

## AGENDA

**PLANNING & ZONING COMMISSION REGULAR MEETING  
WEDNESDAY, JUNE 16, 2021 - 3:30 PM  
MCALLEN CITY HALL, 1300 HOUSTON AVENUE  
CITY COMMISSION CHAMBERS, 3<sup>RD</sup> FLOOR**

**Web: <https://zoom.us/join> or phone: (346) 248-7799  
Meeting ID: 672 423 1883**

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

### **CALL TO ORDER**

### **PLEDGE OF ALLEGIANCE**

### **INVOCATION**

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

- a) Minutes for Regular Meeting held on June 3, 2021

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

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

1. Request of Robert Wilson, for a Conditional Use Permit, for one year, for a bar at LOT A-1, Nolana Tower Subdivision, Hidalgo County, Texas; 400 Nolana Avenue, Suite G. **(CUP2021-0053)**
2. Request of Misty M. Gracia, for a Conditional Use Permit, for one year, for a smoke shop at LOT 5, The District at McAllen Subdivision, Hidalgo County, Texas; 3200 North McColl, Suite 110. **(CUP2021-0059)**
3. Request of Adrian G. Garcia, Jr. for a Conditional Use Permit, for life of the use, for an Institutional Use (barber school) at Lots 4 and 5, McAllen Northwest Industrial Subdivision No.2, Hidalgo County, Texas; 5000 North 23rd Street, Suite E. **(CUP2021-0057)**

##### **b) REZONING:**

1. Initial zoning to R-1 (single-family residential) District: 21.288 acres out of Lots 475 and 465, John H. Shary Subdivision, Hidalgo County, Texas; 10300 North Shary Road. **(REZ2021-0001)**
2. Rezone from R-3A (multifamily residential apartment) District to R-1 (single-family residential) District: 4.79 acres out of Lot 197, John H. Shary Subdivision, Hidalgo County, Texas; 701 South Taylor Road (REAR). **(REZ2021-0030) (WITHDRAWN)**

3. Rezone from C-3 (general business) District to R-3A (multifamily residential apartments) District: 4.112 acres of land out of Lot 105, La Lomita Irrigation and Construction Company's Subdivision, Hidalgo County, Texas; 4200 North Ware Road. **(REZ2021-0033)**

### **3) CONSENT:**

- a) Acqualina at Tres Lagos Phase I, 6601 Tres Lagos Boulevard, Rhodes Development Inc. **(SUB2021-0064)**(FINAL)M&H
- b) World of 4 Subdivision, 615 Dallas Avenue, Aguirre Family Limited Partnership LP **(SUB2021-0061)**(FINAL)CLH

### **4) SUBDIVISIONS:**

- a) Vida Subdivision, 5901 Mile 5 Road, Liman Ventures, LTD. **(SUB2021-0063)**  
(Preliminary)STIG
- b) 4700 Ware Subdivision, 4900 North Ware Road, Rhodes Development Inc., **(SUB2021-0041)** (Revised Preliminary) M&H
- c) Northwood Trails Block I, 10100 North 29th Street, Red Rock Real Estate Development Group, **(SUB2021-0050)**(Final)QHA
- d) 7-11 (Ware Road) Subdivision, 1520 South Ware Road & 1308 South Ware Road, Sunoco Retail, LLC **(SUB2021-0060)**(Preliminary)M&H
- e) Monette Subdivision, 6320 North Taylor Road, Lourdes Lerma, **(SUB2021-0062)**(Preliminary)SE
- f) Onyx Plaza, 201 North Ware Road, Valhe Real Estate Holdings Family LTD. Partnership, **(SUB2021-0014)**(Revised Preliminary)SEC
- g) Garcia Estates, 2901 Gumwood Avenue, Sonia Garcia/Erik J. Mora **(SUB2020-0048)**(Revised Preliminary)(Tabled on 6/3/2021)M&H

### **ADJOURNMENT:**

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



STATE OF TEXAS  
COUNTY OF HIDALGO  
CITY OF McAllen

The McAllen Planning and Zoning Commission convened in a Regular Meeting & Public Hearing on Thursday, June 3, 2021 at 3:33 p.m. in the McAllen City Hall City Commission Room at 1300 Houston Avenue, McAllen, Texas.

<b>Present:</b>	<b>Pepe Cabeza de Vaca</b> <b>Daniel Santos</b> <b>Michael Hovar</b> <b>Michael Fallek</b> <b>Gabriel Kamel</b> <b>Marco Suarez</b>	<b>Chairperson</b> <b>Vice-Chairperson (Zoom)</b> <b>Member</b> <b>Member</b> <b>Member</b> <b>Member (Zoom)</b>
<b>Absent:</b>	<b>Jose Saldana</b>	<b>Member</b>
<b>Staff Present:</b>	<b>Isaac Tawil</b> <b>Austin Stevenson</b> <b>Edgar Garcia</b> <b>Luis Mora</b> <b>Juan Martinez</b> <b>Rodrigo Sanchez</b> <b>Omar Sotelo</b> <b>Jose Humberto De La Garza</b> <b>Berenice Gonzalez</b> <b>Carlos Garza</b> <b>Kaveh Forghanparast</b> <b>Liliana Garza</b> <b>Hebert Camacho</b> <b>Mario Escamilla</b> <b>Bilkis Olazaran Martinez</b> <b>Porfirio Hernandez</b> <b>Jacob Salazar</b> <b>Magda Ramirez</b>	<b>City Attorney</b> <b>Assistant City Attorney</b> <b>Planning Director</b> <b>Planning Deputy Director</b> <b>Development Coordinator</b> <b>Senior Planner</b> <b>Senior Planner</b> <b>Planner III</b> <b>Planner III</b> <b>Planner II</b> <b>Planner II</b> <b>Planner II</b> <b>Planner I</b> <b>Planner I</b> <b>Engineering</b> <b>Planning Technician II</b> <b>Planning Technician I</b> <b>Administrative Secretary</b>

**CALL TO ORDER- Mr. Michael Fallek, Member**

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

**PLEDGE OF ALLEGIANCE**

**INVOCATION- Mr. Pepe Cabeza de Vaca**

**1) MINUTES:**

**a) Minutes for Regular Meeting held on May 18, 2021.**

The minutes for the regular meeting held on May 18, 2021 were approved as submitted. The motion to approve was made by Mr. Michael Hovar and Mr. Gabriel Kamel seconded the motion, which carried unanimously with five members present and voting.

**a) CONDITIONAL USE PERMITS:**

1. Request of Armando R. Aleman, for a Conditional Use Permit, for one year for a smoke shop at Lot 21-A, Northeast Industrial Subdivision, Hidalgo County, Texas; 2101 North Jackson Road, Suite 10. **(CUP2021-0050)**

Mr. Mario Escamilla stated that the property is located on the northwest corner of the intersection of North Jackson Road and East Upas Avenue. The subject property is zoned I-1 (light industrial) District. There is C-1 (office building) district zoning to the north, and I-1 district to south, and west. The area to the east across North Jackson Road pertains to city of Pharr. A smoke shop is allowed in a I-1 District with a Conditional Use Permit and in compliance with requirements. The applicant is proposing to operate a retail smoke shop (Monkey House Smoke Shop) out of an approximate 1,050 sq. ft. lease space, which is part of a multi-tenant commercial building by the name of Galeria Plaza. The proposed days and hours of operation are Monday through Saturday from 10:00 a.m. to 10:00 p.m. and closed on Sundays. Galeria Plaza shopping center is a mixture of office, retail, and vacant suites The proposed smoke shop requires 6 parking spaces, there are a total of 46 parking spaces provided as part of a common parking area as shown on the submitted site plan.

The Fire and Health Departments have inspected the proposed location and the property is in compliance with applicable code requirements. The Planning Department has received no complaints regarding the proposed use as a smoke shop. As per Section 138-400 of the Zoning Ordinance, the parking lot must be properly striped and free of potholes. The establishment must comply with requirements set forth in Section 138-118(a)(4) of the Zoning Ordinance and specific requirements as follows:

- 1) The property line of the lot of any of the above mentioned business must be at least 400 ft. from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruption of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The proposed establishment is within 400 ft. of a residential zone to the northwest;
- 2) The abovementioned business must be as close as possible to a major arterial, and shall not allow the traffic generated by such business onto residential streets, or allow such traffic to exit into and disrupt residential areas. The subject property has frontage along North Jackson Road and does not generate traffic into residential areas;
- 3) The abovementioned businesses must provide parking in accordance with the city off-street parking ordinance as a minimum, and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional onsite parking The proposed smoke shop requires 6 parking spaces, there are 46 total parking spaces provided on the submitted site plan.;
- 4) The abovementioned business must do everything possible to prevent the unauthorized parking by the patrons of such business on adjacent businesses or residential properties including, when necessary, the installation of fences and hedges, and the reorientation of entrances;
- 5) The abovementioned business should do everything possible and be designed to discourage criminal activities and vandalism, both on the site and on adjacent

properties. Included would be provision of sufficient lighting and perimeter fencing, elimination of dark areas, and the orientation of the building such that it provides maximum visibility as much as possible of the site from a public street;

- 6) The abovementioned business must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties;
- 7) The abovementioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Director of Planning. The occupancy load for this establishment will be established by the Building and Inspections Department as part of the building permit review process.

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

Being no discussion, Board Member Gabriel Kamel moved to recommend disapproval with a favorable recommendation. Board Member Michael Hovar seconded the motion along with five members present and voting.

**2. Request of Gloria S. Jaramillo, for a Conditional Use Permit, for one year, for a home occupation (office/storage), at Lot 129, Ensenada at Tres Lagos Phase II Subdivision, Hidalgo County, Texas; 14212 Amistad Circle. (CUP 2021-0048)**

Mr. Hebert Camacho stated that the property fronts Amistad Circle, approximately 260 ft. West of Ensenada Avenue and is zoned R-1 (single family residential) District. The adjacent zoning is R-1 District to the west, north and east, C-4 (Commercial-Industrial) District to the south and outside city limits to the south. Surrounding land uses include single-family residences and vacant land. A home occupation is permitted in an R-1 District with a conditional Use Permit and in compliance with requirements.

The applicant is proposing to operate an online flower shop business from a two-story house. The office is located on the first floor with an approximate area of 168 square feet, and a 169 square feet room on the second floor will serve as storage space for the flowers. The applicant stated that there is going to be no public on site, there would only be delivery and online sales. Only one additional non-related employee is proposed. Tres Lagos HOA has already been notified about the proposed business at the residence and has been given approval.

The Fire Department has inspected the residence, and found the property to be in compliance. The home occupation use may not operate until requirements are compliant and the process for a request for a conditional use permit has been completed and approval is granted. 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 home occupation must also comply with requirements set forth in Section 138-118 (a) (1) of the Zoning Ordinance and other specific requirements as follows:

- 1) The home occupation must be clearly secondary to the residential use. The applicant

lives at the residence;

- 2) No signs are permitted. No Signage is being proposed
- 3) There shall be no exterior display or alterations indicating that the building is being used for any purpose other than that of a single family residential dwelling;
- 4) There shall be no more than one additional unrelated employee other than immediate members who reside on the premises. The applicant and one non-related employee will work on site;
- 5) There shall be no outside storage of materials or products;
- 6) The permitted use shall not create frequent or heavy traffic, not greater than ten percent (10%) of the average load per hour as determined by the city traffic engineer. The applicant stated that no customers would be coming into the property, the business is purely online and delivery;
- 7) No retail sales (items can be delivered). Sales are only online, property would serve as office and storage; no sales on site is proposed nor allowed, no public is allow on site;
- 8) No additions to the residence or accessory building specifically 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.
- 10) The activity must take place at the location for which the permit was issued.

Staff has not received any calls in opposition on this request.

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

Board Member, Mr. Michael Fallek asked if there was anyone present in opposition of the Conditional Use Permit, Board Member, Mr. Marco Suarez was in opposition.

Being no discussion, Board member Mr. Gabriel Kamel moved to recommend approval. Board member Mr. Michael Hovar seconded the motion, which was approved. There were 5 members present and 4 voted, with 1 opposing.

3. Request of Juan A. Ludwig, on behalf of AEP Texas Inc., for a Conditional Use Permit, for life of the use, for a Railroad Facility or Utilities Holding a Franchise (Electric Substation) at an irregular shaped 3.04-acre tract of land out of Lot 5, Block 2, C.E. Hammond Subdivision, Hidalgo County, Texas 3800 Pecan Boulevard. **(CUP2021-0051)**

Mr. Hebert Camacho stated that the property is located approximately 250 ft. north of Pecan Boulevard, and approximately 220 ft. west of North Ware Road and is zoned C-3 (general business) District. The adjacent zoning is R-3A (multifamily apartment) District to the west and C-3 District to

the north, east and south. An electric substation is allowed in a C-3 District with a Conditional Use Permit and in compliance with requirements.

The applicant is proposing to construct an electric substation on the lot, which will be subdivided should the CUP be approved by the City Commission for life of the use. The property is currently vacant. The electric substation is proposed to be located on the south side of the property with access drive on the north side of the property. A recorded subdivision plat is required prior to building permit issuance. The proposed development will be subject to a buffer, landscaping, sidewalks, and setbacks as established during the platting process and the fencing must comply with corner clip requirements.

All proposed landscaping shall have permanent automatic irrigation. Section 138-118 (10) and Section 110-49 (a) requires a masonry wall as a buffer if the structure is located within the front or side yard, or adjacent to a residential use or zone. West side of the property abuts R-3A zoning; hence, a masonry wall is required. Applicant is proposing to erect an 8 ft. tall precast concrete fence with stacked stone finish along the west side of the location abutting the residential zone.

The proposed substation must also comply with the following:

1. The proposed electric substation shall meet all the minimum standards established in applicable city ordinances; and will not be detrimental to the health welfare and safety of the surrounding neighborhood or its occupants, nor be substantially or permanently injurious to neighboring properties.
2. No form of pollution shall emanate beyond the immediate property line of the permitted use.
3. Additional reasonable restrictions or conditions such as increased open space, loading and parking requirements, suitable landscaping, curbing, sidewalks or other similar improvements may be imposed in order to carry out the spirit of the Zoning Ordinance or mitigate adverse effects of the proposed use.
4. New railroad facilities and structures for private utilities, other than the usual poles, wires and underground utilities; shall require a permit.

Staff received one phone call in regards to the effect on property value and safety from a surrounding property owner.

Staff recommends approval of the Conditional Use Permit, for life of the use, subject to Sections 138-118 (10) and Section 110-49- (a), conditions noted, paving and building permit requirements, subdivision and zoning ordinances.

Board Member, Mr. Michael Fallek asked if there was anyone present in opposition of the Conditional Use Permit, there was none.

Vice Chairman Daniel Santos entered the meeting via zoom at 3:42pm

After a brief discussion, Board member Mr. Gabriel Kamel moved to approve with the conditions noted. Board member Mr. Michael Hovar seconded the motion, which was approved with six members present and voting.

**b) REZONING:**

1. Rezone from A-O (agricultural and open space) District to R-1 (single-family residential) District: 14.615 acres out of Lot 317, John H. Shary Subdivision, Hidalgo County, Texas; 4128 North Taylor Road. **(REZ2021-0026)**

Mr. Kaveh Forghanparast stated that the property was located 185 ft. east of North Taylor Road, approximately 400 ft. north of Nolana Avenue. The tract consisted of 14.615 acres and had no street R.O.W. frontage but was proposed to be part of another tract that would provide access to North Taylor Road.

The applicant was requesting to rezone the property to R-1 (single-family residential) District in order to construct single-family residences. A 48-lot subdivision under the name of Taylor Creek Villages Subdivision for the subject property was approved in preliminary form by the Planning and Zoning Commission on April 6, 2021. A revised plat depicting 76 lots for the proposed subdivision was submitted on April 26, 2021.

The adjacent zoning was A-O (agricultural and open space) District to the north and south, R-1 (single-family residential) District to the west, and C-4 (commercial-industrial) District to the east.

The property was currently vacant. Surrounding land uses included single-family residences, vacant land, Spirit of Peace Lutheran Church, and City of McAllen Recycling Center.

The Foresight McAllen Comprehensive Plan designated the future land use for this property as Suburban Residential which is comparable to R-1 (single-family residential) District.

The development trend for this area along North Taylor Road was a single-family residential.

The tract was annexed into the city and initially zoned A-O (agricultural and open space) District on April 12, 1999. The applicant had originally requested to rezone the subject property to R-3A (multifamily residential apartment) District in order to build detached duplexes which was disapproved by the Planning and Zoning Commission on April 20, 2021. At the Planning and Zoning meeting 5 people spoke in opposition of the rezoning request. The oppositions' concerns included an increase in traffic, density, and safety issues. The applicant withdrew the rezoning request to R-3A District and applied for R-1 District on April 26, 2021.

The requested zoning conformed to the Suburban Residential land use designation as indicated on the Foresight McAllen Comprehensive Plan. It also followed the rezoning and development trend to single-family residences in the area.

The submitted plat depicted that one of the adjacent lots to the west of the subject property would provide access to North Taylor Road for the proposed subdivision.

A recorded subdivision plat was 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 had received one email in opposition and a written notice from three property owners within the City limits with concerns regarding the rezoning request.

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

Board Member, Mr. Michael Fallek, questioned the percentage of the oppositions. Mr. Forghanparast explained that the letter has no wording showing the concerned residents were in opposition; therefore, a percentage was not calculated. Mr. Albert Cooper, 4024 North Taylor Road, stated that he was opposed to the rezoning request and was concerned of heavy traffic and flooding. Mr. Pepe Cabeza de Vaca asked Mr. Cooper what type of development he proposed for the subject property. Mr. Cooper requested proper stormwater and traffic management. Mr. Cooper was advised by Board Member Mr. Michael Fallek and Planning Director Mr. Edgar Garcia that there would be additional public hearings where additional studies would have been conducted. After the discussion, Board Member, Mr. Gabriel Kamel moved to approve with Mr. Marco Suarez seconded the motion, which was approved with six members present and voting.

**2. Initial zoning to R-1 (single-family residential) district: 2.2 acres out of lot 386, John H. Shary Subdivision, Hidalgo County, Texas; 7017 North Taylor Road. (REZ2021-0029)**

Mr. Kaveh Forghanparast stated that the property was located on the east side of North 56<sup>th</sup> Street, approximately 2,160 ft. north of 4 Mile Line Road. The tract had 143.66 ft. of frontage along North 56<sup>th</sup> Street with a depth of 666.87 ft. for a lot size of 2.2 acres.

The tract was currently outside the City limits and was undergoing voluntary annexation. The initial zoning to R-1 (single-family residential) District would become effective upon the annexation of the tract into the City. The applicant was requesting R-1 District in order to build a single-family residence. A proposed one-lot subdivision for the subject property under the name of Bella Vista Ranch Subdivision was approved in revised preliminary form on January 5, 2021, by the Planning and Zoning Commission.

The adjacent zoning was R-3A (multifamily residential apartment) District to the west. The properties to the north, south, and east of the subject property were outside the City limits.

The property was currently vacant. Surrounding land uses include single-family residences and vacant land.

The Foresight McAllen Comprehensive Plan designated the future land use for this property as Suburban Residential, which was comparable to R-1 (single-family residential) District.

The development trend for this area along North 56<sup>th</sup> Street was single and multifamily residential.

The tract had been in the City's Extra-Territorial Jurisdiction (ETJ) since September 19, 1977. An annexation and initial zoning requests for the subject property were scheduled to be heard at the City Commission meeting of June 28, 2021.

A rezoning request for the adjacent tract to the west of the subject property to C-3 (general business) District was approved by the City Commission on August 13, 2018. A rezoning request for the same tract to R-3A (multifamily residential apartment) District, for a proposed subdivision under the name of Shary Manor Subdivision, was approved on June 22, 2020.

The requested zoning conformed to the Suburban Residential land use designation as indicated on the Foresight McAllen Comprehensive Plan. It also followed the development trend of the surrounding area.

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

The R-1 District designation permitted continuation of the subdivision process for a residential subdivision.

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

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

Board Member, Mr. Michael Fallek, asked if there was anyone present in opposition of the rezoning, there was none.

After no discussion, Board member Mr. Michael Hovar moved to approve with Mr. Garbiel Kamel seconding the motion, which was approved with six members present and voting.

3. Rezone from R-2 (duplex-fourplex residential) District to R-3A (multifamily residential apartments) District: Lots 4 and 5, Gartman's Subdivision, Hidalgo County, Texas; 2101 and 2105 North 12th Street. **(REZ2021-0032)**

Mr. Carlos Garza stated that the subject property is located at the northwest corner of North 12th Street and Upas Avenue. The tract has 112 feet of frontage on North 12th Street and a depth of 130 feet for a tract size of 14,560 square feet.

The applicant is requesting R-3A (multifamily residential apartments) District in order to add another detached apartment unit. A feasibility plan has not been submitted to the Planning Department.

The adjacent zoning is R-2 (duplex-fourplex residential) District to the north and south, and R-3A (multifamily residential apartments) District to the east and west.

There is an existing triplex with a detached carport on the property. Surrounding land uses are single-family homes and apartments.

The Foresight McAllen Comprehensive Plan designates the future land use as Auto Urban Residential., which is comparable to R-1 District.

The development trend for the area between 12th and Broadway and Upas and Vine is multifamily fourplex. There is one single-family residence located on the block. Other uses on the block are apartments and fourplex.

The property was zoned R-2 (duplex-fourplex residential) District during comprehensive zoning in May 1979.



On September 28, 2015, the City Commission Board disapproved a rezoning request from R-2 District to R-3A District.

The requested zoning does not conform to the Auto Urban Residential land use designation as indicated on the Foresight McAllen Comprehensive Plan. The proposed zoning is consistent with the development trends for this area.

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

There have been no calls received in opposition to the request.

Staff recommended approval of the rezoning request to R-3A (multifamily apartments residential) District.

Board Member, Mr. Michael Fallek, asked if there was anyone present in opposition the rezoning, there was none.

Being no discussion, Mr. Gabriel Kamel moved to approve with Mr. Marco Suarez seconding the motion, which was approved with six members present and voting.

**4. Rezone from C-2 (neighborhood commercial) District to C-3 (general business) District: Lot 104, Valley Gardens Subdivision, Hidalgo County, Texas; 3616 North 23<sup>rd</sup> Street. (REZ2021-0025)**

Mr. Carlos Garza state that the subject property is located on the corner of North 23<sup>rd</sup> Street and Jonquil Avenue. The tract has a total frontage of 148.09 ft. along North 23<sup>rd</sup> Street Boulevard.

The applicant is requesting to rezone the property to C-3 (general business) District in order to establish a larger variety of commercial uses.

The adjacent zoning is R-3A (multifamily residential apartments) District to the east, C-3 (General Business) District to the north and west, and C-1 (office building) District to the south.

The property is currently used as a commercial plaza. It contains a barbershop, a bar & grill, a snack shop, and a hair salon. Surrounding land uses are single-family residences, multifamily residential apartments, Jonquil West Professional Center, Safelite Auto glass, and Spectrum.

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

The development trend for the area along North 23<sup>rd</sup> Street is commercial along the north side.

The property was zoned C-1 District during comprehensive zoning in May 1979.

On February 4, 1980, the City Commission approved a rezoning request from C-1 (office building) District to C-2 district for lot 104, 3616 North 23<sup>rd</sup> Street.

The requested zoning does not conform to the Suburban Commercial land use designation as indicated on the Foresight McAllen Comprehensive Plan. The proposed rezoning is consistent with the C-3 (general business) District rezoning trends for this area.

There have been no calls received in opposition to the request.

Staff recommended approval of the rezoning request to C-3 (general business) District.

Board Member, Mr. Michael Fallek, asked if there was anyone present to opposition of the rezoning, there was none.

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

5. Initial zoning to C-3 (general business) District: 3.41-acre tract of land out of the west 10.0 acres of north 20.0 acres of Lot 405, John H. Shary Subdivision, Hidalgo County, Texas; 5961 Mile 5 Road. **(REZ2021-0027)**

Mr. Carlos Garza stated that the property has a double frontage located on the south side of Auburn Avenue and North Shary Road. The tracts frontage consists of 80 ft. on Auburn Avenue and 367.40 ft. on North Shary Road for a lot size of 3.41 acres.

The tract is currently outside the City limits and is undergoing voluntary annexation. The initial zoning to C-3 (commercial business) District will become effective upon the annexation of the tract into the City.

The property is currently vacant. Surrounding land uses include single-family residences, vacant land, Sharyland Water Corporation, and Stripes.

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

The development trend for this area along North Shary Road is single-family residential.

The tract has been in the City's ETJ (Extra-Territorial Jurisdiction) since September 19, 1977. An annexation and initial zoning requests for the subject property are scheduled to be heard at the City Commission meeting of June 28, 2021.

On August 13, 2018, the City Commission approved a rezoning request for C-3 District along the North Shary Road at Lot 385, John H. Shary Subdivision.

The requested zoning does not conform to the Suburban Residential land use designation as indicated on the Foresight McAllen Comprehensive Plan. It also does not follow the development trend.

The subject property is on the corner of two principal arterial streets as per Foresight McAllen Thoroughfare Plan. Commercial uses are more suitable in arterial intersections due to high traffic volume and visibility.

There is an existing commercial use on the corner of North Shary Road and Mile 5 Road. The rezoning of the subject property can encourage new development around the area.

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

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

Staff has not received letters in opposition to the rezoning.

Staff recommended approval of the rezoning request to C-3 (general business) District.

Board Member, Mr. Michael Fallek, asked if there was anyone present in opposition to the rezoning, there was none.

Being no discussion, Mr. Marco Suarez moved to approve with Mr. Gabriel Kamel seconding the motion, which was approved with six members present and voting.

**6. Initial zoning to R-3A (multifamily residential apartments)  
District: 4.85-acre tract of land out of the west 10.0 acres of the  
north 20.0 acres of Lot 405, John H. Shary Subdivision, Hidalgo  
County, Texas; 5899 Mile 5 Road. (REZ2021-0028)**

Mr. Carlos Garza stated that the property is located on Auburn Avenue, approximately 170 ft. east of North Shary Road. The tract has 320 ft. of frontage along Mile 5 Road with a depth of 660 ft. for a lot size of 4.85 acres.

The tract is currently outside the City limits and is undergoing voluntary annexation. The initial zoning to R-3A (multifamily residential apartments) District will become effective upon the annexation of the tract into the City.

The property is currently vacant. Surrounding land uses include single-family residences, vacant land, Sharyland Water Corporation, and Stripes.

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

The development trend for this area along North Shary Road is single-family residential.

HISTORY: The tract has been in the City's ETJ (Extra-Territorial Jurisdiction) since September 19, 1977. An annexation and initial zoning requests for the subject property are scheduled to be heard at the City Commission meeting of June 28, 2021.

On June 22, 2020, the City Commission approved a rezoning request to R-3A District along the North Shary Road at Lot 385, John H. Shary Subdivision.

The requested zoning does not conform to the Suburban Residential land use designation as indicated on the Foresight McAllen Comprehensive Plan. The proposed zoning is consistent with the rezoning trends to the area to the south.

The subject property is off a principal arterial street as per Foresight Thoroughfare Plan. Multifamily residential apartment uses are more suitable in arterial intersections due to high traffic volume and visibility.

The maximum density in R-3A (multifamily residential apartments) District is 29 three-bedroom units (1,500 sq. ft.) per acre to 43 one-bedroom apartment units (1000 sq. ft.) per acre. Therefore, the maximum number of units for the subject property is approximately 116 three-bedroom units to 172 one-bedroom units.

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

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

Staff has not received letters in opposition to the rezoning.

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

Board Member, Mr. Michael Fallek, asked if there was anyone present in opposition to the rezoning, there was none.

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

### **3) SITE PLAN:**

- a) Revised site plan approval for Lot 1, Toys-R-Us Subdivision, Hidalgo County, Texas; 1101 Expressway 83. (SPR2021-0013)**

Mrs. Liliana Garza stated that the subject property is located on the southwest corner of Expressway 83 and 11th Street. The property has 315.70 ft. of frontage along Expressway 83 and a depth of 630 ft. with a lot size of 198,891 square feet. The property and adjacent zoning is C-3 (general business) District in all directions. Surrounding land uses include commercial retail, restaurants, and offices. Toys-R-Us Subdivision was recorded on May 28, 1991 and has a note indicating a Site plan approval by the Planning and Zoning Commission is required prior to issuance.

The applicant is proposing to demolish the vacant building that was previously occupied by Toys R Us and is proposing to construct a 65,000 sq. ft. building and associated parking areas for their retail use.

The applicant is proposing to demolish the vacant building that was previously occupied by Toys R Us and is proposing to construct a 65,000 sq. ft. building. The building will consist of 22,482.22 sq. ft. of merchandise storage area and 42,517.78 sq. ft. of retail area. Based on 42,517.78 sq. ft. of retail use, 110 parking spaces are required and 111 parking spaces are provided on site. Five of the provided parking spaces must be accessible, one which must be van accessible with an 8 ft. wide aisle. Access proposed from existing curb cut along Expressway 83 and two curb cuts along S. 11th Street. Required landscaping is 19,782 sq. ft. with trees required as follows: 39 -2 ½" caliper trees, or 20 -4" caliper trees, or 10 -6" caliper trees, or 15 palm trees. A minimum 10 ft. wide landscape strip is required inside the property line along Expressway 83. A variance request to not provide the 10 ft. wide landscaping strip along 11th Street was approved by the Zoning Board of Adjustment & Appeal Board on May 5, 2021. Fifty percent of the landscaping must be visible in front areas, and each parking space must be within 100 ft. of a landscaped area with a tree, as required by ordinance. Existing sidewalk along Expressway 83 and S. 11th Street. No structures are permitted over easements. All setbacks will comply with the plat note requirements and the zoning ordinance.

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, and the subdivision and zoning ordinances.

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

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

- a) Villa Torre at North Bentsen Estates Subdivision; 7500 North Bentsen Road – Antonio M. Aguirre, Jr. (Preliminary) (SUB2021-0048) RDE**

Mr. Beto De La Garza stated that North Bentsen Road: 20 ft. dedication for 50 ft. ROW from centerline for 100 ft. ROW with 65 ft. of paving and curb & gutter on both sides. Monies must be escrowed if improvements are not built prior to recording. COM Thoroughfare Plan. Internal street: 50 ft. ROW proposed. Paving: 32 ft. proposed. Curb & gutter: both sides. Monies must be escrowed if improvements are not built prior to recording. Proposed ROW might have to be increased to 60 ft. since proposed cul-de-sac appears to not comply with maximum length allowed of 600 ft. Please revise plat to comply with maximum cul-de-sac length allowed prior to final. Street name will be assigned prior to final. Subdivision Ordinance: Section 134-105. 600 ft. Maximum Cul-de-Sac: Internal street/cul-de-sac appears to not comply with maximum length allowed of 600 ft. Please revise plat to comply with maximum cul-de-sac length allowed prior to final. Please show cul-de-sac ROW prior to final to assure compliance with minimum requirements, as per Fire Department, minimum 96 ft. of paving diameter face-to-face with 10 ft. ROW back of curb required. Subdivision Ordinance: Section 134-105. Front: 25 ft. or greater for easements. Zoning Ordinance Section 138-356. Rear: 10 ft. or greater for easements. Zoning Ordinance: Section 138-356. Interior sides: 6 ft. or greater for easements. Zoning Ordinance: Section 138-356. Corner setbacks were 10 ft. or greater for easements. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required; greater setback applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk required

on North Bentsen Road and both sides of all interior streets. Please revise plat note #9 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. A 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along North Bentsen Road. Please revise plat note #11 as shown above prior to final. Landscaping Ordinance: Section 110-46. An 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. 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 Bentsen Road. Please revise plat note #14 as shown above prior to final. City's Access Management Policy. Common Areas, any private streets/drives, common areas, detention 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. HOA document will be required to be recorded simultaneously with plat. Subdivision Ordinance: Section 110-72. Minimum lot width and lot area. If ROW is widened, lot dimensions might have to be revised to comply with minimum lot area requirements prior to final. Zoning Ordinance: 138-1. Lots fronting public streets. Zoning Ordinance: Section. 138-356. Existing: R-1 Proposed: R-1. Zoning Ordinance: Article V. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, 26 single-family lots are proposed, therefore, \$18,200 are due prior to recording. As per Traffic Department, Trip Generation is required to determine if TIA is required, prior to final plat. As per Traffic Department, Trip Generation is required to determine if TIA is required, prior to final plat. Must comply with City's Access Management Policy. Internal street name will be assigned prior to final. Internal street/cul-de-sac appears to not comply with maximum length allowed of 600 ft. Please revise plat to comply with maximum cul-de-sac length allowed prior to final. As per Fire Department, minimum 96 ft. of paving diameter face-to-face with 10 ft. ROW back of curb required. Additional documents as may be required by Public Works and Fire Departments to verify compliance with cul-de-sac maneuverability prior to final.

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

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

**b) El Dorado at Thousand Oaks I, II and III Subdivision; 12712 North Ware Road – Red Rock Real Estate Development (Final) (SUB2021-0049) QHA**

Mr. Beto De La Garza stated that 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. COM Thoroughfare Plan. Main Interior Street: 60 ft.

40 ft. of paving and curb & gutter on 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". Subdivision Ordinance: Section 134-105. Interior Private Streets: **1. Block 1:** 50 ft. ROW (if zoned R-1 32 ft. of paving and curb & gutter on 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. 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. **2. Block 2:** 50 ft. ROW (if zoned R-1) 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 Paving 40 ft. curb & gutter both sides. Must escrow monies if improvements are not built at this time, prior to recording. 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. Proposed temporary turnarounds to show document number 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. 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. 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. 800 ft. Block Length: Block 1: Street block length for Lots 27-39 appears to exceed 800 ft. in length (855.76 ft.). 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. 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. 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. A 4 ft. wide minimum sidewalk required on both sides of all interior streets, 8 Mile Road and 8 1/2 Mile Road. A 5 ft. wide minimum sidewalk required on North Ware Road. Revise note #9 as shown above prior

to recording. A 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. A 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. An 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along 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. 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 and submitted with document number on the plat, 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 final plat approval. 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. Park Fee of \$700 to be paid prior to recording. Pending review by the Parkland Dedication Advisory Board and CC. As per Parks department, subdivision has been presented before Parkland Dedication Advisory Board and it will have to comply with conditions required prior to recording. As per Traffic Department, Trip Generation approved; TIA revisions must be finalized prior to recording. As per Traffic Department, Trip Generation approved; TIA revisions must be finalized prior to recording. 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. 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.

Item is on the agenda at the request of the engineer for consideration in final form. Should the board approve it, it should be subject to any drainage and traffic requirements, gate details revisions, and any other applicable requirements prior to recording.

After a brief discussion and verification that there are no variances pending, Mr. Garbriel Kamal moved to approve subject to conditions noted. Mr. Michael Hovar seconded the motion, which was approved with six members present and voting.

**c) Villanueva Estates at Trinity Oaks Lots 26A & 28A-30A & 34A-41A & 43A-47A & 49A-54A Subdivision; 3100 Arroyo Avenue – Villanueva Properties & Investments  
(Revised Final) (SUB2019-0038) M&H**

Mr. Beto De La Garza stated the location La Lomita Road (6 1/2 Mile Road): 80 ft. ROW existing Paving: 65 ft. curb & gutter on both sides. Owner must escrow monies for improvements if not built prior to plat recording. Brazos Ave. 35 ft. from centerline for 70 ft. ROW with 44 ft. of paving and curb & gutter on both sides. Owner must escrow monies for improvements if not built prior to plat recording. N. 33rd Street: 35 ft. ROW from centerline for 70 ft. ROW Paving: 44 ft. curb & gutter on both sides. Label the street name as N. 33rd Street on the plat. Owner must escrow monies for improvements if not built prior to plat recording. N. 32 Lane: 50 ft. ROW Paving: 32 ft. curb & gutter on both sides. Zurich Avenue: 50 ft. ROW Paving: 32 ft. curb & gutter on both sides. Front: 25 ft. or greater for easements. Cul-de-sac lots also require 25 ft. setback as noted above. Revise Note #3 accordingly. Rear setbacks were 10 ft. or greater for easements except 25 ft. for double fronting lots. Engineer submitted a variance request to allow for a 10 ft. rear setback for double fronting lots (Lots 26, and 28 - 55). Planning and Zoning Commission approved the 10 ft. rear setback for double fronting lots as requested at the meeting of June 25, 2019. A plat note indicating that Lots 27, 31-33, 42, 48, and 55 will keep the original 25 ft. rear seatback (double fronting) might be required on the plat prior to recording. Interior Sides: 6 ft. or greater for easement. Corner: 10 ft. or greater for easements. Garage: 18 ft. except where greater setback is required, greater setback applies. All setbacks are subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk required on Brazos Avenue, N. 33rd Street (west boundary, La Lomita Road (6 1/2 North Road, and on both sides of all interior streets. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses, and along Brazos Avenue, N. 33rd Street and La Lomita Road (6 1/2 North Road. An 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along Brazos Avenue, N. 33rd Street and La Lomita Road (6 1/2 North Road). 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. Note as needed relating to this plat/HOA previously recorded; finalize prior to recoding. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Lots fronting public streets. Minimum lot width and lot area: All lots must have minimum 50 ft. frontage with the corner lots 4 ft. wider than the minimum lot frontage requirement. Existing: R-1 Proposed: R-1. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. The Parkland Dedication Advisory Board recommended the variance of fees in lieu of land at their meeting of November 11, 2016. City

Commission approved fee in lieu of land at their meeting of November 28, 2016. Will be applied to this resubdivision. Pending review by the Parkland Dedication Advisory Board and CC. The Parkland Dedication Advisory Board recommended the variance of fees in lieu of land at their meeting of November 11, 2016. City Commission approved fee in lieu of land at their meeting of November 28, 2016. Will be applied to this resubdivision. Trip Generation to determine if TIA is required, prior to final plat. Trip generation honored if number of lots have not changed from original trip generation of Villanueva Estates at Trinity Oaks. Traffic Impact Analysis (TIA) required prior to final plat. Level 1 TIA previously approved. Must comply with City's Access Management Policy. Existing plat notes remain the same for the resubdivision. Application, plat notes, and any applicable document needs to be changed to reflect new proposed name, number of lots, new acreage, etc. Please discuss with staff to determine if removed lots should be included for this replat. Planning and Zoning Commission approved the subdivision in preliminary form as a public hearing on August 6, 2019. Planning and Zoning Commission approved the subdivision in final form September 3, 2019. A plat note indicating that Lots 27, 31-33, 42, 48, and 55 will keep the original 25 ft. rear setback (double fronting) might be required on the plat prior to recording.

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

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

**d) De La Torre Subdivision; 8<sup>th</sup> Street Approx. 300 Ft. North of Houston Avenue – Rafael De La Torre (Revised Preliminary) (SUB2020-0066) MAS**

Ms. Berenice Gonzalez stated the location S. 8th Street: 50 ft. ROW with 40 ft. of paving and curb & gutter on both sides. Galveston Avenue: 37 ft. ROW dedication for future 50 ft. ROW Paving: 32 ft. curb & gutter on both sides. Engineer submitted a variance letter to not provide ROW dedication for the extension of Galveston Avenue. 800 ft. Block Length. Front: 20 ft. or greater for easements or in line with average of existing buildings setbacks, whichever is greater. Revise plat as noted above, prior to final approval. Rear: 10 ft. or greater for easements. Sides: 6 ft. or greater for approved site plan or easements. Revise plat as noted above Corner: 10 ft. or greater for approved site plan or easements. Revise plat as noted above. Garage: 18 ft. except where greater setback is required, greater setback applies. All setbacks are subject to increase for easements or approved site plan. A4 ft. wide minimum sidewalk required on S. 8th Street and Galveston Avenue. Revise Note #5 on plat as noted above. Engineer submitted a variance request to not provide additional ROW dedication for Galveston Avenue. Extension Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. An 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Perimeter buffers must be built at time of Subdivision Improvements. Site plan must be approved by the Planning and other Development Departments prior to building permit issuance. Common Areas, private streets must be maintained by the lot owners and not the City of McAllen. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 110-72 applies for Public subdivisions. Lots fronting public streets. Minimum lot width and lot area. Existing: R-2 Proposed: R-2. Park Fee of \$700 per dwelling unit/lot to be paid prior to recording. If 4 units are proposed x \$700 = \$2,800 due prior to recording. Fees will be revised accordingly if number of units change. Per Traffic Department, Trip

Generation has been waived. Must comply with City's Access Management Policy. Revise street name on plat for Galveston Avenue prior to finalizing the approval. Engineer to submit ownership map to assure no landlock property exists. Revise setback note prior to final approval. Engineer submitted a variance request to not provide additional ROW for Galveston Avenue Extension Subdivision layout has been revised to 2 lots instead of one lot, as indicated on filed application

Staff recommended approval of the subdivision in revised preliminary form, subject to conditions noted, and clarification on the requested variance.

After a brief discussion regarding the variance, Mr. Gabriel Komel moved to disapprove the variance but approve the plat. Mr. Michael Hovar seconded the motion, which was approved with six members present and voting.

**e) Garcia Estates; 2901 Gumwood Avenue – Sonia Garcia (Revised Preliminary)  
(SUB2020-0048) M&H**

Ms. Berenice Gonzalez stated that N. 29th Street: 10 ft. ROW dedication required for 50 ft. from centerline required for 100 ft. total ROW with minimum 52 ft. curb & gutter on both sides. Variance letter submitted by engineer dedicating 5 ft. of additional ROW for N. 29th Street instead of the required 10 ft. Gumwood Avenue: 20 ft. dedication required for 40 ft. from centerline for a total of 80 ft. ROW with min. 52 ft. of paving and curb & gutter on both sides. Variance letter received proposing 10 ft. of additional ROW instead of the required 20 ft. along Gumwood Avenue. 800 ft. Block Length. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties. Existing alley to the south currently not paved. Front: 45 ft. or greater for approved site plan or easements. Please revise plat note as shown above prior to final. Rear: 10 ft. or greater for approved site plan or easements. Sides: 6 ft. or greater for approved site plan or easements. Corner side: 25 ft. or greater for easements. Revise plat as noted above. Garage: 18 ft. except where greater setback is required, greater setback applies All setbacks are subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk required on Gumwood Avenue and N. 29th Street. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses An 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Perimeter buffers must be built at time of Subdivision Improvements. Engineer to show access locations due to Gumwood Avenue being a collector road requiring 200 ft. spacing between accesses. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties. Existing alley to the south currently not paved. Front: 45 ft. or greater for approved site plan or easements. Please revise plat note as shown above prior to final. Rear: 10 ft. or greater for approved site plan or easements. Sides: 6 ft. or greater for approved site plan or easements. Corner side: 25 ft. or greater for easements. Revise plat as noted above. Garage: 18 ft. except where greater setback is required, greater setback applies. All setbacks are subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk required on Gumwood Avenue and N. 29th Street. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses An 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along. Engineer to show access locations due to Gumwood Avenue being a collector road requiring 200 ft. spacing between accesses. Minimum lot width and lot area. Lots fronting public streets. Existing: R-1 Proposed: R-1 (Single Family

Residences) Park Fee of \$700 per dwelling unit/lot to be paid prior to recording. Per parks Department \$700 x 3 lots = \$2,100. As per Traffic Department, Trip Generation waived for three single family residences. No TIA required. Must comply with City's Access Management Policy. Clarify ROW dedication on Gumwood Avenue and N. 29th Street. Engineer submitted a variance request for the required ROW dedication along Gumwood Avenue and N. 29th Street which will be presented at the P&Z meeting scheduled for June 3, 2021.

Staff recommended approval of the subdivision in revised preliminary form, subject to conditions noted and clarification on the requested variances.

A brief discussion on expanding Gumwood Avenue including Ruben James De Jesus, Engineer from Melden & Hunt indicates that they will review the issues concerning the ROW needed to accommodate a right turn lane. Rosvel Hinojosa from Traffic Development will conduct a study to test the variance request within a week. Mr. Gabriel Kamel moved to table the variance and approve the subdivision. Mr. Michael Hovar seconded the motion, which was approved with six members present and voting.

**5) INFORMATION ONLY:**

- a) City Commission Actions: May 24, 2021.

**6) DISCUSSION:**

- a) Discussion on whether to continue zoom meetings were discussed.

**ADJOURNMENT:**

There being no further business to come before the Planning & Zoning Commission, Mr. Michael Hovar adjourned the meeting at 4:46p.m and Mr. Michael Fallek seconded the motion, which carried unanimously with five members present and voting.

---

Chairperson, Pepe Cabeza de Vaca

ATTEST: \_\_\_\_\_  
Magda Ramirez, Secretary

## Planning Department

### Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

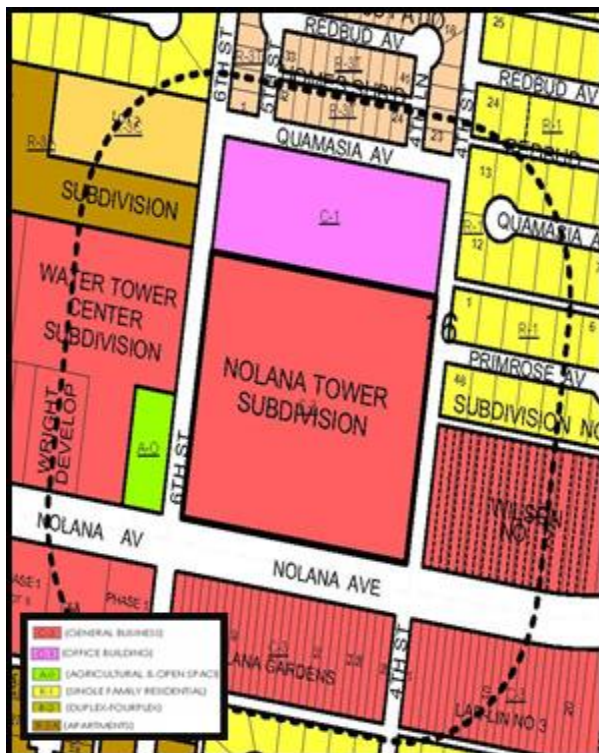
**DATE:** June 7, 2021

**SUBJECT: REQUEST OF ROBERT WILSON, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A BAR AT LOT A-1, NOLANA TOWER SUBDIVISION, HIDALGO COUNTY, TEXAS; 400 NOLANA AVENUE, SUITE G. (CUP2021-0053)**

---

#### BRIEF DESCRIPTION:

The property is located along the north side of Nolana Avenue between North 4<sup>th</sup> and North 6<sup>th</sup> Streets, and is zoned C-3 (general business) District. The adjacent zoning is C-1 (office building) District to the north, C-3 District to the east, south and west. There is also R-1 (single family residential) District to the east and A-O (agricultural and open space) District to the west. Surrounding land uses include commercial businesses, offices, restaurants, single and multifamily residences, vacant land, and a water tower. A bar is allowed in a C-3 District with a Conditional Use Permit and in compliance with requirements.



**HISTORY:**

The initial conditional use permit was approved for this establishment by the Planning and Zoning Commission on November 2, 1999 and had been renewed annually until September 2011. A renewal was not done for the year 2012. Code Enforcement issued a notice of violation at the time. The last permit renewal was approved for one year on March 25, 2020 by the City Commission with a variance to the distance requirement.

