER SECTION 110-72 OF THE CITY OF MCALLEN, INCLUDING BUT NOT LIMITED TO COMMON AREAS. ANY AMENDMENT TO DECLARATIONS THAT CONFLICT WITH THE REQUIREMENTS OF SECTION 110-72 SHALL BE NULL AND VOID.

## OWNER'S ACKNOWLEDGMENT

STATE OF TEXAS  
COUNTY OF HIDALGO  
I (WE), THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS MELISSA PALMA ESTATE SUBDIVISION, TO THE CITY OF MCALLEN, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS, WATER LINES, SEWER LINES, STORM SEWERS, FIRE HYDRANTS, AND PUBLIC PLACES WHICH ARE INSTALLED OR WHICH I (WE) WILL CAUSE TO BE INSTALLED THEREON, SHOWN OR NOT SHOWN, IF REQUIRED OTHERWISE TO BE INSTALLED OR DEDICATED UNDER THE SUBDIVISION APPROVAL PROCESS OF THE CITY OF MCALLEN, ALL THE SAME FOR THE PURPOSES THEREIN EXPRESSED, EITHER ON THE PLAT HEREOF OR ON THE OFFICIAL MINUTES OF THE APPLICABLE AUTHORITIES OF THE CITY OF MCALLEN.

CESAR PALMA  
16210 THE HILLS DRIVE  
EDINBURG, TEXAS 78542

MELISSA ANN TIJERINA  
16210 THE HILLS DRIVE  
EDINBURG, TEXAS 78542

STATE OF TEXAS  
COUNTY OF HIDALGO  
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED CESAR PALMA AND MELISSA ANN TIJERINA, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR PURPOSES AND CONSIDERATIONS THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS \_\_\_\_ DAY OF \_\_\_\_ 2023.

NOTARY PUBLIC IN AND FOR THE  
STATE OF TEXAS  
MY COMMISSION EXPIRES \_\_\_\_-\_\_\_\_-\_\_\_\_

## HIDALGO COUNTY IRRIGATION DISTRICT NO. 2

THIS PLAT IS HEREBY APPROVED BY THE HIDALGO COUNTY IRRIGATION DISTRICT NO. 2 ON THIS, THE \_\_\_\_ DAY OF \_\_\_\_ 20\_\_\_\_.

NO IMPROVEMENTS OF ANY KIND (INCLUDING WITHOUT LIMITATION, TREES, FENCES, AND BUILDINGS) SHALL BE PLACED UPON HIDALGO COUNTY IRRIGATION DISTRICT NO. 2 RIGHT OF WAYS OR EASEMENTS.

\_\_\_\_\_  
SECRETARY

\_\_\_\_\_  
PRESIDENT

## HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 CERTIFICATE

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

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

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

## STATE OF TEXAS COUNTY OF HIDALGO MAYOR'S CERTIFICATE

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

\_\_\_\_\_  
MAYOR, CITY OF MCALLEN

## STATE OF TEXAS COUNTY OF HIDALGO PLANNING AND ZONING COMMISSION CHAIR CERTIFICATE

I, THE UNDERSIGNED, CHAIRMAN OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF MCALLEN, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THIS CITY WHEREIN MY APPROVAL IS REQUIRED.

\_\_\_\_\_  
CHAIRMAN, PLANNING AND ZONING COMMISSION

## STATE OF TEXAS - COUNTY OF HIDALGO

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE FROM AN ACTUAL SURVEY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON, AND THAT THERE ARE NO APPARENT DISCREPANCIES, CONFLICTS, OR OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, EXCEPT AS SHOWN ON THE ACCOMPANYING PLAT, AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF MCALLEN AND HIDALGO COUNTY, TEXAS.

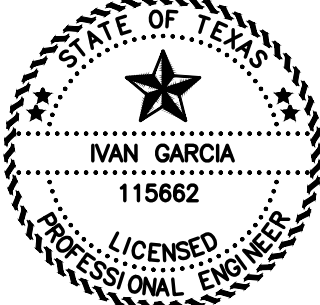
\_\_\_\_\_  
IVAN GARCIA P.E., R.P.L.S.  
REG. PROFESSIONAL LAND SURVEYOR No. 6499  
SURVEY FIRM No. 10194027



## STATE OF TEXAS - COUNTY OF HIDALGO

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE PROPER ENGINEERING CONSIDERATIONS HAVE BEEN GIVEN TO THIS PLAT.

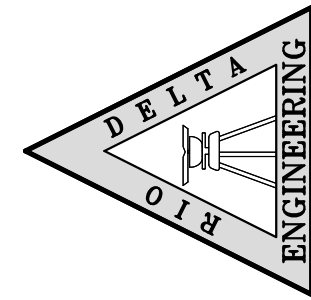
\_\_\_\_\_  
IVAN GARCIA P.E., R.P.L.S.  
REG. PROFESSIONAL ENGINEER No. 115662



PRINCIPAL CONTACTS:			
NAME	ADDRESS	PHONE & FAX	
OWNER(S): CESAR PALMA AND MELISSA ANN TIJERINA	16210 THE HILLS DRIVE EDINBURG, TX. 78542	78542	
SURVEYOR: IVAN GARCIA	921 S. 10TH AVENUE EDINBURG, TX. 78539	(956) 380-5152 (956) 380-5083	
ENGINEER: IVAN GARCIA	921 S. 10TH AVENUE EDINBURG, TX. 78539	(956) 380-5152 (956) 380-5083	

RIO DELTA ENGINEERING

FIRM REGISTRATION No. F-7628  
SURVEY FIRM No. 10194027  
921 S. 10TH AVENUE EDINBURG, TEXAS 78539  
(TEL) 956-380-5152 (FAX) 956-380-5083



THIS DOCUMENT IS  
RELEASED FOR THE  
PURPOSE OF INTERIM  
REVIEW UNDER THE  
AUTHORITY OF  
IVAN GARCIA,  
P.E. 115662 ON  
JULY 3, 2023  
IT IS NOT TO BE  
USED FOR CONSTRUCTION,  
BIDDING OR PERMIT  
PURPOSES.

ISSUED FOR:  
**PRELIMINARY**

PLAT SHEET  
MELISSA PALMA ESTATE SUBDIVISION  
MCALLEN, TEXAS  
HIDALGO COUNTY

PROJECT :

ENGINEER:  
IVAN GARCIA P.E., R.P.L.S.  
SURVEYOR:  
IVAN GARCIA P.E., R.P.L.S.  
CHECKED:  
IVAN GARCIA P.E., R.P.L.S.  
DRAWN:  
EDWIN PENA/ G.F./Y.V.  
SCALE:  
AS SHOWN  
DATE:  
JULY 3, 2023  
PROJECT:  
SUB 21 055  
REVISIONS:  
PAGE NO:  
**SHT 2**





# City of McAllen

## SUBDIVISION PLAT REVIEW

Reviewed On: 8/17/2023

### SUBDIVISION NAME: MELISSA PALMA ESTATE

#### REQUIREMENTS

##### STREETS AND RIGHT-OF-WAYS

Northgate Lane: 15 ft. ROW dedication for 35 ft. from centerline for 70 ft. total ROW.  
Paving: 44 ft. Curb & gutter: Both Sides.

\*\*Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan  
\*\*Monies must be escrowed if improvements are required prior to recording.

Paving \_\_\_\_\_ Curb & gutter \_\_\_\_\_

\*\*Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan  
\*\*Monies must be escrowed if improvements are required prior to recording.

Paving \_\_\_\_\_ Curb & gutter \_\_\_\_\_

\*\*Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan  
\*\*Monies must be escrowed if improvements are required prior to recording.

\* 1,200 ft. Block Length.

\*\*Subdivision Ordinance: Section 134-118

\* 900 ft. Block Length for R-3 Zone Districts.

\*\*Subdivision Ordinance: Section 134-118

\* 600 ft. Maximum Cul-de-Sac.

\*\*Subdivision Ordinance: Section 134-105

Applied

NA

NA

Compliance

NA

NA

##### ALLEYS

ROW: 20 ft. Paving: 16 ft.

\*Alley/service drive easement required for commercial and multi-family properties

\*\*Subdivision Ordinance: Section 134-106

NA

##### SETBACKS

\* Front: 45 ft. or in line with average setbacks of existing structures or greater for easements, whichever is greater applies.

\*\*Zoning Ordinance: Section 138-356

\* Rear: 10 ft. or greater for easements

\*\*Zoning Ordinance: Section 138-356

\* Interior sides: 6 ft. or greater for easements.

\*\*Zoning Ordinance: Section 138-356

\* Corner: 10 ft. or greater for easements,

\*\*Current subdivision layout does not propose any buildable lots abutting a street, if layout changes and buildable lot abuts a street intersection, the corner setback note will be required.

\*\*Zoning Ordinance: Section 138-356

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

\*\*Zoning Ordinance: Section 138-356

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

Applied

Applied

Applied

NA

Applied

Applied

**These comments are for subdivision requirements only – additional requirements may apply at time of site plan review**



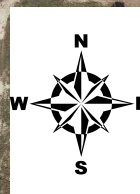
SIDEWALKS	
<ul style="list-style-type: none"> <li>* 4 ft. wide minimum sidewalk required on Northgate Lane</li> <li>**Sidewalk requirements may increase to 5 ft. per Engineering Department requirements.</li> <li>Finalize wording for plat note prior to final.</li> <li>***Subdivision Ordinance: Section 134-120</li> <li>* Perimeter sidewalks must be built or money escrowed if not built at this time.</li> </ul>	Applied
	Required
BUFFERS	
<ul style="list-style-type: none"> <li>* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses.</li> <li>**Landscaping Ordinance: Section 110-46</li> <li>* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.</li> <li>**Landscaping Ordinance: Section 110-46</li> <li>*Perimeter buffers must be built at time of Subdivision Improvements.</li> </ul>	Applied
	Applied
	Required
NOTES	
<ul style="list-style-type: none"> <li>*Must comply with City Access Management Policy.</li> <li>* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.</li> <li>* Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen.</li> <li>* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.</li> <li>* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.</li> <li>**Section 134-168 applies if private subdivision is proposed.</li> <li>**Landscaping Ordinance: Section 110-72</li> <li>**Subdivision Ordinance: Section 134-168</li> <li>Pending Items:</li> <li>-Engineer must clarify if HOA is proposed for 1-Lot single family subdivision, prior to final.</li> <li>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</li> <li>**Homeowner's Association Covenants must be submitted for staff review, prior to recording.</li> <li>***Section 134-168 applies if private subdivision is proposed.</li> <li>****Landscaping Ordinance: Section 110-72</li> <li>*****Subdivision Ordinance: Section 134-168</li> <li>Pending Items:</li> <li>-Engineer must clarify if HOA is proposed for 1-Lot single family subdivision, prior to final.</li> </ul>	Applied
	NA
	Applied
	NA
	TBD
	TBD
LOT REQUIREMENTS	
<ul style="list-style-type: none"> <li>* Lots fronting public streets.</li> <li>**Subdivision Ordinance: Section 134-1</li> <li>* Minimum lot width and lot area.</li> <li>**Zoning Ordinance: Section 138-356</li> </ul>	Compliance
	Compliance

**These comments are for subdivision requirements only – additional requirements may apply at time of site plan review**



<b>ZONING/CUP</b>	
* Existing: R-1 (Single-Family) Residential Proposed: R-1 (Single-Family) Residential ***Zoning Ordinance: Article V	Applied
* Rezoning Needed Before Final Approval ***Zoning Ordinance: Article V	NA
<b>PARKS</b>	
* Land dedication in lieu of fee.	NA
* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. Fees are payable prior to recording and can go up or down; they are dependent on the amount of units. Must comply with Parkland dedication ordinance requirements prior to recording.	Required
* Pending review by the City Manager's Office.	NA
<b>TRAFFIC</b>	
* As per Traffic Department, Trip Generation for 1-Lot single family subdivision is waived.	Completed
* Traffic Impact Analysis (TIA) required prior to final plat. ** As per Traffic Department, Trip Generation for 1-Lot single family subdivision is waived.	NA
<b>COMMENTS</b>	
Comments: *Must comply with City's Access Management Policy. **Any abandonments must be done by separate process, not by plat ***Engineer must submit withdrawal letter regarding existing subdivision on file at this location, prior to final.	Required
<b>RECOMMENDATION</b>	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED, DRAINAGE AND UTILITIES APPROVALS.	Applied









# City of McAllen

## Planning Department

311 NORTH 15<sup>TH</sup> STREET • (956) 681-1250 • (956) 681-1279 (fax)  
**SUBDIVISION PLAT REVIEW APPLICATION**

Project Information	Subdivision Name <u>SILVERADO MOON SUBDIVISION</u>	
	Location _____	
	City Address or Block Number <u>8100 N TAYLOR RD</u>	
	Number of Lots <u>121</u> Gross Acres <u>24.54</u> Net Acres <u>N/A</u> ETJ <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
	Existing Zoning <u>ETJ</u> Proposed Zoning <u>ETJ</u> Rezoning Applied for <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date <u>J.H. 06-02-23</u>	
	Existing Land Use <u>VACANT</u> Proposed Land Use <u>Single family</u> Irrigation District # <u>UD</u>	
	Replat <input type="checkbox"/> Yes <input type="checkbox"/> No Commercial _____ Residential <input checked="" type="checkbox"/> _____	
	Agricultural Exemption <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Estimated Rollback Tax Due _____	
	Parcel # _____ Tax Dept. Review _____	
	Water CCN <input type="checkbox"/> MPU <input checked="" type="checkbox"/> Sharyland Water SC Other _____	
<small>BEING A 24.54 ACRE TRACT OF LAND OUT OF LOT 417, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER MAP THEREOF RECORDED IN VOLUME 1, PAGE 17, AND 42 AND VOLUME 28, PAGE 150, MAP RECORDS, HIDALGO COUNTY, AND ALL OF LOT 1 OF MINERVA SUBDIVISION, AS PER MAP THEREOF RECORDED IN VOLUME 28, PAGE 150, MAP RECORDS, HIDALGO COUNTY</small>		
Owner	Name <u>FORTIS LAND COMPANY, LLC</u>	Phone <u>(956)-292-0008</u>
	Address <u>222 WEST UNIVERSITY DRIVE</u>	E-mail <u>OMAR@OGBUILD.COM</u>
	City <u>EDINBURG</u> State <u>TX</u> Zip <u>78579</u>	
Developer	Name <u>FORTIS LAND COMPANY, LLC</u>	Phone <u>(956)-292-0008</u>
	Address <u>222 WEST UNIVERSITY DRIVE</u>	E-mail <u>OMAR@OGBUILD.COM</u>
	City <u>EDINBURG</u> State <u>TX</u> Zip <u>78579</u>	
	Contact Person <u>OMAR GARCIA</u>	
Engineer	Name <u>RIO DELTA ENGINEERING</u>	Phone <u>956 380 5152</u>
	Address <u>921 S. 10TH AVENUE</u>	E-mail _____
	City <u>EDINBURG</u> State <u>TX</u> Zip <u>78539</u>	
	Contact Person <u>IVAN GARCIA P.E., R.P.L.S.</u>	
Surveyor	Name <u>RIO DELTA ENGINEERING</u>	Phone <u>956-380-5152</u>
	Address <u>921 S. 10TH AVENUE</u>	E-mail _____
	City <u>EDINBURG</u> State <u>TX</u> Zip <u>78539</u>	

KF

JUN 02 2023  
 BY: Nm/Cw



## Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

### In Person Submittal Requirements

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

### Email Submittal Requirements

- \$225 Preliminary Review Fee and \$75 Final Approval Fee (Both fees can be combined in one payment)
- Title Report
- Survey
- Location Map
- Plat & Reduced P
- Warranty Deed
- DWG File
- Letter of Authorization from the owner (if applicable)
- Proof of authority of person signing application on behalf of partnership/corporation, if applicable

\*Documents must be submitted in PDF format. No scanned documents\*

\*Please submit documents to [subdivisions@mcallen.net](mailto:subdivisions@mcallen.net)

\*ORIGINAL APPLICATION & FEE MUST BE SUBMITTED IN PERSON\*

### **PLAT TO SHOW:**

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

**Note:** Though the original submittal for application to process a subdivision plat does not require the drainage report or utility plans, it is advisable that they be included with the original submittal to expedite the review process. Complying with the minimum requirements for the original plat submittal does not constitute meeting the deadline for drainage and utility review by the appropriate boards. Additional information will be required during the review to properly complete the subdivision process. Any revisions would require resubmission and PDF files can be submitted via email at [subdivisions@mcallen.net](mailto:subdivisions@mcallen.net)

Owners Signature

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

Signature  Date 5/12/23

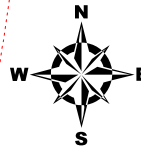
Print Name Omar Garcia

Owner ☒ Authorized Agent ☐

The Planning Department is now accepting DocuSign signatures on application



## LOCATION

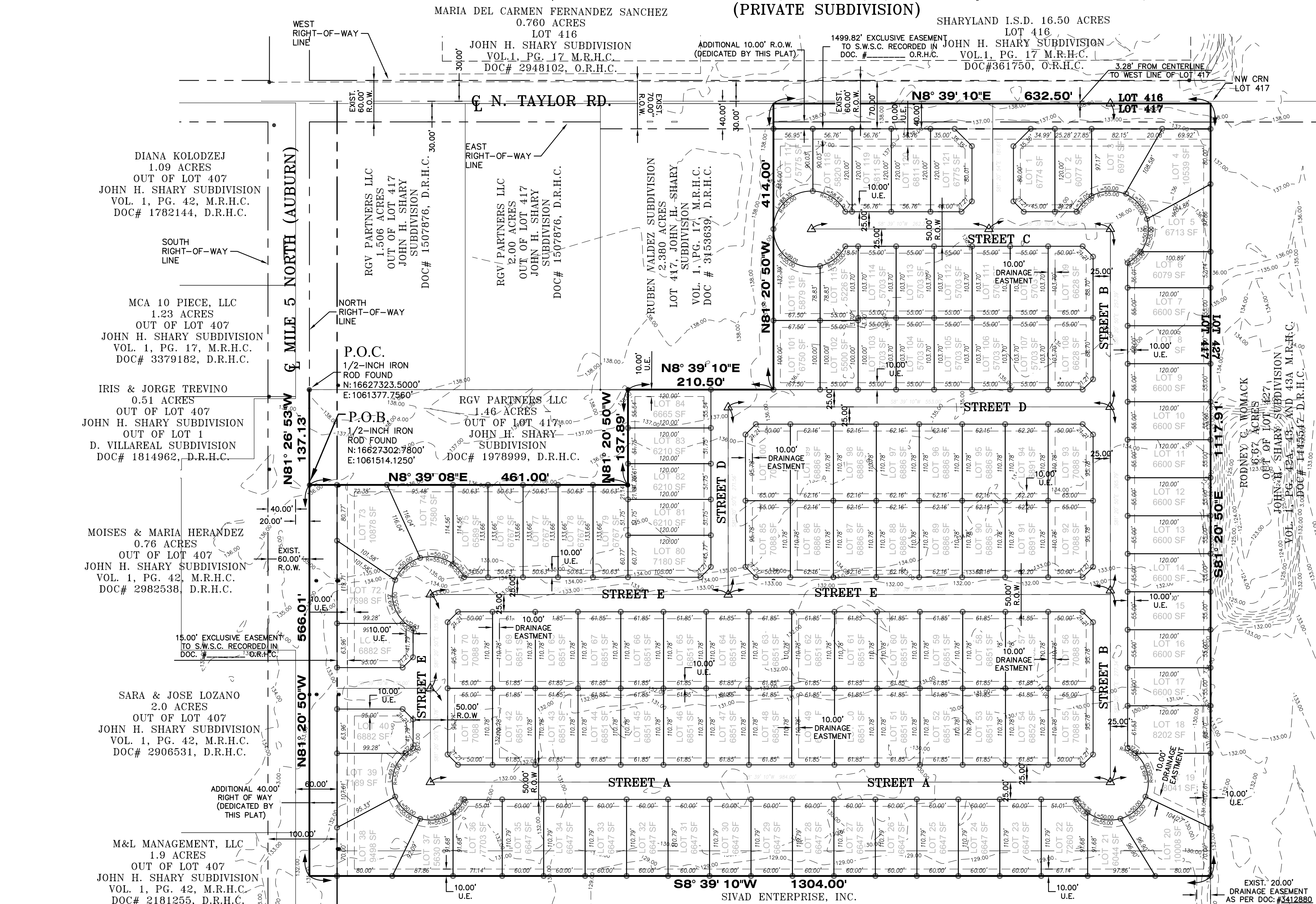




# SILVERADO MOON SUBDIVISION

A 25.62 ACRES TRACT OF LAND, MORE OR LESS, OUT OF LOT 417, JOHN H. SHARY SUBDIVISION, RECORDED IN VOLUME 1, PAGE 17, MAP RECORDS OF HIDALGO COUNTY, TEXAS, SAID 25.62 ACRES TRACT BEING THE SAME LAND DESCRIBED IN THE FOLLOWING WARRANTY DEEDS:  
1) FROM SANJACAN, LLC TO FORTIS LAND COMPANY, LLC, DATED JANUARY 11, 2023, RECORDED IN DOCUMENT #3412710 OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS  
2) FROM SANDRA J. WOMACK AND CANDACE L. MCCOY TO SANJACAN, LLC, DATED OCTOBER 4, 2016, RECORDED IN DOCUMENT #2890550 OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS

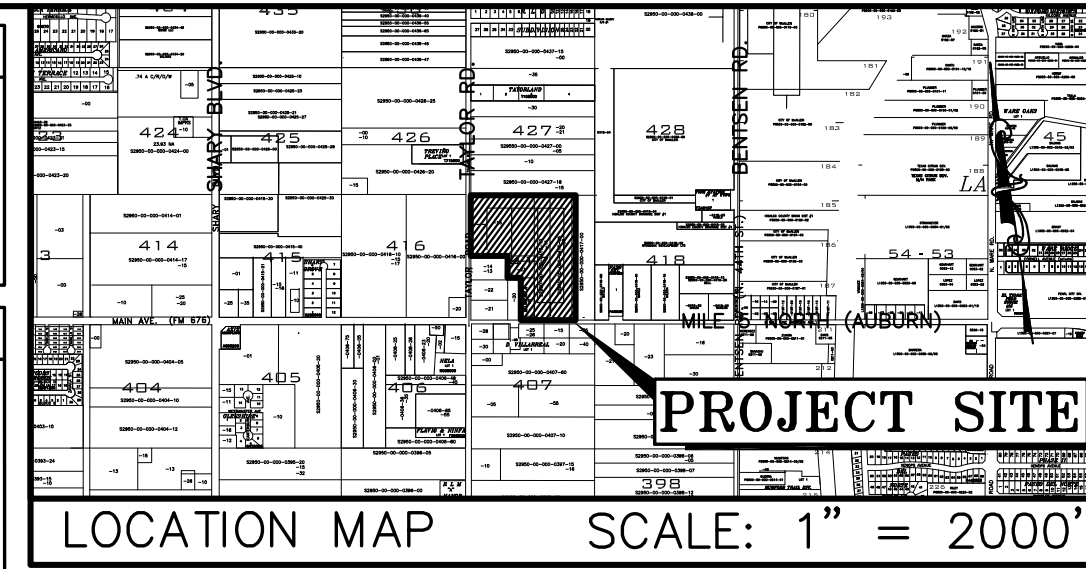
## (PRIVATE SUBDIVISION)



SCALE 1" = 100'  
BASIS OF BEARING  
TEXAS STATE PLANE COORDINATES  
NAD 83  
TEXAS SOUTH ZONE (4205)  
WESTERN DATA SYSTEMS NETWORK

LEGEND	
●	SET 1/2 INCH IRON ROD
▲	FOUND 1/2 INCH IRON ROD
○	FOUND COTTON PICKER SPINDLE
●	SET COTTON PICKER SPINDLE
XXXX	NATURAL GROUND
○	CALCULATED POINT
○	CAPPED IRON ROD SET

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



### METES AND BOUNDS DESCRIPTION

A 25.62 ACRES TRACT OF LAND, MORE OR LESS, OUT OF LOT 417, JOHN H. SHARY SUBDIVISION, RECORDED IN VOLUME 1, PAGE 17, MAP RECORDS OF HIDALGO COUNTY, TEXAS, SAID 25.62 ACRES TRACT BEING THE SAME LAND DESCRIBED IN THE FOLLOWING WARRANTY DEEDS:

