

## **AGENDA**

### **PLANNING & ZONING COMMISSION REGULAR MEETING TUESDAY, MARCH 7, 2023 - 3:30 PM MCALLEN CITY HALL, 1300 HOUSTON AVENUE CITY COMMISSION CHAMBERS, 3<sup>RD</sup> FLOOR**

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

#### **CALL TO ORDER -**

#### **PLEDGE OF ALLEGIANCE -**

#### **INVOCATION -**

#### **1) MINUTES:**

- a) Approval/disapproval of minutes for the February 21, 2023 meeting.

#### **2) PUBLIC HEARING**

##### **a) CONDITIONAL USE PERMITS:**

1. Request of Enrique Martinez, Jr., for a Conditional Use Permit, for one year, for a nightclub (Hillbilly's) at Lots 1 and 2, Main International Subdivision, Hidalgo County, Texas, 6000 North 10th Street. **(CUP2023-0014)**
2. Request of Esaul Padilla, for a Conditional Use Permit, for three years, for automotive service and repair (truck accessories) at Lots 11 & 12, Block 2, West Addition to McAllen Subdivision, Hidalgo County, Texas, 2241 Dallas Avenue, Suite A and B. **(CUP2023-0019)**
3. Request of Ashwin George on behalf of Elite Entertainment Investments LLC, for a Conditional Use Permit, for one year, and adoption of an ordinance, for a social club at Lots 7 and 8, Citrus Grove Plaza Subdivision, Hidalgo County, Texas, 4037 Expressway 83, Suites 100, 105, and 110. **(CUP2023-0023)**
4. Request of Melissa Burton for a Conditional Use Permit, for life of the use, for a dog kennel at a 1.00 acre tract of land out of the South 19.39 acres of Lot 387, John H. Shary Subdivision, Hidalgo County, Texas, 6820 North Taylor Road. **(CUP2023-0024)**

5. Request of Israel L. Rivas, for a Conditional Use Permit, for one year, for a Home Occupation (Home Office) at Lot McColl A. J. 1.20AC Out of S10AC N-Lat D., Block 9, Hidalgo County, Texas, 3920 South Jackson Road. **(CUP2023-0016)**
6. Request of Maryann Gonzalez, for a Conditional Use Permit, for one year, for an Institutional Use (barber school) at Lot 2 & 3, Michelle's Plaza, Hidalgo County, Texas; 2108 Nolana Avenue. **(CUP2023-0017)**
7. Request of Abel A. Montilla for Conditional Use Permit, for the life of the use, and adoption of an ordinance for an amendment automotive service at Lot 1 at Montilla, Hidalgo County, Texas; 2600 West Trenton Road. **(CUP2023-0021)**
8. Request of Jessica Hernandez on behalf of South Texas Educational Technologies, Inc., for a Conditional Use Permit, for life of the use, and an adoption of an ordinance, for an Institutional Use (Horizon Montessori Public School) at Lot 1 and Lots 5 through 12, Block 36, North McAllen Addition, Hidalgo County, Texas; 320 North Main Street. **(CUP2023-0015)**
9. Request of Carlos and Arely Fuentes on behalf Trono de Gracia Iglesia Cristiana, Inc., for a Conditional Use Permit, for one year, for an Institutional Use (Church) at Lot 2, Shasta Commercial Plaza Phase II Subdivision, Hidalgo County, Texas; 2519 Buddy Owens Boulevard. **(CUP2023-0018)**

**b) REZONING:**

1. Rezone from R-1 (single-family residential) District to C-4 (commercial-industrial) District: 6.06 Acres out of Lot 1, Block 4, A.J. McColl Subdivision, Hidalgo County, Texas; 4401 North Jackson Avenue (rear). **(REZ2023-0004)**
2. Initial Zoning to R-3A (multi-family residential apartment) District: The west 19.946 Acres of Lot 13, Section 280, Texas-Mexican Railway Company's Survey, Hidalgo County, Texas; 2700 Sprague Road. **(REZ2023-0005)**
3. Rezone from C-3 (general commercial) District to R-3A (multifamily residential apartment) District: Lot 1, Wilson Subdivision No. 3, Hidalgo County, Texas; 120 South 4th Street. **(REZ2023-0006)**
4. Rezone from R-2 (duplex-fourplex residential) District to C-3 (general commercial) District: Lots 10-12, Block 19, College Heights Subdivision, Hidalgo County, Texas; 2205 Newport Avenue, 2209 Newport Avenue, 2213 Newport Avenue. **(REZ2023-0007)**
5. Rezone from R-1 (single-family residential) District to C-3 (general commercial) District: 6.84 Acres (Tract 3), of the South 9 Acres of the North 20 Acres of Lot 80, La Lomita Irrigation & Construction Company's Subdivision, Hidalgo County, Texas; 6201 North Ware Road **(REZ2023-0003)(TABLED ON 2/21/23)**

**c) ORDINANCE**

1. AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MCALLEN AT CHAPTER 138 ("ZONING"), ARTICLE VI ("SUPPLEMENTARY DISTRICT REGULATIONS"), DIVISION 2 ("REQUIREMENTS BY DISTRICT"),



AMENDING COMMERCIAL SIDE SETBACKS; PROVIDING FOR SEVERABILITY, AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF.

**3) CONSENT:**

- a) Amigo Park Subdivision Unit No. 3, Lots 12A& 12B, 3113 North 46th Street, Johnny Rodriguez **(SUB2022-0068) (FINAL)SEC**
- b) Moya Subdivision, 9601 North La Homa Road, Raul Moya **(SUB2023-0012) (FINAL)BE**
- c) Olive Grove Estates Subdivision, 3900 Lark Avenue, Mouayad Development, LLC **(SUB2023-0013) (FINAL)JHE**

**4) SUBDIVISIONS:**

- a) Harvest Creek at Ware Phase I Subdivision, 2301 North Ware Road, Escanaba, LLC **(SUB2023-0011)(FINAL)M&H**
- b) Garden Rose Subdivision, 1200 East Yuma Avenue, Edgar Escobedo **(SUB2023-0020)(PRELIMINARY)MAS**
- c) Homewood Subdivision, 301 South Ware Road, Victor Barrera **(SUB2023-0019)(PRELIMINARY)MAS**
- d) Maebelle Subdivision, 11201 N. Moorefield Road, Onesimo Guerrero and Griselda Gutierrez **(SUB2023-0017) (PRELIMINARY)M2E**

**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.

Minutes for the  
2/27/2023  
meeting will be  
uploaded  
Monday.

## Memo

**TO:** Planning and Zoning Commission

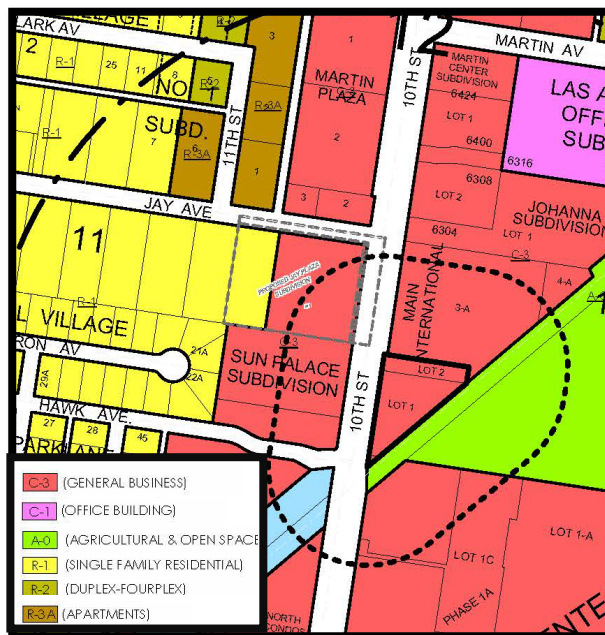
**FROM:** Planning Staff

**DATE:** February 23, 2023

**SUBJECT: REQUEST OF ENRIQUE MARTINEZ JR., FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A NIGHTCLUB AT LOTS 1 AND 2, MAIN INTERNATIONAL SUBDIVISION, HIDALGO COUNTY, TEXAS, 6000 NORTH 10TH STREET. (CUP2023-0014)**

### DESCRIPTION:

The property is located on the east side of North 10th Street at Hawk Avenue and is zoned C-3 (general business) District. The adjacent zoning is C-3 District to the north and west, and A-O (agricultural and open space) District to the east and south. Surrounding land uses include offices, retail, restaurants, cell tower, single family residential, and apartment. A nightclub is allowed in a C-3 zone with a Conditional Use Permit and in compliance with requirements.



### HISTORY:

The initial conditional use permit was approved for this establishment by the Planning and Zoning Commission in January of 1991 and has been renewed annually. At the January 6, 2004 Planning and Zoning Commission meeting, a condition was placed on the approval that there be no parking permitted on the west side of North 10th Street, and has been maintained as a condition of the permit approvals. The last permit was approved by the Planning and Zoning Commission on January 24, 2022.

**ANALYSIS:**

The applicant is proposing to continue operating a bar (Hillbilly's) from the existing 7,200 sq. ft. building. The hours of operation would continue to be from 8:00 p.m. to 2:00 a.m. Wednesday thru Saturday.

The Fire and Health Departments have inspected the bar and the property is in compliance. The Planning Department has received no complaints regarding this request. The establishment must also meet the requirements set forth in Section 138-118(4) of the Zoning Ordinance and specific requirements as follows:

The property line of the Lot of the abovementioned business 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 not within 400 ft. of the above mentioned land uses;

The abovementioned business must be as close as possible to a major arterial, and shall not allow the traffic generated by such businesses onto residential streets, or allow such traffic to exit into and disrupt residential areas. The establishment has direct access to North 10th Street and does not generate traffic into residential areas;

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. Based on a building capacity of 332 persons, 83 parking spaces are required and are provided as per site plan.

The abovementioned business must do everything possible to prevent the unauthorized parking by the patrons of such businesses on adjacent business or residential properties including, when necessary, the installation of fences and hedges, and the reorientation of entrances.

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.

The abovementioned business must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties.

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.

**RECOMMENDATION:**

Staff recommends approval of the request, for one year, subject to compliance with requirements in Section 138-118(4) of the Zoning Ordinance, Health and Fire Department requirements, and maintaining the condition of no parking on the west side of North 10th Street.







RECEIVED  
JAN 24 2023  
By *mk*









NOTICE  
BAR  
THIS PROPERTY  
CUP 2017-2018



## Memo

**TO:** Planning and Zoning Commission

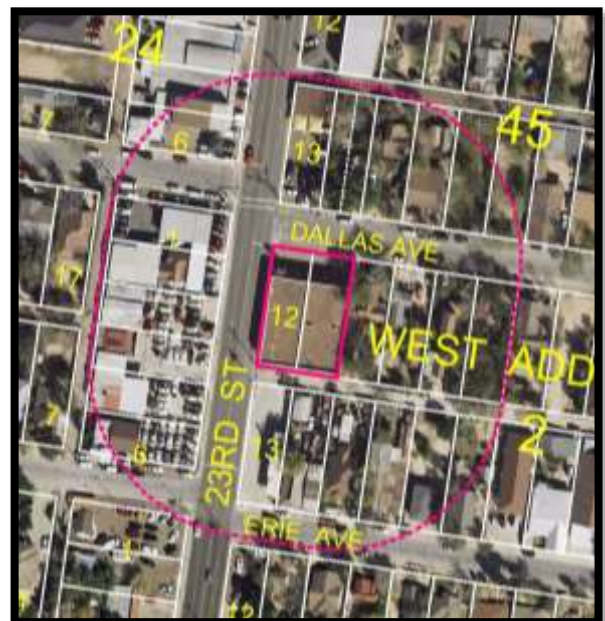
**FROM:** Planning Staff

**DATE:** January 11, 2022

**SUBJECT: REQUEST OF ESAUL PADILLA, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR AN AUTOMOTIVE SERVICE AND REPAIR (TRUCK ACCESSORIES), AT LOTS 11 & 12, BLOCK 2, WEST ADDITION TO MCALLEN SUBDIVISION, HIDALGO COUNTY, TEXAS; 2241 DALLAS AVENUE, SUITE A. (CUP2021-0179)**

### BRIEF DESCRIPTION:

The property is located at the southeast corner of Dallas Avenue and South 23<sup>rd</sup> Street. The property has 100 ft. of frontage along Dallas Avenue and a depth of 140 ft. for a lot area of 14,000 square feet. It is zoned C-3 (general business) District. The adjacent zoning is R-2 (duplex-fourplex residential) District to the east and C-3 District to the north, south, and west. Surrounding land uses include single-family residences, vacant land, a body shop, various auto sales car lots, a yerberia and a plumbing company. An automotive service and repair business is allowed in a C-3 zone with a Conditional Use Permit and in compliance with requirements.



### HISTORY:

There was a conditional use permit approved in 2020 in the same building on the adjacent suite (STE. B), for a body shop repair. The request was disapproved but with a favorable

recommendation to grant a variance to the distance requirement by the Planning and Zoning Committee. City Commission approved the request on July 13, 2020. Applicant never fully executed the CUP and has not renewed the CUP.

The initial conditional use permit for suite A was approved for the first time in 2015, for Truck Accessories part installations. The last time the CUP was renewed was in 2020.

On the initial application, the case was presented to the Board of Commissioners; the applicant appealed the decision of the P&Z Board. Part of the discussion was the parking requirement. Applicant stated that the owner of the plaza bought a property across the street (2226 Dallas Ave) to comply with parking requirements; however, the property is zoned R-2 and would require a CUP for a parking facility. A CUP has not been submitted for this address. Furthermore, the address mentioned, is not paved as required by the ordinance. However, the initial permit was approved as to maintain existing parking since it was an older building.

#### **REQUEST/ANALYSIS:**

There is an existing 9,600 sq. ft. commercial building with two suites. This building has been used for auto repair services.

The applicant is proposing to use Suite A of the building as a truck accessory business. The proposed hours of operation are from 8:00 A.M. to 6:00 P.M. Monday through Friday and 8:30 A.M. to 3:00 P.M. on Saturday. Based on the total 4,800 sq. ft. for the truck accessory business, 15 parking spaces are required; 9 parking spaces are provided on site. One of the provided spaces must be van accessible; one van accessible parking space is provided.

For both business to run simultaneously, 30 parking spaces are required as per their square footage. Suite B as per approved Permit, business will not be open to the public, but will still use 1 or 2 parking spaces. Leaving an 8 parking spaces deficiency. If both business open to the public 30 parking spaces will be required.

Staff has not received any phone calls in regards to this request.

The Fire Department has inspected the establishment and found the place to be in compliance. 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 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 sq. ft. is required. The subject property is approximately 14,000 sq. ft.
- 2) All service, repair, maintenance, painting and other work shall take place within an enclosed area. The applicant is proposing to work inside the main structure.
- 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 adjacent to single-family residential use to the east, south and north.

- 5) A 6 ft. opaque fence buffered the proposed use from any residential use or residentially zoned area is required. There is an existing block wall, 6'-3" in height
- 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.

**RECOMMENDATION:**

Staff recommends disapproval of the request based on non-compliance with requirements #4 (distance) of Section 138-281 and Section 138-395 (off-street parking requirement) of the Zoning Ordinance.

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100'

N

Cantina  
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14' 1/2"  
12'

6' 1/2"  
8'

Mostrador  
16'  
31 1/2'

Reception

12'

6'  
48'

FEB 02 2023

BY: CW

78501  
Sut 8

Estacionamientos

DALLAS

11121 / 13141 / 15161 / 1718

100'

Suite B

Stone  
Expenditure  
Packaging  
Grading  
Cortina

Suite A

Cortina

Collegio

← S

23 st.

↑ N







**RGV**  
**SPRAY-ON**  
**BEDLINERS**

**TRUCK**  
**ACCESSORIES**

Various signs and posters are visible in the windows of the store, including one that says "PROTECT YOUR TRUCK BED" and another that says "TRUCK ACCESSORIES".



**RGV**  
**SPRAY-ON**  
**BEDLINERS**

**TRUCK**  
**ACCESSORIES**

**os PRIMOS**  
Auto Sales  
631-6474









## **Memo**

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

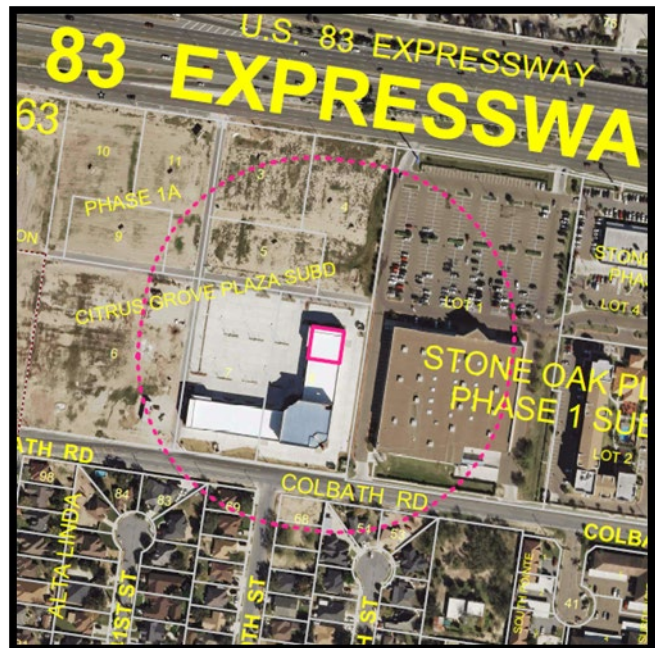
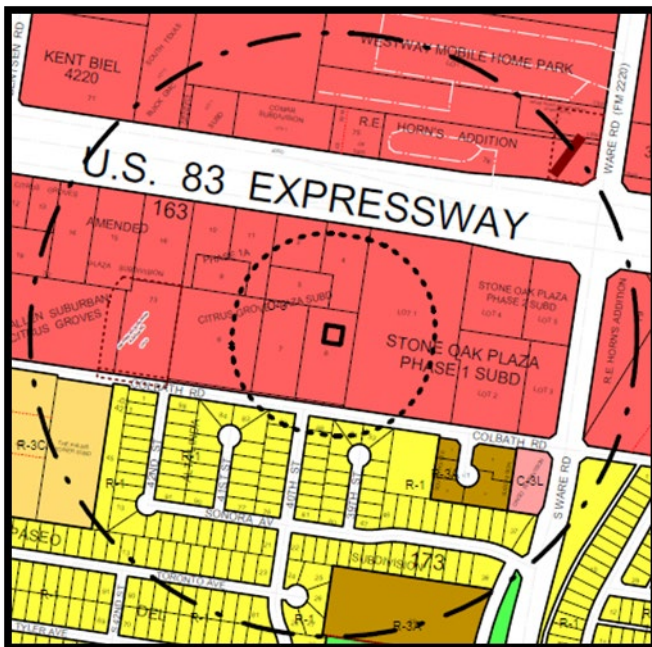
**DATE:** February 24, 2023

**SUBJECT:** REQUEST OF ASHWIN GEORGE ON BEHALF OF ELITE ENTERTAINMENT INVESTMENTS LLC, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE, FOR A SOCIAL CLUB AT LOTS 7 AND 8, CITRUS GROVE PLAZA SUBDIVISION, HIDALGO COUNTY, TEXAS, 4037 EXPRESSWAY 83, SUITES 100, 105, AND 110. (CUP2023-0023)

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### **DESCRIPTION:**

The property is located along the north side of Colbath Road, south of U.S. Expressway 83. The subject property is zoned C-3 (general business) District. The adjacent zoning is C-3 District in all directions. There is R-1 (single family residential) District along the south side of Colbath Road. Surrounding land uses include Turbo Bicycles, Lucky 4, Express 83 Nails, Be Fit Nutrition, and True Fit Athletic Clubs. A social club is permitted in a C-3 District with a Conditional Use Permit.



### **HISTORY:**

This is the initial request for a social club at this location and is the former location for Club Indigo.

### **REQUEST/ANALYSIS:**

The applicant is proposing to operate a social club. The applicant stated that this club would be selling bar foods like wings, fries, small pizza, etc. They will also sell cocktails, beer and wine. The front lobby area will have bar seating and booths for people to grab drinks, eat food, and enjoy sports games. The club would be used for Texas Hold'em Poker with strict membership regulations for people 21 years and older. The proposed hours of operation will be Monday-Sunday from 6 pm-2 am.

Based on the square footage of the proposed establishment, 57 parking spaces are required. As per the submitted site plan there are 274 parking spaces provided as common parking.

A Conditional Use Permit is required for a bar/social club. The Health and Fire Departments inspected the property and allowed the CUP process to continue. The applicant must comply with all their requirements. The establishment must also meet the requirements set forth in Section 138-118(a)(4) of the Zoning Ordinance and specific requirements as follows:

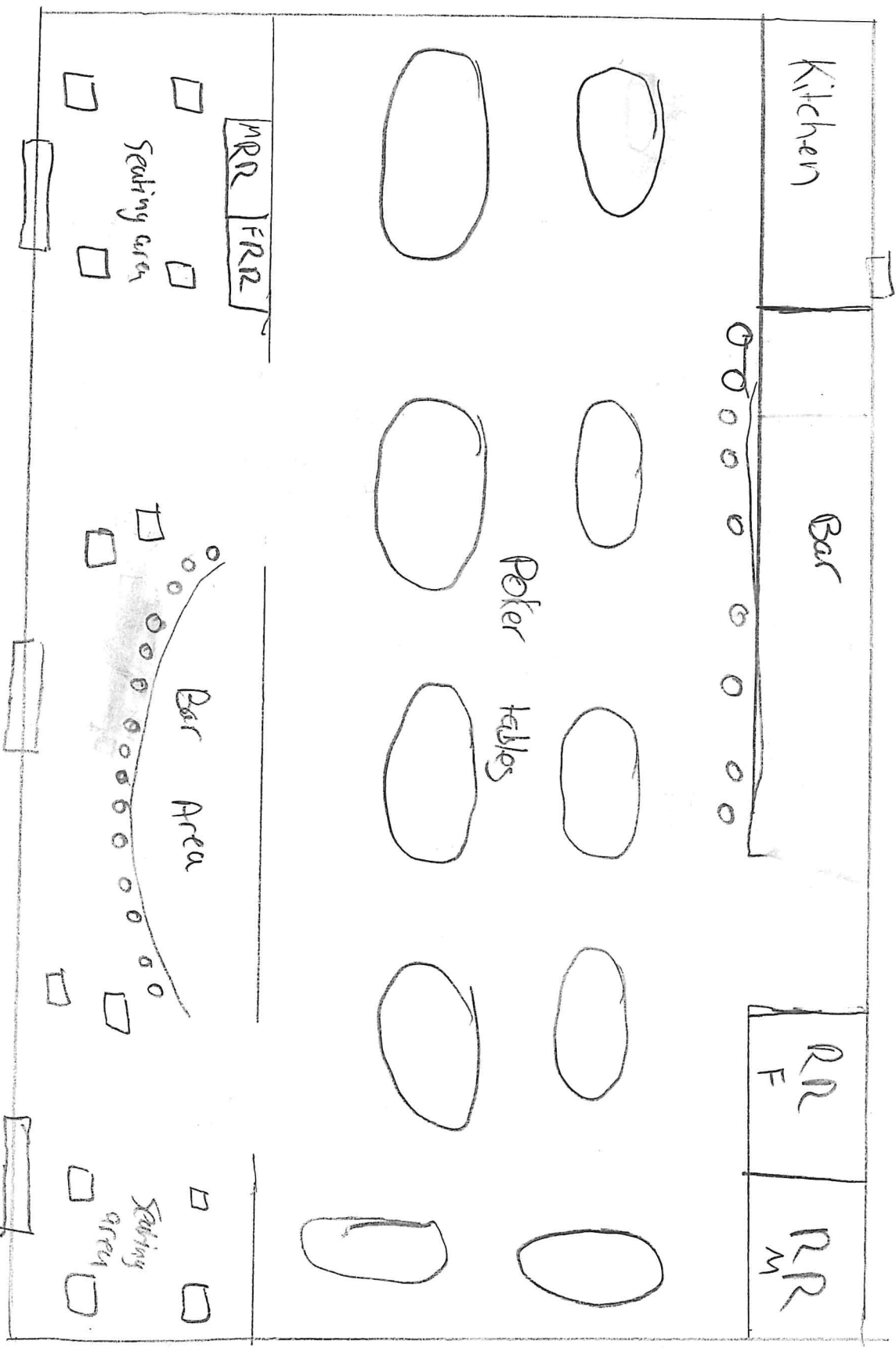
- 1) The property line of the lot of any of the abovementioned business must be at least 400 feet from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruptions of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The property is within 400 ft. of residential uses.
- 2) The abovementioned business must be as close as possible to a major arterial, and shall not allow the traffic generated by such businesses onto residential streets, or allow such traffic to exit into and disrupt residential areas. The establishment has access to U.S. Expressway 83 and Colbath Road.
- 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. Based on the square footage, 57 parking spaces are required. There are 274 common parking spaces provided as common parking. Based on area utilized, the proposed facility complies with parking. Parking spaces must comply with Section 138-400 of the Ordinance and must be clearly striped and pavement surface shall be maintained free of litter, debris, loose gravel, cracks and potholes;
- 4) The abovementioned business must do everything possible to prevent the unauthorized parking by the patrons of such businesses on adjacent business 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.

**RECOMMENDATION:**

Staff recommends disapproval of the request based on noncompliance with requirement #1 (distance to the nearest residentially zoned property). of Section 138-118(4) of the Zoning Ordinance.

# Elite Entertainment Investments LLC



→ Highway 83 →

[illegible]

COLBATH ROAD

A-30

CLUB  
indigo





CLUB  
indigo







NOTICE  
BAR  
FOR  
THIS PROPERTY  
CUP2023-0023

CITY OF MCALLEN PLANNING DEPT.  
1000 N. 10TH ST.  
WWW.MCALLEN.NET

CITY OF  
McALLEN  
PLANNING

PL2003

CLUB  
indigo

TURBO  
BICYCLES

Lucky

DE FIL

KeyOne  
South Texas

IT  
CLUBS

88



## Planning Department

### Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

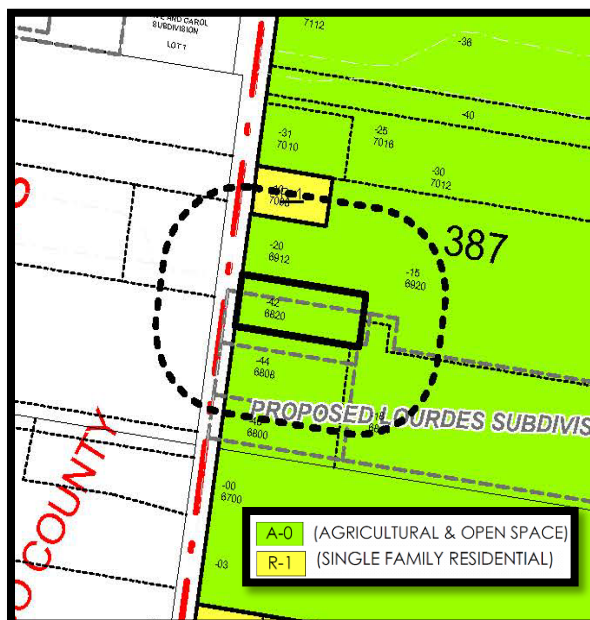
**DATE:** February 28, 2023

**SUBJECT: REQUEST OF MELISSA BURTON, FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, AND ADOPTION OF AN ORDINANCE, FOR A DOG KENNEL AT A 1.00 ACRE TRACT OF LAND OUT OF THE SOUTH 19.39 ACRES OF LOT 387, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS; 6820 NORTH TAYLOR ROAD. (CUP2023-0024)**

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#### BRIEF DESCRIPTION:

The property is located on the east side of North Taylor Road approximately 1,400 ft. north of Lark Avenue and is zoned A-O (agricultural-open space) District. The adjacent zoning is A-O District in all directions. The properties to the west of North Taylor Road are outside of the McAllen city limits. Surrounding land uses include single family residences and vacant land. A dog kennel is allowed in an A-O District zone with a Conditional Use Permit and in compliance with requirements.



**HISTORY:**

The initial Conditional Use Permit request was presented before the City Commission on June 22, 2020. The Board of Commissioners approved the request for 6 months with the following conditions.

1. Dogs must be inside the residence from 8:00 PM to 6:00 AM, unless they need to go outside for their necessities.
2. Drop off and pick up should be limited to no earlier than 6:00AM and no later than 8:00PM
3. 50 dogs limit at all times
4. A sign is required to let customers know of business location

There were concerns by neighboring residents about dogs barking all day, traffic issues and operation of a business in a residential area. The Planning and Zoning Commission had unanimously voted to recommend disapproval of the conditional use permit.

The Code Enforcement Department responded to a complaint on February 4, 2019 for a possible business running from a residential area with a sign advertising the business. In May 2019, the Code Enforcement Department received another complaint and requested a "complaint and summons." The applicant appeared at Municipal Court on several occasions to resolve this issue since then. On September 28, 2020, a complaint was issued for trash and debris on the side of road.

At the City Commission meeting of February 8, 2021 the Board approved the same request for 2 years. On February 8, 2023, the applicant submitted a request to continue the use as a dog day care and the current request is for more than one year.

**REQUEST/ANALYSIS:**

There is an approximately 2,700 sq. ft. single family residence in the 1-acre property that is the location for Melissa's Pet Services that includes day care services for dogs.

A sign was required as a condition by City Commission in order to prevent customers going into the wrong location and disturb surrounding neighbors. The applicant erected a business sign on the fence for location purposes in an attempt to comply with the City Commission request.

The Health and Fire Department are currently pending inspection. The establishment must also meet the requirements set forth in Section 138-163 (8) of the Zoning Ordinance and specific requirements as follows:

- 1) Located a minimum of 300 feet from the nearest residence. The operation takes place inside the residence and outdoors in the different dog playgrounds. The property is adjacent to other residences.
- 2) On parcels of 5 acres or more. This property is a 1-acre parcel.

Staff has not received any calls or letters in opposition to this request.

**RECOMMENDATION:**

Staff recommends disapproval of the request based on noncompliance with requirements #1(distance) and #2 (property size) of Section 138-163 (8) of the Zoning Ordinance.



14 York Rd

front yard

side yard

Back Yard

119 ft

86-27 ft

19.8 ft

111.5 ft

10.8

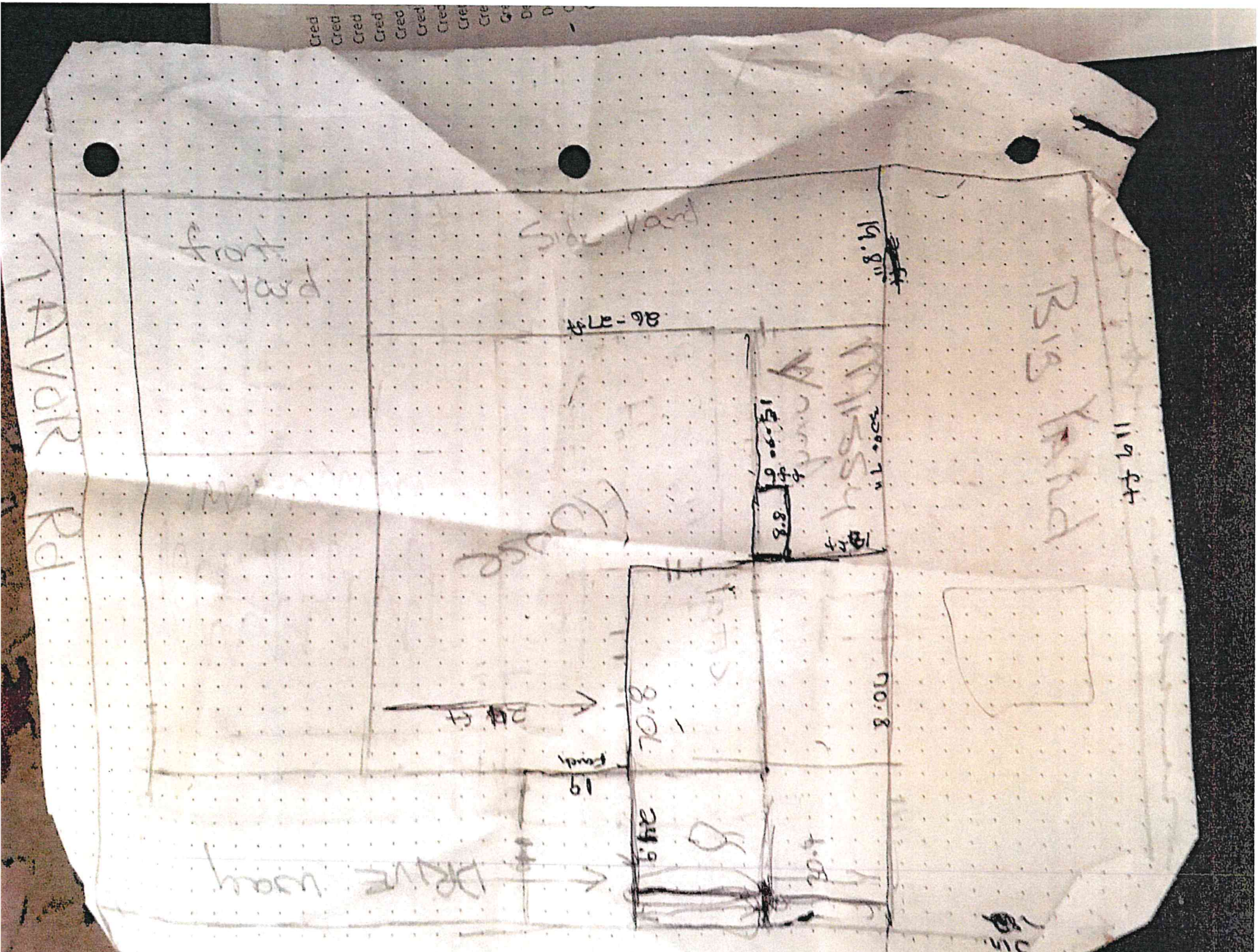
8.0 ft

24 ft

19 ft

24.9

DRIVE way





## ENGINEERING & SURVEYING

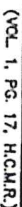
**FAX: (956) 618-5540**

**FAX: (856) 618-5540**

- — DENOTES FOUND 1/2" ROD
- — DENOTES SET 1/2" ROD
- ⊙ — DENOTES FOUND 1/2" PIPE
- — DENOTES NO MONUMENT
- DENOTES RIGHT OF WAY
- DENOTES EDGE OF PAVEMENT
- DENOTES POINT OF BEGINNING

ADJ. LAND OWNER INFO.  
OWNER: HECTOR HERNANDEZ  
RECORDED: DOC. #483757, 0/R

ADJ. LAUD OMNER INFO.  
OMNER: LOUPDES TERMA  
RECORDED: DCC #28697526. O/R



8820 N. INLOR RD., IN MCALLEN, TEXAS. DESCRIBED AS FOLLOWS:

TEXAS. (SEE METES AND BOUNDS DESCRIPTION)

© COPYRIGHT 2018 ART SALINAS ENGINEERING INC. THIS STUDY WAS

Date \_\_\_\_\_

© COPYRIGHT 2018 ART SALINAS ENGINEERING INC. THIS SURVEY WAS PROVIDED IN MULTIPLE ORIGINALS SOLELY FOR THE USE OF THE BORROWER NAMED HEREON. NO LICENSE HAS BEEN CREATED, EXPRESSED OR IMPLIED TO COPY THIS SURVEY.











PARKING





DOGGIE  
DAYCARE

PET  
BOARDING

NOTICE  
DOG KENNEL  
FOR  
THIS PROPERTY  
CUP2023-0024  
CITY OF McALLEN PLANNING DEPT.  
700 WEST 10TH  
WWW.MCALLENNET.NET

6  
8  
2  
0



## Memo

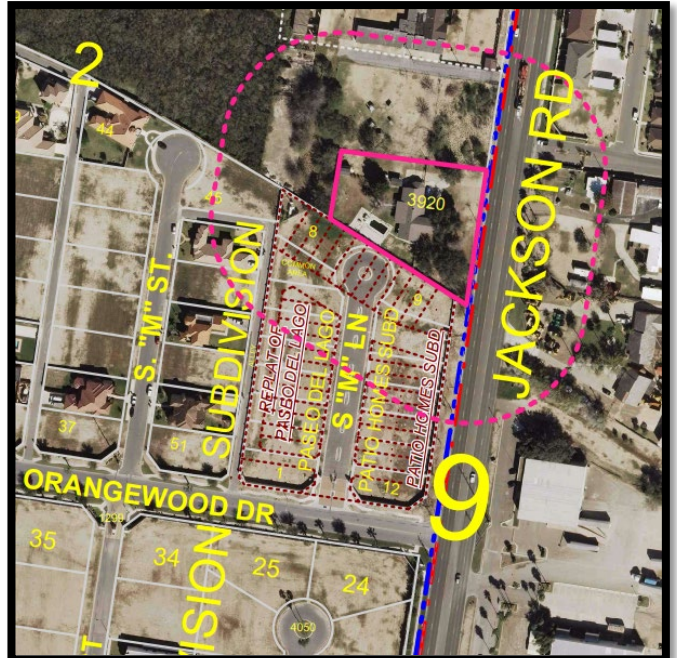
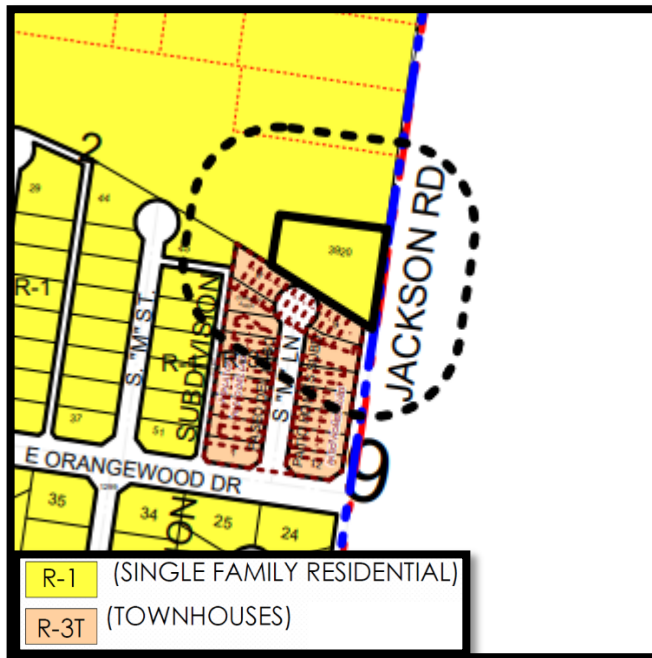
**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

**DATE:** February 13, 2023

**SUBJECT: REQUEST OF ISRAEL L. RIVAS, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A HOME OCCUPATION (HOME OFFICE) AT LOT MCCOLL A. J. 1.20AC OUT OF S10AC N-LAT D., BLOCK 9, HIDALGO COUNTY, TEXAS, 3920 SOUTH JACKSON ROAD. (CUP2023-0016)**

**BRIEF DESCRIPTION:** The subject property is located on the west of South Jackson Road and 2,910 feet east of South McColl. The property is zoned R-1 (single-family residential) District. The adjacent zoning is R-1 District north and west of the subject property. The adjacent zoning is R-3T (townhouses) District south of the subject property. Surrounding land uses include single-family residences and proposed townhomes. A home occupation is permitted in the R-1 (single-family residential) District with a Conditional Use Permit and in compliance with requirements.



**HISTORY:** This is the first Conditional Use Permit for a home office at A.J. McColl's addition to McAllen First Suburban Citrus Groves Subdivision. The Conditional Use Permit for a law firm was submitted to the Planning Department on January 27, 2023. The Conditional Use Permit request is for one year.

**REQUEST/ANALYSIS:** The applicant stated that they are operating a legal office from a 336 sq. ft. office space inside the existing house as per the submitted floor plan. The applicant stated that he is the owner and lives on the property. The hours of operation are from 8:00 AM to 5:00 PM, by appointment only.

Should the conditional use permit be approved, the applicant would be required to sign the certificate acknowledging and agreeing to the conditions of the permit. The occupation could not be operational until issuance of the certificate. The Fire Department has inspected the building and allowed the CUP process to continue. The business must comply with requirements set forth in Section 138-118(1) of the Zoning Ordinance and other specific requirements as follows:

- 1) The home occupation must be clearly secondary to the residential use. The occupation does appear to be a secondary use;
- 2) One nameplate attached to the building not larger than two square feet is permitted in all districts except R-1 single-family residential district.
- 3) There shall be no exterior display or alterations indicating that the building is being used for any purpose other than that of a dwelling.
- 4) There shall be no more than one additional unrelated employee other than immediate members of the family residing on the premises. The applicant stated that there is one employee only; a paralegal who is unrelated.
- 5) There shall be no outside storage of materials or products.
- 6) The permitted use shall not create frequent or heavy traffic, not greater than ten percent (10%) of the average load per hour as determined by the city traffic engineer. The applicant stated that customers would visit by appointment only;
- 7) No retail sales (items can be delivered). The applicant does not propose retail sale;
- 8) No additions to the residence or accessory building specifically to accommodate the business. The applicant proposes no additions or accessory building to accommodate the business;
- 9) The business must take place in the primary residential structure on the property rather than in a detached garage or separate accessory building. The occupation is proposed to take place in the primary structure; and
- 10) The activity must take place at the location of which the permit was issued.

Staff has not received a phone call in opposition to the conditional use permit request.

**RECOMMENDATION:**

Staff recommends approval of the request based on compliance with requirements of Section 138-118(1) of the Zoning Ordinance.

95'





JOSEFINA RODRIGUEZ  
W.D. DOC. #651570 H.C.D.R.

SCALE: 1"=30'

BEARING BASIS AS PER PLAT  
A.L. MCCOLL SUBDIVISION  
VOL. 21, PG. 598 H.C.D.R.

