

AGENDA

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

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

CALL TO ORDER -

PLEDGE OF ALLEGIANCE -

INVOCATION -

1) MINUTES:

- a) Minutes for the Meeting held on 5/17/2022

2) PUBLIC HEARING

a) CONDITIONAL USE PERMITS:

1. Request of Blanca I. Cantu, for a Conditional Use Permit, for one year, for an event center, at Trevino's Acre Subdivision and the south 60.62 ft., the north 355.78 ft. out of Lot 2, Block 8, McColl A.J. Subdivision, Hidalgo County, Texas; 2000 South Jackson Road. **(CUP2022-0067)**
2. Request of Reverend Andres E. Gutierrez, on behalf of the Catholic Diocese of Brownsville, for an amended Conditional Use Permit, for life of the use, for an institutional use (church), at Lot 1, Candle Flower Unit I Subdivision, Hidalgo County, Texas; 2201 Martin Avenue. **(CUP2022-0069)**
3. Request of Journey Church RGV for a Conditional Use Permit, for life of the use, and adoption of an ordinance for an institutional use (church), at a 1.10 acre tract of land out of Lot 492, John H. Shary Subdivision, Hidalgo County, Texas, 6925 State Highway 107. **(CUP2022-0068).**

b) REZONING:

1. Rezone from C-3L (light commercial) District to R-1 (single-family residential) District: 3.78 acres out of Lot 2, Block 16, Steele and Pershing Subdivision, Hidalgo County, Texas; 2800 South McColl Road. **(REZ2022-0016)**
2. Rezone from C-3L (light commercial) District to R-1 (single-family residential) District: 2.32 acres out of Lot 2, Block 16, Steele and Pershing Subdivision, Hidalgo County, Texas; 2700 South McColl Road. **(REZ2022-0017)**

3. Rezone from C-3 (general business) District to I-1 (light industrial) District: 2.683 acres out of Lot 97, La Lomita Irrigation and Construction Company's Subdivision, Hidalgo County, Texas; 4801 North 23rd Street. **(REZ2022-0018)**

c) SUBDIVISION:

1. Penitas Lots 1A & 1B Subdivision, 7108 North 23rd Street, Martmore Real Estate LLC. **(SUB2020-0006)(FINAL)HLG**

3) CONSENT:

- a) Versailles Estates Subdivision, 7018 Mile 6 Road, La Flor Del Valle Enterprises, LP. **(SUB2022-0058)(FINAL)SAMES**

4) SUBDIVISIONS:

- a) Dake Subdivision, 5301 North Ware Road, Dake, LLC., **(SUB2022-0056)(PRELIMINARY)MAS**
- b) Florencia Subdivision, 2700 South McColl Road, Patricia Lorenzo **(SUB2022-0020)(REVISED PRELIMINARY)SEC**
- c) Brier Village Subdivision, 3901 North Bentsen Road, Loretta Williams & Daniel E. Prukop, and Elsie Wall **(SUB2022-0007)(REVISED PRELIMINARY)M&H**

5) INFORMATION ONLY:

- a) City Commission Actions: May 23, 2022

ADJOURNMENT:

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

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF McAllen

The McAllen Planning and Zoning Commission convened in a Regular Meeting & Public Hearing on Tuesday, May 17, 2022, at 3:30p.m. in the McAllen City Hall, 1300 Houston Avenue City Commission Chambers 3rd floor.

Present:	Michael Fallek	Chairperson
	Gabriel Kamel	Vice-Chairperson
	Jose Saldana	Member
	Rudy Elizondo	Member
	Erica De La Garza-Lopez	Member
Absent:		
	Marco Suarez	Member
	Emilio Santos Jr.	Member
Staff Present:	Austin Stevenson	Assistant City Attorney
	Michelle Rivera	Assistant City Manager
	Edgar Garcia	Planning Director
	Luis Mora	Planning Deputy Director
	Jose Humberto De La Garza	Development Coordinator
	Omar Sotelo	Senior Planner
	Rodrigo Sanchez	Senior Planner
	Liliana Garza	Planner III
	Mario Escamilla	Planner III
	Kaveh Forghanparast	Planner II
	Hebert Camacho	Planner II
	Julian Hernandez	Planner Technician I
	Bilkis Martinez	Development Engineer
	Magda Ramirez	Administrative Assistant

CALL TO ORDER - Chairperson Mr. Michael Fallek

PLEDGE OF ALLEGIANCE

INVOCATION- Erica De la Garza-Lopez

1) MINUTES:

a) Minutes for the meeting held on May 3, 2022.

The minutes for the regular meeting held May 3, 2022 was approved as submitted by Vice Chairperson Gabriel Kamel. Seconding the motion was Mr. Jose Saldana which carried unanimously with 5 members present and voting.

2) PUBLIC HEARING:

a) CONDITIONAL USE PERMITS

- 1) Request of Jorge A. Briones, for a Conditional Use Permit, for life of the use, for an automotive service and repair (body shop), at Lots 11 & 12, Block 2, West Addition to McAllen, Hidalgo County, Texas; 2241 Dallas Avenue, Suite B. **(CUP2022-0062)**

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

There was a conditional use permit approved for the first time in 2015 in the same building on the adjacent Suite for Truck Accessories part installations. Last time the CUP was renewed for Suite B was in 2020. A CUP for Suite A, was approved in City Commission Meeting of February 14, 2022.

On the initial application, the case was presented to the Board of Commissioners; the applicant appealed the decision of the P&Z Board. Part of the discussion was the parking requirement. Applicant stated that the owner of the plaza bought a property across the street (2226 Dallas Ave) to comply with parking requirements; however, the property is zoned R-2 and would require a CUP for a parking facility. Furthermore, the address mentioned, it's not paved as required by the ordinance & never applied for a CUP.

There is an existing 9,600 sq. ft. commercial building with two suites. This building has been used for auto repair service. The applicant is requesting a CUP for a length of 5 years.

The applicant is proposing to continue using Suite B of the building as a body shop repair business. The proposed hours of operation are from 8:00 A.M. to 5:00 P.M. Monday through Friday and 8:00 A.M. to 2:00 P.M on Saturday. Staff met with the applicant, and he stated that the business would not be open to the public. He picks up and delivers the vehicles; no customers will be on site. Based on the total 4,800 sq. ft. for the body shop repair, 15 parking spaces are required; 9 parking spaces are provided on site. One of the provided spaces must be van accessible; one van accessible parking space is provide. 30 parking spaces are needed for both suites to run simultaneously.

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

Fire Department has pending items, but gave approval to continue with CUP process. Should the conditional use permit be approved, the applicant would be required to sign the certificate acknowledging and agreeing to the conditions of the permit. The business must meet the

requirements set forth in Section 138-281 of the Zoning Ordinance and specific requirements as follows:

- 1) A minimum lot size of 10,000 sq. ft. is required. The subject property is approximately 14,000 sq. ft.
- 2) All service, repair, maintenance, painting and other work shall take place within an enclosed area. The applicant is proposing to work inside the main structure.
- 3) Outside storage of materials is prohibited. The applicant indicated that there would be no outside storage including vehicles
- 4) The building where the work is to take place shall be at least 100 ft. from the nearest residence. The Building is adjacent to single-family residential use to the east, south and north.
- 5) A 6 ft. opaque fence buffered the proposed use from any residential use or residentially zoned area is required. There is an existing block wall, which decreases from 6'-3" to 3'-10" as approaching to the front property line on the west side of the property.
- 6) New buildings and conversions of existing buildings shall meet current building and fire code requirements concerning separation of high hazard uses from other occupancy use classifications.

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

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

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

- 2) Request of Silvia J. Gutierrez-Leal, for a Conditional Use Permit, for one year, for a home occupation (counseling office), at Lot 11, Block 2, Holiday Park Subdivision, Hidalgo County, Texas; 206 Harvey Drive. **(CUP2022-0063).**

Mr. Hebert Camacho stated that the property is located on the north side of Harvey Drive, approximately 70 ft. west of N. 2nd Street and it is zoned R-1 (Single-Family Residential) District. The adjacent zone is R-1 District in all directions. The surrounding land uses include single-family residences, Jackson Elementary School and Jackson Park. A home occupation is allowed in a R-1 zone with a conditional use permit and in compliance with requirements.

The customer is applying for the Conditional Use Permit and is proposing to operate a 100 SF counseling office, from the 1,224 square ft. residence as per appraisal District records. As per applicant, proposed hours of operation are from 8:00AM to 5:00PM but by appointment only.

Fire Inspections Dept. its pending their review. Should the conditional use permit be approved, the applicant would be required to sign the certificate acknowledging and agreeing to the conditions of the permit. The occupation may not be operational until issuance of the certificate. The business must comply with requirements set forth in Section 138-118(a)(1) of the Zoning Ordinance and other specific requirements as follows:

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

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

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

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

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

- 3) Request of Erika V. Medina on behalf of Guero Tires, for a Conditional Use Permit, for an Automotive Service and Repair (Tire Shop), for one year at Lot 2, Block 3, Altamira Subdivision, Hidalgo County, Texas; 2605 U.S. Highway 83. **(CUP2022-0060)**

Mr. Kaveh Forghanparast stated that the property was located along the south side of U.S. Business 83, approximately 55.6 ft. west of South 26th Street. The property had 54.60 ft. of frontage along U.S. Business 83 and 225.80 ft. of depth for a lot size of 12,328.68 sq. ft. according to the Hidalgo County Appraisal District records. The property was zoned C-3 (general business) District. The adjacent zoning was C-3 (general business) District to the west and east, I-1 (light industrial) District to the north, and R-2 (duplex-fourplex residential) District to the south. Surrounding land uses included single-family residences, auto repair shops, auto sales, auto parts, a paper recycling center, and railroad. An automotive service and repair shop was allowed in the C-3 District with a Conditional Use Permit and in compliance with requirements.

The Planning and Zoning Commission approved the initial conditional use permit for an automotive repair service (tire shop) on January 18, 2005. The applicant renewed the CUP until 2008. A new CUP for the same use for the property was approved for one year on September 7, 2010. In 2011, Fire Department found a residential area inside the building. The applicant subsequently applied for a CUP for a tire shop and a residence in a commercial building which was disapproved by the Planning and Zoning Commission on March 2, 2011, and hence was withdrawn by the applicant. A new CUP for a tire shop for the property was approved by the Planning and Zoning Commission on November 16, 2011. The CUP was renewed yearly by the applicant until 2019. The City Commission approved the CUP on January 13, 2020, for one year and granted a variance to 4 additional parking requirement subject to operating within the enclosed area and no outside storage. The most recent CUP was approved by the City Commission on March 22, 2021, for one year with a variance to the distance and 3 additional parking requirements.

There was an existing building of approximately 2,220 sq. ft. on the property that served as a tire shop as per the submitted site plan. The applicant was proposing to continue utilizing the tire shop Monday through Sunday from 8:00 a.m. to 10:00 p.m. Based on the floor area, 8 parking spaces were required and 5 parking spaces were provided along the front of the building; the building had two bays that could serve as parking and there was a drive way on along the east side of the property that served as additional parking. The parking must comply with city standards.

Fire Department inspection had been completed for the tire shop. Should the conditional use permit be approved, the applicant would be required to sign the certificate acknowledging and agreeing to the conditions of the permit. The business must meet the requirements set forth in Section 138-281 of the Zoning Ordinance and specific requirements as follows:

- 1) A minimum lot size of 10,000 sq. ft. was required. The subject property was approximately 12,328.68 sq. ft.
- 2) All service, repair, maintenance, painting and other work shall take place within an enclosed area. The work would be performed in the garage and will only assist with putting air in tires under the canopy;
- 3) Outside storage of materials was prohibited. Occasionally tires were kept outside of the

building to be picked up by a recycling company. There was no outside storage of tires at the time of site visit;

4) The building where the work was to take place shall be at least 100 ft. from the nearest residence. The building used for the automotive service was approximately 80 ft. from the nearest residence's property line.

