

AGENDA

PLANNING & ZONING COMMISSION REGULAR MEETING WEDNESDAY, SEPTEMBER 7, 2022 - 3:30 PM MCALLEN CITY HALL, 1300 HOUSTON AVENUE CITY COMMISSION CHAMBERS, 3RD FLOOR

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

CALL TO ORDER -

PLEDGE OF ALLEGIANCE -

INVOCATION -

1) MINUTES:

- a) Minutes from the meeting held August 16, 2022

2) PUBLIC HEARING

a) CONDITIONAL USE PERMITS:

1. Request of John A. Simon, for a Conditional Use Permit, for one year, for a Bar at Lot 23, Continental Trade Center Subdivision, Hidalgo County, Texas; 2007 Orchid Avenue. **(CUP2022-0115)**
2. Request of Yair Cruz for a Conditional Use Permit, for one year, and adoption of an ordinance for an Event Center at East 91.2 feet of Lot 1, Lot 2 and South 30.57 feet of Lot 3, Block 2, Excluding the South 16 feet, West 48.8 feet of Lot 2, McAllen Addition Subdivision, Hidalgo County, Texas; 1100 Austin Avenue. **(CUP2022-0119)**
3. Request of Vincent G. Huebinger on behalf of SBA Communications, for a Conditional Use Permit, for life of the use, and adoption of an ordinance, for a personal wireless service facility, at a 750 sq. ft. lease area and a 20 feet wide access and utility easement out of Lot 4, Block 3 (Railroad Right of Way), Steele and Pershing Subdivision, Hidalgo County, Texas; 151 East Trenton Road. **(CUP2022-0113)**
4. Request of Javier Hernandez on behalf of Pendulum Development Inc. for a Conditional Use Permit, for one year, and adoption of an ordinance, for an Event Center at Lots 7 and 8, Block 45, North McAllen Addition, Hidalgo County, Texas, 220 North Main Street. **(CUP2022-0120)**
5. Request of Ricardo Vega and Melinda V. Vega on behalf of Maddie's Pumpkin Patch, for a Conditional Use Permit, for one year, and adoption of an ordinance, for an Event Center (Picture Venue) at 4.983 acres out of Lot 78, La Lomita Irrigation

and Construction Company Subdivision, Hidalgo County, Texas; 6712 North Bentsen Road. **(CUP2022-0117)**

6. Request of Shawn M. Mendiola on behalf of Stick Lizards Bar and Grill for a Conditional Use Permit, for one year, and adoption of an ordinance for a bar and grill at Lot 25 and the West ½ of Lot 26, Gartman's Subdivision, Hidalgo County, Texas; 1113 Upas Avenue. **(CUP2022-0118)**

b) SUBDIVISIONS:

1. Nolana Town Center Phase II, Lots 1A, 2A, & 3A, 1124 East Nolana Avenue, Texas Community Bank **(SUB2022-0029)(FINAL)SEC**

3) SITE PLAN:

- a) Site plan approval for LOT 1, Rolando Gomez Properties 1 Subdivision, Hidalgo County, Texas; 3224 Buddy Owens Boulevard. **(SPR2019-0009)**
- b) Site Plan approval for LOT 2, Rolando Gomez Properties 1 Subdivision, Hidalgo County, Texas; 3228 Buddy Owens Boulevard. **(SPR2022-0039)**
- c) Site plan approval for LOT 1, TNB 3 Subdivision, Hidalgo County, Texas; 6901 North 10th Street. **(SPR2022-0027)**

4) CONSENT:

- a) Villas de Allende Subdivision, 1600 North Taylor Road, DG and GG Investments, LLC **(SUB2021-0033)(REVISED FINAL)(Previously Approved as Taylor View)SEC**
- b) Nolana Retail Subdivision, 1300 East Nolana Avenue, South Padre Retail Center LTD **(SUB2020-0036)(REVISED FINAL)AEC**
- c) Chaises De Jardin Subdivision, 2501 Rusell Road, Jane Cross **(SUB2022-0099)(FINAL)MDCE**
- d) Frontera Forest Subdivision, 1721 Frontera Road, Robert H. Crane **(SUB2022-0096)(FINAL)CH**

5) SUBDIVISIONS:

- a) Park Terrace Subdivision, 3601 North Jackson Road, Domain Development Corp. **(SUB2021-0114)(REVISED FINAL)M&H**
- b) Depot Estates Subdivision, 7008 North 23rd Street, Rainbow Falls Properties, LLC **(SUB2021-0012)(FINAL)M&H**
- c) Rancho Subdivision Lots 31A, 31B, and Lots 33A, 33B, 5311 South 28th Street, Viridiana Suchil **(SUB2022-0098)(PRELIM)SE**
- d) San Felipe on Northgate Lane Subdivision, 400 Northgate Lane, Fortis Land Holdings, LLC **(SUB2022-0094)(PRELIM)RDE**

- e) Hidalgo County Head Start Outdoor Learning Environments and Discovery Classrooms Subdivision, 1901 State Hwy 107, Hidalgo County **(SUB2022-0102)(FINAL)HCDD1**
- f) Fortis Plaza Las Fuentes Subdivision, 5700 North 10th Street, Fortis Land Holdings, LLC and El Pistalon, LLP **(SUB2022-0093)(PRELIM)RDE**
- g) Matias Estates Subdivision, 11600 North Rooth Road, Matias Gonzalez **(SUB2022-0097)(PRELIM)SE**

6) INFORMATION ONLY:

- a) City Commission Actions: August 22, 2022

ADJOURNMENT:

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

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF McAllen

The McAllen Planning and Zoning Commission convened in a Regular Meeting on Wednesday, August 16, 2022, at 3:30p.m. in the McAllen City Hall, 3rd Floor Commission Chambers Room, 1300 Houston Avenue, McAllen, Texas.

Present:	Michael Fallek Gabriel Kamel Jose Saldana Emilio Santos Jr. Marco Suarez	Chairperson Vice-Chairperson Member Member Member
Absent:	Erica De La Garza-Lopez Rudy Elizondo	Member Member
Staff Present:	Austin Stevenson Michelle Rivera Edgar Garcia Beto Dela Garza Omar Sotelo Liliana Garza Mario Escamilla Marco Rivera Samuel Nunez Samantha Trevino Porfirio Hernandez Jacob Salazar Magda Ramirez	Assistant City Attorney II Assistant City Manager Planning Director Development Coordinator Senior Planner Planner III Planner III Planner I Planner I Planner I Planner Technician I Planner Technician I Administrative Assistant

CALL TO ORDER - Chairperson Mr. Michael Fallek

PLEDGE OF ALLEGIANCE

INVOCATION- Marco Suarez

1) MINUTES:

- a) Minutes for the meeting held on August 2, 2022.

The minutes for the regular meeting held in August 2, 2022 was approved as submitted by Mr. Marco Suarez. Seconding the motion was Vice Chairperson Mr. Gabriel Kamel which carried unanimously with 4 members present and voting.

2) PUBLIC HEARING:

a) CONDITIONAL USE PERMITS

- 1) Request of Boggus MS Properties LLC on behalf of Caliber Collision, for a Conditional Use Permit, for life of the use, for automotive service and repair (auto body repair facility) at Lots 13-16, Whalen's Acres Subdivision, Hidalgo County, Texas; 300 South Whalen Road. **(CUP2022-0103).**

Ms. Samantha Trevino stated that the property is located along the west side of Whalen road between US Business 83 and Dallas Avenue. It is zoned C-3 (general business) District. The adjacent zoning is also C-3 (general business) District in all directions. An automotive service and repair business is allowed in a C-3 District with a Conditional Use Permit and in compliance with requirements.

This is an existing business but a change in tenant for this building requires a new Conditional Use Permit.

The applicant is proposing to use the building as an auto body shop repair facility leased to Caliber Collision. This building already exists and is currently used for auto repair services run by Boggus.

There has been no calls in opposition of the Conditional Use Permit request.

Fire Department inspection has been completed. 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. The applicant indicated that there would be no outside storage including vehicles
- 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 a C-3 district and a R-3C to the south west.
- 5) A 6 ft. opaque fence buffered the proposed use from any residential use or residentially zoned area is required. There is an existing chain link fence.
- 6) New buildings and conversions of existing buildings shall meet current building and fire code requirements concerning separation of high hazard uses from other occupancy use classifications.

Staff recommends approval of the Conditional Use Permit request since it is an established business.

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

Being no discussion, Mr. Marco Suarez moved to approve. Vice Chairperson Mr. Gabriel Kamel seconded the motion, which was approved with 4 members present and voting.

- Mr. Jose Saldana entered the meeting at 3:32p.m. He started his vote on item 2a2.

2) Request of Mayre Hernandez, for a Conditional Use Permit, for one year, for a Home Occupation (hair studio) at Lot 14, Janice Addition, Hidalgo County, Texas; 1818 North 12th Street. (CUP2022-0108)

Ms. Samantha Trevino stated that the property is located at the southeast corner of Sycamore Avenue, and North 12th street. The property is zoned R-1 (single family residential) District. The adjacent zoning is R-1 district in all directions. Surrounding land uses include single-family residences. A home occupation is permitted in the R-1 district with a Conditional Use Permit and in compliance with requirements.

This is the initial proposal for a Conditional Use Permit for the use of a hair salon at that location

The applicant is proposing to operate a hair salon from an approximately 107 sq. ft. area of the existing 1,266 sq. ft residence. The proposed hours of operation are Monday- Saturday from 10:00 AM- 7:00 PM. The applicant stated that she will have one employee. The staff verified the ownership of the property.

Staff received several calls in opposition of the Conditional Use Permit request for proposed hair salon. Residents are concerned with parking and the use of the home, and feel like this addition to the neighborhood would not be beneficial in any way.

Should the conditional use permit be approved, the applicant would be required to sign the certificate acknowledging and agreeing to the conditions of the permit. The occupation may not be operational until the issuance of the certificate. The Fire Department and the Health Department have inspected the building, and inspections were satisfactory. The business must comply with requirements set forth in Section 138-118(1) of the Zoning Ordinance and the specific requirements are as follows:

- 1) The home occupation must be clearly secondary to the residential use;
- 2) No signs are permitted. No sign is proposed or installed;
- 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.
- 5) There shall be no outside storage of materials or products. The applicant does not propose any outside storage;
- 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 within the hours of 10 AM. and 7 PM.;

7) No retail sales (items can be delivered). The applicant did not propose any retail sales from home;

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

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

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

Staff recommends approval of the request, for one year, subject to compliance with the requirements in Section 138-118(1) of the Zoning Ordinance and Fire Department requirements.

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

Citizen Mr. Juan Ramos who resides at 1801 North 12th Street spoke in behalf of concerned citizens regarding parking issues. Applicant, Ms. Mayra Hernandez, did speak on her behalf regarding the issues that she has been confronting with neighbors and did state she will respect the parking area of her neighbors. She is aware that if she is not in compliance with the conditions noted, the permit may be revoked at any time.

After a lengthy discussion, Vice Chairperson Mr. Gabriel Kamel moved to approve. Ms. Erica De La Garza seconded the motion, which was approved with four members present and voting and one member, Mr. Marco Suarez, voting against.

- 3) Request of Ramon R. Martinez for a Conditional Use Permit, for one year, for a food truck park at Lot 1, Valley Salvage Center Subdivision, Hidalgo County, Texas; 701 East Highway 83 (CUP2022-0107)**

Mr. Samuel Nunez stated that the subject property is located north of East Highway 83 on the corner of North McColl Road and East Beech Avenue. The subject property is zoned L-1 (light industrial) District. The adjacent zones to the south, east, and across McColl Road to the West, are also L-1 District, with a C-4 (commercial industrial) District across East Beech Avenue to the north. A food truck park is a permitted use under an L-1 District, subject to compliance to a Conditional Use Permit's requirements.

The applicant is proposing to operate a food truck park on the subject property (which currently serves as a parking lot area). This is the initial application for such use at this location. According to the applicant, 150 parking spaces (not including spaces for food trucks and tables) will be available on the subject property for the general public. The food truck park's proposed days and hours of operation would be 8:00 AM to 12:00 AM Monday through Sunday.

The Fire and Health Departments have completed their inspections and found no violations.

The food truck park and its vendors must comply with the requirements set forth in Section 54-51 of the Zoning Ordinance for mobile food vendors and the following specific requirements:

- 1) The property line of the lot must be at least 200 feet from the nearest residence or residentially zoned property;
- 2) The name, address, phone number and email address of a contact person who shall be available 24 hours per day, 7 days per week for the purposes of responding to complaints regarding the operation of the mobile food vendor court;
- 3) Mobile food vendor courts shall not operate between the hours of 2:00 AM and 7:00 AM;
- 4) Each mobile food vendor court shall provide access to a restroom on or within 600 feet of the property lines of the track of land on which it is situated;
- 5) Mobile food vendor courts must provide one (1) garbage receptacle, to hold a minimum of thirteen (13) gallons, per each vendor located on premises for public use. This requirement is in addition to the receptacles required of each individual vendor;
- 6) Mobile food trucks may not be placed or parking on unimproved surfaces;
- 7) Adequate lighting, as determined by the Health Director, to enable clear and unobstructed visibility of mobile food vendors and patrons shall be provided at all entrances and exits of the mobile food vendor court;
- 8) Mobile food vendor courts shall provide on-premise parking areas sufficient to accommodate staffing needs and seating areas.

The Planning Department has not received any phone calls, emails, or letters in opposition of the Conditional Use Permit request.

Staff recommends approval of the Conditional Use Permit request subject to compliance with the above mentioned requirements.

Chairperson Mr. Michael Fallek asked if there was anyone present in opposition of the proposed conditional use permit. There was none. There were no oppositions but citizen Mr. Fred Harms, 3700 N. 10th Street, stated that he is concerned about the abundance of food trucks that are opening up throughout the city and wanted to know what can he do to change city ordinances. Chairperson Mr. Michael Fallek did advise Mr. Harms that he would need to speak to a higher board, City Commission since the Planning and Zoning board is not allowed to set ordinances.

Applicant Mr. Ramon Martinez did state that he is in compliance with all of the cities requisites and will continue to operate in compliance.

After a lengthy discussion, Mr. Marco Suarez moved to approve the permit with Mr. Jose Saldana seconding the motion, which was approved with five members present and voting.

- 4) Request of Jorge L. Martinez for a Conditional Use Permit, for one year, for a food truck park at 1 tract of land North of Railroad Right of Way between 10th & 11th Streets South of Block 49, North McAllen Addition, Hidalgo County, Texas; 1001 Ash Avenue. **(CUP2022-0110)**

Mr. Samuel Nunez stated that the subject property is located north of US Business 83 between 10th and 11th Streets. The subject property is zoned C-3 (general business) District. The adjacent zoning is C-3 in all directions. A food truck park is permitted in a C-3 District, subject to compliance with Conditional Use Permit requirements.

The applicant is proposing to operate a food truck park on the subject property. This is the initial application for such use at this location. The existing vendors are part of the proposed food truck park. Based on the submitted site plan, 46 parking spaces will be available on the subject property.

The food truck park's proposed days and hours of operation would be 7:00 AM to 2:00 AM Monday through Sunday.

The Fire and Health Departments have completed their inspections and found no violations with the proposed site.

The food truck park and its vendors must comply with the requirements set forth in Section 54-51 of the Zoning Ordinance for mobile food vendors and the following specific requirements:

- 1) The property line of the lot must be at least 200 feet from the nearest residence or residentially zoned property;
- 2) The name, address, phone number and email address of a contact person who shall be available 24 hours per day, 7 days per week for the purposes of responding to complaints regarding the operation of the mobile food vendor court;
- 3) Mobile food vendor courts shall not operate between the hours of 2:00 AM and 7:00 AM;
- 4) Each mobile food vendor court shall provide access to a restroom on or within 600 feet of the property lines of the track of land on which it is situated;
- 5) Mobile food vendor courts must provide one (1) garbage receptacle, to hold a minimum of thirteen (13) gallons, per each vendor located on premises for public use. This requirement is in addition to the receptacles required of each individual vendor;
- 6) Mobile food vendors may not be placed or parking on unimproved surfaces;
- 7) Adequate lighting, as determined by the Health Director, to enable clear and unobstructed visibility of mobile food vendors and patrons shall be provided at all entrances and exits of the mobile food vendor court;
- 8) Mobile food vendor courts shall provide on-premise parking areas sufficient to accommodate staffing needs and seating areas.

The Planning Department has not received any phone calls, emails, or letters in opposition of the Conditional Use Permit request.

Staff recommends approval of the Conditional Use Permit request subject to compliance with the above mentioned requirements.

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

After a brief discussion regarding parking issues, Mr. Jose Saldana moved to approve. Mr. Marco Suarez seconded the motion, which was approved with five members present and voting.

- 5) Request of Teresa Flores for a Conditional Use Permit, for the life of the use, for an institutional use (outdoor learning center) at 9.885 acres (more or less) (deed record 10 acres) of Lot 10, Section 280, Texas-Mexican Railway Company's Subdivision (proposed Hidalgo County Head Start Outdoor Learning Environments and Discovery Classrooms Subdivision), Hidalgo County, Texas; 1901 State Highway 107. **(CUP2022-0111)**

Mr. Samuel Nunez stated that the property is located on the south side of State Highway 107, approximately 800 feet east of North 23rd Street. The subject property is currently zoned C-3 (general business) District and C-4 (commercial industrial) District. The adjacent zoning is C-4 to the east, and L-1 (light industrial) District to the South. An institutional use is permitted in the C-3 and C-4 districts with a conditional use permit.

According to the Hidalgo County Appraisal District, the existing structure on the property was built in 1983. A site plan application was submitted in July 22, 2022 for the proposed Hidalgo County Head Start Outdoor Learning Environments and Discovery Classrooms Subdivision; and is pending approval of this conditional use permit request

The application for a conditional use permit for the proposed outdoor learning center was submitted on July 25, 2022. An application for a building permit for the proposed learning center has not been submitted.

The applicant is proposing to operate an outdoor learning center from 185,420 square feet of the total lot size (i.e., 199,940.40). According to the submitted site plan, the learning center will have (7) outdoor classrooms with a shared common area for playground features. These areas will be interconnected by a 6-foot wide walking trail. The proposed hours and days of operation would be 9:00 AM to 2:00 PM Monday thru Friday.

Based on (5) parking spaces per classroom area and (1.5) parking spaces per administration office, 35 parking spaces are required; 19 parking spaces will be added to the existing 23 parking spaces in the lot, for a total of 42 parking spaces proposed.

The Fire Department will conduct their inspections once the construction for the proposed outdoor learning center is completed and prior to occupancy.

Should the conditional use permit be approved, the applicant would be required to sign the certificate acknowledging and agreeing to the conditions of the permit. The proposed use must

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

1. The proposed use shall not generate traffic onto residential size streets or disrupt residential areas, and shall be as close as possible to a major arterial;
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; 35 parking spaces are required, 42 spaces will be provided on site after the completion of the proposed project.
3. The proposed use shall prevent the unauthorized parking of its patrons on adjacent businesses or residences by providing fences, hedges or reorientation of entrances and exits.
4. The proposed use shall provide sufficient lighting to eliminate dark areas, perimeter fencing, and an orientation of the building to provide maximum visibility from a public street in order to discourage vandalism and criminal activities.
5. Provisions shall be made to prevent litter from blowing onto adjacent streets and residential areas;
6. The number of persons within the building shall be restricted to those allowed by the Fire Marshal and Building Official at the time of permit issuance.

Staff recommends approval of the request, for the life of the use, subject to compliance to the aforementioned conditions, Zoning Ordinance, Fire Department requirements, and building permit requirements.

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

Being no discussion, Ms. Erica De la Garza moved to approve subject to conditions noted and Mr. Jose Saldana seconded the motion, which was approved with four members present and voting and one member, Mr. Marco Suarez abstaining from voting.

b) REZONING

- 1) Rezone from R-2 (duplex-fourplex residential) District to R-1 (single-family residential) District: 20.0 acres out of Section 227, Texas-Mexican Railway Company's Survey, Hidalgo County, Texas; 14301 North Shary Road.
(REZ2022-0028)

Mr. Marco Rivera stated that the property is located along the east side of North Shary Road. The tract has an irregular shape with a lot size of 20.0 acres.

The applicant is requesting R-1 (single-family residential) District in order to build single-family residential homes for a proposed subdivision under the name of Belterra At Tres Lagos Subdivision. A feasibility plan has not been submitted to the Planning Department.

The adjacent zoning is R-3A (multifamily residential apartments) District to the north, C-4 (commercial-industrial) District to the north, east, and south and R-1 (single-family residential) District to the east and to the west.

The subject property is currently vacant. The surrounding land use is single-family residential and vacant land.

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

The development trend for this area along west side of Tres Lagos Boulevard is single family residential.

The requested zoning does not conform to the Suburban Commercial land use designation as indicated on the Foresight McAllen Comprehensive Plan.

The 20 acre tract will be part of the proposed Belterra At Tres Lagos Subdivision Acres.

A buffer will be required as applicable.

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

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

Staff recommends approval of the rezoning request to R-1 District since the request conforms to the development trend for the area. The rezoning and development trends are single family residential.

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

Being no discussion, Vice Chairperson Mr. Gabriel Kamel moved to approve rezoning plan and Ms. De la Garza seconded the motion, which was approved with five members present and voting.

- 2) Rezone from R-1 (single-family residential) District to C-3 (general business) District: Lots 7 and 8, save and except the North 15 feet of Lot 8, Block 1, Renken's Addition Subdivision, Hidalgo County, Texas; 601 North 9th Street.
(REZ2022-0032)

Mr. Marco Rivera stated that the property is located along the west side of North 9th Street. The tract has 70 feet of frontage along North 9th Street with a depth of 140 feet for a lot size 9,800 square feet.

The applicant is requesting C-3 (general business) District for commercial use. A feasibility plan has not been submitted to the Planning Department.

The adjacent zoning is R-1 (single-family residential) District to the north, east, and C-3 District to the south and west.

The subject property is currently vacant. The surrounding land use is single-family residential and commercial use including, Bonita Flowers & Gifts, and Amax Auto Insurance.

The Foresight McAllen Comprehensive Plan designates the future land use for this property as Auto Urban Residential which is comparable to Single Family Residential.

The trend for this area along North 9th Street is established single family residential and commercial. The requested zoning does not conform to the Auto Urban Single Family land use designation as indicated on the Foresight McAllen Comprehensive Plan.

A buffer will be required as applicable.

An approved site plan and a recorded subdivision plat may be required prior to building permit issuance.

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

Staff recommends disapproval of the rezoning request to C-3 District since the request does not conform to the Auto Urban Single Family comprehensive plan designation for the subject tract. The rezoning and development trends are single family residential.

Chairperson Mr. Michael Fallek asked if there was anyone present in opposition of the proposed rezoning permit. There was one.

Citizen Marco Zepeda, 619 N. 9th Street, speaker for the lot owners of Lots 8,9,&10 and other surrounding property owners, stated that their concern is traffic.

Applicant, Antonio Enriquez stated that they want to open a restaurant business at the location stated or offices.

Being no discussion, Vice Chairperson Mr. Gabriel Kamel moved to disapprove rezoning plan and Mr. Marco Suarez seconded the motion, which was disapproved with five members present and voting

- 3) Rezone from R-1 (single-family residential) District to R-3A (multifamily residential apartments) District: 18.239 Acres out of Lot 11, Section 280, Texas-Mexican Railway Company's Survey, Hidalgo County, Texas; 2433 SH 107. **(REZ2022-0033)**

Mr. Marco Rivera stated that the property is located along the South side of SH 107. The tract has an irregular lot with a lot size of 18.239 acres.

The applicant is requesting R-3A (multifamily residential apartments) District for duplex-fourplex use. A feasibility plan has not been submitted to the Planning Department.

The adjacent zoning is C-3 (general business) District to the north, A-O (agricultural and open space) District to the east, C-3 District to the south, and R-1 (single-family residential) District to the west. A portion of the area to the south of the property is outside the McAllen city limits.

The subject property is vacant. The surrounding land use is single-family residential and vacant land.

The Foresight McAllen Comprehensive Plan designates the future land use for this property as Auto Urban Commercial and Suburban Residential which are comparable to C-3 and R-1 Districts.

The trend for this area along SH 107 is commercial and single family residential.

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

A buffer will be required as applicable.

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

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

Staff recommends disapproval of the rezoning request to R-3A District since the request does not conform to the Auto Urban Commercial comprehensive plan designation for the area. The rezoning and development trends are C-3 District and R-1 District.

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

Being no discussion, Vice Chairperson Mr. Gabriel Kamel moved to approve rezoning and Mr. Marco Suarez seconded the motion, which was approved with five members present and voting.

3) SITE PLAN

- a) Site plan approval for 1.421 acres out of the LOT 1, Ware Road Investments Subdivision, and LOT 76, R.E. Horn's Addition to McAllen First Suburban Citrus Groves Subdivision, Hidalgo County, Texas; 1312 South Ware Road. (SPR2021-0030)**

Mr. Samuel Nunez stated that the property is located on the northwest corner of U.S. Expressway 83 and S. Ware Road. The tract has 277.67 ft. of frontage along S. Ware Road with a depth of 200 ft. for a lot size of 1.421 acres. The property is zone C-3 (general business) District. The adjacent zoning is C-3 (general commercial) District in all directions. Surrounding land uses are commercial business, restaurants, and vacant land.

The applicant is proposing to construct and operate as a gasoline station.

Based on the square footage of the proposed law office, 15 parking spaces are required, 45 parking spaces are provided on site. The required accessible parking spaces is 2, 2 accessible parking spaces are provided on site. Access to the site is along the Ware Road (FM 2220) and U.S. Expressway 83. Required landscaping for the lot is 6,189.12 square feet, 9,247 square feet is provided, with trees required as follows: 19 – 2 ½" caliper trees, or 10 – 4" caliper trees, or 5 – 6" caliper trees, or 6 palm trees. Minimum 10' wide landscape strip (5' wide with 3' hedge for properties less than 200' deep) required inside the property line along Ware Road and U.S. Expressway 83. Fifty percent of the landscaping must be visible in front areas, and each parking space must be within 100 feet of a landscaped area with a tree, as required by ordinance. 5' Sidewalk required on Ware Road (FM 2220) and U.S. Expressway 83. No part of gates for the dumpster enclosure to swing into Right-of-Way. No structures are permitted over easements.

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

Staff recommends approval of the site plan subject to the conditions noted, paving and Building Permit requirements, requirements set forth by the Development Team, and the subdivision and zoning ordinances.

Being no discussion, Vice Chairperson Mr. Gabriel Kamel moved to approve site plan and Ms. Erica De la Garza seconded the motion, which was approved with five members present and voting.

4) ABANDONMENT:

- a) Request to abandon a 5.10 acre-tract of land being a road right of way out of lots 7, 8, 13, 14, 16, 17 and 18, Texas-Mexican Railway Company Survey, Hidalgo County, Texas; 12500 North Ware Road. **(ABD2021-0009)**

Mr. Mario Escamilla stated this is a request of the property owner to abandon the above-referenced road Right-of-Way (ROW). The 5.10-acre tract of land comprises of an existing road right of way as dedicated as part of Texas Mexican Railway Company Survey that is currently unpaved. The tract is located at the northeast corner of the intersection of 8-mile line and North Ware Road. Surrounding land uses include Sharyland Water Supply Corporation facility, single-family residences and vacant land.

The basis for the request is that the area is currently being subdivided, and the original road right of way dedication is no longer needed as new streets will be dedicated and aligned as part of the subdivision process for the proposed development.

Should the abandonment be approved, the area will be incorporated into the boundaries of the proposed El Dorado at Thousand Oaks I, II, III Subdivision which consists of 80.19-acres with single family and multifamily lots proposed. The abandonment will be applied as future phases develop, and new streets will have to be provided in relation to those phases.

The Right-of-Way Department has notified the appropriate city departments and utility companies regarding the request. Public Works approved the request subject to road right-of-way and service drive easement dedications for each subdivision phase at plat recording. Other departments and

companies approved the request.

Staff recommends approval of the abandonment request subject to road right-of-way and service drive easement dedications for each subdivision phase at plat recording.

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

5) CONSENT:

- a) Brier Village Subdivision, 3901 North Bentsen Road, Loretta William & Daniel E. Prukop, and Elsie Wall **(SUB2022-0092)(FINAL)M&H**

Nolana Avenue: 60 ft. from centerline for 120 ft. of total ROW Paving: 65 ft. Curb & gutter: Both sides. Label total ROW after accounting for dedication prior to recording. Monies must be escrowed if improvements are required prior to recording. Subdivision Ordinance: Section 134-105. COM Thoroughfare Plan North Bentsen Road: 50 ft. from centerline for 100 ft. of total ROW Paving: 65 ft. Curb & gutter: Both sides. Label total ROW after accounting for dedication prior to recording. Label "20 ft." reference shown on North Bentsen Road prior to recording. Clarify if 5 ft. Gas Line Easement will be within the proposed ROW prior to recording. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. COM Thoroughfare Plan. Internal Road: 60 ft. Paving: 40 ft. Curb & gutter: Both sides. Clarify if subdivision is proposed to be private. If so, provide gate details prior to recording to finalize ROW requirements. Street name will be issued prior to recording. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. COM Thoroughfare Plan 1/4 Mile Collector (North 48th Street): 50 ft. ROW Paving: 40 ft. Curb & gutter: Both sides. Plat submitted on 5/13/2022 provides the 1/4 mile collector on the west boundary of development. Street name will be finalized prior to recording. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. COM Thoroughfare Plan Paving, curb and gutter. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final COM Thoroughfare Plan. 900 ft. Block Length for R-3 Zone Districts. Engineer has submitted a variance request to the block length requirement on May 16, 2022. The variance request to the block length requirement was approved by Planning and Zoning Commission on June 7, 2022 and by City Commission on June 13, 2022. Subdivision Ordinance: Section 134-118. 600 ft. Maximum Cul-de-Sac. Subdivision Ordinance: Section 134-105. Front: 20 ft. or greater for easements or approved site plan, whichever is greater applies. Please revise plat note #3 as shown above prior to recording. Clarify if carports along the front will be proposed prior to final. As per conversation with Engineer on August 11, 2022, no carports are being proposed. Zoning Ordinance: Section 138-356. Rear: In Accordance with Zoning ordinance or greater for easements or approved site plan, whichever is greater applies. Zoning Ordinance: Section 138-356. Sides: In Accordance with Zoning ordinance or greater for easements or approved site plan, whichever is greater applies. Zoning Ordinance: Section 138-356. Corner: In Accordance with Zoning ordinance or greater for easements or approved site plan, whichever is greater applies. Please revise plat note #3 as shown above prior to recording. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required; greater setback applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required on North Bentsen Road and Nolana Avenue, both sides of all internal streets, and any other applicable streets. 5 ft. sidewalk might be required by Engineering Dept. prior to recording. Plat note must be revised/finalized prior to final.

Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses along North Bentsen Road, Nolana Avenue, and North 48th Street. Revise plat note #9 as shown above prior to recording. Landscaping Ordinance: 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. This might be required along south and east property line where adjacent to single-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along Nolana Avenue, North Bentsen Road, and North 48th Street. Please revise plat note #13 as shown above prior to recording. Must comply with City Access Management Policy. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. This requirements might be triggered depending on the amount of units proposed per lot. Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 110-72 applies if private subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Section 110-72 applies if private subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Existing: R-1 and R-3A Proposed: R-3A. The rezoning request to R-3A was approved by Planning and Zoning Commission on December 7, 2021 and by City Commission on January 10, 2022. Zoning Ordinance: Article V. Rezoning Needed Before Final Approval. The rezoning request to R-3A was approved by Planning and Zoning Commission on December 7, 2021 and by City Commission on January 10, 2022. Zoning Ordinance: Article V. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, number of unit to be clarified prior to recording to determine total amount of park fees. As per Traffic Department, Trip Generation approved, no TIA required. Must comply with City's Access Management Policy.

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

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

6) SUBDIVISIONS:

- a) El Dorado at Thousand Oaks I, II, and III, 12500 North Ware Road, Red Rock Real Estates Development(**SUB2021-0049**)(**REVISED FINAL**)QHA

Mr. Mario Escamilla stated North Ware Road: 70 ft. dedication by this plat for 160 ft. of ROW. Paving: by the state Curb & gutter: by the state. As per Engineer, he has been coordinating with TX-Dot to verify alignment. Please indicate centerline on plat to verify ROW dedication. Show ROW dedication along west side of Lot B for 50 ft. total ROW prior to recording. Main Interior Street: 60 ft. Paving: 40 ft. Curb & gutter: Both sides. Must escrow monies if improvements are not constructed prior to recording. Street is proposed to be public to serve Block II (public subdivision). If all Blocks were proposed to be private, this road might have to be changed to "private street/road". ROW for paved street, including portion were 8 1/2 mile is being dedicated by this

plat. Subdivision Ordinance: Section 134-105. 1. Block 1: 50 ft. ROW (Zoned R-1) (Private Streets) Paving: 32 ft. Curb & gutter: Both sides barricade and/or temporary turnaround at the north end of streets as needed. Street layout must be revised so as to not dead-end any street on the "future development" section shown north of Phase 1. Streets must extend into the Vineyards Estates Subdivision Phase 1A to the north or provide Cul-de-Sac with paving diameter 96 ft. paving diameter face-to-face with appropriate ROW of 10 ft. back of curb within the boundaries of this development. If Cul-de-Sacs are proposed, it would be within the boundaries of the area being developed with 96 ft. minimum paving diameter. As per plat submitted on July 29, 2022 subdivision plat no longer shows temporary turnarounds or proposed future developments. 2. Block 2: 50 ft. ROW (Zoned R-1) (Public Streets) Paving: 32 ft. Curb & gutter: Both sides must escrow monies if improvements are not built at this time, prior to recording. Barricade and/or temporary turnaround at the north end of streets as needed. 3. Block 3: 60 ft. ROW (Zoned R3-A) (Private Streets) Paving 40 ft. Curb & gutter: Both sides. Cul-de-Sacs require 96 ft. minimum paving diameter with appropriate ROW of 10 ft. back of curb within the boundaries of this development. Proposed temporary turnarounds must be recorded by separate instrument with document numbers shown on plat prior to recording as needed. Barricade and/or temporary turnaround at the north end of streets as needed. Finalize ROW requirements prior to recording. Must escrow monies if improvements are not built at this time, prior to recording. Subdivision Ordinance: Section 134-105. 8 Mile Road: 20 ft. dedication for 40 ft. from centerline for 80 ft. ROW Any applicable abandonments of ROW will be done by separate instrument, and not by this plat prior to final. Based on revised plat submitted, ROW is shown to be outside subdivision boundaries. If any tract of land designated as ROW included within the subdivision boundaries, an abandonment would be needed prior to final. As per plat submitted on July 29, 2022, ROW dedication is no longer presented outside of plat boundary. Label ROW dedication along south boundary of Lot B prior to recording. 8 1/2 Mile Road: 100 ft. ROW Paving: 65 ft. Curb & gutter: Both sides. Monies or balance pending must be escrowed if improvements are not fully built prior to recording as required. Verify alignment and ROW dedication prior to recording. COM Thoroughfare Plan. 600 ft. Maximum Cul-de-Sac: Paving diameter for Cul-de-Sac to be 96 ft. minimum as required by Fire Department with appropriate ROW of 10 ft. back of curb to be applied to all Blocks. Subdivision Ordinance: Section 134-105 1200ft. Block Length: Block 1: Street block length for Lots 27-39 appears to exceed 800 ft. in length (855.76ft.). Block length change subdivision is now in compliance with 1200 ft. block length requirement. Variance approved P&Z Board on April 6, 2021 and by the City Commission on April 26, 2021 for the previous block length requirement of 800 ft. Subdivision Ordinance: Section 134-118. 900 ft. Block Length for R-3 Zone Districts. Block 3: Street block length for Lots 40-55 appears to exceed 800 ft. in length (approximately 1,350 ft.). Variance approved by P&Z Board on April 6, 2021 and by the City Commission on April 26, 2021. Submitted plat as of July 29, 2022 not presents updated lot numbers originally for lots 40-55 now 43-58. Subdivision Ordinance: Section 134-118. Front: 25 ft. for R-1 Zones (Block I and Blocks II), 20 ft. for R-3A Zones (Block III), In Accordance with Zoning Ordinance or approved site plan for Lot B. Setbacks are subject to be greater for easements. Please revise plat note #4 as shown above prior to recording. Zoning Ordinance: Section 138-356. Rear: In accordance with Zoning Ordinance or greater for easements (Including Lot B). Except 10 ft. for double fronting lots. Engineer submitted a variance letter on March 25, 2021 requesting a variance to allow a double fronting setback of 10 ft. instead of the required 25 ft. and 20 ft. depending on the Zoning District. The engineer is requesting this variance for Lots 1-20 on Block 1, Lots 12-25 in Block 2, and Lots 16-35 and 78-80 in Block 3. The required double fronting setback for Block 1 and Block 2 is 25 ft. (single-family residential) and Block 3 is 20 ft. (multi-family residential apartments). Variance approved by P&Z Board on April 6, 2021 to allow double fronting setbacks of 10 ft. instead of the required 25 and 20 ft. Plat note #4 still shows "25 ft. setback for double fronting lots". Revise plat note to reflect approved variances prior to recording.

Interior Sides: In accordance with Zoning Ordinance or greater for easements. Zoning Ordinance: Section 138-356. Corner: 10 ft. or greater for easements. Zoning Ordinance: Section 138-356. Garage: 18 ft. or greater for easements except where greater setback is required, greater setback applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. Lot B setbacks will be finalized prior to recording but they will be in accordance with the Zoning Ordinance or greater for easements or approved site plan. 4 ft. wide minimum sidewalk required on both sides of all interior streets, 8 Mile Road and 8 1/2 Mile Road. 5 ft. wide minimum sidewalk required on North Ware Road. Revise note #9 as shown above prior to recording. 5 ft. sidewalk requirement as per Engineering Department. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses, and along North Ware Road and interior public collector road. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along North Ware Road, 8 1/2 Mile Road, interior public collector road. Please revise plat note as shown above prior to recording. City's Access Management Policy. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Site plan for Lot "B" must be approved by the Planning and Development Departments prior to building permit issuance. Amount of units proposed for each lot in Block III will determine if site plan review will be required prior to building permit. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Lot "B" will have to comply with these requirements and any other requirements as might be applicable. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Common Areas, any private streets/drives, detention areas, etc. must be maintained by the lot owners and not the City of McAllen. Please revise note # 19 as noted above. Lot "B" will have to comply with this requirement and any other that might be applicable. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Homeowner's Association Covenants must be recorded simultaneously with plat. Homeowner's Association Covenants must be submitted for staff review, prior to recording. Subdivision Ordinance: Section 110-72. Minimum lot width and lot area. Verify that all lots comply with minimum lot frontage requirements prior to recording. If variances to Zoning Board of Adjustments and Appeals are required, they must be finalized prior to recording. Zoning Ordinance: Section. 138-356. Lots fronting public streets. Zoning Ordinance: 138-1. Existing: R-1, R-3A & C-3 Proposed: R-1, R-3A & C-3. Rezoning to R-3A approved by the Planning and Zoning Board at their April 7, 2020 meeting and by City Commission at their July 27, 2020 meeting. As per Engineer, Lot "B" will remain zoned as commercial. Lot "B" is subject to any requirements applicable for commercial properties such as setbacks, accesses, internal site plan review, etc. Zoning Ordinance: Article V. Rezoning Needed Before Final Approval. Rezoning approved by the Planning and Zoning Board at their April 7, 2020 meeting and by City Commission at their July 27, 2020 meeting. Zoning Ordinance: Article V. Land dedication in lieu of fee. As per Parks Department, Developer has requested a variance to McAllen's Park Land Ordinance, and is asking to pay fees in lieu of land. Proposes to pay fifty percent (50) up front and the rest during the permit application process. Total Park fees amount to \$326,900, fifty percent up front is \$163,450 and payable prior to plat recording. The other 50 percent will be paid as building permits are pulled. That amount is \$350.00 per unit until the project

is complete. (467 units X \$350.00 = \$163,450.00) Additionally, a note will be placed on the plat indicating that the remaining 50 percent will be paid during permit application. Land dedication for this development is 7.4253 acres. Variance request of fees in lieu of land with conditions was approved by City Manager's Office on May 28,2021. If the number of lot/dwelling unit changes park fees will be adjusted accordingly. Park Fee of \$700 to be paid prior to recording. Developer has requested a variance to McAllen's Park Land Ordinance, and is asking to pay fees in lieu of land. Proposes to pay fifty percent (50) up front and the rest during the permit application process. Total Park fees amount to \$326,900, fifty percent up front is \$163,450 and payable prior to plat recording. The other 50 percent will be paid as building permits are pulled. That amount is \$350.00 per unit until the project is complete. (467 units X \$350.00 = \$163,450.00) Additionally, a note will be placed on the plat indicating that the remaining 50 percent will be paid during permit application. Land dedication for this development is 7.4253 acres. As per Parks Department, Variance request of fees in lieu of land with conditions was approved by City Manager's Office on May 28,2021.If the number of lot/dwelling unit changes park fees will be adjusted accordingly. Pending review by the Parkland Dedication Advisory Board and CC. As per Parks Department, Developer has requested a variance to McAllen's Park Land Ordinance, and is asking to pay fees in lieu of land. Proposes to pay fifty percent (50) up front and the rest during the permit application process. Total Park fees amount to \$326,900, fifty percent up front is \$163,450 and payable prior to plat recording. The other 50 percent will be paid as building permits are pulled. That amount is \$350.00 per unit until the project is complete. (467units X \$350.00 = \$163,450.00) Additionally, a note will be placed on the plat indicating that the remaining 50 percent will be paid during permit application. Land dedication for this development is 7.4253 acres. Variance request of fees in lieu of land with conditions was approved by City Manager's Office on May 28,2021.If the number of lot/dwelling unit changes park fees will be adjusted accordingly. As per Traffic Department Trip Generation approved, TIA approved. As per Traffic Department, Trip Generation approved; TIA revisions must be finalized prior to recording. As per Traffic Department Trip Generation approved, TIA approved. Must comply with City's Access Management Policy. As per Engineer, Lot "B" will remain zoned as commercial. Lot "B" is subject to any requirements applicable for commercial properties such as setbacks, accesses, internal site plan review, etc. North 41st St., North 38th St., and any street that is applicable within Vineyard Estates Subdivision Phase 1A must be extended/connected into the proposed development areas when properties develop; cannot dead-end streets. As per Fire and Traffic Dept., any applicable revisions to gate details must be done prior to recording. Any abandonments required must be finalized prior to final plat review. Abandonments cannot be done by this plat. Plat notes may required regarding abandonment prior to recording. Subdivision will have to comply with any Drainage and Traffic Department requirements that may be applicable prior to recording. Gate details revisions will have to be approved by staff prior to recording. Increase in ROW widths required as needed to accommodate gate detail requirements, sidewalks, and pedestrian gates.

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

Being no discussion, Mr. Jose Saldana moved to approve subdivision in revised final form and Mr. Marco Suarez seconded the motion, which was approved with four members present and voting.

b) Moya Subdivision,9601 North La Homa Road, Raul Moya(**SUB2022-0088**)(**PRELIMINARY**)BE

Mr. Mario Escamilla stated N. La Homa Road: Dedication as needed for 40 ft. from centerline for 80 ft. total ROW Paving :_52 ft._ Curb & gutter: Both Sides. Label ROW dedications from centerline

to new plat boundary, total, existing, etc., revise as applicable prior to final. Provide Document regarding existing ROW dedication for staff review, prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. N/S collector(Western Boundary 1/4 Mile Location): Dedication as needed for 60 ft. total R.O.W. Paving 40 ft. Curb and gutter: Both Sides. 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. Paving, curb and gutter. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. 1,200 ft. Block Length. Subdivision Ordinance: Section 134-118. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties. Subdivision Ordinance: Section 134-106. Front:45 ft. or greater for easements. Revise note as shown above, prior to final. Proposing: 25.00 feet and 15 feet for cul-de-sac lots only. Zoning Ordinance: Section 138-356. Rear: Setback will need to be established once street requirement is established along wester boundary. Rear setback requirements must be finalized prior to final. Proposing: 15.00 feet or easement whichever is greater. Zoning Ordinance: Section 138-356. Sides:6 ft. or greater for easements. Revise note as shown above prior to final. Proposing: 6.00 feet or easement whichever is greater. Zoning Ordinance: Section 138-356. Corner:10 ft. or greater for easements. Clarify if any streets are being proposed as corner setback would not apply to interior lots. Proposing:10.00 feet and 20 feet along mile 13 N.Road. Zoning Ordinance: Section 138-356. Garage:18 ft. except where greater setback is required; greater setback applies. Revise note as shown above prior to final. Proposing:18.00 feet. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required along N. La Homa Road. ROW along Western boundary (N/S Collector) being reviewed by staff and sidewalk requirements will apply as applicable. Sidewalk requirements might increase to 5 ft. prior to final subject to Engineering Department requirements. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Add note as shown above prior to final. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Add note as shown above prior to final. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. Must comply with City Access Management Policy. Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 110-72 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Clarify if Homeowner's Association is being proposed prior to final as plat notes and HOA. Covenants will be needed. Section 134-168 applies if private subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Clarify if Homeowner's Association is being proposed prior to final as plat notes and HOA covenants will be needed. Section 134-168 applies if private subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Include original subdivision boundary. Original subdivision boundary should be a bold solid line and new lot lines should be solid lines but not as bold as original subdivision boundary line. Zoning Ordinance: Section 138-356. Existing : ETJ Proposed: ETJ Zoning Ordinance: Article V. As per Traffic Department, Trip Generation for 2 lot single family is waived. Must comply with City's Access Management Policy. Please provide ownership map to verify that no landlocked properties exist or will be created. Remove "Proposed" from all easement dedications and label as

"Dedicated by this plat" review and revise all easements as applicable.

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

Being no discussion, Mr. Marco Suarez moved to approve subdivision in preliminary form and Mr. Jose Saldana seconded the motion, which was approved with five members present and voting.

c) Sharyland Business Park No. 11 Subdivision, 7201 South Shary Road, Cascade Real Estate Operating, L.P. **(SUB2022-0091)(PRELIMINARY)ME**

Mr. Mario Escamilla stated S. Shary Rd. (FM 494): Minimum 10 ft. dedication for 60 ft. from centerline for 120 ft. ROW Paving: 65 ft. Curb & gutter: Both Sides. Label centerline on plat, prior to final. Label ROW dedications from centerline to new plat boundary, total, existing, etc., revise as applicable prior to final. Provide Document Numbers on plat for existing ROW dedication and Documents, prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. Honduras Ave: 80 ft. ROW dedication. Paving: 52 ft. Curb & gutter: Both Sides. Submitted plat references 80 ft. dedication by others, if proposed dedication is not recorded prior to final, ROW dedication will be required. At the Planning and Zoning Commission meeting of April 5th, 2022, the proposed subdivision to the north under the name of Sharyland Business park No. 10 received a variance to provide 44ft. of pavement width in lieu of 52ft with 80 ft. of ROW. ROW requirements must be finalized prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan Paving, curb and gutter subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. Paving, curb and gutter. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. 1,200 ft. Block Length. Subdivision layout does not comply with block length requirement, please revise accordingly prior to final. If no changes please submit variance request for 1200 ft. maximum block length requirement. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties. Alley or service drive easement cannot dead-end. Provide for alley or service drive easement on the plat prior to final. Subdivision Ordinance: Section 134-106. Front: In accordance with zoning ordinance, or greater for easements or approved site plan, or in line with average setback, whichever is greater. Add plat note as shown above prior to final. Zoning Ordinance: Section 138-356. Rear: In accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Add plat note as shown above prior to final. Zoning Ordinance: Section 138-356. Sides: In accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Add plat note as shown above prior to final. Zoning Ordinance: Section 138-356. Corner: In accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Add plat note as shown above prior to final. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 5 ft. wide minimum sidewalk required on S. Shary Road (FM 494) and 4 ft. wide minimum sidewalk required on Honduras Avenue. Add note as shown above prior to final. 5 ft. sidewalk along S. Shary Road (FM 494) is required as per Engineering Department. 5 ft. sidewalk along Honduras Ave. and any other internal streets might be required prior to final as per Engineering Department. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Add note as shown above prior to final. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required

between single family residential and commercial, industrial, or multi-family residential zones/uses. Add note as shown above prior to final. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along. Verify compliance with Access Management Policy prior to final. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Lots fronting public streets. Submitted plat references 80 ft. ROW dedication by others, if proposed dedication is not recorded prior to final, ROW dedication will be required, as lots must front a public street. Lot 2 currently fronts a proposed street dedicated by another plat. Finalize ROW and lot frontage requirements prior to final. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Original subdivision boundary should be a bold solid line and new lot lines should be solid lines but not as bold as original subdivision boundary line. Zoning Ordinance: Section 138-356. Existing: I-1(Light Industrial) District Proposed: I-1(Light Industrial) District. Zoning Ordinance: Article V. As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. Traffic Impact Analysis (TIA) required prior to final plat. Finalize ROW requirements for proposed Honduras Avenue prior to final to ensure compliance with ROW requirements and lot Frontage. Must comply with City's Access Management Policy.

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

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

d) RMZ Development Subdivision, 2901 Colbath Road, RMZ Investments, LLC.**(SUB2022-0044)(REVISED PRELIMINARY)RDE**

Ms. Liliana Garza stated South 29th Street: 30 ft. dedication for 50 ft. from centerline for 100 ft. total R.O.W. Paving 65 ft. Curb and gutter. Both Sides. As per the Foresight Comprehensive Map, S. 29th Street is projected to be a minor arterial 100 ft. ROW. Initial plat submittal on April 12, 2022, demonstrated compliance with ROW requirement. Engineer submitted variance request on July 15, 2022 to reduce the ROW requirement from 100 ft. ROW to 80 ft. ROW. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. Colbath Road: 20 ft. dedication for 40 ft. from centerline for 80 ft. total R.O.W. Paving 52ft. Curb and gutter. Both Sides. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. Paving, curb and gutter. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties. Alley or service drive easement cannot dead-end. Provide for extension or looping of alley or service drive easement on the plat prior to final. As per plat submitted 8/5/22, there is a plat note proposed, "A private service drive easement will be established as part of the site plan and will be maintained by the lot owner and not the City of McAllen. Plat note will need to be finalized prior to final. Subdivision Ordinance: Section 134-106. Front:S.29th Street: In accordance with the Zoning Ordinance or greater for approved site plan or easements or inline with existing structures, greater setback applies. Colbath Road: In accordance with the Zoning Ordinance or greater for approved site plan or easements or inline with existing structures, greater setback applies. Finalize wording prior to final. Zoning Ordinance: Section 138-

356. Rear: In accordance with Zoning Ordinance or greater for easements or approved site plan. Finalize wording prior to final. Zoning Ordinance: Section 138-356. Interior Sides: In accordance with Zoning Ordinance or greater for easements or approved site plan. Finalize wording prior to final. Zoning Ordinance: Section 138-356. Corner: See front setback section above. Finalize wording prior to final. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required along S.29th Street and Colbath Road. Sidewalk requirements might increase prior to final subject to Engineering Department requirements. Please finalize plat note prior to recording. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. **Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted. Must comply with City Access Management Policy. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: C-4(Commercial-Industrial) District Proposed: C-4(Commercial-Industrial) District. Zoning Ordinance: Article V. Rezoning Needed Before Final Approval. Zoning Ordinance: Article V. As per Traffic Department, Trip Generation is waived for warehouse/industrial. Must comply with City's Access Management Policy.

Staff recommends approval of the subdivision in revised preliminary form subject to conditions noted and clarification of the variance request to the row requirement for South 29th Street.

Being no discussion, Mr. Marco Suarez moved to approve subdivision including variance and Mr. Jose Saldana seconded the motion, which was approved with five members present and voting.

e) Ware Plaza Subdivision, 4713 North Ware Road, Carl B. Rowland (SUB2022-0089) (PRELIMINARY) JHE

Ms. Liliana Garza stated N. Ware Road (FM2220): 15 ft. dedication required for 75 ft. from centerline for 150 ft. total ROW Paving: by the state Curb & gutter: by the state. Label centerline and existing ROW from centerline on both sides to determine if any additional dedication is required prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. N. 38th Street: 50 ft. ROW. Paving: 32 ft. Curb & gutter: both sides. Please include ROW dimension. Finalize if pavement/ROW dedication, or pavement/dedication for a "knuckle" for the intersection of N. 38th Street/Violet Ave. and N. 38th Street/Ulex Ave. will be required, prior to final. 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. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties. Subdivision Ordinance: Section 134-106. Front: In accordance with the Zoning Ordinance, or in line with existing structures, or greater for easements or approved site plan, whichever is greater applies. Zoning Ordinance: Section 138-356. Rear: In accordance with the Zoning Ordinance, or greater for easements, or approved site plan. Zoning Ordinance: Section 138-356. Sides: In accordance with the Zoning Ordinance, or greater for

easements, or approved site plan. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required on N. 38th Street and 5 ft. wide minimum sidewalk required on N. Ware Rd. 5 ft. wide sidewalk on N. Ware Road required as per Engineering Department. 5 ft. wide sidewalk may be required on N. 38th Street as per Engineering Department. Please add plat note as shown above prior to final. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses, and along North 38th Street. Please revise plat note #8 as shown above prior to final. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along North 38th Street. Must comply with City Access Management Policy. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Common Areas and any private streets must be maintained by the lot owners and not the City of McAllen. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Lots fronting public street. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: C-3 Proposed: C-3. Zoning Ordinance: Article V. Rezoning Needed Before Final Approval. Zoning Ordinance: Article V. As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. Traffic Impact Analysis (TIA) required prior to final plat. Must comply with City Access Management Policy. Please clarify plat note #15 prior to final. Comply with Traffic Department requirements regarding access requirements. As per Traffic Department, shared access agreement may be required.

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

Being no discussion, Vice Chairperson Mr. Gabriel Kamel moved to approve subdivision in preliminary form and Mr. Jose Saldana seconded the motion, which was approved with five members present and voting.

7) Information: City Commission Actions from August 8, 2022

- a) Mr. Edgar Garcia spoke regarding actions taken by the City Commission Board.

ADJOURNMENT:

There being no further business to come before the Planning & Zoning Commission, Mr. Marco Suarez adjourned the meeting at 4:30 p.m. and Mr. Jose Saldana seconded the motion, which carried unanimously with five members present and voting.

Chairperson Michael Fallek

ATTEST: _____
Magda Ramirez, Administrative Assistant

Planning Department

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: August 31, 2022

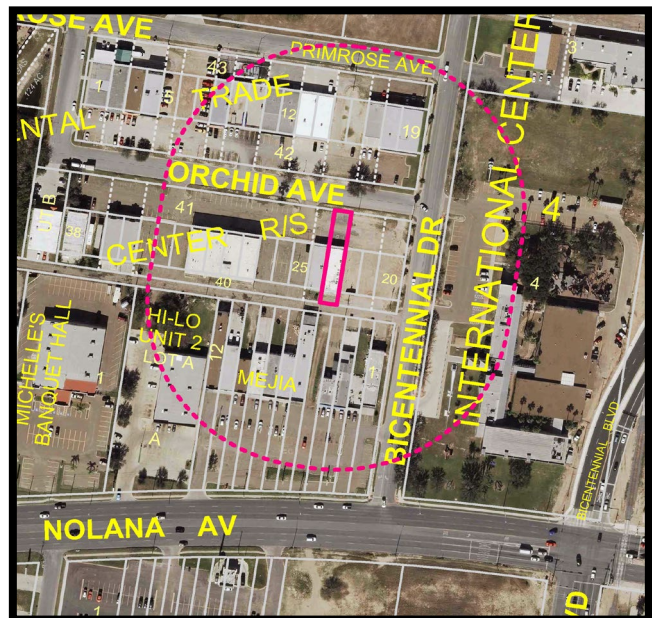
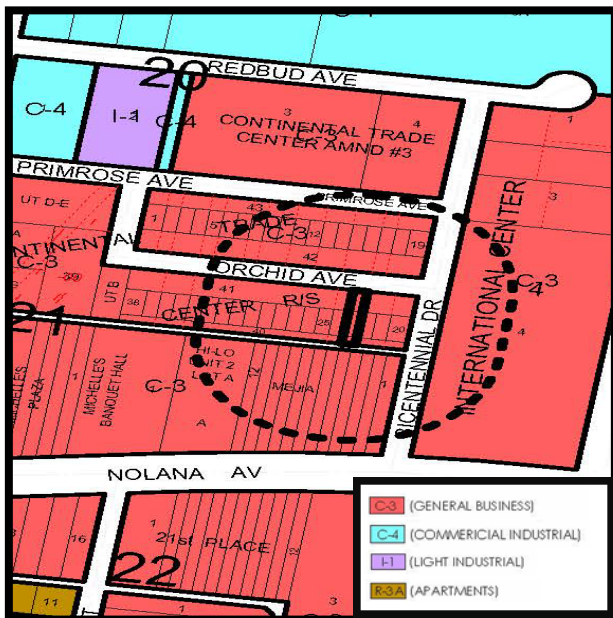
SUBJECT: REQUEST OF JOHN A. SIMON, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A BAR AT LOT 23, CONTINENTAL TRADE CENTER SUBDIVISION, HIDALGO COUNTY, TEXAS; 2007 ORCHID AVENUE. (CUP2022-0115)

BRIEF DESCRIPTION:

The property is located on the south side of Orchid Avenue, approximately 100 ft. west of North Bicentennial Boulevard and is zoned C-3 (general business) District. The surrounding zoning is C-3 District in all directions. Surrounding land uses include the IMAS museum, gymnasium, dance studio, offices, retail, nightclubs and vacant properties. A bar is allowed in a C-3 zone with a conditional use permit and in compliance with requirements.

HISTORY:

The initial conditional use permit for this establishment (Simon Sez II) was approved by the Planning and Zoning Commission on March 16, 1993 and has been renewed annually. The last permit was approved for renewal was on August 5, 2021.



SUMMARY/ANALYSIS:

The applicant is proposing to continue to operate a bar from the existing building. The hours of operation will continue to be from 4:00 p.m. to 2:00 a.m. Monday through Friday and 6:00 p.m. through 2:00 a.m. Saturday.

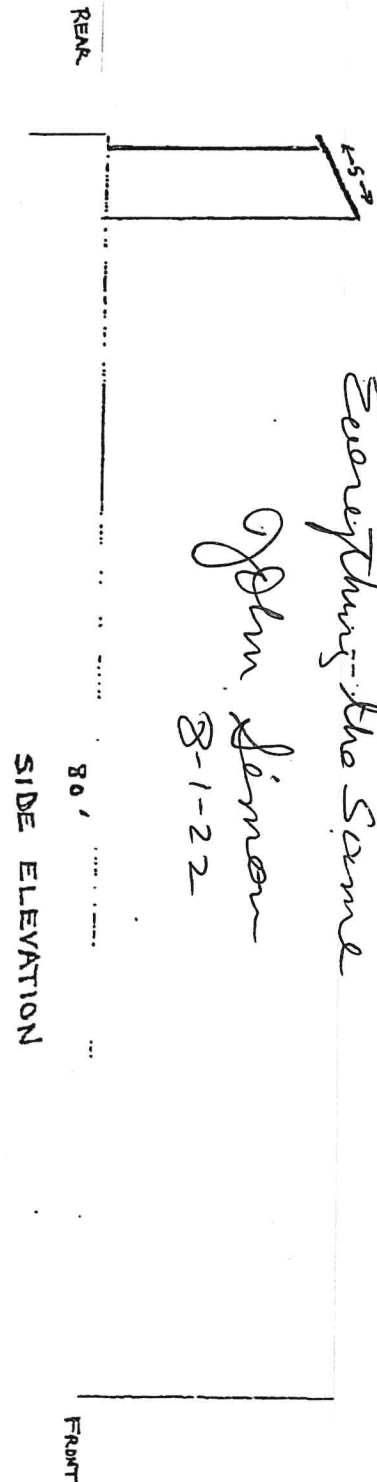
The Police Activity report for service calls from August 01, 2021 to August 31, 2022 has been requested, and is pending to be received. No concerns or complaints have been received by the Planning Department. The Fire and Health Departments have inspected the location; no violations were found. Staff has not received any calls in opposition to the request. The establishment must also meet the requirements set forth in Section 138-118(4) of the Zoning Ordinance and specific requirements as follows:

- 1) The property line of those businesses having late hours (after 10:00 p.m.) must be at least 400 ft. from the nearest residence, church, school or publicly-owned property or must provide sufficient buffer and sound insulation of the building such that the building is not visible and cannot be heard from the residential areas. The establishment is within 300 ft. of the McAllen International Museum; however, staff has not received any complaints from the McAllen International Museum Board.
- 2) The property must be as close as possible to a major arterial and shall not generate traffic onto residential sized streets. The establishment has direct access to Orchid Avenue and is near Nolana Avenue.
- 3) The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance as a minimum, and make provisions to prevent the use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional on site parking. Based on the square footage of the building, 24 parking spaces are required. Seven parking spaces are provided on site. Parking agreements were submitted to meet parking requirements with a total of 27 spaces. The parking agreement expired August 31, 2021, the new parking agreement is currently in the process.
- 4) The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties by providing, when necessary, fences, hedges or reorientation of entrances and exits under the vegetation ordinance. The unpaved areas (east side) cannot be used for parking. This area is not fenced off.
- 5) The business shall provide sufficient lighting to eliminate dark areas and maximize visibility from a public street in order to discourage vandalism and criminal activities;
- 6) The business must make provisions to keep litter to a minimum and keep it from blowing onto adjacent properties; and
- 7) The above mentioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Planning Director. The allowable number of persons within the building shall be restricted to 96 persons.

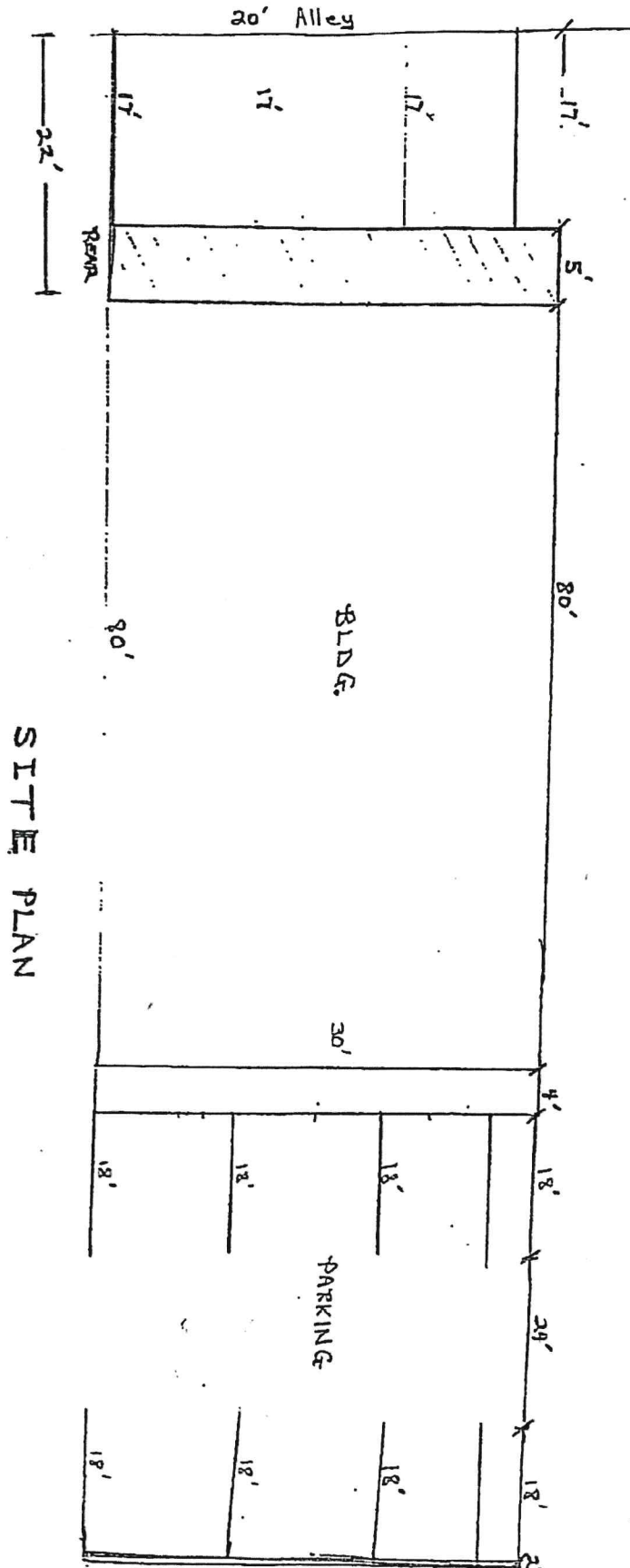
RECOMMENDATION:

Staff recommends approval of the request, for one year, subject to the conditions noted, renewal of the parking agreement, and compliance with requirements in Section 138-118(4) of the Zoning Ordinance, and Health and Fire Department requirements.

Everything the same
 John Linen
 8-1-22

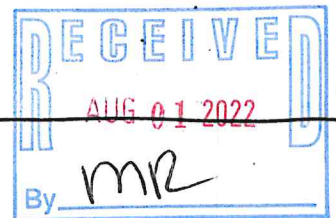


SIDE ELEVATION



SITE PLAN

2007 ORCHID AVE





SIMON SEZ

2007

BELLAS ARTES SALON
618 - 5050



2007

BELLAS ARTES SALON
618 - 5050

2009
Orchid

NOTICE
BAR
FOR
THIS PROPERTY
CUP2022-0115
CITY OF MCALLEN PLANNING DEPT.
506 W. 12TH
WWW.MCALLE.NET

Memo

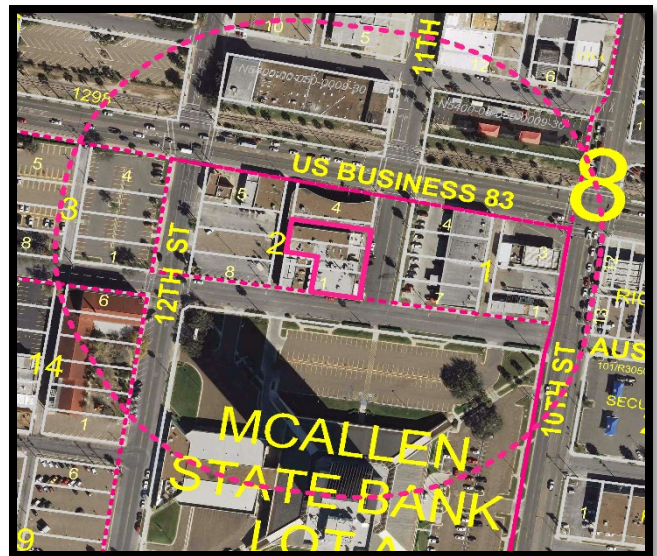
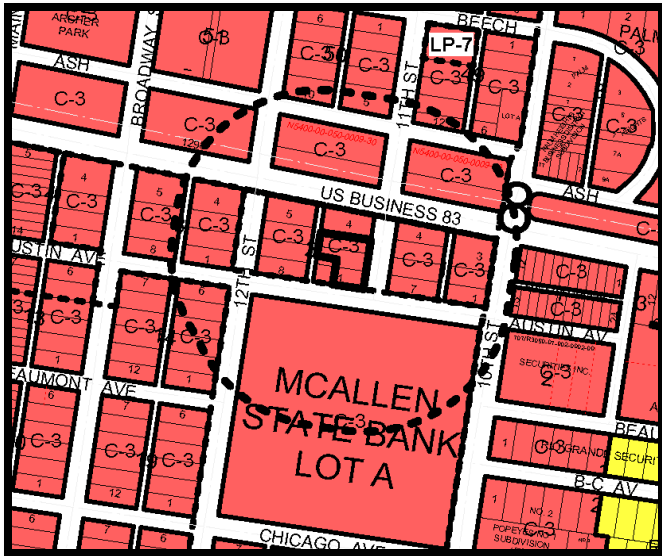
TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: September 1, 2022

SUBJECT: REQUEST OF YAIR CRUZ FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE FOR AN EVENT CENTER AT EAST 91.2 FEET OF LOT 1, LOT 2 AND SOUTH 30.57 FEET OF LOT 3, BLOCK 2, EXCLUDING THE SOUTH 16 FEET, WEST 48.8 FEET OF LOT 2, MCALLEN ADDITION SUBDIVISION, HIDALGO COUNTY, TEXAS; 1100 AUSTIN AVENUE. (CUP2022-0119)

BRIEF DESCRIPTION: The property is located on the southwest corner of South 11th Street and Austin Avenue, the property is zoned C-3 (general business) District, adjacent zoning is C-3 District in all directions. Surrounding land uses include Wing Zone Grill & Tap, House Wine & Bistro, Philly 77, Chase Tower, and commercial businesses. An event center is allowed in a C-3 District with a Conditional Use Permit and in compliance with requirements.



HISTORY: This is the initial request for a conditional use permit at this location.

REQUEST:

The applicant is proposing to operate an existing two-story building as an event center with no alcohol sales only BYOB (bring your own bottle). The building location is 7,743.5 sq. ft. in size and the proposed hours of operation are from 10:00 AM to 5:00 AM Monday through Sunday.

ANALYSIS:

The establishment is located within the ECOD (Entertainment and Cultural Overlay District), and the applicant has applied for a SUP (special use permit) as per section 138-333. The ordinance states: A patron, customer, or guest of a bar, restaurant, entertainment or cultural establishment, or other establishment in the ECOD may not bring wing malt alcoholic beverages (beer), distilled beverages or other beverages produced through

distillation into such establishments. An Event Center may not operate within the ECOD without a special use permit. A special use permit shall make necessary and reasonable provision to keep litter to a minimum, and to keep it from blowing onto or being deposited on adjacent streets and properties. Staff has received several calls in opposition to the request, the calls have indicated concerns that this business is operating already; social media is advertising the establishment as a nightclub and allowing BYOB with the late hours of operation until 5:00AM.

The Fire Department conducted an inspection of the establishment and items are pending for compliance. The Health department is pending inspection. 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 above mentioned businesses must be at least 400 ft. from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruption of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The proposed establishment is within 400 ft. from the nearest residential use or residentially zoned property.
2. The property must be as close as possible to a major arterial and shall not generate traffic onto residential sized streets. The establishment has access to 10th Street, which is a main street.
3. The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance as a minimum, and make provisions to prevent the use of adjacent streets for parking. Based on the sq. ft. of the event center 78 parking spaces are required of which 4 would have to be accessible to persons with disabilities. The existing establishment does not comply with parking. A parking agreement has been providing in order to cover the remaining parking spaces needed.
4. The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties.
5. The business shall provide sufficient lighting to eliminate dark areas and maximize visibility from a public street in order to discourage vandalism and criminal activities;
6. The business must make provisions to keep litter to a minimum and keep it from blowing onto adjacent properties; and
7. The above-mentioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Planning Director.

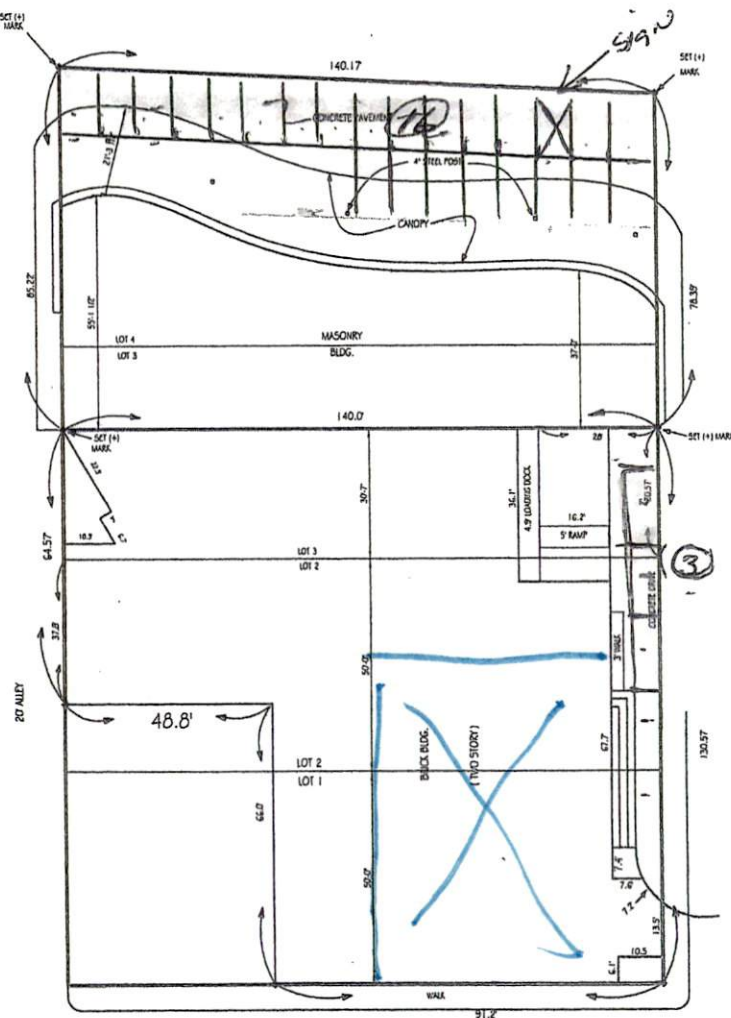
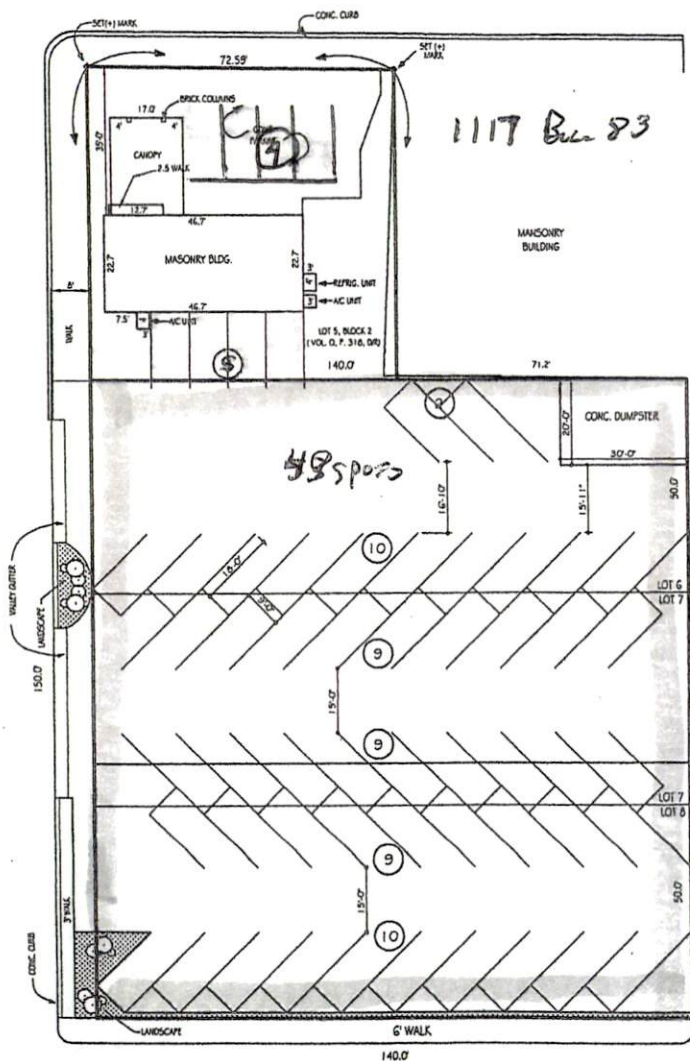
Staff has received multiple calls in opposition

RECOMMENDATION:

Staff recommends disapproval of the request based on the proposed establishment requesting to operate with BYOB which is prohibited in the ECOD, and operating hours proposed to be until 5:00AM. Which would encourage increased late night presence downtown.

