

AGENDA

PLANNING & ZONING COMMISSION REGULAR MEETING TUESDAY, MARCH 5, 2024 - 3:30 PM MCALLEN CITY HALL, 1300 HOUSTON AVENUE CITY COMMISSION CHAMBERS, 3RD 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 the minutes for the February 6, 2024 meeting
- b) Approval of the minutes for the February 20, 2024 meeting

2) PUBLIC HEARING

a) CONDITIONAL USE PERMITS:

- 1. Request of Ricardo de la Garza on behalf of South Texas College, for a Conditional Use Permit, for Life of the Use, and adoption of an Ordinance for an Institutional Use (College Campus), at Lot 1, Medical Treatment and Education Center Subdivision, Hidalgo County, Texas, 2101 South McColl Road. **(CUP2024-0013)**
- 2. Request of Ricardo Vega and Melinda V. Vega on behalf of Maddie's Pumpkin Patch, for a Conditional Use Permit, for three years, and adoption of an Ordinance for an Event Center (Picture Venue) at 4.983 Acres out of Lot 78, La Lomita Irrigation and Construction Company Subdivision, Hidalgo County, Texas, 6712 North Bentsen Road. **(CUP2024-0016)**
- 3. Request of Christopher R. Barisonek for a Conditional Use Permit, for one year, and adoption of an ordinance, for a Smoke Shop at Lot 3, Wilkins Subdivision No. 3, Hidalgo County, Texas; 3732 Pecan Boulevard, Suite 2. **(CUP2024-0015)**
- 4. Request of Maryann Gonzalez on behalf of Elite Barber Institute, LLC, for a Conditional Use Permit, for one year, for an Institutional Use (barber school) at Lot 2, Michelle's Plaza Subdivision, Hidalgo County, Texas; 2108 Nolana Avenue. **(CUP2024-0017)**
- 5. Request of Frances T. Skaugen, for a Conditional Use Permit, for one year, for a Portable Building greater than 10' x 12' for a waxing studio at Lot 6, Block 1, Poorbaugh's Subdivision, Hidalgo County, Texas; 309 North 3rd Street. **(CUP2024-0012)**

6. Request of Uzziel I. Jaramillo on behalf of The Kingdom Church for a Conditional Use Permit, for one year, for an Institutional Use (church) at Lot 1, Block 23, McAllen Addition, Hidalgo County, Texas; 222 South 16th Street. **(CUP2024-0018)**

b) REZONING:

1. Rezone from C-3 (general business) District to C-4 (commercial industrial) District: 2.58 acres, more or less, the west 170 feet of the east 340 feet of the west 579 feet of the south ½ of Lot 4, Block 5, McColl Subdivision, Hidalgo County, Texas; 1213 East Pecan Boulevard. **(REZ2024-0009)**
2. Rezone from R-1 (single family residential) District to C-3 (general business) District: 4.13 acres, more or less, out of the west 9.80 acres of Lot 6, Block 2, C.E. Hammond's Subdivision, Hidalgo County, Texas; 4300 Pecan Boulevard. **(REZ2024-0010)**
3. Rezone from R-3A (multifamily residential apartment) District to R-3T (multifamily residential townhouse) District: Lots 13 and 14, Gentry Subdivision, Hidalgo County, Texas; 115 South 29th Street. **(REZ2024-0011)**
4. Rezone from R-2 (duplex-fourplex residential) District to R-3T (multifamily townhouse residential) District: Lot 12, Gentry Subdivision, Hidalgo County, Texas; 109 South 29th Street. **(REZ2024-0012)**

3) CONSENT:

- a) Vacating Recreational Area of Monte Cristo Subdivision and Replat to Monte Cristo Lot 1A Subdivision, 4308 Vivian Street, Jose L. Palacios **(SUB2023-0128) (FINAL) M&H**

4) SUBDIVISIONS:

- a) Silverado Moon Subdivision, 8100 North Taylor Road, Fortis Land Company, LLC **(SUB2023-0102) (REVISED FINAL) RDE TABLED ON 2/20/2024**
- b) Sharpless Square Subdivision, 3501 Auburn Avenue, Moon City Endevors, LLC **(SUB2024-0018) (FINAL) RDE**
- c) Dos Lobos I Subdivision, 1721 Trenton Road, Dos Lobos Una Meta, LLC **(SUB2024-0012) (FINAL) RDE**
- d) Imperio Estates Subdivision, 8700 North 29th Street, Hollywood Development & Construction, LLC **(SUB2022-0128) (REVISED FINAL) RDE**
- e) Villas at Ware Subdivision, 4900 North Ware Road (Rear), Rhodes Enterprises, Inc. (SUB2023-0063) (REVISED PRELIMINARY) M&H
- f) Vargas Patrimony Subdivision, 307 South 29th Street, Miguel A. Vargas and Johana E. Vargas **(SUB2022-0142) (PRELIMINARY 6-MONTH EXTENSION) MAS**

ADJOURNMENT:

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

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF McALLEN

The McAllen Planning and Zoning Commission convened in a Regular Meeting on Tuesday February 6, 2024, at 3:30p.m. at the McAllen City Hall, 3rd Floor Commission Chambers Room, 1300 Houston Avenue, McAllen, Texas.

Present:	Michael Fallek Gabriel Kamel Jose Saldana Emilio Santos Jr. Jesse Ozuna	Chairperson Vice Chairperson Member Member Member
Absent:	Marco Suarez Reza Badiozzamani	Member Member
Staff Present:	Austin Stevenson Michelle Rivera Edgar Garcia Omar Sotelo Rodrigo Sanchez Mario Escamilla Kaveh Forghanparast Samuel Nunez Adriana Solis Eduardo Garza Hilda Tovar Samantha Trevino Jacob Salazar Juan Gloria Vince Abrigo Magda Ramirez	City Attorney Assistant City Manager Planning Director Development Coordinator Senior Planner Planner III Planner III Planner II Planner II Planner II Planner II Planner I Planner Technician II Fire Chief Fire Captain Admin Administrative Assistant

CALL TO ORDER – Chairperson Mr. Michael Fallek

PLEDGE OF ALLEGIANCE

INVOCATION-. Mr. Emilio Santos Jr.

1) MINUTES:

- a) Approval/Disapproval of minutes from the January 24, 2024 meeting.

The minutes for the regular meeting held on January 24, 2024 were not presented to the board. No action was required.

2) PUBLIC HEARING:

- a) **CONDITIONAL USE PERMITS:**

- 1) Request of South Texas Development and Construction on behalf of Armando Rios, for a Conditional Use Permit, for one year, for a portable

food concession stand with a kitchen addition, at E96.53' N127.55'- Lot 1,
Alta Loma Subdivision, Hidalgo County, Texas; 2309 Galveston Avenue.
(CUP2024-0003)

Ms. Samantha Trevino stated that the property is located on the south side of Galveston Avenue, west of South 23rd Street and is zoned C-3 (General Business) District.

The initial Conditional Use Permit was submitted August 22, 2023 for a portable food concession stand. A new application was January 10, 2024 for a portable food concession stand with a kitchen addition.

The Fire and Health Departments have conducted their inspections and determined the Conditional Use Permit process may continue. 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) The proposed use shall not be located in a residentially zoned area.
- 2) The proposed use shall be inspected by the Building inspector and comply with applicable building codes.
- 3) The proposed use and adjacent business shall comply with the Off-street Parking and Loading Ordinance.
- 4) A portable building or trailer used for the proposed use shall be properly anchored to the ground.
- 5) The proposed use shall comply with the zoning district setback requirements.
- 6) Water and sewer facilities shall be required to the tract and may be required to the proposed use.

There have been no phone calls, emails, or letters in oppositions to the Conditional Use Permit request.

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

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

Being no discussion, Mr. Jose Saldana moved to approve with Vice Chairperson Mr. Gabriel Kamel second the motion with five members present and voting.

- 2) Request of Jorge A. Gonzalez, for a Conditional Use Permit, for one year, and adoption of an ordinance for a bar/cigar shop, at Lot 2-A, Valram Heights Subdivision, Hidalgo County, Texas, 2801 West Expressway 83, Bldg 200, Suites 280-290. **(CUP2024-0002).**

Ms. Hilda Tovar stated that the property is located at the southeast corner of South 29th Street and U.S. Expressway 83 and is zoned C-3 (general business) District. The adjacent zoning is C-3 District to the north, east and west and R-1 (single family residential) District to the south. There is C-4 (commercial industrial) District to the southwest. Surrounding land uses include commercial businesses, restaurants, single family residences, and vacant land. A bar is permitted in a C-3 District with a Conditional Use Permit and in compliance with requirements.

The applicant is proposing to continue to operate a retail store for Cigars & Luxury Goods and a lounge (Elephant Bar and Cigar Lounge) out of an approximately 2,950 sq. ft. lease area, from an existing multi-tenant commercial building by the name of Kamila Plaza. The proposed days and hours of operation are Monday through Saturday from 12:00 p.m. to 2:00 a.m. There was a conditional use permit for IL Regalo Preferito approved initially on January 12, 2015. The establishment changed its name to Elephant Bar and Cigar Lounge in 2017.

The previous Conditional Use permit was submitted on January 2023. At the Planning and Zoning meeting of February 21, 2023, the Board recommended disapproval of the request with favorable recommendation. Later, at the City Commission meeting of March 13, 2023, the request was approved with a variance to the distance requirement.

The Health Department has inspected the building and found it to be in compliance; Fire Department conducted their inspection and found it to also be in compliance. The Planning Department has received no complaints regarding the present use as a bar. As per Section 138-400 of the Zoning Ordinance, the parking lot must be properly striped and free of potholes. The bar must also comply with requirements set forth in Section 138-118(a)(4) of the Zoning Ordinance and specific requirements as follows:

- 1) The property line of the lot of the abovementioned business must be at least 400 ft. from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruption of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The proposed establishment is within 400 feet of a residential zone.
- 2) The abovementioned business must be as close as possible to a major arterial, and shall not allow the traffic generated by such business onto residential streets, or allow such traffic to exit into and disrupt residential areas. The bar has access to U.S. Expressway 83 and South 29th Street and does not generate traffic into residential areas.

- 3) The abovementioned business must provide parking in accordance with the city off-street parking ordinance as a minimum, and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional onsite parking. The 2,950 sq. ft. combined retail and lounge area requires a total of 16 parking spaces.
- 4) The abovementioned business must do everything possible to prevent the unauthorized parking by the patrons of such business on adjacent businesses or residential properties including, when necessary, the installation of fences and hedges, and the reorientation of entrances;
- 5) The abovementioned business should do everything possible and be designed to discourage criminal activities and vandalism, both on the site and on adjacent properties. Included would be provision of sufficient lighting and perimeter fencing, elimination of dark areas, and the orientation of the building such that it provides maximum visibility as much as possible of the site from a public street;
- 6) The abovementioned business must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties;
- 7) The abovementioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Director of Planning. The occupancy load for this establishment will be established by the Building and Inspections Department as part of the building permit review process.

If approval is granted, the establishment must comply with all other Zoning ordinances, Building Code, and Fire Department requirements.

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 Planning Department has received no calls or concerns regarding the proposed use.

Staff recommends disapproval of the request based on non-compliance with requirement listed above as #1 (distance to a residence or a residentially zoned property) of Section 138-118(a)(4) of the Zoning Ordinance. If approved, the Conditional Use Permit must comply with conditions noted.

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

Being no discussion, Vice Chairperson Mr. Gabriel Kamel moved to disapprove with a favorable recommendation. Mr. Jose Saldana seconded the motion, which was disapproved with favorable recommendation with five members present and voting.

- 3) Request of Rodolfo Flores III, for a Conditional Use Permit, for one year, and adoption of an ordinance for a smoke shop, at Lots 1, 2 & 3, Falcon Addition Subdivision, Hidalgo County, Texas, 821 North 23rd Street, Suite 160. **(CUP2024-0004)**

Ms. Hilda Tovar stated that the subject property is located at the southwest corner of North 23rd Street and Ivy Avenue. The proposed smoke shop will be located within a commercial plaza under the name of Serenity Suites at Midtown. The subject property is zoned C-3 (general business) District. The adjacent zoning is C-3 District in all directions except to the north which is R-3A (multifamily residential apartments) District.

Smoke and vape shops are allowed in a C-3 District with a Conditional Use Permit and in compliance with requirements.

The applicant is proposing to operate a retail vape and smoke shop, in a 1,228 sq. ft. suite, which is part of a multi-tenant commercial building by the name of Serenity Suites at Midtown. The proposed hours of operation are 11:00 a.m. – 12:00 a.m. Monday through Saturday and 12:00p.m. – 6:00p.m. on Sunday. Previously, the subject property was operating as a beauty salon. The commercial plaza is currently being used by other tenants as an event center, beauty salon other commercial uses.

The Fire Department has completed the inspection for the proposed business and the inspection was satisfactory. As per Section 138-400 of the Zoning Ordinance, the parking lot must be properly striped and free of potholes. The establishment must comply with requirements set forth in Section 138-118(a)(4) of the Zoning Ordinance and specific requirements as follows:

- 1) The property line of the lot of any of the abovementioned business must be at least 400 ft. from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruption of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The proposed establishment is within 400 feet of a residential district or user.
- 2) The abovementioned business must be as close as possible to a major arterial, and shall not allow the traffic generated by such business onto residential streets, or allow such traffic to exit into and disrupt residential areas. The subject property has frontage along North 23rd Street.
- 3) The abovementioned business must provide parking in accordance with the city off-street parking ordinance as a minimum, and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional onsite parking. The business will require six parking spaces.
- 4) The abovementioned business must do everything possible to prevent the unauthorized parking by the patrons of such business on adjacent businesses or residential properties including, when necessary, the installation of fences and hedges, and the reorientation of entrances;

- 5) The abovementioned business should do everything possible and be designed to discourage criminal activities and vandalism, both on the site and on adjacent properties. Included would be provision of sufficient lighting and perimeter fencing, elimination of dark areas, and the orientation of the building such that it provides maximum visibility as much as possible of the site from a public street;
- 6) The abovementioned business must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties;
- 7) The abovementioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Director of Planning. The occupancy load for this establishment will be established by the Building and Inspections Department as part of the building permit review process.

If approval is granted, the establishment must comply with all other Zoning ordinances, Building Code, and Fire Department requirements.

The Planning Department has received no calls or concerns regarding the proposed use.

Staff recommends disapproval of the request based on non-compliance with requirement listed above as #1 (distance to a residence or a residentially zoned property) of Section 138-118(a)(4) of the Zoning Ordinance. If approved, the Conditional Use Permit must comply with conditions noted.

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

Being no discussion, Vice Chairperson Mr. Gabriel Kamel moved to disapprove with favorable recommendation. Mr. Jose Saldana seconded the motion, which was disapproved with five members present and voting.

- 4) Request of Mario Gamas on behalf of Iglesia Gente Con Proposito, for a Conditional Use Permit, for one year, for an Institutional Use (church) at Lot 7, Shasta Commercial Plaza Phase II Subdivision, Hidalgo County, Texas; 2509 Buddy Owens Boulevard. **(CUP2024-0001)**

Ms. Adriana Solis stated that the subject property is located along the south side of Buddy Owens Boulevard and east of North 25th Lane. The property is zoned C-3 (general business) District. The adjacent zoning is R-3A (multifamily residential apartments) District to the south, C-1 (office building) District to the north, C-3 District to the west and east of the subject property. Surrounding land uses include residential homes, apartments, and commercial plazas. An Institutional Use is permitted in a C-3 District with a Conditional Use Permit and in compliance with requirements.

This is the first Conditional Use Permit request for this property. The Conditional Use Permit request application was submitted on January 2, 2024.

There is an existing 2,340 sq. ft. suite building within a commercial plaza for this subject property. The applicant is proposing to operate a church with a main sanctuary area, a room for infants and two areas that will be used as classrooms for the youth of different age groups. The proposed days and hours of the services of the church will be on Sunday until 11:00 PM and Wednesday until 7:30 PM. Based on the 75 seats proposed in the sanctuary area, 19 parking spaces are required; 283 parking spaces are provided on site.

The Health Department has completed the inspection and approved to continue with the CUP process, a Fire Inspection is still pending. Should the Conditional Use Permit be approved, the applicant would be required to sign the certificate acknowledging and agreeing to the conditions of the permit. The church must comply with the Zoning Ordinance and specific requirements as follows:

- 1) The proposed use shall not generate traffic onto residential size streets or disrupt residential areas, and shall be as close as possible to a major arterial. The business has frontage on Buddy Owens Boulevard with access onto North 23rd Street.
- 2) The proposed use shall comply with the McAllen Off-Street Parking Ordinance and make provisions to prevent the use of street parking, especially in residential areas. Based on the seating area of 75 seats in the sanctuary, 19 parking spaces are required; 283 parking spaces are provided on site.
- 3) The proposed use shall prevent the unauthorized parking of its patrons on adjacent businesses or residences by providing fences, hedges or reorientation of entrances and exits.
- 4) The proposed use shall provide sufficient lighting to eliminate dark areas, perimeter fencing, and an orientation of the building to provide maximum visibility from a public street in order to discourage vandalism and criminal activities.
- 5) Provisions shall be made to prevent litter from blowing onto adjacent streets and residential areas.
- 6) The numbers of persons within the building shall be restricted to the existing seating capacity for the building.
- 7) Sides adjacent to commercially and residentially zoned or used properties shall be screened by a 6 ft. opaque fence.

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

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

Staff recommends approval of the request, for one year, subject to compliance with requirements of the Zoning Ordinance, Building Department, and Fire Department requirements.

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

Being no discussion, Mr. Jesse Ozuna moved to approve. Mr. Emilio Santos Jr. seconded the motion, which was approved with five members present and four voting and one member, Vice Chairperson Mr. Gabriel Kamel abstainin.

b) REZONING:

- 1) Rezone from R-1 (single family residential) District to R-3C (multifamily residential condominiums) District: 7.207 acres out of Lot 2, Block 9, A.J. McColl Subdivision, Hidalgo County, Texas; 3908 South Jackson Road, Unit D. **(REZ2023-0064)**

Ms. Adriana Solis stated that the subject property is located along the west side of South Jackson Road, north of East Orangewood Drive and consists of 7.207 acres.

The applicant is proposing to rezone the property to R-3C (multifamily residential condominiums) District in order to construct condominiums. A feasibility plan has not been submitted at this time.

The adjacent zoning is R-1 (single-family residential) District in all directions and R-3T (multifamily residential townhouses) District to the southeast. The area to the east across South Jackson Road is in the Pharr city limits.

The subject property is currently vacant. Surrounding land uses include multifamily residences such as proposed townhomes and single family residential uses.

The Envision McAllen Future Land Use Plan categorizes the future land use for this property as Complete Communities. Single-family residences, multifamily residences such as townhome and mixed-use neighborhood-scale such as diverse housing options.

The development trend along South Jackson Road is single-family residential uses as well as commercial uses and multifamily residential uses.

The requested zoning does conform to the Complete Communities use designation as indicated on the Envision McAllen Future Land Use Plan.

A recorded subdivision plat will be required prior to building permit issuance. An approved site plan may also be required prior to building permit issuance should a condominium dwelling complex of five units or more be proposed for individual lots. Compliance with off-street parking, landscaping, and various building and fire codes are required as part of the building permitting process.

The number of condominium units likely to be constructed would be limited based on parking and landscaping requirements.

Staff did receive a phone call in opposition to the zoning request.

Staff recommends approval of the rezoning request to R-3C (multifamily residential condominiums) District since the zoning does conform to the Envision McAllen Future Land Use Plan.

Chairperson Mr. Michael Fallek asked if there was anyone present in opposition of the proposed rezoning request. There were three:

Citizen Ms. Sheryl Hamer (3820 S. Jackson Rd.), stated she is in the process of building a single residence adjacent to the stated property (6.3 Acres) and worth \$485,000.00. She is concerned with noise, pollution, traffic and aesthetics of the property. She is also concerned the value of the property will decrease.

Citizen Mr. Andrew You (824 E. Balboa Ave-President of the homeowners association) stated he had a petition with 58 homeowners signatures that are in opposition to the request. Reasons being: traffic and road design.

Un named citizen stated her concerns were safety and quality of life, traffic.

Citizen Pat Smith (resides on the north side of 3908 S. Jackson) stated her concerns are decrease of value, property value, traffic and privacy.

Applicant Mr. Mario Reyna requested the item be tabled.

After a lengthy discussion, Vice Chairperson Mr. Gabriel Kamel moved to table the rezoning request. Mr. Marco Suarez seconded the motion, which was tabled with five members present and voting.

3)SITE PLAN:

- a) Site plan approval for Lot 1A, Palmridge Park Lot 1A Subdivision, Hidalgo County, Texas; 2100 South McColl Road. **(SPR2023-0037)**

Mr. Samuel Nunez stated that the subject property is located between South McColl Road and South "D" Street. The property is zoned C-3 (general business) District. Adjacent properties are zoned C-3 District in all directions. Surrounding land uses include commercial retail and office uses.

The applicant is proposing to construct a 3-story building with a total area of 110,064.83 square feet. This building will be used as a self-storage facility for individually rented units.

Access to the site is from South McColl Road. No alley exists or is proposed.

A minimum of 3 parking spaces are required for self-storage facilities with 1 additional parking space for every 250 square feet of office area. 5 parking spaces are required and 1 of the proposed regular parking spaces must be accessible for van accessibility with an 8-foot-wide aisle. The applicant is meeting parking requirements for the new development.

8,467 square feet of green area is required for the new development and 18,980 square feet is proposed. The tree requirement is as follows: 23 two-and-a half-inch-caliper trees, 12 four-inch caliper trees, 6 six-inch caliper trees, or 9 palm trees with 14 two-and-a-half-inch-caliper trees. A minimum 10 feet wide landscaped strip is required inside the front property line. Fifty percent of the required green area for the

new development must be visible from the street or front property line, and each parking space must be within 100 feet of a landscaped area with a tree. Finally, a 6-foot buffer is required around dumpsters/compactors if visible from the street. The applicant is meeting landscaping requirements for green area and trees.

There is a 50-foot front yard setback along South McColl Road, a 30-foot rear yard setback along South "D" Street, and side yard setbacks are at 21 feet. No structures or roof overhangs are permitted over any easements. The new development will be complying with all required setbacks for the property.

A 5-foot-wide minimum sidewalk is required along South McColl Road and South "D" Street.

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

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

Being no discussion, Vice Chairperson Mr. Gabriel Kamel moved to approve the site plan. Mr. Jose Saldana seconded the motion which was approved by five members present and voting.

- b) Site plan approval for Lot 2, La Vista Commerce Subdivision, Hidalgo County, Texas; 2301 North 23rd Street. (SPR2023-0046).

Mr. Eduardo Garza stated that the subject property is located along the west side of North 23rd Street, approximately 150 feet south of La Vista Avenue. The property is zoned C-3 (general business) District. Adjacent properties are zoned C-3 (general business) District to the north and south, R-1 (single-family residential) District to the east across North 23rd Street, and R-3A (multifamily residential apartment) District to the west. Surrounding land uses include McAllen High School, commercial retail, and apartments.

The applicant is proposing to construct a 9,289 square-foot building to operate as a retail plaza with one restaurant.

Access to the site is from North 23rd Street and an alley to the south of the property.

Based on the 7,776 square feet of retail area and 1,513 square feet of restaurant use, 35 parking spaces are required and 35 parking spaces are proposed. One of the proposed regular parking spaces must be accessible for van accessibility with an 8-foot-wide aisle. The applicant is meeting parking requirements for the new development.

2,830.8 square feet of green area is required for the new development and 5,378 square feet is proposed. The tree requirement is as follows: 12 two-and-a-half-inch-caliper trees, 6 four-inch caliper trees, 3 six-inch caliper trees, or 5 palm trees with 10 two-and-a-half-inch-caliper trees. A minimum 10 feet wide landscaped strip is required inside the front property line. Fifty percent of the required green area for the new development must be visible from the street or front property line, and each parking space must be within 100 feet of a landscaped area with a tree. Finally, a 6-foot buffer is required around dumpsters/compactors if visible from the street. The applicant is meeting landscaping requirements for green area and trees.

There is a 50-foot front yard setback along North 23rd Street and other setbacks are in accordance with Zoning Ordinance, easements, or approved site plan, whichever is greater. No structures or roof overhangs are permitted over any easements. The new development will be complying with all required setbacks for the property.

A 4-foot-wide minimum sidewalk is required along North 23rd Street.

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

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

After a brief discussion, Vice Chairperson Mr. Gabriel Kamel moved to approve the site plan. Mr. Jose Saldana seconded the motion which was approved by five members present and voting.

4) CONSENT:

- a) Parke at Nolana Subdivision, 3200 Nolana Avenue, Corporate Asset Partners, LLC (SUB2023-0024) (FINAL) M&H
- b) Mayberry Hills Subdivision, 10400 North Mayberry Road, 22 Real Estate, LLC **(SUB2024-0003) (FINAL) MAS**

Being no discussion, Mr. Jose Ozuna moved to approve item 4a and 4b in consent form. Mr. Emilio Santos Jr. seconded the motion, which was approved with five members present and voting.

5) SUBDIVAIONS:

- a) Villas at Ware Subdivision, 4900 North Ware Road (Rear), Rhodes Enterprises, Inc. **(SUB2023-0063) (REVISED PRELIMINARY) M&H**

Mr. Mario Escamilla stated North Ware Road: 75 ft. from centerline for 150 ft. of total ROW Paving: by the state Curb & gutter: by the state Revisions Needed: Show document # on plat for the common access easement connecting to North Ware Road and provide a copy of the document for staff review, prior to recording. Provide Wisteria Avenue across North Ware Road with dimensions from centerline to centerline of proposed Common Access Easement to verify compliance with offset requirements, prior to final. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. North 34th Street: Dedication as needed for 60 ft. Total ROW. Paving: 40 ft. Curb & gutter: Both sides Revisions Needed: Subdivision layout must provide for street extension and must match existing ROW and Pavement to the North and South, please review and revise accordingly prior to final. Should a alternate layout be proposed and a variance is submitted and approved it would be subject to providing required Cul-De Sac's at the North and South ends of the existing streets within this plat boundary. Engineer submitted a variance request on January 5th, 2024 requesting to not extend the future N.34th Street and proposing to build a cul-de-sac within the existing ROW's of the adjacent subdivisions to the North and South. Subdivision proposed Interior dedication is 30 ft. of ROW, ROW must be revised to provide for minimum ROW requirements as noted above, review and revise as applicable prior to final. Engineer submitted a variance request on January 5th, 2024 requesting that the internal ROW's be reduced to 30 ft. instead

of the required 60 ft., as well as requesting that the internal paving be reduced to 30 ft. instead of the required 40 ft. and proposing to add a 10 ft. Utility and Sidewalk Easement on both sides of the internal streets with fire lane parking prohibited striping, which will be enforced by the HOA. If subdivision is proposed to be private as gate details are required and ROW are subject to increase for gate areas, finalize prior to final and submit gate details as applicable. Engineer must clarify if subdivision is proposed to be public or private, as it may trigger changes to ROW requirements and subdivision layout may have to be revised, clarify prior to final. As per updated plat submitted on December 5th, 2023 subdivision proposed to be private. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. Entrance Street Proposed Wisteria Avenue: Dedication as needed for 60 ft. Total ROW. Paving: 40 ft. Curb & gutter: Both sides Revisions Needed: Interior street names will be established, prior to final. Provide Wisteria Avenue across North Ware Road with dimensions from centerline to centerline of proposed Common Access Easement to verify compliance with offset requirements, prior to final**. Engineer submitted a variance request on January 5th, 2024 for the Street jog requirements to allow a offset of 10 ft., the engineer has stated that there is a median along North Ware Road that would eliminate left turn conflicts. Subdivision proposed Interior dedication is 50 ft. of ROW, ROW must be revised to provide for minimum ROW requirements as noted above and may increase for gate areas, review and revise as applicable prior to final. Engineer submitted a variance request on January 5th, 2024 requesting that the internal ROW's be reduced to 30 ft. instead of the required 60 ft., as well as requesting that the internal paving be reduced to 30 ft. instead of the required 40 ft. and proposing to add a 10 ft. Utility and Sidewalk Easement on both sides of the internal streets with fire lane parking prohibited striping, which will be enforced by the HOA. Engineer must clarify if subdivision is proposed to be public or private, as it may trigger changes to ROW requirements and subdivision layout may have to be revised, clarify prior to final. As per updated plat submitted on December 5th, 2023 subdivision proposed to be private. If subdivision is proposed to be private as gate details are required and ROW are subject to increase for gate areas, finalize prior to final and submit gate details as applicable. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. Interior Streets: Dedication as needed for 60 ft. Total ROW. Paving 40 ft. Curb & gutter: Both Sides. Revisions Needed: Interior street names will be established, prior to final. Subdivision proposed Interior dedication is 30 ft. of ROW with 30 ft. of paving, ROW/Pavement must be revised to provide for minimum ROW/Pavement requirements as noted above and may increase for gate areas, review and revise as applicable prior to final. Engineer submitted a variance request on January 5th, 2024 requesting that the internal ROW's be reduced to 30 ft. instead of the required 60 ft., as well as requesting that the internal paving be reduced to 30 ft. instead of the required 40 ft. and proposing to add a 10 ft. Utility and Sidewalk Easement on both sides of the internal streets with fire lane parking prohibited striping, which will be enforced by the HOA. Engineer must clarify if subdivision is proposed to be public or private, as it may trigger changes to ROW requirements and subdivision layout may have to be revised, clarify prior to final. As per updated plat submitted on December 5th, 2023 subdivision proposed to be private. Provide for "Cul-De Sac" at interior street ends as dead end streets are not allowed, revise as applicable prior to final. ROW at "Cul-De Sac" areas may have to be increased to comply with Fire Department requirements, finalize prior to final. As per Fire Department requirements, 96 ft. of paving face-to-face required, and 10 ft. of ROW back of curb around Cul-de-Sac required. If proposing to loop the streets in lieu of Cul-De-Sacs's, street layout must comply with minimum maneuverability requirements for Fire and Public Works Department in compliance with City Standards, as the easement shown on the south side of lots 1, 12, 13 and 24 does not meet requirements. Engineer submitted a variance request on January 5th, 2024 requesting to allow a 20.5 Emergency Access Easement that will function as a connection to N. 34th, N. 35th and N. 36th Street with fire lane parking prohibited striping, which will be enforced by the HOA. If subdivision is proposed to be private as gate details are required and ROW are subject to

increase for gate areas, finalize prior to final and submit gate details as applicable. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. E/W Quarter Mile Collector (northern boundary): Dedication as needed for 60 ft. total ROW Paving: 40 ft. Curb & gutter: Both sides. Engineer submitted a variance request on January 5th, 2024 requesting to not dedicate or escrow for this future E/W collector. The engineer has indicated that the street would not be able to extend east or west as there are existing established developments around this subdivision. After review of the area, due to the developed surrounding properties, the E/W collector street along the northern boundary is not feasible. Street alignment, R.O.W, and dedication requirements being reviewed by staff and plat would need to be revised accordingly. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. 900 ft. Block Length for R-3 Zone Districts. Pending Items: Subdivision layout does not comply with block length requirement, please revise accordingly prior to final. If no changes please submit variance request for 900 ft. maximum block length requirement. Engineer submitted a variance application on January 5th, 2024, requesting a variance to the 900ft. Block Length requirement. Subdivision Ordinance: Section 134-118. 600 ft. Maximum Cul-de-Sac. Revisions Needed: Engineer submitted a variance request on January 5th, 2024 requesting that ROW for cul-de-sacs be reduced to 100ft. from the required 116 ft. and proposes to maintain the 96 ft. of paving as per fire department requirements as well as dedicate a 10 ft. Utility and Sidewalk easement on both sides of all internal streets. Provide distance from proposed Wisteria Avenue ROW to the back of "Cul-De-Sac's" to verify compliance with 600 ft. block length requirements for Cul-de-Sacs, finalize prior to final. Provide for "Cul-De Sac" at interior street ends as dead end streets are not allowed, revise as applicable prior to final. ROW at "Cul-De Sac" areas may have to be increased to comply with Fire Department requirements, finalize prior to final. As per Fire Department requirements, 96 ft. of paving face-to-face required, and 10 ft. of ROW back of curb around Cul-de-Sac required. If proposing to loop the streets in lieu of Cul-De-Sacs's, street layout must comply with minimum maneuverability requirements for Fire and Public Works Department in compliance with City Standards, as the easement shown on the south side of lots 1, 12, 13 and 24 does not meet requirements. Subdivision layout does not comply with block length requirement, please revise accordingly prior to final. If no changes please submit variance request for 600 ft. maximum block length requirement. Provide "Cul-De Sac" details prior to final. Auto Turn Study may be required to verify compliance with maneuvering space needed at "Cul-De Sac", "Knuckle's", and curvatures, prior to final. Subdivision Ordinance: Section 134-105. ROW: 20 ft. Paving: 16 ft. Engineer submitted a variance application on January 5th, 2024 stating that the development is being processed with individual trash bins for each lot and one centralized location in, engineer must continue to finalize collection requirements prior to final. Alley/service drive easement required for commercial and multi-family properties. Finalize alley/service drive requirements prior to final. Subdivision Ordinance: Section 134-106. Front: 10 ft. or greater for easements, whichever is greater applies. Revisions needed: Setback requirements will be established once CUP for Planned Unit Development has been finalized. Zoning Ordinance: Section 138-356 Non-compliance. Rear: In accordance with the zoning ordinance or greater for easements, whichever is greater applies. Revise the note as shown above prior to final. Setback requirements will be established once CUP for Planned Unit Development has been finalized. Zoning Ordinance: Section 138-356. Sides: In accordance with the zoning ordinance or greater for easements, whichever is greater applies. Revisions needed: Setback requirements will be established once CUP for Planned Unit Development has been finalized. Zoning Ordinance: Section 138-356. Corner: 10 ft. or greater for easements, whichever is greater applies. Setback requirements will be established once CUP for Planned Unit Development has been finalized. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required, greater setback applies. Setback requirements will be established once CUP for Planned Unit Development has been finalized. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan.

4 ft. wide minimum sidewalk required along North Ware Road, and both sides of all interior streets. Revisions Needed: Finalize wording for note prior to final. Sidewalk requirements may increase to 5 ft. prior to final per Engineering Department requirements, finalize prior to final. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. 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 Pending items: -Note wording for curb cut, access, or lot frontage must be finalized prior to final, requirements for note to be established once ROW requirements have been finalized. Must comply with City Access Management Policy. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Currently there is a Conditional Use Permit for a Planned Unit Development in process, however not finalized. Conditional use permit process for a Planned Unit Development must be finalized prior to final. 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. Zoning Ordinance: Section 138-210. 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. Pending Items: Show document # on plat for the common access easement connecting to North Ware Road and provide document for staff review prior to recording. Zoning Ordinance: Section. 138-356. Minimum lot width and lot area. Currently there is a Conditional Use Permit for a Planned Unit Development in process, however not finalized. Conditional use permit process for a Planned Unit Development must be finalized prior to final. Rezoning or Conditional Use Permit for Planned Unit Development required prior to final. CUP for Planned Unit Development will be reviewed simultaneously with subdivision plat and requirements will/may be revised as needed. Zoning Ordinance: Section 138-356. Existing : R-3A(apartment residential) District Proposed: R3-T (Townhouse Residential) District. Currently there is a Conditional Use Permit for a Planned Unit Development in process, however not finalized. Conditional use permit process for a Planned Unit Development must be finalized prior to final. Rezoning or Conditional Use Permit for Planned Unit Development required prior to final. CUP for Planned Unit Development will be reviewed simultaneously with subdivision plat and requirements will/may be revised as needed. Zoning Ordinance: Article V. Rezoning Needed Before Final Approval. Currently there is a Conditional Use Permit for a Planned Unit Development in process, however not finalized. Conditional use permit process for a Planned Unit Development must be finalized prior to final. Rezoning or Conditional Use Permit for Planned Unit Development required prior to final. CUP for Planned Unit Development will be reviewed simultaneously with subdivision plat and requirements will/may be revised as needed. Zoning Ordinance: Article V. Land dedication in lieu of fee. As per plat submitted on June 27th,2023, 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. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per plat submitted on June 27th, 2023, 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. Pending review by the City Managers Office. As per plat submitted on June 27th, 2023, 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. As per Traffic Department, Trip Generation approved no TIA required. Must comply with City's Access Management Policy. Any abandonments must be done by separate process, not by plat. Engineer must clarify ownership, as submitted warranty deed and title report do not correspond, clarify prior to final. Subdivision layout must be revised to comply with ROW/Pavement widths, no dead end streets without required Cul-De-Sac's, Fire and Public Works Maneuverability requirements, and other revisions as applicable to assure compliance. Currently there is a Conditional Use Permit for a Planned Unit Development in process, however not finalized. Conditional use permit process for a Planned Unit Development must be finalized prior to final. Notes, requirements etc. subject to change once CUP/ Site Plan for planned unit development is finalized.

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

Fire Captain, Vince Abrigo with the McAllen Fire Department stated they were in opposition because of secondary access and street width. These are safety issues that are of concern. They are requesting the width to stay at 32'. Applicant, Mario Reyna explained all concerns of the variances in question.

After a lengthy discussion, Vice Chairperson Mr. Gabriel Kamel moved to approve in revised preliminary form subject to conditions noted, drainage and utilities approvals and clarification of the requested variances with the exception of variance items #5, 6 and 9 (no action taken on those variances. Mr. Emilio Santos Jr. seconded the motion, which was approved with five members present and voting.

b) Taylor Villas Subdivision, 2021 South Taylor Road, Sergio Govela
(SUB2022-0151) (PRELIMINARY 6-MONTH EXTENSION) MAS

Mr. Mario Escamilla stated S. Taylor Road: 10 ft. ROW dedication required for 40 ft. from centerline for 80 ft. ROW Paving: 52 ft. 65 ft. Curb & gutter: both sides Revisions Needed: Label referenced 70.00' as "Total ROW", prior to final, and ensure that dimension is legible, prior to final. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are required prior to recording. Uvalde Avenue: 49.63 ft. from centerline for 89.54 ft. ROW existing Paving: 52 ft. 65 ft. Curb & gutter: both sides Revisions Needed: Ensure that ROW being dedicated by this plat is labeled throughout plat boundary, prior to final. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are required prior to recording. Interior Streets (proposed as private): 60 ft. Paving: 40 ft. Curb & gutter: both sides Revisions needed: Engineer is proposing 50 ft. ROW with 40 ft. pavement plus a 10 ft. sidewalk and utility easement on both sides of streets. Please clarify prior to final. Street names will be finalized prior to final. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are required prior to recording. 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. Subdivision Ordinance: Section 134-118. ROW: 20 ft. Paving: 16 ft. Revisions needed: Alley/service drive easement required for Commercial and Multi-Family properties. Must comply with Public Works Department requirements. Alley/service drive easement required for commercial properties. Subdivision Ordinance: Section 134-106. Front: 20 ft. or greater for easements, which ever is greater applies Revisions needed: Revise plat note #1.A as shown above prior to final. Setback requirements will be established once CUP for Planned Unit Development has been submitted and reviewed. Zoning Ordinance: Section 138-356. Rear: In accordance with the Zoning Ordinance, or greater for easements, which ever is greater applies Revisions needed: Revise plat note #1.B as shown above prior to final. Proposing: Rear: In accordance with the Zoning Ordinance, or greater for easements, except 20 ft. for the double fronting lots along S. Taylor Road and Uvalde Avenue. Please clarify proposed note prior to final. Setback requirements will be established once CUP for Planned Unit Development has been submitted and reviewed. Zoning Ordinance: Section 138-356. Sides: In accordance with the Zoning Ordinance, or greater for easements, which ever is greater applies Revisions needed: - Please revise plat note #1.C as shown above prior to final. Setback requirements will be established once CUP for Planned Unit Development has been submitted and reviewed. Zoning Ordinance: Section 138-356. Corner: 10 ft. or greater for easements, which ever is greater applies Revisions needed: Revise plat note #1.A as shown above prior to final. Setback requirements will be established once CUP for Planned Unit Development has been submitted and reviewed. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required; greater setback applies. Setback requirements will be established once CUP for Planned Unit Development has been submitted and reviewed. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required on S. Taylor Road, Uvalde Avenue and on both sides of all interior streets. Sidewalk requirements may increase to 5 ft. per Engineering Department , finalize wording for note 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 Uvalde Avenue and S. Taylor Road. 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: Revise note #9 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 Uvalde Avenue and S. Taylor Road. 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 required as part of the CUP process for Planned Unit Development. 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. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Revisions needed: Common Area Lot "B" on plat submitted on December 28, 2022- does not meet minimum 50ft. lot frontage requirement. Clarify and revise prior to final. Zoning Ordinance: Section 138-356. Existing: R-2 Proposed: R-2 (Duplex-Fourplex Residential) District. Currently there is a

Conditional Use Permit for a Planned Unit Development in process, however not finalized. Conditional use permit process for a Planned Unit Development must be finalized prior to final. Rezoning or Conditional Use Permit for Planned Unit Development required prior to final. CUP for Planned Unit Development will be reviewed simultaneously with subdivision plat and requirements will/may be revised as needed. Zoning Ordinance: Article V. Rezoning Needed Before Final Approval. Currently there is a Conditional Use Permit for a Planned Unit Development in process, however not finalized. Conditional use permit process for a Planned Unit Development must be finalized prior to final. Rezoning or Conditional Use Permit for Planned Unit Development required prior to final. CUP for Planned Unit Development will be reviewed simultaneously with subdivision plat and requirements will/may be revised as needed. Zoning Ordinance: Article V. Land dedication in lieu of fee. As per Park Department fees apply to this subdivision at a rate of \$700 per dwelling unit, this in accordance with McAllen's Park Land Dedication and Park Development Fees Ordinance. 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. Fees can go up or down, they are dependent on the number of units. Pending review by City Manager's Office. As per Traffic Department, TIA waived. Must comply with requirements/conditions of the Conditional Use Permit for the Planned Unit Development (PUD), if applying for the CUP. 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 final. 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. Plat notes, setbacks, requirements, subject to be revised based on CUP for Planned Unit Development prior to final as process is reviewed simultaneously with the subdivision plat. CUP for Planned Unit Development will be reviewed simultaneously with subdivision plat and requirements will/may be revised as needed. Gate Details submitted on December 28, 2022 have been approved by Traffic Department. Currently there is a Conditional Use Permit for a Planned Unit Development in process, however not finalized. Conditional use permit process for a Planned Unit Development must be finalized prior to final. Any abandonments must be done by separate process, not by plat. Must comply with City's Access Management Policy.

Staff recommends approval of the preliminary 6-month extension subject to conditions noted, drainage, and utility approvals.

Being no discussion, Mr. Jesse Ozuna moved to approve a preliminary 6-month extension subject to conditions noted, drainage, and utility approvals. Mr. Jose Saldana seconded the motion, which was approved with five members present and voting.

c) 29th Sunrise Valley Subdivision, 8400 North 29th Street, DMJ Family Trust
(SUB2024-0007) (PRELIMINARY) SEC

Mr. Mario Escamilla stated North 29th Street: Dedication as needed for 100 ft. total ROW. Paving : 65 ft. Curb & gutter: Both Sides Revisions Needed: Provide document numbers on plat regarding any existing dedication or acquisitions as applicable prior to final as well as documents for staff review. Dedication requirements to be established once ROW details regarding existing dedications are provided, finalize prior to final. Label any existing ROW;s as Existing ROW, as applicable prior to final. Label ROW after accounting for dedication as Total ROW, prior to final. Label ROW from centerline to new plat boundary, prior to final. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. Grambling Avenue: Dedication as needed for 50 feet total ROW. Paving: 32 ft. Curb & gutter: Both Sides Revisions Needed: Provide document numbers on plat regarding any existing dedication or acquisitions as applicable prior to final. Include reference to ROW in regards to Grambling Avenue, prior to final.

Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. 1,200 ft. Block Length. Subdivision Ordinance: Section 134-118. ROW: 20ft. Paving: 16ft. Service Street: In residential subdivisions which have lots abutting major or minor arterials or major collectors, the residences on such lots shall not face the major or minor arterial or major collector, unless: There shall be provided, in addition to any front setback, a 20-foot planting area (as defined in chapter 110, article II, Landscaping) between such lot and the major or minor arterial or major collector; If rear garbage pickup and/or rear access are not available to such lot, there shall be placed a service street, in addition to the planting area described in subsection (d)a.1., between the front lot line of such lot, and such planting area. Such service street shall also be at least 20 feet wide, and built to city plans and specifications by the developer, finalize service street requirements prior to final. Alley/service drive easement required for commercial and multi-family properties. Subdivision Ordinance: Section 134-106. Front: Lot 1: 45 ft. or in line with average setbacks of existing structures or greater for easements, whichever is greater applies. Lot 2: 25 feet or greater for easements. Revisions Needed: Revise front setback note as shown above prior final. Proposing: 25.0 Feet. Zoning Ordinance: Section 138-356 & 367, 134-106. Rear: 10 feet or greater for easements. Zoning Ordinance: Section 138-356. Sides: 6 feet or greater for easements. Revisions Needed: Revise side setback note as shown above prior final. Proposing: 6.0 feet, except 10.0 feet adjacent to street. Zoning Ordinance: Section 138-356. Corner: 10 feet or greater for easements. Revisions Needed: Add corner setback note as shown above prior final. Proposing: 6.0 feet, except 10.0 feet adjacent to street. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required, greater setback applies. Revisions Needed: Revise garage setback note as shown above prior final. Proposing: 18 ft. except where greater setback is required. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4ft. wide minimum sidewalk required along North 29th Street and Grambling Avenue. Revision Needed: Revise setback note as shown above, prior to final. Proposing: A 4.0 min. feet sidewalk required along the east side of N. 29th street and Grambling Ave. Sidewalk requirements may increase to 5 ft. prior to final per Engineering Department requirements, finalize wording for note 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 North 29th Street. Revisions Needed: Include note as shown above, prior to final. Must comply with City Access Management Policy. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. If proposed use requires a conditional use permit site plan must be approved and presented before the planning and zoning commission. Engineer must clarify proposed use of both lots as they may require conditional use permits, finalize CUP requirements as applicable prior to final. 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. Subdivision Ordinance: Section

134-1. Minimum lot width and lot area. Revisions Needed: Please include lot square footages on plat, prior to final. Zoning Ordinance: Section 138-356. Existing: R-1 (Single-Family) Residential Proposed: R-1 (Single-Family) Residential. If proposed use requires a conditional use permit site plan must be approved and presented before the planning and zoning commission. Engineer must clarify proposed use of both lots as they may require conditional use permits, finalize CUP requirements as applicable prior to final. Zoning Ordinance: Article V. Rezoning Needed Before Final Approval. Proposed zoning is compliant with current zoning. Zoning Ordinance: Article V. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per plat submitted on January 18th, 2024 a total of 2 lots proposed park fees total to \$1,400 (\$700 X2 per lot/dwelling unit) payable prior to plat recording. If the number of lots/dwelling units changes fees will be adjusted accordingly. per Traffic Department, Trip Generation for 2-lot Single Family subdivision is waived. Must comply with City's Access Management Policy. Any abandonments must be done by separate process, not by plat. If proposed use requires a conditional use permit site plan must be approved and presented before the planning and zoning commission. Engineer must clarify proposed use of both lots as they may require conditional use permits, finalize CUP requirements as applicable prior to final.

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

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

- d) Harvest Cove Phase II Subdivision, 2601 North Ware Road (Rear), Escanaba, LLC **(SUB2024-0008) (PRELIMINARY) M&H**

Mr. Kaveh Forghanparast stated N/S 1/4 mile collector: Dedication as needed for 60 ft. total ROW. Paving 40 ft. Curb & gutter: Both Sides Revisions Needed: Provide ROW dedication for N/S 1/4 mile collector, prior to final. Show and label N/S ROW shown on the survey along the west side of the subdivision and east side of Irrigation District canal ROW. Any abandonment must be done by a separate process and instrument number written on plat prior to recording. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are required prior to recording. An abandonment application (ABD2024-0003) has been submitted to abandon 370.45 ft. X 20 ft. of ROW along the west side of the subdivision. The abandonment process must be finalized and recorded with a separate instrument and referenced on the plat prior to recording. The project engineer must verify that the dimensions of the ROW abandonment matches the lot dimensions prior to final. The engineer submitted a variance application (VAR2024-0002) including a variance to the N/S quarter mile collector requirement. Two CUP applications for PUD (CUP2023-0161) for chase I & (CUP2024-0005) for Phase II has been submitted and are in process and must be approved prior to final. The PUD and variance requests must be approved and the plat layout must comply the layout and conditions approved by the City Commission. Plat notes cross referencing the PUD must be finalized prior to recording and the PUD must be recorded along with the plat. E/W 1/4 mile collector: Dedication as needed for 60 ft. total ROW. Paving 40 ft. Curb & gutter: Both Sides. Revisions Needed: Provide for E/W 1/4 mile collector dedication, prior to final. Show the width of the ROW somewhere along Lots 33-37 to determine compliance prior to final. If the variance request to provide an interior street with 50 ft. ROW as residential collector is approved, it should be subject to 40 ft. of paving. 10 ft. sidewalk easement along the front of the lots on this street may be required and will be finalized prior to final. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are required prior to recording. The engineer submitted a

variance application (VAR2024-0002) including a variance to consider an interior street with 50 ft. ROW (proposed as West Way Ave) to be considered as a residential collector. Two CUP applications for PUD (CUP2023-0161) for Phase I & (CUP2024-0005) for Phase II has been submitted and are in process and must be approved prior to final. The PUD and variance requests must be approved and the plat layout must comply the layout and conditions approved by the City Commission. Plat notes cross-referencing the PUD must be finalized prior to recording and the PUD must be recorded along with the plat. Interior Streets for R-1 (single-family residential): 50 ft. Total ROW Paving: 32 ft. Curb & gutter: both sides Revisions needed: Street names will be finalized by staff prior to final. If the submitted variance request (VAR2024-0002) to consider an interior street (currently shown as West Wat Avenue) as a residential collector is approved, it should be subject to 40ft. of paving. A 10 ft. sidewalk easement along the front of the lots along this street may be required and must be finalized prior to final. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are required prior to recording. 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. The engineer submitted a variance application (VAR2024-0002) including a variance to the block length requirement. Two CUP applications for PUD (CUP2023-0161) for Phase I & (CUP2024-0005) for Phase II has been submitted and are in process and must be approved prior to final. The PUD and variance requests must be approved and the plat layout must comply the layout and conditions approved by the City Commission. Plat notes cross referencing the PUD must be finalized prior to recording and the PUD must be recorded along with the plat. Front: 25 feet or greater for easement. Revisions needed: Must comply with the approved PUD. Proposing: 20 feet or greater for easement or as shown in front setback table. Zoning Ordinance: Section 138-356. Two CUP applications for PUD (CUP2023-0161) for Phase I & (CUP2024-0005) for Phase II has been submitted and are in process. The engineer requested the subdivision to be considered for final approval form subject to PUD approval. The PUD must be approved prior to final and the plat layout must comply the layout and conditions approved by the City Commission. Plat notes cross-referencing the PUD must be finalized prior to recording and the PUD must be recorded along with the plat. A variance application (VAR2024-0002) has been submitted and is in the process which includes in interior street with 50 ft. ROW (proposed as West Way Ave) to be considered as a residential collector. If the request is approved subject to 40 ft. paving, the front setback of the lots fronting this road should be kept as 25 ft. or greater for easements. Rear: 10 ft. or greater for easement. Zoning Ordinance: Section 138-356. Sides: 6 ft. or greater for easements. Zoning Ordinance: Section 138-356. Corner: 10 ft. or greater for easements. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required, greater setback applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required on both sides of all interior street and along the quarter mile collectors, if applicable. The note must be finalized based on the variance requests prior to final. Proposing: A 5 ft. minimum sidewalk required along the west side of Ware Road, and 4 ft. minimum sidewalk required along both sides of all interior streets and N/A collector as applicable. Clarify the proposing sidewalk note prior to final, as the subdivision does not front N. Ware Road. Engineering Department may require 5 ft. sidewalk 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 the collector streets, if applicable. Plat note must be finalized based on the variance request (VAR2024-0002) 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. Remove the above wording from plat note #10 prior to final as it is not a required plat note. No curb cut, access, or lot frontage permitted along quarter mile collectors, if applicable.

Proposing: No curb cut, access, or lot frontage permitted along N. Ware Road and other streets as applicable. Clarify N. Ware Road since the subdivision has no frontage along N. Ware Road. Plat note must be finalized based on the variance request (VAR2024-0002) prior to final. Must comply with City Access Management Policy. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Two CUP applications for PUD (CUP2023-0161) for Phase I & (CUP2024-0005) for Phase II has been submitted and are in process. The PUD must be approved prior to final and the plat layout must comply the layout and conditions approved by the City Commission. Plat notes cross-referencing the PUD must be finalized prior to recording and the PUD must be recorded along with the plat. Common Areas, any detention lots, etc. must be maintained by the lot owners/HOA and not the City of McAllen. Proposing: Common or detention areas, any private streets/alleys or drives, and/or gates must be maintained by property owners/HOA and not the City of McAllen. Based on the submitted application, the subdivision is public. 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 110-72 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 134-168 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. A draft HOA document needed prior to recording. HOA must be signed and recorded after staff review and the document number must be cross-referenced on the plat and HOA. 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. Some lots do not comply with the minimum lot frontage requirement. Zoning Ordinance: Section 138-356. Two CUP applications for PUD (CUP2023-0161) for Phase I & (CUP2024-0005) for Phase II has been submitted and are in process. The PUD must be approved prior to final and the plat layout must comply the layout and conditions approved by the City Commission. Plat notes cross-referencing the PUD must be finalized prior to recording and the PUD must be recorded along with the plat. Existing: R-1 Proposed: R-1. Zoning Ordinance: Article V. Land dedication in lieu of fee. A request to pay park fees in lieu of land dedication for Harvest Cove Phase I & II has been submitted and is in process. The request includes paying half of the park fees prior to recording and the other half prior to building permit issuance. If the request is approved, \$350 per dwelling unit is needed prior to recording and plat note to reference that must be finalized prior to recording. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. A request to pay park fees in lieu of land dedication for Harvest Cove Phase I & II has been submitted and is in process. The request includes paying half of the park fees prior to recording and the other half prior to building permit issuance. If the request is approved, \$350 per dwelling unit is needed prior to recording and plat note to reference that must be finalized prior to recording. Pending review by the City Managers Office. A request to pay park fees in lieu of land dedication for Harvest Cove Phase I & II has been submitted and is in process. The request includes paying half of the park fees prior to recording and the other half prior to building permit issuance. If the request is approved, \$350 per dwelling unit is needed prior to recording and plat note to reference that must be finalized prior to recording. As per Traffic Department, Trip Generation would be honored from previous case, any changes to the current plat will required an updated Trip Gen. As per Traffic Department, Traffic Impact Analysis (TIA) Honored from previous case. Must comply with City's Access Management Policy. The location map is not for this phase of the subdivision. Revise it prior to final. Harvest Cove Phase II may not be recorded prior to phase I. Plat notes must be finalized prior to final based on the variances. The legal description of all adjacent lots on all sides are required prior to recording. Clarify/revise plat note #17 prior to final. The engineer submitted a variance application (VAR2024-0002) including the following:

1. A variance to the N/S quarter mile collector requirement.
2. A variance to the E/W quarter mile collector requirement.
3. Block length requirement
4. Cul-de-Sac maximum length requirement

Two CUP applications for PUD (CUP2023-0161) for Phase I & (CUP2024-0005) for Phase II has been submitted and are in process and must be approved prior to final. An abandonment application (ABD2024-0003) has been submitted and must be referenced on the plat prior to recording.

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

Being no discussion, Mr. Jesse Ozuna moved to approve in in preliminary form, subject to the conditions noted, drainage, and Utilities approval. Mr. Emilio Santos Jr. seconded the motion, which was approved with five members present and voting.

- e) McAllen Public Works Subdivision, 4001 North Bentsen Road, City of McAllen **(SUB2021-0024) (REVISED PRELIMINARY) COM**

Mr. Kaveh Forghanparast stated N. Bentsen Road: 100 ft. ROW required Paving: 65 ft. Curb & gutter: both sides Revisions needed: Revise plat to show centerline and ROW as required above. Also, label existing ROW on both sides of centerline, and total ROW after dedication. Reference the document number for the existing ROW, and show new property line after accounting for any required dedication prior to final. Replace any reference to "Proposed" on the plat to "by this plat" (e.g. 30 ft. additional ROW dedicated by this plat) prior to final. If the ROW width is different at multiple points, please show the dimensions at multiple points prior to final. Revise the street name to N. Bentsen Road. Subdivision Ordinance: Sec.135-105 Non-compliance Nolana Avenue: 120 ft. ROW required Paving: 65 ft. Curb & gutter: both sides Revisions needed: Revise the plat to show ROW as needed above prior to final. Revise plat to show centerline. Show existing ROW on both sides of centerline, and show ROW to new property line after accounting for dedication. ROW dedicated by this plat should be referenced as "dedicated by this plat" and the total ROW constituting of existing ROW plus ROW dedicated by this plat should be referenced as "Total ROW". Subdivision Ordinance: Sec.134-105. Primrose Avenue: 35 ft. dedication required for 70 ft. ROW Paving: 44 ft. Curb & gutter: both sides. Revise plat accordingly; finalize prior to final. Subdivision Ordinance: Sec.134-105. A variance application (VAR2023-0029) for the following items has been submitted:

1. To not dedicate 30 ft. ROW for future N. 48th Street (on the west side)
2. To not dedicate 35 ft. ROW for future Primrose Avenue (on the north side) N. 48th Street: 30ft. ROW dedication required for 60 ft. ROW Paving: 40 ft. Curb & gutter: both sides Label ROW dedication as N. 48th St. Subdivision Ordinance: Sec.134-105.

A variance application (VAR2023-0029) for the following items have been submitted:

1. To not dedicate 30 ft. ROW for future N. 48th Street (on the west side)
2. To not dedicate 35 ft. ROW for future Primrose Avenue (on the north side). ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties.

Service drives provided as part of the overall development. Front (N. Bentsen Road and Nolana Avenue): In accordance with the Zoning Ordinance or greater for approved site plan, or easements, or average existing structures, whichever is greater applies. Revise plat as noted above. Zoning Ordinance: Sec.138-356. Rear: in accordance with the zoning ordinance or greater for easements or approved site plan. Zoning Ordinance: Sec.138-356. Sides: In accordance with the zoning ordinance or greater for approved site plan or easements. Subdivision ordinance: Sec.138-356. Corner: See Front Setback note. Zoning Ordinance: Sec. 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required on N. Bentsen Road and Nolana Avenue. Engineering Department may require 5 ft. sidewalk prior to final. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. May apply for N. 48th St. and Primrose Ave. 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. Existing access. Site plan must be approved by the Planning and other Development Departments prior to building permit issuance. Common Areas, Private Streets 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. Zoning Ordinance: Sec.138-1. Minimum lot width and lot area. Zoning Ordinance: Sec.138-356. Existing: C-4 Proposed: C-4. Trip Generation to determine if TIA is required, prior to final plat. Traffic Impact Analysis (TIA) required prior to final plat. Remove any reference to "Proposed" from the plat. Any ROW or easement dedicated by this plat should be labeled as "By this plat" prior to final. ROW dedicated by this plat should be referenced as "dedicated by this plat" and the total ROW constituting of existing ROW plus ROW dedicated by this plat should be referenced as "Total ROW". Provide ownership map to assure there are no landlocked properties prior to final. Use a bolder font for the original property boundaries prior to final. If only one lot is proposed, label as Lot 1, not Lot 318 or Lot 328, prior to final. CUP for institutional use required prior to final. Revise preparation date shown on the bottom left corner. Review & revise and the legal description and metes and bounds as needed. Use a ghosted line for the existing lot lines or current lot numbers, etc. inside Lot 1 boundary. Show centerline on Nolana Avenue and Bentsen Road to establish the required ROW. Show the legal Description of all adjacent properties on all sides prior to final. Must comply with City's Access Management Policy. The Planning and Zoning Commission approved the subdivision in preliminary form, subject to the conditions noted, drainage, and utilities approval at the meeting of April 6, 2021. A variance application (VAR2023-0029) for the following items has been submitted and is in process:

1. To not dedicate 30 ft. ROW for future N. 48th Street (on the west side)
2. To not dedicate 35 ft. ROW for future Primrose Avenue (on the north side)

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

Being no discussion, Vice Chairperson Mr. Gabriel Kamel moved to approve in in revised preliminary form, subject to the conditions noted, drainage, and utilities approval, and the board's clarification on the requested variances. Mr. Jose Saldana. seconded the motion, which was approved with five members present and voting.

f) Grace Haven Subdivision, 7100 7 Mile Line, Isidro Quintero **(SUB2023-0068)**
(REVISED FINAL) SEA

Mr. Eduardo Garza stated Mile Line: 5 ft. additional dedication for 40 ft. from centerline for 80 ft. total ROW Paving: 52 ft. Curb & gutter: Both Sides Revisions needed: - Clarify "Utility Block Building" written on plat note number 13 prior to recording, 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. Front: 45 ft. or greater for easements or in line with existing structure, whichever is greater applies. Revise the plat note as shown above prior to recording. Proposed: 40 ft. or greater for easements or in line with existing structure, whichever is greater. Zoning Ordinance: Section 138-356. Rear: 10 ft. or greater for easements. Zoning Ordinance: Section 138-356. Interior Sides: In accordance with the zoning ordinance, or greater for easements. Zoning Ordinance: Section 138-356. Corner: 10 ft. or greater for easements or line with existing structures, whichever is greater applies. Remove plat note for side corner prior to recording, as it is not applicable to this plat. Zoning Ordinance: Section 138-356. Garage: 18ft. except where greater setback is required, greater setback applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4ft. wide minimum sidewalk required on Mile 7 Road. Pending Items: The engineer submitted a variance application on January 24, 2024 on behalf of the owner to request a contractual agreement in lieu of escrowing the fee for the sidewalk requirement. If the variance request is approved a plat note to reference the contractual agreement is needed prior to recording. Engineering Department may require 5 ft. sidewalk. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. Pending Items: The engineer submitted a variance application on January 24, 2024 on behalf of the owner to request a contractual agreement in lieu of escrowing the fee for the sidewalk requirement. If the variance request is approved a plat note to reference the contractual agreement is needed prior to recording. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, or industrial zones/uses. Clarify/revise plat note #7 as shown above prior to recording. Proposed: 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along South Bentsen Road. 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. Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Being no discussion, Vice Chairperson Mr. Gabriel Kamel moved to approve in preliminary form, subject to the conditions noted, drainage, and Utilities approval. Mr. Emilio Santos Jr. seconded the motion, which was approved with five members present and voting. 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. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per the application submitted on 5/5/2023, the subdivision is proposed to have one single family lot; therefore, a park fee of \$700 must be paid prior to recording as per Parks Department. As per Traffic Department, Trip generation waived for one single residential home. 5 ft. additional ROW dedication shown on the plat with an "*" and plat note #13 states "*" Denotes future ROW to be dedicated when existing utility block building near southwest corner of Lot 1 is removed and/or demolished." Clarify "utility block building" review and revise as applicable prior to recording. A second page for the plat is provided labeled as "Water, Sanitary Sewer, Paving, and Drainage Layout." Clarify including the second page prior to recording, since the property is inside the City of McAllen limits and the recording the second page is not required. Must comply with City's Access Management Policy. Plat note #11 states a blanket easement for United Irrigation District. The

engineer, developer, or property owner, and not the City of McAllen, are responsible to contact the Irrigation District to resolve it prior to submitting a building permit request.