1) FROM SANJACAN, LLC TO FORTIS LAND COMPANY, LLC, DATED JANUARY 11, 2023, RECORDED IN DOCUMENT #3412710 OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS  
2) FROM SANDRA J. WOMACK AND CANDACE L. MCCOY TO SANJACAN, LLC, DATED OCTOBER 4, 2016, RECORDED IN DOCUMENT #2890550 OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS

SAID 25.62 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A 1/2-INCH IRON ROD FOUND AT THE SOUTHWEST CORNER OF A CALLED 1.46 ACRES TRACT CONVEYED TO RGV PARTNERS, LLC, DESCRIBED IN DOCUMENT # 1978899 SAME BEING A POINT ON THE EXISTING NORTH RIGHT-OF-WAY OF MILE 5 N. ROAD (F.M. 676), OF HIDALGO COUNTY, TEXAS;

THENCE, N 81°28'33" W ALONG THE SOUTH BOUNDARY LINE OF SAID 1.46 ACRES TRACT DISTANCE OF 137.13 FEET TO A 1/2-INCH IRON ROD FOUND, FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT; AND THE POINT OF BEGINNING;

THENCE, N 81°39'8" E ALONG THE EAST BOUNDARY LINE OF THE SAID 1.46 ACRES TRACT, A DISTANCE OF 461.00 FEET TO 1/2-INCH IRON ROD FOUND, FOR A CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, N 81°20'50" W ACROSS THE SAID LOT 417, SAME BEING ALONG THE NORTH BOUNDARY LINE OF THE SAID 1.46 ACRES TRACT TO A 1/2-INCH IRON ROD FOUND, A DISTANCE OF 137.89 FEET TO A 1/2-INCH CAPPED IRON ROD SET, FOR A CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, N 81°39'10" E ALONG THE EAST BOUNDARY LINE OF RUBEN VALDEZ SUBDIVISION, DOCUMENT #3153639, MAP RECORDS OF HIDALGO COUNTY, TEXAS, A DISTANCE OF 210.50 FEET TO A 1/2-INCH CAPPED IRON ROD SET, FOR A CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, N 81°20'50" W ACROSS THE SAID LOT 417, SAME BEING ALONG THE NORTH BOUNDARY LINE OF THE SAID RUBEN VALDEZ SUBDIVISION, A DISTANCE OF 414.00 FEET TO A 1/2-INCH CAPPED IRON ROD SET, FOR THE WESTERLY SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, N 81°39'10" E ALONG THE CENTERLINE OF TAYLOR ROAD, A DISTANCE OF 632.50 FEET TO A 1/2-INCH CAPPED IRON ROD SET, FOR THE NORTHWEST CORNER OF LOT 417 OF JOHN H. SHARY SUBDIVISION, FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, S 81°20'50" E ALONG THE NORTH BOUNDARY LINE OF THE SAID LOT 417, SAME BEING THE SOUTH BOUNDARY LINE OF LOT 427, JOHN H. SHARY SUBDIVISION, A DISTANCE OF 1081.61 FEET TO A 1/2-INCH IRON ROD SET, ON THE SOUTH BOUNDARY LINE OF A CALLED 6.67 ACRES TRACT CONVEYED TO RODNEY C. WOMACK AND SANDRA J. WOMACK, DESCRIBED IN DOCUMENT #1445547, DEED RECORDS OF HIDALGO COUNTY, TEXAS, FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, N 81°39'10" E ALONG THE WEST BOUNDARY LINE OF A CALLED 7.24 ACRES TRACT CONVEYED TO SIVAD ENTERPRISE, INC., DESCRIBED IN DOCUMENT #1272330, DEED RECORDS OF HIDALGO COUNTY, TEXAS, A DISTANCE OF 1304.00 FEET TO A 1/2-INCH IRON ROD SET, FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, N 81°20'50" E ACROSS THE SAID LOT 417, SAME BEING ALONG THE EXISTING NORTH RIGHT-OF-WAY OF MILE 5, A DISTANCE OF 529.71 FEET TO THE POINT AND PLACE OF BEGINNING, SAID TRACT BEING THE SAME LAND DESCRIBED IN THE FOLLOWING WARRANTY DEEDS: 1) FROM SANJACAN, LLC TO FORTIS LAND COMPANY, LLC, DATED JANUARY 11, 2023, RECORDED IN DOCUMENT #3412710 OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS; 2) FROM SANDRA J. WOMACK AND CANDACE L. MCCOY TO SANJACAN, LLC, DATED OCTOBER 4, 2016, RECORDED IN DOCUMENT #2890550 OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS.

### GENERAL PLAT NOTES:

- MINIMUM PERMISSIBLE FINISHED FLOOR ELEVATION SHALL BE 18" ABOVE TOP OF CURB IN FRONT OF THE CENTER-POINT OF THE LOT.
- THE CORNER PINS ALONG AUBURN AVE. (MILE 5 NORTH) FOR LOTS 84, 85, 86, 87, 88, 89, AND 90 ARE SET WITH AN OFF-SET OF 2 FT. INTO THE LOTS.
- THE CORNER PINS ALONG TAYLOR RD. FOR LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, AND 10 ARE SET WITH AN OFF-SET OF 2 FT. INTO THE LOTS.
- MINIMUM BUILDING SETBACKS SHALL BE AS FOLLOWS:  
FRONT: 25 FT. OR GREATER FOR EASEMENTS.  
REAR: 10 FT. OR GREATER FOR EASEMENTS.  
INTERIOR SIDES: 6 FT. OR GREATER FOR EASEMENTS.  
CORNER: 10 FT. OR GREATER FOR EASEMENTS.  
GARAGE: 18 FT. EXCEPT WHERE GREATER SETBACK IS REQUIRED; GREATER SETBACK APPLIES.
- THE SUBDIVISION IS IN ZONE "X" (NON-SHADED), AREAS DETERMINED OF MINIMAL FLOODING. (NO SHADING) MAP COMMUNITY PANELS NO.: 480334 0295 D MAP REVISED: JUNE 6, 2000.
- A DRAINAGE DETENTION OF 85.51 CF OF OR 1.886 ACRES FEET IS REQUIRED FOR THIS SUBDIVISION. CURRENT RUNOFF WILL BE DETAILED IN COMMON LOT "A". COMMON LOT "A" WILL BE DESIGNATED FOR DETENTION PURPOSES ONLY. DETENTION SHALL COMPLY WITH MASTER DRAINAGE PLAN. THE CITY OF MCALLEN WILL NOT MAINTAIN DETENTION AREA.
- ENGINEERED DRAINAGE DETENTION PLAN, APPROVED BY THE ENGINEERING DEPARTMENT, PRIOR TO ISSUANCE OF BUILDING PERMIT. GRADING MUST COMPLY WITH MASTER PLAN.
- EASEMENTS SHALL BE KEPT CLEAR OF FENCES, BUILDINGS, SHEDS, SHRUBS, TREES, AND OTHER PLANTINGS (EXCEPT LOW GROUND COVER, GRASS OR FLOWERS) AND OTHER OBSTRUCTIONS TO THE OPERATIONS AND MAINTENANCE OF THE EASEMENT.
- THE CITY OF MCALLEN TO HAVE A 25'X25' SIDE OBSTRUCTION EASEMENT AT STREET INTERSECTIONS MEASURED FROM STREET CURB INTERSECTION.
- 4 FT. WIDE MINIMUM SIDEWALK REQUIRED ALONG AUBURN AVENUE (5 MILE LINE ROAD), NORTH TAYLOR ROAD, AND BOTH SIDES OF ALL INTERIOR STREETS.
- NO CURB CUT, ACCESS, OR LOT MOUNTAGE PERMITTED ALONG AUBURN AVE. (5 MILE LINE ROAD) AND NORTH TAYLOR ROAD.
- CITY OF MCALLEN BENCHMARK (MC47) A 30" ALUMINUM PIPE WITH A 3X3" BRASS MONUMENT CAP ON TOP. LOCATED APPROXIMATELY 29 FEET EAST FROM NORTH TAYLOR ROAD AND 650 FEET NORTH OF MILE 5. NORTHING: 1061100.60350 EASTING: 16628009.54221 ELEV=140.02
- 6 FT. OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, OR INDUSTRIAL ZONES/USES AND ALONG AUBURN AVE. (5 MILE LINE ROAD) AND NORTH TAYLOR ROAD.
- 8 FT. MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONES/USES.
- ALL UTILITY AND DRAINAGE EASEMENTS TO BE DEDICATED BY THIS PLAT, UNLESS STATED OTHERWISE.
- ALL IRRIGATION EASEMENTS ARE EXCLUSIVE TO UNITED IRRIGATION DISTRICT, AND THE DISTRICT ALLOWS NO OTHER UTILITIES OR OUTSIDE USE WITHOUT ITS EXPRESS WRITTEN APPROVAL.
- THIS SUBDIVISION IS SUBJECT TO A BLANKET EASEMENT RESERVATION IN FAVOR OF UNITED IRRIGATION DISTRICT AS SET FORTH IN DEED DATED SEPTEMBER 22, 1920, RECORDED IN DOCUMENT #1140166, OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS.
- NO UTILITY COMPANY, PUBLIC ENTITY, PARTY OR PERSON IS ALLOWED TO CROSS ABOVE OR BELOW GROUND ANY IRRIGATION DISTRICT EASEMENT OR RIGHT-OF-WAY WITH LINES, POLES, OPEN DITCHES OR OTHER USE WITHOUT FIRST OBTAINING A CROSSING PERMIT FROM UNITED IRRIGATION DISTRICT.
- NO PERMANENT STRUCTURE UTILITY POLE, HOLE, WALL, FENCE, DRIVEWAY, OR ROAD WILL BE ALLOWED TO BE CONSTRUCTED OR EXIST ON ANY DISTRICT EASEMENT OR RIGHT OF WAY WITHOUT WRITTEN APPROVAL BY IRRIGATION DISTRICT. ANY UNAUTHORIZED STRUCTURE WITHIN THE EASEMENT BOUNDARY IS SUBJECT TO IMMEDIATE REMOVAL AT VIOLATOR'S EXPENSE.
- NO UTILITY COMPANY, PUBLIC ENTITY, PARTY OR PERSON IS ALLOWED TO CONNECT TO ANY DISTRICT FACILITY WITHOUT FIRST OBTAINING A PERMIT FROM IRRIGATION DISTRICT, ANY CONNECTION NOT AUTHORIZED BY THE DISTRICT IS SUBJECT TO IMMEDIATE REMOVAL AT VIOLATOR'S EXPENSE.
- 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.
- AS PER DECLARATIONS OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR SILVERADO MOON SUBDIVISION, RECORDED AS DOCUMENT NUMBER \_\_\_\_\_, HIDALGO COUNTY, DEED RECORDS, DEVELOPER/HOMEOWNER'S ASSOCIATION/OWNER, THEIR SUCCESSORS AND/OR ASSIGNEES, AND NOT THE CITY OF MCALLEN SHALL BE RESPONSIBLE FOR THE INSTALLATION, MAINTENANCE AND OTHER REQUIREMENTS AS PER SECTION 134-168 OF THE CODE OF ORDINANCES OF THE CITY OF MCALLEN, INCLUDING BUT NOT LIMITED TO COMMON AREAS AND PRIVATE STREETS. ANY AMENDMENT TO DECLARATIONS THAT CONFLICT WITH THE REQUIREMENTS OF SECTION 134-168 OF THE SUBDIVISION ORDINANCE SHALL BE NULL AND VOID.
- COMMON LOT A, IDENTIFIED AS A DETENTION AREA SHALL BE MAINTAINED BY THE DEVELOPER, WHO MAY TRANSFER SUCH MAINTENANCE OBLIGATION TO THE SUBDIVISION HOMEOWNER'S ASSOCIATION, SILVERADO MOON HOMEOWNER'S ASSOCIATION, UPON CONVEYANCE OF THE COMMON LOT A, WHICH SHALL BE USED EXCLUSIVELY AS A DETENTION AREA. AFTER COMMON LOT A'S TRANSFER OF TITLE TO THE SILVERADO TRAIL ON AUBURN HILL HOMEOWNER'S ASSOCIATION THE SUBDIVISION LOT OWNER'S PRO RATA SHARES OF THE COST OF MAINTENANCE SHALL BE DETERMINED BY THE SILVERADO MOON HOMEOWNER'S ASSOCIATION. FAILING IN SUCH MAINTENANCE OBLIGATIONS, THE CITY OF MCALLEN MAY, BUT SHALL NOT BE REQUIRED TO MAINTAIN THE SAME AT THE LOT OWNER'S COST, WHICH COST MAY BECOME A LIEN AGAINST THEIR PROPERTIES. PRIOR TO THE IMPOSITION OF ANY LIEN, THE CITY SHALL FIRST COMPLY WITH NOTICE REQUIREMENTS SIMILAR TO THOSE UNDER EXISTING ORDINANCE SECTION 134-168 AS THE SAME MAY BE AMENDED. THE SPECIAL EXCLUSIVE USE OF COMMON LOT A, THE OWNER'S MAINTENANCE OBLIGATION, AND THE CONSEQUENCES OF FAILURE TO MAINTAIN SHALL BE INCORPORATED INTO ANY DEED OR INSTRUMENT OF CONVEYANCE AS A DEED RESTRICTION, RECORDED IN INSTRUMENT NO. \_\_\_\_\_ OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS.

**OWNER'S ACKNOWLEDGMENT**  
**STATE OF TEXAS**  
**COUNTY OF HIDALGO**  
I (WE), THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS THE SILVERADO MOON SUBDIVISION, DO HEREBY GRANT AN ACCESS AND UTILITY EASEMENT TO THE CITY OF MCALLEN AND THOSE WHO MAY NOW OR HEREAFTER HOLD FRANCHISE UNDER SAID CITY. THE USE OF THE STREETS, ALLEYS, AND EASEMENTS THEREON SHOWN, SURFACE USE OF THE STREETS AND ALLEYS ARE RESTRICTED TO THE EMPLOYEES AND AGENTS OF THE CITY OF MCALLEN, TO THE EMPLOYEES OF THE UTILITY OPERATING UNDER FRANCHISE TO THE CITY OF MCALLEN, AND RESIDENTS OF THE SUBDIVISION AND THEIR GUESTS. ADDITIONAL PUBLIC RIGHT-OF-WAY FOR AUBURN AVE. (MILE 5 NORTH) IS BEING DEDICATED BY THIS PLAT.

OMAR GARCIA (MANAGING MEMBER) DATE  
FORTIS LAND COMPANY, LLC  
222 WEST UNIVERSITY DRIVE  
EDINBURG, TEXAS 78539

**STATE OF TEXAS**  
**COUNTY OF HIDALGO**  
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED OMAR FELIPE GARCIA, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR PURPOSES AND CONSIDERATIONS THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS \_\_\_\_ DAY OF \_\_\_\_ 2023.

NOTARY PUBLIC IN AND FOR THE  
STATE OF TEXAS  
MY COMMISSION EXPIRES \_\_\_\_

### SHARYLAND WATER SUPPLY CORPORATION

I, SHERILYN DAHLBERG, HEREBY CERTIFY THAT SHARYLAND WATER SUPPLY CORPORATION HAS APPROVED THE POTABLE WATER INFRASTRUCTURE FOR THE SILVERADO MOON SUBDIVISION, LOCATED AT CITY OF MCALLEN IN HIDALGO COUNTY, TEXAS, SUBJECT TO THE POTABLE WATER SYSTEM MEETING THE APPROVAL OF THE DESIGN ENGINEER AND ALL APPLICABLE RULES AND REGULATIONS OF SHARYLAND WATER SUPPLY CORPORATION, AND LOCAL, STATE, AND FEDERAL AGENCIES.

DEVELOPER AND DESIGN ENGINEER SHALL BEAR FULL RESPONSIBILITY TO ENSURE THAT THE ABOVE REFERENCED POTABLE WATER INFRASTRUCTURE IS CONSTRUCTED WITHIN THE DESIGNATED SHARYLAND WATER SUPPLY CORPORATION EASEMENT.

CARLOS LIMA DATE  
GENERAL MANAGER  
SHARYLAND WATER SUPPLY CORPORATION

### PRINCIPAL CONTACTS:

NAME	ADDRESS	PHONE & FAX
OWNER(S): FORTIS LAND COMPANY, LLC	222 W. UNIVERSITY DRIVE	EDINBURG, TX. 78539 (956) 292-0008 (956) 292-0896
SURVEYOR: IVAN GARCIA	921 S. 10TH AVENUE	EDINBURG, TX. 78539 (956) 380-5152 (956) 380-5083
ENGINEER: IVAN GARCIA	921 S. 10TH AVENUE	EDINBURG, TX. 78539 (956) 380-5152 (956) 380-5083

**LIENHOLDER'S ACKNOWLEDGMENT**  
**STATE OF TEXAS**  
**COUNTY OF HIDALGO**  
I (WE), THE UNDERSIGNED, HOLDER(S) OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS THE SILVERADO MOON SUBDIVISION, DO HEREBY GRANT AN ACCESS AND UTILITY EASEMENT TO THE CITY OF MCALLEN AND THOSE WHO MAY NOW OR HEREAFTER HOLD FRANCHISE UNDER SAID CITY. THE USE OF THE STREETS, ALLEYS, AND EASEMENTS THEREON SHOWN, SURFACE USE OF THE STREETS AND ALLEYS ARE RESTRICTED TO THE EMPLOYEES AND AGENTS OF THE CITY OF MCALLEN, TO THE EMPLOYEES OF THE UTILITY OPERATING UNDER FRANCHISE TO THE CITY OF MCALLEN, AND RESIDENTS OF THE SUBDIVISION AND THEIR GUESTS. ADDITIONAL PUBLIC RIGHT-OF-WAY FOR AUBURN AVE. (MILE 5 NORTH) IS BEING DEDICATED BY THIS PLAT.

GABRIEL GARZA  
RIO BANK-SAN JUAN BANKING CENTER (PRESIDENT)  
401 W. STATE HWY 495  
SAN JUAN, TEXAS 78589

**STATE OF TEXAS**  
**COUNTY OF HIDALGO**  
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED GABRIEL GARZA, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR PURPOSES AND CONSIDERATIONS THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS \_\_\_\_ DAY OF \_\_\_\_ 2023.

NOTARY PUBLIC IN AND FOR THE  
STATE OF TEXAS  
MY COMMISSION EXPIRES \_\_\_\_

### STATE OF TEXAS UNITED IRRIGATION DISTRICT

THIS PLAT IS HEREBY APPROVED BY THE UNITED IRRIGATION DISTRICT ON THIS \_\_\_\_ DAY OF \_\_\_\_ 2023.

NO IMPROVEMENTS OF ANY KIND (INCLUDING WITHOUT LIMITATION TREES, FENCES AND BUILDINGS) SHALL BE PLACED UPON UNITED IRRIGATION DISTRICT RIGHT OF WAYS OR EASEMENTS. APPROVAL OF THIS PLAT DOES NOT RELEASE ANY RIGHTS THAT THE DISTRICT MAY HAVE WHETHER SHOWN OR NOT.

PRESIDENT SECRETARY

**SHARYLAND I.S.D. 16.50 ACRES**  
**LOT 416**  
**JOHN H. SHARY SUBDIVISION**  
**VOL. 1, PG. 17, M.R.H.C.**  
**CITY OF HIDALGO**  
**MAYOR'S CERTIFICATE**  
I, THE UNDERSIGNED, MAYOR OF THE CITY OF MCALLEN, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THIS CITY WHEREIN MY APPROVAL IS REQUIRED.

CITY MAYOR DATE  
RAUL E. SESIN, P.E., C.F.M.  
GENERAL MANAGER

### STATE OF TEXAS COUNTY OF HIDALGO PLANNING AND ZONING COMMISSION CHAIR CERTIFICATE

I, THE UNDERSIGNED, CHAIR OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF MCALLEN, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THIS CITY WHEREIN MY APPROVAL IS REQUIRED.

PLANNING AND ZONING CHAIR DATE

FILED FOR RECORD IN  
HIDALGO COUNTY  
ARTURO GUJARDO, JR.  
HIDALGO COUNTY CLERK

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

BY: \_\_\_\_ DEPUTY

### HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 CERTIFICATE

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

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

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

### STATE OF TEXAS - COUNTY OF HIDALGO

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE PROPER ENGINEERING CONSIDERATIONS HAVE BEEN GIVEN TO THIS PLAT.

IVAN GARCIA P.E., R.P.L.S.  
REG. PROFESSIONAL ENGINEER No. 115662

### STATE OF TEXAS - COUNTY OF HIDALGO

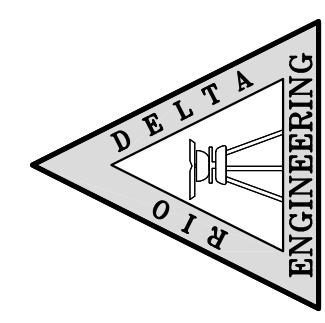
I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE FROM AN ACTUAL SURVEY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON, AND THAT THERE ARE NO APPARENT DISCREPANCIES, CONFLICTS, OR OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, EXCEPT AS SHOWN ON THE ACCOMPANYING PLAT, AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF MCALLEN AND HIDALGO COUNTY, TEXAS.

IVAN GARCIA P.E., R.P.L.S.  
DATE  
REG. PROFESSIONAL LAND SURVEYOR No. 6469  
SURVEY FIRM No. 10194027



RIO DELTA ENGINEERING

FIRM REGISTRATION No. F-7628  
SURVEY FIRM No. 10194027  
921 S. 10TH AVENUE EDINBURG, TEXAS 78539  
(TEL) 956-380-5152 (FAX) 956-380-5083



THIS DOCUMENT IS  
RELEASED FOR THE  
PURPOSE OF INTERIM  
REVIEW UNDER THE  
AUTHORITY OF  
IVAN GARCIA,  
P.E. 115662 ON  
JUNE 5, 2023  
IT IS NOT TO BE  
USED FOR CONSTRUCTION,  
BIDDING OR PERMIT  
PURPOSES.

ISSUED FOR:  
**PRELIMINARY**

PLAT SHEET  
SILVERADO MOON SUBDIVISION  
CITY OF MCALLEN ETJ  
HIDALGO COUNTY, TEXAS

PROJECT: \_\_\_\_\_

ENGINEER:  
IVAN GARCIA P.E., R.P.L.S.

SURVEYOR:  
IVAN GARCIA P.E





# City of McAllen

## SUBDIVISION PLAT REVIEW

Reviewed On: 8/18/2023

### SUBDIVISION NAME: SILVERADO MOON SUBDIVISION

#### REQUIREMENTS

#### STREETS AND RIGHT-OF-WAYS

North Taylor Road: Proposing 10 ft. of dedication for 40 ft. from centerline for 80 ft. total ROW  
Paving: 52 ft. Curb & gutter: both sides

\*\*Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan

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

Auburn Avenue (5 Mile Line Road) : Proposing 40 ft. of dedication for 60 ft. from centerline for 120 ft. total ROW.

Paving: 65 ft. Curb & gutter: Both sides

Revision Needed:

-Centerline should be a continuous line, review and revise prior to final.

-Revise street name as shown above where applicable prior to final.

- Clarify 40 ft. existing on the south side of Auburn Avenue, any additional/ existing dedications must be referenced with document number on plat, finalize prior to final.

-Label total ROW after accounting for dedication from center line prior to final

\*\*Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan

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

Interior Street: Dedication as needed for 50 ft. total ROW.

Paving: 32 ft. Curb & gutter: Both Sides

Revisions Needed:

-Subdivision layout currently exhibits stub outs, clarify stub outs along lots 90 and 91 and lots 108 and 109, subdivision layout will have to be revised to provide for "Knuckle" design as dead end street are not permitted as this is a private subdivision, review and revise prior to final. As per plat submitted on July 19th,2023, subdivision provides for knuckle design.

-Street names will be established prior to final and plat will need to revised accordingly.

- As per plat submitted on June 2nd,2023 subdivision proposed to be private and for single family use, gate details are required. Gate details are under review and ROWs are subject to increase for gate areas, finalize prior to final.

-Auto Turn Study may be required to verify compliance with maneuvering space needed along lots 82-84, subdivision layout along lots may have to be adjusted to allow for maneuvering space finalize prior to final.

\*\*Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan

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

E/W Quarter Mile Collector (northern boundary):Dedication as needed for 60 ft. total ROW

Paving: 40 ft. Curb & gutter: Both sides

Pending Items:

-Engineer submitted a variance application on July 7, 2023 in reference to the ROW dedication requirements for the E/W collector(1/4 Mile Collector) along the Northern Boundary the engineer has indicated that the street would not be able to extend east as there is an existing drain ditch and there are existing established developments to the north of this subdivision.

After review of the ownership map submitted on July 12,2023, due to the developed properties to the north and existing canal to the west and collector alignment, the E/W collector street along the northern boundary is not feasible.

