

**AGENDA**  
**PLANNING & ZONING COMMISSION REGULAR MEETING**  
**WEDNESDAY, DECEMBER 16, 2020 - 3:30 PM**  
**MCALLEN CITY HALL, 1300 HOUSTON AVENUE**  
**CITY COMMISSION CHAMBERS, 3<sup>RD</sup> FLOOR**  
**Web: <https://zoom.us/join> or phone: (346) 248-7799**  
**Meeting ID: 672 423 1883**

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

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**INVOCATION**

**1) MINUTES:**

- a) Minutes for Regular Meeting held on November 17, 2020
- b) Minutes for Regular Meeting held on December 3 , 2020

**2) PUBLIC HEARING**

**a) CONDITIONAL USE PERMITS:**

- 1. Request of Kathleen G. Azufra on behalf of Brighter Horizons, Multi-Services LLC, for a Conditional Use Permit, for one year, for a Home Occupation (Face and Body Contouring Office) at Lot 142, La Floresta Subdivision Phase I, Hidalgo County, Texas; 1901 Queens Avenue. **(CUP2020-0120)**

**b) REZONING:**

- 1. Rezone from C-1 (office building) District to R-1 (single-family residential) District: 1.68 acres out of Lot 5, Block 15, Steele & Pershing Subdivision, Hidalgo County, Texas; 501 East Yuma Avenue. **(REZ2020-0045)**
- 2. Rezone from A-O (agricultural & open space) District to R-1 (single-family residential) District: 0.68 acres out of Lot 377, John H. Shary Subdivision, Hidalgo County, Texas; 5001 Selinda Drive. **(REZ2020-0044)**
- 3. Rezone from R-3A (multifamily residential apartment) District to R-1 (single-family residential) District: 3.87 acres out of Lot 197, John H. Shary Subdivision, Hidalgo County, Texas; 701 South Taylor Road. **(REZ2020-0042)**
- 4. Rezone from R-3A (multifamily residential apartment) District to R-3T (multifamily residential townhouse) District: 3.61 acres out of Lot 197, John H. Shary Subdivision, Hidalgo County, Texas; 701 South Taylor Road (MID). **(REZ2020-0043)**

5. Rezone from R-1 (single-family residential) District to R-3A (multifamily residential apartment) District: 24.95 acres out of Lots 27 and 28, La Lomita Irrigation and Construction Company's Subdivision, Hidalgo County, Texas; 3421 La Lomita Road. **(REZ2020-0046)**

### **3) CONSENT:**

- a) 495 Commerce Center Phase XV Subdivision; 1100 North McColl Road- 495 Commerce Center Partners, LTD. (Final) **(SUB2020-0095)** PCE
- b) Just-A-Closet #4 Subdivision; 2500 South McColl Road- Just-A-Closet #4, LLC (Final) **(SUB2020-0094)** RDE

### **4) SUBDIVISIONS:**

- a) Barcelona Subdivision; 1800 South Bentsen Road- New Millenium L. Investments, Inc. (Final) **(SUB2020-0092)** SE
- b) The Grove Subdivision; 500 South Ware Road- MDM Land Company, LLC (Preliminary) **(SUB2020-0057)** RDE
- c) Verdin Heights Subdivision; 7401 North Bentsen Road- Sergio Guzman (Revised Preliminary) **(SUB2020-0057)** SEC
- d) Nemont Estates 1 Subdivision; 13800 North 29th Street- Nemont Estates Limited Partnership (Revised Preliminary) **(SUB2020-0064)** MAS

### **5) INFORMATION ONLY:**

#### **ADJOURNMENT:**

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



STATE OF TEXAS  
COUNTY OF HIDALGO  
CITY OF McAllen

The McAllen Planning and Zoning Commission convened in a Regular Meeting & Public Hearing on Tuesday, November 17, 2020 at 3:32 p.m. in the McAllen City Hall City Commission Room at 1300 Houston Avenue, McAllen, Texas.

<b>Present:</b>	<b>Pepe Cabeza de Vaca</b>	<b>Chairperson</b>
	<b>Daniel Santos</b>	<b>Vice-Chairperson</b>
	<b>Michael Hovar</b>	<b>Member</b>
	<b>Rogelio Cervantes</b>	<b>Member</b>
	<b>Michael Fallek</b>	<b>Member</b>
	<b>Gabriel Kamel</b>	<b>Member</b>
	<b>Jose Saldana</b>	<b>Member</b>
 <b>Staff Present:</b>	 <b>Victor Flores</b>	 <b>Assistant City Attorney</b>
	<b>Michelle Rivera</b>	<b>Assistant City Manager</b>
	<b>Edgar Garcia</b>	<b>Director</b>
	<b>Luis Mora</b>	<b>Deputy Director</b>
	<b>Rodrigo Sanchez</b>	<b>Senior Planner</b>
	<b>Omar Sotelo</b>	<b>Senior Planner</b>
	<b>Berenice Gonzalez</b>	<b>Planner III</b>
	<b>Kaveh Forghanparast</b>	<b>Planner II</b>
	<b>Liliana Garza</b>	<b>Planner II</b>
	<b>Hebert Camacho</b>	<b>Planner I</b>
	<b>Carlos Garza</b>	<b>Planner I</b>
	<b>Juan Martinez</b>	<b>Development Coordinator</b>
	<b>Bilkis Olazaran Martinez</b>	<b>Engineering Department (Virtual)</b>
	<b>Martina Mejia</b>	<b>Traffic Department (virtual)</b>
	<b>Felipe Hernandez</b>	<b>Fire Department</b>
	<b>Porfirio Hernandez</b>	<b>Planning Technician II</b>
	<b>Claudia Mariscal</b>	<b>Administrative Secretary</b>

**CALL TO ORDER- Pepe Cabeza de Vaca, Chairperson**

**Meeting held via Teleconference and Video Conference.**

**PLEDGE OF ALLEGIANCE**

**INVOCATION- Mr. Rogelio Cervantes**

**1) MINUTES:**

- a)** Minutes for Regular Meeting held on October 20, 2020

The minutes for the regular meeting held on October 20, 2020, November 3, 2020 and November 9, 2020 were approved as submitted. The motion to approve was made by Mr. Jose Saldana. Mr. Gabriel Kamel seconded the motion, which carried unanimously with seven members present and voting.

- b)** Minutes for Regular Meeting held on November 3, 2020

c) Minutes for Special Meeting held on November 9, 2020

**2) PUBLIC HEARING**

a) CONDITIONAL USE PERMITS:

1. Request of Sandra A. Tamez, for a Conditional Use Permit, for one year, for a Portable Food Concession Stand (Snow Cone Stand) at Lot 1 except the East 497 ft.-South 510 ft. and West 188 ft.-South 379.26 ft. and North 20 ft. and 0.19 acres and West 188 ft.-South 160 ft.-North 597 ft., Plaza Del Norte Subdivision, Hidalgo County, Texas, 3312 North 10th Street. (CUP2020-0113)

Ms. Garza stated that the property was located on the east side of North 10th Street, approximately 580ft. north of Fern Avenue. The property is zoned C-3 (general business) District and the east 100 ft. is zoned C-2 (neighborhood commercial) District. The adjacent zoning is C-3 to the north, south and west, R-3T (multifamily-townhouse residential) District to the north, and R-3A (multifamily-apartments) District to the east. Surrounding land uses include retail stores, restaurants, and multi-family residences. A portable food concession stand is permitted in a C-3 District with a Conditional Use Permit and in compliance with requirements.

The initial Conditional Use Permit was approved for an 8 ft. by 12 ft. portable building on this property on May 18, 2004 by the Planning & Zoning Commission. However, the initial permit was not renewed and the building was removed. On March 5, 2013 a new request, for a portable food concession stand was approved, for one year, by the Planning & Zoning Commission. There was an approval, applied, for one year, on February 17, 2015 to a different applicant for a portable food concession stand. However, the applicant left and on August 4, 2015, a new tenant received approval, for one year, for a portable food concession stand.

There is currently a 10 ft. by 12 ft. vacant portable food concession stand on an undeveloped portion of the property. There is a new applicant proposing to operate the portable food concession stand; therefore, it must be considered by the Planning and Zoning Commission as a new request. The applicant is proposing to operate between Monday through Sunday from 1:00 pm through 1:00 pm. Portable food concession stand requires 4 parking spaces, and parking must comply with Section 138-400 of the Ordinance.

The Fire and Health Department are still pending their inspections. Conditional Use Permit will not be issued until both Fire and Health Department resolve their inspections. As per Section 138-400 of the Zoning Ordinance, parking lot must be properly striped and free of potholes. The portable building must also meet the requirements set forth in Section 138-118(9) of the Zoning Ordinance as follows:

- 1) The proposed use shall not be located in a residentially zoned area. The property is zoned C-3
- 2) Stand must be inspected by building inspection department and meet applicable building codes.
- 3) Must have paved off-street parking available over and above what is required for the

business to which it is adjacent; four parking spaces are required

- 4) Portable building must be anchored to the ground properly;
- 5) Must meet setback requirements of the zoning district in which it is located; and
- 6) Water and sewer facilities shall be required to the tract and may be required to the proposed used.

Staff recommends approval of the request, for one year, subject to compliance with requirements from Section 138-118(9) & Section 138-400 of the Zoning Ordinance, Building Permit, Health and Fire Department requirements.

Chairperson Cabeza de Vaca asked if there was anyone present in opposition of the proposed conditional use permit, there were none. Chairperson also stated that there were some conditions pending and asked to speak to the applicant. Ms. Sandra Tamez 3404 Kerria Avenue Mcallen, TX was present, Chairperson Cabeza de Vaca asked the applicant if she was aware of the conditions and she confirmed that she was aware and she was just waiting for Health Department and Fire Department to approve their requirements.

After a brief discussion, Mr. Jose Saldana moved to approved with conditions noted. Mr. Michael Hovar seconded the motion, which was approved with seven members present and voting.

2. Request of Vincent G. Huebinger on behalf of Verizon Wireless, for a Conditional Use Permit, for life of the use, for a personal wireless service facility, at a 800 sq. ft. lease area, a 30 ft. wide access and utility/fiber easement and a 10 ft. wide utility/fiber easement out of a called Tract 1 and Tract 2, Part of Lots 177 and 184 of the La Lomita Irrigation & Construction Company Subdivision, and out of Lot 27 McAllen First Suburban Citrus Groves Subdivision, Hidalgo County, Texas, 2551 South Ware Road. (CUP2020-0114)

Ms. Garza stated that the subject property was located on the southeast corner of Jordan Road and Ware Road. The 800 sq. ft. lease area is an interior tract that is part of a parcel that has a zoning classification of A-O (agricultural-open space) District. Surrounding zoning is A-O District to the west, east, and south, R-1 (single family residential) District to the north and west, and R-A (multifamily-apartment residential) District to the west. Land uses in the area include a Palm View Golf Course, Palm View Community Center to the north, Brown Middle School to the west, single family residential and multifamily apartments to the west. A personal wireless service facility is allowed in an A-O (agricultural-open space) District with a Conditional Use Permit and in compliance with requirements.

The 800 sq. ft. lease area in question is described by metes and bounds, and is located on the north portion of the Palm View Golf Course. The communication facility is proposed to be located on the east side of the golf cart maintenance barn. The golf course is owned by the City of McAllen and the property lease agreement with the City will be going simultaneously to the City Commission meeting of December 14, 2020.

The applicant is proposing to place an 80 ft. stealth mono-palm with all antennas concealed within the exterior synthetic palm fronds to alleviate any visual obstruction. The proposed mono-palm tower will be located on the east side of the golf cart maintenance barn with a 20 ft. by 40 ft.

equipment shelter. The proposal will need to meet all minimum setbacks and building permit requirements. Federal Aviation Administration (FAA) approval must be obtained prior to beginning construction. In addition, the request must comply with requirements set forth in Section 138-118(11) of the zoning ordinance as follows:

a. Maximum height of pole or tower structure of 80 feet within commercial zones or within 200 feet of an existing residential structure;

- o The applicant is proposing to construct an 80 ft. in height mono-palm with the antennas concealed within the exterior synthetic palm fronds.

b. Maximum height of pole or tower structure of 120 feet within industrial zones for measuring distance purposes, the leasehold interest area boundary or compound area boundary, whichever is greater shall be utilized;

- o The applicant is not locating within an industrial zone;

c. Only one pole or tower structure-allowed per lot or tract within a commercial or industrial zone;

- o There is no other pole structure on property;

d. The applicant shall attempt to locate the proposed facility on an existing structure, or base station, as per subsections k—m of this section. If collocation of the proposed wireless facility is not possible (as per subsections k—m of this section) then the applicant for a personal wireless service facility must submit at least two alternative designs for antenna and supporting structure, pole or tower design (including the equipment shelter, as per subsection h, below) that is treated with an architectural material (e.g., "stealth" design) so as to conform to the predominant architectural environment in the area of the facility. Such "stealth" personal wireless service facility shall blend into its proposed surroundings such as a tree, flag pole or other feature, to be approved. When a tree-type stealth design is used, one live and growing tree of the same variety or species one-half the height of the proposed tower shall be planted at the time of installation;

- o Collocation for proposal is not possible. To alleviate any visual obstruction, the design will be a stealth mono-palm with antennas concealed within the palm fronds;

e. Minimum spacing between poles and tower structures within commercial or industrial zones of 1,000 feet measured in a direct line of another tower;

- o There are no co-locatable towers within 1,000 feet;

f. Minimum setback of one-half the street right-of-way from front property line, ten feet from side yard and ten feet from rear, unless greater requirements as noted on subdivision plat;

- o The monopole is meeting minimum setbacks;

g. A masonry wall shall be required as a buffer if pole or tower structure is located within the front or side yard, or adjacent to a residential use or zone;

h. The transmission equipment structure installed at the base of the proposed tower shall be not greater than 180 square feet and constructed to conform to the predominant architectural

environment;

i. A landscaped buffer area to soften the visual impact shall commence along the perimeter of the lease area or the property line. At least one row of shrubs shall be installed as well as trees as appropriate shall be included. Materials shall be of a variety which can be expected to grow to form a continuous hedge at least six feet in height within two years of planting;

j. The pole or tower structure will be constructed or installed with the capabilities of locating thereon additional personal wireless service facilities when tower or pole is greater than 80 feet in height. The applicant agrees to cooperate with other personal wireless service facility providers in collocating additional facilities on permitted support structures;

k. A permittee shall exercise good faith in collocating with other providers and sharing the permitted structure, provided such shared use does not give rise to a substantial technical level impairment of the ability to provide the permitted use (i.e., a significant interference in broadcast or reception capabilities as opposed to a competitive conflict or financial burden). Such good faith shall include sharing technical information to evaluate the feasibility of co-location. In the event a dispute arises as to whether a permittee has exercised good faith in accommodation other users, the city may require a third party technical study at the expense of either or both the applicant and permittee;

l. All conditional use applicants shall demonstrate good-faith, reasonable efforts in developing a collocation alternative for their proposed personal wireless service facility site, which efforts shall be documented to the city and shall include, but not be limited to, providing technical details sufficient to determine co-locations efforts. If the applicant asserts that co-location is not possible, the applicant must provide, in addition to the foregoing, an affidavit in a form provided by the city stating that all efforts to collocate the personal wireless facility at an existing facility have been exhausted and that there is no possibility of co-location on the existing towers;

m. Failure to comply with the collocation requirements of this section may result in the denial of a permit request or revocation of an existing permit;

n. If any applicant provides false or misleading information on their application, or in the application process to obtain a permit for a personal wireless facility, then their application may be denied or revoked at the expense of the applicant or the permittee;

o. If property is leased, term of conditional use permit shall be co-terminus with that term of lease of property;

p. Construction of tower and equipment facilities shall meet applicable building codes and wind loads;

q. Notwithstanding the above conditions, to the extent an applicant is fully qualified as an eligible facilities request under Section 6409, in the event of a conflict between the above conditions in this subsection and those criteria and conditions in section 138-1.A., above, and the 2014 Infrastructure Order, then section 138-1.A., and the 2014 Infrastructure Order control, subject to the city reservation of rights, as set forth in the preface to section 138-1.A.

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

Chairperson Cabeza de Vaca asked if there was anyone present in opposition of the proposed Conditional Use Permit, there were none. Chairperson Cabeza de Vaca asked if the applicant was present and Mr. Vincent Huebinger was present via zoom. Chairperson Cabeza de Vaca asked if Mr. Huebinger was aware of the conditions and Mr. Huebinger confirmed that he was aware and explained that the type of tower will look like a palm tree to disguise itself and this was the last tower to be put up for Verizon Wireless.

Being no discussion, Mr. Michael Fallek moved to approved with conditions noted. Mr. Rogelio Cervantes seconded the motion, which was approved with seven members present and voting.

3. Request of David Gosalvez III, for a Conditional Use Permit, for Life of the Use, For A Portable Building Greater Than 10'X12', at Lot 1, Monaco Plaza Subdivision, Hidalgo County, Texas; 604 North McColl Road. (CUP2020-0107) (Tabled 11/03/20)

Mr. Forghanparast stated that the subject property is located at the intersection of North McColl Road and Fir Avenue. The submitted survey depicts that it has 222.50 ft. of frontage along North McColl Road and a depth of 279 ft. for a lot size of 1.425 acres. Monaco Plaza Subdivision was recorded on April 23, 1991, and the plaza building was built in 1991 according to the Appraisal District records.

The property is zoned C-3 (general business) District, and the adjacent zoning is C-3 (general business) District to the north and east, and R-4 (mobile home and modular home) District to the south. Surrounding land uses include offices, retail stores, mobile homes, and apartments. A portable building is allowed in a C-3 District with a Conditional Use Permit and in compliance with requirements.

The applicant is proposing to utilize a portable building, measuring approximately 8.5 ft. x 48 ft., as an MRI facility in the parking lot on the east side of the property to use as a supporting facility for his chiropractic office, known as Chiro Sync. The Fire Department has conducted their inspection, and found the establishment to be in compliance. The portable building must also meet the requirements set forth in Section 138-118(3) of the Zoning Ordinance as follows:

- 1) Portable buildings must not be used for living quarters. The portable building will be used as a medical office only;
- 2) Must be located in such a manner as to have access to a public right-of-way within 200 ft. The property has access to Fir Avenue and North McColl Road;
- 3) The proposed use and adjacent businesses shall comply with the off-street parking and loading ordinance. Based on the square footage, five additional parking spaces are required for the proposed portable building. The plaza has 97 parking spaces currently. The submitted site plan depicts that the portable building might displace 6 parking spaces. The site plan checklist for Monaco Plaza shows that the required number of parking spaces was 50 in 1991;
- 4) Must provide garbage and trash collection and disposal;
- 5) Must be connected to an approved water distribution and sewage disposal system;

6) No form of pollution shall emanate beyond the immediate property line of the permitted use; and

7) Additional reasonable restrictions or conditions such as increased open space, loading and parking requirements, suitable landscaping, curbing, sidewalks or other similar improvements may be imposed in order to carry out the spirit of the Zoning Ordinance or mitigate adverse effects of the proposed use.

PLANNING AND ZONING COMMISSION MEETING OF NOVEMBER 3, 2020:

At the Planning and Zoning Commission meeting of November 3, 2020, at the request of staff, the Board unanimously voted to table the request, in order to clarify the area size of the portable building's location. There were four members present and voting.

Staff recommends approval of the request, for life of the use, subject to Section 138-118(3) of the Zoning Ordinance and Fire Department requirements

Mr. Gabriel Kamel motioned to remove from the table and Mr. Jose Saldana seconded the motioned which was approved with seven members present and voting.

Mr. Kamel asked if why they were applying for Life of the Use, Mr. Forghanparast stated that the applicant wanted to use it for five years, so they applied for Life of the Use. Mr. Michael Hovar wanted clarification on Life of the Use, he understood as the longevity of piece being used, so if the building was moved then that ends the use of it. Mr. Forghanparast confirmed that if they changed the location then they would have to submit for another request. Mr. Kamel asked if the owner of the business left would the conditional use permit still be active and staff confirmed that it would be cancelled.

Being no discussion, Mr. Gabriel Kamel moved to approved the conditional use permit for three years. Mr. Michael Fallek seconded the motion, which was approved with seven members present and voting.

b) REZONING:

1. Rezone from R-3T (multifamily residential townhouse) District to R-1 (single-family residential) District: 5.0 acres out of Lot 257, John H. Shary Subdivision, Hidalgo County, Texas; 1600 North Taylor Road. (REZ2020-0040)

Mr. Forghanparast stated that the property was located along the east side of North Taylor Road, approximately 270 ft. north of Pecan Boulevard. The tract has 330 ft. of frontage along North Taylor Road and a depth of 660 ft. for a tract size of 5.0 acres.

The applicant is requesting to rezone the subject property to R-1 (single-family residential) District in order to build single-family residences. A subdivision plat for the subject property under the name of Taylor View Subdivision to create 22 lots was approved in revised preliminary form on November 3, 2020, by the Planning and Zoning Commission.

The adjacent zoning is R-1 (single-family residential) District to the north and east, and C-3 (general business) District to the south. The properties on the west side of North Taylor Road are outside the City limits.

The brick house and the swimming pool depicted on the submitted survey have been demolished in 2015, by separate demolition permits submitted in November 2015. However, the carport, the brick & frame room, and the aluminum garage are still existing on the subject property. Surrounding land uses include single-family residences, including Spanish Oak Estates Subdivision consisting of 58 lots, condominiums, commercial plazas, Amigo Pawn & Jewelry store, and vacant land.

The Foresight McAllen Comprehensive Plan designates the future land use for this property as Auto Urban Single Family which is comparable to R-1 (single-family residential) District.

The development trend for this area along North Taylor Road is single-family houses, multifamily residential, and commercial.

The subject property was zoned A-O (agricultural and open space) District during the comprehensive zoning in 1979. A rezoning request to R-3T (multifamily residential townhouse) District for the subject property was approved by the City Commission on June 9, 2008. A subdivision application for the subject property under the name of Taylor View to create 36 townhomes was approved in preliminary form on March 6, 2018, by the Planning and Zoning Commission, which was never finalized. A revised plat depicting 22 lots to create single-family homes was submitted on October 19, 2020, which was approved in revised preliminary form on November 3, 2020, by the Planning and Zoning Commission.

The requested zoning conforms to the Auto Urban Single Family land use designation as indicated on the Foresight McAllen Comprehensive Plan.

The maximum density in R-1 (single-family residential) District is 8 dwelling units per acre. Therefore, the maximum number of units for the subject property is approximately 40 single-family residential lots.

A recorded subdivision plat and approved site plan are 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 calls or emails in opposition to the rezoning request.

Staff recommends approval of the rezoning request to R-1 (single-family residential) District.

Chairperson Cabeza de Vaca asked if there was anyone present in opposition of the proposed rezone request, there were none. Mr. Hovar asked if one can build a single family home in an RT-3, Mr. Garcia confirmed.

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

2. Rezone from R-1 (single-family residential) District to R-2 (duplex-fourplex residential) District: Lot 1, Block 2, Altamira Subdivision, Hidalgo County, Texas; 2633 Austin Avenue. (REZ2020-0041)

Mr. Forghanparast stated that the property was located on the south side of Austin Avenue, 120 ft. east of South 27th Street. The tract has 60 ft. of frontage along Austin Avenue and a depth of 155



ft. for a tract size of 9,300 sq. ft.

The applicant is requesting to rezone the subject property to R-2 (duplex-fourplex residential) District in order to attach a proposed 1,100 sq. ft. house to the existing single-family residence on the subject property with the current living area of 1,083 sq. ft., essentially making a duplex. A feasibility plan submitted by the applicant is included in the packet.

The adjacent zoning is R-1 (single-family residential) District to the east, west, and south, and R-2 (duplex-fourplex residential) District to the north.

There is a single-family house on the subject property. Surrounding land uses include single-family residences, duplexes, auto services, retail stores, offices, and a daycare.

Foresight McAllen Comprehensive Plan designates the future land use for this property as Auto Urban Single Family which is comparable to R-1 (single-family residential) District.

The development trend for this area along Austin Avenue is single-family residential.

The subject property was zoned R-1 (single-family residential) District during the comprehensive zoning in 1979. There has been no other rezoning request for the subject property since then.

The requested zoning does not conform to the Auto Urban Single Family land use designation as indicated on the Foresight McAllen Comprehensive Plan. The established character of the neighborhood is single-family residential. All the properties on the south side of Austin Avenue, between South 26th and South 28th Street, are zoned R-1 (single-family residential) District, creating a clearly separated block of single-family residences from duplex zone and use.

Although Austin Avenue consists of 60 ft. right-of-way between South 26th and South 27th Street, only 30 ft. is paved. If the request is approved, it may encourage other property owners to apply for a rezoning to R-2 (duplex-fourplex residential) District as well, which will increase the density and traffic in the area.

Staff has received a phone call in opposition to the rezoning request. The opposition was concerned that the approval of the request may intensify the existing traffic and parking issues in the neighborhood.

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

Chairperson Cabeza de Vaca asked if there was anyone present in opposition of the proposed rezone request. Mr. Peter Cortez 2702 Austin, was present in opposition. Mr. Cortez stated that all of the homes on the street were zoned as R-1 so the existing home fits the character of the neighborhood. His concern was parking, he stated that the parking was limited and if they put a duplex there 2 parking spaces per unit is permitted and he felt there was not room for that. Another concern of Mr. Cortez was traffic and the speeding issues along that street. His last concern was this rezone would cause other to do the same. Chairperson Cabeza de Vaca asked if the applicant was present, Mr. Daniel Martinez 8916 North 21<sup>st</sup> Street was present. Chairperson asked why Mr. Martinez wanted to rezone this property, Mr. Martinez explained that he buys houses and rehabs them and attempts to increase value to the neighborhood. Mr. Martinez addressed Mr. Cortez's concerns about parking and the structure of the house and stated that they were working on the

parking for the proposed duplex and they were keeping the same character of the home. Mr. Fallek asked why Mr. Martinez did not approach the city before working the home, and Mr. Martinez explained that the initially they wanted to keep it a rehabbed house however to repair the original structure of the house was out of budget, so in order to recuperate the funds they decided to make it into a duplex.

After the discussion, Mr. Gabriel Kamel moved to disapproved. Mr. Michael Hovar seconded the motion, which was approved with seven members present and voting.

### **3) CONSENT:**

- a) Villatorre Estates at Almon Subdivision; 3308 Yellowhammer Avenue- Riverside Development Services, LLC (Final) (SUB2020-0080) JHE

The property is located on Yellowhammer Avenue: 50 ft. ROW Paving: Submitted plan indicates 40 ft. of paving Curb & gutter: Both sides. Monies must be escrowed if improvements are not built prior to recording. Please revise name to show "Yellowhammer Avenue" instead of "Yellow Hammer Avenue" wherever is applicable prior to recording. Cul-de-sac length variance approved by Planning and Zoning Board on the meeting of 9/16/2020 and City Commission on November 9, 2020 with 50 ft. of ROW, 40 ft. of paving and 5 ft. sidewalks and utility easements on both sides of interior street. "Bus pullout/turnaround" in front of the Detention Area Lot A in lieu of the second access required. Fire Department approved the proposed plat subject to designating the proposed cul-de-sac and "bus pullout/ turnaround" as fire lanes 800 ft. Block Length. NA 600 ft. Maximum Cul-de-Sac length is allowed; approximately 1,120 ft. is proposed. Engineer must request a variance to the cul-de-sac length prior to final or revise plat to comply with requirements. Engineer proposed 40 ft. of paving proposed with 5 ft. sidewalks and utility easements on both sides of interior street. Cul-de-sac length variance approved by Planning and Zoning Board on the meeting of 9/16/2020 and City Commission on November 9, 2020 with 50 ft. of ROW, 40 ft. of paving and 5 ft. sidewalks and utility easements on both sides of interior street. Front: 25 ft. or greater for easements. Rear setbacks: 10 ft. or greater for easements. Please correct plat note as shown above. Interior Sides: 6 ft. or greater for easements. Please revise plat note as shown above. Corner setbacks: 10 ft. or greater for easements. Garage setback: 18 ft. or except where greater setback is required, greater setback applies. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required on both sides of all interior streets. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Perimeter buffers must be built at time of Subdivision Improvements. Common Areas, any private's streets, and Detention Area Lot A must be maintained by the lot owners and not the City of McAllen Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 110-72 if public subdivision is proposed. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. HOA will be recorded simultaneously with plat. Minimum lot width and lot area. Lots fronting public streets. Subdivision proposed to be public. Existing zoning: A-O Proposed zoning: R-1 Rezoning approved by Planning and Zoning Board on August 18, 2020 and by the City Commission on September 14, 2020. Park Fee of \$700 per dwelling unit/lot. As per submitted plat, 41 lots are proposed (41 X \$700 = \$28,700) will have to be paid prior to recording.

If number of proposed lots/dwelling units change, park fees will be adjusted. As per Traffic Department, Trip Generation approved; no TIA required. Must comply with City's Access Management Policy "Bus pullout/turnaround" in front of the Detention Area Lot A in lieu of the second access required. Fire Department approved the proposed plat subject to designating the proposed cul-de-sac and "bus pullout/ turnaround" as fire lanes. Cul-de-sac length variance approved by Planning and Zoning Board on the meeting of 9/16/2020 and City Commission on November 9, 2020 with 50 ft. of ROW, 40 ft. of paving and 5 ft. sidewalks and utility easements on both sides of interior street.

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

Being no discussion, Mr. Daniel Santos moved to approved. Mr. Jose Saldana seconded the motion, which was approved with seven members present and voting.

b) J. Leal Subdivision; 10800 7 Mile Road- Jesus Leal (Final) (SUB2020-0078) QHA

The property is located on North Trosper Road: 40 ft. from centerline for 80 ft. ROW Paving: 52 ft. to 65 ft. Curb & gutter: both sides. Must escrow monies if improvements not constructed prior to recording. F.M. 681 (Mile 7 North Road): 115 ft. from centerline shown on plat for 150 ft. ROW existing Paving: by the state (minimum 65 ft.) Curb & gutter: by the state. Monies must be escrowed if improvements not constructed prior to recording. ROW: 24 ft. Paving: 20 ft. Alley/service drive easement required for commercial properties. Engineer is proposing a 24 ft. service drive easement on the north side of the property that will loop south along west property line. Service drive will have to extended west and north when the properties develop. Please revise plat note #20 as needed. Front: F.M. 681 (Mile 7 North Road) - 75 ft. or greater for easements. Trosper Road- 40 ft. or greater for easements Rear setback (North property line): 30 ft. or greater for easements Interior West Side: 24 ft. or greater for easements. Corner setback: See above. Please revise plat note as shown above. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required on North Trosper Road and F.M. 681 (Mile 7 Road). Please remove "to be built during subdivision process as per City of McAllen or escrowed" on plat note #13. Sidewalk on Mile 7 Road subject to increase to 5 ft. wide as per Engineering Department prior to recording. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Please remove "Perimeter buffers must be built at the time of subdivision improvements." Perimeter buffers must be built at time of Subdivision Improvements. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Common areas, any private streets must be maintained by the lot owners and not the City of McAllen Existing: ETJ Proposed: ETJ Minimum lot width and lot area. Lots fronting public streets. As per Traffic Department, Trip Generation approved; no TIA required. Must comply with City's Access Management Policy

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

Being no discussion, Mr. Daniel Santos moved to approved. Mr. Jose Saldana seconded the motion, which was approved with seven members present and voting.

#### **4) SUBDIVISIONS:**

- a) Home Sweet Home Subdivision; 16601 North Eubanks Road- Rosa Linda Reyes (Preliminary) (SUB2020-0084) SEA

Mr. De La Garza stated that the property is located on N. Eubanks Road: 20 ft. ROW dedication required for 40 ft. from centerline for an 80 ft. ROW Paving: 52 ft. - 65 ft. Curb & gutter: both sides. Monies must be escrowed if improvements are not built prior to recording. Front: N. Eubanks Road - 45 ft. or in line with the average setback of existing structures, whichever is greater, Rear setbacks: 30 ft. for the easements Side setbacks: 6 ft. or greater for easements on the south side 15 ft. for the easement along the north side Garage: 18 ft. except where greater setback is required; greater setback applies All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required on North Eubanks Road. 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. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Perimeter buffers must be built at time of Subdivision Improvements. 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. Minimum lot width and lot area. Lots fronting public streets. Existing zoning: ETJ Proposed zoning: residential (ETJ) Must comply with City's Access Management Policy Preliminary/Final plat approved by the Planning and Zoning Commission on November 17, 2015. 6 Month Final Extension approved by the Planning and Zoning Commission on November 16, 2016.

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

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

- b) STEC Tres Lagos Subdivision; 6801 7 Mile Line- Michael A. Hernandez (Preliminary) (SUB2020-0083) M&H

Mr. De La Garza stated that the property is located at North Glasscock Road: 20 ft. dedication for 40 ft. from centerline for 80 ft. total ROW. Paving: 52 ft. Curb & gutter: Both sides. Monies must be escrowed if improvements are not built prior to recording. Please show and label ROW on both sides of centerline and total ROW after accounting for any ROW dedication needed prior to final. Please submit copy of document for "15 ft. easement to S.W.S.C. R.O.W.E. Vol. 1602, Pg.118, HCDR" Mile 7 Road: 5 ft. dedication for 40 from centerline for 80 ft. total ROW Paving: 52 ft. Curb & gutter: Both sides. Monies must be escrowed if improvements are not built prior to recording. Please show and label ROW on both sides of centerline and total ROW after accounting for any ROW dedication needed prior to final. Please submit copy of document for existing ROW. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties Front: North Glasscock Road: 40 ft. or greater for easements or approved site plan. Mile 7 Road: 40 ft. or greater for easements or approved site plan. Please revise plat note as shown above prior to final. Rear setbacks: In accordance with the Zoning Ordinance or greater for easements or approved site plan. Please revise plat note as shown above. Side setbacks: In accordance with the Zoning Ordinance or greater for easements or approved site plan. Please revise plat note as shown above. Corner setbacks: See above. All setbacks are subject to increase for easements or approved site plan. 4

ft. wide minimum sidewalk required on North Glasscock Road and Mile 7 Road. Please add plat note as shown above. Sidewalks subject to increase prior to final as per Engineering Department. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Common Areas, any private streets/drives must be maintained by the lot owners and not the City of McAllen Minimum lot width and lot area. Lots fronting public streets. Existing zoning: R-1 Proposed zoning: R-1 Rezoning Needed Before Final Approval. CUP for "Railroad Facilities or Utilities Holding a Franchise" approved by Planning and Zoning Board on August 4, 2020 and approved by City Commission on August 27, 2020. Must comply with City's Access Management Policy Please submit copy of document for "15 ft. easement to S.W.S.C. R.O.W.E. Vol. 1602, Pg. 118, HCDR" As per Public works and Fire Departments, please submit site plan for staff's review prior to final.

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

Being no discussion, Mr. Jose Saldana moved to approved. Mr. Rogelio Cervantes seconded the motion, which was approved with seven members present and voting.

c) Martinez Subdivision; 300 North 22nd Street- Javier Martinez (Preliminary) (SUB2020-0077) RDE

Ms. Gonzalez stated that property is located on N. 22nd Street: 50 ft. ROW Paving: 50 ft. Curb & gutter: both sides Cedar Avenue: 50 ft. ROW Paving: 50 ft. Curb & gutter: both sides. Revise street name as noted above. 800 ft. Block Length 600 ft. Maximum Cul-de-Sac. Front setbacks: 25 ft. or greater for easements. 20 ft. required for R-2. Rear setback: 10 ft. or greater for easements. Side setbacks: 6 ft. except 10 ft. for easements on the east side of Lots 6 & 7 Revise plat, since there is no Lot 7 Label missing? Corner setback: To be established prior to final, but no less than the average setback of the existing structures or the established by ordinance. Garage setback: 18 ft. except where greater setback is required; greater setback applies. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required on Cedar Avenue and N. 22nd Street. Revise plat as noted above. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along Cedar Avenue. Per Traffic Department, access will be off N. 22nd Street. Site plan must be approved by the Planning and other Development Departments prior to building permit issuance. Lots fronting public streets. Provide ownership map of east portion to assure no property is "landlocked" Minimum lot width and lot area. Existing zoning: R-2 Proposed zoning: R-1 Existing zoning is R- 2, application shows it as R-1 as the existing and proposed zoning. Application needs to be revised/rezoning needed prior to final. Rezoning Needed Before Final Approval Current zoning is R-2 and proposed use according to application is R-1, application may need to be revised. Application needs to be revised/rezoning needed prior to final. Park Fee of \$700 per lot to be paid prior to recording Must comply with City's Access Management Policy

Provide ownership map to assure no properties are landlocked prior to final. Revise setbacks prior to final. Public hearing needed for final. Subdivision name needs to be revised to Phares Subdivision Lot 5A prior to final.

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

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

**5) INFORMATION ONLY:**

a) City Commission Actions: November 9, 2020

Mr. Garcia stated that there were seven rezoning's, four were in the Tres Lagos area which were approved as recommended and three of them were for the new commercial and apartment subdivision on Northeast of Buddy Owens and Ware Road and were also approved as recommended. As for Conditional Use Permits there was Oak Bar on 10<sup>th</sup> Street that was approved as well The Mormon Temple on 2<sup>nd</sup> Street.

**ADJOURNMENT:**

There being no further business to come before the Planning & Zoning Commission, Mr. Gabriel Kamel adjourned the meeting at 4:24 p.m., and Mr. Daniel Santos seconded the motion, which carried unanimously with seven members present and voting.

---

Chairperson, Pepe Cabeza de Vaca

ATTEST: \_\_\_\_\_  
Claudia Mariscal, Secretary



## Memo

**TO:** Planning and Zoning Commission

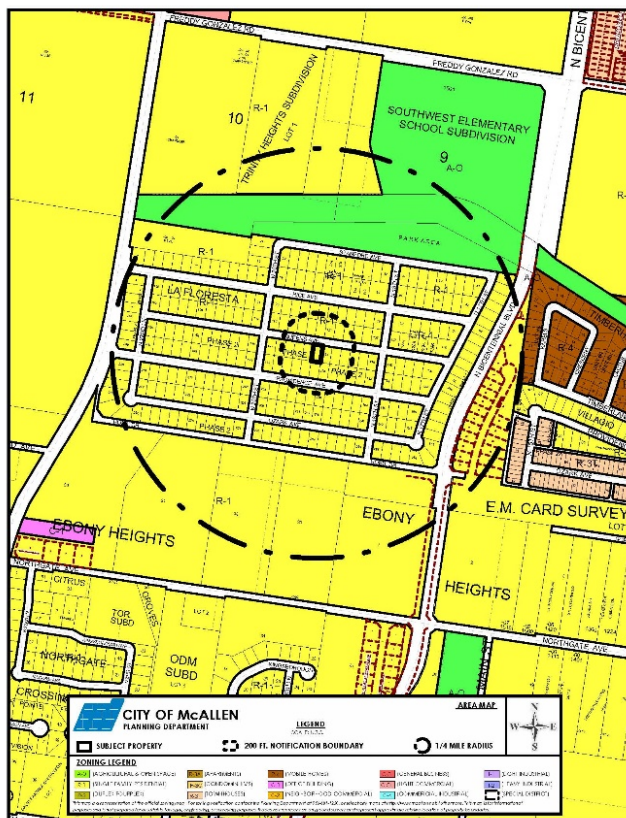
**FROM:** Planning Staff

**DATE:** December 11, 2020

**SUBJECT:** REQUEST OF KATHLEEN G. AZUFRA ON BEHALF OF BRIGHTER HORIZONS, MULTI-SERVICES, LLC FOR A CONDITIONAL USE PERMIT FOR ONE YEAR, FOR A HOME OCCUPATION (FACE & BODY CONTOURING OFFICE) AT LOT 142, LA FLORESTA SUBDIVISION PHASE I, HIDALGO COUNTY, TEXAS; 1901 QUEENS AVENUE. (CUP2020-0120)

### BRIEF DESCRIPTION:

The property is located on the south side of Queens Avenue, between North 18<sup>th</sup> Street and North 20<sup>th</sup> Street. It is zoned R-1 (single family residential) District. The adjacent zoning is R-1 District in all directions and the surrounding land use is single-family residential. A home occupation is allowed in the R-1 District with a Conditional Use Permit and in compliance with requirements.



**HISTORY:**

A complaint was received on September 22, 2020 from a resident in the area regarding a commercial use in a residential zone. A stop work order was issued by the Building and Inspections Department staff on September 22, 2020 for construction of an accessory building (storage building 10 ft. by 10 ft.) without an inspection. The original purpose for construction of the "storage building" may have been to house the proposed use associated with the conditional use permit request. Storage buildings that are 200 ft. or less in size do not require a building permit but must respect the setbacks in the zoning district in which they are located. An application for a conditional use permit (CUP) was submitted to the Planning Department on November 13, 2020. There is no prior history of a conditional use permit being approved for this location.

**REQUEST/ANALYSIS:**

The applicant is proposing to operate a home occupation that involves "non-invasive face and body contouring (aesthetics)". The applicant has stated that her non-invasive face and body procedures include ultratherapy and thermage. According to publications, Thermage focuses on treating wrinkles on the face and in the under eye area and on improving wrinkles and bulges on the body. Furthermore, publications state "that Ultratherapy is the only non-surgical treatment that's been approved by the FDA specifically for tightening the skin on the neck and chin and in the brow area". These treatments are typically found in a medical spa.

The applicant states that she will also be offering facial services the kind that are customarily provided by a day spa.

Based on researching the topic, traditional day spas provide personal care treatments focused on improving beauty, health, and relaxation. Common services at day spas include massages, pedicures/manicures, aromatherapy, facials, and mud wraps. Some Day spas offer specialized treatments like lava stone massage and reflexology, while others integrate hair salon and makeup services so spa-goers can get a new hair style while they relax.

Furthermore, medical spas offer medical grade aesthetic procedures in a relaxing environment. Such treatments can include injections for wrinkles in the upper face, fillers for restoring volume loss in the face, laser therapies for repairing sun damage, laser hair removal, acne therapy, and medical-grade facials and peels.

The proposed home occupation location is in a 2,600 sq. ft. one story single-family residence. The "aesthetics" procedures will take place in a designated room shown on the submitted site plan as a 10 ft. x 10 ft. area. The application states that the hours of operation are, weekdays from 5:00 PM to 7:00 PM (by appointment only) and Fridays and Saturdays from 10:00 AM to 7:00 PM (by appointment only). There will be two employees which include the applicant and her spouse. No retail sales and signage are proposed.

The Fire and Health Departments have pending inspections. The proposed use shall meet all the minimum standards and applicable ordinances. Should the conditional use permit be approved, the applicant would be required to sign the application acknowledging and agreeing to the conditions on the permit. The home occupation may not be operational until the issuance of the certificate.



The home occupation must comply with requirements set forth in Section 138-118(a)(1) of the Zoning Ordinance as follows:

- 1) The home occupation shall be clearly secondary to the residential use. The applicant lives at the residence.
- 2) Signs shall not be permitted. Applicant has stated no signs will be put up.
- 3) No exterior display or alterations indicating that the building is being used for any purpose other than residential, shall be permitted. Applicant stated no exterior alterations will be made.
- 4) No more than 1 additional unrelated employee other than immediate family members residing on the premises shall be permitted. Applicant has stated that spouse will be the only other employee.
- 5) No outside storage of materials or products shall be permitted. Applicant has stated there will be no outside storage of materials.
- 6) Traffic generated by the proposed use shall not exceed 10% of the average load per hour per street. Applicant has stated that customer visits will be by appointment only.
- 7) No retail sales shall be permitted. Applicant has stated that there will be no retail sales.
- 8) No additions to the residence or accessory building specifically to accommodate the use shall be permitted. There is a storage building on the property but it is for personal storage use as per applicant.
- 9) The proposed use shall take place in the primary residential structure rather than a detached garage or accessory building. The site plan submitted shows the proposed use will take place in the primary residence.
- 10) The proposed use shall take place at the location specified on the permit. The proposed use will take place at the address provided on the application.