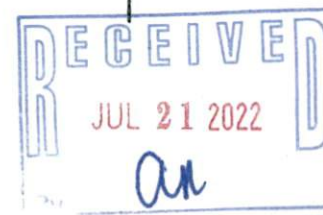
EL PATO 8
 PARKING LOT 49
 COLOR TIME 16
 Ice House 3
 TOTAL 76

50' U.S. BUSINESS 83
 (LOOP 374)



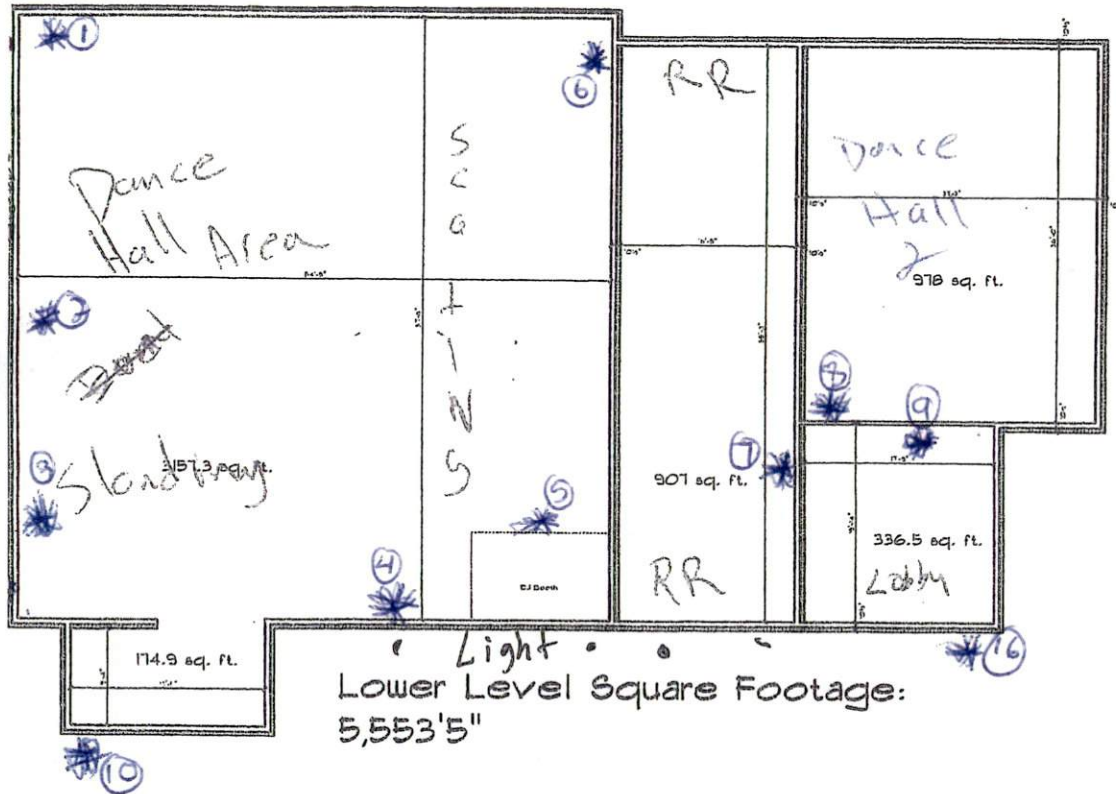
65' S. 11th ST.

50' AUSTIN AVE.

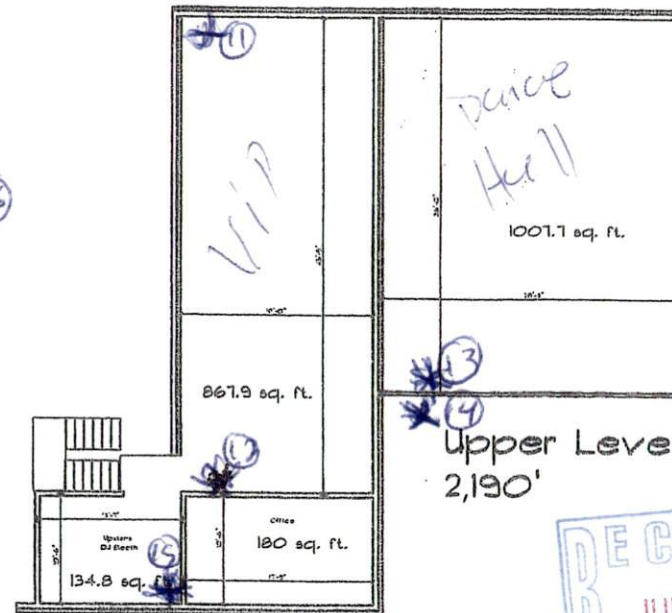


1100 Austin Street

Total Square Footage:
7,743'5"

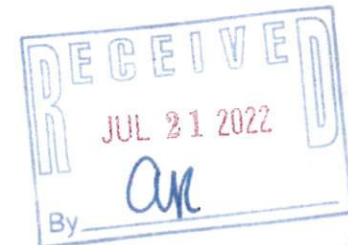


Lower Level Square Footage:
5,553'5"



Upper Level Square Footage:
2,190'

16
Cameras
• Lightening



PARKING AGREEMENT

This Parking Agreement ("Agreement") is hereby made and entered into as of DATE 2022, by and between CRP 10th STREET, LTD, a Texas limited partnership ("Owner") and ("Parking Entity"). Owner and Parking Entity will be collectively referred to hereinafter as the "parties."

RECITALS:

WHEREAS, Owner owns that certain real property located at 200 S. 10th Street, McAllen, Texas 75801 ("Building"), including certain parking lots located thereon (the "Parking Lots"); and

WHEREAS, Parking Entity, its patrons and agents wish to utilize the surface parking lots indicated on Exhibit A hereto (the "Designated Parking Area")¹, pursuant to the provisions set forth herein below.

NOW, THEREFORE, in consideration of the premises, and for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. Term and Termination. This Agreement shall commence on the earlier of November 1, 2018, or the date Parking Entity begins its business operations at ENTITY located at 1100 Austin Street McAllen, Texas (the "Commencement Date"), and shall expire five (5) years from the Commencement Date. Notwithstanding the above, either party may voluntarily terminate this Agreement by providing at least 10 days written notice to the non-terminating party. Owner may terminate this Agreement for cause, effective immediately, by providing written notice to Parking Entity, specifying the term(s) and/or condition(s) with which Parking Entity has failed to comply.

2. Rates and Hours of Use.

A. The monthly rent to be charged to Parking Entity during the term of this Agreement shall be Two Thousand Dollars (\$2,000) per month ("Facility Fee"), payable to Owner on or before the first day of each month. Parking Entity shall pay Owner a late fee of One Hundred Dollars (\$100) of any installment of Facility Fee due hereunder, which installment is not paid by the due date hereof, to cover Owner's administrative costs incurred in connection with Parking Entity's failure to timely meet its rental obligations hereunder. Additionally, non-payment by the 10th day of the month will result in immediate deactivation of Parking Entity's privilege to use the Designated Parking Area. * THE FEE WILL INCREASE BY 5% YEARLY.

B. Parking Entity may utilize the Designated Parking Area during the following days and times: Thursday – Sunday, from 8:00 p.m. CST – 3:00 a.m. CST (the "Parking Area Hours"). All vehicles left overnight (i.e., past 3:00 a.m. CST) must be removed by 6:00 a.m. CST the following morning or will be subject to tow at Parking Entity's sole expense and/or an additional fee hereunder.

¹ The Building, the Parking Lots and the Designated Parking Area will be collectively referred to as the "Premises".

ENTERED

AUG 08 2022

Initials: Ar

3. Facility Restrictions. Parking Entity shall be responsible for ensuring that the Designated Parking Area remains free from litter and other debris during the Parking Area Hours. Parking Entity further agrees not to restrict, impede, hinder, or otherwise encumber Owner's or other Building tenants' rights to access their reserved parking spaces in the Parking Lots (i.e., Parking Entity shall not commit any nuisance or other act that may disturb the quiet enjoyment of others relative to the Parking Lots).
4. Insurance. Parking Entity will provide and maintain the following:
- A. A Commercial General Liability Insurance Policy or Garage Liability Policy ("CGL Policy") with respect to the Parking Area with coverage including bodily injury, property damage, cross liability and severability of interest, blanket contractual, tenants legal liability and non-owned auto with limits of at least One Million Dollars (\$1,000,000) per occurrence/Two Million Dollars (\$2,000,000) aggregate, naming Owner, Owner's managing agent, and any designee(s) of Owner provided in writing prior to a loss as additional insureds, along with a waiver of subrogation endorsement in favor of Owner, Owner's managing agent and any designee(s) of Owner. Such Policy shall protect Owner, its managing agent, and any designee of Owner against any liability or property damage which arises from any occurrence on or about the Parking Area which results in any claims related thereto. The coverage shall extend beyond the Parking Facility to the Building and those portions of the Building that Parking Entity and/or its patrons and agents may use from time to time.
- B. An Auto Liability Policy ("Auto Policy") with a minimum limit of One Million Dollars (\$1,000,000) per occurrence/Two Million Dollars (\$2,000,000) for hired and non-hired automobiles, naming Owner, Owner's managing agent and any designee(s) of Owner provided in writing prior to a loss as additional insureds, along with a waiver of subrogation endorsement in favor of Owner, Owner's managing agent and any designee(s) of Owner.
5. Indemnification. Parking Entity agrees to INDEMNIFY, DEFEND and HOLD HARMLESS Owner and its agents from and against all claims, demands, debts, liabilities, actions, or proceedings arising out of or related to any loss suffered by Parking Entity or any of Parking Entity's patrons or agent on or about the Building, the Parking Lots, or the Designated Parking Area.
6. Notice. Whenever either party claims an event of default hereunder, notice or demand is required to be given to the claimed defaulting party. The same shall be given to the notice address below and shall be provided by either a national recognized overnight delivery service, sent by email (delivery receipt requested), or sent by certified mail, return receipt requested. Said notice shall be deemed given upon the earlier of actual receipt or refusal by the fifth (5th) day following deposit with the U.S. Postal Service.

Parking Entity Notice Info:


Owner Notice Info:


[illegible]

PARKING LOT PERMISSION

To whom it may concern

Flawless development gives authorization to Yair Cruz (Black out Event Center)
1100 Austin Ave. McAllen TX To use the parking lot on 5 s. 11th street McAllen TX,
for the use of after normal hours from 7pm to 6am, parking lot must be cleaned
and maintained during the requested times, flawless development will not be
responsible for any type of incidents that occur during the described hours, any
type of criminal activity must be reported to McAllen PD.

X 
Adrian Espinoza(Flawless development)
(956) 510-1381

X 
Yair cruz (blackout event center)
(956) 460-4392

ENTERED

AUG 03 2022

Initial: 



BLACKOUT

S 11TH ST

STOP



NOTICE
EVENT CENTER
FOR
THIS PROPERTY
CUP2022-0110

1100

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

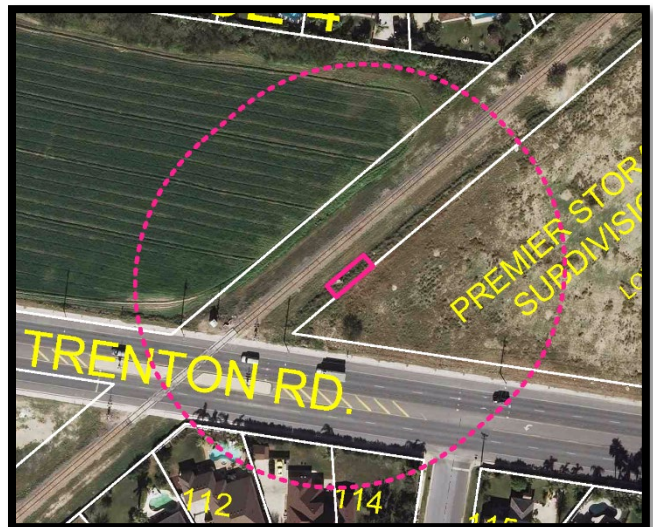
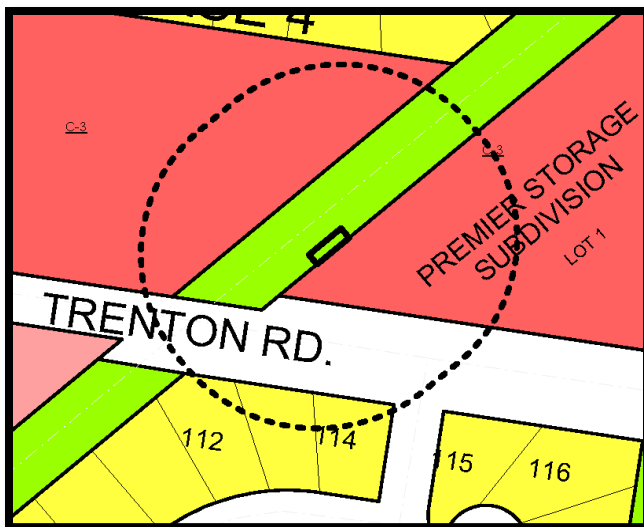
DATE: August 31, 2022

SUBJECT: REQUEST OF VINCENT G. HUEBINGER ON BEHALF OF SBA COMMUNICATIONS, FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, AND ADOPTION OF AN ORDINANCE, FOR A PERSONAL WIRELESS SERVICE FACILITY, AT A 750 SQ. FT. LEASE AREA AND A 20 FEET WIDE ACCESS AND UTILITY EASEMENT OUT OF LOT 4, BLOCK 3 (RAILROAD RIGHT OF WAY), STEELE AND PERSHING SUBDIVISION, HIDALGO COUNTY, TEXAS; 151 EAST TRENTON ROAD. (CUP2022-0113)

BRIEF DESCRIPTION:

The subject property is located along the northside of Trenton Road. The 750 sq. ft. lease area is an interior tract that is part of a parcel that has a zoning classification of A-O (agricultural and open space) District. Surrounding zoning are C-3 (general business) District to the east, A-O District to the west, and R-1 (single-family residential) District to the northwest corner and to the south. Land uses in the area include Premier Storage, and vacant property to the west. A personal wireless service facility is allowed in an A-O District with a Conditional Use Permit and in compliance with requirements.

The 750 sq. ft. lease area in question is described by metes and bounds, and is located on the



southeast portion of the tract that is owned by Missouri Pacific Railroad Company.

PROPOSAL:

The applicant is proposing to place a 84 ft. monopole located on the center of the lease area. The proposal will need to meet all building permit requirements. Federal Aviation Administration (FAA) approval must be obtained prior to beginning construction. In addition, the request must comply with requirements set forth in Section 138-118(11) of the zoning ordinance as follows:

- a. Maximum height of pole or tower structure of 80 feet within commercial zones or within 200 feet of an existing residential structure;
 - The applicant is not locating within a commercial zone;
- b. Maximum height of pole or tower structure of 120 feet within industrial zones for measuring distance purposes, the leasehold interest area boundary or compound area boundary, whichever is greater shall be utilized;
 - The applicant is proposing to construct a 84 ft. in height monopole
- c. Only one pole or tower structure-allowed per lot or tract within a commercial or industrial zone;
 - There is no other pole structure on property;
- d. The applicant shall attempt to locate the proposed facility on an existing structure, or base station, as per subsections k—m of this section. If collocation of the proposed wireless facility is not possible (as per subsections k—m of this section) then the applicant for a personal wireless service facility must submit at least two alternative designs for antenna and supporting structure, pole or tower design (including the equipment shelter, as per subsection h, below) that is treated with an architectural material (e.g., "stealth" design) so as to conform to the predominant architectural environment in the area of the facility. Such "stealth" personal wireless service facility shall blend into its proposed surroundings such as a tree, flag pole or other feature, to be approved. When a tree-type stealth design is used, one live and growing tree of the same variety or species one-half the height of the proposed tower shall be planted at the time of installation;
 - Collocation for proposal is not possible;
- e. Minimum spacing between poles and tower structures within commercial or industrial zones of 1,000 feet measured in a direct line of another tower;
 - There are no co-locatable towers within 1,000 feet;
- f. Must comply with applicable setbacks;
- g. A masonry wall shall be required as a buffer if pole or tower structure is located within the front or side yard, or adjacent to a residential use or zone;
- h. The transmission equipment structure installed at the base of the proposed tower shall be not greater than 180 square feet and constructed to conform to the predominant architectural environment;
- i. A landscaped buffer area to soften the visual impact shall commence along the perimeter of the lease area or the property line. At least one row of shrubs shall be installed as well as trees as appropriate shall be included. Materials shall be of a variety which can be expected to grow to form a continuous hedge at least six feet in height within two years of planting;
 - A 6 ft. wooden fence will be built along the south side property line;
- j. The pole or tower structure will be constructed or installed with the capabilities of locating thereon additional personal wireless service facilities when tower or pole is greater than 80 feet in height. The applicant agrees to cooperate with other personal wireless service facility providers in collocating additional facilities on permitted support structures;
- k. A permittee shall exercise good faith in collocating with other providers and sharing the permitted structure, provided such shared use does not give rise to a substantial technical

level impairment of the ability to provide the permitted use (i.e., a significant interference in broadcast or reception capabilities as opposed to a competitive conflict or financial burden). Such good faith shall include sharing technical information to evaluate the feasibility of co-location. In the event a dispute arises as to whether a permittee has exercised good faith in accommodation other users, the city may require a third party technical study at the expense of either or both the applicant and permittee;

- l. All conditional use applicants shall demonstrate good-faith, reasonable efforts in developing a collocation alternative for their proposed personal wireless service facility site, which efforts shall be documented to the city and shall include, but not be limited to, providing technical details sufficient to determine co-locations efforts. If the applicant asserts that co-location is not possible, the applicant must provide, in addition to the foregoing, an affidavit in a form provided by the city stating that all efforts to collocate the personal wireless facility at an existing facility have been exhausted and that there is no possibility of co-location on the existing towers;
- m. Failure to comply with the collocation requirements of this section may result in the denial of a permit request or revocation of an existing permit;
- n. If any applicant provides false or misleading information on their application, or in the application process to obtain a permit for a personal wireless facility, then their application may be denied or revoked at the expense of the applicant or the permittee;
- o. If property is leased, term of conditional use permit shall be co-terminus with that term of lease of property;
- p. Construction of tower and equipment facilities shall meet applicable building codes and wind loads;
- q. Notwithstanding the above conditions, to the extent an applicant is fully qualified as an eligible facilities request under Section 6409, in the event of a conflict between the above conditions in this subsection and those criteria and conditions in section 138-1.A., above, and the 2014 Infrastructure Order, then section 138-1.A., and the 2014 Infrastructure Order control, subject to the city reservation of rights, as set forth in the preface to section 138-1.A.

RECOMMENDATION:

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

Mr. Eduardo Mendoza, PE., Director of Engineering
Ms. Marlen Garza, Asst Director of Engineering Traffic Operations

Date 5/18/2022

RE: Letter of Support W Trenton Road & Cynthia Street, McAllen, TX (No assigned address)

Mr. Mendoza & Ms. Garza,

The Union Pacific Railroad does not anticipate the proposed driveway will cause any additional traffic or safety concerns. In addition to this, the UPRR will be able to utilize the proposed driveway for rail and/or crossing maintenance at the W Trenton Road intersection. This will also provide additional parking for that purpose, when needed.

[Signature]
Signature

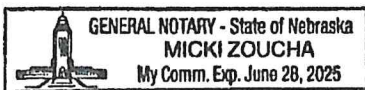
FURTHER, Affiant sayeth not.

Tom McGovern (402) 544-6090

Print Name: & Contact information

SWORN TO AND SUBSCRIBED BEFORE ME this 18th day of May,

2022 by Tom McGovern



[Signature]
Notary Public, in and for the State of ~~Texas~~
Nebraska

My commission expires:

June 28, 2025



JAVIER VILLALOBOS, Mayor
JOAQUIN "J.J." ZAMORA, Mayor Pro Tem & Commissioner District 2
TONY AGUIRRE, JR., Commissioner District 1
J. OMAR QUINTANILLA, Commissioner District 3
RODOLFO "RUDY" CASTILLO, Commissioner District 4
VICTOR "SEBY" HADDAD, Commissioner District 5
PEPE CABEZA DE VACA, Commissioner District 6

ROEL "ROY" RODRIGUEZ, P.E., City Manager

June 8, 2022

Vincent Gerard & Associates, Inc.
Attn: Vincent G. Huebinger
1715 S. Capitol Texas Hwy, Suite 207
Austin, TX. 78746

**RE: Variance Request to the Access Management Policy
Union Pacific Railroad Access**


Dear Mr. Huebinger:

City of McAllen is in receipt of the variance request to the Access Management Policy for access spacing on Trenton Road for the property referenced above. According to the site plan submitted the access is being proposed on Trenton Road does not meet the 360-ft spacing required along this road. The variance request for the driveway is considered approved with the following condition:

- Access will be restricted to right-in, right-out movements only.
- Construction of radii for this driveway will be determined at time of inspection (out in the field) to minimize spacing between proposed driveway and proposed storage building driveway.

The building permit will be reviewed for compliance with the provisions listed above. If you have any questions, please feel free to contact me at your earliest convenience at (956) 681-1151.

Sincerely,
City of McAllen



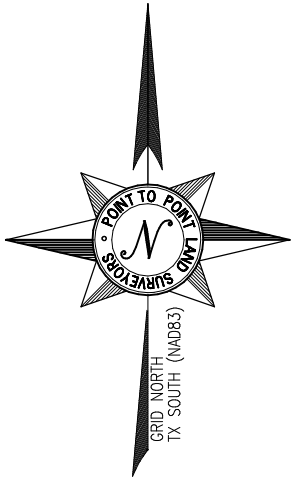
Eduardo Mendoza, PE, PTOE
City Engineer

CC: Michelle Rivera, Assistant City Manager
Planning Department
Engineering Department

GPS NOTES

THE FOLLOWING GPS STATISTICS UPON WHICH THIS SURVEY IS BASED HAVE BEEN PRODUCED AT THE 95% CONFIDENCE LEVEL:

POSITIONAL ACCURACY: 0.03 FEET (HORZ) 0.09 FEET (VERT)
TYPE OF EQUIPMENT: GEOMAX ZENITH35 PRO BASE AND ROVER, DUAL FREQUENCY
TYPE OF GPS FIELD PROCEDURE: ONLINE POSITION USER INTERFACE
DATES OF SURVEY: MARCH 7, 2022
DATUM / EPOCH: NAD_83(2011)(EPOCH:2010.0000)
PUBLISHED / FIXED CONTROL USE: N/A
GEOID MODEL: 18
COMBINED GRID FACTOR(S): 0.99997451
CONVERGENCE ANGLE: 0.13358611"
BENCHMARKS USED: DK7573, D08518, DP6001, DM4169, DP6014, DM3533, DF4381



SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THIS MAP IS CORRECT AND THAT ANY VISIBLE ENCROACHMENTS ARE SHOWN HEREON.

[Signature]
JUSTIN KYLE LAWRENCE

DATE: 03/18/2022

TEXAS PROFESSIONAL LAND SURVEYOR LICENSE NO. 6589

THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS. THIS MAP IS ONLY INTENDED FOR THE PARTIES AND PURPOSES SHOWN. THIS MAP IS NOT FOR RECORDATION.

SURVEYOR'S NOTE

ALL PRIVATE UTILITY INFORMATION WAS PROVIDED BY GPRS INCORPORATED, WA#333670, DATE 03-07-2022

LOT 171
ZONED: R-1

LOT 170
ZONED: R-1

LOT 169
ZONED: R-1

LOT 168
ZONED: R-1

NORTHIDGE PARK PHASE IV
(VOL. 29 PG 134)

SOUTHERN PACIFIC RAILROAD

80' RIGHT-OF-WAY (PER VOL 29 PG 134)

N/F
EL NORTE HOLDINGS, LLC
PARCEL # 289980
INST. NO. 2006-1679717
ZONED: C-3L

JOE V. CORSO, JR., N/F & SUZANNE KIDD CORSO
(PER TAX PARCEL # 289979)
ZONED: C-3

A PORTION OF BLOCK 3, LOT 4
STEELE AND PERSHING
(VOL. 8 PG 115)

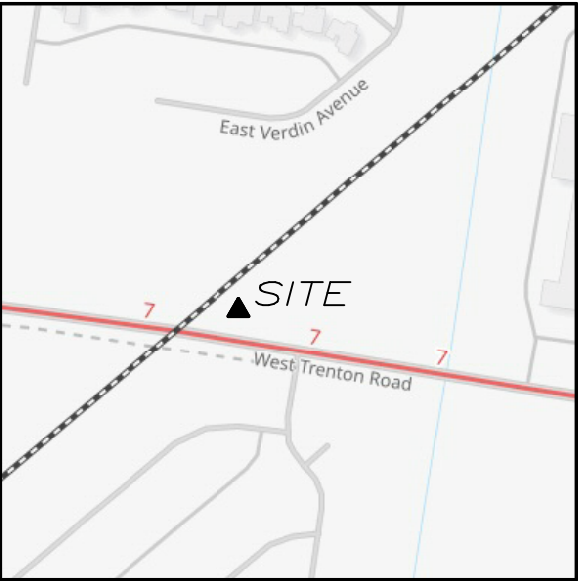
W TRENTON RD
PUBLIC RIGHT-OF-WAY

UP (TYP)

POC: IPF 1/2" RB

LEASE AREA
(SEE SHEET 2 FOR DETAIL)

C/L 15' INGRESS-EGRESS & UTILITY EASEMENT
(SEE SHEET 2 FOR DETAIL)



VICINITY MAP

NOT TO SCALE

GENERAL NOTES

* THIS SPECIFIC PURPOSE SURVEY IS FOR THE LEASED PREMISES AND EASEMENTS ONLY. THIS SPECIFIC PURPOSE SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF SBA AND EXCLUSIVELY FOR THE TRANSFERRAL OF THE LEASED PREMISES AND THE RIGHTS OF EASEMENT SHOWN HEREON AND SHALL NOT BE USED AS AN EXHIBIT OR EVIDENCE IN THE FEE SIMPLE TRANSFERRAL OF THE PARENT PARCEL NOR ANY PORTION OR PORTIONS THEREOF. BOUNDARY INFORMATION SHOWN HEREON HAS BEEN COMPILED FROM TAX MAPS AND DEED DESCRIPTIONS ONLY. NO BOUNDARY SURVEY OF THE PARENT PARCEL WAS PERFORMED.

THIS DRAWING DOES NOT REPRESENT A BOUNDARY SURVEY.

THIS SPECIFIC PURPOSE SURVEY WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT WHICH MAY REVEAL ADDITIONAL CONVEYANCES, EASEMENTS, OR RIGHTS-OF-WAY NOT SHOWN HEREON.

BASIS OF BEARING: GPS OBSERVATIONS CONDUCTED AT THE TIME OF SURVEY.

BASIS OF ELEVATION: GPS OBSERVATIONS CONDUCTED AT THE TIME OF SURVEY.

EQUIPMENT USED FOR ANGULAR & LINEAR MEASUREMENTS: LEICA TPS 1200 ROBOTIC & GEOMAX ZENITH 35 [DATE OF LAST FIELD VISIT: MARCH 07, 2022]

THE 1' CONTOURS AND SPOT ELEVATIONS SHOWN ON THIS SPECIFIC PURPOSE SURVEY ARE ADJUSTED TO NAVD 88 DATUM (COMPUTED USING GEOID18) AND HAVE A VERTICAL ACCURACY OF ± 0.5'. CONTOURS OUTSIDE THE IMMEDIATE SITE AREA ARE APPROXIMATE.

BEARINGS SHOWN ON THIS SPECIFIC PURPOSE SURVEY ARE BASED ON TEXAS GRID NORTH (NAD 83) SOUTH ZONE.

PER THE FEMA FLOODPLAIN MAPS, THE SITE IS LOCATED IN AN AREA DESIGNATED AS ZONE B (AREAS BETWEEN LIMITS OF THE 100-YEAR FLOOD AND 500-YEAR FLOOD; OR CERTAIN AREAS SUBJECT TO 100-YEAR FLOODING WITH AVERAGE DEPTHS LESS THAN ONE (1) FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN ONE SQUARE MILE; OR AREAS PROTECTED BY LEAVES FROM THE BASE FLOOD.). COMMUNITY PANEL NO. : 4803340425C DATED: 11/16/1982

NO WETLAND AREAS HAVE BEEN INVESTIGATED BY THIS SPECIFIC PURPOSE SURVEY.

ALL ZONING INFORMATION SHOULD BE VERIFIED WITH THE PROPER ZONING OFFICIALS.

ANY UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM ABOVE GROUND FIELD SURVEY INFORMATION. THE SURVEYOR MAKES NO GUARANTEES THAT ANY UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT ANY UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED ANY UNDERGROUND UTILITIES.

TEXAS REGISTRATION NO. 10194197

I DO HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND AND UNDER MY SUPERVISION. THE HORIZONTAL DATUM (COORDINATES) ARE IN THE TERMS OF THE NORTH AMERICAN DATUM OF 1983 (NAD83) AND ARE EXPRESSED AS DEGREES, MINUTES AND SECONDS, TO THE NEAREST HUNDREDTH OF A SECOND. THE VERTICAL DATUM (HEIGHTS) ARE IN TERMS OF NORTH AMERICAN VERTICAL DATUM OF 1988 AND ARE DETERMINED TO THE NEAREST TENTH OF A FOOT.



Know what's below.
Call before you dig.



03/18/2022

NO.	DATE	REVISION

* SPECIFIC PURPOSE SURVEY PREPARED BY:

POINT TO POINT LAND SURVEYORS

100 Governors Trace, Ste. 103
Peachtree City, GA 30269
(p) 678.565.4440 (f) 678.565.4497
(w) pointtopointsurvey.com
Texas Registration NO. 10194197



SPECIFIC PURPOSE SURVEY
PREPARED FOR:



8051 CONGRESS AVENUE
BOCA RATON, FL 33487-1307
OFFICE: (561) 226-9457

CYNTHIA

SITE NO. TX28376-B

BLOCK 3, LOT 4,
STEELE AND PERSHING SUBDIVISION,
CITY OF MCALLEN,
HIDALGO COUNTY, TEXAS

DRAWN BY: JNMH

CHECKED BY: JKL

APPROVED: D. MILLER

DATE: MARCH 18, 2022

P2P JOB #: 220219TX

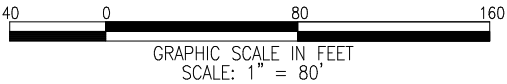
SHEET:

1

OF 3

LEGEND	
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
IPS	IRON PIN SET
IPF	IRON PIN FOUND
CMF	CONCRETE MONUMENT FOUND
CRB	CAPPED REBAR
RB	REBAR
OTP	OPEN TOP PIPE
UP	UTILITY POLE
LP	LIGHT POLE
SSMH	SANITARY SEWER MANHOLE
SDMH	STORM DRAIN MANHOLE
INV	INVERT
FH	FIRE HYDRANT
EP	EDGE OF PAVEMENT
BC	BACK OF CURB
OU	OVERHEAD UTILITY
CMP	CORRUGATED METAL PIPE
RCP	REINFORCED CONCRETE PIPE
PVC	POLYVINYL CHLORIDE PIPE
GW	GUY WIRE ANCHOR
TR	TRANSFORMER
CLF	CHAIN LINK FENCE
BWF	BARBED WIRE FENCE
WV	WATER VALVE
WM	WATER METER
CO	SEWER CLEAN-OUT
GV	GAS VALVE
HH	HANDHOLE
CP	CONCRETE PAD
BFO	BURIED FIBER OPTIC
N/F	NOW OR FORMERLY
R/W	RIGHT-OF-WAY

UTILITY LEGEND	
	OVERHEAD UTILITY LINE
	UNDERGROUND TELECOMMUNICATIONS LINE
	UNKNOWN UNDERGROUND UTILITY LINE
	UNDERGROUND GAS LINE
	UNDERGROUND SEWER LINE
	UNDERGROUND ELECTRIC LINE
	UNDERGROUND WATER LINE



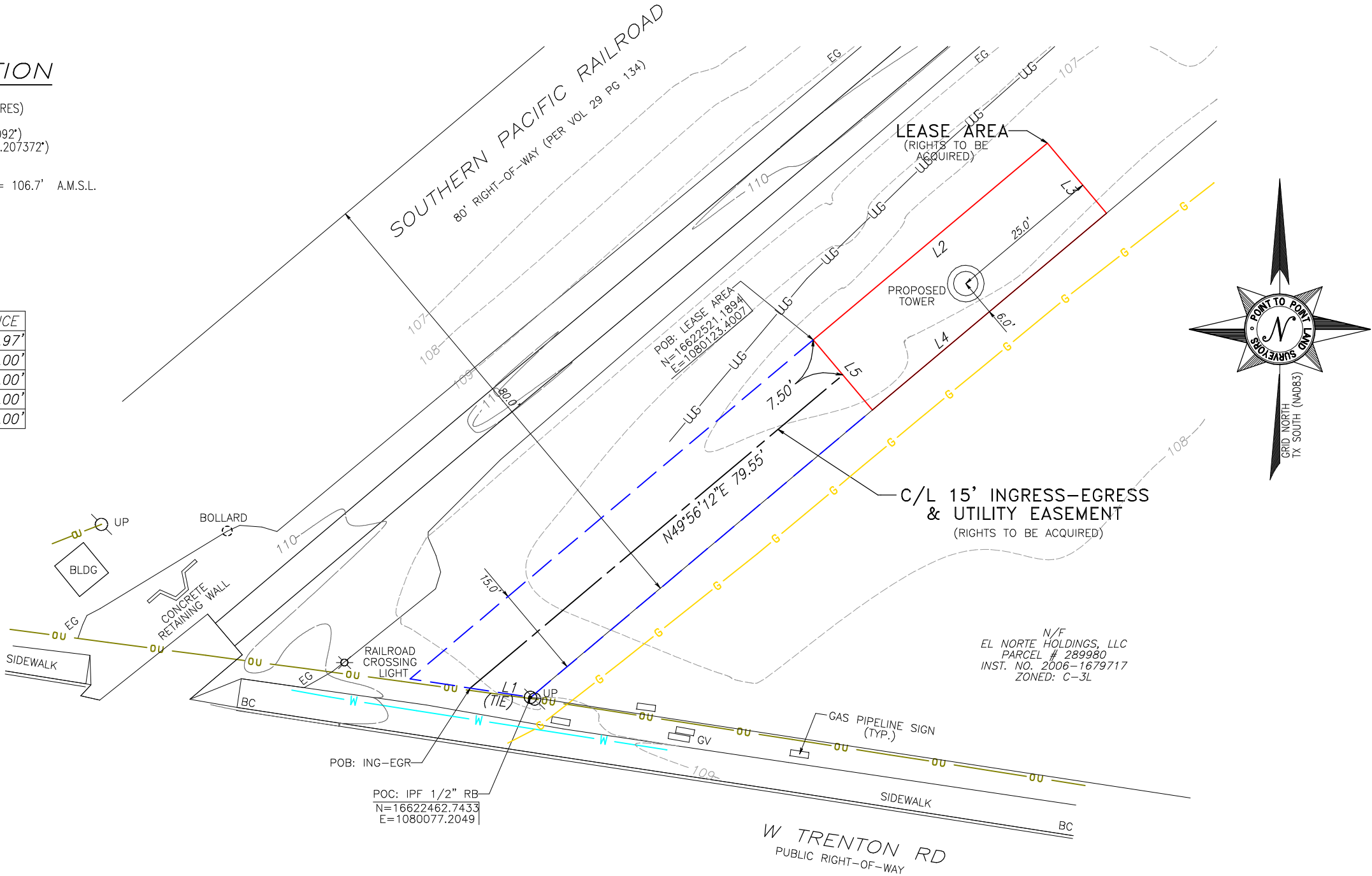
[SURVEY NOT VALID WITHOUT SHEET 2 & 3 OF 3]

SITE INFORMATION

LEASE AREA = 750 SQUARE FEET (0.0172 ACRES)
LATITUDE = 26°16'01.53" (NAD 83) (26.267092°)
LONGITUDE = -98°12'26.54" (NAD 83) (-98.207372°)
AT CENTER PROPOSED TOWER
ELEVATION AT CENTER OF PROPOSED TOWER = 106.7' A.M.S.L.

LINE TABLE

LINE	BEARING	DISTANCE
L1	N81°18'24"W	9.97'
L2	N49°56'12"E	50.00'
L3	S40°03'48"E	15.00'
L4	S49°56'12"W	50.00'
L5	N40°03'48"W	15.00'

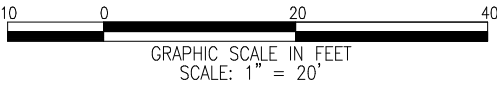


LEGEND

POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
IPS	IRON PIN SET
IPF	IRON PIN FOUND
CMF	CONCRETE MONUMENT FOUND
CRB	CAPPED REBAR
RB	REBAR
OTP	OPEN TOP PIPE
UP	UTILITY POLE
LP	LIGHT POLE
SSMH	SANITARY SEWER MANHOLE
SDMH	STORM DRAIN MANHOLE
INV	INVERT
FH	FIRE HYDRANT
EP	EDGE OF PAVEMENT
BC	BACK OF CURB
OU	OVERHEAD UTILITY
CMP	CORRUGATED METAL PIPE
RCP	REINFORCED CONCRETE PIPE
PVC	POLYVINYL CHLORIDE PIPE
GW	GUY WIRE ANCHOR
TR	TRANSFORMER
CLF	CHAIN LINK FENCE
BWF	BARBED WIRE FENCE
WV	WATER VALVE
WM	WATER METER
GO	SEWER CLEAN-OUT
GV	GAS VALVE
HH	HANDHOLE
CP	CONCRETE PAD
BFO	BURIED FIBER OPTIC
N/F	NOW OR FORMERLY
R/W	RIGHT-OF-WAY

UTILITY LEGEND

OU	OVERHEAD UTILITY LINE
UG	UNDERGROUND TELECOMMUNICATIONS LINE
UG	UNKNOWN UNDERGROUND UTILITY LINE
UG	UNDERGROUND GAS LINE
UG	UNDERGROUND SEWER LINE
E	UNDERGROUND ELECTRIC LINE
W	UNDERGROUND WATER LINE



[SURVEY NOT VALID WITHOUT SHEET 1 & 3 OF 3]



NO.	DATE	REVISION

* SPECIFIC PURPOSE SURVEY PREPARED BY:
POINT TO POINT LAND SURVEYORS
100 Governors Trace, Ste. 103
Peachtree City, GA 30269
(p) 678.565.4440 (f) 678.565.4497
(w) pointtopointsurvey.com
Texas Registration NO. 10194197



SPECIFIC PURPOSE SURVEY
PREPARED FOR:



8051 CONGRESS AVENUE
BOCA RATON, FL 33487-1307
OFFICE: (561) 226-9457

CYNTHIA

SITE NO. TX28376-B
BLOCK 3, LOT 4,
STEELE AND PERSHING SUBDIVISION,
CITY OF MCALLEN,
HIDALGO COUNTY, TEXAS

DRAWN BY: JNMH

CHECKED BY: JKL

APPROVED: D. MILLER

DATE: MARCH 18, 2022

P2P JOB #: 220219TX

SHEET:

2

OF 3

LEGAL DESCRIPTION SHEET

LEASE AREA

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING A PORTION OF BLOCK 3, LOT 4, STEELE AND PERSHING SUBDIVISION, VOLUME 8 PAGE 115, HIDALGO COUNTY, TEXAS, AND LYING ENTIRELY WITHIN THE SOUTHERN PACIFIC RAILROAD RIGHT-OF-WAY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, COMMENCE AT A ½-INCH REBAR FOUND AT THE RIGHT-OF-WAY INTERSECTION OF SAID SOUTHERN PACIFIC RAILROAD (HAVING AN 80-FOOT RIGHT-OF-WAY) AND WEST TRENTON ROAD, SAID REBAR MARKING THE SOUTHWEST CORNER OF THE LANDS OF EL NORTE HOLDINGS, LLC, AS RECORDED IN INSTRUMENT NUMBER 2006-1679717 AND HAVING A TEXAS GRID NORTH, NAD83, SOUTH ZONE VALUE OF N: 16622462.7433 E: 1080077.2049;

THENCE RUNNING ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF WEST TRENTON ROAD, NORTH 81°18'24" WEST, 9.97 FEET TO A POINT;

THENCE LEAVING SAID RIGHT-OF-WAY LINE AND RUNNING, NORTH 49°56'12" EAST, 79.55 FEET TO A POINT ON THE LEASE AREA;

THENCE RUNNING ALONG SAID LEASE AREA, NORTH 40°03'48" WEST, 7.50 FEET TO A POINT HAVING A TEXAS GRID NORTH, NAD83, SOUTH ZONE VALUE OF N: 16622521.1894 E: 1080123.4007 AND THE TRUE POINT OF BEGINNING;

THENCE, NORTH 49°56'12" EAST, 50.00 FEET TO A POINT;

THENCE, SOUTH 40°03'48" EAST, 15.00 FEET TO A POINT;

THENCE, SOUTH 49°56'12" WEST, 50.00 FEET TO A POINT;

THENCE, NORTH 40°03'48" WEST, 15.00 FEET TO A POINT AND THE POINT OF BEGINNING.

BEARINGS BASED ON TEXAS GRID NORTH, NAD83, SOUTH ZONE.

SAID TRACT CONTAINS 0.0172 ACRES (750 SQUARE FEET), MORE OR LESS.

15' INGRESS-EGRESS & UTILITY EASEMENT

TOGETHER WITH A 15-FOOT WIDE INGRESS-EGRESS AND UTILITY EASEMENT (LYING 7.5 FEET EACH SIDE OF CENTERLINE) LYING AND BEING A PORTION OF BLOCK 3, LOT 4, STEELE AND PERSHING SUBDIVISION, VOLUME 8 PAGE 115, HIDALGO COUNTY, TEXAS, AND LYING ENTIRELY WITHIN THE SOUTHERN PACIFIC RAILROAD RIGHT-OF-WAY, AND BEING MORE PARTICULARLY DESCRIBED BY THE FOLLOWING CENTERLINE DATA:

TO FIND THE POINT OF BEGINNING, COMMENCE AT A ½-INCH REBAR FOUND AT THE RIGHT-OF-WAY INTERSECTION OF SAID SOUTHERN PACIFIC RAILROAD (HAVING AN 80-FOOT RIGHT-OF-WAY) AND WEST TRENTON ROAD, SAID REBAR MARKING THE SOUTHWEST CORNER OF THE LANDS OF EL NORTE HOLDINGS, LLC, AS RECORDED IN INSTRUMENT NUMBER 2006-1679717 AND HAVING A TEXAS GRID NORTH, NAD83, SOUTH ZONE VALUE OF N: 16622462.7433 E: 1080077.2049;

THENCE RUNNING ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF WEST TRENTON ROAD, NORTH 81°18'24" WEST, 9.97 FEET TO A POINT AND THE TRUE POINT OF BEGINNING;

THENCE LEAVING SAID RIGHT-OF-WAY LINE AND RUNNING, NORTH 49°56'12" EAST, 79.55 FEET TO THE ENDING AT A POINT ON THE LEASE AREA.

BEARINGS BASED ON TEXAS GRID NORTH, NAD83, SOUTH ZONE.



03/18/2022

NO.	DATE	REVISION

* SPECIFIC PURPOSE SURVEY PREPARED BY:

POINT TO POINT LAND SURVEYORS

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(p) 678.565.4440 (f) 678.565.4497
(w) pointtopointsurvey.com
Texas Registration NO. 10194197



SPECIFIC PURPOSE SURVEY
PREPARED FOR:



8051 CONGRESS AVENUE
BOCA RATON, FL 33487-1307
OFFICE: (561) 226-9457

CYNTHIA

SITE NO. TX28376-B
BLOCK 3, LOT 4,
STEELE AND PERSHING SUBDIVISION,
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HIDALGO COUNTY, TEXAS

DRAWN BY: JNMH

CHECKED BY: JKL

APPROVED: D. MILLER

DATE: MARCH 18, 2022

P2P JOB #: 220219TX

SHEET:

3

OF 3

LICENSE AGREEMENT

This Agreement made this [REDACTED] day of [REDACTED], 2022 between **Union Pacific Railroad Company**, a Delaware corporation having an office at 1400 Douglas Street, Omaha, Nebraska 68179, hereinafter referred to as “Licensor”, and **SBA Towers X, LLC**, a Delaware limited liability company having its principal office at 8051 Congress Avenue, Boca Raton, Florida 33487-1307, hereinafter referred to as the “Licensee”.

Licensor’s managing agent with respect to certain antennas and radio communications systems is **SBA Entity**, a [REDACTED] limited liability company having an office at 8051 Congress Avenue, Boca Raton, Florida 33487-1307 hereinafter referred to as “SBAM”. Reference to the rights and responsibilities of Licensor throughout this Agreement may include those rights exercisable by and those responsibilities assumed by SBAM.

In consideration of the mutual covenants and obligations herein contained, Licensor and Licensee agree as follows:

1. **LICENSE** – Licensor hereby grants non-exclusive permission to Licensee to install, maintain, operate and remove only the communications equipment (the “Equipment”) described in Appendix “A” upon the premises (the “Premises”), described in Appendix “A”.

2. **REPRESENTATIONS** – Licensee has visited and inspected the Premises and accepts the physical condition thereof and acknowledges that no representations or warranties have been made to Licensee by either Licensor or SBAM as to the Licensor’s title in and to the Premises or as to condition of the Premises or the suitability thereof for Licensee’s use. Licensee is responsible for determining all aspects as the acceptability, accuracy and adequacy of the Premises for Licensee’s use.

3. **INSTALLATIONS** – Licensee shall submit to SBAM for Licensor’s and SBAM’S approval detailed written plans and specifications, blueprints, zoning approvals and radio frequency (“RF”) interference study results as to Equipment to be installed at the Premises. Licensor and SBAM shall not unreasonably withhold such approval. The installation of Licensee’s Equipment shall be performed in accordance with the Technical Standards set forth in Appendix “B” (the Technical Standards). Licensee must first obtain SBAM’s written consent to any third party installer, which consent shall not be unreasonable withheld. Any third party installer must submit to SBAM a certificate of insurance naming Licensor and SBAM as additional insureds and protecting itself, Licensor and SBAM against any and all claims, demands, actions, judgments, costs, expenses, and liabilities which may arise out of or result, directly or indirectly, from its installation of Licensee’s Equipment at the Premises. Such certificate of insurance must specifically indicate that the third party installer has insurance specifically related to tower work if such installation involves a tower. Licensee shall agree to accept all responsibility and liability for any and all actions of any third party installer. Licensor and/or SBAM shall have the right to reject any third party installer. Licensee’s sole remedies in the event of such rejection by SBAM are to (i) seek SBAM’s consent to a different installer or subcontractor or (ii) void this Agreement by giving Licensor and SBAM thirty (30) days’ written notice. Any such installation by a third party installer shall be done in conformity with all applicable ordinances and codes and the Technical Standards, at the Licensee expense and with the consent of and under the supervision of SBAM. All third party installer crews must have in their possession an installation form issued to them by SBAM prior to the commencement of installation

work. Licensee shall notify SBAM at least twenty-four (24) hours prior to the commencement of installation work by the third party installer. Forty-eight (48) to Seventy-two (72) hours prior to commencing installation, Licensee shall call (866) 851-5552 and advise Licensors that Licensee and/or Licensee's contractor will begin their installation at the Premises. Licensee shall provide Licensors the Premises name and location, who will be performing the work, scope of the work (antenna and equipment installation) and the date such work will commence. The location at which the Equipment is installed will be determined by SBAM and/or Licensors with consideration of the needs of Licensee and Licensee shall be solely responsible for ensuring that its Equipment is properly installed. SBAM shall not be unreasonable in its requirements, said requirements to be based on good engineering practices, space utilization and engineering quality control of the Premises, and the requirements of Licensors in Licensors's sole discretion. In the event that Licensee's power requirements exceed the existing capacity or power distribution, it will be the Licensee's responsibility with the consent of and under the supervision of SBAM to increase the capacity to meet its needs, provided Licensors consents to such increase in capacity. In the event Licensors does not consent to such an increase in existing capacity within thirty (30) days after the date upon which such request is made by SBAM on Licensee's behalf, this Agreement shall automatically terminate without further liability between the parties.

Since fiber optic cable systems may be buried on or near the Premises, Licensee shall telephone the Licensors at 1-800-336-9193 (a 24 hour number) and the appropriate state one-call agency to determine if fiber optic cable is buried anywhere on or near the Premises. If it is, the Licensee shall first telephone the telecommunications company(ies) involved, arrange for a cable locator, and make arrangements for relocation or other protection of the fiber cable prior to beginning any work on or near the Premises. In addition to the liability terms elsewhere in this Agreement, Licensee shall indemnify and hold Licensors and SBAM harmless against and from all cost, liability and expense whatsoever (including, without limitation, attorneys' fees and court costs and expenses) arising out of or in any way contributed to by any act or omission of Licensee, its contractors, agents and/or employees, that causes or in any way contributed to (a) any damage to or destruction of any telecommunications system by Licensee, its contractors, agents and/or employees on Licensors's property, (b) any injury to or death of any person employed by or on behalf of any telecommunications company, and/or its contractors, agents and/or employees, on Licensors's property, and/or (c) any claim or cause of action for alleged loss of profits or revenue by, or loss of service by a customer or user of, such telecommunications company(ies).

4. INTERFERENCE – Licensee agrees to install Equipment of types and frequencies which will not cause interference to the currently-existing communications equipment of Licensors, Licensors's vendors, or other licensees or lessees of the Premises. In the event Licensee's Equipment causes such interference, Licensee shall cooperate with SBAM in determining the source and will immediately take all steps necessary to correct and eliminate the interference. If said interference cannot be eliminated within forty-eight (48) hours after receipt of notice from SBAM to Licensee of the existence of such interference, Licensee shall discontinue use of the Equipment creating said interference (the "Interfering Equipment"); Licensee shall temporarily disconnect the electric power and shut down the Interfering Equipment (except for intermittent operation for the purpose of testing after performing any maintenance, repair, modification, replacement or other action for the purpose of correcting such interference). If such interference is not corrected within thirty (30) days after receipt of the aforesaid notice, Licensee shall remove the Interfering Equipment from the Premises. In the event that the cause of the interference cannot be pinpointed to a particular piece of equipment or system, Licensee shall disconnect the electric power and shut down all of its Equipment until such time as the interference problem is corrected. If such interference is not corrected

within thirty (30) days after receipt of the aforesaid notice, Licensee shall remove its Equipment from the Premises within an additional ten (10) day period. This Agreement shall then terminate without further obligation by either party, except with respect to those obligations then owing or past-due and except as may otherwise be specifically enumerated herein. Neither Licensor nor SBAM shall be liability to Licensee for any interruption of service of Licensee or for interference with the operation of Licensee's equipment.

Notwithstanding the foregoing, in the event that said interference interferes with Licensor's own equipment and in Licensor's sole judgment, said interference jeopardizes the safe operation of Licensor's railroad operations, Licensee will be responsible for eliminating the interference within two (2) hours, upon becoming aware of such interference. License reserves the right to disconnect power to the Interfering Equipment if Licensee is unable to eliminate and interference within two (2) hours of said notification.

Licensee has satisfied itself and hereby represents and warrants to Licensor and SBAM that no such interference shall result to the currently-existing systems of Licensor or other licensees or lessees at the Premises. Licensee agrees to indemnify, hold harmless and defend SBAM and Licensor against any claim or damage, including reasonable attorneys' fees, arising out of such interference.

Licensee shall be responsible for performing all RF engineering studies to ensure that the placement of its Equipment at the Premises will not cause interference with any existing equipment placed thereat by Licensor and any other licensees or lessees of Licensor.

During the existence of this Agreement, the Licensor agrees that permission shall not be granted to any third party for the installation or use of radio or any other equipment on the Licensor's Premises if such installation and/or use will in any way affect or interfere with the Licensee's rights hereunder; provided, however, that if the Licensee's installed equipment can be relocated or rearranged so that the installation and/or use of radio or any other equipment of third parties will not in any way affect or interfere with the Licensee's rights hereunder, then the Licensor may permit such installation and/or use by third parties by paying to the Licensee all costs and expenses incurred by it because of the granting of such additional rights.

5. COMPLIANCE WITH STATUTES AND REGULATIONS – Licensee's Equipment shall be installed, operated and maintained in accordance with the requirements and specifications of all laws, codes, orders, rules and regulations of all Federal, state and local governmental bodies and agencies having any jurisdiction thereover and in compliance with any rules and/or orders now in effect or that hereafter may be issued by the Federal Communications Commission (the "FCC") or any other governmental body or agency. It is the Licensee's responsibility to know and conform to these laws, codes or regulations and to obtain all required permits prior to the date of installation of its Equipment. In addition to the foregoing, Licensee shall obtain all necessary zoning and permitting approvals which may be required for said installation and operation of Licensee's Equipment at the Premises, Prior to commencing installation of its Equipment at the Premises, Licensee shall provide SBAM with a copy of its FCC license for the Equipment to be located at the Premises.

The Licensee shall obtain all necessary licenses and permits for the use of the Premises as contemplated by this Agreement. Such licenses and permits are to be obtained by the Licensee at no additional expense to the Licensor. The Licensee agrees to reimburse the Licensor for any additional charges assessed by the BLM, Forest Service, or any other agency as a result of the Licensee's additional equipment and access on the Premises.

6. MAINTENANCE OF LICENSEE'S EQUIPMENT – Licensee shall, at its own expense, operate and maintain all Equipment it installs at the Premises in a safe condition, in good repair and in a manner

suitable to SBAM so as not to conflict with the use of the Premises by Licensors or any other licensees or lessees using the Premises.

In the event Licensors and/or SBAM determine that Licensee's Equipment constitutes a safety hazard, Licensee shall remove any such hazard immediately at its own expense. Upon Licensee's failure to so do, Licensors and SBAM shall have the right to remove such safety hazard, and Licensee shall reimburse Licensors and/or SBAM, as the case may be, for the expense of removing such hazard.

7. LIABILITY FOR LICENSEE'S EQUIPMENT – Equipment installed by Licensee shall remain personal to Licensee. Licensee agrees that neither Licensors nor SBAM shall bear responsibility for or act as a guarantor of Licensee's Equipment, the installation, operation, maintenance, security or removal thereof or the services provided thereby. Licensee agrees that it shall indemnify and hold harmless Licensors and SBAM from and against any claims or demands made by any party asserting any claim or demand on such basis or bases.

8. ACCESS – Licensee shall have access to the Premises for the purpose of installing, operating, inspecting, servicing, maintaining, repairing and removing its Equipment between the hours of 9 A.M. and 5 P.M., Monday through Friday, except in the case of emergencies, in which case access will be permitted at any time of day subject to the security, safety and identification procedures required by Licensors and/or SBAM, in Licensors's sole discretion. Licensors and SBAM further grant to Licensee a right of access to the area where Licensee's connecting equipment is located for the purpose of installing, operating, maintaining, and repairing same, also subject to the security, safety and identification procedures required by Licensors and/or SBAM, in Licensors's sole discretion. Only authorized engineers, employees, contractors, technicians, Third Party Installers, subcontractors and agents of Licensee, FCC inspectors, or persons under Licensee's direct supervision, will be permitted to enter the Premises, and only for the purposes of installing, operating, removing, servicing, repairing, inspection or maintaining Licensee's Equipment. Access to the Licensee's equipment, which is located inside the Licensors's building or on Licensors's tower, shall be permitted only with the accompaniment of Licensors personnel or Licensors's representative. Any services provided by Licensors's employees shall be provided in accordance with the terms set forth in Appendix "C" attached hereto.

9. TERM – This Agreement shall become effective upon (i) the date upon which Licensee begins the installation of its equipment or (ii) [REDACTED], [REDACTED], whichever is earlier (the "Commencement Date"), and shall continue in effect for a term of [REDACTED] years, unless otherwise terminated in accordance with the provisions of this Agreement.

Thereafter, so long as Licensee is not in default, and does not give one hundred eighty (180) days written notice of its intent not to renew at the end of the then current term, this Agreement will renew itself without further documentation for [REDACTED] () additional terms of [REDACTED] years each (each a "Renewal Term") until terminated as provided herein. Each renewal term will be upon the same terms and conditions set forth herein, including, without limitation, the Licensors's right to reevaluate the rental as provided in Paragraph 10.

10. LICENSE FEE – The annual license fee is hereby agreed to as [REDACTED] Dollars (\$ [REDACTED].00_ per year for the initial twelve months of this Agreement payable annually, in advance, commencing on the Commencement Date of this Agreement as provided in Paragraph 9. In the event the Commencement Date is not the 1st day of the month, the license fee for such month shall be apportioned. All license fee payments shall be paid on the date due without notice and without abatement, deduction or set-off. Unless hereafter changed in writing by Licensors, payments shall be made to SBAM at the following address:

E. The Commercial General Liability (CGL) policy must include Railroad and SBAM as “Additional Insureds” using ISO Additional Insured Endorsement CG 20 11 01 96 (or a substitute form providing equivalent coverage). The coverage provided to Licensor as additional insured shall not be limited by Licensee’s liability under the indemnity provisions of this Agreement.

F. Licensee waives all rights against Licensor and its agents, officers, directors and employees for recovery of damages by the Licensor to the extent these damages are covered by any insurance required by this License.

G. Punitive damages exclusion, if any, must be deleted (and the deletion indicated on the certificate of insurance), unless (a) insurance coverage may not lawfully be obtained for any punitive damages that may arise under this Agreement, or (b) all punitive damages are prohibited by all states in which the Premises are located.

H. Prior to execution of this Agreement, Licensee shall furnish Licensor with a certificate(s) of insurance, executed by a duly authorized representative of each insurer, showing compliance with the insurance requirements in this Agreement.

I. All insurance policies must be written by a reputable insurance company acceptable to Licensor or with a current Best’s Insurance Guide Rating of A – and Class VII or better, and authorized to do business in the state where the Premises are located.

J. The fact that insurance is obtained by Licensee or by Licensor on behalf of Licensee will not be deemed to release or diminish the liability of Licensee, including, without limitation, liability under the indemnity provisions of this Agreement. Damages recoverable by Licensor from Licensee or any third party will not be limited by the amount of the required insurance coverage.

K. Licensor reserves the right to modify the types, coverage limits and other terms of insurance coverage required under the this Section 12 from time to time, in Licensor’s sole discretion.

12. RIGHTS TO EQUIPMENT – During the term of this Agreement, if Licensee is not in default hereunder, neither Licensor nor SBAM shall claim any interest in, make claim to, or assert any right to the Equipment installed by Licensee. Provided Licensee is not then in default of this Agreement, Licensee may, at its election, have its Equipment removed on or before the expiration or termination of this Agreement, provided that Licensee shall repair any damage caused by said removal. Notwithstanding the foregoing, in the event that Licensee removes its Equipment prior to the expiration of this Agreement, Licensee shall remain liable for paying the license fee for the remainder of the then current term of this Agreement.

The Licensee agrees that upon the expiration or abandonment of the Premises by the Licensee, or sooner termination of this Agreement, the Licensee will peacefully and quietly surrender occupation of the Premises to the Licensor, or the Licensor’s successors and assigns, without the Licensor giving any notice to quit or demand for possession. The Licensee’s non-use of the Premises for the purposes described in this Agreement continuing for one (1) year shall be sufficient and conclusive evidence of such abandonment unless the Licensee shall have notified the Licensor in writing of its reasons for such non-use, and shall continue to pay the license fee as and when due to the Licensor. No later than the expiration or termination date of this Agreement, the Licensee shall (a) remove from the Premises, at the expense of the Licensee, all

structures, property and other materials of Licensee or Licensee's agents, assigns, affiliates, customers and associated parties; and (b) restore the surface of the ground to as good a condition as the same was in before such structures were erected and/or constructed, including, without limiting the generality of the foregoing, the removal of foundations of such structures, the filling in of all excavations and pits, and the removal of all debris and rubbish, all of which shall be performed at the Licensee's expense. If the Licensee should fail to perform such removal, the Licenser may perform the work and the Licensee shall reimburse the Licenser for the cost thereof, as per the Fee Schedule attached hereto as Appendix "C", within thirty (30) days after the bill is rendered.

13. HOLDING OVER – Any holding over by Licensee after the expiration of the term hereof without the written consent of Licenser shall be construed as a tenancy at sufferance, subject to all of the provisions of this Agreement and at twice the monthly license fee prevailing in the last month of the term hereunder, including an renewals thereof and increasing at the same annual rate as provided in Appendix "A".

14. ASSUMPTION OF RISK; INDEMNIFICATION – The Licensee accepts the Premises in its present condition and hereby assumes the risk of any injury to and death of persons and damage to or destruction of property resulting from the condition of or any defects anywhere in or upon the Premises, regardless of whether such condition or defects are known or unknown, apparent or latent, and regardless of whether such condition or defects exist at the commencement of this Agreement or at some later time.

The occupation of and activities upon the Premises by the Licensee will expose the Licenser's property, operations and facilities to additional hazards; and as one of the material considerations for this Agreement, the Licensee agrees to assume the risk of and to indemnify and hold harmless the Licenser and SBAM as follows: the Licensee assumes the risk of and shall indemnify and hold harmless the Licenser and SBAM, and their affiliates, their officers, agents and employees, against and from any and all liability, loss, damage, claims, demands, costs and expenses of whatsoever nature, including court costs and attorneys' fees, arising from or growing out of any injury to or death of persons whomsoever or loss of or damage to property whatsoever. The obligation to indemnify shall accrue when such injury, death, loss or damage occurs from any cause and is associated in whole or in part with, incidental to or caused by the occupation or use of the Premises, or any activity upon the Premises by the Licensee, its employees or agents, or by any person on or near the Premises by reason of any relation, contractual or otherwise, with the Licensee, its officers, employees or agents, or caused by the Licensee's breach of this Agreement. The Licensee shall not indemnify the Licenser and SBAM when any such injury, death, loss or damage is caused by the sole direct negligence of SBAM, the Licenser, its officers, employees or agents.

15. REPAIRS – In addition to the repairs referred to in Paragraph 12 of this Agreement, Licensee shall be required to repair any damage to the Premises which result from or arise through the use and/or operation of its Equipment at the Premises and/or the acts or negligence of Licensee, its agents, servants, contractors and/or employees. Said repairs shall be accomplished in a manner suitable to and shall be performed by a contractor acceptable to Licenser.

16. COORDINATION OF OPERATION – Licenser and SBAM shall make reasonable efforts to give to Licensee reasonable advance notice (except in the case of emergency where advance notice cannot reasonable be given) of any planned shut downs for scheduled routine maintenance and of repairs, alterations, additions or improvements to be made with respect to the maintenance and operation of the Premises which might materially affect the operation of the Licensee's facilities and Equipment. Licenser

and SBAM shall make reasonable efforts to minimize inconvenience, possible loss and/or expense to Licensee arising therefrom, but shall not be liable to Licensee or any of Licensee's customers for any such inconvenience, loss and/or expense thereby suffered by Licensee and/or Licensee's customers. If any third party other than Licensor has rights in and to the Premises, Licensee shall obtain such rights from such third party as Licensee needs in order for Licensee to install, maintain, operate and remove the Equipment on the Premises.

17. ELECTRICITY – Licensee, at its sole expense, shall arrange with and pay directly to the local utility provider for separately metered electrical power to Licensee's equipment shelter. Prior to installing said electrical utilities at the Premises, Licensee shall provide detailed plans for same to SBAM for the approval of Licensor and SBAM. Said approval shall not be unreasonable withheld or delayed. Licensor and SBAM shall cooperate with Licensee to the extent reasonable required by the servicing utility for the provision of service to Licensee's equipment. SBA may elect to require Licensee to fund a separate meter for Licensee's power use.

18. CASUALTY – In the event there is a total destruction of the Premises by fire or other casualty (collectively, a "Casualty") and the Premises cannot, in Licensor's and/or SBAM's estimation (which estimation shall be made within thirty (30) days from the date of such Casualty), reasonably be restored within ninety (90) days from the date of Casualty, or Licensor and/or SBAM choose not to undertake such restoration, this Agreement shall automatically terminate upon the expiration of the thirty (30) day period from the date of Casualty, unless the parties otherwise agree. In the event of damage to the Premises by Casualty comprising less than a total destruction thereof, Licensee may terminate this Agreement upon thirty (30) days' written notice to Licensor and SBAM if Licensor and SBAM (i) choose not to undertake, (ii) have not completed, or (iii) cannot reasonably be expected to complete, the restoration of the Premises within three (3) months from the date of such Casualty. If any Casualty shall occur during the last year of the initial term of this Agreement or the last year of any renewal term thereof, Licensee may terminate this Agreement upon thirty (30) days' written notice to Licensor and SBAM provided such notice is given within sixty (60) days after the date of such Casualty. In any event in which SBAM restores the Premises or otherwise performs such repairs as are necessary to permit Licensee to operate its Equipment thereat following a Casualty, unless this Agreement has been terminated in accordance herewith, Licensee agrees that it shall reimburse SBAM its reasonable proportionate share (as determined by SBAM) of the expenses thereby incurred by SBAM, same to be due and payable within thirty (30) days following Licensee's receipt of an invoice therefor from SBAM.

19. CONDEMNATION – In the event the Premises, or any significant portion is condemned or is otherwise subjected to a taking by any governmental authority exercising the power of eminent domain, unless Licensor and Licensee are permitted to continue their operations at the Premises, this Agreement shall terminate as of the date upon which Licensor and/or Licensee are required by the governmental authority to cease their operation(s) at the Premises. Licensor shall be entitled to the entire award, and Licensee shall have no right to seek its own award against a governmental authority.

20. DEFAULT – It is further agreed that the breach of any covenant, stipulation or condition herein contained to be kept and performed by the Licensee, shall, at the option of the Licensor, forthwith work a termination of this Agreement, and all rights of the Licensee hereunder; provided, however, that the Licensee shall not be deemed in default under this Agreement unless the Licensor and/or SBAM has furnished written notice to the Licensee of the Licensee's default, and the Licensee has failed to begin to cure that default within three (3) business days after receipt of the Licensor's default notice or after

commencing a cure, has failed to proceed diligently to and has not cured such default within thirty (30) days of commencing same. A waiver by the Licensor of the breach by the Licensee of any covenant or condition of the Agreement shall not impair the right of the Licensor to avail itself of any subsequent breach thereof.

Neither Licensor nor SBAM will, except in an emergency, undertake to cure any default by Licensee under after the expiration of Licensee's time to cure such default as provided hereinabove. Licensee shall reimburse Licensor and/or SBAM for any expenses incurred by Licensor and/or SBAM in curing any default of Licensee.

In the event the default is non-payment of the license fee by Licensee, SBAM will give notice to Licensee via hand delivery, overnight mail or Certified United States Mail of non-receipt of payment. In the event Licensee fails to make full payment of the license fee then due within five (5) business days from the date of delivery of such notice to Licensee, Licensor and/or SBAM shall have the automatic right to disconnect, remove and store the Licensee's Equipment. All costs and expenses incurred by Licensor and/or SBAM in connection with such disconnection, removal and storage shall be reimbursed by the Licensee. Such reimbursement by Licensee shall not relieve the Licensee of its obligation to pay the license fees in default and any additional expenses incurred by Licensor and/or SBAM in connection with the collection thereof. The rights and remedies of Licensor and SBAM described in this Paragraph 20 and elsewhere in this Agreement are not exhaustive and are in addition to any other rights or remedies that may exist now or in the future, at law or equity. Licensee shall indemnify, release, defend and hold Licensor and SBAM harmless against all losses, costs (including reasonable attorneys' fees), damages, expenses, claims, demands or liabilities arising out of or caused by, or alleged to have arisen out of or been caused by the disconnection or removal by Licensor and/or SBAM of Licensee's Equipment or for impairment or interruption of Licensee's service or operation pursuant to this Paragraph 20.

21. Deleted in its entirety.

22. ENTIRE AGREEMENT/SEVERABILITY – This Agreement, including the appendices attached hereto, embodies the entire agreement between the parties with respect to the subject matter. It may not be modified, amended or terminated except as provided herein or by other written agreement between the parties. If any provision herein is deemed invalid, it shall be considered deleted from this Agreement and shall not serve to invalidate the remaining provisions of this Agreement.

23. MODIFICATIONS – Any addition, variation or modification to this Agreement shall be void and ineffective unless made in writing and signed by an authorized representative of both parties.

24. PARTIES BOUND BY AGREEMENT – Subject to the provisions hereof, this Agreement shall extend to and bind the heirs, executors, administrators, successors and assigns of the parties hereto.

25. ASSIGNMENT – Without Licensor's written consent, Licensee shall not have the right to assign this Agreement. Licensee shall not have the right to sublicense all or any part of its rights and obligations hereunder.

26. NONDISCLOSURE – Licensee agrees not to disclose, without the written consent of Licensor, any of the terms of this Agreement or any other written agreement between the parties relating to

the license privileges granted herein, except as required by governmental authority, in which case Licensee shall inform Licensors prior to divulging such information.

27. AUTHORITY TO SIGN – Licensors and Licensee each represent that the respective signatories of this Agreement presently have full authority to enter into this Agreement and to bind and obligate their respective organizations to the terms, rights and obligations under this Agreement.

28. NOTICES – All notices sent pursuant to this Agreement shall be in writing and shall be sent to the other party by either hand delivery or overnight mail or via Certified U.S. Mail, return receipt requested, addressed to the parties listed;

Licensors: Commercial Telecom
c/o Union Pacific Railroad Company
1400 Douglas Street, MS 0680
Omaha, Nebraska 68179

SBAM

Licensee: SBA Entity
8051 Congress Avenue
2nd Floor
Boca Raton, Florida 33487-1307
Attention: Site Administration
Phone # - (561) 995-7670

29. FORCE MAJEURE – To the extent that either party to this Agreement, or SBAM, is prevented from discharging its duties by an event of Force Majeure, such as by reason of flood, war, fire, explosion or other catastrophe or act of God, both parties and SBAM shall be temporarily excused from obligations under this Agreement until the abatement of the Force Majeure event.

30. RELOCATION OF LICENSEE'S EQUIPMENT – If Licensors determine that the presence of Licensee's Equipment and/or radio communications equipment on the Premises constitutes a hindrance or causes interference to Licensors' basic railroad operations (e.g., by blocking new track expansion, blocking line-of-site safety needs, etc.), Licensee shall be responsible for removing and relocating its Equipment and utility service (electric, telephone, fiber, etc.) to such other area of the Premises as Licensors and/or SBAM may designate so as to eliminate any such hindrance or interference within twelve (12) days of notification of such problem by SBAM. In the event that an alternative location cannot be mutually agreed upon by Licensee and Licensors, then Licensee and Licensors shall have the right to terminate this Agreement by providing the other party with ninety (90) days written notice of its intent to terminate.

31. TERMINATION ON NOTICE – This Agreement may be terminated by either party at the end of a term after written notice given by either the Licensors or the Licensee to the other party on any date in such notice stated, not less, however, than one hundred eighty (180) days subsequent to the date on which such notice shall be given. Upon such termination and vacation of the Premises by the Licensee during the term, the Licensors shall refund to the Licensee any proportionate unearned rental paid in advance.

If during any of the terms of this Agreement, Licensor, in its sole discretion, determines that it needs to use the site for some purpose other than as a site for the Tower, Licensor may terminate this Agreement in its entirety upon One Hundred Eighty (180) days written notice to Licensee or when the Tower is removed from the Property, whichever is later. Before exercising such right of termination, Licensor agrees to use its best efforts to provide an alternate location on the Property, acceptable to Licensee, for Licensee's Antennas and Licensee's Equipment, which alternate location shall, upon Licensee's acceptance thereof, be deemed to be the Premises and subject to the terms of this License. Licensor shall not be liable to Licensee for any damages or costs associated with Licensor's termination of this Agreement under this paragraph.

32, GOVERNING LAW – This Agreement shall be governed in accordance with the laws of the State of which the Premises is located.