\*\*Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan

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

Applied

Non-compliance

Non-compliance

Applied

**These comments are for subdivision requirements only – additional requirements may apply at time of site plan review**



<p>N/S collector(Eastern Boundary,1/4 Mile Location): Dedication as needed for 60 ft. total R.O.W.  Paving _40 ft._ Curb &amp; gutter: Both Sides.  Pending Items:  -Please provide ownership map to verify that no landlocked properties exist or will be created.  -As per plat submitted on August 11th,2023, plat exhibits an additional acreage due to addition 40 ft. along eastern plat boundary. Street alignment and R.O.W being reviewed by staff and plat would need to be revised accordingly as applicable prior to final.  - Engineer must clarify status of remnant tract, due to addition 40 ft. along eastern plat boundary.  ***Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan  ***Monies must be escrowed if improvements are not constructed prior to recording.</p>	Non-compliance
<p>* 1,200 ft. Block Length.  *Subdivision layout does not comply with 1200 ft. block length requirement. Engineer submitted a variance application on August 1, 2023 ,requesting a variance to the 1200ft. Block Length requirement. Under the authority and review of the Planning Director the Variance request to the block length was approved administratively.  **Subdivision Ordinance: Section 134-118</p>	Applied
<p>* 900 ft. Block Length for R-3 Zone Districts.  **Subdivision Ordinance: Section 134-118</p>	NA
<p>* 600 ft. Maximum Cul-de-Sac  Revisions Needed:  -ROW at "Cul-De Sac" areas may have to be increased to comply with Fire Department requirements, finalize prior to final. As per Fire Department requirements, 96 ft. of paving face-to face required, and 10 ft. of ROW back of curb around Cul-de-Sac required.  **Subdivision Ordinance: Section 134-105</p>	Non-compliance
<b>ALLEYS</b>	
<p>ROW: 20 ft. Paving: 16 ft.  *Alley/service drive easement required for commercial and multi-family properties.  **Subdivision Ordinance: Section 134-106</p>	NA
<b>SETBACKS</b>	
<p>* Front: 25 ft. or greater for easements.  ***Zoning Ordinance: Section 138-356</p>	Applied
<p>* Rear:10 ft. or greater for easements.  ***Zoning Ordinance: Section 138-356</p>	Applied
<p>* Interior sides: 6 ft. or greater for easements.  ***Zoning Ordinance: Section 138-356</p>	Applied
<p>* Corner: 10 ft. or greater for easements  ***Zoning Ordinance: Section 138-356</p>	Applied
<p>* Garage: 18 ft. except where greater setback is required; greater setback applies.  ***Zoning Ordinance: Section 138-356</p>	Applied
<p>*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN</p>	Applied



SIDEWALKS	
<p>* 4 ft. wide minimum sidewalk required along Auburn Avenue (5 Mile Line Road), North Taylor Road, and both sides of all interior streets. Also N/S 1/4 mile as may be required, finalize wording for note prior to final.</p> <p>****5 ft. sidewalk might be required by Engineering Dept. prior to final.</p> <p>***Finalize note wording requirements prior to final.</p> <p>***Subdivision Ordinance: Section 134-120</p>	Required
<p>* Perimeter sidewalks must be built or money escrowed if not built at this time.</p>	Required
BUFFERS	
<p>* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along Auburn Avenue (5 Mile Line Road) and North Taylor Road. Also N/S 1/4 mile as may be required, finalize wording for note prior to final.</p> <p>Revision Needed:</p> <p>-Revise note#11 as shown above prior to final.</p> <p>**Landscaping Ordinance: Section 110-46</p>	Required
<p>* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.</p> <p>**Landscaping Ordinance: Section 110-46</p>	Applied
<p>*Perimeter buffers must be built at time of Subdivision Improvements.</p>	Required
NOTES	
<p>* No curb cut, access, or lot frontage permitted along Auburn Avenue (5 Mile Line Road) and North Taylor Road. Also N/S 1/4 mile as may be required, finalize wording for note prior to final.</p>	Required
<p>**Must comply with City Access Management Policy</p>	
<p>* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.</p>	NA
<p>* Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen.</p>	Applied
<p>* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.</p>	NA
<p>* 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.</p> <p>**Section 134-168 applies if private subdivision is proposed.</p> <p>***Section 110-72 applies if public subdivision is proposed.</p> <p>****Landscaping Ordinance: Section 110-72</p> <p>*****Subdivision Ordinance: Section 134-168</p>	Required
<p>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</p> <p>**Homeowner's Association Covenants must be submitted for staff review, prior to recording.</p> <p>***Section 134-168 applies if private subdivision is proposed.</p> <p>****Section 110-72 applies if public subdivision is proposed.</p> <p>*****Landscaping Ordinance: Section 110-72</p> <p>*****Subdivision Ordinance: Section 134-168</p>	Required

**These comments are for subdivision requirements only – additional requirements may apply at time of site plan review**



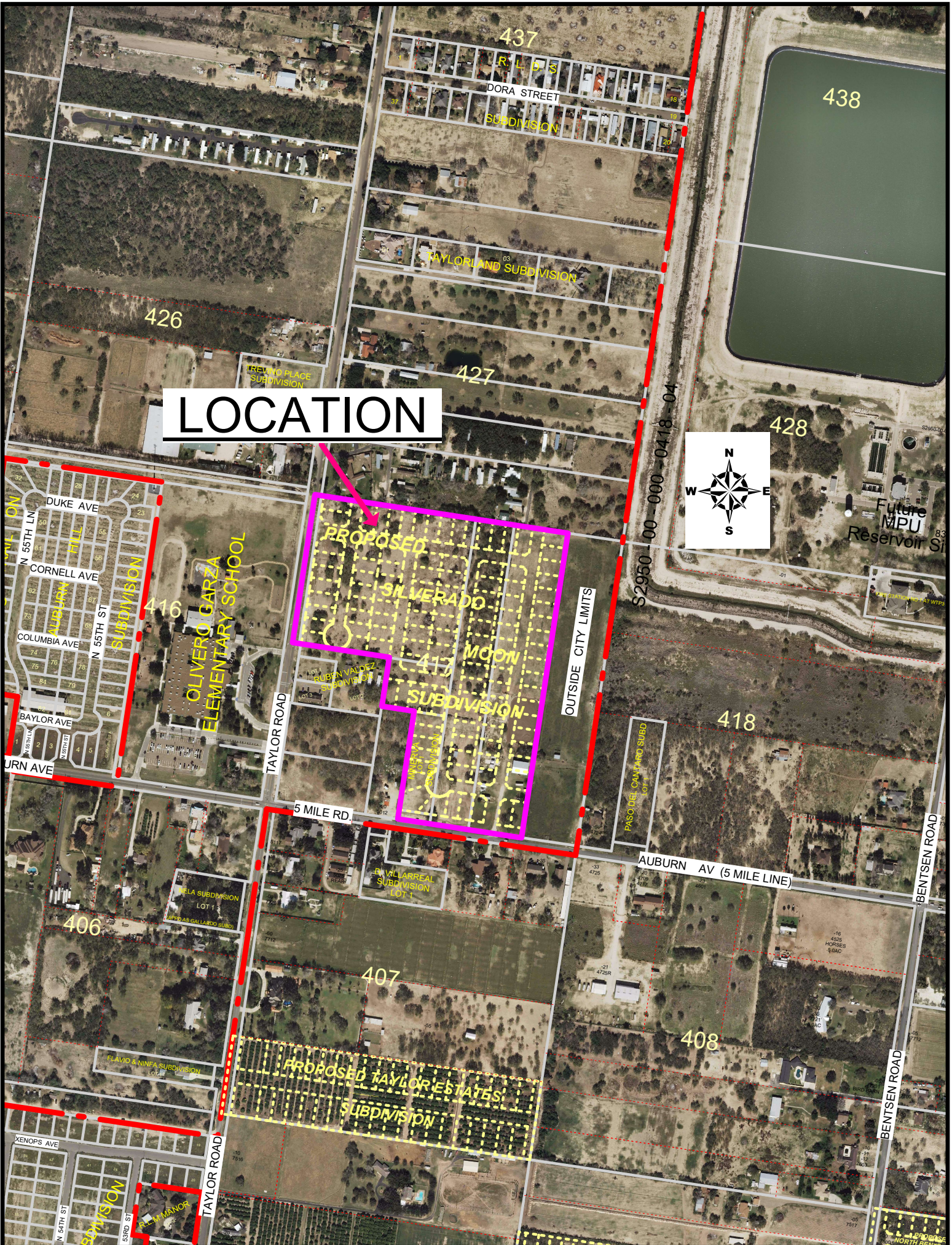
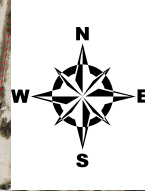
<b>LOT REQUIREMENTS</b>	
<ul style="list-style-type: none"> <li>* Lots fronting public streets.</li> <li>**Private Subdivision proposed as per plat submitted on June 2nd,2023.</li> <li>**Subdivision Ordinance: Section 134-1</li> <li>* Minimum lot width and lot area.</li> <li>**Zoning Ordinance: Section 138-356</li> </ul>	Compliance
	Compliance
<b>ZONING/CUP</b>	
<ul style="list-style-type: none"> <li>* Existing: (Extraterritorial jurisdiction) Proposed:(Extraterritorial jurisdiction)</li> <li>**As per application dated June 2nd,2023 proposed land use is single-family.</li> <li>Pending Items: <ul style="list-style-type: none"> <li>- Engineer must clarify annexation status as zoning requirements must be finalized prior to final.</li> <li>-Subdivision requirements subject to change once zoning requirements are finalized.</li> </ul> </li> <li>***Zoning Ordinance: Article V</li> <li>* Rezoning Needed Before Final Approval</li> <li>Pending Items: <ul style="list-style-type: none"> <li>- Engineer must clarify annexation status as zoning requirements must be finalized prior to final.</li> </ul> </li> <li>***Zoning Ordinance: Article V</li> </ul>	Non-compliance
	TBD
<b>PARKS</b>	
<ul style="list-style-type: none"> <li>* Land dedication in lieu of fee. As per Parks Department, per application dated June 2nd,2023 proposed 121 lot single-family subdivision is not within City limits,(ETJ) therefore City of McAllen Park Land Dedication and Park Development Fees Ordinance does not apply unless annexed. Engineer must clarify annexation status prior to final.</li> <li>* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, per application dated June 2nd,2023 proposed 121 lot single-family subdivision is not within City limits,(ETJ) therefore City of McAllen Park Land Dedication and Park Development Fees Ordinance does not apply unless annexed. Engineer must clarify annexation status prior to final.</li> <li>* Pending review by City Manager's Office. As per Parks Department, per application dated June 2nd,2023 proposed 121 lot single-family subdivision is not within City limits,(ETJ) therefore City of McAllen Park Land Dedication and Park Development Fees Ordinance does not apply unless annexed. Engineer must clarify annexation status prior to final.</li> </ul>	TBD
	TBD
	TBD
<b>TRAFFIC</b>	
<ul style="list-style-type: none"> <li>* As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat.</li> <li>* Traffic Impact Analysis (TIA) required prior to final plat.</li> </ul>	Non-compliance
	TBD



COMMENTS	
<p>Comments:</p> <ul style="list-style-type: none"><li>- Must comply with City's Access Management Policy.</li><li>- Any abandonments must be done by separate process, not by plat.</li><li>- Engineer must clarify annexation status as zoning requirements must be finalized prior to final. Subdivision requirements subject to change once zoning requirements are finalized.</li><li>- At the Planning and Zoning Commission meeting of August 8th, 2023, the subdivision was approved in Revised Preliminary Form subject to conditions noted.</li><li>- As per plat submitted on August 11th, 2023, plat exhibits an additional acreage due to addition 40 ft. along eastern plat boundary.</li><li>- Engineer must clarify status of remnant tract, due to addition 40 ft. along eastern plat boundary.</li></ul>	Required
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED, DRAINAGE AND UTILITIES APPROVALS.	Applied



# LOCATION





# City of McAllen

## Planning Department

SUB2023-0071

311 NORTH 15<sup>TH</sup> STREET • (956) 681-1250 • (956) 681-1279 (fax)  
SUBDIVISION PLAT REVIEW APPLICATION

Project Information	Subdivision Name <u>ZOHO CORPORATION SUBDIVISION</u>	
	Location <u>South Ware Road</u>	
	City Address or Block Number <u>3300 S. WARE RD</u>	
	Number of Lots <u>3</u> Gross Acres <u>97.97</u> Net Acres _____ ETJ <input type="checkbox"/> Yes <input type="checkbox"/> No	
	Existing Zoning _____ Proposed Zoning _____ Rezoning Applied for <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date _____	
	Existing Land Use <u>Open</u> Proposed Land Use _____ Irrigation District # <u>3</u>	
	Replat <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Commercial <input checked="" type="checkbox"/> Residential _____	
	Agricultural Exemption <input type="checkbox"/> Yes <input type="checkbox"/> No Estimated Rollback Tax Due _____	
	Parcel # _____ Tax Dept. Review _____	
	Water CCN <input checked="" type="checkbox"/> MPU <input type="checkbox"/> Sharyland Water SC Other _____	
Legal Description <u>97.97 Acres of Land more or less out of Lot 8, McAllen First Suburban Citrus Groves</u> <u>Subdivision as Recorded in Volume 5, Page 20 Map Records of Hidalgo County, TX</u>		
Owner	Name <u>CITY OF McALLEN</u>	Phone <u>(956) 682-5022</u>
	Address <u>1300 HOUSTON AVE.</u>	E-mail _____
	City <u>McAllen</u> State <u>TX</u> Zip <u>78503</u>	
Developer	Name <u>City of McAllen</u>	Phone <u>(956) 681-3111</u>
	Address <u>1300 Houston Avenue</u>	E-mail _____
	City <u>McAllen</u> State <u>TX</u> Zip <u>78503</u>	
	Contact Person _____	
Engineer	Name <u>Cruz-Hogan Consultants, Inc.</u>	Phone <u>(956) 682-5022</u>
	Address <u>605 E. Violet Avenue, Suite 1</u>	E-mail <u>ronnie@cruzhogan.net</u>
	City <u>McAllen</u> State <u>TX</u> Zip <u>78504</u>	
	Contact Person <u>Ronnie Cruz, P.E., CFM</u>	
Surveyor	Name <u>J.A. Garza Associates, LLC</u>	Phone <u>(956) 687-8677</u>
	Address <u>3319 N. Ware Road, Suite A</u>	E-mail <u>garzajag2002@aol.com</u>
	City <u>McAllen</u> State <u>TX</u> Zip <u>78501</u>	





## Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

### In Person Submittal Requirements

- \$225 Preliminary Review Fee and \$75 Final Approval Fee (Both fees can be combined in one payment)
- Title Report
- 8 1/2" by 11" Original Sealed Survey showing existing structures/easements or 3 blue-line copies 2 Location Maps
- 2 8 1/2" by 11" copies/legible copies of plat with name & north arrow
- 6 Folded blue-line prints of the proposed plat
- 2 Warranty Deeds (identifying owner on application)
- AutoCAD 2005 DWG file and PDF of plat
- Letter of Authorization from the owner (if applicable)
- Proof of authority of person signing application on behalf of partnership/corporation (if applicable)

### Email Submittal Requirements

- \$225 Preliminary Review Fee and \$75 Final Approval Fee (Both fees can be combined in one payment)
- Title Report
- Survey
- Location Map
- Plat & Reduced P
- Warranty Deed
- DWG File
- Letter of Authorization from the owner (if applicable)
- Proof of authority of person signing application on behalf of partnership/corporation, if applicable

\*Documents must be submitted in PDF format. No scanned documents\*

\*Please submit documents to [subdivisions@mcallen.net](mailto:subdivisions@mcallen.net)

**\*ORIGINAL APPLICATION & FEE MUST BE SUBMITTED IN PERSON\***

### **PLAT TO SHOW:**

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

**Note:** Though the original submittal for application to process a subdivision plat does not require the drainage report or utility plans, it is advisable that they be included with the original submittal to expedite the review process. Complying with the minimum requirements for the original plat submittal does not constitute meeting the deadline for drainage and utility review by the appropriate boards. Additional information will be required during the review to properly complete the subdivision process. Any revisions would require resubmission and PDF files can be submitted via email at [subdivisions@mcallen.net](mailto:subdivisions@mcallen.net)

Owners Signature

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

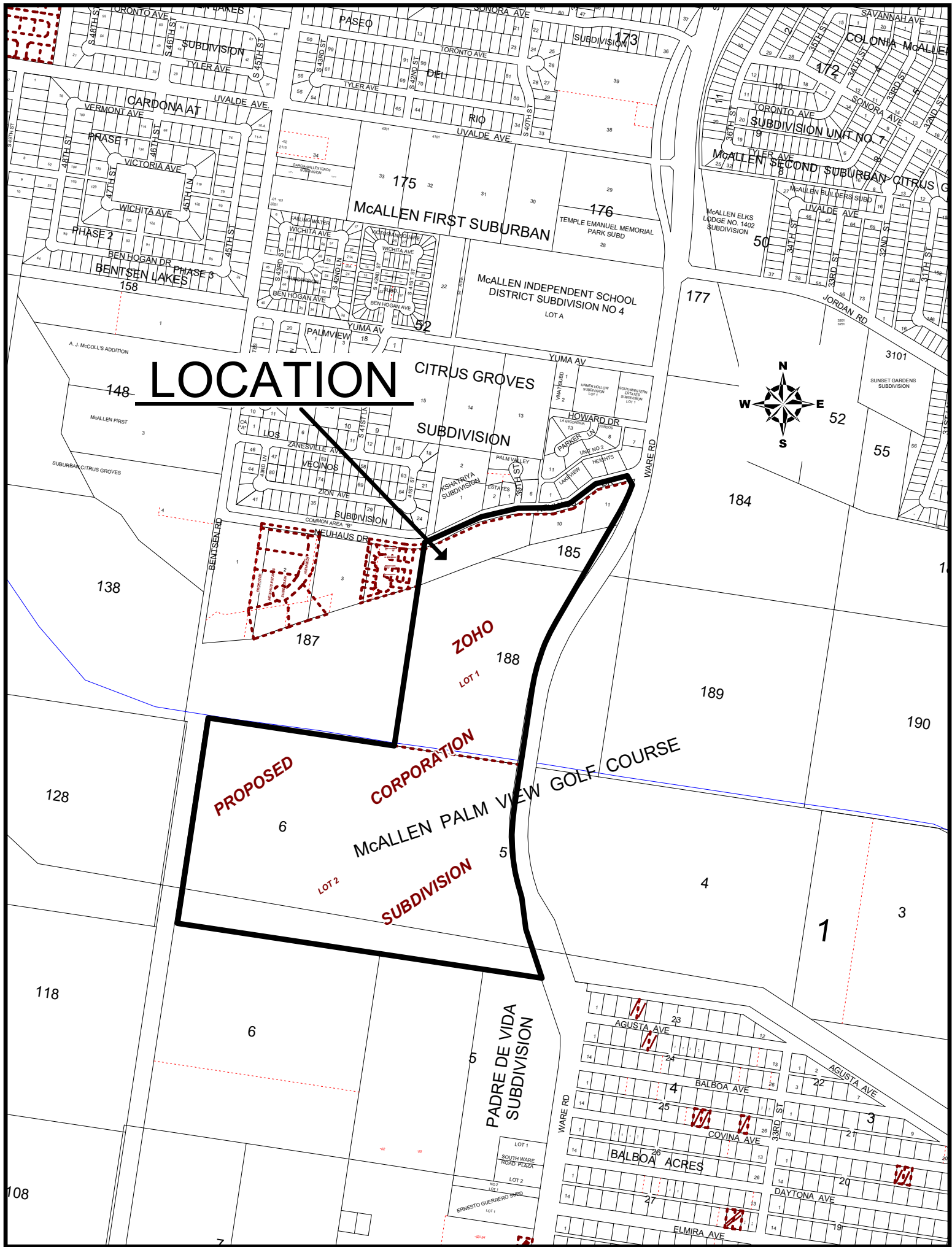
Signature Michelle Rivera Date 7/26/2023

Print Name Michelle Rivera

Owner ☐ Authorized Agent ☒

The Planning Department is now accepting DocuSign signatures on application





LOCATION

PROPOSED

CORPORATION  
SUBDIVISION

ZOH0

McALLEN PALM VIEW GOLF COURSE

PADRE DE VIDA  
SUBDIVISION

BALBOA ACRES

DAYTONA AVE





STATE OF TEXAS  
COUNTY OF HIDALGO

I, THE UNDERSIGNED, ROY RODRIGUEZ, IS THE OWNER OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS **ZOHO CORPORATION SUBDIVISION**. AN ADDITION TO THE CITY OF MCALLEN, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, PARKS, SEWER LINES, WATER COURSES, STORM SEWERS, EASEMENTS, FIRE HYDRANTS, AND PUBLIC PLACES WHICH ARE INSTALLED OR WHICH I WILL CAUSE TO BE INSTALLED OR DEDICATED UNDER THE SUBDIVISION APPROVAL PROCESS OF THE CITY OF MCALLEN, ALL THE SAME FOR THE PURPOSES THEREIN EXPRESSED, EITHER ON THE PLAT OR ON THE OFFICIAL MINUTES OF THE APPLICABLE AUTHORITIES OF THE CITY OF MCALLEN.

ROY RODRIGUEZ  
CITY MANAGER  
1300 W HOUSTON AVE,  
MCALLEN, TEXAS 78501

DATE

STATE OF TEXAS  
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, ON THIS DAY PERSONALLY APPEARED ROY RODRIGUEZ PROVED TO ME THROUGH HIS TEXAS DEPARTMENT OF PUBLIC SAFETY DRIVER LICENSE, TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, WHO, BEING BY ME FIRST DULY SWORN, DECLARED THAT THE STATEMENTS CONTAINED THEREIN ARE TRUE AND CORRECT, AND ACKNOWLEDGED THAT HE EXECUTED THE SAME FOR THE PURPOSED AND CONSIDERATION THEREBY EXPRESSED. GIVEN UNDER MY HAND AND SEAL OF OFFICE.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023

NOTARY PUBLIC, HIDALGO COUNTY, TEXAS

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

JAVIER VILLALOBOS  
MAYOR, CITY OF MCALLEN

DATE

CITY CLERK

DATE

PLANNING AND ZONING:

I, THE UNDERSIGNED, CHAIRMAN OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF MCALLEN HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THIS CITY WHERE IN MY APPROVAL IS REQUIRED.