**RECOMMENDATION:**

Staff recommends disapproval of the request. The proposed use appears to be more appropriate in a medical spa setting. Medical spas and similar uses are permitted in commercial zoning districts.



CITY OF McALLEN, TEXAS  
311 NORTH 15<sup>TH</sup> STREET, McALLEN, TX 78501  
P. O. BOX 220, McALLEN, TEXAS 78505-0220 • (956) 681-1250 • FAX (956) 681-1279

Permit No. **CUP2020-0120**

# HOME OCCUPATION

CONDITIONAL USE PERMIT APPLICATION

(Please print or type)

Application Date **11 / 12 / 2020**

MPU ACCOUNT NUMBER:

Applicant (first) (initial) (last) **(Kathleen G. Azufra) BRIGHTER HORIZONS MS, LLC**

PHONE NO:

Mailing Address (city) (state) (zip)  
**1901 Queens Ave McAllen, TX 78504**

Property Owner (first) (initial) (last)  
**Hector + Kathleen G. Azufra**

PHONE NO: **(956) 414-0005**

Mailing Address (city) (state) (zip)  
**1901 Queens Ave. McAllen TX 78504**

Mailing Address (city) (state) (zip)  
**Same as above**

Property Location (street address)

**Phase I La Floresta Subdivision, Lot 142**

Property Legal Description (if metes and bounds, attach survey of the property)

(subdivision)

(block)

(lot)

**Home office - aesthetics**

**Non-invasive face + body**

**BRIGHTER HORIZONS, MULTI SERVICES LLC**  
**(PRO AESTHETIC GROUP)**

Proposed use of property

**Contouring (aesthetics)**

TERM OF PERMIT: **X 1 YEAR**

## FLOOR PLAN & SITE PLAN (attach a drawing of the property showing the following)

Scale, north arrow, legal description of property

Location and height of all structures

Setback from property lines and between structures

Proposed changes and uses

Landscaping and fencing of yard

Off-street parking and loading

Driveway location & design

Location, type, height and lighting of all signs

**Azufra, R, BSC**  
(Applicant signature)

**11/12/20**  
(date)

**Azufra, R, BSC**  
(Property owner signature)

**11/12/2020**  
(date)

Hours of Operation **by appointment usually Fridays + maybe Sat.**  
Number of Employees **2 (me + spouse)**

## GENERAL INFORMATION

**NOTIFICATION AND PUBLIC HEARING:** Property owners within 200' of the subject property shall be notified within at least 10 working days of the Planning and Zoning Commission public hearing. Upon considering the recommendation of the Director of Planning, the Planning and Zoning Commission shall approve or disapprove the application.

**APPEALS PROCEDURE:** Any decision of the Planning and Zoning Commission may be appealed to the City Commission by presenting a petition to the City Commission within 10 days after the decision of the Planning and Zoning Commission and specifying the grounds for the appeal. A vote of 3/4 of the City Commission is required to overrule a vote of the Planning and Zoning Commission denying a conditional use permit.

**CANCELLATION:** A conditional use permit is automatically cancelled if not used within 6 months.

**REVOCATION:** A conditional use permit may be revoked by the Planning and Zoning Commission at a public hearing upon failure of the applicant to remedy a violation of the conditions of the permit within a specified time period (10 to 30 days) as specified in a written notice to the applicant by the Code Enforcement Officer or Building Inspector.

**RENEWAL PERIOD:** A conditional use permit shall expire within 1 year unless otherwise specified by the Planning and Zoning Commission. Application for renewal of a permit shall be made prior to 20 days before permit expiration. A permit for more than 1 year shall be approved by the City Commission.

## DEFINITIONS

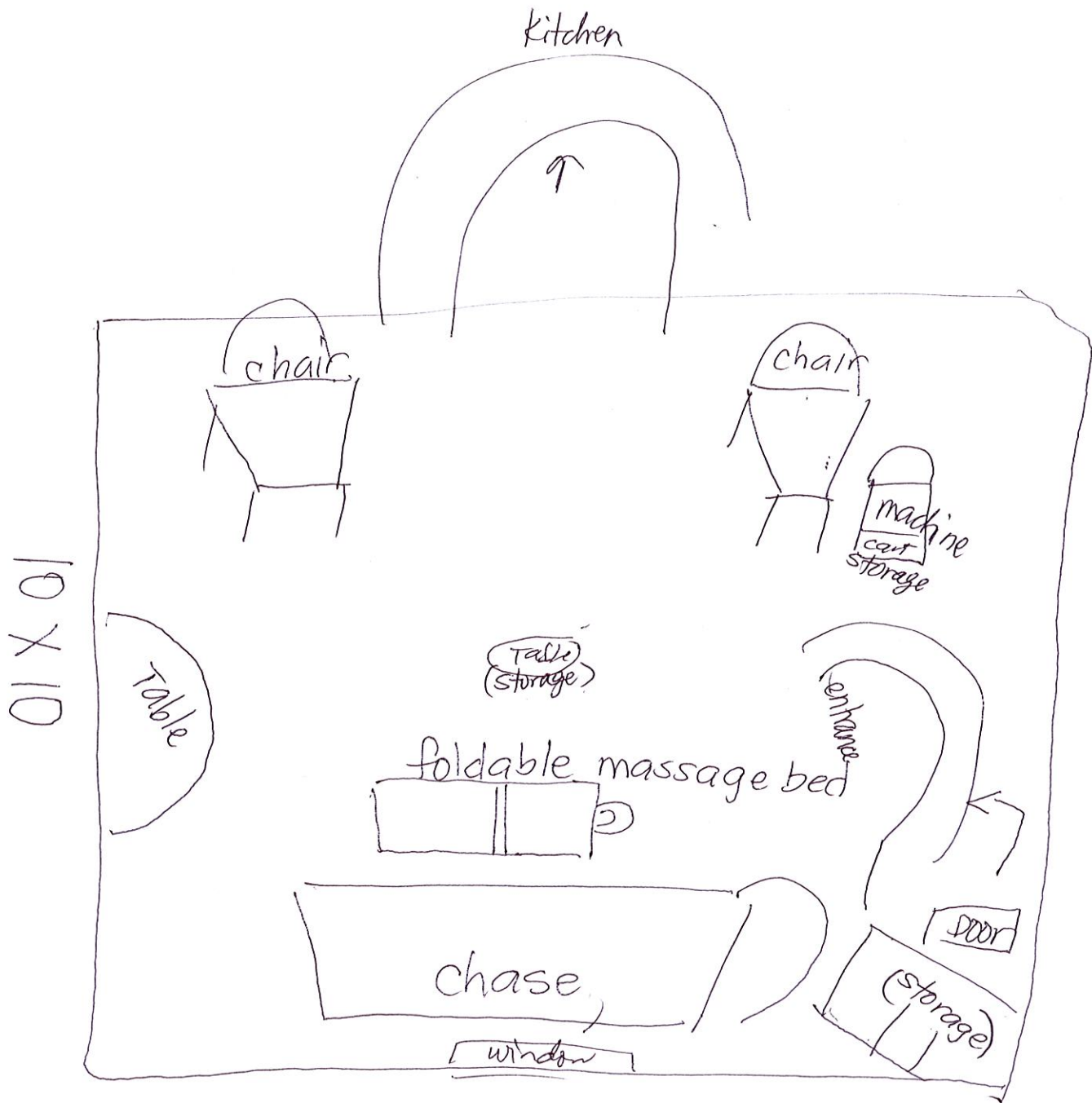
Home Occupation - An activity carried on by a member of the immediate family residing on the premises that meets the provision of Section 128-118



Home Occupation - Pg. 1 - REVISED 10/16

# FLOOR PLAN

address: 1901 Queens Ave  
McAllen, TX 78504

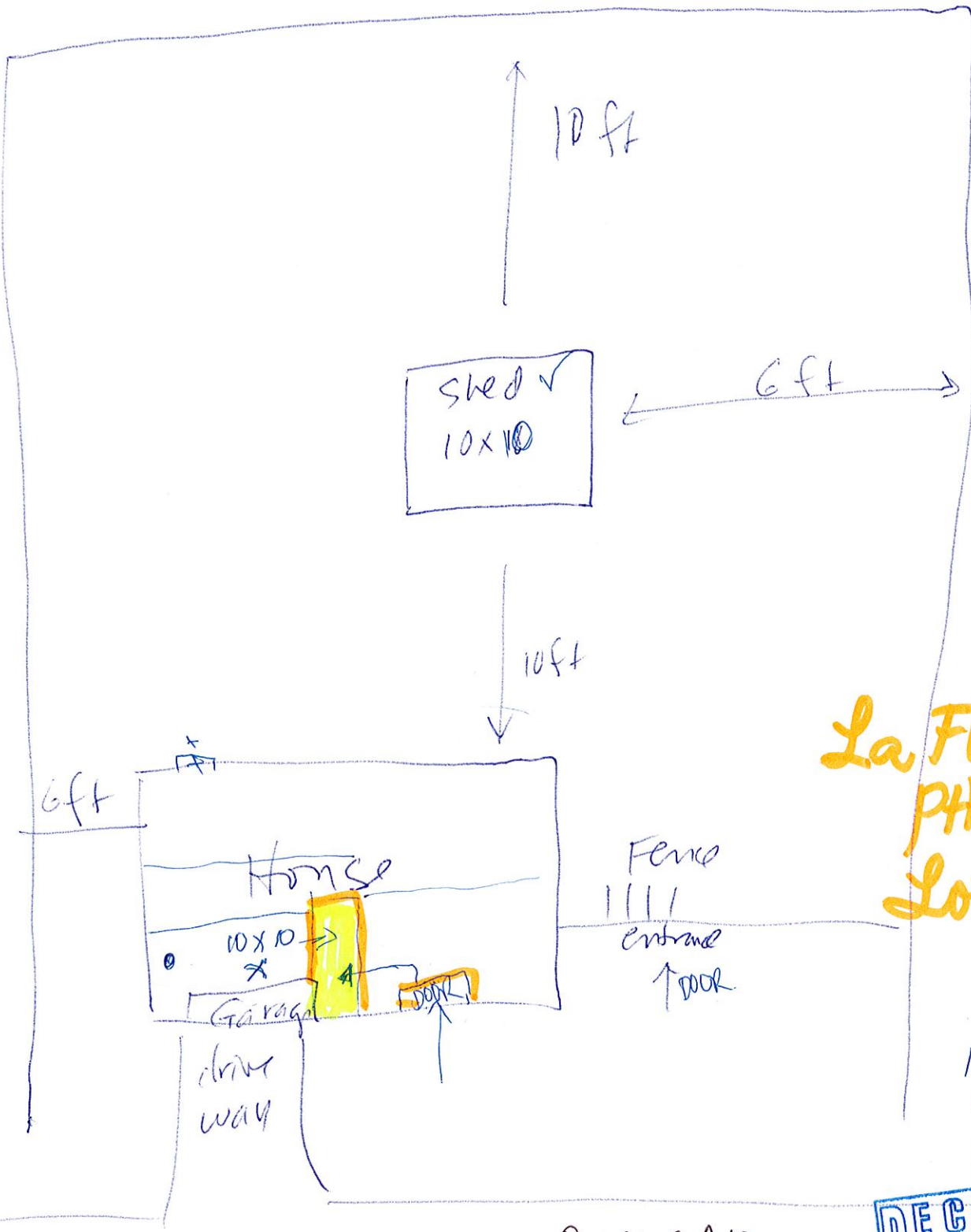




SITE PLAN:

Brighter Horizons MS, LLC

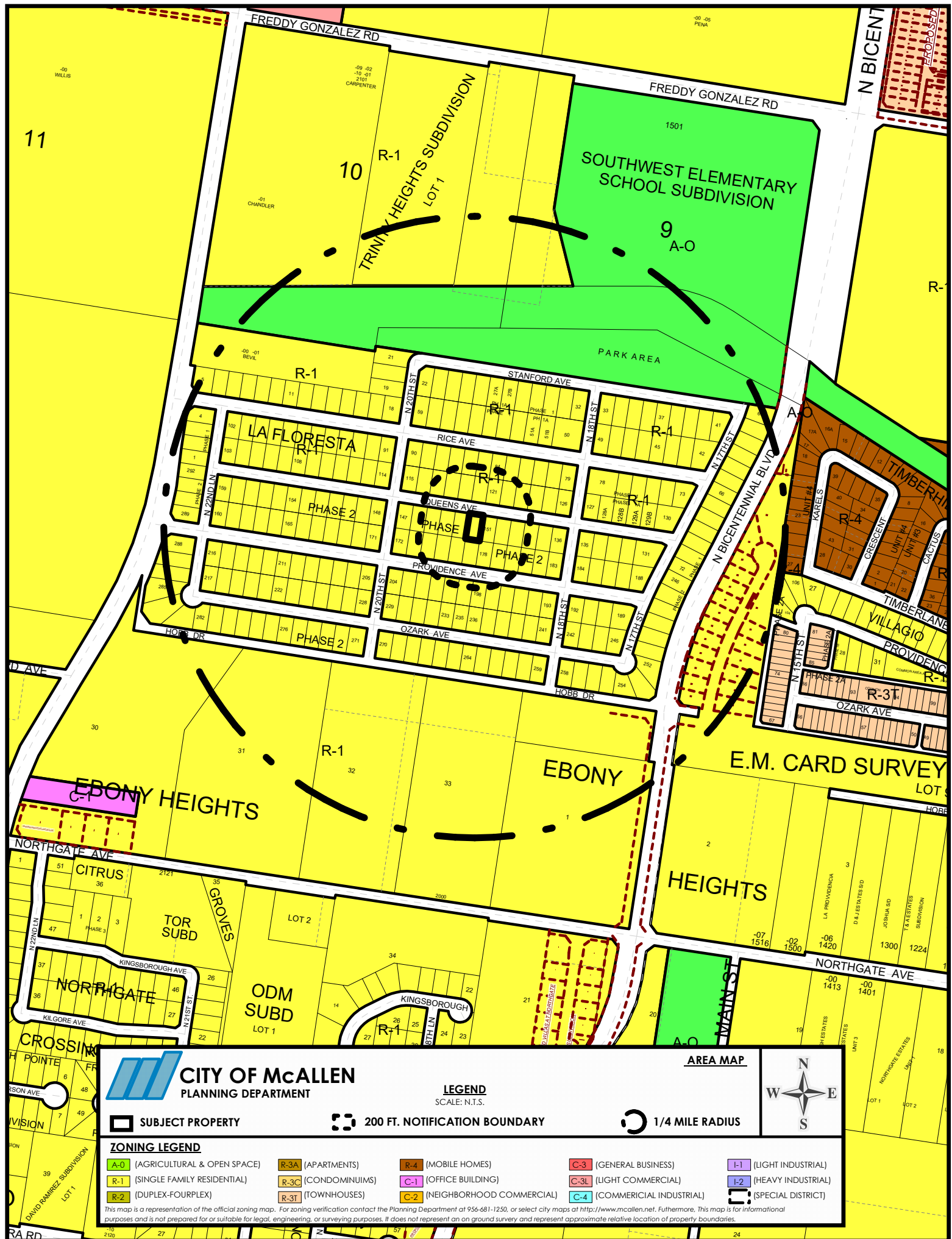
1901 Queens Ave, McAllen, TX 78504



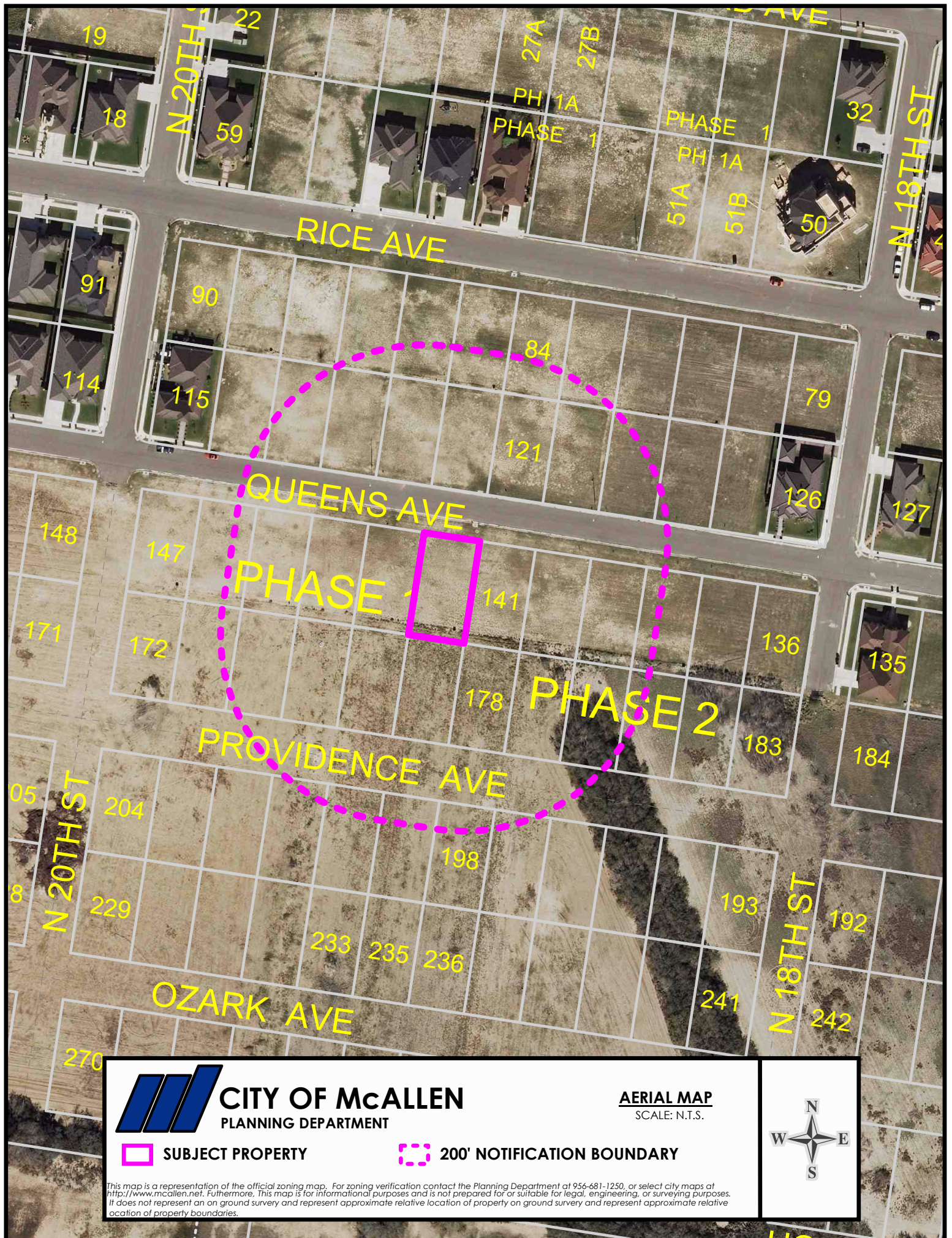
La Floresta  
PH 1  
Lot 142

Queens Ave.









**CITY OF McALLEN**  
PLANNING DEPARTMENT

**AERIAL MAP**  
SCALE: N.T.S.



**SUBJECT PROPERTY**



**200' NOTIFICATION BOUNDARY**



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









Certificate of Completion

**AVANTE**  
LASER TRAINING INSTITUTE

Presented to:

**Kaye-Gonzalez Krutka RN, BSC**

For completion of Laser & Radio Frequency training, in person lecture  
and hands-on practice. This certificate is valid for 12 months.

Issued on: August 12, 2017

*Donna Brown*  
President, AVANTE

*Theresa Brownell*  
AVANTE, RN, BSC









NOTICE  
HOME  
OCCUPATION  
FOR  
THIS PROPERTY  
CUP2020-0120

1901

1823

NDB-4126

GVY-1360



## **Memo**

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

**DATE:** December 11, 2020

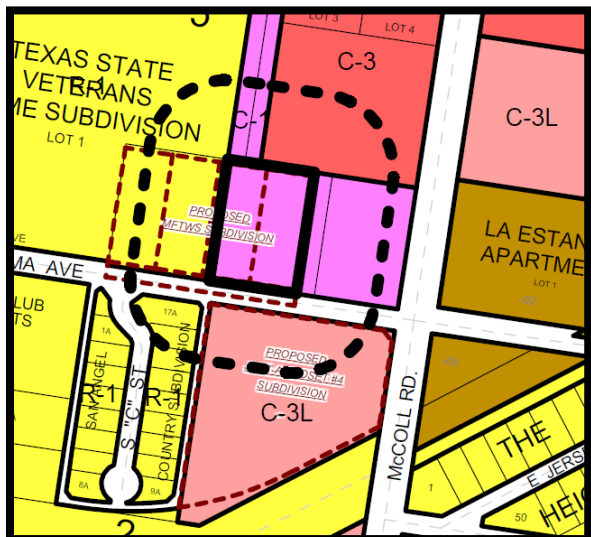
**SUBJECT: REZONE FROM C-1 (OFFICE BUILDING) DISTRICT TO R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT: 1.68 ACRES OUT OF LOT 5, BLOCK 15, STEELE & PERSHING SUBDIVISION, HIDALGO COUNTY, TEXAS; 501 EAST YUMA AVENUE. (REZ2020-0045)**

**LOCATION:** The property is located on the north side of Yuma Avenue, approximately 280 ft. west of South McColl Road. The proposed tract has 240 ft. of frontage along Yuma Avenue with a depth of 290 ft. for a tract size of 69,600 sq. ft.

**PROPOSAL:** The applicant is requesting to rezone the subject property to R-1 (single-family residential) District in order to build single-family residences. A feasibility plan has been submitted. A four lot residential plat under the name of MFTWS LLC subdivision has been submitted and received approval in preliminary form at the Planning and Zoning Commission meeting of December 3, 2020.

**ADJACENT ZONING:** The adjacent zoning is C-1 (office building) District and C-3 (general business) District to the north, C-1 (office building) District to the east, C-3L (light commercial) District to the south and R-1 (single-family residential) District to the west.

**LAND USE:** The subject property is currently vacant. Surrounding land uses include single-family residences, multifamily, and vacant land.



COMPREHENSIVE PLAN: The Foresight McAllen Comprehensive Plan designates the future land use for this property as Suburban Commercial which is comparable to C-1 (office building) District to C-3L (light commercial) District.

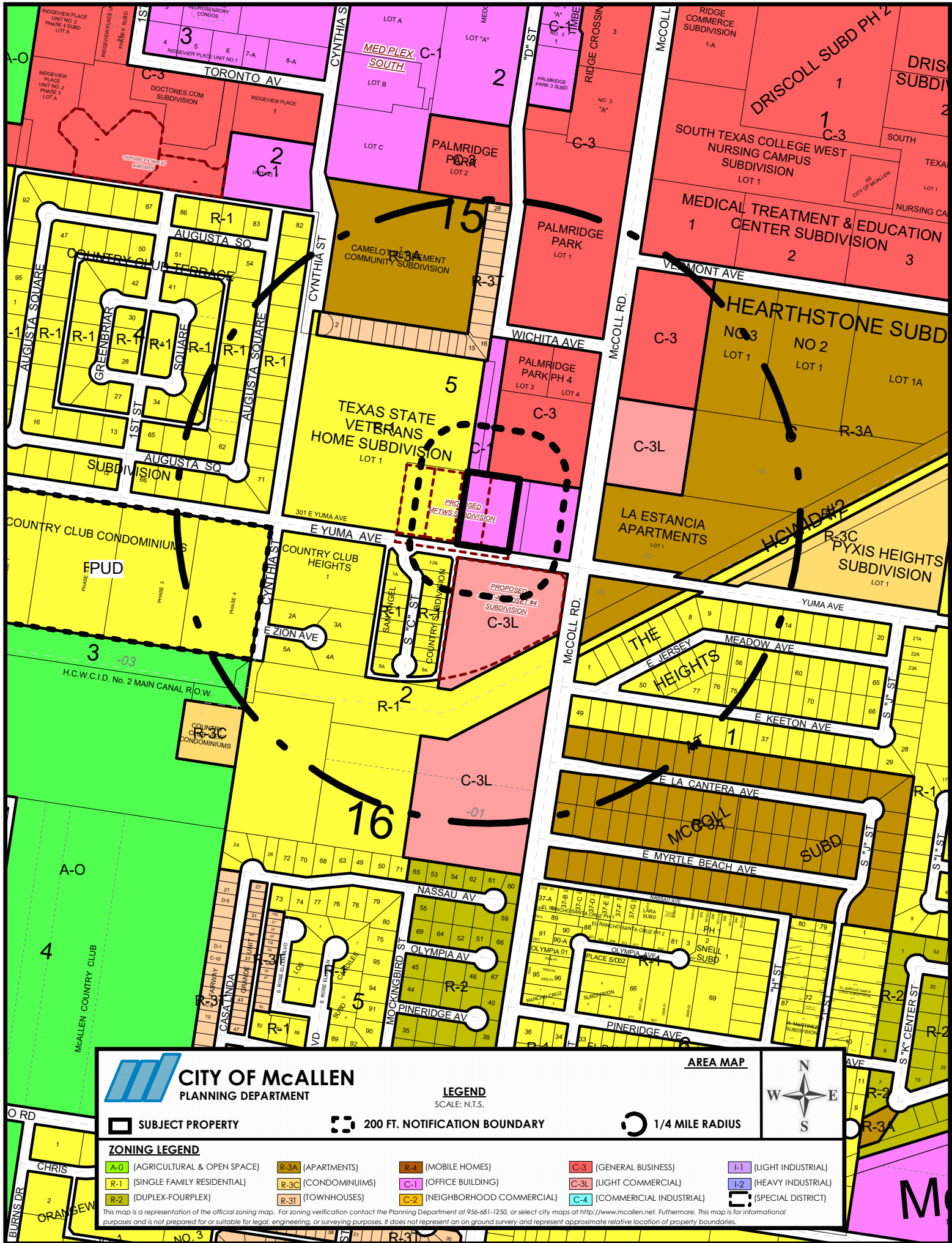
DEVELOPMENT TRENDS: The development trend for this area along Yuma Avenue is residential with light commercial. The subject property was zoned R-1 (single-family residential) District upon annexation into the city on November 1995. A rezoning request to C-1 (office building) District for the subject property was approved by the City Commission on June 11, 2001 but was never developed for commercial use.

ANALYSIS: The requested zoning does not conform to the Suburban Commercial land use designation as indicated on the Foresight McAllen Comprehensive Plan; however, the request constitutes a downzoning that is consistent with the surrounding single-family residential zoning and land use to the west.

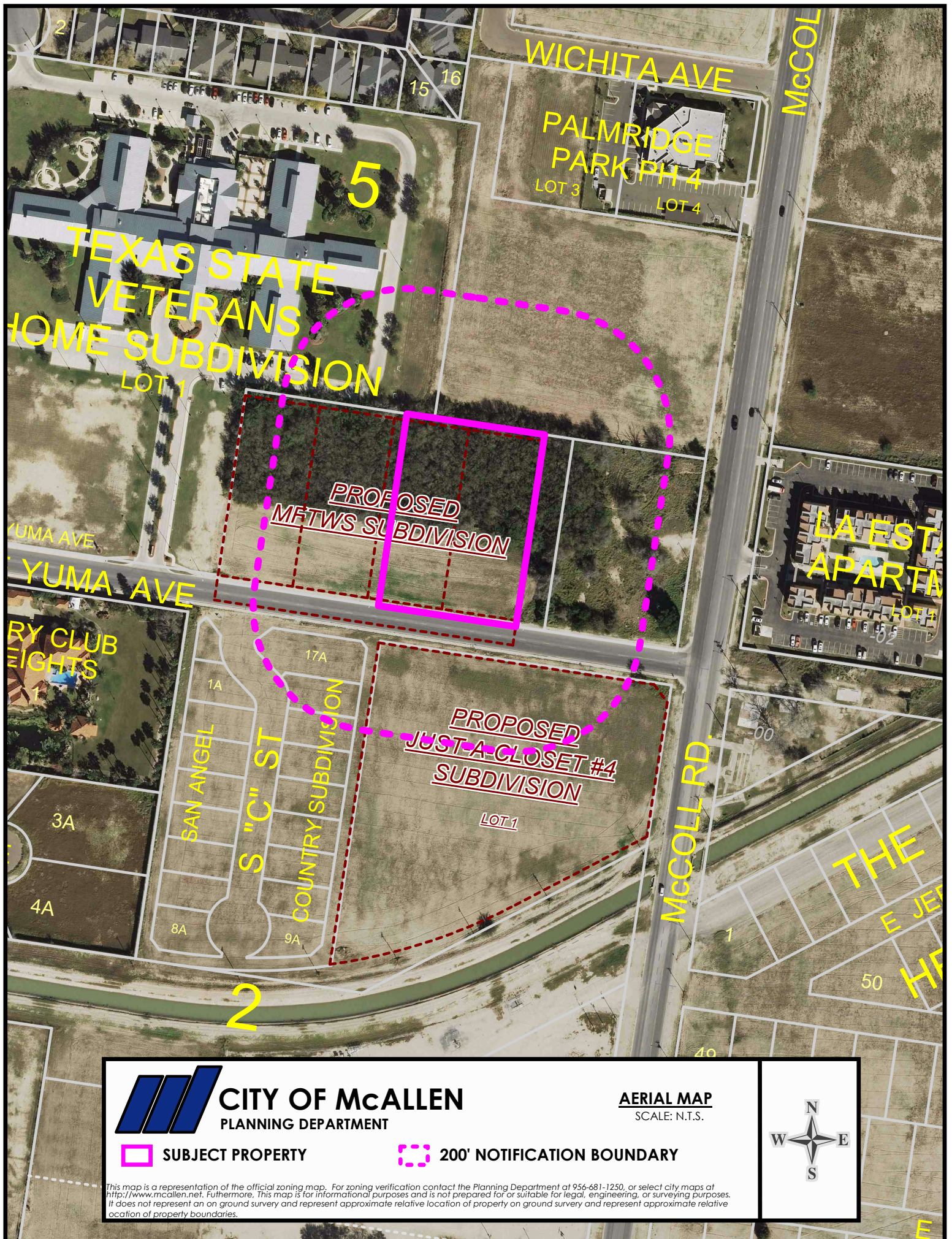
The proposed zoning is part of a larger tract of which a portion to the west is already zoning R-1 (single-family residential) District and together will comprise a single family development. The proposed rezoning to R-1 (single-family residential) District will revert the zoning to its initial zoning when the tract was annexed into the city in 1995.

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

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







**CITY OF McALLEN**  
PLANNING DEPARTMENT

**AERIAL MAP**  
SCALE: N.T.S.



**SUBJECT PROPERTY**

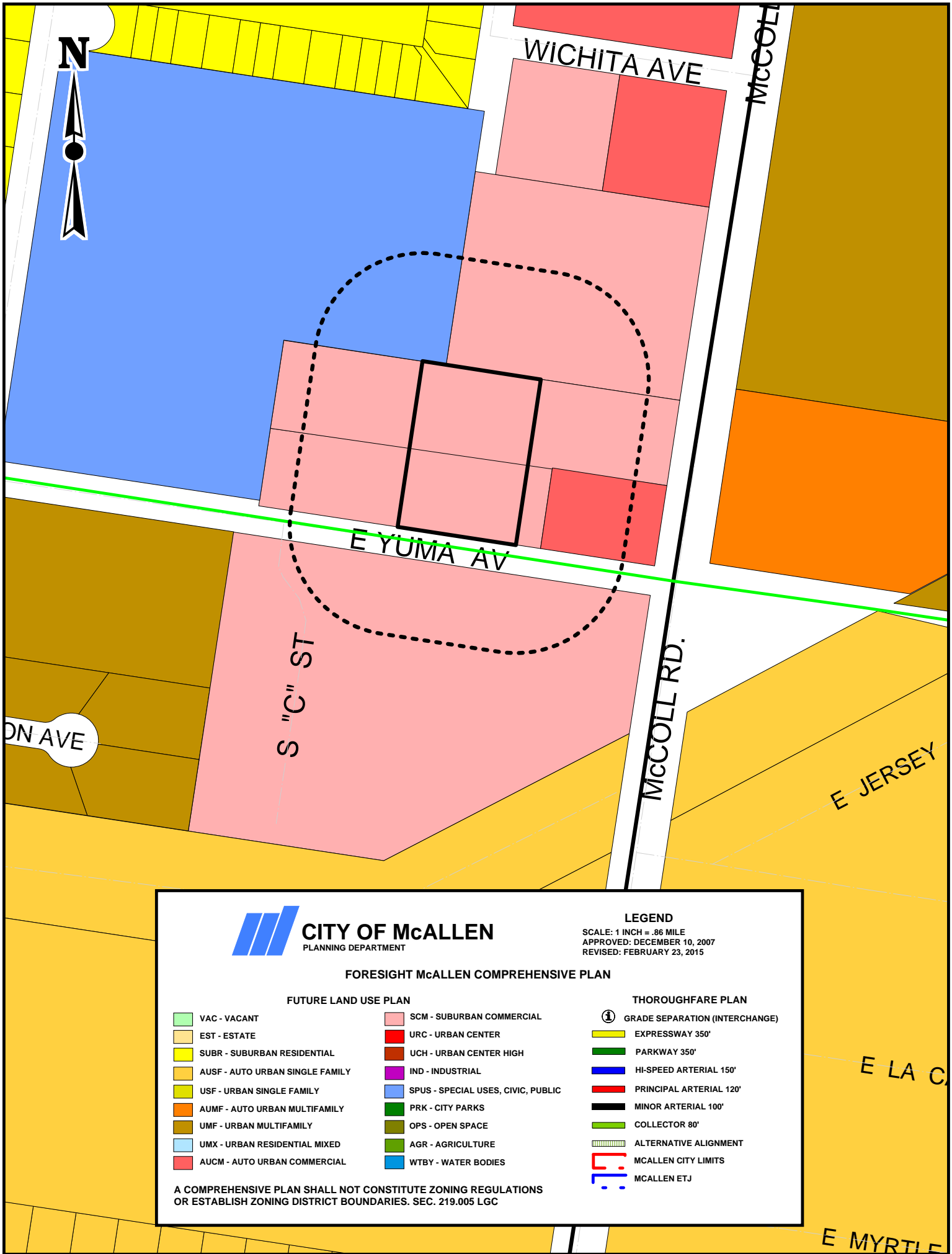


**200' NOTIFICATION BOUNDARY**



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





# CITY OF McALLEN

PLANNING DEPARTMENT

## LEGEND

SCALE: 1 INCH = .86 MILE  
APPROVED: DECEMBER 10, 2007  
REVISED: FEBRUARY 23, 2015

### FORESIGHT McALLEN COMPREHENSIVE PLAN

#### FUTURE LAND USE PLAN

VAC - VACANT	SCM - SUBURBAN COMMERCIAL
EST - ESTATE	URC - URBAN CENTER
SUBR - SUBURBAN RESIDENTIAL	UCH - URBAN CENTER HIGH
AUSF - AUTO URBAN SINGLE FAMILY	IND - INDUSTRIAL
USF - URBAN SINGLE FAMILY	SPUS - SPECIAL USES, CIVIC, PUBLIC
AUMF - AUTO URBAN MULTIFAMILY	PRK - CITY PARKS
UMF - URBAN MULTIFAMILY	OPS - OPEN SPACE
UMX - URBAN RESIDENTIAL MIXED	AGR - AGRICULTURE
AUCM - AUTO URBAN COMMERCIAL	WTBY - WATER BODIES

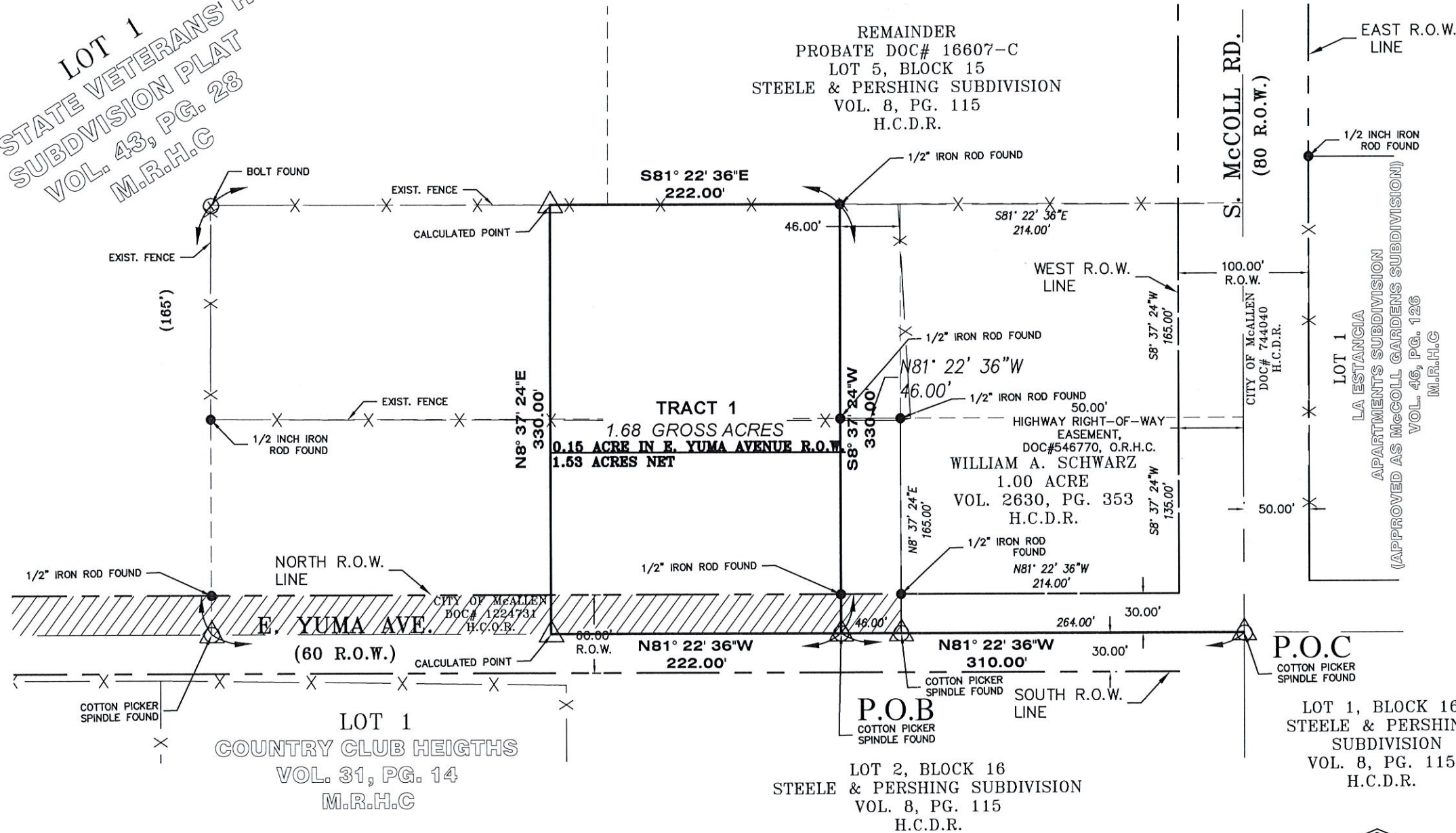
#### THOROUGHFARE PLAN

① GRADE SEPARATION (INTERCHANGE)
EXPRESSWAY 350'
PARKWAY 350'
HI-SPEED ARTERIAL 150'
PRINCIPAL ARTERIAL 120'
MINOR ARTERIAL 100'
COLLECTOR 80'
ALTERNATIVE ALIGNMENT
MCALLEN CITY LIMITS
MCALLEN ETJ

A COMPREHENSIVE PLAN SHALL NOT CONSTITUTE ZONING REGULATIONS  
OR ESTABLISH ZONING DISTRICT BOUNDARIES. SEC. 219.005 LGC

EXHIBIT B  
BOUNDARY SURVEY  
TRACT 1 - 1.68 ACRES  
OUT OF LOT 5, BLOCK 15,  
STEELE & PERSHING SUBDIVISION  
VOLUME 8, PAGE 115,  
HIDALGO COUNTY, TEXAS  
TO ACCOMPANY FIELD NOTES

LOT 1  
TEXAS STATE VETERANS' HOME  
SUBDIVISION PLAT  
VOL. 43, PG. 28  
M.R.H.C



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

LEGEND	
○	CAPPED 1/2" IRON ROD SET
●	PK NAIL FOUND
⊗	BOLT FOUND
●	1/2" IRON ROD FOUND
△	COTTON-PICKER-SPINDLE FOUND
(XXXX)	DEED CALL VOL. 2220, PG. 221 O.R.H.C.
XXXX	MEASURED
---	EXISTING FENCE
⊙	1/2" PIPE FOUND
⊕	5/8-INCH IRON ROD FOUND

SURVEYOR'S NOTES:

- 1) SURVEY DONE WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
- 2) NO ADDITIONAL RESEARCH WAS PERFORMED BY RIO DELTA ENGINEERING FOR ANY ADDITIONAL EASEMENT(S) OR BUILDINGS LINES WHICH MAY OR MAY NOT AFFECT THE SUBJECT TRACT.
- 3) THE PROPERTY SHOWN IS PARTIALLY IN ZONE "B" AND ZONE "C", IN HIDALGO COUNTY, AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY AND IDENTIFIED ON FIRM MAP NO. 480334 0425 C, DATED NOVEMBER 16, 1982.

I, IVAN GARCIA, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY STATE, THAT THIS SURVEY WAS MADE ON THE GROUND OF THE PROPERTY SHOWN HEREON DURING NOVEMBER 2020, UNDER MY DIRECTION AND SUPERVISION; THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE; THAT THE PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH "MINIMUM STANDARD DETAIL REQUIREMENTS FOR LAND TITLE SURVEYS".



*[Signature]*

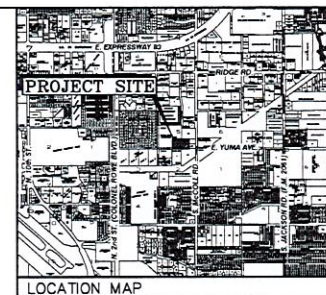
11/10/2020

IVAN GARCIA  
REG. PROFESSIONAL LAND  
SURVEYOR NO. 6496

DATE  
**RECEIVED**  
NOV 10 2020  
BY: *CW*



BEING A 3.65 ACRES TRACT OF LAND OUT OF AND FORMING PART OR PORTION OF LOT FIFTEEN (15), BLOCK (15), STEELE & PERSHING SUBDIVISION, RECORDED IN VOLUME 8, PAGE 115, MAP RECORDS OF HIDALGO COUNTY, TEXAS.