Planning Department

Memo

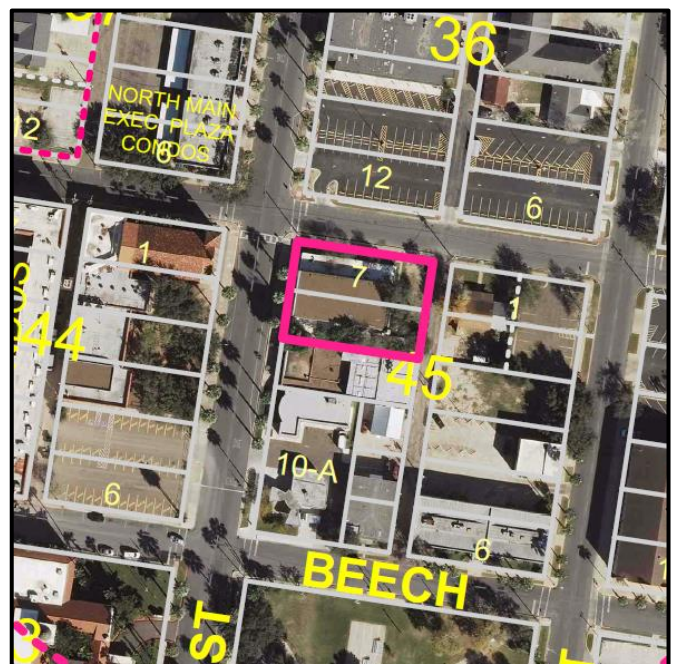
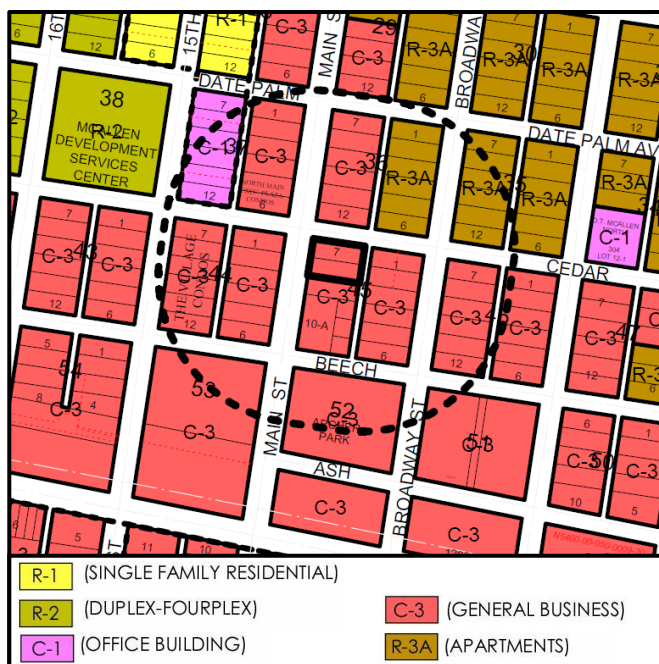
TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: August 31, 2022

SUBJECT: REQUEST OF JAVIER HERNANDEZ ON BEHALF OF PENDULUM DEVELOPMENT INC. FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE, FOR AN EVENT CENTER AT LOTS 7 AND 8, BLOCK 45, NORTH MCALLEN ADDITION, HIDALGO COUNTY, TEXAS, 220 NORTH MAIN STREET. (CUP2022-0120)

BRIEF DESCRIPTION: The property is located on the southeast corner of side of Cedar Avenue and North Main Street and is zoned C-3 (general business) District. The adjacent zoning is C-3 (general business) District to the north, west, east, and south, and R-3A (multifamily residential apartment) District to the northeast. Surrounding land uses include a vacant church, SALT-New American Table Restaurant, Horizon Montessori School, commercial businesses, offices, Archer Park, Casa De Palmas Hotel, single-family residences, and apartments. An event center is allowed in a C-3 (general business) District with a Conditional Use Permit and in compliance with the requirements.



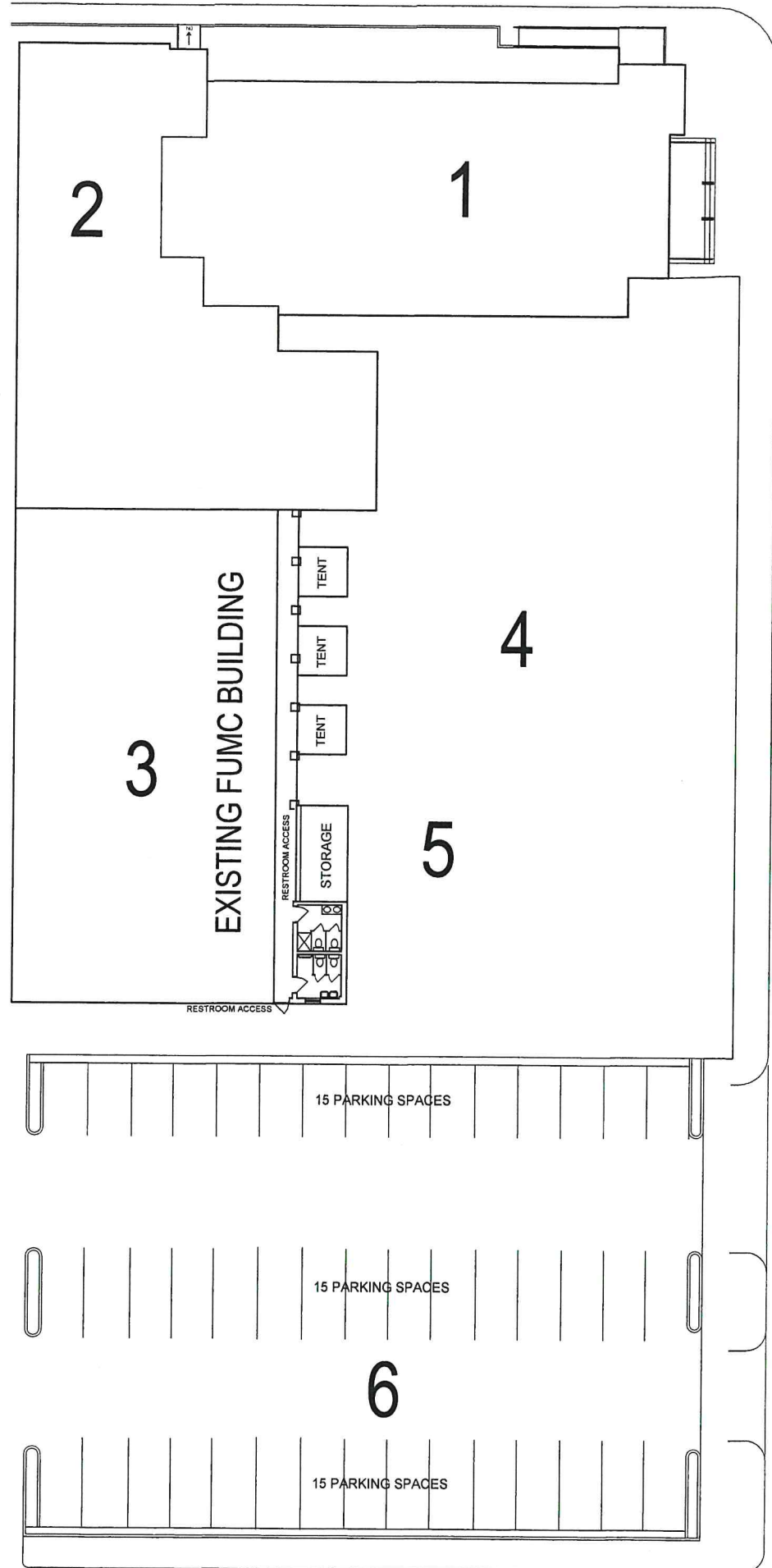
SUMMARY/ANALYSIS: The applicant is proposing to change the use of an existing 8,265 sq. ft. gymnasium to an event center, and operate under the name of The Venue on Main. The hours of operation will be from 8:00 A.M. to 12:00 A.M. daily.

During the site visit, staff noticed that some parking spaces need to be paved according to the City requirements. The Fire Department inspected the property and allowed the CUP process to continue. The applicant must obtain the required health permits. The establishment must also meet the requirements set forth in Section 138-118(4) of the Zoning Ordinance and specific requirements as follows:

1. The property line of the lot of any of the above mentioned businesses must be at least 400 ft. from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruption of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The proposed establishment is within 400 ft. from the nearest residentially zoned property and a vacant church;
2. The property must be as close as possible to a major arterial and shall not generate traffic onto residential sized streets. The establishment has access to Business 83 via Cedar Avenue and North Main Street;
3. The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance as a minimum, and make provisions to prevent the use of adjacent streets for parking. Based on the square footage of the multi-purpose area and conference rooms, 70 parking spaces are required and 70 spaces are provided. A recorded parking agreement is required and the parking lots must be paved according to Section 138-400 of the Zoning Ordinance, free of potholes, and clearly striped;
4. The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties;
5. The business shall provide sufficient lighting to eliminate dark areas and maximize visibility from a public street in order to discourage vandalism and criminal activities;
6. The business must make provisions to keep litter to a minimum and keep it from blowing onto adjacent properties; and
7. The above-mentioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Planning Director.

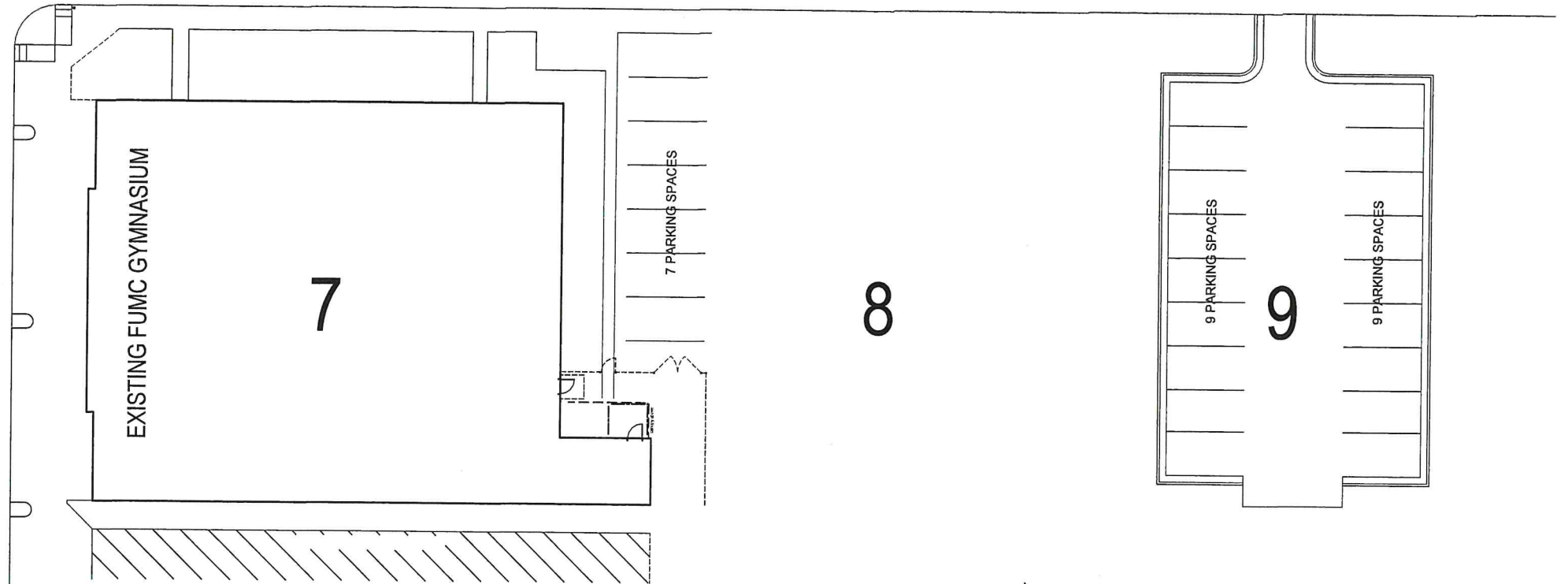
RECOMMENDATION:

Staff recommends disapproval of the request based on noncompliance with requirement #1 (distance) and #3 (parking) of Section 138-118(4) of the Zoning Ordinance.



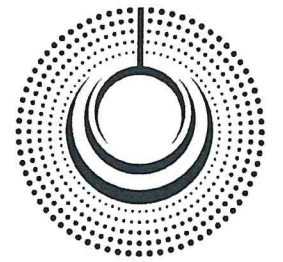
MAIN STREET

CEDAR AVENUE



TOTAL	70 PARKING SPACES
MAIN PARKING	45 PARKING SPACES
ANNEX PARKING	18 PARKING SPACES
PRIVATE PROPERTY	7 PARKING SPACES

- 1 LARGE ASSEMBLY
- 2 SMALL ASSEMBLY & KITCHEN
- 3 MEETING ROOMS
- 4 COURTYARD
- 5 PLAYGROUND
- 6 MAIN PARKING
- 7 HALL & KITCHEN
- 8 PRIVATE PROPERTY
- 9 ANNEX PARKING



PENDULUM
DEVELOPMENT INC.

PERPETUAL MOMENTUM

Javier Hernandez
PRESIDENT & C.O.O.

OMAR
Hernandez
DRAFTING & DESIGN

ENTERED

AUG 03 2022

Initial: *an*

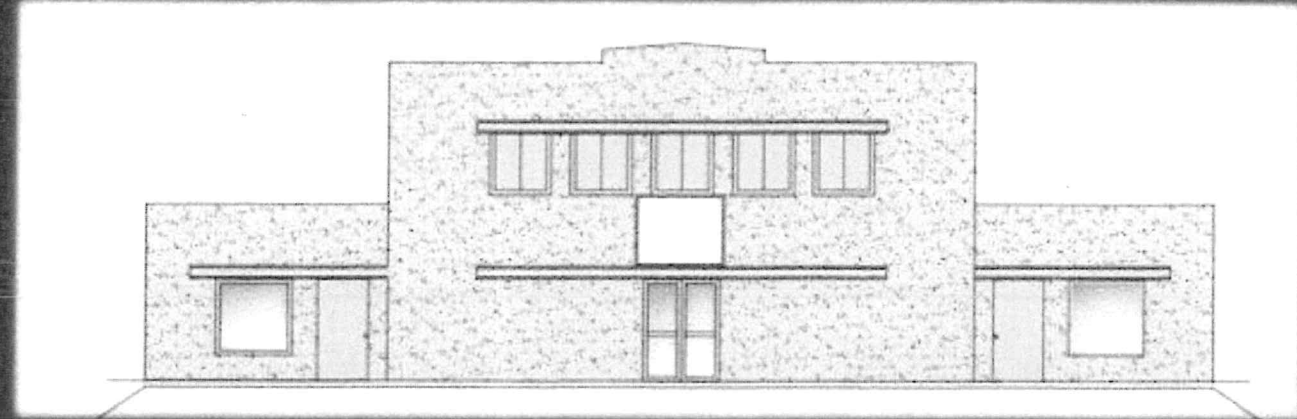
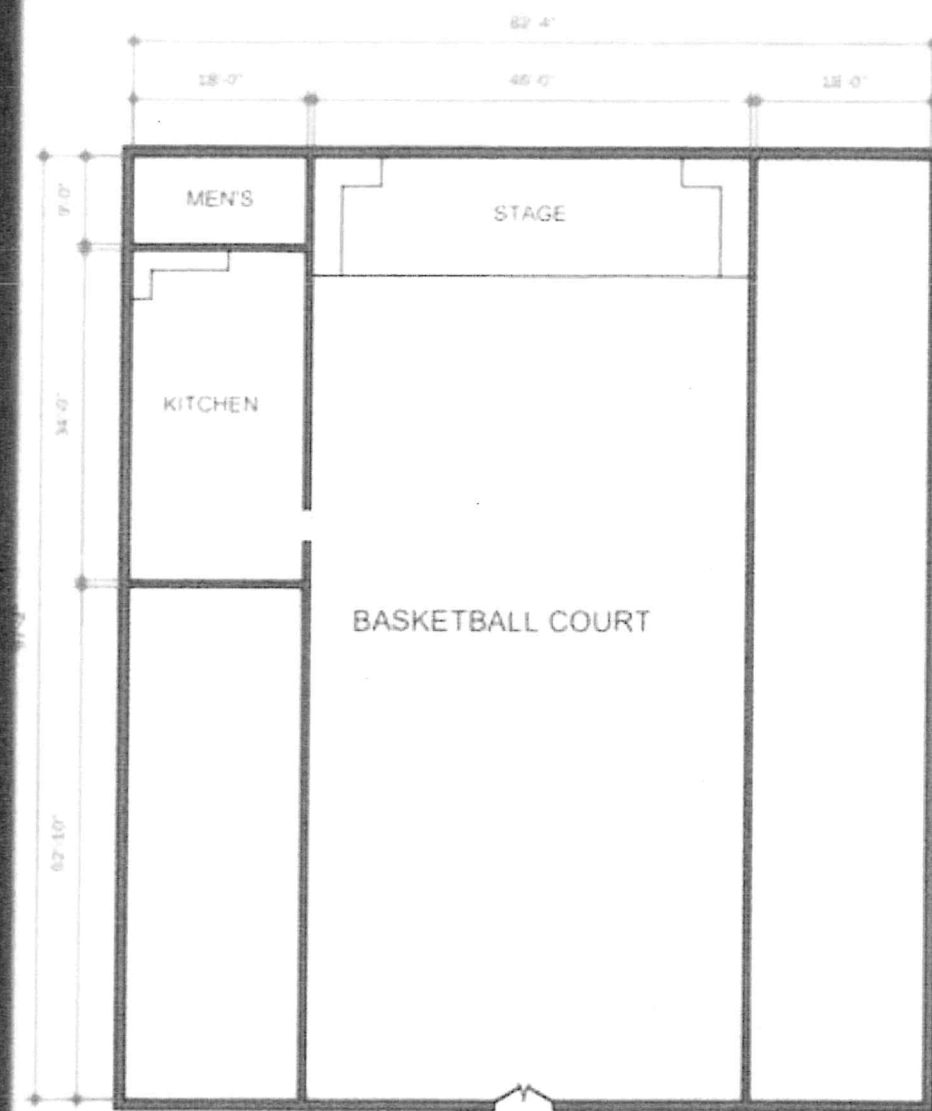
DATE: 08-03-2022
PROJECT NO. 21-34



ENTERED

AUG 03 2022

Initial: _____



EXISTING LAYOUT



MAIN STREET

CEDAR AVENUE

8,265 sq Ft
Total

EXISTING FUMC GYMNASIUM



PENDULUM
DEVELOPMENT INC.

1000 E. 10th Street, Suite 100, Oklahoma City, OK 73104

Javier Hernandez
PRESIDENT

QMAR
COMMERCIAL REAL ESTATE



DATE:
PROJECT NO.

04-22-22
21-34

ENTERED

AUG 03 2022

Initial: AM

The VENUE Main



NOTICE
EVENT CENTER
FOR
THIS PROPERTY
CUP2022-0120



Planning Department

Memo

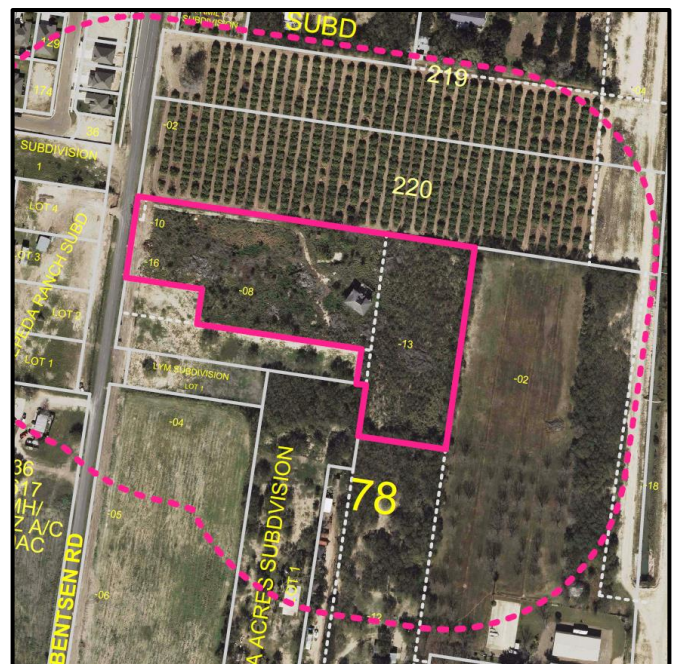
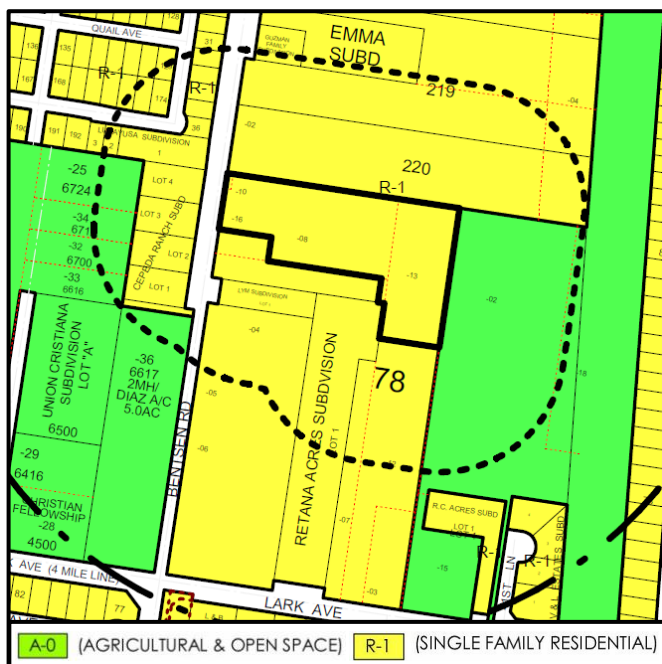
TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: August 31, 2022

SUBJECT: REQUEST OF RICARDO VEGA AND MELINDA V. VEGA ON BEHALF OF MADDIE'S PUMPKIN PATCH, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE, FOR AN EVENT CENTER (PICTURE VENUE) AT 4.983 ACRES OUT OF LOT 78, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS; 6712 NORTH BENTSEN ROAD. (CUP2022-0117)

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



HISTORY: The initial application for a Conditional Use Permit for an event center and picture venue for the subject property, known as Maddie's Pumpkin Patch, was submitted on September 8, 2021. A petition from 27.8% of the property owners in opposition of the requested CUP was received by staff on October 19, 2021. The City Commission approved the CUP for the subject property on November 22, 2021, for 9 months subject to dust mitigation, fencing the property, and the hours of operation being from 9 AM to 7 PM. In April 2021, the applicant informed staff that the fence was built, therefore staff visited the site on April 13, 2021. During the site visit, the applicant stated that water spray has been used for dust mitigation. A site plan drawn by staff showing where a cedar fence was built is included in the packet. The Conditional Use Permit was signed and picked up by the applicant on April 14, 2021, which was expired on August 22, 2022. A CUP application to continue the operation of the event center and picture venue for one year was submitted by the applicant on August 2, 2022.

SUMMARY/ANALYSIS: The applicant is proposing to continue the operation of a picture venue and event center from approximately 8 ½ acre property. Approximately, 5 acres are being used for the picture venue and event area and 3 ½ acres for the parking area. The hours of operation are proposed from 9:00 A.M. to 8:00 P.M. daily during the daylight saving time and from 9:00 A.M. to 7:00 P.M. after that. During the site visit, staff noticed that the parking area is not paved and is covered with weed. The applicant stated that the weed will be cut and water spray will be used for dust mitigation.

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

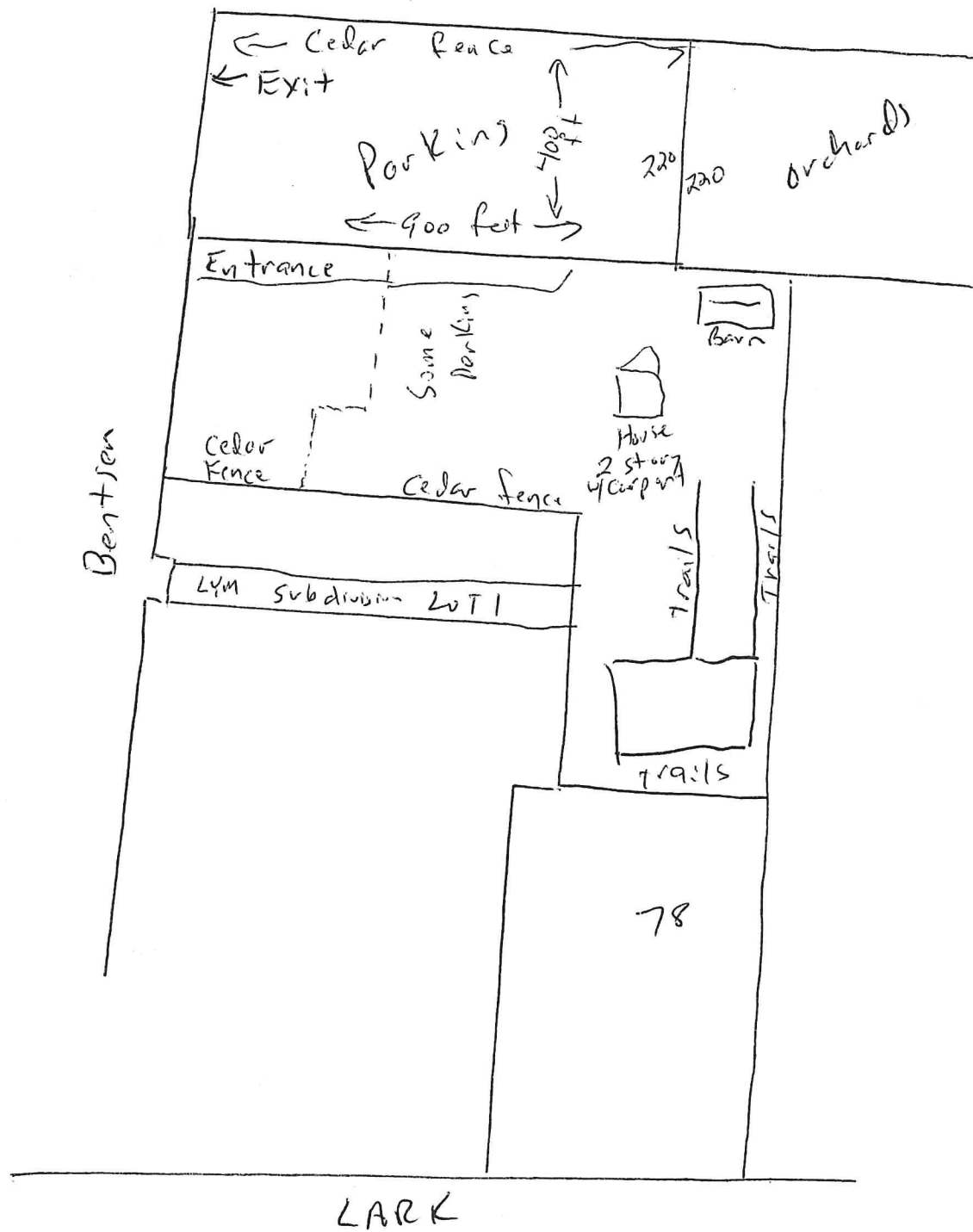
1. The property line of the lot of any of the above mentioned businesses must be at least 400 ft. from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruption of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The proposed establishment is within 400 ft. of residential properties; however, the proposed hours of operation is from 9:00 A.M. to 8:00 P.M.;
2. The property must be as close as possible to a major arterial and shall not generate traffic onto residential sized streets. The establishment has direct access to North Bentsen Road;
3. The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance as a minimum, and make provisions to prevent the use of adjacent streets for parking. Based on the square footage and use of the picture venue and event area, 1,525 parking spaces are required and no paved parking spaces are provided. A 3 ½ acre of unpaved tract is being used for the parking area. On-site parking will need to be paved and striped and be clear of potholes to comply with City standards;


4. The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties.
5. The business shall provide sufficient lighting to eliminate dark areas and maximize visibility from a public street in order to discourage vandalism and criminal activities;
6. The business must make provisions to keep litter to a minimum and keep it from blowing onto adjacent properties; and
7. The above-mentioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Planning Director.

RECOMMENDATION:

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

To be included with CUP 2021-0129
Renewal.



 6 ft. Cedar fence built by the applicant



Kaveh Forghanparast

From: rr2095@aol.com
Sent: Monday, August 29, 2022 2:13 PM
To: Kaveh Forghanparast
Subject: Clarifications Regarding CUP Application CUP2022-0117

Greetings,

In consideration of subject application and more specifically regarding "Days and Hours Of Operation. As approved during previous application, our hours of operation continue to be from 9am to 7pm Monday through Sunday. We are requesting that during daylight saving time, (which usually begins around March 13), we are approved to remain open from 9am to 8pm as it gets darker later.

When doing standard, "Fall Back" time, (usually begins November 6), we are concious that it gets darker earlier and the 9am to 7pm is most appropriate. We are considerate of our neighbor's comforts and always take this into consideration. As we were approved last year and as selected on the application, we are requesting that we be approved for one year. Thank you.

Rick Vega
Maddie's Pumpkin Patch
6712 N. Bentsen Rd
McAllen, Texas
(956)457-3035

[Sent from the all new AOL app for Android](#)



NOTICE
EVENT CENTER
FOR
THIS PROPERTY
CUP2022-0117

LA VEGA RANCHES







Memo

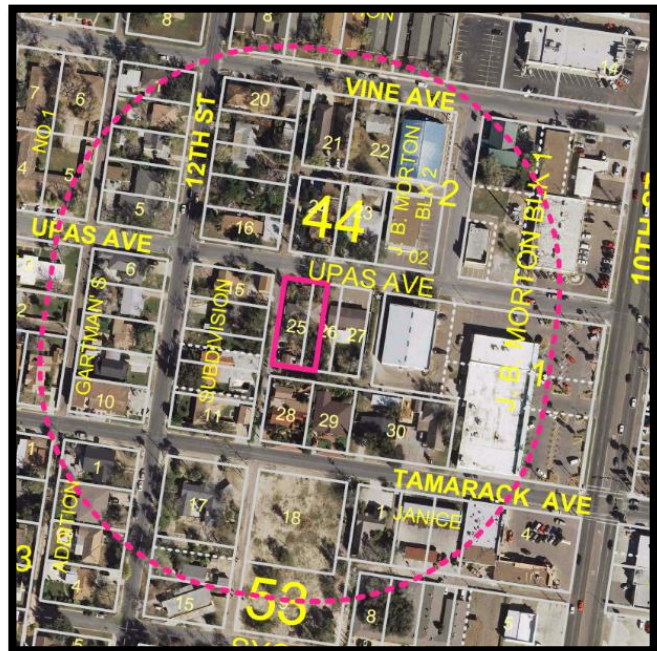
TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: September 1, 2022

SUBJECT: Request of Shawn M. Mendiola on behalf of Stick Lizards Bar and Grill for a Conditional Use Permit, for one year, and adoption of an ordinance for a bar and grill at Lot 25 and the West ½ of Lot 26, Gartman's Subdivision, Hidalgo County, Texas; 1113 Upas Avenue. (CUP2022-0118)

DESCRIPTION: The property is located on the south side of Upas Avenue and is zoned C-3 (general business) District. The adjacent zoning is C-3 District to the northeast and east, R-3A (multifamily residential apartments) District to the northwest and north, R-2 (duplex-fourplex residential) District to the west, and R-1 (single family residential) District to the west and south. Surrounding land uses include Treasures from the Attic & Co. antique store, New and Again Antiques Mall, and single family residential. A bar is allowed in a C-3 zone with a Conditional Use Permit and in compliance with requirements.



ANALYSIS: The applicant is proposing to operate a bar from the existing 1,590 square foot building. The proposed hours of operation will be from 4:00 p.m. to 12:00 a.m. Monday through Sunday. The establishment consists of a bar area, storage room, a room with kitchen appliances (air fryer, ice machine, refrigerator), two bathrooms, two rooms with seating area, and a front patio area with additional seating.

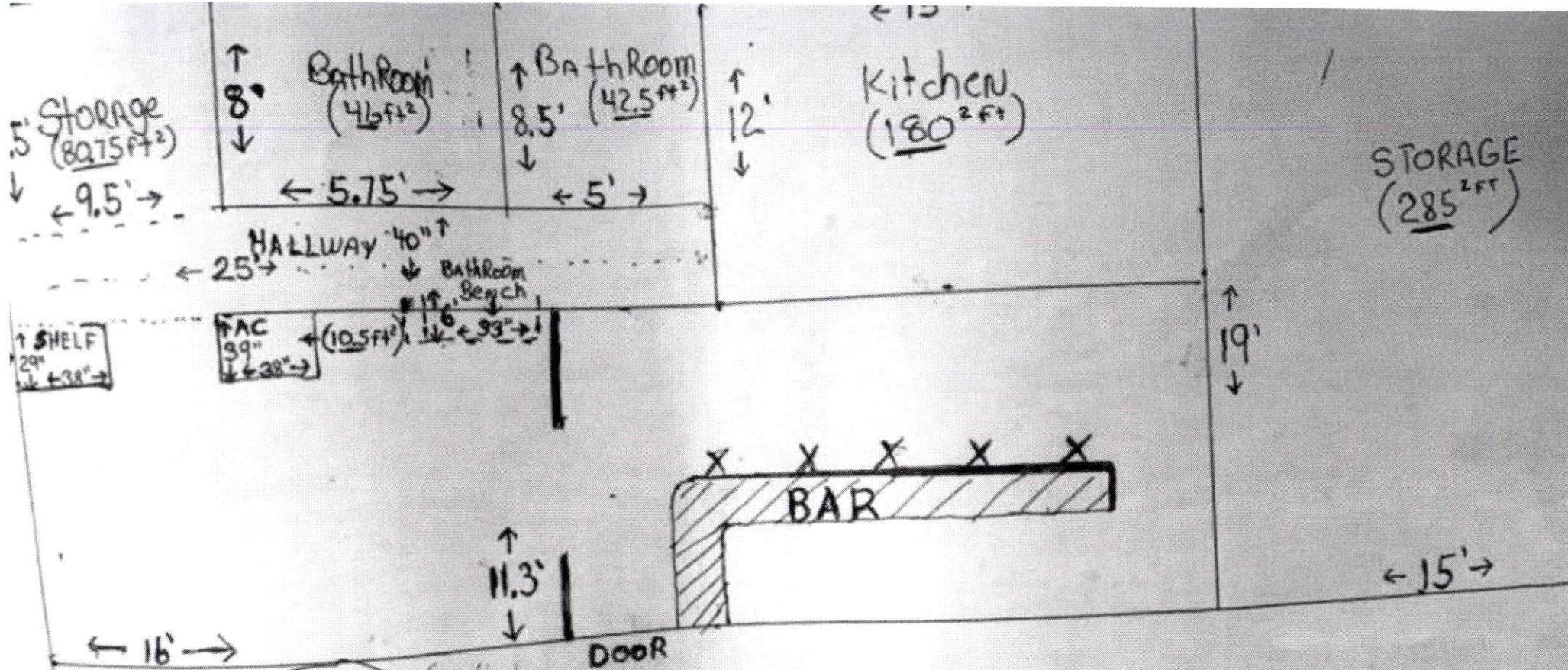
The locale had previously applied for a bar Conditional Use Permit in December of 2020. The item was presented before City Commission on December 14th, where it received neighborhood opposition and was denied.

The Fire Department inspection has failed as the occupancy load signage must be updated. The Health Department inspection has passed, however, the Health Department noted that they have received numerous noise complaints at the location. The police activity report is attached, which indicates service calls from August 2021 to present. The Planning Department has received two calls and a petition in opposition to the request in regards to the off street parking and the location of the bar adjacent to residential area, the attached petition indicates a total opposition percentage of 20.3%. The establishment must also meet the requirements set forth in Section 138-118(4) of the Zoning Ordinance and specific requirements as follows:

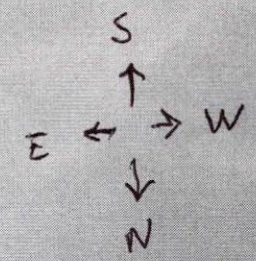
- 1) The property line of the lot of any of the abovementioned businesses must be at least 400 feet from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruptions of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The establishment is within 400 ft. of the residential zone/use to the north, south, and west;
- 2) The abovementioned businesses 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 is approximately 480 ft. from North 10th Street;
- 3) The abovementioned businesses must provide parking in accordance with the city off-street parking ordinance as a minimum, and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional onsite parking. As per the submitted site plan, the 1,590 square footage (indoor and outdoor) does require 16 parking spaces, 9 parking spaces are provided on site. The Planning Department has not received an updated site plan of the total square footage as the establishment has increased seating area on premise. The applicant submitted an invalid parking agreement as it is not signed by the property owner.
- 4) The abovementioned businesses 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 businesses 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 businesses must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties.
- 7) The abovementioned businesses 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) and #3 (parking) of Section 138-118(4) of the Zoning Ordinance, as well as due to continuous disruption to surrounding residential properties.



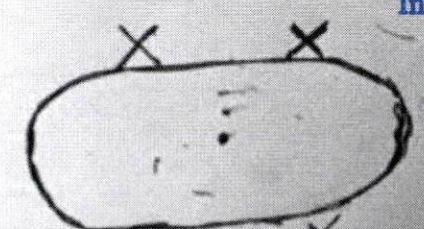
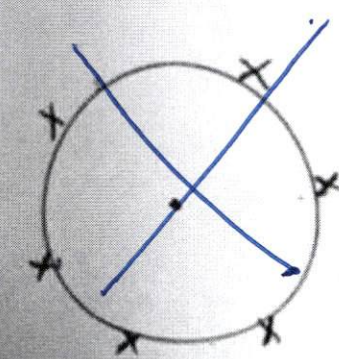
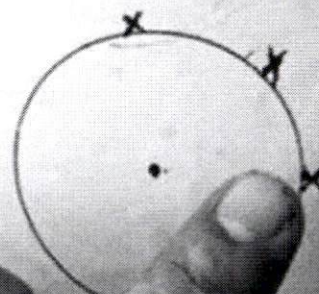
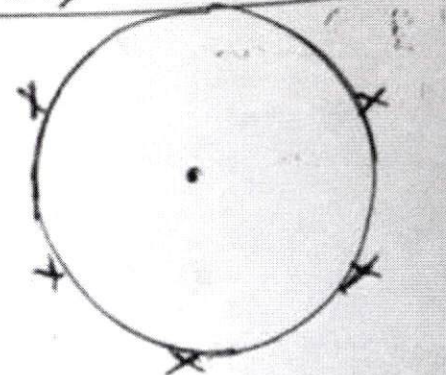
Front patio



ENTERED

AUG 02 2022

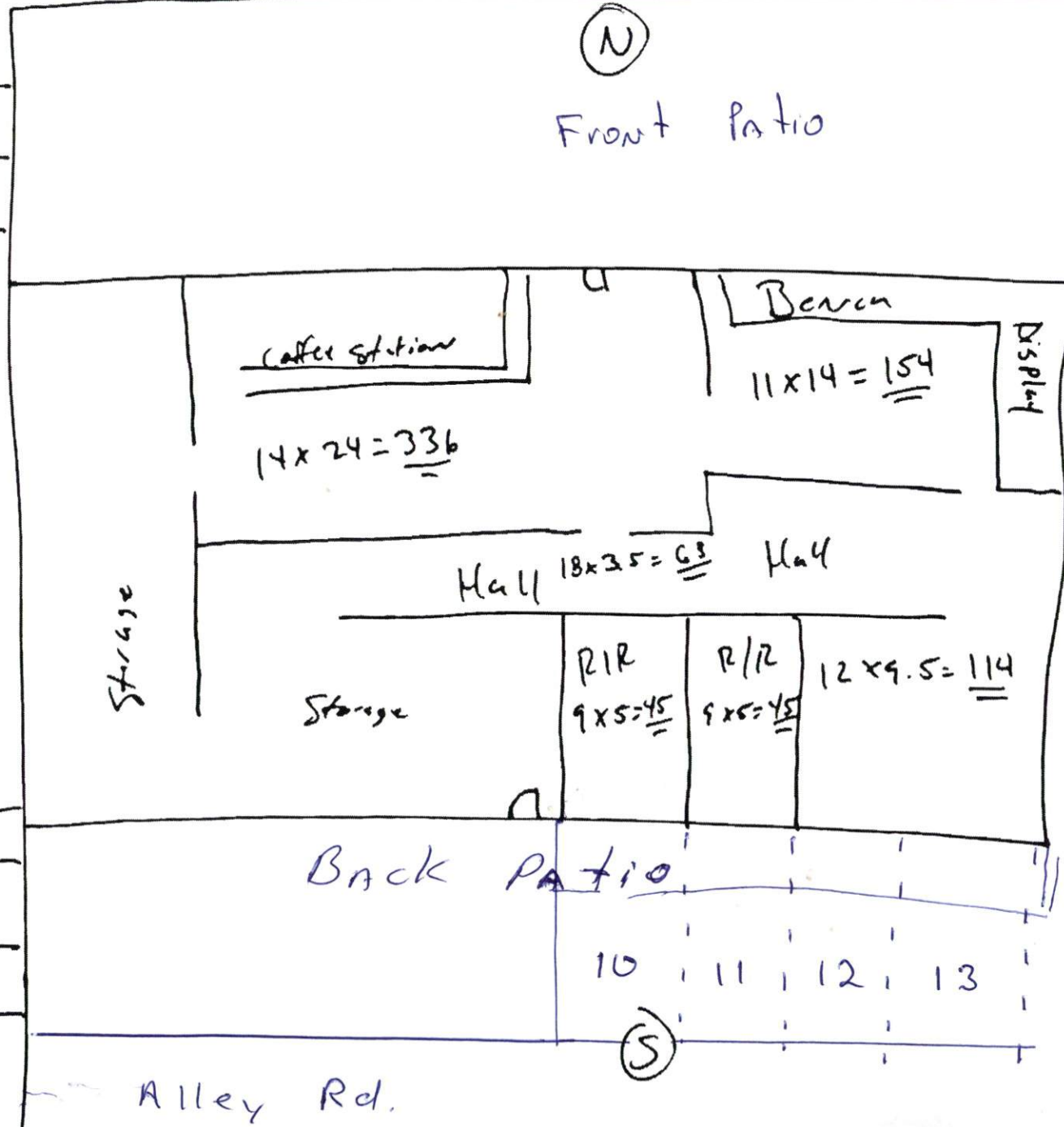
Initial: Al
UPAS
AVE
↓



Upas Ave

(N)

Front patio



Total sq ft 257
1113 Upas ave
McAllen TX 78501

(E)

ENTERED

AUG 02 2022

Initial: AK

Planned 4
more parkings
in Back (south
side)

$$(* 1590 \text{ sq ft TTL} *) = 15.9 \text{ PARKINGS}$$

Front
Patio

Gate i.

Landscape

Gate

Landscape

WALKWAY

42'

(1470'²)

35'

PORCH

BRICK
FLW

sidewalk

7.5"

16"

(120'²)

DOOR

Buildings Building



McALLEN POLICE DEPARTMENT

CALLS FOR SERVICE REPORT

From Date/Time: 08-29-21
To Date/Time: 08-29-22

Incident Type: All
Location: 1113 Upas Ave

Incident Number	Call Date/Time	Location	Incident Type
2022-00055791	8/12/2022 3:09	1113 E UPAS AVE, MCALLEN	Suspicious Person/Vehicle
2022-00055786	8/12/2022 2:39	1113 UPAS AVE, MCALLEN	Noise Complaint
2022-00047502	7/10/2022 0:39	1113 UPAS AVE, MCALLEN	Intoxicated Driver
2022-00044086	6/25/2022 21:14	1113 UPAS AVE, MCALLEN	Noise Complaint
2022-00042221	6/17/2022 17:56	1113 UPAS AVE, MCALLEN	Traffic Hazard
2022-00041369	6/14/2022 12:33	1113 UPAS AVE, MCALLEN	Assist Other Agency
2022-00039747	6/7/2022 22:22	1113 UPAS AVE, MCALLEN	Noise Complaint
2022-00039198	6/5/2022 19:28	1113 UPAS AVE, MCALLEN	Improperly Parked Vehicle
2022-00036630	5/27/2022 10:20	1113 UPAS AVE, MCALLEN	Police Services
2022-00035457	5/22/2022 19:37	1113 UPAS AVE, MCALLEN	Noise Complaint
2022-00033703	5/15/2022 21:32	1113 UPAS AVE, MCALLEN	Noise Complaint
2022-00031149	5/5/2022 22:15	1113 UPAS AVE, MCALLEN	Noise Complaint
2022-00030452	5/3/2022 9:36	1113 UPAS AVE, MCALLEN	Domestic Disturbance
2022-00029267	4/28/2022 16:10	1113 UPAS AVE, MCALLEN	Harassment
2022-00029047	4/27/2022 17:17	1113 UPAS AVE, MCALLEN	Noise Complaint
2022-00024111	4/8/2022 22:29	1113 UPAS AVE, MCALLEN	Noise Complaint
2022-00019670	3/23/2022 0:34	1113 UPAS AVE, MCALLEN	Noise Complaint
2022-00019084	3/20/2022 22:31	1113 UPAS AVE, MCALLEN	Noise Complaint
2022-00016266	3/9/2022 22:48	1113 UPAS AVE, MCALLEN	Noise Complaint
2022-00016264	3/9/2022 22:30	1113 UPAS AVE, MCALLEN	Noise Complaint
2022-00016240	3/9/2022 20:30	1113 UPAS AVE, MCALLEN	Noise Complaint
2022-00011388	2/18/2022 23:55	1113 UPAS AVE, MCALLEN	Noise Complaint
2022-00009188	2/9/2022 23:24	1113 UPAS AVE, MCALLEN	Noise Complaint
2022-00007309	2/1/2022 20:40	1113 UPAS AVE, MCALLEN	Reckless Driving
2022-00003254	1/14/2022 21:27	1113 UPAS AVE, MCALLEN	Noise Complaint
2022-00003026	1/14/2022 0:02	1113 UPAS AVE, MCALLEN	Noise Complaint
2022-00002807	1/12/2022 23:06	1113 UPAS AVE, MCALLEN	Noise Complaint

McALLEN POLICE DEPARTMENT

CALLS FOR SERVICE REPORT

2022-00001779	1/8/2022 3:00	1113 UPAS AVE, MCALLEN	Noise Complaint
2021-00080685	11/10/2021 20:27	1113 UPAS AVE, MCALLEN	Suspicious Person/Vehicle
2021-00077081	10/28/2021 2:31	1113 UPAS AVE, MCALLEN	Suspicious Person/Vehicle

- *Disclaimer: The figures reflected above are 'calls for service' for the City of McAllen. They are NOT lists of Crimes or Crime Reports. Calls are titled as they are called in and dispatched.*



JAVIER VILLALOBOS, Mayor
JOAQUIN "J.J." ZAMORA, Mayor Pro Tem & Commissioner District 2
TONY AGUIRRE, JR., Commissioner District 1
J. OMAR QUINTANILLA, Commissioner District 3
RODOLFO "RUDY" CASTILLO, Commissioner District 4
VICTOR "SEBY" HADDAD, Commissioner District 5
PEPE CABEZA DE VACA, Commissioner District 6

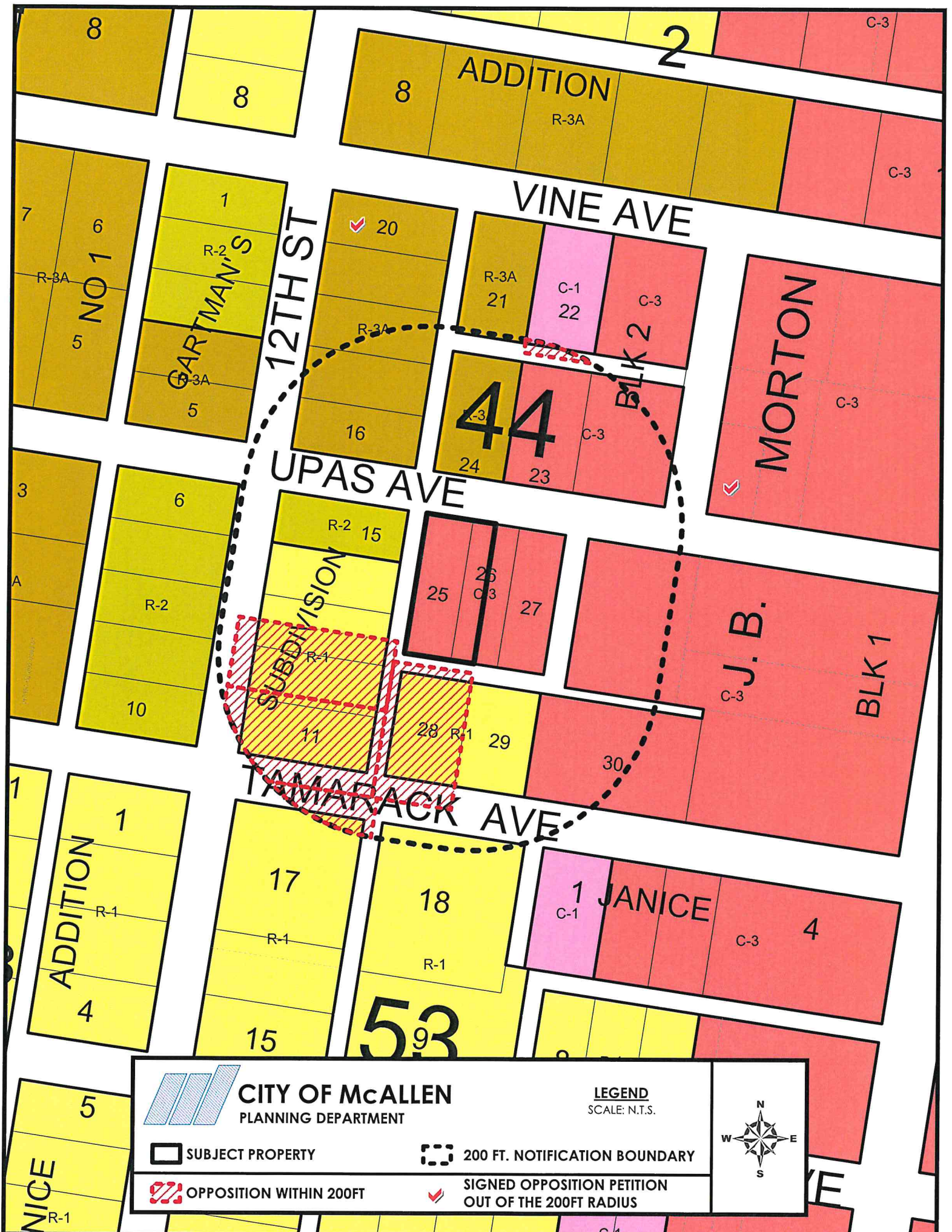
ROEL "ROY" RODRIGUEZ, P.E., City Manager

CUP2022-0118
1113 UPAS AVE
GARTMAN'S LOT 25 & W ½ OF LOT 26

200 Ft. Radius: 227,558.92 Sq. Ft.
Subject Property: 11,352.67 Sq. Ft.
Total Area of Opposition: 43,918.47 Sq. Ft.

200 Ft Radius	<u>Total Area of Opposition</u>	= 0.*** x 100 =	Percentage
- <u>Subject Property</u>	<u>Total Adjusted Area</u>		for Opposition
Total Adjusted Area			

227,558.92 Sq.Ft.	<u>43,918.47 Sq.Ft.</u>	= 0.203 x 100 =	20.3% Opposition
- <u>11,352.67 Sq.Ft.</u>	<u>216,206.25 Sq.Ft.</u>		
216,206.25 Sq.Ft.			



AUG 29 2022

BY: CW

Request of Shawn M. Mendiola on behalf of "Stick Lizard Bar and Grill" for a conditional use permit for one year (for a liquor license) at 1113 Upas Avenue is denied by surrounding neighbors within a 400 feet notification boundary (1/4 mi. radius) by the following neighbors:

CUP 2022-0118

Name	Address	Phone
Linda S. Vale	1116 Tamarack Avenue	956-244-5834
Linda S. Vale		
Jane Jarvis	1111 Tamarack Ave	956-491-5560
Margery Keller	2004 N 12th St	956-330-8900
Wanda Esmerin	2010 N. 12th St	956/320-5400
Mike Jenkins	2005 N. 12th St	956-668-8500
Kami Escobedo	2005 N. 12th	956-221-6101
Mrs. Cony Jesus Sanchez	2013 N. 12th	956-631-0375
Amelia Guerra	2011 N. 12th St.	956-250-0540
DAVID STROUD	1122 Tamarack	956-638-5517
SAM F. VALE	TAMARACK - SYCA MORE	956-500-0576
1 ACRE PROPERTY (OPPOSED)		
Gloria Paez	1102 Tamarack (Lamb's Loom)	956-607-6855
Jesus Antonio Rivas	1020 Upas Avenue	956-207-7955
Antonio Rivas	1005 VINE MEADOW	956-467-7375
Elisa Moya	2116 N. 12th St.	956-687-7444

Request of Shawn M. Mendiola on behalf of" Stick Lizard Bar and Grill" for a conditional use permit for one year (for a liquor license) at 1113 Upas Avenue is denied by surrounding neighbors within a 400 feet notification boundary (1/4 mi. radius) by the following neighbors:

[illegible]









Sub 2022-0029

City of McAllen
Planning Department

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

Project Information	Subdivision Name	<u>Nolana Town Center Phase II, Lots 1A, 2A, & 3A</u>				
	Location	<u>E. Nolana Loop and N. K-Center Street</u>				
	City Address or Block Number	<u>1124 E. NOLANA AVE</u>				
	Number of Lots	<u>3</u>	Gross Acres	<u>5.14</u> Net Acres <u>5.14</u> ETJ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
	Existing Zoning	<u>C-3</u>	Proposed Zoning	<u>C-3</u> Rezoning Applied for <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____		
	Existing Land Use	<u>Bank</u>	Proposed Land Use	<u>Commercial</u> Irrigation District # <u>2</u>		
	Replat	<input type="checkbox"/> Yes <input type="checkbox"/> No	Commercial	<u>Yes</u> Residential <u>No</u>		
	Agricultural Exemption	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Estimated Rollback Tax Due	<u>n/a</u> <u>0</u>		
	Parcel #	<u>612274, 612275</u>	Tax Dept. Review	<u>Guena</u>		
	Water CCN	<input checked="" type="checkbox"/> MPU <input type="checkbox"/> Sharyland Water SC	Other	_____		
Legal Description	<u>Lots 1 and 2, Nolana Town Center Phase II Subdivision</u>					
Owner	Name	<u>Texas Community Bank</u>	Phone	<u>956-618-2267</u>		
	Address	<u>1128 E. Nolana Loop</u>	E-mail	<u>rmoreno@tx-communitybank.com</u>		
	City	<u>McAllen</u>	State	<u>TX</u> Zip <u>78501</u>		
Developer	Name	<u>Same as owner</u>		Phone	_____	
	Address	_____		E-mail	_____	
	City	_____	State	_____	Zip	_____
	Contact Person	<u>Roger Moreno</u>				
Engineer	Name	<u>Spoor Engineering Consultants, Inc.</u>	Phone	<u>956-683-1000</u>		
	Address	<u>202 So. 4th Street</u>	E-mail	<u>SEC@SpoorEng.com</u>		
	City	<u>McAllen</u>	State	<u>TX</u> Zip <u>78501</u>		
	Contact Person	<u>Steve Spoor, P.E.</u>				
Surveyor	Name	<u>CVQ Land Surveyors</u>	Phone	<u>956-618-1551</u>		
	Address	<u>517 Beaumont Avenue</u>	E-mail	<u>surveycrew@cvqlandsurvey.com</u>		
	City	<u>McAllen</u>	State	<u>TX</u> Zip <u>78501</u>		

LG.

MAR 04 2022

BY: ew

Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

In Person Submittal Requirements

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

Email Submittal Requirements

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

Documents must be submitted in PDF format. No scanned documents

*Please submit documents to subdivisions@mcallen.net

ORIGINAL APPLICATION & FEE MUST BE SUBMITTED IN PERSON

PLAT TO SHOW:

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

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

Owners Signature

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

Signature  Date 03-03-22

Print Name Stephen Spoor, P.E.

Owner ☐ Authorized Agent ☒

The Planning Department is now accepting DocuSign signatures on application

SUBDIVISION

FIRST UNITED METHODIST
CHURCH SUBDIVISION
6

PLAZA
ISION

LOT 2B

BIMAWECY
LOT 2

801

LOCATION

BIMAWECY
LOT 1

"K" CENTER ST

11

PHASE 2

04

ONE NOLANA
CENTER

A

LOT 3

1201

LOT 1-A

1221

LOT 1-B

1301

LOT 2

1317

43

IGOA

38

37

36

LOT 1

LOT 1A

1100
PHASE III

LOT 4

PHASE IIIA

1124

PHASE II

1128

LOT 1A

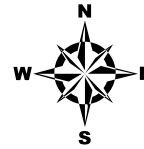
LOT 2A

PROPOSED RETAIL SUBDIVISION
TOWN CENTER PHASE 2 SUBDIVISION

LOT 2

LOT 3A

NOLANA AVE



B1

B2

AIM MEDIA

C7

3

"K" CENTER ST

PROPOSED NOLANA RETAIL
SUBDIVISION

NOLANA VILLAS SUBDIVISION
LOT 1

LOT 2

JACKSON AP
SUBDI

E JONQU

00

PLAZA
ISION

LOT 2B

BIMAWECY
LOT 2

801

LOCATION

BIMAWECY
LOT 1

"K" CENTER ST

11

PHASE 2

04

ONE NOLANA
CENTER

A

LOT 3

1201

LOT 1-A

1221

LOT 1-B

1301

LOT 2

1317

43

IGOA

38

37

36

LOT 1

LOT 1A

1100
PHASE III

LOT 4

PHASE IIIA

1124

PHASE II

1128

LOT 1A

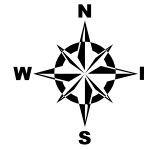
LOT 2A

PROPOSED RETAIL SUBDIVISION
TOWN CENTER PHASE 2 SUBDIVISION

LOT 2

LOT 3A

NOLANA AVE



B1

B2

AIM MEDIA

C7

3

"K" CENTER ST

PROPOSED NOLANA RETAIL
SUBDIVISION

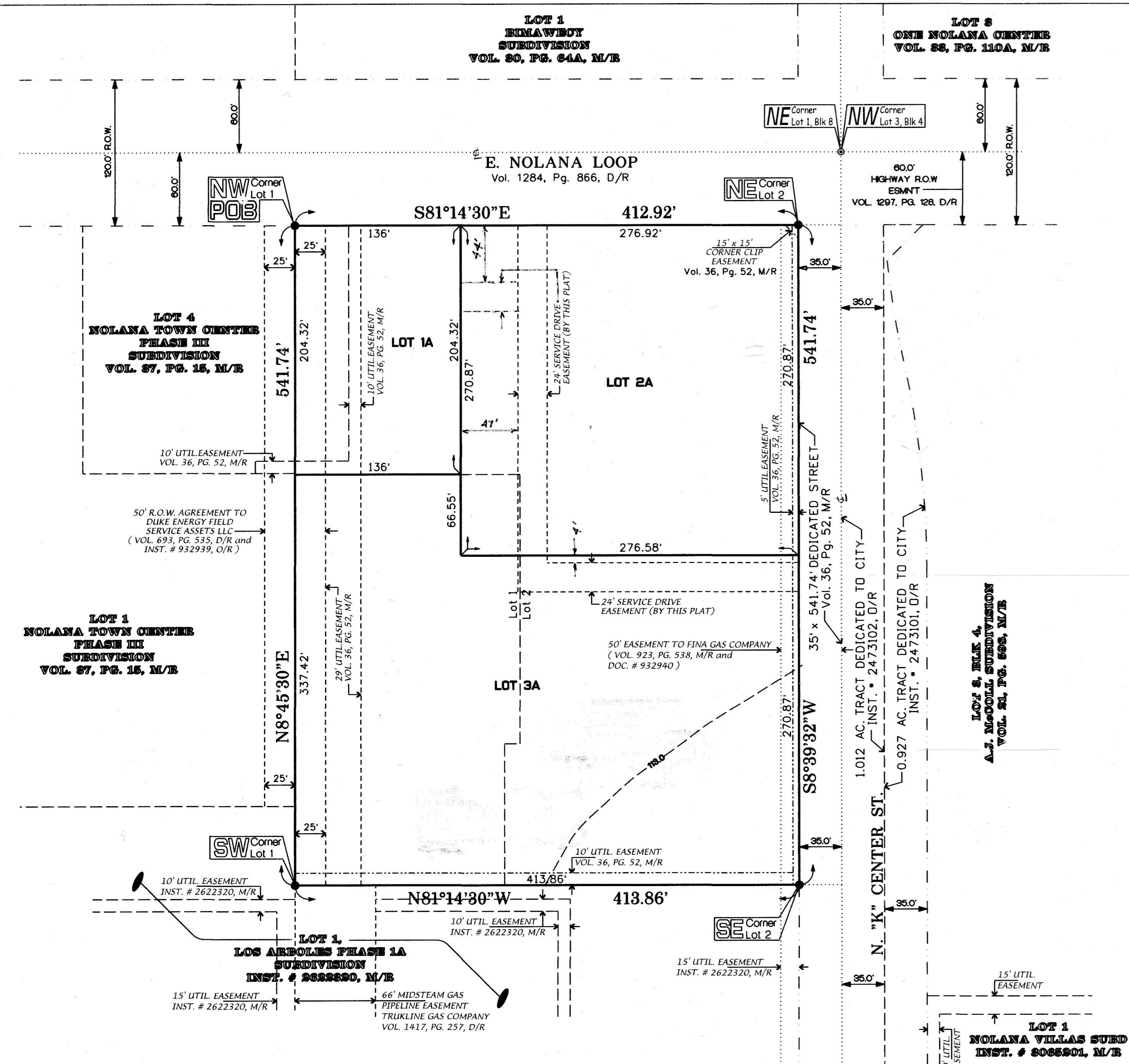
NOLANA VILLAS SUBDIVISION
LOT 1

LOT 2

JACKSON AP
SUBDI

E JONQU

00



NOTES:

- MINIMUM BUILDING SETBACK SHALL BE AS FOLLOWS:
 - E. NOLANA LOOP - 60 FEET OR GREATER FOR APPROVED SITE PLAN OR GREATER FOR EASEMENTS.
 - N. "K" CENTER ST. - 35 FEET OR GREATER FOR APPROVED SITE PLAN OR GREATER FOR EASEMENTS.
 - REAR - ACCORDING TO ZONING ORDINANCE OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS
 - SIDES - ACCORDING TO ZONING ORDINANCE OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS
- MINIMUM FINISH FLOOR ELEVATION SHALL BE 18 INCHES ABOVE TOP OF CURB MEASURED AT FRONT CENTER OF LOT.
- THIS PROPERTY FALLS IN ZONE "B" OF THE FLOOD INSURANCE RATE MAP, PANEL NO. 480 343 0005C, REVISED NOVEMBER 2, 1982.
- A 6 FT. OPAQUE BUFFER IS REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL OR INDUSTRIAL ZONES / USES. AN 8 FT. MASONRY WALL IS REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONES / USES
- A 5 FT. SIDEWALK IS REQUIRED ALONG E. NOLANA LOOP AND A 4 FT. SIDEWALK IS REQUIRED ALONG N. "K" CENTER ST.
- BENCHMARK - STATION NAME: MC 68 SET BY ARANDA AND ASSOC. LOCATED AT JACKSON RD. AND FERN AVE. ELEV:114.02 (NAVD88)
- OWNER IS REQUIRED TO PROVIDE AND ENGINEERED STORM WATER DETENTION PLAN APPROVED BY THE CITY OF McALLEN ENGINEERING DEPARTMENT PRIOR TO ISSUANCE OF BUILDING PERMIT. MASTER DRAINAGE AND DETENTION IS ON FILE AT THE CITY ENGINEERING DEPARTMENT.
- STORM WATER DETENTION REQUIRED IS 0.67 ACRE-Feet (29,200 C.F.).
- A 25 FT. BY 25 FT. SIGHT OBSTRUCTION EASEMENT IS REQUIRED AT ALL STREET RIGHTS-OF-WAY INTERSECTIONS.
- SITE PLAN MUST BE APPROVED BY THE PLANNING & ZONING COMMISSION PRIOR TO ISSUANCE OF ANY BUILDING PERMIT.
- COMMON AREAS, ANY PRIVATE STREETS / DRIVES, GATES AREAS, ETC. MUST BE MAINTAINED BY THE LOT OWNERS AND NOT THE CITY OF McALLEN.

METES & BOUNDS

LOTS 1 AND 2, NOLANA TOWN CENTER PHASE II SUBDIVISION, CITY OF McALLEN, HIDALGO COUNTY, TEXAS, ACCORDING TO PLAT RECORDED IN VOLUME 36, PAGE 52, MAP RECORDS, HIDALGO COUNTY, TEXAS.

BEGINNING at the northwest corner of Lot 1, for the northwest corner of the following described tract of land, said point being on the South line of E. Nolana Loop;
THENCE, with the North line of Lots 1 and 2, and the South line of E. Nolana Loop, South 81 Deg. 14 Min. 30 Sec. East, 412.92 feet to the northeast corner of Lot 2, for the northeast corner hereof;
said point being on the West line of N. K. Center Street;
THENCE, with the East line of Lot 2 and the West line of N. K. Center Street, South 08 Deg. 39 Min. 32 Sec. West, 541.74 feet to the southeast corner of Lot 2, for the southeast corner hereof;
THENCE, with the South line of Lots 2 and 1, North 81 Deg. 14 Min. 30 Sec. West, 413.86 feet to the southwest corner of Lot 1, for the southwest corner hereof;
THENCE, with the West line of Lot 1, North 08 Deg. 45 Min. 30 Sec. East, 541.74 feet to the POINT OF BEGINNING, containing 5.14 acres of land, more or less.

12. 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.

13. COMMON AREAS FOR COMMERCIAL DEVELOPMENTS PROVIDE FOR COMMON PARKING, ACCESS, SETBACKS, LANDSCAPING, ETC.



NOLANA TOWN CENTER PHASE II SUBDIVISION LOTS 1A, 2A AND 3A

McAllen, Texas

BEING A SUBDIVISION OF LOTS 1 AND 2,
NOLANA TOWN CENTER PHASE II SUBDIVISION,
CITY OF McALLEN, HIDALGO COUNTY, TEXAS,
RECORDED IN VOLUME 36, PAGE 52, MAP RECORDS,
HIDALGO COUNTY, TEXAS.
Containing 5.14 Ac. of Land, more or less.

STATE OF TEXAS:
COUNTY OF HIDALGO:

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

STATE OF TEXAS:
COUNTY OF HIDALGO:

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

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.

STATE OF TEXAS:
COUNTY OF HIDALGO:

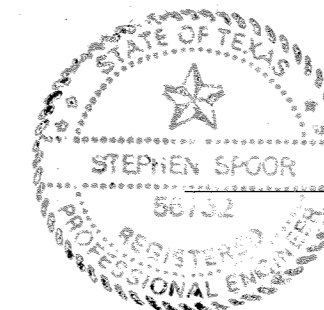
I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR # 4032 IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE AND IS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

STATE OF TEXAS:
COUNTY OF HIDALGO:

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

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.

REY ROBLES, RPLS # 4032
ROBLES AND ASSOCIATE, PLLC
107 W. HUISACHE ST.
WESLACO, TEXAS 78596
TBPELS FIRM No. 10096700



REGISTERED PROFESSIONAL ENGINEER
P. E. REGISTRATION No. 56752

MAYOR, CITY OF McALLEN

DATE

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

DATE

LOCATION MAP

Spoor Engineering Consultants, Inc.
Consulting Engineers - Civil Land Planning
202 South 4th Street, McAllen, TEXAS 78501
SEC@spooreng.com (956) 683 1000



City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 9/2/2022

SUBDIVISION NAME: NOLANA TOWN CENTER PHASE II	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
E. Nolana Avenue: 60 ft. from centerline for 120 ft. ROW Paving: by the state Curb & gutter: by the state *Revise all street references to E. Nolana Avenue. **Subdivision Ordinance: Section 134-105 ***Monies must be escrowed if improvements are required prior to recording. ****COM Thoroughfare Plan	Required
N. "K" Center Street: 35 ft. from centerline for 70 ft. ROW Paving: 44 ft. Curb & gutter: both sides *Label centerline for N. "K" Center Street, prior to recording **Clarify instrument number for the 0.927 ac. tract dedicated to city on east side, revise plat accordingly. As per plat submitted on August 19, 2022, plat now presents two recorded documents with corresponding document numbers.. ***Subdivision Ordinance: Section 134-105 ****Monies must be escrowed if improvements are required prior to recording. *****COM Thoroughfare Plan	Required
Paving _____ Curb & gutter _____ **Subdivision Ordinance: Section 134-105 **Monies must be escrowed if improvements are required prior to final **COM Thoroughfare Plan	Applied
* 1,200 ft. Block Length **Subdivision Ordinance: Section 134-118	NA
* 900 ft. Block **Subdivision Ordinance: Section 134-118	NA
* 600 ft. Maximum Cul-de-Sac **Subdivision Ordinance: Section 134-105	NA
ALLEYS	
ROW: 20 ft. Paving: 16 ft. * Add note as shown prior to recording: "24 ft. private service drive easement will be reviewed as part of the site plan and will be maintained by the lot owners and not the city of McAllen." **Alley/service drive easement required for commercial properties ***Please clarify 24 ft. service drive easement shown on plat submitted on 7/5/22 as it does not extend to Lot 1A. As per plat submitted on August 19, 2022 Private service drive easement stubs out to Lot 1A. ****Subdivision Ordinance: Section 134-106	Required
SETBACKS	
* Front/E. Nolana Ave: 60 ft. or greater for approved site plan or greater for easements **Zoning Ordinance: Section 138-356	Applied
* Rear: In accordance with Zoning Ordinance or greater for site plan or easements **Zoning Ordinance: Section 138-356	Applied

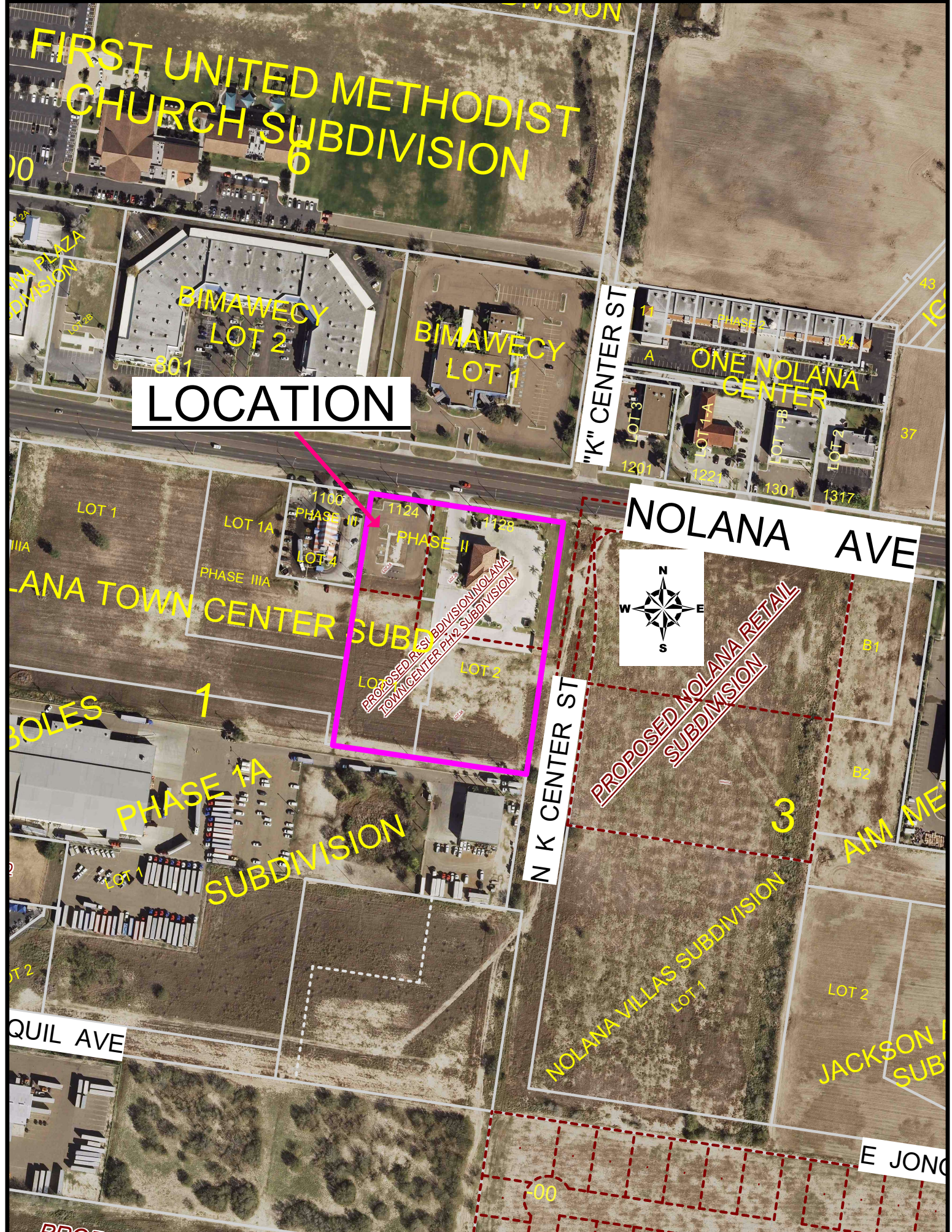
These comments are for subdivision requirements only – additional requirements may apply at time of site plan review

* Sides: In accordance with Zoning Ordinance or greater for site plan or easements **Zoning Ordinance: Section 138-356	Applied
* Corner/N. "K" Center St.: 35 ft. or greater for approved site plan or greater for easements **Zoning Ordinance: Section 138-356	Applied
* Garage **Zoning Ordinance: Section 138-356	NA
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
SIDEWALKS	
* A 5 ft. sidewalk is required along E. Nolana Avenue and a 4 ft. minimum sidewalk is required along N. "K" Center Street. **Revise plat note as shown prior to recording. ***Sidewalks are subject to increase to 5 ft. as per Engineering Department requirements, prior to recording. ****Finalize note wording, prior to recording. *****Subdivision Ordinance: Section 134-120	Required
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Required
BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. **Landscaping Ordinance: Section 110-46	Applied
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses **Landscaping Ordinance: Section 110-46	Applied
*Perimeter buffers must be built at time of Subdivision Improvements.	Required
NOTES	
**Must comply with City Access Management Policy	Required
* Site plan must be approved by the Planning & Zoning Commission prior to issuance of any building permit. **If proposing to remove plat note from existing recorded plat, vacating plat will be required.	Required
* Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen.	Required
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	Required
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. **Section 110-72 applies if private subdivision is proposed. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168	NA
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. **Section 110-72 applies if private 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 streets **Subdivision Ordinance: Section 134-1	Compliance
* Minimum lot width and lot area **Zoning Ordinance: Section 138-356	Compliance
ZONING/CUP	
* Existing: C-3 Proposed: C-3 ***Zoning Ordinance: Article V	Compliance
* Rezoning Needed Before Final Approval ***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	NA
* Pending review by the City Manager's Office.	NA
TRAFFIC	
* As per Traffic Department, Trip Generation approved, TIA waived.	Completed
* Traffic Impact Analysis (TIA) required prior to final plat. *** As per Traffic Department, Trip Generation approved, TIA waived.	NA
COMMENTS	
Comments: *Must comply with City's Access Management Policy. **Gas easement referenced on east side is shown different from existing recorded plat, please clarify/revise accordingly ***Vacating plat applicable if any restrictions, etc. are proposed to be removed from existing recorded plat. ****At the P&Z meeting of March 22, 2022, the Board approved the subdivision in preliminary form subject to conditions noted, utilities and drainage approval.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM SUBJECT TO CONDITIONS NOTED.	Applied

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



FIRST UNITED METHODIST
CHURCH SUBDIVISION

BIMAWECY
LOT 2

BIMAWECY
LOT 1

LOCATION

"K" CENTER ST

ONE NOLANA
CENTER

NOLANA AVE



N K CENTER ST

NOLANA TOWN CENTER SUBD

PROPOSED RESIDENTIAL SUBDIVISION
NOLANA TOWN CENTER PH2 SUBDIVISION

PROPOSED NOLANA RETAIL
SUBDIVISION

PHASE 1A
SUBDIVISION

NOLANA VILLAS SUBDIVISION

JACKSON SUBD

QUAIL AVE

E JONC

Memo

TO: Planning and Zoning Commission

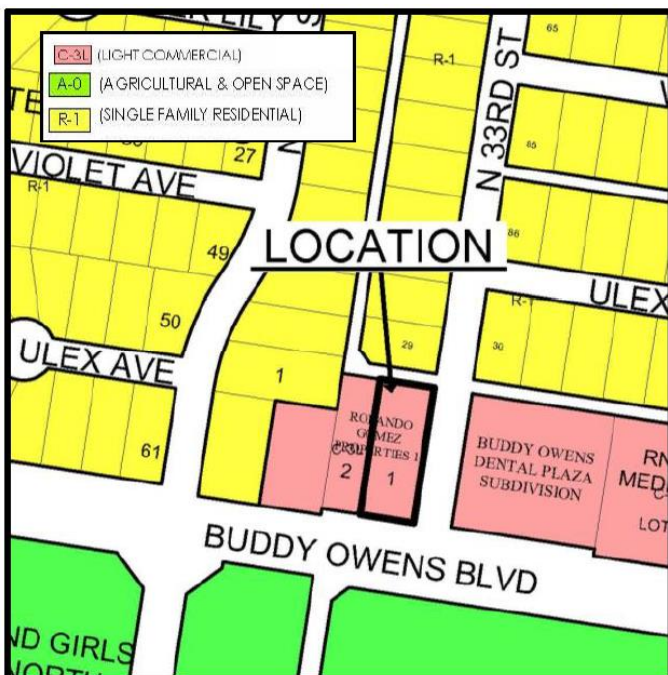
FROM: Planning Staff

DATE: September 1, 2022

SUBJECT: SITE PLAN APPROVAL FOR LOT 1, ROLANDO GOMEZ PROPERTIES 1 SUBDIVISION, HIDALGO COUNTY, TEXAS; 3224 BUDDY OWENS BOULEVARD. (SPR2019-0009)

LOCATION: The property is located on the northwest corner of Buddy Owens Boulevard and North 33rd Street is zoned C-3L (light commercial) District. The adjacent zoning is C-3L District to the east, A-O (agricultural – open space) District to the south and R-1 (single family residential) District to the north and west. Surrounding land use include single family residences, commercial businesses and De Leon Soccer Complex and Middle School. The property is part of Rolando Gomez Properties Subdivision, which was recorded on June 27, 2005. A note on the plat indicates that a site plan must be approved by the Planning and Zoning Commission prior to issuance of a building permit.