**REQUEST/ANALYSIS:**

The applicant is proposing to continue to operate a bar/pool hall (Fast Eddie's) from the existing 14,891 sq. ft. lease space within the shopping center. The hours of operation will continue to be from 11:00 a.m. to 2:00 a.m. Monday thru Saturday and from 12:00 p.m. to 2:00 a.m. on Sundays.

The Health Department and Fire Department has inspected the establishment and found it to be in compliance. Attached is the police report from June 01, 2020 until present. The establishment must also meet the requirements set forth in Section 138-118(4) of the Zoning Ordinance and specific requirements as follows:

- a) The property line of the lot of the above mentioned business must be at least 400 ft. from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruption of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The proposed establishment is within 400 ft. of residential zones and uses, and a water tower;
- b) The abovementioned business must be as close as possible to a major arterial, and shall not allow the traffic generated by such business onto residential streets, or allow such traffic to exit into and disrupt residential areas. The property has direct access to Nolana Avenue, North 4<sup>th</sup> Street, and North 6<sup>th</sup> Street. The existing gates on North 4<sup>th</sup> Street need to be closed as required by other Conditional Use Permits issued in this commercial plaza;
- c) The abovementioned business must provide parking in accordance with the city off-street parking ordinance as a minimum, and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional onsite parking. Currently there is a multi-tenant commercial building on the property. The shopping center consists of various uses including office, retail, vacant suites, restaurants, a children's event center, and bars. The proposed 11,875 sq. ft. bar/pool hall requires 149 parking spaces; 729 parking spaces are provided on the common parking area in the front and rear of the building. For the 729 parking spaces of the common parking area, 15 accessible parking spaces are required and are provided on site, as per section 138-400(a) of the Off-Street Parking and Loading requirements, all off-street parking must be clearly striped and free of potholes;
- d) The abovementioned business must do everything possible to prevent the unauthorized parking by the patrons of such business on adjacent businesses or

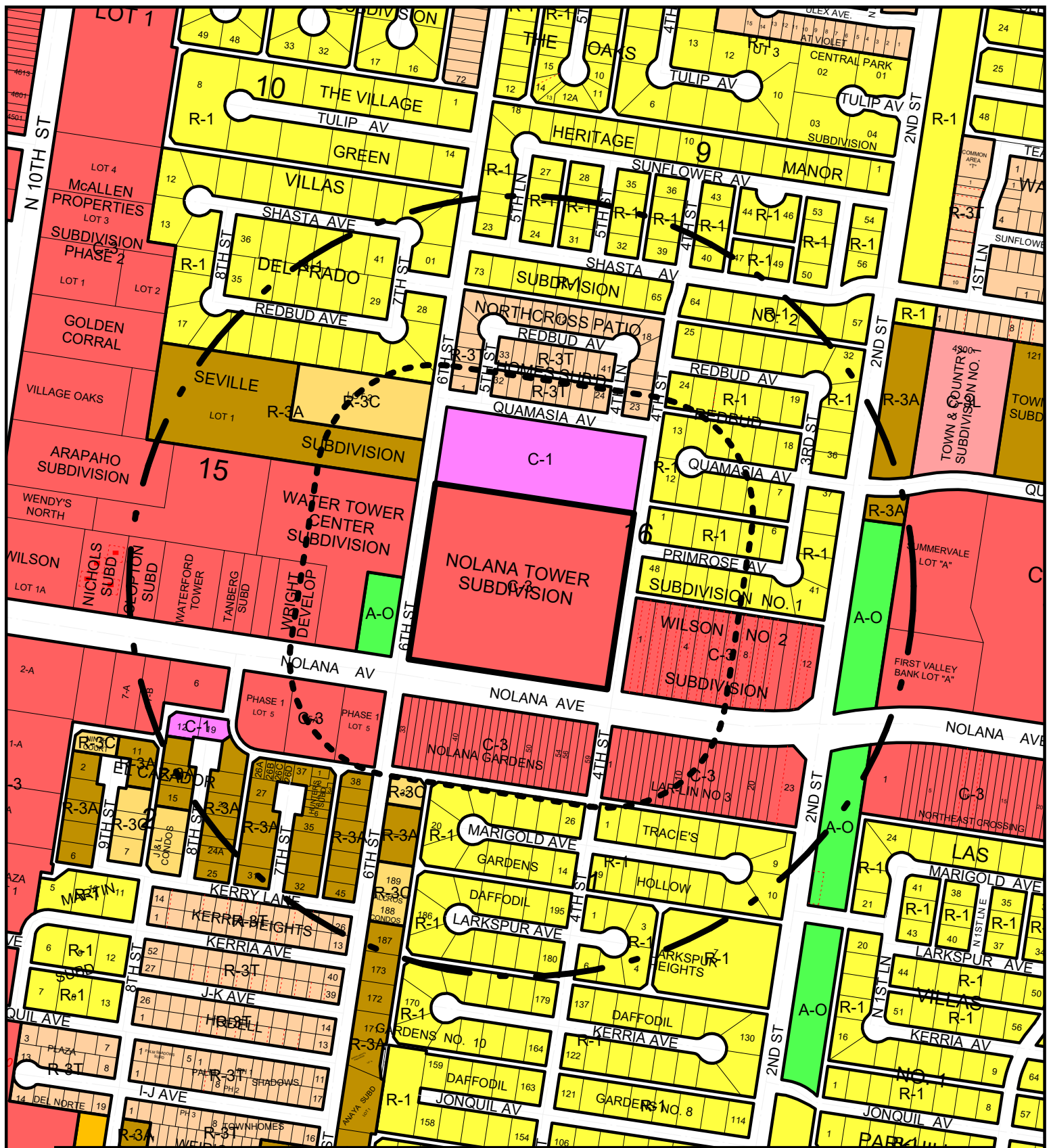
residential properties including, when necessary, the installation of fences and hedges, and the reorientation of entrances;

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

**RECOMMENDATION:**

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





# **CITY OF McALLEN** PLANNING DEPARTMENT

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

**AREA MAP**



**SUBJECT PROPERTY**

**400 FT. NOTIFICATION BOUNDARY**

**1/4 MILE RADIUS**

## **ZONING LEGEND**

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

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





**CITY OF McALLEN**  
PLANNING DEPARTMENT

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



**SUBJECT PROPERTY**

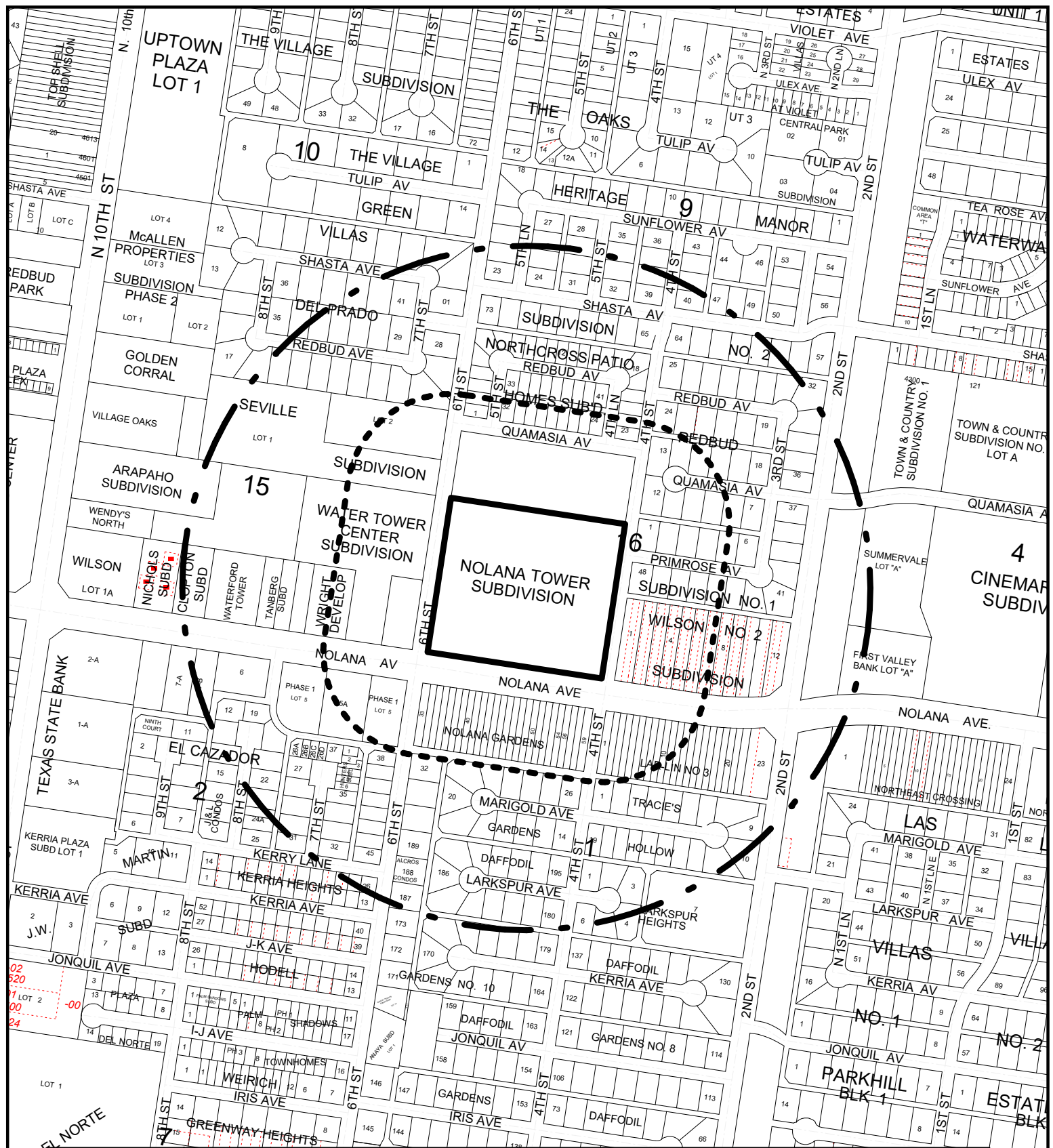


**400' NOTIFICATION BOUNDARY**



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**CITY OF McALLEN**  
PLANNING DEPARTMENT

### LEGEND

SCALE: N.T.S.



## SUBJECT PROPERTY



**400 FT. NOTIFICATION BOUNDARY**



### 1/4 MILE RADIUS



## ZONING LEGEND

A-O (AGRICULTURAL & OPEN SPACE)

R-3A (APARTMENTS)

R-4 (MOBILE HOMES)

C-3 (GENERAL BUSINESS)

I-1 (LIGHT INDUSTRIAL)

R-1 (SINGLE FAMILY RESIDENTIAL)

R-3C (CONDOMINIUMS)

C-1 (OFFICE BUILDING)

C-3L (LIGHT COMMERCIAL)

I-2 (HEAVY INDUSTRIAL)

R-2 (DUPLEX-FOURPLEX)

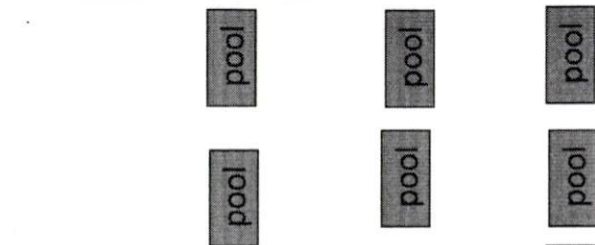
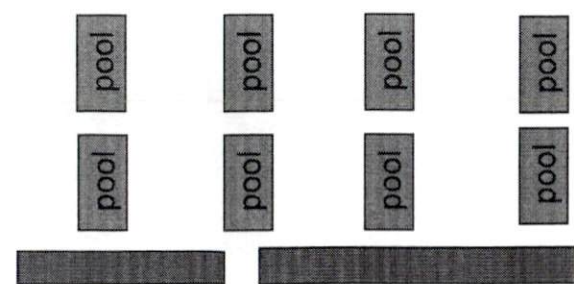
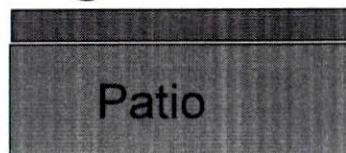
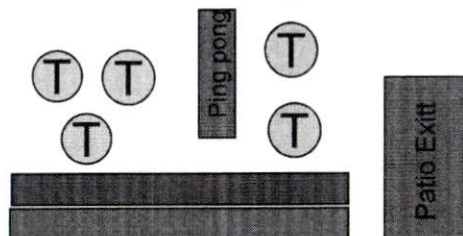
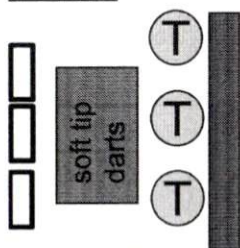
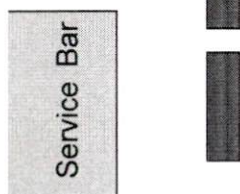
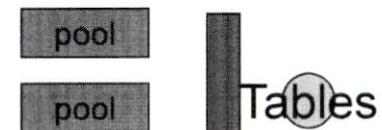
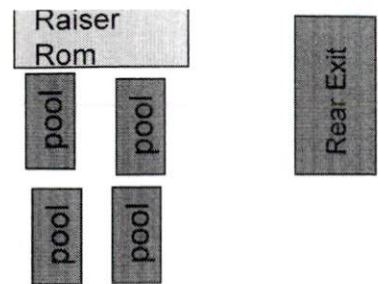
R-3T (TOWNHOUSES)

C-2 (NEIGHBORHOOD COMMERCIAL)

C-4 (COMMERCIAL INDUSTRIAL)

(SPECIAL DISTRICT)

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Tables

Tables

tables

tables

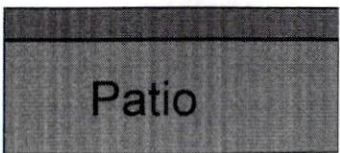
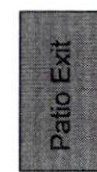
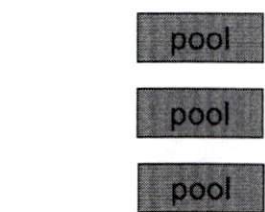
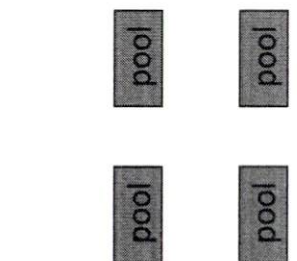
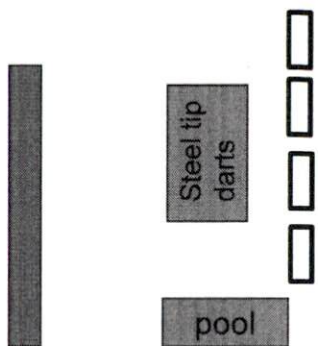
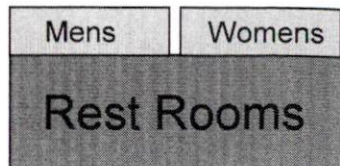
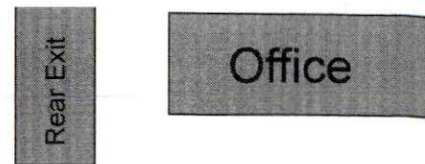
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MAIN BAR

Entrance

Ceiling is 14 ft. High



[illegible]









# Incident Analysis Report

## Summary

**Print Date/Time:** 06/08/2021 10:08  
**Login ID:** mcpd7004  
**Incident Type:** All  
**Call Source:** All

**From Date:** 06/01/2020 00:01  
**To Date:** 06/08/2021 10:00

McAllen Police Department  
**ORI Number:** TX1080800  
**Officer ID:** All  
**Location:** 400 NOLANA AVE G, MCALLEN

Incident Date/Time	Incident Number	Incident Type	Location
09/03/2020 23:59	2020-00060328	Domestic Disturbance	400 NOLANA AVE G
09/17/2020 16:11	2020-00063444	Harassment	400 NOLANA AVE G
09/24/2020 23:01	2020-00065276	Lost/Found Property	400 NOLANA AVE G
10/16/2020 23:23	2020-00070696	Police Services	400 NOLANA AVE G
10/17/2020 23:24	2020-00070945	Traffic Hazard	400 NOLANA AVE G
11/07/2020 02:04	2020-00076012	Domestic Disturbance	400 NOLANA AVE G
11/12/2020 00:19	2020-00077215	Assault	400 NOLANA AVE G
12/17/2020 13:38	2020-00086013	Theft	400 NOLANA AVE G
12/17/2020 18:40	2020-00086094	Theft	400 NOLANA AVE G
12/30/2020 21:35	2020-00089598	PI	400 NOLANA AVE G
01/02/2021 00:00	2021-00000310	Assault	400 NOLANA AVE G
01/02/2021 04:19	2021-00000336	Police Services	400 NOLANA AVE G
03/27/2021 10:58	2021-00021828	Theft	400 NOLANA AVE G
03/28/2021 01:53	2021-00022016	Suspicious Person/Vehicle	400 NOLANA AVE G
05/15/2021 23:18	2021-00035117	Suspicious Person/Vehicle	400 NOLANA AVE G
05/27/2021 00:41	2021-00037922	Suspicious Person/Vehicle	400 NOLANA AVE G
05/30/2021 18:44	2021-00038912	CRIMINAL MISCHIEF	400 NOLANA AVE G
05/31/2021 01:56	2021-00038989	Assault	400 NOLANA AVE G
05/31/2021 08:36	2021-00039049	Police Services	400 NOLANA AVE G
06/06/2021 00:54	2021-00040580	Assist Other Agency	400 NOLANA AVE G

**Total Matches:** 20

# Planning Department

## Memo

**TO:** Planning and Zoning Commission

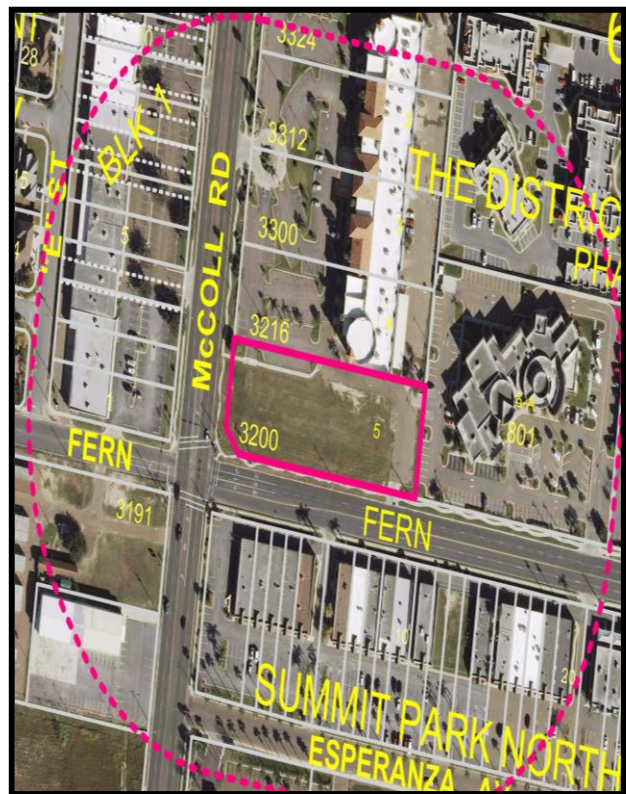
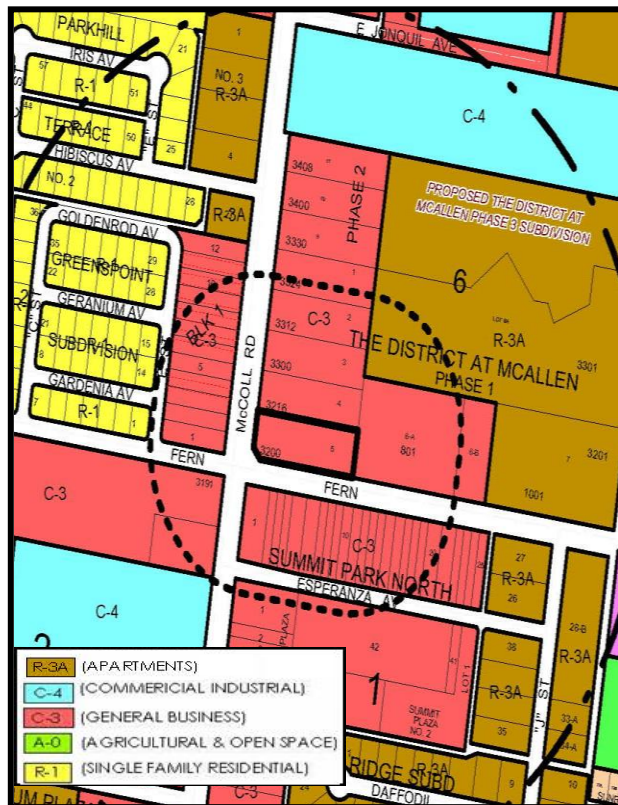
**FROM:** Planning Staff

**DATE:** June 7, 2021

**SUBJECT:** REQUEST OF MISTY M. GRACIA, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A SMOKE SHOP AT LOT 5, THE DISTRICT AT MCALLEN SUBDIVISION, HIDALGO COUNTY, TEXAS; 3200 NORTH MCCOLL, SUITE 110. (CUP2021-0059)

### BRIEF DESCRIPTION:

The property is located on the northwest corner of the intersection of North McColl Road and East Fern Avenue. The subject property is zoned C-3 (general business) District. There is C-3 district zoning to the north, south, east, and west. A smoke shop is allowed in a C-3 District with a Conditional Use Permit and in compliance with requirements.



### REQUEST/ANALYSIS:

The applicant is proposing to operate a retail smoke shop (Smoking Hot) out of an approximate 660 sq. ft. lease space, which is part of a multi-tenant commercial building. The

proposed days and hours of operation are Monday through Sunday from 10:00 a.m. to 12:00 a.m. The commercial plaza is a mixture of retail and vacant suites. The proposed 660 sq. ft. smoke shop requires 2 parking spaces, there are a total of 48 parking spaces provided as part of a common parking area.

The Fire and Health Departments have inspected the proposed location and the property is in compliance with applicable code requirements. The Planning Department has received no complaints regarding the proposed use as a smoke shop. As per Section 138-400 of the Zoning Ordinance, the parking lot must be properly striped and free of potholes. The establishment must comply with requirements set forth in Section 138-118(a)(4) of the Zoning Ordinance and specific requirements as follows:

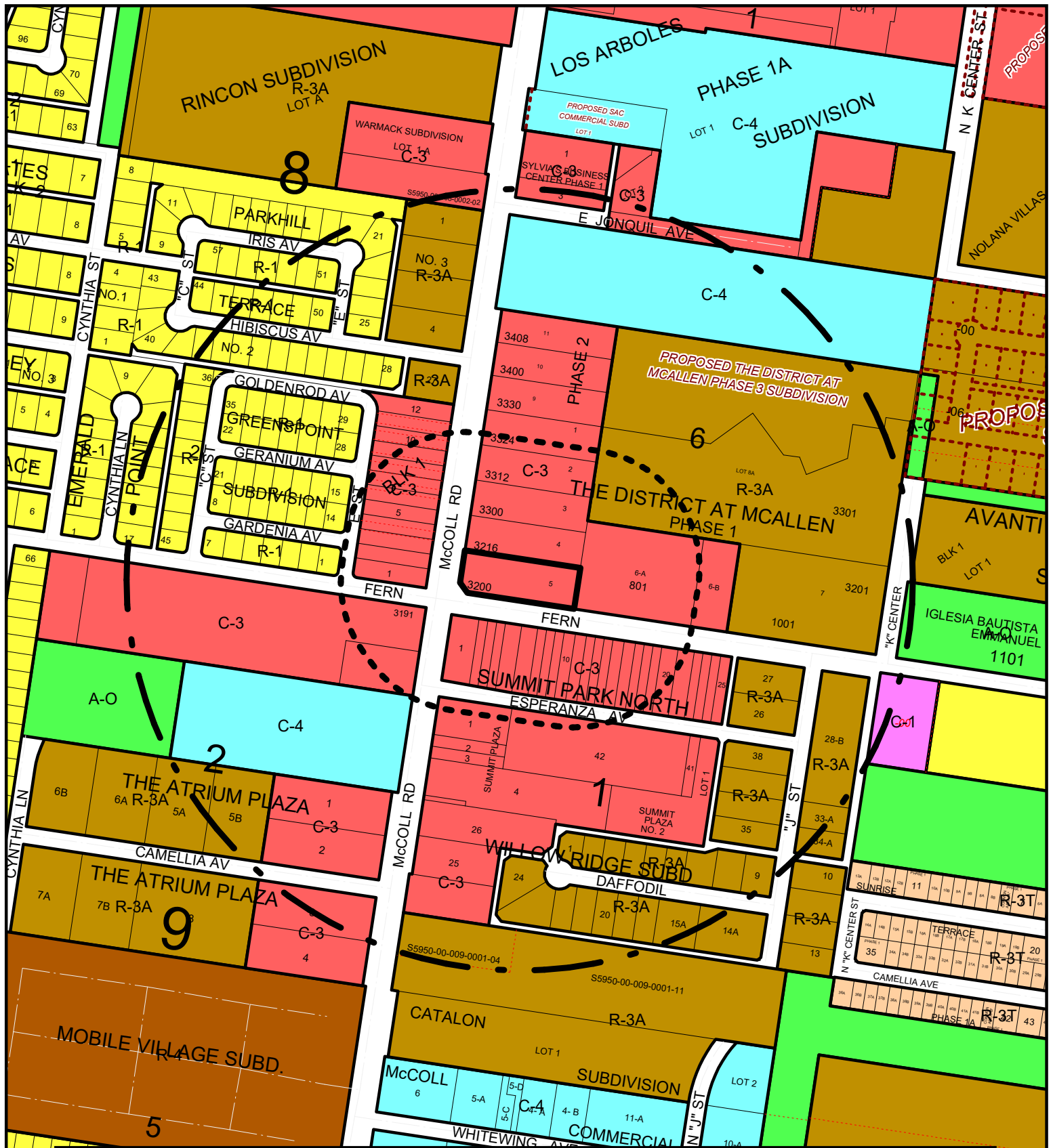
- 1) The property line of the lot of any of the above mentioned business must be at least 400 ft. from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruption of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The proposed establishment is within 400 ft. of a residential zone to the northeast;
- 2) The abovementioned business must be as close as possible to a major arterial, and shall not allow the traffic generated by such business onto residential streets, or allow such traffic to exit into and disrupt residential areas. The subject property has frontage along North McColl Road and does not generate traffic into residential areas;
- 3) The abovementioned businesses must provide parking in accordance with the city off-street parking ordinance as a minimum, and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional onsite parking. The proposed 660 sq. ft. smoke shop requires 2 parking spaces, there are 48 total parking spaces provided on the submitted site plan;
- 4) The abovementioned business must do everything possible to prevent the unauthorized parking by the patrons of such business on adjacent businesses or residential properties including, when necessary, the installation of fences and hedges, and the reorientation of entrances;
- 5) The abovementioned business should do everything possible and be designed to discourage criminal activities and vandalism, both on the site and on adjacent properties. Included would be provision of sufficient lighting and perimeter fencing, elimination of dark areas, and the orientation of the building such that it provides maximum visibility as much as possible of the site from a public street;
- 6) The abovementioned business must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties;



- 7) The abovementioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Director of Planning. The occupancy load for this establishment will be established by the Building and Inspections Department as part of the building permit review process.

**RECOMMENDATION:**

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



# **CITY OF McALLEN** PLANNING DEPARTMENT

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

**AREA MAP**



**SUBJECT PROPERTY**

**400 FT. NOTIFICATION BOUNDARY**

**1/4 MILE RADIUS**

## **ZONING LEGEND**

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

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**PROPOSED 7  
MCALLEN PHAS**

**THE DISTRICT AT  
PHASE 1**

**PHASE 2**

**6**

**1**



**CITY OF McALLEN**  
PLANNING DEPARTMENT

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

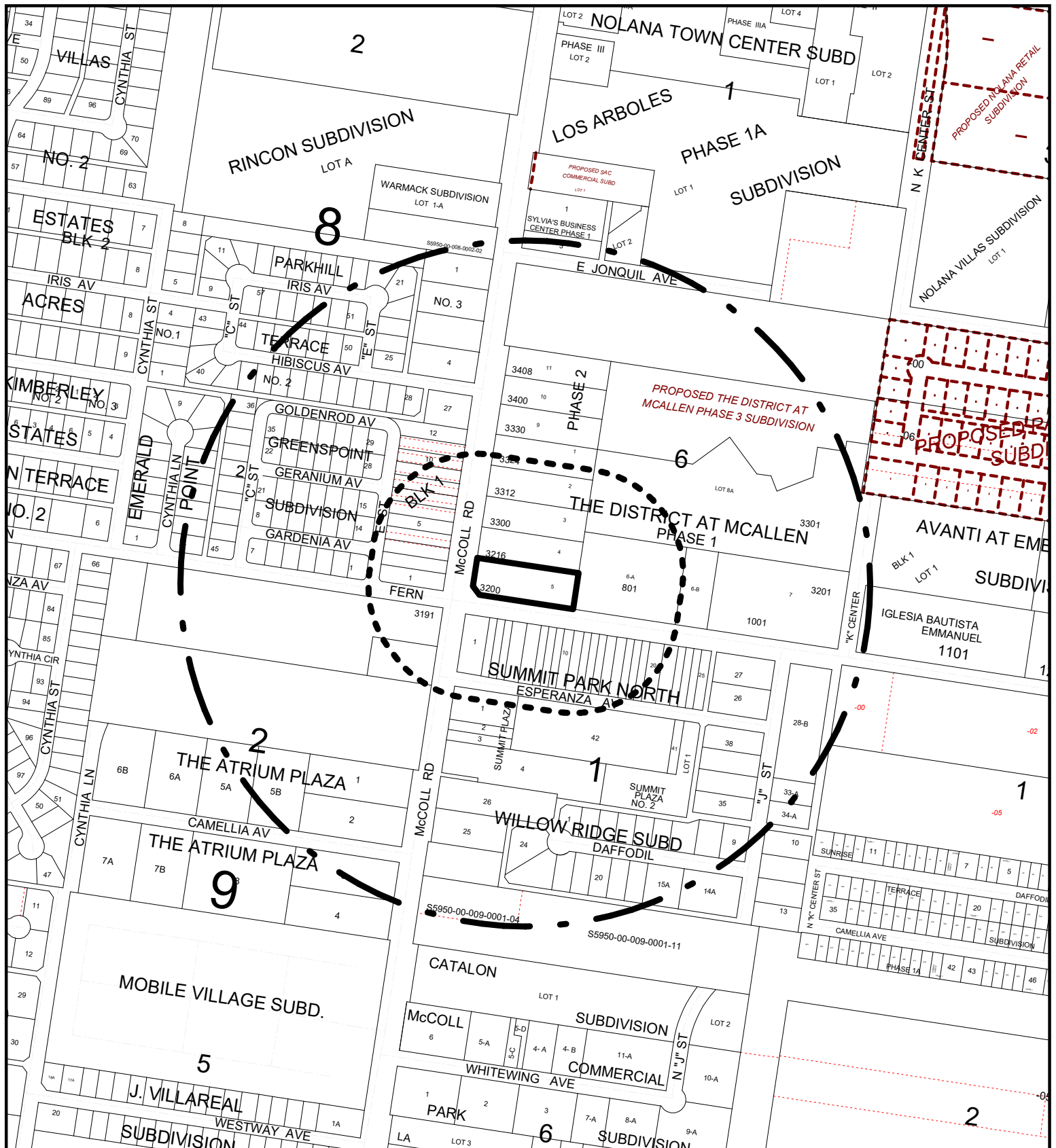
**SUBJECT PROPERTY**

**400' NOTIFICATION BOUNDARY**



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**CITY OF McALLEN**  
PLANNING DEPARTMENT

**AREA MAP**



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

**SUBJECT PROPERTY**

**400 FT. NOTIFICATION BOUNDARY** **1/4 MILE RADIUS**

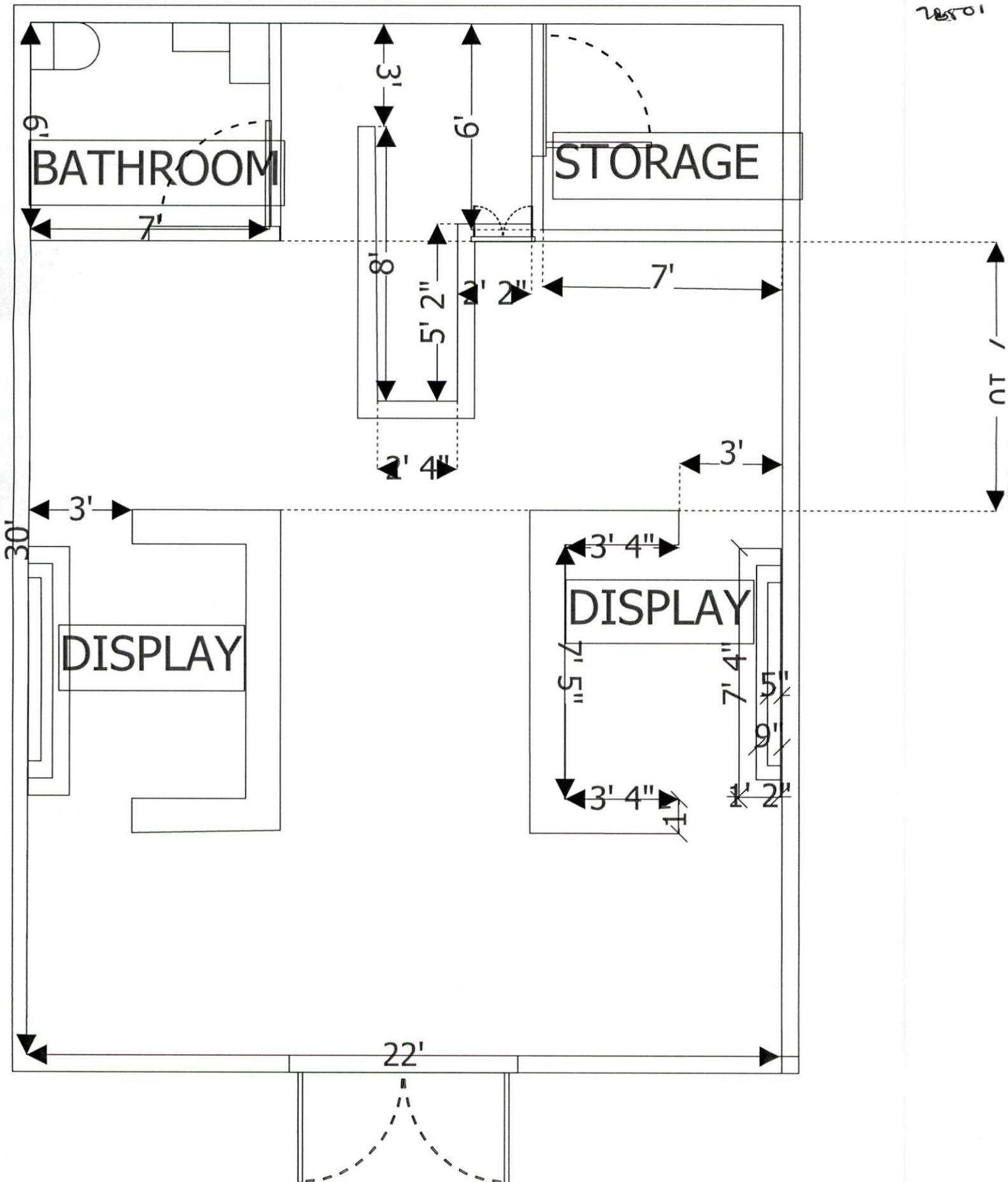
**ZONING LEGEND**

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

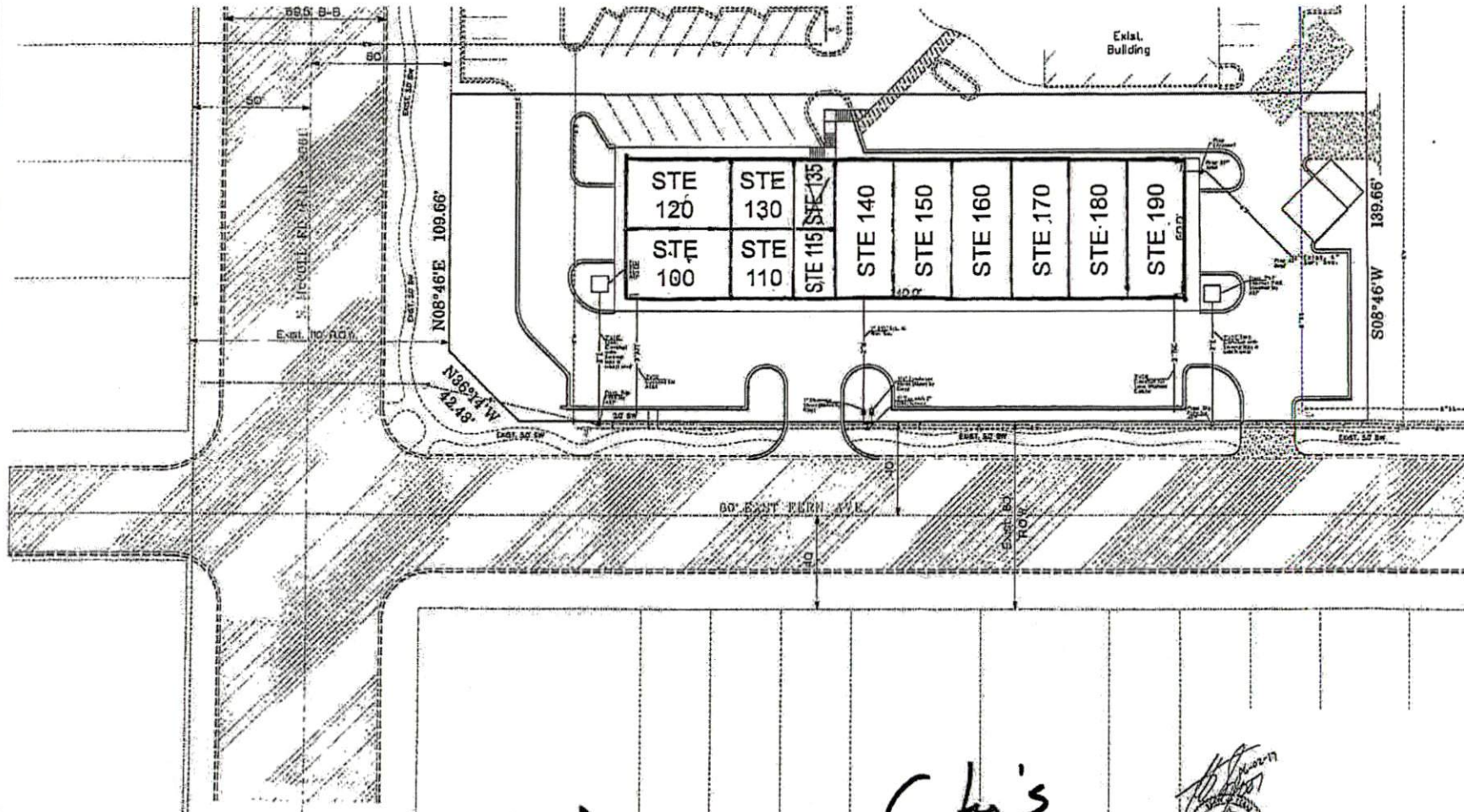
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# Floor Plan

3200 N. McColl Rd Ste 110 Northlake, GA 30062



3200 N. McColl Rd.  
The District at McAllen Subd. - Lot 5



DRU  
These are City's  
suite numbers



Michael Moya Consultants, Inc.  
Registration # 14713

Project 3200 N. McColl City of McAllen, Texas	Prepared by Spor Engineering Consultants, Inc. Consulting Engineers - Civil and Planning 201 South 4th Street, Suite 200 McAllen, TX 78501 Tel: 361.433.1000 Fax: 361.433.1000
	Date: March 23, 2017 Scale: 1" = 20' Sheet No.: C-3





3200

**NOTICE  
BAR  
FOR  
THIS PROPERTY  
CUP2021-0059**



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







# Incident Analysis Report

## Summary

**Print Date/Time:** 06/08/2021 10:10  
**Login ID:** mcpd7004  
**Incident Type:** All  
**Call Source:** All

**From Date:** 06/01/2020 00:01  
**To Date:** 06/08/2021 10:00

McAllen Police Department  
**ORI Number:** TX1080800  
**Officer ID:** All  
**Location:** 3200 N MCCOLL RD, MCALLEN

Incident Date/Time	Incident Number	Incident Type	Location
06/06/2020 20:13	2020-00038178	Police Services	3200 N MCCOLL RD

**Total Matches:** 1



## Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

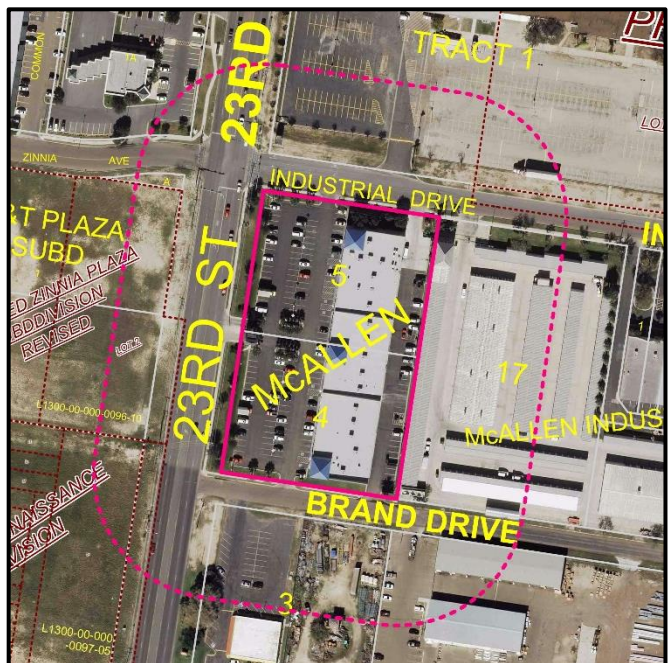
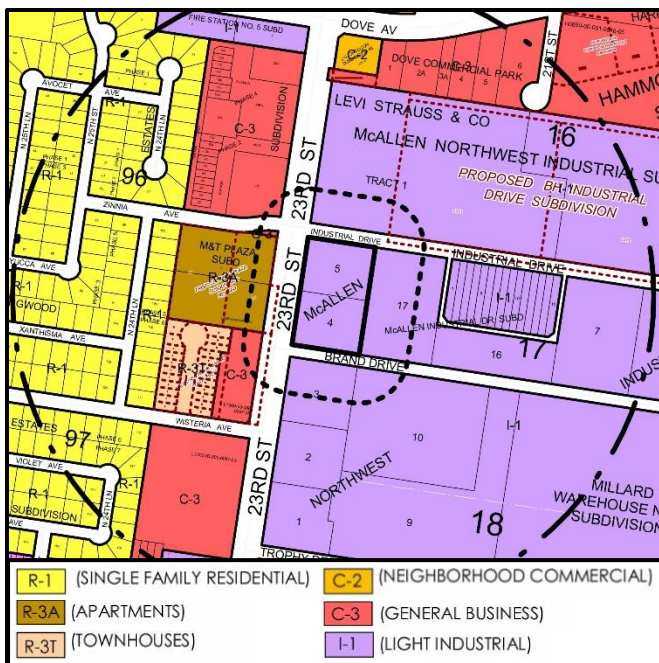
**DATE:** June 10, 2021

**SUBJECT: REQUEST OF ADRIAN G. GARCIA, JR. FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, FOR AN INSTITUTIONAL USE (BARBER SCHOOL) AT LOTS 4 AND 5, MCALLEN NORTHWEST INDUSTRIAL SUBDIVISION NO.2, HIDALGO COUNTY, TEXAS; 5000 NORTH 23RD STREET, SUITE E. (CUP2021-0057)**

### BRIEF DESCRIPTION:

The subject property is located on the east side of North 23<sup>rd</sup> Street, between Industrial Drive and Brand Drive. It has 473.28 ft. of frontage along North 23<sup>rd</sup> Street with a depth of 280 ft. for a lot size of 3.042 acres. McAllen Northwest Industrial Subdivision was recorded on March 1, 1999, and Texas Plaza was built in 2002 according to the Appraisal District records. The applicant is requesting a conditional use permit for an institutional use (barber school) for Suite E.

The property is zoned I-1 (light industrial) District. The adjacent zoning is I-1 (light industrial) District to the north, east and south, R-3A (multifamily residential apartment) District to the west, and C-3 (general business) District to the northwest and southwest. Surrounding land uses include Move It Self Storage, Kingwood Village Plaza, offices, Tru Fit Athletic Clubs, and vacant land. An institutional use is allowed in I-1 District with a conditional use permit and in compliance with requirements.