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

Being no discussion, Mr. Jesse Ozuna moved to approve in revised final form, subject to the conditions noted, and clarification of the requested variance. Mr. Emilio Santos Jr. seconded the motion, which was approved with five members present and voting.

g) Harvest Cove Phase I Subdivision, 2501 North Ware Road, Escanaba, LLC
(SUB2024-0005) (FINAL) M&H

Mr. Kaveh Forghanparast stated North Ware Road: 60 ft. from centerline for 120 ft. ROW Paving: 65 ft. Curb & gutter: Both Sides Revisions needed: Clarify and add labels to all ROW dimensions shown on N. Ware Road prior to final/recording. Show and label "Existing ROW" for the total existing ROW and show the existing ROW on both sides of centerline to determine if any ROW dedication is required prior to final/recording. Identify existing ROW by plat or instrument number and provide a copy for staff review prior to final/recording. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are required prior to recording. Interior Streets for R-1 (single-family residential): 50 ft. Total ROW Paving: 32 ft. Curb & gutter: both sides Revisions needed: Street names will be finalized prior to recording. Submit revised paving layout showing that the islands within the Cul-de-Sacs have been removed to comply with Fire Department requirements. If the variance request to provide an interior street with 50 ft. ROW as residential collector is approved, it should be subject to 40 ft. of paving. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are required prior to recording. The engineer submitted a variance application (VAR2024-0002) including a variance to consider an interior street with 50 ft. ROW (proposed as West Way Ave) to be considered as a residential collector. Two CUP applications for PUD (CUP2023-0161) for Phase I & (CUP2024-0005) for Phase II has been submitted and are in process and must be approved prior to final/recording. The PUD and variance requests must be approved and the plat layout must comply the layout and conditions approved by the City Commission. Plat notes cross-referencing the PUD must be finalized prior to recording and the PUD must be recorded along with the plat. N/S 1/4 mile collector: Dedication as needed for 60 ft. total ROW. Paving 40 ft. Curb & gutter: Both Sides Revisions Needed: The submitted variance request (VAR2024-0002) includes a variance to N/S 1/4 mile collector road requirement. Planning and Zoning Commission recommended approval of the variance request at the meeting of January 24, 2024. The request is scheduled to be heard by City Commission. If the request is not approved, the plat layout must be revised to comply with City requirement. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are required prior to recording. The engineer submitted a variance application (VAR2021-0002) including a variance to the N/S quarter mile collector requirement. Two CUP applications for PUD (CUP2023-0161) for Phase I & (CUP2024-0005) for Phase II has been submitted and are in process. The PUD and variance requests must be approved prior to final/recording and the plat layout must comply the layout and conditions approved by the City Commission. Plat notes cross-referencing the PUD must be finalized prior to recording and the PUD must be recorded along with the plat. E/W 1/4 mile collector(Northern Boundary): Dedication as needed for 60 ft. total ROW. Paving 40 ft. Curb & gutter: Both Sides Revisions Needed: Provide for E/W 1/4 mile collector dedication, prior to final/recording. Show the width of the ROW somewhere along Lots 33-37 to determine compliance prior to final/recording. If the variance request to provide an interior street with 50 ft. ROW as E/W 1/4 collector is approved, it should be subject to 40 ft. of paving. A 10 ft. sidewalk easement along the front of the lots fronting street may be required and will

be finalized prior to final/recording. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are required prior to recording. The engineer submitted a variance application (VAR2021-0002) including a variance to consider an interior street with 50 ft. ROW (proposed as Westway Ave) to be considered as an E/W quarter mile collector requirement. Two CUP applications for PUD (CUP2023-0161) for Phase I & (CUP2024-0005) for Phase II has been submitted and are in process. The PUD and variance requests must be approved and the plat layout must comply the layout and conditions approved by the City Commission. Plat notes cross-referencing the PUD must be finalized prior to recording and the PUD must be recorded along with the plat. 1,200 ft. Block Length. The variance request (VAR2024-0002) is in process which includes a variance to block length requirement. If the variance request is not approved, the plat layout must be revised to comply with City requirements.

Subdivision Ordinance: Section 134-118. 600 ft. Maximum Cul-de-Sac. The variance request (VAR2024-0002) is in process which includes a variance to Cul-de-Sac length. As per the submitted request, the Cul-de-Sac length will be in compliance once Harvest Cove Phase II is recorded. If the variance request is not approved, the plat layout must be revised to comply with City requirements.

Subdivision Ordinance: Section 134-105. Front: 25 feet or greater for easement. Revisions needed: Must comply with the approved PUD. Proposing: 20 feet or greater for easement or as shown in front setback table. Zoning Ordinance: Section 138-356. Two CUP applications for PUD (CUP2023-0161) for Phase I & (CUP2024-0005) for Phase II has been submitted and are in process. The engineer requested the subdivision to be considered for final approval form subject to PUD approval. The PUD must be approved prior to final/recording and the plat layout must comply the layout and conditions approved by the City Commission. Plat notes cross-referencing the PUD must be finalized prior to recording and the PUD must be recorded along with the plat. A variance application (VAR2024-0002) has been submitted and is in the process which includes in interior street with 50 ft. ROW (proposed as Westway Ave) to be considered as a residential collector. If the request is approved subject to 40 ft. paving, the front setback of the lots fronting this road should be kept as 25 ft. or greater for easements. Required. Rear: Proposing: 10 feet or greater for easement. Zoning Ordinance: Section 138-356. Sides: Proposing: 6 feet or greater for easement. Zoning Ordinance: Section 138-356. Corner: Proposing: 10 feet 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. Remove the above wording from plat note #3 prior to final/recording as it is not a required plat note. 4 ft. wide minimum sidewalk required along N. Ware Road both sides of all interior streets and Collector streets if applicable. Revisions needed: The note must be finalized based on the variance requests prior to final/recording. Proposing: A 5 ft. minimum sidewalk required along the west side of Ware Road, and 4 ft. minimum sidewalk required along both sides of all interior streets and N/S collector as applicable. Sidewalk requirements may increase to 5 ft. as per Engineering Department requirements, prior to final/recording.

Subdivision Ordinance: Section 134-120. The engineer submitted a variance application (VAR2024-0002) including a variance to the N/S & E/W quarter mile collector requirements. Two CUP applications for PUD (CUP2023-0161) for Phase I & (CUP2024-0005) for Phase II has been submitted and are in process. The PUD and variance requests must be approved and the plat layout must comply the layout and conditions approved by the City Commission. Plat notes cross-referencing the PUD must be finalized prior to recording and the PUD must be recorded along with the plat. 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 the collector streets, if applicable. Revisions Needed: Plat note must be finalized once the variance request (VAR2024-0002) is finalized, prior to final/recording.

Landscaping Ordinance: Section 110-46. The engineer submitted a variance application (VAR2024-0002) including a variance to the N/S & E/W quarter mile collector requirements. Two CUP applications for PUD

(CUP2023-0161) for Phase I & (CUP2024-0005) for Phase II has been submitted and are in process. The PUD and variance requests must be approved and the plat layout must comply the layout and conditions approved by the City Commission. Plat notes cross-referencing the PUD must be finalized prior to recording and the PUD must be recorded along with the plat. 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. Remove the above wording from plat note #10 prior to final/recording. No curb cut, access, or lot frontage permitted along N. Ware Road. If the variance request (VAR2024-0002) is approved, plat note #13 must be revise as shown above prior to final/recording. Proposing: No curb cut, access, or lot frontage permitted along N. Ware Road and other streets as applicable. Must comply with City Access Management Policy Required. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Two CUP applications for PUD (CUP2023-0161) for Phase I & (CUP2024-0005) for Phase II has been submitted and are in process. The PUD must be approved prior to final/recording and the plat layout must comply the layout and conditions approved by the City Commission. Plat notes cross-referencing the PUD must be finalized prior to recording and the PUD must be recorded along with the plat. Common Areas, any detention lots, etc. must be maintained by the lot owners/HOA and not the City of McAllen. Proposing: Common or detention areas, any private streets/alleys or drives, and/or gates must be maintained by property owners/HOA and not the City of McAllen. Based on the submitted application, the subdivision is public. Clarify/revise plat notes #12 & #18 prior to final/recording. Plat notes #12 & #18 seem to be duplicate. Clarify/remove one note prior to final/recording. 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 110-72 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 134-168 applies if private subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Clarify/combine plat notes #14, #15, #16 prior to final/recording. 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. A draft HOA document needed prior to recording. HOA must be signed and recorded after staff review and the document number must be cross-referenced on the plat and HOA. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Two CUP applications for PUD (CUP2023-0161) for Phase I & (CUP2024-0005) for Phase II has been submitted and are in process. The PUD must be approved prior to final/recording and the plat layout must comply the layout and conditions approved by the City Commission. Plat notes cross-referencing the PUD must be finalized prior to recording and the PUD must be recorded along with the plat. Existing: R-1 Proposed: R-1. Zoning Ordinance: Article V. Land dedication in lieu of fee. A request to pay park fees in lieu of land dedication for Harvest Cove Phase I & II has been submitted and is in process. The request includes paying half of the park fees prior to recording and the other half prior to building permit issuance. If the request is approved, \$350 per dwelling unit is needed prior to recording and plat note to reference that must be finalized prior to recording. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. A request to pay park fees in lieu of land dedication for Harvest Cove Phase I & II has been submitted and is in process. The request includes paying half of the park fees prior to recording and the other half prior to building permit issuance. If the request is approved, \$350 per dwelling unit is needed prior to recording and plat note to reference that must be finalized prior to recording. Pending review by the City Managers Office. A request to pay park fees in lieu of land dedication for Harvest Cove Phase I & II has been submitted and is in process. The request includes paying half of the park fees prior to recording and the other half prior to building permit issuance. If the request is approved, \$350 per dwelling unit is needed prior

to recording and plat note to reference that must be finalized prior to recording. As per Traffic Department, Trip Generation would be honored from previous case, any changes to the current plat will required an updated Trip Gen. As per Traffic Department, Traffic Impact Analysis (TIA) honored from previous case. Must comply with City's Access Management Policy. Clarify/revise the wording for Cul-de-Sac outside the plat boundary to be abandoned by this plat. Any abandonments must be done by separate process, not by plat. Clarify connection to existing recorded subdivision under Arrow Head Subdivision Phase I, prior to final/recording. Some details are shown by circles and some by arrows. Please use a consistent method prior to final/recording. Detail "B" on the north side of Lot 5 is shown outside the subdivision boundary. Review and revise prior to final/recording. Any temporary Cul-de-Sac must be done by separate instrument and document number referenced on the plat prior to recording. Any abandonment must be done by separate process and instrument, not by plat. The subdivision boundary on the location map does not match the plat. Revise it prior to final/recording. Legal Description of all adjacent properties on all sides, including the east side of N. Ware Road, is needed on the plat prior to recording. Revise/clarify plat note #17 prior to final/recording. The engineer submitted a variance application (VAR2024-0002) including the following:

1. a variance to the N/S quarter mile collector requirement.
2. a variance to the E/W quarter mile collector requirement.
3. Block length requirement
4. Cul-de-Sac maximum length requirement

At the Planning and Zoning Commission meeting of January 24, 2024, the Board approved the subdivision in revised preliminary form and recommended approval to the requested variance. The variances are scheduled to be heard by the City Commission on February 20, 2024. Two CUP applications for PUD (CUP2023-0161) for Phase I & (CUP2024-0005) for Phase II has been submitted and are in process. CUP2023-0161 was approved by the Planning and Zoning Commission on 01/10/2024 and is scheduled to be heard by City Commission on 02/12/2024. CUP2024-0005 has been scheduled to be heard by the Planning and Zoning Commission on 02/20/2024 and by City Commission on 03/11/2024. The engineer requested the subdivision to be considered for final/recording approval form subject to the variance and PUD approval. The PUD and variance requests must be approved and the plat layout must comply the layout and conditions approved by the City Commission. Plat notes cross-referencing the PUD must be finalized prior to recording and the PUD must be recorded along with the plat.

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

Being no discussion, Vice Chairperson Mr. Gabriel Kamel moved to approve in final form, subject to the conditions noted. Mr. Emilio Santos Jr. seconded the motion, which was approved with five members present and voting.

- h) Bright Woods Subdivision, 2700 Sprague Road, Star Trails Holdings, LLC
 (SUB2024-0006) (FINAL) S2E

Mr. Kaveh Forghanparast Sprague Road: Dedication as required for 40 ft. from centerline for 80 ft. total ROW Paving: 52 ft. Curb & gutter: both sides Revisions needed: If 60 ft. is the "Existing ROW" please label it according. Add the document number on the plat for the existing ROW and provide a copy for staff review prior to recording. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. E/W Quarter Mile Collector (north boundary): dedication required for 60 ft. total ROW Paving: 40 ft. Curb & gutter: both sides. Subdivision Ordinance: Section

134-105. Monies must be escrowed if improvements are required prior to recording. A variance application (VAR2024-0007) has been submitted to consider the interior E/W and N/S streets as 1/4 mile collectors. No department objected to the variance request; therefore, the variance request was approved administratively. Interior Streets: Dedication as required for 60 ft. total ROW Paving: 40 ft. Curb & gutter: both sides Revisions needed: The temporary turn around shown on Lots 33, 34, and 35 is not labeled nor dimensioned. Label and dimension must be finalized prior to recording. Money must be escrowed prior to recording to remove the turnaround when the street is extended to the east, if layout remains as shown. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. A variance application (VAR2024-0007) has been submitted to consider the interior E/W and N/S streets as 1/4 mile collectors. No department objected to the variance request; therefore, the variance request was approved administratively. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. 1,200 ft. Block Length. Subdivision Ordinance: Section 134-118. A variance application (VAR2024-0007) has been submitted to consider the interior E/W and N/S streets as 1/4 mile collectors and block length to be accepted as shown. No department objected to the variance request; therefore, the variance request was approved administratively. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties. Subdivision Ordinance: Section 134-106. Based on Public Works Department, there is an agreement to provide centralized dumpster locations within the subdivision, in lieu of providing alleys. Dumpster locations and details must be approved by Public Works prior to final/recording. Front: 20 ft. or greater for easements or approved site plan. Revise setback plat note #3 as shown above prior to final/recording. Proposed: Front: 20 ft. or greater for easements. Front Setback for Lots 38, 44, 45, 51, 52, and 58 shall be lot line facing street. Rear: 10 ft. or greater for easements or approved site plan. Zoning Ordinance: Section 138-356. Interior Sides: 6 ft. or greater for easements or approved site plan. Zoning Ordinance: Section 138-356. Corner: 10 ft. or greater for easements or approved site plan. Revise the setback note as shown above prior to final/recording. Proposing: 10 ft. or greater for easements or site plan. Garage: 18 ft. except wherever 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 Sprague Road and both sides of all interior streets. Engineering Department may require 5 ft. sidewalk prior to final. Proposing: 5 ft. wide minimum sidewalk required along the north side of Sprague Road, and 4 ft. wide minimum sidewalk required along both sides of all interior streets. 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 Sprague Road. Revise plat note #8 as shown above prior to final/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 Sprague Road. Must comply with City Access Management Policy. Site plan must be approved by the Planning and Development Departments prior to building permit issuance for any lots with more than 4 dwelling units. Common lots and detention areas must be maintained by the lot owners/HOA and not the City of McAllen. The project engineer informed staff that the subdivision will be public. Clarify/Revise plat note #11 as shown above prior to final/recording. 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 110-72 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 134-168 applies if private subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. As per the project engineer, the subdivision will be public. Revise HOA plat notes to reference Section 110-72 which is for public subdivisions prior

to final/recording. 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. Based on the plat notes it seems that an HOA document will be recorded. Provide a draft HOA document for staff review prior to recording. As per the project engineer, the subdivision will be public. Revise HOA plat notes to reference Section 110-72 which is for public subdivisions prior to final/recording. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. The engineer informed staff that only one duplex is proposed to be built on each lot. Minimum lot size for a duplex is 5,600 SF. Existing: R-3A Proposed: R-3A. Zoning Ordinance: Article V. An annexation and initial zoning to R-3A was approved by the City Commission on March 28, 2023. The engineer informed staff that only one duplex will be built on each lot. Land dedication in lieu of fee. The engineer submitted a request to pay park fees in lieu of land dedication. There are 97 lots shown on the latest submitted plat. Based on the information provided by the engineer, only one duplex will be built on each lot. If the request is approved, a park fee of \$135,800 (97 x 2 x \$700) is needed prior to recording. If the number of units changes in future, additional park fees must be paid. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. The engineer submitted a request to pay park fees in lieu of land dedication. There are 97 lots shown on the latest submitted plat. Based on the information provided by the engineer, only one duplex will be built on each lot. If the request is approved, a park fee of \$135,800 (97 x 2 x \$700) is needed prior to recording. If the number of units changes in future, additional park fees must be paid. Pending review by the City Manager's office. The engineer submitted a request to pay park fees in lieu of land dedication. There are 97 lots shown on the latest submitted plat. Based on the information provided by the engineer, only one duplex will be built on each lot. If the request is approved, a park fee of \$135,800 (97 x 2 x \$700) is needed prior to recording. If the number of units changes in future, additional park fees must be paid. As per Traffic Department, Trip Generation approved. As per Traffic Department, Traffic Impact Analysis (TIA) is waived. Provide a copy of the referenced documents for staff review prior to final/recording. Label the common lots (e.g. Common Detention Lot A) and add a plat note to clarify prior to final/recording. The proposed trash bin easements must be approved by all departments including Public Works and Utilities prior to final/recording. Some lots dimensions and information are overlapped with other texts or lines, review and revise as applicable prior to final/recording. Clarify and provide a copy of the referenced document referenced as "30 ft. Save and Except to Hidalgo County Irrigation District No. 1 Vol 24 Pages 168-171 Doc. 2880111" and resolve the overlap on a "proposed 20 ft. easement to Hidalgo Country Irrigation District No 1" and proposed 10 ft. U.E. prior to final/recording. Remove any wording referencing "proposed" (e.g. Prop. 10 ft. U.E.) and change it to "By This Plat" if it is dedicated by this plat. Any abandonment must be done by separate instrument and referenced on the plat prior to final/recording. Signature blocks complying with Sec. 134-61 of the subdivision ordinance is required prior to final/recording. Legal description of all adjacent lots on all sides are required prior to final/recording. Check and revise any discrepancy between the survey and subdivision dimensions and bearing prior to final/recording. Must comply with City's Access Management Policy. The project engineer informed staff that the subdivision will be public and only one duplex will be built on each lot.

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

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

ADJOURNMENT:

There being no further business to come before the Planning & Zoning Commission, Mr. Jesse Ozuna adjourned the meeting at 4:32p.m. with Mr. Jose Saldana seconding the motion with five members present and voting.

Chairperson Michael Fallek

ATTEST:

Magda Ramirez, Administrative Assistant

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF McALLEN

The McAllen Planning and Zoning Commission convened in a Regular Meeting on Tuesday, February 20, 2024 at 3:33p.m. at the McAllen City Hall, 3rd Floor Commission Chambers Room, 1300 Houston Avenue, McAllen, Texas.

Present:	Michael Fallek	Chairperson
	Emilio Santos Jr.	Member
	Marco Suarez	Member
	Jesse Ozuna	Member
	Reza Badiozzamani	Member
Absent:	Gabriel Kamel	Vice Chairperson
	Jose Saldana	Member
Staff Present:	Austin Stevenson	City Attorney
	Michelle Rivera	Assistant City Manager
	Edgar Garcia	Planning Director
	Omar Sotelo	Development Coordinator
	Rodrigo Sanchez	Senior Planner
	Kaveh Forghanparast	Planner III
	Julio Constantino	Planner III
	Samuel Nunez	Planner II
	Adriana Solis	Planner II
	Eduardo Garza	Planner II
	Hilda Tovar	Planner II
	Natalie Moreno	Planner I
	Porfirio Hernandez	Planner I
	Jacob Salazar	Planner Technician II
	Magda Ramirez	Administrative Assistant

CALL TO ORDER – Chairperson Mr. Michael Fallek

PLEDGE OF ALLEGIANCE

INVOCATION-. Mr. Marco Suarez.

MINUTES:

- a) Approval/Disapproval of minutes from the January 24, 2024 meeting.

After a correction was requested by Mr. Jesse Ozuna and addressed by staff, the minutes for the regular meeting held on January 24, 2024 was approved as submitted by Mr. Jesse Ozuna. Seconding the motion was Mr. Emilio Santos Jr., which carried unanimously with five members present and voting.

PUBLIC HEARING:

- b) CONDITIONAL USE PERMITS:

- 1) Request of OL Beverage Holdings, LLC for a Conditional Use Permit, for one year, and adoption of an ordinance, for a Bar at Lot A2, Lots A2 & A3, Wichita Commercial Park Subdivision, Hidalgo County, Texas; 2121 South 10th Street. **(CUP2024-0009)**

Mr. Porfirio Hernandez stated that the property is located at the northeast corner of South 10th Street and Wichita Avenue and is zoned C-3 (general business) District. The adjacent zoning is C-3 District to the north, east, and west, and A-O (agricultural and open space) District to the south. Surrounding land uses include McAllen Country Club, Logan's Roadhouse, McCreery Aviation Co., La Placita retail plaza, Fairway Plaza Shopping Center, and multifamily condominiums. A bar is allowed in a C-3 District with a Conditional Use Permit and in compliance with requirements.

The initial Conditional Use Permit was approved by the City Commission on December 14, 2020 with a variance to the distance requirement of being at least 400 feet from the nearest residence or residentially zoned property, church, school, or publicly owned property. The permit is renewed annually therefore; it has to come before the Planning and Zoning Commission for consideration.

The applicant is proposing to continue operating the bar (Ojos Locos Sports Cantina) from the existing 6,450 sq. ft. building. The proposed hours of operation are from 11 a.m. to 12 a.m. Sunday through Wednesday and 11 a.m. to 2 a.m. Thursday through Saturday.

The Fire Department has completed and passed the inspection. The Health Department inspected the bar and determined the property to be in compliance. The Planning Department has received no complaints regarding this use. The establishment must also meet the requirements set forth in Section 138-118(a) (4) of the Zoning Ordinance and specific requirements as follows:

- 1) The property line of the lot of any of the abovementioned businesses must be at least 400 feet from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruptions of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The establishment is within 400 ft. of the residential zone/use to the north;
- 2) The abovementioned business must be as close as possible to a major arterial, and shall not allow the traffic generated by such business onto residential streets, or allow such traffic to exit into and disrupt residential areas. The establishment has direct access to South 10th Street;
- 3) The abovementioned business must provide parking in accordance with the city off-street parking ordinance as a minimum, and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional onsite parking. Sixty-five parking spaces are required and are provided as per site plan.
- 4) The abovementioned business must do everything possible to prevent the unauthorized parking by the patrons of such business on adjacent businesses or residential properties including, when necessary, the installation of fences and hedges, and the reorientation of entrances.
- 5) The abovementioned business should do everything possible and be designed to discourage criminal activities and vandalism, both on the site and on adjacent properties. Included would be provision of sufficient lighting and perimeter fencing, elimination of dark areas, and the orientation of the building such that it provides maximum visibility of as much as possible of the site from a public street.

- 6) The abovementioned business must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties.
- 7) The abovementioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Director of Planning. This number cannot exceed the number provided for in existing city ordinances.

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

Mr. Marco Suarez asked if there was anyone present in opposition of the proposed conditional use permit request. There was none.

Being no discussion, Mr. Reza Badiozzamani moved to disapprove with favorable recommendation with Mr. Emilio Santos Jr. second the motion and one member, Chairperson Mr. Michael Fallek, abstaining. Motion was disapproved with favorable recommendation with five members present and voting.

- 2) Request of Maria N. Valdez, for a Conditional Use Permit, for life of use, and adoption of an ordinance, for automotive service and repair (auto air conditioning service) at Lots 4 and 5, Block 3, Altamira Subdivision, Hidalgo County, Texas; 2613 U.S. Highway 83. **(CUP2024-0006)**

Ms. Natalia Moreno stated that the property is located along the south side of U.S. Highway 83, approximately 165 ft. west of South 26th Street and is zoned C-3 (general business) District. Adjacent zoning is C-3 District to the east and west and R-2 (duplex-fourplex residential) District to the south, and I-1 (light industrial) District to the north. Surrounding land uses include general commercial uses, single-family residences, and multifamily residences. An automotive service and repair shop is allowed in the C-3 District with a Conditional Use Permit and in compliance with requirements.

The initial conditional use permit for this establishment was approved by the Planning and Zoning Commission on May 19, 2015 and has been renewed annually. At a meeting on September 7, 2021, the Planning and Zoning Commission recommended approval for life of use for this establishment and at the City Commission meeting of September 27, 2021 a request for Life of Use was approved. The applicant has submitted an application in order to amend the site plan to add a new metal building. The applicant submitted an application for a building permit on January 8, 2024 but the storage building has been constructed prior to building permit issuance. The applicant submitted a Conditional Use Permit for life of the use on January 12, 2024 in order to amend the site plan.

The applicant is requesting to continue to operate the existing Martinez Auto Air Office and Air Conditioning Service and Repair business for life of the use. The applicant recently constructed a storage building measuring 16 feet by 40 feet. The storage building houses two storage containers that are used for storage of materials for the business. As per the applicant, no work will be done inside the storage building. The main building consists of an office with 906 square feet and a service area with 2,388 square feet. The proposed days and hours of operations are Monday through Friday from 8:30 AM to 6:00 PM and Saturday from 8:30 AM to 2:00 PM.

Fire Department has not inspected the location. The Planning Department has not received any calls

in opposition to the request. As per Section 138-400 of the Zoning Ordinance, the parking lot must be properly striped and free of potholes. The business must meet the requirements set forth in Section 138-281 of the Zoning Ordinance and specific requirements as follows:

- 1) A minimum lot size of 10,000 square feet is required. The subject property is approximately 20,000 square feet;
- 2) All service, repair, maintenance, painting and other work shall take place within an enclosed area. The work will be performed in the service area;
- 3) Outside storage of materials is prohibited;
- 4) The building where the work is to take place shall be at least 100 ft. from the nearest residence. The building is located approximately 127 ft. from an existing residence to the south;
- 5) A 6 ft. opaque fence may be required to buffer residential uses or districts.
- 6) New buildings and conversions of existing buildings shall meet current building and fire code requirements concerning separation of high hazard uses from other occupancy use classifications.

Staff recommends approval of the request subject to the conditions noted in Section 138-281 of the Zoning Ordinance, Building Permit and Fire Department requirements

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

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

- 3) Request of Lasco Development Corporation, for a Conditional Use Permit, for life of the use, and adoption of an ordinance for a gasoline service station, at 4.055 acres out of Lot 248, John H. Shary Subdivision, Hidalgo County, Texas; 4401 Pecan Boulevard. **(CUP2024-0008)**

Mr. Eduardo Garza stated that the subject property is located at the southwest corner of Pecan Boulevard and North Bentsen Road. The property is zoned C-3 (general business) District. The adjacent zoning is C-1 (office building) District to the north across Pecan Boulevard, C-3 District to the east across North Bentsen Road, R-1 (single-family residential) District to the south, and R-3A (multifamily residential apartment) District to the west. Surrounding land uses are commercial uses, single-family residential, and apartments. A gasoline service station is permitted in a C-3 District, subject to compliance with Conditional Use Permit requirements.

The applicant is proposing to build and operate a convenience store and gas station from the subject property. The location will offer a 4,810 square-foot convenience store with one canopy for gasoline fuel pumps. Based on the square footage of the convenience store, 15 parking spaces are required for the location. The latest site plan submitted proposes 50 parking spaces. A proposed site plan has been submitted; however, it is subject to change in agreement with any proposed subdivision plat and

ordinance requirements. A site plan must be approved city staff prior to issuance of the building permit.

All building permit requirements must be met including parking landscaping, setbacks etc.

The Fire Department is pending their inspection. The proposed use must comply with Sections 138-257 through 138-261 of the Zoning Ordinance and the following specific requirements:

- 1) Activities are limited to sale of gasoline, oil, and minor accessories and incidental services. Repair work, steam cleaning or undercoating vehicle body repair, painting, tire recapping, engine rebuilding, auto dismantling, upholstery, auto glasswork and such other activities whose external effects could adversely extend beyond the property line are not permitted;
- 2) Ingress or egress shall not be permitted at locations where it will tend to create traffic hazards. Entrances shall not be permitted within 25 ft. of a street intersection. Curb cuts are proposed from Pecan Boulevard and North Bentsen Road;
- 3) Front yard building setback shall be 60 ft., not including gas pumps or driveway covers (canopy). Convenience store building is proposed to comply with required setbacks;
- 4) All lighting shall be shielded from adjacent residential districts;
- 5) A 6 ft. opaque buffer shall be provided where abutting or adjacent to residential districts;
- 6) Gasoline service stations that have facilities for the repair or servicing of automobiles shall be a minimum of 13,000 square feet. Retail outlets for gasoline, oil, and minor accessories, without repair facilities, may be permitted on lots less than 13,000 square feet. There will be no automobile servicing;
- 7) Gas pumps/islands shall be set back at least 13 ft. from the property line or 18 ft. from the curb, whichever is greater;
- 8) Gas pump canopy shall be set back at least 9 ft. from the property line or 10 ft. from the curb, whichever is greater; and
- 9) Gas pumps shall not be located within 100 ft. of a residential district. The gas pumps are not located within 100 ft. of a residential district.

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

Staff recommends approval of the request, for life of the use, subject to compliance with Sections 138-257 through 138-261 and the specific conditions noted, Building Code requirements, Fire Department requirements, and all other relevant Zoning and Subdivision ordinances.

Chairperson Mr. Michael Fallek asked if there was anyone present in opposition of the proposed conditional use permit request. There were two:

Citizen Mr. Rene Guillen (living adjacent to property in request), representing neighbors, stated their concerns are lighting at night, noise, and traffic.

Citizen Mr. Mike Stanton (1118 N. Bentsen Rd) stated his concern is the over lighting.

After a lengthy discussion, Mr. Reza Badiozzamani moved to approve. Mr. Marco Suarez seconded

the motion, which was approved with five members present and voting.

- 4) Request of Melden and Hunt, Inc. for (Proposed) Harvest Cove Phase II, for a Conditional Use Permit, for life of the use, and adoption of an ordinance, for a Planned Unit Development (PUD), at 17.438 acres, out of Lots 138 and 137, La Lomita Irrigation and Construction Company Subdivision, Hidalgo County, Texas; 2601 North Ware Road. **(CUP2024-0005)**

Ms. Adriana Solis stated that the subject property is located along the west side of North Ware Road and generally 680 feet north of Warrior Drive (Vine Avenue). Harvest Cove Phase II consists of 17.438 acres of vacant land. The property is zoned R-1 (single family residential) District. The adjacent zoning is A-O (agricultural and open space) District to the north and west, R-3T (multifamily residential townhouses) District to the north, and R-1 District to the north and east. There is R-3A (multifamily residential apartments) District to the south. A Planned Unit Development (PUD) is permitted in a R-1 District with a Conditional Use Permit and in compliance with Article IV for Planned Developments of the Subdivision Ordinance.

A rezoning request from A-O District to R-1 District for this tract was approved by the City Commission on February 15, 2022. The Planning and Zoning Commission voted to approve the proposed subdivision plat in preliminary form subject to conditions noted, drainage and utilities approval on October 3, 2023 for Phase I and is scheduled for consideration by the City Commission on the meeting of February 12, 2024. The plat for Harvest Cove Phase II is scheduled to be considered in preliminary form later on this same agenda. On November 9, 2023, a request for a Planned Unit Development was submitted for Harvest Cove Phase I. On January 30, 2024 an application for a PUD - Harvest Cove Phase II was submitted.

A request is being made for the Planned Unit Development to be reflecting the new plat conditions below. Currently, the property is vacant land. The proposed plat consists of 199 lots regarding Harvest Cove Phase I and II. The applicant is also proposing an 8-foot masonry wall as a proposed buffer for both Harvest Cove Phase I and Phase II. The applicant is proposing to develop a Planned Unit Development, which will include single-family residences.

The proposed PUD for Harvest Cove Phase I and II is requesting the following:

- Lots 58-145 are not meeting the 50 ft. frontage minimum requirement.
- Lots 56-181 are not meeting the minimum lot area of 5,000 ft.
- Elevations: Maximum home height proposed at 33 ft.
- 36 lots total not meeting the minimum 18 ft. driveway width, the minimum proposed is 12 feet – Engineering Department approved.
- Some lots such as lots 48, 50-52, and 186 may not meet the 50% landscape requirement.

PUDs allow a variety of land uses that complement each other within the development and with existing land uses in the vicinity. Specific requirements for the approval of PUDs are set forth on Article IV for Planned Developments of the Subdivision Ordinance, and are summarized as the following:

1. CONCEPTUAL SITE PLAN: Development and use of the property must comply with the conditional use permit conceptual site plan.
2. PERMITTED USES: Permitted uses are uses permitted in the R-1 District for buildings

designated as residential. The applicant is proposing single-family residences and a common area.

3. OFF-STREET PARKING AND LOADING: Parking should be in compliance with Chapter 134 Article VI, which requires two parking spaces per unit, with one being located beyond the front yard setback. Must provide floor plan with garage to determine if in compliance.
4. LANDSCAPING: Each lot requires 10% landscaping in an R-1 zone. Based on the lot area of 813,570.12 sq. ft., 81,357.012 sq. ft. of landscaping is required. Also, 50% of the required front yard must be landscape, including the side yard setback areas. Some lots such as lots 48, 50-52, 186 may not meet the 50% landscape requirement. A minimum of one tree is required. Must provide front landscaping area and trees to determine if in compliance. Some lots show driveway proposed to be located over a side yard setback, being not in compliance.
5. STREETS AND SETBACKS: Providing a of 60 ft. right-of-way for North 43rd Street. Provide minimum of 50 ft. right-of-way and 32 ft. of pavement for each interior street within the subdivision. Setbacks are Front: 20 ft. or greater for easements, whichever is greater; Rear: 10 ft. or greater or easements; Sides: 6 ft. or greater for easements; Corner: 10 ft. or greater for easements; and Garage: 18 ft. except where greater setback is required. An R-1 zone requires a front yard setback of 25 ft. on interior streets. The development is proposing less than 25 ft. of front yard setback and instead is proposing 20 ft. of front setback for each lot. Provide setback lines with building envelope on site plan with a 5 ft. wide minimum sidewalk required on Ware Road and a 5 ft. wide minimum sidewalk required on all interior street. Must provide sidewalk width dimension on site plan.

An access variance on Ware Road were approved by the Traffic Department.

6. DRAINAGE: During the Harvest Cove Subdivision Phase I and II process final drainage detention and design and drainage plan must be submitted and in accordance with City of McAllen Standard Design Guide.
7. ADDITIONAL PROVISIONS: 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 area for development of five (5) acres. The development has 18.677 acres, which includes single-family residences.
8. Owner, Engineer and Surveyor certification and signature block needs to be shown on the PUD site plan. Submitted site plan meets requirements.
9. A recorded subdivision plat and approved PUD site plan is required prior to issuance of building permits. Therefore, Harvest Cove Phase I and II subdivision process must be completed and recorded together with the site plan.

If the subdivision layout changes, the PUD will need to be amended to resemble the approved Subdivision Plat. Any changes regarding ownership or the approved building layout may also require an amendment of the PUD. The PUD must comply with all City department requirements, including but not limited to, the Building Permit & Inspections Department, Planning Department, Engineering

Department, Utilities Department, Traffic Department, Fire Department, and the Environmental and

Health Code Compliance Department. Finally, if this request is granted approval, all proposed structures and improvements on the recorded Subdivision Plat and PUD site plan will be required during the building permitting process.

Staff did receive several phone calls in opposition to this request.

Staff recommends approval of the Planned Unit Development as presented, for life of the use, subject to all aforementioned conditions.

Chairperson Mr. Michael Fallek asked if there was anyone present in opposition of the proposed conditional use permit request. There was one citizen in opposition and one citizen that had a confirmation question.

Citizen Mr. Chuck Hiass's concern was if an 8' masonry wall was going to be built for flooding and privacy purposes. He stated he spoke to a representative from Melden & Hunt and they advised there will be a masonry wall built.

Citizen Ms. Delfina Gonzalez (lives in the area where the proposed build is to take place) stated her concern is the height of the buildings and privacy.

After a brief discussion, Mr. Marco Suarez moved to approve with conditions noted. Mr. Jesse Ozuna seconded the motion, which was approved subject to conditions noted with five members present and voting.

c) REZONING:

- 1) Rezone from C-3 (general business) District to C-4 (commercial-industrial) District: 2.152 acres out of Lot 1, T-Rey Subdivision, Hidalgo County, Texas; 3612 State Highway 107 (rear). **(REZ2024-0004)**

Mr. Eduardo Garza stated that the subject property is an interior tract and is located along the north side of State Highway 107, approximately 1,225 feet east of Ware Road. The irregularly shaped tract consists of 2.152 acres out of Lot 1, T-Rey Subdivision.

The applicant is proposing to rezone the property from C-3 (general business) District to C-4 (commercial-industrial) District in order to build a self-storage facility for recreational vehicle and boat storage. A feasibility plan has not been submitted.

The adjacent zoning is C-3 District in all directions except to the east there is A-O (agricultural and open space) District.

The property is part of a larger tract that is proposed to be developed for a plaza and a self-storage facility is proposed for the subject tract. Surrounding land uses include Rockin' Moose Sales, 107 Auto Financial, CXL Motors, single-family residences, and vacant land.

The Envision McAllen Future Land Use Plan designates the future land use for this property as Complete Communities. The most appropriate type of development includes single-family detached homes, accessory uses to single-family residences, neighborhood-scale offices and retail, civic

buildings, and parks and open space uses. Nonresidential uses in this category primarily include

neighborhood serving retail, services, and offices.

The development trend along State Highway 107 is commercial use.

The tract was initially zoned A-O (agricultural and open space) District upon annexation in May of 1995. In 2005, a rezoning request for C-3 District was approved by the City Commission in March 2005. There have been no other rezoning requests since that time.

The requested zoning does not conform to the future land use designation on the Envision McAllen Future Land Use Plan. However, the proposed zoning and use align with the existing commercial development. The zoning trend along State Highway 107 is commercial use. The primary use of the proposed rezoning is for storage of recreational vehicles and boats.

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

Staff recommends approval of the rezoning request to C-4 (commercial-industrial) District since the proposed zoning is consistent with the rezoning and development trends for this area.

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

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

- 2) Rezone from C-3 (general business) District to R-3T (multifamily residential townhouses) District: 3.581 acres out of Lot 60, La Lomita Irrigation & Construction Company's Subdivision, Hidalgo County, Texas; 7709 North 23rd Street. **(REZ2024-0003)**

Ms. Adriana Solis stated that the subject property is located along the west side of North 23rd Street, approximately 361 feet south of Zenaida Avenue. The tract has 228.91 feet of frontage along North 23rd Street and a depth of 683 feet for a tract size of 3.581 acres.

The applicant is proposing to rezone the property to R-3T (multifamily residential townhouse) District for a townhouse development.

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

The subject property is the former location for Greg Auto Service. Surrounding land uses include single-family residential homes, commercial uses adjacent to single family.

The Envision McAllen Future Land Use Plan designates the future land use for this property as Complete Communities. Single-family residences make up the majority in this land use category although townhomes are encouraged to create diversity in housing choices. Nearby nonresidential uses help to serve the residents.

The development trend along this area of North 23rd Street is single-family residential.

The requested zoning conforms to the Complete Communities land use designation as indicated on

the Envision McAllen Future Land Use Plan, since diversity is more in line with single-family neighborhoods.

The proposed development area is 3.581 acres. Based on the maximum density per gross acres in the R-3T District: 20 dwelling units per gross acre are allowed, approximately 72 dwelling units are allowed 3.581 (gross) acres. Two thousand square feet represents the minimum lot area for R-3T a residential tract use.

A recorded subdivision plat will be required prior to building permit issuance. An approved site plan may also be required prior to building permit issuance should townhouses proposed be comprised of five units or more on single lot. Compliance with off-street parking, landscaping, buffer requirements and various building and fire codes are required as part of the building permitting process.

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

Staff recommends approval of the rezoning request to R-3T (multifamily residential townhouse) District since the proposed to zoning conforms to the Envision McAllen Future Land Use Plan.

Chairperson Mr. Michael Fallek asked if there was anyone present in opposition of the proposed rezoning request. There were none in opposition, but one citizen did have concerns.

Citizen Mr. Mikel Schlotterback, (7609 N. 24th Circle), asked if the property value was going to decrease? Is the developer going to build townhomes? Chairperson Mr. Michael Fallek responded to Mr. Schlotterback questions.

After a brief discussion, Mr. Marco Suarez moved to approve the rezoning request. Mr. Emilio Santos Jr. seconded the motion, which was approved with five members present and voting.

- 3) Rezone from A-O (agricultural and open space) District to R-3A (multifamily residential apartments) District: 2.99 acres more or less of the South ½ of Lot 74, La Lomita Irrigation & Construction Company's Subdivision, Hidalgo County, Texas; 2600 Lark Avenue. **(REZ2024-0008)WITHDRAWN.**

Ms. Adriana Solis stated that the applicant has withdrawn the request, no action is required, none was taken. Item has been withdrawn.

- 4) Rezone from R-1 (single family residential) District to R-3C (multifamily residential condominiums) District: 7.207 acres out of Lot 2, Block 9, A.J. McColl Subdivision, Hidalgo County, Texas; 3908 South Jackson Road, Unit D. **(REZ2023-0064)TABLED ON 2/6/2024.**

Ms. Adriana Solis stated that the applicant has withdrawn the request, no action is required, none was taken. Item has been withdrawn.

- 5) Rezone from R-1 (single family residential) District to C-3 (general business) District: Lot 20, Block 11, Colonia Hermosa No. 2 Subdivision, Hidalgo County, Texas; 2216 El Rancho Avenue. **(REZ2024-0005)**

Ms. Hilda Tovar stated that the subject property is located on the north side of El Rancho Avenue just

The applicant is proposing to rezone the property to C-3 (general business) District in order to use the subject property as an expansion of an existing auto repair business and car sales lot.

The adjacent zoning is R-1 (single family residential) District in all directions except the west side, which is C-3 (business general) District.

The property is currently being used as an auto repair business and car sales lot. Surrounding land uses include Booz Auto Sales LLC, Morin Appliances, RDL Auto Sales, Corvette of South Texas, Rodriguez Auto Sales, RS Motors, and other commercial businesses. In addition, on the west side of the property there is an existing car lot by the name of Riverside Infinity Auto. Other uses include single family residential and agricultural.

The Envision McAllen Future Land Use Plan designates the future land use category for this property as Complete Communities, which allow established low-density neighborhoods to welcome compatible density and commercial uses into their neighborhoods via incremental infill. These areas are majority residential, with some office, retail, and other nonresidential uses that serve residents.

The development trend for this area along El Rancho Avenue is established single family residential.

Colonia Hermosa No.2 Subdivision was recorded on November 28, 1947. The subject property was zoned R-1 (single family residential) District during the comprehensive zoning in 1979.

In 2005, a rezoning request for C-3 (general business) District for Lots 19 and 20 resulted in approval of C-3 zoning for Lot 19 for an auto repair business as part of an auto sales business for Lot 18 that front South 23rd Street. In this same request, C-3 zoning was disapproved for Lot 20 and its use for parking on the subject property was authorized subject to a Conditional Use permit.

In 2009, a rezoning request for C-3 (general business) District for Lot 20 was disapproved. The Board recommended that Lot 20 should remain single-family residential, allowing parking as approved by the City Commission in 2005 and the R-1 zoning will allow it to serve as a buffer to protect the neighborhood.

The requested zoning does not conform to the future land use designation as shown on the Envision McAllen Future Land Use Plan. The proposed development is adjacent to C-3 District along the west side.

According to the applicant, the rezoning request is necessary because the subject property serves as an expansion of the existing auto repair business and car sales lot on the west side.

If the rezoning request were to be approved, compliance with buffers, landscaping, off street parking, building and fire codes are required prior to issuance of building permits or occupancy. A Conditional Use permit for auto repair is required in a C-3 District with a minimum separation of 100 feet from the nearest residence.

The subject property fronts El Rancho Avenue, which is a residential street with 40 feet of right-of-way.

Staff received did not any phone calls in opposition to the zoning request.

Staff recommends disapproval of the rezoning request to C-3 (general business) District since it does not conform to the established residential trend for this area to the east along El Rancho Avenue.

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

Being no discussion, Mr. Emilio Santos moved to disapprove the rezoning request. Mr. Jesse Ozuna seconded the motion, which was disapproved with five members present and voting.

- 6) Rezone from C-1 (office building) District to R-3T (multifamily residential townhouse) District: 1.515 acres out of Lot 2, Hamilton Place Subdivision, Hidalgo County, Texas; 100 East Pecan Boulevard (rear). **(REZ2024-0007)**

Ms. Hilda Tovar stated that the subject property is located along the east side of North 1st Street approximately 250 feet south of East Pecan Boulevard.

The applicant is proposing to rezone the property to R-3T (multifamily residential townhouse) District in order to use the subject property for the future development of townhouses.

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

The adjacent zoning is C-1 (office building) District to the north, A-O (agricultural and open space) District to the west across North 1st Street, R-3T (multifamily residential townhouse) District to the south across the alley and R-3A (multifamily residential apartment) District to the east.

The subject property is currently vacant. Surrounding land uses include residential townhouses, McAllen Memorial Mustang Softball Field, Watermill Express, Bentley Estates HOA and United Way of South Texas. Also, an existing dentist office by the name of Dr. Karl F. Frey, DDS is adjacent to the property on the north side. Other uses include commercial and multifamily.

The Envision McAllen Future Land Use Plan designates the future land use category for this property as Complete Communities which allow for established low-density neighborhoods to welcome compatible density and commercial uses into their neighborhoods via incremental infill. These areas are majority residential, with some office, retail, and other nonresidential uses that serve residents.

The development trend for this area along the south side of Pecan Boulevard is commercial and multifamily.

Hamilton Place Subdivision was recorded on October 14, 1996. The subject property was zoned A-O (agricultural and open space) District during the comprehensive zoning in 1979. A rezoning request for C-1 (office building) District was approved in June 1996.

The requested zoning conforms to the future land use designation as shown on the Envision McAllen Future Land Use Plan. The proposed zoning aligns with the adjacent subdivision on the south side. Maple-Memorial Subdivision was recorded on May 1st, 1996 and the existing zoning is an R-3T

(multifamily residential townhouse) District.

If approval of the zoning request is granted, an approved site plan by Planning and Zoning Commission will be required prior to building permit issuance.

Staff has not received any phone calls in opposition to the zoning request.

Staff recommends approval of the rezoning request to R-3T (multifamily residential townhouse) District since it conforms to the Envision McAllen Future Land Use Plan

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

- 7) Initial Zoning to A-O (agricultural and open space) District: 202.788 acres, more or less, out of a 212.788 acre (Deed: 211.18 acres) tract of land, more or less, out of Survey 215 and Survey 218, Texas Mexican Railway Company Survey, said 202.788 acres being a part of the former Moore Field Subdivision, save and except a 1.60-acre tract (Water Tower Tract), Hidalgo County, Texas; 23415 North Moorefield Road. **(REZ2024-0006)**

The property is located along the west side of North Moorefield Road, adjacent on its southwest boundary to a deactivated United States Air Force facility by the name of Moore Air Base. The tract of land consists of around 202.788 acres of undeveloped brush land.

The applicant is requesting annexation of the property and initial zoning to A-O (agricultural and open space) District. The tract is currently outside of McAllen's City limits. The initial zoning to A-O District will become effective upon the annexation of the tract into the City. The owners will propose a rezoning request in the future once they have finalized their development plan for the tract.

All adjacent properties are currently outside of McAllen's city limits and are therefore without zone.

The property is currently vacant. Surrounding land uses are a mix of some industrial and agricultural uses, with vacant land throughout.

The Envision McAllen Future Land Use Plan designates the future land use for this property as Industrial. This land use is designed to keep certain uses in isolated areas of the City in order to prevent compatibility concerns with future commercial and residential projects. Major manufacturing uses and major employer centers are considered most appropriate for this area.

The development trend along this area of North Moorefield Road is primarily agricultural and open spaces. There are also minor industrial projects throughout.

The subject property has been in the City's Extra-Territorial Jurisdiction (ETJ) since December 22, 2014. The request for the initial zoning of the subject property was submitted on December 8, 2023.

The requested zoning conforms to the future land use plan designation. Parks and open space uses are considered compatible.

The subdivision review and site plan review processes will be required prior to building permit issuance for any future developments in the property. Any future developments must also comply with the

permitted and conditional uses of the designated zoning district.

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

Staff recommends approval of the initial zoning request to A-O (agricultural and open space) District.

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

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

3) SUBDIVISIONS:

- a) Replat of Sharyland Business Park Lot 17A Subdivision, 5201 Military Highway, Tierra Tech USA Inc. **(SUB2023-0046) (REVISED PRELIMINARY) STIG**

Mr. Kaveh Forghanparast stated Military Highway (F.M.1016): Dedication as needed for 75 feet from centerline for 150 feet total ROW. Paving with 65 ft. of curb & gutter on both sides. Revisions needed Current subdivision layout does not provide ROW details. Show and label Centerline, total existing ROW, and existing ROW on both sides of the centerline, etc. prior to final. Show ROW and document number for Military Highway (F.M.1016) to establish ROW dedication requirements prior to final. Final approval consideration has been requested by the engineer; however, subdivision requirements including the ROW have not been addressed yet. All subdivision requirements including the ROW must be addressed prior to final. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. 1,200 ft. Block Length. Subdivision Ordinance: Section 134-118. ROW had 20 ft. and paving of 16 ft. Alley/service drive easement required for commercial, industrial, and multi-family properties. Revisions needed: Provide for alley or service drive easement on the plat or a plat note that the service drive will be established as part of site plan review prior to final. Alley or service drive easement cannot dead-end. Subdivision Ordinance: Section 134-106. Front: 75 feet. or greater per approved site plan. Revisions needed Revise plat note as shown above prior to final. Proposing: In accordance with zoning ordinance, or greater for easements or approved site plan, or in line with average setback, whichever is greater applies. If any plat restrictions are proposed to be changed from original plat, vacate and replat would be required. Zoning Ordinance: Section 138-356. Rear were in accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater applied. Zoning Ordinance: Section 138-356. Sides were in accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater applied. Zoning Ordinance: Section 138-356. Corner were in accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater applied. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk required on Military Highway (F.M. 1016). Revisions Needed: Include note as shown above prior to final. Sidewalk requirements may increase to 5 ft. prior to final per Engineering Department requirements, finalize prior to final. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Revisions Needed: Include note as shown above prior to final.

Landscaping Ordinance: Section 110-46. An 8 ft. masonry wall required between single-family residential and commercial, industrial, or multi-family residential zones/uses. Revisions Needed:

Include note as shown above prior to final. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. Must comply with City Access Management Policy. As per Traffic Department, As per McAllen Access Management Policy, spacing requirement along Military Hwy @ 55 mph is 425 ft. Site plan must be approved by Planning and Zoning Commission prior to Building Permit Issuance. Revisions Needed: Include note as shown above prior to final. If any plat restrictions are proposed to be changed from original plat, vacate and replat would be required. The lot owners and not the City of McAllen must maintain common areas, any private streets/drives, gate areas, etc. Revisions Needed: Include note as shown above, prior to final. Note subject to change once subdivision requirements have been finalized. Finalize wording prior to final. 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: I-1(Light Industrial) District Proposed: I-1(Light Industrial) District. Zoning Ordinance: Article V. * As per Traffic Department, Trip Generation is approved. As per Traffic Department, no TIA (Traffic Impact Analysis) is required. If any plat restrictions are proposed to be changed from original plat, vacate and replat would be required. Clarify plat note #6, as fire hydrants are required as part of subdivision public improvements, finalize prior to final. Please revise the subdivision name as follows "Sharyland Business Park Lots 17B and 17C Subdivision" and any associated document as applicable, reports, application, etc., prior to final. Revise the lot numbers to 17B & 17C prior to final. Remove plat note #8 or clarify if it was requested by City/State prior to final. Revise the label for all easement dedicated by this plat to include "by this plat" prior to final. Easement labels fonts seem to be too small. Review and revised as applicable prior to final/recording. Legal Description of all adjacent lots on all sides, including north side of Military Highway is needed prior to final/recording. Must comply with City's Access Management Policy. Original Subdivision plat of Sharyland Business Park Lot 17A presents reference to abandoned ROW for Taylor Road, however submitted plat does not have reference, review and revise as applicable prior to final. Any abandonments must be done by separate process, not by plat. Final approval consideration has been requested by the engineer; however, subdivision requirements including the ROW and altered plat notes, which may require vacate and replat have not been addressed yet. All subdivision requirements must be addressed prior to final. Subdivision approved in Preliminary form at the Planning and Zoning Commission meeting of May 16, 2023, subject to conditions noted drainage and utilities approval.

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

Being no discussion, Mr. Jesse Ozuna moved to approve in revised preliminary form, subject to the conditions noted, drainage, and utilities approval. Mr. Reza Badiozzamani seconded the motion, which was approved with five members present and voting.

b) Silverado Moon Subdivision, 8100 North Taylor Road, Fortis Land Company, LLC
(SUB2023-0102) (REVISED FINAL) RDE

Mr. Kaveh Forghanparast stated North Taylor Road: Proposing 10 ft. of dedication for 40 ft. from centerline for 80 ft. total ROW of paving with 52 ft. of curb & gutter on both sides. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. Auburn Avenue (5 Mile Line Road): Proposing 40 ft. of dedication for 60 ft. from centerline for 120 ft. total ROW with paving of 65 ft. and curb & gutter on both sides. Revision Needed: Clarify 40 ft. existing on the south side of Auburn Avenue, any additional/existing dedications must be referenced with document number on plat, finalize prior to recording. As

per conversation with Engineer on September 15, 2023 to continue verifying existing dedications along the south ROW line of Auburn Avenue. Any adjustments to ROW will require review of ROW dedication

requirements, and may require Planning and Zoning Commission action in the future, finalize prior to NTP/ recording. Label ROW as " Total ROW "after accounting for dedication from center line, and Label ROW as" Total ROW "after accounting for dedication from existing ROW line across Auburn Avenue, prior to recording. Ensure that all dimensions are legible, ex referenced 60.00', review and revise as applicable prior to recording. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. Interior Street: Dedication as needed for 50 ft. total ROW with paving of 32 ft. and curb & gutter on both sides. Revisions Needed: Street names will be established prior to recording finalize street name prior to recording/ Mylar printing. Subdivision layout currently exhibits stub outs, clarify stub outs along lots 90 and 91 and lots 108 and 109, subdivision layout will have to be revised to provide for "Knuckle" design as dead end street are not permitted as this is a private subdivision, review and revise prior to final. As per plat submitted on July 19, 2023, subdivision provides for knuckle design. As per plat submitted on June 2, 2023, subdivision proposed to be private and for single-family use, gate details are required. Gate details are under review and ROWs are subject to increase for gate areas, finalize prior to NTP/Recording. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. E/W Quarter Mile Collector (northern boundary): Dedication as needed for 60 ft. total ROW of paving of 40 ft. and curb & gutter: both sides. Pending Items: Engineer submitted a variance application on July 7, 2023 in reference to the ROW dedication requirements for the E/W collector(1/4 Mile Collector) along the Northern Boundary the engineer has indicated that the street would not be able to extend east as there is an existing drain ditch and there are existing established developments to the north of this subdivision. After review of the ownership map submitted on July 12, 2023, due to the developed properties to the north and existing canal to the west and collector alignment, the E/W collector street along the northern boundary is not feasible. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. N/S collector (Eastern Boundary, 1/4 Mile Location): Dedication as needed for 60 ft. total R.O.W. of Paving with 40 ft. of Curb & gutter on both sides. As per plat submitted on August 11, 2023, plat exhibits an additional acreage due to addition 40 ft. along eastern plat boundary. Street alignment and R.O.W being reviewed by staff and plat would need to be revised accordingly. After review of the submitted plans on August 25, 2023, for the state drainage project from the engineer due to the developed properties to the north, collector alignment and state drainage project, the N/S collector street along the eastern boundary is not feasible. Engineer must clarify status of remnant tract, due to addition 40 ft. along eastern plat boundary. As per conversation with Engineer on September 15, 2023 remnant of additional 40 ft. tract to be utilized by the state for a drainage project. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. 1,200 ft. Block Length. Subdivision layout does not comply with 1200 ft. block length requirement. Engineer submitted a variance application on August 1, 2023, requesting a variance to the 1200ft. Block Length requirement. Under the authority and review of the Planning Director, the Variance request to the block length was approved administratively. Subdivision Ordinance: Section 134-118. 600 ft. Maximum Cul-de-Sac. Pending Items: ROW at "Cul-De Sac" areas may have to be increased to comply with Fire Department requirements, finalize prior to final. As per Fire Department requirements, 96 ft. of paving face-to-face required, and 10 ft. of ROW back of curb around Cul-de-Sac required. As per conversation with Engineer on September 15th,2023, 10ft. U.E and Sidewalk easement proposed, engineer to continue to coordinating with corresponding departments to ensure compliance, finalize prior to NTP/ Recording. Subdivision Ordinance: Section 134-105. Front: 25 ft. or greater for easements. Zoning Ordinance: Section 138-356. The project engineer submitted a variance application (VAR2024-0008), on behalf of the developer, which includes the following request: 15 ft.

front setback for Lots 3 to 5, 19 to 21, 37 to 40, 71 to 74, and 115 to 118. The letter submitted by the engineer indicates that the variance has been requested for irregular shaped lots fronting Cul-de-Sacs

and knuckles to increase the buildable area of the lot. If the variance is approved, the garage setback will remain as 18 ft. or greater for easements. Rear: 10 ft. or greater for easements. Zoning Ordinance: Section 138-356. Interior sides: 6 ft. or greater for easements Zoning Ordinance: Section 138-356. The project engineer submitted a variance application (VAR2024-0008), on behalf of the developer, which includes the following request: 5 ft. side yard setback for all lots. The letter submitted by the engineer indicates that the variance has been requested to increase the buildable area of the lot. If the variance is approved, it will be subject to being 5 ft. or greater for easements. Corner: 10 ft. or greater for easements. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required; greater setback applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk required along Auburn Avenue (5 Mile Line Road), North Taylor Road, and both sides of all interior streets. A 5 ft. sidewalk might be required by Engineering Dept., finalize note-wording requirements, prior to recording. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along Auburn Avenue (5 Mile Line Road) and North Taylor Road. Landscaping Ordinance: Section 110-46. An 8 ft. masonry wall required between single-family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along Auburn Avenue (5 Mile Line Road) and North Taylor Road. 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. Revisions Needed: Add note as shown above, prior to recording. North Taylor Road: Proposing 10 ft. of dedication for 40 ft. from centerline for 80 ft. total ROW with paving of 52 ft. with curb & gutter on both sides. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. Auburn Avenue (5 Mile Line Road): Proposing 40 ft. of dedication for 60 ft. from centerline for 120 ft. total ROW with paving of 65 ft. with curb & gutter on both sides. Revision Needed: Clarify 40 ft. existing on the south side of Auburn Avenue, any additional/ existing dedications must be referenced with document number on plat, finalize prior to recording. As per conversation with Engineer on September 15, 2023 to continue verifying existing dedications along the south ROW line of Auburn Avenue. Any adjustments to ROW will require review of ROW dedication requirements, and may require Planning and Zoning Commission action in the future, finalize prior to NTP/ recording. Label ROW as "Total ROW "after accounting for dedication from center line, and Label ROW as "Total ROW "after accounting for dedication from existing ROW line across Auburn Avenue, prior to recording. Ensure that all dimensions are legible, ex referenced 60.00', review and revise as applicable prior to recording. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. Interior Street: Dedication as needed for 50 ft. total ROW with paving of 32 ft. and curb & gutter on both sides. Revisions Needed: Street names will be established prior to recording finalize street name prior to recording/ Mylar printing. Subdivision layout currently exhibits stub outs, clarify stub outs along lots 90 and 91 and lots 108 and 109, subdivision layout will have to be revised to provide for "Knuckle" design as dead end street are not permitted as this is a private subdivision, review and revise prior to final. As per plat submitted on July 19, 2023, subdivision provides for knuckle design. As per plat submitted on June 2, 2023 subdivision proposed to be private and for single-family use, gate details are required. Gate details are under review and ROWs are subject to increase for gate areas, finalize prior to NTP/Recording. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. E/W Quarter Mile Collector (northern boundary): Dedication as needed for 60 ft. total ROW with paving

of 40 ft. and curb & gutter on both sides. Pending Items: Engineer submitted a variance application on July 7, 2023 in reference to the ROW dedication requirements for the E/W collector(1/4 Mile Collector)

along the Northern Boundary the engineer has indicated that the street would not be able to extend east as there is an existing drain ditch and there are existing established developments to the north of this subdivision. After review of the ownership map submitted on July 12, 2023, due to the developed properties to the north and existing canal to the west and collector alignment, the E/W collector street along the northern boundary is not feasible. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. N/S collector (Eastern Boundary, 1/4 Mile Location): Dedication as needed for 60 ft. total R.O.W. Paving of 40 ft. and curb & gutter on both sides. As per plat submitted on August 11, 2023, plat exhibits an additional acreage due to addition 40 ft. along eastern plat boundary. Street alignment and R.O.W. being reviewed by staff and plat would need to be revised accordingly. After review of the submitted plans on August 25, 2023, for the state drainage project from the engineer due to the developed properties to the north, collector alignment and state drainage project, the N/S collector street along the eastern boundary is not feasible. Engineer must clarify status of remnant tract, due to addition 40 ft. along eastern plat boundary. As per conversation with Engineer on September 15, 2023 remnant of additional 40 ft. tract to be utilized by the state for a drainage project. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. 1,200 ft. Block Length. Subdivision layout does not comply with 1200 ft. block length requirement. Engineer submitted a variance application on August 1, 2023, requesting a variance to the 1200ft. Block Length requirement. Under the authority and review of the Planning Director, the Variance request to the block length was approved administratively. Subdivision Ordinance: Section 134-118. 900 ft. Block Length for R-3 Zone Districts. Subdivision Ordinance: Section 134-118. 600 ft. Maximum Cul-de-Sac. Pending Items: ROW at "Cul-De Sac" areas may have to be increased to comply with Fire Department requirements, finalize prior to final. As per Fire Department requirements, 96 ft. of paving face-to-face required, and 10 ft. of ROW back of curb around Cul-de-Sac required. As per conversation with Engineer on September 15th, 2023, 10ft. U.E and Sidewalk easement proposed, engineer to continue to coordinating with corresponding departments to ensure compliance, finalize prior to NTP/ Recording. Subdivision Ordinance: Section 134-105. ROW with of 20 ft. and paving of 16 ft. Alley/service drive easement required for commercial and multi-family properties. Subdivision Ordinance: Section 134-106. Front: 25 ft. or greater for easements. Zoning Ordinance: Section 138-356. The project engineer submitted a variance application (VAR2024-0008), on behalf of the developer, which includes the following request: 15 ft. front setback for Lots 3 to 5, 19 to 21, 37 to 40, 71 to 74, and 115 to 118. The letter submitted by the engineer indicates that the variance has been requested for irregular shaped lots fronting Cul-de-Sacs and knuckles to increase the buildable area of the lot. If the variance is approved, the garage setback will remain as 18 ft. or greater for easements. Rear: 10 ft. or greater for easements. Zoning Ordinance: Section 138-356. Interior sides: 6 ft. or greater for easements. Zoning Ordinance: Section 138-356. The project engineer submitted a variance application (VAR2024-0008), on behalf of the developer, which includes the following request: 5 ft. side yard setback for all lots. The letter submitted by the engineer indicates that the variance has been requested to increase the buildable area of the lot. If the variance is approved, it will be subject to being 5 ft. or greater for easements. Corner: 10 ft. or greater for easements. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required; greater setback applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk required along Auburn Avenue (5 Mile Line Road), North Taylor Road, and both sides of all interior streets. A 5 ft. sidewalk might be required by Engineering Dept., finalize note-wording requirements, prior to recording. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial

zones/uses and along Auburn Avenue (5 Mile Line Road) and North Taylor Road. Landscaping Ordinance: Section 110-46. An 8 ft. masonry wall required between single-family residential and

commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along Auburn Avenue (5 Mile Line Road) and North Taylor Road. Must comply with City Access Management Policy Common Area, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Revisions Needed: Add note as shown above, prior to recording. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 134-168 applies if private subdivision is proposed. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Homeowner's Association Covenants must be submitted for staff review, prior to recording. Section 134-168 applies if private subdivision is proposed. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Lots fronting public streets. Private Subdivision proposed as per plat submitted on June 2, 2023. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: (Extraterritorial jurisdiction) Proposed: R-1 (single-family residential) District. Pending Items: Annexation scheduled for the City Commission meeting of October 9, 2023. Initial Zoning to R-1 (single-family residential) District scheduled for the Planning and Zoning Commission meeting of September 19th, 2023 and City Commission meeting of October 9, 2023. Zoning requirements must be finalized prior to recording. Zoning Ordinance: Article V. Rezoning Needed Before Recording. Pending Items: Annexation scheduled for the City Commission meeting of October 9, 2023. Initial Zoning to R-1 (single-family residential) District scheduled for the Planning and Zoning Commission meeting of September 19th, 2023 and City Commission meeting of October 9th, 2023. Zoning Ordinance: Article V. Land dedication in lieu of fee. As per Parks Department, based on proposed annexation and initial zoning scheduled for the City Commission meeting of October 9, 2023, plat depicts 121 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. Parkland dedication requirements must be finalized prior to recording. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, based on proposed annexation and initial zoning scheduled for the City Commission meeting of October 9, 2023, plat depicts 121 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. Parkland dedication requirements must be finalized prior to recording. Pending review by City Manager's Office. As per Parks Department, based on proposed annexation and initial zoning scheduled for the City Commission meeting of October 9th, 2023, plat depicts 121 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. Parkland dedication requirements must be finalized prior to recording. As per Traffic Department, Trip Generation approved, TIA Level I triggered. As per Traffic Department, Trip Generation approved, TIA Level I triggered. TIA Waiver granted with conditions, must comply with conditions as noted in TIA Waiver Letter. Must comply with City's Access Management Policy. Any abandonments must be done by separate process, not by plat. Annexation scheduled for the City Commission meeting of October 9th, 2023. Initial Zoning to R-1 (single-family residential) District scheduled for the Planning and Zoning Commission meeting of September 19th, 2023 and City Commission meeting of October 9th, 2023. Zoning requirements must be finalized prior to recording. At the Planning and Zoning Commission meeting of August 8, 2023, the subdivision was approved in

Revised Preliminary Form subject to conditions noted. As per plat submitted on August 11, 2023, plat exhibits an additional acreage due to addition 40 ft. along eastern plat boundary. At the Planning and

Zoning Commission meeting of August 22, 2023, the subdivision was approved in Revised Preliminary Form subject to conditions noted in the Planning Review. Engineer must clarify status of remnant tract, due to addition 40 ft. along eastern plat boundary. As per conversation with Engineer on September 15, 2023 remnant of additional 40 ft. tract to be utilized by the state for a drainage project. Clarify solid line running through lots 20-38 any easements must be labeled, finalize prior to recording. The project engineer submitted a variance application (VAR2024-0008), on behalf of the developer, which includes the following requests: 1.15 ft. front setback for Lots 3 to 5, 19 to 21, 37 to 40, 71 to 74, and 115 to 118. The letter submitted by the engineer indicates that the variance has been requested for irregular shaped lots fronting Cul-de-Sacs and knuckles to increase the buildable area of the lot. If the variance is approved, the garage setback will remain as 18 ft. or greater for easements. 2.5 ft. side yard setback for all lots. The letter submitted by the engineer indicates that the variance has been requested to increase the buildable area of the lot. If the variance is approved, it will be subject to being 5 ft. or greater for easements.

