

## AGENDA

### PLANNING & ZONING COMMISSION REGULAR MEETING TUESDAY, DECEMBER 6, 2022 - 3:30 PM MCALLEN CITY HALL, 1300 HOUSTON AVENUE CITY COMMISSION CHAMBERS, 3<sup>RD</sup> FLOOR

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

#### CALL TO ORDER -

#### PLEDGE OF ALLEGIANCE -

#### INVOCATION -

#### 1) MINUTES:

- a) Approval of Minutes for the November 16, 2022 meeting

#### 2) PUBLIC HEARING

##### a) REZONING:

1. Rezone from C-3 (general business) District to R-3A (multifamily residential apartment) District: 2.818 acres out of Lot 150, La Lomita Irrigation and Construction Company Subdivision, Hidalgo County, Texas; 4117 Highway 83 (Rear) **(REZ2022-0044)**
2. Rezone from R-1 (single-family residential) District to R-3C (multifamily residential condominium) District: The East One acre of the North Five acres of Lot 308, John H. Shary Subdivision, Hidalgo County, Texas; 3925 North Bentsen Road. **(REZ2022-0045)**
3. Rezone from R-1 (single-family residential) District to C-3 (general business) District: 0.97 acres out of Lot 11, Section 12, Hidalgo Canal Company Subdivision, Hidalgo County, Texas; 1009 Jay Avenue. **(REZ2022-0046)**
4. Rezone from R-1 (single-family residential) District to R-3A (multi-family residential apartment) District: All of Lot 1 and North one-half of Lot 2, Block 2, Bryan's Addition Subdivision, Hidalgo County, Texas; 324 North 4th Street. **(REZ2022-0047)**
5. Rezone from R-1 (single-family residential) District to R-2 (duplex-fourplex residential) District: Lot 1, Texan Terrace Subdivision, Hidalgo County, Texas; 1421 North 21st Street. **(REZ2022-0048)**



**b) SUBDIVISION:**

1. Amigo Park Subdivision Unit No. 3, Lots 12A& 12B, 3113 North 46th Street, Johnny Rodriguez **(SUB2022-0068)(REVISED PRELIMINARY)SEC**

**3) SITE PLAN:**

- a) Site plan approval for Lot 19, Sharyland Business Park No. 2 Subdivision; 5800 George McVay Drive. **(SPR2022-0034)**

**4) CONSENT:**

- a) Chaises De Jardin Subdivision, 2501 Rusell Road, Lawn Chair Adventures, LLC **(SUB2022-0099)(REVISED FINAL)MDCE**
- b) Vacating and Replat of Bann Subdivision Lot 2 and Bann, Lots 2A,2B,2C and 2D Subdivision, 2401 Quince Avenue, Nachito Enterprises, LLC **(SUB2022-0061)(REVISED FINAL)STIG**
- c) Mendoza Acre Subdivision, 11128 North Trosper Road, Luige & Belen Mendoza **(SUB2022-0143)(FINAL)SOTEX**
- d) SMT McAllen II Land LLC Subdivision, 4801 North 23rd Street, SMT McAllen II, LLC **(SUB2022-0141)(FINAL)M&H**

**5) SUBDIVISIONS:**

- a) Alaniz Subdivision Lots 25A, 25B, 25C, 25D, 26A, and 26B, 201 North 28th Street, Habitat Developers, LLC **(SUB2022-0009)(REVISED FINAL)SEC**
- b) Habitat Village Subdivision, 2700 Trenton Road, Tina Hoff **(SUB2022-0130)(REVISED PRELIMINARY)SEC**
- c) Vargas Patrimony Subdivision, 307 South 29th Street, Miguel Angel Vargas and Johana Vargas **(SUB2022-0142)(PRELIMINARY)MAS**
- d) Rancho Valencia Subdivision, 1200 East El Rancho Road, Francisco Pons Ballesteros **(SUB2022-0140)(PRELIMINARY)MGE**

**6) INFORMATION ONLY:**

- a) City Commission Actions: November 28, 2022

**ADJOURNMENT:**

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



STATE OF TEXAS  
COUNTY OF HIDALGO  
CITY OF McAllen

The McAllen Planning and Zoning Commission convened in a Regular Meeting on Wednesday, November 16, 2022, at 3:32p.m. in the McAllen City Hall, 3<sup>rd</sup> Floor Commission Chambers Room, 1300 Houston Avenue, McAllen, Texas.

**Present:**

<b>Gabriel Kamel</b>	<b>Vice Chairperson</b>
<b>Jose Saldana</b>	<b>Member</b>
<b>Emilio Santos Jr.</b>	<b>Member</b>
<b>Erica De La Garza-Lopez</b>	<b>Member</b>

**Absent:**

<b>Michael Fallek</b>	<b>Chairperson</b>
<b>Marco Suarez</b>	<b>Member</b>

**Staff Present:**

<b>Isaac Tawil</b>	<b>City Attorney</b>
<b>Austin Stevenson</b>	<b>Assistant City Attorney II</b>
<b>Michelle Rivera</b>	<b>Assistant City Manager</b>
<b>Edgar Garcia</b>	<b>Planning Director</b>
<b>Beto De la Garza</b>	<b>Development Coordinator</b>
<b>Luis Mora</b>	<b>Deputy Director</b>
<b>Omar Sotelo</b>	<b>Senior Planner</b>
<b>Rodrigo Sanchez</b>	<b>Senior Planner</b>
<b>Liliana Garza</b>	<b>Planner III</b>
<b>Mario Escamilla</b>	<b>Planner III</b>
<b>Katia Sanchez</b>	<b>Planner II</b>
<b>Samuel Nunez</b>	<b>Planner I</b>
<b>Porfirio Hernandez</b>	<b>Planner Technician I</b>
<b>Jacob Salazar</b>	<b>Planner Technician I</b>
<b>Magda Ramirez</b>	<b>Administrative Assistant</b>

**CALL TO ORDER – Vice Chairperson Mr. Gabriel Kamel**

**PLEDGE OF ALLEGIANCE**

**INVOCATION-** Mr. Emilio Santos Jr.

**1) MINUTES:**

- a) Minutes for the Regular meeting held on November 1, 2022.

The minutes for the regular meeting held in November 1, 2022 was approved as submitted by Ms. Erica De la Garza. Seconding the motion was Mr. Jose Saldana which carried unanimously with 4 members present and voting.

**2) PUBLIC HEARING:**

- a) **CONDITIONAL USE PERMITS:**



- 1) Request of David Sanchez on behalf of de Sanchez Spa & Salon for a Conditional Use Permit, for one year, for a portable building greater than 10 feet by 12 feet, at Lot 1 & 2, De Sanchez Subdivision, Hidalgo County, Texas; 1308 North 15th Street. **(CUP2022-0170)**

Ms. Katia Sanchez stated that the subject property is located along the east side of North 15th Street. The property is zoned C-3 (general business) District. Adjacent Zoning is C-3 District to the north and east. The properties to the south and west are zoned R-1 (single family residential) District. There is R-3C (multi-family residential condominiums) District to the west. A portable building for commercial use is permitted in the C-3 District as an accessory use with a conditional use permit and in compliance with all requirements.

This is the first request for the portable building for use of storage. An application for a building permit for the outdoor shed was submitted to the Building Permits and Inspections Department on October 03, 2022. Subsequent to submitting a building permit application, the applicant submitted a Conditional Use Permit request for a Portable Building Greater than 10 feet by 12 feet in October 2022.

The applicant is requesting a conditional use permit (CUP) for a proposed portable building measuring 10 feet by 16 feet to be located on the southeast area (see attached) of the property for an accessory use. The proposed building will be used for storage use.

The Fire Department has conducted their respective inspection and was satisfactory. Should the Conditional Use Permit be approved, the applicant would be required to sign the application acknowledging and agreeing to the conditions of the permit.

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

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

- 1) Portable buildings must not be used for living quarters. The portable building will be used for storage only;
- 2) Must be located in such a manner as to have access to a public right-of-way within 200 feet.
- 3) Portable buildings approved for occupancy shall be connected to an approved water distribution and sewage disposal system.
- 4) The proposed use and adjacent businesses shall comply with the off-street parking and loading ordinance. The parking lot has to be paved and striped according to Section 138-400 of the Zoning Ordinance;
- 5) Must provide garbage and trash collection and disposal;
- 6) No form of pollution shall emanate beyond the immediate property line of the permitted use; and



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

Staff recommends approval of the Conditional Use Permit request, since portable buildings larger than 120 square feet are allowed in the C-3 District with a Conditional Use Permit as an accessory use. Any approval is subject to compliance with the Zoning Ordinance.

Vice Chairperson Mr. Gabriel Kamel asked if there was anyone present in opposition of the proposed conditional use permit. There was none.

Being no discussion, Mr. Jose Saldana moved to approve. Ms. Erica De la Garza seconded the motion, which was approved with four members present and voting.

- 2) Request of Miguel A. Martinez for a Conditional Use Permit, for one year, for a home occupation for swimming lessons, at Lot 1, Duarte Subdivision, Hidalgo County, Texas; 4724 Buddy Owens Boulevard. **(CUP2022-0171)**

Ms. Katia Sanchez stated that the subject property is located along the north side of Buddy Owens Boulevard, east of 48th Street. The property is zoned R-1 (single family residential) District. Adjacent Zoning is R-1 District to the north, east, and west. It is C-3 (general commercial) District to the south. To the east, there is A-O (agricultural-open space) District. A home occupation for swimming lessons is permitted in an R-1 District with a conditional use permit and in compliance with all requirements.

An application for a Home Occupation Conditional Use Permit request was submitted on October 19, 2022. This is the first request for a home occupation at that location. The applicant currently has an active Conditional Use Permit for a home occupation for swimming lessons at 4512 Zinnia Avenue, however, should this Conditional Use Permit request be approved the Conditional Use Permit for a home occupation on Zinnia Avenue will not be valid.

The applicant is proposing to operate swimming lessons located at his residence. The proposed hours of operation will be from 9 AM to 8 PM Monday through Saturday. According to the submitted site plan, the swimming pool is located at the rear of the property.

The fire inspection conducted by the Fire Department was satisfactory. Should the conditional use permit be approved, the applicant would be required to sign the certificate acknowledging and agreeing to the conditions of the permit. The occupation may not be operational until issuance of the certificate. The business must comply with requirements set forth in Section 138-118(a)(1) of the Zoning Ordinance and other specific requirements as follows:

- 1) The home occupation must be clearly secondary to the residential use. As per the applicant, the applicant lives at the residence;
- 2) One nameplate attached to the building not larger than two square feet is permitted in all districts except R-1 single-family residential district;
- 3) There shall be no exterior display or alterations indicating that the building is being used for



any purpose other than that of a dwelling. The applicant does not propose any alteration;

4) There shall be no more than one additional unrelated employee other than immediate members of the family residing on the premises;

5) There shall be no outside storage of materials or products;

6) The permitted use shall not create frequent or heavy traffic, not greater than ten percent (10%) of the average load per hour as determined by the city traffic engineer. The applicant stated that classes are by appointment only;

7) No retail sales (items can be delivered). The proposed use does not involve retail sales;

8) No additions to the residence or accessory building specifically to accommodate the business. The applicant proposes no additions or accessory building to accommodate the business;

9) The business must take place in the primary residential structure on the property rather than in a detached garage or separate accessory building. The occupation is proposed to take place in the primary residential structure; and

10) The activity must take place at the location of which the permit was issued.

Staff recommends approval of the Conditional Use Permit request, since home occupations is permitted in an R-1 District with a Conditional Use Permit. Any approval is subject to compliance with the Zoning Ordinance.

Vice Chairperson Mr. Gabriel Kamel asked if there was anyone present in opposition of the proposed conditional use permit. There was none.

Being no discussion, Mr. Jose Saldana moved to approve. Mr. Emilio Santos Jr. seconded the motion, which was approved with four members present and voting.

- 3) Request of Emigdio Salinas on behalf of M2 Engineering, PLLC, for a Conditional Use Permit, for life of the use, and adoption of an ordinance, for a Planned Unit Development at 13.116 acres out of Lots 234 and 235, Pride o' Texas subdivision (Proposed Sunset Valley Subdivision), Hidalgo County, Texas; 6100 North Bentsen Road. **(CUP2022-0165)(TABLED ON 11/1/2022)**

Ms. Erica De la Garza moved to remove item from table. Mr. Jose Saldana seconded the motion. Item was removed from table.

Ms. Katia Sanchez stated that the subject property is located on the east side of North Bentsen Road, 101.95 ft. south of Jay Avenue. The irregularly-shaped tract has 286.87 ft. of frontage along North Bentsen Road and a depth of 1,206.37 ft. at its deepest point for a lot size of 13.116 acres. A proposed 36-lot subdivision under the name of Sunset Valley for the subject property was approved in preliminary form on October 5, 2021. The property is zoned R-1 (single-family residential) District. The adjacent zoning is R-1 District to the north, west, and south and A-O (agricultural-open space) District to the east and southwest. The property is currently vacant.



Surrounding land use include single-family residences, Donna Wernecke Elementary School, Hidalgo County Drainage District No.1 Ditch R.O.W and vacant land. A Planned Unit Development is permitted in an R-1 District with a conditional use permit and in compliance with Article IV Planned Developments of the Subdivision Ordinance.

A rezoning request to R-3A (multifamily residential apartment) District for the subject property was withdrawn by the applicant after it was disapproved by the Planning and Zoning Commission on May 4, 2021. The Planning and Zoning Commission voted to approve the proposed subdivision in preliminary form subject to conditions noted on October 5, 2021. A submitted Conditional Use Permit request for a Planned Unit Development for the subject property was withdrawn on January 21, 2022, after being tabled at the Planning and Zoning Commission meeting on December 21, 2021, and the City Commission meeting on January 10, 2022, for pending revisions and documents. A new Conditional Use Permit request for a Planned Unit Development for the subject property was submitted on October 5, 2022.

The property is currently vacant. The applicant is proposing to develop 143 dwelling units in form of two detached duplexes on Lots 2 to 35 and five units on Lot 1, and a duplex on Lot 36 as a Planned Unit Development.

Planned unit developments allow a variety of land uses that complement each other within the development and with existing land uses in the vicinity. Specific requirements for approval are specified in the Ordinance creating a Planned Unit Development for the subject property and summarized as the following:

Development and use of the property must comply with the conditional use permit conceptual site plan. Permitted uses are uses permitted in the R-1 District for buildings designated as residential. The applicant is proposing multifamily residences, allowed in R-3A District. Parking in compliance with Chapter 134 Article VI, which requires two parking spaces per unit, with one being located beyond the front yard setback.

Each lot requires 10% landscaping and a minimum of 50% of the area within the required front yard of any residential lot shall be devoted to landscape material including the portion of the front yard located between the property line and the extension of the side yard setback line. Tree requirement for multifamily development is calculated as per Section 110-51 of Vegetation Ordinance. A landscape strip area with a minimum width of ten feet shall be provided along and within the property lines of all nonresidential and multifamily uses contiguous to a public street, excluding driveway entrances and exits. For properties having a lot depth of less than 200 feet, the landscaped strip may be reduced to a minimum width of five feet with a landscape hedge not exceeding three feet in height.

A minimum of 60 ft. right-of-way with 40 ft. of pavement width is required on all internal streets, as well as a minimum of 96 ft. pavement on cul-de-sacs face to face. The applicant is proposing 55 ft. of right-of-way, 5 ft. utility and sidewalk easement on both sides, and 40 ft. of pavement back to back. An R-1 zone requires a front yard setback of 25 ft. on interior streets; 20 ft. is being proposed. The side setback for corner lots is 10 ft. or greater for easements, whichever is greater; Rear: 10 ft. or greater or easements; A 4 ft. wide minimum sidewalk required on North Bentsen Road and both sides of all interior streets. 5 ft. sidewalk might be required by Engineering Department prior to final plat review. Sidewalk must comply with subdivision requirement. No encroachment is allowed over the setback or easements.



The drainage report must be approved.

The Conditional Use Permit site plan controls if there is conflict with other City ordinances. A decision by the Planning Director may be reviewed by Planning and Zoning Commission for recommendation to Board of Commissioners for final determination. The Conditional Use Permit calls for mixed use and a minimum of five (5) acres. The development has 13.116 acres and includes multifamily residences. The proposed site plan must be approved by Development Departments.

Owner, Engineer and Surveyor certification and signature blocks need to be shown on the PUD site plan.

The subdivision plat and the Planned Unit Development site plan must be recorded prior to issuance of building permits. Therefore, Sunset Valley Subdivision process must be completed, and recorded together with the site plan.

The request must comply with requirements set forth in the Zoning and Subdivision ordinances. Specific modifications required for approval are the following:

- Request a variance to allow multifamily lots on R-1 District.
- Request a variance to allow 10 ft. separation instead of 12 ft.
- Request a variance to allow a 20 ft. front setback instead of 25 ft.
- Request a variance to 55 ft. or right-of-way on interior streets and 5 ft. utility easement on both sides, and 40 ft. of pavement back to back, instead of 60 ft. right-of-way.

If the subdivision layout changes, the conditional use permit will need to be amended to resemble the approved Subdivision Plat.

Staff received an email and a petition in opposition to the conditional use permit request with 12.5% of the property owners within 200 ft. of the subject property. The opposition expressed concern regarding building apartments in vicinity of their single-family properties.

Staff recommends approval of the conditional use permit request subject to the conditions noted and approval of the requested variances, since the plans were reviewed and met the City's development departments' requirements.

Vice Chairperson Mr. Gabriel Kamel asked if there was anyone present in opposition of the proposed conditional use permit. One citizen was in opposition in which he also provided a petition of citizens in opposition.

Citizen Mr. Damian Cantu (4105 Jay Avenue) stated his concerns which include: flooding, traffic and crime issues.

Applicant Mr. Emigdio Emilio Salinas (13706 North Ruth Road McAllen) representing M2 Engineering, accompanied by Developer Roberto Garza stated that they followed the PUD requirements and all the requirements that were presented to them during the planning of the development.

Ms. Katia Sanchez stated that the development plans did meet all requirements made by the



development team.

After a short discussion, Ms. Erica De la Garza moved to approve, to also include all variances. Ms. Emilio Santos Jr. seconded the motion, which was approved with four members present and voting.

b) REZONING:

- 1) Rezone from A-O (agricultural and open space) District to C-4 (commercial-industrial) District: 0.394 acres out of Lot 1, Block 6, Steele & Pershing Subdivision, Hidalgo County, Texas; 5520 North McColl Road. **(REZ2022-0042)**

Mr. Samuel Nunez stated that the property is located on the east side of North McColl Road, approximately 40 ft. south of Dove Avenue. The irregularly shaped tract has 121.31 ft. of frontage along North McColl Road with a depth of 208 ft. at its deepest point for a lot size of 0.394 acres.

The applicant is requesting to rezone the property to C-4 (commercial-industrial) District in order to propose a new subdivision and build a new commercial plaza on this lot and the adjacent C-4 tract on the north and east side. The applicant stated that the use of the plaza will be office, retail, and restaurant. A feasibility plan has not been submitted.

The adjacent zoning is C-4 (commercial-industrial) District to the north and east, and C-3 (general business) District to the west and south.

There is a non-conforming office building on the subject property proposed to be demolished. Surrounding land uses include Zamora's Restaurant, auto services, offices, DHR's Hospital and clinics, Little Paradise Academy daycare, and vacant land.

The Foresight McAllen Comprehensive Plan designates the future land use for this property as Suburban Commercial, which is comparable to C-1 to C-3L.

The development trend for this area along North McColl Road is commercial and offices.

The tract was annexed and initially zoned A-O (agricultural and open space) District on December 18, 1989. There has been no other rezoning request for the subject property since then.

A rezoning request for the adjacent tract on the east and north side of the subject property was approved to C-4 (commercial-industrial) District by the City Commission on December 23, 1991.

The requested zoning does not conform to the Suburban Commercial land use designation as indicated on Foresight McAllen Comprehensive Plan. However, it conforms to the adjacent zoning on the east and north side.

If the request is approved, it provides an opportunity to change the non-conforming status of the subject property and bring it into compliance with City codes and requirements.

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



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

Staff recommends approval of the rezoning request to C-4 (commercial-industrial) District, since it conforms to the surrounding zoning.

Vice Chairperson Mr. Gabriel Kamel asked if there was anyone present in opposition of the proposed rezoning request. There was none.

Being no discussion, Mr. Jose Saldana moved to approve and Ms. Erica De la Garza seconded the motion, which was approved with four members present and voting.

- 2) Rezone from R-1 (single-family residential) District to R-3A (multifamily residential apartment) District: 4.681 acres out of Lot 241, save and except 0.184 acres, Pride O' Texas Subdivision, Hidalgo County, Texas; 5000 North Bentsen Road. **(REZ2022-0043)**

Mr. Samuel Nunez stated that the property is located on the east side of North Bentsen Road, approximately 950 ft. south of Dove Avenue. The irregularly shaped tract has 121.31 ft. of frontage along North McColl Road with a depth of 208 ft. at its deepest point for a lot size of 0.394 acres.

The applicant is requesting to rezone the property to R-3A (multifamily residential apartment) District in order to build detached duplexes. A feasibility plan has not been submitted.

The adjacent zoning is A-O (agricultural and open space) District to the east, R-1 (single-family residential) District to the north and west, and C-3L (light commercial) District to the south.

The subject property is currently vacant. Surrounding land uses include single-family residences, an auto repair, 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 District.

The development trend for this area along North Bentsen Road is single-family residences.

The tract was annexed and initially zoned A-O (agricultural and open space) District on April 12, 1999. City Commission approved two rezoning requests to R-1 District for the subject property on September 14, 2015, and March 26, 2018. There has been no other rezoning request for the subject property since then.

A proposed 18-lot single-family subdivision under the name of Villa Encanto which was submitted on January 25, 2018, for the subject property, was withdrawn on February 21, 2019.

The requested zoning does not conform to the Auto Urban Single Family land use designation as indicated on Foresight McAllen Comprehensive Plan. In addition, it is not compatible with the surrounding zoning and development trend in this area. All residentially zoned properties on the north side on Nolana Avenue, fronting North Bentsen Road are zoned R-1 (single-family residential) District.



North Bentsen Road is currently a two-lane road in this area with approximately 22 ft. of pavement. A standard multifamily road requires 40 ft. of pavement. Approving the request may encourage other property owners in this area to request rezoning their properties to R-3A (multifamily residential apartment) District, hence increasing the density and traffic in this area.

The maximum density in R-3A (multifamily residential apartments) District is 43 one-bedroom apartment units (1,000 sq. ft.) per acre or 29 three-bedroom units (1,500 sq. ft.) per acre. Therefore, the maximum number of units for the subject property is approximately 135 three-bedroom units to 201 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 is required prior to building permit issuance. Required park land dedication or a fee in lieu of land comprising \$700 per dwelling unit is required prior to recording a subdivision plat.

Staff received a phone call in opposition to the rezoning request from a property owner in vicinity of the subject property. The opposition was concerned regarding the consequences of multifamily development on the existing traffic and drainage issues in this area, and an adverse effect on their property value.

Staff recommends disapproval of the rezoning request to R-3A (multifamily residential apartment) District, since it does not conform to the Auto Urban Single Family land use designation, the surrounding land use, and the development trend in this area.

Vice Chairperson Mr. Gabriel Kamel asked if there was anyone present in opposition of the proposed rezoning request. There was one citizen in opposition which also provided a petition with estimated 15 signatures.

Citizen Mr. Carlo Rodriguez (4404 Zinnia Avenue) stated his concerns were traffic congestion, drainage and school safety.

Applicant Octavio Avalos(2112 South Shary Rd. Mission, TX) stated they plan on building apartment complex and should not have any issues with traffic or sewer.

After a short discussion, Mr. Jose Saldana moved to disapprove and Ms. Erica De la Garza seconded the motion, which was disapproved with four members present and voting.

- 3) Rezone from R-2 (duplex-fourplex residential) District to R-3A (multi-family residential apartment) District: 12.51 acres out of Lot 167, John H. Shary Subdivision, Hidalgo County, Texas; 2021 South Taylor Road. **(REZ2022-0040)**

Mr. Samuel Nunez stated that the property is located at the northeast corner of South Taylor Road and Uvalde Avenue. The tract has 412.49 feet of frontage along South Taylor Road with a depth of 1,321.05 feet at its deepest point for a lot size of 12.51 gross acres (544,500 square feet).



The applicant is requesting to rezone the property to R-3A (multi-family residential apartment) District in order to develop the tract of land for a multi-family apartment development. A feasibility plan has not been submitted.

The adjacent zoning is R-3T (multi-family townhouse residential) District to the North and R-1 (single-family residential) District to the east and to the south across Uvalde Avenue.

The subject property is vacant. Surrounding land uses include single-family residences, townhouses, Cinemark Tinseltown USA and XD, apartment uses, La Ganadera Gourmet Meat Market, Lit Coffee, A1 Dry Cleaners, Real Fit Nutrition, and Bentsen Elementary School.

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 South Taylor Road is single-family residential, multi-family townhouse residential, multi-family apartment residential, and commercial use.

The tract of land was annexed into the City and initially zoned R-2 District on September 22, 2015. A rezoning request to R-3A District for the subject property was submitted on October 10, 2022. An application for a proposed subdivision was submitted on April 28, 2015 for a 42-lot duplex-fourplex development under the name "Taylor Villas" and was approved in preliminary form at the Planning and Zoning Commission meeting of September 1, 2015. A variance to the R.O.W. was approved by the Planning and Zoning Commission at 50 feet instead of 60 feet with 40 feet of pavement width and 10 feet of sidewalk and utility easements on both sides.

The proposed subdivision request was approved in revised final form at the Planning and Zoning Commission meeting of July 18, 2017, however the subdivision was never recorded. According to the applicant, improvements have already been made on the subject property that appear to comply with its original zoning designation and subdivision proposal.

A change of ownership has taken place which may require re-submittal and re-approval of the proposed subdivision.

This request does not conform to the Auto Urban Single Family land use designation, as indicated on the Foresight McAllen Comprehensive Plan. It is comparable, however, with one of the existing adjacent zoning designations (R-3T District) to the North.

The subdivision was granted a variance to the street right of way for 50 feet instead of 60 feet at the Planning and Zoning Commission meeting of September 1, 2015. During a site visit, staff noticed street improvements already in place.

Section 110-49 (a) of the Vegetation Ordinance requires a masonry screen 8 feet in height where a commercial, industrial, or multi-family use has a side or rear property line in common with a single-family use or zone. The East property line is adjacent to R-1 District.

A recorded subdivision plat is required prior to the issuance of a building permit. Park land dedication, or a fee in lieu of land comprising \$700 per dwelling unit, is required for parking prior to the recordation of a subdivision plat.



Staff received one phone call in opposition to this request from a property owner within the adjacent subdivision to the north (i.e., Las Villas Del Rio). The property owner was concerned about the negative impact an R-3A development will bring in regards to traffic, land value, and general safety. PLANNING AND ZONING COMMISSION MEETING OF NOVEMBER 16, 2022: At the Planning and Zoning Commission meeting of November 16, 2022, three gentlemen from the adjacent subdivision (Las Villas Del Rio) to the north appeared in opposition to this rezoning request. The adjacent property owners were concerned about the negative impacts an R-3A development would have in the area in regards to traffic, land value, privacy, and the general safety. Board member, Erica De La Garza inquired about the number of units that would be proposed for the development. Staff informed the Board that the current proposal was for 41 units with two detached duplexes, and 1 unit with one duplex. Staff further explained that an approval to rezone the subject property to R-3A District will give the applicant the option to increase the number of proposed units, as per the Zoning Ordinance. The applicant and the subject property owner were present at the meeting. The subject property owner informed the Board that they were in the process of establishing an HOA that would limit the number of units proposed for the development. After further discussion with the applicant and the subject property owner regarding the intents and purposes for the proposed development, Board member, Gabriel Kamel recommended that the applicant consider the Planned Unit Development process. This process was recommended to possibly resolve some of the issues posed by the adjacent owners present in opposition. The applicant stated that he will consider the recommendation and inform the property owner about it. The Board then unanimously voted to recommend disapproval. There was four members present and voting. Subsequent to the meeting, staff was present during a conversation the applicant and the opposing adjacent owners had outside of the chambers. The applicant and the adjacent owners discussed the privacy concerns that the proposed two-story duplex structures along the property line adjacent to Las Villas Del Rio Subdivision would pose. The adjacent owners would not want for people who lived in the second story of these proposed duplexes to have visibility into their rear yard properties. The applicant recommend they speak to the property owner since he was only hired for other engineering needs and not for the design of the proposed structures. The applicant and the adjacent property owners then exchanged contact information to further discuss the concerns and promised to stay in touch regarding the matter.

The Planning and Zoning Commission Board unanimously voted to recommend disapproval of the rezoning request to R-3A (multi-family residential apartment) District.

Vice Chairperson Mr. Gabriel Kamel asked if there was anyone present in opposition of the proposed rezoning request. There was three citizens in opposition.

Citizen Mr. Jaime Garcia (5100 Sweetwater Avenue) concerns were privacy, traffic and the value of the properties being in risk of devaluing.

Citizen Mr. Josue Peralez(5113 Sweetwater Avenue) concerns were privacy, flooding, traffic, the value of properties being at risk of devaluing, and theft.

Citizen Luis Web (2200 South 49<sup>th</sup> Street) concerns were privacy, theft and traffic in the plaza area.

Engineer, Mr. Mario Salinas with MAS Engineering (3911 North 10<sup>th</sup> Street Ste H) responded to the citizens concerns on traffic and assured they would stay in compliance and will not change what the development plans are.



Mr. Sergio Govela (313 Hawk Avenue McAllen) also responded to the citizens concerns regarding the privacy and stated the landscaping and architectural plans.

Vice Chairperson suggested the applicant create a PUD.

After a lengthy discussion, Ms. Erica De la Garza moved to disapprove and Mr. Jose Saldana seconded the motion, which was disapproved with four members present and voting.

- 4) Rezone from R-1 (single family residential) District to C-1 (office building) District: Lot 33, Palm Estates Subdivision, Hidalgo County, Texas; 1104 Freddy Gonzalez Road. **(REZ2022-0041)**

Mr. Samuel Nunez stated that the property is located along the north side of Freddy Gonzalez Road, approximately 190 feet west of North 10th Street. The tract has 150.01 feet of frontage along Freddy Gonzalez Road with a depth of 130 feet for a lot size of 0.4477 acres (19,501 square feet).

The applicant is requesting to rezone the property to C-1 (office building) District in order to build a multi-tenant professional office building. A feasibility plan has not been submitted.

The adjacent zoning is C-3 (general business) District to the North, East, and to the South across Freddy Gonzalez Road. There is R-1 (single-family residential) District adjacent to the North and West. There is C-3L (light commercial) District to the Southwest across Freddy Gonzalez Road.

There is an existing single family residence on the subject property that is proposed to be demolished if this rezoning request is approved. Surrounding land uses include single-family residences, multi-tenant office buildings, Lone Star National Bank, 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 District.

The development trend for this area along North 10th Street is commercial.

The tract of land was annexed into the City and initially zoned R-1 District on August 5, 1985. The subject property was later recorded as Lot 33 of Palm Estates Subdivision on July 30, 1997. A rezoning request application to C-1 District for the subject property was submitted on October 13, 2022.

This request does not conform to the Auto Urban Single Family land use designation, as indicated on the Foresight McAllen Comprehensive Plan. It is comparable, however, to adjacent zoning designations (C-3 District) to the North and East.

The applicant has informed staff that he is the property owner of the adjacent property to the East. The proposed development will be part of a larger tract that includes un-subdivided property adjacent to the east of the subject property. This type of development would be comparable to existing multi-tenant office building uses to the North, along the west side of North 10th Street. C-1 District zoning is the most restrictive commercial zoning that allows office uses for professional, medical, financial services, and personal services such as beauty salons, barbershops, day care centers, nursing homes, and funeral homes. The maximum height for buildings within C-1 District



is two stories.

C-1 District is comparable with adjacent single family residential uses and can serve as a transition between C-3 District and R-1 District uses.

Section 110-49 (a) of the Vegetation Ordinance requires a masonry screen 8 feet in height where a commercial, industrial, or multi-family use has a side or rear property line in common with a single-family use or zone. Trees with a caliper of 20 inches or greater in commercial zones are protected and require a permit for removal.

A recorded subdivision plat may be required prior to the issuance of a building permit since the development may be part of a larger tract of land that may include un-subdivided property. Compliance with off-street parking, landscaping and various building and fire codes are required as part of the building permitting process for commercial developments.

Staff has not received a phone call, letter, or email in opposition to this rezoning request. PLANNING AND ZONING COMMISSION MEETING OF NOVEMBER 16, 2022: At the Planning and Zoning meeting of November 16, 2022 no one appeared in opposition to the rezoning request. The Board unanimously voted to recommend approval of the request. There was four Board members present and voting.

The Planning and Zoning Commission Board unanimously voted to recommend approval of the rezoning request to C-1 (office building) District.

Vice Chairperson Mr. Gabriel Kamel asked if there was anyone present in opposition of the proposed rezoning request. There was none.

Being no discussion, Ms. Erica De la Garza moved to approve and Mr. Jose Saldana seconded the motion, which was approved with four members present and voting.

- 5) Rezone from R-1 (single-family residential) District to C-1 (office building) District: Lots 7 and 8, save and except the North 15 feet of Lot 8, Block 1, Renken's Addition Subdivision, Hidalgo County, Texas; 601 North 9th Street. **(REZ2022-0032)(TABLED ON 10/4, 10/18, AND 11/1/22) WITHDRAWN**

Item was requested to be withdrawn. No action needed, none taken. Item has been withdrawn.

c) SUBDIVISION:

- 1) Plaza Las Fuentes Fortis Subdivision, 5700 North 10th Street, Fortis Land Holdings, LLC and El Pistalon, LLP **(SUB2022-0093)(FINAL)RDE**

Ms. Liliana Garza stated N. 10th Street: 60 ft. ROW existing from centerline for 120 ft. ROW Paving: by the state Curb & gutter: by the state. Provide Document number regarding existing ROW dedication on both sides of centerline prior to recording. Subdivision Ordinance: Section 134-105 Monies must be escrowed if improvements are required prior to recording. COM Thoroughfare Plan. Dove Avenue: Dedication required for 75 ft. ROW from centerline for 150 ft. ROW Paving: 65 ft. Curb & gutter: both sides Revisions needed: The Foresight Comprehensive Map calls Dove



Avenue to be 75 ft. from centerline for 150 ft. total ROW. Plat submitted demonstrates existing 100 ft. ROW with no additional dedication. Provide Document number regarding existing ROW dedication on both sides of centerline prior to recording. Engineer submitted a variance request to allow existing 100 ft. ROW with no additional dedication. ROW requirement being reviewed and plat would need to be revised accordingly prior to recording. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. COM Thoroughfare Plan. Paving, curb and gutter. Subdivision Ordinance: Section 134-105. \*Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties. Proposing Plat Note: "A private service drive easement will be established as part of the site plan and will be maintained by the lot owners and not the City of McAllen." Plat note will need to be finalized prior to recording. Subdivision Ordinance: Section 134-106. Front: North 10th Street: 60 ft. or greater for approved site plan, or easements, whichever is greater applies. Dove Avenue: 50 ft. or greater for approved site plan, or easements, whichever is greater applies. Vacating of existing recorded plat will be required if any restrictions are removed/revised from existing plat. Zoning Ordinance: Section 138-356. Rear: In accordance with the Zoning Ordinance, or greater for easements or approved site plan. Zoning Ordinance: Section 138-356. Sides: In accordance with the Zoning Ordinance, or greater for easements or approved site plan. Zoning Ordinance: Section 138-356. Corner setbacks for North 10th Street and Dove Avenue as noted above. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required on North 10th Street and Dove Avenue. \*\*Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses or greater as per agreement. Vacating of existing recorded plat will be required if any restrictions are removed/revised from existing plat. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along. Must comply with City Access Management Policy Site plan must be approved by the Planning & Zoning Commission prior to issuance of building permit. Vacating of existing recorded plat will be required if any restrictions are removed/revised from existing plat. Common Areas, any private drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: C-3 Proposed: C-3. Zoning Ordinance: Article V. Rezoning Needed Before Final Approval Zoning Ordinance: Article V. As per Traffic Department, Trip Generation approved, TIA is waived. Comments/Revisions needed: Please pass by the office to revise name of subdivision to "Plaza Las Fuentes Fortis" on application prior to recording. Please revise lot numbers to Lot 1E & Lot 1D prior to recording. Vacating of existing recorded plat will be required if any restrictions are removed/revised from existing plat. Must comply with City's Access Management Policy.

Staff recommends approval of the subdivision in final form subject to conditions noted, and clarification of the variance request to row requirement for Dove Avenue.

Vice Chairperson Mr. Gabriel Kamel asked if there was anyone present in opposition of the proposed subdivision request. There was none.

Being no discussion, Mr. Jose Saldana moved to approve including variance request to row



requirement for Dove Avenue. Ms. Erica De la Garza seconded the motion, which was approved with four members present and voting.

2) Summit Park North Lots 11A & 13A Subdivision, 821 East Esperanza Avenue, Summit Park Properties, LLC and Jaime Gonzalez, Jr **(SUB2022-0108)(FINAL)SEC**

Ms. Liliana Garza stated E. Esperanza Ave.: 50 ft. ROW. Paving: 40 ft. approximately existing Curb & gutter: both sides \*\*Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. COM Thoroughfare Plan E. Fern Ave.: Dedication as needed for 40 ft. from centerline for 80 ft. of total ROW. Paving: 52 ft. Curb & gutter: Both sides Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. COM Thoroughfare Plan. Paving, Curb and gutter. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties; existing 20 ft. private service drive to remain. Subdivision Ordinance: Section 134-106. Front/E. Esperanza Ave.: 1. Unenclosed Covered Walk: 104 ft. 2. Building: 110 ft. Zoning Ordinance: Section 138-356. Rear/ E. Fern Ave.: 20 ft. Zoning Ordinance: Section 138-356. Sides: In accordance with the zoning ordinance, easements, or approved site plan, whichever requires the greater setback. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required on E. Fern Ave. and north side of E. Esperanza Ave. Revisions needed: Please revise plat note #4 as shown above prior to recording. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Please add plat note as shown above prior to recording. Landscaping Ordinance: Section 110-46. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along E. Fern Ave. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along. Must comply with City Access Management Policy. Site plan must be approved by the Planning & Zoning Commission prior to issuance of building permit. Common area plan for commercial lots include curb cut location and number, setbacks, landscape areas, etc. This common area is for the benefit of all owners, egress & ingress and maintained by owner(s). Revisions needed: Please revise plat note #7 as shown above prior to recording. Plat note exists on current recorded plat; therefore, must be shown on replat. Vacating of existing recorded plat will be required if any restrictions are removed/revised from existing plat. Common Areas, any private drives, etc. must be maintained by the lot owners and not the City of McAllen. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: C-3 Proposed: C-3. Zoning Ordinance: Article V. Rezoning Needed Before Final Zoning Ordinance: Article V. As per Traffic Department, Trip Generation approved, no TIA is required. Must comply with City's Access Management Policy. Existing plat notes remain as now exist. Vacating of existing recorded plat will be required if any restrictions are removed/revised from existing plat.

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

Vice Chairperson Mr. Gabriel Kamel asked if there was anyone present in opposition of the proposed subdivision request. There was none.



Being no discussion, Mr. Jose Saldana moved to approve and Mr. Emilio Santos Jr. seconded the motion, which was approved with four members present and voting

3) Toy-R-Us Lot 1A Subdivision, 1105 Expressway 83, 1101 McAllen  
Retail Partners, LP **(SUB2022-0078)(FINAL)M&H**

Mr. Mario Escamilla stated U.S Expressway 83(Frontage Rd):15ft. dedication for 175 ft. from centerline for 350 ft. of total ROW. Paving : By the State Curb & gutter: By the State. Thoroughfare Plan references 350 ft. of ROW. Label ROW dedications from centerline to new plat boundary, total, existing, etc., prior to recording. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. South 11th Street: Dedication as needed for 30ft. from centerline for 60ft. total ROW. Paving 40 ft. Curb & gutter: Both Sides. As per document number referenced on plat submitted on July 22, 2022, there is existing 30 ft. ROW from centerline on the west side, therefore, no dedication is required by this plat. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. Paving, curb and gutter. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan/ 1,200 ft. Block Length. Subdivision Ordinance: Section 134-118. ROW: 20 ft. Paving: 16 ft. Revisions Needed: Clarify 24/25 ft. Private service drive easement shown plat but there is a plat note regarding. Service drive, clarify prior to recording. Alley/service drive easement required for commercial properties. Subdivision Ordinance: Section 134-106. U.S Expressway 83/South 11th Street: As shown on plat. Revisions Needed: Revise note as shown above prior to recording. On plat show dimension from new property line to 75.0 Front Building Setback line, prior to recording. Zoning Ordinance: Section 138-356 Rear: In accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Zoning Ordinance: Section 138-356. Sides: In accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Zoning Ordinance: Section 138-356. Corner setback will be addressed through front setback, please see front setback requirement. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required along U.S Expressway 83(Frontage Rd.) and S.11<sup>th</sup> Street. Sidewalk requirements may increase to 5 ft. prior to recording per Engineering Department requirements. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. Revisions Needed: Please remove plat note #11, prior to recording. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access permitted along U.S Expressway 83 (Frontage Rd.) Revisions Needed: Clarify access easement (reciprocal agreement )reference, as plat note indicates recorded document , however no document number is presented on plat, finalize prior to recording. Must comply with City Access Management Policy. Site Plan Approval By The Planning and Zoning Commission Required Prior to Building Permit Issuance. Common Areas, any service drives, etc. must be maintained by the lot owners and not the City of McAllen. Revisions Needed: Revise plat note#15 as shown above prior to recording. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Revisions Needed: Please remove plat note #16, as it is a requirement not a required plat note, prior to recording. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: C-3(General Business) District. Proposed: C-3(General Business)



District. Zoning Ordinance: Article V. As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. \*\*\*Clarify status of remaining portion of Lot 1 Toys-R-Us Subdivision. Clarify if cross-access agreement prior to recording. Must comply with City's Access Management Policy. At the Planning and Zoning meeting of July 26, 2022., the subdivision was approved in preliminary form subject to conditions noted, utilities and drainage.

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

Vice Chairperson Mr. Gabriel Kamel asked if there was anyone present in opposition of the proposed subdivision request. There was none.

Being no discussion, Mr. Jose Saldana moved to approve and Mr. Emilio Santos Jr. seconded the motion, which was approved with four members present and voting.

### 3) CONSENT:

- a) RMZ Development Subdivision, 2901 Colbath Road, RMZ Investments, LLC **(SUB2022-0129)(FINAL)RDE**
- b) Imperio Estates Subdivision, 8700 North 29th Street, Hollywood Development & Construction, LLC **(SUB2022-0128)(FINAL)RDE**
- c) Sharyland Business Park No. 11 Subdivision, 7201 South Shary Road, Cascade Real Estate Operating, L.P. **(SUB2022-0133)(FINAL)ME**
- d) Uvalde Villas Subdivision, 701 Uvalde Avenue, Texas Grey Oaks, LLC **(SUB2022-0124)(FINAL)M&H**
- e) San Felipe on Northgate Lane Subdivision, 400 Northgate Lane, Fortis Land Holdings, LLC **(SUB2022-0137)(FINAL)RDE**

Being no discussion, Mr. Emilio Santos Jr. moved to approve subdivisions in consent form, items 3a-e. Mr. Jose Saldana seconded the motion, which was approved with four members present and voting.

### 4) SUBDIVISION:

- a) Neuhaus Estates Subdivision, 4229 Neuhaus Drive, Isaac & Lois Kim, Alfredo Perez Garza & Elena Ramirez, and Bada Real Estate, LLC **(SUB2021-0148)(REVISED FINAL)MAS**

Ms. Liliana Garza stated Neuhaus Drive: 10 ft. ROW dedication required for 30 ft. from centerline for 60 ft. ROW Paving: 40 ft. Curb & gutter: Both sides. Owner must escrow monies for improvements not constructed prior to plat recording. Variance approved at City Commission meeting of November 22, 2021 to not pay or escrow monies for this Neuhaus Drive paving and drainage requirements. City of McAllen Thoroughfare Plan. S. 42nd Street (private): 56-76.31 ft. ROW proposed Paving: min. 32 ft. Curb & gutter: both sides. Private streets shall comply with and built according to city standards. Project engineer, on behalf of the developer requested a variance



to allow one-20 ft. entrance and one-14 ft. wide exit lane with a 10 ft. median with existing trees instead of the 32ft. cross section as required for single family residential development. City Commission granted a variance to allow a 20 ft. entrance and 17 ft. wide exit with no sidewalks on the east side at their meeting on October 23, 2017. Improvements must be escrowed if not built prior to recording. Cul-de-sac must 96 ft. paving diameter face-face. City of McAllen Thoroughfare Plan. Paving, curb and gutter. 1200 ft. Block Length. Subdivision Ordinance: 134-118. 600 ft. Maximum Cul-de-Sac. Subdivision Ordinance: Section 134-105. Front: 25 ft. or greater for easements. Zoning Ordinance: Section 138-356. Rear: In accordance with the Zoning Ordinance, or greater for easements. Zoning Ordinance: Section 138-356. Interior Sides: In accordance with the Zoning Ordinance, or greater for easements. Corner: Neuhaus Drive - 10 ft. or greater for easements. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required; greater setback applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required along Neuhaus Drive and on the west side of S. 42<sup>nd</sup>. Street through the northwest corner of Lot 4. Revisions needed: Plat note #6 will need to be revised as shown above prior to recording. Project engineer, on behalf of the developer requested a 3 ft. wide sidewalk on the east side due to the existing trees and property line. City Commission granted a variance to allow a 20 ft. entrance and 17 ft. wide exit with no sidewalks on the east side from the north of Lot 5 at their meeting on October 23, 2017. If Lot 5 is added in the future, sidewalk requirement will extend to the north side of the lot. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along Neuhaus Drive. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along Neuhaus Drive. City's Access Management Policy. Common areas, private streets, must be maintained by the lot owners and not the City of McAllen. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 110-72 applies for public subdivisions. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Subdivision Ordinance 138-168 for private subdivisions. Lots fronting public streets or private. Zoning Ordinance: Section 138-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: R-1 Proposed: R-1. Zoning Ordinance: Section 138-176. Park Fee of \$700 dwelling unit/lot x 5 = \$3,500 to be paid prior to recording. Per Traffic Department Trip Generation has been honored. No TIA is required. Must comply with City's Access Management Policy. Final approval expired for this subdivision originally submitted in 2017. Variance request approved at the City Commission meeting of October 23, 2017 allowing a 17 ft. wide exit lane with no sidewalks on the east side from the north of Lot 5. If Lot 5 is added in the future, sidewalk requirement will extend to the north side of the lot. Money must be escrowed if improvements are not built prior to recording. Variance approved at City Commission meeting of November 22, 2021 to not pay or escrow monies for this Neuhaus Drive paving and drainage requirements. Subdivision plat submitted on May 26, 2022 changed in acreage and lot numbers; therefore, it will need to be presented to P&Z in revised final form. Subdivision plat submitted on October 26, 2022 changed in acreage and lot numbers from 5 to 4; therefore, it will need to be presented to P&Z in revised final form. Must comply with Fire Department access road requirements.



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

Being no discussion, Mr. Jose Saldana moved to approve subdivision and Ms. Erica De la Garza seconded the motion, which was approved with four members present and voting.

b) Andara Apartment at Ware Subdivision, 8200 North Ware Road, Gloria B. Brady **(SUB2022-0090)(FINAL)BIG**

Ms. Liliana Garza stated N. Ware Road: Dedication as needed for 75 ft. from centerline for 150 total ROW. Paving: State Curb & gutter: State Revisions needed: Label ROW dedications accordingly; Total, Existing, Dedicated by this plat, etc. prior to recording. Label documents numbers regarding how existing ROW was dedicated. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. COM Thoroughfare Plan. Interior E/W Street(Private Street):Dedication for 60 ft. Total ROW. Paving 40ft Curb and gutter both sides. Revisions needed: Street name needs to be revised to City Street names, prior to recording. Developer applied for a Conditional Use Permit for a Planned Unit Development and submitted a variance request to allow 50 ft. of ROW with a 10 ft. utility and sidewalk easement along the interior streets instead of 60 ft. through. At the City Commission of October 24, 2022, the board recommended approval. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. North 33rd Street: 30 ft. of dedication for 60 ft. Total ROW. Paving: 40 ft. Curb & gutter: Both sides. Revisions needed: Please label centerline prior to recording. Label documents numbers regarding how existing ROW was dedicated prior to recording. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. COM Thoroughfare Plan. Paving, curb and gutter. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. 900 ft. Block Length for R-3 Zone Districts Revisions needed: Current Subdivision layout exceeds 900 ft. Block Length requirement for R-3 Zone Districts, revise accordingly. After staff review, no street connection to the north and south is possible; existing developments. Subdivision Ordinance: Section 134-118. ROW: 20 ft. Paving: 16 ft. Must comply with Public Works Department requirements set though the CUP for Planned Unit Development approved by City Commission on October 24, 2022. Subdivision Ordinance: Section 134-106. Front: 20 ft. or greater for easements or approved site plan, except 10 ft. for unenclosed carports. Revisions needed: Please revise plat note #3 as shown above prior to recording. \*\*Setback variance to allow the front setback to be 20 ft. for building and 10 ft. for unclosed carport was established through CUP for Planned Unit Development and was approved by City Commission on October 24, 2022. Zoning Ordinance: Section 138-356. Rear: 10 ft. or greater for easements. Revisions needed: Please add plat note as shown above prior to recording. Setback requirements was established through CUP for Planned Unit Development and was approved by City Commission on October 24, 2022. Zoning Ordinance: Section 138-356. Sides: 5 ft. or greater for easement or approved site plan, whichever is greater applies. Revisions needed: Please revise plat note #3 as shown above prior to recording. Setback variance to allow 5 ft. interior side yard setback instead of 6 ft. was established through CUP for Planned Unit Development approved by City Commission on October 24, 2022. Zoning Ordinance: Section 138-356. Corner: 10 ft. or greater for easements, whichever is greater. Setback requirements was established through CUP for Planned Unit Development and was approved by City Commission on October 24, 2022. Zoning Ordinance: Section 138-356. Garage :18 ft. except where a greater setback is required, greater setback applies. Revisions needed: Please add plat note as shown above prior to recording. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or



approved site plan. 4 ft. wide minimum sidewalk required along N. Ware Road, N.33rd Street and both sides of interior streets. Revisions needed: Please add plat note as shown above prior to recording. Sidewalk requirements may increase to 5 ft. prior to recording as per Engineering Department. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along N. Ware Road and N.33rd Street. Revisions needed: Please revise plat note #8 as show above prior to recording. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along N. Ware Road and N.33rd Street. Revisions needed: Please revise plat note #11 as show above prior to recording. Must comply with City Access Management Policy. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Overall site plan established as part of the CUP for Planned Unit Development was approved by City Commission on October 24, 2022. Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Revisions needed: Clarify proposed use for Lot "C" and revise plat note #11 to include Lot "C" prior to recording. Lots "A" and "B" are identified as detention area as per plat submitted on 10/28/22. Zoning Ordinance: Section 138-356. Existing :A-O(Agricultural) District Proposed: A-O. A Conditional Use Permit for a Planned Unit Development with an A-O zone was approved by City Commission on October 24, 2022. Zoning Ordinance: Article V. Rezoning Needed Before Final Approval. A Conditional Use Permit for a Planned Unit Development with an A-O zone was approved by City Commission on October 24, 2022. Zoning Ordinance: Article V. Land dedication in lieu of fee. Land dedication for this development is calculated at 1.8126 acres and Parks fees are applicable at \$700 per dwelling unit. Must comply with Parkland dedication ordinance requirements prior to recording. Park Fee of \$79,800 (\$700 X 114 lot/dwelling unit) to be paid prior to recording. Fees are payable prior to plat recording and can go up or down they are dependent on the amount of units. Must comply with Parkland dedication ordinance requirements prior to recording. Pending review by the City Manager's Office. Must comply with Parkland dedication ordinance requirements prior to recording. As per Traffic Department, Trip Generation approved, no TIA is required. Comments/revisions needed: Please clarify if subdivision will be private prior to final. If private, please revise plat name to "Andara Apartments at Ware Subdivision" and below name reference "(A private subdivision)." - Provide gate detail for City department review; which may increase ROW width prior to recording. Must comply with requirements/conditions of the Conditional Use Permit for the Planned Unit Development (PUD) approved by City Commission on October 24, 2022. The site plan for the PUD will be recorded at such time as the plat is recorded. Cross reference notes will need to be finalized prior to recording. Any changes to approved site plan for Planned Unit Development may require for Conditional use permit to be amended and presented before the Planning and Zoning Commission. Please provide approval letter, etc. from gas company for lots with gas easements prior to recording. Must comply with utility department comments prior to recording. Must comply



with City's Access Management Policy. Staff recommends approval of the subdivisions in final form subject to conditions noted and park requirements.