**SUMMARY/ANALYSIS:**

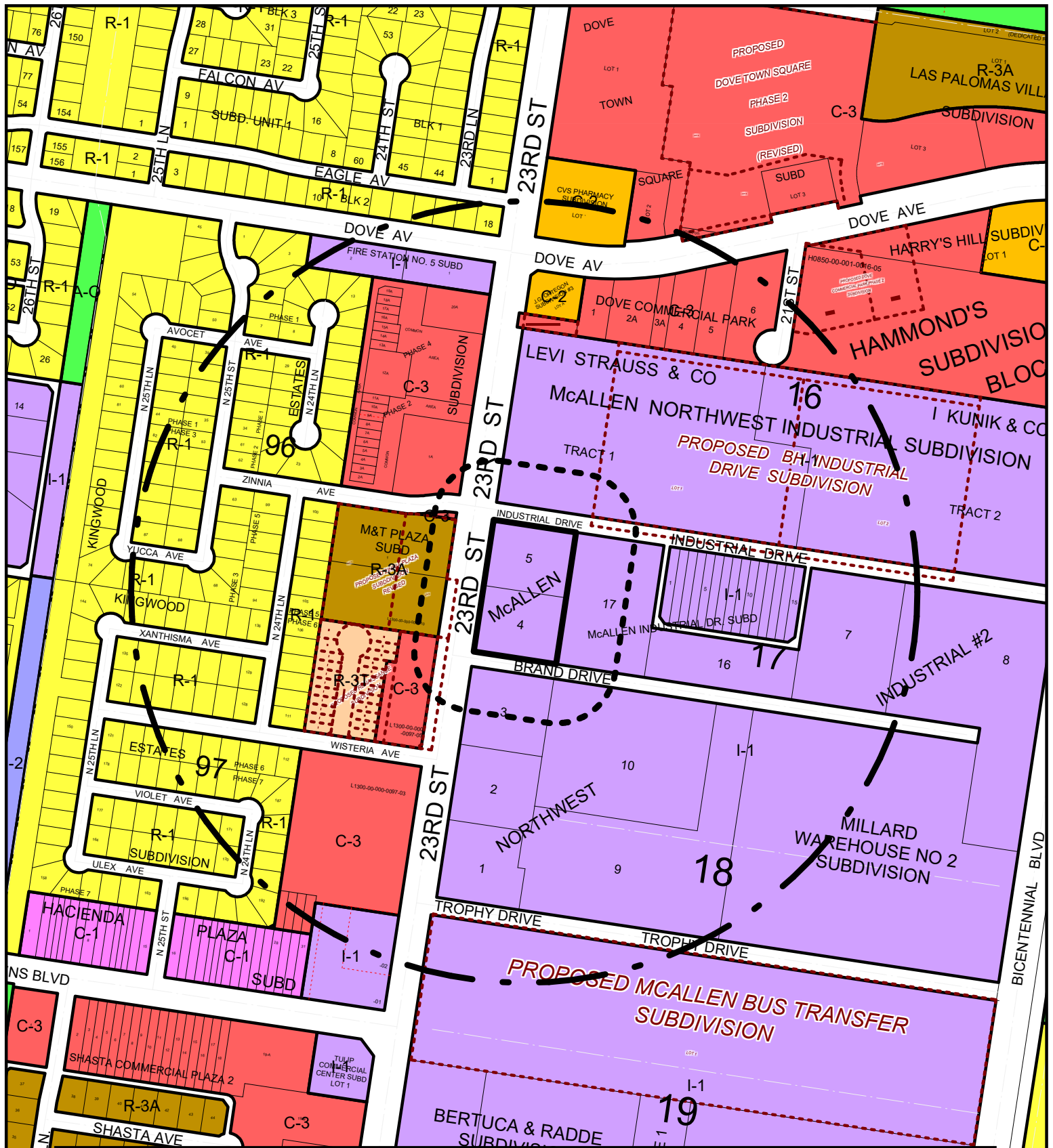
The applicant is proposing to remodel the existing suite to operate a barber school from a 2,550 sq. ft. lease space. The proposed days and hours of operations are Monday through Friday from 9 am to 9 pm. There will be a classroom, an office, a breakroom, and a closet, in addition to the seating area. Based on 5 parking spaces per classroom and 1.5 parking spaces per admin office, 7 parking spaces are required, of which one parking spaces must be van accessible with an 8 ft. aisle. The required parking spaces are provided by joint parking area for Lots 4 & 5. 161 parking spaces are provided at the front of the plaza and 43 at the rear for a total number of 204 parking spaces, 8 of which are van accessible. Staff has not received any complaints to the Conditional Use Permit request.

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

- 1) The proposed use shall not generate traffic onto residential size streets or disrupt residential areas, and shall be as close as possible to a major arterial; The property fronts North 23<sup>rd</sup> Street;
- 2) The proposed use shall comply with the McAllen Off-Street Parking Ordinance and make provisions to prevent the use of street parking, especially in residential areas; 7 parking spaces are required for the barber school, and a total of 137 parking spaces are required for the plaza (based on 5,100 sq. ft. of restaurant space, 3,910 sq. ft. of office space, and 22,270 sq. ft. of commercial space). 161 parking spaces are provided at the front of the plaza and 43 at the rear for a total number of 204 parking spaces, 8 of which are van accessible. Should the number of offices and classrooms increase, then additional parking will be required;
- 3) The proposed use shall prevent the unauthorized parking of its patrons on adjacent businesses or residences by providing fences, hedges or reorientation of entrances and exits;
- 4) The proposed use shall provide sufficient lighting to eliminate dark areas, perimeter fencing, and an orientation of the building to provide maximum visibility from a public street in order to discourage vandalism and criminal 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; The maximum capacity for Suite E is 25 persons; and
- 7) Sides adjacent to residentially zoned or used properties shall be screened by a 6 ft. opaque fence.

**RECOMMENDATION:**

Staff recommends approval of the request, for life of the use, subject to compliance with Sections 138-118 and 138-400 of the Zoning Ordinance, Building Permit, and Fire Department requirements.



# **CITY OF McALLEN** PLANNING DEPARTMENT

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

**AREA MAP**



**SUBJECT PROPERTY**

**200 FT. NOTIFICATION BOUNDARY**

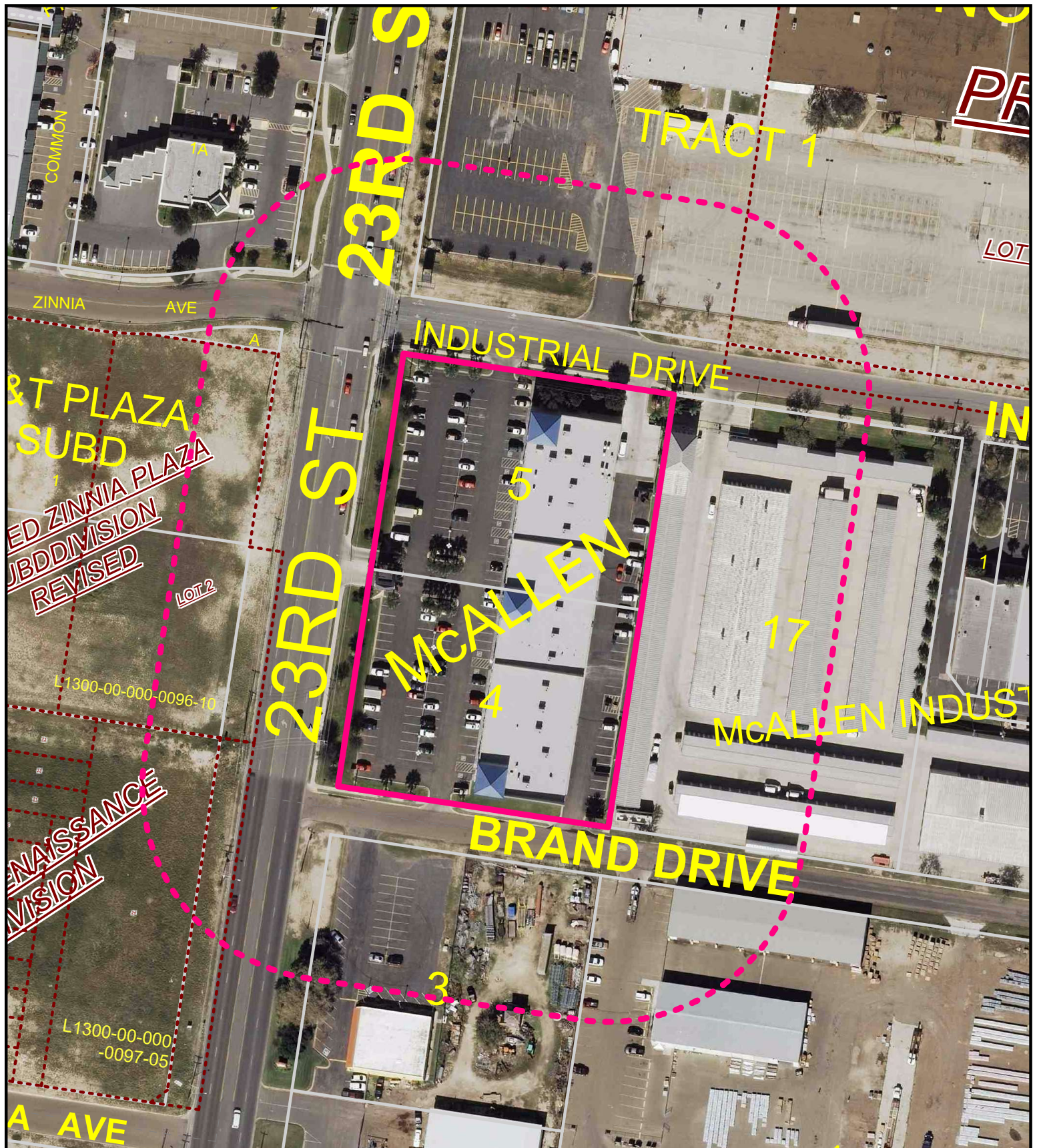
**1/4 MILE RADIUS**

## **ZONING LEGEND**

<b>A-0</b> (AGRICULTURAL & OPEN SPACE)	<b>R-3A</b> (APARTMENTS)	<b>R-4</b> (MOBILE HOMES)	<b>C-3</b> (GENERAL BUSINESS)	<b>I-1</b> (LIGHT INDUSTRIAL)
<b>R-1</b> (SINGLE FAMILY RESIDENTIAL)	<b>R-3C</b> (CONDOMINIUMS)	<b>C-3L</b> (OFFICE BUILDING)	<b>C-3L</b> (LIGHT COMMERCIAL)	<b>I-2</b> (HEAVY INDUSTRIAL)
<b>R-2</b> (DUPLEX-FOURPLEX)	<b>R-3T</b> (TOWNHOUSES)	<b>C-4</b> (NEIGHBORHOOD COMMERCIAL)	<b>C-4I</b> (COMMERCIAL INDUSTRIAL)	<b>SPECIAL DISTRICT</b>

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**CITY OF McALLEN**  
PLANNING DEPARTMENT

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



**SUBJECT PROPERTY**



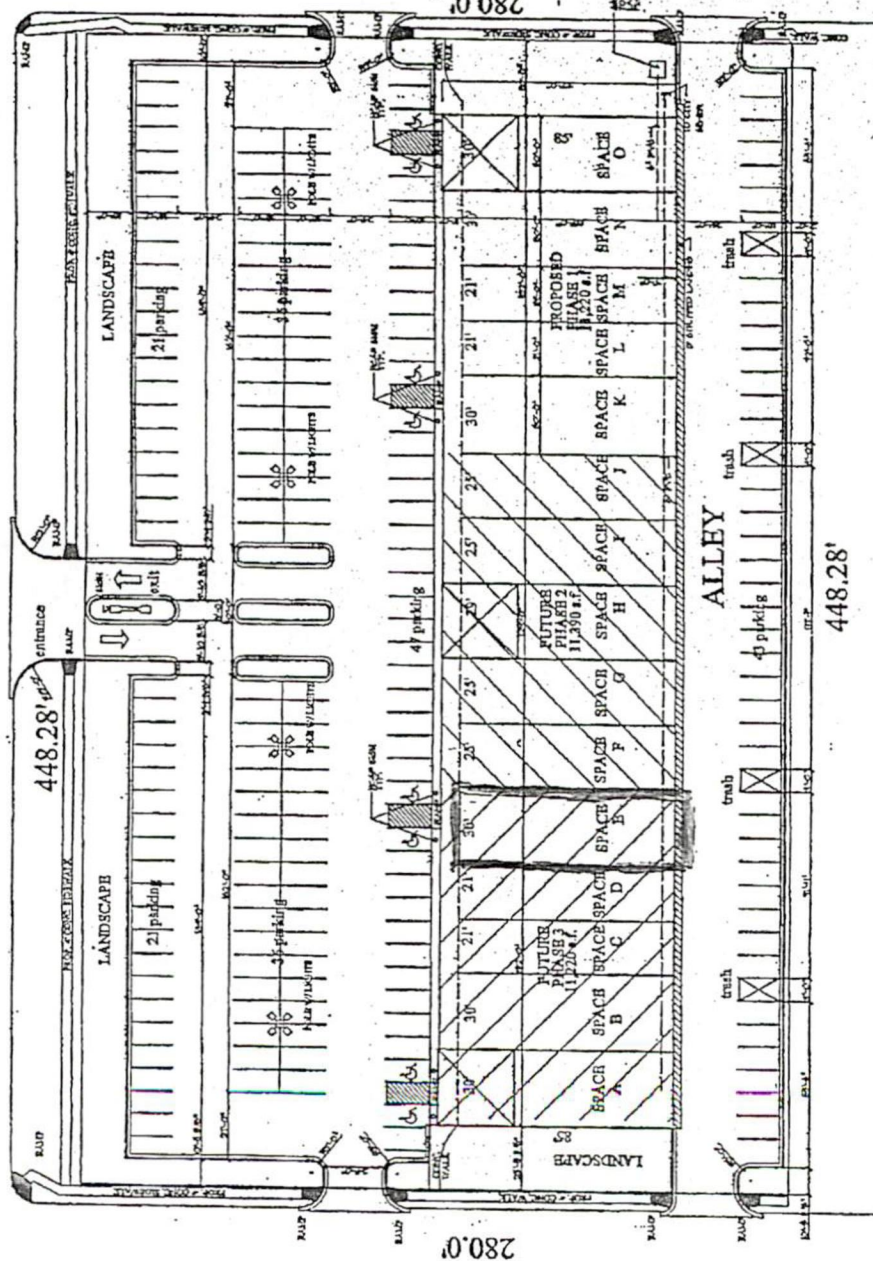
**200' NOTIFICATION BOUNDARY**



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23RD STREET



# SITE PLAN

SCALE: 1" = 30'

- NOTES:
- PROVIDE 1-1/2" SPRINKLER METER
  - PROVIDE SITS SEWER AND WATER
  - FUTURE PHASE 2 WILL INCLUDE ALL SITE DEVELOPMENT

OWNERS  
 McALLEN INDUSTRIAL LTD.  
 2101 INDUSTRIAL DRIVE  
 McALLEN, TEXAS 78104  
 PH. (956) 630-1713 (956) 631-1178  
 CONTACT JOE BAKUTENSKI

LEGAL  
 LOT 483  
 McALLEN NORTHWEST INDUSTRIAL SUBDIVISION  
 CITY OF McALLEN, HIDALGO COUNTY, TEXAS

PARKING REQUIRED 125  
 PARKING PROVIDED 204  
 HCAP PARKING REQUIRED 7  
 HCAP PARKING PROVIDED 8

LANDSCAPE REQUIRED 125  
 LANDSCAPE PROVIDED 204  
 LOT AREA 448,280 S.F.  
 GREEN AREA REQUIRED 12,518 S.F.  
 GREEN AREA PROVIDED 16,033 S.F.

SITE ADDRESS 4900 N. 23RD  
 McALLEN, TEXAS

● = Barber chair  
+ Stations  
Hair wash  
station

5 ft

9 ft

4 ft

36 in 21 ft

Break room

9 ft

12 ft

136 in 136 in

36 in

Classroom

About  
20  
Students

38 ft

16 ft

48 in

8 ft

24 ft

Office

15 ft

9 ft  
Closet

36 in

10 ft

Barber shop

5000 N. 23rd  
St Ste E  
McAllen TX,  
78504

← N





A1 DRY CLEANERS & ALTERATIONS

Rejuvenating Touch  
MASSAGE THERAPY

SUNNY BUNZ  
A Tanning Paradise

FITNESS CENTER

Texas  
PLAZA

KB FURNITURE

NAILS

MISSON BARBER COLLEGE

Carmy Joe

HOME LOANS

Rejuvenating Touch

KUNG-FU

SUNNY BUNZ

A Tanning Paradise

Restaurant & Bar

NOTICE  
INSTITUTIONAL  
USE  
THIS PROPERTY  
CUP2021-0057



## Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

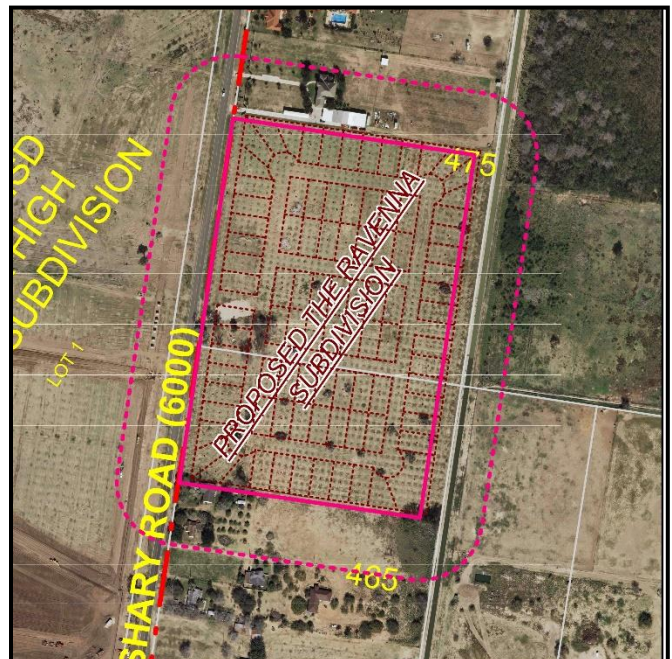
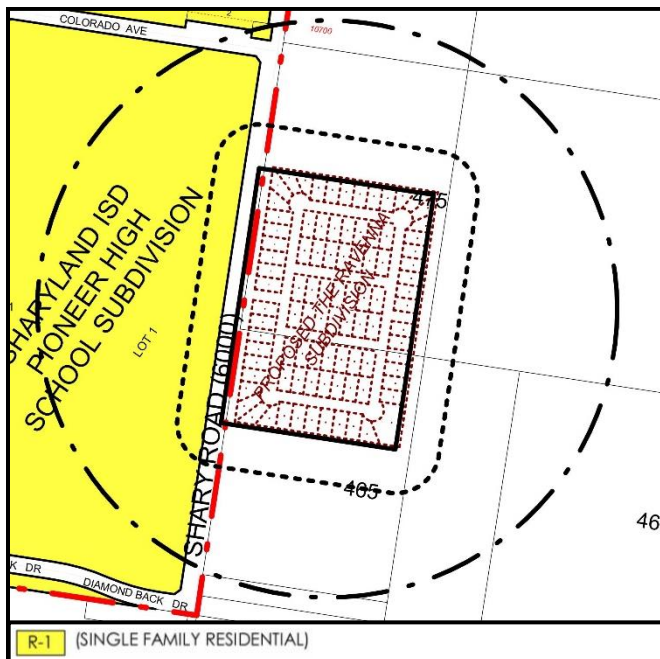
**DATE:** June 10, 2021

**SUBJECT: INITIAL ZONING TO R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT: 21.288 ACRES OUT OF LOTS 475 AND 465, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS; 10300 NORTH SHARY ROAD. (REZ2021-0001)**

**LOCATION:** The property is located on the east side of North Shary Road, approximately 1,860 ft. south of Mile 7 Road. The tract has 1,173.76 ft. of frontage along North Shary Road with a depth of 820 ft. for a lot size of 21.288 acres.

**PROPOSAL:** The tract is currently outside the City limits and is undergoing voluntary annexation. The initial zoning to R-1 (single-family residential) District will become effective upon the annexation of the tract into the City. The applicant is requesting R-1 District for a proposed 92-lot subdivision under the name of The Ravenna Subdivision which was approved in preliminary form on January 5, 2021, by the Planning and Zoning Commission.

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





LAND USE: The property is currently vacant. Surrounding land uses include Sharyland Pioneer High School, single-family residences, and vacant land.

COMPREHENSIVE PLAN: The Foresight McAllen Comprehensive Plan designates the future land use for this property as Suburban Residential, which is comparable to R-1 District.

DEVELOPMENT TRENDS: The development trend for this area along North Shary Road is single-family residential.

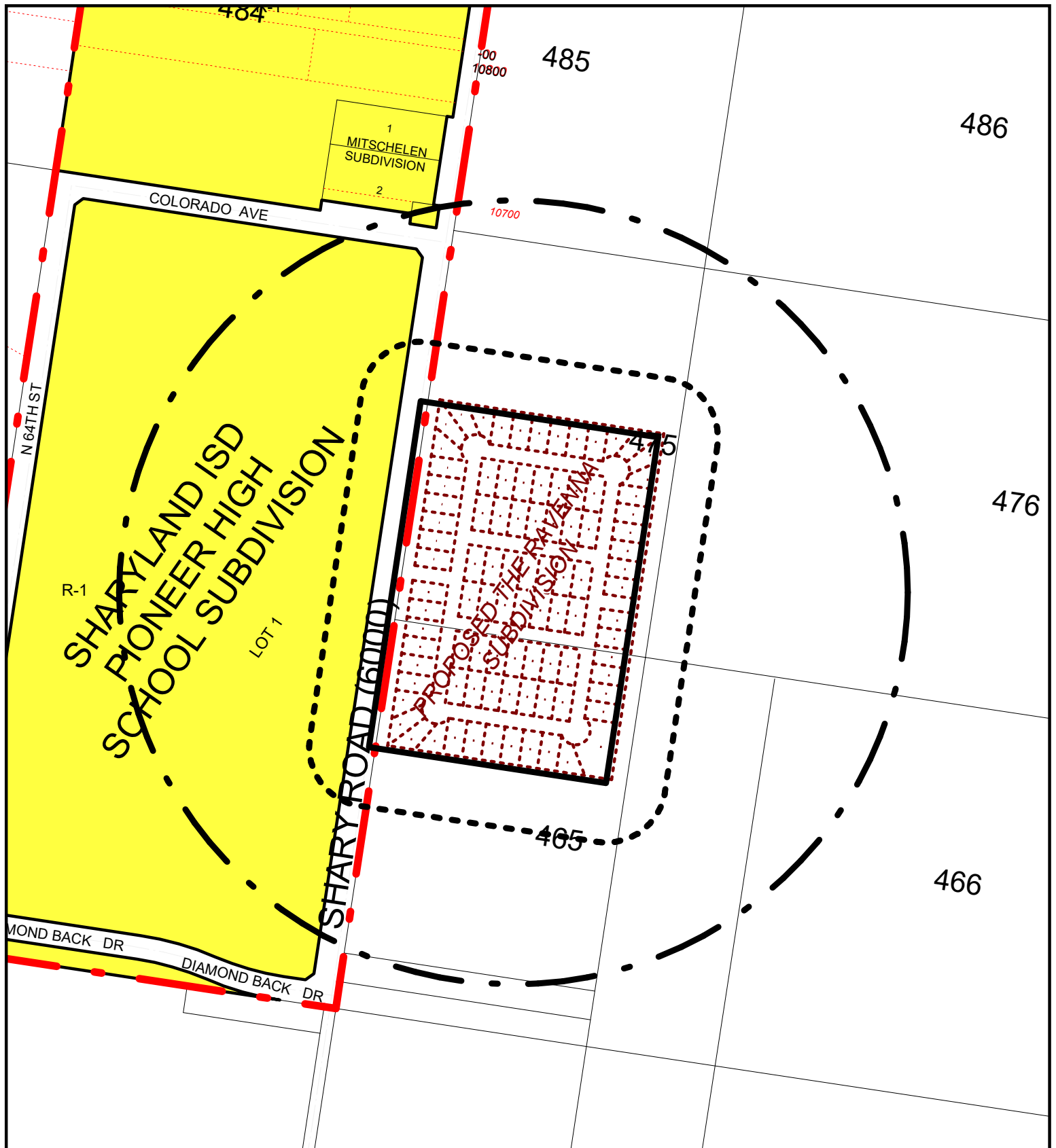
HISTORY: The tract has been in the City's Extra-Territorial Jurisdiction (ETJ) since October 1, 1981. A subdivision application for the subject property was submitted on December 11, 2020, which was approved in revised preliminary form on January 5, 2021, by the Planning and Zoning Commission. An annexation and initial zoning requests for the subject property are scheduled to be heard at the City Commission meeting of July 12, 2021.

ANALYSIS: The requested zoning conforms to the Suburban Residential land use designation as indicated on the Foresight McAllen Comprehensive Plan. It also follows the R-1 zoning and development trend of the surrounding area.

A recorded subdivision plat is required prior to building permit issuance. The R-1 District designation permits continuation of the subdivision process for a residential subdivision.

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

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



# **CITY OF McALLEN** PLANNING DEPARTMENT

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

## **AREA MAP**



**SUBJECT PROPERTY**

**200 FT. NOTIFICATION BOUNDARY**

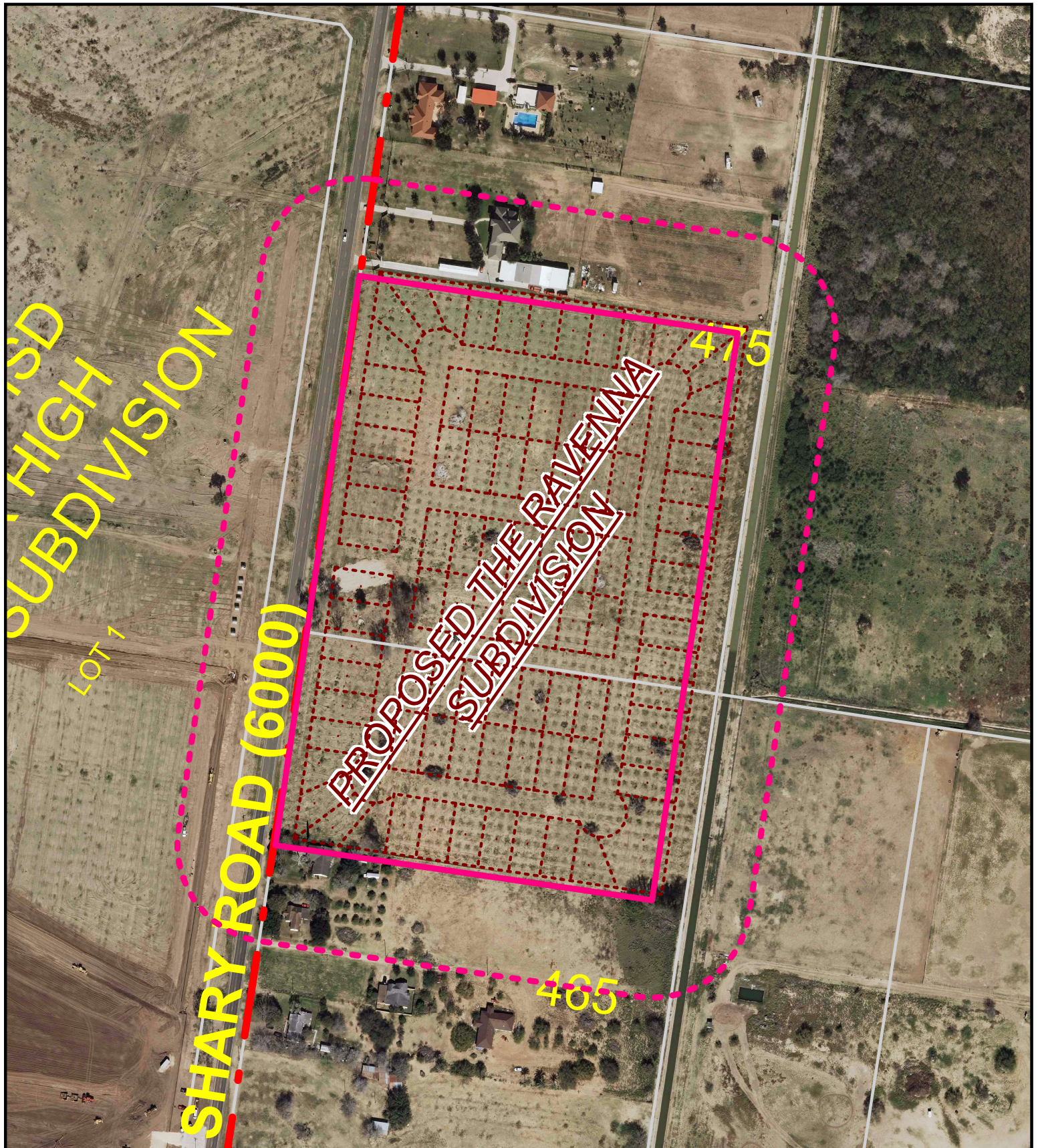
**1/4 MILE RADIUS**

### **ZONING LEGEND**

<b>A-0</b> (AGRICULTURAL & OPEN SPACE)	<b>R-3A</b> (APARTMENTS)	<b>R-4</b> (MOBILE HOMES)	<b>C-3</b> (GENERAL BUSINESS)	<b>I-1</b> (LIGHT INDUSTRIAL)
<b>R-1</b> (SINGLE FAMILY RESIDENTIAL)	<b>R-3C</b> (CONDOMINIUMS)	<b>C-1</b> (OFFICE BUILDING)	<b>C-3L</b> (LIGHT COMMERCIAL)	<b>I-2</b> (HEAVY INDUSTRIAL)
<b>R-2</b> (DUPLEX-FOURPLEX)	<b>R-3T</b> (TOWNHOUSES)	<b>C-2</b> (NEIGHBORHOOD COMMERCIAL)	<b>C-4</b> (COMMERCIAL INDUSTRIAL)	<b>(SPECIAL DISTRICT)</b>

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**CITY OF McALLEN**  
PLANNING DEPARTMENT

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



**SUBJECT PROPERTY**



**200' NOTIFICATION BOUNDARY**



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SHARY ROAD (6000)



**CITY OF McALLEN**  
PLANNING DEPARTMENT

**FORESIGHT McALLEN COMPREHENSIVE PLAN**

**FUTURE LAND USE PLAN**

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

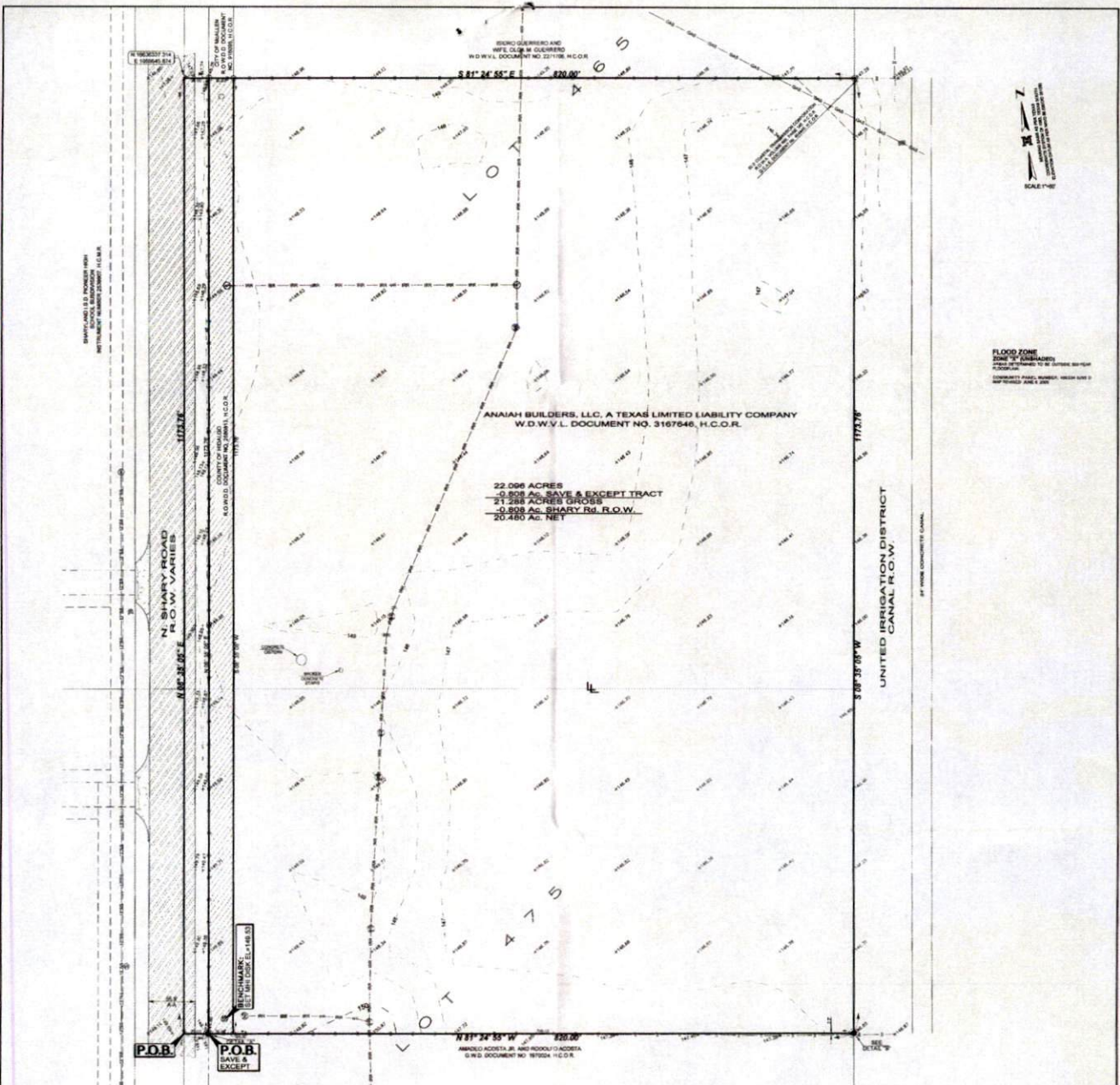
A COMPREHENSIVE PLAN SHALL NOT CONSTITUTE ZONING REGULATIONS  
OR ESTABLISH ZONING DISTRICT BOUNDARIES. SEC. 219.005 LGC

**LEGEND**

SCALE: 1 INCH = .86 MILE  
APPROVED: DECEMBER 10, 2007  
REVISED: MARCH 8, 2021

**THOROUGHFARE PLAN**

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



**PLAT SHOWING  
21.288 ACRES OUT OF  
LOTS 475 AND LOT 465,  
JOHN H. SHARY SUBDIVISION  
VOLUME 00, PAGE 17, H.C.M.R.  
HIDALGO COUNTY, TEXAS**

- NOTES:**
1. SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR.
  2. ALL BEARINGS AND DISTANCES ARE BASED ON GRID COORDINATES.
  3. SURVEY WAS PREPARED WITH THE BENEFIT OF EDWARDS ABSTRACT AND TITLE COMPANY COMMITMENT OF NO. 830570.
  4. EFFECTIVE DATE: OCTOBER 16, 2020.
  5. ISSUED: OCTOBER 26, 2020.
- EASEMENTS LISTED IN SCHEDULE B**
- 10.1. RIGHT OF WAY AGREEMENT DATED JULY 27, 1987, RECORDED IN VOLUME 88, PAGE 16, DEED RECORDS, HIDALGO COUNTY, TEXAS AND CULMIN AND ASSIGNMENT OF EASEMENTS RECORDED UNDER CLIENT'S FILE NO. 40444, OFFICIAL RECORD, HIDALGO COUNTY, TEXAS PLOTTED AND SHOWN HEREON.
  - 10.2. EASEMENTS, RULES, REGULATIONS AND RIGHTS IN FAVOR OF UNITED IRRIGATION DISTRICT, BLANKET IN NATURE, NOT PLOTTABLE.
  - 10.3. EASEMENTS AND RESERVATIONS AS MAY APPEAR UPON THE RECORDED MAP AND INDICATION OF SAID SUBDIVISION AND EASEMENTS SHOWN ON RECORDED PLAT.

- LEGEND**
- 1. FOUND IN A HOLE
  - 2. FOUND PIPE
  - 3. FOUND 12" BORE ON CONCRETE
  - 4. SET IN A HOLE WITH PLASTIC CAP STAMPED MELDEN & HUNT
  - 5. TELEPHONE PEGS
  - 6. FINE IRONWIRE
  - 7. WATER METER
  - 8. WATER VALVE
  - 9. SANITARY FENCE MARKER
  - 10. SHUT-OFF VALVE
  - 11. IRRIGATION VALVE
  - 12. IRRIGATION BOX
  - 13. IRRIGATION STAKE PIPE (SIZE AS NOTED)
  - 14. IRRIGATION VENT (SIZE AS NOTED)
  - 15. GAS METER
  - 16. GAS LINE
  - 17. HOSE LINE
  - 18. SANITARY FENCE LINE
  - 19. PRIVATE LINE
  - 20. ASPHALT AREA
  - 21. CONCRETE AREA
  - 22. SAVE & EXCEPT
  - 23. EDGE OF ASPHALT TO EDGE OF ASPHALT
  - 24. R.O.W. RIGHT OF WAY
  - 25. H.C.M.R. HIDALGO COUNTY MAP RECORDS
  - 26. H.C.O.R. HIDALGO COUNTY OFFICIAL RECORDS
  - 27. F.O.B. POINT OF BEGINNING
  - 28. P.O.C. POINT OF COMMENCING
  - 29. S.W.D. SPECIAL WARRANTY DEED
  - 30. W.D.W.L. WARRANTY DEED WITH ENDORSER'S SIGN
  - 31. R.O.W.A. RIGHT OF WAY AGREEMENT
  - 32. C.O.A.E. CULMIN AND ASSIGNMENT OF EASEMENTS
  - 33. R.O.W.D. RIGHT OF WAY DONATION DEED
  - 34. LOT LINE

*Fred L. Kurth*  
1-19-21

THE UNDERSIGNED HEREBY CERTIFIES THAT THIS SURVEY AS DESCRIBED HEREON, WAS MADE ON THE GROUND ON OR BEFORE THE DATE OF THE SURVEY, THAT THE ONLY IMPROVEMENTS ON THE GROUND ARE AS SHOWN, THAT THERE ARE NO VISIBLE ENCROACHMENTS, VISIBLE OVERLAPPING, APPARENT CONFLICTS, OR VISIBLE EASEMENTS, EXCEPT AS SHOWN HEREON.

*Fred L. Kurth* 12-11-2020  
FRED L. KURTH, RPLS No. 4750 DATE

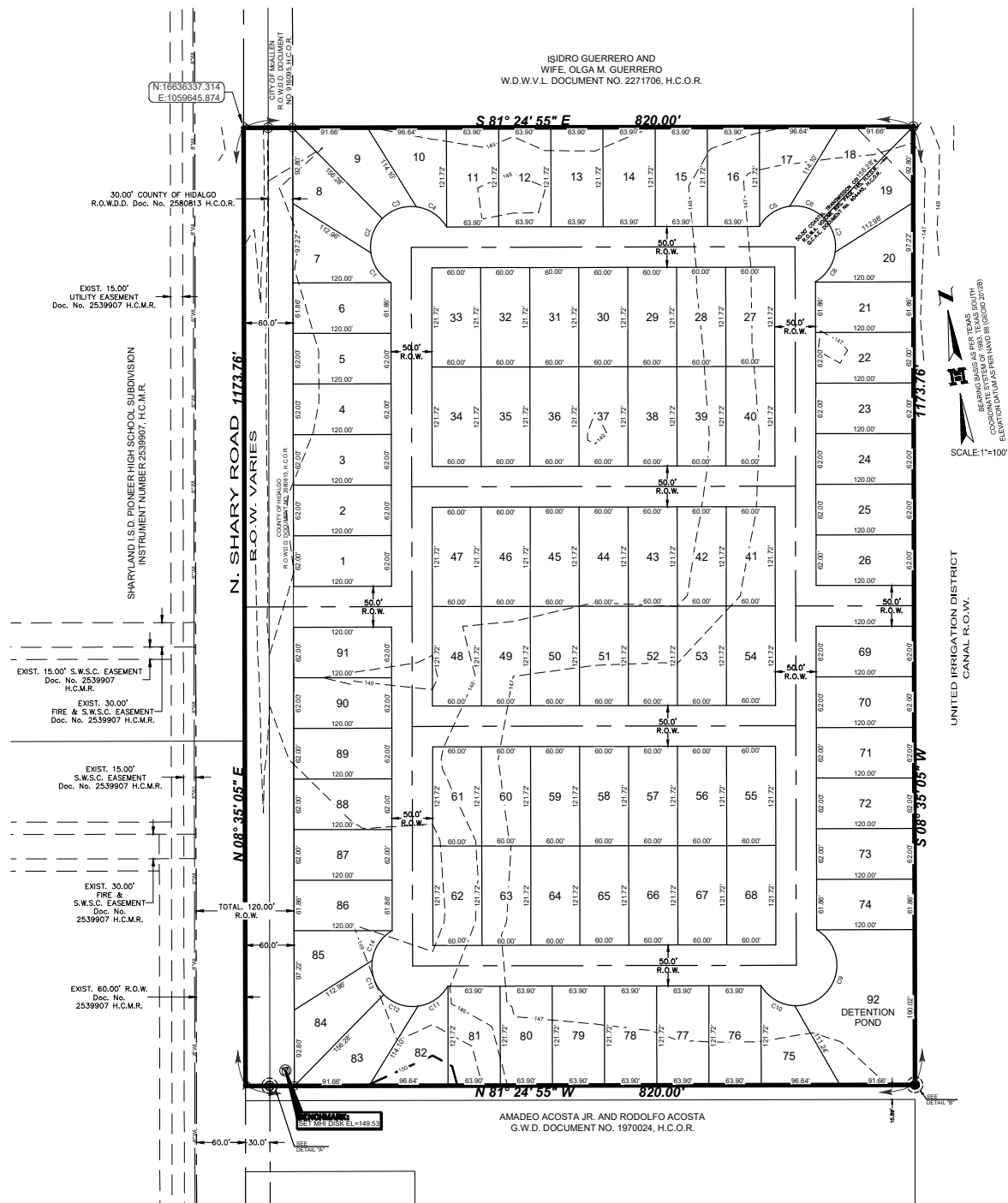


JOB No.	20580.08	UPDATING CHANGES
DRAWING DATE	11/03/2020	
DRAWN BY	J.C. J.G.	
File Name	20580.08	
T-1108, PG. 06-09		

1. THROUGH 2021 MARCH 31, 2021, THE SURVEYOR'S SEAL AND SIGNATURE SHALL BE VALID FOR THE YEAR 2021.



BY: *[Signature]*



SUBDIVISION MAP OF  
**THE RAVENNA**  
**SUBDIVISION**  
(A PRIVATE SUBDIVISION)

BEING A SUBDIVISION OF 21.288 ACRES SITUATED IN THE  
COUNTY OF HIDALGO, TEXAS, BEING A PART OR PORTION OUT  
OF LOTS 475 AND 465, JOHN H. SHARY SUBDIVISION,  
ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 0,  
PAGE 17, HIDALGO COUNTY MAP RECORDS.





NOTICE  
REZONING  
FOR  
THIS PROPERTY  
RECEIVED 2001



## Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

**DATE:** June 9, 2021

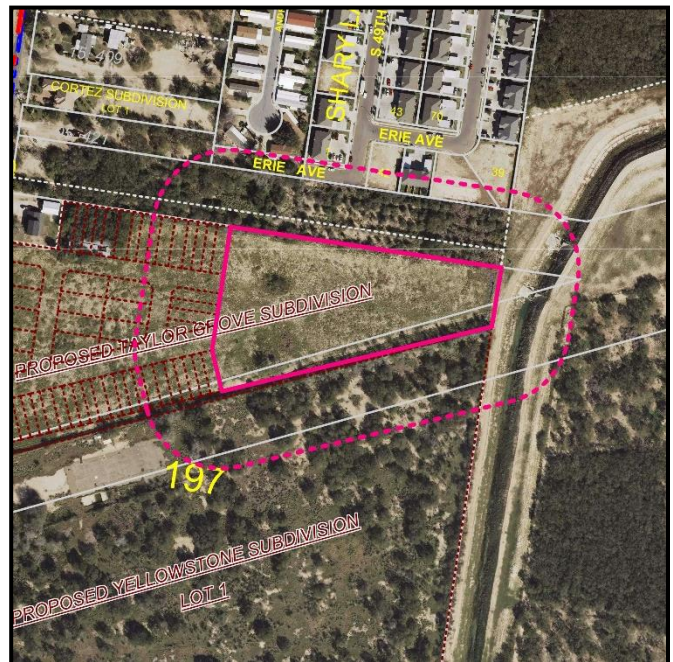
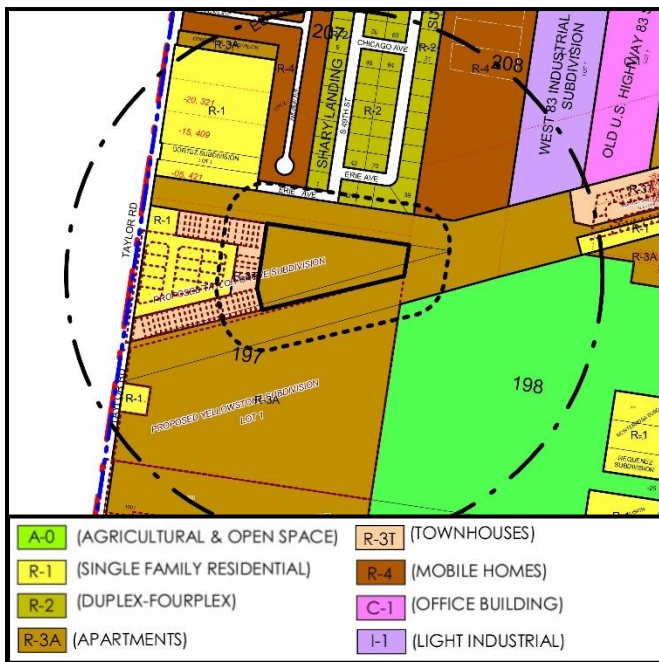
**SUBJECT: REZONE FROM R-3A (MULTIFAMILY RESIDENTIAL APARTMENT) DISTRICT TO R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT: 4.79 ACRES OUT OF LOT 197, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS; 701 SOUTH TAYLOR ROAD (REAR). (REZ2021-0030) (WITHDRAWN)**

### THIS ITEM WAS WITHDRAWN BY THE APPLICANT.

**LOCATION:** The property is located 580 ft. east of South Taylor Road, approximately 1,720 ft. south of U.S. Business 83. The tract consists of 4.79 acres and is an interior tract proposed to be part of a larger development with access to South Taylor Road.

**PROPOSAL:** The applicant is requesting to rezone the property to R-1 (single-family residential) District in order to construct single-family residences. The subject property is part of a proposed subdivision under the name of Taylor Grove Subdivision which was approved in preliminary form on December 3, 2020, by the Planning and Zoning Commission. A rezoning request for the subject property to R-1 District was submitted on May 6, 2021.

**ADJACENT ZONING:** The adjacent zoning is R-3A (multifamily residential apartment) District to the north, east and south and R-3T (multifamily residential townhouse) Districts to the west.





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

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

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

HISTORY: The tract was annexed into the city and initially zoned A-O (agricultural and open space) District in 1999. The City Commission approved a request initiated by the City to rezone the property to R-3A (multifamily residential apartment) District on April 13, 2015. Two other rezoning requests for the proposed Taylor Grove Subdivision to R-1 (single-family residential) and R-3T (multifamily residential Townhouse) Districts were approved by the City Commission on January 11, 2021.