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

After a lengthy discussion, Mr. Marco Suarez moved to table and Mr. Jesse Ozuna seconded the motion, which was tabled with five members present and voting.

- c) Red Square Dental and Orthodontics Plaza Subdivision, 4909 Pecan Boulevard, Hors de Prix, LLC **(SUB2023-0035) (REVISED PRELIMINARY)**
M&H

Mr. Kaveh Forghanparast stated Pecan Boulevard: dedication as required for 60 ft. from centerline for total 120 ft. ROW Paving: By the State curb & gutter on by the State. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. 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/private service drive easement required for commercial properties. Revise the label for service drive easement to "private service drive easement" prior to final. Please clarify and show how the private service drive easement connects to the properties on the east side prior to final. Clarify a dashed line extended to the 10 ft. U.E. prior to final. Contact Staff for any questions. The proposed service drive alignment must be approved by all development departments prior to final. Alley/service drive layout must be finalized prior to final. When the proposed subdivision for the adjacent property to the west is recorded, the document number will be needed for the service drive easement outside this subdivision boundary. Subdivision Ordinance: Section 134-106. Front: In accordance with the Zoning Ordinance or greater for approved site plan or easements or inline with existing structures, whichever is greater applies. Zoning Ordinance: Section 138-356. Rear: In accordance with the Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Zoning Ordinance: Section 138-356. Sides: In accordance with the Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk required along Pecan Boulevard (F.M. 495). Sidewalk may increase to 5 ft. as per Engineering prior to final. Proposing: 5 ft. wide minimum sidewalk required along Pecan Boulevard (F.M. 495). Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer required from adjacent/between multi-family

residential and commercial and industrial zones/uses Landscaping Ordinance: Section 110-46. An 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. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. 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. As per Traffic Department, Trip Generation is approved. As per Traffic Department, Traffic Impact Analysis (TIA) is not required. Clarify plat note #13 and provide a copy of the referenced documents, prior to final. Provide the legal description of all adjacent properties on all sides, including on the north side of Pecan Boulevard. Ownership map of surrounding properties needed to assure no landlocked property exists, prior to final. Must comply with City's Access Management Policy. As per plat note #13, the property is subject to UID Blanket reservation. It is up to the developer/property owner, and not the City of McAllen, to get any required approvals from the Irrigation District prior to building permit issuance.

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

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

d) Bentsen View Subdivision, 4109 Highway 83, Adryca Properties, LLC (SUB2023-0094) (REVISED PRELIMINARY) M2E

Mr. Eduardo Garza stated U.S. Business Highway 83 (Loop 374): 50 ft. ROW required from centerline for 100 ft. total ROW Paving: by the state Curb & gutter: by the state. Revisions needed: Revise reference from "Future ROW" to "Total ROW", prior to final. Provide dimension from centerline to new property line after accounting for dedication, prior to final. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not built prior to recording. 1,200 ft. Block Length. Subdivision Ordinance: Section 134-118. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties and multi-family properties. Provide for alley or service drive easement on the plat, prior to final. If private service drive easement is proposed, it must be at least 24 ft. wide, may not dead-end, and must show the proposed access easements for curb cut locations. 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 front setback note as shown above, prior to final. Proposing: 50.00 feet or greater for easement or approved site plan. 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 rear setback note as shown above, prior to final. Proposing: 15.00 feet or easements whichever is greater. 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 side setback note as shown above, prior to final. Proposing: In accordance with Zoning Ordinance or greater for easements or approved site plan. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. Sidewalks. A 4 ft. wide minimum sidewalk required on U.S. Business Highway 83. Sidewalk

requirements may increase to 5 ft. prior to final per Engineering Department requirements, finalize wording for note prior to final. Proposing: A 5-foot wide minimum sidewalk required on U.S Business

Highway 83. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Landscaping Ordinance: Section 110-46. An 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. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Zoning Ordinance: Section 138-210. Common Areas, any private drive, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Revisions Needed: Include note as shown above, note subject to change once subdivision requirements have been finalized. Finalize wording for note prior to final. 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-4 (commercial industrial) District Proposed: C-4 (commercial industrial) District. Rezoning to R-3A for a portion on the rear was approved by Planning and Zoning Commission at their meeting of December 06, 2022 and by City Commission on January 9, 2023. Rezoning to C-4 for the entire tract was approved by Planning and Zoning Commission at their meeting of December 19, 2023 and by City Commission on January 22, 2024. Zoning Ordinance: Article V. Rezoning Needed Before Final Approval. Rezoning to R-3A for a portion on the rear was approved by Planning and Zoning Commission at their meeting of December 6, 2022 and by City Commission on January 9, 2023. Rezoning to C-4 for the entire tract was approved by Planning and Zoning Commission at their meeting of December 19, 2023 and by City Commission on January 22, 2024. Zoning Ordinance: Article V. As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. Traffic Impact Analysis (TIA) required prior to final plat. Pending Items: As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. Must comply with City's Access Management Policy. Any abandonments must be done by separate process, not by plat, any abandonments by separate instrument must be finalized prior to recording. Remove prop from easement dedications and include dedicated by this plat, as applicable prior to final. Clarify use of the 25 ft. dedication to Hidalgo County Drainage District #1, will it be an easement or ROW, revise and review as applicable. Application states 2 lots and revised plat shows as a 1 lot subdivision. A rezoning was approved for the entire tract by City Commission on January 22, 2024, submit a revised application with corresponding information as applicable. At the Planning & Zoning Commission meeting of February 7, 2023, the board voted to approve the preliminary 6-month extension subject to conditions noted, drainage, and utility approvals. Subdivision approval extension expired therefore new submittal was submitted. At the Planning and Zoning meeting of September 19, 2023, the subdivision was approved in Preliminary form subject to conditions noted in the Planning Review.

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

Being no discussion, Mr. Jesse Ozuna moved to approve in revised preliminary form subject to conditions noted, drainage and utilities approvals. Mr. Emilio Santos Jr. seconded the motion, which was approved with five members present and voting.

- e) Plaza on Ridge Road Lots 1A & 1B Subdivision, 1101 East Ridge Road, Ridge Car Wash Services, LLC **(SUB2024-0017) (PRELIMINARY) KLE**

Mr. Eduardo Garza stated South "K" Center Street: Dedication as needed for 30 ft. from centerline for 60 ft. ROW. Paving 40 ft. Curb & gutter on both sides. Current plat does not provide ROW details,

show the document number on the plat for the existing ROW and label existing ROW dedication. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan East Ridge Road: Dedication as needed for 50 ft. from centerline for 100 ft. ROW. Paving 65 ft. curb & gutter on both sides. Current plat does not provide ROW details, show the document number on the plat for the existing ROW and label existing ROW dedication. 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 and multi-family properties Provide for alley or service drive easement on the plat prior to final. If private service drive easement is proposed, it must be at least 24 ft. wide, may not dead-end, and must show the proposed access easements for curb cut locations. Subdivision Ordinance: Section 134-106. Does not reflect existing plat setback notations - appears to reflect property at another location, revise as applicable. Refer to "Plaza on Ridge Road Subdivision" for setback notes. If any plat restrictions are proposed to be changed from original plat, vacate and replat would be required. Zoning Ordinance: Section 138-356. Does not reflect existing plat setback notations - appears to reflect property at another location, revise as applicable. Refer to "Plaza on Ridge Road Subdivision" for setback notes. If any plat restrictions are proposed to be changed from original plat, vacate and replat would be required. Zoning Ordinance: Section 138-356. Does not reflect existing plat setback notations - appears to reflect property at another location, revise as applicable. Refer to "Plaza on Ridge Road Subdivision" for setback notes. If any plat restrictions are proposed to be changed from original plat, vacate and replat would be required. Zoning Ordinance: Section 138-356. Does not reflect existing plat setback notations - appears to reflect property at another location, revise as applicable. Refer to "Plaza on Ridge Road Subdivision" for setback notes. If any plat restrictions are proposed to be changed from original plat, vacate and replat would be required. Zoning Ordinance: Section 138-356. * 4' sidewalks shall be required along East Ridge Road and South "K" Center St. Sidewalk requirements may increase to 5 ft. prior to final per Engineering Department requirements, finalize prior to final. Subdivision Ordinance: Section 134-12.0 Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Revisions Needed: Include note as shown above prior to final. Landscaping Ordinance: Section 110-46. An 8 ft. masonry wall required between single-family residential and commercial, industrial, or multi-family residential zones/uses. Revisions Needed: Include note as shown above prior to final. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along. Must use existing curb cut as per Traffic Department Must comply with City Access Management Policy Site plan must be approved by the Planning and Zoning Commission prior to issuance of building permits. Revisions Needed: Include note as shown above prior to final. Common Areas, any private drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Finalize wording for note on the plat, prior to final as may be applicable. 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 (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. Revisions Needed: Must comply with City's Access Management Policy. Vacating of existing recorded plat will be required if any restrictions/notes are removed from existing plat. Name of subdivision must be revised to "Plaza on Ridge Road Lots 1A and 2A Subdivision", prior to final. Verify boundaries, dimensions, and plat notes shown on this plat as they differ from existing recorded plat - verify and correct as needed, prior to final.

Verify signature blocks on plat, as they appear to be from another existing plat - verify and correct as needed, prior to final.

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

Being no discussion, Mr. Emilio Santos Jr. moved to approve in preliminary form, subject to the conditions noted, drainage, and utilities approvals. Mr. Reza Badiozzamani seconded the motion, which was approved with five members present and voting.

f) Aarya Terrace Subdivision, 4815 Pecan Boulevard, Aarya Properties, LLC (SUB2024-0016) (PRELIMINARY) SEC

Mr. Eduardo Garza stated Pecan Blvd. (F.M. 495): 20 ft. dedication for 60 ft. from centerline for 120 ft. ROW. Revise plat to accommodate ROW dedication as noted above. If the centerline shown on plat submitted changes, required dedication will be adjusted as needed for 60 ft. from centerline for 120 ft. total ROW. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. 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. If a private service drive easement is proposed, requires minimum 24 ft. width/pavement. Alley and/or private drive easement will be required to be extended to the east and west as adjacent properties are developed. Subdivision Ordinance: Section 134-106. Front: In accordance with the Zoning Ordinance or greater for approved site plan or easements or inline with existing structures, whichever is greater applies. Zoning Ordinance: Section 138-356 and 138-367. Plat submitted proposes a note referencing a 50 ft. or greater for easements front setback - need to clarify prior to final. Rear: In accordance with the Zoning Ordinance or greater for approved site plan or easements or greater setback applies. Zoning Ordinance: Section 138-356. Plat submitted proposes a note referencing a 10 ft. or greater for easements rear setback - need to clarify prior to final. Sides: In accordance with the Zoning Ordinance or greater for easements or approved site plans, whichever is greater applies. Revise "Other" setback referenced on plat to Sides as noted above. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk required on Pecan Blvd. (F.M. 495). Sidewalk may increase to 5 ft. as per Engineering prior to final. Plat submitted proposes a note referencing a 5 ft. minimum sidewalk, finalize prior to final. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Revise plat note #4 on submitted plat as noted above. Landscaping Ordinance: Section 110-46. An 8 ft. masonry wall required between single-family residential and commercial, industrial, or multi-family residential zones/uses. Plat note as referenced above required on plat. 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. Per Traffic, Access Management Policy, spacing requirement along Pecan Blvd @ 45 mph is 360 ft. between any proposed/exiting driveways. Share Access easements connection would be required with property to the East and west. Need to finalize requirements prior to final. Plat note will be required once finalized. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Site plan review is required, but not as a plat note. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Common Areas, any private service 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: C-3 Proposed: C-3. Verify that the plat boundaries are within the C-3 zoning area, prior to final. Zoning Ordinance: Article V. Rezoning Needed

Before Final Approval. The Project engineer to verify that the plat boundaries are within the C-3 zoning area, prior to final. Zoning Ordinance: Article V. As per Traffic Department, need to submit a Trip Generation with the proposed land use to determine if a TIA will be required; prior to final. Traffic Impact Analysis (TIA) required prior to final plat. Must comply with City's Access Management Policy. Ownership map of surrounding properties needed to assure no landlocked property exists, prior to final. Vicinity map references an irrigation district that appears to differ from the one shown on plat map. Verify and correct as needed. *Provide the legal description of all adjacent properties on all sides, including on the north side of Pecan Blvd.

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

Being no discussion, Mr. Reza Badiozzamani moved to approve in in preliminary form, subject to the conditions noted, and utility and drainage approvals. Mr. Emilio Santos Jr. seconded the motion, which was approved with five members present and voting.

ADJOURNMENT:

There being no further business to come before the Planning & Zoning Commission, Mr. Marco Suarez adjourned the meeting at 4:23p.m. with Mr. Emilio Santos Jr. seconding the motion with five members present and voting.

Chairperson Michael Fallek

ATTEST: _____
Magda Ramirez, Administrative Assistant

Memo

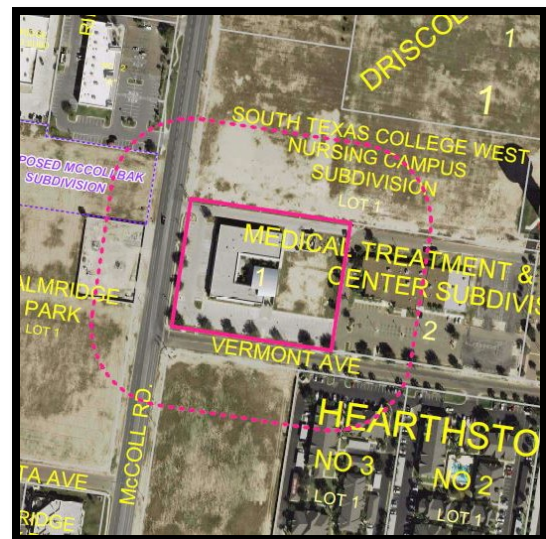
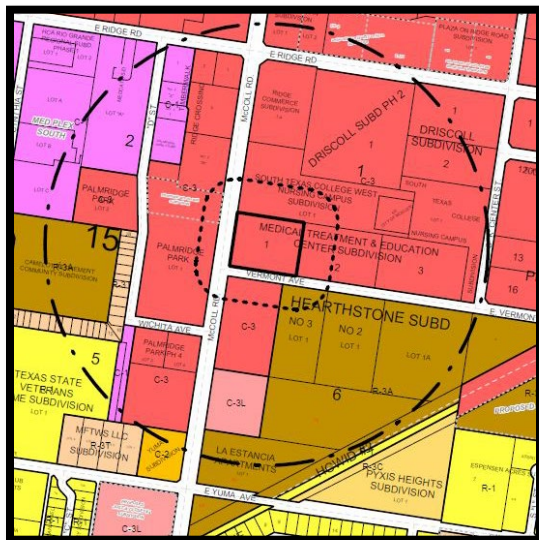
TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: February 26, 2024

SUBJECT: REQUEST OF RICARDO DE LA GARZA ON BEHALF OF SOUTH TEXAS COLLEGE, FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, AND ADOPTION OF AN ORDINANCE FOR AN INSTITUTIONAL USE (COLLEGE CAMPUS), AT LOT 1, MEDICAL TREATMENT AND EDUCATION CENTER SUBDIVISION, HIDALGO COUNTY, TEXAS, 2101 SOUTH MCCOLL ROAD. (CUP2024-0013)

BRIEF DESCRIPTION: The subject property is located at the northeast corner of East Vermont Avenue and South McColl Road. The property is zoned C-3 (general business) District. The adjacent zoning is C-3 District in all directions except on the southeast across East Vermont Avenue there is R3-A (multifamily residential apartment) District. A school is permitted in a C-3 District.



HISTORY: This is the initial Conditional Use Permit request for an Institutional Use at this location.

REQUEST/ANALYSIS: The applicant is proposing to convert the existing building into a college campus associated with South Texas College. The building will include Offices for school officials, students etc. There will also be classrooms for students, area for Dental Hygiene studies as well as other courses according to the proposed layout.

An approved building permit and site plan will be required and will be subject to compliance with all requirements.

The Fire Department has not yet conducted their inspection.

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 proposed use must meet the requirements set forth in Section 138-118 of the Zoning Ordinance and specific requirements as follows:

1. The proposed use shall not generate traffic onto residential size streets or disrupt residential areas, and shall be as close as possible to a major arterial. The property is adjacent to South McColl Road.
2. The proposed use shall comply with the Off-street Parking and Loading Ordinance and make provisions to prevent the use of street parking especially in residential areas. Should the number of offices and classrooms increase, additional parking will be required.
3. The proposed use shall prevent the unauthorized parking of its patrons on adjacent businesses or residences by providing fences, hedges, or reorientation of entrances and exits.
4. The proposed use shall provide sufficient lighting to eliminate dark areas, perimeter fencing and an orientation of the building to provide maximum visibility from a public street in order to discourage vandalism and criminal activity.
5. Provisions shall be made to prevent litter from blowing onto adjacent streets and residential areas.
6. The number of persons within the building shall be restricted to those allowed by the Fire Marshal and Building Official at the time of permit issuance.
7. Sides adjacent to a residentially zoned or use property shall be screened by a 6' opaque buffer.

There have been no emails, phone calls or letters in oppositions to the CUP request.

RECOMMENDATION: Staff recommends approval of the Conditional Use Permit request for Life of the Use subject to compliance with the stated conditions, Zoning Ordinance, Fire Department, and Building Code requirements.











PROPOSED LAY-OUT:



SOUTH TEXAS
COLLEGE

PROJECT SUMMARY

	PRESIDENTS OFFICE	3,329 S.F.
	BOARD ROOM AND EXECUTIVE CONFERENCE	4,133 S.F.
	FOUNDATION OFFICE	2,873 S.F.
	MARQUETING OFFICE	4,356 S.F.
	FUTURE CLASSROOM	2,741 S.F.
	DENTAL HYGIENE	1,560 S.F.
	FUTURE OFFICE	745 S.F.
	LOBBY	698 S.F.



RECEIVED
FEB 01 2024
BY: 



PROPOSED EXTERIOR IMPROVEMENTS:



SOUTH TEXAS
COLLEGE



(MAP S 81°17'50" E)
S 81°17'57" E

402.81'

LEGEND

- EDGE OF SWALE
- SEWER CLEAN OUT
- FIRE HYDRANT
- GAS MARKER
- LIGHT POLE
- UTILITY MANHOLE
- POWER POLE
- TELEPHONE BOX
- WATER METER
- WATER VALVE
- FD 1/2" ROD
- SET 1/2" ROD WITH RED CAP
- FD X CUT ON CONCRETE
- GRATE INLET
- UTILITY BOX
- ELECTRICAL TRANSFORMER
- SIGN
- ELECTRIC METER BOX
- HANDICAP PARKING STALL

BEARING SHOWN BASED
ON T.S.P.C. SOUTH ZONE

SCALE: 1" = 50'

PLAT SHOWING

ALL OF LOT 1, MEDICAL TREATMENT AND
EDUCATION CENTER, AN ADDITION TO THE
CITY OF McALLEN, HIDALGO COUNTY, TEXAS
AS PER MAP RECORDED IN VOLUME 34 PAGE
168, MAP RECORDS OF HIDALGO COUNTY,
TEXAS.

REQUESTED BY: DR. RICARDO J. SOLIS, PRESIDENT
SOUTH TEXAS COLLEGE

ADDRESS: 2101 E VERMONT AVE
McALLEN, TEXAS

SURVEYED: 10-05-2022 & 10-06-2022

GF #: NONE

FLOOD ZONE DESIGNATION: ZONE "B"
COMMUNITY-PANEL NUMBER: 480334 0425 C
MAP REVISED: 11-16-1982

I, JOSE MARIO GONZALEZ, CERTIFY THAT THE ABOVE
PLAT IS AN ACTUAL SURVEY MADE ON THE GROUND
UNDER MY SUPERVISION AND THAT THERE ARE NO
VISIBLE EASEMENTS OR ENCROACHMENTS EXCEPT AS
SHOWN AND THAT ALL CORNERS HAVE BEEN
LOCATED AS INDICATED AND THIS SURVEY
SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS
SOCIETY OF PROFESSIONAL SURVEYORS MANUAL OF
PRACTICE REQUIREMENTS FOR A CATEGORY 1A,
CONDITION 1. LAND TITLE SURVEY

REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5571



RIO DELTA SURVEYING

24593 FM 88, MONTE ALTO, TX 78538
(TEL) 956-380-5154 (FAX) 956-380-5156
EMAIL: MARIO@RIODELTASURVEYING.COM
T.B.P.L.S. FIRM # 10013900

S. McCOLL RD.
(PUBLIC R.O.W. VOL. 34 PG 168 M.R.)

JOB NUMBER

RIO 22 349

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NOTICE
INSTITUTIONAL
USE
THIS PROPERTY
CUP2024-0013

Memo

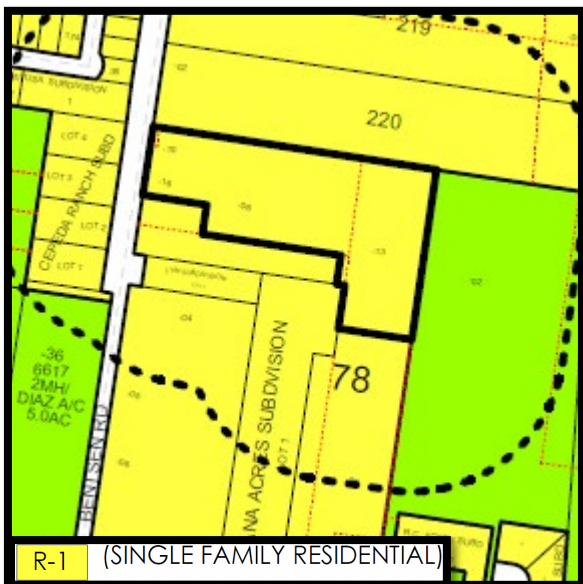
TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: March 14, 2024

SUBJECT: REQUEST OF RICARDO VEGA AND MELINDA V. VEGA ON BEHALF OF MADDIES PUMPKIN PATCH, FOR A CONDITIONAL USE PERMIT, FOR THREE YEARS, AND ADOPTION OF AN ORDINANCE, FOR AN EVENT CENTER (PICTURE VENUE) AT 4.983 ACRES OUT OF LOT 78, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS; 6712 NORTH BENTSEN ROAD. (CUP2024-0016)

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



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

ended up expiring On August 22, 2022. The applicant then applied to continue the operations for another year on August 2, 2022, which was subsequently approved. A renewed request CUP was then submitted July 18, 2023 for 3 years, and was disapproved from 3 years and granted for 6 months with the conditions that the animals be removed. The current CUP was submitted February 5, 2024 for 1 year for the Event Center (pumpkin patch).

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

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

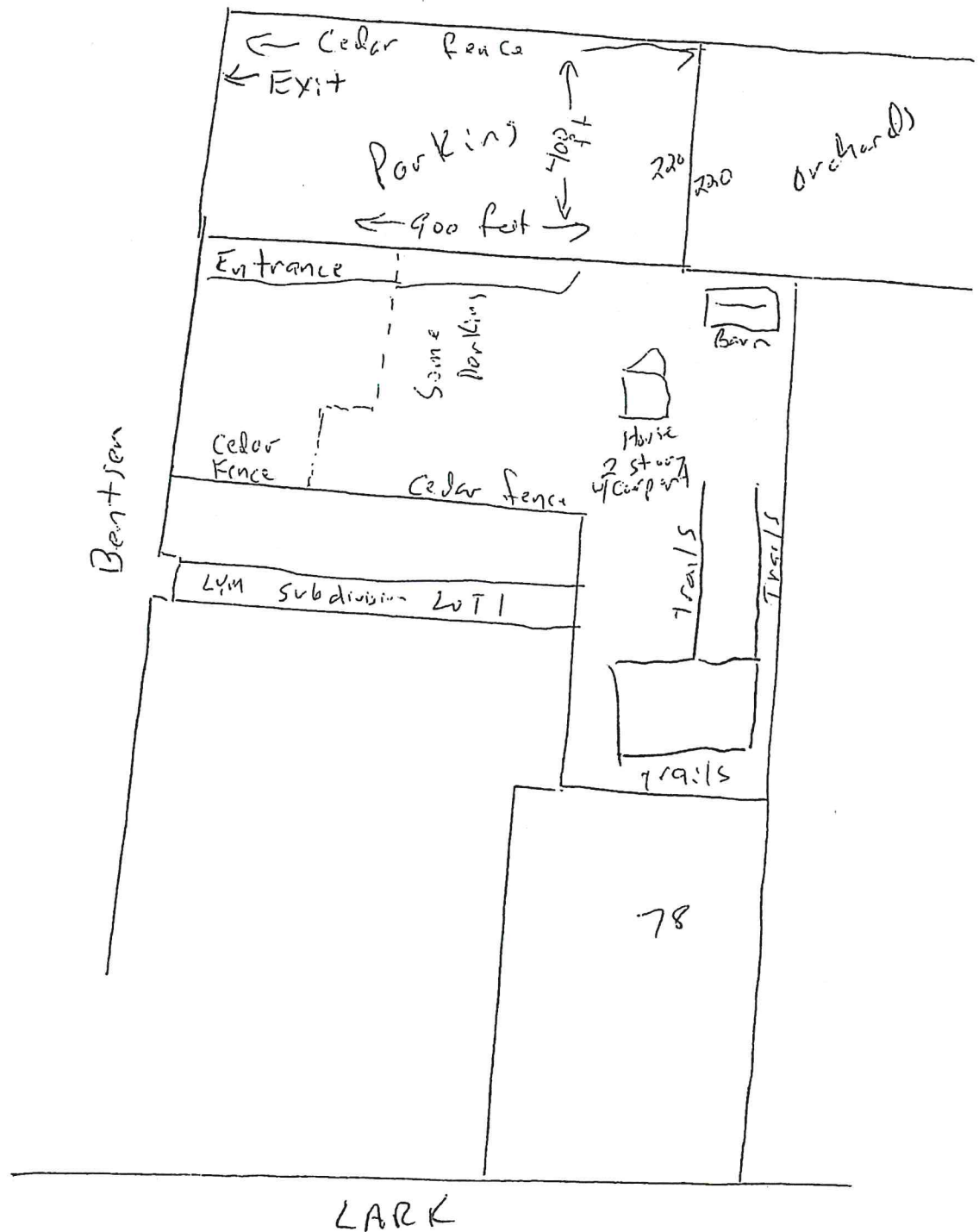
1. The property line of the lot of any of the above mentioned businesses must be at least 400 ft. from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruption of the character of adjacent residential areas, and must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

permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Planning Director.

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

To be included with CUP 2021-old
renewal.

Y B 25-24







NOT
RESPONSIBLE
FOR
ACCIDENTS
OR
INJURIES







NOTICE
EVENT CENTER
FOR
THIS PROPERTY
CUP 2024-0016

Memo

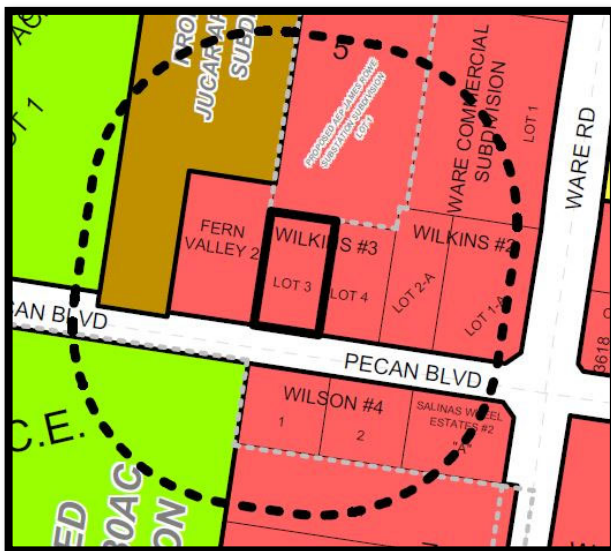
TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: February 23, 2024

SUBJECT: REQUEST OF CHRISTOPHER R. BARISONEK FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE, FOR A SMOKE SHOP AT LOT 3, WILKINS SUBDIVISION NO. 3, HIDALGO COUNTY, TEXAS; 3732 PECAN BOULEVARD, SUITE 2. (CUP2024-00015)

BRIEF DESCRIPTION: The subject property is located along the north side of Pecan Boulevard west of North Ware Road. The property is zoned C-3 (general business) District. The adjacent zoning is C-3 District in all directions except to the southwest there is A-O (agriculture-open space) District. Surrounding land uses include Subway, Pronto Insurance and a pharmacy. A vaporizer store is permitted in the C-3 district with a Conditional Use Permit and in compliance with requirements.



HISTORY: Wilkins Subdivision No. 3 was recorded on September 16, 2004. The applicant submitted an application for a Conditional Use Permit for the proposed smoke shop on February 2, 2024. This is the initial request for a smoke shop by this applicant at this location.

REQUEST/ANALYSIS:

The applicant is proposing to operate a vaporizer store with retail sales only, with storage area

of related general merchandise. There will be no customer seating inside the establishment. The proposed hours of operation will be 11:00 a.m. to 12:00 a.m., Monday through Sunday.

The Fire Department is pending their inspection. As per Section 138-400 of the Zoning Ordinance, the parking lot must be properly striped and free of potholes. The business must meet the requirements set forth in Section 138-118(a)(4) of the Zoning Ordinance and specific requirements as follows:

- 1) The property line of the lot of any of the above mentioned business must be at least 400 ft. from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruption of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The proposed establishment is within 400 ft. of a residential Zoning District to the west.
- 2) The abovementioned business must be as close as possible to a major arterial, and shall not allow the traffic generated by such business onto residential streets, or allow such traffic to exit into and disrupt residential areas. The subject property has frontage along Pecan Boulevard.
- 3) The abovementioned businesses must provide parking in accordance with the city off-street parking ordinance as a minimum, and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional onsite parking. The 1,265 sq. ft. commercial space requires six parking spaces and there are a total of 37 spaces for the commercial plaza.
- 4) The abovementioned business must do everything possible to prevent the unauthorized parking by the patrons of such business on adjacent businesses or residential properties including, when necessary, the installation of fences and hedges, and the reorientation of entrances;
- 5) The abovementioned business should do everything possible and be designed to discourage criminal activities and vandalism, both on the site and on adjacent properties. Included would be provision of sufficient lighting and perimeter fencing, elimination of dark areas, and the orientation of the building such that it provides maximum visibility as much as possible of the site from a public street;
- 6) The abovementioned business must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties;
- 7) The abovementioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Director of Planning. The occupancy load for this establishment will be determined by the Building and Inspections Department as part of the building permit review process.

The Planning Department has received no calls or concerns regarding the proposed use.

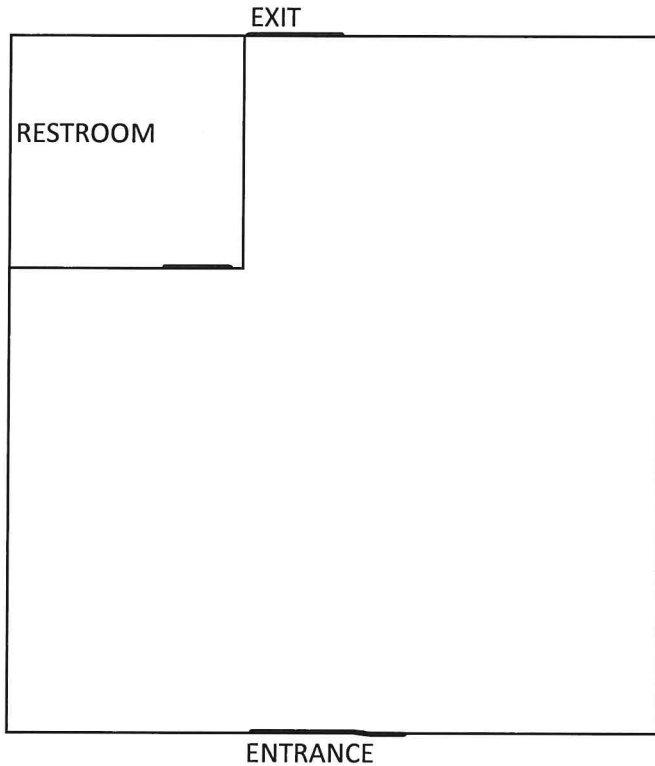
RECOMMENDATION: Staff recommends disapproval of the request based on non-compliance with requirement listed above as #1 (distance to a residence or residentially zoned property) of Section 138-118(a)(4)(a) of the Zoning Ordinance. If approved, the conditional use permit must comply with conditions noted.

[illegible]

PECAN AVENUE (FM 495) OSEAN
SCALE 1/8" = 1'-0"

RECEIVED
FEB 02 2024
By *[Signature]*

Floor plan
3732 Pecan Blvd
Suite 2
McAllen TX



Albert's
DISCOUNT
HAIR CENTER

PRONTO
INSURANCE

VITAMIN SHACK
& SHAKES
SUPERSTORE

SUBWAY

SUITE 4
OPEN
HAIR COLOR
FACE WAXING
PERMS
HAIR DO'S
BAKER

OPEN
SUITE 3
\$29
PER MONTH
AUTO HOME
BUSINESS
INSURANCE
iDevolada!

SUITE 1
Open
NEW
FOOTLONG
PRETZEL
FOOTLONG
PRETZEL

SUITE 1
Open
NEW
FOOTLONG
PRETZEL
FOOTLONG
PRETZEL



NOTICE
SMOKE SHOP
FOR
THIS PROPERTY
CUP2024-0015



CITY OF MCALLEN PLANNING DEPT.
956-681-1236
WWW.MCALLEN.NET



Memo

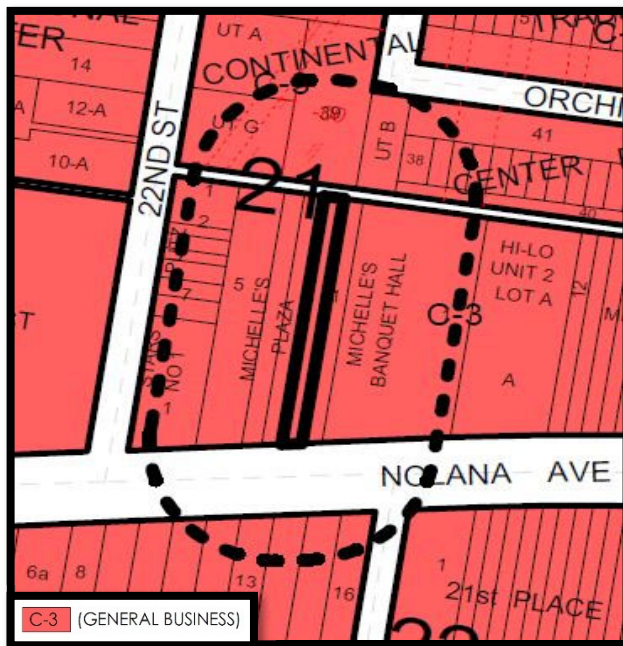
TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: February 19, 2024

SUBJECT: REQUEST OF MARYANN GONZALEZ ON BEHALF OF ELITE BARBER INSTITUTE, LLC, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR AN INSTITUTIONAL USE (BARBER SCHOOL) AT LOT 2, MICHELLE'S PLAZA SUBDIVISION, HIDALGO COUNTY, TEXAS; 2108 NOLANA AVENUE. (CUP2024-0017)

BRIEF DESCRIPTION: The subject property is located along the north side of Nolana Avenue east of North 22nd Street. The property is zoned C-3 (general business) District. The adjacent zoning is C-3 district in all directions. Surrounding land uses include The Gala Special Events, Stars Drive-in, and O'Reilly Auto Parts. A barber school is permitted in the C-3 district with a Conditional Use Permit and in compliance with requirements.



HISTORY: A Conditional Use Permit for an Institutional Use (barber school) was first submitted on February 1, 2023 and approved at the Planning & Zoning Commission meeting on March 7, 2023 for one year.

REQUEST/ANALYSIS: The applicant is proposing to operate a barber school within a 3,000 sq. ft. suite that is part of a retail center under the name of Michelle's Plaza. The proposed hours of operation for the institutional use are Monday through Friday from 8 AM to 9 PM. The submitted site plan shows the establishment consists of a main area for training, a classroom, two restrooms, one storage room, and a break room. Based on the type of use, 12 parking spaces are required, 55 parking spaces are provided as part of the retail plaza.

The Fire Department is pending to conduct the necessary inspection. Should the conditional use permit be approved, the applicant would be required to sign the application acknowledging and agreeing to all conditions noted on the permit. The business must meet the requirements set forth in Section 138-118 of the Zoning Ordinance and specific requirements as follows:

- 1) The proposed use shall not generate traffic onto residential streets or disrupt residential areas, and shall be as close as possible to a major arterial. The property fronts Nolana Avenue.
- 2) The proposed use shall comply with the McAllen's Off-Street Parking Ordinance and make provisions to prevent the use of parking along the street especially in residential areas. Based on the number of classrooms and offices, 12 parking spaces are required; 55 parking spaces are provided. The parking must be clear of potholes and be properly striped as per section 138-400 of the Zoning Ordinance.
- 3) The proposed use shall prevent the unauthorized parking of its patrons on adjacent businesses or residences by providing fences, hedges, or reorientation of entrances and exits;
- 4) The proposed use shall provide sufficient lighting to eliminate dark areas, perimeter fencing, and an orientation of the building to provide maximum visibility from a public street in order to discourage vandalism and criminal activities;
- 5) Provisions shall be made to prevent litter from blowing onto adjacent streets and residential areas;
- 6) The number of persons within the building shall be restricted to those allowed by the Fire Marshal and Building Official at the time of permit issuance;
- 7) Sides adjacent to a residentially zoned or use property shall be screened by a 6 feet opaque fence.

The Planning Department has not received any calls or concerns regarding the proposed use.

RECOMMENDATIONS: Staff recommends approval of the request, for one year, subject to compliance with requirements in Sections 138-118 and 138-400 of the Zoning Ordinance, Building and Fire Department requirements.

ALLEY

EXISTING PARKING

EXISTING RENTAL
2108 NOLANA

EXISTING PARKING

EXISTING PARKING

GREEN AREA

NOLANA AVE.

EXISTING PLAN LAYOUT

RECEIVED
FEB 07 2024
By *NS*



South Texas Designs

PROJECT 2108 NOLANA AVE.

OWNER • BUILDER

210 NOLANA SUITE 101 McALLEN, TEXAS 78504 (956) 987-1408

SCALE 1/4" = 1'-0"

CONTRACTOR SHALL VERIFY ALL
CONTRADICTORY AND UNUSUAL AS
THE JOB SITE AND NOTIFY THE
OWNER OF ANY DISCREPANCIES
BEFORE PROCEEDING WITH THE
CONSTRUCTION. ANY DISCREPANCIES
SHALL BE THE RESPONSIBILITY OF THE
OWNER.

REVISIONS	BY

DATE	
REMARKS	

PROJECT 2108 NOLANA AVE.



EXISTING FLOOR PLAN LAYOUT
BUILDING RENTAL AREA 2885.0FT



GALLERY

ELITE BARBER
INSTITUTE LLC

Ready To
Move In
Today

FOR RENT

956-
Call
Today

FOR LEASE

SCHOOL
STUDENT

SUITE 2108

CLASS A
BARBERS

1000 Hrs

COSMO
BARBERS

300 Hrs

For
RENT



956-
Call
Today

FOR LEASE
956-245-3623

SCHOOL
STUDENT
PRACTITIONERS

SUITE 2108

ELITE BARBER
WALK-INS
WELCOME

EST. 1923

CLASS "A"
BARBERS
1000 HRS.

COSMO
BARBERS
300 HRS.





NOTICE
INSTITUTIONAL
USE
FOR
THIS PROPERTY
CUP 2024-0017
CITY OF MCALLEN PLANNING DEPT
956-658-1250
WWW.MCALLEN.NET

Planning Department

Memo

TO: Planning and Zoning Commission

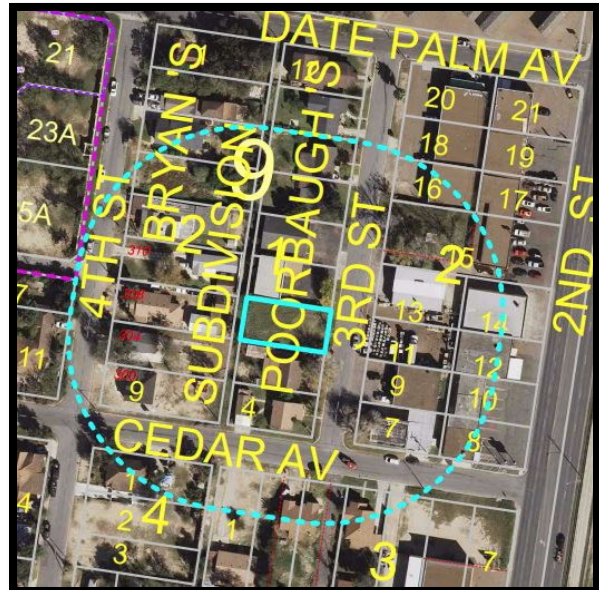
FROM: Planning Staff

DATE: February 21, 2024

SUBJECT: REQUEST OF FRANCES T. SKAUGEN, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A PORTABLE BUILDING GREATER THAN 10' X 12' FOR A WAXING STUDIO AT LOT 6, BLOCK 1, POORBAUGH'S SUBDIVISION, HIDALGO COUNTY, TEXAS; 309 NORTH 3RD STREET. (CUP2024-0012)

DESCRIPTION:

The subject property is located along the west side of North 3rd Street between Date Palm Avenue and Cedar Avenue. The property is zoned C-3 (general business) District and has a frontage of 50 feet along North 3rd Street and a depth of 100 feet for a lot size of 5,000 square feet. Adjacent Zoning is R-1 (single family residential) district to the west and C-3 District in all other directions. A portable building for commercial use is allowed in the C-3 District as an accessory use with a conditional use permit and in compliance with all requirements.



HISTORY:

The initial Conditional Use Permit for this property was approved by the Planning and Zoning Commission on October 18, 2022. The Conditional Use Permit has lapsed and the applicant has submitted a request to renew the permit.

REQUEST/ANALYSIS:

The applicant is requesting a conditional use permit for an existing portable building measuring 30.7 feet by 14 feet that is located on the property. The proposed building will be used as a waxing studio. The proposed hours of operation will be Monday, Wednesday, and Friday from 7:30 AM to 8:00 PM. The business will be open on Tuesday and Thursday from 7:30 AM to 6:00 PM, Saturday from 8:00 AM to 6:00 PM and Sunday from 12:00 PM to 5:00 PM.

The Fire Department has conducted their inspection and has allowed the CUP process to continue. 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:

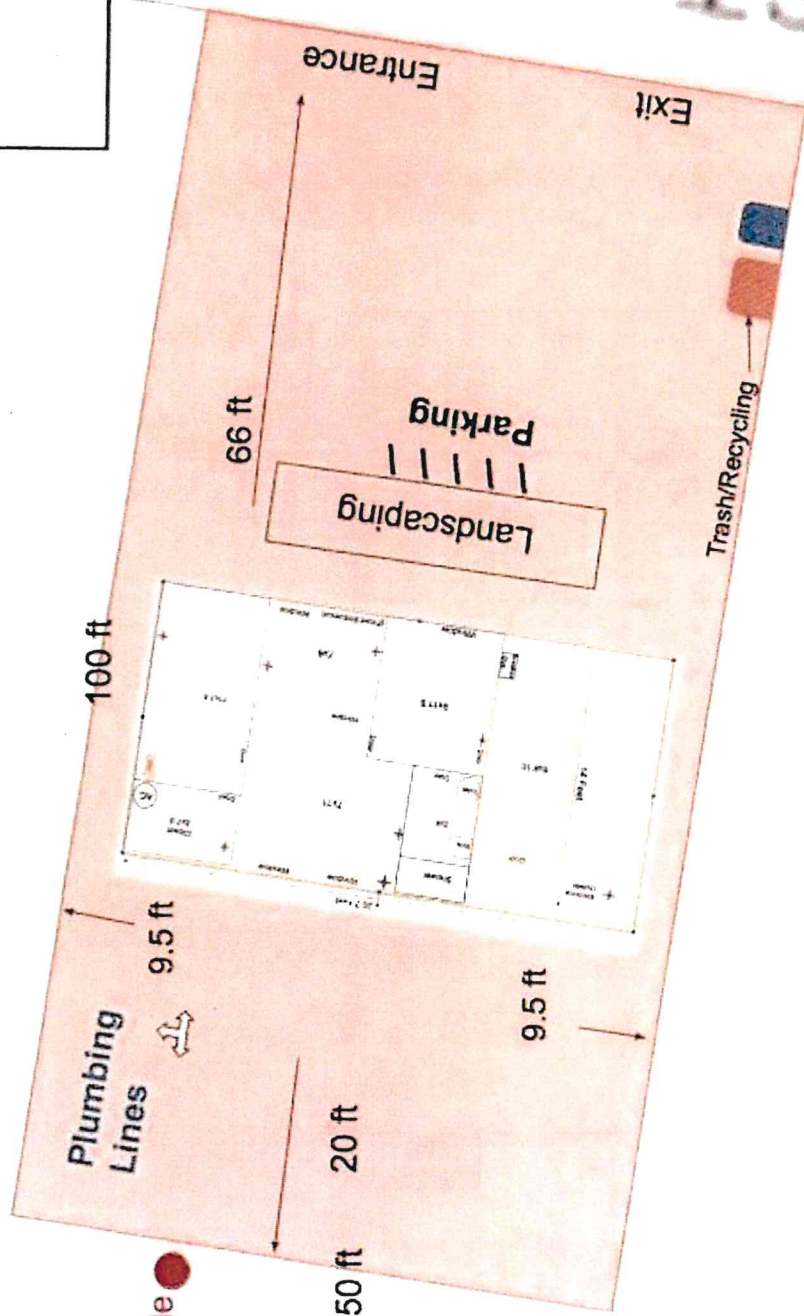
- 1) Portable buildings must not be used for living quarters. The portable building will be used as a waxing studio only;
- 2) Portable buildings shall be located in such a manner as to have access to a public right-of-way within 200 feet. The property has frontage on North 3rd Street.
- 3) Portable buildings approved for occupancy shall be connected to an approved water distribution and sewage disposal system.
- 4) Portable buildings shall be provided with garage and trash collections services.

RECOMMENDATION:

Staff recommends approval of the Conditional Use Permit request since the request represents the renewal process.

ST

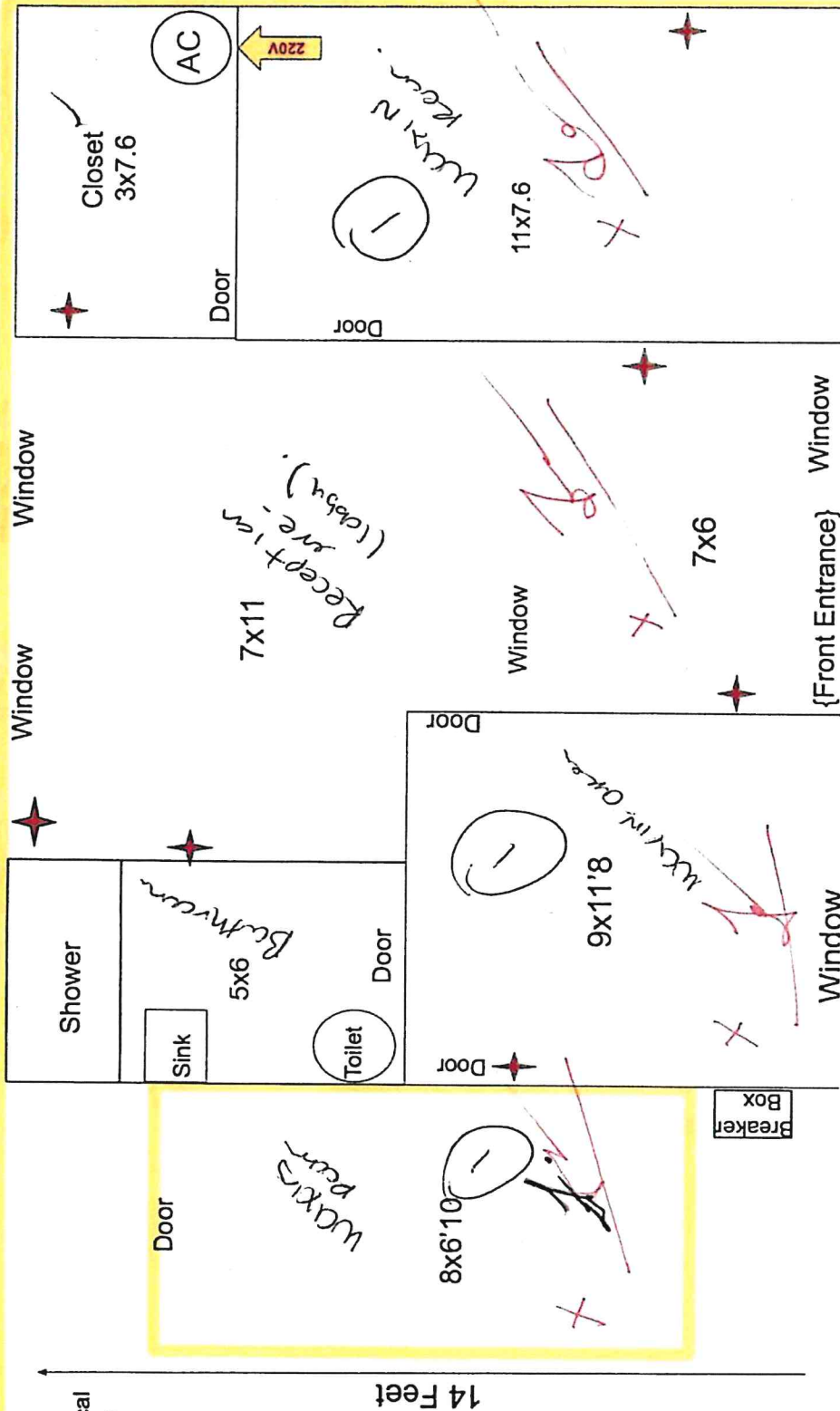
CEDAR AVE



+ Show Search Results

3m
10ft

30.7 Feet



North Arrow







Memo

TO: Planning and Zoning Commission

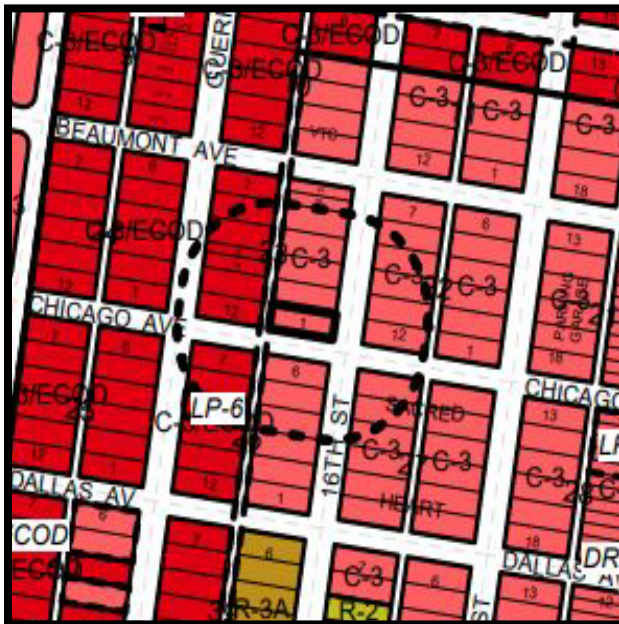
FROM: Planning Staff

DATE: February 21, 2024

SUBJECT: REQUEST OF UZZIEL I. JARAMILLO ON BEHALF OF THE KINGDOM CHURCH FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR AN INSTITUTIONAL USE (CHURCH) AT LOT 1, BLOCK 23, MCALLEN ADDITION, HIDALGO COUNTY, TEXAS; 222 SOUTH 16TH STREET. (CUP2024-0018)

BRIEF DESCRIPTION:

The subject property is located at the northwest corner of Chicago Avenue and South 16th Street. It is zoned C-3 (general business) District. The adjacent zoning is C-3 District in all directions. Surrounding land uses include Maria's Restaurant, Sacred Heart Catholic Church, La Espanola Burgess Fabrics, Getsmani Voluntad de Dios Church, Toni Burger and a parking lot to the south. An institutional use is permitted in a C-3 District with a conditional use permit and in compliance with requirements.



HISTORY:

This is the initial request for a conditional use permit by this applicant for a church at this location.

REQUEST/ANALYSIS:

The applicant is proposing to operate The Kingdom Church from an existing (approximately) 2,000 square foot building area. A submitted floor plan depicts 80 proposed seats, which requires 20 parking spaces. A site plan has been submitted that shows 20 parking spaces are provided with access from the alley. The applicant has entered into a parking agreement with an adjacent property owner for additional parking spaces to comply with parking requirements. The adjacent building space (that shares common ownership) is also used as a church. The two congregations have reached agreement to have worship times using a staggered schedule in order to make effective use of the available parking.