RIO DELTA ENGINEERING

FIRM REGISTRATION No. F-7628  
SURVEY FIRM No. 10194027  
3221 S. 10TH AVENUE EDINBURG, TEXAS 78539  
(TEL) 956-380-5152 (FAX) 956-380-5083

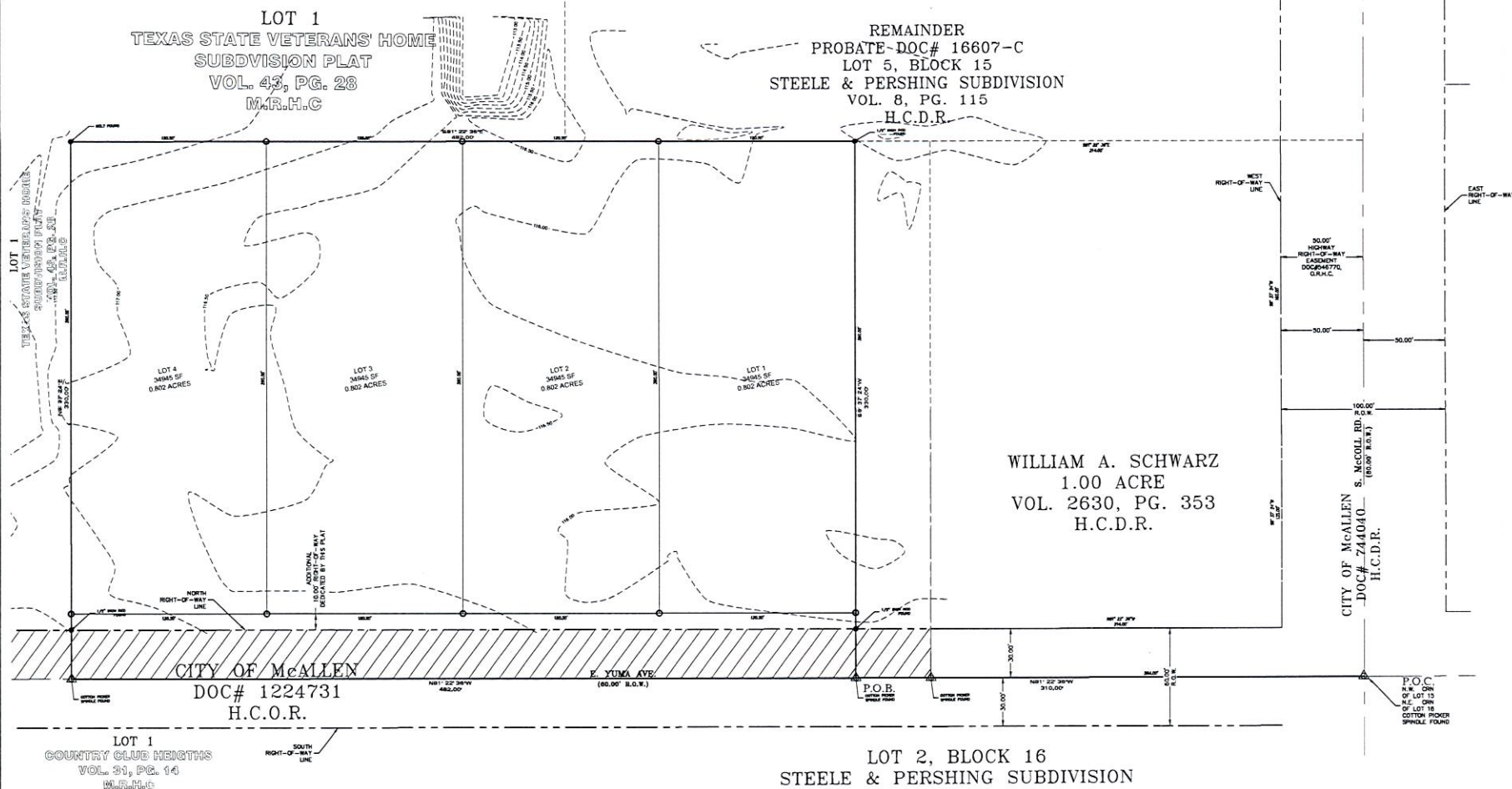


ISSUED FOR:  
**PRELIMINARY**

**REDUCED PLAT**  
MFTWS LLC SUBDIVISION  
MCALLEN, TEXAS  
HIDALGO COUNTY

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:	DANIEL RODRIGUEZ
SCALE:	N.T.S.
DATE:	NOVEMBER 5, 2020
PROJECT:	SUB 20 005
REVISIONS:	

1-OF-1



## PRINCIPAL CONTACTS:

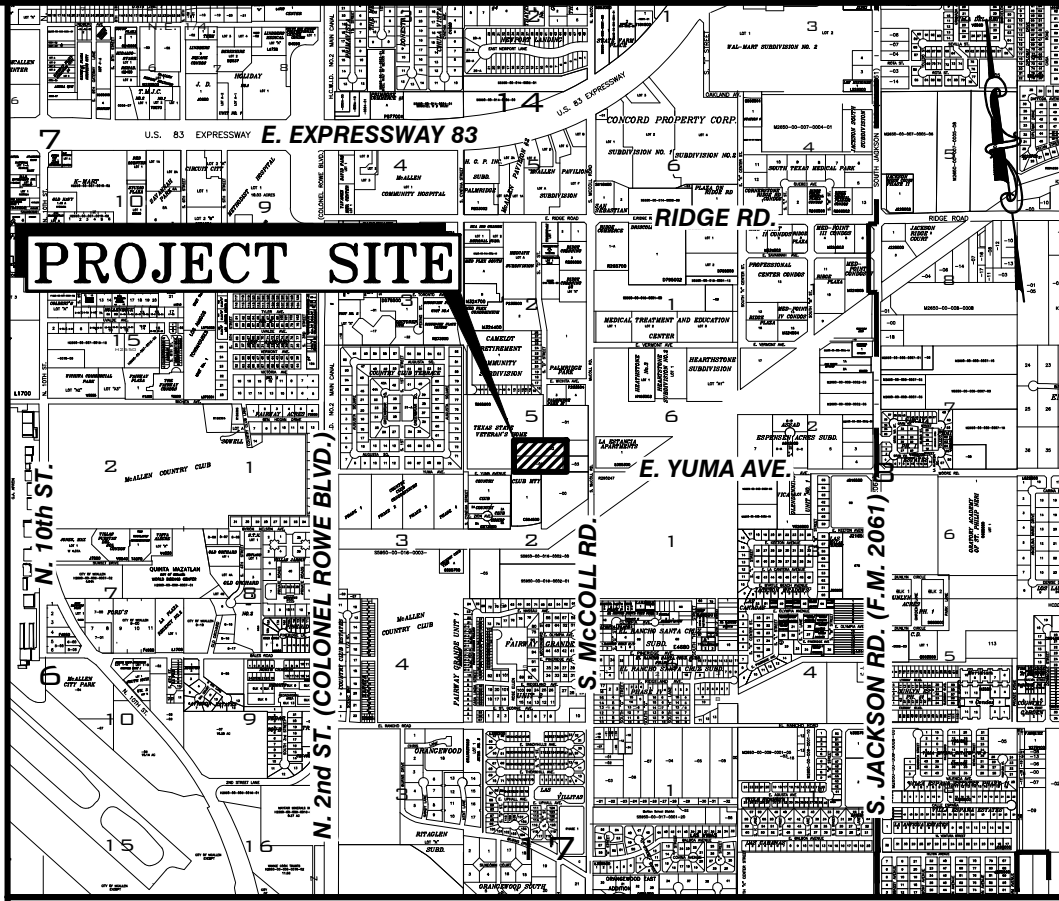
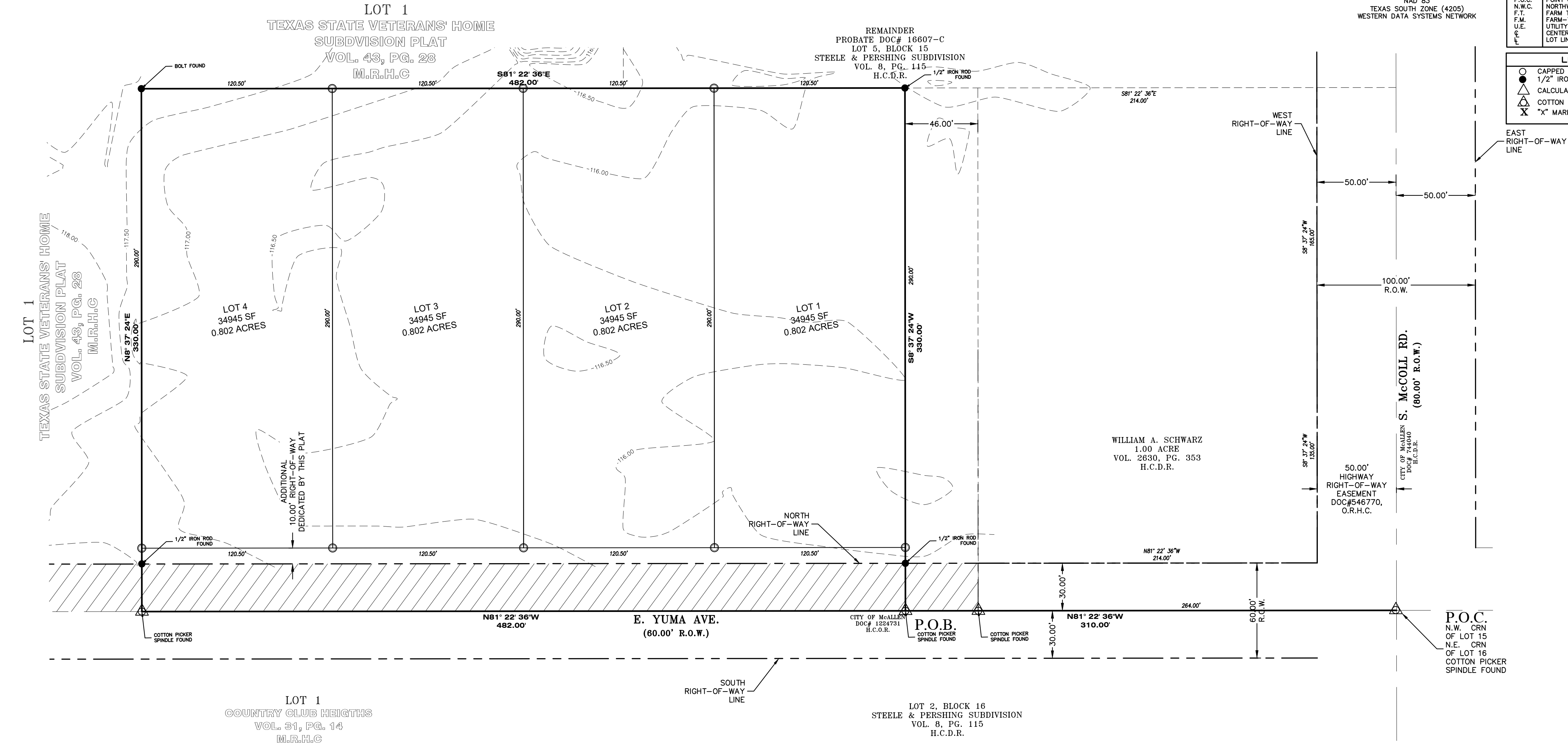
PRINCIPAL CONTACTS			
NAME	ADDRESS		PHONE & FAX
OWNER(S): MIFTH, LLC	5711 N. 10TH STREET	MCALLEN, TX. 78504	(956) 682-4128
SURVEYOR: IVAN GARCIA	921 S. 10TH AVENUE	EDINBURG, TX. 78539	(956) 380-5152 (956) 380-5083
ENGINEER: IVAN GARCIA	921 S. 10TH AVENUE	EDINBURG, TX. 78539	(956) 380-5152 (956) 380-5083

RECEIVED  
NOV 10 2020  
BY: CW 436



# MFTWS LLC SUBDIVISION

BEING A 3.65 ACRES TRACT OF LAND OUT OF AND FORMING PART OR PORTION OF LOT FIFTEEN (5), BLOCK (15), STEELE & PERSHING SUBDIVISION, RECORDED IN VOLUME 8, PAGE 115, MAP RECORDS OF HIDALGO COUNTY, TEXAS.



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.M.	FARM TRACT
F.M.	FARM-TO-MARKET
U.E.	UTILITY EASEMENT
C.L.	CENTER LINE
L.O.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

## METES AND BOUNDS DESCRIPTION:

BEING A 3.65 ACRE TRACT OF LAND, OUT OF AND FORMING A PART OR PORTION OF LOT FIVE (5), BLOCK FIFTEEN (15), STEELE & PERSHING SUBDIVISION OF THE EAST HALF (1/2) OF PORCION 66 AND ALL OF PORCION 67, HIDALGO COUNTY, TEXAS, AS PER MAP RECORDED IN VOLUME 8, PAGE 115, MAP RECORDS OF HIDALGO COUNTY, TEXAS, AND SAID 3.65 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 5, BLOCK 15, STEELE & PERSHING SUBDIVISION, SAME BEING A POINT ON THE CENTERLINE OF MCCOLL ROAD, AND SAME POINT BEING THE SOUTHEAST CORNER OF A CALLED ONE (1) ACRE TRACT DESCRIBED IN A WARRANTY DEED WITH VENDOR'S LIEN CONVEYED TO WILLIAM A. SCHWARZ AS TRUSTEE, RECORDED IN VOLUME 2630, PAGE 353, DEED RECORDS OF HIDALGO COUNTY, TEXAS,

THENCE N 81°22'36" W ALONG THE SOUTH LINE OF THE SAID LOT 5, BLOCK 15, STEELE & PERSHING SUBDIVISION, SAME BEING ALONG THE SOUTH BOUNDARY LINE OF THE SAID ONE (1) ACRE SCHWARZ TRACT, PASSING AT 264.00 FEET A COTTON-PICKER-SPINDLE FOUND, THE SOUTHWEST CORNER OF THE SAID ONE (1) ACRE SCHWARZ TRACT, AND CONTINUING FOR A TOTAL DISTANCE OF 310.00 FEET TO A COTTON-PICKER-SPINDLE-FOUND, SAME BEING A POINT WITHIN THE RIGHT-OF-WAY OF E. YUMA AVENUE, FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT AND THE POINT OF BEGINNING;

THENCE N 81°22'36" W ALONG THE SOUTH LINE OF THE SAID LOT 5, BLOCK 15, STEELE & PERSHING SUBDIVISION, A DISTANCE OF 482.00 FEET TO A COTTON-PICKER-SPINDLE FOUND, SAME BEING A POINT WITHIN THE RIGHT-OF-WAY OF E. YUMA AVENUE, FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 83°37'24" E PARALLEL WITH THE EAST LINE OF THE SAID LOT 5, BLOCK 15, STEELE & PERSHING SUBDIVISION, PASSING AT 30.00 FEET A 1/2-INCH IRON ROD FOUND ON THE NORTH RIGHT-OF-WAY LINE OF E. YUMA AVENUE, SAME POINT BEING THE SOUTHEAST CORNER OF A CALLED TEXAS ESTATE VETERANS' HOME SUBDIVISION PLAT, RECORDED IN INSTRUMENT #1229486, MAP RECORDS OF HIDALGO COUNTY, TEXAS, AND CONTINUING FOR A TOTAL DISTANCE OF 330.00 FEET TO A 1/2-INCH IRON ROD FOUND, THE NORTHWEST CORNER OF A CALLED THREE (3) ACRES TRACT DESCRIBED IN A WARRANTY DEED CONVEYED TO WILLIAM A. SCHWARZ AS TRUSTEE, RECORDED IN VOLUME 2220, PAGE 221, DEED RECORDS OF HIDALGO COUNTY, TEXAS, FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 81°22'36" E PARALLEL WITH THE SOUTH LINE OF THE SAID LOT 5, BLOCK 15, STEELE & PERSHING SUBDIVISION, SAME BEING ALONG THE NORTH BOUNDARY LINE OF THE SAID THREE (3) ACRES SCHWARZ TRACT, A DISTANCE OF 482.00 FEET TO A 1/2-INCH IRON ROD FOUND, FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 83°37'24" W PARALLEL WITH THE EAST LINE OF THE SAID LOT 5, BLOCK 15, STEELE & PERSHING SUBDIVISION, PASSING AT 300.00 FEET A 1/2-INCH IRON ROD FOUND ON THE NORTH RIGHT-OF-WAY LINE OF E. YUMA AVENUE, AND CONTINUING FOR A TOTAL DISTANCE OF 330.00 FEET TO THE POINT AND PLACE OF BEGINNING, SAID TRACT CONTAINING 3.65 ACRES OF LAND, MORE OR LESS, OUT OF WHICH 0.33 ACRES LIES WITHIN THE RIGHT-OF-WAY OF E. YUMA AVENUE.

## GENERAL PLAT NOTES:

- THE BUILDABLE AREAS OF EACH LOT LIE IN ZONE "C" WHEN PERTAINING TO FLOOD INSURANCE RATE MAP COMMUNITY PANEL 480334 0425 C MAP REVISED NOVEMBER 16, 1982.
- ZONE "C" - AREAS OF MINIMAL FLOODING.

MINIMUM FINISH FLOOR NOTE:  
MINIMUM FINISH FLOOR ELEVATION SHALL BE 107.50 (NAGD 1929) OR 107.15 (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.
- MINIMUM BUILDING SETBACKS SHALL COMPLY WITH THE CITY OF MCALLEN ZONING CODE:

FRONT: 25 FT. OR GREATER FOR EASEMENTS.

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 ~~10,000~~ OF OR ~~1,000~~ ACRE FEET IS REQUIRED FOR THIS SUBDIVISION. CURRENT RUNOFF WILL BE DETAILED IN COMMON LOT "A" AND COMMON LOT "B". COMMON LOT "A" AND COMMON LOT "B" 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 15'X15' CORNER CLIP EASEMENT AT STREET INTERSECTIONS MEASURED FROM STREET CURB INTERSECTION.

- CITY OF MCALLEN BENCHMARK (MC89) SET BY ARANDA & ASSOC. LOCATED AT THE SOUTH BOUND OF EL RANCHO ST. CLOSE TO S. CASA LINDA ST. NORTHING= XXXXXXXX.XX EASTING= XXXXXXXX.XX ELEV= 112.96 NAVD 88

- 8 FT. OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, OR INDUSTRIAL ZONES/USES AND ALONG NORTHGATE LANE.

- 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.

- NO CURB OUT, ACCESS, OR LOT FRONTAGE PERMITTED ALONG YUMA AVENUE.

- AS PER DECLARATIONS OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR SORRENTO TRAIL ON NORTHGATE LANE, RECORDED AS DOCUMENT NUMBER \_\_\_\_\_ HIDALGO COUNTY, DEED RECORDS, DEVELOPER/HOMEOWNER'S 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 ERECTED IN COMMON LOT A AND COMMON LOT B, WHICH SHALL BE USED EXCLUSIVELY AS DETENTION AREAS. AFTER COMMON LOT A'S AND COMMON LOT B'S TRANSFER OF TITLE TO THE SORRENTO TRAIL ON NORTHGATE LANE, HOMEOWNER'S ASSOCIATION THE SUBDIVISION LOT OWNER'S PRO RATA SHARES OF THE COST OF MAINTENANCE SHALL BE DETERMINED BY THE SORRENTO TRAIL ON NORTHGATE LANE 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 134-16(B)(1), AS THE SAME MAY BE AMENDED. THE SPECIFIC AND EXCLUSIVE USE OF COMMON LOT A AND COMMON LOT B, 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 MFTWS LLC 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.

KATHERINE ZEIGLER (MANAGER) \_\_\_\_\_ DATE \_\_\_\_\_  
MFTWS, LLC (OWNER)  
5711 N. 10TH STREET  
MCALLEN, TX. 78504

STATE OF TEXAS  
COUNTY OF HIDALGO  
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED KATHERINE ZEIGLER, 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 \_\_\_\_\_, 2020.

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. 49.21(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.

\_\_\_\_\_  
CITY MAYOR

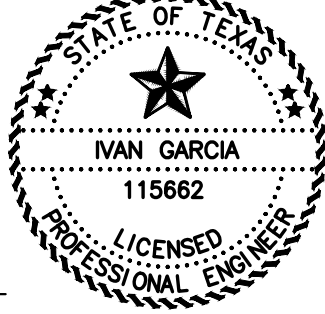
## STATE OF TEXAS COUNTY OF HIDALGO PLANNING AND ZONING COMMISSION CHAIR CERTIFICATE

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

## 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.  
REG. PROFESSIONAL LAND SURVEYOR No. 6496  
SURVEY FIRM No. 10194027

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

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

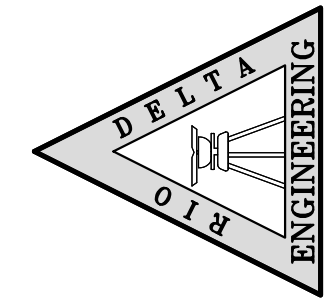
PRINCIPAL CONTACTS:					
NAME		ADDRESS		PHONE & FAX	
OWNER(S): MFTWS, LLC		5711 N. 10TH STREET		MCALLEN, TX. 78504 (956) 682-4128	
SURVEYOR: IVAN GARCIA		P.E., R.P.L.S. 921 S. 10TH AVENUE		EDINBURG, TX. 78539 (956) 380-5152 (956) 380-5083	
ENGINEER: IVAN GARCIA		P.E., R.P.L.S. 921 S. 10TH AVENUE		EDINBURG, TX. 78539 (956) 380-5152 (956) 380-5083	



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

## 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



## PRELIMINARY

## PLAT SHEET MFTWS LLC SUBDIVISION MCALLEN, TEXAS HIDALGO COUNTY

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: DANIEL RODRIGUEZ

SCALE: 1"=40'

DATE: NOVEMBER 5, 2020

PROJECT: SUB 20 005

REVISIONS:

PAGE NO. 1-OF-1





## Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

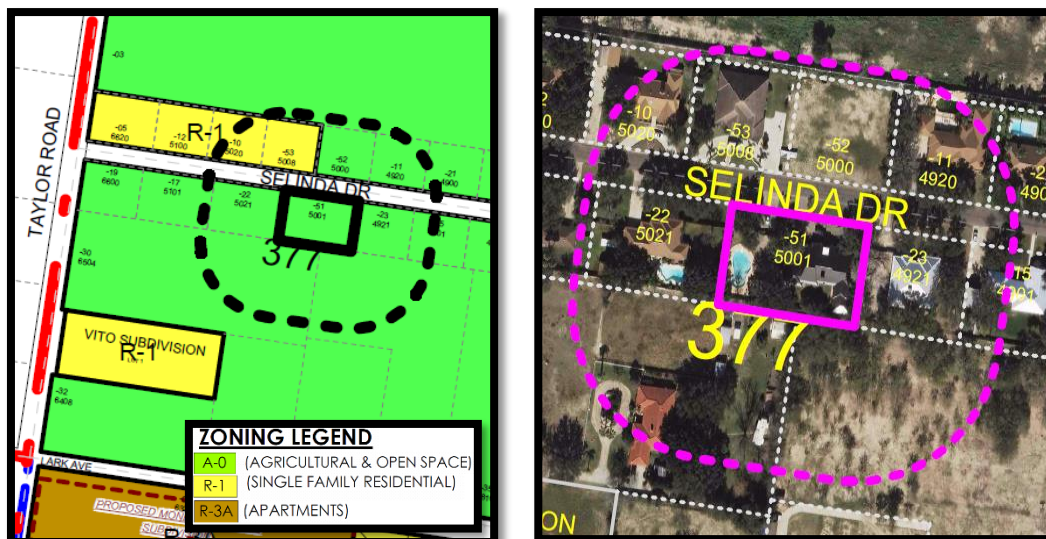
**DATE:** December 11, 2020

**SUBJECT:** REZONE FROM A-O (AGRICULTURAL & OPEN SPACE) DISTRICT TO R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT: 0.68 ACRES OUT OF LOT 377, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS; 5001 SELINDA DRIVE. (REZ2020-0044)

**LOCATION:** The property is located along the south side of Selinda Drive, approximately 520 ft. east of North Taylor Road. The tract has 190 ft. of frontage along Selinda Drive and a depth of 155 ft. for a tract size of 0.68 acres.

**PROPOSAL:** The applicant is requesting to rezone the subject property to R-1 (single-family residential) District in order to build a covered patio measuring 20 ft. by 20 ft.

**ADJACENT ZONING:** The adjacent zoning is A-O (agricultural-open space) District in all directions. There is also R-1 (single-family residential) District to the north.



### LAND USE:

The subject property contains a single family residence and a swimming pool. Adjacent land uses include single family homes and vacant land.

**COMPREHENSIVE PLAN:** The Foresight McAllen Comprehensive Plan designates the future

land use for this property as Auto Urban Single Family which is comparable to R-1 (single-family residential) District.

DEVELOPMENT TRENDS: The development trend for this area along Selinda Drive is single family residential. The proposed zoning is consistent with residential development trends in the area and would bring the existing use on the subject property into compliance with the zoning ordinance.

HISTORY: The property was initially zoned A-O (agricultural-open space) District upon annexation in 1999. There have been no rezoning requests on the property since that time. A rezoning request to R-1 (single family residential) District was approved by the City Commission for 5020 Selinda Drive on May 5, 2011; and 5100 Selinda Drive on July 22, 2019.

ANALYSIS: Selinda Drive is a private street constructed on a 50 ft. access easement with 24 ft. of pavement width providing 2 travel lanes, curb and gutter and a cul-de-sac with a length of approximately 1,240 feet. During a site visit staff noted no sidewalks or street lights are provided along Selinda Drive. Sharyland Water Supply Corporation provides water services to the property. Selinda Drive was constructed as part of an unrecorded subdivision plat that was developed in McAllen's extraterritorial jurisdiction.

Subdivision requirements generally, are initiated upon the request for a building permit from either the City or County for unplatted properties. A recorded subdivision plat may be required prior to any building permit. A variance to the subdivision process for address 5020 Selinda Drive was approved by City Commission on April 25, 2011; a subdivision variance for 5100 Selinda Drive was approved by City Commission on May 13, 2019. The building permit review process will be required prior to issuance of any building permits for construction.

The requested zoning conforms to the Auto Urban Single Family land use designation as indicated on the Foresight McAllen Comprehensive Plan.

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

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



**CITY OF McALLEN**  
PLANNING DEPARTMENT

**LEGEND**  
SCALE: N.T.S.

**AREA MAP**



**SUBJECT PROPERTY**

**200 FT. NOTIFICATION BOUNDARY**

**1/4 MILE RADIUS**

**ZONING LEGEND**

<b>A-O</b> (AGRICULTURAL & OPEN SPACE)	<b>R-3A</b> (APARTMENTS)	<b>R-4</b> (MOBILE HOMES)	<b>C-3</b> (GENERAL BUSINESS)	<b>I-1</b> (LIGHT INDUSTRIAL)
<b>R-1</b> (SINGLE FAMILY RESIDENTIAL)	<b>R-3C</b> (CONDOMINIUMS)	<b>C-1</b> (OFFICE BUILDING)	<b>C-3L</b> (LIGHT COMMERCIAL)	<b>I-2</b> (HEAVY INDUSTRIAL)
<b>R-2</b> (DUPLEX-FOURPLEX)	<b>R-3T</b> (TOWNHOUSES)	<b>C-2</b> (NEIGHBORHOOD COMMERCIAL)	<b>C-4</b> (COMMERCIAL INDUSTRIAL)	<b>S</b> (SPECIAL DISTRICT)

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



# PROPOSED LOURDES SUBDIVISION

SELINDA DR

377

VITO SUBDIVISION

LOT 1

CHURCH OF GOD

SF/OR  
104

PROPOSED MONETTE ESTATES  
SUBDIVISION



**CITY OF McALLEN**  
PLANNING DEPARTMENT

**AERIAL MAP**  
SCALE: N.T.S.



SUBJECT PROPERTY

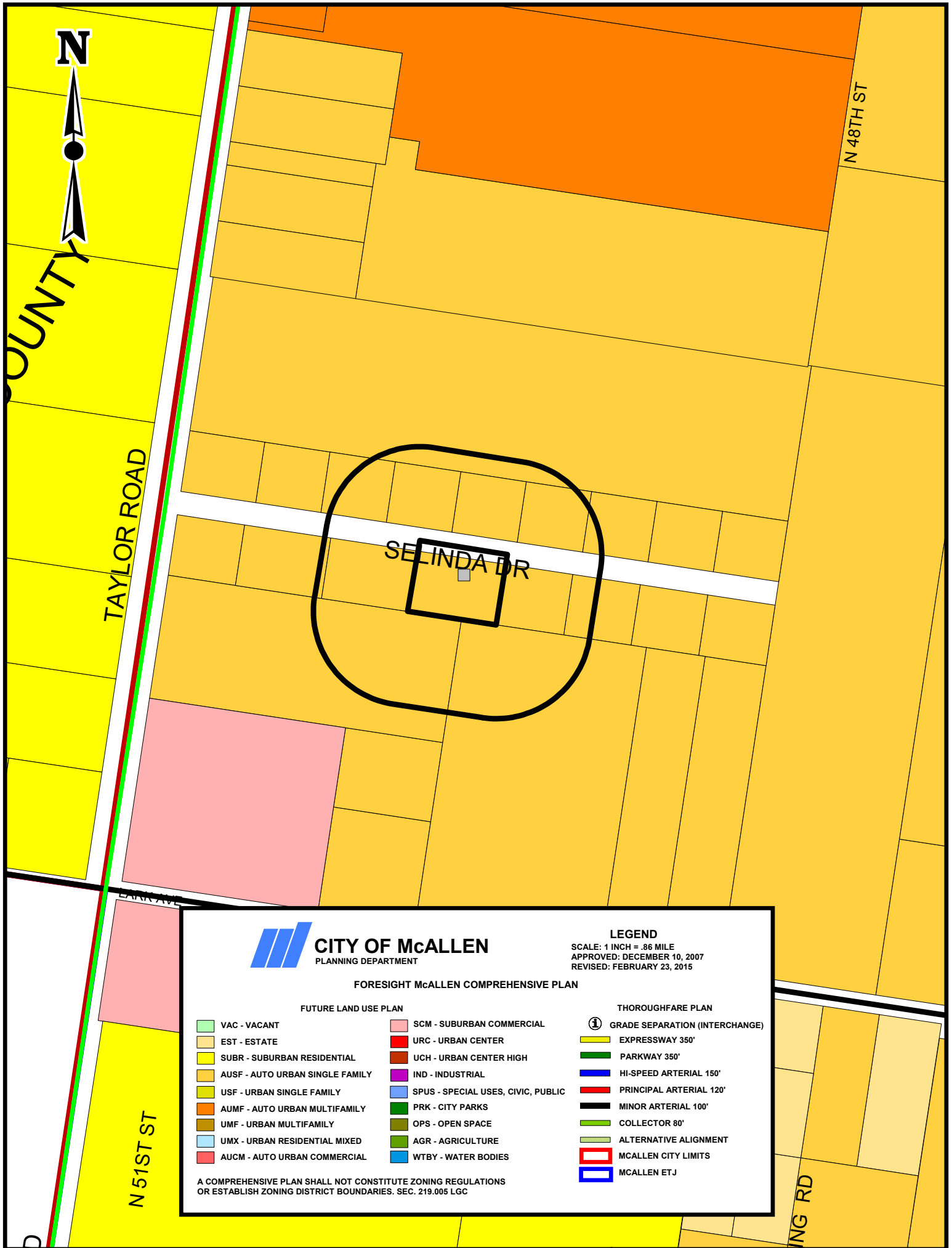


200' NOTIFICATION BOUNDARY



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







XO:msm  
95-371 III #9

# WARRANTY DEED WITH VENDOR'S LIEN

Date: November 21, 1995

490586

Grantor: BENITO GALINDO and wife, IRENE GALINDO

Grantor's Mailing Address (including county):

Grantee: JAIME J. RAMON and wife, SOPHIA A. RAMON

Grantee's Mailing Address (including county): R.R. 2, Box 168-G  
McAllen, Hidalgo County, Texas 78504

Consideration: TEN AND NO/100THS DOLLARS (\$10.00) and other good and valuable consideration; and a note of even date that is in the principal amount of NINETY THOUSAND TWO HUNDRED FIFTY AND NO/100THS DOLLARS (\$90,250.00) and is executed by Grantee, payable to the order of COUNTRYWIDE FUNDING CORPORATION. It is secured by a vendor's lien retained in this deed and by a deed of trust of even dated from Grantee to SUSAN Z. DUNN, Trustee.

## Property (including any improvements):

0.676 acres of land out of the South One-Half (S 1/2) of the South 9.39 acres of the North 19.39 acres of Lot 377, JOHN H. SHARY SUBDIVISION of Porciones 58, 59 and 60, Hidalgo County, Texas and which 0.676 acres being more particularly described as follows:

COMMENCING at a point in the West line of Lot 377, North 8 degrees, 41 minutes East, 660.0 feet from the Southwest corner of said Lot for the Southwest corner of the South 1/2 of the South 9.39 acres of the north 19.39 acres of said Lot;

THENCE, with the South line of said South 1/2 of the South 9.39 acres, South 01 degrees, 19 minutes East, 550.0 feet to a point for the place of beginning and Southwest corner of these 0.676 acres;

THENCE, North 8 degrees, 41 minutes East 155.0 feet to a point for the Northwest corner of these 0.676 acres;

THENCE, South 81 degrees, 19 minutes East, 190 feet to a point for the Northeast corner of these 0.676 acres;

THENCE, South 8 degrees, 41 minutes West, 155.0 feet to a point in the South line of said 1/2 of the South 9.39 acres of the Southwest corner of these 0.676 acres;

THENCE, with the South line of said South 1/2 of the South 9.39 acres, North 81 degrees, 19 minutes West, 190.0 feet to the PLACE OF BEGINNING.

Together with and subject to an easement for Public Roadway, inuring to specifically and generally, the South 1/2 of the South 9.39 acres of the North 19.39 acres of Lot 377, JOHN H. SHARY SUBDIVISION, Hidalgo County, Texas which easement shall run with the land and which easement is limited to the following:

The North 25.0 feet for the West 27.0 feet of the aforementioned South 1/2 of the South 9.39 acres.

And further subject to an easement for telephone and electric lines over and across the South 10.0 feet of the above described 0.676 acres.

## Reservations from and Exceptions to Conveyance and Warranty:

1. Easements and reservations as shown according to the map and plat thereof recorded in Volume 1, Page 42, Map Records, Hidalgo County, Texas.

2. Zoning and Building Ordinances in favor of Hidalgo County, Texas.

3. Statutory rights, rules, regulations, easements and liens in favor of United Irrigation District.

4. Easement Twenty-five (25) feet for roadway and utilities over subject tract as reflected in instrument from Tomas Ortega to Public, recorded in Volume 1997, Page 80, Official Records, Hidalgo County, Texas.

5. SAVE AND EXCEPT all oil, gas and other minerals except there is conveyed to Grantee herein 1/8th of the usual customary landowner's non-participating royalty interest as set forth in Deeds recorded in Volume 78, Page 78 and Volume 119, Page 726, Deed Records, Hidalgo County, Texas.

6. Estate created in Oil and Gas Lease to Charles A. Brandt, dated October 28, 1977, recorded in Volume 375, Page 36, Oil and Gas Lease Records, Hidalgo County, Texas, together with all terms, conditions and stipulations contained therein.

7. Visible and apparent easements on or across subject property.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor hereby binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to warranty.

The vendor's lien against and superior title to the property are retained until each note described is fully paid according to its terms, at which time this deed shall become absolute.

When the context requires, singular nouns and pronouns include the plural.

RECEIVED  
NOV 09 2020

BY: [Signature]

COUNTRYWIDE FUNDING CORPORATION at Grantee's request, has paid in cash to Grantor that portion of the purchase price of the property that is evidenced by the note described. The vendor's lien and superior title to the property are retained for the benefit of COUNTRYWIDE FUNDING CORPORATION and are transferred to that party without recourse on Grantor.

Benito Galindo  
BENITO GALINDO

Irene Galindo  
IRENE GALINDO

(Acknowledgments)

STATE OF TEXAS

COUNTY OF HIDALGO

This instrument was acknowledged before me on the 22nd day of November, 1995, by BENITO GALINDO and wife, IRENE GALINDO.



Julia R. Felan  
Notary Public, State of Texas

AFTER RECORDING RETURN TO :

JAIME J. & SOPHIA A. RAMON

H.C.A.F.C.

G.F. #95-1354

PREPARED IN THE LAW OFFICE OF:  
XAVIER ORNELAS  
PRESTIA & ORNELAS  
P.O. Box 876  
Edinburg, Texas 78540

RECEIVED  
NOV 09 2020

BY: JCF

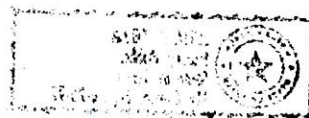
Filed for Record in:  
Hidalgo County, Texas  
by Jose Eloy Pulido  
County Clerk

On: Dec 07, 1995 at 02:44P

As a  
Recording

Document Number: 490586  
Total Fees : 11.00

Receipt Number - 10238  
By:  
Estella Guzman



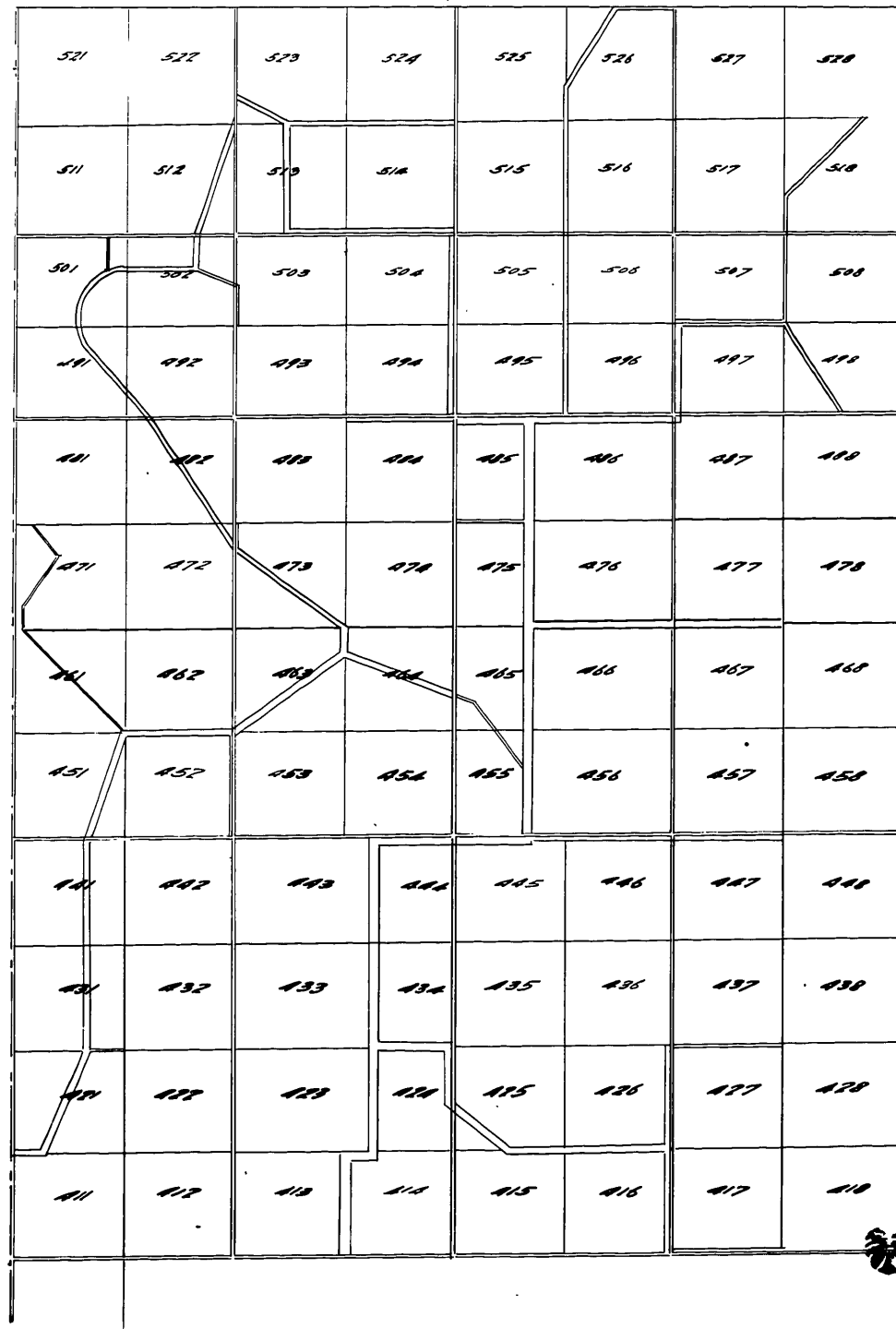
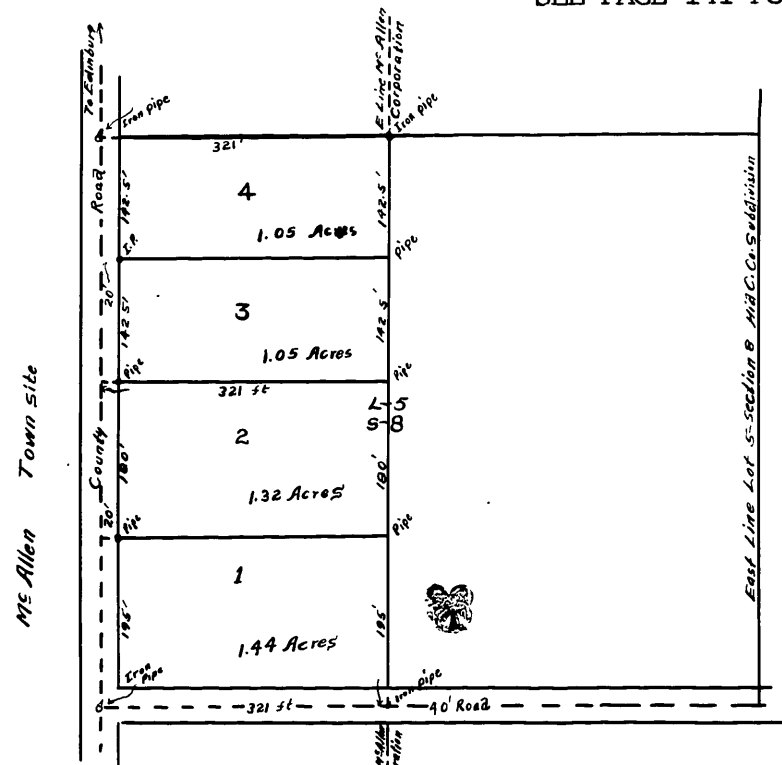
RECEIVED  
NOV 09 2020  
BY: *AG*

# VOLUME 1 PAGE 42

## AMENDED MAP OF JOHN H. SHARY SUBDIVISION

OF PORCIONS 58, 59 & 60,  
HIDALGO COUNTY TEXAS  
SCALE 1"=1000'

SEE PAGE 141 FOR BETTER DIMENSIONS







# Planning Department

## Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

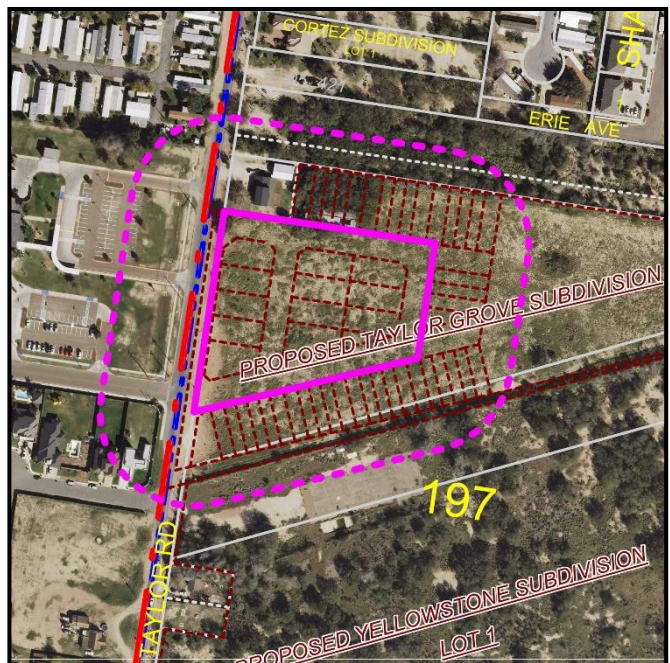
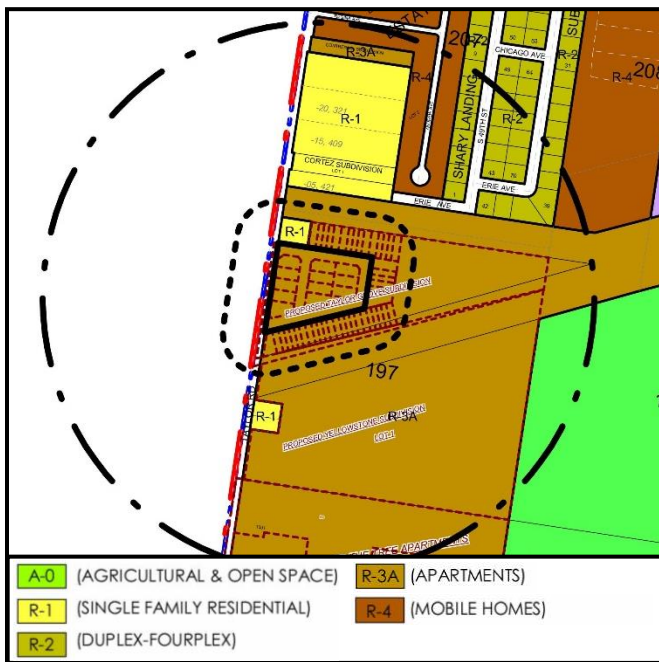
**DATE:** December 9, 2020

**SUBJECT: REZONE FROM R-3A (MULTIFAMILY RESIDENTIAL APARTMENT) DISTRICT TO R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT: 3.87 ACRES OUT OF LOT 197, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS; 701 SOUTH TAYLOR ROAD. (REZ2020-0042)**

**LOCATION:** The property is located on the east side of South Taylor Road, approximately 1,850 ft. south of U.S. Business 83. The irregularly shaped tract has 445.91 ft. of frontage along South Taylor Road with a depth of 310 ft. and comprises 3.87 acres.