Being no discussion, Mr. Jose Saldana moved to approve subdivision and Mr. Emilio Santos Jr. seconded the motion, which was approved with four members present and voting.

c) Vargas III Subdivision, 2725 South 29th Street, Juan **Vargas (SUB2021-0106)(PRELIMINARY EXTENSION)MAS**

Ms. Liliana Garza stated South 29th Street: 30 ft. dedication for 50 ft. from centerline for 100 ft. total ROW Paving: 65 ft. Curb & gutter: Both sides. Revisions needed: Please indicate how existing ROW has dedicated on plat prior to final. Please label total ROW after accounting for dedication prior to final. Monies must be escrowed if improvements are not built prior to recording. COM Thoroughfare Plan. Paving, curb and gutter. 600 ft. Maximum Cul-de-Sac: Staff is reviewing the need of a turnaround at the south end of South 29th street. Subdivision Ordinance: Section 134-105. ROW: 20 ft. Paving: 16 ft. Existing 20 ft. alley conditions to remain as now exist. Alley/service drive easement required for commercial properties. Subdivision Ordinance: Section 134-106. Front: 45 ft. or greater for easements or inline with existing structures. Revisions needed: Revise plat note #1 as shown above prior to final. Proposing: 25 ft. or in line with existing structures, whichever is greater. Clarify proposed setback since residential lots shall not face a minor arterial, unless a 20 ft. planting area provided in addition to any front setback. Zoning Ordinance: Section 134-106 (d)(a)(1). Zoning Ordinance: Section 138-356. Rear: 10 ft. or greater for easements. Revisions needed: Revise plat note #1 as shown above prior to final. Zoning Ordinance: Section 138-356. Interior sides: 6 ft. or greater for easements. Revisions needed: Revise plat note #1 as shown above prior to final. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required; greater setback applies. Revisions needed: Revise plat note #1 as shown above prior to final. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required on South 29th Street. \*\*5 ft. wide sidewalk might be required by the Engineering Department prior to final. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along. Clarify if properties will be proposed to have access through alley along east boundary line prior to final. 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. Zoning Ordinance: Section. 138-356. Lots fronting public streets. Zoning Ordinance: 138-1. Existing: R-1 Proposed: R-1. Zoning Ordinance: Article V. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, \$1,400 are due prior to recording of the plat. As per Traffic Department, TG waived for two single family residences; no TIA required. Must comply with City's Access Management Policy. Public hearing for replat might be required prior to final plat review. Engineer submitted letter requesting a 6-month extension on October 26, 2022. Location of site on vicinity map appears to be on the north side of Jordan Road, please revise accordingly prior to final. Please submit plat addressing any pending comments.

Staff recommends approval of the 6 month extension subject to conditions noted.



Being no discussion, Mr. Jose Saldana moved to approve subdivision preliminary extension and Ms. Erica De la Garza seconded the motion, which was approved with four members present and voting.

d) Olive Grove Estates Subdivision, 3900 Lark Avenue, Mouayad Development, LLC(SUB2022-0131)(PRELIMINARY)JHE

Lark Avenue (4 Mile Line): 30 ft. ROW dedication for 50 ft. from centerline for 100 ft. ROW Paving: 65 ft. Curb & gutter: Both Sides. Provide Document number regarding existing ROW dedication on both sides of centerline prior recording. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. Paving, curb and gutter. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. Front: 45 ft. or in line with average setbacks of existing structures or greater for easements, whichever is greater applies. Revisions needed: Revise plat note #3 as shown above prior to final. Proposing: 25 ft. or greater for easements. Clarify proposed setback since residential lots shall not face a minor arterial, unless a 20 ft. planting area provided in addition to any front setback. Zoning Ordinance: Section 134-106 (d)(a)(1). Zoning Ordinance: Section 138-356. Rear: 10 ft. or greater for easements, whichever is greater applies. Revisions needed: Revise plat note to include "whichever is greater applies" at the end. Zoning Ordinance: Section 138-356. Sides: 6 ft. or greater for easements, whichever is greater applies. Revisions needed: Revise plat note to include "whichever is greater applies" at the end. Zoning Ordinance: Section 138-356. Corner Revision needed: Remove plat note since subdivision layout as submitted does not have corner lots. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required, greater setback applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required on Lark Avenue. Sidewalk requirement may be increased to 5 ft. per Engineering Department prior to final. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Must comply with City Access Management Policy. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: R-1 Proposed: R-1. Zoning Ordinance: Article V. Rezoning Needed Before Final Approval. Zoning Ordinance: Article V. Park Fee of \$1,400 (\$700 per lot/dwelling unit) to be paid prior to recording. As per Traffic Department, Trip Generation for 2 lot single family residence is waived. Must comply with City's Access Management Policy.

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

Being no discussion, Ms. Erica De la Garza moved to approve subdivision in preliminary form and Mr. Jose Saldana seconded the motion, which was approved with four members present and voting.

e) Harvest Creek at Ware Phase I Subdivision, 2301 North Ware Road,



**Escanaba, LLC (SUB2022-0127)(PRELIMINARY)M&H**

Ms. Liliana Garza stated North Ware Road: 60 ft. from centerline for 120 ft. ROW. Paving: 65 ft. Curb & gutter: Both Sides Revisions needed: Label ROW from both sides of centerline to determine if any ROW dedication is required prior to final. Label reference to dash lines and identify ROW by plat or instrument. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan N Warrior Drive (Vine Ave.): 10 ft. dedication for 40 ft. from centerline for 80 ft. ROW Paving: 52 ft. Curb & gutter: both sides Revisions needed: Please revise street name as shown above prior to final. Label existing ROW from both sides of centerline and after dedication prior to final. Please separate the ROW dedication for the street and the 10 ft. dedication for park land. Label the additional 10 ft. to parks as "10 ft. park land dedicated by this plat." Wording will be finalized prior to final. Label reference for dash and solid lines on the south side of lots 1 to 30; provide documents referenced on survey, prior to final. As per plat submitted on August 5, 2022, the dash and solid lines were removed, please clarify. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. N-S Street on West Boundary: Proposing 60 ft. ROW Paving: 40 ft. Curb & gutter: both sides. Revisions needed: - Label dash line on west side to determine any ROW dedication. (May affect phase II) Revise plat accordingly to accommodate ROW. Existing 40 ft. ROW on west side, of which 20 ft. is within this plat boundary; clarify and label accordingly. Clarify cul-de-sac turnaround proposed on the north; 20 ft. ROW beyond turnaround cul-desac is within a future lot. Must be resolved prior to final. Location of turnaround and design must be clarified prior to final. Street name will be assigned prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. COM Thoroughfare Plan. Internal Streets for R-3A: 60 ft. ROW. Paving: 40 ft. Curb & gutter: both sides Revisions needed: Street names will be assigned prior to final. Entry access from the R-3A district along N. Ware Rd. on the plat submitted is under review with Traffic Department. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. Paving, curb and gutter. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. 900 ft. Block Length for R-3A Zone Districts Revisions needed: Subdivision layout does not comply with block length requirement, please revise accordingly prior to final. Length proposed, approximately 2,355 ft. Engineer submitted variance to the block length requirement on May 4, 2022. At the PZ meeting of May 17, 2022, the board recommended approval of the variance to the block length requirement for the R-3A district, and City Commission approved the variance request on June 13, 2022. Subdivision Ordinance: Section 134-118. 600 ft. Maximum Cul-de-Sac. Revisions needed: Clarify cul-de-sac proposed on the northwest corner since it does not comply with cul-de-sac length requirement. Subdivision Ordinance: Section 134-105. ROW: 20 ft. Paving: 16 ft. Revisions needed: Public Works Department might require dumpster easements or service drive to provide waste collection service for the R-3A lots prior to final. Clarify 20 ft. alley & utility easement reference on plat. Alley/service drive easement required for commercial properties. Subdivision Ordinance: Section 134-106. Front: 20 ft. or greater for easement Revisions needed: Please revise plat note #3 as shown above prior to final. Zoning Ordinance: Section 138-356. Rear: 10 ft. or greater for easement. Zoning Ordinance: Section 138-356. Interior Sides: 6 ft. or greater for easement. Zoning Ordinance: Section 138-356. Corner: 10 ft. or greater for easement. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required, greater setback applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required along N. Ware Road. 4 ft. wide minimum sidewalk required on both sides of all internal streets and Warrior Dr. (Vine Ave.) Revisions needed: Sidewalk along N. Ware Road subject to increase to 5 ft. as per



Engineering Department prior to final. Sidewalk width requirement for Warrior Dr. (Vine Ave.) and both sides of internal streets subject to increase prior to final as per Engineering Department requirements. Plat note #7 will need to be revised as shown above, and once sidewalk requirements are determined for all internal streets prior to final. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along Warrior Dr. (Vine Ave.) and N. Ware Rd. Revisions needed: Buffer requirement may be required on the west side of Lots 1, 60-62, and 113-Common Area detention adjacent to the N/S street on the west side boundary prior to final. Please revise plat note #9 as shown above and once street name along the west side is finalized prior to final. Additional buffers may be required prior to final. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along N. Ware Rd and Warrior Dr. (Vine Ave.). Must comply with City Access Management Policy. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Requirement might be triggered depending on the # of units proposed per lot on the multifamily lots. Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Developer/Homeowner's Association/Owner, their successors and assignees, and not the

City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 110-72 applies if private subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Section 110-72 applies if private subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Revisions needed: As per plat submitted on November 25, 2022, Lot 29 and Lot 31 are not meeting the minimum 50 ft. lot frontage, please revise accordingly. Please verify that all lots are in compliance with lot width requirement. Provide preliminary site plan for multi-family lots to verify compliance with landscaping requirements. Zoning Ordinance: Section 138-356. Existing: A-O Proposed: R-1 & R-3A. Rezoning was approved by City Commission on 2/14/22. Zoning Ordinance: Article V. Rezoning Needed Before Final Approval. Rezoning was approved by City Commission on 2/14/22. Zoning Ordinance: Article V Land dedication in lieu of fee. Must comply with Park Department requirements. The Developer submitted a variance request letter to the Park Land Ordinance requirements to be waived and proposes to dedicate an additional 10 ft. ROW and construct an 8-foot trail with landscape, lighting and irrigation and a connection to Bentsen Hike & Bike Trail instead. On June 29, 2022, City Manager's Office approved the variance request with conditions. Must comply with conditions noted as per agreement letter dated July 14, 2022 prior to recording. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. Total amount of park fees is subject to amount of proposed lots and dwelling units per each lot. Must comply with Park Department requirements. The Developer submitted a variance request letter to the Park Land Ordinance requirements to be waived and proposes to dedicate an additional 10 ft. ROW and construct an 8-foot trail with landscape, lighting and irrigation and a connection to Bentsen Hike & Bike Trail instead. On June 29, 2022, City Manager's Office approved the variance request with conditions. Must comply with conditions noted as per agreement letter dated July 14, 2022 prior to recording. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording and/or land dedication. Total amount of park fees is subject to amount of proposed lots and dwelling units per each lot/and land dedication. Must



comply with Park Department requirements. The Developer submitted a variance request letter to the Park Land Ordinance requirements to be waived and proposes to dedicate an additional 10 ft. ROW and construct an 8-foot trail with landscape, lighting and irrigation and a connection to Bentsen Hike & Bike Trail instead. On June 29, 2022, City Manager's Office approved the variance request with conditions. Must comply with conditions noted as per agreement letter dated July 14, 2022 prior to recording. As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. Traffic Impact Analysis (TIA) required prior to final plat. Comments/Revisions needed: Label reference for dash line on the west side side of proposed north to south street on the west boundary. Label parcel on the west side of the west boundary line- Entry access from the R-3A district along N. Ware Rd. on the plat submitted is under review with Traffic Department. Clarify if subdivision will be public or private. Based on clarification additional comments may be required. Should the subdivision be private, please provide gate details. Please separate the ROW dedication for the Warrior Drive (Vine Ave.) and the 10 ft. dedication for park land. Label the additional 10 ft. to parks as "10 ft. park land dedicated by this plat." Wording will be finalized prior to final. Must comply with City's Access Management Policy.

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

Being no discussion, Mr. Jose Saldana moved to approve subdivision in preliminary form and Ms. Erica De la Garza seconded the motion, which was approved with four members present and voting.

f) North Via Cantera Subdivision, 7321 Mile 7 ½ Road, North Via Cantera, LLC  
**(SUB2022-0134)(PRELIMINARY)M&H**

Ms. Liliana Garza stated S. H. 107: 150 ft. ROW Paving: by the state Curb & gutter: both sides Revisions needed: Label centerline and label existing ROW on both sides of CL to determine if additional ROW will be required prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. COM Thoroughfare Plan. Mile 7 1/2 North Road: Proposed 20 ft. dedication for 40 ft. from centerline for 80 ft. ROW Paving: 52 ft. 65 ft. Curb & gutter: both sides Revisions needed: Label centerline and label existing ROW on both sides of CL to determine if additional ROW will be required prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. COM Thoroughfare Plan. Entrance Street along south subdivision boundary: 50-60 ft. ROW Paving: 32-46 ft. Curb & gutter: both sides Revisions needed: Label ROW of street prior to final. As per survey submitted, there are islands on the entrance. Please submit paving layout to verify that islands are meeting the 20 ft. of paving face-face requirement on both sides of islands. ROW might have to be expanded to 60 ft. at entrances. Paving requirements subject to increase accordingly with ROW. Clarify if any gates will be proposed. Gate details must be approved prior to final. ROW might be increased depending on gate designs. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. COM Thoroughfare Plan. Entrance Street along north subdivision boundary: 73 ft. proposed ROW. Paving: 46 ft. Curb & gutter: both sides Revisions needed: As per survey submitted, there are islands on the entrance. Please submit paving layout to verify that islands are meeting the 20 ft. of paving face-face requirement on both sides of islands. Paving requirements subject to increase accordingly with ROW. Clarify if any gates will be proposed. Gate details must be approved prior to final. ROW might be increased depending on gate designs. Street names will be established prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if



improvements are required prior to recording. COM Thoroughfare Plan. Internal Streets: 50 ft. ROW Paving: 32 ft. Curb & gutter: Both sides. Revisions needed: Label ROW prior to final. Street names will be established prior to final. If subdivision is proposed to be private, add reference "(Private)" to all internal streets prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. COM Thoroughfare Plan. 1,200 ft. Block Length. Subdivision Ordinance: Section 134-118. 600 ft. Maximum Cul-de-Sac. Subdivision Ordinance: Section 134-105. Front: 25 ft. or greater for easements, whichever is greater applies. Revisions needed: Revise plat note #2 as shown above prior to final. Zoning Ordinance: Section 138-356. Rear: 10 ft. or greater for easements, whichever is greater applies. Revisions needed: Clarify if a greater easements will be proposed prior to final. Revise plat note #2 as shown above and once finalized prior to final. Zoning Ordinance: Section 138-356. Sides: 6 ft. or greater for easements, whichever is greater applies. Revisions needed: Revise plat note #2 as shown above prior to final. Zoning Ordinance: Section 138-356. Corner: 10 ft. or greater for easements, whichever is greater. Revisions needed: Revise plat note #2 as shown above prior to final. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required, greater setback applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 5 ft. wide minimum sidewalk required on S.H. 107. 4 ft. wide minimum sidewalk required on Mile 7 1/2 Road and all internal streets. Revisions needed: Revise plat note #14 & #15 as shown above prior to final. 5 ft. wide minimum sidewalk required on S.H. 107 per Engineering Department. Sidewalk requirement may be increased to 5 ft. along Mile 7 1/2 Road and all internal streets per Engineering Department prior to final. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along Mile 7 1/2 North Road. Revisions needed: Plat note is under note #27; however, please clarify plat #26 prior to final. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Revisions needed: Add plat note as shown above prior to final. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along Mile 7 1/2 North Road. Must comply with City Access Management Policy. Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. All lots must have a minimum 50 ft. lot frontage, 54 ft. minimum on corner lots. Zoning Ordinance: Section 138-356. Existing: R-1(Single-Family Residential) Proposed: R-1(Single-Family Residential). Zoning Ordinance: Article V. Rezoning Needed Before Final Approval. Zoning Ordinance: Article V. Land dedication in lieu of fee. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. Per Parks Department, park fees of \$35,700 (based on 51 lots/dwelling units x \$700) to be paid prior to recording. If the number of lots/dwelling units changes, park fees will be adjusted accordingly prior to recording. Pending review by the City Manager's Office. As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. Traffic Impact Analysis (TIA) required prior to final plat. Comments/Revisions needed: ROW might have to be expanded at entrance and paving



requirements subject to increase accordingly with ROW, prior to final. Please submit existing paving layout to determine if paving width face to face on both sides of islands/gates meets requirement, which may increase ROW requirements. If Gas Easement is not abandoned/relocated but instead remains, are all lots buildable based on required setbacks, etc. Please provide site plan for lots 23, 24, 32, 33-35, 38,39, and 46 to determine they are buildable lots. Subdivision previously was approved in final form at the P&Z meeting of July 6, 2022; however, case was withdrawn and developer submitted new application with different engineer on file. The subdivision was approved in Preliminary form at December 21, 2021 Planning and Zoning Commission meeting, under the previous name "Mission Valley Estates Subdivision". \*Must comply with City's Access Management Policy.

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

Being no discussion, Mr. Jose Saldana moved to approve subdivision in preliminary form subject to conditions noted and Mr. Emilio Santos Jr. seconded the motion, which was approved with four members present and voting.

g) The Villas at Crossroads Subdivision, 3925 North Bentsen Road, Four Stones Assets, LLC **(SUB2022-0132)(PRELIMINARY)JHE**

Mr. Mario Escamilla stated Nolana Avenue: Dedication as needed for 60 ft. from centerline for 120 ft. of total ROW Paving: 65 ft. Curb & gutter: Both sides Revisions Needed: -Label centerline to determine final ROW dedication requirements prior to final. Review ROW requirements as noted above and revise plat as applicable, prior to final. Label existing ROW dedications, from centerline, total, etc. Clarify dedication along Nolana Avenue by document number and provide copy of reference of recorded document prior to final. Label total ROW after accounting for dedication prior final. For lot new line along Nolana Avenue provide for solid line but not as bold as original lot line, prior to final. Monies must be escrowed if improvements are required prior to recording. Subdivision Ordinance: Section 134-105. COM Thoroughfare Plan. North Bentsen Road: Proposing 10 ft. dedication for 50 ft. from centerline for 100 ft. of total ROW Paving: 65 ft. Curb & gutter: Both sides Revisions Needed: Label centerline to determine final ROW dedication requirements prior to final. -Label existing ROW dedications, from centerline, total, etc. Label total ROW after accounting for dedication prior to recording. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. COM Thoroughfare Plan. Paving, curb and gutter. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. 900 ft. Block Length for R-3 Zone Districts. Subdivision Ordinance: Section 134-118. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial and multi-family properties. Subdivision Ordinance: Section 134-106. Front: 40 ft. or greater for easements or approved site plan, whichever is greater applies. Revisions needed: Revise note as shown above prior to final. Proposing Front:25 feet or greater for easements. Zoning Ordinance: Section 138-356. Rear: In accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Revisions needed:-Revise note as shown above prior to final. Proposing Rear:10 feet or greater for easements. Zoning Ordinance: Section 138-356. Interior sides: 6 ft. or greater for easements or approved site plan, whichever is greater applies. Revisions needed: Revise note as shown above prior to final. Proposing :Interior Side: 6 feet or greater for easements. Zoning Ordinance: Section 138-356. Corner: In accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Revisions needed: Revise note as shown above prior to final. Note to be established once



subdivision layout has been finalized. Proposing Corner :10 feet or greater for easements. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required; greater setback applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required on North Bentsen Road and Nolana Avenue. Revisions Needed: Revise note as shown above prior to final. 5 ft. sidewalk might be required by Engineering Dept. prior to final. Plat note must be revised/finalized prior to final. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Note to be subject to change once subdivision layout has been finalized; may be required along N. Bentsen Road and Nolana Avenue prior to final. Finalize note prior to final. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along. Note to be subject to change once subdivision layout has been finalized. Finalize note prior to final. Must comply with City Access Management Policy. As per Traffic Department, spacing requirement and corner clearance for Nolana Avenue is 360 ft. and for Bentsen Road is 250 ft. if this spacing is not met, a variance request will be needed. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing:R-1(Single Family Residential) District Proposed: R-3C (Condominium Residential) District. Rezoning from R-1(Single-Family) Residential District to R-3C (Condominium Residential). District scheduled for the Planning and Zoning Commission meeting of December 6th,2022. and City Commission of January 9th,2022. Zoning Ordinance: Article V. Rezoning Needed Before Final Approval. Rezoning from R-1(Single-Family) Residential District to R-3C (Condominium Residential). District scheduled for the Planning and Zoning Commission meeting of December 6th,2022 and City Commission of January 9th,2022. Zoning Ordinance: Article V. Land dedication in lieu of fee. Park Fee required at \$700 per lot/dwelling unit to be paid prior to recording, if land dedication is not applicable. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording, if land dedication is not applicable. Pending review by the City Manager's Office. As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. Traffic Impact Analysis (TIA) required prior to final plat. Must comply with City's Access Management Policy. Condominium Regime needed, prior to final.

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

Being no discussion, Mr. Jose Saldana moved to approve subdivision in preliminary form and Emilio Santos Jr. seconded the motion, which was approved with four members present and voting.

h) North Ridge Estates Subdivision, 9501 North 23rd Street, Domain Development Corp. **(SUB2022-0125)(PRELIMINARY)M&H**

Mr. Mario Escamilla stated N. 23rd Street (F.M. 1926) : Dedication required for 60 ft. from centerline for 120 ft. total ROW Paving: By the state Curb & gutter: By the state Revisions Needed: Provide existing ROW from centerline on both sides and total ROW to determine additional dedication required prior to final. Show ROW dedication along N.23rd Street at multiple points, as it varies. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required



prior to final. COM Thoroughfare Plan. Rice Avenue: Proposing 70 ft. total ROW. Paving 32 ft. min Curb & gutter: Both Sides Revisions Needed: Paving requirements are subject to change if boulevard islands are proposed 20ft. of paving from face to face is required. Submit paving layout to verify compliance, prior to final. Street names is under review and is subject to change once alignment is verified. Identify centerline for proposed Rice Avenue and existing across N. 23rd Street and provide dimension from centerline to centerline to verify street alignment, it cannot be less than 125 ft. Boulevards on public streets require license agreement, clarify street layout prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. N. 23rd Lane: 50 ft. ROW Paving: 32 ft. Curb & gutter: both sides. Revisions Needed: Street name under review, finalize prior to final. Label Centerline prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. City of McAllen Thoroughfare Plan. E/W Quarter Mile Collector (Northern boundary):dedication as needed for 60 ft. total ROW Paving: 40 ft. Curb & gutter: Both sides Street alignment and ROW being reviewed and plat would need to be revised accordingly. Please provide ownership map to verify that no landlocked properties exist or will be created. Monies must be escrowed if improvements are not built prior to recording. Subdivision Ordinance: Section 134-105. COM Thoroughfare Plan. 1,200 ft. Block Length. Subdivision Ordinance: Section 134-118. 600 ft. Maximum Cul-de-Sac. 96 ft. of paving face-to-face required for Cul-De-Sac turnaround area, minimum 10 ft. of ROW back of curb around Cul-De-Sac area. Revisions Needed: -Provide dimensions from center point to corresponding lot frontages on plat for both proposed turnaround to ensure compliance with requirements. Please see requirements above. Finalize prior to final. Subdivision Ordinance: Section 134-105. Front:25 feet or greater for easements. Zoning Ordinance: Section 138-356. Rear: 10 feet except 25 feet for double fronting lots or greater for easements in accordance with the Zoning Ordinance or greater for easements. Revisions Needed: Clarify proposed setback prior to final, as 25 ft. double frontage setback is no longer required. Zoning Ordinance: Section 138-356. Sides:6 feet or greater for easements Revisions needed: Revise note as shown above prior to final. Proposing: 6 feet in accordance with the Zoning Ordinance or greater for easements. Zoning Ordinance: Section 138-356. Corner :10 feet or greater for easements. Zoning Ordinance: Section 138-356. Garage:18 ft. except where greater setback is required, great setback will applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 5 ft. wide minimum sidewalk required along North 23rd Street (F.M.1926), and a 4 ft. wide minimum sidewalk required along both sides of all internal streets. Note subject to change once ROW requirements for E/W 1/4 mile collector have been established, finalize prior to final. 5 ft. sidewalk requirement as per engineering department. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along North 23rd Street (F.M. 1926). Revisions Needed: Revise note as shown above prior to final, reference to "Perimeter buffers must be built at time of Subdivision Improvements." not required to be included as part of note. Note subject to change once ROW requirements for E/W 1/4 mile collector have been established, finalize prior to final. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along North 23rd Street (F.M. 1926) Note subject to change once ROW requirements for E/W 1/4 mile collector have been established, finalize prior to final. Must comply with City Access Management Policy. Access Management Policy along N. 23rd Street at 55 MPH is 425 ft. between access, if spacing is not being met, a variance will be required. Please review the subdivision to the south for its access location. Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners



and not the City of McAllen. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 134-168 applies if private subdivision is proposed. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Homeowner's Association Covenants must be submitted for staff review, prior to recording. Section 134-168 applies if private subdivision is proposed. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Lots fronting public streets. Indicate if subdivision is private or public prior to final. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Revisions Needed: Provide lot square footage table prior to final. Zoning Ordinance: Section 138-356. Existing: R-1 (Single-Family Residential) District Proposed: R-1 (Single-Family Residential) District. Zoning Ordinance: Article V. Land dedication in lieu of fee. Park Fee required at \$700 per lot/dwelling unit to be paid prior to recording, if land dedication is not applicable. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording, if land dedication is not applicable. Pending review by the City Manager's Office. As per Traffic Department, Trip Generation is waived for a 14-lot single-family subdivision. Must comply with City's Access Management Policy. HOA's need to be reviewed prior to recording Indicate if subdivision is private or public prior to final as it may trigger changes on plat. Submit gate details for staff to review prior to final, if private.

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

Being no discussion, Ms. Erica De la Garza moved to approve subdivision in preliminary form subject to conditions noted and Mr. Jose Saldana seconded the motion, which was approved with four members present and voting.

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

Mr. Mario Escamilla stated Pecan Boulevard: Dedication as needed for 60 ft. from centerline for 120 ft. total ROW. Paving :65 -85 ft. Curb & gutter Both Sides. Revisions Needed: Review and revise ROW dedications, please see requirements above. Subdivision Ordinance: Section 134-105 Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. 1,200 ft. Block Length. Subdivision Ordinance: Section 134-118. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties. Revisions Needed: Provide for alley or service drive easement on the plat prior to final. Alley or service drive easement cannot dead-end. Subdivision Ordinance: Section 134-106. Front: In accordance with zoning ordinance, or greater for easements or approved site plan, or in line with average setback, whichever is greater applies. Revisions Needed: Revise plat note as shown above or clarify proposed setback note, prior to final. Proposing: Front: 50 ft. or greater for approved site plan or easements. Zoning Ordinance: Section 138-356. Rear: In accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Revisions needed: Revise note as shown above, prior to final. Proposing: 6 feet in accordance with the zoning ordinance, or greater for approved site plan or easements. Zoning Ordinance: Section 138-356. Sides In accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Revisions needed: Revise note as shown above, prior to final. Proposing: 5 feet in accordance with



the zoning ordinance, or greater for approved site plan or easements. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 5 ft. wide minimum sidewalk required along Pecan Boulevard (F.M. 495). Revisions needed: Add note as shown above, prior to final. Proposing: A 5' wide sidewalk required along state highway 336 (North 10th Street). Sidewalk requirements as per Engineering Department requirements. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Revisions Needed: Add note as shown above, prior to final. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. Must comply with City Access Management Policy Applied. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Common Areas, private service drives, etc. must be maintained by the lot owners and not the City of McAllen. Note requirements will be established prior to final. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Revisions Needed: Please remove plat note #15, as it is a requirement not a required plat note. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: C-3 (General Business) District Proposed: C-3 (General Business) District. Zoning Ordinance: Article V. As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. Traffic Impact Analysis (TIA) required prior to final plat. Must comply with City's Access Management Policy.

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

Being no discussion, Mr. Jose Saldana moved to approve motion subdivision subject to conditions noted. Mr. Emilio Santos Jr. seconded which was approved with four members present and voting.

**ADJOURNMENT:**

There being no further business to come before the Planning & Zoning Commission, Mr. Emilio Santos Jr. adjourned the meeting at 4:33p.m. with Mr. Jose Saldana seconding the motion and with four members present and voting.

---

Vice Chairperson Gabriel Kamel

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



# Planning Department

## Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

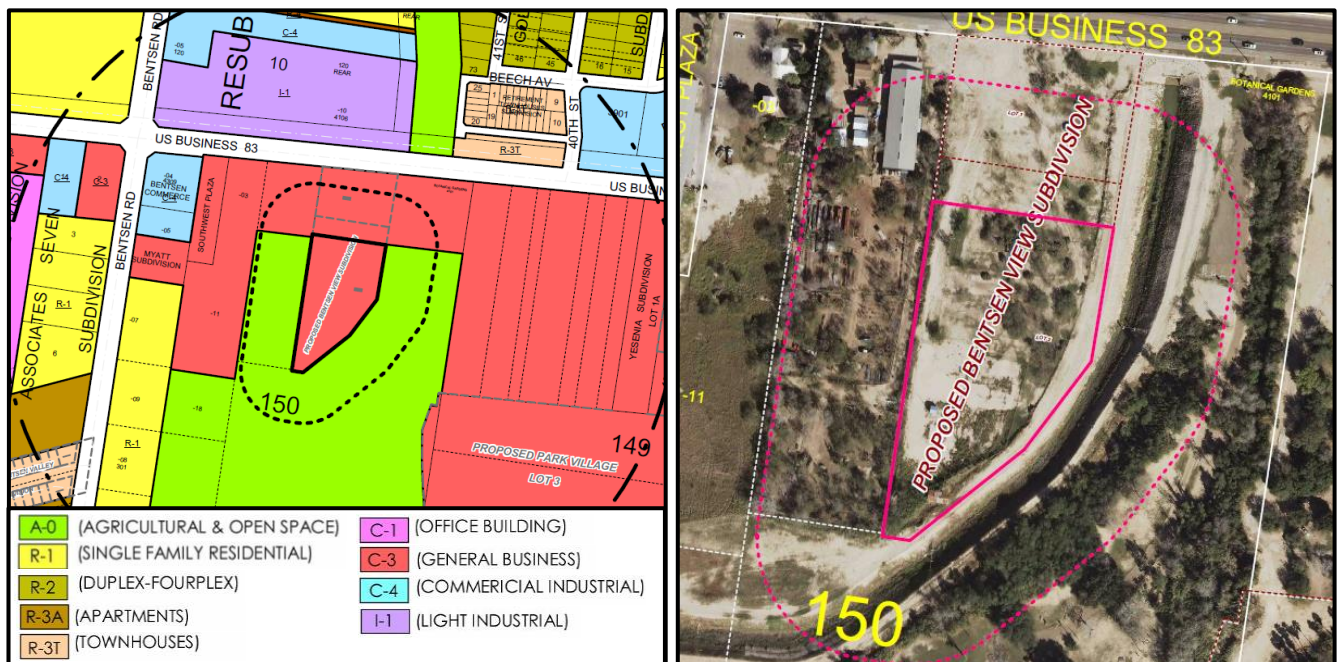
**DATE:** November 29, 2022

**SUBJECT: REZONE FROM C-3 (GENERAL BUSINESS) DISTRICT TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENT) DISTRICT: 2.818 ACRES OUT OF LOT 150, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS; 4117 HIGHWAY 83 (REAR) (REZ2022-0044)**

**LOCATION:** The subject property is an interior lot located 277.16 ft. south of Highway 83, approximately 690 ft. east of South Bentsen Road. The irregularly-shaped tract consists of 2.818 acres but proposed to be part of a larger development fronting Highway 83.

**PROPOSAL:** The applicant is requesting to rezone the property to R-3A (multifamily residential apartment) District in order to build apartments. A feasibility plan has not been submitted. A proposed subdivision, under the name of Bentsen View Subdivision, for the subject property was approved in preliminary form by the Planning and Zoning Commission on October 5, 2021, which was expired on October 5, 2022.

**ADJACENT ZONING:** The adjacent zoning is A-O (agricultural and open space) District to the east, west, and south, and C-3 (general business) District to the north.





**LAND USE:** The property is currently vacant. Surrounding land uses include Thompson Engine Rebuilders, McAllen Nature Center, Rio Truss LP, Taqueria La Lomita, Rio Mattress Outlet, and vacant land.

**COMPREHENSIVE PLAN:** The Foresight McAllen Comprehensive Plan designates the future land use for this property as City Parks, which is comparable A-O District.

**DEVELOPMENT TRENDS:** The development trend for this area along Highway 83 is commercial.

**HISTORY:** The subject property was zoned A-O (agricultural and open space) District during comprehensive zoning in 1979. City Commission approved a rezoning request for the subject property to C-3 District on August 9, 2021. There has been no other rezoning request for the subject property since then.

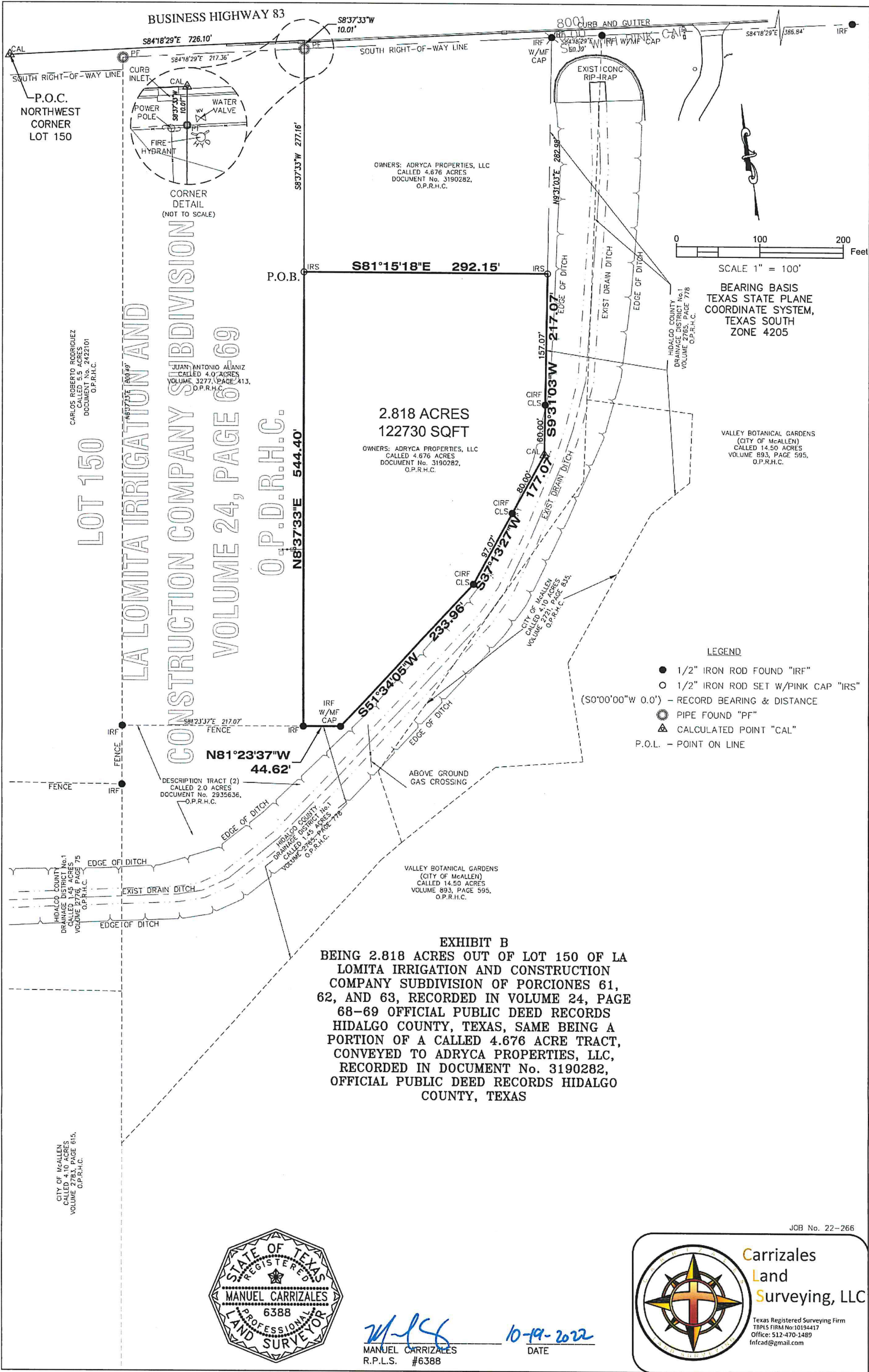
**ANALYSIS:** The requested zoning does not conform to the City Parks land use designation as indicated on the Foresight McAllen Comprehensive Plan. However, it is a downzoning request which follows the development trend within the City of McAllen with commercial development along arterial roads and multifamily development at the rear. The rezoning request provides an opportunity for residential development of the vacant lot for a variety of housing types throughout the city that responds to the residents' economic and social lifestyles.

A recorded subdivision plat and an 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 since it is a downzoning request which follows the development trend along arterial roads and provides an opportunity for residential development of the vacant lot.







**NOTICE  
REZONING  
FOR  
THIS PROPERTY  
REZ2022-0044**

CITY OF MCALLEN PLANNING DEPT  
800-871-1200  
WWW.MCALLE.NET





## Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

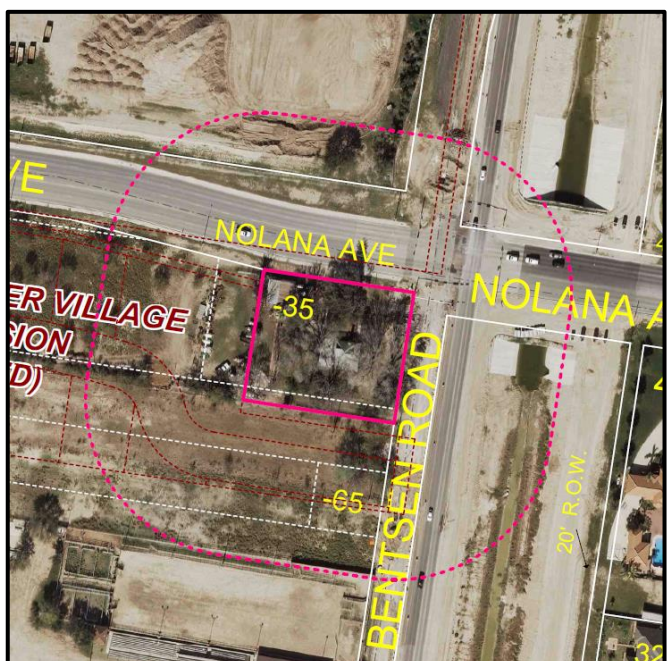
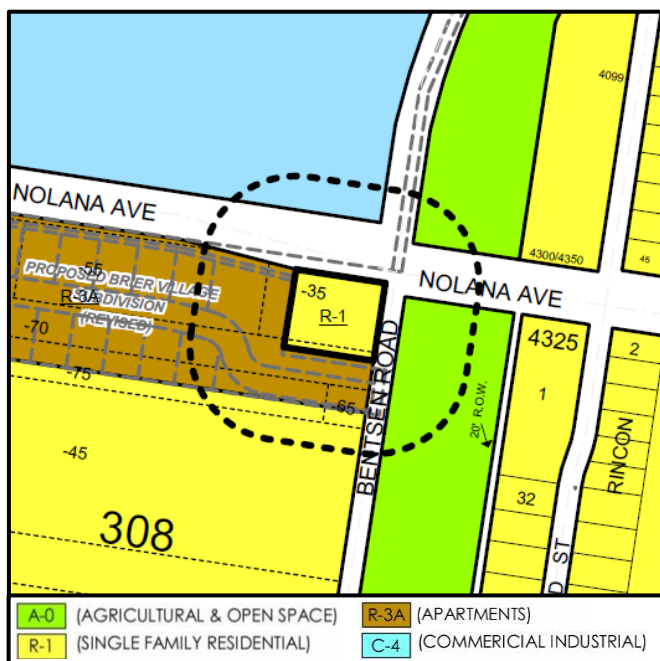
**DATE:** November 29, 2022

**SUBJECT:** REZONE FROM R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO R-3C (MULTIFAMILY RESIDENTIAL CONDOMINIUM) DISTRICT: THE EAST ONE ACRE OF THE NORTH FIVE ACRES OF LOT 308, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS; 3925 NORTH BENTSEN ROAD. (REZ2022-0045)

**LOCATION:** The subject property is located at the southwest corner of Nolana Avenue and North Bentsen Road. The tract has 194.29 ft. of frontage along North Bentsen Road and 224.20 ft. of frontage along Nolana Avenue for a lot size of one acre according to the submitted survey and metes and bounds.

**PROPOSAL:** The applicant is requesting to rezone the property to R-3C (multifamily residential condominium) District in order to build 10 condominium units. A submitted site plan for the subject property which is under review is included in the packet. A proposed subdivision, under the name of the Villas at Crossroads Subdivision, for the subject property was approved in preliminary form by the Planning and Zoning Commission on November 16, 2022.

**ADJACENT ZONING:** The adjacent zoning is A-O (agricultural and open space) District to the east, R-3A (multifamily residential apartment) District to the west and south, and C-4 (commercial-industrial) District to the north.





**LAND USE:** There is a house on the subject property, proposed to be demolished. Surrounding land uses include City of McAllen Public Works Department and Recycling Center, Hidalgo County Irrigation District No.1 canal right-of-way, single-family residences, and vacant land.

**COMPREHENSIVE PLAN:** The Foresight McAllen Comprehensive Plan designates the future land use for this property as Auto Urban Commercial, which is comparable C-1 to C-3 Districts.

**DEVELOPMENT TRENDS:** The development trend for this area along Nolana Avenue is multifamily residential.

**HISTORY:** The subject property was zoned R-1 District upon annexation into the City in 1998. City Commission disapproved a rezoning request for the subject property to C-3 District on September 11, 2006. There has been no other rezoning request for the subject property since then.

City Commission approved two rezoning requests to R-3A (multifamily residential apartment) District for the adjacent lots to the east and south on January 10, 2022.

**ANALYSIS:** The requested zoning does not conform to Auto Urban Commercial land use designation as indicated on the Foresight McAllen Comprehensive Plan. However, it is a lesser intense zone than Auto Urban Commercial designation. It also follows the rezoning trend in this area to multifamily residential. The rezoning request provides an opportunity for a variety of housing types throughout the city that responds to the residents' economic and social lifestyles.

A recorded subdivision plat and an 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.

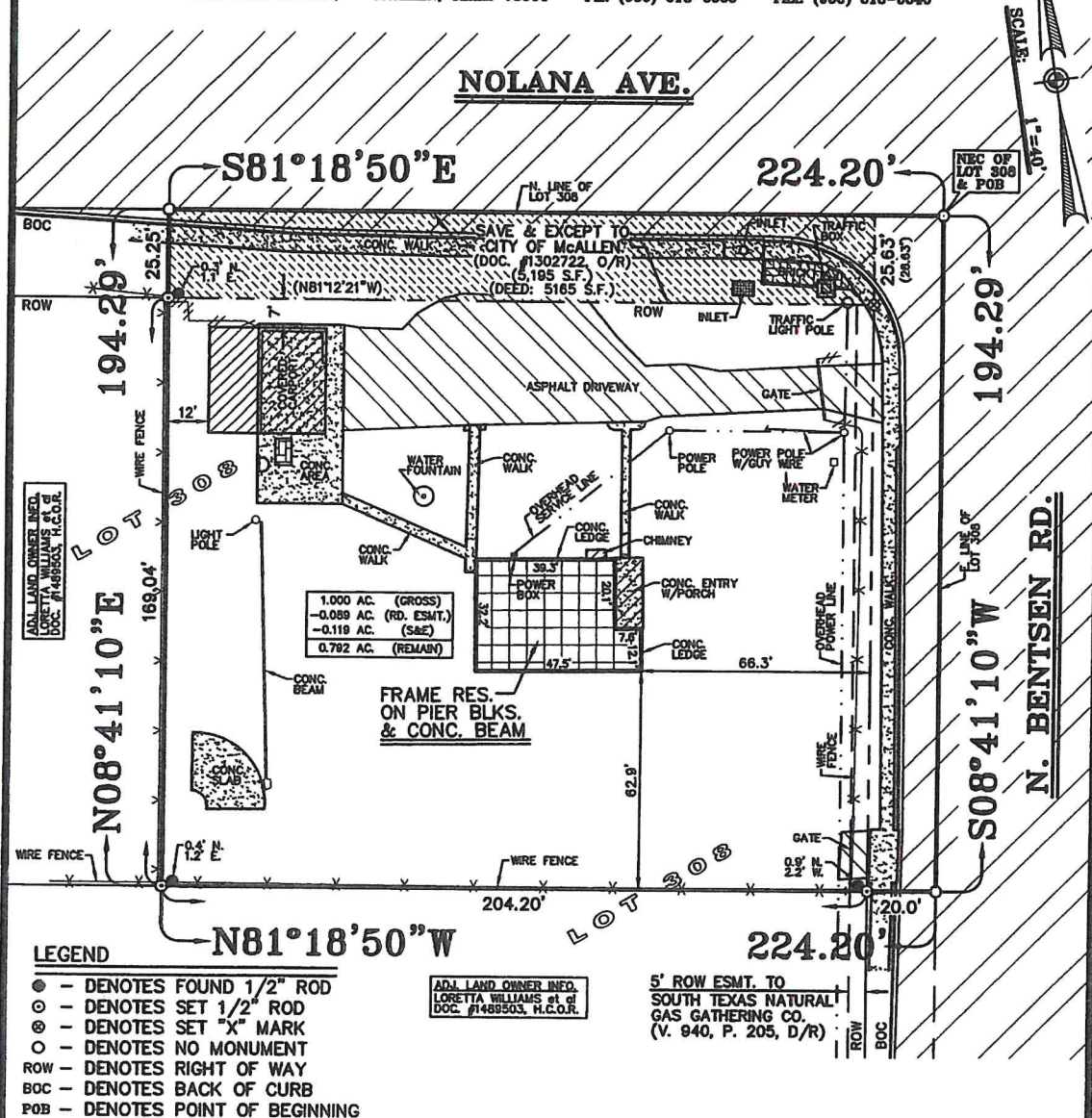
**RECOMMENDATION:** Staff recommends approval of the rezoning request to R-3C (multifamily residential condominium) District since it follows the rezoning trend to in this area to multifamily residential.



# ART SALINAS

## ENGINEERING & SURVEYING

1524 DOVE AVENUE, McALLEN, TEXAS 78504 PH: (956) 618-5565 FAX: (956) 618-5540



**FLOOD ZONE DESIGNATION:** The property shown hereon lies in Zone C. Zone C areas are areas of "minimal flooding" and are not designated flood prone areas as per F.E.M.A. Flood Insurance Rate Map Panel Number 480334-0400-C dated 11-16-82.

### PLAT NOTES:

- There are no discrepancies, conflicts, shortages in area or boundary lines, encroachments, overlapping of improvements or visible or apparent easements, except as shown on this plat.
- This survey plat is prepared in connection with Title Policy G.F. # 175598 and does not guarantee title. This survey is for the exclusive use of the client named hereon and may not be copied or transferred to another party without the express written consent of the surveyor.
- This survey must contain an original seal and an original signature to be valid as per Section 661.46 and Section 663.19 of the "The Professional Land Surveying Practices Act".
- This is a standard survey and does not include the location or subsurface investigation of underground utility, irrigation and/or gas lines.
- Easements, rules, regulations and rights in favor of United Irrigation District. (Blanket)
- Setbacks shall be in accordance to City zoning ordinances.
- Subject to any oil, gas and mineral lease of record.
- Bearing Basis: "N. line of Lot 308, John H. Shary Subd., M/R"

**BORROWER(s):** Four Stones Assets, LLC, a Texas limited liability company

THIS IS TO CERTIFY THAT I HAVE, THIS DATE, PREPARED A SURVEY ON THE GROUND WHICH IS LOCATED AT 3925 N. BENTSEN RD., in McALLEN, TEXAS, DESCRIBED AS FOLLOWS:  
THE EAST ONE (E 1) ACRE OF THE NORTH FIVE (N 5) ACRES OF LOT THREE HUNDRED EIGHT (308), JOHN H. SHARY SUBDIVISION OF PORCIONES 58, 59 AND 60, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP RECORDED IN VOLUME 1, PAGE 17, DEED RECORDS IN THE OFFICE OF THE COUNTY CLERK OF HIDALGO COUNTY, TEXAS, REFERENCE TO WHICH IS HERE MADE FOR ALL PURPOSES. (SEE METES AND BOUNDS DESCRIPTION)  
SAVE AND EXCEPT A TRACT OF LAND CONVEYED TO THE CITY OF McALLEN BY WARRANTY DEED DATED FEBRUARY 25, 2004, FILED ON FEBRUARY 27, 2004, UNDER DOCUMENT NUMBER 1302722, OFFICE OF THE COUNTY CLERK OF HIDALGO COUNTY, TEXAS.

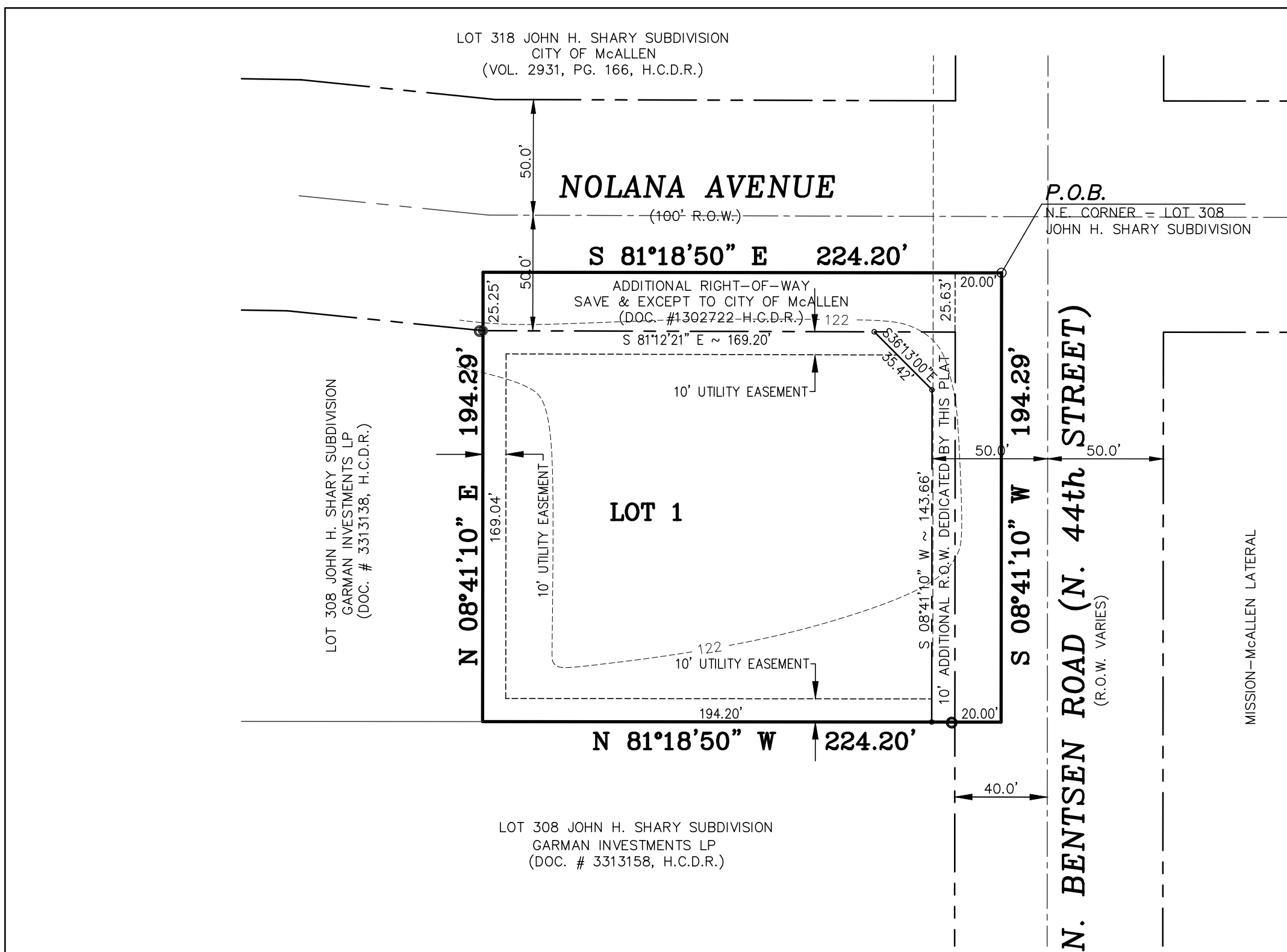
21-61331  
Job No.

09-01-21  
Date

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SCALE: 1" = 50'  
BASIS OF BEARING AS PER  
TEXAS STATE PLANE  
COORDINATE SYSTEM  
NAD 83, SOUTH ZONE

METES AND BOUNDS DESCRIPTION:

THE EAST ONE (E 1) ACRE OF THE NORTH FIVE (N 5) ACRES OF LOT THREE HUNDRED EIGHT (308), JOHN H. SHARY SUBDIVISION OF PORCIONES 58, 59 AND 60, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP RECORDED IN VOLUME 1, PAGE 17, DEED RECORDS IN THE OFFICE OF THE COUNTY CLERK OF HIDALGO COUNTY, TEXAS, REFERENCE TO WHICH IS HERE MADE FOR ALL PURPOSES AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A POINT LYING IN THE INTERSECTION OF N. BENTSEN RD. AND NOLANA AVE. FOR THE NORTHEAST CORNER OF SAID LOT 308, THE POINT OF BEGINNING AND THE NORTHEAST CORNER OF THIS TRACT;

THENCE, S 08° 41' 10" W, INSIDE N. BENTSEN RD., RIGHT OF WAY AND COINCIDENT WITH THE EAST LINE OF SAID LOT 308, A DISTANCE OF 194.29 FEET TO A POINT FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE, N 81° 18' 50" W, PARALLEL WITH THE NORTH LINE OF SAID LOT 308, A DISTANCE OF 224.20 FEET PASS A SET 1/2" IRON ROD IN THE WEST RIGHT OF WAY LINE OF N. BENTSEN RD., AT A TOTAL DISTANCE OF 224.20 FEET TO A SET 1/2" IRON ROD FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE, N 08° 41' 10" E, PARALLEL WITH THE EAST LINE OF SAID LOT 308, A DISTANCE OF 169.04 FEET PASS A SET 1/2" IRON ROD IN THE SOUTH RIGHT OF WAY LINE OF NOLANA AVE., AT A TOTAL DISTANCE OF 194.29 FEET IN ALL TO A POINT IN THE NORTH LINE OF SAID LOT 308, BEING INSIDE NOLANA AVE. RIGHT OF WAY, FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE, S 81° 18' 50" E, INSIDE NOLANA AVE. RIGHT OF WAY AND COINCIDENT WITH THE NORTH LINE OF SAID LOT 308, A DISTANCE OF 224.20 FEET TO THE POINT OF BEGINNING, CONTAINING 1.0 GROSS ACRE OF LAND, MORE OR LESS.