Fire Department has inspected the location and allowed the CUP process to continue. The Planning Department has not received any calls in opposition to the request. Should the conditional use permit be approved, the applicant would be required to sign the application acknowledging and agreeing to all the conditions noted in the permit. The proposed use must also comply with the zoning ordinance and specific requirements as follows:

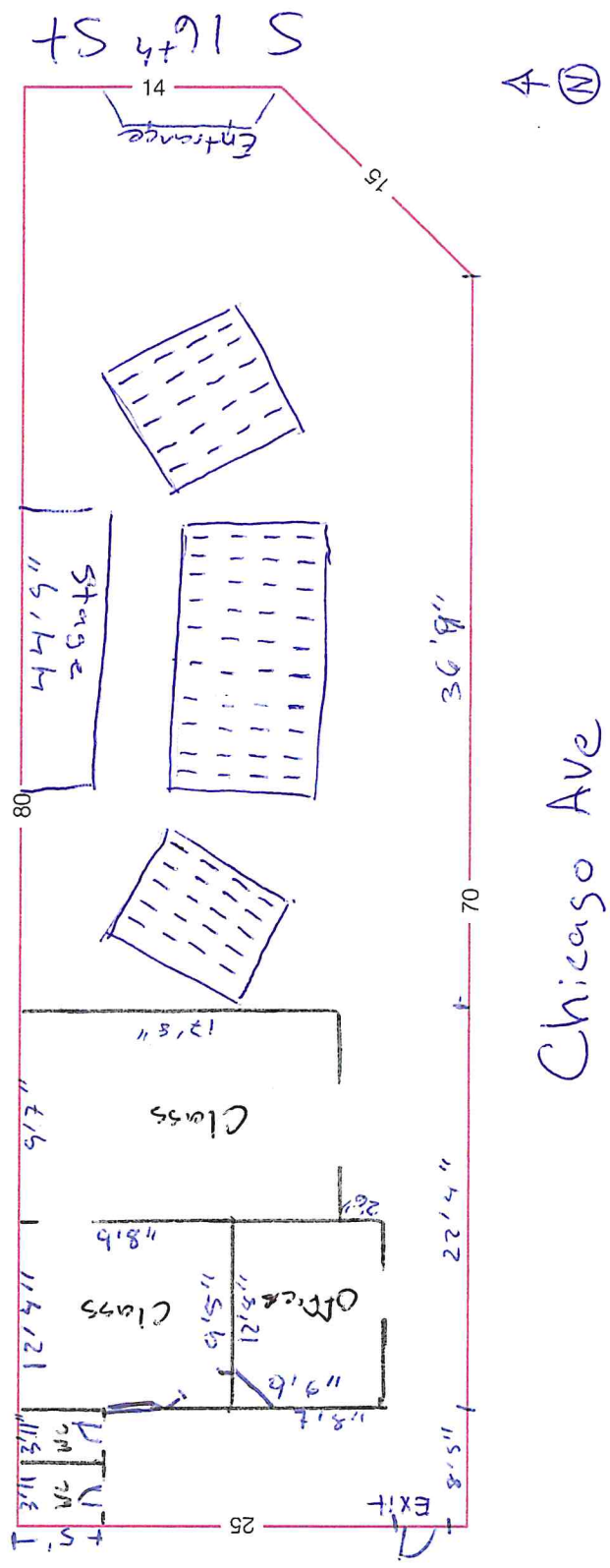
- 1) The proposed use shall not generate traffic onto residential streets or disrupt residential areas, and shall be as close as possible to a major arterial. The property has frontage on South 16th Street and Chicago Avenue.
- 2) The proposed use shall comply with the McAllen's Off-Street Parking Ordinance and make provisions to prevent the use of street parking especially in residential areas. Based on the proposed 80 seats, 20 parking spots are required; the applicant submitted a site plan showing 20 parking spaces to be provided.
- 3) The proposed use shall prevent the unauthorized parking of its patrons on adjacent businesses or residences by providing fences, hedges, or reorientation of entrances and exits;
- 4) The proposed use shall provide sufficient lighting to eliminate dark areas, perimeter fencing, and an orientation of the building to provide maximum visibility from a public street in order to discourage vandalism and criminal activities;
- 5) Provisions shall be made to prevent litter from blowing onto adjacent streets and residential areas;
- 6) The number of persons within the building shall be restricted to those allowed by the Fire Marshal and Building Official at the time of permit issuance;
- 7) Sides adjacent to a residentially zoned or used property shall be screened by a 6 feet opaque fence.

RECOMMENDATION:

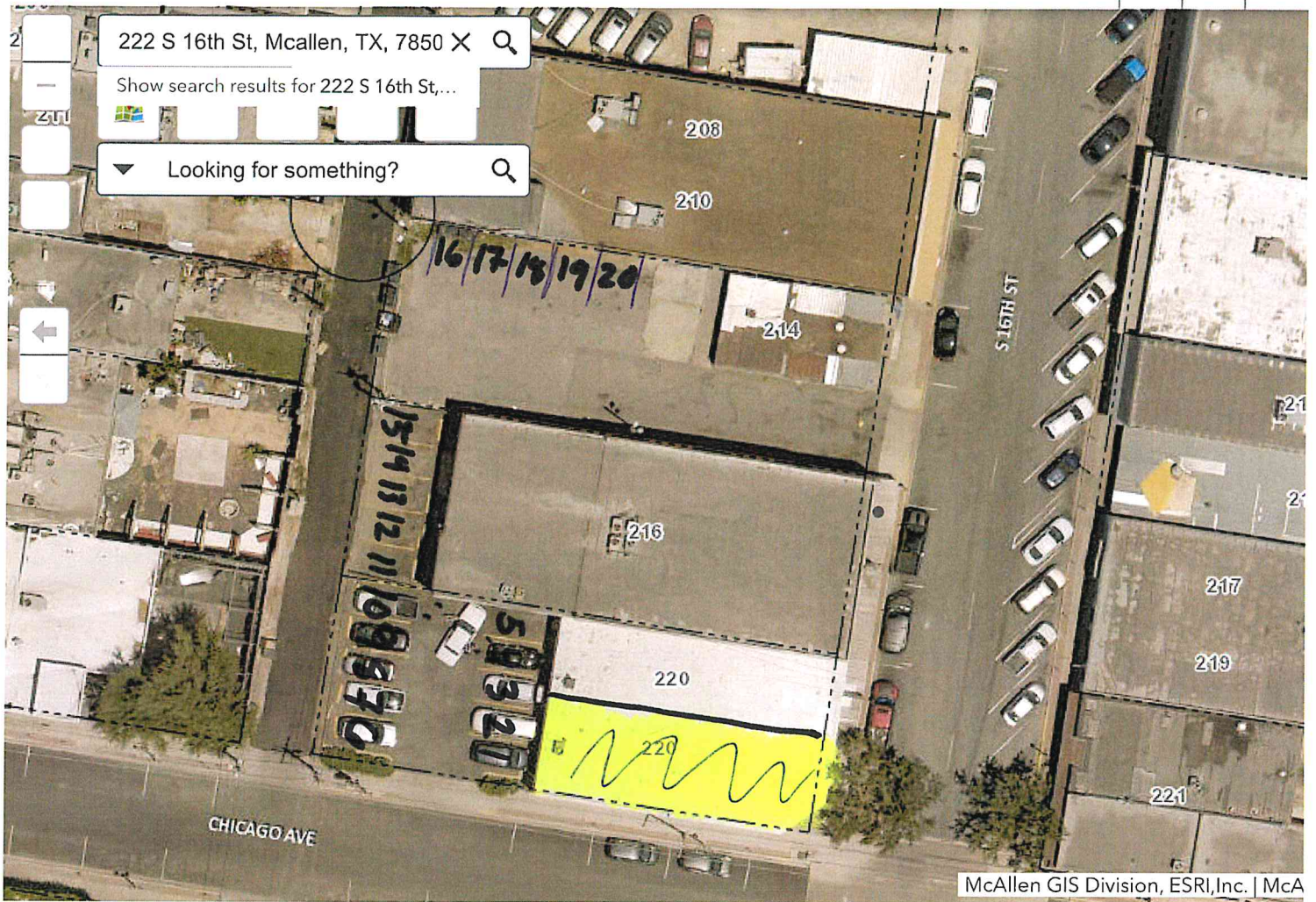
Staff recommends approval of the request, for one year, subject to compliance with requirements in Section 138-118 of the Zoning Ordinance, Building Code and Fire Department requirements.

Alley

80 Seatings







40ft

-98.237 26.202 Degrees



Planning Department

Memo

TO: Planning and Zoning Commission

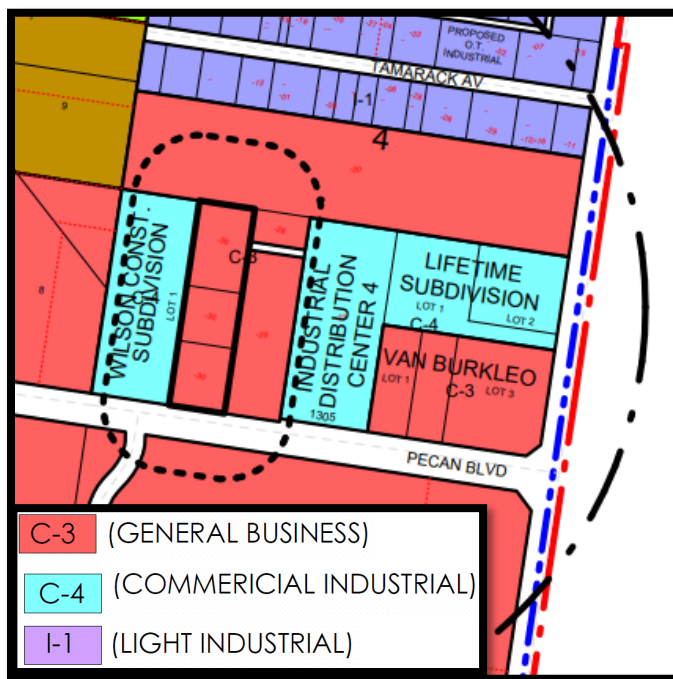
FROM: Planning Staff

DATE: February 19, 2024

SUBJECT: REZONE FROM C-3 (GENERAL BUSINESS) DISTRICT TO C-4 (COMMERCIAL INDUSTRIAL) DISTRICT: 2.58 ACRES, MORE OR LESS, THE WEST 170 FEET OF THE EAST 340 FEET OF THE WEST 579 FEET OF THE SOUTH ½ OF LOT 4, BLOCK 5, MCCOLL SUBDIVISION, HIDALGO COUNTY, TEXAS; 1213 EAST PECAN BOULEVARD. (REZ2024-0009)

LOCATION: The subject property is located along the north side of East Pecan Boulevard, approximately 970 feet west of North Jackson Road.

PROPOSAL: The applicant is requesting to rezone the property in order to use an existing retail & storage building as a warehouse. The applicant is requesting to expand their warehouse use, requiring a C-4 (commercial industrial) District. A site plan has been attached from a previous building permit.



ADJACENT ZONING: Adjacent properties are zoned C-3 (general business) District to the north and east. There is also C-4 (commercial industrial) District to the west.

LAND USE: The property is the site for Jean's Restaurant Supplies. Surrounding uses include other commercial uses, warehouses and vacant land.

FUTURE LAND USE PLAN: The Envision McAllen Future Land Use Plan designates the future land use for this property as public/semi-public. Civic buildings and parks/open space are considered most appropriate for this area.

DEVELOPMENT TRENDS: The development trend along this area is a mix of general business and commercial industrial.

HISTORY: The request for the zoning change of the subject property was submitted on February 6, 2024. An application for a subdivision variance was also submitted on February 6, 2024 and is underway.

ANALYSIS: The requested zoning does not conform to the future land use plan designation. However, the requested zoning and proposed use conforms to the development trend along this area of East Pecan Boulevard.

The subdivision review and site plan review processes may be required prior to building permit issuance for any future developments in the property.

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

RECOMMENDATION: Staff recommends approval of the rezoning request to C-4 (commercial industrial) District as it aligns with the current zoning and development trends along East Pecan Boulevard.



ART SALINAS
ENGINEERING & SURVEYING

1524 DOVE AVENUE, McALLEN, TEXAS 78504 PH: (956) 618-6585 FAX: (956) 618-6540

S81°09'E
170.0'

ADDITIONAL INFORMATION
OWNER: JAMES DECKER
RECORDED: PG. 4823264, H.C.D.R.

SCALE:
1"=80'

LOT 1
WILSON CONSTRUCTION SUBDIVISION
(VOL. 21, PG. 81, H.C.M.R.)

WEST LINE OF LOT 4

S.W. CORNER
OF LOT 4,
BLOCK 5

239.0'
S81°09'E

170.0'
N81°09'W

E. PECAN BLVD.
(P.M. 485)

THIS IS TO CERTIFY TO THAT I HAVE, THIS DATE, MADE A CAREFUL AND ACCURATE STANDARD LAND SURVEY ON THE GROUND OF PROPERTY WHICH IS LOCATED AT 1213 E. PECAN BLVD. IN McALLEN, TEXAS, DESCRIBED AS FOLLOWS: THE WEST 170 FEET OF THE EAST 340 FEET OF THE WEST 579 FEET OF THE SOUTH 1/2 OF LOT 4, BLOCK 5, A.J. McCOLL SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 21, PAGE 597-598, DEED RECORDS OF HIDALGO COUNTY, TEXAS.

03-21953
Job No.

05-20-03
Date

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Registered Professional Land Surveyor No. 4802

LEGEND

- - DENOTES FOUND 1/2" ROD
- - DENOTES FOUND 1" ROD
- ⊙ - DENOTES FOUND COTTON PICKER SPINDLE
- - DENOTES NO MONUMENT

RECEIVED
FEB 06 2024
By NG

February 5, 2024

THE WEST 170 FEET OF THE EAST 340 FEET OF THE WEST 579 FEET OF THE SOUTH ½ OF LOT 4, BLOCK 5, A.J. MCCOLL SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO PLAT RECORDED IN VOLUME 21, PAGE 597, DEED RECORDS, HIDALGO COUNTY, TEXAS.

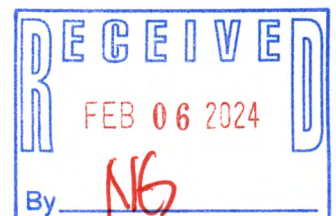
BEGINNING at a point on the South line of Lot 4, South 81 Deg. 09 Min. East, 239.0 feet from the Southwest corner of Lot 4, for the Southwest corner of the following described tract of land; said point being in East Pecan Boulevard (FM# 495); said point being on the projection of the East line of Lot 1, Wilson Construction Subdivision, City of McAllen, recorded in Volume 21, Page 81, Map Records;

THENCE, with the East line of said Lot 1, and its projection, and the West line of said WEST 170 feet of the EAST 340 feet, of the WEST 579 feet of the South ½ of Lot 4, North 08 Deg. 59 Min. East, at 30.0 feet pass the North line of Pecan Boulevard and the Southeast corner of said Lot 1, and at 660.0 feet a point on the North line of the South ½ of Lot 4, for the Northwest corner hereof; said point being the Northeast corner of said Lot 1;

THENCE, with the North line of the South ½ of Lot 4, South 81 Deg. 09 Sec. East, 170.0 feet to appoint for the Northeast corner hereof;

THENCE, with the East line of the WEST 170 feet of the EAST 340 feet of the WEST 579 feet of the South ½ of Lot 4, South 08 Deg. 59 Min. West, at 630.0 feet pass the North line of Pecan Boulevard, and at 660.0 feet the Southeast corner of said WEST 170 feet, for the Southeast corner hereof;

THENCE, with the South line of Lot 4, in Pecan Boulevard, North 81 Deg. 09 Sec. West, 170.0 feet to the POINT OF BEGINNING, containing 2.58 acres of land, more or less, of which the south 30.0 feet, comprising 0.12 acres, lies in East Pecan Boulevard.





PROPERTY LINE

9'6"

I-BEAM

A/C

I-BEAM

A/C

STORE SPACE

STORE SPACE

STORE SPACE

HERS

HIS

BATH HALL

FLOOR PLAN
NOTE: NOT BY SCALE 19 SQ/FT

~~EXISTING WALL~~
EXISTING WALL

64,0" X 148' 0"

TOTAL SQ/FT 9472

STORE SPACE

STORE SPACE

I-BEAM

I-BEAM

I-BEAM

OPEN Space
Sales Area
5A6-2-4-2013

STORE FLOOR PLAN

NOTE: NOT BY SCALE

NORTH

Planning Department

Memo

TO: Planning and Zoning Commission

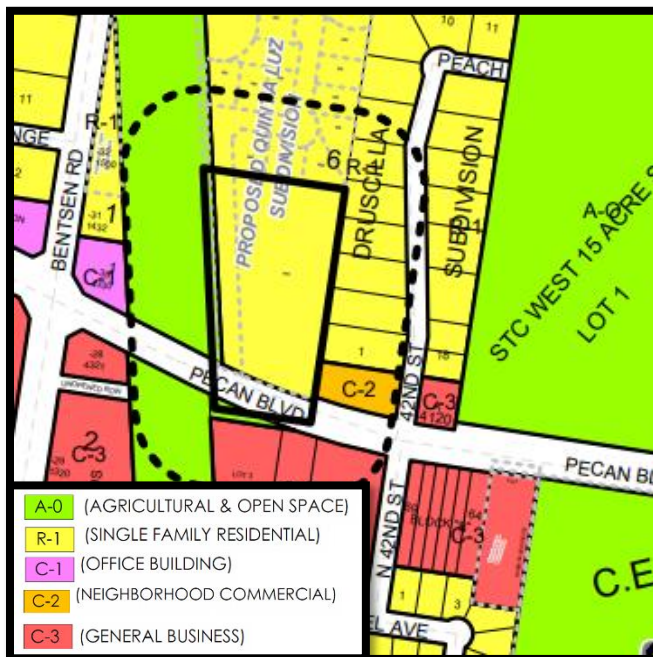
FROM: Planning Staff

DATE: February 19, 2024

SUBJECT: REZONE FROM R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: 4.13 ACRES, MORE OR LESS, OUT OF THE WEST 9.80 ACRES OF LOT 6, BLOCK 2, C.E. HAMMOND'S SUBDIVISION, HIDALGO COUNTY, TEXAS; 4300 PECAN BOULEVARD. (REZ2024-0010)

LOCATION: The subject property is located north of Pecan Boulevard, approximately 315 feet east of North Benson Road.

PROPOSAL: The applicant is requesting to rezone the southern portion of the property in order to operate a commercial use such as a restaurant or small event center. The northern portion of the tract will remain R-1 (single family residential) District. There are existing structures on the site. A feasibility plan has not been submitted yet.



ADJACENT ZONING: Adjacent properties are zoned R-1 District to the east and north, C-2 (neighborhood commercial) District to the southeast and A-O (agricultural and open space) District to the west.

LAND USE: The property is zoned R-1 District. Surrounding uses include single-family residences, Nikki Rowe High School, and commercial uses.

FUTURE LAND USE PLAN: The Envision McAllen Future Land Use Plan designates the future land use for this property as Complete Communities. This future land use designation is considers single-family homes or small multifamily proposals. Less preferable uses include shopping center at a community scale, such as retail/restaurant uses.

DEVELOPMENT TRENDS: The development trend along Pecan Blvd. is a mix of single to multifamily residential with commercial uses.

HISTORY: A rezoning request from A-O District to C-3 (general business) District for this subject property was proposed in November 2013. However, the applicant requested to table the item on November 25, 2013. A conditional use permit for an event center proposed at this property was requested in January 2015 and was disapproved by the Planning and Zoning Commission on February 4, 2015.

ANALYSIS: The requested zoning does conform to the future land use plan designation. However, the proposed use does not align with the future land use plan. The surrounding land use around the subject property are single family residences.

The subdivision review and site plan review processes may be required prior to building permit issuance for any future developments in the property. Any future developments must also comply with the permitted and conditional uses of the designated zoning district.

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

RECOMMENDATION: Staff recommends disapproval of the rezoning request to C-3 (general business) District as it does not align with the development trend.

MCCALLEN INDEPENDENT SCHOOL DISTRICT
SUBDIVISION NO. 8
VOL. 25, PG. 191B, H.C.M.R.

APPROX. WEST LINE OF
MCCALLEN INDEPENDENT SCHOOL
DISTRICT SUBDIVISION NO. 8

20.0' UTILITY EASEMENT
(VOL. 25, PG. 191B, H.C.M.R.)

SOUTHWEST CORNER OF
MCCALLEN INDEPENDENT SCHOOL
DISTRICT SUBDIVISION NO. 8

20.0' UTILITY EASEMENT
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(VOL. 25, PG. 191B, H.C.M.R.)

20.0' UTILITY EASEMENT
(VOL. 25, PG. 191B, H.C.M.R.)

METES AND BOUNDS DESCRIPTION

BEING A 4.13 GROSS ACRE TRACT OF LAND, MORE OR LESS, CONSISTING OF THE WEST 9.80 ACRES OF LOT 6, BLOCK 2, C.E. HAMMOND'S SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER THE MAP OR PLAT THEREOF RECORDED IN VOLUME 21, PAGE 599, DEED RECORDS OF HIDALGO COUNTY, TEXAS; SAID 4.13 GROSS ACRE TRACT OF LAND BEING A PART OF ALL THE SAME LANDS AS SURVEYED ON THE GROUND BY PLUNIO C. MEDINA, RPLS, W.O. NO. 32268, DATED 03/16/90; SAID 4.13 ACRE TRACT OF LAND IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 6 SAME BEING THE NORTHWEST CORNER OF SAID 9.80 ACRE TRACT; THENCE AS FOLLOWS:

SOUTH 02 DEGREES 41 MINUTES 30 SECONDS EAST, COINCIDENT WITH THE WEST LINE OF SAID 9.80 ACRE TRACT SAME BEING THE WEST LINE OF SAID LOT 6, A DISTANCE OF 591.63 FEET TO A 1/2 INCH DIAMETER IRON ROD WITH YELLOW CAP MARKED "SEA 5782" SET FOR THE NORTHWEST CORNER AND POINT OF BEGINNING OF THIS HEREIN DESCRIBED TRACT;

(1) THENCE, SOUTH 81 DEGREES 36 MINUTES 00 SECONDS EAST, ALONG A LINE PARALLEL TO THE SOUTH LINE OF SAID LOT 6 AND SAID 9.80 ACRE TRACT, A DISTANCE OF 360.88 FEET TO A 1/2 INCH DIAMETER IRON ROD WITH YELLOW CAP MARKED "SEA 5782" SET ON INTERSECTION WITH THE EAST LINE OF SAID 9.80 ACRE TRACT SAME LINE BEING THE WEST LINE OF DRUSCILLA SUBDIVISION (VOL. 19, PAGE 134, H.C.M.R.) FOR THE NORTHEAST CORNER OF THIS HEREIN DESCRIBED TRACT;

(2) THENCE, SOUTH 08 DEGREES 24 MINUTES 00 SECONDS WEST, COINCIDENT WITH THE EAST LINE OF SAID 9.80 ACRE TRACT AND THE WEST LINE OF SAID DRUSCILLA SUBDIVISION, A DISTANCE OF 515.30 FEET PASS A 1/2 INCH DIAMETER IRON ROD WITH YELLOW CAP MARKED "SEA 5782" SET ON RIGHT-OF-WAY LINE OF PECAN BLVD. (AKA F.M. 495), AT A DISTANCE OF 593.85 FEET IN ALL TO A POINT ON THE SOUTHEAST CORNER OF SAID 9.80 ACRE TRACT LOCATED WITHIN THE RIGHT-OF-WAY OF PECAN BLVD. (AKA F.M. 495) FOR THE SOUTHEAST CORNER OF THIS HEREIN DESCRIBED TRACT;

(3) THENCE, NORTH 81 DEGREES 36 MINUTES 00 SECONDS WEST, COINCIDENT WITH THE SOUTH LINE OF SAID LOT 6 SAME BEING THE SOUTH LINE OF SAID 9.80 ACRE TRACT, A DISTANCE OF 244.46 FEET TO A POINT ON THE SOUTHWEST CORNER OF SAID LOT 6 AND SAID 9.80 ACRE TRACT FOR THE SOUTHWEST CORNER OF THIS HEREIN DESCRIBED TRACT;

(4) THENCE, NORTH 02 DEGREES 41 MINUTES 30 SECONDS WEST, COINCIDENT WITH THE WEST LINE OF SAID LOT 6 AND SAID 9.80 ACRE TRACT, A DISTANCE OF 140.31 FEET PASS A 1/2 INCH DIAMETER IRON ROD WITH YELLOW CAP MARKED "SEA 5782" SET ON INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF SAID PECAN BLVD., AT A DISTANCE OF 605.16 FEET IN ALL TO THE POINT OF BEGINNING, CONTAINING 4.13 GROSS ACRES OF LAND, MORE OR LESS.

BASE OF BEARING: SAID MEDINA SURVEY
N1/2SUBDIVISIONPLATS\QUNITALUZ\SUB\REZ\NO.4.13.020624

5.69 GROSS ACRES
EXISTING R-1 ZONE
(NOT A PART OF THIS SURVEY)

LOT 6, BLOCK 2
C.E. HAMMOND'S
SUBDIVISION
VOL. 21, PG. 599,
H.C.D.R.

P.O.B.

S81°36'00"E

360.88'

TRACT-I

4.13 GROSS ACRES
0.19 H.C.W.D. NO. 1 R.O.W. ACRES
- 0.49 PECAN BLVD. R.O.W. ACRES
3.45 NET ACRES

3.34 NET ACRES
(NORTHERN PORTION)

LOT 6, BLOCK 2
C.E. HAMMOND'S
SUBDIVISION
VOL. 21, PG. 599,
H.C.D.R.

"C1" (LENGTH=277.93', RADIUS=2,824.79')

PECAN BLVD. (F.M. 495)
(80.00' R.O.W.)

"C2" (LENGTH=244.46', RADIUS=2,904.79')

LOT 3
COPPERFIELD ESTATES PHASE 1A
(INST. NO. 2794630, H.C.M.R.)

LOT 1
COPPERFIELD ESTATES PHASE 1A
(INST. NO. 2794630, H.C.M.R.)

LOT 2
COPPERFIELD ESTATES PHASE 1A
(INST. NO. 2794630, H.C.M.R.)

LOT 3
COPPERFIELD ESTATES PHASE 1A
(INST. NO. 2794630, H.C.M.R.)

P.O.C.
N.W.C.
LOT 6,
BLK. 2
& NORTHWEST
CORNER OF
COPPERFIELD
ESTATES TRACT

SCALE: 1" = 60'

LEGEND

- FOUND 1/2" IRON ROD
- SET 1/2" IRON ROD WITH YELLOW CAP MARKED "SEA 5782"
- POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- H.C.M.R. HIDALGO COUNTY MAP RECORDS
- H.C.D.R. HIDALGO COUNTY DEED RECORDS

GENERAL PLAT NOTES:

1. Bearing Basis: Survey performed by Plinio C. Medina, RPLS, W.O. No. 32268, dated 03/16/90. The survey was prepared without the benefit of a title policy. The research of any easements is not within the scope of this boundary/improvement survey. Any easement shown herein were taken directly from the plat of record. This survey and map may not be copied or altered in any way without the express written consent of the surveyor.
2. There are no discrepancies, conflicts, excesses or shortages in this boundary/improvement survey as shown or noted herein.
3. The surveyor has made no attempt to locate or define wetlands, hazardous waste areas, habitats, endangered species or any other natural resources. The surveyor makes no representation of being an environmental assessment of the tract of land shown herein.
4. The surveyor has made no attempt to locate or define archaeological or historical resources. The surveyor makes no representation of being an archaeological or historical survey of the tract of land shown herein.
5. The surveyor has made no attempt to locate abandoned or existing oil and gas wells or any other wells on the tract of land shown herein; Nor has the surveyor made any attempt to research some with the Railroad Commission of Texas or any other State agency; Nor has the surveyor investigated any utility or topographic investigation.
6. If this survey does not bear on a valid seal and signature, it is INVALID as per Section 661.46 and Section 663.19 of the "Professional Land Surveying Practices Act" enacted under Article 5262c, Vernon's Texas Civil Statutes.

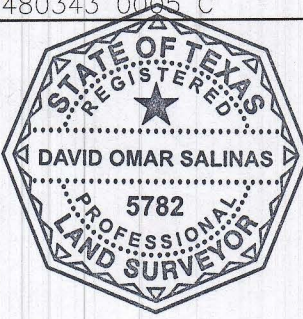
This is to certify that I have, this date, made a careful and accurate standard land survey on the ground of property which is located at 4300 PECAN BLVD. in McALLEN, Texas, described as follows: BEING A 4.13 GROSS ACRE TRACT OF LAND, MORE OR LESS, CONSISTING OF THE WEST 9.80 ACRES OF

Lot 6, Block 2, of C.E. HAMMOND'S SUBDIVISION, HIDALGO CO.

Texas, according to the plat recorded in Volume 21, Pages 599, of the MAP Records of Hidalgo County, Texas. I further certify that this property lies in Zone C as per FIRM (Flood Insurance Rate Map) dated NOV. 02, 1982 Community Panel No. 480343 00A5 C

DRN. BY
FEBRUARY 07, 2024
DATE

SP-23-25938
JOB NO.



REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5782



Memo

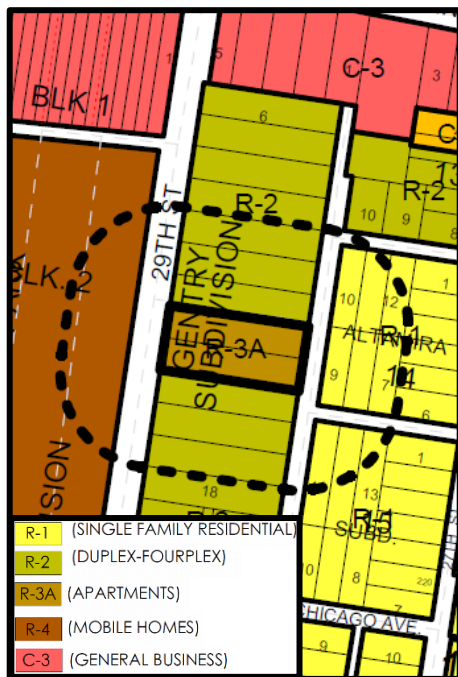
TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: February 19, 2024

SUBJECT: REZONE FROM R-3A (MULTIFAMILY RESIDENTIAL APARTMENT) DISTRICT TO R-3T (MULTIFAMILY RESIDENTIAL TOWNHOUSE) DISTRICT: LOTS 13 AND 14, GENTRY SUBDIVISION, HIDALGO COUNTY, TEXAS; 115 SOUTH 29TH STREET. (REZ2024-0011)

LOCATION: The subject property is located between South 29th Street and South 28th Street, approximately 625 feet south of U.S. Business 83.



PROPOSAL: The applicant is requesting to rezone the property in order to develop the tract of land for 16 detached townhomes. This tract will be combined with the adjacent lot to the north, which is also being requested for rezoning to R-3T (multifamily residential townhouse) District. A proposed subdivision plat with lot layouts has been submitted.

ADJACENT ZONING: Adjacent properties are zoned R-2 (duplex-fourplex residential) District to the north and south. There is also R-1 (single-family residential) District to the east across South 28th Street, and R-4 (mobile home and modular home) District to the west across South 29th Street.

LAND USE: The property is currently vacant. Surrounding uses include single-family

residences, mobile homes, and commercial uses.

FUTURE LAND USE PLAN: The Envision McAllen Future Land Use Plan designates the future land use for this property as Complete Communities. This future land use designation is comparable with the R-1 District and R-2 District. Single-family homes, single-family accessory buildings, and duplexes are considered most appropriate for this area. Townhomes (with no more than 12 units) are also considered appropriate for the area, especially when there is nearby retail and personal services available.

DEVELOPMENT TRENDS: The development trend along this area is a mix of single to multifamily residential, with complimentary commercial uses nearby.

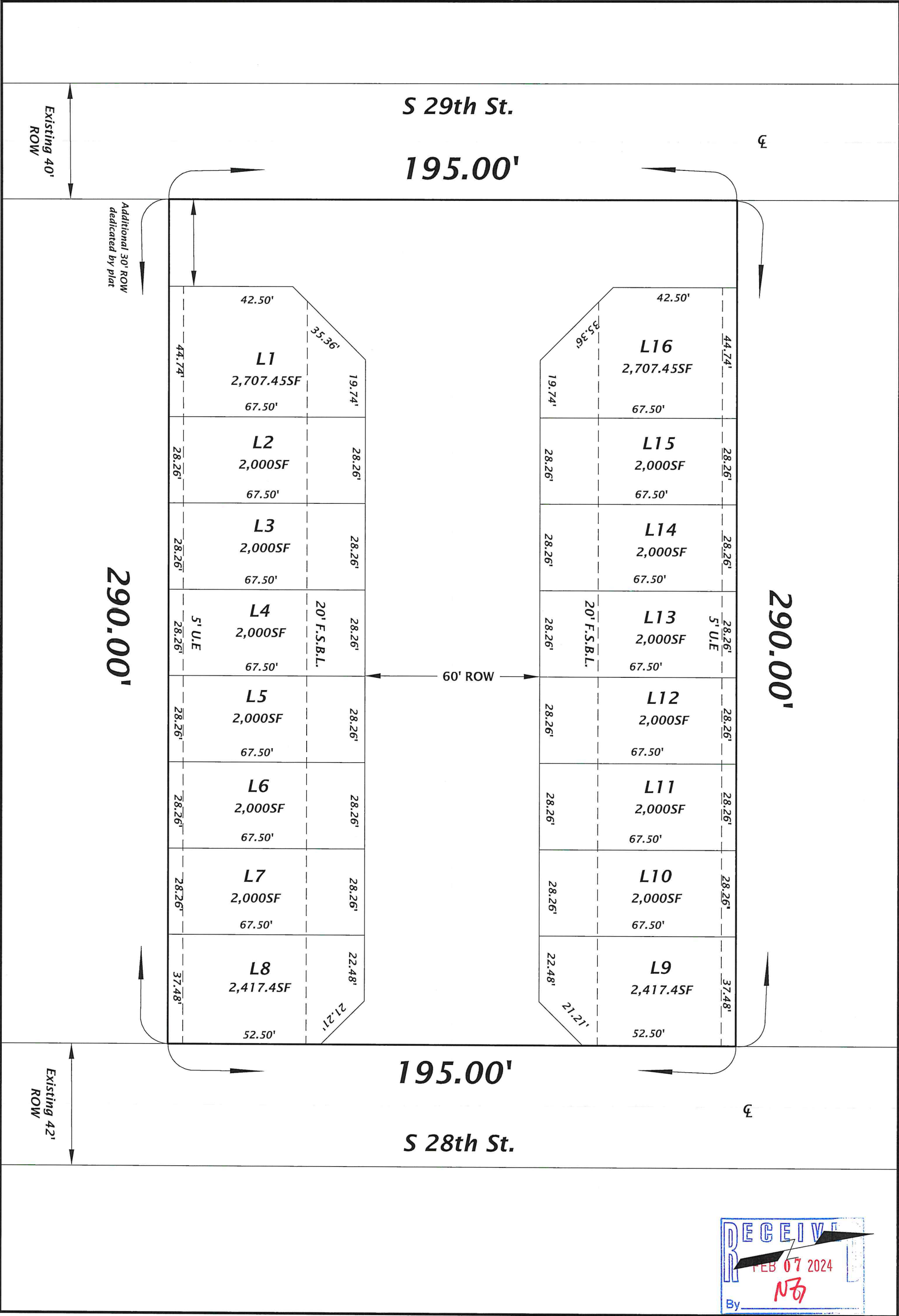
HISTORY: The subject property has been in the City's Extra-Territorial Jurisdiction (ETJ) since October 15, 1973. The request for the initial zoning of the subject property was submitted on February 7, 2024.

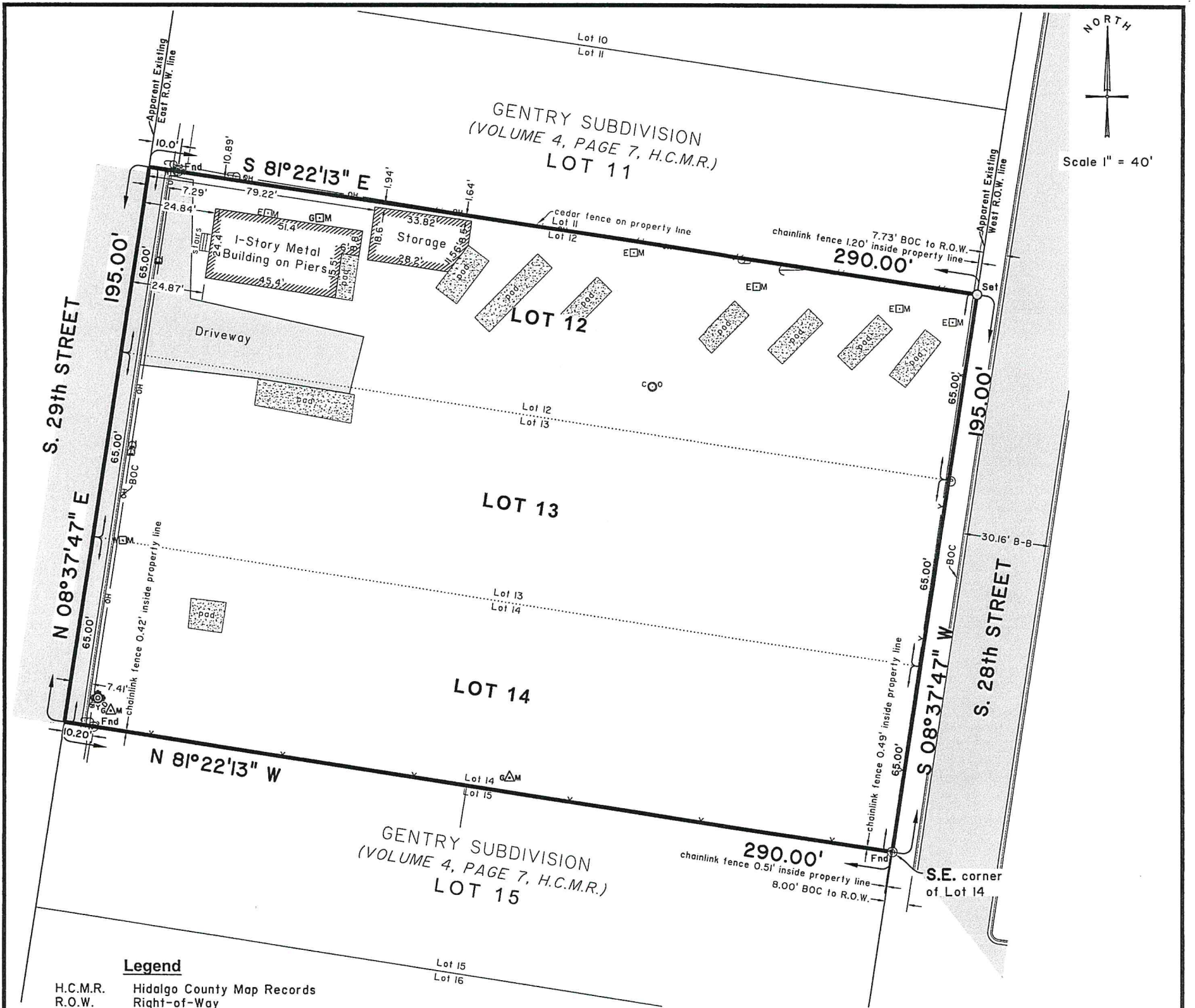
ANALYSIS: The requested zoning and proposed use conform to the future land use plan designation. Townhomes are considered appropriate for this area as they will be compatible with the existing single-family residences and create diversity in housing options. Moreover, since retail and personal services are available nearby, townhomes are encouraged in this area as a good transition between commercial and residential uses.

The subdivision review and site plan review processes may be required prior to building permit issuance for any future developments in the property. Any future developments must also comply with the permitted and conditional uses of the designated zoning district.

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

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





Legend

H.C.M.R.	Hidalgo County Map Records
R.O.W.	Right-of-Way
S.E.	Southeast
Fnd	Found No. 4 Rebar
Set	Set No. 4 Rebar w/plastic cap stamped 2791
BOC	Back of curb
EOP	Edge of pavement
⊙	Found No. 4 Rebar
—	Existing clean out
—	Existing cedar fence
—X—	Existing chainlink fence
—OH—	Existing overhead power line
—	Existing power pole
—	Existing down guy
⊙	Existing electric meter
⊙	Existing mailbox
⊙	Existing gas marker
⊙	Existing gas meter
⊙	Existing water meter
⊙	Existing water service
⊙	Existing water fire hydrant
■	Asphalt pavement
■	Concrete pavement

**SURVEY PLAT SHOWING
ALL OF LOTS 12 THRU 14,
GENTRY SUBDIVISION,
CITY OF McALLEN,
HIDALGO COUNTY, TEXAS,
VOLUME 4, PAGE 7, H.C.M.R.**

General Notes:

- Survey is valid only if print has electronic seal and original signature or electronic signature if authorized by Survey.
 - Bearing basis as per NAD 1983 State Plane Texas South FIPS 4205 Feet.
 - Survey was prepared without the benefit of a title policy, which may show additional easements affecting this lot. Surveyor is advising the recipient of this plat that additional easements may be on this lot.
 - Easements, rules, regulations and rights in favor of Hidalgo County Irrigation District No. 1. Existing underground irrigation pipes have easements which require Irrigation Districts direction to establish width & locations.
 - This conveyance is made further subject to all rights, easements, contracts and liens in favor of the irrigation system under which such land is located.
 - Homero L. Gutierrez did not research or prepare a title report or abstract of title on the above property.
 - Building, zoning, platting and/or regulatory laws and/or ordinances at any municipal and/or other governmental authority will apply.
 - The existence, if any underground gas lines or other underground utilities not shown on this survey should be thoroughly investigated by the owner prior to any construction on this site. The Surveyor has limited his investigation of underground utilities on this site to that which can be seen.
 - Surveyor's statement: The property corners of the tract surveyed were staked out based on the best fit of monuments found for this property and others within the immediate vicinity, taking into account the intent of the surveyors' original foot steps. A survey of the original mother tracts to correctly establish minor discrepancies that were found in the property corners would not be a feasible option for the parties concerned. The client has been made aware of any discrepancies found and the respective action taken to stake out his property as per the found and set monuments shown hereon.
 - Flood Zone "C" - Areas of minimal flooding. (No shading)
- Community Panel No. 480343 0005C
Map Revised: November 2, 1982

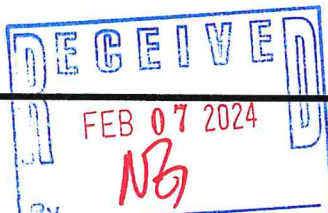
I, Homero L. Gutierrez, a registered professional land surveyor in the State of Texas, hereby state that this survey is true and was correctly made on the ground on 01/09/2024 under my direction, that the existing improvements on the ground are as shown, and that there are no visible encroachments, protrusions, apparent conflicts and visible easements, except as shown hereon.



Homero Luis Gutierrez
Homero Luis Gutierrez, RPLS No. 2791
Date: 01/11/2024

HOMERO L. GUTIERREZ
P.O. Box 548
McAllen, Texas 78505
(956) 369-0988

DATE: 01/11/2024 JOB No.: HLG24-001



NOTICE
REZONING
FOR
THIS PROPERTY
REZ 2024-0011

CITY OF MOBILE PLANNING DEPT.
MOBILE, ALA.
WWW.MOBILEAL.GOV



Planning Department

Memo

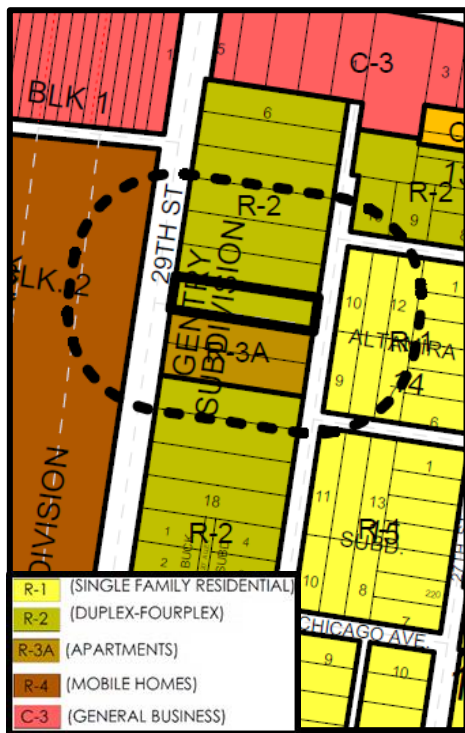
TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: February 21, 2024

SUBJECT: REZONE FROM R-2 (DUPLEX-FOURPLEX RESIDENTIAL) DISTRICT TO R-3T (MULTIFAMILY TOWNHOUSE RESIDENTIAL) DISTRICT: LOT 12, GENTRY SUBDIVISION, HIDALGO COUNTY, TEXAS; 109 SOUTH 29TH STREET. (REZ2024-0012)

LOCATION: The subject property is located between South 29th Street and South 28th Street, approximately 560 feet south of U.S. Business 83.



PROPOSAL: The applicant is requesting to rezone the property in order to develop the tract of land for 16 detached townhomes. This tract will be combined with the two adjacent lots to the south, which are also being requested for rezoning to R-3T (multifamily residential townhouse) District. The existing residences on site are proposed to be removed in the future for the purposes of the townhouse project. A proposed subdivision plat with lot layouts has been submitted.

ADJACENT ZONING: Adjacent properties are zoned R-2 (duplex-fourplex residential) District to the north, and R-3A (multifamily residential apartment) District to the south. There is also R-1 (single-family residential) District to the east across South 28th Street, and R-4 (mobile home

and modular home) District to the west across South 29th Street.

LAND USE: The property is the site for a mobile home and RV park. Surrounding uses include single-family residences, mobile homes, and commercial uses.

FUTURE LAND USE PLAN: The Envision McAllen Future Land Use Plan designates the future land use for this property as Complete Communities. This future land use designation is comparable with the R-1 District and R-2 District. Single-family homes, single-family accessory buildings, and duplexes are considered most appropriate for this area. Townhomes (with no more than 12 units) are also considered appropriate for the area, especially when there is nearby retail and personal services available.

DEVELOPMENT TRENDS: The development trend along this area is a mix of single to multifamily residential, with complimentary commercial uses nearby.

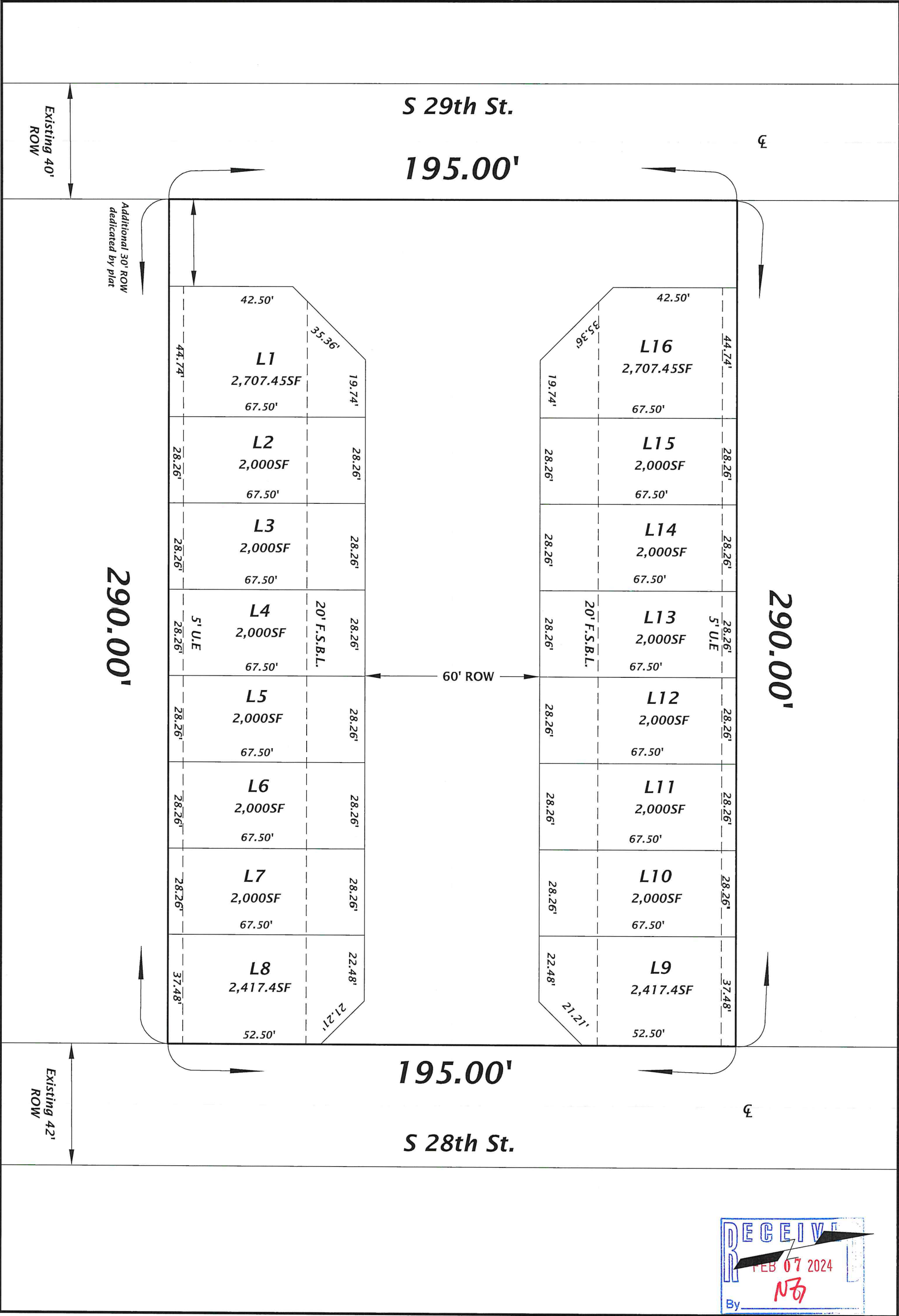
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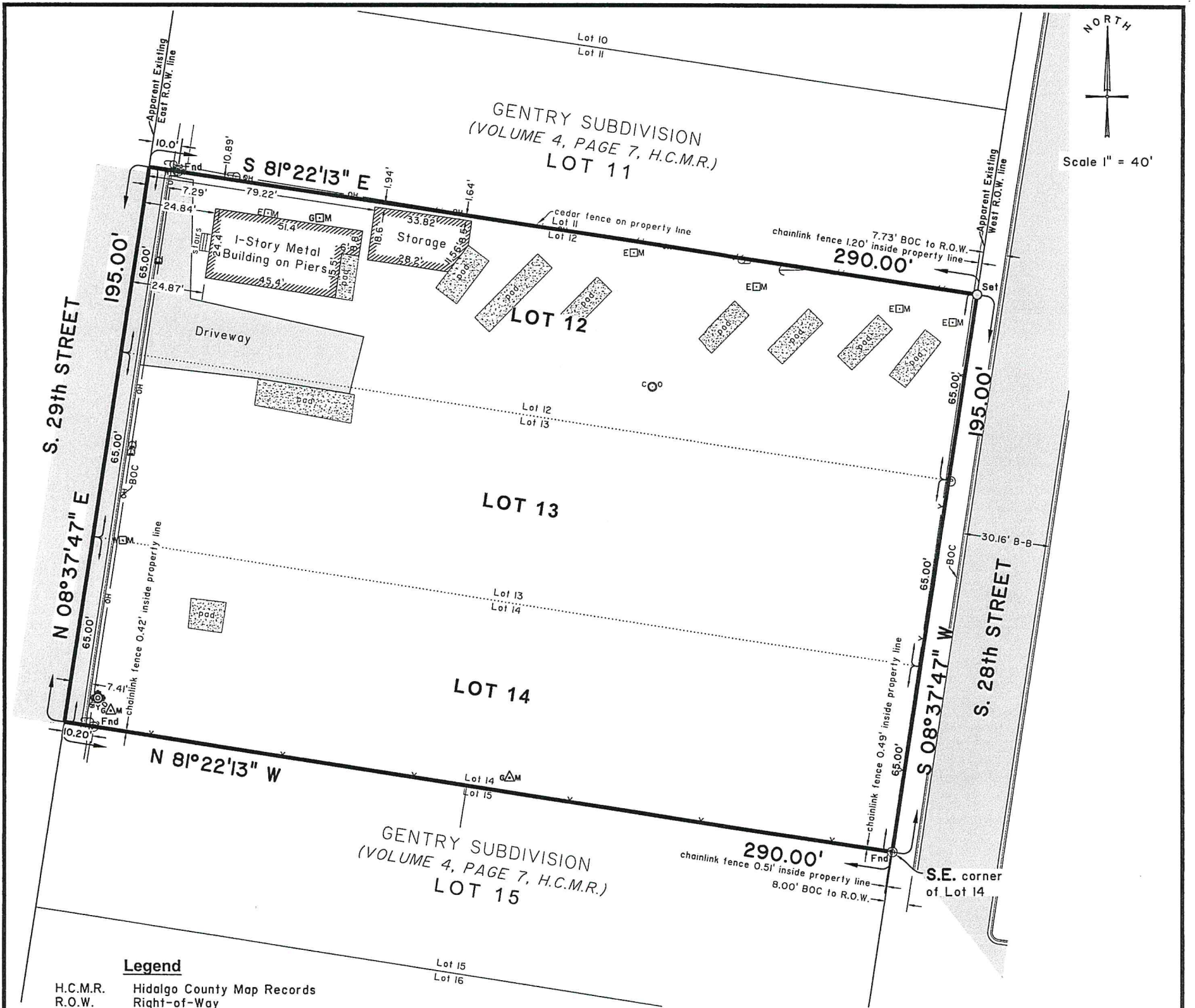
ANALYSIS: The requested zoning and proposed use conform to the future land use plan designation. Townhomes are considered appropriate for this area as they will be compatible with the existing single-family residences and create diversity in housing options. Moreover, since retail and personal services are available nearby, townhomes are encouraged in this area as a good transition between commercial and residential uses.

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

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—	Existing power pole
—	Existing down guy
⊙	Existing electric meter
⊙	Existing mailbox
⊙	Existing gas marker
⊙	Existing gas meter
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⊙	Existing water service
⊙	Existing water fire hydrant
■	Asphalt pavement
■	Concrete pavement

**SURVEY PLAT SHOWING
ALL OF LOTS 12 THRU 14,
GENTRY SUBDIVISION,
CITY OF McALLEN,
HIDALGO COUNTY, TEXAS,
VOLUME 4, PAGE 7, H.C.M.R.**

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 - This conveyance is made further subject to all rights, easements, contracts and liens in favor of the irrigation system under which such land is located.
 - Homero L. Gutierrez did not research or prepare a title report or abstract of title on the above property.
 - Building, zoning, platting and/or regulatory laws and/or ordinances at any municipal and/or other governmental authority will apply.
 - The existence, if any underground gas lines or other underground utilities not shown on this survey should be thoroughly investigated by the owner prior to any construction on this site. The Surveyor has limited his investigation of underground utilities on this site to that which can be seen.
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 - Flood Zone "C" - Areas of minimal flooding. (No shading)
- Community Panel No. 480343 0005C
Map Revised: November 2, 1982

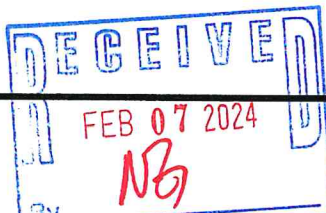
I, Homero L. Gutierrez, a registered professional land surveyor in the State of Texas, hereby state that this survey is true and was correctly made on the ground on 01/09/2024 under my direction, that the existing improvements on the ground are as shown, and that there are no visible encroachments, protrusions, apparent conflicts and visible easements, except as shown hereon.



Homero Luis Gutierrez
Homero Luis Gutierrez, RPLS No. 2791
Date: 01/11/2024

HOMERO L. GUTIERREZ
P.O. Box 548
McAllen, Texas 78505
(956) 369-0988

DATE: 01/11/2024 JOB No.: HLG24-001





109



NOTICE
REZONING
FOR
THIS PROPERTY
REZ 2024-0012





City of McAllen

Planning Department

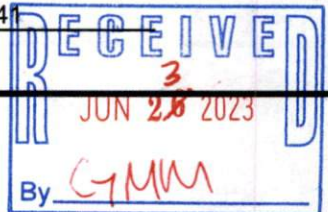
311 NORTH 15TH STREET • (956) 681-1250 • (956) 681-1279 (fax)

SUBDIVISION PLAT REVIEW APPLICATION

SUB2023-0062

Project Information	VACATING RECREATIONAL AREA OF MONTE CRISTO SUBDIVISION TO THE	
	Subdivision Name <u>REPLAT OF RECREATIONAL AREA OF MONTE CRISTO LOT 1A SUBDIVISION</u>	
	Location <u>North Side of Vivian Street and south side of Jeniffer's Drive</u>	
	City Address or Block Number <u>4308 VIVIAN ST.</u>	
	Number of Lots <u>2</u>	Gross Acres <u>0.657</u> Net Acres <u>0.657</u> ETJ <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Existing Zoning <u>ETJ</u> Proposed Zoning <u>ETJ</u> Rezoning Applied for <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date <u>06.23.2023</u>	
	Existing Land Use <u>Vacant</u> Proposed Land Use <u>Residential</u> Irrigation District # <u>United</u>	
	Replat <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Commercial <input type="checkbox"/> Residential <u>2</u>	
	Agricultural Exemption <input type="checkbox"/> Yes <input type="checkbox"/> No Estimated Rollback Tax Due <u>DOES NOT BELONG TO MCALLEN</u>	
	Parcel # <u>242362</u> Tax Dept. Review <u>DOES NOT APPLY</u>	
Water CCN <input type="checkbox"/> MPU <input checked="" type="checkbox"/> Sharyland Water SC Other _____		
Legal Description <u>Being a 0.657 acre tract of land out of the recreational area, Monte Cristo Subdivision as recoded in Volme 23, Page 195A, Hidalgo County Map Records, City of McAllen, Hidalgo County, Texas</u>		
Owner	Name <u>Jose L Palacios</u>	Phone <u>(956) 381-0981</u>
	Address <u>13301 North Ware Road</u>	E-mail <u>c/o cesar@meldenandhunt.com</u>
	City <u>Edinburg</u>	State <u>Texas</u> Zip <u>78541</u>
Developer	Name <u>Jose L Palacios</u>	Phone <u>(956) 287-2800</u>
	Address <u>13301 North Ware Road</u>	E-mail <u>c/o cesar@meldenandhunt.com</u>
	City <u>Edinburg</u>	State <u>Texas</u> Zip <u>78541</u>
	Contact Person <u>Cesar Pedraza</u>	
Engineer	Name <u>Melden & Hunt, Inc.</u>	Phone <u>(956) 381-0981</u>
	Address <u>115 West McIntyre Street</u>	E-mail <u>mario@meldenandhunt.com or drobles@meldenandhunt.com</u>
	City <u>Edinburg</u>	State <u>Texas</u> Zip <u>78541</u>
	Contact Person <u>Mario A. Reyna, P.E. or Della Robles</u>	
Surveyor	Name <u>Melden & Hunt, Inc.</u>	Phone <u>(956) 381-0981</u>
	Address <u>115 West McIntyre Street</u>	E-mail <u>robert@meldenandhunt.com</u>
	City <u>Edinburg</u>	State <u>Texas</u> Zip <u>78541</u>

KF



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 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.

Minimum Developer's Requirements Submitted with Application

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 06.23.2023

Print Name Mario A. Reyna, P.E.