PROPOSAL: The applicant is proposing to construct and operate as a retail plaza with a 4,318 square foot facility.

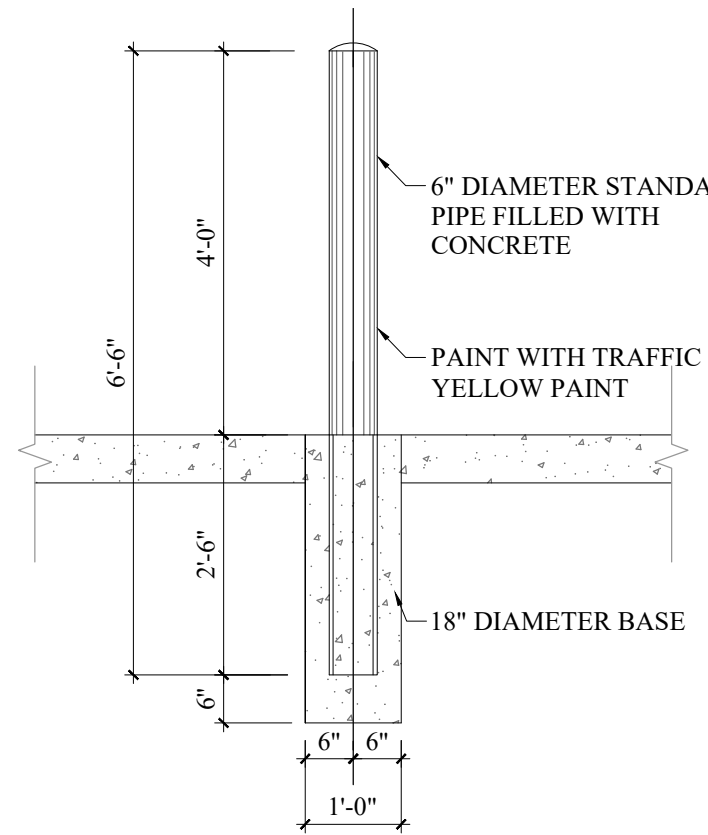


ANALYSIS: Based on the square footage of the proposed retail plaza, 14 parking spaces are required, 21 parking spaces are provided on site. The required accessible parking space is 1, 1 accessible parking space are provided on site. Access to the site is off a curb cut on North 33rd Street. Required landscaping for the lot is 1,908 square feet, 2,736 square feet is provided, with trees required as follows: 10 – 2 ½” caliper trees, or 5 – 4” caliper trees, or 3 – 6” caliper trees, or 20 palm trees. Minimum 10' wide landscape strip (5' wide with 3' hedge for properties less than 200' deep) required inside the property line along Buddy

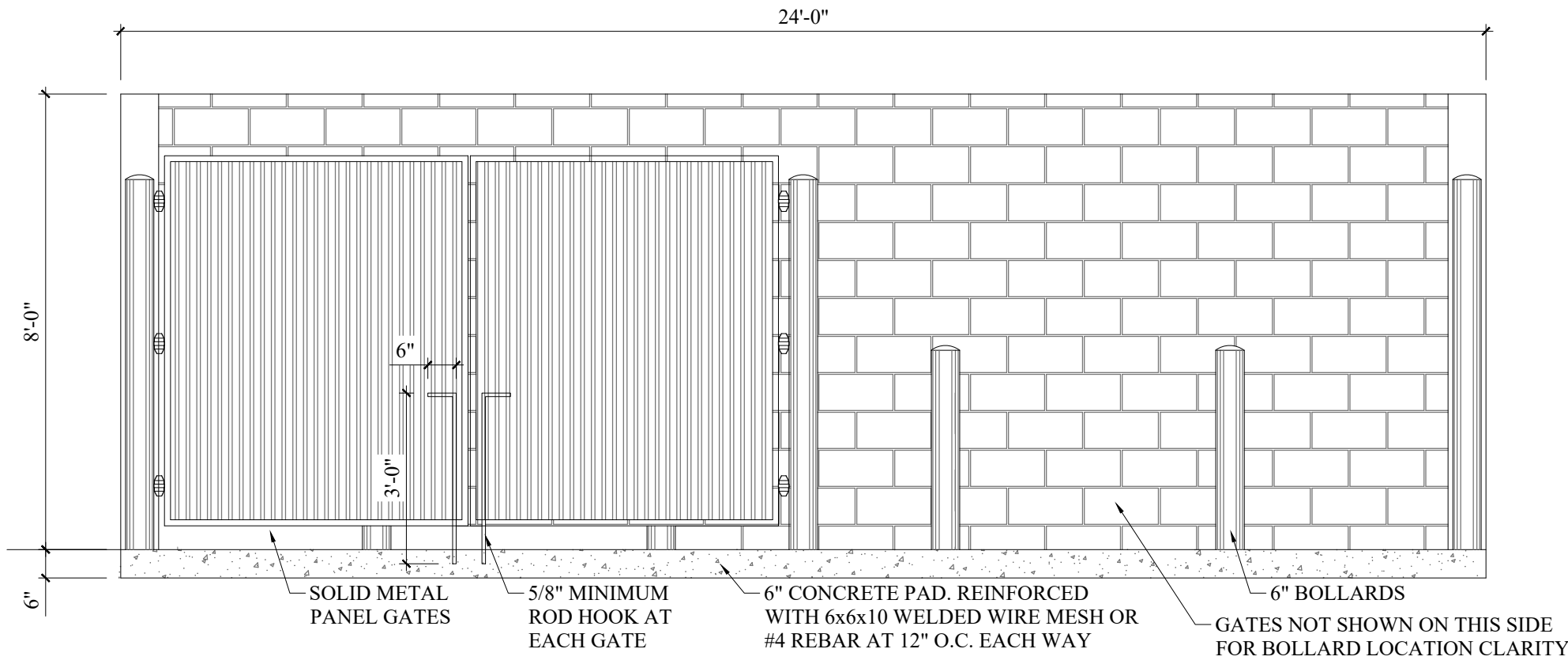
Owens Boulevard and North 33rd Street. Fifty percent of the landscaping must be visible in front areas, and each parking space must be within 100 feet of a landscaped area with a tree, as required by ordinance. 4' sidewalk required along North 33rd and Buddy Owen Boulevard. No part of gates for the dumpster enclosure to swing into Right-of-Way. No structures are permitted over easements.

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

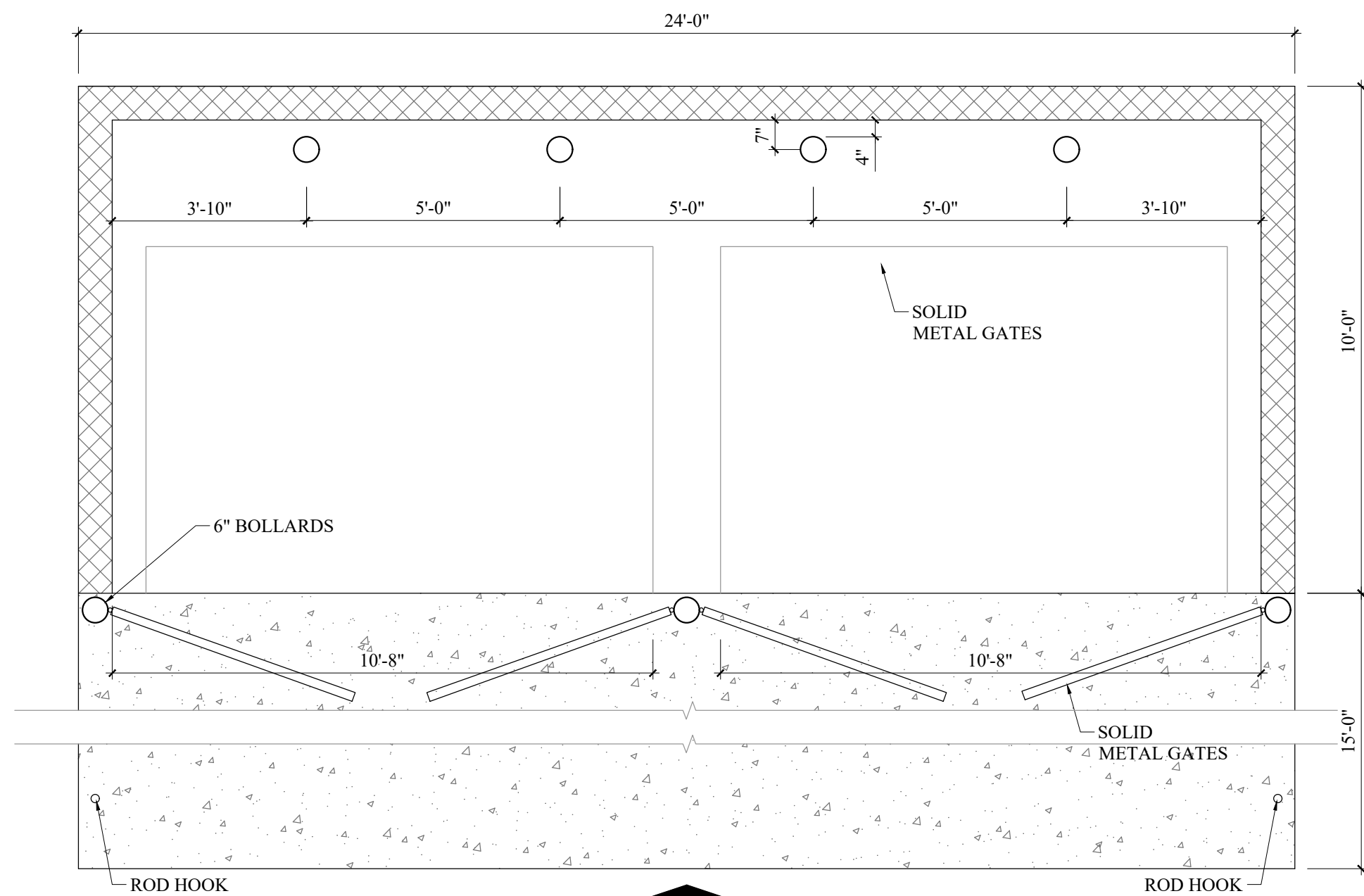
RECOMMENDATION: Staff recommends approval of the site plan subject to the conditions noted, paving and Building Permit requirements, requirements set forth by the Development Team, and the subdivision and zoning ordinances.



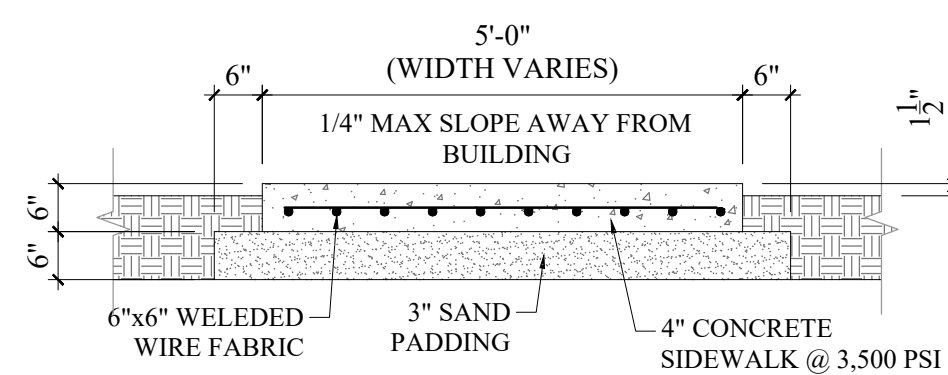
3 BOLLARD DETAIL
Scale: 1/2" = 1'-0"



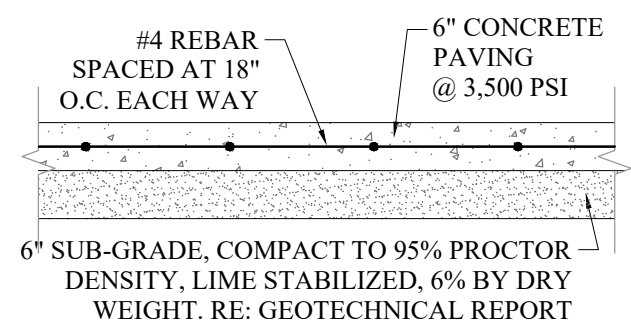
2 ENCLOSURE FRONT VIEW
Scale: 3/8" = 1'-0"



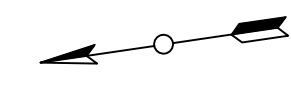
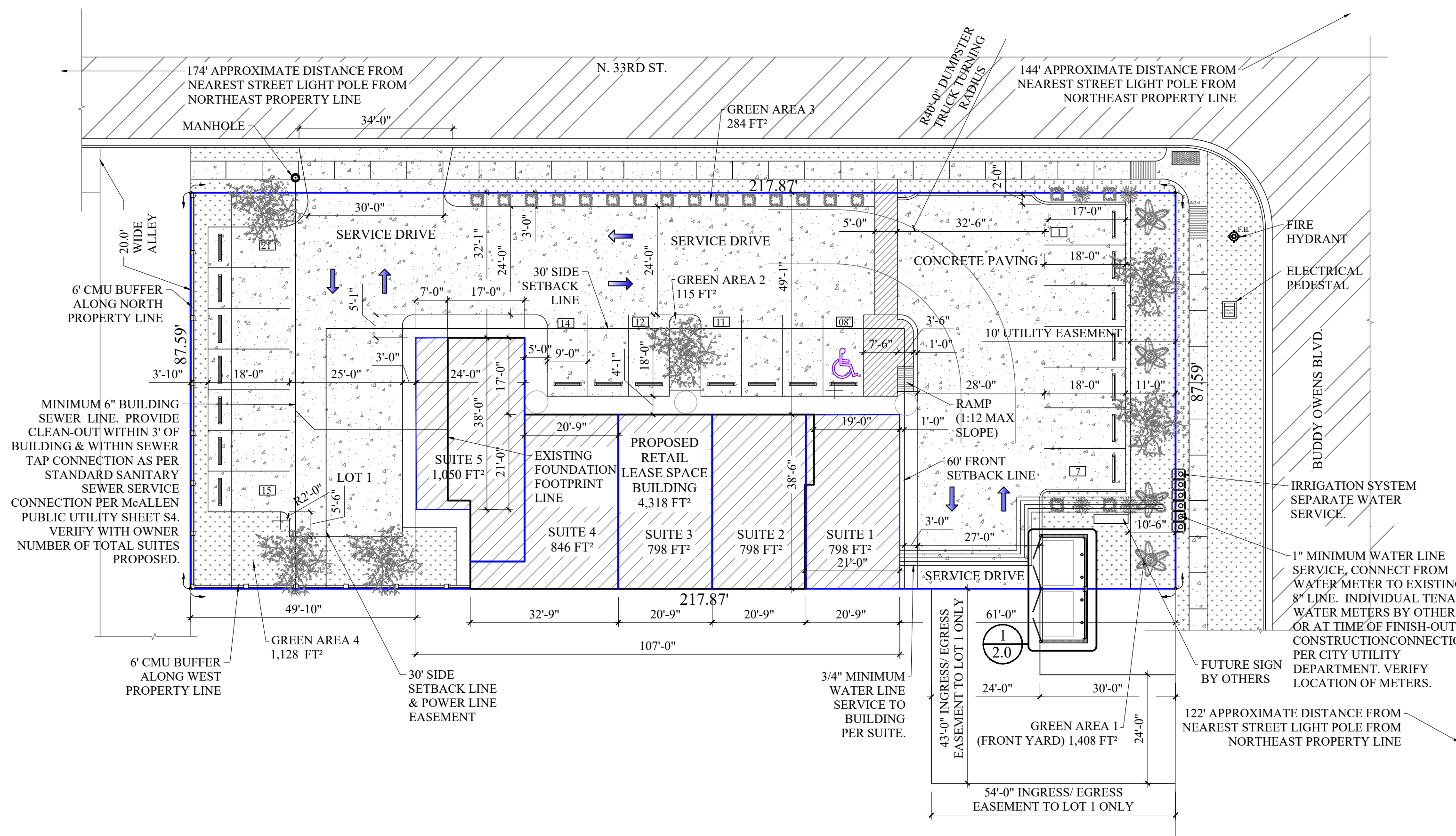
1 ENCLOSURE PLAN VIEW
Scale: 3/8" = 1'-0"



SIDEWALK SECTION
Scale: 1/2" = 1'-0"



PAVING DETAIL (CONCRETE)
Scale: 1/2" = 1'-0"



Scale:

SITE LAYOUT

1:20

- *NOTES:
- IRRIGATION IS REQUIRED AT ALL GREEN AREAS AS PER CITY ORDINANCE. REFERENCE PERMIT CONDITIONS REGARDING REQUIREMENTS.
 - DRIP IRRIGATION IN R.O.W. AREAS AS PER CITY REQUIREMENTS.

	LANDSCAPE		
	QUANTITY	SYMBOL	DESCRIPTION
SHRUBS	0		TEXAS SAGE (3 GALLONS)
	19		IXORA HEDGE, HOLLY (DWARF) HEDGE, OR SIMILAR (3-GALLON)
	-		UPRIGHT ROSEMARY (3 GALLON)
	4		BICOLOR IRIS(3 GALLON)
	0		GOLDEN DUST CROTON
TREES	6		SHADE TREE, 4" MINIMUM CALIPER (OAK, ASH, OR ELM), 10' MINIMUM HEIGHT
	4		PIGMEY MALM (3 GALON)
GROUND COVER	2,935		BERMUDA GRASS: HYDRO-SEEDING, 100% BERMUDA SEED WITH MULCH AND FERTILIZER. MIXTURE COMPOSITION: SEED CONCENTRATION AT 2.5-3 LBS/1000 FT²; FERTILIZER AT 25-30 LBS/3,500 FT²; MULCH AT 100-115 LBS/3,500 FT²

TEXAS ACCESSIBILITY STANDARDS TABLE 208.2 PARKING SPACES	
TOTAL NUMBER OF PARKING SPACES PROVIDED IN PARKING FACILITY	MINIMUM NUMBER OF REQUIRED ACCESSIBLE PARKING SPACES
1 TO 25	1
26 TO 50	2
51 TO 75	3
76 TO 100	4
101 TO 150	5
151 TO 200	6
201 TO 300	7
301 TO 400	8
401 TO 500	9
501 TO 1000	2 PERCENT OF TOTAL
1001 AND OVER	20, PLUS 1 FOR EACH 100, OR FRACTION THEREOF, OVER 1000

NEW OFFICE BUILDING AREA: 4,318 FT²

BUILDING SETBACKS (FOR PROPOSED ADDITION):
FRONT (SOUTH): 61'-0" PROPOSED
WEST SIDE: 0'-0" PROPOSED
EAST SIDE: 32'-1" PROPOSED
REAR (NORTH): 49'-10" PROPOSED

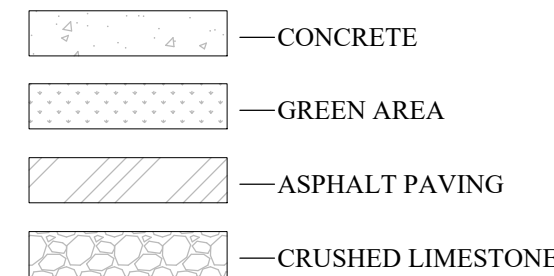
PARKING SPACES:
REQUIRED PARKING: 14 PARKING SPACES
PROPOSED PARKING: 21 PARKING SPACES

GREEN AREA:
CITY REQUIREMENTS: 10% OF LOT AREA.
19,084 FT² x 10% = 1,908 FT² TOTAL REQUIRED
1,908 FT² - 954 FT² = 954 FT²
GREEN AREA 1 (FRONT YARD) = 1,558 FT² PROPOSED
GREEN AREA PROVIDED: AREA 1 - 1,408 FT²
AREA 2 - 115 FT²
AREA 3 - 284 FT²
AREA 4 - 1,128 FT²
TOTAL PROVIDED - 2,935 FT²

TREES: (2,736 FT² - 2,000 FT² = 736 FT²)
1ST 2,000 FT² = 10 TREES
1,794 FT² / 500 = 2 TREES
TOTAL TREES REQUIRED = 12 (2-1/2" CALIPER)
OR 6 (4" CALIPER)

PLANTING BEDS: ALL PLANTING BEDS SHALL BE MULCHED OR COVERED WITH GROUND COVER.

- GENERAL SITE PLAN NOTES:
- SITE LAYOUT INCLUDING BUILDING IS FOR REFERENCE ONLY, AND IS NOT CONSIDERED A SURVEY, AND SHOULD NOT BE USED AS A SURVEY. SITE PLAN SHOULD NOT BE USED FOR ANY DEVELOPMENT, SITE CONSTRUCTION, AND/OR BUILDING CONSTRUCTION. IF OWNER AND/OR CONTRACTOR DECIDES TO USE THIS SITE PLAN FOR SITE CONSTRUCTION, IS AT OWN RISK, SURVEY RECOMMENDED.
 - SITE PLAN PROPERTY LINES DRAWN AS PER SUBDIVISION PLAT PROVIDED BY OWNER ALONG WITH PHOTO OF ADJACENT PROPERTY (LOT 2). PROPERTY RESTRICTION REGARDING SETBACKS AND PARKING AISLE ALIGNMENT ARE DRAWN AS AN APPROXIMATE ONLY, SINCE NO SURVEY HAS BEEN PROVIDED FOR THIS PRELIMINARY LAYOUT.
 - OWNER/CONTRACTOR TO VERIFY WITH CITY ON ANY REQUIRED R.O.W. PERMITS, SUBDIVISION REQUIREMENTS, ZONING, TXDOT PERMITS, CURB CUTS PERMITTED, CURB CUT APPROACH MINIMUM AND MAXIMUM SIZE PERMITTED.
 - DRIP IRRIGATION SYSTEM REQUIRED PER SUBDIVISION HOMEOWNERS ASSOCIATION, IRRIGATION PLANS, PERMIT, AND INSTALLATION BY LICENSED IRRIGATOR.
 - FIELD VERIFY ALL MEASUREMENTS OF SITE LAYOUT, INCLUDING BUILDING LOCATION PRIOR TO DEVELOPMENT AND/OR CONSTRUCTION. DESIGNER IS NOT RESPONSIBLE FOR ANY CONSTRUCTION AND/OR DEVELOPMENT. CONTRACTOR IS RESPONSIBLE FOR ALL MEASUREMENT VERIFICATION PRIOR TO DEVELOPMENT AND/OR CONSTRUCTION.
 - OWNER/CONTRACTOR IS RESPONSIBLE TO OBTAIN APPROVAL FROM CITY AND/OR OTHER ENTITIES AS REQUIRED, FOR SITE LAYOUT.
 - OTHER CIVIL DRAWINGS IF REQUESTED BY MUNICIPALITY, ARE TO BE OBTAINED BY CONTRACTOR AND/OR OWNER.
 - CONTRACTOR IS RESPONSIBLE FOR VERIFYING LOCATION OF ALL EASEMENTS AND/OR R.O.W. ON OR ADJACENT TO PROPERTY PRIOR TO CONSTRUCTION.
 - CONTRACTOR RESPONSIBLE FOR REQUESTING UTILITY IDENTIFICATION AND/OR LOCATIONS FROM 811.
 - REMOVE ALL EXISTING TREES AND SIDEWALKS. CONTRACTOR/CUSTOMER AND/OR OWNER RESPONSIBLE FOR ANY PERMITS PRIOR TO REMOVAL.



- *NOTES:
- CONTRACTOR/CUSTOMER/OWNER IS RESPONSIBLE CONTRACTOR FOR THIS PROJECT. DESIGNER IS NOT RESPONSIBLE FOR ANY CONTRACTING AND/OR CONSTRUCTION.

LOT 1
ROLANDO GOMEZ
PROPERTIES 1
SUBDIVISION
MCALLEN, TX
3224 BUDDY OWENS BLVD

BUILDING AREAS:
BUILDING AREA: 4,318 FT²
TOTAL AREA: 4,318 FT²

CUSTOMER:
ELIO GARZA

MCALLEN, TX

CONTRACTOR:

DATE:

3-04-22

REVISIONS:

04-12-22

08-09-22

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DRAWN BY: J.M.

REVIEWED BY: J.M.

SITE PLAN

SCALE: PER DETAIL

PAGE NO.

2.0

PROJECT NO.

01-022

Memo

TO: Planning and Zoning Commission

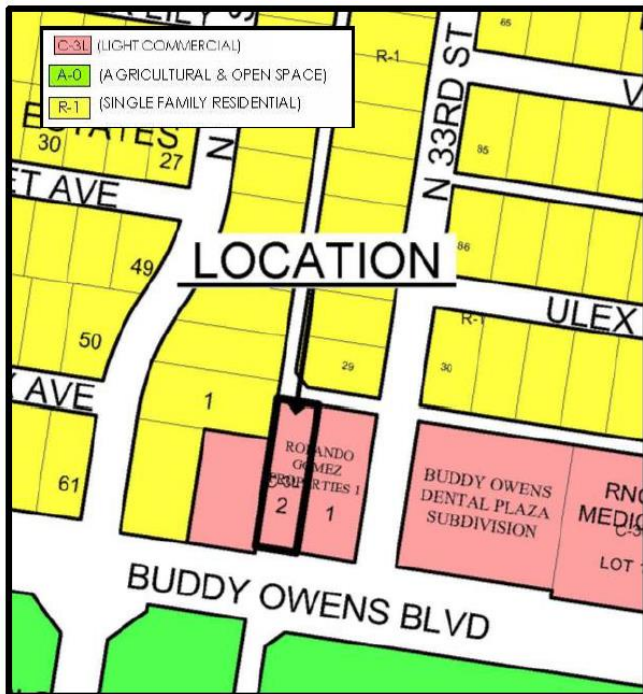
FROM: Planning Staff

DATE: September 1, 2022

SUBJECT: SITE PLAN APPROVAL FOR LOT 2, ROLANDO GOMEZ PROPERTIES 1 SUBDIVISION, HIDALGO COUNTY, TEXAS; 3228 BUDDY OWENS BOULEVARD. (SPR2022-0039)

LOCATION: The property is located on the northwest corner of Buddy Owens Boulevard and North 33rd Street is zoned C-3L (light commercial) District. The adjacent zoning is C-3L District to the east, A-O (agricultural – open space) District to the south and R-1 (single family residential) District to the north and west. Surrounding land use include single family residences, commercial businesses and De Leon Soccer Complex and Middle School. The property is part of Rolando Gomez Properties Subdivision, which was recorded on June 27, 2005. A note on the plat indicates that a site plan must be approved by the Planning and Zoning Commission prior to issuance of a building permit.

PROPOSAL: The applicant is proposing to construct and operate as a car wash.



ANALYSIS: Based on the square footage of the proposed car wash, 6 parking spaces are required, 6 parking spaces are provided on site. The required accessible parking spaces is 1, 1 accessible parking spaces are provided on site. Access to the site is 25' from back to back of Curb Cut along Buddy Owens Boulevard. Required landscaping for the lot is 1,329 square feet, 1,637 square feet is provided, with trees required as follows: 7 – 2 ½" caliper trees, or 4 – 4" caliper trees, or 2 – 6" caliper trees, or 14 palm trees. Minimum 10' wide landscape strip (5' wide with 3' hedge for properties less than 200' deep) required inside the property line along Buddy Owens Boulevard. Fifty percent of the landscaping must be visible in front

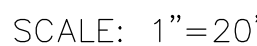
areas, and each parking space must be within 100 feet of a landscaped area with a tree, as required by ordinance. A 5 foot wide sidewalk along Buddy Owens Boulevard. No part of gates for the dumpster enclosure to swing into Right-of-Way. No structures are permitted over easements.

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

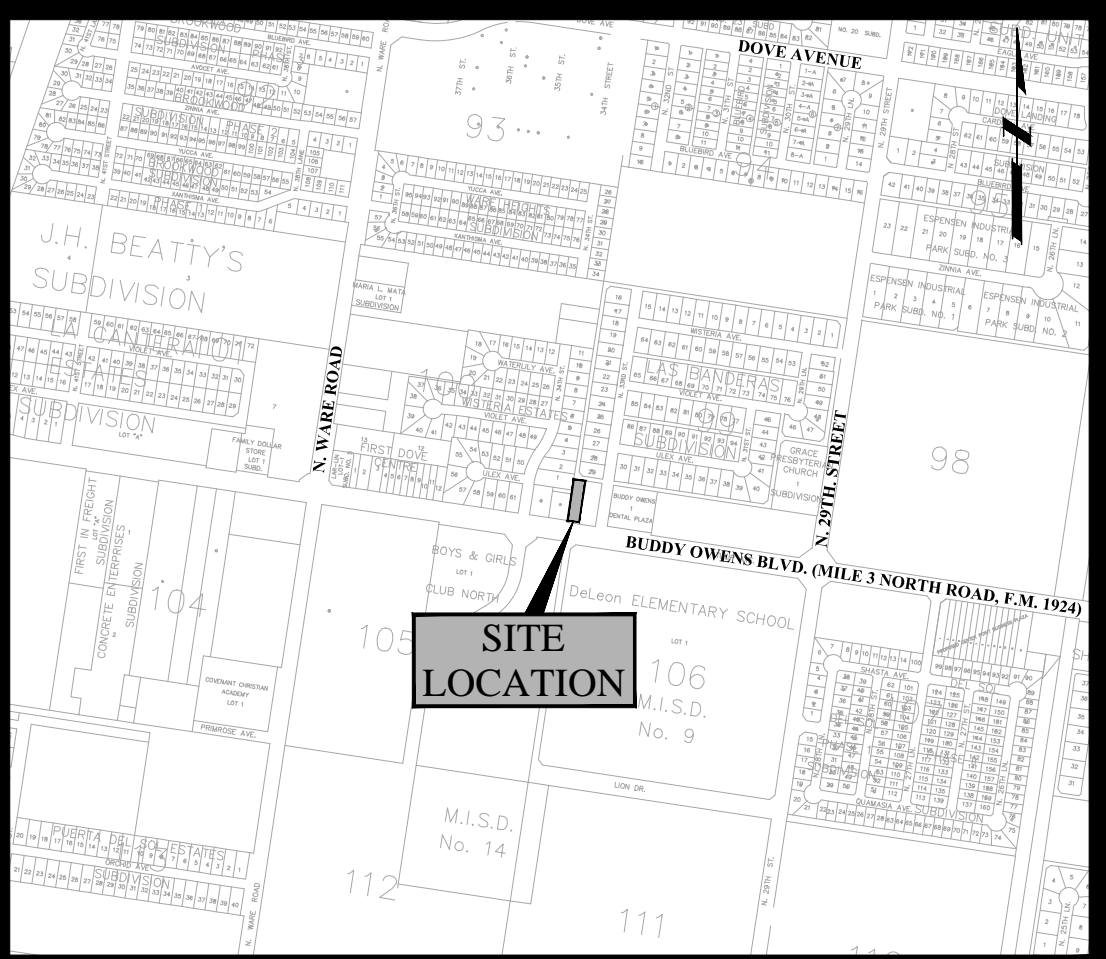
As per Utilities Engineering Department, the applicant will need to provide a utility layout indicating:

1. The placement of the domestic water meter and that the water meter is not located where proposed trees are to be placed.
2. A separate connection will be required for the irrigation water service as the direct connection to the domestic service line is not permitted.
3. It is recommended by the Utilities Engineering Department to have the sewer service to be placed within a green area so that a steel valve cover would not be needed if within a paved area.

RECOMMENDATION: Staff recommends approval of the site plan subject to the conditions noted, paving and Building Permit requirements, requirements set forth by the Development Team, and the subdivision and zoning ordinances.










	FOUND 1/2" IRON ROD
	FIRE HYDRANT
	LIGHT POLE
	SINGLE POLE TRAFFIC SIGN
	SANITARY SEWER MANHOLE
R.O.W.	RIGHT OF WAY
P-B	PROPERTY LINE TO BACK OF CURB
B-B	BACK OF CURB TO BACK OF CURB
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



LOCATION MAP SCALE : 1" = 1000

NOTE:

1. IT IS UNDERSTOOD AND AGREED THAT THE OWNER OF LOT 2, ROLANDO GOMEZ SUBDIVISION, AGREES TO PROVIDE FOR AN INGRESS/EGRESS EASEMENT FOR "OTHERS" WITHIN SAID LOT 2 (AS SHOWN HEREIN) FOR ACCESS TO AND FROM LOT 1, ROLANDO GOMEZ SUBDIVISION AND MILE 3 NORTH ROAD. SHOULD THE OWNER/DEVELOPER OF SAID LOT 1 SECURE ANOTHER METHOD OF INGRESS/EGRESS TO SAID LOT 1 (EITHER FROM MILE 3 NORTH ROAD OR N. 33RD. STREET), THE INGRESS/EGRESS EASEMENT PROVIDED ON SAID LOT 2 WILL BECOME VOID.
2. THE OWNER OF LOT 2 SHALL PROVIDE FOR AN ON-SITE IRRIGATION SYSTEM.

- | | |
|---|----------------------------------|
|  | DENOTES PROPOSED CONCRETE AREA |
|  | DENOTES EXISTING ASPHALT |
|  | DENOTES PROPOSED ASPHALT |
|  | DENOTES PROPOSED LANDSCAPE AREA |
|  | DENOTES PROPOSED HANDICAP SPACE |
|  | DENOTES PROPOSED 4" CALIPER TREE |
|  | DENOTES EXISTING FIRE HYDRANT |

PARKING REQUIREMENTS:
 RETAIL - FOUR PARKING SPACES FOR UP TO 400 S.F. OF FLOOR AREA, PLUS ONE PARKING SPACE FOR EACH ADDITIONAL 400 S.F. OF FLOOR AREA:
 900.00 S.F. - 400 S.F. (4 PARKING SPACES) = 500.00 S.F.
 500.00 S.F. / 400 S.F. = 1 PARKING SPACE
 TOTAL PARKING REQUIRED: 4 + 1 = 5 PARKING SPACES
 TOTAL PARKING PROVIDED: 16 PARKING SPACES
 TOTAL ACCESSIBLE PARKING REQUIRED: 1 SPACE
 TOTAL ACCESSIBLE PARKING PROVIDED: 1 SPACE
 PARKING SPACE SURPLUS: 1 SPACE

DEVELOPED SQUARE FOOTAGE = 13,290.07 S.F.
 LANDSCAPE REQUIRED: 13,290.07 S.F. X 10% = 1,329.01 S.F.
 LANDSCAPE PROVIDED = 2,091.42 S.F.
 FRONT LANDSCAPE REQUIRED: 1,329.01 S.F. X 50% = 664.50 S.F.
 FRONT LANDSCAPE PROVIDED = 599.54 S.F.
 TREE REQUIREMENTS: 1 S.F. TO 2,000 S.F. OF LANDSCAPE AREA = 1 TREE PER 200 S.F.
 1,329.01 S.F. / 200 S.F. = 7 TREES
 TREE CREDITS REQUIRED = 7 TREE CREDITS
 (1 - 4" CALIPER TREE = 2 TREE CREDITS)
 TREE CREDITS PROVIDED: 12 TREE CREDITS (6 - 4" CALIPER TREES)
 FIRE HYDRANTS = 1 EXISTING HYDRANT

DISCLAIMER: THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW BY THE CITY OF McALLEN ONLY & BY NO OTHERS UNDER THE AUTHORITY OF DAVID OMAR SALINAS, P.E., TX. REG. NO. 71973 ON AUGUST 25, 2022. IT IS NOT TO BE USED FOR CONSTRUCTION PURPOSES.

Sheet Title:

Project:

David Omar Salinas
Registered Professional
Engineer # 71973

Date: 08/25/22

Scale: 1"=20'

Designed By: D.O.S.

Drawn By: A.E.

Checked By: D.O.S.

Approved By: D.O.S.

Project No.: P-17-23649

Drawing No.:
SITEPLAN & GRADING PLAN.d

Sheet of

SALINAS ENGINEERING & ASSOCIATES
(F-6675) (1005700)
CONSULTING ENGINEERS & SURVEYORS
2221 DAFFODIL - McALLEN, TEXAS 78501
(956) 682-9081 (956) 686-1489 (FAX)
TEXAS 12100 PARK 35 CIRCLE BLDG. A, SUITE 166, MC-230, AUSTIN, TEXAS 78753 (512) 238-5158

THE PLAN

LOT ☐,
ROLANDO GOME ☐
☐RO ☐ERTIE ☐ ☐

Memo

TO: Planning and Zoning Commission

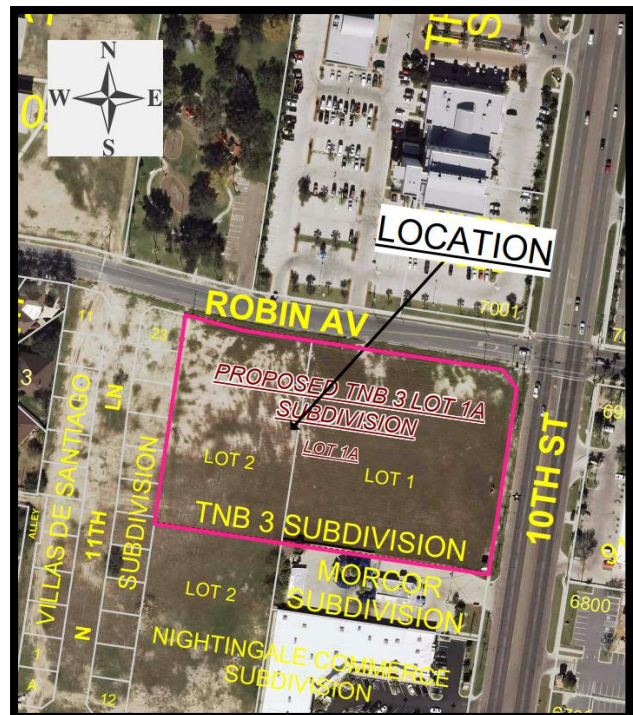
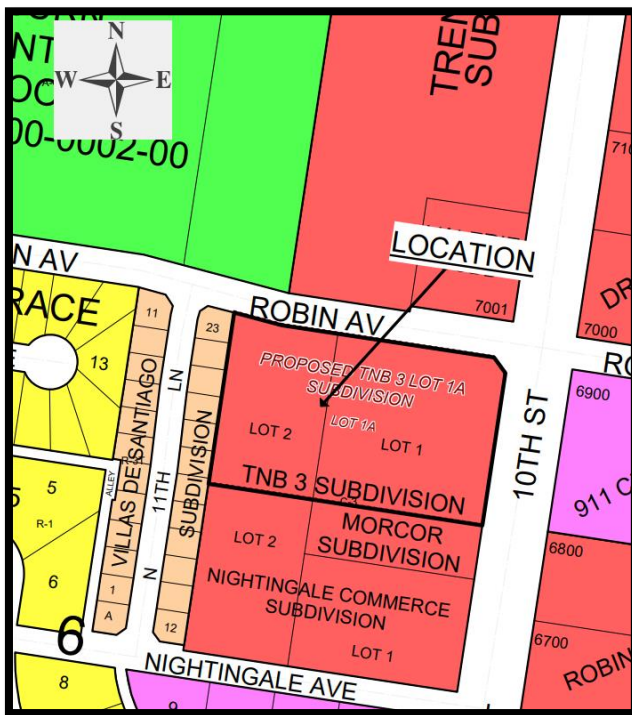
FROM: Planning Staff

DATE: September 1, 2022

SUBJECT: SITE PLAN APPROVAL FOR LOT 1A, TNB 3 SUBDIVISION LOT 1A, HIDALGO COUNTY, TEXAS; 6901 NORTH 10TH STREET. (SPR2022-0027)

LOCATION: The property is located along the south side of Robin Avenue and on the west side of North 10th Street. The tract has a total lot size of 2.21 acres. The property is zone C-3 (general commercial) District. The adjacent zoning is C-3 District to the north, south. The adjacent zoning is C-1 (office building) District to the east. The adjacent zoning is R-3T (multifamily townhouse) District to the west. Surrounding land uses are Viva Life Christian Gift Shop, Taco Bell, Growing Smiles Children's Dental Center, and The Boot Jack.

PROPOSAL: The applicant is proposing to construct and operate as a bank and restaurant.

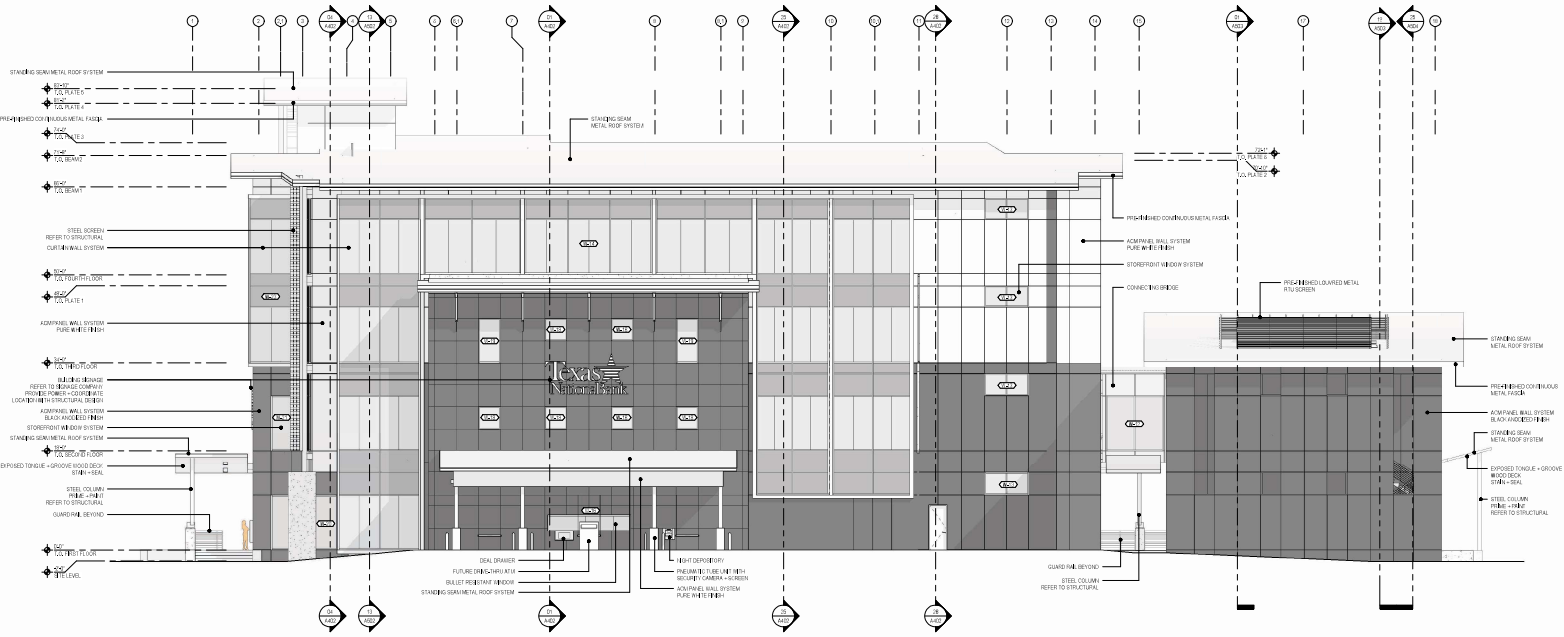


ANALYSIS: Based on the square footage of the proposed bank and annex building, 165 parking spaces are required, 165 parking spaces are provided on site. 126 parking spaces are required for the proposed bank and 39 parking spaces are required for the proposed restaurant. The required accessible parking space is 6, 7 accessible parking space are provided on site. Access to the site is along Robin Avenue and North 10th Street. Required landscaping for the lot is 15,580.18 square feet, 32,518 square feet is provided, with trees required as follows: 33 – 2 ½" caliper trees, or 17 – 4" caliper trees, or 9 – 6" caliper trees, or 14 palm trees. Minimum 10' wide landscape strip (5' wide with 3' hedge for properties less than 200' deep) required inside the property line along North 10th Street and Robin Avenue. Fifty percent of the landscaping

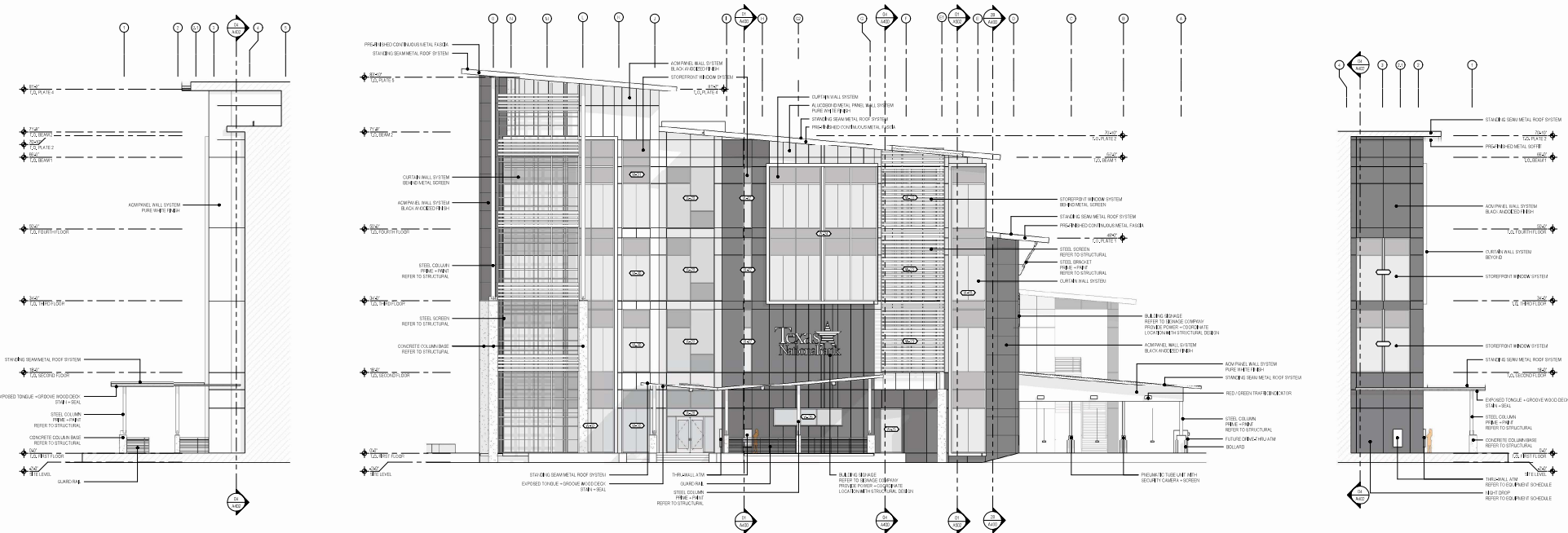
must be visible in front areas, and each parking space must be within 100 feet of a landscaped area with a tree, as required by ordinance. 5 feet sidewalk required along North 10th Street and Robin Avenue. No part of gates for the dumpster enclosure to swing into Right-of-Way. No structures are permitted over easements.

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

RECOMMENDATION: Staff recommends approval of the site plan subject to the conditions noted, paving and Building Permit requirements, requirements set forth by the Development Team, and the subdivision and zoning ordinances.



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

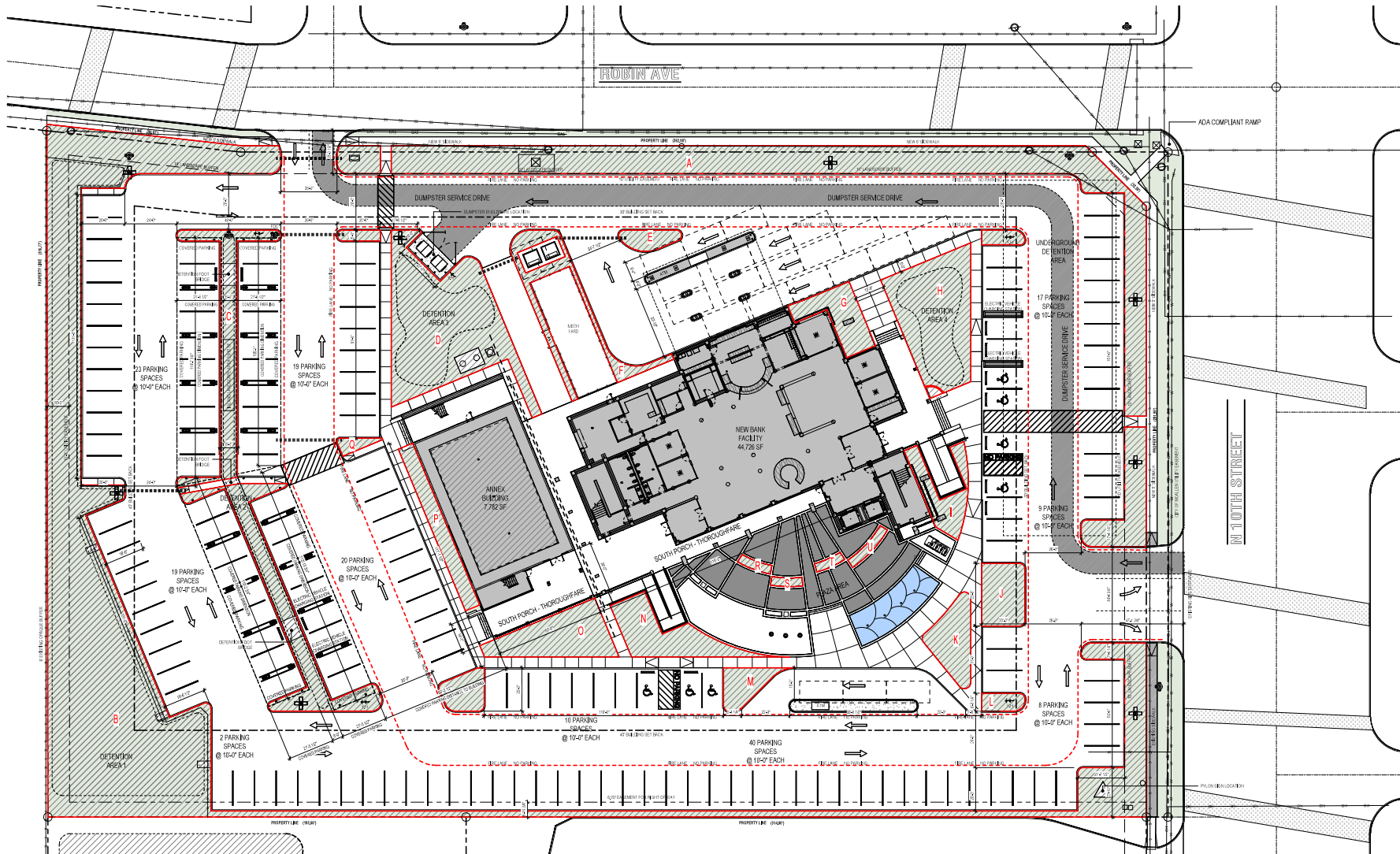


NORTH ELEVATION - NOOK
SCALE: 1/8" = 1'-0"

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

SOUTH ELEVATION - NOOK
SCALE: 1/8" = 1'-0"

GENERAL NOTES		SITE AREAS		LANDSCAPE AREAS	
A	ALL DIMENSIONS SHALL COMPLY WITH THE INTERNATIONAL FIRE CODE AND ALL APPLICABLE LOCAL ORDINANCES.	TOTAL NET COVERED AREA	528,000 SF	A	6,400 SF
		TOTAL PARKING SPACES	900 SPACES	B	14,000 SF
LANDSCAPE NOTES		PROPOSED DRIVEWAYS (LANDSCAPE)	44,726 SF	C	18,910 SF
A	PROPERTY AREA: 100,000 SF	PROPOSED DRIVEWAYS (LANDSCAPE)	44,726 SF	D	1,110 SF
	LANDSCAPE AREA: 100,000 SF	LANDSCAPE AREA	20,000 SF	E	200 SF
B	LANDSCAPE AREA: 100,000 SF	LANDSCAPE AREA	20,000 SF	F	100 SF
C	LANDSCAPE AREA: 100,000 SF	LANDSCAPE AREA	20,000 SF	G	100 SF
D	LANDSCAPE AREA: 100,000 SF	LANDSCAPE AREA	20,000 SF	H	100 SF
E	LANDSCAPE AREA: 100,000 SF	LANDSCAPE AREA	20,000 SF	I	100 SF
F	LANDSCAPE AREA: 100,000 SF	LANDSCAPE AREA	20,000 SF	J	100 SF
TEXAS NATIONAL BANK PARKING REQUIREMENTS		REQUIRED	PROVIDED	K	100 SF
		GENERAL OFFICE - 400 SPACES	120	L	100 SF
		GENERAL OFFICE - 400 SPACES	120	M	100 SF
		RESTAURANT/CAFE - 100 SPACES	30	N	100 SF
		TOTAL	174	O	1,000 SF
		AVAILABLE ACCESSIBLE SPACES (TODAYS)	8	P	100 SF
				Q	100 SF
				R	100 SF
				S	100 SF
				T	100 SF
				U	100 SF
				TOTAL	10,000 SF



NOTES ON COVERED PARKING:

A. COVERED PARKING OVERHANGS 1 FOOT TO EITHER SIDE OF PARKING SPACES. PARKING SPACES ARE 100' BY 20'.

B. PARKING SPACES OF 100' BY 20' ARE PROVIDED ALONG THE SIDE OF THE OVERHANG.

C. THE SPACE BETWEEN THE OVERHANG AND THE DRIVEWAY IS 10'.

PLEASE REFER TO OUR DRAWING LENGTHS FOR COVERED PARKING.



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

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

Sub 2018-0019

3-17-20
12

Project Description

Subdivision Name Taylor View **VILLAS DE ALLENDE**
Location East side of Taylor Rd., 330' north of FM 495
City Address or Block Number 1600 N. Taylor Road
Number of lots 1 Gross acres 5 Net acres 4.77
Existing Zoning R3T Proposed R3T Rezoning Applied For ☐ Yes ☒ No Date n/a
Existing Land Use vacant Proposed Land Use townhouses Irrigation District # UID
Residential Replat Yes ☐ No ☒ **Commercial** Replat Yes ☐ No ☒ **ETJ** Yes ☐ No ☒
Agricultural Tax Exemption Yes ☐ No ☒ Estimated Rollback tax due n/a
Legal Description 5.0 acres out of Lot 257, J.H. Shary Subdivision

Owner

Name DG & GG Investments Phone (956)867-8363
Address P.O. Box 1928
City Mission State Texas Zip 78573
E-mail _____

Developer

Name same as Owner Phone _____
Address _____
City _____ State _____ Zip _____
Contact Person Delfino Gaona, President
E-mail _____

Engineer

Name Spoor Engineering Consultants, Inc. Phone (956)683-1000
Address 202 So. 4th Street
City McAllen State Texas Zip 78501
Contact Person Steve Spoor, P.E.
E-mail SEC@SpoorEng.com

Surveyor

Name CVQ Land Surveyors Phone (956)618-1551
Address 517 Beaumont Ave.
City McAllen State TX Zip 78501

ENTERED

RECEIVED

FEB 14 2018

BY: [Signature] 11:51am

Ret #530285 pd \$225

MAR 17 2022

Initials: [Signature]

Proposed Plat Submittal

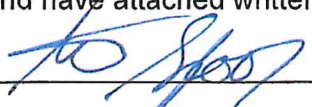
- _____ \$225 Preliminary Review Fee and \$75 Final Approval Fee
- _____ Title Report
- _____ 8 ½" by 11" Original Sealed Survey showing existing structures/easements or 3 blueline copies
- _____ 2 Location Maps
- _____ 2 8 ½" by 11" copies/legible copies of plat with name & north arrow
- _____ 6 Folded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

PLAT TO SHOW:

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

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

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 02/14/18

Print Name Stephen Spoor, P.E.

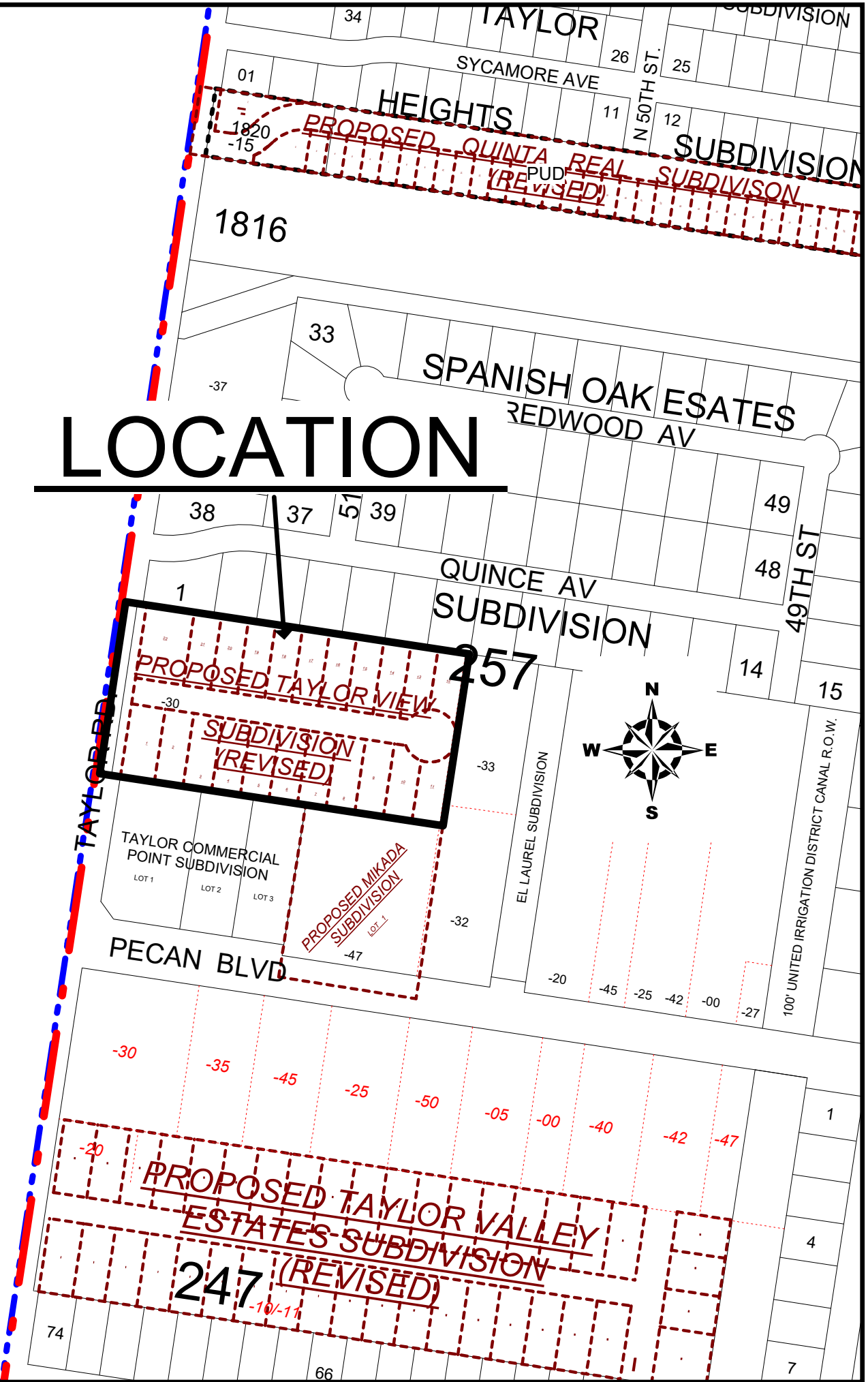
Owner ☒

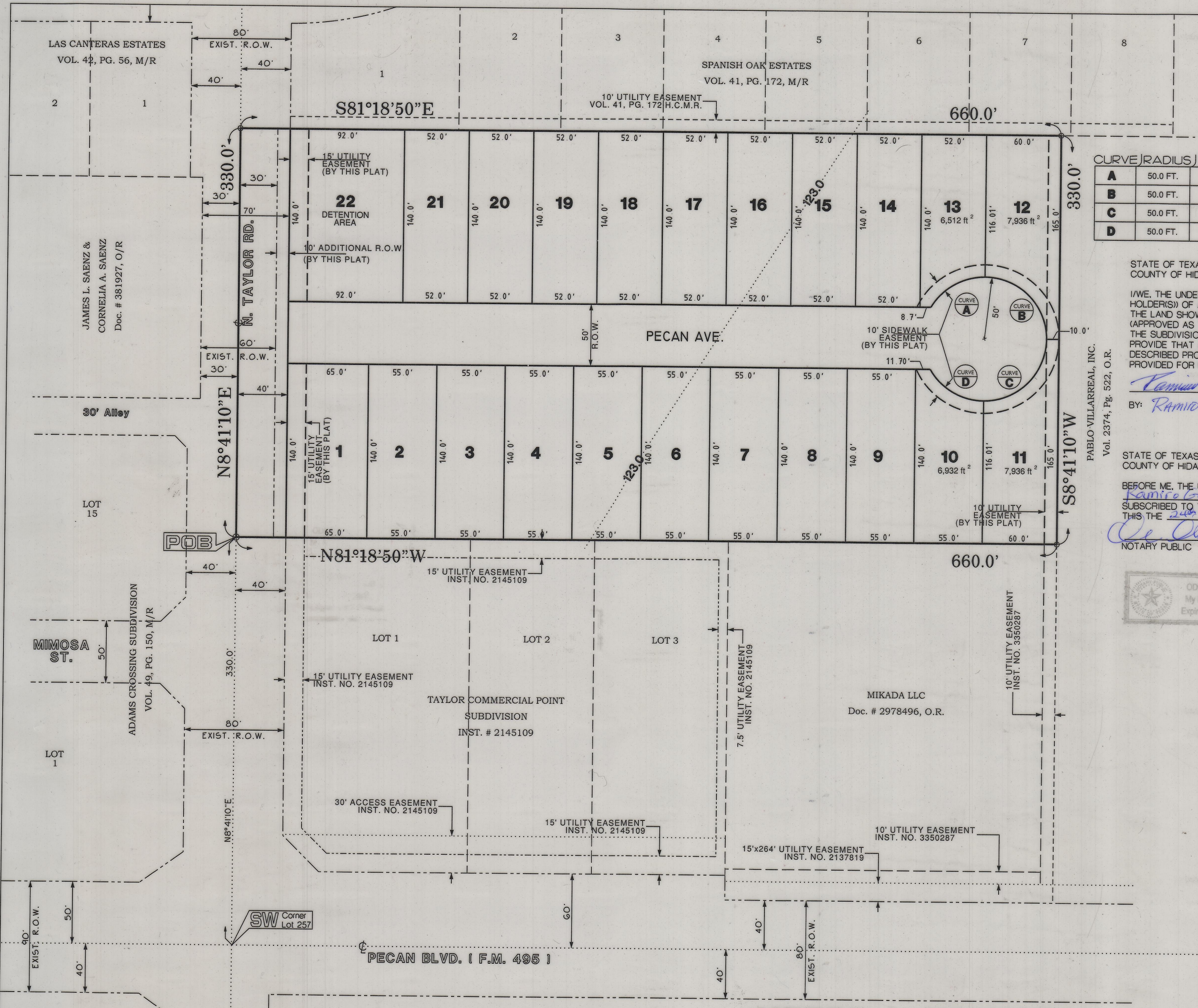
Authorized Agent ☒

09/15
MAR 17 2022

Initial: 
Initial: _____

LOCATION





NOTES:

- 1) MINIMUM BUILDING SETBACK SHALL BE AS FOLLOWS:
A. FRONT.- 25 FT.
B. REAR.- 10 FT.
C. INTERIOR SIDE.- IN ACCORDANCE WITH ZONING ORDINANCE, OR GREATER FOR EASEMENTS.
D. CORNER SIDE.- 10 FT.
E. GARAGE.- 18 FT. EXCEPT WHERE GREATER SETBACK IS REQUIRED. GREATER SETBACK APPLIES.
- 2) MINIMUM FINISH FLOOR ELEVATION SHALL BE 18 INCHES ABOVE TOP OF CURB MEASURED AT CENTER OF LOT.
- 3) THIS PROPERTY FALLS IN ZONE "C" OF THE FLOOD INSURANCE RATE MAP, PANEL NO. 480 343 0005 C, REVISED NOV. 2, 1982.
- 4) 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.
- 5) 4' SIDEWALK REQUIRED ALONG N. TAYLOR RD. AND ALONG BOTH SIDES OF PECAN AVE.
- 6) BENCHMARK.- STATION NAME: MC* 69 SET BY ARANDA & ASSOC. LOCATED AT THE NORTHEAST CORNER OF F.M. 495 AND TAYLOR RD. ELEV.- 123.59 FT (NAVD83)
- 7) OWNER IS REQUIRED TO PROVIDE AN ENGINEERED STORM WATER DETENTION PLAN APPROVED BY THE CITY OF McALLEN ENGINEERING DEPT. PRIOR TO ISSUANCE OF BUILDING PERMIT.
- 8) STORM WATER DETENTION OF .081 AC-FT IS REQUIRED FOR THIS SUBDIVISION.

METES & BOUNDS

THE NORTH 5 ACRES OF THE WEST 10 ACRES OF THE SOUTH 20 ACRES OF LOT 257, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO PLAT RECORDED IN VOLUME 1, PAGE 17, MAP RECORDS, HIDALGO COUNTY, TEXAS.

BEGINNING at a point in the West line of Lot 257, North 08 Deg. 41 Min. 10 Sec. East, 330.0 feet from the southwest corner of said lot, for the southwest corner of the following described tract of land, said point being located in North Taylor Road.

THENCE, with the West line of Lot 257, in North Taylor Road, North 08 Deg. 41 Min. 10 Sec. East, 330.0 feet to point for the northwest corner hereof, said point being on the westerly projection of the South line of Spanish Oaks Estates, recorded in Volume 41, Page 172, Map Records, Hidalgo County, Texas.

THENCE, with the South line of Spanish Oaks Estates, with said projection, parallel to the South line of Lot 257, South 81 Deg. 18 Min. 50 Sec. East, at 30.0 feet pass an iron rod with cap set on the East line of Taylor Road, at 40.0 feet pass the southwest corner of Lot 1, Spanish Oaks Estates and at 660.0 feet to an iron rod with cap set, for the northeast corner hereof.

THENCE, with the East line of the west 10 acres of the south 20 acres of Lot 257, South 08 Deg. 41 Min. 10 Sec. West, 330.0 feet to an iron pin with cap set, for the southeast corner hereof.

THENCE, with the South line of the north 5 acres of the west 10 acres of the south 20 acres of Lot 257, North 81 Deg. 18 Min. 50 Sec. West, at 630.0 feet pass an X mark set in concrete on the East line of North Taylor Road, and at 660.0 feet to the POINT OF BEGINNING, containing 5.0 acres of land, more or less, of which the West 30.0 feet, comprising 0.23 acre of land, lies in North Taylor Road.

9) THE DEVELOPER SHALL BE RESPONSIBLE FOR DETAINING AND COMMODATING MORE THAN THE DETAINED VOLUME SHOWN ON THIS PLAT IF IT IS DETERMINED AT THE PERMIT STAGE, THAT THE DETENTION REQUIREMENTS ARE GREATER THAN STATED ON THIS PLAT, DUE TO THE IMPERVIOUS AREA BEING GREATER THAN THE PLAT ENGINEER CONSIDERED IN THE HYDRAULIC CALCULATIONS FOR THIS SUBDIVISION.

10. PRIVATE DRAINAGE SYSTEM SHALL BE OWEND AND MAINTAINED BY THE LOT OWNERS AND NOT THE CITY OF McALLEN.

11. NO CURB CUT, ACCESS, OR LOT FRONTAGE PERMITTED ALONG N. TAYLOR RD.

12. COMMEN AREAS, DETENTION POND, AND PRIVATE STREETS AND ALLEYS SHALL BE MAINTAINED BY THE LOT OWNERS AND NOT THE CITY OF McALLEN.

T.R #1
7.1.22



MAP
OF
VILLAS DE ALLENDE
(APPROVED AS TAYLOR VIEW)

BEING A SUBDIVISION OF THE NORTH 5.0 AC.
OF THE WEST 10 AC. OF THE SOUTH 20 AC.
OF LOT 257, J. H. SHARY SUBDIVISION,
Hidalgo County, Texas;
according to plat recorded in
vol. 1, page 17, Map Records
Hidalgo County, Texas

CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD LENGTH
A	50.0 FT.	52.36 FT.	60°00'00"	N88°41'10"E	50.0 FT.
B	50.0 FT.	78.54 FT.	90°00'00"	S38°18'50"E	70.71 FT.
C	50.0 FT.	78.54 FT.	90°00'00"	S53°41'10"W	70.71 FT.
D	50.0 FT.	52.36 FT.	60°00'00"	N51°18'50"W	50.0 FT.

STATE OF TEXAS
COUNTY OF HIDALGO

I/WE, THE UNDERSIGNED, HOLDER(S) OR DULY AUTHORIZED OFFICER(S) OF THE HOLDER(S) OF A SECURITY INTEREST IN THE ABOVE DESCRIBED PROPERTY, BEING THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS VILLAS DE ALLENDE (APPROVED AS TAYLOR VIEW) 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.

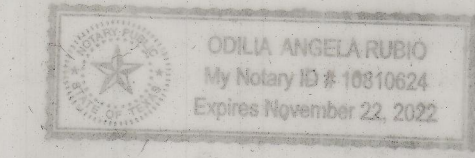
By: Ramiro Gonzalez For Falcon International Bank

Vol. 2374, Pg. 522, O.R.

STATE OF TEXAS
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Ramiro Gonzalez KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING, THIS THE 22nd DAY OF June, 2022.

[Signature]
NOTARY PUBLIC

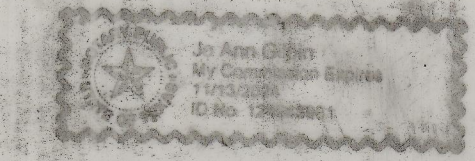


STATE OF TEXAS:
COUNTY OF HIDALGO:

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

STATE OF TEXAS:
COUNTY OF HIDALGO:

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED DELFINO GAONA, 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 22nd DAY OF June, 2022.