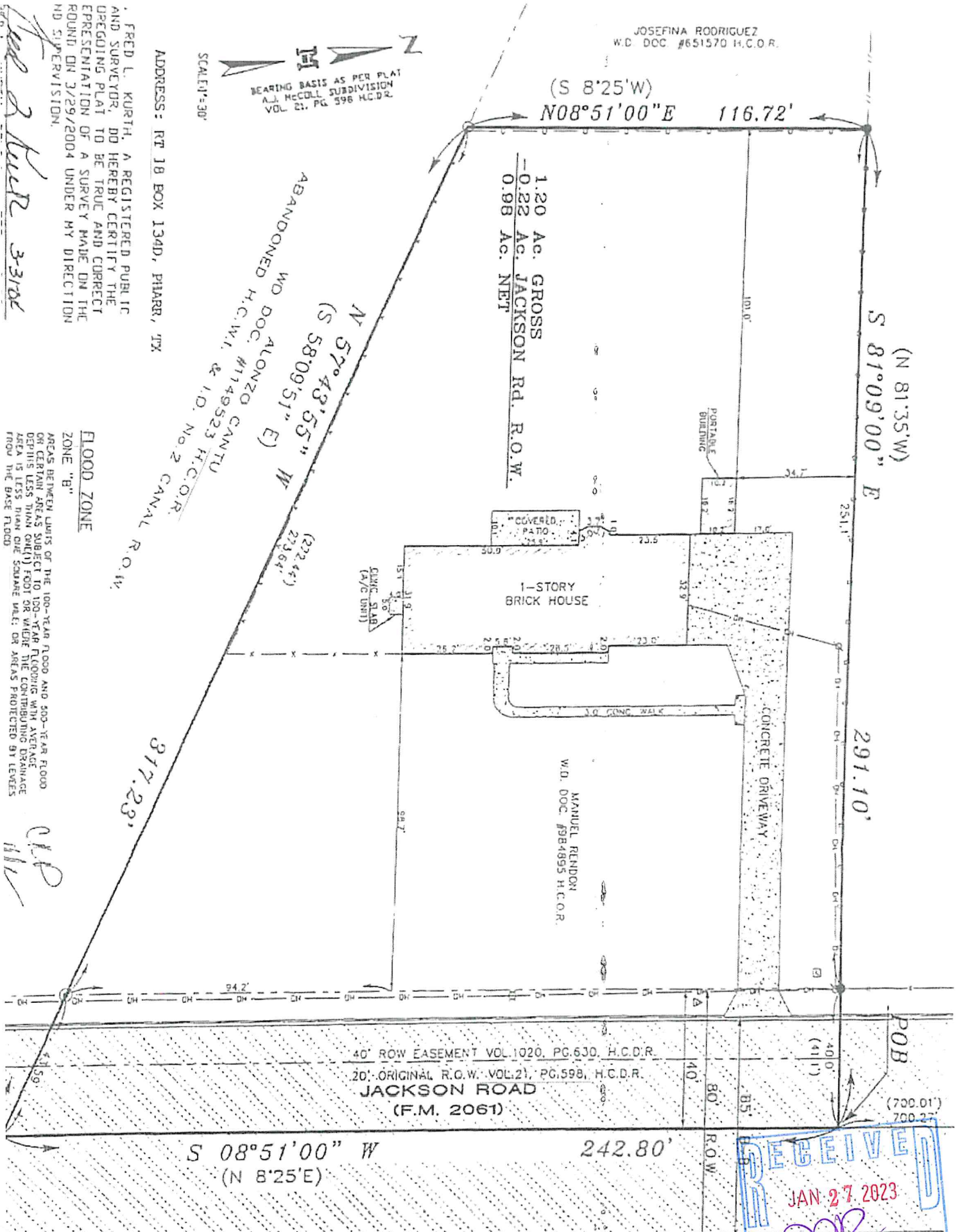
ADDRESS: RT 18 BOX 134D, PHARR, TX

FRED L. KURTH, A REGISTERED PUBLIC  
AND SURVEYOR, DO HEREBY CERTIFY THE  
FOLLOWING PLAT TO BE TRUE AND CORRECT  
REPRESENTATION OF A SURVEY MADE IN THE  
MONTH OF JANUARY 2004 UNDER MY DIRECTION  
AND SUPERVISION.

*File & Seal 3-31-04*

FLOOD ZONE  
ZONE "B"  
AREAS BETWEEN LINES OF THE 100-YEAR FLOOD AND 500-YEAR FLOOD  
OR CERTAIN AREAS SUBJECT TO 100-YEAR FLOODING WITH AVERAGE  
DEPTH 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

*CLP*



RECEIVED  
JAN 27 2023  
By *me*







## Memo

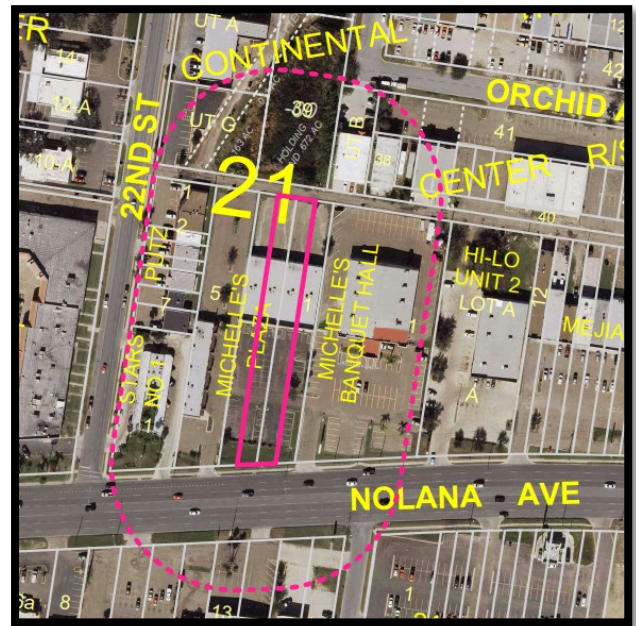
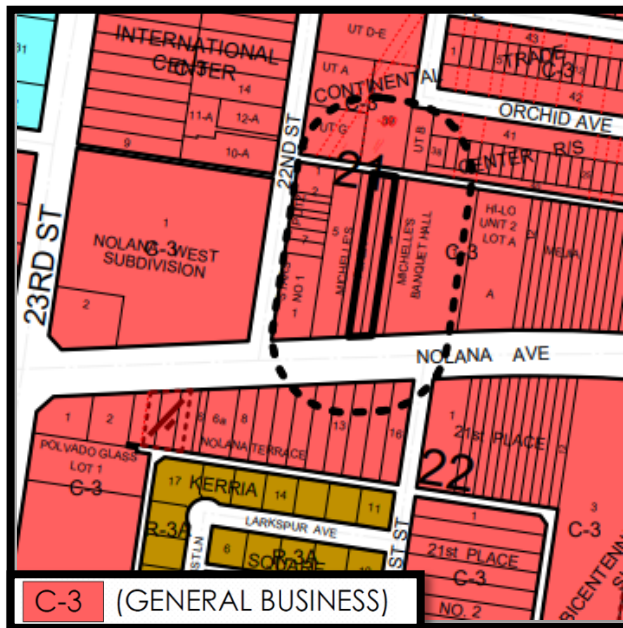
**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

**DATE:** February 13, 2023

**SUBJECT:** REQUEST OF MARYANN GONZALEZ, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR AN INSTITUTIONAL USE (BARBER SCHOOL) AT LOT 2 & 3, MICHELLE'S PLAZA, HIDALGO COUNTY, TEXAS, 2108 NOLANA AVENUE. (CUP2023-0017)

**BRIEF DESCRIPTION:** The property is located on the east side of 23<sup>rd</sup> Street and North of Nolana Avenue. The subject 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 submitted on February 1, 2023. The Conditional Use Permit request is for one year.

**REQUEST/ANALYSIS:** The applicant is proposing to operate a barber school within a 3,000 sq. ft. suite in Michelle's Plaza. The proposed hours of operation for the institutional use are Mondays to Fridays from 8AM to 9PM. The establishment consists of one restroom, one storage room, and a main area (training area). Based on the type of use, 12 parking spaces are required, 55 parking spaces are provided. Applicant was informed during the site visit that the parking spaces would need to be restriping.



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 of 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 size 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 Off-Street Parking Ordinance and make provisions to prevent the use of parking along 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 per city requirements.
- 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 main building shall be determined by the Building Inspections Department and shall maintain the existing seating capacity for the main sanctuary; and
- 7) Sides adjacent to commercially and residentially zoned or use property shall be screened by a 6 ft. opaque fence.

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



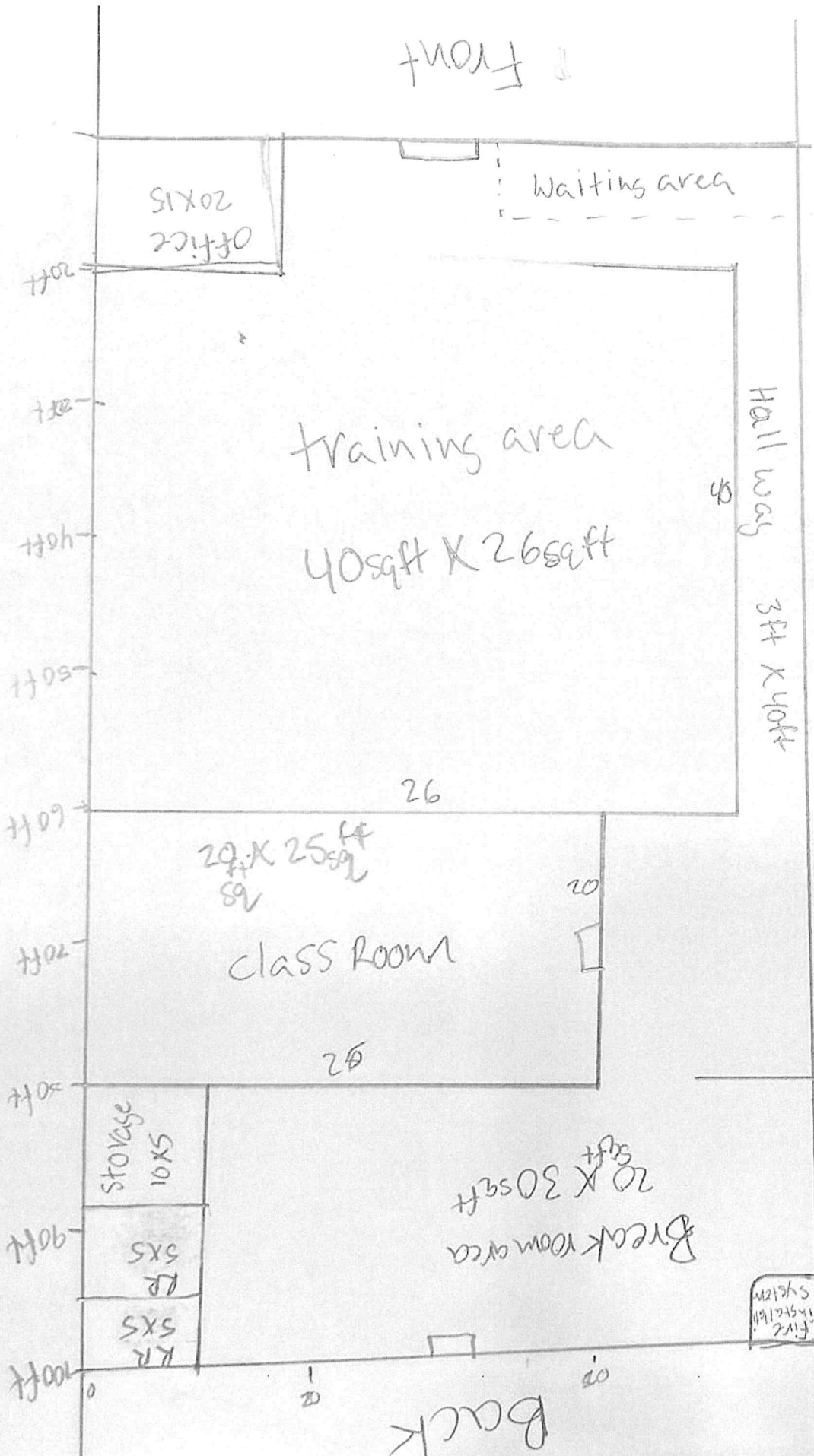
3000 ft<sup>2</sup> sq



35 pk 10 nk













## Memo

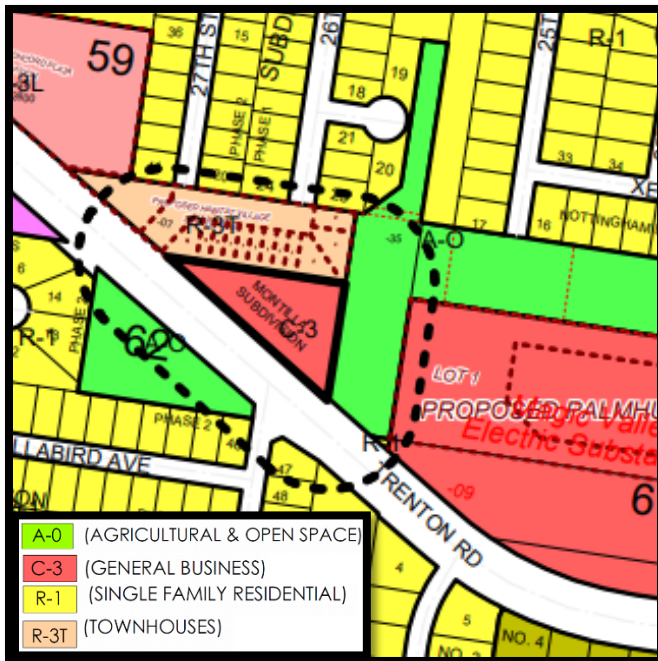
**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

**DATE:** February 14, 2023

**SUBJECT:** Request of Abel A. Montilla for Conditional Use Permit, for the life of the use, and adoption of an ordinance for an amendment automotive service at Lot 1, Montilla, Hidalgo County, Texas; 2600 West Trenton Road. (CUP2023-0021)

**BRIEF DESCRIPTION:** The subject property is located north of Trenton Road, between 29<sup>th</sup> Street and 23<sup>rd</sup> Street. The property is zoned C-3 (general business) District, and the adjacent zoning is A-O (agriculture and open space) District to the east and south. The adjacent zoning is R-3T (townhouses) District to the north and R-1 (single family) District to the southeast. Surrounding land uses include vacant land, single family residences, and proposed townhouses. An automotive service and hand car wash is allowed in a C-3 zone with a Conditional Use Permit and in compliance with requirements.



**REQUEST/ANALYSIS:** There is one existing commercial building on site, the proposed building is located west of the existing building. The existing is approximately 5,163.87 square feet which is comprised of four garages and an office. The proposed building is approximately 1,787.94 square feet and will be used as a hand car wash. The proposed building is comprised of two garages, a detail area and a washing area. The applicant is requesting a CUP for life of use.

Based on the total 6,951.81 sq. ft. for the addition of a hand car wash to the automotive services, 30 parking spaces are required for the proposed hand car wash services including the existing automotive services building; 31 parking spaces are provided on site.



Staff has not received a phone call in favor or in opposition to this request.

Fire Department has conducted the necessary inspection, and gave approval to continue with CUP process. 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 business must meet the requirements set forth in Section 138-281 of the Zoning Ordinance and specific requirements as follows:

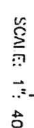
- 1) A minimum lot size of 10,000 sq. ft. is required. The subject property is approximately 51,820 sq. ft.
- 2) All service, repair, maintenance, painting and other work shall take place within an enclosed area. The applicant is proposing to work inside the commercial structure.
- 3) Outside storage of materials is prohibited. The applicant indicated that there would be no outside storage.
- 4) The building where the work is to take place shall be at least 100 ft. from the nearest residence. The building where the work is to take place is more than 100 feet from all single-family residential uses to the north, south and west.
- 5) A 6 ft. opaque fence buffered the proposed use from any residential use or residentially zoned area is required.
- 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.

**RECOMMENDATION:**

Staff recommends approval of the request, for life of the use, subject to with requirements of Section 138-281 of the Zoning Ordinance, Fire Department, and building permit requirements.



..FIND 1/2" I.R.



PROP 6' REINFORCED  
CONCRETE VALLEY  
GUTTER

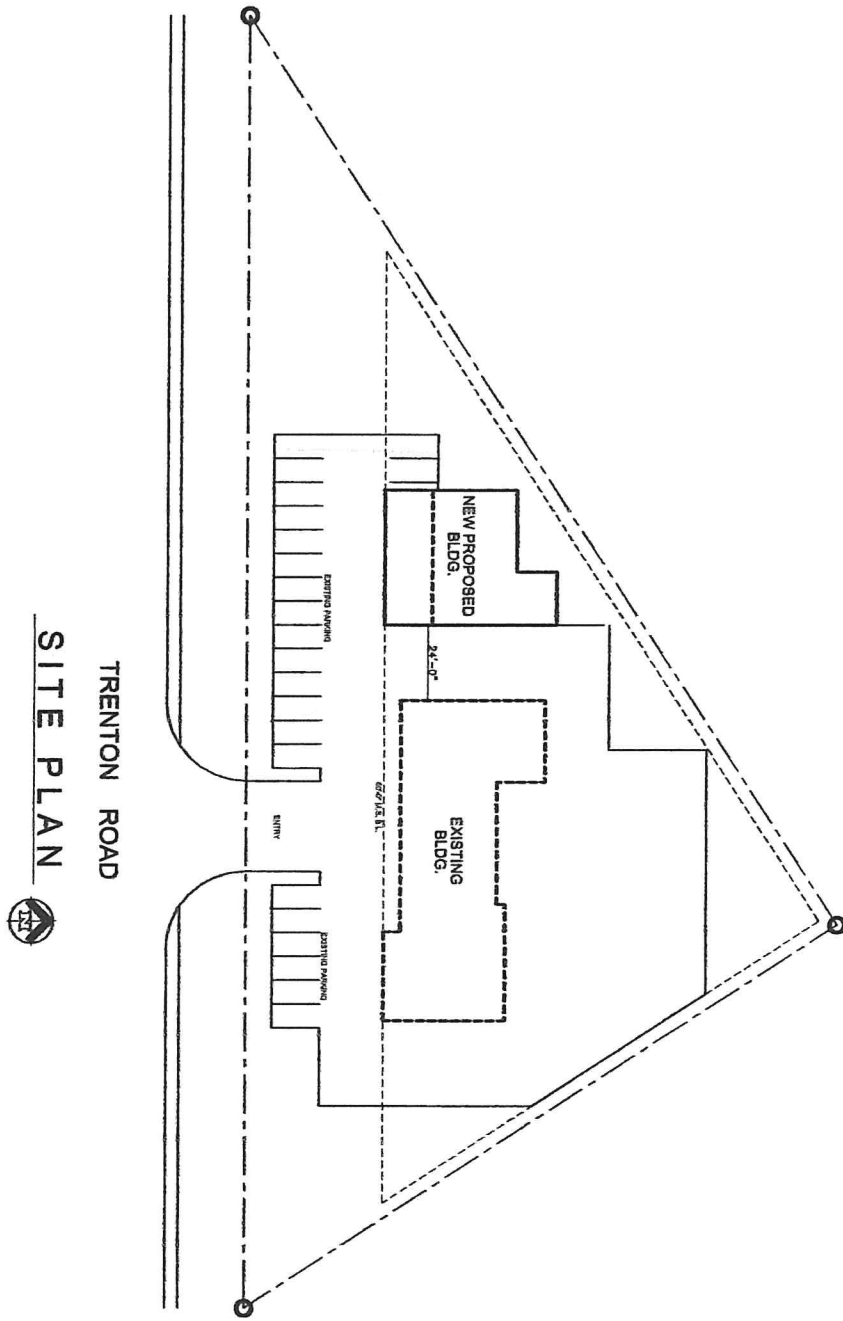
EXISTING CURB INLET  
WITH EXTENSION (TO  
BE MODIFIED) PROP.  
GRATE, INLET TYPE  
"C-C"

No.	Revision/usage	Date

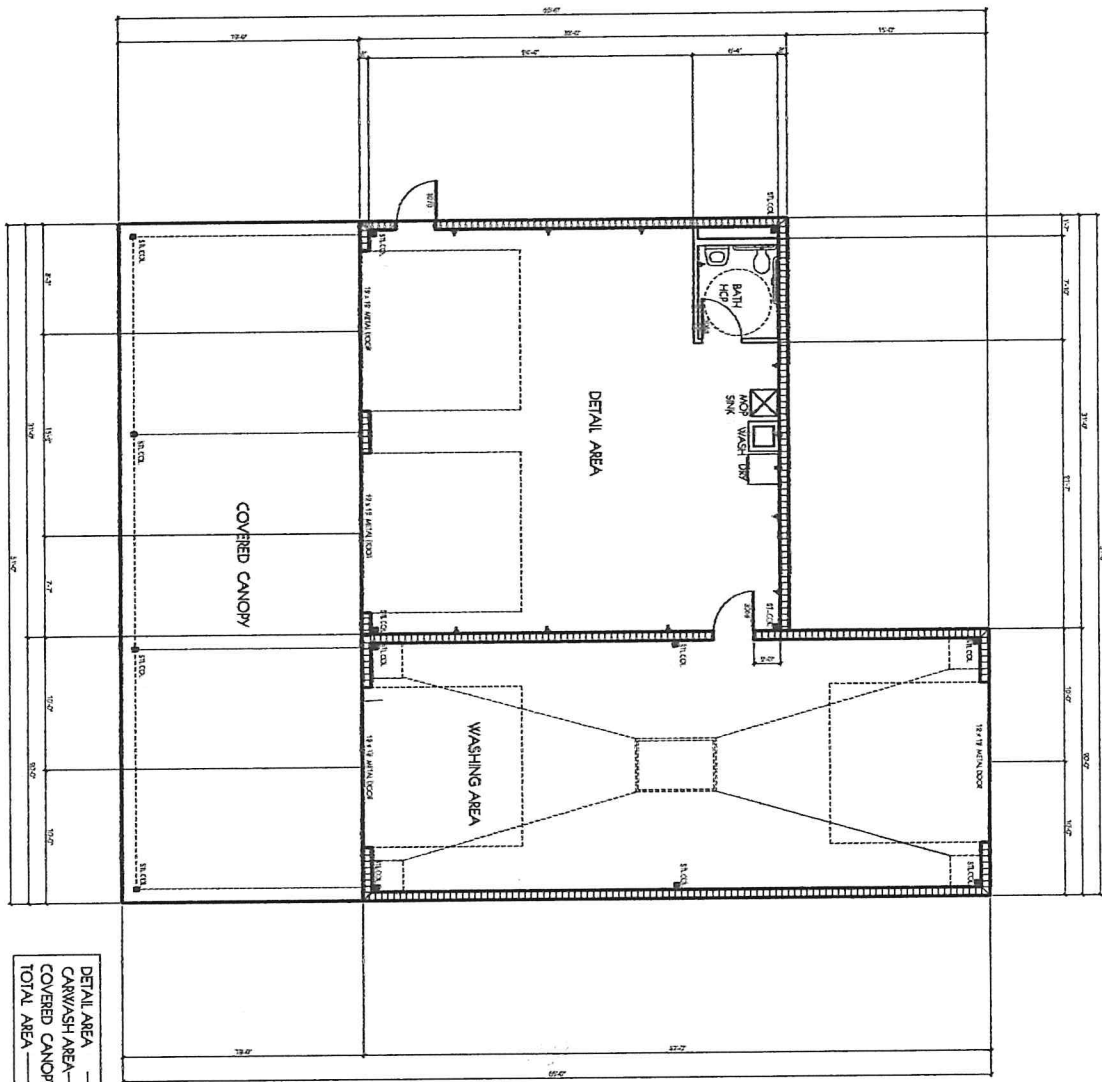
PHONE (056) 240 0710

7413 N. LA HOMA ROAD









DETAIL AREA — 992.0 FT  
 CAN/WASH AREA — 940.0 FT  
 COVERED CANOPY — 918.0 FT  
 TOTAL AREA — 2850.0 FT



**South Texas Design**

PROJECT

OWNER • BUILDER

210 BROWN STREET, BAYLOR, TEXAS 75701 (214) 687-1400

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

CONTRACTOR SHALL VERIFY ALL  
 DIMENSIONS AND LOCATIONS OF  
 THE JOB SITE AND NOTIFY THE  
 DESIGNER OF ANY DISCREPANCIES  
 BEFORE BEGINNING OR  
 PARTICIPATING ANY WORK. NO  
 WORK SHALL BE DONE WITHOUT  
 THE SCALE THESE DRAWINGS.

REVISIONS	BY







## Planning Department

### Memo

**TO:** Planning and Zoning Commission

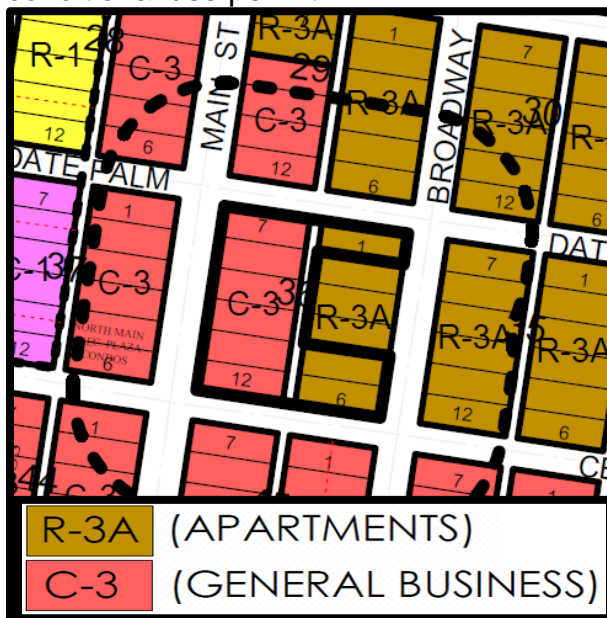
**FROM:** Planning Staff

**DATE:** February 24, 2023

**SUBJECT:** REQUEST OF JESSICA HERNANDEZ ON BEHALF OF SOUTH TEXAS EDUCATIONAL TECHNOLOGIES, INC., FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, AND AN ADOPTION OF AN ORDINANCE, FOR AN INSTITUTIONAL USE (HORIZON MONTESSORI PUBLIC SCHOOL) AT LOT 1 AND LOTS 5 THROUGH 12, BLOCK 36, NORTH MCALLEN ADDITION, HIDALGO COUNTY, TEXAS; 320 NORTH MAIN STREET. (CUP2023-0015)

#### DESCRIPTION:

The subject property is located along the east side of North Main Street, between Cedar and Date Palm Avenues. It is comprised of eight lots. The L-shaped property is located between Date Palm Avenue and Cedar Avenue. The property is zoned C-3 (general business) District and R-3A (multifamily residential apartments) District to the east. Two of the lots that comprise this tract have frontage along the west side of Broadway Avenue. The adjacent zoning is C-3 (general business) District to the north, south, and west, and R-3A (multifamily residential apartments) District to the east. Surrounding land uses include Archer Park, The Village Condominiums, commercial and office buildings, and apartments. An institutional use (grade school) is permitted in the C-3 zone with a conditional use permit.





**HISTORY:**

The initial conditional use permit was requested for the life of the use; however, it was approved for one year by the Planning and Zoning Commission on June 21, 2011 to allow for the renovation of the building, allow staff to review any changes, and evaluate traffic circulation in the area. The applicant submitted a Conditional Use Permit application for one year for a school campus on October 25, 2021 which was approved at the Planning and Zoning Commission meeting of December 12, 2021.

The applicant has now submitted this Conditional Use Permit request for the life of the use on January 27, 2023.

**REQUEST/ANALYSIS:**

Currently, there is a two-story building and an existing pavilion which is located on Lot 6, Block 36; on the property and are part of the Horizon Montessori Elementary and Horizon Middle School expansion. The property also includes a playground area on Lot 1.

According to the applicant, the pavilion has existed on the property for over two years, and is used for recreational purposes by the school students. During a site visit, Planning Department staff noticed that the existing pavilion is constructed over 14 parking spaces, displacing these parking spaces, which leaves 5 parking spaces available.

The applicant is proposing to continue to operate a school from the existing building. The total number of classrooms and offices for the school is 31. Based on 1.5 parking spaces per classroom and office, 47 parking spaces are required; 66 spaces are provided on site, which leaves 19 spaces available. If the number of offices and classrooms increase, additional parking will be required. The Traffic Department has recommended approval for one year in order to continue monitoring the traffic flow.

Following a trip generation worksheet approval and a revised traffic circulation plan from the last permit approval, a circulation pattern was established for the use of the school, which was approved by the Traffic Commission. The intersection of North Main Street and Cedar Avenue is under a stop sign control by the school's security guard, who sets out portable crosswalk pedestrian warning signs before school hours and during the day. The portable crosswalk pedestrian warning signs are to be removed after school hours.

The Fire Department has conducted their respective inspections; however, a follow up inspection is required. 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:

- 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 has direct access to North Main Street, Broadway Avenue and Cedar Avenue;
- 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 1.5 parking spaces per classroom and office, 47 parking spaces are required; 66 spaces are provided on site, which leaves 19 spaces available. Should the number of offices and classrooms increase, additional parking will be required.

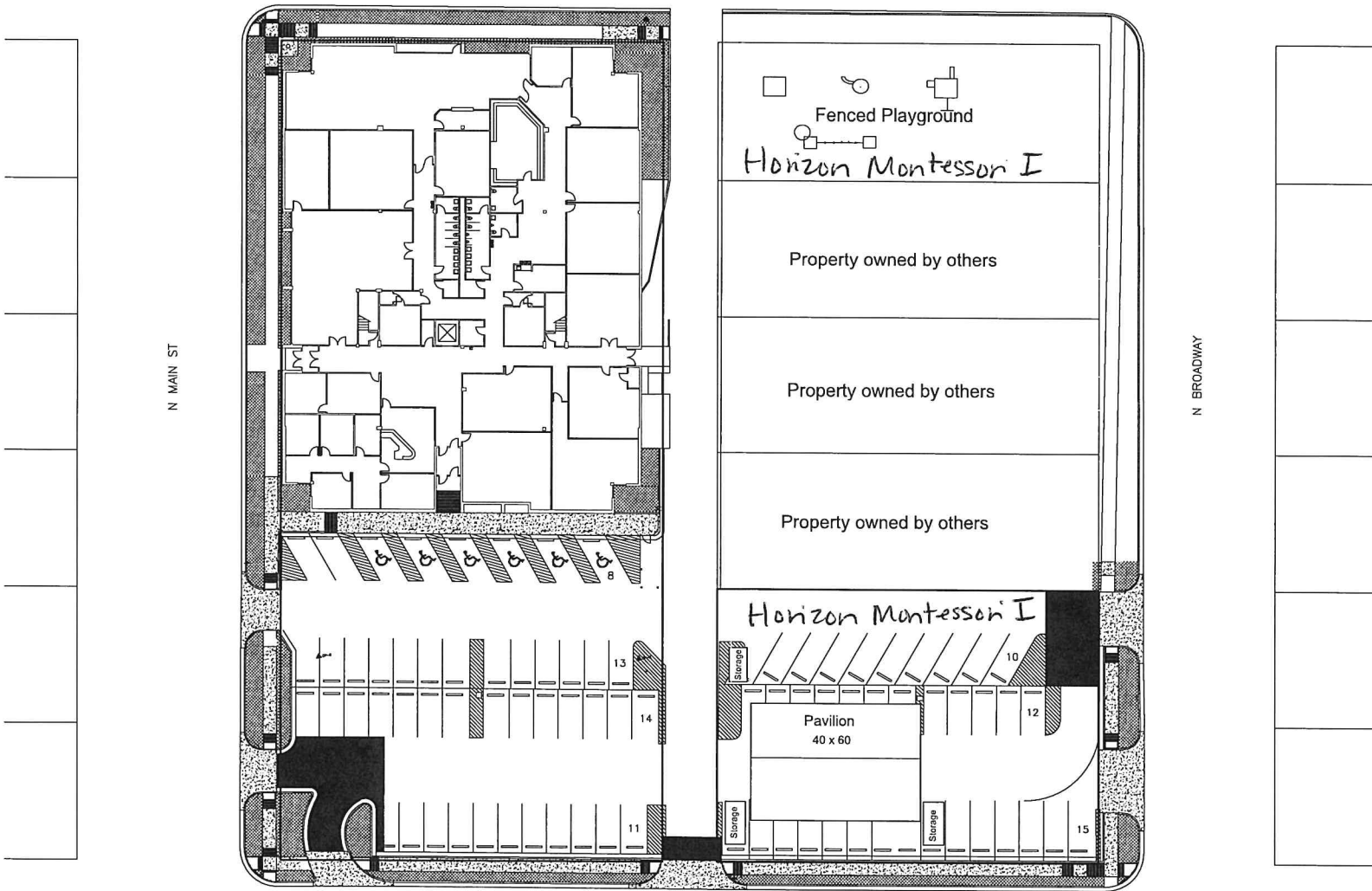
- 3) The proposed use shall prevent the unauthorized parking of its patrons on adjacent businesses or residences by providing fences, hedges or reorientation of entrances and exits. The school must comply with the circulation pattern approved by the Traffic Operations Department;
- 4) The proposed use 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; and
- 7) Sides adjacent to commercially and residentially zoned or used properties shall be screened by a 6 ft. opaque fence.

**RECOMMENDATION:**

Staff recommends approval of the request for three years to allow Traffic Operations Department to continue to monitor traffic circulation and the previously approved routes.



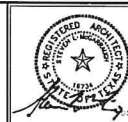
DATE PALM AVE



CEDAR AVE

DESIGNED BY: SLM	REVISIONS		
DRAWN BY: HRV	NO	DATE	APP
CHECKED BY: SLM	01	01/23/2023	Site plan updates
APPROVED BY: RS			
DATE: JANUARY 2011			

Steven L McGarraugh, Architect  
17107 Cradle Cove Court  
Houston, Texas 77095  
(956) 367-7313  
stevenmcgarraughia@gmail.com



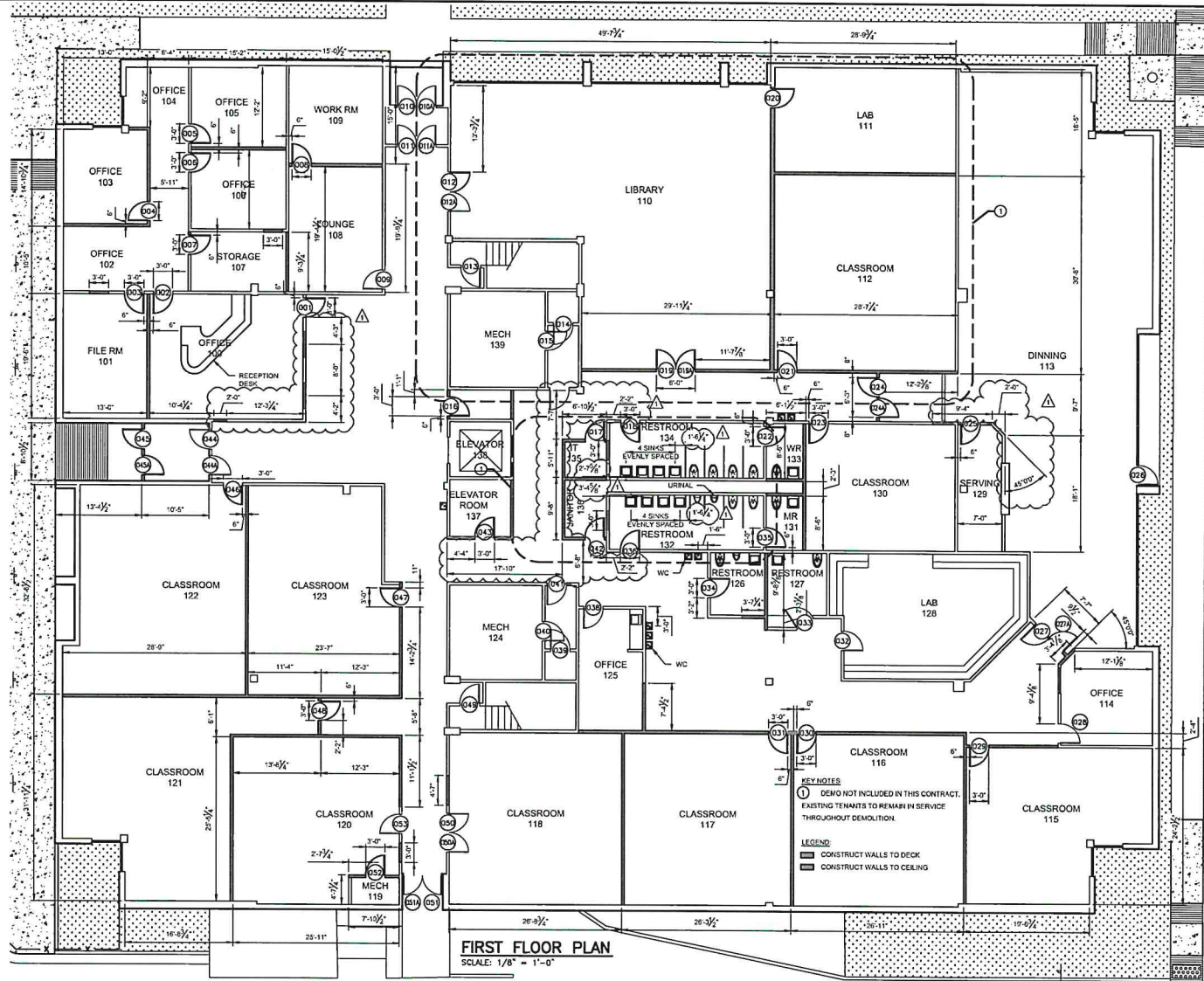
Soyth Texas Educational Technologies, Inc  
**Horizon Montessori School**  
McAllen Texas

SITE PLAN

0 1"  
SCALE BAR IS ONE INCH  
ON ORIGINAL DRAWINGS

PROJECT No: 2301-01
DRAWING No: A.0.3
SHEET No: 01





DESIGNED BY: SLM	REVISIONS			
DRAWN BY: HRV	NO	DATE	REVISIONS	APP
CHECKED BY: SLM	A	03-19-12	REVISED AS NOTED	SLM
APPROVED BY: RS				
DATE: JANUARY 2011				

**DANNENBAUM**  
ENGINEERING COMPANY - McALLEN, LLC  
T.B.A.E. FIRM REGISTRATION #8999  
T.B.A.E. FIRM REGISTRATION #19734  
1109 NOLAN LOOP, STE 208 McALLEN, TX 78504 (954) 682-3677



South Texas Educational Technologies, Inc.  
Horizon Montessori Middle School  
McAllen Texas

1st FLOOR PLAN

SCALE BAR IS ONE INCH  
ON ORIGINAL DRAWINGS

PROJECT No:  
4631-01  
DRAWING No:  
A.0.4  
SHEET No:



# Traffic Circulation Plan



Datepalm Avenue

Proposed  
Horizon Montessori  
Middle School

N. Main Street

N. Broadway Street

Cedar Avenue

Student  
Drop-off and  
Pick-up

Traffic cones to be  
placed by school  
during drop-off and  
pick-up hours

Approximately 1000 linear  
feet for vehicular stacking

Existing  
driveways to  
be closed

Existing  
driveway to  
be closed

Proposed entrance  
driveway (designed  
for right-turn only)



Traffic plan





NOTICE  
INSTITUTIONAL  
USE  
THIS PROPERTY  
CUP 2023-0015





# Planning Department

## Memo

**TO:** Planning and Zoning Commission

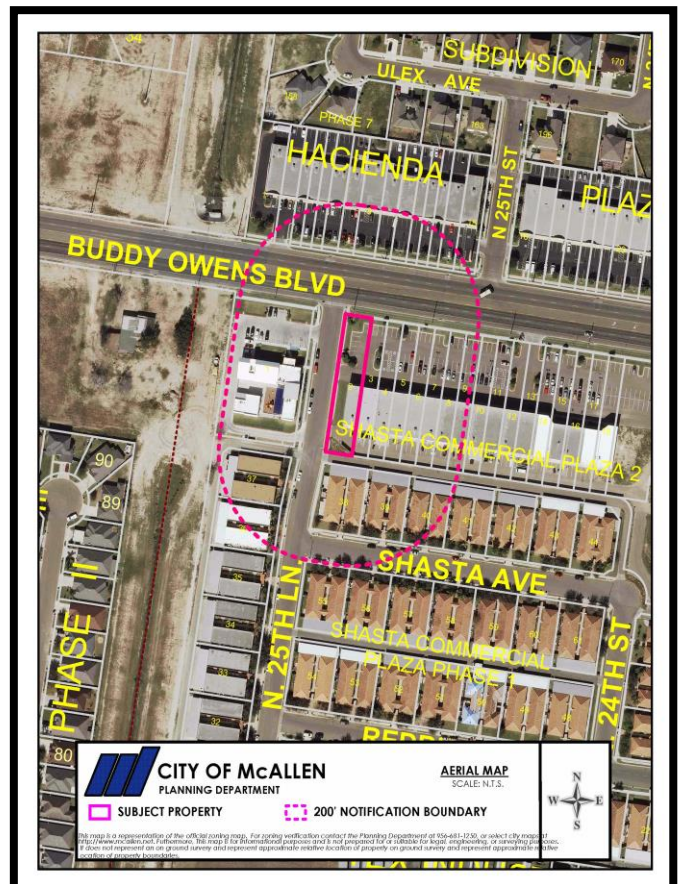
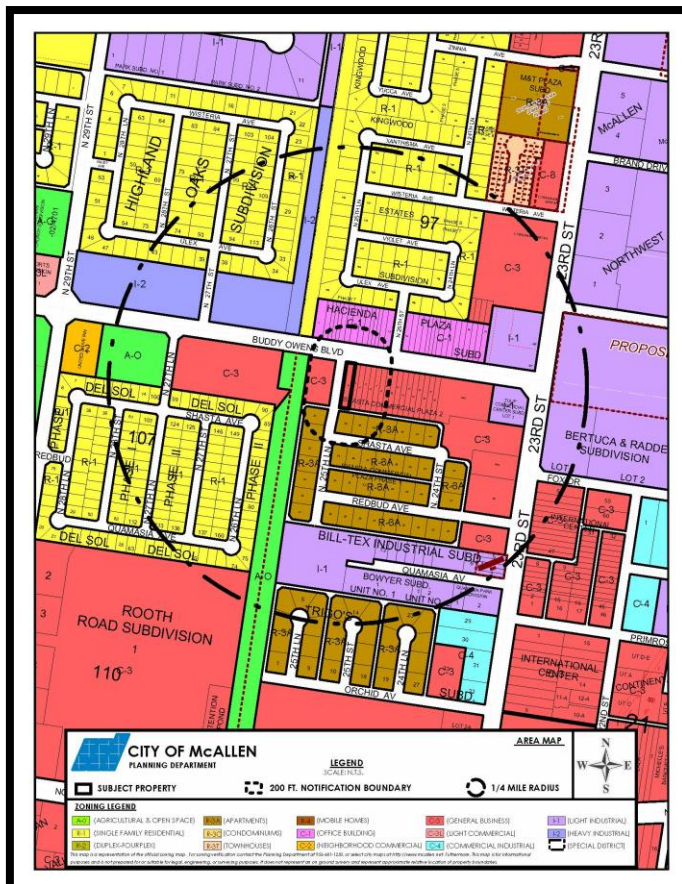
**FROM:** Planning Staff

**DATE:** February 24, 2023

**SUBJECT:** REQUEST OF CARLOS AND ARELY FUENTES ON BEHALF TRONO DE GRACIA IGLESIA CRISTIANA, INC., FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR AN INSTITUTIONAL USE (CHURCH) AT LOT 2, SHASTA COMMERCIAL PLAZA PHASE II SUBDIVISION, HIDALGO COUNTY, TEXAS; 2519 BUDDY OWENS BOULEVARD. (CUP2023-0018)

### BRIEF DESCRIPTION:

The property is located at the southeast corner of Buddy Owens Boulevard and North 25<sup>th</sup> Lane. The property is zoned C-3 (general business) District. The adjacent zoning is C-3 District to the east and west, R-3A (multi-family residential apartments) District to the south, and C-1 (office building) District to the north. An Institutional Use is permitted in a C-3 District with a Conditional Use Permit and in compliance with requirements.