CHAIRMAN,  
PLANNING AND ZONING COMMISSION

DATE

APPROVED BY DRAINAGE DISTRICT:

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

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

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

DATE

STATE OF TEXAS  
COUNTY OF HIDALGO

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

JESUS A. GARZA  
REGISTERED PROFESSIONAL LAND SURVEYOR  
NO. 4739  
MCALLEN, TEXAS 78501

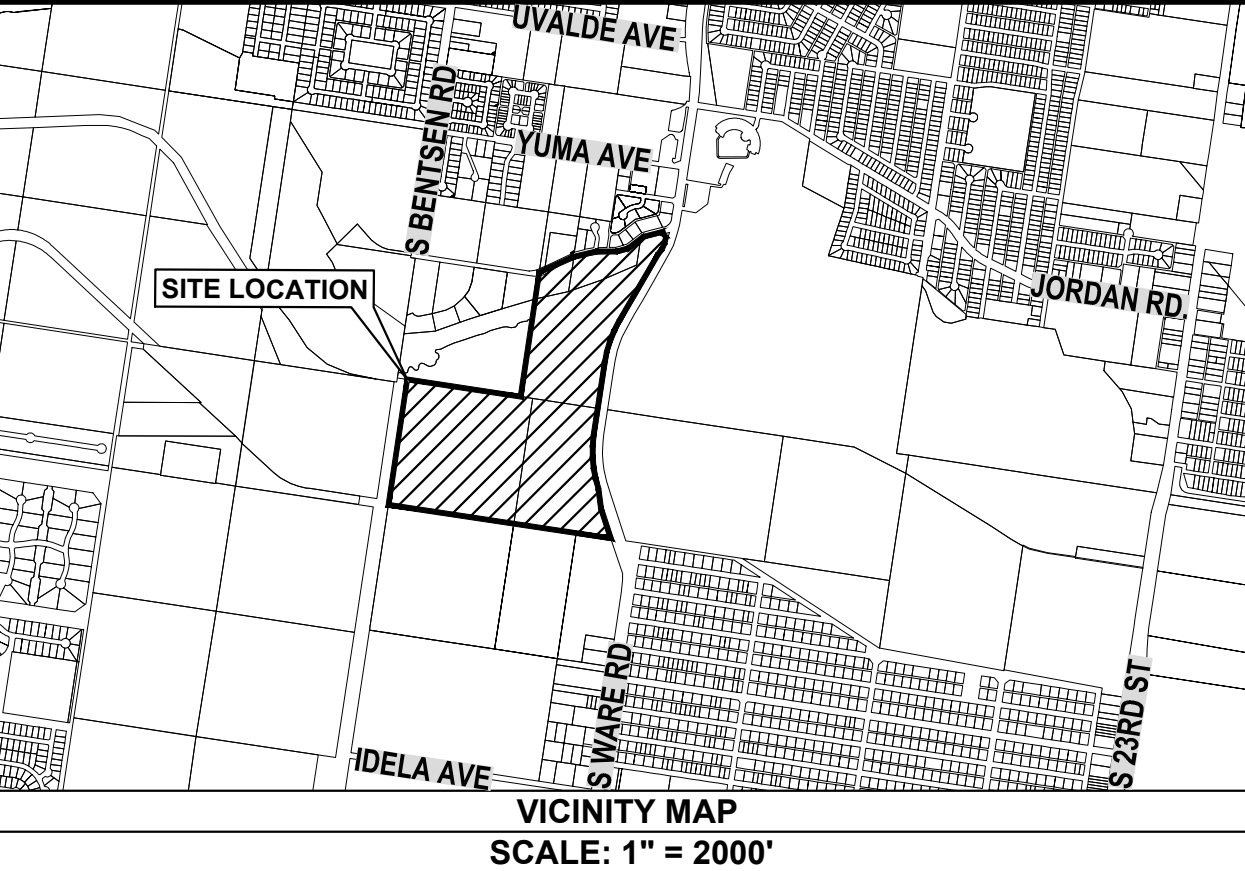
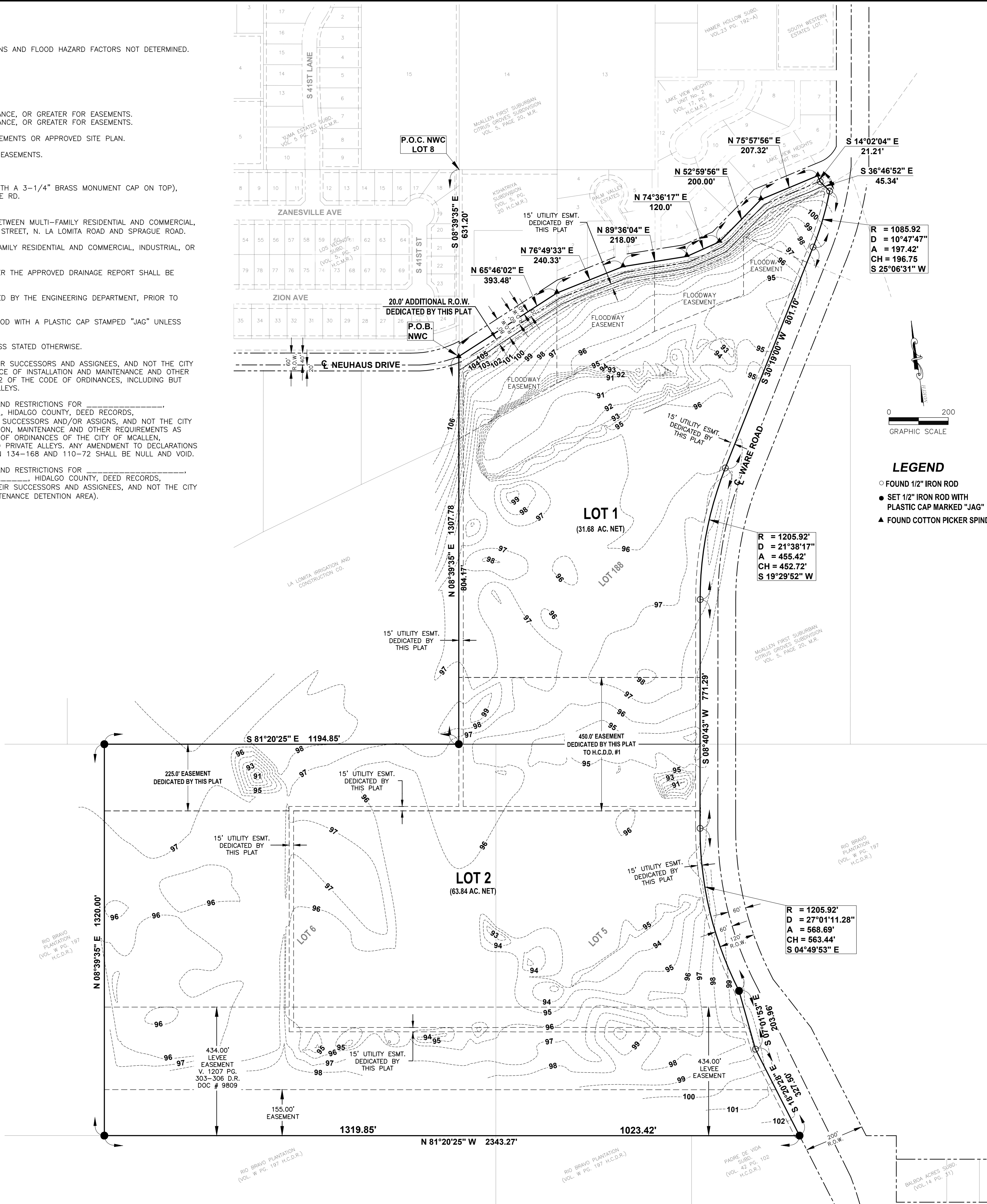
STATE OF TEXAS  
COUNTY OF HIDALGO

I, THE UNDERSIGNED, ROLANDO CRUZ, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN TO THIS PLAT, AND THAT ALL ASPECTS OF IT ARE IN ACCORDANCE WITH THE CITY OF MCALLEN SUBDIVISION ORDINANCE AND ALL STATE STATUTES GOVERNING SURVEYS.

ROLANDO CRUZ, P.E. CFM  
REGISTERED PROFESSIONAL ENGINEER  
NO. 55459  
MCALLEN, TEXAS 78504

GENERAL NOTES:

- 1.- FLOOD ZONE "A" AREAS OF 100-YEAR FLOOD; BASE FLOOD ELEVATIONS AND FLOOD HAZARD FACTORS NOT DETERMINED.  
COMMUNITY-PANEL NO. 430343 0010 C  
EFFECTIVE DATE: NOVEMBER 2, 1987
- 2.- MINIMUM BUILDING SETBACKS  
FRONT : IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER FOR EASEMENTS.  
REAR : IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER FOR EASEMENTS.  
ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN.
- 3.-NO STRUCTURES SHOULD BE CONSTRUCTED ON ANY EASEMENTS.
- 4.-FINISHED FLOOR ELEVATION SHALL BE 102.50
- 5.-BENCHMARK:  
CITY OF MCALLEN B.M. #86 (30" ALUMINUM PIPE WITH A 3-1/4" BRASS MONUMENT CAP ON TOP),  
LOCATED INSIDE , AT A DRAIN DITCH BY 7 MILE LINE RD.  
ELEVATION = 118.16 FEET (NAVD 88)
- 6.-6 FT. OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, AND INDUSTRIAL ZONES/USES AND ALONG N. 33RD STREET, N. LA LOMITA ROAD AND SPRAGUE ROAD.  
8 FT. MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONES/USES.
- 7.-REQUIRED DETENTION FOR STORM SEWER RUNOFF PER THE APPROVED DRAINAGE REPORT SHALL BE \_\_\_\_\_ CUBIC/FEET OR \_\_\_\_\_ AC-FT.
- 8.-AN ENGINEERING DRAINAGE DETENTION PLAN APPROVED BY THE ENGINEERING DEPARTMENT, PRIOR TO ISSUANCE OF BUILDING PERMITS.
- 9.-ALL LOT CORNERS ARE MARKED WITH A 1/2" IRON ROD WITH A PLASTIC CAP STAMPED "JAG" UNLESS OTHERWISE NOTED ON THIS PLAT.
- 10.-ALL EASEMENTS ARE DEDICATED BY THIS PLAT UNLESS STATED OTHERWISE.
- 11.-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 SECTIONS 134-168 AND 110-72 OF THE CODE OF ORDINANCES, INCLUDING BUT NOT LIMITED TO COMMON AREAS AND ITS PRIVATE ALLEYS.
- 12.-AS PER DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR \_\_\_\_\_, HIDALGO COUNTY, DEED RECORDS, DEVELOPER/HOMEOWNER ASSOCIATION/OWNER, THEIR SUCCESSORS AND/OR ASSIGNS, AND NOT THE CITY OF MCALLEN SHALL BE RESPONSIBLE FOR INSTALLATION, MAINTENANCE AND OTHER REQUIREMENTS AS PER SECTION 134-168 AND 110-72 OF THE CODE OF ORDINANCES OF THE CITY OF MCALLEN, INCLUDING BUT NOT LIMITED TO COMMON AREAS AND PRIVATE ALLEYS, ANY AMENDMENT TO DECLARATIONS THAT CONFLICT WITH THE REQUIREMENTS OF SECTION 134-168 AND 110-72 SHALL BE NULL AND VOID.
- 13.-AS PER DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR \_\_\_\_\_, HIDALGO COUNTY, DEED RECORDS, DEVELOPER/HOMEOWNER'S ASSOCIATION/OWNERS, THEIR SUCCESSORS AND ASSIGNEES, AND NOT THE CITY OF MCALLEN SHALL BE RESPONSIBLE FOR THE MAINTENANCE DETENTION AREA).



METES & BOUNDS

BEING A 97.97 ACRES OF LAND MORE OR LESS OUT OF LOT 8, MCALLEN FIRST SUBURBAN CITRUS GROVES SUBDIVISION AS RECORDED IN VOLUME 5, PAGE 20 MAP RECORDS OF HIDALGO COUNTY, TEXAS AND ALSO BEING OUT OF LOTS 185 AND 188, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY SUBDIVISION AS RECORDED IN VOLUME 24, PAGES 67-68 DEED RECORDS AND OUT OF LOT 5, BLOCK 1, AND ALL OF LOT 6 BLOCK 1, RIO BRAVO PLANTATION COMPANY SUBDIVISION AS RECORDED IN VOLUME "W" PAGE, 197, DEED RECORDS OF HIDALGO COUNTY, TEXAS; SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

COMMENCING FOR REFERENCE AT THE NORTHWEST CORNER OF LOT 8, THENCE S 08°39'35" W, WITH AND ALONG THE WEST LINE OF SAID LOT 8, A DISTANCE OF 631.20 FEET TO A FOUND COTTON PICKER SPINDLE FOR THE NORTHWEST CORNER OF THIS DESCRIPTION FOR THE POINT OF BEGINNING;

THENCE, N 65°46'02" E, (N 65°17'00" E REC.), WITH AND ALONG THE CENTERLINE OF NEUHAUS DRIVE A DISTANCE OF 393.48 FEET (395.40 REC.) TO A FOUND COTTON PICKER SPINDLE FOR CORNER;

THENCE, N 76°49'33" E, (N 78°17'00" E REC.) WITH AND ALONG THE CENTERLINE OF NEUHAUS DRIVE, A DISTANCE OF 240.33 (240.00 REC) FEET TO A FOUND COTTON PICKER SPINDLE FOR CORNER;

THENCE, N 89°36'04" E, (N 89°27'00" E REC.) WITH AND ALONG THE CENTERLINE OF NEUHAUS DRIVE, A DISTANCE OF 218.09 (218.00 REC.) FEET TO A FOUND COTTON PICKER SPINDLE FOR CORNER;

THENCE, N 74° 36'17" E, (N 74°27'00" E REC.) WITH AND ALONG THE CENTERLINE OF NEUHAUS DRIVE, A DISTANCE OF 120.00 FEET TO A FOUND COTTON PICKER SPINDLE FOR CORNER;

THENCE, N 52° 59'56" E, (N 52°52'00" E REC.) WITH AND ALONG THE CENTERLINE OF NEUHAUS DRIVE, A DISTANCE OF 200.00 FEET TO A FOUND COTTON PICKER SPINDLE FOR CORNER;

THENCE, N 75°57'56" E, (N 75°50'00" E REC.) WITH AND ALONG THE CENTERLINE OF NEUHAUS DRIVE, DISTANCE OF 207.32 FEET TO A FOUND COTTON PICKER SPINDLE FOR CORNER;

THENCE, S 14°02'04" E, A DISTANCE OF 21.21 FEET TO A FOUND 1/2" IRON ROD FOR THE NORTHEAST CORNER AND ALSO BEING A POINT ON THE WEST RIGHT-OF-WAY LINE OF WARE ROAD;

THENCE, S 36°46'52" E, A DISTANCE OF 45.34 FEET TO A FOUND 1/2" IRON ROD FOR CORNER AND THE POINT OF CURVATURE;

THENCE, WITH AND ALONG THE EXISTING WEST RIGHT-OF-WAY LINE OF WARE ROAD AND A CURVE TO THE RIGHT HAVING A RADIUS OF 1085.92 FEET, AN ARC LENGTH OF 197.42 A CHORD BEARING OF S 25°06'31" W TO A FOUND 1/2" IRON ROD FOR CORNER AND THE POINT OF TANGENCY;

THENCE, S 30°19'00" W, CONTINUING WITH THE EXISTING WEST RIGHT-OF-WAY LINE OF WARE ROAD, A DISTANCE OF 801.10 FEET TO A FOUND 1/2" IRON ROD FOR CORNER AND ALSO BEING THE POINT OF CURVATURE;

HAVING A RADIUS OF 1205.92 FEET AN ARC LENGTH OF 455.42 AND A CHORD BEARING; S 19°29'52" W TO A FOUND 1/2" IRON ROD FOR CORNER AND THE POINT OF TANGENCY;

THENCE, S 08°40'43" W, WITH AND ALONG THE EXISTING WEST RIGHT-OF-WAY LINE OF WARE ROAD A DISTANCE OF 771.29 FEET TO A FOUND 1/2" IRON ROD FOR CORNER, AND THE POINT OF CURVATURE;

THENCE, CONTINUING ON THE EXISTING WEST RIGHT-OF-WAY LINE OF WARE ROAD AND WITH A CURVE TO THE LEFT HAVING A RADIUS OF 1205.92 FEET, AN ARC LENGTH OF 568.69 FEET A CHORD BEARING OF S 04°49'53" E TO A SET 1/2" IRON ROD WITH CAP (JAG) FOR CORNER AND THE POINT OF TANGENCY;

THENCE, S 07°01'53" E, WITH AND ALONG THE EXISTING WEST RIGHT-OF-WAY LINE OF WARE ROAD, A DISTANCE OF 203.96 FEET TO A FOUND 1/2" IRON ROD FOR CORNER;

THENCE, S 18°20'28" E, WITH AND ALONG THE EXISTING WEST RIGHT-OF-WAY LINE OF WARE ROAD, A DISTANCE OF 327.50 FEET TO A SET 1/2" IRON ROD WITH CAP (JAG) FOR THE SOUTHEAST CORNER ON ALSO BEING A POINT ON THE SOUTH LINE OF SAID LOT 5;

THENCE, N 81°20'25" W, WITH AND ALONG THE SOUTH LINE OF SAID LOT 5, A DISTANCE OF 1023.42 FEET PASSING A SET 1/2" IRON ROD WITH CAP (JAG) FOR THE SOUTHWEST CORNER OF SAID LOT 5, AND A TOTAL DISTANCE OF 2343.27 TO A SET 1/2" IRON ROD WITH CAP (JAG) FOR THE SOUTHWEST CORNER AND ALSO BEING THE SOUTHWEST CORNER OF LOT 6, BLOCK 1;

THENCE, N 08°39'35" E, WITH AND ALONG THE WEST LINE OF SAID LOT 6, BLOCK 1 A DISTANCE OF 1320.00 FEET TO A SET 1/2" IRON ROD WITH CAP (JAG) FOR THE NORTHWEST CORNER AND ALSO BEING THE NORTHWEST CORNER OF SAID LOT 6, BLOCK 1;

THENCE, S 81°20'25" E, WITH AND ALONG THE NORTH LINE OF SAID LOT 6, BLOCK 1 AND THE SOUTH LINE OF LOT 187, A DISTANCE OF 1194.85 FEET A SET 1/2" IRON ROD WITH CAP (JAG) FOR CORNER;

THENCE, N 08°39'35" E, WITH AND ALONG THE WEST LINE OF LOT 188, A DISTANCE OF 1307.78 FEET TO A COTTON PICKER SPINDLE FOUND FOR THE NORTHWEST CORNER AND THE POINT OF BEGINNING;

SAID TRACT OF LAND CONTAINING 97.87 ACRE GROSS MORE OR LESS. BASIS OF BEARING: FOUND 1/2" IRON ROD AT THE SOUTHEAST CORNER LOT 190, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY AND FOUND 1/2" IRON ROD AT THE NORTHEAST CORNER, LOT 57, MCALLEN SECOND SUBURBAN CITRUS GROVES SUBDIVISION

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

ON: \_\_\_\_\_ AT \_\_\_\_\_ AM/PM

DOCUMENT NUMBER \_\_\_\_\_

OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS

BY: \_\_\_\_\_ DEPUTY

ZOHO CORPORATION SUBDIVISION  
DATE OF PREPARATION: JUL 14, 2023



PRINCIPAL CONTACTS:

NAME	ADDRESS	CITY & ZIP	PHONE	FAX
OWNER: ROY RODRIGUEZ	1300 W HOUSTON AVE	MCALLEN, TX 78501	(956) 681-3111	
ENGINEER: ROLANDO CRUZ, PE	605 E. VIOLET AVE. STE. 1	MCALLEN, TX. 78504	(956) 682-5022	(956) 682-5089
SURVEYOR: JESUS A. GARZA	3319 N WARE RD STE "A"	MCALLEN, TX 78501	(956) 687-8677	(956) 687-8641

## ZOHO CORPORATION SUBDIVISION

97.97 ACRES OF LAND MORE OR LESS OUT OF LOT 8, MCALLEN FIRST SUBURBAN CITRUS GROVES SUBDIVISION AS RECORDED IN VOLUME 5, PAGE 20 MAP RECORDS OF HIDALGO COUNTY, TEXAS AND ALSO BEING OUT OF LOTS 185 AND 188, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY SUBDIVISION AS RECORDED IN VOLUME 24, PAGES 67-68 DEED RECORDS AND OUT OF LOT 5 BLOCK 1, AND ALL OF LOT 6 BLOCK 1, RIO BRAVO PLANTATION COMPANY SUBDIVISION AS RECORDED IN VOLUME "W" PG. 197 DEED RECORDS 1W HIDALGO COUNTY, TEXAS





# City of McAllen

## SUBDIVISION PLAT REVIEW

Reviewed On: 8/17/2023

### SUBDIVISION NAME: ZOHO CORPORATION SUBDIVISION

#### REQUIREMENTS

#### STREETS AND RIGHT-OF-WAYS

South Ware Road: Dedication as needed for 60 ft. from centerline for 120 total ROW  
Paving: By State Curb & gutter: By State

Revisions Needed:

- Dedications may increase to accommodate any improvements that may exist in property boundaries, finalize ROW requirements prior to final.
- Revise street references as shown above were applicable, prior to final.
- Include additional ROW details throughout plat boundary as to ensure compliance ROW requirement's throughout plat boundary, prior to final.

\*\*\*Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan

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

Non-compliance

Neuhaus Drive: Proposing 20 ft. ROW dedication for 80ft. total ROW.

Paving: 40 ft. Curb & gutter: both sides

Revisions Needed:

- For Neuhaus Drive provide centerline along plat boundary prior final.

\*\*\*Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan

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

Non-compliance

N/S collector(Western Boundary of Lot 1 1/4 Mile Location): Dedication as needed for 60 ft. total R.O.W.

Paving \_40 ft.\_ Curb & gutter: Both Sides.

Pending Items:

- Please provide ownership map to verify that no landlocked properties exist or will be created.
- Clarify status of existing and proposed drainage easements/ plans as it is reviewed in conjunction with dedication requirements, finalize prior to final.

\*Street alignment and R.O.W being reviewed by staff and plat would need to be revised accordingly as applicable prior to final.

\*\*\*Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan

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

TBD

E/W collector(Approximately Southern Boundary of Lot 1 1/4 Mile Location): Dedication as needed for 60 ft. total R.O.W.

Paving \_40 ft.\_ Curb & gutter: Both Sides.

Pending Items:

- Please provide ownership map to verify that no landlocked properties exist or will be created.
- Clarify status of existing and proposed drainage easements/ plans as it is reviewed in conjunction with dedication requirements, finalize prior to final.

\*Street alignment and R.O.W being reviewed by staff and plat would need to be revised accordingly as applicable prior to final.

\*\*\*Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan

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

TBD

Paving \_\_\_\_\_ Curb & gutter \_\_\_\_\_

\*\*\*Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan

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

NA

**These comments are for subdivision requirements only – additional requirements may apply at time of site plan review**



<p>* 1,200 ft. Block Length. Revision needed: -Subdivision layout does not comply with block length requirement, please revise accordingly prior to final. If no changes please submit variance request for 1200 ft. maximum block length requirement. **Subdivision Ordinance: Section 134-118</p> <p>* 900 ft. Block Length for R-3 Zone Districts. **Subdivision Ordinance: Section 134-118</p> <p>* 600 ft. Maximum Cul-de-Sac. **Subdivision Ordinance: Section 134-105</p>	Non-compliance
	NA
	NA
<b>ALLEYS</b>	
<p>ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial, industrial, and multi-family properties. Revisions Needed: -Provide for alley or service drive easement on the plat prior to final. Alley or service drive easement cannot dead-end. **Private Access Service Drive Easement must be minimum 24 ft. with 24 ft. of paving and in compliance with Fire and Public Works Department requirements. **Subdivision Ordinance: Section 134-106</p>	Non-compliance
<b>SETBACKS</b>	
<p>* Front: Neuhaus Drive/ South Ware Road: In accordance with zoning ordinance, or greater for easements or approved site plan, or in line with average setback, whichever is greater applies. Revisions Needed: -Revise plat note as shown above prior to final. *Proposing: In accordance with the zoning ordinance, or greater for easements. **Zoning Ordinance: Section 138-356</p> <p>* Rear: In accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Revision Needed: -Revise note as shown above prior to final. **Proposing: In accordance with the Zoning Ordinance or greater for easements. **Zoning Ordinance: Section 138-356</p> <p>* Sides: In accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Revision Needed: -Include note as shown above prior to final. **Zoning Ordinance: Section 138-356</p> <p>* Corner :See front setback requirements. **Zoning Ordinance: Section 138-356</p> <p>* Garage: Commercial/Industrial Development. **Zoning Ordinance: Section 138-356</p> <p><b>ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN</b></p>	Applied
	Non-compliance
	Non-compliance
	Applied
	NA
	Applied



SIDEWALKS	
<p>* 4 ft. wide minimum sidewalk required on South Ware Road and Neuhaus Drive.</p> <p>Revisions Needed:</p> <p>-Include note as shown above prior to final.</p> <p>**Sidewalk requirements may increase to 5 ft. per Engineering Department requirements.</p> <p>Finalize wording for plat note prior to final.</p> <p>**Subdivision Ordinance: Section 134-120</p> <p>* Perimeter sidewalks must be built or money escrowed if not built at this time.</p>	<p>Non-compliance</p> <p>Required</p>
BUFFERS	
<p>* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and as may be required by ordinance and others as needed(streets) prior to final.</p> <p>Revisions Needed:</p> <p>-Revise note #6 as shown above, finalize note wording as may be required prior to final.</p> <p>**A buffer shall be provided to screen refuse areas (including refuse dumpsters, compactors and contained compactors), outdoor storage areas and loading docks from public streets.</p> <p>**Landscaping Ordinance: Section 110-46</p> <p>* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.</p> <p>**Landscaping Ordinance: Section 110-46</p> <p>*Perimeter buffers must be built at time of Subdivision Improvements.</p>	<p>Non-compliance</p> <p>Applied</p> <p>Required</p>
NOTES	
<p>* No curb cut, access, or lot frontage permitted along</p> <p>**Staff reviewing any restrictions regarding access from perimeter streets, finalize wording for note as applicable prior to final.</p> <p>**Must comply with City Access Management Policy</p> <p>* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.</p> <p>* Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen.</p> <p>Revisions Needed:</p> <p>-Include note as shown above, prior to final.</p> <p>**Note subject to change once subdivision requirements have been finalized. Finalize wording prior to final.</p> <p>* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.</p> <p>* 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.</p> <p>**Section 134-168 applies if private subdivision is proposed.</p> <p>**Landscaping Ordinance: Section 110-72</p> <p>**Subdivision Ordinance: Section 134-168</p> <p>Pending Items:</p> <p>-Engineer must clarify if HOA is proposed for Commercial/ Industrial subdivision, prior to final.</p>	<p>TBD</p> <p>Required</p> <p>Non-compliance</p> <p>Applied</p> <p>TBD</p>