**PROPOSAL:** The applicant is requesting to rezone the property to R-1 (single-family residential) District in order to construct single-family residences. A subdivision plat for the subject property under the name of Taylor Grove Subdivision was approved in preliminary form on December 3, 2020, by the Planning and Zoning Commission.

**ADJACENT ZONING:** The adjacent zoning is R-3A (multifamily residential apartment) District to the east and south and R-1 (single-family residential) and R-3A (multifamily residential apartment) Districts to the north. The properties to the west of South Taylor Road are outside the City limits.



LAND USE: The property is currently vacant. Surrounding land uses are single-family and fourplex residences, El Valle de la Luna affordable homes, Romulo D. Martinez Elementary School, and vacant land.

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

DEVELOPMENT TRENDS: The development trend for this area along South Taylor Road is single and multifamily residential.

HISTORY: The tract was annexed into the city and initially zoned A-O (agricultural and open space) District in 1999. The City Commission approved an application initiated by the City to rezone the property to R-3A (multifamily residential apartment) District on April 13, 2015.

ANALYSIS: The requested zoning constitutes a downzoning which conforms to the Auto Urban Single Family land use designation as indicated on the Foresight McAllen Comprehensive Plan as well.

The maximum density in R-1 (single-family residential) District is 8 dwelling units per acre. Therefore, the maximum number of units for the subject property is approximately 30 single-family houses.

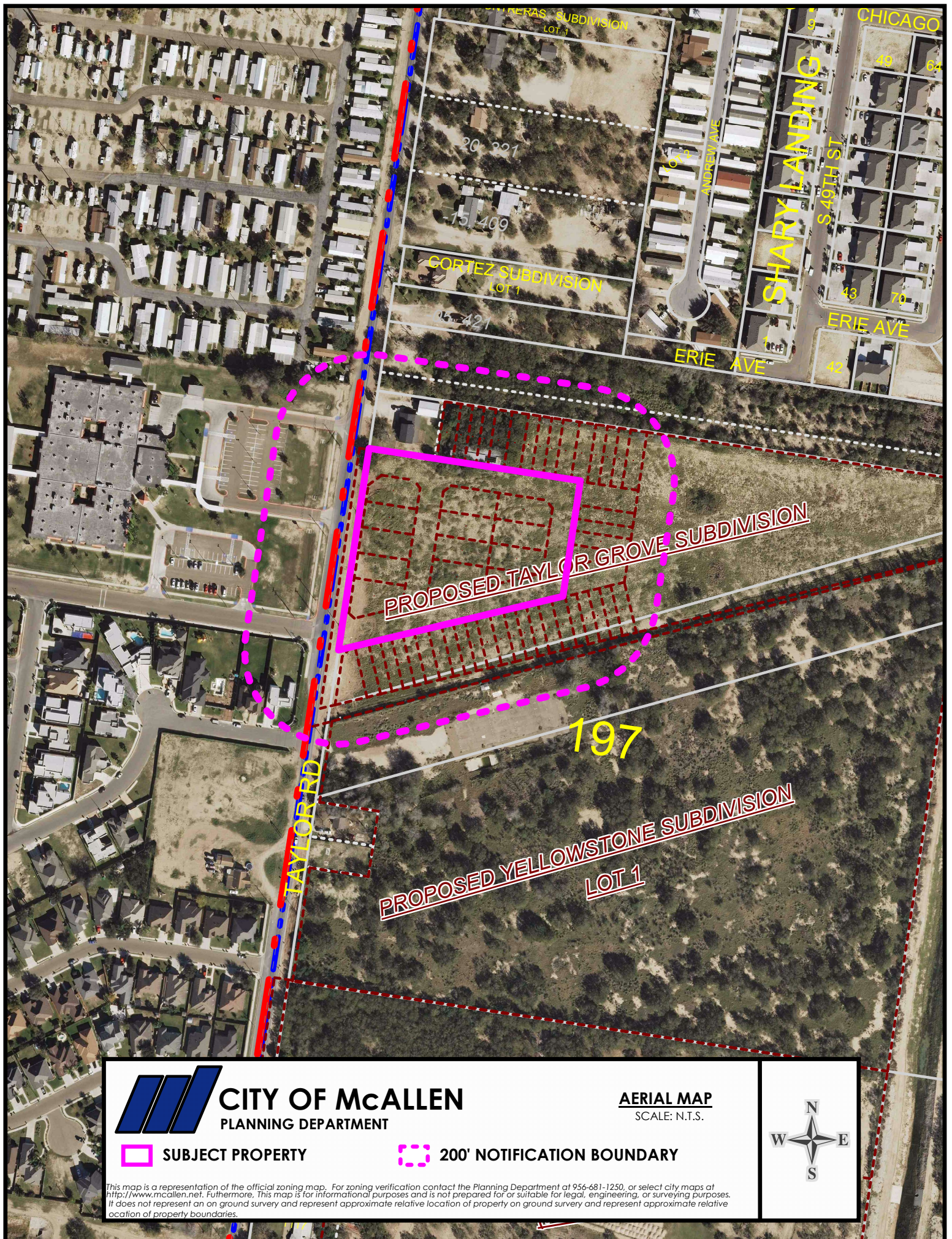
A recorded subdivision plat and approved site plan are required prior to building permit issuance. Required park land dedication or a fee in lieu of land comprising \$700 per dwelling unit is required prior to recording a subdivision plat.

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

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







**CITY OF McALLEN**  
PLANNING DEPARTMENT

**AERIAL MAP**  
SCALE: N.T.S.



**SUBJECT PROPERTY**



**200' NOTIFICATION BOUNDARY**



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





**CITY OF McALLEN**  
PLANNING DEPARTMENT

**FORESIGHT McALLEN COMPREHENSIVE PLAN**

**FUTURE LAND USE PLAN**

VAC - VACANT	SCM - SUBURBAN COMMERCIAL
EST - ESTATE	URC - URBAN CENTER
SUBR - SUBURBAN RESIDENTIAL	UCH - URBAN CENTER HIGH
AUSF - AUTO URBAN SINGLE FAMILY	IND - INDUSTRIAL
USF - URBAN SINGLE FAMILY	SPUS - SPECIAL USES, CIVIC, PUBLIC
AUMF - AUTO URBAN MULTIFAMILY	PRK - CITY PARKS
UMF - URBAN MULTIFAMILY	OPS - OPEN SPACE
UMX - URBAN RESIDENTIAL MIXED	AGR - AGRICULTURE
AUCM - AUTO URBAN COMMERCIAL	WTBY - WATER BODIES

A COMPREHENSIVE PLAN SHALL NOT CONSTITUTE ZONING REGULATIONS  
OR ESTABLISH ZONING DISTRICT BOUNDARIES. SEC. 219.005 LGC

**LEGEND**

SCALE: 1 INCH = .86 MILE  
APPROVED: DECEMBER 10, 2007  
REVISED: FEBRUARY 23, 2015

**THOROUGHFARE PLAN**

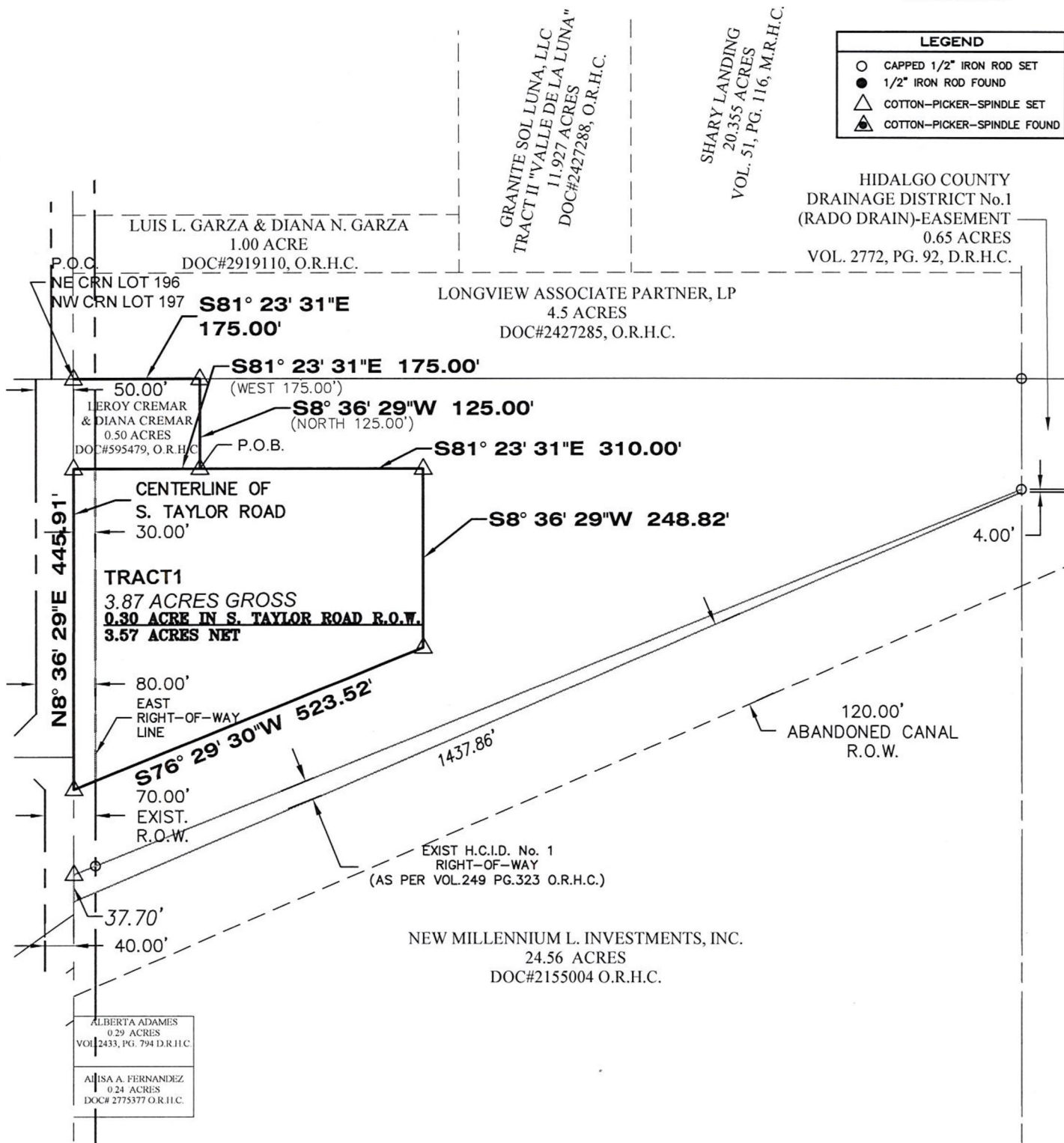
GRADE SEPARATION (INTERCHANGE)
EXPRESSWAY 350'
PARKWAY 350'
HI-SPEED ARTERIAL 150'
PRINCIPAL ARTERIAL 120'
MINOR ARTERIAL 100'
COLLECTOR 80'
ALTERNATIVE ALIGNMENT
McALLEN CITY LIMITS
McALLEN ETJ

EXHIBIT B  
TRACT 1 - 3.87 ACRES  
OUT OF LOT 197,  
JOHN H. SHARY SUBDIVISION,  
VOLUME 1, PAGE 17,  
MAP RECORDS OF HIDALGO COUNTY, TEXAS  
TO ACCOMPANY FIELD NOTES

SCALE: 1" = 200'  
BEARING BASIS  
TX STATE PLANE  
COORDINATES NAD 83  
TEXAS SOUTH ZONE (4205)  
WESTERN DATA  
SYSTEMS NETWORK

LEGEND	
○	CAPPED 1/2" IRON ROD SET
●	1/2" IRON ROD FOUND
△	COTTON-PICKER-SPINDLE SET
▲	COTTON-PICKER-SPINDLE FOUND

HIDALGO COUNTY  
DRAINAGE DISTRICT No.1  
(RADO DRAIN)-EASEMENT  
0.65 ACRES  
VOL. 2772, PG. 92, D.R.H.C.



**SURVEYOR'S NOTES:**

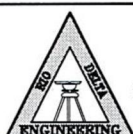
- 1) SURVEY DONE WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
- 2) NO ADDITIONAL RESEARCH WAS PERFORMED BY RIO DELTA ENGINEERING FOR ANY ADDITIONAL EASEMENT(S) OR BUILDINGS LINES WHICH MAY OR MAY NOT AFFECT THE SUBJECT TRACT.
- 3) THE PROPERTY SHOWN IS IN ZONE "C" ON FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 4803340400 C, REVISED DATE NOVEMBER 16, 1982.

I, IVAN GARCIA, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY STATE, THAT THIS SURVEY WAS MADE ON THE GROUND OF THE PROPERTY SHOWN HEREON DURING OCTOBER 2020, UNDER MY DIRECTION AND SUPERVISION; THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE; THAT THE PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH "MINIMUM STANDARD DETAIL REQUIREMENTS FOR LAND TITLE SURVEYS".



*[Signature]* 10/30/2020  
IVAN GARCIA  
REG. PROFESSIONAL LAND  
SURVEYOR NO. 6496

DATE  
**RECEIVED**  
NOV 05 2020  
BY: *CW*



**RIO DELTA ENGINEERING**

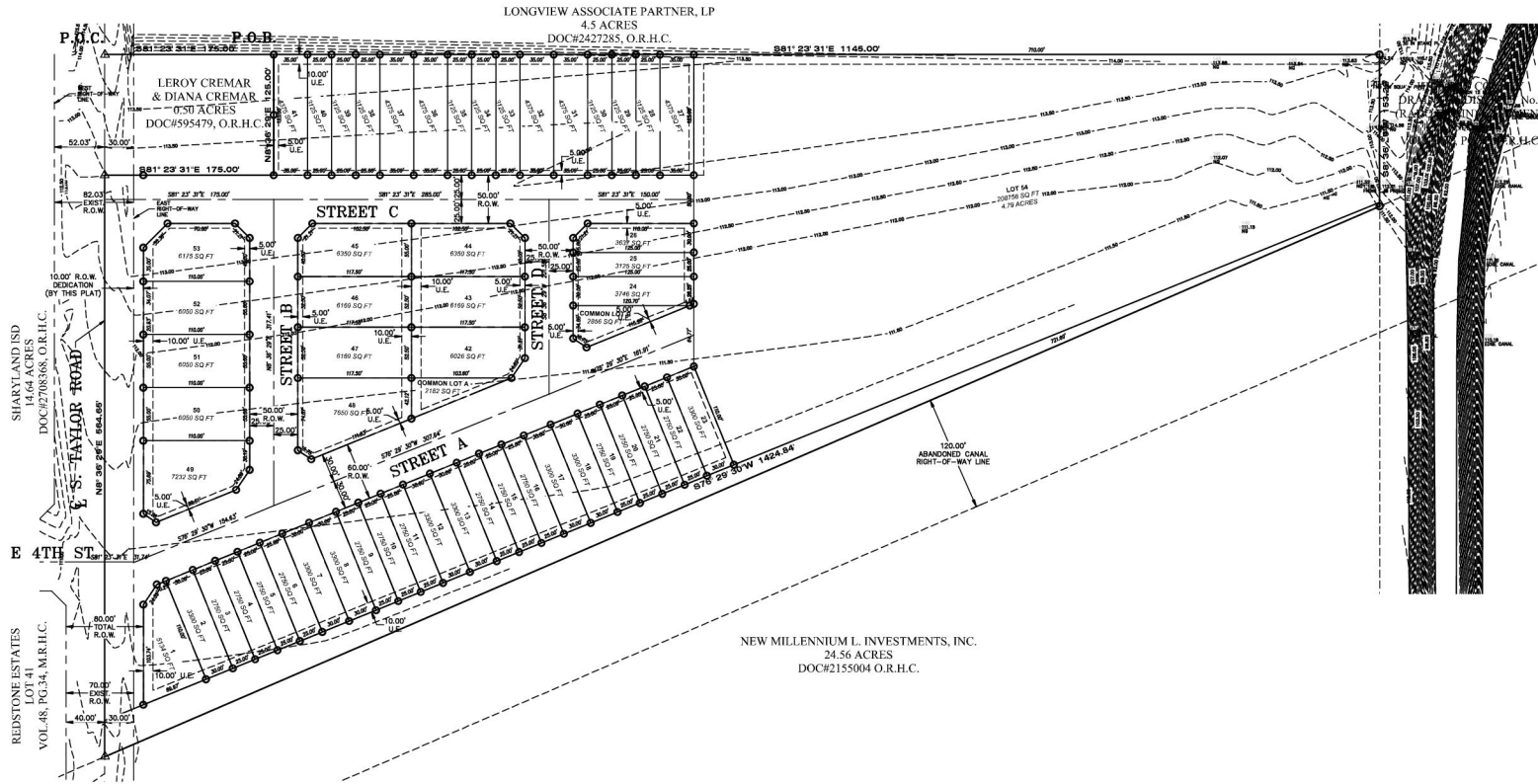
FIRM REGISTRATION No. F-7628  
SURVEY FIRM NO. 10194027  
921 S. 10TH AVENUE, EDINBURG TEXAS 78539  
(TEL) 956-380-5152 (FAX) 956-380-5083

DATE: OCTOBER 2020  
PROJECT: SUB 18 019  
PAGE: 1 OF 1

DATE OF PREPARATION: OCTOBER, 2020

# TAYLOR GROVE SUBDIVISION

BEGING A 12.80 ACRES TRACT OF LAND OUT OF AND BEING A PART OR PORTION OF THAT PART OF LOT 167 LYING NORTH AND WEST OF ABANDONED CANAL RIGHT-OF-WAY, JOHN H. SHARTY SUBDIVISION RECORDED IN VOLUME 1, PAGE 17, MAP RECORDS OF HIDALGO COUNTY, TEXAS.



SCALE: 1" = 60'  
BASE 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 SPUR
- ▲ - SET COTTON PICKER SPUR
- 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.O.T.	LOT LINE

**RIO DELTA ENGINEERING**  
FIRM REGISTRATION No. F-7628  
SURVEY FIRM No. 10194027  
921 S. 10TH AVENUE EDINBURG, TEXAS 78539  
(TEL) 956-380-6152 (FAX) 956-380-5083



**PRELIMINARY**

**PLAT SHEET**  
**TAYLOR GROVE SUBDIVISION**  
**MCCALLEN, TEXAS**  
**HIDALGO COUNTY, TEXAS**

PROJECT: 1  
ENGINEER: IVAN GARCIA P.E. R.P.L.S.  
SUPERVISOR: IVAN GARCIA P.E. R.P.L.S.  
DESIGNER: IVAN GARCIA P.E. R.P.L.S.  
DRAWN: DANIEL RODRIGUEZ  
SCALE: 1"=60'  
DATE: OCTOBER, 2020  
PROJECT: SUB 18 019  
REVISIONS:  
PAGE NO. 1 OF 1





NOTICE  
REZONING  
FOR  
THIS PROPERTY  
REZ2020-0042



## Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

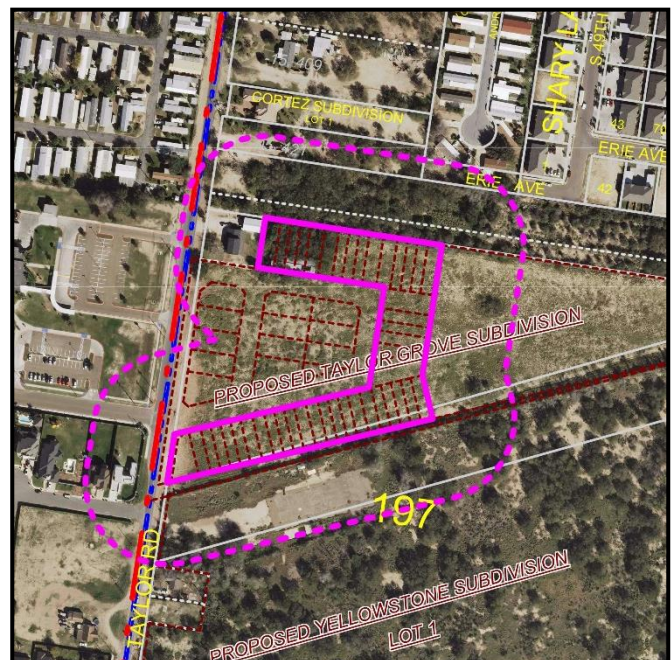
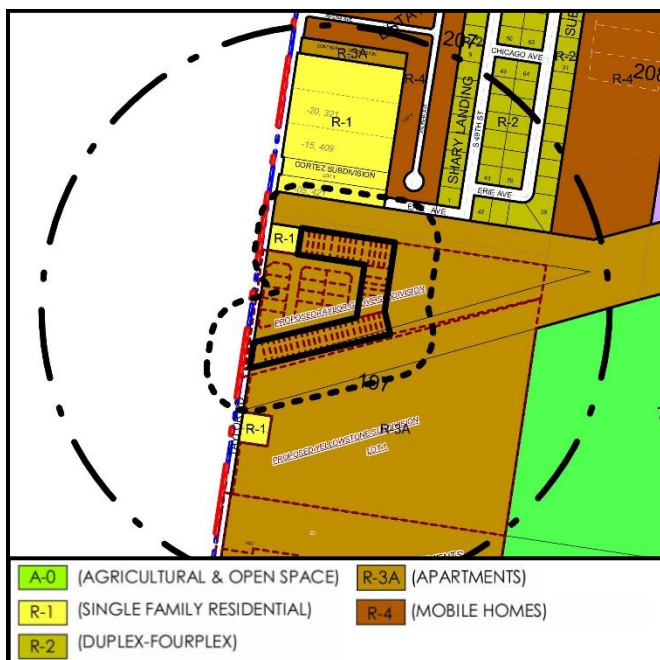
**DATE:** December 10, 2020

**SUBJECT: REZONE FROM R-3A (MULTIFAMILY RESIDENTIAL APARTMENT) DISTRICT TO R-3T (MULTIFAMILY RESIDENTIAL TOWNHOUSE) DISTRICT: 3.61 ACRES OUT OF LOT 197, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS; 701 SOUTH TAYLOR ROAD (MID). (REZ2020-0043)**

**LOCATION:** The property is located on the east side of South Taylor Road, approximately 1,675 ft. south of U.S. Business 83. The irregularly shaped tract has 118.74 ft. of frontage along South Taylor Road and comprises 3.61 acres.

**PROPOSAL:** The applicant is requesting to rezone the property to R-3T (multifamily residential townhouse) District in order to construct townhomes. A subdivision plat for the subject property under the name of Taylor Grove Subdivision was approved in preliminary form on December 3, 2020, by the Planning and Zoning Commission.

**ADJACENT ZONING:** The adjacent zoning is R-3A (multifamily residential apartment) District to the north, east and south and R-1 (single-family residential) and R-3A (multifamily residential apartment) Districts to the west. The properties to the west of South Taylor Road are outside the City limits.



LAND USE: The property is currently vacant. Surrounding land uses are single-family and fourplex residences, El Valle de la Luna affordable homes, Romulo D. Martinez Elementary School, and vacant land.

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

DEVELOPMENT TRENDS: The development trend for this area along South Taylor Road is single and multifamily residential.

HISTORY: The tract was annexed into the city and initially zoned A-O (agricultural and open space) District in 1999. The City Commission approved an application initiated by the City to rezone the property to R-3A (multifamily residential apartment) District on April 13, 2015.

ANALYSIS: The requested zoning does not conform to the Auto Urban Single Family land use designation as indicated on the Foresight McAllen Comprehensive Plan. However, the rezoning request provides opportunities for a variety of housing types throughout the city that responds to the residents' economic and social lifestyles. The proposed development will be in proximity to a compatible use, Martinez Elementary School, since institutional uses are located within residential neighborhoods. Townhouse zoning would encourage home ownership within an area that is zone for R-3A District for rental housing.

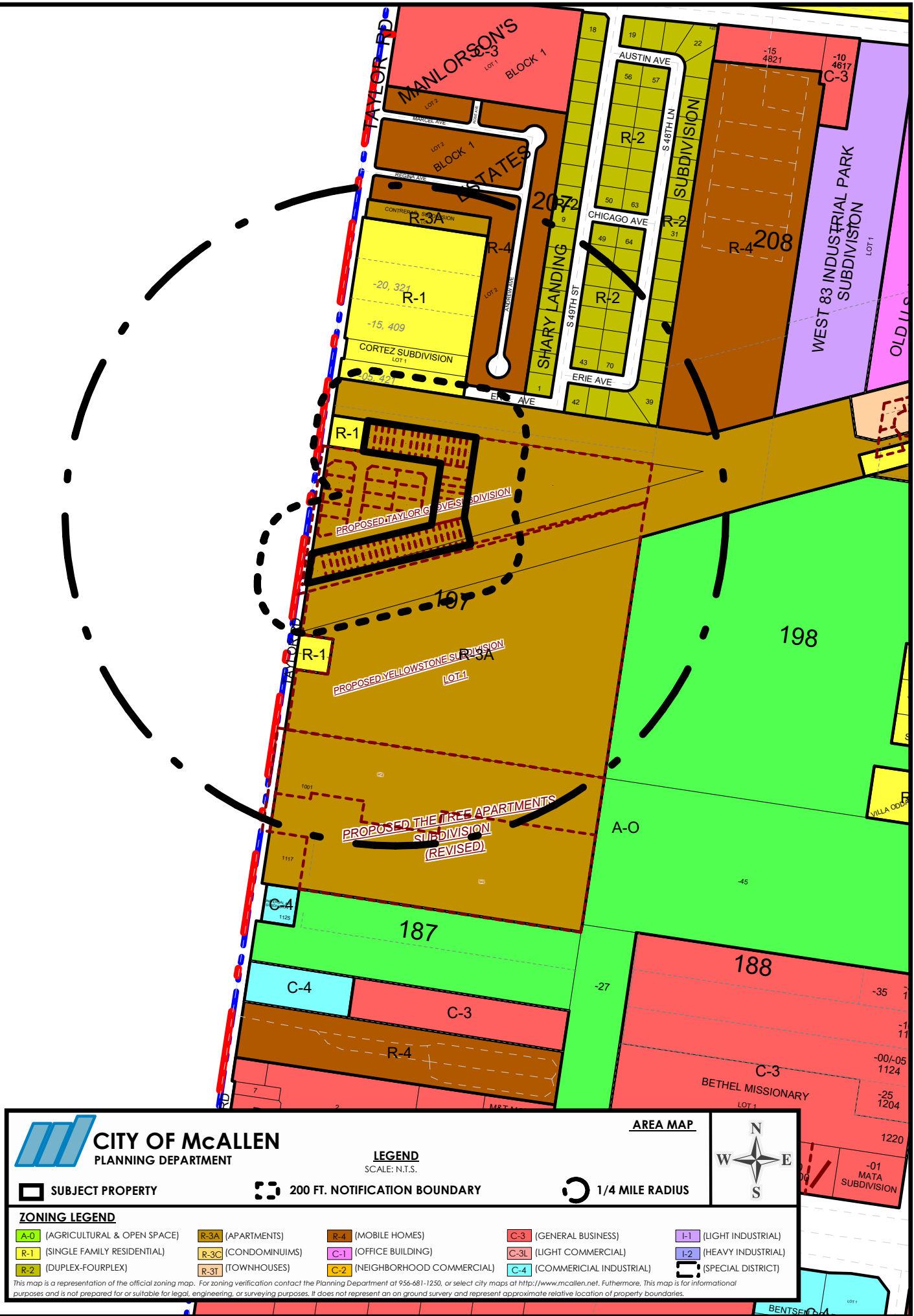
The maximum density in R-3T (multifamily residential townhouse) District is 20 dwelling units per acre. Therefore, the maximum number of units for the subject property is approximately 72 townhomes.

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

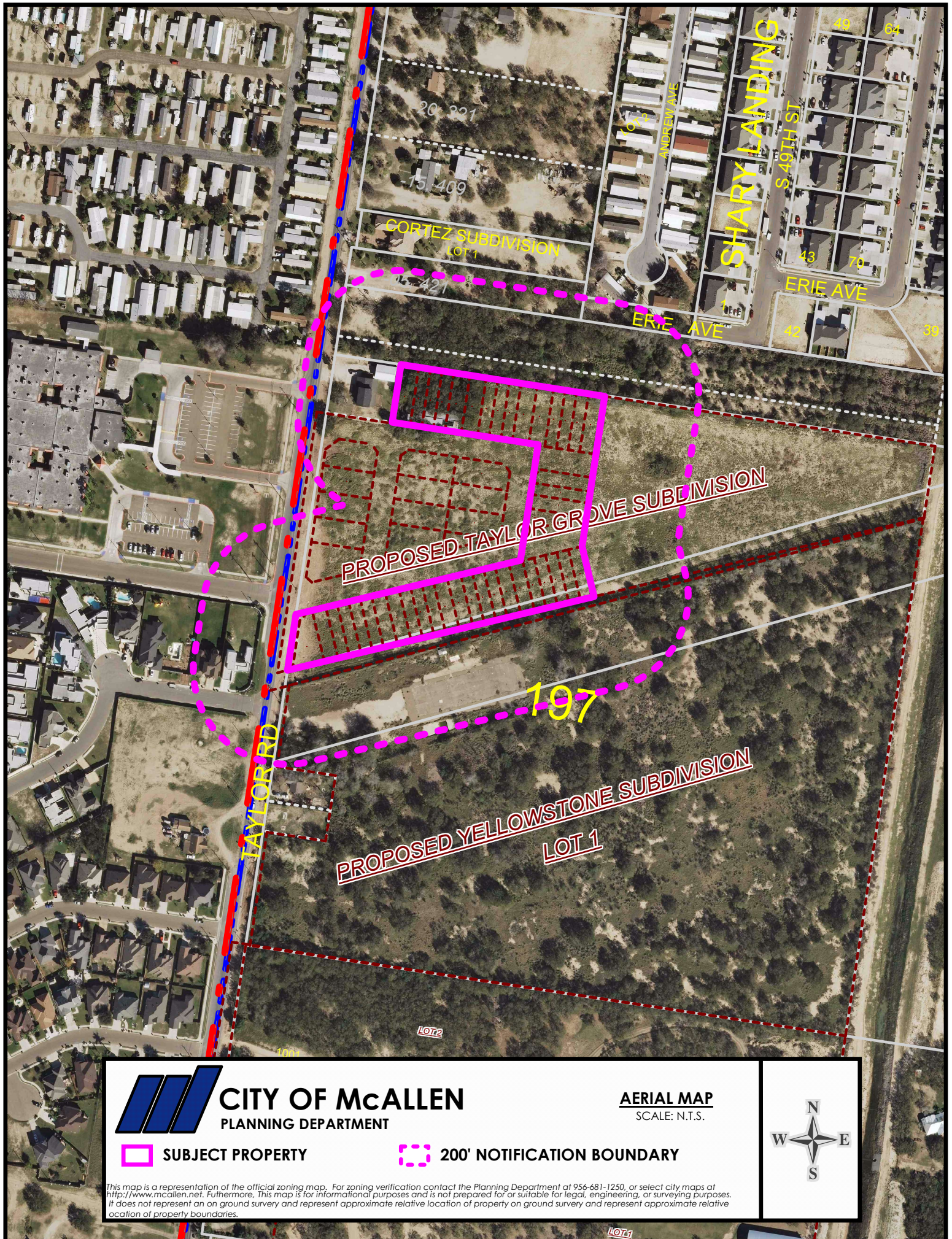
A recorded subdivision plat and approved site plan are required prior to building permit issuance. Required park land dedication or a fee in lieu of land comprising \$700 per dwelling unit is required prior to recording a subdivision plat.

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

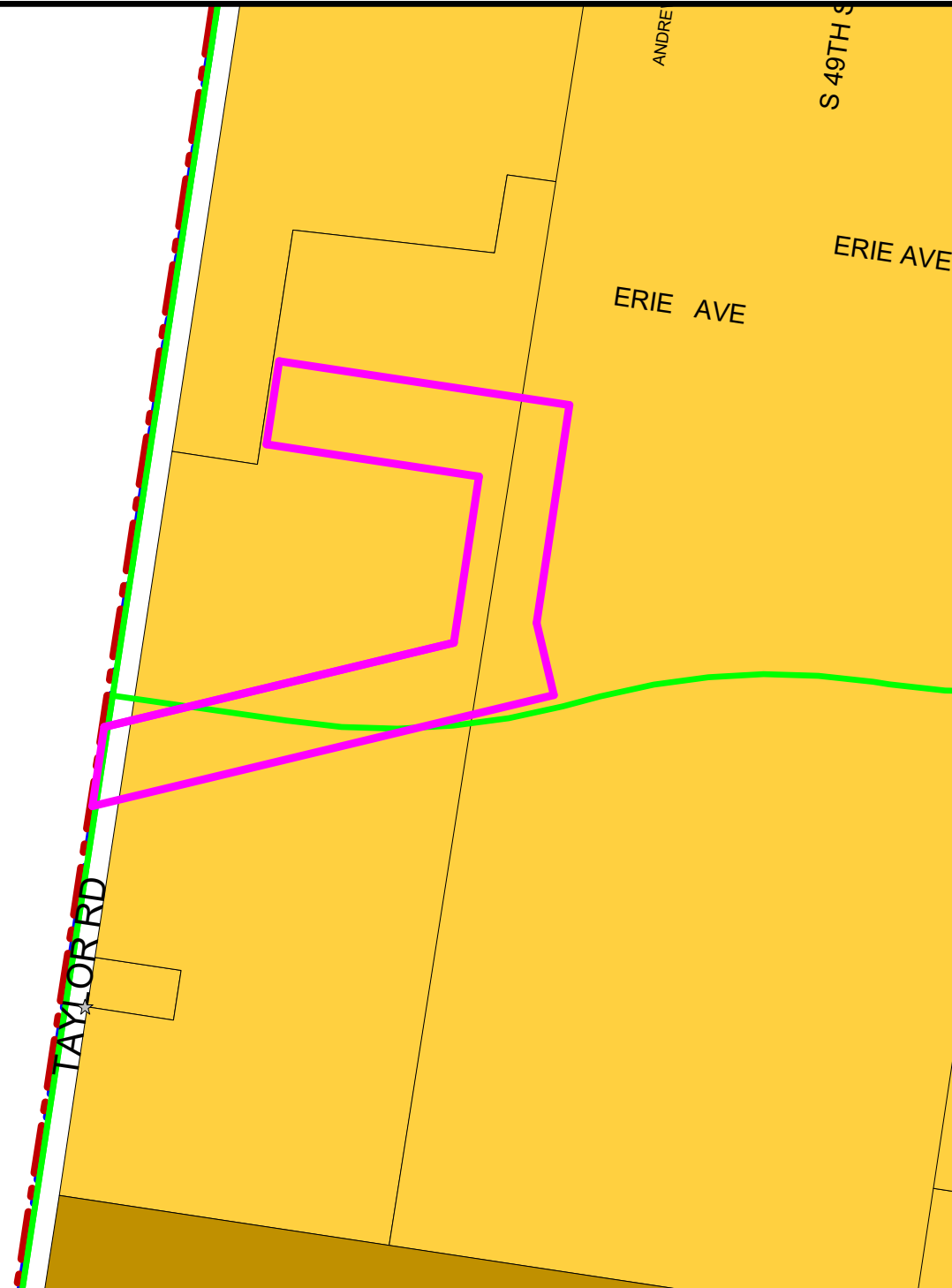
RECOMMENDATION: Staff recommends approval of the rezoning request to R-3T (multifamily residential townhouse) District.











**CITY OF McALLEN**  
PLANNING DEPARTMENT

**FORESIGHT McALLEN COMPREHENSIVE PLAN**

**FUTURE LAND USE PLAN**

VAC - VACANT	SCM - SUBURBAN COMMERCIAL
EST - ESTATE	URC - URBAN CENTER
SUBR - SUBURBAN RESIDENTIAL	UCH - URBAN CENTER HIGH
AUSF - AUTO URBAN SINGLE FAMILY	IND - INDUSTRIAL
USF - URBAN SINGLE FAMILY	SPUS - SPECIAL USES, CIVIC, PUBLIC
AUMF - AUTO URBAN MULTIFAMILY	PRK - CITY PARKS
UMF - URBAN MULTIFAMILY	OPS - OPEN SPACE
UMX - URBAN RESIDENTIAL MIXED	AGR - AGRICULTURE
AUCM - AUTO URBAN COMMERCIAL	WTBY - WATER BODIES

A COMPREHENSIVE PLAN SHALL NOT CONSTITUTE ZONING REGULATIONS  
OR ESTABLISH ZONING DISTRICT BOUNDARIES. SEC. 219.005 LGC

**LEGEND**

SCALE: 1 INCH = .86 MILE  
APPROVED: DECEMBER 10, 2007  
REVISED: FEBRUARY 23, 2015

**THOROUGHFARE PLAN**

GRADE SEPARATION (INTERCHANGE)
EXPRESSWAY 350'
PARKWAY 350'
HI-SPEED ARTERIAL 150'
PRINCIPAL ARTERIAL 120'
MINOR ARTERIAL 100'
COLLECTOR 80'
ALTERNATIVE ALIGNMENT
McALLEN CITY LIMITS
McALLEN ETJ

EXHIBIT B  
TRACT 1 - 3.61 ACRES  
OUT OF LOT 197,  
JOHN H. SHARY SUBDIVISION,  
VOLUME 1, PAGE 17,  
MAP RECORDS OF HIDALGO COUNTY, TEXAS  
TO ACCOMPANY FIELD NOTES

SCALE: 1" = 200'  
BEARING BASIS  
TX STATE PLANE  
COORDINATES NAD 83  
TEXAS SOUTH ZONE (4205)  
WESTERN DATA  
SYSTEMS NETWORK

LEGEND	
○	CAPPED 1/2" IRON ROD SET
●	1/2" IRON ROD FOUND
△	COTTON-PICKER-SPINDLE SET
▲	COTTON-PICKER-SPINDLE FOUND

HIDALGO COUNTY  
DRAINAGE DISTRICT No. 1  
(RADO DRAIN)-EASEMENT  
0.65 ACRES  
VOL. 2772, PG. 92, D.R.H.C.

GRANITE SOL LUNA, LLC  
TRACT II "VALLE DE LA LUNA"  
11.927 ACRES  
DOC#2427288, O.R.H.C.

SHARY LANDING  
20.355 ACRES  
VOL. 51, PG. 116, M.R.H.C.

LONGVIEW ASSOCIATE PARTNER, LP  
4.5 ACRES  
DOC#2427285, O.R.H.C.

LUIS L. GARZA & DIANA N. GARZA  
1.00 ACRE  
DOC#2919110, O.R.H.C.

P.O.C.  
NE CRN LOT 196  
NW CRN LOT 197

S81° 23' 31"E

175.00'

P.O.B.

S81° 23' 31"E 435.00'

50.00'  
LEROY CREMAR  
& DIANA CREMAR  
0.50 ACRES  
DOC#595479, O.R.H.C.

N8° 36' 29"E 125.00'  
(NORTH 125.00')

N81° 23' 31"W 310.00'

30.00'

N8° 36' 29"E 248.82'

CENTERLINE OF  
S. TAYLOR ROAD

80.00'

EAST  
RIGHT-OF-WAY  
LINE

N76° 29' 30"E 523.52'

70.00'

EXIST.  
R.O.W.

S76° 29' 30"W 703.15'  
1437.86'

N8° 36' 29"E 118.74'

37.70'

40.00'

EXIST H.C.I.D. No. 1  
RIGHT-OF-WAY  
(AS PER VOL.249 PG.323 O.R.H.C.)

NEW MILLENNIUM L. INVESTMENTS, INC.  
24.56 ACRES  
DOC#2155004 O.R.H.C.

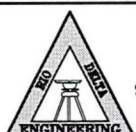
ALBERTA ADAMES  
0.29 ACRES  
VOL. 2433, PG. 794 D.R.H.C.

ALISA A. FERNANDEZ  
0.24 ACRES  
DOC# 2775377 O.R.H.C.

SURVEYOR'S NOTES:

- 1) SURVEY DONE WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
- 2) NO ADDITIONAL RESEARCH WAS PERFORMED BY RIO DELTA ENGINEERING FOR ANY ADDITIONAL EASEMENT(S) OR BUILDINGS LINES WHICH MAY OR MAY NOT AFFECT THE SUBJECT TRACT.
- 3) THE PROPERTY SHOWN IS IN ZONE "C" ON FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 4803340400 C, REVISED DATE NOVEMBER 16, 1982.

I, IVAN GARCIA, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY STATE, THAT THIS SURVEY WAS MADE ON THE GROUND OF THE PROPERTY SHOWN HEREON DURING OCTOBER 2020, UNDER MY DIRECTION AND SUPERVISION; THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE; THAT THE PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH "MINIMUM STANDARD DETAIL REQUIREMENTS FOR LAND TITLE SURVEYS".