Owner ☐

Authorized Agent ☒

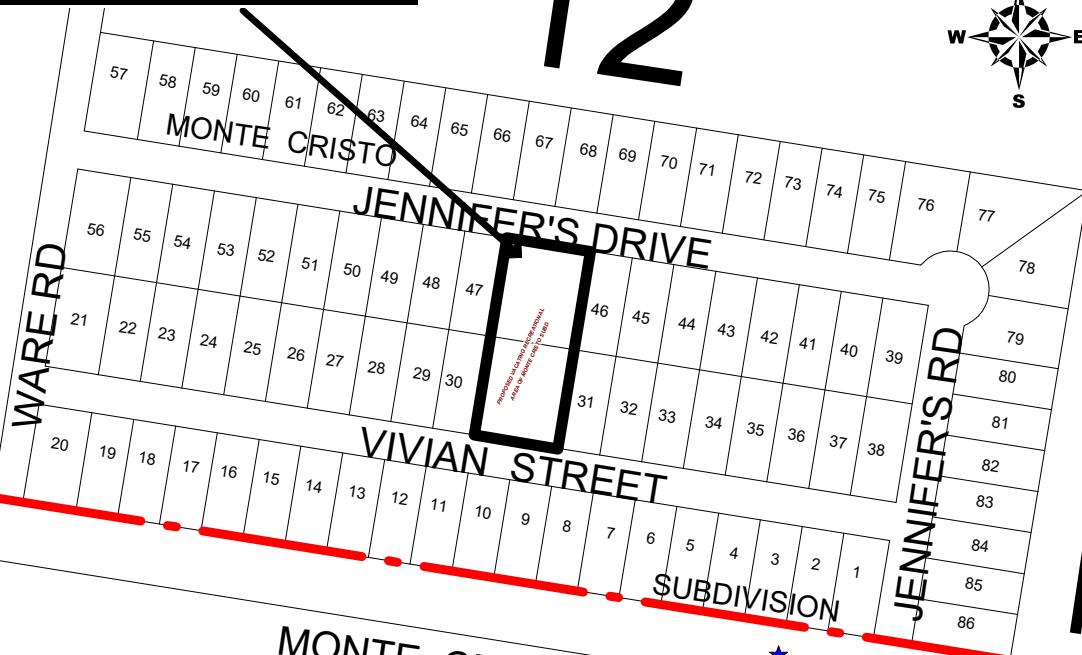
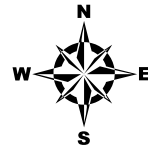
4

MARGARITA
LOT 1
SUBDIVISION

LISA CRISTINA
LOT 1
SUBDIVISION

LOCATION

12



MON

WARE RD



City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 2/14/2024

SUBDIVISION NAME: VACATING RECREATIONAL AREA OF MONTE CRISTO SUBDIVISION AND REPLAT TO MONTE CRISTO LOT 1A SUBDIVISION

REQUIREMENTS

STREETS AND RIGHT-OF-WAYS

Vivian Street: 50 ft. ROW
Paving: 32 ft. Curb & gutter: Both sides
**Subdivision Ordinance: Section 134-105
**Monies must be escrowed if improvements are required prior to recording
**COM Thoroughfare Plan

Applied

Jennifer's Drive: 50 ft. ROW
Paving: 32 ft. Curb & gutter: Both sides
**Subdivision Ordinance: Section 134-105
**Monies must be escrowed if improvements are required prior to recording
**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

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 (Jennifer's Drive): 25 ft. or in line with existing structures or easements, whichever is greater
- Revise the plat note as shown above prior to final/recording.
- Proposing: Front: 25 ft. in line with existing structures or easements, whichever is greater (Jennifer's)
- Based on the proposed front setback note, it seems that Jennifer's Drive will be the front of the lot and Vivian Street will be the rear.
**Zoning Ordinance: Section 138-356

Required

* Rear (Vivian Street): 15 ft. or greater for easements
- Revise the plat note as shown above prior to final/recording.
- Based on the proposed front setback note, it seems that Jennifer's Drive will be the front of the lot and Vivian Street will be the rear.
**Zoning Ordinance: Section 138-356

Required

* Sides: 6 ft. or greater for easements
**Zoning Ordinance: Section 138-356

Applied

* Corner	NA
**Zoning Ordinance: Section 138-356	
* Garage: 18 ft. except where greater setback is required, greater setback applies	Applied
**Zoning Ordinance: Section 138-356	
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
SIDEWALKS	
* 4 ft. wide minimum sidewalk required on Vivian Street and Jennifer's Drive. - Clarify/revise plat note #7 as shown above prior to final/recording. - Proposing: 4 ft. wide minimum sidewalk required on Vivian Street and Jennifer's Drive required by City of McAllen. **Subdivision Ordinance: Section 134-120	Applied
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Required
BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along Vivian Street. * Based on the proposed plat notes, Vivian Street is the rear side of the lot. **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
NOTES	
* No curb cut, access, or lot frontage permitted along Vivian Street. * Based on the proposed plat notes, Vivian Street is the rear side of the lot. **Must comply with City Access Management Policy	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.	NA
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	NA
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. **Section 110-72 applies if private subdivision is proposed. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168	NA
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. **HOA is required for more than 3 lots. **Section 110-72 applies if private subdivision is proposed. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168	NA
LOT REQUIREMENTS	
* Lots fronting public streets **Subdivision Ordinance: Section 134-1	Compliance
* Minimum lot width and lot area	Compliance

**Zoning Ordinance: Section 138-356	
ZONING/CUP	
* Existing: ETJ Proposed: ETJ ***Zoning Ordinance: Article V	Applied
* Rezoning Needed Before Final Approval ***Zoning Ordinance: Article V	NA
PARKS	
* Land dedication in lieu of fee. -Park fees do not apply for lots in ETJ unless they get annexed.	NA
* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. -Park fees do not apply for lots in ETJ unless they get annexed.	NA
* Pending review by the Parkland Dedication Advisory Board and CC. -Park fees do not apply for lots in ETJ unless they get annexed.	NA
TRAFFIC	
* As per Traffic Department, TG waived for 2-lot single family residential.	Applied
* Traffic Impact Analysis (TIA) required prior to final plat. -TG waived for one lot single family residential.	NA
COMMENTS	
Comments: - Revise the subdivision title name from "Subdivision Map of" to "Map of" prior to recording. - The submitted application proposes 2 lots but the plat shows Lot 1A only. Please clarify/revise the application prior to final/recording. - Remove "McAllen, Texas" from under the title of both vacate map and the replat prior to recording. - All signature blocks must comply with Section 134-61 of the subdivision ordinance prior to recording. If the County has its own requirements, the plat needs to show both signature blocks prior to recording. * A vacate and replat does not require a public hearing. * Must comply with City's Access Management Policy.	Required
RECOMMENDATION	
STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM, SUBJECT TO THE CONDITIONS NOTED.	Applied

LOCATION



WARE RD

JENNIFER'S DRIVE

VIVIAN STREET

JENNIFER'S RD

MONTE CRISTO RD

WARE RD

MARGARITA
LOT 1
SUBDIVISION

LISA CRISTINA
LOT 1
SUBDIVISION

MONTE CRISTO

SUBDIVISION

MONTE

12

4

07



RECREATIONAL
USE OF MONTE CRISTO SUBD



City of McAllen

Planning Department

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

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

KF

JUN 02 2023
 BY: Nm/Cw

Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

In Person Submittal Requirements

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

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

Owners Signature

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

Signature  Date 5/12/23

Print Name Omar Garcia

Owner ☒ Authorized Agent ☐

The Planning Department is now accepting DocuSign signatures on application

VAR2024-0008



City of McAllen

Planning Department

VARIANCE TO SUBDIVISION PROCESS APPLICATION

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

Project	<p>Legal Description <small>BEING A 24.54 ACRE TRACT OF LAND OUT OF LOT 417, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER MAP THEREOF RECORDED IN VOLUME 1, PAGE 17, AND 42 AND VOLUME 28, PAGE 150, MAP RECORDS, HIDALGO COUNTY, AND ALL OF LOT 1 OF MINERVA SUBDIVISION, AS PER MAP THEREOF RECORDED IN VOLUME 28, PAGE 150, MAP RECORDS, HIDALGO COUNTY</small> <u>Silverado Moon Subdivision</u></p> <p>Street Address <u>8300 N TAYLOR RD NO B</u></p> <p>Number of lots <u>121</u> Gross acres <u>24.54 ACRES</u></p> <p>Existing Zoning <u>R-1</u> Existing Land Use <u>VACANT</u></p> <p><input type="checkbox"/> Current Survey and Metes and Bounds (if the legal description of the tract is a portion of a lot) is required</p>
	Applicant
Owner	<p>Name <u>FORTIS LAND COMPANY LLC</u> Phone <u>(956) 682-4775</u></p> <p>Address <u>222 WEST UNIVERSITY DRIVE</u> E-mail <u>OMAR@OGBUILD.COM</u></p> <p>City <u>EDINBURG</u> State <u>TX</u> Zip <u>78539</u></p>
Authorization	<p>To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>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.</p> <p>Signature <u>[Signature]</u> Date <u>1/24/24</u></p> <p>Print Name <u>Omar Garcia</u> <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Authorized Agent</p>
Office	<p>*FOR OFFICE USE ONLY*</p> <p>APPLICATION FILING FEE: <input checked="" type="checkbox"/> \$250.00</p> <p>Accepted by <u>[Signature]</u> Payment received by <u>[Signature]</u> Date <u>1/26/24</u></p> <p>Rev 06/21</p> <div data-bbox="1166 1667 1479 1877" style="border: 2px solid blue; padding: 5px; text-align: center;"> <p>RECEIVED</p> <p>JAN 26 2024</p> <p>AF</p> </div>

City of McAllen

Planning Department

REASON FOR APPEAL

VARIANCE

- 1) FRONT SETBACK
FOR LOTS ~~1, 2~~, 3, 4, 5, 38, 39, 40, 6
71, 72, 73, 117, 118, 119, ~~120, 121~~ REDUCE TO 15 FEET.
- 2) SIDE SETBACK FOR ALL LOTS
REDUCE TO 5 FEET
- 3) FRONT SETBACK
FOR LOTS 6, 115, 116, 19, 20, 21, 36, 37,
74, 75 REDUCE TO 20 FEET

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.

WE ARE REQUESTING TO REDUCE THE FRONT SETBACK (FOR LOTS ~~1, 2~~, 3, 4, 5, 38, 39, 40, 71, 72, 73, 117, 118, 119, ~~120, 121~~) TO 15 FEET, REDUCE THE FRONT SETBACK (FOR LOTS 6, 115, 116, 19, 20, 21, 36, 37, 74, 75) TO 20 FEET AND SIDE SETBACKS (FOR ALL LOTS) TO 5 FEET, TO BE ABLE TO HAVE MORE BUILDABLE AREA FOR THE HOUSES.

ISG 2/27/24

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

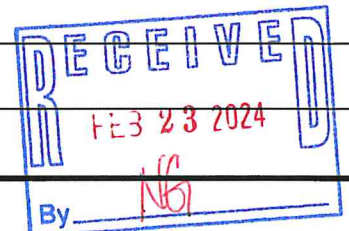
THE VARIANCE IS NECESSARY SINCE WE HAVE SHARYLAND WATER SUPPLY AND UNITED IRRIGATION DISTRICT EASEMENTS ON THE REAR SIDE OF THE LOTS ALONG MILE 5 ROAD, AND A SHARYLAND WATER SUPPLY EASEMENT ALONG TAYLOR ROAD. LOTS ON CUL-DE-SACS DON'T HAVE ENOUGH BUILDABLE AREAS.

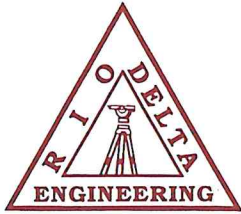
3. Describe how the variance will not be detrimental to the public health, safety or welfare or injurious to the legal rights other property owners enjoy in the area.

WILL NOT AFFECT ANY ADJOINING PROPERTY

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

THE VARIANCE IS NECESSARY SINCE WE HAVE SHARYLAND WATER SUPPLY AND UNITED IRRIGATION DISTRICT EASEMENTS ON THE REAR SIDE OF THE LOTS ALONG MILE 5 ROAD, AND A SHARYLAND WATER SUPPLY EASEMENT ALONG TAYLOR ROAD. LOTS ON CUL-DE-SACS DON'T HAVE ENOUGH BUILDABLE AREAS.





RIO DELTA ENGINEERING
CIVIL ENGINEERING • PROJECT MANAGEMENT • LAND DEVELOPMENT
TEXAS REGISTERED ENGINEERING FIRM F-7628
TEXAS LICENSED SURVEYING FIRM #10194027

February 23, 2024
Planning and Zoning Commission
City of McAllen
1300 Houston Ave.
McAllen, TX 78501

Re: Silverado Moon Subdivision, City requirements:

- 1) For side setback of 6 feet for R-1. (For all lots)
- 2) For front setback of 25 feet for R-1. Only for cul-de-sac and irregular lots
(For lots 3, 4, 5, 6, 19, 20, 21, 36, 37, 38, 39, 40, 71, 72, 73,
74, 75, 115, 116, 117, 118, 119,)

IC 2/27/24

Dear Sirs,

On behalf of Omar Felipe Garcia, registered agent of the subdivision to be named "Silverado Moon Subdivision", we are requesting a variance to reduce the side setback to 5 feet (for all lots), front setback to 15 feet only for lots 6, 3, 4, 5, 38, 39, 40, 71, 72, 73, 117, 118, 119, and front setback to 20 feet only for lots 115, 116, 19, 20, 21, 36, 37, 74, 75.

"Silverado Moon Subdivision" is a proposed 121 lots single family residential private development described as follows: BEING A 24.54 ACRE TRACT OF LAND OUT OF LOT 417, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER MAP THEREOF RECORDED IN VOLUME 1, PAGE 17, AND 42 AND VOLUME 28, PAGE 150, MAP RECORDS, HIDALGO COUNTY, AND ALL OF LOT 1 OF MINERVA SUBDIVISION, AS PER MAP THEREOF RECORDED IN VOLUME 28, PAGE 150, MAP RECORDS, HIDALGO COUNTY.

This subdivision is located approx. 650 feet east of the intersection of Mile 5 N. Road and N. Taylor Road. This property is within the City of McAllen's corporate limits and is zoned R-1 Single Family Residential. The proposed subdivision layout was developed centered on the limitations of the lot dimensions and configuration; and designed to comply with minimum City of McAllen subdivision ordinance standards.

1) Variance to reduce side setback to 5 feet (for all lots), front setback to 15 feet only for lots 6, 3, 4, 5, 38, 39, 40, 71, 72, 73, 117, 118, 119, and front setback to 20 feet only for lots 115, 116, 19, 20, 21, 36, 37, 74, 75.

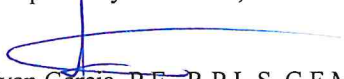
The reason why I am requesting this variance is because the developer would like to increase the buildable lot areas by:

- 1) Reducing the side lot setback from 6 feet to 5 feet (for all lots).
- 2) Reducing the front lot setbacks from 25 feet to 15 feet only for lots 6, 3, 4, 5, 38, 39, 40, 71, 72, 73, 117, 118, 119,
- 3) Reducing the front lot setbacks from 25 feet to 20 feet only for lots 115, 116, 19, 20, 21, 36, 37, 74, 75.

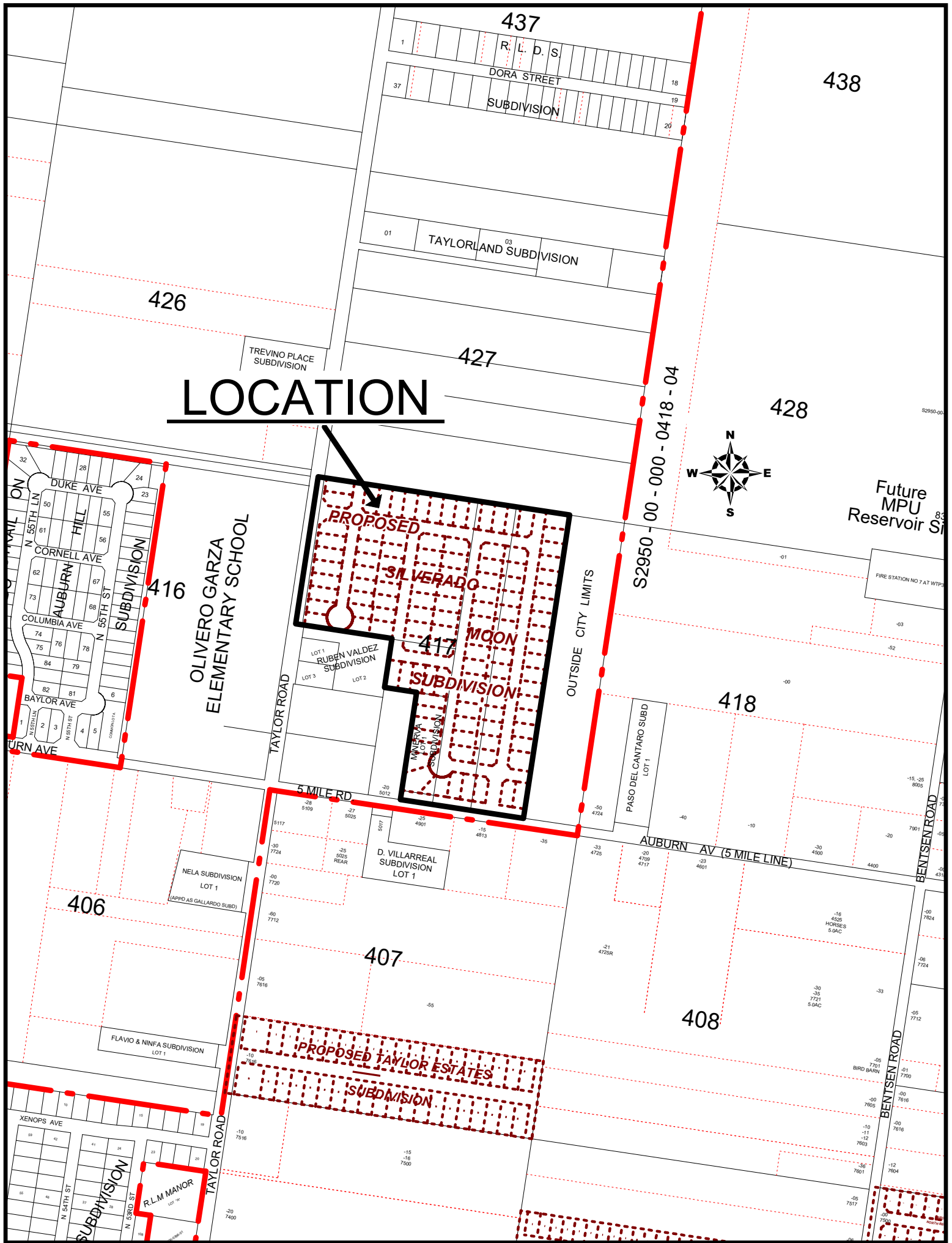
This will allow for better site planning and will be in line with the developer's proposed home size and configuration as shown on the attached exhibit, similar to "Silverado Trail on Auburn Hill", a subdivision located on the west side of Taylor Rd., within the City of McAllen corporate limits, as per the recorded plat (Instrument #3032879, M.R.H.C.).

The proposed site plan complies with all other City of McAllen development and construction requirements. Your consideration of this request is greatly appreciated.

Respectfully submitted,


Ivan Garcia, P.E., R.P.L.S., C.F.M.
Agent

LOCATION



SILVERADO MOON SUBDIVISION

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

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

MARIA DEL CARMEN FERNANDEZ SANCHEZ
0.760 ACRES
LOT 416
JOHN H. SHARY SUBDIVISION
VOL. 1, PG. 17 M.R.H.C.
DOC# 2948102, D.R.H.C.

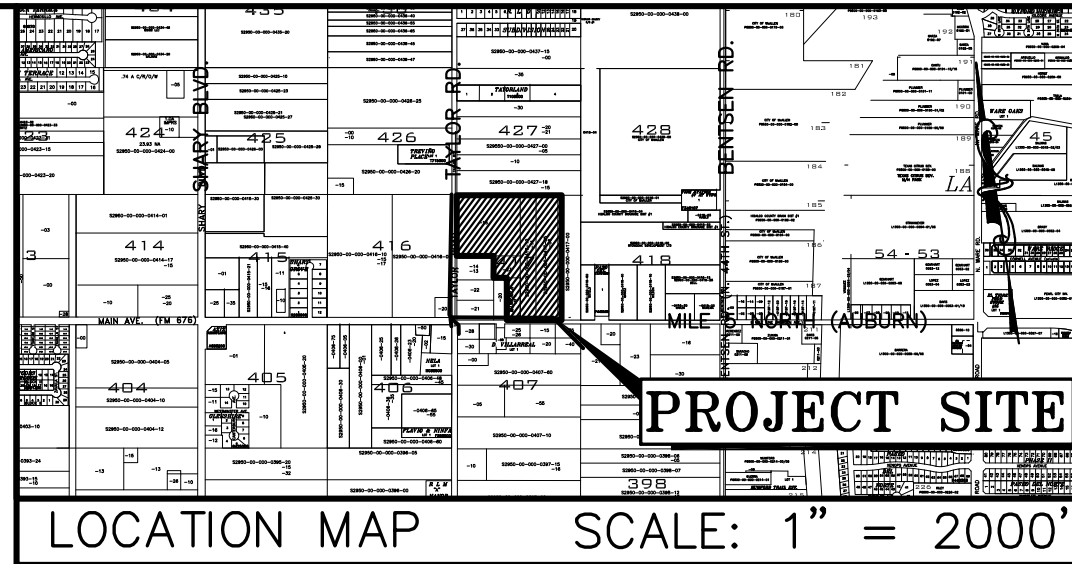
(PRIVATE SUBDIVISION)

SHARYLAND I.S.D. 16.50 ACRES
LOT 416
JOHN H. SHARY SUBDIVISION
VOL. 1, PG. 17 M.R.H.C.
DOC# 301750, O.R.H.C.

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

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

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



METES AND BOUNDS DESCRIPTION

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

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

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

COMMENCING AT A 1/2-INCH IRON ROD FOUND AT THE SOUTHWEST CORNER OF A CALLED 1.46 ACRES TRACT CONVEYED TO RGV PARTNERS, LLC, DESCRIBED IN DOCUMENT # 1978999 SAME BEING A POINT ON THE EXISTING NORTH RIGHT-OF-WAY OF MILE 5 N. ROAD (F.M. 676), OF HIDALGO COUNTY, TEXAS;

THENCE, N 81°26'33" W ALONG THE SOUTH BOUNDARY LINE OF SAID 1.46 ACRES TRACT DISTANCE OF 137.13 FEET TO A 1/2-INCH IRON ROD FOUND, FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT AND THE POINT OF BEGINNING;

THENCE, N 83°39' E ALONG THE EAST BOUNDARY LINE OF THE SAID 1.46 ACRES TRACT, A DISTANCE OF 461.00 FEET TO 1/2-INCH IRON ROD FOUND, FOR A CORNER OF THE HEREIN DESCRIBED TRACT;

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

THENCE, N 83°10' E ALONG THE EAST BOUNDARY LINE OF RUBEN VALDEZ SUBDIVISION, DOCUMENT #3153639, MAP RECORDS OF HIDALGO COUNTY, TEXAS, A DISTANCE OF 210.50 FEET TO A 1/2-INCH CAPPED IRON ROD SET, FOR A CORNER OF THE HEREIN DESCRIBED TRACT;

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

THENCE, N 83°10' E ALONG THE CENTERLINE OF TAYLOR ROAD, A DISTANCE OF 632.50 FEET TO A 1/2-INCH CAPPED IRON ROD SET, FOR THE NORTHWEST CORNER OF LOT 417 OF JOHN H. SHARY SUBDIVISION, FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, S 81°20'50" E ALONG THE NORTH BOUNDARY LINE OF THE SAID LOT 417, SAME BEING THE SOUTH BOUNDARY LINE OF LOT 427, JOHN H. SHARY SUBDIVISION, A DISTANCE OF 1081.61 FEET TO A 1/2-INCH IRON ROD SET, ON THE SOUTH BOUNDARY LINE OF A CALLED 6.67 ACRES TRACT CONVEYED TO RODNEY C. WOMACK AND SANDRA J. WOMACK, DESCRIBED IN DOCUMENT #445547, DEED RECORDS OF HIDALGO COUNTY, TEXAS, FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, N 83°10' E ALONG THE WEST BOUNDARY LINE OF A CALLED 7.24 ACRES TRACT CONVEYED TO SIVAD ENTERPRISE, INC., DESCRIBED IN DOCUMENT #272330, DEED RECORDS OF HIDALGO COUNTY, TEXAS, A DISTANCE OF 1304.00 FEET TO A 1/2-INCH IRON ROD SET, FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, N 81°20'50" E ACROSS THE SAID LOT 417, SAME BEING ALONG THE EXISTING NORTH RIGHT-OF-WAY OF MILE 5, A DISTANCE OF 529.71 FEET TO THE POINT AND PLACE OF BEGINNING, SAID TRACT CONTAINING 24.54 ACRES OF LAND, MORE OR LESS, OUT OF WHICH 0.48 ACRES LIES WITHIN THE RIGHT-OF-WAY OF MILE 5 N. ROAD (F.M. 676 EXIST. 60.00 FOOT R.O.W.), INCLUDING 0.531 ACRES LIES WITHIN THE RIGHT-OF-WAY OF TAYLOR ROAD (60.00 FOOT R.O.W.).

GENERAL PLAT NOTES:

- MINIMUM PERMISSIBLE FINISHED FLOOR ELEVATION SHALL BE 18" ABOVE TOP OF CURB IN FRONT OF THE CENTER-POINT OF THE LOT.
- THE CORNER PINS ALONG AUBURN AVE. (MILE 5 NORTH) FOR LOTS 84, 85, 86, 87, 88, 89, AND 90 ARE SET WITH AN OFF-SET OF 2 FT. INTO THE LOTS.
- THE CORNER PINS ALONG TAYLOR RD. FOR LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, AND 10 ARE SET WITH AN OFF-SET OF 2 FT. INTO THE LOTS.
- MINIMUM BUILDING SETBACKS SHALL BE AS FOLLOWS:

FRONT: 25 FT. OR GREATER FOR EASEMENTS.

REAR: 10 FT. OR GREATER FOR EASEMENTS.

INTERIOR SIDES: 6 FT. OR GREATER FOR EASEMENTS.

CORNER: 10 FT. OR GREATER FOR EASEMENTS.

GARAGE: 18 FT. EXCEPT WHERE GREATER SETBACK IS REQUIRED; GREATER SETBACK APPLIES.

- THE SUBDIVISION IS IN ZONE "X" (NON-SHADED), AREAS DETERMINED OF MINIMAL FLOODING. (NO SHADING) MAP COMMUNITY PANELS NO.: 480334 0295 D MAP REVISED: JUNE 6, 2000.

4. DRAINAGE DETENTION OF 144,901 OF OR 3,326 ACRE FEET IS REQUIRED FOR THIS SUBDIVISION. CURRENT RUNOFF WILL BE DETAINED IN THE EXISTING HIDALGO COUNTY DRAINAGE DISTRICT NO.1 MISSION-MALLEN LATERAIN DRAIN DITCH.

5. ENGINEERED DRAINAGE DETENTION PLAN, APPROVED BY THE ENGINEERING DEPARTMENT, PRIOR TO ISSUANCE OF BUILDING PERMIT. GRADING MUST COMPLY WITH MASTER PLAN.

6. EASEMENTS SHALL BE KEPT CLEAR OF FENCES, BUILDINGS, SHEDS, SHRUBS, TREES, AND OTHER PLANTINGS (EXCEPT LOW, GROUND COVER, GRASS OR FLOWERS) AND OTHER OBSTRUCTIONS TO THE OPERATIONS AND MAINTENANCE OF THE EASEMENT.

7. THE CITY OF McALLEN TO HAVE A 25'X25' SIDE OBSTRUCTION EASEMENT AT STREET INTERSECTIONS MEASURED FROM STREET CURB INTERSECTION.

8. 4 FT. WIDE MINIMUM SIDEWALK REQUIRED ALONG AUBURN AVENUE (5 MILE LINE ROAD), NORTH TAYLOR ROAD, AND BOTH SIDES OF ALL INTERIOR STREETS.

9. NO CURB CUT, ACCESS, OR LOT FRONTAGE PERMITTED ALONG AUBURN AVENUE (5 MILE LINE ROAD) AND NORTH TAYLOR ROAD.

10. CITY OF McALLEN BENCHMARK (M47) A 30" ALUMINUM PIPE WITH A 3/4" BRASS MONUMENT CAP ON TOP. LOCATED APPROXIMATELY 29 FEET EAST FROM NORTH TAYLOR ROAD AND 650 FEET NORTH OF MILE 5. NORTHING: 1061100.60350 EASTING: 16628009.54221 ELEV.=140.02

11. 6 FT. OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, AND INDUSTRIAL ZONES/USES AND ALONG AUBURN AVE. (5 MILE LINE ROAD) AND NORTH TAYLOR ROAD.

12. 8 FT. MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONES/USES.

13. ALL UTILITY AND DRAINAGE EASEMENTS TO BE DEDICATED BY THIS PLAT, UNLESS STATED OTHERWISE.

14. ALL IRRIGATION EASEMENTS ARE EXCLUSIVE TO UNITED IRRIGATION DISTRICT, AND THE DISTRICT ALLOWS NO OTHER UTILITIES OR OUTSIDE USE WITHOUT ITS EXPRESS WRITTEN APPROVAL.

15. THIS SUBDIVISION IS SUBJECT TO A BLANKET EASEMENT RESERVATION IN FAVOR OF UNITED IRRIGATION DISTRICT AS SET FORTH IN DEED DATED SEPTEMBER 22, 1920, RECORDED IN DOCUMENT #1140166, OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS.

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

17. 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.

18. 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.

19. 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.

20. AS PER DECLARATIONS OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR SILVERADO MOON SUBDIVISION, RECORDED AS DOCUMENT NUMBER _____ HIDALGO COUNTY, DEED RECORDS, DEVELOPER/HOMEOWNER'S ASSOCIATION/OWNER, THEIR SUCCESSORS AND/OR ASSIGNEES, AND NOT THE CITY OF McALLEN SHALL BE RESPONSIBLE FOR THE INSTALLATION, MAINTENANCE AND OTHER REQUIREMENTS AS PER SECTION 134-168 OF THE CODE OF ORDINANCES OF THE CITY OF McALLEN, INCLUDING BUT NOT LIMITED TO COMMON AREAS AND PRIVATE STREETS. ANY AMENDMENT TO DECLARATIONS THAT CONFLICT WITH THE REQUIREMENTS OF SECTION 134-168 OF THE SUBDIVISION ORDINANCE SHALL BE NULL AND VOID.

21. COMMON LOT A, IDENTIFIED AS A DETENTION AREA SHALL BE MAINTAINED BY THE DEVELOPER, WHO MAY TRANSFER SUCH MAINTENANCE OBLIGATION TO THE SUBDIVISION HOMEOWNER'S ASSOCIATION, SILVERADO MOON HOMEOWNER'S ASSOCIATION, UPON CONVEYANCE OF TITLE TO THE SAME, THEIR SUCCESSORS AND ASSIGNS, AND NOT BY THE CITY OF McALLEN, NO BUILDINGS OR OTHER STRUCTURES SHALL BE ERRECTED IN COMMON LOT A, WHICH SHALL BE USED EXCLUSIVELY AS A DETENTION AREA, AFTER COMMON LOT A'S TRANSFER OF TITLE TO THE SILVERADO TRAIL ON AUBURN HILL HOMEOWNER'S ASSOCIATION THE SUBDIVISION LOT OWNER'S PRO RATA SHARES OF THE COST OF MAINTENANCE SHALL BE DETERMINED BY THE SILVERADO MOON HOMEOWNER'S ASSOCIATION, THE CITY OF McALLEN, BUT SHALL NOT BE REQUIRED TO MAINTAIN THE SAME AT THE LOT OWNER'S COST, WHICH COST MAY BECOME A LIEN AGAINST THEIR PROPERTIES. PRIOR TO THE IMPOSITION OF ANY LIEN, THE CITY SHALL FIRST COMPLY WITH NOTICE REQUIREMENTS SIMILAR TO THOSE UNDER EXISTING ORDINANCE SECTION 134-168(d), 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.

OWNER'S ACKNOWLEDGMENT

STATE OF TEXAS
COUNTY OF HIDALGO

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

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

STATE OF TEXAS

COUNTY OF HIDALGO

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

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

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

SHARYLAND WATER SUPPLY CORPORATION

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

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

CARLOS LIMA DATE
GENERAL MANAGER
SHARYLAND WATER SUPPLY CORPORATION

PRINCIPAL CONTACTS:

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

LIENHOLDER'S ACKNOWLEDGMENT

STATE OF TEXAS
COUNTY OF HIDALGO

I (WE), THE UNDERSIGNED, HOLDER(S) (OR DULY AUTHORIZED OFFICERS OF THE HOLDER(S) OF A SECURITY INTEREST IN THE ABOVE DESCRIBED PROPERTY, BEING THE LAND SHOWN ON THIS PLAT AND THE DESIGNATED HEREIN AS THE SILVERADO MOON 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 PROVIDE THAT ANY FORECLOSURE RELATING TO THE SECURITY INTEREST IN THE ABOVE DESCRIBED PROPERTY SHALL BE SUBJECT TO THE PLATTING OF THE PROPERTY AS PROVIDED FOR HEREIN.

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

STATE OF TEXAS

COUNTY OF HIDALGO

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

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

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

STATE OF TEXAS UNITED IRRIGATION DISTRICT

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

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

PRESIDENT SECRETARY

STATE OF TEXAS

COUNTY OF HIDALGO

MAYOR'S CERTIFICATE

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

CITY MAYOR DATE

STATE OF TEXAS

COUNTY OF HIDALGO

PLANNING AND ZONING COMMISSION CHAIR CERTIFICATE

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

PLANNING AND ZONING CHAIR DATE

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

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

BY: _____ DEPUTY

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 CERTIFICATE

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

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

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

STATE OF TEXAS - COUNTY OF HIDALGO

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

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

STATE OF TEXAS - COUNTY OF HIDALGO

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

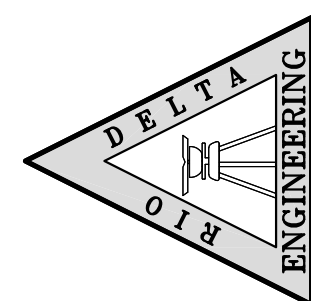
IVAN GARCIA P.E., R.P.L.S. DATE
REG. PROFESSIONAL LAND SURVEYOR No. 6469
SURVEY FIRM No. 10194027



RIO DELTA ENGINEERING

FIRM REGISTRATION No. F-7628
SURVEY FIRM No. 10194027

921 S. 10TH AVENUE EDINBURG, TEXAS 78539
(TEL) 956-380-5152 (FAX) 956-380-5083



ISSUED FOR:
FINAL

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

PROJECT: _____
ENGINEER: IVAN GARCIA P.E., R.P.L.S.
SURVEYOR: IVAN GARCIA P.E., R.P.L.S.

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

DRAWN: _____

SCALE: O.A./H.G./Y.V.

DATE: NOVEMBER 7, 2023

PROJECT: SUB 22 064

REVISIONS: _____

PAGE NO. _____

SHT 2

SILVERADO MOON SUBDIVISION

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

(PRIVATE SUBDIVISION)

SHARYLAND I.S.D. 16.50 ACRES

LOT 416

JOHN H. SHARY SUBDIVISION

VOL. 1, PG. 17, M.R.H.C.

DOC# 2948102, D.R.H.C.

LOT 417

JOHN H. SHARY SUBDIVISION

VOL. 1, PG. 17, M.R.H.C.

DOC# 361750, D.R.H.C.

LOT 418

JOHN H. SHARY SUBDIVISION

VOL. 1, PG. 17, M.R.H.C.

DOC# 361750, D.R.H.C.

LOT 419

JOHN H. SHARY SUBDIVISION

VOL. 1, PG. 17, M.R.H.C.

DOC# 361750, D.R.H.C.

LOT 420

JOHN H. SHARY SUBDIVISION

VOL. 1, PG. 17, M.R.H.C.

DOC# 361750, D.R.H.C.

LOT 421

JOHN H. SHARY SUBDIVISION

VOL. 1, PG. 17, M.R.H.C.

DOC# 361750, D.R.H.C.

LOT 422

JOHN H. SHARY SUBDIVISION

VOL. 1, PG. 17, M.R.H.C.

DOC# 361750, D.R.H.C.

LOT 423

JOHN H. SHARY SUBDIVISION

VOL. 1, PG. 17, M.R.H.C.

DOC# 361750, D.R.H.C.

LOT 424

JOHN H. SHARY SUBDIVISION

VOL. 1, PG. 17, M.R.H.C.

DOC# 361750, D.R.H.C.

LOT 425

JOHN H. SHARY SUBDIVISION

VOL. 1, PG. 17, M.R.H.C.

DOC# 361750, D.R.H.C.

LOT 426

JOHN H. SHARY SUBDIVISION

VOL. 1, PG. 17, M.R.H.C.

DOC# 361750, D.R.H.C.

LOT 427

JOHN H. SHARY SUBDIVISION

VOL. 1, PG. 17, M.R.H.C.

DOC# 361750, D.R.H.C.

LOT 428

JOHN H. SHARY SUBDIVISION

VOL. 1, PG. 17, M.R.H.C.

DOC# 361750, D.R.H.C.

LOT 429

JOHN H. SHARY SUBDIVISION

VOL. 1, PG. 17, M.R.H.C.

DOC# 361750, D.R.H.C.

LOT 430

JOHN H. SHARY SUBDIVISION

VOL. 1, PG. 17, M.R.H.C.

DOC# 361750, D.R.H.C.

LOT 431

JOHN H. SHARY SUBDIVISION

VOL. 1, PG. 17, M.R.H.C.

DOC# 361750, D.R.H.C.

LOT 432

JOHN H. SHARY SUBDIVISION

VOL. 1, PG. 17, M.R.H.C.

DOC# 361750, D.R.H.C.

LOT 433

JOHN H. SHARY SUBDIVISION

VOL. 1, PG. 17, M.R.H.C.

DOC# 361750, D.R.H.C.

LOT 434

JOHN H. SHARY SUBDIVISION

VOL. 1, PG. 17, M.R.H.C.

DOC# 361750, D.R.H.C.

LOT 435

JOHN H. SHARY SUBDIVISION

VOL. 1, PG. 17, M.R.H.C.

DOC# 361750, D.R.H.C.

LOT 436

JOHN H. SHARY SUBDIVISION

VOL. 1, PG. 17, M.R.H.C.

DOC# 361750, D.R.H.C.

LOT 437

JOHN H. SHARY SUBDIVISION

VOL. 1, PG. 17, M.R.H.C.

DOC# 361750, D.R.H.C.

LOT 438

JOHN H. SHARY SUBDIVISION

VOL. 1, PG. 17, M.R.H.C.

DOC# 361750, D.R.H.C.

LOT 439

JOHN H. SHARY SUBDIVISION

VOL. 1, PG. 17, M.R.H.C.

DOC# 361750, D.R.H.C.

LOT 440

JOHN H. SHARY SUBDIVISION

VOL. 1, PG. 17, M.R.H.C.

DOC# 361750, D.R.H.C.

LOT 441

JOHN H. SHARY SUBDIVISION

VOL. 1, PG. 17, M.R.H.C.

DOC# 361750, D.R.H.C.

LOT 442

JOHN H. SHARY SUBDIVISION

VOL. 1, PG. 17, M.R.H.C.

DOC# 361750, D.R.H.C.

LOT 443

JOHN H. SHARY SUBDIVISION

VOL. 1, PG. 17, M.R.H.C.

DOC# 361750, D.R.H.C.

LOT 444

JOHN H. SHARY SUBDIVISION

VOL. 1, PG. 17, M.R.H.C.

DOC# 361750, D.R.H.C.

SCALE 1" = 100'

BASIS OF BEARING

TEXAS STATE PLANE COORDINATES

NAD 83

TEXAS SOUTH ZONE (4205)

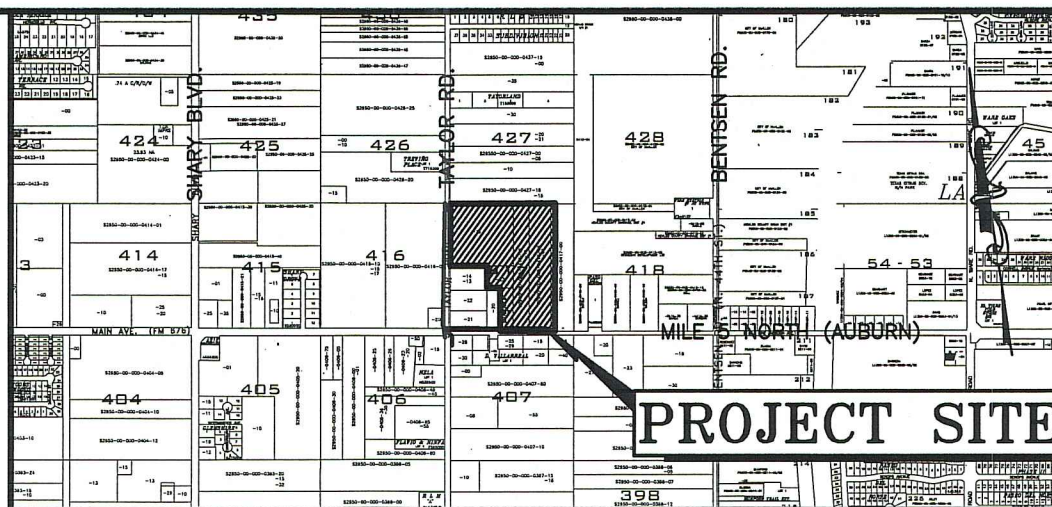
WESTERN DATA SYSTEMS NETWORK

LEGEND

- SET 1/2 INCH IRON ROD
- FOUND 1/2 INCH IRON ROD
- ▲ FOUND COTTON PICKER SPINDLE
- △ SET COTTON PICKER SPINDLE
- XXX NATURAL GROUND
- CALCULATED POINT
- CAPPED IRON ROD SET

ABBREVIATION LEGEND

R.O.W.	RIGHT-OF-WAY
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
S.W.C.	SOUTHWEST CORNER
F.T.	FARM-TO-MARKET
U.E.	UTILITY EASEMENT
U.E.	UNITED IRRIGATION DISTRICT
U.E.	U.E.



LOCATION MAP

SCALE: 1" = 2000'

METES AND BOUNDS DESCRIPTION

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

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

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

COMMENCING AT A 1/2-INCH IRON ROD FOUND AT THE SOUTHWEST CORNER OF A CALLED 1.46 ACRES TRACT CONVEYED TO RGV PARTNERS, LLC, DESCRIBED IN DOCUMENT # 1878999 SAME BEING A POINT ON THE EXISTING NORTH RIGHT-OF-WAY OF MILE 5 N. ROAD (F.M. 676), OF HIDALGO COUNTY, TEXAS;

THENCE, N 81°26'53" W ALONG THE SOUTH BOUNDARY LINE OF SAID 1.46 ACRE TRACT DISTANCE OF 137.13 FEET TO A 1/2-INCH IRON ROD FOUND, FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT; AND THE POINT OF BEGINNING;

THENCE, N 8°39'9" E ALONG THE EAST BOUNDARY LINE OF THE SAID 1.46 ACRE TRACT, A DISTANCE OF 461.00 FEET TO 1/2-INCH IRON ROD FOUND, FOR A CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, N 81°20'50" W ACROSS THE SAID LOT 417, SAME BEING ALONG THE NORTH BOUNDARY LINE OF THE SAID 1.46 ACRE TRACT TO A 1/2-INCH IRON ROD FOUND, A DISTANCE OF 137.69 FEET TO A 1/2-INCH CAPPED IRON ROD SET, FOR A CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, N 8°39'9" E ALONG THE EAST BOUNDARY LINE OF RUBEN VALDEZ SUBDIVISION, DOCUMENT #3153639, MAP RECORDS OF HIDALGO COUNTY, TEXAS, A DISTANCE OF 210.50 FEET TO A 1/2-INCH CAPPED IRON ROD SET, FOR A CORNER OF THE HEREIN DESCRIBED TRACT;

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

THENCE, N 8°39'9" E ALONG THE CENTERLINE OF TAYLOR ROAD, A DISTANCE OF 632.50 FEET TO A 1/2-INCH CAPPED IRON ROD SET, FOR THE NORTHWEST CORNER OF LOT 417 OF JOHN H. SHARY SUBDIVISION, FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, S 81°20'50" E ALONG THE NORTH BOUNDARY LINE OF THE SAID LOT 417, SAME BEING THE SOUTH BOUNDARY LINE OF LOT 427, JOHN H. SHARY SUBDIVISION, A DISTANCE OF 108.61 FEET TO A 1/2-INCH IRON ROD SET, ON THE SOUTH BOUNDARY LINE OF A CALLED 6.67 ACRE TRACT CONVEYED TO RODNEY C. WOMACK, DESCRIBED IN DOCUMENT #144547, DEED RECORDS OF HIDALGO COUNTY, TEXAS, FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, N 8°39'9" E ALONG THE WEST BOUNDARY LINE OF A CALLED 7.24 ACRES TRACT CONVEYED TO SIAD ENTERPRISE, INC., DESCRIBED IN DOCUMENT #1272322, DEED RECORDS OF HIDALGO COUNTY, TEXAS, A DISTANCE OF 1304.00 FEET TO A 1/2-INCH IRON ROD SET, FOR THE SOUTHEAST CORNER FOR THE HEREIN DESCRIBED TRACT;

THENCE, N 81°20'50" E ACROSS THE SAID LOT 417, SAME BEING ALONG THE EXISTING NORTH RIGHT-OF-WAY OF MILE 5, A DISTANCE OF 529.71 FEET TO THE POINT AND PLACE OF BEGINNING, SAID TRACT CONTAINING 24.54 ACRES OF LAND, MORE OR LESS, OUT OF WHICH 0.486 ACRES LIES WITHIN THE RIGHT-OF-WAY OF MILE 5 N. ROAD (F.M. 676 EXIST. 60.00 FOOT R.O.W.), INCLUDING 0.531 ACRES LIES WITHIN THE RIGHT-OF-WAY OF TAYLOR ROAD (60.00 FOOT R.O.W.).

GENERAL PLAT NOTES:

1. MINIMUM PERMISSIBLE FINISHED FLOOR ELEVATION SHALL BE 18" ABOVE TOP OF CURB IN FRONT OF THE CENTER-POINT OF THE LOT.
2. THE CORNER PINS ALONG AUBURN AVE. (MILE 5 NORTH) FOR LOTS 84, 85, 86, 87, 88, 89, AND 90 ARE SET WITH AN OFF-SET OF 2 FT. INTO THE LOTS.
3. THE CORNER PINS ALONG TAYLOR RD. FOR LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, AND 10 ARE SET WITH AN OFF-SET OF 2 FT. INTO THE LOTS.
4. MINIMUM BUILDING SETBACKS SHALL BE AS FOLLOWS:
 FRONT: 25 FT. OR GREATER FOR EASEMENTS.
 REAR: 10 FT. OR GREATER FOR EASEMENTS.
 INTERIOR SIDES: 6 FT. OR GREATER FOR EASEMENTS.
 CORNER: 10 FT. OR GREATER FOR EASEMENTS.
 GARAGE: 18 FT. EXCEPT WHERE GREATER SETBACK IS REQUIRED; GREATER SETBACK APPLIES.
5. THE SUBDIVISION IS IN ZONE "X" (NON-SHADED), AREAS DETERMINED OF MINIMAL FLOODING. (NO SHADING) MAP COMMUNITY PANELS NO.: 480334 0295 D MAP REVISED: JUNE 6, 2000.
6. DRAINAGE DETENTION OF 144,801 CF OR 3,326 ACREE FEET IS REQUIRED FOR THIS SUBDIVISION. CURRENT RUNOFF WILL BE DETERMINED IN THE EXISTING HIDALGO COUNTY DRAINAGE DISTRICT NO.1 MISSION-McALLEN LATERAN DRAIN DITCH.
7. ENGINEERED DRAINAGE DETENTION PLAN, APPROVED BY THE ENGINEERING DEPARTMENT, PRIOR TO ISSUANCE OF BUILDING PERMIT. GRADING MUST COMPLY WITH MASTER PLAN.
8. EASEMENTS SHALL BE KEPT CLEAR OF FENCES, BUILDINGS, SHEDS, SHRUBS, TREES, AND OTHER PLANTINGS (EXCEPT LOW GROUND COVER, GRASS OR FLOWERS) AND OTHER OBSTRUCTIONS TO THE OPERATIONS AND MAINTENANCE OF THE EASEMENT.
9. THE CITY OF McALLEN TO HAVE A 25'X25' SIDE OBSTRUCTION EASEMENT AT STREET INTERSECTIONS MEASURED FROM STREET CURB INTERSECTION.
10. 4 FT. WIDE MINIMUM SIDEWALK REQUIRED ALONG AUBURN AVENUE (5 MILE LINE ROAD), NORTH TAYLOR ROAD, AND BOTH SIDES OF ALL INTERIOR STREETS.
11. NO CURB CUT, ACCESS, OR LOT FRONTAGE PERMITTED ALONG AUBURN AVENUE (5 MILE LINE ROAD) AND NORTH TAYLOR ROAD.
12. CITY OF McALLEN BENCHMARK (M47) A 30" ALUMINUM PIPE WITH A 3/4" BRASS MONUMENT CAP ON TOP. LOCATED APPROXIMATELY 29 FEET EAST FROM NORTH TAYLOR ROAD AND 650 FEET NORTH OF MILE 5. NORTHING:1061100.60350 EASTING:16628009.54221 ELEV=140.02
13. 6 FT. OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL AND INDUSTRIAL ZONES/USES AND ALONG AUBURN AVE. (5 MILE LINE ROAD) AND NORTH TAYLOR ROAD.
14. 8 FT. MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, OR MULTI-FAMILY RESIDENTIAL ZONES/USES.
15. ALL UTILITY AND DRAINAGE EASEMENTS TO BE DEDICATED BY THIS PLAT, UNLESS STATED OTHERWISE.
16. ALL IRRIGATION EASEMENTS ARE EXCLUSIVE TO UNITED IRRIGATION DISTRICT, AND THE DISTRICT ALLOWS NO OTHER UTILITIES OR OUTSIDE USE WITHOUT ITS EXPRESS WRITTEN APPROVAL.
17. THIS SUBDIVISION IS SUBJECT TO A BLANKET EASEMENT RESERVATION IN FAVOR OF UNITED IRRIGATION DISTRICT AS SET FORTH IN DEED DATED SEPTEMBER 22, 1920, RECORDED IN DOCUMENT# 1140166, OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS.
18. NO UTILITY COMPANY, PUBLIC ENTITY, PARTY OR PERSON IS ALLOWED TO CROSS ABOVE OR BELOW GROUND ANY IRRIGATION DISTRICT EASEMENT OR RIGHT OF WAY WITHIN POLES, OPEN DITCHES OR OTHER USE WITHOUT FIRST OBTAINING A CROSSING PERMIT FROM UNITED IRRIGATION DISTRICT.
19. 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.
20. 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.
21. DEVELOPER/HOMEOWNER'S ASSOCIATION/OWNER, THEIR SUCCESSORS AND ASSIGNEES, AND NOT THE CITY OF McALLEN SHALL BE RESPONSIBLE FOR MAINTENANCE OF INSTALLATION AND OTHER REQUIREMENTS PER SECTION 134-168 OF THE SUBDIVISION ORDINANCE, INCLUDING BUT NOT LIMITED TO COMMON AREAS AND ITS PRIVATE STREETS.
22. AS PER DECLARATIONS OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR SILVERADO MOON SUBDIVISION, RECORDED AS DOCUMENT NUMBER 6496, HIDALGO COUNTY, DEED RECORDS, DEVELOPER/HOMEOWNER'S ASSOCIATION/OWNER, THEIR SUCCESSORS AND/OR ASSIGNEES, AND NOT THE CITY OF McALLEN, NO BUILDINGS OR OTHER STRUCTURES SHALL BE ERECTED IN COMMON LOT A, WHICH SHALL BE USED EXCLUSIVELY AS A DETENTION AREA. AFTER COMMON LOT A'S TRANSFER OF TITLE TO THE SILVERADO TRAIL ON AUBURN HILL HOMEOWNER'S ASSOCIATION THE SUBDIVISION LOT OWNER'S PRO RATA SHARES OF THE COST OF MAINTENANCE SHALL BE DETERMINED BY THE SILVERADO MOON HOMEOWNER'S ASSOCIATION. FAILING IN SUCH MAINTENANCE OBLIGATIONS, THE CITY OF McALLEN MAY, BUT SHALL NOT BE REQUIRED TO MAINTAIN THE SAME AT THE LOT OWNER'S COST, WHICH COST MAY BECOME A LIEN AGAINST THEIR PROPERTIES. PRIOR TO THE IMPOSITION OF ANY LIEN THE CITY SHALL FIRST COMPLY WITH NOTICE REQUIREMENTS SIMILAR TO THOSE UNDER EXISTING ORDINANCE SECTION 134-168(d), 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. 6496, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS.

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 CERTIFICATE

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

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

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

GENERAL MANAGER

STATE OF TEXAS - COUNTY OF HIDALGO

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

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

STATE OF TEXAS - COUNTY OF HIDALGO

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

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

BY: _____

DEPUTY

STATE OF TEXAS COUNTY OF HIDALGO MAYOR'S CERTIFICATE

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

CITY MAYOR DATE

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

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

PLANNING AND ZONING CHAIR DATE

LIENHOLDER'S ACKNOWLEDGMENT STATE OF TEXAS COUNTY OF HIDALGO

I (WE), THE UNDERSIGNED, HOLDER(S) (OR DULY AUTHORIZED OFFICERS OF THE HOLDER(S)) OF A SECURITY INTEREST IN THE ABOVE DESCRIBED PROPERTY, BEING THE LAND SHOWN ON THIS PLAT AND THE DESIGNATED HEREIN AS THE SILVERADO MOON 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 PROVIDE 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.

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



City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 2/29/2024

SUBDIVISION NAME: SILVERADO MOON SUBDIVISION	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
<p>North Taylor Road: Proposing 10 ft. of dedication for 40 ft. from centerline for 80 ft. total ROW Paving: 52 ft. Curb & gutter: both sides **Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan **Monies must be escrowed if improvements are not constructed prior to recording.</p>	Applied
<p>Auburn Avenue (5 Mile Line Road) : Proposing 40 ft. of dedication for 60 ft. from centerline for 120 ft. total ROW. Paving: 65 ft. Curb & gutter: Both sides Revision Needed: - Clarify 40 ft. existing on the south side of Auburn Avenue, any additional/ existing dedications must be referenced with document number on plat, finalize prior to recording. As per conversation with Engineer on September 15th,2023 to continue verifying existing dedications along the south ROW line of Auburn Avenue. Any adjustments to ROW will require review of ROW dedication requirements, and may require Planning and Zoning Commission action in the future, finalize prior to NTP/ recording. -Label ROW as" Total ROW "after accounting for dedication from center line, and Label ROW as" Total ROW "after accounting for dedication from existing ROW line across Auburn Avenue, prior to recording. -Ensure that all dimensions are legible, ex referenced 60.00',review and revise as applicable prior to recording. **Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan **Monies must be escrowed if improvements are not constructed prior to recording.</p>	Required
<p>Interior Street: Dedication as needed for 50 ft. total ROW. Paving: 32 ft. Curb & gutter: Both Sides Revisions Needed: -Street names will be established prior to recording finalize street name prior to recording/ Mylar printing. -Subdivision layout currently exhibits stub outs, clarify stub outs along lots 90 and 91 and lots 108 and 109, subdivision layout will have to be revised to provide for "Knuckle" design as dead end street are not permitted as this is a private subdivision, review and revise prior to final. As per plat submitted on July 19th,2023, subdivision provides for knuckle design. - As per plat submitted on June 2nd,2023 subdivision proposed to be private and for single family use, gate details are required. Gate details are under review and ROWs are subject to increase for gate areas, finalize prior to NTP/Recording.. **Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan **Monies must be escrowed if improvements are not constructed prior to recording.</p>	Required

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

<p>E/W Quarter Mile Collector (northern boundary):Dedication as needed for 60 ft. total ROW Paving: 40 ft. Curb & gutter: Both sides Pending Items: *Engineer submitted a variance application on July 7, 2023 in reference to the ROW dedication requirements for the E/W collector(1/4 Mile Collector) along the Northern Boundary the engineer has indicated that the street would not be able to extend east as there is an existing drain ditch and there are existing established developments to the north of this subdivision. After review of the ownership map submitted on July 12,2023, due to the developed properties to the north and existing canal to the west and collector alignment, the E/W collector street along the northern boundary is not feasible. **Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan **Monies must be escrowed if improvements are not constructed prior to recording.</p>	Applied
<p>N/S collector(Eastern Boundary,1/4 Mile Location): Dedication as needed for 60 ft. total R.O.W. Paving _40 ft._ Curb & gutter: Both Sides. *As per plat submitted on August 11th,2023, plat exhibits an additional acreage due to addition 40 ft. along eastern plat boundary. Street alignment and R.O.W being reviewed by staff and plat would need to be revised accordingly. After review of the submitted plans on August 25,2023, for the state drainage project from the engineer due to the developed properties to the north, collector alignment and state drainage project, the N/S collector street along the eastern boundary is not feasible. *Engineer must clarify status of remnant tract, due to addition 40 ft. along eastern plat boundary. As per conversation with Engineer on September 15th,2023 remnant of additional 40 ft. tract to be utilized by the state for a drainage project. ***Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan ***Monies must be escrowed if improvements are not constructed prior to recording.</p>	Applied
<p>* 1,200 ft. Block Length. *Subdivision layout does not comply with 1200 ft. block length requirement. Engineer submitted a variance application on August 1, 2023 ,requesting a variance to the 1200ft. Block Length requirement. Under the authority and review of the Planning Director the Variance request to the block length was approved administratively. **Subdivision Ordinance: Section 134-118</p>	Applied
<p>* 900 ft. Block Length for R-3 Zone Districts. **Subdivision Ordinance: Section 134-118</p>	NA
<p>* 600 ft. Maximum Cul-de-Sac Pending Items: ROW at "Cul-De Sac" areas may have to be increased to comply with Fire Department requirements, finalize prior to final. As per Fire Department requirements, 96 ft. of paving face-to face required, and 10 ft. of ROW back of curb around Cul-de-Sac required. As per conversation with Engineer on September 15th,2023, 10ft. U.E and Sidewalk easement proposed, engineer to continue to coordinating with corresponding departments to ensure compliance, finalize prior to NTP/ Recording. **Subdivision Ordinance: Section 134-105</p>	Required
ALLEYS	
<p>ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial and multi-family properties. **Subdivision Ordinance: Section 134-106</p>	NA

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

SETBACKS	
<p>* Front: 25 ft. or greater for easements. ***Zoning Ordinance: Section 138-356</p> <p>*The project engineer submitted a variance application (VAR2024-0008), on behalf of the developer, which includes the following request: 15 ft. front setback for Lots 3 to 5, 19 to 21, 37 to 40, 71 to 74, and 115 to 118. The letter submitted by the engineer indicates that the variance has been requested for irregular shaped lots fronting Cul-de-Sacs and knuckles to increase the buildable area of the lot. If the variance is approved, the garage setback will remain as 18 ft. or greater for easements.</p> <p>**At the Planning and Zoning Commission meeting of February 20, 2024, the Board considered the subdivision in revised final form and the variance request (VAR2024-0008) for 5 ft. side yard setback and 15 ft. front setback for Lots 3 to 5, 19 to 21, 37 to 40, 71 to 74, and 115 to 118. The Board asked staff for recommendation and staff recommended approval for 5 ft. side yard setback for all lots and recommended 20 ft. front setback instead of 15 ft. for the requested lots. The developer and a representative from the engineering firm were present and requested 15 ft. front setback. After further discussion, the Board unanimously tabled the item so that the developer can have further discussion with staff. On February 27, 2024, staff had a meeting with the project engineer and the developer, and the request was revised to the following:</p> <p>a. 15 ft. front setback for Lots 3 to 6, 38 to 40, 71 to 73, 117, and 118; and b. 20 ft. front setback for Lots 19 to 21, 36, 37, 74, 75, 115, and 116.</p>	Required
<p>* Rear: 10 ft. or greater for easements. ***Zoning Ordinance: Section 138-356</p>	Applied
<p>* Interior sides: 6 ft. or greater for easements. ***Zoning Ordinance: Section 138-356</p> <p>*The project engineer submitted a variance application (VAR2024-0008), on behalf of the developer, which includes the following request: 5 ft. side yard setback for all lots. The letter submitted by the engineer indicates that the variance has been requested to increase the buildable area of the lot. If the variance is approved, it will be subject to being 5 ft. or greater for easements.</p> <p>**At the Planning and Zoning Commission meeting of February 20, 2024, the Board considered the subdivision in revised final form and the variance request (VAR2024-0008) for 5 ft. side yard setback and 15 ft. front setback for Lots 3 to 5, 19 to 21, 37 to 40, 71 to 74, and 115 to 118. The Board asked staff for recommendation and staff recommended approval for 5 ft. side yard setback for all lots and recommended 20 ft. front setback instead of 15 ft. for the requested lots. The developer and a representative from the engineering firm were present and requested 15 ft. front setback. After further discussion, the Board unanimously tabled the item so that the developer can have further discussion with staff. On February 27, 2024, staff had a meeting with the project engineer and the developer, and the request was revised to the following:</p> <p>a. 15 ft. front setback for Lots 3 to 6, 38 to 40, 71 to 73, 117, and 118; and b. 20 ft. front setback for Lots 19 to 21, 36, 37, 74, 75, 115, and 116.</p>	Required
<p>* Corner: 10 ft. or greater for easements ***Zoning Ordinance: Section 138-356</p>	Applied
<p>* Garage: 18 ft. except where greater setback is required; greater setback applies. **Zoning Ordinance: Section 138-356</p>	Applied
<p>*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN</p>	Applied

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

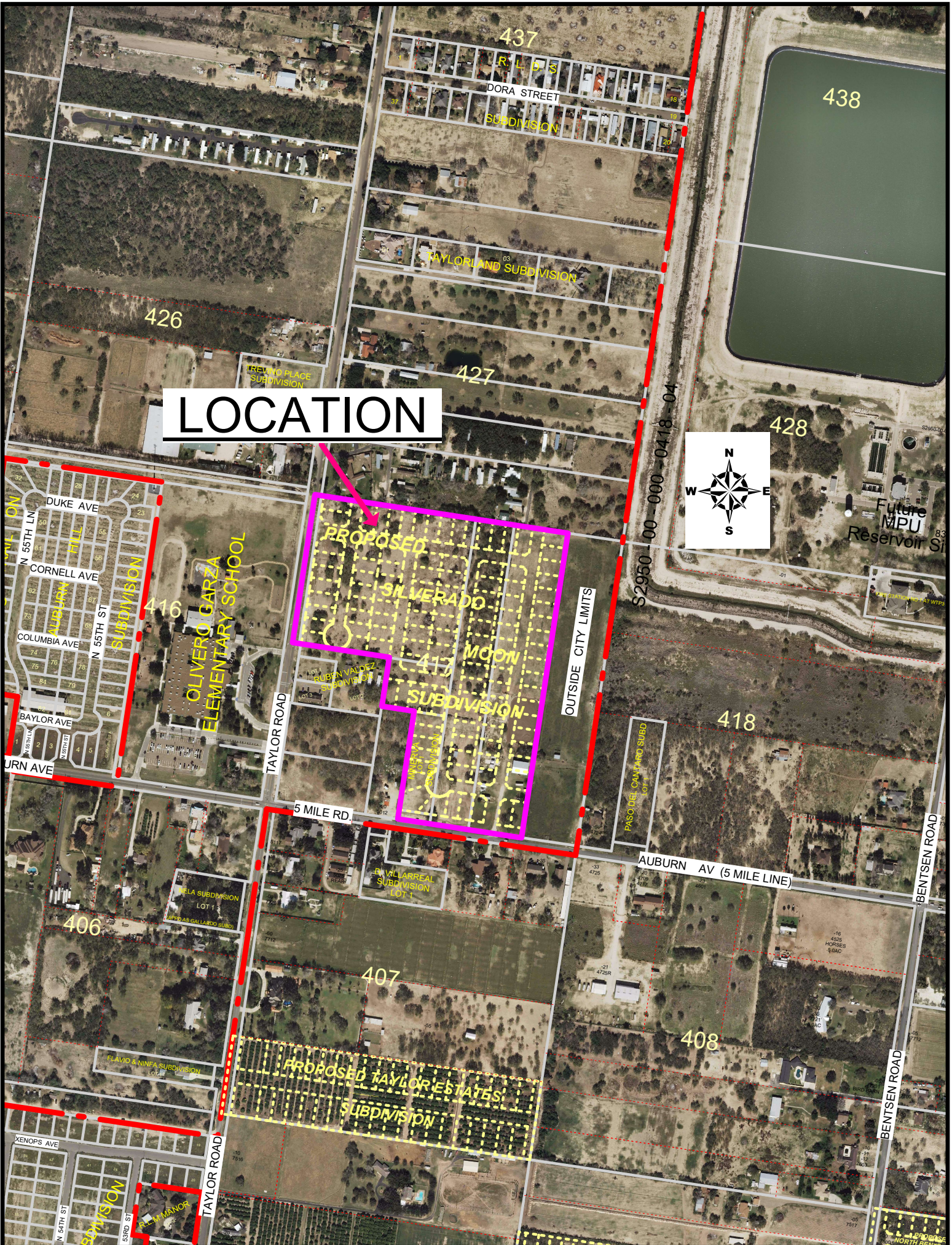
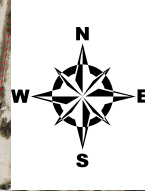
SIDEWALKS	
<ul style="list-style-type: none"> * 4 ft. wide minimum sidewalk required along Auburn Avenue (5 Mile Line Road), North Taylor Road, and both sides of all interior streets. **5 ft. sidewalk might be required by Engineering Dept., finalize note wording requirements, prior to recording. ****Subdivision Ordinance: Section 134-120 * Perimeter sidewalks must be built or money escrowed if not built at this time. 	Applied
	Required
BUFFERS	
<ul style="list-style-type: none"> * 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along Auburn Avenue (5 Mile Line Road) and North Taylor Road. **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. 	Applied
	Applied
	Required
NOTES	
<ul style="list-style-type: none"> * No curb cut, access, or lot frontage permitted along Auburn Avenue (5 Mile Line Road) and North Taylor Road. **Must comply with City Access Management Policy * 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. Revisions Needed: -Add note as shown above, prior to recording. * Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. * Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. **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 	Applied
	NA
	Required
	NA
	Applied
	Required
LOT REQUIREMENTS	
<ul style="list-style-type: none"> * Lots fronting public streets. **Private Subdivision proposed as per plat submitted on June 2nd, 2023. **Subdivision Ordinance: Section 134-1 	Compliance

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

* Minimum lot width and lot area. **Zoning Ordinance: Section 138-356	Compliance
ZONING/CUP	
* Existing: (Extraterritorial jurisdiction) Proposed:R-1 (single-family residential) District Pending Items: **Annexation scheduled for the City Commission meeting of October 9th, 2023. ***Initial Zoning to R-1 (single-family residential) District scheduled for the Planning and Zoning Commission meeting of September 19th,2023 and City Commission meeting of October 9th,2023. ****Zoning requirements must be finalized prior to recording. *****Zoning Ordinance: Article V	Required
* Rezoning Needed Before Recording. Pending Items: **Annexation scheduled for the City Commission meeting of October 9th, 2023. ***Initial Zoning to R-1 (single-family residential) District scheduled for the Planning and Zoning Commission meeting of September 19th,2023 and City Commission meeting of October 9th,2023. ****Zoning Ordinance: Article V	Required
PARKS	
* Land dedication in lieu of fee. As per Parks Department, based on proposed annexation and initial zoning scheduled for the City Commission meeting of October 9th, 2023, plat depicts 121 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. Parkland dedication requirements must be finalized prior to recording.	Required
* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, based on proposed annexation and initial zoning scheduled for the City Commission meeting of October 9th, 2023, plat depicts 121 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. Parkland dedication requirements must be finalized prior to recording.	Required
* Pending review by City Manager's Office. As per Parks Department, based on proposed annexation and initial zoning scheduled for the City Commission meeting of October 9th, 2023, plat depicts 121 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. Parkland dedication requirements must be finalized prior to recording.	Required
TRAFFIC	
* As per Traffic Department, Trip Generation approved, TIA Level I triggered.	Completed
* As per Traffic Department, Trip Generation approved, TIA Level I triggered. TIA Waiver granted with conditions, must comply with conditions as noted in TIA Waiver Letter.	Required

COMMENTS	
<p>Comments:</p> <ul style="list-style-type: none"> - Must comply with City's Access Management Policy. - Any abandonments must be done by separate process, not by plat. -Annexation scheduled for the City Commission meeting of October 9th, 2023.Initial Zoning to R-1 (single-family residential) District scheduled for the Planning and Zoning Commission meeting of September 19th,2023 and City Commission meeting of October 9th,2023. Zoning requirements must be finalized prior to recording. - At the Planning and Zoning Commission meeting of August 8th,2023, the subdivision was approved in Revised Preliminary Form subject to conditions noted. - As per plat submitted on August 11th,2023, plat exhibits an additional acreage due to addition 40 ft. along eastern plat boundary. At the Planning and Zoning Commission meeting of August 22nd,2023, the subdivision was approved in Revised Preliminary Form subject to conditions noted in the Planning Review. - Engineer must clarify status of remnant tract, due to addition 40 ft. along eastern plat boundary. As per conversation with Engineer on September 15th,2023 remnant of additional 40 ft. tract to be utilized by the state for a drainage project. -Clarify solid line running through lots 20-38 any easements must be labeled, finalize prior to recording. <p>*The project engineer submitted a variance application (VAR2024-0008), on behalf of the developer, which includes the following requests:</p> <ol style="list-style-type: none"> 1. 15 ft. front setback for Lots 3 to 5, 19 to 21, 37 to 40, 71 to 74, and 115 to 118. The letter submitted by the engineer indicates that the variance has been requested for irregular shaped lots fronting Cul-de-Sacs and knuckles to increase the buildable area of the lot. If the variance is approved, the garage setback will remain as 18 ft. or greater for easements. 2. 5 ft. side yard setback for all lots. The letter submitted by the engineer indicates that the variance has been requested to increase the buildable area of the lot. If the variance is approved, it will be subject to being 5 ft. or greater for easements. <p>**At the Planning and Zoning Commission meeting of February 20, 2024, the Board considered the subdivision in revised final form and the variance request (VAR2024-0008) for 5 ft. side yard setback and 15 ft. front setback for Lots 3 to 5, 19 to 21, 37 to 40, 71 to 74, and 115 to 118. The Board asked staff for recommendation and staff recommended approval for 5 ft. side yard setback for all lots and recommended 20 ft. front setback instead of 15 ft. for the requested lots. The developer and a representative from the engineering firm were present and requested 15 ft. front setback. After further discussion, the Board unanimously tabled the item so that the developer can have further discussion with staff. On February 27, 2024, staff had a meeting with the project engineer and the developer, and the request was revised to the following:</p> <ol style="list-style-type: none"> a. 15 ft. front setback for Lots 3 to 6, 38 to 40, 71 to 73,117, and 118; and b. 20 ft. front setback for Lots 19 to 21, 36, 37, 74, 75, 115, and 116. 	Required
RECOMMENDATION	
<p>Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED FINAL FORM SUBJECT TO CONDITIONS NOTED, AND THE BOARD'S CLARIFICATION ON THE REQUESTED SETBACK VARIANCES.</p>	Applied

LOCATION





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

SUB1073-0083

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

Project Description

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

Owner

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

Developer

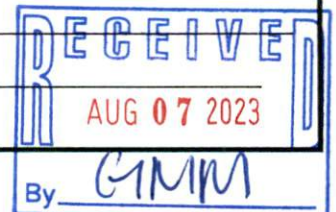
Name SAME AS OWNER Phone _____
Address _____
City _____ State _____ Zip _____
Contact Person _____
E-mail _____

Engineer

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

Surveyor

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





City of McAllen
Planning Department
VARIANCE TO SUBDIVISION
PROCESS APPLICATION

VAR 2024-0014

311 North 15th Street
McAllen, TX 78501
P. O. Box 220

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

Project

Legal Description 1.75 ACRES TRACT BEING OUT OF LOT 57 OUT OF LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY

SUBDIVISION, RECORDED IN VOLUME 24, PAGE 68, DEED RECORDS OF HIDALGO COUNTY, TEXAS

Proposed Subdivision (if applicable) SHARPLESS SQUARE SUBDIVISION

Street Address 7808 N WARE ROAD, MCALLEN TEXAS

Number of lots 3 Gross acres 1.75 ACRES

Existing Zoning C-3L Existing Land Use _____

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

Applicant

Name Rio Delta Engineering Phone (956) 263-1041

Address 921 S. 10th Avenue E-mail riodelta2004@yahoo.com

City Ediburg State Texas Zip 78539

Owner

Name Moon City Enderors LLC Phone _____

Address 1505 Goldcrest Ave. E-mail _____

City McAllen State Texas Zip 78504

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 [Signature]

Date 2/23/2024

Print Name Joshua Sharpless

☒ Owner ☐ Authorized Agent

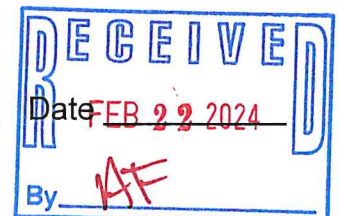
Office

FOR OFFICE USE ONLY

APPLICATION FILING FEE: ☒ \$250.00

Accepted by KF Payment received by _____

Rev 06/21





City of McAllen

Planning Department

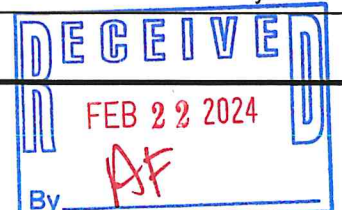
REASON FOR APPEAL

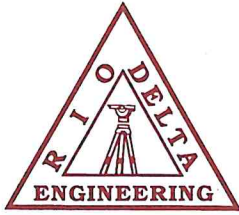
Notes: As per McAllen Code of Ordinances Sec. 134-6, financial hardships alone are **not** an eligible standing for a variance. Please submit for consideration and review any combination of the following: *(If necessary, please use an additional page to complete responses)*

**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.
	We would like to request the front Setback for Lots 1-3 out of the proposed Sharpless Square
	Subivision to be reduce from 60 Ft (in line with adjacent structures) to 45 feet .
	2. Described how the variance is necessary for the preservation and enjoyment of the legal property rights of its owner.
	The acceptance of this variance will allow us to maximize the buildable area, since the lot
	is only 105 feet in depth. Further more, this varience setback will align with the existing building in lot 2
	of this propoesd subdivision.
	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.
	This Variance does not affect the public health, safety or welfare of adjacent properties.
	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.
This property is located at the southeast corner of the intersection of Auburn Avenue and North 10Th Street. This variance will	
will not affect any property to the west, and to alleviate any problems with the adjacent property on the east	
(Trenton Curve Plaza), we can start the requested 45 feet front setback 50 feet from the east boundary line of the	
lot.This means having a 60 foot front setback at the east 50 feet of lot 3.	