**HISTORY:**

Two Conditional Use Permits for a church have been approved by the Planning and Zoning Commission for one year at this location on April 21, 2015 and July 20, 2021. Due to a change in ownership and church name, this new request is made as an amendment to the request approved on July 20, 2021.

**REQUEST/ANALYSIS:**

The applicant is proposing to operate a church out of an approximate 2,180 square feet of lease space, which is part of a multi-tenant commercial building by the name of Shasta Commercial Plaza. Shasta Commercial Plaza is a mixture of office, retail, and vacant suites. The lease space consists of an auditorium, two restrooms, and a closet, as shown on the submitted floor plan. The applicant is proposing a seating arrangement of 50 chairs in the auditorium. The proposed days and hours for the church's worship services are Wednesdays 7:00 PM to 10:00 PM and Sundays 8:00 AM to 1:00 PM.

Based on the 50 seats in the auditorium area, 13 parking spaces are required. There are 280 parking spaces provided on site as part of a common parking area of the existing commercial development. The parking spaces for the other businesses do not interfere with the church's parking based on the hours of operation for the majority of the businesses.

The Fire Department has inspected the lease space, and no violations were found. Should the Conditional Use Permit be approved, the applicant would be required to sign the application acknowledging and agreeing to other conditions of the permit. The proposed use must also comply with the Zoning Ordinance and the following specific requirements:

- 1) The proposed use shall not generate traffic onto residential size streets or disrupt residential areas, and shall be as close as possible to a major arterial. The property fronts and has access to Buddy Owens Boulevard.
- 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 a seating capacity of 50 persons in the main auditorium, 13 parking spaces are required; 280 parking spaces are provided on site as part of the existing commercial development's common parking area.
- 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 the existing seating capacity for the building; and
- 7) Sides adjacent to commercially and residentially zoned or used properties shall be screened by a 6-foot opaque fence. A 6-foot opaque fence is required on the south side and one is provided.

Staff has not received any phone call, letters, or email in opposition to this request.

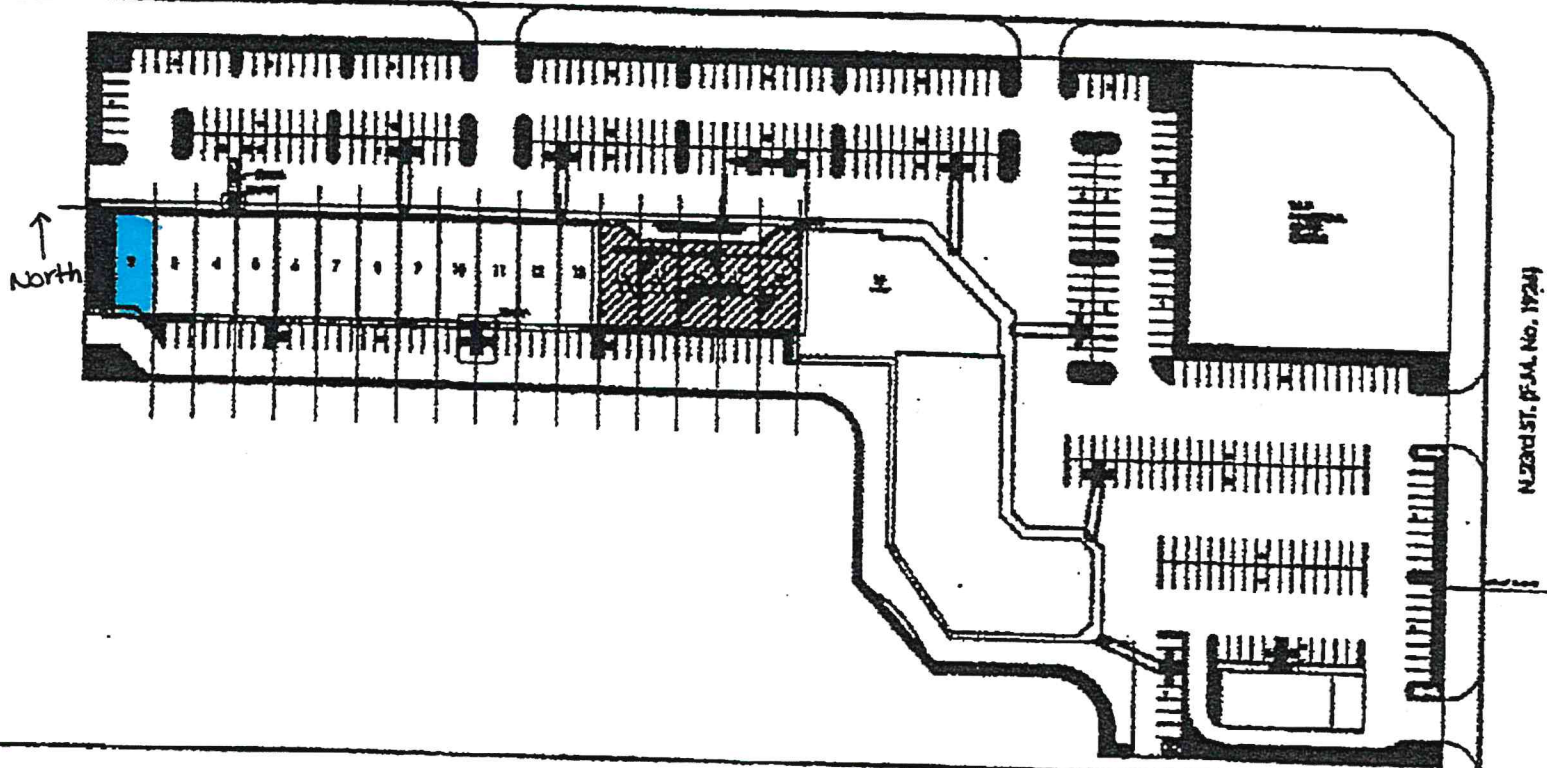
**RECOMMENDATION:**

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



# SITE PLAN/ LOCATION MAP

2519 Buddy Owens Blvd BUDDY OWENS AV. (MILE S NORTH ROAD F.M. No. 1924)



Corey Tuttle 1/30/23

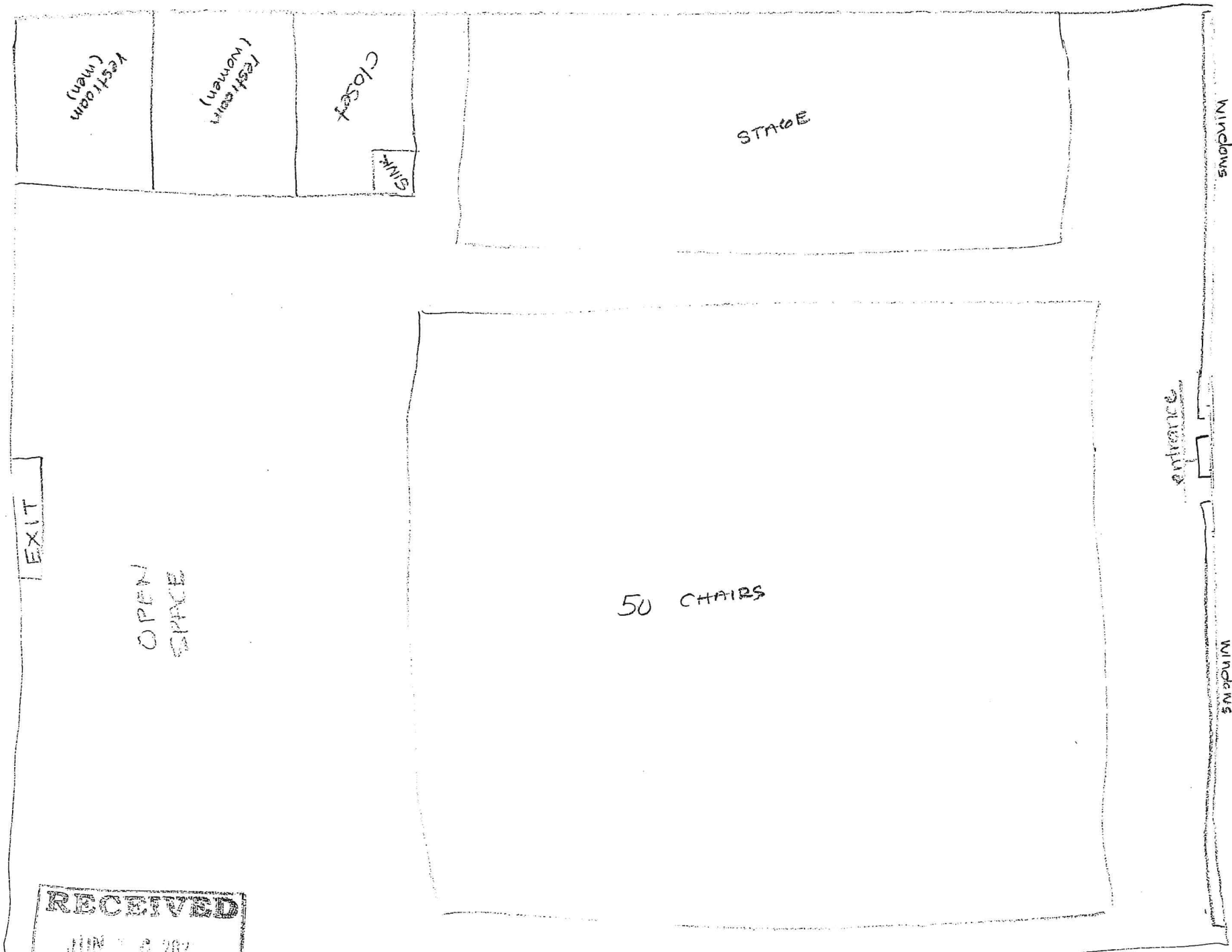
ENTERED

FEB 02 2023

OCCUPANCY COUNT.

Initial: NM





RECEIVED  
JUN 10 2023  
BY: .....

Corey Anthony 1/30/23

→ NORTH





LUCY'S  
BEAUTY SALON

TRONO DE GRACIA  
Bellas Artes

Bienvenido  
a Casa

Dios  
no se ha  
olvidado  
de ti  
(Dale una oportunidad)

NOTICE  
INSTITUTIONAL  
USE  
THIS PROPERTY  
CUP2023-0018



## Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

**DATE:** February 15, 2023

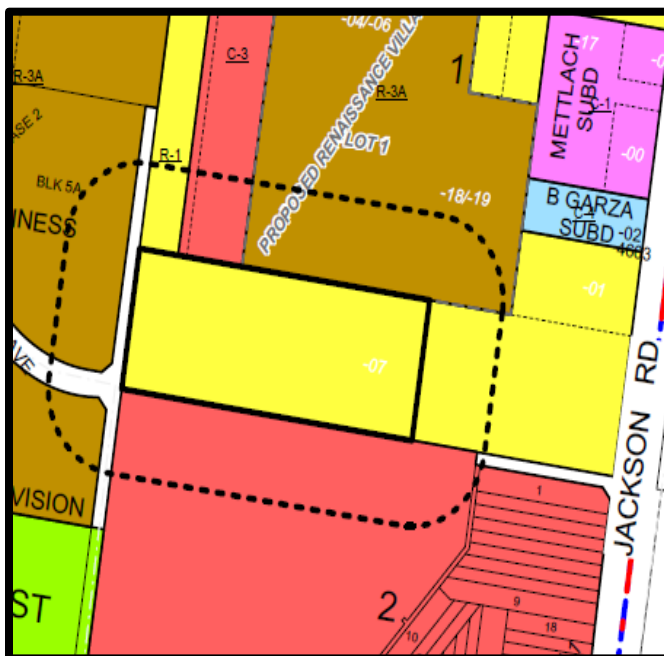
**SUBJECT: REZONE FROM R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO C-4 (COMMERCIAL-INDUSTRIAL) DISTRICT: 6.06 ACRES OUT OF LOT 1, BLOCK 4, A.J. MCCOLL SUBDIVISION, HIDALGO COUNTY, TEXAS; 4401 NORTH JACKSON AVENUE (REAR). (REZ2023-0004)**

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**LOCATION:** The property is located on the rear portion of a tract of land that currently fronts North Jackson Road, and is approximately 1,270 feet north of Nolana Avenue. The property may, however, front North “K” Center Street (to the west) in the future once Right-of-Way dedication is completed during the pending subdivision review process.

**PROPOSAL:** The applicant is requesting to rezone the subject property to a C-4 (industrial-commercial) District to develop the tract of land for a “classic car” self-storage facility.

**ADJACENT ZONING:** The zoning for adjacent properties are R-1 (single family residential) District to the north and east, C-3 (general business) District to the north and south, and R-3A (multi-family residential apartment) District to the north and west.





**LAND USE:** The property is currently vacant and used as agricultural land. Surrounding land uses adjacent to the property include multi-family apartments, agricultural, and vacant land.

**COMPREHENSIVE PLAN:** The Foresight McAllen Comprehensive Plan (FMCP) designates the future land use for this property as Auto Urban Commercial. The proposed rezoning of the subject property does not conform to the land use designation as indicated on the FMCP. The requested C-4 District would be designated as an Industrial land use.

**DEVELOPMENT TRENDS:** The development trend for this area is generally multi-family residential and commercial uses.

**ANALYSIS:** The requested rezoning does not conform to the Suburban Residential land use designation as indicated on the Foresight McAllen Comprehensive Plan.

Approval of the rezoning request to a C-4 District would not limit the owner to the current development proposal for a “classic car” self-storage facility. Once approval is granted for the requested rezoning, the owner can at any time change the development project for the tract to another permitted or conditional use within a C-4 District. This can potentially lead to a number of unforeseen issues (e.g., increased traffic, noise, pollution, etc.) that can negatively impact the surrounding property owners and residents.

A recorded subdivision plat is required prior to building and or sign permit issuance.

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

**RECOMMEN DATION:** Staff re commends disapproval of the rezoning request.



## **Metes and Bounds Description for a 6.06 Acre Tract of Land**

Being a 6.06 acre tract of land, situated in Hidalgo County, Texas, being out of Lot 1, Block 4, A.J. McColl Subdivision, as recorded in Volume 21, Page 598 of the Deed Records, Hidalgo County, Texas, and being out of a called 10.29 acre tract of land conveyed to Keller Real Estate Investments, Inc. by a Warranty Deed with Vendor's Lien dated November 15, 2005 and recorded on January 26, 2006, as described in Document Number 1571243 of the Official Records, Hidalgo County, Texas, said 6.06 acre tract of land being more particularly described as follows:

**Beginning** at a set 1/2-inch iron rod, being the common corner of said called 10.29 acre tract of land and a tract of land conveyed to T.K. Custom Builders, L.L.C. by a Warranty Deed with Vendor's Lien dated October 11, 2006 and recorded on October 18, 2006, as described in Document Number 1676248 (Tract 1) of the Official Records, Hidalgo County, Texas, and being on the East line of Blocks 3A, 4A, and 5A Lakes Business Park Phase 2 Subdivision, as recorded in Volume 41, Page 107 of the Map Records, Hidalgo County, Texas, for the Northwest corner of this herein described tract of land;

1. **Thence**, South 81°18'56" East a distance of 800.00 feet along the common line of said called 10.29 acre tract of land, said Tract 1, a 5.00 acre tract of land conveyed to Bobby Joe Salter and wife, Jeanne Rose Salter by a Warranty Deed dated September 8, 1989 and recorded on September 11, 1989, as described in Volume 2807, Page 61 of the Official Records, Hidalgo County, Texas, and a 5.13 acre tract of land being conveyed to Peter David Oxford (SSN: 457-60-7541) by a Warranty Deed dated and recorded June 23, 1999, as described in Document Number 785217 of the Official Records, Hidalgo County, Texas to a set 1/2-inch iron rod with a red plastic cap stamped "Kane Lindsey", for the Northeast corner of this herein described tract of land;
2. **Thence**, South 08°34'05" West a distance of 330.00 feet over and across said called 10.29 acre tract of land to a set 1/2-inch iron rod with a red plastic cap stamped "Kane Lindsey" being on the common line of said called 10.29 acre tract of land and the remainder of a called 35.25 acre tract of land conveyed to JCJI, LTD. by a Warranty Deed with Vendor's Lien dated April 25, 2000 and recorded on April 28, 2000, as described in Document Number 867912 of the Official Records, Hidalgo County, Texas, for the Southeast corner of this herein described tract of land;

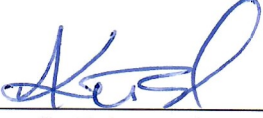


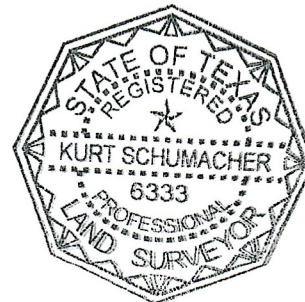
3. **Thence**, North  $81^{\circ}18'56''$  West a distance of 800.00 feet along the common line of said called 10.29 acre tract of land and said remainder of a called 35.25 acre tract of land to a set 1/2-inch iron rod with a red plastic cap stamped "Kane Lindsey" being the common corner of said called 10.29 acre tract of land, said remainder of a called 35.25 acre tract of land, said Blocks 3A, 4A, and 5A Lakes Business Park Phase 2 Subdivision, and Vida Buena Subdivision, as recorded in Document Number 2666923, of the Map Records, Hidalgo County, Texas, for the Southwest corner of this herein described tract of land;
4. **Thence**, North  $08^{\circ}34'05''$  East a distance of 330.00 feet along the common line of said called 10.29 acre tract of land and said Blocks 3A, 4A, and 5A Lakes Business Park Phase 2 Subdivision to the **POINT OF BEGINNING** and containing a computed area of 6.06 acre.

All bearings and distances shown hereon are based on the Texas Coordinate System, South Zone, NAD83 (NA2011), adjusted to surface using a grid to surface adjustment factor of 1.00004.

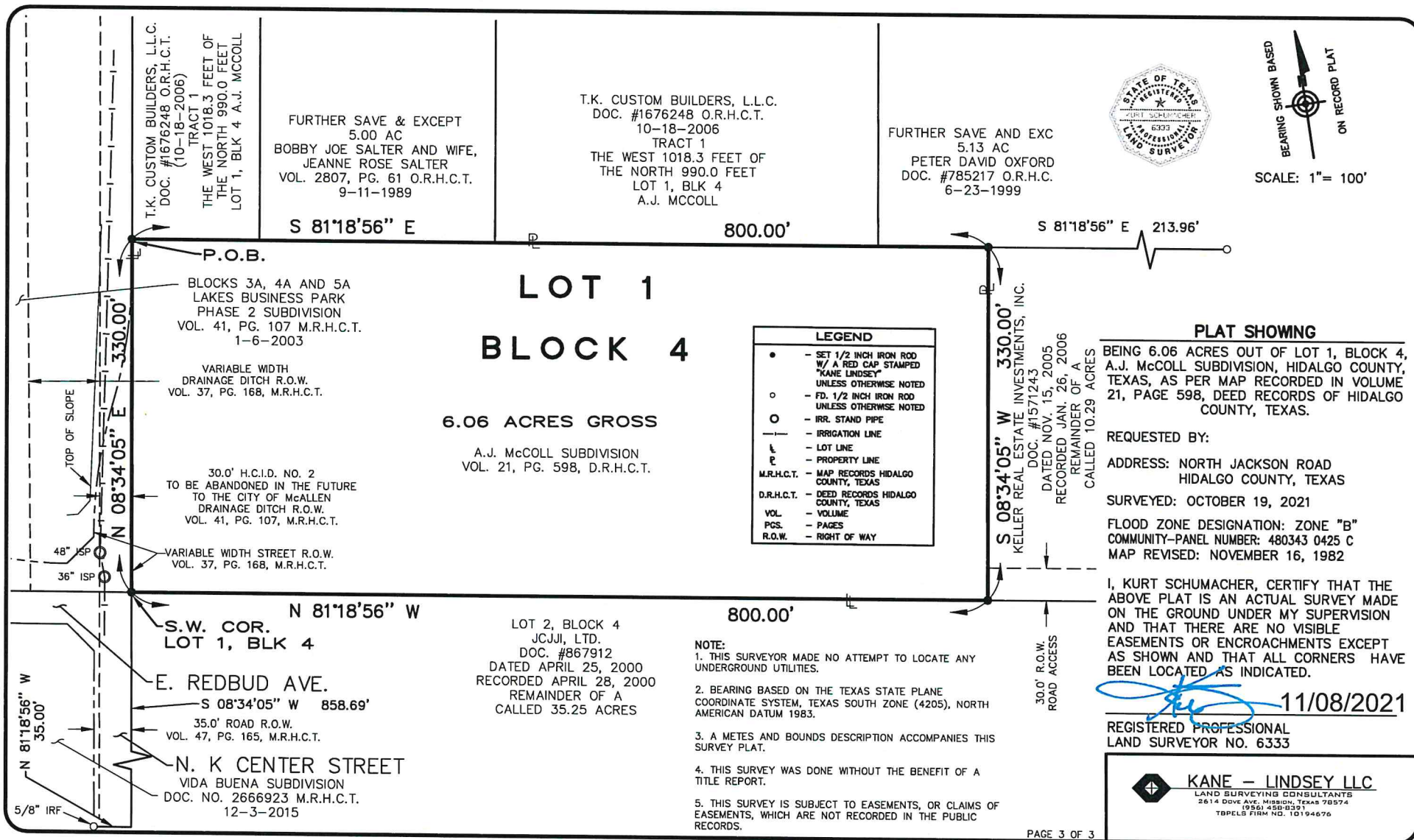
A plat of even survey date herewith accompanies this description.

Surveyed on the ground November 8, 2021.

 11/8/2021  
Kurt L. Schumacher  
Registered Professional Land Surveyor  
Texas Registration No. 6333  
Kane Lindsey, LLC  
TBPELS Firm No. 10194676









## Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

**DATE:** February 15, 2023

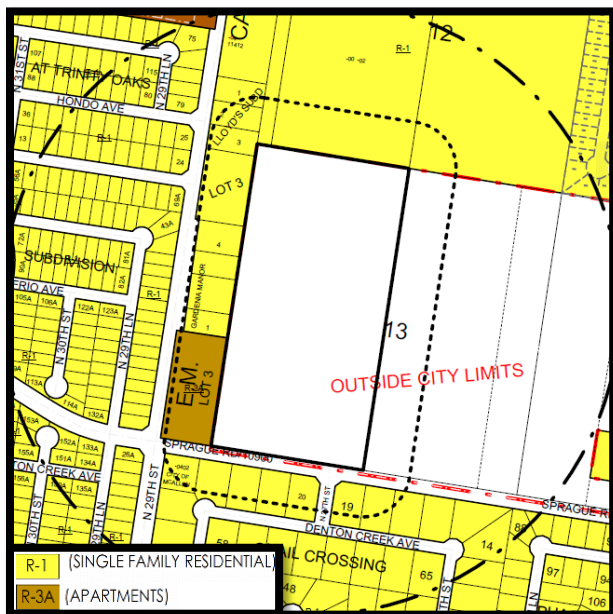
**SUBJECT: INITIAL ZONING TO R-3A (MULTI-FAMILY RESIDENTIAL APARTMENT) DISTRICT: THE WEST 19.946 ACRES OF LOT 13, SECTION 280, TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY, HIDALGO COUNTY, TEXAS; 2700 SPRAGUE ROAD. (REZ2023-0005)**

---

**LOCATION:** The property is located along the north side of Sprague Road, and approximately 1,960 feet west of North 23<sup>rd</sup> Street. The tract has 659.97 feet of frontage along Sprague Road with a depth of 1,299.91 feet, with a lot size of 19.19 net acres.

**PROPOSAL:** The applicant is requesting R-3A (multifamily residential apartment) District for proposed apartments. The tract is currently outside the City limits and is undergoing voluntary annexation. The initial zoning to R-3A District will become effective upon the annexation of the tract into the City. The subdivision review and site plan review processes may be required at a later time prior to building permit issuance.

**ADJACENT ZONING:** The zoning for adjacent properties are R-1 (single family residential) District to the north, west, and south, with an R-3A District also to the west. The property to the east of the subject property is located outside of city limits.





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

**COMPREHENSIVE PLAN:** The Foresight McAllen Comprehensive Plan designates the future land use for this property as Suburban Residential. The proposed initial zoning of the subject property does not conform to the land use designation as indicated on the Foresight McAllen Comprehensive Plan.

**DEVELOPMENT TRENDS:** The development trend for this area along Sprague Road is generally single-family residential.

**ANALYSIS:** The requested zoning does not conform to the Suburban Residential land use designation as indicated on the Foresight McAllen Comprehensive Plan. However, the zoning request provides opportunities for a variety of housing types throughout the City. There is also one adjacent property that is zoned R-3A to the west.

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

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

**RECOMMENDATION:** Staff recommends approval of the initial zoning request to R-3A District since the request provides opportunities for a variety of housing types throughout the City.



# EXHIBIT "A"

## METES AND BOUNDS

### 19.946-Acre Tract

A 19.946-Acre Tract (20.0 acres recorded) of land, being out of the West half of Lot 13, Section 280, Texas-Mexican Railway Company's Survey, map or plat thereof recorded in Volume 24, Pages 168 - 171, Hidalgo County Map Records, Hidalgo County, Texas, and as described in Warranty Deed via Document No. 28721 recorded in Volume 1467, Pages 710 — 711, in the Hidalgo County Deed Records, Hidalgo County, Texas, reference to which is here made for all purpose, located on the North side of Sprague Road approximately 220 feet East of Rooth Road, is described by metes and bounds as follows:

The **POINT OF COMMENCEMENT (P.O.C.)** being at a point on the apparent existing centerline of a 40-foot right-of-way of said Sprague Road for the apparent Southwest corner of said Lot 13 and of said 19.946-Acre Tract, and also being the **POINT OF BEGINNING (P.O.B.)** of said 19.946-Acre Tract of land herein described:

**THENCE**, North 08 degrees 52 minutes 04.93 Seconds East, with the apparent West lot line of said Lot 13 and of said 19.946-Acre Tract, a distance of 20.00 feet passed a No. 4 Rebar found on the apparent existing North right-of-way line of said Sprague Road (N:16636090.35, E: 1070980.1720), continuing for a total distance of 1,320.00 feet to a No. 4 Rebar set with plastic cap stamped 2791 for the apparent Northwest corner of said 19.946-Acre Tract of land herein described;

**THENCE**, South 80 degrees 55 minutes 40.88 Seconds East, along an existing 4-foot concrete irrigation canal to the right of, and with the apparent North lot line of said Lot 13 and of said 19.946Acre Tract, a distance of 657.30 feet to a No. 4 Rebar found for the apparent Northeast corner of said 19.946-Acre Tract of land herein described;

**THENCE**, South 08 degrees 45 minutes 00.54 Seconds West, with the apparent East lot line of said 19.946-Acre Tract, a distance of ,299.91 feet passed a No. 4 Rebar found on the said Sprague Road existing North right-of-way line, continuing for a total distance of 1 ,319.91 feet to a point on the said Sprague Road 40-foot right-of-way centerline for the apparent Southeast corner of said 19.946Acre Tract of land herein described;

**THENCE**, North 80 degrees 56 minutes 13.02 seconds West, with the said Sprague Road 40-foot right-of-way centerline, and the apparent South lot line of said Lot 13 and of said 19.946-Acre Tract, a distance of 659.97 feet for the apparent Southwest corner of said 19.946-Acre Tract of land herein described, and being the **POINT OF BEGINNING (P.O.B.)**, containing a gross of 19.946 acres of land, of which 0.303 of an acre lies in existing road right-of-way, and **SAVE & EXCEPT** 0.4527 of an acre in Hidalgo County Irrigation District No. 1 canal right-of-way, for a net of 19.190 acres, more or less.

Bearing basis as per NAD 1983 State Plane Texas South FIPS 4205 Feet

THE STATED DESCRIPTION WAS SURVEYED ON THE GROUND UNDER MY DIRECTION ON MAY 12, 2022. SEE ACCOMPANIED SURVEY PLAT OF SAID 19.946-ACRE TRACT OF LAND.



*Homero Luis Gutierrez*

Homero Luis Gutierrez – R.P.L.S. # 2791

02/13/2023  
Date







NOTICE  
REZONING  
FOR  
THIS PROPERTY  
REZ2023-0005





## Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

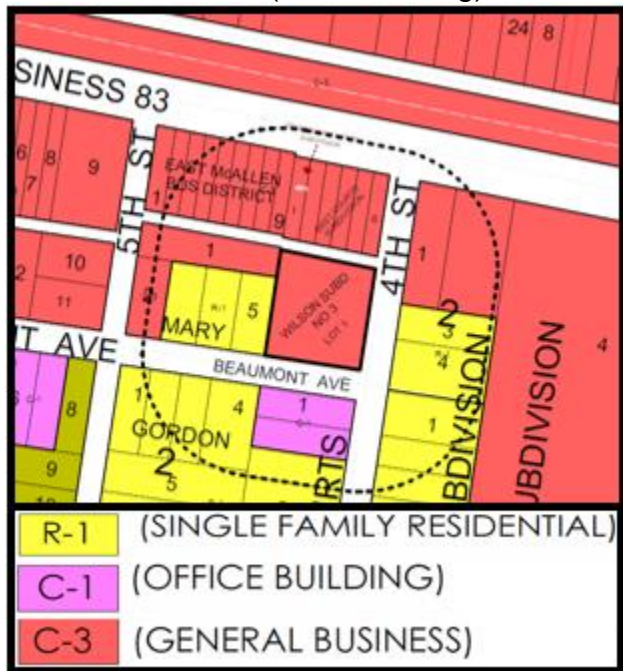
**DATE:** March 3, 2023

**SUBJECT:** Rezone from C-3 (general commercial) District to R-3A (multifamily residential apartment) District: Lot 1, Wilson Subdivision No. 3, Hidalgo County, Texas; 120 South 4th Street. **(REZ2023-0006)**

**LOCATION:** The property is located at the northwest corner of Beaumont Avenue and South 4th Street. The approximate lot size is 27,675.34 square feet.

**PROPOSAL:** The applicant is requesting to rezone the property to R-3A (multifamily residential apartment) District for proposed apartments. The Planning Department has received a feasibility plan for the subject property, please see the attachment. The applicant proposes to utilize the existing two buildings to operate apartments.

**ADJACENT ZONING:** The properties to the north, east, and west are zoned as C-3 (general business) District. The contiguous zoning is R-1 (single-family residential) District to the east and west, it is C-1 (office building) District to the south of the subject property.



**LAND USE:** The property is currently zoned as commercial, and currently has two existing buildings (former La Casita Motel) and parking lot. Surrounding land uses include single-family residences, Ricky's Transmission Shop, South Texas Solar Systems, and All State Insurance office.



**COMPREHENSIVE PLAN:** The Foresight McAllen Comprehensive Plan designates the future land use for this property as Auto Urban Commercial, which is comparable to C-1 (office building) District, C-2 (neighborhood commercial) District, C-3L (light commercial) District, and C-3 (general business) District.

**DEVELOPMENT TRENDS:** The development trend for this area is a mix of single-family residential, commercial, and some R-2 (duplex-fourplex) zoning. However, a site visit revealed that the area has commercial and single-family residential use.

**HISTORY:** The property was rezoned from R-1 (single-family residential) District to C-3 (general commercial) District in 1980. There has not been a rezoning request for the subject property since then.

**ANALYSIS:** The requested zoning does not conform to the Auto Urban Commercial land use designation as indicated on the Foresight McAllen Comprehensive Plan.

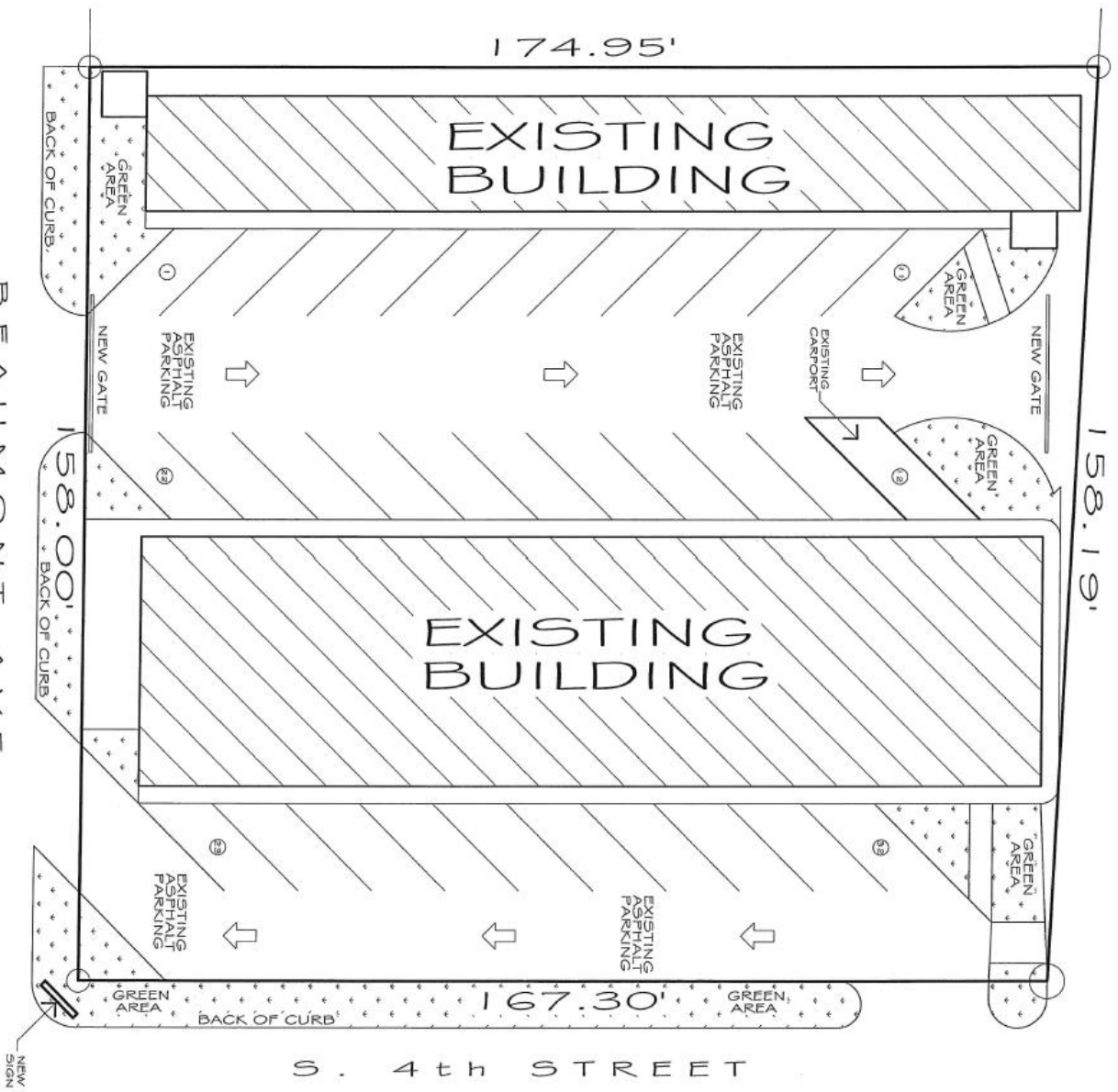
A masonry screen eight feet in height shall be required where a commercial, industrial or multifamily use has a side or rear property line in common with a single-family use or zone. The applicant has applied for a variance request for the buffer requirements.

Staff has received neighborhood opposition of the rezoning request. The citizens expressed concerns of potential traffic and blocking of roadways by potential vehicles.

**RECOMMENDATION:** Staff recommends disapproval of the rezoning request since the requested zoning does not conform to the Foresight McAllen Comprehensive Plan, nor the development trend for this area, and staff has received neighborhood opposition.



20' ALLEY



# SITE PLAN

LOT 1, WILSON SUBDIVISION, NO. 3  
120 S. 4th STREET, McALLEN, TEXAS







# PEÑA ENGINEERING

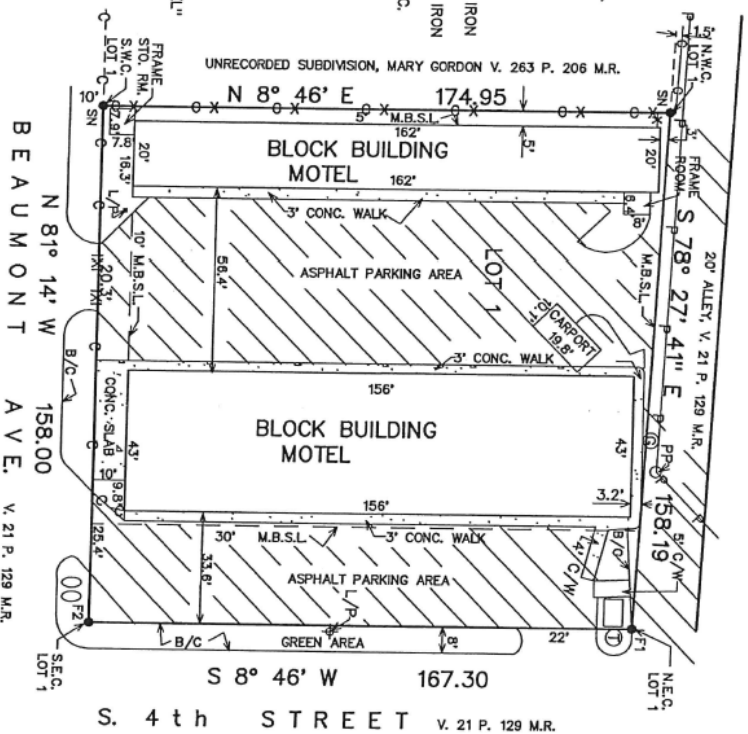
FIRM #10087200 • 1001 WHITEMING • P.O. BOX 4320  
(956) 682-8812 • McALLEN, TEXAS 78502 • FAX (956) 631-PENA



SCALE: 1"=40'  
CAD: WILSON3-1  
JOB: #78909

NOTE: BASIS OF BEARING  
IS THE EAST LINE OF LOT  
1, WILSON SUBDIVISION,  
No. 3, V. 21 P. 129 M.R.

- LEGEND
- F1 - FOUND 1/2" DIAMETER IRON ROD
  - F2 - FOUND 1/2" DIAMETER IRON PIPE
  - SN - SET "PK" NAIL IN CONC.
  - B/C - BACK IF CONC. CURB & GUTTER
  - 6'-6" CHAIN LINK FENCE
  - 6'-6" CEDAR FENCE
  - IR - IRON GATE
  - PP - POWER POLE
  - PP - POWER POLE LINE
  - L/P - LIGHT POLE
  - W - WATER METER
  - G - GAS METER
  - C/W - CONCRETE WALK
  - T - TELEPHONE PEDESTAL
  - S - SIGN "LA CASITA MOTEL"



EASEMENTS AS PER G.F. NO. 944348  
EFFECTIVE DATE: JUNE 1, 2022  
ISSUED DATE: MAY 20, 2022  
1.) EASEMENTS, RULES, REGULATIONS, AND RIGHTS IN FAVOR OF HIDALGO COUNTY  
WATER IMPROVEMENT DISTRICT NO. 3.

BUYER'S NAME: IRON TORO CAPITAL LLC

FLOOD ZONE: BY GRAPHICAL PLOTTING COMMUNITY PANEL No. 480343 0005 C

MAP REVISED: NOVEMBER 2, 1982

- ☐ Zone "A" - This is to certify that this property is in a flood prone area.
- ☒ Zone "B" - This is to certify that this property is not in a flood prone area. However limits between the 100 year and 500 year flood are subject to flooding with overage depths less than one foot.
- ☐ Zone "C" - This is to certify that this property is not in a flood prone area.

I certify that this plat represents the facts found on the ground at the time of survey and that there are no visible or apparent easements, discrepancies, conflicts, or shortages in area or boundary lines, or any encroachments, or overlapping of improvements, or visible easements except as shown on this plat. No subsurface utilities or service connections are shown. © copyright 2022 PENNA ENGINEERING this survey was provided in multiple originals solely for the borrower named hereon. In conjunction with the original transaction which shall take place within 6 months after the survey was provided. No license has been created or implied to copy this Survey. Survey valid only if print has original seal and signature.

ADDRESS: 120 S. 4th St.

McALLEN, TX

LEGAL DESCRIPTION: LOT 1, WILSON SUBDIVISION, No. 3, AN ADDITION TO THE

CITY OF McALLEN, HIDALGO COUNTY, TEXAS.

ACCORDING TO THE MAP RECORDED IN VOLUME 21 PAGE 129

OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS.