5) A 6 ft. opaque fence buffered the proposed use from any residential use or residentially zoned area was required. There was an existing 6 ft. opaque fence on the south side of the property.

6) New buildings and conversions of existing buildings shall meet current building and fire code requirements concerning separation of high hazard uses from other occupancy use classifications.

Staff recommended disapproval of the request for a conditional use permit due to noncompliance with requirement # 4 (distance). If approved, it must comply with Section 138-281 of Zoning Ordinance, Fire Department, and Building Permit requirements.

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

After a brief discussion, Mr. Rudy Elizondo moved to disapprove with favorable recommendation and Mr. Jose Saldana seconded the motion, which was disapproved with five members present and voting.

b) REZONING

- 1) Initial Zoning to R-3A (multifamily residential apartment) District: 10 acres being all of Lot 3, Resubdivision of Lots 164-171 Inc. of Pride o' Texas, Hidalgo County, Texas, 3420 La Lomita Road. **(REZ2022-0015)**

Mr. Kaveh Forghanparast state that the property was located on the north side of La Lomita Road, also known as Mile 6 ½ Road, approximately 330 ft. west of North 33rd Street. The tract had 330 ft. of frontage along La Lomita Road with a depth of 1,320 ft. for a lot size of 10 acres.

The applicant was requesting R-3A (multifamily residential apartment) District for detached duplexes. The tract is currently outside the City limits and was undergoing voluntary annexation. The initial zoning to R-3A District would become effective upon the annexation of the tract into the City. A proposed 30-lot subdivision under the name of Northwest Creek Subdivision would be heard in preliminary form by the Planning and Zoning Commission on May 17, 2022.

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

There was a storage building on the subject property which was built in 2017 according to the Hidalgo County Appraisal District records, proposed to be demolished. Surrounding land uses include single-family residences, agricultural land, McAllen Fire Department Training Field, and vacant land.

The Foresight McAllen Comprehensive Plan designated the future land use for this property as Auto Urban Single Family, which was comparable to R-1 District.

The development trend for this area along La Lomita Road was single-family residential.

The tract had been in the City's Extra-Territorial Jurisdiction (ETJ) since October 1, 1981. In September 2017, when the City was annexing the properties in that area, the property owner signed a development agreement with the City requesting non-annexation until they subdivide. The agreement stated that submission of a subdivision application would be considered a voluntary annexation request. A subdivision and initial zoning requests to R-1 District for the subject property was submitted on April 7, 2022, but were withdrawn on April 29, 2022. A subdivision and initial zoning requests to R-3A District for the subject property was submitted on May 2, 2022. Submission of the subdivision application initiated the annexation process which is going to be heard by the City Commission on May 23, 2022.

The City Commission approved a rezoning request to R-3A (multifamily residential apartment) District for an interior tract on the south side on La Lomita Road for proposed Northwood Trails Subdivision on January 11, 2021.

The requested zoning did not conform to the Auto Urban Single Family land use designation as indicated on the Foresight McAllen Comprehensive Plan. However, it followed the rezoning trend to multifamily in the surrounding area. It also provided opportunities for a variety of housing types throughout the city that responds to the residents' economic and social lifestyles.

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.

If the R-3A District was approved, a masonry screen eight feet in height shall be required adjacent to single-family use or zone.

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

Staff recommended approval of the initial zoning request to R-3A (multifamily residential apartment) District since it followed the rezoning trend to multifamily in the surrounding area and provided opportunities for a variety of housing types throughout the City that responded to the residents' economic and social lifestyles.

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

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

- 2) Rezone from C-1 (office building) District to R-3C (multifamily residential condominium) District: 2.748 acres out of Block - 4A , Blocks 3A, 4A and 5A Lakes Business Park Phase 2 Subdivision, Hidalgo County, Texas; 900 East Redbud Avenue. **(REZ2022-0014)**

Mr. Kaveh Forghanparast stated that the property was located on the south side of East Redbud Avenue, 271 ft. east of North McColl Road. The property was an irregular shaped tract and consisted of 2.748 acres.

The applicant was requesting to rezone the tract to R-3C (multifamily residential condominium) District to build condominium units. A feasibility plan has not been submitted.

The adjacent zoning was C-3 (general business) District to the west, C-1 District to the north and southwest, R-3C District to the north, and R-3A (multifamily residential apartment) District to the east and south.

The property was part of Block- 4A which had multiple office buildings. Surrounding land uses included offices, The Lakes Condos, Redbud Place Apartments, Mirabella Apartments, commercial plazas, First United Methodist Church McAllen, and vacant land.

The Foresight McAllen Comprehensive Plan designated the future land use for this property as Suburban Commercial, which was comparable to C-1 (office building) to C-3L (light commercial) Districts.

The development trend for this area along East Redbud Avenue was office, condominium, and apartments.

The property was zoned C-1 (office building) District upon annexation in 1989. There had been no other rezoning request for the subject property since then.

City Commission approved a rezoning request to R-3C District for Block-3A on the north side of Redbud Avenue on June 13, 2016, and condominium units were constructed in 2020 according to the Hidalgo County Appraisal District records. The properties on the south and northeast side of the subject property were rezoned to R-3A District between 2002 and 2012.

The requested zoning did not conform to the Suburban Urban Commercial land use designations as indicated on the Foresight McAllen Comprehensive Plan; however, it followed development trend of multifamily residences in this area and would allow for infill development of the subject property.

An approved site plan 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 building permit issuance.

Staff had received two phone calls in opposition and were concerned regarding parking, traffic, and possible illegal use of the commercial dumpsters by future condo tenants to the rezoning request.

Staff recommended approval of the rezoning request to R-3C (multifamily residential condominium)

District as it followed the development trend and allowed infill development of the property.

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

Mr. Pilar Pete Espinosa, 4300 North McColl Road, stated that the rezoning sign was not properly located. Staff mentioned that the rezoning sign was posted at a correct location in front of the subject property. Mr. Rudy Espinosa also expressed concerns regarding the consequences of new condominium development without proper buffer from commercial buildings on traffic and parking, and potential illegal use of the commercial dumpsters by future tenants. Chairman Mr. Michael Fallek explained that those concerns would be addressed during the site plan review process. Mr. Mario Reyna, the project's engineer, explained that the development would be in compliance with the City's ordinances and requirements.

After a lengthy discussion, Vice Chairperson Mr. Gabriel Kamel moved to approve with staff recommendation and Ms. Erica De la Garza seconded the motion, which was approved with five members present and voting.

- 3) Initial zoning to R-3A (multifamily apartment residential) District: 20.0003 acres out of the south one-half (S ½) of Lot 47-9, West Addition to Sharyland, Hidalgo County, Texas; 10400 North Mayberry Road. **(REZ2022-0012)**

Mr. Kaveh Forghanparast stated that the property was located along the east side of Mayberry Road, and approximately 1,470 feet south of State Highway 107. The tract has 660.05 feet of frontage along North Mayberry Road with a depth of 1,320.12 feet for a lot size of 20.003 acres.

The applicant was requesting R-3A (multifamily residential apartment) District for detached duplexes. The tract was currently outside the City limits and was undergoing voluntary annexation. The initial zoning to R-3A District will become effective upon the annexation of the tract into the City. A proposed 57-lot subdivision under the name of Mayberry Hills will be heard in preliminary form by the Planning and Zoning Commission on May 17, 2022.

The adjacent properties to the subject property are outside McAllen City limits.

The property was currently used as agricultural land. Surrounding land uses included single-family residences, agricultural land, and vacant land.

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

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

The requested zoning does not conform to the Estate Residential land use designation as indicated on the Foresight McAllen Comprehensive Plan; however, the rezoning request provided opportunities for a variety of housing types throughout the city that responded to the residents' economic and social lifestyles.

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.

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

Staff recommends approval of the rezoning request to R-3A (multifamily apartment residential) District as it will provide opportunities for a variety of housing types throughout the city that responds to the residents' economic and social lifestyles.

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

Being no discussion, Mr. Jose Saldana moved to approve and Mr. Rudy Elizondo seconded the motion, which was approved with five members present and voting.

3) ABANDONMENTS:

- a) Request to abandon a portion of a 40 ft. road lying between Lots 11 and 12, Rancho de la Fruta No. 1 Subdivision, Hidalgo County, Texas; **301 East Houston Avenue.**

Ms. Liliana Garza stated that this is a request of the property owner to abandon the above-referenced road Right-of-Way (ROW). The 40 ft. x 267.80 ft. portion of road is not paved and is part of Rancho de la Fruta Subdivision No. 1 Revised that was filed for record in 1931. The tract is located on the north side of E. Houston Ave., approximately 400 ft. east of S. 1st Street. Surrounding land uses include single-family residences and vacant land.

The basis for the request is that this section of S. Peking Street has never been opened and the location of the dedicated road does not fit the development plan.

Should the abandonment be approved, the area will be incorporated into the boundaries of Bocage Subdivision which consists of 5.24 acres with 12 single family lots proposed.

The Right-of-Way Department has notified the appropriate city departments and utility companies regarding the request. Public Works approved the request subject to maintaining a 15 ft. drainage easement for an existing drain line. Also, the Waterline Maintenance Manager approved it subject to owner verification of no existing waterline or future stub-out, and removal of any said pieces found. Other departments and companies approved the request.

Staff recommends approval of the abandonment request subject to: 1) maintaining a 15 ft. drainage easement for an existing drain line, 2) owner verification of no existing waterline or future stub-out, and removal of any said pieces found and 3) the ordinance not being recorded until the subdivision has been recorded.

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

4) CONSENT:

- a) Suarez Subdivision, 2624 North 24th Street, Suarez Brothers, LLC. **(SUB2022-0052)(FINAL)JHE**

N. 24th Street: 25 ft. from centerline for 50 ft. total ROW Paving: 32 ft. Curb & gutter: Both Sides. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan Paving, curb and gutter. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties. Provide note: Service Drive Easement will be established at time of site plan review. Finalize plat note and wording prior to recording. Subdivision Ordinance: Section 134-106. Front: In accordance with zoning ordinance, or greater for easements or approved site plan, or in line with average setback, whichever is greater. Zoning Ordinance: Section 138-356. Rear: In accordance with zoning ordinance, or greater for easements or approved site plan. Zoning Ordinance: Section 138-356. Sides: In accordance with zoning ordinance, or greater for easements or approved site plan. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required along N. 24th Street. Please add plat note as shown above prior to recording. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Please revise plat note as shown above prior to recording. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Please add plat note as shown above prior to recording. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along. Must comply with City Access Management Policy. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Common Areas, any private drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: R-3T Proposed: C-3. At the City Commission meeting of April 25, 2022 the City Commission voted to approve the rezoning from R-3T to C-3. Zoning Ordinance: Article V. Rezoning Needed Before Final Approval. At the City Commission meeting of April 25, 2022 the City Commission voted to approve the rezoning from R-3T to C-3. Zoning Ordinance: Article V. As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. As per Traffic Department, TG approved no TIA required. Must comply with City's Access Management Policy.

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

- b) A. Pena Subdivision, 16900 Citrus Drive, Rodolfo Pena, Sr. & Melissa Pena-Montes **(SUB2022-0054)(FINAL)RGEC**

North Citrus Drive: 10 ft. dedication or as needed for 30 ft. from centerline for 60 ft. total ROW Paving: 40 ft. Curb & gutter: Both sides. Label centerline prior to recording. Add "North" to all Citrus Drive references prior to recording. Owner will be responsible for share of improvements costs as per contractual agreement. COM Thoroughfare Plan. Subdivision Ordinance: Section 134-105.