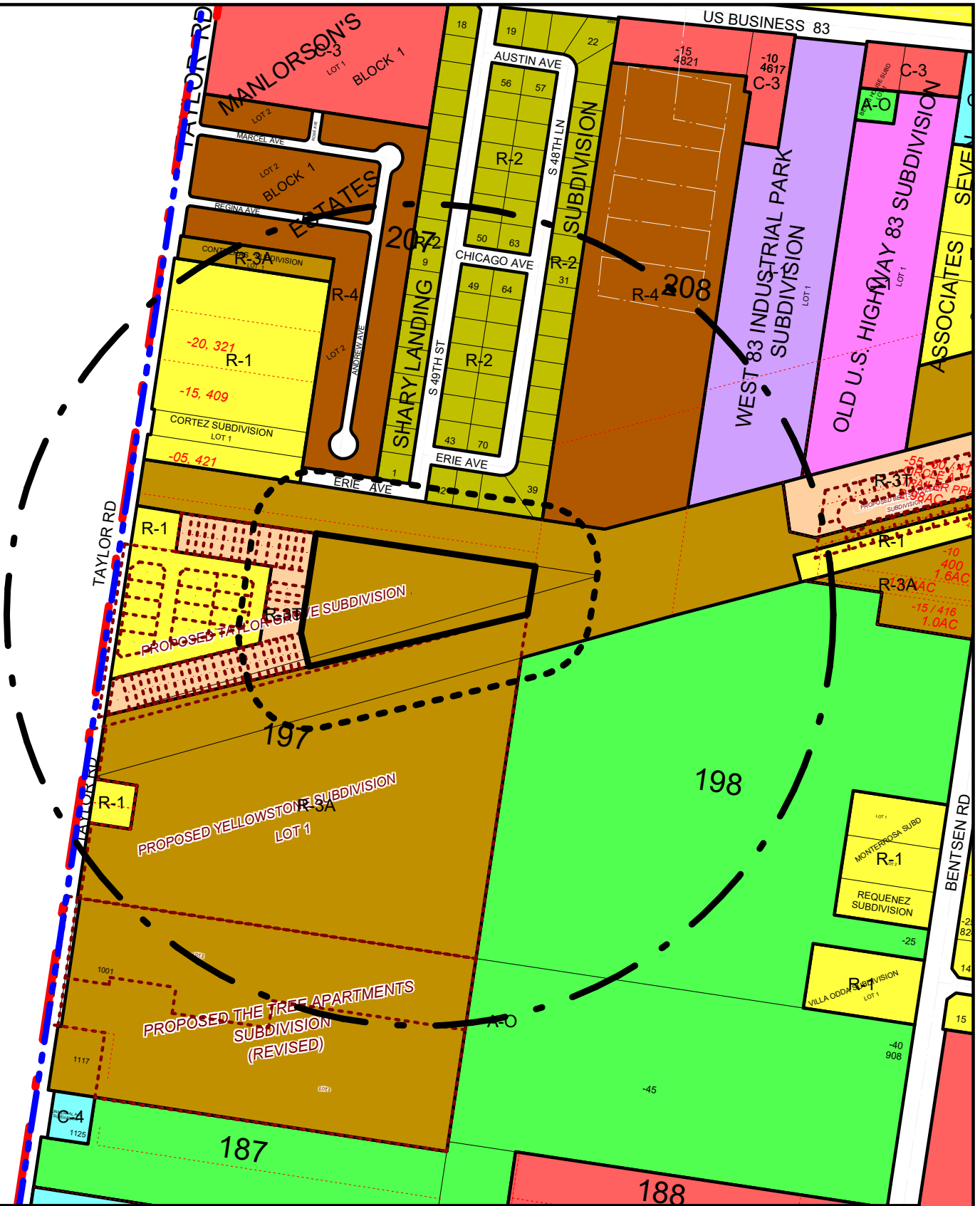
ANALYSIS: The requested zoning conforms to the Auto Urban Single Family land use designation as indicated on the Foresight McAllen Comprehensive Plan. It also follows the development trend in this area along South Taylor Road.

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

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

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

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



# **CITY OF McALLEN** PLANNING DEPARTMENT

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

SUBJECT PROPERTY

200 FT. NOTIFICATION BOUNDARY

1/4 MILE RADIUS

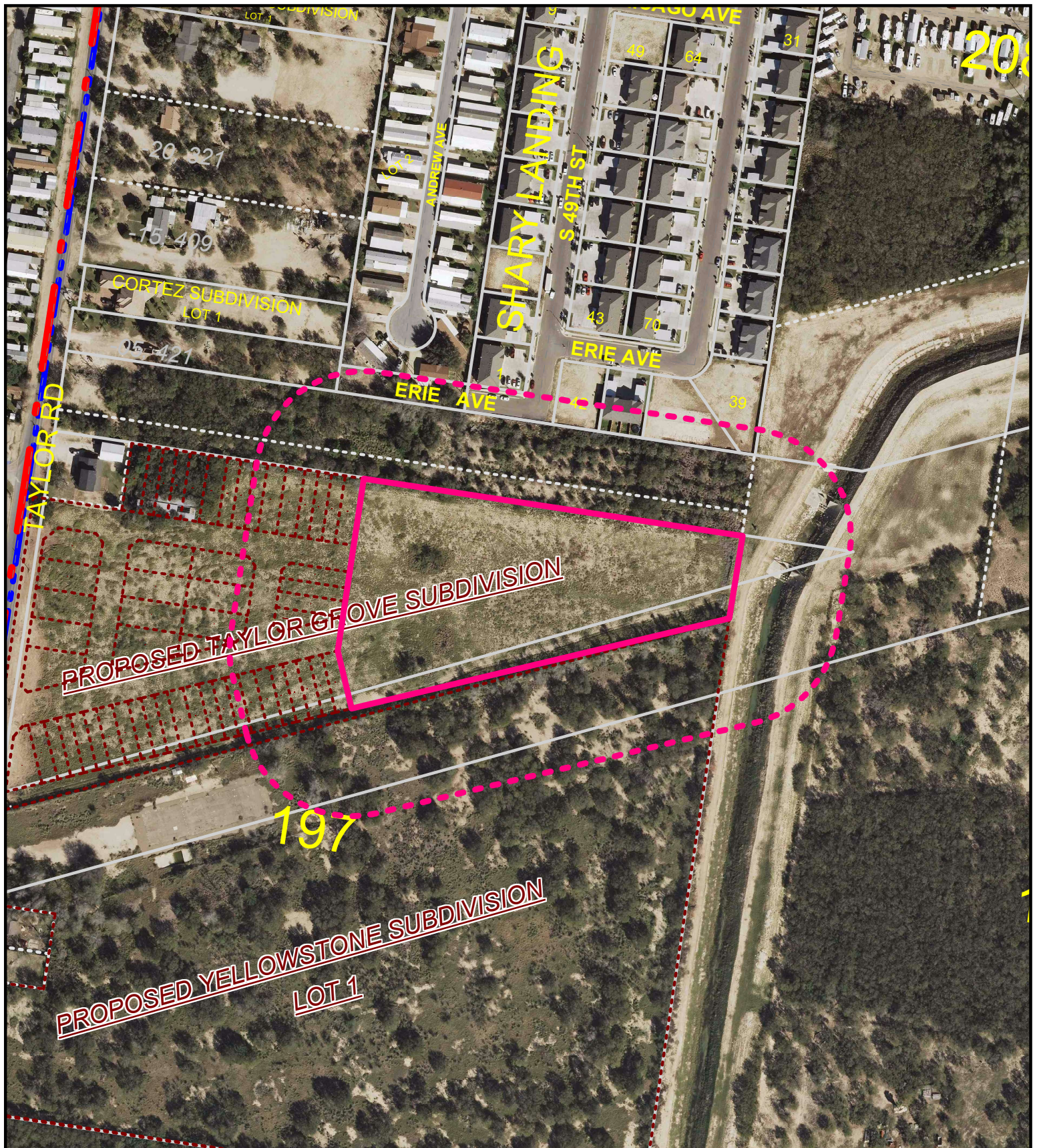


### **ZONING LEGEND**

A-0 (AGRICULTURAL & OPEN SPACE)	R-3A (APARTMENTS)	R-4 (MOBILE HOMES)	C-3 (GENERAL BUSINESS)	I-1 (LIGHT INDUSTRIAL)
R-1 (SINGLE FAMILY RESIDENTIAL)	R-3C (CONDOMINIUMS)	C-1 (OFFICE BUILDING)	C-3L (LIGHT COMMERCIAL)	I-2 (HEAVY INDUSTRIAL)
R-2 (DUPLEX-FOURPLEX)	R-3T (TOWNHOUSES)	C-2 (NEIGHBORHOOD COMMERCIAL)	C-4 (COMMERCIAL INDUSTRIAL)	S (SPECIAL DISTRICT)

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**CITY OF McALLEN**  
PLANNING DEPARTMENT

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



**SUBJECT PROPERTY**

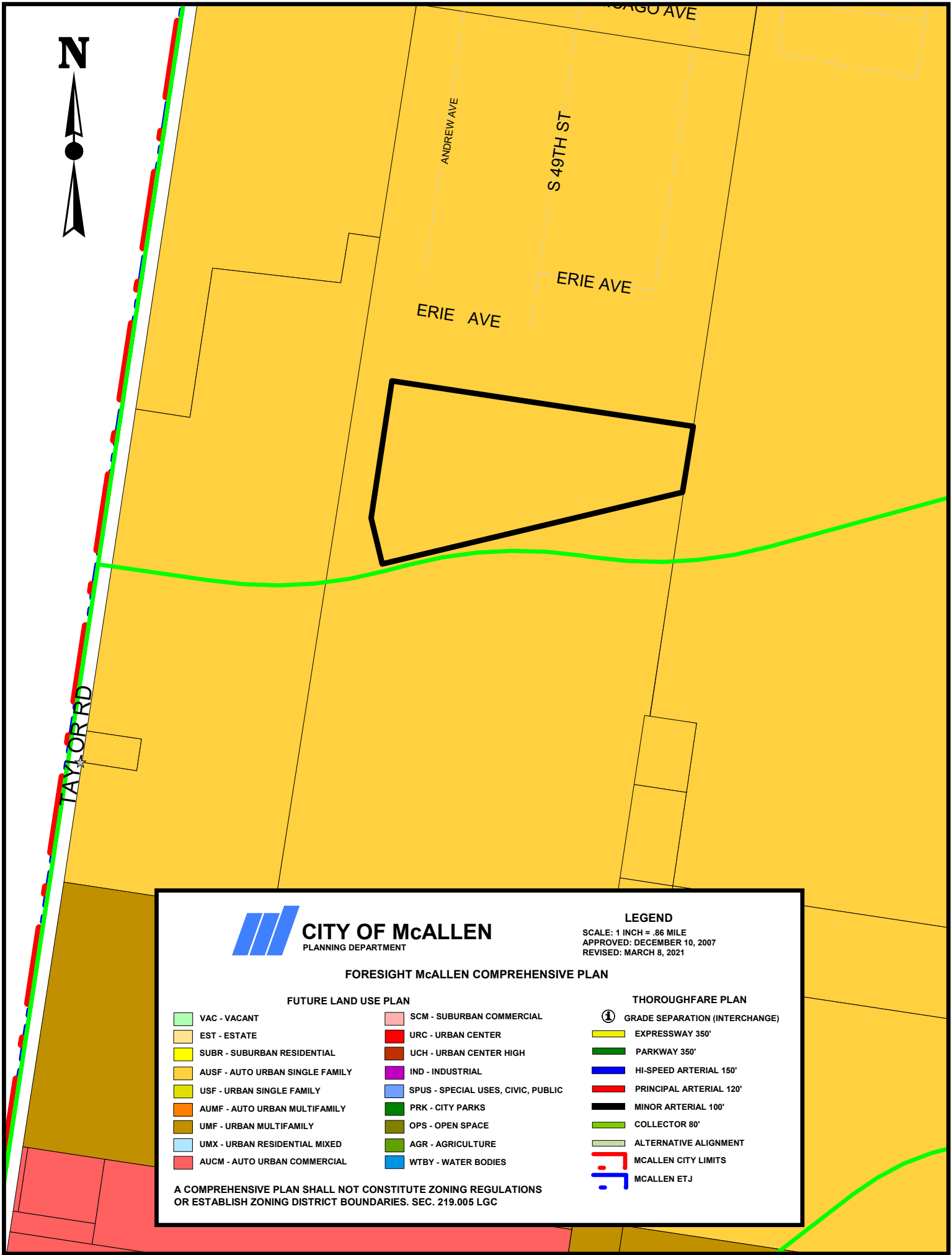


**200' NOTIFICATION BOUNDARY**



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**CITY OF McALLEN**  
PLANNING DEPARTMENT

**LEGEND**

SCALE: 1 INCH = .86 MILE  
APPROVED: DECEMBER 10, 2007  
REVISED: MARCH 8, 2021

**FORESIGHT McALLEN COMPREHENSIVE PLAN**

**FUTURE LAND USE PLAN**

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

**THOROUGHFARE PLAN**

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

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



EXHIBIT B  
TRACT 1 - 4.79 ACRES  
OUT OF LOT 197,  
JOHN H. SHARY SUBDIVISION,  
VOLUME 1, PAGE 17,  
MAP RECORDS OF HIDALGO COUNTY, TEXAS  
TO ACCOMPANY FIELD NOTES

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

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

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

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

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

LUIS L. GARZA & DIANA N. GARZA  
1.00 ACRE

DOC#2919110, O.R.H.C.

P.O.C.

NE CRN LOT 196  
NW CRN LOT 197

LONGVIEW ASSOCIATE PARTNER, LP  
4.5 ACRES

DOC#2427285, O.R.H.C.

P.O.B.

S81° 23' 31"E 610.00'

S81° 23' 31"E 710.00'

50.00'

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

CENTERLINE OF  
S. TAYLOR ROAD

30.00'

N8° 36' 29"E 323.02'

S8° 36' 29"W 153.22'

TRACT 1  
4.79 ACRES NET

4.00'

S76° 29' 30"W 721.69'

N13° 30' 30"W 110.00'

80.00'

EAST  
RIGHT-OF-WAY  
LINE

70.00'

EXIST.  
R.O.W.

40.00'

120.00'  
ABANDONED CANAL  
R.O.W.

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

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

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

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

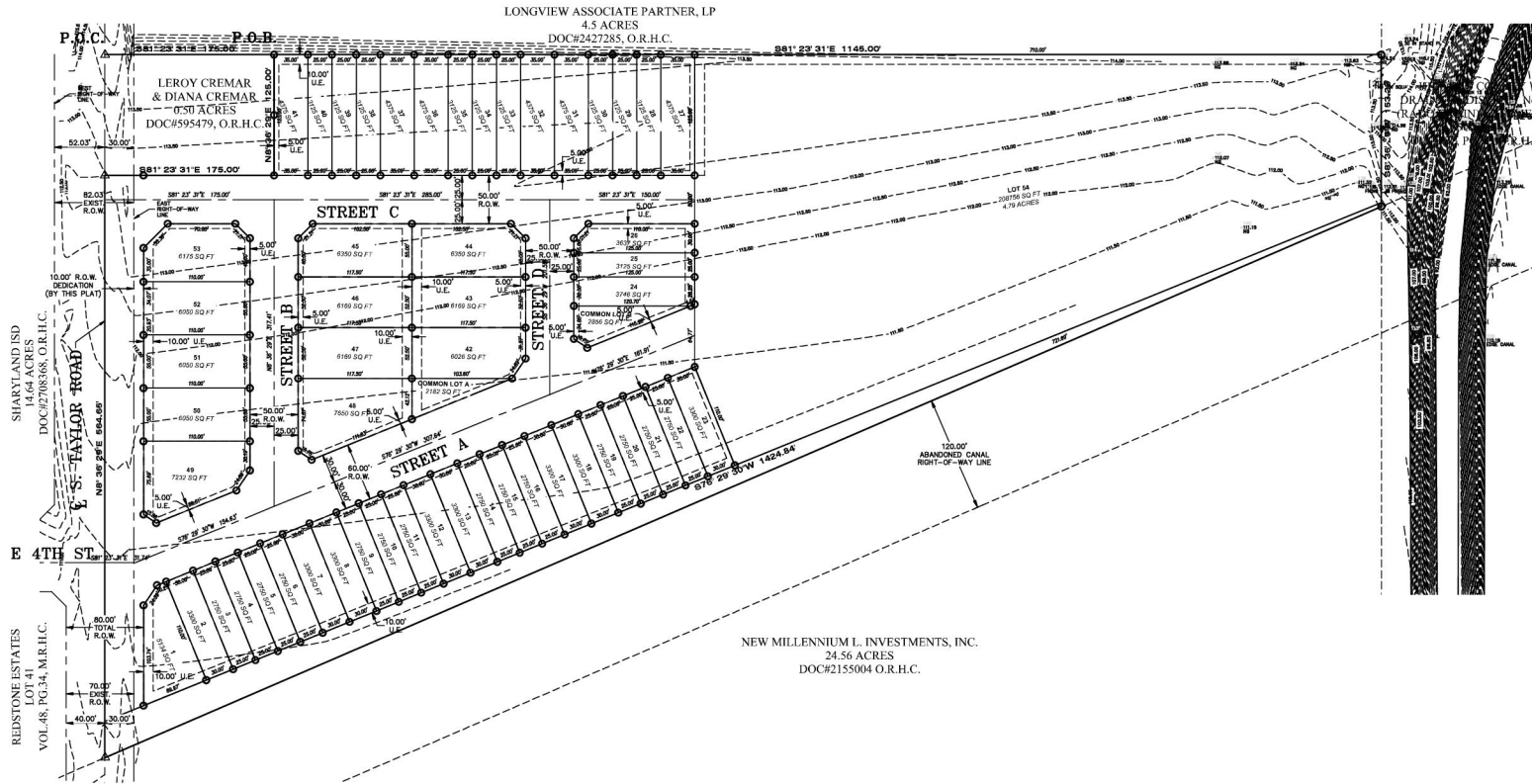
SURVEYOR'S NOTES:

- 1) SURVEY DONE WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
- 2) NO ADDITIONAL RESEARCH WAS PERFORMED BY RIO DELTA ENGINEERING FOR ANY ADDITIONAL EASEMENT(S) OR BUILDINGS LINES WHICH MAY OR MAY NOT AFFECT THE SUBJECT TRACT



# TAYLOR GROVE SUBDIVISION

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



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

**LEGEND**

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

**ABBREVIATION LEGEND**

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

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



**PRELIMINARY**

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

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







# Planning Department

## Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

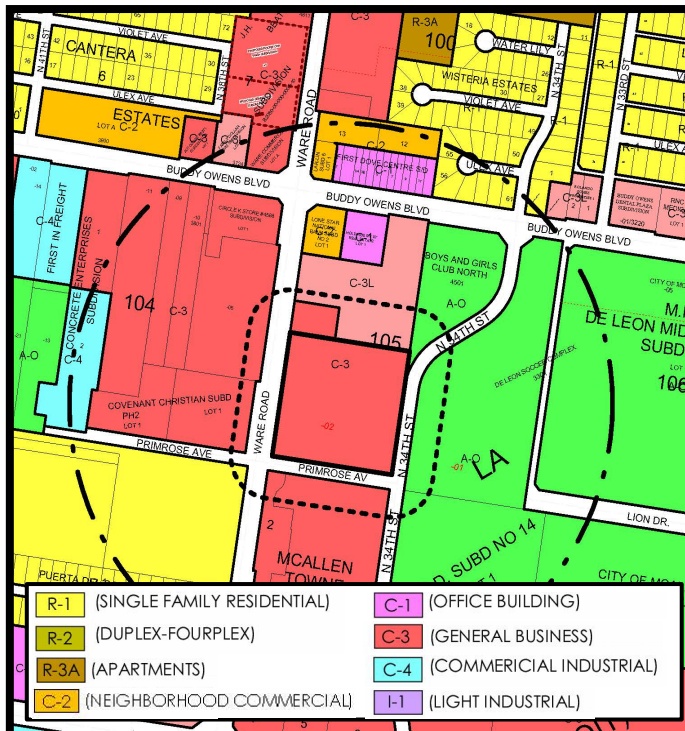
**DATE:** June 8, 2021

**SUBJECT: REZONE FROM C-3 (GENERAL BUSINESS) DISTRICT TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENTS) DISTRICT: 4.112 ACRES OF LAND OUT OF LOT 105, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS; 4200 NORTH WARE ROAD. (REZ2021-0033)**

**LOCATION:** The property is located on the northeast corner of North 34<sup>th</sup> Street and Primrose Avenue. The tract has 300 ft. of frontage along Primrose Avenue, with a depth of 597.06 ft., for a lot size of 179,118 sq. ft.

**PROPOSAL:** The applicant is requesting to rezone the property to R-3A (multifamily residential apartment) District. A feasibility plan has not been submitted.

**ADJACENT ZONING:** The adjacent zoning is C-3 (general business) District on all directions.





LAND USE: The subject property is currently vacant. Surrounding land uses include Covenant Christian Academy, McAllen Sport Park, Target, a retail commercial plaza, and St. Mary's Plaza.

COMPREHENSIVE PLAN: The Foresight McAllen Comprehensive Plan designate the future land use for the subject property as Urban Center, which is comparable to C-3L (light industrial) District to C-3 (general business) Districts.

DEVELOPMENT TREND: The development trend for this area along north 34<sup>th</sup> Street is a mix of residential and commercial.

HISTORY: The subject property was zoned A-O (agriculture and open space) District during comprehensive zoning in 1979. A rezoning request for the subject property to C-3 (general business) District was approved by the City Commission, on August 24, 2015 during the city initiated A-O rezoning project.

ANALYSIS: The requested zoning does not conform to the Auto Urban Commercial land use designation as indicated on the Foresight McAllen Comprehensive Plan; however, the zoning trend along North 34<sup>th</sup> Street is both commercial and residential.

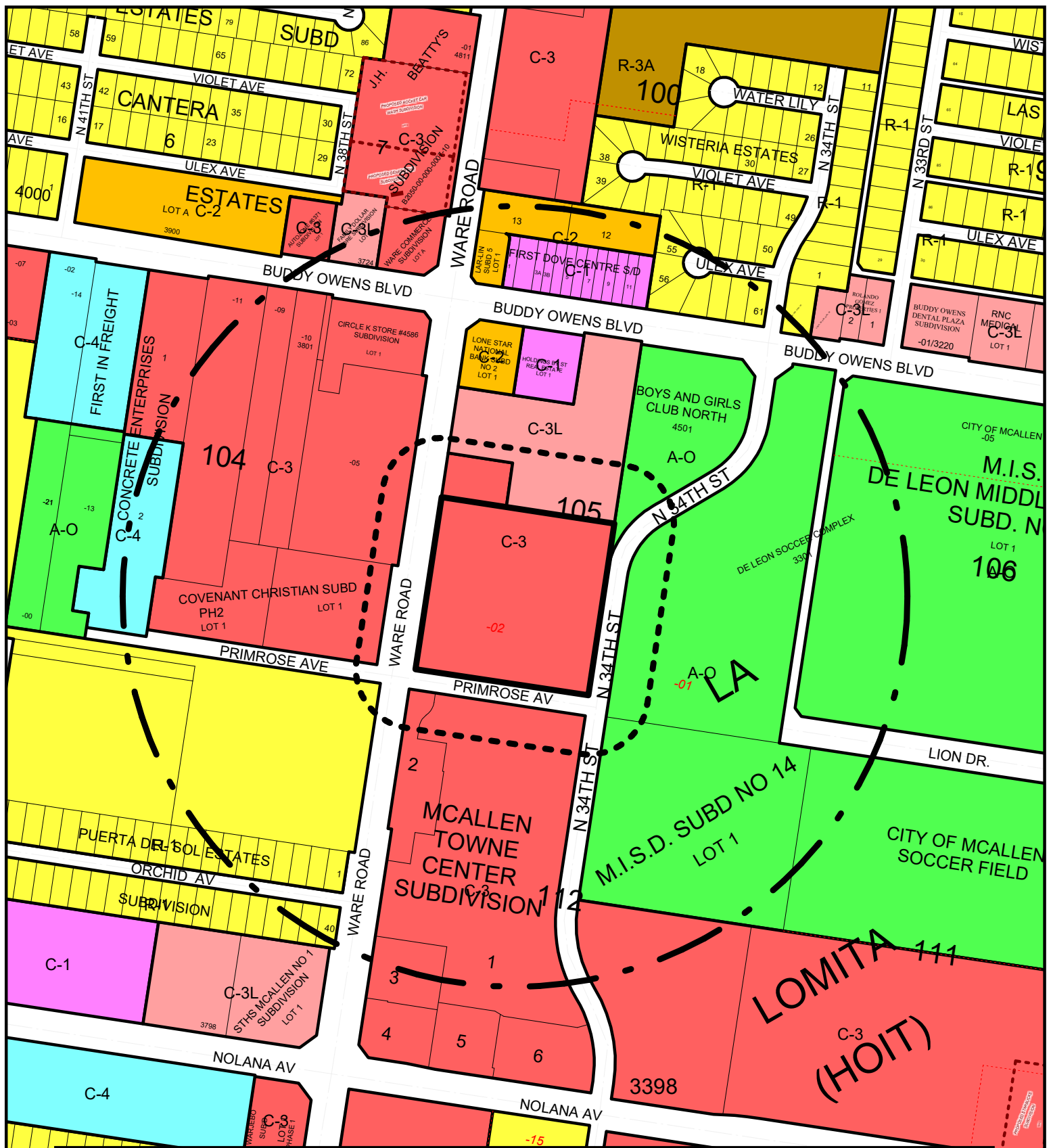
If the request is approved, it may encourage other property owners to apply for a rezoning to R-3A (multi-family residential apartment) District as well, which will increase the density and traffic in the area.


The maximum density in R-3A (multifamily residential apartments) District is 29 three-bedroom units (1,500 sq. ft.) per acre to 43 one-bedroom apartment units (1000 sq. ft.) per acre. Therefore, the maximum number of units for the subject property is approximately 116 three-bedroom units to 172 one-bedroom units.

A recorded subdivision plat and approved site plan are required prior to building permit issuance. Compliance with off-street parking, landscaping, and various building and fire codes are required as part of the building permit process. Required parkland dedication or a fee in lieu of land comprising \$700 per dwelling unit might be required prior to building permit issuance.

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

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








**CITY OF McALLEN**  
PLANNING DEPARTMENT


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

**AREA MAP**



 **SUBJECT PROPERTY**

 **200 FT. NOTIFICATION BOUNDARY**

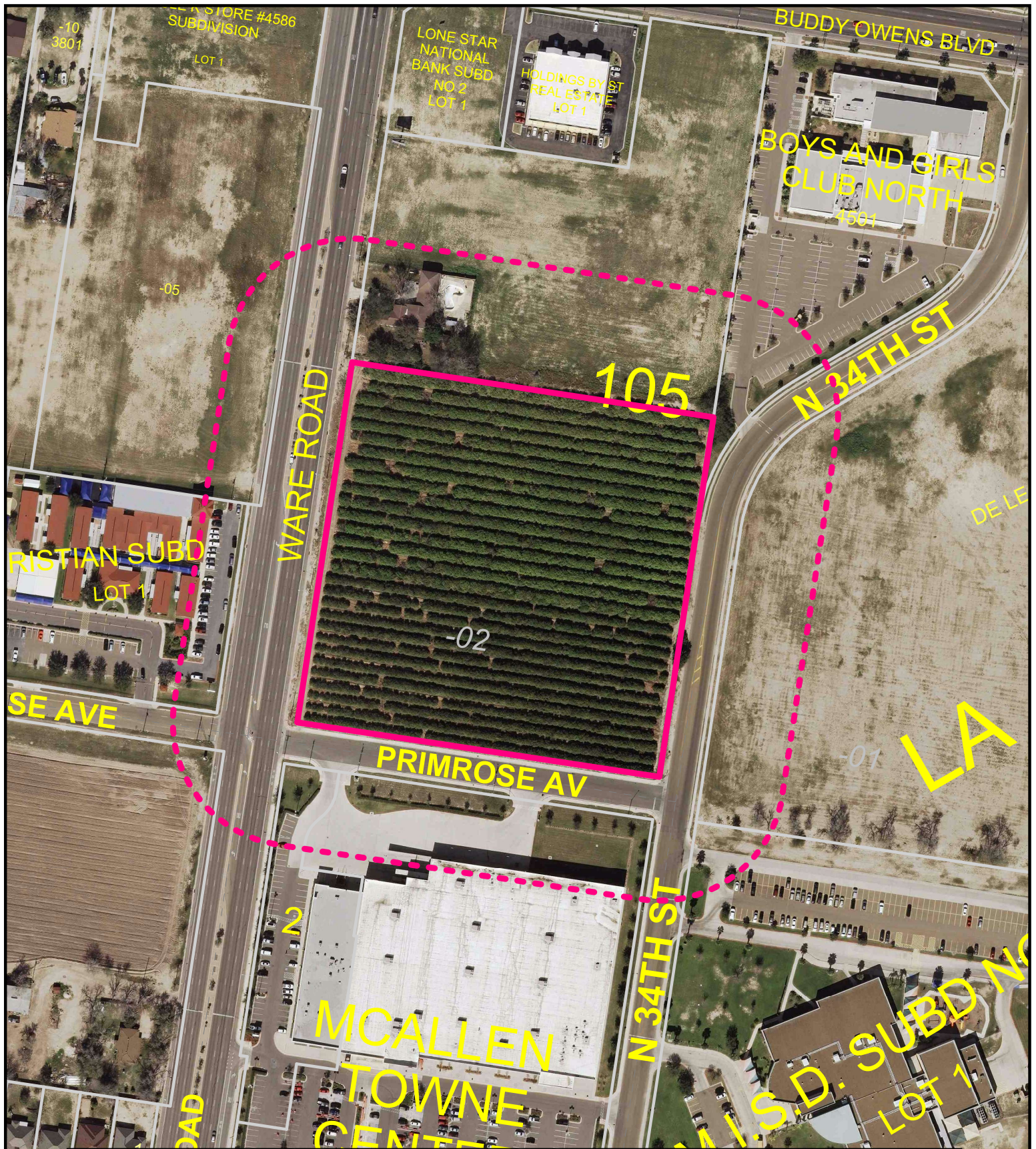
 **1/4 MILE RADIUS**

**ZONING LEGEND**

<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p><span style="background-color: #90EE90; border: 1px solid black; padding: 2px;">A-0</span> (AGRICULTURAL &amp; OPEN SPACE)</p> <p><span style="background-color: #FFDAB9; border: 1px solid black; padding: 2px;">R-1</span> (SINGLE FAMILY RESIDENTIAL)</p> <p><span style="background-color: #FFDAB9; border: 1px solid black; padding: 2px;">R-2</span> (DUPLEX-FOURPLEX)</p> </div> <div style="width: 45%;"> <p><span style="background-color: #FFDAB9; border: 1px solid black; padding: 2px;">R-3A</span> (APARTMENTS)</p> <p><span style="background-color: #FFDAB9; border: 1px solid black; padding: 2px;">R-3C</span> (CONDOMINIUMS)</p> <p><span style="background-color: #FFDAB9; border: 1px solid black; padding: 2px;">R-3T</span> (TOWNHOUSES)</p> </div> </div>	<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p><span style="background-color: #FFDAB9; border: 1px solid black; padding: 2px;">R-4</span> (MOBILE HOMES)</p> <p><span style="background-color: #FFDAB9; border: 1px solid black; padding: 2px;">C-1</span> (OFFICE BUILDING)</p> <p><span style="background-color: #FFDAB9; border: 1px solid black; padding: 2px;">C-2</span> (NEIGHBORHOOD COMMERCIAL)</p> </div> <div style="width: 45%;"> <p><span style="background-color: #FFDAB9; border: 1px solid black; padding: 2px;">C-3</span> (GENERAL BUSINESS)</p> <p><span style="background-color: #FFDAB9; border: 1px solid black; padding: 2px;">C-3L</span> (LIGHT COMMERCIAL)</p> <p><span style="background-color: #FFDAB9; border: 1px solid black; padding: 2px;">C-4</span> (COMMERCIAL INDUSTRIAL)</p> </div> </div>	<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p><span style="background-color: #FFDAB9; border: 1px solid black; padding: 2px;">I-1</span> (LIGHT INDUSTRIAL)</p> <p><span style="background-color: #FFDAB9; border: 1px solid black; padding: 2px;">I-2</span> (HEAVY INDUSTRIAL)</p> <p><span style="background-color: #FFDAB9; border: 1px solid black; padding: 2px;">S</span> (SPECIAL DISTRICT)</p> </div> <div style="width: 45%;"></div> </div>
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This map is a representation of the official zoning map. For zoning verification contact the Planning Department at 956-681-1250, or select city maps at <http://www.mcallen.net>. Furthermore, this map is for informational purposes and is not prepared for or suitable for legal, engineering, or surveying purposes. It does not represent an on ground survey and represent approximate relative location of property boundaries.





**CITY OF McALLEN**  
PLANNING DEPARTMENT

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



**SUBJECT PROPERTY**

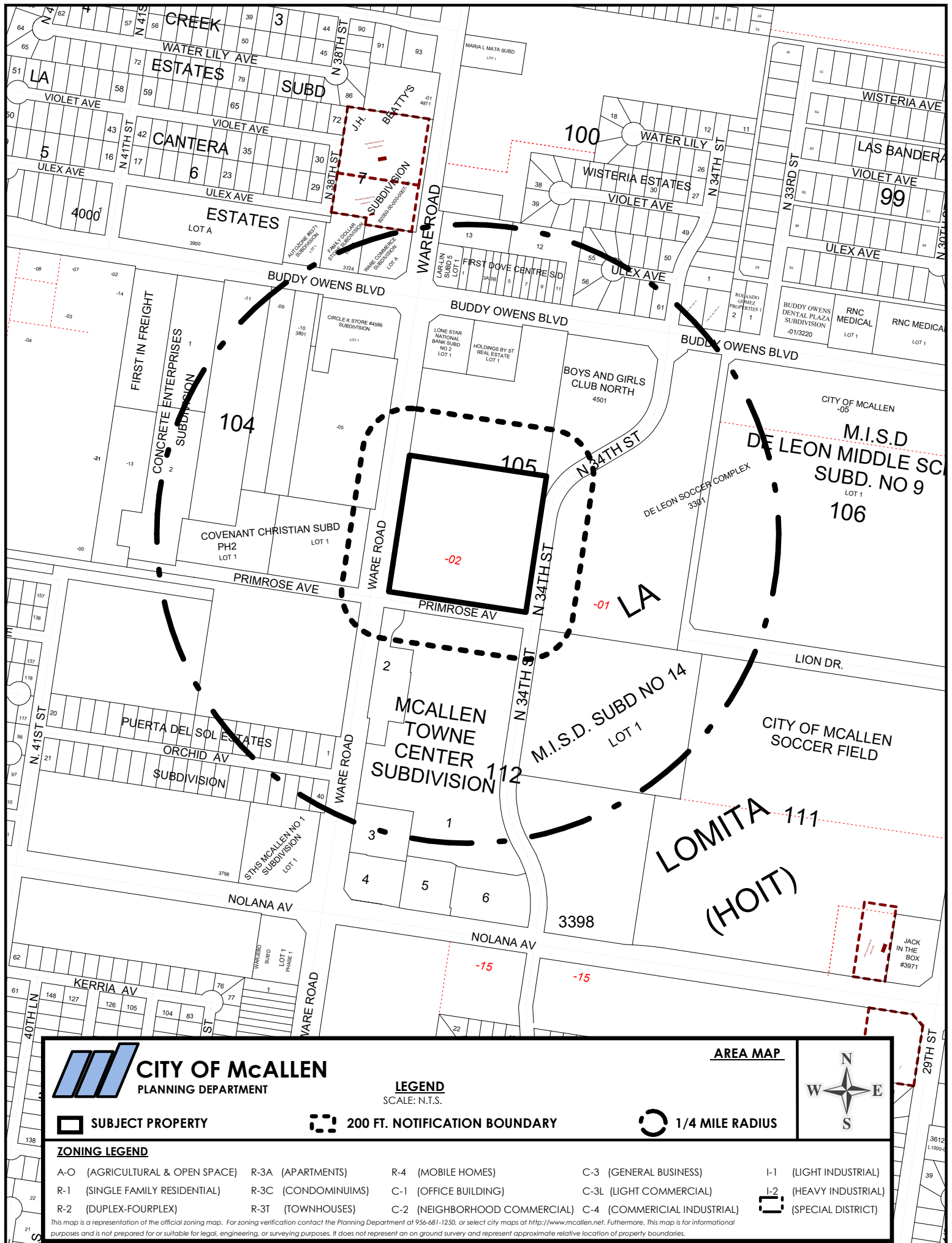


**200' NOTIFICATION BOUNDARY**



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**CITY OF McALLEN**  
PLANNING DEPARTMENT

AREA MAP

LEGEND  
SCALE: N.T.S.



**SUBJECT PROPERTY**

**200 FT. NOTIFICATION BOUNDARY**

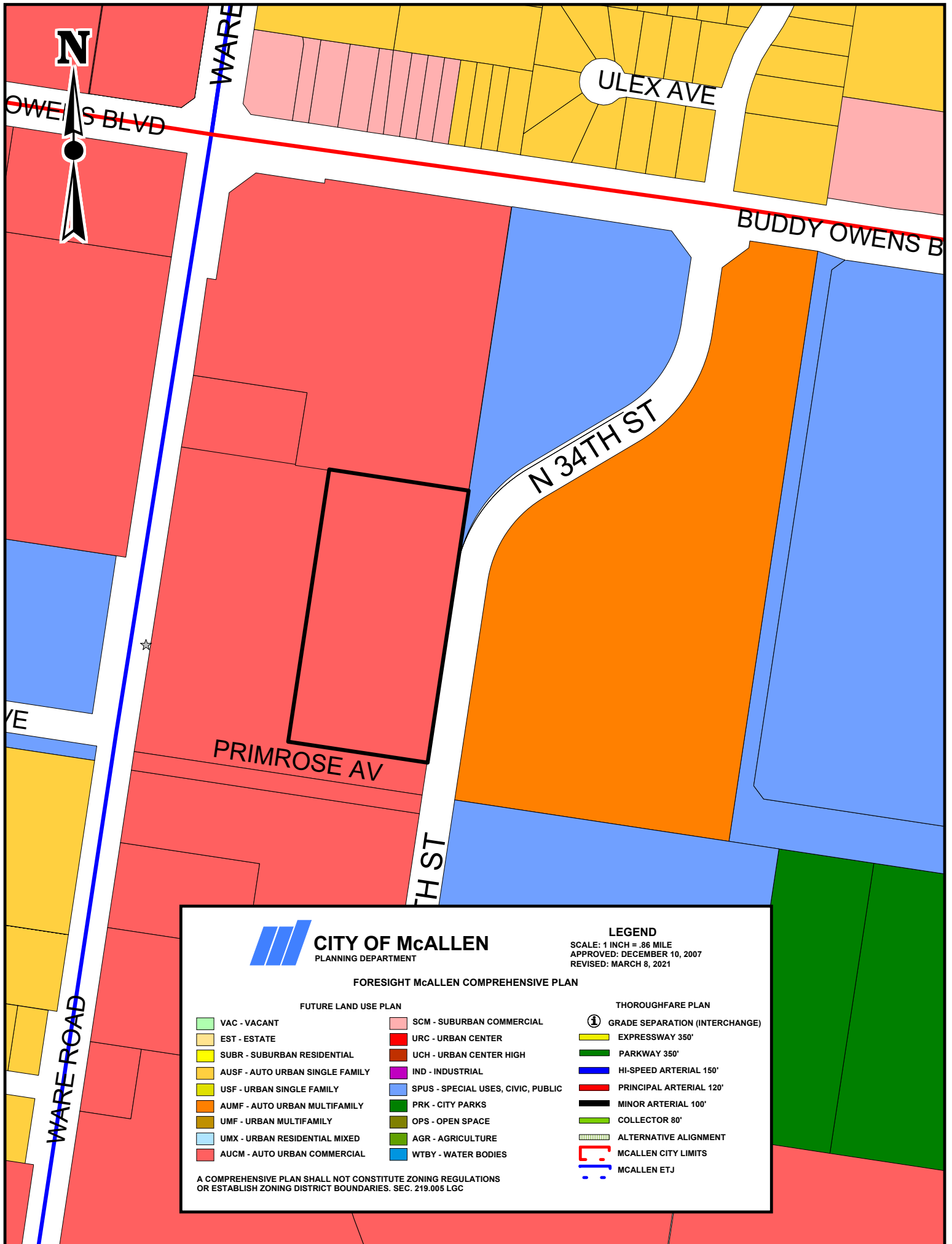
**1/4 MILE RADIUS**

**ZONING LEGEND**

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


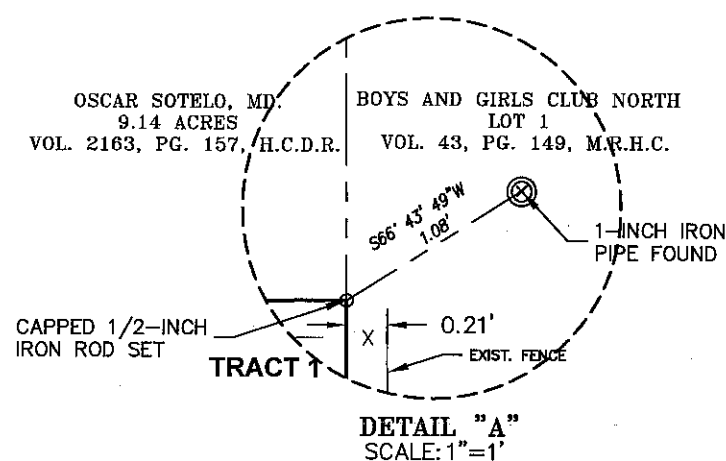
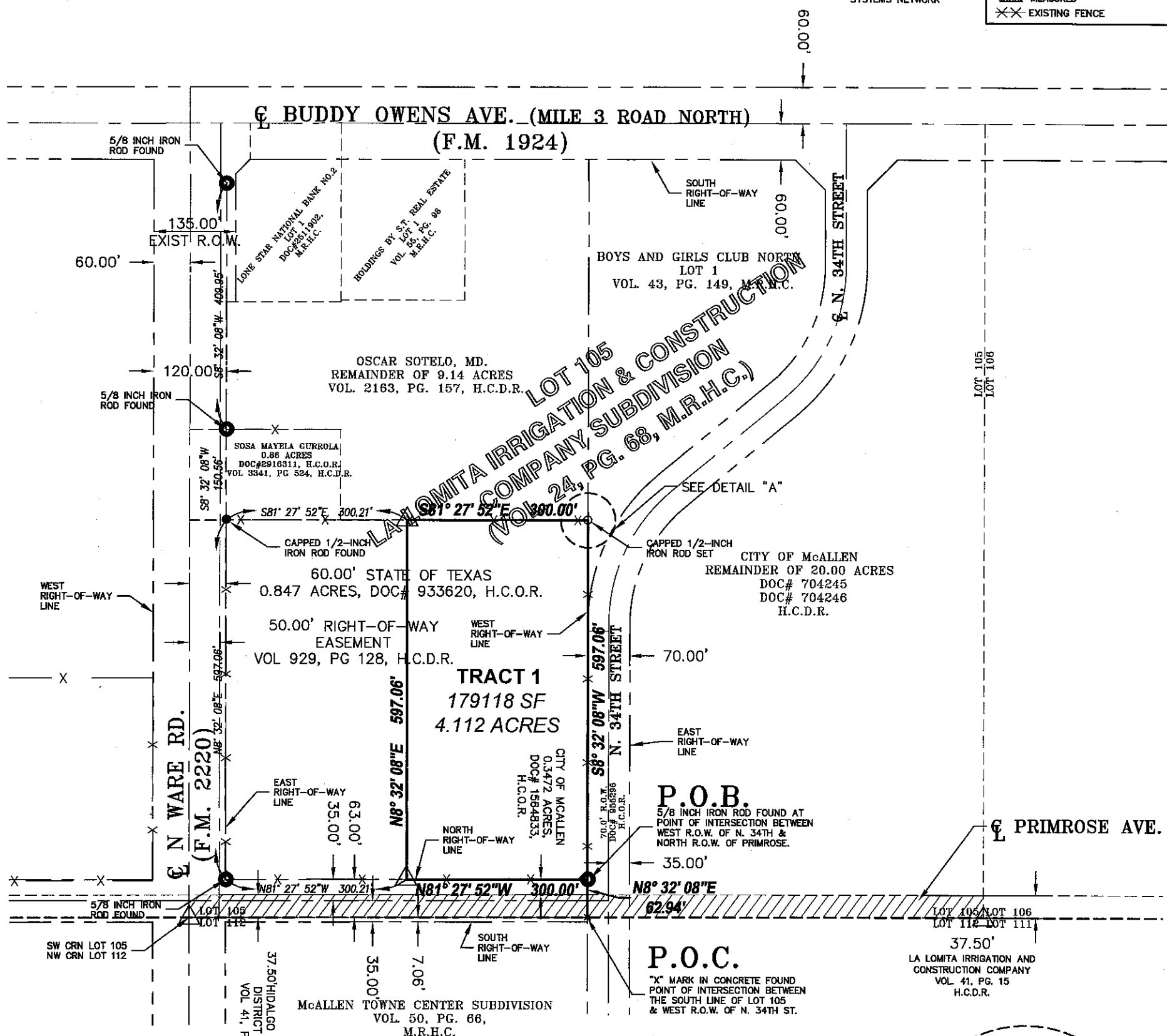
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LEGEND	
○	CAPPED 1/2" IRON ROD SET
●	IRON ROD FOUND
⦿	5/8 INCH IRON ROD FOUND
⊗	1 INCH PIPE FOUND
⊗	"X" MARK ON CONCRETE FOUND
△	COTTON PICKER SPINDLE SET
△	CALCULATED POINT
XXXX	PLAT CALL. (VOL. 24, PG.67-68 M.R.H.C.)
XXXX	MEASURED
XX	EXISTING FENCE



DATE:	MAY 2021
PROJECT:	SUR 18 090
PAGE:	1 OF 1

IVAN GARCIA  
REG. PROFESSIONAL LAND  
SURVEYOR NO. 6496

DATE \_\_\_\_\_







NOTICE  
REZONING  
FOR  
THIS PROPERTY  
REZ2011-0031



SUB2021-0003

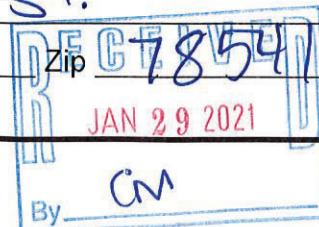


City of McAllen  
Planning Department

APPLICATION FOR  
SUBDIVISION PLAT REVIEW

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

Project Description	Subdivision Name <u>Acqualina at Tres Lagos Phase I</u> Location _____ City Address or Block Number <u>none at this time</u> Number of lots <u>41</u> Gross acres <u>21.628</u> Net acres <u>21.628</u> Existing Zoning <u>R1</u> Proposed <u>R1</u> Rezoning Applied For <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date <u>5/1/2020</u> Existing Land Use <u>vacant</u> Proposed Land Use <u>residential</u> Irrigation District # <u>UID</u> Residential Replat Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Commercial Replat Yes <input type="checkbox"/> No <input type="checkbox"/> ETJ Yes <input type="checkbox"/> No <input type="checkbox"/> Agricultural Tax Exempt Yes <input type="checkbox"/> No <input type="checkbox"/> Estimated Rollback tax due _____ Parcel No. <u>294609</u> Tax Dept. Review _____ Legal Description <u>Approx. 21.628 acres out of Section 227 Texas-Mexican Railway Company Survey</u>
Owner	Name <u>Rhodes Development, Inc.</u> Phone <u>(956) 287-2800</u> Address <u>200 S. 10th St, Ste 1700</u> City <u>McAllen</u> State <u>Tx</u> Zip <u>78504</u> E-mail <u>nick@mlrhodes.com</u>
Developer	Name <u>Rhodes Development, Inc.</u> Phone <u>(956) 287-2800</u> Address <u>200 S. 10th St, Ste 1700</u> City <u>McAllen</u> State <u>Tx</u> Zip <u>78504</u> Contact Person <u>Nick Rhodes</u> E-mail <u>nick@mlrhodes.com</u>
Engineer	Name <u>Melden &amp; Hunt, Inc.</u> Phone <u>(956) 381-0981</u> Address <u>115 W. McIntyre St.</u> City <u>Edinburg</u> State <u>Tx</u> Zip <u>78541</u> Contact Person <u>Fred L. Kurth</u> E-mail <u>f.kurth@meldenandhunt.com</u>
Surveyor	Name <u>Melden &amp; Hunt, Inc.</u> Phone <u>(956) 381-0981</u> Address <u>115 W. McIntyre St.</u> City <u>Edinburg</u> State <u>Tx</u> Zip <u>78541</u>





LOCATION

TEXAS A&M TRES LAGOS  
SUBDIVISION

227

LOT 1



TRES

LAGOS

BLVD

PROPOSED  
ACQUADINA AT  
TRES LAGOS  
PHASE 1  
SUBDIVISION

PROPOSED CASCADA  
AT  
TRES LAGOS  
PHASE 1  
SUBDIVISION  
(REVISED)



SECTION 227  
TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY

M.L. RHODES, LTD  
WARRANTY DEED DOCUMENT  
NUMBER 741019, H.C.O.R.