<ul style="list-style-type: none"> <li>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</li> <li>**Homeowner's Association Covenants must be submitted for staff review, prior to recording.</li> <li>***Section 134-168 applies if private subdivision is proposed.</li> <li>****Landscaping Ordinance: Section 110-72</li> <li>*****Subdivision Ordinance: Section 134-168</li> <li>Pending Items:</li> <li>--Engineer must clarify if HOA is proposed for Commercial/ Industrial subdivision, prior to final.</li> </ul>	TBD
<b>LOT REQUIREMENTS</b>	
<ul style="list-style-type: none"> <li>* Lots fronting public streets.</li> <li>**Subdivision Ordinance: Section 134-1</li> </ul>	Compliance
<ul style="list-style-type: none"> <li>* Minimum lot width and lot area.</li> <li>**Zoning Ordinance: Section 138-356</li> </ul>	Compliance
<b>ZONING/CUP</b>	
<ul style="list-style-type: none"> <li>* Existing: Lot 1: C-1 (Office Building) District and Lot 2:( I-1(Light Industrial) District Proposed: Lot 1:C-1 (Office Building) District and Lot 2: I-1(Light Industrial) District</li> <li>**Rezoning to C-1 for portion of Lot 1 and I-1 for lot 2, Approved at the City Commission meeting of July 24,2023.</li> <li>***Engineer must verify if proposed subdivision is within appropriate zoning as it may prompt changes to plat and or rezoning process, review and finalize prior to final.</li> <li>****Zoning Ordinance: Article V</li> </ul>	Compliance
<ul style="list-style-type: none"> <li>* Rezoning Needed Before Final Approval</li> <li>****Rezoning to C-1 for portion of Lot 1 and I-1 for lot 2, Approved at the City Commission meeting of July 24,2023.</li> <li>***Zoning Ordinance: Article V</li> </ul>	Completed
<b>PARKS</b>	
<ul style="list-style-type: none"> <li>* Land dedication in lieu of fee. As per Parks Department, park fees do not apply to Commercial/ Industrial developments, parkland requirements subject to change if zoning changes.</li> </ul>	NA
<ul style="list-style-type: none"> <li>* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, park fees do not apply to Commercial/ Industrial developments, parkland requirements subject to change if zoning changes.</li> </ul>	NA
<ul style="list-style-type: none"> <li>* Pending review by the City Manager's Office. As per Parks Department, park fees do not apply to Commercial/ Industrial developments, parkland requirements subject to change if zoning changes.</li> </ul>	NA
<b>TRAFFIC</b>	
<ul style="list-style-type: none"> <li>* As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat.</li> </ul>	Non-compliance
<ul style="list-style-type: none"> <li>* Traffic Impact Analysis (TIA) required prior to final plat.</li> </ul>	TBD
<b>COMMENTS</b>	
<ul style="list-style-type: none"> <li>Comments:</li> <li>*Must comply with City's Access Management Policy.</li> <li>**Any abandonments must be done by separate process, not by plat</li> </ul>	Applied

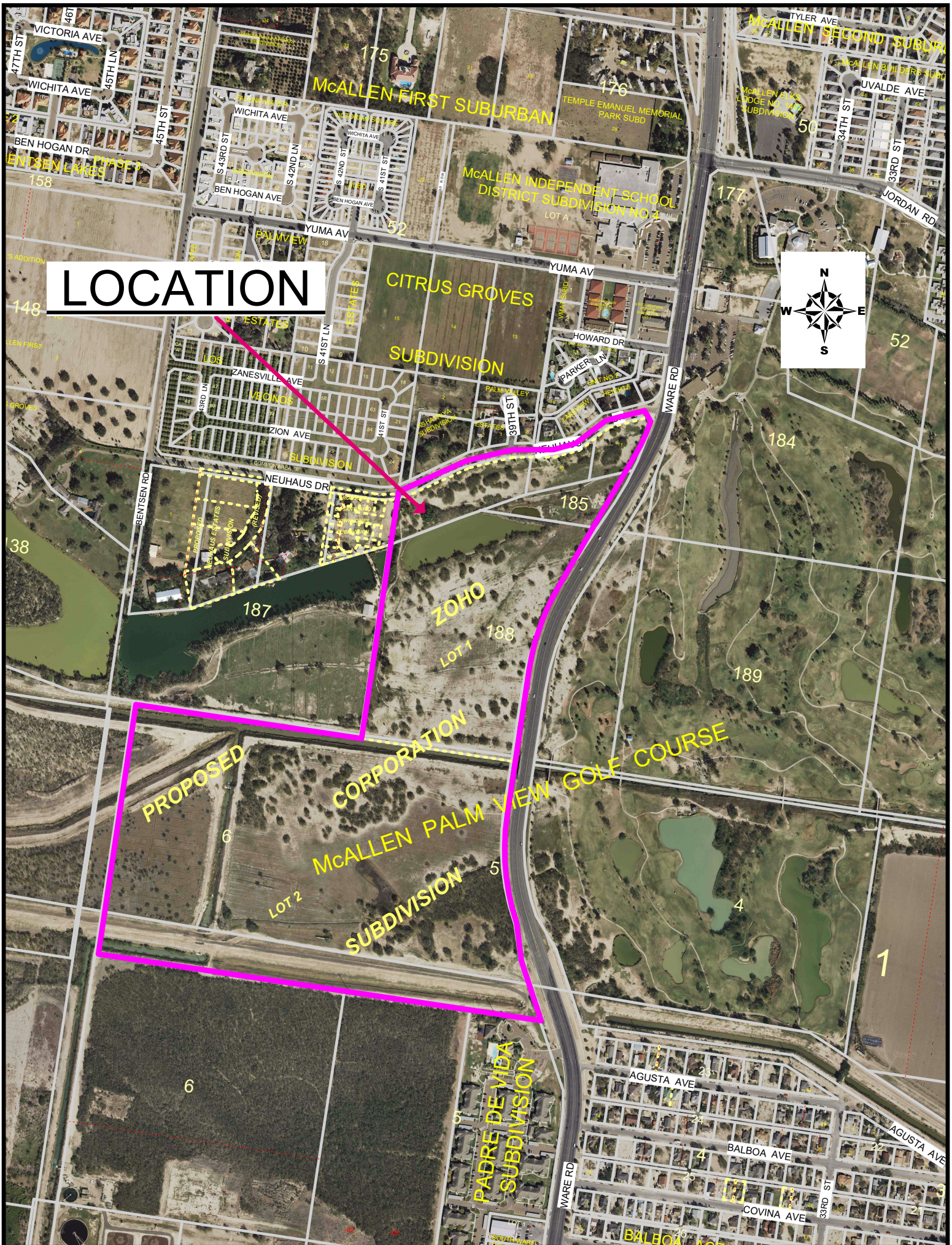
**These comments are for subdivision requirements only – additional requirements may apply at time of site plan review**



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



# LOCATION







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

SUB1073-0083

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

Project Description

Subdivision Name SHARPLESS SQUARE SUBDIVISION  
Location N WARE RD & AUBURN AVENUE WEST  
City Address or Block Number 3501 AUBURN AVE  
Number of lots 3 Gross acres 1.75 AC Net acres 1.73 AC  
Existing Zoning C-3L Proposed C-3L Rezoning Applied For ☐ Yes ☒ No Date \_\_\_\_\_  
Existing Land Use COMMERCIAL Proposed Land Use COMMERCIAL Irrigation District # 1  
Residential Replat Yes ☐ No ☒ Commercial Replat Yes ☒ No ☐ ETJ Yes ☐ No ☒  
Agricultural Tax Exempt Yes ☐ No ☒ Estimated Rollback tax due 10  
Parcel No. 210583 Tax Dept. Review over  
Legal Description 1.75 ACRES TRACT BEING OUT OF LOT 57 OUT OF LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY SUBDIVISION, RECORDED IN VOLUME 24, PAGE 68, DEED RECORDS OF HIDALGO COUNTY, TEXAS

Owner

Name MOON CITY ENDEVORS LLC Phone \_\_\_\_\_  
Address 1505 GOLDCREST AVE.  
City MCALLEN State TEXAS Zip 78504  
E-mail joshuasharpless@gmail.com

Developer

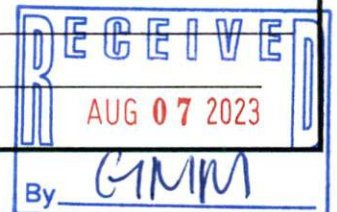
Name SAME AS OWNER Phone \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Contact Person \_\_\_\_\_  
E-mail \_\_\_\_\_

Engineer

Name GILBERT GUERA Phone (956) 380 -5152  
Address 921 S. 10TH AVENUE  
City EDINBURG State TEXAS Zip 78539  
Contact Person JULIO GONZALEZ  
E-mail jgonzalez@riodeltaengineering.com

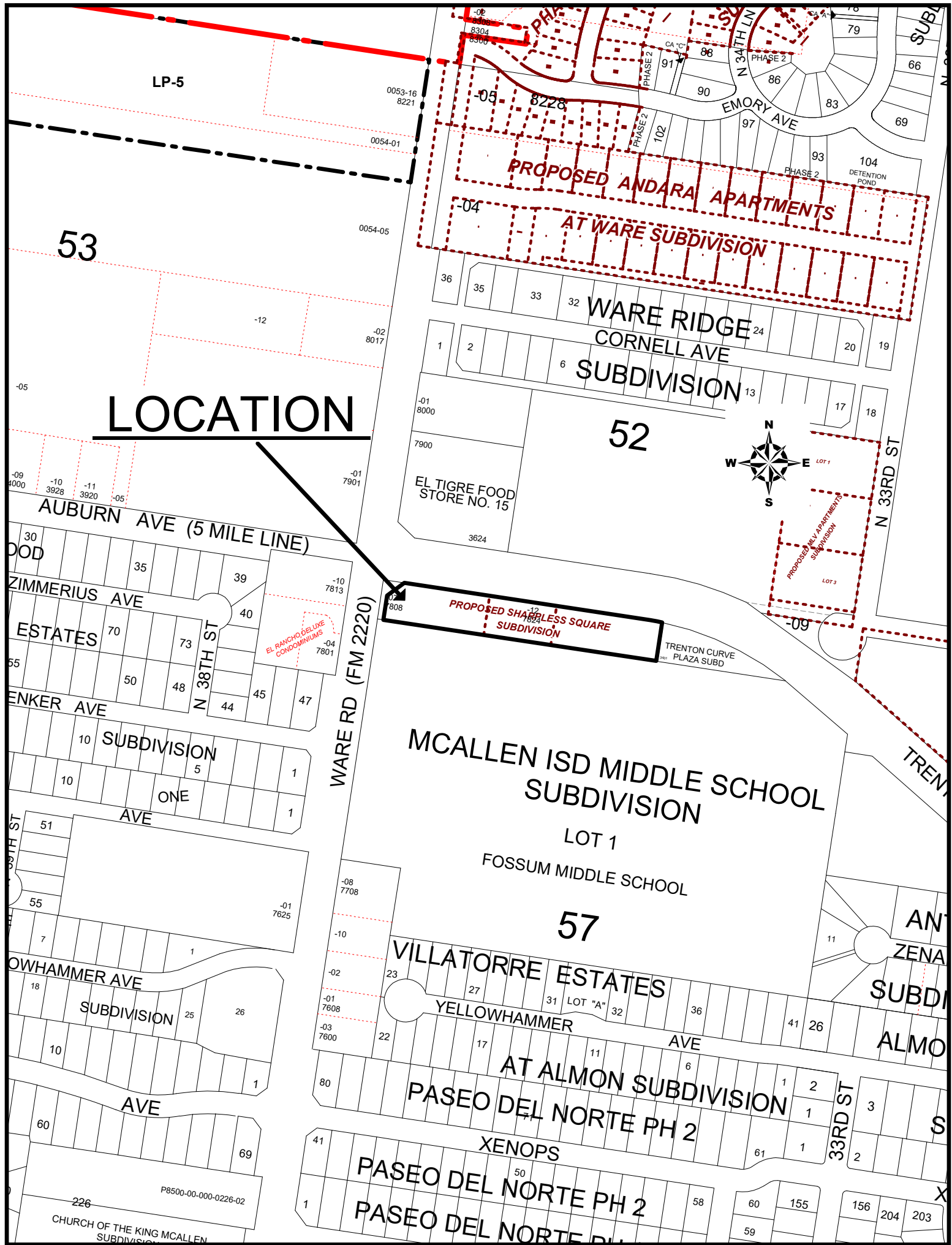
Surveyor

Name IVAN GARCIA Phone (956) 380 -5152  
Address 921 S. 10TH AVENUE  
City EDINBURG State TEXAS Zip 78539





# LOCATION





# SHARPLESS SQUARE SUBDIVISION



## CURVE TABLE

CURVE TABLE						
Curve #	Length	Radius	Delta	Chord Direction	Chord Length	RECORD CALL
C1	53.39	800.00	3.82	S79° 32' 16"E	53.38	{L=53.39', R=800.00', Δ=3°49'25"}

N.W. CRN OF LOT 57  
S.W. CRN OF LOT 52  
LA LOMITA IRRIGATION AND CONSTRUCTION  
COMPANY'S SUBDIVISION  
RECORD IN VOL.24, PG.68 H.C.D.R.  
N.W. CRN OF 1.1651 ACRES  
CITY OF MCALLEN TRACT  
RECORD IN DOC.#1205106 O.R.H.C.  
CALCULATED POINT  
N: 16626555.3526'  
E: 1066336.3027'

S.E. CRN 1.1651 ACRES  
CITY OF MCALLEN TRACT  
RECORD IN DOC.#  
1205106 O.R.H.C.  
N:16626447.5435'  
E:1066380.6882'

70.00'  
(AS PER PLAT  
DOC.#2842833  
H.C.M.R.)

10.00' R.O.W. DEDICATION  
(DEDICATED BY THIS PLAT)

N 8° 35' 44" E 646.00'  
[N 8° 42' 30" E 646.00']

25.00'  
COMMON ACCESS AND  
UTILITY EASEMENT  
(DEDICATED BY THIS PLAT)

TRENTON CURVE  
PLAZA SUBDIVISION  
VOL.43, PAGE 100  
H.C.M.R.

$((L=361.33'$   
 $R=800.00'$   
 $\Delta=25^\circ 52' 43'')$   
 $L=361.27'$   
 $R=800.00'$   
 $\Delta=25.87$

((N81°17'30"W 343.07'))  
N81° 26' 18"W 343.07'

**N81° 26' 18"W**  
**732.03'**

(N81°17'30"W 732.00')  
[N81°17'30"W]

MCALLEN ISD MIDDLE  
SCHOOL SUBD.  
DOC.# 2842833  
H.C.M.R.





# City of McAllen

## SUBDIVISION PLAT REVIEW

Reviewed On: 8/18/2023

### SUBDIVISION NAME: SHARPLESS SQUARE SUBDIVISION

#### REQUIREMENTS

#### STREETS AND RIGHT-OF-WAYS

Auburn Avenue (5 Mile Line): Dedication as required for 60 ft. from centerline for 120 ft. total ROW  
Paving: 65 ft. to 85 ft. Curb & gutter: both sides  
Revisions needed:  
- Clarify/revise the centerline which does not follow the ROW curve line on the east side, prior to final.  
- If 120 ft. is the "existing ROW", add the wording to the label, prior to final.  
- Reference the document number on the plat for the existing ROW and provide a copy for staff review prior to final.  
- Clarify and submit document for the existing 10 ft. U.E. overlapping the ROW. Any abandonment must be done by separate instrument and referenced on the plat prior to recording.  
\*\*Subdivision Ordinance: Section 134-105  
\*\*Monies must be escrowed if improvements are required prior to recording  
\*\*COM Thoroughfare Plan

Non-compliance

N. Ware Road: Dedication as required for 75 ft. from centerline for 150 ft. total ROW  
Paving: By the States Curb & gutter: By the State  
Revisions needed:  
- Add "N." before the name of the street to be read as "N. Ware Road", prior to final.  
- If 130 ft. is the "existing ROW", add the wording to the label, prior to final.  
- Show and label the total existing ROW and ROW on both sides of the centerline adjacent to the subdivision boundary, to finalize dedication requirement prior to final.  
- Reference the document number on the plat for the existing ROW, adjacent to the subdivision boundary, and provide a copy for staff review prior to final.  
- Show and label ROW from centerline and total ROW after dedication to determine compliance with ROW requirement, prior to final.  
- Clarify and submit document for the existing 10 ft. U.E. overlapping the ROW. Any abandonment must be done by separate instrument and referenced on the plat prior to recording.  
- Some recorded plats in the area show 130.35 ft. for the existing ROW instead of 130 ft. Verify and clarify prior to final.  
\*\*Subdivision Ordinance: Section 134-105  
\*\*Monies must be escrowed if improvements are required prior to final  
\*\*COM Thoroughfare Plan

Non-compliance

Paving \_\_\_\_\_ Curb & gutter \_\_\_\_\_  
\*\*Subdivision Ordinance: Section 134-105  
\*\*Monies must be escrowed if improvements are required prior to final  
\*\*COM Thoroughfare Plan

Applied

\* 1,200 ft. Block Length  
\*\*Subdivision Ordinance: Section 134-118  
\* 900 ft. Block Length for R-3 Zone Districts  
\*\*Subdivision Ordinance: Section 134-118

Applied

NA

**These comments are for subdivision requirements only – additional requirements may apply at time of site plan review**



* 600 ft. Maximum Cul-de-Sac **Subdivision Ordinance: Section 134-105	NA
<b>ALLEYS</b>	
ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties ** Proposing (Plat note #9): A Private service drive easement will be established as part of the site plan and will be maintained by Lot owner and not the City of McAllen. - Clarify if the proposed access easement will be also/shared as a service drive easement prior to final. **Subdivision Ordinance: Section 134-106	TBD
<b>SETBACKS</b>	
* Auburn Avenue/N. Ware Road: In accordance with the Zoning Ordinance, or greater for approved site plan, easement, or in line with the existing, whichever is greater applies - Clarify/Revise plat note #2 as shown above prior to final. * Proposed: Auburn Avenue: 45 ft. or greater for easements or approved site plan; or in line with existing structures **Zoning Ordinance: Section 138-356	Non-compliance
* Rear: In accordance with the Zoning Ordinance or greater for easements or approved site plan - Revised plat note #2 as shown above prior to final. * Proposed: In accordance with the Zoning Ordinance or greater for easements or approved site plan. 5 ft. setback from alley/service drive required **Zoning Ordinance: Section 138-356	Non-compliance
* Interior Sides: In accordance with the Zoning Ordinance or greater for easements or approved site plan - Clarify/Add "Interior" to the setback note prior to final. * Proposed: Sides: In accordance with the Zoning Ordinance or greater for easements or approved site plan **Zoning Ordinance: Section 138-356	Non-compliance
* Corner - Refer to the front setback note requirement. **Zoning Ordinance: Section 138-356	Applied
* Garage **Zoning Ordinance: Section 138-356	NA
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
<b>SIDEWALKS</b>	
* 4 ft. wide minimum sidewalk required on N . Ware Road and Auburn Avenue. - Add a plat note as shown above prior to final. ** Engineering Department may require 5 ft. sidewalk. Finalize prior to final. **Subdivision Ordinance: Section 134-120	Non-compliance
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Required
<b>BUFFERS</b>	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses - Add a plat note as shown above prior to final. **Landscaping Ordinance: Section 110-46	Non-compliance

**These comments are for subdivision requirements only – additional requirements may apply at time of site plan review**



<ul style="list-style-type: none"> <li>* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses</li> <li>- Add a plat note as shown above prior to final.</li> <li>**Landscaping Ordinance: Section 110-46</li> <li>*Perimeter buffers must be built at time of Subdivision Improvements.</li> </ul>	Non-compliance
	Required
<b>NOTES</b>	
<ul style="list-style-type: none"> <li>* No curb cut, access, or lot frontage permitted along N. Ware Road.</li> <li>- Add a plat note as shown above prior to final, as per Traffic Department requirement.</li> <li>- Submit a site plan to clarify how the 25 ft. common access easement on Lots 2 &amp; 3 along Auburn Avenue complies with landscape strip requirement along the front, prior to final. Revise prior to final.</li> <li>- Clarify if Lot 1 will share access easement with Lots 2 &amp; 3 and extends it to Lot 1 if applicable, prior to final.</li> <li>**Must comply with City Access Management Policy</li> <li>* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.</li> <li>* Common Areas, any private streets/drives, etc. must be maintained by the lot owners and not the City of McAllen.</li> <li>- Add a plat note as shown above prior to final.</li> <li>* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.</li> <li>* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.</li> <li>**Section 110-72 applies if private subdivision is proposed.</li> <li>**Landscaping Ordinance: Section 110-72</li> <li>**Subdivision Ordinance: Section 134-168</li> <li>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</li> <li>**Section 110-72 applies if private subdivision is proposed.</li> <li>**Landscaping Ordinance: Section 110-72</li> <li>**Subdivision Ordinance: Section 134-168</li> </ul>	Non-compliance
	Required
	Non-compliance
	Applied
	NA
	NA
<b>LOT REQUIREMENTS</b>	
<ul style="list-style-type: none"> <li>* Lots fronting public streets</li> <li>**Subdivision Ordinance: Section 134-1</li> <li>* Minimum lot width and lot area</li> <li>**Zoning Ordinance: Section 138-356</li> </ul>	Compliance
	Compliance
<b>ZONING/CUP</b>	
<ul style="list-style-type: none"> <li>* Existing: C-3L Proposed: C-3L</li> <li>***Zoning Ordinance: Article V</li> <li>* Rezoning Needed Before Final Approval</li> <li>***Zoning Ordinance: Article V</li> </ul>	Applied
	NA
<b>PARKS</b>	
<ul style="list-style-type: none"> <li>* Land dedication in lieu of fee.</li> <li>*Submitted application on August 7, 2023, proposed commercial development. Park fees do not apply to commercial properties unless the use is changed to residential.</li> </ul>	NA

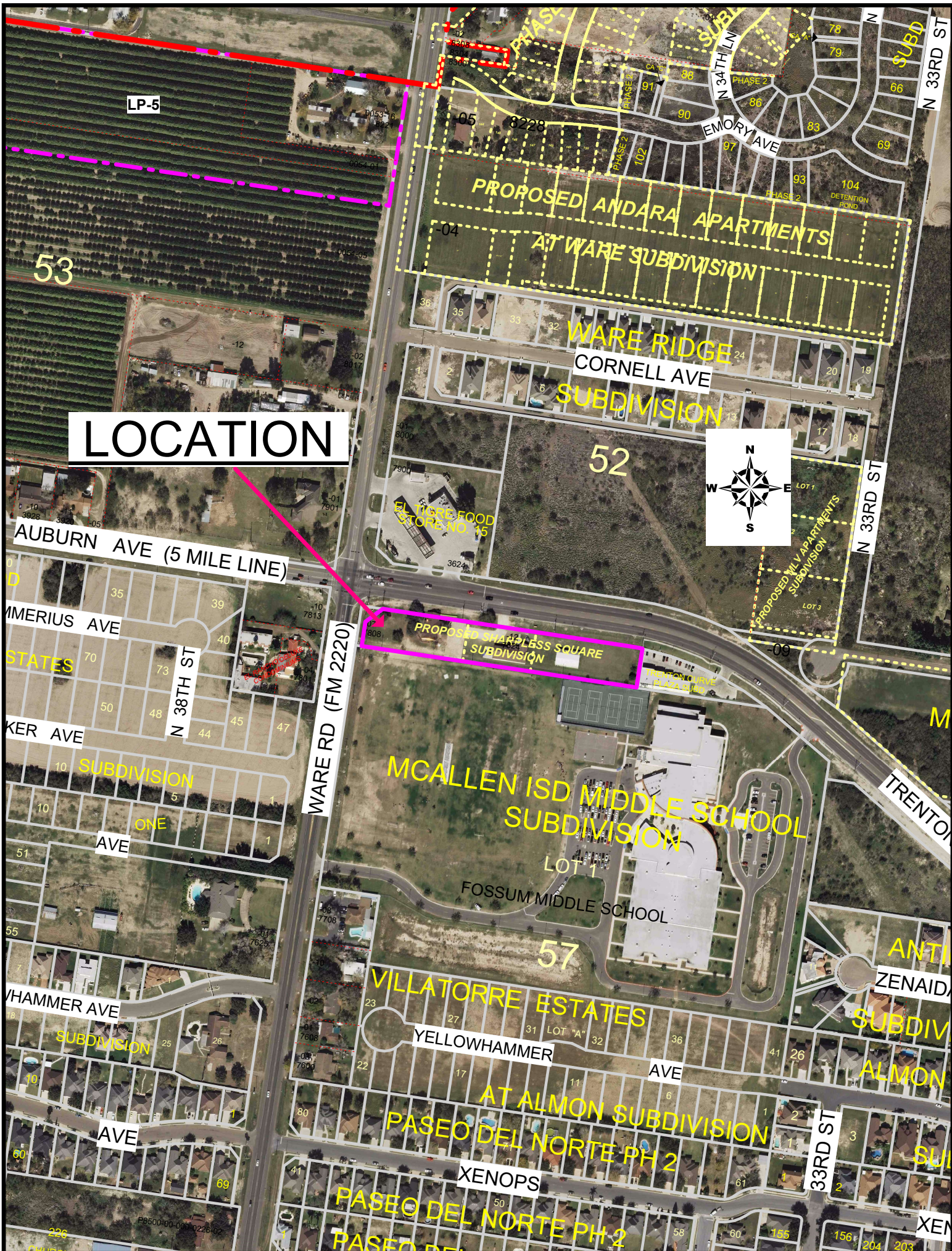
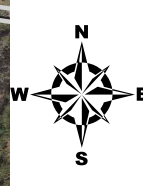
**These comments are for subdivision requirements only – additional requirements may apply at time of site plan review**



* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording *Submitted application on August 7, 2023, proposed commercial development. Park fees do not apply to commercial properties unless the use is changed to residential. * Pending review by the City Manger's Office. *Submitted application on August 7, 2023, proposed commercial development. Park fees do not apply to commercial properties unless the use is changed to residential.	NA
	NA
<b>TRAFFIC</b>	
* As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. * Traffic Impact Analysis (TIA) required prior to final plat.	Required
	TBD
<b>COMMENTS</b>	
Comments: - Use a darker/bold line to show the original subdivision boundary prior to final. - Use a lighter line for contour lines prior to final. - Show the legal description of all adjacent properties on all sides prior to final, including north side of Auburn Ave. and west side of N. Ware Rd. - Use a dashed line for any easement including the access easement prior to final. *Signature blocks must comply with Sec. 134-61 of the Subdivision ordinance. *Must comply with City's Access Management Policy.	Non-compliance
<b>RECOMMENDATION</b>	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM, SUBJECT TO THE CONDITIONS NOTED, DRAINAGE, AND UTILITIES APPROVAL.	Applied



# LOCATION







City of McAllen

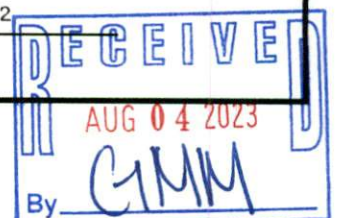
SUB 2023-0082

# Planning Department

311 NORTH 15<sup>TH</sup> STREET • (956) 681-1250 • (956) 681-1279 (fax)

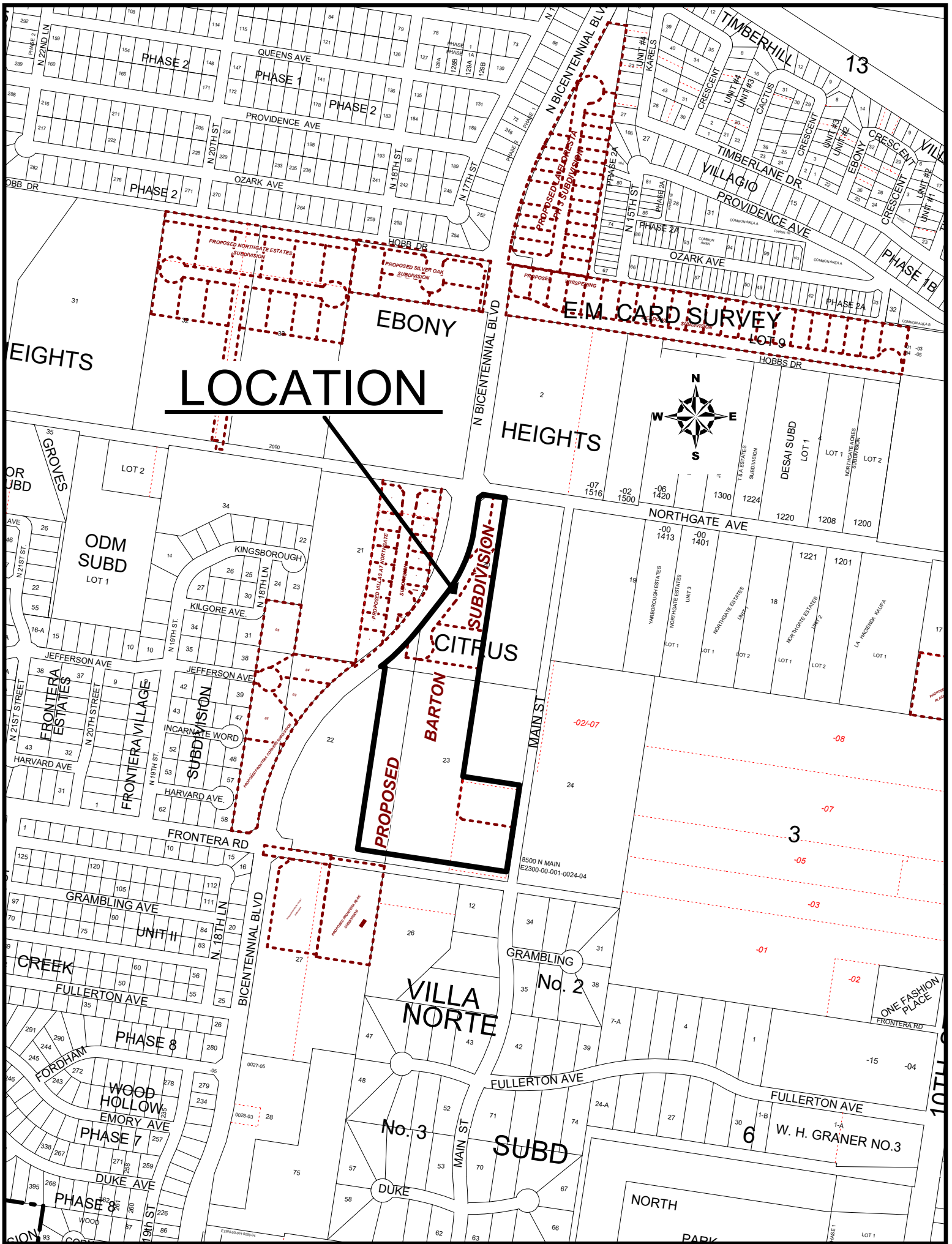
## SUBDIVISION PLAT REVIEW APPLICATION

Project Information	Subdivision Name <u>BARTON SUBDIVISION</u>		
	Location <u>SOUTH ROW OF NORTHAGE LN BETWEEN MAIN ST AND BICENTENNIAL BLVD</u>		
	City Address or Block Number <u>8501 N. MAIN ST.</u>		
	Number of Lots <u>4</u> Gross Acres <u>12.798</u> Net Acres <u>11.77</u> ETJ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
	Existing Zoning <u>R1</u> Proposed Zoning <u>R1</u> Rezoning Applied for <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____		
	Existing Land Use <u>RESID.</u> Proposed Land Use <u>RESID.</u> Irrigation District # <u>2</u>		
	Replat <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Commercial _____ Residential _____		
	Agricultural Exemption <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Estimated Rollback Tax Due <u>58.07</u>		
	Parcel # <u>1371103, 162805</u> Tax Dept. Review <u>19</u>		
	Water CCN <input checked="" type="checkbox"/> MPU <input type="checkbox"/> Sharyland Water SC Other _____		
Legal Description <u>A 12.798 ACRE TRACT OF LAND, MORE OR LESS, BEING OUT OF AND FORMING PART OR PORTION OF LOTS 20, 21, 22, AND 23, EBONY HEIGHTS CITRUS GROVES UNIT NO.1 RECORDED IN VOLUME 5, PAGE 39, MAP RECORDS OF HIDALGO COUNTY, TEXAS</u>			
Owner	Name <u>ANTONIO ESPARZA</u> <u>BARBARA JO GUERRA</u> Phone _____		
	Address <u>900 W SAM HOUSTON, SUITE 1</u> E-mail <u>aemd@me.com</u>		
	City <u>PHARR</u> State <u>TX</u> Zip <u>78577</u>		
Developer	Name <u>ANTONIO ESPARZA</u> Phone _____		
	Address <u>900 W SAM HOUSTON, SUITE 1</u> E-mail <u>aemd@me.com</u>		
	City <u>PHARR</u> State <u>TX</u> Zip <u>78577</u>		
	Contact Person <u>ANTONIO ESPARZA</u>		
Engineer	Name <u>TURBO ENGINEERS, PLLC</u> Phone <u>956-598-2940</u>		
	Address <u>1203 ERIE AVE SUITE F</u> E-mail <u>roberto@turboengineers.net</u>		
	City <u>McALLEN</u> State <u>TX</u> Zip <u>78501</u>		
	Contact Person <u>ROBERTO SALINAS, P.E.</u>		
Surveyor	Name <u>CARRIZALES LAND SURVEYING, LLC</u> Phone <u>956-579-6709</u>		
	Address <u>4807 GANDOLA AVE</u> E-mail <u>mannyrpls@cls.land</u>		
	City <u>EDINBURG</u> State <u>TX</u> Zip <u>78542</u>		

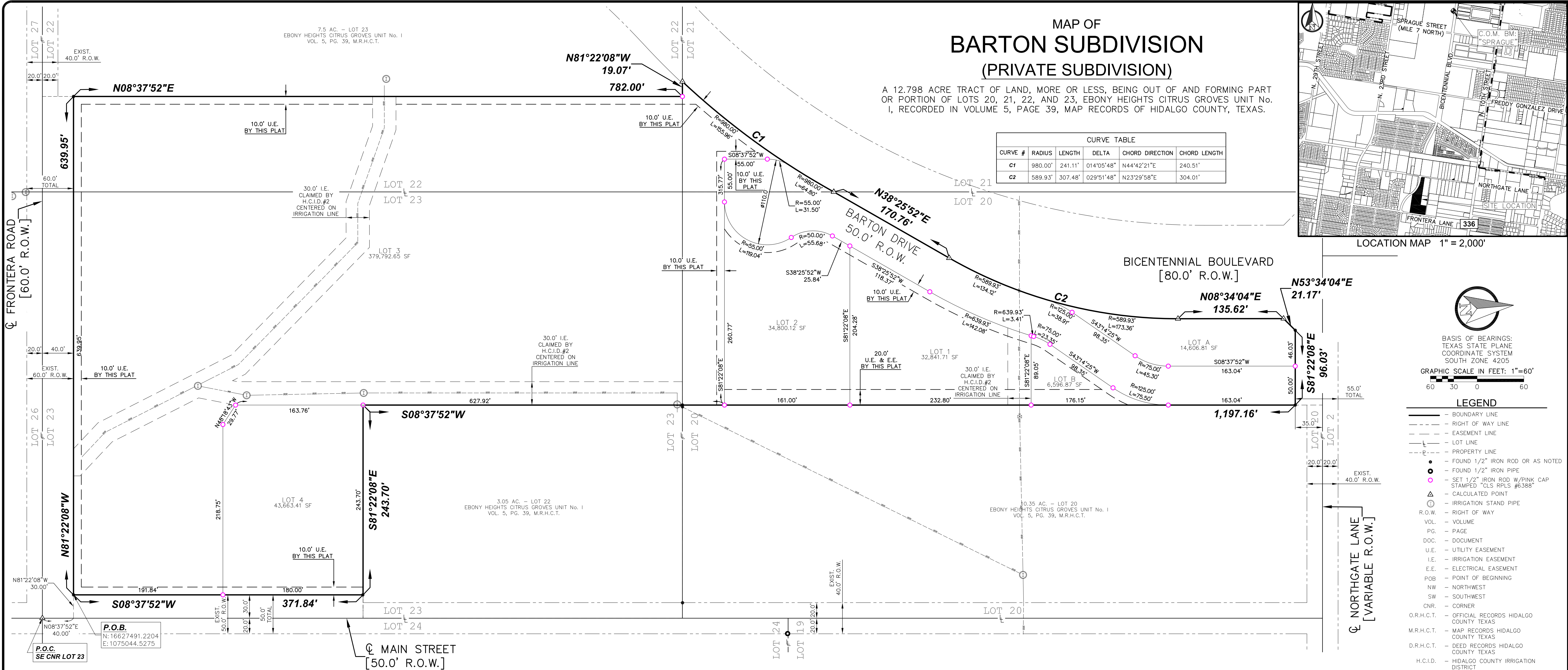




# LOCATION







**METES AND BOUNDS DESCRIPTION:**

BEING A 12.798 ACRE TRACT OF LAND, MORE OR LESS, BEING OUT OF AND FORMING PART OR PORTION OF LOTS 20, 21, 22, AND 23, EBONY HEIGHTS CITRUS GROVES UNIT No. 1, RECORDED IN VOLUME 5, PAGE 39, MAP RECORDS OF HIDALGO COUNTY, TEXAS; SAID 12.798 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A CALCULATED POINT AT THE INTERSECTION OF FRONTERA ROAD AND MAIN STREET FOR THE SOUTHEAST CORNER OF SAID LOT 23, THENCE NORTH 08 DEGREES 37 MINUTES 52 SECONDS EAST, ALONG THE EAST LINE OF SAID LOT 23, A DISTANCE OF 40.00 FEET TO A CALCULATED POINT, THENCE NORTH 81 DEGREES 22 MINUTES 08 SECONDS WEST A DISTANCE OF 30.00 FEET TO A HALF (1/2)-INCH IRON ROD WITH A PINK CAP STAMPED "C.L.S. RPLS #6388" FOUND [N:16627491.2204, E:1075044.5275] AT THE INTERSECTING POINT OF THE WEST RIGHT OF WAY LINE OF SAID MAIN STREET AND THE NORTH RIGHT OF LINE OF SAID FRONTERA ROAD, FOR THE SOUTHEAST CORNER OF THIS TRACT OF LAND AND THE POINT OF BEGINNING;

THENCE NORTH 81°22'08" WEST, PARALLEL TO THE SOUTH LINE OF SAID LOT 23 AND ALONG THE NORTH RIGHT OF WAY LINE OF SAID FRONTERA ROAD A DISTANCE OF 639.95 FEET TO A HALF (1/2)-INCH IRON ROD WITH A PINK CAP STAMPED "C.L.S. RPLS #6388" FOUND FOR THE SOUTHWEST CORNER OF THIS TRACT OF LAND;

THENCE NORTH 08°37'52" EAST, PARALLEL TO THE EAST LINE OF SAID LOT 22, A DISTANCE OF 782.00 FEET TO A HALF (1/2)-INCH IRON ROD WITH A PINK CAP STAMPED "C.L.S. RPLS #6388" SET ON THE NORTH LINE OF SAID LOT 22, FOR AN INTERIOR CORNER OF THIS TRACT OF LAND;

THENCE NORTH 81°22'08" WEST, ALONG THE NORTH LINE OF SAID LOT 22, A DISTANCE OF 19.07 FEET TO A CALCULATED POINT ON THE EAST RIGHT OF WAY LINE OF BICENTENNIAL BOULEVARD, FOR THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY, SAID CURVE HAS A RADIUS OF 980.00 FEET, AND AN EXTERIOR;

THENCE NORTHEASTERLY ALONG THE EAST RIGHT OF WAY LINE OF SAID BICENTENNIAL BOULEVARD AND SAID CURVE AN ARC DISTANCE OF 241.11 FEET, THROUGH A CENTRAL ANGLE OF 14°05'48", CHORD DIRECTION BEARS NORTH 44°42'21" EAST A DISTANCE OF 240.51 FEET, TO A CALCULATED POINT OF TANGENCY AND AN EXTERIOR CORNER OF THIS TRACT OF LAND;

THENCE NORTH 38°25'52" EAST, ALONG THE EAST RIGHT OF WAY LINE OF SAID BICENTENNIAL BOULEVARD, A DISTANCE OF 170.76 FEET TO A CALCULATED POINT FOR THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY, SAID CURVE HAS A RADIUS OF 589.93 FEET, FOR AN EXTERIOR CORNER OF THIS TRACT OF LAND;

THENCE NORTHEASTERLY ALONG THE EAST RIGHT OF WAY LINE OF SAID BICENTENNIAL BOULEVARD AND SAID CURVE AN ARC DISTANCE OF 307.48 FEET, THROUGH A CENTRAL ANGLE OF 29°51'48", CHORD DIRECTION BEARS NORTH 23°29'58" EAST A DISTANCE OF 304.01 FEET, TO A CALCULATED POINT TO A POINT OF TANGENCY AND AN EXTERIOR CORNER OF THIS TRACT OF LAND;

THENCE NORTH 08°34'04" EAST, ALONG THE EAST RIGHT OF WAY LINE OF SAID BICENTENNIAL BOULEVARD, A DISTANCE OF 135.62 FEET TO A CALCULATED POINT FOR THE MOST WESTERLY NORTHWEST CORNER OF THIS TRACT OF LAND;

THENCE NORTH 53°34'04" EAST, ALONG THE WEST RIGHT OF WAY LINE OF SAID BICENTENNIAL BOULEVARD, A DISTANCE OF 21.17 FEET TO A HALF (1/2)-INCH IRON ROD WITH A PINK CAP STAMPED "C.L.S. RPLS #6388" FOUND ON THE SOUTH RIGHT OF WAY LINE OF NORTHGATE LANE, FOR THE MOST NORTHERLY NORTHWEST CORNER OF THIS TRACT OF LAND;

THENCE SOUTH 81°22'08" EAST, PARALLEL TO THE NORTH LINE OF SAID LOT 20 AND ALONG THE SOUTH RIGHT OF WAY LINE OF SAID NORTHGATE LANE, A DISTANCE OF 96.03 FEET TO A HALF (1/2)-INCH IRON ROD WITH A PINK CAP STAMPED "C.L.S. RPLS #6388" SET FOR AN INTERIOR CORNER OF THIS TRACT OF LAND;

THENCE SOUTH 08°37'52" WEST, PARALLEL TO THE EAST LINE OF SAID LOTS 20 AND 23, A DISTANCE OF 1,197.16 FEET TO A HALF (1/2)-INCH IRON ROD FOUND ON THE WEST RIGHT OF WAY LINE OF SAID MAIN STREET, FOR AN EXTERIOR CORNER OF THIS TRACT OF LAND;

THENCE SOUTH 08°37'52" WEST, PARALLEL TO THE EAST LINE OF SAID LOT 23 AND ALONG THE WEST RIGHT OF WAY LINE OF SAID MAIN STREET, A DISTANCE OF 371.84 FEET TO THE POINT OF BEGINNING, CONTAINING 12.798 ACRES OF LAND [557,101.11 SQ. FT.] MORE OR LESS.

**STATE OF TEXAS  
COUNTY OF HIDALGO  
CERTIFICATION OF SURVEYOR**

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

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

**STATE OF TEXAS  
COUNTY OF HIDALGO  
CERTIFICATION OF ENGINEER**

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

ROBERTO SALINAS, PE  
TEXAS LICENSED PROFESSIONAL ENGINEER No. 122063  
TBPELS FIRM NO. 21737

**SHEET 01 OF 01  
DATE OF PREPARATION: 7.27.2023  
PROJECT NO: 23045**

NO.	DATE	DESCRIPTION	BY

**CERTIFICATE OF APPROVAL  
PLANNING & ZONING COMMISSION**

I, THE UNDERSIGNED, CHAIRMAN OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF McALLEN HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THIS CITY WHEREIN MY APPROVAL IS REQUIRED.

CHAIRMAN, PLANNING COMMISSION DATE

GENERAL MANAGER DATE

**CITY OF McALLEN  
MAYOR CERTIFICATION**

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

MAYOR, CITY OF McALLEN DATE

CITY SECRETARY DATE

**PRINCIPAL CONTACTS:**

NAME	ADDRESS	CITY & ZIP	PHONE
OWNER: ANTONIO ESPARZA & BARBARA JO GUERRA	900 W. SAM HOUSTON, SUITE 1	PHARR, TX 78577	956-598-2940
ENGINEER: TURBO ENGINEERS, PLLC	1203 ERIE AVENUE, SUITE F	MCALLEN, TX 78501	956-598-2940
SURVEYOR: MANUEL CARRIZALES, R.P.L.S.	4807 GONDOLA AVENUE	EDINBURG, TX 78542	956-567-2167

**CERTIFICATE OF APPROVAL  
HIDALGO COUNTY DRAINAGE DISTRICT No. 1**

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

BY: RAUL E. SESIN, P.E., C.F.M. DATE

GENERAL MANAGER

**OWNER'S ACKNOWLEDGMENT  
STATE OF TEXAS  
COUNTY OF HIDALGO**

I (WE), THE UNDERSIGNED OWNER OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS **BARTON SUBDIVISION**, DO HEREBY GRANT AN EASEMENT TO THE CITY OF McALLEN AND THOSE WHO MAY NOW OR HEREFTER HOLD FRANCHISE UNDER SAID CITY, THE USE OF THE STREETS AND EASEMENTS THEREON SHOWN, SURFACE USE OF THE STREETS IS RESTRICTED TO THE EMPLOYEES OR AGENTS OF THE CITY OF McALLEN, EMPLOYEES OF UTILITIES OPERATING UNDER FRANCHISE TO THE CITY OF McALLEN, AND RESIDENTS OF THE SUBDIVISION AND THEIR GUESTS, EXCEPT NORTHGATE LANE AND FRONTERA ROAD WHICH ARE FOR PUBLIC USE.