*Pablo Peña III*

10-28-2022  
DATE

PABLO PEÑA III  
REG. PROFESSIONAL LAND SURVEYOR No. 5242

















## **Memo**

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

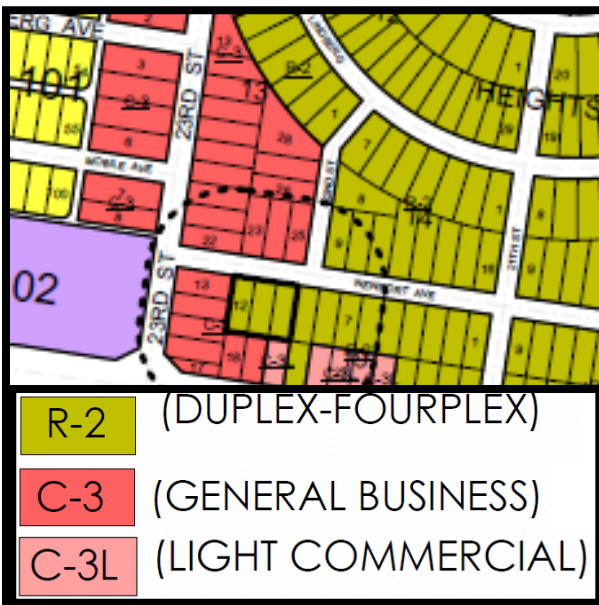
**DATE:** February 24, 2023

**SUBJECT:** Rezone from R-2 (duplex-fourplex residential) District to C-3 (general commercial) District: Lots 10-12, Block 19, College Heights Subdivision, Hidalgo County, Texas; 2205 Newport Avenue, 2209 Newport Avenue, 2213 Newport Avenue. **(REZ2023-0007)**

**LOCATION:** The subject properties are located along the south side of Newport Avenue, approximately 160 feet away from North 23<sup>rd</sup> Street and Expressway 83. The request is for three lots (2205 Newport Avenue, 2209 Newport Avenue, and 2213 Newport Avenue).

**PROPOSAL:** The applicant is requesting to rezone the properties to C-3 (general commercial) District for proposed commercial plaza. The Planning Department has not received a feasibility plan. The subject properties are currently vacant.

**ADJACENT ZONING:** The properties to the north, south, and west are zoned C-3 (general commercial) District. The contiguous zoning to the east is R-2 (duplex-fourplex) District, and C-3L (commercial light) District to the south of the subject property.



**LAND USE:** The properties are currently zoned as R-2 District. Surrounding land uses are single-family residences and First Cash Pawn.



**COMPREHENSIVE PLAN:** The Foresight McAllen Comprehensive Plan designates the future land use for this property as Urban Residential Mixed, which is comparable to a Planned Unit Development.

**DEVELOPMENT TRENDS:** The development trend and use along Newport Avenue is mainly single-family residences.

**HISTORY:** The property was zoned (duplex-fourplex residential) district upon comprehensive zoning in 1979. In September 2012, the applicant withdrew the rezoning request to C-3 District for 2213 Newport Avenue. In March 2013, City Commission disapproved a rezoning request to C-3 District for 2213 Newport Avenue.

**ANALYSIS:** The requested zoning from R-2 District to C-3 District for a proposed commercial plaza on Lots 10, 11, and 12, Block 19 does not conform to the Urban Residential Mixed land use designation for the tract as indicated on the Foresight McAllen Comprehensive Plan. Urban Residential Mixed allows residential and retail for redevelopment areas. The zoning along Newport Avenue to the east is R-2 District. Adjacent land uses are primarily commercial to the north, south, and west of the tract.

The requested zoning is in alignment with commercial zoning to the south. Newport Avenue is a local residential street with 50 feet of right-of-way, 30 feet of pavement, curb and gutter. A buffer is required where a nonresidential use has a rear or side property line in common with a residential use or zone.

Should the rezoning request be approved, a site plan in compliance with buffers, landscaping, and off-street parking is required prior to issuance of building permits or certificate of occupancy.

Staff has not received any phone calls nor emails in opposition of the rezoning request.

**RECOMMENDATION:** Staff recommends approval of the rezoning request since the adjacent land uses are primarily commercial to the north, south, and west of the tract.



















## Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

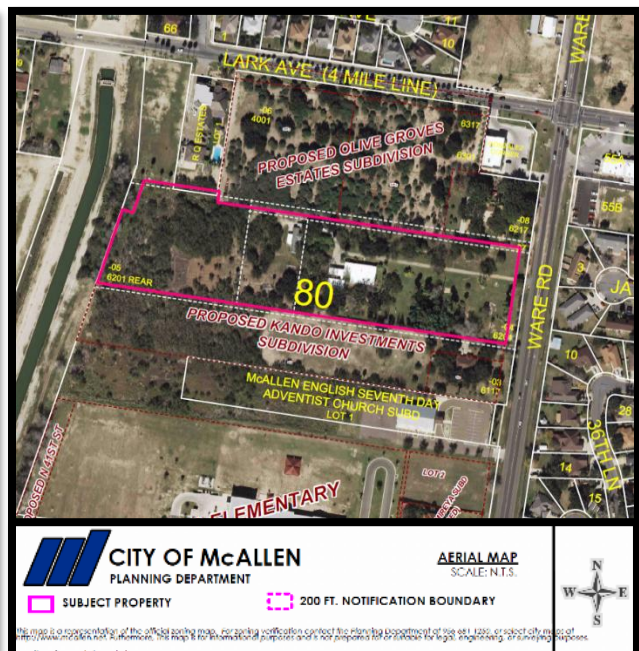
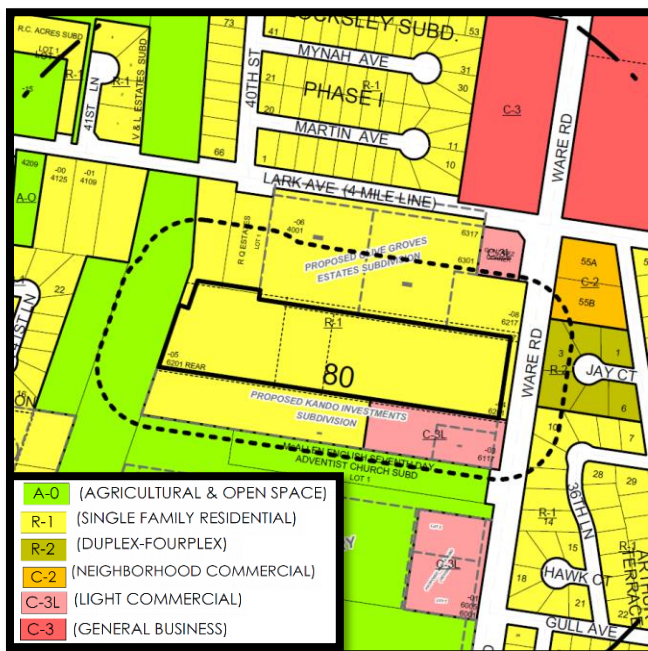
**DATE:** February 9, 2023

**SUBJECT: REZONE FROM R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO C-3 (GENERAL COMMERCIAL) DISTRICT: 6.84 ACRES (TRACT 3), OF THE SOUTH 9 ACRES OF THE NORTH 20 ACRES OF LOT 80, LA LOMITA IRRIGATION & CONSTRUCTION COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS; 6201 NORTH WARE ROAD (REZ2023-0003)**

**LOCATION:** The property is located along the west side of North Ware Road, approximately 400 feet south of Lark Avenue (4 Mile Line). The property is an irregular tract and has 267.17 feet of frontage along North Ware Road. The lot size is comprised of 6.84 acres.

**PROPOSAL:** The applicant is requesting to rezone the subject property to C-3 (general commercial) District for a proposed self-storage facility. A feasibility plan submitted by the applicant is included in the packet.

**ADJACENT ZONING:** The contiguous zoning is R-1 (single-family residential) District to the north. To the east, the zoning district is R-2 (duplex-fourplex) District, C-3 (general commercial) District to the south, and A-O (agricultural-open space) District to the west of the subject property.





**LAND USE:** Based on a conducted site visit, the property appears to be currently vacant. Surrounding land uses include Hacienda Las Mariposas and single-family residences.

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

**DEVELOPMENT TRENDS:** The development trend for this area along North Ware Road is mixed use: single-family residences, multi-family residences, and commercial use.

**HISTORY:** The property was rezoned to R-1 (single-family residential) District during the City initiated A-O rezoning project in 2015. An application to rezone the subject property from R-1 District to C-3 District was submitted to the Planning Department on January 10, 2023.

**ANALYSIS:** The requested zoning does not conform to the Auto Urban Single Family land use designations as indicated on the Foresight McAllen Comprehensive Plan. However, it is adjacent to a property that is zoned C-3 District to the south. To the north (intersection of North Ware Road and Lark Avenue (4 Mile Line)) of the subject property, the following properties are commercial use: 6317 North Ware Road, 6300 North Ware Road, 6413 North Ware Road, and 6400 North Ware Road.

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

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

**RECOMMENDATION:** Staff recommends approval of the rezoning request to C-3 (general business) District since it is compatible with the adjacent zoning to the south; and follows the development trend to the north.







January 10, 2023

To whom it may concern:

I Rodolfo Trevino give permission and consent to my son Rodolfo Trevino Jr. to represent me in any business transaction or signature requirement. If you have any questions please contact me at 956-263-6279.

Cordially

Rodolfo Trevino 1/10/23

Rodolfo Trevino

Seal of Notary Public



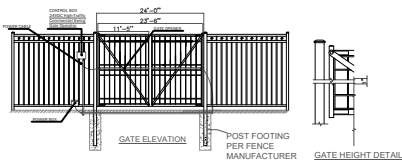
Signature and date of Notary Public

Roxana Matamoros 1/10/23



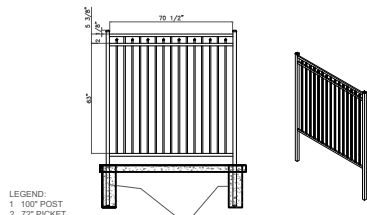


NOTES:  
1. ALL ELECTRICAL WORK SHALL BE DONE IN ACCORDANCE WITH THE 2017 NATIONAL ELECTRICAL CODE (NEC) AND THE 2018 INTERNATIONAL BUILDING CODE (IBC).  
2. ALL MECHANICAL WORK SHALL BE DONE IN ACCORDANCE WITH THE 2018 INTERNATIONAL MECHANICAL CODE (IMC).  
3. ALL PLUMBING WORK SHALL BE DONE IN ACCORDANCE WITH THE 2018 INTERNATIONAL PLUMBING CODE (IPC).  
4. ALL FUEL GAS WORK SHALL BE DONE IN ACCORDANCE WITH THE 2018 INTERNATIONAL FUEL GAS CODE (IFGC).  
5. ALL FIRE PROTECTION WORK SHALL BE DONE IN ACCORDANCE WITH THE 2018 INTERNATIONAL FIRE CODE (IFC).  
6. ALL ENERGY CONSERVATION WORK SHALL BE DONE IN ACCORDANCE WITH THE 2018 INTERNATIONAL ENERGY CONSERVATION CODE (IECC).  
7. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE 2018 INTERNATIONAL BUILDING CODE (IBC).  
8. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE 2018 INTERNATIONAL MECHANICAL CODE (IMC).  
9. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE 2018 INTERNATIONAL PLUMBING CODE (IPC).  
10. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE 2018 INTERNATIONAL FUEL GAS CODE (IFGC).  
11. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE 2018 INTERNATIONAL FIRE CODE (IFC).  
12. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE 2018 INTERNATIONAL ENERGY CONSERVATION CODE (IECC).



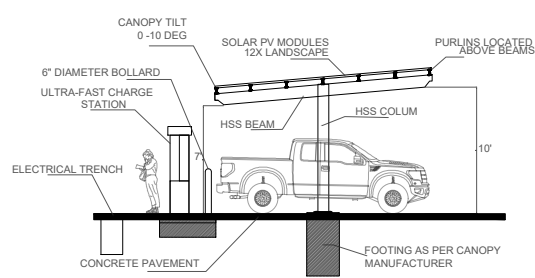
MINIMUM POST SIZES FOR PATRIOT GATES		
GATE KITS	<30 SF	2" X 16 GA.
	>30 SF	2 1/2" X 16 GA.
HEAVY DUTY	<18 SF	2" X 14 GA.
	18 - 48 SF	3" X 12 GA.
GATE FRAME	48 - 84 SF	4" X 12 GA.
	>84 SF	8" X 11 GA.

SLIDING GATE DETAIL

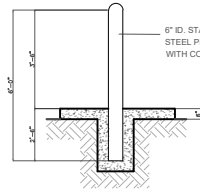


- LEGEND:  
1 100' POST  
2 72" PICKET  
3 15 HOLE HEADER  
4 15 HOLE STRINGER  
5 POST CAP  
6 72" PICKET

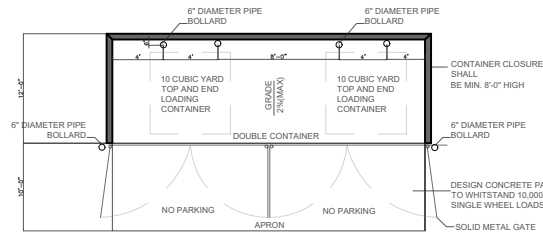
FENCING DETAIL



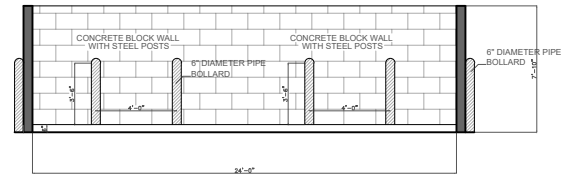
CARPORT AND CHARGING STATION DETAIL



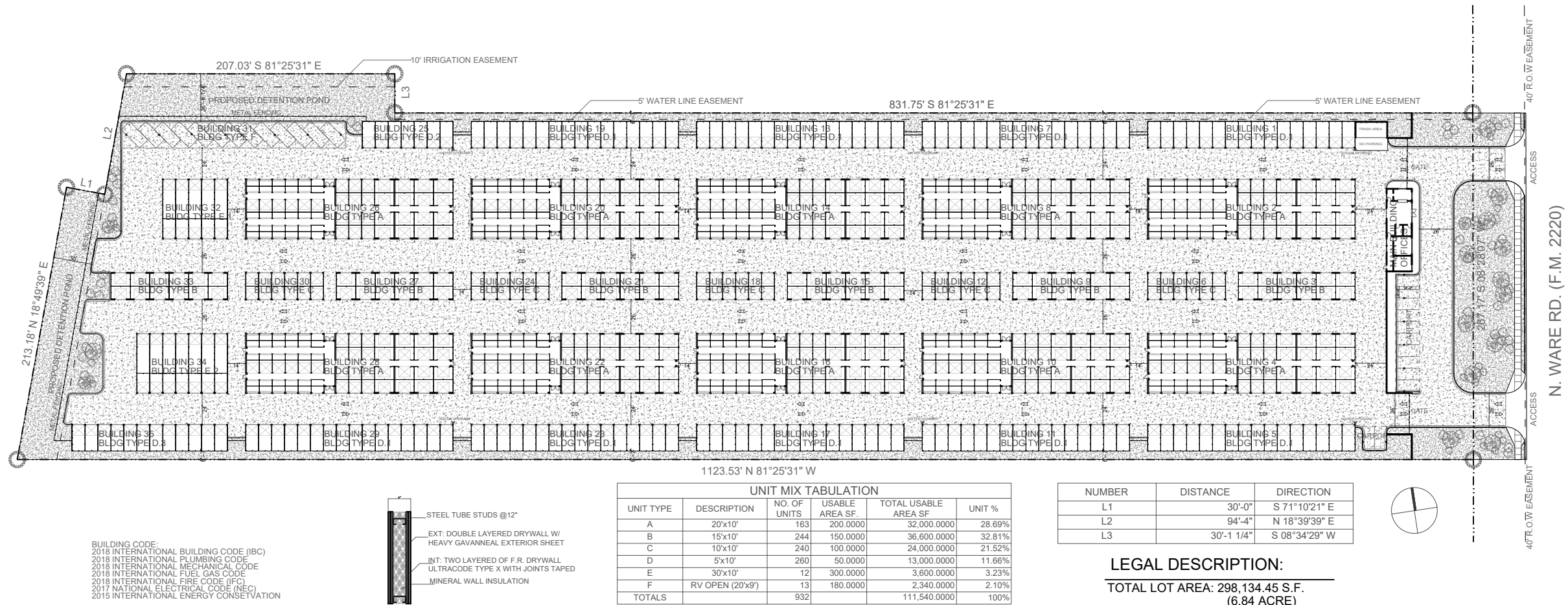
BOLLARD



PLAN  
SINGLEWASTE CONTAINER ENCLOSURE



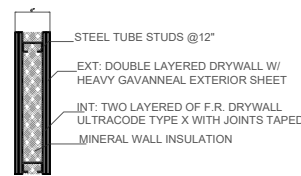
SECTION  
SINGLEWASTE CONTAINER ENCLOSURE



BUILDING CODE:  
2018 INTERNATIONAL BUILDING CODE (IBC)  
2018 INTERNATIONAL PLUMBING CODE  
2018 INTERNATIONAL MECHANICAL CODE  
2018 INTERNATIONAL FUEL GAS CODE  
2018 INTERNATIONAL FIRE CODE (IFC)  
2017 NATIONAL ELECTRICAL CODE (NEC)  
2015 INTERNATIONAL ENERGY CONSERVATION

CODE REVIEW

4HR FIRE RATED WALL



UNIT MIX TABULATION					
UNIT TYPE	DESCRIPTION	NO. OF UNITS	USABLE AREA SF	TOTAL USABLE AREA SF	UNIT %
A	20'x10'	163	200.0000	32,000.0000	28.69%
B	15'x10'	244	150.0000	36,600.0000	32.81%
C	10'x10'	240	100.0000	24,000.0000	21.52%
D	5'x10'	260	50.0000	13,000.0000	11.66%
E	30'x10'	12	300.0000	3,600.0000	3.23%
F	RV OPEN (20'x9')	13	180.0000	2,340.0000	2.10%
TOTALS		932		111,540.0000	100%

SITE PLAN  
932 - STORAGE SPACES

NUMBER	DISTANCE	DIRECTION
L1	30'-0"	S 71°10'21" E
L2	94'-4"	N 18°39'39" E
L3	30'-1 1/4"	S 08°34'29" W

LEGAL DESCRIPTION:

TOTAL LOT AREA: 298,134.45 S.F.  
(6.84 ACRE)

12- PARKING SPACES PROVIDED

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







**Memo**

**TO:** Planning & Zoning Commission  
**FROM** Edgar I. Garcia, AICP, CNU-A, CPM, Director  
**DATE:** March 3, 2023  
**SUBJECT: COMMERCIAL SIDE SETBACKS**

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**BACKGROUND:** The City's Subdivisions Ordinance currently requires commercial side setbacks to be either 1) one foot back for each two feet in height or, 2) built to lot line when not adjacent to a residential zone and where a firewall is provided between uses. This does not leave any middle ground for developers who are willing to place a firewall, but don't want or need to go to the lot line.

Any setback that is not taken to the lot line, regardless of whether a firewall is provided or not, requires a variance application to the Zoning Board of Adjustments and Appeals (ZBOA). This causes time delays and possibly, redesign costs, if ZBOA denies the variance.

**PROPOSED ORDINANCE:** The proposed ordinance change would allow commercial setbacks to be reduced as long as a firewall is provided in accordance with Building Code requirements and not adjacent to residential uses. The change would allow to projects to move forward expeditiously without time delays for ZBOA public hearings.



ORDINANCE NO. 2023- \_\_\_\_\_

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MCALLEN AT CHAPTER 138 (“ZONING”), ARTICLE VI (“SUPPLEMENTARY DISTRICT REGULATIONS”), DIVISION 2 (“REQUIREMENTS BY DISTRICT”), AMENDING COMMERCIAL SIDE SETBACKS; PROVIDING FOR SEVERABILITY, AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF.**

**WHEREAS**, the City of McAllen seeks to encourage orderly and efficient development,

**WHEREAS**, the City of McAllen desires its subdivision and zoning ordinances to evolve alongside development tendencies,

**WHEREAS**, the City of McAllen finds that commercial side setbacks can be reduced as long as certain fire prevention measures are taken,

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MCALLEN, TEXAS, THAT:**

**SECTION I:** The Code of Ordinances, City of McAllen, Chapter 138 (“Zoning”), Article VI (“Supplementary District Regulations”), Division 2 (“Requirements by District”), Section 138-356 (“Table of height and yard requirements”), Footnote 11(b)(4) is hereby amended to read as follows:

(4) Side yard setbacks from all lot lines shall be one foot back for each two feet in height including corner lots or, if not adjacent to residential uses, may provide a firewall in accordance with Building Code requirements in lieu of a setback., ~~except a building may be built to a lot line when not adjacent to a residential zone and where a firewall is provided between uses.~~



**SECTION II:** The City Secretary of the City of McAllen is hereby authorized and directed to cause the caption of this ordinance to be published in a newspaper having general circulation in McAllen, Hidalgo County, Texas in accordance with the Code of Ordinances of the City of McAllen, Section 2-56. Publication of ordinances.

**SECTION III:** The City Secretary of the City of McAllen is hereby authorized and directed to cause the language in Chapter 138, Article VI, Division 2 hereinabove, to be published in the appropriate location in the said Code of Ordinances.

**SECTION IV:** This Ordinance shall be and remain in full force and effect from and after its passage by the Board of Commissioners, and execution by the Mayor.

**SECTION V:** If any part or parts of this Ordinance are found to be invalid or unconstitutional by a court having competent jurisdiction, then such invalidity or unconstitutionality shall not affect the remaining parts hereof and such remaining parts shall remain in full force and effect, and to that extent this Ordinance is considered severable.

**CONSIDERED, PASSED and APPROVED** this \_\_\_\_ day of \_\_\_\_\_ 2023, at a regular meeting of the Board of Commissioners of the City of McAllen, Texas at which a quorum was present and which was held in accordance with Chapter 551 of the Texas Government Code.

**SIGNED** this \_\_\_\_ day of \_\_\_\_\_ 2023.

**CITY OF McALLEN**

By: \_\_\_\_\_  
Javier Villalobos, Mayor



Attest:

---

Perla Lara, TRMC, City Secretary

Approved as to form:

---

Isaac Tawil, City Attorney



SUB 2022-0068



# City of McAllen Planning Department

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

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

*[Handwritten signature]*

JUN 20 2022

BY: *[Signature]*



## Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

### In Person Submittal Requirements

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

### Email Submittal Requirements

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

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

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

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

### **PLAT TO SHOW:**

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

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

Owners Signature

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

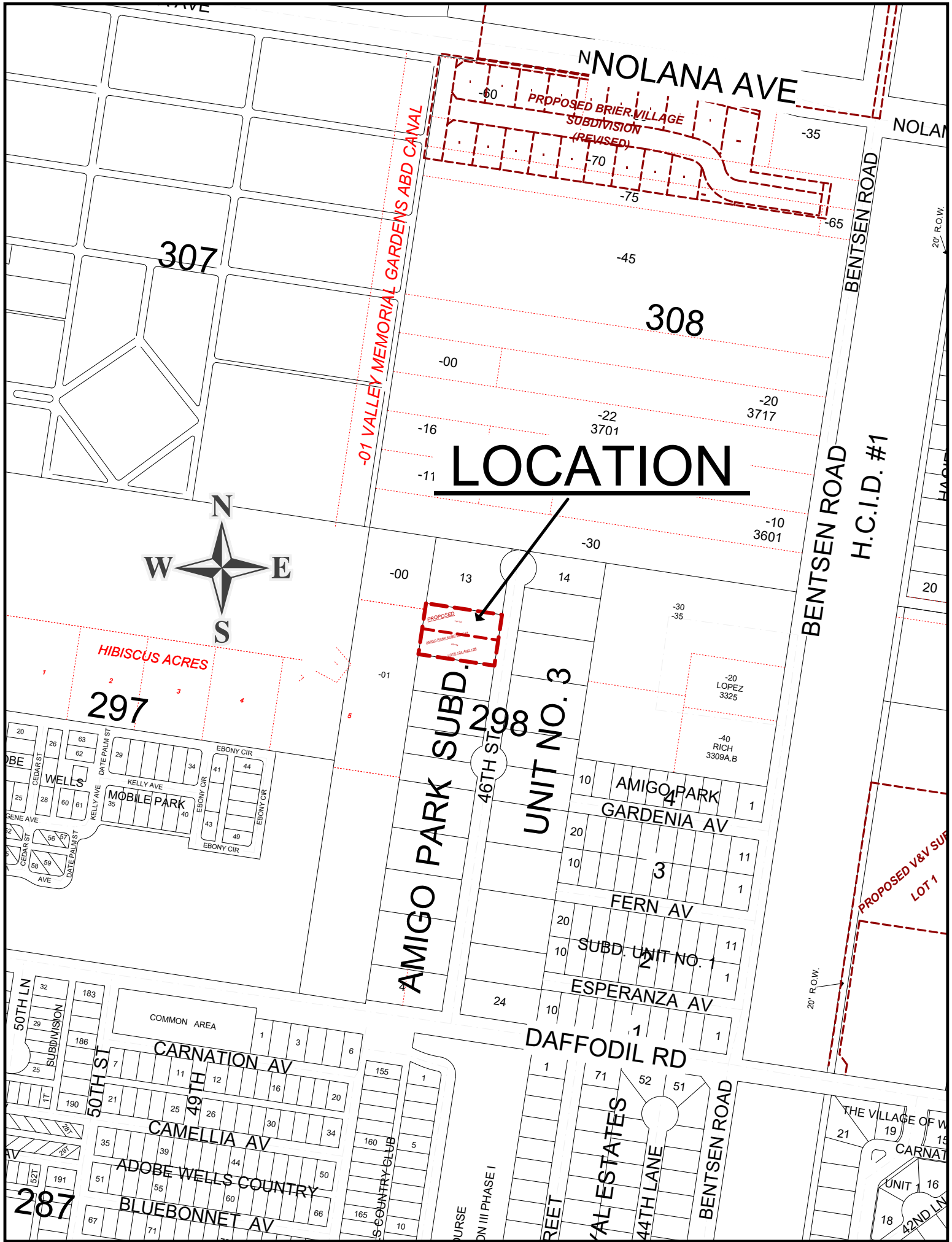
Signature  Date 06/20/22

Print Name Stephen Spoor, P.E.

Owner ☐ Authorized Agent ☒

The Planning Department is now accepting DocuSign signatures on application





NOLANA AVE

PROPOSED BRIER VILLAGE  
SUBDIVISION  
(REVISED)

-01 VALLEY MEMORIAL GARDENS ABD CANAL

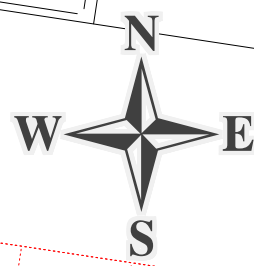
BENTSEN ROAD

H.C.I.D. #1

307

308

LOCATION



HIBISCUS ACRES

297

AMIGO PARK SUBD.

UNIT NO. 3

46TH ST

AMIGO PARK  
GARDENIA AV

3

FERN AV

SUBD. UNIT NO. 2

ESPERANZA AV

DAFFODIL RD

CARNATION AV

CAMELLIA AV

ADOBE WELLS COUNTRY

BLUEBONNET AV

287

THE VILLAGE OF W

CARNAT

UNIT 16

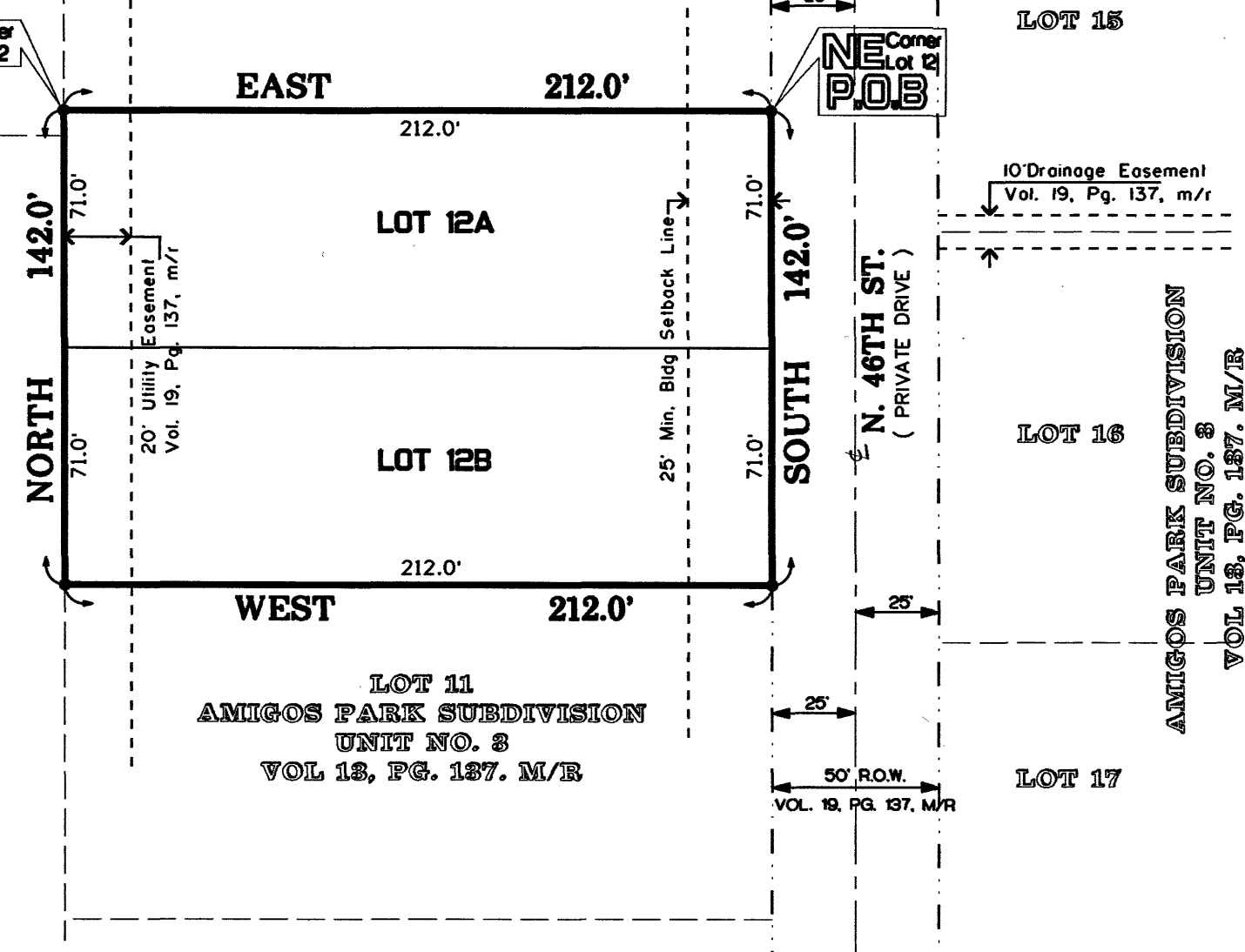
42ND LN



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

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

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



## NOTES:

- MINIMUM BUILDING SETBACK SHALL BE AS FOLLOWS:  
A. FRONT - AS SHOWN OR GREATER FOR EASEMENTS  
B. REAR - ACCORDING TO ZONING ORDINANCE OR GREATER FOR EASEMENTS.  
C. SIDE - 6 FEET OR GREATER FOR EASEMENT  
D. GARAGE - 18 FEET EXCEPT WHERE GREATER SETBACK IS REQUIRED, GREATER SETBACK APPLIES.
- MINIMUM FINISH FLOOR ELEVATION SHALL BE 18 INCHES ABOVE CENTERLINE OF PAVEMENT ON 46TH ST. MEASURED AT FRONT CENTER OF LOT.
- THIS PROPERTY FALLS IN ZONE "C" OF THE FLOOD INSURANCE RATE MAP, PANEL NO. 480 334 0400 C, REVISED NOVEMBER 16, 1982. ZONE "C" IS DESCRIBED AS "AREAS OF MINIMAL FLOOD HAZARD, USUALLY DEPICTED ON FIRMS AS ABOVE THE 500-YEAR FLOOD LEVEL. ZONE "C" MAY HAVE PONDING AND LOCAL DRAINAGE PROBLEMS THAT DON'T WARRANT A DETAILED STUDY OR DESIGNATION AS BASE FLOODPLAIN.
- A 6' BUFFER OPAQUE IS REQUIRED FROM ADJACENT BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL OR INDUSTRIAL ZONES/USES. AN 8' MASONRY WALL IS REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL OR MULTI-FAMILY RESIDENTIAL ZONES/USES.
- 4' SIDEWALK REQUIRED ALONG N. 46TH STREET
- BENCHMARK - STATION NAME: MC 63 SET BY ARANDA & ASSOC. LOCATED AT SOUTHWEST CORNER OF THE INTERSECTION OF TAYLOR RD. & DAFFODIL ST. ELEV. -123.30 (NAVD83)
- THE DEVELOPER SHALL BE RESPONSIBLE FOR DETAINING AND ACCOMMODATING MORE THAN THE DETAINED VOLUME SHOWN ON THIS PLAT IF IT IS DETERMINED, AT THE PERMIT STAGE, THAT THE DETENTION REQUIREMENTS ARE GREATER THAN STATED ON THIS PLAT, DUE TO THE IMPERVIOUS AREA BEING GREATER THAN THE PLAT ENGINEER CONSIDERED IN THE HYDRAULIC CALCULATIONS FOR THIS SUBDIVISION.
- COMMON AREAS, PRIVATE STREETS / DRIVES, GATE AREAS, ETC. MUST BE MAINTAINED BY THE LOT OWNERS AND NOT THE CITY OF MCALLEN.

## COUNTY CLERK'S RECORDING CERTIFICATE



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

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

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

## METES & BOUNDS

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

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

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

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

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

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

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

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

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

DATE \_\_\_\_\_



July 06, 2022  
1"=50'

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

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

STATE OF TEXAS:  
COUNTY OF HIDALGO:

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

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

STATE OF TEXAS:  
COUNTY OF HIDALGO:

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

STATE OF TEXAS:  
COUNTY OF HIDALGO:

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

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

STATE OF TEXAS:  
COUNTY OF HIDALGO:

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

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

DATE \_\_\_\_\_

STATE OF TEXAS:  
COUNTY OF HIDALGO:

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

STEPHEN SPOOR, P.E. REGISTRATION NO. 56752

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

MAYOR, CITY OF MCALLEN

DATE \_\_\_\_\_

**LOCATION MAP**

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

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





# City of McAllen

## SUBDIVISION PLAT REVIEW

Reviewed On: 3/2/2023

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

#### REQUIREMENTS

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

N.46th Street (Private Drive): Dedication as needed 25 ft. from centerline for 50 ft. of total ROW.

Paving :Maintain Existing Curb & gutter: Both Sides

\*Engineer submitted a variance application on November 21,2022, requesting to not require pavement widening and not require curb and gutter on the existing N. 46th Street. As per paving layout submitted there is an exiting 24 ft. of paving. At the Planning and Zoning meeting of December 6,2022 the board voted to approve the subdivision in revised preliminary form, and recommend approval of the requested variances to the pavement widening and curb and gutter requirements for n. 46th street, and sidewalk requirements along n. 46th street and at the City Commission meeting of January 9,2023, the commission approved the request.

\*\*Subdivision Ordinance: Section 134-105

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

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: As shown, or greater for easements.

\*\*Zoning Ordinance: Section 138-356

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

Revisions Needed:

-Revise note as shown above prior to recording.

\*\*Proposing: According to the Zoning Ordinance or greater for easements.

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

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

\*\*Zoning Ordinance: Section 138-356

\* Corner: Interior Lot

\*\*Zoning Ordinance: Section 138-356

Applied

Required

Applied

NA

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



* Garage: 18 ft. except where greater setback is required; greater setback applies. ***Zoning Ordinance: Section 138-356	Applied
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
<b>SIDEWALKS</b>	
* 4 ft. wide minimum sidewalk required along N.46th Street. **Engineer submitted a variance application on November 21,2022, requesting to not require sidewalks on the existing N.46th Street. At the Planning and Zoning meeting of December 6,2022 the board voted to approve the subdivision in revised preliminary form, and recommend approval of the requested variances to the pavement widening and curb and gutter requirements for n. 46th street, and sidewalk requirements along n. 46th street and at the City Commission meeting of January 9,2023, the commission approved the request. ***Subdivision Ordinance: Section 134-120	Applied
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Required
<b>BUFFERS</b>	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. **Landscaping Ordinance: Section 110-46	Applied
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. **Landscaping Ordinance: Section 110-46	Applied
*Perimeter buffers must be built at time of Subdivision Improvements.	Required
<b>NOTES</b>	
*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.	Applied
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	NA
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. **Section 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
* 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

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



LOT REQUIREMENTS	
* Lots fronting public or private streets. ***Subdivision Ordinance: Section 134-1	Compliance
* Minimum lot width and lot area. **Plat submitted on July 28, 2022, is compliant with lot width requirement. **Zoning Ordinance: Section 138-356	Compliance
ZONING/CUP	
* Existing: R-1(Single Family) Residential District. Proposed:R-1(Single Family) Residential District. ***Zoning Ordinance: Article V	Compliance
* Rezoning Needed Before Final Approval. **Proposed zoning is compliant with current zoning. ***Zoning Ordinance: Article V	NA
PARKS	
* Land dedication in lieu of fee.	NA
* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, In accordance with McAllen's Park Land Dedication and Park Development Fees Ordinance, Park fees apply at \$700 per dwelling unit. Fees amount to \$1,400 and payable prior to plat recording. Park fees will be adjusted accordingly if proposed number of lots changes.	Required
* Pending review by the City Manager's Office.	NA
TRAFFIC	
* As per Traffic Department, Trip Generation waived.	Completed
* Traffic Impact Analysis (TIA) required prior to final plat. **As per Traffic Department, Trip Generation waived.	Completed
COMMENTS	
Comments: *Must comply with City's Access Management Policy. ** Public Hearing with notices will be required for the resubdivision. Public hearing held at the Planning and Zoning Commission meeting of December 6,2022. *** If any plat restrictions are proposed to be changed from original plat, vacate and replat would be required. ****Please remove "Gated Community" from the subdivision name, since current recorded plat does not reference it. ****Clarify Owner's signature block verbiage shown, and on the Owner's signature block wording from the original recorded plat, prior to recording. Revise as needed. *****At the Planning and Zoning Commission meeting of December 6, 2022, the board voted to approve the subdivision in revised preliminary form subject with conditions noted.	Required
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM SUBJECT TO CONDITIONS NOTED.	Applied

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







# City of McAllen

## Planning Department

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

Project Information	Subdivision Name <u>Moya Subdivision</u>	
	Location <u>City of McAllen, ETJ - westside La Homa Rd.</u>	
	City Address or Block Number <u>9601 N. La Homa Rd</u>	
	Number of Lots <u>2</u> Gross Acres <u>10</u> Net Acres <u>9.70</u> ETJ <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
	Existing Zoning <u>N/A</u> Proposed Zoning <u>N/A</u> Rezoning Applied for <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____	
	Existing Land Use <u>Residential</u> Proposed Land Use <u>Residential</u> Irrigation District # <u>6</u>	
	Replat <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Commercial _____ Residential <input checked="" type="checkbox"/>	
	Agricultural Exemption <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Estimated Rollback Tax Due _____ ETJ	
	Parcel # _____ Tax Dept. Review _____	
	Water CCN <input type="checkbox"/> MPU <input checked="" type="checkbox"/> Sharyland Water SC Other _____	
Legal Description <u>All of Lot 95, Block 1, La Homa Subdivision #2</u>		
Owner	Name <u>Paul Moya</u> Phone <u>N/A</u>	
	Address <u>9601 N. La Homa Rd</u> E-mail <u>jerry@benavideseng.com</u>	
	City <u>Mission</u> State <u>TX</u> Zip <u>78574</u>	
Developer	Name <u>Paul Moya</u> Phone _____	
	Address <u>Same</u> E-mail _____	
	City _____ State _____ Zip _____	
	Contact Person <u>Care of Benavides Eng. LLC.</u>	
Engineer	Name <u>Benavides Eng. L.L.C.</u> Phone <u>956-310-8373</u>	
	Address <u>934 S. 12<sup>th</sup> St.</u> E-mail _____	
	City <u>Alamo</u> State <u>TX</u> Zip <u>78516</u>	
	Contact Person <u>Jerry Benavides</u>	
Surveyor	Name <u>Homero L. Gutierrez</u> Phone <u>956-369-0988</u>	
	Address <u>P.O. Box 548</u> E-mail _____	
	City <u>McAllen</u> State <u>TX</u> Zip <u>78505</u>	

ENTERED

JUL 26 2022

Initial: NM



## Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

### In Person Submittal Requirements

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

### Email Submittal Requirements

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

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

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

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

### **PLAT TO SHOW:**

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

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

Owners Signature

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

Signature Raul Moya Date 7/22/22

Print Name Raul Moya

Owner ☐ Authorized Agent ☐

The Planning Department is now accepting DocuSign signatures on application



95

PROPOSED MOYA SUBDIVISION

LOT 1

LOT 2

8

5

95

PROPOSED MOYA SUBDIVISION

LOT 1

LOT 2

8

5











# City of McAllen

## SUBDIVISION PLAT REVIEW

Reviewed On: 3/2/2023

### SUBDIVISION NAME: MOYA SUBDIVISION

#### REQUIREMENTS

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

N. La Homa Road: Dedication as needed for 40 ft. from centerline for 80 ft. total ROW  
Paving : \_52 ft.\_ Curb & gutter: Both Sides

Revisions needed:

-Label ROW dedications from centerline, prior to recording.

-Provide Document regarding existing ROW dedication for staff review, prior to final.

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

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

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

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

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

\*Street alignment and R.O.W being reviewed and plat would need to be revised accordingly prior to final. After review of the submitted ownership map and response letter from the engineer submitted on February 02,2023, due to the developed properties to the north and south and existing irrigation canal and collector alignment, the N/S collector street along the western boundary is not feasible.