N16651387.2647  
E1059573.5390

TEXAS A&M TRES LAGOS SUBDIVISION  
LOT 1  
INSTRUMENT No. 2779831, H.C.M.R.

SECTION 227  
TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY  
M.L. RHODES, LTD  
WARRANTY DEED DOCUMENT  
NUMBER 741019, H.C.O.R.

N16650575.7686  
E1060115.7616

SUBDIVISION MAP OF

# ACQUALINA AT TRES LAGOS PHASE I SUBDIVISION

SUBDIVISION OF 21.628 ACRES  
OUT OF SECTION 227, TEXAS-MEXICAN RAILWAY COMPANY SURVEY  
ACCORDING TO THE PATENT ISSUED BY THE STATE OF TEXAS,  
RECORDED IN VOLUME 4, PAGES 142-143, H.C.D.R.,  
CITY OF McALLEN, HIDALGO COUNTY, TEXAS

CASCADE AT TRES LAGOS  
PHASE I SUBDIVISION  
INSTRUMENT No. 3183340, H.C.M.R.

CHALK RIDGE DRIVE





# City of McAllen

## SUBDIVISION PLAT REVIEW

Reviewed On: 3/4/2021

<b>SUBDIVISION NAME: ACQUALINA AT TRES LAGOS PHASE I SUBDIVISION</b>	
<b>REQUIREMENTS</b>	
<b>STREETS AND RIGHT-OF-WAYS</b>	
Tres Lagos Boulevard: 100-149.76 ft. ROW Paving: 65 ft. Curb & gutter: both sides *City of McAllen Thoroughfare Plan	Applied
Interior streets: 50 ft. ROW Paving: 32 ft. Curb & gutter: both sides **City of McAllen Thoroughfare Plan	Applied
Paving _____ Curb & gutter _____	Applied
* 800 ft. Block Length: common areas and access walks/drives provided. **Subdivision Ordinance: Section 134-118	Compliance
* 600 ft. Maximum Cul-de-Sac: The proposed subdivision applies the "coving method" with emergency access walks/drives provided per established agreement. **Subdivision Ordinance: Section 134-105	Compliance
<b>ALLEYS</b>	
ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties **Subdivision Ordinance: Section 134-106	NA
<b>SETBACKS</b>	
* Front: 20 ft. minimum or greater for setbacks **Zoning Ordinance: Section 138-356	Applied
* Rear: 11 ft. or greater for easements. **Zoning Ordinance: Section 138-356	Applied
* Sides: 5 ft. or greater for easements **Zoning Ordinance: Section 138-356	Applied
* Side corner: 10 ft. or greater for easements. **Section 138-356	Applied
* Garage: 18 ft. except where greater setback is required, greater setback applies. **Zoning Ordinance: Section 138-356	Applied
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
<b>SIDEWALKS</b>	
* 4 ft. wide minimum sidewalk required on: City ordinance will not apply provided a sidewalk having at least an adequate width for pedestrian and bike traffic is provided in a plan that is sealed by the registered engineer designing the unit of development, per agreement. **Subdivision Ordinance: Section 134-120	Applied
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Required
<b>BUFFERS</b>	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along Tres Lagos Blvd. **Landscaping Ordinance: Section 110-46	Applied



<ul style="list-style-type: none"> <li>* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses</li> <li>**Landscaping Ordinance: Section 110-46</li> <li>*Perimeter buffers must be built at time of Subdivision Improvements.</li> </ul>	Applied
	Required
<b>NOTES</b>	
<ul style="list-style-type: none"> <li>* No curb cut, access, or lot frontage permitted along Tres Lagos Boulevard.</li> <li>**City's Access Management Policy</li> <li>* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.</li> <li>* Common Areas, private Streets must be maintained by the lot owners/PID and not the City of McAllen.</li> <li>* Common areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.</li> <li>* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.</li> <li>**Section 110-72 applies for public subdivisions</li> <li>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</li> <li>**Subdivision Ordinance 138-168 for private subdivisions</li> </ul>	Applied
	NA
	Applied
	NA
	Required
	Required
<b>LOT REQUIREMENTS</b>	
<ul style="list-style-type: none"> <li>* Lots fronting public streets: Access to subdivision from Tres Lagos Boulevard which is being dedicated by separate instrument</li> <li>**Zoning Ordinance: Section 138-1</li> <li>* Minimum lot width and lot area: Lots must comply with the minimum 50 ft. requirement and 54 ft. on corner lots, or in compliance per Agreement.</li> <li>**Zoning Ordinance: Section 138-356</li> </ul>	Applied
	Applied
<b>ZONING/CUP</b>	
<ul style="list-style-type: none"> <li>* Existing: R-1 Proposed: R-1</li> <li>* Rezoning Needed Before Final Approval</li> <li>**Zoning Ordinance: Section 138-176</li> </ul>	Applied
	NA
<b>PARKS</b>	
<ul style="list-style-type: none"> <li>* Land dedication in lieu of fee: Must be in compliance with agreement.</li> <li>* Park Fee of \$700 per dwelling unit/lot to be paid prior to recording</li> <li>* Pending review by the Parkland Dedication Advisory Board and CC.</li> </ul>	Applied
	Applied
	NA
<b>TRAFFIC</b>	
<ul style="list-style-type: none"> <li>* Master Trip Generation has been approved. Master TIA is under review to determine if any improvements are needed.</li> <li>* Master TIA is under review to determine if any improvements are needed.</li> </ul>	Completed
	Completed
<b>COMMENTS</b>	
<p>Comments:</p> <ul style="list-style-type: none"> <li>**Must comply with the Agreement and Public Improvement District (PID) conditions.</li> <li>***Per Traffic Department, must comply with City's Access Management Policy.</li> <li>****Must comply with other requirements, as may be applicable, prior to final</li> <li>*****Plat submitted February 17, 2021 is labeled "Aqualina" and the subdivision was approved as "Acqualina", revise plat or application as needed</li> </ul>	Applied
<b>RECOMMENDATION</b>	



Recommendation: STAFF RECOMMENDS APPROVAL IN FINAL FORM, SUBJECT TO CONDITIONS NOTED.	Applied
---	---------



# LOCATION

TEXAS A&M TRES  
SUBDIVISION

227

LOT 1



PHASE 1  
SUBDIVISION

TRES

LAGOS

BLVD



PROPOSED CASCADA

AT

TRES LAGOS

PHASE 1

SUBDIVISION

(REVISED)





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

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

**Project Description**

Subdivision Name World of 4 Subdivision  
Location Lot located on south side of Dallas Ave. between S. Col Rowe Blvd. and S. 8th Street  
City Address or Block Number 615 Dallas Ave.  
Number of lots 1 Gross acres 1.724 Net acres 1.472  
Existing Zoning R3A Proposed R3A Rezoning Applied For ☐ Yes ☒ No Date \_\_\_\_\_  
Existing Land Use vacant Proposed Land Use multi-family Irrigation District # 1  
**Residential** Replat Yes ☐ No ☒ **Commercial** Replat Yes ☐ No ☒ **ETJ** Yes ☐ No ☒  
**Agricultural Tax Exempt** Yes ☐ No ☒ **Estimated Rollback tax due** \_\_\_\_\_  
**Parcel No.** \_\_\_\_\_ **Tax Dept. Review** \_\_\_\_\_  
**Legal Description** A 1.724 acre tract of land being of North 359.2 ft of the East 3.0 acres of Lot 14, Stewart Addition  
an addition to the City of McAllen, Hidalgo County, Texas/ Map records Volume 1, pg. 56 of Hidalgo County.

**Owner**

Name Aguirre Family Limited Partnership LP Phone 956-783-3577  
Address 1701 Mozelle St.  
City Pharr State TX Zip 78577  
E-mail eloy@afcr gv.com

**Developer**

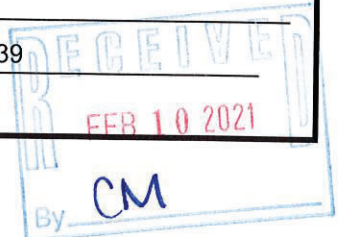
Name AFC, LLC Phone 956-783-3569  
Address 1817 Sharm Dr.  
City Pharr State TX Zip 78577  
Contact Person Eloy Aguirre  
E-mail eloy@afcr gv.com

**Engineer**

Name CLH Engineering, Inc. Phone 956-222-5423  
Address 701 S. 15th Street  
City McAllen State TX Zip 78501  
Contact Person Cloromiro Hinojosa Jr., P.E.  
E-mail chinojosa@clhengineeringinc.com

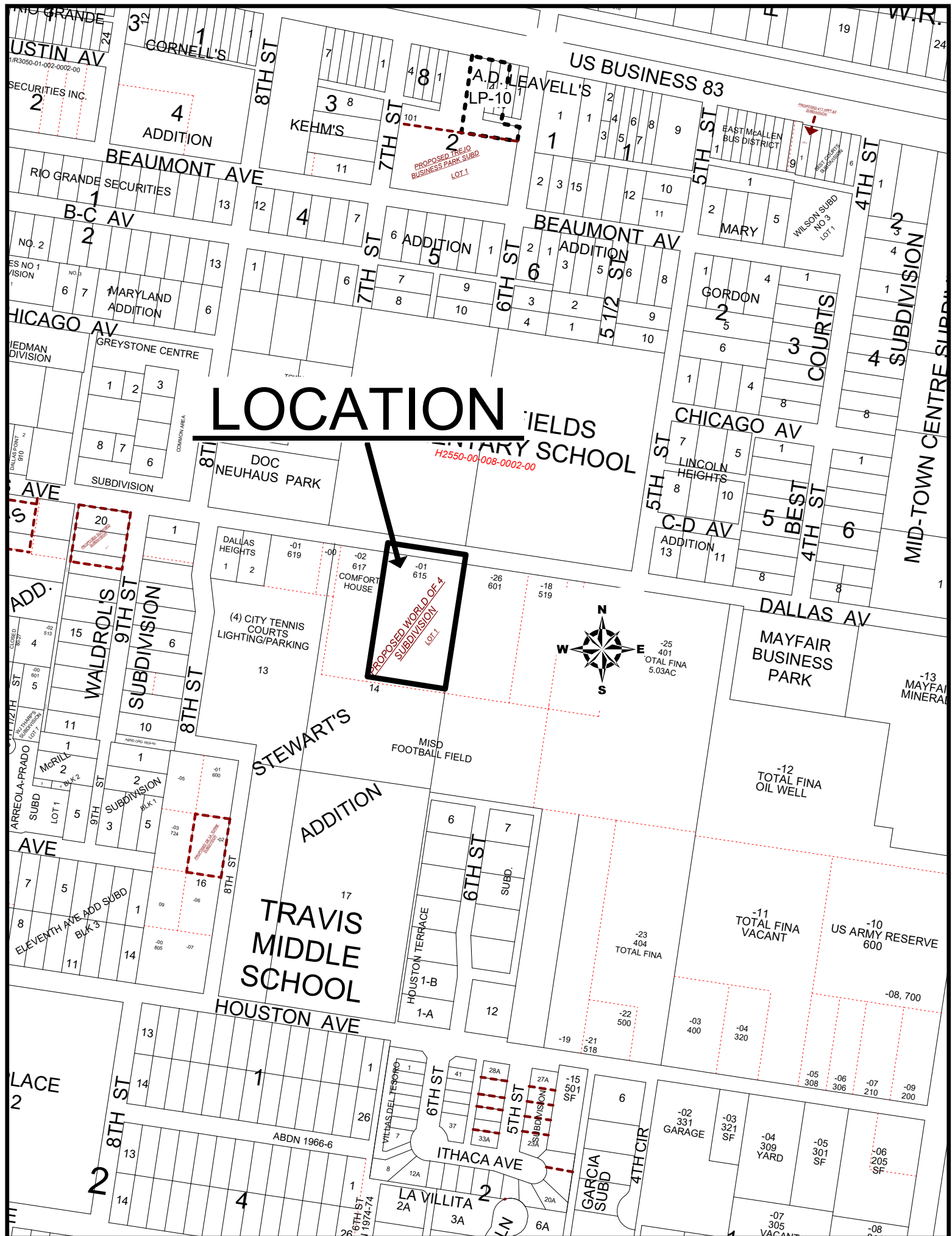
**Surveyor**

Name Ivan Garcia Phone 956-263-0934  
Address 921 S. 10th Ave.  
City Edinburg State TX Zip 78539





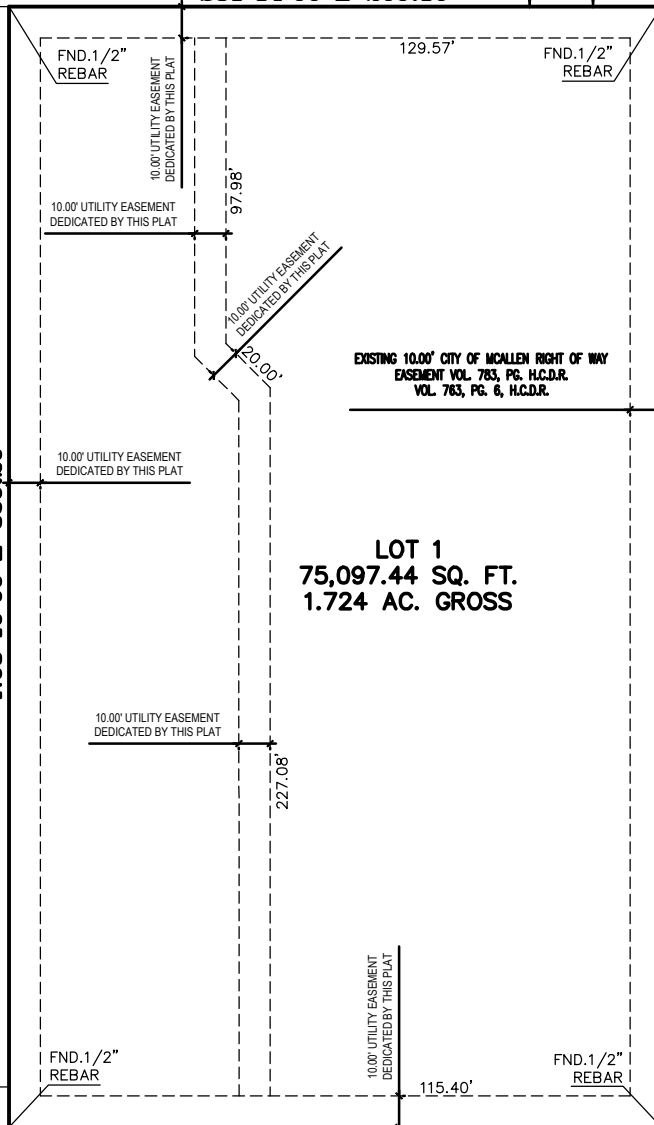
# LOCATION





LOT 14 STEWARTS  
VOLUME 4, PG. 642  
H.C.D.R. ID#290641

N08°46'00"E 359.20'



LOT 1  
75,097.44 SQ. FT.  
1.724 AC. GROSS

LOT 14 STEWARTS  
VOLUME 4, PG. 642  
H.C.D.R. ID#673658

LOT 7, BLOCK 8  
HIDALGO CANAL COMPANY'S  
SUBDIVISION VOLUME 0  
PG. 177 H.C.D.R. DOC.#2178566



NOT TO SCALE

**CLH**  
ENGINEERING, INC.

TBPE FIRM No. F-8719  
701 S. 15th STREET McALLEN, TX. 78501  
(956) 687-5560 (956) 687-5561 FAX

**"WORLD OF 4" SUBDIVISION**  
McALLEN, TEXAS

A 1.724 ACRE TRACT OF LAND AS BEING OUT OF THE NORTH 359.20 FEET OF THE EAST 3.0 ACRES OF LOT 14, STEWART'S ADDITION, AN ADDITION TO THE CITY OF McALLEN, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 56, MAP RECORDS IN THE OFFICE OF THE COUNTY CLERK OF HIDALGO COUNTY, TEXAS





# City of McAllen

## SUBDIVISION PLAT REVIEW

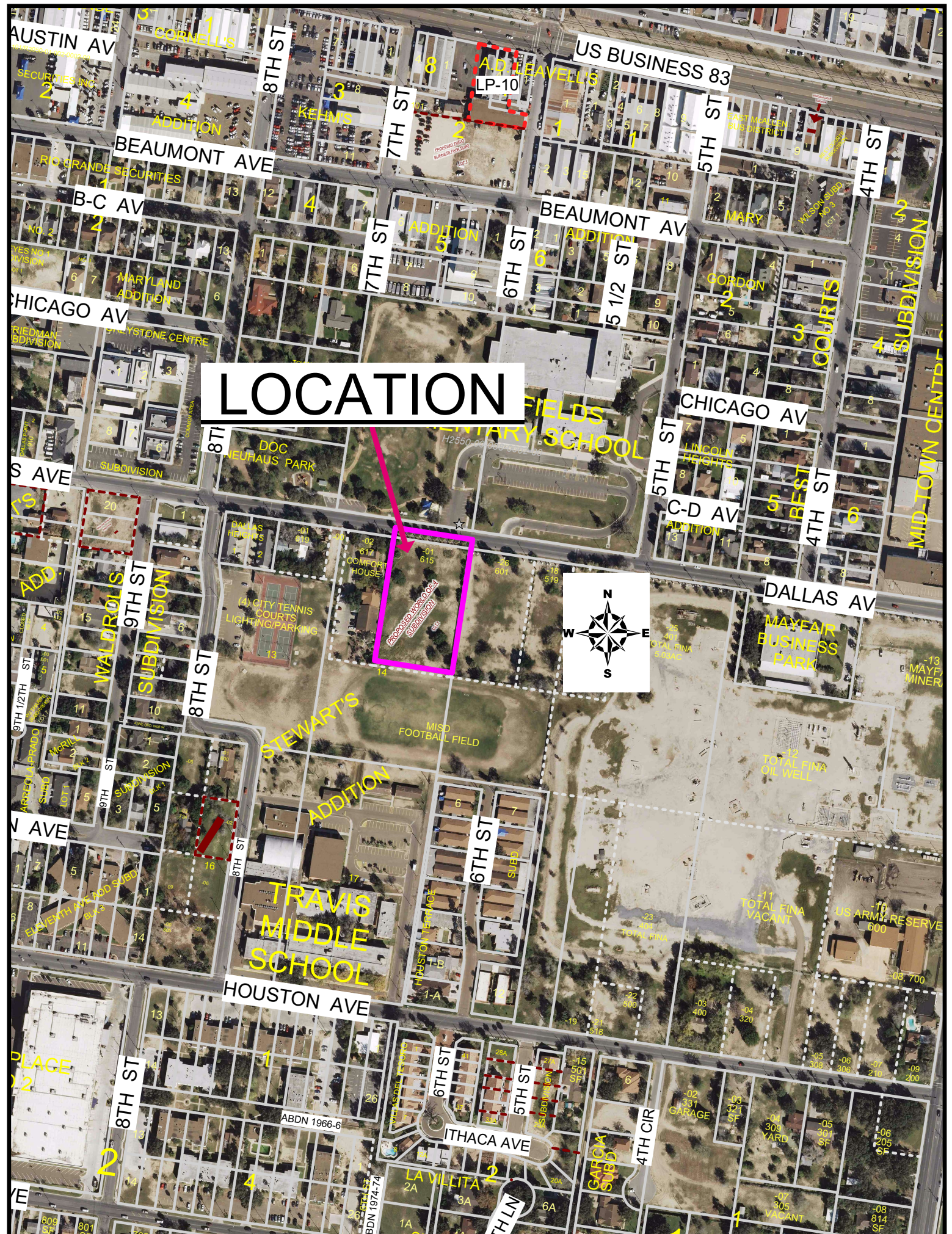
Reviewed On: 4/23/2021

SUBDIVISION NAME: WORLD OF 4 SUBDIVISION	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
Dallas Avenue: 30 ft. from centerline for total of 52.70 existing ROW Paving: 40 ft. Curb & gutter: both sides *City of McAllen Thoroughfare Plan	Compliance
* 800 ft. Block Length **Subdivision Ordinance: Section 134-118	Applied
* 600 ft. Maximum Cul-de-Sac **Subdivision Ordinance: Section 134-105	NA
ALLEYS	
ROW: 24 ft. Paving: 24 ft. *Alley/service drive easement required for commercial properties **Plat note provided indicating the required 24 ft. service drive will be provided and reviewed during site plan approval. ***Subdivision Ordinance: Section 134-106	Applied
SETBACKS	
* Front: 25 ft. or greater for approved site plan or easements or in line with the average setback of existing buildings, whichever is greater ***Zoning Ordinance: Section 138-356	Applied
* Rear: in accordance with the zoning ordinance or greater for easements or approved site plan **Zoning Ordinance: Section 138-356	Applied
* Sides: in accordance with the zoning ordinance, or greater for approved site plan or easements **Zoning ordinance: Section 138-356	Applied
* Garage: 18 ft. or greater for easements or approved site plan **Pending clarification on whether garages are proposed, if yes - please include garage reference in setback note prior to final ***Zoning Ordinance: Section 138-356	NA
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
SIDEWALKS	
* 4 ft. wide minimum sidewalk required on Dallas Avenue. **Subdivision Ordinance: Section 134-120	Compliance
* 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

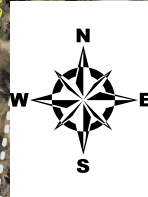


NOTES	
<ul style="list-style-type: none"> <li>* No curb cut, access, or lot frontage permitted along</li> <li>**City of McAllen Access Management Policy</li> <li>* Site plan must be approved by the Planning and other Development Departments prior to building permit issuance.</li> <li>* Common areas, private service drives must be maintained by the lot owners and not the City of McAllen</li> <li>* Common areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.</li> <li>* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.</li> <li>**Section 110-72 applies for public subdivisions</li> <li>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</li> </ul>	NA
	Required
	Applied
	Applied
	Applied
	Applied
LOT REQUIREMENTS	
<ul style="list-style-type: none"> <li>* Lots fronting public streets</li> <li>**Zoning Ordinance: Section 138-1</li> <li>* Minimum lot width and lot area</li> <li>**Zoning Ordinance: Section 138-356</li> </ul>	Compliance
	Compliance
ZONING/CUP	
<ul style="list-style-type: none"> <li>* Existing: R-3A Proposed: R-3A</li> <li>**Rezoning request from C-1 to R-3A approved by Planning and Zoning Commission on February 4, 2020 and City Commission on February 24, 2020.</li> <li>* Rezoning Needed Before Final Approval</li> </ul>	Applied
	NA
PARKS	
<ul style="list-style-type: none"> <li>* Land dedication in lieu of fee</li> <li>* Park Fee of \$700 per dwelling unit/lot to be paid prior to recording</li> <li>**Pending clarification on number of units proposed</li> <li>* Pending review by the Parkland Dedication Advisory Board and CC.</li> </ul>	NA
	Required
	NA
TRAFFIC	
<ul style="list-style-type: none"> <li>* Trip Generation approved per Traffic Department, no TIA is required..</li> <li>* Traffic Impact Analysis (TIA) required prior to final plat.</li> </ul>	Completed
	NA
COMMENTS	
<p>Comments:</p> <ul style="list-style-type: none"> <li>*Must comply with City's Access Management Policy</li> <li>**Money must be escrowed if improvements are not built prior to recording</li> <li>***Engineer submitted a variance request to allow a 38 ft. back to back paving in lieu of adding the corresponding 1 ft. to complete the required 40 ft. of paving scheduled for City Commission review at the meeting of June 28, 2021.</li> </ul>	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM, SUBJECT TO CLARIFICATION ON THE REQUESTED VARIANCE.	Applied





LOCATION



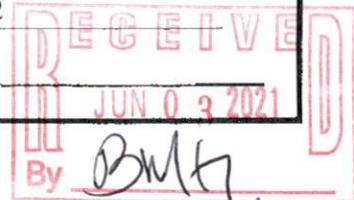




City of McAllen  
Planning Department  
**APPLICATION FOR  
SUBDIVISION PLAT REVIEW**

SUB2021-0063  
1300 Houston Avenue  
McAllen, TX 78501  
P. O. Box 220  
McAllen, TX 78505-0220  
(956) 681-1250  
(956) 681-1279 (fax)

<b>Project Description</b>	Subdivision Name <u>Vida Subdivison</u>
	Location <u>Shary Rd &amp; 5 Mile Line Rd.</u>
	City Address or Block Number <u>N Shary Rd, Mission, TX 78573</u>
	Number of lots <u>14</u> Gross acres <u>8.26</u> Net acres <u>7.2</u>
	Existing Zoning <u>R3A - C3</u> Proposed _____ Rezoning Applied For <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date _____
	Existing Land Use <u>Undeveloped</u> Proposed Land Use _____ Irrigation District # <u>United</u>
	<b>Residential</b> Replat Yes <input type="checkbox"/> No <input type="checkbox"/> <b>Commercial</b> Replat Yes <input type="checkbox"/> No <input type="checkbox"/> <b>ETJ</b> Yes <input type="checkbox"/> No <input type="checkbox"/>
	Agricultural Tax Exemption Yes <input type="checkbox"/> No <input type="checkbox"/> Estimated Rollback tax due _____
	Legal Description <u>8.26 acre tract out of the West 10 acres of the North 20 acres of Lot 405, John H. Shary Subdivision</u>
	<b>Owner</b>
Address <u>7216 W. Expressway 83</u>	
City <u>Mission</u> State <u>TX</u> Zip <u>78572</u>	
E-mail <u>mchapa@ggdstx.com</u>	
<b>Developer</b>	Name <u>LIMAN VENTURES, LTD</u> Phone _____
	Address <u>7216 W. Expressway 83</u>
	City <u>Mission</u> State <u>TX</u> Zip <u>78572</u>
	Contact Person <u>Manuel Chapa</u>
	E-mail <u>mchapa@ggdstx.com</u>
<b>Engineer</b>	Name <u>Victor Trevino</u> Phone <u>956-424-3335</u>
	Address <u>900 S. Stewart Rd Ste 13</u>
	City <u>Mission</u> State <u>TX</u> Zip <u>78572</u>
	Contact Person <u>Victore Trevino</u>
	E-mail <u>victor@southtexasig.com</u>
<b>Surveyor</b>	Name <u>Juan E. Galvan</u> Phone <u>956-424-3335</u>
	Address <u>900 S. Stewart Rd Ste 13</u>
	City <u>Mission</u> State <u>TX</u> Zip <u>78572</u>
	E-mail <u>jgalvan@rowsurveying.com</u>





## Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

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


### PLAT TO SHOW:

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

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

Owner's Signature

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

Signature  Date 05-17-2021

Print Name Victor Trevino

Owner ☐

Authorized Agent ☒

Rev 03/11



SHARY ROAD

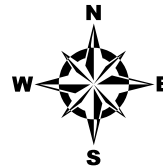
415

LOCATION

AZIZ  
SHARYLAND  
SUBDIVISION  
5925

PROPOSED WDA  
SUBDIVISION

405



AUBURN AVE.

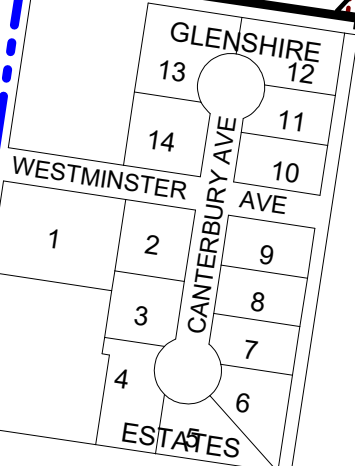
SHARY GROVE ESTATES

RATTLER LN

SUBDIVISION

SILVERADO TRAIL ON

5 MIL











# City of McAllen

## SUBDIVISION PLAT REVIEW

Reviewed On: 6/10/2021

### SUBDIVISION NAME: VIDA SUBDIVISION

#### REQUIREMENTS

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

North Shary Road (FM 494): 30 ft. ROW dedication for 60 ft. ROW from centerline for 120 ft. of total ROW

Paving: By the state Curb & gutter: By the state

\*\*Please show ROW on both sides of centerline to verify if any additional dedication will be required prior to final.

\*\*\*Include "North" and "(FM 494)" on all "Shary Road" references

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

\*\*\*\*COM Thoroughfare Plan

Non-compliance

Auburn Avenue (5 Mile Line-FM 676): 20 ft. dedication for 60 ft. from centerline for 120 ft. ROW

Paving: by the state Curb & gutter: by the state

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

\*\*Please show ROW on both sides of centerline to verify if any additional dedication will be required prior to final.

\*\*\*Please revise street name as shown above prior to final.

\*\*\*COM Thoroughfare Plan

Non-compliance

Internal N/S Street (Vida Street): 60 ft. ROW

Paving: 40 ft. Curb & gutter: Both sides

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

\*\*\*Street name will be revised prior to final to comply with City's policy.

\*\*\*\*\*Please show cul-de-sac ROW to verify compliance with minimum requirements. As per Fire Department, minimum 96 ft. paving face-to-face with 10 ft. ROW back-of-curb around cul-de-sac.

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

Non-compliance

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

\* 800 ft. Block Length.

\*\*Subdivision Ordinance: Section 134-118

\* 600 ft. Maximum Cul-de-Sac: Please show cul-de-sac length to verify compliance with requirements prior to final.

\*\*Subdivision Ordinance: Section 134-105

Applied

NA

Required

##### ALLEYS

ROW: 20 ft. Paving: 16 ft.

\*Alley/service drive easement required for commercial properties

\*\*Subdivision Ordinance: Section 134-106

Non-compliance

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



SETBACKS	
<p>* Front: Commercial Lot east of Lots 1-7: In accordance with the Zoning Ordinance or greater for easements or or in line with existing structures or approved site plan.            Lots 1-14: 10 ft. or greater for easements.            **Label commercial Lot east of Lots 1-7 prior to final with a Lot number or letter prior to final.            ***Plat note will finalized prior to final plat review after annexation and initial zoning are finished.            ****If site plan review is required for Lots 1-14, setbacks will be subject to approved site plan.            **Subdivision Ordinance: Section 134-106</p>	Non-compliance
<p>* Rear: Commercial Lot east of Lots 1-7: In accordance with the Zoning Ordinance or greater for easements or approved site plan.            Lots 1-14: 10 ft. or greater for easements.            **Label commercial Lot east of Lots 1-7 prior to final with a Lot number or letter prior to final.            ***Plat note will finalized prior to final plat review after annexation and initial zoning are finished.            ****If site plan review is required for Lots 1-14, setbacks will be subject to approved site plan.            **Subdivision Ordinance: Section 134-106</p>	Non-compliance
<p>* Interior Sides: Commercial Lot east of Lots 1-7: In accordance with the Zoning Ordinance or greater for easements or approved site plan.            Lots 1-14: In Accordance with Zoning Ordinance or greater for easements.            **Label commercial Lot east of Lots 1-7 prior to final with a Lot number or letter prior to final.            ***Plat note will finalized prior to final plat review after annexation and initial zoning are finished.            ****If site plan review is required for Lots 1-14, setbacks will be subject to approved site plan.            **Subdivision Ordinance: Section 134-106</p>	Non-compliance
<p>* Corner: Commercial Lot east of Lots 1-7: In accordance with the Zoning Ordinance or greater for easements or approved site plan.            Lots 1-14: 10 ft. or greater for easements.            **Label commercial Lot east of Lots 1-7 prior to final with a Lot number or letter prior to final.            ***Plat note will finalized prior to final plat review after annexation and initial zoning are finished.            ****If site plan review is required for Lots 1-14, setbacks will be subject to approved site plan.            **Subdivision Ordinance: Section 134-106</p>	Non-compliance
<p>* Garage: Commercial Lot east of Lots 1-7: N/A            Lots 1-14: 18 ft. except where greater setback is required, greater setback applies.            **Label commercial Lot east of Lots 1-7 prior to final with a Lot number or letter prior to final.            ***Plat note will finalized prior to final plat review after annexation and initial zoning are finished.            ****If site plan review is required for Lots 1-14, setbacks will be subject to approved site plan.            **Subdivision Ordinance: Section 134-106</p>	Non-compliance
<p>*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN</p>	Applied
SIDEWALKS	
<p>* 5 ft. wide minimum sidewalk required on North Shary Road (FM 494) and Auburn Avenue (5 Mile Line-FM 676) and 4 ft. minimum wide sidewalk along both sides of all interior streets.            **Plat note must be added as shown above prior to final.            ***5 ft. sidewalk requirement as per Engineering Dept.            ****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

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



BUFFERS	
<ul style="list-style-type: none"> <li>* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along Auburn Avenue (5 Mile Line-FM 676)</li> <li>**Please revise plat note #11 as shown above prior to final.</li> <li>**Landscaping Ordinance: Section 110-46</li> </ul>	Non-compliance
<ul style="list-style-type: none"> <li>* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.</li> <li>*** Requirement subject to change after annexation and initial zoning processes are finished.</li> <li>****Landscaping Ordinance: Section 110-46</li> </ul>	Non-compliance
<ul style="list-style-type: none"> <li>*Perimeter buffers must be built at time of Subdivision Improvements.</li> </ul>	Applied
NOTES	
<ul style="list-style-type: none"> <li>* No curb cut, access, or lot frontage permitted along Auburn Avenue (5 Mile Line-FM 676)</li> <li>**Please add plat note as shown above prior to final.</li> <li>**City's Access Management Policy</li> </ul>	Non-compliance
<ul style="list-style-type: none"> <li>* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.</li> <li>***Requirement subject to change after annexation and initial zoning processes are finished.</li> <li>****Please clarify number of units proposed per lot for Lots 1-14 prior to final to assure compliance with requirements.</li> </ul>	Required
<ul style="list-style-type: none"> <li>* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.</li> </ul>	Required
<ul style="list-style-type: none"> <li>* Common/Detention Areas, any private streets/drives, etc. must be maintained by the lot owners and not the City of McAllen</li> </ul>	Required
<ul style="list-style-type: none"> <li>* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.</li> <li>**Section 110-72 applies if private subdivision is proposed.</li> <li>**Landscaping Ordinance: Section 110-72</li> <li>**Subdivision Ordinance: Section 134-168</li> </ul>	Required
<ul style="list-style-type: none"> <li>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</li> <li>**HOA document to be recorded simultaneously with plat.</li> <li>**Subdivision Ordinance: Section 110-72</li> </ul>	Required
LOT REQUIREMENTS	
<ul style="list-style-type: none"> <li>* Lots fronting public streets.</li> <li>**Zoning Ordinance: Section. 138-356</li> </ul>	Compliance
<ul style="list-style-type: none"> <li>* Minimum lot width and lot area.</li> <li>**Zoning Ordinance: 138-1</li> </ul>	Compliance
ZONING/CUP	
<ul style="list-style-type: none"> <li>* Existing: ETJ Proposed: C-3 and R-3A</li> <li>**Annexation and initial zoning approved by Planning and Zoning Board at their June 3, 2021 meeting, and scheduled to be presented before City Commission on June 28, 2021.</li> <li>***Requirements such as setbacks, buffers, accesses, etc. will be finalized after these processes are finished.</li> <li>**Zoning Ordinance: Article V</li> </ul>	Required

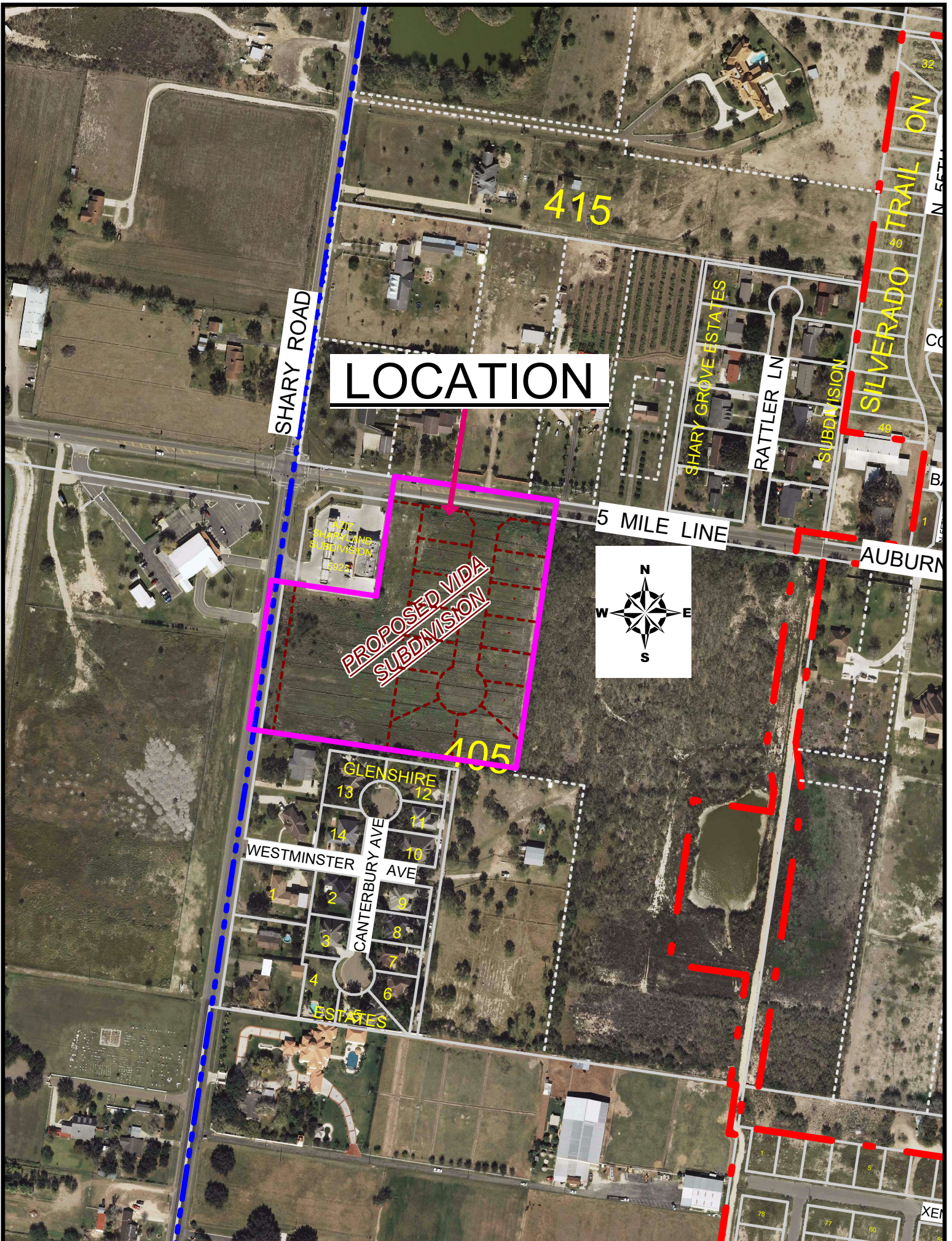
**These comments are for subdivision requirements only – additional requirements may apply at time of site plan review**



<p>* Rezoning Needed Before Final Approval.</p> <p>**Annexation and initial zoning approved by Planning and Zoning Board at their June 3, 2021 meeting, and scheduled to be presented before City Commission on June 28, 2021.</p> <p>***Requirements such as setbacks, buffers, accesses, etc. will be finalized after these processes are finished.</p> <p>**Zoning Ordinance: Article V</p>	Required
<b>PARKS</b>	
<p>* Land dedication in lieu of fee. As per Parks Department, Parks requirements will be applicable once property has been annexed. Also, please clarify total number of units proposed to determine if fees or land dedication will be required, and/or Parkland Dedication Advisory Board and CC review.</p>	TBD
<p>* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, Parks requirements will be applicable once property has been annexed. Also, please clarify total number of units proposed to determine if fees or land dedication will be required, and/or Parkland Dedication Advisory Board and CC review.</p>	TBD
<p>* Pending review by the Parkland Dedication Advisory Board and CC. As per Parks Department, Parks requirements will be applicable once property has been annexed. Also, please clarify total number of units proposed to determine if fees or land dedication will be required, and/or Parkland Dedication Advisory Board and CC review.</p>	TBD
<b>TRAFFIC</b>	
<p>* As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat.</p>	Non-compliance
<p>* As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat.</p>	TBD
<b>COMMENTS</b>	
<p>Comments: Must comply with City's Access Management Policy</p> <p>**Requirements such as setbacks, buffers, accesses, etc. will be finalized after annexation and initial zoning are finished prior to final plat review.</p> <p>***Please clarify number of units proposed per lot for Lots 1-14 prior to final to assure compliance with requirements.</p> <p>****Annexation and initial zoning approved by Planning and Zoning Board at their June 3, 2021 meeting, and scheduled to be presented before City Commission on June 28, 2021.</p> <p>**Label commercial Lot east of Lots 1-7 prior to final with a Lot number or letter prior to final.</p> <p>*****Please show cul-de-sac ROW to verify compliance with minimum requirements. As per Fire Department, minimum 96 ft. paving face-to-face with 10 ft. ROW back-of-curb around cul-de-sac.</p> <p>*****As per Fire Department, number of accesses required will be determined based on number of units proposed prior to final.</p> <p>*****Please clarify if subdivision is proposed to be public or private. Private subdivision might trigger a second access depending on the amount of dwelling units</p> <p>*****Show lot dimension on north boundary of commercial lot and everywhere applicable prior to final.</p>	Applied
<b>RECOMMENDATION</b>	
<p>Recommendation: STAFF RECOMMENDS APPROVAL OF SUBDIVISION IN PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED, DRAINAGE AND UTILITIES APPROVALS.</p>	Applied

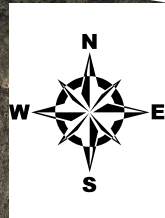
**These comments are for subdivision requirements only – additional requirements may apply at time of site plan review**





LOCATION

PROPOSED VIDA  
SUBDIVISION



SHARY ROAD

415

SHARY GROVE ESTATES

RATTLER LN

SUBDIVISION

SILVERADO TRAIL ON

5 MILE LINE

AUBURN

WESTMINSTER

GLENSHIRE

13 12

14 11

10

9

8

7

6

ESTATES

CANTERBURY AVE



SUB2021-0041

ORIGINAL

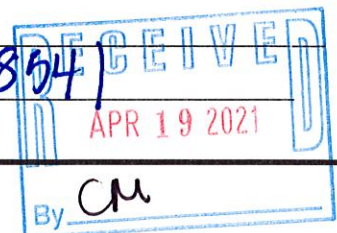


City of McAllen  
Planning Department  
APPLICATION FOR

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

## SUBDIVISION PLAT REVIEW

Project Description	Subdivision Name <u>4700 Ware Subdivision</u> Location <u>East side of Ware Road</u> City Address or Block Number <u>4920 N. Ware Road</u> Number of lots <u>1</u> Gross acres <u>9.333</u> Net acres <u>9.333</u> Existing Zoning <u>R1/C-1</u> Proposed <u>R3A</u> Rezoning Applied For <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date <u>9/15/20</u> Existing Land Use <u>VACANT</u> Proposed Land Use <u>Apartment</u> Irrigation District # <u>    </u> 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"/> Agricultural Tax Exempt Yes <input type="checkbox"/> No <input type="checkbox"/> Estimated Rollback tax due <u>    </u> Parcel No. <u>512661/210763</u> Tax Dept. Review <u>    </u> Legal Description <u>9.338 Acres, more or less, out of Lot 100, La Lomita Irrigation &amp; Constr. Company</u>
Owner	Name <u>Rhodes Development, Inc.</u> Phone <u>(956) 287-2801</u> Address <u>200 S. 10th St., Ste. 1700</u> City <u>McAllen</u> State <u>Tx</u> Zip <u>78501</u> E-mail <u>mike@mlrhodes.com</u>
Developer	Name <u>Rhodes Development, Inc.</u> Phone <u>(956) 287-2800</u> Address <u>200 S. 10th St., Ste. 1700</u> City <u>McAllen</u> State <u>Tx</u> Zip <u>78501</u> Contact Person <u>Mike Rhodes</u> E-mail <u>mike@mlrhodes.com</u>
Engineer	Name <u>Melden &amp; Hunt, Inc.</u> Phone <u>(956) 381-0981</u> Address <u>115 W. Mc Intyre St.</u> City <u>Edinburg</u> State <u>Tx</u> Zip <u>78541</u> Contact Person <u>Mario A. Reyna, P.E.</u> E-mail <u>mario@meldenandhunt.com</u>
Surveyor	Name <u>Melden &amp; Hunt, Inc.</u> Phone <u>(956) 381-0981</u> Address <u>115 W. Mc Intyre St.</u> City <u>Edinburg</u> State <u>Tx</u> Zip <u>78541</u>





## Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

- ☒ \$225 Preliminary Review Fee and \$75 Final Approval Fee
- ☒ Title Report
- ☒ 8 ½" by 11" Original Sealed Survey showing existing structures/ easements or 3 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 (1724x36 via email)
- ☒ 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

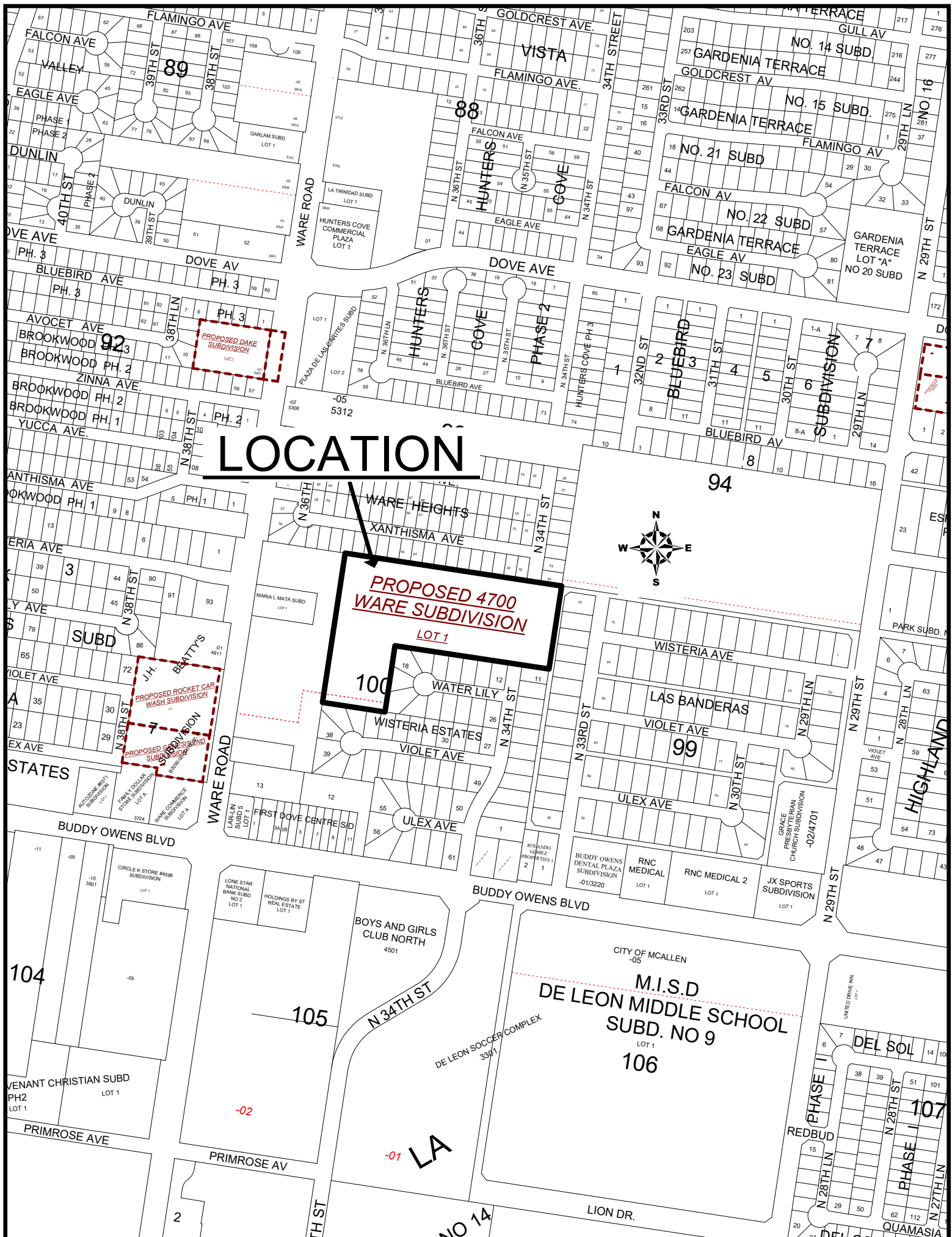
I certify that I am the actual owner of the property described above and (include corporate name if applicable); or I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

Signature  Date 4/16/2021  
 Print Name Rhodes Development, Inc. - Nick Rhodes (Pres.)