SAVE AND EXCEPT A TRACT OF LAND CONVEYED TO THE CITY OF MCALLEN BY WARRANTY DEED DATED FEBRUARY 25, 2004, FILED ON FEBRUARY 27, 2004, UNDER DOCUMENT NUMBER 1302722, OFFICE OF THE COUNTY CLERK OF HIDALGO COUNTY, TEXAS.

THIS PLAT IS HEREBY APPROVED BY UNITED IRRIGATION DISTRICT

ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.  
NO IMPROVEMENTS OF ANY KIND (INCLUDED WITHOUT LIMITATION TREES, FENCES AND BUILDINGS) SHALL BE PLACED UPON UNITED IRRIGATION DISTRICT RIGHT OF WAYS OR EASEMENTS.

UNITED IRRIGATION DISTRICT PRESIDENT \_\_\_\_\_ ATTEST: \_\_\_\_\_ SECRETARY

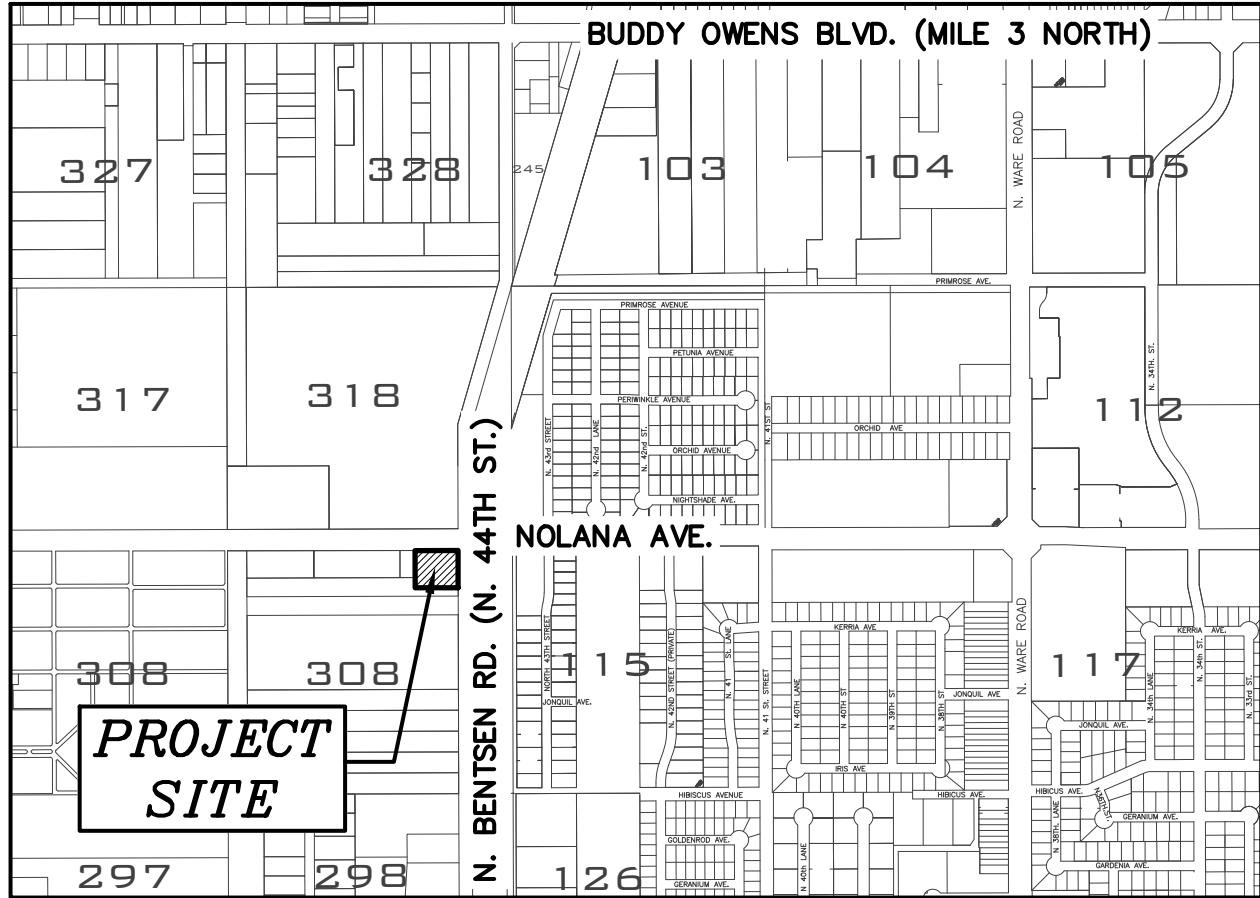
DATE: \_\_\_\_\_ DATE: \_\_\_\_\_

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 TEXAS WATER CODE 49.211( c ). THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES DESCRIBED ARE APPROPRIATE FOR THE SPECIFIC SUBDIVISION, BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA. IT IS THE RESPONSIBILITY OF THE DEVELOPER AND HIS ENGINEER TO MAKE THESE DETERMINATIONS.

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

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

DATE



LOCATION MAP  
1"=1000'

DATE OF PREPARATION: OCTOBER, 2022

DRAWN BY: G.A.T.



JAVIER HINOJOSA ENGINEERING  
CONSULTING ENGINEERS  
416 E. DOVE AVENUE MCALLEN, TEXAS 78504  
PHONE (956) 668-1588  
javier@javierhinojosaeng.com  
TBPELS FIRM NUMBER F-1295

PRINCIPAL CONTACTS:				
NAME	ADDRESS	CITY & ZIP	PHONE #	
OWNER: CESAR CEPEDA	5111 N. 10TH ST., PMB 336	MCALLEN, TX 78504	(210) 340-3000	
ENGINEER: JAVIER HINOJOSA	416 E. DOVE AVENUE	MCALLEN, TX 78504	(956) 668-1588	
SURVEYOR: ARTURO SALINAS	1524 DOVE AVENUE	MCALLEN, TX 78504	(956) 618-5565	

GENERAL NOTES

- THIS FLOOD DESIGNATION FOR THIS PROPERTY IS ZONE "C" WITH ARE "AREAS OF MINIMAL FLOODING". AS PER F.E.M.A.'s FLOOD INSURANCE RATE MAP PANEL NO.: 4803434 0400 C MAP REVISED: NOVEMBER 16, 1982
- MINIMUM PERMISSIBLE FINISHED FLOOR ELEVATION SHALL BE 18" ABOVE TOP OF CURB AT MID POINT OF THE LOT.
- MINIMUM BUILDING SETBACK LINES SHALL BE AS FOLLOWS:  
FRONT: ..... 25 FEET OR GREATER FOR EASEMENTS  
REAR: ..... 10 FEET OR GREATER FOR EASEMENTS  
INTERIOR SIDE ..... 6 FEET OR GREATER FOR EASEMENTS  
CORNER SIDE: ..... 10 FEET OR GREATER FOR EASEMENTS  
GARAGE ..... 18 FEET EXCEPT WHERE GREATER SETBACK IS REQUIRED, GREATER SETBACK APPLIES
- NO STRUCTURES PERMITTED OVER ANY EASEMENTS.
- A TOTAL OF 0.099 ACRE FEET (4,303 CUBIC FEET) OF STORM WATER DETENTION IS REQUIRED FOR THIS SUBDIVISION. THIS DETENTION WILL BE PROVIDED WITHIN THE DETENTION AREA.
- BENCHMARK: TOP OF DRAINAGE MANHOLE LOCATED AT THE SOUTH RIGHT OF WAY OF THE INTERSECTION OF DOVE AVENUE AND BENTSEN ROAD ELEVATION =123.40. REFERENCE (MC-BENTSEN ELEVATION = 123.99) TYPE OF MARK: STAINLESS STEEL, 3/8" BOLT, COVERED WITH AN ALUMINUM LOGO CAP LOCATED INSIDE THE MCALLEN PUBLIC WORKS, WHICH IS LOCATED ON WEST SIDE OF BENTSEN ROAD BETWEEN NOLANA AVENUE AND 3 MILE LINE.
- A 4 FOOT WIDE MINIMUM SIDEWALK REQUIRED ON BOTH SIDES OF INTERIOR STREETS AND A 5 FOOT WIDE SIDEWALK SHALL BE REQUIRED ALONG THE WEST SIDE OF BENTSEN ROAD AND THE SOUTH SIDE OF NOLANA AVENUE.
- SET 1/2" Ø IRON ROD WITH A PLASTIC CAP STAMPED "CVGLS" ON ALL LOT CORNERS UNLESS OTHERWISE NOTED. RESIDENTIAL AND COMMERCIAL OR INDUSTRIAL ZONES/USES.
- 6 FOOT OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, AND INDUSTRIAL ZONES/USES.
- 8 FOOT MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONES/USES.
- ALL IRRIGATION EASEMENTS ARE EXCLUSIVE TO HIDALGO COUNTY IRRIGATION DISTRICT #1 AND THE DISTRICT ALLOWS NO OTHER UTILITIES OR USE WITHOUT EXPRESS APPROVAL.
- NO UTILITY COMPANY OR OTHER PERSON IS ALLOWED TO CROSS ABOVE OR BELOW GROUND ANY DISTRICT EASEMENT OR RIGHT OF WAY WITH LINES, POLES, OPEN DITCHES OR OTHER USE WITHOUT FIRST OBTAINING A CROSSING PERMIT FROM THE DISTRICT.
- NO PERMANENT STRUCTURE, (EXAMPLE, FENCES OR DRIVEWAY OF ANY CONSTRUCTION) WILL BE ALLOWED TO BE CONSTRUCTED OR EXIST ON ANY DISTRICT EASEMENT OR RIGHT OF WAY WITHOUT WRITTEN APPROVAL BY THE DISTRICT. ANY UNAUTHORIZED STRUCTURE IN THE EASEMENT AREA IS SUBJECT TO REMOVAL.
- NO UTILITY COMPANY OR OTHER PERSON IS ALLOWED TO CONNECT ANY DISTRICT FACILITY WITHOUT FIRST OBTAINING A PERMIT FROM THE IRRIGATION DISTRICT. ANY CONNECTION NOT AUTHORIZED BY THE DISTRICT IS SUBJECT TO REMOVAL.  
AS PER DECLARATIONS OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR VILLAS AT CROSSROADS SUBDIVISION, RECORDED AS DOCUMENT NO. \_\_\_\_\_ HIDALGO COUNTY, DEED RECORDS, DEVELOPER/HOMEOWNER ASSOCIATION/OWNER, THEIR SUCCESSORS AND/OR ASSIGNEES, AND NOT THE CITY OF MCALLEN SHALL BE RESPONSIBLE FOR THE INSTALLATION, MAINTENANCE AND OTHER REQUIREMENTS AS PER SECTION 110-72 OF THE CODE OF ORDINANCES OF THE CITY OF MCALLEN, INCLUDING BUT NOT LIMITED TO THE COMMON AREAS, ANY AMENDMENT TO DECLARATIONS THAT CONFLICT WITH THE REQUIREMENTS OF SECTION 110-72 SHALL BE NULL AND VOID.
- COMMON LOT A, IDENTIFIED AS DETENTION AREA LOT A SHALL BE MAINTAINED BY THE DEVELOPER, WHO MAY TRANSFER SUCH MAINTENANCE OBLIGATION TO THE SUBDIVISION HOMEOWNER'S ASSOCIATION, VILLAS AT CROSSROADS SUBDIVISION HOMEOWNER ASSOCIATION, UPON CONVEYANCE OF TITLE TO THE SAME, THEIR SUCCESSORS AND ASSIGNS, AND NOT BY THE CITY OF MCALLEN, NO BUILDINGS OR OTHER STRUCTURES SHALL BE ERECTED IN COMMON LOT A, WHICH SHALL BE USED EXCLUSIVELY AS DETENTION AREA LOT A. AFTER COMMON LOT A TRANSFER OF TITLE TO THE VILLAS AT CROSSROADS SUBDIVISION HOMEOWNER'S ASSOCIATION. THE SUBDIVISION LOT OWNER RATA SHARES OF THE COST OF MAINTENANCE SHALL BE DETERMINED BY THE VILLAS AT CROSSROADS SUBDIVISION 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 134-138, AS THE SAME MAY BE AMENDED. THE SPECIFIC AND EXCLUSIVE USE OF COMMON LOT A. THE OWNER'S MAINTENANCE OBLIGATION, AND THE CONSEQUENCES OF FAILURE TO MAINTAIN SHALL BE INCORPORATED INTO ANY DEED OR INSTRUMENT OF CONVEYANCE AS A DEED RESTRICTION, RECORDED IN INSTRUMENT NO. \_\_\_\_\_ OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS.

STATE OF TEXAS  
COUNTY OF HIDALGO

WE, THE UNDERSIGNED, HOLDERS (OR DULY AUTHORIZED OFFICERS OF THE HOLDERS) OF A SECURITY INTEREST IN THE ABOVE DESCRIBED PROPERTY, BEING THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS VILLAS AT CROSSROADS SUBDIVISION OF THE CITY OF MCALLEN, TEXAS, DO HEREBY CONSENT TO THE SUBDIVISION OF THE PROPERTY AS PROVIDED FOR UNDER THE PLAT AND DO HEREBY THAT ANY FORECLOSURE RELATING TO THE SECURITY INTEREST ON THE ABOVE DESCRIBED PROPERTY SHALL BE SUBJECT TO THE PLATTING OF THE PROPERTY AS PROVIDED FOR HEREIN.

SECURITY INTEREST HOLDER

\_\_\_\_\_  
SIGNATURE  
BY: ADRIAN VILLARREAL, PRESIDENT  
INTERNATIONAL BANK OF COMMERCE

STATE OF TEXAS  
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED ADRIAN VILLARREAL, 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 EXPRESSED AND IN THE CAPACITY THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE. THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022 A.D.

\_\_\_\_\_  
NOTARY PUBLIC FOR THE STATE OF TEXAS  
MY COMMISSION EXPIRES ON: \_\_\_\_\_



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

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

SUBDIVISION PLAT OF

THE VILLAS AT CROSSROADS  
SUBDIVISION

THE EAST ONE ACRE OF THE NORTH FIVE ACRES OF LOT THREE HUNDRED EIGHT (308), JOHN H. SHARY SUBDIVISION OF PORCIONES 58, 59 AND 60, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP RECORDED IN VOLUME 1, PAGE 17, DEED RECORDS IN THE OFFICE OF THE COUNTY CLERK OF HIDALGO COUNTY, TEXAS,

STATE OF TEXAS  
COUNTY OF HIDALGO

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

\_\_\_\_\_  
FOUR STONES ASSETS, LLC  
5111 N. 10TH ST., PMB 336  
MCALLEN, TEXAS 78504  
BY: CESAR CEPEDA

DATE:

STATE OF TEXAS  
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, ON THIS DAY THE OWNER PERSONALLY APPEARED CESAR CEPEDA, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED. ALL GIVEN UNDER MY HAND AND SEAL OF OFFICE.

THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022 A.D.

\_\_\_\_\_  
NOTARY PUBLIC FOR THE STATE OF TEXAS  
MY COMMISSION EXPIRES ON: \_\_\_\_\_

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

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

DATE

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

\_\_\_\_\_  
CHAIRMAN, PLANNING COMMISSION

DATE

STATE OF TEXAS  
COUNTY OF HIDALGO

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

\_\_\_\_\_  
JAVIER HINOJOSA, P.E.  
REGISTERED PROFESSIONAL ENGINEER NO. 74808

DATE

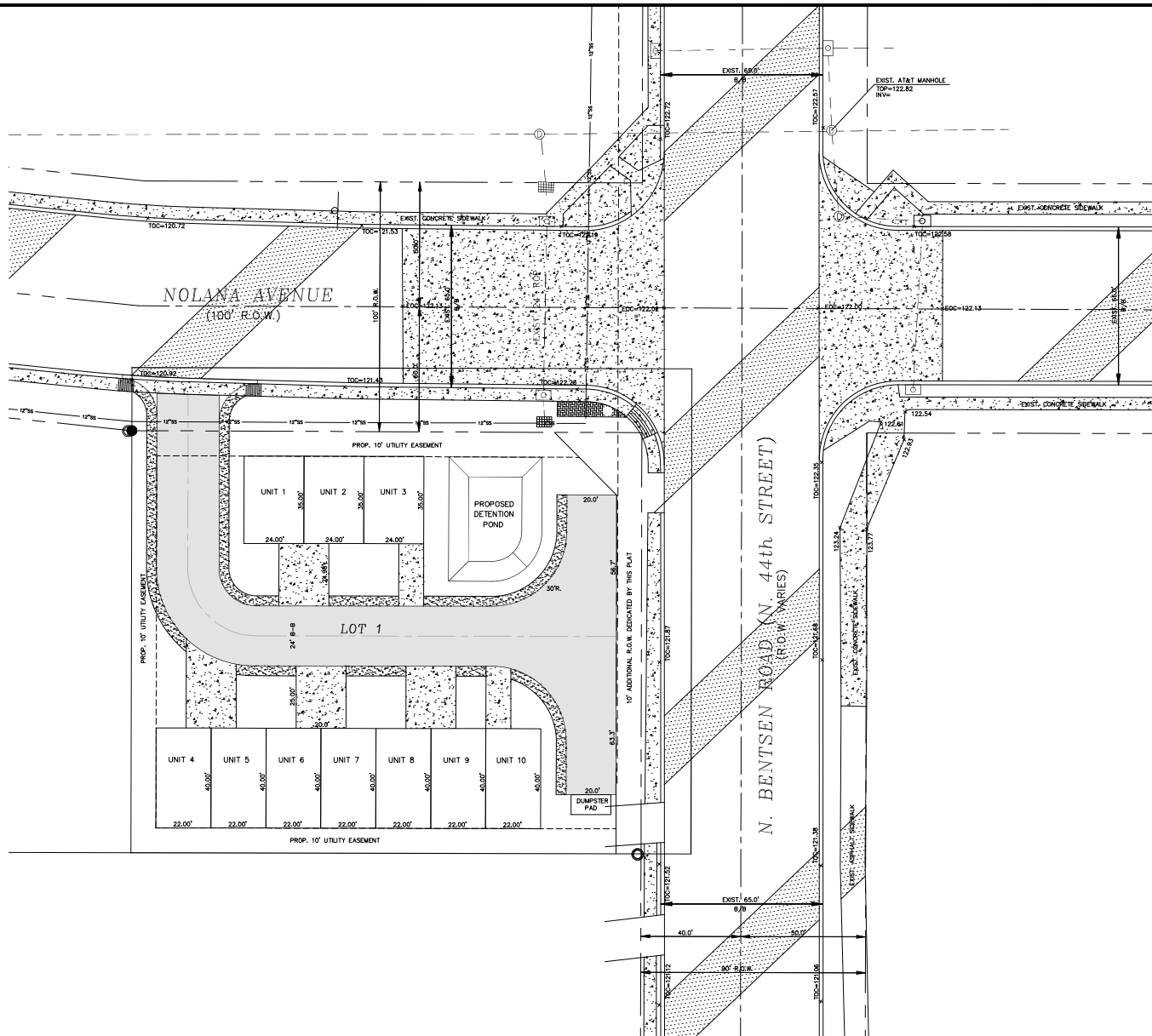
STATE OF TEXAS  
COUNTY OF HIDALGO

I, ARTURO A. SALINAS, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

\_\_\_\_\_  
ARTURO A. SALINAS, R.P.L.S.  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4802  
ART. SALINAS ENGINEERING AND SURVEYING  
1524 DOVE AVENUE  
MCALLEN, TEXAS 78504  
TEL. (956) 618-5565 DATE SURVEYED: 09-01-2021  
TBPELS FIRM NO. 10004000

DATE





SCALE: 1" = 20'



REVISIONS	220603
PROJECT NO.	220603
DATE	OCTOBER, 2022
DRAWN BY	A. GAUNA
CHECK BY	J.H.



**JAVIER HINOJOSA ENGINEERING**  
CONSULTING ENGINEERS  
416 E. DOVE AVENUE McALLEN, TEXAS 78504  
PHONE (956) 668-1588  
javier@javierhinojosaeng.com  
TSP/ELS FIRM NUMBER F-1295

SITE PLAN  
THE VILLAS AT CROSSROADS SUBDIVISION  
MISSION, TEXAS

SHEET  
**1**  
OF 1 SHEETS

220603





**NOTICE  
REZONING  
FOR  
THIS PROPERTY  
REZ2022-0045**



CITY OF MCALLEN PLANNING DEPT.  
956-681-1250  
WWW.MCALLEN.NET





## Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

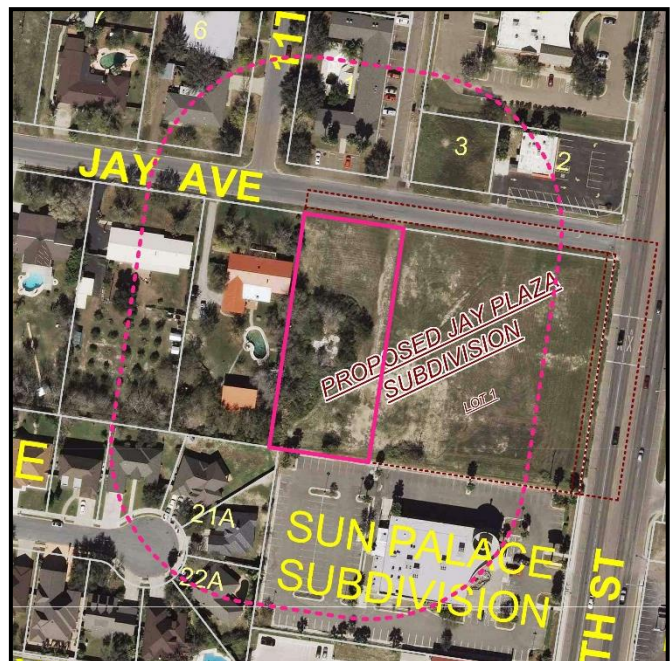
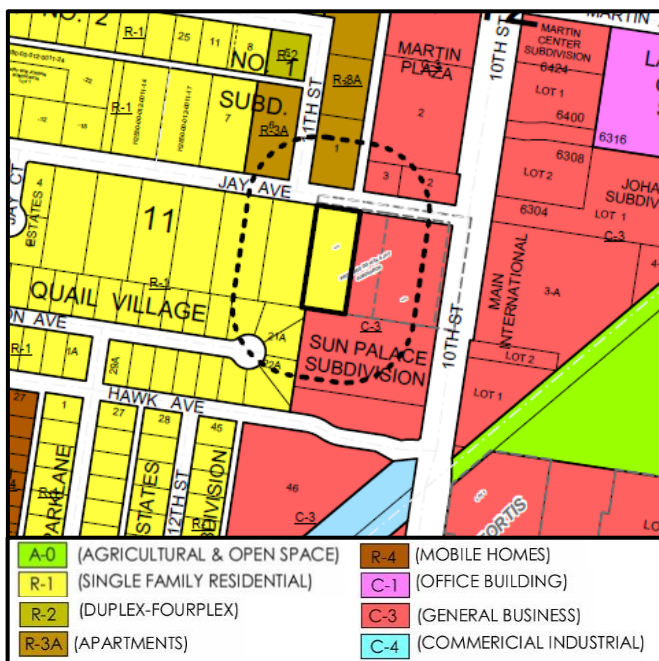
**DATE:** November 28, 2022

**SUBJECT: REZONE FROM R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: 0.97 ACRES OUT OF LOT 11, SECTION 12, HIDALGO CANAL COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS; 1009 JAY AVENUE. (REZ2022-0046)**

**LOCATION:** The property is located on the south side of Jay Avenue, 319.20 ft. west of North 10<sup>th</sup> Street. The tract has 128 ft. of frontage along Jay Avenue with a depth of 330 ft., for a lot size of 0.97 acres.

**PROPOSAL:** The applicant is requesting to rezone the property to C-3 (general business) District for commercial use. A submitted site plan depicts that it will be part of a larger commercial development at the southwest corner of North 10<sup>th</sup> Street and Jay Avenue. A proposed subdivision under the name of QQ 10<sup>th</sup> & Jay Subdivision, was approved for the subject property in preliminary form by the Planning and Zoning Commission on December 7, 2021.

**ADJACENT ZONING:** The adjacent zoning is C-3 (general business) District to the south, east, and northeast, R-3A (multifamily residential) District to the north and northwest, and R-1 (single-family residential) District to the west and southwest.





**LAND USE:** The property is currently vacant. Surrounding land uses include single-family residences, Valencia Apartments, Breakaway Cycling Boutique, offices, Tenth at Jay Street Shopping Plaza, Top 10 Plaza, Falcon International Bank, Affordable Attic Self Storage, 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 Jay Avenue is residential and commercial.

**HISTORY:** The subject property was zoned R-1 (single-family residential) District and the eastern portion of the larger tract was zoned C-3 (general business) District upon comprehensive zoning in 1979. Three rezoning requests to C-3 District for the subject property was withdrawn in 2009, 2018, and 2021, after some neighbors appeared in opposition to the rezoning request. There has been no other rezoning request for the subject property since then.

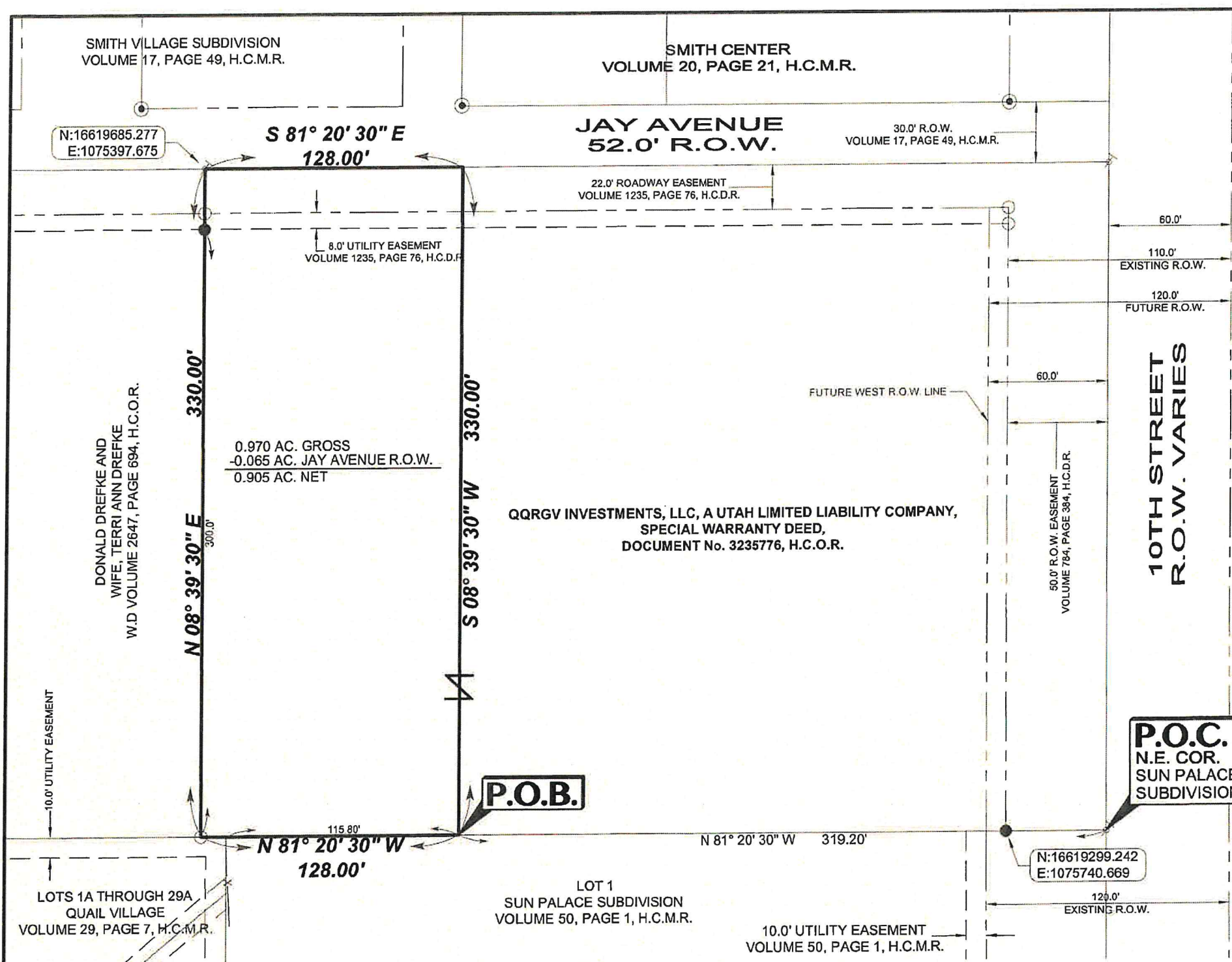
**ANALYSIS:** The requested zoning does not conform to the Auto Urban Single Family land use designation as indicated on the Foresight McAllen Comprehensive Plan. However, it is adjacent to properties zoned C-3 District to the east and south. The proposed zone will be part of a larger commercial development that fronts North 10<sup>th</sup> Street, according to the submitted site plan. The rezoning request is following the development trend in this area along North 10<sup>th</sup> Street and is in character with the adjacent commercial use to the south side. If the rezoning is approved, the boundary line of C-3 zone would follow about the same lot depth as Sun Place Subdivision.

A recorded subdivision plat and approved site plan are required prior to building permit issuance. A masonry screen eight feet in height shall be required where a commercial, industrial or multifamily use has a side or rear property line in common with a single family use or zone.

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

**RECOMMENDATION:** Staff recommends approval of the rezoning request to C-3 (general business) District since it is compatible with the adjacent zoning and development trend in this area and will be part of a larger commercial development along North 10<sup>th</sup> Street.





**LEGEND**

- FOUND No.4 REBAR
- FOUND PIPE
- SET No.4 REBAR WITH PLASTIC CAP STAMPED MELDEN & HUNT
- SET NAIL
- X-X- CHAIN LINK FENCE
- R.O.W. - RIGHT OF WAY
- H.C.M.R. - HIDALGO COUNTY MAP RECORDS
- H.C.D.R. - HIDALGO COUNTY DEED RECORDS
- H.C.O.R. - HIDALGO COUNTY OFFICIAL RECORDS
- N.E. COR. - NORTHEAST CORNER
- P.O.C. - POINT OF COMMENCING
- P.O.B. - POINT OF BEGINNING
- W.D. - WARRANTY DEED
- AC. - OF ONE ACRE
- Σ - SAME OWNER

BEARING BASIS AS PER TEXAS  
COORDINATE SYSTEM OF 1983, TEXAS SOUTH

SCALE: 1"=60'

**NOTES:**

1. SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR.
2. ALL BEARINGS AND DISTANCES ARE BASED ON GRID COORDINATES.
3. 10TH STREET HAS AN EXISTING PRINCIPAL ARTERIAL OF 120.00 FEET AS PER THE 2015 THOROUGHFARE PLAN AMENDMENTS APPROVED BY TRANSPORTATION POLICY COMMITTEE FEBRUARY 18, 2016, APPROVED BY COUNTY COMMISSIONER'S COURT MARCH 22, 2016.
4. SURVEY WAS PREPARED WITH THE BENEFIT OF OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY  
COMMITMENT GF No.102403  
EFFECTIVE DATE: NOVEMBER 23, 2020  
ISSUED: DECEMBER 3, 2020

**EASEMENTS LISTED IN SCHEDULE B:**

- 10.b.- RIGHT OF WAY EASEMENT GRANTED TO THE STATE OF TEXAS, BY IDA ELIZABETH LINN, DATED OCTOBER 29, 1953, FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK OF HIDALGO COUNTY, TEXAS IN VOLUME 784, PAGE 384, DEED RECORDS HIDALGO COUNTY, TEXAS. PLOTTED AND SHOWN HEREON.
- 10.c.- EASEMENT FOR UTILITY PURPOSES AND EASEMENT ROADWAY GRANTED TO THE CITY OF McALLEN, BY MOFFATT CONSTRUCTION COMPANY, INC., BY INSTRUMENT DATED JUNE 20, 1969, RECORDED IN VOLUME 1235, PAGE 76, DEED RECORDS OF HIDALGO COUNTY, TEXAS. PLOTTED AND SHOWN HEREON.
- 10.d.- ROAD RIGHT OF WAY ALONG THE NORTH SIDE OF SUBJECT PROPERTY AS EVIDENCE BY DEDICATED MAPS OF SMITH VILLAGE SUB, AND SMITH CENTER SUB, RECORDED IN VOLUME 17, PAGE 49 AND VOLUME 20, PAGE 21, BOTH IN MAP RECORDS OF HIDALGO COUNTY, TEXAS. PLOTTED AND SHOWN HEREON.
- 10.e.- EASEMENTS AS SHOWN ON THE MAP RECORDED IN VOLUME "Q", PAGE 177, DEED RECORDS OF HIDALGO COUNTY, TEXAS. NO EASEMENTS SHOWN ON RECORDED MAP.
- 10.f.- EASEMENTS IN FAVOR OF HIDALGO COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT No. 3.
- 10.g.- EASEMENTS, OR CLAIMS OF EASEMENTS, WHICH ARE NOT RECORDED IN THE PUBLIC RECORD. SURVEYOR CANNOT VERIFY EASEMENT DOCUMENTS NOT RECORDED IN PUBLIC RECORDS.

I, FRED L. KURTH, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THE FOREGOING PLAT TO BE TRUE AND CORRECT REPRESENTATION OF A SURVEY MADE ON THE GROUND ON 09/21/2018 UNDER MY DIRECTION AND SUPERVISION.

*Fred L. Kurth* 9-7-21  
FRED L. KURTH, RPLS No. 4750 DATE:

**PLAT SHOWING  
0.970 OF ONE ACRE OUT OF  
LOT 11, SECTION 12,  
HIDALGO CANAL Co.,  
VOLUME Q, PAGE 177, H.C.D.R.  
CITY OF McALLEN,  
HIDALGO COUNTY, TEXAS**

**FLOOD ZONE  
ZONE "B"**

AREAS BETWEEN LIMITS OF THE 100-YEAR FLOOD AND 500-YEAR FLOOD; OR CERTAIN AREAS SUBJECT TO 100-YEAR FLOODING WITH AVERAGE DEPTHS LESS THAN ONE(1) FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN ONE SQUARE MILE; OR AREAS PROTECTED BY LEVEES FROM THE BASE FLOOD.

COMMUNITY-PANEL NUMBER: 480343 0005 C  
MAP REVISED: NOVEMBER 2, 1982

PAGE: 2 OF 2



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

BOOK: T-1067, PG. 2  
DATE: 10/01/2018  
JOB No. 21132  
FILE NAME: 21132  
REFERENCE JOB No. 18953.08  
DRAWN BY: J.G./J.L.G./Y.B.

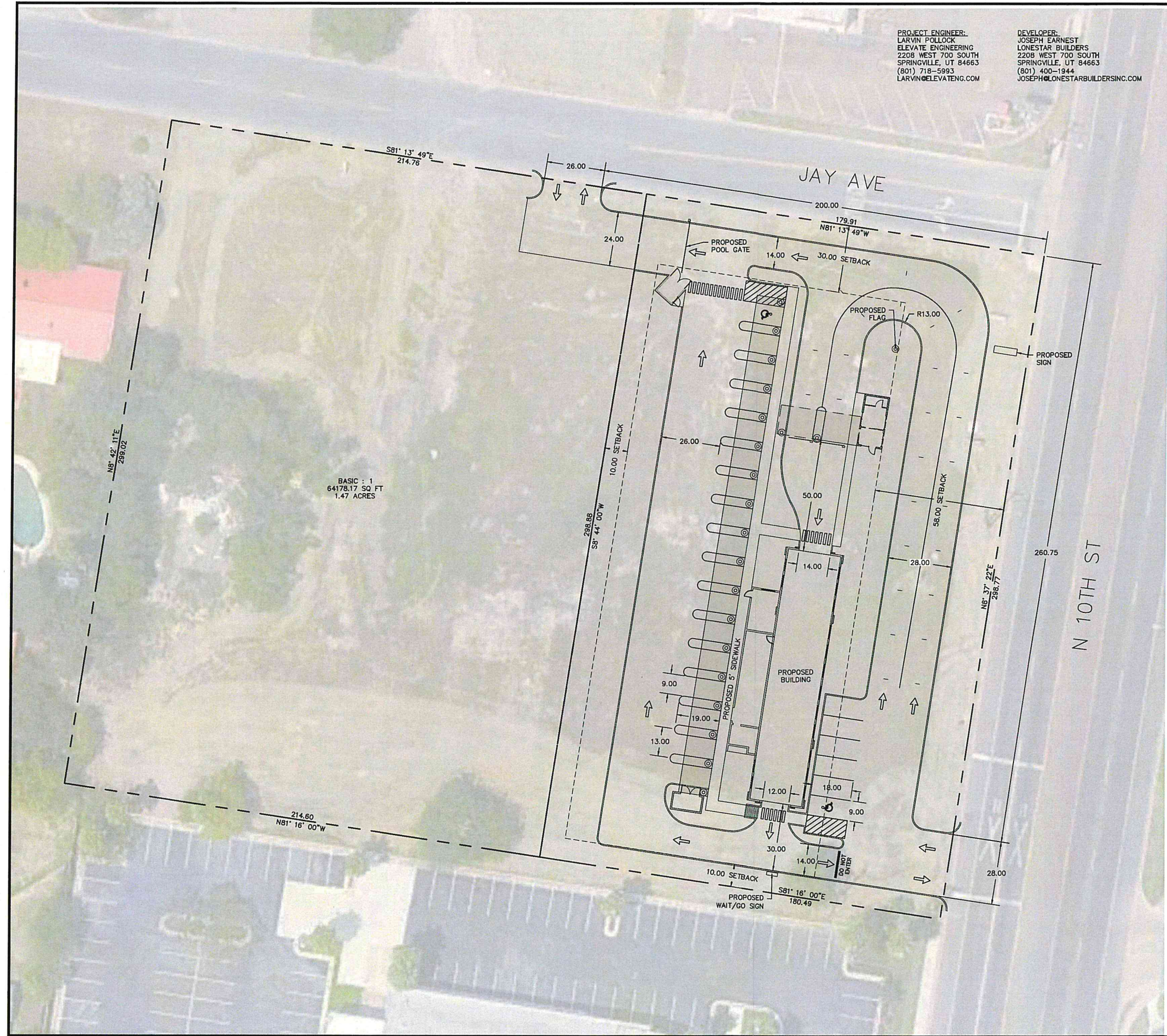
115 W. McINTYRE  
EDINBURG, TX 78541  
PH: (956) 381-0981  
FAX: (956) 381-1839  
ESTABLISHED 1947  
www.meldenandhunt.com

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PROJECT ENGINEER:  
LARVIN POLLOCK  
ELEVATE ENGINEERING  
2208 WEST 700 SOUTH  
SPRINGVILLE, UT 84663  
(801) 718-5993  
LARVIN@ELEVATEINC.COM

DEVELOPER:  
JOSEPH EARNEST  
LONESTAR BUILDERS  
2208 WEST 700 SOUTH  
SPRINGVILLE, UT 84663  
(801) 400-1944  
JOSEPH@LONESTARBUILDERSINC.COM

# LEGEND

- LOT LINES (PROPERTY)
- EXISTING CURB AND GUTTER
- PROPOSED CURB AND GUTTER
- STRIPING
- BUILDING SETBACK
- LANDSCAPE AREA
- CONCRETE AREA
- VACUUM CANOPY

**SITE DATA**

LOT AREA: 53,847 SF (1.24 ACRES)  
BUILDING AREA: 3,791 SF± 7.0%  
PAVEMENT AREA: XX,XXX SF± XX.X%  
LANDSCAPE AREA: XX,XXX SF± XX.X%

ZONING: C-3 (GENERAL BUSINESS)  
PERMITTED USE  
PARCEL ID#: 189795

**BUILDING DATA**

CONSTRUCTION TYPE: V-B  
SPRINKLERS: NO  
SETBACKS:  
FRONT=58 FEET  
REAR=5 FEET  
SIDE=10 FEET

**PARKING TABULATION**

REQUIRED: CITY PLANNING DEPARTMENT CHAIRMAN TO DETERMINE PARKING REQUIREMENTS.

PROVIDED: 6 STALLS  
1 ADA STALL

VACUUM STALLS: 16 STALLS  
TUNNEL LENGTH: 114 FEET  
STACKING: 26 STALLS



SCALE: 1" = 20'

0 10 20 30 40 50 60

NO.	REVISIONS	BY	DATE

ELEVATE ENGINEERING  
TYPE: FIRM #20020  
2208 WEST 700 SOUTH  
SPRINGVILLE, UT 84663  
PHONE: (801) 718-5993  
larvin@elevateinc.com

**ELEVATE**  
ENGINEERING

QUICK QUACK 10TH AND JAY MC ALLEN  
SITE PLAN  
1009 JAY AVE, MC ALLEN, TX 78504



SHEET: C-1  
DATE: Feb 10, 2021



**NOTICE  
REZONING  
FOR  
THIS PROPERTY  
REZ2022-0046**



CITY OF MCALLEN PLANNING DEPT.  
956-681-1250  
WWW.MCALLE.NET





## **Memo**

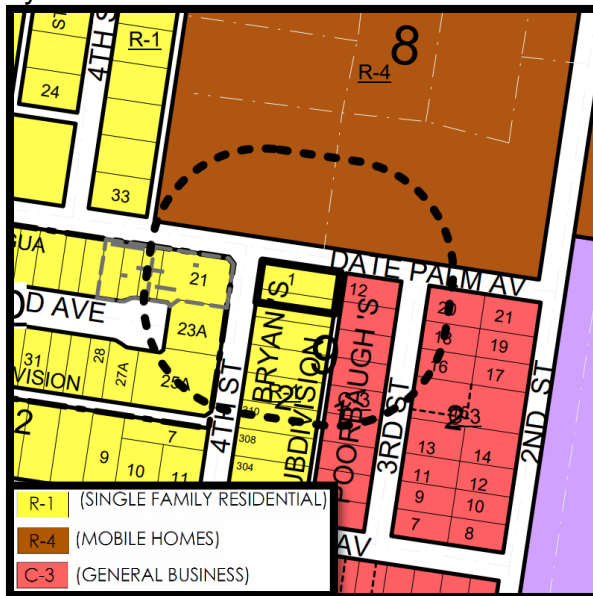
**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

**DATE:** November 16, 2022

**SUBJECT: REZONE FROM R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO R-3A (MULTI-FAMILY RESIDENTIAL APARTMENT) DISTRICT: ALL OF LOT 1 AND NORTH ONE-HALF OF LOT 2, BLOCK 2, BRYAN'S ADDITION SUBDIVISION, HIDALGO COUNTY, TEXAS; 324 NORTH 4TH STREET. (REZ2022-0047)**

**LOCATION:** The property is located at the corner of North 4<sup>th</sup> Street and Date Palm Avenue. The tract has 75 feet of frontage along North 4<sup>th</sup> Street with a depth of 140.50 feet for a lot size of 10,537.50 square feet (0.2419 acres). Surrounding land uses include single-family and multi-family residences



**PROPOSAL:** The applicant is requesting to rezone the property to R-3A (multi-family residential) District in order to build apartments. As per a submitted preliminary site plan, the applicant is proposing one unit with one bedroom apartment and three units with two-bedroom apartment.

**ADJACENT ZONING:** The contiguous zoning is R-4 (mobile home and modular home) District to the North. There is C-3 (general commercial) District adjacent to the East. There is R-1 (single-family residential) District to the South and West.

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



**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 District.

**DEVELOPMENT TRENDS:** The development trend for this area along North 4<sup>th</sup> Street is combined of Auto Urban Single Family, Auto Urban Commercial, and Urban Residential Mixed.

**HISTORY:** Currently the tract is part of the Bryan's Addition Subdivision. A rezoning request application to R-3A for the subject property was submitted on October 24, 2022.

**ANALYSIS:** This request does not conform to the Auto Urban Single Family land use designation, as indicated on the Foresight McAllen Comprehensive Plan. It is comparable, however, to adjacent zoning designation (R-4) to the North.

This type of development would be comparable to existing multi-family zoning uses to the North, along the North side of Date Palm Avenue.

R-3A is a restrictive multi-family zoning that permits apartments, duplex-fourplex, storage buildings not used for living quarters and accessory to the residential use, and all uses permitted in an R-1 District. The minimum lot area for R-3A is 800 square feet for zero bedrooms. The maximum lot area for R-3A is 1,500 square feet. The maximum height for buildings within R-3A District is 25 feet.

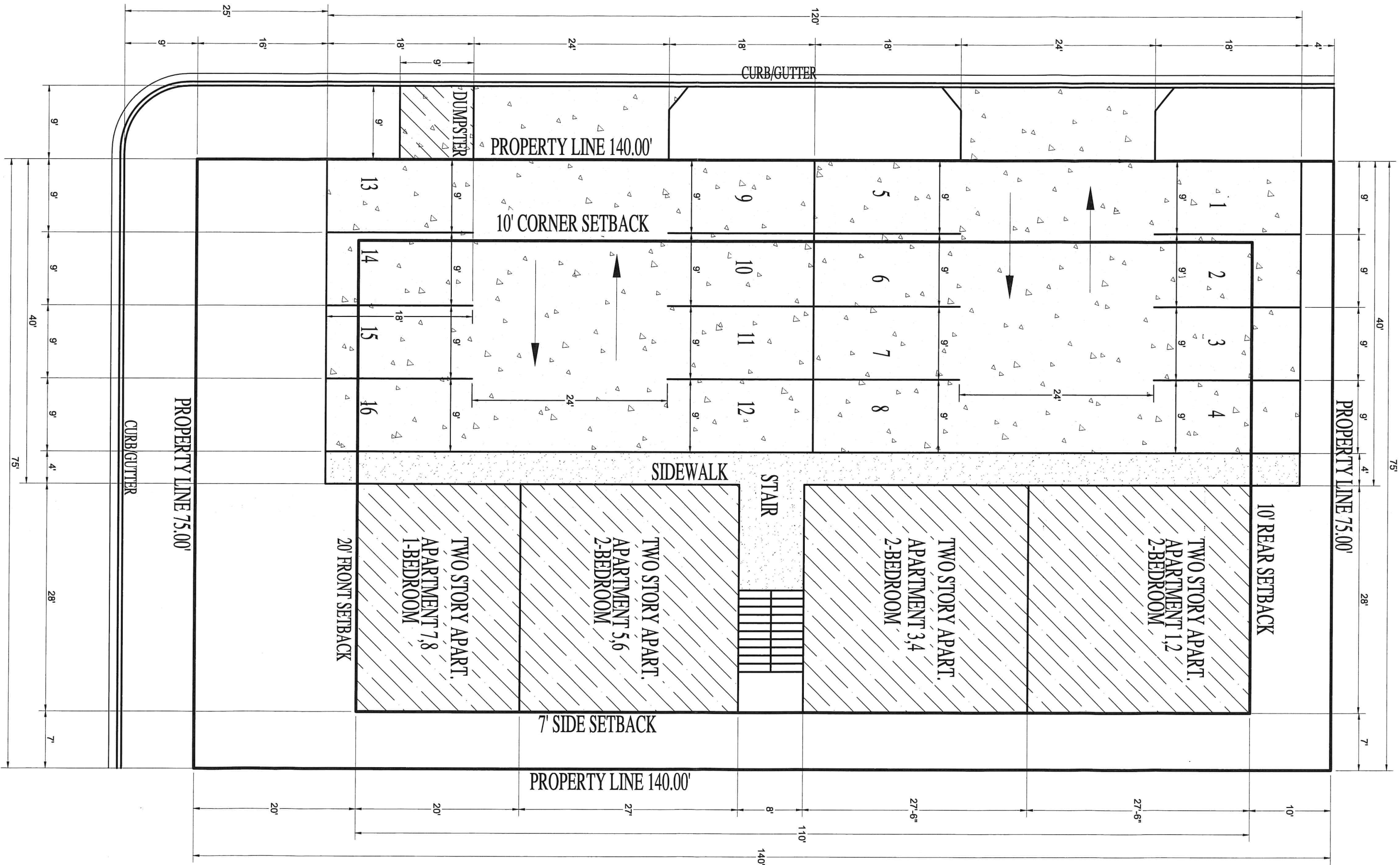
Section 110-49 (a) of the Vegetation Ordinance requires a masonry screen 8 feet in height where a commercial, industrial, or multi-family use has a side or rear property line in common with a single-family use or zone.

Re-platting and the site plan review process will be required should the rezoning be approved. Compliance with off-street parking, landscaping and various building and fire codes are required as part of the building permitting process.

Staff has not received a phone call, letter, or email in opposition to this rezoning request.

**RECOMMENDATION:** Staff recommends disapproval of this rezoning request to R-3A District since the proposed zoning does not follow the development trend along the area, nor does it comply with the Auto Urban Single Family land use designation.





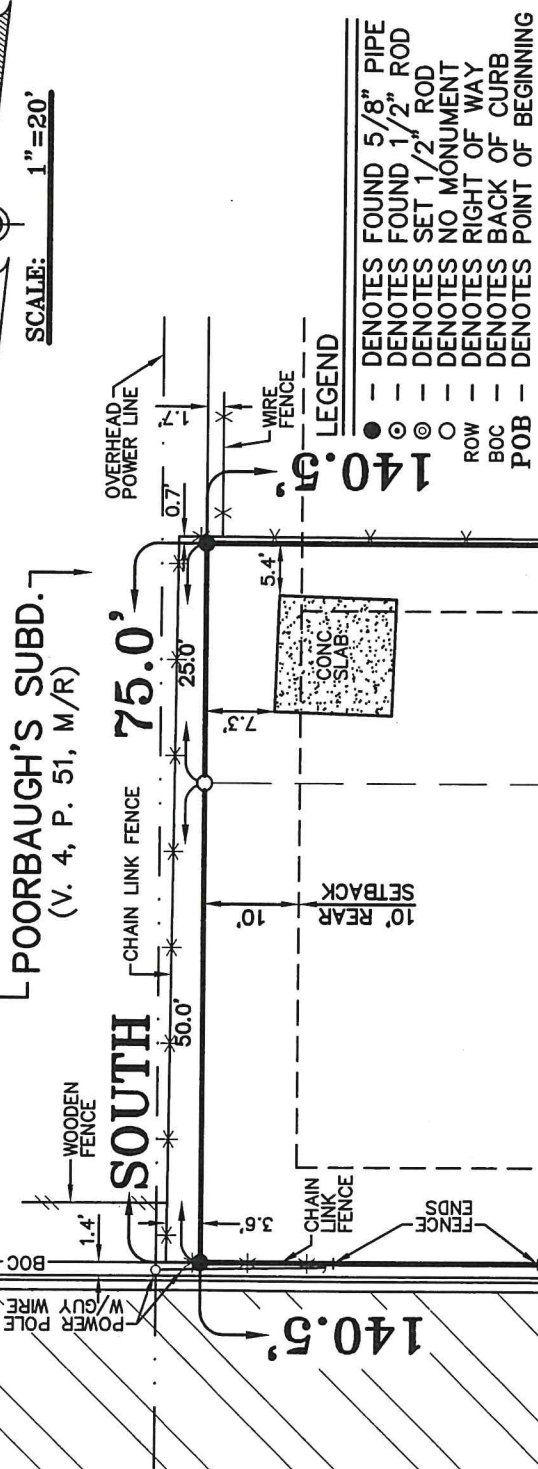
SITE PLAN

SCALE: 1/8"=1'-0"



**ART SALINAS**  
**ENGINEERING & SURVEYING**

1524 DOVE AVENUE, MCALLEN, TEXAS 78504 PH: (956) 618-5585 FAX: (956) 618-5540



**PLAT NOTES:**

- There are no discrepancies, conflicts, shortages in area or boundary lines, encroachments, overlapping of improvements or visible or apparent easements, except as shown on this plat.
- This survey was prepared without the benefit of a Title Report or Commitment. Easement research is not within the scope of this survey.
- This survey must contain an embossed seal and an original signature to be valid as per Section 661.46 and Section 663.19 of the "The Professional Land Surveying Practices Act".
- This is a standard survey and does not include the location or subsurface investigation of underground utility, irrigation and/or gas lines.
- Building setback lines as per City zoning ordinance.
- Subject to any oil, gas and mineral lease of record.
- Bearing Basis: "N. line of Lot 1, Block 2, Bryan's Addition"

Client(s): Jose R. Alvarado Quiroga

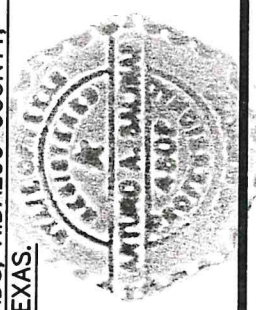
**FLOOD ZONE DESIGNATION:** The property shown hereon lies in Zone "B". Zone "B" areas lie between limits of the 100-year flood and 500-year flood; or certain areas subject to 100-year flooding with average depths less than one (1) foot or where the contributing drainage area is less than one square mile; or areas protected by levees from the base flood as per F.E.M.A. Flood Insurance Rate Map Panel No. 480343-0005-C dated 11-02-82.

ADJ. LAND OWNER INFO.  
OWNER: LEOPOLDO MENDEZ et ux  
RECORDED: DOC. #1270720, O/R

THIS IS TO CERTIFY THAT I HAVE, THIS DATE, PREPARED A SURVEY ON THE GROUND WHICH IS LOCATED AT 324 N. 4th ST., in MCALLEN, TEXAS, DESCRIBED AS FOLLOWS:  
ALL OF LOT 1 AND THE NORTH ONE-HALF OF LOT 2, BLOCK 2, BRYAN'S ADDITION, CITY OF MCALLEN, HIDALGO COUNTY, TEXAS, ACCORDING TO PLAT RECORDED IN VOLUME 274, PAGES 32-33, DEED RECORDS, HIDALGO COUNTY, TEXAS, AS DESCRIBED IN CLERK'S FILE #679692, OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS.