\*\*Subdivision Ordinance: Section 134-105

\*\*\*Monies must be escrowed if improvements are not constructed 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

NA

Applied

Compliance

NA

NA

##### ALLEYS

ROW: 20 ft. Paving: 16 ft.

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

\*\*If use changes from single family residential a Alley/service drive easement will be required.

\*\*Subdivision Ordinance: Section 134-106

NA

##### SETBACKS

\* Front:45 ft. or greater for easements.

\*\*Zoning Ordinance: Section 138-356

Applied

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



<ul style="list-style-type: none"> <li>* Rear: 10ft. or greater for easements.</li> <li>Revisions needed:</li> <li>-Revise setback as shown above, prior to recording.</li> <li>***Proposing: 15.00 FEET OR EASEMENT WHICHEVER IS GREATER.</li> <li>****Zoning Ordinance: Section 138-356</li> <li>* Sides: 6 ft. or greater for easements.</li> <li>**Zoning Ordinance: Section 138-356</li> <li>* Corner _____</li> <li>**Zoning Ordinance: Section 138-356</li> <li>* Garage: 18 ft. except where greater setback is required; greater setback applies.</li> <li>****Zoning Ordinance: Section 138-356</li> <li>*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN</li> </ul>	Required
	Applied
	Applied
	Applied
	Applied
<b>SIDEWALKS</b>	
<ul style="list-style-type: none"> <li>* 4 ft. wide minimum sidewalk required along N. La Homa Road.</li> <li>***Sidewalk requirements might increase to 5 ft. prior to recording subject to Engineering Department requirements.</li> <li>***Subdivision Ordinance: Section 134-120</li> <li>* Perimeter sidewalks must be built or money escrowed if not built at this time.</li> </ul>	Applied
	Required
<b>BUFFERS</b>	
<ul style="list-style-type: none"> <li>* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses.</li> <li>**Landscaping Ordinance: Section 110-46</li> <li>* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.</li> <li>**Landscaping Ordinance: Section 110-46</li> <li>*Perimeter buffers must be built at time of Subdivision Improvements.</li> </ul>	Applied
	Applied
	Required
<b>NOTES</b>	
<ul style="list-style-type: none"> <li>*Must comply with City Access Management Policy</li> <li>* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.</li> <li>* Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen.</li> <li>* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.</li> <li>* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 110-72 of the Subdivision Ordinance, including but not limited to common areas and its private streets.</li> <li>**Clarify if Homeowner's Association is being proposed prior to recording as plat notes and HOA covenants will be needed.</li> <li>***Section 134-168 applies if private subdivision is proposed.</li> <li>****Landscaping Ordinance: Section 110-72</li> <li>****Subdivision Ordinance: Section 134-168</li> </ul>	Applied
	NA
	Applied
	NA
	NA



<p>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</p> <p>**Clarify if Homeowner's Association is being proposed prior to recording as plat notes and HOA covenants will need to be reviewed by staff.</p> <p>***Section 134-168 applies if private subdivision is proposed.</p> <p>**Landscaping Ordinance: Section 110-72</p> <p>**Subdivision Ordinance: Section 134-168</p>	NA
<b>LOT REQUIREMENTS</b>	
<p>* Minimum lot width and lot area.</p> <p>**Zoning Ordinance: Section 138-356</p>	Compliance
<p>* Minimum lot width and lot area.</p> <p>**Zoning Ordinance: Section 138-356</p>	Compliance
<b>ZONING/CUP</b>	
<p>* Existing : ETJ (Extraterritorial jurisdiction) Proposed: ETJ (Extraterritorial jurisdiction)</p> <p>**Proposed land use is single-family.</p> <p>**Zoning Ordinance: Article V</p>	Completed
<p>* Rezoning Needed Before Final Approval</p> <p>***Zoning Ordinance: Article V</p>	NA
<b>PARKS</b>	
<p>* Land dedication in lieu of fee. As per Parks Department, subdivision is not within City limits, therefore City of McAllen Park Land Dedication and Park Development Fees Ordinance does not apply unless annexed.</p>	NA
<p>* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, subdivision is not within City limits, therefore City of McAllen Park Land Dedication and Park Development Fees Ordinance does not apply unless annexed.</p>	NA
<p>* Pending review by City Manager's Office. As per Parks Department, subdivision is not within City limits, therefore City of McAllen Park Land Dedication and Park Development Fees Ordinance does not apply unless annexed.</p>	NA
<b>TRAFFIC</b>	
<p>* As per Traffic Department, Trip Generation for 2 lot single family is waived.</p>	Complete
<p>* Traffic Impact Analysis (TIA) required prior to final plat.</p> <p>** As per Traffic Department, Trip Generation for 2 lot single family is waived.</p>	NA
<b>COMMENTS</b>	
<p>Comments:</p> <ul style="list-style-type: none"> <li>-Must comply with City's Access Management Policy.</li> <li>-Subdivision boundaries may need to be adjusted as needed due to existing dedications as needed, prior to recording.</li> <li>-Must comply with Fire Department and McAllen Public Utility Requirements.</li> <li>-If required contractual agreement requirements must be finalized prior to recording.</li> <li>-Subdivision approved in Preliminary form at the Planning and Zoning Commission meeting of August 16th, 2022, the subdivision was approved subject to conditions noted, drainage and utilities approvals.</li> </ul>	Applied
<b>RECOMMENDATION</b>	
<p>Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM SUBJECT TO CONDITIONS NOTED.</p>	Applied

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









# City of McAllen

## Planning Department

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

Project Information	Subdivision Name <u>Olive Grove Estates Subdivision</u>	
	Location <u>208 feet west of N. Ware Road along the south side of Lark Avenue</u>	
	City Address or Block Number <u>3900 LARK AVE</u>	
	Number of Lots <u>2</u> Gross Acres <u>5.96</u> Net Acres <u>5.16</u> ETJ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
	Existing Zoning <u>R-1</u> Proposed Zoning <u>R-1</u> Rezoning Applied for <input type="checkbox"/> Yes <input type="checkbox"/> No Date _____	
	Existing Land Use <u>Open</u> Proposed Land Use <u>Single Family Residential</u> Irrigation District # <u>1</u>	
	Replat <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Commercial _____ Residential _____	
	Agricultural Exemption <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Estimated Rollback Tax Due <u>0</u>	
	Parcel # <u>210702</u> Tax Dept. Review <u>MB</u>	
	Water CCN <input type="checkbox"/> MPU <input type="checkbox"/> Sharyland Water SC Other _____	
Legal Description <u>5.96 Acres out of Lot 80, La Lomita Irrigation and Construction Company Subdivision, Map Ref.: Vol. 24, Pg. 68, Hidalgo County Deed Records</u>		
Owner	Name <u>Mouayad Development, LLC</u> Phone <u>(956) 457-9643</u>	
	Address <u>400 W. Cornell Avenue</u> E-mail <u>gnz3@hotmail.com</u>	
	City <u>McAllen</u> State <u>TX</u> Zip <u>78504</u>	
Developer	Name <u>Mouayad Development, LLC</u> Phone <u>(956) 457-9643</u>	
	Address <u>400 W. Cornell Avenue</u> E-mail <u>gnz3@hotmail.com</u>	
	City <u>McAllen</u> State <u>TX</u> Zip <u>78504</u>	
	Contact Person <u>Noe Gonzalez</u>	
Engineer	Name <u>Javier Hinojosa Engineering</u> Phone <u>(956) 668-1588</u>	
	Address <u>416 E. Dove Ave.</u> E-mail <u>javier@javierhinojosaeng.com</u>	
	City <u>McAllen</u> State <u>TX</u> Zip <u>78504</u>	
	Contact Person <u>Javier Hinojosa</u>	
Surveyor	Name <u>C.V.Q. Land Surveyors, LLC</u> Phone <u>(956) 618-1551</u>	
	Address <u>517 Beaumont Ave.</u> E-mail <u>cvq@cvqlandsurvey.com</u>	
	City <u>McAllen</u> State <u>TX</u> Zip <u>78501</u>	

ENTERED

NOV 01 2022

Initial: Nm



## Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

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- Letter of Authorization from the owner (if applicable)
- Proof of authority of person signing application on behalf of partnership/corporation (if applicable)

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- Survey
- Location Map
- Plat & Reduced P
- Warranty Deed
- DWG File
- Letter of Authorization from the owner (if applicable)
- Proof of authority of person signing application on behalf of partnership/corporation, if applicable

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

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

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

### **PLAT TO SHOW:**

- Metes and bounds
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Owners Signature

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

Signature  Date 10/25/22

Print Name Javier Hinojosa

Owner ☐ Authorized Agent ☒

The Planning Department is now accepting DocuSign signatures on application



LOCATION

PROPOSED OLIVE GROVES  
ESTATES SUBDIVISION

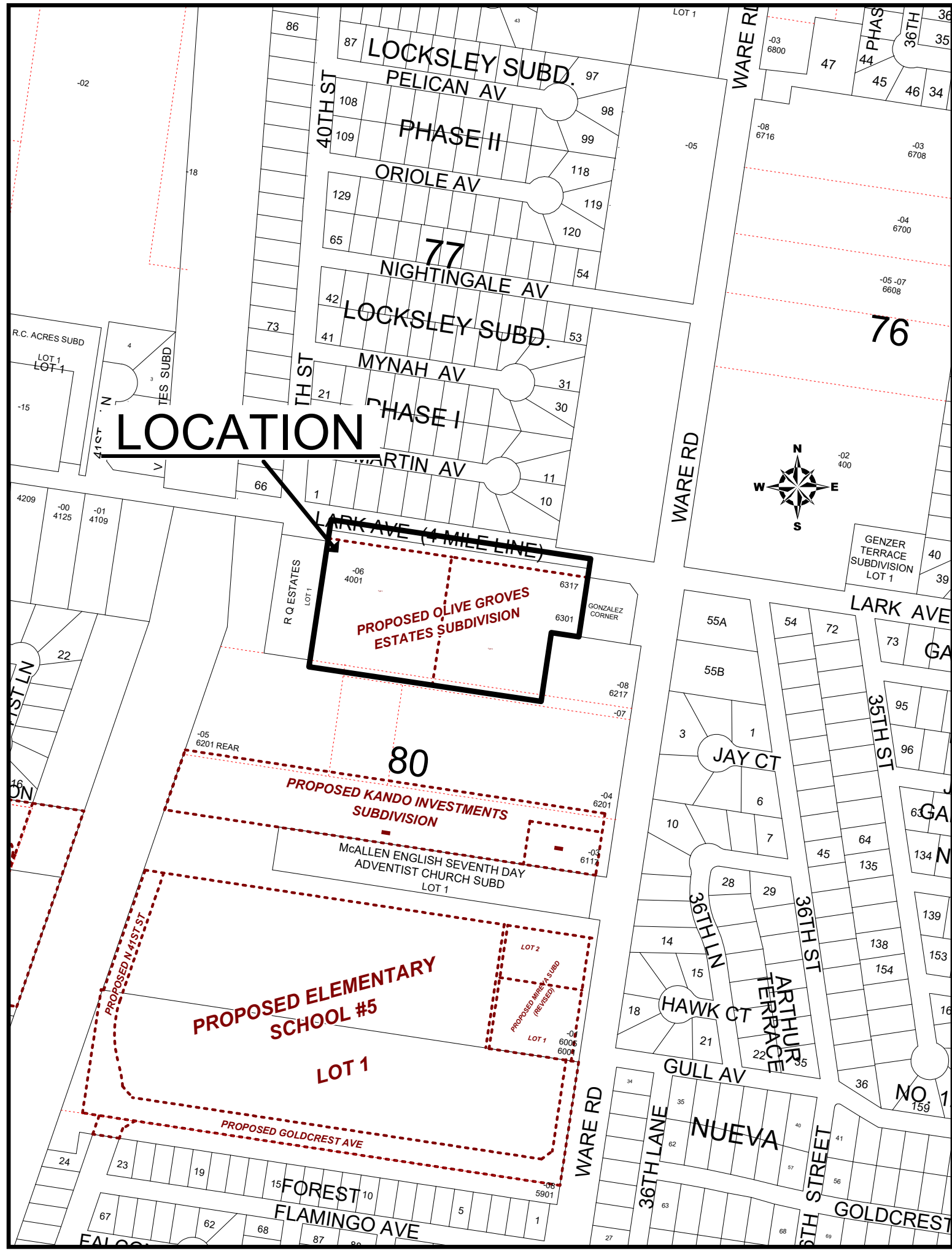
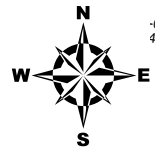
PROPOSED KANDO INVESTMENTS  
SUBDIVISION

McALLEN ENGLISH SEVENTH DAY  
ADVENTIST CHURCH SUBD  
LOT 1

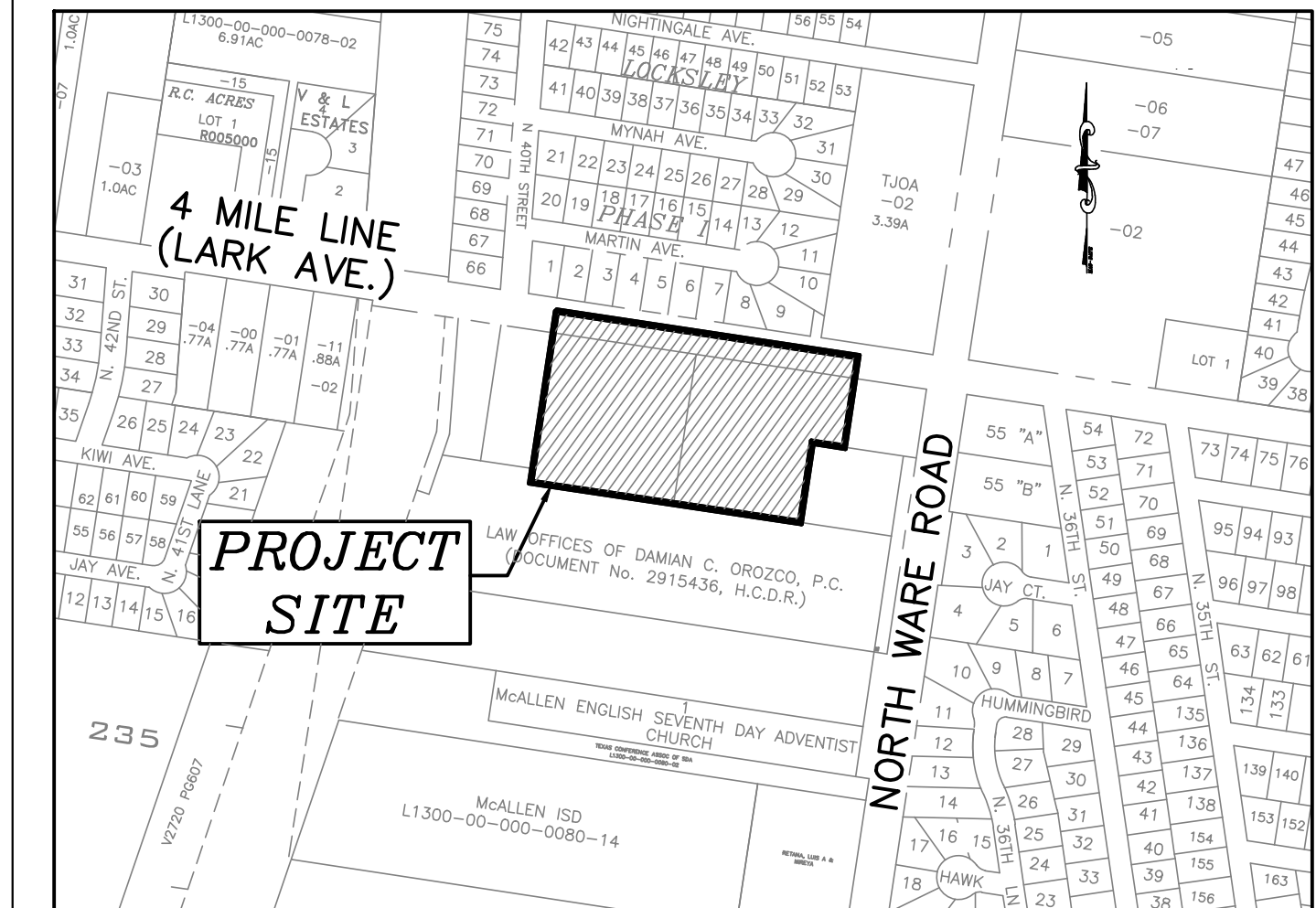
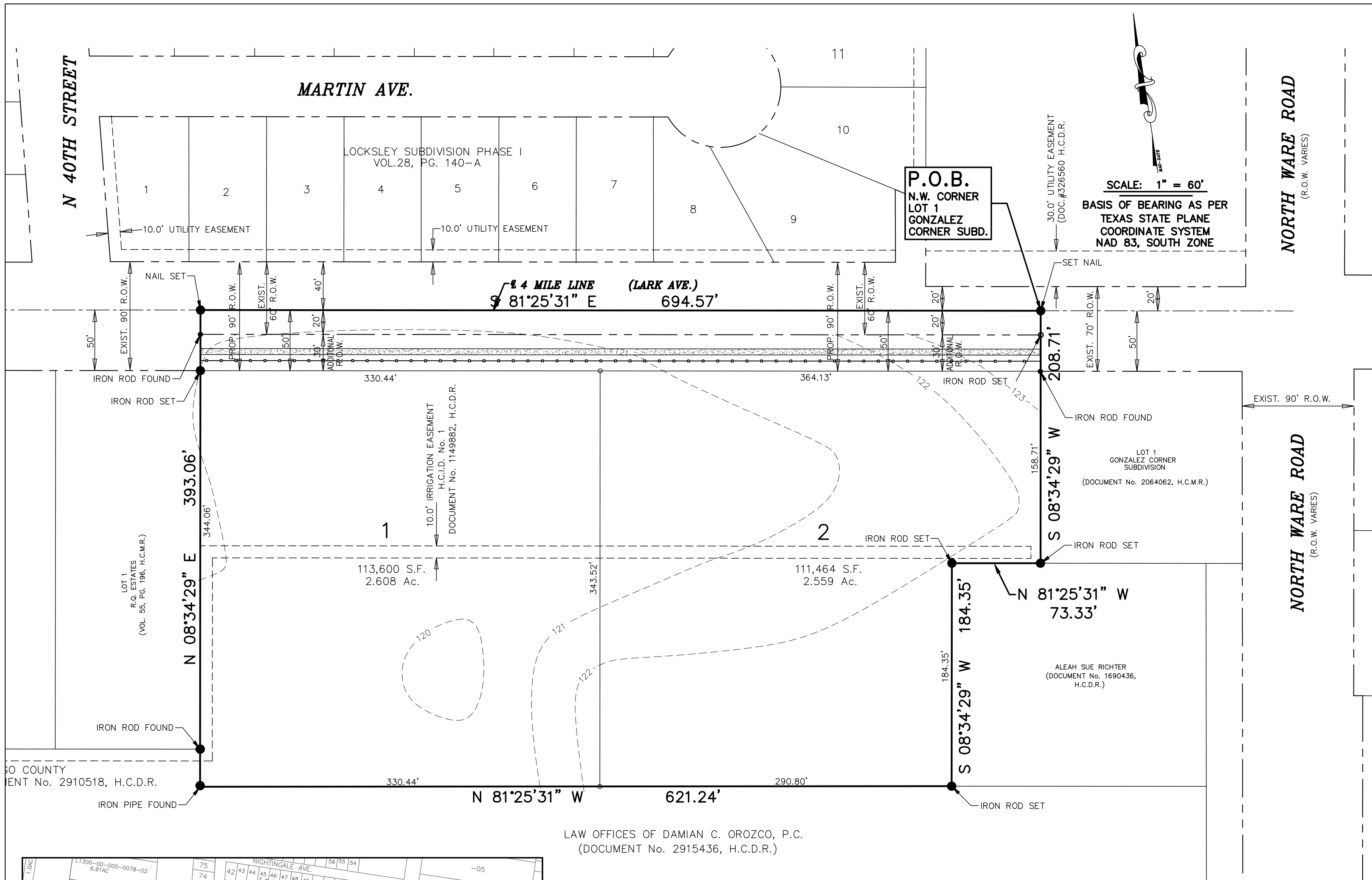
PROPOSED ELEMENTARY  
SCHOOL #5

LOT 1

PROPOSED GOLDCREST AVE







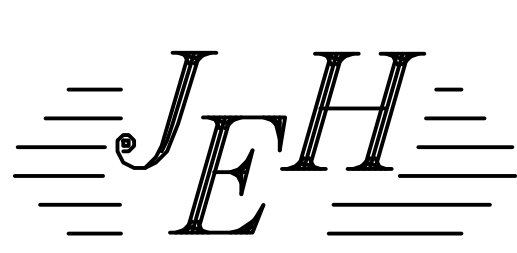
LOCATION MAP  
1"=1000'



FILE 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

DATE OF PREPARATION: AUGUST, 2022 DRAWN BY: P.GONZALEZ



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

METES AND BOUNDS

A TRACT OF LAND CONTAINING 5.96 ACRES OF LAND, MORE OR LESS, SITUATED IN HIDALGO COUNTY, TEXAS, BEING PART OR PORTION OF LOT 80, LA LOMITA IRRIGATION AND CONSTRUCCION COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS, MAP REFERENCE: VOLUME 24, PAGE 68, DEED RECORDS, HIDALGO COUNTY, TEXAS, AND SAID 5.96 ACRES ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING, ON A NAIL SET WITHIN THE RIGHT-OF-WAY OF LARK AVENUE AND THE NORTH LINE OF SAID LOT 80 AND THE NORTHWEST CORNER OF LOT 1, GONZALEZ CORNER SUBDIVISION, MAP REFERENCE: DOCUMENT NUMBER 2064062, MAP RECORDS, HIDALGO COUNTY, TEXAS, FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE S 08° 34' 29" W, ALONG THE WEST LINE OF SAID LOT 1, AT A DISTANCE OF 20.00 FEET PASS A 1/2" IRON ROD WITH A PLASTIC CAP STAMPED "CVQ LS" SET ON THE EXISTING SOUTH RIGHT-OF-WAY LINE OF SAID LARK AVENUE (MILE 4 ROAD), AT DISTANCE OF 50.00 FEET PASS A 1/2" IRON ROD FOUND ON THE NORTHWEST CORNER OF LOT 1 OF SAID GONZALEZ CORNER SUBDIVISION AND A TOTAL DISTANCE OF 208.71 FEET TO A 1/2" IRON ROD WITH A PLASTIC CAP STAMPED "CVQ LS" SET, ON THE SOUTHWEST OF SAID GONZALEZ CORNER SUBDIVISION, FOR AN OUTSIDE CORNER OF THIS TRACT;

THENCE N 81° 25' 31" W, A DISTANCE OF 73.33 FEET TO A 1/2" IRON ROD WITH A PLASTIC CAP STAMPED "CVQ LS" SET, FOR AN INSIDE CORNER OF THIS TRACT;

THENCE S 08° 34' 29" W, A DISTANCE OF 184.35 FEET TO A 1/2" IRON ROD WITH A PLASTIC CAP STAMPED "CVQ LS" SET, ON THE NORTH LINE OF A TRACT OF LAND DEEDED TO BILL ATCHISON AND MARTHA ATCHISON, RECORDED IN DOCUMENT NUMBER 2650446, H.C.D.R., FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE N 81° 25' 31" W, ALONG THE NORTH LINE OF SAID ATCHISON TRACT A DISTANCE OF 621.24 FEET TO AN IRON PIPE FOUND, FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE N 08° 34' 29" E, AT A DISTANCE OF 30.10 FEET PASS A 1/2" IRON ROD FOUND ON THE SOUTHEAST CORNER OF LOT 1, R. Q. ESTATES, MAP REFERENCE: VOLUME 55, PAGE 196, MAP RECORDS, HIDALGO COUNTY, TEXAS, CONTINUING ALONG THE EAST LINE OF SAID LOT 1, AT A DISTANCE OF 373.06 FEET PASS A 1/2" IRON WITH A PLASTIC CAP STAMPED "CVQ LS" SET ON THE EXISTING SOUTH RIGHT-OF-WAY LINE OF SAID LARK AVENUE (MILE 4 ROAD), AND CONTINUING A TOTAL DISTANCE OF 393.06 FEET TO A NAIL SET ON THE NORTHWEST CORNER OF SAID R.Q. ESTATES AND THE NORTH LINE OF SAID LOT 80, FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE S 81° 25' 31" E, ALONG THE WITHIN THE RIGHT-OF-WAY OF SAID LARK AVENUE (MILE 4 ROAD) AND THE NORTH LINE OF SAID LOT 80, A DISTANCE OF 694.57 FEET TO THE POINT OF BEGINNING, CONTAINING 5.96 ACRES OF LAND, MORE OR LESS.

PRINCIPAL CONTACTS:				
NAME	ADDRESS	CITY & ZIP	PHONE #	
OWNER: MOUAYAD DEVELOPMENT, LLC	400 W. CORNELL AVE.	McALLEN, TX 78504	(956) 457-9643	
ENGINEER: JAVIER HINOJOSA	416 E. DOVE AVENUE	McALLEN, TX 78504	(956) 668-1588	
SURVEYOR: CARLOS VASQUEZ	517 BEAUMONT AVE.	McALLEN, TX 78501	(956) 618-1551	

- GENERAL NOTES**
- THIS FLOOD DESIGNATION FOR THIS PROPERTY IS ZONE "C" WITH ARE "AREAS OF MINIMAL FLOODING". AS PER F.E.M.A.'s FLOOD INSURANCE RATE MAP PANEL No.: 480343 0005 C. MAP REVISED NOVEMBER 02, 1982
  - MINIMUM PERMISSIBLE FINISHED FLOOR ELEVATION SHALL BE 18" ABOVE THE CENTER OF STREET AT MID POINT OF THE LOT.
  - MINIMUM BUILDING SETBACK LINES SHALL BE AS FOLLOWS:  
FRONT: ..... 45 FEET OR IN LINE WITH AVERAGE SETBACKS OF EXISTING STRUCTURES OR GREATER FOR EASEMENTS, WHICHEVER IS GREATER APPLIES.  
REAR: ..... 10 FEET OR GREATER FOR EASEMENTS, WHICHEVER IS GREATER APPLIES.  
INTERIOR SIDE ..... 6 FEET OR GREATER FOR EASEMENTS, WHICHEVER IS GREATER APPLIES.
  - NO STRUCTURES PERMITTED OVER ANY EASEMENTS.
  - A TOTAL OF 0.274 ACRE-FEET (11,949 CUBIC FEET) OF STORM WATER DETENTION IS REQUIRED FOR THIS SUBDIVISION. LOT 1 SHALL BE REQUIRED TO DETAIN 8,031 CUBIC FEET AND LOT 2 SHALL BE REQUIRED TO DETAIN 5,918 CUBIC FEET OF DETENTION. AN INDIVIDUALIZED DETENTION PLAN SHALL BE SUBMITTED TO THE CITY OF McALLEN AS PART OF THE BUILDING PERMIT.
  - BENCHMARK: TOP OF SANITARY SEWER MANHOLE LOCATED AT THE INTERSECTION OF N. 40TH STREET AND LARK AVENUE (MILE 4 ROAD). ELEVATION: 121.34 REFERENCE (M53 ELEVATION = 125.83) TYPE OF MARK: 30" ALUMINUM PIPE WITH A 3 1/4" BRASS MONUMENT CAP ON TOP LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF WARE ROAD AND MILE 4 ROAD.
  - A 5 FOOT WIDE MINIMUM SIDEWALK REQUIRED ALONG THE SOUTH SIDE OF LARK AVENUE AS PART OF THE BUILDING PERMIT.
  - SET 1/2" Ø IRON ROD WITH A PLASTIC CAP STAMPED "CVQ LS" ON ALL LOT CORNERS UNLESS OTHERWISE NOTED.
  - 6 FOOT OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, AND INDUSTRIAL ZONES/USES.
  - 8 FOOT MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONES/USES.
  - ALL IRRIGATION EASEMENTS ARE EXCLUSIVE TO HIDALGO COUNTY IRRIGATION DISTRICT #1 AND THE DISTRICT ALLOWS NO OTHER UTILITIES OR USE WITHOUT EXPRESS APPROVAL.
  - NO UTILITY COMPANY OR OTHER PERSON IS ALLOWED TO CROSS ABOVE OR BELOW GROUND ANY DISTRICT EASEMENT OR RIGHT OF WAY WITH LINES, POLES, OPEN DITCHES OR OTHER USE WITHOUT FIRST OBTAINING A CROSSING PERMIT FROM THE DISTRICT.
  - NO PERMANENT STRUCTURE, (EXAMPLE, FENCES OR DRIVEWAY OF ANY CONSTRUCTION) WILL BE ALLOWED TO BE CONSTRUCTED OR EXIST ON ANY DISTRICT EASEMENT OR RIGHT OF WAY WITHOUT WRITTEN APPROVAL BY THE DISTRICT. ANY UNAUTHORIZED STRUCTURE IN THE EASEMENT AREA IS SUBJECT TO REMOVAL.
  - EACH INDIVIDUAL DETENTION POND (SWALE) SHALL BE MAINTAINED BY THE LOT OWNER AND NOT THE CITY OF McALLEN.

STATE OF TEXAS  
COUNTY OF HIDALGO

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

SECURITY INTEREST HOLDER

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
BANK NAME

STATE OF TEXAS  
COUNTY OF HIDALGO

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

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

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

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

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

SUBDIVISION PLAT OF  
**OLIVE GROVE ESTATES**  
SUBDIVISION

A TRACT OF LAND CONTAINING 5.96 ACRES OF LAND, MORE OR LESS, SITUATED IN HIDALGO COUNTY, TEXAS, BEING PART OR PORTION OF LOT 80, LA LOMITA IRRIGATION AND CONSTRUCCION COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS, MAP REFERENCE: VOLUME 24, PAGE 68, DEED RECORDS, HIDALGO COUNTY

STATE OF TEXAS  
COUNTY OF HIDALGO

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

\_\_\_\_\_  
MOUAYAD DEVELOPMENT, LLC  
400 W. CORNELL AVENUE  
McALLEN, TEXAS 78504  
BY: NOE GONZALEZ

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

STATE OF TEXAS  
COUNTY OF HIDALGO

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

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

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

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

\_\_\_\_\_  
MAYOR, CITY OF McALLEN

\_\_\_\_\_  
DATE

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

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

\_\_\_\_\_  
DATE

STATE OF TEXAS  
COUNTY OF HIDALGO

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

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

\_\_\_\_\_  
DATE

STATE OF TEXAS  
COUNTY OF HIDALGO

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

\_\_\_\_\_  
CARLOS VASQUEZ, R.P.L.S.  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4608  
C.V.Q. LAND SURVEYORS, LLC  
517 BEAUMONT AVE.  
McALLEN, TEXAS 78501  
TEL. (956) 618-1551 DATE SURVEYED: JULY 16, 2022  
TBPELS FIRM No. 10119600





# City of McAllen

## SUBDIVISION PLAT REVIEW

Reviewed On: 3/2/2023

### SUBDIVISION NAME: OLIVE GROVE ESTATES SUBDIVISION

#### REQUIREMENTS

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

Lark Avenue (4 Mile Line): 30 ft. ROW dedication for 50 ft. from centerline for 100 ft. ROW  
Paving: 53.9 ft. Curb & gutter: Both Sides  
Revisions Needed:  
-Provide Document number regarding existing ROW dedication on both sides of centerline prior recording .  
-Remove sidewalk and fence layout from plat, prior to recording.  
\*Engineer submitted a variance request in reference to the required 65 ft. paving width, and at the City Commission meeting of February 27th,2023 a variance to paving width was approved for a paving width of 53.9 ft.  
\*\*Subdivision Ordinance: Section 134-105  
\*\*Monies must be escrowed for improvements prior to recording.  
\*\*COM Thoroughfare Plan

Required

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

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

Applied

\* 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 and multi-family properties.  
\*\*Subdivision Ordinance: Section 134-106

NA

##### SETBACKS

\* Front: 45 ft. or in line with average setbacks of existing structures or greater for easements, whichever is greater applies.  
\*\*Zoning Ordinance: Section 138-356  
\* Rear: 10 ft. or greater for easements, whichever is greater applies.  
\*\*Zoning Ordinance: Section 138-356  
\* Sides: 6 ft. or greater for easements, whichever is greater applies.  
\*\*Zoning Ordinance: Section 138-356  
\* Corner: Interior Lots  
\*\*Current subdivision layout does not propose any buildable lots abutting a street.  
\*\*\*Zoning Ordinance: Section 138-356

Applied

Applied

Applied

NA

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



<ul style="list-style-type: none"> <li>* Garage: 18 ft. except where greater setback is required, greater setback applies.</li> <li>Revisions Needed:</li> <li>-Include note as shown above prior to recording.</li> <li>**Zoning Ordinance: Section 138-356</li> <li>*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN</li> </ul>	Required
	Applied
<b>SIDEWALKS</b>	
<ul style="list-style-type: none"> <li>* 4 ft. wide minimum sidewalk required along Lark Avenue.</li> <li>Revisions Needed:</li> <li>-Revise note#7 as shown above, prior to recording.</li> <li>**Proposing: A 5 foot wide sidewalk required along the south side of Lark Avenue as part of the building permit.</li> <li>**Sidewalk requirement may be increased to 5 ft. per Engineering Department, finalize note wording prior to recording.</li> <li>**Subdivision Ordinance: Section 134-120</li> <li>* Perimeter sidewalks must be built or money escrowed if not built at this time.</li> </ul>	Non-compliance
	Required
<b>BUFFERS</b>	
<ul style="list-style-type: none"> <li>* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses.</li> <li>**Landscaping Ordinance: Section 110-46</li> <li>* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.</li> <li>**Landscaping Ordinance: Section 110-46</li> <li>*Perimeter buffers must be built at time of Subdivision Improvements.</li> </ul>	Applied
	Applied
	Required
<b>NOTES</b>	
<ul style="list-style-type: none"> <li>*Must comply with City Access Management Policy</li> <li>* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.</li> <li>* Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen.</li> <li>* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.</li> <li>* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.</li> <li>**Section 134-168 applies if private subdivision is proposed.</li> <li>***Section 110-72 applies if public subdivision is proposed.</li> <li>****Landscaping Ordinance: Section 110-72</li> <li>*****Subdivision Ordinance: Section 134-168</li> <li>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</li> <li>**Homeowner's Association Covenants must be submitted for staff review, prior to recording.</li> <li>***Section 134-168 applies if private subdivision is proposed.</li> <li>****Section 110-72 applies if public subdivision is proposed.</li> <li>*****Landscaping Ordinance: Section 110-72</li> <li>*****Subdivision Ordinance: Section 134-168</li> </ul>	Applied
	NA
	Applied
	NA
	NA
	NA

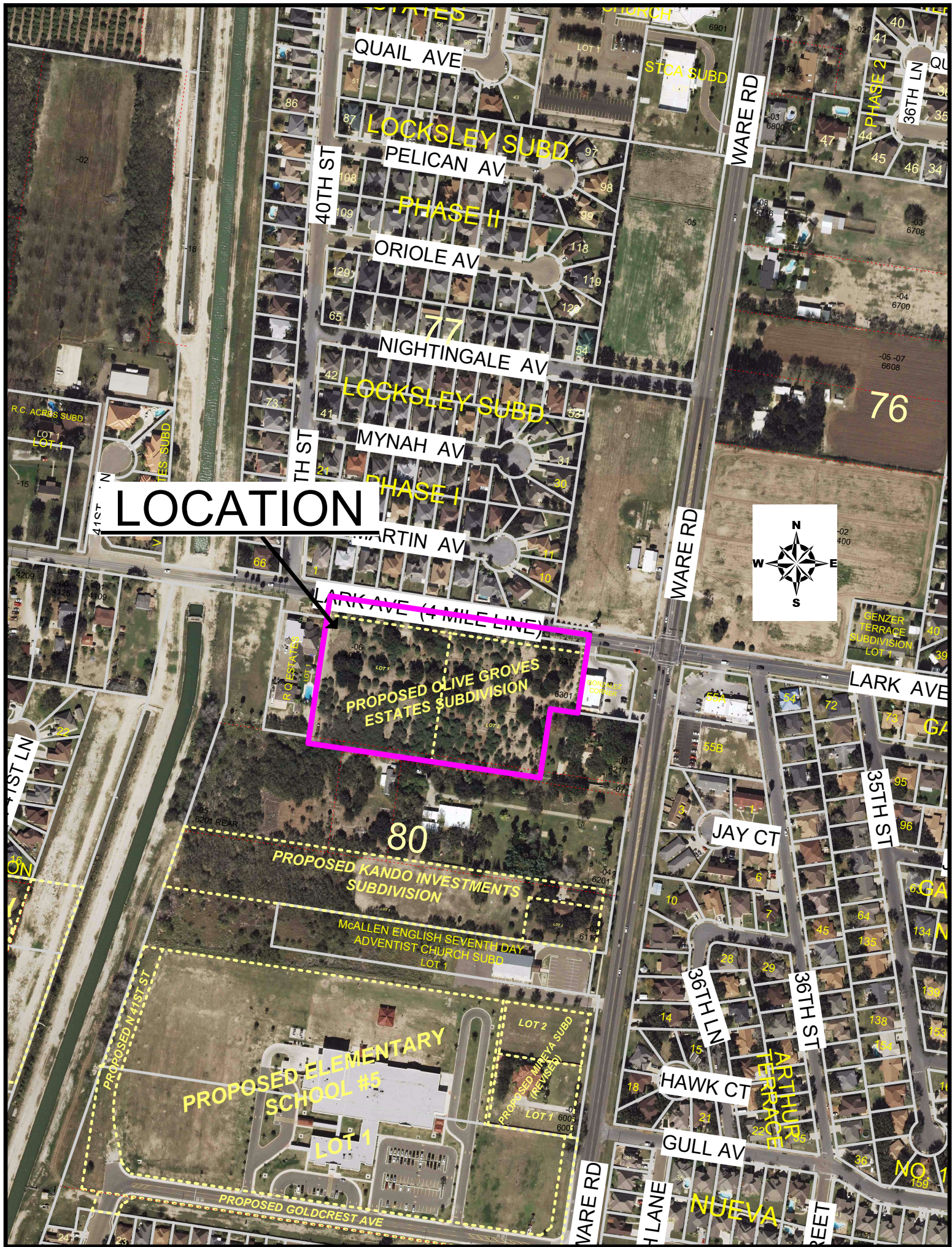
**These comments are for subdivision requirements only – additional requirements may apply at time of site plan review**



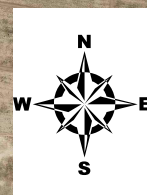
<b>LOT REQUIREMENTS</b>	
* Lots fronting public streets. **Subdivision Ordinance: Section 134-1	Compliance
* Minimum lot width and lot area. **Zoning Ordinance: Section 138-356	Compliance
<b>ZONING/CUP</b>	
* Existing: R-1 Proposed: R-1 ***Zoning Ordinance: Article V	Compliance
* Rezoning Needed Before Final Approval ***Zoning Ordinance: Article V	NA
<b>PARKS</b>	
* Land dedication in lieu of fee.	NA
* Park Fee of \$1,400 (\$700 per lot/dwelling unit) to be paid prior to recording.	Required
* Pending review by the City Manager Office.	NA
<b>TRAFFIC</b>	
* As per Traffic Department, Trip Generation for 2 lot single family residence is waived.	Compliance
* Traffic Impact Analysis (TIA) required prior to final plat. **As per Traffic Department, Trip Generation for 2 lot single family residence is waived.	NA
<b>COMMENTS</b>	
Comments: *Must comply with City's Access Management Policy. **License agreement request and requirements must be finalized prior to recording.	Applied
<b>RECOMMENDATION</b>	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM SUBJECT TO CONDITIONS NOTED.	Applied

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





LOCATION







# City of McAllen

## Planning Department

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

Project Information	Subdivision Name <u>Harvest Creek at Ware Subdivision Phase I</u>	
	Location <u>On the northwest corner of Vine Avenue and Ware Road</u>	
	City Address or Block Number <u>2301 N WARE RD</u>	
	Number of Lots <u>112</u> Gross Acres <u>39.785</u> Net Acres _____ ETJ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
	Existing Zoning <u>R3A</u> Proposed Zoning <u>R3A</u> Rezoning Applied for <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____	
	Existing Land Use <u>Vacant</u> Proposed Land Use <u>4 plex</u> Irrigation District # <u>HCID#1</u>	
	Replat <input type="checkbox"/> Yes <input type="checkbox"/> No Commercial <u>N/A</u> Residential _____	
	Agricultural Exemption <input type="checkbox"/> Yes <input type="checkbox"/> No Estimated Rollback Tax Due <u>37,205.53</u>	
	Parcel # <u>210948</u> Tax Dept. Review <u>MC 10/24/2022</u>	
	Water CCN <input type="checkbox"/> MPU <input checked="" type="checkbox"/> Sharyland Water SC Other _____	
Legal Description <u>41.676 acres, being out of Lots 138 &amp; 137, La Lomita Irrigation &amp; Construction Company Subdivision, according to the plat thereof recorded in Volume 24, Page 67, Hidalgo County Deed Records</u>		
Owner	Name <u>Escalada, LLC</u> Phone <u>(956) 638-6456</u>	
	Address <u>3520 Buddy Owens</u> E-mail <u>jeff@ericksonrgv.com</u>	
	City <u>McAllen</u> State <u>TX</u> Zip <u>78504</u>	
Developer	Name <u>Erickson Construction</u> Phone <u>(956) 638-6456</u>	
	Address <u>3520 Buddy Owens</u> E-mail <u>jeff@ericksonrgv.com</u>	
	City <u>McAllen</u> State <u>TX</u> Zip <u>78504</u>	
	Contact Person <u>Jeff Erickson</u>	
Engineer	Name <u>Melden &amp; Hunt, Inc.</u> Phone <u>(956) 381-0981</u>	
	Address <u>115 West McIntyre Street</u> E-mail <u>mario@meldenandhunt.com</u>	
	City <u>Edinburg</u> State <u>TX</u> Zip <u>78541</u>	
	Contact Person <u>Mario A Reyna and/or Della Robles</u>	
Surveyor	Name <u>Melden &amp; 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>TX</u> Zip <u>78541</u>	

OCT 25 2022

BY: CW



## 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

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

Signature  Date 10.24.2022

Print Name Mario A. Reyna, P.E

Owner ☐

Authorized Agent ☒

Owners Signature






VAR2023-0004



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

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

Project	<p>Legal Description <u>41.676 acres, being out of Lots 138 &amp; 137, La Lomita Irrigation &amp; Construction Company's Subdivision,</u>  <u>according to the plat thereof recorded in Volume 24, Page 67, H.C.D.R.</u></p> <p>Street Address <u>2501 North Ware Road</u></p> <p>Number of lots <u>112</u> Gross acres <u>39.785</u></p> <p>Existing Zoning <u>R-3A</u> Existing Land Use <u>vacant</u></p> <p><input checked="" type="checkbox"/> Current Survey and Metes and Bounds (if the legal description of the tract is a portion of a lot) is required</p>
Applicant	<p>Name <u>Melden &amp; Hunt, Inc.</u> Phone <u>(956) 381-0981</u></p> <p>Address <u>115 West McIntyre Street</u> E-mail <u>mario@meldenandhunt.com / drobles@meldenandhunt.com</u></p> <p>City <u>Edinburg</u> State <u>Texas</u> Zip <u>78541</u></p>
Owner	<p>Name <u>Escanaba, LLC</u> Phone <u>(956) 638-6456</u></p> <p>Address <u>3520 Buddy Owens</u> E-mail <u>jeff@ericksonrgv.com</u></p> <p>City <u>McAllen</u> State <u>Texas</u> Zip <u>78504</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></u> Date <u>February 10, 2023</u></p> <p>Print Name <u>Mario A Reyna, P.E.</u> <input type="checkbox"/> Owner <input checked="" type="checkbox"/> Authorized Agent</p>
Office	<p>Accepted by <u></u> Payment received by _____ Date _____</p> <p>Rev 10/18</p> <p style="text-align: right;">FEB 13 2023    BY: _____</p>





# City of McAllen

## Planning Department

### REASON FOR APPEAL

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

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

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

Reason for Appeal

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

The owner is requesting in lieu of the required 60-foot ROW we have a 50 foot ROW with a the pavement being 40 feet for the proposed private subdivision. We will have an additional 10 foot of utility and sidewalk easement on either side. The developer is also requesting that no escrow be paid to the City of McAllen for Warrior Drive due to the unlikely chance it will ever be expanded further north and the monies just sitting in account never used.