Owner ☒

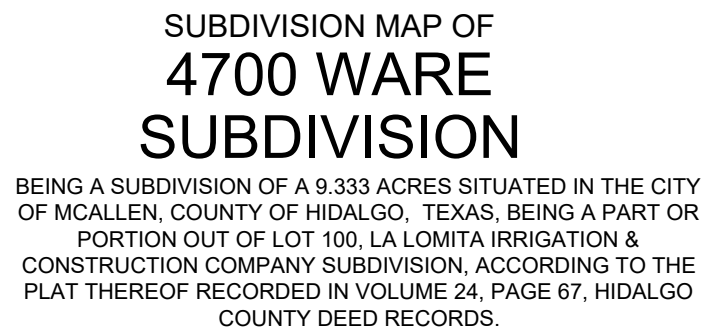
Authorized Agent ☐







SCALE: 1"=40'







# City of McAllen

## SUBDIVISION PLAT REVIEW

Reviewed On: 6/10/2021

### SUBDIVISION NAME: 4700 WARE SUBDIVISION

#### REQUIREMENTS

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

North Ware Road: 75 ft. from centerline for 150 ft. of total ROW

Paving: by the state Curb & gutter: by the state

\*\*Please clarify if property will have access/frontage through North Ware Road prior to final to determine ROW dedication requirements, street paving requirements, paving improvements, etc.

\*\*\*COM Thoroughfare Plan

North 34th Street: 60 ft. ROW

Paving: 40 ft. Curb & gutter: Both sides

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

\*\*\*Street must be extended to connect north and south ends. Plat must be revised prior to final to comply with requirements.

\*\*\*\*Dead-end streets are not permitted.

\*\*\*\*\*Engineer submitted a letter requesting a variance to not extend North 34th Street to connect the north and south ends.

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

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

\* 800 ft. Block Length.

\*\*Subdivision Ordinance: Section 134-118

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

\*\*Subdivision Ordinance: Section 134-105

TBD

Non-compliance

Applied

NA

NA

##### ALLEYS

ROW: 20 ft. Paving: 16 ft.

\*Alley required for commercial properties.

\*\*Subdivision Ordinance: Section 134-106

Applied

##### SETBACKS

\* Front: 20 ft. or greater for easements or approver site plan.

\*\*Please clarify frontage prior to final.

\*\*\*\*Setbacks are subject to change prior to final.

\*\*Zoning Ordinance: Section 138-356

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

\*\*Please clarify frontage prior to final.

\*\*\*\*Setbacks will be established prior to final.

\*\*Zoning Ordinance: Section 138-356

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

\*\*Please clarify frontage prior to final.

\*\*\*\*Setbacks will be established prior to final.

\*\*Zoning Ordinance: Section 138-356

TBD

TBD

TBD

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



<ul style="list-style-type: none"> <li>* Corner: In accordance with Zoning Ordinance or greater for easements or approved site plan.</li> <li>**Please clarify frontage prior to final.</li> <li>****Setbacks will be established prior to final.</li> <li>**Zoning Ordinance: Section 138-356</li> <li>* Garage: 18 ft. except where greater setback is required; greater setback applies.</li> <li>**Zoning Ordinance: Section 138-356</li> <li>*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN</li> </ul>	TBD
	Applied
	Applied
<b>SIDEWALKS</b>	
<ul style="list-style-type: none"> <li>* 4 ft. wide minimum sidewalk required on both sides of North 34th Street.</li> <li>**Please revise plat note #7 as shown above.</li> <li>***Please clarify if access on North Ware Road will be proposed prior to Final to determine sidewalk requirements.</li> <li>****Subdivision Ordinance: Section 134-120</li> <li>* Perimeter sidewalks must be built or money escrowed if not built at this time.</li> </ul>	Non-compliance
	Applied
<b>BUFFERS</b>	
<ul style="list-style-type: none"> <li>* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along west property line, and others as needed prior to final.</li> <li>**Please revise plat note as shown above prior to final.</li> <li>**Landscaping Ordinance: Section 110-46</li> <li>* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses, and others as needed prior to final.</li> <li>**Please revise plat note as shown above prior to final.</li> <li>**Landscaping Ordinance: Section 110-46</li> <li>*Perimeter buffers must be built at time of Subdivision Improvements.</li> </ul>	Non-compliance
	Non-compliance
	Applied
<b>NOTES</b>	
<ul style="list-style-type: none"> <li>* No curb cut, access, or lot frontage permitted along.</li> <li>**City's Access Management Policy</li> <li>* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.</li> <li>* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.</li> <li>* Common Areas, private streets/drives, detention and common areas, etc. must be maintained by the lot owners and not the City of McAllen</li> <li>* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.</li> <li>**Section 110-72 applies if private subdivision is proposed.</li> <li>**Landscaping Ordinance: Section 110-72</li> <li>**Subdivision Ordinance: Section 134-168</li> <li>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</li> <li>**Subdivision Ordinance: Section 110-72</li> </ul>	TBD
	Required
	Applied
	Required
	Applied
	Applied



<b>LOT REQUIREMENTS</b>	
<ul style="list-style-type: none"> <li>* Minimum lot width and lot area.</li> <li>**Zoning Ordinance: 138-1</li> <li>* Lots fronting public streets.</li> <li>**Plat must be revised to show extension of North 34th Street prior to final.</li> <li>***Please clarify if access/frontage from North Ware Road is being proposed prior to final.</li> <li>**Zoning Ordinance: Section. 138-356</li> </ul>	Compliance
	Non-compliance
<b>ZONING/CUP</b>	
<ul style="list-style-type: none"> <li>* Existing : R-3A Proposed: R-3A</li> <li>**Rezoning to R-3A approved by Planning and Zoning Board at their P&amp;Z meeting of November 3, 2020 and by City commission on November 9, 2020.</li> <li>**Zoning Ordinance: Article V</li> <li>* Rezoning Needed Before Final Approval.</li> <li>**Rezoning to R-3A approved by Planning and Zoning Board at their P&amp;Z meeting of November 3, 2020 and by City commission on November 9, 2020.</li> <li>**Zoning Ordinance: Article V</li> </ul>	Complete
	Completed
<b>PARKS</b>	
<ul style="list-style-type: none"> <li>* Land dedication in lieu of fee. As per Parks Department, please clarify number units to determine if land dedication or fees will be required prior to recording.</li> <li>* Park Fee of \$700 per dwelling unit to be paid prior to recording. As per Parks Department, please clarify number units to determine if land dedication or fees will be required prior to recording.</li> <li>* Pending review by the Parkland Dedication Advisory Board and CC. As per Parks Department, please clarify number units to determine if land dedication or fees will be required prior to recording.</li> </ul>	TBD
	TBD
	TBD
<b>TRAFFIC</b>	
<ul style="list-style-type: none"> <li>* Trip Generation to determine if TIA is required, prior to final plat.</li> <li>**As per Traffic Department, please clarify number units to determine if a TIA will be required prior to final.</li> <li>* Traffic Impact Analysis (TIA) required prior to final plat.</li> <li>**As per Traffic Department, please clarify number units to determine if a TIA will be required prior to final.</li> </ul>	TBD
	TBD
<b>COMMENTS</b>	
<p>Comments: Must comply with City's Access Management Policy</p> <ul style="list-style-type: none"> <li>**Clarify if access from North Ware Road is proposed.</li> <li>***North 34th Street must be extended to connect north and south end; dead-end streets are not permitted. Please revise plat prior to final to comply with requirements.</li> <li>****As per Fire Department, a second access might be required depending on the number of unit proposed.</li> <li>*****Please provide copy of Doc. 1190263 (37.5 ft. easement) along the north property line prior to final for staff to review.</li> <li>*****City Departments have reviewed proposed layout and recommend compliance with the required extension of North 34th Street.</li> </ul>	Applied



RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED, UTILITY AND DRAINAGE APPROVALS, AND CLARIFICATION ON REQUESTED VARIANCE.	Applied





LOCATION

PROPOSED 4700  
WARE SUBDIVISION



LA





TBPELS Firm # F-1435  
TBPELS # 10096900

# MELDEN & HUNT INC.

CONSULTANTS • ENGINEERS • SURVEYORS

FRED L. KURTH • ALLAN F. BOOE • KELLEY A. HELLER-VELA • ROBERTO N. TAMEZ • MARIO A. REYNA • RUBEN JAMES DE JESUS

May 28, 2021

City of McAllen Planning Dept.  
Attn: Edgar Garcia, Planning Director  
311 N. 15th St.  
McAllen, TX 78501

Re: 4700 Ware Road Subdivision – Variance Request to City of McAllen's Quarter Mile Collector

Dear Mr. Garcia:

On behalf of Rhodes Development, we respectfully request a variance to the City of McAllen's Quarter Mile Collector requirements. 4700 Ware Road Subdivision is requesting to not extend 34<sup>th</sup> St. to connect Ware Heights and Wisteria Estates. As part of the change of zone process the developer, project engineer, and Councilmen Joaquin "J.J." Zamora held a meeting with residents of the surrounding community to inform and get a consensus the proposed development. For the most part, the residents of the community did not express opposition to the proposed project but did request that 34<sup>th</sup> street not be extended due to concerns with traffic. The request by the residents is also in-line with intent of the project. We hope you and your board of directors will strongly consider the request for the continued safe growth of the City.

Your attention and consideration on this matter is greatly appreciated. If you have any questions or comments, please do not hesitate to contact our office. Thank you.

Respectfully,

Mario A. Reyna, P.E.  
Vice-President

cc: Rhodes Development, Inc.





City of McAllen  
Planning Department  
**APPLICATION FOR**

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

**SUBDIVISION PLAT REVIEW**

<b>Project Description</b>	<p>Subdivision Name <u>Northwood Trails Block I</u></p> <p>Location <u>North 29th Street 195.0' north of Freddy Gonzalez Drive</u></p> <p>City Address or Block Number _____</p> <p>Number of lots <u>46</u> Gross acres <u>31.77</u> Net acres _____</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>Vacant</u> Proposed Land Use <u>Single Family</u> Irrigation District # <u>1</u></p> <p><b>Residential</b> Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <b>Commercial</b> Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <b>ETJ</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Agricultural Tax Exemption Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Estimated Rollback tax due <u>\$ 0</u></p> <p>Legal Description <u>31.77 acres out of Lot 28, La Lomita Irrigation and Construction Company Subdivision, Hidalgo County, Texas</u></p>
<b>Owner</b>	<p>Name <u>Red Rock Real Estate Development Group, Ltd.</u> Phone <u>(956)800-1333</u></p> <p>Address <u>2912 S. Jackson Rd.</u></p> <p>City <u>McAllen</u> State <u>TX</u> Zip <u>78503</u></p> <p>E-mail <u>riocantu@yahoo.com</u></p>
<b>Developer</b>	<p>Name <u>Red Rock Real Estate Development Group, Ltd.</u> Phone <u>(956)800-1333</u></p> <p>Address <u>2912 S. Jackson Rd.</u></p> <p>City <u>McAllen</u> State <u>TX</u> Zip <u>78503</u></p> <p>Contact Person <u>Manuel Cantu</u></p> <p>E-mail <u>riocantu@yahoo.com</u></p>
<b>Engineer</b>	<p>Name <u>Quintanilla, Headley &amp; Associates, Inc.</u> Phone <u>(956)381-6480</u></p> <p>Address <u>124 E. Stubbs</u></p> <p>City <u>Edinburg</u> State <u>TX</u> Zip <u>78539</u></p> <p>Contact Person <u>Alfonso Quintanilla, P.E.</u></p> <p>E-mail <u>alfonsoq@qha-eng.com</u></p>
<b>Surveyor</b>	<p>Name <u>Quintanilla, Headley &amp; Associates, Inc.</u> Phone <u>(956)381-6480</u></p> <p>Address <u>124 E. Stubbs</u></p> <p>City <u>Edinburg</u> State <u>TX</u> Zip <u>78539</u></p> <p>E-mail <u>alfonsoq@qha-eng.com</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" Sealed Survey showing existing structures/easements  
or 3 blueline copies
- \_\_\_\_\_ 2 Location Maps
- \_\_\_\_\_ 2 8 ½" by 11" copies/legible copies of plat with name & north arrow
- \_\_\_\_\_ 6 Folded blueline prints of the proposed plat
- \_\_\_\_\_ 2 Warranty Deeds (Identifying owner on application)
- \_\_\_\_\_ Autocad DWG file of plat
- \_\_\_\_\_ Letter of Authorization from the owner, if applicable
- \_\_\_\_\_ Proof of authority of person signing application on behalf of  
partnership/corporation, if applicable

### PLAT TO SHOW:

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

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

Owner's Signature

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

Signature \_\_\_\_\_ Date 11-12-20

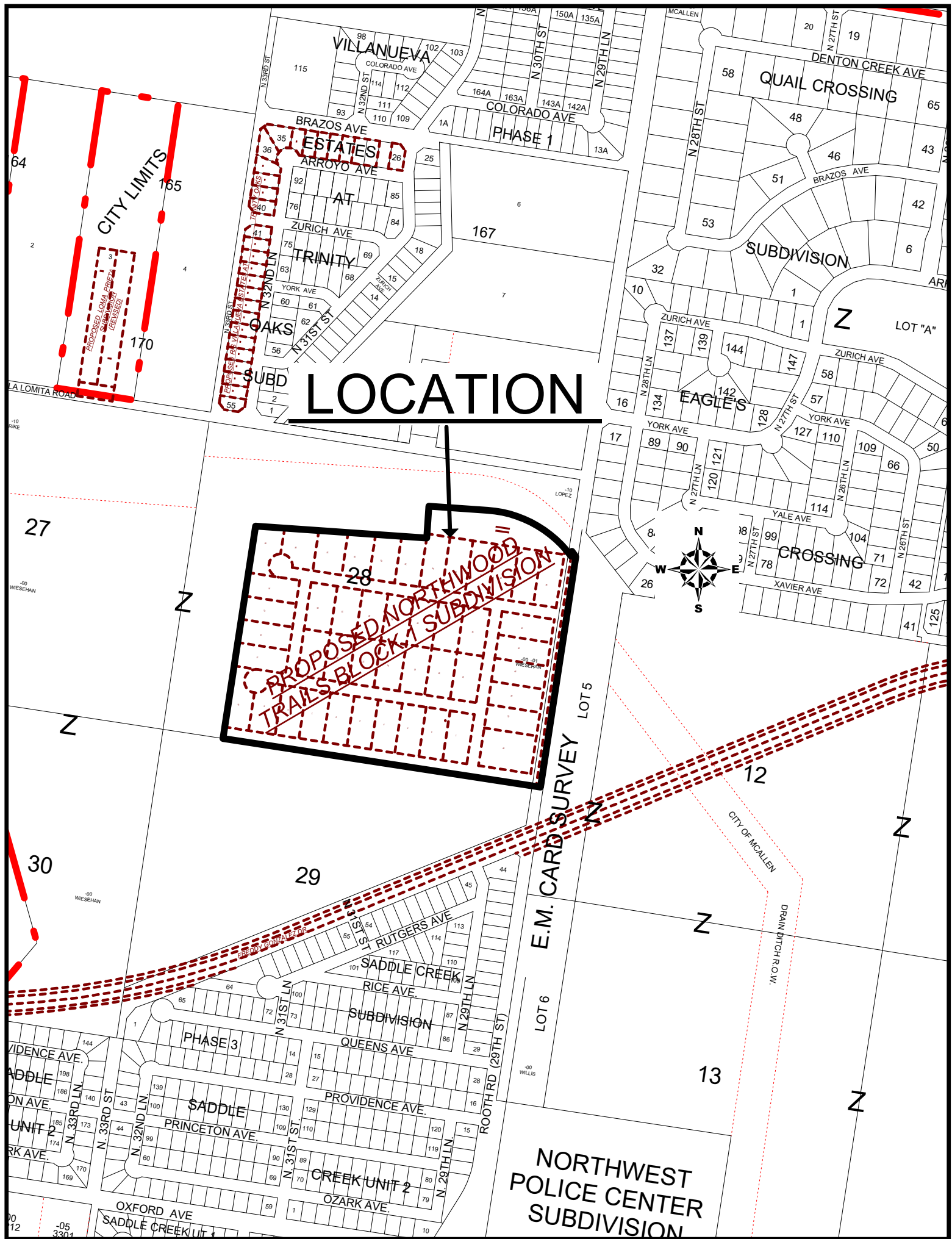
Print Name \_\_\_\_\_

Owner ☐

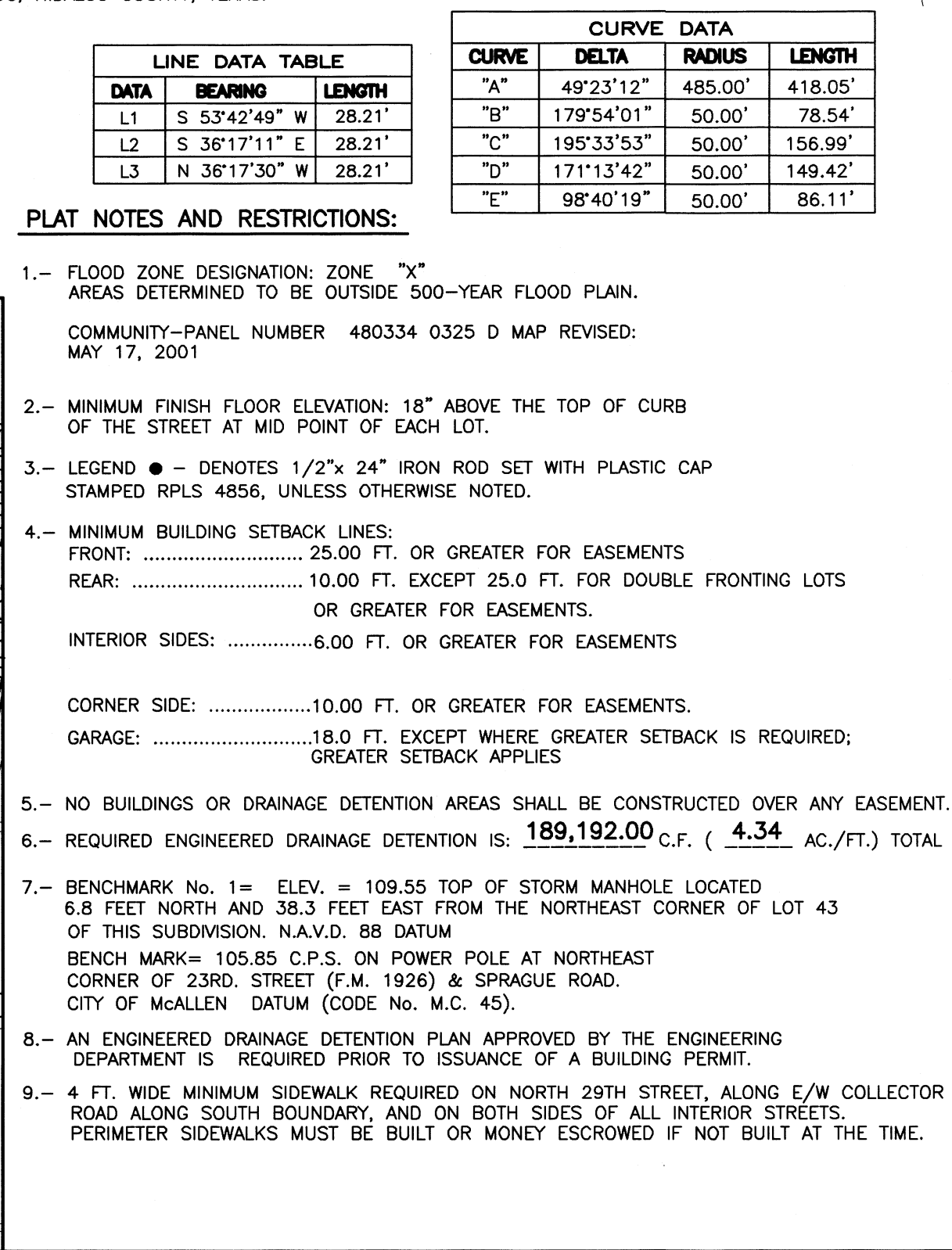
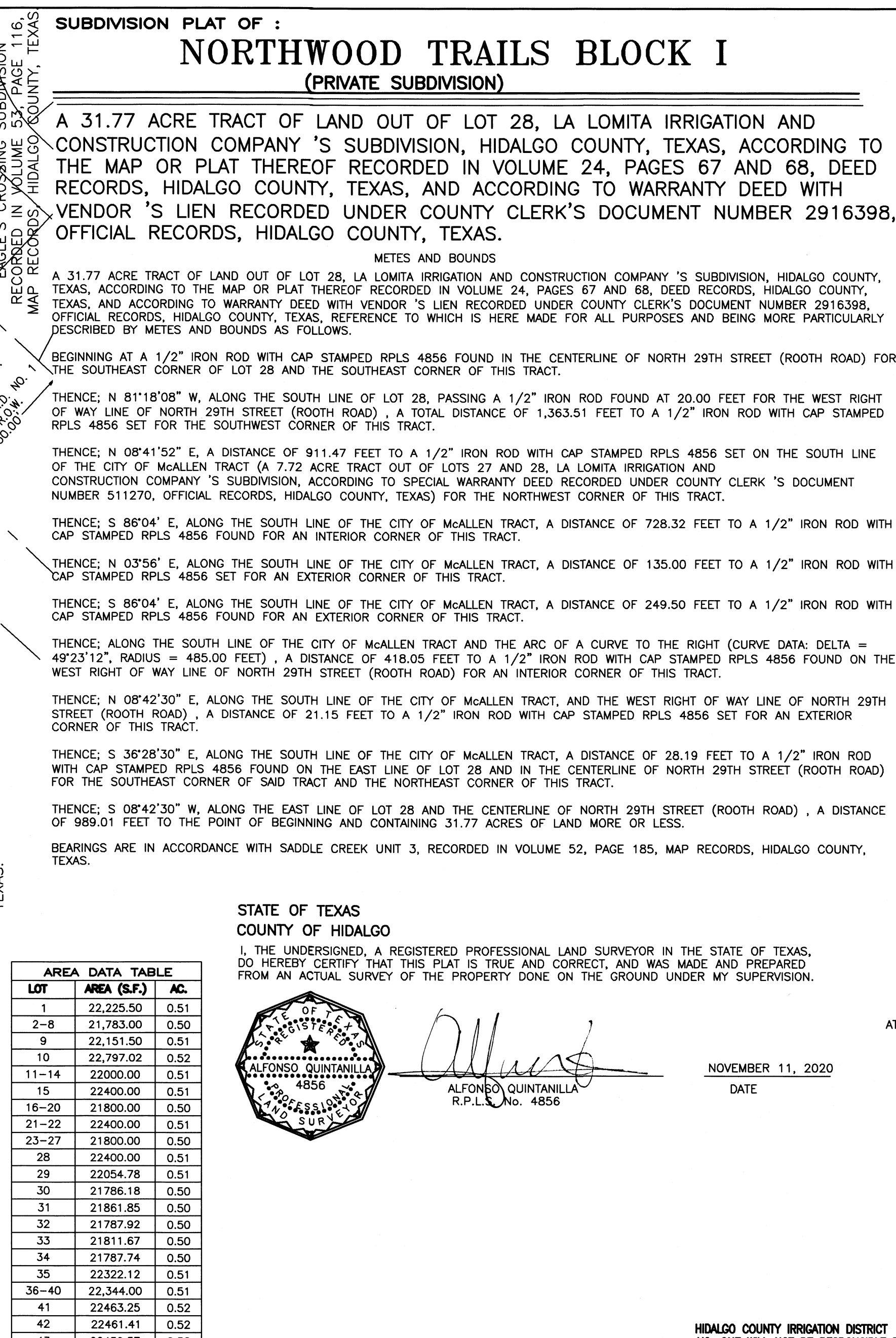
Authorized Agent ☐

Rev 03/11









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

**LIENHOLDERS'S ACKNOWLEDGMENT:**  
STATE OF TEXAS  
COUNTY OF HIDALGO

I, THE UNDERSIGNED, HOLDER (OR DULY AUTHORIZED OFFICERS OF THE HOLDER) OF A SECURITY INTEREST IN THE ABOVE DESCRIBED PROPERTY, BEING THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS NORTHWOOD TRAILS BLOCK 1 ON 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.

**SECURITY INTEREST HOLDER**

\_\_\_\_\_  
SIGNATURE

Given under my hand and seal of office this  
\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.


\_\_\_\_\_  
Notary Public

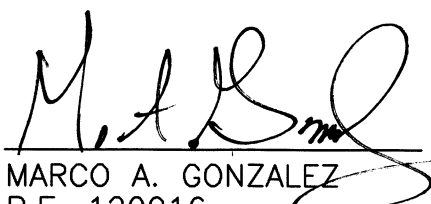
\_\_\_\_\_  
SECRETARY

\_\_\_\_\_  
PRESIDENT

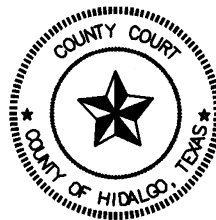
STATE OF TEXAS  
COUNTY OF HIDALGO

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



  
MARCO A. GONZALEZ  
P.E. 120016

5-18-21  
DATE



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

**S, INC.**

**YORS**  
381--6480  
381--0527  
--ENG.COM

FILENAME : F:\DATA\PRE\SUBD\MCALLEN\NORTHWOOD TRAILS BLOCK 1\PLAT			
DATE PREPARED	PREPARED BY	CHECKED BY	APPROVED BY
NOVEMBER 11, 2020	LG		
DATE REVISED	REVISED BY	CHECKED BY	APPROVED BY

DATE PREPARED: NOVEMBER 11, 2020





# City of McAllen

## SUBDIVISION PLAT REVIEW

Reviewed On: 6/11/2021

### SUBDIVISION NAME: NORTHWOOD TRAILS BLOCK 1

#### REQUIREMENTS

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

North 29th Street (Rooth Road): 30 ft. of dedication for 50 ft. from centerline for 100 ft. total ROW

Paving: 65 ft. Curb & gutter: Both sides

\*\*Must escrow monies if improvements are not built prior to recording.

\*\*\*\*\*Please contact Utilities Department to clarify 15 ft. SWSC easement prior to recording.

\*\*\*\*City of McAllen Thoroughfare Plan

E/W Collector (South Boundary): 60 ft. required ROW, 50 ft. ROW are proposed to be dedicated by this subdivision: the other 10 ft. will be dedicated when the property to the south develops.

Paving: 40 ft. are proposed to be paved by this subdivision Curb & gutter: Both sides

\*\*Must escrow monies if improvements are not built prior to recording.

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

Entrance Streets: 60 ft. of ROW

Paving: 40 ft. Curb & gutter: Both sides

\*\*Must escrow monies if improvements are not built prior to final.

\*\*\*Submit any applicable gate details revisions for staff to review prior to recording. Gate details may increase ROW required prior to recording.

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

Internal Streets: 50 ft. ROW

Paving: 32 ft. Curb & gutter: Both sides

\*\*Must escrow monies if improvements are not built prior to recording.

\*\*\*Submit any applicable gate details revisions for staff to review prior to recording. Gate details may increase ROW required prior to recording.

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

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

\* 800 ft. Block Length.

\*\*\*\*Engineer submitted a letter on March 23, 2021 requesting a variance to allow a block length greater than the maximum 800 ft. allowed for blocks from Lots 1-10 and Lots 29-40.

\*\*\*\*\*Variance approved by P&Z at their April 6, 2021 meeting and by the City Commission at their April 26, 2021 meeting.

\*\*Subdivision Ordinance: Section 134-118

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

\*\*Subdivision Ordinance: Section 134-105

##### ALLEYS

ROW: 20 ft. Paving: 16 ft.

\*Alley/service drive easement required for commercial properties

\*\*Subdivision Ordinance: Section 134-106

Required

Applied

Required

Required

NA

Completed

Applied

NA

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



SETBACKS	
<ul style="list-style-type: none"> <li>* Front: 25 ft. or greater for easements.</li> <li>**Zoning Ordinance: Section 138-356</li> </ul>	Applied
<ul style="list-style-type: none"> <li>* Rear: 10 ft. except 25 ft. for double fronting lots or greater for easements.</li> <li>**Engineer submitted a variance letter on March 23, 2021 to request a variance to allow double frontage setbacks of 10 ft. instead of the required 25 ft. for Lots 1-10 and 41-46.</li> <li>***P&amp;Z Board approved variance as requested to 10 ft. double fronting setback or greater for easements instead of the required 25 ft.</li> <li>****Plat note #4 still shows "25 ft. setback for double fronting lots". Please clarify if approved variance will be applied to this subdivision prior to recording.</li> <li>**Zoning Ordinance: Section 138-356</li> </ul>	Required
<ul style="list-style-type: none"> <li>* Interior sides: 6 ft. or greater for easements.</li> <li>**Zoning Ordinance: Section 138-356</li> </ul>	Applied
<ul style="list-style-type: none"> <li>* Corner: 10 ft. or greater for easements.</li> <li>**Zoning Ordinance: Section 138-356</li> </ul>	Applied
<ul style="list-style-type: none"> <li>* Garage: 18 ft. except where greater setback is required; greater setback applies.</li> <li>**Zoning Ordinance: Section 138-356</li> </ul>	Applied
<ul style="list-style-type: none"> <li>*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN</li> </ul>	Applied
SIDEWALKS	
<ul style="list-style-type: none"> <li>* 4 ft. wide minimum sidewalk required on North 29th Street, along E/W collector road along south boundary, and on both sides of all interior streets.</li> <li>**Please revise plat note #9 as shown above</li> <li>***Subdivision Ordinance: Section 134-120</li> </ul>	Required
<ul style="list-style-type: none"> <li>* Perimeter sidewalks must be built or money escrowed if not built at this time.</li> </ul>	Applied
BUFFERS	
<ul style="list-style-type: none"> <li>* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along North 29th Street and along south property line</li> <li>**Landscaping Ordinance: Section 110-46</li> </ul>	Applied
<ul style="list-style-type: none"> <li>* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.</li> <li>**Landscaping Ordinance: Section 110-46</li> </ul>	Applied
<ul style="list-style-type: none"> <li>*Perimeter buffers must be built at time of Subdivision Improvements.</li> </ul>	Applied
NOTES	
<ul style="list-style-type: none"> <li>* No curb cut, access, or lot frontage permitted along North 29th Street or collector road along south property line.</li> <li>****City's Access Management Policy</li> </ul>	Applied
<ul style="list-style-type: none"> <li>* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.</li> </ul>	NA
<ul style="list-style-type: none"> <li>* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.</li> </ul>	NA
<ul style="list-style-type: none"> <li>* Common Areas, any private streets/drives, gates, detention/common areas, must be maintained by the lot owners and not the City of McAllen.</li> <li>**Landscaping Ordinance: Section 110-72</li> <li>**Subdivision Ordinance: Section 134-168</li> </ul>	Required

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



<ul style="list-style-type: none"> <li>* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.</li> <li>**Landscaping Ordinance: Section 110-72</li> <li>**Subdivision Ordinance: Section 134-168</li> <li>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</li> <li>** HOA document will be recorded simultaneously with subdivision plat.</li> <li>**Subdivision Ordinance: Section 110-72</li> </ul>	Required
	Required
<b>LOT REQUIREMENTS</b>	
<ul style="list-style-type: none"> <li>* Minimum lot width and lot area.</li> <li>**Zoning Ordinance: Section. 138-356</li> <li>* Lots fronting public streets.</li> <li>**Zoning Ordinance: Section. 138-356</li> </ul>	Compliance
	Compliance
<b>ZONING/CUP</b>	
<ul style="list-style-type: none"> <li>* Existing: R-1 Proposed: R-1</li> <li>**Zoning Ordinance: Article V</li> <li>* Rezoning Needed Before Final Approval</li> <li>****Planning and Zoning Board approved a rezoning request for R-1 (single-family residential) at their December 16, 2020 meeting and City Commission approved it at their January 11, 2021 meeting .</li> <li>**Zoning Ordinance: Article V</li> </ul>	Compliance
	Completed
<b>PARKS</b>	
<ul style="list-style-type: none"> <li>* Land dedication in lieu of fee. As per Parks department, subdivision will have to comply with Parkland Dedication Advisory Board requirements and conditions prior to recording.</li> <li>* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks department, subdivision will have to comply with Parkland Dedication Advisory Board requirements and conditions prior to recording.</li> <li>* Pending review by the Parkland Dedication Advisory Board and CC. As per Parks department, subdivision will have to comply with Parkland Dedication Advisory Board requirements and conditions prior to recording.</li> </ul>	Required
	Required
	Required
<b>TRAFFIC</b>	
<ul style="list-style-type: none"> <li>* As per Traffic Department, TG approved for this phase only.</li> <li>* As per Traffic Department, TG approved for this phase only. When adjacent properties develop, a TIA will be requested.</li> </ul>	Compliance
	NA



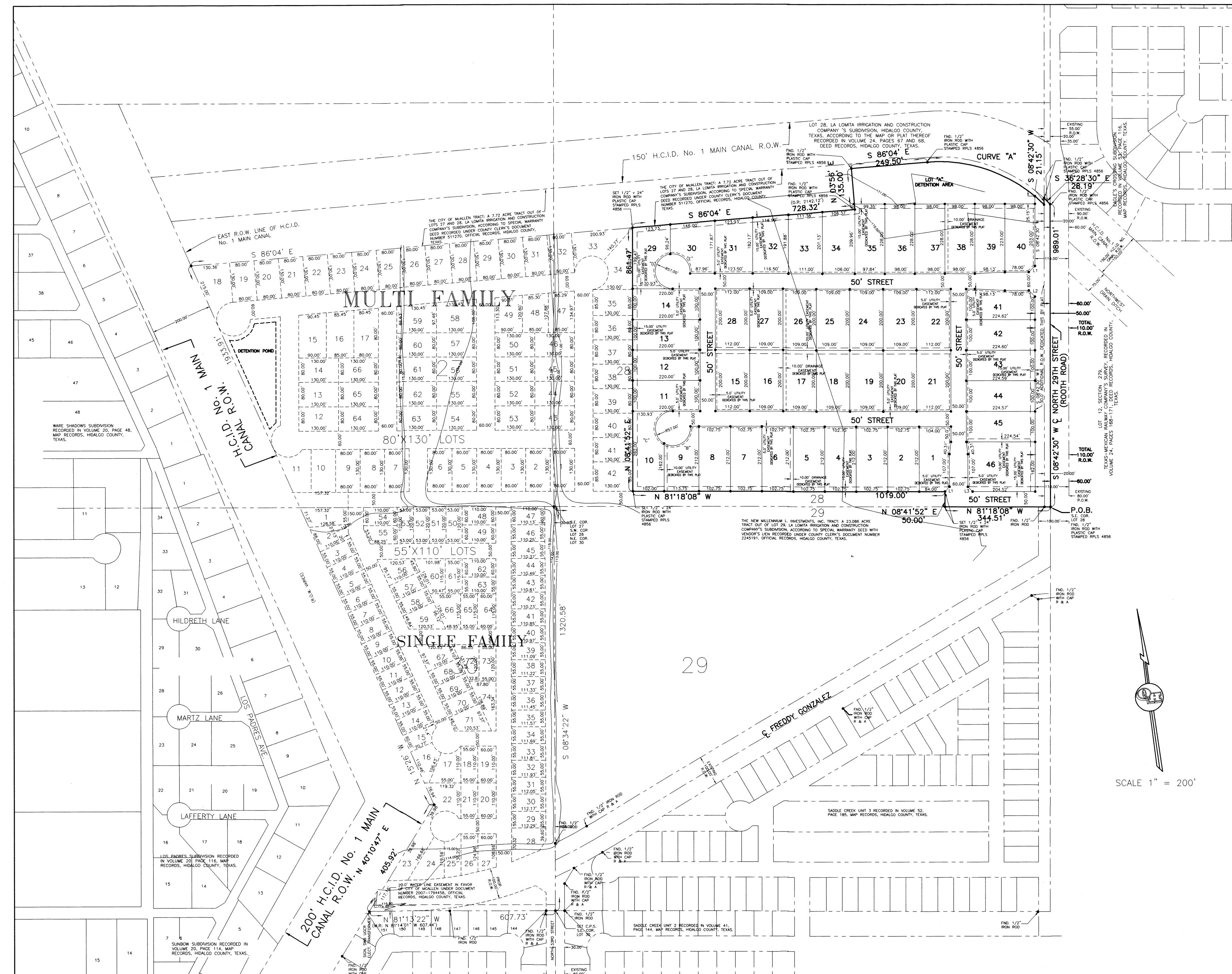
COMMENTS	
<p>Comments: Must comply with City's Access Management Policy. ****Indicate dimensions of HCID No. 1 Main Canal ROW located north of proposed subdivision prior to final. *****As per Public Works, confirm right-of-way access to Northwest Blue Line Drain Ditch to allow for maintenance operations and outline County access road prior to recording. ***As per Traffic and Fire Departments, submit revised gate details for staff to review prior to recording. ***Any abandonments required will have to be finalized prior to final plat review. ****Any additional staff requirements must be revised and met prior to recording such as drainage, traffic, etc.</p>	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM SUBJECT TO CONDITIONS NOTED.	Applied







# NORTHWOOD TRAILS BLOCK I MASTER PLAN

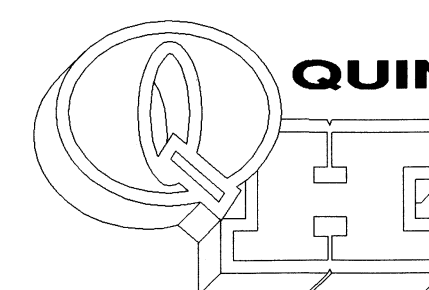


STATE OF TEXAS  
COUNTY OF HIDALGO  
I, THE UNDERSIGNED, A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, DO HEREBY  
CERTIFY THAT THE PROPER ENGINEERING CONSIDERATIONS HAVE BEEN GIVEN TO THIS PLAT.