NOTARY PUBLIC

DATE

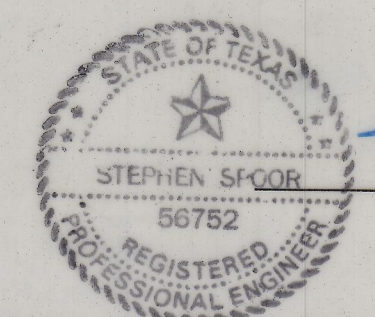
I, THE UNDERSIGNED, CHAIRMAN OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF McALLEN, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS THE SUBDIVISION REGULATIONS OF THIS CITY WHEREIN MY APPROVAL IS REQUIRED.

STATE OF TEXAS:
COUNTY OF HIDALGO:

I, THE UNDERSIGNED, 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

STATE OF TEXAS:
COUNTY OF HIDALGO:

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



REGISTERED PROFESSIONAL ENGINEER
P. E. REGISTRATION No. 56752

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

MAYOR, CITY OF McALLEN

DATE

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 HEREBY CERTIFIES THAT THE DRAINAGE PLANS FOR THIS SUBDIVISION COMPLY WITH THE MINIMUM STANDARDS OF THE DISTRICT ADOPTED UNDER TEX. WATER CODE 49.21(c) THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES DESCRIBED ARE APPROPRIATE FOR THE SPECIFIC SUBDIVISION, BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA. IT IS THE RESPONSIBILITY OF THE DEVELOPER OF THE SUBDIVISION AND ITS ENGINEER TO MAKE THESE DETERMINATIONS.

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

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

DATE

LOCATION MAP

SITE

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

SEE INC



City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 9/2/2022

SUBDIVISION NAME: VILLAS DE ALLENDE

REQUIREMENTS

STREETS AND RIGHT-OF-WAYS

N. Taylor Road: 10 ft. dedication for 40 ft. from centerline for 80 ft. ROW

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

*Must escrow monies for improvements if not built prior to recording

Pecan Ave.: 50 ft. ROW

Paving: 32 ft. Curb & gutter: both sides

*Cul-de-Sac is proposed with 50 ft. ROW radius and 10 ft. sidewalk easement back of curb. This 10 ft. easement might also be used as a Utility Easement as per MPU and it will be shown on plat prior to recording.

**The subdivision was previously approved at the Planning and Zoning Commission meeting of April 20, 2021 with a 60 ft. ROW and 40 ft. of paving, the subdivision is a single-family development which requires 50 ft. of ROW and 32 ft. of paving.

* 800 ft. Block Length

* 600 ft. Maximum Cul-de-Sac.

**Subdivision layout was previously approved at the Planning and Zoning Commission meeting of April 20, 2021.

Applied

Required

Compliance

Applied

ALLEYS

ROW: 20 ft. Paving: 16 ft.

*Alley/service drive easement required for commercial properties

NA

SETBACKS

* Front: 25 ft.

* Rear: 10 ft. or greater for easements.

* Interior Sides: In accordance with the Zoning Ordinance, or greater for easements

* Corner side: 10 ft.

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

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

Applied

Applied

Applied

Applied

Applied

Applied

SIDEWALKS

* 4 ft. wide minimum sidewalk required on N. Taylor Road, and both sides of Pecan Ave.

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

Applied

Required

BUFFERS

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

Applied

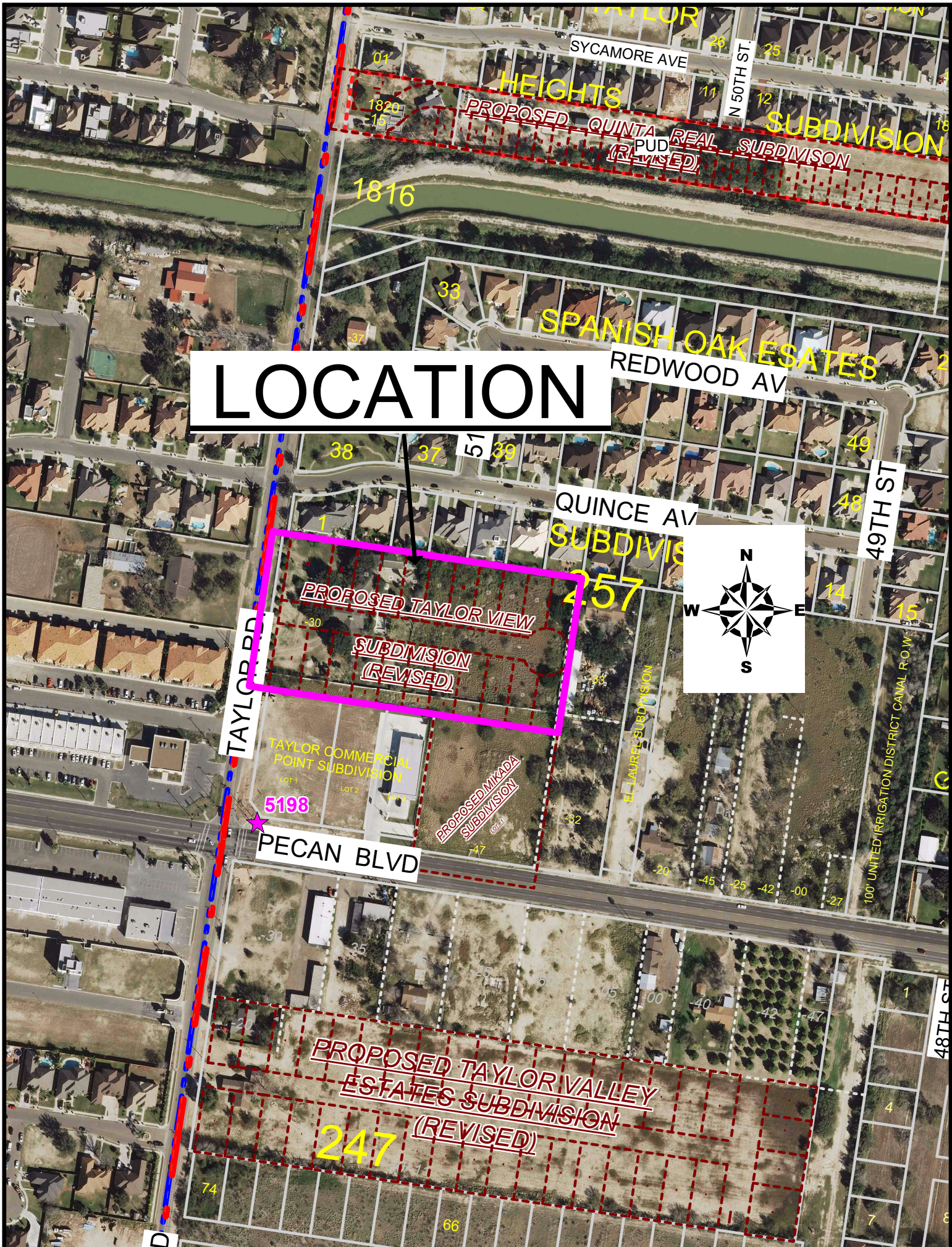
These comments are for subdivision requirements only – additional requirements may apply at time of site plan review

* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses	Applied
*Perimeter buffers must be built at time of Subdivision Improvements.	Applied
NOTES	
* No curb cut, access, or lot frontage permitted along N. Taylor Road.	Required
**Revise spelling for Taylor Road on Note #11 prior to recording	
* Site plan must be approved by the Planning and other Development Department prior to building permit issuance.	NA
* Common areas, private services drives, 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.	Applied
**Section 110-72 applies for public subdivisions	
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.	Required
LOT REQUIREMENTS	
* Lots fronting public streets	Compliance
* Minimum lot width and lot area	Compliance
ZONING/CUP	
* Existing: R-1 Proposed: R-1	Compliance
* Rezoning application reviewed by Planning and Zoning Board at the meeting of November 17, 2020 and approved by City Commission on December 14, 2020	Completed
PARKS	
* Land dedication in lieu of fee	NA
* Park Fee of \$700 per 21 proposed lots = \$14,700 to be paid prior to recording. The owner has submitted a variance request for 50 percent of the park fees to be paid up front prior to recording, and the remaining 50 percent to be paid at building permit stage. Fees can go up or down if the amount of dwelling units/lots changes.	Required
**A plat note will be required prior to recording if the variance request is approved.	
* Pending review by the City Manager's Office. The owner has submitted a variance request for 50 percent of the park fees to be paid up front prior to recording, and the remaining 50 percent to be paid at building permit stage. The Variance request is under review by the City Manager's Office. Final fees will be dependent on the determination of the City Manager's Office and must be paid prior to recording.	Applied
**A plat note will be required prior to recording if the variance request is approved.	
TRAFFIC	
* Trip Generation has been waived, per Traffic Department. No TIA required.	Applied
* Traffic Impact Analysis (TIA) required prior to final plat.	NA

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">*Must comply with City's Access Management Policy**Subdivision was approved in revised preliminary form at the meeting of November 3, 2020***Rezoning application from R-3T to R-1 reviewed by Planning and Zoning Board at the meeting of November 17, 2020 and approved by City Commission on December 14, 2020.****The Subdivision was previously approved in Final form at the Planning and Zoning Commission meeting of April 20,2021.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED FINAL FORM SUBJECT TO CONDITIONS NOTED.	Applied

LOCATION



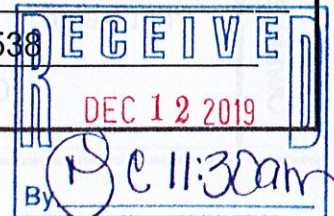
SUB2019-000



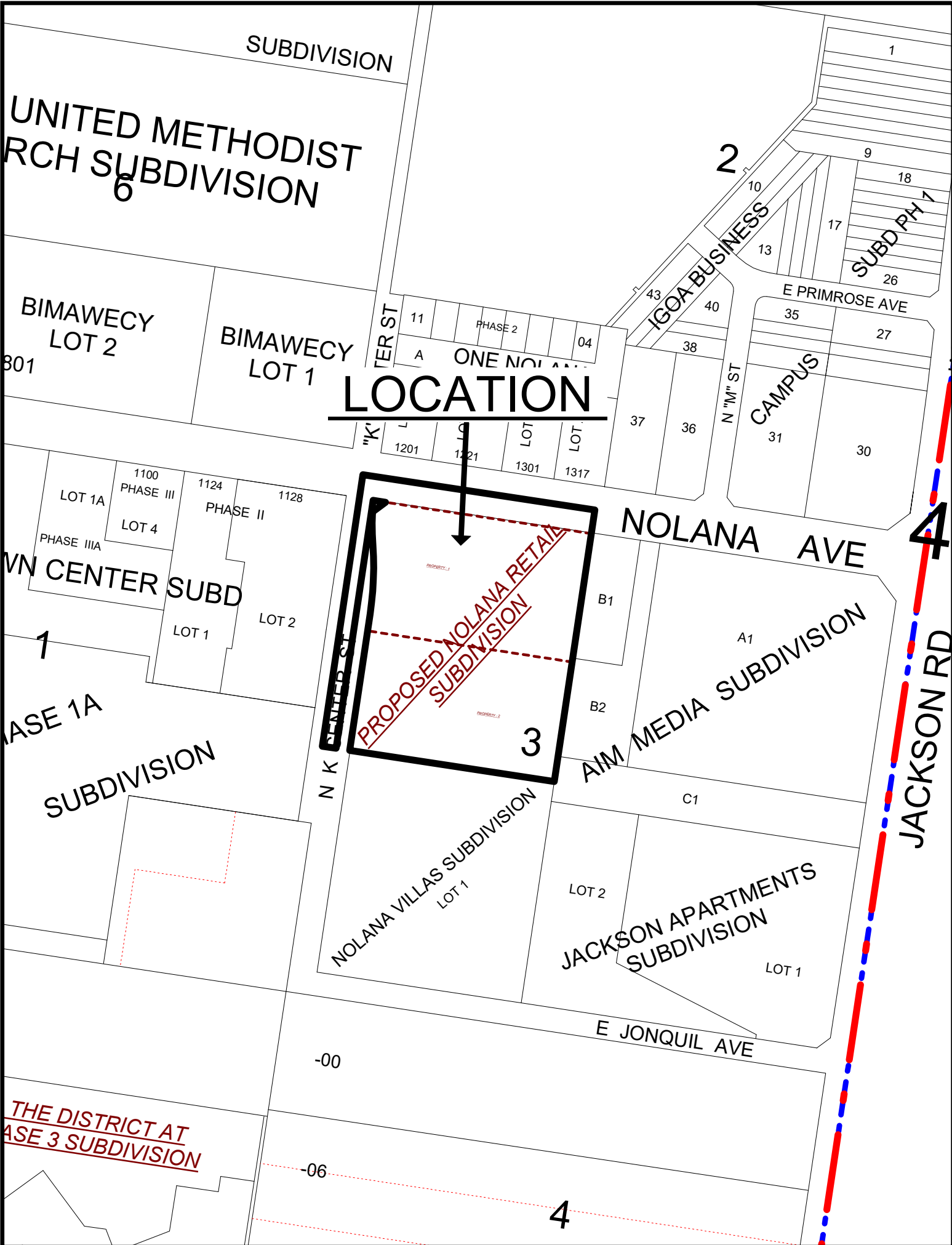
City of McAllen
Planning Department
**APPLICATION FOR
SUBDIVISION PLAT REVIEW**

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

Project Description	Subdivision Name <u>Nolana Retail Subdivision</u> Location <u>Southeast corner E.Nolana Loop (FM 3461) and North "K" Center Street</u> City Address or Block Number <u>TBD</u> Number of lots <u>2 Lots</u> Gross acres <u>9.00</u> Net acres <u>7.68</u> Existing Zoning <u>C-3</u> Proposed <u>N/A</u> Rezoning Applied For <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date <u>N/A</u> Existing Land Use <u>Vacant</u> Proposed Land Use <u>Comm/Ret</u> Irrigation District # <u>2</u> Residential Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Commercial Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> ETJ Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Agricultural Tax Exempt Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Estimated Rollback tax due <u>As Provided</u> Parcel No. <u>M2650-00-004-0003-00</u> Tax Dept. Review <u>As Provided</u> Legal Description <u>9.00 ac (gross) 7.68 ac (net) out of Lot 3, Block 4, A.J.McColl Subdivision, Hidalgo County, Texas Volume 21, Page 598, H.C.D.R.</u>
Owner	Name <u>South Padre Retail Center, LTD</u> Phone <u>210-424-8015</u> Address <u>4629 Macro Drive</u> City <u>San Antonio</u> State <u>TX</u> Zip <u>78218</u> E-mail <u>Reuben@CBGcre.com</u>
Developer	Name <u>CBG Commercial Real Estate</u> Phone <u>210-424-8081</u> Address <u>4629 Macro Drive</u> City <u>San Antonio</u> State <u>TX</u> Zip <u>78218</u> Contact Person <u>German Valdes - Director of Architecture and Planning</u> E-mail <u>GValdes@CBGcre.com</u>
Engineer	Name <u>AEC Engineering, LLC</u> Phone <u>956-380-6558</u> Address <u>204 E. Stubbs STE B</u> City <u>Edinburg</u> State <u>TX</u> Zip <u>78539</u> Contact Person <u>Carlos Garza, P.E.</u> E-mail <u>carlos@aecengineering.net</u>
Surveyor	Name <u>Rio Delta Surveying</u> Phone <u>956-380-5156</u> Address <u>8207 Mateo Escobar</u> City <u>Monte Alto</u> State <u>TX</u> Zip <u>78538</u>



Rct# 480908 pd \$300



SUBDIVISION
UNITED METHODIST
RCH SUBDIVISION
6

BIMAWECY
LOT 2
801

BIMAWECY
LOT 1

LOCATION

TER ST
11
PHASE 2
04
A
ONE NOLANA
"K"
1201
1221
LOT
1301
1317

2
10
13
43
40
38
37
36
N "M" ST
IGOA BUSINESS

9
18
17
26
SUBD PH 7

E PRIMROSE AVE

CAMPUS
31
30

NOLANA AVE

PROPOSED NOLANA RETAIL
SUBDIVISION
3

1100
PHASE III
LOT 4
PHASE IIIA
VN CENTER SUBD
LOT 1
LOT 2
1124
PHASE II
1128

1
ASE 1A
SUBDIVISION

N K
NOLANA VILLAS SUBDIVISION
LOT 1

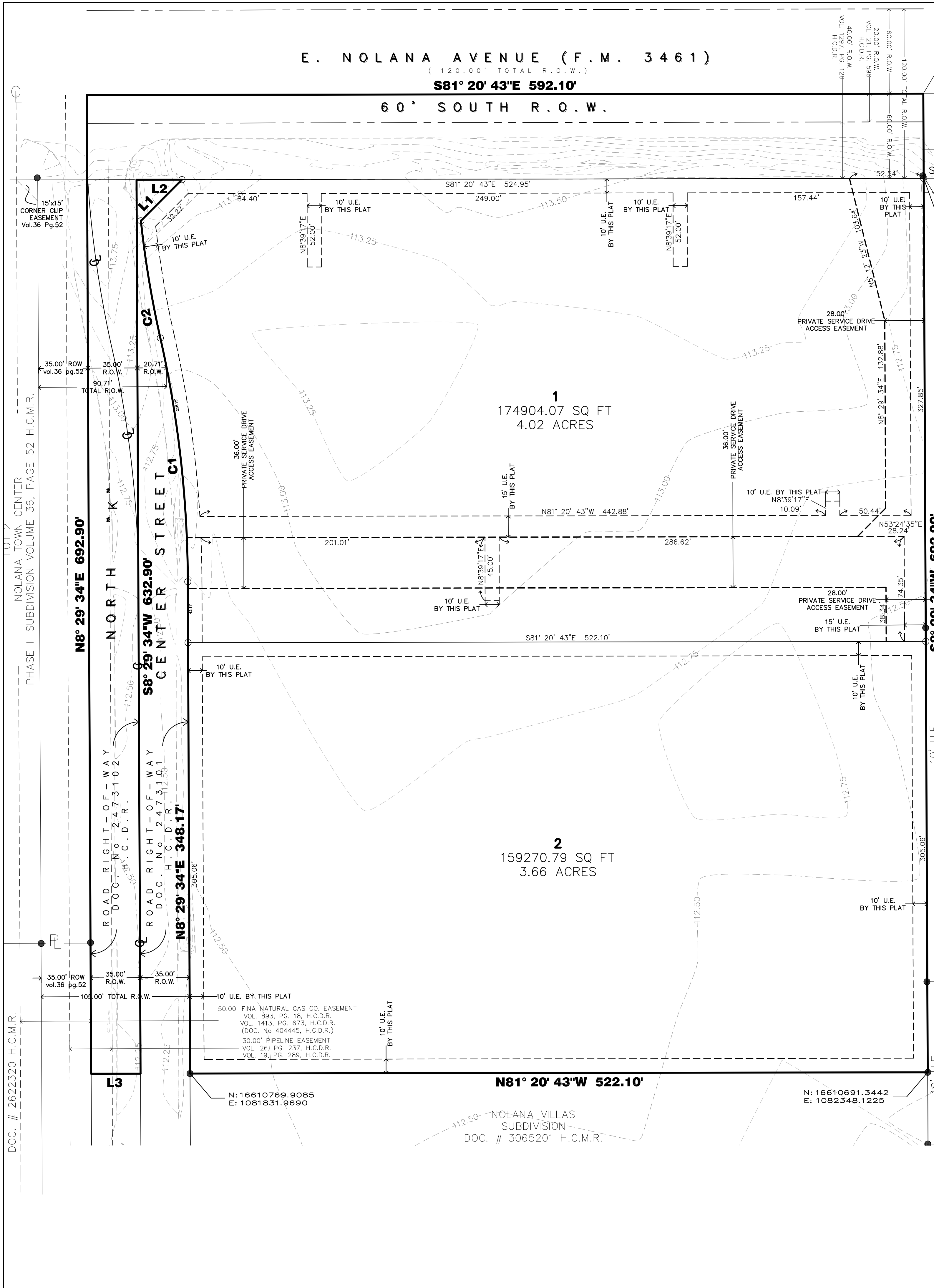
B1
A1
B2
C1
AIM MEDIA SUBDIVISION

LOT 2
JACKSON APARTMENTS
SUBDIVISION
LOT 1

E JONQUIL AVE

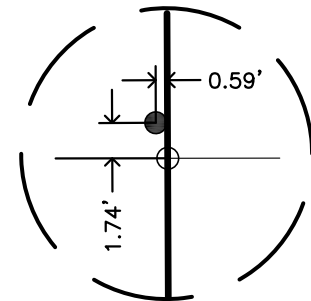
THE DISTRICT AT
ASE 3 SUBDIVISION

4
JACKSON RD



Nolana Retail Subdivision
9.00 ACRES (GROSS)
7.68 ACRES (NET)
OUT OF LOT 3, BLOCK 4
A.J. McCOLL SUBDIVISION, HIDALGO COUNTY, TEXAS
VOLUME 21, PAGE 598, H.C.D.R.
Plat Scale: 1"=40' JOB # 1141.023
Preparation Date: August 25, 2022
Drawn by: R. HERNANDEZ
2 Commercial Lots
A Texas Registered Engineering Firm F-9688

AEC ENGINEERING, LLC.
*Agricultural * Environmental * Civil*
P.O. Box 480
Edinburg, Texas 78540
Office: (956) 380-6558
Fax: (956) 380-6110
www.aecengineering.net



SEE "DETAIL A"

GENERAL PLAT NOTES

- THIS SUBDIVISION LIES IN ZONE "B" AS DEFINED AS "AREAS BETWEEN LIMITS OF THE 100-YEAR FLOOD AND 500-YEAR FLOOD; OR CERTAIN AREAS SUBJECT TO 100-YEAR FLOODING WITH AVERAGE DEPTHS LESS THAN ONE (1) FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN ONE SQUARE MILE; OR AREAS PROTECTED BY LEVEES FROM THE BASE FLOOD. COMMUNITY PANEL #480334 0425 C MAP REVISED NOVEMBER 16, 1982.
- MINIMUM FINISHED FLOOR ELEVATION SHALL BE 18" ABOVE EXISTING T.C. AT THE APPROXIMATE CENTER OF THE LOTS.
- MINIMUM SETBACKS SHALL COMPLY WITH CITY OF McALLEN ZONING:

LOT	FRONT (E. NOLANA AVE)	SIDES & REAR
LOT 1	60', OR GREATER FOR EASEMENTS, OR APPROVED SITE PLAN.	AS PER ZONING ORDINANCE, OR GREATER FOR EASEMENTS, OR APPROVED SITE PLAN.
LOT 2	35', OR GREATER FOR EASEMENTS, OR APPROVED SITE PLAN.	AS PER ZONING ORDINANCE, OR GREATER FOR EASEMENTS, OR APPROVED SITE PLAN.
- THIS SUBDIVISION SHALL BE REQUIRED TO DETAIN A TOTAL OF 87,587 C.F. (0.82 AC.-FT.) AND SHALL BE HANDLED PER LOT PRORATED INDIVIDUALLY AS FOLLOWS:
LOT 1: 44,902 C.F. (1.03 AC.-FT.)
LOT 2: 42,685 C.F. (0.98 AC.-FT.)
- CITY OF McALLEN BENCHMARK: "MC68" - 30" ALUMINUM PIPE WITH 3.75" BRASS MONUMENT CAP LOCATED AT THE NORTH WEST CORNER-INTERSECTION OF JACKSON RD. & EL DORA RD.
APPROXIMATE HORIZONTAL AND VERTICAL INFO:
N -16608729.28
E -1082910.61
Z -111.23
- NO BUILDING ALLOWED OVER ANY EASEMENT.
- 4' WIDE MIN. SIDEWALK REQUIRED ALONG K. CENTER STREET AND 5' WIDE MIN. SIDEWALK REQUIRED ALONG NOLANA AVE.
- SET NO. 4 CAPPED IRON RODS SET AT ALL LOT CORNERS.
- 6' OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, AND INDUSTRIAL ZONES/USES.
- 8' MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONES/USES.
- UPON LOT 2 DEVELOPMENT, PRIVATE SERVICE DRIVE ACCESS EASEMENT SHALL BE EXTENDED THROUGH LOT 2 AND WEST TO N. "K" CENTER STREET.
- 10' X 10' SIGHT OBSTRUCTION EASEMENT ON EVERY SERVICE DRIVE INTERSECTION.

STATE OF TEXAS
COUNTY OF HIDALGO

I, THE UNDERSIGNED OWNER OF THE LANDS SHOWN ON THIS PLAT AND DESIGNATED AS NOLANA RETAIL SUBDIVISION, TO THE CITY OF McALLEN, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HERBY DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS, WATER/SEWER/STORM SEWER LINES, FIRE HYDRANTS AND PUBLIC PLACES WHICH ARE INSTALLED OR WHICH 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.

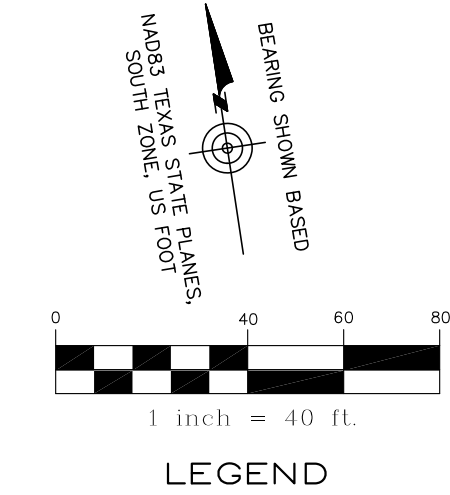
REUBEN BAR-YARDIN
SOUTH PADRE RETAIL CENTER, GP, L.L.C.
4629 MACRO DRIVE
SAN ANTONIO, TX 78218

STATE OF TEXAS
COUNTY OF HIDALGO

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

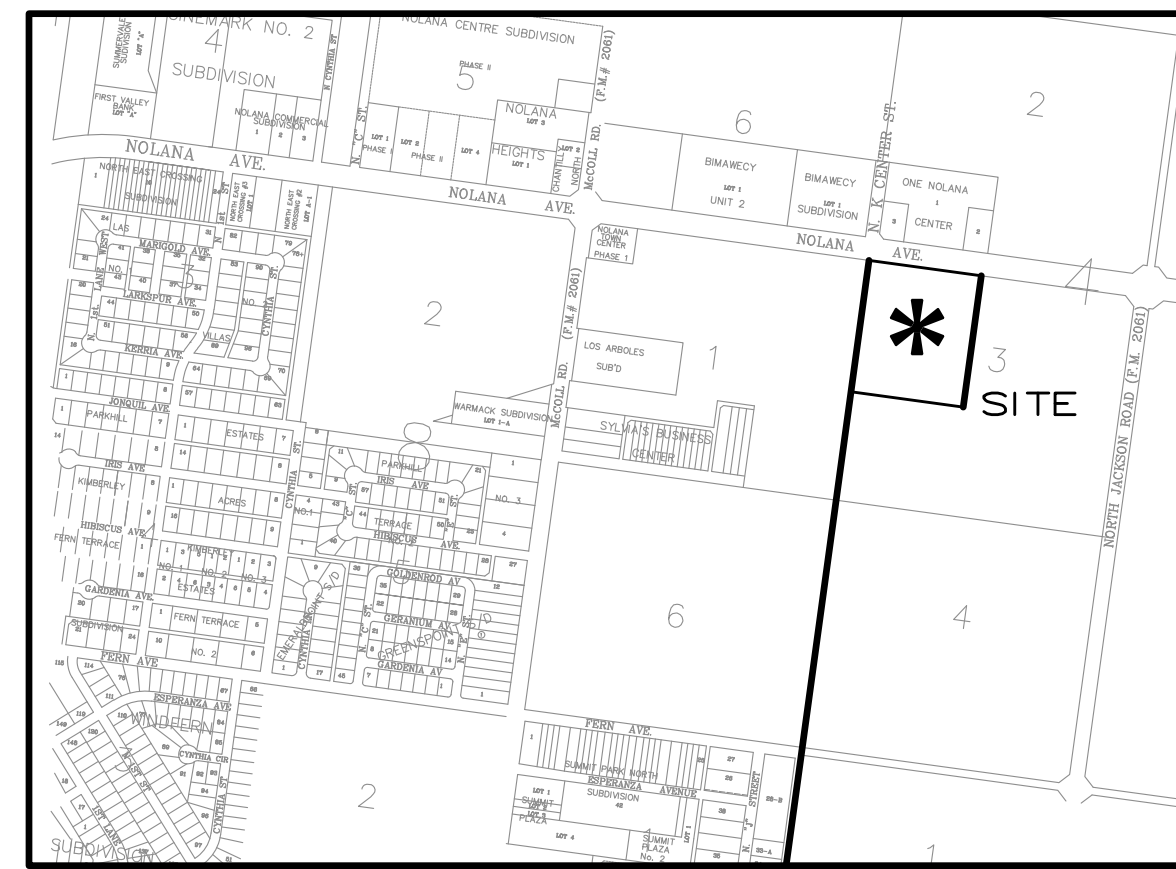
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ DAY OF _____, 20 ____.

ROEL HERNANDEZ, NOTARY PUBLIC



LINE TABLE		
LINE #	BEARING	DISTANCE
L1	N53° 37' 16"E	41.21'
L2	N81° 20' 43"W	32.15'
L3	N81° 20' 43"W	35.00'

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	174.04'	792.00'	12° 35' 26"	N2° 19' 33"E	173.69'
C2	84.11'	732.00'	6° 35' 00"	N0° 40' 39"W	84.08'



VICINITY MAP
1" = 1000'

METES AND BOUNDS DESCRIPTION

9.00 GROSS ACRES OF LOT 3, BLOCK 4, A.J. McCOLL SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO MAP THEREOF RECORDED IN VOLUME 21, PAGE 598, DEED RECORDS OF HIDALGO COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ALONG THE CENTER LINE OF NOLANA AVENUE (F.M. 3461), FOR THE NORTH EAST CORNER OF THIS TRACT OF LAND, SAID POINT OF BEGINNING, BEARS N 08° 29' 34" E, A DISTANCE OF 60.00 FEET FROM THE NORTH WEST CORNER OF LOT B1, AIM MEDIA SUBDIVISION, DOC. # 2438686, H.C.M.R.

THENCE, S 08° 29' 34" W, PASS THE SAID NORTH WEST CORNER OF LOT B1 AT 60.00 FEET, PASS A FOUND IRON ROD FOR THE SOUTH LINE OF LOT B1, NORTH LINE OF LOT B2 AT 380.00 FEET, PASS THE SOUTH LINE OF LOT B2, NORTH LINE OF LOT C1 AT 630.52 FEET, AIM MEDIA SUBDIVISION, DOC. # 2438686, AND CONTINUING FOR A TOTAL DISTANCE OF 692.90 FEET, TO A FOUND IRON ROD FOR THE SOUTH EAST CORNER OF THIS TRACT OF LAND;

THENCE, N 81° 20' 43" W, A DISTANCE OF 522.10 FEET TO A FOUND IRON ROD ALONG THE EAST RIGHT-OF-WAY LINE OF NORTH K CENTER STREET, FOR AN OUTSIDE CORNER OF THIS TRACT OF LAND;

THENCE, N 08° 29' 34" E, ALONG THE EAST RIGHT-OF-WAY LINE OF NORTH K CENTER STREET, A DISTANCE OF 348.17 FEET TO A SET IRON ROD AND BEGINNING OF A CURVE TO THE LEFT;

THENCE, IN A NORTH EASTERLY DIRECTION, WITH THE EAST RIGHT-OF-WAY LINE OF NORTH "K" CENTER STREET, ALONG A CURVE TO THE LEFT HAVING A LENGTH OF 174.04 FEET, RADIUS OF 792.00 FEET, DELTA OF 12° 35' 26", CHORD BEARING OF N 02° 19' 33" E, CHORD LENGTH OF 173.69 FEET, AND A TANGENT LENGTH OF 87.37 TO A SET IRON ROD AND BEGINNING OF A CURVE TO THE RIGHT;

THENCE, IN A NORTH WESTERLY DIRECTION, WITH THE EAST RIGHT-OF-WAY LINE OF NORTH "K" CENTER STREET, ALONG A CURVE TO THE RIGHT HAVING A LENGTH OF 84.11 FEET, RADIUS OF 732.00 FEET, DELTA OF 06° 35' 00", CHORD BEARING OF N 00° 40' 39" W, CHORD LENGTH OF 84.08 FEET, AND A TANGENT LENGTH OF 42.10 FEET TO A SET IRON ROD AND BEGINNING OF A CORNER CLIP OF THIS TRACT OF LAND;

THENCE, N 53° 37' 16" E, ALONG A CORNER CLIP, A DISTANCE OF 41.21 FEET TO A SET IRON ROD ALONG THE SOUTH RIGHT-OF-WAY LINE OF E. NOLANA LOOP (F.M. 3461);

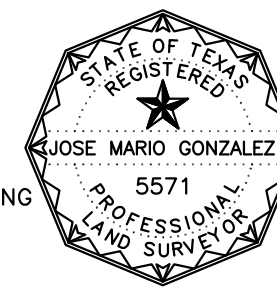
THENCE, N 81° 20' 43" W, ALONG THE SOUTH RIGHT-OF-WAY OF E. NOLANA LOOP (F.M. 3461), A DISTANCE OF 32.15 FEET TO A CENTERLINE POINT OF NORTH "K" CENTER STREET, AND AN INSIDE POINT OF THIS TRACT OF LAND;

THENCE, S 08° 29' 34" W, ALONG THE CENTERLINE OF NORTH "K" CENTER STREET, A DISTANCE OF 632.90 FEET TO AN OUTSIDE POINT OF THIS TRACT OF LAND;

THENCE, N 81° 20' 43" W, A DISTANCE OF 35.00 FEET TO A POINT ALONG THE WEST RIGHT-OF-WAY LINE OF NORTH "K" CENTER STREET, FOR THE SOUTHWEST CORNER OF THIS TRACT OF LAND;

THENCE, N 08° 29' 34" E, ALONG THE WEST RIGHT-OF-WAY LINE OF NORTH K CENTER STREET, PASS THE NORTH LINE OF LOT 1, LOS ARBOLES 1A SUBDIVISION, DOC. #2622320, H.C.M.R., SOUTH LINE OF LOT 2, NOLANA TOWN CENTER PHASE II SUBDIVISION, VOLUME 36, PAGE 52, H.C.M.R., AT 92.38 FEET, PASS THE NORTH LINE OF SAID LOT 2 NOLANA TOWN CENTER PHASE II SUBDIVISION, ALSO BEING THE SOUTH RIGHT-OF-WAY LINE OF NOLANA LOOP (F.M. 3461) AT 632.90 FEET, CONTINUING FOR A TOTAL DISTANCE OF 692.90 FEET TO A POINT ALONG THE CENTERLINE OF NOLANA LOOP (F.M. 3461), FOR THE NORTH WEST CORNER OF THIS TRACT OF LAND;

THENCE, S 81° 20' 43" E, ALONG THE CENTERLINE OF NOLANA AVENUE (F.M. 3461), A DISTANCE OF 592.10 FEET RETURNING TO THE NORTH EAST CORNER AND THE POINT OF BEGINNING OF THIS TRACT OF LAND CONTAINING 9.00 GROSS ACRES OF LAND MORE OR LESS.



DATED THIS ____ DAY OF _____, 20 ____.

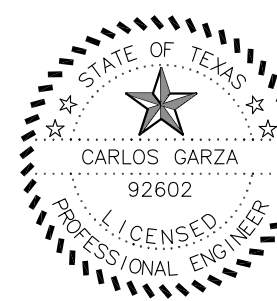
REGISTERED PROFESSIONAL SURVEYOR
JOSE MARIO GONZALEZ, RPLS - RIO DELTA SURVEYING
8207 MATEO ESCOBAR
MONTE ALTO, TEXAS 78538
TEL: 956-380-5154 FAX: 956-380-5156
NO. 5571 STATE OF TEXAS

STATE OF TEXAS
COUNTY OF HIDALGO

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

DATED THIS ____ DAY OF _____, 20 ____.

LICENSED PROFESSIONAL ENGINEER
CARLOS GARZA, PE
P.O. BOX 480
EDINBURG, TEXAS 78540
TEL: 956-380-6558
FAX: 956-380-6110



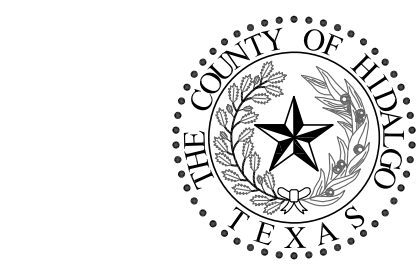
STATE OF TEXAS
COUNTY OF HIDALGO

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



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: 9/2/2022

SUBDIVISION NAME: NOLANA RETAIL

REQUIREMENTS

STREETS AND RIGHT-OF-WAYS

E. Nolana Ave.: 60 ft. from centerline for 120 ft. ROW.
Paving: 65 ft. Curb & gutter: Both sides

N. "K" Center St.: 72-105 ft. ROW
Paving: 44 ft. Curb & gutter: Both sides

* 800 ft. Block Length

* 600 ft. Maximum Cul-de-Sac

Compliance

Compliance

Compliance

NA

ALLEYS

ROW: 20 ft. Paving: 16 ft.

*Alley/service drive easement required for commercial properties

**In lieu of an alley, plat provides for a 28-36 ft. wide paved private service drive easement as shown on Lot 1. See lot 2 drive below.

***Plat submitted May 28, 2020 has a plat note indicating private service drive will be extended through Lot 2 and west to N. "K" Center St. upon Lot 2 development.

Compliance

SETBACKS

* Front:

Lot 1: E. Nolana Ave: 60 ft. or greater for easements or approved site plan.

Lot 2: N. K. Center Street: 35 ft. or greater for easements, or approved site plan.

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

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

* Corner: Lot 1: N. "K" Center St.: In accordance with zoning ordinance or greater for easements, or approved site plan.

****Please revise "Side & Rear" to Side, Rear, & Corner Side under Lot 1 setback note prior to recording.

***Previously proposed Corner (N. "K" Center St.): 35 ft. or greater for easements, or approved site plan.

* Garage

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

Applied

Applied

Applied

Required

NA

Applied

SIDEWALKS

* 5 ft. wide minimum sidewalk required on E. Nolana Ave. and 4 ft. wide minimum sidewalk required on N. "K" Center St.

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

Applied

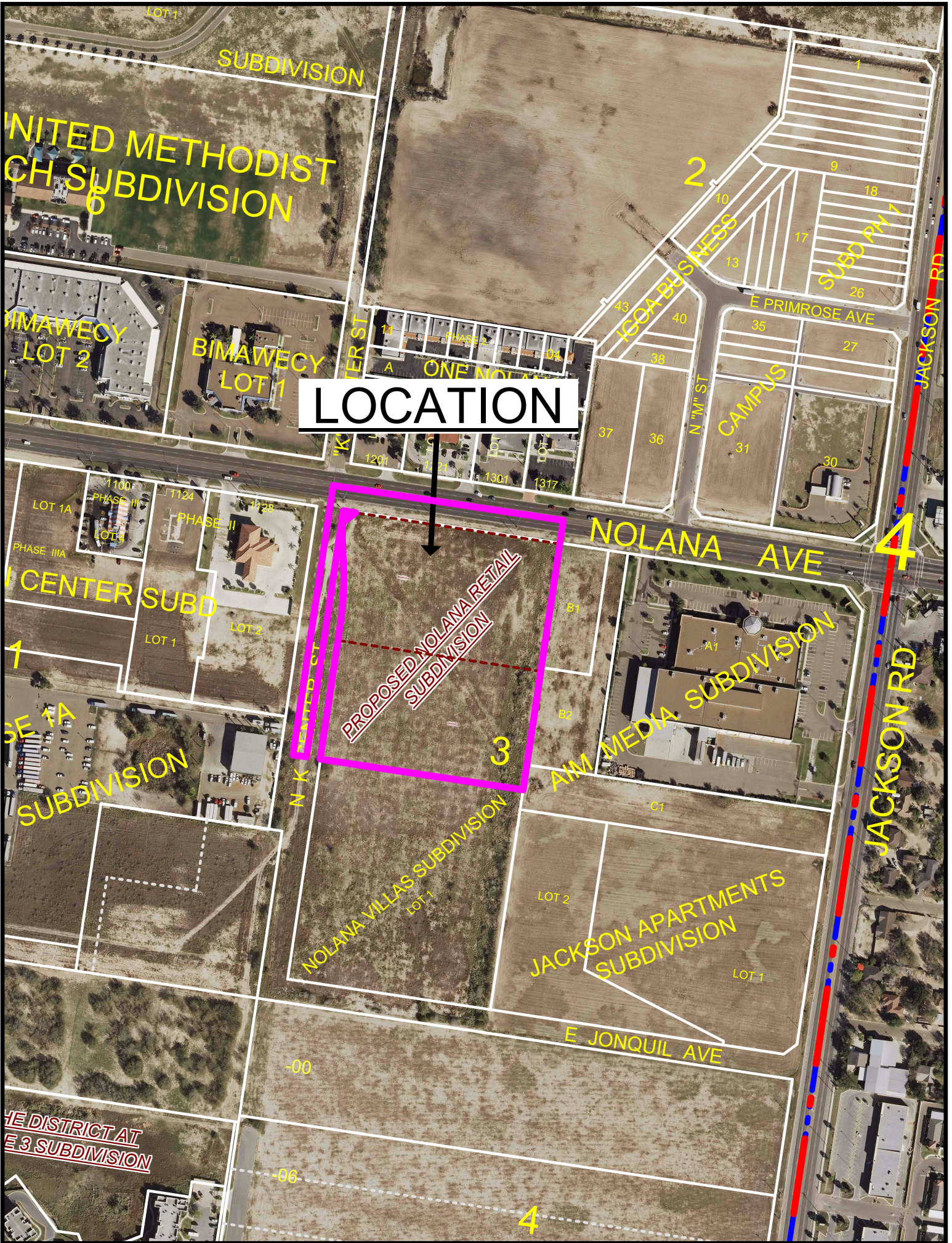
Required

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

BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses	Compliance
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses	Compliance
*Perimeter buffers must be built at time of Subdivision Improvements.	Applied
NOTES	
* No curb cut, access, or lot frontage permitted along	Applied
**Per Traffic Department, curb cut has been approved for the east-most access, movements will be restricted to exit only and right turn only.	
* Site plan must be approved by the Planning and other Development Departments prior to building permit issuance.	Required
* Common Areas, private streets must be maintained by the lot owners and not the City of McAllen	Required
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	Applied
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.	NA
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.	NA
LOT REQUIREMENTS	
* Lots fronting public streets	Compliance
* Minimum lot width and lot area	Applied
ZONING/CUP	
* Existing: C-3 Proposed: C-3	Compliance
* Rezoning Needed Before Final Approval	Applied
PARKS	
* Land dedication in lieu of fee	NA
* Park Fee of \$700 per dwelling unit / lot to be paid prior to recording	NA
* Pending review by the Parkland Dedication Advisory Board and CC.	NA
TRAFFIC	
* Trip Generation to determine if TIA is required, prior to final plat.	Completed
**Per Traffic Department, need to submit Trip Generation to determine if a TIA will be required, prior to final.	
***Per Traffic Department Trip Generation has been completed, TIA will be required prior to final.	
* Traffic Impact Analysis (TIA) required prior to final plat.	Completed
**Per Traffic Department, TIA has been approved with conditions for the east-most access; movements will be restricted to exit only and right turn only.	

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

COMMENTS	
Comments: **Must comply with City's Access Management Policy **Subdivision previously approved in Revised Final form at the P&Z meeting of June 16, 2020. Revised Final review required due to corner setback change.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED FINAL FORM, SUBJECT TO THE CONDITIONS NOTED.	Applied



LOCATION

PROPOSED NOLANA RETAIL
SUBDIVISION

3

4

4

Subarea-0044

City of McAllen

Planning Department

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

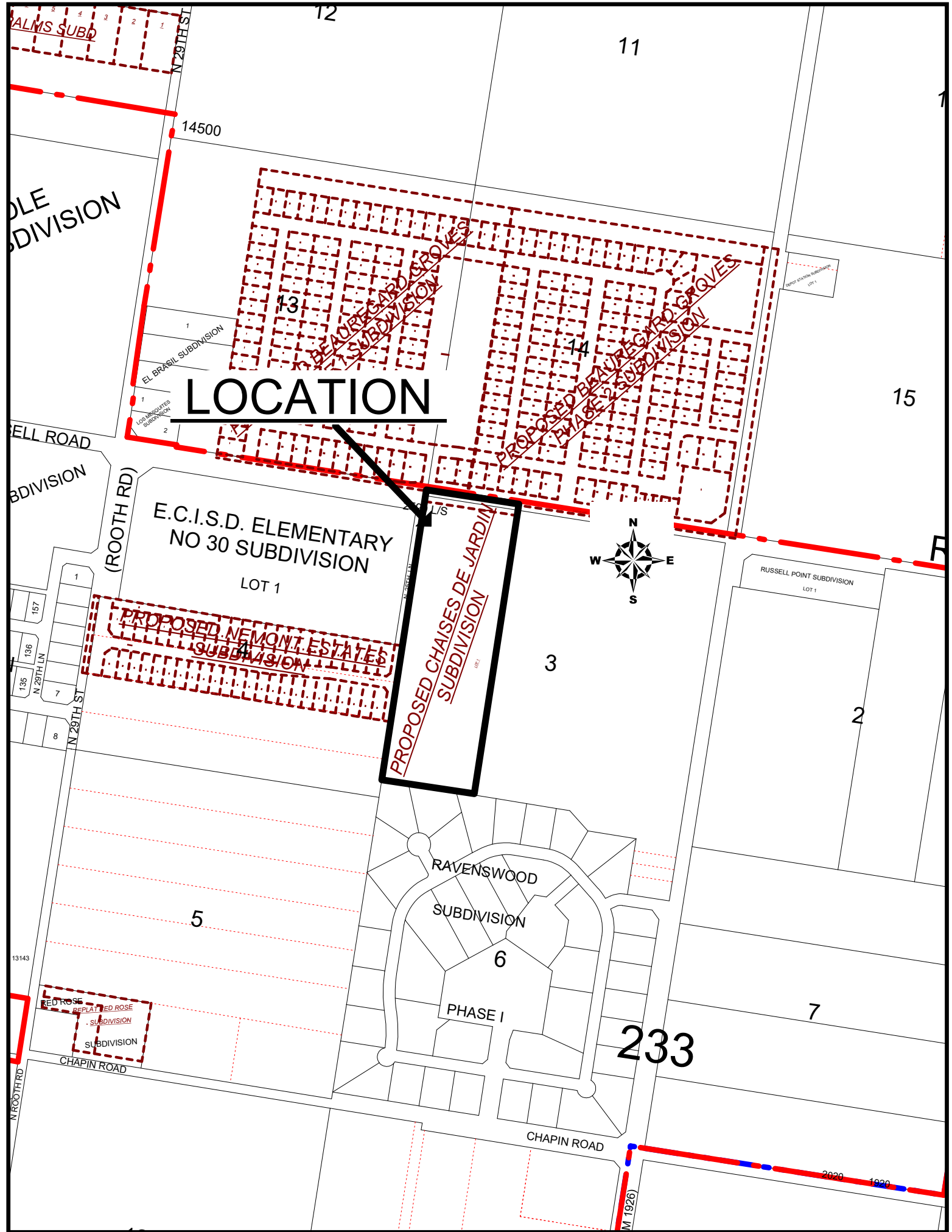
Project Information	Subdivision Name <u>Chaises De Jardin</u> Location <u>1200ft West of the intersection of Russel Rd. and Depot Rd.</u> City Address or Block Number <u>2501 RUSSELL RD.</u> Number of Lots <u>1</u> Gross Acres <u>11.433</u> Net Acres <u>11.433</u> ETJ <input type="checkbox"/> Yes <input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

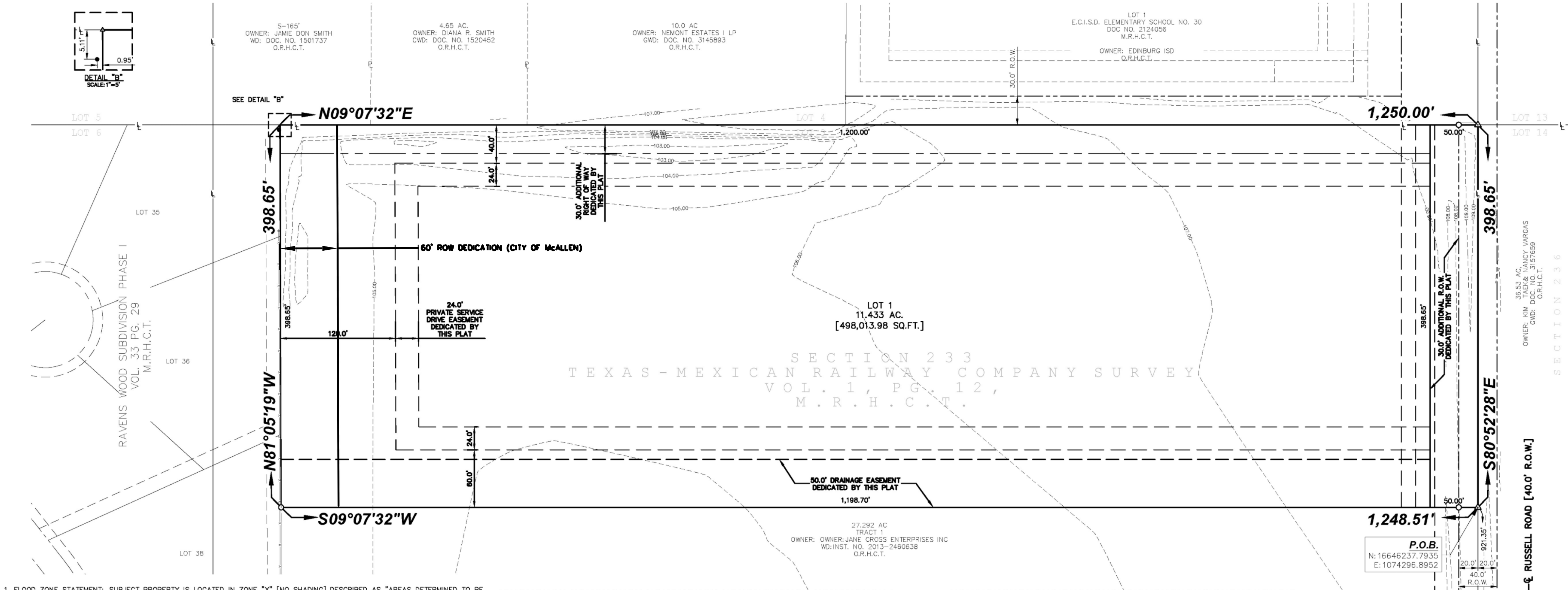
ENTERED

APR 14 2022

Initial: OW

LOCATION





1. FLOOD ZONE STATEMENT: SUBJECT PROPERTY IS LOCATED IN ZONE "X" [NO SHADING] DESCRIBED AS "AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOOD-PLAIN", AS PER FLOOD INSURANCE RATE MAP COMMUNITY NUMBER 48033403250, DTAED 06-06-2000, GENERAL PLAT NOTES AND RESTRICTIONS, 480334, COMMUNITY-PANEL NUMBER: 480338 0020 E; MAP REVISED: JUNE 6, 2009 REVISED TO REFLECT LOUPE CASE NUMBER 01-06-1095F, DATED MAY 14, 2001
2. MINIMUM PERMISSIBLE FINISH FLOOR ELEVATION SHALL BE 18 INCHES ABOVE THE FRONT TOP OF CURB MEASURED FROM THE CENTER OF THE LOT OR 18 INCHES ABOVE THE HIGHEST ADJACENT GRADE, WHICHEVER IS GREATER.
3. THERE ARE NO WATER WELLS WITHIN 150 FEET FROM THE BOUNDARIES OF THIS SUBDIVISION.
4. MINIMUM BUILDING SETBACK LINES AS PER CITY OF McALLEN ORDINANCE
- FRONT: IN ACCORDANCE WITH ZONING ORDINANCE OR GREATER FOR EASEMENTS OR APPROVED SITE PLAN, WHICHEVER IS GREATER APPLIES.
- REAR: IN ACCORDANCE WITH ZONING ORDINANCE OR GREATER FOR EASEMENTS OR APPROVED SITE PLAN, WHICHEVER IS GREATER APPLIES.
- INTERIOR SIDES: IN ACCORDANCE WITH ZONING ORDINANCE OR GREATER FOR EASEMENTS OR APPROVED SITE PLAN, WHICHEVER IS GREATER APPLIES.
- CORNER: IN ACCORDANCE WITH ZONING ORDINANCE OR GREATER FOR EASEMENTS OR APPROVED SITE PLAN, WHICHEVER IS GREATER APPLIES.
5. REQUIRED STORM SEWER RUNOFF DETENTION FOR THIS SUBDIVISION AS PER THE APPROVED DRAINAGE REPORT: 3.02 C.F. (129,923 ACRE-FEET)) TO BE PROVIDED WITHIN DESIGNATED DETENTION AREAS.
6. AN ENGINEERED DRAINAGE DETENTION PLAN, APPROVED BY THE CITY OF McALLEN ENGINEERING DEPARTMENT, SHALL BE REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMIT.
7. NO FILL OR PERMANENT STRUCTURES SHALL BE ALLOWED WITHIN ANY UTILITY EASEMENTS. EACH EASEMENT SHALL BE KEPT CLEAR OF FENCES, BUILDINGS, PLANTINGS, AND OTHER OBSTRUCTIONS THAT WOULD INTERFERE WITH THE OPERATION AND MAINTENANCE OF THE DRAINAGE AND/OR UTILITIES.
8. BENCHMARK IS CITY OF McALLEN BENCHMARK "MC65" MONUMENT: 30 INCH ALUMINUM PIPE WITH A 3-1/4 INCH BRASS MONUMENT CAP ON TOP LOCATED APPROXIMATELY 4.0' FEET SOUTH OF THE BOROLO LANE AND 62.0' WEST OF 23RD STREET (DEPOT ROAD) [SEE LOCATION MAP FOR APPROXIMATE LOCATION]
- PUBLISHED DATA: CITY OF McALLEN BENCHMARK "MC34" ELEVATION = 105.86 COORDINATES: TEXAS STATE PLANE SOUTH ZONE (4205), NAD 83, NAVD 88. US SURVEY FEET GRID N=16644511.41507 E=1074905.50377
- OBSERVED DATA: CITY OF McALLEN BENCHMARK "MC34" ELEVATION = COORDINATES: TEXAS STATE PLANE SOUTH ZONE (4205), NAD 83, NAVD 88. US SURVEY FEET GRID: N: E:
9. NO FILL OR PERMANENT STRUCTURES SHALL BE ALLOWED WITHIN THE ADJACENT DRAINAGE SWALE EASEMENT. THE OWNER OF LOT 1 SHALL BE RESPONSIBLE FOR MAINTENANCE OF DITCH.
10. GENERAL NOTE FOR COMMERCIAL LOT: LOT 1 SHALL BE FOR COMMERCIAL USE ONLY. THERE SHALL BE NO OTHER USE OTHER THAN COMMERCIAL. THIS MUST BE STIPULATED ON ALL DEEDS AND CONTRACT FOR DEEDS. A BUFFER FENCE IS REQUIRED TO BE INSTALLED BY DEVELOPER ALONG ALL ADJUTING RESIDENTIAL LOTS TO DENY ACCESS ONTO LOT. APPLICATIONS FOR CONSTRUCTION APPROVED BY THE PLANNING DEPARTMENT, HEALTH DEPARTMENT AND FIRE MARSHALL ARE REQUIRED PRIOR TO OCCUPYING THE LOT.
11. 5 FT WIDE MINIMUM SIDEWALK REQUIRED ON RUSSELL ROAD.
12. 6 FT OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, AND INDUSTRIAL ZONES/USES.
13. 8 FT MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONES/USES.
14. SITE PLAN MUST BE APPROVED BY THE PLANNING AND ZONING DEPARTMENT PRIOR TO BUILDING PERMIT ISSUANCE.
15. ALL CONSTRUCTION SHALL COMPLY WITH STORM WATER POLLUTION PREVENTION PLAN REQUIREMENTS.
16. PRIVATE SERVICE DRIVE FOR CITY SERVICES REQUIRED AT TIME OF SITE PLAN REVIEW.
17. COMMON AREAS AND PRIVATE SERVICE DRIVES TO BE MAINTAINED BY LOT OWNERS AND NOT THE CITY OF McALLEN.



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

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

PRINCIPAL CONTACTS:

NAME	ADDRESS	CITY & ZIP	PHONE
OWNER: JANE CROSS	13201 NORTH 23RD STREET	EDINBURG, TEXAS 78541	956.369.8719
ENGINEER: MDC ENGINEERING, PLLC: MARK D. CORBITT, PE	3400 N. MCCOLL, #26	MCALLEN, TX 78501	956.650.6034
SURVEYOR: CARRIZALES LAND SURVEYING, LLC: MANUEL CARRIZALES, R.P.L.S.	4807 GONDOLA AVENUE	EDINBURG, TEXAS 78542	956.587.2167

CERTIFICATE OF APPROVAL HIDALGO COUNTY DRAINAGE DISTRICT No. 1

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

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

CERTIFICATE OF APPROVAL PLANNING & ZONING COMMISSION

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

CHAIRMAN, PLANNING COMMISSION

CERTIFICATE OF APPROVAL HIDALGO COUNTY IRRIGATION DISTRICT No. 1

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

GENERAL MANAGER

CITY OF McALLEN MAYOR CERTIFICATION

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

MAYOR, CITY OF McALLEN

CITY SECRETARY

STATE OF TEXAS COUNTY OF HIDALGO CERTIFICATION OF SURVEYOR

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

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

STATE OF TEXAS COUNTY OF HIDALGO CERTIFICATION OF ENGINEER

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

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

DATE PREPARED: ____/____/202__

OWNER'S ACKNOWLEDGMENT STATE OF TEXAS COUNTY OF HIDALGO

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

JANE CROSS ENTERPRISES, INC. JANE CROSS
2201 W. DOVE AVENUE, SUITE 3
MCALLEN, TEXAS 78504

STATE OF TEXAS COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JANE CROSS ENTERPRISES, INC (JANE CROSS), KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ DAY OF _____, 20__

NOTARY PUBLIC



LOCATION MAP 1" = 2,000'

PLAT OF CHAISES DE JARDIN SUBDIVISION

BEING A 11.433 ACRE [498,013.98 SQ. FT.] TRACT BEING OUT OF TRACT 1, THAT CERTAIN 37,292 ACRE TRACT BEING OUT OF LOT 3, SECTION 23.3, TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 12, MAP RECORDS OF HIDALGO COUNTY, TEXAS.

METES AND BOUNDS DESCRIPTION:

A 11.433 ACRE [498,013.98 SQ. FT.] TRACT BEING OUT OF TRACT 1, THAT CERTAIN 37,292 ACRE TRACT BEING OUT OF LOT 3, SECTION 23.3, TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 12, MAP RECORDS OF HIDALGO COUNTY, TEXAS, AS CONVEYED TO JANE CROSS ENTERPRISES, INC., A TEXAS CORPORATION BY VIRTUE OF WARRANTY DEED DATED NOVEMBER 1, 2013 AND FILED FOR RECORD ON NOVEMBER 01, 2013 IN INSTRUMENT NUMBER: 2013-2460638, OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS, SAID 11.433 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A COTTON PICKER SPINDLE [N:16646091.6700, E:1075206.5840] FOUND AT THE INTERSECTION OF DEPOT ROAD AND RUSSELL ROAD FOR THE NORTHEAST CORNER OF SAID LOT 3, SECTION 23.3, THENCE NORTH 80 DEGREES 52 MINUTES 28 SECONDS WEST, WITH THE NORTH LINE OF SAID LOT 3, A DISTANCE OF 921.35 FEET TO A CALCULATED POINT, FOR THE NORTHEAST CORNER OF THIS TRACT AND THE POINT OF BEGINNING;

THENCE, SOUTH 09 DEGREES 07 MINUTES 32 SECONDS WEST, PARALLEL TO THE WEST LINE OF SAID LOT 3, AT A DISTANCE OF 20.00 FEET PASS A HALF 1/2-INCH IRON ROD WITH A PINK CAP STAMPED C.L.S. RPLS #6388 SET AT THE SOUTH RIGHT-OF-WAY LINE OF SAID RUSSELL ROAD, CONTINUING A TOTAL DISTANCE OF A 1,248.51 FEET TO A HALF 1/2-INCH IRON ROD WITH A PINK CAP STAMPED C.L.S. RPLS #6388 SET ON THE NORTH LINE OF RAVENS WOOD SUBDIVISION PHASE I, AS RECORDED IN VOLUME 33, PAGE 29, MAP RECORDS OF HIDALGO COUNTY, TEXAS, FOR THE SOUTHEAST CORNER OF THIS TRACT OF LAND;

THENCE, NORTH 81 DEGREES 05 MINUTES 19 SECONDS WEST, WITH THE NORTH LINE OF SAID RAVENS WOOD SUBDIVISION PHASE I, A DISTANCE OF A 398.65 FEET TO A CALCULATED POINT ON THE WEST LINE OF SAID LOT 3, FOR THE SOUTHWEST CORNER OF THIS TRACT OF LAND;

THENCE, NORTH 09 DEGREES 07 MINUTES 32 SECONDS EAST, WITH THE WEST LINE OF SAID LOT 3, AT A DISTANCE OF 1,230.00 FEET PASS A HALF 1/2-INCH IRON ROD WITH A PINK CAP STAMPED C.L.S. RPLS #6388 SET AT THE SOUTH RIGHT-OF-WAY LINE OF SAID RUSSELL ROAD, CONTINUING A TOTAL DISTANCE OF 1,250.00 FEET TO A CALCULATED POINT FOR THE NORTHWEST CORNER OF SAID LOT 3, AND THE NORTHWEST CORNER OF THIS TRACT OF LAND;

THENCE, SOUTH 80 DEGREES 52 MINUTES 28 SECONDS EAST, WITH THE NORTH LINE OF SAID LOT 3, A DISTANCE OF 398.65 FEET TO THE POINT OF BEGINNING CONTAINING 11.433 ACRES [498,013.98 SQ. FT.] OF LAND MORE OR LESS.

LEGEND

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



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

SHEET 01 OF 01 DATE OF PREPARATION: 4.12.2022			
NO.	DATE	DESCRIPTION	BY



City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 9/2/2022

SUBDIVISION NAME: CHAISES DE JARDIN

REQUIREMENTS

STREETS AND RIGHT-OF-WAYS

Russell Road: Proposing 30 ft. dedication for 50 ft. from centerline for 100 ft. total R.O.W

Paving _65 ft._ Curb & gutter __Both Sides__

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

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

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

****Subdivision Ordinance: Section 134-105

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

*****COM Thoroughfare Plan

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

Paving: 40 ft. Curb & gutter: Both sides

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

***Subdivision Ordinance: Section 134-105

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

*****COM Thoroughfare Plan

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

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

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

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

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

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

*****Finalize temporary turnaround requirements, prior to recording.

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

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

*****COM Thoroughfare Plan

Paving _____ Curb & gutter _____

**Subdivision Ordinance: Section 134-105

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

**COM Thoroughfare Plan

Required

Required

Required

Applied

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

* 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. **A paved temporary turnaround in compliance with City requirements will be required on the east end of E/W collector, temporary turnaround must be shown on plat and if being dedicated by separate instrument document number must be included with plat reference prior to recording. ***Finalize temporary turnaround requirements, prior to recording. ****Subdivision Ordinance: Section 134-105	Compliance
	NA
	Applied
ALLEYS	
ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties. **As per plat submitted on July 13, 2022, a 24 ft. Private Service Drive Easement is dedicated by plat in lieu of alley. ***24 ft. Private service drive easement must comply with Fire and Public Works Department maneuverability requirements, additional requirements may required as applicable, finalize prior to recording. ****Remove plat note 16 as service drive is being provided on plat, prior to recording. ****Subdivision Ordinance: Section 134-106	Required
SETBACKS	
* Front: In accordance with the Zoning Ordinance or greater for approved site plan or easements or inline with existing structures, whichever is greater applies. **Revise note wording, as shown above prior to recording. ***Proposing: In accordance with Zoning Ordinance or greater for easements or approved site plan. Whichever is greater applies. **Zoning Ordinance: Section 138-356 * Rear: In accordance with Zoning Ordinance or greater for easements or approved site plan. Whichever is greater applies. **Zoning Ordinance: Section 138-356 * Sides: In accordance with Zoning Ordinance or greater for easements or approved site plan. Whichever is greater applies. **Zoning Ordinance: Section 138-356 * Corner: In accordance with Zoning Ordinance or greater for easements or approved site plan. Whichever is greater applies. **Zoning Ordinance: Section 138-356 * Garage: Proposed Commercial Development. ***Zoning Ordinance: Section 138-356 *ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Required
	Applied
	Applied
	Applied
	NA
	Applied
SIDEWALKS	
* 4 ft. wide minimum sidewalk required along Russell Road, North 25th Lane and E/W Collector. **Revise note as shown above prior to recording. ***Sidewalk requirements might increase to 5 ft. prior to recording subject to Engineering Department requirements. ****Subdivision Ordinance: Section 134-120 * Perimeter sidewalks must be built or money escrowed if not built at this time.	Required
	Required

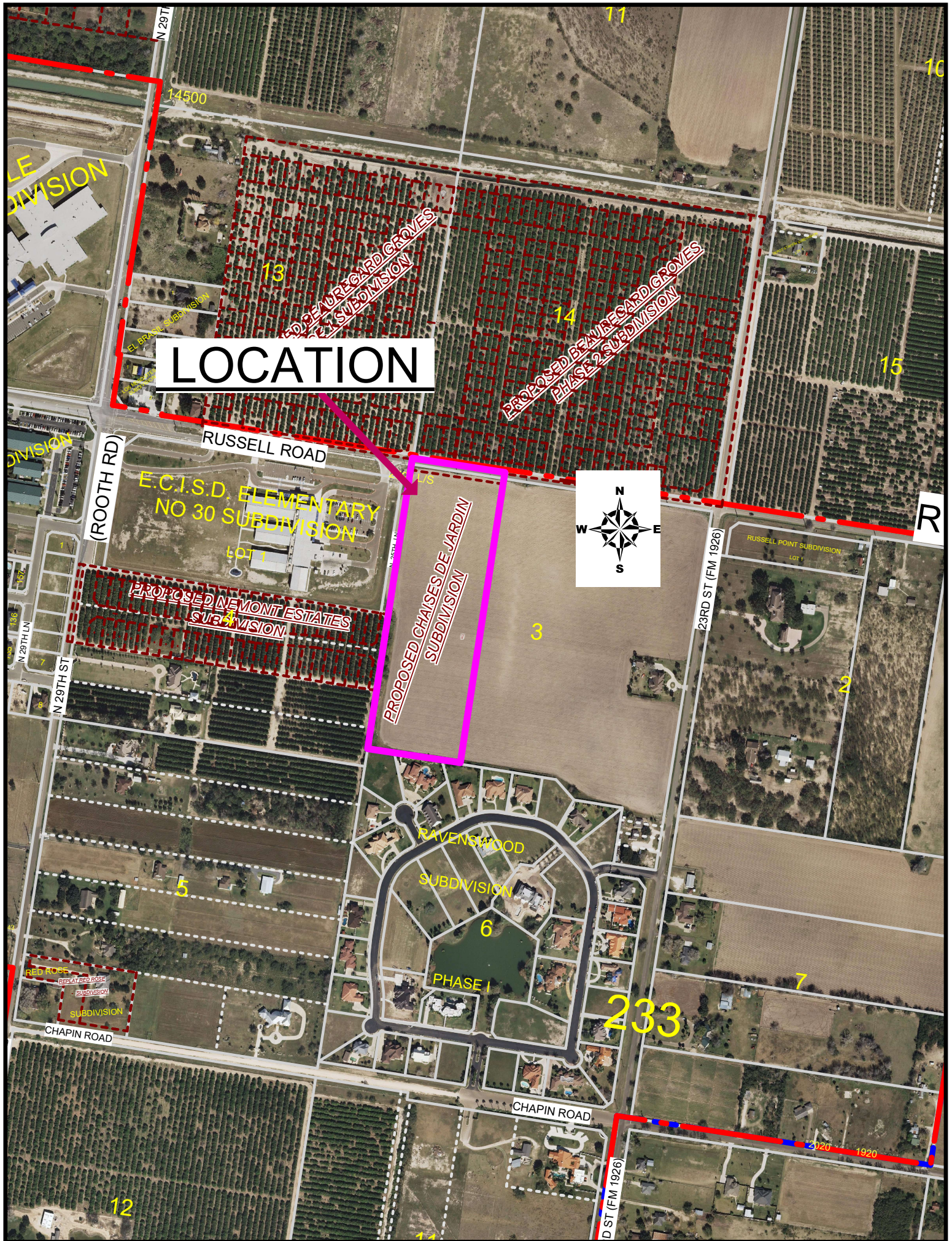
These comments are for subdivision requirements only – additional requirements may apply at time of site plan review

BUFFERS	
<ul style="list-style-type: none"> * 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along N.25th Lane and E/W collector Street. **Revise note as shown above prior to recording ***Others as may be required as part of PUD Conditional Use Permit. ****Landscaping Ordinance: Section 110-46 	Applied
<ul style="list-style-type: none"> * 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. **Landscaping Ordinance: Section 110-46 	Applied
<ul style="list-style-type: none"> *Perimeter buffers must be built at time of Subdivision Improvements. 	Required
NOTES	
<ul style="list-style-type: none"> * No curb cut, access, or lot frontage permitted along . ** Must comply with site plan requirements/conditions for the PUD Conditional Use Permit. ***Must comply with City Access Management Policy 	Required
<ul style="list-style-type: none"> * Site plan must be approved by the Planning and Development Departments prior to building permit issuance. **Remove plat note 14 as it not required to be shown on plat. *** Must comply with site plan requirements/conditions for the PUD Conditional Use Permit. 	Required
<ul style="list-style-type: none"> * Common Areas, any private drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. 	Applied
<ul style="list-style-type: none"> * Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. 	Applied
<ul style="list-style-type: none"> * Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. **Section 134-168 applies if private subdivision is proposed. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168 	NA
<ul style="list-style-type: none"> * 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. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168 	NA
LOT REQUIREMENTS	
<ul style="list-style-type: none"> * Lots fronting public streets. **Subdivision Ordinance: Section 134-1 	Compliance
<ul style="list-style-type: none"> * Minimum lot width and lot area. **Zoning Ordinance: Section 138-356 	Compliance

ZONING/CUP	
<p>* Existing:R-1 (Single-Family Residential) District Proposed:R-1 (Single-Family Residential) District</p> <p>***Zoning Ordinance: Article V</p> <p>*At the Planning and Zoning Commission meeting of November 2, 2021, no one appeared in opposition to the conditional use permit (Planned Unit Development) request. The Board voted to recommend approval of the request. There were six members present and voting.</p> <p>** At the City Commission meeting of November 22,2021, the City of McAllen Board of Commissioners considered the application for a Conditional Use Permit for a Planned Unit Development(Storage Units) and was approved for life of the use.</p>	Complete
<p>* Rezoning Needed Before Final Approval</p> <p>*At the Planning and Zoning Commission meeting of November 2, 2021, no one appeared in opposition to the conditional use permit (Planned Unit Development) request. The Board voted to recommend approval of the request. There were six members present and voting.</p> <p>** At the City Commission meeting of November 22,2021, the City of McAllen Board of Commissioners considered the application for a Conditional Use Permit for a Planned Unit Development(Storage Units) and was approved for life of the use.</p> <p>***Zoning Ordinance: Article V</p>	Completed
PARKS	
* Land dedication in lieu of fee. As per Parks Department, commercial developments do not apply to Parks.	NA
* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, commercial developments do not apply to Parks.	NA
* Pending review by City Manager's Office. As per Parks Department, commercial developments do not apply to Parks.	NA
TRAFFIC	
* As per Traffic Department, Trip Generation approved no TIA required.	Completed
* Traffic Impact Analysis (TIA) required prior to final plat. *** As per Traffic Department, Trip Generation approved no TIA required.	NA
COMMENTS	
<p>Comments:</p> <p>*Must comply with requirements/conditions of the Conditional Use Permit for the Planned Unit Development (PUD). The site plan for the PUD will be recorded at such time as the plat is recorded. Cross reference notes will need to be finalized prior to final.</p> <p>** Any changes to approved site plan for Planned Unit Development may require for Conditional use permit to be amended and presented before the Planning and Zoning Commission.</p> <p>***Must comply with City's Access Management Policy.</p> <p>***Subdivision received McAllen Public Utility Board approval at the special meeting of September 1,2022.</p> <p>*****A paved temporary turnaround in compliance with City requirements will be required on the east end of E/W collector, temporary turnaround must be shown on plat and if being dedicated by separate instrument document number must be included with plat reference prior to recording.</p> <p>*****Finalize temporary turnaround requirements, prior to recording.</p> <p>*****Street name for E/W collector under review and will be finalized prior to recording.</p>	Applied

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

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



LOCATION



233

SUB2022-0059



City of McAllen
Planning Department
APPLICATION FOR

SUBDIVISION PLAT REVIEW

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

Project Description	<p>Subdivision Name <u>Frontera Forest Subdivision</u></p> <p>Location <u>At the South^{EAST}west corner of Bicentennial Blvd & Frontera Road.</u></p> <p>City Address or Block Number <u>1721 FRONTERA RD</u></p> <p>Number of lots <u>1</u> Gross acres <u>2.10</u> Net acres <u>1.836</u></p> <p>Existing Zoning <u>R1</u> Proposed <u>R1</u> Rezoning Applied For <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____</p> <p>Existing Land Use _____ Proposed Land Use _____ Irrigation District # _____</p> <p>Residential Replat Yes <input type="checkbox"/> No <input type="checkbox"/> Commercial Replat Yes <input type="checkbox"/> No <input type="checkbox"/> ETJ Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Agricultural Tax Exempt Yes <input type="checkbox"/> No <input type="checkbox"/> Estimated Rollback tax due <u>0</u></p> <p>Parcel No. <u>E2300-00-001-0027-00</u> Tax Dept. Review <u>mg</u></p> <p>Legal Description <u>2.10 ACRES OF LAND OUT OF LOT 27, EBONY HEIGHTS CITRUS GROVES UNIT 1 HONGO County TX</u></p>
Owner	<p>Name <u>Robert H. Crane</u> Phone <u>956-467-8909</u></p> <p>Address <u>1729 Frontera Rd.</u></p> <p>City <u>McAllen</u> State <u>Tx</u> Zip <u>78504</u></p> <p>E-mail <u>RobertHCrane@aol.com</u></p>
Developer	<p>Name <u>Robert H. Crane</u> Phone <u>956-467-8909</u></p> <p>Address <u>1729 Frontera Rd.</u></p> <p>City <u>McAllen</u> State <u>Tx</u> Zip <u>78504</u></p> <p>Contact Person <u>Robert H. Crane</u></p> <p>E-mail <u>NicoCrane93@aol.com</u></p>
Engineer	<p>Name <u>Cruz-Hogan Consultants, Inc.</u> Phone <u>956-682-5022</u></p> <p>Address <u>605 E. Violet Ave., Ste. 1</u></p> <p>City <u>McAllen</u> State <u>Tx</u> Zip <u>78504</u></p> <p>Contact Person <u>Ronnie Cruz, P.E., CFM</u></p> <p>E-mail <u>ronnie@cruzhogan.net</u></p>
Surveyor	<p>Name <u>Robles & Associates, PLLC</u> Phone <u>956-968-2422</u></p> <p>Address <u>107 W. Huisache</u></p> <p>City <u>Weslaco</u> State <u>Tx</u> Zip <u>78596</u></p>

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

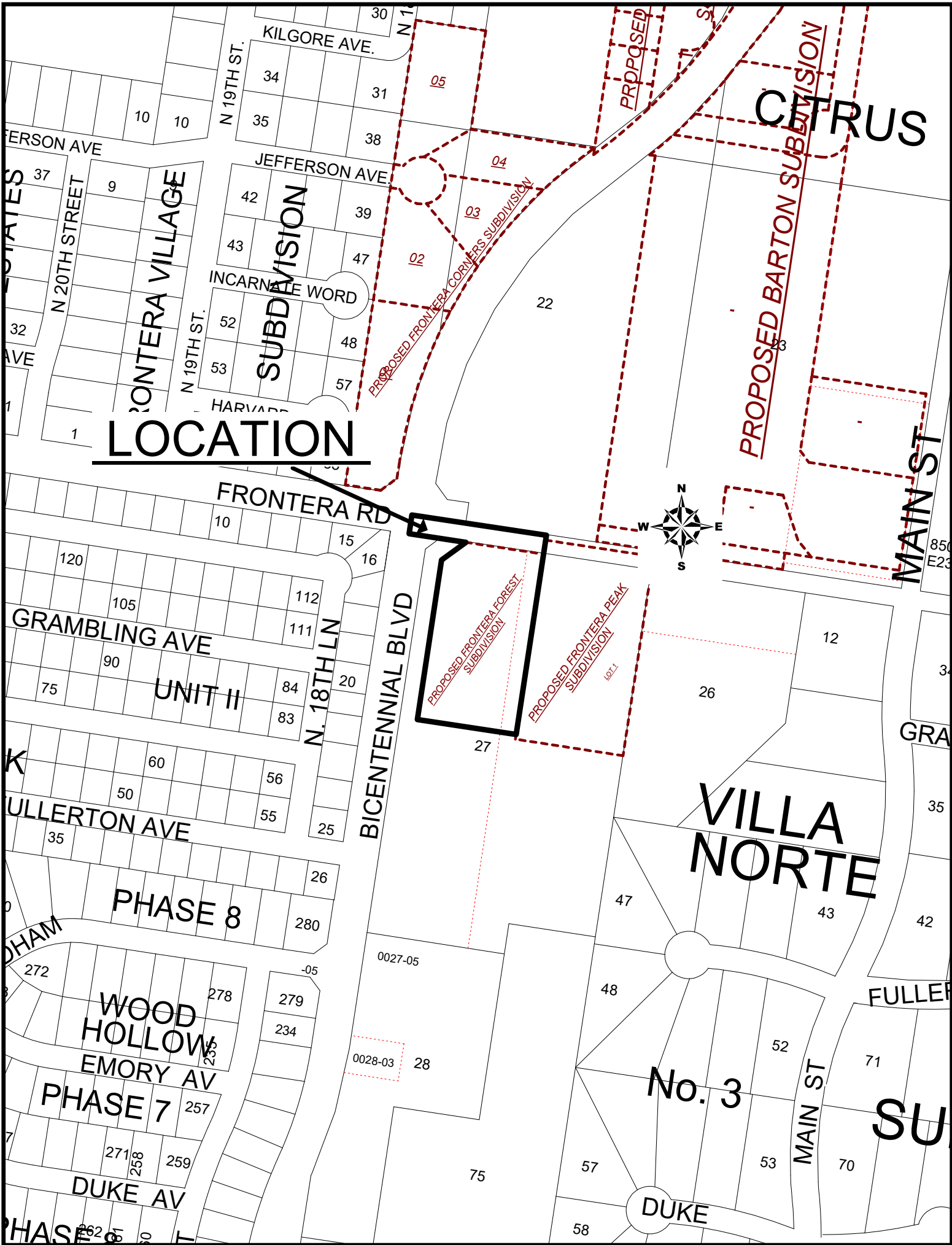
I certify that I am the actual owner of the property described above and (include corporate name if applicable); or I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

Signature Robert H. Crane Date 5-27-2022

Print Name Robert H. Crane

Owner ☐

Authorized Agent ☐



LOCATION

CITRUS

FRONTIER VILLAGE
SUBDIVISION

PROPOSED BARTON SUBDIVISION

MAIN ST

VILLA NORTE

No. 3

SU

DUKE

WOOD
HOLLOW
EMORY AV

PHASE 7

PHASE 8

PROPOSED FRONTIER FOREST
SUBDIVISION

PROPOSED FRONTIER PEAK
SUBDIVISION

PROPOSED FRONTIER CORNERS SUBDIVISION

PERSON AVE

N 20TH STREET

JEFFERSON AVE

KILGORE AVE.