ANTONIO ESPARZA  
900 W. SAM HOUSTON, SUITE 1  
PHARR, TEXAS 78577

BARBARA JO GUERRA  
900 W. SAM HOUSTON, SUITE 1  
PHARR, TEXAS 78577

**STATE OF TEXAS  
COUNTY OF HIDALGO**

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED ANTONIO ESPARZA & BARBARA JO GUERRA, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

NOTARY PUBLIC

**PLAT NOTES AND RESTRICTIONS:**

- FLOOD ZONE DESIGNATION: ZONE "X" [NO SHADING] DESCRIBED AS "AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOOD-PLAIN". COMMUNITY-PANEL NUMBER: 480334 0325 EFFECTIVE DATE: JUNE 6, 2000
- MINIMUM BUILDING SETBACK LINES AS PER CITY OF McALLEN ORDINANCE.  
FRONT: 25' OR GREATER FOR EASEMENTS  
REAR: 10' OR GREATER FOR EASEMENTS  
INTERIOR SIDES: 6' OR GREATER FOR EASEMENTS  
SIDE CORNER: 10' OR GREATER FOR EASEMENTS  
GARAGE: 18' EXCEPT WHERE GREATER SETBACK IS REQUIRED, GREATER SETBACK APPLIES
- MINIMUM PERMISSIBLE FINISH FLOOR ELEVATION SHALL BE 18 INCHES ABOVE THE FRONT TOP OF CURB MEASURED FROM THE CENTER OF THE LOT OR 18 INCHES ABOVE THE HIGHEST ADJACENT GRADE, WHICHEVER IS GREATER.
- NO BUILDINGS SHALL BE CONSTRUCTED OVER ANY EASEMENT OR LOT LINE.
- REQUIRED STORM SEWER RUNOFF DETENTION FOR THIS SUBDIVISION AS PER THE APPROVED DRAINAGE REPORT: \_\_\_\_\_ C.F. (\_\_\_\_ AC.FT.) TO BE PROVIDED WITHIN DESIGNATED DETENTION AREAS.
- AN ENGINEERED DRAINAGE DETENTION PLAN, APPROVED BY THE CITY OF McALLEN ENGINEERING DEPARTMENT, SHALL BE REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMIT.
- PRIVATE DRAINAGE SYSTEM/DETENTION AREAS TO BE MAINTAINED BY PROPERTY OWNER.
- BENCHMARK IS CITY OF McALLEN BENCHMARK "SPRAGUE" MONUMENT: STAINLESS STEEL, 3/8", COVERED WITH AN ALUMINUM LOGO CAP. LOCATED INSIDE THE WATER TREATMENT PLANT [SEE LOCATION MAP FOR APPROXIMATE LOCATION]  
ELEVATION = 102.61  
COORDINATES: TEXAS STATE PLANE SOUTH ZONE (4205), NAD 83, NAVD 88, U.S. SURVEY FEET  
GRID: N=16626202.03496 E=1076277.68322
- 4 FT WIDE MINIMUM SIDEWALK REQUIRED ON FRONTERA LANE, MAIN STREET, AND NORTHGATE LANE.
- 6 FT OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, AND INDUSTRIAL ZONES/USES, AND ALONG N. 24TH STREET.
- 8 FT MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONES/USES.
- NO CURB CUT, ACCESS, OR LOT FRONTAGE PERMITTED ALONG BICENTENNIAL BOULEVARD.
- ALL CONSTRUCTION SHALL COMPLY WITH STORM WATER POLLUTION PREVENTION PLAN REQUIREMENTS.
- 25 X 25 FT SIGHT OBSTRUCTION EASEMENT REQUIRED AT ALL STREET INTERSECTIONS.
- AS PER DECLARATIONS OF COVENANTS, CONDITIONS, AND RESTRICTION FOR **BARTON SUBDIVISION**, RECORDED AS INSTRUMENT NO. \_\_\_\_\_ HIDALGO COUNTY OFFICIAL RECORDS, THE DEVELOPMENT/HOMEOWNER ASSOCIATION/OWNER, THEIR SUCCESSORS AND/OR ASSIGNEES, AND NOT THE CITY OF McALLEN SHALL BE RESPONSIBLE FOR THE INSTALLATION, MAINTENANCE AND OTHER REQUIREMENTS AS PER SECTION 134-168 OF THE CODE OF ORDINANCES OR THE CITY OF McALLEN INCLUDING BUT NOT LIMITED TO THE COMMON AREA, ANY AMENDMENT TO DECLARATIONS THAT CONFLICT WITH THE REQUIREMENTS OF SECTION 134-168 SHALL BE NULL AND VOID.
- COMMON AREA LOT A, IDENTIFIED AS DETENTION AREA LOT A SHALL BE MAINTAINED BY THE DEVELOPER, WHO MAY TRANSFER SUCH MAINTENANCE OBLIGATION TO THE SUBDIVISION HOMEOWNER'S ASSOCIATION, BARTON SUBDIVISION HOMEOWNER ASSOCIATION, UPON CONVEYANCE OF TITLE TO THE SAME, THEIR SUCCESSORS AND ASSIGNS, AND NOT BY THE CITY OF McALLEN, NO BUILDINGS OR OTHER STRUCTURES SHALL BE ERRECTED IN COMMON AREA, WHICH SHALL BE USED EXCLUSIVELY AS DETENTION COMMON AREA LOT A. AFTER COMMON AREA LOT A TRANSFER OF TITLE TO THE BARTON SUBDIVISION HOMEOWNER'S ASSOCIATION, THE SUBDIVISION LOT OWNER RATA SHARES OF THE COST OF MAINTENANCE SHALL BE DETERMINED BY THE BARTON SUBDIVISION HOMEOWNER'S ASSOCIATION. FAILING IN SUCH MAINTENANCE OBLIGATION THE CITY OF McALLEN SHALL NOT BE REQUIRED TO MAINTAIN THE SAME AT THE LOT OWNER'S COST, WHICH COST MAY BECOME A LIEN AGAINST THEIR PROPERTIES. PRIOR TO THE IMPOSITION OF ANY LIEN, THE CITY SHALL FIRST COMPLY WITH NOTICE REQUIREMENTS SIMILAR TO THOSE UNDER EXISTING ORDINANCE SECTION 134-168 AS THE SAME MAY BE AMENDED, THE SPECIFIC AND EXCLUSIVE USE OF COMMON AREA LOT A, THE OWNER'S MAINTENANCE OBLIGATION, AND THE CONSEQUENCES OF FAILURE TO MAINTAIN SHALL BE INCORPORATED INTO ANY DEED OR INSTRUMENT OF CONVEYANCE AS A DEED RESTRICTION, RECORDED IN INSTRUMENT NO. \_\_\_\_\_ OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS.

**FILED FOR RECORD IN  
HIDALGO COUNTY  
ARTURO GUJARDO, JR.  
HIDALGO COUNTY CLERK**

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

BY: \_\_\_\_\_ DEPUTY

**Carrizales  
Land  
Surveying, LLC**

Texas Registered Surveying Firm  
TBPELS FIRM No. 10194417  
4807 Gondola Avenue,  
Edinburg, TX 78542  
Office: 956-567-2167  
www.cls.ltd

**TURBO  
ENGINEERS, PLLC**

TBPE FIRM #21737

1203 ERIE AVENUE, SUITE F  
MCALLEN, TEXAS 78501  
956.598.2940  
roberto@turboengineers.net





# City of McAllen

## SUBDIVISION PLAT REVIEW

Reviewed On: 8/18/2023

### SUBDIVISION NAME: BARTON SUBDIVISION

#### REQUIREMENTS

#### STREETS AND RIGHT-OF-WAYS

N. Bicentennial Blvd: Dedication required for 75 ft. from centerline for 150 ft. total ROW  
Paving: 65 ft.-105 ft. Curb & gutter: both sides  
Revisions needed:  
- Add "N." to the label for N. Bicentennial Blvd. on plat prior to final.  
- Show and label centerline prior to final to establish ROW dedication requirement prior to final.  
- Show and label, centerline, total existing ROW, and ROW on both sides of the centerline to determine if any ROW dedication is required prior to final.  
- Include the Document number for the existing ROW on the plat and provide a copy for staff review prior to final.  
- All ROW requirements must be finalized prior to final.  
\*\*Subdivision Ordinance: Section 134-105  
\*\*Monies must be escrowed if improvements are required prior to recording.  
\*\*COM Thoroughfare Plan

Non-compliance

Northgate Lane: Dedication required for 35 ft. from centerline for 70 ft. total ROW  
Paving: 44 ft. Curb & gutter: both sides  
Revisions needed:  
- If 35 ft. is the existing ROW, label it accordingly prior to final.  
- Include the Document number for the existing ROW on the plat and provide a copy for staff review prior to final.  
- Additional ROW dedication requirement will be determined based on the existing ROW prior to final.  
- All ROW requirements must be finalized prior to final.  
\*\*Subdivision Ordinance: Section 134-105  
\*\*Monies must be escrowed if improvements are required prior to recording.  
\*\*COM Thoroughfare Plan

Non-compliance

Frontera Rd.: Dedication required for 40 ft. from centerline for 80 ft. total ROW  
Paving: 52 ft. Curb & gutter: both sides  
Revisions needed:  
- Include the Document number for the existing ROW on the plat and provide a copy for staff review prior to final.  
- Clarify/remove the dashed line where the existing 40 ft. ROW merges to existing 60 ft. ROW on the southwest side of the subdivision, prior to final.  
\*\*Subdivision Ordinance: Section 134-105  
\*\*Monies must be escrowed if improvements are required prior to recording.  
\*\*COM Thoroughfare Plan

Non-compliance

N. Main Street: Dedication required for 30 ft. from centerline for 60 ft. ROW  
Paving: min. 40 ft. Curb & gutter: both sides  
Revisions needed:  
- Add "N." to the label for N. Bicentennial Blvd. on plat prior to final.  
- Include the Document number for the existing ROW on the plat and provide a copy for staff review prior to final.  
\*\*Subdivision Ordinance: Section 134-105  
\*\*Monies must be escrowed if improvements are required prior to final  
\*\*COM Thoroughfare Plan

Non-compliance

**These comments are for subdivision requirements only – additional requirements may apply at time of site plan review**



<p>N/S Internal Street: 50 ft. ROW  Paving: 32 ft. Curb &amp; gutter: both sides  Revisions needed:  - Submit gate details prior to final. Additional ROW may be required at entrance area prior to final.  - The proposed location of interior street must be approved by the Traffic Department prior to final, since it is too close to the intersection.  - The ROW for interior street is proposed to be adjacent to N. Bicentennial ROW. Clarify/revise the plat, since Internal street cannot have curb cut along N. Bicentennial and the buffer may not be placed on the ROW. Lot A may need to extend all the way south to Lot3.  - Provide ROW width dimension for internal street prior to final.  - Cul-de-Sac length is more than 600 ft. Revise to show compliance. If a variance to Cul-de-Sac length is requested and approved, the paving requirement will increase to 40 ft.  - Submit paving layout for Cul-de-Sac to show compliance with 96 ft. of paving and 10 ft. ROW around the curb prior to final.  - Street name proposed to be Barton Drive. Street name will be assigned by staff prior to final. An approved variance will be required if another name is requested. Clarify prior to final.  - Add "(private subdivision)" after the name of the street prior to final.  **Subdivision Ordinance: Section 134-105  **Monies must be escrowed if improvements are required prior to final  **COM Thoroughfare Plan</p>	Non-compliance
<p>* 1,200 ft. Block Length  - Revise the plat to comply with block length requirement.  **Subdivision Ordinance: Section 134-118</p>	Non-compliance
<p>* 900 ft. Block Length for R-3 Zone Districts  **Subdivision Ordinance: Section 134-118</p>	NA
<p>* 600 ft. Maximum Cul-de-Sac  Revisions needed:  - Subdivision layout does not comply with cul-de-sac requirement, please revise accordingly prior to final as internal street exceeds the maximum 600 ft.  - No connection to N. Bicentennial Blvd. is allowed  - If variance is requested to exceed 600 ft. length requirement for cul-de-sac, paving width of street must increase to 40 ft.  **Subdivision Ordinance: Section 134-105</p>	Non-compliance
<b>ALLEYS</b>	
<p>ROW: 20 ft. Paving: 16 ft.  *Alley/service drive easement required for commercial properties  **Subdivision Ordinance: Section 134-106</p>	NA
<b>SETBACKS</b>	
<p>* Front: 25 ft. or greater for easements  **Zoning Ordinance: Section 138-356</p>	Applied
<p>* Rear: 10 ft. or greater for easements  **Zoning Ordinance: Section 138-356</p>	Applied
<p>* Interior Sides: 6 ft. or greater for easements  **Zoning Ordinance: Section 138-356</p>	Applied
<p>* Corner: 10 ft. or greater for easements  - Lot A as shown on plat is a corner lot on both N. Bicentennial Blvd. and N/S internal street. Clarify the use prior to final. A plat note may be needed for Lots A and B or note#16 may need to be revised to include Lot B.  **Zoning Ordinance: Section 138-356</p>	Non-compliance



* Garage: 18 ft. except where greater setback is required, greater setback applies **Zoning Ordinance: Section 138-356	Applied
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
<b>SIDEWALKS</b>	
* 4 ft. wide minimum sidewalk required along N. Bicentennial Blvd., Frontera Rd., Northgate Lane, N. Main St., and both sides of internal streets. ***5 ft. sidewalk may be required by Engineering Department. Finalize prior to final. ***Plat note #9 will need to be revised as shown above, and once sidewalk requirements are finalized. **Subdivision Ordinance: Section 134-120	Non-compliance
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Required
<b>BUFFERS</b>	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along N. Bicentennial Boulevard, Frontera Road, and Northgate Lane. ***Revise plat note #10 as shown above prior to final ***Other buffers may be required prior to final **Landscaping Ordinance: Section 110-46	Non-compliance
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses **Landscaping Ordinance: Section 110-46	Applied
*Perimeter buffers must be built at time of Subdivision Improvements.	Required
<b>NOTES</b>	
* No curb cut, access, or lot frontage permitted along N. Bicentennial Blvd., Northgate Ln., and Frontera Rd. - Revise plat note #12 as shown above prior to final. **Must comply with City Access Management Policy	Non-compliance
* Site plan must be approved by the Planning and Development Departments prior to building permit issuance. - The development is proposed as 4 single-family residential lots which does not require an approved site plan. If any of the lots is proposed to be multifamily or commercial and rezoned, a site plan review will be required prior to building permit issuance.	NA
* Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. - Add a plat note as shown above prior to final.	Non-compliance
* 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. **Section 110-72 applies if public subdivision is proposed. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168	Applied

**These comments are for subdivision requirements only – additional requirements may apply at time of site plan review**

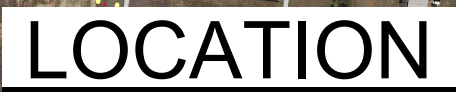


<ul style="list-style-type: none"> <li>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</li> <li>- Submit the HOA document for staff review prior to recording.</li> <li>**Section 110-72 applies if public subdivision is proposed.</li> <li>**Landscaping Ordinance: Section 110-72</li> <li>**Subdivision Ordinance: Section 134-168</li> </ul>	Required
<b>LOT REQUIREMENTS</b>	
<ul style="list-style-type: none"> <li>* Lots fronting public/private streets</li> <li>**Subdivision Ordinance: Section 134-1</li> </ul>	Applied
<ul style="list-style-type: none"> <li>* Minimum lot width and lot area</li> <li>- Clarify Lot 3 area prior to final.</li> <li>**Zoning Ordinance: Section 138-356</li> </ul>	TBD
<b>ZONING/CUP</b>	
<ul style="list-style-type: none"> <li>* Existing: R-1 Proposed: R-1</li> <li>- The project engineer must verify if all lots are zoned residential. Based on the submitted plat boundary, a small portion on the east side of Lots B, 1, and 2 and the northeast side of Lot 3 seem to be A-O District.</li> <li>***Zoning Ordinance: Article V</li> </ul>	Required
<ul style="list-style-type: none"> <li>* Rezoning Needed Before Final Approval</li> <li>- The project engineer must verify if all lots are zoned residential. Based on the submitted plat boundary, a small portion on the east side of Lots B, 1, and 2 and the northeast side of Lot 3 seem to be A-O District.</li> <li>***Zoning Ordinance: Article V</li> </ul>	Required
<b>PARKS</b>	
<ul style="list-style-type: none"> <li>* Land dedication in lieu of fee.</li> <li>*** Based on 4 residential lots, a Park Fee of \$2,800 based on \$700 per dwelling to be paid prior to recording. Clarify the use of Lots A &amp; B, prior to final. Total amount of park fees is subject to change if amount of proposed lots or dwelling units change.</li> </ul>	NA
<ul style="list-style-type: none"> <li>* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording.</li> <li>* Based on 4 residential lots, a Park Fee of \$2,800 based on \$700 per dwelling to be paid prior to recording. Clarify the use of Lots A &amp; B, prior to final. Total amount of park fees is subject to change if amount of proposed lots or dwelling units change.</li> </ul>	Required
<ul style="list-style-type: none"> <li>* Pending review by the City Manager's Office.</li> </ul>	NA
<b>TRAFFIC</b>	
<ul style="list-style-type: none"> <li>* As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat.</li> </ul>	TBD
<ul style="list-style-type: none"> <li>* Traffic Impact Analysis (TIA) required prior to final plat.</li> </ul>	TBD



COMMENTS	
<p>Comments:</p> <ul style="list-style-type: none"><li>- Remove the irrigation line from the plat prior to final.</li><li>- Clarified the claimed easements on the plat or reference the document number prior to final.</li><li>- Use a lighter shade for original lot lines of Ebony Heights Citrus Grove Subdivision since it is being confused with the proposed subdivision lot lines.</li><li>- Add contour lines on the plat inside the subdivision boundary prior to final. Use a light shade to avoid confusion.</li><li>- Submit gate details to determine if additional ROW will be required at entrance prior to final.</li></ul> <p>*Must comply with City's Access Management Policy.</p> <ul style="list-style-type: none"><li>- Show the legal description of all adjacent lots on all sides, including the west side of N. Bicentennial Blvd., south side of Frontera Rd., east side of N. Main St., and north side of Northgate Lane.</li><li>- Clarify note #16 prior to final. The note might be required to be revised or removed prior to final/recording.</li><li>- Please verify that signature blocks wording complies with Sec. 134-61 of the subdivision ordinance. The owner's signature block is required to be revised prior to recording based on the private subdivision and surrounding public streets.</li><li>- Clarify lot area for lot 3 prior to final.</li><li>- Any abandonment must be done by separate instrument and referenced on the plat.</li><li>- An expired subdivision application with the same name for this property was on file and was verbally requested to be withdrawn by the previous engineer. A written withdrawal request is needed prior to final.</li></ul> <p>*Must comply with City's Access Management Policy.</p>	Non-compliance
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED, DRAINAGE, AND UTILITIES APPROVAL.	Applied







# City of McAllen

## Planning Department

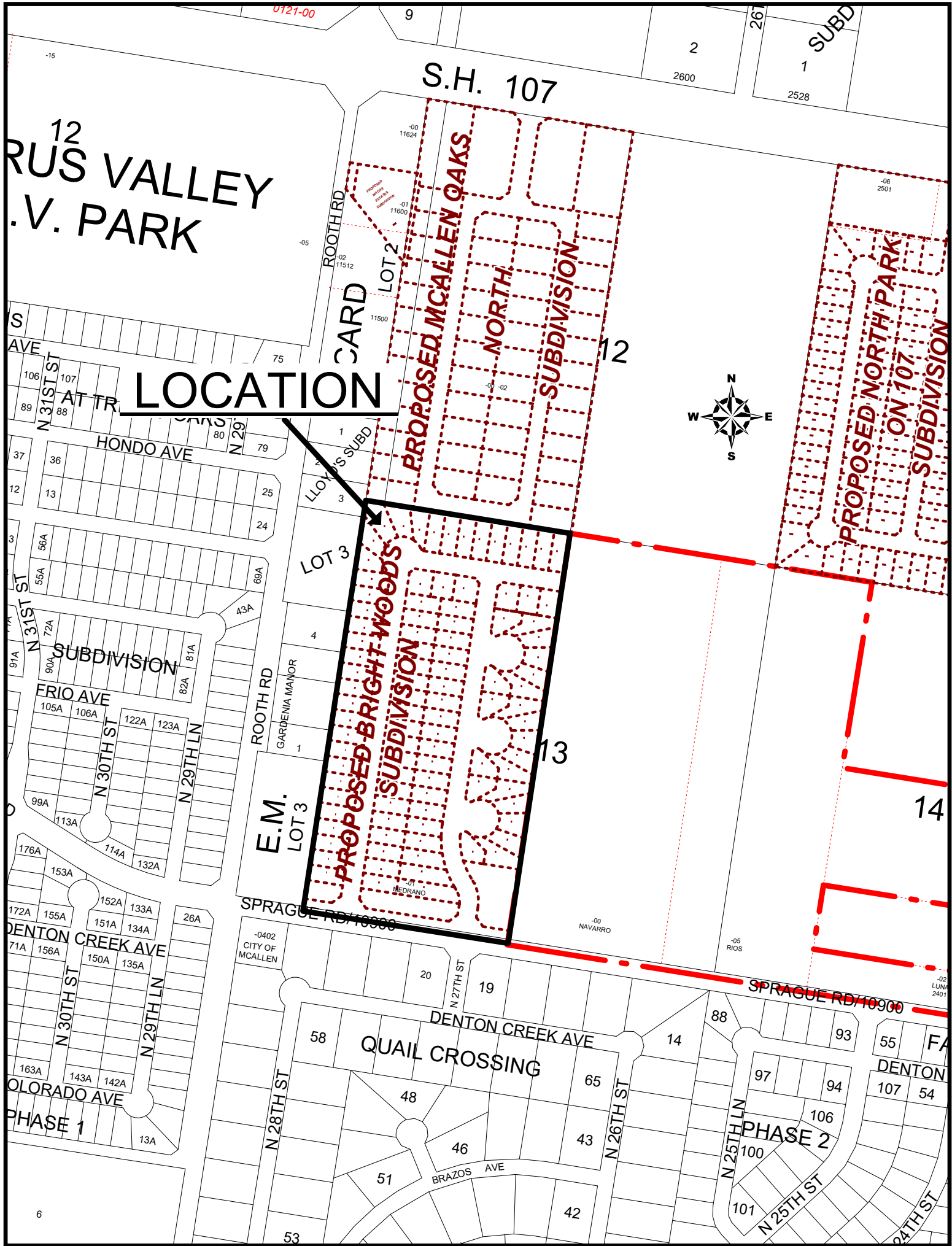
SUB2023-0084

311 NORTH 15<sup>TH</sup> STREET • (956) 681-1250 • (956) 681-1279 (fax)  
SUBDIVISION PLAT REVIEW APPLICATION

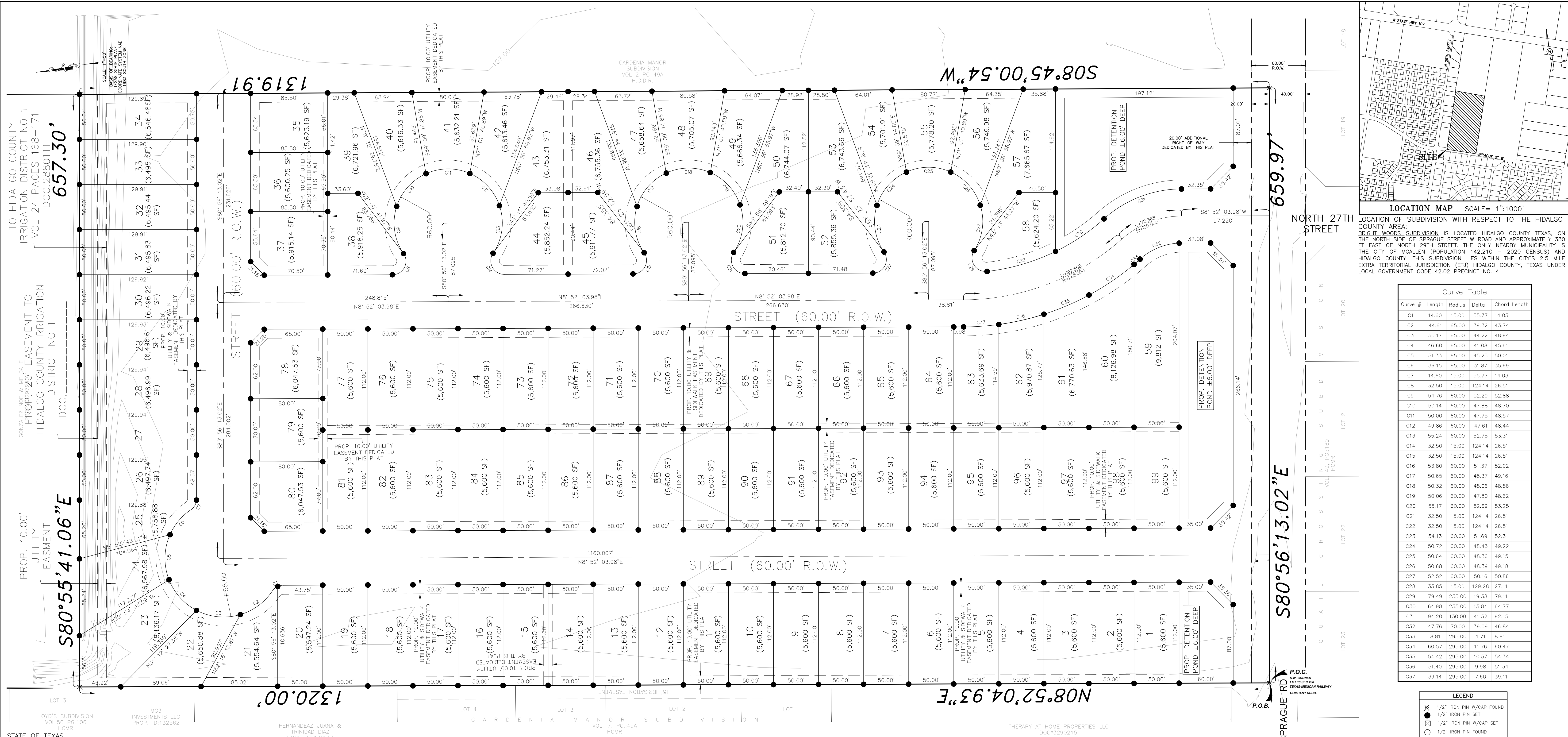
Project Information	Subdivision Name <u>Bright Woods Subdivision</u>			
	Location <u>North side of Sprague St W, Approximately 300 feet east of N 29th St</u>			
	City Address or Block Number <u>2700 SPRAGUE RD</u>			
	Number of Lots <u>99</u> Gross Acres <u>19.94</u> Net Acres <u>18.09</u> ETJ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
	Existing Zoning <u>R-3A</u> Proposed Zoning <u>R-3A</u> Rezoning Applied for <input type="checkbox"/> Yes <input type="checkbox"/> No Date <u>N/A</u>			
	Existing Land Use <u>OPEN LAND</u> Proposed Land Use <u>DUPLEX</u> Irrigation District # <u>HCID1</u>			
	Replat <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Commercial <input type="checkbox"/> Residential <input type="checkbox"/>			
	Agricultural Exemption <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Estimated Rollback Tax Due <u>N/A</u>			
	Parcel # <u>297743</u> Tax Dept. Review <u>Not in city Limits</u>			
	Water CCN <input checked="" type="checkbox"/> MPU <input type="checkbox"/> Sharyland Water SC Other <input type="checkbox"/>			
Legal Description <u>A 19.946-ACRE (20.0 ACRES RECORDED) OF LAND, BEING OUT OF THE WEST HALF OF LOT 13, SECTION 280, TEXAS-MEXICAN RAILWAY SUBDIVISION, MAP OR PLAT THEREOF RECORDED IN VOLUME 24, PAGES 168-171, HIDALGO COUNTY MAP RECORDS, HIDALGO COUNTY, TEXAS.</u>				
Owner	Name	<u>Christina Sifuentes as Independent Executrix for the Estate of Teresa L. Medrano</u>	Phone	<u>956-648-1367</u>
	Address	<u>4935 E. IOWA RD.</u>	E-mail	<u>hummingbird72@aol.com</u>
	City	<u>Edinburg</u>	State	<u>TX</u> Zip <u>78542</u>
Developer	Name	<u>Star Trail Holdings, LLC</u>	Phone	<u>956-207-4913</u>
	Address	<u>1007 Sycamore Ave.</u>	E-mail	<u>ireneuribe00@yahoo.com</u>
	City	<u>McAllen</u>	State	<u>TX</u> Zip <u>78501</u>
	Contact Person			
Engineer	Name	<u>S2 ENGINEERING PLLC</u>	Phone	<u>956-403-9787</u>
	Address	<u>2020 E GRIFFIN PKWY</u>	E-mail	<u>S2ENGINEERING.NS@GMAIL.COM</u>
	City	<u>MISSION</u>	State	<u>TEXAS</u> Zip <u>78574</u>
	Contact Person	<u>JOSE NOE SALDIVAR P.E., C.F.M.</u>		
Surveyor	Name	<u>HOMERO GUTIERREZ R.P.L.S.</u>	Phone	<u>956-369-0988</u>
	Address	<u>P.O. BOX 548</u>	E-mail	<u>homero_gutierrez@sbcglobal.net</u>
	City	<u>MCALLEN</u>	State	<u>TEXAS</u> Zip <u>78501</u>











STATE OF TEXAS  
COUNTY OF HIDALGO

I, THE UNDERSIGNED, A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE PROPER ENGINEERING CONSIDERATIONS HAVE BEEN GIVEN TO THIS PLAT.