**RIO DELTA ENGINEERING**

FIRM REGISTRATION No. F-7828  
SURVEY FIRM NO. 10194027  
921 S. 10TH AVENUE, EDINBURG TEXAS 78539  
(TEL) 956-380-5152 (FAX) 956-380-5083

DATE:  
OCTOBER 2020  
PROJECT:  
SUB 18 019  
PAGE:  
1 OF 1

*[Signature]*

IVAN GARCIA  
REG. PROFESSIONAL LAND  
SURVEYOR NO. 6496

DATE



10/30/2020

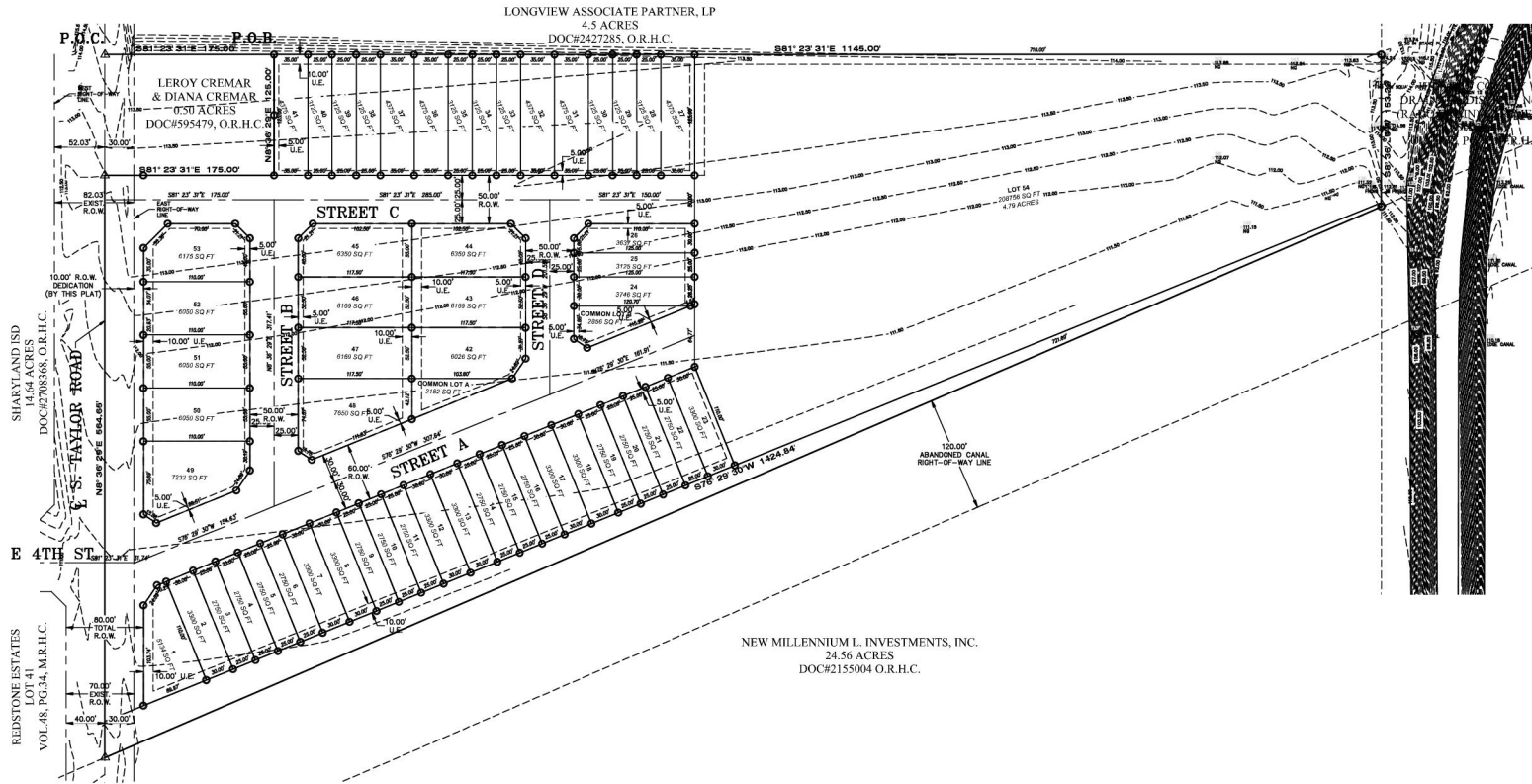
APPROVED

NOV 05 2020

CW

# TAYLOR GROVE SUBDIVISION

BEGING A 12.80 ACRES TRACT OF LAND OUT OF AND BEING A PART OR PORTION OF THAT PART OF LOT 167 LYING NORTH AND WEST OF ABANDONED CANAL RIGHT-OF-WAY, JOHN H. SHARTY SUBDIVISION RECORDED IN VOLUME 1, PAGE 17, MAP RECORDS OF HIDALGO COUNTY, TEXAS.



SCALE: 1" = 60'  
BASE 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 SPURPLE
- △ - SET COTTON PICKER SPURPLE
- 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.O.T.	LOT LINE

**RIO DELTA ENGINEERING**  
FIRM REGISTRATION No. F-7628  
SURVEY FIRM No. 10194027  
921 S. 10TH AVENUE EDINBURG, TEXAS 78539  
(TEL) 956-380-6152 (FAX) 956-380-5083



**PRELIMINARY**

**PLAT SHEET**  
**TAYLOR GROVE SUBDIVISION**  
**MCCALLEN, TEXAS**  
**HIDALGO COUNTY, TEXAS**

PROJECT: 1  
ENGINEER: IVAN GARCIA P.E. R.P.L.S.  
SUPERVISOR: IVAN GARCIA P.E. R.P.L.S.  
DESIGNED: IVAN GARCIA P.E. R.P.L.S.  
DRAWN: DANIEL RODRIGUEZ  
SCALE: 1"=60'  
DATE: OCTOBER, 2020  
PROJECT: SUB 18 019  
REVISIONS:  
PAGE NO. 1 OF 1





NOTICE  
OF  
REZONING  
FOR  
THIS PROPERTY  
REZ2020-0043



## Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

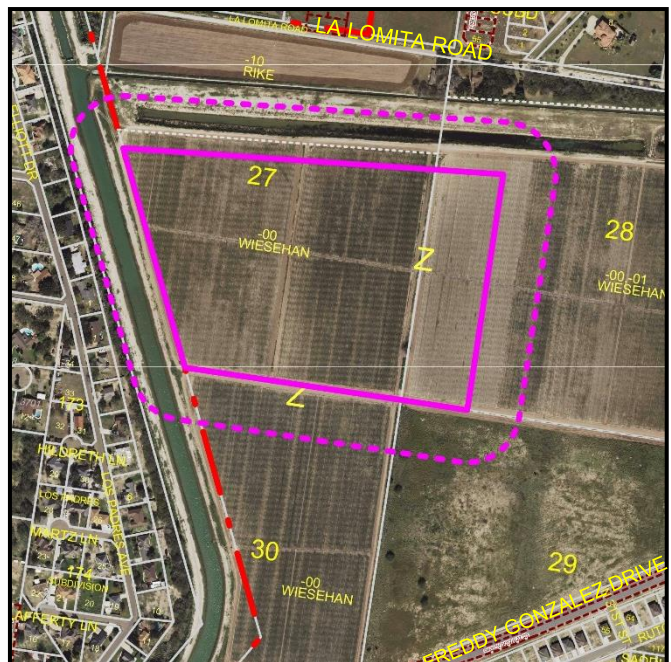
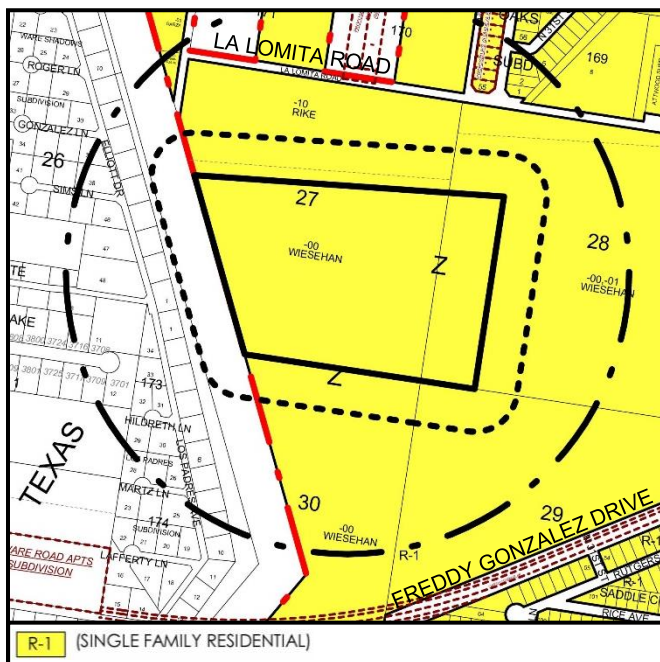
**DATE:** December 10, 2020

**SUBJECT:** REZONE FROM R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENT) DISTRICT: 24.95 ACRES OUT OF LOTS 27 AND 28, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS; 3421 LA LOMITA ROAD. (REZ2020-0046)

**LOCATION:** The property is located 1,363.51 ft. west of North 29<sup>th</sup> Street, approximately 370 ft. south La Lomita Road. The irregular-shaped tract consists of 24.95 acres and abuts Hidalgo County Irrigation District No.1 Main Canal R.O.W. on the west but has no street R.O.W. frontage.

**PROPOSAL:** The applicant is requesting to rezone the property to R-3A (multifamily residential apartments) District in order to construct detached duplexes. A submitted feasibility plan depicts that the subject property will be subdivided into 66 lots as part of a larger development.

**ADJACENT ZONING:** The adjacent zoning is R-1 (single-family residential) District to the north, east, and south. The properties to the west of the subject property are outside the city limits.



LAND USE: The property is currently vacant. Surrounding land uses are single-family residences, vacant land, and HCID No.1 Main Canal.

COMPREHENSIVE PLAN: The Foresight McAllen Comprehensive Plan designates the future land use for this property as Suburban Residential which is comparable to R-1 (single-family residential) to R-3 (multifamily residential) Districts.

DEVELOPMENT TRENDS: The development trend for this area along La Lomita Road is single-family residential. The tract was annexed into the city and initially zoned R-1 (single-family residential) District in 2016 and 2017.

ANALYSIS: The requested zoning conforms to the Suburban Residential land use designation as indicated on the Foresight McAllen Comprehensive Plan.

The maximum density in R-3A (multifamily residential apartments) District is 29 three-bedroom units (1,500 sq. ft.) per acre to 43 one-bedroom apartment units (1000 sq. ft.) per acre. Therefore, the maximum number of units for the subject property is approximately 723 three-bedroom units to 1,072 one-bedroom units.

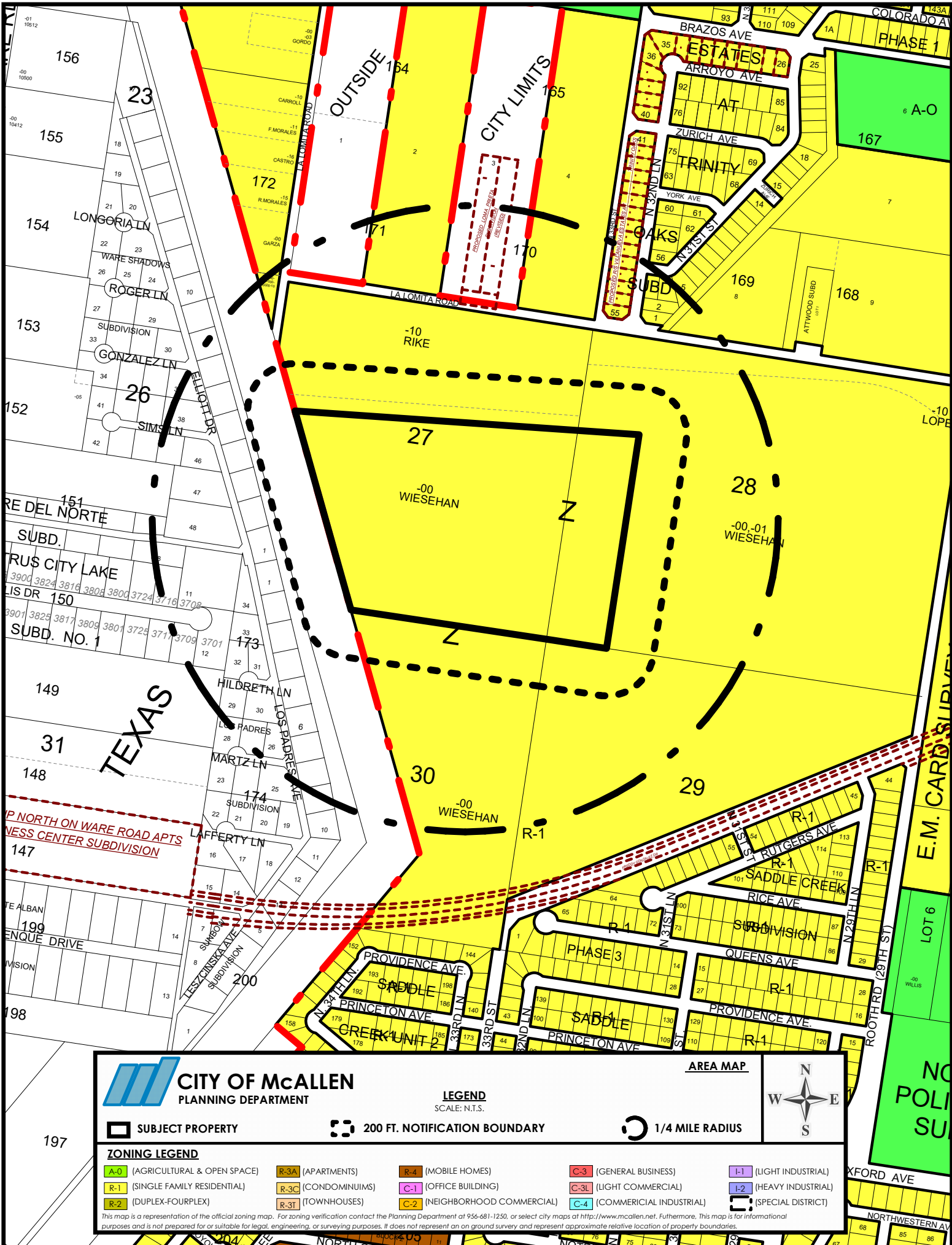
Section 110-49 (a) Vegetation Ordinance requires a masonry screen eight ft. in height where a commercial, industrial, or multifamily use has a side or rear property line in common with a single-family use or zone.

A recorded subdivision plat and approved site plan are 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.

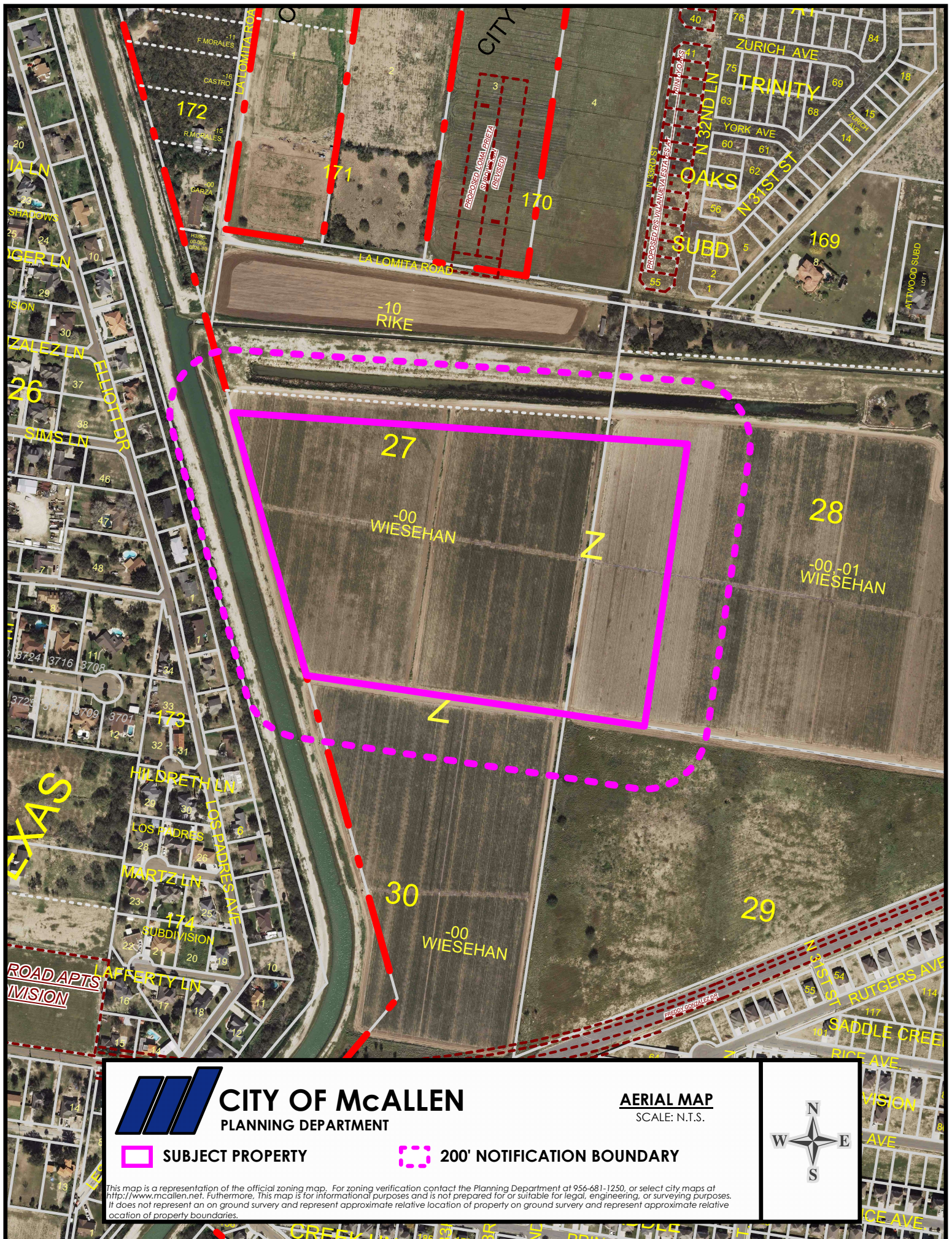
Staff has not received any calls or emails in opposition to the rezoning request.

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

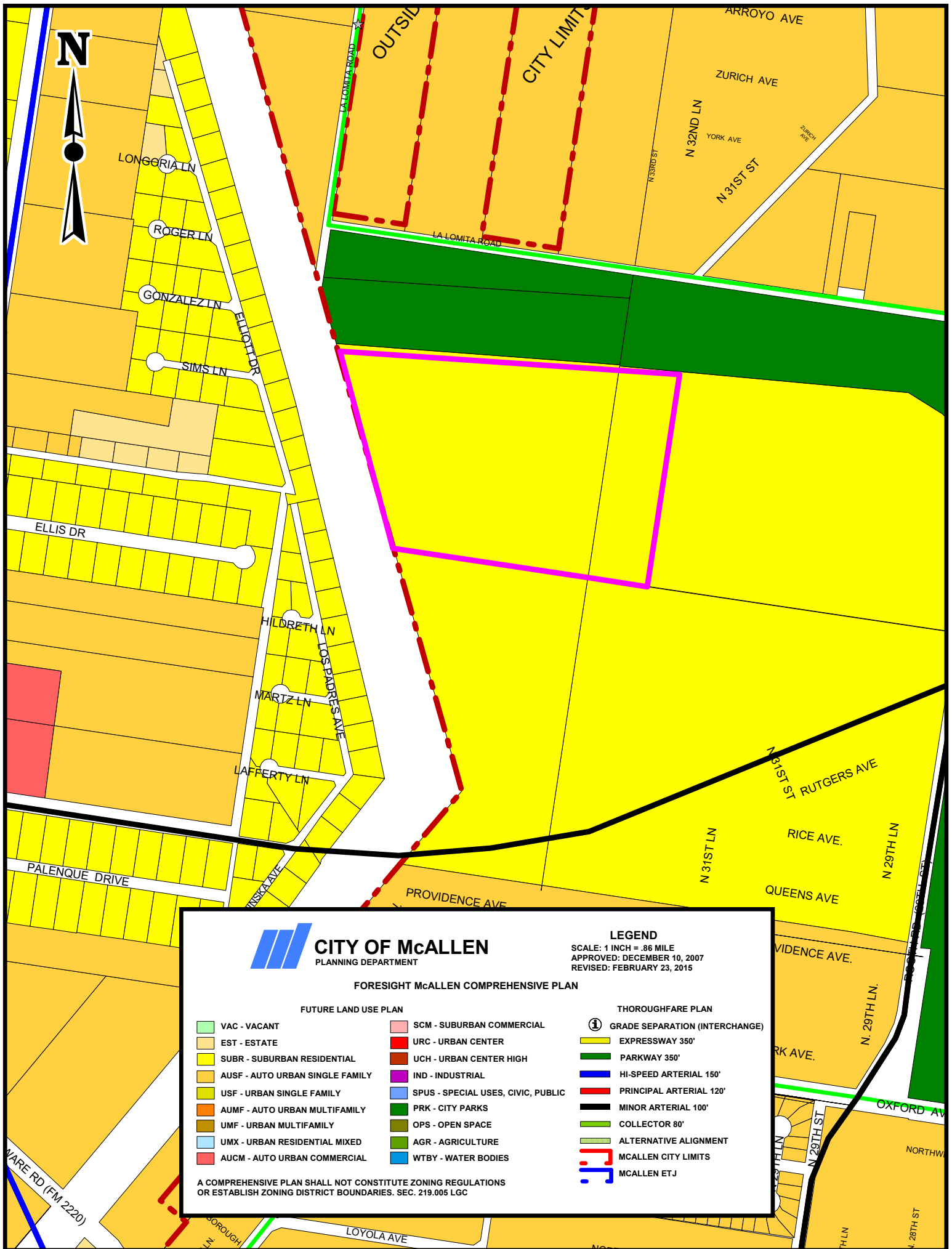




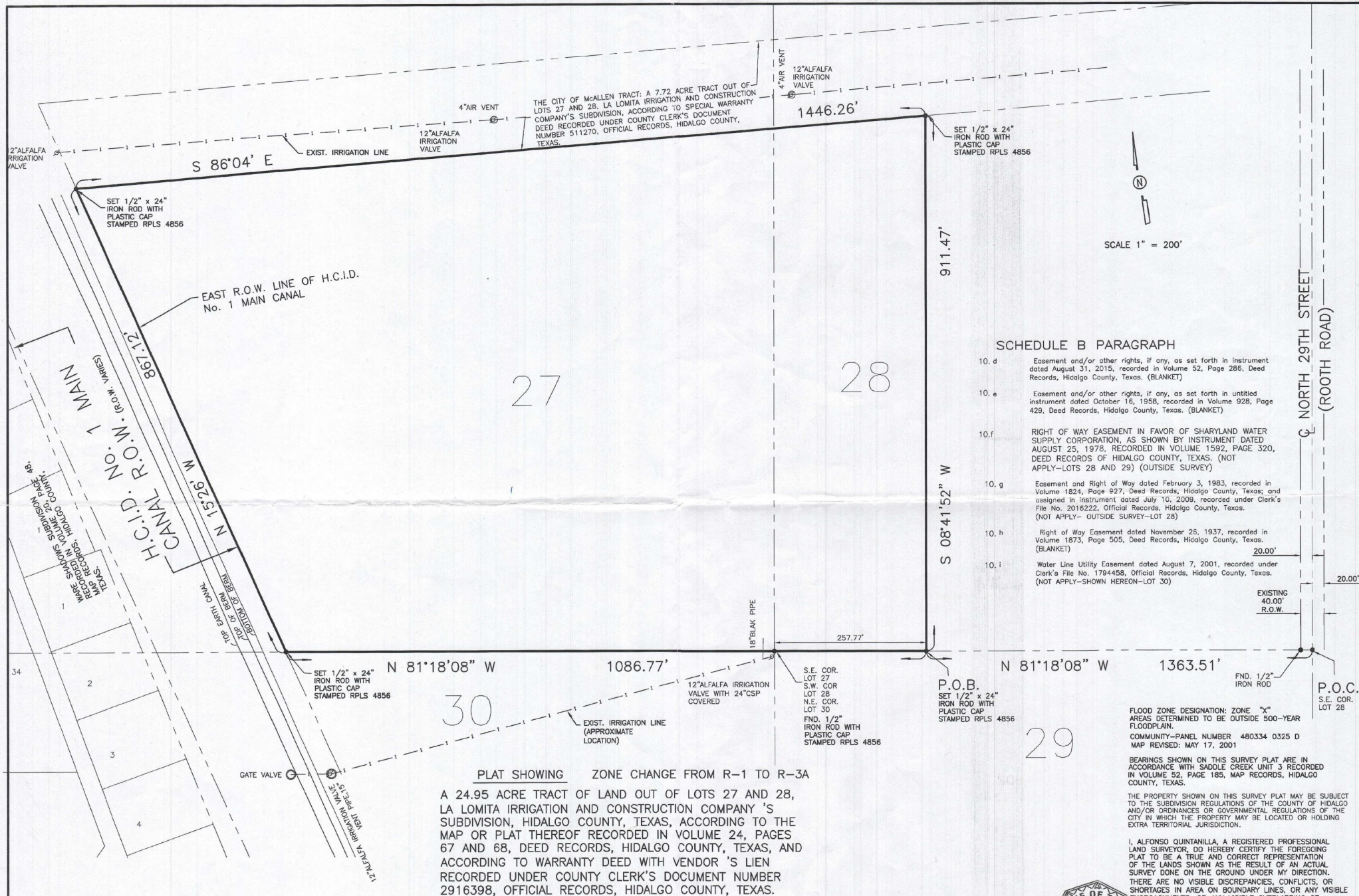








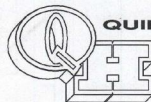




VOL. 24 PAGES 67 & 68  
 SURVEYED NOVEMBER 10, 2020  
 OWNER RED ROCK REAL ESTATES DEVELOPMENT GROUP LTD.  
 ADDRESS

JOB No. G.F. No. 916602  
 BOOK No. PAGE

Z:\data\SUBDIVISIONS\McAllen\NORTHWOOD TRAILS\DWG\LA LOMITA LOT 27, 28, 30



QUINTANILLA, HEADLEY AND ASSOCIATES, INC.

CONSULTING ENGINEERS  
 124 E. STUBBS ST.  
 EDINBURG, TEXAS 78539  
 ENGINEERING REGISTRATION NUMBER F-1513  
 SURVEYING REGISTRATION NUMBER 100411-00

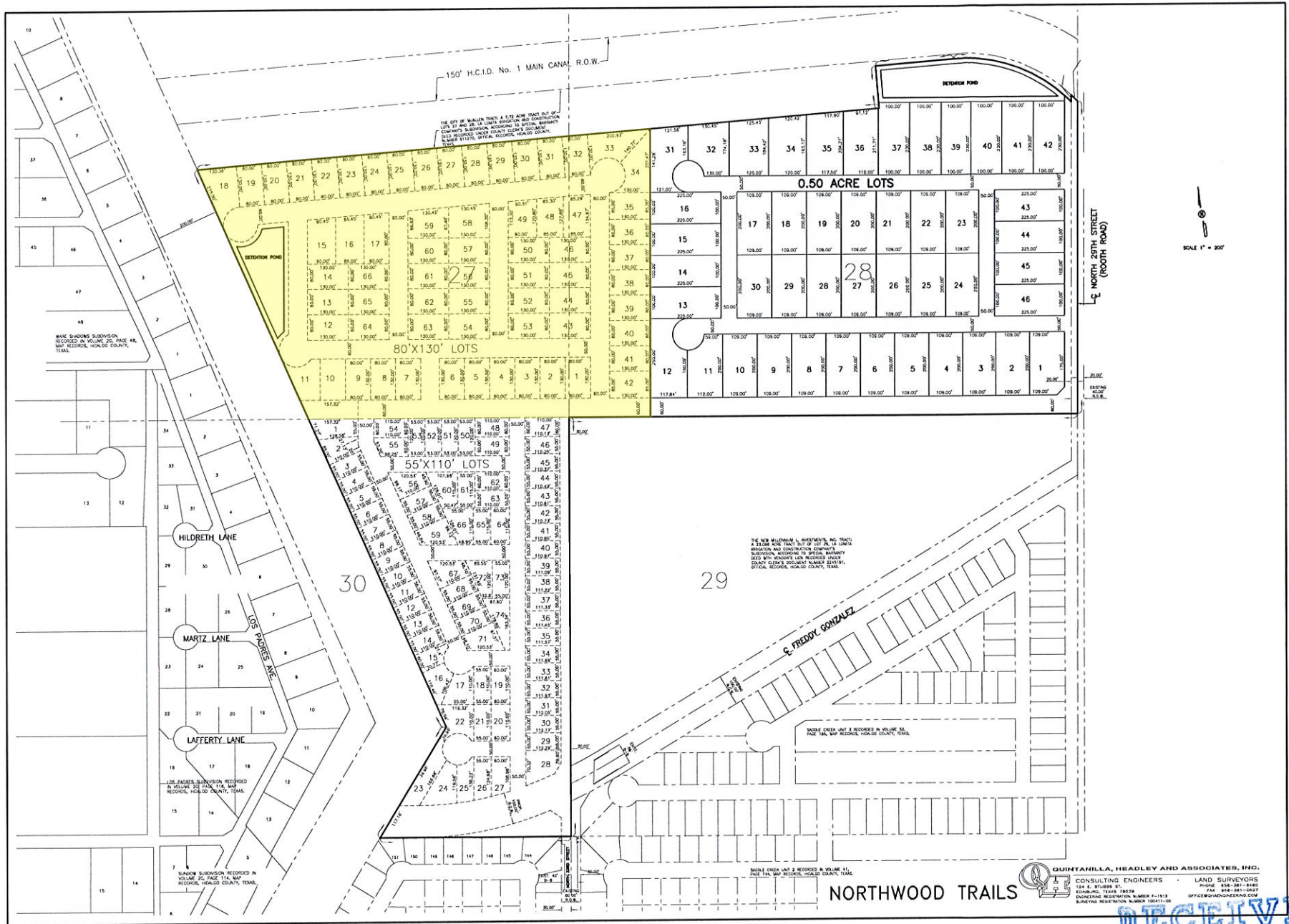
LAND SURVEYORS  
 PHONE 956-381-6480  
 FAX 956-381-0527  
 OFFICE@QHAENGINEERING.COM



ALFONSO QUINTANILLA  
 REGISTERED PROFESSIONAL LAND SURVEYOR  
 No. 4856

RECEIVED  
 NOV 16 2020  
 BY: JED





RECEIVED  
DEC 10 2020  
BY: 40

QUINTANILLA, HEADLEY AND ASSOCIATES, INC.  
CONSULTING ENGINEERS LAND SURVEYORS  
121 E. BURNING WOOD  
HOUSTON, TEXAS 77059  
OFFICE: 281-281-0000  
FAX: 281-281-0007  
ENGINEERING REGISTRATION NUMBER F-1812  
SURVEYING REGISTRATION NUMBER 100111-05





NOTICE  
REZONING  
FOR  
THIS PROPERTY  
REZ2020-0046



SUB 2019-0082



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

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

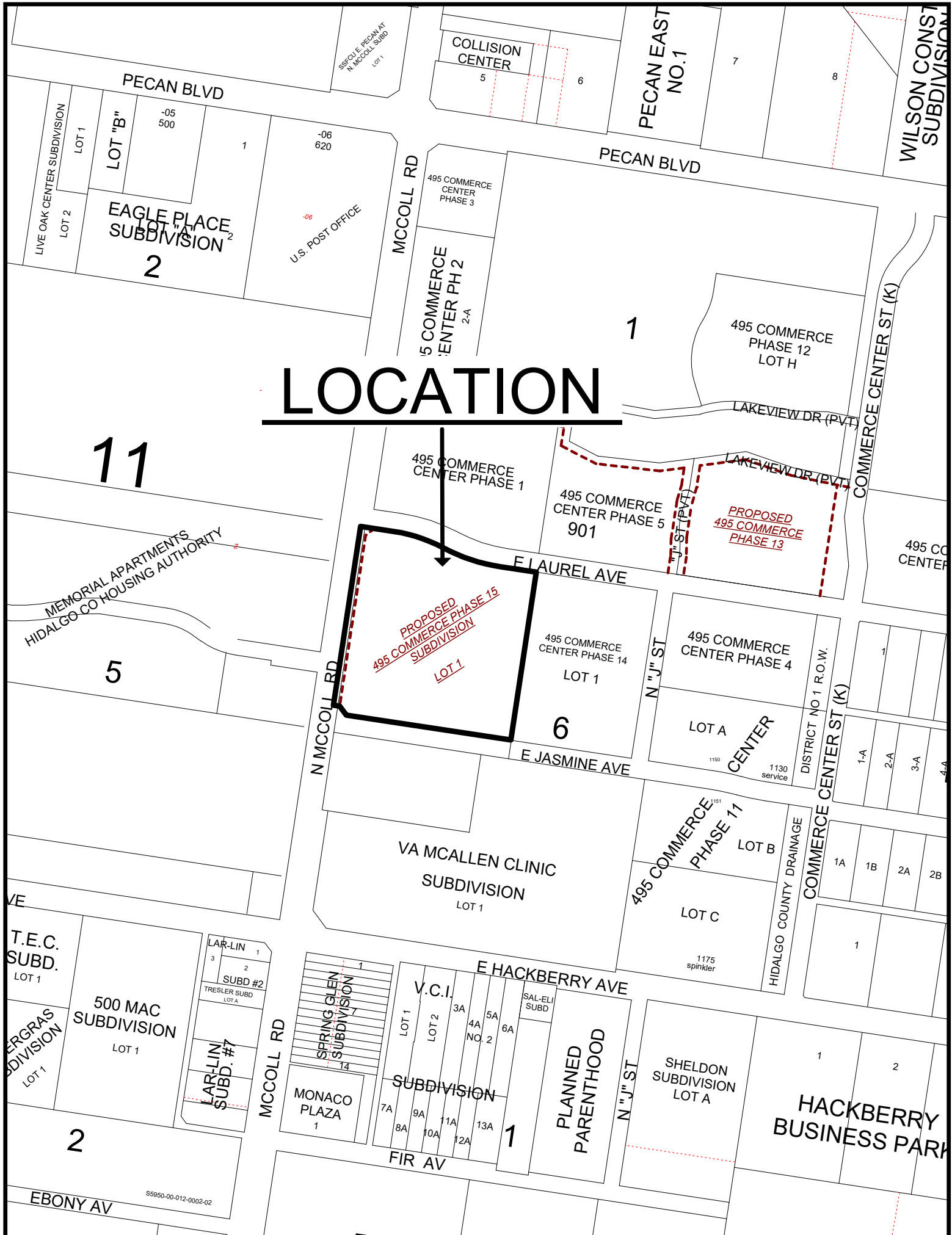
<b>Project Description</b>	<p>Subdivision Name <u>495 Commerce Center Phase XV</u></p> <p>Location <u>Intersections of N. McColl Rd. with E. Jasmine Ave. and E. Laurel Ave.</u></p> <p>City Address or Block Number <u>1012 N. McColl Rd.</u></p> <p>Number of lots <u>1</u> Gross acres <u>7.28</u> Net acres <u>7.21</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 <u>      </u></p> <p>Existing Land Use <u>Open</u> Proposed Land Use <u>Commercial</u> Irrigation District # <u>2</u></p> <p><b>Residential</b> Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <b>Commercial</b> Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <b>ETJ</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>Agricultural Tax Exemption Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Estimated Rollback tax due <u>  \$ 461  </u></p> <p>Legal Description <u>A tract of land containing 7.48 acres of land of Lot 6, Block 11, Steele and Pershing Subdivision as recorded in Volume 8, Page 115, HCDR, Hidalgo County, Texas.</u></p>
<b>Owner</b>	<p>Name <u>495 Commerce Center Partners, Ltd.</u> Phone <u>956/682-3181</u></p> <p>Address <u>1400 North McColl, Suite 201</u></p> <p>City <u>McAllen</u> State <u>Texas</u> Zip <u>78501</u></p> <p>E-mail <u>cmueller@synergisllc.com and shellyg@synergisllc.com</u></p>
<b>Developer</b>	<p>Name <u>495 Commerce Center Partners, Ltd.</u> Phone <u>956/682-3181</u></p> <p>Address <u>1400 North McColl, Suite 201</u></p> <p>City <u>McAllen</u> State <u>Texas</u> Zip <u>78501</u></p> <p>Contact Person <u>Charles D. Mueller, Manager</u></p> <p>E-mail <u>cmueller@synergisllc.com and shellyg@synergisllc.com</u></p>
<b>Engineer</b>	<p>Name <u>Perez Consulting Engineers</u> Phone <u>956/631-4482</u></p> <p>Address <u>808 Dallas Ave.</u></p> <p>City <u>McAllen</u> State <u>Texas</u> Zip <u>78501</u></p> <p>Contact Person <u>Jorge D. Perez, P.E.</u></p> <p>E-mail <u>jdp@perezce.com and ah@perezce.com</u></p>
<b>Surveyor</b>	<p>Name <u>Carlos Vasquez, RPLS, CVQ Land Surveyors</u> Phone <u>956/618-1551</u></p> <p>Address <u>517 Beaumont Ave.</u></p> <p>City <u>McAllen</u> State <u>Texas</u> Zip <u>78501</u></p>



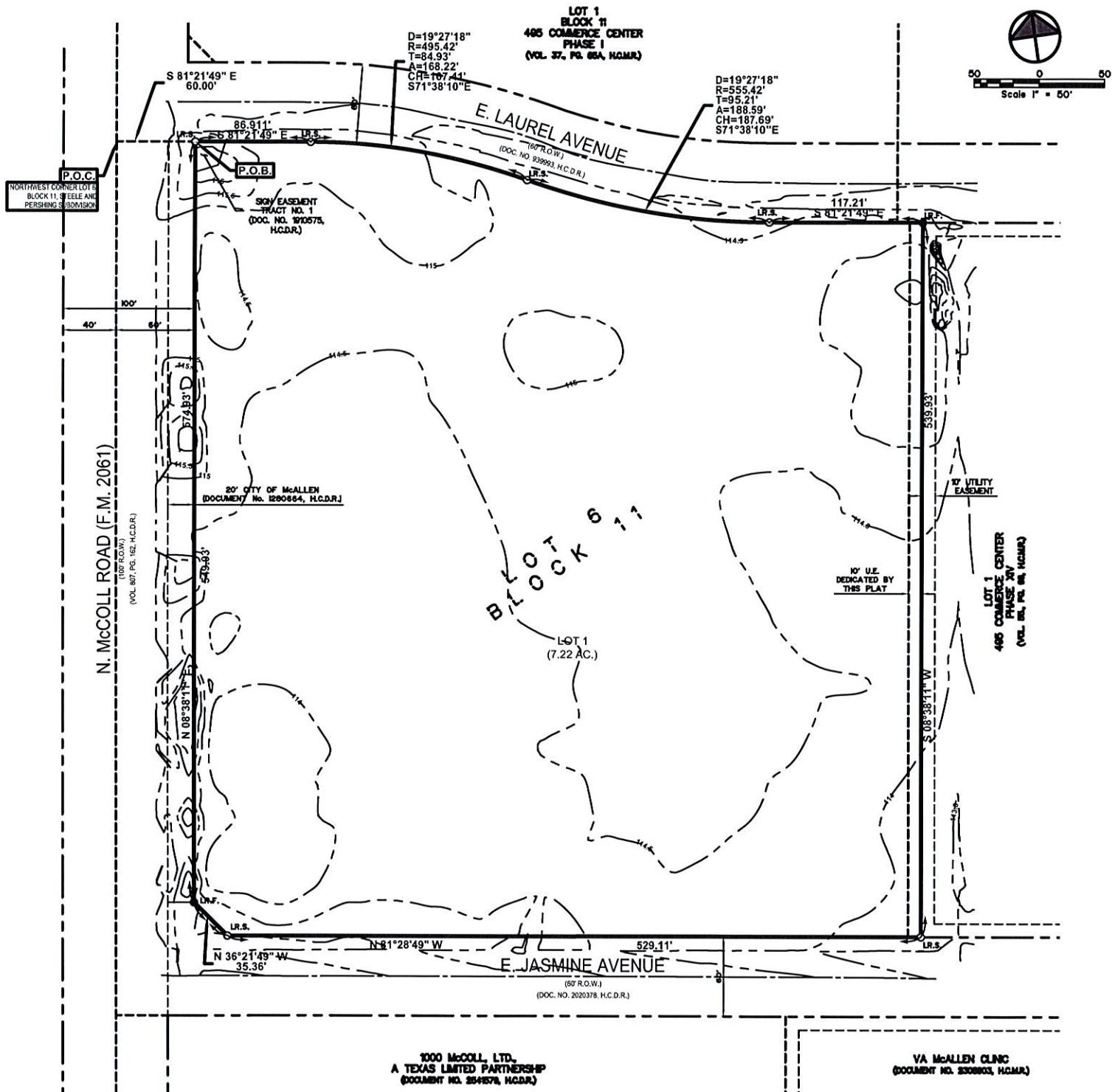
Rct # 447887 pd \$ 225 (15)



# LOCATION

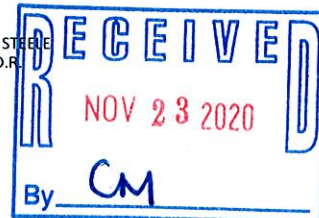






# **495 COMMERCE CENTER PHASE XV McALLEN, TEXAS**

A TRACT OF LAND CONTAINING 7.22 ACRES OF LAND OUT OF LOT 6, BLOCK 11, STEELE AND PERSHING SUBDIVISION AS RECORDED IN VOLUME 8, PAGE 115, H.C.D.R. HIDALGO COUNTY, TEXAS







Reviewed On: 12/11/2020

**SUBDIVISION NAME: 495 COMMERCE CENTER PHASE XV****REQUIREMENTS****STREETS AND RIGHT-OF-WAYS**

N. McColl Rd. - 60 ft. ROW from centerline for 120 ft. ROW  
Paving: 65 ft. Curb & gutter: Both sides

Compliance

E. Jasmine Ave. - 60 ft. ROW shown on plat  
Paving: 40 ft. Curb & gutter: Both sides

Compliance

E. Laurel Ave. - 60 ft. ROW shown on plat  
Paving: 40 ft. Curb & gutter: Both sides

Compliance

\* 800 ft. Block Length.

NA

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

NA

**ALLEYS**

ROW: 20 ft. Paving: 16 ft.

\*Alley/service drive easement required for commercial properties

\*\*\*\*\*Private service drive easement to provide city services required. It will be maintained by the property owners, not the City of McAllen. It will be on the site plan and also on the plat as may be needed, prior to recording. Plat note will be required to be noted on the plat regarding the service drive, prior to recording.

Applied

**SETBACKS**

\* Front: N. McColl Rd. - 60 ft. or greater for approved site plan or easements.

Compliance

\*E. Jasmine Ave. - 30 ft. or greater for approved site plan or easements.

\*E. Laurel Ave. - 30 ft. or greater for approved site plan or easements.

\*Rear: In accordance with zoning ordinance or greater for approved site plan or easements.

Applied

\* Interior Sides: In accordance with zoning ordinance or greater for approved site plan or easements.

Applied

\* Corner: See above setbacks

Applied

\* Garage.

NA

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

Applied

**SIDEWALKS**

\* 4 ft. wide minimum sidewalk required on E. Laurel Ave and E. Jasmine Ave, and a 5 ft. wide minimum sidewalk is required along North McColl Road.

Applied

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

Applied

**BUFFERS**

\* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses.