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

The variance is necessary so that we can utilities the most of the land while still keeping in requirements with all other departments and standards. This will also allow emergency vehicles the necessary means and time to respond to emergency calls. This is a private subdivision and no one other then residents will be using/traveling through the proposed subdivision. The variance to not pay escrows to the city for a street that will never be built is being requested because it will never allow the developer a chance to receive escrow monies back.

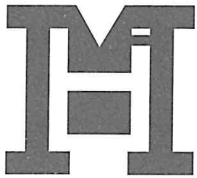
3. Describe how the variance will not be detrimental to the public health, safety or welfare or injurious to the legal rights other property owners enjoy in the area.

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. This subdivision will be a private subdivision. The developer can use the monies to develop the green area that will attach to the Hike & Bike Trail





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

February 10, 2023

## City of McAllen

Attn: Mr. Eduardo Mendoza, Engineering Director  
311 N. 15th St.  
McAllen, TX 78501

### **Re: Harvest Creek at Ware Subdivision Phase I - Variance for Sect. 134-105 – Street requirements Escrow**

Dear Mr. Mendoza:

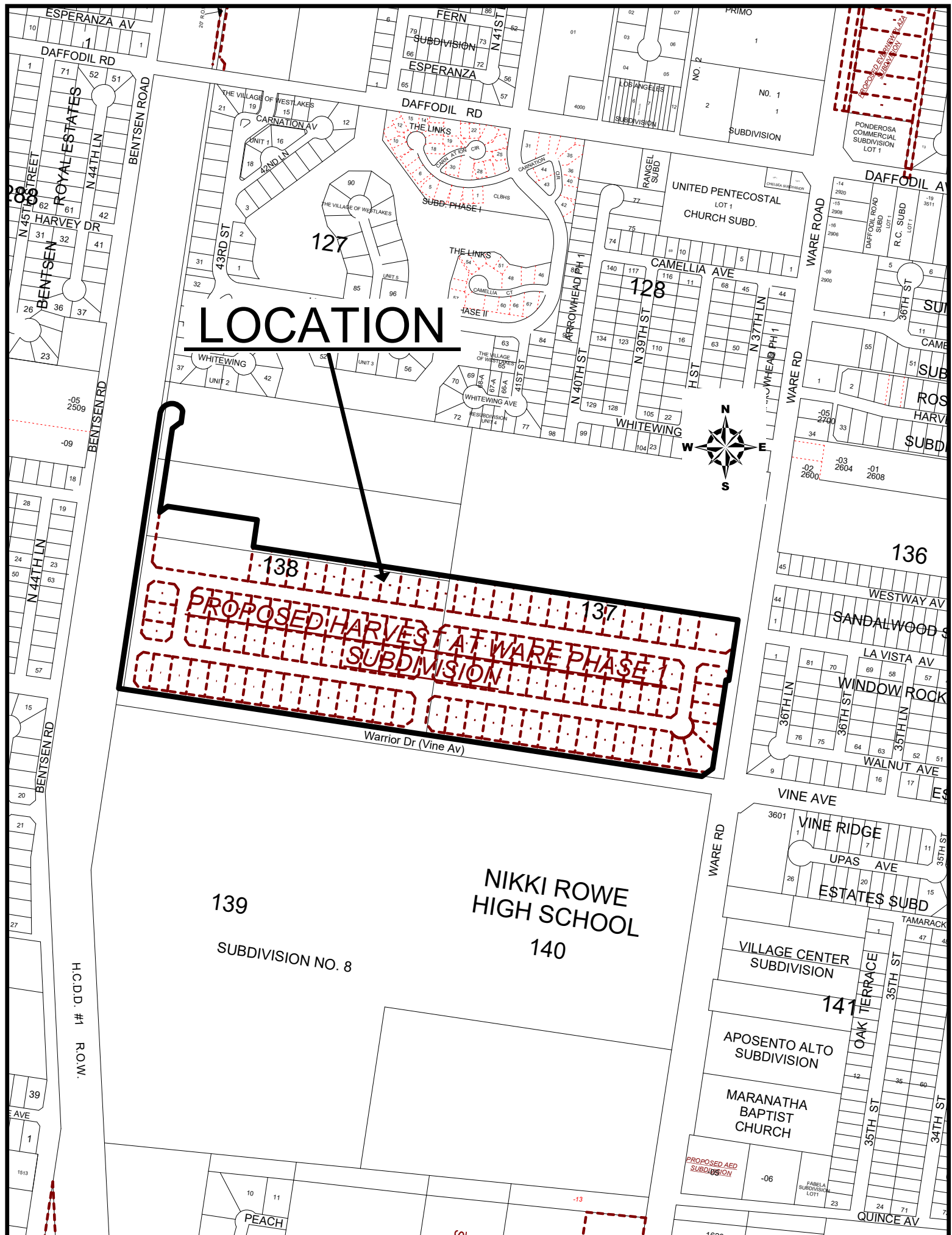
On behalf of Escanaba, LLC, in reference to Harvest Creek at Ware Subdivision, Melden & Hunt, Inc, as engineers on record, respectfully request a variance on the following item:

1. Chapter 134 – Art. III – Improvements Division. 2 – Section 134-105 Street Requirements (C) Projection of Streets.
2. Chapter 134 – Art. III – Improvements – Division 1 – Section 134-86 Construction of improvements prior to final plat recordation.

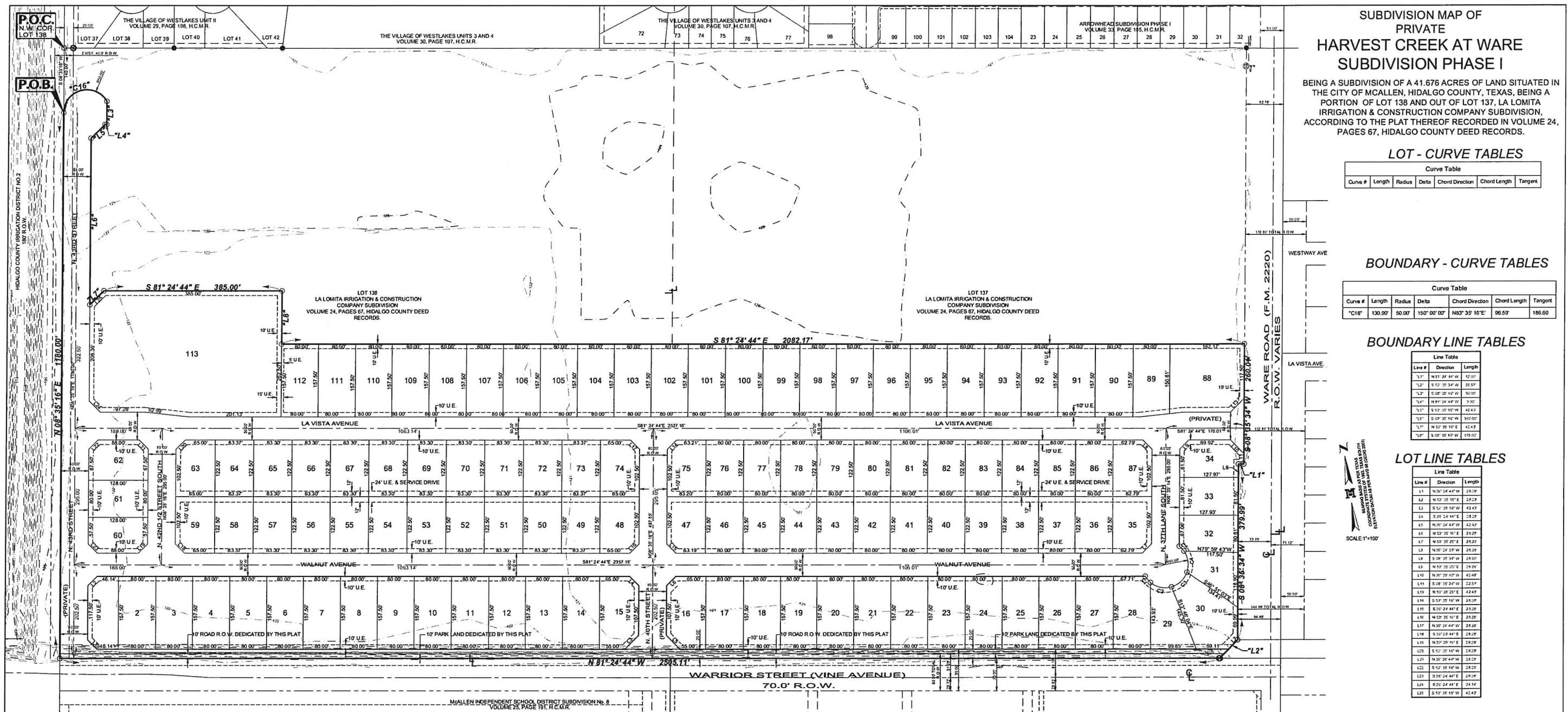
The developer is respectfully requesting a variance from the City of McAllen's Street Requirements. What is proposed are two interior streets with a 50-foot right-of-way with a 15-foot utility & sidewalk easement on each side running the length of the subdivision in lieu of the 60-foot required by the City of McAllen. We are proposing a 40-foot pavement section for the interior streets which are within compliance with city code.

The developer is also requesting a variance from the City of McAllen's General Improvements requirements in which escrows are needed for the widening of Warrior Drive. Currently the right of way is 70.00 feet from centerline with an additional 10.00-feet dedicated by plat. An additional 10.00' for parkland/green space is also being dedicated by plat in which the developer has agreed to construct an 8-foot meandering sidewalk with full landscaping, irrigation, and lighting to connect to the City of McAllen's Hike and Bike Trail running along Bentsen Road. Considering this, Warrior Drive (W Vine Avenue) is unlikely to ever be expanded further north along the southern property line of the subdivision. Therefore, the developer asks humbly that the escrow for street widening not have to be paid to the City of McAllen for a street expansion that will never happen.









SUBDIVISION MAP OF  
PRIVATE  
HARVEST CREEK AT WARE  
SUBDIVISION PHASE I

BEING A SUBDIVISION OF A 41.676 ACRES OF LAND SITUATED IN THE CITY OF MCALLEN, HIDALGO COUNTY, TEXAS, BEING A PORTION OF LOT 138 AND OUT OF LOT 137, LA LOMITA IRRIGATION & CONSTRUCTION COMPANY SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 24, PAGES 67, HIDALGO COUNTY DEED RECORDS.

## LOT - CURVE TABLES

Curve Table						
Curve #	Length	Radius	Delta	Chord Direction	Chord Length	Tangent

### BOUNDARY - CURVE TABLES

Curve Table						
Curve #	Length	Radius	Delta	Chord Direction	Chord Length	Tangent
"C16"	130.90'	50.00'	150° 00' 00"	N83° 35' 16"E	06.59'	186.60'

### BOUNDARY LINE TABLES

Line Table		
Line #	Direction	Length
"1"	N 51° 26' 44" W	12.03'
"2"	S 52° 35' 34" W	58.51'
"3"	S 08° 35' 16" W	91.05'
"4"	N 81° 26' 44" W	3.30'
"5"	S 52° 35' 16" W	42.43'
"6"	S 08° 35' 16" W	303.02'
"7"	N 52° 35' 16" E	42.43'
"8"	S 08° 35' 16" W	115.02'

### LOT LINE TABLES

Line Table		
Line #	Direction	Length
L1	N 50° 24' 44" W	26.19
L2	S 62° 52' 35" E	2.62
L3	S 51° 29' 12" W	41.47
L4	S 26° 24' 44" E	26.25
L5	N 60° 24' 44" W	62.63
L6	N 52° 35' 36" E	23.21
L7	N 55° 35' 25" E	25.22
L8	S 24° 24' 33" W	26.20
L9	S 38° 25' 34" W	25.21
L10	N 57° 32' 25" E	27.26
L11	N 60° 29' 12" W	42.28
L12	N 55° 35' 25" E	22.54
L13	S 55° 35' 12" W	26.22
L14	S 24° 24' 44" E	25.20
L15	S 42° 35' 36" E	23.21
L16	N 60° 24' 44" W	26.23
L17	S 52° 24' 44" W	28.28
L18	S 52° 24' 44" W	28.28
L19	S 52° 24' 44" W	28.28
L20	S 52° 24' 44" W	28.28
L21	S 52° 24' 44" W	28.28
L22	S 52° 24' 44" W	28.28
L23	S 52° 24' 44" W	28.28
L24	S 52° 24' 44" W	28.28
L25	S 52° 24' 44" W	28.28



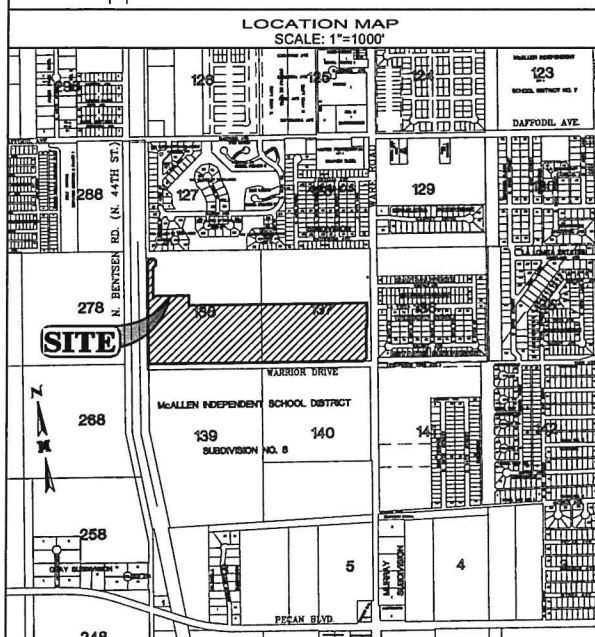
LOT - AREAS

Lot Area Table			
Lot #	SQ. FT.	Area	
2	12600.00	0.289	
3	12600.00	0.289	
4	12600.00	0.289	
5	12600.00	0.289	
6	12600.00	0.289	
7	12600.00	0.289	
8	12600.00	0.289	
9	12600.00	0.289	
10	12600.00	0.289	
11	12600.00	0.289	
12	12600.00	0.289	
13	12600.00	0.289	
14	12600.00	0.289	
17	12600.00	0.289	
18	12600.00	0.289	
19	12600.00	0.289	
20	12600.00	0.289	
21	12600.00	0.289	
22	12600.00	0.289	
23	12600.00	0.289	
24	12600.00	0.289	
25	12600.00	0.289	
26	12600.00	0.289	
27	12600.00	0.289	
28	12443.62	0.286	
29	9793.44	0.225	

Lot Area Table			
Lot #	SQ. FT.	Area	
32	10049.20	0.231	
33	10428.14	0.239	
34	10410.06	0.239	
35	9942.30	0.228	
36	9800.00	0.225	
37	9800.00	0.225	
38	9800.00	0.225	
39	9800.00	0.225	
40	9800.00	0.225	
41	9800.00	0.225	
42	9800.00	0.225	
43	9900.00	0.225	
44	9799.94	0.225	
45	9800.00	0.225	
46	9800.06	0.225	
47	9991.82	0.229	
48	10212.50	0.234	
49	10213.08	0.234	
50	10204.25	0.234	
51	10204.25	0.234	
52	10204.25	0.234	
53	10204.25	0.234	
54	10204.25	0.234	
55	10204.25	0.234	
56	10204.25	0.234	
57	10204.25	0.234	
58	10213.08	0.234	
59	10212.50	0.234	
60	9520.00	0.219	
61	10240.00	0.235	
62	10800.00	0.248	
63	10212.50	0.234	
64	10213.08	0.234	
65	10204.25	0.234	
66	10204.25	0.234	
67	10204.25	0.234	
68	10204.25	0.234	
69	10204.25	0.234	
70	10204.25	0.234	
71	10204.25	0.234	
72	10204.25	0.234	
73	10213.08	0.234	
74	10212.50	0.234	
75	9993.13	0.229	
76	9800.11	0.225	
77	9800.05	0.225	
78	9799.84	0.225	
79	9800.00	0.225	
80	9800.00	0.225	
81	9800.00	0.225	
82	9800.00	0.225	
83	9800.00	0.225	

Lot Area Table			
Lot #	SQ. FT.	Area	
84	9800.00	0.225	
85	9800.00	0.225	
86	9800.00	0.225	
87	9942.30	0.228	
88	23514.87	0.540	
90	12600.00	0.289	
91	12600.00	0.289	
92	12600.00	0.289	
93	12600.00	0.289	
94	12600.00	0.289	
95	12600.00	0.289	
96	12600.00	0.289	
97	12600.00	0.289	
98	12600.00	0.289	
99	12600.00	0.289	
100	12600.00	0.289	
101	12600.00	0.289	
102	12600.00	0.289	
103	12600.00	0.289	
104	12600.00	0.289	
105	12600.00	0.289	
106	12600.00	0.289	
107	12600.00	0.289	
108	12600.00	0.289	
109	12600.00	0.289	
110	12600.00	0.289	

Lot Area Table			
Lot #	SQ. FT.	Area	
111	12600.00	0.289	
112	12600.00	0.289	



### LEGEND

- FOUND No 4 REBAR
  - FOUND "X" MARK ON CONCRETE
  - SET No 4 REBAR WITH PLASTIC CAP STAMPED MELDON & HUNT
  - SET NAIL
  - FOUND PK NAIL
- R.O.W. - RIGHT OF WAY  
H.C.M.R. - HIDALGO COUNTY MAP RECORDS  
H.C.D.R. - HIDALGO COUNTY DEED RECORDS  
H.C.O.R. - HIDALGO COUNTY OFFICIAL RECORDS  
H.C.I.D. - HIDALGO COUNTY IRRIGATION DISTRICT  
N.E.C. - NORTH EAST CORNER  
P.O.B. - POINT OF BEGINNING  
U.E. - UTILITY EASEMENT  
S.W.E. - SIDEWALK EASEMENT
- 4 - LOT LINE

TBPE FIRM # F-1435



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ESTABLISHED 1947  
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FAX: (956) 381-1839  
[www.meldenandhunt.com](http://www.meldenandhunt.com)

DRAWN BY: R.D.J. DATE 12-12-22  
SURVEYED, CHECKED \_\_\_\_\_ DATE \_\_\_\_\_  
FINAL CHECK \_\_\_\_\_ DATE \_\_\_\_\_

*SHEET 1 OF 2*



METES AND BOUNDS DESCRIPTION:

A TRACT OF LAND CONTAINING 41.676 ACRES SITUATED IN THE CITY OF MCALLEN, COUNTY OF HIDALGO, TEXAS, BEING OUT OF LOT 138 AND 137, LA LOMITA IRRIGATION & CONSTRUCTION CO. SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 24, PAGE 67, HIDALGO COUNTY DEED RECORDS, WHICH SAID 41.676 ACRES WERE CONVEYED TO ESCANABA, LLC BY VIRTUE OF WARRANTY DEED WITH VENDOR'S LIEN RECORDED UNDER DOCUMENT NUMBER 3334895, HIDALGO COUNTY OFFICIAL RECORDS, SAIS 41.676 ACRES ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A NO. 4 REBAR SET ON THE NORTHWEST CORNER OF SAID LOT 138

THENCE, S 08° 35' 16" W ALONG THE WEST LINE OF SAID LOT 138, A DISTANCE OF 140.00 FEET TO A NO. 4 REBAR SET FOR THE NORTHWEST CORNER AND POINT OF BEGINNING OF THIS HEREIN DESCRIBED TRACT;

1. THENCE, IN A NORTHEASTERLY DIRECTION ALONG A CURVE TO THE RIGHT, WITH A CENTRAL ANGLE OF 150° 00' 00", A RADIUS OF 50.00 FEET, AN ARC LENGTH OF 130.90 FEET, A TANGENT OF 186.80 FEET, AND A CHORD THAT BEARS N 83° 35' 16" E A DISTANCE OF 96.59 FEET TO A NO. 4 REBAR SET FOR AN OUTSIDE CORNER OF THIS TRACT;
2. THENCE, S 08° 35' 16" W A DISTANCE OF 50.00 FEET TO A NO. 4 REBAR SET FOR AN OUTSIDE CORNER OF THIS TRACT;
3. THENCE, N 81° 24' 44" W A DISTANCE OF 3.30 FEET TO A NO. 4 REBAR SET FOR AN INSIDE CORNER OF THIS TRACT;
4. THENCE, S 53° 35' 16" W A DISTANCE OF 42.43 FEET TO A NO. 4 REBAR SET FOR AN INSIDE CORNER OF THIS TRACT;
5. THENCE, S 08° 35' 16" W A DISTANCE OF 360.00 FEET TO A NO. 4 REBAR SET FOR AN INSIDE CORNER OF THIS TRACT;
6. THENCE, N 53° 35' 16" E A DISTANCE OF 42.43 FEET TO A NO. 4 REBAR SET FOR AN OUTSIDE CORNER OF THIS TRACT;
7. THENCE, S 81° 24' 44" E A DISTANCE OF 385.00 FEET TO A NO. 4 REBAR SET FOR AN OUTSIDE CORNER OF THIS TRACT;
8. THENCE, S 08° 35' 16" W A DISTANCE OF 115.00 FEET TO A NO. 4 REBAR SET FOR AN INSIDE CORNER OF THIS TRACT;
9. THENCE, S 81° 24' 44" E A DISTANCE OF 2,082.17 FEET TO A NO. 4 REBAR SET FOR THE NORTHEAST CORNER OF THIS TRACT;
10. THENCE, S 08° 35' 34" W ALONG THE WEST RIGHT-OF-WAY LINE OF N. WARE ROAD, A DISTANCE OF 260.01 FEET TO A NO. 4 REBAR SET FOR AN OUTSIDE CORNER OF THIS TRACT;
11. THENCE, N 81° 24' 44" W A DISTANCE OF 12.00 FEET TO A NO. 4 REBAR SET FOR AN INSIDE CORNER OF THIS TRACT;
12. THENCE, S 08° 35' 34" W ALONG THE WEST RIGHT-OF-WAY LINE OF N. WARE ROAD, A DISTANCE OF 379.99 FEET TO A NO. 4 REBAR SET FOR THE NORTHERNMOST SOUTHEAST CORNER OF THIS TRACT;
13. THENCE, S 53° 35' 34" W ALONG A CORNER CLIP, A DISTANCE OF 56.57 FEET TO A NO. 5 REBAR FOUND FOR THE SOUTHERNMOST SOUTHEAST CORNER OF THIS TRACT;
14. THENCE, N 81° 24' 44" W ALONG THE SOUTH LINES OF SAID LOTS 138 AND 137, LA LOMITA IRRIGATION & CONSTRUCTION CO. SUBDIVISION, A DISTANCE OF 2,505.11 FEET TO A NO. 4 REBAR SET FOR THE SOUTHWEST CORNER OF THIS TRACT;
15. THENCE, N 08° 35' 16" E ALONG THE WEST LINE OF SAID LOT 138, A DISTANCE OF 1,180.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 41.676 ACRES OF LAND, MORE OR LESS.

GENERAL NOTES :

1. THE SITE LIES IN ZONE "C". ZONE "C" IS DEFINED AS " AREAS OF MINIMAL FLOODING. ZONE "C" SHOWN ON: COMMUNITY-PANEL NUMBER: 480334 0400 C MAP REVISED: NOVEMBER 16, 1982. & COMMUNITY-PANEL NUMBER: 480334 0500 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: 20 FEET OR GREATER FOR EASEMENT  
REAR: 10 FEET OR GREATER FOR EASEMENT  
INTERIOR SIDES: 6 FEET OR GREATER FOR EASEMENT  
CORNER: 10 FEET OR GREATER FOR EASEMENT  
GARAGE: 18 FEET EXCEPT WHERE GREATER SETBACK IS REQUIRED: GREATER SETBACK APPLIES.  
NOTE: ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN.
4. REQUIRED DETENTION FOR STORM SEWER RUNOFF PER THE APPROVED DRAINAGE REPORT SHALL BE 426,032 CUBIC FEET. STORM WATER RUNOFF GENERATED FROM DEVELOPMENT SHALL BE DETAINED ON-SITE VIA A DETENTION POND WITH A CAPACITY OF 790,779 CUBIC FEET. WATER WILL THEN DISCHARGE THROUGH A 2'-18" AND 1'-12" PIPE STRUCTURE INTO AN EXISTING MISSION/ MCALLEN LATERAL DRAIN DITCH STORM SEWER NETWORK LOCATED ON THE WEST SIDE OF THE PROPERTY .
5. CITY OF MCALLEN BENCHMARK: "MC64" FROM THE CITY OF MCALLEN G.P.S. REFERENCE MARKS LIST PREPARED BY CLUCK, LINN OFFICE, ON OCTOBER 06, 1999, BEING LOCATED ON THE SOUTHWEST CORNER OF THE INTERSECTION OF WARE ROAD AND DAFFODIL STREET, 30" ALUMINUM PIPE WITH A 3-1/4" BRASS MONUMENT CAP ON TOP ELEVATION= 120.38 NORTHING: 16610485.2066, EASTING: 1063866.99623
6. NO STRUCTURES PERMITTED TO BE BUILT OVER EASEMENTS.
7. AN 8 FT. MINIMUM SIDEWALK REQUIRED ALONG THE NORTH SIDE OF WARRIOR DRIVE, A 5 FT. WIDE MINIMUM SIDEWALK REQUIRED ALONG THE WEST SIDE OF WARE ROAD, AND A 4 FT. MINIMUM SIDEWALK REQUIRED ALONG BOTH SIDES OF ALL INTERNAL STREETS.
8. 25 FT. x 25 FT. SIGHT OBSTRUCTION EASEMENT REQUIRED AT ALL STREET INTERSECTIONS, AND 10 FT X 10 FT SITE OBSTRUCTION EASEMENT REQUIRED AT ALL STREET/ALLEY INTERSECTIONS.
9. 6 FT. OPAQUE BUFFER REQUIRED FROM ADJACENT/ BETWEEN/ MULTI-FAMILY RESIDENTIAL AND COMMERCIAL AND INDUSTRIAL ZONES/USES ALONG WARRIOR DRIVE, (VINE AVENUE), AND N. WARE RD. BUFFER REQUIREMENTS MAY BE REQUIRED ON THE WEST SIDE OF LOTS 1, 60-62 AND 113- COMMON AREA DETENTION
10. AN 8 FT. MASONRY WALL IS REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONES/USES.
11. SET NO. 4 REBARS WITH PLASTIC CAP STAMPED MELDEN AND HUNT ON ALL LOT CORNERS
12. COMMON OR DETENTION AREAS, ANY PRIVATE STREETS/ALLEYS OR DRIVES, AND/OR GATES MUST BE MAINTAINED BY THE PROPERTY OWNERS/HOA AND NOT THE CITY OF MCALLEN.
13. NO CURB CUT, ACCESS, OR LOT FRONTAGE PERMITTED ALONG N. WARE RD. AND WARRIOR DR. (VINE AVE.)
14. 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.
15. HOME OWNERS ASSOCIATION COVENANTS FOR THE GROVES AT WARE AS RECORDED UNDER AS RECORDED UNDER DOCUMENT NO. \_\_\_\_\_ H.C.D.R.

GENERAL NOTES : CONTINUE

16. AS PER DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS, FOR HARVEST CREEK AT WARE SUBDIVISION PHASE 1 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.
17. COMMON LOT 113, IDENTIFIED AS DETENTION AREAS SHALL BE MAINTAINED BY THE DEVELOPER WHO MAY TRANSFER SUCH MAINTENANCE OBLIGATION TO THE SUBDIVISION HOMEOWNER'S ASSOCIATION, HARVEST CREEK 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 ERECTED IN COMMON LOT 113, WHICH SHALL BE USED EXCLUSIVELY AS DETENTION AREAS, AFTER COMMON LOT 113 TRANSFER OF TITLES TO THE HARVEST CREEK AT WARE SUBDIVISION HOMEOWNER'S ASSOCIATION THE SUBDIVISION LOT OWNER'S PRO RATA SHARES OF THE COST OF MAINTENANCE SHALL BE DETERMINED BY HARVEST CREEK AT WARE PHASE 1 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(a), AS THE SAME MAY BE AMENDED. THE SPECIFIC AND EXCLUSIVE USE OF COMMON LOT 113 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.
18. COMMON AREA LOT 113 FOR LANDSCAPING DETENTION PURPOSES ONLY, WILL BE PRIVATE AND MAINTAINED BY THE H.O.A./ PROPERTY OWNERS AND NOT THE CITY OF MCALLEN.
19. SITE PLAN MUST BE APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENTS PRIOR TO BUILDING PERMIT ISSUANCE.
20. AN 8-FOOT MINIMUM SIDEWALK WITH FULL LANDSCAPING, IRRIGATION AND LIGHTING TO BE CONSTRUCTED ALONG THE NORTH SIDE OF WARRIOR DRIVE (VINE AVENUE), SAID SIDEWALK WILL CONNECT TO THE BENTSEN HIKE AND BIKE TRAIL. A VARIANCE OF "ADDITIONAL 10 FT RIGHT OF WAY TO BE DEDICATED IN LIEU OF PARK LAND FEES" WAS APPROVED ON JUNE 29, 2022, WITH THE CONDITIONS LISTED.

SUBDIVISION MAP OF  
PRIVATE

HARVEST CREEK AT WARE  
SUBDIVISION PHASE I

BEING A SUBDIVISION OF A 41.676 ACRES SITUATED IN THE CITY OF MCALLEN, COUNTY OF HIDALGO, TEXAS, BEING OUT OF LOT 138 AND 137, LA LOMITA IRRIGATION & CONSTRUCTION CO. SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 24, PAGE 67, HIDALGO COUNTY DEED RECORDS.

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

MAYOR, CITY OF MCALLEN

DATE

CITY SECRETARY

DATE

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

CHAIRMAN, PLANNING AND ZONING COMMISSION

DATE

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

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

PRESIDENT

ATTEST:

SECRETARY

APPROVED BY DRAINAGE DISTRICT:

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

HIDALGO COUNTY DRAINAGE DISTRICT NO.1

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

DATE

DRAWN BY: B. DE JESUS DATE 12/12/22  
SURVEYED, CHECKED \_\_\_\_\_ DATE \_\_\_\_\_  
FINAL CHECK \_\_\_\_\_ DATE \_\_\_\_\_



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THE STATE OF TEXAS  
COUNTY OF HIDALGO

I (WE), THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS THE HARVEST CREEK AT WARE SUBDIVISION PHASE I, TO THE CITY OF MCALLEN, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, 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 EASEMENT(S) 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 OR UTILITIES OPERATING UNDER FRANCHISE TO THE CITY OF MCALLEN AND RESIDENTS OF THE SUBDIVISION AND THEIR GUEST. THE OWNER DOES HEREBY DEDICATE TO THE USE OF THE PUBLIC THE PORTION OF WARRIOR STREET (VINE AVENUE), WARE ROAD (F.M. 2220) FOR THE USE AS STREET RIGHT OF WAY DEDICATED TO THE CITY OF MCALLEN BY THIS PLAT.

JEFFERY ERICKSON, MANAGER  
ESCANABA, LLC  
A TEXAS LIMITED LIABILITY COMPANY  
3520 BUDDY OWENS AVENUE  
MCALLEN, TEXAS 78504

DATE

STATE OF TEXAS  
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JEFFERY ERICKSON 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 \_\_\_\_\_

I (WE), THE UNDERSIGNED, LIEN HOLDER OF A SECURITY INTEREST IN THE ABOVE DESCRIBED REAL PROPERTY, AS SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS HARVEST CREEK AT WARE SUBDIVISION PHASE I, OF THE CITY OF MCALLEN, TEXAS, HEREBY CONSENT TO THE SUBDIVISION OF THE REAL PROPERTY AS PROVIDED FOR UNDER THE PLAT, AND DO HEREBY PROVIDE THAT ANY FORECLOSURE RELATING TO THE SECURITY INTEREST ON THE ABOVE DESCRIBED REAL PROPERTY SHALL BE SUBJECT TO THE PLATTING OF THE PROPERTY AS PROVIDED FOR HEREIN.

MARIN J. ESPINOSA, TRUSTEE  
VANTAGE BANK TEXAS  
1801 S. 2ND STREET  
MCALLEN, TEXAS 78503

DATE

STATE OF TEXAS  
COUNTY OF

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED C. MICHAEL SCOTT 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, P.E. # 117368  
DATE PREPARED: 01-31-2023  
ENGINEERING JOB NO. 21246.00

DATE:

MELDEN & HUNT, INC.  
TEXAS REGISTRATION F-1435



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 HARVEST CREEK AT WARE SUBDIVISION PHASE I, WERE PREPARED FROM A SURVEY OF THE PROPERTY MADE ON THE GROUND BY ME OR UNDER MY SUPERVISION ON 12-10-23, AND THAT IT IS A TRUE AND ACCURATE REPRESENTATION OF THE SUBDIVISION OF THE LANDS HEREON DESCRIBED.

ROBERTO N. TAMEZ, R.P.L.S. # 6238  
DATE SURVEYED: 12-10-2021  
SURVEY JOB NO. 21999.23

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: 3/3/2023

### SUBDIVISION NAME: HARVEST CREEK AT WARE PHASE I

#### REQUIREMENTS

#### STREETS AND RIGHT-OF-WAYS

North Ware Road: 60 ft. from centerline for 120 ft. ROW

Paving: 65 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.

Warrior Drive (Vine Ave.): 10 ft. dedication for 40 ft. from centerline for 80 ft. ROW

Paving: 52 ft. Curb & gutter: both sides

Pending Items:

-Engineer submitted a variance application on February 13, 2023 requesting that the pavement width be reduced and escrow not be required for Warrior Drive. There is an existing 40.67-42.29 ft. of paving currently and 52 ft. is required. The request for the pavement width to be reduced requires Planning and Zoning Commission action. The request for the escrow to not be required will have to go before the City Commission.

- Please revise street name as shown above 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.

N-S Street on West Boundary: Proposing 60 ft. ROW

Paving: 40 ft. Curb & gutter: both sides

Revisions needed:

- Label dash line on west side to determine any ROW dedication. (May affect phase II) Revise plat accordingly to accommodate ROW, prior to recording.

- Existing 40 ft. ROW on west side, of which 20 ft. is within this plat boundary; clarify and label accordingly.

- Clarify cul-de-sac turnaround proposed on the north; 20 ft. ROW beyond turnaround cul-de-sac. Must be resolved prior to recording.

- Location of turnaround and design must be clarified prior to recording.

- Street name will be assigned 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.

Internal Streets for R-3A: 60 ft. ROW

Paving: 40 ft. Curb & gutter: both sides

Pending Items:

-Engineer submitted a variance application on February 13, 2023 requesting that the ROW be reduced from 60 ft. to 50 ft., the engineer has indicated that the 40 ft. paving width will remain. Development staff has reviewed the request and indicated that if approved that a 10 ft. U.E and Sidewalk Easement be dedicated along the front of the lots as applicable.

-ROW at gate locations to increase to accommodate proposed improvements, finalize prior to recording.

- Street names will be assigned 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.