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF PRELIMINARY REVIEW AND COMMENTS UNDER JOSE N. SALDIVAR P.E. 08/01/23 IT IS NOT TO BE USED FOR CONSTRUCTION, BIDDING, AND/OR PERMIT PURPOSES.

Preliminary

JOSE N. SALDIVAR, P.E., C.F.M.  
LICENSED PROFESSIONAL ENGINEER No. 94076  
S2 ENGINEERING, PLLC.  
2424 MIMOSA ST  
MISSION, TEXAS 78574

STATE OF TEXAS  
COUNTY OF HIDALGO

I, OSCAR HERNANDEZ, A REGISTERED PROFESSIONAL LAND SURVEYOR IN TEXAS, HEREBY CERTIFY THAT THE ABOVE PLAT AND DESCRIPTION OF THE BRIGHT WOODS SUBDIVISION WAS PREPARED FROM A SURVEY OF THE PROPERTY MADE ON THE GROUND BY ME OR UNDER MY SUPERVISION ON

Preliminary

HOMERO GUTIERREZ, R.P.L.S.  
R.P.L.S. No. 5005

DATE

PRINCIPAL CONTACTS:

Name	Address	City & Zip	Phone
OWNER: IRENE URIBE MANRIQUE	1007 SYCAMORE AVE	MCALLEN, TEXAS, 78501	(956)207-4913
ENGINEER: JOSE N. SALDIVAR P.E., C.F.M.	2424 MIMOSA	MISSION, TEXAS 78574	(956)403-9787
SURVEYOR: HOMERO GUTIERREZ R.P.L.S.	P.O. BOX 548	MCALLEN, TEXAS 78505	(956)369-0988

**SUBDIVISION PLAT OF:**

# BRIGHT WOODS SUBDIVISION

A 19.946-ACRE TRACT (20.0 ACRES RECORDED) OF LAND, BEING OUT OF THE WEST HALF OF LOT 13, SECTION 280, TEXAS-MEXICAN RAILWAY SUBDIVISION, MAP OR PLAT THEREOF RECORDED IN VOLUME 24, PAGES 168 - 171, HIDALGO COUNTY MAP RECORDS, HIDALGO COUNTY, TEXAS, AND AS DESCRIBED IN WARRANTY DEED VIA DOCUMENT NO. 28721 RECORDED IN VOLUME 1467, PAGES 710 - 711, IN THE HIDALGO COUNTY DEED RECORDS, HIDALGO COUNTY, TEXAS, REFERENCE TO WHICH IS HERE MADE FOR ALL PURPOSE, LOCATED ON THE NORTH SIDE OF SPRAGUE ROAD APPROXIMATELY 220 FEET EAST OF ROTH ROAD, IS DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

METES AND BOUNDS


THE POINT OF COMMENCEMENT (P.O.C.) BEING AT A POINT ON THE APPARENT EXISTING CENTERLINE OF A 40-FOOT RIGHT-OF-WAY OF SAID SPRAGUE ROAD FOR THE APPARENT SOUTHWEST CORNER OF SAID LOT 13 AND OF SAID 19.946-ACRE TRACT, AND ALSO BEING THE POINT OF BEGINNING (P.O.B.) OF SAID 19.946-ACRE TRACT OF LAND HEREIN DESCRIBED:

THENCE, NORTH 08 DEGREES 52 MINUTES 04.93 SECONDS EAST, WITH THE APPARENT WEST LOT LINE OF SAID LOT 13 AND OF SAID 19.946-ACRE TRACT, A DISTANCE OF 20.00 FEET PASSED A NO. 4 REBAR FOUND ON THE APPARENT EXISTING NORTH RIGHT-OF-WAY LINE OF SAID SPRAGUE ROAD (N. 16636090.35, E. 1070980.1720), CONTINUING FOR A TOTAL DISTANCE OF 1,320.00 FEET TO A NO. 4 REBAR SET WITH PLASTIC CAP STAMPED 2791 FOR THE APPARENT NORTHWEST CORNER OF SAID 19.946-ACRE TRACT OF LAND HEREIN DESCRIBED;

THENCE, SOUTH 80 DEGREES 55 MINUTES 40.88 SECONDS EAST, ALONG AN EXISTING 4-FOOT CONCRETE IRRIGATION CANAL TO THE RIGHT OF, AND WITH THE APPARENT NORTH LOT LINE OF SAID LOT 13 AND OF SAID 19.946-ACRE TRACT, A DISTANCE OF 657.30 FEET TO A NO. 4 REBAR FOUND FOR THE APPARENT NORTHEAST CORNER OF SAID 19.946-ACRE TRACT OF LAND HEREIN DESCRIBED;

THENCE, SOUTH 08 DEGREES 45 MINUTES 00.54 SECONDS WEST, WITH THE APPARENT EAST LOT LINE OF SAID 19.946-ACRE TRACT, A DISTANCE OF 1,299.91 FEET PASSED A NO. 4 REBAR FOUND ON THE SAID SPRAGUE ROAD EXISTING NORTH RIGHT-OF-WAY LINE, CONTINUING FOR A TOTAL DISTANCE OF 1,319.91 FEET TO A POINT ON THE SAID SPRAGUE ROAD 40-FOOT RIGHT-OF-WAY CENTERLINE FOR THE APPARENT SOUTHEAST CORNER OF SAID 19.946-ACRE TRACT OF LAND HEREIN DESCRIBED;

THENCE, NORTH 80 DEGREES 56 MINUTES 13.02 SECONDS WEST, WITH THE SAID SPRAGUE ROAD 40-FOOT RIGHT-OF-WAY CENTERLINE, AND THE APPARENT SOUTH LOT LINE OF SAID LOT 13 AND OF SAID 19.946-ACRE TRACT, A DISTANCE OF 659.97 FEET FOR THE APPARENT SOUTHWEST CORNER OF SAID 19.946-ACRE TRACT OF LAND HEREIN DESCRIBED, AND BEING THE POINT OF BEGINNING (P.O.B.), CONTAINING A GROSS OF 19.946 ACRES OF LAND, OF WHICH 0.303 OF AN ACRE LIES IN EXISTING ROAD RIGHT-OF-WAY, AND SAVE & EXCEPT 0.4527 OF AN ACRE IN HIDALGO COUNTY IRRIGATION DISTRICT NO. 1 CANAL RIGHT-OF-WAY, FOR A NET OF 19.190 ACRES, MORE OR LESS.



**S2 ENGINEERING, PLLC**  
CIVIL ENGINEERING & LAND SURVEYING  
TBPE F-22858 TBLs 10194796

2424 MIMOSA ST  
MISSION TEXAS, 78574  
PHONE (956) 403-9787

INDEX OF SHEETS

SHEET 1.- HEADING; INDEX; LOCATION MAP AND ETJ; PRINCIPAL CONTACTS; PLAT WITH LOTS, STREETS, AND EASEMENT DESIGNATIONS; LEGAL DESCRIPTION (METES AND BOUNDS); SURVEYOR'S AND ENGINEER'S CERTIFICATION.

SHEET 2.- HEADING; INDEX; LOCATION MAP AND ETJ; PRINCIPAL CONTACTS; LEGAL DESCRIPTION (METES AND BOUNDS); SURVEYOR'S AND ENGINEER'S CERTIFICATION; PLAT NOTES AND RESTRICTIONS; OWNERS' DEDICATION, CERTIFICATION, AND ATTESTATION; COUNTY CLERK'S RECORDING CERTIFICATE; HIDALGO COUNTY CERTIFICATE OF PLAT APPROVAL; DESCRIPTION OF LOCATION OF SUBDIVISION WITH RESPECT TO A MUNICIPALITY AND DESIGNATE THE PRECINCT THE PROJECT IS SITUATED; H.C.D.D. NO.1 CERTIFICATION; REVISION NOTES.

SHEET 3.- WATER SUPPLY DISTRIBUTION MAP AND CONSTRUCTION DETAILS.

SHEET 4.- SANITARY SEWER SUPPLY DISTRIBUTION MAP AND CONSTRUCTION DETAILS.

SHEET 5.- WATER AND SANITARY SEWER CONSTRUCTION DETAILS.

SHEET 6.- PAVING DISTRIBUTION, MAP OF TOPOGRAPHY AND DRAINAGE, AND ENGINEER'S CERTIFICATION; REVISION NOTES; TYPICAL ROADWAY SECTION; CURB AND GUTTER SECTION; VALLEY GUTTER SECTION.

SHEET 7.- PAVING AND STORM SEWER DETAILS, DETENTION AREA GRADING PLAN

SHEET 8.- STREETLIGHT AND SIGNING LAYOUT DISTRIBUTION. WITH CONSTRUCTION DETAILS

SHEET NO. 1 OF 8 SHEETS	FILENAME :			
	DATE PREPARED	PREPARED BY	CHECKED BY	APPROVED BY
DATE REVISED		REVISED BY	CHECKED BY	APPROVED BY
NO.	SHEET	REVISION	DATE	APPROVED





# City of McAllen

## SUBDIVISION PLAT REVIEW

Reviewed On: 8/18/2023

### SUBDIVISION NAME: BRIGHT WOODS SUBDIVISION

#### REQUIREMENTS

#### STREETS AND RIGHT-OF-WAYS

Sprague Road: Dedication as required for 40 ft. from center line for 80ft. total ROW  
Paving: 52 ft. Curb & gutter: both sides  
Revisions needed:  
- Show and label centerline to establish ROW dedication requirement prior to final.  
- Show and label the total existing ROW and ROW on both sides of centerline to finalize the ROW dedication requirements prior to final.  
- Show the document number on the plat for the existing ROW and provide a copy for staff review prior to final.  
- All ROW requirements must be finalized prior to final approval.  
\*\*Subdivision Ordinance: Section 134-105  
\*\*Monies must be escrowed if improvements are required prior to recording.  
\*\*COM Thoroughfare Plan

Non-compliance

E/W Quarter Mile Collector (north boundary): dedication required for 60 ft. total ROW  
Paving: 40 ft. Curb & gutter: both sides  
Revisions needed:  
- Show ROW dedication for an E/W quarter mile collector on the north side prior to final.  
- Clarify if the E/W interior street is proposed in lieu of the northern boundary prior to final. If so, a temporary stub out to be extended to the west will be reviewed by staff prior to final.  
- Submit a vicinity map showing the distance between the E/W interior street centerline and Guadalupe Ave. centerline to review the temporary stub out prior to final.  
\*\*Subdivision Ordinance: Section 134-105  
\*\*Monies must be escrowed if improvements are required prior to recording.  
\*\*COM Thoroughfare Plan

Non-compliance

Interior Streets: Dedication as required for 60 ft. total ROW  
Paving: 40 ft. Curb & gutter: both sides  
Revisions needed:  
- Clarify if the subdivision is proposed to be public or private and submit gate details if proposed to be private to verify compliance.  
- Submit paving layout for the Cul-de-Sac to verify compliance with 96 ft. of paving face to face and 10 ft. additional ROW around the curb prior to final.  
- A temporary turnaround at the east end of street fronting Lots 33 to 36 will be required on the plat, if layout remains as shown.  
- Money must be escrowed prior to recording to remove the turnaround when the street is extended to the east, if layout remains as shown.  
\*\*Subdivision Ordinance: Section 134-105  
\*\*Monies must be escrowed if improvements are required prior to recording  
\*\*COM Thoroughfare Plan

Non-compliance

Paving \_\_\_\_\_ Curb & gutter \_\_\_\_\_

\*\*Subdivision Ordinance: Section 134-105  
\*\*Monies must be escrowed if improvements are required prior to final  
\*\*COM Thoroughfare Plan

Applied

**These comments are for subdivision requirements only – additional requirements may apply at time of site plan review**



<ul style="list-style-type: none"> <li>* 1,200 ft. Block Length</li> <li>- Submit a revised layout to comply with block length requirement.</li> <li>**Subdivision Ordinance: Section 134-118</li> <li>* 900 ft. Block Length for R-3 Zone Districts</li> <li>**Subdivision Ordinance: Section 134-118</li> <li>* 600 ft. Maximum Cul-de-Sac</li> <li>**Subdivision Ordinance: Section 134-105</li> </ul>	Non-compliance
	NA
	Applied
<b>ALLEYS</b>	
ROW: 20 ft. Paving: 16 ft. - Revise the plat to show alley/service drive easement prior to final. *Alley/service drive easement required for commercial and multifamily properties **Subdivision Ordinance: Section 134-106	Non-compliance
<b>SETBACKS</b>	
Front: 20 ft. or greater for easements or approved site plan - Add a setback note as shown above prior to final. - Revise the plat/clarify the front side of Lots 38, 44, 45, 51, 52, and 58 to finalize the setback requirement prior to final. **Zoning Ordinance: Section 138-356  Rear: 10 ft. or greater for easements or approved site plan. - Add a setback note as shown above prior to final. **Zoning Ordinance: Section 138-356  Interior Sides: 6 ft. or greater for easements or approved site plan - Add a setback note as shown above prior to final. **Zoning Ordinance: Section 138-356  * Corner: 10 ft. or greater for easements or site plan. - Add a setback note as shown above prior to final. - Revise the plat/clarify the corner side of Lots 38, 44, 45, 51, 52, and 58 to finalize the setback requirement prior to final. **Zoning Ordinance: Section 138-356  * Garage: 18 ft. except wherever greater setback is required, greater setback applies. - Add a setback note as shown above, prior to final. **Zoning Ordinance: Section 138-356  *ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Non-compliance
	Non-compliance
	Non-compliance
	Non-compliance
	Non-compliance
	Applied
<b>SIDEWALKS</b>	
<ul style="list-style-type: none"> <li>* 4 ft. wide minimum sidewalk required on Frontera Road, both sides of all interior streets, and along quarter mile collector.</li> <li>- Finalize the quarter mile collector requirement to finalize the sidewalk note requirement prior to final.</li> <li>** Engineering Department may require 5 ft. sidewalk prior to final.</li> <li>**Subdivision Ordinance: Section 134-120</li> <li>* Perimeter sidewalks must be built or money escrowed if not built at this time.</li> </ul>	Non-compliance
	Applied



BUFFERS	
<ul style="list-style-type: none"> <li>* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses, Frontera Road, and quarter mile collector.</li> <li>- A plat note for the buffer is required and will be finalized once the quarter mile collector is finalized prior to final.</li> <li>**Landscaping Ordinance: Section 110-46</li> </ul>	Non-compliance
<ul style="list-style-type: none"> <li>* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses</li> <li>- Add a plat note as shown above prior to final.</li> <li>**Landscaping Ordinance: Section 110-46</li> </ul>	Non-compliance
*Perimeter buffers must be built at time of Subdivision Improvements.	Applied
NOTES	
<ul style="list-style-type: none"> <li>* No curb cut, access, or lot frontage permitted along Frontera Road, and quarter mile collector.</li> <li>- A plat note for the curb cut is required and will be finalized once the quarter mile collector is finalized prior to final.</li> <li>- Finalize the quarter mile collector requirement to finalize the note requirement prior to final.</li> <li>**Must comply with City Access Management Policy</li> </ul>	Non-compliance
<ul style="list-style-type: none"> <li>* Site plan must be approved by the Planning and Development Departments prior to building permit issuance for any lots with more than 4 dwelling units.</li> </ul>	Applied
<ul style="list-style-type: none"> <li>* Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen.</li> <li>- Clarify if the subdivision is public or private. If the subdivision is private, add a plat note as shown above prior to final.</li> </ul>	Non-compliance
<ul style="list-style-type: none"> <li>* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.</li> </ul>	NA
<ul style="list-style-type: none"> <li>* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.</li> <li>**Section 110-72 applies if public subdivision is proposed.</li> <li>- Clarify if the subdivision is public or private to finalize the respective Section of the ordinance. After the Section is finalized, a plat note will be required.</li> <li>**Landscaping Ordinance: Section 110-72</li> <li>**Subdivision Ordinance: Section 134-168</li> </ul>	Non-compliance
<ul style="list-style-type: none"> <li>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</li> <li>- A plat note to cross-reference the HOA document number is needed on the plat prior to final.</li> <li>- Submit the HOA document for staff review prior to recording.</li> <li>**Section 110-72 applies if private subdivision is proposed.</li> <li>**Landscaping Ordinance: Section 110-72</li> <li>**Subdivision Ordinance: Section 134-168</li> </ul>	Non-compliance
LOT REQUIREMENTS	
<ul style="list-style-type: none"> <li>* Lots fronting public/private streets</li> <li>**Subdivision Ordinance: Section 134-1</li> </ul>	Compliance

**These comments are for subdivision requirements only – additional requirements may apply at time of site plan review**



<ul style="list-style-type: none"> <li>* Minimum lot width and lot area</li> <li>- The minimum lot width requirement is 50 ft. Some lots have a frontage less than 50 ft. Verify and correct prior to final.</li> <li>- Revise the plat/clarify the front side of Lots 38, 44, 45, 51, 52, and 58 to finalize the setback requirement prior to final.</li> <li>- Based on the application, the development is proposed for a duplex on each lots. As per the ordinance, the minimum lot size for a duplex is 5,600 SF. Some lots do not show the area and some are less than the minimum requirement. Revise prior to final.</li> <li>- Number of lots and density around the Cul-de-Sac created lots that may not comply with requirements including frontage, parking, landscaping, etc. Revise the plat to reduce the number of lots to comply with requirements or submit site plan for all lots around the Cul-de-Sac showing compliance with all City requirements prior to final.</li> </ul> <p>**Zoning Ordinance: Section 138-356</p>	Non-compliance
<b>ZONING/CUP</b>	
<ul style="list-style-type: none"> <li>* Existing: R-3A Proposed: R-3A</li> <li>***Zoning Ordinance: Article V</li> <li>** An annexation and initial zoning to R-3A was approved by the City Commission on March 28, 2023.</li> </ul>	Applied
<ul style="list-style-type: none"> <li>* Rezoning Needed Before Final Approval</li> <li>***Zoning Ordinance: Article V</li> <li>** An annexation and initial zoning to R-3A was approved by the City Commission on March 28, 2023.</li> </ul>	NA
<b>PARKS</b>	
<ul style="list-style-type: none"> <li>* Land dedication in lieu of fee.</li> <li>* Based on the application submitted on August 8, 2023, 99 lots are proposed for a duplex on each lot. Based on total of 198 dwelling units, 3.1482 acres of park land dedication is required prior to recording. If the number of dwelling units changes prior to recording, additional park land dedication might be required.</li> </ul>	Required
<ul style="list-style-type: none"> <li>* Park Fee of \$700 per dwelling unit to be paid prior to recording (if requested by the applicant and approved by City Manager's Office)</li> <li>** Based on the application submitted on August 8, 2023, 99 lots are proposed for a duplex on each lot. Based on total of 198 dwelling units, 3.1482 acres of park land dedication is required prior to recording. If the number of dwelling units changes prior to recording, additional park land dedication might be required. If park fee in lieu of land dedication is needed, a request must be submitted and approved by the City Manager's Office. (Based on 198 dwelling units, \$138,600 will be required)</li> </ul>	Applied
<ul style="list-style-type: none"> <li>* Review and approval by the City Manager's Office is required, if paying park fee in lieu of park land dedication is requested by the applicant.</li> <li>** Based on the application submitted on August 8, 2023, 99 lots are proposed for a duplex on each lot. Based on total of 198 dwelling units, 3.1482 acres of park land dedication is required prior to recording. If the number of dwelling units changes prior to recording, additional park land dedication might be required. If park fee in lieu of land dedication is needed, a request must be submitted and approved by the City Manager's Office. (Based on 198 dwelling units, \$138,600 will be required)</li> </ul>	Applied
<b>TRAFFIC</b>	
<ul style="list-style-type: none"> <li>* As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat.</li> </ul>	Required
<ul style="list-style-type: none"> <li>* Traffic Impact Analysis (TIA) required prior to final plat.</li> </ul>	TBD

**These comments are for subdivision requirements only – additional requirements may apply at time of site plan review**



COMMENTS	
<p>Comments:</p> <ul style="list-style-type: none"><li>- Use a bold line for the original subdivision boundary prior to final.</li><li>- Clarify the discrepancy between the south side bearing of the subdivision and the survey prior to final.</li><li>- Label the common lots (e.g. Lot A, Lot B, etc.) and add a plat note to clarify prior to final.</li><li>- A break point between C14 and the west side of the lot is missing. Please verify all break points and revise plat as necessary prior to final.</li><li>- Number of lots and density around the Cul-de-Sac created lots that may not comply with requirements including frontage, parking, landscaping, etc. Revise the plat to reduce the number of lots to comply with requirements or submit site plan for all lots around the Cul-de-Sac showing compliance with all City requirements prior to final.</li><li>- Some lots dimensions and information are overlapped with other texts, please revise prior to final.</li><li>- Clarify the note read as "To Hidalgo County Irrigation District No. 1 Vol 24 Pages 168-171 Doc. 2880111" provide a copy for staff review and clarify the overlap on a "proposed 20 ft. easement to Hidalgo Country Irrigation District No 1"</li><li>- Any abandonment must be done by separate instrument and referenced on the plat prior to final/recording.</li><li>- Signature blocks complying with Sec. 134-61 of the subdivision ordinance is required prior to final.</li><li>- Legal description of all adjacent lots on all sides are required prior to final.</li></ul> <p>*Must comply with City's Access Management Policy.</p>	Non-compliance
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM, SUBJECT TO THE CONDITIONS NOTED, DRAINAGE, AND UTILITIES APPROVAL.	Applied

















# PLANNING DEPARTMENT

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



## 2023 CALENDAR

### Meetings:





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

### Deadlines:





D- Zoning/CUP Application      N - Public Notification

\* **Holiday** - Office is closed





### JANUARY 2023

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





### FEBRUARY 2023

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





### MARCH 2023

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





### APRIL 2023

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

### MAY 2023

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

### JUNE 2023



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

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



## 2023 CALENDAR








### Meetings:

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









### Deadlines:

- D- Zoning/CUP Application
- N - Public Notification
- \* **Holiday** - Office is closed









### JULY 2023

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









### AUGUST 2023

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










### SEPTEMBER 2023

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






### OCTOBER 2023

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

### NOVEMBER 2023

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

### DECEMBER 2023

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