Applied

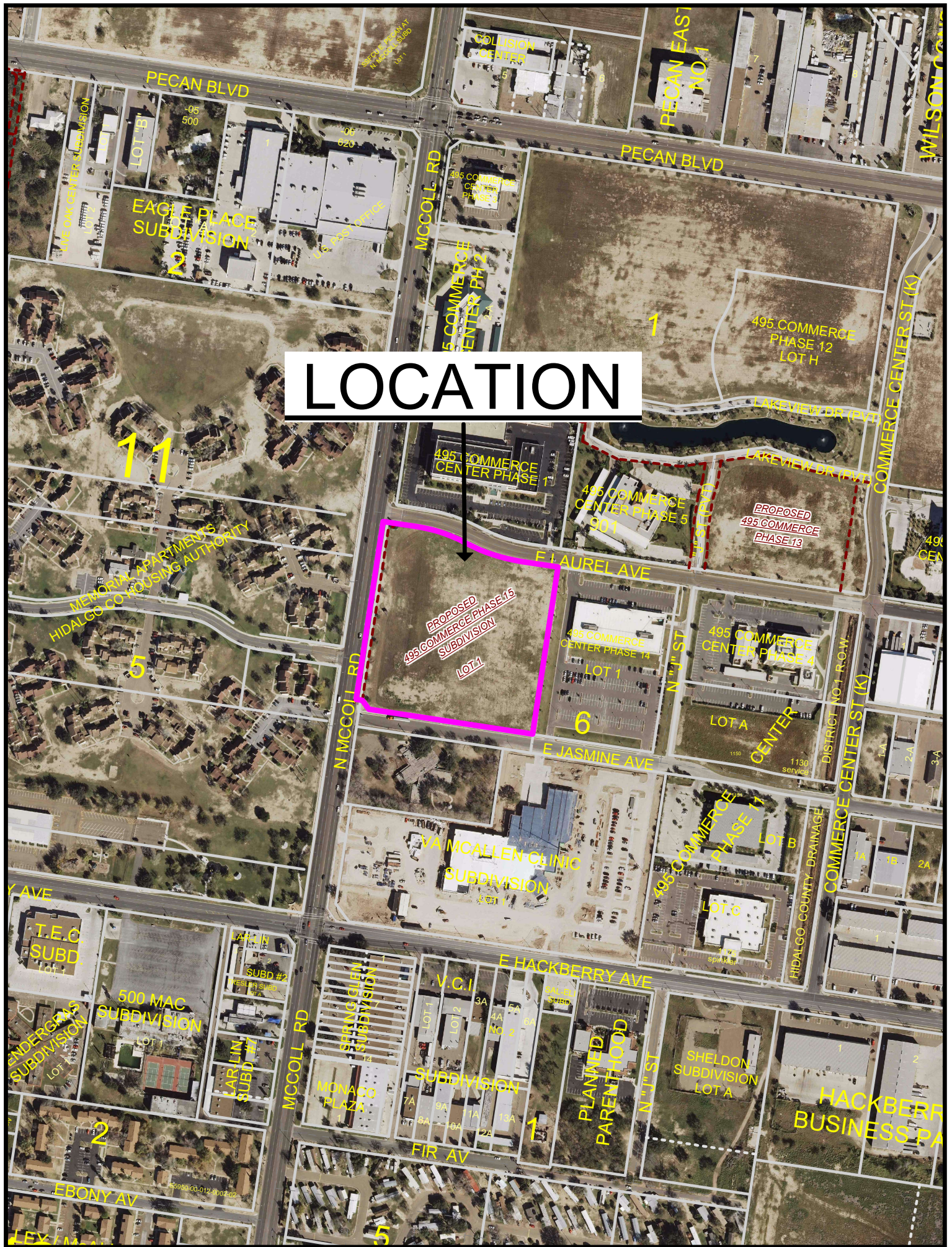
\* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.

Applied



*Perimeter buffers must be built at time of Subdivision Improvements.	Applied
<b>NOTES</b>	
* No curb cut, access, or lot frontage permitted along.	NA
* 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.	Required
* Common Areas, any private drives/streets must be maintained by the lot owners and not the City of McAllen	Required
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.	NA
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.	NA
<b>LOT REQUIREMENTS</b>	
* Minimum lot width and lot area.	Compliance
* Lots fronting public streets.	Compliance
<b>ZONING/CUP</b>	
* Existing: C-3 Proposed: C-3	Compliance
* Rezoning Needed Before Final Approval	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	Applied
* Pending review by the Parkland Dedication Advisory Board and CC.	NA
<b>TRAFFIC</b>	
* As per Traffic Department, Trip Generation approved, Traffic Impact Analysis Level 1 is required at building permit process.	Required
* As per Traffic Department, Trip Generation approved, Traffic Impact Analysis Level 1 is required at building permit process.	Required
<b>COMMENTS</b>	
Comments: Must comply with City's Access Management Policy **Service drive will be reviewed by staff at site plan review stage.	Applied
<b>RECOMMENDATION</b>	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM SUBJECT TO CONDITIONS NOTED.	Applied





# LOCATION



SUB 2020-0049



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

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

Project Description	Subdivision Name <u>JUST-A-CLOSET #4</u> Location _____ City Address or Block Number _____ Number of lots <u>1</u> Gross acres <u>4.42</u> Net acres <u>N/A</u> Existing Zoning <u>C-3L</u> Proposed <u>C-3L</u> Rezoning Applied For <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____ Existing Land Use <u>VACANT</u> Proposed Land Use <u>MINI-STORAGES</u> Irrigation District # <u>2</u> 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 type="checkbox"/> No <input checked="" type="checkbox"/> Agricultural Tax Exempt Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Estimated Rollback tax due <u>1962.16</u> Parcel No. <u>290251</u> Tax Dept. Review <u>Murra</u> Legal Description <u>4.42 Acres out of Lot 2, Block 16, Steel &amp; Pershing Subdivision, Vol 8, Pg 115, M.R.H.C.</u>
Owner	Name <u><del>JOSEPH WILLIAM HOLAND</del> Just A Closet #4, LLC D.R. 8/3/20</u> Phone <u>956-212-9081</u> Address <u>130 E. JASMINE AVENUE</u> City <u>MCALLEN</u> State <u>TX</u> Zip <u>78501</u> E-mail <u>JWHOLAND@VENTURO.COM</u>
Developer	Name <u>JOSEPH WILLIAM HOLAND</u> Phone <u>(956-212-9081)</u> Address <u>1308 E. JASMINE AVENUE</u> City <u>MCALLEN</u> State <u>TX</u> Zip <u>78501</u> Contact Person <u>JOSEPH WILLIAM HOLAND</u> E-mail <u>JWHOLAND@VENTURO.COM</u>
Engineer	Name <u>Rio Delta Engineering</u> Phone <u>(956) 380-5152</u> Address <u>921 S. 10th Ave</u> City <u>Edinburg</u> State <u>TX</u> Zip <u>78539</u> Contact Person <u>Ivan Garcia, P.E., R.P.L.S.</u> E-mail <u>riodelta2004@yahoo.com</u>
Surveyor	Name <u>Ivan Garcia, P.E., R.P.L.S.</u> Phone <u>(956) 380-5152</u> Address <u>921 S. 10th Ave</u> City <u>Edinburg</u> State <u>TX</u> Zip <u>78539</u>



Act # 128301 pd \$300



## Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

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

### PLAT TO SHOW:

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

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

Owner's Signature

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

Signature \_\_\_\_\_ Date 7/23/20

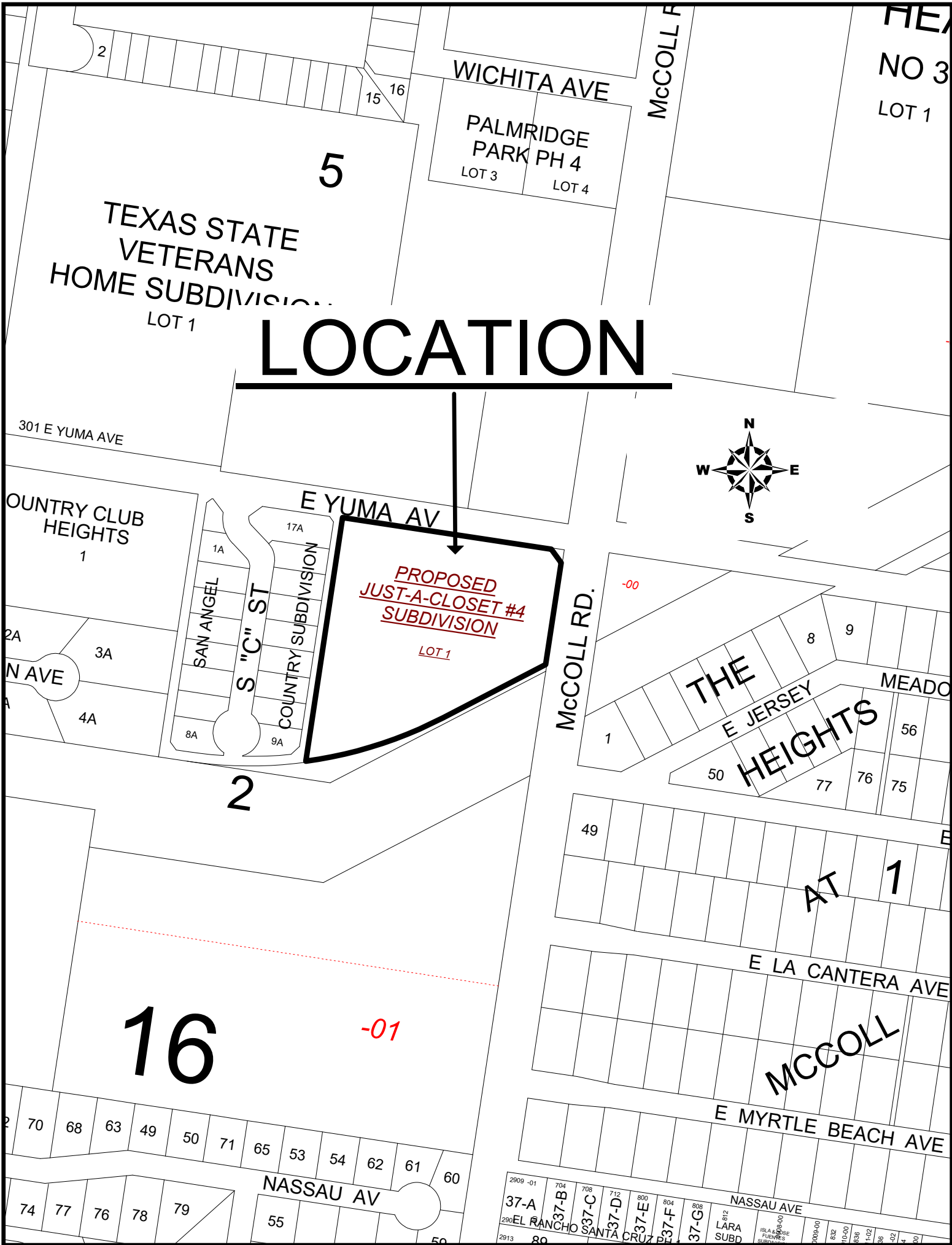
Print Name Joseph W. Holand

Owner ☐

Authorized Agent ☐



# LOCATION





Y: RDE SUBDIVISIONS 2020\SUB 20 015 - YUMA& MCCOLL, HOLLAND\DWG\SUB 20 015\_RDE-01 PLAT SHEET.dwg FERNANDO 11/10/2020 3:10 PM

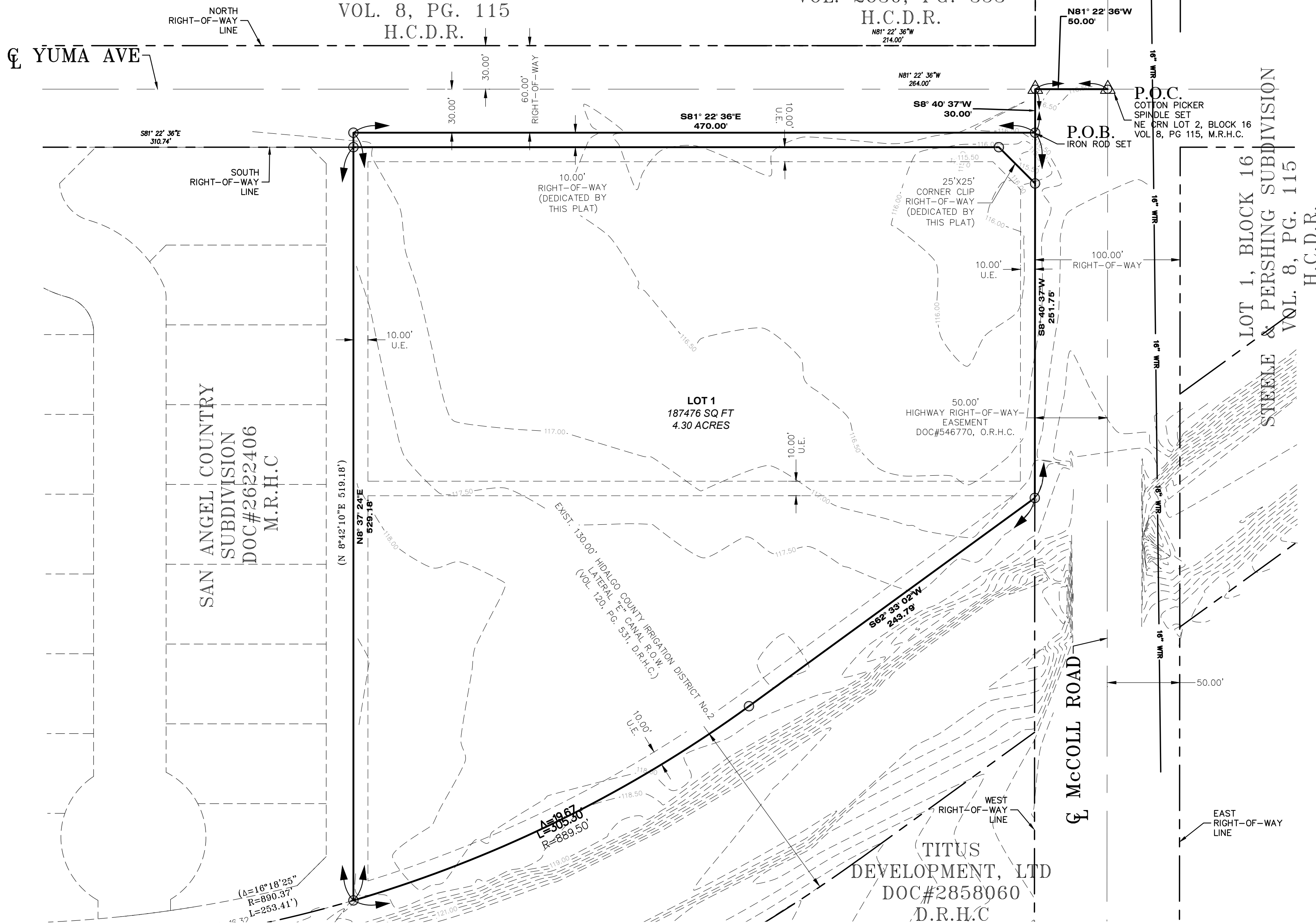
DATE OF PREPARATION: JULY 8, 2020

# JUST A CLOSET #4 SUBDIVISION

BEING A 4.42 ACRES TRACT OF LAND, OUT OF AND FORMING A PART OR PORTION OF LOT TWO (2), BLOCK SIXTEEN (16), STEELE & PERSHING SUBDIVISION OF THE EAST HALF (1/2) OF PORCION 66 AND ALL OF PORCION 67, HIDALGO COUNTY, TEXAS, AS PER MAP RECORDED IN VOLUME 8, PAGE 115, MAP RECORDS OF HIDALGO COUNTY, TEXAS.

REMAINDER  
PROBATE DOC# 16607-C, LOT 5, BLOCK 15  
STEELE & PERSHING SUBDIVISION  
VOL. 8, PG. 115  
H.C.D.R.

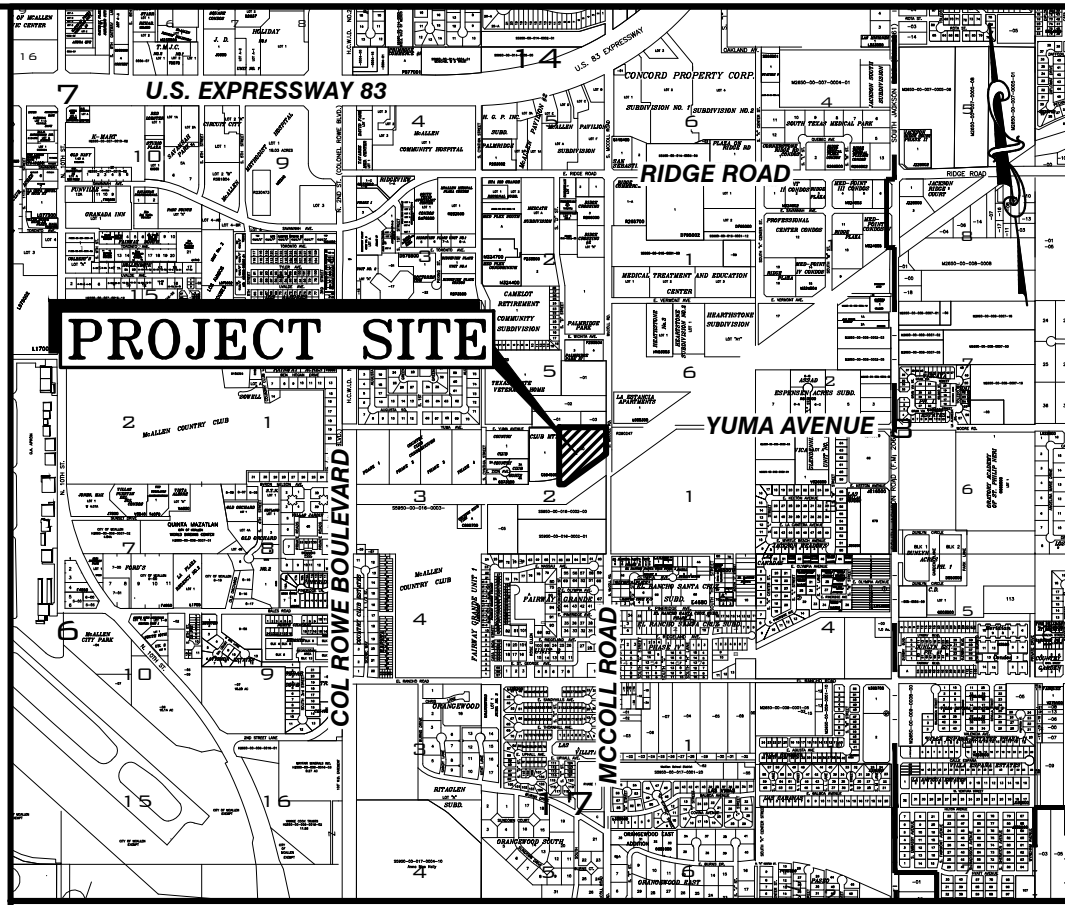
WILLIAM A. SCHWARZ  
1.00 ACRE  
VOL. 2630, PG. 353  
H.C.D.R.



SCALE: 1" = 50'  
BASIS OF BEARING  
TEXAS 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	CENTER LINE
L	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



## METES AND BOUNDS DESCRIPTION:

BEING A 4.42 ACRES TRACT OF LAND, OUT OF AND FORMING A PART OR PORTION OF LOT TWO (2), BLOCK SIXTEEN (16), STEELE & PERSHING SUBDIVISION OF THE EAST HALF (1/2) OF PORCION 66 AND ALL OF PORCION 67, HIDALGO COUNTY, TEXAS, AS PER MAP RECORDED IN VOLUME 8, PAGE 115, MAP RECORDS OF HIDALGO COUNTY, TEXAS, AND SAID 4.42 ACRES TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 2, BLOCK 16, STEELE & PERSHING SUBDIVISION, SAME BEING A POINT ON THE CENTERLINE OF MCCOLL ROAD;

THENCE N 81°22'36" W ALONG THE NORTH LINE OF THE SAID LOT 2, BLOCK 16, STEELE & PERSHING SUBDIVISION, SAME BEING ALONG THE EXISTING WEST RIGHT-OF-WAY LINE OF MCCOLL ROAD, TO A POINT ON THE NORTH LINE OF A CALLED 130.00 FOOT HIDALGO COUNTY IRRIGATION DISTRICT NO. 2 LATERAL "E" CANAL RIGHT-OF-WAY, TO A POINT ON THE EXISTING WEST RIGHT-OF-WAY LINE OF S. MCCOLL ROAD, A DISTANCE OF 50.00 FEET TO A COTTON-PICKER-SPINDLE SET;

THENCE S 8°40'37" W ACROSS THE SAID LOT 2, BLOCK 16, STEELE & PERSHING SUBDIVISION, SAME BEING ALONG THE EXISTING WEST RIGHT-OF-WAY LINE OF MCCOLL ROAD, TO A POINT ON THE EXISTING SOUTH RIGHT-OF-WAY LINE OF E. YUMA AVENUE, A DISTANCE OF 30.00 FEET TO A 1/2-INCH CAPPED IRON ROD SET, FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT AND THE POINT OF BEGINNING;

THENCE S 8°40'37" W, ACROSS THE SAID LOT 2, BLOCK 16, STEELE & PERSHING SUBDIVISION, SAME BEING ALONG THE EXISTING WEST RIGHT-OF-WAY LINE OF MCCOLL ROAD, TO A POINT ON THE NORTH LINE OF A CALLED 130.00 FOOT HIDALGO COUNTY IRRIGATION DISTRICT NO. 2 LATERAL "E" CANAL RIGHT-OF-WAY, TO A POINT ON THE EXISTING SOUTH RIGHT-OF-WAY LINE OF E. YUMA AVENUE, PASSING AT 519.18 FEET THE NORTHEAST CORNER OF THE SAID SAN ANGEL COUNTRY SUBDIVISION, AND CONTINUING FOR A TOTAL DISTANCE OF 529.18 FEET TO A 1/2-INCH CAPPED IRON ROD SET, FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 82°33'02" W, ACROSS THE SAID LOT 2, BLOCK 16, STEELE & PERSHING SUBDIVISION, SAME BEING ALONG THE NORTH LINE OF THE SAID 130.00 FOOT HIDALGO COUNTY IRRIGATION DISTRICT NO. 2 LATERAL "E" CANAL RIGHT-OF-WAY, A DISTANCE OF 243.79 FEET TO A 1/2-INCH CAPPED IRON ROD SET, FOR A POINT OF CURVATURE OF THE HEREIN DESCRIBED TRACT;

THENCE ALONG THE NORTH LINE OF THE SAID 130.00 FOOT HIDALGO COUNTY IRRIGATION DISTRICT NO. 2 LATERAL "E" CANAL RIGHT-OF-WAY, TO THE SOUTHEAST CORNER OF A CALLED SAN ANGEL COUNTRY SUBDIVISION, RECORDED IN DOCUMENT 262406, MAP RECORDS OF HIDALGO COUNTY, TEXAS, WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 889.50 FEET, CURVE LENGTH 305.30 FEET, DELTA ANGLE 19.67°, TANGENT 154.17 FEET, AND CHORD BEARING AND DISTANCE S 72°28'31" W 303.80 FEET, TO A 1/2-INCH CAPPED IRON ROD SET, FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 8°37'24" E ACROSS THE SAID LOT 2, BLOCK 16, STEELE & PERSHING SUBDIVISION, SAME BEING ALONG THE EAST BOUNDARY LINE OF THE SAID SAN ANGEL COUNTRY SUBDIVISION, TO A POINT ON THE EXISTING SOUTH RIGHT-OF-WAY LINE OF E. YUMA AVENUE, PASSING AT 519.18 FEET THE NORTHEAST CORNER OF THE SAID SAN ANGEL COUNTRY SUBDIVISION, AND CONTINUING FOR A TOTAL DISTANCE OF 529.18 FEET TO A 1/2-INCH CAPPED IRON ROD SET, FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 81°22'36" E ACROSS THE SAID LOT 2, BLOCK 16, STEELE & PERSHING SUBDIVISION, SAME BEING ALONG THE EXISTING SOUTH RIGHT-OF-WAY LINE OF E. YUMA AVENUE, A DISTANCE OF 470.00 FEET TO THE POINT AND PLACE OF BEGINNING, SAID TRACT CONTAINING 4.42 ACRES OF LAND, MORE OR LESS.

## GENERAL PLAT NOTES:

- MINIMUM PERMISSIBLE FINISHED FLOOR ELEVATION SHALL BE 18" ABOVE TOP OF CURB IN FRONT OF THE CENTER-POINT OF THE LOT.
- MINIMUM BUILDING SETBACKS SHALL BE AS FOLLOWS:  
YUMA AVENUE: 40 FT. OR GREATER FOR EASEMENTS.  
REAR: IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER FOR EASEMENTS OR APPROVED SITE PLAN.  
MCCOLL ROAD: 50 FT. OR GREATER FOR EASEMENT.  
SIDES: IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER FOR EASEMENTS OR APPROVED SITE PLAN.
- THE SUBDIVISION IS IN ZONE "C" (NO-SHADING), AREAS OF MINIMAL FLOODING, MAP COMMUNITY PANELS NO.: 480334 0425 C MAP REVISED: NOVEMBER 16, 1982.
- A DRAINAGE DETENTION OF ~~45,608~~ OF OR **1,047** ACRE FEET IS REQUIRED FOR LOT 1. 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' CORNER CLIP EASEMENT AT STREET INTERSECTIONS MEASURED FROM STREET CURB INTERSECTION.
- 5 FT. SIDEWALK REQUIRED ON MCCOLL ROAD.
- CITY OF MCALLEN BENCHMARK (MCBS) SET BY ARANDA & ASSOC. LOCATED AT THE SOUTH BOUND OF EL RANCHO ST. CLOSE TO S. CASA LINDA ST., ELEV. 112.96 NAVD 88
- 8 FT. MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONES/USES AND ALONG WEST PROPERTY LINE.
- 6 FT. OPAQUE BUFFER REQUIRED FROM ADJACENT BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, AND INDUSTRIAL ZONES/USES AND ALONG SOUTH MCCOLL ROAD AND EAST YUMA AVENUE AS MAY BE APPLICABLE.
- ALL UTILITY AND DRAINAGE EASEMENTS TO BE DEDICATED BY THIS PLAT, UNLESS STATED OTHERWISE.
- A PRIVATE SERVICE DRIVE EASEMENT WILL BE ESTABLISHED AS PART OF THE SITE PLAN AND WILL BE MAINTAINED BY THE LOT OWNER AND NOT THE CITY OF MCALLEN.

## 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 **JUST A CLOSET #4 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.

JOSEPH WILLIAM HOLAND  
JUST A CLOSET #4, LLC  
1308 E. JASMINE AVENUE  
MCALLEN, TEXAS 78501

## STATE OF TEXAS

COUNTY OF HIDALGO  
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JOSEPH WILLIAM HOLAND, 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 \_\_\_\_ 2020.

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

## 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.

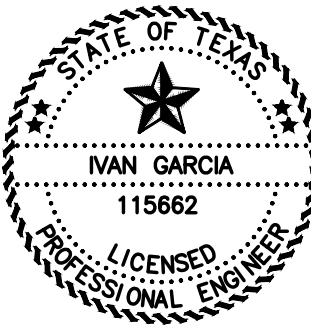
\_\_\_\_\_  
CITY MAYOR

\_\_\_\_\_  
DATE

## STATE OF TEXAS - COUNTY OF HIDALGO

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

IVAN GARCIA P.E., R.P.L.S. DATE  
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



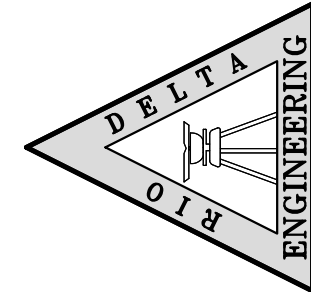
## PRINCIPAL CONTACTS:

NAME	ADDRESS	PHONE & FAX
OWNER(S): JOSEPH WILLIAM HOLAND	1308 E. JASMINE AVENUE	MCALLEN, TX. 78501
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



ISSUED FOR:  
**PRELIMINARY**

PLAT SHEET  
JUST A CLOSET #4 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
SCALE:	1"=50'
DATE:	JULY 30, 2020
PROJECT:	SUB 20 015
REVISIONS:	
PAGE NO.:	C1





Reviewed On: 12/10/2020

**SUBDIVISION NAME: JUST A CLOSET #4****REQUIREMENTS****STREETS AND RIGHT-OF-WAYS**

South McColl Road: 50 ft. from centerline for 100 ft. ROW  
 Paving: 65 ft. Curb & gutter: Both sides  
 \*\*\*Monies must be escrowed if improvements are not built prior to recording.

East Yuma Avenue: 10 ft. dedication for 40 ft. from centerline for 80 ft. ROW  
 Paving: 52-65 ft. Curb & gutter: Both sides  
 \*\*Monies must be escrowed if improvements are not built prior to recording.

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

\* 800 ft. Block Length.

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

Applied

Applied

Applied

NA

NA

**ALLEYS**

ROW: 20 ft. Paving: 16 ft.  
 \*Alley/service drive easement required for commercial properties  
 \*\* 24 ft. private service drive to provide city services required. It will be maintained by the property owners, and not the City of McAllen. It will be on the site plan and also on the plat as may be needed, prior to recording. Plat note will be required to be noted on the plat regarding the service drive, prior to recording.  
 \*\*\*Plat note #13 might be revised prior to recording.

Required

**SETBACKS**

\* Front:  
 - South McColl Road- 50 ft. or greater for easements or approved site plan  
 - East Yuma Avenue: 40 ft. or greater for easements or approved site plan

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

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

\* Corner: See above

\* Garage:

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

Applied

Applied

Applied

Applied

NA

Applied

**SIDEWALKS**

\* 4 ft. wide minimum sidewalk required on South McColl Road and East Yuma avenue.  
 \*\*5 ft. wide minimum sidewalk along South McColl Road as per engineer.  
 \*\*\*Please add plat note as shown above for sidewalk required along East Yuma Avenue prior to recording.

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

Required

Applied

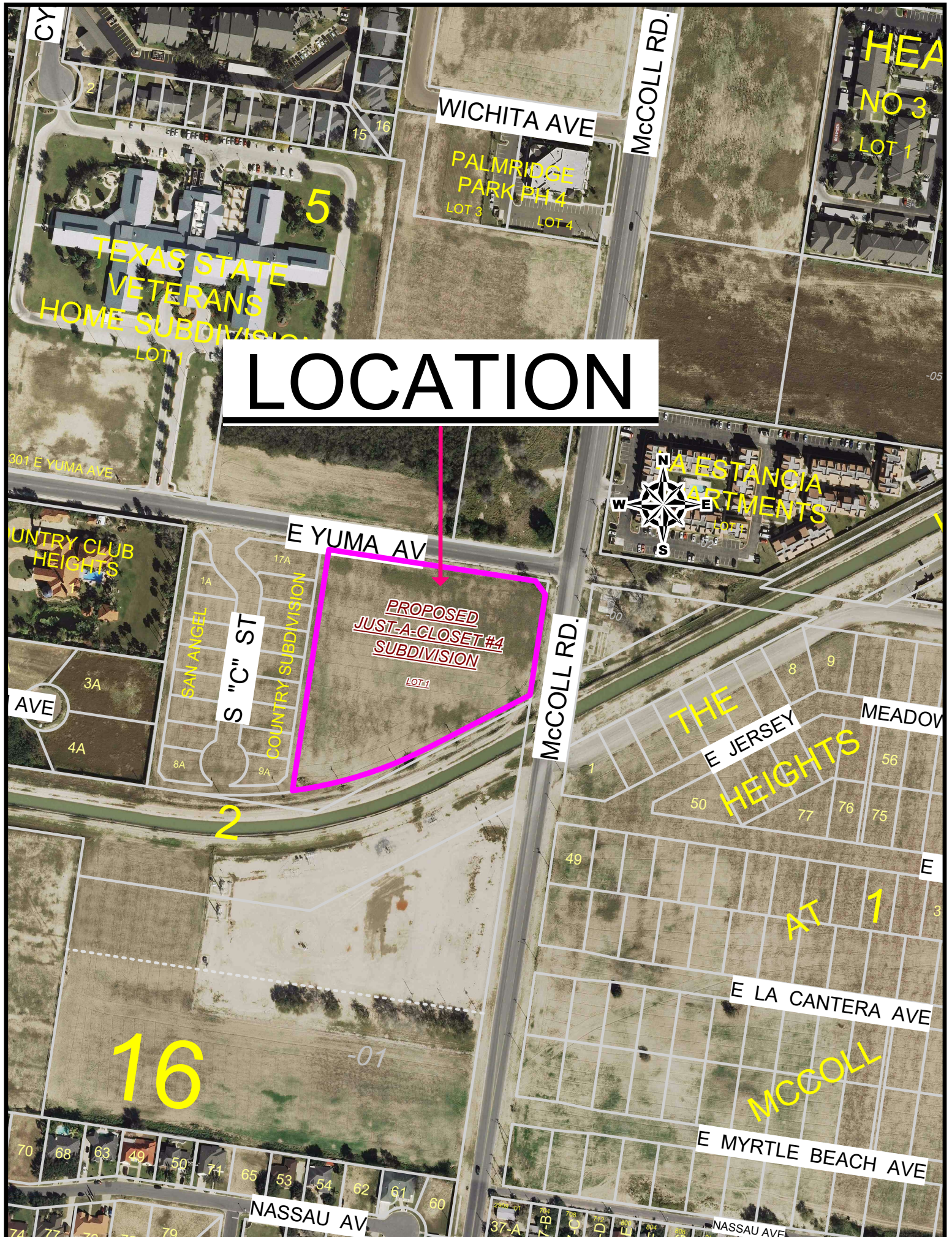


BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along South McColl Road and East Yuma Avenue as may be applicable.	Applied
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses and along west property line.	Applied
*Perimeter buffers must be built at time of Subdivision Improvements.	Applied
NOTES	
* No curb cut, access, or lot frontage permitted along.	Applied
* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.	Applied
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	Required
* Common Areas, any private drives/streets must be maintained by the lot owners and not the City of McAllen	Required
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.	NA
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.	NA
LOT REQUIREMENTS	
* Minimum lot width and lot area.	Compliance
* Lots fronting public streets.	Compliance
ZONING/CUP	
* Existing: C-3L Proposed: C-3L	Compliance
* Rezoning Needed Before Final Approval	NA
PARKS	
* Land dedication in lieu of fee.	NA
* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording	NA
* Pending review by the Parkland Dedication Advisory Board and CC.	NA
TRAFFIC	
* As per Traffic Department, Trip generation approved, no traffic impact analysis required.	Completed
* As per Traffic Department, Trip generation approved, no traffic impact analysis required.	NA
COMMENTS	
Comments: Must comply with City's Access Management Policy. **Revise Plat note #13 and whichever is applicable prior to recording.	Applied



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





# LOCATION



SUB2020-0034

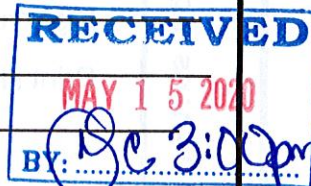


City of McAllen  
Planning Department

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>Barcelona Subdivision</u></p> <p>Location <u>Northwest corner Bentsen Rd and Colbath Ave.</u></p> <p>City Address or Block Number <u>TBD</u></p> <p>Number of lots <u>1</u> Gross acres <u>1.55</u> Net acres <u>1.26</u></p> <p>Existing Zoning <u>R-3A</u> Proposed _____ Rezoning Applied For <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____</p> <p>Existing Land Use <u>Vacant</u> Proposed Land Use <u>Multifamily</u> Irrigation District # <u>United</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 type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Agricultural Tax Exempt Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Estimated Rollback tax due <u>0-</u></p> <p>Parcel No. <u>S2950-00-000-0178-40</u> Tax Dept. Review <u>Guerra</u></p> <p>Legal Description <u>A 1.55 acre tract of land out of Lot 178, JOHN H. SHARY SUBDIVISION</u></p>
Owner	<p>Name <u>New Millenium L Investments, Inc.</u> Phone <u>(956) 483-4372</u></p> <p>Address <u>711 W. Nolana Ave. Suite 102B</u></p> <p>City <u>McAllen</u> State <u>TX</u> Zip <u>78504</u></p> <p>E-mail _____</p>
Developer	<p>Name <u>Servikon, LLC</u> Phone <u>(956) 483-4372</u></p> <p>Address <u>101 N McColl Rd. Ste 8</u></p> <p>City <u>McAllen</u> State <u>TX</u> Zip <u>78501</u></p> <p>Contact Person <u>Adriana Salazar</u></p> <p>E-mail <u>adrianasalazar68@hotmail.com</u></p>
Engineer	<p>Name <u>Supreme Engineering, PLLC</u> Phone <u>(956) 272-2246</u></p> <p>Address <u>410 S Jackson Rd #2780</u></p> <p>City <u>Edinburg</u> State <u>TX</u> Zip <u>78539</u></p> <p>Contact Person <u>Omar Cano, P.E.</u></p> <p>E-mail <u>omar.cano@supremeengineering.com</u></p>
Surveyor	<p>Name <u>Pablo Pena III, RPLS</u> Phone <u>(956) 682-8812</u></p> <p>Address <u>1001 Whitewing Ave.</u></p> <p>City <u>McAllen</u> State <u>TX</u> Zip <u>78501</u></p>



Act # 716823 pd \$ 3008



## 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.

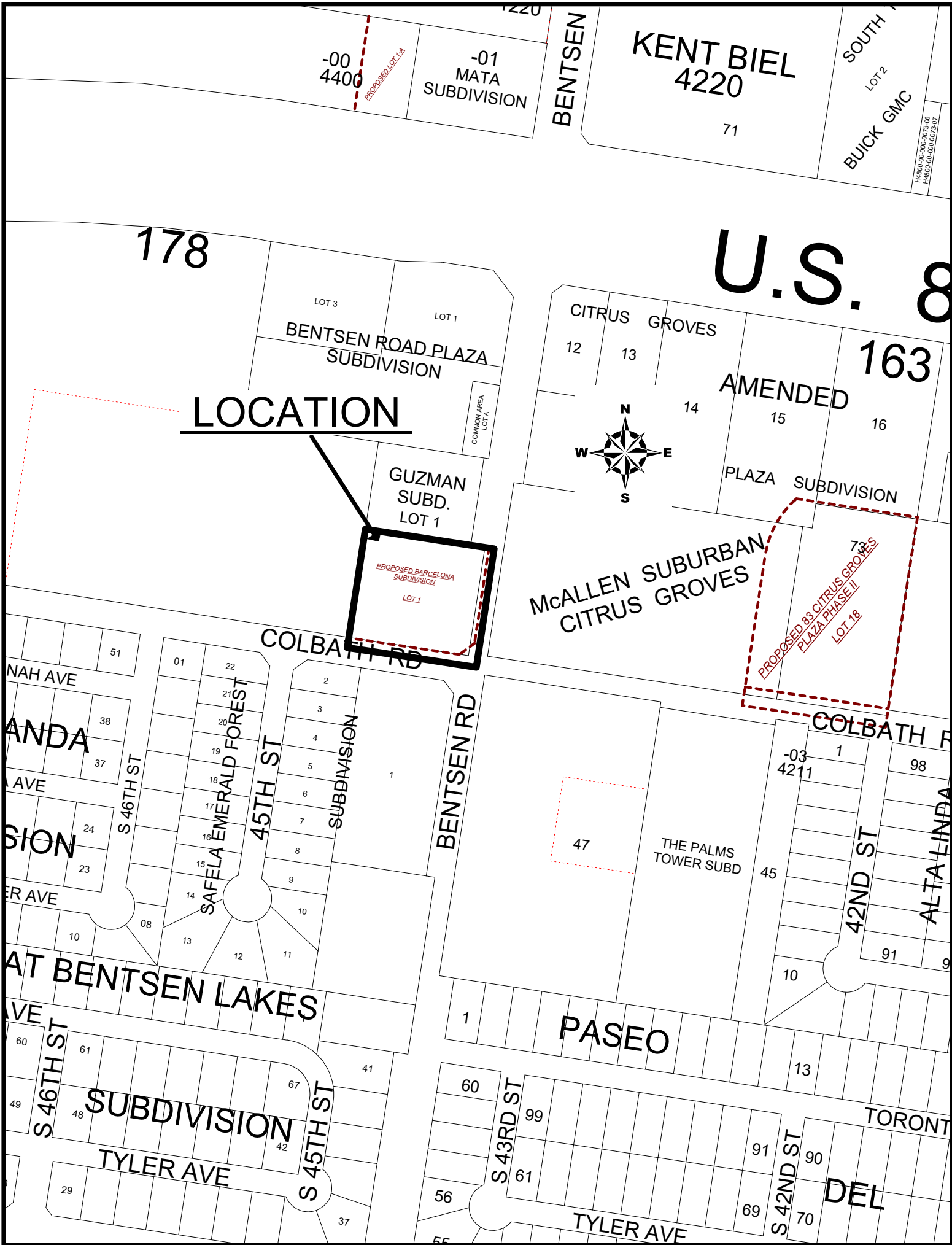
Signature \_\_\_\_\_ Date 05/14/2020

Print Name Laura Elena Aragon D.

Owner ☒

Authorized Agent ☐





LOCATION











Reviewed On: 12/8/2020

**SUBDIVISION NAME: BARCELONA SUBDIVISION****REQUIREMENTS****STREETS AND RIGHT-OF-WAYS**

South Bentsen Road: 10 ft. dedication for 40 ft. from centerline for 80 ft. of ROW  
Paving: 52 ft. Curb & gutter: Both sides

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

Colbath Road: 18.5 ft. dedication for 40 ft. from centerline for 80 ft. ROW

Paving: 52 ft. Curb & gutter: Both sides

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

\*\*\*Revise street name to "Colbath Road" on plat, vicinity map and wherever is applicable prior to recording.

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

\* 800 ft. Block Length

\* 600 ft. Maximum Cul-de-Sac

Applied

Applied

Applied

NA

NA

**ALLEYS**

ROW: 20 ft. Paving: 16 ft.

\*Alley/service drive easement required for commercial properties.

\*\*\*Private service drive easement to provide city services required. It will be maintained by the property owners, not the City of McAllen. It will be on the site plan and also on the plat as may be needed, prior to recording. Plat note will be required to be noted on the plat regarding the service drive, prior to recording.

Required

**SETBACKS**

\* South Bentsen Road : 40 ft. or greater for approved site plan or easements.

\*\*Colbath Road: 40 ft. or greater for approved site plan or easements.

\* Rear: 10 ft. or greater for site plans or easements.

\*\*The engineer submitted a variance letter on September 4, 2020 to allow a rear setback of 6 ft. or greater for easements instead of the required 10 ft. or greater for easements. The Planning and Zoning Board disapproved the variance requested.

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

\* Corner: See setbacks for North Bentsen Road and Colbath Road

\* Garage: 18 ft. or greater for approved site plan or easements.

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

Applied

Applied

Applied

Applied

Applied

Applied

**SIDEWALKS**

\* 4 ft. wide minimum sidewalk required on South Bentsen Road and Colbath Road.

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

Applied

Applied



BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along Colbath Road.	Applied
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses and along north side property.	Applied
* Perimeter buffers must be built at time of Subdivision Improvements.	Applied
NOTES	
* No curb cut, access, or lot frontage permitted along.	Applied
* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.	Applied
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	Applied
* Common Areas, any private drives must be maintained by the lot owners and not the City of McAllen	Required
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.	NA
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.	NA
LOT REQUIREMENTS	
* Minimum lot width and lot area.	Compliance
* Lots fronting public streets.	Compliance
ZONING/CUP	
* Existing: R-3A Proposed: R-3A **Rezoning to R-3A approved by Planning and Zoning on November 19, 2019 ***Rezoning to R-3A approved by the City Commission on December 12, 2019 * Rezoning Needed Before Final Approval	Completed
	NA
PARKS	
* Land dedication in lieu of fee does not apply.	NA
* Park Fee of \$700 per dwelling unit to be paid prior to recording. As per parks Department, Park fees will apply at a rate of \$700 per dwelling unit. Total amount of fees is \$13,300 (\$700 X 19 = \$13,300). Fees may vary depending on the proposed amount of dwelling units.	Required
* Pending review by the Parkland Dedication Advisory Board and CC.	NA
TRAFFIC	
* As per Traffic Department, Trip Generation has been waived. No TIA required.	Complete
* As per Traffic Department, Trip Generation has been waived. No TIA required.	NA
COMMENTS	
Comments: Must comply with City's Access Management Policy **A variance for landscaping requirements will be presented before the Zoning Board of Adjustments and Appeals at their December 17, 2020 meeting.	Applied



RECOMMENDATION	
Recommendation: STAFF RECOMEMNDS APPROVAL OF THE SUBDIVISION IN FINAL FORM SUBJECT TO CONDITIONS NOTED.	Applied



178

U.