1,200 ft. Block Length. Subdivision Ordinance: Section 134-118. Front: Proposing 30 ft. or greater for easement or in line with existing structures. Please clarify plat note prior to recording. Zoning Ordinance: Section 138-356. Rear: Proposed 15 ft. or greater for easements. Please clarify plat note prior to recording. Zoning Ordinance: Section 138-356. Interior Sides: 6 ft. or greater for easements. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required; greater setback applies. Add plat note as shown above prior to recording. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required along North Citrus Drive. Plat note needed prior to recording. Subdivision Ordinance: Section 134-120. Owner will be responsible for share of improvements costs as per contractual agreement. 6ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Plat note must be added prior to final as shown above. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Plat note must be added prior to final as shown above. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along. Must comply with City Access Management Policy. Common Areas, any private streets/drives, must be maintained by the lot owners and not the City of McAllen. Section 110-72 applies if subdivision is proposed to be public. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing : ETJ Proposed: ETJ. Zoning Ordinance: Article V. As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. As per Traffic Department, Trip Generation waived for 2 singlefamily residences. Must comply with City's Access Management Policy. Plat notes must comply with City's Standards prior to recording. Please provide ownership map to verify that no landlocked properties exist or will be created. Engineer submitted an ownership map of surrounding areas on May 13th, 2022, which shows no landlocked properties as the properties to the east front Eubanks Road.

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

Being no discussion, Vice Chairperson Mr. Gabriel Kamel moved to approve both Items 4a and 4b finals and Ms. Erica De la Garza seconded the motion, which was approved with five members present and voting.

5) SUBDIVISIONS:

- a) Falcon's Cove Subdivision, 9901 North. 23rd Street, John R. Willis Management Partnership, LTD. **(SUB2022-0042)(FINAL)M&H**

Mr. Mario Escamilla stated that North 23rd Street: 20 ft. dedication for 60 ft. from centerline for 120 total ROW. Paving: By the state Curb & gutter: By the state. Please provide copy of document where 40 ft. existing ROW was dedicated prior to recording. COM Thoroughfare Plan. Freddy Gonzalez Road: 30 ft.- 100 ft. ROW dedication for 50 ft. from centerline as applicable for 100 ft. total ROW Paving: 65 ft. Curb & gutter: Both sides. Abandonment process required for portion of existing Freddy Gonzalez Road right of way dedication along northside of lot 141, labeled as M.B/Common Area. Monies must be escrowed if improvements are not built prior to recording. Show ROW dedication ranges throughout the curved section of road prior to recording to verify compliance with dedication requirements. Provide barricade as required on the west end of Freddy

Gonzalez Road. Subdivision Ordinance: Section 134-105. North 24th or 25th Street (1/4 Mile Collector): 60 ft. ROW proposing 50 ft. with 10 ft. U.E and S.W Easements on both sides. Paving: 40 ft. Curb & gutter: Both sides. Monies must be escrowed if improvements are not built prior to recording. Subdivision Ordinance: Section 134-105. E/W Residential Collector along south boundary: 60 ft. ROW Paving: 40 ft. Curb & gutter: Both sides. Monies must be escrowed if improvements are not built prior to recording. Subdivision Ordinance: Section 134-105. Internal Streets: 50 ft. Paving: 32 ft. Curb & gutter: Both sides. Monies must be escrowed if improvements are not built prior to recording. Finalize gate details required prior to recording to review for all entrances as may be applicable and in compliance with Traffic Departments. Subdivision Ordinance: Section 134-105. 1,200 ft. Block Length. Subdivision Ordinance: Section 134-118. 600 ft. Maximum Cul-de-Sac. Subdivision layout does not comply with block length requirement for lots 131-141. Engineer submitted Variance application on May 11th, 2022 requesting a variance to the 600 ft. maximum Cul-De-Sac length. If approved, to should be subject to 40 ft. of paving. As per Fire Department, 96 ft. of paving face-to-face required for Cul-De-Sac turnaround area, minimum 10 ft. of ROW back of curb around Cul-De-Sac area. Subdivision Ordinance: Section 134-105. Front: 25 ft. or greater for easements except 45 ft. for Lot 141. Plat note must be finalized prior to recording. Submit mail center layout (Lot 141) for staff to review requirements prior to recording. Zoning Ordinance: Section 138-356. Rear: 10ft. or greater for easements. If proposing double fronting setback, clarify note prior to recording. Zoning Ordinance: Section 138-356. Interior Sides: 6 ft. or greater for easements. Plat note must be revised as shown above, prior to recording. Zoning Ordinance: Section 138-356. Corner: 10 ft. or greater for easements. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required, greater setback applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required along North 23rd Street (F.M. 1926), Freddy Gonzalez Road, and both sides of all interior streets. Sidewalk requirements might increase to 5 ft. along North 23rd Street and Freddy Gonzalez Road as per Engineering. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along North 23rd Street (FM 1926) and Freddy Gonzalez Road. Plat note must be revised as shown above prior to recording. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along North 23rd Street (FM 1926) and Freddy Gonzalez Road. Must comply with City Access Management Policy. Common and/or Detention Areas, any private streets/drives, mail center (Lot 141) etc. must be maintained by the lot owners and not the City of McAllen. Mail Center (Lot 141) will be private and maintained by the HOA/property owners and not the City of McAllen. Provide Mail Center layout prior to final to verify compliance with requirements. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 110-72 applies if private subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Section 110-72 applies if private subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Lots fronting public streets.-Interior Streets will be private. Zoning Ordinance: Section. 138-356. Minimum lot width and lot area. Zoning Ordinance: 138-1. Existing: R-1 Proposed: R-1.

Zoning Ordinance: Article V. Land dedication in lieu of fee. As per Parks Department, Variance to fees in lieu of land dedication was approved. In this case land dedication is calculated at 2.226 acres and fees in lieu of land amount to \$98,000. That's, 140 single family homes X \$700 = \$98,000 and payable prior to plat recording. Fees will be adjusted accordingly if the number of lots change. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, Variance to fees in lieu of land dedication was approved. In this case land dedication is calculated at 2.226 acres and fees in lieu of land amount to \$98,000. That's, 140 single family homes X \$700 = \$98,000 and payable prior to plat recording. Fees will be adjusted accordingly if the number of lots change. Pending review by City Manager's Office. As per Parks Department, Variance to fees in lieu of land dedication was approved. In this case land dedication is calculated at 2.226 acres and fees in lieu of land amount to \$98,000. That's, 140 single family homes X \$700 = \$98,000 and payable prior to plat recording. Fees will be adjusted accordingly if the number of lots change. As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. As per Traffic Department, TG approved, TIA approved with signal improvement cost to be turned in before recording of the plat. Traffic Impact Analysis (TIA) required prior to final plat. As per Traffic Department, TG approved, TIA approved with signal improvement cost to be turned in before recording of the plat. Must comply with City's Access Management Policy Mail Center (Lot 141) will be private and maintained by the HOA/property owners and not the City of McAllen. Pending abandonment of balance of Freddy Gonzalez Road ROW, finalization of the existing abandonment of Freddy Gonzalez Road, and approval of the Cul-De-Sac length variance.

Staff recommends approval of the subdivision in final form, subject to conditions noted, finalization of the existing abandonment of Freddy Gonzalez road, abandonment of the balance of the existing row of Freddy Gonzalez road and clarification on the requested variance.

Being no discussion, Vice Chairperson Mr. Gabriel Kamel moved to approve including variance. Mr. Rudy Elizondo seconded the motion, which was approved with five members present and voting.

b) Bocage Estates Subdivision, 701 South 1st Street, Bocage Development, LLC.
(SUB2022-0055)(FINAL)SEC

Ms. Liliana Garza stated that South First Street: 10 ft. dedication for 30 ft. from centerline for 60 ft. total ROW Paving: 40 ft. Curb & gutter: Both sides. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. COM Thoroughfare Plan. East Houston Avenue: 25 ft. dedication for 50 ft. total ROW Paving: 32 ft. Curb & gutter: Both sides. Engineer is proposing to dedicate additional 60 ft. of ROW for 85 ft. of total ROW. This would accommodate for a boulevard to preserve some of the existing trees in the area. A license agreement for a boulevard with existing trees, landscape sprinkler system, vehicle parking, and turn around drives within street is scheduled before City Commission on May 23, 2022. As per Fire Department, paving and maneuverability requirements must be met prior to recording. 20 ft. of minimum paving face-face is required on both sides of boulevard. Auto-turn study required by Fire Department. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. COM Thoroughfare Plan South Cynthia Street: 50 ft. ROW Paving: 32 ft. Curb & gutter: Both Sides Lot 7 configuration (southeast corner) might have to be revised prior to recording to improve traffic maneuverability. Cul-de-sac must be revised to have 96 ft. of paving diameter face-to-face as per Fire Department with 10 ft. of ROW back-of-curb. ROW will have to be widened to comply with requirements prior to recording. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. COM

Thoroughfare Plan. South Peking Street: 50 ft. ROW Paving: 32 ft. Curb & gutter: Both Sides. Cul-de-sac will have to be provided on the south end of Peking Street or loop street west to South 1st Street prior to final. Dead-end streets are not allowed. Engineer submitted a variance application on September 17, 2021 to not require the extension or provision of a cul-de-sac at the south end of South Peking Street. P&Z recommended approval of the variance on October 5, 2021. Variance is scheduled to be presented at City Commission on May 23, 2022. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. COM Thoroughfare Plan paving, curb and gutter Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final COM Thoroughfare Plan. 1,200 ft. Block Length. Subdivision Ordinance: Section 134-118. 600 ft. Maximum Cul-de-Sac. Proposed cul-de-sac compliers with length requirement. As per Fire Dept., recommend removal of island; however, if island is to remain, fire lanes to be striped as required. Subdivision Ordinance: Section 134-105. ROW: 20 ft. Paving: 16 ft. 10 ft. alley exists on perimeter subdivision to the north. Engineer requested variance to not dedicate 10 ft. alley on the north boundary to meet the minimum 20 ft. alley width. At the P&Z meeting of October 5, 2021, staff indicated no additional alley would be required. Subdivision Ordinance: Section 134-106. 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: 10 ft. or greater for easements. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required; greater setback applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required on South 1st Street, East Houston Avenue, South Cynthia Street, and both sides of all interior streets. If S. Peking Street is required, sidewalk requirement would also apply. Please revise plat note #5 once finalized prior to recording. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along. Must comply with City Access Management Policy. Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 110-72 applies if private subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Section 110-72 applies if private subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Lots fronting public streets Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. 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 Dept., \$7,700 (11 lots x \$700= \$7,700) required to be paid prior to recording. If number of proposed lots change, park fees will be adjusted accordingly. Lot 10 is shown for detention area on plat. As per Traffic Department, Trip Generation waived for 12 single-family residences. No TIA required. Must comply with City's Access Management Policy. Variance to not provide South Peking Street will be presented along with abandonment before City Commission on May 23, 2022. Engineer has requested final, with condition that variance, abandonment and license agreement be approved by City Commission.

As per Fire Dept., recommend removal of island but if proposed island is to remain, both island and cul-de-sac will need to be painted with fire lane. As per Fire Dept., both sides of boulevard will need to have fire line (north side of islands and curb across from them).

Staff recommends approval of the subdivision in final form subject to conditions noted, and city commission approval of the abandonment, variance requests, and license agreement.