RIO DELTA ENGINEERING

CIVIL ENGINEERING • PROJECT MANAGEMENT • LAND DEVELOPMENT
TEXAS REGISTERED ENGINEERING FIRM F-7628
TEXAS LICENSED SURVEYING FIRM #10194027

February 23, 2024

Planning and Zoning Commission
City of McAllen
1300 Houston Ave.
McAllen, TX 78501

Re: Sharpless Square Subdivision, City requirements:

- 1) Front Setback 60 foot or in line with existing structures.

Dear Sirs,

On behalf of Joshua Adam Sharpless, registered agent of the subdivision to be named "Sharpless Square Subdivision", we are requesting a variance to reduce the front setback to 45 feet (for all lots).

"Sharpless Square Subdivision" is a proposed 3 lots commercial development described as follows: BEING A 1.75 ACRES TRACT BEING OUT OF LOT 57 OUT OF LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY SUBDIVISION, RECORDED IN VOLUME 24, PAGE 68, DEED RECORDS OF HIDALGO COUNTY, TEXAS.

This subdivision is located at the southeast corner of the intersection of Auburn Avenue and North Ware Road. This property is within the City of McAllen's corporate limits and is zoned C-3L Light Commercial. The proposed subdivision layout was developed centered on the limitations of the lot dimensions and configuration; and designed to comply with minimum City of McAllen subdivision ordinance standards.

1) Variance to reduce front setback to 45 feet (for all lots).

The reason why I am requesting this variance is because the developer would like to increase the buildable lot areas by:

- 1) reducing the front lot setback from 60 feet to 45 feet (for all lots).

This will allow for better site planning and will maximize the buildable area of the lots. The developer is willing to accommodate the 60-foot front setback for the east 50 feet of the subdivision and continue with a 45 foot setback for the rest of the development. This setback will align with the existing building in lot 2 of this proposed subdivision.

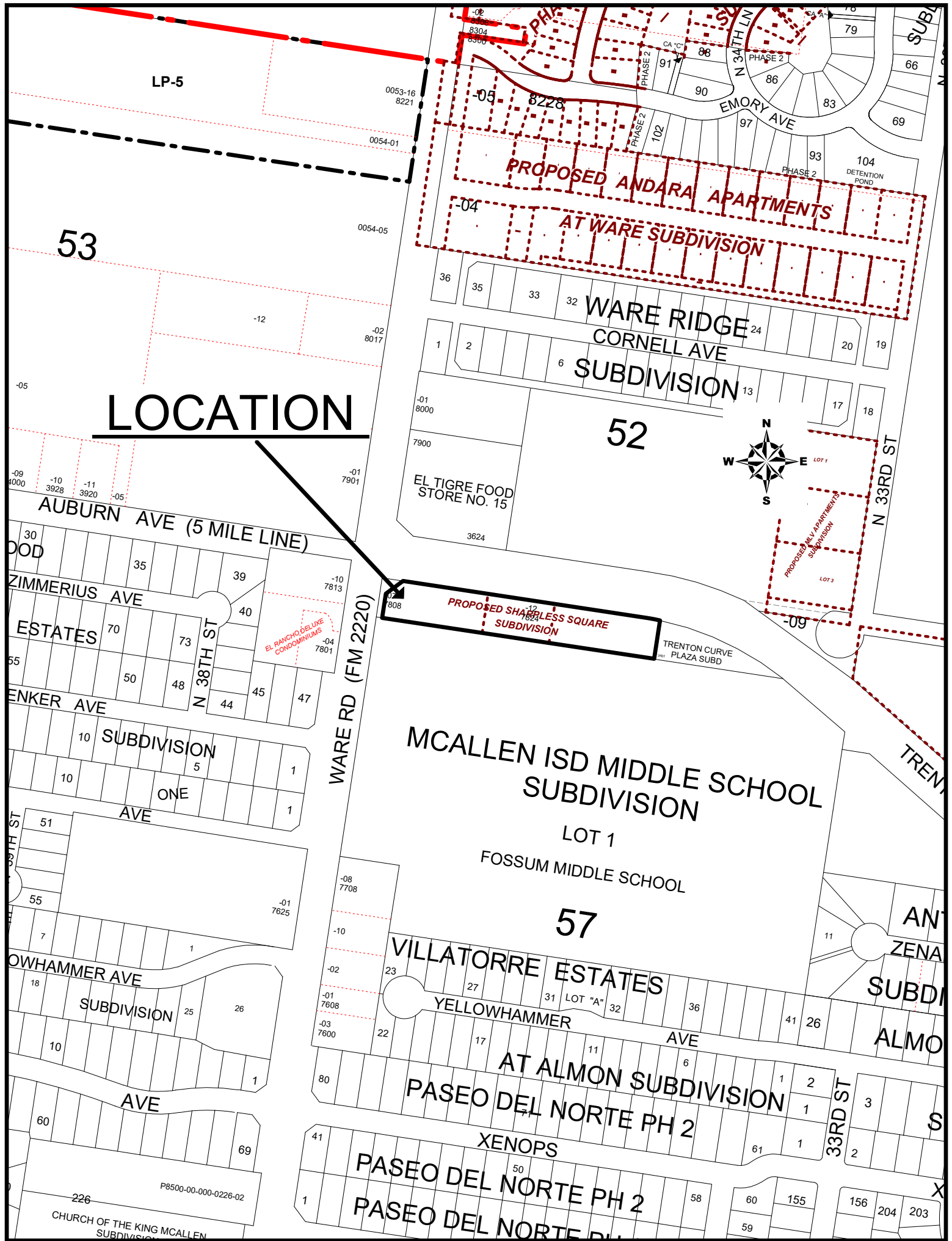
The proposed site plan complies with all other City of McAllen development and construction requirements. Your consideration of this request is greatly appreciated.

Respectfully submitted,

Ivan Garcia, P.E., R.P.L.S., C.F.M.
Agent



LOCATION



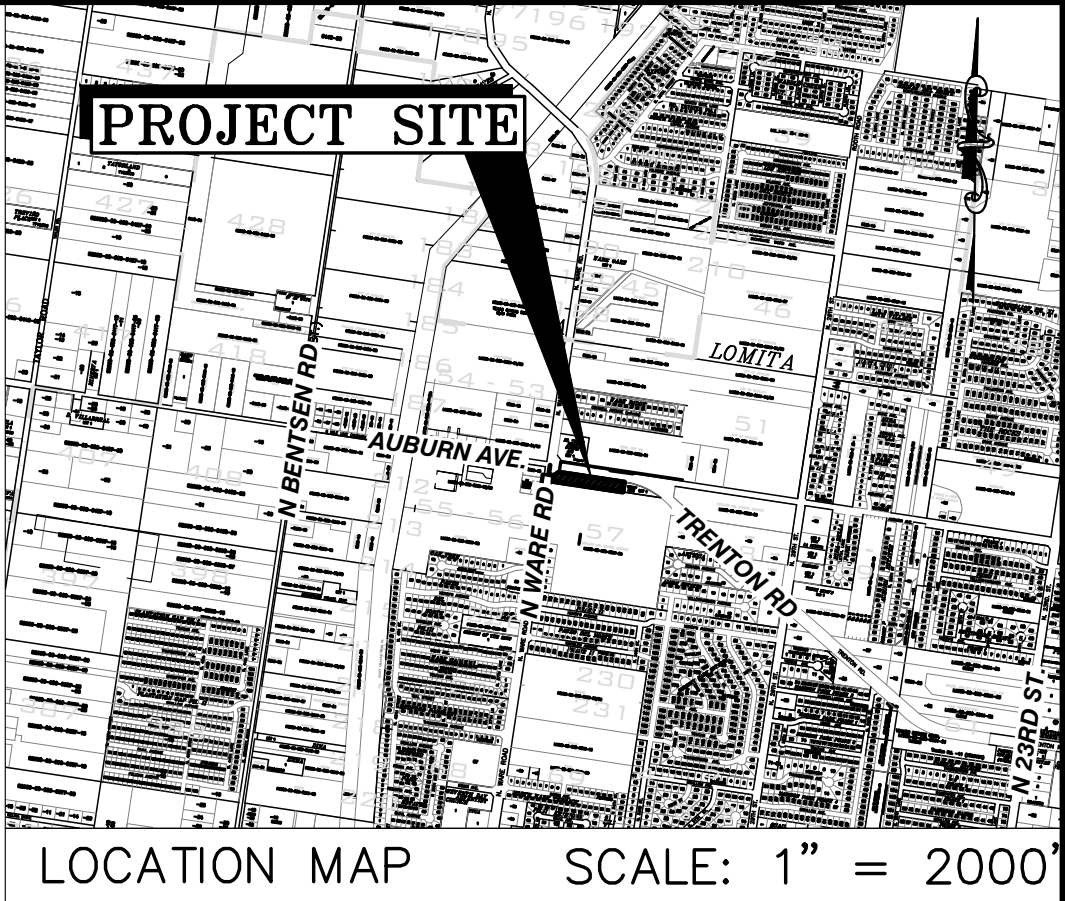
DATE OF PREPARATION: JULY 1, 2023

SHARPLESS SQUARE SUBDIVISION

BEING A 1.75 ACRES TRACT BEING OUT OF LOT 57 OUT OF LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY SUBDIVISION, RECORDED IN VOLUME 24, PAGE 68, DEED RECORDS OF HIDALGO COUNTY, TEXAS

LEGEND	
○	CAPPED 1/2" IRON ROD SET
●	IRON ROD FOUND
○	1" IRON ROD FOUND
●	5/8" IRON ROD FOUND
△	COTTON PICKER SPINDLE SET
△	CALCULATED POINT
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
XXXXX	DEED CALL (DOC # 1205106 O.R.H.C.)
XXXXX	DEED CALL (DOC # 222443447 O.R.H.C.)
XXXXX	PLAT CALL (VOL. 43, PG. 100 H.C.M.R.)
XXXXX	PLAT CALL (DOC # 2842833 H.C.M.R.)
XXXXX	DEED CALL (VOL. 599, PG. 405 S.C.D.R.)
XXXX	MEASURED

ABBREVIATIONS	
NG	NATURAL GROUND
R.O.W.	RIGHT OF WAY
EOA	EDGE OF ASPHALT
BOC	BACK OF CURB
EOD	EDGE OF DITCH
B/B	BACK TO BACK
E/E	EDGE TO EDGE
ST	STREET
DOC.	DOCUMENT
P.O.C.	POINT OF COMMENCING
P.O.B.	POINT OF BEGINNING
C.P.S.	COTTON-PICKER SPINDLE



SCALE: 1" = 50'
BASIS OF BEARING
TEXAS STATE PLANE COORDINATES
NAD 83
TEXAS SOUTH ZONE (4205)
WESTERN DATA SYSTEMS NETWORK

CURVE TABLE					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	53.39	800.00	3.82	S79° 32' 16"E	53.38

METES AND BOUNDS DESCRIPTION:

BEING A 1.75 ACRES TRACT OF LAND OUT OF AND FORMING A PART OR PORTION OF LOT 57 OUT OF LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY SUBDIVISION, RECORDED IN VOLUME 24, PAGE 68, DEED RECORDS OF HIDALGO COUNTY, TEXAS SAID 1.75 ACRES TRACT BEING ALL OF A CALLED 1.74 ACRES TRACT DESCRIBED IN A WARRANTY DEED WITH VENDORS LIEN FROM MARTIN PENA AND SOCORRO GONZALEZ TO MOON CITY ENDEAVORS, LLC, RECORDED IN DOCUMENT # 388777, OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS, AND SAID 1.75 ACRES TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A CALCULATED POINT AT COMMON WEST CORNER BETWEEN LOTS 57 AND 52 OF THE SAID LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY SUBDIVISION, SAME BEING THE NORTHWEST CORNER OF A CALLED 1.1851 ACRES TRACT DESCRIBED IN WARRANTY DEED FROM DENNIS E. JONES AND JUNE L. JONES TO CITY OF MCALLEN, RECORDED IN DOCUMENT # 1205106, OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS, SAME BEING A POINT ON THE RIGHT-OF-WAY OF AUBURN AVENUE;

THENCE S 08°30'44" W ACROSS THE SAID THE RIGHT-OF-WAY OF AUBURN AVENUE, SAME BEING ALONG THE WEST BOUNDARY LINE OF THE SAID LOT 57, SAME BEING ALONG THE WEST BOUNDARY LINE OF THE SAID 1.1851 ACRES TRACT, TO THE SOUTHWEST CORNER OF THE SAID 1.1851 ACRES TRACT, A DISTANCE OF 100.00 FEET TO A CALCULATED POINT;

THENCE S 81°26'18" E CONTINUING ACROSS THE SAID THE RIGHT-OF-WAY OF AUBURN AVENUE, SAME BEING ALONG THE SOUTH BOUNDARY LINE OF THE SAID 1.1851 ACRES TRACT, TO THE SOUTHEAST CORNER OF THE SAID 1.1851 ACRES TRACT, SAME BEING A POINT ON THE EXISTING EAST RIGHT-OF-WAY OF F.M. 2220 (WARE ROAD) AND SOUTH RIGHT-OF-WAY OF AUBURN AVENUE, SAID POINT SAME BEING THE NORTHEAST CORNER OF A CALLED PARCELS 6 & 0.0298 ACRES DESCRIBED IN A DEED FROM MARTIN PENA AND SOCORRO GONZALEZ TO THE STATE OF TEXAS, RECORDED IN DOCUMENT # 2771823 OFFICIAL RECORDS HIDALGO COUNTY, TEXAS, A DISTANCE OF 60.00 FEET TO A 5/8-INCH IRON ROD FOUND, FOR THE MOST WESTERLY NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT AND THE POINT OF BEGINNING;

THENCE N 53°34'43" E ALONG THE EXISTING SOUTH RIGHT-OF-WAY LINE OF THE SAID AUBURN AVENUE, SAME BEING ALONG THE SOUTH BOUNDARY LINE OF THE SAID 1.1851 ACRES TRACT, TO A BREAK IN LINE OF THE SAID

1.1851 ACRES TRACT, A DISTANCE OF 56.59 FEET TO 12-INCH IRON ROD FOUND, FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 81°26'18" E ALONG THE EXISTING SOUTH RIGHT-OF-WAY LINE OF THE SAID AUBURN AVENUE, SAME BEING ALONG THE SOUTH BOUNDARY LINE OF THE SAID 1.1851 ACRES TRACT, TO A BREAK IN LINE OF THE SAID

1.1851 ACRES TRACT, A DISTANCE OF 638.68 FEET TO 12-INCH IRON ROD FOUND, FOR A BREAK IN LINE OF THE HEREIN DESCRIBED TRACT;

THENCE ALONG THE EXISTING SOUTH RIGHT-OF-WAY LINE OF THE SAID AUBURN AVENUE, SAME BEING ALONG THE SOUTH BOUNDARY LINE OF THE SAID 1.1851 ACRES TRACT, SAME BEING ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 800.00 FEET, AN ARC LENGTH OF 53.39 FEET, A CHORD BEARING AND DISTANCE OF S 79°32'16" E 53.38 FEET, TO 12-INCH IRON ROD FOUND ON THE NORTH WEST CORNER OF A CALLED TRENTON CURVE PLAZA SUBDIVISION, RECORDED IN VOLUME 43, PAGE 100. MAP RECORDS OF HIDALGO COUNTY, TEXAS, FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 08°30'44" W ALONG THE WEST BOUNDARY LINE OF THE SAID TRENTON CURVE PLAZA SUBDIVISION, TO THE SOUTHWEST CORNER OF THE SAID TRENTON CURVE PLAZA SUBDIVISION, SAME BEING A POINT ON THE NORTH BOUNDARY LINE OF MCALLEN I.S.D. MIDDLE SCHOOL, SUB. RECORDED IN DOCUMENT # 2842833, MAP RECORDS OF HIDALGO COUNTY, TEXAS, A DISTANCE OF 103.23 FEET TO A 12-INCH IRON ROD FOUND, FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 81°26'18" W ALONG THE NORTH BOUNDARY LINE OF THE SAID MCALLEN I.S.D. MIDDLE SCHOOL, SUB. TO THE SOUTHEAST CORNER OF THE SAID PARCELS 6 & 0.0298 ACRES, SAME BEING A POINT ON THE EXISTING EAST RIGHT-OF-WAY OF F.M. 2220 (WARE ROAD), A DISTANCE OF 732.03 TO A 12-INCH IRON ROD FOUND, FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 08°30'44" E ALONG THE EAST BOUNDARY LINE OF THE SAID PARCELS 6 & 0.0298 ACRES, SAME BEING ALONG THE EXISTING EAST RIGHT-OF-WAY OF F.M. 2220 (WARE ROAD), A DISTANCE OF 60.00 FEET TO THE POINT AND PLACE OF BEGINNING, SAID TRACT CONTAINING 1.75 ACRES OF LAND, MORE OR LESS.

GENERAL PLAT NOTES:

- MINIMUM PERMISSIBLE FINISHED FLOOR ELEVATION SHALL BE 18" ABOVE NATURAL GROUND OF THE LOT.
- MINIMUM BUILDING SETBACKS SHALL BE AS FOLLOWS:
AUBURN AVENUE: 45 FT. OR GREATER FOR EASEMENTS OR APPROVED SITE PLAN; OR IN LINE WITH EXISTING STRUCTURES.
- REAR: IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER FOR EASEMENTS OR APPROVED SITE PLAN.
INTERIOR SIDES: IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER FOR EASEMENTS OR APPROVED SITE PLAN.
- THE SUBDIVISION IS IN ZONE "C" (NO SHADING), AREAS OF MINIMAL FLOODING, MAP COMMUNITY PANELS NO.: 480334 0400 C MAP REVISED: NOVEMBER 2, 1982.
- A DRAINAGE DETENTION OF 10.381 OF OR 0.238 ACRE FEET IS REQUIRED FOR LOTS 1 THRU 3.
- ENGINEERED DRAINAGE DETENTION PLAN, APPROVED BY THE ENGINEERING DEPARTMENT, PRIOR TO ISSUANCE OF BUILDING PERMIT. GRADING MUST COMPLY WITH MASTER PLAN.
- EASEMENTS SHALL BE KEPT CLEAR OF FENCES, BUILDINGS, SHEDS, SHRUBS, TREES, AND OTHER PLANTINGS (EXCEPT LOW GROUND COVER, GRASS OR FLOWERS) AND OTHER OBSTRUCTIONS TO THE OPERATIONS AND MAINTENANCE OF THE EASEMENT.
- BENCHMARK: SQUARE CUT ON BOC ALONG THE SOUTH RIGHT-OF-WAY OF AUBURN AVE. (5 MILE LINE).
N:16626489.3400'
E:1066550.8910'
ELEV: 116.09'
(BEARING BASIS, TX STATE PLANE COORDINATES, TEXAS SOUTH (4205) HAD 83, WESTERN DATA SYSTEMS NETWORK.)
- ALL UTILITY AND DRAINAGE EASEMENTS TO BE DEDICATED BY THIS PLAT, UNLESS STATED OTHERWISE.
- A PRIVATE SERVICE DRIVE EASEMENT WILL BE ESTABLISHED AS PART OF THE SITE PLAN AND WILL BE MAINTAINED BY THE LOT OWNER AND NOT THE CITY OF MCALLEN.
- 4 FT. WIDE MINIMUM SIDEWALK REQUIRED ON N. WARE ROAD AND AUBURN AVENUE.
- 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.
- NO CURB CUT, ACCESS, OR LOT FRONTAGE PERMITTED ALONG N. WARE ROAD.
- SITE PLAN MUST BE APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENTS PRIOR TO BUILDING PERMIT ISSUANCE.
- COMMON AREAS, ANY PRIVATE STREETS/DRIVES, ETC. MUST BE MAINTAINED BY THE LOT OWNERS AND NOT THE CITY OF MCALLEN.

STATE OF TEXAS - COUNTY OF HIDALGO

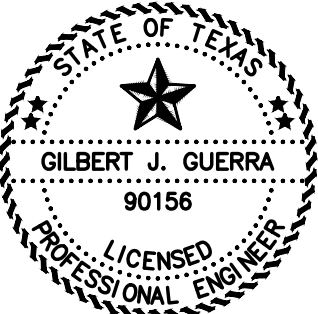
I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE FROM AN ACTUAL SURVEY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON, AND THAT THERE ARE NO APPARENT DISCREPANCIES, CONFLICTS, OR OVERLAPPING OF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



IVAN GARCIA P.E., R.P.L.S. DATE
REG. PROFESSIONAL LAND SURVEYOR No. 6496
SURVEY FIRM No. 10194027

STATE OF TEXAS - COUNTY OF HIDALGO

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



IVAN GARCIA P.E. DATE
PROFESSIONAL ENGINEER No. 90156

3400 N. AUBURN
AVE. LLC
11.0255 AC
DOC.# 3468040
H.C.D.R.

EL TIGRE FOOD
STORE No.15
VOL.40, PG.103
H.C.M.R.

AUBURN AVE.
(5 MILE LINE)

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

STATE OF TEXAS COUNTY OF HIDALGO MAYOR'S CERTIFICATE

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

CITY MAYOR _____ DATE _____

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

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

PLANNING AND ZONING CHAIR _____ DATE _____

STATE OF TEXAS UNITED IRRIGATION DISTRICT

THIS PLAT IS HEREBY APPROVED BY THE UNITED IRRIGATION DISTRICT ON THIS _____ DAY OF _____ 2024.

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

PRESIDENT _____ SECRETARY _____

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 CERTIFICATE

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

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

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

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 SHARPLESS SQUARE SUBDIVISION, DO HEREBY GRANT AN ACCESS AND UTILITY EASEMENT TO THE CITY OF MCALLEN AND THOSE WHO MAY NOW OR HEREAFTER HOLD FRANCHISE UNDER SAID CITY. THE USE OF THE STREETS, ALLEYS, AND EASEMENTS THEREON SHOWN, SURFACE USE OF THE STREETS AND ALLEYS ARE RESTRICTED TO THE EMPLOYEES AND AGENTS OF THE CITY OF MCALLEN, TO THE EMPLOYEES OF THE UTILITY OPERATING UNDER FRANCHISE TO THE CITY OF MCALLEN, AND RESIDENTS OF THE SUBDIVISION AND THEIR GUESTS.

JOSHUA ADAM SHARPLESS, PRESIDENT DATE
MOON CITY ENDEAVORS, LLC
1505 GOLDCREST AVENUE
MCALLEN, TX 78504

STATE OF TEXAS COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JOSHUA ADAM SHARPLESS, 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 _____ 2024.

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

PRINCIPAL CONTACTS:

NAME	ADDRESS	PHONE & FAX
OWNER(S): JOSHUA ADAM SHARPLESS	1505 GOLDCREST AVENUE	MCALLEN, TX. 78504
SURVEYOR: IVAN GARCIA	921 S. 10TH AVENUE	EDINBURG, TX. 78539 (956) 380-5152 (956) 380-5083
ENGINEER: GILBERT GUERRA	921 S. 10TH AVENUE	EDINBURG, TX. 78539 (956) 380-5152 (956) 380-5083



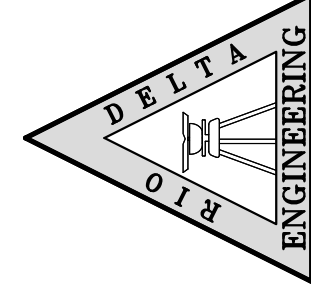
FILED FOR RECORD IN
HIDALGO COUNTY
ARTURO GUJARDO, JR.
HIDALGO COUNTY CLERK

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

RIO DELTA ENGINEERING

FIRM REGISTRATION No. F-7628
SURVEY FIRM No. 10194027

921 S. 10TH AVENUE EDINBURG, TEXAS 78539
(TEL) 956-380-5152 (FAX) 956-380-5083



PRELIMINARY

PLAT SHEET SHARPLESS SQUARE SUBDIVISION MCALLEN, TEXAS HIDALGO COUNTY

PROJECT :

ENGINEER:	GILBERT J. GUERRA P.E.
SURVEYOR:	IVAN GARCIA P.E. R.P.L.S.
CHECKED:	IVAN GARCIA P.E. R.P.L.S.
DRAWN:	NORBERTO LOPEZ
SCALE:	1" = 50'
DATE:	JULY 31, 2023
PROJECT:	SUB 23.010
REVISIONS:	
PAGE NO.:	SHT 1



City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 8/18/2023

SUBDIVISION NAME: SHARPLESS SQUARE SUBDIVISION

REQUIREMENTS

STREETS AND RIGHT-OF-WAYS

Auburn Avenue (5 Mile Line): Dedication as required for 60 ft. from centerline for 120 ft. total ROW

Paving: 65 ft. to 85 ft. Curb & gutter: both sides

Revisions needed:

- Provide a copy of the referenced documents for staff review prior to final/recording.
- Clarify and submit document for the existing 10 ft. U.E. overlapping the ROW. Any abandonment must be done by separate instrument and referenced on the plat prior to recording.

**Subdivision Ordinance: Section 134-105

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

**COM Thoroughfare Plan

N. Ware Road: Dedication as required for 75 ft. from centerline for 150 ft. total ROW

Paving: By the States Curb & gutter: By the State

Revisions needed:

- Provide a copy of the referenced documents for staff review prior to final/recording.
- Clarify and submit document for the existing 10 ft. U.E. overlapping the ROW. Any abandonment must be done by separate instrument and referenced on the plat prior to recording.
- Some recorded plats in the area show 130.35 ft. for the existing ROW instead of 130 ft. Verify and clarify prior to final/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

Applied

NA

NA

ALLEYS

ROW: 20 ft. Paving: 16 ft.

*Alley/service drive easement required for commercial properties

** Proposing Plat note #9: A Private service drive easement will be established as part of the site plan and will be maintained by Lot owner and not the City of McAllen.

- Revise plat note #9 to the following prior to recording: A minimum 24 ft. wide private service drive will be established as part of site plan.

- A minimum of 5 ft. landscape strip (with 3 ft.-high hedge) will be required along Auburn Avenue. The location of the 25 ft. common access easement must be finalized prior to final/recording to accommodate the landscape strip requirement.

**Subdivision Ordinance: Section 134-106

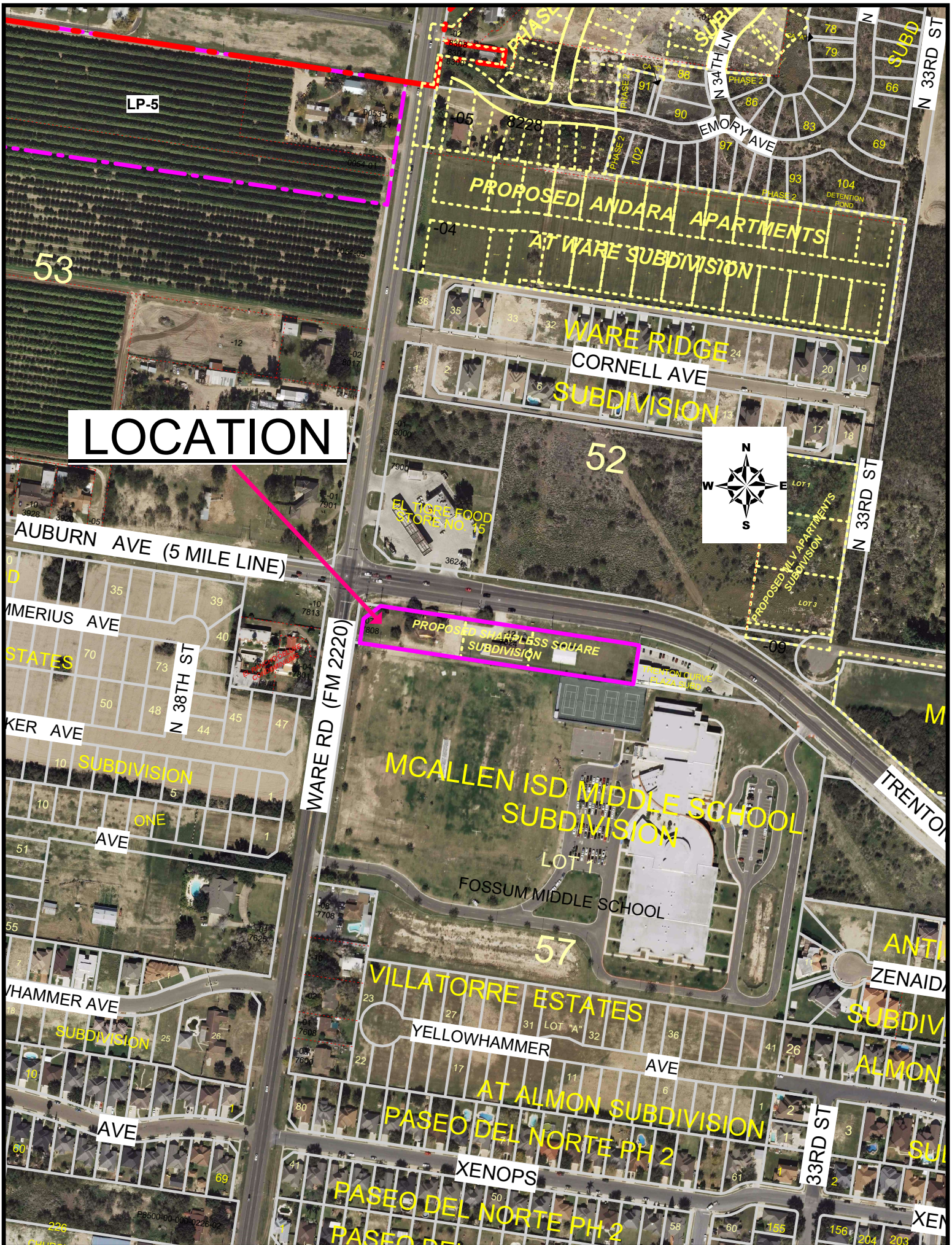
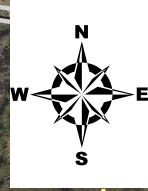
Required

SETBACKS	
<p>* Auburn Avenue/N. Ware Road: In accordance with the Zoning Ordinance, or greater for approved site plan, easement, or in line with the existing, whichever is greater applies</p> <p>* Proposed: Auburn Avenue: 45 ft. or greater for easements or approved site plan; or in line with existing structures</p> <p>**Zoning Ordinance: Section 138-356</p> <p>**A variance application (VAR2024-0014) was submitted by the project engineer, on behalf of the developer, to request a front setback (Auburn Avenue) of 45 ft. for all lots to increase the buildable area and be in line with the existing building on Lot 2 of the proposed Sharpless Square Subdivision. After discussion with staff regarding the 60 ft. front setback note on Trenton Curve Plaza Subdivision, the adjacent subdivision to the east of the subject property, they proposed to keep 60 ft. setback for the east 50 ft. of the subdivision to avoid blocking the view of Trenton Curve Plaza Subdivision.</p>	Required
<p>* Rear: In accordance with the Zoning Ordinance or greater for easements or approved site plan</p> <p>**Zoning Ordinance: Section 138-356</p>	Applied
<p>* Interior Sides: In accordance with the Zoning Ordinance or greater for easements or approved site plan</p> <p>**Zoning Ordinance: Section 138-356</p>	Applied
<p>* Corner</p> <p>- Refer to the front setback note requirement.</p> <p>- No setback is proposed on plat for N. Ware Road and no variance has been received for N. Ware Road. If the variance request (VAR2024-0014) is approved by the Board for setback along Auburn Avenue, setback note for N. Ware Road must be added as follows: N. Ware Road: In accordance with the Zoning Ordinance, or greater for approved site plan, easement, or in line with the existing, whichever is greater</p> <p>**Zoning Ordinance: Section 138-356</p>	Required
<p>* Garage</p> <p>**Zoning Ordinance: Section 138-356</p>	NA
<p>*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN</p>	Applied
SIDEWALKS	
<p>* 4 ft. wide minimum sidewalk required on N. Ware Road and Auburn Avenue.</p> <p>** Engineering Department may require 5 ft. sidewalk. Finalize prior to final/recording.</p> <p>**Subdivision Ordinance: Section 134-120</p>	Required
<p>* Perimeter sidewalks must be built or money escrowed if not built at this time.</p>	Required
BUFFERS	
<p>* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses</p> <p>**Landscaping Ordinance: Section 110-46</p>	Applied
<p>* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses</p> <p>**Landscaping Ordinance: Section 110-46</p>	Applied
<p>*Perimeter buffers must be built at time of Subdivision Improvements.</p>	Required
NOTES	
<p>* No curb cut, access, or lot frontage permitted along N. Ware Road.</p> <p>- Submit a site plan to clarify how the 25 ft. common access easement on Lots 2 & 3 along Auburn Avenue complies with landscape strip requirement along the street, prior to</p>	Required

<p>final/recording. Revise as necessary prior to final/recording.</p> <p>- A minimum of 5 ft. landscape strip (with 3 ft.-high hedge) will be required along Auburn Avenue. The location of the 25 ft. common access easement must be finalized prior to final/recording to accommodate the landscape strip requirement.</p> <p>**Must comply with City Access Management Policy</p> <p>* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.</p> <p>* Common Areas, any private streets/drives, 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>* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.</p> <p>**Section 110-72 applies if private subdivision is proposed.</p> <p>**Landscaping Ordinance: Section 110-72</p> <p>**Subdivision Ordinance: Section 134-168</p> <p>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</p> <p>**Section 110-72 applies if private subdivision is proposed.</p> <p>**Landscaping Ordinance: Section 110-72</p> <p>**Subdivision Ordinance: Section 134-168</p>	
	Required
	Applied
	Applied
	NA
	NA
LOT REQUIREMENTS	
<p>* Lots fronting public streets</p> <p>**Subdivision Ordinance: Section 134-1</p>	Compliance
<p>* Minimum lot width and lot area</p> <p>**Zoning Ordinance: Section 138-356</p>	Compliance
ZONING/CUP	
<p>* Existing: C-3L Proposed: C-3L</p> <p>***Zoning Ordinance: Article V</p>	Applied
<p>* Rezoning Needed Before Final Approval</p> <p>***Zoning Ordinance: Article V</p>	NA
PARKS	
<p>* Land dedication in lieu of fee.</p> <p>*Submitted application on August 7, 2023, proposed commercial development. Park fees do not apply to commercial properties unless the use is changed to residential.</p>	NA
<p>* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording</p> <p>*Submitted application on August 7, 2023, proposed commercial development. Park fees do not apply to commercial properties unless the use is changed to residential.</p>	NA
<p>* Pending review by the City Manger's Office.</p> <p>*Submitted application on August 7, 2023, proposed commercial development. Park fees do not apply to commercial properties unless the use is changed to residential.</p>	NA
TRAFFIC	
<p>* As per Traffic Department, Trip Generation is approved.</p>	Applied
<p>* As per Traffic Department, Traffic Impact Analysis (TIA) is not required.</p>	Applied
COMMENTS	

<p>Comments:</p> <ul style="list-style-type: none">- Provide a copy of the referenced documents for staff review prior to final/recording.- Show the legal description of all adjacent properties on all sides prior to final/recording, including north side of Auburn Ave. and west side of N. Ware Rd.- A minimum of 5 ft. landscape strip (with 3 ft.-high hedge) will be required along Auburn Avenue. The location of the 25 ft. common access easement must be finalized prior to final/recording to accommodate the landscape strip requirement. <p>*Signature blocks must comply with Sec. 134-61 of the Subdivision ordinance.</p> <p>*Must comply with City's Access Management Policy.</p> <p>**Project engineer requested the subdivision to be considered for variance request (VAR2024-0014) and final approval at the same time.</p> <p> </p> <p>**A variance application (VAR2024-0014) was submitted by the project engineer, on behalf of the developer, to request a front setback (Auburn Avenue) of 45 ft. for all lots to increase the buildable area and be in line with the existing building on Lot 2 of the proposed Sharpless Square Subdivision. After discussion with staff regarding the 60 ft. front setback note on Trenton Curve Plaza Subdivision, the adjacent subdivision to the east of the subject property, they proposed to keep 60 ft. setback for the east 50 ft. of the subdivision to avoid blocking the view of Trenton Curve Plaza Subdivision.</p>	Required
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM, SUBJECT TO THE CONDITIONS NOTED, DRAINAGE, AND UTILITIES APPROVAL.	Applied

LOCATION





City of McAllen

Planning Department

SUB 2023-0122

311 NORTH 15TH STREET • (956) 681-1250 • (956) 681-1279 (fax)

SUBDIVISION PLAT REVIEW APPLICATION

Project Information	Subdivision Name	Dos Lobos I Subdivision		
	Legal Description	BEING A 1.86 ACRE TRACT OUT OF LOT 4, SECTION 12, HIDALGO CANAL COMPANY'S SUBDIVISION VOLUME Q, PAGE 177, HIDALGO COUNTY,		
	Location			
	City Address or Block Number	1721 TRENTON RD		
	Total No. of Lots	1	Total Dwelling Units	
	Gross Acres	1.86	Net Acres	
	<input checked="" type="checkbox"/> Public Subdivision/ <input type="checkbox"/> Private and Gated <input type="checkbox"/> Private but Not Gated within ETJ: <input type="checkbox"/> Yes/ <input checked="" type="checkbox"/> No			
	For Fee Purposes: <input checked="" type="checkbox"/> Commercial (1.86 Acres)/ <input type="checkbox"/> Residential (___ Lots) Replat: <input type="checkbox"/> Yes/ <input type="checkbox"/> No			
	Existing Zoning	C-1	Proposed Zoning	C-1
	Applied for Rezoning	<input checked="" type="checkbox"/> No/ <input type="checkbox"/> Yes: Date _____		
Existing Land Use	vacant			
Proposed Land Use	Office Space			
Irrigation District #	HCWD#3	Water CCN:	<input checked="" type="checkbox"/> MPU/ <input type="checkbox"/> Sharyland Water SC Other _____	
Agricultural Exemption:	<input type="checkbox"/> Yes/ <input type="checkbox"/> No Parcel # 189772			
Estimated Rollback Tax Due	N/A			
Tax Dept. Review	NPG			
Owner	Name	DOS LOBOS UNA META, LLC		
	Address	1720 W. MAPLE AVE.		
	City	MCALLEN	State	TX
Developer	Phone	956-533-5776		
	E-mail	RONNIE@THESTRUCTURETEAM.COM		
	City	MCALLEN	State	TX
	Zip	78504		
	Contact Person	RONNIE CAVASOS		
Engineer	Name	RIO DELTA ENGINEERING		
	Address	921 S. 10TH STREET		
	City	EDINBURG	State	TEXAS
	Zip	78539		
Contact Person	IVAN GARCIA P.E., R.P.L.S.			
Surveyor	Name	RIO DELTA ENGINEERING		
	Address	921 S. 10TH STREET		
	City	EDINBURG	State	TEXAS
	Zip	78539		

KF



Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

In Person Submittal Requirements

- Application Fee: \$300 + \$25/lot **for residential** (excluding apartment complexes) or \$400 + \$200 (0-5 acres), \$400 + \$300 (5.01-10 acres), \$400 + \$400 (10 acres or greater) **for commercial, industrial, or apartment complexes**
- 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

- Application Fee: \$300 + \$25/lot **for residential** (excluding apartment complexes) or \$400 + \$200 (0-5 acres), \$400 + \$300 (5.01-10 acres), \$400 + \$400 (10 acres or greater) **for commercial, industrial, or apartment complexes**
- Title Report
- Sealed Survey
- Location Map
- Plat & Reduced Plat
- 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 separate PDF files. Each file must be less than 20 MB. No scanned documents

*Submit documents to subdivisions@mcallen.net

ORIGINAL APPLICATION & FEE MUST BE SUBMITTED IN PERSON/VIA MAIL

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

Owner(s) Signature(s)

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 11/6/13

Print Name Ivan G. Gons

Owner ☐ Authorized Agent ☒

The Planning Department now accepts DocuSign signatures on application with a Certificate of Completion

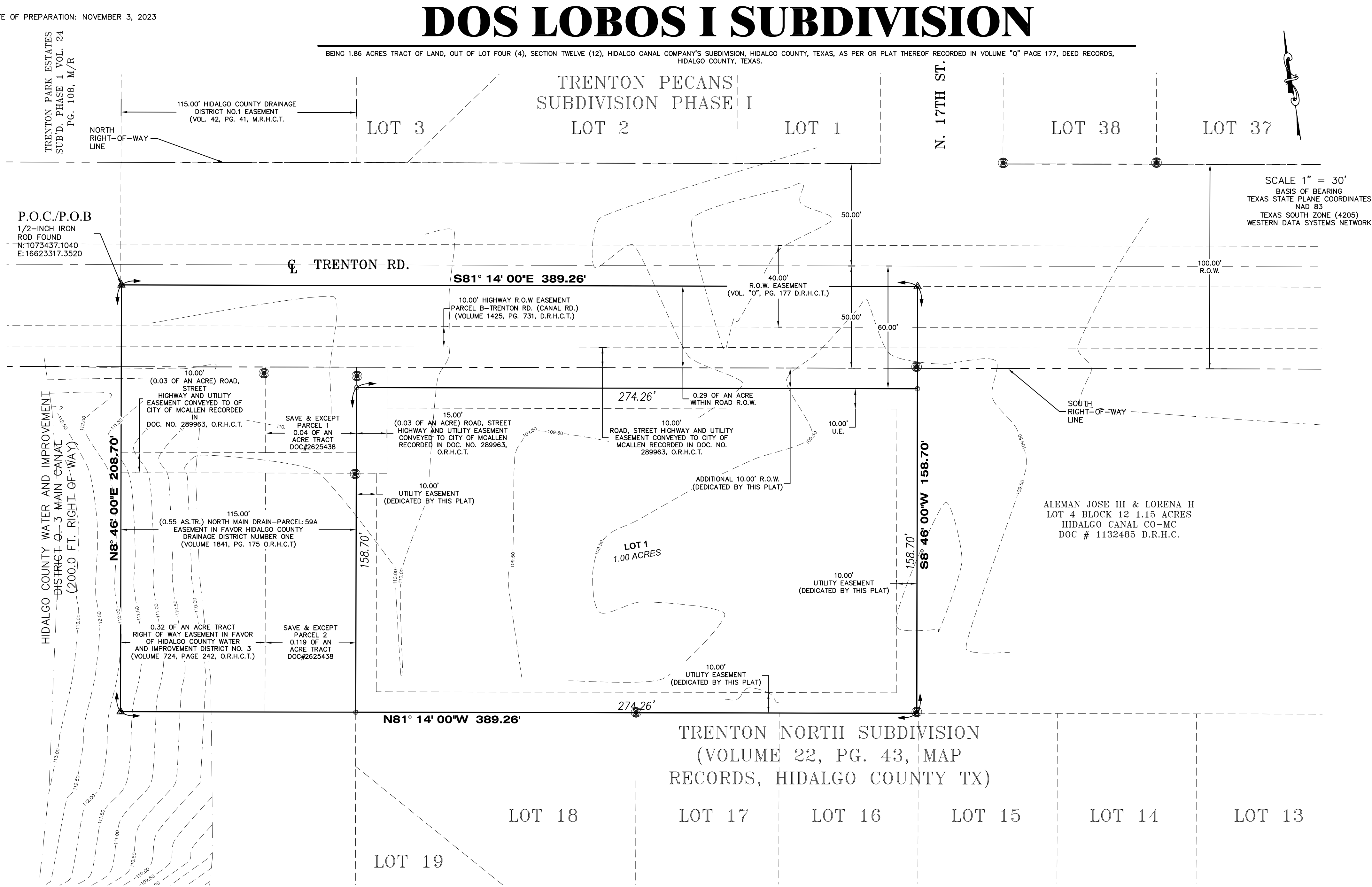


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DATE OF PREPARATION: NOVEMBER 3, 2023

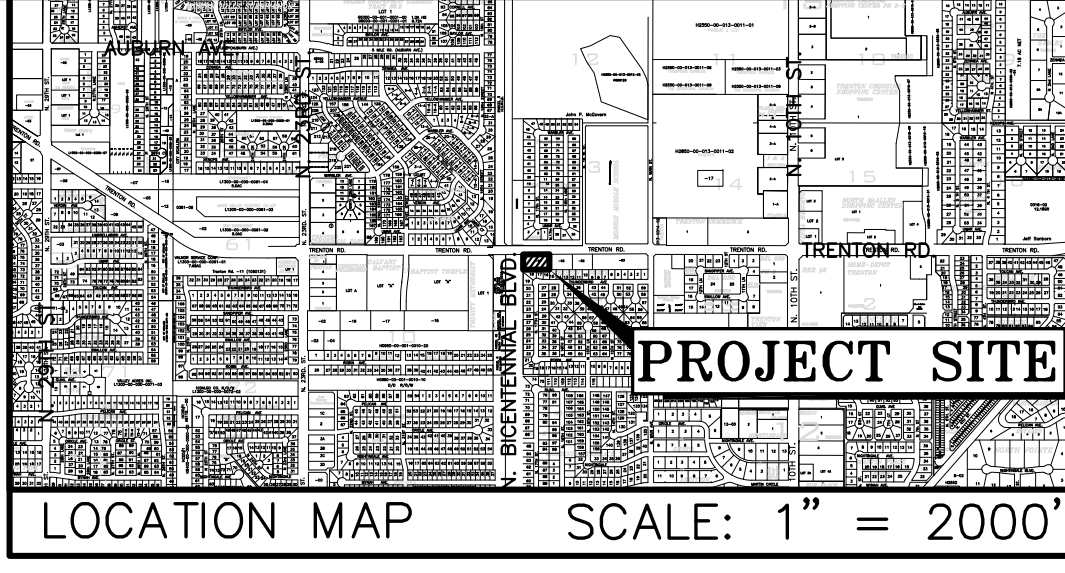
DOS LOBOS I SUBDIVISION

BEING 1.86 ACRES TRACT OF LAND, OUT OF LOT FOUR (4), SECTION TWELVE (12), HIDALGO CANAL COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER OR PLAT THEREOF RECORDED IN VOLUME "Q" PAGE 177, DEED RECORDS, HIDALGO COUNTY, TEXAS.



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

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



GENERAL PLAT NOTES:

- MINIMUM PERMISSIBLE FINISHED FLOOR ELEVATION SHALL BE 18" ABOVE TOP OF CURB IN FRONT OF THE CENTER-POINT OF THE LOT.
- MINIMUM BUILDING SETBACKS SHALL BE AS FOLLOWS:
FRONT: IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER FOR EASEMENTS, OR IN LINE WITH EXISTING STRUCTURES, OR APPROVED SITE PLAN, WHICH EVER IS GREATER.
REAR: IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER FOR EASEMENTS OR APPROVED SITE PLAN.
SIDES: IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER FOR EASEMENTS OR APPROVED SITE PLAN.
CORNER: IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER FOR EASEMENTS, OR IN LINE WITH EXISTING STRUCTURES, OR APPROVED SITE PLAN, WHICH EVER IS GREATER.
- THE SUBDIVISION IS IN 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, MAP COMMUNITY PANELS NO: 480343 0005 C, MAP REVISED: NOVEMBER 02, 1982.
- A DRAINAGE DETENTION OF 18.576 CF OR 0.449 ACRE FEET IS REQUIRED FOR LOT 1. DETENTION SHALL COMPLY WITH MASTER DRAINAGE PLAN. THE CITY OF MCALLEN WILL NOT MAINTAIN DETENTION AREA.
- ENGINEERED DRAINAGE DETENTION PLAN, APPROVED BY THE ENGINEERING DEPARTMENT, PRIOR TO ISSUANCE OF BUILDING PERMIT. GRADING MUST COMPLY WITH MASTER PLAN.
- EASEMENTS SHALL BE KEPT CLEAR OF FENCES, BUILDINGS, SHEDS, SHRUBS, TREES, AND OTHER PLANTINGS (EXCEPT LOW, GROUND COVER, GRASS OR FLOWERS) AND OTHER OBSTRUCTIONS TO THE OPERATIONS AND MAINTENANCE OF THE EASEMENT.
- A 25 FT. X 25 FT. SIGHT OBSTRUCTION EASEMENT IS REQUIRED AT ALL STREET INTERSECTIONS.
- 5 FT. WIDE MINIMUM SIDEWALK REQUIRED ALONG TRENTON AVENUE.
- CITY OF MCALLEN BENCHMARK (MC45) SET BY J.A. GARZA ASSOCIATES L.L.C. A 30" ALUMINUM PIPE WITH A 3-1/4" BRASS MONUMENT CAP ON TOP, LOCATED AT THE SOUTHWEST CORNER OF 23RD AND OXFORD AVENUE NORTHING=16630298.33742 EASTING= 1072459.20393 ELEV= 111.59 NAD83 , NAVD 88.
- 8 FT. MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONES/USES.
- 6 FT. OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, AND INDUSTRIAL ZONES/USES.
- ALL UTILITY AND DRAINAGE EASEMENTS TO BE DEDICATED BY THIS PLAT, UNLESS STATED OTHERWISE.
- A MINIMUM 24 FT. WIDE PRIVATE SERVICE DRIVE EASEMENT WILL BE ESTABLISHED AS PART OF THE SITE PLAN AND WILL BE MAINTAINED BY THE LOT OWNER AND NOT THE CITY OF MCALLEN.

METES AND BOUNDS DESCRIPTION

BEING 1.86 ACRES TRACT OF LAND MORE OR LESS, OUT OF THE WEST 3.0 ACRES OF THE NORTH 7.0 ACRE CONVEYED TO JOE ALEMAN JR. AND WIFE, ANITA ALEMAN, RECORDED IN VOLUME 3061, PAGE 502, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, OUT OF LOT FOUR (4), SECTION 12, HIDALGO CANAL COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER OR PLAT THEREOF RECORDED IN VOLUME "Q" PAGE 177, DEED RECORDS, HIDALGO COUNTY, TEXAS, AND SAID 1.86 ACRES TRACT OF LAND ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT A POINT, FOR THE COMMON CORNER FOR THE NORTH PECANS SUBDIVISION PHASE I, RECORDED IN VOLUME 42, PAGE 41, MAP RECORDS, HIDALGO COUNTY, TEXAS, AND SAID LOT 4, SECTION 12, AND THE EAST RIGHT OF WAY LINE OF HIDALGO CANAL WATER AND IMPROVEMENT DISTRICT NUMBER 3 MAIN CANAL (HAVING A 200.0 FEET OF THE RIGHT OF WAY, AS PER VOLUME "Q", PAGE 177, DEED RECORDS HIDALGO COUNTY, TEXAS), FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT AND POINT TO BEGINNING:

THENCE, S 81° 14' 00" E, ALONG THE COMMON BOUNDARY LINE OF SAID PECANS SUBDIVISION PHASE I, AND SAID LOT 4, SECTION 12, A DISTANCE OF 389.26 FEET, TO A POINT FOR THE NORTHWEST CORNER OF A 1.15 ACRE TRACT CONVEYED TO ALEMAN JOSE III, AND LORENA H., RECORDED IN DOCUMENT NUMBER 1132485, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, S 08° 46' 00" W, LEAVING THE COMMON BOUNDARY LINE OF SAID PECANS SUBDIVISION PHASE I, AND SAID LOT 4, SECTION 12, AND ALONG THE WEST LINE OF SAID 1.15 ACRE TRACT CONVEYED TO ALEMAN JOSE III, AND LORENA H., A DISTANCE OF 40.0 FEET TO A 5/8 INCH IRON ROD FOUND, AT THE EXISTING SOUTH RIGHT-OF-WAY LINE ON TRENTON ROAD (HAVING A 100.0 FOOT RIGHT OF WAY), CONTINUING TO A TOTAL DISTANCE OF 208.70 FEET, TO SET 5/8 INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID 1.15 ACRE TRACT CONVEYED TO ALEMAN JOSE III, AND LORENA H., AND THE NORTH BOUNDARY LINE OF TRENTON NORTH SUBDIVISION, RECORDED IN VOLUME 22, PAGE 43, MAP RECORDS, HIDALGO COUNTY, TEXAS, FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, N 81° 14' 00" W, ALONG THE NORTH BOUNDARY LINE OF SAID TRENTON NORTH SUBDIVISION, A DISTANCE OF 274.25 FEET PASSING THE NORTHWEST CORNER OF SAID TRENTON NORTH SUBDIVISION, AND THE EAST LINE OF THE NORTH MAIN DRAIN--PARCEL 59A EASEMENT IN FAVOR OF HIDALGO COUNTY DRAINAGE DISTRICT NUMBER 1, RECORDED IN VOLUME 1841, PAGE 175, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, CONTINUING TO A TOTAL DISTANCE OF 389.26 FEET, TO A 1/2-INCH CAPPED IRON ROD SET, FOR EAST RIGHT OF WAY LINE OF SAID HIDALGO CANAL WATER AND IMPROVEMENT DISTRICT NUMBER 3 MAIN CANAL, AND THE WEST LINE OF SAID LOT 4, SECTION 12, AND THE SOUTHWEST CORNER OF SAID NORTH MAIN DRAIN--PARCEL 59A EASEMENT IN FAVOR OF HIDALGO COUNTY DRAINAGE DISTRICT NUMBER 1, FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT

THENCE, N 08° 46' 00" E, ALONG THE COMMON BOUNDARY LINE OF SAID HIDALGO CANAL WATER AND IMPROVEMENT DISTRICT NUMBER 3 MAIN CANAL, THE WEST LINE OF SAID LOT 4, SECTION 12, AND THE WEST LINE OF SAID NORTH MAIN DRAIN--PARCEL 59A EASEMENT IN FAVOR OF HIDALGO COUNTY DRAINAGE DISTRICT NUMBER 1, AT A DISTANCE OF 168.70 FEET 1/2-INCH CAPPED IRON ROD SET, PASSING THE SOUTH RIGHT OF WAY LINE OF SAID TRENTON ROAD, CONTINUING TO A TOTAL DISTANCE OF 208.70, TO THE POINT AND PLACE OF BEGINNING SAID TRACT CONTAINING 1.86 ACRES OF LAND.