LOCATION

CITRUS GROVES

AMEN

PLAZA



GUZMAN SUBD.  
LOT 1

McALLEN SUBURBAN  
CITRUS GROVES

PROPOSED BARCELONA  
SUBDIVISION  
LOT 1

COLBATH RD

BENTSEN RD

SUBDIVISION

45TH ST

SAFELA EMERALD FOREST

S 46TH ST

THE PALMS  
TOWER SUBD

BENTSEN LAKES

PASEO





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

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

Project Description	<p><i>I.G. #619</i> <b>THE GROVE</b> Subdivision Name <u>MADIAM LP WARE SUBDIVISION</u> FROM THE INTERSECTION OF WARE RD. Location <u>AND U.S. HIGHWAY 83 2,900 FEET NORTH ON THE WEST SIDE OF WARE RD.</u> City Address or Block Number <u>500 S. WARE RD</u> Number of lots <u>2</u> Gross acres _____ Net acres <u>7.15 ACRES</u> Existing Zoning <u>C-3</u> Proposed <u>R-3A AND C-3</u> Rezoning Applied For <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____ Existing Land Use <u>AGRICULTURAL</u> Proposed Land Use <u>LOT 1 - COMMERCIAL</u> Irrigation District # <u>HCID#1</u> <u>LOT 2 - MULTIFAMILY</u> 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 type="checkbox"/> No <input checked="" type="checkbox"/> Agricultural Tax Exemption Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Estimated Rollback tax due <u>0.00</u> Legal Description <u>BEING A 7.15 ACRES TRACT OF LAND OUT OF AND FORMING A PART OR PORTION OF LOT 149, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY'S SUBDIVISION, RECORDED IN VOLUME 24, PAGE 68, DEED RECORDS OF HIDALGO COUNTY, TEXAS, SAID 7.15 ACRES TRACT BEING OUT OF A CALLED 30.758 ACRES TRACT DESCRIBED IN A DEED CONVEYED TO OSCAR SOTELO, KING S. BEARDSLEY AND CHARLES R. BEARDSLEY, RECORDED IN VOLUME 2417, PAGE 639, DEED RECORDS OF HIDALGO COUNTY, TEXAS;</u></p>
Owner	<p>Name <u>MDM LAND COMPANY, LLC</u> Phone <u>(956) 445-7631</u> <u>(TOMAS GUTIRREZ JR.)</u> Address <u>2515 COLORADO STREET, SUITE 6</u> City <u>MISSION</u> State <u>TX</u> Zip <u>78572</u> E-mail <u>TGUTIERREZ@MOONRISETRADING.COM</u></p>
Developer	<p>Name <u>MDM LAND COMPANY, LLC</u> Phone <u>(956) 445-7631</u> <u>(TOMAS GUTIRREZ JR.)</u> Address <u>2515 COLORADO STREET, SUITE 6</u> City <u>MISSION</u> State <u>TX</u> Zip <u>78572</u> Contact Person <u>TOMAS GUTIRREZ JR.</u> E-mail <u>TGUTIERREZ@MOONRISETRADING.COM</u></p>
Engineer	<p>Name <u>IVAN GARCIA, PE., R.P.L.S.</u> Phone <u>(956) 380-5152</u> Address <u>921 S. 10TH AVE.</u> City <u>EDINBURG</u> State <u>TX</u> Zip <u>78539</u> Contact Person <u>IVAN GARCIA, P.E., R.P.L.S.</u> E-mail <u>RIDELTA2004@YAHOO.COM</u></p>
Surveyor	<p>Name <u>IVAN GARCIA, PE., R.P.L.S.</u> Phone <u>(956) 380-5152</u> Address <u>921 S. 10TH AVE.</u> City <u>EDINBURG</u> State <u>TX</u> Zip <u>78539</u> E-mail <u>RIDELTA2004@YAHOO.COM</u></p>

RECEIVED  
APR 22 2019

BY: JCO22pm

*RET # 629342*



## 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" 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 DWG file 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 4/16/2019

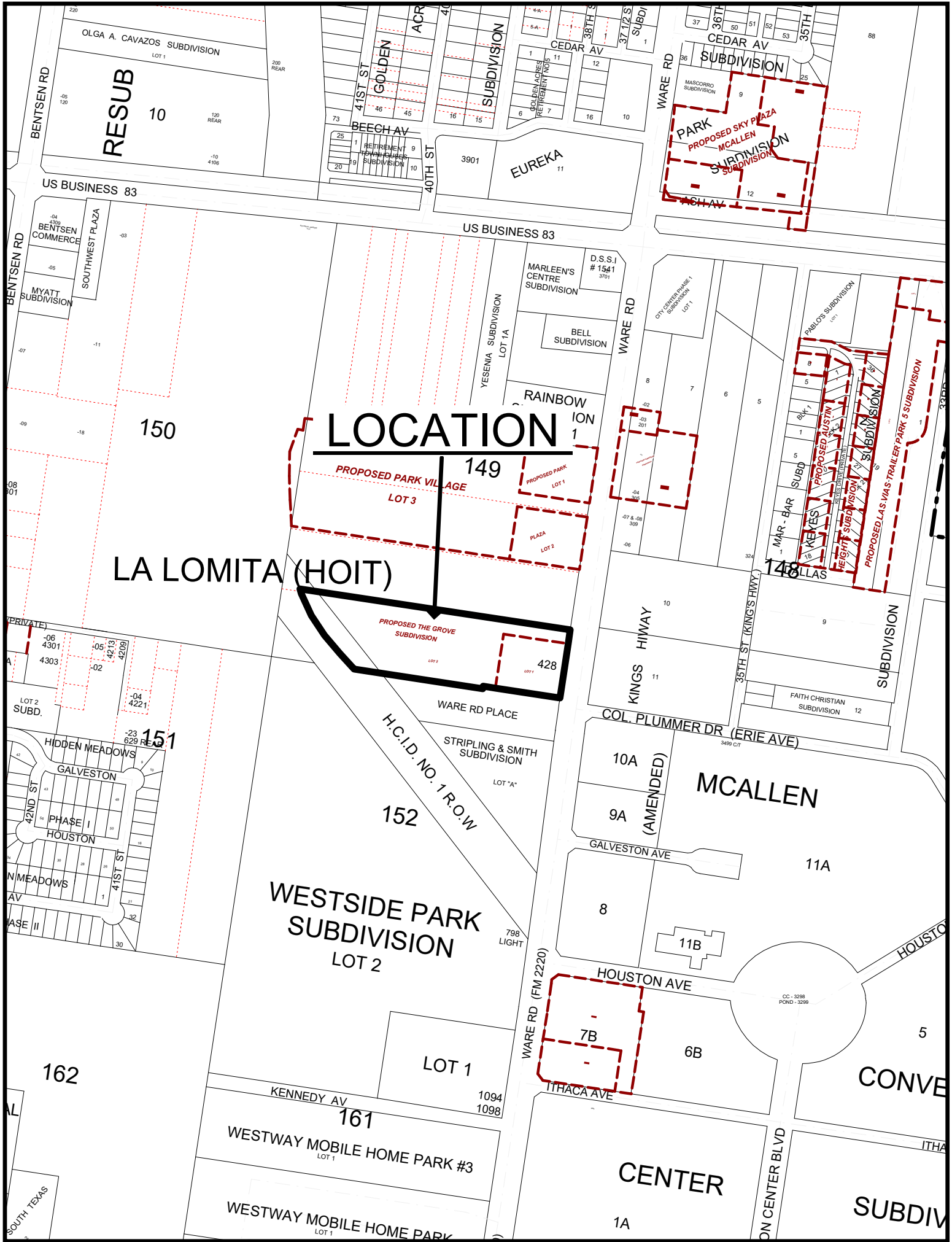
Print Name Tomas Gutierrez

Owner ☐

Authorized Agent ☐

Rev 03/11





RESUB

10

US BUSINESS 83

150

LA LOMITA (HOIT)

LOCATION

149

PROPOSED PARK VILLAGE  
LOT 3

PROPOSED PARK  
LOT 1

PLAZA  
LOT 2

PROPOSED THE GROVE  
SUBDIVISION

428

WARE RD PLACE

H.C.I.D. NO. 1 R.O.W

152

WESTSIDE PARK  
SUBDIVISION  
LOT 2

LOT 1

KENNEDY AV

161

WESTWAY MOBILE HOME PARK #3  
LOT 1

WESTWAY MOBILE HOME PARK  
LOT 1

WARE RD (FM 2220)

10A  
9A  
(AMENDED)

MCCALLEN

11A

HOUSTON AVE

7B

6B

CENTER

1A

CONVE

SUBDIV

CEDAR AV

SUBDIVISION

PARK  
PROPOSED SKY PLAZA  
MCCALLEN  
SUBDIVISION

WARE RD

35TH

WARE RD

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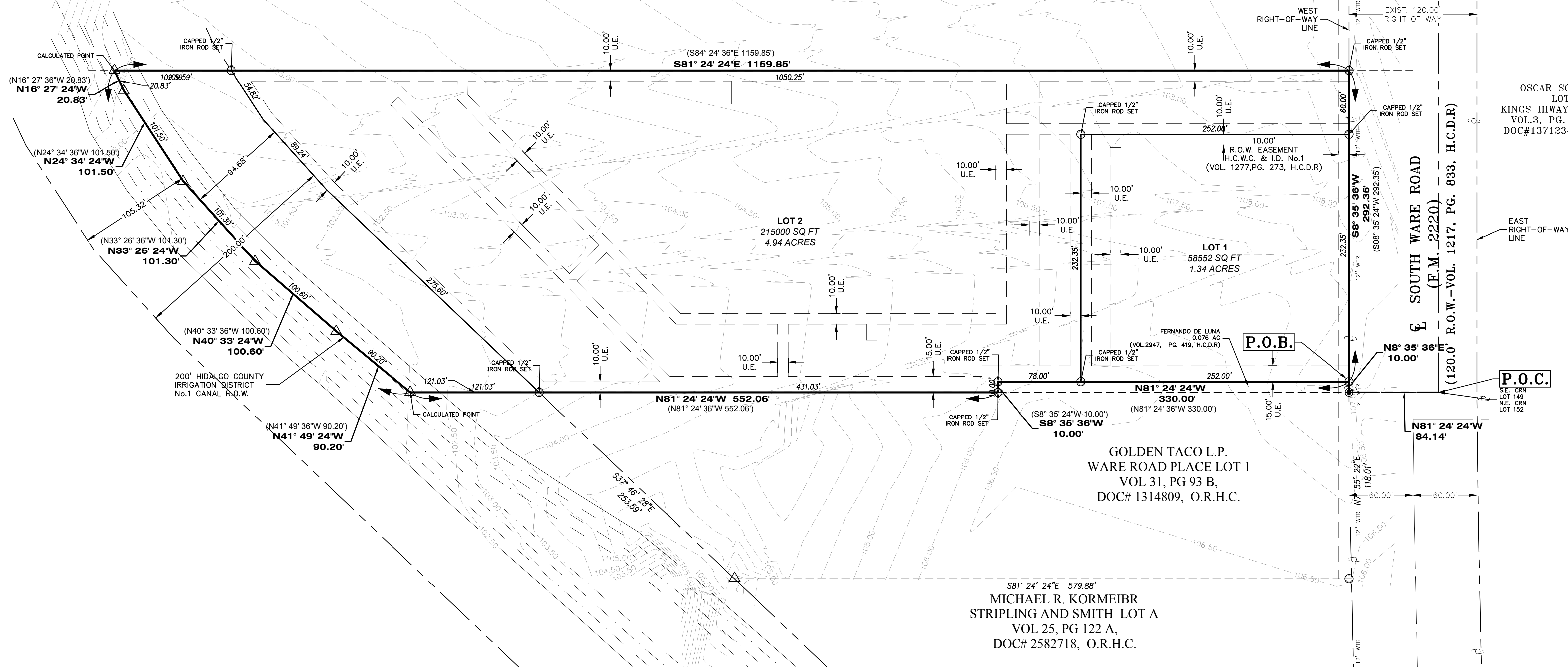


# THE GROVE SUBDIVISION

BEING A 7.15 ACRES TRACT OF LAND OUT OF AND FORMING A PART OR PORTION OF LOT 149, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY'S SUBDIVISION, RECORDED IN VOLUME 24, PAGE 68, DEED RECORDS OF HIDALGO COUNTY, TEXAS; SAID 7.15 ACRES TRACT BEING OUT OF A CALLED 30.758 ACRES TRACT DESCRIBED IN A DEED CONVEYED TO OSCAR SOTELO, KING S. BEARDSLEY AND CHARLES R. BEARDSLEY, RECORDED IN VOLUME 2417, PAGE 639, DEED RECORDS OF HIDALGO COUNTY, TEXAS; AND SAID 7.15 ACRES TRACT BEING OUT AND FORMING A PART OR PORTION OF A CALLED "FOURTH TRACT": 7.738 ACRES" TO CHARLES R. BEARDSLEY IN A PARTITION DEED, RECORDED IN DOCUMENT NO. 1644036, DEED RECORDS OF HIDALGO COUNTY, TEXAS

OSCAR SOTELO MD.  
7.698 ACRES - LOTS 149 AND 150, LA LOMITA  
IRRIGATION & CONSTRUCTION COMPANY  
SUBDIVISION  
DOC# 1644036, O.R.H.C.

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



OSCAR SOTELO MD.  
LOT 10  
KINGS HWAY SUBDIVISION  
VOL.3, PG. 8, M.R.H.C.  
DOC#1371234-6, O.R.H.C.

## METES AND BOUNDS DESCRIPTION:

BEING A 7.15 ACRES TRACT OF LAND OUT OF AND FORMING A PART OR PORTION OF LOT 149, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY'S SUBDIVISION, RECORDED IN VOLUME 24, PAGE 68, DEED RECORDS OF HIDALGO COUNTY, TEXAS; SAID 7.15 ACRES TRACT BEING OUT OF A CALLED 30.758 ACRES TRACT DESCRIBED IN A DEED CONVEYED TO OSCAR SOTELO, KING S. BEARDSLEY AND CHARLES R. BEARDSLEY, RECORDED IN VOLUME 2417, PAGE 639, DEED RECORDS OF HIDALGO COUNTY, TEXAS; AND SAID 7.15 ACRES TRACT BEING OUT AND FORMING A PART OR PORTION OF A CALLED "FOURTH TRACT": 7.738 ACRES" TO CHARLES R. BEARDSLEY IN A PARTITION DEED, RECORDED IN DOCUMENT NO. 1644036, DEED RECORDS OF HIDALGO COUNTY, TEXAS.

SAID 7.15 ACRES TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 149, SAME BEING A POINT WITHIN THE RIGHT-OF-WAY OF SOUTH WARE ROAD (F.M. 2220);

THENCE N81° 24' 24"W, ALONG THE SOUTH LINE OF THE SAID LOT 149, A DISTANCE OF 84.14 FEET TO A 1-INCH IRON PIPE FOUND ON THE WEST RIGHT-OF-WAY LINE OF SOUTH WARE ROAD (S.H. SPUR 487), SAME POINT BEING THE SOUTHEAST CORNER OF A CALLED 0.076 ACRES TRACT DESCRIBED IN A WARRANTY DEED FROM JESUS SALINAS TO FERNANDO DE LUNA, RECORDED IN VOLUME 2947, PAGE 419, DEED RECORDS OF HIDALGO COUNTY, TEXAS, AND CONTINUING FOR A TOTAL DISTANCE OF 330.00 FEET TO A POINT, SAME BEING A POINT WITHIN THE NORTHWEST CORNER OF WARE ROAD PLACE SUBDIVISION, RECORDED IN VOLUME 31, PAGE 639, MAP RECORDS OF HIDALGO COUNTY, TEXAS;

THENCE N8° 35' 36"E, ALONG THE WEST RIGHT-OF-WAY LINE OF SOUTH WARE ROAD (S.H. SPUR 487), SAME BEING ALONG THE EAST BOUNDARY LINE OF THE SAID 0.076 ACRES FERNANDO DE LUNA TRACT, A DISTANCE OF 10.00 FEET TO A 1/2-INCH CAPPED IRON ROD SET, THE NORTHEAST CORNER OF THE SAID 0.076 ACRES FERNANDO DE LUNA TRACT, FOR THE MOST EASTERLY SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT AND THE POINT OF BEGINNING;

THENCE N81° 24' 24"W, ALONG THE NORTH BOUNDARY LINE OF THE SAID DE 0.076 ACRES FERNANDO DE LUNA TRACT, PASSING AT 10.00 THE WEST LINE OF A CALLED HIDALGO COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT No.1 RIGHT-OF-WAY EASEMENT, RECORDED IN VOLUME 1277, PAGE 273, DEED RECORDS OF HIDALGO COUNTY, TEXAS, AND CONTINUING FOR A TOTAL DISTANCE OF 330.00 FEET TO A 1/2-INCH CAPPED IRON ROD SET, THE NORTHWEST CORNER OF SAID 0.076 ACRES FERNANDO DE LUNA TRACT, FOR AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S8° 35' 36"W, ALONG THE WEST LINE OF THE SAID 0.076 ACRES FERNANDO DE LUNA TRACT, TO A POINT ON THE SOUTH LINE OF THE SAID LOT 149, SAME POINT BEING THE SOUTHWEST CORNER OF THE SAID 0.076 ACRES FERNANDO DE LUNA TRACT, A DISTANCE OF 10.00 FEET TO A 1/2-INCH CAPPED IRON ROD SET, FOR THE MOST SOUTHERLY SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N81° 24' 24"W, ALONG THE SOUTH LINE OF THE SAID LOT 149, TO THE SOUTHWEST CORNER OF THE SAID 30.758 ACRES TRACT, PASSING AT 431.03 FEET A 1/2-INCH CAPPED IRON ROD SET FOR REFERENCE, AND CONTINUING FOR A TOTAL DISTANCE OF 552.06 FEET TO A POINT, SAME BEING A POINT WITHIN THE NORTHWEST CORNER OF THE SAID 30.758 ACRES TRACT, A DISTANCE OF 10.00 FEET TO A 1/2-INCH CAPPED IRON ROD SET, FOR THE MOST SOUTHERLY SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N41° 49' 24"W, ALONG THE WEST BOUNDARY LINE OF THE SAID 30.758 ACRES TRACT, A DISTANCE OF 90.20 FEET TO A POINT, SAME POINT BEING AN ANGLE POINT OF THE SAID 30.758 ACRES TRACT, AND SAME BEING A POINT WITHIN THE SAID HIDALGO COUNTY IRRIGATION DISTRICT No. 1 DRAIN DITCH RIGHT-OF-WAY, FOR AN ANGLE POINT OF THE HEREIN DESCRIBED TRACT;

THENCE N40° 33' 24"W, ALONG THE WEST BOUNDARY LINE OF THE SAID 30.758 ACRES TRACT, A DISTANCE OF 100.60 FEET TO A POINT, SAME POINT BEING AN ANGLE POINT OF THE SAID 30.758 ACRES TRACT, AND SAME BEING A POINT WITHIN THE SAID HIDALGO COUNTY IRRIGATION DISTRICT No. 1 DRAIN DITCH RIGHT-OF-WAY, FOR AN ANGLE POINT OF THE HEREIN DESCRIBED TRACT;

THENCE N33° 26' 24"W, ALONG THE WEST BOUNDARY LINE OF THE SAID 30.758 ACRES TRACT, A DISTANCE OF 101.30 FEET TO A POINT, SAME POINT BEING AN ANGLE POINT OF THE SAID 30.758 ACRES TRACT, AND SAME BEING A POINT WITHIN THE SAID HIDALGO COUNTY IRRIGATION DISTRICT No. 1 DRAIN DITCH RIGHT-OF-WAY, FOR AN ANGLE POINT OF THE HEREIN DESCRIBED TRACT;

THENCE N24° 34' 24"W, ALONG THE WEST BOUNDARY LINE OF THE SAID 30.758 ACRES TRACT, A DISTANCE OF 101.50 FEET TO A POINT, SAME POINT BEING AN ANGLE POINT OF THE SAID 30.758 ACRES TRACT, AND SAME BEING A POINT WITHIN THE SAID HIDALGO COUNTY IRRIGATION DISTRICT No. 1 DRAIN DITCH RIGHT-OF-WAY, FOR AN ANGLE POINT OF THE HEREIN DESCRIBED TRACT;

THENCE N16° 27' 24"W, ALONG THE WEST BOUNDARY LINE OF THE SAID 30.758 ACRES TRACT, A DISTANCE OF 20.83 FEET TO A POINT, SAME POINT BEING THE NORTHWEST CORNER OF THE SAID "FOURTH TRACT": 7.738 ACRES" DESCRIBED IN THE SAID PARTITION DEED, RECORDED IN DOCUMENT NO. 1644036, DEED RECORDS OF HIDALGO COUNTY, TEXAS, AND SAME BEING A POINT WITHIN THE SAID HIDALGO COUNTY IRRIGATION DISTRICT No. 1 DRAIN DITCH RIGHT-OF-WAY, FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S81° 24' 24"E, ALONG THE NORTH BOUNDARY LINE OF THE SAID "FOURTH TRACT": 7.738 ACRES" TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SOUTH WARE ROAD (S.H. SPUR 487), PASSING AT 109.59 A 1/2-INCH CAPPED IRON ROD SET FOR REFERENCE, PASSING AT 1,149.85 FEET THE WEST LINE OF THE SAID HIDALGO COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT No. 1 RIGHT-OF-WAY EASEMENT, AND CONTINUING FOR A TOTAL DISTANCE OF 1,159.85 FEET TO A 1/2-INCH CAPPED IRON ROD SET, FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S8° 35' 36"W, ALONG THE WEST RIGHT-OF-WAY LINE OF SOUTH WARE ROAD (F.M. 2220), A DISTANCE OF 292.35 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 7.15 ACRES OF LAND, MORE OR LESS.

## GENERAL PLAT NOTES:

- MINIMUM PERMISSIBLE FINISHED FLOOR ELEVATION SHALL BE 18" ABOVE TOP OF CURB IN FRONT OF THE CENTER-POINT OF THE LOT.
- MINIMUM BUILDING SETBACKS SHALL BE AS FOLLOWS:  
FRONT: 60 FT. OR GREATER FOR EASEMENTS.  
REAR: IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER FOR EASEMENTS OR APPROVED SITE PLAN.  
SIDES: IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER FOR EASEMENTS OR APPROVED SITE PLAN.  
REAR: 18 FT. EXCEPT WHERE GREATER SETBACK IS REQUIRED; GREATER SETBACK APPLIES.
- THE SUBDIVISION IS IN ZONE "C" (NO-SHADING), AREAS OF MINIMAL FLOODING, MAP COMMUNITY PANELS NO.: 480343 0005 C. MAP REVISED: NOVEMBER 2, 1982.
- A DRAINAGE DETENTION OF 11.201 CF OR 0.257 ACRE FEET IS REQUIRED FOR LOT 1. A DRAINAGE DETENTION OF 42.028 CF OR 1.089 ACRE FEET IS REQUIRED FOR LOT 2. 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 15'X15' CORNER CLIP EASEMENT AT STREET INTERSECTIONS MEASURED FROM STREET CURB INTERSECTION.
- 5 FT. SIDEWALK REQUIRED ON WARE ROAD.
- CITY OF MCALLEN BENCHMARK (MC59) SET BY ARANDA & ASSOC. LOCATED AT THE NW CRN OF N. 23RD ST. AND MILE 3 RD. ELEV. 118.71 NAVD 88
- 6 FT. OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, OR INDUSTRIAL ZONES/USES AND ALONG WARE 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.

## 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 GROVE 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.

TOMAS GUTIERREZ JR. (MANAGING MEMBER) DATE  
2515 COLORADO STREET, SUITE B  
MISSION, TEXAS 78572

STATE OF TEXAS  
COUNTY OF HIDALGO  
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED TOMAS GUTIERREZ JR., 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 \_\_\_\_ 2019.

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

## HIDALGO COUNTY IRRIGATION DISTRICT NO. 1

THIS PLAT APPROVED BY HIDALGO COUNTY IRRIGATION DISTRICT NO. 1 ON THIS \_\_\_\_ DAY OF \_\_\_\_, 2019 SUBJECT TO THE FOLLOWING:

- NO IMPROVEMENTS OF ANY KIND SHALL BE PLACED UPON H.C.I.D. NO. 1 RIGHT-OF-WAY EASEMENT WITHOUT THE EXPRESSED WRITTEN PERMISSION.

\_\_\_\_\_  
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. 49.21(10). 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.

\_\_\_\_\_  
CITY MAYOR

## 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

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

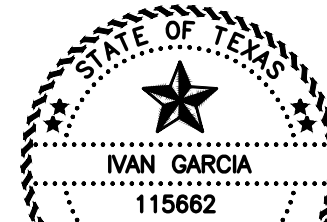
ON: \_\_\_\_ AT \_\_\_\_ AM/PM

INSTRUMENT NUMBER  
OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS

BY: \_\_\_\_ DEPUTY

## STATE OF TEXAS – COUNTY OF HIDALGO

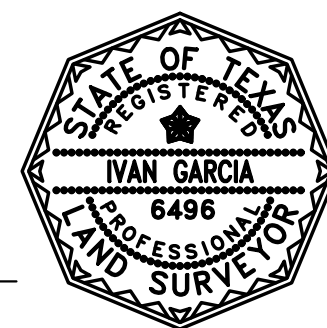
I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE PROPER ENGINEERING CONSIDERATIONS HAVE BEEN GIVEN TO THIS PLAT.



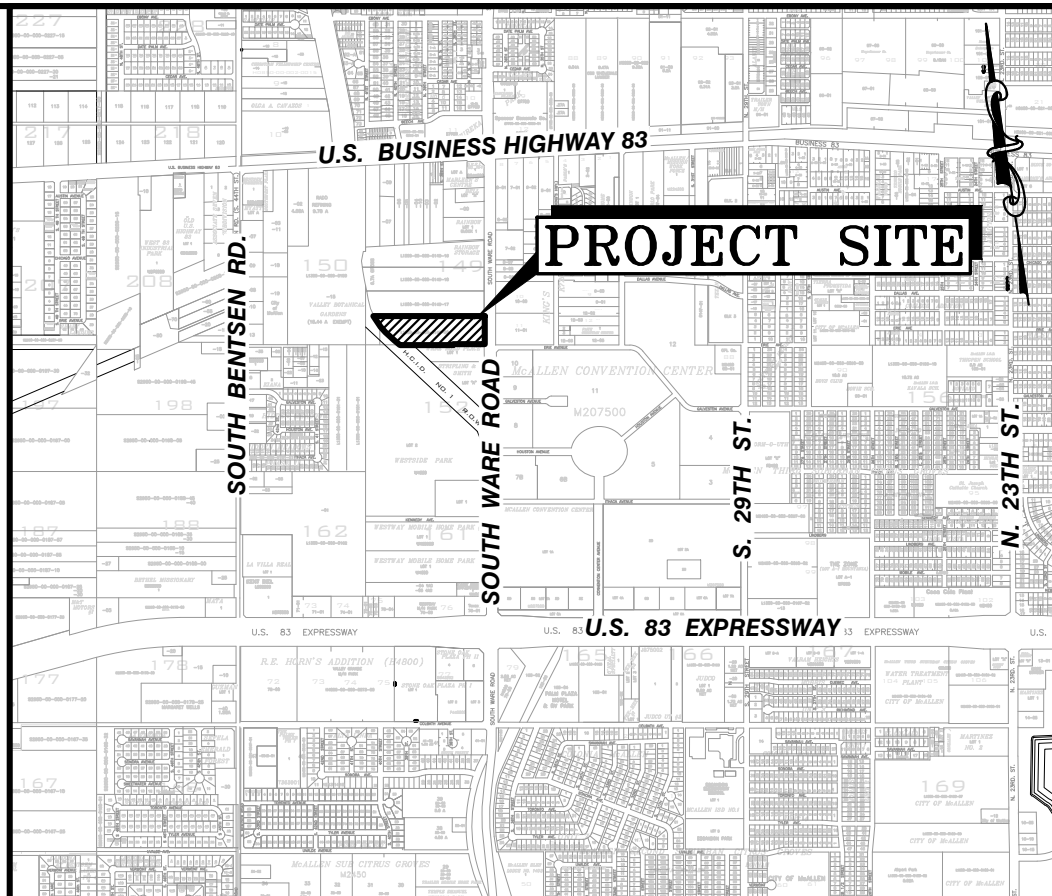
\_\_\_\_\_  
IVAN GARCIA P.E., R.P.L.S.  
REG. PROFESSIONAL ENGINEER No. 115662

## 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.  
REG. PROFESSIONAL LAND SURVEYOR No. 6496  
SURVEY FIRM No. 10194027

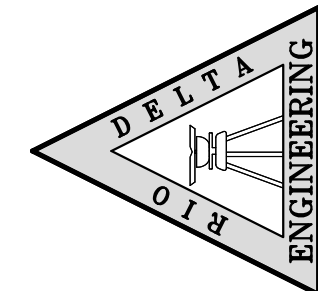


LOCATION MAP

SCALE: 1" = 2000'

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



ISSUED FOR:  
**FINAL**

PLAT SHEET  
THE GROVE 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:  
OSCAR ALARCON JR.  
SCALE:  
1"=60'  
DATE:  
JANUARY, 2019  
PROJECT:  
SUB 18 030  
REVISIONS:  
PAGE NO.  
**SHT 2**





Reviewed On: 12/11/2020

**SUBDIVISION NAME: THE GROVE****REQUIREMENTS****STREETS AND RIGHT-OF-WAYS**

S. Ware Road: - 60 ft. from centerline for 120 ft. ROW  
Paving: by the state Curb & gutter: by the state

Applied

Collector Road (E/W): 80 ft. of ROW

Paving: 52-65 ft. Curb & gutter: Both sides

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

\*\*\*Alignment of any applicable streets as shown on the Thoroughfare Plan will be finalized prior to final.

\* 800 ft. Block Length.

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

TBD

NA

NA

**ALLEYS**

ROW 20 ft. Paving: 16 ft.

\*Alley/service drive easement required for commercial properties

Non-compliance

**SETBACKS**

\* Front: 60 ft. or in line with the existing average building setbacks, or easements or approved site plan, whichever is greater.

\*\*Revise plat as noted above.

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

\*\*Revise Note #2 as noted above for rear setback.

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

\*\*Revise Note #2 as noted above.

\* Corner: As proposed, not a corner lot.

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

\*\*Please revise plat note #2

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

Non-compliance

Non-compliance

Non-compliance

NA

Applied

Applied

**SIDEWALKS**

\* 5 ft. wide minimum sidewalk required on South Ware Road.

\*\*Please revise plat note prior to final.

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

Applied

Applied

**BUFFERS**

\* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along South Ware Road.

\* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.

Applied

Applied

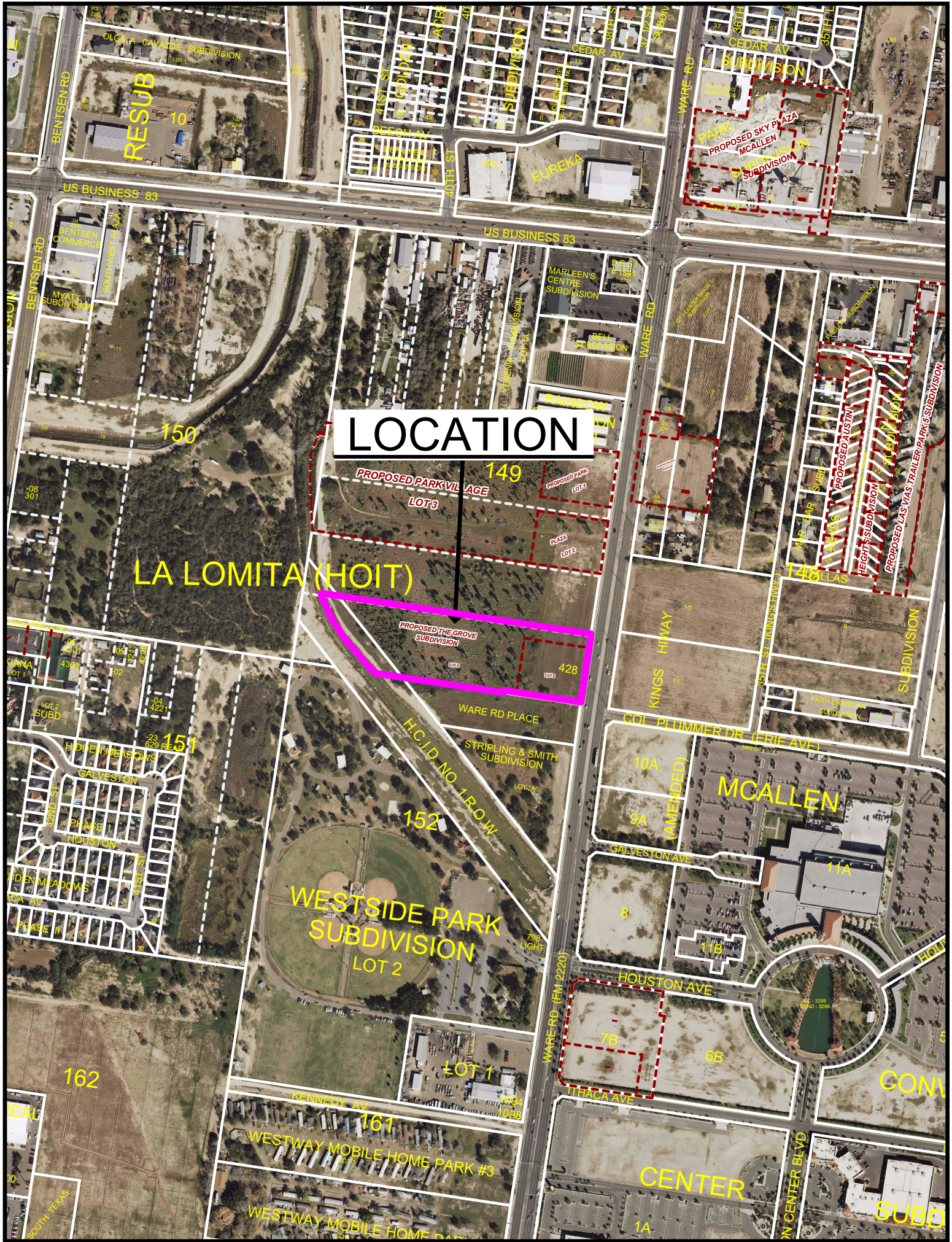


*Perimeter buffers must be built at time of Subdivision Improvements.	Applied
<b>NOTES</b>	
* No curb cut, access, or lot frontage permitted along.	TBD
* Site plan must be approved by the Planning Department and other development departments prior to building permit issuance.	Applied
* Common Areas, Private Drives/Streets must be maintained by the lot owners and not the City of McAllen	Applied
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	Applied
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.	TBD
**Section 110-72 applies for public subdivisions	
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.	Applied
<b>LOT REQUIREMENTS</b>	
* Lots fronting public streets.	Applied
* Minimum lot width and lot area.	Compliance
<b>ZONING/CUP</b>	
* Existing: C-3 and R-3A Proposed: C-3 and R-3A	Compliance
* Rezoning Needed Before Final Approval.	Completed
**Rezoning from C-3 to R-3A was approved by P&Z Board on August 16, 2019 and City Commission on August 26, 2019.	
<b>PARKS</b>	
* Land dedication in lieu of fee	Applied
**Park Land Dedication Advisory Board reviewed a variance of fees in lieu of land on November 13, 2019 to pay 50% prior to recording and the remaining 50% of the fees are to be paid during building permit application process as approved by City Commission on November 25, 2019.	
* Park Fee of \$700 per dwelling unit/lot to be paid prior to recording x 139 units = \$97,300 due	Required
**Park Land Dedication Advisory Board reviewed a variance of fees in lieu of land on November 13, 2019 to pay 50% prior to recording and the remaining 50% of the fees are to be paid during building permit application process as approved by City Commission on November 25, 2019	
* Pending review by the Parkland Dedication Advisory Board and CC.	Applied
**Park Land Dedication Advisory Board reviewed a variance of fees in lieu of land on November 13, 2019 to pay 50% prior to recording and the remaining 50% of the fees are to be paid during building permit application process as approved by City Commission on November 25, 2019	
<b>TRAFFIC</b>	
* Trip Generation to determine if TIA is required, prior to final plat. Per Traffic Department, Trip Generation and TIA have been approved.	Completed
* Traffic Impact Analysis (TIA) required prior to final plat. Per Traffic Department, TIA has been approved.	Completed



COMMENTS	
Comments: Must comply with City's Access Management Policy. **Planning and Zoning Commission approved the subdivision in preliminary form, with conditions, at the meeting of May 21, 2019. ***Preliminary approval has expired, pending review by the Board.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM, SUBJECT TO CONDITIONS NOTED AND UTILITIES APPROVAL.	Applied





LOCATION

LA LOMITA (HOIT)

WESTSIDE PARK  
SUBDIVISION  
LOT 2

MCALLEN

CENTER



SUB2020-0057

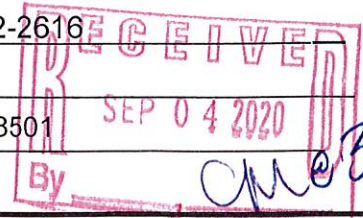


City of McAllen  
Planning Department  
**APPLICATION FOR**

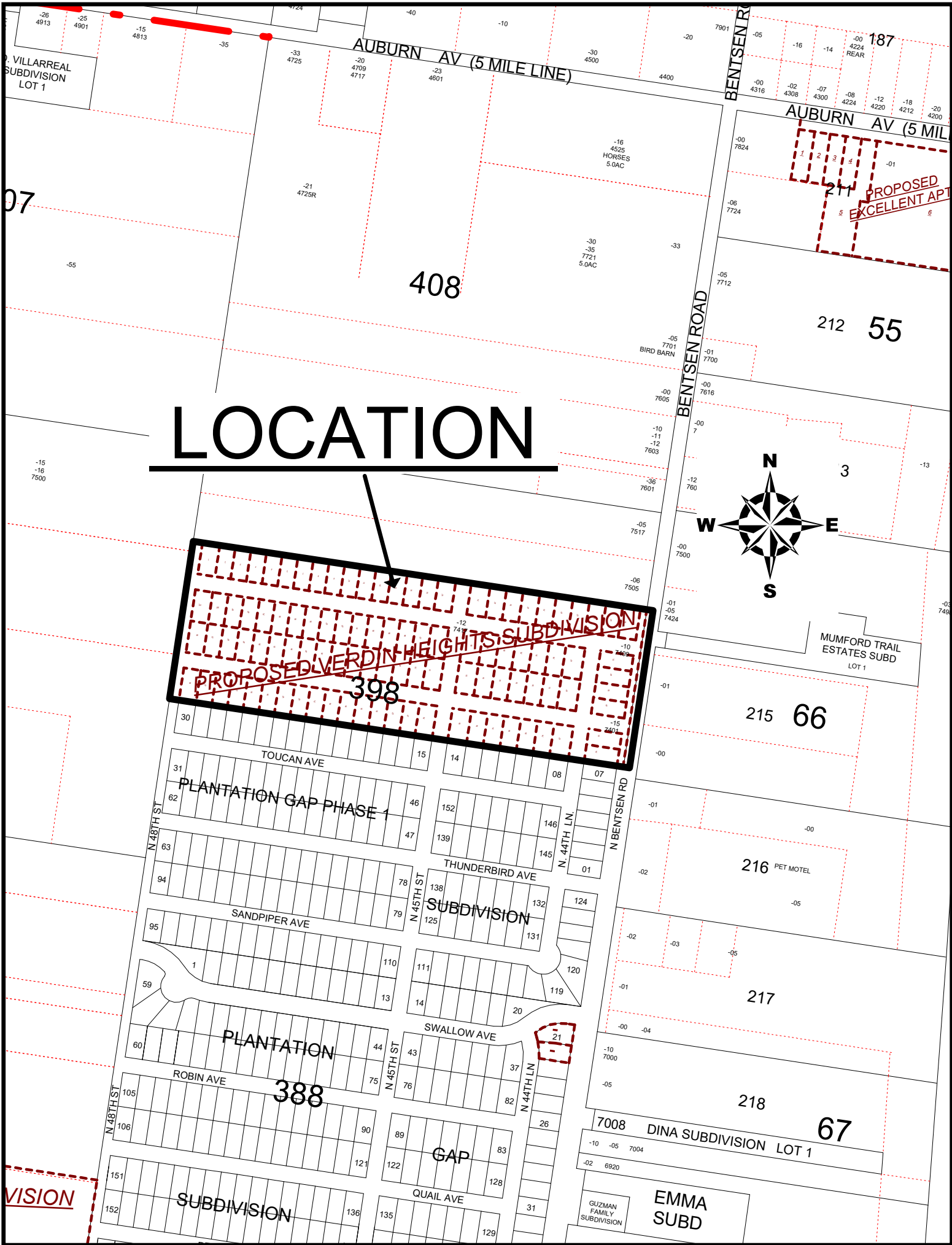
**SUBDIVISION PLAT REVIEW**

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

<b>Project Description</b>	<p>Subdivision Name <u>Verdin Heights</u></p> <p>Location <u>1 3/4 Mile N. Bentsen Road</u></p> <p>City Address or Block Number <u>7409 N. Bentsen Road</u></p> <p>Number of lots <u>101</u> Gross acres <u>17</u> Net acres <u>17</u></p> <p>Existing Zoning <u>AO</u> Proposed <u>R1</u> Rezoning Applied For <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date <u>Aug. 2020</u></p> <p>Existing Land Use <u>vacant</u> Proposed Land Use <u>residential</u> Irrigation District # <u>United</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 type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Agricultural Tax Exempt Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Estimated Rollback tax due <u>n/a</u></p> <p>Parcel No. <u>282196</u> Tax Dept. Review _____</p> <p>Legal Description <u>17.0 acres out of Lot 398, J.H. Shary Subdivision</u></p>
<b>Owner</b>	<p>Name <u>Sergio Guzman</u> Phone <u>956-683-1000</u></p> <p>Address <u>4602 N. Stewart Road</u></p> <p>City <u>McAllen</u> State <u>TX</u> Zip <u>78501</u></p> <p>E-mail <u>guzmans098@yahoo.com</u></p>
<b>Developer</b>	<p>Name <u>Guzman Construction</u> Phone <u>956-625-9095</u></p> <p>Address <u>4229 W. Expressway 83</u></p> <p>City <u>McAllen</u> State <u>TX</u> Zip <u>78503</u></p> <p>Contact Person <u>Sergio Guzman</u></p> <p>E-mail <u>guzmans098@yahoo.com</u></p>
<b>Engineer</b>	<p>Name <u>Spoor Engineering Consultants, Inc.</u> Phone <u>956-683-1000</u></p> <p>Address <u>202 So. 4th Street</u></p> <p>City <u>McAllen</u> State <u>TX</u> Zip <u>78501</u></p> <p>Contact Person <u>Steve Spoor, P.E.</u></p> <p>E-mail <u>SEC@SpoorEng.com</u></p>
<b>Surveyor</b>	<p>Name <u>Plinio C. Medina</u> Phone <u>956-682-2616</u></p> <p>Address <u>2912 N. 6th Street</u></p> <p>City <u>McAllen</u> State <u>TX</u> Zip <u>78501</u></p>







# LOCATION

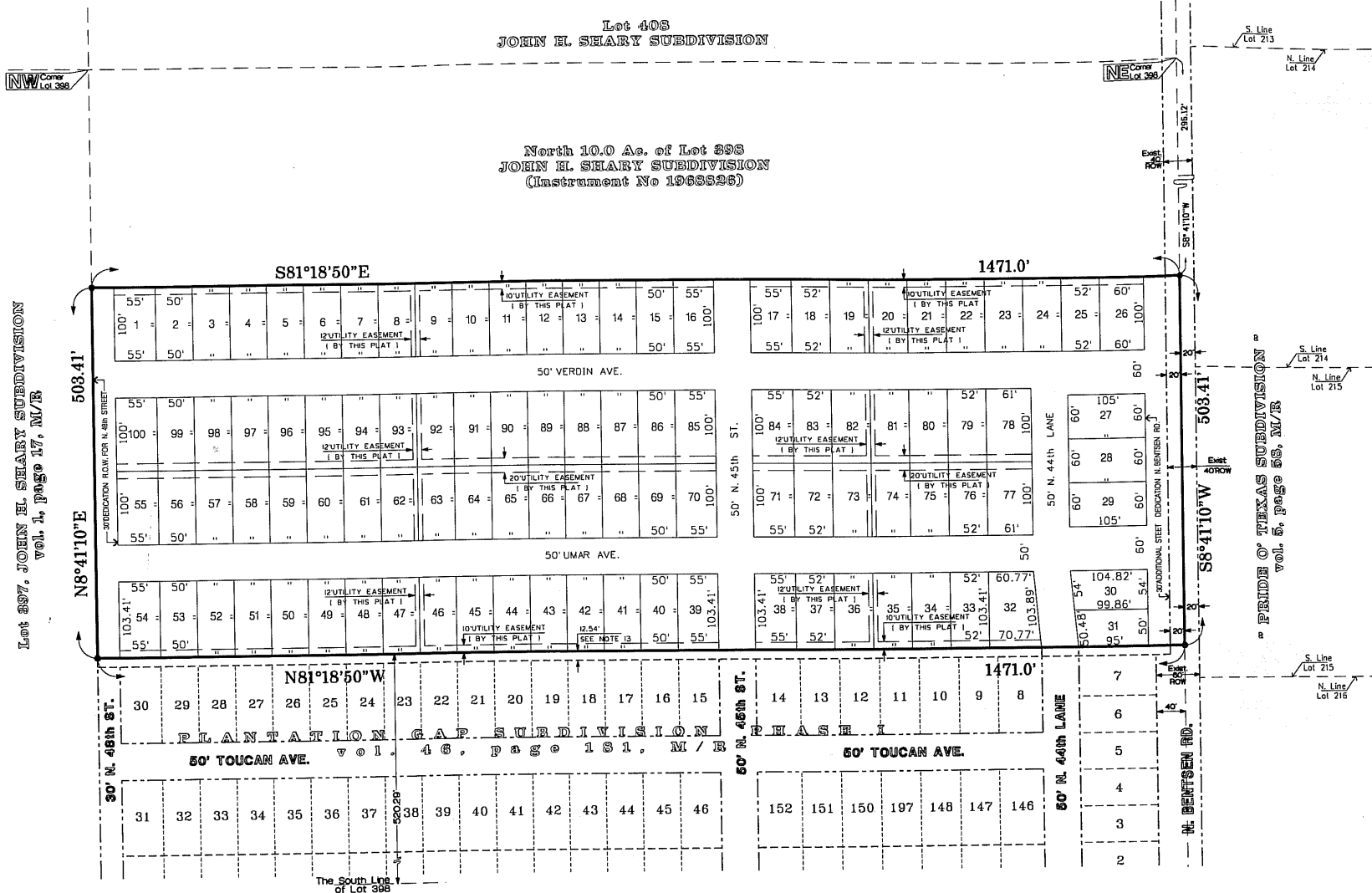


**PROPOSED VERDIN HEIGHTS SUBDIVISION**  
398

VISION



Lot 397, JOHN H. SHARY SUBDIVISION  
vol. 1, page 17, N/E



### NOTES:

- MINIMUM BUILDING SETBACK SHALL BE AS FOLLOWS:  
A- FRONT: -25 FT. OR GREATER FOR EASEMENT  
B- REAR: -10 FT. OR GREATER FOR EASEMENT  
C- CORNER: -10 FT. OR GREATER FOR EASEMENT  
D- INTERIOR SIDES: -6 FT. OR GREATER FOR EASEMENT  
E- GARAGE: -18 FT. EXCEPT WHERE GREATER SETBACK IS REQUIRED, GREATER SETBACK APPLIES.
- MINIMUM FINISH FLOOR ELEVATION SHALL BE 18 INCHES ABOVE TOP OF CURB MEASURED AT CENTER OF LOT.
- THIS PROPERTY FALLS IN ZONE "C" OF THE FLOOD INSURANCE RATE MAP, PANEL NO. 480 343 0005 C, REVISED NOVEMBER 2, 1982.
- A 6' BUFFER OR PAQUE IS REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL OR INDUSTRIAL ZONES/USES. AN 8' MASONRY WALL IS REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL OR MULTI-FAMILY RESIDENTIAL ZONES/USES.
- 4.0' SIDEWALK REQUIRED ALONG N. BENTSEN RD., N. 48TH ST. AND BOTH SIDES OF ALL INTERIOR STREET.
- NO ACCESS, CURB CUTS, OR LOT FRONTAGE PERMITTED ALONG N. BENTSEN RD. AND ALONG N. 48TH ST.
- 25' x 25' SITE OBSTRUCTION EASEMENT REQUIRED AT ALL STREET INTERSECTIONS.
- OWNER IS REQUIRED TO PROVIDE AN ENGINEERED STORM WATER DETENTION PLAN APPROVED BY THE CITY OF McALLEN ENGINEERING DEPT. PRIOR TO ISSUANCE OF BUILDING PERMIT.
- STORM WATER DETENTION OF 2.55 AC-FT SHALL BE REQUIRED FOR THIS SUBDIVISION.
- BENCH-MARK: STATION NAME: MC 52 SET BY ARANDA & ASSOC. LOCATED AT NORTHEAST CORNER OF TAYLOR RD. AND MILE 4 RD. ELEV.- 132.94 FT (NAVD83)
- THE DEVELOPER SHALL BE RESPONSIBLE FOR DETAINING AND ACCOMMODATING MORE THAN THE DETAINED VOLUME SHOWN ON THIS PLAT IF IT IS DETERMINED, AT THE PERMIT STAGE, THAT THE DETENTION REQUIREMENTS ARE GREATER THAN STATED ON THIS PLAT, DUE TO THE IMPERVIOUS AREA BEING GREATER THAN THE PLAT ENGINEER CONSIDERED IN THE HYDRAULIC CALCULATIONS FOR THIS SUBDIVISION.