22-64058 Job No. 10-26-22 Date  
© COPYRIGHT 2022 ART SALINAS ENGINEERING INC. THIS SURVEY WAS PROVIDED IN MULTIPLE ORIGINALS SOLELY FOR THE USE OF THE BORROWER NAMED HEREON. NO LICENSE HAS BEEN CREATED, EXPRESSED OR IMPLIED TO COPY THIS SURVEY.

Registered Professional Land Surveyor No. 4802













## Memo

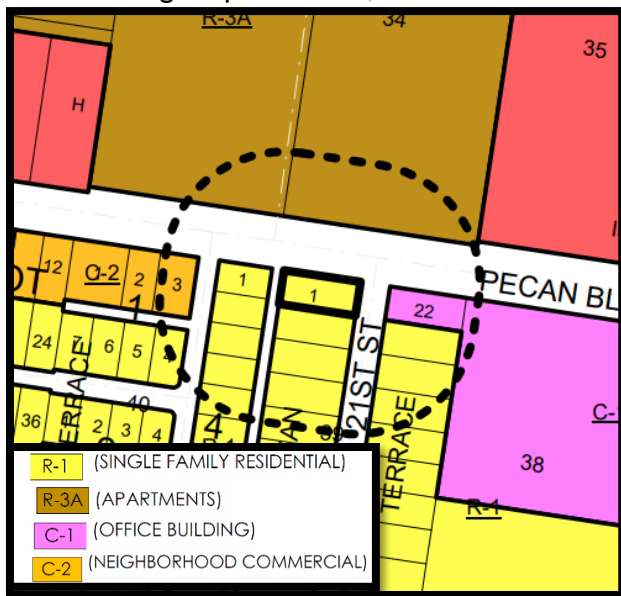
**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

**DATE:** November 17, 2022

**SUBJECT: REZONE FROM R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO R-2 (DUPLEX-FOURPLEX RESIDENTIAL) DISTRICT: LOT 1, TEXAN TERRACE SUBDIVISION, HIDALGO COUNTY, TEXAS; 1421 NORTH 21ST STREET. (REZ2022-0048)**

**LOCATION:** The property is located at the corner of North 21<sup>st</sup> Street and Pecan Boulevard. The tract has 57.50 feet of frontage along North 21<sup>st</sup> Street with a depth of 130.00 feet for a lot size of 7,475 square feet (0.1716). Surrounding land uses include single-family residences, Pecan Village Apartments, and Salvation Army.



**PROPOSAL:** The applicant is requesting to rezone the property to R-2 (duplex-fourplex) District in order to build a duplex. As per a submitted preliminary site plan, the applicant is proposing two single-story units. The proposed total living area is 2,416 square feet for the two units.

**ADJACENT ZONING:** There is R-1 (single-family residential) District to the Southeast, South, and West. The zoning across the street is R-3A (multifamily residential apartment) District to the North. There is C-1 (office building) District to the East.

**LAND USE:** The property is currently vacant. Surrounding land uses include single-family residences, Pecan Village Apartments, and Salvation Army.



**COMPREHENSIVE PLAN:** The Foresight McAllen Comprehensive Plan designates the future land use for this property as Urban Residential Mixed, which is comparable to R-2 District.

**DEVELOPMENT TRENDS:** The development trend for this area along North 21<sup>st</sup> Street is Urban Residential Mixed.

**HISTORY:** Currently the tract is part of the Texan Terrace Subdivision. A rezoning request application to R-2 for the subject property was submitted on November 01, 2022.

**ANALYSIS:** This request does conform to the Urban Residential Mixed land use designation, as indicated on the Foresight McAllen Comprehensive Plan, however, Texan Terrace Subdivision has an established zoning of R-1 to the south.

This type of development would be comparable to existing multi-family zoning uses to the North, along the North side of Pecan Boulevard.

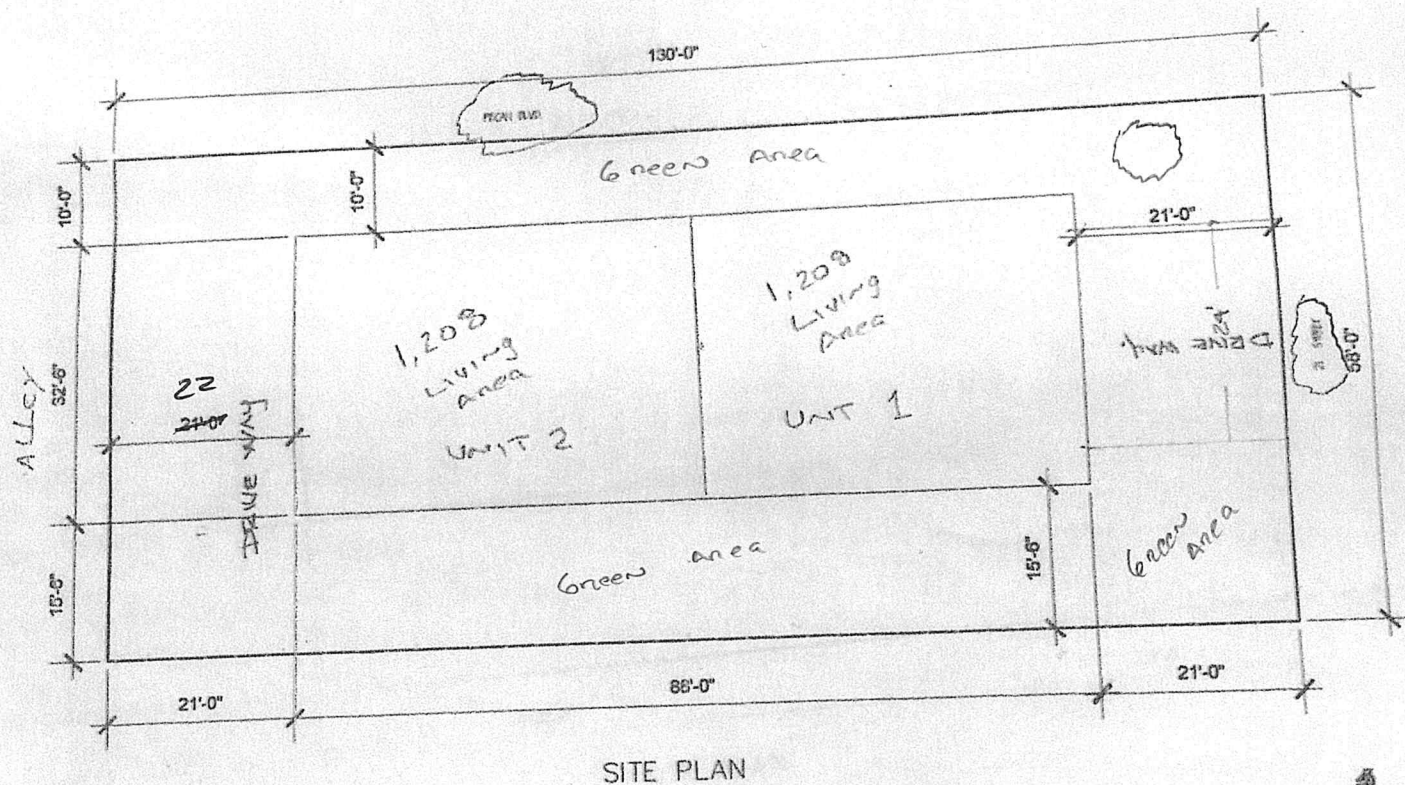
As per the Zoning Ordinance, a six-foot opaque fence will be required in order to screen the multi-family residential use with that of the single-family residentially zoned use.

Compliance with off-street parking, landscaping and various building and fire codes are required as part of the building permitting process.

Staff has received one phone call in opposition to the rezoning request.

**RECOMMENDATION:** Staff recommends disapproval of this rezoning request to R-2 District since the proposed zoning does not follow the development trend along the area.



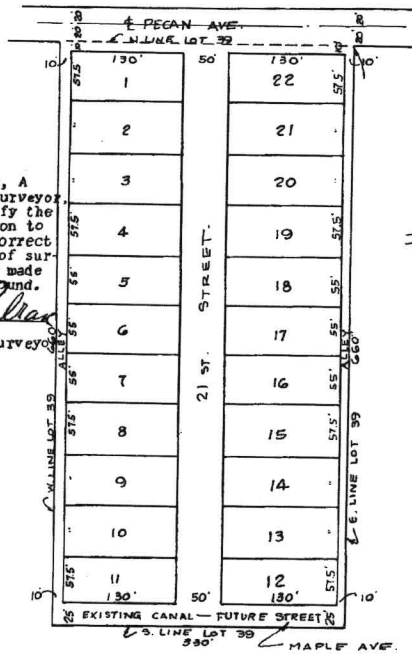


TOTAL BUILDING  
2,416 SQF

1421 21 ST  
MEADOW TX.  
78501



I, C. L. Fabian, A  
Licensed Land Surveyor,  
do hereby certify the  
plat shown hereon to  
be a true and correct  
representation of sur-  
vey as actually made  
by me on the ground.  
*C. L. Fabian*  
C. L. Fabian  
Licensed Land Surveyor  
Mc Allen, Texas



State of Texas:  
County of Hidalgo:

Know all men by these presents that I, W. E. Hart, owner of the property hereon described and designated as Texan Terrace do hereby adopt, dedicate and confirm the foregoing amended plat of Texan Terrace, and do hereby dedicate to the public the streets and alleys designated thereon. This amended map is in lieu of original dedication and map made by me on February 5, 1947, and filed for record February 18, 1947.

*W. E. Hart*  
W. E. Hart

State of Texas:  
County of Hidalgo:

Subscribed and sworn to before me on this 4<sup>th</sup> day of October, A. D. 1949.

*Lee D. Rowe*  
Lee D. Rowe  
Notary Public in and for  
Hidalgo County, Texas

This plat approved October 11<sup>th</sup>, 1949,  
by the Mc Allen Zoning and Planning Board.

*E. A. Greene*  
E. A. Greene, Chairman

The foregoing amended plat of Texan Terrace approved this the 4<sup>th</sup> day of October, 1949, by the City Commission of the City of Mc Allen, Texas.

*C. W. Davis*  
C. W. Davis  
Mayor

Attest:











SUB 2022-0068

**City of McAllen**  
**Planning Department**

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

Project Information	Subdivision Name <u>Amigo Park Subd. Unit No. 3, Lots 12A &amp; 12B</u>	
	Location <u>west side of N. 46th Street, approximately 1100 feet north of Daffodil</u>	
	City Address or Block Number <u>3113 N. 46th Street</u>	
	Number of Lots <u>2</u> Gross Acres <u>0.69</u> Net Acres <u>0.69</u> ETJ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
	Existing Zoning <u>R1</u> Proposed Zoning <u>R1</u> Rezoning Applied for <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date <u>N/A</u>	
	Existing Land Use <u>vacant</u> Proposed Land Use <u>Residential</u> Irrigation District # <u>1</u>	
	Replat <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Commercial <input type="checkbox"/> Residential <input checked="" type="checkbox"/>	
	Agricultural Exemption <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Estimated Rollback Tax Due <u>N/A</u>	
	Parcel # <u>118306</u> Tax Dept. Review <u>D MPB</u>	
	Water CCN <input checked="" type="checkbox"/> MPU <input type="checkbox"/> Sharyland Water SC Other <u>                    </u>	
Legal Description <u>Lot 12, Amigo Park Subdivision, Unit No. 3, McAllen, Texas</u>		
Owner	Name <u>Johnny Rodriguez</u> Phone <u>956-225-5436</u>	
	Address <u>5300 N. 45th Street</u> E-mail <u>rickmata15@yahoo.com</u>	
	City <u>McAllen</u> State <u>TX</u> Zip <u>78501</u>	
Developer	Name <u>Same as Owner</u> Phone <u>                    </u>	
	Address <u>                    </u> E-mail <u>                    </u>	
	City <u>                    </u> State <u>                    </u> Zip <u>                    </u>	
	Contact Person <u>Rick Mata</u>	
Engineer	Name <u>Spoor Engineering Consultants, Inc.</u> Phone <u>956-683-1000</u>	
	Address <u>202 So. 4th Street</u> E-mail <u>SEC@SpoorEng.com</u>	
	City <u>McAllen</u> State <u>TX</u> Zip <u>78501</u>	
	Contact Person <u>Steve Spoor, P.E.</u>	
Surveyor	Name <u>Pena Engineering</u> Phone <u>956-682-8812</u>	
	Address <u>1001 Whitewing</u> E-mail <u>                    </u>	
	City <u>McAllen</u> State <u>TX</u> Zip <u>78501</u>	

*[Handwritten signature]*

JUN 20 2022

BY: CW



## Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

### In Person Submittal Requirements

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

### Email Submittal Requirements

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

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

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

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

### **PLAT TO SHOW:**

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

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

Owners Signature

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

Signature  Date 06/20/22

Print Name Stephen Spoor, P.E.

Owner ☐ Authorized Agent ☒

The Planning Department is now accepting DocuSign signatures on application





**City of McAllen**  
**Planning Department**  
**VARIANCE TO SUBDIVISION**  
**PROCESS APPLICATION**

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**

Legal Description Amigo Park Unit No. 3, Lot 12

Street Address 3113 N. 46th Street

Number of lots Exist-1 Prop-2 Gross acres 0.69

Existing Zoning R-1 Existing Land Use vacant

☐ Current Survey and Metes and Bounds (if the legal description of the tract is a portion of a lot) is required

**Applicant**

Name Spoor Engineering Consultants, Inc. Phone Address 956-683-1000

202 So. 4th Street E-mail SEC@SpoorEng.com City McAllen

State TX Zip 78501

**Owner**

Name Johnny Rodriguez Phone 956-225-5436

Address 5300 N. 45th Street E-mail \_\_\_\_\_

City McAllen State TX Zip 78501

**Authorization**

To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated?

☐ Yes

☒ No

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

Signature 

Date 11/22/22

Print Name Stephen Spoor, P.E.

☐ Owner

☒ Authorized Agent

**Office**

**\*FOR OFFICE USE ONLY\***

APPLICATION FILING FEE: ☐ \$250.00

Accepted by \_\_\_\_\_ Payment received by \_\_\_\_\_ Date \_\_\_\_\_

Rev 10/18

NOV 21 2022

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

CW





# City of McAllen

## Planning Department

### REASON FOR APPEAL

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

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

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

Reason for Appeal

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

A. Variance to Chapter 134-104: To not require pavement widening and not require curb and gutter on existing N. 46th Street.

B. Variance to Chapter 134-120: To not require sidewalk on the existing N. 46th Street. Amigo Park No. 3 was recorded in 1976 & no other lot has been required to construct the paving, gutters, or sidewalks.

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

The improvements requested to be waived would have a detrimental affect on the surrounding area because of the decrease in pervious landscaping that would increase the rainfall runoff.

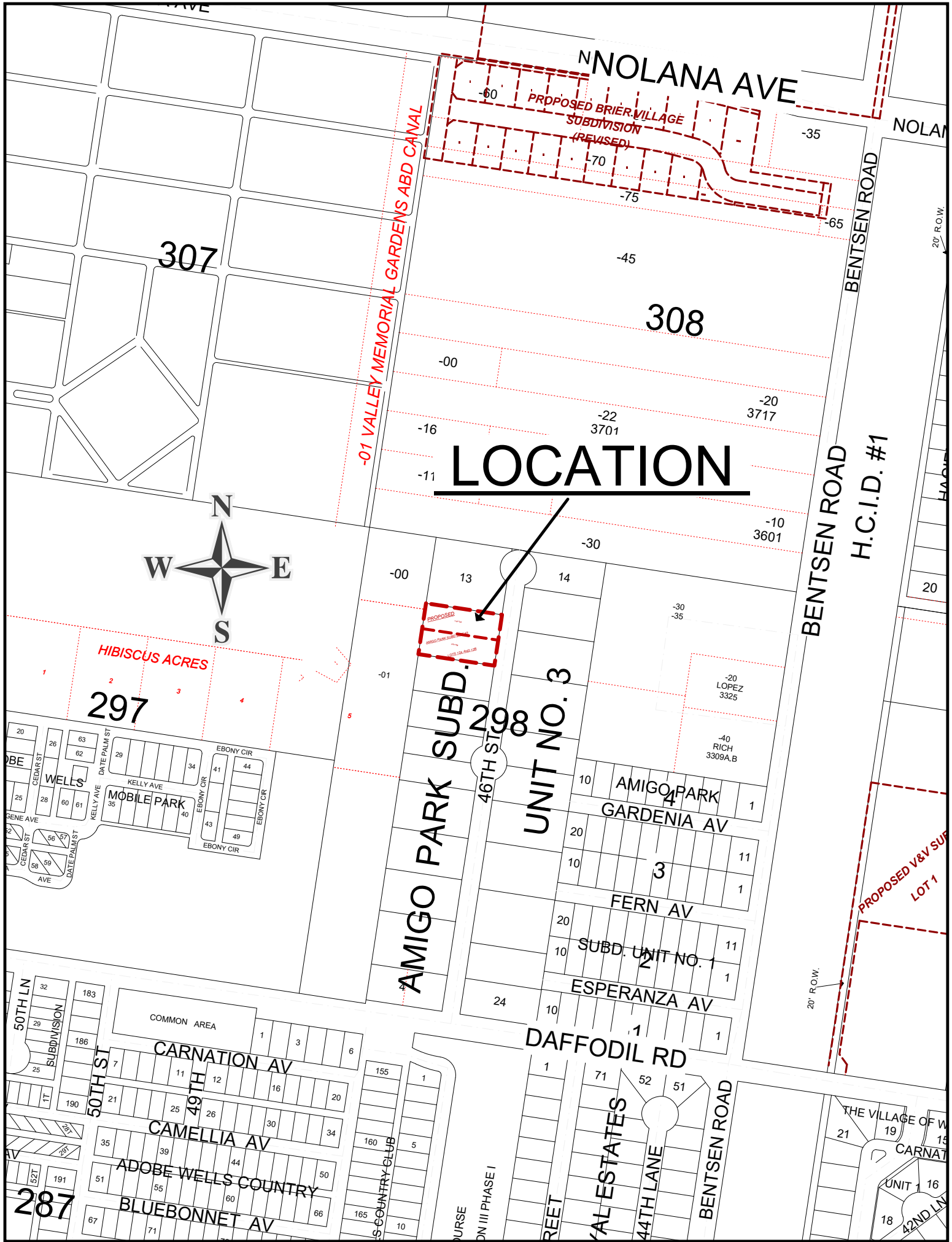
3. Describe how the variance will not be detrimental to the public health, safety or welfare or injurious to the legal rights other property owners enjoy in the area.

By continuing the current conditions which are similar to the existing conditions of the other lots in Amigo Park No. 3, there are no detriments to the health, safety, & welfare of the other property Owners in the area.

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

Many developments have been approved since Amigo Park No. 3 was recorded more than 40 years ago. N. 46th Street dead-ends at the north side of Amigo Park, and the orderly development of these other properties has never been affected.





**LOCATION**

**NOLANA AVE**

**BENTSEN ROAD**

**H.C.I.D. #1**

**AMIGO PARK SUBD. UNIT NO. 3**

**DAFFODIL RD**

**CARNATION AV**

**CAMELLIA AV**

**ADOBE WELLS COUNTRY**

**BLUEBONNET AV**

**AMIGO PARK GARDENIA AV**

**FERN AV**

**SUBD. UNIT NO. 2**

**ESPERANZA AV**

**HIBISCUS ACRES**

**PROPOSED V&V SUB LOT 1**

**VAL ESTATES**

**THE VILLAGE OF W... CARNAT... UNIT 16**

**50TH ST**

**49TH ST**

**44TH LANE**

**42ND LN**

**41ST ST**

**40TH ST**

**39TH ST**

**38TH ST**

**37TH ST**

**36TH ST**

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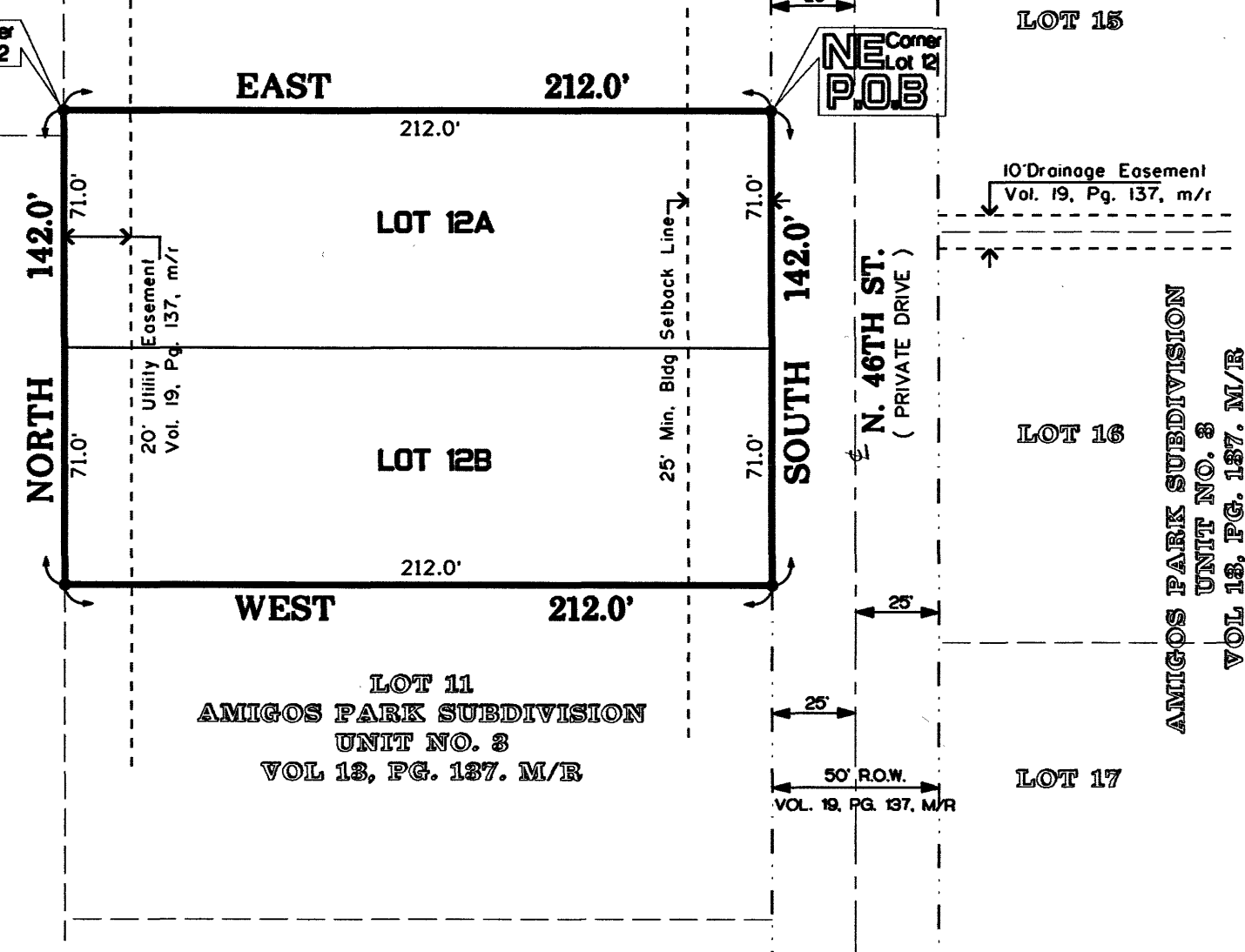
**-208TH ST**



0.52 AC. N.W. CORNER  
LOT 298  
JOHN H. SHARY  
SUBDIVISION  
Owner: R. Mata  
Inst. No. 2526848, O/R

10 AC.  
LOTS 297 & 298  
JOHN H. SHARY  
SUBDIVISION  
Owner: E. Rojas  
Inst. No. 1652426, O/R

LOT 12  
AMIGOS PARK SUBDIVISION  
UNIT NO. 3  
VOL 13, PG. 137. M/R



## NOTES:

- MINIMUM BUILDING SETBACK SHALL BE AS FOLLOWS:  
A. FRONT - AS SHOWN OR GREATER FOR EASEMENTS  
B. REAR - ACCORDING TO ZONING ORDINANCE OR GREATER FOR EASEMENTS.  
C. SIDE - 6 FEET OR GREATER FOR EASEMENT  
D. GARAGE - 18 FEET EXCEPT WHERE GREATER SETBACK IS REQUIRED, GREATER SETBACK APPLIES.
- MINIMUM FINISH FLOOR ELEVATION SHALL BE 18 INCHES ABOVE CENTERLINE OF PAVEMENT ON 46TH ST. MEASURED AT FRONT CENTER OF LOT.
- THIS PROPERTY FALLS IN ZONE "C" OF THE FLOOD INSURANCE RATE MAP, PANEL NO. 480 334 0400 C, REVISED NOVEMBER 16, 1982. ZONE "C" IS DESCRIBED AS "AREAS OF MINIMAL FLOOD HAZARD, USUALLY DEPICTED ON FIRMS AS ABOVE THE 500-YEAR FLOOD LEVEL. ZONE "C" MAY HAVE PONDING AND LOCAL DRAINAGE PROBLEMS THAT DON'T WARRANT A DETAILED STUDY OR DESIGNATION AS BASE FLOODPLAIN.
- A 6' BUFFER OPAQUE 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' SIDEWALK REQUIRED ALONG N. 46TH STREET
- BENCHMARK - STATION NAME: MC 63 SET BY ARANDA & ASSOC. LOCATED AT SOUTHWEST CORNER OF THE INTERSECTION OF TAYLOR RD. & DAFFODIL ST. ELEV. -123.30 (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.
- COMMON AREAS, PRIVATE STREETS / DRIVES, GATE AREAS, ETC. MUST BE MAINTAINED BY THE LOT OWNERS AND NOT THE CITY OF MCALLEN.

## COUNTY CLERK'S RECORDING CERTIFICATE



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

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

DOCUMENT NUMBER: \_\_\_\_\_  
OF MAP RECORDS OF HIDALGO COUNTY  
BY: \_\_\_\_\_ DEPUTY: \_\_\_\_\_

## METES & BOUNDS

LOT 12, AMIGO PARK SUBDIVISION, UNIT NO. 3, CITY OF MCALLEN, HIDALGO COUNTY, TEXAS, ACCORDING TO PLAT RECORDED IN VOLUME 19, PAGE 137, MAP RECORDS, HIDALGO COUNTY, TEXAS.

BEGINNING at the Northeast corner of Lot 12, for the Northeast corner of the following described tract of land, said point being on the West line of North 46th Street (private drive);

THENCE, with the East line of Lot 12 and the West line of North 46th Street, SOUTH 142.0 feet to the Southeast corner of Lot 12, for the Southeast corner hereof;

THENCE, with the South line of Lot 12, WEST, 212.0 feet to the Southwest corner of Lot 12, for the Southwest corner hereof;

THENCE, with the West line of Lot 12, NORTH 142.0 feet to the Northwest corner of Lot 12, for the Northwest corner hereof;

THENCE, with the North line of Lot 12, East 212.0 feet to the POINT OF BEGINNING, containing 0.69 acres of land, more or less.

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 49.211(c) THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES DESCRIBED ARE APPROPRIATE FOR THE SPECIFIC SUBDIVISION, BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA. IT IS THE RESPONSIBILITY OF THE DEVELOPER OF THE SUBDIVISION AND ITS ENGINEER TO MAKE THESE DETERMINATIONS.

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

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

DATE \_\_\_\_\_



July 06, 2022  
1"=50'

# MAP OF AMIGO PARK SUBDIVISION UNIT No. 3, LOTS 12A AND 12B ( GATED COMMUNITY )

BEING A SUBDIVISION OF LOT 12, AMIGO PARK  
SUBDIVISION, UNIT No. 3, CITY OF MCALLEN,  
HIDALGO COUNTY, TEXAS, ACCORDING TO PLAT  
RECORDED IN VOLUME 19, PAGE 137, MAP  
RECORDS, HIDALGO COUNTY, TEXAS,

STATE OF TEXAS:  
COUNTY OF HIDALGO:

I, THE UNDERSIGNED OWNER OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS \_\_\_\_\_ SUBDIVISION, DO HEREBY GRANT AN EASEMENT TO THE CITY OF MCALLEN AND THOSE WHO MIGHT NOW OR HEREAFTER HOLD FRANCHISE UNDER SAID CITY, THE USE OF THE STREETS, ALLEYS, AND EASEMENTS THEREON SHOWN SURFACE USE OF THE STREETS AND ALLEYS IS RESTRICTED TO THE EMPLOYEES OR AGENTS OF THE CITY OF MCALLEN EMPLOYEES OF UTILITIES OPERATION UNDER FRANCHISE TO THE CITY OF MCALLEN AND RESIDENTS OF THE SUBDIVISION AND THEIR GUESTS.

By: JOHNNY RODRIGUEZ  
5300 N. 45TH ST.  
MCALLEN, TEXAS 78504

STATE OF TEXAS:  
COUNTY OF HIDALGO:

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JOHNNY RODRIGUEZ, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN STATED.  
GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS, THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

STATE OF TEXAS:  
COUNTY OF HIDALGO:

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 AND ZONING COMMISSION DATE \_\_\_\_\_

STATE OF TEXAS:  
COUNTY OF HIDALGO:

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

CARLOS VASQUEZ, RPLS 4608  
CVQ LAND SURVEYORS - TBPLS FIRM 10119600  
517 BEAUMONT AVE. MCALLEN, TEXAS 78501  
TBPELS FIRM No. 10119600

DATE \_\_\_\_\_

STATE OF TEXAS:  
COUNTY OF HIDALGO:

I, THE UNDERSIGNED, STEPHEN SPOOR, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN TO THIS PLAT, AND THAT ALL ASPECTS OF IT ARE IN ACCORDANCE WITH THE CITY OF PHARR SUBDIVISION ORDINANCE.

STEPHEN SPOOR, 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 WHEREIN MY APPROVAL IS REQUIRED.

MAYOR, CITY OF MCALLEN

DATE \_\_\_\_\_

LOCATION MAP

Prepared by:  
**Spoor Engineering Consultants, Inc.**  
Consulting Engineers - Civil Land Planning  
FIRM # F-6003  
202 South 4th Street McAllen, TEXAS 78501  
SEC@spooreng.com (956) 683 1000

AMIGO PARK SUBDIVISION  
UNIT No. 3  
LOTS 12A AND 12B





# City of McAllen

## SUBDIVISION PLAT REVIEW

Reviewed On: 12/2/2022

### SUBDIVISION NAME: AMIGO PARK UNIT NO. 3, LOTS 12A & 12B

#### REQUIREMENTS

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

N.46th Street (Private Drive): Dedication as needed 25 ft. from centerline for 50 ft. of total ROW.  
 Paving :32 ft. Curb & gutter: Both Sides  
 Items Pending:  
 Engineer submitted a variance application on November 21,2022, requesting to not require pavement widening and not require curb and gutter on the existing N. 46th Street. As per paving layout submitted there is an exiting 24 ft. of paving.  
 \*\*Subdivision Ordinance: Section 134-105  
 \*\*\*Monies must be escrowed if improvements are required prior to final  
 \*\*\*\*COM Thoroughfare Plan

TBD

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

\*\*Subdivision Ordinance: Section 134-105

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

\*\*COM Thoroughfare Plan

\* 1,200 ft. Block Length.

\*\*Subdivision Ordinance: Section 134-118

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

\*\*Subdivision Ordinance: Section 134-118

\* 600 ft. Maximum Cul-de-Sac

\*\*Subdivision Ordinance: Section 134-105

Applied

Compliance

NA

NA

##### ALLEYS

ROW :20 ft. Paving:16 ft.  
 \*Alley/service drive easement required for commercial properties  
 \*\*Subdivision Ordinance: Section 134-106

NA

##### SETBACKS

\* Front: As shown, or greater for easements.

\*\*Zoning Ordinance: Section 138-356

\* Rear: In accordance with Zoning Ordinance or greater for easements.

\*\*\*\*20 ft. Utility Easement presented on plat.

\*\*\*\*\*Zoning Ordinance: Section 138-356

\* Sides: 6 ft. or greater for easement.

\*\*Zoning Ordinance: Section 138-356

\* Corner: Interior Lot

\*\*Zoning Ordinance: Section 138-356

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

\*\*\*Zoning Ordinance: Section 138-356

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

Applied

Applied

Applied

NA

Applied

Applied

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



SIDEWALKS	
<ul style="list-style-type: none"> <li>* 4 ft. wide minimum sidewalk required along N.46th Street.</li> </ul> <p>Items Pending:  Engineer submitted a variance application on November 21,2022, requesting to not require sidewalks on the existing N.46th Street.  **Sidewalk requirements for N. 46th Street may increase to 5 ft. prior to final per Engineering Department.  ***Subdivision Ordinance: Section 134-120</p> <ul style="list-style-type: none"> <li>* Perimeter sidewalks must be built or money escrowed if not built at this time.</li> </ul>	TBD
	Required
BUFFERS	
<ul style="list-style-type: none"> <li>* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses.</li> </ul> <p>Revisions Needed:  -Revise note as shown above prior to final.  **Landscaping Ordinance: Section 110-46</p> <ul style="list-style-type: none"> <li>* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.</li> </ul> <p>**Landscaping Ordinance: Section 110-46</p> <ul style="list-style-type: none"> <li>*Perimeter buffers must be built at time of Subdivision Improvements.</li> </ul>	Non-compliance
	Applied
	Required
NOTES	
<ul style="list-style-type: none"> <li>*Must comply with City Access Management Policy</li> </ul>	Applied
<ul style="list-style-type: none"> <li>* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.</li> </ul>	NA
<ul style="list-style-type: none"> <li>* Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen.</li> </ul>	Non-compliance
<ul style="list-style-type: none"> <li>**Finalize wording for plat note #8, prior to final.</li> </ul>	
<ul style="list-style-type: none"> <li>* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.</li> </ul>	NA
<ul style="list-style-type: none"> <li>* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.</li> </ul>	Applied
<ul style="list-style-type: none"> <li>**Section 110-72 applies if private subdivision is proposed.</li> </ul>	
<ul style="list-style-type: none"> <li>**Landscaping Ordinance: Section 110-72</li> </ul>	
<ul style="list-style-type: none"> <li>**Subdivision Ordinance: Section 134-168</li> </ul>	
<ul style="list-style-type: none"> <li>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</li> </ul>	Applied
<ul style="list-style-type: none"> <li>**Section 110-72 applies if private subdivision is proposed.</li> </ul>	
<ul style="list-style-type: none"> <li>**Landscaping Ordinance: Section 110-72</li> </ul>	
<ul style="list-style-type: none"> <li>**Subdivision Ordinance: Section 134-168</li> </ul>	
LOT REQUIREMENTS	
<ul style="list-style-type: none"> <li>* Lots fronting public streets.</li> </ul>	
<ul style="list-style-type: none"> <li>**Submitted plat currently presents N.46th Street (Private Drive), street dedication under original plat recording under review, finalize prior to final.</li> </ul>	TBD
<ul style="list-style-type: none"> <li>***Subdivision Ordinance: Section 134-1</li> </ul>	

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



* Minimum lot width and lot area. **Plat submitted on July 28, 2022, is compliant with lot width requirement. **Zoning Ordinance: Section 138-356	Compliance
<b>ZONING/CUP</b>	
* Existing: R-1(Single Family) Residential District. Proposed:R-1(Single Family) Residential District. ***Zoning Ordinance: Article V	Compliance
* Rezoning Needed Before Final Approval. **Proposed zoning is compliant with current zoning. ***Zoning Ordinance: Article V	NA
<b>PARKS</b>	
* Land dedication in lieu of fee.	NA
* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, In accordance with McAllen's Park Land Dedication and Park Development Fees Ordinance, Park fees apply at \$700 per dwelling unit. Fees amount to \$1,400 and payable prior to plat recording. Park fees will be adjusted accordingly if proposed number of lots changes.	Required
* Pending review by the City Manager's Office.	NA
<b>TRAFFIC</b>	
* As per Traffic Department, Trip Generation waived.	Completed
* Traffic Impact Analysis (TIA) required prior to final plat. **As per Traffic Department, Trip Generation waived.	Completed
<b>COMMENTS</b>	
Comments: *Must comply with City's Access Management Policy. ** Public Hearing with notices will be required for the resubdivision. *** If any plat restrictions are proposed to be changed from original plat, vacate and replat would be required. ****Please remove "Gated Community" from the subdivision name, since current recorded plat does not reference it. ****Please revise Owner's signature block verbiage, please reference the the Owner's Signature block wording from the current recorded plat. ****As per letter dated November 25th, subdivision has received McAllen Public Utility Approval. *****As per letter from Engineering department the subdivision has received Drainage Approval. *****At the Planning and Zoning Commission meeting of July 6, 2022, the board voted to approve the subdivision in preliminary form subject with conditions noted, drainage and utility approvals.	Required
<b>RECOMMENDATION</b>	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED PRELIMINARY FORM SUBJECT TO CONDIIONES NOTED AND CLARIFICATION ON THE REQUESTED VARIANCES.	Applied

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







## Memo

**TO:** Planning and Zoning Commission

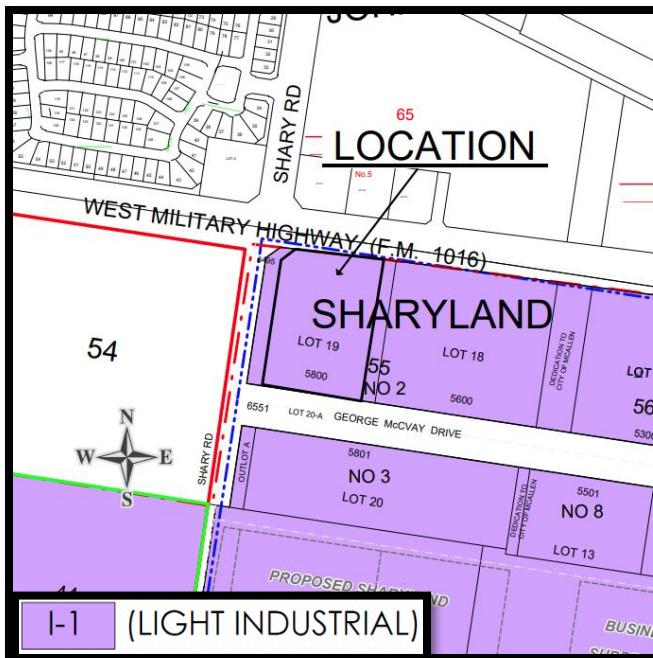
**FROM:** Planning Staff

**DATE:** November 30, 2022

**SUBJECT: SITE PLAN APPROVAL FOR LOT 19, SHARYLAND BUSINESS PARK NO. 2 SUBDIVISION; 5800 GEORGE MCVAY DRIVE. (SPR2022-0034)**

**LOCATION:** The property is located on the north side of George McVay, east of North Shary Road, and South of F.M. 1016 (Military Highway). The property has 559.25 feet of frontage along George McVay and a depth of 695.81 feet for a lot size 383,548 square feet (8.805 acres) according to the recorded subdivision plat. The property is zoned I-1 (light industrial) District and the adjacent zoning is I-1 District on all directions.

**PROPOSAL:** The applicant is proposing to construct and operate a warehouse facility with the total square footage of the proposed warehouse being 146,205 square feet and the office area being 7,695 square feet as per the proposed construction plans.



**ANALYSIS:** Based on 146,205 square feet of warehouse use, 74 parking spaces are required. Based on 7,695 square feet of office use, 39 parking spaces are required. Based on the 34 docks, 17 trailer parking spaces are required on site. Five of the proposed parking spaces must be accessible, which must also be van accessible with an 8 feet wide aisle. Access to the site is from a proposed curb cut along George McVay Drive. Required landscaping for the lot is 38,355 square feet of which 62,633 square feet is provided. The tree requirement is as follows: 62-2 ½" caliper trees, 31-4" caliper trees, 16-6" caliper trees, or 24 palm trees. A minimum 10 feet wide landscaped



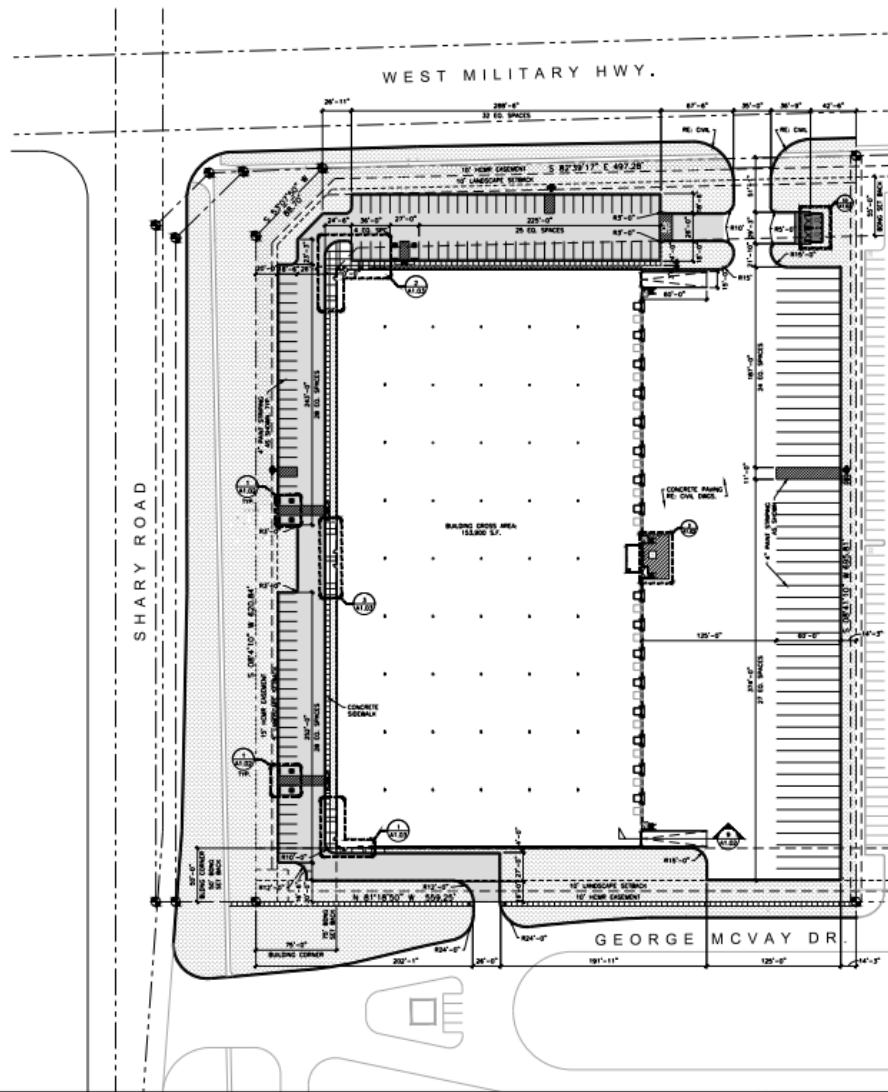
strip is required inside the property line along George McVay Drive and West Military Highway. Fifty percent of the landscaping must be visible from the street, and each parking space must be within 100 feet of a landscaped area with a tree, as required by ordinance. No structures are permitted over easements nor setbacks. The plat was recorded on February 07, 2001, with front setback of The tree requirement is as follows: 14 – 2 ½” caliper trees, or 7 – 4” caliper trees, or 4 – 6” caliper trees, or 4 palm trees and 12 – 2 ½” caliper trees. Credit will be given to existing trees that remain onsite. A minimum 10 ft. wide landscaped strip is required inside the property line along East Jackson Avenue. Fifty percent of the landscaping must be visible from the street, and each parking space must be within 100 ft. of a landscaped area with a tree, as required by ordinance. A 6 ft. buffer is required around dumpsters/compactors if visible from the street. No structures are permitted over easements. The plat was recorded on May 16, 1995; F.M. 1016 setback is 75 feet, George McVay Drive setback is 50 feet, and North Shary Road setback is 75 feet.

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

**RECOMMENDATION:**

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





# SHEET NOTES

1. REFER CIVIL DRAWINGS FOR DEMOLITION SCOPE.
2. REFER CIVIL DRAWINGS FOR EXISTING AND PROPOSED PAVING, SIDEWALKS, AND SITE DIMENSIONAL CONTROL PLAN.
3. REFER CIVIL DRAWINGS FOR CONSTRUCTION ELEVATIONS.
4. LANDSCAPE AND IRRIGATION TO BE PROVIDED BY OWNER, S.C. TO PROVIDE WATER METERS AND TAP FOR IRRIGATION.
5. DIMENSIONS SHOWN ARE FROM BICK OF CURB TO BICK OF CURB.

## SHEET LEGEND

- LANDSCAPE AND IRRIGATION AREA-SEE LANDSCAPE DRAWING.
- Ø BOLL. PIPE BOLLARD REF: 4/11/02



THE WARREN GROUP  
ARCHITECTS, INC.

804 SOUTH MAIN STREET  
MCALLEN, TX 78501  
954. 994.1900  
twgarch.com

THESE DRAWINGS AND INFORMATION CONTAINED HEREIN ARE PROPERTY OF THE FIRM. NO PART OF THESE DRAWINGS OR INFORMATION SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT WRITTEN APPROVAL FROM THE FIRM. ANY UNAUTHORIZED REPRODUCTION OR TRANSMISSION OF THESE DRAWINGS OR INFORMATION SHALL BE CONSIDERED A VIOLATION OF THE FIRM'S POLICY AND MAY BE SUBJECT TO LEGAL ACTION.

NO.	DATE	DESCRIPTION
1	07/27/2022	ISSUED FOR PERMIT
2	07/27/2022	ISSUED FOR PERMIT
3	07/27/2022	ISSUED FOR PERMIT
4	07/27/2022	ISSUED FOR PERMIT
5	07/27/2022	ISSUED FOR PERMIT
6	07/27/2022	ISSUED FOR PERMIT
7	07/27/2022	ISSUED FOR PERMIT
8	07/27/2022	ISSUED FOR PERMIT
9	07/27/2022	ISSUED FOR PERMIT
10	07/27/2022	ISSUED FOR PERMIT



PROPOSED  
GBP MCALLEN  
DEVELOPMENT, LLC.  
INDUSTRIAL  
BUILDING SHELL  
LOT 19, SHARPLAND INDUSTRIAL PARK  
MCALLEN, TEXAS

PROJECT  
DATE  
REVISION  
10/20/21  
06/27/2022  
07/27/2022  
**A1.01 REV2**  
OVERALL  
SITE PLAN

OVERALL  
SITE PLAN  
SCALE 1"=40'-0"







Subarea-0044

# City of McAllen

## Planning Department

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

<b>Project Information</b>	Subdivision Name <u>Chaises De Jardin</u> Location <u>1200ft West of the intersection of Russel Rd. and Depot Rd.</u> City Address or Block Number <u>2501 RUSSELL RD.</u> Number of Lots <u>1</u> Gross Acres <u>11.433</u> Net Acres <u>11.433</u> ETJ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Existing Zoning <u>Ag</u> Proposed Zoning <u>COM</u> Rezoning Applied for <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date <u>PUD</u> Existing Land Use <u>Ag</u> Proposed Land Use <u>Comm</u> Irrigation District # <u>HCID1</u> Replat <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Commercial <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Agricultural Exemption <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Estimated Rollback Tax Due <u>\$ 5,878.75</u> Parcel # <u>7219000-233-0003-01</u> Tax Dept. Review <u>Rng</u> Water CCN <input type="checkbox"/> MPU <input checked="" type="checkbox"/> Sharyland Water SC Other _____ Legal Description <u>11.433 ACRES OUT OF LOT 3, SECTION 233, TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY; VOLUME 1, PAGE 12, MRHC</u>
<b>Owner</b>	Name <u>Jane Cross</u> Phone <u>956-369-8719</u> Address <u>511 N. 10th St. #367</u> E-mail <u>janecrossbiz@outlook.com</u> City <u>McAllen</u> State <u>TX</u> Zip <u>78504</u>
<b>Developer</b>	Name <u>Jane Cross</u> Phone <u>956-369-8719</u> Address <u>511 N. 10th St. #367</u> E-mail <u>janecrossbiz@outlook.com</u> City <u>McAllen</u> State <u>TX</u> Zip <u>78542</u> Contact Person <u>Jane Cross or Kenneth Johnson</u>
<b>Engineer</b>	Name <u>Mark Corbitt, P.E.</u> Phone <u>956-650-6034</u> Address <u>1806 Majella</u> E-mail <u>mcorbitt@mdcengineeringtx.com</u> City <u>Edinburg</u> State <u>TX</u> Zip <u>78542</u> Contact Person <u>Mark Corbitt</u>
<b>Surveyor</b>	Name <u>Manny Carrizales, RPLS</u> Phone <u>956-567-2167</u> Address <u>3400 Gondola Ave.</u> E-mail <u>mannyrpls@cls.land</u> City <u>Edinburg</u> State <u>TX</u> Zip <u>78542</u>

ENTERED

APR 14 2022

Initial: OW



## Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

### In Person Submittal Requirements

- \$225 Preliminary Review Fee and \$75 Final Approval Fee (Both fees can be combined in one payment)
- Title Report
- 8 ½" by 11" Original Sealed Survey showing existing structures/easements or 3 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)

### Email Submittal Requirements

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

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

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

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

### **PLAT TO SHOW:**

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

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

Owners Signature

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

Signature Jane Cross Date 10-31-2022

Print Name Jane Cross

Owner ☐ Authorized Agent ☐

The Planning Department is now accepting DocuSign signatures on application



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

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

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

### **PLAT TO SHOW:**

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

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

Owners Signature

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

Signature  Date 10-31-2022

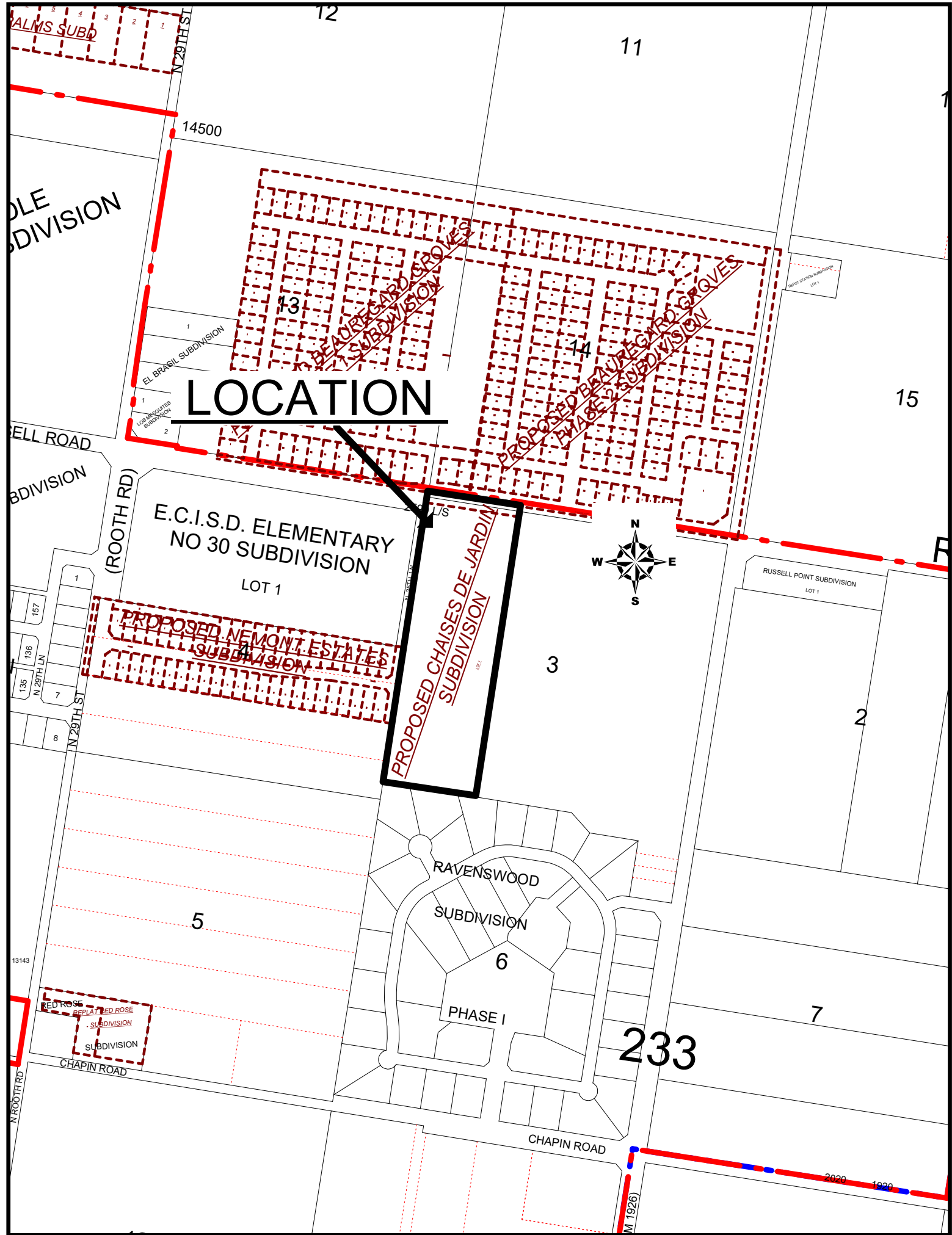
Print Name Kenneth Johnson

Owner ☐ Authorized Agent ☐

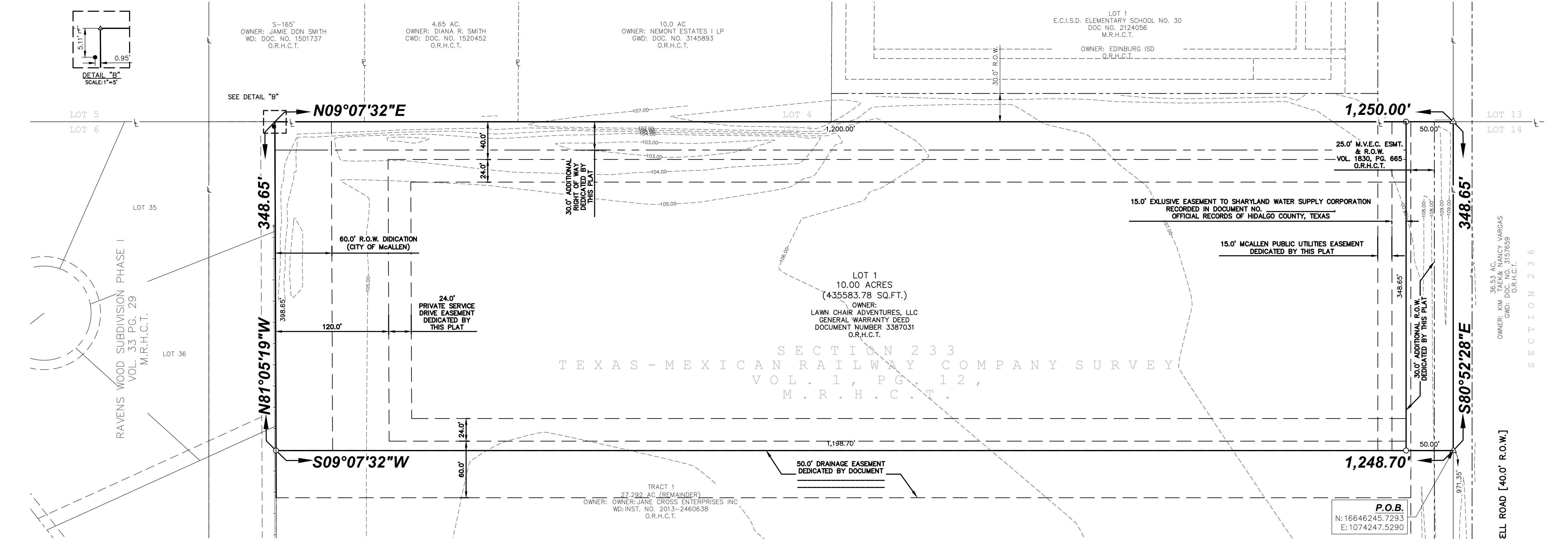
The Planning Department is now accepting DocuSign signatures on application



LOCATION







**GENERAL PLAT NOTES AND RESTRICTIONS:**

1. FLOOD ZONE STATEMENT: SUBJECT PROPERTY IS LOCATED IN ZONE "X" [NO SHADING] DESCRIBED AS "AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOOD-PLAIN", AS PER FLOOD INSURANCE RATE MAP COMMUNITY NUMBER 48033403250, DATED 06-06-2000, REVISED 05-17-2001, TO REFLECT LOMR 01-06-1095P-480334. COMMUNITY-PANEL NUMBER: 480338 0020 E; MAP REVISED: JUNE 6, 2000 REVISED TO REFLECT LOMR-F CASE NUMBER 01-06-1095P, DATED MAY 14, 2001

2. MINIMUM PERMISSIBLE FINISH FLOOR ELEVATION SHALL BE 18 INCHES ABOVE THE FRONT TOP OF CURB MEASURED FROM THE CENTER OF THE LOT OR 18 INCHES ABOVE THE HIGHEST ADJACENT GRADE, WHICHEVER IS GREATER.