*Marco A. Gonzalez*  
MARCO A. GONZALEZ  
P.E. 120016

3-10-21  
DATE



**QUINTANILLA, HEADLEY AND ASSOCIATES, INC.**

CONSULTING ENGINEERS • LAND SURVEYORS  
124 E. STUBBS ST.  
EDINBURG, TEXAS 78539  
ENGINEERING REGISTRATION NUMBER F-1513  
SURVEYING REGISTRATION NUMBER 100411-00  
PHONE 956-381-6480  
FAX 956-381-0527  
ALFONSO@QOHA-ENG.COM





City of McAllen  
Planning Department  
APPLICATION FOR

SUBDIVISION PLAT REVIEW

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

Project Description	<p>Subdivision Name <u>7-11 (Ware Road) Subdivision</u></p> <p>Location <u>NWC Ware Road &amp; Expressway 83 Frontage</u></p> <p>City Address or Block Number <u>1520 S. Ware &amp; 1308 S. Ware</u></p> <p>Number of lots <u>1</u> Gross acres <u>1.421</u> Net acres <u>1.421</u></p> <p>Existing Zoning <u>C3</u> Proposed <u>C3</u> Rezoning Applied For <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____</p> <p>Existing Land Use <u>VACANT</u> Proposed Land Use <u>7-11 gas station</u> Irrigation District # <u>1</u></p> <p>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"/></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>465708/195362</u> Tax Dept. Review _____</p> <p>Legal Description <u>ac o/p lot 1 Ware Road Investments &amp; lot 76 R E Horns Addition</u></p>
#2 Owner	<p>Name <u>Sunoco Retail, LLC</u> Phone <u>(956) 381-0901</u></p> <p>Address <u>8020 Park Lane, Ste. 200</u></p> <p>City <u>Dallas</u> State <u>TX</u> Zip <u>75231</u></p> <p>E-mail <u>90 mario@meldenandhunt.com</u></p>
Developer	<p>Name <u>Vaquero Clasper Sprague Partners LP</u> Phone <u>(512) 983-1793</u></p> <p>Address <u>2900 Wingate St., Ste. 200</u></p> <p>City <u>Fort Worth</u> State <u>TX</u> Zip <u>76107</u></p> <p>Contact Person <u>Kelly Agnor</u></p> <p>E-mail <u>Kagnor@vaqueroventures.com</u></p>
Engineer	<p>Name <u>Melden &amp; 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 Reyna</u></p> <p>E-mail <u>mario@meldenandhunt.com</u></p>
Surveyor	<p>Name <u>Melden &amp; 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>





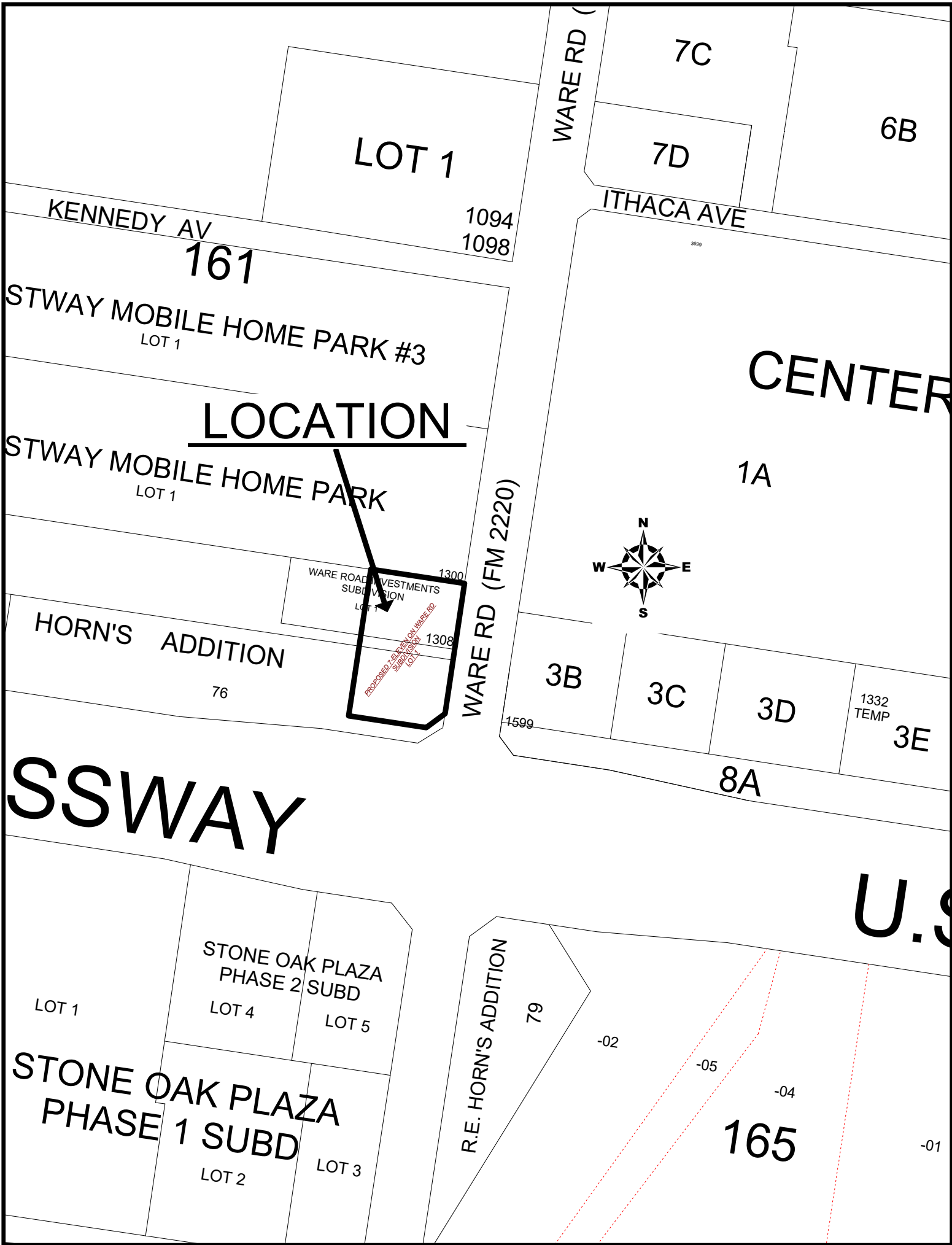
City of McAllen  
Planning Department  
APPLICATION FOR

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

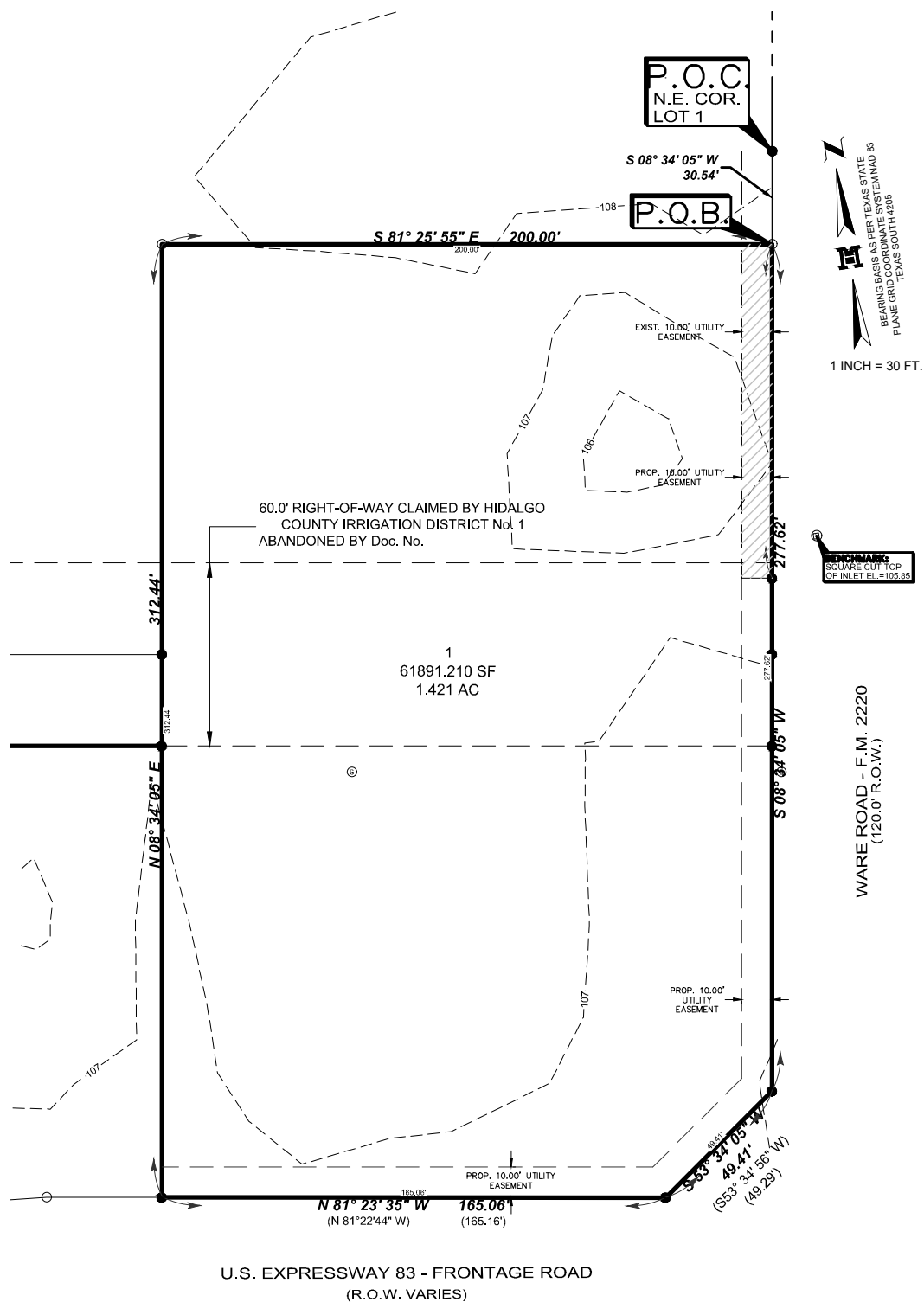
SUBDIVISION PLAT REVIEW

Project Description	<p>Subdivision Name <u>7-11 (Wave Road) Subdivision</u></p> <p>Location <u>NWC Wave Road &amp; Expressway 83 Frontage</u></p> <p>City Address or Block Number <u>1520 S. Wave &amp; 1308 S. Wave</u></p> <p>Number of lots <u>1</u> Gross acres <u>1.421</u> Net acres <u>1.421</u></p> <p>Existing Zoning <u>C3</u> Proposed <u>C3</u> Rezoning Applied For <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____</p> <p>Existing Land Use <u>vacant</u> Proposed Land Use <u>7-11 gas station</u> Irrigation District # <u>1</u></p> <p>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"/></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>665708/195362</u> Tax Dept. Review _____</p> <p>Legal Description <u>Approx. 1.421 ac o/p Lot 1 Wave Road Investments &amp; Lot 76 R E Horns Addition</u></p>
#1 Owner	<p>Name <u>R ROM Nevada Holdings, LLC</u> Phone <u>90 (956) 381-0981</u></p> <p>Address <u>3333 E. Serene, Ave. 140</u></p> <p>City <u>Henderson</u> State <u>NV</u> Zip <u>89074-6570</u></p> <p>E-mail <u>90 mario@meldenand hunt.com</u></p>
Developer	<p>Name <u>Vaquero Closner Sprague Partnership</u> Phone <u>(512) 983-1793</u></p> <p>Address <u>2900 Wingate St., Ste. 200</u></p> <p>City <u>Fort Worth</u> State <u>Tx</u> Zip <u>76107</u></p> <p>Contact Person <u>Kelly Agnor</u></p> <p>E-mail <u>kagnor@vaqueroventures.com</u></p>
Engineer	<p>Name <u>Melden &amp; 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 Reyna</u></p> <p>E-mail <u>mario@meldenand hunt.com</u></p>
Surveyor	<p>Name <u>Melden &amp; 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>









SUBDIVISION MAP OF  
***7 - ELEVEN ON WARE RD***  
***SUBDIVISION***

BEING A SUBDIVISION OF 1.421 ACRES SITUATED IN THE CITY OF MCALLEN, HIDALGO COUNTY, TEXAS,  
BEING PART OR PORTION OUT OF LOT 1 WARE ROAD INVESTMENTS SUBDIVISION, ACCORDING TO THE  
PLAT THEREOF RECORDED IN VOLUME 43, PAGE 139, HIDALGO COUNTY MAP RECORDS, AND LOT 76, R.E.  
HORN'S ADDITION TO MCALLEN FIRST SUBURBAN CITRUS GROVES SUBDIVISION, ACCORDING TO THE  
PLAT THEREOF RECORDED IN VOLUME 5, PAGE 26, HIDALGO COUNTY MAP RECORDS





# City of McAllen

## SUBDIVISION PLAT REVIEW

Reviewed On: 6/4/2021

<b>SUBDIVISION NAME: 7-11 (WARE ROAD) SUBDIVISION</b>	
<b>REQUIREMENTS</b>	
<b>STREETS AND RIGHT-OF-WAYS</b>	
S. Ware Road (FM 2220): Dedication as needed for 60 ft. from centerline for 120 ft. ROW Paving: by the state Curb & gutter: by the state **City of McAllen Thoroughfare Plan ***Label centerline and ROW on both sides of centerline	Non-compliance
U.S. Expressway 83 (Interstate 2) - 320 ft. ROW existing Paving: by the state Curb & gutter: by the state **City of McAllen Thoroughfare Plan ***Label centerline and ROW on both sides of centerline	Non-compliance
* 800 ft. Block Length	NA
**Subdivision Ordinance: Section 134-118	
* 600 ft. Maximum Cul-de-Sac	NA
**Subdivision Ordinance: Section 134-105	
<b>ALLEYS</b>	
ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties **Subdivision Ordinance: Section 134-106	Non-compliance
<b>SETBACKS</b>	
* Front:	Non-compliance
Ware Road (FM 2220): 60 ft. or greater for approved site plan or easements *Existing plat provides for a 60 ft. setback or greater for approved site plan	
U.S. Expressway 83 (Interstate 2): 75 ft. or greater for approved site plan or easements *Proposing 50 ft. setback or greater for approved site plan or easements **Zoning Ordinance: Section 138-356	
* Rear: In accordance with the Zoning Ordinance, or greater for easements.	Applied
**Zoning Ordinance: Section 138-356	
* Interior sides: In accordance with the Zoning Ordinance, or greater for easements.	Applied
**Zoning Ordinance: Section 138-356	
* Corner: In accordance with the zoning ordinance or greater for approved site plan or easements	No
*Setbacks for Ware Road and Expressway as noted above	
**Zoning Ordinance: Section 138-356	
* Garage	NA
**Zoning Ordinance: Section 138-356	
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
<b>SIDEWALKS</b>	
* 5 ft. wide minimum sidewalk required on Ware Road (FM 2220) and U.S. Expressway 83 (I2)	Applied
**Subdivision Ordinance: Section 134-120	
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Required
<b>BUFFERS</b>	



* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. **Landscaping Ordinance: Section 110-46	Applied
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. **Landscaping Ordinance: Section 110-46	Applied
*Perimeter buffers must be built at time of Subdivision Improvements.	Required
<b>NOTES</b>	
* No curb cut, access, or lot frontage permitted along **Per Traffic Department, all curb cuts will be honored; if relocation is needed a variance to the Access Management Policy will be required.	TBD
* Site plan must be approved by the Planning and other Development Departments prior to building permit issuance.	Applied
* Common areas, private streets, service drives, 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 for public subdivisions	NA
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. **Subdivision Ordinance: Section 110-72	NA
<b>LOT REQUIREMENTS</b>	
* Lots fronting public streets **It appears approximately the west 110 ft. of Ware Road Investments Subdivision was excluded from this lot. Please clarify prior to final approval to avoid creating a landlocked parcel. ***Zoning Ordinance: Section 138-356	Compliance
* Minimum lot width and lot area **Zoning Ordinance: 138-1	Compliance
<b>ZONING/CUP</b>	
* Existing: C-3 Proposed: C-3 **Zoning Ordinance: Article V	Applied
* Rezoning Needed Before Final Approval **Zoning Ordinance: Article V	NA
<b>PARKS</b>	
* Land dedication in lieu of fee	NA
* Park Fee of \$700 per unit/lot to be paid prior to recording	NA
* Pending review by the Parkland Dedication Advisory Board and CC.	NA
<b>TRAFFIC</b>	
* Trip Generation to determine if TIA is required, prior to final plat .	Non-compliance
* Traffic Impact Analysis (TIA) required prior to final plat.	TBD
<b>COMMENTS</b>	
Comments: *Must comply with City's Access Management Policy **Label centerline and show ROW on both sides	Applied



***Service drive may be required to extend once adjacent properties to develop, or note will be required on plat indicating it will be reviewed with site plan. ****New proposed subdivision requires to vacate the Ware Road Investments Subdivision plat to remove any established conditions differing from the proposed. *****It appears approximately the west 110 ft. from Ware Road Investments Subdivision was excluded from this lot. Please clarify prior to final approval to avoid creating a landlocked parcel. *****Reference documents for the 60 ft. ROW claimed by HC Irrigation District #1, if an abandonment is needed, it will have to be finalized prior to final approval.	
<b>RECOMMENDATION</b>	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM, SUBJECT TO CONTIDIONS NOTED, UTILITIES, AND DRAINAGE APPROVALS.	Applied







SUB2021-0062



City of McAllen  
Planning Department  
APPLICATION FOR

SUBDIVISION PLAT REVIEW

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

Project Description	<p>Subdivision Name <u>MOWETTE SUBD.</u></p> <p>Location <u>SBC</u></p> <p>City Address or Block Number <u>NOT YET ASSIGNED</u></p> <p>Number of lots <u>1</u> Gross acres <u>4.30</u> Net acres <u>4.30</u></p> <p>Existing Zoning <u>R3A</u> Proposed <u>R3A</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>APTS</u> Irrigation District # <u>7:14</u></p> <p>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"/></p> <p>Agricultural Tax Exempt Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Estimated Rollback tax due <u>3000<sup>00</sup></u></p> <p>Parcel No. <u>281987</u> Tax Dept. Review _____</p> <p>Legal Description <u>4.30 AC. o/o LOT 367, JOHN H. SITARY SUBD., W.C.T.</u></p>
Owner	<p>Name <u>LOURDOS LERMA</u> Phone <u>458-4358</u></p> <p>Address <u>6808 N. TAYLOR ROAD</u></p> <p>City <u>McALLEN</u> State <u>TX</u> Zip <u>78504</u></p> <p>E-mail <u>LERMA528@HOTMAIL.COM</u></p>
Developer	<p>Name <u>SAME AS OWNER</u> 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>662-9081</u></p> <p>Address <u>2221 DARTMOUTH 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 OWNER</u> Phone _____</p> <p>Address _____</p> <p>City _____ State _____ Zip _____</p>



HIDALGO

TAYLOR ROAD

SELINDA DR

377

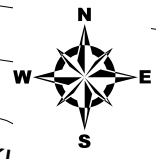
TRES REGALOS LOT 1

ANDRAS VILLAGE SUBDIVISION LOT 1

VITO SUBDIVISION LOT 1

LOCATION

PROPOSED MONETTE ESTATES SUBDIVISION  
LOT 1



TAYLOR CROSSING

JAY AVE

367

N 51ST ST

N 50TH ST

IBIS AVE

SUBDIVISION

HERON AVE

N 48TH LN

WELLS SPRING DR

TAYLOR ROAD

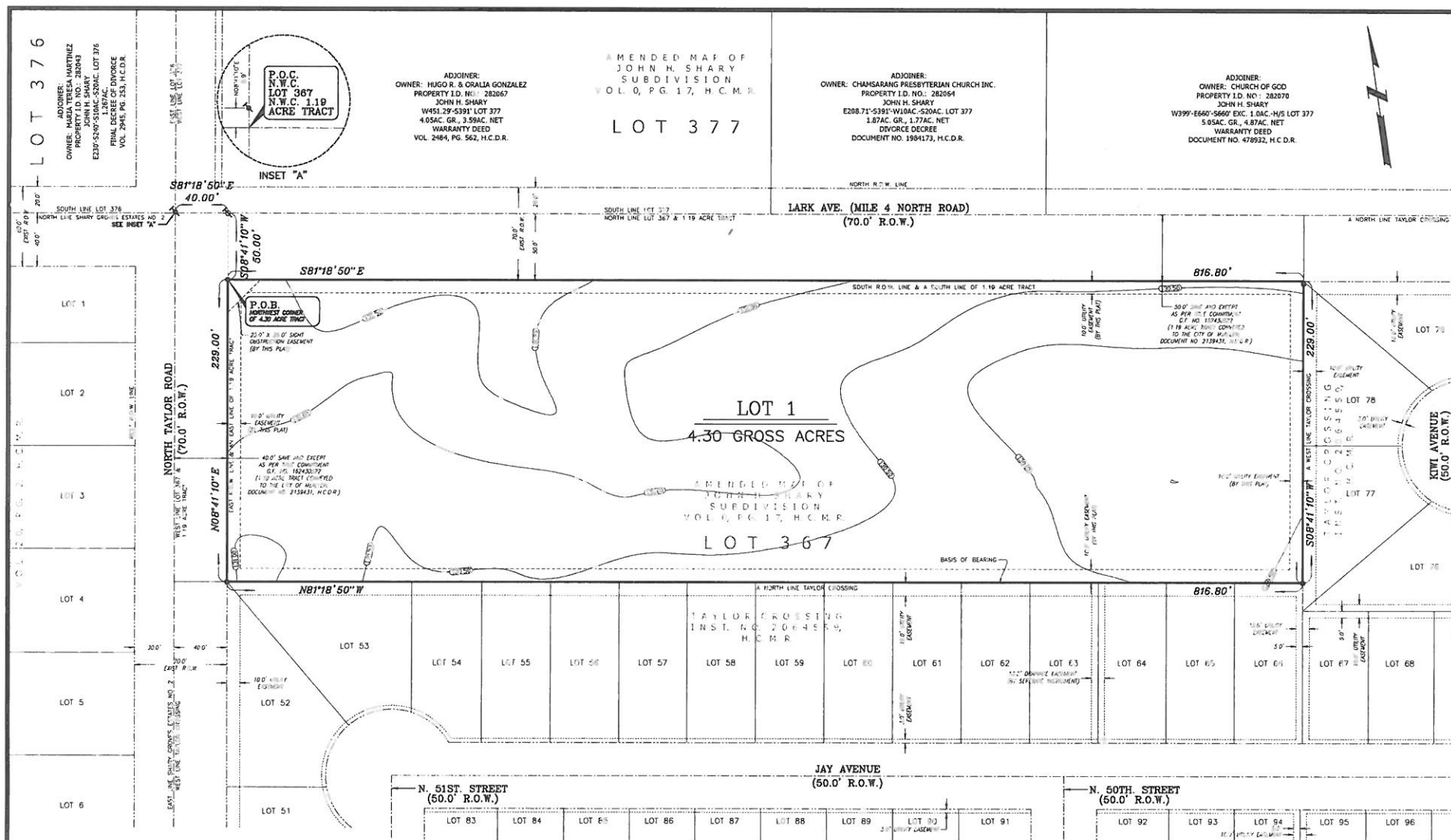
DRAINAGE DETENTION FACILITY

30' canal row

-10 6004 -10 6004 Z -11 6008

Lot numbers and street names on the right side of the map, including -35 4725, -48 6301, -40 6213, -41 6201, -45 6117, -51 6113, -20 6100, -25 6101, -53 6025, -21 6013, -54 6020, -23 6001, and -24 6000.





## MONETTE ESTATES

AN ADDITION TO THE CITY OF MCALLEN,  
HIDALGO COUNTY, TEXAS.

BEING A 4.30 ACRE TRACT OF LAND, MORE OR LESS, OUT OF AND FORMING A PART OF THE NORTHWEST CORNER OF LOT 367, AMENDED MAP OF JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER THE MAP OR PLAT THEREOF RECORDED IN VOLUME 0, PAGE 17, MAP RECORDS OF HIDALGO COUNTY, TEXAS.

DISCLAIMER: THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW BY THE CITY OF MCALLEN ONLY & BY NO OTHERS UNDER THE AUTHORITY OF CAROL ANN SALINAS, P.E., TR. REG. NO. 71513 ON APRIL 24, 2020. IT IS NOT TO BE USED FOR CONSTRUCTION PURPOSES.

SEA

**SALINAS ENGINEERING & ASSOCIATES**

(P-6675)(10065700)

CONSULTING ENGINEERS & SURVEYORS

2221 DAFFODIL - MCALLEN, TEXAS 78501

(956) 682-9081 (956) 686-1489 (FAX)

TRPLS 12100 PARK 35 CIRCLE BLDG. A, SUITE 156, MC-230, AUSTIN, TEXAS 78753 (512) 238-5265





# City of McAllen

## SUBDIVISION PLAT REVIEW

Reviewed On: 6/10/2021

<b>SUBDIVISION NAME: MONETTE SUBDIVISION</b>	
<b>REQUIREMENTS</b>	
<b>STREETS AND RIGHT-OF-WAYS</b>	
Lark Ave.: 50 ft. from centerline for 100 ft. ROW Paving: 65 ft. Curb & gutter: both sides **Owner must escrow monies for improvements if not built prior to recording. ***Project engineer to submit document for 50 ft. Save & Except along Lark Ave. ****Label centerline to determine ROW dedication prior to final *****City of McAllen Thoroughfare Plan	Non-compliance
N. Taylor Road: 40 ft. from centerline for 80 ft. ROW Paving: 52 ft. - 65 ft. Curb & gutter: both sides **Owner must escrow monies for improvements if not built prior to recording. ***Project engineer to submit document regarding the 40 ft. Save & Except along N. Taylor Road. ****Label centerline to determine ROW dedication prior to final. *****City of McAllen Thoroughfare Plan	Non-compliance
* 800 ft. Block Length	Compliance
**Subdivision Ordinance: Section 134-118	
* 600 ft. Maximum Cul-de-Sac	Applied
**Subdivision Ordinance: Section 134-105	
<b>ALLEYS</b>	
ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties **Subdivision Ordinance: Section 134-106	Non-compliance
<b>SETBACKS</b>	
* Front: - N. Taylor Rd.: 40 ft. or greater for approved site plan or easements	Applied
**Zoning Ordinance: Section 138-356	
* Rear: In accordance with the zoning ordinance or greater for approved site plan or easements	Applied
**Zoning Ordinance: Section 138-356	
* Interior sides: In accordance with the zoning ordinance or greater for approved site plan or easements	Applied
**Zoning Ordinance: Section 138-356	
* Corner: (Lark Avenue - Mile 4 N. Road): 40 ft. or greater for approved site plan or easements	Applied
**Zoning Ordinance: Section 138-356	
* Garage: 18 ft. except where greater setback is required, greater setback applies	Applied
**Zoning Ordinance: Section 138-356	
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
<b>SIDEWALKS</b>	
* 4 ft. wide minimum sidewalk required on N. Taylor Road and Lark Avenue (Mile 4 North Road).	Applied
**Subdivision Ordinance: Section 134-120	

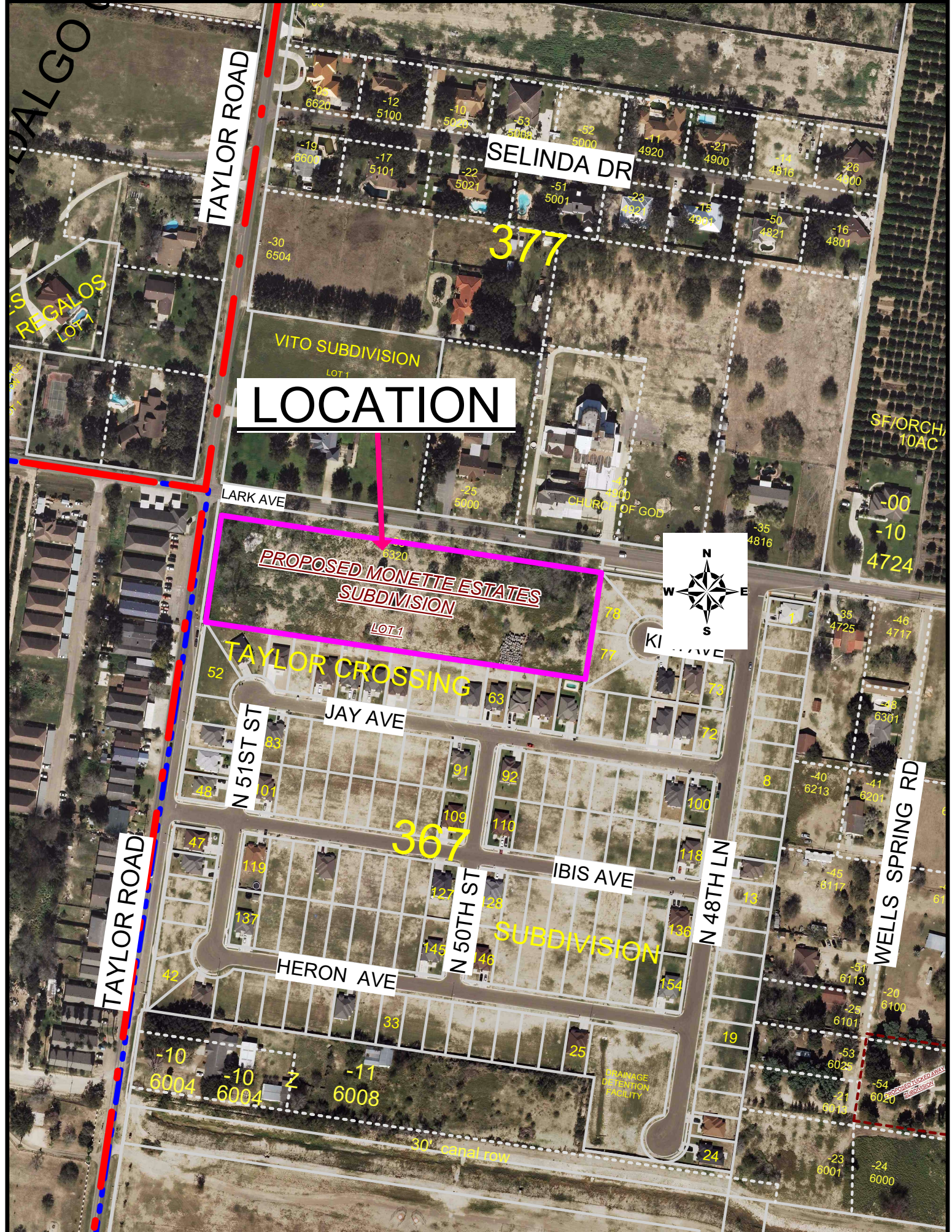


* Perimeter sidewalks must be built or money escrowed if not built at this time.	Required
<b>BUFFERS</b>	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses on Lark Avenue (Mile 4 North) and Lark Avenue. **Landscaping Ordinance: Section 110-46	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
<b>NOTES</b>	
* No curb cut, access, or lot frontage permitted along *City's Access Management Policy	TBD
* Site plan must be approved by the Planning and other Development Departments prior to building permit issuance.	Required
* Common areas, private service drives, 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 for public subdivisions	Required
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.	NA
<b>LOT REQUIREMENTS</b>	
* Lots fronting public streets ***Zoning Ordinance: Section 138-356	Compliance
* Minimum lot width and lot area **Zoning Ordinance: 138-1	Compliance
<b>ZONING/CUP</b>	
* Existing: R-3A Proposed: R-3A **Zoning Ordinance: Article V	Applied
* Rezoning Needed Before Final Approval **Zoning Ordinance: Article V	NA
<b>PARKS</b>	
* Land dedication in lieu of fee	NA
* Park Fee of \$700 per dwelling unit lot, to be paid prior to recording **Engineer to clarify number of proposed units to determine fee to be paid prior to recording	Required
* Pending review by the Parkland Dedication Advisory Board and CC.	NA
<b>TRAFFIC</b>	
* Trip Generation has been honored, no TIA is required per Traffic Department.	Completed
* Traffic Impact Analysis (TIA) required prior to final plat.	NA
<b>COMMENTS</b>	
Comments: *Must comply with City's Access Management Policy	Applied



<p>**Show centerline to determine if any ROW dedication is needed prior to final approval</p> <p>***A subdivision plat for this property was previously filed and approved in preliminary form by the P&amp;Z Board on September 17, 2019; therefore, approval was expired and a new subdivision was required since no extension was requested.</p> <p>****Street light layout required by Traffic Department</p>	
<b>RECOMMENDATION</b>	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM, SUBJECT TO CONDITIONS NOTED, UTILITIES, AND DRAINAGE APPROVAL.	Applied





TAYLOR ROAD

SELINDA DR

LOCATION

VITO SUBDIVISION  
LOT 1

LARK AVE

PROPOSED MONETTE ESTATES  
SUBDIVISION  
LOT 1

TAYLOR CROSSING

JAY AVE

N 51ST ST

IBIS AVE

N 50TH ST

HERON AVE

N 48TH LN

WELLS SPRING RD

TAYLOR ROAD



DRAINAGE  
DETENTION  
FACILITY

30' canal row



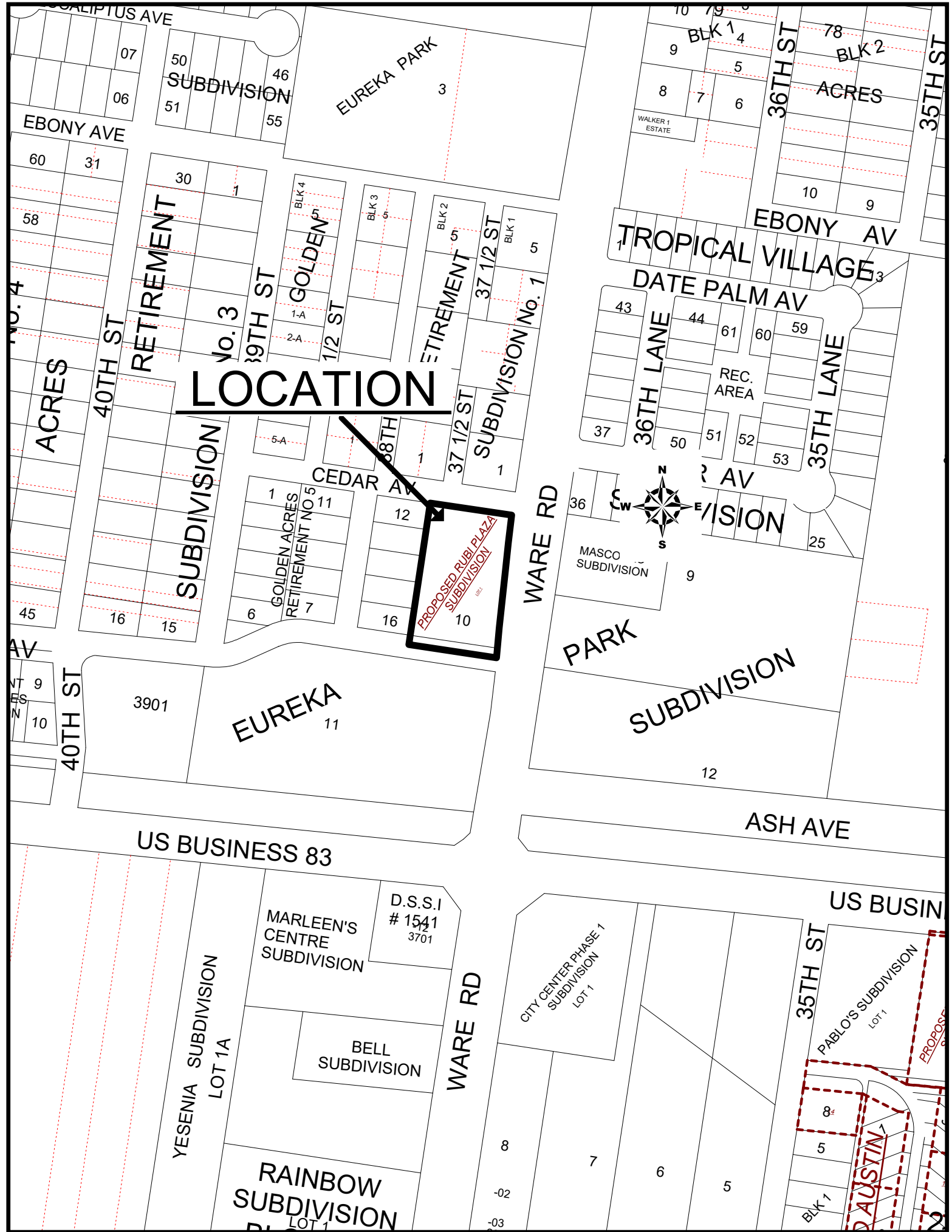


City of McAllen  
Planning Department  
**APPLICATION FOR  
SUBDIVISION PLAT REVIEW**

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

<b>Project Description</b>	Subdivision Name <u>Onyx Plaza</u> Location <u>Beech Avenue and N. Ware Road</u> City Address or Block Number <u>221 N. Ware Road</u> Number of lots <u>1</u> Gross acres <u>1.27</u> Net acres <u>1.16</u> Existing Zoning <u>C3L &amp; R1</u> Proposed <u>C3L</u> Rezoning Applied For <input type="checkbox"/> Yes <input type="checkbox"/> No Date _____ Existing Land Use <u>vacant</u> Proposed Land Use <u>commercial</u> Irrigation District # <u>1</u> <b>Residential</b> Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <b>Commercial</b> Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <b>ETJ</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <b>Agricultural Tax Exempt</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <b>Estimated Rollback tax due</b> _____ <b>Parcel No.</b> <u>171554</u> <b>Tax Dept. Review</b> <u>N/A</u> <b>Legal Description</b> <u>Eureka Park Subdivision Lot 10</u>
<b>Owner</b>	Name <u>Valhe Real Est. Holdings Family Ltd. Partnership</u> Phone _____ Address <u>1801 E. Highway 281</u> City <u>Hidalgo</u> State <u>TX</u> Zip <u>78577</u> E-mail <u>valdes@exportodoservices.com</u>
<b>Developer</b>	Name <u>same as owner</u> Phone _____ Address _____ City _____ State _____ Zip _____ Contact Person _____ E-mail _____
<b>Engineer</b>	Name <u>Spoor Engineering Consultants, Inc.</u> Phone <u>956-683-1000</u> Address <u>202 So. 4th Street</u> City <u>McAllen</u> State <u>TX</u> Zip <u>78501</u> Contact Person <u>Steve Spoor, P.E.</u> E-mail <u>SEC@SpoorEng.com</u>
<b>Surveyor</b>	Name <u>CVQ Land Surveyors</u> Phone <u>956-618-1551</u> Address <u>517 Beaumont Avenue</u> City <u>McAllen</u> State <u>TX</u> Zip <u>78501</u>







N. 37TH STREET

GOLDEN ACRES RETIREMENT  
SUBDIVISION NO. 1  
VOL. 13, PG. 49 M/R

CEDAR AVENUE

S81°24'18"E

175.31'

305.14'

280.14'

N08°41'18"E

N81°24'18"W

188.60'

LOT  
1

25' SERVICE DRIVE  
(BY THIS PLAT)

CURVE  
B

L 176.56'

CURVE  
C

L 103.81'

CURVE  
A

N. WARE ROAD  
FM#2220

EXIST. 120' R.O.W.

N81°24'18"W  
51.56'

SE Corner  
Lot 10

POB

RUBI PLAZA

McAllen, Texas

BEING A SUBDIVISION OF 1.27 ACRES OF LAND  
OUT OF LOT 10, EUREKA PARK, COUNTY OF  
HIDALGO, TEXAS, ACCORDING TO PLAT RECORDED  
IN VOLUME 3, PAGE 16, MAP RECORDS, HIDALGO  
COUNTY, TEXAS



January 26, 2021  
1"=50'





# City of McAllen

## SUBDIVISION PLAT REVIEW

Reviewed On: 6/9/2021

<b>SUBDIVISION NAME: ONYX PLAZA SUBDIVISION</b>	
<b>REQUIREMENTS</b>	
<b>STREETS AND RIGHT-OF-WAYS</b>	
N. Ware Road (FM 2220): 120 ft. ROW Paving: 65 ft. Curb & gutter: by the state **City of McAllen Thoroughfare Plan	Applied
Beech Avenue: 50 ft. ROW Paving: 32 ft. Curb & gutter: Both sides **City of McAllen Thoroughfare Plan ***Escrows are needed if improvements are not built prior to recording	Applied
Cedar Avenue: 5 ft. dedication required for 60 ft. ROW Paving: 40 ft. Curb & gutter: both sides **Revise plat to show the 5 ft. required dedication for Cedar Avenue ***Escrows are needed if improvements are not built prior to recording ****City of McAllen Thoroughfare Plan	Non-compliance
* 800 ft. Block Length **Subdivision Ordinance: Section 134-118	NA
* 600 ft. Maximum Cul-de-Sac **Subdivision Ordinance: Section 134-105	NA
<b>ALLEYS</b>	
ROW: 25 ft. Paving: 25 ft. *Alley/private service drive easement required for commercial properties **Label easement dedicated by plat as private **Subdivision Ordinance: Section 134-106	Non-compliance
<b>SETBACKS</b>	
* Front - N. Ware Road (FM 2220): 60 ft. **Revise street name on plat note, include FM 2220 **Zoning Ordinance: Section 138-356	Non-compliance
* Rear: In accordance with the zoning ordinance or greater for easement or approved site plan **Revise plat as noted above **Zoning Ordinance: Section 138-356	Non-compliance
*Interior Sides: 10 ft. or greater for easements or approved site plan **Revise plat as noted above ***Zoning Ordinance: Section 138-356	Non-compliance
* Side corner: 10 ft. or greater for easement or approved site plan **Revise plat as noted above ***Zoning Ordinance: Section 138-356	Non-compliance
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
<b>SIDEWALKS</b>	
* 5 ft. wide minimum sidewalk required on N. Ware Road and a 4 ft. wide sidewalk is required on Beech Avenue and Cedar Avenue. **Subdivision Ordinance: Section 134-120	Applied
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Required



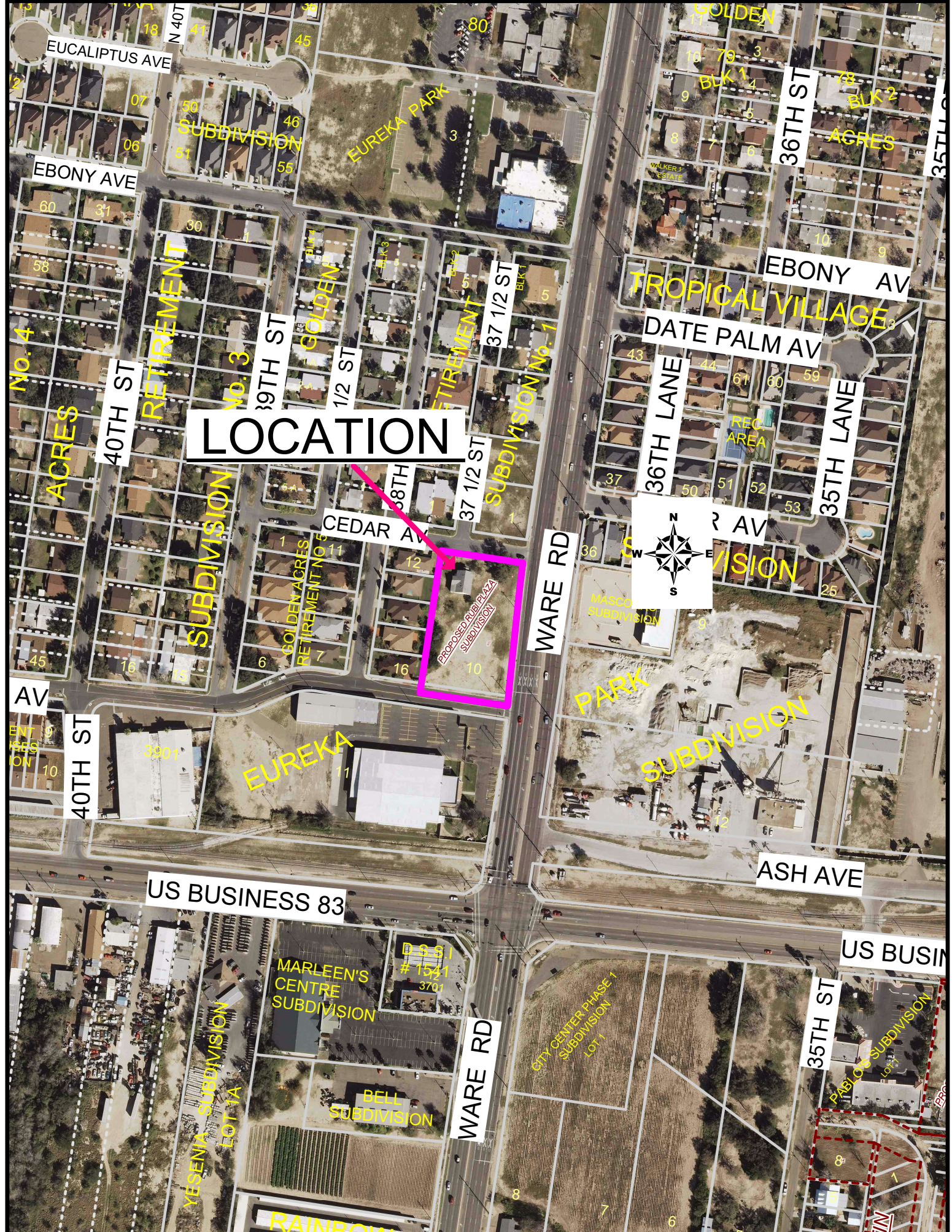
BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses **Landscaping Ordinance: Section 110-46	Applied
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses **Landscaping Ordinance: Section 110-46	Applied
*Perimeter buffers must be built at time of Subdivision Improvements.	Required
NOTES	
* No curb cut, access, or lot frontage permitted along N. Ware Rd. **Note required on plat as noted above. **City's Access Management Policy	Non-compliance
* Site plan must be approved by the Planning and other Development Departments prior to building permit issuance.	Applied
* Common areas, private service drives must be maintained by the lot owners and not the City of McAllen	Applied
* Common areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	Applied
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. **Section 110-72 applies for public subdivisions	NA
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. **Subdivision Ordinance 138-168 for private subdivisions	NA
LOT REQUIREMENTS	
* Lots fronting public streets **Zoning Ordinance: Section 138-1	Compliance
* Minimum lot width and lot area **Zoning Ordinance: Section 138-356	Compliance
ZONING/CUP	
* Existing: R-1 & C-3L Proposed: C-3L **Rezoning application to be reviewed at the March 2, 2021 by the Planning and Zoning Committee; and on March 22, 2021 by City Commission.	Non-compliance
* Rezoning Needed Before Final Approval	Required
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 required per Traffic Department to determine if TIA is required, prior to final.	Non-compliance
* Traffic Impact Analysis (TIA) required prior to final plat.	TBD
COMMENTS	
Comments: *Must comply with City's Access Management Policy **Revise plat to show dedication required along Cedar Avenue accordingly prior to final	Applied



approval ***Rezoning application scheduled for review at the Planning and Zoning meeting of March 2, 2021 and March 22, 2021 for City Commission. ****Subdivision name was revised from Rubi Plaza to now Onyx Plaza	
<b>RECOMMENDATION</b>	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED PRELIMINARY FORM, SUBJECT TO CONDITIONS NOTED, UTILITIES AND DRAINAGE APPROVALS.	Applied



LOCATION





SUB2020-0048



City of McAllen  
Planning Department

APPLICATION FOR  
SUBDIVISION PLAT REVIEW

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

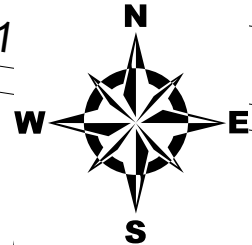
Project Description	Subdivision Name <u>Garcia Estates</u> Location <u>SW C Gumwood Avenue &amp; 29th St.</u> City Address or Block Number <u>2901 Gumwood</u> Number of lots <u>3</u> Gross acres <u>0.40</u> Net acres <u>0.40</u> Existing Zoning <u>R1</u> Proposed <u>R1</u> Rezoning Applied For <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____ Existing Land Use <u>vacant</u> Proposed Land Use <u>single family</u> Irrigation District # _____ 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"/> Agricultural Tax Exempt Yes <input type="checkbox"/> No <input type="checkbox"/> Estimated Rollback tax due <u>0</u> Parcel No. <u>185437</u> Tax Dept. Review <u>Norma Guerra</u> Legal Description <u>Approx. 0.40 ac. being East 1/2 Lot 1 of Reub. of N. 1/2 L 72 &amp; 73 BL 2 C &amp; Hammond aka Lot 1 Unicorn Acres</u>
Owner	Name <u>Sonia Garcia / Erik J. Mora</u> Phone <u>956 (956) 381-0981</u> Address <u>7608 N. 20th St.</u> City <u>McAllen</u> State <u>TX</u> Zip <u>78504</u> E-mail <u>90ruben@meldenandhunt.com</u>
Developer	Name <u>Sonia Garcia / Erik J. Mora</u> Phone <u>956 (956) 381-0981</u> Address <u>7608 N. 20th St.</u> City <u>McAllen</u> State <u>TX</u> Zip <u>78504</u> Contact Person <u>Sonia Garcia</u> E-mail <u>sonia910@yahoo.com</u>
Engineer	Name <u>Melden &amp; Hunt, Inc.</u> Phone <u>(956) 381-0981</u> Address <u>115 W. McIntyre</u> City <u>Edinburg</u> State <u>TX</u> Zip <u>78541</u> Contact Person <u>Ruben James De Jesus</u> E-mail <u>ruben@meldenandhunt.com</u>
Surveyor	Name <u>Melden &amp; Hunt, Inc.</u> Phone <u>(956) 381-0981</u> Address <u>115 W. McIntyre St.</u> City <u>Edinburg</u> State <u>TX</u> Zip <u>78541</u>

Ret # 728117 Pd \$300

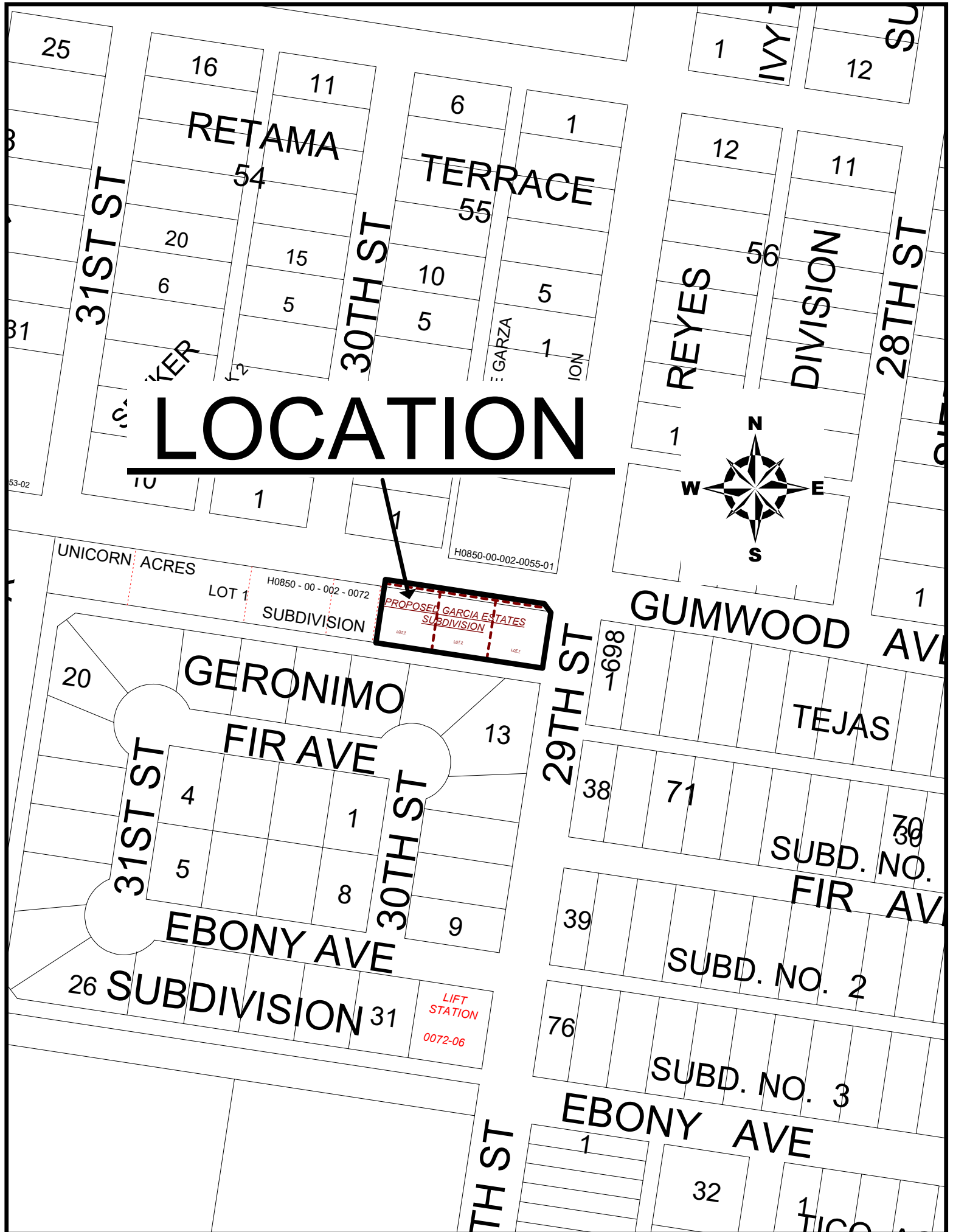




# LOCATION



PROPOSED GARCIA ESTATES  
SUBDIVISION





SPYKER SUBDIVISION,  
VOL. 15, PG. 7,  
H.C.M.R.