SAVE AND EXCEPT THAT 0.040 ACRE TRACT OF LAND AND THAT 0.119 ACRE TRACT OF LAND CONVEYED TO THE CITY OF MCALLEN BY SPECIAL WARRANTY DEED DATED JUNE 28, 2015, FILED JULY 6, 2015 UNDER DOCUMENT NO. 2625438, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS.

OWNER'S ACKNOWLEDGMENT

STATE OF TEXAS
COUNTY OF HIDALGO
I (WE), THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS THE DOS LOBOS I 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 LINE, 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.

RONNIE CAVAZOS
DOS LOBOS UNA META, LLC
1720 W. MAPLE AVE.
MCALLEN, TX 78501

DATE

STATE OF TEXAS COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED RONNIE CAVAZOS, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR PURPOSES AND CONSIDERATIONS THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ DAY OF ____, 2023.

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

STATE OF TEXAS COUNTY OF HIDALGO MAYOR'S CERTIFICATE

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

CITY MAYOR DATE

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

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

PLANNING AND ZONING CHAIR DATE

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 CERTIFICATE

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

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

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

DATE

HIDALGO COUNTY WATER IMPROVEMENT DISTRICT NO. 3

THIS PLAT IS HEREBY APPROVED BY THE BOARD OF DIRECTORS OF HIDALGO COUNTY WATER IMPROVEMENT DISTRICT NO. 3, MCALLEN, HIDALGO COUNTY, TEXAS, AT A REGULAR MEETING HELD BY ITS BOARD OF DIRECTORS ON THE ____ DAY OF ____, 20____, SUBJECT TO (1) ANY AND ALL EXISTING RIGHTS HELD BY THE DISTRICT UPON, UNDER, OR ACROSS THE PROPERTY DESCRIBED IN THE PLAT NOT SPECIFICALLY RELEASED BY THIS PLAT OR BY SEPARATE RECORDABLE INSTRUMENT, AND (2) RIGHTS OF WAY AND/OR EASEMENTS OF THE DISTRICT WHICH ARE EXCLUSIVE AND NO USE OF COVERED AREA IS ALLOWED WITHOUT AUTHORIZATION BY THE DISTRICT.

PRESIDENT DATE

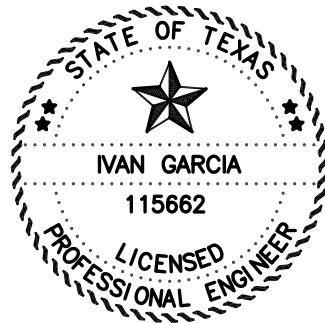
SECRETARY DATE

STATE OF TEXAS - COUNTY OF HIDALGO

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

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

DATE

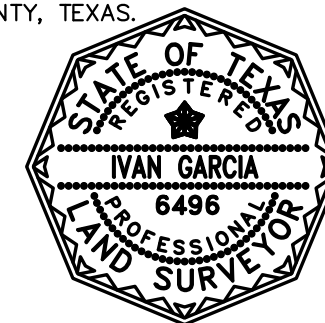


STATE OF TEXAS - COUNTY OF HIDALGO

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

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

DATE



PRINCIPAL CONTACTS:

NAME	ADDRESS	PHONE & FAX
OWNER(S): DOS LOBOS UNA META LLC	1720 W. MAPLE AVE.	MCALLEN, TX. 78501
SURVEYOR: IVAN GARCIA	P.E. R.P.L.S. 921 S. 10TH AVENUE	EDINBURG, TX. 78539 (956) 380-5152 (956) 380-5083
ENGINEER: IVAN GARCIA	P.E. R.P.L.S. 921 S. 10TH AVENUE	EDINBURG, TX. 78539 (956) 380-5152 (956) 380-5083



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

ON: ____ AT ____ AM/PM

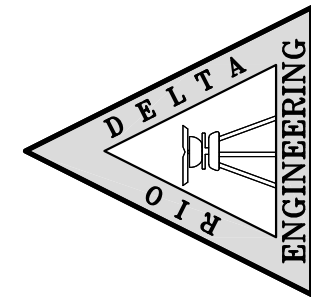
INSTRUMENT NUMBER

OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS

BY: ____ DEPUTY

RIO DELTA ENGINEERING

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



ISSUED FOR:
FINAL

PLAT SHEET
DOS LOBOS I SUBDIVISION
CITY OF MCALLEN, TEXAS
HIDALGO COUNTY

PROJECT :

ENGINEER:

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

SURVEYOR:

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

CHECKED:

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

DRAWN:

Y.V

SCALE:

AS SHOWN

DATE:

NOVEMBER 3, 2023

PROJECT:

SUB 23 029

REVISIONS:

PAGE NO.

SHT 2



City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 2/21/2024

SUBDIVISION NAME: DOS LOBOS I SUBDIVISION

REQUIREMENTS

STREETS AND RIGHT-OF-WAYS

Trenton Road: Dedication as required for 60 ft. from centerline for 120 ft. total ROW
Paving: 65-85 ft. Curb & gutter: both sides
Revisions needed:
- If 100 ft. is the existing ROW label it accordingly prior to final/recording.
- Provide a copy of the referenced documents for staff review prior to final/recording.
- Clarify how a portion of the 0.03 acres road, street, highway, and utility easement has been shown as part of Lot 1. Review and revised as applicable prior to final/recording. Any abandonment must be done by a separate instrument and referenced on the plat prior to recording.

**Subdivision Ordinance: Section 134-105

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

**COM Thoroughfare Plan

Required

Paving _____ Curb & gutter _____

**Subdivision Ordinance: Section 134-105

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

**COM Thoroughfare Plan

Applied

* 1,200 ft. Block Length

**Subdivision Ordinance: Section 134-118

Applied

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

**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.

**Plat note #13 has been proposed: A minimum 24 ft. wide private service drive easement will be established as part of site plan and will be maintained by the lot owner and not the City of McAllen.

**Subdivision Ordinance: Section 134-106

Applied

SETBACKS

* Front: In accordance with the Zoning Ordinance or greater for approved site plan or easements or inline with existing structures, whichever is greater.

**Zoning Ordinance: Section 138-356 & Sec 138-367

Applied

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

**Zoning Ordinance: Section 138-356

Applied

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

**Zoning Ordinance: Section 138-356

Applied

* Corner (proposed): In accordance with the Zoning Ordinance or greater for easements or in line with existing structures, or approved site plan, whichever is greater

- Clarify/remove the corner setback written on the plat as the property is not a corner lot.

Required

<p>**Zoning Ordinance: Section 138-356</p> <p>* Garage _____</p> <p>**Zoning Ordinance: Section 138-356</p> <p>*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN</p>	
	NA
	Applied
SIDEWALKS	
<p>* 4 ft. wide minimum sidewalk required on Trenton Avenue. Proposed: 5 ft. wide minimum sidewalk required along Trenton Revisions needed: - Clarify if 5 ft. wide sidewalk is required by the Engineering Department prior to final/recording. **Engineering Department may require 5 ft. wide minimum sidewalk prior to final/recording. **Subdivision Ordinance: Section 134-120</p> <p>* Perimeter sidewalks must be built or money escrowed if not built at this time.</p>	Required
	Required
BUFFERS	
<p>* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses **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
NOTES	
<p>**Must comply with City Access Management Policy</p> <p>* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.</p> <p>* Common Areas, any private drives, 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>* 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> <p>* 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</p>	Applied
	Applied
	Applied
	Applied
	NA
	NA
	NA
LOT REQUIREMENTS	
<p>* Lots fronting public streets **Subdivision Ordinance: Section 134-1</p> <p>* Minimum lot width and lot area **Zoning Ordinance: Section 138-356</p>	Applied
	Applied

ZONING/CUP	
* Existing: C-1 Proposed: C-1 ***Zoning Ordinance: Article V	Applied
* Rezoning Needed Before Final Approval ***Zoning Ordinance: Article V	NA
PARKS	
* Land dedication in lieu of fee. Application submitted on November 6, 2023, proposes a commercial development. Park fees do not apply to commercial lots unless the use is changed to residential.	NA
* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. Application submitted on November 6, 2023, proposes a commercial development. Park fees do not apply to commercial lots unless the use is changed to residential.	NA
* Pending review by the City Manager's Office. Application submitted on November 6, 2023, proposes a commercial development. Park fees do not apply to commercial lots unless the use is changed to residential.	NA
TRAFFIC	
* As per Traffic Department, Trip Generation was approved.	Applied
* As pre Traffic Department, Traffic Impact Analysis (TIA) is not required.	Applied
COMMENTS	
Comments: - Provide a copy of the referenced documents for staff review prior to final/recording. - Clarify how a portion of the 0.03 acres road, street, highway, and utility easement has been shown as part of Lot 1. Review and revised as applicable prior to final/recording. Any abandonment must be done by a separate instrument and referenced on the plat prior to recording. - The distance and bearings on the metes and bounds, survey, and plat do not match. Review and revise as applicable prior to final/recording. - The subdivision boundary must show the whole subdivision dimension. The east boundary does not show the full dimension. Review and revise the dimension and closing arrows prior to final/recording. - All signature blocks must comply with Sec. 134-61 of the subdivision ordinance prior to recording. *Must comply with City's Access Management Policy.	Required
RECOMMENDATION	
STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM, SUBJECT TO THE CONDITIONS NOTED.	Applied



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

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

Project Description	<p>Subdivision Name <u>Imperio Estates Subdivision</u> <small>NORTHEAST CORNER OF THE INTERSECTION OF 29TH STREET & INCARNATE WORD AVENUE ON THE EAST</small></p> <p>Location <u>R.O.W. OF 29TH STREET.</u></p> <p>City Address or Block Number <u>8700 N. 29th ST</u></p> <p>Number of lots <u>28</u> Gross acres <u>5.68</u> Net acres <u>5.57</u></p> <p>Existing Zoning <u>A-O</u> Proposed <u>R-1</u> Rezoning Applied For <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date _____</p> <p>Existing Land Use <u>AGRICULTURE</u> Proposed Land Use <u>SINGLE FAMILY RESIDENTIAL</u> Irrigation District # <u>1</u></p> <p>Residential Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Commercial Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> ETJ Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Agricultural Tax Exempt Yes <input type="checkbox"/> No <input type="checkbox"/> Estimated Rollback tax due _____</p> <p>Parcel No. _____ Tax Dept. Review _____</p> <p>Legal Description <u>BEING A TRACT OF LAND OUT OF LOT 38, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP PLAT THEREOF RECORDED IN VOLUME 24, PAGE 68, DEED RECD PRS PF HIDALGO COUNTY.</u></p>
	Owner
Developer	<p>Name <u>HOLLYWOOD DEVELOPMENT & CONSTRUCTION, LLC</u> Phone <u>956-803-0341</u></p> <p>Address <u>2516 BUDDY OWENS</u></p> <p>City <u>MCALLEN</u> State <u>TEXAS</u> Zip <u>78504</u></p> <p>Contact Person <u>JORGE VALDEZ</u></p> <p>E-mail <u>JVALDEZ1980@YAHOO.COM</u></p>
Engineer	<p>Name <u>RIO DELTA ENGINEERING</u> Phone <u>956-380-5152</u></p> <p>Address <u>921 S. 10TH AVENUE</u></p> <p>City <u>EDINBURG</u> State <u>TEXAS</u> Zip <u>78539</u></p> <p>Contact Person <u>IVAN GARCIA, P.E., R.P.L.S.</u></p> <p>E-mail <u>RIODELTA2004@YAHOO.COM</u></p>
Surveyor	<p>Name <u>RIO DELTA ENGINEERING</u> Phone <u>956-380-5152</u></p> <p>Address <u>921 S. 10TH AVENUE</u></p> <p>City <u>EDINBURG</u> State <u>TEXAS</u> Zip <u>78539</u></p> <p><i>EJ</i></p>

SEP 10 2021

BY: CW

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.

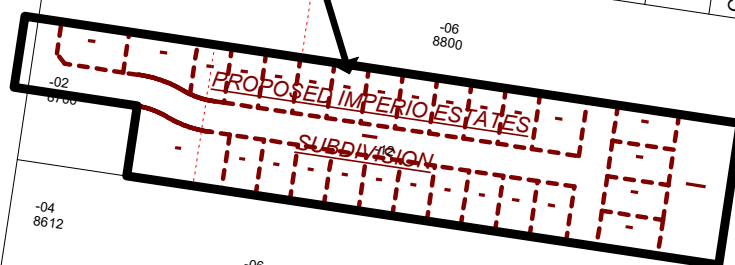
Signature _____ Date 8/20/2021

Print Name Jorge Valdez

Owner ☒

Authorized Agent ☐

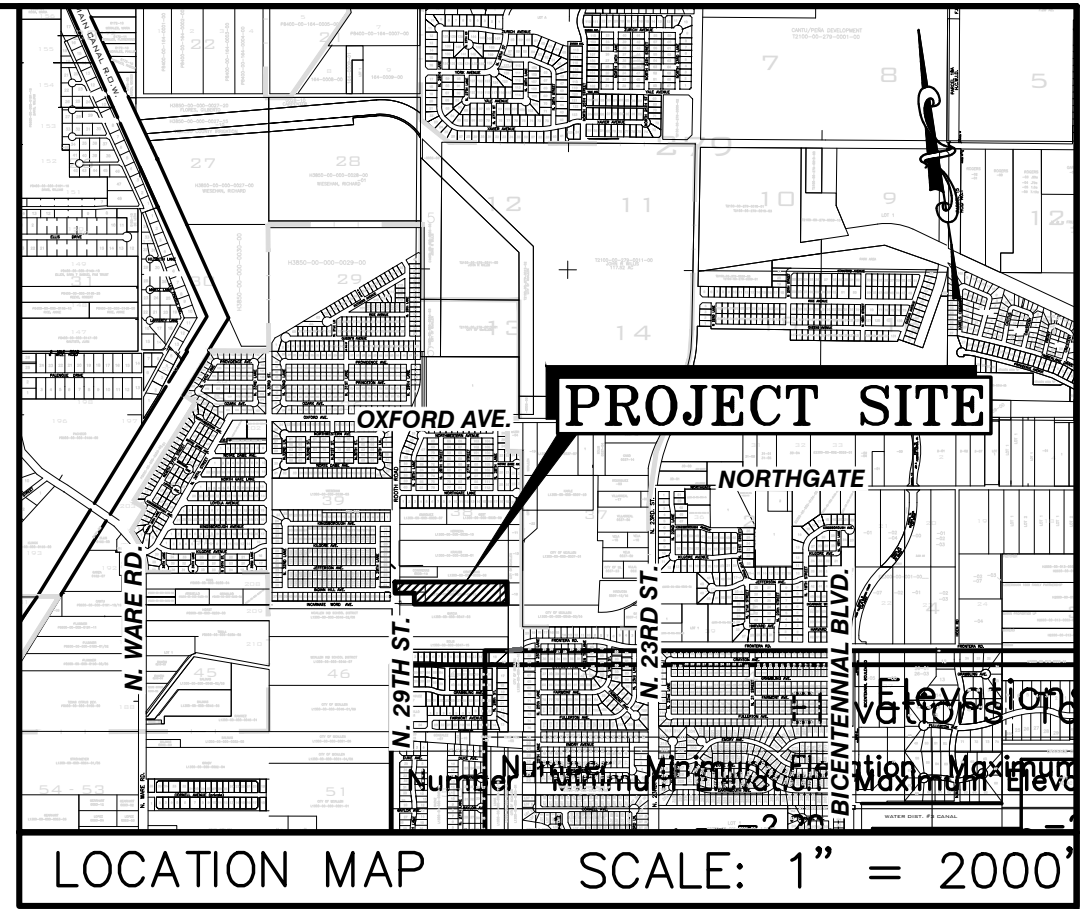
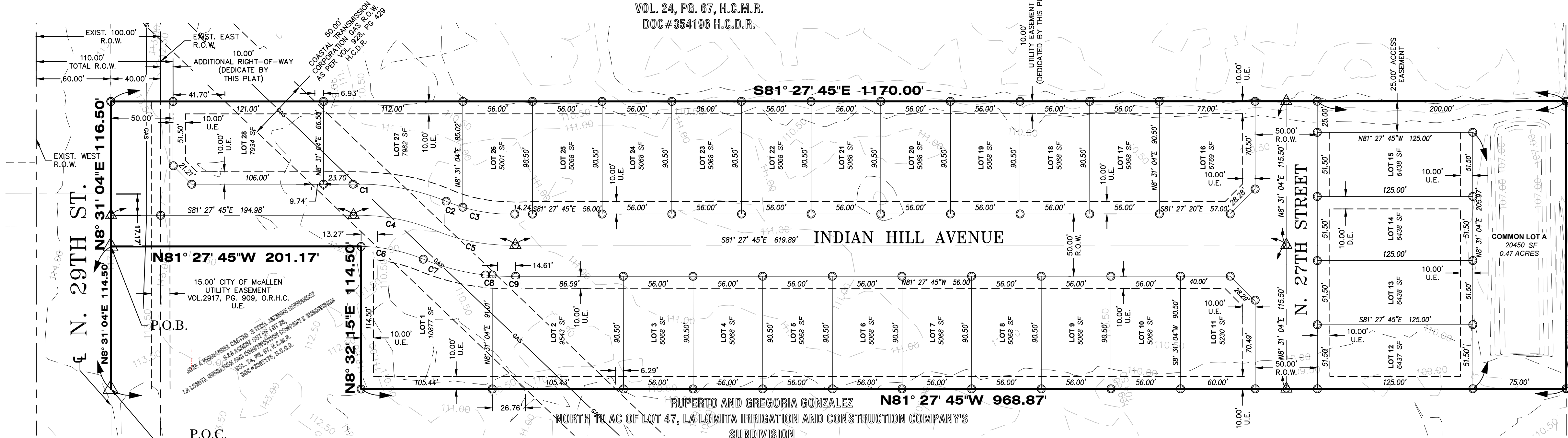
LOCATION



IMPERIO ESTATES SUBDIVISION

BEING A 5.68 ACRE TRACT OF LAND OUT OF LOT 38, LA LOMITA IRRIGATION & CONSTRUCTION COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 24, PAGE 68, MAP RECORDS OF HIDALGO COUNTY, TEXAS

CLAUDIA CONTRERAS
1.075 AC, OUT OF LOT 38, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY'S
SUBDIVISION
VOL. 24, PG. 67, H.C.M.R.
DOC#354196 H.C.D.R.



GENERAL PLAT NOTES:

- THE BUILDABLE AREAS OF EACH LOT LIE IN ZONE "X" (SHADED) WHEN PERTAINING TO FLOOD INSURANCE RATE MAP COMMUNITY PANEL 480334 0325 D MAP REVISED JUNE 8, 2000.
- ZONE "X" (SHADED) - AREAS OF 500-YEAR FLOOD; AREAS OF 100-YEAR FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 100-YEAR FLOOD, ACCORDING TO THE FEMA'S FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 480334 0325 D MAP REVISED: JUNE 6, 2000. REVISED TO REFLECT LOMR DATED MAY 17 17, 2001.
- MINIMUM FINISH FLOOR NOTE:
MINIMUM FINISH FLOOR ELEVATION SHALL BE 107.50 (NAGD 1929) OR 107.15 (NAVD 88) OR 18" ABOVE TOP OF CURB IN FRONT OF THE CENTER-POINT OF THE LOT.
- MINIMUM BUILDING SETBACKS SHALL COMPLY WITH THE CITY OF McALLEN ZONING CODE:
FRONT: 25 FT. OR GREATER FOR EASEMENTS.
REAR: 10 FT. OR GREATER FOR EASEMENTS.
INTERIOR SIDES: 6 FT. OR GREATER FOR EASEMENTS.
CORNER: 10 FT. OR GREATER FOR EASEMENTS.
GARAGE: 18 FT. EXCEPT WHERE GREATER SETBACK IS REQUIRED; GREATER SETBACK APPLIES.
- A DRAINAGE DETENTION OF 321,145 CF OR 0.738 ACRE FEET IS REQUIRED FOR THIS SUBDIVISION. CURRENT RUNOFF WILL BE DETAINED IN COMMON LOT "A". COMMON LOT "A" WILL BE DESIGNATED FOR DETENTION PURPOSES ONLY. DETENTION SHALL COMPLY WITH MASTER DRAINAGE PLAN. THE CITY OF McALLEN WILL NOT MAINTAIN DETENTION AREA.
- ENGINEERED DRAINAGE DETENTION PLAN, APPROVED BY THE ENGINEERING DEPARTMENT, PRIOR TO ISSUANCE OF BUILDING PERMIT. GRADING MUST COMPLY WITH MASTER PLAN.
- EASEMENTS SHALL BE KEPT CLEAR OF FENCES, BUILDINGS, SHEDS, SHRUBS, TREES, AND OTHER PLANTINGS (EXCEPT LOW, GROUND COVER, GRASS OR FLOWERS) AND OTHER OBSTRUCTIONS TO THE OPERATIONS AND MAINTENANCE OF THE EASEMENT.
- THE CITY OF McALLEN TO HAVE A 15'X15' CORNER CLIP EASEMENT AT STREET INTERSECTIONS MEASURED FROM STREET CURB INTERSECTION.
- 4 FT. WIDE MINIMUM SIDEWALK REQUIRED ON N. 29TH STREET (ROOTH ROAD) AND BOTH SIDES OF ALL INTERIOR STREETS.
- CITY OF McALLEN BENCHMARK (MC45) SET BY J.A. GARZA ASSOCIATES L.L.C. A 30" ALUMINUM PIPE WITH A 3-1/4" BRASS MONUMENT CAP ON TOP, LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF 23RD AND OXFORD AVENUE. NORTHING=16630268.33742 EASTING= 1072459.20383 ELEV= 111.59 NAD83 - NAVD 88
- 6 FT. OPAQUE BUFFER REQUIRED FROM ADJACENT, BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, OR INDUSTRIAL ZONES/USES AND ALONG N. 29TH STREET.
- 8 FT. MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONES/USES.
- ALL UTILITY AND DRAINAGE EASEMENTS TO BE DEDICATED BY THIS PLAT, UNLESS STATED OTHERWISE.
- COMMON AREAS, PRIVATE STREETS/DRIVES, GATES AREAS, ETC. MUST BE MAINTAINED BY THE LOT OWNERS AND NOT THE CITY OF McALLEN.
- NO CURB CUT, ACCESS, OR LOT FRONTAGE PERMITTED ALONG N.29TH STREET (ROOTH ROAD).
- AS PER DECLARATIONS OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR IMPERIO ESTATES SUBDIVISION, SUBDIVISION HOMEOWNER'S ASSOCIATION, UPON CONVEYANCE OF TITLE TO THE SAME, THEIR SUCCESSORS AND ASSIGNS, AND NOT BY THE CITY OF McALLEN, NO BUILDINGS OR OTHER STRUCTURES SHALL BE ERRECTED IN COMMON LOT A, WHICH SHALL BE USED EXCLUSIVELY AS DETENTION AREA. AFTER COMMON LOT A'S TRANSFER OF TITLE TO THE IMPERIO ESTATES SUBDIVISION HOMEOWNER'S ASSOCIATION THE SUBDIVISION LOT OWNER'S PRO RATA SHARES OF THE COST OF MAINTENANCE SHALL BE DETERMINED BY THE IMPERIO ESTATES 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 SHALL BECOME A LIEN AGAINST THEIR PROPERTIES. PRIOR TO THE IMPOSITION OF ANY LIEN, THE CITY SHALL FIRST COMPLY WITH NOTICE REQUIREMENTS SIMILAR TO THOSE UNDER EXISTING ORDINANCE SECTION 134-168(c), AS THE SAME MAY BE AMENDED. THE SPECIFIC 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
- PERIMETER BUFFERS MUST BE BUILT AT THE TIME OF SUBDIVISION IMPROVEMENTS.

Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	76.65	188.16	23.34	N71° 04' 59"W	76.12
C2	14.27	132.58	6.17	N61° 45' 58"W	14.27
C3	42.30	132.58	18.28	N73° 59' 23"W	42.12
C4	66.59	163.16	23.38	N71° 09' 24"W	66.13
C5	66.69	157.58	24.25	N70° 52' 04"W	66.19
C6	51.33	137.34	21.42	N69° 54' 36"W	51.03
C7	51.78	182.58	16.25	N67° 08' 16"W	51.60
C8	5.43	182.58	1.70	N76° 07' 15"W	5.43
C9	18.85	182.82	5.91	S79° 55' 20"E	18.85

VOL. 24, PG. 67, H.C.M.R.
DOC#1966-8900, H.C.D.R.

METES AND BOUNDS DESCRIPTION:

BEING A 5.68 ACRE TRACT OF LAND OUT OF LOT 38, LA LOMITA IRRIGATION & CONSTRUCTION COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 24, PAGE 68, MAP RECORDS OF HIDALGO COUNTY, TEXAS, AND SAID 5.68 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A COTTON PICKER SPINDLE SET AT THE SOUTHWEST CORNER OF THE SAID LOT 38, SAME BEING A POINT ON THE CENTERLINE OF N. 29TH STREET;

THENCE N 81°10'4" E ALONG THE WEST LINE OF THE SAID LOT 38, SAME BEING ALONG THE CENTERLINE OF N. 29TH STREET, A DISTANCE OF 114.50 FEET TO A COTTON PICKER SPINDLE SET, FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT AND THE POINT OF BEGINNING;

THENCE N 81°10'4" E ALONG THE WEST LINE OF THE SAID LOT 38, SAME BEING ALONG THE CENTERLINE OF N. 29TH STREET, A DISTANCE OF 116.50 FEET TO A COTTON PICKER SPINDLE SET, FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 81°27'45" E ACROSS THE SAID LOT 38, SAME BEING PARALLEL TO THE SOUTH BOUNDARY LINE OF THE SAID LOT 38, TO A POINT ON THE WEST LINE OF A CALLED 150.00 FEET NORTHWEST BLUELINE DRAIN RIGHT-OF-WAY AS PER DOC #546346, OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS, PASSING AT 40.00 FEET A CAPPED 1/2-INCH IRON ROD SET ON THE EXISTING EAST RIGHT-OF-WAY LINE OF N. 29TH STREET, AND CONTINUING FOR A TOTAL DISTANCE OF 1170.00 FEET TO A CAPPED 1/2-INCH IRON ROD SET, FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 81°10'4" W ACROSS THE SAID LOT 38, SAME BEING ALONG THE WEST LINE OF THE SAID 150.00 FEET NORTHWEST BLUELINE DRAIN RIGHT-OF-WAY, TO A POINT ON THE SOUTH LINE OF THE SAID LOT 38, A DISTANCE OF 231.00 FEET TO A CAPPED 1/2-INCH IRON ROD SET, FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 81°27'45" W ALONG THE SOUTH LINE OF THE SAID LOT 38, A TOTAL OF 968.87 FEET TO A CAPPED 1/2-INCH IRON ROD SET, FOR A CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 81°32'15" E ACROSS THE SAID LOT 38, A DISTANCE OF 114.50 FEET TO A CAPPED 1/2-INCH IRON ROD SET, FOR A CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 81°27'45" W ACROSS THE SAID LOT 38, SAME BEING PARALLEL TO THE SOUTH BOUNDARY LINE OF THE SAID LOT 38, PASSING AT 161.17 FEET A CAPPED 1/2-INCH IRON ROD SET TO THE EXISTING RIGHT-OF-WAY OF N. 29TH STREET, AND CONTINUING FOR A TOTAL DISTANCE OF 201.17 FEET TO THE POINT AND PLACE OF BEGINNING, SAID TRACT CONTAINING 5.68 ACRES OF LAND, MORE OR LESS, OUT OF WHICH THE WEST 40.00 FEET (0.11 ACRES) LIES WITHIN THE EXISTING RIGHT-OF-WAY OF N. 29TH STREET (100.00 FOOT EXISTING ROAD RIGHT-OF-WAY).

STATE OF TEXAS COUNTY OF HIDALGO MAYOR'S CERTIFICATE

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

CITY MAYOR DATE

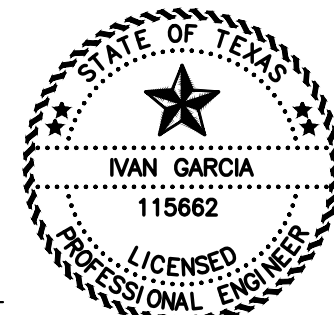
STATE OF TEXAS COUNTY OF HIDALGO PLANNING AND ZONING COMMISSION CHAIR CERTIFICATE

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

PLANNING AND ZONING CHAIR DATE

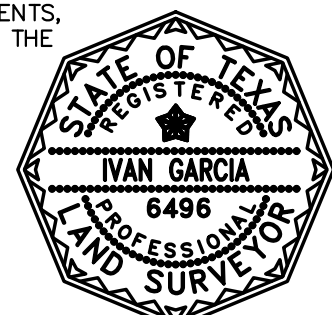
STATE OF TEXAS - COUNTY OF HIDALGO

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



STATE OF TEXAS - COUNTY OF HIDALGO

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



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

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 IMPERIO ESTATES SUBDIVISION, DO HEREBY GRANT AN ACCESS AND UTILITY EASEMENT TO THE CITY OF McALLEN AND THOSE WHO MAY NOW OR HEREAFTER HOLD FRANCHISE UNDER SAID CITY. THE USE OF THE STREETS, ALLEYS, AND EASEMENTS THEREON SHOWN, SURFACE USE OF THE STREETS AND ALLEYS ARE RESTRICTED TO THE EMPLOYEES AND AGENTS OF THE CITY OF McALLEN, TO THE EMPLOYEES OF THE UTILITY OPERATING UNDER FRANCHISE, TO THE CITY OF McALLEN, AND RESIDENTS OF THE SUBDIVISION AND THEIR GUESTS. ADDITIONAL PUBLIC RIGHT-OF-WAY FOR NORTHGATE LANE IS BEING DEDICATED BY THIS PLAT.

JORGE VALDEZ
HOLLYWOOD DEVELOPMENT &
CONSTRUCTION LLC
2516 BUDDY OWENS

STATE OF TEXAS COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JORGE VALDEZ, 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 ____ 2024.

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

PRINCIPAL CONTACTS:

NAME	ADDRESS	PHONE & FAX
OWNER(S): HOLLYWOOD DEVELOPMENT & CONSTRUCTION LLC	2516 BUDDY OWENS	McAllen TX. 78504
SURVEYOR: IVAN GARCIA	921 S. 10TH AVENUE	EDINBURG, TX. 78539 (956) 803-0341
ENGINEER: IVAN GARCIA	921 S. 10TH AVENUE	EDINBURG, TX. 78539 (956) 380-5152 (956) 380-5083

HOMEOWNERS' ASSOCIATION ACKNOWLEDGMENT STATE OF TEXAS COUNTY OF HIDALGO

I, JORGE VALDEZ, PRESIDENT OF IMPERIO ESTATES SUBDIVISION, HOMEOWNERS' ASSOCIATION, (DOCUMENT NUMBER _____, HIDALGO COUNTY DEED RECORDS), AGREE TO THE CONDITIONS STATED IN NOTE #13 OF THE PLAT NOTES.

JORGE VALDEZ
HOLLYWOOD DEVELOPMENT &
CONSTRUCTION LLC
2516 BUDDY OWENS

STATE OF TEXAS COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JORGE VALDEZ, 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 ____ 2024.

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

HIDALGO COUNTY IRRIGATION DISTRICT NO. 1

THIS PLAT IS HEREBY APPROVED BY THE HIDALGO COUNTY IRRIGATION DISTRICT NO. 1 ON THIS, THE ____ DAY OF ____ 20____, SUBJECT TO THE FOLLOWING

NO IMPROVEMENTS OF ANY KIND (INCLUDING WITHOUT LIMITATION, TREES, FENCES, AND BUILDINGS) SHALL BE PLACED UPON HIDALGO COUNTY IRRIGATION DISTRICT NO. 1 RIGHT OF WAYS EASEMENTS WITH OUT THE EXPRESSED WRITTEN.

SECRETARY PRESIDENT

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 CERTIFICATE

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

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

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



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

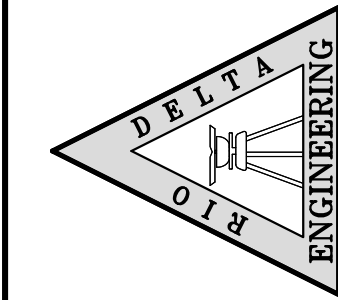
ON: ____ AT ____ AM/PM
INSTRUMENT NUMBER
OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS

BY: ____ DEPUTY

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

RIO DELTA ENGINEERING

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



ISSUED FOR:
FINAL

PROJECT :
IMPERIO ESTATES SUBDIVISION
CITY OF McALLEN
HIDALGO COUNTY, TEXAS

ENGINEER:
IVAN GARCIA P.E. R.P.L.S.
SURVEYOR:
IVAN GARCIA P.E. R.P.L.S.
CHECKED:
IVAN GARCIA P.E. R.P.L.S.
DRAWN:
EP/FG
SCALE:
1"=50'
DATE:
NOVEMBER 7, 2023
PROJECT:
SUB 20 054
REVISIONS:
PAGE NO:
1-OF-1



City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 2/29/2024

SUBDIVISION NAME: IMPERIO ESTATES SUBDIVISION

REQUIREMENTS

STREETS AND RIGHT-OF-WAYS

N. 29th Street (Rooth Road): 50 ft. ROW required from centerline for 100 ft. total ROW

Paving: 65 ft. Curb & gutter: both sides

Revisions Needed:

-Revised street as shown above prior to final.

-Label Centerline prior to recording.

***Subdivision Ordinance: Section 134-105

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

***City of McAllen Thoroughfare Plan

N. 27th Street: 50 ft. ROW

Paving: 32 ft. Curb & gutter: both sides

Revisions Needed:

-Label Centerline prior to recording.

-Temporary barricades required on the North and South side until such streets are extended as properties develop.

***Subdivision Ordinance: Section 134-105

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

***City of McAllen Thoroughfare Plan

Indian Hill Avenue: 50 ft. ROW

Paving: 32 ft. Curb & gutter: both sides

Revisions Needed:

-Identify centerline for proposed Indian Hill Avenue and existing across N. 29th Street to verify street alignment, it cannot be less than 125 ft., revise plat accordingly if no changes a Variance request will be required. Engineer submitted a variance application on November 4, 2021 requesting a offset of 17 feet instead of the required 125 feet from centerline to centerline for street jogs.(134-105(d))Under the authority and review of the Planning Director the Variance request to the street jog length was approved administratively.

***Subdivision Ordinance: Section 134-105

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

****City of McAllen 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

*Original plat submittal exceeded the 600 ft. Maximum Cul-de Sac block length requirement, as per plat submitted on 9/30/22, the plat no longer presents a cul-de-sac and provides for future N/S interior street(N.27th Street).

**Subdivision Ordinance: Section 134-105

Required

Required

Required

Applied

Compliance

NA

Applied

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

ALLEYS	
ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties **Subdivision Ordinance: Section 134-106	NA
SETBACKS	
* Front: 25 ft. or greater for easements - Engineer submitted a variance application on February 23, 2024, requesting a front setback of 20 ft. for all lots instead of the required 25 ft. Wording for front setback note must be finalized given the outcome of the request, prior to recording. *Zoning Ordinance: Section 138-356 * Rear: 10 ft. or greater for easements *Zoning Ordinance: Section 138-356 * Interior sides: 6 ft. or greater for easements Engineer submitted a variance application on February 23, 2024, requesting a side setback of 5 ft. for all lots instead of the required 6 ft. Wording for side setback note must be finalized given the outcome of the request, prior to recording. *Zoning Ordinance: Section 138-356 * Corner: 10 ft. or greater for easements *Zoning Ordinance: Section 138-356 * Garage: 18 ft. except where greater setback is required, great setback will apply *Zoning Ordinance: Section 138-356 *ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Required
	Applied
	Required
	Applied
	Applied
	Applied
SIDEWALKS	
* 4 ft. wide minimum sidewalk required on N. 29th Street (Rooth Road) and both sides of all interior streets **Sidewalk requirement may be increased to 5 ft. along N. 29th Street (Rooth Road) and both sides of all interior streets by Engineering Department prior to recording. **Subdivision Ordinance: Section 134-120 * Perimeter sidewalks must be built or money escrowed if not built at this time.	Applied
	Required
BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along N. 29th Street **Landscaping Ordinance: Section 110-46 * 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. **Landscaping Ordinance: Section 110-46 *Perimeter buffers must be built at time of Subdivision Improvements.	Applied
	Applied
	Required
NOTES	
* No curb cut, access, or lot frontage permitted along N.29th Street (Rooth Road). **City's Access Management Policy * 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.	Applied
	NA
	Applied

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

<ul style="list-style-type: none"> * Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. * Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. **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 	NA
	Required
	Required
LOT REQUIREMENTS	
<ul style="list-style-type: none"> * Lots fronting public streets. **As per plat submitted 9/30/22, "Common Lot A" meets frontage requirements of 25 ft. ***Zoning Ordinance: Section 138-356 * Minimum lot width and lot area Revisions Needed: --50 ft. Costal Transmission Corporation GAS R.O.W along lots 1, 2, 27, 28, clarify if this will remain, and site plan may be required as applicable to establish if buildable lot. As per engineer gas easement will remain and subdivision will be public. **Zoning Ordinance: 138-356 	Applied
	Required
ZONING/CUP	
<ul style="list-style-type: none"> * Existing: R-1 (Single-Family Residential) District Proposed: R-1 (Single-Family Residential) District *The rezoning request to R-1 was approved by the P&Z Board on October 5, 2021; and by City Commission on October 25, 2021. ***Zoning Ordinance: Article V * Rezoning Needed Before Final Approval **The rezoning request to R-1 was approved by the P&Z Board on October 5, 2021; and by City Commission on October 25, 2021. ***Zoning Ordinance: Article V 	Compliance
	Completed
PARKS	
<ul style="list-style-type: none"> * 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 \$19,600 (based on 28 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. 	NA
	Required
	NA
TRAFFIC	
<ul style="list-style-type: none"> * As per Traffic Department, Trip Generation for single family residential (28 lots) will be waived. 	Completed

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

* Traffic Impact Analysis (TIA) required prior to final plat. **As per Traffic Department, Trip Generation for single family residential (28 lots) will be waived.	NA
COMMENTS	
Comments: -Must comply with City's Access Management Policy -Revise street names accordingly -HOA's need to be reviewed prior to recording -50 ft. Coastal Transmission Corporation GAS R.O.W along lots 1, 2, 27, 28, clarify if this will remain, and site plan may be required as applicable to establish if buildable lot. As per engineer gas easement will remain and subdivision will be public. -At the Planning and Zoning Commission of October 5, 2021, the board approved the subdivision in Preliminary form. -Subdivision approved in Final form at the Planning and Zoning Commission meeting of November 16th, 2022, subject to conditions noted.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED FINAL FORM SUBJECT TO CONDITIONS NOTED AND CLARIFICATION OF THE REQUESTED VARIANCES.	Applied

LOCATION



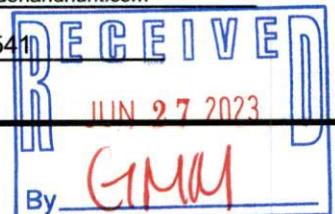


Planning Department

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

SUB2023-0063

Project Information	Subdivision Name <u>Villas at Ware</u>	
	Location <u>Approximately 1,090.5 feet north of Buddy Owens Blvd, on the east side of North Ware Rd.</u>	
	City Address or Block Number <u>4900 N WARE RD REAR</u>	
	Number of Lots <u>87</u> Gross Acres <u>9.333</u> Net Acres <u>9.333</u> ETJ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
	Existing Zoning <u>C-3</u> Proposed Zoning <u>R-3T</u> Rezoning Applied for <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____	
	Existing Land Use <u>Vacant</u> Proposed Land Use <u>Patio Homes</u> Irrigation District # <u>HCID#1</u>	
	Replat <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Commercial _____ Residential <u>X</u>	
	Agricultural Exemption <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Estimated Rollback Tax Due <u>1313264</u>	
	Parcel # <u>1313264</u> Tax Dept. Review	
	Water CCN <input checked="" type="checkbox"/> MPU <input type="checkbox"/> Sharyland Water SC Other _____	
Legal Description <u>9.333 acres, more or less, out of Lot 100, La Lomita Irrigation & Construction Company Subdivision,</u> according to the plat thereof recorded in Volume 24, Page 67, Hidalgo County Deed Records.		
Owner	Name <u>Rhodes Enterprises, Inc.</u>	Phone <u>c/o (956) 381-0981</u>
	Address <u>200 South 10th Street, Suite 1700</u>	E-mail <u>c/o mario@meldenandhunt.com</u> <u>and drobles@meldenandhunt.com</u>
	City <u>McAllen,</u>	State <u>Tx</u> Zip <u>78501</u>
Developer	Name <u>Rhodes Enterprises, Inc.</u>	Phone <u>(956) 287-2800</u>
	Address <u>200 South 10th Street, Suite 1700</u>	E-mail <u>c/o robert@meldenandhunt.com</u> <u>drobles@meldenandhunt.com</u>
	City <u>McAllen</u>	State <u>Texas</u> Zip <u>78501</u>
	Contact Person <u>Nick Rhodes, President</u>	
Engineer	Name <u>Melden & Hunt, Inc.</u>	Phone <u>(956) 381-0981</u>
	Address <u>115 West McIntyre Street</u>	E-mail <u>c/o robert@meldenandhunt.com</u> <u>drobles@meldenandhunt.com</u>
	City <u>Edinburg</u>	State <u>Texas</u> Zip <u>78541</u>
	Contact Person <u>Mario A. Reyna, P.E. and/or Della Robles</u>	
Surveyor	Name <u>Melden & Hunt, Inc.</u>	Phone <u>(956) 381-0981</u>
	Address <u>115 West McIntyre Street</u>	E-mail <u>c/o robert@meldenandhunt.com</u> <u>drobles@meldenandhunt.com</u>
	City <u>Edinburg</u>	State <u>Texas</u> Zip <u>78541</u>



Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

- ✓ \$225 Preliminary Review Fee and \$75 Final Approval Fee
- ✓ Title Report
- ✓ 8 ½" by 11" Original Sealed Survey showing existing structures/easements or 3
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

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 blue-line 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 June 20, 2023

Print Name Mario A. Reyna, P.E.

Owner ☐

Authorized Agent ☒




City of McAllen
Planning Department
VARIANCE TO SUBDIVISION
PROCESS APPLICATION

311 North 15th Street
McAllen, TX 78501
P. O. Box 220

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

VAB2024-0001

Project	Legal Description	9.333 acres, more or less, out of Lot 100, La Lomita Irrigation & Construction Company Subdivision, according to the plat thereof recorded in Volume 24, Page 67, Hidalgo County Deed Records.		
	Proposed Subdivision (if applicable)	Villas at Ware		
	Street Address	4920 North Ware Road, McAllen, Texas 78504		
	Number of lots	86	Gross acres	9.333
	Existing Zoning	R-1 Single Family Residential	Existing Land Use	Vacant
	<input checked="" type="checkbox"/> Current Survey and Metes and Bounds (required if the legal description is a portion of a lot)			
Applicant	Name	Melden & Hunt Inc, (Mario A Reyna, P.E.)		
	Address	115 West McIntyre Street	E-mail	c/o mario@meldenandhunt.com; beto@meldenandhunt.com; and drobles@meldenandhunt.com
	City	Edinburg	State	Texas
Owner	Name	Rhodes Development Inc. formerly known as Rhodes Enterprises, Inc.		
	Address	200 South 10th Street, Suite 1700	E-mail	Brad Frisby <bfrisby@rhodes.com>
	City	McAllen	State	Texas
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 type="checkbox"/> Yes <input checked="" 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			
Office	*FOR OFFICE USE ONLY*			
	APPLICATION FILING FEE:	<input checked="" type="checkbox"/> \$250.00		
	Accepted by	Ki	Payment received by	
	Rev 06/21	<div>RECEIVED JAN 05 2024 By AF</div>		



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.

Please view attached letter from Melden & Hunt, Inc.

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

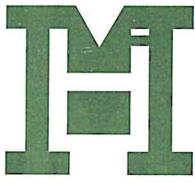
Please view attached letter from Melden & Hunt, Inc.

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 variance will not be detrimental to the public health, safety, or welfare or injurious to the legal rights that other property owners may enjoy within the proposed 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.

The variance will not have any negative effect or prevent the orderly subdivision of other lands within the area in accordance with the provisions of this chapter and the City of McAllen, as all surrounding areas have already been developed.



TBPELS Firm # F-1435
TBPELS # 10096900

MELDEN & HUNT INC.

CONSULTANTS • ENGINEERS • SURVEYORS

MARIO A. REYNA • ALLAN F. BOOE • KELLEY A. HELLER-VELA • ROBERTO N. TAMEZ • RUBEN JAMES DE JESUS • MICHAEL HERNANDEZ

January 2, 2024

City of McAllen Planning Dept.
Attn: Edgar Garcia, Planning Director
311 N. 15th St.
McAllen, TX 78501

Re: VILLAS AT WARE (PRIVATE SUBDIVISION)– Variance Request to City of McAllen

Dear Mr. Garcia:

On behalf of the developer, Rhodes Development, Inc., and in reference to Villas at Ware Subdivision we respectfully request a variance for the following items.

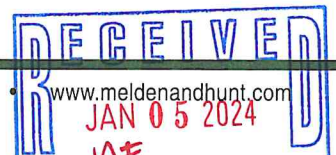
1. **No extension of N. 34th Street to Ware Heights Subdivision (adjacent north):** The developer is proposing not to extend 34th Street to connect Ware Heights Subdivision and Wisteria Estates Subdivision. Villas on Ware is a proposed private subdivision with single-family homes. As part of the development, Rhodes Development, Inc., Melden & Hunt, Inc., and Councilman Joaquin "J.J." Zamora held a meeting with the residents of the surrounding community to inform and obtain a consensus of the proposed development. For the most part, members of the community did not express opposition to the proposed project but did request that 34th Street not be extended due to concerns with traffic. The request is in line with the intent of the project and was previously approved by McAllen City Commission on August 09, 2021.

Also, North 33rd Street serves as a quarter mile collector (north and south) connecting Buddy Owens Boulevard to Dove Avenue thus alleviating the need to extend 34th Street.

An emergency sliding gate is proposed by the developer at the south connection of S. 34th Street that will provide a 2nd access to Fire Department and Public Works Department. This will also improve the maneuverability within the subdivision for City services.

The developer is also proposing to build cul-de-sac within the existing ROW that Ware Heights Subdivision (adjacent south) and Ware Heights Subdivision (adjacent north) dedicated.

2. **Internal ROW:** 30 ft. of ROW instead of the required 60 ft. for multi-family developments. This type of street design was successfully adopted at The Villas on Freddy Subdivision. We are trying replicate an almost identical product and design for this proposed private community. We are proposing to add a "10 ft. utility and sidewalk easement" on both sides of all internal streets.



3. **Internal Paving:** 30 ft. of paving instead of the required 40 ft. for multi-family developments. This paving width is being used at The Villas on Freddy Subdivision. We are trying replicate an almost identical product and design for this proposed private community. We are proposing to add a "10 ft. utility and sidewalk easement" on both sides of all internal streets. The developer is also proposing to mark "fire lane-parking prohibited" on both sides of all internal roads, and this will be enforced by the subdivision's HOA.
4. **Cul-de-Sac ROW:** 100 ft. Instead of the required 116 ft. of ROW for residential developments. We are proposing to add a "10 ft. utility and sidewalk easement" on both sides of all streets. Paving proposed is 96 ft. to comply with Fire Dept. minimum requirements.
5. **Dead-end streets at the south end of N. 35th Street and N. 36th Street:** We are proposing to install a "20.5 Emergency Access Easement" that will function as a connection to N. 34th Street, N. 35th Street and N. 36th Street. The developer is also proposing to "fire lane-parking prohibited" on both sides of this proposed road, and this will be enforced by the subdivision's HOA.
6. **E/W ¼ Mile Collector (Northern boundary):** The developer is requesting to not dedicate ROW nor escrow for this road. All surrounding properties have been developed without accounting for any future roads at this location.
7. **Street Offset with Common Access Easement on Ware Road and Wisteria Avenue:** There is a 10 ft. offset between both accesses instead of the minimum allowed 150 ft. The median along N. Ware Road would eliminate any left turn conflicts. This entrance on Ware Road would be a right-in and right-out only.
8. **Block Length:** The north E/W block length is 929 ft. instead of the maximum allowed 900 ft. The layout of this private subdivision precludes us to comply with this requirement.
9. **Alley Requirement for multi-family subdivisions:** The Public Works Department has approved individual trash bins for each townhome and 1 centralized recycling location.

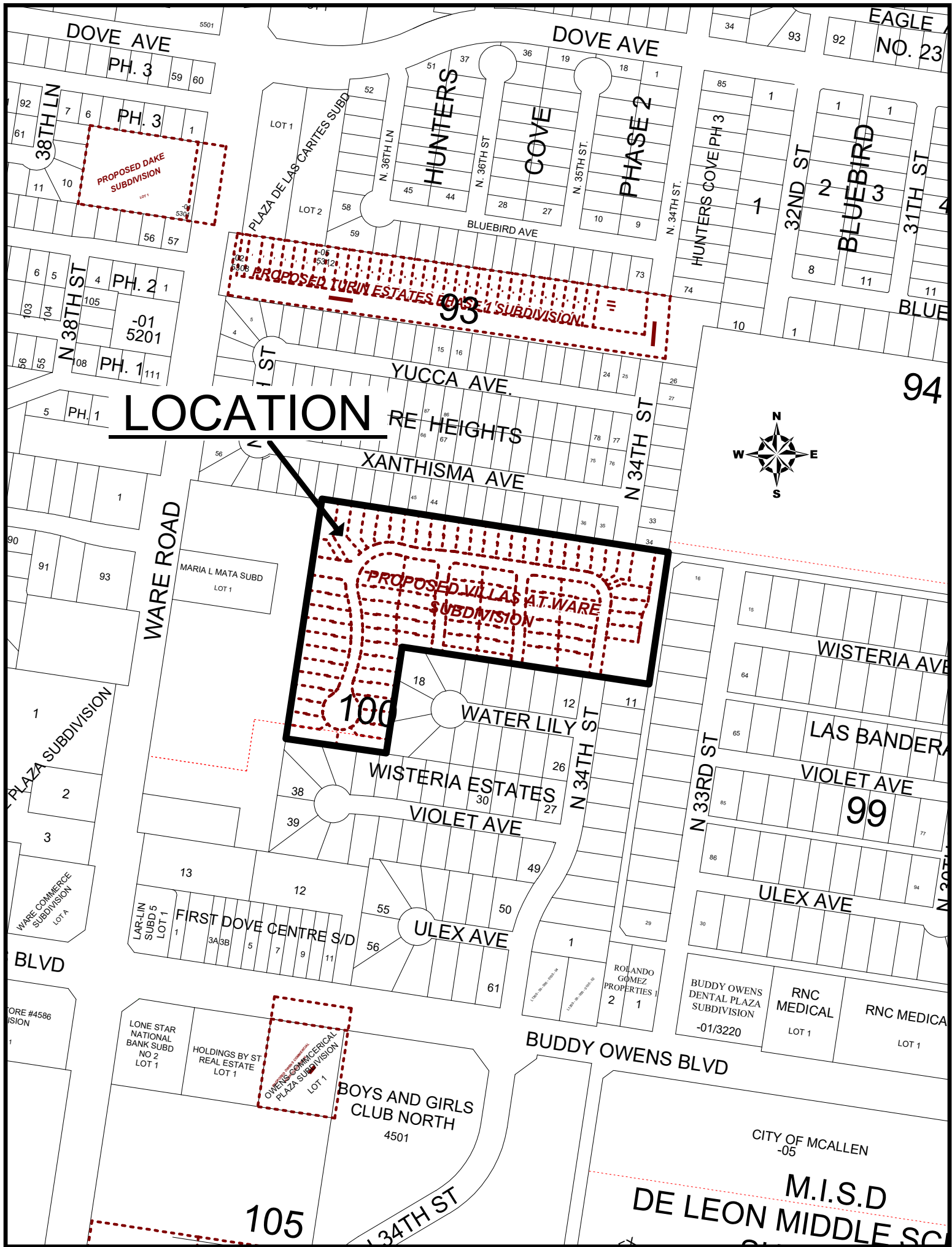
Your consideration on this matter is greatly appreciated. If you have any questions or comments, please contact our office. Thank you.

Respectfully,



Mario A. Reyna, P.E.
President

cc: Rhodes Development, Inc.



SUBDIVISION MAP OF VILLAS AT WARE SUBDIVISION (PRIVATE SUBDIVISION)

BEING A SUBDIVISION OF A 9.333 ACRES SITUATED IN THE CITY OF MCALLEN, COUNTY OF HIDALGO, TEXAS, BEING A PART OR PORTION OUT OF LOT 100, LA LOMITA IRRIGATION & CONSTRUCTION COMPANY SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 24, PAGE 67, HIDALGO COUNTY DEED RECORDS.

METES AND BOUNDS DESCRIPTION:

A TRACT OF LAND CONTAINING 9.333 ACRES SITUATED IN THE CITY OF MCALLEN, COUNTY OF HIDALGO, TEXAS, BEING A PART OR PORTION OUT OF LOT 100, LA LOMITA IRRIGATION & CONSTRUCTION COMPANY SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 24, PAGE 67, HIDALGO COUNTY DEED RECORDS, SAID 9.333 ACRES BEING A PART OR PORTION OUT OF A CERTAIN TRACT CONVEYED TO RHODES ENTERPRISES, INC., BY VIRTUE OF A DEED WITHOUT WARRANTY RECORDED UNDER DOCUMENT NUMBER 3426750, HIDALGO COUNTY OFFICIAL RECORDS, SAID 9.333 ACRES ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 100:

- THENCE, S 81° 23' 15" E ALONG THE NORTH LINE OF SAID LOT 100, A DISTANCE OF 391.27 FEET TO A NO. 4 REBAR FOUND, FOR THE NORTHWEST CORNER AND POINT OF BEGINNING OF THIS HEREIN DESCRIBED TRACT;
- THENCE, S 08° 36' 45" W A DISTANCE OF 355.24 FEET TO AN "X" CUT IN CONCRETE FOUND FOR THE NORTHERMOST SOUTHEAST CORNER OF THIS TRACT;
- THENCE, N 81° 25' 55" W ALONG A NORTH LINE OF WISTERIA ESTATES, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 34, PAGE 151, HIDALGO COUNTY MAP RECORDS, A DISTANCE OF 661.22 FEET TO A NO. 4 REBAR SET, FROM WHICH A NO. 4 REBAR FOUND BEARS N 08° 34' 05" E, A DISTANCE OF 0.23 FEET, FOR AN INSIDE CORNER OF THIS TRACT;
- THENCE, S 08° 34' 05" W ALONG A WEST LINE OF WISTERIA ESTATES, A DISTANCE OF 283.90 FEET TO A NO. 4 REBAR SET, FOR THE SOUTHERNMOST SOUTHEAST CORNER OF THIS TRACT;
- THENCE, N 81° 25' 55" W ALONG A NORTH LINE OF WISTERIA ESTATES, A DISTANCE OF 268.00 FEET TO A NO. 4 REBAR SET, FOR THE SOUTHWEST CORNER OF THIS TRACT;
- THENCE, N 08° 34' 05" E A DISTANCE OF 639.87 FEET TO THE POINT OF BEGINNING AND CONTAINING 9.333 ACRES OF LAND, MORE OR LESS.