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

c) Harvest Creek on Ware Subdivision, 2401 North Ware Road, Bell Family Management Trust **(SUB2022-0013)(REVISED PRELIM)M&H**

Ms. Liliana Garza stated that North Ware Road: 60 ft. from centerline for 120 ft. ROW Paving: 65 ft. Curb & gutter: Both Sides. Provide ROW centerline to determine if any ROW dedication is required prior to final. Label reference to dash line and identify ROW by plat or instrument. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. Warrior Drive (Vine Ave.): 10 ft. dedication for 40 ft. from centerline for 80 ft. ROW Paving: 52 ft. Curb & gutter: both sides. Revise street name as shown above prior to final. Label ROW centerline to finalize dedication prior to final. Label reference for dash and solid lines on the south side of lots 1 to 30; provide documents. referenced on survey, prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final COM Thoroughfare Plan. Internal Streets for R-1 (lots 112 to 275): 50 ft. ROW Paving: 32 ft. Curb & gutter: both sides. Provide ROW dimension for all entry and internal streets. North 40th Street on the north subdivision, "Arrowhead Sub. Ph II," must extend south or must provide city standard cul-de-sac at the end of the street, will affect lots 259 to 260. Cul-de-sac requires 96 ft. paving face to face as per Fire Department. Engineer submitted variance to the ROW requirement to extend N. 40th Street. Street names will be assigned prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan Internal Streets for R-3A (lots 1 to 111): 60 ft. ROW Paving: 40 ft. Curb & gutter: both sides. Provide ROW dimension for all internal streets. Street names will be assigned prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. N-S Street on West Boundary: Proposing 60 ft. ROW Paving: 40 ft. Curb & gutter: both sides. Label dash line on west side to determine any ROW dedication. (May affect lot 234 as ROW cannot be within lot.) Revise plat accordingly to accommodate ROW. Existing 40 ft. ROW on west side, of which 20 ft. is within this plat boundary; clarify and label accordingly. Street name will be assigned prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. 900 ft. Block Length for R-3A Zone District. Subdivision layout does not comply with block length requirement, please revise accordingly prior to final. Length proposed, approximately 2,355 ft. Engineer submitted variance to the block length requirement on May 4, 2022. Subdivision Ordinance: Section 134-118. 1,200 ft. Block Length for R-1 District. Subdivision layout does not comply with block length requirement, please revise accordingly prior to final Length proposed, approximately 2,505 ft. Engineer submitted variance to the block length requirement on May 4, 2022. Subdivision Ordinance: Section 134-118. 600 ft. Maximum Cul-de-Sac. Subdivision Ordinance: Section 134-105. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties. Public Works Department might require dumpster easements or service drive to provide waste collection service for the R-3A lots prior to final. Clarify

20 ft. alley reference on plat. Subdivision Ordinance: Section 134-106. Front: Lots 1 to 111 (multifamily lots): 20 ft. or greater for easement. Front: Lots 112 to 275 (single family lots): 25 ft. or greater for easement. Please revise plat note #3 as shown above prior to final Zoning Ordinance: Section 138-356. Rear: 10 ft. or greater for easement. Please revise plat note #3 as shown above prior to final. Zoning Ordinance: Section 138-356. Interior Sides: 6 ft. or greater for easement. Please revise plat note #3 as shown above prior to final. Zoning Ordinance: Section 138-356. Corner: 10 ft. or greater for easement. Please revise plat note #3 as shown above prior to final. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required, greater setback applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required along N. Ware Road. May increase to 5 ft. as per Engineering Department prior to final. 4 ft. wide minimum sidewalk required on both sides of all internal streets and Warrior Dr. (Vine Ave.). Sidewalk width requirement might increase prior to final as per Engineering Department requirements. Plat note #7 will need to be revised as shown above, and once sidewalk requirements are determined for all internal streets prior to final. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses along Warrior Dr. (Vine Ave.) and N. Ware Rd. Please revise plat note # 9 as shown above. Additional buffers may be required prior to final. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along N. Ware Rd and Warrior Dr. (Vine Ave.) Please revise plat note #13 as shown above prior to final. Must comply with City Access Management Policy. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Requirement might be triggered depending on the # of units proposed per lot on the multifamily lots. Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Must finalize plat notes for HOA prior to recording. 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. Must finalize plat notes for HOA prior to recording. Section 110-72 applies if private subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Minimum lot width and lot area. Provide preliminary site plan for multi-family lots to verify compliance with landscaping requirements. Zoning Ordinance: Section 138-356. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Existing: A-O Proposed: R-1 & R-3A. Rezoning was approved by City Commission on 2/14/22. Zoning Ordinance: Article V. Rezoning Needed Before Final Approval. Rezoning was approved by City Commission on 2/14/22. Zoning Ordinance: Article V Land dedication in lieu of fee. Must comply with Park Department requirements. Must comply with Park Department requirements. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. Total amount of park fees is subject to amount of proposed lots and dwelling units per each lot. Must comply with Park Department requirements. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording and/or land dedication. Total amount of park fees is subject to amount of proposed lots and dwelling units per each lot/and land dedication. As per Traffic Department, Trip Generation approved and TIA is under review. As per Traffic Department, Traffic Impact Analysis (TIA) required prior to final plat. Must

comply with City's Access Management Policy. Please revise subdivision name on plat with new name, "Harvest Creek on Ware" prior to final. North 40th Street on the north subdivision, "Arrowhead Sub. Ph II," must extend south or must provide city standard cul-de-sac at the end of the street, will affect lots 259 to 260. Culde-sac requires 96 ft. paving face to face as per Fire Department. Label reference for dash line on the west side side of proposed north to south street on the west boundary. Label parcel on the west side of the west boundary line. Label reference for the dash and solid lines on the south side of lots 1 to 30. Clarify if subdivision will be public or private. Based on clarification additional comments may be required. Should the subdivision be private, please provide gate details.

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

After discussion, the board members made three motions. Mr. Gabriel Kamel move to approve the plat in revised preliminary form. Mr. Jose Saldana second the motion, which was approved with five members present and voting. Mr. Gabriel Kamel then moved to recommend approval of the variance to the ROW equipment to not extend to N. 40th Street to the south subject to a document agreement between the developer and adjacent properties the north located within Arrowhead Subdivision Phase II. Mr. Jose Saldana second the motion, which was approved with five members present and voting. Mr. Gabriel Kamel then recommended approval of the variances to the block length requirements within an R-1 and R-3A district. Ms. Erica De la Garza second the motion, which was approved with five members present and voting.

- d) Northwest Creek Subdivision, 3420 Mile 6 ½ Road, Andres L. Kalifa Jr and Sr.
(SUB2022-0037)(PRELIM)M&H

Ms. Liliana Garza stated that Mile 6 1/2 Road: 40 ft. ROW dedication for 80 ft. total ROW Paving: 52 ft. - 65 ft. Curb & gutter: both sides. Label total ROW after accounting for dedication. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. Brazos Ave.: 35 ft. ROW dedication for 70 ft. ROW Paving: 44 ft. Curb & gutter: both sides. Please clarify 34.99 ft. existing ROW referenced on plat, revise accordingly prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. Interior Street: 60 ft. Paving: 40 ft. Curb & gutter: both sides. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan paving, curb and gutter. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. Paving, curb and gutter Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. 900 ft. Block Length for R-3 Zone Districts. Subdivision layout does not comply with block length requirement, please revise accordingly prior to final. Cul-de-sac design mid-way of street does not comply nor does it waive the with block length requirement, please revise plat to provide cross street prior to final. Subdivision Ordinance: Section 134-118. ROW:20 ft. Paving: 16 ft Alley/service drive easement required for commercial properties. Public Works Department might require service drive or alley to provide waste collection service for the R-3A lots prior to final. Subdivision Ordinance: Section 134-106. Front: Proposing: 25 ft. or greater for easements. As per Zoning Ordinance Front setback requirement for multifamily zone is 20 ft., please clarify proposed front setback prior to final. Plat note must be revised as shown above and once finalized prior to final. Zoning Ordinance: Section 138-356. Rear: 10 ft. or greater for easements. The ordinance for double fronting lots

requiring rear setback to be the same as front setback was amended by City Commission back in October; clarify setback. Plat note must be revised as shown above after clarification prior to final. Zoning Ordinance: Section 138-356. Sides: 6 ft. or greater for easements. Plat note must be revised as shown above prior to final. Zoning Ordinance: Section 138-356. Corner: 10 ft. or greater for easements. Plat note must be revised as shown above prior to final. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required, greater setback applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required along Mile 6 1/2 Road and Brazos Avenue and both sides of interior street. Sidewalk width requirements might increase prior to final per Engineering Department requirements. Please revise plat note as shown above after finalization prior to final. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along Mile 6 1/2 Road and Brazos Avenue. Plat note must be revised as shown above prior to final. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along Mile 6 1/2 Road and Brazos Avenue. Plat note must be revised as shown above prior to final. Must comply with City Access Management Policy. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Plat note #14 must be removed prior to final, as it is not need. Requirement might be triggered depending on the # of units proposed per lot. Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 110-72 applies if private subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Section 110-72 applies if private subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: ETJ Proposed: R-3A. Initial Zoning to R-3A has been submitted, will be presented at P&Z on May 17, 2022. Zoning Ordinance: Article V. Rezoning Needed Before Final Approval. Initial Zoning to R-3A has been submitted, will be presented at P&Z on May 17, 2022. Zoning Ordinance: Article V. Land dedication in lieu of fee. Request for annexation has been submitted, finalize Parks Department requirement prior to final. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. Request for annexation has been submitted, finalize Parks Department requirement prior to final. Must comply with Park Department requirements if property is annexed. Request for annexation has been submitted, finalize Parks Department requirement prior to final. As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. Traffic Impact Analysis (TIA) required prior to final plat. Must comply with City's Access Management Policy. Clarify if subdivision will be public or private. Based on clarification additional comments may be required. Should the subdivision be private, please provide gate details.

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

Being no discussion, Mr. Jose Saldana moved to approve subdivision in preliminary form subject to conditions noted. Vice Chairperson Mr. Gabriel Kamel seconded the motion, which was approved with four members present and voting and one member Ms. Erica De la Garza abstaining her vote.

e) **Mayberry Hills Subdivision, 10400 North Mayberry Road, Alejandro Moreno
(SUB2022-0053)(PRELIM)MAS**

Ms. Liliana Garza stated that N. Mayberry Ave: *Dedication required for 40 ft. from centerline for 80 ft. total ROW Paving: 52 ft. Curb & gutter: both sides. Provide existing ROW from centerline to determine ROW dedication required prior to final. Label centerline on plat with existing ROW on both sites. Label from centerline and total ROW after accounting for dedication. Provide document reference on survey prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan N. 88th Street: 30 ft. dedication from centerline for 60 ft. total ROW Paving: 40 ft. Curb & gutter: both sides. Label N. 88th Street on plat prior to final. Provide existing ROW dimension from centerline and total ROW prior to final. Label ROW dedication by this plat prior to final. Provide document referenced on survey prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. Yale Avenue: 40 ft. dedication from centerline for future 80 ft. total ROW Paving: 52 ft. Curb & gutter: both sides. Label Yale Avenue on plat prior to final. Label ROW dedication by this plat prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan Internal Streets: 60 ft. ROW. Paving: 40 ft. Curb & gutter: both sides. Street names will be assigned prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan Paving, curb and gutter. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. 900 ft. Block Length for R-3 Zone Districts Subdivision layout does not comply with block length requirement, please revise accordingly prior to final. Subdivision Ordinance: Section 134-118. ROW: 20 ft. Paving: 16 ft. Public Works Department might require service drive or alley to provide waste collection service for the R-3A lots prior to final. Alley/service drive easement required for commercial properties. Subdivision Ordinance: Section 134-106. Front: Proposing: 25 ft. or greater for easements. As per Zoning Ordinance Front setback requirement for multifamily zone is 20 ft., please clarify proposed front setback prior to final. Plat note must be revised as shown above and once finalized prior to final. Zoning Ordinance: Section 138-356. Rear: 10 ft. or greater for easements. Zoning Ordinance: Section 138-356. Sides: 6 ft. or greater for easements. Zoning Ordinance: Section 138-356. Corner: 10 ft. or greater for easements. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required, greater setback applies. Please add plat note as shown above prior to final. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required along Mayberry Ave., N. 88th Street, Yale Ave. and both sides of all interior streets. Sidewalk width requirements might increase prior to final per Engineering Department requirements. Please revise plat note #8 as shown above after finalization prior to final. Please remove plat note #11. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along Mayberry Ave., N. 88th St., and Yale Ave. Provide plat note as shown above prior to final Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.