HINOJOSA ARTURO JR.

Q GUMWOOD AVENUE

P.O.B.

P.O.C.  
N.E. COR. LOT 1,  
UNICORN ACRES

THE FERNANDO GONZALEZ,  
TRUSTEE OF THE MODESTO GONZALEZ  
MANAGEMENT TRUST TRACT: THE EAST  
300.0 FEET OF THE WEST 60.0 FEET  
OF LOT 1, UNICORN ACRES,  
S.W.D. DOC. No. 2205761, H.C.O.R.

N 08° 15' 34" E

81.66'

3  
5490.864 SQ. FT.  
0.126 AC.

15.00' U.E. DEDICATED  
BY THIS PLAT

2  
5490.864 SQ. FT.  
0.126 AC.

1  
5490.864 SQ. FT.  
0.126 AC.

10.00' U.E.  
DEDICATED  
BY THIS PLAT

S 08° 23' 19" W

14.15'

THE CITY OF McALLEN TRACT:  
A 0.020 OF AN ACRE TRACT OUT OF  
LOT 1, UNICORN ACRES,  
W.D. DOC. No. 1112323, H.C.O.R.

N. 29TH STREET

N:16602719.974  
E:1065158.649

00' ALLEY

N:16602688.586  
E:1065371.416

16

15

GERONIMO SUBDIVISION,  
VOL. 20, PG. 169, H.C.M.R.

14

13



BEARING BASIS AS PER  
GERONIMO SUBDIVISION  
VOL. 20, PG. 169 H.C.M.R.

SCALE: 1" = 40'

# PLAT OF GARCIA ESTATES SUBDIVISION

BEING A RESUBDIVISION OF 0.40 OF ONE ACRE SITUATED IN THE CITY OF McALLEN,  
HIDALGO COUNTY, TEXAS, BEING A PART OR PORTION OUT OF LOT 1, UNICORN ACRES,  
ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 4, PAGE 3, HIDALGO  
COUNTY MAP RECORDS, AND ACCORDING TO WARRANTY DEED WITH VENDOR'S LIEN  
RECORDED UNDER COUNTY CLERK'S DOCUMENT NUMBER 2734788,  
HIDALGO COUNTY OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS





# City of McAllen

## SUBDIVISION PLAT REVIEW

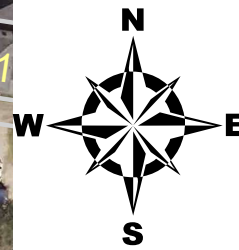
Reviewed On: 5/20/2021

<b>SUBDIVISION NAME: GARCIA ESTATES</b>	
<b>REQUIREMENTS</b>	
<b>STREETS AND RIGHT-OF-WAYS</b>	
N. 29th Street: 10 ft. ROW dedication required for 50 ft. from centerline required for 100 ft. total ROW Paving: min. 52 ft. Curb & gutter: Both sides *Variance letter submitted by engineer dedicating 5 ft. of additional ROW for N. 29th Street instead of the required 10 ft.	Non-compliance
Gumwood Avenue: 20 ft. dedication required for 40 ft. from centerline for a total of 80 ft. ROW Paving: min. 52 ft. Curb & gutter: Both sides *Variance letter received proposing 10 ft. of additional ROW instead of the required 20 ft. along Gumwood Avenue.	Non-compliance
* 800 ft. Block Length	Compliance
* 600 ft. Maximum Cul-de-Sac	NA
<b>ALLEYS</b>	
ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties **Existing alley to the south currently not paved.	Required
<b>SETBACKS</b>	
* Front: 45 ft. or greater for approved site plan or easements **Please revise plat note as shown above prior to final.	Non-compliance
* Rear: 10 ft. or greater for approved site plan or easements	Applied
* Sides: 6 ft. or greater for approved site plan or easements	Applied
* Corner side: 25 ft. or greater for easements **Revise plat as noted above	TBD
* Garage: 18 ft. except where greater setback is required, greater setback applies	Applied
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
<b>SIDEWALKS</b>	
* 4 ft. wide minimum sidewalk required on Gumwood Avenue and N. 29th Street.	Applied
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Required
<b>BUFFERS</b>	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses	Applied
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses	Applied
*Perimeter buffers must be built at time of Subdivision Improvements.	Applied
<b>NOTES</b>	
* No curb cut, access, or lot frontage permitted along **Engineer to show access locations due to Gumwood Avenue being a collector road requiring 200 ft. spacing between accesses	TBD



* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.	NA
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	NA
* Common Areas, Private Streets, service drives, etc. 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.	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.	NA
**If proposed number of lots changes, new requirements might be triggered.	
<b>LOT REQUIREMENTS</b>	
* Minimum lot width and lot area	Compliance
* Lots fronting public streets	Compliance
<b>ZONING/CUP</b>	
* Existing: R-1 Proposed: R-1 (Single Family Residences)	Compliance
* Rezoning not required if proposed use is single family residences.	NA
<b>PARKS</b>	
* Land dedication in lieu of fee	NA
* Park Fee of \$700 per dwelling unit/lot to be paid prior to recording. Per parks Department \$700 x 3 lots = \$2,100	Required
* Pending review by the Parkland Dedication Advisory Board and CC.	NA
<b>TRAFFIC</b>	
* As per Traffic Department, Trip Generation waived for three single family residences. No TIA required.	Completed
* As per Traffic Dept., Traffic Impact Analysis (TIA) not required prior to final plat.	NA
<b>COMMENTS</b>	
Comments: *Must comply with City's Access Management Policy **Clarify ROW dedication on Gumwood Avenue and N. 29th Street ***Engineer submitted a variance request for the required ROW dedication along Gumwood Avenue and N. 29th Street which will be presented at the P&Z meeting scheduled for June 3, 2021.	Applied
<b>RECOMMENDATION</b>	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED PRELIMINARY FORM, SUBJECT TO CONDITIONS NOTED AND CLARIFICATION ON THE REQUESTED VARIANCES.	Applied









TBPELS Firm # F-1435  
TBPELS # 10096900

MELDEN & HUNT INC.

CONSULTANTS • ENGINEERS • SURVEYORS

FRED L. KURTH • ALLAN F. BOOE • KELLEY A. HELLER-VELA • ROBERTO N. TAMEZ • MARIO A. REYNA • RUBEN JAMES DE JESUS

May 13, 2021

Edgar Garcia, Planning Director  
**CITY OF MCALLEN PLANNING DEPT.**  
311 N. 15<sup>TH</sup> St.  
McAllen, TX 78501

**RE: Variance for Additional R.O.W. Requirement - Garcia Estates**

Dear Mr. Garcia:

On behalf of the owners, Sonia Garcia & Erik Mora, Melden and Hunt, Inc. is requesting a variance to the additional right-of-way being required by City of McAllen Planning Department for **GARCIA ESTATES**.

We will dedicate an additional 10 feet of right of way in lieu of the required 20 feet on Gumwood Avenue. The dedicated 10 feet would complete a 50-foot road right-of-way for Gumwood Avenue fronting **GARCIA ESTATES** which will leave room for the future right-of-way to be 60-feet if the adjacent property to the north dedicates an additional 10 feet. In our observation of the Gumwood corridor at a minimum of a ¼ mile to the West and East of our site, there is a maximum right of way of 50 feet. Due to the nature of the existing improvements along this corridor an 80-foot right-of-way would not be feasible.

In addition, we will dedicate an additional 5 feet of right of way in lieu of the required 10 feet on 29<sup>th</sup> Street. The dedicated 5 feet would complete a 75-foot road right-of-way for 29<sup>th</sup> Street fronting **GARCIA ESTATES**.

If you need additional information, please don't hesitate to contact us. We look forward to presenting this item at your next P&Z Meeting. Thank you.

Sincerely,



Ruben James De Jesus, P.E., R.P.L.S.  
Vice President



# City of McAllen

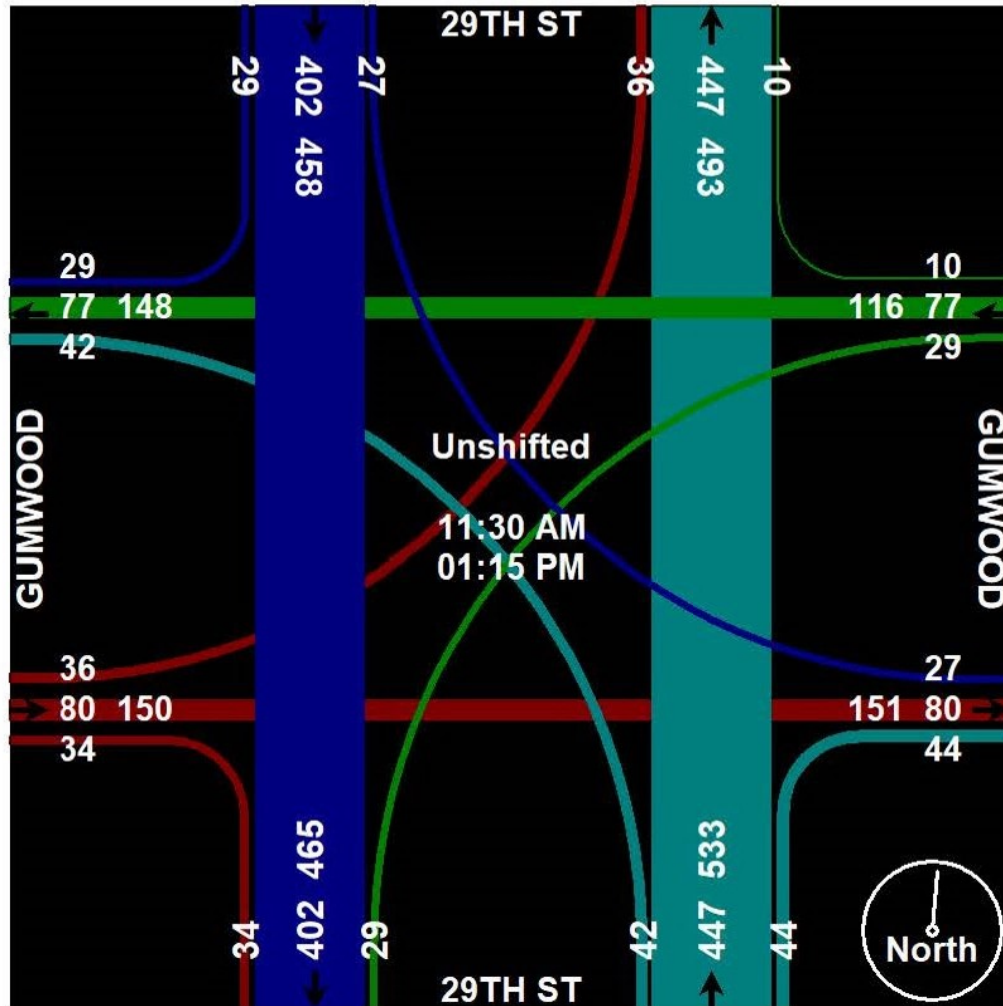
210 N 20th  
McAllen, TX 78501

File Name : Noon Peak Hours

Site Code : 00000000

Start Date : 6/8/2021

Page No : 2





# City of McAllen

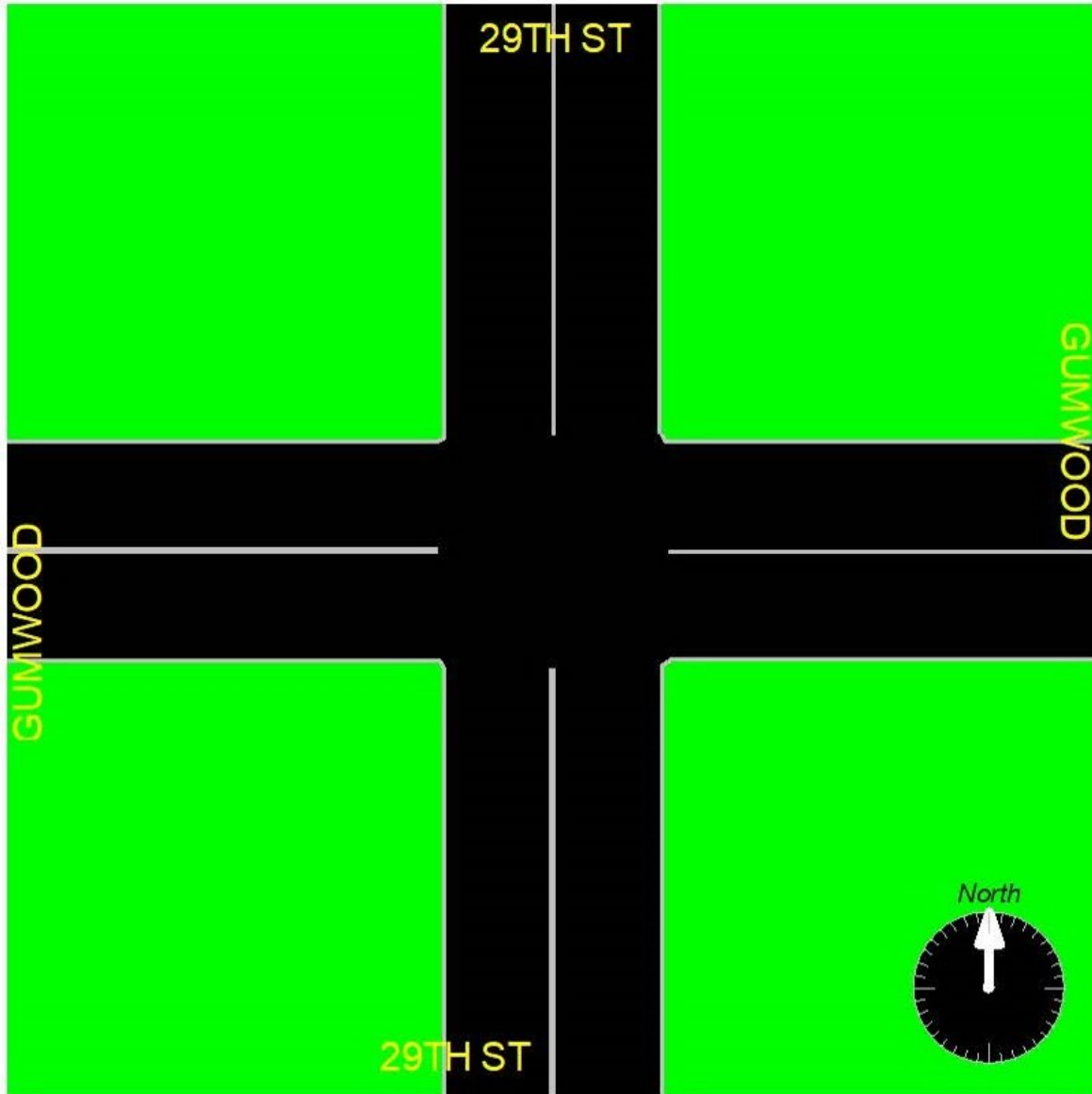
210 N 20th  
McAllen, TX 78501

File Name : Noon Peak Hours

Site Code : 00000000

Start Date : 6/8/2021

Page No : 3





# City of McAllen

210 N 20th  
McAllen, TX 78501

## Default Comments

Change These in The Preferences Window

Select File/Preference in the Main Scree

Then Click the Comments Tab

File Name : Noon Peak Hours

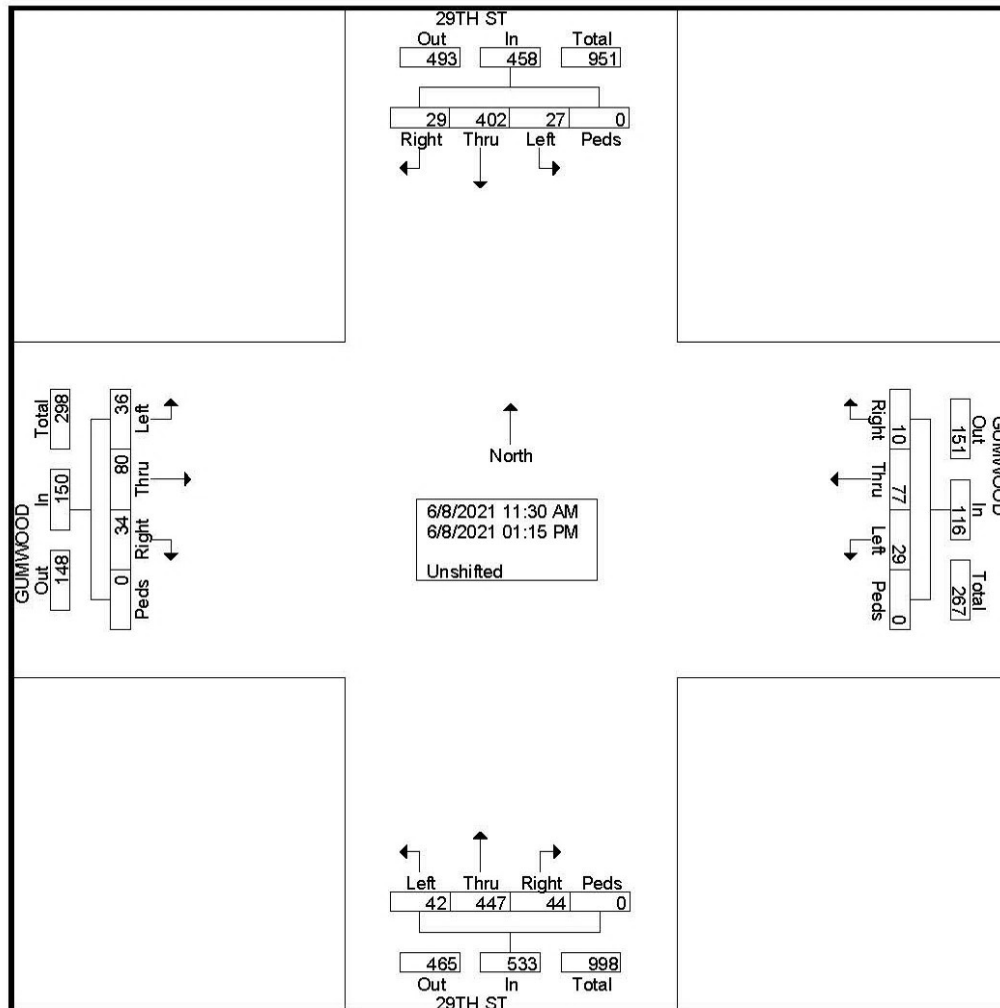
Site Code : 00000000

Start Date : 6/8/2021

Page No : 1

### Groups Printed- Unshifted

	29TH ST From North					GUMWOOD From East					29TH ST From South					GUMWOOD From West					
Start Time	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Int. Total
11:30 AM	6	53	2	0	61	2	7	1	0	10	7	53	4	0	64	3	12	5	0	20	155
11:45 AM	1	44	8	0	53	1	8	8	0	17	9	46	5	0	60	1	12	1	0	14	144
Total	7	97	10	0	114	3	15	9	0	27	16	99	9	0	124	4	24	6	0	34	299
12:00 PM	3	69	2	0	74	4	17	4	0	25	8	67	5	0	80	6	12	4	0	22	201
12:15 PM	3	55	3	0	61	0	13	2	0	15	2	63	2	0	67	4	11	3	0	18	161
12:30 PM	5	41	4	0	50	1	9	6	0	16	4	52	3	0	59	4	7	9	0	20	145
12:45 PM	2	45	1	0	48	0	10	6	0	16	4	50	7	0	61	4	14	7	0	25	150
Total	13	210	10	0	233	5	49	18	0	72	18	232	17	0	267	18	44	23	0	85	657
01:00 PM	6	48	2	0	56	1	4	1	0	6	4	59	6	0	69	7	7	5	0	19	150
01:15 PM	3	47	5	0	55	1	9	1	0	11	6	57	10	0	73	5	5	2	0	12	151
Grand Total	29	402	27	0	458	10	77	29	0	116	44	447	42	0	533	34	80	36	0	150	1257
Apprch %	6.3	87.8	5.9	0		8.6	66.4	25	0		8.3	83.9	7.9	0		22.7	53.3	24	0		
Total %	2.3	32	2.1	0	36.4	0.8	6.1	2.3	0	9.2	3.5	35.6	3.3	0	42.4	2.7	6.4	2.9	0	11.9	





# City of McAllen

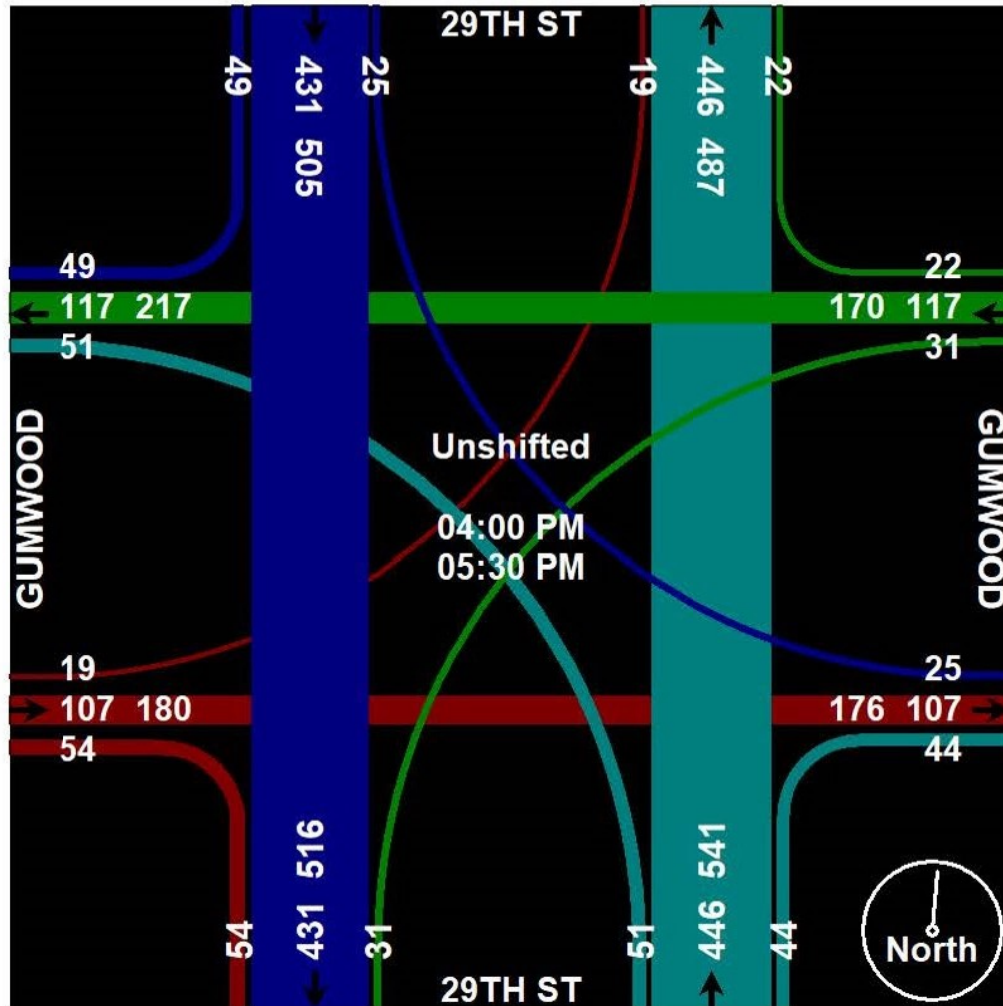
210 N 20th  
McAllen, TX 78501

File Name : Evening Peak Hours

Site Code : 00000000

Start Date : 6/8/2021

Page No : 2





# City of McAllen

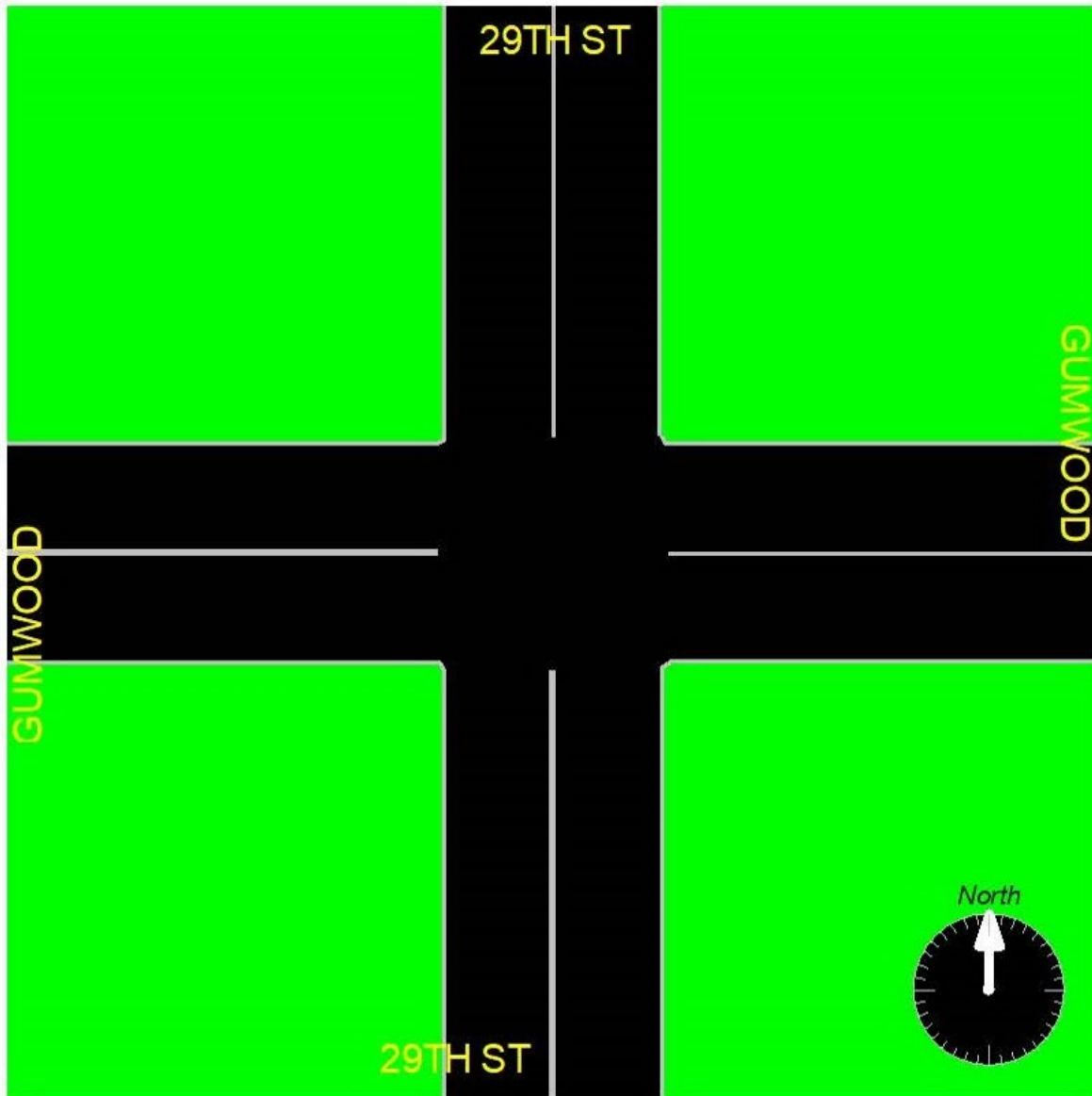
210 N 20th  
McAllen, TX 78501

File Name : Evening Peak Hours

Site Code : 00000000

Start Date : 6/8/2021

Page No : 3





# City of McAllen

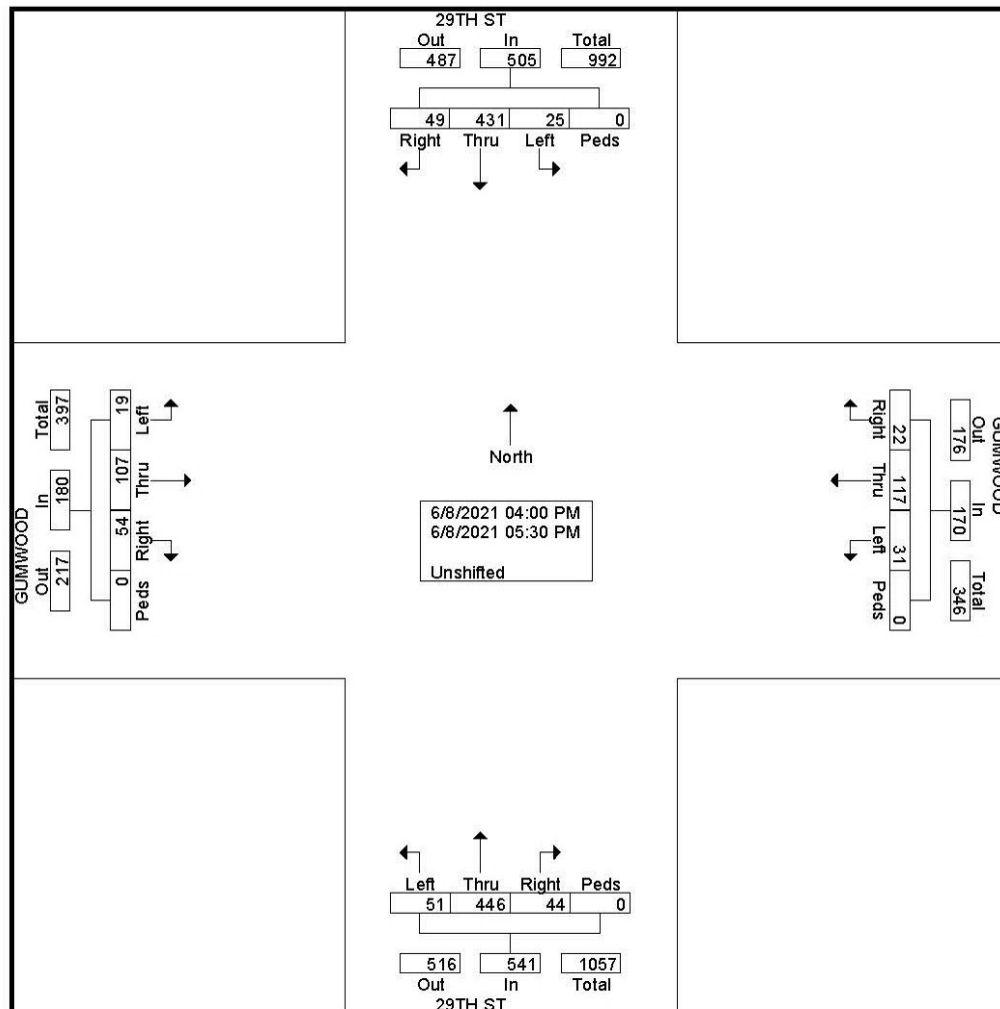
210 N 20th  
McAllen, TX 78501

Default Comments  
Change These in The Preferences Window  
Select File/Preference in the Main Scree  
Then Click the Comments Tab

File Name : Evening Peak Hours  
Site Code : 00000000  
Start Date : 6/8/2021  
Page No : 1

## Groups Printed- Unshifted

	29TH ST From North					GUMWOOD From East					29TH ST From South					GUMWOOD From West					
Start Time	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Int. Total
04:00 PM	1	57	2	0	60	6	13	2	0	21	9	53	3	0	65	8	9	5	0	22	168
04:15 PM	5	62	4	0	71	4	19	4	0	27	6	76	7	0	89	6	16	3	0	25	212
04:30 PM	3	58	7	0	68	4	18	4	0	26	6	51	12	0	69	8	16	3	0	27	190
04:45 PM	19	64	6	0	89	3	13	6	0	22	4	78	5	0	87	7	14	1	0	22	220
Total	28	241	19	0	288	17	63	16	0	96	25	258	27	0	310	29	55	12	0	96	790
05:00 PM	13	67	3	0	83	4	14	7	0	25	4	56	13	0	73	11	25	4	0	40	221
05:15 PM	4	70	1	0	75	0	22	5	0	27	10	71	6	0	87	10	16	3	0	29	218
05:30 PM	4	53	2	0	59	1	18	3	0	22	5	61	5	0	71	4	11	0	0	15	167
Grand Total	49	431	25	0	505	22	117	31	0	170	44	446	51	0	541	54	107	19	0	180	1396
Apprch %	9.7	85.3	5	0		12.9	68.8	18.2	0		8.1	82.4	9.4	0		30	59.4	10.6	0		
Total %	3.5	30.9	1.8	0	36.2	1.6	8.4	2.2	0	12.2	3.2	31.9	3.7	0	38.8	3.9	7.7	1.4	0	12.9	





# City of McAllen

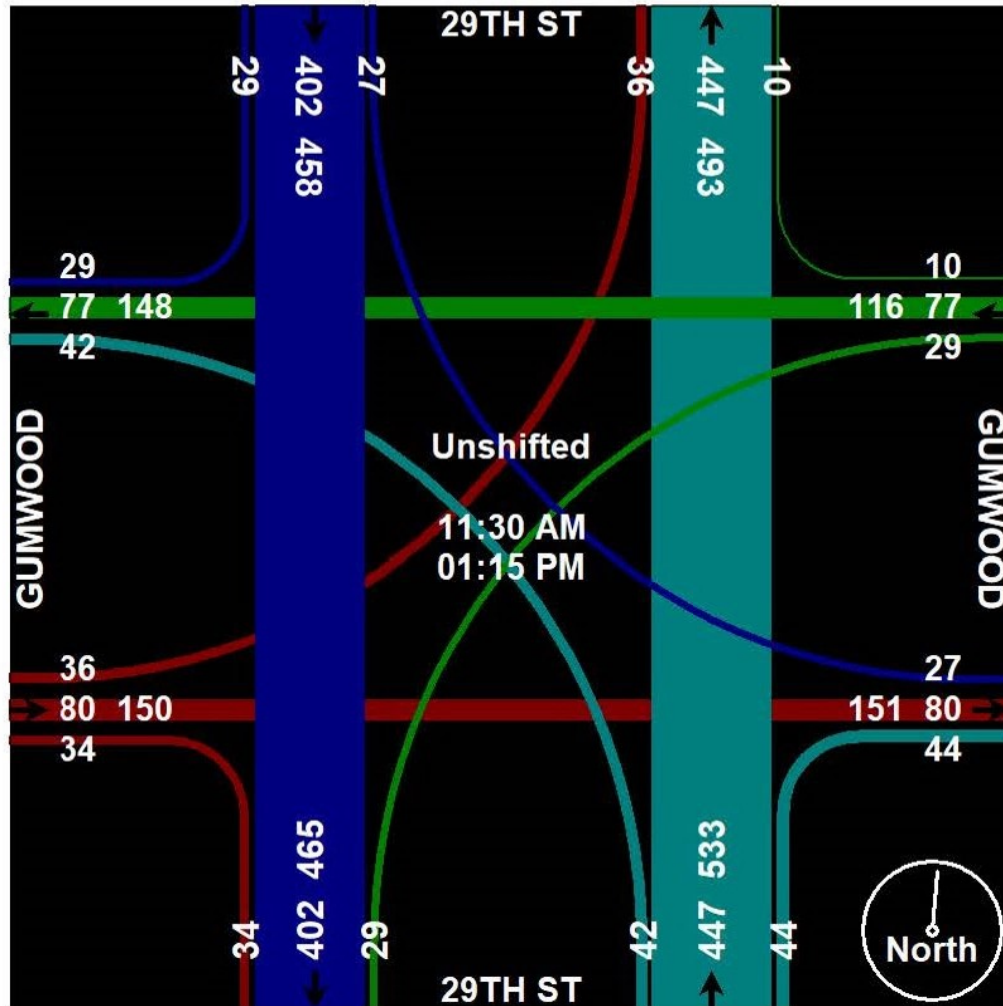
210 N 20th  
McAllen, TX 78501

File Name : Noon Peak Hours

Site Code : 00000000

Start Date : 6/8/2021

Page No : 2





# City of McAllen

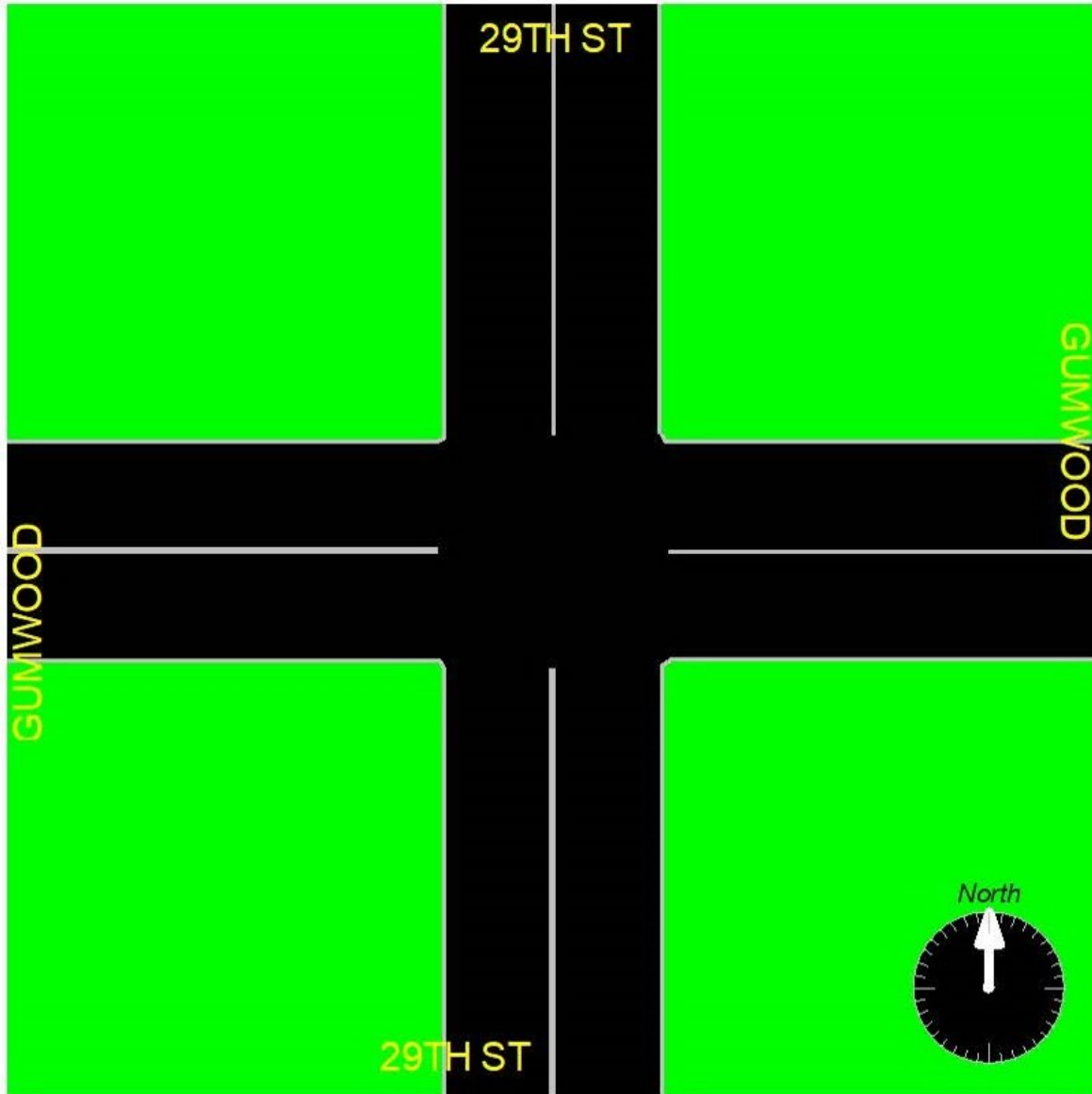
210 N 20th  
McAllen, TX 78501

File Name : Noon Peak Hours

Site Code : 00000000

Start Date : 6/8/2021

Page No : 3





# City of McAllen

210 N 20th  
McAllen, TX 78501

## Default Comments

Change These in The Preferences Window

Select File/Preference in the Main Scree

Then Click the Comments Tab

File Name : Noon Peak Hours

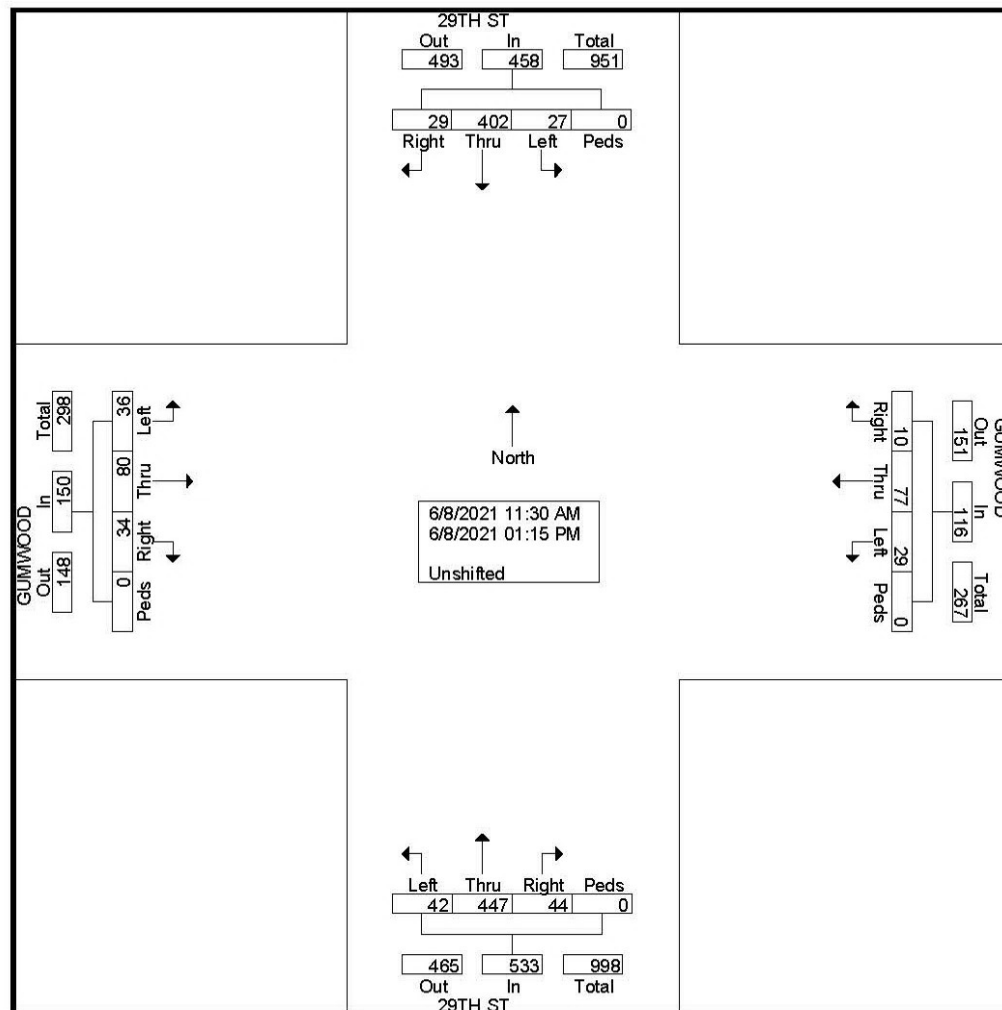
Site Code : 00000000

Start Date : 6/8/2021

Page No : 1

## Groups Printed- Unshifted

	29TH ST From North					GUMWOOD From East					29TH ST From South					GUMWOOD From West					
Start Time	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Int. Total
11:30 AM	6	53	2	0	61	2	7	1	0	10	7	53	4	0	64	3	12	5	0	20	155
11:45 AM	1	44	8	0	53	1	8	8	0	17	9	46	5	0	60	1	12	1	0	14	144
Total	7	97	10	0	114	3	15	9	0	27	16	99	9	0	124	4	24	6	0	34	299
12:00 PM	3	69	2	0	74	4	17	4	0	25	8	67	5	0	80	6	12	4	0	22	201
12:15 PM	3	55	3	0	61	0	13	2	0	15	2	63	2	0	67	4	11	3	0	18	161
12:30 PM	5	41	4	0	50	1	9	6	0	16	4	52	3	0	59	4	7	9	0	20	145
12:45 PM	2	45	1	0	48	0	10	6	0	16	4	50	7	0	61	4	14	7	0	25	150
Total	13	210	10	0	233	5	49	18	0	72	18	232	17	0	267	18	44	23	0	85	657
01:00 PM	6	48	2	0	56	1	4	1	0	6	4	59	6	0	69	7	7	5	0	19	150
01:15 PM	3	47	5	0	55	1	9	1	0	11	6	57	10	0	73	5	5	2	0	12	151
Grand Total	29	402	27	0	458	10	77	29	0	116	44	447	42	0	533	34	80	36	0	150	1257
Apprch %	6.3	87.8	5.9	0		8.6	66.4	25	0		8.3	83.9	7.9	0		22.7	53.3	24	0		
Total %	2.3	32	2.1	0	36.4	0.8	6.1	2.3	0	9.2	3.5	35.6	3.3	0	42.4	2.7	6.4	2.9	0	11.9	





## 2021 ATTENDANCE RECORD FOR PLANNING AND ZONING COMMISSION MEETINGS

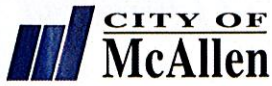
	01/05/21	01/19/21	02/02/21	02/16/21	03/02/21	03/16/21	04/06/21	04/20/21	05/04/21	05/18/21	06/03/21	06/16/21	07/06/21	07/20/21	08/03/21	08/17/21	09/07/21	09/21/21	10/05/21	10/19/21	11/02/21	11/16/21	12/07/21
Pepe Cabeza de Vaca	P	P	P	P	P	P	P	P	A	P	P												
Daniel Santos	A	A	P	P	P	A	P	P	P	P	P												
Mike Hovar	P	P	P	P	P	P	P	P	P	P	P												
Rogelio Cervantes	P	A	A	A	A	A	A																
Gabriel Kamel	P	P	P	P	P	P	P	P	A	A	P												
Michael Fallek	P	P	P	P	P	P	P	P	P	P	P												
Jose B. Saldana	P	A	A	P	A	P	P	A	P	A	A												
Marco Suarez								P	P	P	P												

## 2021 ATTENDANCE RECORD FOR PLANNING AND ZONING COMMISSION WORKSHOPS

Pepe Cabeza de Vaca																							
Daniel Santos																							
Mike Hovar																							
Rogelio Cervantes																							
Gabriel Kamel																							
Michael Fallek																							
Jose B. Saldana																							

Marco Suarez





# PLANNING DEPARTMENT

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



## 2021 CALENDAR

### Meetings:

- City Commission
- ▲ Public Utility Board
- Planning & Zoning Board
- Zoning Board of Adjustment

HPC - Historic Preservation Council

### Deadlines:

D- Zoning/CUP Application      N - Public Notification

\* Holiday - Office is closed

### JANUARY 2021

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

### FEBRUARY 2021

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

### MARCH 2021

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

### APRIL 2021

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

### MAY 2021

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

### JUNE 2021

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

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



## 2021 CALENDAR

### Meetings:

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

### Deadlines:

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

### JULY 2021

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

### AUGUST 2021

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

### SEPTEMBER 2021

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

### OCTOBER 2021

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

### NOVEMBER 2021

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

### DECEMBER 2021

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

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