3. THERE ARE NO WATER WELLS WITHIN 150 FEET FROM THE BOUNDARIES OF THIS SUBDIVISION.

4. MINIMUM BUILDING SETBACK LINES AS PER CITY OF MCALLEN ORDINANCE.

FRONT: IN ACCORDANCE WITH THE ZONING ORDINANCE OR GREATER FOR EASEMENTS OR APPROVED SITE PLAN, WHICHEVER IS GREATER APPLIES

REAR: IN ACCORDANCE WITH THE ZONING ORDINANCE OR GREATER FOR EASEMENTS OR APPROVED SITE PLAN, WHICHEVER IS GREATER APPLIES

INTERIOR SIDES: IN ACCORDANCE WITH THE ZONING ORDINANCE OR GREATER FOR EASEMENTS OR APPROVED SITE PLAN, WHICHEVER IS GREATER APPLIES

CORNER: IN ACCORDANCE WITH ZONING ORDINANCE OR GREATER FOR EASEMENTS OR APPROVED SITE PLAN, WHICHEVER IS GREATER APPLIES

5. REQUIRED STORM SEWER RUNOFF DETENTION FOR THIS SUBDIVISION AS PER THE APPROVED DRAINAGE REPORT: 3.02 C.F. (129,923 ACRE-Feet)) TO BE PROVIDED WITHIN DESIGNATED DETENTION AREAS.

6. AN ENGINEERED DRAINAGE DETENTION PLAN, APPROVED BY THE CITY OF MCALLEN ENGINEERING DEPARTMENT, SHALL BE REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMIT.

7. NO FILL OR PERMANENT STRUCTURES SHALL BE ALLOWED WITHIN ANY UTILITY EASEMENTS. EACH EASEMENT SHALL BE KEPT CLEAR OF FENCES, BUILDINGS, PLANTINGS, AND OTHER OBSTRUCTIONS THAT WOULD INTERFERE WITH THE OPERATION AND MAINTENANCE OF THE DRAINAGE AND/OR UTILITIES.

8. BENCHMARK IS CITY OF MCALLEN BENCHMARK "MC34" MONUMENT: 30 INCH ALUMINUM PIPE WITH A 3-1/4 INCH BRASS MONUMENT CAP ON TOP LOCATED APPROXIMATELY 4.0' FEET SOUTH OF THE BOROLO LANE AND 62.0' WEST OF 23RD STREET (DEPOT ROAD) [SEE LOCATION MAP FOR APPROXIMATE LOCATION]

PUBLISHED DATA: CITY OF MCALLEN BENCHMARK "MC34" ELEVATION = 105.86 COORDINATES: TEXAS STATE PLANE SOUTH ZONE (4205), NAD 83, NAVD 88. US SURVEY FEET GRID N=16644511.41507 E=1074905.50377

OBSERVED DATA: CITY OF MCALLEN BENCHMARK "MC34" ELEVATION = COORDINATES: TEXAS STATE PLANE SOUTH ZONE (4205), NAD 83, NAVD 88. US SURVEY FEET GRID: N: E:

9. NO FILL OR PERMANENT STRUCTURES SHALL BE ALLOWED WITHIN THE ADJACENT DRAINAGE SWALE EASEMENT. THE OWNER OF LOT 1 SHALL BE RESPONSIBLE FOR MAINTENANCE OF DITCH.

10. GENERAL NOTE FOR COMMERCIAL LOT: LOT 1 SHALL BE FOR COMMERCIAL USE ONLY. THERE SHALL BE NO OTHER USE OTHER THAN COMMERCIAL. THIS MUST BE STIPULATED ON ALL DEEDS AND CONTRACT FOR DEEDS. A BUFFER FENCE IS REQUIRED TO BE INSTALLED BY DEVELOPER ALONG ALL ABUTTING RESIDENTIAL LOTS TO DENY ACCESS ONTO LOT. APPLICATIONS FOR CONSTRUCTION APPROVED BY THE PLANNING DEPARTMENT, HEALTH DEPARTMENT AND FIRE MARSHALL ARE REQUIRED PRIOR TO OCCUPANCY OF THE LOT.

11. 5 FT WIDE MINIMUM SIDEWALK REQUIRED ON RUSSELL ROAD.

12. 6 FT OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, AND INDUSTRIAL ZONES/USES.

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

14. SITE PLAN MUST BE APPROVED BY THE PLANNING AND ZONING DEPARTMENT PRIOR TO BUILDING PERMIT ISSUANCE.

15. ALL CONSTRUCTION SHALL COMPLY WITH STORM WATER POLLUTION PREVENTION PLAN REQUIREMENTS.

16. PRIVATE SERVICE DRIVE FOR CITY SERVICES REQUIRED AT TIME OF SITE PLAN REVIEW.

17. COMMON AREAS AND PRIVATE SERVICE DRIVES TO BE MAINTAINED BY LOT OWNERS AND NOT THE CITY OF MCALLEN.

18. ALL SHARYLAND WATER SUPPLY CORPORATION EASEMENTS ARE EXCLUSIVE. NO OTHER USE OF EASEMENT IS PERMITTED WITHOUT THE EXPRESS WRITTEN APPROVAL OF SHARYLAND WATER SUPPLY CORPORATION.



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

**PRINCIPAL CONTACTS:**

NAME	ADDRESS	CITY & ZIP	PHONE
OWNER: LAWN CHAIR ADVENTURES, LLC; ETHELYN JANE CROSS; KENNETH JOHNSON	5111 N. 10TH ST., #367	MCALLEN, TX 78504	956.369.8719
ENGINEER: MDC ENGINEERING, PLLC; MARK D. CORBITT, PE	3400 N. MCOLL, #26	MCALLEN, TX 78501	956.650.6034
SURVEYOR: CARRIZALES LAND SURVEYING, LLC; MANUEL CARRIZALES, R.P.L.S.	4807 GONDOLA AVENUE	EDINBURG, TEXAS 78542	956.567.2167

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

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

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

**CERTIFICATE OF APPROVAL  
PLANNING & ZONING COMMISSION**

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

CHAIRMAN, PLANNING COMMISSION

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

HIDALGO COUNTY IRRIGATION DISTRICT NO.1 HEREBY APPROVES THIS PLAT.

GENERAL MANAGER

**CITY OF McALLEN  
MAYOR CERTIFICATION**

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

MAYOR, CITY OF McALLEN

CITY SECRETARY

**SHARYLAND CONDITIONAL APPROVAL BLOCK FOR PRELIMINARY PLATS:**

I, CARLOS LIMA, HEREBY CONDITIONALLY CERTIFY THAT POTABLE WATER SERVICE IS AVAILABLE FOR THE CHASIS DE JARDIN SUBDIVISION LOCATED IN THE CITY OF MCALLEN, HIDALGO COUNTY, TEXAS, SUBJECT TO THE SUBDIVISION'S POTABLE WATER SYSTEM MEETING THE APPROVAL OF THE DEVELOPER'S DESIGN ENGINEER, ALL APPLICABLE RULES AND REGULATIONS OF SHARYLAND WATER SUPPLY CORPORATION, AND LOCAL, STATE, AND FEDERAL AGENCIES.

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

GENERAL MANAGER

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

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

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

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

I, THE UNDERSIGNED, MARK D. CORBITT, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN TO THIS PLAT.

MARK D. CORBITT, PROFESSIONAL ENGINEER No. 101980  
STATE OF TEXAS

DATE PREPARED: \_\_\_/\_\_\_/202\_\_

**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 CHAIS DE JARDIN SUBDIVISION 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.

ETHELYN JANE CROSS, MEMBER  
LAWN CHAIR ADVENTURES, LLC; ETHELYN JANE CROSS; KENNETH JOHNSON  
5111 N. 10TH ST., NO. 367  
MCALLEN, TEXAS 78504

**STATE OF TEXAS  
COUNTY OF HIDALGO**

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED

KNOWN TO ME TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_

NOTARY PUBLIC



LOCATION MAP 1" = 2,000'

**PLAT OF  
CHAISES DE JARDIN SUBDIVISION**

BEING A 11.433 ACRE [498,013.98 SQ. FT.] TRACT BEING OUT OF TRACT 1, THAT CERTAIN 37.292 ACRE TRACT BEING OUT OF LOT 3, SECTION 233, TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 12, MAP RECORDS OF HIDALGO COUNTY, TEXAS.

**\*\*\*\*\*METES AND BOUNDS DESCRIPTION\*\*\*\*\***

A 10.00 ACRE [435,583.78 SQ. FT.] TRACT BEING OUT OF TRACT 1, THAT CERTAIN 37.292 ACRE TRACT BEING OUT OF LOT 3, SECTION 233, TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 12, MAP RECORDS OF HIDALGO COUNTY, TEXAS, AS CONVEYED TO LAWN CHAIR ADVENTURES, LLC, A TEXAS LIMITED LIABILITY COMPANY, BY VIRTUE OF GENERAL WARRANTY DEED DATED OCTOBER 6, 2022 AND FILED FOR RECORD ON OCTOBER 7, 2022 IN INSTRUMENT NUMBER: 3387031, OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS; SAID 10.00 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A COTTON PICKER SPINDLE [N:16646091.6700, E:1075206.5840] FOUND AT THE INTERSECTION OF DEPOT ROAD AND RUSSELL ROAD FOR THE NORTHEAST CORNER OF SAID LOT 3, SECTION 233, THENCE, NORTH 80 DEGREES 52 MINUTES 28 SECONDS WEST, WITH THE NORTH LINE OF SAID LOT 3, A DISTANCE OF 971.35 FEET TO A CALCULATED POINT, FOR THE NORTHEAST CORNER OF THIS TRACT AND THE POINT OF BEGINNING;

THENCE, SOUTH 09 DEGREES 07 MINUTES 32 SECONDS WEST, PARALLEL TO THE WEST LINE OF SAID LOT 3, AT A DISTANCE OF 1,250.00 FEET PASS A HALF 1/2-INCH IRON ROD WITH A PINK CAP STAMPED C.L.S. RPLS #6388" SET AT THE PROPOSED SOUTH RIGHT-OF-WAY LINE OF SAID RUSSELL ROAD DEDICATED BY THIS PLAT, CONTINUING A TOTAL DISTANCE OF A 1,248.70 FEET TO A HALF 1/2-INCH IRON ROD WITH A PINK CAP STAMPED C.L.S. RPLS #6388" SET ON THE NORTH LINE OF RAVENS WOOD SUBDIVISION PHASE I, AS RECORDED IN VOLUME 33, PAGE 28, MAP RECORDS OF HIDALGO COUNTY, TEXAS, FOR THE SOUTHEAST CORNER OF THIS TRACT OF LAND;

THENCE, NORTH 81 DEGREES 05 MINUTES 19 SECONDS WEST, WITH THE NORTH LINE OF SAID RAVENS WOOD SUBDIVISION PHASE I, A DISTANCE OF A 348.65 FEET TO A CALCULATED POINT ON THE WEST LINE OF SAID LOT 3, FOR THE SOUTHWEST CORNER OF THIS TRACT OF LAND;

THENCE, NORTH 09 DEGREES 07 MINUTES 32 SECONDS EAST, WITH THE WEST LINE OF SAID LOT 3, AT A DISTANCE OF 1,200.00 FEET PASS A HALF 1/2-INCH IRON ROD WITH A PINK CAP STAMPED "C.L.S. RPLS #6388" SET AT THE PROPOSED SOUTH RIGHT-OF-WAY LINE OF SAID RUSSELL ROAD DEDICATED BY THIS PLAT, CONTINUING A TOTAL DISTANCE OF 1,250.00 FEET TO A CALCULATED POINT FOR THE NORTHWEST CORNER OF SAID LOT 3, AND THE NORTHWEST CORNER OF THIS TRACT OF LAND;

THENCE, SOUTH 80 DEGREES 52 MINUTES 28 SECONDS EAST, WITH THE NORTH LINE OF SAID LOT 3, A DISTANCE OF 348.65 FEET TO THE POINT OF BEGINNING CONTAINING 10.00 ACRES [435,583.78 SQ. FT.] OF LAND MORE OR LESS.

**LEGEND**

---	BOUNDARY LINE	VOL.	VOLUME
---	RIGHT OF WAY LINE	PG.	PAGE
---	EASEMENT LINE	SECT.	SECTION
---	SECTION LINE	DOC.	DOCUMENT
---	LOT LINE	ESMT.	EASEMENT
---	PROPERTY LINE	UTIL.	UTILITY
●	FOUND 1/2" IRON ROD	GWD:	GENERAL WARRANTY DEED
⊙	FOUND 1" IRON PIPE	AFH:	AFFIDAVIT OF HEIRSHIP
⊙	FOUND COTTON PICKER SPINDLE	SWD:	SPECIAL WARRANTY DEED
○	SET 1/2" IRON ROD W/PINK CAP	WDL:	WARRANTY DEED
FND.	FOUND	W/VENDOR'S LIEN	
R.O.W.	RIGHT OF WAY	O.R.H.C.T.	OFFICIAL RECORDS HIDALGO COUNTY TEXAS
NE	NORTHEAST	M.R.H.C.T.	MAP RECORDS HIDALGO COUNTY TEXAS
NW	NORTHWEST	H.C.I.D. No.1	HIDALGO COUNTY IRRIGATION DISTRICT No.1
SW	SOUTHWEST	( )	RECORD CALL
CNR.	CORNER	⊕	CENTERLINE



**MD ENGINEERING, PLLC**  
TBPELS F-21922  
3400 N. MCCOLL RD.; SUITE 26  
MCALLEN, TX 78501 956-650-6034

NO.	DATE	DESCRIPTION	BY





# City of McAllen

## SUBDIVISION PLAT REVIEW

Reviewed On: 12/2/2022

### SUBDIVISION NAME: CHAISES DE JARDIN

#### REQUIREMENTS

#### STREETS AND RIGHT-OF-WAYS

Russell Road: Proposing 30 ft. dedication for 50 ft. from centerline for 100 ft. total R.O.W  
Paving \_65 ft.\_ Curb & gutter \_\_Both Sides\_\_

Revisions Needed:

-Please label how existing R.O.W was dedicated.

-Label ROW dedications from centerline to new plat boundary, total, existing, etc., prior to recording.

\*\*\*\*Existing transmission powerline poles along Russell Road appear to be within the ROW dedication. Need to finalize dedication requirements or relocation of transmission powerline poles as applicable, prior to final. As per conversations with the Engineer, the County project for Russell Road expansion does not currently show any relocation of the existing electrical transmission lines along the frontage of this subdivision. Engineer should continue coordinate with County on any changes to the roadway alignment, as this may affect ROW dedication.

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

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

\*\*\*\*\*COM Thoroughfare Plan

North 25th Lane (West Boundary 1/4 Mile Location): 30 ft. dedication for 30 ft. from centerline for 60 ft. ROW

Paving: 40 ft. Curb & gutter: Both sides

Revisions Needed:

-Show new lot line after dedication, line should be a solid line but not as bold as the original lot line, finalize prior to recording.

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

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

\*\*\*\*\*COM Thoroughfare Plan

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

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

Revisions Needed:

-Revise dedication labeling to "Additional Right Of Way Dedicated By This Plat"

-Show new lot line after dedication, line should be a solid line but not as bold as the original lot line.

-A paved temporary turnaround in compliance with City requirements will be required on the east end of E/W collector, temporary turnaround must be shown on plat and must be included with plat note reference, finalize prior to recording. Please note if dedicated through separate instrument document must be recorded prior to recording and document number shown on plat prior to recording.

-Finalize temporary turnaround requirements, prior to recording.

-Clarify E/W collector in Drainage easement area as future ROW will overlap with drainage Easement, finalize prior to recording.

\*\*\*\*Street alignment and R.O.W being reviewed and plat would need to be revised accordingly prior to recording. As per plat submitted on August 26,2022, plat presents 60 ft. of total ROW for future E/W collector.

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

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

\*\*\*\*\*COM Thoroughfare Plan

Required

Required

Required

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



<p>Paving _____ Curb &amp; gutter _____</p> <p>**Subdivision Ordinance: Section 134-105</p> <p>**Monies must be escrowed if improvements are required prior to final</p> <p>**COM Thoroughfare Plan</p> <p>* 1,200 ft. Block Length.</p> <p>**Subdivision Ordinance: Section 134-118</p> <p>* 900 ft. Block Length for R-3 Zone Districts.</p> <p>**Subdivision Ordinance: Section 134-118</p> <p>* 600 ft. Maximum Cul-de-Sac.</p> <p>Revisions Needed:</p> <p>-A paved temporary turnaround in compliance with City requirements will be required on the east end of E/W collector, temporary turnaround must be shown on plat and must be included with plat note reference, finalize prior to recording. Please note if dedicated through separate instrument document must be recorded prior to recording and document number shown on plat prior to recording.</p> <p>-Finalize temporary turnaround requirements, prior to recording.</p> <p>****Subdivision Ordinance: Section 134-105</p>	Applied
	Compliance
	NA
	Required
<b>ALLEYS</b>	
<p>ROW: 20 ft. Paving: 16 ft.</p> <p>*Alley/service drive easement required for commercial properties.</p> <p>**As per plat submitted on July 13, 2022, a 24 ft. Private Service Drive Easement is dedicated by plat in lieu of alley.</p> <p>Revisions Needed:</p> <p>-Remove plat note 16 as service drive is being provided on plat, prior to recording.</p> <p>***24 ft. Private service drive easement must comply with Fire and Public Works Department maneuverability requirements, additional requirements may required as applicable, finalize prior to recording.</p> <p>****Subdivision Ordinance: Section 134-106</p>	Required
<b>SETBACKS</b>	
<p>* Front: In accordance with the Zoning Ordinance or greater for approved site plan or easements or inline with existing structures, whichever is greater applies.</p> <p>Revisions Needed:</p> <p>-Revise note wording, as shown above prior to recording.</p> <p>***Proposing: In accordance with Zoning Ordinance or greater for easements or approved site plan, Whichever is greater applies.</p> <p>**Zoning Ordinance: Section 138-356</p> <p>* Rear: In accordance with Zoning Ordinance or greater for easements or approved site plan, Whichever is greater applies.</p> <p>**Zoning Ordinance: Section 138-356</p> <p>* Sides: In accordance with Zoning Ordinance or greater for easements or approved site plan. Whichever is greater applies.</p> <p>**Zoning Ordinance: Section 138-356</p> <p>* Corner: In accordance with Zoning Ordinance or greater for easements or approved site plan, Whichever is greater applies.</p> <p>**Zoning Ordinance: Section 138-356</p> <p>* Garage: Proposed Commercial Development.</p> <p>***Zoning Ordinance: Section 138-356</p> <p>*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN</p>	Required
	Applied
	Applied
	Applied
	NA
	Applied

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



SIDEWALKS	
<p>* 4 ft. wide minimum sidewalk required along Russell Road, North 25th Lane and E/W Collector.</p> <p>Revisions Needed:</p> <ul style="list-style-type: none"> <li>-Revise note as shown above prior to recording.</li> <li>-Sidewalk requirements might increase to 5 ft. prior to recording subject to Engineering Department requirements.</li> </ul> <p>****Subdivision Ordinance: Section 134-120</p> <p>* Perimeter sidewalks must be built or money escrowed if not built at this time.</p>	<p>Required</p> <p>Required</p>
BUFFERS	
<p>* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along N.25th Lane and E/W collector Street.</p> <p>Revisions Needed:</p> <ul style="list-style-type: none"> <li>-Revise note as shown above prior to recording</li> </ul> <p>***Others as may be required as part of PUD Conditional Use Permit.</p> <p>****Landscaping Ordinance: Section 110-46</p> <p>* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.</p> <p>**Landscaping Ordinance: Section 110-46</p> <p>*Perimeter buffers must be built at time of Subdivision Improvements.</p>	Required
	Applied
	Required
NOTES	
<p>* No curb cut, access, or lot frontage permitted along .</p> <p>** Must comply with site plan requirements/conditions for the PUD Conditional Use Permit.</p> <p>***Must comply with City Access Management Policy</p> <p>* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.</p> <p>Revisions Needed</p> <ul style="list-style-type: none"> <li>-Remove plat note 14 as it not required to be shown on plat, prior to recording.</li> </ul> <p>*** Must comply with site plan requirements/conditions for the PUD Conditional Use Permit.</p> <p>* Common Areas, any private drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen.</p> <p>* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.</p> <p>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</p> <p>**Section 134-168 applies if private subdivision is proposed.</p> <p>**Landscaping Ordinance: Section 110-72</p> <p>**Subdivision Ordinance: Section 134-168</p> <p>* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.</p> <p>**Section 134-168 applies if private subdivision is proposed.</p> <p>**Landscaping Ordinance: Section 110-72</p> <p>**Subdivision Ordinance: Section 134-168</p>	Required
	Required
	Applied
	Applied
	NA
	NA



<b>LOT REQUIREMENTS</b>	
* Lots fronting public streets. **Subdivision Ordinance: Section 134-1	Compliance
* Minimum lot width and lot area. **Zoning Ordinance: Section 138-356	Compliance
<b>ZONING/CUP</b>	
* Existing:R-1 (Single-Family Residential) District Proposed:R-1 (Single-Family Residential) District ***Zoning Ordinance: Article V *At the Planning and Zoning Commission meeting of November 2, 2021, no one appeared in opposition to the conditional use permit (Planned Unit Development) request. The Board voted to recommend approval of the request. There were six members present and voting. ** At the City Commission meeting of November 22,2021, the City of McAllen Board of Commissioners considered the application for a Conditional Use Permit for a Planned Unit Development(Storage Units) and was approved for life of the use.	Complete
* Rezoning Needed Before Final Approval *At the Planning and Zoning Commission meeting of November 2, 2021, no one appeared in opposition to the conditional use permit (Planned Unit Development) request. The Board voted to recommend approval of the request. There were six members present and voting. ** At the City Commission meeting of November 22,2021, the City of McAllen Board of Commissioners considered the application for a Conditional Use Permit for a Planned Unit Development(Storage Units) and was approved for life of the use. ***Zoning Ordinance: Article V	Completed
<b>PARKS</b>	
* Land dedication in lieu of fee. As per Parks Department, commercial developments do not apply to Parks.	NA
* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, commercial developments do not apply to Parks.	NA
* Pending review by City Manager's Office. As per Parks Department, commercial developments do not apply to Parks.	NA
<b>TRAFFIC</b>	
* As per Traffic Department, Trip Generation approved no TIA required.	Completed
* Traffic Impact Analysis (TIA) required prior to final plat. *** As per Traffic Department, Trip Generation approved no TIA required.	NA

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



COMMENTS	
<p>Comments:</p> <p>*Must comply with requirements/conditions of the Conditional Use Permit for the Planned Unit Development (PUD). The site plan for the PUD will be recorded at such time as the plat is recorded. Cross reference notes will need to be finalized prior to recording.</p> <p>** Any changes to approved site plan for Planned Unit Development may require for Conditional use permit to be amended and presented before the Planning and Zoning Commission.</p> <p>***Must comply with City's Access Management Policy.</p> <p>***Subdivision received McAllen Public Utility Board approval at the special meeting of September 1,2022.</p> <p>****A paved temporary turnaround in compliance with City requirements will be required on the east end of E/W collector, temporary turnaround must be shown on plat and must be included with plat note reference, finalize prior to recording. Please note if dedicated through separate instrument document must be recorded prior to recording and document number shown on plat prior to recording.</p> <p>*****Finalize temporary turnaround requirements, prior to recording.</p> <p>*****Street name for E/W collector under review and will be finalized prior to recording.</p> <p>*****Subdivision was approved in Final form at the Planning and Zoning Commission meeting of September 7th,2022.</p> <p>*****As per plat submitted on November 17th,2022, acreage has decreased to 10 acres with a drainage easement dedicated by separate instrument.</p> <p>*****Drainage Easement by separate instruments must be recorded prior to plat recording, and instrument number must be included on plat prior to recording. Notes regarding drainage easement as may required as applicable, prior to recording.</p> <p>*****Clarify future E/W collector in Drainage easement area as future ROW will overlap with drainage Easement, how is the ROW proposed to be dedicated, finalize prior to recording.</p>	Applied
RECOMMENDATION	
<p>Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED FINAL FORM SUBJECT TO CONDITIONS NOTED.</p>	Applied









# City of McAllen

## Planning Department

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

### SUBDIVISION PLAT REVIEW APPLICATION

Subarea- 001

Project Information	Subdivision Name <u>Replat of Lot 2 Bann Subdivision</u>	
	Location <u>Quince Ave &amp; 24 1/2 Street</u>	
	City Address or Block Number <u>2401 QUINCE AVE</u>	
	Number of Lots <u>4</u> Gross Acres <u>2.156</u> Net Acres <u>2.152</u> ETJ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
	Existing Zoning <u>R-3A</u> Proposed Zoning _____ Rezoning Applied for <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date _____	
	Existing Land Use <u>Vacant</u> Proposed Land Use <u>Multifamily</u> Irrigation District # _____	
	Replat <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Commercial _____ Residential <input checked="" type="checkbox"/> _____	
	Agricultural Exemption <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Estimated Rollback Tax Due <u>-0-</u> <u>100</u>	
	Parcel # <u>121453</u> Tax Dept. Review _____	
	Water CCN <input checked="" type="checkbox"/> MPU <input type="checkbox"/> Sharyland Water SC Other _____	
Legal Description <u>Lot 2, Bann Subdivision</u>		
Owner	Name <u>Gabriel Kamel Nachito Enterprises, LLC</u> Phone <u>956-342-1391</u>	
	Address <u>5608 N 6th St</u> E-mail <u>gabriel@kamelinvestments.com</u>	
	City <u>McAllen</u> State <u>TX</u> Zip <u>78504</u>	
Developer	Name <u>Gabriel Kamel</u> Phone <u>956-342-1391</u>	
	Address <u>5608 N 6th St</u> E-mail <u>gabriel@kamelinvestments.com</u>	
	City <u>McAllen</u> State <u>Texas</u> Zip <u>78504</u>	
	Contact Person <u>Gabriel Kamel</u>	
Engineer	Name <u>South Texas Infrastructure Group</u> Phone <u>956-424-3335</u>	
	Address <u>900 S. Stewart Rd Ste 13</u> E-mail <u>victor@southtexasig.com</u>	
	City <u>Mission</u> State <u>Texas</u> Zip <u>78572</u>	
	Contact Person <u>Victor Trevino</u>	
Surveyor	Name <u>ROW Surveying</u> Phone <u>956-424-3335</u>	
	Address <u>900 S. Stewart Rd Ste 13</u> E-mail <u>jgalvan@rowsurveying.com</u>	
	City <u>Mission</u> State <u>Texas</u> Zip <u>78572</u>	

ENTERED

MAY 27 2022

B155700000000200

Initial: AK



## Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

### In Person Submittal Requirements

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

### Email Submittal Requirements

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

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

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

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

### **PLAT TO SHOW:**

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

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

Owners Signature

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

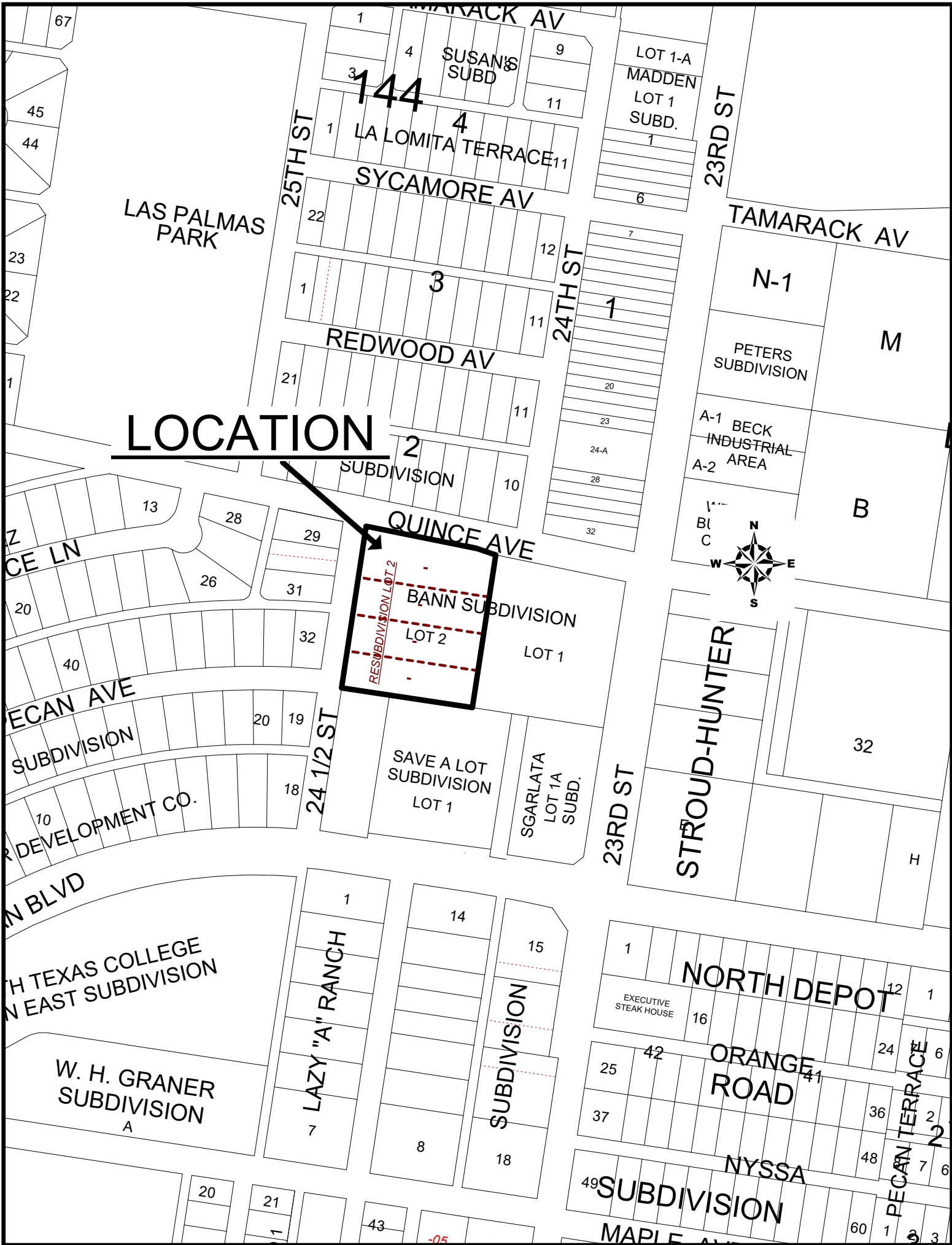
Signature  Date 5-27-22

Print Name Gabriel Kamel (Manager)

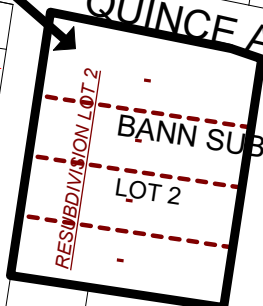
Owner  Authorized Agent ☒

The Planning Department is now accepting DocuSign signatures on application

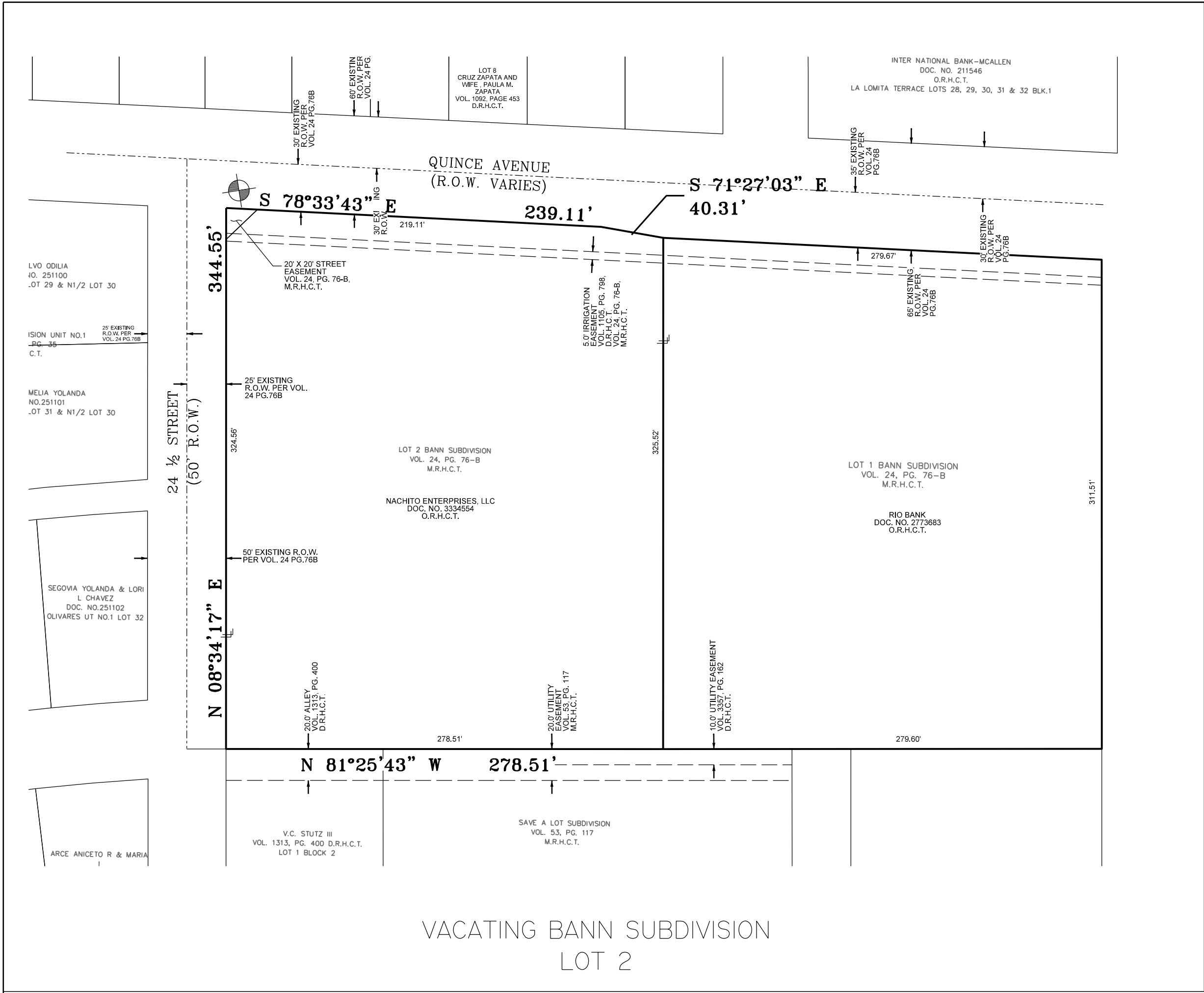




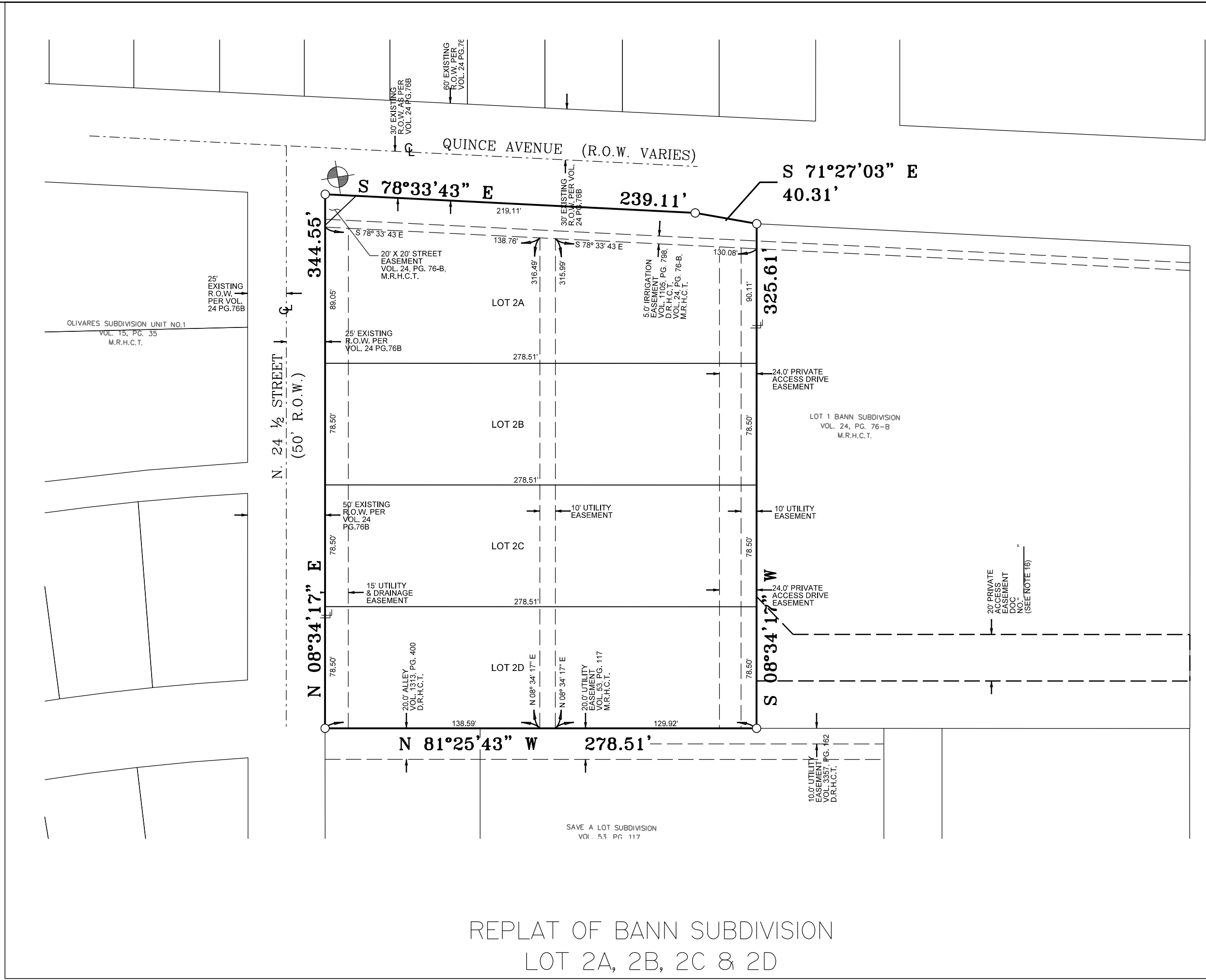
**LOCATION**



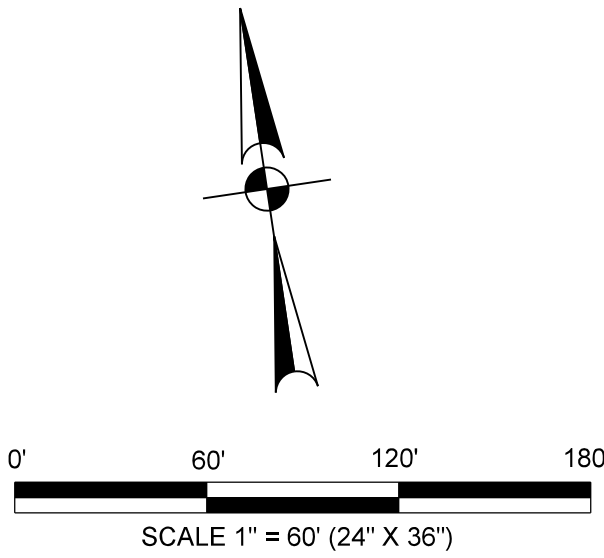




VACATING BANN SUBDIVISION  
LOT 2



REPLAT OF BANN SUBDIVISION  
LOT 2A, 2B, 2C & 2D



- LEGEND:**
- SET # 5/8" IRON ROD WITH PLASTIC CAP STAMPED "PROVSS PROP. COR"
  - FOUND IRON ROD WITH PLASTIC CAP STAMPED "PROVSS PROP. COR"; UNLESS OTHERWISE NOTED
  - OFFICIAL RECORDS HIDALGO COUNTY TEXAS
  - MAP RECORDS HIDALGO COUNTY TEXAS
  - DEED RECORDS HIDALGO COUNTY TEXAS
  - RIGHT-OF-WAY HIDALGO COUNTY DRAINAGE DISTRICT
  - O.R.H.C.T.
  - M.R.H.C.T.
  - D.R.H.C.T.
  - R.O.W.
  - H.C.D.D.

STATE OF TEXAS  
COUNTY OF HIDALGO

I (WE), THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS THE VIDA SUBDIVISION OF 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.

GABRIEL KAMEL  
5808 N. 5TH ST.  
McALLEN TX 78504

DATE

STATE OF TEXAS  
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED GABRIEL KAMEL, KNOWN TO ME TO BE THE PERSONS WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN STATED.

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

NOTARY PUBLIC

STATE OF TEXAS  
COUNTY OF HIDALGO

KNOW ALL MEN BY THESE PRESENTS:

I, VICTOR H. TREVINO, A REGISTERED PROFESSIONAL ENGINEER LICENSED TO PRACTICE IN THE STATE OF TEXAS, LICENSE NUMBER 128195, DO HEREBY CERTIFY THAT THIS PLAT HAS BEEN GIVEN PROPER AND ADEQUATE ENGINEERING CONSIDERATION.

VICTOR H. TREVINO, P.E.  
LICENSED PROFESSIONAL ENGINEER,  
TEXAS LIC. NO. 128195

STATE OF TEXAS  
COUNTY OF HIDALGO

KNOW ALL MEN BY THESE PRESENTS:

I, JUAN E. GALVAN, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE AND PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND ON \_\_\_\_\_ UNDER MY DIRECTION.

JUAN E. GALVAN, R.P.L.S.  
REG. PROFESSIONAL LAND SURVEYOR # 4011

APPROVED BY DRAINAGE DISTRICT:

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

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

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

DATE

THIS PLAT IS HEREBY APPROVED BY THE UNITED IRRIGATION DISTRICT ON THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

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

ATTIEST: \_\_\_\_\_  
PRESIDENT

SECRETARY

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

CHAIRMAN PLANNING AND ZONING COMMISSION

DATE:

GENERAL NOTES:

- FLOOD ZONE STATEMENT:  
ZONE "B"  
AREAS BETWEEN LIMITS 100-YEAR FLOOD AND 500-YEAR FLOOD:  
COMMUNITY PANEL NO. 4803.43 0005 C, REVISED NOVEMBER 2, 1982
- SETBACK LINES TO BE AS PER CITY OF McALLEN ZONING ORDINANCE (I):  
FRONT: 20 FEET EXCEPT 15 FEET FOR UNENCLOSED CARPORT ONLY, OR GREATER FOR EASEMENTS OR APPROVED SITE PLAN, OR IN LINE WITH AVERAGE SETBACK, WHICHEVER IS GREATER APPLIES.  
REAR: 10 FEET OR EASEMENT, WHICHEVER IS GREATER OR APPROVED SITE PLAN, WHICHEVER IS GREATER APPLIES.  
INTERIOR SIDES: 6 FEET OR EASEMENT, WHICHEVER IS GREATER OR APPROVED SITE PLAN, WHICHEVER IS GREATER APPLIES.  
CORNER: 10 FEET OR EASEMENT, WHICHEVER IS GREATER OR APPROVED SITE PLAN, WHICHEVER IS GREATER APPLIES.  
GARAGE: 18 FEET EXCEPT WHERE GREATER SETBACK IS REQUIRED, GREATER SETBACK APPLIES.
- MINIMUM FINISH FLOOR NOTE:  
MINIMUM FINISH FLOOR ELEVATION SHALL BE 18" ABOVE TOP OF CURB AT CENTER OF LOT.
- CITY OF McALLEN BENCHMARK: "MC 54" FROM THE CITY OF McALLEN G.P.S. REFERENCE MARKS LIST PREPARED BY GLICK, LINN OFFICE, PEDRO ON OCTOBER 21, 1999, BEING LOCATED AT THE GARZA PARK ON MILE 4 ROAD, 30" ALUMINUM PIPE WITH A 3-1/4" BRASS MONUMENT CAP ON TOP AT ELEVATION = 117.01 FEET (NAVD88).
- ALL IRRIGATION EASEMENTS ARE EXCLUSIVE TO UNITED IRRIGATION DISTRICT, AND THE DISTRICT ALLOWS NO OTHER UTILITIES OR OUTSIDE USE WITHOUT ITS EXPRESS WRITTEN APPROVAL.
- NO UTILITY COMPANY, PUBLIC ENTITY, PARTY OR PERSON IS ALLOWED CROSS ABOVE OR BELOW GROUND ANY IRRIGATION DISTRICT EASEMENT OR RIGHT OF WAY WITH LINES, POLES, OPEN DITCHES OR OTHER USE WITHOUT FIRST OBTAINING A CROSSING PERMIT FROM UNITED IRRIGATION DISTRICT.
- NO PERMANENT STRUCTURE, UTILITY POLE, HOLE, WALL, FENCE, DRIVEWAY, OR ROAD WILL BE ALLOWED TO BE CONSTRUCTED OR EXIST ON ANY DISTRICT EASEMENT OR RIGHT OF WAY WITHOUT WRITTEN APPROVAL BY IRRIGATION DISTRICT. ANY UNAUTHORIZED STRUCTURE WITHIN THE EASEMENT BOUNDARY IS SUBJECT TO IMMEDIATE REMOVAL AT VIOLATOR'S EXPENSE.
- NO UTILITY COMPANY, PUBLIC ENTITY, PARTY OR PERSON IS ALLOWED TO CONNECT TO ANY DISTRICT FACILITY WITHOUT FIRST OBTAINING A PERMIT FROM IRRIGATION DISTRICT, ANY CONNECTION NOT AUTHORIZED BY THE DISTRICT IS SUBJECT TO IMMEDIATE REMOVAL AT VIOLATOR'S EXPENSE.
- IN ACCORDANCE WITH THE HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 AND HIDALGO COUNTY REQUIREMENTS, THIS DEVELOPMENT WILL BE REQUIRED TO DETAIN A TOTAL OF 13,232 CFT OR 0.30 ACRE-FT OF STORM WATER RUNOFF. DRAINAGE DETENTION IN ACCORDANCE WITH THE LOCAL REQUIREMENTS WILL BE ACCOMPLISHED AS FOLLOWS: (SEE SHEET NO. 3).
- 6 FT. OPAQUE BUFFER REQUIRED FROM ADJECENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL AND INDUSTRIAL ZONES/USES.
- 4 FT. WIDE MINIMUM SIDEWALK REQUIRED ALONG QUINCE AVENUE AND N. 24TH 1/2 STREET.

GENERAL NOTES: (CONT.)

- 6 FT. MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL INDUSTRIAL OR MULTI-FAMILY RESIDENTIAL ZONES/USES.
- LOT 2A WILL BE RESPONSIBLE FOR MAINTAINING DETENTION POND.
- NO CURB CUT, ACCESS, OR LOT FRONTAGE PERMITTED.
- 20' ALLEY TO BE PAVED UNDER BUILDING PERMIT STAGE.
- SITE PLAN MUST BE APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENTS PRIOR TO BUILDING PERMIT ISSUANCE.
- COMMON AREAS, ANY PRIVATE STREETS/DRIVES, GATE AREAS, ETC. MUST BE MAINTAINED BY THE LOT OWNERS AND NOT THE CITY OF McALLEN.
- THE FIRST LOT THAT REQUEST A BUILDING PERMIT, WILL BE REQUIRED TO MAKE THE NECESSARY IMPROVEMENTS TO CONVEY WATER FROM LOT 2D TO THE DETENTION POND LOCATED ON LOT 2A.
- DRAINAGE EASEMENTS WILL BE MAINTAINED BY PROPERTY OWNERS.

PRINCIPAL CONTACTS:					
	NAME	ADRESS	CITY & ZIP	PHONE	FAX
OWNER:	GABRIEL KAMEL	5808 N. 5TH ST.	McALLEN, TEXAS 78504	(956) 342-1391	
ENGINEER:	VICTOR H. TREVINO, P.E.	900 S. STEWART RD., STE. 13	MISSION, TEXAS 78572	(956) 424-3335	(956) 424-3132
SURVEYOR:	JUAN E. GALVAN, R.P.L.S.	900 S. STEWART RD., STE. 13	MISSION, TEXAS 78572	(956) 424-3335	(956) 424-3132

SOUTH TEXAS INFRASTRUCTURE GROUP  
800 S. STEWART, SUITE 13  
MISSION, TEXAS 78572  
PH: (856) 424-3335  
FAX: (856) 424-3132  
TBPE REG. # 1500



PAGE

1





# City of McAllen

## SUBDIVISION PLAT REVIEW

Reviewed On: 12/2/2022

### SUBDIVISION NAME: VACATING AND REPLAT OF BANN SUBDIVISION LOT 2 AND BANN, LOTS 2A, 2B, 2C AND 2D

#### REQUIREMENTS

#### STREETS AND RIGHT-OF-WAYS

Quince Avenue: Dedication as needed for 30 ft.-32.5 ft. from centerline for 60 ft.- 65 ft. total ROW as dedication varies.

Paving : Approximately existing 35 ft.- 45 ft.\_ Curb & gutter \_Both Sides\_\_\_\_

Revisions Needed:

-Show ROW dedication along Quince Avenue, as it varies

-Label ROW dedications, from centerline, existing, total, etc.

-Provide any documents as referenced, as applicable regarding how existing ROW was dedicated, prior to recording.

-Finalize ROW requirements prior to recording.

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

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

\*\*\*\*\*COM Thoroughfare Plan

N. 24th1/2 Street: Proposing to maintain existing 50 ft. total ROW.

Paving \_Approximately existing 30 ft.\_ Curb & gutter \_Both Sides\_\_\_\_

Revisions Needed:

-Provide any documents as referenced, as applicable regarding how existing ROW was dedicated, prior to recording.

-Revise street name as shown; N.24th 1/2 Street on both plat.

-Label ROW dedications, from centerline, existing, total, etc.

-Finalize ROW requirements prior to recording.