Applied

Required

Required

Required



<p>Paving _____ Curb &amp; gutter _____</p> <p>**Subdivision Ordinance: Section 134-105</p> <p>**Monies must be escrowed if improvements are required prior to final</p> <p>**COM Thoroughfare Plan</p> <p>* 1,200 ft. Block Length _____</p> <p>**Subdivision Ordinance: Section 134-118</p> <p>* 900 ft. Block Length for R-3A Zone Districts</p> <p>Revisions needed:</p> <ul style="list-style-type: none"> <li>- Subdivision layout does not comply with block length requirement, please revise accordingly prior to final</li> <li>- Length proposed, approximately 2,355 ft.</li> <li>- Engineer submitted variance to the block length requirement on May 4, 2022. At the PZ meeting of May 17, 2022, the board recommended approval of the variance to the block length requirement for the R-3A district, and City Commission approved the variance request on June 13, 2022.</li> </ul> <p>**Subdivision Ordinance: Section 134-118</p> <p>* 600 ft. Maximum Cul-de-Sac</p> <p>Pending Items:</p> <ul style="list-style-type: none"> <li>-Temporary turnaround at the Northwest Corner of subdivision plat must comply with Fire Department requirements, additional notes may be needed prior to recording.</li> </ul> <p>**Subdivision Ordinance: Section 134-105</p>	Applied
	NA
	Applied
<p>Revisions needed:</p> <ul style="list-style-type: none"> <li>- Subdivision layout does not comply with block length requirement, please revise accordingly prior to final</li> <li>- Length proposed, approximately 2,355 ft.</li> <li>- Engineer submitted variance to the block length requirement on May 4, 2022. At the PZ meeting of May 17, 2022, the board recommended approval of the variance to the block length requirement for the R-3A district, and City Commission approved the variance request on June 13, 2022.</li> </ul> <p>**Subdivision Ordinance: Section 134-118</p> <p>* 600 ft. Maximum Cul-de-Sac</p> <p>Pending Items:</p> <ul style="list-style-type: none"> <li>-Temporary turnaround at the Northwest Corner of subdivision plat must comply with Fire Department requirements, additional notes may be needed prior to recording.</li> </ul> <p>**Subdivision Ordinance: Section 134-105</p>	Required
<b>ALLEYS</b>	
<p>ROW: 20 ft. Paving: 16 ft.</p> <p>*Must comply with Public Works Department waste collection service requirements for the R-3A lots prior to recording.</p> <p>**24 ft. Utility and Service Drive Easement proposed at the rear of lots 35-87</p> <p>***Alley/service drive easement required for commercial properties and Multi-Family properties.</p> <p>****Subdivision Ordinance: Section 134-106.</p>	Required
<b>SETBACKS</b>	
<p>* Front: 20 ft. or greater for easement.</p> <p>**Any changes to setbacks may require Planning and Zoning Commission action in the future.</p> <p>**Zoning Ordinance: Section 138-356</p> <p>* Rear: 10 ft. or greater for easement.</p> <p>**12ft. U.E and Service Drive Easement proposed at the rear of lots35-87.</p> <p>**Zoning Ordinance: Section 138-356</p> <p>* Interior Sides: 6 ft. or greater for easement</p> <p>**Zoning Ordinance: Section 138-356</p> <p>* Corner: 10 ft. or greater for easement</p> <p>**Zoning Ordinance: Section 138-356</p> <p>* Garage: 18 ft. except where greater setback is required, greater setback applies</p> <p>**Zoning Ordinance: Section 138-356</p> <p>*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN</p>	Applied
	Applied
	Applied
	Applied
	Applied
	Required



SIDEWALKS	
<p>* 4 ft. wide minimum sidewalk required along N. Ware Road and Warrior Dr. (Vine Ave.), and both sides of all interior streets and N/S Street.</p> <p>Revisions needed:</p> <ul style="list-style-type: none"> <li>- Plat note #7 will need to be revised as shown above, and once sidewalk requirements are determined, prior to recording.</li> <li>**Sidewalk along N. Ware Road subject to increase to 5 ft. as per Engineering Department prior to final.</li> <li>**Sidewalk width requirement for Warrior Dr. (Vine Ave.) and both sides of internal streets subject to increase prior to recording as per Engineering Department requirements.</li> <li>**Subdivision Ordinance: Section 134-120</li> </ul> <p>* Perimeter sidewalks must be built or money escrowed if not built at this time.</p>	<p>Required</p> <p>Required</p>
BUFFERS	
<p>* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along Warrior Dr. (Vine Ave.) and N. Ware Rd.</p> <p>Revisions needed:</p> <ul style="list-style-type: none"> <li>- Buffer requirement may be required on the west side of Lots 1, 60-62, and 113-Common Area detention adjacent to the N/S street on the west side boundary prior to recording.</li> <li>- Please revise plat note #9 as shown above and once street name along the west side is finalized prior to recording.</li> <li>**Additional buffers may be required prior to recording.</li> <li>**Landscaping Ordinance: Section 110-46</li> </ul> <p>* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.</p> <p>**Landscaping Ordinance: Section 110-46</p> <p>*Perimeter buffers must be built at time of Subdivision Improvements.</p>	<p>Required</p> <p>Applied</p> <p>Required</p>
NOTES	
<p>* No curb cut, access, or lot frontage permitted along N. Ware Rd and Warrior Dr. (Vine Ave.)</p> <p>**Must comply with City Access Management Policy</p> <p>* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.</p> <p>Revisions Needed:</p> <ul style="list-style-type: none"> <li>-Remove note #19 prior to recording as it is a requirement not a required note.</li> <li>**Requirement might be triggered depending on the # of units proposed per lot on the multifamily lots.</li> </ul> <p>* Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen.</p> <p>* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.</p> <p>* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.</p> <p>**Section 134-168 applies if private subdivision is proposed.</p> <p>***Section 110-72 applies if public subdivision is proposed.</p> <p>****Landscaping Ordinance: Section 110-72</p> <p>*****Subdivision Ordinance: Section 134-168</p>	<p>Applied</p> <p>Required</p> <p>Applied</p> <p>NA</p> <p>Required</p>



<ul style="list-style-type: none"> <li>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</li> <li>**Homeowner's Association Covenants must be submitted for staff review, prior to recording.</li> <li>***Section 134-168 applies if private subdivision is proposed.</li> <li>****Section 110-72 applies if public subdivision is proposed.</li> <li>*****Landscaping Ordinance: Section 110-72</li> <li>*****Subdivision Ordinance: Section 134-168</li> </ul>	Required
<b>LOT REQUIREMENTS</b>	
<ul style="list-style-type: none"> <li>* Lots fronting public streets</li> <li>**Subdivision Ordinance: Section 134-1</li> </ul>	Compliance
<ul style="list-style-type: none"> <li>* Minimum lot width and lot area</li> <li>*Please verify that all lots are in compliance with lot width requirement.</li> <li>*Provide preliminary site plan for multi-family lots to verify compliance with landscaping requirements.</li> <li>**Zoning Ordinance: Section 138-356</li> </ul>	Applied
<b>ZONING/CUP</b>	
<ul style="list-style-type: none"> <li>* Existing: A-O Proposed: R-1 &amp; R-3A</li> <li>**Rezoning was approved by City Commission on 2/14/22.</li> <li>***Zoning Ordinance: Article V</li> </ul>	Compliance
<ul style="list-style-type: none"> <li>* Rezoning Needed Before Final Approval</li> <li>****Rezoning was approved by City Commission on 2/14/22.</li> <li>***Zoning Ordinance: Article V</li> </ul>	Compliance
<b>PARKS</b>	
<ul style="list-style-type: none"> <li>* Land dedication in lieu of fee.</li> <li>*Must comply with Park Department requirements</li> <li>****The Developer submitted a variance request letter to the Park Land Ordinance requirements to be waived and proposes to dedicate an additional 10 ft. ROW and construct an 8-foot trail with landscape, lighting and irrigation and a connection to Bentsen Hike &amp; Bike Trail instead.</li> <li>****On June 29, 2022, City Manager's Office approved the variance request with conditions. Must comply with conditions noted as per agreement letter dated July 14, 2022 prior to recording.</li> </ul>	Required
<ul style="list-style-type: none"> <li>* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. Total amount of park fees is subject to amount of proposed lots and dwelling units per each lot.</li> <li>*Must comply with Park Department requirements</li> <li>****The Developer submitted a variance request letter to the Park Land Ordinance requirements to be waived and proposes to dedicate an additional 10 ft. ROW and construct an 8-foot trail with landscape, lighting and irrigation and a connection to Bentsen Hike &amp; Bike Trail instead.</li> <li>****On June 29, 2022, City Manager's Office approved the variance request with conditions. Must comply with conditions noted as per agreement letter dated July 14, 2022 prior to recording.</li> </ul>	Required



<p>* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording and/or land dedication. Total amount of park fees is subject to amount of proposed lots and dwelling units per each lot/and land dedication.</p> <p>*Must comply with Park Department requirements</p> <p>****The Developer submitted a variance request letter to the Park Land Ordinance requirements to be waived and proposes to dedicate an additional 10 ft. ROW and construct an 8-foot trail with landscape, lighting and irrigation and a connection to Bentsen Hike &amp; Bike Trail instead.</p> <p>****On June 29, 2022, City Manager's Office approved the variance request with conditions. Must comply with conditions noted as per agreement letter dated July 14, 2022 prior to recording.</p>	Required
<b>TRAFFIC</b>	
* As per Traffic Department, previous Trip Generation and TIA submitted to be honored for Phase I.	Compliance
* As per Traffic Department, previous Trip Generation and TIA submitted to be honored for Phase I.	Compliance
<b>COMMENTS</b>	
<p>Comments/Revisions needed:</p> <ul style="list-style-type: none"> <li>- Label reference for dash line on the west side side of proposed north to south street on the west boundary.</li> <li>- Label parcel on the west side of the west boundary line</li> <li>-Subdivision proposed to be private with dedication for ROW on perimeter streets as required, prior to recording.</li> <li>-Entry access from the R-3A district along N. Ware Rd. on the plat submitted was reviewed by Traffic Department.</li> <li>-ROW at gate locations to increase to accommodate proposed improvements, finalize prior to recording.</li> <li>-Any changes to setbacks may require Planning and Zoning Commission action in the future.</li> <li>-Must comply with City's Access Management Policy.-Subdivision approved in Preliminary form at the Planning and Zoning Commission meeting of November 16th,2022, subject to conditions noted in Planning Review, please see attached review.</li> </ul>	Applied
<b>RECOMMENDATION</b>	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM SUBJECT TO CONDITIONS NOTED, AND CLARIFICATION OF THE VARIANCE REQUESTS FOR THE INTERIOR STREETS AND WARRIOR DRIVE.	Applied







SUB 2023-0020

# City of McAllen

## Planning Department

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

Project Information	Subdivision Name <u>GARDEN ROSE</u>	
	Location <u>SOUTH SIDE OF E. YUMA AVENUE, APPROXIMATELY 145' EAST OF S. "J." STREET</u>	
	City Address or Block Number <u>1200 E. YUMA AVE</u>	
	Number of Lots <u>38</u>	Gross Acres <u>5.007</u> Net Acres _____ ETJ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Existing Zoning <u>R-1</u>	Proposed Zoning <u>R-3T</u> <sup>R-1 &amp;</sup> Rezoning Applied for <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date _____
	Existing Land Use <u>RES/VACANT</u> Proposed Land Use <u>RESIDENTIAL TOWNHOMES</u> Irrigation District # <u>HCID#2</u>	
	Replat <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Commercial <u>N/A</u> Residential <u>N/A</u>	
	Agricultural Exemption <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Estimated Rollback Tax Due <u>0</u>	
	Parcel # <u>231203 &amp; 231204</u> Tax Dept. Review <u>ng</u>	
	Water CCN <input checked="" type="checkbox"/> MPU <input type="checkbox"/> Sharyland Water SC Other _____	
Legal Description <u>5.007 ACRES OUT OF LOT 3, BLOCK 8, A.J. MCCOLL SUBD</u>		
Owner	Name <u>KARLA ESCOBEDO, TRUSTEE</u> Phone <u>210-636-5003</u>	
	Address <u>ESCOBEDO LIVING TRUST</u>	
	City <u>MCALLEN</u> State <u>TX</u> Zip <u>78501</u>	
	E-mail <u>ESCOBE8@AOL.COM</u>	
Developer	Name <u>EDGAR ESCOBEDO</u> Phone <u>210-636-5003</u>	
	Address <u>3100 SOUTH 2ND STREET, APT. 5</u> E-mail <u>ESCOBE8@AOL.COM</u>	
	City <u>MCALLEN</u> State <u>TX</u> Zip <u>78501</u>	
	Contact Person <u>EDGAR ESCOBEDO</u>	
Engineer	Name <u>MAS ENGINEERING, LLC.</u> Phone <u>956-537-1311</u>	
	Address <u>MARIO A. SALINAS, P.E.</u>	
	City <u>3911 N. 10TH STREET, SUITE H</u> E-mail <u>MSALINAS6973@ATT.NET</u>	
	City <u>MCALLEN</u> State <u>TX</u> Zip <u>78501</u>	
	Contact Person <u>NIKKI CAVAZOS- 956-321-1930 / NCAVAZOS.MASE@GMAIL.COM</u>	
Surveyor	Name <u>CARRIZALES LAND SURVEYING</u> Phone <u>956-567-2167/ 512-470-1489</u>	
	Address <u>MANUEL CARRIZALES</u> E-mail <u>FNFCAD@GMAIL.COM</u>	
	City <u>4807 GONDOLA AVENUE</u> State <u>TX</u> Zip <u>78542</u>	
	City <u>EDINBURG</u> State <u>TX</u> Zip <u>78542</u>	

ENTERED

FEB 22 2023

Initial: NM



## Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

### In Person Submittal Requirements

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

### Email Submittal Requirements

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

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

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

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

### **PLAT TO SHOW:**

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

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

Owners Signature

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

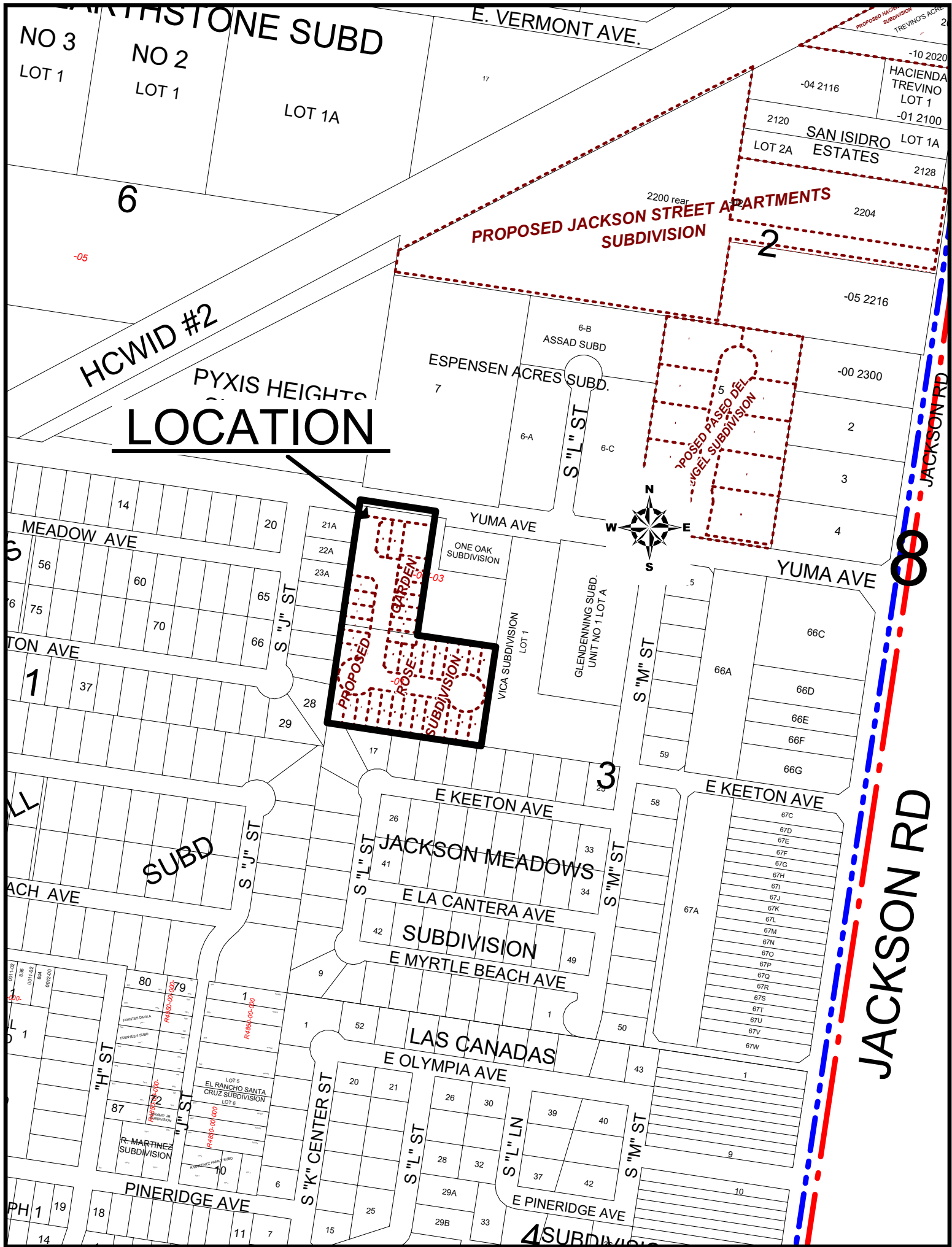
Signature Mario Salinas Date 2/17/23

Print Name Mario Salinas

Owner ☐ Authorized Agent ☐

The Planning Department is now accepting DocuSign signatures on application





**LOCATION**

HCWID #2

PYXIS HEIGHTS

PROPOSED JACKSON STREET APARTMENTS  
SUBDIVISION

PROPOSED PASEO DEL  
ANGEL SUBDIVISION

PROPOSED ROSE GARDEN  
SUBDIVISION

ESPENSEN ACRES SUBD.

JACKSON MEADOWS

LAS CANADAS

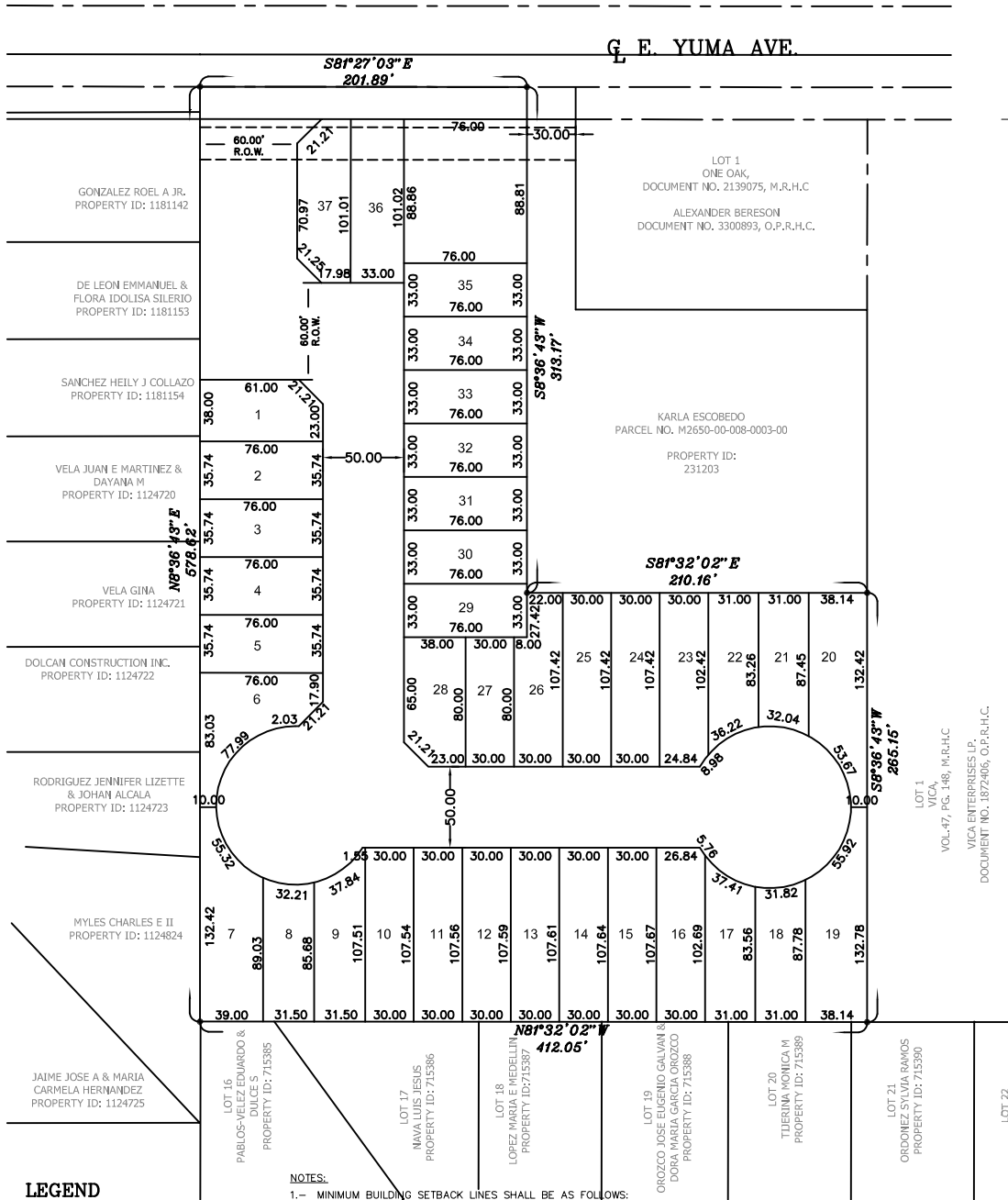
JACKSON RD 88







SCALE 1:50



#### LEGEND

- FOUND 1/2" IRON ROD
- SET 1/2" IRON ROD WITH YELLOW CAP MARKED "SEA 5782"
- R.O.W. RIGHT OF WAY
- P-B PROPERTY LINE TO BACK OF CURB
- B-B BACK OF CURB TO BACK OF CURB
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- H.C.D.R. HIDALGO COUNTY DEED RECORDS
- H.C.O.R. HIDALGO COUNTY OFFICIAL RECORDS
- H.C.M.R. HIDALGO COUNTY MAP RECORDS
- M.B.S.L. MINIMUM BUILDING SETBACK LINE



#### VICINITY MAP



## MAP OF GARDEN ROSE SUBDIVISION McALLEN, TEXAS

#### METES AND BOUNDS DESCRIPTION

BEING 3.960 ACRES OUT OF THE WEST ONE-HALF (1/2) OF THE NORTH 20 ACRES OF LOT 3, BLOCK 8, A.J. MCCOLL SUBDIVISION, RECORDED IN VOLUME 21, PAGE 598, MAP RECORDS OF HIDALGO COUNTY, TEXAS, SAME BEING OUT OF A CALLED TRACT I AND TRACT II, DESCRIBED IN A WARRANTY DEED WITH VENDOR'S LIEN, CONVEYED TO EDGAR ESCOBEDO, RECORDED IN DOCUMENT NO. 1703073, OFFICIAL PUBLIC RECORDS OF HIDALGO COUNTY, TEXAS, SAID 3.960 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A MAG NAIL FOUND, THE NORTHWEST CORNER OF THE SAID LOT 3, SAME BEING THE NORTHEAST CORNER OF THE HEIGHTS AT MCCOLL, RECORDED IN DOCUMENT NO. 2790603, MAP RECORDS OF HIDALGO COUNTY, TEXAS, SAME BEING A POINT ON THE CENTERLINE OF E. YUMA AVENUE;

THENCE, S 8° 36' 43" W, ALONG THE WEST LINE OF LOT 3, SAME BEING ALONG THE WEST LINE OF THE SAID THE HEIGHTS AT MCCOLL, A DISTANCE OF 20.00 FEET TO 1/2 INCH IRON ROD WITH PINK CAP STAMPED 'C.L.S. RPLS# 6388' FOUND, A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF E. YUMA AVENUE, SAME BEING A POINT ON THE NORTH LINE OF THE SADI TRACT I, FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT AND THE POINT OF BEGINNING;

THENCE, S 81° 27' 03" E, ACROSS SAID LOT 3, SAME BEING ALONG THE NORTH LINE OF THE SAID TRACT I, A DISTANCE OF 201.89 FEET TO A 1/2 INCH IRON ROD WITH PINK CAP STAMPED 'C.L.S. RPLS# 6388' SET, A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF E. YUMA AVENUE, SAME BEING A POINT ON THE NORTH LINE OF THE SAID TRACT I, FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, S 8° 36' 43" W, ACROSS THE SAID LOT 3, SAME BEING ACROSS THE SAID TRACT I, A DISTANCE OF 313.17 FEET TO A 1/2 INCH IRON ROD WITH PINK CAP STAMPED 'C.L.S. RPLS# 6388' SET, FOR AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, S 81° 32' 02" E, ACROSS THE SAID LOT 3, SAME BEING ACROSS THE SAID TRACT I, A DISTANCE OF 210.16 FEET TO A 1/2 INCH IRON ROD WITH PINK CAP STAMPED 'C.L.S. RPLS# 6388' SET, A POINT ON THE WEST LINE OF VICA SUBDIVISION, RECORDED IN VOLUME 47, PAGE 148, MAP RECORDS OF HIDALGO COUNTY, TEXAS, SAME BEING A POINT ON THE EAST LINE OF THE SAID TRACT I, FOR AN EXTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, S 8° 36' 43" W, ACROSS THE SAID LOT 3, SAME BEING ALONG THE WEST LINE OF THE SAID VICA SUBDIVISION, SAME BEING ALONG THE EAST LINE OF THE SAID TRACT I AND THE SAID TRACT II, A DISTANCE OF 265.15 FEET TO A 1/2 INCH IRON ROD WITH PINK CAP STAMPED 'C.L.S. RPLS# 6388' FOUND, THE SOUTHWEST CORNER OF THE SAID VICA SUBDIVISION, SAME BEING A POINT ON THE NORTH LINE OF JACKSON MEADOWS SUBDIVISION, RECORDED IN VOLUME 52, PAGE 184, MAP RECORDS OF HIDALGO COUNTY, TEXAS, SAME BEING THE SOUTHEAST CORNER OF THE SAID TRACT II, FOR THE SOUTHEAST CORNER OF HEREIN DESCRIBED TRACT;

THENCE, N 81° 32' 02" W, ACROSS THE SAID LOT 3, SAME BEING ALONG THE NORTH LINE OF THE SAID JACKSON MEADOWS SUBDIVISION, SAME BEING ALONG THE SOUTH LINE OF THE SAID TRACT II, A DISTANCE OF 412.05 FEET TO A CALCULATED POINT, THE NORTHWEST CORNER OF THE SAID JACKSON MEADOWS SUBDIVISION, SAME BEING A POINT ON THE EAST LINE OF THE SAID THE HEIGHTS AT MCCOLL, SAME BEING THE SOUTHWEST CORNER OF THE SAID TRACT II, FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, N 8° 36' 43" E, ALONG THE WEST LINE OF THE SAID LOT 3, SAME BEING ALONG THE EAST LINE OF THE SAID TRACT II AND TRACT I, PASSING AT A DISTANCE OF 560.52 FEET TO A 1/2 INCH IRON ROD WITH CAP FOUND, THE NORTHEAST CORNER OF THE HEIGHTS AT MCCOLL, LOT 21A, 22A & 23A, RECORDED IN DOCUMENT NO. 2898673, MAP RECORDS OF HIDALGO COUNTY, TEXAS, SAME BEING A POINT OF THE SOUTH RIGHT-OF-WAY LINE OF E. YUMA AVENUE, SAME BEING A POINT ON THE WEST LINE OF THE SAID TRACT I, CONTINUING FOR A TOTAL DISTANCE OF 578.62 FEET TO THE POINT OF BEGINNING, AND CONTAINING 3.960 ACRES OF LAND, MORE OR LESS.

STATE OF TEXAS:  
COUNTY OF HIDALGO:

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

STATE OF TEXAS:  
COUNTY OF HIDALGO:

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

NOTARY PUBLIC

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

CHAIRMAN, PLANNING COMMISSION

Date

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

MAYOR, CITY OF McALLEN

Date

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 HEREBY CERTIFIES THAT THE DRAINAGE PLANS FOR THIS SUBDIVISION COMPLY WITH THE MINIMUM STANDARDS OF THE DISTRICT ADOPTED UNDER TEX. WATER CODE 49.211(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

BY: RAUL SESIN, P. E.

Date

STATE OF TEXAS  
COUNTY OF HIDALGO

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

SALINAS ENGINEERING & ASSOCIATES  
CONSULTING ENGINEERS & SURVEYORS  
FIRM No. 100657-00  
2221 DAFFODIL AVE.  
McALLEN, TEXAS 78501  
(956) 682-9081

DATE

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 CONSIDERATION HAS BEEN GIVEN TO THIS PLAT.

MARIO A. SALINAS  
LICENSED PROFESSIONAL ENGINEER # 96611  
3911 N. 10TH STREET, SUITE H  
McALLEN, TEXAS 78501

DATE

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 DESIGNATED HEREIN AS \_\_\_\_\_ 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.

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

EXECUTIVE VP  
TEXAS NATIONAL BANK  
4908 S. JACKSON RD.  
EDINBURG, TEXAS 78539

STATE OF TEXAS:  
COUNTY OF HIDALGO:

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

NOTARY PUBLIC



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

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

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

DATE OF PREPARATION: OCTOBER 5, 2022

MAS ENGINEERING LLC.  
consulting engineering  
firm no. f-15499

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

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





# City of McAllen

## SUBDIVISION PLAT REVIEW

Reviewed On: 3/2/2023

### SUBDIVISION NAME: GARDEN ROSE

#### REQUIREMENTS

#### STREETS AND RIGHT-OF-WAYS

E. Yuma Avenue: Dedication as needed for 40 ft. from centerline for 80 ft. total ROW  
Paving: 52 ft. - 65 ft. Curb & gutter: both sides.  
Revisions needed:  
-Please provide how existing ROW was dedicated on plat and a copy of any referenced document for staff review, prior to final.  
-Label existing ROW dedications, from centerline, total, existing, etc. on both sides, prior to final.  
-Label ROW dedications by this plat as applicable, prior to final, once existing dedication have been finalized  
-Label Easement along street and ensure there are no issues with overlap, dedication, etc. with the Irrigation company, finalize prior to final.  
\*\*\*\*Subdivision Ordinance: Section 134-105  
\*\*\*Monies must be escrowed if improvements are not constructed prior to recording.  
\*\*\*\*COM Thoroughfare Plan

Non-compliance

Interior Streets: 60ft. Total ROW.  
Paving 40 ft. Curb & gutter: Both Sides  
Revisions needed:  
-Proposed Interior dedications range from 50-60 ft. of ROW, please see ROW requirements above, review and revise as applicable prior to final.  
-Street names will be established prior to final and plat will need to revised accordingly.  
-Clarify 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  
\*\*Monies must be escrowed if improvements are not constructed prior to recording.  
\*\*COM Thoroughfare Plan

Non-compliance

N/S collector (western boundary): Dedication as needed for 60 ft. Total ROW.  
Paving: 40 ft. Curb & gutter: Both Sides  
Pending Items:  
-Street names will be established prior to final.  
-Please provide ownership map to verify that no landlocked properties exist or will be created.  
\*Street alignment and R.O.W being reviewed and plat would need to be revised accordingly prior to final.  
\*\*Subdivision Ordinance: Section 134-105  
\*\*\*Monies must be escrowed if improvements are not constructed prior to recording.  
\*\*\*\*COM Thoroughfare Plan

Non-compliance

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

Applied

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



<p>Paving _____ Curb &amp; gutter _____</p> <p>**Subdivision Ordinance: Section 134-105</p> <p>**Monies must be escrowed if improvements are required prior to final</p> <p>**COM Thoroughfare Plan</p>	Applied
<p>* 1,200 ft. Block Length.</p> <p>**Subdivision Ordinance: Section 134-118</p>	NA
<p>* 900 ft. Block Length for R-3 Zone Districts.</p> <p>**Subdivision Ordinance: Section 134-118</p>	Compliance
<p>* 600 ft. Maximum Cul-de-Sac</p> <p>Revisions Needed:</p> <p>-Provide "Cul-De Sac" and "Knuckle" details prior to final.</p> <p>-Provide distance from Yuma ROW to the back of Southeastern Cul-De-Sac to verify compliance with 600 ft. block length requirements for Cul-de-Sacs, finalize prior to final.</p> <p>**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.</p> <p>**Subdivision Ordinance: Section 134-105</p>	Non-compliance
<b>ALLEYS</b>	
<p>ROW: 20 ft. Paving: 16 ft.</p> <p>*Alley/service drive easement required for commercial and multi-family properties.</p> <p>**Subdivision Ordinance: Section 134-106</p>	Non-compliance
<b>SETBACKS</b>	
<p>* Front:10 ft. or greater for easements, whichever is greater applies.</p> <p>Revisions needed:</p> <p>-Revise note as shown above prior to final.</p> <p>*Setbacks requirements subject to change once zoning requirements have been finalized. 25 ft. or greater for easement required for existing R-1 Zone, finalize prior to final.</p> <p>**Proposing:10 ft. or greater for easements.</p> <p>***Zoning Ordinance: Section 138-356</p>	Non-compliance
<p>* Rear :10 ft. or greater for easements, whichever is greater applies.</p> <p>-Revise note as shown above prior to final.</p> <p>**Proposing:10 ft. or greater for easements.</p> <p>***Zoning Ordinance: Section 138-356</p>	Non-compliance
<p>* Sides :In accordance with the zoning ordinance or greater for easements, whichever is greater applies.</p> <p>Revisions needed:</p> <p>-Revise note as shown above prior to final.</p> <p>**Proposing: In accordance with the zoning ordinance or greater for easements</p> <p>***Zoning Ordinance: Section 138-356</p>	Non-compliance
<p>* Corner:10 ft. or greater for easements, whichever is greater applies.</p> <p>-Revise note as shown above prior to final.</p> <p>**Proposing:10 ft. or greater for easements.</p> <p>***Zoning Ordinance: Section 138-356</p>	Non-compliance
<p>* Garage:18 ft. except where greater setback is required, greater setback applies.</p> <p>**Zoning Ordinance: Section 138-356</p>	Applied
<p>*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN</p>	Applied



SIDEWALKS	
<p>* 4 ft. wide minimum sidewalk required E. Yuma Avenue, N/S Collector, and both sides of interior streets.</p> <p>Revisions Needed:</p> <p>-Please revise plat note # 5 as shown above prior to final, note subject to change once ROW requirements have been established, finalize note wording prior to final.</p> <p>**Sidewalk requirements may increase to 5 ft. prior to final per Engineering Department requirements, finalize prior to final.</p> <p>***Subdivision Ordinance: Section 134-120</p> <p>* Perimeter sidewalks must be built or money escrowed if not built at this time.</p>	<p>Non-compliance</p> <p>Required</p>
BUFFERS	
<p>* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along E. Yuma Avenue and N/S Collector Street.</p> <p>Revisions Needed:</p> <p>-Please revise plat note #7 as shown above prior to final, note subject to change once ROW requirements have been established, finalize note wording prior to final.</p> <p>**Landscaping Ordinance: Section 110-46</p> <p>* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses .</p> <p>**Landscaping Ordinance: Section 110-46</p> <p>*Perimeter buffers must be built at time of Subdivision Improvements.</p>	Non-compliance
	Applied
	Required
NOTES	
<p>* No curb cut, access, or lot frontage permitted along E. Yuma Avenue and N/S Collector Street.</p> <p>Revisions Needed:</p> <p>-Please revise plat note #11 as shown above prior to final, note subject to change once ROW requirements have been established, finalize note wording prior to final.</p> <p>**Must comply with City Access Management Policy</p> <p>* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.</p> <p>**Any owner, builder or developer of a multiple-family, condominium or townhouse dwelling complex of five units or more on a single lot or parcel, or five single-family attached units, shall submit to the planning department for review a site and building plan for the proposed development, submit a site plan for staff review prior to final.</p> <p>***Zoning Ordinance: Section 138-210.</p> <p>* Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen.</p> <p>**Note subject to change once subdivision requirements have been finalized. Finalize prior to final.</p> <p>* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.</p> <p>* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.</p> <p>**Section 134-168 applies if private subdivision is proposed.</p> <p>***Section 110-72 applies if public subdivision is proposed.</p> <p>****Landscaping Ordinance: Section 110-72</p> <p>*****Subdivision Ordinance: Section 134-168</p>	Non-compliance
	Required
	Applied
	NA
	Required

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



<ul style="list-style-type: none"> <li>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</li> <li>**Homeowner's Association Covenants must be submitted for staff review, prior to recording.</li> <li>***Section 134-168 applies if private subdivision is proposed.</li> <li>****Section 110-72 applies if public subdivision is proposed.</li> <li>*****Landscaping Ordinance: Section 110-72</li> <li>*****Subdivision Ordinance: Section 134-168</li> </ul>	Required
<b>LOT REQUIREMENTS</b>	
<ul style="list-style-type: none"> <li>* Lots fronting public streets.</li> <li>Revisions Needed: <ul style="list-style-type: none"> <li>-Remnant of original tract exhibiting 30 ft. of frontage, review and revise as applicable as a non-conforming lot is being created. 50 ft. of frontage minimum required in the R-1(Single-Family Residential) District.</li> </ul> </li> <li>**Subdivision Ordinance: Section 134-1</li> </ul>	Non-compliance
<ul style="list-style-type: none"> <li>* Minimum lot width and lot area.</li> <li>Revisions Needed: <ul style="list-style-type: none"> <li>-Lot square footages must be included on plat prior to final.(Table or detail on lots is acceptable.)</li> <li>-Remnant of original tract exhibiting 30 ft. of frontage, review and revise as applicable as a non-conforming lot is being created. 50 ft. of frontage minimum required in the R-1(Single-Family Residential) District.</li> </ul> </li> <li>**Compliance with lot requirement to be determined once rezoning has been finalized.</li> <li>**Zoning Ordinance: Section 138-356</li> </ul>	Non-compliance
<b>ZONING/CUP</b>	
<ul style="list-style-type: none"> <li>* Existing:R-1(single-family)Residential District Proposed: R3-T(Townhouse residential) District</li> <li>Pending Items: <ul style="list-style-type: none"> <li>-Rezoning to R3-T scheduled for the Planning and Zoning Commission meeting of March 21, 2023 and City commission meeting of April 10, 2023.</li> </ul> </li> <li>***Zoning Ordinance: Article V</li> </ul>	Non-compliance
<ul style="list-style-type: none"> <li>* Rezoning Needed Before Final Approval</li> <li>Pending Items: <ul style="list-style-type: none"> <li>-Rezoning to R3-T scheduled for the Planning and Zoning Commission meeting of March 21, 2023 and City commission meeting of April 10, 2023.</li> </ul> </li> <li>***Zoning Ordinance: Article V</li> </ul>	Required
<b>PARKS</b>	
<ul style="list-style-type: none"> <li>* Land dedication in lieu of fee. Park Fee required at \$700 per lot/dwelling unit to be paid prior to recording, if land dedication is not applicable. Please clarify number of lots prior to final.</li> </ul>	TBD
<ul style="list-style-type: none"> <li>* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording if land dedication is not applicable. Please clarify number of lots prior to final.</li> </ul>	TBD
<ul style="list-style-type: none"> <li>* Pending review by City Managers Office. Once clarified if land dedication is applicable to this development ,a variance request must be submitted if requesting fees in lieu of land to be reviewed by the City Manager's office.</li> </ul>	TBD
<b>TRAFFIC</b>	
<ul style="list-style-type: none"> <li>* As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat.</li> </ul>	Non-compliance
<ul style="list-style-type: none"> <li>* Traffic Impact Analysis (TIA) required prior to final plat.</li> </ul>	TBD

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



COMMENTS	
<p>Comments:</p> <ul style="list-style-type: none"><li>-Must comply with City's Access Management Policy.</li><li>-Any abandonments must be done by separate process, not by plat.</li><li>-Rezoning process must be finalized before final plat approval.</li><li>-Engineer must verify if proposed subdivision is within appropriate zoning as it may prompt changes to plat and or rezoning process, review and finalize prior to final.</li><li>-Clarify if subdivision is proposed to be public or private, as additional requirements may be triggered.</li><li>-Clarify status of Remnant of original tract exhibiting 30 ft. of frontage.</li><li>-Clarify proposed zoning on application as it exhibits R-1 and R3-T.</li><li>-Clarify number of lots and lot labeling prior to final.</li><li>-As per Fire Department, Secondary access will be required.</li></ul>	Applied
RECOMMENDATION	
<p>Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBVISION IN PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED, DRAINAGE AND UTILITIES APPROVAL.</p>	Applied



JACKSON



Sub2023-0019



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

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

Project Description	Subdivision Name <u>Homewood Subdivision</u> Location <u>South East Corner of Ware Rd and U.S. 83 Bus McAllen TX 78504</u> City Address or Block Number <u>301 S. WARE RD</u> Number of lots <u>2</u> Gross acres <u>2.59</u> Net acres <u>2.27</u> Existing Zoning <u>C-3</u> Proposed <u>C-3</u> Rezoning Applied For <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____ Existing Land Use <u>Vacant</u> Proposed Land Use <u>Commercial</u> Irrigation District # <u>1</u> Residential Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Commercial Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> ETJ Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Agricultural Tax Exempt Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Estimated Rollback tax due <u>14,620.50</u> Parcel No. <u>204825</u> Tax Dept. Review <u>MP</u> Legal Description <u>2.59 acre tract of land more or less, out and forming a part of lot 7 &amp; 8, Kings highway subdivision</u>
Owner	Name <u>Victor Barrera</u> Phone <u>(956) 844-4553</u> Address <u>4813 NORTH TAYLOR Rd</u> City <u>Palmhurst</u> State <u>TX</u> Zip <u>78573</u> E-mail <u>barrera.barrera697@yahoo.com</u>
Developer	Name <u>same as above.</u> Phone _____ Address _____ City _____ State _____ Zip _____ Contact Person _____ E-mail _____
Engineer	Name <u>MAS Engineering</u> Phone <u>(956) 537-1311</u> Address <u>2911 North St Ste 11</u> City <u>McAllen</u> State <u>TX</u> Zip <u>78501</u> Contact Person <u>Mano Salinas</u> E-mail <u>msalinas6773@att.net</u>
Surveyor	Name <u>Salinas Engineering &amp; Associates</u> Phone <u>(956) 862-9081</u> Address <u>2221 Daffodil Ave</u> City <u>McAllen</u> State <u>TX</u> Zip <u>78501</u>

FEB 22 2023

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



## 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

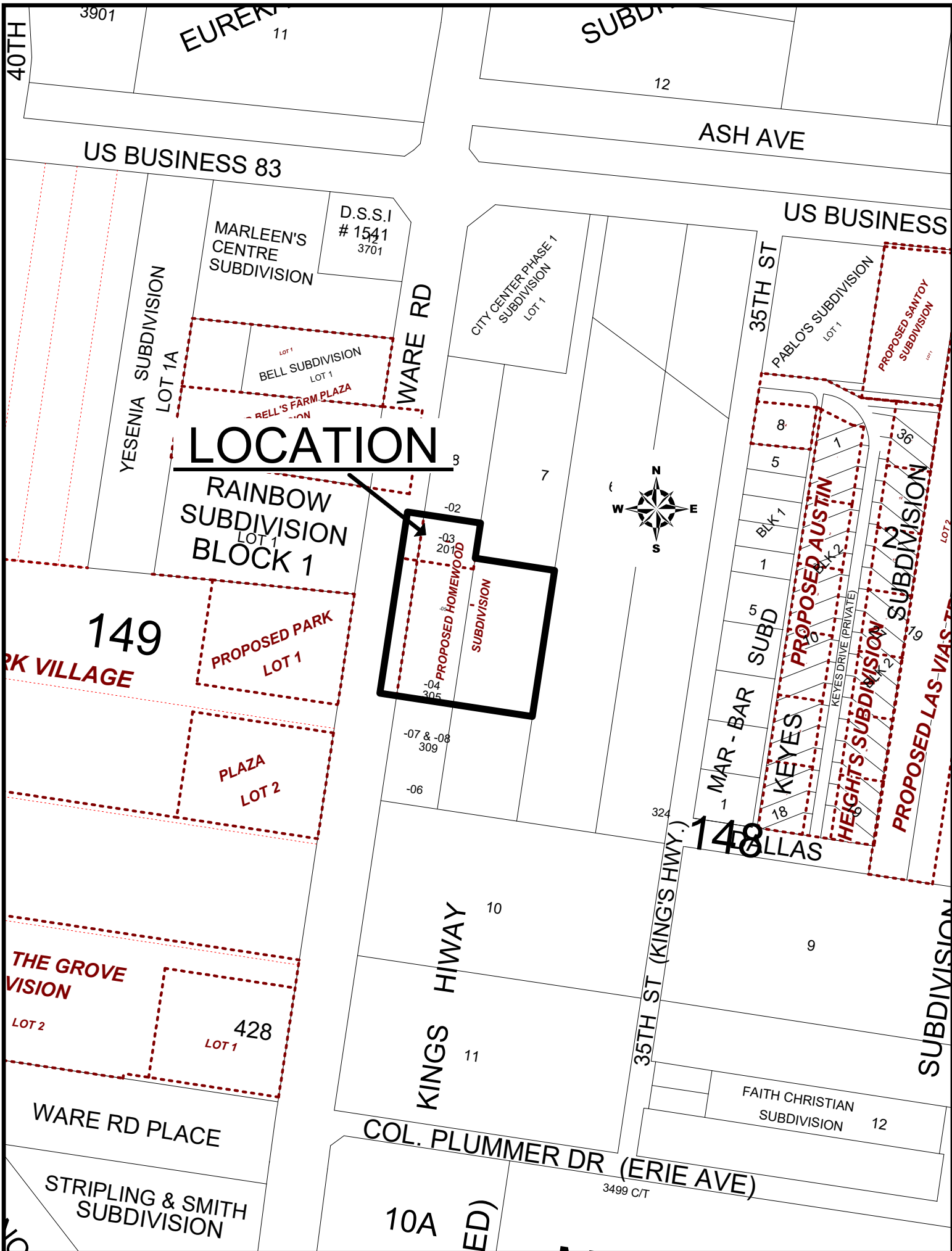
I certify that I am the actual owner of the property described above and (include corporate name if applicable); or I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

Signature VICTOR BARRERA Date 1/31/2023  
 Print Name VICTOR BARRERA

Owner ☒

Authorized Agent ☐





3901

EUREKA 11

SUBD 12

40TH

US BUSINESS 83

ASH AVE

MARLEEN'S CENTRE SUBDIVISION

D.S.S.I # 1541 3701

CITY CENTER PHASE 1 SUBDIVISION LOT 1

US BUSINESS

YESENIA SUBDIVISION LOT 1A

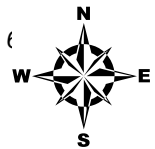
BELL SUBDIVISION LOT 1

BELL'S FARM PLAZA

WARE RD

LOCATION

RAINBOW SUBDIVISION BLOCK 1 LOT 1



149

PARK VILLAGE

PROPOSED PARK LOT 1

PLAZA LOT 2

PROPOSED HOMEWOOD SUBDIVISION

-07 & -08 309

-06

35TH ST

PABLO'S SUBDIVISION LOT 1

PROPOSED SANTOY SUBDIVISION

MAR - BAR SUBD

PROPOSED AUSTIN

KEYES DRIVE (PRIVATE)

HEIGHTS SUBDIVISION

PROPOSED LAS VIAS

SUBDIVISION

35TH ST (KING'S HWY.)