Provide plat note as shown above prior to final. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along Mayberry Ave., N. 88th St., and Yale Ave. Plat note #21 must be revised as shown above prior to final. Must comply with City Access Management Policy. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Requirement might be triggered depending on the # of units proposed per lot. Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 110-72 applies if private subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Section 110-72 applies if private subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: ETJ Proposed: R-3A. Initial Zoning to R-3A has been submitted, will be presented at P&Z on May 17, 2022. Zoning Ordinance: Article V. Rezoning Needed Before Final Approval. Initial Zoning to R-3A has been submitted, will be presented at P&Z on May 17, 2022. Zoning Ordinance: Article V. Land dedication in lieu of fee. Request for annexation has been submitted, finalize Parks Department requirement prior to final. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. Request for annexation has been submitted, finalize Parks Department requirement prior to final. Pending review by the Parkland Dedication Advisory Board and CC. Request for annexation has been submitted, finalize Parks Department requirement prior to final. As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. Traffic Impact Analysis (TIA) required prior to final plat. Must comply with City's Access Management Policy. Vicinity map does not correspond with plat, please revise accordingly prior to final. Clarify if subdivision will be public or private. Based on clarification additional comments may be required. Should the subdivision be private, please provide gate details. Please remove plat note #19, as it is not needed prior to final. Clarify note #20 prior to final. Subdivision has submitted for annexation, if annexed plat notes/signature blocks related to the county may be removed as applicable prior final.

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

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

- f) Hidalgo County Head Start Outdoor Learning Environments and Discovery Classrooms Subdivision, 1901 South Hwy 107, Hidalgo County **(SUB2022-0047)(PRELIM)HCDD1**

Mr. Mario Escamilla stated that State Highway 107: Plat shows existing 172 ft. of total ROW. Paving: By the state Curb & gutter: By the state. Please show centerline on plat prior to final. Show existing ROW on both sides of centerline prior to final. Please provide how existing 172 ft. of ROW was dedicated. Please provide a copy of any referenced document regarding existing ROW. City

of McAllen Thoroughfare Plan requires 150 ft. of total ROW however there is 172 ft. of existing ROW. N/S Quarter Mile Collector (east boundary):dedication as needed for 60 ft. total ROW Paving: 40 ft. Curb & gutter: Both sides Recorded subdivision to the East dedicated for future N/S collector. Street alignment and ROW being reviewed and plat would need to be revised accordingly. Please provide ownership map to verify that no landlocked properties exist or will be created. Monies must be escrowed if improvements are not built prior to recording. Subdivision Ordinance: Section 134-105. E/W Quarter Mile Collector (south boundary):dedication as needed for 60 ft. total ROW Paving: 40 ft. Curb & gutter: Both sides. Street alignment and R.O.W being reviewed and plat would need to be revised accordingly. Please provide ownership map to verify that no landlocked properties exist or will be created. Monies must be escrowed if improvements are not built prior to recording. Subdivision Ordinance: Section 134-105. COM Thoroughfare Plan paving, curb and gutter. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. 1,200 ft. Block Length. Subdivision Ordinance: Section 134-118. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties. Alley or service drive easement cannot dead-end. Provide for alley or service drive easement on the plat prior to final. Subdivision Ordinance: Section 134-106. Front :Proposed plat shows 20 ft. or greater for easements or approved site plan. Revise front setback note to: In accordance with zoning ordinance, or greater for easements or approved site plan, or in line with average setback, whichever is greater. Finalize wording prior to final. Zoning Ordinance: Section 138-356. Rear: In accordance with Zoning Ordinance or greater for easements or approved site plan. Zoning Ordinance: Section 138-356. Interior Sides: In accordance with Zoning Ordinance or greater for easements or approved site plan. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site Plan. 4 ft. wide minimum sidewalk required along State Highway 107,N/S Collector, and E/W Collector. Sidewalk requirements for State Highway 107 might increase to 5 ft. prior to final per Engineering Department requirements. Please finalize plat note prior to final. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. Required 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Please add plat note prior to final. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. Required No curb cut, access, or lot frontage permitted along. Must comply with City Access Management Policy Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Common Areas, any private drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Plat note as needed-finalize wording prior to final. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: C3-General Business District and C4-Commercial Industrial District Proposed: A conditional use permit (CUP)is required for a institutional use; if an existing CUP exists amending of the permit will be required as applicable. As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. Traffic Impact Analysis (TIA) required prior to final plat. Must comply with City's Access Management Policy. A conditional use permit (CUP)is required for a institutional use; if an existing CUP exists amending of the permit will be required as applicable.

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

Being no discussion, Mr. Rudy Elizondo moved to approve. Mr. Jose Saldana seconded the motion, which was approved with five members present and voting.

g) **Zuma Subdivision, 4001 Mile 7 Road, Zuma Development Company, LLC
(SUB2022-0048)(PRELIM)CLH**

Mr. Mario Escamilla stated Mile 7 Road (F.M. 2221): 35ft. of dedication for 75ft. from centerline for 150 ft. total R.O.W. Paving 65 ft. to 105 ft. Curb & gutter: Both Sides Label ROW from centerline to new property line and total ROW after accounting for ROW dedication. Clarify Easement to Sharyland Water Supply Corporation overlapping with required ROW dedications. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. North Bentsen Palm Drive: 5 ft. of dedication for 40 ft. from centerline for 80 ft. total R.O.W. Paving: 52 ft. Curb & gutter: Both Sides. Label ROW from centerline to new property line and total ROW after accounting for ROW dedication. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. N/S collector (Western Boundary 1/4 Mile Location): Dedication as needed for 60 ft. total R.O.W. Paving 40 ft. Curb and gutter: Both Sides. Street alignment and R.O.W. being reviewed and plat would need to be revised accordingly prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. 1,200 ft. Block Length. Subdivision layout does not comply with block length requirement, please revise accordingly prior to final. If no changes please submit variance request for 1200 ft. maximum block length requirement. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties. Alley or service drive easement cannot dead-end. Provide for alley or service drive easement on the plat prior to final. Subdivision Ordinance: Section 134-106. Front: Mile 7 Road (F.M. 2221): Setbacks must be established prior to final, once annexation status has been clarified, property currently in ETJ. If annexed change front setback note to: In accordance with zoning ordinance, or greater for easements or approved site plan, or in line with average setback, whichever is greater. Please add plat note and clarify prior to final. Zoning Ordinance: Section 138-356. Rear: Setbacks must be established prior to final, once annexation status has been clarified, property currently in ETJ. If annexed change Rear setback note to: In accordance with Zoning Ordinance or greater for easements or approved site plan. Please add plat note and clarify prior to final. Zoning Ordinance: Section 138-356. Interior Sides: Setbacks must be established prior to final, once annexation status has been clarified, property currently in ETJ. If annexed change interior sides setback note to: In accordance with Zoning Ordinance or greater for easements or approved site plan. Please add plat note and clarify prior to final. Zoning Ordinance: Section 138-356. Corner: Setbacks must be established prior to final, once annexation status has been clarified, property currently in ETJ. If annexed change corner setback note to: In accordance with Zoning Ordinance or greater for easements or approved site plan. Please add plat note and clarify prior to final. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required along Mile 7 Road, North Bentsen Palm Drive and N/S collector street. Sidewalk requirements might increase to 5 ft. prior to final subject to Engineering Department requirements. Please finalize plat note prior to final. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Please add plat note prior to final. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Please add plat note prior to final. Landscaping

Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along. Must comply with City Access Management Policy. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Note required if proposing annexation currently ETJ, revise as applicable. Common Areas, any private drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 110-72 applies if private subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Section 110-72 applies if private subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: ETJ Proposed: If annexation is proposed, process must be finalized prior to final along with initial zoning process. Zoning Ordinance: Article V Rezoning Needed Before Final If annexation is proposed, process must be finalized prior to final along with initial zoning process. Zoning Ordinance: Article V. As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. Traffic Impact Analysis (TIA) required prior to final plat. Must comply with City's Access Management Policy. Plat boundary must be a bold line, other lines must be less bold or in variation to not resemble other lines. Remove "Replat of" from subdivision name, include replat or resubdivision in description of subdivision. Finalize wording prior to final.

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

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

6) Information: City Commission Actions from May 9, 2022

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

ADJOURNMENT:

There being no further business to come before the Planning & Zoning Commission, Vice Chairman Mr. Gabriel Kamel adjourned the meeting at 4:25p.m. and Mr. Jose Saldana seconded the motion, which carried unanimously with five members present and voting.

Chairperson Michael Fallek

ATTEST: _____
Magda Ramirez, Administrative Assistant

Memo

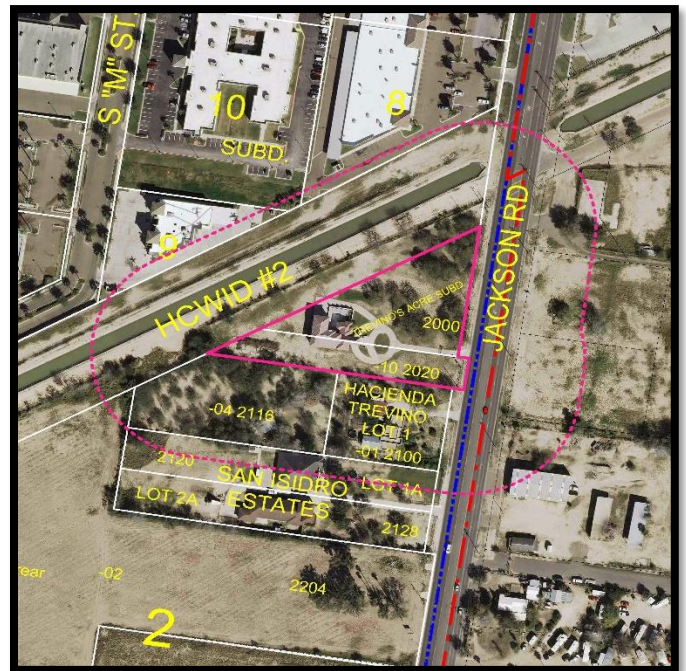
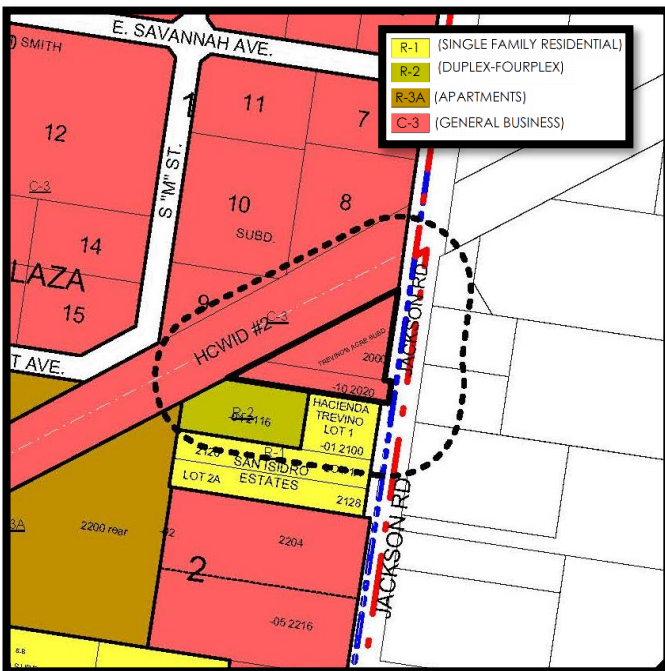
TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: May 26, 2022

SUBJECT: REQUEST OF BLANCA I. CANTU, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR AN EVENT CENTER, AT TREVINO'S ACRE SUBDIVISION AND THE SOUTH 60.62 FT., THE NORTH 355.78 FT. OUT OF LOT 2, BLOCK 8, MCCOLL A.J. SUBDIVISION, HIDALGO COUNTY, TEXAS; 2000 SOUTH JACKSON ROAD. (CUP2022-0067)

BRIEF DESCRIPTION: The property is located on the West side of South Jackson Road, approximately 530 ft. south of E. Savannah Avenue and is zoned C-3 (general business) District. The adjacent zoning is R-1 (single-family residential) District and R-2 (duplex-fourplex) District to the south, C-3 District to the north and west and outside city limits to the east. Surrounding land uses includes commercial businesses, restaurants, and apartments outside city limits, vacant land and single-family residences within city limits. An event center is allowed in a C-3 zone with a Conditional Use Permit and in compliance with requirements.