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

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

\*\*\*\*\*COM Thoroughfare Plan

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

\*\*Subdivision Ordinance: Section 134-105

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

\*\*COM Thoroughfare Plan

\* 1,200 ft. Block Length

\*\*Subdivision Ordinance: Section 134-118

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

\*\*Subdivision Ordinance: Section 134-118

\* 600 ft. Maximum Cul-de-Sac

\*\*Subdivision Ordinance: Section 134-105

Required

Required

Applied

NA

Compliance

NA

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



ALLEYS	
<p>ROW: 20 ft. Paving: 16 ft.            *Alley/service drive easement required for commercial and multi-family properties.            **As per plat submitted on November 18th,2022, T-Head for turn around requirements no longer present, however E/W 20 ft. Private Access Easement extending to North 23rd Street and connecting to N/S 24 ft. Private Access Drive Easement on plat being dedicated through separate instrument. Document must be recorded prior to plat recording, and document number must be included on plat prior to recording            Revisions Needed:            -24 ft. Private Access Drive Easement and 20 ft. Private Access Easement must be paved as part of the public improvements of the subdivision process, clarify note 16 , finalize prior to recording.            -Finalize Private Access/ Service Drive Easement requirements and wording prior to recording.            *** Private Access Service Drive Easement must be 24 ft. and in compliance with Fire and Public Works Department requirements.            *****Additional plat notes may required as applicable regarding Private Access Easement            *****Subdivision Ordinance: Section 134-106</p>	Required
SETBACKS	
<p>* Front:20 ft. except 15 ft. for unenclosed carport only, or greater for easements or approved site plan, or in line with average setback, whichever is greater applies.            **Engineer submitted a variance to allow a 15ft. front setback for unenclosed carports only. The variance request allowing for a 15 ft. front setback for unenclosed carports only was approved by the Planning and Zoning Commission at their meeting of July 26,2022.            *****Zoning Ordinance: Section 138-356</p>	Applied
<p>* Rear: In accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies.            **Revise plat note as shown above, finalize prior to recording.            ***Proposing:10 ft. or easement, whichever is greater or approved site plan, whichever is greater applies.            ****Zoning Ordinance: Section 138-356</p>	Required
<p>* Sides: In accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies.            Revisions Needed:            -Revise plat note as shown above, finalize prior to recording            **Proposing: 6 ft. or easement, whichever is greater or approved site plan, whichever is greater applies.            ****Zoning Ordinance: Section 138-356</p>	Required
<p>* Corner: 10 ft. or greater for easements or approved site plan, whichever is greater applies.            Revisions Needed:            -Revise plat note as shown above, finalize prior to recording.            ***Proposing 10 ft. or easement whichever is greater or approved site plan, whichever is greater applies.            ****Zoning Ordinance: Section 138-356</p>	Required
<p>* Garage: 18 ft. except where a greater setback is required, greater setback applies            ****Zoning Ordinance: Section 138-356</p>	Applied
<p>*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN</p>	Applied

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



<b>SIDEWALKS</b>	
* 4 ft. wide minimum sidewalk required along Quince Avenue and N.24th 1/2 Street. **Sidewalk requirements may increase to 5 ft. prior to final per Engineering Department requirements. ***Subdivision Ordinance: Section 134-120	Applied
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Required
<b>BUFFERS</b>	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. ***Landscaping Ordinance: Section 110-46	Applied
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. **Landscaping Ordinance: Section 110-46	Applied
*Perimeter buffers must be built at time of Subdivision Improvements.	Required
<b>NOTES</b>	
* No curb cut, access, or lot frontage permitted along. **Must comply with City Access Management Policy	Required
* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.	Required
* Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen.	Applied
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	NA
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. **Section 110-72 applies if private subdivision is proposed. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168	Required
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. **Section 110-72 applies if private subdivision is proposed. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168	Required
<b>LOT REQUIREMENTS</b>	
* Lots fronting public streets **Subdivision Ordinance: Section 134-1	Compliance
* Minimum lot width and lot area. **Zoning Ordinance: Section 138-356	Compliance
<b>ZONING/CUP</b>	
* Existing :R-3A (Apartment Residential) District Proposed: R-3A (Apartment Residential) District ***Zoning Ordinance: Article V	Compliance

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



<ul style="list-style-type: none"> <li>* Rezoning Needed Before Final Approval</li> <li>**At the City Commission meeting of April 25th,2022, the rezoning request was approved to R-3A District.</li> <li>***Zoning Ordinance: Article V</li> </ul>	Completed
<b>PARKS</b>	
<ul style="list-style-type: none"> <li>* Land dedication in lieu of fee.</li> </ul>	NA
<ul style="list-style-type: none"> <li>* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, Park fees apply at a rate of \$700 per dwelling unit. In this case Park fees amount to \$22,400 (\$700 X 32 dwelling units) and payable prior to plat recording. Park fees will be adjusted accordingly if proposed number of lots/dwelling unit changes.</li> </ul>	Applied
<ul style="list-style-type: none"> <li>* Pending review by the City Manager's Office.</li> </ul>	NA
<b>TRAFFIC</b>	
<ul style="list-style-type: none"> <li>* As per Traffic Department, Trip Generation waived for 4 multi-family lots.</li> </ul>	Applied
<ul style="list-style-type: none"> <li>* Traffic Impact Analysis (TIA) required prior to final plat.</li> <li>**As per Traffic Department, Trip Generation waived for 4 multi-family lots.</li> </ul>	NA
<b>COMMENTS</b>	
<p>Comments:</p> <ul style="list-style-type: none"> <li>*Must comply with City's Access Management Policy.</li> <li>**Revise name as follows: Vacating and Replat of Bann Subdivision Lot 2 and Bann, Lots 2A,2B,2C and 2D Subdivision. Please update all necessary documents prior to recording.</li> <li>***Need to submit a vacate and replat as plat restrictions are being changed. Vacate and replat plat submitted July 07,2022.</li> <li>****Please verify surrounding legal descriptions to ensure description matches recorded documents.</li> <li>*****The subdivision was approved in Final form at the Planning and Zoning Commission meeting of August 2,2022.</li> <li>*****As per plat submitted on November 18th,2022, T-Head for turn around requirements no longer present, however E/W 20 ft. Private Access Easement extending to North 23rd Street and connecting to N/S 24 ft. Private Access Drive Easement on plat being dedicated through separate instrument. Document must be recorded prior to plat recording, and document number must be included on plat prior to recording</li> <li>*****Notes 16 and 19 subject to change as public improvements are required during subdivision process, finalize prior to recording.</li> </ul>	Required
<b>RECOMMENDATION</b>	
<p>Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED FINAL FORM SUBJECT TO CONDITIONS NOTED.</p>	Applied

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





LOCATION





# City of McAllen

## Planning Department

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

SUB2022-0023

<b>Project Information</b>	Subdivision Name <u>Mendoza Acres Subdivision</u> Location <u>North Trosper Road North of Mile 7 Rd.</u> City Address or Block Number <u>11128 N. TROSPER RD</u> Number of Lots <u>1</u> Gross Acres <u>5.061</u> Net Acres <u>4.903</u> ETJ <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Existing Zoning <u>N/A</u> Proposed Zoning <u>N/A</u> Rezoning Applied for <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____ Existing Land Use <u>Vacant</u> Proposed Land Use <u>Residential</u> Irrigation District # <u>United</u> Replat <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Commercial _____ Residential <u>X</u> Agricultural Exemption <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Estimated Rollback Tax Due <u>Not in City Limits</u> Parcel # <u>860176</u> Tax Dept. Review <u>g</u> Water CCN <input type="checkbox"/> MPU <input checked="" type="checkbox"/> Sharyland Water SC Other _____ Legal Description <u>5.067 ACRES OUT OF LOT 49-5, WEST ADDITION TO SHARYLAND SUBDIVISION, RECORDED IN VOLUME 1, PAGE 56, MAP RECORDS HIDALGO COUNTY, TEXAS</u>
<b>Owner</b>	Name <u>Luige &amp; Belen Mendoza</u> Phone <u>(956) 662-9387</u> Address <u>2017 Roman Street</u> E-mail <u>lmendoza85@aol.com</u> City <u>Mission</u> State <u>Texas</u> Zip <u>78573</u>
<b>Developer</b>	Name <u>Luige &amp; Belen Mendoza</u> Phone <u>(956) 662-9387</u> Address <u>2017 Roman Street</u> E-mail <u>lmendoza85@aol.com</u> City <u>Mission</u> State <u>Texas</u> Zip <u>78573</u> Contact Person <u>Luige Mendoza</u>
<b>Engineer</b>	Name <u>Israel Gaona, P.E., CFM</u> Phone <u>(956) 472-0917</u> Address <u>1121 E. Mile 14 1/2 N.</u> E-mail <u>israel@sotexengineering.com</u> City <u>Weslaco</u> State <u>Texas</u> Zip <u>78599</u> Contact Person <u>Israel Gaona</u>
<b>Surveyor</b>	Name <u>Manuel Carrizales</u> Phone <u>512-470-1489</u> Address <u>4807 Gondola Ave.</u> E-mail <u>fnfcad@gmail.com</u> City <u>Edinburg</u> State <u>Texas</u> Zip <u>78542</u>

ENTERED

FEB 21 2022

Initial: OW



50-4

TROSPER ACRES  
50-5

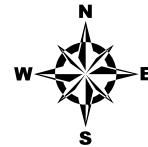
50-6

LOCATION

49-4

49-5

PROPOSED MENDOZA ACRES  
SUBDIVISION



49-6

CONWAY AVE (10,000)

ABE SUB'D.

PROPOSED LOT  
SUBDIVISION

7 MILE LINE (FM 681)

48-4

48-5

TROSPER ROAD

TROSPER HEIGHTS  
NORTH

VILLA DE LAS  
N 103RD ST  
FLORES SUBD.

PROPOSED  
MCALLEN MAT CONWAY  
AND MILE 7 SUBD

LOT 1

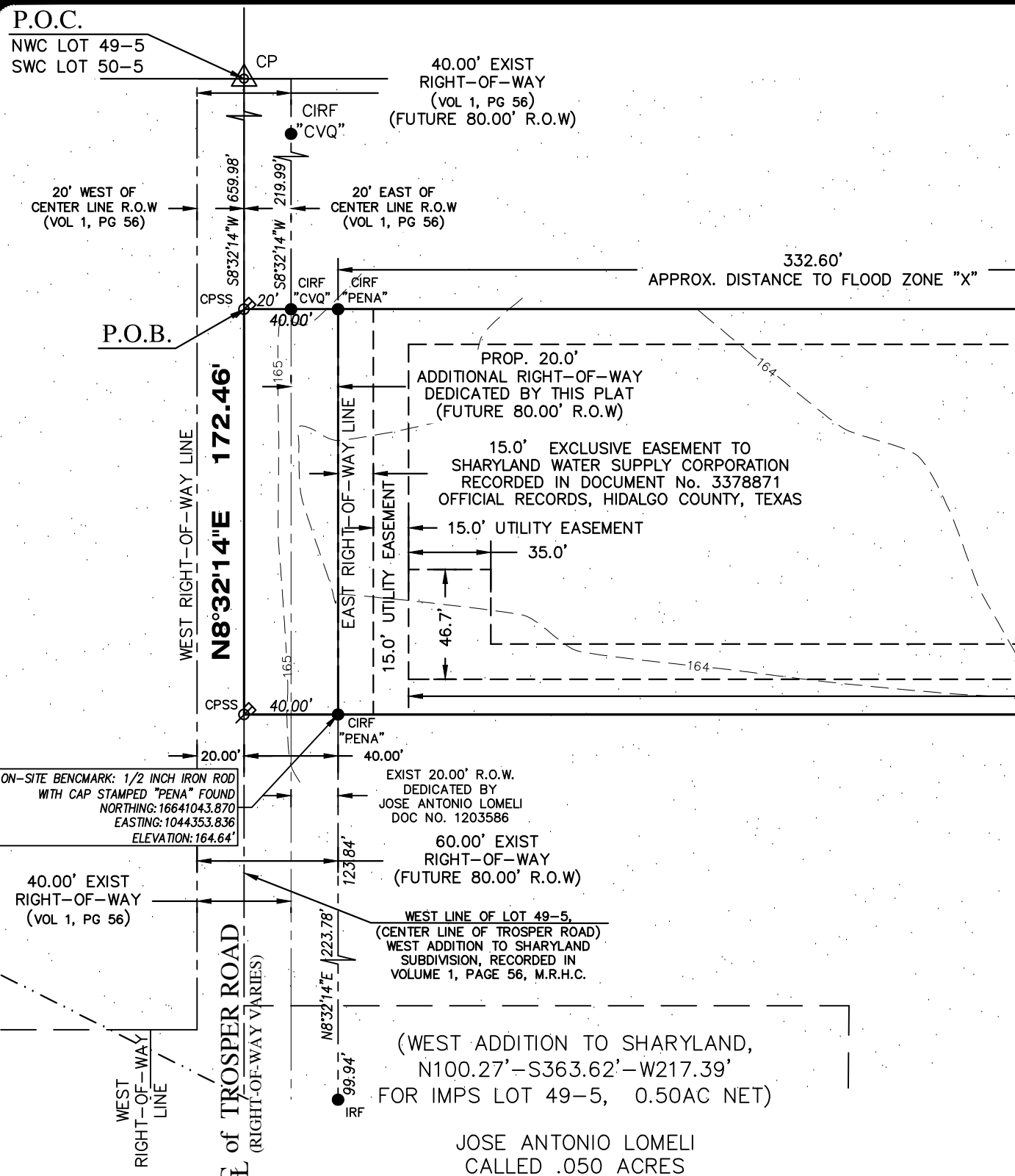
ORD.# 2020-44

47-5

47-6

JESMER SUBDIVISION





OWNER'S ACKNOWLEDGMENT

STATE OF TEXAS  
COUNTY OF HIDALGO  
OWNER'S DEDICATION, CERTIFICATION, AND ATTESTATION

I, LUIGE AND BELEN MENDOZA SUBDIVIDER(S), AS OWNER(S) OF THE 5.061 TRACT OF LAND ENCOMPASSED WITHIN THE PROPOSED MENDOZA ACRES SUBDIVISION, HEREBY SUBDIVIDE THE LAND AS DEPICTED IN THIS SUBDIVISION PLAT AND DEDICATE TO PUBLIC USE THE STREETS AND EASEMENTS SHOWN HEREON.

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

- (A) THE WATER QUALITY AND CONNECTIONS TO THE LOTS MEET, OR WILL MEET THE MINIMUM STATE STANDARDS;  
(B) SEWER CONNECTIONS TO THE LOTS OR SEPTIC TANKS MEET, OR WILL MEET THE MINIMUM REQUIREMENTS OF STATE STANDARDS;  
(C) ELECTRICAL CONNECTIONS PROVIDED TO THE LOTS MEET OR WILL MEET THE MINIMUM STATE STANDARDS;  
AND  
(D) GAS CONNECTIONS, IF AVAILABLE, PROVIDED TO THE LOTS MEET OR WILL MEET THE MINIMUM STATE STANDARDS.

I ATTEST THAT THE MATTERS ASSERTED IN THIS PLAT ARE TRUE AND COMPLETE.

LUIGE MENDOZA OWNER	DATE	BELEN MENDOZA OWNER	DATE
2017 ROMAN STREET MISSION, TEXAS 78573		2017 ROMAN STREET MISSION, TEXAS 78573	

STATE OF TEXAS  
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED LUIGE MENDOZA 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 \_\_\_\_\_, 2022.

NOTARY PUBLIC, STATE OF TEXAS  
MY COMMISSION EXPIRES:

STATE OF TEXAS  
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED BELEN MENDOZA 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 \_\_\_\_\_, 2022.

NOTARY PUBLIC, STATE OF TEXAS  
MY COMMISSION EXPIRES:

STATE OF TEXAS  
CITY OF McAllen  
MAYOR CERTIFICATION

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

MAYOR, CITY OF McAllen DATE:

ATTESTED BY:

CITY SECRETARY DATE:

STATE OF TEXAS  
CITY OF McAllen PLANNING & ZONING  
COMMISSION CERTIFICATION

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

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022

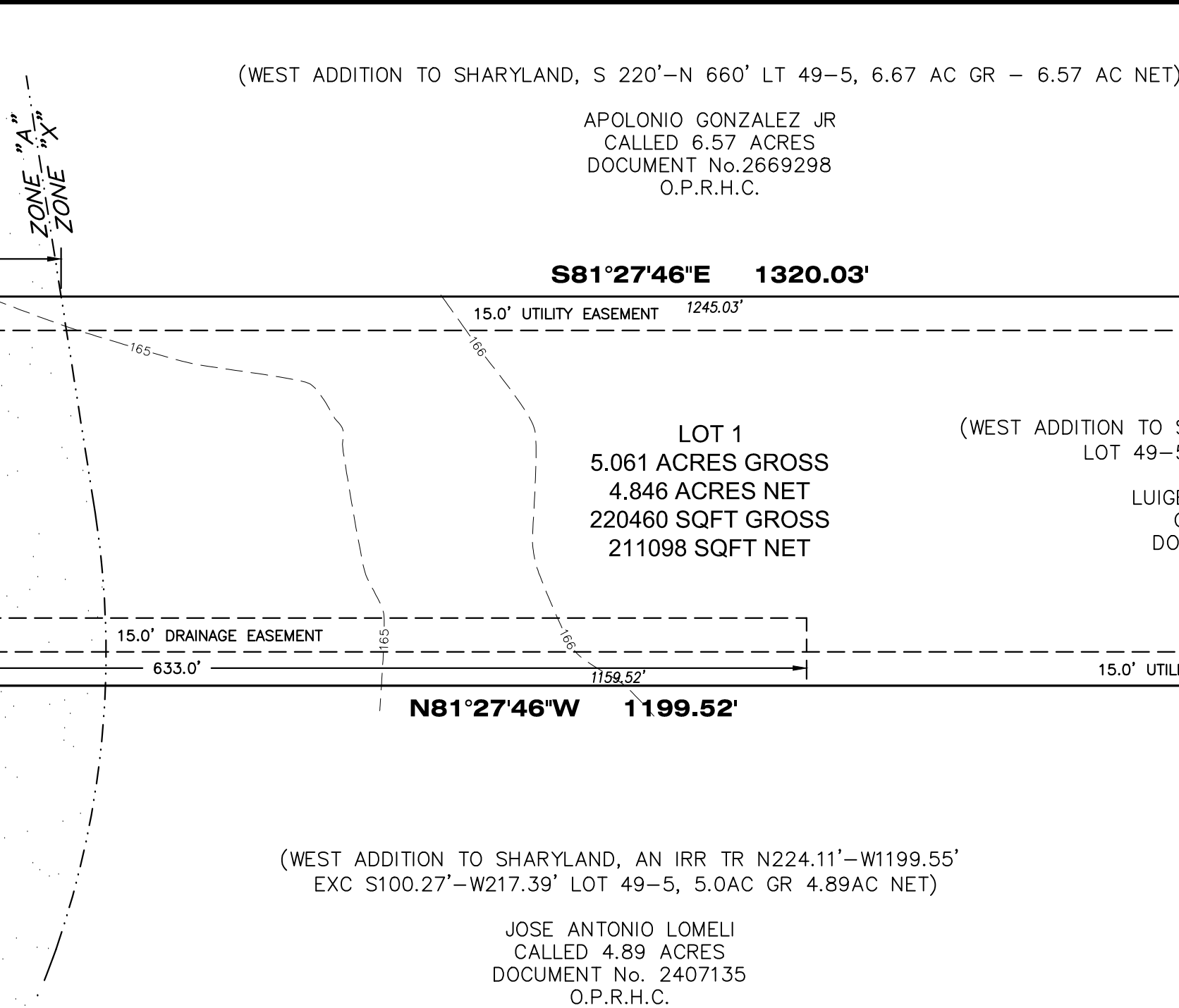
CHAIRMAN OF PLANNING AND ZONING COMMISSION

STATE OF TEXAS  
COUNTY OF HIDALGO  
CERTIFICATION OF PLAT APPROVAL

I, THE UNDERSIGNED CERTIFY THAT THIS PLAT OF MENDOZA ACRES SUBDIVISION WAS REVIEWED AND APPROVED BY THE HIDALGO COUNTY HEALTH DEPARTMENT

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022

HIDALGO COUNTY ENVIRONMENTAL HEALTH DIVISION MANAGER DATE:



STATE OF TEXAS  
COUNTY OF HIDALGO  
CERTIFICATION OF PLAT APPROVAL  
UNDER LOCAL GOVERNMENT CODE S 232.028(c)

WE THE UNDERSIGNED CERTIFY THAT THIS PLAT OF THE MENDOZA ACRES SUBDIVISION WAS REVIEWED AND APPROVED BY THE HIDALGO COUNTY COMMISSIONERS COURT ON \_\_\_\_\_

HIDALGO COUNTY JUDGE DATE:

ATTEST: HIDALGO COUNTY CLERK DATE:

SHARYLAND WATER SUPPLY CORPORATION

I, SHERILYN DAHLBERG, HEREBY CONDITIONALLY CERTIFY THAT POTABLE WATER SERVICE IS AVAILABLE FOR THE MENDOZA ACRES SUBDIVISION LOCATED IN HIDALGO COUNTY, TEXAS, SUBJECT TO THE SUBDIVISION'S POTABLE WATER SYSTEM MEETING THE APPROVAL OF THE DEVELOPER'S DESIGN ENGINEER, ALL APPLICABLE RULES AND REGULATIONS OF SHARYLAND WATER SUPPLY CORPORATION, AND LOCAL, STATE, AND FEDERAL AGENCIES.

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

SHERILYN DAHLBERG - GENERAL MANAGER DATE:  
SHARYLAND WATER SUPPLY CORPORATION

CERTIFICATE OF APPROVAL  
HIDALGO COUNTY DRAINAGE DISTRICT No. 1

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

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

CERTIFICATE OF APPROVAL  
UNITED IRRIGATION DISTRICT

THIS PLAT HAS BEEN APPROVED BY THE UNITED IRRIGATION DISTRICT ON THIS

THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

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

PRESIDENT SECRETARY

STATE OF TEXAS  
COUNTY OF HIDALGO  
CERTIFICATION OF SURVEYOR

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

DATED THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

FOR FINAL REVIEW ONLY

MANUEL CARRIZALES, R.P.L.S. No. 6388  
512-470-1489  
mfcad@gmail.com

STATE OF TEXAS  
COUNTY OF HIDALGO  
CERTIFICATION OF ENGINEER

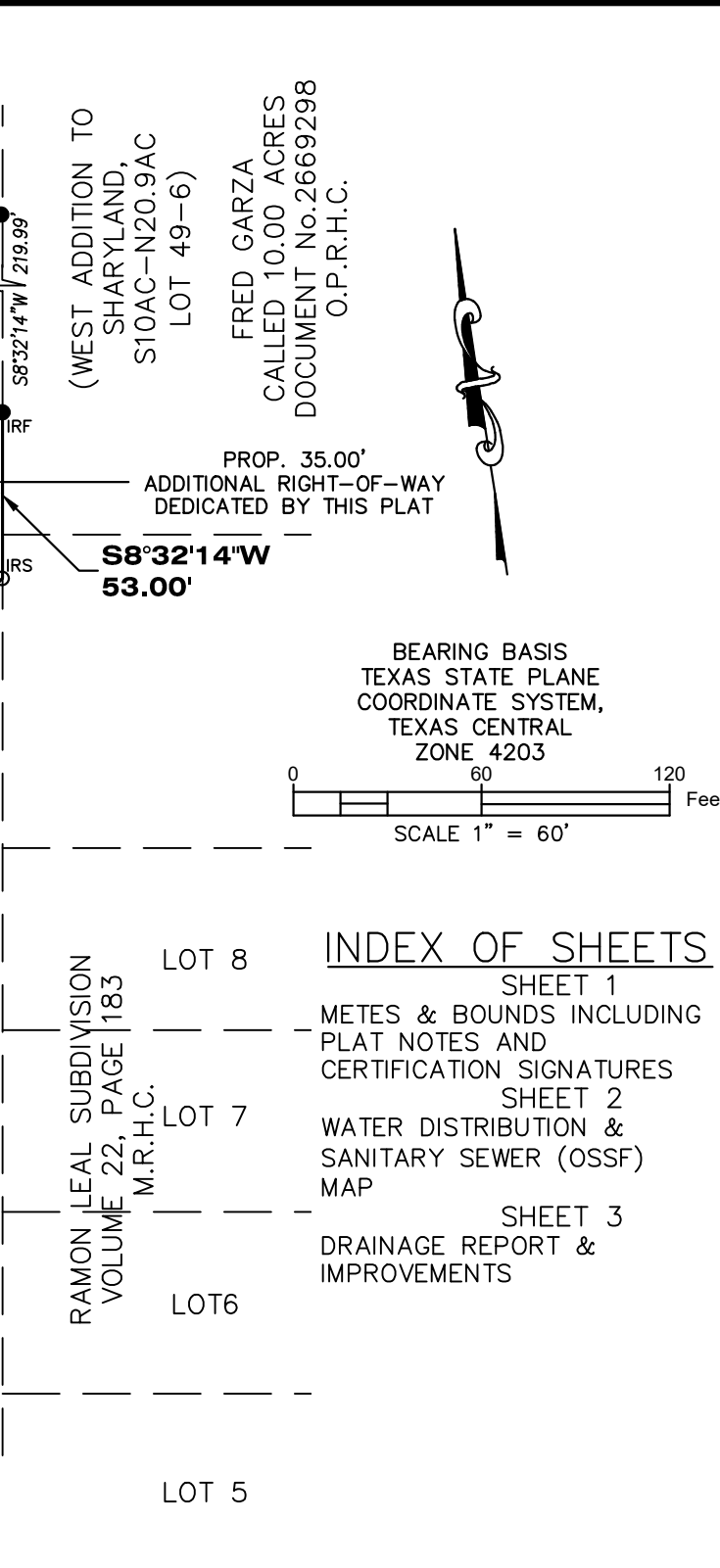
I, THE UNDERSIGNED, ISRAEL GAONA, A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN TO THIS PLAT.

DATED THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

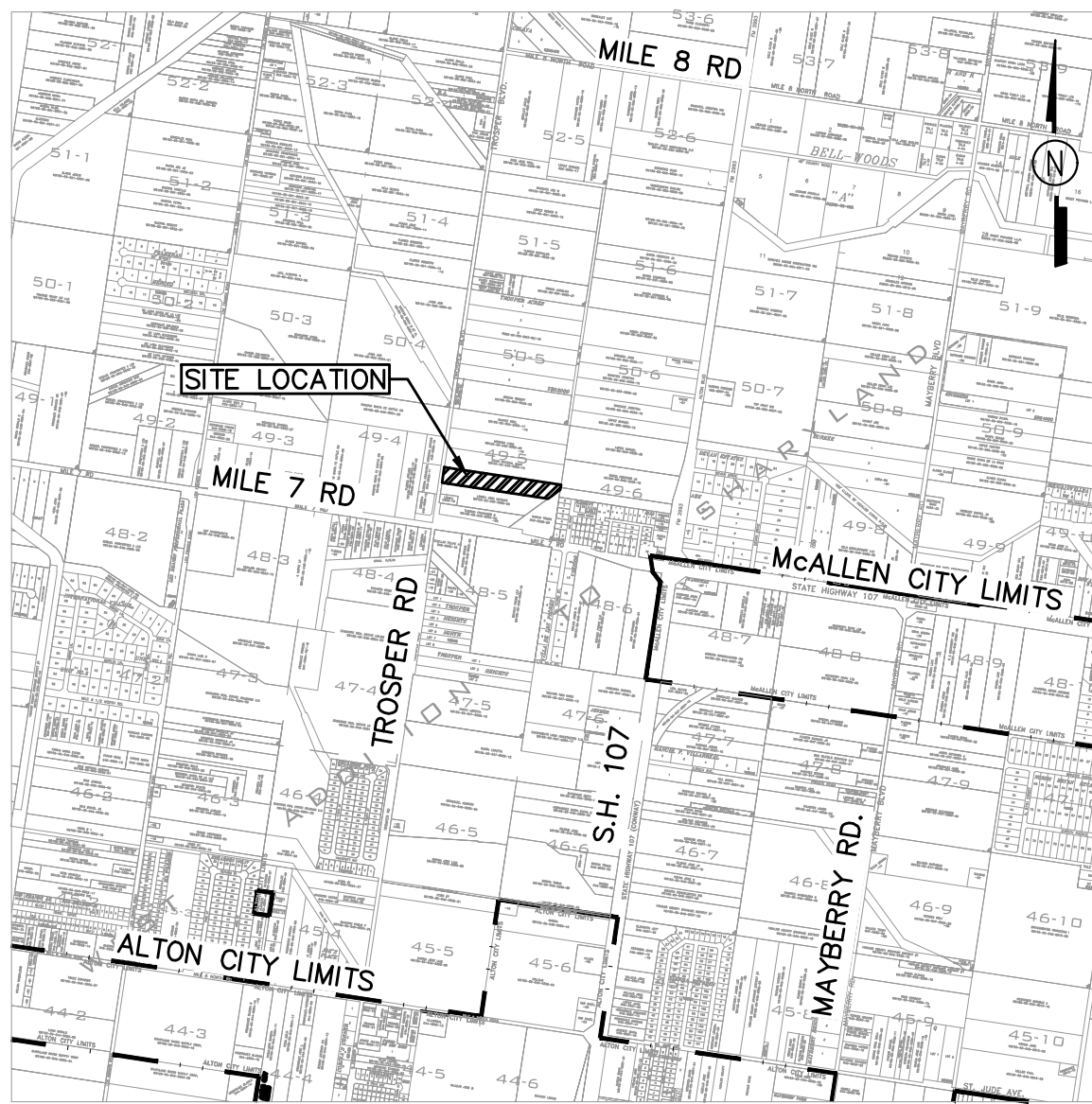
FOR FINAL REVIEW ONLY

ISRAEL GAONA, PROFESSIONAL ENGINEER No. 136995  
STATE OF TEXAS

PREPARATION DATE: JANUARY 2022  
SUBMITTAL DATE: NOVEMBER 2022



LEGEND	
●	1/2" IRON ROD FOUND "CRP" "RP"
○	1/2" IRON ROD SET "C.L.S. RPLS #6388"
●	IRON PIPE FOUND "RP"
●	COTTON PICKER SPINDLE SET "CPSS"
●	COTTON PICKER SPINDLE FOUND "CPSS"
●	CALCULATED POINT "CP"
---	RECORD BEARING & DISTANCE
---	RIGHT OF WAY LINE
---	EASEMENT LINE
---	PROPERTY LINE
---	RIGHT OF WAY
R.H.C.T.	DEED RECORDS HIDALGO COUNTY TEXAS
O.H.C.T.	OFFICIAL RECORDS HIDALGO COUNTY TEXAS
M.R.H.C.T.	MAP RECORDS HIDALGO COUNTY TEXAS
ESMT.	EASEMENT
UTIL.	UTILITY
CNR.	CORNER
P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
S.W.	SOUTHWEST
VOL.	VOLUME
PG.	PAGE
SWD.	SPECIAL WARRANTY DEED
( )	RECORD CALL

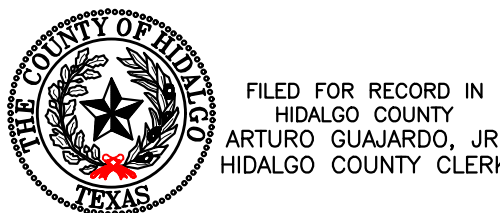


LOCATION OF SUBDIVISION  
MENDOZA ACRES SUBDIVISION IS LOCATED IN THE WESTERN PORTION OF HIDALGO COUNTY LOCATED WITHIN PCT. 3. IT IS LOCATED APPROXIMATELY 300FT NORTH OF MILL 7 ROAD ALONG TROSPER ROAD. THE NEAREST MUNICIPALITY IS THE CITY OF McALLEN (POP. 142,210 - 2020 CENSUS) AND LIES WITHIN THEIR ETJ.

**SOTEX**  
ENGINEERING, LLC  
TBPELS FIRM REGISTRATION F-21475

538 S. TEXAS BLVD. SUITE 7  
WESLACO, TEXAS 78596  
(956) 472-0917

WWW.SOTEXENGINEERING.COM



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

INSTRUMENT NUMBER \_\_\_\_\_  
OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS

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

# MENDOZA ACRES SUBDIVISION

BEING 5.061 ACRES OUT OF LOT 49-5, WEST ADDITION  
TO SHARYLAND SUBDIVISION, RECORDED IN VOLUME 1,  
PAGE 56, MAP RECORDS HIDALGO COUNTY, TEXAS

METES AND BOUNDS

BEING 5.061 ACRES OUT OF LOT 49-5, WEST ADDITION TO SHARYLAND, RECORDED IN VOLUME 1, PAGE 56, MAP RECORDS HIDALGO, TEXAS. SAME BEING DESCRIBED IN A GENERAL WARRANTY DEED CONVEYED TO LUIGE AND BELEN MENDOZA, RECORDED IN DOCUMENT NO. 3173043, OFFICIAL PUBLIC RECORDS HIDALGO COUNTY, TEXAS, SAID 5.061 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SAID LOT 49-5;

THENCE, S08°32'14"W, ALONG THE WEST LINE OF THE SAID LOT 49-5, A DISTANCE OF 659.98 FEET TO A COTTON PICKER SPINDLE SET ON THE WEST LINE OF THE SAID LOT 49-5, SAME BEING A POINT ON THE CENTERLINE OF TROSPER ROAD SAME BEING THE SOUTHWEST CORNER OF A CALLED 6.57 ACRE TRACT CONVEYED TO APOLONIO GONZALEZ JR, RECORDED IN DOCUMENT NO. 2669298, OFFICIAL PUBLIC RECORDS HIDALGO COUNTY, TEXAS, FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT AND THE POINT BEGINNING;

THENCE, S81°27'46"E, ALONG THE SOUTH LINE OF THE SAID GONZALEZ TRACT, A DISTANCE OF 1320.03 FEET TO A 1/2 INCH IRON ROD FOUND ON THE EAST LINE OF THE SAID LOT 49-5, SAME BEING THE SOUTH EAST CORNER OF THE SAID GONZALEZ TRACT, FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, S08°32'14"W, ALONG THE EAST LINE OF THE SAID LOT 49-5, A DISTANCE OF 53.00 FEET TO A 1/2 INCH IRON ROD WITH A CAP STAMPED "PENA" FOUND, A POINT ON THE NORTHWESTERLY LINE OF THE SAID GARCIA TRACT, SAME BEING THE NORTHEAST CORNER OF A CALLED 4.89 ACRE TRACT CONVEYED TO JOSE ANTONIO LOMELI, RECORDED IN DOCUMENT NO. 2407135, OFFICIAL PUBLIC RECORDS HIDALGO COUNTY, TEXAS, FOR AN EXTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, S53°47'14"W, ALONG THE NORTHWESTERLY LINE OF THE SAID GARCIA TRACT, A DISTANCE OF 169.69 FEET TO A 1/2 INCH IRON ROD WITH A CAP STAMPED "PENA" FOUND, A POINT ON THE NORTHWESTERLY LINE OF THE SAID GARCIA TRACT, CONTINUING FROM A TOTAL DISTANCE OF 1199.52 FEET TO A COTTON PICKER SPINDLE SET ON THE WEST LINE OF THE SAID LOT 49-5, SAME BEING A POINT ON THE CENTERLINE OF TROSPER ROAD, FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, N81°27'46"W, ALONG THE NORTH LINE OF THE SAID LOMELI TRACT, PASSING AT A DISTANCE OF 1159.52 FEET A 1/2 INCH IRON ROD WITH A CAP STAMPED "PENA" FOUND, A POINT ON THE EAST LINE OF TROSPER ROAD, CONTINUING FROM A TOTAL DISTANCE OF 1199.52 FEET TO A COTTON PICKER SPINDLE SET ON THE WEST LINE OF THE SAID LOT 49-5, SAME BEING A POINT ON THE CENTERLINE OF TROSPER ROAD, FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, N08°32'14"E, ALONG THE WEST LINE OF THE SAID LOT 49-5, SAME BEING THE CENTERLINE OF TROSPER ROAD, A DISTANCE OF 172.46 FEET TO THE POINT OF BEGINNING AND CONTAINING 5.061 ACRES MORE OR LESS.

PRINCIPAL CONTACTS:

NAME	ADDRESS	CITY & ZIP	PHONE
OWNER: LUIGE MENDOZA	2017 ROMAN STREET	MISSION, TEXAS 78573	(956) 662-9387
OWNER: BELEN MENDOZA	2017 ROMAN STREET	MISSION, TEXAS 78573	(956) 662-9387
ENGINEER: ISRAEL GAONA, P.E.	538 S. TEXAS BLVD, SUITE 7	WESLACO, TEXAS 78596	(956) 472-0917
SURVEYOR: MANUEL CARRIZALES, R.P.L.S.	4807 GONDOLA AVE.	EDINBURG, TEXAS 78542	(512) 470-1489

SHEET 1 OF 3





# City of McAllen

## SUBDIVISION PLAT REVIEW

Reviewed On: 12/2/2022

### SUBDIVISION NAME: MENDOZA ACRES SUBDIVISION

#### REQUIREMENTS

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

Trosper Road: dedication as needed for 40 ft. from centerline for 80 ft. total ROW  
Paving: 52 ft. Curb & gutter: Both Sides  
\*\*Subdivision Ordinance: Section 134-105 & COM Thoroughfare Plan  
\*\*\*\*The owners submitted a variance to the escrows for public improvements on March 24, 2022. If approved, a contractual agreement for public improvements is required.  
\*\*\*\*\*At the City Commission meeting of May 9, 2022, the board move to approve option 3; approve the variance request to the escrow requirements for the paving and drainage improvements needed for N. Trosper Rd. as requested with no contractual agreement.

N. 104th Street (N/S 1/4 Mile Street-east boundary): 35 ft. dedication from centerline for 70 ft. total ROW  
Paving: 40 ft. to 44 ft. Curb & gutter: Both Sides  
\*\*Subdivision Ordinance: Section 134-105 & \*\*COM Thoroughfare Plan  
\*\*\*\*The owners submitted a variance to the escrows for public improvements on March 24, 2022. If approved, a contractual agreement for public improvements is required.  
\*\*\*\*\*At the City Commission meeting of May 9, 2022, the board move to approve option 3; approve the variance request to the escrow requirements for the paving and drainage improvements needed for N. 104th St. as requested with no contractual agreement.

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

\* 1,200 ft. Block Length  
\*\*Subdivision Ordinance: Section 134-118

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

\* 600 ft. Maximum Cul-de-Sac  
\*\*Subdivision Ordinance: Section 134-105

Applied

Applied

Applied

NA

NA

NA

##### ALLEYS

ROW: 20 ft. Paving: 16 ft.  
\*Alley/service drive easement required for commercial properties  
\*\*Minimum 20 ft. wide paved service drive required for City services on lots fronting a major collector road as per Section 134-106  
\*\*\*Variance request under review. Based on application, proposed use is single family residence; therefore, service drive/alley is not applicable.  
\*\*Subdivision Ordinance: Section 134-106

NA

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



<b>SETBACKS</b>	
<ul style="list-style-type: none"> <li>* Front/N. Trosper Rd: 50 ft. or in line with average setback of existing structures, or easement, whichever is greater.</li> <li>Revisions needed: <ul style="list-style-type: none"> <li>- Please revise plat note as shown above prior to recording.</li> </ul> </li> <li>**Zoning Ordinance: Section 138-356</li> </ul>	Required
<ul style="list-style-type: none"> <li>* Rear/N. 104th Street: 35 ft. or greater for easements, whichever is greater</li> <li>Revision needed: <ul style="list-style-type: none"> <li>- Revise plat note as shown above prior to recording.</li> </ul> </li> <li>**Proposing: Rear/N. 104th Street: 35 ft., not to exceed 50 ft.</li> <li>**As per email submitted 11/14/22 by engineer, Hidalgo County is requiring a 35 ft. rear setback from N. 104th Street, which is based on half of the future ROW but not to exceed 50 ft.</li> <li>**Zoning Ordinance: Section 138-356</li> </ul>	Required
<ul style="list-style-type: none"> <li>* Sides: 15 ft. or greater for easement, whichever is greater</li> <li>Revisions needed: <ul style="list-style-type: none"> <li>- Revise plat note as shown above prior to recording.</li> </ul> </li> <li>**Zoning Ordinance: Section 138-356</li> </ul>	Required
<ul style="list-style-type: none"> <li>* Corner</li> <li>**Zoning Ordinance: Section 138-356</li> </ul>	NA
<ul style="list-style-type: none"> <li>* Garage: 18 ft. except where greater setbacks are required; greater setback applies.</li> <li>**Zoning Ordinance: Section 138-356</li> </ul>	Applied
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
<b>SIDEWALKS</b>	
<ul style="list-style-type: none"> <li>* 4 ft. wide minimum sidewalk required on N. Trosper Road and N. 104th Street</li> <li>**5 ft. sidewalk might be required on N. Trosper Road by Engineering Department prior to recording.</li> <li>**Subdivision Ordinance: Section 134-120</li> </ul>	Applied
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Applied
<b>BUFFERS</b>	
<ul style="list-style-type: none"> <li>* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses.</li> <li>**Landscaping Ordinance: Section 110-46</li> </ul>	Applied
<ul style="list-style-type: none"> <li>* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.</li> <li>**Landscaping Ordinance: Section 110-46</li> </ul>	Applied
*Perimeter buffers must be built at time of Subdivision Improvements.	Applied
<b>NOTES</b>	
<ul style="list-style-type: none"> <li>* No curb cut, access, or lot frontage permitted along</li> <li>**Must comply with City Access Management Policy</li> </ul>	Applied
* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.	NA
* Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen.	Applied

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



<ul style="list-style-type: none"> <li>* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.</li> <li>* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.</li> <li>**Section 110-72 applies if private subdivision is proposed.</li> <li>**Landscaping Ordinance: Section 110-72</li> <li>**Subdivision Ordinance: Section 134-168</li> <li>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</li> <li>**Section 110-72 applies if private subdivision is proposed.</li> <li>**Landscaping Ordinance: Section 110-72</li> <li>**Subdivision Ordinance: Section 134-168</li> </ul>	NA
	NA
	NA
<b>LOT REQUIREMENTS</b>	
<ul style="list-style-type: none"> <li>* Lots fronting public streets</li> <li>**Subdivision Ordinance: Section 134-1</li> <li>* Minimum lot width and lot area</li> <li>**Zoning Ordinance: Section 138-356</li> </ul>	Compliance
	Compliance
<b>ZONING/CUP</b>	
<ul style="list-style-type: none"> <li>* Existing: ETJ Proposed: Residential</li> <li>**If annexation is proposed, process must be finalized prior to final along with initial zoning process.</li> <li>***Zoning Ordinance: Article V</li> <li>* Rezoning Needed Before Final Approval</li> <li>**If annexation is proposed, process must be finalized prior to final along with initial zoning process.</li> <li>***Zoning Ordinance: Article V</li> </ul>	Applied
	Applied
<b>PARKS</b>	
<ul style="list-style-type: none"> <li>* Land dedication in lieu of fee. As per Parks Department, properties in ETJ are not subject to Parks Department requirements.</li> <li>* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, properties in ETJ are not subject to Parks Department requirements. Park fee will be required if property is annexed.</li> <li>* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording and/or land dedication. As per Parks Department, properties in ETJ are not subject to Parks Department requirements. Park fee will be required if property is annexed.</li> </ul>	NA
	NA
	NA
<b>TRAFFIC</b>	
<ul style="list-style-type: none"> <li>* As per Traffic Department, Trip Generation waived for one single-family residence. No TIA is required, prior to final plat.</li> <li>* Traffic Impact Analysis (TIA) required prior to final plat.</li> </ul>	Applied
	NA



COMMENTS	
<p>Comments:</p> <p>**As per plat submitted on 11/14/22 there appears to be no landlocked properties.</p> <p>****At the City Commission meeting of May 9, 2022, the board move to approve option 3; approve the variance request to the escrow requirements for the paving and drainage improvements needed for N. Trosper Rd. as requested with no contractual agreement.</p> <p>*Must comply with City's Access Management Policy.</p>	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM SUBJECT TO CONDITIONS NOTED.	Applied



ROSH

51-6

50-4

TROSPER ACRES  
50-5

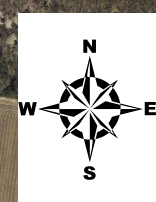
50-6

LOCATION

49-4

49-5

PROPOSED MENDOZA ACRES  
SUBDIVISION



49-6

CONWAY AVE (10,000)

7 MILE LINE (FM 681)

TROSPER ROAD

48-4

48-5

VILLA DE LAS  
FLORIS SUBD  
N 103RD ST

PROPOSED  
MCALLEN/MIAT CONWAY  
AND MILE 7 SUBD

RD.# 2020-44

47-4

47-5

SMER SUBDIVISION



SUB2022-0116



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>SMT McAllen II Land LLC</u> Location <u>0 N 23rd St - corner of Wisteria Ave and Depot Rd</u> City Address or Block Number <u>4801 N. 23rd ST.</u> Number of lots <u>2</u> Gross acres <u>4.939</u> Net acres <u>4.767</u> Existing Zoning <u>I-1</u> Proposed _____ Rezoning Applied For <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____ Existing Land Use <u>Raw Land</u> Proposed Land Use <u>Battery energy storage facility</u> Irrigation District # <u>1</u> Residential Replat Yes <input type="checkbox"/> No <input type="checkbox"/> Commercial Replat Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> ETJ Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Agricultural Tax Exempt Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Estimated Rollback tax due _____ Parcel No. <u>210758</u> Tax Dept. Review <u>[Signature]</u> Legal Description <u>See attached Schedule A</u>
Owner	Name <u>Antigua Investments LLC</u> Phone <u>412.855.4376</u> Address <u>501 N Bridge Street, 248</u> City <u>Hidalgo</u> State <u>TX</u> Zip <u>78557</u> E-mail _____
Developer	Name <u>SMT McAllen II LLC</u> Phone <u>480.252.5496</u> Address <u>3437 Iris Ct, Boulder, CO</u> City _____ State _____ Zip _____ Contact Person <u>David Spotts</u> E-mail <u>david@smtenergy.com</u>
Engineer	Name <u>Melden &amp; Hunt</u> Phone <u>956.330.9454</u> Address <u>115 W. McIntyre, Edinburg, TX 78541</u> City _____ State _____ Zip _____ Contact Person <u>Robert Tamez</u> E-mail <u>Robert@meldenandhunt.com</u>
Surveyor	Name <u>Melden &amp; Hunt</u> Phone <u>956.330.9454</u> Address <u>115 W. McIntyre, Edinburg, TX 78541</u> City <u>Robert@meldenandhunt.com</u> State _____ Zip _____ <div style="text-align: right;"> <b>ENTERED</b>  <b>SEP 30 2022</b>  <b>Initial: <u>AK</u></b> </div>



## 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 blue-line copies
- ☒ 2 Location Maps
- ☒ 2 8 ½" by 11" copies/legible copies of plat with name & north arrow
- ☒ 6 Folded blue-line prints of the proposed plat
- ☒ 2 Warranty Deeds (Identifying owner on application)
- ☒ Autocad 2005 DWG file and PDF of plat
- ☒ Letter of Authorization from the owner, if applicable
- ☐ N/A 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 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.