LOT LINE - LINE TABLE:

Line #	Length	Direction
L1	10.36'	N08°34'05"E
L2	22.88'	N08°36'45"E
L3	21.41'	N08°36'05"E
L4	25.54'	N08°36'45"E
L5	13.00'	N07°36'42"W
L6	112.52'	N81°25'55"W

CENTERLINE - LINE TABLE:

Line #	Length	Direction
C1	10.36'	N08°34'05"E
C2	22.88'	N08°36'45"E
C3	21.41'	N08°36'05"E
C4	25.54'	N08°36'45"E
C5	13.00'	N07°36'42"W
C6	112.52'	N81°25'55"W

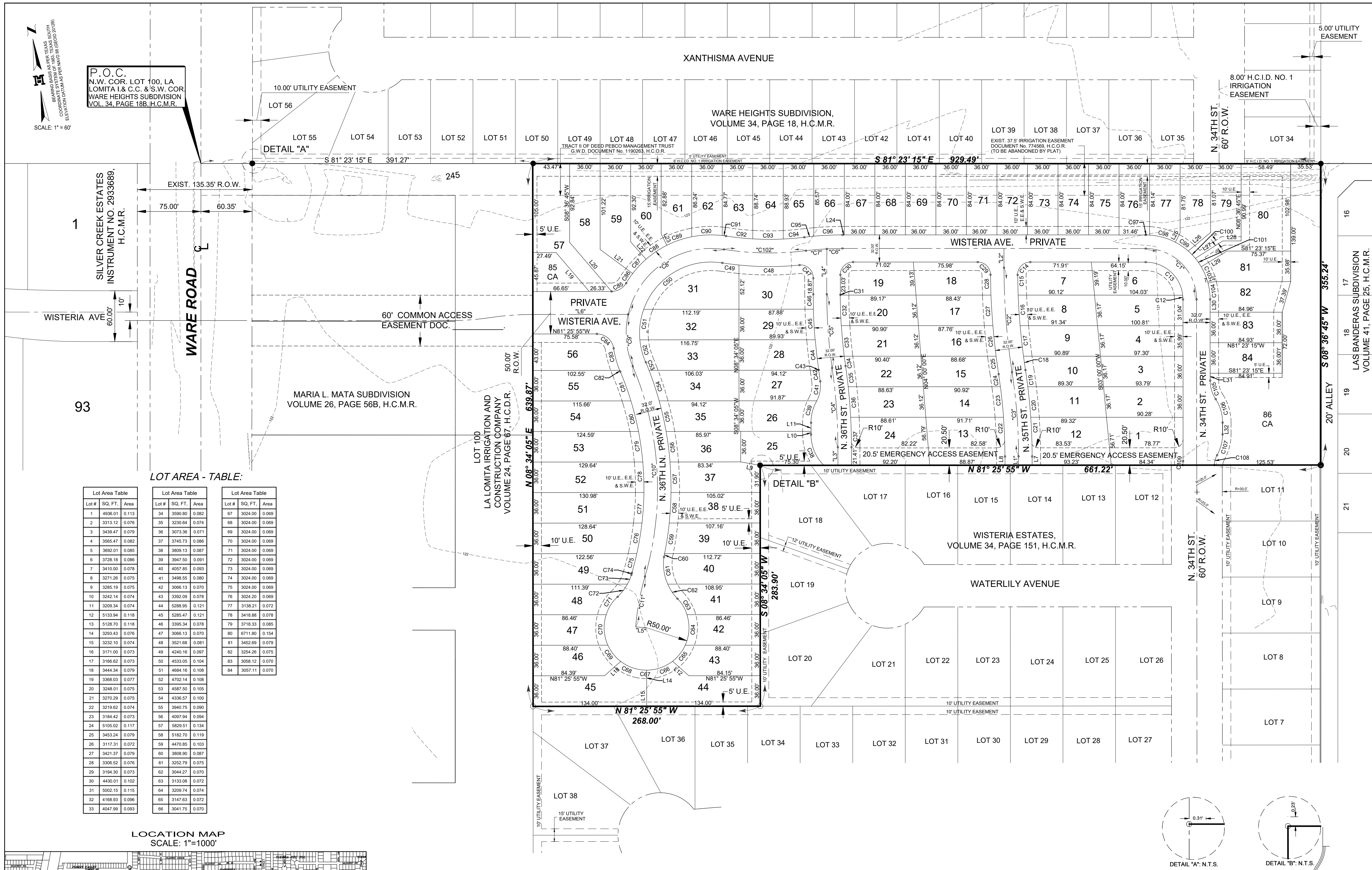
CENTERLINE - CURVE TABLE:

Curve #	Length	Radius	Delta	Chord Direction	Chord Length	Tangent
"C1"	94.20'	60.00'	08°57'20"	N36°24'35"W	84.82'	59.95'
"C2"	123.52'	800.00'	00°50'47"	S4°11'22"W	123.39'	61.88'
"C3"	99.85'	650.00'	00°48'06"	N4°10'02"E	99.75'	50.02'
"C4"	93.82'	650.00'	00°18'10"	N4°25'59"E	93.73'	46.99'
"C5"	87.07'	600.00'	00°18'51"	S4°27'20"W	86.99'	43.61'
"C6"	18.51'	350.00'	00°01'49"	N82°54'10"W	18.51'	9.26'
"C7"	24.69'	350.00'	00°04'02'30"	N86°26'19"W	24.68'	12.35'
"C8"	150.07'	100.00'	08°59'02"	S84°26'39"W	136.38'	93.23'
"C9"	62.44'	100.00'	03°46'27"	S3°33'54"W	61.43'	32.27'
"C10"	253.24'	370.00'	03°12'52"	N6°17'07"E	248.32'	131.80'
"C11"	60.41'	300.00'	01°13'32"E	S19°07'26"W	60.31'	30.31'
"C12"	97.10'	350.00'	01°53'44"	S80°30'42"E	96.79'	48.86'

DRAWN BY: S.Y. DATE: 02-14-20

SURVEYED, CHECKED DATE:

FINAL CHECK DATE:

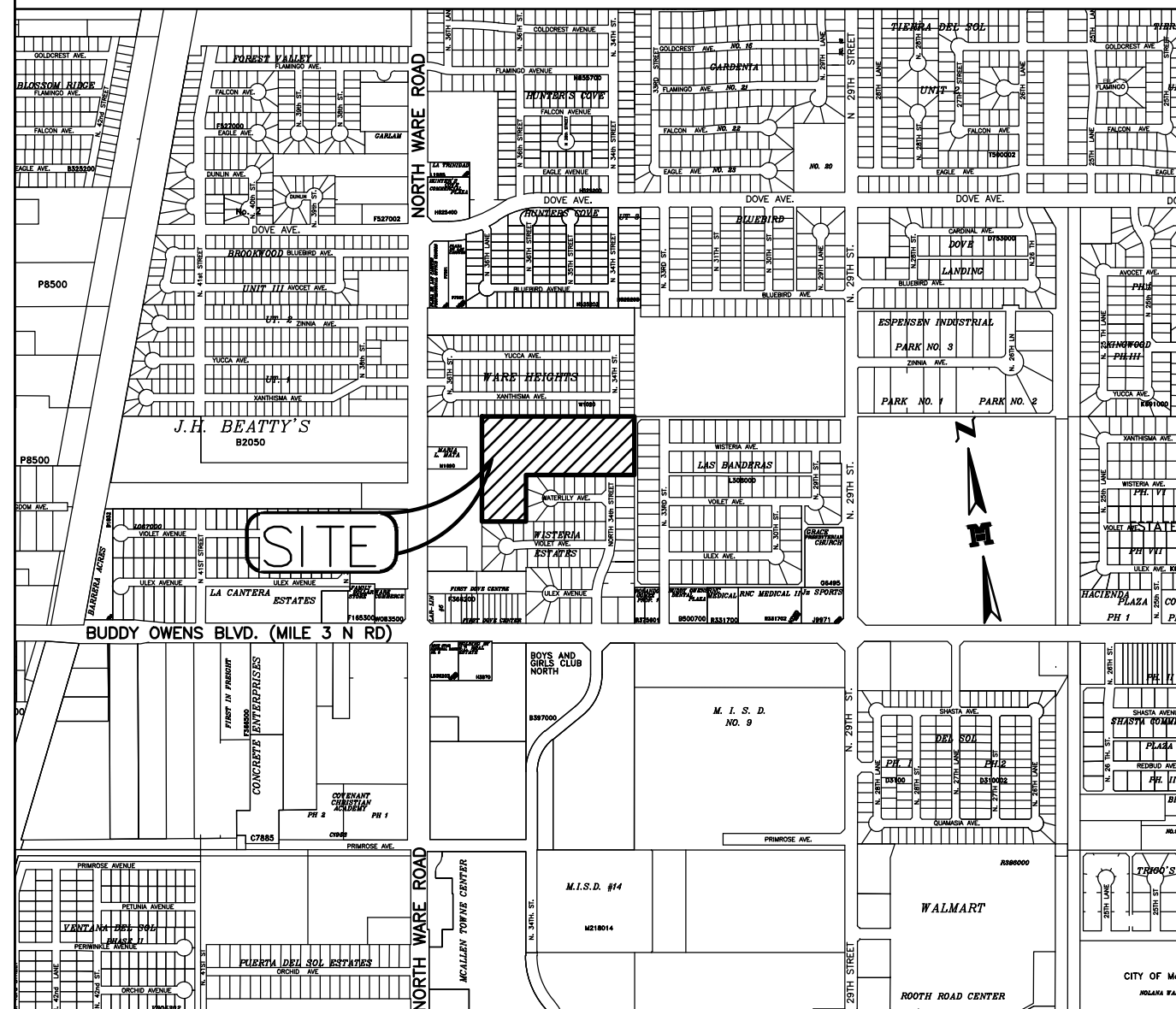


LOT AREA - TABLE:

Lot #	SQ. FT.	Area
1	4936.01	0.113
2	3313.12	0.076
3	3439.47	0.079
4	3565.47	0.082
5	3602.01	0.085
6	3726.18	0.086
7	3410.00	0.078
8	3771.26	0.075
9	3285.19	0.075
10	3242.14	0.074
11	3209.34	0.074
12	5133.94	0.118
13	5128.70	0.118
14	3293.43	0.076
15	3232.10	0.074
16	3171.00	0.073
17	3166.62	0.073
18	3444.34	0.079
19	3368.03	0.077
20	3246.01	0.075
21	3270.29	0.075
22	3219.62	0.074
23	3184.42	0.073
24	5105.02	0.117
25	3403.24	0.079
26	3117.31	0.072
27	3421.37	0.079
28	3305.52	0.076
29	3184.30	0.073
30	4430.01	0.102
31	5002.15	0.115
32	4168.93	0.096
33	4047.99	0.093
34	3590.80	0.082
35	3230.64	0.074
36	3073.36	0.071
37	3745.73	0.086
38	3809.13	0.087
39	3947.50	0.091
40	4057.85	0.093
41	3496.55	0.080
42	3066.13	0.070
43	3302.09	0.076
44	5288.96	0.121
45	5285.47	0.121
46	3395.34	0.078
47	3066.13	0.076
48	3521.68	0.081
49	4240.16	0.097
50	4533.05	0.104
51	4684.16	0.108
52	4702.14	0.108
53	4507.50	0.105
54	4336.57	0.100
55	3940.75	0.090
56	4037.94	0.094
57	5829.51	0.134
58	5182.70	0.119
59	4470.85	0.103
60	3808.90	0.087
61	3252.79	0.075
62	3044.27	0.070
63	3133.08	0.074
64	3209.74	0.072
65	3147.63	0.072
66	3041.75	0.070

LOCATION MAP

SCALE: 1"=1000'



LOT LINE - CURVE TABLE:

Curve #	Length	Radius	Delta	Chord Direction	Chord Length	Tangent
C12	4.98'	56.39'	00°03'19"	N5°19'40"E	4.97'	2.49'
C13	64.10'	44.00'	08°28'30"	N39°39'00"W	58.58'	39.25'
C14	23.72'	15.00'	09°01'31"	S53°18'09"W	21.33'	15.16'
C15	23.85'	723.69'	00°15'31"	S7°01'17"W	23.85'	11.92'
C16	36.08'	784.00'	00°28'30"	S4°56'56"W	36.07'	18.04'
C17	36.22'	784.00'	00°28'30"	S2°17'23"W	36.22'	18.11'
C18	16.42'	828.07'	00°18'09"	S0°21'58"W	16.42'	8.21'
C19	19.90'	666.00'	00°14'28"	N0°37'27"E	19.95'	9.97'
C20	36.18'	666.00'	00°06'44"	N3°02'18"E	36.17'	18.09'
C21	46.19'	666.00'	00°35'58"	N6°34'52"E	46.18'	23.10'
C22	46.22'	649.00'	00°04'46"	N6°28'47"E	46.21'	23.12'
C23	38.19'	635.11'	00°31'59"	N2°40'21"E	38.19'	18.10'
C24	14.98'	589.24'	00°17'25"	N0°26'36"E	14.98'	7.49'
C25	21.38'	861.90'	00°12'51"	S0°31'01"W	21.38'	10.69'
C26	36.21'	814.88'	00°23'45"	S2°32'19"W	36.20'	18.11'
C27	36.07'	814.93'	00°23'45"	S5°04'34"W	36.07'	18.04'
C28	24.16'	753.16'	00°15'01"	S7°11'27"W	24.16'	12.08'
C29	23.41'	15.00'	08°29'35"	N36°40'27"W	21.11'	14.85'
C30	23.56'	15.00'	09°01'00"	S33°38'45"W	21.21'	15.00'
C31	0.97'	287.59'	00°11'34"	S8°39'54"W	0.97'	0.46'
C32	36.02'	584.00'	00°32'04"	S0°49'02"W	36.02'	18.02'
C33	36.17'	584.00'	00°32'54"	S3°12'30"W	36.16'	18.09'
C34	11.59'	632.04'	00°10'01"	S0°52'00"W	11.59'	5.79'
C35	24.72'	686.00'	00°07'36"	N1°21'42"E	24.72'	12.36'
C36	36.12'	686.00'	00°07'36"	N3°58'44"E	36.12'	18.07'

Curve #	Length	Radius	Delta	Chord Direction	Chord Length	Tangent
C37	35.28'	666.00'	00°07'07"	N7°03'01"E	35.28'	17.65'
C38	40.40'	51.00'	04°23'00"	S14°07'28"E	39.35'	21.33'
C39	27.10'	51.00'	03°26'53"	S23°22'44"W	26.78'	13.88'
C40	23.63'	40.00'	03°05'50"	N18°27'31"E	23.29'	12.17'
C41	13.17'	446.58'	00°14'12"	N0°56'30"E	13.17'	6.59'
C42	0.50'	492.50'	00°03'30"	N0°19'16"E	0.50'	0.25'
C43	35.75'	616.00'	00°19'29"	S1°57'30"W	35.74'	17.88'
C44	36.06'	616.00'	00°31'21"	S5°18'01"W	36.06'	18.04'
C45	25.63'	15.00'	09°54'09"	N38°00'30"W	22.62'	17.23'
C46	17.58'	616.00'	00°13'36"	S7°47'42"W	17.58'	8.79'
C47	25.63'	15.00'	09°54'09"	N38°00'30"W	22.62'	17.23'
C48	71.30'	349.07'	01°14'01"	S81°19'42"E	71.22'	36.80'
C49	19.75'	399.37'	00°07'01"	S74°11'55"E	19.75'	9.88'
C50	116.65'	84.00'	07°34'07"	S68°02'15"W	107.60'	69.95'
C51	36.58'	84.00'	02°46'52"	S15°46'52"W	36.29'	18.58'
C52	27.45'	84.00'	01°48'32"	S6°00'58"E	27.33'	13.85'
C53	10.29'	386.00'	00°13'39"	N13°19'12"W	10.29'	5.15'
C54	37.83'	386.00'	00°37'51"	S9°44'27"E	37.82'	18.98'
C55	36.92'	386.00'	00°37'51"	N4°11'09"W	36.91'	18.48'
C56	36.31'	386.00'	00°32'22"	N1°15'19"E	36.30'	18.17'
C57	36.03'	386.00'	00°30'59"	N0°31'10"E	36.02'	18.03'
C58	36.06'	386.00'	00°21'18"	N1°58'17"E	36.06'	18.05'
C59	36.44'	386.00'	00°24'33"	N1°21'12"E	36.43'	18.23'
C60	4.16'	397.07'	00°07'36"	N18°09'16"E	4.16'	2.08'
C61	32.81'	60.00'	03°18'08"	S0°35'57"W	32.21'	16.72'

Curve #	Length	Radius	Delta	Chord Direction	Chord Length	Tangent
C62	20.70'	60.00'	01°45'48"	S24°51'02"E	20.59'	10.45'
C63	22.10'	43.86'	02°52'34"	N22°05'59"W	21.87'	11.29'
C64	36.88'	50.00'	04°21'54"	N11°39'55"E	36.05'	19.33'
C65	24.45'	50.00'	02°01'22"	N46°48'33"E	24.21'	12.48'
C66	23.89'	50.00'	02°22'39"	N74°30'34"E	23.69'	12.18'
C67	9.05'	50.00'	01°02'21"	S76°14'50"E	9.04'	4.54'
C68	23.78'	50.00'	02°15'53"	S57°25'48"E	23.57'	12.13'
C69	24.85'	50.00'	02°08'08"	S29°43'47"E	24.31'	12.53'
C70	25.16'	45.95'	03°12'24"	S40°59'33"W	24.85'	12.91'
C71	19.08'	54.33'	02°07'25"	N48°15'19"E	18.98'	9.64'
C72	12.03'	51.42'	01°34'24"	N31°30'20"E	12.00'	6.04'
C73	23.36'	350.73'	00°48'56"	N23°00'10"E	23.35'	11.68'
C74	36.53'	350.73'	00°53'41"	N18°09'24"E	36.51'	18.28'
C75	36.09'	350.73'	00°49'30"	N12°16'48"E	36.08'	18.06'
C76	36.04'	354.00'	00°50'00"	N0°34'36"E	36.02'	18.04'
C77	36.04'	354.00'	00°53'11"	S0°34'59"E	36.39'	18.20'
C78	37.11'	354.00'	00°06'02"	N0°21'47"W	37.09'	18.57'
C79	36.80'	354.00'	00°57'20"	N11°20'38"W	36.78'	18.41'
C80	1.54'	158.52'	00°01'31"	S19°56'36"E	1.54'	0.77'
C81	27.88'	116.00'	01°12'39"	S0°12'33"E	27.02'	13.80'
C82	26.36'	30.00'	09°14'40"	N40°48'36"W	26.04'	17.16'
C83	26.72'	30.00'	09°07'20"	N46°53'05"E	19.81'	11.40'
C84	13.72'	168.00'	00°46'54"	S42°33'32"W	13.72'	6.87'
C85	23.94'	116.00'	01°12'46"	S51°40'23"W	23.90'	11.58'

Curve #	Length	Radius	Delta	Chord Direction	Chord Length	Tangent
C86	29.63'	116.00'	01°48'14"	S64°40'53"W	29.55'	14.90'
C87	31.05'	116.00'	01°52'10"	S70°40'05"W	30.96'	15.82'
C88	36.18'	116.00'	01°57'02"	N83°43'47"W	36.03'	18.24'
C89	4.52'	116.00'	00°21'53"	N73°40'47"W	4.52'	2.26'
C90	31.72'	334.00'	00°52'26"	S75°17'03"E	31.70'	15.87'
C91	36.02'	334.00'	00°16'43"	S81°06'38"E	36.00'	18.03'
C92	24.83'	334.00'	00°41'35"	S86°19'17"E	24.82'	12.47'
C93	11.24'	366.00'	00°14'32"	N87°34'49"W	11.23'	5.62'
C94	33.94'	366.00'	00°51'48"	N84°02'39"W	33.93'	16.98'
C95	4.54'	75.00'	00°28'16"	N70°40'29"W	4.54'	2.27'
C96	31.78'	76.00'	02°57'44"	N65°58'52"W	31.55'	16.13'

SUBDIVISION MAP OF
VILLAS AT WARE
SUBDIVISION
(PRIVATE SUBDIVISION)

BEING A SUBDIVISION OF A 9.333 ACRES SITUATED IN THE CITY OF MCALLEN, COUNTY OF HIDALGO, TEXAS, BEING A PART OR PORTION OUT OF LOT 100, LA LOMITA IRRIGATION & CONSTRUCTION COMPANY SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 24, PAGE 67, HIDALGO COUNTY DEED RECORDS.

GENERAL NOTES :

1. THE SITE LIES IN ZONE "C".
ZONE "C" IS DEFINED AS "AREAS OF MINIMAL FLOODING.

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

2. MINIMUM FINISH FLOOR ELEVATION SHALL BE 18" ABOVE TOP OF CURB AT CENTER OF LOT.

3. MINIMUM SETBACKS SHALL COMPLY WITH THE CITY OF MCALLEN ZONING CODE:

FRONT: 10 FEET OR GREATER FOR EASEMENTS, WHICHEVER IS GREATER APPLIES.
REAR: 10 FEET OR GREATER FOR EASEMENTS, WHICHEVER IS GREATER APPLIES.
GARAGE: 18 FEET.
INTERIOR SIDES:
LOTS 1-30 3 FEET SOUTH, 7 FEET NORTH.
LOTS 31-56 7 FEET SOUTH, 3 FEET NOTH.
LOTS 57-80 7 FEET WEST, 3 FEET EAST.
LOTS 84-84 3 FEET NORTH, 7 FEET SOUTH.

4. REQUIRED DETENTION FOR STORM SEWER RUNOFF PER THE APPROVED DRAINAGE REPORT SHALL BE 59,928.00 CUBIC FEET (1.376 AC.-FT). STORM WATER RUNOFF GENERATED FROM DEVELOPMENT SHALL BE DETAINED ON-SITE VIA A DETENTION POND.
AN ENGINEERED DRAINAGE DETENTION PLAN, APPROVED BY THE ENGINEERING DEPARTMENT SHALL BE SUBMITTED AND APPROVED BY THE CITY OF MCALLEN PRIOR TO ISSUANCE OF BUILDING PERMIT.

5. CITY OF MCALLEN BENCHMARK: "MC 58" FROM THE CITY OF MCALLEN G.P.S. REFERENCE MARKS LIST PREPARED BY GLICK, LINN ON OCTOBER 06, 1999. BEING LOCATED ON SOUTHEAST CORNER OF THE INTERSECTION OF WARE ROAD & MILE 3 LINE ROAD, 30" ALUM. PIPE WITH A 3 1/2" BRASS MONUMENT CAP ON TOP AT ELEVATION = 119.91, NORTHING: 16616036.9453, EASTING: 1064821.60716 (NAVD88).

6. 5 FT. WIDE MINIMUM SIDEWALK REQUIRED ALONG COLLECTOR STREET, AND BOTH SIDES OF ALL INTERIOR STREETS, INCLUDING THE ENTRANCE ACCESS AND THE EAST SIDE OF NORTH WARE ROAD.

7. NO STRUCTURES PERMITTED TO BE BUILT OVER EASEMENTS.

8. 6 FT. OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, AND INDUSTRIAL ZONES/USES AND ALONG THE COLLECTOR STREET, IF APPLICABLE.

9. 8 FT. MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONES/USES.

10. SET No. 4 REBARS WITH PLASTIC CAP STAMPED MELDEN AND HUNT ON ALL LOT CORNERS.

11. COMMON AREAS, ANY PRIVATE STREETS/DRIVES, GATE AREAS, DETENTION AREAS, ETC. MUST BE MAINTAINED BY THE LOT OWNERS AND NOT THE CITY OF MCALLEN.

12. 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.

13. NO DWELLING SHALL BE ALLOWED IN ANY COMMON AREAS.

14. A 25'X25' SIGHT OBSTRUCTION EASEMENT REQUIRED AT ALL STREET INTERSECTIONS AND A 10'X10' SIGHT OBSTRUCTION EASEMENT REQUIRED AT ALL STREET/ALLEY INTERSECTIONS.

15. ALL EASEMENTS SHOWN IN PLAT ARE DEDICATED BY THIS PLAT UNLESS STATED OTHERWISE.

16. PRIVATE TECHNOLOGY EASEMENT, OWNER RESERVES ONTO RHODES DEVELOPMENT INC. A TECHNOLOGY EASEMENT OVER THE PROPERTY IN THE LOCATION IDENTIFIED ON THIS PLAT (THE "TECHNOLOGY EASEMENT"), THE TECHNOLOGY SHALL BE AN EXCLUSIVE EASEMENT FOR THE PURPOSE OF INSTALLING, MAINTAINING, REPLACING AND UPGRADING ANY AND ALL CABLE, FIBER, OR OTHER ANY TRANSPARENT MEDIA, REASONABLY NECESSARY FOR PROVIDING TECHNOLOGY SERVICES, INCLUDING, BUT NOT LIMITED TO INTERNET, CABLE, SECURITY, AND RELATED SERVICES, TO THE LOTS CREATED BY THIS PLAT.

17. AS PER DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS, FOR THE VILLAS AT WARE SUBDIVISION RECORDED UNDER DOCUMENT NUMBER _____, HIDALGO COUNTY OFFICIAL RECORDS. DEVELOPER/HOMEOWNERS ASSOCIATION/OWNER, THEIR SUCCESSORS AND/OR ASSIGNS, AND NOT THE CITY OF MCALLEN SHALL BE RESPONSIBLE OF INSTALLATION, MAINTENANCE AND OTHER REQUIREMENTS AS PER SECTION 134-168 OF THE CODE OF ORDINANCE OF THE CITY OF MCALLEN, INCLUDING BUT NOT LIMITED TO COMMON AREAS AND DETENTION PONDS. ANY AMENDMENT TO DECLARATION THAT CONFLICT WITH THE REQUIREMENTS OF SECTION 134-168 SHALL BE NULL & VOID.

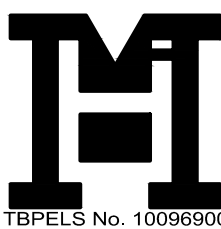
18. COMMON LOTS 85, 86, AND 87, IDENTIFIED AS DETENTION AND COMMON AREAS, ANY PRIVATE STREETS/DRIVES, MAIL CENTER (LOT 85) ETC. MUST BE MAINTAINED BY THE DEVELOPER WHO MAY TRANSFER SUCH MAINTENANCE OBLIGATION TO THE SUBDIVISION HOMEOWNER'S ASSOCIATION, VILLAS AT WARE SUBDIVISION HOMEOWNER'S ASSOCIATION, UPON CONVEYANCE OF TITLE TO THE SAME, THEIR SUCCESSORS AND ASSIGNEES, AND NOT BY THE CITY OF MCALLEN, NO BUILDINGS OR OTHER STRUCTURES SHALL BE ERRECTED IN COMMON LOT 86, WHICH SHALL BE USED EXCLUSIVELY AS DETENTION AREAS. AFTER COMMON LOTS 85, 86, AND 87 TRANSFER OF TITLES TO THE VILLAS AT WARE SUBDIVISION HOMEOWNER'S ASSOCIATION THE SUBDIVISION LOT OWNER'S PRO RATA SHARES OF THE COST OF MAINTENANCE SHALL BE DETERMINED BY THE VILLAS AT WARE 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 134-168(i), AS THE SAME MAY BE AMENDED. THE SPECIFIC AND EXCLUSIVE USE OF COMMON LOT 85, IDENTIFIED AS MAIL CENTER AND COMMON AREA, 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 _____, APPROVED BY DRAINAGE DISTRICT NO. 1, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS.

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



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

DRAWN BY: R. DE JESUS DATE 12-04-23
SURVEYED, CHECKED DATE
FINAL CHECK DATE

THE STATE OF TEXAS
COUNTY OF HIDALGO

I, THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS VILLAS AT WARE SUBDIVISION, DO HEREBY GRANT AN ACCESS AND UTILITY EASEMENT TO THE CITY OF MCALLEN AND THOSE WHO MAY NOW OR HEREAFTER HOLD FRANCHISE UNDER SAID CITY. THE USE OF THE STREET(S), ALLEY(S) AND EASEMENTS THEREON SHOWN, SURFACE USE OF THE STREET(S) AND ALLEY(S) IS RESTRICTED TO THE EMPLOYEES OR AGENTS OF THE CITY OF MCALLEN, TO THE EMPLOYEES OF UTILITIES OPERATING UNDER FRANCHISE TO THE CITY OF MCALLEN AND RESIDENTS OF THE SUBDIVISION AND THEIR GUESTS. THE OWNER DOES HEREBY DEDICATE TO THE USE OF THE PUBLIC THE PORTION OF N. JACKSON ROAD AND N. "K" CENTER STREET FOR THE USE AS STREET RIGHT OF WAY DEDICATED TO THE CITY OF MCALLEN BY THIS PLAT.

RHODES ENTERPRISES, INC.
NICK RHODES, PRESIDENT
200 S. 10TH ST., STE. 1700
MCALLEN, TX 78501

DATE

STATE OF TEXAS
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED NICK RHODES, 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/WE, THE UNDERSIGNED, HOLDER(S) FOR DULY AUTHORIZED OFFICERS OF THE HOLDER(S) OF A SECURITY INTEREST IN THE ABOVE DESCRIBED PROPERTY, BEING THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS THE VILLAS AT WARE SUBDIVISION OF THE CITY OF MCALLEN, TEXAS, DO HEREBY CONSENT TO THE SUBDIVISION OF HTE PROPERTY AS PROVIDED FOR UNDER THE PLAT AND DO HEREBY PROVIDE THAT ANY FORECLOSURE RELATING TO THE SECURITY INTEREST ON THE ABOVE DESCRIBED PROPERTY SHALL BE SUBJECT TO THE PLATTING OF THE PROPERTY AS PROVIDED HEREIN.

ADRIAN VILLARREAL-TRUSTEE
INTERNATIONAL BANK OF COMMERCE
ONE SOUTH BROADWAY
MCALLEN, TX 78505

DATE

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 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, MARIO A. REYNA, A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN TO THIS PLAT.

MARIO A. REYNA, PROFESSIONAL ENGINEER # 117368
DATE PREPARED: 08-01-2023
ENGINEERING JOB No. 23096.00
DATE REVISED: 12-04-2023

DATE:

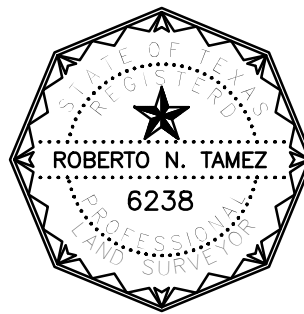


STATE OF TEXAS
COUNTY OF HIDALGO:

I, THE UNDERSIGNED, ROBERTO N. TAMEZ, A REGISTERED PROFESSIONAL LAND SURVEYOR, IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE HEREIN PRESENTED PLAT AND DESCRIPTION OF VILLAS AT WARE SUBDIVISION, WERE PREPARED FROM A SURVEY OF THE PROPERTY MADE ON THE GROUND BY ME OR UNDER MY SUPERVISION ON 04-16-21, AND THAT IT IS A TRUE AND ACCURATE REPRESENTATION OF THE SUBDIVISION OF THE LANDS HEREON DESCRIBED.

ROBERTO N. TAMEZ, REGISTERED PROFESSIONAL LAND SURVEYOR # 6238
DATE SURVEYED: 04-16-21
T- 1072, PAGE 43-47
SURVEY JOB No. 23096

DATE:



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: 3/1/2024

SUBDIVISION NAME: VILLAS AT WARE

REQUIREMENTS

STREETS AND RIGHT-OF-WAYS

North Ware Road: 75 ft. from centerline for 150 ft. of total ROW

Paving: by the state Curb & gutter: by the state

Revisions Needed:

-Show document # on plat for the common access easement connecting to North Ware Road and provide a copy of the document for staff review, prior to recording.

-Provide Wisteria Avenue across North Ware Road with dimensions from centerline to centerline of proposed Common Access Easement to verify compliance with offset requirements, prior to final.

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

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

Non-compliance

North 34th Street: Dedication as needed for 60 ft. Total ROW.

Paving: 40 ft. Curb & gutter: Both sides

Revisions Needed:

-Subdivision layout must provide for street extension and must match existing ROW and Pavement to the North and South, please review and revise accordingly prior to final. Should a alternate layout be proposed and a variance is submitted and approved it would be subject to providing required Cul-De Sac's at the North and South ends of the existing streets within this plat boundary.** Engineer submitted a variance request on January 5th,2024 requesting to not extend the future N.34th Street and proposing to build a cul-de-sac within the existing ROW's of the adjacent subdivisions to the North and South.

At the Planning and Zoning Commission meeting of February 6, 2024, the Board recommended approval of the variance to not extend North 34th Street and build the cul-de-sacs within the existing ROW's of the adjacent subdivisions to the North and South.

-Subdivision proposed Interior dedication is 30 ft. of ROW, ROW must be revised to provide for minimum ROW requirements as noted above, review and revise as applicable prior to final.**Engineer submitted a variance request on January 5th,2024 requesting that the internal ROW's be reduced to 30 ft. instead of the required 60 ft., as well as requesting that the internal paving be reduced to 30 ft. instead of the required 40 ft. and proposing to add a 10 ft. Utility and Sidewalk Easement on both sides of the internal streets with fire lane parking prohibited striping, which will be enforced by the HOA.

At the Planning and Zoning Commission meeting of February 6, 2024, the Board recommended disapproval of the variance for an internal ROW of 30 ft. with 30 ft. of paving and instead recommended approval for an internal ROW of 32 ft. with 32 ft. of paving and the proposed 10 ft. Utility and Sidewalk Easement on both sides of internal streets with fire lane parking prohibited striping, which will be enforced by the HOA.

*If subdivision is proposed to be private as gate details are required and ROW are subject to increase for gate areas, finalize prior to final and submit gate details as applicable.

*Engineer must clarify if subdivision is proposed to be public or private, as it may trigger changes to ROW requirements and subdivision layout may have to be revised, clarify prior to final. As per updated plat submitted on December 5th,2023 subdivision proposed to be private.

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

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

Applied

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

Entrance Street Proposed Wisteria Avenue: Dedication as needed for 60 ft. Total ROW.
Paving: 40 ft. Curb & gutter: Both sides
Revisions Needed:

-Interior street names will be established, prior to final.

-Provide Wisteria Avenue across North Ware Road with dimensions from centerline to centerline of proposed Common Access Easement to verify compliance with offset requirements, prior to final**. Engineer submitted a variance request on January 5th, 2024 for the Street jog requirements to allow a offset of 10 ft., the engineer has stated that there is a median along North Ware Road that would eliminate left turn conflicts.

At the Planning and Zoning Commission meeting of February 6, 2024, the Board recommended approval for the 10 ft. offset with Common Access Easement on Ware Road and Wisteria Avenue.

-Subdivision proposed Interior dedication is 50ft. of ROW, ROW must be revised to provide for minimum ROW requirements as noted above and may increase for gate areas, review and revise as applicable prior to final.

Engineer submitted a variance request on January 5th, 2024 requesting that the internal ROW's be reduced to 30 ft. instead of the required 60 ft., as well as requesting that the internal paving be reduced to 30 ft. instead of the required 40 ft. and proposing to add a 10 ft. Utility and Sidewalk Easement on both sides of the internal streets with fire lane parking prohibited striping, which will be enforced by the HOA.

At the Planning and Zoning Commission meeting of February 6, 2024, the Board recommended disapproval of the variance for an internal ROW of 30 ft. with 30 ft. of paving and instead recommended approval for an internal ROW of 32 ft. with 32 ft. of paving and the proposed 10 ft. Utility and Sidewalk Easement on both sides of internal streets with fire lane parking prohibited striping, which will be enforced by the HOA.

*Engineer must clarify if subdivision is proposed to be public or private, as it may trigger changes to ROW requirements and subdivision layout may have to be revised, clarify prior to final. As per updated plat submitted on December 5th, 2023 subdivision proposed to be private.

**If subdivision is proposed to be private as gate details are required and ROW are subject to increase for gate areas, finalize prior to final and submit gate details as applicable.

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

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

Non-compliance

<p>Interior Streets: Dedication as needed for 60 ft. Total ROW. Paving 40 ft. Curb & gutter: Both Sides. Revisions Needed: -Interior street names will be established, prior to final. -Subdivision proposed Interior dedication is 30 ft. of ROW with 30 ft. of paving, ROW/Pavement must be revised to provide for minimum ROW/Pavement requirements as noted above and may increase for gate areas, review and revise as applicable prior to final. Engineer submitted a variance request on January 5th,2024 requesting that the internal ROW's be reduced to 30 ft. instead of the required 60 ft., as well as requesting that the internal paving be reduced to 30 ft. instead of the required 40 ft. and proposing to add a 10 ft. Utility and Sidewalk Easement on both sides of the internal streets with fire lane parking prohibited striping, which will be enforced by the HOA. **At the Planning and Zoning Commission meeting of February 6, 2024, the Board recommended disapproval of the variance for an internal ROW of 30 ft. with 30 ft. of paving and instead recommended approval for an internal ROW of 32 ft. with 32 ft. of paving and the proposed 10 ft. Utility and Sidewalk Easement on both sides of internal streets with fire lane parking prohibited striping, which will be enforced by the HOA.** -Engineer must clarify if subdivision is proposed to be public or private, as it may trigger changes to ROW requirements and subdivision layout may have to be revised, clarify prior to final. As per updated plat submitted on December 5th,2023 subdivision proposed to be private. -Provide for "Cul-De Sac" at interior street ends as dead end streets are not allowed, revise as applicable prior to final. ROW at "Cul-De Sac" areas may have to be increased to comply with Fire Department requirements, finalize prior to final. As per Fire Department requirements, 96 ft. of paving face-to face required, and 10 ft. of ROW back of curb around Cul-de-Sac required. If proposing to loop the streets in lieu of Cul-De-Sacs's, street layout must comply with minimum maneuverability requirements for Fire and Public Works Department in compliance with City Standards, as the easement shown on the south side of lots 1,12,13 and 24 does not meet requirements. **At the Planning and Zoning Commission meeting of February 6, 2024, the Board recommended approval of the variance request to allow 100 ft. ROW and 96 ft. of paving with a 10 ft. utility and sidewalk easement on both sides of all streets.** -Engineer submitted a variance request on January 5th,2024 requesting to allow a 20.5 Emergency Access Easement that will function as a connection to N.34th, N.35th and N.36th Street with fire lane parking prohibited striping, which will be enforced by the HOA. *At the Planning and Zoning Commission meeting of February 6, 2024, the project engineer requested no action to discuss further with the Fire Department.* **If subdivision is proposed to be private as gate details are required and ROW are subject to increase for gate areas, finalize prior to final and submit gate details as applicable. **Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan **Monies must be escrowed if improvements are not constructed prior to recording</p>	Non-compliance
<p>E/W Quarter Mile Collector (northern boundary):Dedication as needed for 60 ft. total ROW Paving: 40 ft. Curb & gutter: Both sides *Engineer submitted a variance request on January 5th,2024 requesting to not dedicate or escrow for this future E/W collector. The engineer has indicated that the street would not be able to extend east or west as there are existing established developments around this subdivision. After review of the area, due to the developed surrounding properties, the E/W collector street along the northern boundary is not feasible. *Street alignment ,R.O.W, and dedication requirements being reviewed by staff and plat would need to be revised accordingly. **Variance request to not dedicate or escrow for the future E/W collector was approved administratively. **Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan **Monies must be escrowed if improvements are not constructed prior to recording.</p>	Applied
<p>* 1,200 ft. Block Length. **Subdivision Ordinance: Section 134-118</p>	NA

<p>* 900 ft. Block Length for R-3 Zone Districts. -Subdivision layout does not comply with block length requirement, please revise accordingly prior to final. If no changes please submit variance request for 900 ft. maximum block length requirement. Engineer submitted a variance application on January 5th,2024,requesting a variance to the 900ft. Block Length requirement. **At the Planning and Zoning Commission meeting of February 6, 2024, the Board recommended approval of the variance to the block length to be allowed at 929 ft. instead of the required 900 ft..**</p> <p>**Subdivision Ordinance: Section 134-118</p>	Applied
<p>* 600 ft. Maximum Cul-de-Sac. Revisions Needed: -Engineer submitted a variance request on January 5th,2024 requesting that ROW for cul-de-sacs be reduced to 100ft. from the required 116 ft. and proposes to maintain the 96 ft. of paving as per fire department requirements as well as dedicate a 10 ft. Utility and Sidewalk easement on both sides of all internal streets. -Provide distance from proposed Wisteria Avenue ROW to the back of "Cul-De-Sac's" to verify compliance with 600 ft. block length requirements for Cul-de-Sacs, finalize prior to final. -Provide for "Cul-De Sac" at interior street ends as dead end streets are not allowed, revise as applicable prior to final. ROW at "Cul-De Sac" areas may have to be increased to comply with Fire Department requirements, finalize prior to final. As per Fire Department requirements, 96 ft. of paving face-to face required, and 10 ft. of ROW back of curb around Cul-de-Sac required. If proposing to loop the streets in lieu of Cul-De-Sacs's, street layout must comply with minimum maneuverability requirements for Fire and Public Works Department in compliance with City Standards, as the easement shown on the south side of lots 1,12,13 and 24 does not meet requirements. **At the Planning and Zoning Commission meeting of February 6, 2024, the Board recommended approval of the variance request to allow 100 ft. ROW and 96 ft. of paving with a 10 ft. utility and sidewalk easement on both sides of all streets.** -Subdivision layout does not comply with block length requirement, please revise accordingly prior to final. If no changes please submit variance request for 600 ft. maximum block length requirement. -Provide "Cul-De Sac" details prior to final. Auto Turn Study may be required to verify compliance with maneuvering space needed at "Cul-De Sac", "Knuckle's", and curvatures, prior to final. **Subdivision Ordinance: Section 134-105</p>	Non-compliance
ALLEYS	
<p>ROW: 20 ft. Paving: 16 ft. *Engineer submitted a variance application on January 5th,2024 stating that the development is being processed with individual trash bins for each lot and one centralized location, engineer must continue to finalize collection requirements prior to final. *Alley/service drive easement required for commercial and multi-family properties. *Finalize alley/service drive requirements prior to final. **Variance request to not provide an alley was approved administratively. ****Subdivision Ordinance: Section 134-106</p>	Applied
SETBACKS	
<p>* Front:10 ft. or greater for easements, whichever is greater applies. Revisions needed: **Setback requirements will be established once CUP for Planned Unit Development has been finalized. ***Zoning Ordinance: Section 138-356</p>	Non-compliance

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

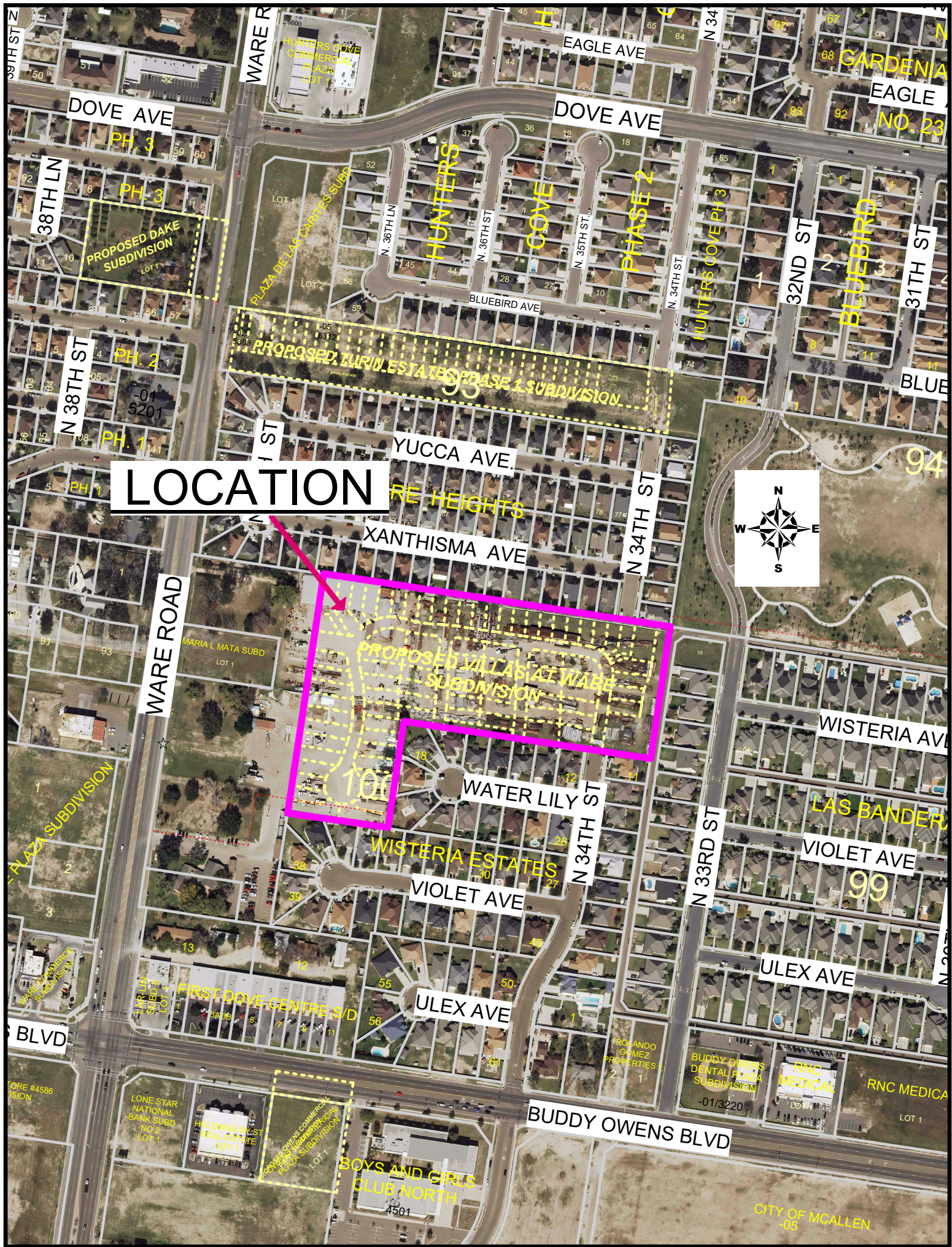
<ul style="list-style-type: none"> * Rear: In accordance with the zoning ordinance or greater for easements, whichever is greater applies. -Revise the note as shown above prior to final. **Setback requirements will be established once CUP for Planned Unit Development has been finalized. ***Zoning Ordinance: Section 138-356 	Non-compliance
<ul style="list-style-type: none"> * Sides :In accordance with the zoning ordinance or greater for easements, whichever is greater applies. Revisions needed: **Setback requirements will be established once CUP for Planned Unit Development has been finalized. ***Zoning Ordinance: Section 138-356 	Non-compliance
<ul style="list-style-type: none"> * Corner:10 ft. or greater for easements, whichever is greater applies. **Setback requirements will be established once CUP for Planned Unit Development has been finalized. ***Zoning Ordinance: Section 138-356 	Applied
<ul style="list-style-type: none"> * Garage:18 ft. except where greater setback is required, greater setback applies. **Setback requirements will be established once CUP for Planned Unit Development has been finalized. ***Zoning Ordinance: Section 138-356 	Applied
<ul style="list-style-type: none"> *ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN 	Applied
SIDEWALKS	
<ul style="list-style-type: none"> * 4 ft. wide minimum sidewalk required along North Ware Road, and both sides of all interior streets. Revisions Needed: -Finalize wording for note prior to final. **Sidewalk requirements may increase to 5 ft. prior to final per Engineering Department requirements, finalize prior to final. ***Subdivision Ordinance: Section 134-120 	Non-compliance
<ul style="list-style-type: none"> * Perimeter sidewalks must be built or money escrowed if not built at this time. 	Required
BUFFERS	
<ul style="list-style-type: none"> * 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. **Landscaping Ordinance: Section 110-46 	Applied
<ul style="list-style-type: none"> * 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. ***Landscaping Ordinance: Section 110-46 	Applied
<ul style="list-style-type: none"> *Perimeter buffers must be built at time of Subdivision Improvements. 	Required
NOTES	
<ul style="list-style-type: none"> * No curb cut, access, or lot frontage permitted along Pending items: -Note wording for curb cut, access, or lot frontage must be finalized prior to final, requirements for note to be established once ROW requirements have been finalized. **Must comply with City Access Management Policy 	Non-compliance

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

<p>* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.</p> <p>**Currently there is a Conditional Use Permit for a Planned Unit Development in process, however not finalized. Conditional use permit process for a Planned Unit Development must be finalized prior to final.</p> <p>**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.</p> <p>***Zoning Ordinance: Section 138-210.</p>	Non-compliance
<p>* Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen.</p>	Applied
<p>* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.</p>	NA
<p>* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.</p> <p>**Section 134-168 applies if private subdivision is proposed.</p> <p>***Section 110-72 applies if public subdivision is proposed.</p> <p>****Landscaping Ordinance: Section 110-72</p> <p>*****Subdivision Ordinance: Section 134-168</p>	Required
<p>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</p> <p>**Homeowner's Association Covenants must be submitted for staff review, prior to recording.</p> <p>***Section 134-168 applies if private subdivision is proposed.</p> <p>****Section 110-72 applies if public subdivision is proposed.</p> <p>*****Landscaping Ordinance: Section 110-72</p> <p>*****Subdivision Ordinance: Section 134-168</p>	Required
LOT REQUIREMENTS	
<p>* Lots fronting public streets.</p> <p>Pending Items:</p> <p>-Show document # on plat for the common access easement connecting to North Ware Road and provide document for staff review prior to recording.</p> <p>***Zoning Ordinance: Section. 138-356</p>	Non-compliance
<p>* Minimum lot width and lot area.</p> <p>**Currently there is a Conditional Use Permit for a Planned Unit Development in process, however not finalized. Conditional use permit process for a Planned Unit Development must be finalized prior to final.</p> <p>** Rezoning or Conditional Use Permit for Planned Unit Development required prior to final.</p> <p>** CUP for Planned Unit Development will be reviewed simultaneously with subdivision plat and requirements will/may be revised as needed.</p> <p>**Zoning Ordinance: Section 138-356</p>	Non-compliance

ZONING/CUP	
<p>* Existing : R-3A(apartment residential) District Proposed: R3-T (Townhouse Residential) District</p> <p>**Currently there is a Conditional Use Permit for a Planned Unit Development in process, however not finalized. Conditional use permit process for a Planned Unit Development must be finalized prior to final.</p> <p>** Rezoning or Conditional Use Permit for Planned Unit Development required prior to final.</p> <p>** CUP for Planned Unit Development will be reviewed simultaneously with subdivision plat and requirements will/may be revised as needed.</p> <p>***Zoning Ordinance: Article V</p>	Non-compliance
	Required
<p>* Rezoning Needed Before Final Approval</p> <p>**Currently there is a Conditional Use Permit for a Planned Unit Development in process, however not finalized. Conditional use permit process for a Planned Unit Development must be finalized prior to final.</p> <p>** Rezoning or Conditional Use Permit for Planned Unit Development required prior to final.</p> <p>** CUP for Planned Unit Development will be reviewed simultaneously with subdivision plat and requirements will/may be revised as needed.</p> <p>***Zoning Ordinance: Article V</p>	
PARKS	
<p>* Land dedication in lieu of fee. As per plat submitted on June 27th,2023, 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.</p> <p>* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per plat submitted on June 27th,2023, 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.</p> <p>* Pending review by the City Managers Office. As per plat submitted on June 27th,2023, 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.</p>	TBD
	TBD
	TBD
TRAFFIC	
<p>* As per Traffic Department, Trip Generation approved no TIA required.</p> <p>* Traffic Impact Analysis (TIA) required prior to final plat.</p> <p>**As per Traffic Department, Trip Generation approved no TIA required.</p>	Applied
	NA

COMMENTS	
<p>Comments:</p> <ul style="list-style-type: none"> *Must comply with City's Access Management Policy. *Any abandonments must be done by separate process, not by plat. *Engineer must clarify ownership, as submitted warranty deed and title report do not correspond, clarify prior to final. -Subdivision layout must be revised to comply with ROW/Pavement widths, no dead end streets without required Cul-De-Sac's, Fire and Public Works Maneuverability requirements, and other revisions as applicable to assure compliance. **Currently there is a Conditional Use Permit for a Planned Unit Development in process, however not finalized. Conditional use permit process for a Planned Unit Development must be finalized prior to final. Notes, requirements etc. subject to change once CUP/ Site Plan for planned unit development is finalized. ***At the Planning and Zoning Commission Meeting of February 6, 2024, the Board recommended approval of the following variance requests: <ol style="list-style-type: none"> 1. To not extend North 34th Street and build the cul-de-sacs within the existing ROW's of the adjacent subdivisions to the North and South. 2 & 3. The Board recommended recommended approval for an internal ROW of 32 ft. with 32 ft. of paving and the proposed 10 ft. Utility and Sidewalk Easement on both sides of internal streets with fire lane parking prohibited striping, which will be enforced by the HOA.** 4. To allow 100 ft. ROW and 96 ft. of paving with a 10 ft. utility and sidewalk easement on both sides of all streets. 7. The 10 ft. offset with Common Access Easement on Ware Road and Wisteria Avenue 8. To the block length to be allowed at 929 ft. instead of the required 900 ft. ****The variance requests for E/W 1/4 Mile Collector to not dedicate ROW or escrow for the road or provide an alley for a multifamily subdivision were approved administratively.**** *****No action was taken on the variance request for the dead-end streets at the south end of North 35th Street and North 36th Street as requested by the project engineer to discuss with the Fire Department.***** 	Required
RECOMMENDATION	
<p>Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED, DRAINAGE AND UTILITIES APPROVALS AND CLARIFICATION OF THE REQUESTED VARIANCE.</p>	Applied



Sub2022-0142



City of McAllen
Planning Department
APPLICATION FOR

SUBDIVISION PLAT REVIEW

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

Project Description	<p>Subdivision Name <u>Vargas Patnamony Subdivision</u></p> <p>Location <u>S 29th St. McAllen TX 78501</u></p> <p>City Address or Block Number <u>307 S. 29th 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 & 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 & 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 10th 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

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 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

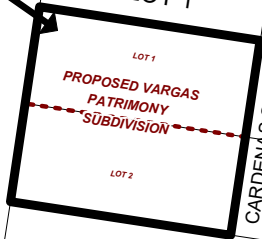
20' ALLEY

SUBD

4
3

146

OMAR SUBDIVISION
LOT 1 LOT 2



CARDENAS SUBD
LOT 1
LOT 2

MALENA
SUBDIVISION
324
VENEGAS DIAZ
SUBDIVISION

5

6

28TH ST

ROBY

SUBD.

1

5

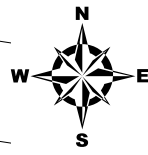
2

SUBD.

18

6

10



CHICAGO AVE

11

13

15

SUBD.

10

8

7

10

27TH ST

HIDALGO COUNTY, TEXAS

NOTES:

1. FLOOD ZONE STATEMENT:
THE TRACT LIES IN ZONE C-1, IS DEFINED AS AREAS OF MINIMAL FLOODING, IN ACCORDANCE WITH FEMA-F.I.R.M. MAP NO. 480343 0005 C, MAP REVISED NOVEMBER 2, 1982.

2. SETBACKS: FRONT: 40.00 FEET OR GREATER FOR EASEMENTS OR IN LINE WITH EXISTING STRUCTURES. WHICHEVER IS GREATER REAR: 10.00 FEET OR GREATER FOR EASEMENT SIDE: 6.00 FEET OR GREATER FOR EASEMENTS. WHICHEVER IS GREATER GARAGE: 18.00 FEET EXCEPT WHERE GREATER SETBACK APPLIES

4. MINIMUM FINISHED FLOOR ELEVATION SHALL BE 18" ABOVE TOP OF CURB OF STREET OR 18" CITY OF MALLER BENCHMARK. NO 765 IS LOCATED AT THE NORTH BOUND OF BUS. 83, 110 FT. EAST FROM THE BC OF NUMBERED RD. AND 5' FLOOR FROM BC OF BUS. 83. THE MONUMENT IS 22 FT. SOUTH FROM THE R.R. TRACK RUNNING EAST - WEST. ELEV. 131.44 FEET

6. IN ACCORDANCE WITH THE HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 AND HIDALGO COUNTY REQUIREMENTS, THIS DEVELOPMENT WILL BE REQUIRED TO DETAIN A TOTAL OF 2,397.00 CUBIC-FEET 0.07 ACRE- FEET OF STORM WATER RUNOFF. DRAINAGE DETENTION IN ACCORDANCE WITH LOCAL REQUIREMENTS. (LOT 1 REQUIRES 1,493.50 CUBIC- FEET AND LOT 2 REQUIRES 1,493.50 CUBIC- FEET).

7. 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.

8. B.T. MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTIFAMILY RESIDENTIAL ZONE USES.

STATE OF TEXAS:
COUNTY OF HIDALGO:

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

MAYOR, CITY OF McALLEN _____ DATE _____

STATE OF TEXAS,
COUNTY OF MIDLAND

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

HILDA CO. COUNTY DRAINAGE DISTRICT NO. 1 CERTIFICATE
 I, _____, ENGINEER AND DRAIN COMMISSIONER
 OF SAID DISTRICT, DO HEREBY CERTIFY THAT THE DRAINAGE PLAN FOR THIS SUBDIVISION COMPLY
 WITH THE MINIMUM STANDARDS OF THE DISTRICT ADOPTED UNDER TEXAS WATER CODE NO. 49.211(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.

 DATE _____
 BY: PAUL SESIN, P.E., C.E.M., DISTRICT MANAGER

STATE OF TEXAS
COUNTY OF HIDALGO

I, THE UNDERSIGNED, MARIO A. SALINAS, A LICENSED PROFESSIONAL ENGINEER
IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE PROPER ENGINEERING

NAME: _____ DATE: _____

2811 N. JOHN STREET, SUITE F
MCALLEN, TEXAS 78501

HIDALGO COUNTY IRRIGATION DISTRICT No. 1

SECRETARY _____ PRESIDENT _____ DAY OF _____ 20____

DATE OF PREPARATION 2-19-24

firm no. f-15499

PH: (956) 537-1511
E-MAIL: MSALINAS6973@ATT.NET

OF

VARGAS PATRIMONY SUBDIVISION

HIDALGO COUNTY, TEXAS

SCALE 1":20'

BEING THE 0.965 ACRES OUT OF TRACT NUMBER FIVE AND SIX OF AN UNRECORDED PLAT OF THAT 6.0 ACRE TRACT OUT OF LOT 146, LA LOMITA BRIGATION AND CONSTRUCTION COMPANY'S SUBDIVISION, VOLUME 24, PAGE 68, DEED RECORDS OF HIDALGO COUNTY, TEXAS, SAME BEING OUT OF THE FOLLOWING TWO TRACTS: A CALLED 0.23 ACRES TRACT, CONVEYED TO MUIEL, A VARGAS, RECORDED IN DOCUMENT NO. 3129727, OFFICIAL PUBLIC RECORDS OF HIDALGO COUNTY, TEXAS, AND A CALLED 0.24 ACRE TRACT, CONVEYED TO MUIEL, A VARGAS & JOHANA ELIZABETH, RECORDED IN DOCUMENT NO. 3144059, OFFICIAL PUBLIC RECORDS OF HIDALGO COUNTY, TEXAS.

METES AND BOUNDS

BEGINNING AT ONE CORNER OF LAND OUT OF TRACT NUMBER FIVE AND SIX OF AN UNRECORDED PLAT OF THAT 6.0 ACRE TRACT OUT OF LOT 146, LA LOMITA BRIGATION AND CONSTRUCTION COMPANY'S SUBDIVISION, VOLUME 24, PAGE 68, DEED RECORDS OF HIDALGO COUNTY, TEXAS, SAME BEING OUT OF THE FOLLOWING TWO TRACTS: A CALLED 0.23 ACRE TRACT, CONVEYED TO MUIEL, A VARGAS, RECORDED IN DOCUMENT NO. 3129727, OFFICIAL PUBLIC RECORDS OF HIDALGO COUNTY, TEXAS, AND A CALLED 0.24 ACRE TRACT, CONVEYED TO MUIEL, A VARGAS, RECORDED IN DOCUMENT NO. 3144059, OFFICIAL PUBLIC RECORDS OF HIDALGO COUNTY, TEXAS, S/D 0.435 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

CONVENTION AT CALCULATED POINT, BEING THE NORTHWEST CORNER OF AN UNRECORDED PLAT OF THAT 6.0 ACRE TRACT OF LAND OUT OF LOT 146, SAME BEING THE NORTHWEST CORNER OF BLOCK SUBDIVISION, RECORDED IN VOLUME 9, PAGE 11, DEED RECORDS HIDALGO COUNTY, TEXAS, SAME BEING A POINT ON THE CENTRELNE OF SOUTH 29TH STREET;

THENCE, S 8° 31' 31" W, ALONG THE WEST LINE OF LOT 146, SAME BEING ALONG THE CONTINUE OF SOUTH 29TH STREET, A DISTANCE OF 379.00 FEET TO A MAGNAIL SET, THE SOUTHWEST CORNER OF OMAR SUBDIVISION, RECORDED IN VOLUME 54, PAGE 121, DEED RECORDS OF HIDALGO COUNTY, TEXAS, FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT AND THE POINT OF BEGINNING;

THENCE, S 81° 18' 36" E, ACROSS SAID LOT 146, SAME BEING ALONG THE SOUTH LINE OF THE SAID OMAR SUBDIVISION, PASSING AT 30.00 FEET A 1/2 INCH IRON ROD WITH PINK CAP STAMPED "C.L.S. PRISA 638R SET," A POINT ON THE SOUTH LINE OF THE SAID OMAR SUBDIVISION, SAME BEING THE EAST FOOT-CORNER OF SOUTH 29TH STREET, LOT 2, DEED RECORDS OF HIDALGO COUNTY, TEXAS, TO THE SOUTHWEST CORNER OF CARDENAS SUBDIVISION, RECORDED IN VOLUME 28, PAGE 69, DEED RECORDS OF HIDALGO COUNTY, TEXAS, FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, S 8° 31' 31" W, ACROSS THE SAID LOT 146, SAME BEING ALONG THE WEST LINE OF THE SAID CARDENAS SUBDIVISION, PASSING AT 64.44 FEET AT 64.44 FEET A 1/2 INCH IRON ROD WITH CAP STAMPED "ROS FOUND," THE SOUTHWEST CORNER OF LOT 1 OF THE SAID CARDENAS SIDE SAME BEING THE NORTHWEST CORNER OF LOT 2 OF THE SAID CARDENAS SUBDIVISION, 638R SET, THE SOUTHWEST CORNER OF THE SAID CARDENAS SUBDIVISION, SAME BEING THE NORTHWEST CORNER OF A CALLED 0.24 ACRE TRACT, CONVEYED TO PIEELA,

JOHN 96, 2ND-275 PUERTO SOLIS, RECORDED IN DOCUMENT NO. 307090, OFFICIAL PUBLIC RECORDS OF HIDALGO COUNTY, TEXAS, TO THE SOUTHWEST CORNER OF THE SAID CARDENAS SUBDIVISION, RECORDED IN VOLUME 28, PAGE 69, DEED RECORDS OF HIDALGO COUNTY, TEXAS, FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

DOCUMENT NO. 2823435, OFFICIAL PUBLIC RECORDS OF HIDALGO COUNTY, TEXAS, FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

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 APPROVAL IS REQUIRED.

DATE _____

[illegible]

EXPIRES

STATE OF TEXAS

2811 N. JOHN STREET, SUITE F
MCALLEN, TEXAS 78501

HIDALGO COUNTY IRRIGATION DISTRICT No. 1

DATE:

DATE: _____

B1 : _____ **DEFU1**

PRINCIPAL CONTACT:		PHONE
NAME	ADDRESS	
OWNER: TONY L. TERRELL	4508 S. TIER AVE.	(946) 860-4785
FINANCER: MARCO A. SALINAS	3911 N. 10TH ST. SUITE H	(946) 553-1311
SUPERVISOR: MANUEL CARRIZALES	4807 GONDOLA AVENUE	(512) 475-1489



City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 2/29/2024

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 ROW from centerline to new property line after accounting for ROW dedication prior to final.
- Label total ROW after accounting for ROW dedication 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 review 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.
**Zoning Ordinance: Section 134-106 (d)(a)(1)
**Zoning Ordinance: Section 138-356
* Proposing: Rear: 10 ft. or greater for easements
Revisions needed:
- 12.5 ft. Utility Easement presented on plat, please clarify proposed setback prior to final.
- Setback will be established once alley requirements is finalized prior to final.
**Zoning Ordinance: Section 138-356
* Sides: 6 ft. or greater for easements, whichever is greater.
**Zoning Ordinance: Section 138-356

Applied

Non-compliance

Applied

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

* Corner **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	NA
	Applied
	Applied
SIDEWALKS	
* 4 ft. wide minimum sidewalk required on South 29th Street Revisions needed: - Revise plat note #3 as shown above prior to final. ** 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.	Non-compliance
	Required
BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Revisions needed: - Revise plat note by including a plat note number, 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
NOTES	
* No curb cut, access, or lot frontage permitted along **Must comply with City Access Management Policy and Variance Request to Access Management approval letter. * Site plan must be approved by the Planning and Development Departments prior to building permit issuance. * 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. * 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 #7 prior to final. **Section 134-168 applies if private subdivision is proposed. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168	Applied
	Applied
	Applied
	NA
	Non-compliance

<ul style="list-style-type: none"> * Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Revisions needed: <ul style="list-style-type: none"> -Please clarify plat note #7 prior to final. **Section 134-168 applies if private subdivision is proposed. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168 	Non-compliance
LOT REQUIREMENTS	
<ul style="list-style-type: none"> * Lots fronting public streets **Subdivision Ordinance: Section 134-1 	Applied
<ul style="list-style-type: none"> * Minimum lot width and lot area **Zoning Ordinance: Section 138-356 	Applied
ZONING/CUP	
<ul style="list-style-type: none"> * Existing: R-2 Proposed: R-2 Revisions needed: <ul style="list-style-type: none"> - Provide number of dwelling units to determine if in compliance with zoning requirement. ***Zoning Ordinance: Article V 	TBD
<ul style="list-style-type: none"> * Rezoning Needed Before Final Approval - Provide number of dwelling units to determine if in compliance with zoning requirement. ***Zoning Ordinance: Article V 	TBD
PARKS	
<ul style="list-style-type: none"> * 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. 	TBD
<ul style="list-style-type: none"> * 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. 	TBD
<ul style="list-style-type: none"> * Pending review by the City Manager's Office. 	TBD
TRAFFIC	
<ul style="list-style-type: none"> * As per Traffic Department, Trip Generation for a 8 unit multifamily apartments is waived. 	Applied
<ul style="list-style-type: none"> * As per Traffic Department, no Traffic Impact Analysis (TIA) is required. 	Applied
COMMENTS	
<p>Comments/Revision needed:</p> <ul style="list-style-type: none"> *Must comply with City's Access Management Policy. **Provide number of dwelling units to determine if in compliance with Zoning Ordinance. ***Clarify dotted lines along the North and South boundary lines of each lot, and provide width and use. ****The subdivision was approved in Preliminary form at the Planning and Zoning Commission meeting of December 6,2022, subject to conditions noted, drainage, and utility approval. 	Applied
RECOMMENDATION	
<p>Recommendation: STAFF RECOMMENDS APPROVAL OF THE PRELIMINARY 6-MONTH EXTENSION, SUBJECT TO CONDITIONS NOTED, DRAINAGE, AND UTILITY APPROVALS.</p>	Applied

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

TEXAN MOE
SUBDIVISION

LOCATION

DALLAS AVE

29TH ST

28TH ST

CHICAGO AVE



OMAR SUBDIVISION
LOT 1 LOT 2

PROPOSED VARGAS
PATRIMONY
SUBDIVISION
LOT 1 LOT 2

CARDEN S SUBD
LOT 1 LOT 2

MALENA
SUBDIVISION
VENEGAS DIAZ
SUBDIVISION

ROBY

SUBD.

BLK 3

SOUTHWEST
HEIGHTS

ERIE AVE

SUBD.

SUBD

BUCK
20' ALLEY
SUBD

146

18

1

2

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1

1

P	PRESENT
A	ABSENT
MC	MEETING CANCELLED
LQ	LACK OF QUORUM

2024 ATTENDANCE RECORD FOR PLANNING AND ZONING COMMISSION MEETINGS

[illegible]

2024 ATTENDANCE RECORD FOR PLANNING AND ZONING COMMISSION WORKSHOPS

[illegible]