148

FAITH CHRISTIAN SUBDIVISION 12

COL. PLUMMER DR (ERIE AVE)

3499 C/T

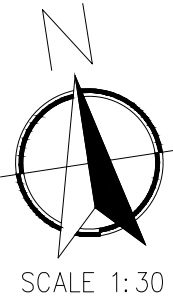
10A (ED)

WARE RD PLACE

STRIPLING & SMITH SUBDIVISION



MAP  
HOMEWOOD SUBDIVISION  
McALLEN, TEXAS



BEING A 2.59 GROSS ACRE TRACT OF LAND, MORE OR LESS, OUT OF AND FORMING A PART OF LOTS 7 AND 8, KINGS HIWAY SUBDIVISION, AN ADDITION TO THE CITY OF McALLEN, HIDALGO COUNTY, TEXAS, AS PER THE MAP OR PLAT THEREOF RECORDED IN VOLUME 03, PAGE 08, MAP RECORDS OF HIDALGO COUNTY, TEXAS,

ADJOINER:  
OWNER: SDDR LLC  
PROPERTY I.D. NO.: 204827  
KING'S HIGHWAY / N75'-S686.45' / LOT 8  
0.27AC. GR., 0.23AC. NET  
GENERAL WARRANTY DEED  
DOCUMENT NO. 1993485, H.C.D.R.

ADJOINER:  
OWNER: SOLLOA INVESTMENTS, LLC  
PROPERTY I.D. NO.: 204819  
KING'S HIGHWAY  
AN IRR. TR. N637'-W157.80' LOT 6 &  
N745.05' LOT 7 EXC. AN IRR. TR.  
N339.94'-W131.07' & S262.03'-N587.55' LOT 8  
5.16AC. NET  
SPECIAL WARRANTY DEED WITH VENDOR'S LIEN  
DOCUMENT NO. 2197625, H.C.D.R.

ADJOINER:  
OWNER: JOSE O. & CRISTINA C. BARRERA  
PROPERTY I.D. NO.: 204817  
KING'S HIGHWAY  
N1.0AC.-S5.0AC. LOTS 5 & 6  
0.95AC. NET  
WARRANTY DEED  
DOCUMENT NO. 946769, H.C.D.R.

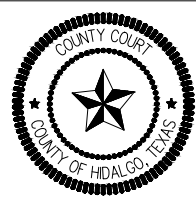
ADJOINER: 311.45'  
OWNER: ELIDA D. GUERRA  
PROPERTY I.D. NO.: 204820  
KING'S HIGHWAY  
N1.0AC.-S4.0AC. LOTS 5 & 6  
1.0AC. GR., 0.34AC. NET  
AFFIDAVIT OF HERSHIP  
DOCUMENT NO. 1808483, H.C.D.R.

ADJOINER:  
OWNER: SYLVIA ANGULO-MARTINEZ  
PROPERTY I.D. NO.: 204821  
KING'S HIGHWAY  
S0.75AC-N2.75AC-SSAC LOTS 5 & 6  
0.75AC. GR., 0.71AC. NET  
WARRANTY DEED WITH VENDOR'S LIEN  
DOCUMENT NO. 1202661, H.C.D.R.

ADJOINER:  
OWNER: SYLVIA ANGULO JANG  
PROPERTY I.D. NO.: 204822  
KING'S HIGHWAY  
S0.75AC-N3.50AC-SSAC LOTS 5 & 6  
0.75AC. GR., 0.71AC. NET  
QUITCLAIM DEED  
DOCUMENT NO. 2217818, H.C.D.R.

ADJOINER:  
OWNER: WARE FROUP, LLC, PROPERTY I.D. NO.: 204832  
KING'S HIGHWAY, N125'-S225' LTS 7 & 8, 0.83AC. GR., 0.76AC. NET  
SPECIAL WARRANTY DEED DOCUMENT NO. 1740165, H.C.D.R.

ADJOINER:  
OWNER: RAMON M. TORRES & OSVALDO URESTI SAENZ  
PROPERTY I.D. NO.: 204831  
KING'S HIGHWAY  
S100' OF LOT 7 & 8  
0.75AC. GR., 0.69AC. NET  
WARRANTY DEED  
DOCUMENT NO. UNDETERMINED, H.C.D.R.



FILED FOR RECORD IN  
HIDALGO COUNTY  
ARTURO GUARDO, JR.  
HIDALGO COUNTY CLERK  
ON: \_\_\_\_\_ AT \_\_\_\_\_ AM/PM  
INSTRUMENT NUMBER \_\_\_\_\_  
OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS  
BY: \_\_\_\_\_ DEPUTY

STATE OF TEXAS:  
COUNTY OF HIDALGO:

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

STATE OF TEXAS:  
COUNTY OF HIDALGO:

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED VICTOR BARRERA, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE (SHE) EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE DAY \_\_\_\_\_ OF \_\_\_\_\_, 20\_\_\_\_.

NOTARY PUBLIC

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

CHAIRMAN, PLANNING COMMISSION

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

MAYOR, CITY OF McALLEN

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

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

BY: RAUL SESIN, P.E. DISTRICT MANAGER

STATE OF TEXAS  
COUNTY OF HIDALGO

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

SALINAS ENGINEERING & ASSOCIATES  
CONSULTING ENGINEERS & SURVEYORS  
2221 DAFFODIL AVE.  
McALLEN, TEXAS 78501  
682-9081

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 CONSIDERATION HAS BEEN GIVEN TO THIS PLAT.

MARIO A. SALINAS  
LICENSED PROFESSIONAL ENGINEER # 96611  
3911 N. 10TH ST. STE H  
McALLEN, TEXAS, 78501

UNITED IRRIGATION DISTRICT

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

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

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

NOTES:

1.- MINIMUM BUILDING SETBACK LINES SHALL BE AS FOLLOWS:

- A) FRONT: S. WARE ROAD - 60 FEET OR GREATER FOR EASEMENT  
B) REAR= IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER FOR EASEMENTS  
C) SIDE= IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER FOR EASEMENTS  
D) GARAGE= 18 FEET EXCEPT WHERE GREATER SETBACK IS REQUIRED; GREATER SETBACK APPLIES

2.- THIS PROPERTY FALLS IN ZONE "C" OF THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 480343 0005 C, REVISED NOV. 2, 1982.  
FLOOD ZONE "C" IS DEFINED AS AREAS OF MINIMUM FLOODING.(NO SHADING)

3.- STORM WATER DETENTION OF 23,086 C.F. OR 0.53 AC-FT IS REQUIRED FOR THIS SUBDIVISION; 0.45 AC-FT OR 19,602 C.F. FOR LOT 1 AND 0.08 AC-FT OR 3,484 C.F. FOR LOT 2

4.- MINIMUM FINISH FLOOR ELEVATION SHALL BE 18 INCHES ABOVE TOP CENTERLINE OF PAVEMENT MEASURED AT FRONT CENTER OF EACH LOT.

5.- A 5.0 FEET WIDE SIDEWALK IS REQUIRED ALONG S. WARE RD.

6.- NO BUILDING SHALL BE CONSTRUCTED OVER ANY EASEMENT OR LOT LINE.

7.- 6.0 FOOT OPAQUE BUFFER IS REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, OR INDUSTRIAL ZONES/USES.

8.- CITY OF McALLEN BENCHMARK: MC76 IS LOCATED AT THE NORTH BOUND OF BUS. 83, 110 FT EAST FROM THE BC OF WARE RD. AND 5 FT. NORTH FROM THE BUS. 83. THE MONUMENT IS 22 FT. SOUTH FROM THE R.R. TRACK RUNNING EAST - WEST.

9.- OWNER IS REQUIRED TO PROVIDE AN ENGINEERED DRAINAGE DETENTION PLAN, APPROVED BY THE CITY OF McALLEN - ENGINEERING DEPARTMENT, PRIOR TO ISSUANCE OF BUILDING PERMITS.

10.- AN 8 FOOT MASONRY WALL IS REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL OR MULTI-FAMILY RESIDENTIAL ZONES/USES.

METES AND BOUNDS DESCRIPTION

BEING A 2.59 GROSS ACRE TRACT OF LAND, MORE OR LESS, OUT OF AND FORMING A PART OF LOTS 7 AND 8, KINGS HIWAY SUBDIVISION, AN ADDITION TO THE CITY OF McALLEN, HIDALGO COUNTY, TEXAS, AS PER THE MAP OR PLAT THEREOF RECORDED IN VOLUME 03, PAGE 08, MAP RECORDS OF HIDALGO COUNTY, TEXAS, AND, BEING ALL OF THOSE SAME LANDS AS DESCRIBED BY METES AND BOUNDS IN THAT CERTAIN WARRANTY DEED WITH VENDOR'S LIEN CONVEYANCE DATED MAY 17, 2016 FROM WIFRED S. PAWLK, INDIVIDUALLY AND AS TRUSTEE OF THE RESIDUARY TRUST UNDER THE WILL OF KANDEE R. PAWLK, DECEASED, UNTO VICTOR BARRERA, RECORDED IN DOCUMENT NO. 2173952, DEED RECORDS OF HIDALGO COUNTY, TEXAS; SAID 2.59 ACRE TRACT OF LAND IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 8 LOCATED IN AN ASPHALT SECTION OF THE NORTHBOUND LANE OF SOUTH WARE ROAD; THENCE, AS FOLLOWS:

NORTH 08 DEGREES 34 MINUTES 56 SECONDS EAST, COINCIDENT WITH THE WEST LINE OF SAID LOT 8, A DISTANCE OF 225.0 FEET TO A NAIL SET ON THE SOUTHWEST CORNER OF SAID 2.59 ACRE TRACT FOR THE SOUTHWEST CORNER AND POINT OF BEGINNING OF THIS HEREIN DESCRIBED TRACT;

- (1) THENCE, NORTH 08 DEGREES 34 MINUTES 56 SECONDS EAST, COINCIDENT WITH THE WEST LINE OF SAID LOT 8 AND THE WEST LINE OF SAID LOT 7, A DISTANCE OF 225.0 FEET TO A NAIL SET ON THE SOUTHWEST CORNER OF SAID 2.59 ACRE TRACT FOR THE SOUTHWEST CORNER OF THIS HEREIN DESCRIBED TRACT;
- (2) THENCE SOUTH 81 DEGREES 25 MINUTES 04 SECONDS EAST, COINCIDENT WITH THE MOST NORTHERN LINE OF SAID 2.59 ACRE TRACT, A DISTANCE OF 35.86 FEET PASS A 1/2 INCH DIAMETER IRON ROD WITH YELLOW CAP MARKED "SEA 5782" SET ON INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF SAID SOUTH WARE ROAD, AT A DISTANCE OF 155.60 FEET IN ALL TO A 1/2 INCH DIAMETER IRON ROD WITH YELLOW CAP MARKED "SEA 5782" SET ON THE MOST NORTH AND EASTERN CORNER OF SAID 2.59 ACRE TRACT AND LOCATED ON INTERSECTION WITH THE EAST LINE OF SAID LOT 8 SAME BEING THE WEST LINE OF SAID LOT 7 FOR THE NORTH AND EASTERN CORNER OF THIS HEREIN DESCRIBED TRACT;
- (3) THENCE SOUTH 08 DEGREES 34 MINUTES 56 SECONDS WEST, COINCIDENT WITH AN INSIDE EASTERN LINE OF SAID 2.59 ACRE TRACT AND BEING WITH THE EAST LINE OF SAID LOT 8 AND THE WEST LINE OF SAID LOT 7, A DISTANCE OF 75.0 FEET TO A 1/2 INCH DIAMETER IRON ROD WITH YELLOW CAP MARKED "SEA 5782" SET ON AN INSIDE NORTHERN CORNER OF SAID 2.59 ACRE TRACT FOR AN INSIDE NORTHERN CORNER OF THIS HEREIN DESCRIBED TRACT;
- (4) THENCE, SOUTH 81 DEGREES 25 MINUTES 04 SECONDS EAST, CONTINUING COINCIDENT WITH MOST SOUTHERN NORTH LINE OF SAID 2.59 ACRE TRACT, A DISTANCE OF 169.20 FEET TO A 1/2 INCH DIAMETER IRON ROD FOUND ON THE NORTHEAST CORNER OF SAID 2.59 ACRE TRACT LOCATED ON INTERSECTION WITH THE EAST LINE OF SAID LOT 7 AND THE WEST LINE OF LOT 6 OF SAID SUBDIVISION FOR THE NORTHEAST CORNER OF THIS HEREIN DESCRIBED TRACT;
- (5) THENCE, SOUTH 08 DEGREES 34 MINUTES 56 SECONDS WEST, COINCIDENT WITH THE EAST LINE OF SAID 2.59 ACRE TRACT AND BEING WITH THE EAST LINE OF SAID LOT 7 AND THE WEST LINE OF LOT 6 OF SAID SUBDIVISION, A DISTANCE OF 311.45 FEET TO A 1/2 INCH DIAMETER IRON ROD WITH YELLOW CAP MARKED "SEA 5782" SET ON THE SOUTHEAST CORNER OF SAID 2.59 ACRE TRACT FOR THE SOUTHEAST CORNER OF THIS HEREIN DESCRIBED TRACT;
- (6) THENCE, NORTH 81 DEGREES 25 MINUTES 04 SECONDS WEST, COINCIDENT WITH THE SOUTH LINE OF SAID 2.59 ACRE TRACT, A DISTANCE OF 169.20 FEET PASS THE WEST LINE OF SAID LOT 7 AND THE EAST LINE OF SAID LOT 8, AT A DISTANCE OF 288.94 FEET PASS A 1/2 INCH DIAMETER IRON ROD WITH YELLOW CAP MARKED "SEA 5782" SET ON INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF SAID SOUTH WARE ROAD, AT A DISTANCE OF 324.80 FEET IN ALL TO THE POINT OF BEGINNING, CONTAINING 2.59 GROSS ACRES OF LAND, MORE OR LESS, OF WHICH THE WEST 35.86 FEET (OR 0.32 ACRES, MORE OR LESS) ARE LOCATED WITHIN THE RIGHT-OF-WAY OF SAID SOUTH WARE ROAD, LEAVING 2.27 NET ACRES OF LAND, MORE OR LESS.

BASIS OF BEARING: WEST LINE OF SAID 2.59 ACRE TRACT AS DESCRIBED IN SAID DOCUMENT NO. 2713952, DEED RECORDS, H.C.T.

DATE OF PREPARATION: 6-28-2018

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

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

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

LA LOMI  
N145°E

LOT 1, BLOCK 1  
RAINBOW  
STORAGE UNITS  
VOL. 22, P.G. 9, H. C. M. R.

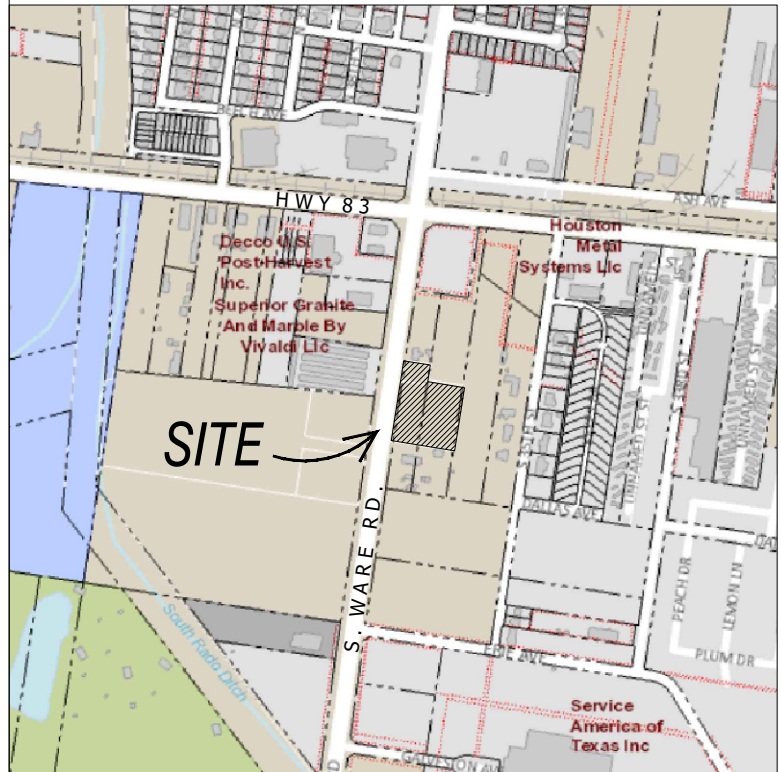
WEST R.O.W. LINE

SOUTH WARE ROAD  
(F.M. 2220)  
E (120.0' R.O.W.)

ADJOINER:  
OWNER: SOLLOA AND ASSOCIATES, LLC  
PROPERTY I.D. NO.: 703933  
LA LOMITA (HOTT) AN IRR. TR. N284.23'-S1092.60' LOT 149  
& AN IRR. TR. N284.23'-S1092.60'-E84.27' LOT 150  
7.69AC. GR., 7.15AC. NET  
SPECIAL WARRANTY DEED WITH VENDOR'S LIEN  
DOCUMENT NO. 2619204, H.C.D.R.



VICINITY MAP



P.O.B.

P.O.C.  
S.W.C. LOT 8  
N.W.C. LOT 10

SOUTHWEST CORNER  
LOT 7  
SOUTHEAST CORNER  
LOT 8





# City of McAllen

## SUBDIVISION PLAT REVIEW

Reviewed On: 3/3/2023

<b>SUBDIVISION NAME: HOMEWOOD</b>	
<b>REQUIREMENTS</b>	
<b>STREETS AND RIGHT-OF-WAYS</b>	
<p>S. Ware Road: 60 ft. from centerline for 120 ft. Total ROW.  Paving: by the state Curb &amp; gutter: by the state  Pending Items:  -Provide any documents regarding exiting dedications for review, to ensure compliance with ROW requirements, prior to final.  **Subdivision Ordinance: Section 134-105  **Monies must be escrowed if improvements are required prior to final  **COM Thoroughfare Plan</p>	Required
<p>Paving _____ Curb &amp; gutter _____  **Subdivision Ordinance: Section 134-105  **Monies must be escrowed if improvements are required prior to final  **COM Thoroughfare Plan</p>	Applied
<p>* 1,200 ft. Block Length.  **Subdivision Ordinance: Section 134-118</p>	Compliance
<p>* 900 ft. Block Length for R-3 Zone Districts.  **Subdivision Ordinance: Section 134-118</p>	NA
<p>* 600 ft. Maximum Cul-de-Sac .  **Subdivision Ordinance: Section 134-105</p>	NA
<b>ALLEYS</b>	
<p>ROW: 20 ft. Paving: 16 ft.  *Alley/service drive easement required for commercial properties and multi-family properties.  Revisions Needed:  -Provide for alley or service drive easement on the plat prior to final. Alley or service drive easement cannot dead-end.  **Subdivision Ordinance: Section 134-106</p>	Non-compliance
<b>SETBACKS</b>	
<p>*Front: In accordance with the Zoning Ordinance or greater for approved site plan or easements or inline with existing structures, whichever is greater applies.  Revisions Needed:  -Revise note as shown above prior to final.  **Proposed: S.Ware Road-60 feet or greater for easement.  ***Zoning Ordinance: Section 138-356</p>	Non-compliance
<p>*Rear: In accordance with the Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies.  Revisions Needed:  -Revise note as shown above prior to final.  **Proposed: In accordance with the Zoning Ordinance or greater for easements  ***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**



<p>* Sides: In accordance with the Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Revisions Needed: -Revise note as shown above prior to final. **Proposed: In accordance with the Zoning Ordinance or greater for easements ***Zoning Ordinance: Section 138-356</p> <p>* Corner: Interior Lot **Zoning Ordinance: Section 138-356</p> <p>* Garage: Commercial Development. Revision needed: -Remove note as it is a commercial development, garage note does not apply. **Zoning Ordinance: Section 138-356</p> <p>*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN</p>	Non-compliance
	NA
	Non-compliance
	Applied
<b>SIDEWALKS</b>	
<p>* 5 ft. wide minimum sidewalk required along South Ware Road(F.M. 2220). Revisions needed: -Add note as shown above, prior to final. **Sidewalk requirements as per Engineering Department requirements. **Subdivision Ordinance: Section 134-120</p> <p>* Perimeter sidewalks must be built or money escrowed if not built at this time.</p>	Non-compliance
	Required
<b>BUFFERS</b>	
<p>* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Revisions Needed: -Revise note#7 as shown above prior to final. **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>	Non-compliance
	Applied
	Required
<b>NOTES</b>	
<p>**Must comply with City Access Management Policy.</p> <p>* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.</p> <p>* Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. 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.</p> <p>* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.</p>	Applied
	Required
	Non-compliance
	Applied



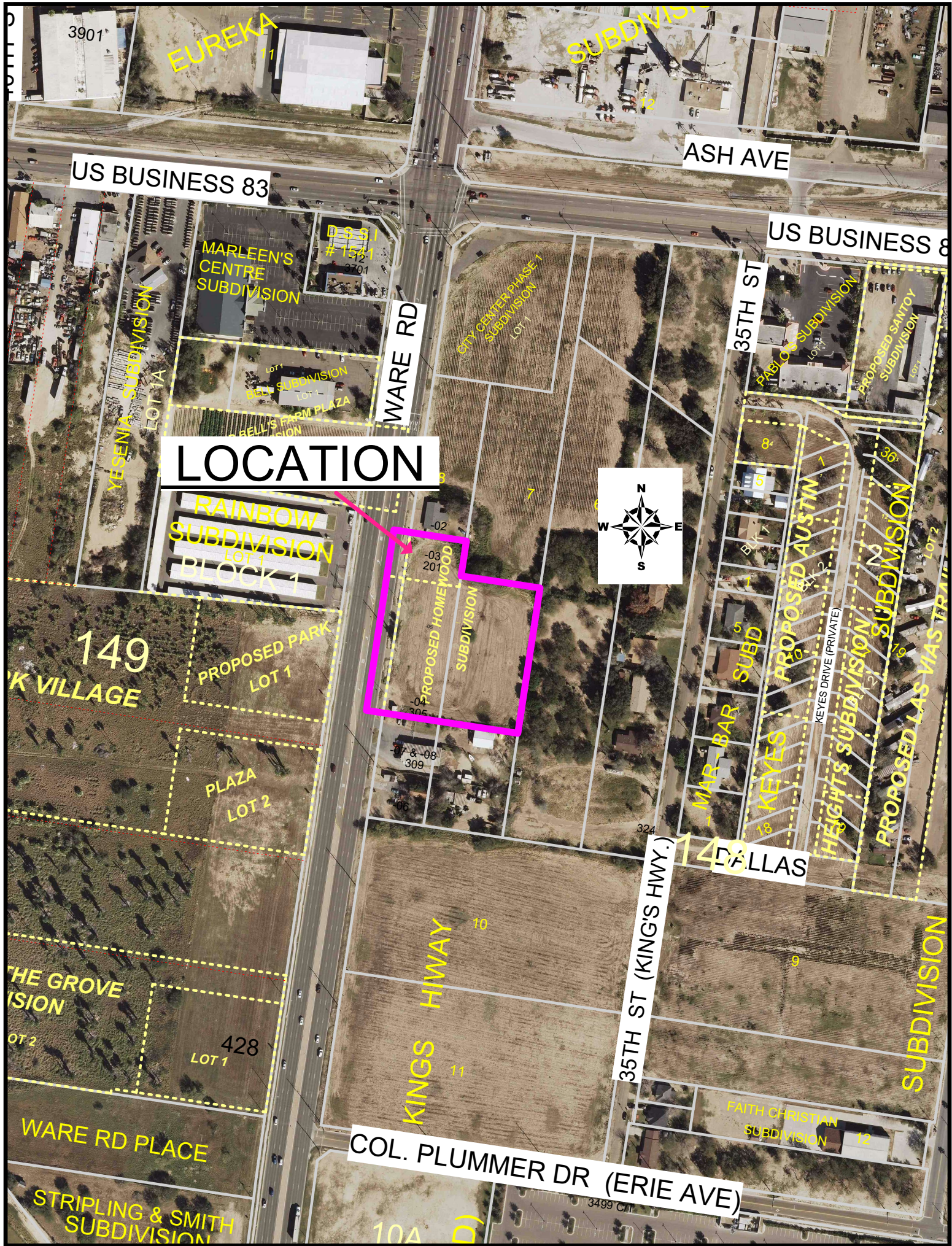
<ul style="list-style-type: none"> <li>* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.</li> <li>**Section 110-72 applies if subdivision is proposed to be public.</li> <li>**Landscaping Ordinance: Section 110-72</li> <li>**Subdivision Ordinance: Section 134-168</li> <li>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</li> <li>**Homeowner's Association Covenants must be submitted for staff review, prior to recording.</li> <li>***Section 134-168 applies if private subdivision is proposed.</li> <li>****Section 110-72 applies if public subdivision is proposed.</li> <li>*****Landscaping Ordinance: Section 110-72</li> <li>*****Subdivision Ordinance: Section 134-168</li> </ul>	NA
	NA
<b>LOT REQUIREMENTS</b>	
<ul style="list-style-type: none"> <li>* Lots fronting public streets.</li> <li>**Subdivision Ordinance: Section 134-1</li> <li>* Minimum lot width and lot area.</li> <li>Revisions Needed:</li> <li>-Lot square footages must be included on plat prior to final.(Table or detail on lots is acceptable.)</li> <li>**Zoning Ordinance: Section 138-356</li> </ul>	Compliance
	Non-compliance
<b>ZONING/CUP</b>	
<ul style="list-style-type: none"> <li>* Existing:C-3 (General Business)/C-4 (Commercial Industrial) District District Proposed:C-3 (General Business) District/C-4 (Commercial Industrial) District</li> <li>**Engineer must verify if proposed subdivision is within appropriate zoning as it may prompt changes to plat and or rezoning process, review and finalize prior to final.</li> <li>***As per application dated February 22,2023 proposed land use is commercial, please review intended use as it may require a conditional use permit.</li> <li>****Zoning Ordinance: Article V</li> <li>* Rezoning Needed Before Final Approval</li> <li>***Zoning Ordinance: Article V</li> </ul>	Applied
	NA
<b>PARKS</b>	
<ul style="list-style-type: none"> <li>* Land dedication in lieu of fee. As per application dated February 22,2023 proposed land use is commercial, commercial developments do not apply to Parks</li> <li>* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per application dated February 22,2023 proposed land use is commercial, commercial developments do not apply to Parks</li> <li>* Pending review by the City Manager's Office. As per application dated February 22,2023 proposed land use is commercial, commercial developments do not apply to Parks</li> </ul>	NA
	NA
	NA
<b>TRAFFIC</b>	
<ul style="list-style-type: none"> <li>* As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat.</li> <li>* Traffic Impact Analysis (TIA) required prior to final plat.</li> </ul>	Required
	TBD

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

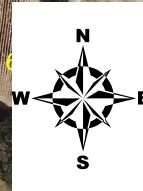


COMMENTS	
<p>Comments:</p> <ul style="list-style-type: none"><li>-Must comply with City's Access Management Policy.</li><li>-Any abandonments must be done by separate process, not by plat.</li><li>-Engineer must verify if proposed subdivision is within appropriate zoning as it may prompt changes to plat and or rezoning process, review and finalize prior to final.</li></ul>	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED, DRAINAGE AND UTILITIES APPROVALS.	Applied





LOCATION



COL. PLUMMER DR (ERIE AVE)

35TH ST (KING'S HWY.)

148 DALLAS

KINGS HWY

US BUSINESS 83

ASH AVE

US BUSINESS 8

35TH ST

YERENA SUBDIVISION

MARLEEN'S CENTRE SUBDIVISION

DESIGN #1561

WARE RD

CITY CENTER PHASE 1 SUBDIVISION

PABLO SUBDIVISION

PROPOSED SANTOY SUBDIVISION

RAINBOW SUBDIVISION BLOCK 1

149 K VILLAGE

PROPOSED PARK LOT 1

PLAZA LOT 2

PROPOSED HOMEWOOD SUBDIVISION

MAR BAR SUBD

PROPOSED AUSTIN

KEYES DRIVE (PRIVATE)

HEIGHTS SUBDIVISION

PROPOSED LAS VIAS TRAIL SUBDIVISION

THE GROVE SUBDIVISION

428 LOT 1

WARE RD PLACE

STRIPLING & SMITH SUBDIVISION

FAITH CHRISTIAN SUBDIVISION



Sub 2023-0017

# City of McAllen

## Planning Department

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

Project Information	Subdivision Name <u>Maebelle Estates Subdivision</u>	
	Location <u>500-ft South of Moorefield/Monte Cristo Intersection</u>	
	City Address or Block Number <u>11201 N. MOOREFIELD RD</u>	
	Number of Lots <u>1</u> Gross Acres <u>2.97</u> Net Acres <u>2.95</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 type="checkbox"/> No Date _____	
	Existing Land Use <u>Residential</u> Proposed Land Use <u>Residential</u> Irrigation District # <u>HCID 6</u>	
	Replat <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Commercial _____ Residential <input checked="" type="checkbox"/> x	
	Agricultural Exemption <input type="checkbox"/> Yes <input type="checkbox"/> No Estimated Rollback Tax Due <u>0</u>	
	Parcel # <u>210028</u> Tax Dept. Review <u>[Signature]</u>	
	Water CCN <input type="checkbox"/> MPU <input checked="" type="checkbox"/> Sharyland Water SC Other _____	
Legal Description <u>A 2.97-Acre Tract of land, more or less, out of Lot 119, Block 3, La Homa Ranch Subdivision, as per map or plat thereof recorded in Volume 8, Page 155, Map Records in the Office of the County Clerk of Hidalgo County, Texas. MM</u>		
Owner	Name	<u>Onesimo Guerrero &amp; Griselda Gutierrez</u> Phone _____
	Address	<u>11189 N Moorefield Rd</u> E-mail _____
	City	<u>Mission</u> State <u>TX</u> Zip <u>78572</u>
Developer	Name	_____ Phone _____
	Address	_____ E-mail _____
	City	_____ State _____ Zip _____
	Contact Person	_____
Engineer	Name	<u>M2 Engineering, PLLC</u> Phone <u>956-600-8628</u>
	Address	<u>1810 E. Griffin Parkway</u> E-mail <u>hector@m2-engineers.com</u>
	City	<u>Mission</u> State <u>TX</u> Zip <u>78572</u>
	Contact Person	<u>Hector Moreno</u>
Surveyor	Name	<u>Homero L. Gutierrez</u> Phone _____
	Address	<u>P.O Box 548</u> E-mail _____
	City	<u>McAllen</u> State <u>TX</u> Zip <u>78505</u>

FEB 20 2023

CW



## Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

### In Person Submittal Requirements

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

### Email Submittal Requirements

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

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

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

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

### **PLAT TO SHOW:**

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

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

Owners Signature

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

Signature  Date 2-17-23

Print Name Emigdio Salinas, PE

Owner ☐ Authorized Agent ☒

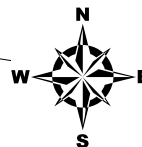
The Planning Department is now accepting DocuSign signatures on application





LOCATION

PROPOSED MAEBELLE  
SUBDIVISION



N MOOREFIELD RD

MONTE CRISTO









# City of McAllen

## SUBDIVISION PLAT REVIEW

Reviewed On: 3/3/2023

### SUBDIVISION NAME: MAEBELLE ESTATES

#### REQUIREMENTS

#### STREETS AND RIGHT-OF-WAYS

N. Moorefield Road (FM 681): Dedication as required for 60 ft. from centerline for 120 ft. total ROW

Paving: by the State Curb & gutter: by the State

Revisions as needed:

- Correct the name of the street to "N. Moorefield Road"
- Please reference and submit documents for the existing ROW dedication.
- Show and label centerline and show how much ROW exists on both sides of the centerline.
- Dedication must be finalized once the centerline is established.
- Show and label ROW from centerline after the dedication.
- If 100 ft. is the existing ROW, please label it as existing ROW.
- There is an 8.00' Utility Easement shown on the submitted survey which is not shown on the plat. Please clarify type of easement and how it was dedicated and provide the document.
- Utility Easement may not overlap the street ROW. Any abandonment must be done by separate document and referenced on plat.
- Please finalize R.O.W requirements once centerline is established prior to final.

\*\*Subdivision Ordinance: Section 134-105

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

\*\*COM Thoroughfare Plan

N/S Collector (west boundary): Dedication as required for 30-40 ft. of ROW dedication from the centerline for 60-80 ft. total ROW

Paving: TBD Curb & gutter: both sides

\*\*Staff is reviewing additional Collectors as may be required.

\*\*Subdivision Ordinance: Section 134-105

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

\*\*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

Non-compliance

TBD

NA

Compliance

NA

NA

#### ALLEYS

ROW: 20 ft. Paving: 16 ft.

\*Alley/service drive easement required for commercial properties. The property is proposed to be residential, if changes, alley may be required.

\*\*Subdivision Ordinance: Section 134-106

NA

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



SETBACKS	
* Front: 45 ft. or greater for easements - If the County's setback requirement is higher, the greater will apply. Please clarify for all setbacks prior to final. **Zoning Ordinance: Section 138-356	Non-compliance
* Rear: 10 ft. or greater for easements **Zoning Ordinance: Section 138-356	Non-compliance
* Sides: 6 ft. or greater for easements **Zoning Ordinance: Section 138-356	Non-compliance
* Corner _____ **Zoning Ordinance: Section 138-356	NA
* Garage: 18 ft. except where greater setback is required; greater setback applies **Zoning Ordinance: Section 138-356	Non-compliance
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
SIDEWALKS	
* 4 ft. wide minimum sidewalk required on N. Moorefield Road (FM 681). 4 ft. wide minimum sidewalk will be required on collector street if applicable. Additional sidewalks applicable if additional street is needed prior to final. *Engineering Department may require 5 ft. sidewalk. **Subdivision Ordinance: Section 134-120	Applied
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Applied
BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. - Please correct the plat note as shown above prior to final. **Landscaping Ordinance: Section 110-46	Non-compliance
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. - Please add the plat note as shown above prior to final. **Landscaping Ordinance: Section 110-46	Non-compliance
*Perimeter buffers must be built at time of Subdivision Improvements. However, it's not a required plat note and needs to be removed from plat note #6.	Non-compliance
NOTES	
* No curb cut, access, or lot frontage permitted along _____ **Must comply with City Access Management Policy	NA
* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.	NA
* Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen.	Applied
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	NA



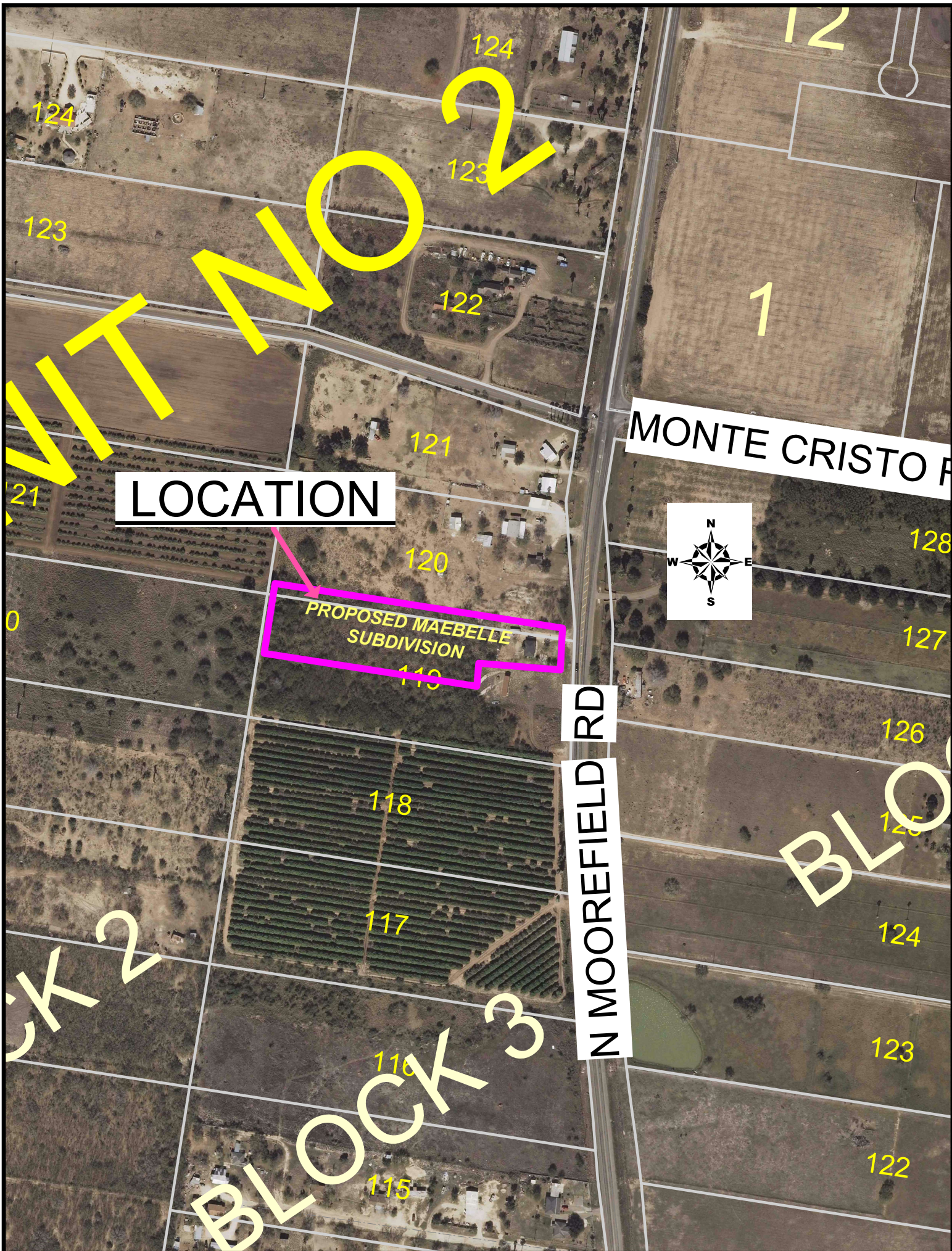
<ul style="list-style-type: none"> <li>* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.</li> <li>**Section 134-168 applies if private subdivision is proposed.</li> <li>**Landscaping Ordinance: Section 110-72</li> <li>**Subdivision Ordinance: Section 134-168</li> </ul>	NA
<ul style="list-style-type: none"> <li>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</li> <li>**Section 134-168 applies if private subdivision is proposed.</li> <li>**Landscaping Ordinance: Section 110-72</li> <li>**Subdivision Ordinance: Section 134-168</li> </ul>	NA
<b>LOT REQUIREMENTS</b>	
<ul style="list-style-type: none"> <li>* Lots fronting public streets: N. Moorefiled Road</li> <li>**Subdivision Ordinance: Section 134-1</li> </ul>	Compliance
<ul style="list-style-type: none"> <li>* Minimum lot width and lot area</li> <li>**Zoning Ordinance: Section 138-356</li> </ul>	Compliance
<b>ZONING/CUP</b>	
<ul style="list-style-type: none"> <li>* Existing: ETJ Proposed: ETJ (residential)</li> <li>***Zoning Ordinance: Article V</li> </ul>	Applied
<ul style="list-style-type: none"> <li>* Rezoning Needed Before Final Approval</li> <li>***Zoning Ordinance: Article V</li> </ul>	NA
<b>PARKS</b>	
<ul style="list-style-type: none"> <li>* Land dedication in lieu of fee. The proposed subdivision is outside the City limits; therefore, park fees do not apply unless it is annexed.</li> </ul>	NA
<ul style="list-style-type: none"> <li>* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording (if annexed). The proposed subdivision is outside the City limits; therefore, park fees do not apply, unless it is annexed.</li> </ul>	NA
<ul style="list-style-type: none"> <li>* Review by City Management office for park fees is not required, unless it is annexed.</li> </ul>	NA
<b>TRAFFIC</b>	
<ul style="list-style-type: none"> <li>* As per Traffic Department, Trip Generation is not required for one single-family lot.</li> </ul>	NA
<ul style="list-style-type: none"> <li>* Traffic Impact Analysis (TIA) required prior to final plat.</li> </ul>	NA
<b>COMMENTS</b>	
<p>Comments:</p> <ul style="list-style-type: none"> <li>- Submit ownership map of the surrounding properties assuring no adjacent properties will be landlocked. Additional Streets may be requires prior to final, based on surrounding properties/ownership map.</li> <li>* All comments must be addressed prior to final.</li> <li>* Any abandonment must be done by separate document and referenced on plat.</li> <li>* Must comply with City's Access Management Policy.</li> <li>* Must comply with other requirements, as may be applicable, prior to final.</li> </ul>	Non-compliance

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



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





LOCATION

PROPOSED MAEBELLE  
SUBDIVISION

MONTE CRISTO



N MOOREFIELD RD

BLOCK 2

BLO



P	PRESENT
A	ABSENT
MC	MEETING CANCELLED
LQ	LACK OF QUORUM

## 2023 ATTENDANCE RECORD FOR PLANNING AND ZONING COMMISSION MEETINGS

[illegible]

## 2023 ATTENDANCE RECORD FOR PLANNING AND ZONING COMMISSION WORKSHOPS

[illegible]









# PLANNING DEPARTMENT

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



## 2023 CALENDAR

### Meetings:





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

### Deadlines:





D- Zoning/CUP Application      N - Public Notification

\* **Holiday** - Office is closed





### JANUARY 2023

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





### FEBRUARY 2023

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





### MARCH 2023

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





### APRIL 2023

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

### MAY 2023

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

### JUNE 2023



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

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



## 2023 CALENDAR








### Meetings:

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









### Deadlines:

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









### JULY 2023

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









### AUGUST 2023

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










### SEPTEMBER 2023

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






### OCTOBER 2023

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

### NOVEMBER 2023

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

### DECEMBER 2023

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