### METES & BOUNDS

A 17.0 ACRE TRACT OF LAND OUT OF LOT 398, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO PLAT RECORDED IN VOLUME 1, PAGE 17, MAP RECORDS, HIDALGO COUNTY, TEXAS, SAID 17.0 ACRES BEING THE SOUTH 10.00 ACRES OF THE NORTH 20.00 ACRES OF LOT 398 AND BEING THE NORTH 7.00 ACRES OF THE SOUTH 24.57 ACRES OF LOT 398.

BEGINNING at the northeast corner of the South 10.0 acres of the North 20.0 acres of Lot 398 for the northeast corner of the following described tract of land, said point located South 08 Deg. 41 Min. 10 Sec. West, 296.13 feet from the northeast corner of Lot 398, and being located in N. Bentsen Road;  
THENCE, with the East line of Lot 398, in N. Bentsen Road, South 08 Deg. 41 Min. 10 Sec. West, 503.41 feet to the southeast corner of the North 7.0 acres of the South 24.57 acres of Lot 398, for the southeast corner hereof;  
THENCE, with the South line of the North 7.0 acre of the South 24.57 acres of Lot 398, North 81 Deg. 18 Min. 50 Sec. West, at 20.0 feet pass the West line of N. Bentsen Road, and at 1471.0 feet the southwest corner the North 7.0 acres of the South 24.57 acres of Lot 398, for the southwest corner hereof;  
THENCE, with the West line of Lot 398, North 08 Deg. 41 Min. 10 Sec. East, 503.41 feet to the northwest corner of the South 10.0 acres of the North 20 acres of Lot 398, for the northwest corner hereof;  
THENCE, with the North line of the South 10.0 acres of the North 20.0 acres of Lot 398, South 81 Deg. 18 Min. 50 Sec. East, at 1451.0 feet pass the West line of N. Bentsen Road, and at 1471.0 feet the POINT OF BEGINNING.  
Containing 17.0 acres of land, more or less, of which the East 20.0 feet, containing 0.23 acre, lies in N. Bentsen Road.

13) THE 12.54' x 1471.0' TRACT SOUTH OF AND ADJACENT TO THIS 17.0 ACRE TRACT IS DESCRIBED BY THE APPRAISAL DISTRICT AS THE NORTH 12.54 FT OF THE SOUTH 520.29 FT. OF LOT 398, JOHN H. SHARY SUBDIVISION- PROPERTY ID # 282193.



Sep. 25 2020  
Scale: 1"=100'

## MAP OF VERDIN HEIGHTS SUBDIVISION

*McAllen, Texas*

Being a Subdivision of a 17.0 Acre Tract of Land Out of Lot 398, John H. Shary Subdivision, Hidalgo County, Texas, according to plat record in Vol. 1, Pg.17, Map Records, Hidalgo County, Texas.

STATE OF TEXAS:  
COUNTY OF HIDALGO:

I, (WE), THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED AS VERDIN HEIGHTS SUBDIVISION TO THE CITY OF McALLEN, TEXAS, AND WHOSE NAME(S) IS (ARE) SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, WATER COURSES, 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.

STATE OF TEXAS:  
COUNTY OF HIDALGO:

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED SERGIO GUZMAN, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO, THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE (SHE) EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN STATED, GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE        DAY OF       , 2020.

NOTARY PUBLIC

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 THE SUBDIVISION REGULATIONS OF THIS CITY WHEREIN MY APPROVAL IS REQUIRED.

CHAIRMAN, PLANNING COMMISSION

DATE

STATE OF TEXAS:  
COUNTY OF HIDALGO:

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR # 5242 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 DISCREPANCIES, CONFLICTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, EXCEPT AS SHOWN ON THE ACCOMPANYING PLAT, AND THAT THE CORNER MONUMENTS SHOW THEREON WERE PROPERLY PLACED UNDER MY SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF McALLEN, TEXAS.

STATE OF TEXAS:  
COUNTY OF HIDALGO:

I, STEPHEN SPOOR, REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN TO THIS PLAT.

PABLO (PAUL) PENA III  
REGISTERED PROFESSIONAL LAND SURVEYOR  
1001 WATERING AVE.  
McALLEN, TEXAS 78501  
TPLS FIRM # 1008720

DATE

REGISTERED PROFESSIONAL ENGINEER  
P. E. REGISTRATION NO. 56752

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

MAYOR, CITY OF McALLEN

DATE

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 TEX. WATER CODE 49.26(a) 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.

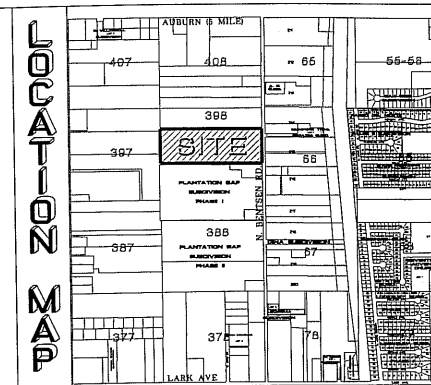
HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

BY: RAUL E. SESIN, P.E., CFM.  
GENERAL MANAGER

DATE

By: Sergio Guzman  
4713 Ebony Ave.  
McAllen, Texas 78501

Prepared by:  
**Spoor Engineering Consultants, Inc.**  
Consulting Engineers - Civil Land Planning  
FIRM # F-4003  
202 South 4th Street McALLEN, TEXAS 78501  
Scale: 1"=1250' SEC@spooreng.com (956) 683 1000







Reviewed On: 12/10/2020

**SUBDIVISION NAME: VERDIN HEIGHTS****REQUIREMENTS****STREETS AND RIGHT-OF-WAYS**

North Bentsen Road: 30 ft. of dedication required for 50 ft. from centerline for 100 ft. ROW  
 Paving 65 ft. Curb & gutter: Both Sides  
 \*\*Monies must be escrowed if improvements are not built prior to recording.  
 \*\*\*Must label centerline to verify if any ROW dedication is required prior to final.  
 \*\*\*\*The Planning and Zoning Board, at their November 3, 2020 meeting, approved the subdivision in Revised Preliminary form with a variance request to allow a block length greater than the maximum allowed 800 ft. only. Engineer had also requested a variance to dedicate only 20 ft. instead of the required 30 ft. for North Bentsen Road. The Planning and Zoning Board did not approve this requested variance.  
 \*\*\*\*Plat submitted on December 2, 2020 shows the 30 ft. ROW dedication required on North Bentsen Road.

Applied

North 48th Street: 30 ft. dedication for 30 from centerline for 60 ft. ROW  
 Paving: 40 ft. Curb & gutter: Both Sides

Required

\*\*Monies must be escrowed if improvements are not built prior to recording.  
 \*\*\*Must label centerline to verify if any additional ROW dedication is required prior to final.

Interior streets: 50 ft. ROW

Required

Paving: 32 ft. Curb & gutter: Both Sides

\*\*Streets names are subject to change prior to final.

\*\*\*\*Provide temporary turn around and/or barricade on the west end of proposed Umar Avenue and Verdin Avenue as may be applicable.

\*\*\*\*\*Provide temporary turn around and/or barricade on the north end of proposed North 45th Street as may be applicable.

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

Applied

\* 810 block length is being proposed by the Engineer; maximum block length allowed is 800 ft.  
 \*\*\*\*The Planning and Zoning Board, at their November 3, 2020 meeting, approved the subdivision in Revised Preliminary form with a variance request to allow a block length greater than the maximum allowed 800 ft. only. Variance request will be presented before the City Commission at the January 11, 2021 meeting.

Applied

\* 600 ft. Maximum Cul-de-Sac

NA

**ALLEYS**

ROW: 20 ft. Paving: 16 ft.

Applied

\*Alley/service drive easement required for commercial properties

**SETBACKS**

\* Front: 25 ft. or greater for easements.

Applied

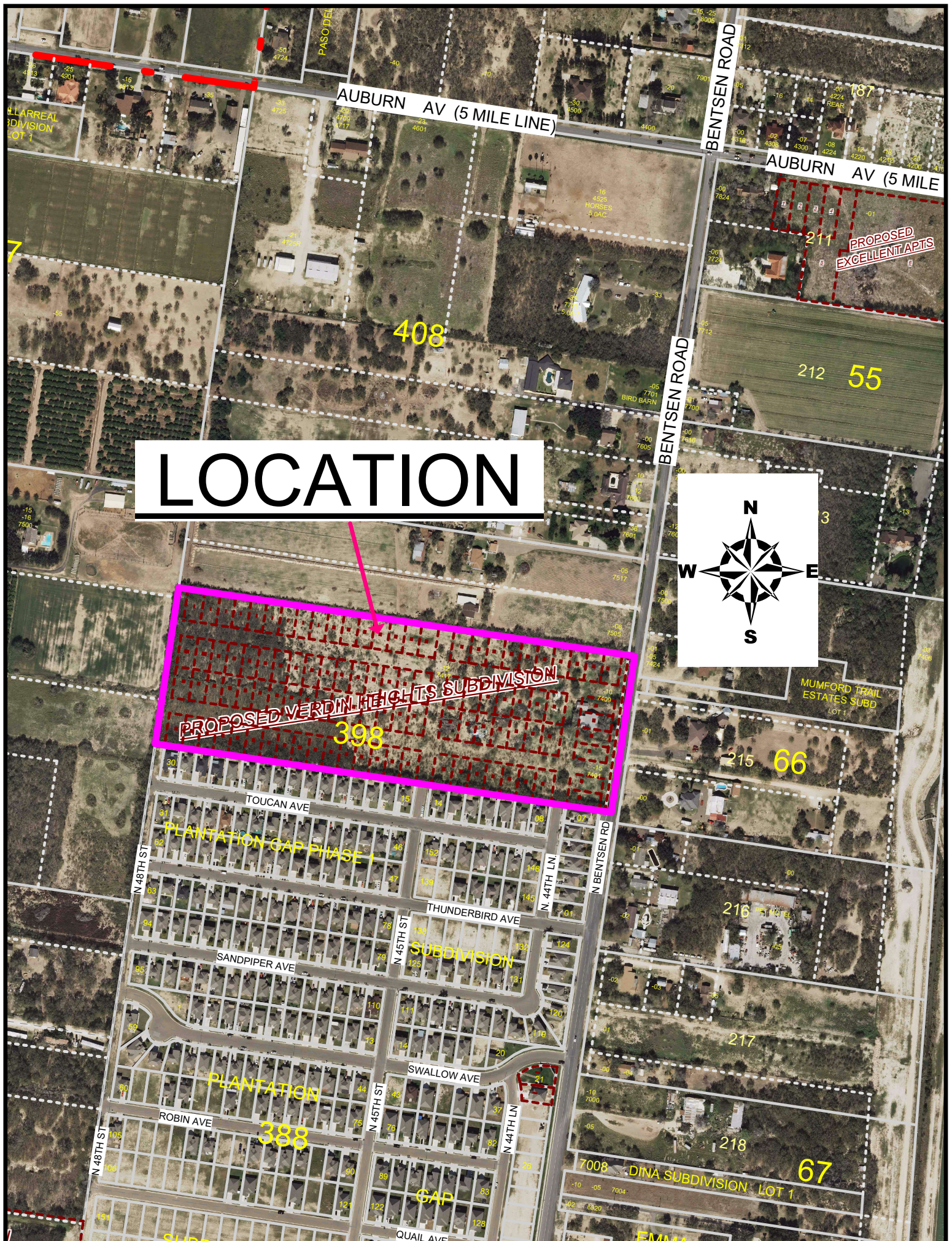


<p>* Rear: 10 ft. or greater for easements except 25 ft. for double fronting lots.  ****The Planning and Zoning Board approved the subdivision in Revised Preliminary form with a variance request to allow a block length greater than the maximum allowed 800 ft. only at their November 3, 2020 meeting. Engineer had also requested a variance to allow a '10 ft. or greater for easements" setback instead of the required "25 ft. or greater for easements" on double fronting lots (Lots 27-31). The Planning and Zoning Board did not approve this requested variance.  *****Engineer submitted a revised letter requesting a variance on December 2, 2020 to allow 10 ft. or greater for easements on the rear setback for double fronting lots (Lots 27-31) instead of the required 25 ft. setback or greater for easements.</p> <p>* Interior Sides: 6 ft. or greater for easements.</p> <p>* Corner: 10 ft. or greater for easements.</p> <p>* Garage: 18 ft. except where greater setback is required, greater setback applies.</p> <p>*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN</p>	Non-compliance
	Applied
	Applied
	Applied
<b>SIDEWALKS</b>	
<p>* 4 ft. wide minimum sidewalk required on North Bentsen Road, North 48th Street, and both sides of all interior streets.</p> <p>* Perimeter sidewalks must be built or money escrowed if not built at this time.</p>	Applied
	Applied
<b>BUFFERS</b>	
<p>* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses, and along North Bentsen Road and North 48th Street.  **Please add plat note as shown above prior to final.</p> <p>* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.</p> <p>*Perimeter buffers must be built at time of Subdivision Improvements.</p>	Non-compliance
	Applied
	Applied
<b>NOTES</b>	
<p>* No curb cut, access, or lot frontage permitted along North Bentsen Road and North 48th Street.</p> <p>* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.</p> <p>* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.</p> <p>* Common Areas, any private Streets must be maintained by the lot owners and not the City of McAllen</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 110-72 applies for public subdivisions.</p> <p>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</p> <p>**HOA Document is required to be recorded simultaneously with subdivision plat.</p>	Compliance
	NA
	NA
	Applied
	Required
	Required
<b>LOT REQUIREMENTS</b>	
<p>* Minimum lot width and lot area.</p> <p>* Lots fronting public streets.</p>	Applied
	Applied

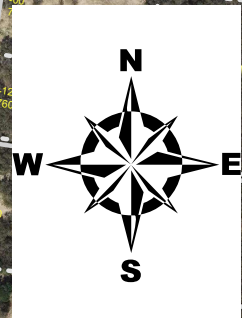


<b>ZONING/CUP</b>	
* Existing: A-O Proposed: R-1 **Rezoning request approved by the Planning and Zoning Board on October 6, 2020, and by the City Commission on October 26, 2020.	Completed
* Rezoning Needed Before Final Approval **Rezoning request approved by the Planning and Zoning Board on October 6, 2020, and by the City Commission on October 26, 2020.	NA
<b>PARKS</b>	
* Land dedication in lieu of fee. As per Parks Department, subdivision will be subject to review by the Park Land Dedication Advisory Board	TBD
* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, subdivision will be subject to review by the Park Land Dedication Advisory Board	TBD
* Pending review by the Parkland Dedication Advisory Board and CC. As per Parks Department, subdivision will be subject to review by the Park Land Dedication Advisory Board	Non-compliance
<b>TRAFFIC</b>	
* As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat.	Non-compliance
* As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat.	TBD
<b>COMMENTS</b>	
Comments: Must comply with City's Access Management Policy. **Please verify with Traffic Department if a Master Plan is required prior to final.	Applied
<b>RECOMMENDATION</b>	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED, AND UTILITIES AND DRAINAGE APPROVALS AND CLARIFICATION ON VARIANCE REQUESTED.	Applied





# LOCATION





*Spoor Engineering Consultants, Inc.*  
Consulting Engineers – Civil Land Planning – Stephen Spoor, P.E.

September 24, 2020

Edgar Garcia, AICP  
Planning Director  
City of McAllen  
311 N. 15<sup>th</sup> Street  
McAllen, Texas 78501

Re: Verdin Heights

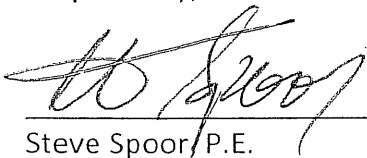
Dear Edgar:

As Agent for the Owner of the above referenced project, we hereby request the following variances:

1. Variance to the Subdivision Ordinance to allow dedication of 20 feet of additional right of way for N. Bentsen Road instead of the required 30 feet. This variance, if granted, would allow this proposed subdivision to match the dedication of the developments to the south, being Plantation Gap Subdivision Phase 1 and 2. *Withdrawn 12-2-20*
2. Variance to the Subdivision Ordinance to allow maximum block length of 810 feet instead of the maximum allowed of 800 feet. The allowance of 810 feet allows the proposed N. 45<sup>th</sup> Street to align with the existing N. 45<sup>th</sup> Street in Plantation Gap without introducing an angle point in the proposed right of way.
3. Variance to the Zoning Ordinance to allow 10 foot rear setback on double fronting lots 27 through 32, instead of the required 25 feet. This variance, if granted, would match the rear setbacks on the double fronting lots to the south in Plantation Gap. This rear 10 foot setback would be adjacent to the 6 foot buffer required along the west side of N. Bentsen Road.

Thank you for your time and consideration on these requests. Please advise if additional information is required, or with any questions or comments.

Respectfully,

  
Steve Spoor, P.E.





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

Sub 2020-0064

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

Project Description	<p>Subdivision Name <u>Nemont Estates 1 Subdivision</u></p> <p>Location <u>29th Street approx 600 ft south of Russell Road</u></p> <p>City Address or Block Number _____</p> <p>Number of lots _____ Gross acres <u>10.04</u> Net acres _____</p> <p>Existing Zoning <u>A9</u> Proposed <u>R-1</u> Rezoning Applied For <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date _____</p> <p>Existing Land Use <u>Vacant</u> Proposed Land Use <u>Residential</u> Irrigation District # <u>1</u></p> <p>Residential Replat Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Commercial Replat Yes <input type="checkbox"/> No <input type="checkbox"/> ETJ Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Agricultural Tax Exemption Yes <input type="checkbox"/> No <input type="checkbox"/> Estimated Rollback tax due _____</p> <p>Legal Description <u>A 10.04 Acre tract out of 20 Acres of Lot 4, Section 233, Texas-Mexican Railway Company's Survey, Hidalgo County, Texas, Vol. 1, Pg 12</u> MRHr.</p>
Owner	<p>Name <u>Nemont Estates 1 Limited Partnership</u> Phone <u>(956) 884-6130</u></p> <p>Address <u>4100 Violet Avenue</u></p> <p>City <u>McAllen</u> State <u>TX</u> Zip <u>78504</u></p> <p>E-mail <u>the.mestern.hor@gmail.com / nertor 1322@yahoo.com</u></p>
Developer	<p>Name <u>the investment tour@gmail.com</u> Phone <u>(956) 884-6130</u></p> <p>Address <u>4100 Violet Avenue</u></p> <p>City <u>McAllen</u> State <u>TX</u> Zip <u>78504</u></p> <p>Contact Person <u>Nertor Mantamayor</u></p> <p>E-mail <u>nertor 1322@yahoo.com</u></p>
Engineer	<p>Name <u>MAS Engineering LLC</u> Phone <u>(956) 537-1311</u></p> <p>Address <u>3911 N. 10th St. Suite H</u></p> <p>City <u>McAllen</u> State <u>Texas</u> Zip <u>78501</u></p> <p>Contact Person <u>Mario A. Salinas</u></p> <p>E-mail <u>msalinas6973@att.net</u></p>
Surveyor	<p>Name <u>Salinas Engineering &amp; Surveying</u> Phone <u>(956)</u></p> <p>Address <u>2221 Daddodil Ave.</u></p> <p>City <u>McAllen</u> State <u>Texas</u> Zip <u>78501</u></p> <p>E-mail _____</p>

OS  
OK as per Beto





## Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

- ☒ \$225 Preliminary Review Fee and \$75 Final Approval Fee
- ☒ Title Report *e Deed*
- ☒ 8 1/2" by 11" 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 DWG file of plat *on 1 PDF*
- ☐ 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 blue line copies prints and 8 1/2" 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 Nestor J. Montemayor Date 9-21-2020

Print Name Nestor J. Montemayor

Owner ☐

Authorized Agent ☐

Rev 03/11



S.D. MIDDLE  
NO 5 SUBDIVISION  
LOT 1

EL BRASIL SUBDIVISION

LOS MISQUITES  
SUBDIVISION

PROPOSED BEAUREGARD GROVES  
PHASE 1 SUBDIVISION

PROPOSED BEAUREGARD GROVES  
PHASE 2 SUBDIVISION

RUSSELL ROAD  
DEA QUEST SUBDIVISION  
LOT 1

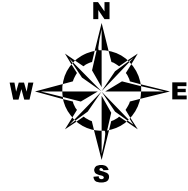
(ROOTH RD)

E.C.I.S.D. ELEMENTARY  
NO 30 SUBDIVISION  
LOT 1

PROPOSED NEMONT ESTATES  
SUBDIVISION  
OUTSIDE CITY LIMITS

2599 L/S

N 25TH LN



LINVA AVE  
SUBDIVISION  
LA PUERTA AVE  
N 29TH LN

RAVENSWOOD  
SUBDIVISION

PHASE I

RED ROSE  
REPLACEMENT  
SUBDIVISION



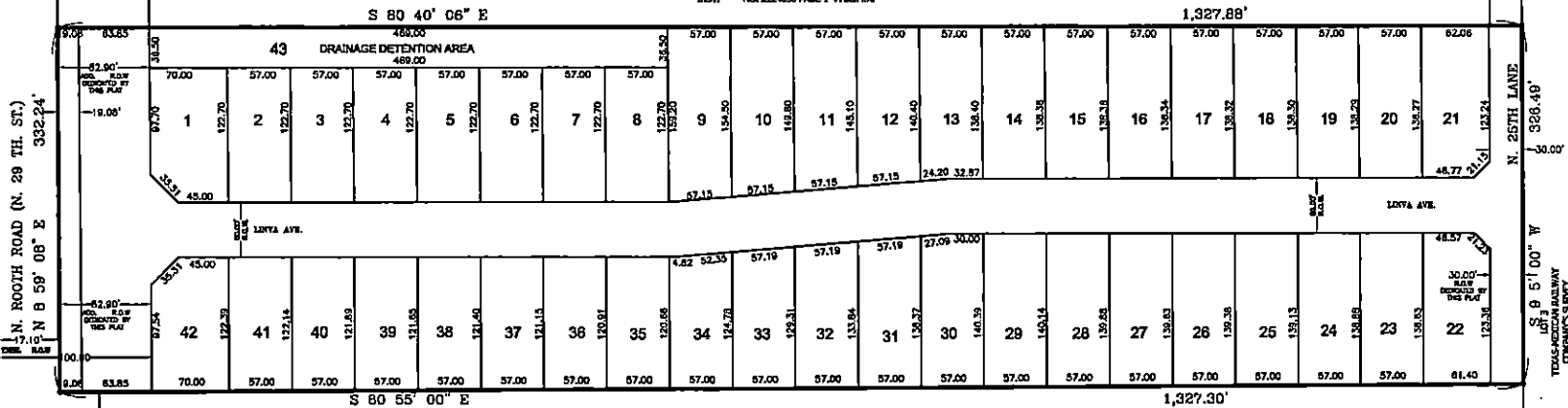
# MAP OF NEMONT ESTATES 1 SUBDIVISION McALLEN, TEXAS

BEING A 10.04 ACRE TRACT OF LAND, OF THE SOUTH 20 ACRES OF LOT 4, SECTION 233, TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY, HIDALGO COUNTY, TEXAS, AS PER MAP RECORDED IN VOLUME 1, PAGE 12, MAP RECORDS OF HIDALGO COUNTY, TEXAS.

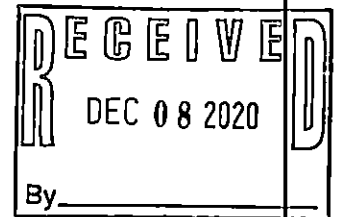
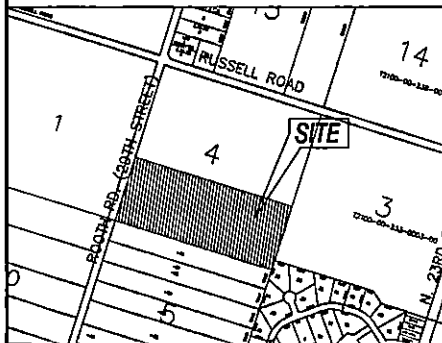


SCALE 1:75

ECISD ELEMENTARY SCHOOL NO. 30  
SUBDIVISION  
DIST. NO. 2124558 PAGE 1-4 H.C.M.R.



VICINITY MAP



DATE OF PREPARATION: SEPTEMBER 16, 2020

**MAS ENGINEERING LLC.**  
CONSULTING ENGINEERING  
FIRM NO. F-15499

3911 N. 10TH ST. STE H  
MCALLEN, TEXAS. 78501

PH. (956) 537-1311  
E-MAIL: MSALINAS6973@ATT.NET





Reviewed On: 12/10/2020

**SUBDIVISION NAME: NEMONT ESTATES 1****REQUIREMENTS****STREETS AND RIGHT-OF-WAYS**

N. 29th Street (Rooth Road): 82.90 ft. ROW dedication for 100 ft. ROW  
Paving: 65 ft. Curb & gutter: Both sides  
\*\*Must show centerline to determine if any ROW dedication is required prior to final.  
\*\*Please show ROW on both sides of centerline and total ROW after accounting for any ROW dedication required prior to final.  
\*\*\*\*Please label the "19.08 ft." reference on the North 29th Rd.  
\*\*Monies must be escrowed if improvements are not built prior to final.

North 25th Lane: 30 ft. dedication for 30 ft. from centerline for 60 ft. ROW  
Paving: 40 ft. Curb & gutter: Both sides  
\*\*Monies must be escrowed if improvements are not built prior to final.  
\*\*\*\*Label centerline to determine if any ROW dedication is required prior to final.  
\*\*\*\*Show ROW on both sides of centerline and total ROW after accounting for any ROW dedication needed prior to final.  
\*\*\*\*\*Vicinity map must be revised prior to final.

Linva Avenue (Internal E/W street): 50 ft. ROW  
Paving: 32 ft. Curb & gutter: Both sides  
\*\*Monies must be escrowed if improvements are not built prior to final.  
\*\*\*Engineer must clarify if subdivision is public or private prior to final for staff review.  
\*\*\*\*Street names might be revised prior to final.  
\*\*\*\*\*A temporary turnaround might be required if North 25th Lane is not built prior to recording. Engineer must clarify this prior to final.

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

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

\* 800 ft. maximum block length allowed; submitted plat shows a block length of approximately 1,150 ft. for Linva Avenue (Internal E/W street).  
\*\*\*\*Engineer submitted a letter on November 10, 2020 requesting a variance to allow a block length of 1,327 ft. instead of the maximum allowed of 800 ft.

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

Non-compliance

Non-compliance

Required

Applied

Applied

Non-compliance

NA

**ALLEYS**

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

NA

**SETBACKS**

\* 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.  
\*\*Please add plat note as shown above prior to final.  
\* Garage: 18 ft. except wherever a greater setback is required, greater setback applies.

Applied

Applied

Applied

Non-compliance

Applied

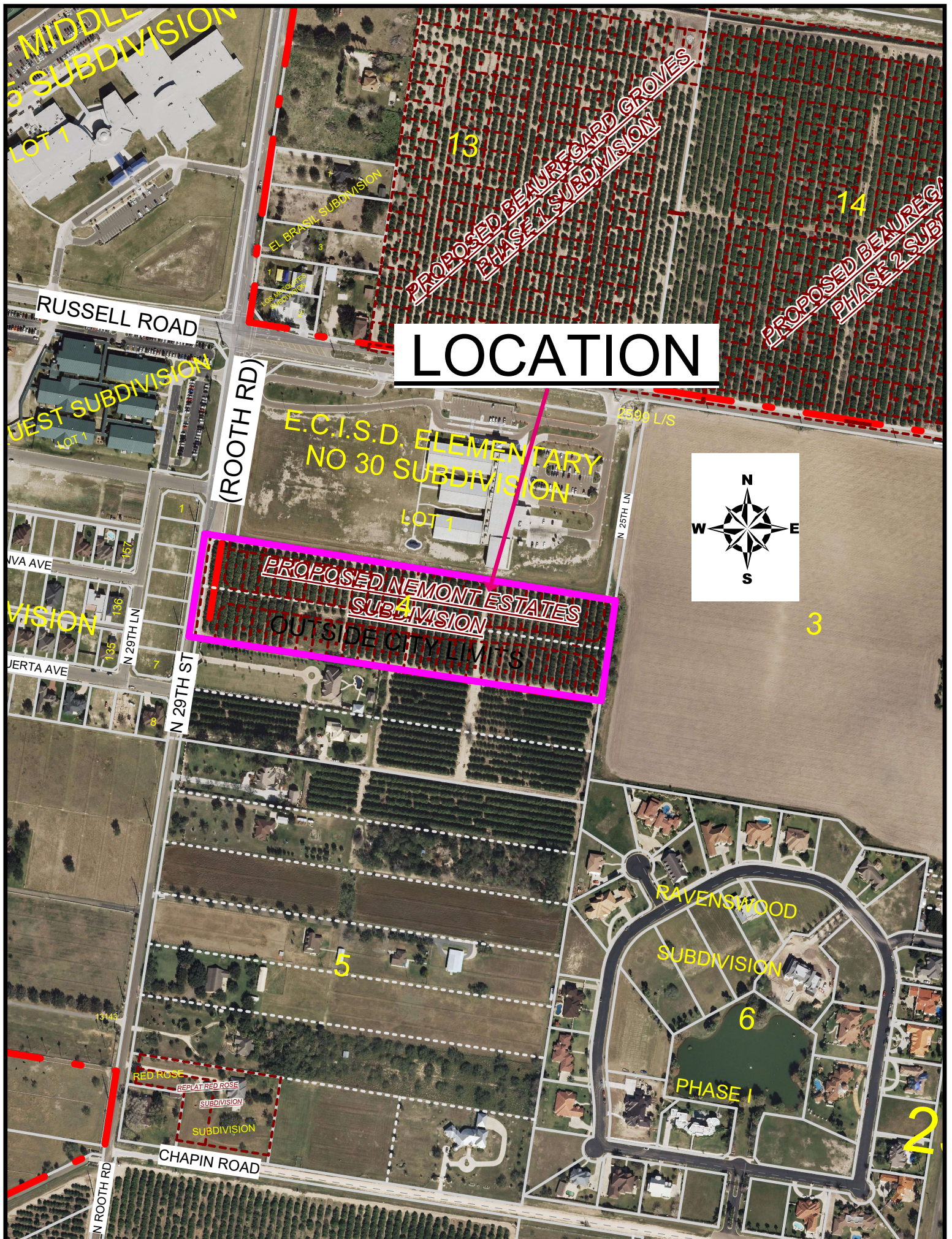


*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
<b>SIDEWALKS</b>	
* 4 ft. wide minimum sidewalk required on east side of North 29th Street (Rooth Road), west side of North 25th Lane, and both sides of interior streets. **Please revise plat note as shown above.	Applied
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Applied
<b>BUFFERS</b>	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along North 29th Street and North 25th Lane. **Please revise plat note as shown above.	Applied
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.	Applied
*Perimeter buffers must be built at time of Subdivision Improvements.	Applied
<b>NOTES</b>	
* No curb cut, access, or lot frontage permitted along North 29th Street (North Rooth Road) and North 25th Lane.	Compliance
* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.	NA
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	NA
* Common Areas, any private streets, and any detention areas must be maintained by the lot owners and not the City of McAllen	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. **110-72 for public subdivisions. ***Engineer must clarify if proposed subdivision is private or public prior to final.	Applied
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. **HOA document will be recorded simultaneously with plat.	Required
<b>LOT REQUIREMENTS</b>	
* Minimum lot width and lot area.	Applied
* Lots fronting public streets.	Applied
<b>ZONING/CUP</b>	
* Existing: ETJ Proposed: ETJ (single-family residential) ***Annexation and initial zoning must be finalized prior to final.	Non-compliance
* Rezoning Needed Before Final Approval ***Annexation and initial zoning must be finalized prior to final.	TBD
<b>PARKS</b>	
* Land dedication in lieu of fee. ***Property currently in ETJ. If property were to be annexed to the City of McAllen prior to recording, park fees and Park Land Dedication Advisory Board review might be required.	TBD

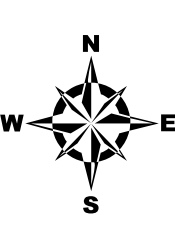


* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. ***Property currently in ETJ. If property were to be annexed to the City of McAllen prior to recording, park fees and Park Land Dedication Advisory Board review might be required. * Pending review by the Parkland Dedication Advisory Board and CC. ***Property currently in ETJ. If property were to be annexed to the City of McAllen prior to recording, park fees and Park Land Dedication Advisory Board review might be required.	TBD
	TBD
<b>TRAFFIC</b>	
* As per Traffic Department, Trip Generation approved; no TIA required. * As per Traffic Department, Trip Generation approved; no TIA required.	Completed
	NA
<b>COMMENTS</b>	
Comments: Must comply with City's Access Management Policy **As per Fire and Traffic Department, please submit gate detail if private subdivision is proposed prior to final. ***Annexation and initial zoning must be finalized prior to final. ****Please clarify/revise vicinity map to determine location of E/W 1/4 mile collector prior to final. *****Vicinity map must be revised prior to final.	Applied
<b>RECOMMENDATION</b>	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED, UTILITIES AND DRAINAGE APROVALS, AND CLARIFICATION REQUESTED VARIANCE.	Applied





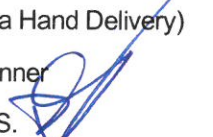
# LOCATION



**PROPOSED NEMONT ESTATES  
SUBDIVISION**  
OUTSIDE CITY LIMITS



# Memo

**To:** McAllen Planning Department (Via Hand Delivery)  
**Attn:** Jose Humberto De La Garza, Planner  
**From:** David Omar Salinas, P.E., R.P.L.S.   
**CC:** n:\subdivisionplats\nemont1estates.sub\variance.memo.001.111020  
**Date:** 11/10/2020  
**Re:** Nemont Estates 1 Subdivision - Variance Request to Block Length

---

On behalf of the subdivider of Nemont Estates 1 Subdivision, and, MAS Engineering, a **VARIANCE** is hereby requested to permit a street with a block length exceeding 800 feet with no north/south stub out or cul-de-sac. Properties to the north and south are improved with an Edinburg public school adjacent to and north of this site, and, residential properties are developed south of and adjacent to this site.

2221 Daffodil Ave., McAllen, Texas 78501  
(956) 682-9081/(956) 686-1489 Facsimile  
(956) 648-8899 Cell  
[dsalinas@salinasengineering.com](mailto:dsalinas@salinasengineering.com)



## 2020 ATTENDANCE RECORD FOR PLANNING AND ZONING COMMISSION MEETINGS

[illegible]

## 2020 ATTENDANCE RECORD FOR PLANNING AND ZONING COMMISSION WORKSHOPS

[illegible]





# PLANNING DEPARTMENT

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



## 2021 CALENDAR

Meetings:				Deadlines:			
 City Commission	 Planning & Zoning Board			D- Zoning/CUP Application	N - Public Notification		
 Public Utility Board	 Zoning Board of Adjustment						
HPC - Historic Preservation Council				* <b>Holiday</b> - Office is closed			

JANUARY 2021							FEBRUARY 2021						
Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1 HOLIDAY	2		1 A- 2/16 & 2/17	2	3 N- 2/16 & 2/17 D- 3/2 & 3/3	4	5	6
3	4	5	6 D-2/2 & 2/3	7	8	9	7	8	9	10	11	12	13
10	11	12	13	14	15	16	14	15 A-3/2 & 3/3	16	17 N-3/2 & 3/3 D-3/16 & 3/17	18	19	20
17	18 A-2/2 & 2/3	19	20 HPC N-2/2 & 2/3 D-2/16 & 2/17	21	22	23	21	22	23	24 HPC	25	26	27
24	25	26	27	28	29	30	28						
31													

MARCH 2021							APRIL 2021						
Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1 A-3/16 & 3/17	2	3 N-3/16 & 3/17 D-4/6 & 4/7	4	5	6					1	2 HOLIDAY	3
7	8	9	10	11	12	13	4	5 A-4/20 & 4/21	6	7 N-4/20 & 4/21 D-5/5 & 5/6	8	9	10
14	15	16	17 D-4/20 & 4/21	18	19	20	11	12	13	14	15	16	17
21	22 A-4/6 & 4/7	23	24 HPC N-4/6 & 4/7	25	26	27	18	19 A- 5/5 & 5/6	20	21 HPC N- 5/5 & 5/6 D-5/18 & 5/19	22	23	24
28	29	30	31				25	26	27	28	29	30	

MAY 2021							JUNE 2021						
Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1			1	2 N-6/16 & 6/17 D-7/1 & 7/7	3	4	5
2	3 A- 5/18 & 5/19	4	5 N-5/18 & 5/19	6	7	8	6	7	8	9	10	11	12
9	10	11	12	13	14	15	13	14	15	16 D-7/15 & 7/21	17	18	19
16	17 A-6/1 & 6/2	18	19 N-6/1 & 6/2 D-6/16 & 6/17	20	21	22	20	21 A-7/1 & 7/7	22	23 HPC N-7/1 & 7/7	24	25	26
23	24	25	26 HPC	27	28	29	27	28	29	30			
30	31 HOLIDAY												

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.



## 2021 CALENDAR

### Meetings:

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

### Deadlines:

- D- Zoning/CUP Application
- N - Public Notification

\* Holiday - Office is closed

### JULY 2021

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

### AUGUST 2021

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

### SEPTEMBER 2021

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

### OCTOBER 2021

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

### NOVEMBER 2021

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

### DECEMBER 2021

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

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.