HISTORY: the initial conditional use permit for a dance hall was disapproved in 2010; beginning in 2011 reapply for the permit and renewed through. In 2013, both a Dwelling Unit and Event Center CUP was approved by City Commission, the dwelling unit CUP was approved for life of the use, while dance hall was approved only for a year. In 2014, applicant apply once more but failed to meet the deadline to appeal the decision of the Planning and Zoning Board, hence permit was disapproved. No other CUP has been submitted since then.

SUMMARY/ANALYSIS:

The applicant is proposing to operate an event center from a proposed garden that is approximately 11,610 sq. ft. in size. The proposed hours of operation are from 2:00 PM to 1:00 AM Monday – Sunday.

Additionally, the applicant is proposing to build an approximate 720 sq. ft. restroom, the proposed structure will have to meet setbacks as it cannot be built to property line as the southern lot is residentially zoned, elevations will be required, furthermore, subdivision process will be required for the construction of the restrooms since the tract where its being proposed it's not subdivided.

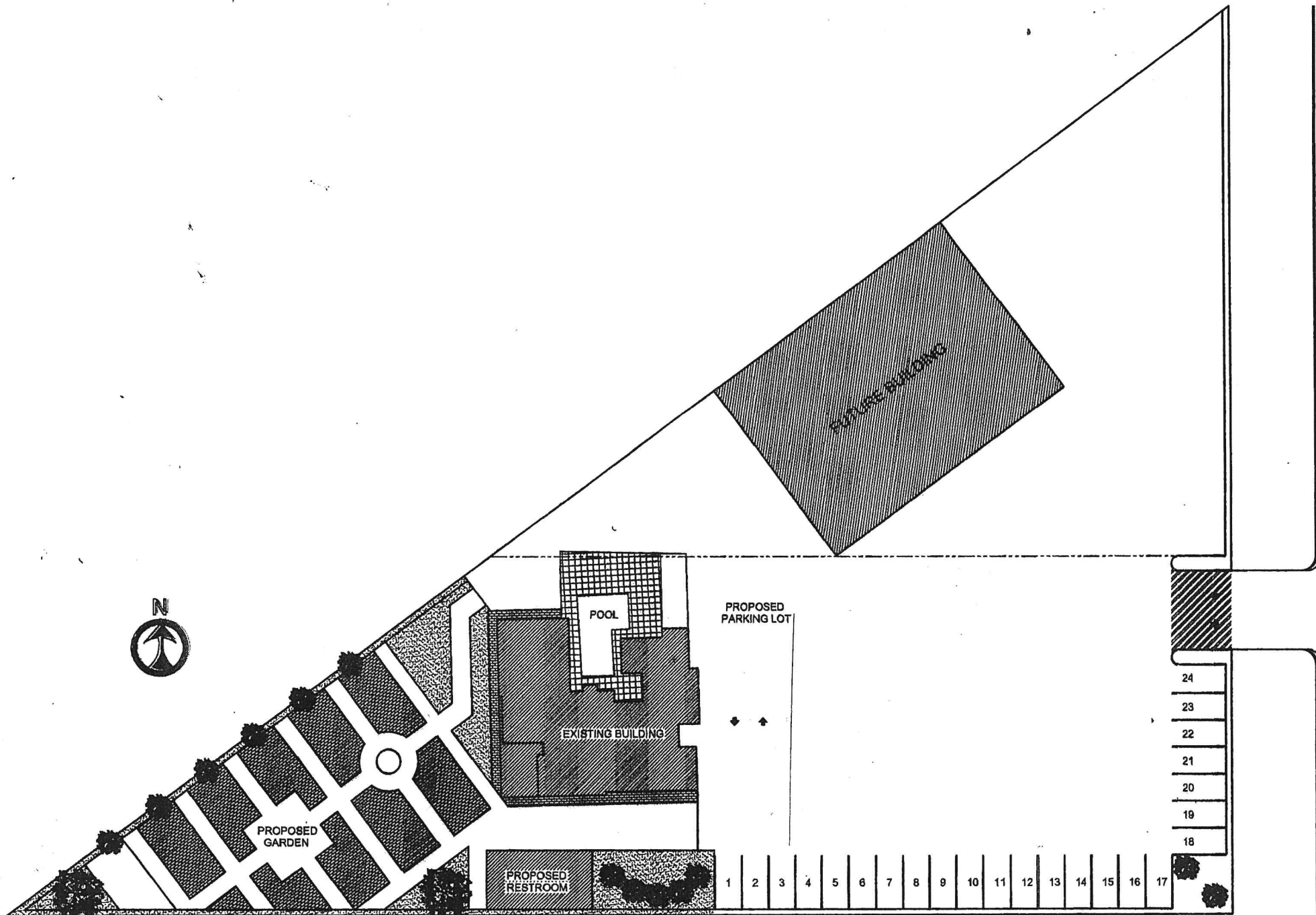
A Site Plan review process will be required because of the location of the subject property.

The Fire Department is pending inspection of the establishment. An inspection by the Health Department was performed, and requirements were satisfactory. The establishment must also meet the requirements set forth in Section 138-118(a)(4) of the Zoning Ordinance and specific requirements as follows:

1. The property line of the lot of any of the above mentioned businesses must be at least 400 ft. from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruption of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The proposed establishment is within 400 ft. from the nearest residentially zoned property and apartment zoned area.
2. The property must be as close as possible to a major arterial and shall not generate traffic onto residential sized streets. The establishment has direct access to South Jackson Street
3. The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance as a minimum, and make provisions to prevent the use of adjacent streets for parking. Based on the square footage of the garden, approximately 11,610 SF, 112 parking spaces are required, only 24 parking spaces are being proposed.
4. The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties.
5. The business shall provide sufficient lighting to eliminate dark areas and maximize visibility from a public street in order to discourage vandalism and criminal activities;
6. The business must make provisions to keep litter to a minimum and keep it from blowing onto adjacent properties; and
7. The above-mentioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Planning Director.

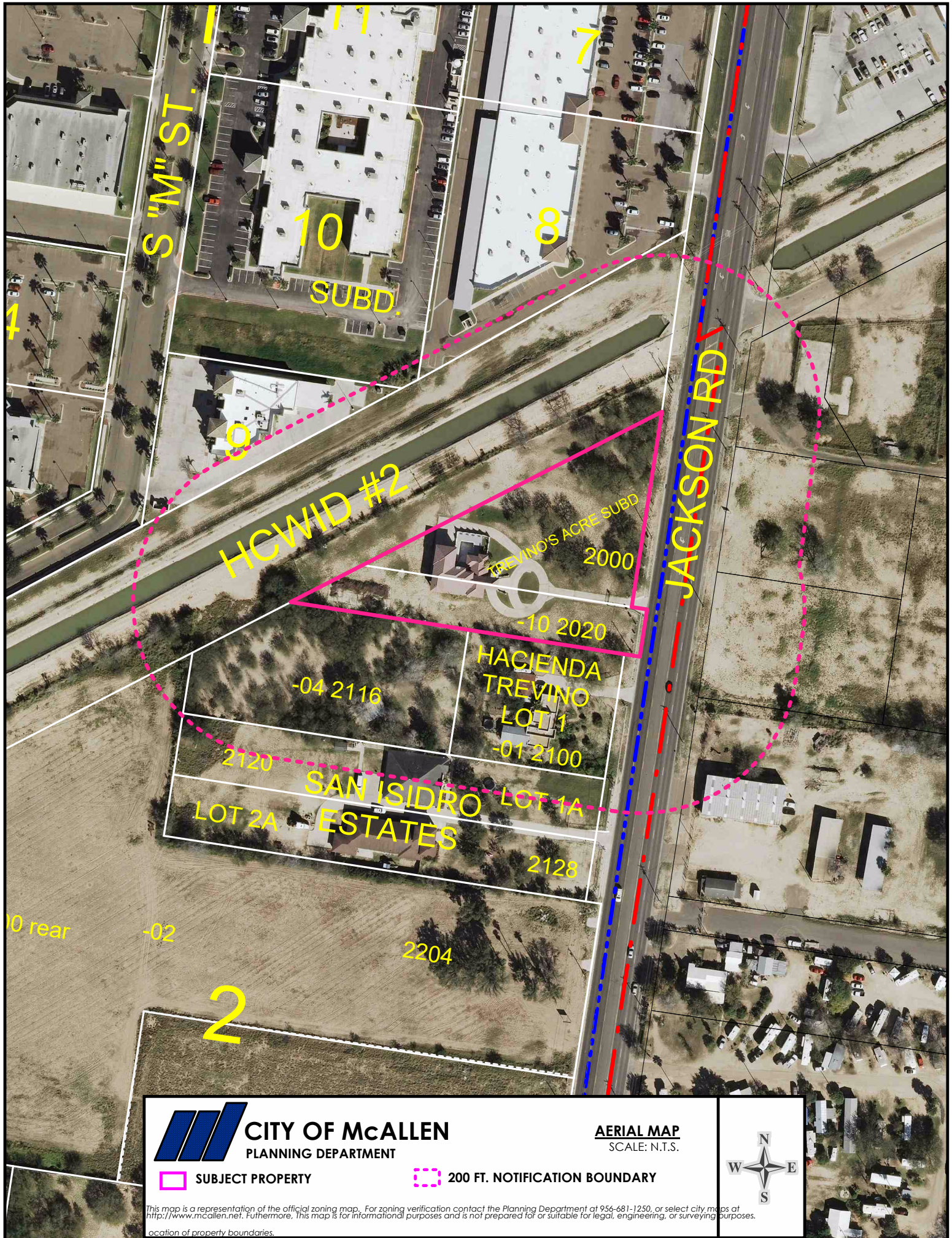
RECOMMENDATION:

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



NOTICE
EVENT CENTER
FOR
THIS PROPERTY
CUP2022-0067



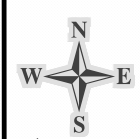


CITY OF McALLEN
PLANNING DEPARTMENT

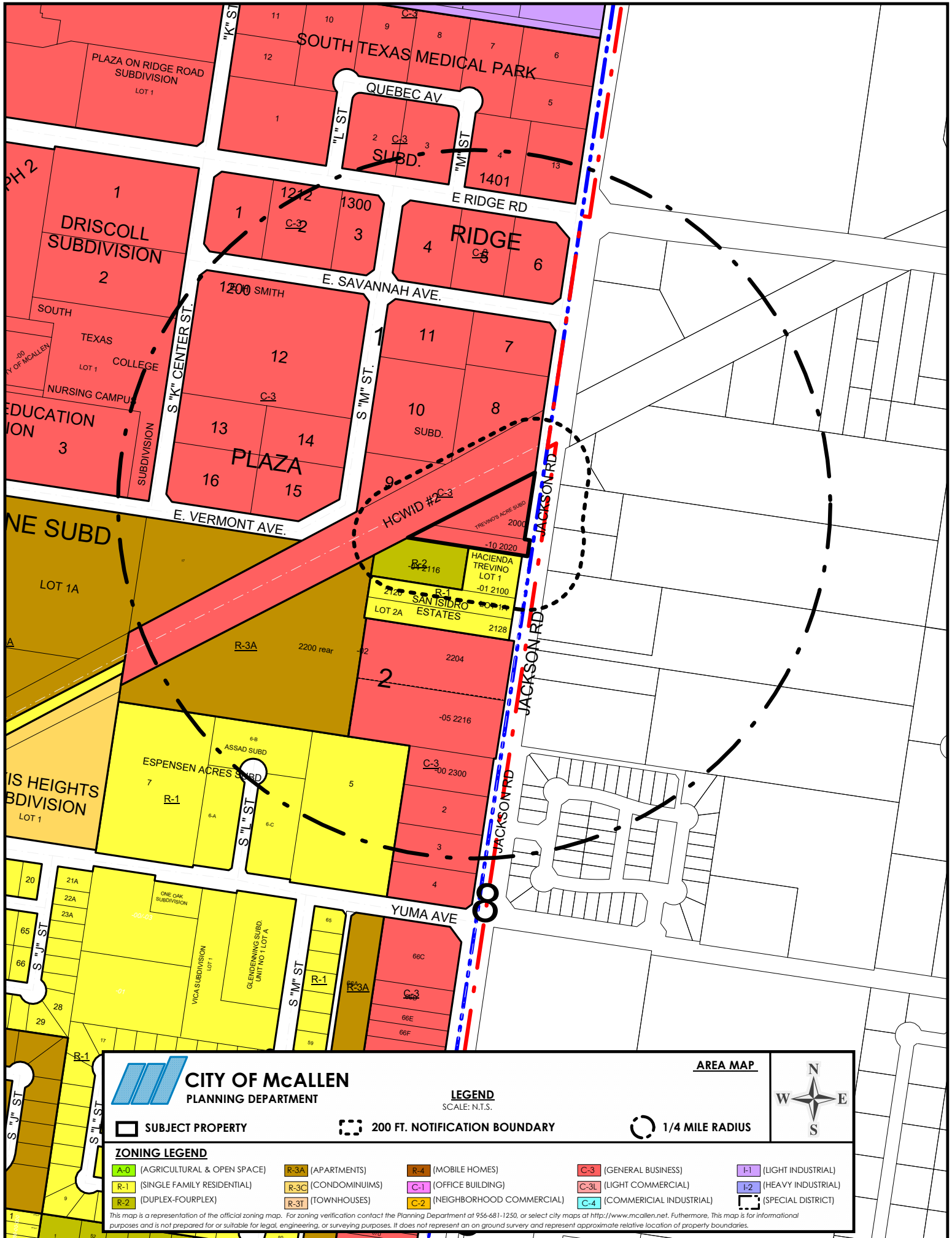
AERIAL MAP
SCALE: N.T.S.

 **SUBJECT PROPERTY**

 **200 FT. NOTIFICATION BOUNDARY**



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.



Planning Department

Memo

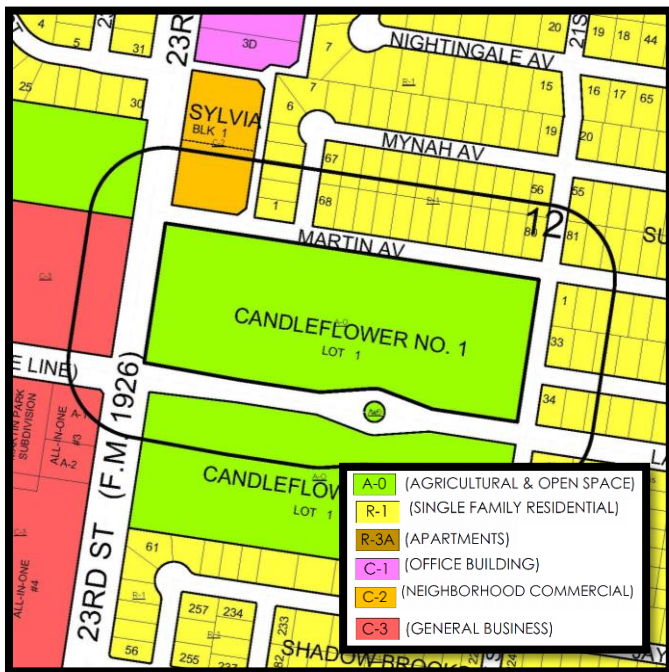
TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: May 26, 2022

SUBJECT: REQUEST OF REVEREND ANDRES E. GUTIERREZ, ON BEHALF OF THE CATHOLIC DIOCESE OF BROWNSVILLE, FOR AN AMENDED CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, FOR AN INSTITUTIONAL USE (CHURCH), AT LOT 1, CANDLEFLOWER UNIT I SUBDIVISION, HIDALGO COUNTY, TEXAS; 2201 MARTIN AVENUE. (CUP2022-0069)

DESCRIPTION: The property is located at the northeast corner of North 23rd Street and Lark Blvd., and is its zoned A-O (agricultural-open space) District. The adjacent zoning is C-3 (general business) District to the west and southwest, R-1 (single-family) District to the north, A-O district to the south and C-2 (neighborhood commercial) District to the northwest. Surrounding land uses include a tortilleria, a convenience store. A church is allowed in an A-O District zone with a conditional use permit and in compliance with requirements.



ANALYSIS: The request is to amend a CUP permit approved by City Commission in 2009 by adding a Rector Building. The proposed 3,354 SF Rectory building consists of 2-car garage, 3 bedrooms living and dining room, a foyer, 2 study rooms, a chapel and a utility storage room. There is no changes to the Church, all previous approved conditions will remain.

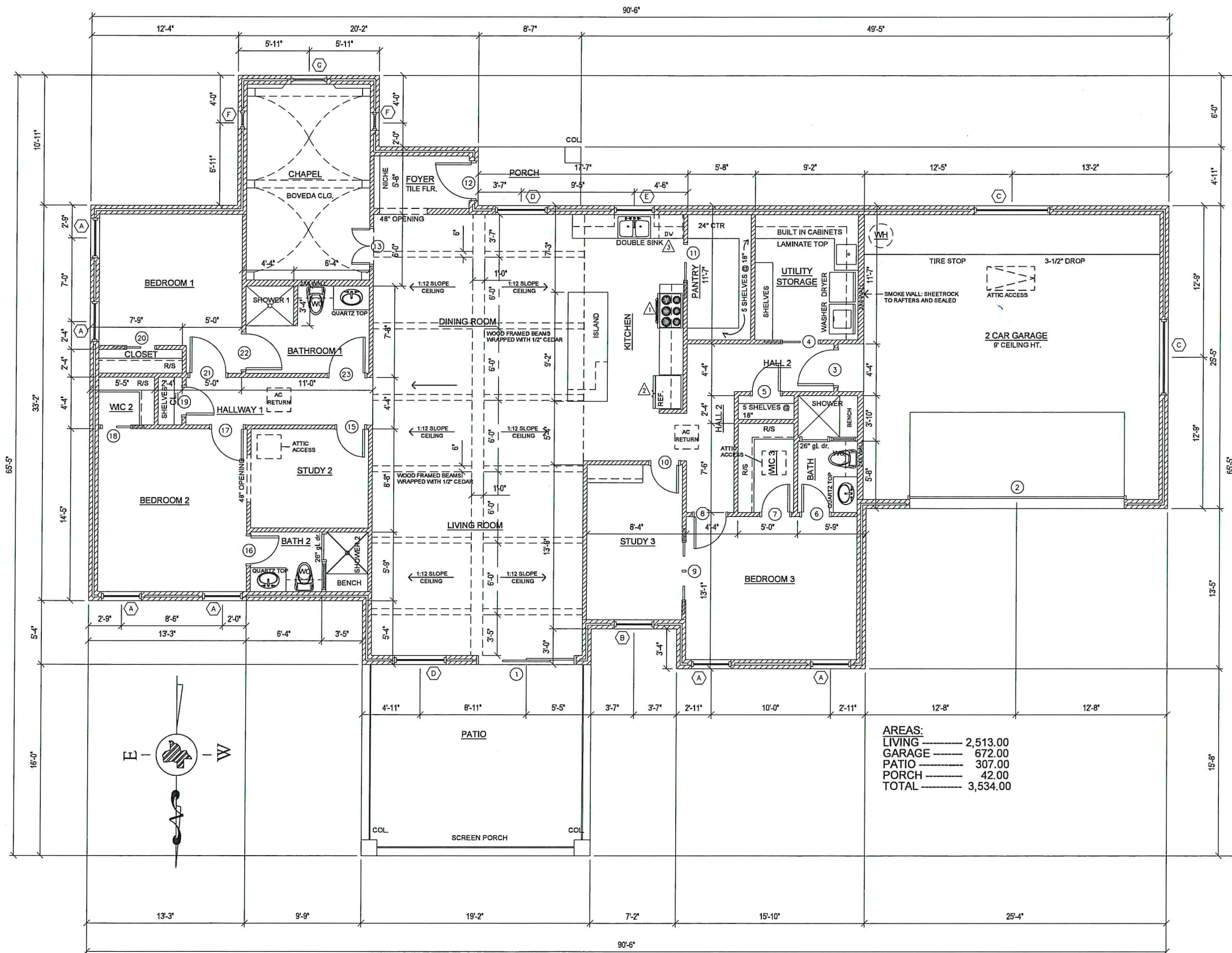
The Fire Department performed inspection and approve to continue with CUP Process and must

comply with IFC 2018 and City Permit conditions. The establishment must also meet the requirements set forth in Section 138-118 of the Zoning Ordinance and specific requirements as follows:

- 1) The proposed use shall not generate traffic onto residential size streets or disrupt residential areas, and shall be as close as possible to a major arterial. The property fronts Martin Avenue and has access to Lark Boulevard.
- 2) The proposed use shall comply with the McAllen Off-Street Parking Ordinance and make provisions to prevent the use of street parking, especially in residential areas. The proposed addition will not increase the parking requirement that was previously approved;
- 3) The proposed use shall prevent the unauthorized parking of its patrons on adjacent businesses or residences by providing fences, hedges or reorientation of entrances and exits;
- 4) The proposed use shall provide sufficient lighting to eliminate dark areas, perimeter fencing, and an orientation of the building to provide maximum visibility from a public street in order to discourage vandalism and criminal activities;
- 5) Provisions shall be made to prevent litter from blowing onto adjacent streets and residential areas;
- 6) The number of persons within the main building shall be determined by the Building Inspections Department and shall maintain the existing seating capacity for the main sanctuary;

RECOMMENDATION:

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

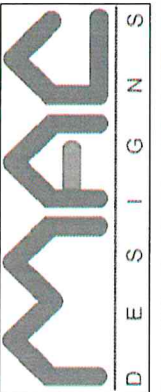


GENERAL NOTES:

1. 3-1/2" OF OPEN CELL INSULATION ON ALL PERIMETER WALLS.
2. 5-1/2" OPEN CELL FOAM INSULATION ON RAFTERS.
3. ROOF FRAMING TO BE PRE-ENGINEERED TRUSSES.
4. ALLOWANCE \$4,500.00 ALLOWANCE FOR SCREEN PATIO.
5. ALL FINISHES, DOORS, WINDOWS, APPLIANCES AND PLUMBING AS PER SCHEDULES.
6. CEDAR BEAMS IN LIVING ROOM TO BE WOOD FRAMED AND WRAPPED IN CEDAR.
7. ALL MECHANICAL, ELECTRICAL, AND PLUMBING TO BE INSTALLED AS PER NATIONAL, STATE, AND LOCAL CODES.