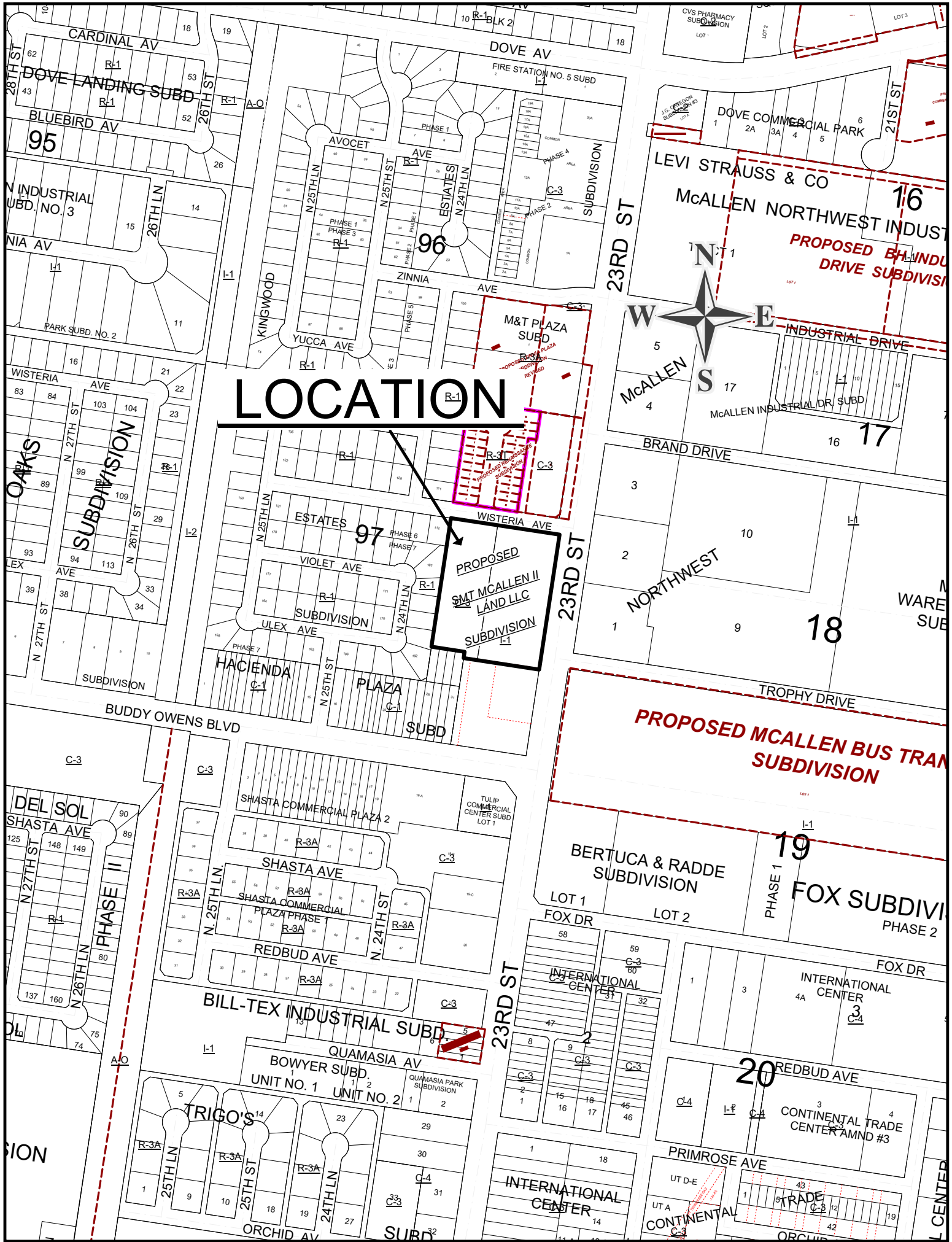
Signature David Spotts Date 9/29/22

Print Name David J. Spotts

Owner ☐

Authorized Agent ☒





LOCATION

PROPOSED  
SMT MCALLEN II  
LAND LLC  
SUBDIVISION

PROPOSED MCALLEN BUS TRAN  
SUBDIVISION

FOX SUBDIVI  
PHASE 2

20

CONTINENTAL TRADE  
CENTER AMND #3

PRIMROSE AVE

INTERNATIONAL  
CENTER

CONTINENTAL

ORCHID

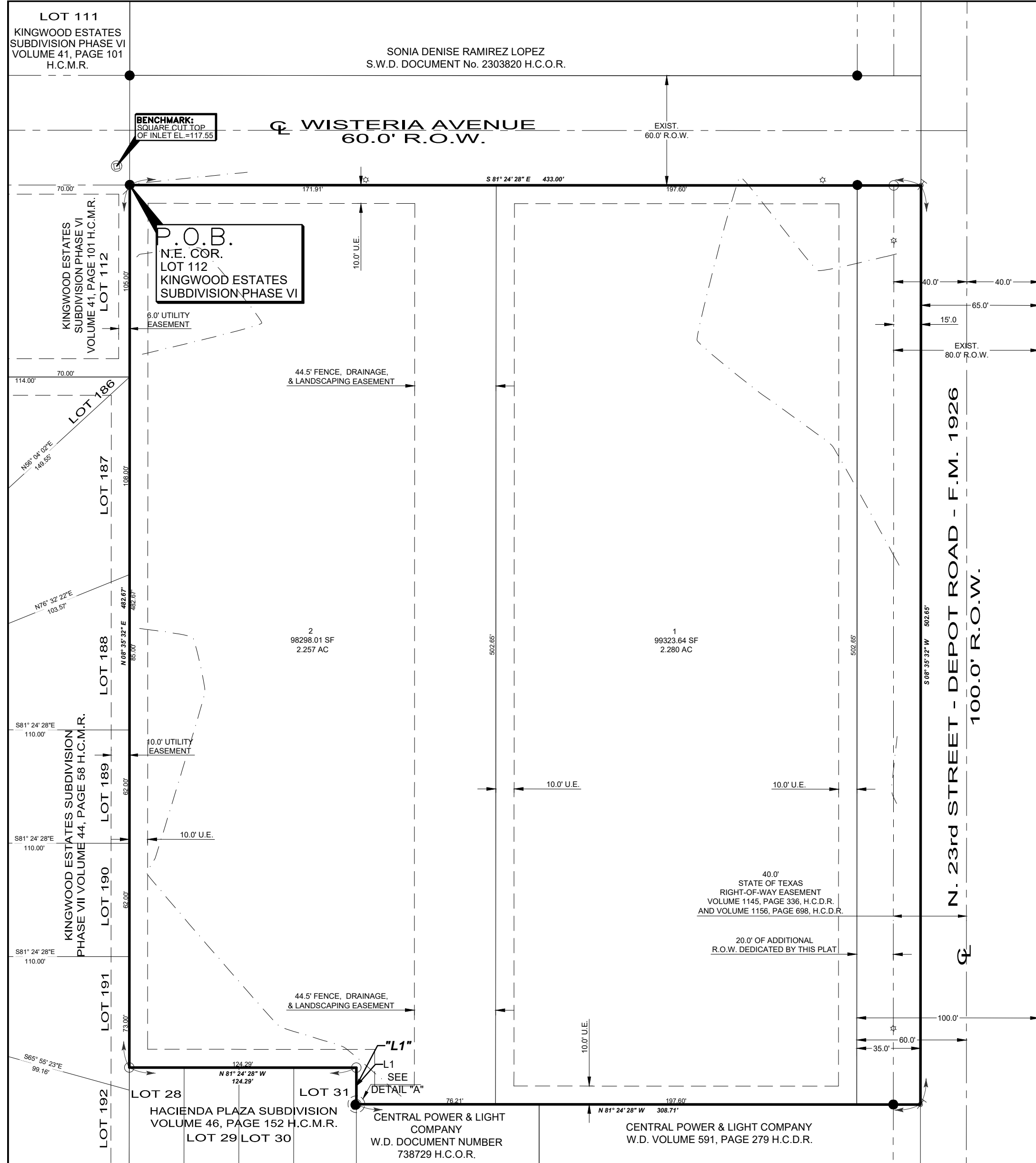
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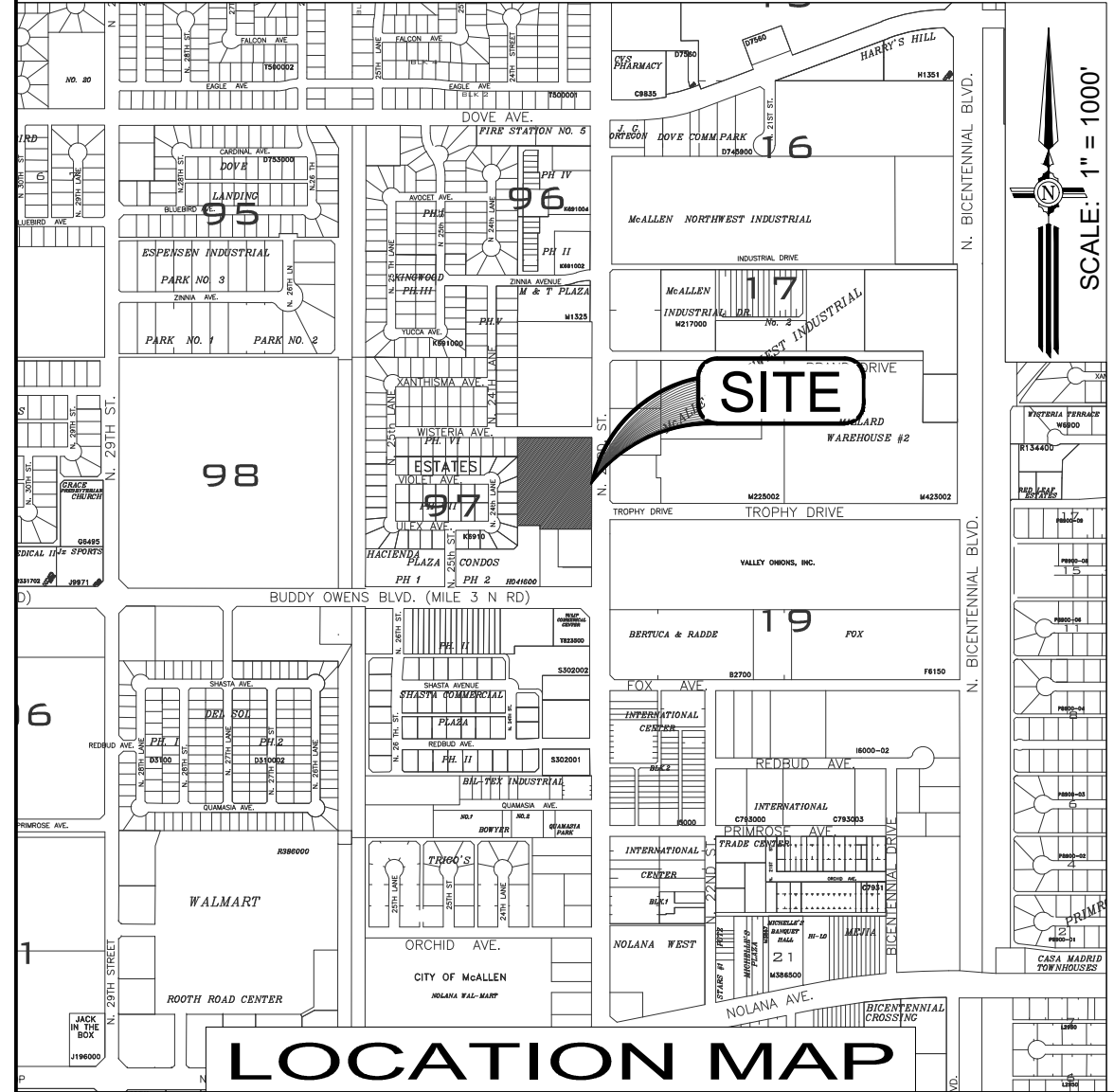


**LEGEND**

- SET NO. 4 REBAR WITH PLASTIC CAP STAMPED MELDEN & HUNT
- ⊗ SET "X" MARK ON CONCRETE
- H.C.M.R. - HIDALGO COUNTY MAP RECORDS
- H.C.D.R. - HIDALGO COUNTY DEED RECORDS
- H.C.O.R. - HIDALGO COUNTY OFFICIAL RECORDS
- S.E. COR. - SOUTHEAST CORNER
- P.O.B. - POINT OF BEGINNING
- P.O.C. - POINT OF COMMENCING
- R.O.W. - RIGHT-OF-WAY
- U.E. - UTILITY EASEMENT

Line #	Length	Direction
"L1"	19.98'	N08° 35' 32"E
L1	19.98'	N08° 35' 32"E

SCALE: 1" = 50'



**TBPE FIRM # F-1435**

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

115 W. McINTYRE - EDINBURG, TX 78541  
PH: (956) 381-0981 - FAX: (956) 381-1839  
ESTABLISHED 1947 - www.meldenandhunt.com

	NAME	ADDRESS	CITY & ZIP	PHONE	FAX
OWNER:	JORGE CANTU	501 N. BRIDGE ST., APT. 248	HIDALGO, TX 78557	C/O (956) 381-0981	C/O (956) 381-1839
ENGINEER:	KELLEY A. HELLER-VELA P.E.	115 W. McINTYRE	EDINBURG, TX 78541	(956) 381-0981	(956) 381-1839
SURVEYOR:	ROBERTO N. TAMEZ R.P.L.S.	115 W. McINTYRE	EDINBURG, TX 78541	(956) 381-0981	(956) 381-1839

DRAWN BY: G.F. DATE 11/23/22  
SURVEYED, CHECKED \_\_\_\_\_ DATE \_\_\_\_\_  
FINAL CHECK \_\_\_\_\_ DATE \_\_\_\_\_

# FINAL PLAT OF SMT MCALLEN II LAND LLC

BEING A SUBDIVISION OF A TRACT OF LAND CONTAINING 4.939 ACRES  
SITUATED IN THE CITY OF MCALLEN, COUNTY OF HIDALGO, TEXAS, BEING  
A PART OR PORTION OUT OF LOT 97, LA LOMITA IRRIGATION AND  
CONSTRUCTION COMPANY'S SUBDIVISION, ACCORDING TO THE PLAT  
THEREOF RECORDED IN VOLUME 24, PAGE 68, H.C.D.R.  
CITY OF MCALLEN, HIDALGO COUNTY, TEXAS

## GENERAL NOTES :

- THIS SUBDIVISION IS IN FLOOD ZONE "B" AREAS BETWEEN LIMITS OF THE 100-YEAR FLOOD AND 500-YEAR FLOOD; OR CERTAIN AREAS SUBJECT TO 100-YEAR FLOODING WITH AVERAGE DEPTHS LESS THAN ONE(1) FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN ONE SQUARE MILE; OR AREAS PROTECTED BY LEVEES FROM THE BASE FLOOD. COMMUNITY-PANEL NUMBER: 480343 005 C MAP REVISED: NOVEMBER 02, 1982.
- MINIMUM PERMISSIBLE FINISH FLOOR ELEVATION SHALL BE 18 INCHES ABOVE THE FRONT TOP OF CURB MEASURED FROM THE CENTER OF THE LOT.
- MINIMUM SETBACKS SHALL COMPLY WITH THE CITY OF McALLEN ZONING CODE:  
FRONT: IN ACCORDANCE WITH THE ZONING ORDINANCE, OR IN LINE WITH EXISTING STRUCTURES, OR GREATER FOR EASEMENTS OR APPROVED SITE PLAN, WHICHEVER IS GREATER APPLIES.  
REAR: IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER FOR EASEMENTS OR APPROVED SITE PLAN, WHICHEVER IS GREATER APPLIES.  
SIDES: IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER FOR EASEMENTS OR APPROVED SITE PLAN, WHICHEVER IS GREATER APPLIES.  
CORNER: IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER FOR EASEMENTS OR APPROVED SITE PLAN, WHICHEVER IS GREATER APPLIES.  
LOT 1 SHALL FRONT WISTERIA AVENUE.
- CITY OF MCALLEN BENCHMARK: NUMBER MC 59, TOP OF 30" ALUMINUM PIPE WITH A 3-1/4" BRASS MONUMENT CAP ON TOP. LOCATED ON THE NORTHWEST CORNER OF THE INTERSECTION OF 23RD ST AND BUDDY OWENS BLVD. LOCATED ALONG THE NORTH SIDE OF BUDDY OWENS BLVD. GEODETIC G.P.S. TEXAS STATE PLANE GRID COORDINATE SYSTEM, NAD 83 TEXAS SOUTH 4205 ELEVATION PER NAVD 88 (GEOID 2003) N=16615383.725, E=1069959.13629, ELEV=118.71
- REQUIRED STORM SEWER RUNOFF DETENTION FOR THIS SUBDIVISION AS PER THE APPROVED DRAINAGE REPORT: 39.228 C.F. LOT 1 WILL PROVIDE A TOTAL OF 3, 947 C.F. AND LOT 2 WILL PROVIDE A TOTAL OF 29,281 C.F. FOR A GRAND TOTAL OF 39,228 C.F. OF DETENTION REQUIRED.
- AN ENGINEERED DRAINAGE DETENTION PLAN, APPROVED BY THE CITY OF McALLEN ENGINEERING DEPARTMENT, SHALL BE REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMIT FOR ALL NEW BUILDING.
- NO STRUCTURES PERMITTED TO BE BUILT OVER EASEMENTS.
- 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.
- 5 FT. WIDE MINIMUM SIDEWALK REQUIRED ON NORTH 23RD STREET AND 4 FT. WIDE MINIMUM SIDEWALK REQUIRED ON WISTERIA AVENUE.
- 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.
- 25 X 25 SIGHT OBSTRUCTION EASEMENT REQUIRED AT ALL STREET INTERSECTIONS AND 10 X 10 CLIP REQUIRED AT ALL STREET AND ALLEY INTERSECTIONS.
- COMMON AREAS, PRIVATE STREETS, SERVICE DRIVES, ETC. MUST BE MAINTAINED BY THE LOT OWNERS AND NOT THE CITY OF MCALLEN.
- A SERVICE ACCESS DRIVE MAY BE REQUIRED FOR LOT 2 AT BUILDING PERMIT STAGE. LOT 1 WILL NOT REQUIRE A WATER SERVICE OR SEWER SERVICE.

## APPROVED BY DRAINAGE DISTRICT:

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

## HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

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

DATE

## METES AND BOUNDS DESCRIPTION:

A TRACT OF LAND CONTAINING 4.939 ACRES SITUATED IN THE CITY OF MCALLEN, COUNTY OF HIDALGO, TEXAS, BEING A PART OR PORTION OUT OF LOT 97, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 24, PAGE 68, HIDALGO COUNTY DEED RECORDS, SAID 4.939 ACRES OUT OF A CERTAIN TRACT CONVEYED TO ANTIGUA INVESTMENTS, L.L.C. BY VIRTUE OF A WARRANTY DEED RECORDED UNDER DOCUMENT NUMBER 2655384, HIDALGO COUNTY OFFICIAL RECORDS, SAID 4.939 ACRES ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A NO. 4 REBAR FOUND AT THE NORTHEAST CORNER OF LOT 112, KINGWOOD ESTATES SUBDIVISION PHASE VI, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 41, PAGE 101, HIDALGO COUNTY MAP RECORDS, FOR THE NORTHWEST CORNER OF THIS HEREIN DESCRIBED TRACT;

- THENCE, S 81° 24' 28" E ALONG THE SOUTH RIGHT-OF-WAY LINE OF WISTERIA AVENUE, AT A DISTANCE OF 418.10 FEET PASS A NO. 4 REBAR SET ON THE WEST RIGHT-OF-WAY LINE OF 23RD STREET, CONTINUING A TOTAL DISTANCE OF 443.00 FEET TO A NAIL SET FOR THE NORTHEAST CORNER OF THIS TRACT;
- THENCE, S 08° 35' 32" W WITHIN THE EXISTING RIGHT-OF-WAY OF 23RD STREET, A DISTANCE OF 502.65 FEET TO A NAIL SET FOR THE SOUTHEAST CORNER OF THIS TRACT;
- THENCE, N 81° 24' 28" W AT A DISTANCE OF 14.90 FEET PASS A NO. 4 REBAR FOUND ON THE WEST RIGHT-OF-WAY LINE OF 23RD STREET, CONTINUING A TOTAL DISTANCE OF 308.71 FEET TO A NO. 4 REBAR SET FOR AN OUTSIDE CORNER OF THIS TRACT;
- THENCE, N 08° 35' 32" E A DISTANCE OF 19.98 FEET TO A NO. 4 REBAR SET FOR AN INSIDE CORNER OF THIS TRACT;
- THENCE, N 81° 24' 28" W ALONG THE NORTH LINE OF HACIENDA PLAZA SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 46, PAGE 152, HIDALGO COUNTY MAP RECORDS, A DISTANCE OF 124.29 FEET TO A NO. 4 REBAR SET FOR THE SOUTHWEST CORNER OF THIS TRACT;
- THENCE, N 08° 35' 32" E ALONG THE EAST LINE OF KINGWOOD ESTATES SUBDIVISION PHASE VII, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 44, PAGE 58, HIDALGO COUNTY MAP RECORDS, AND THE EAST LINE OF SAID KINGWOOD ESTATES SUBDIVISION PHASE VI, A DISTANCE OF 482.67 FEET TO THE POINT OF BEGINNING AND CONTAINING 4.939 ACRES OF WHICH 0.172 OF ONE ACRE LIES WITHIN THE EXISTING RIGHT-OF-WAY OF 23RD STREET, LEAVING A NET OF 4.767 ACRES OF LAND, MORE OR LESS.

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

CHAIRMAN, PLANNING COMMISSION

DATE

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

MAYOR, CITY OF MCALLEN

DATE

CITY SECRETARY

DATE

THIS PLAT APPROVED BY THE HIDALGO COUNTY IRRIGATION DISTRICT NO. 1 ON THIS

THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 20 \_\_\_\_.

HIDALGO COUNTY IRRIGATION DISTRICT NO. 1 WILL NOT BE RESPONSIBLE FOR DRAINAGE OR DELIVERY OF WATER TO ANY LOT IN THIS SUBDIVISION. ALSO, THERE WILL NOT BE ANY PERMANENT STRUCTURES ON THE DISTRICT RIGHT-OF-WAYS AND/OR EASEMENTS.

NO IMPROVEMENTS OF ANY KIND SHALL BE PLACED UPON THE HCID#1 RIGHT-OF-WAYS OR EASEMENTS WITHOUT THE EXPRESSED WRITTEN PERMISSION OF HCID#1.

PRESIDENT

SECRETARY

STATE OF TEXAS §  
COUNTY OF HIDALGO §

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

JORGE CANTU, MEMBER  
ANTIGUA INVESTMENTS, L.L.C., A TEXAS LIMITED LIABILITY COMPANY,  
501 N. BRIDGE ST., APT. 248, HIDALGO,  
HIDALGO COUNTY, TEXAS 78557

DATE:

THE STATE OF TEXAS  
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JORGE CANTU, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSED AND CONSIDERATIONS THEREIN GIVEN UNDER MY HAND AND

SEAL OF OFFICE, THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20 \_\_\_\_.

NOTARY PUBLIC, FOR THE STATE OF TEXAS  
MY COMMISSION EXPIRES:

STATE OF TEXAS  
COUNTY OF HIDALGO

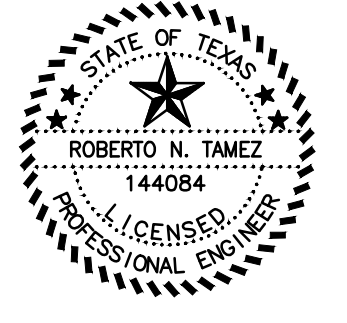
I, THE UNDERSIGNED, ROBERTO N. TAMEZ, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN TO THIS PLAT.

DATED THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20 \_\_\_\_.

MELDEN & HUNT, INC.  
TEXAS REGISTRATION F-1435

ROBERTO N. TAMEZ, PROFESSIONAL ENGINEER No. 144084  
STATE OF TEXAS

DATE PREPARED: 09/22/2022  
ENGINEERING JOB # 22075.00



STATE OF TEXAS  
COUNTY OF HIDALGO

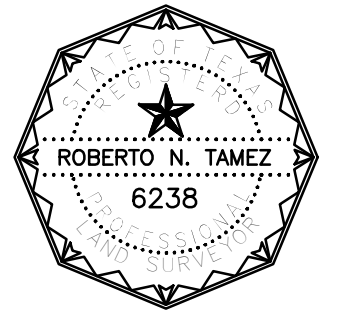
I, THE UNDERSIGNED, ROBERTO N. TAMEZ, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE AND IS PREPARED FROM AN ACTUAL SURVEY ON THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

DATED THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20 \_\_\_\_.

ROBERTO N. TAMEZ, R.P.L.S. No. 6238  
STATE OF TEXAS

DATE

DATE PREPARED: 09/22/2022  
SURVEY JOB # 22075.02



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

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

INSTRUMENT NUMBER \_\_\_\_\_  
OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS

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





# City of McAllen

## SUBDIVISION PLAT REVIEW

Reviewed On: 12/2/2022

### SUBDIVISION NAME: SMT MCALLEN II LAND LLC

#### REQUIREMENTS

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

N. 23rd Street: 20 ft. dedication for 60 ROW required from centerline for 120 ft. ROW  
Paving: By the state Curb & gutter: By the state

Revisions Needed:

-Label total ROW after dedication, etc. prior to recording.

-Provide document number and any documentation as applicable for existing ROW dedications, prior to recording.

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

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

Wisteria Avenue: 60 ft. ROW

Paving: 40 ft. Curb & gutter: Both sides

Revisions Needed:

-Provide document number and any documentation as applicable for existing ROW dedications, prior to recording.

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

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

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

\*\*Subdivision Ordinance: Section 134-105

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

\*\*COM Thoroughfare Plan

\* 1,200 ft. Block Length.

\*\*Subdivision Ordinance: Section 134-118

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

\*\*Subdivision Ordinance: Section 134-118

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

\*\*Subdivision Ordinance: Section 134-105

Required

Required

NA

Applied

NA

NA

##### ALLEYS

ROW: 20 ft. Paving: 16 ft.

\*Alley/service drive easement required for commercial properties

Revisions Needed:

-Revise plat note #14 to "24 ft. private service drive easement for city services will be established at time of site plan review for Lot 2, and as may be required at time of site plan review for Lot 1," prior to recording.

\*\*Subdivision Ordinance: Section 134-106

Required

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



<b>SETBACKS</b>	
<p>* Front: In accordance with the zoning ordinance, or in line with existing structures, or greater for easements or approved site plan, whichever is greater applies. Revisions needed: - As per plat submitted on 11/23/22, Lot 1 shall front Wisteria Avenue. Please remove note from plat as it is not needed prior to recording. **Zoning Ordinance: Section 138-356</p>	Required
<p>* Rear: In accordance with the zoning ordinance, or greater for easements or approved site plan, whichever is greater applies. **Zoning Ordinance: Section 138-356</p>	Applied
<p>* Sides: In accordance with the zoning ordinance, or greater for easements or approved site plan, whichever is greater applies. **Zoning Ordinance: Section 138-356</p>	Applied
<p>* Corner: In accordance with the zoning ordinance, or in line with existing structures, or greater for easements or approved site plan, whichever is greater applies. Revisions needed: - As per plat submitted on 11/23/22, Lot 1 shall front Wisteria Avenue. Please remove note from plat as it is not needed prior to recording. - Please revise plat note as shown above prior to recording. **Zoning Ordinance: Section 138-356</p>	Required
<p>* Garage: Commercial Development **Zoning Ordinance: Section 138-356</p>	NA
<p>*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN</p>	Applied
<b>SIDEWALKS</b>	
<p>* 5 ft. wide minimum sidewalk required on N. 23rd Street and 4 ft. wide minimum sidewalk required on Wisteria Avenue. **5 ft. sidewalk along N. 23rd Street required as per Engineering Department ***5 ft. sidewalk may be required for Wisteria Avenue by Engineering Department, will be finalized prior to final. ***Subdivision Ordinance: Section 134-120</p>	Applied
<p>* Perimeter sidewalks must be built or money escrowed if not built at this time.</p>	Required
<b>BUFFERS</b>	
<p>* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. **Landscaping Ordinance: Section 110-46</p>	Applied
<p>* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. **Landscaping Ordinance: Section 110-46</p>	Applied
<p>*Perimeter buffers must be built at time of Subdivision Improvements.</p>	Required
<b>NOTES</b>	
<p>* No curb cut, access, or lot frontage permitted along **Must comply with City Access Management Policy and conditions noted in Variance Request approval letter.</p>	Required
<p>* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.</p>	Applied

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



<ul style="list-style-type: none"> <li>* Common Areas, any private streets/drives, etc. must be maintained by the lot owners and not the City of McAllen.</li> <li>* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.</li> <li>* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.</li> <li>**Section 110-72 applies if subdivision is proposed to be public.</li> <li>**Landscaping Ordinance: Section 110-72</li> <li>**Subdivision Ordinance: Section 134-168</li> <li>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</li> <li>**Homeowner's Association Covenants must be submitted for staff review, prior to recording.</li> <li>***Section 134-168 applies if private subdivision is proposed.</li> <li>****Section 110-72 applies if public subdivision is proposed.</li> <li>*****Landscaping Ordinance: Section 110-72</li> <li>*****Subdivision Ordinance: Section 134-168</li> </ul>	Applied
	Applied
	NA
	NA
<b>LOT REQUIREMENTS</b>	
<ul style="list-style-type: none"> <li>* Lots fronting public streets.</li> <li>**Subdivision Ordinance: Section 134-1</li> <li>* Minimum lot width and lot area.</li> <li>**Zoning Ordinance: Section 138-356</li> </ul>	Compliance
	Compliance
<b>ZONING/CUP</b>	
<p>Lot 1:</p> <ul style="list-style-type: none"> <li>* Existing:C-3(General Business) District Proposed: I-1(Light Industrial) District</li> <li>**The rezoning to I-1 (Light Industrial) District for proposed lot 1 was approved by Planning and Zoning Commission on June 7, 2022 and by City Commission on June 27, 2022.</li> </ul> <p>Lot 2:</p> <ul style="list-style-type: none"> <li>* Existing: C-3(General Business) District Proposed: C-3(General Business) District</li> <li>* Rezoning Needed Before Final Approval</li> </ul> <p>Lot 1:</p> <ul style="list-style-type: none"> <li>* Existing:C-3(General Business) District Proposed: I-1(Light Industrial) District</li> <li>**The rezoning to I-1 (Light Industrial) District for proposed lot 1 was approved by Planning and Zoning Commission on June 7, 2022 and by City Commission on June 27, 2022.</li> </ul> <p>Lot 2:</p> <ul style="list-style-type: none"> <li>* Existing: C-3(General Business) District Proposed: C-3(General Business) District</li> <li>***Zoning Ordinance: Article V</li> </ul>	Compliance
	Completed
<b>PARKS</b>	
<ul style="list-style-type: none"> <li>* Land dedication in lieu of fee. As per application dated September 30,2022 proposed land use is I-1 (light industrial) District. Industrial/Commercial developments do not apply to Parks.</li> <li>* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per application dated September 30,2022 proposed land use is I-1 (light industrial) District. Industrial/Commercial developments do not apply to Parks.</li> <li>* Pending review by the City Manager's Office. As per application dated September 30,2022 proposed land use is I-1 (light industrial) District. Industrial/Commercial developments do not apply to Parks.</li> </ul>	NA
	NA
	NA

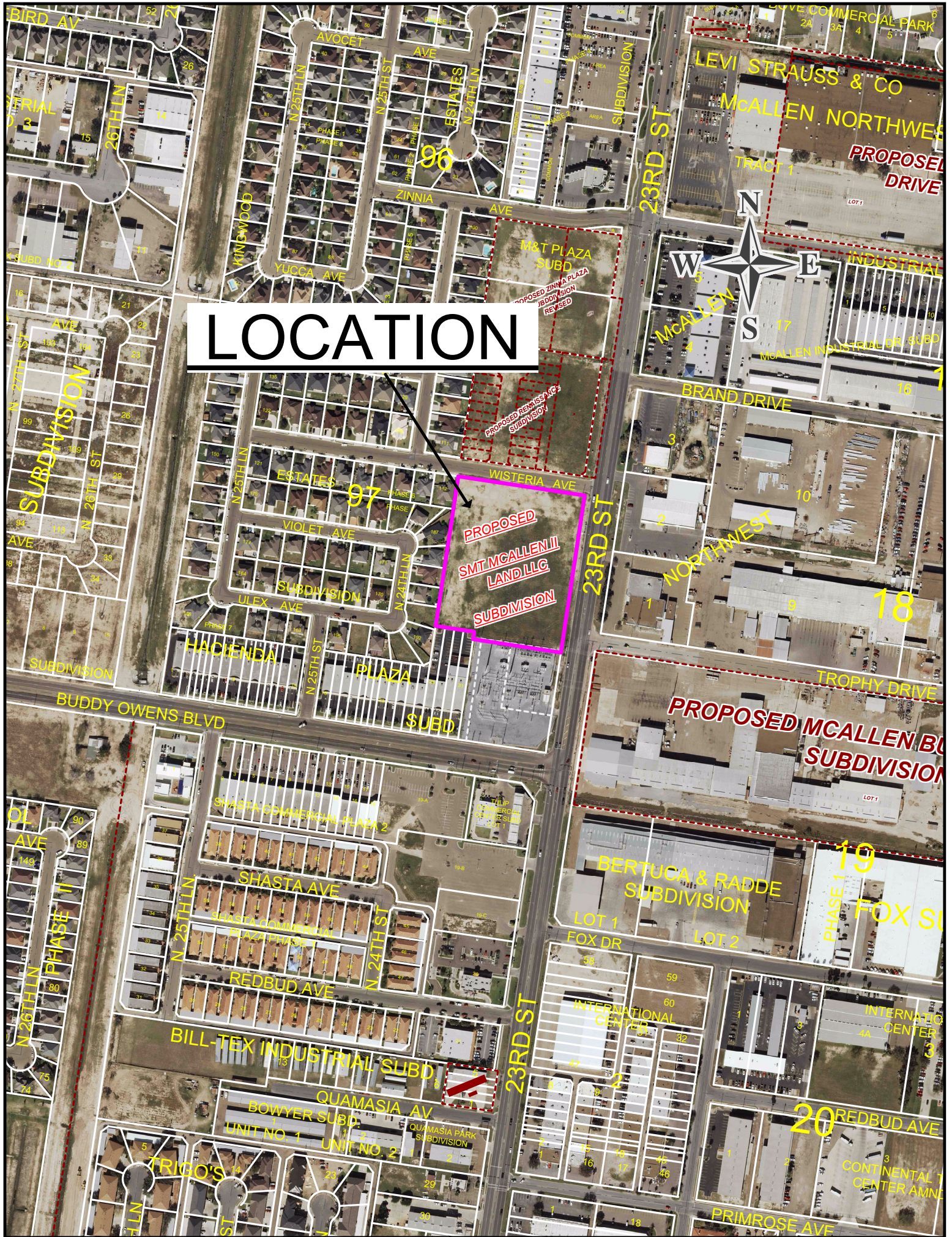
**These comments are for subdivision requirements only – additional requirements may apply at time of site plan review**



<b>TRAFFIC</b>	
* As per Traffic Department, Trip Generation for a Battery Storage Facility will be waived.	Completed
* Traffic Impact Analysis (TIA) required prior to final plat.	NA
** As per Traffic Department, Trip Generation for a Battery Storage Facility will be waived.	
<b>COMMENTS</b>	
Comments: *Must comply with City's Access Management Policy. - Developer clarified that the "44.5 ft. Fence, Drainage, & Landscaping Easement" is for the drainage requirement for both lots. A plat note as may be required by Engineering Department may be established prior to recording. - Site plan must be approved by staff prior to building permit issuance - For commercial/industrial use, fire hydrant spacing is 300 ft. As per Fire and Utility Department, please submit utility layout prior to recording.	Applied
<b>RECOMMENDATION</b>	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM SUBJECT TO CONDITIONS NOTED.	Applied



# LOCATION





Sub 2021-0119

# City of McAllen

## Planning Department

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

Project Information	Subdivision Name <u>Alaniz Subdivision, Lots 25A, 25B, 25C, 25D, and 26A</u>		
	Location <u>N. 29th Street &amp; Beech Avenue</u>		
	City Address or Block Number <u>201 N. 28<sup>th</sup> ST</u>		
	Number of Lots <u>5</u> Gross Acres <u>0.38</u> Net Acres <u>0.38</u> ETJ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
	Existing Zoning <u>R3A</u> Proposed Zoning <u>R3T</u> Rezoning Applied for <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____		
	Existing Land Use <u>vacant</u> Proposed Land Use <u>residential</u> Irrigation District # <u>1</u>		
	Replat <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Commercial _____ Residential <u>x</u>		
	Agricultural Exemption <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Estimated Rollback Tax Due <u>n/a</u>		
	Parcel # <u>116394</u> Tax Dept. Review _____		
	Water CCN <input type="checkbox"/> MPU <input type="checkbox"/> Sharyland Water SC Other _____		
Legal Description <u>Lot 25 and So. 50' of Lot 26, Alaniz Subdivision, McAllen, Texas</u>			
Owner	Name <u>Habitat Developers, LLC</u>		Phone <u>956-578-3913</u>
	Address <u>8916 N. 21st Street</u>		E-mail _____
	City <u>McAllen</u>	State <u>TX</u>	Zip <u>78504</u>
Developer	Name <u>Same as Owner</u>		Phone _____
	Address _____		E-mail _____
	City _____	State _____	Zip _____
	Contact Person <u>Daniel Martinez</u>		
Engineer	Name <u>Spoor Engineering Consultants, Inc.</u>		Phone <u>956-683-1000</u>
	Address <u>202 So. 4th Street</u>		E-mail <u>SEC@SpoorEng.com</u>
	City <u>McAllen</u>	State <u>TX</u>	Zip <u>78501</u>
	Contact Person <u>Steve Spoor, P.E.</u>		
Surveyor	Name <u>CVQ Land Surveyors</u>		Phone <u>956-618-1551</u>
	Address <u>517 Beaumont Avenue</u>		E-mail _____
	City <u>McAllen</u>	State <u>TX</u>	Zip <u>78501</u>
	<u>10/20/21</u> <div style="text-align: right;"><b>ENTERED</b></div>		

OCT 21 2021

Initial: AK



## 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 unsubdivided tracts
- Name and address of owner, lienholder, developer, engineer and surveyor shown along with signature lines
- North arrow, scale and vicinity map
- Name & dimension of adjoining street ROWs (total width & width from centerline)

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

Owners Signature

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

Signature  Date 10-13-21

Print Name Stephen Spoor, P.E.

Owner ☐

Authorized Agent ☒



VAR 2022-0034



City of McAllen

# Planning Department

## VARIANCE TO SUBDIVISION PROCESS APPLICATION

 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	Legal Description <u>ALAMIS SUBDIVISION</u>
	Street Address <u>201 N 28TH</u> Number of lots <u>6</u> Gross acres <u>37.88</u> Existing Zoning <u>R3T</u> Existing Land Use <u>VACANT</u> <input type="checkbox"/> Current Survey and Metes and Bounds (if the legal description of the tract is a portion of a lot) is required
Applicant	Name <u>RICARDO MARTINEZ</u> Phone <u>956 578 3915</u> Address <u>8516 N 28TH</u> E-mail <u>ricard@habitatdevelopment.com</u> City <u>McAllen</u> State <u>TX</u> Zip <u>78504</u>
Owner	Name <u>SAM</u> Phone _____ Address _____ E-mail _____ City _____ State _____ Zip _____
Authorization	To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable) OR I am authorized by the actual owner to submit this application and have attached written evidence of such authorization. Signature <u>[Signature]</u> Date <u>11/11/22</u> Print Name <u>RICARDO MARTINEZ</u> <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Authorized Agent
Office	*FOR OFFICE USE ONLY* APPLICATION FILING FEE: <input type="checkbox"/> \$250.00 Accepted by <u>LG.</u> Payment received by _____ Date _____ Rev 06/21

ENTERED

NOV 14 2022

Initial: DM





# City of McAllen

## Planning Department

### REASON FOR APPEAL

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

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

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

Reason for Appeal

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

I am SUBDIVIDING A R3T PROPERTY AND THE  
SIDE SET BACK IS 0' ON 6' AND I WANT TO DO  
3' ON 4' INSTEAD OF 6'

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

I WANT TO PROVIDE THE FINE BUILT A HOME THAT  
DOESN'T SHADE ANY WALLS<sup>WITH</sup> NEIGHBORS AND PROVIDE  
A EXTENSION ACCESS TO THE BACK YARD FOR FURNISH  
SERVICE

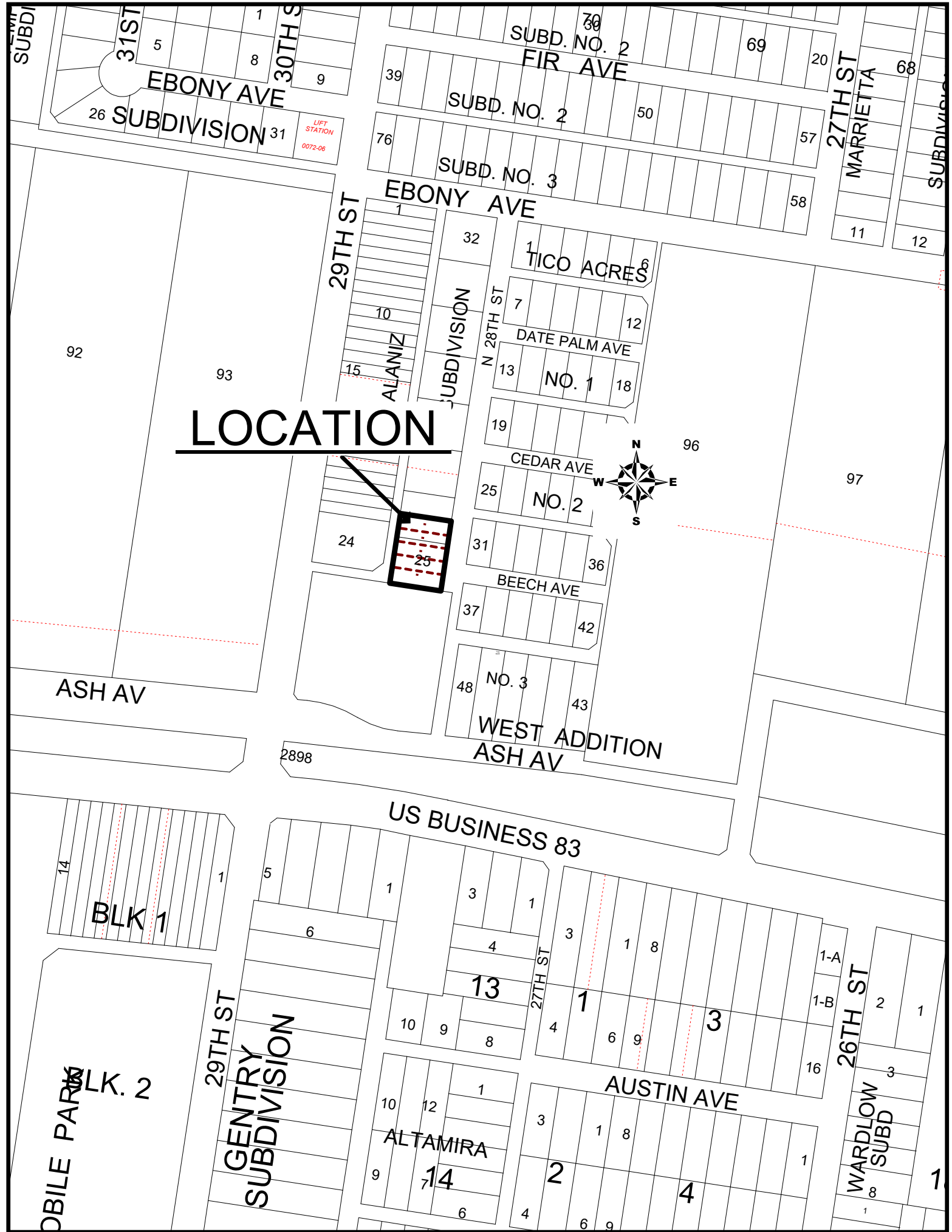
3. Describe how the variance will not be detrimental to the public health, safety or welfare or injurious to the legal rights other property owners enjoy in the area.

THE CURRENT SET BACK IS 0' SO I AM ASKING  
FOR LESS, AND I AM DOING 3' ON MORE CREATING  
A CLEAR ACCESS AND I WILL COMPLY WITH  
THE FINE WALLS REQUIRE BY THE BUILDING CODE

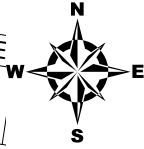
4. Describe how the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of this chapter.

I DON'T KNOW ABOUT THIS

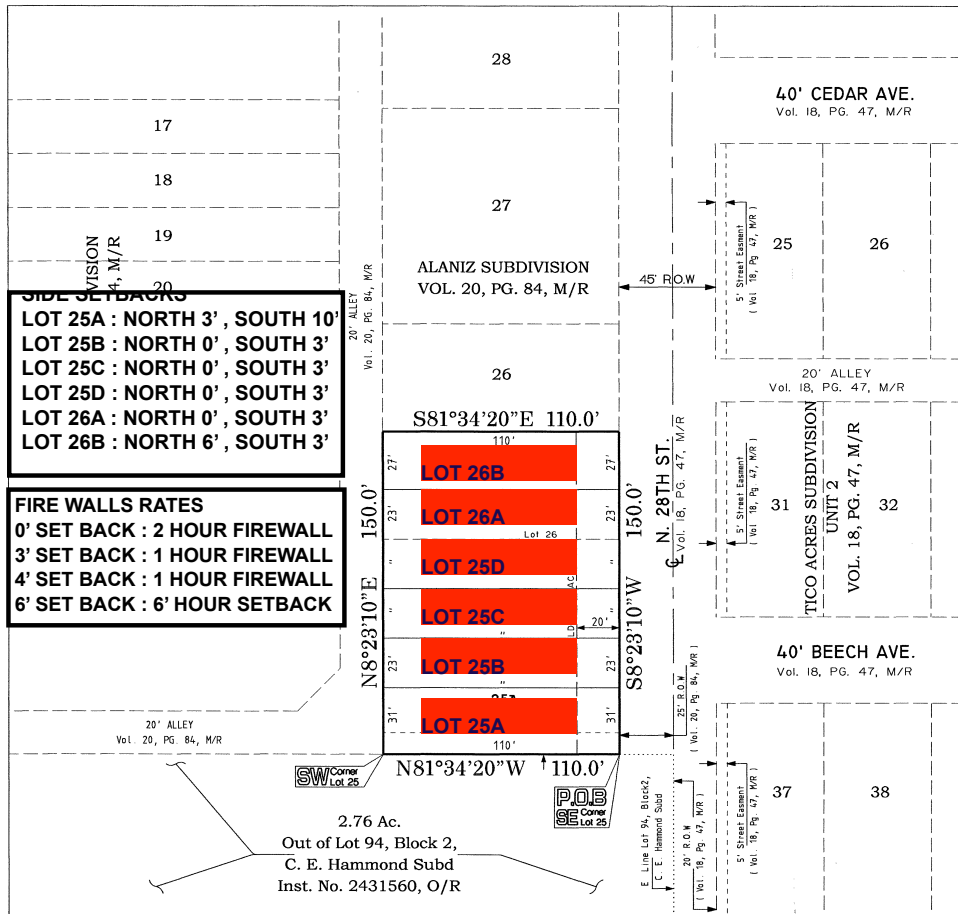




LOCATION







**SIDE SETBACKS**  
 LOT 25A : NORTH 3', SOUTH 10'  
 LOT 25B : NORTH 0', SOUTH 3'  
 LOT 25C : NORTH 0', SOUTH 3'  
 LOT 25D : NORTH 0', SOUTH 3'  
 LOT 26A : NORTH 0', SOUTH 3'  
 LOT 26B : NORTH 6', SOUTH 3'

**FIRE WALLS RATES**  
 0' SET BACK : 2 HOUR FIREWALL  
 3' SET BACK : 1 HOUR FIREWALL  
 4' SET BACK : 1 HOUR FIREWALL  
 6' SET BACK : 6' HOUR SETBACK

**NOTES:**

- MINIMUM BUILDING SETBACK SHALL BE AS FOLLOWS:  
 A. FRONT - 20 FT. SEE PLAT  
 B. REAR - 10 FT. OR GREATER FOR EASEMENTS  
 C. INTERIOR SIDE - IN ACCORDANCE WITH ZONING ORDINANCE, OR GREATER FOR EASEMENTS.  
 D. 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 NOV. 2, 1992.
- A 6' BUFFER OPAQUE 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' SIDEWALK REQUIRED ALONG N. 28th STREET
- BENCHMARK - STATION NAME: MC 76 SET BY ARANDA & ASSOC. LOCATED AT THE NORTHWEST OF BUS. 83 & 23rd ST. ELEV. - 126.53 FT (NAVD83)
- 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.
- NO STORMWATER DETENTION IS REQUIRED FOR THIS SUBDIVISION

**METES & BOUNDS**

LOT 25 AND THE SOUTH 50.0 FEET OF LOT 26, ALANIZ SUBDIVISION, CITY OF McALLEN, HIDALGO COUNTY, TEXAS, ACCORDING TO PLAT RECORDED IN VOLUME 20, PAGE 84, MAP RECORDS, HIDALGO COUNTY, TEXAS.

BEGINNING at the southeast corner of Lot 25 for the southeast corner of the following described tract of land, said point being on the West line of N. 28th Street.  
 THENCE, with the South line of Lot 25, North 81 Deg. 34 Min. 20 Sec. West, 100.0 feet to the southwest corner of Lot 25, for the southwest corner hereof, said point being on the southeast corner of 20 foot alley.  
 THENCE, with the West line of Lots 25 and 26, and the East line of 20 foot alley, North 08 Deg. 23 Min. 10 Sec. East, at 100.0 feet pass the common west corner between Lots 25 and 26, and at 150.0 feet a point for the northwest corner hereof.  
 THENCE, parallel to the South line of Lot 26, South 81 Deg. 34 Min. 20 Sec. East, 100.0 feet to a point on the East line of Lot 26, for the northeast corner hereof, said point being on the West line of N. 28th Street.  
 THENCE with the East line of Lot 26 and 25, and the West line of N. 28th Street, South 08 Deg. 23 Min. 10 Sec. West, at 50.0 feet pass the common east corner between Lots 26 and 25, and at 150.0 feet the POINT OF BEGINNING, containing 0.38 acre of land, more or less.

- THE DEVELOPER SHALL BE RESPONSIBLE FOR DETAINING AND COMMODATING 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.
- PRIVATE DRAINAGE SYSTEM SHALL BE OWNED AND MAINTAINED BY THE LOT OWNERS AND NOT THE CITY OF McALLEN.
- COMMON AREAS, DETENTION POND, AND PRIVATE STREETS AND ALLEYS SHALL BE MAINTAINED BY THE LOT OWNERS AND NOT THE CITY OF McALLEN.



January 07, 2022  
 Scale: 1"=40'

**MAP OF ALANIZ SUBDIVISION**  
**LOTS 25A, 25B, 25C, 25D, 26A, AND 26B**

*McAllen, Texas*

BEING A SUBDIVISION OF LOT 25 AND THE SOUTH 50.0 FT. OF LOT 26, ALANIZ SUBDIVISION, City of McAllen, Hidalgo County, Texas; according to plat recorded in vol. 20, page 84, Map Records Hidalgo County, Texas. Containing 0.38 Ac. of land more or less.

STATE OF TEXAS  
 COUNTY OF HIDALGO:

I (WE), THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED AS 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.

Habitat Developers, LLC

BY: Ricardo D. Martinez, Managing Member  
 8916 W. 21st St.  
 McALLEN, TEXAS 78504

STATE OF TEXAS  
 COUNTY OF HIDALGO:

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED RICARDO D. MARTINEZ, 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 DAY OF \_\_\_\_\_, 2022.

NOTARY PUBLIC DATE

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

CHAIRMAN, PLANNING AND ZONING COMMISSION DATE

STATE OF TEXAS  
 COUNTY OF HIDALGO:

I, CARLOS VASQUEZ, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

CARLOS VASQUEZ, RPLS # 4608  
 CVO LAND SURVEYORS  
 517 BEAUMONT ST.  
 McALLEN, TEXAS 78501  
 TEL# 1-817-409-6600

DATE

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.



2022-07-22  
 Stephen Spoor  
 REGISTERED PROFESSIONAL ENGINEER  
 P. E. REGISTRATION No. 56752

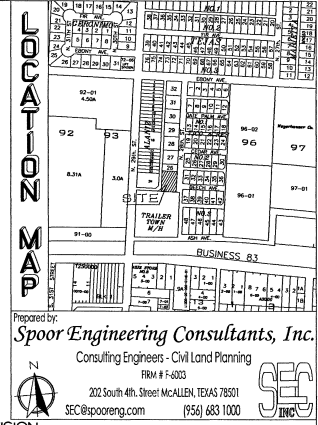
I, THE UNDERSIGNED MAYOR OF THE CITY OF McALLEN HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF SUBDIVISION REGULATIONS OF THIS CITY WHEREIN MY APPROVAL IS REQUIRED.

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: RALL E. SESIN, P.E., CFM  
 GENERAL MANAGER DATE







# City of McAllen

## SUBDIVISION PLAT REVIEW

Reviewed On: 12/2/2022

### SUBDIVISION NAME: ALANIZ SUBDIVISION

#### REQUIREMENTS

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

North 28th Street: 25 ft. from centerline for 50 ft. ROW  
 Paving: 32 ft. Curb & gutter: Both sides  
 \*\*\*\*Please verify existing ROW on east side of CL prior to recording to finalized ROW dedication requirements. Original "Alaniz Subdivision" plat shows 25 ft. on each side of centerline.  
 \*\*Subdivision Ordinance: Section 134-105  
 \*\*Monies must be escrowed if improvements are required prior to recording  
 \*\*COM Thoroughfare Plan

Required

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

Applied

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

NA

\* 1,200 ft. Block Length  
 \*\*Subdivision Ordinance: Section 134-118

NA

\* 600 ft. Maximum Cul-de-Sac  
 \*\*Subdivision Ordinance: Section 134-105

NA

##### ALLEYS

ROW: 20 ft. Paving: 16 ft.  
 \*Alley/service drive easement required for commercial properties  
 \*\*Alley on west side of subdivision boundaries must be paved prior to recording of subdivision.  
 \*\*\*Subdivision Ordinance: Sec.134-106

Required

##### SETBACKS

\* Front: 20 ft. or greater for easements.  
 Revisions needed:  
 - Please revise plat note as shown above prior to recording.  
 \*\*\*Plat submitted on 11/16/22, shows "20 ft." dimension for the front setback line on the plat.  
 \*\*\*Zoning Ordinance: Section 138-356  
 \* Rear: 10 ft. or greater for easements.  
 \*\*\*Zoning Ordinance: Section 138-356

Required

Applied

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



<p>* Interior Sides: In accordance with the Zoning Ordinance or greater for easements  ***Developer submitted variance request for a 3 ft. side setback on the south side and a 0 ft. on the north side for lots 25B, 25C, 25D, and 26D subject to compliance with building code requirements in lieu of in accordance with the zoning ordinance.  ***Developer submitted variance request for a 3 ft. side setback on the north side for lot 25A subject to compliance with building code requirements in lieu of in accordance with the zoning ordinance.  ***Developer submitted variance request for a 3 ft. side setback on the south side for lots, 26B subject to compliance with building code requirements in lieu of in accordance with the zoning ordinance.  **Zoning Ordinance: Sec.138-356</p> <p>* Corner  **Zoning Ordinance: Section 138-356</p> <p>* Garage: 18 ft. except where greater setback is required; greater setback applies.  **Zoning Ordinance: Sec.138-356</p> <p>*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN</p>	Required
	NA
	Applied
	Applied
<b>SIDEWALKS</b>	
<p>* 4 ft. wide minimum sidewalk required on North 28th Street.  **5 ft. sidewalk might be required by Engineering Department.  **Subdivision Ordinance: Sec.134-120</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.  **Landscaping Ordinance: Sec.110-46</p> <p>* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.  **Landscaping Ordinance: Section 110-46</p> <p>*Perimeter buffers must be built at time of Subdivision Improvements.</p>	Applied
	Applied
	Applied
<b>NOTES</b>	
<p>* No curb cut, access, or lot frontage permitted along.  **Must comply with City Access Management Policy</p> <p>* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.</p> <p>* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.</p> <p>* Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen.</p> <p>* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.  **Section 110-72 applies if private subdivision is proposed.  **Landscaping Ordinance: Section 110-72  **Subdivision Ordinance: Section 134-168</p>	NA
	NA
	Applied
	Applied
	Required



<ul style="list-style-type: none"> <li>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</li> <li>**Section 110-72 applies if private subdivision is proposed.</li> <li>**Landscaping Ordinance: Section 110-72</li> <li>**Subdivision Ordinance: Section 134-168</li> </ul>	Required
<b>LOT REQUIREMENTS</b>	
<ul style="list-style-type: none"> <li>* Minimum lot width and lot area.</li> <li>**Zoning Ordinance: Section 138-356</li> </ul>	Applied
<ul style="list-style-type: none"> <li>* Lots fronting public streets</li> <li>**Subdivision Ordinance: Section 134-1</li> </ul>	Compliance
<b>ZONING/CUP</b>	
<ul style="list-style-type: none"> <li>* Existing: R-3A Proposed: R-3T</li> <li>** Rezoning approved at the P&amp;Z meeting of 11/06/21 and City Commission on 12/13/21.</li> <li>****Zoning Ordinance: Article V</li> </ul>	Completed
<ul style="list-style-type: none"> <li>** Rezoning approved at the P&amp;Z meeting of 11/06/21 and City Commission on 12/13/21.</li> <li>****Zoning Ordinance: Article V</li> </ul>	Completed
<b>PARKS</b>	
<ul style="list-style-type: none"> <li>* Land dedication in lieu of fee.</li> </ul>	NA
<ul style="list-style-type: none"> <li>* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Park Department, park fees apply to this development and total amount of park fees is subject to amount of proposed lots.</li> </ul>	Required
<ul style="list-style-type: none"> <li>* Pending review by the Parkland Dedication Advisory Board and CC.</li> </ul>	NA
<b>TRAFFIC</b>	
<ul style="list-style-type: none"> <li>* As per Traffic Department, Trip Generation to be waived for 5 townhouses. No TIA is required.</li> </ul>	Complete
<ul style="list-style-type: none"> <li>* Traffic Impact Analysis (TIA) required prior to final plat.</li> </ul>	NA
<b>COMMENTS</b>	
<ul style="list-style-type: none"> <li>Comments: Must comply with City's Access Management Policy</li> <li>***Vacating of existing recorded plat will be required if any restrictions are removed/revised from existing plat.</li> <li>***Existing plat notes remain as now exist.</li> </ul>	Applied
<b>RECOMMENDATION</b>	
<ul style="list-style-type: none"> <li>Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED FINAL FORM SUBJECT TO CONDITIONS NOTED, AND CLARIFICATION OF THE VARIANCE REQUEST TO THE INTERIOR SIDE SETBACK REQUIREMENT FOR LOTS 25A-26B.</li> </ul>	Applied

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







SUB 2021-0074



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>Habitat Village</u> Location <u>The north side of Trenton Road at 26th Lane</u> City Address or Block Number <u>2700 TRENTON RD</u> Number of lots <u>13</u> Gross acres <u>2.0</u> Net acres <u>2.0</u> Existing Zoning <u>C-3</u> Proposed <u>R-3T</u> Rezoning Applied For <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date <u>6/29/21</u> Existing Land Use <u>Vacant</u> Proposed Land Use <u>Townhomes</u> Irrigation District # <u>1</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>N/A</u> Parcel No. <u>530385</u> Tax Dept. Review _____ Legal Description <u>2.0 acres out of the north 5.0 acres of Lot 62, La Lomita Irrigation and Construction</u> Company Subdivision _____
Owner	Name <u>Tina (Wychopen) Hoff</u> Phone <u>956-683-1000</u> Address <u>409 Palm Valley West</u> City <u>Palm Valley</u> State <u>Texas</u> Zip <u>78552</u> E-mail _____
Developer	Name <u>Same as Owner</u> Phone _____ Address _____ City _____ State _____ Zip _____ Contact Person _____ E-mail _____
Engineer	Name <u>Spoor Engineering Consultants, Inc.</u> Phone <u>956-683-1000</u> Address <u>202 S. 4th Street</u> City <u>McAllen</u> State <u>Texas</u> Zip <u>78501</u> Contact Person <u>Steve Spoor</u> E-mail <u>sec@spooreng.com</u>
Surveyor	Name <u>CVQ Land Surveyors</u> Phone <u>956-618-1551</u> Address <u>517 Beaumont Ave.</u> City <u>McAllen</u> State <u>Texas</u> Zip <u>78501</u>

RECEIVED  
JUL 02 2021

BY: sec

beto 8/7/21



## 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 7/2/21

Print Name Steve Spoor, P.E.