INCARNATE WORD

HARVARD

FRONTIER RD

GRAMBLING AVE

UNIT II

FULLERTON AVE

PHAM

WOOD
HOLLOW
EMORY AV

PHASE 7

DUKE AV

PHASE 8

BICENTENNIAL BLVD



STATE OF TEXAS
COUNTY OF HIDALGO

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

ROBERT H. CRANE
1729 FRONTERA RD.
MCALLEN, TEXAS 78504
HIDALGO COUNTY

DATE

STATE OF TEXAS
COUNTY OF HIDALGO

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

THIS _____ DAY OF _____, 20 ____.

NOTARY PUBLIC,
HIDALGO COUNTY, TEXAS

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

JAVIER VILLALOBOS
MAYOR, CITY OF McALLEN

DATE

CITY CLERK

DATE

PLANNING AND ZONING:

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

CHAIRMAN,
PLANNING AND ZONING COMMISSION

DATE

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

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

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

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

DATE

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

ON: _____ AT _____ AM/PM

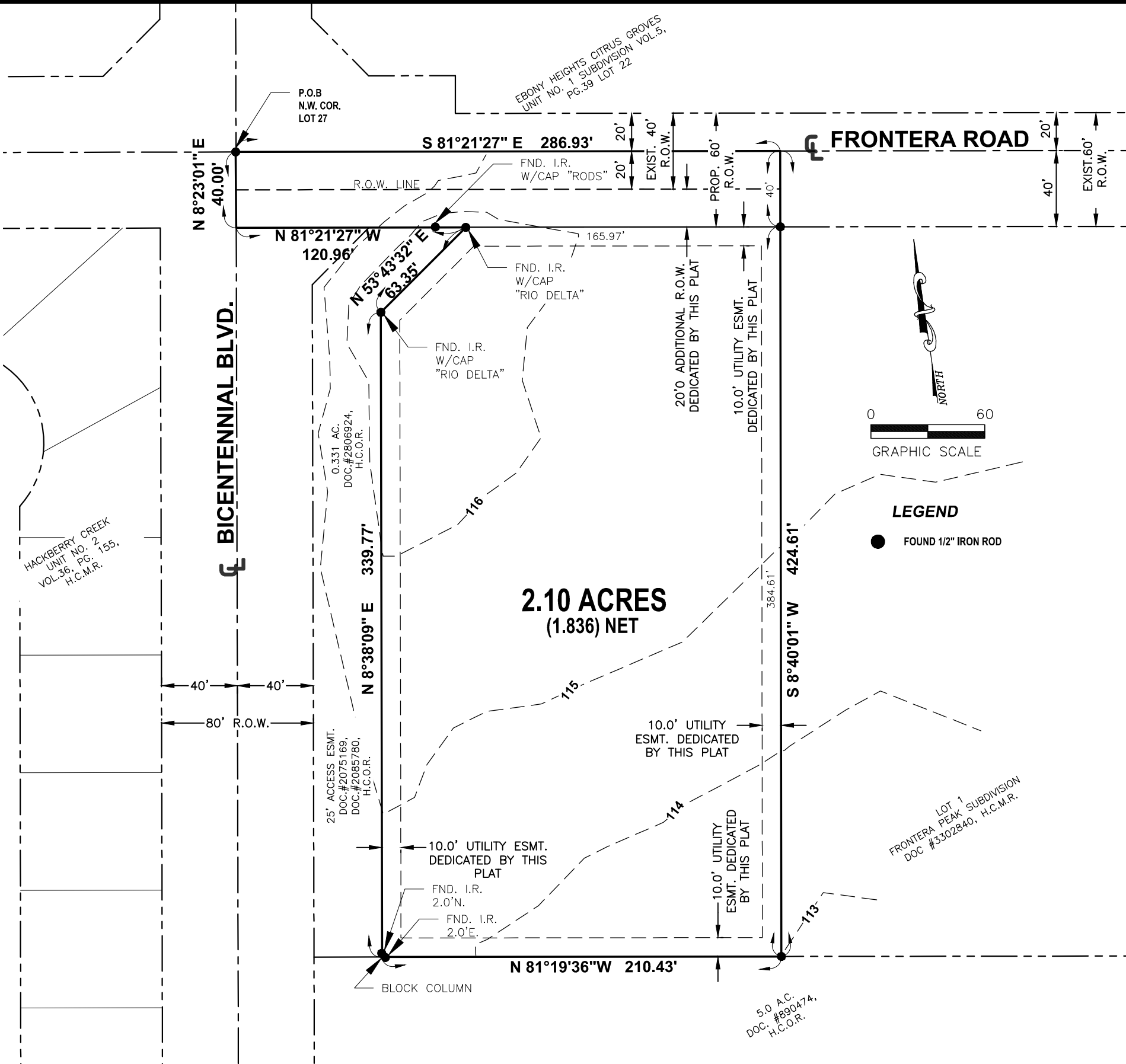
DOCUMENT NUMBER _____

OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS

BY: _____ DEPUTY

PRINCIPAL CONTACTS:

NAME	ADDRESS	CITY & ZIP	PHONE	FAX
OWNER: ROBERT H. CRANE	1729 FRONTERA RD.	MCALLEN, TX. 78504	(956) _____	(956) _____
ENGINEER: ROLANDO CRUZ, PE	605 E. VIOLET AVE. STE. 1	MCALLEN, TX. 78504	(956) 682-5022	(956) 682-5089
SURVEYOR: REYNALDO ROBLES	P.O. BOX 476	WESLACO, TX. 78599	(956) 968-2422	(956) 969-2011

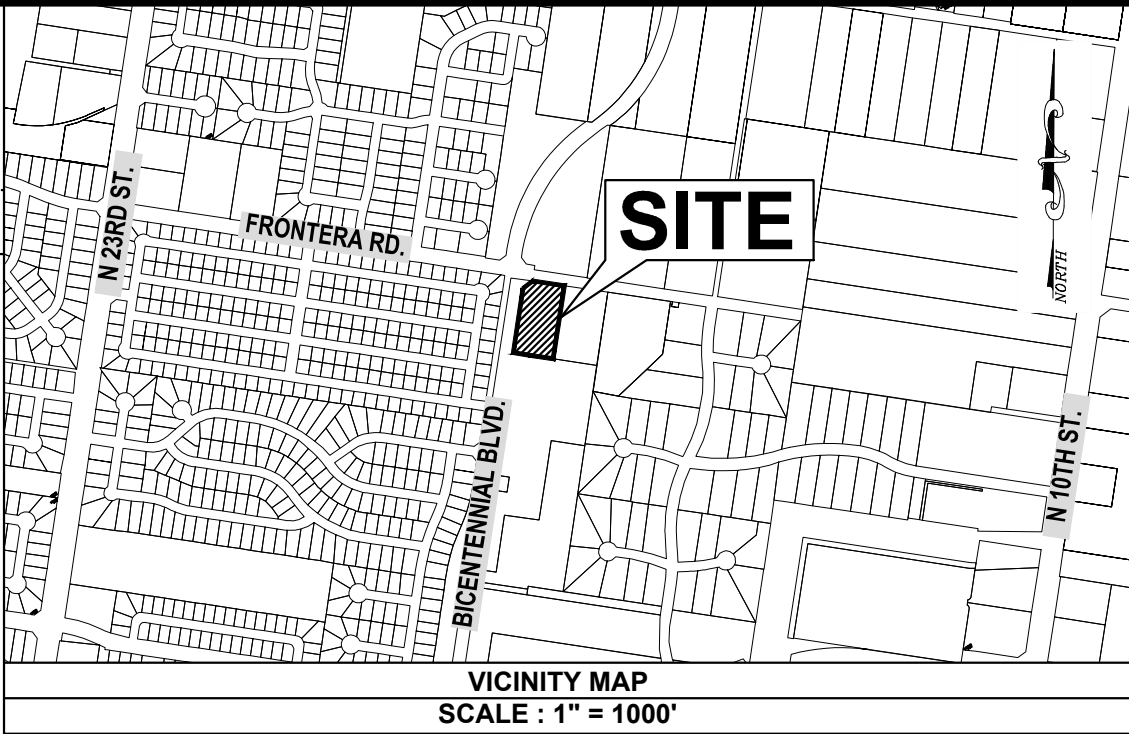


FRONTERA FOREST SUBDIVISION

A 2.10 ACRES OF LAND OUT OF LOT 27, EBONY HEIGHTS CITRUS GROVES UNIT NO. 1 SUBDIVISION HIDALGO COUNTY, TEXAS
AS PER MAP RECORDED IN VOL. 5, PG. 39, H.C.M.R.

GENERAL NOTES:

- 1.- FLOOD ZONE DESIGNATION: ZONE "X"
COMMUNITY--PANEL NO. 480334 0325 D
EFFECTIVE DATE: JUNE 06, 2000
- 2.- MINIMUM BUILDING SETBACKS
FRONT SETBACK : 45' OR GREATER FOR EASEMENTS, OR IN LINE WITH THE AVERAGE SETBACK OF EXISTING STRUCTURES, WHICHEVER IS GREATER.
REAR SETBACK : 10' OR GREATER FOR EASEMENTS.
SIDE SETBACK : 10' OR GREATER FOR EASEMENTS.
GARAGE SETBACK : 18' EXCEPT WHERE GREATER SETBACK IS REQUIRED GREATER SETBACK APPLIES.
CORNER : 10' OR GREATER FOR EASEMENTS.
- 3.-NO STRUCTURES SHOULD BE CONSTRUCTED ON ANY EASEMENTS.
- 4.-FINISHED FLOOR ELEVATION SHALL BE 18" ABOVE TOP OF CURB AS MEASURED FROM THE CENTER OF THE LOT OR THE CENTERLINE OF FRONTERA ROAD. (WHICHEVER IS GREATER.)
- 5.-BENCHMARK:
NEAREST CONCRETE MONUMENT BENCHMARK. MC 50-1 IS LOCATED AT THE WEST BOUND OF 10TH ST. THE MONUMENT IS 188 FT. SOUTH OF THE CL. OF FULLERTON AVE. AND 12.8 FT. WEST OF THE B/C OF 10TH ST. SOUTH OF THE MONUMENT THERE IS A CANAL WITH GUARD POSTS ON THE EAST SIDE OF CANAL.
- 6.-6 FT. OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, AND INDUSTRIAL ZONES/USES.
- 7.-8 FT. MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONES/USES.
- 8.-THIS SUBDIVISION IS REQUIRED TO DETAIN 3181 CU. FT. OR .07 AC--FT.
- 9.-AN ENGINEERED DRAINAGE DETENTION PLAN APPROVED BY THE ENGINEERING DEPARTMENT PRIOR TO ISSUANCE OF BUILDING PERMITS.
- 10.-LEGEND ● DENOTES 1/2" IRON ROD FOUND UNLESS OTHERWISE NOTED.
- 11.-4 FT. WIDE MINIMUM SIDEWALK REQUIRED ON FRONTERA ROAD.
- 12.-THE DEVELOPER SHALL BE RESPONSIBLE FOR DETAINING AND ACCOMMODATING MORE THAN THE DETAINED VOLUME SHOWN ON THIS PLAT IF IT IS DETERMINED, AT THE PERMIT STAGE, THAT THE DETENTION REQUIREMENTS ARE GREATER THAN STATED ON THIS PLAT, DUE TO THE IMPERVIOUS AREA BEING GREATER THAN THE PLAT ENGINEER CONSIDERED IN THE HYDRAULIC CALCULATIONS FOR THIS SUBDIVISION.



METES & BOUNDS

BEING 2.10 ACRES OF LAND SITUATED IN HIDALGO COUNTY, TEXAS AND BEING OUT OF LOT 27, EBONY HEIGHTS CITRUS GROVES UNIT NO.1, AS PER MAP RECORDED IN VOLUME 5, PAGE 39 OF THE HIDALGO COUNTY MAP RECORDS AND SAID 2.10 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
BEGINNING AT A POINT FOR THE NORTHWEST CORNER OF SAID LOT 27 FOR THE NORTHWEST CORNER OF SAID TRACT HEREIN DESCRIBED;

THENCE, SOUTH 81°21'27" EAST, 286.93 FEET WITH THE NORTH LINE OF SAID LOT 27, THE SOUTH LINE OF LOT 22, AND THE CENTERLINE OF FRONTERA ROAD TO A POINT FOR THE NORTHWEST CORNER OF FRONTERA PEAK SUBDIVISION AS PER MAP RECORDED IN DOCUMENT #3302840 OF THE HIDALGO COUNTY MAP RECORDS AND THE NORTHEAST CORNER OF SAID TRACT HEREIN DESCRIBED;

THENCE, SOUTH 8°40'01" WEST, WITH THE WEST LINE OF SAID FRONTERA PEAK SUBDIVISION, PASS AT A DISTANCE OF 20.00 FEET THE SOUTH RIGHT-OF-WAY LINE OF SAID FRONTERA ROAD, PASS AT A DISTANCE OF 40.00 FEET A 1/2-INCH IRON ROD FOUND ONLINE FOR REFERENCE ON THE NORTHWEST CORNER OF LOT 1 OF SAID FRONTERA PEAK SUBDIVISION, AND CONTINUING FOR A TOTAL DISTANCE OF 424.61 FEET TO A 1/2-INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID LOT 1 AND THE SOUTHEAST CORNER OF SAID TRACT HEREIN DESCRIBED;

THENCE, NORTH 81°19'36" WEST, WITH THE NORTH LINE OF A 5.0 ACRE TRACT DESCRIBED IN DOCUMENT #890474 OF THE HIDALGO COUNTY OFFICIAL RECORDS, PASS AT A DISTANCE OF 208.43 FEET A 1/2-INCH IRON ROD FOUND ONLINE FOR REFERENCE AND CONTINUING FOR A TOTAL DISTANCE OF 210.43 FEET TO A POINT FOR THE SOUTHEAST CORNER OF A 0.331 OF ONE ACRE TRACT DESCRIBED IN DOCUMENT #2806924 OF THE HIDALGO COUNTY OFFICIAL RECORDS AND THE SOUTHWEST CORNER OF SAID TRACT HEREIN DESCRIBED;

THENCE, NORTH 8°38'09" EAST, 339.77 FEET WITH THE EAST LINE OF SAID 0.331 OF ONE ACRE TRACT TO A 1/2-INCH IRON ROD WITH A PLASTIC CAP STAMPED "RIO DELTA" FOUND FOR A CORNER OF SAID TRACT HEREIN DESCRIBED;

THENCE, NORTH 53°43'32"EAST, 63.35 FEET WITH THE EAST LINE OF SAID 0.331 OF ONE ACRE TRACT TO A 1/2-INCH IRON ROD WITH A PLASTIC CAP STAMPED "RIO DELTA" FOUND FOR AN INSIDE CORNER OF SAID TRACT HEREIN DESCRIBED;

THENCE, NORTH 81°21'27"WEST, WITH THE NORTH LINE OF SAID 0.331 OF ONE ACRE TRACT, PASS AT A DISTANCE OF 50.95 FEET THE NORTHWEST CORNER OF SAID 0.331 OF ONE ACRE TRACT AND THE EAST RIGHT-OF-WAY LINE OF BICENTENNIAL BLVD., AND CONTINUING FOR A TOTAL DISTANCE OF 120.96 FEET TO A POINT ON THE CENTERLINE OF SAID BICENTENNIAL BLVD. AND THE WEST LINE OF SAID LOT 27 FOR A CORNER OF SAID TRACT HEREIN DESCRIBED;

THENCE, NORTH 8°23'01" EAST, 40.00 FEET WITH THE EAST LINE OF SAID LOT 27 AND THE CENTERLINE OF SAID BICENTENNIAL BLVD. TO THE POINT OF BEGINNING AND CONTAINING 2.10 ACRES OF LAND MORE OR LESS.

STATE OF TEXAS
COUNTY OF HIDALGO

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

REYNALDO ROBLES
REGISTERED PROFESSIONAL
LAND SURVEYOR
NO. 4032
WESLACO, TEXAS 78599

DATE

STATE OF TEXAS
COUNTY OF HIDALGO

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

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

DATE

FRONTERA FOREST SUBDIVISION
DATE OF PREPARATION: MAY 23, 2022



CRUZ - HOGAN
Engineers | Planners
McAllen | Harlingen | Weslaco
TBPE FIRM REGISTRATION NO. F-4860



City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 9/2/2022

SUBDIVISION NAME: FRONTERA FOREST SUBDIVISION

REQUIREMENTS

STREETS AND RIGHT-OF-WAYS

N. Bicentennial Blvd.: 80 ft. ROW existing
Paving: 52 ft. Curb & gutter: Both Sides
***Clarify ownership of 25 ft. Access Easement shown on west side prior to final. Engineer provided copy of recorded documents referenced.
**As per recorded documents referencing the 25 ft. access easement shown on the west side on plat, the property does not abut N. Bicentennial Blvd.
**Subdivision Ordinance: Section 134-105
**Monies must be escrowed if improvements are required prior to final
**COM Thoroughfare Plan

Frontera Road: 20 ft. dedication required for 40 ft. from centerline for 80 ft. total ROW.
Paving: 52 ft. Curb & gutter: Both Sides
**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

Applied

Applied

Applied

Compliance

NA

NA

ALLEYS

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

NA

SETBACKS

* Front: 45 ft. or greater for easements, or in line with the average setback of existing structures, whichever is greater.
**Zoning Ordinance: Section 138-356

* Rear: 10 ft. or greater for easements
**Zoning Ordinance: Section 138-356

* Sides: Proposing: 10 ft. or greater for easements
**Clarify interior side setback proposed prior to recording.
**Zoning Ordinance: Section 138-356

Applied

Applied

Required

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

<ul style="list-style-type: none"> * Corner: 10 ft. or greater for easements **Please remove reference to corner setback on plat prior to recording since property does not connect to N. Bicentennial Blvd. **Zoning Ordinance: Section 138-356 * Garage: 18 ft. except where greater setback is required, greater setback applies. **Zoning Ordinance: Section 138-356 *ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN 	Applied
	Applied
	Applied
SIDEWALKS	
<ul style="list-style-type: none"> * 4 ft. wide minimum sidewalk required on Frontera Road. **As per Engineering Department, sidewalk width requirement may increase to 5 ft. ***Finalize note wording prior to recording. ****Subdivision Ordinance: Section 134-120 * Perimeter sidewalks must be built or money escrowed if not built at this time. 	Required
	Required
BUFFERS	
<ul style="list-style-type: none"> * 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. **Landscaping Ordinance: Section 110-46 * 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. **Landscaping Ordinance: Section 110-46 *Perimeter buffers must be built at time of Subdivision Improvements. 	Applied
	Applied
	Required
NOTES	
<ul style="list-style-type: none"> * No curb cut, access, or lot frontage permitted along. **As per recorded documents referencing the 25 ft. access easement shown on the west side on plat, the property does not abut N. Bicentennial Blvd. ***Must comply with City Access Management Policy * Site plan must be approved by the Planning and Development Departments prior to building permit issuance. * Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. * Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. * Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. **Section 134-168 applies if private subdivision is proposed. ***Landscaping Ordinance: Section 110-72 ****Subdivision Ordinance: Section 134-168 * Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. **Section 134-168 applies if private subdivision is proposed. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168 	Applied
	NA
	Applied
	NA
	NA
	NA

LOT REQUIREMENTS	
* Lots fronting public streets. **Subdivision Ordinance: Section 134-1	Compliance
* Minimum lot width and lot area. **Zoning Ordinance: Section 138-356	Compliance
ZONING/CUP	
* Existing: R-1 Proposed: R-1 ***Zoning Ordinance: Article V	Compliance
* Rezoning Needed Before Final Approval ***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. Fee required is \$700 (1 X \$700)	Required
* Pending review by City Manager's Office.	NA
TRAFFIC	
*As per Traffic Department, Trip Generation waived for one lot residential home.	Complete
* Traffic Impact Analysis (TIA) required prior to final plat. ***As per Traffic Department, Trip Generation waived for one lot residential home.	NA
COMMENTS	
Comments: *Must comply with City's Access Management Policy. **Clarify ownership of 25 ft. Access Easement shown on west side prior to final. Engineer provided copy of recorded documents referenced. *As per recorded documents referencing the 25 ft. access easement shown on the west side on plat, the property does not abut N. Bicentennial Blvd.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM SUBJECT TO CONDITIONS NOTED.	Applied

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



Sub 2021-0017



City of McAllen
Planning Department
APPLICATION FOR

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

SUBDIVISION PLAT REVIEW

Project Description	<p>Subdivision Name <u>Park Terrace</u></p> <p>Location <u>SWC N. JACKSON RD & E. JONQUIL AVE</u></p> <p>City Address or Block Number <u>3601 N. JACKSON RD</u></p> <p>Number of lots <u>63</u> Gross acres <u>20.983</u> Net acres _____</p> <p>Existing Zoning <u>A-0</u> Proposed <u>R2</u> Rezoning Applied For <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date <u>2/12/2021</u></p> <p>Existing Land Use <u>vacant</u> Proposed Land Use <u>four plex</u> Irrigation District # <u>2</u></p> <p>Residential Replat Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Commercial Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> ETJ Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Agricultural Tax Exempt Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Estimated Rollback tax due <u>0</u></p> <p>Parcel No. <u>231014, 231020, 231015, 231021</u> Tax Dept. Review <u>Yuserra</u></p> <p>Legal Description <u>Approx. 20.983 acres out of Lot 4, Block 4</u> <u>AJ McCall S/D</u></p>
Owner	<p>Name <u>Domain Development Corp.</u> Phone <u>(956) 661-8888</u></p> <p>Address <u>100 E. Nolana Ave, Ste. 130</u></p> <p>City <u>McAllen</u> State <u>TX</u> Zip <u>78502</u></p> <p>E-mail <u>shavi@aurielinvestments.com</u></p>
Developer	<p>Name <u>Domain Development Corp.</u> Phone <u>(956) 661-8888</u></p> <p>Address <u>100 E. Nolana Ave, Ste. 130</u></p> <p>City <u>McAllen</u> State <u>TX</u> Zip <u>78502</u></p> <p>Contact Person <u>Shavi Mahtani, President</u></p> <p>E-mail <u>shavi@meldenandhunt.com</u></p>
Engineer	<p>Name <u>Melden & Hunt, Inc.</u> Phone <u>(956) 381-0981</u></p> <p>Address <u>115 W. McIntyre St.</u></p> <p>City <u>Edinburg</u> State <u>TX</u> Zip <u>78541</u></p> <p>Contact Person <u>Mario A. Reyna, P.E.</u></p> <p>E-mail <u>mario@meldenandhunt.com</u></p>
Surveyor	<p>Name <u>Melden & Hunt, Inc.</u> Phone <u>(956) 381-0981</u></p> <p>Address <u>115 W. McIntyre St.</u></p> <p>City <u>Edinburg</u> State <u>TX</u> Zip <u>78541</u></p>

RECEIVED
FEB 15 2021
BY: CW

Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

- ☒ \$225 Preliminary Review Fee and \$75 Final Approval Fee
- ☒ Title Report
- ☒ 8 1/2" by 11" Original Sealed Survey showing existing structures/easements or 3 blueline copies
- ☒ 2 Location Maps
- ☒ 2 8 1/2" 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 1/2" by 11" copies/legible copy of the plat, affected by changes.

Owner's Signature

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

Signature  Date 2/11/21

Print Name Shavi Mahtani - President

Owner ☐

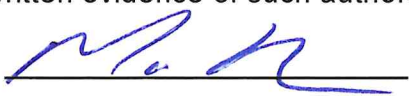
Authorized Agent ☒

VAR 2022-0025



City of McAllen
Planning Department
VARIANCE TO SUBDIVISION
PROCESS APPLICATION

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

Project	<p>Legal Description <u>Being a subdivision of 20.983 acres out of Lot 4, Block 4, A.J.McColl Subdivision, according to the plat thereof</u> <u>recorded in Volume 21, Page 598, Hidalgo County Deed Records, City of McAllen, Hidalgo County, Texas.</u></p> <p>Street Address <u>3501 & 3401 North Jackson Road</u></p> <p>Number of lots <u>62</u> Gross acres <u>20.983</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
Owner	<p>Name <u>Domain Development</u> Phone <u>(956) 661-8888</u></p> <p>Address <u>100 East Nolana Loop, Suite 130</u> E-mail <u>shavi@aurielinvestments.com</u></p> <p>City <u>McAllen</u> State <u>Texas</u> Zip <u>78501</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>August 30, 2022</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 _____ Payment received by _____ Date _____</p> <p>Rev 10/18</p>

AUG 30 2022

BY: DM



City of McAllen

Planning Department

REASON FOR APPEAL

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

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

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

Reason for Appeal

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

The developer is asking for a variance to the side and front setback to accommodate the proposed buildings and

carport for the property . The request is so that a larger duplex be constructed while still maintaining the fire code

for the duplex and it will have the required 10' between buildings. The variance for the front is so the developer

can add covered parking for the residents that reside on the property. **AT 10' AND SIDE SETBACK AT 5 FEET**

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

The variance is necessary because there are no other options for the property because of its size. The property

will be used to construct a duplex and with the required landscaping, parking and setbacks it leaves little or no

room for the buildings. We ask that you take into consideration that the developer is beautifying the property and

all other requirements will be met for the subdivision and property. We will still respect the required 10' between

buildings and maintain fire code. Covered parking is necessary with the Texas heat and weather we have here.

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

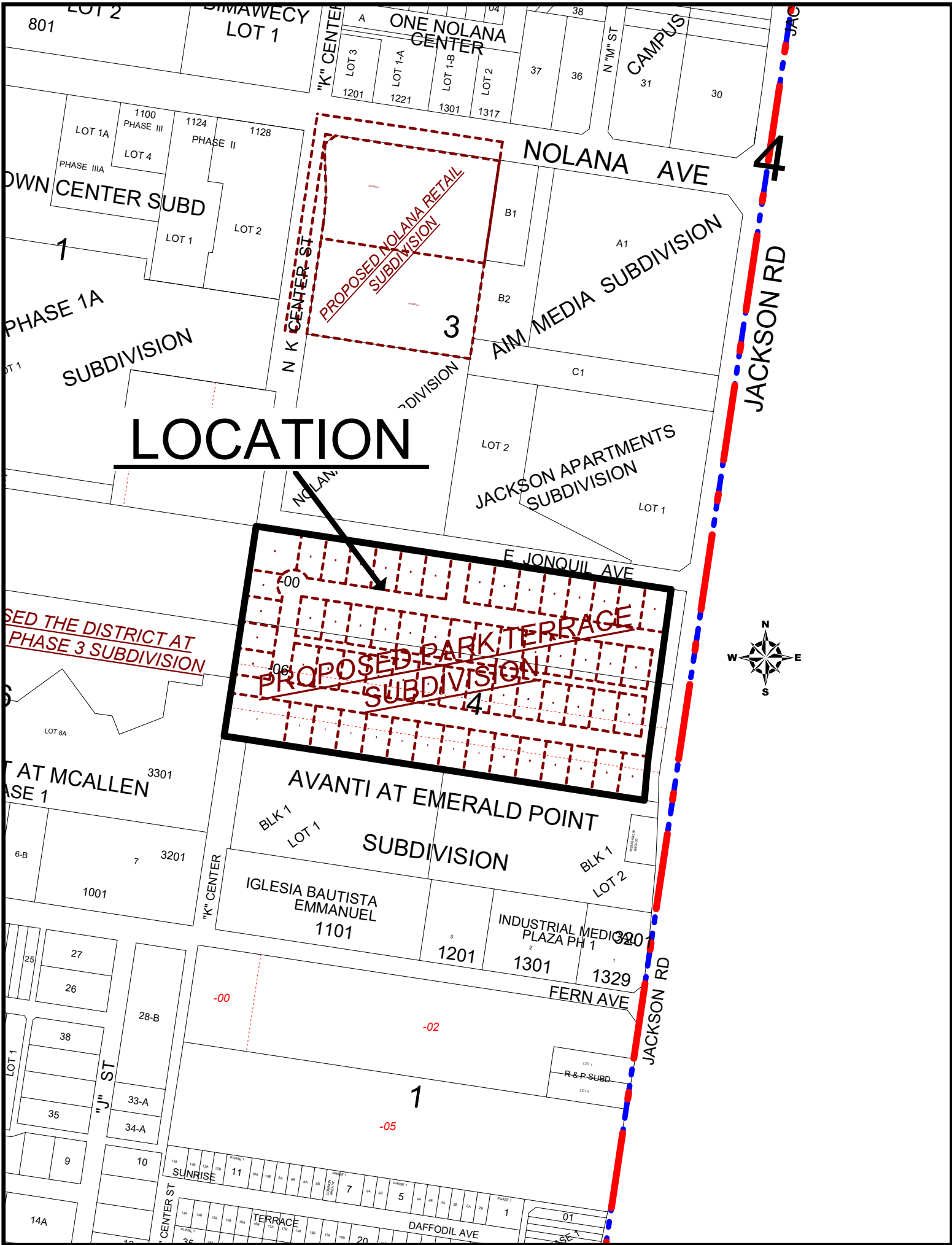
other property owners may enjoy within the proposed area.

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.

THE 10' FOR CARPORT FOR FRONT ↓





City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 9/2/2022

SUBDIVISION NAME: PARK TERRACE

REQUIREMENTS

STREETS AND RIGHT-OF-WAYS

North Jackson Road: Min. 10 ft. dedication for min. 60 ft. from centerline for 120 ft. ROW
Paving: min. 65 ft. Curb & gutter: both sides
***Must escrow monies as needed if not constructed prior to recording.
****Access on North Jackson Road between Lots 15 and 16 will be used for emergency exit only for City Departments and it will be shown on the plat as such prior to recording.
****Previously proposed exit access will not be required. No accesses proposed on North Jackson Road.
**City of McAllen Thoroughfare Plan

Required

North "K" Center Street: Dedication required for 80 ft. total ROW
Paving: 44 ft. Curb & gutter: both sides
**Must escrow monies as needed if not constructed prior to recording.
***Show ROW from centerline to new property line and total ROW after accounting for ROW dedication prior to recording.
****Verify that ROW is align with properties to the north and south.
****Please provide copy of document "30 ft. HCID No. 2 exclusive ROW easement Volume 19, Page 289 & Volume 16, Page 5" prior to final for staff to review. Abandonment number just be included on plat prior to recording.
**Subdivision Ordinance: Section 134-105

Required

East Jonquil Avenue: 30 ft. from centerline for 60 ft. ROW
Paving: 40 ft. Curb & gutter: Both sides
**Must escrow monies if improvements are not built prior to recording.
***Provide copies of documents "15 ft. Utility Easements Doc. 1771099" and "10 ft. Utility Easements Doc. 1018794" prior to final for staff to review prior to recording.
**Subdivision Ordinance: Section 134-105

Applied

Internal Streets: 60 ft. ROW
Paving: 40 ft. Curb & gutter: Both sides
**Must escrow monies if improvements are not built prior to recording.
****Submit revised gate details prior to recording for staff to approve. Gate details might increase ROW requirements. If any changes to ROWs are proposed, subdivision will have to be presented for revised consideration.
****Street names will be established prior to recording.
*****If any islands are proposed, drives on both sides will have to be at least 20 ft. paving wide.
*****As per Engineer, Street C will be 50 ft. ROW with 40 ft. paving and sidewalk easements on both sides of the street.
***** If any ROW or paving variances are required, they must be finalized prior to final plat.
**Subdivision Ordinance: Section 134-105

Required

Paving _____ Curb & gutter _____

Applied

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

<p>* 800 ft. Block Length **Variance application submitted by the engineer on June 10, 2021 and revised layout submitted on August 11, 2021. *** Variance approved at P&Z meeting of September 7, 2021 and by City Commission on September 27, 2021 **Subdivision Ordinance: Section 134-118 * 600 ft. Maximum Cul-de-Sac _____</p>	Compliance
	NA
ALLEYS	
<p>ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties. ***20 ft. by 20 ft. ROW clip required at all alley intersections. ****Alleys are only allowed in private residential developments, and all streets and alleys need to be shown as "private". ****Paving requirements must meet minimum City Standards and maneuverability requirements. **Subdivision Ordinance: Section 134-106</p>	Required
SETBACKS	
<p>* Front: 20 ft. or greater for easements or approved site plan. **Engineer submitted Variance request on August 30, 2022 proposing: 10 ft. front setback for unenclosed carports only for Lots 1-15 and Lots 44-62 in lieu of the 20 ft. requirement. **Building setback will remain as shown above. **If variance request for the front setback for unclosed carports for Lots 1-15 and Lots 44-62 is approved, front setback note wording must be finalized prior to recording. ***Zoning Ordinance: Section 138-356 * Rear: In accordance with the Zoning Ordinance or greater for easements or approved site plan. ***Zoning Ordinance: Section 138-356 * Interior Sides: In accordance with the Zoning Ordinance or greater for easements or approved site plan. ****Engineer submitted Variance request on August 30, 2022 proposing: 5 ft. interior side setback in lieu of the 6 ft. requirement. **If variance request for the side setback is approved, interior side setback note wording must be finalized prior to recording. ***Zoning Ordinance: Section 138-356 * Corner: 10 ft. or greater for easements or approved site plan. **Zoning Ordinance: Section 138-356 * Garage: 18 ft. except where greater setback is required; greater setback applies. **Zoning Ordinance: Section 138-356 *ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN</p>	Required
	Applied
	Required
	Applied
	Applied
SIDEWALKS	
<p>* 5 ft. wide minimum sidewalk required along North Jackson Road and 4 ft. wide minimum sidewalk required along East Jonquil Avenue, North "K" Center Street and both sides of all internal streets. *** 5 ft. sidewalks required along North Jackson Road as per Engineering Department. *** Please revise plat note #7 as shown above prior to recording. ****Subdivision Ordinance: Section 134-120 * Perimeter sidewalks must be built or money escrowed if not built at this time.</p>	Required
	Applied

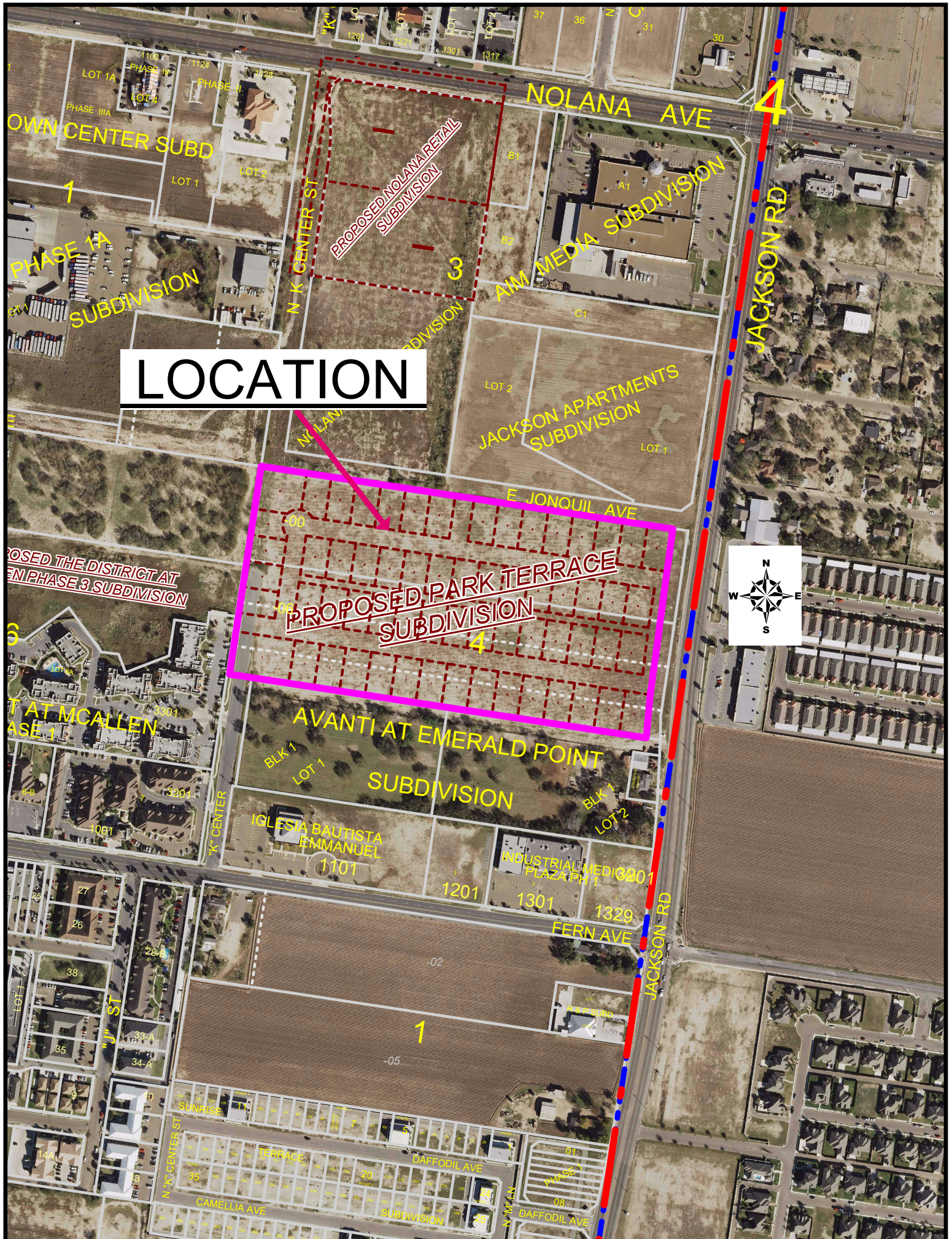
These comments are for subdivision requirements only – additional requirements may apply at time of site plan review

BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses, along North Jackson Road, East Jonquil Avenue and North "K" Center Street. **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.	Applied
NOTES	
* No curb cut, access, or lot frontage permitted along North Jackson Road (only emergency exit for City Services between Lots 15-16), East Jonquil Avenue and North "K" Center Street. **City's Access Management Policy	Applied
* Site plan must be approved by the Planning and Zoning Commission prior to building permit issuance. **Site plan review might be required depending on the amount of units proposed per lot prior to building permit issuance.	Applied
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	NA
* Common or Detention Areas, any private streets/alleys, and/or gates must be maintained by the lot owners and not the City of McAllen **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168	Required
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.	Required
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.	Required
LOT REQUIREMENTS	
* Minimum lot width and lot area. **Zoning Ordinance: Section. 138-356	Compliance
* Lots fronting public streets. **Zoning Ordinance: 138-1	Compliance
ZONING/CUP	
* Existing: A-O Proposed: R-3A **Rezoning approved by Planning and Zoning Board on March 16, 2021 and City Commission on April 12, 2021. **Zoning Ordinance: Article V	Completed
* Rezoning Needed Before Final Approval **Rezoning approved by Planning and Zoning Board on March 16, 2021 and City Commission on April 12, 2021. **Zoning Ordinance: Article V	Completed
PARKS	
* Land dedication in lieu of fee	NA

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

* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. Variance approved to pay 50% of required park fees prior to subdivision being recorded and the other 50% to be paid at the time of building permit. A plat note will be included on the plat prior to recording. * Pending review by the Parkland Dedication Advisory Board and CC. As per Parks Department, Board approved variance on October 12, 2021.	Required
	Complete
TRAFFIC	
* As per Traffic Department, Trip Generation approved; TIA not required. * Traffic Impact Analysis (TIA) required prior to final plat.	Complete
	NA
COMMENTS	
Comments: Must comply with City's Access Management Policy. **Subdivision is proposed to be private and it will meet requirements for private subdivisions such as "private" references, signature blocks, plat notes, HOA, etc. prior to recording. ***Abandonment of "30 ft. HCID No. 2 exclusive ROW easement" along North "K" Center Street will be done by a separate instrument and must be recorded prior to recording. ***Access to North Jackson Road between Lots 15-16 will only be used for City Services as an emergency exit gate. ***Previously proposed exit access will not be required. No accesses proposed on South Jackson Road. ***Any gate details revisions must be addressed prior to recording of plat. ***Subdivision previously approved in Revised Final form at the P&Z meeting of December 07, 2021. Revised Final review required due to variance request for front and side setback.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED FINAL FORM SUBJECT TO CONDITIONS NOTED, AND CLARIFICATION OF THE VARIANCE REQUESTS.	Applied

LOCATION



Sub 2020-0055



City of McAllen
Planning Department
APPLICATION FOR

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

SUBDIVISION PLAT REVIEW

Project Description	<p>Subdivision Name <u>Depot Estates Subdivision</u></p> <p>Location <u>Northeast 23rd Street, south of Trenton Road, McAllen, Texas</u></p> <p>City Address or Block Number <u>7008 N. 23rd Street, McAllen, Texas</u></p> <p>Number of lots <u>1 Lot</u> Gross acres <u>1.427</u> Net acres <u>1.332</u></p> <p>Existing Zoning <u>R-3A</u> Proposed <u>R-2</u> Rezoning Applied For <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____</p> <p>Existing Land Use <u>4-Plex</u> Proposed Land Use <u>4-Plex</u> Irrigation District # <u>HCID #1</u></p> <p>Residential Replat Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Commercial Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> ETJ Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Agricultural Tax Exempt Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Estimated Rollback tax due <u>No -0-</u></p> <p>Parcel No. <u>H0850-00-001-0010-03</u> Tax Dept. Review <u>Agura</u></p> <p>Legal Description <u>1.427 acres of land, out of Lot 10, Bk. 1, C. E. Hammonds Subd. located in</u> <u>McAllen, as per map or plat thereof recorded in Vol. 18, Pg. 439, H.C.D.R., Hidalgo County, Texas</u></p>
Owner	<p>Name <u>Rainbow Falls Properties, LLC</u> Phone <u>213.928.5487</u></p> <p>Address <u>c/o 3520 Buddy Owens Avenue</u></p> <p>City <u>McAllen</u> State <u>TX</u> Zip <u>78504</u></p> <p>E-mail <u>eezban@yahoo.com</u></p>
Developer	<p>Name <u>Jeffrey Erickson</u> Phone <u>956-631-9789</u></p> <p>Address <u>3520 Buddy Owens</u></p> <p>City <u>McAllen</u> State <u>Texas</u> Zip <u>78504</u></p> <p>Contact Person <u>Jeffrey Erickson</u></p> <p>E-mail <u>jeff@ericksonrgv.com</u></p>
Engineer	<p>Name <u>Melden and Hunt, Inc.</u> Phone <u>956.381.0981</u></p> <p>Address <u>115 W. McIntyre Street</u></p> <p>City <u>Edinburg</u> State <u>Texas</u> Zip <u>78539</u></p> <p>Contact Person <u>Fred Kurth, P.E., R.P.L.S.</u></p> <p>E-mail <u>fkurth@meldenandhunt.com</u></p>
Surveyor	<p>Name <u>Melden and Hunt, Inc.</u> Phone <u>956.381.0981</u></p> <p>Address <u>115 W. McIntyre Street</u></p> <p>City <u>Edinburg</u> State <u>Texas</u> Zip <u>78539</u></p>



RCA#735002

Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

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

PLAT TO SHOW:

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

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

Owner's Signature

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

Signature  Date September 11, 2020

Print Name E2.ca E2.ban.

Owner ☒

Authorized Agent ☐

VAR 2022-0024



City of McAllen
Planning Department
VARIANCE TO SUBDIVISION
PROCESS APPLICATION

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

PROPOSED DEED ESTATE

Project

Legal Description Being a subdivision of 1.427 acres out of Lot 10, Block 1, C. E. Hammonds Subdivision, Volume 18, Page 439

H.C.D.R., City of McAllen, Hidalgo County, Texas

Street Address 301 East Trenton

Number of lots 1 Gross acres 1.427

Existing Zoning R3A Existing Land Use old building on property not in use

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

Applicant

Name Melden & Hunt, Inc. Phone (956) 381-0981

Address 115 West McIntyre Street E-mail mario@meldenandhunt.com

City Edinburg State Texas Zip 78541

drobles@meldenandhunt.com

Owner

Name Rainbow Falls Properties LLC Phone c/o (956) 381-0981

Address 11500 W Olympic Boulevard, Suite 385 E-mail c/o kelley@meldenandhunt.com

City Los Angeles State California Zip 90036

Authorization

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

☐ Yes

☒ No

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

Signature 

Date August 24, 2022

Print Name Mario A. Reyna, P.E.

☐ Owner

☒ Authorized Agent

Office

FOR OFFICE USE ONLY

APPLICATION FILING FEE: ☐ \$250.00

Accepted by _____ Payment received by _____ Date _____

Rev 06/21

L.G.

ENTERED

AUG 24 2022

Initial: 



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 developer has submitted countless of designs for the building and has even removed the proposed pool
	that was in the front to respect the front setback. Now it has come to our attention that the buildings have to be
	in line with others off 23rd Street. However ordinance states that the setback is to 40'. There is an existing
	building on the property and the distance from the ROW is 48.79 and from the property line it is 21.65,
	2. Describe how the variance is necessary for the preservation and enjoyment of the legal property rights of its owner.
	The variance is necessary because the developer has changed the layout for the site so many times to
	accommodate all city requirements and now that we are at the last leg of the process. The encroachment into
	the setback was not intentional as we were following the setbacks for 23rd Street. The developer was going to be
	in line with the property owner to the south and what was already existing on the property.
	3. Describe how the variance will not be detrimental to the public health, safety or welfare or injurious to the legal rights other property owners enjoy in the area.
	The 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. All surrounding properties have been
built out and the property to the south is residential as this property shall be. All other properties along 23rd	
are commercial in nature and require a large parking area for commercial traffic.	

61

23RD ST

TRENTON COM
PARK

BLK 2

BLK 1

WOODHOLL

22ND ST

PHAS

21ST ST

TRENTON RD

LAR-LIN #4
1

LOT 5

LOT 4

LOT 3

LOT 2

AS SUBD

LOT 1

DIVISION

VARY BAPTIST
UBDIVISION

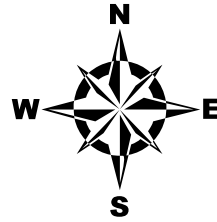
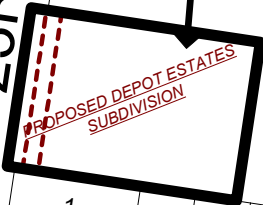
LOT "A"

21ST ST

2099

LOCATION

C.F.C.



23RD ST

LOT 2

10

GREEN MEADOWS
ROBIN AV

26

12

13

37

38

SU

OD
CAN AV

S

EY
ORIOLE AV

3RD LN

RD ST

1A
REDBUD

1B

1C

2

ORIOLE AV

3A

3B

3C

NO. 2

4

63

45

67

44

PELICAN AV

56

51

38

55

54

1

52

53

22

37

36

23

SUBD

ORIOLE

ST ST

34

35

43



City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 9/2/2022

SUBDIVISION NAME: DEPOT ESTATES SUBDIVISION

REQUIREMENTS

STREETS AND RIGHT-OF-WAYS

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

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

**Subdivision Ordinance: Section 134-105

Paving _____ Curb & gutter _____

* 800 ft. Block Length

* 600 ft. Maximum Cul-de-Sac.

Applied

NA

NA

Applied

ALLEYS

ROW: 20 ft. Paving: 16 ft.

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

**As per plat submitted on 8/5/22, please clarify 24 ft. access easement on the southwest corner as adjacent property to the south is already developed.

*** Plat note will be required as shown prior to recording, "A minimum 24 ft. private service drive easement will be established as part of the site plan and will be maintained by the lot owners and not the city of McAllen."

Required

SETBACKS

* Front: Proposing: 40 ft. or greater for easements or approved site plan.

***Please clarify front setback, front setback should be in accordance with zoning ordinance or in line with existing structures, or approved site plan, or greater for easements, whichever is greater applies.

***As of August 24, 2022, Engineer has submitted Variance request for a proposed front setback request of 40 ft. in reference to the required setback as per ordinance of 60 ft. as that is the average of the existing structures along that block.

****Note wording must be finalized prior to recording.

* Rear: In accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies.

* Sides: In accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies.

* Corner.

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

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

Required

Applied

Applied

NA

Applied

Applied

SIDEWALKS

* 5 ft. wide minimum sidewalk required on North 23rd Street.

**As per Engineering, 5 ft. wide minimum sidewalk required along North 23rd Street.

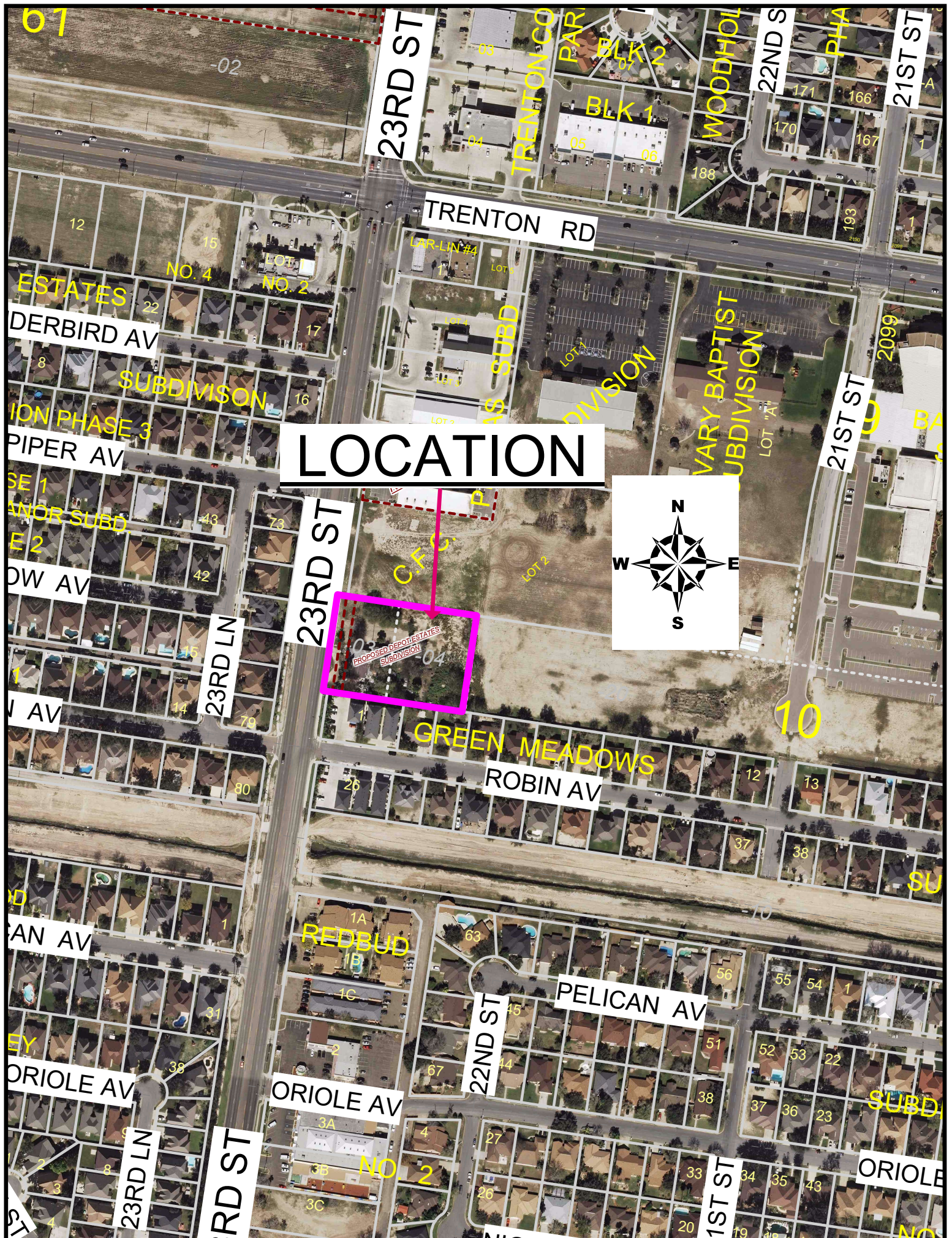
Applied

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

* Perimeter sidewalks must be built or money escrowed if not built at this time.	Required
BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. **Revise note as shown above prior to recording.	Required
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.	Applied
*Perimeter buffers must be built at time of Subdivision Improvements.	Required
NOTES	
* No curb cut, access, or lot frontage permitted along. **Must comply with City's Access Management Policy.	Applied
* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.	Required
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	NA
* Common Areas, any private service drives must be maintained by the lot owners and not the City of McAllen.	Applied
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.	NA
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.	NA
LOT REQUIREMENTS	
* Lots fronting public streets.	Compliance
* Minimum lot width and lot area.	Compliance
ZONING/CUP	
* Existing: R-3A Proposed: R-3A	Compliance
* Rezoning Needed Before Final Approval	NA
PARKS	
* Land dedication in lieu of fee.	NA
* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, Engineer, Developer is looking into building 28 units. Park fees apply at a rate of \$700 per dwelling unit for a total amount of \$19,600. This is in accordance with City of McAllen's Park Land Dedication and Park Development Fees Ordinance. Amount is based on \$700 for each individual unit and payable prior to plat recording. Fees can go up or down, they are dependent on the number of dwelling units.	Required
* Pending review by the City Manager's Office.	NA
TRAFFIC	
*As per Traffic Department, Trip Generation has been approved, no TIA is required.	Completed

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

*As per Traffic Department, Trip Generation has been approved, no TIA is required.	NA
COMMENTS	
Comments: Must comply with City's Access Management Policy. **Internal site plan review will be required before building permit issuance. ***Subdivision was approved in preliminary form at the P&Z meeting held September 16, 2020.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM SUBJECT TO CONDITIONS NOTED AND CLARIFICATION OF THE REQUESTED VARIANCE.	Applied



SUB2022-0098



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

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

Project Description	<p>Subdivision Name <u>LAUCHO SUBD. LOTS 31A, 31B, AND, 31C</u></p> <p>Location <u>5311 S. 28TH ST</u></p> <p>City Address or Block Number <u>BETWEEN SPRAY & OLGA AVE.</u></p> <p>Number of lots <u>4</u> Gross acres <u>0.56</u> Net acres <u>0.56</u></p> <p>Existing Zoning <u>R-1</u> Proposed <u>R-1</u> Rezoning Applied For <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____</p> <p>Existing Land Use <u>OPEN</u> Proposed Land Use <u>RESIDENTIAL</u> Irrigation District # <u>3</u></p> <p>Residential Replat Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Commercial Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> ETJ Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Agricultural Tax Exempt Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Estimated Rollback tax due <u>1500⁰⁰</u></p> <p>Parcel No. <u>266963/266965</u> Tax Dept. Review <u>20950-00-000-0031-00</u> <u>20950-00-000-0033-00</u></p> <p>Legal Description <u>ALL OF LOTS 31 & 33, LAUCHO</u> <u>SUBD., McALLEN, N.C.T.</u></p>
Owner	<p>Name <u>VIRIDIANA SUCHIL</u> Phone <u>821-3514</u></p> <p>Address <u>3210 GLORIA AVE.</u></p> <p>City <u>McALLEN</u> State <u>TX</u> Zip <u>78503</u></p> <p>E-mail _____</p>
Developer	<p>Name _____ Phone _____</p> <p>Address _____</p> <p>City _____ State _____ Zip _____</p> <p>Contact Person _____</p> <p>E-mail _____</p>
Engineer	<p>Name <u>DAVID SALINAS</u> Phone <u>682-9081</u></p> <p>Address <u>2221 DARRDILL AVE.</u></p> <p>City <u>McALLEN</u> State <u>TX</u> Zip <u>78501</u></p> <p>Contact Person <u>DAVID</u></p> <p>E-mail <u>dsalinas@salinasengineering.com</u></p>
Surveyor	<p>Name <u>SAME AS ENGINEER</u> Phone _____</p> <p>Address _____</p> <p>City _____ State _____ Zip _____</p>

ENTERED

AUG 23 2022

Initial: DM

Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

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

PLAT TO SHOW:

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

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

Owner's Signature

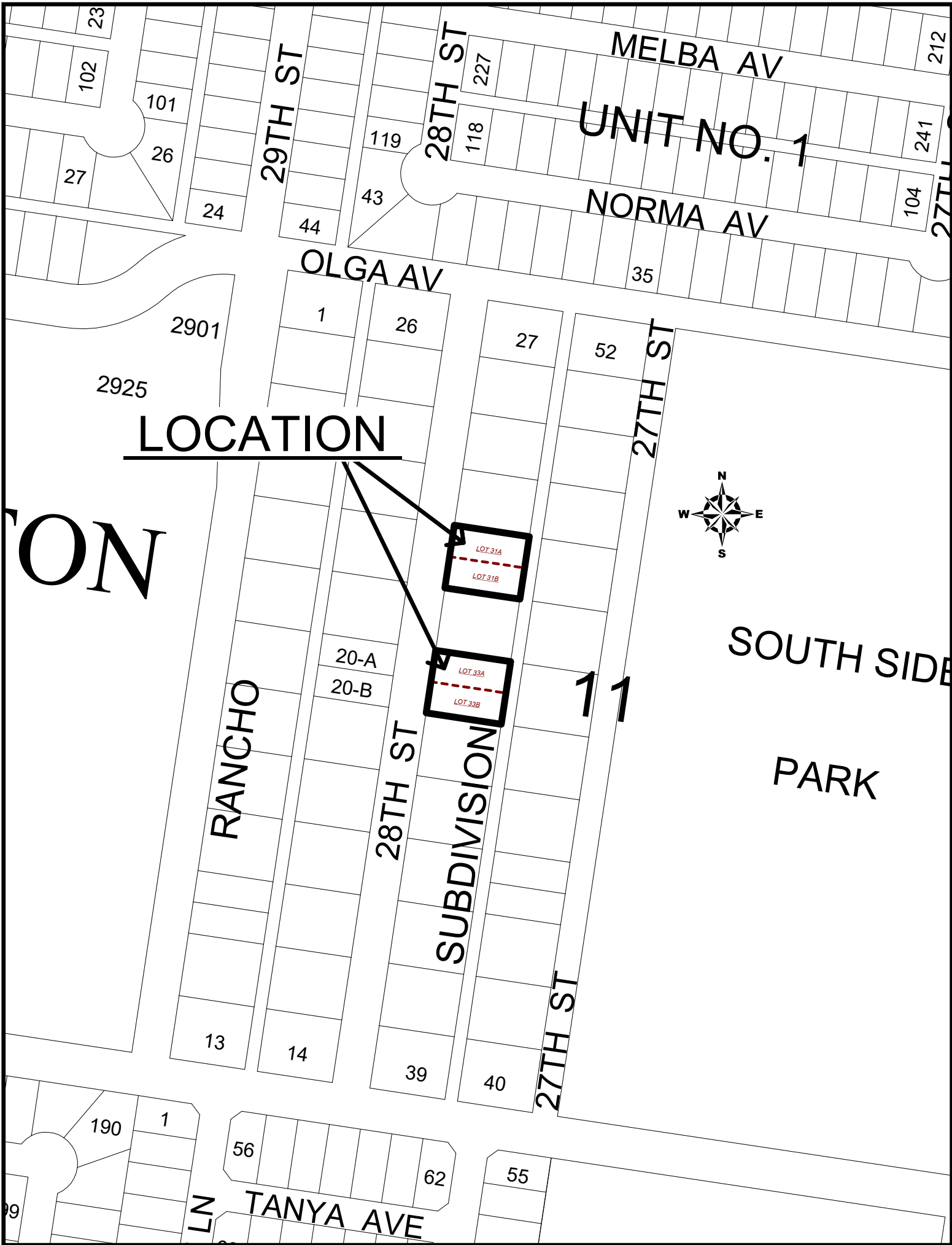
I certify that I am the actual owner of the property described above and (include corporate name if applicable); or I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

Signature _____ Date 8/16/22

Print Name David Clark Salinas

Owner ☐

Authorized Agent ☒



LOCATION

SUBDIVISION

LOT 31A
LOT 31B

LOT 33A
LOT 33B



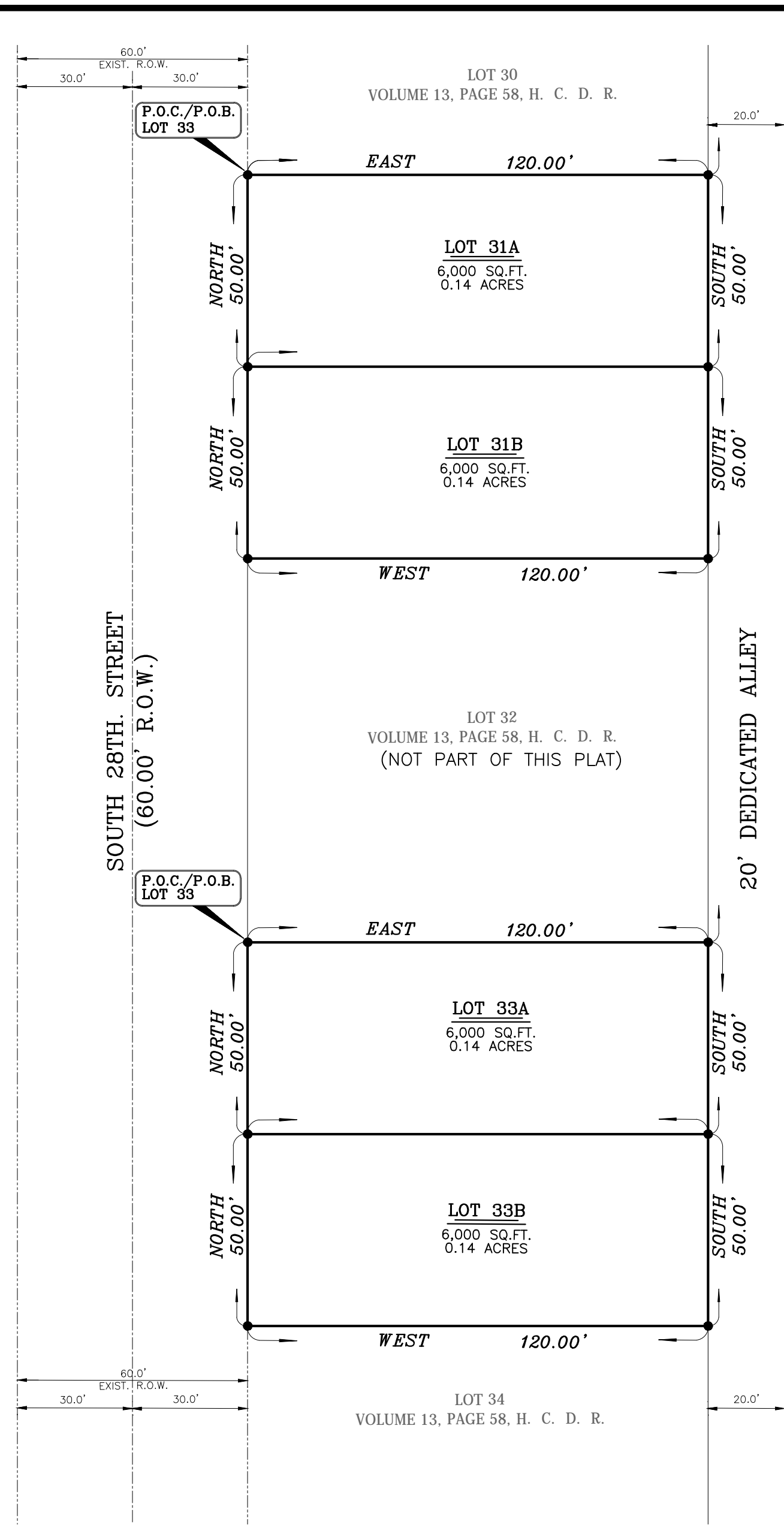
SOUTH SIDE
PARK

UNIT NO. 1

RANCHO

11

ON



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

SCALE: 1" = 30'

STATE OF TEXAS
COUNTY OF HIDALGO

WE, THE UNDERSIGNED, OWNERS OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS SUCHIL SUBDIVISION, TO THE CITY OF McALLEN, TEXAS, AND WHOSE NAMES ARE SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS, WATER LINES, SEWER LINES, STORM SEWERS, FIRE HYDRANTS AND PUBLIC PLACES WHICH ARE INSTALLED OR WHICH 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.

OWNER: VIDIDIANA SUCHIL
3210 GLORIA AVE.
McALLEN, TEXAS 78501

STATE OF TEXAS
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED GEORGIA ALANIS, KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE _____ DAY

OF _____, 2022.

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

STATE OF TEXAS
CITY OF McALLEN

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

MAYOR _____ DATE _____

STATE OF TEXAS
CITY OF McALLEN

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 _____

STATE OF TEXAS
COUNTY OF HIDALGO

I, DAVID OMAR SALINAS, P.E., A REGISTERED PROFESSIONAL ENGINEER LICENSED TO PRACTICE IN THE STATE OF TEXAS, REGISTRATION NUMBER TX. 71973, DO HEREBY CERTIFY THAT THIS PLAT HAS BEEN GIVEN PROPER AND ADEQUATE ENGINEERING CONSIDERATION.

DAVID OMAR SALINAS, P.E.
REG. PROFESSIONAL ENGINEER #71973

DATE _____

STATE OF TEXAS
COUNTY OF HIDALGO

I, DAVID O. SALINAS, THE UNDERSIGNED 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 OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

DAVID O. SALINAS, R.P.L.S.
REG. PROFESSIONAL LAND SURVEYOR #5782

DATE _____

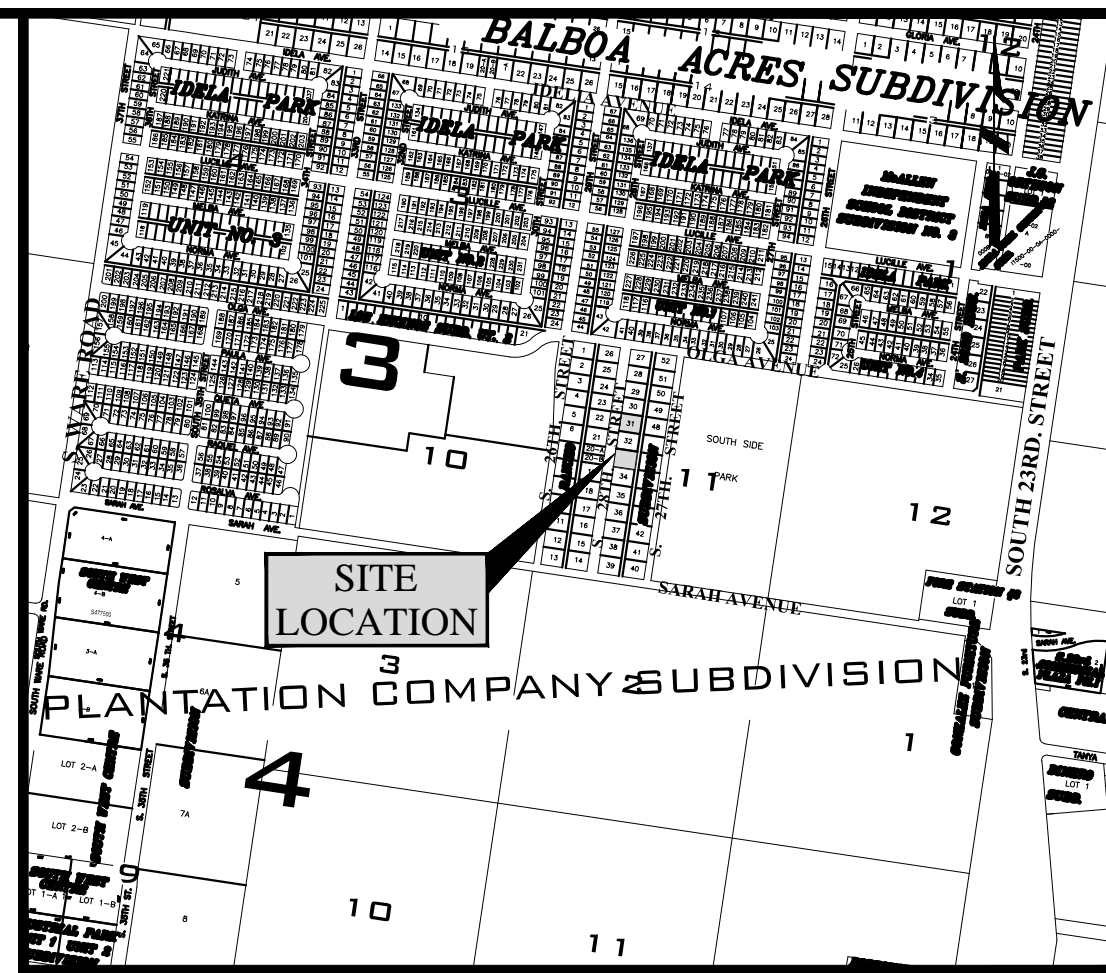
APPROVED BY DRAINAGE DISTRICT:

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

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

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

DATE _____



LOCATION MAP SCALE : 1" = 1000'

METES AND BOUNDS DESCRIPTION

BEING A 0.28 ACRE TRACT OF LAND, MORE OR LESS, CONSISTING OF ALL OF LOT 31, RANCHO SUBDIVISION, McALLEN, HIDALGO COUNTY, TEXAS, AS PER THE MAP OR PLAT THEREOF RECORDED IN VOLUME 13, PAGE 58, MAP RECORDS OF HIDALGO COUNTY, TEXAS; SAID 0.28 ACRE TRACT OF LAND IS MORE PARATICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT ½ INCH DIAMETER IRON ROD FOUND ON THE NORTHWEST CORNER OF SAID LOT 31 LOCATED ON THE EAST RIGHT-OF-WAY LINE OF SOUTH 28TH. STREET FOR THE NORTHWEST CORNER AND **POINT OF BEGINNING** OF THIS HEREIN DESCRIBED TRACT;

(1) THENCE, EAST, COINCIDENT WITH THE NORTH LINE OF SAID LOT 31, A DISTANCE OF 120.0 FEET TO A ½ INCH DIAMETER IRON ROD FOUND ON THE NORTHEAST CORNER OF SAID LOT 31 FOR THE NORTHEAST CORNER OF THIS HEREIN DESCRIBED TRACT;

(2) THENCE, SOUTH, COINCIDENT WITH THE EAST LINE OF SAID LOT 31, A DISTANCE OF 100.0 FEET TO A ½ INCH DIAMETE IRON ROD FOUND ON THE SOUTHEAST CORNER OF SAID LOT 31 FOR THE SOUTHEAST CORNER OF THIS HEREIN DESCRIBED TRACT;

(3) THENCE, WEST, COINCIDENT WITH THE SOUTH LINE OF SAID LOT 31, A DISTANCE OF 120.0 FEET TO A ½ INCH DIAMETER IRON ROD FOUND ON THE SOUTHWEST CORNER OF SAID LOT 31 AND LOCATED ON INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF SAID SOUTH 28TH. STREET FOR THE SOUTHWEST CORNER OF THIS HEREIN DESCRIBED TRACT;

(4) THENCE, NORTH, COINCIDENT WITH THE WEST LINE OF SAID LOT 31 AND THE EAST RIGHT-OF-WAY LINE OF SAID SOUTH 28TH. STREET, A DISTANCE OF 100.0 FEET TO THE **POINT OF BEGINNING**, CONTAINING 0.28 ACRES OF LAND, MORE OR LESS.

BASIS OF BEARING: RECORDED PLAT OF SAID RANCHO SUBDIVISION, McALLEN, HIDALGO COUNTY, TEXAS.

N:\M88.2022\LOT 31.33.REPLAT\0.28.081622.LOT31

METES AND BOUNDS DESCRIPTION

BEING A 0.28 ACRE TRACT OF LAND, MORE OR LESS, CONSISTING OF ALL OF LOT 33, RANCHO SUBDIVISION, McALLEN, HIDALGO COUNTY, TEXAS, AS PER THE MAP OR PLAT THEREOF RECORDED IN VOLUME 13, PAGE 58, MAP RECORDS OF HIDALGO COUNTY, TEXAS; SAID 0.28 ACRE TRACT OF LAND IS MORE PARATICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT ½ INCH DIAMETER IRON ROD FOUND ON THE NORTHWEST CORNER OF SAID LOT 33 LOCATED ON THE EAST RIGHT-OF-WAY LINE OF SOUTH 28TH. STREET FOR THE NORTHWEST CORNER AND **POINT OF BEGINNING** OF THIS HEREIN DESCRIBED TRACT;

(1) THENCE, EAST, COINCIDENT WITH THE NORTH LINE OF SAID LOT 33, A DISTANCE OF 120.0 FEET TO A ½ INCH DIAMETER IRON ROD FOUND ON THE NORTHEAST CORNER OF SAID LOT 33 FOR THE NORTHEAST CORNER OF THIS HEREIN DESCRIBED TRACT;

(2) THENCE, SOUTH, COINCIDENT WITH THE EAST LINE OF SAID LOT 33, A DISTANCE OF 100.0 FEET TO A ½ INCH DIAMETE IRON ROD FOUND ON THE SOUTHEAST CORNER OF SAID LOT 33 FOR THE SOUTHEAST CORNER OF THIS HEREIN DESCRIBED TRACT;

(3) THENCE, WEST, COINCIDENT WITH THE SOUTH LINE OF SAID LOT 33, A DISTANCE OF 120.0 FEET TO A ½ INCH DIAMETER IRON ROD FOUND ON THE SOUTHWEST CORNER OF SAID LOT 31 AND LOCATED ON INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF SAID SOUTH 28TH. STREET FOR THE SOUTHWEST CORNER OF THIS HEREIN DESCRIBED TRACT;

(4) THENCE, NORTH, COINCIDENT WITH THE WEST LINE OF SAID LOT 33 AND THE EAST RIGHT-OF-WAY LINE OF SAID SOUTH 28TH. STREET, A DISTANCE OF 100.0 FEET TO THE **POINT OF BEGINNING**, CONTAINING 0.28 ACRES OF LAND, MORE OR LESS.

BASIS OF BEARING: RECORDED PLAT OF SAID RANCHO SUBDIVISION, McALLEN, HIDALGO COUNTY, TEXAS.

N:\M88.2022\LOT 31.33.REPLAT\0.28.081622.LOT33

RANCHO SUBDIVISION LOTS 31A, 31B, AND 33A, 33B

PREPARED BY: SALINAS ENGINEERING & ASSOC.
DATE OF PREPARATION: AUGUST 16, 2022
JOB NUMBER: SP-22-25864

OWNER: VIDIDIANA SUCHIL
3210 GLORIA AVE.
McALLEN, TEXAS 78501

SEA
SALINAS ENGINEERING & ASSOC.
(P-6675) (TBPLS-10065700)
CONSULTING ENGINEERS & SURVEYORS
2221 DAFFODIL AVE. McALLEN, TEXAS 78501
(956) 682-9081 (956) 686-1489 (FAX)
TBPLS 12100 PARK 35 CIRCLE BLDG. A, SUITE 156, MC-230, AUSTIN, TEXAS 78073 (512) 239-5263

RANCHO SUBDIVISION LOTS 31A, 31B, AND 33A, 33B,

AN ADDITION TO THE CITY OF McALLEN,
HIDALGO COUNTY, TEXAS

BEING A 0.56 ACRE TRACT CONSISTING OF ALL OF LOTS 31 AND 33, RANCHO SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER THE MAP OR PLAT THEREOF RECORDED IN VOLUME 13, PAGES 58, DEED RECORDS OF HIDALGO COUNTY, TEXAS.

GENERAL PLAT NOTES:

- MINIMUM SETBACK LINES:
FRONT: 25'
SIDE: 6' OR EASEMENT WHICHEVER IS GREATER
REAR: 10' OR EASEMENT WHICHEVER IS GREATER
GARAGE: 18'
- LANDS CONTAINED WITHIN THIS SUBDIVISION LIE IN ZONE "AH" ACCORDING TO THE FIRM (FLOOD INSURANCE RATE MAP) DATED 11/02/82, COMMUNITY PANEL NO. 480343 0010 C. ZONE "AH": AREAS OF 100-YEAR SHALLOW FLOODING WHERE DEPTHS ARE BETWEEN ONE (1) AND THREE (3) FEET; BASE FLOOD ELEVATIONS ARE SHOWN, BUT NO FLOOD HAZARD FACTORS DETERMINED. (BFE 99.0)
- MINIMUM FINISHED FLOOR ELEVATION ON ALL NEW CONSTRUCTION SHALL BE A MINIMUM OF 18.0 INCHES ABOVE THE TOP OF SOUTH 28TH. STREET MEASURED FROM THE CENTER OF THE LOT ALONG SOUTH 28TH. STREET, BUT NOT LESS THAN ELEV. 99.0.
- MINIMUM 4 FT. WIDE SIDEWALK IS REQUIRED ON SOUTH 28TH. STREET
- THIS SUBDIVISION PLAT SHALL BE REQUIRED TO DETAIN A TOTAL OF 2,196.86 CUBIC FEET, OR, 0.05 ACRE-FEET OF DRAINAGE RUNOFF VOLUME. EACH LOT SHALL DETAIN A MINIMUM OF 550.0 CU. FT..
- THE CONSTRUCTION OF ANY STRUCTURES ON OR WITHIN ANY UTILITY EASEMENTS SHALL BE PROHIBITED.
- AN ENGINEERED DRAINAGE DETENTION PLAN, APPROVED BY THE ENGINEERING DEPARTMENT, MAYBE REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMITS.
- B.M.-McALLEN SURVEY CONTROL POINT NO. 92, LOCATED INSIDE IDELA PARK 50 FEET NORTH FROM THE B.C. OF IDELA STREET AND 162 FEET EAST FROM THE CL. OF WARE ROAD. ELEV.=98.55, NAVD 88.
- 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.

PRINCIPAL CONTACTS

NAME	ADDRESS	CITY & ZIP	PHONE	FAX
OWNER: VIRIDIANA SUCHIL	3210 S. 28TH STREET	McALLEN, TEXAS 78501	(956) 821-3514	NONE
ENGINEER: DAVID O. SALINAS	2221 DAFFODIL AVE.	McALLEN, TEXAS 78501	(956) 682-9081	(956) 686-1489
SURVEYOR: DAVID O. SALINAS	2221 DAFFODIL AVE.	McALLEN, TEXAS 78501	(956) 682-9081	(956) 686-1489

DISCLAIMER: THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW BY THE CITY OF McALLEN ONLY & BY NO OTHERS UNDER THE AUTHORITY OF DAVID OMAR SALINAS, P.E., TX. REG. NO. 71973 ON AUGUST 16, 2021. IT IS NOT TO BE USED FOR CONSTRUCTION PURPOSES.

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

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

BY: _____ DEPUTY



City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 9/2/2022

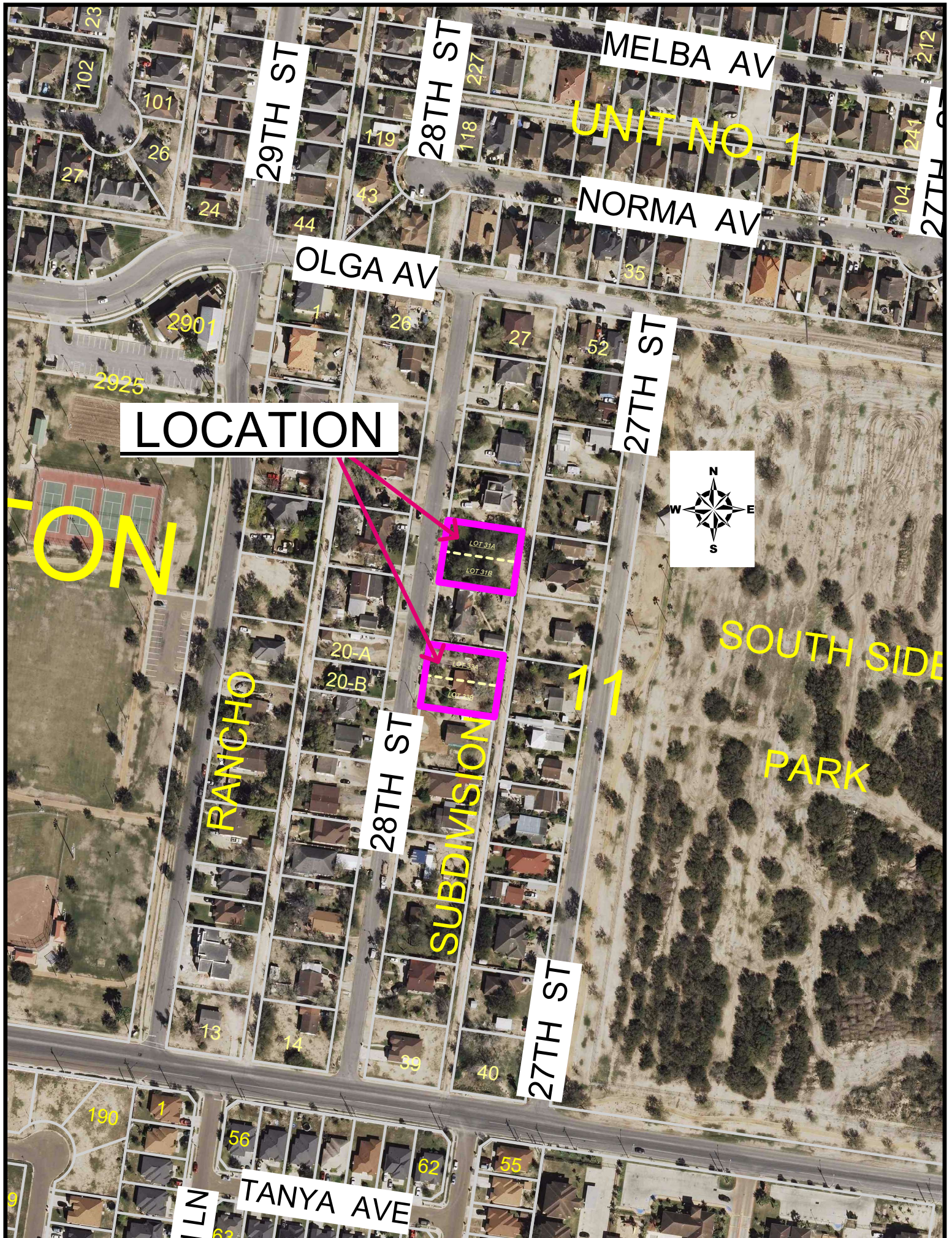
SUBDIVISION NAME: RANCHO SUBDIVISION LOTS 31A, 31B & 33A, 33B	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
South 28th Street: Existing 60 ft. total ROW. Paving :32 ft. Curb & gutter: Both Sides *Existing paving 28.3' clarify prior to final. **Label centerline on plat prior to final. ***Provide how existing ROW was dedicated on plat prior to final. **** Provide a copy of any referenced document regarding existing ROW. *****Subdivision Ordinance: Section 134-105 *****Monies must be escrowed if improvements are required prior to final *****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
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	Compliance
* 900 ft. Block Length for R-3 Zone Districts. **Subdivision Ordinance: Section 134-118	NA
* 600 ft. Maximum Cul-de-Sac. **Subdivision Ordinance: Section 134-105	NA
ALLEYS	
ROW : 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties **Subdivision Ordinance: Section 134-106	Applied
SETBACKS	
* Front : In accordance with the Zoning Ordinance or greater for easements or inline with existing structures, whichever is greater applies. **Revise note as shown above prior to final. ***Proposing: 25 ft. ****Zoning Ordinance: Section 138-356	Non-compliance
* Rear: In accordance with the Zoning Ordinance or greater for easements, whichever is greater applies. **Revise note as shown above prior to final. ***Proposing: 10 ft. or easement whichever is greater. ****Zoning Ordinance: Section 138-356	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, whichever is greater applies. **Revise note as shown above prior to recording. ***Proposing: 6ft or easement whichever is greater. ****Zoning Ordinance: Section 138-356</p> <p>* Corner: Interior Lots **Zoning Ordinance: Section 138-356</p> <p>* Garage: 18 ft. except where greater setbacks is required; greater setback applies. **Revise note as shown above prior to final. ***Proposing: 18 ft. ****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
SIDEWALKS	
<p>* 4 ft. wide minimum sidewalk required on South 28th Street. **Sidewalks are subject to increase to 5 ft. as per Engineering Department requirements, prior to final. ***Subdivision Ordinance: Section 134-120</p> <p>* Perimeter sidewalks must be built or money escrowed if not built at this time.</p>	Applied
	Required
BUFFERS	
<p>* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. **Add note 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. **Add note as shown above prior to final. ***Landscaping Ordinance: Section 110-46</p> <p>*Perimeter buffers must be built at time of Subdivision Improvements.</p>	Non-compliance
	Non-compliance
	Required
NOTES	
<p>*Must comply with City Access Management Policy</p> <p>* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.</p> <p>* Common Areas, any private 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. **Section 134-168 applies if private subdivision is proposed. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168</p>	Applied
	NA
	Applied
	NA
	TBD

<ul style="list-style-type: none"> * Homeowner's Association Covenants must be recorded simultaneously with plat. **Homeowner's Association Covenants must be submitted for staff review, prior to recording. ***Section 134-168 applies if private subdivision is proposed. ****Landscaping Ordinance: Section 110-72 *****Subdivision Ordinance: Section 134-168 	TBD
LOT REQUIREMENTS	
<ul style="list-style-type: none"> * Lots fronting public streets. **Subdivision Ordinance: Section 134-1 	Compliance
<ul style="list-style-type: none"> * Minimum lot width and lot area. **Zoning Ordinance: Section 138-356 	Compliance
ZONING/CUP	
<ul style="list-style-type: none"> * Existing: R-1 (Single-Family) Residential Proposed: R-1 (Single-Family) Residential ***Zoning Ordinance: Article V 	Compliance
<ul style="list-style-type: none"> * Rezoning Needed Before Final Approval ***Zoning Ordinance: Article V 	NA
PARKS	
<ul style="list-style-type: none"> * Land dedication in lieu of fee. 	NA
<ul style="list-style-type: none"> * 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 a rate of \$700 per dwelling unit and payable prior to plat recording. In this case it's \$2,800, \$700 for each individual home. 	Required
<ul style="list-style-type: none"> * Pending review by the City Manager's Office. 	NA
TRAFFIC	
<ul style="list-style-type: none"> * As per Traffic Department, Trip Generation for a 4 lot subdivision will be waived. 	Completed
<ul style="list-style-type: none"> * Traffic Impact Analysis (TIA) required prior to final plat. ** As per Traffic Department, Trip Generation for a 4 lot subdivision will be waived. 	NA
COMMENTS	
<p>Comments:</p> <ul style="list-style-type: none"> *Must comply with City's Access Management Policy. ** Public Hearing with notices will be required for the resubdivision. ***Revise subdivision name as shown on plat and all applicable documents: "Rancho Lots 31A,31B, and 33A,33B Subdivision" 	Applied
RECOMMENDATION	
<p>Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED, DRAINAGE AND UTILITIES APPROVALS.</p>	Applied

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



LOCATION



RANCHO

SUBDIVISION

SOUTH SIDE
PARK

UNIT NO. 1

NORMA AV

MELBA AV

29TH ST

28TH ST

27TH ST

28TH ST

27TH ST

TANYA AVE

ON



City of McAllen
Planning Department
APPLICATION FOR

SUBDIVISION PLAT REVIEW

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

SUB2022-0094

Project Description

Subdivision Name San Felipe on Northgate Lane
Location _____
City Address or Block Number 400 NORTHGATE LN
Number of lots 5 Gross acres 2.72 Net acres N/A
Existing Zoning R-1 Proposed R-1 Rezoning Applied For ☐ Yes ☒ No Date _____
Existing Land Use SINGLE FAMILY RESIDENTIAL Proposed Land Use SINGLE FAMILY RESIDENTIAL Irrigation District # 2
Residential Replat Yes ☒ No ☐ Commercial Replat Yes ☐ No ☒ ETJ Yes ☐ No ☒
Agricultural Tax Exempt Yes ☐ No ☒ Estimated Rollback tax due 0
Parcel No. 162760 Tax Dept. Review MLK

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

Owner

Name FORTIS LAND HOLDINGS, LLC Phone (956) 682-4775
Address 5111 N. 10TH STREET #324
City MCALLEN State TEXAS Zip 78504
E-mail OMAR@OGBUILD.COM

Developer

Name FORTIS LAND HOLDINGS, LLC Phone (956) 682-4775
Address 5111 N. 10TH STREET #324
City MCALLEN State TEXAS Zip 78504
Contact Person OMAR F. GARCIA
E-mail OMAR@OGBUILD.COM

Engineer

Name RIO DELTA ENGINEERING Phone (956) 380-5152
Address 921 S. 10TH AVE.
City EDINBURG State TEXAS Zip 78539
Contact Person IVAN GARCIA P.E., R.P.L.S.
E-mail RIODELTA2004@YAHOO.COM

Surveyor

Name RIO DELTA ENGINEERING Phone (956) 380-5152
Address 921 S. 10TH AVE.
City EDINBURG State TEXAS Zip 78573

ENTERED

AUG 15 2022

Initial: Am

Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

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

PLAT TO SHOW:

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

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

Owner's Signature

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

Signature  Date 8/10/22

Print Name Omar Garcia

Owner ☒

Authorized Agent ☐

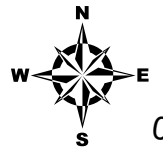
LOT 11

HOBBS DR

9299

8 LOCATION

9



0

PROPOSED SAN FELIPE ON
NORTHGATE LANE SUBDIVISION

CARLINA SUBDIVISION
LOT 1

NORTHGATE LN

0013-01

13

0013-06

12

-02

-01

11

LOT 1

EBONY CENTER
SUBDIVISION

LOT 2

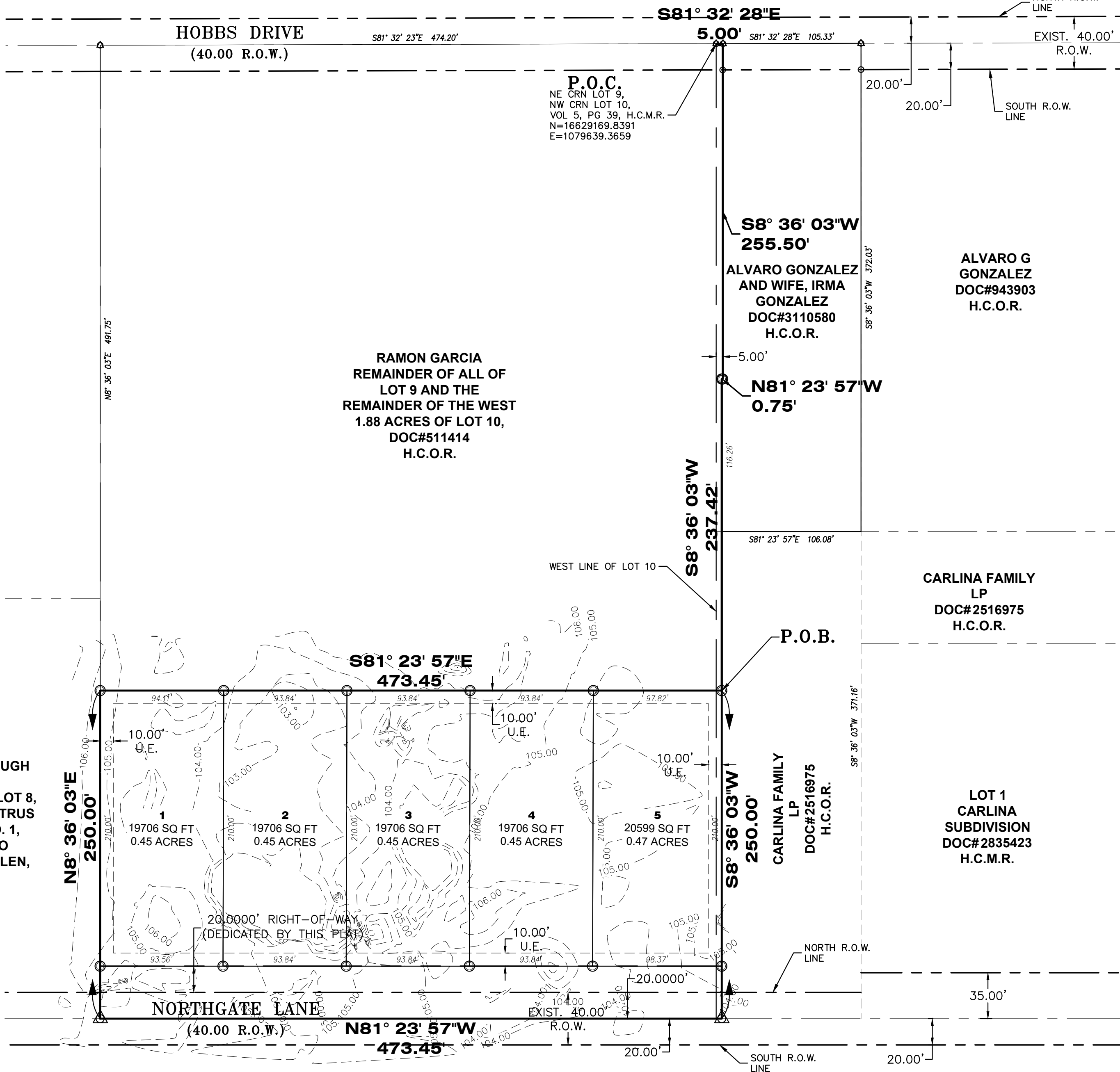
0013-02

ED EAGLE'S NEST
BDIVISION

N 2ND ST

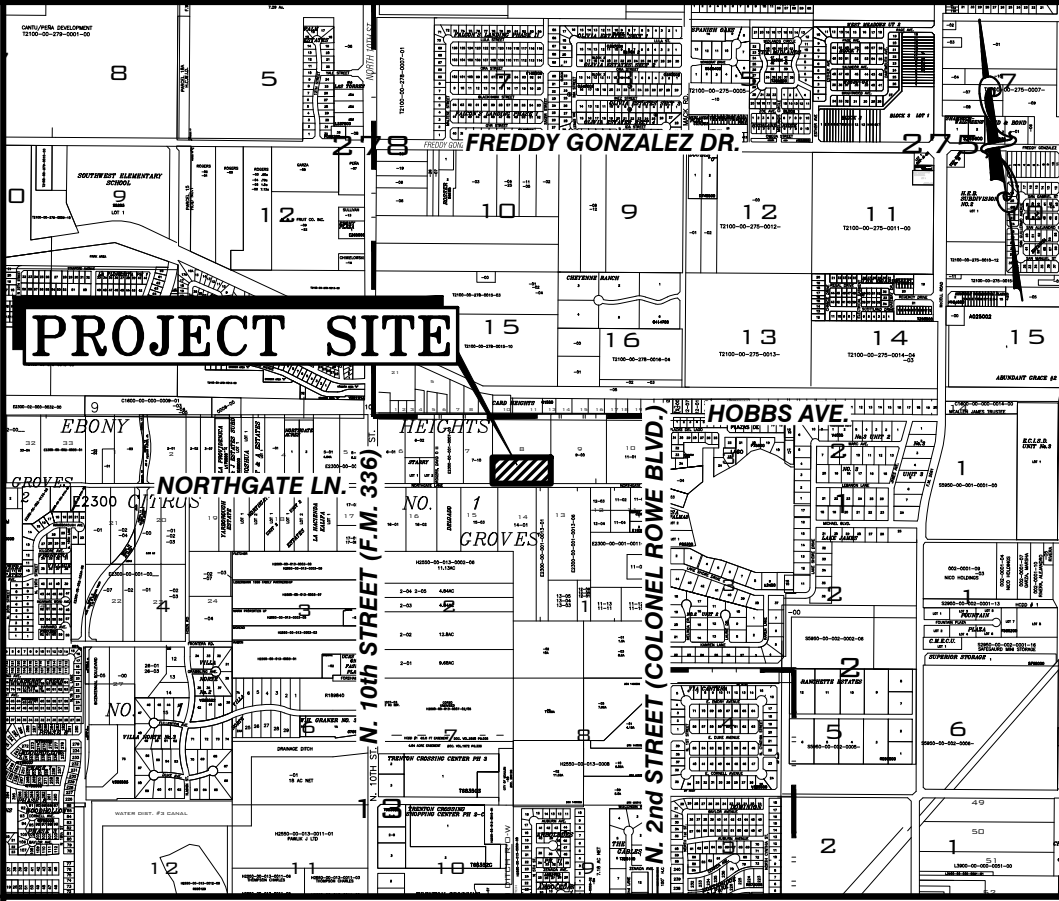
SAN FELIPE ON NORTHGATE LANE SUBDIVISION

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



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

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



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

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

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

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

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

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

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

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

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

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

GENERAL PLAT NOTES:

- THE BUILDABLE AREAS OF EACH LOT LIE IN ZONE "A" WHEN PERTAINING TO FLOOD INSURANCE RATE MAP COMMUNITY PANEL 480334 0325 D MAP REVISED JUNE 6, 2000.
- MINIMUM FINISH FLOOR NOTE:
MINIMUM FINISH FLOOR ELEVATION SHALL BE 107.50 (NAGD 1929) OR 107.15 (NAVD 88). ELEVATION CERTIFICATE MAY BE REQUIRED FOR LOTS LOCATED OUTSIDE A DESIGNATED FLOOD ZONE AT THE TIME FOR A DEVELOPMENT PERMIT APPLICATION TO VERIFY PRE AND POST CONSTRUCTION FINISH FLOOR ELEVATIONS. AN ELEVATION CERTIFICATE SHALL BE REQUIRED FOR ALL LOTS WITHIN A DESIGNATED FLOOD ZONE AT THE TIME FOR A DEVELOPMENT PERMIT APPLICATION.
- 18" ABOVE TOP OF CURB IN FRONT OF THE CENTER-POINT OF THE LOT.
- MINIMUM BUILDING SETBACKS SHALL COMPLY WITH THE CITY OF MCALLEN ZONING CODE:
FRONT: 25 FT. OR GREATER FOR EASEMENTS.
REAR: 10 FT. OR GREATER FOR EASEMENTS.
SIDES: 6 FT. OR GREATER FOR EASEMENTS.
GARAGE: 18 FT. EXCEPT WHERE GREATER SETBACK IS REQUIRED; GREATER SETBACK APPLIES.
- A DRAINAGE DETENTION OF 5.504 CF OR 0.128 ACRE FEET IS REQUIRED FOR THIS SUBDIVISION. THE CITY OF MCALLEN WILL NOT MAINTAIN DETENTION AREA.
- ENGINEERED DRAINAGE DETENTION PLAN, APPROVED BY THE ENGINEERING DEPARTMENT, PRIOR TO ISSUANCE OF BUILDING PERMIT. GRADING MUST COMPLY WITH MASTER PLAN.
- EASEMENTS SHALL BE KEPT CLEAR OF FENCES, BUILDINGS, SHEDS, SHRUBS, TREES, AND OTHER PLANTINGS (EXCEPT LOW, GROUND COVER, GRASS OR FLOWERS) AND OTHER OBSTRUCTIONS TO THE OPERATIONS AND MAINTENANCE OF THE EASEMENT.
- 4 FT. WIDE MINIMUM SIDEWALK REQUIRED ON NORTHGATE LANE.
- CITY OF MCALLEN BENCHMARK (MC50_1) SET BY J.A. GARZA ASSOCIATES L.L.C. A 30" ALUMINUM PIPE WITH A 3-1/4" BRASS MONUMENT CAP ON TOP, LOCATED AT THE WEST BOUND OF 10TH STREET, IN BETWEEN TRENTON ROAD AND FULLERTON ROAD.
NORTHING=16628260.81559 EASTING= 1076787.99709 ELEV= 106.511
- 6 FT. OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, OR INDUSTRIAL ZONES/USES AND ALONG NORTHGATE LANE.
- 8 FT. MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONES/USES.
- ALL UTILITY AND DRAINAGE EASEMENTS TO BE DEDICATED BY THIS PLAT, UNLESS STATED OTHERWISE.

OWNER'S ACKNOWLEDGMENT

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

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

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 2022.

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

HIDALGO COUNTY IRRIGATION DISTRICT NO. 2

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

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

SECRETARY

PRESIDENT

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 CERTIFICATE

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 HEREBY CERTIFIES THAT THE DRAINAGE PLANS FOR THIS SUBDIVISION COMPLY WITH THE MINIMUM STANDARDS OF THE DISTRICT ADOPTED UNDER TEXAS WATER CODE NO. 49.21(C). THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES DESCRIBED ARE APPROPRIATE FOR THE SPECIFIC SUBDIVISION, BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA. IT IS THE RESPONSIBILITY OF THE DEVELOPER OF THE SUBDIVISION AND ITS ENGINEER TO MAKE THESE DETERMINATIONS.

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

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

STATE OF TEXAS COUNTY OF HIDALGO MAYOR'S CERTIFICATE

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

CITY MAYOR

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

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

PLANNING AND ZONING CHAIR

STATE OF TEXAS – COUNTY OF HIDALGO

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

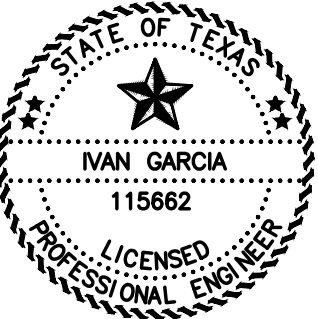
IVAN GARCIA P.E., R.P.L.S.
REG. PROFESSIONAL LAND SURVEYOR No. 6469
SURVEY FIRM No. 10194027



STATE OF TEXAS – COUNTY OF HIDALGO

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

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



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

ON: _____ AT _____ AM/PM

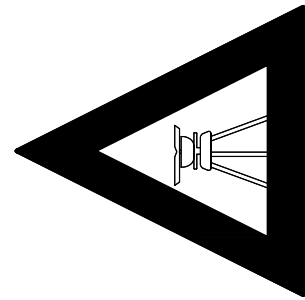
INSTRUMENT NUMBER _____
OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS

BY: _____ DEPUTY

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

RIO DELTA ENGINEERING

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



THIS DOCUMENT IS
RELEASED FOR THE
PURPOSE OF INTERIM
REVIEW UNDER THE
AUTHORITY OF
IVAN GARCIA,
P.E. 115662 ON
AUGUST 10, 2022
IT IS NOT TO BE
USED FOR CONSTRUCTION,
BIDDING OR PERMIT
PURPOSES.

ISSUED FOR:
PRELIMINARY

PLAT SHEET
SAN FELIPE ON NORTHGATE LANE SUBDIVISION
MCALLEN, TEXAS
HIDALGO COUNTY

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

SURVEYOR:
IVAN GARCIA P.E. R.P.L.S.

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

DRAWN:
EDWIN PENA

SCALE:
1"=60'

DATE:
AUGUST 10, 2022

PROJECT:
SUB 21 055

REVISIONS:
PAGE NO.

1-OF-1



City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 9/2/2022

SUBDIVISION NAME: SAN FELIPE ON NORTHGATE LANE

REQUIREMENTS

STREETS AND RIGHT-OF-WAYS

Northgate Lane: Proposing additional 20 ft. of dedication for 60 ft. total ROW.

Paving: 44 ft. Curb & gutter: Both Sides.

*Clarify proposed 20 ft. additional ROW dedication prior to final.

**Please show centerline on plat prior to final.

***Please provide how existing ROW was dedicated on plat prior to final.

****Please provide a copy of any referenced document regarding existing ROW.

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

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

*****COM Thoroughfare Plan

Applied

Paving _____ Curb & gutter _____

**Subdivision Ordinance: Section 134-105

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

**COM Thoroughfare Plan

Applied

Paving _____ Curb & gutter _____

**Subdivision Ordinance: Section 134-105

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

**COM Thoroughfare Plan

Applied

Paving _____ Curb & gutter _____

**Subdivision Ordinance: Section 134-105

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

**COM Thoroughfare Plan

Applied

* 1,200 ft. Block Length.

**Subdivision Ordinance: Section 134-118

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

**Subdivision Ordinance: Section 134-118

* 600 ft. Maximum Cul-de-Sac .

**Subdivision Ordinance: Section 134-105

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

**Revise note as shown above prior to final.

***Proposing: 25 ft. or greater for easements.

****Zoning Ordinance: Section 138-356

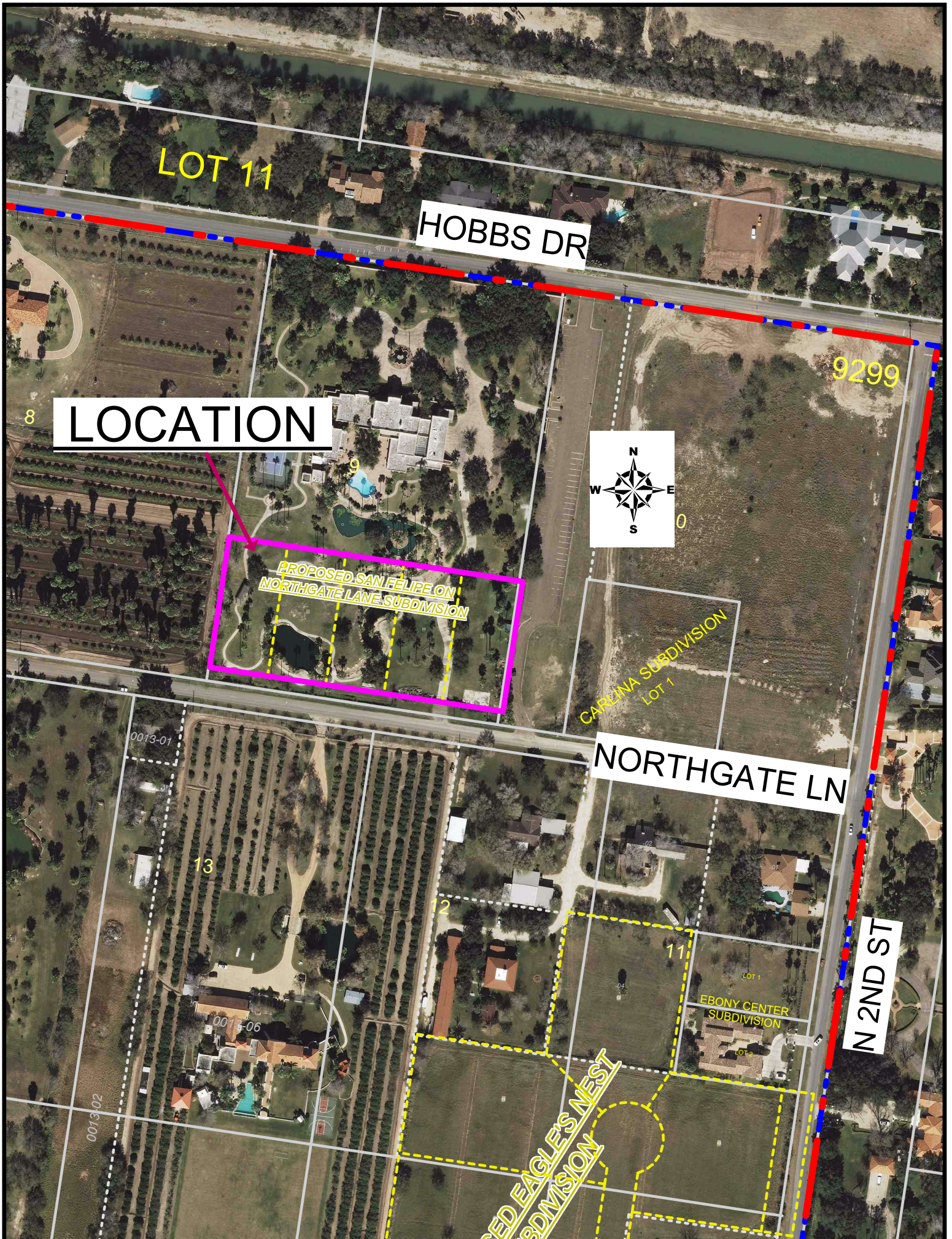
Non-compliance

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

* Rear: 10 ft. or greater for easements **Zoning Ordinance: Section 138-356	Applied
* Interior sides: 6 ft. or greater for easements. **Zoning Ordinance: Section 138-356	Applied
* Corner: Interior Lots **Zoning Ordinance: Section 138-356	NA
* 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
SIDEWALKS	
* 4 ft. wide minimum sidewalk required on Northgate Lane **Sidewalk requirements may increase to 5 ft. prior to final per Engineering Department requirements. ***Finalize plat note prior to final. ****Subdivision Ordinance: Section 134-120	Applied
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Required
BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. **Revise note as shown above prior to final. ***Clarify existing note reference to Northgate Lane prior to final. ****Landscaping Ordinance: Section 110-46	Non-compliance
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. **Landscaping Ordinance: Section 110-46	Applied
*Perimeter buffers must be built at time of Subdivision Improvements.	Required
NOTES	
**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. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168	TBD

<ul style="list-style-type: none"> * 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. ****Landscaping Ordinance: Section 110-72 *****Subdivision Ordinance: Section 134-168 	TBD
LOT REQUIREMENTS	
<ul style="list-style-type: none"> * Lots fronting public streets. **Subdivision Ordinance: Section 134-1 	Applied
<ul style="list-style-type: none"> * Minimum lot width and lot area. **Zoning Ordinance: Section 138-356 	Applied
ZONING/CUP	
<ul style="list-style-type: none"> * Existing: R-1 (Single-Family) Residential Proposed: R-1 (Single-Family) Residential ***Zoning Ordinance: Article V 	Compliance
<ul style="list-style-type: none"> * Rezoning Needed Before Final Approval ***Zoning Ordinance: Article V 	NA
PARKS	
<ul style="list-style-type: none"> * Land dedication in lieu of fee. 	NA
<ul style="list-style-type: none"> * 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 a rate of \$700 per dwelling unit. In this case, fees amount to \$5,500 and payable prior to plat recording. Fees can go up or down; they are dependent on the number of units. 	Required
<ul style="list-style-type: none"> * Pending review by the City Manger's Office. 	NA
TRAFFIC	
<ul style="list-style-type: none"> * As per Traffic Department, Trip Generation waived for 5 single family residential lots. 	Completed
<ul style="list-style-type: none"> * Traffic Impact Analysis (TIA) required prior to final plat. ** As per Traffic Department, Trip Generation waived for 5 single family residential lots. 	NA
COMMENTS	
<ul style="list-style-type: none"> Comments: *Must comply with City's Access Management Policy. 	Applied
RECOMMENDATION	
<ul style="list-style-type: none"> Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED, DRAINAGE AND UTILITIES APPROVALS. 	Applied

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

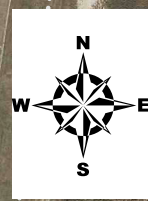


LOT 11

HOBBS DR

9299

LOCATION



PROPOSED SAN FELIPE ON
NORTHGATE LANE SUBDIVISION

CARENA SUBDIVISION
LOT 1

NORTHGATE LN

N 2ND ST

EBONY CENTER
SUBDIVISION

RED EAGLES NEST
SUBDIVISION

0013-01

13

0013-06

0013-02

2

11

LOT 1

LOT 2



City of McAllen **Sub 2022-1047**

Planning Department

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

SUBDIVISION PLAT REVIEW APPLICATION

Project Information	Hidalgo county Head Start Outdoor Learning Environments and	
	Subdivision Name <u>Discovery Classrooms Subdivision</u>	
	Location <u>McAllen, Tx</u>	
	City Address or Block Number <u>1901 S.H. 107</u>	
	Number of Lots <u>1</u>	Gross Acres <u>9.88</u> Net Acres <u>9.88</u> ETJ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Existing Zoning <u>C-3/C-4</u> Proposed Zoning <u>C-3/C-4</u> Rezoning Applied for <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____	
	Existing Land Use <u>Vacant</u>	Admin Office/ Outdoor Learning Center Proposed Land Use _____ Irrigation District # <u>1</u>
	Replat <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Commercial <input checked="" type="checkbox"/> Residential _____	
	Agricultural Exemption <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Estimated Rollback Tax Due <u>(E) N/A</u> 4/22/2022	
	Parcel # <u>297722/</u> Tax Dept. Review _____ <u>297723</u>	
Water CCN <input checked="" type="checkbox"/> MPU <input type="checkbox"/> Sharyland Water SC Other _____		
Legal Description <u>East 10 acres of Lot 10, Section 280, Texas Mexican Railway Company's Survey, Hidalgo County, Texas.</u>		
Owner	Name <u>Hidalgo County by and through Commissioners Court</u>	Phone <u>(956) 212-0909</u>
	Address <u>1901 W. SH 107</u>	E-mail <u>administration@hchsp.org</u>
	City <u>McAllen</u> State <u>TX</u> Zip <u>78540-0117</u>	
Developer	Name <u>Hidalgo County by and through Commissioners Court</u>	Phone <u>(956) 212-0909</u>
	Address <u>1901 W. SH 107</u>	E-mail <u>administration@hchsp.org</u>
	City <u>McAllen</u> State <u>TX</u> Zip <u>78540-0117</u>	
	Contact Person <u>Teresa Flores, Executive Director</u>	
Engineer	Name <u>HCDD1 - Yvette Barrera, PE</u>	Phone <u>(956) 383-0706 ext. 5809</u>
	Address <u>1901 W. SH 107</u>	E-mail <u>yvette.barrera@hcdd1.org</u>
	City <u>Edinburg</u> State <u>TX</u> Zip <u>78542</u>	
	Contact Person <u>Yvette Barrera, PE</u>	
Surveyor	Name <u>Quintanilla, Headley & Associates, Inc.</u>	Phone <u>(956) 381-6480</u>
	Address <u>124 E Stubbs St</u>	E-mail <u>alfonsoq@qha-eng.com</u>
	City <u>Edinburg</u> State <u>Tx</u> Zip <u>78539</u>	

APR 22 2022

Initial: Am

ENTERED

Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

In Person Submittal Requirements

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

Email Submittal Requirements

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

Documents must be submitted in PDF format. No scanned documents

*Please submit documents to subdivisions@mcallen.net

ORIGINAL APPLICATION & FEE MUST BE SUBMITTED IN PERSON


PLAT TO SHOW:

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

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

Owners Signature

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

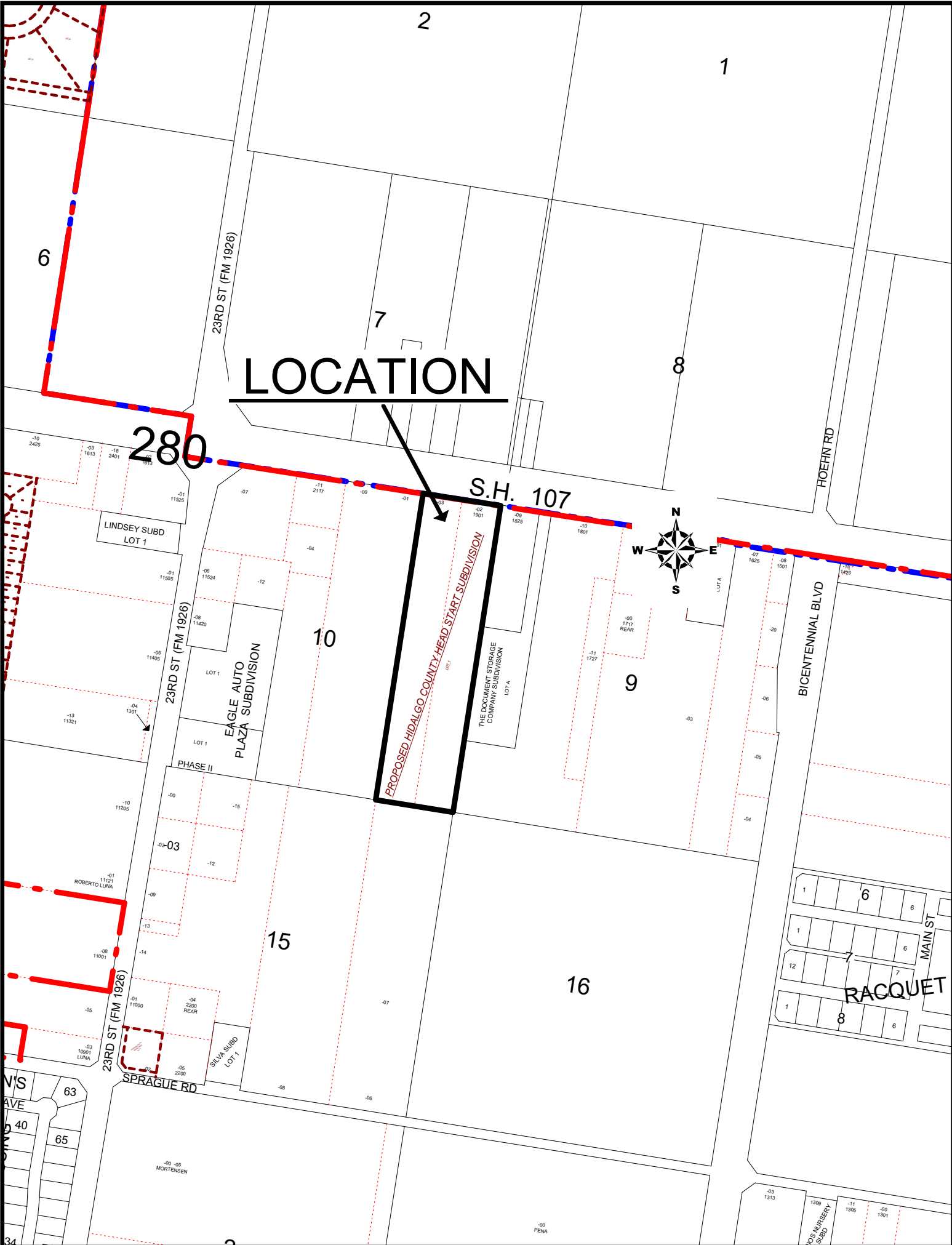
Signature  Date 4-22-2022

Print Name Teresa Flores

Owner ☐

Authorized Agent ☒

The Planning Department is now accepting DocuSign signatures on application



LOCATION

280

S.H. 107

PROPOSED HIDALGO COUNTY HEAD START SUBDIVISION



LINDSEY SUBD
LOT 1

23RD ST (FM 1926)

EAGLE AUTO
PLAZA SUBDIVISION

PHASE II

THE DOCUMENT STORAGE
COMPANY SUBDIVISION

BICENTENNIAL BLVD

23RD ST (FM 1926)

SPRAGUE RD

RACQUET

MAIN ST

HIDALGO COUNTY HEAD START OUTDOOR LEARNING ENVIRONMENTS AND DISCOVERY CLASSROOMS SUBDIVSION

A 9.885 ACRE (MORE OR LESS) TRACT OF LAND, BEING THE EAST 10.264 ACRES (DEED RECORD: 10.00 ACRES) OF LOT 10, SECTIONS 280, TEXAS MEXICAN RAILWAY COMPANY'S SURVEY, HIDALGO COUNTY, TEXAS, ACCORDING TO MAP THEREOF RECORDS

METES AND BOUNDS

A 9.885 ACRE (MORE OR LESS) TRACT OF LAND, BEING THE EAST 10.264 ACRES (DEED RECORD: 10.00 ACRES) OF LOT 10, SECTIONS 280, TEXAS MEXICAN RAILWAY COMPANY'S SURVEY, HIDALGO COUNTY, TEXAS, ACCORDING TO MAP THEREOF RECORDED IN VOLUME 24, PAGES 168 THROUGH 171, DEED RECORDS OF HIDALGO COUNTY, TEXAS; SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON ROD FOUND ON THE SOUTH RIGHT-OF-WAY LINE OF STATE HIGHWAY 107 FOR THE NORTHEAST CORNER OF THIS TRACT, SAID ROD BEARS SOUTH 08 DEGREES 59 MINUTES WEST, 50.00 FEET FROM THE NORTHEAST CORNER OF LOT 10;

THENCE, SOUTH 08 DEGREES 59 MINUTES WEST, ALONG THE EAST LINE OF LOT 10, A DISTANCE OF 1305.50 FEET TO A 1 INCH IRON PIPE FOUND FOR THE SOUTHEAST CORNER OF LOT 10, AND THE SOUTHEAST CORNER OF THIS TRACT;

THENCE, NORTH 80 DEGREES 42 MINUTES WEST, ALONG THE SOUTH LINE OF LOT 10, A DISTANCE OF 330.00 FEET TO A 1/2 INCH IRON ROD SET FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE, NORTH 08 DEGREES 59 MINUTES EAST, A DISTANCE OF 1304.25 FEET TO A 1/2 INCH IRON ROD FOUND ON THE SOUTH RIGHT-OF-WAY LINE OF STATE HIGHWAY 107 FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE, SOUTH 81 DEGREES, 12 MINUTES, 20 SECONDS EAST, (DEED RECORDS: SOUTH 81 DEGREES, 17 MINUTES 30 SECONDS EAST), ALONG THE SOUTH RIGHT-OF-WAY LINE OF STATE HIGHWAY 107, A DISTANCE OF 14.35 FEET TO A 1/2 IRON ROD FOUND FOR AN EXTERIOR CORNER OF THIS TRACT;

THENCE, SOUTH 80 DEGREES 55 MINUTES EAST (DEED RECORD: SOUTH 81 DEGREES, 00 MINUTES, 10 SECONDS EAST), ALONG THE SOUTH RIGHT-OF-WAY LINE OF STATE HIGHWAY 107, A DISTANCE OF 315.65 FEET (DEED RECORD: 319.45 FEET) THE POINT OF BEGINNING, AND CONTAINING 9.885 ACRES OF LAND, MORE OR LESS.

GENERAL PLAT NOTES

- THE SITE LIES IN ZONE "X"(UNSHADED). ZONE "X" (UNSHADED) IS DEFINED AS "AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOOD PLAIN. ZONE "X" (UNSHADED) SHOWN ON: COMMUNITY-PANEL NUMBER: 480334 03250 MAP REVISED: JUNE 6, 2000
- MINIMUM FINISH FLOOR ELEVATION SHALL BE 18" ABOVE TOP OF CURB AT CENTER OF LOT.
- MINIMUM SETBACKS SHALL COMPLY WITH THE CITY OF MCALLEN ZONING CODE:
FRONT: IN ACCORDANCE WITH THE ZONING ORDINANCE OR GREATER FOR EASEMENT OR APPROVED SITE PLAN, OR IN LINE WITH AVERAGE SETBACK, WHICHEVER IS GREATER APPLIES.
REAR: IN ACCORDANCE WITH THE ZONING ORDINANCE OR GREATER FOR EASEMENT OR APPROVED SITE PLAN, OR IN LINE WITH AVERAGE SETBACK, WHICHEVER IS GREATER APPLIES.
INTERIOR SIDES: IN ACCORDANCE WITH THE ZONING ORDINANCE OR GREATER FOR EASEMENT OR APPROVED SITE PLAN, OR IN LINE WITH AVERAGE SETBACK, WHICHEVER IS GREATER APPLIES.
CORNER: IN ACCORDANCE WITH THE ZONING ORDINANCE OR GREATER FOR EASEMENT OR APPROVED SITE PLAN, OR IN LINE WITH AVERAGE SETBACK, WHICHEVER IS GREATER APPLIES.
- REQUIRED DETENTION FOR STORM SEWER RUNOFF PER THE APPROVED DRAINAGE REPORT SHALL BE 48,810.66 CUBIC FEET, OR 1.12 AC-FT TO BE DETAINED WITHIN THE SUBDIVISION.
- CITY OF MCALLEN BENCHMARK:
- ALL LOT CORNERS ARE SET 1/2 INCH IRON RODS WITH CAP.
- A FIVE (5.00') FOOT SIDEWALK AND ADA RAMPS ARE REQUIRED ALONG STATE HIGHWAY 107.
- ALL EASEMENTS SHOWN ARE DEDICATED BY THIS PLAT, UNLESS STATED OTHERWISE.
- NO STRUCTURES PERMITTED TO BE BUILT OVER EASEMENTS.
- MAINTENANCE OF PRIVATE DRAINAGE SYSTEM, EASEMENTS, AND COMMON AREA WILL BE THE RESPONSIBILITY OF PROPERTY OWNER.
- 8 FT MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONES/USES.
- A MINIMUM 24 FT. PRIVATE SERVICE DRIVE EASEMENT WILL BE ESTABLISHED AS PART OF THE SITE PLAN AND WILL BE MAINTAINED BY THE LOT OWNERS AND NOT THE CITY OF MCALLEN.

STATE OF TEXAS COUNTY OF HIDALGO

WE, THE UNDERSIGNED, OWNERS OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS HIDALGO COUNTY HEADSTART PROGRAM TO THE CITY OF MCALLEN, TEXAS, AND WHOSE NAMES ARE SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS, WATER LINES, SEWER LINES, STORM SEWER, FIRE HYDRANTS AND PUBLIC PLACES WHICH ARE INSTALLED OR WHICH 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

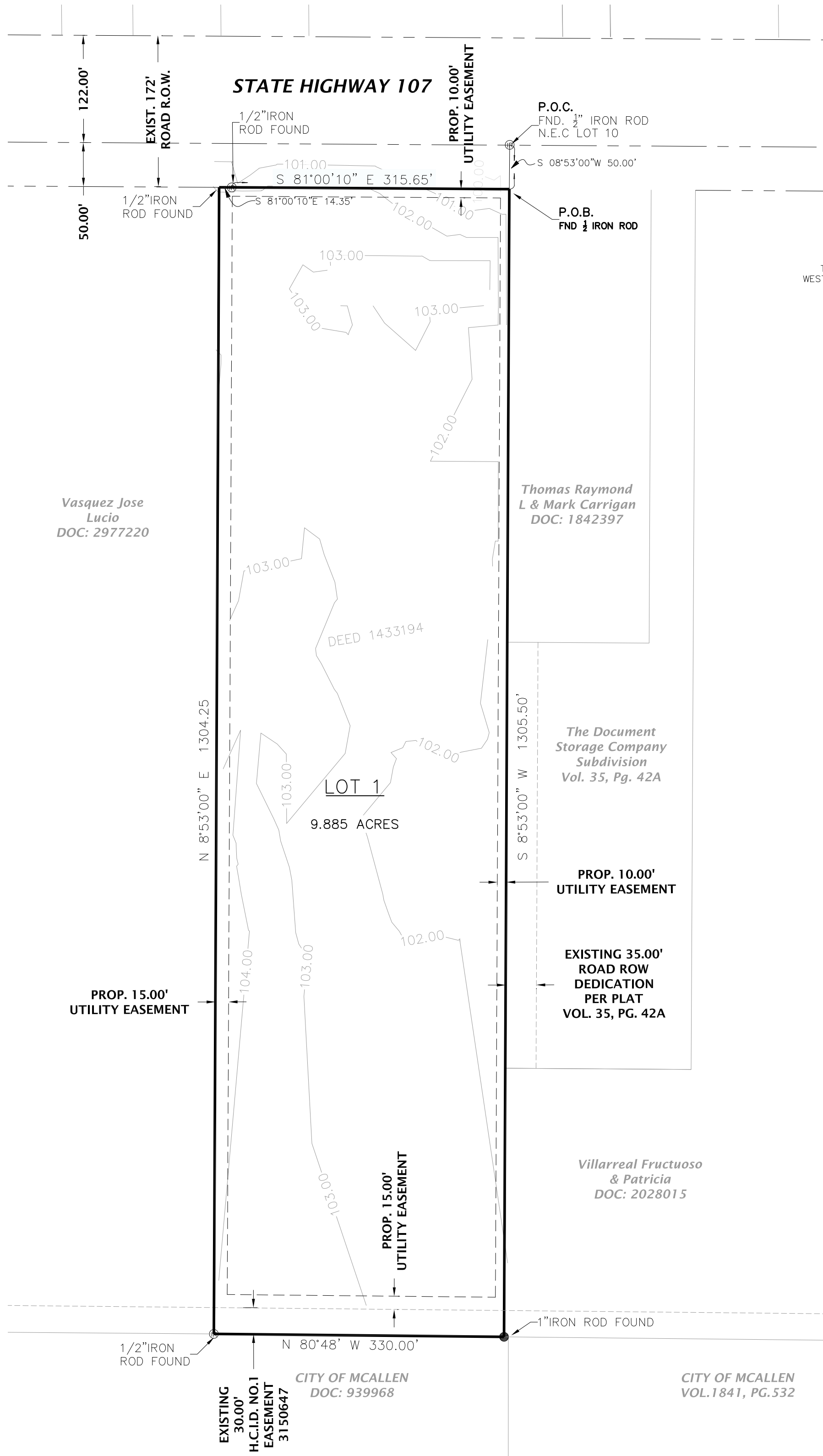
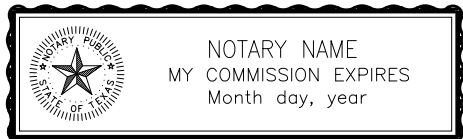
OWNER: HIDALGO COUNTY HEADSTART PROGRAM
1901 W SH 107
MCALLEN, TEXAS 78504

STATE OF TEXAS COUNTY OF HIDALGO

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE _____ DAY OF _____ 2022

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



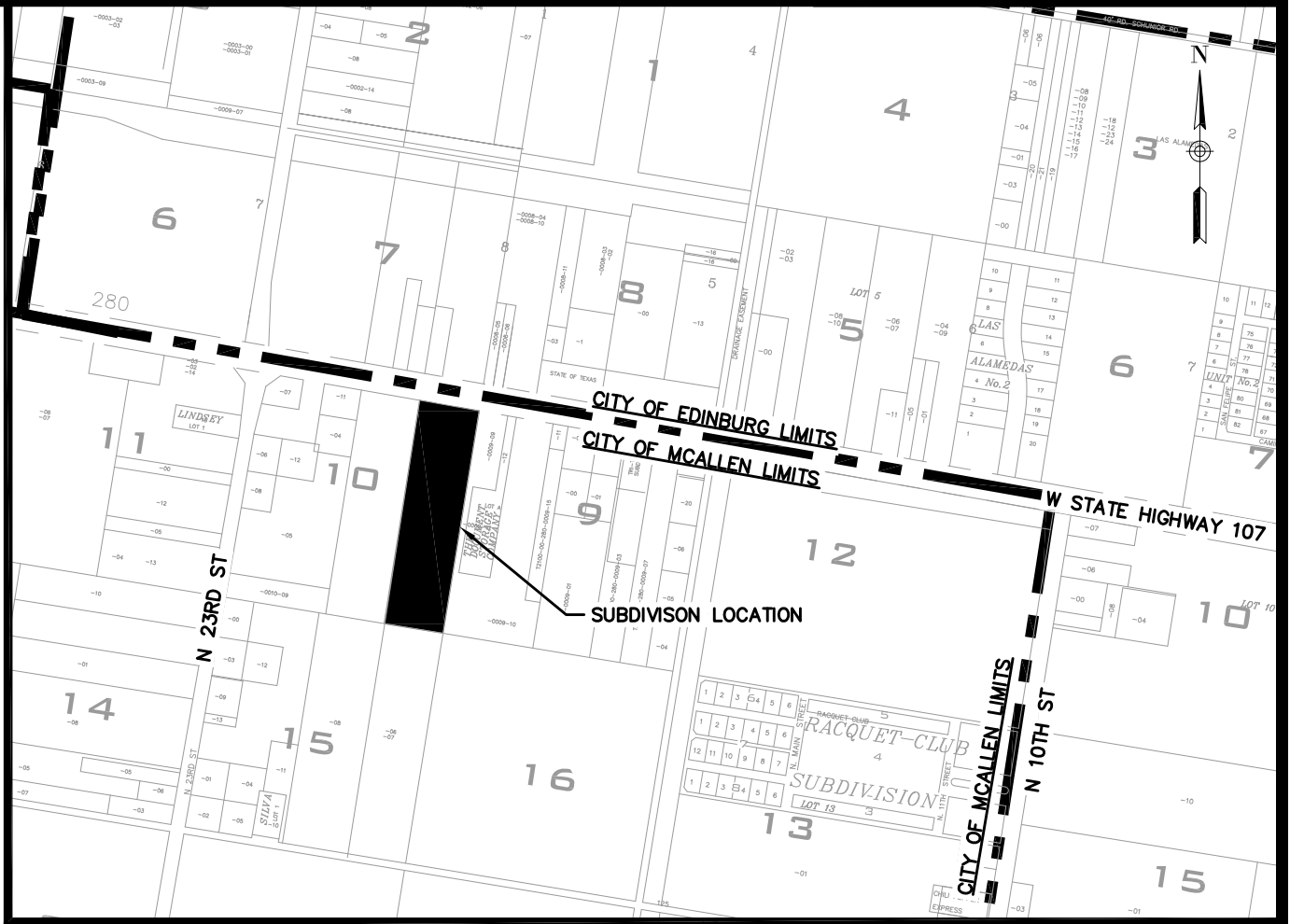
SCALE: 1"=100'
BASIS OF BEARING
TEXAS STATE PLANE
COORDINATES NAD 83
TEXAS SOUTH ZONE (4205)
WESTERN DATA SYSTEMS NETWORK

LEGEND:

- -1/2-INCH FOUND IRON ROD OR AS NOTED
- -1/2-INCH SET IRON ROD WITH CAP STAMPED "HC"
- ⊗ -1/2-INCH FOUND IRON PIPE
- -1.00-INCH FOUND IRON PIPE
- △ -FOUND COTTON PICKER SPINDLE

ABBREVIATION LEGEND:

M.R.H.C.T.-MAP RECORDS HIDALGO COUNTY TEXAS
D.R.H.C.T.-DEED RECORDS HIDALGO COUNTY TEXAS
O.R.H.C.T.-OFFICIAL RECORDS HIDALGO COUNTY TEXAS
VOL.-VOLUME
PG.-PAGE
S.F.-SQUARE FEET
U.E.-UTILITY EASEMENT
R.O.W.-RIGHT-OF-WAY
P.O.B.-POINT OF BEGINNING
P.O.C.-POINT OF COMMENCING
N.E.C.-NORTH EAST CORNER
T.B.M.-TEMPORARY BENCHMARK



LOCATION MAP

SCALE: 1"=1000'

LOCATION OF SUBDIVISION
H.C. HEAD START OUTDOOR LEARNING ENVIRONMENTS AND DISCOVERY CLASSROOMS
SUBDIVISION IS LOCATED ON THE SOUTH SIDE OF HWY 107 AND APPROXIMATELY 1/2 OF MILE EAST OF N. 23RD ST. THE SUBDIVISION LIES INSIDE CITY OF MCALLEN LIMITS ACCORDING TO THE OFFICIAL MAP IN THE OFFICE OF THE SECRETARY OF THE CITY OF MCALLEN (POPULATION 142,210), AND LIES IN PCT. NO. 4.

STATE OF TEXAS CITY OF MCALLEN

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

MAYOR _____

DATE _____

STATE OF TEXAS CITY OF MCALLEN

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 THIS CITY WHEREIN MY APPROVAL IS REQUIRED.

CHAIRMAN,
PLANNING AND ZONING COMMISSION

DATE _____



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

ON: _____ AT _____ AM/PM

INSTRUMENT NUMBER
OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS

BY: _____ DEPUTY

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 OF THE SUBDIVISION AND HIS ENGINEER TO MAKE THEIR DETERMINATIONS.

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

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

DATE _____

STATE OF TEXAS COUNTY OF HIDALGO

I, "SURVEYOR NAME" THE UNDERSIGNED 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 OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

SURVEYOR NAME
REG. PROFESSIONAL LAND SURVEYOR #1234

DATE _____



YVETTE BARRERA, P.E.
REG. PROFESSIONAL ENGINEER #94703

DATE _____



HIDALGO COUNTY DRAINAGE DISTRICT No. 1

902 N. DOOLITTLE RD
EDINBURG TX. 78542

TEL:(956) 292-7080
www.hcdd1.org

PROJECT NO.
H.C. HEAD START OUTDOOR LEARNING ENVIRONMENT
AND DISCOVERY CLASSROOMS SUBDIVISION
E-21-023

DRAWN BY: F.A.	REVISIONS:
CHECKED BY: Y.B./G.A./R.S.	
TOPO BY: E-21-023	
SHEET: SHEET NO. 1 OF 5 SHEETS	



City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 9/2/2022

SUBDIVISION NAME: HIDALGO COUNTY HEADSTART

REQUIREMENTS

STREETS AND RIGHT-OF-WAYS

State Highway 107: Plat shows existing 172 ft. of total ROW.

Paving: By the state Curb & gutter: By the state

*Please show centerline on plat prior to recording.

**Show existing ROW on both sides of centerline prior to recording.

***Please provide on plat how existing 172 ft. of ROW was dedicated, prior to recording.

****Please provide a copy of any referenced document regarding existing ROW.

*****City of McAllen Thoroughfare Plan requires 150 ft. of total ROW however there is 172 ft. of existing ROW.

N/S Quarter Mile Collector (east boundary):dedication as needed for 60 ft. total ROW

Paving: 40 ft. Curb & gutter: Both sides

*Recorded subdivision to the East dedicated for future N/S collector.

**Street alignment and ROW being reviewed and plat would need to be revised accordingly.

As of August 11,2022,Engineer has submitted Variance request letter in regards to ROW

dedication for both N/S collector and E/W collector, request is under reviewed by staff.

***Please provide ownership map to verify that no landlocked properties exist or will be created.

*****Staff reviewed N/S collector and E/W collector alignment, and there is no need for the streets.

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

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

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

Paving: 40 ft. Curb & gutter: Both sides

*Street alignment and R.O.W being reviewed and plat would need to be revised accordingly.

As of August 11,2022,Engineer has submitted Variance request letter in regards to ROW

dedication for both N/S collector and E/W collector, request is under reviewed by staff.

**Please provide ownership map to verify that no landlocked properties exist or will be created.

*****Staff reviewed N/S collector and E/W collector alignment, and there is no need for the streets.

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

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

*****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

Applied

Applied

Applied

Compliance

NA

NA

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

ALLEYS	
ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties **As per meeting with staff on August 19,2022 , Hidalgo County development team to provide plat note as shown prior to recording, "A minimum 24 ft. private service drive easement will be established as part of the site plan and will be maintained by the lot owners and not the city of McAllen." ***Subdivision Ordinance: Section 134-106	Applied
SETBACKS	
* Front : In accordance with zoning ordinance, or greater for easements or approved site plan, or in line with average setback, whichever is greater applies. ****Zoning Ordinance: Section 138-356	Applied
* Rear: In accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. ***Revise note as shown above, prior to recording. **Zoning Ordinance: Section 138-356	Required
* Sides: In accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. ***Revise note as shown above, prior to recording. **Zoning Ordinance: Section 138-356	Required
* Corner: *Interior lot, not applicable **Please remove plat note since collector streets are not required. ***Zoning Ordinance: Section 138-356	NA
* Garage: Proposed Commercial Development. **Zoning Ordinance: Section 138-356	NA
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
SIDEWALKS	
* 5 ft. wide minimum sidewalk required along State Highway 107. **Revise note as shown above, prior to recording.(Remove reference to ADA ramps.) ***Additional sidewalks may be required along collector streets once ROW requirements have been finalized. *****Subdivision Ordinance: Section 134-120	Required
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Required
BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. **Landscaping Ordinance: Section 110-46	Applied
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. ***Landscaping Ordinance: Section 110-46	Applied
*Perimeter buffers must be built at time of Subdivision Improvements.	Required
NOTES	
*Must comply with City Access Management Policy **As per Traffic Department any new access would require a variance request.	Required

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

<p>* Site plan must be approved by the Planning and Development Departments prior to building permit issuance. **As of July 22,2022 a site plan has been submitted for staff review, any changes to approved site plan for conditional use permit may require amending of such permit.</p> <p>* Common Areas, any private drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. **Plat note as needed-finalize wording prior to recording.</p> <p>* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.</p> <p>* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. **Section 134-168 applies if private subdivision is proposed. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168</p> <p>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. **Section 134-168 applies if private subdivision is proposed. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168</p>	Applied
	Required
	Applied
	NA
	NA
LOT REQUIREMENTS	
<p>* Lots fronting public streets. **Subdivision Ordinance: Section 134-1</p> <p>* Minimum lot width and lot area. **Zoning Ordinance: Section 138-356</p>	Applied
	Compliance
ZONING/CUP	
<p>* Existing: C3-General Business District and C4-Commercial Industrial District Proposed: Commercial **A conditional use permit (CUP)is required for a institutional use; if an existing CUP exists amending of the permit will be required as applicable. At the City Commission meeting of August 22,2022 the Board approved a Conditional Use Permit for Life of Use for a Institutional use at the subject property . ***Zoning Ordinance: Article V</p> <p>* Rezoning Needed Before Final Approval ***Zoning Ordinance: Article V</p>	Completed
	NA
PARKS	
<p>* Land dedication in lieu of fee. As per Parks Department, Commercial/institutional developments do not apply to Parks.</p> <p>* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, Commercial/institutional developments do not apply to Parks.</p> <p>* Pending review by City Manager's Office. As per Parks Department, Commercial/institutional developments do not apply to Parks.</p>	NA
	NA
	NA
TRAFFIC	
<p>* As per Traffic Department, Trip Generation approved no TIA required.</p> <p>* Traffic Impact Analysis (TIA) required prior to final plat. ** As per Traffic Department, Trip Generation approved no TIA required.</p>	Completed
	NA

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

COMMENTS	
<p>Comments:</p> <p>*Must comply with City's Access Management Policy.</p> <p>**A conditional use permit (CUP) is required for a institutional use; if an existing CUP exists amending of the permit will be required as applicable. At the City Commission meeting of August 22, 2022 the Board approved a Conditional Use Permit for Life of Use for a Institutional use at the subject property .</p> <p>***Site plan must be approved by the Planning and Development Departments prior to building permit issuance. As of July 22, 2022 a site plan has been submitted for staff review, any changes to approved site plan for conditional use permit may require amending of such permit.</p> <p>****Subdivision was approved in Preliminary form at the Planning and Zoning commission meeting of May 17th, 2022.</p>	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM SUBJECT TO CONDITIONS NOTED.	Applied



LOCATION

S.H. 107



280

23RD ST (FM 1926)

EAGLE AUTO PLAZA SUBDIVISION

PHASE II

PROPOSED HILLCO COUNTY FIELD STATION

THE DOCUMENT STORAGE COMPANY SUBDIVISION

HOEHN RD

BICENTENNIAL BLVD

S.H. 1

23RD ST (FM 1926)

SPRAGUE RD

MAIN ST

RACQUET CLUB S

13

SUB2022-0093



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

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

Project Description	Subdivision Name <u>FORTIS PLAZA LAS FUENTES</u> Location _____ City Address or Block Number <u>5700 N. 10th ST</u> Number of lots <u>1</u> Gross acres <u>1.45</u> Net acres <u>N/A</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>3</u> Residential Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Commercial Replat Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> ETJ Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Agricultural Tax Exempt Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Estimated Rollback tax due <u>\$</u> Parcel No. <u>726295</u> Tax Dept. Review <u>MRB</u> Legal Description <u>BLOCK 1 - BEING A 1.70 ACRES OUT OF LOT A1 AND LOT 1B, PLAZA LAS FUENTES, AS PER MAP RECORDED IN VOLUME 55, PG 105, MAP RECORDS OF HIDALGO COUNTY, TEXAS.</u> <u>BLOCK 2 - BEING A 14.92 ACRES OUT OF LOT A1 AND LOT 1B, PLAZA LAS FUENTES, AS PER MAP RECORDED IN VOLUME 55, PG 105, MAP RECORDS OF HIDALGO COUNTY, TEXAS.</u>	
	Owner	Name <u>FORTIS LAND HOLDINGS, LLC AND EL PISTALON LLP</u> Phone <u>(956) 682-4775</u> Address <u>5111 N. 10TH STREET #324</u> City <u>McALLEN</u> State <u>TX</u> Zip <u>78504</u> E-mail <u>OMAR@OGBUILD.COM</u>
		Developer
	Engineer	
		Surveyor

ENTERED

AUG 15 2022

Initial: AM

Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

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

PLAT TO SHOW:

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

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

Owner's Signature

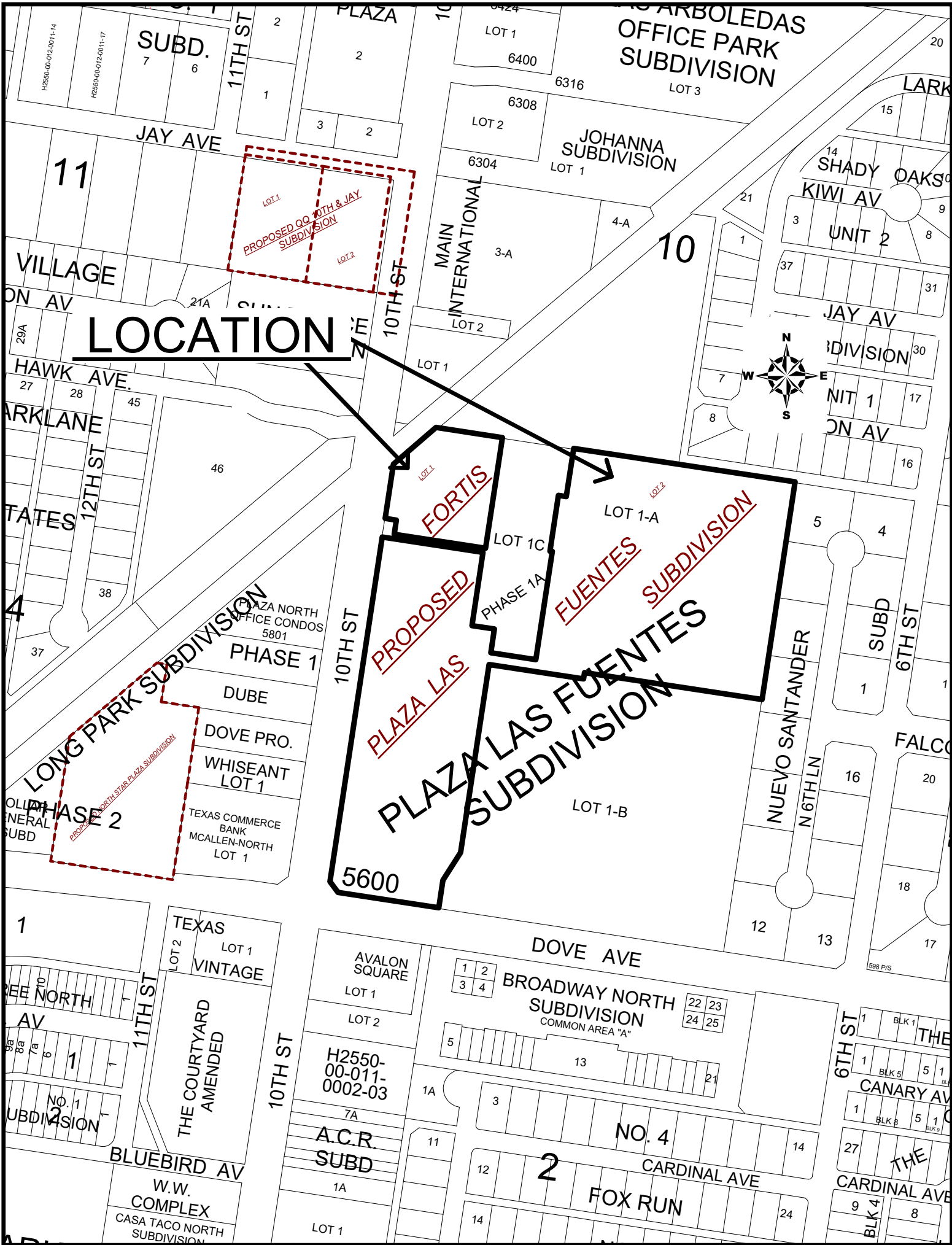
I certify that I am the actual owner of the property described above and (include corporate name if applicable); or I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

Signature _____ Date 8/12/22

Print Name Ivan Garcia P.E., R.P.L.S.