Owner ☐

Authorized Agent ☒



VAR2022-0035



City of McAllen

# Planning Department

## VARIANCE TO SUBDIVISION PROCESS APPLICATION

 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	Legal Description <u>HABITAT VILLAGE</u> Street Address _____ Number of lots <u>17</u> Gross acres <u>2.00</u> Existing Zoning <u>DB.T</u> Existing Land Use _____ <input type="checkbox"/> Current Survey and Metes and Bounds (if the legal description of the tract is a portion of a lot) is required
Applicant	Name <u>RICARDO DOMANINE</u> Phone <u>956 5783915</u> Address <u>8516 N 21ST</u> E-mail <u>cdanie@habitatvillage.org</u> City <u>McAllen</u> State <u>Tx</u> Zip <u>78501</u>
Owner	Name <u>SAME</u> Phone _____ Address _____ E-mail _____ City _____ State _____ Zip _____
Authorization	To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable) OR I am authorized by the actual owner to submit this application and have attached written evidence of such authorization. Signature <u>[Signature]</u> Date <u>11/11/22</u> Print Name <u>RICARDO DOMANINE</u> <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Authorized Agent
Office	*FOR OFFICE USE ONLY* APPLICATION FILING FEE: <input type="checkbox"/> \$250.00 Accepted by <u>LG.</u> Payment received by _____ Date _____ Rev 06/21

ENTERED

NOV 14 2022

Initial: MD





# City of McAllen

## Planning Department

### REASON FOR APPEAL

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

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

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

Reason for Appeal

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

I AM SUBDIVIDING A DBT PROPERTY AND THE SID SET BACKS ARE 0' AND 6' AND I WANT TO DO 3' OR 4' INSTEAD OF 6'

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

I WANT TO ~~PROVIDE~~ PROVIDE THE FARM BUREAU A HOME THAT DOESN'T SHARE ANY WALL WITH THE NEIGHBORS AND PROVIDE A ~~EXTERNAL~~ ACCESS FOR THE BACK VEH SERVICE

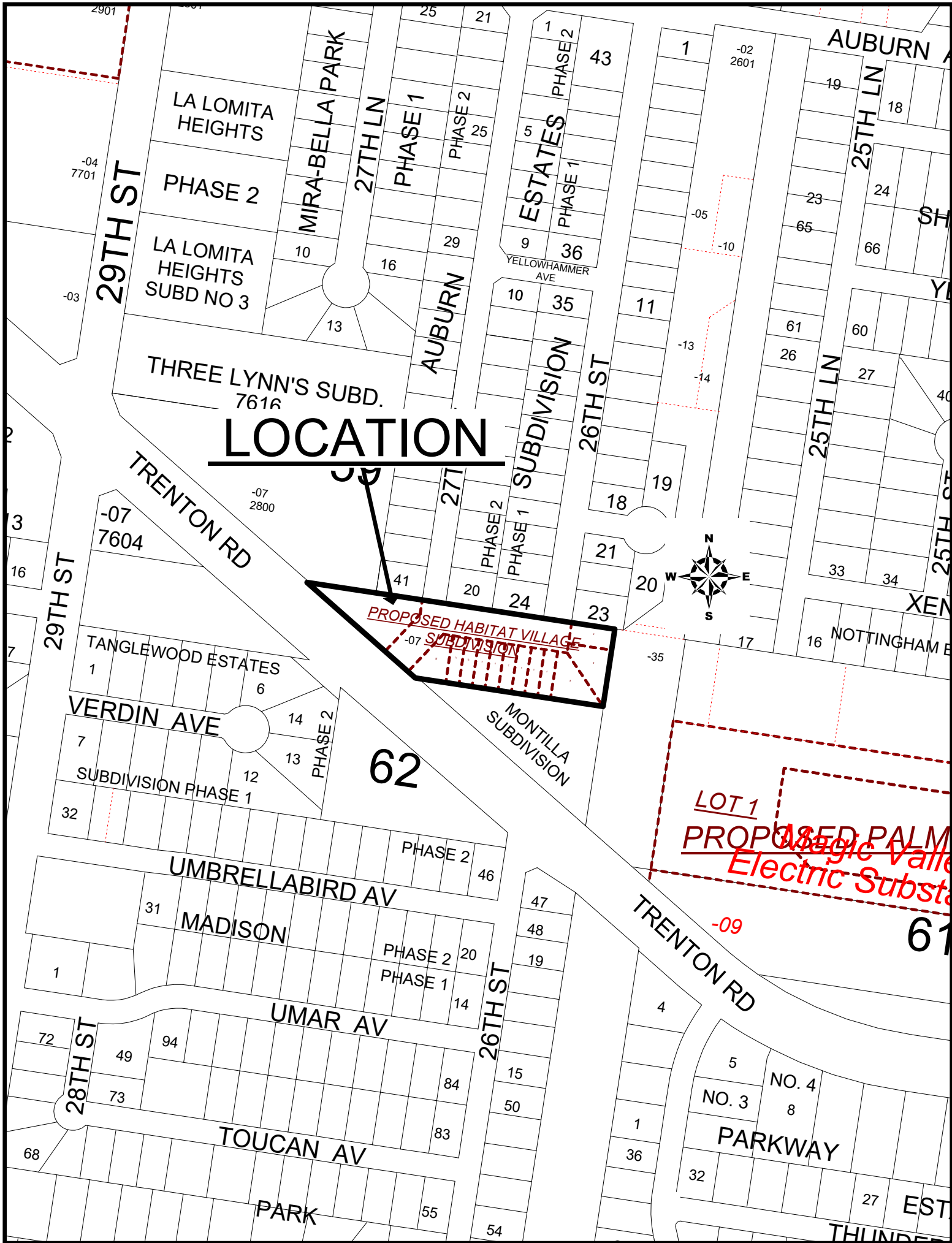
3. Describe how the variance will not be detrimental to the public health, safety or welfare or injurious to the legal rights other property owners enjoy in the area.

THE CURB SET BACK IS 0' SO I AM FOR LESS AND I AM DOING 3' ON MORE CREATING A CLEAR ACCESS AND I WILL COMPLY WITH THE FINE WALL REQUIREMENT

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

I DON'T KNOW ABOUT THIS





**LOCATION**

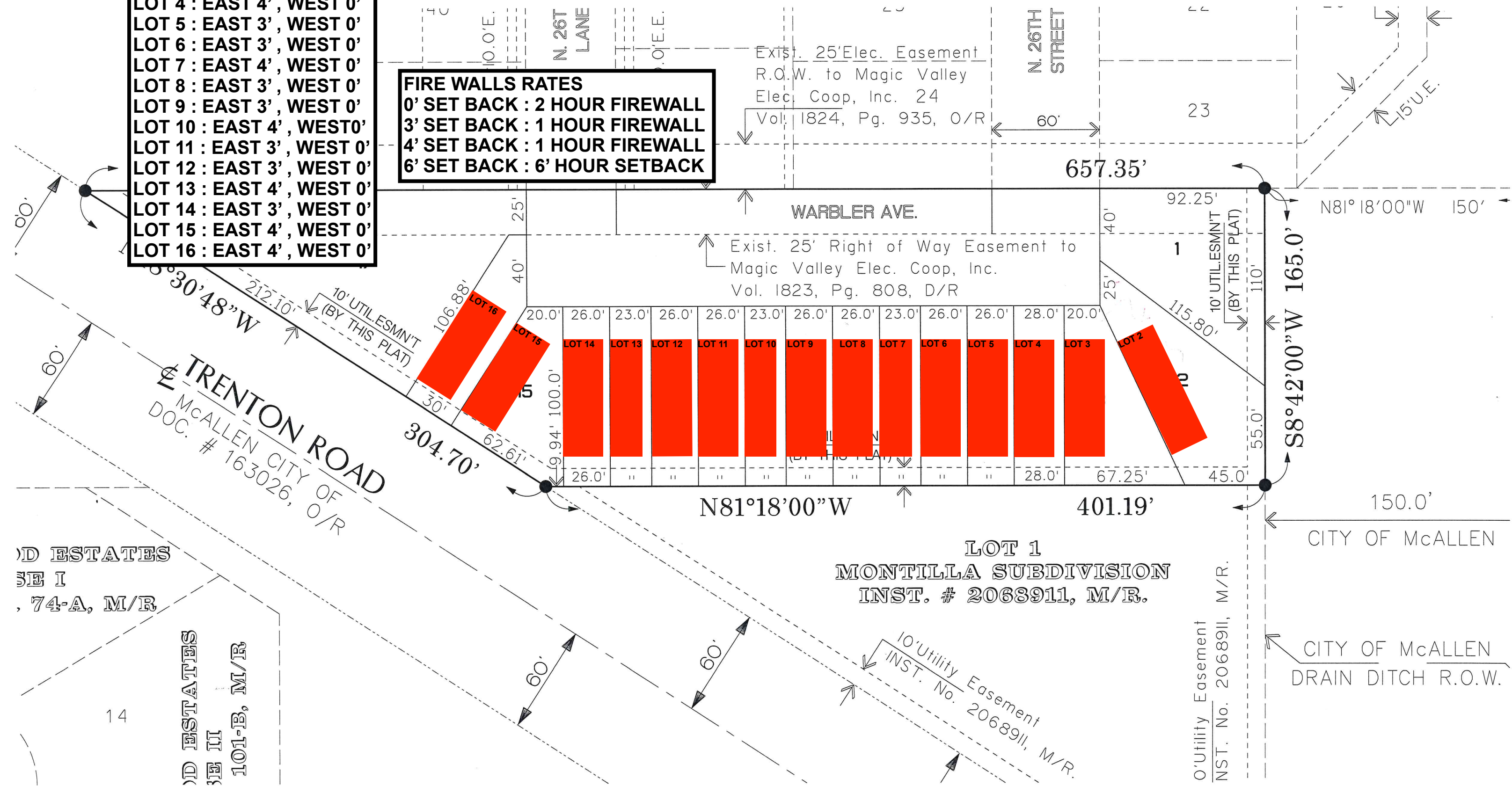
**PROPOSED HABITAT VILLAGE  
SUBDIVISION**

**LOT 1  
PROPOSED PALM Magic Valley  
Electric Substation**



SIDE SETBACKS	
LOT 2 : EAST 4' , WEST 0'	
LOT 3 : EAST 3' , WEST 0'	
LOT 4 : EAST 4' , WEST 0'	
LOT 5 : EAST 3' , WEST 0'	
LOT 6 : EAST 3' , WEST 0'	
LOT 7 : EAST 4' , WEST 0'	
LOT 8 : EAST 3' , WEST 0'	
LOT 9 : EAST 3' , WEST 0'	
LOT 10 : EAST 4' , WEST 0'	
LOT 11 : EAST 3' , WEST 0'	
LOT 12 : EAST 3' , WEST 0'	
LOT 13 : EAST 4' , WEST 0'	
LOT 14 : EAST 3' , WEST 0'	
LOT 15 : EAST 4' , WEST 0'	
LOT 16 : EAST 4' , WEST 0'	

FIRE WALLS RATES	
0' SET BACK : 2 HOUR FIREWALL	
3' SET BACK : 1 HOUR FIREWALL	
4' SET BACK : 1 HOUR FIREWALL	
6' SET BACK : 6' HOUR SETBACK	







# City of McAllen

## SUBDIVISION PLAT REVIEW

Reviewed On: 12/2/2022

### SUBDIVISION NAME: HABITAT VILLAGE

#### REQUIREMENTS

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

Trenton Road: 60 ft. from centerline for 120 ft. ROW

Paving: 65 ft. Curb & gutter: Both sides

\*\*Subdivision Ordinance: Section 134-105

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

\*\*COM Thoroughfare Plan

Applied

E/W Street: 65 ft. proposed ROW

Paving: 40 ft. Curb & gutter: Both sides

Revisions needed:

- Paving layout provided shows a portion of the 25 ft. ROW easement to Magic Valley Easement within the pavement, please clarify prior to final.

- Knuckle design might be required in front of Lots 1-5 and Lots 12-16 to comply with maneuverability requirements prior to final.

- Internal street name will be finalized prior to final.

\*\*Subdivision Ordinance: Section 134-105

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

\*\*COM Thoroughfare Plan

Non-compliance

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

\*\*Subdivision Ordinance: Section 134-105

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

\*\*COM Thoroughfare Plan

Applied

\* 1,200 ft. Block Length

\*\*Subdivision Ordinance: Section 134-118

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

\*\*Subdivision Ordinance: Section 134-118

\* 600 ft. Maximum Cul-de-Sac

\*\*Subdivision Ordinance: Section 134-105

NA

Compliance

NA

##### ALLEYS

ROW: 20 ft. Paving: 16 ft.

\*Alley/service drive easement required for commercial properties

\*\*Subdivision Ordinance: Section 134-106

NA

##### SETBACKS

\* Front: 10 ft. or greater for easements.

\*\*Zoning Ordinance: Section 138-356

\* Rear: 10 ft. or greater for easements

\*\*Zoning Ordinance: Section 138-356

Applied

Applied

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



<p>* Interior Sides: In accordance with Zoning Ordinance or greater for easements.            ***Developer submitted variance request for a 4 ft. side setback on the east side and 0 ft. on the west side for lots 2, 4, 7, 10, 13, 15, and 16 subject to compliance with building code requirements in lieu of in accordance with the zoning ordinance.            ***Developer submitted variance request for a 3 ft. side setback on the east side and 0 ft. on the west side for lots 3, 5, 6, 8, 9, 11, 12, and 14 subject to compliance with building code requirements in lieu of in accordance with the zoning ordinance.            Revisions needed:            - Plat will need to be revised accordingly once setbacks are finalized prior to final.            **Zoning Ordinance: Section 138-356</p> <p>* Corner: 10 ft. or greater for easements.            **Zoning Ordinance: Section 138-356</p> <p>* Garage: 18 ft. except where greater setback is required; greater setback applies.            **Zoning Ordinance: Section 138-356</p> <p>*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN</p>	Required
	Applied
	Applied
	Applied
<b>SIDEWALKS</b>	
<p>* 4 ft. wide minimum sidewalk required on Trenton Road and both sides of all interior streets.            ***Street name for interior street will be assigned prior to recording.            ***Sidewalk requirements may increase to 5 ft. prior to recording per Engineering Department requirements.            **Subdivision Ordinance: Section 134-120</p> <p>* Perimeter sidewalks must be built or money escrowed if not built at this time.</p>	Applied
	Required
<b>BUFFERS</b>	
<p>* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along Trenton Road.            **Proposing: 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along Trenton Road.            **Landscaping Ordinance: Section 110-46</p> <p>* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.            **Landscaping Ordinance: Section 110-46</p> <p>*Perimeter buffers must be built at time of Subdivision Improvements.</p>	Applied
	Applied
	Required
<b>NOTES</b>	
<p>* No curb cut, access, or lot frontage permitted along Trenton Road.            **Must comply with City Access Management Policy</p> <p>* Site plan must be approved by the Planning and Development Departments prior to building permit issuance for 5 or more attached units..</p> <p>* Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen.            **Revise plat note #10 with detention lot number prior to recording.</p> <p>* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.</p>	Applied
	Required
	Required
	NA



<ul style="list-style-type: none"> <li>* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.</li> <li>**Section 110-72 applies if public subdivision is proposed.</li> <li>**Landscaping Ordinance: Section 110-72</li> <li>**Subdivision Ordinance: Section 134-168</li> </ul>	Required
	Required
<b>LOT REQUIREMENTS</b>	
<ul style="list-style-type: none"> <li>* Lots fronting public streets</li> <li>**Subdivision Ordinance: Section 134-1</li> <li>* Minimum lot width and lot area.</li> <li>**Based on lot dimensions provided and driveway requirements, it appears that some lots may not comply with landscaping requirements at time of building permit. Please provide site plan of proposed development prior to recording. As per plans submitted on 11/9/22 from developer, it appears that the lots are in compliance with requirements.</li> <li>**Zoning Ordinance: Section 138-356</li> </ul>	Compliance
	Applied
<b>ZONING/CUP</b>	
<ul style="list-style-type: none"> <li>* Existing: C-3 Proposed: R-3T</li> <li>**PZ recommended approval of the rezoning on August 3, 2021 and City Commission approved the rezoning on August 23, 2021.</li> <li>***Zoning Ordinance: Article V</li> <li>* Rezoning Needed Before Final Approval.</li> <li>**PZ recommended approval of the rezoning on August 3, 2021 and City Commission approved the rezoning on August 23, 2021.</li> <li>***Zoning Ordinance: Article V</li> </ul>	Compliance
	Compliance
<b>PARKS</b>	
<ul style="list-style-type: none"> <li>* Land dedication in lieu of fee.</li> <li>* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, 16 lots are proposed; therefore, \$11,200 (16 X \$700) are due prior to recording.</li> <li>* Pending review by the City Manager Office.</li> </ul>	NA
	Required
	NA
<b>TRAFFIC</b>	
<ul style="list-style-type: none"> <li>* As per Traffic Department, Trip Generation waived and no TIA is required.</li> <li>* Traffic Impact Analysis (TIA) required prior to final plat.</li> </ul>	Compliance
	NA

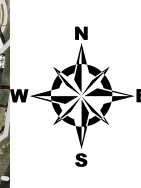
**These comments are for subdivision requirements only – additional requirements may apply at time of site plan review**



COMMENTS	
<p>Comments/Revisions needed:</p> <ul style="list-style-type: none"><li>- Revise plat note #10 with detention lot number prior to final.</li><li>- As per Fire Department, please provide auto turn dimension for ROW prior to final. Revise plat ROW as needed reflecting any ROW adjustments for auto turn prior to final.</li><li>- Please identify what lot 17 will be use for, if proposing to use it as a common area, please identify it on plat prior to final.</li><li>- Clarify portion of the 25 ft. ROW easement to Magic Valley that is within ROW prior to final.</li></ul> <p>*Must comply with City's Access Management Policy.</p>	Applied
RECOMMENDATION	
<p>Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED, AND CLARIFICATION OF THE VARIANCE REQUEST TO THE INTERIOR SIDE SETBACK REQUIREMENTS FOR LOTS 2-16.</p>	Applied



# LOCATION



PROPOSED HABITAT VILLAGE  
SUBDIVISION

LOT 1  
PROPOSED PALMHURST  
SUBDIVISION



Sub2022-0142



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>Vargas Patnamony Subdivision</u></p> <p>Location <u>S 29<sup>th</sup> St. McAllen TX 78501</u></p> <p>City Address or Block Number <u>307 S. 29<sup>th</sup> St.</u></p> <p>Number of lots <u>2</u> Gross acres <u>0.495</u> Net acres <u>0.23, 0.24</u></p> <p>Existing Zoning <u>R2</u> Proposed <u>R2</u> Rezoning Applied For <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____</p> <p>Existing Land Use <u>SFR</u> Proposed Land Use <u>Multi-family</u> Irrigation District # <u>1</u></p> <p>Residential Replat Yes <input 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 Exempt Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Estimated Rollback tax due _____</p> <p>Parcel No. _____ Tax Dept. Review _____</p> <p>Legal Description <u>A 0.495 acre out tract number five and six of an unrecorded plat of that 5.0 acre tract out of lot 146, La Cometa Irrigation and Construction Co. Subd.</u></p>
Owner	<p>Name <u>Miguel Angel Vargas &amp; Johana Vargas</u> Phone <u>(956) 560-8245</u></p> <p>Address <u>901 W Solar dr.</u></p> <p>City <u>Mission</u> State <u>TX</u> Zip <u>78574</u></p> <p>E-mail <u>vargas.homes@gmail.com</u></p>
Developer	<p>Name <u>Miguel Angel Vargas &amp; Johana Vargas</u> Phone <u>(956) 560-8245</u></p> <p>Address <u>901 W Solar dr.</u></p> <p>City <u>Mission</u> State <u>TX</u> Zip <u>78574</u></p> <p>Contact Person <u>Miguel Angel Vargas</u></p> <p>E-mail <u>vargas.homes@gmail.com</u></p>
Engineer	<p>Name <u>MAS Engineering, LLC</u> Phone <u>(956) 537-1311</u></p> <p>Address <u>3911 N 10<sup>th</sup> St Suite H</u></p> <p>City <u>McAllen</u> State <u>TX</u> Zip <u>78501</u></p> <p>Contact Person <u>Mario Salinas</u></p> <p>E-mail <u>msalinas6973@att.net</u></p>
Surveyor	<p>Name <u>Manuel Carrizales</u> Phone <u>(512) 420-1489</u></p> <p>Address <u>fnfud@gmail.com</u></p> <p>City <u>Edinburg</u> State <u>TX</u> Zip <u>78539</u></p>

ENTERED

NOV 16 2022

Initial: NM



## Proposed Plat Submittal

- \_\_\_\_\_ \$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.

Minimum Developer's Requirements Submitted with Application

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 Miguel A. Vargas Date 11/15/22  
Johana Vargas

Print Name MIGUEL ANGEL VARGAS.

Johana Vargas  
Owner ☒

Authorized Agent ☐



TEXAN MOB  
SUBDIVISION

LOCATION

DALLAS AVE

BLK 3

29TH ST

SOUTHWEST  
HEIGHTS

1

ERIE AVE

S

18

1  
2

BUCK

20' ALLEY

SUBD

4  
3

146

OMAR SUBDIVISION  
LOT 1 LOT 2

LOT 1  
PROPOSED VARGAS  
PATRIMONY  
SUBDIVISION

LOT 2

CARDENAS SUBD  
LOT 1  
LOT 2

MALENA  
SUBDIVISION  
324

VENEGAS DIAZ  
SUBDIVISION

5

6

28TH ST

ROBY

1

5

2

SUBD.

SUBD.

15

11

13

10

8

7

CHICAGO AVE

9

10

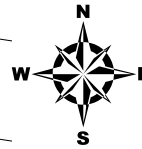
SUBD.

18

6

27TH ST

10











# City of McAllen

## SUBDIVISION PLAT REVIEW

Reviewed On: 12/2/2022

### SUBDIVISION NAME: VARGAS PATRIMONY SUBDIVISION

#### REQUIREMENTS

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

S. 29th Street: Dedication as needed for 50 ft. from centerline for 100 ft. total ROW  
Paving: 65 ft. Curb & gutter: both sides  
Revisions needed:  
- Label centerline and total ROW after dedication prior to final.  
- Provide document number and any documentation as applicable for existing ROW dedications prior to final.  
\*\*Subdivision Ordinance: Section 134-105 & COM Thoroughfare Plan  
\*\*Monies must be escrowed if improvements are required prior to recording

Non-compliance

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

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

Applied

\* 1,200 ft. Block Length  
\*\*Subdivision Ordinance: Section 134-118  
\* 900 ft. Block Length for R-3 Zone Districts  
\*\*Subdivision Ordinance: Section 134-118  
\* 600 ft. Maximum Cul-de-Sac  
\*\*Subdivision Ordinance: Section 134-105

NA

NA

NA

##### ALLEYS

ROW: 20 ft. Paving: 16 ft.  
Revisions needed  
- As per document shown on the east side of plat, there is a 20 ft. utility easement to the City of McAllen; adjacent subdivision to the north provided for a 20 ft. alley dedication. Alley ROW dedication requirement is under and will be established prior to final.  
\*Alley/service drive easement required for commercial properties  
\*\*Subdivision Ordinance: Section 134-106

TBD

##### SETBACKS

\* Front: 40 ft. or greater for easements or inline with existing structures, whichever is greater.  
Revisions needed:  
- Revise plat note #2 as shown above prior to final.  
\*\*Proposing: 20 ft. or greater for easement. Clarify proposed setback since residential lots shall not face a minor arterial, unless a 20 ft. planting area provided in addition to any front setback.  
\*\*Zoning Ordinance: Section 134106 (d)(a)(1)  
\*\*Zoning Ordinance: Section 138-356

Non-compliance

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



<ul style="list-style-type: none"> <li>* Proposing: Rear: 10 ft. or greater for easements</li> </ul> Revisions needed: <ul style="list-style-type: none"> <li>- 12.5 ft. Utility Easement presented on plat, please clarify proposed setback prior to final.</li> <li>- Setback will be established once alley requirements is finalized prior to final.</li> </ul> **Zoning Ordinance: Section 138-356	Non-compliance
<ul style="list-style-type: none"> <li>* Sides: 6 ft. or greater for easements, whichever is greater.</li> </ul> Revisions needed: <ul style="list-style-type: none"> <li>- Revise plat note #2 as shown above prior to final.</li> </ul> **Zoning Ordinance: Section 138-356	Non-compliance
<ul style="list-style-type: none"> <li>* Corner</li> </ul> Revisions needed: <ul style="list-style-type: none"> <li>- Remove plat note since plat does not have corner lots.</li> </ul> **Zoning Ordinance: Section 138-356	Non-compliance
<ul style="list-style-type: none"> <li>* Garage: 18 ft. except where greater setback is required; greater setback applies.</li> </ul> Revisions needed: <ul style="list-style-type: none"> <li>- Revise plat note #2 as shown above prior final.</li> </ul> **Zoning Ordinance: Section 138-356	Non-compliance
<p>*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN</p>	Applied
<b>SIDEWALKS</b>	
<ul style="list-style-type: none"> <li>* 4 ft. wide minimum sidewalk required on South 29th Street</li> </ul> Revisions needed: <ul style="list-style-type: none"> <li>- Revise plat note #3 as shown above prior to final.</li> </ul> ** 5 ft. wide sidewalk might be required by the Engineering Department prior to final. **Subdivision Ordinance: Section 134-120	Non-compliance
<ul style="list-style-type: none"> <li>* Perimeter sidewalks must be built or money escrowed if not built at this time.</li> </ul>	Required
<b>BUFFERS</b>	
<ul style="list-style-type: none"> <li>* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses.</li> </ul> Revisions needed: <ul style="list-style-type: none"> <li>- Revise plat note #14 as shown above prior to final.</li> </ul> **Landscaping Ordinance: Section 110-46	Non-compliance
<ul style="list-style-type: none"> <li>* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.</li> </ul> **Landscaping Ordinance: Section 110-46	Applied
<ul style="list-style-type: none"> <li>*Perimeter buffers must be built at time of Subdivision Improvements.</li> </ul>	Required
<b>NOTES</b>	
<ul style="list-style-type: none"> <li>* No curb cut, access, or lot frontage permitted along</li> </ul> **Must comply with City Access Management Policy	TBD
<ul style="list-style-type: none"> <li>* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.</li> </ul> Revisions needed: <ul style="list-style-type: none"> <li>- Please remove plat note #16, since plat note is not required.</li> </ul>	Non-compliance
<ul style="list-style-type: none"> <li>* Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen.</li> </ul>	Applied
<ul style="list-style-type: none"> <li>* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.</li> </ul>	NA



<p>* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Revisions needed: -Please clarify plat note #13 prior to final. **Section 110-72 applies if private subdivision is proposed. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168</p>	Non-compliance
	Non-compliance
<b>LOT REQUIREMENTS</b>	
<p>* Lots fronting public streets Revisions needed: - Provide dimensions for the property lot along S. 29th Street and square footage for both lots to determine if in compliance with lot width and area requirement prior to final. **Subdivision Ordinance: Section 134-1</p> <p>* Minimum lot width and lot area Revisions needed: - Provide dimensions for the property lot along S. 29th Street and square footage for both lots to determine if in compliance with lot width and area requirement prior to final. - Provide number of dwelling units per lot to determine if in compliance with lot area requirement prior to final. **Zoning Ordinance: Section 138-356</p>	Non-compliance
	Non-compliance
<b>ZONING/CUP</b>	
<p>* Existing: R-2 Proposed: R-2 Revisions needed: - Provide number of dwelling units to determine if in compliance with zoning requirement. ***Zoning Ordinance: Article V</p> <p>* Rezoning Needed Before Final Approval ***Zoning Ordinance: Article V</p>	Non-compliance
	TBD
<b>PARKS</b>	
<p>* Land dedication in lieu of fee. Park Fee required at \$700 per lot/dwelling unit to be paid prior to recording, if land dedication is not applicable. Please provide number of dwelling units prior to final.</p> <p>* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording, if land dedication is not required. Please provide number of dwelling units prior to final.</p> <p>* Pending review by the City Manager's Office.</p>	TBD
	TBD
	TBD
<b>TRAFFIC</b>	
<p>* As per Traffic Department, clarify number of units in order to determine if Trip Generation will required to determine if TIA is required, prior to final plat.</p> <p>* Traffic Impact Analysis (TIA) required prior to final plat.</p>	Non-compliance
	TBD

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



COMMENTS	
Comments/Revision needed: - Provide Metes & Bound description on plat prior to final. *Must comply with City's Access Management Policy.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED, DRAINAGE, AND UTILITY APPROVALS.	Applied



TEXAN MOE  
SUBDIVISION

LOCATION

DALLAS AVE

29TH ST

28TH ST

CHICAGO AVE



OMAR SUBDIVISION

PROPOSED VARGAS  
PATRIMONY  
SUBDIVISION

MALENA  
SUBDIVISION  
VENEGAS DIAZ  
SUBDIVISION

SUBD

SUBD.

SOUTHWEST  
HEIGHTS

ERIE AVE

BLK 3

ROBY

SUBD.



SUB2022-0140



# City of McAllen

## Planning Department

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

Project Information	<p>Subdivision Name <u>RANCHO VALENCIA</u></p> <p>Location <u>840 FEET WEST OF JACKSON RD, SOUTH SIDE OF EL RANCHO RD</u></p> <p>City Address or Block Number <u>1200 E. EL RANCHO RD</u></p> <p>Number of Lots <u>82</u> Gross Acres <u>9.18</u> Net Acres <u>8.87</u> ETJ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Existing Zoning <u>R-3T</u> Proposed Zoning <u>R-3T</u> 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>R-3T</u> Irrigation District # <u>2</u></p> <p>Replat <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Commercial _____ Residential <u>X</u></p> <p>Agricultural Exemption <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Estimated Rollback Tax Due <u>\$0</u> <i>one</i></p> <p>✓ Parcel # <u>231252</u> <u>290257</u> ✓ Tax Dept. Review <u>MC</u> <u>11-10-2022</u></p> <p>Water CCN <input checked="" type="checkbox"/> MPU <input type="checkbox"/> Sharyland Water SC Other _____</p> <p>Legal Description <u>9.18 AC. O/O LOT 1, BLK 17, STEELE &amp; PERSHING SUBDIVISION (H.C.M.R. V 8 PGS 114-115) AND LOT 1, BLK 9, A.J. MCCOLL SUBDIVISION (H.C.M.R. V 21 PG 598)</u></p>
Owner	<p>Name <u>ESPONJAS DEVELOPMENT LTD</u> Phone <u>956-454-7247</u></p> <p>Address <u>2912 S. JACKSON RD</u> E-mail <u>EDDIECANTU@ICLOUD.COM</u></p> <p>City <u>MCALLEN</u> State <u>TEXAS</u> Zip <u>78503</u></p>
Developer	<p>Name <u>FRANCISCO PONS BALLESTEROS</u> Phone <u>52 55 5104 5367</u></p> <p>Address <u>505 WEST 15TH STREET</u> E-mail <u>FRANCISCOPONS@SEDELPRADO.COM</u></p> <p>City <u>AUSTIN</u> State <u>TEXAS</u> Zip <u>78701</u></p> <p>Contact Person <u>FRANCISCO PONS BALLESTEROS</u></p>
Engineer	<p>Name <u>M GARCIA ENGINEERING, LLC</u> Phone <u>(956) 207-6036</u></p> <p>Address <u>1616 E. GRIFFIN PARKWAY #146</u> E-mail <u>mariano@mgarciaengineering.com</u></p> <p>City <u>MISSION</u> State <u>TEXAS</u> Zip <u>78572</u></p> <p>Contact Person <u>MARIANO GARCIA, P.E.</u></p>
Surveyor	<p>Name <u>QUINTANILLA, HEADLEY &amp; ASSOC., INC.</u> Phone <u>(956) 381-6480</u></p> <p>Address <u>124 E. STUBBS ST.</u> E-mail <u>alfonsoq@qhaengineering.com</u></p> <p>City <u>EDINBURG</u> State <u>TEXAS</u> Zip <u>78539</u></p>

ENTERED

NOV 10 2022

Initial: Nm



## Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

### In Person Submittal Requirements

- \$225 Preliminary Review Fee and \$75 Final Approval Fee (Both fees can be combined in one payment)
- Title Report
- 8 ½" by 11" Original Sealed Survey showing existing structures/easements or 3 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)

### Email Submittal Requirements

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

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

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

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

### **PLAT TO SHOW:**

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

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

Owners Signature

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

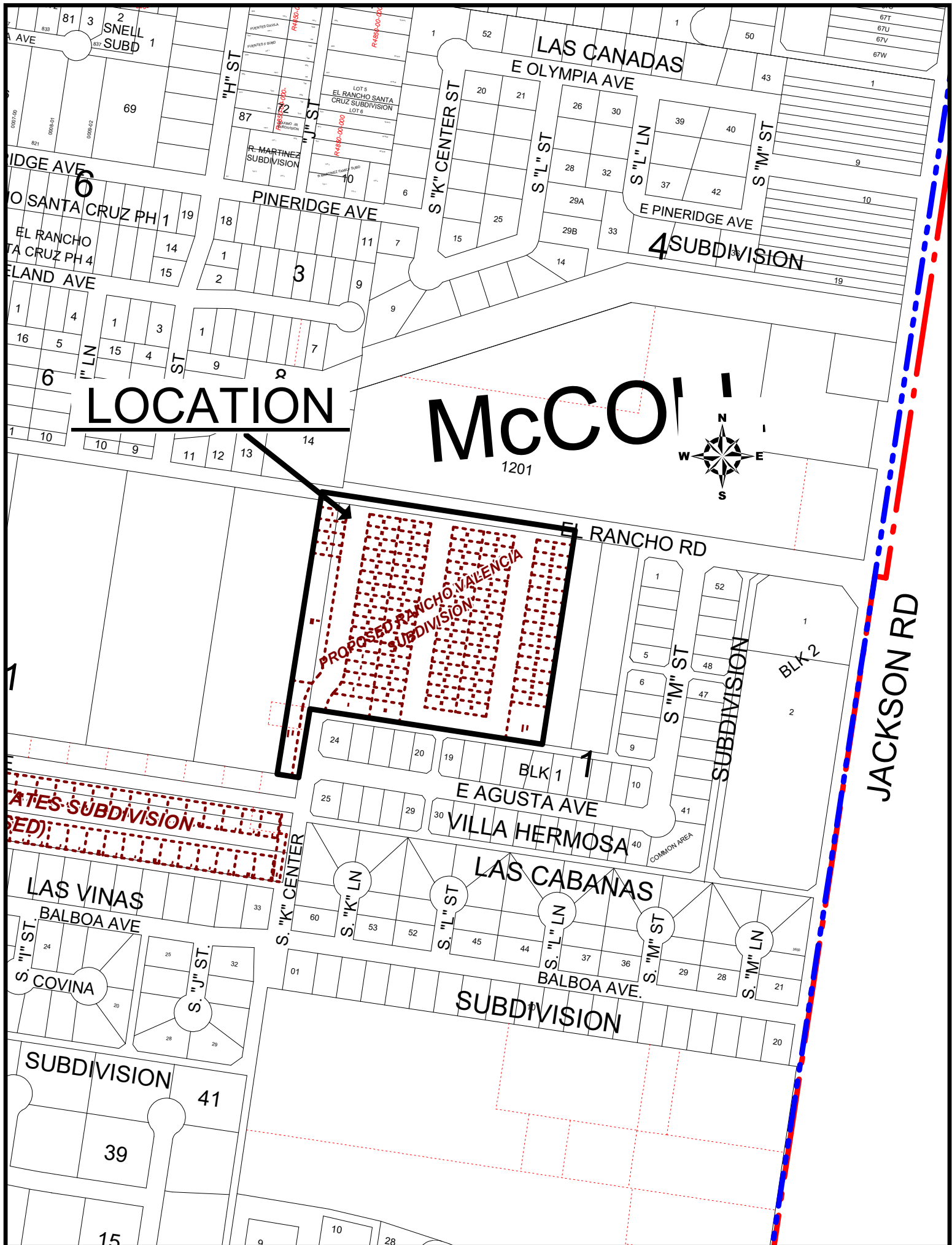
Signature  Date Nov-2-2022

Print Name FRANCISCO PONS BALLESTEROS

Owner ☐ Authorized Agent ☒

The Planning Department is now accepting DocuSign signatures on application





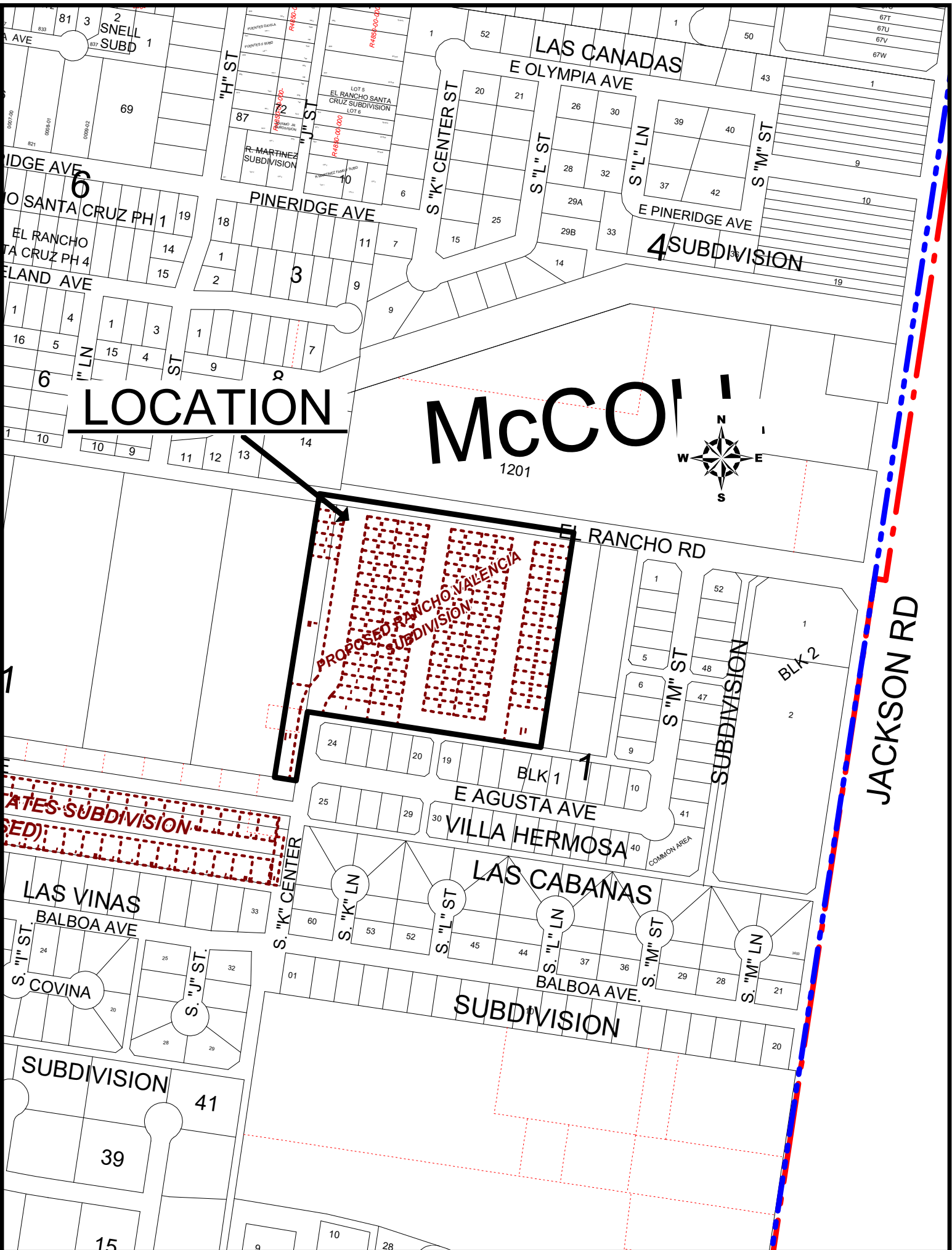
LOCATION

McCOY  
1201

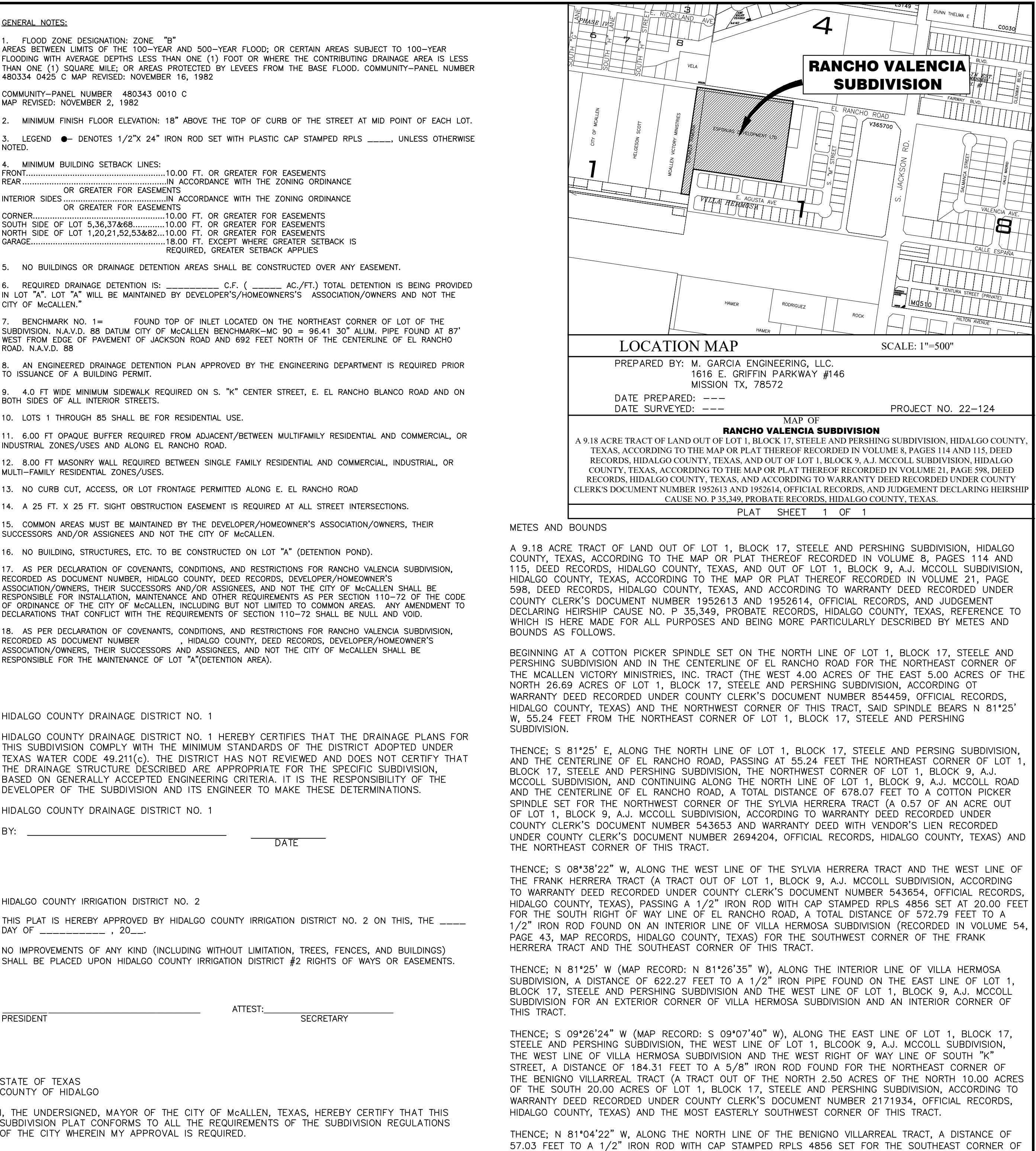


PROPOSED RANCHO VALENCIA  
SUBDIVISION

JACKSON RD







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

1616 E. GRIFFIN PARKWAY #146 MISSION TX 78572  
www.mgarciaengineering.com  
Firm Reg. No. F-9828

NOTARY PUBLIC						
PRINCIPAL CONTACTS	NAME	ADDRESS	CITY, STATE & ZIP CODE	PHONE	FAX	
OWNER:	BONA FIDE, LLC	505 WEST 15TH STREET	AUSTIN TX 78701	---	---	
ENGINEER:	MARIANO GARCIA, P.E.	1616 E. GRIFFIN PARKWAY #146	MISSION TX 78752	---	---	
SURVEYOR:	QUINTANILLA, HEADLEY & ASSOCIATES	124 E. STUBBS ST.	EDINBURG TX, 78539	(956) 381-6480	(956) 381-0527	





# City of McAllen

## SUBDIVISION PLAT REVIEW

Reviewed On: 11/30/2022

### SUBDIVISION NAME: RANCHO VALENCIA

#### REQUIREMENTS

#### STREETS AND RIGHT-OF-WAYS

E. El Rancho Road: 20 ft. of additional dedication for 40 ft. from centerline for 80 ft. total ROW.  
Paving: 52 ft. Curb & gutter :Both Sides

Revisions Needed:

-Revise street name references as shown above were applicable, prior to final.

\*\*Subdivision Ordinance: Section 134-105

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

\*\*COM Thoroughfare Plan

Non-compliance

South "K" Center Street (N/S 1/4 Mile Collector ):Dedication as needed for 60 ft. of total ROW.  
Paving 40 ft. Curb & gutter: Both Sides.

Revisions Needed:

-Include ROW labeling on plat, prior to final.

-Clarify dedications along southwestern plat boundary, new and existing and provide centerline to ensure compliance with required ROW dedications, prior to final.

\*\*Subdivision Ordinance: Section 134-105

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

\*\*COM Thoroughfare Plan

Non-compliance

Interior Streets: 60 ft. of total ROW dedication.

Paving: 40 ft. Curb & gutter: Both Sides

Revisions Needed:

-Please review required ROW dedication, as per plat submitted reference to 50.0' ROW, review and revise were applicable prior to final.

-Street names to be established, finalize prior to final.

-Provide for "Knuckle" along the SE and SW ends of the interior streets, revise prior to final.

\*\*Subdivision Ordinance: Section 134-105

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

\*\*COM Thoroughfare Plan

Non-compliance

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

\*\*Subdivision Ordinance: Section 134-105

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

\*\*COM Thoroughfare Plan

Applied

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

\*\*Subdivision Ordinance: Section 134-105

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

\*\*COM Thoroughfare Plan

Applied

\* 1,200 ft. Block Length.

\*\*Subdivision Ordinance: Section 134-118

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

\*\*Subdivision Ordinance: Section 134-118

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

\*\*Subdivision Ordinance: Section 134-105

NA

Compliance

NA

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



<b>ALLEYS</b>	
ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial and multi-family properties. Revisions Needed: -Provide for alley or service drive easement on the plat prior to final. Alley or service drive easement cannot dead-end. **Subdivision Ordinance: Section 134-106	Non-compliance
<b>SETBACKS</b>	
* Front: 10.00 ft. or greater for easements. **Front setback under review in correlation with curb cut access requirements, finalize prior to final. **Zoning Ordinance: Section 138-356 * Rear: In accordance with the Zoning Ordinance or greater for easements. **Zoning Ordinance: Section 138-356 *Proposing: Interior Sides: In accordance with the Zoning Ordinance or greater for easements. South Side of Lot 5,36,37 &68 :10.00 ft. or greater for easements. North Side of Lot 1,20,21,52,53,&82: 10.00 ft. or greater for easements. Revisions Needed: -Clarify lot specific setbacks prior to final. **Zoning Ordinance: Section 138-356 * Corner:10.00 ft. or greater for easements **Zoning Ordinance: Section 138-356 *Garage:18 ft. except where greater setback is required, greater setback applies. **Zoning Ordinance: Section 138-356 *ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Required
	Applied
	Non-compliance
	Applied
	Applied
	Applied
<b>SIDEWALKS</b>	
* 4 ft. wide minimum sidewalk required along E. El Rancho Road and on both sides of S. "K" Center Street and all interior streets. Revisions Needed: -Revise note as shown above prior to final. **Subdivision Ordinance: Section 134-120 * Perimeter sidewalks must be built or money escrowed if not built at this time.	Non-compliance
	Required
<b>BUFFERS</b>	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along E. El Rancho Road. Revisions Needed: -Revise note as shown above prior to final. **Landscaping Ordinance: Section 110-46 * 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. **Landscaping Ordinance: Section 110-46 *Perimeter buffers must be built at time of Subdivision Improvements.	Non-compliance
	Applied
	Required

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



NOTES	
<p>* No curb cut, access, or lot frontage permitted along E. El Rancho Road.  **Curb cut, access, and lot frontage requirements for S."K" center under review, as service drive is required, note subject to change once lot frontage and service drive requirements are established, finalize prior to final.  ***Must comply with City Access Management Policy</p>	Non-compliance
<p>* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.  **Any owner, builder or developer of a multiple-family, condominium or townhouse dwelling complex of five units or more on a single lot or parcel, or five single-family attached units, shall submit to the planning department for review a site and building plan for the proposed development, submit a site plan for staff review prior to final.  ***Zoning Ordinance: Section 138-210.</p>	Required
<p>* Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen.</p>	Applied
<p>* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.</p>	NA
<p>* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.  **Section 134-168 applies if private subdivision is proposed.  ***Section 110-72 applies if public subdivision is proposed.  ****Landscaping Ordinance: Section 110-72  *****Subdivision Ordinance: Section 134-168</p>	Required
<p>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.  **Homeowner's Association Covenants must be submitted for staff review, prior to recording.  ***Section 134-168 applies if private subdivision is proposed.  ****Section 110-72 applies if public subdivision is proposed.  *****Landscaping Ordinance: Section 110-72  *****Subdivision Ordinance: Section 134-168</p>	Required
LOT REQUIREMENTS	
<p>* Lots fronting public streets.  **Subdivision Ordinance: Section 134-1</p>	Compliance
<p>* Minimum lot width and lot area.  **Zoning Ordinance: Section 138-356</p>	Compliance
ZONING/CUP	
<p>* Existing: R3-T (Townhouse Residential) District Proposed:R3-T (Townhouse Residential) District  ***Zoning Ordinance: Article V</p>	Compliance
<p>* Rezoning Needed Before Final Approval  **Proposed zoning is compliant with current zoning.  ***Zoning Ordinance: Article V</p>	NA

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



<b>PARKS</b>	
* Land dedication in lieu of fee. As per plat submitted on November 10th,2022, plat depicts 84 lots, as per City of McAllen Parkland Dedication Ordinance land dedication is over an acre. A variance request must be submitted if requesting fees in lieu of land to be reviewed by the City Manager's office.	TBD
* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per plat submitted on November 10th,2022, plat depicts 84 lots, as per City of McAllen Parkland Dedication Ordinance land dedication is over an acre. A variance request must be submitted if requesting fees in lieu of land to be reviewed by the City Manager's office.	TBD
* Pending review by the City Managers Office. As per plat submitted on November 10th,2022, plat depicts 84 lots, as per City of McAllen Parkland Dedication Ordinance land dedication is over an acre. A variance request must be submitted if requesting fees in lieu of land to be reviewed by the City Manager's office.	TBD
<b>TRAFFIC</b>	
* As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat.	Non-compliance
* Traffic Impact Analysis (TIA) required prior to final plat.	TBD
<b>COMMENTS</b>	
Comments: *Must comply with City's Access Management Policy.	Applied
<b>RECOMMENDATION</b>	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED, UTILITIES AND DRAINAGE APPROVALS.	Applied







**Memo**

**TO:** Planning & Zoning Commission  
**FROM:** Edgar I. Garcia, AICP, CNU-A, CPM  
**DATE:** December 2, 2022  
**SUBJECT:** City Commission Actions on November 28, 2022

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**CONDITIONAL USE PERMITS**

1. Request of Emigdio Salinas on behalf of M2 Engineering, for life of the use, for a Planned Unit Development (PUD) at 13.116 acres out of Lots 234 and 235, Pride O' Texas Subdivision; 6100 N Bentsen
  - Planning and Zoning Commission recommended approval
  - City Commission approved as recommended
2. Request of Jaime Salazar, for one life of the use, for a guesthouse at Lot 1, Orangewood North Subdivision; 8408 N 4<sup>th</sup> St
  - Planning and Zoning Commission recommended disapproval
  - City Commission approved as recommended by staff
3. Request of Fernando Cruz on behalf of Journey Church RGV, for life of the use, for an Institutional Use (church) at a 1.10-acre tract of land out of Lot 492, John H, Shary Subdivision; 6917 and 6925 SH 107
  - Planning and Zoning Commission recommended disapproval
  - City Commission approved as recommended

**REZONINGS**

4. Rezone from R-1 to R-2 at Lot 7, Block 1, Southwest Heights Subdivision; 404 S 28<sup>th</sup> St
  - Planning and Zoning Commission recommended approval
  - City Commission approved as recommended
5. Rezone from R-1 to R-3A at 10.201 acres out of Lot 445 John H. Shary Subdivision; 9400 N Shary
  - Planning and Zoning Commission recommended approval
  - City Commission approved as recommended



<b>P</b>	<b>PRESENT</b>
<b>A</b>	<b>ABSENT</b>
<b>MC</b>	<b>MEETING CANCELLED</b>
<b>LQ</b>	<b>LACK OF QUORUM</b>

## 2022 ATTENDANCE RECORD FOR PLANNING AND ZONING COMMISSION MEETINGS

	01/04/22	01/18/22	02/01/22	02/16/22	03/02/22	03/22/22	04/05/22	04/19/22	05/03/22	05/17/22	06/07/22	06/21/22	07/06/22	07/19/22	08/02/22	08/16/22	09/07/22	09/20/22	10/04/22	10/18/22	11/01/22	11/16/22	12/06/22	12/20/22
Daniel Santos	A																							
Michael Fallek	P	P	P	A	P	P	P	P	A	P	P	P	P	LQ	P	P	P	A	P	P	P	A		
Gabriel Kamel	P	A	P	P	P	P	P	P	P	P	P	P	P	LQ	P	P	P	P	A	P	P	P		
Michael Hovar	P	P	P																					
Jose B. Saldana	A	A	P	P	A	A	P	A	A	P	A	P	P	LQ	P	P	A	P	P	A	A	P		
Marco Suarez	P	P	A	P	A	P	P	P	P	A	P	P	A	LQ	P	P	A	P	A	P	P	A		
Emilio Santos Jr.	P	P	P	A	P	P	P	P	P	A	A	P	P	LQ	P	A	P	P	P	A	A	P		
Rudy Elizondo				P	P	P	A	P	P	P	P	A	P	LQ	A	A	A	A	A	A	A			
Erica de la Garza-Lopez				P	A	P	P	P	A	P	P	P	P	LQ	A	P	P	P	P	P	P	P		





## 2022 ATTENDANCE RECORD FOR PLANNING AND ZONING COMMISSION WORKSHOPS

[illegible]



## 2022 CALENDAR

### Meetings:





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

### Deadlines:






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

\* **Holiday** - Office is closed





### JULY 2022

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






### AUGUST 2022

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





### SEPTEMBER 2022

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




### OCTOBER 2022

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

### NOVEMBER 2022

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

### DECEMBER 2022

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