Owner ☐

Authorized Agent ☒



LOCATION

FORTIS

FUENTES

**PROPOSED
PLAZA LAS**

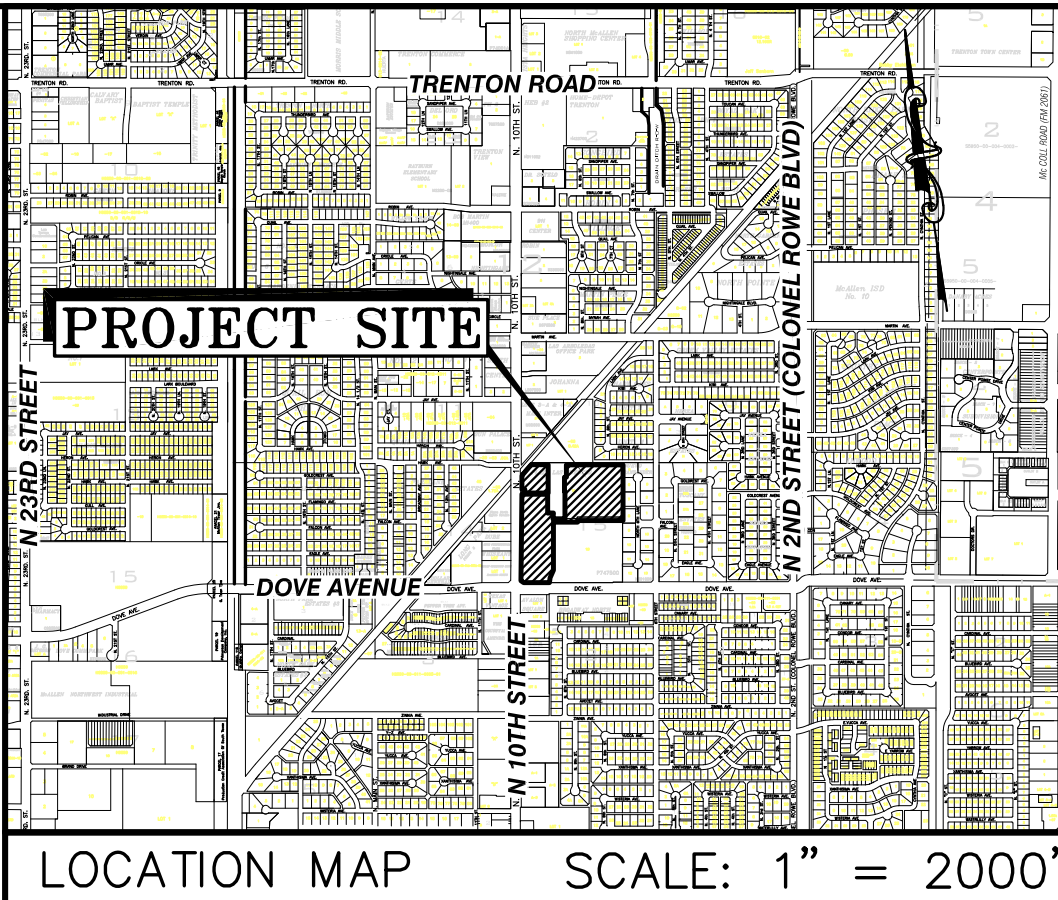
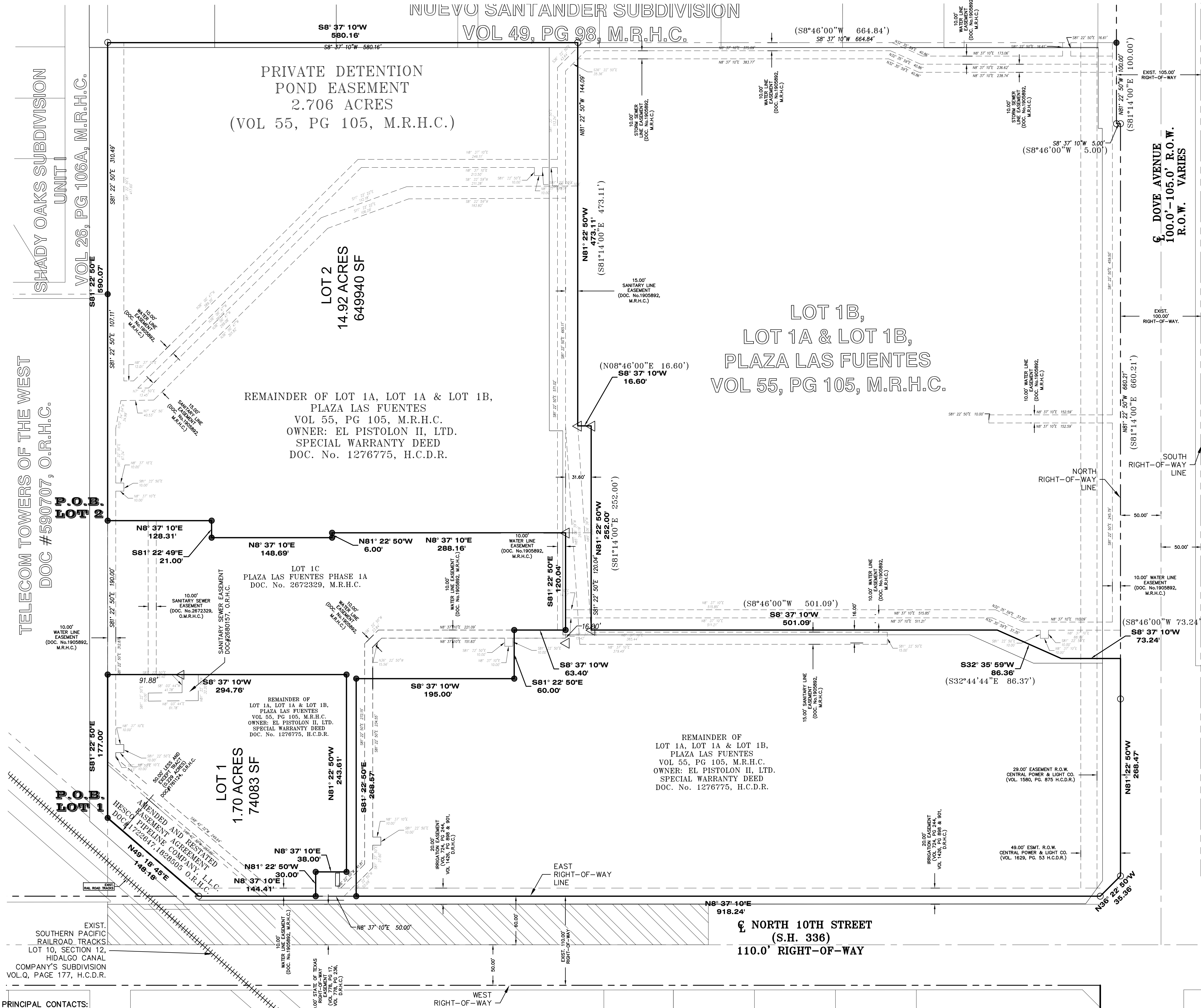
**PLAZA LAS FUENTES
SUBDIVISION**

**PROPOSED 0.011-0002-03
SUBDIVISION**

FORTIS PLAZA LAS FUENTES SUBDIVISION

BLOCK 1 - BEING A 1.70 ACRES OUT OF LOT A1 AND LOT 1B, PLAZA LAS FUENTES, AS PER MAP RECORDED IN VOLUME 55, PG 105, MAP RECORDS OF HIDALGO COUNTY, TEXAS.

BLOCK 2 - BEING A 14.92 ACRES OUT OF LOT A1 AND LOT 1B, PLAZA LAS FUENTES, AS PER MAP RECORDED IN VOLUME 55, PG 105, MAP RECORDS OF HIDALGO COUNTY, TEXAS.

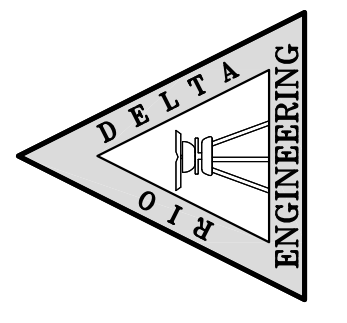


SCALE: 1" = 60'
BEARING BASIS
TX STATE PLANE
COORDINATES NAD 83
TEXAS SOUTH ZONE (4205)
WESTERN DATA
SYSTEMS NETWORK

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

LEGEND	
○	- CAPPED 1/2" IRON ROD SET
△	- COTTON-PICKER-SPINDLE SET
●	- IRON ROD FOUND
△	- COTTON-PICKER-SPINDLE SET
(XXXX)	- PLAT CALL VOL 55, PG 105, M.R.H.C.
XXXX	- MEASURED
P.O.B.	- POINT OF BEGINNING
P.O.C.	- POINT OF COMMENCING
X	- "X" IN CONCRETE

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

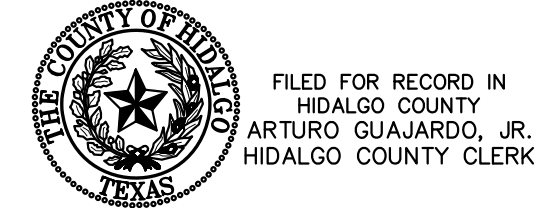


THIS DOCUMENT IS
RELEASED FOR THE
PURPOSE OF INTERIM
REVIEW UNDER THE
AUTHORITY OF
IVAN GARCIA,
P.E. 115662 ON
AUGUST 11, 2022
IT IS NOT TO BE
USED FOR CONSTRUCTION,
BIDDING OR PERMIT
PURPOSES.

ISSUED FOR:
PRELIMINARY

PLAT SHEET
FORTIS PLAZA LAS FUENTES SUBDIVISION
CITY OF MCALLEN
HIDALGO COUNTY, TEXAS

PROJECT :
ENGINEER:
VAN GARCIA P.E., R.P.L.S.
SURVEYOR:
VAN GARCIA P.E., R.P.L.S.
CHECKED:
VAN GARCIA P.E., R.P.L.S.
DRAWN:
EDWIN PENA
SCALE:
1"=60'
DATE:
JULY 29, 2022
PROJECT:
SUB 22 032
REVISIONS:
PAGE NO.
SHT 1



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

NAME	ADDRESS	PHONE & FAX
OWNER(S): FORTIS LAND HOLDINGS, LLC AND EL PISTOLON, LLP	5111 N. 10TH STREET #324	MCALLEN, TX. 78504
SURVEYOR: IVAN GARCIA	P.E. R.P.L.S. 921 S. 10TH AVENUE	EDINBURG, TX. 78539 (956) 380-5152 (956) 380-5083
ENGINEER: IVAN GARCIA	P.E. R.P.L.S. 921 S. 10TH AVENUE	EDINBURG, TX. 78539 (956) 380-5152 (956) 380-5083

Y: RDE SUBDIVISIONS 2022 SUB 22 032 - OG SPROUTS SURVEY.DWG SUB 22 032 -XR_IVAN BOUNDARY BASE 8-8-22.dwg RIODelta 8/12/2022 12:01 PM

FORTIS PLAZA LAS FUENTES SUBDIVISION

BLOCK 1 — BEING A 1.70 ACRES OUT OF LOT A1 AND LOT 1B, PLAZA LAS FUENTES, AS PER MAP RECORDED IN VOLUME 55, PG 105, MAP RECORDS OF HIDALGO COUNTY, TEXAS.

BLOCK 2 — BEING A 14.92 ACRES OUT OF LOT A1 AND LOT 1B, PLAZA LAS FUENTES, AS PER MAP RECORDED IN VOLUME 55, PG 105, MAP RECORDS OF HIDALGO COUNTY, TEXAS.

OWNER'S ACKNOWLEDGMENT STATE OF TEXAS COUNTY OF HIDALGO

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

OMAR GARCIA, MANAGER
FORTIS LAND HOLDING, LLC
5111 N. 10TH ST. #324
MCALLEN, TEXAS 78504

DATE

RAMON GARCIA, MANAGER
EL PISTALON, LLP
222 W. UNIVERSITY DR.
EDINBURG, TEXAS 78539

DATE

STATE OF TEXAS COUNTY OF HIDALGO

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 2022.

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

STATE OF TEXAS COUNTY OF HIDALGO

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 2022.

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

STATE OF TEXAS COUNTY OF HIDALGO MAYOR'S CERTIFICATE

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

CITY MAYOR DATE

HIDALGO COUNTY WATER IMPROVEMENT DISTRICT NO. 3

THIS PLAT IS HEREBY APPROVED BY THE HIDALGO COUNTY WATER IMPROVEMENT DISTRICT NO. 3
ON THIS THE _____ DAY OF _____, 20_____.

NO IMPROVEMENTS OF ANY KIND (INCLUDING WITHOUT LIMITATION TREES, FENCES AND BUILDINGS) SHALL BE PLACED UPON HIDALGO COUNTY WATER IMPROVEMENT DISTRICT NO. 3 RIGHT OF WAYS OR EASEMENTS. APPROVAL OF THIS PLAT DOES NOT CONSTITUTE A CONVEYANCE, WAIVER, OR ABANDONMENT OF ANY PROPERTY INTEREST HELD BY THE DISTRICT IN THE PROPERTY SHOWN ON THE PLAT; OR THE ACCEPTANCE OR APPROVAL OF THE ACCURACY OF ANY STATEMENT, DIMENSION OR DESCRIPTION SHOWN ON THE PLAT.

O.E. BRAND JR., PRESIDENT

MARK FREELAND, SECRETARY

STATE OF TEXAS — COUNTY OF HIDALGO

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

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



METES AND BOUNDS DESCRIPTION:

BLOCK 1

BEING A 1.70 ACRES TRACT OF LAND, MORE OR LESS, OUT OF LOT 1A OF "LOT 1A & 1B, PLAZA LAS FUENTES", AS PER THE MAP OR PLAT THEREOF RECORDED IN DOCUMENT NO. 1908992, MAP RECORDS OF HIDALGO COUNTY, TEXAS, SAID 1.70 ACRES TRACT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON ROD FOUND ON THE MOST NORTHERLY NORTHWEST CORNER OF SAID LOT 1A, FOR THE MOST NORTHERLY NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT AND THE **POINT OF BEGINNING**;

THENCE S 81°22'50" E ALONG THE NORTH LINE OF SAID LOT 1A, A DISTANCE OF 177.00 FEET TO A 1/2 INCH IRON ROD FOUND AT THE NORTHWEST CORNER OF LOT 1C OF PLAZA LAS FUENTES PHASE 1A, RECORDED IN DOCUMENT NO. 207235, MAP RECORDS OF HIDALGO COUNTY, TEXAS, FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 8°37'10" W ACROSS THE SAID LOT 1A, SAME BEING ALONG THE WEST BOUNDARY LINE OF THE SAID LOT 1C OF PLAZA LAS FUENTES PHASE 1A, A DISTANCE OF 294.76 FEET TO A 1/2 INCH IRON ROD FOUND, A CORNER OF THE SAID LOT 1C OF PLAZA LAS FUENTES PHASE 1A, FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 81°22'50" W ACROSS THE SAID LOT 1A, SAME BEING ALONG THE BOUNDARY LINE OF THE SAID LOT 1C OF PLAZA LAS FUENTES PHASE 1A, A DISTANCE OF 243.91 FEET TO A 1/2 INCH IRON ROD FOUND, A CORNER OF THE SAID LOT 1C OF PLAZA LAS FUENTES PHASE 1A, FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 8°37'10" E ACROSS THE SAID LOT 1A, SAME BEING ALONG THE BOUNDARY LINE OF THE SAID LOT 1C OF PLAZA LAS FUENTES PHASE 1A, A DISTANCE OF 30.00 FEET TO A 1/2 INCH IRON ROD FOUND, A CORNER OF THE SAID LOT 1C OF PLAZA LAS FUENTES PHASE 1A, FOR THE MOST SOUTHERLY SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 81°22'50" W ACROSS THE SAID LOT 1A, SAME BEING ALONG THE BOUNDARY LINE OF THE SAID LOT 1C OF PLAZA LAS FUENTES PHASE 1A, A DISTANCE OF 30.00 FEET TO A 1/2 INCH IRON ROD FOUND, A CORNER OF THE SAID LOT 1C OF PLAZA LAS FUENTES PHASE 1A, SAME BEING A POINT ON THE EAST RIGHT OF WAY LINE OF N. 10TH STREET (S.H. 330) STREET (S.H. 330), FOR THE MOST WESTERLY SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 8°37'10" E ALONG THE EAST RIGHT OF WAY LINE OF N. 10TH STREET (S.H. 330), A DISTANCE OF 144.41 FEET TO A CALCULATED POINT ON THE INTERSECTION BETWEEN THE EAST RIGHT-OF-WAY OF N. 10TH STREET (S.H. 330) AND A CALLED 0.33 ACRE TRACT CONVEYED TO SAN ANTONIO AND ARANSAS PASS RAILROAD COMPANY, RECORDED IN VOLUME 278, PAGE 151, DEED RECORDS OF HIDALGO COUNTY, TEXAS, SAME POINT BEING THE MOST WESTERLY NORTHWEST CORNER OF THE SAID LOT 1A, FOR THE MOST WESTERLY NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 49°18'45" E ALONG THE NORTH BOUNDARY LINE FO THE SAID LOT 1A, SAME BEING ALONG THE SOUTHERLY LINE OF THE SAID 0.33 ACRE SAN ANTONIO AND ARANSAS PASS RAILROAD COMPANY TRACT, A DISTANCE OF 148.18 FEET THE **POINT OF BEGINNING, SAID TRACT CONTAINING 1.70 ACRES OF LAND MORE OR LESS.**

BLOCK 2

BEING A 14.92 ACRE TRACT OF LAND, MORE OR LESS, CARVED OUT OF LOT 1A, LOT1A & 1B, PLAZA LAS FUENTES, AN ADDITION TO THE CITY OF MCALLEN, HIDALGO COUNTY, TEXAS, AS PER THE MAP OR PLAT THEREOF RECORDED IN DOCUMENT NO. 1908992, RECORDS OF COUNTY CLERK, HIDALGO COUNTY, TEXAS, SAID 6.47 ACRE TRACT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 1/2 INCH IRON ROD FOUND ON THE MOST NORTHERLY NORTHWEST CORNER OF SAID LOT 1A;

THENCE S 81°22'50" E ALONG THE NORTH LINE OF SAID LOT 1A, PASSING AT 177.00 FEET A 1/2-INCH IRON ROD FOUND AT THE NORTHWEST CORNER OF LOT 1C OF PLAZA LAS FUENTES PHASE 1A, RECORDED IN DOCUMENT NO. 207235, MAP RECORDS OF HIDALGO COUNTY, TEXAS, AND CONTINUING FOR A TOTAL DISTANCE OF 307.00 FEET TO A 1/2-INCH IRON ROD FOUND AT THE NORTHEAST CORNER OF THE SAID LOT 1C OF PLAZA LAS FUENTES PHASE 1A, FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT AND THE **POINT OF BEGINNING**;

THENCE S 81°22'50" E ALONG THE NORTH LINE OF SAID LOT 1A, PASSING AT 279.58 FEET A 1/2-INCH IRON ROD FOUND AT THE SOUTHWEST CORNER OF SHADY OAKS SUBDIVISION UNIT 1, RECORDED IN VOLUME 26, PAGE 106A, MAP RECORDS OF HIDALGO COUNTY, TEXAS, AND CONTINUING FOR A TOTAL DISTANCE OF 560.07 FEET TO A 1/2-INCH CAPPED IRON ROD SET AT THE NORTHWEST CORNER OF NUEVO SANTANDER SUBDIVISION, RECORDED IN VOLUME 49, PAGE 98, MAP RECORDS OF HIDALGO COUNTY, TEXAS, SAME POINT BEING THE NORTHEAST CORNER OF THE SAID LOT 1A, FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 8°37'10" W ALONG THE EAST LINE OF SAID LOT 1A, A DISTANCE OF 580.18 FEET TO A 1/2-INCH CAPPED IRON ROD SET, THE NORTHEAST CORNER OF LOT 1B OF THE SAID "LOT 1A & 1B, PLAZA LAS FUENTES", FOR THE MOST EASTERLY SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 81°22'50" W ALONG THE NORTH LINE OF SAID LOT 1B, A DISTANCE OF 473.11 FEET TO A COTTON-PICKER-SPINDLE SET, A CORNER OF THE SAID LOT 1B, FOR A CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 8°37'10" W ALONG THE BOUNDARY LINE OF SAID LOT 1B, A DISTANCE OF 16.60 FEET TO A COTTON-PICKER-SPINDLE SET, A CORNER OF THE SAID LOT 1B, FOR A CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 81°22'50" W ALONG THE BOUNDARY LINE OF SAID LOT 1B, A DISTANCE OF 252.00 FEET TO A COTTON-PICKER-SPINDLE SET, A CORNER OF THE SAID LOT 1B, FOR A CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE ACROSS SAID LOT 1A, LOT1A & 1B, PLAZA LAS FUENTES, THE FOLLOWING COURSES:

S 8°37'10" W 501.09 FEET TO A CAPPED 1/2 INCH IRON ROD SET;

S 32°35'59" W 86.36 FEET TO A CAPPED 1/2 INCH IRON ROD SET;

S 8°37'10" W 46.64 FEET TO A CAPPED 1/2 INCH IRON ROD SET;

N 81°22'50" W 34.00 FEET TO A CAPPED 1/2 INCH IRON ROD SET;

THENCE CONTINUING ACROSS SAID LOT 1A, LOT1A & 1B, PLAZA LAS FUENTES, TO A POINT ON THE NORTH RIGHT OF WAY LINE OF DOVE AVENUE, A DISTANCE OF 30.00 FEET TO A 1/2 -INCH CAPPED IRON ROD SET, FOR SOUTH MOST SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 81°22'50" W CONTINUING ALONG THE NORTH RIGHT OF WAY LINE OF THE SAID DOVE AVENUE, TO A POINT ON THE NORTH RIGHT OF WAY OF DOVE AVENUE, A DISTANCE OF 218.47 FEET TO A 1/2 -INCH CAPPED IRON ROD SET, FOR A CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 36°22'50" W CONTINUING ALONG THE NORTH RIGHT OF WAY LINE OF THE SAID DOVE AVENUE, TO A POINT ON THE EAST RIGHT OF WAY OF NORTH 10TH STREET, A DISTANCE OF 35.36 FEET TO A 1/2 -INCH CAPPED IRON ROD SET, FOR A CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 8°37'10" E ALONG THE EAST RIGHT OF WAY OF NORTH 10TH STREET, A DISTANCE OF 918.24 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF 10TH STREET FOR A CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 81°22'50" E CONTINUING ALONG THE BOUNDARY LINE OF THE SAID LOT 1C, A DISTANCE OF 266.57 FEET TO A 1/2 INCH IRON ROD FOUND A CORNER OF LOT 1C, FOR A CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 8°37'10" W CONTINUING ALONG THE BOUNDARY LINE OF THE SAID LOT 1C, A DISTANCE OF 195.00 FEET TO A 1/2 INCH IRON ROD FOUND A CORNER OF LOT 1C, FOR A CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 81°22'50" E CONTINUING ALONG THE BOUNDARY LINE OF THE SAID LOT 1C, A DISTANCE OF 60.00 FEET TO A 1/2 INCH IRON ROD FOUND A CORNER OF LOT 1C, FOR A CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 8°37'10" W CONTINUING ALONG THE BOUNDARY LINE OF THE SAID LOT 1C, A DISTANCE OF 63.40 FEET TO A 1/2 INCH IRON ROD FOUND A CORNER OF LOT 1C, FOR A CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 81°22'50" E ACROSS THE SAID LOT 1A, PASSING AT 16.00 FEET A 1/2-INCH IRON ROD FOUND AT THE MOST SOUTHERLY SOUTHWEST CORNER OF THE SAID LOT 1C OF PLAZA LAS FUENTES PHASE 1A, AND CONTINUING FOR A TOTAL DISTANCE OF 138.04 FEET TO A COTTON-PICKER-SPINDLE SET, THE SOUTHEAST CORNER OF THE SAID LOT 1C OF PLAZA LAS FUENTES PHASE 1A, FOR A CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 8°37'10" E ALONG THE EAST BOUNDARY LINE OF THE SAID LOT 1C OF PLAZA LAS FUENTES PHASE 1A, A DISTANCE OF 288.16 FEET TO A COTTON-PICKER-SPINDLE SET, A CORNER OF THE SAID LOT 1C OF PLAZA LAS FUENTES PHASE 1A, FOR A CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 81°22'50" W ALONG THE EAST BOUNDARY LINE OF THE SAID LOT 1C OF PLAZA LAS FUENTES PHASE 1A, A DISTANCE OF 6.00 FEET TO A COTTON-PICKER-SPINDLE SET, A CORNER OF THE SAID LOT 1C OF PLAZA LAS FUENTES PHASE 1A, FOR A CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 8°37'10" E ALONG THE EAST BOUNDARY LINE OF THE SAID LOT 1C OF PLAZA LAS FUENTES PHASE 1A, A DISTANCE OF 148.69 FEET TO A COTTON-PICKER-SPINDLE SET, A CORNER OF THE SAID LOT 1C OF PLAZA LAS FUENTES PHASE 1A, FOR A CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 81°22'49" W ALONG THE EAST BOUNDARY LINE OF THE SAID LOT 1C OF PLAZA LAS FUENTES PHASE 1A, A DISTANCE OF 21.00 FEET TO A COTTON-PICKER-SPINDLE SET, A CORNER OF THE SAID LOT 1C OF PLAZA LAS FUENTES PHASE 1A, FOR A CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 8°37'10" E ALONG THE EAST BOUNDARY LINE OF THE SAID LOT 1C OF PLAZA LAS FUENTES PHASE 1A, A DISTANCE OF 126.31 FEET TO THE **POINT OF BEGINNING, SAID TRACT CONTAINING 14.92 ACRES OF LAND MORE OR LESS.**

GENERAL PLAT NOTES:

1. MINIMUM PERMISSIBLE FINISHED FLOOR ELEVATION SHALL BE 18" ABOVE TOP OF CURB IN FRONT OF THE CENTER-POINT OF THE LOT.

2. MINIMUM BUILDING SETBACKS SHALL BE AS FOLLOWS:

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

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

SIDES: IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER FOR EASEMENTS OR APPROVED SITE PLAN.

3. THE SUBDIVISION IS IN ZONE "X", AREAS OF 500-YEAR FLOOD; AREAS OF 100-YEAR FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 100-YEAR FLOOD, MAP COMMUNITY PANELS NO.: 480334 0325 D MAP REVISED: JUNE 6, 1982.

4. A DRAINAGE DETENTION OF ~~XX.XXX~~ CF OR ~~XXX~~ ACRE FEET IS REQUIRED FOR LOT 1 AND LOT 2. DETENTION SHALL COMPLY WITH MASTER DRAINAGE PLAN. THE CITY OF MCALLEN WILL NOT MAINTAIN DETENTION AREA.

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

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

7. THE CITY OF MCALLEN TO HAVE A 25'x25' CORNER CLIP EASEMENT AT STREET INTERSECTIONS MEASURED FROM STREET CURB INTERSECTION.

8. 4 FT. WIDE MINIMUM SIDEWALK REQUIRED ALONG NORTH 23RD STREET & 4 FT. WIDE MINIMUM SIDEWALK REQUIRED ALONG OXFORD AVENUE.

9. CITY OF MCALLEN BENCHMARK (MC58-1) SET BY ARANDA & ASSOC. 30" ALUMINUM PIPE WITH A 3-1/4" BRASS MONUMENT CAP ON TOP LOCATED AT THE NORTH BOUND OF N WARE RD. CLOSE TO BUDDY OWENS BLVD. NAVD 88

10. 8 FT. MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONES/USES AND ALONG NORTH PROPERTY LINE.

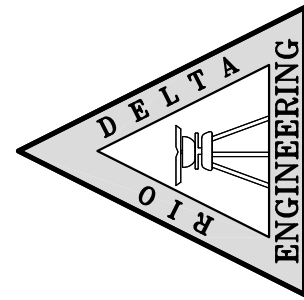
11. 6 FT. OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, AND INDUSTRIAL ZONES/USES AND ALONG NORTH WARE ROAD, PRIMROSE AVENUE, AND NORTH 34TH STREET AS MAY BE APPLICABLE.

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

13. A PRIVATE SERVICE DRIVE EASEMENT WILL BE ESTABLISHED AS PART OF THE SITE PLAN AND WILL BE MAINTAINED BY THE LOT OWNER AND NOT THE CITY OF MCALLEN.

RIO DELTA ENGINEERING

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



THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW UNDER THE AUTHORITY OF IVAN GARCIA, P.E. 115662 ON AUGUST 11, 2022. IT IS NOT TO BE USED FOR CONSTRUCTION, BIDDING OR PERMIT PURPOSES.

ISSUED FOR:
PRELIMINARY

PLAT SHEET
FORTIS PLAZA LAS FUENTES SUBDIVISION
CITY OF MCALLEN
HIDALGO COUNTY, TEXAS

PROJECT :

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

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

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

DRAWN:
EDWIN PENA

SCALE:
AS SHOWN

DATE:
AUGUST 11, 2022

PROJECT:
SUB 22.032

REVISIONS:
PAGE NO.

SHT 2 OF 2

PRINCIPAL CONTACTS:

NAME	ADDRESS	PHONE & FAX
OWNER(S): FORTIS LAND HOLDINGS, LLC AND EL PISTALON LLP	5111 N. 10TH ST. #324 MCALLEN, TX. 78504	
SURVEYOR: IVAN GARCIA P.E. R.P.L.S.	921 S. 10TH AVENUE EDINBURG, TX. 78539	(956) 380-5152 (956) 380-5083
ENGINEER: IVAN GARCIA P.E. R.P.L.S.	921 S. 10TH AVENUE EDINBURG, TX. 78539	(956) 380-5152 (956) 380-5083



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

ON: _____ AT: _____ AM/PM

INSTRUMENT NUMBER _____

PROJECT: _____

BY: _____ DEPUTY



City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 9/1/2022

SUBDIVISION NAME: FORTIS PLAZA LAS FUENTES

REQUIREMENTS

STREETS AND RIGHT-OF-WAYS

N. 10th Street: 60 ft. ROW existing from centerline for 120 ft. ROW
Paving: by the state Curb & gutter: by the state
****Provide Document number regarding existing ROW dedication on both sides of centerline prior to final
**Subdivision Ordinance: Section 134-105
**Monies must be escrowed if improvements are required prior to final
**COM Thoroughfare Plan

Non-compliance

Dove Avenue: Dedication required for 75 ft. ROW from centerline for 150 ft. ROW
Paving: 65 ft. Curb & gutter: both sides
***The Foresight Comprehensive Map calls Dove Avenue to be 75 ft. from centerline for 150 ft. total ROW
****Initial plat submittal demonstrates existing 100 ft. ROW with no additional dedication
****Provide Document number regarding existing ROW dedication on both sides of centerline prior to final
****ROW requirement 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 required prior to final
**COM Thoroughfare Plan

Non-compliance

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

Applied

* 1,200 ft. Block Length _____
**Subdivision Ordinance: Section 134-118
* 900 ft. Block Length for R-3 Zone Districts _____
**Subdivision Ordinance: Section 134-118
* 600 ft. Maximum Cul-de-Sac _____
**Subdivision Ordinance: Section 134-105

NA

NA

NA

ALLEYS

ROW: 20 ft. Paving: 16 ft.
*Alley/service drive easement required for commercial properties
**Proposing Plat Note: "A private service drive easement will be established as part of the site plan and will be maintained by the lot owners and not the City of McAllen." Plat note will need to be finalized prior to final.
**Subdivision Ordinance: Section 134-106

Applied

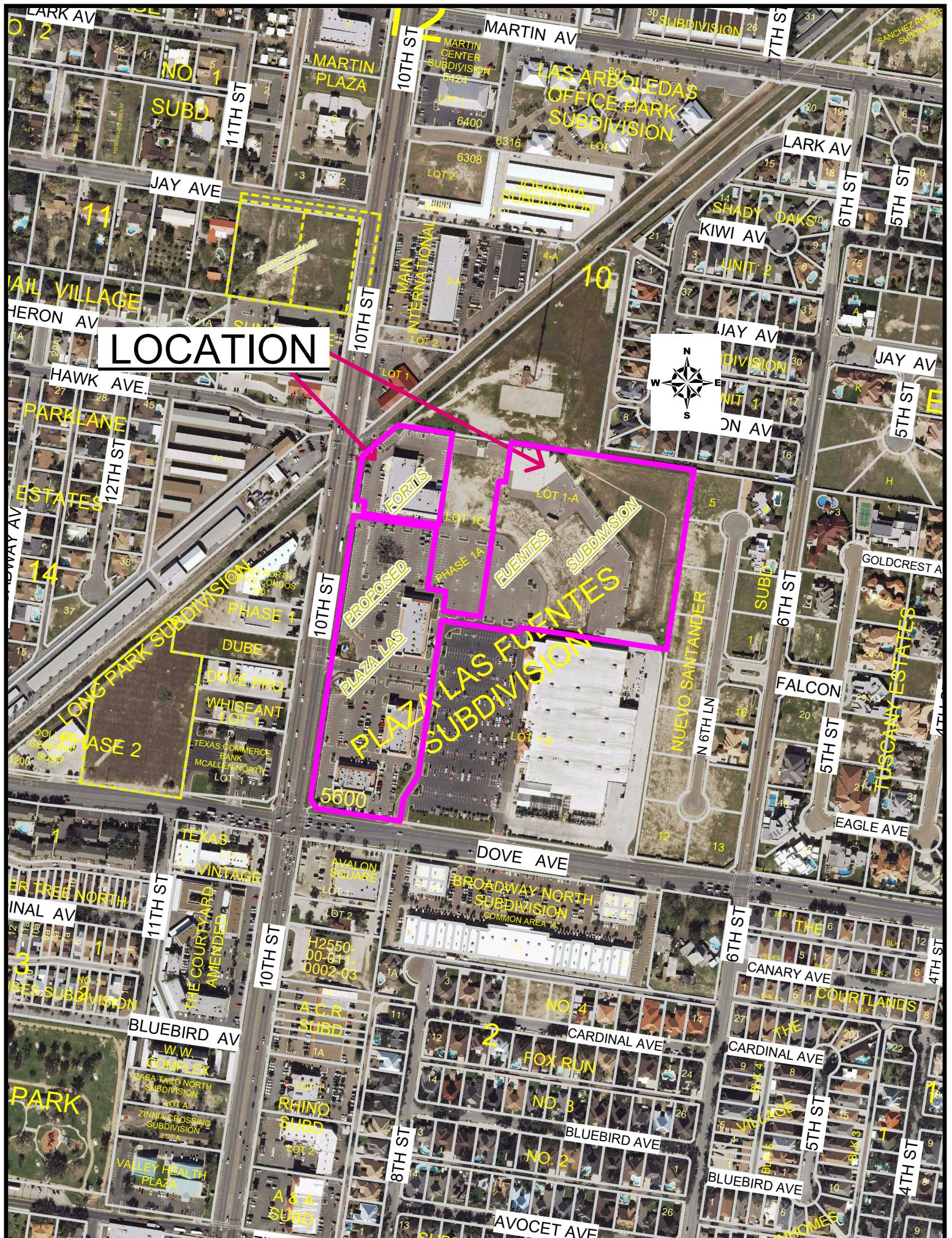
These comments are for subdivision requirements only – additional requirements may apply at time of site plan review

SETBACKS	
<p>* Front:</p> <p>North 10th Street: 60 ft. or greater for approved site plan, or easements, whichever is greater applies. ***Existing plat provides for a 60 ft. setback or greater for approved site plan. Vacating of existing recorded plat will be required if any restrictions are removed/revised from existing plat.</p> <p>*Please revise plat note #2 as shown above prior to final.</p> <p>Dove Avenue: 50 ft. or greater for approved site plan, or easements, whichever is greater applies. ***Existing plat provides for a 50 ft. setback or greater for approved site plan. Vacating of existing recorded plat will be required if any restrictions are removed/revised from existing plat.</p> <p>*Please revise plat note #2 as shown above prior to final.</p> <p>**Zoning Ordinance: Section 138-356</p>	Non-compliance
<p>* Rear: In accordance with the Zoning Ordinance, or greater for easements or approved site plan **Zoning Ordinance: Section 138-356</p>	Applied
<p>* Sides: In accordance with the Zoning Ordinance, or greater for easements or approved site plan **Zoning Ordinance: Section 138-356</p>	Applied
<p>* Corner **Setbacks for North 10th Street and Dove Avenue as noted above. **Zoning Ordinance: Section 138-356</p>	Applied
<p>* Garage _____ **Zoning Ordinance: Section 138-356</p>	NA
<p>*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN</p>	Applied
SIDEWALKS	
<p>* 4 ft. wide minimum sidewalk required on North 10th Street and Dove Avenue. **Please revise plat note #8 as shown above prior to final. **Subdivision Ordinance: Section 134-120</p>	Non-compliance
<p>* Perimeter sidewalks must be built or money escrowed if not built at this time.</p>	Applied
BUFFERS	
<p>* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses or greater as per agreement. ***Please revise plat note #11 as shown above prior to final. **Vacating of existing recorded plat will be required if any restrictions are removed/revised from existing plat. **Landscaping Ordinance: Section 110-46</p>	Non-compliance
<p>* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. ***Please revise plat note #10 as shown above prior to final. **Landscaping Ordinance: Section 110-46</p>	Non-compliance
<p>*Perimeter buffers must be built at time of Subdivision Improvements.</p>	Applied

NOTES	
<ul style="list-style-type: none"> * No curb cut, access, or lot frontage permitted along **Must comply with City Access Management Policy * Site plan must be approved by the Planning & Zoning Commission prior to issuance of building permit. ****Existing plat provides note, please add plat note prior to final. ***Vacating of existing recorded plat will be required if any restrictions are removed/revised from existing plat. * Common Areas, any private drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. * Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. * Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. **Section 110-72 applies if private subdivision is proposed. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168 * Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. **Section 110-72 applies if private subdivision is proposed. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168 	TBD
	Non-compliance
	Required
	Required
	NA
	NA
LOT REQUIREMENTS	
<ul style="list-style-type: none"> * Lots fronting public streets **Subdivision Ordinance: Section 134-1 * Minimum lot width and lot area **Zoning Ordinance: Section 138-356 	Compliance
	Compliance
ZONING/CUP	
<ul style="list-style-type: none"> * Existing:C-3 Proposed: C-3 ***Zoning Ordinance: Article V * Rezoning Needed Before Final Approval ***Zoning Ordinance: Article V 	Compliance
	Complete
PARKS	
<ul style="list-style-type: none"> * Land dedication in lieu of fee. * Park Fee of \$700 per lot/dwelling unit to be paid prior to recording * Pending review by the Parkland Dedication Advisory Board and CC. 	NA
	NA
	NA
TRAFFIC	
<ul style="list-style-type: none"> * As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. * Traffic Impact Analysis (TIA) required prior to final plat. 	Non-compliance
	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">*Must comply with City's Access Management Policy.**Please revise name of plat to "Plaza Las Fuentes Fortis" or "Plaza Las Fuentes Fortis Lots 1E & 1D"**Please revise lot numbers to Lot 1E & Lot 1D.***Vacating of existing recorded plat will be required if any restrictions are removed/revised from existing plat.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APROVAL OF THE SUBDIVISION IN PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED, DRAINAGE, AND UTILITES APPROVAL.	Applied





City of McAllen
Planning Department

APPLICATION FOR
SUBDIVISION PLAT REVIEW

Subd022-0697

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

Project Description	Subdivision Name	<u>MATIAS ESTATES SUBDIVISION</u>		
	Location	<u>APPROX. 300 FT. S. OF LOT 1, ON EAST SIDE OF ROOTH RD (29M)</u>		
	City Address or Block Number	<u>11600 N. ROOTH RD</u>		
	Number of lots	<u>1</u>	Gross acres	<u>1</u>
			Net acres	<u>.94</u>
	Existing Zoning	<u>R1</u>	Proposed	<u>R1</u>
	Rezoning Applied For	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Date _____
	Existing Land Use	<u>OPEN</u>	Proposed Land Use	<u>RESIDENTIAL</u>
	Irrigation District #	<u>1</u>		
	Residential Replat	Yes <input type="checkbox"/> No <input type="checkbox"/>	Commercial Replat	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
ETJ	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			
Agricultural Tax Exempt	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			
Estimated Rollback tax due	<u>1500⁰⁰</u>			
Parcel No.	<u>132555</u>			
Tax Dept. Review	<u>4600-00-000-0002-01</u>			
Legal Description	<u>E.M. CARD SURVEY NO. 1 5190.38 OF THE N458.79' LOT 2</u>			
Owner	Name	<u>MATIAS GONZALEZ</u>		
	Phone	<u>956-313-6801</u>		
	Address	<u>2404 Galveston Avenue</u>		
	City	<u>McAllen</u>	State	<u>TX</u>
	Zip	<u>78501</u>		
E-mail	<u>Gonzali@me.com</u>			
Developer	Name	<u>SAME AS OWNER</u>		
	Phone	<u>"</u>		
	Address	<u>"</u>		
	City	<u>"</u>	State	<u>"</u>
	Zip	<u>"</u>		
Contact Person	<u>"</u>			
E-mail	<u>"</u>			
Engineer	Name	<u>SALINAS ENGINEERING</u>		
	Phone	<u>956-682-9081</u>		
	Address	<u>2221 DAFFODIL</u>		
	City	<u>MCALLEN</u>	State	<u>TX</u>
	Zip	<u>78501</u>		
Contact Person	<u>DAVID SALINAS</u>			
E-mail	<u>DSALINAS@SALINASENGINEERING.COM</u>			
Surveyor	Name	<u>SAME AS ENGINEER</u>		
	Phone	<u>"</u>		
	Address	<u>"</u>		
	City	<u>"</u>	State	<u>"</u>
	Zip	<u>"</u>		

ENTERED

AUG 16 2002

initial: an

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
- ☒ N/A Proof of authority of person signing application on behalf of partnership/corporation, if applicable

PLAT TO SHOW:

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

Note: Though the original submittal for application to process a subdivision plat does not require the drainage report or utility plans, it is advisable that they be included with the original submittal to expedite the review process. Complying with the minimum requirements for the original plat submittal does not constitute meeting the deadline for drainage and utility review by the appropriate boards. Additional information will be required during the review to properly complete the subdivision process. Any revisions would require resubmission of 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 Matias Gonzalez Date _____

Print Name MATIAS GONZALEZ

Owner ☐

Authorized Agent ☐

122

121

NUGGET

TEX-M

MCA

5

4

2

2600

0122-00

0121-00

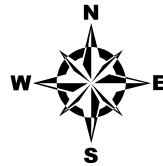
GOLDEN

9

LOCATION

S.H. 107

VALLEY PARK



-05

ROOTH RD

CARD

-02
11512

LOT 2

11500

-04
11412

LLOYD'S SUBD

1

2

3

LOT 3

TRINITY OAKS

HONDO AVE

N 29TH LN

75

115

80

79

25

24

69A

43A

12

-00 -02

-00
11624

-01
11600



City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 9/2/2022

SUBDIVISION NAME: MATIAS ESTATES SUBDIVISION

REQUIREMENTS

STREETS AND RIGHT-OF-WAYS

N.29th Street (Rooth Road): Dedication as needed for 50 ft. from centerline for 100 ft. total ROW.
 Paving: 65 ft. Curb & gutter: Both Sides.
 *Please show centerline on plat prior to final.
 **Show existing ROW dimension on both sides of centerline total ROW after any dedication prior to final.
 ***Label any dedications by this plat or existing along plat boundary.
 ****Please provide how existing ROW was dedicated on plat prior to final.
 *****Please provide a copy of any referenced document regarding existing ROW.
 *****Please remove paving stripes from plat prior to final.
 *****Subdivision Ordinance: Section 134-105
 *****Monies must be escrowed if improvements are required prior to final
 *****COM Thoroughfare Plan

Non-compliance

Paving _____ Curb & gutter _____

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

Applied

* 1,200 ft. Block Length
 **Subdivision Ordinance: Section 134-118
 * 900 ft. Block Length for R-3 Zone Districts.
 **Subdivision Ordinance: Section 134-118
 * 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 : 45 ft. or in line with average setbacks of existing structures, or greater for easements, whichever is greater applies.
 ** Revise note as shown above, prior to final.
 ***Proposing: 40 ft. or greater for easements or in line with existing structures, whichever is greater.
 ****Clarify and finalize setback notes prior to final.
 *****Zoning Ordinance: Section 138-356
 * Rear: 10 ft. or greater for easements.
 **Zoning Ordinance: Section 138-356
 * Sides: In accordance with the zoning ordinance or greater for easements..
 *****Zoning Ordinance: Section 138-356

Non-compliance

Applied

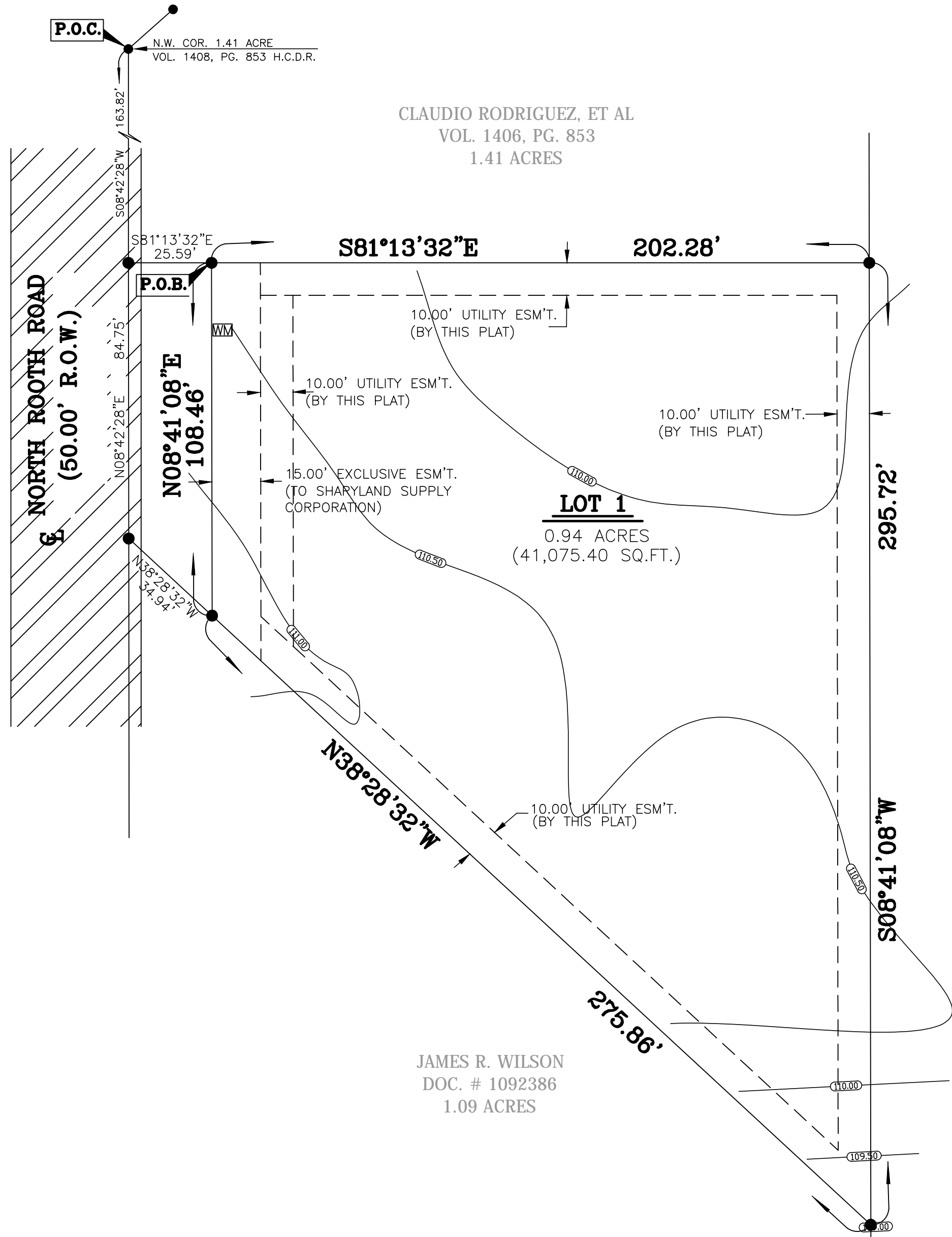
Applied

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

<ul style="list-style-type: none"> * Corner: Setback does not apply to Interior Lot. **Remove proposed note prior to final. ***Proposing: 10 ft. or greater for easements or or in line with existing structures, whichever is greater. ****Clarify and finalize setback notes prior to final. *****Zoning Ordinance: Section 138-356 * Garage:18 ft. except where greater setbacks is required; greater setback applies. **Zoning Ordinance: Section 138-356 *ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN 	NA
	Applied
	Applied
SIDEWALKS	
<ul style="list-style-type: none"> * 4 ft. wide minimum sidewalk required along N.29th Street (Rooth Road). **Revise note as shown above prior to final. **Sidewalks are subject to increase to 5 ft. as per Engineering Department requirements, prior to final. ****Subdivision Ordinance: Section 134-120 * Perimeter sidewalks must be built or money escrowed if not built at this time. 	Non-compliance
	Required
BUFFERS	
<ul style="list-style-type: none"> * 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. **Revise note as shown above prior to final. ***Landscaping Ordinance: Section 110-46 * 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. **Landscaping Ordinance: Section 110-46 *Perimeter buffers must be built at time of Subdivision Improvements. 	Non-compliance
	Applied
	Required
NOTES	
<ul style="list-style-type: none"> *Must comply with City Access Management Policy. * Site plan must be approved by the Planning and Development Departments prior to building permit issuance. * Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. * Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. * Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. **Section 134-168 applies if private subdivision is proposed. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168 * Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. **Section 134-168 applies if private subdivision is proposed. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168 	Applied
	NA
	Applied
	NA
	NA
	NA

LOT REQUIREMENTS	
<ul style="list-style-type: none"> * Minimum lot width and lot area. **Zoning Ordinance: Section 138-356 * Lots fronting public streets. **Clarify area along N.29th Street (Rooth Rd.)with boundary dimensions of 25.59' and 34.94', prior to final. ***Include original subdivision boundary. Original subdivision boundary should be a bold solid line and new lot lines should be solid lines but not as bold as original subdivision boundary line. ****Subdivision Ordinance: Section 134-1 	Compliance
	TBD
ZONING/CUP	
<ul style="list-style-type: none"> * Existing: R-1 (Single-Family) Residential Proposed: R-1 (Single-Family) Residential ***Zoning Ordinance: Article V * Rezoning Needed Before Final Approval ***Zoning Ordinance: Article V 	Compliance
	NA
PARKS	
<ul style="list-style-type: none"> * Land dedication in lieu of fee. * Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, In accordance with McAllen's Park Land Dedication and Park Development Fees Ordinance, Park fees apply at a rate of \$700 per dwelling unit and payable prior to plat recording. If it's only one single family home then the fee is \$700. * Pending review by the City Manager's Office. 	NA
	Required
	NA
TRAFFIC	
<ul style="list-style-type: none"> * As per Traffic Department, Trip Generation for 1 lot subdivision will be waived. * Traffic Impact Analysis (TIA) required prior to final plat. ** As per Traffic Department, Trip Generation for 1 lot subdivision will be waived. 	Completed
	NA
COMMENTS	
<p>Comments:</p> <ul style="list-style-type: none"> *Must comply with City's Access Management Policy. **Clarify area along N.29th Street (Rooth Rd.)with boundary dimensions of 25.59' and 34.94', prior to final. ***Include original subdivision boundary. Original subdivision boundary should be a bold solid line and new lot lines should be solid lines but not as bold as original subdivision boundary line. ****Revise all street references to N.29th Street (Rooth Road) on plat prior to final. 	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED, DRAINAGE AND UTILITIES APPROVALS.	Applied

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



MATIAS ESTATES SUBDIVISION

AN ADDITION TO THE CITY OF McALLEN,
HIDALGO COUNTY, TEXAS

BEING A 0.94 ACRE TRACT OF LAND, MORE OR LESS, LOCATED EAST OF AND ADJACENT TO THE EAST RIGHT-OF-WAY LINE OF N.29th STREET IN McALLEN, HIDALGO COUNTY, TEXAS, CARVED OUT OF THAT CERTAIN ORIGINAL 1.0 ACRE TRACT CONVEYED TO MATIAS GONZALEZ (DOC. NO. 2772194, H.C.O.R.) OUT OF LOT 12, E.M.CARD SURVEY NO.1, HIDALGO COUNTY, TEXAS, AS PER THE MAP OR PLAT THEREOF RECORDED IN VOLUME 08, PAGE 01, MAP RECORDS OF HIDALGO COUNTY, TEXAS.

GENERAL PLAT NOTES:

- MINIMUM SETBACK LINES = FRONT: 40.0 FT. OR GREATER FOR EASEMENTS OR IN LINE WITH EXISTING STRUCTURES, WHICHEVER IS GREATER.
SIDE CORNER: 10.0 FT. OR GREATER FOR EASEMENTS OR IN LINE WITH EXISTING STRUCTURES, WHICHEVER IS GREATER.
SIDE: IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER FOR EASEMENTS.
REAR: 10.0 FT. OR GREATER FOR EASEMENTS.
GARAGE: 18.0 FT. EXCEPT WHERE GREATER SETBACK IS REQUIRED; GREATER SETBACK APPLIES.
- LANDS CONTAINED WITHIN THIS SUBDIVISION LIE IN ZONE "X" (UNSHADED) ACCORDING TO THE FIRM (FLOOD INSURANCE RATE MAP) DATED JUNE 6, 2000, COMMUNITY PANEL NO. 480334 0295 D. ZONE "X" (UNSHADED) DEFINED AS AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOOD PLAIN.
- MINIMUM FINISHED FLOOR ELEVATION ON ALL NEW CONSTRUCTION SHALL BE A MINIMUM OF 18.0 INCHES ABOVE THE TOP OF THE ROAD AS MEASURED FROM THE CENTER OF THE LOT ALONG MILE 7 NORTH ROAD
- MINIMUM 4 FT. WIDE SIDEWALK IS REQUIRED ON MILE 7 NORTH.
- THIS SUBDIVISION PLAT SHALL BE REQUIRED TO DETAIN A TOTAL OF 1,463.42 CUBIC FEET, OR, 0.03 ACRE-FEET OF DRAINAGE RUNOFF VOLUME.
- THE CONSTRUCTION OF ANY STRUCTURES ON OR WITHIN ANY UTILITY EASEMENTS SHALL BE PROHIBITED.
- 6' OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, AND INDUSTRIAL ZONES/USES AND ALONG SOUTH BENTSEN ROAD.
8' MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL OR MULTI-FAMILY RESIDENTIAL ZONES/USES.
- AN ENGINEERED DRAINAGE DETENTION PLAN, APPROVED BY THE ENGINEERING DEPARTMENT, MAY BE REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMITS.
- BENCHMARK: McALLEN SURVEY CONTROL POINT NO. 36, LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF MILE 7 NORTH ROAD AND GLASSCOCK ROAD. IT IS 28 FEET WEST FROM THE CENTERLINE OF GLASSCOCK AND 170 FEET SOUTH FROM THE CENTERLINE OF MILE 7 NORTH ROAD. ELEV. = 149.19.
- 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.

PRINCIPAL CONTACTS

NAME	ADDRESS	CITY & ZIP	PHONE	FAX
OWNER: MATIAS GONZALEZ	2404 GALVESTON AVE.	McALLEN, TEXAS 78501	(956) 313-6801	NONE
ENGINEER: DAVID O. SALINAS	2221 DAFFODIL AVE.	McALLEN, TEXAS 78501	(956) 682-9081	(956) 686-1489
SURVEYOR: DAVID O. SALINAS	2221 DAFFODIL AVE.	McALLEN, TEXAS 78501	(956) 682-9081	(956) 686-1489

SCALE: 1" = 30'

LEGEND

- FOUND 1/2" IRON ROD
- SET 1/2" IRON ROD WITH YELLOW CAP MARKED "SEA 5782"
- SET NAIL
- R.O.W. RIGHT OF WAY
- 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
- S.E.C. SOUTHEAST CORNER
- S.W.C. SOUTHWEST CORNER
- ESM'T. EASEMENT

STATE OF TEXAS COUNTY OF HIDALGO

WE, THE UNDERSIGNED, OWNERS OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS **MATIAS SUBDIVISION**, TO THE CITY OF McALLEN, TEXAS, AND WHOSE NAMES ARE SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS, WATER LINES, SEWER LINES, STORM SEWERS, FIRE HYDRANTS AND PUBLIC PLACES WHICH ARE INSTALLED OR WHICH 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.

OWNER: MATIAS GONZALEZ
2404 GALVESTON AVE.
McALLEN, TEXAS 78501

STATE OF TEXAS COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED MATIAS GONZALES, KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE _____ DAY
OF _____, 2022.

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

STATE OF TEXAS CITY OF McALLEN

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

MAYOR _____ DATE _____

STATE OF TEXAS CITY OF McALLEN

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 _____

STATE OF TEXAS COUNTY OF HIDALGO

I, DAVID OMAR SALINAS, P.E., A REGISTERED PROFESSIONAL ENGINEER LICENSED TO PRACTICE IN THE STATE OF TEXAS, REGISTRATION NUMBER TX. 71973, DO HEREBY CERTIFY THAT THIS PLAT HAS BEEN GIVEN PROPER AND ADEQUATE ENGINEERING CONSIDERATION.

DAVID OMAR SALINAS, P.E.
REG. PROFESSIONAL ENGINEER #71973

DATE _____

STATE OF TEXAS COUNTY OF HIDALGO

I, DAVID O. SALINAS, THE UNDERSIGNED 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 OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

DAVID O. SALINAS, R.P.L.S.
REG. PROFESSIONAL LAND SURVEYOR #5782

DATE _____

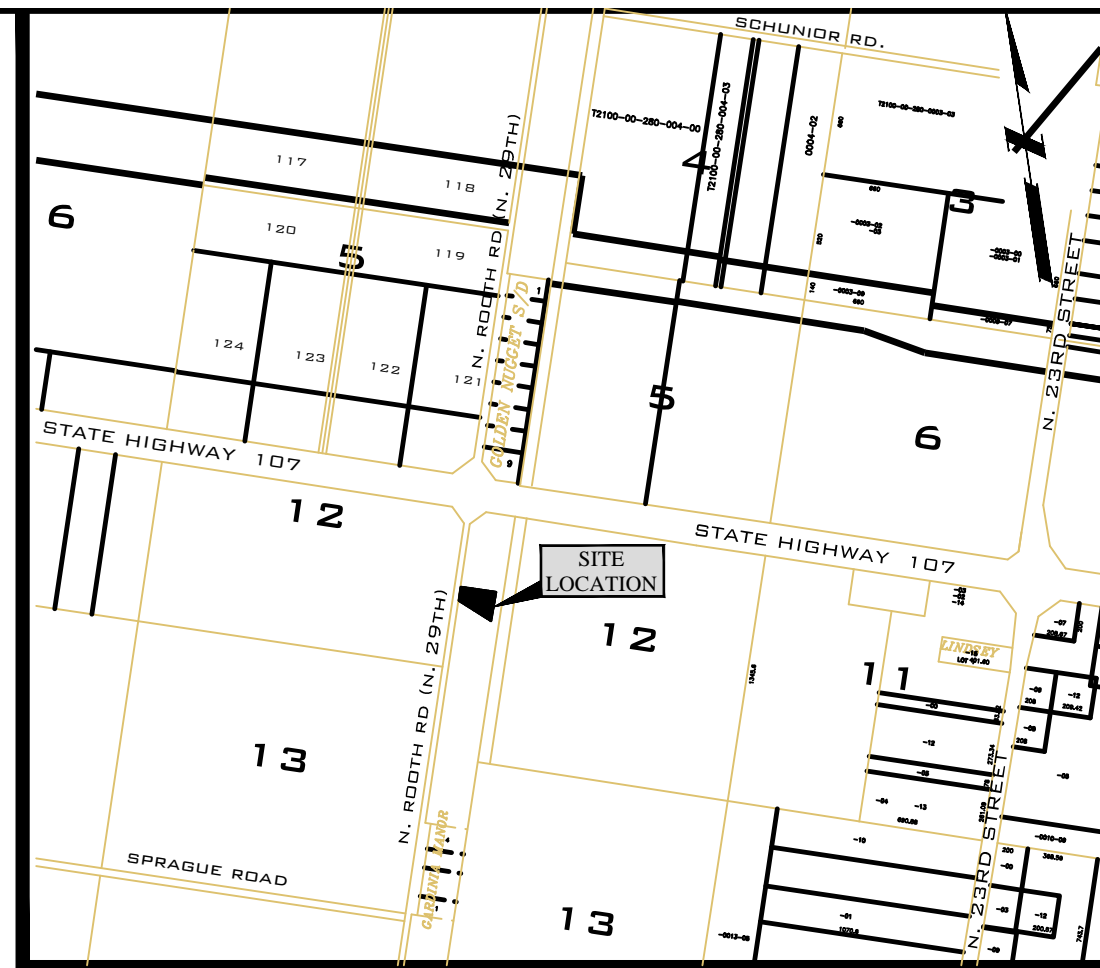
APPROVED BY DRAINAGE DISTRICT:

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

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

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

DATE _____



LOCATION MAP

SCALE : 1" = 1000'

SHARYLAND APPROVAL:

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

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

SHERILYN DAHLBERG
GENERAL MANAGER
SHARYLAND WATER SUPPLY CORPORATION

DATE _____

METES AND BOUNDS DESCRIPTION

BEING A 0.94 ACRE TRACT OF LAND, MORE OR LESS, LOCATED EAST OF AND ADJACENT TO THE EAST RIGHT-OF-WAY LINE OF N. 29th STREET IN McALLEN, HIDALGO COUNTY TEXAS, CARVED OUT OF THAT CERTAIN ORIGINAL 1.0 ACRE TRACT CONVEYED TO MATIAS GONZALEZ (DOC. NO. 2773194, H.C.O.R.) OUT OF LOT 12, E.M. CARD SURVEY NO. 1, HIDALGO COUNTY, TEXAS, AS PER THE MAP OR PLAT THEREOF RECORDED IN VOLUME 08, PAGE 01, MAP RECORDS OF HIDALGO COUNTY, TEXAS; SAID 0.04 ACRE TRACT IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A CORNER CLIP LOCATED ALONG THE EAST SIDE OF N. 29th STREET; THENCE, AS FOLLOWS:

SOUTH 08 DEGREES 42 MINUTES 28 SECONDS WEST, A DISTANCE OF 163.62 FEET TO A POINT AND, THENCE, SOUTH 81 DEGREES 13 MINUTES 32 SECONDS EAST, A DISTANCE OF 25.59 FEET TO A ½ INCH DIAMETER IRON ROD FOUND ON INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF SAID N. 29th STREET FOR THE NORTHWEST CORNER AND **POINT OF BEGINNING** OF THIS HEREIN DESCRIBED TRACT;

(1) THENCE, SOUTH 81 DEGREES 13 MINUTES 32 SECONDS EAST, A DISTANCE OF 202.28 FEET TO A ½ INCH DIAMETER IRON ROD WITH YELLOW CAP MARKED "SEA 5782" SET FOR THE NORTHEAST CORNER OF THIS HEREIN DESCRIBED TRACT;

(2) THENCE, SOUTH 08 DEGREES 41 MINUTES 08 SECONDS WEST, COINCIDENT WITH THE EAST LINE OF SAID 1.0 ACRE TRACT AND BEING ALONG A LINE PARALLEL TO THE WEST LINE OF SAID LOT 12, A DISTANCE OF 295.12 FEET TO A ½ INCH DIAMETER IRON ROD WITH YELLOW CAP MARKED "SEA 5782" SET FOR THE SOUTHEAST CORNER OF THIS HEREIN DESCRIBED TRACT;

(3) THENCE, NORTH 38 DEGREES 28 MINUTES 32 SECONDS WEST, COINCIDENT WITH THE SOUTH LINE OF SAID 1.0 ACRE TRACT, A DISTANCE OF 275.86 FEET TO A ½ INCH DIAMETER IRON ROD WITH YELLOW CAP MARKED "SEA 5782" SET ON INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF SAID N. 29th STREET FOR THE SOUTHWEST CORNER OF THIS HEREIN DESCRIBED TRACT;

(4) THENCE, NORTH 08 DEGREES 41 MINUTES 08 SECONDS EAST, COINCIDENT WITH THE EAST RIGHT-OF-WAY LINE OF SAID N. 29th STREET, A DISTANCE OF 108.87 FEET TO THE **POINT OF BEGINNING**, CONTAINING 0.94 ACRES OF LAND, MORE OR LESS.

BASIS OF BEARING: SURVEY PARCEL CITY OF McALLEN ROW TAKING
N:\SUBDIVISION\PLAT\MATIAS ESTATES.SUB\0.94.060222

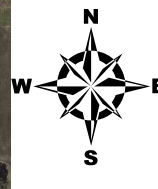
MATIAS ESTATES SUBDIVISION

PREPARED BY: SALINAS ENGINEERING & ASSOC.
DATE OF PREPARATION: JUNE 16, 2022
JOB NUMBER: SP-22-25823

OWNER: MATIAS GONZALEZ
2404 GALVESTON AVE.
McALLEN, TEXAS 78501

SE
A
SALINAS ENGINEERING & ASSOC.
(F-6875) (TBPLS-10065700)
CONSULTING ENGINEERS & SURVEYORS
2221 DAFFODIL - McALLEN, TEXAS 78501
(956) 682-9081 (956) 686-1489 (FAX)
TBPLS 12100 PARK 35 CIRCLE BLDG. A, SUITE 156, MC-230, AUSTIN, TEXAS 78753 (512) 239-5283

S.H. 107



ROOTH RD

N 29TH LN

HONDO AVE

Memo

TO: Planning & Zoning Commission
FROM: Edgar I. Garcia, AICP, CNU-A, CPM
DATE: September 2, 2022
SUBJECT: City Commission Actions on August 22, 2022

CONDITIONAL USE PERMITS

1. Request of Robert Wilson, for one year, for a bar at Lot A-1, Nolana Tower Subdivision; 400 Nolana Suite G
 - Planning and Zoning Commission disapproved with a favorable recommendation
 - City Commission approved as recommended
2. Request of Erik R. Pena, for one year, for a bar at N 98.5' of Lot 1, Block 1 Fairway North Subdivision; 2001 S 10th St
 - Planning and Zoning Commission disapproved with a favorable recommendation
 - City Commission approved as recommended
3. Request of Mayela X. Ramirez, for one year, for a bar at Lot 1, Nolana West Subdivision; 2200 Nolana Ave, Suite 2232 & 2234
 - Planning and Zoning Commission disapproved with a favorable recommendation
 - City Commission approved as recommended
4. Request of Andrew Sutiono, for life of the use, for an auto service and repair shop at Lot A, 29th Place Subdivision and Lot 1, Asian Valley Subdivision; 2813 Nolana Ave
 - Planning and Zoning Commission recommended approval
 - City Commission approved as recommended
5. Request of Teresa Flores, for life of the use, for an institutional use (Head Start) at 9.885 acres of Lot 10, Section 280, Texas-Mexican Railway Company's Subdivision; 1901 SH 107
 - Planning and Zoning Commission recommended approval
 - City Commission approved as recommended

REZONINGS

6. Rezone from R-1 to C-3, 6.713 acres out of Lot 7, E.M. Card Survey No. 1 and out of Lot 14, Section 279, Tex-Mex Railway Company Survey Subdivision; 2300 Oxford

- Planning and Zoning Commission recommended approval
- City Commission approved as recommended

7. Rezone from R-4 to R-2, Lot 17, Jennings Subdivision Unit No. 2; 5801 N Main St

- Planning and Zoning Commission recommended approval
- City Commission approved as recommended

2022 ATTENDANCE RECORD FOR PLANNING AND ZONING COMMISSION MEETINGS																								
	01/04/22	01/18/22	02/01/22	02/16/22	03/02/22	03/22/22	04/05/22	04/19/22	05/03/22	05/17/22	06/07/22	06/21/22	07/06/22	07/19/22	08/02/22	08/16/22	09/07/22	09/20/22	10/04/22	10/18/22	11/01/22	11/16/22	12/06/22	12/20/22
Daniel Santos	A																							
Michael Fallek	P	P	P	A	P	P	P	P	A	P	P	P	P	LQ	P	P								
Gabriel Kamel	P	A	P	P	P	P	P	P	P	P	P	P	P	LQ	P	P								
Michael Hovar	P	P	P																					
Jose B. Saldana	A	A	P	P	A	A	P	A	A	P	A	P	P	LQ	P	P								
Marco Suarez	P	P	A	P	A	P	P	P	P	A	P	P	A	LQ	P	P								
Emilio Santos Jr.	P	P	P	A	P	P	P	P	P	A	A	P	P	LQ	P	A								
Rudy Elizondo				P	P	P	A	P	P	P	P	A	P	LQ	A	A								
Erica de la Garza-Lopez				P	A	P	P	P	A	P	P	P	P	LQ	A	P								

[illegible]







PLANNING DEPARTMENT

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



2022 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 2022

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

FEBRUARY 2022

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

MARCH 2022

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

APRIL 2022

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

MAY 2022

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





JUNE 2022

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

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.

2022 CALENDAR

Meetings:





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

Deadlines:






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

* **Holiday** - Office is closed





JULY 2022

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






AUGUST 2022

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





SEPTEMBER 2022

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




OCTOBER 2022

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

NOVEMBER 2022

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

DECEMBER 2022

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