GENERAL NOTES:

- A. THESE PLANS ARE INTENDED TO PROVIDE THE BASIC INFORMATION FOR CONSTRUCTION. THESE PLANS MUST BE VERIFIED AND CHECKED COMPLETELY BY THE GENERAL CONTRACTOR. ANY DISCREPANCY, ERROR AND/OR OMISSION, IF FOUND, IS TO BE BROUGHT IMMEDIATELY TO THE OWNER BEFORE CONSTRUCTION WORK OR PURCHASE IS MADE.
- B. FEDERAL, STATE, COUNTY, AND LOCAL CITY ORDINANCES AND BUILDING CODES TAKE PRECEDENCE OVER ANY PART OF THESE DRAWINGS. ANY CONFLICT MUST BE ADHERED TO THE PROJECT BEFORE AND DURING CONSTRUCTION.



TITLE: FLOOR PLAN

PROJECT: HOLY SPIRIT RECTORY BUILDING
CANDLE FLOWER UT 1 LOT 1 (2201 MARTIN AVE.)
CITY OF MCALLEN, HIDALGO COUNTY TX

DRAWN BY: MAC

CHECKED BY:

DATE: 2/15/22

SCALE: 1/4"=1'-0"

DWG. NO.: RECTORY


ENTERED

MAY 04 2022


Initial: *aw*

32. COUNTERPARTS, ONE AGREEMENT: This agreement and all other copies of this agreement, insofar as they relate to the rights, duties, and remedies of the parties, shall be deemed to be one agreement. This agreement may be executed concurrently in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

CONTRACTOR:

BY: 
Macario Garcia
Riverside Development Services.

OWNER:

BY: 
Reverend Andy Gutierrez
Holy Spirit Church

I, **BISHOP DANIEL E. FLORES**, hereby confirm that Reverend Andy Gutierrez is Pastor of the Parish and is authorized to execute this contract on behalf of the Parish as OWNER.


BISHOP DANIEL E. FLORES

**NOTICE
INSTITUTIONAL
USE
FOR
THIS PROPERTY
CUP2022-0069**

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



Planning Department

Memo

TO: Planning and Zoning Commission

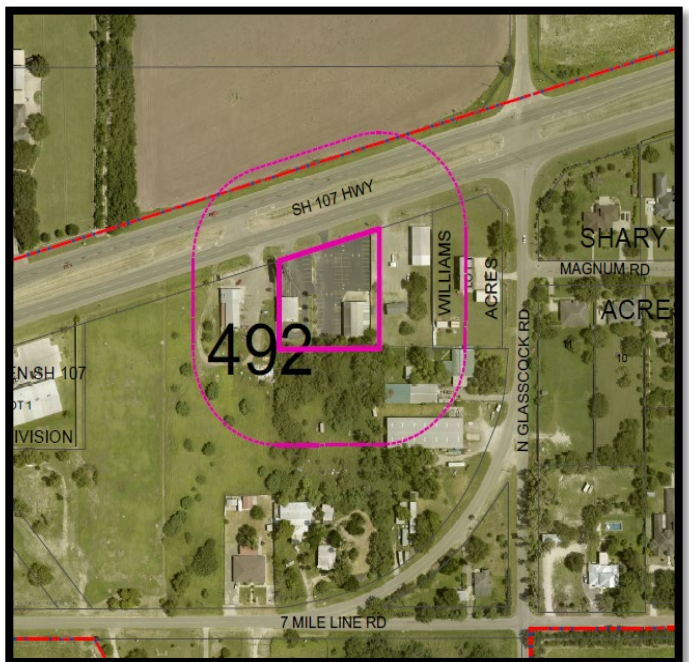
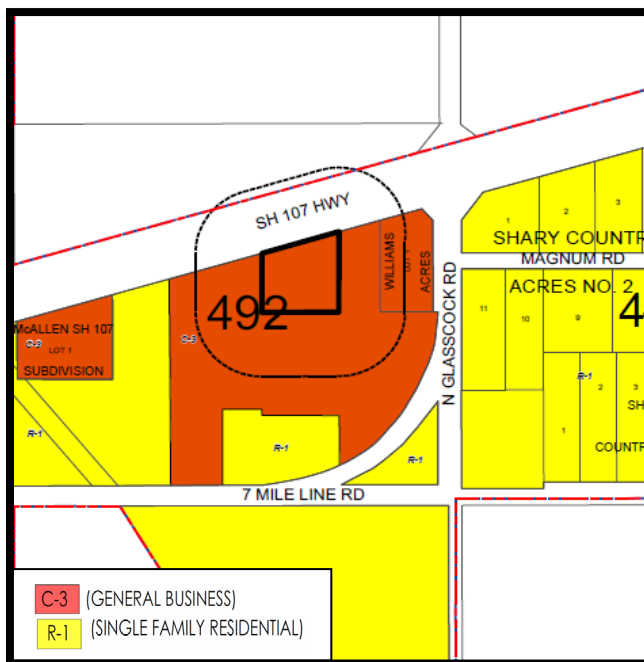
FROM: Planning Staff

DATE: May 20, 2022

SUBJECT: REQUEST OF JOURNEY CHURCH RGV FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, AND ADOPTION OF AN ORDINANCE FOR AN INSTITUTIONAL USE (CHURCH), AT A 1.10 ACRE TRACT OF LAND OUT OF LOT 492, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS, 6925 STATE HIGHWAY 107. (CUP2022-0068).

BRIEF DESCRIPTION:

The property is located on the south side of State Highway 107, west of North Glasscock Road, and is zoned C-3 (general business) District. The adjacent zoning is R-1 (single family residential) to the south, and west. Surrounding land uses include a propane business and drive-thru convenient store. A church is permitted in a C-3 zone with a Conditional Use Permit and in compliance with the requirements.



HISTORY:

This will be the first request for a Conditional Use Permit for a church at this location.

REQUEST/ANALYSIS:

The applicant is proposing to operate a church from an existing 4,000 square foot building that previously served as a bar. The applicant is proposing to remodel the interior area of the existing building to include a seating area and a stage. The hours of operation of the church (Journey Church RGV) will be from 9 a.m. to 9 p.m. Sundays and Wednesdays, from 9 a.m. to 5 p.m. on Tuesday, Thursday and Friday and from 9 a.m. to 12 p.m. on Saturdays. The adjacent building on the property is not part of this request.

Based on the 180 proposed seats in the main sanctuary, 45 parking spaces are required of which 2 parking spaces must be accessible with an 8 foot aisle. There are 49 total parking spaces proposed with 2 accessible parking spaces.

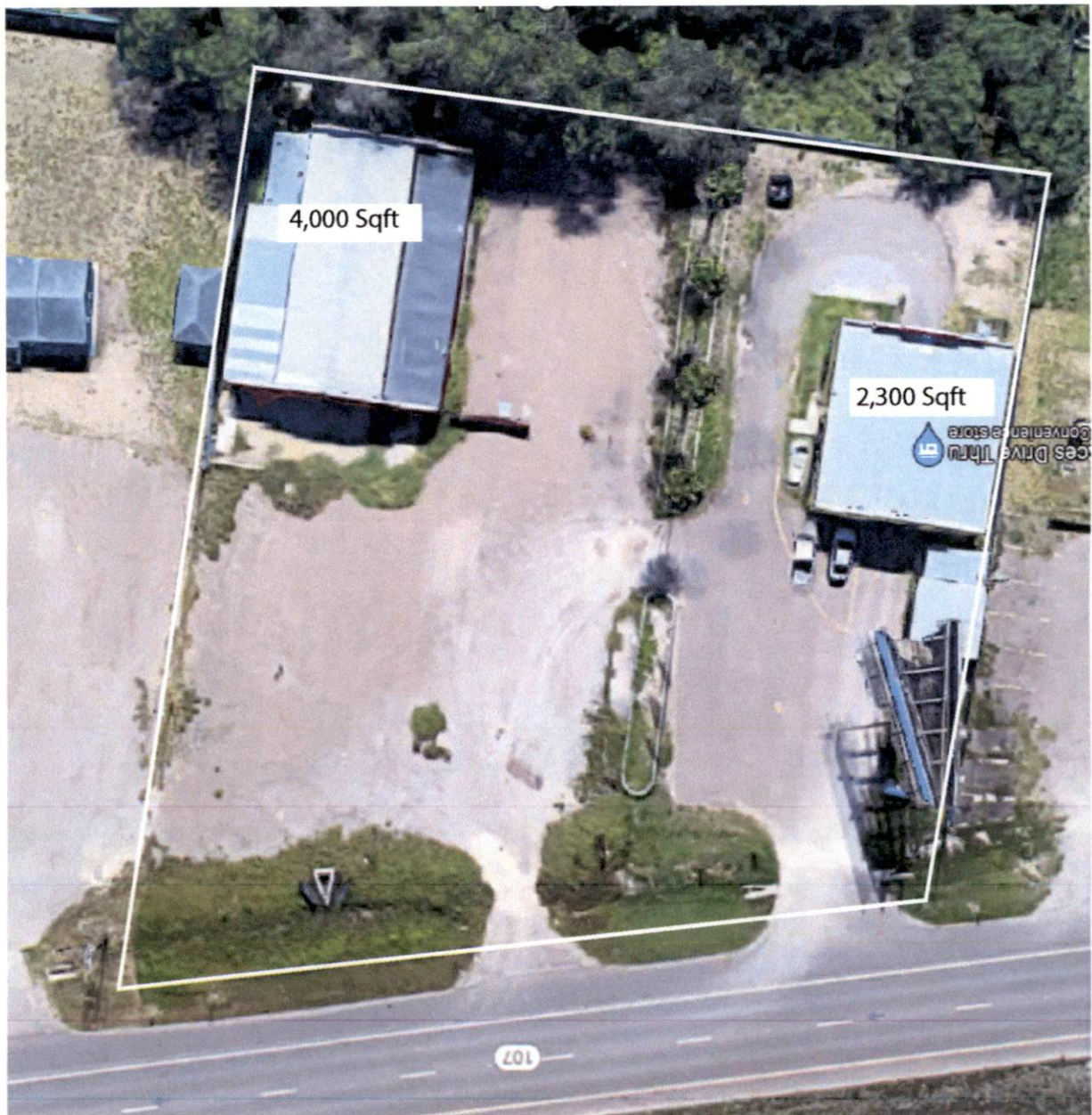
The Fire Department is pending to conduct the necessary inspection. Should the conditional use permit be approved, the applicant would be required to sign the application acknowledging and agreeing to all conditions of the permit. The proposed use must also comply with the zoning ordinance and specific requirements as follows:

- 1) The proposed use shall not generate traffic onto residential size streets or disrupt residential areas, and shall be as close as possible to a major arterial. The property fronts State Highway 107.
- 2) The proposed use shall comply with the McAllen Off-Street Parking Ordinance and make provisions to prevent the use of street parking, especially in residential areas. Based on the seating area of 180 seats, 45 parking spaces are required; 49 parking spaces are provided on site including 2 handicap spots. The parking lot is in good condition and in compliance with city requirements.
- 3) The proposed use shall prevent the unauthorized parking of its patrons on adjacent businesses or residences by providing fences, hedges or reorientation of entrances and exits;
- 4) The proposed use shall provide sufficient lighting to eliminate dark areas, perimeter fencing, and an orientation of the building to provide maximum visibility from a public street in order to discourage vandalism and criminal activities;
- 5) Provisions shall be made to prevent litter from blowing onto adjacent streets and residential areas.

RECOMMENDATION:

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

6925 Hwy 107 McAllen, Tx



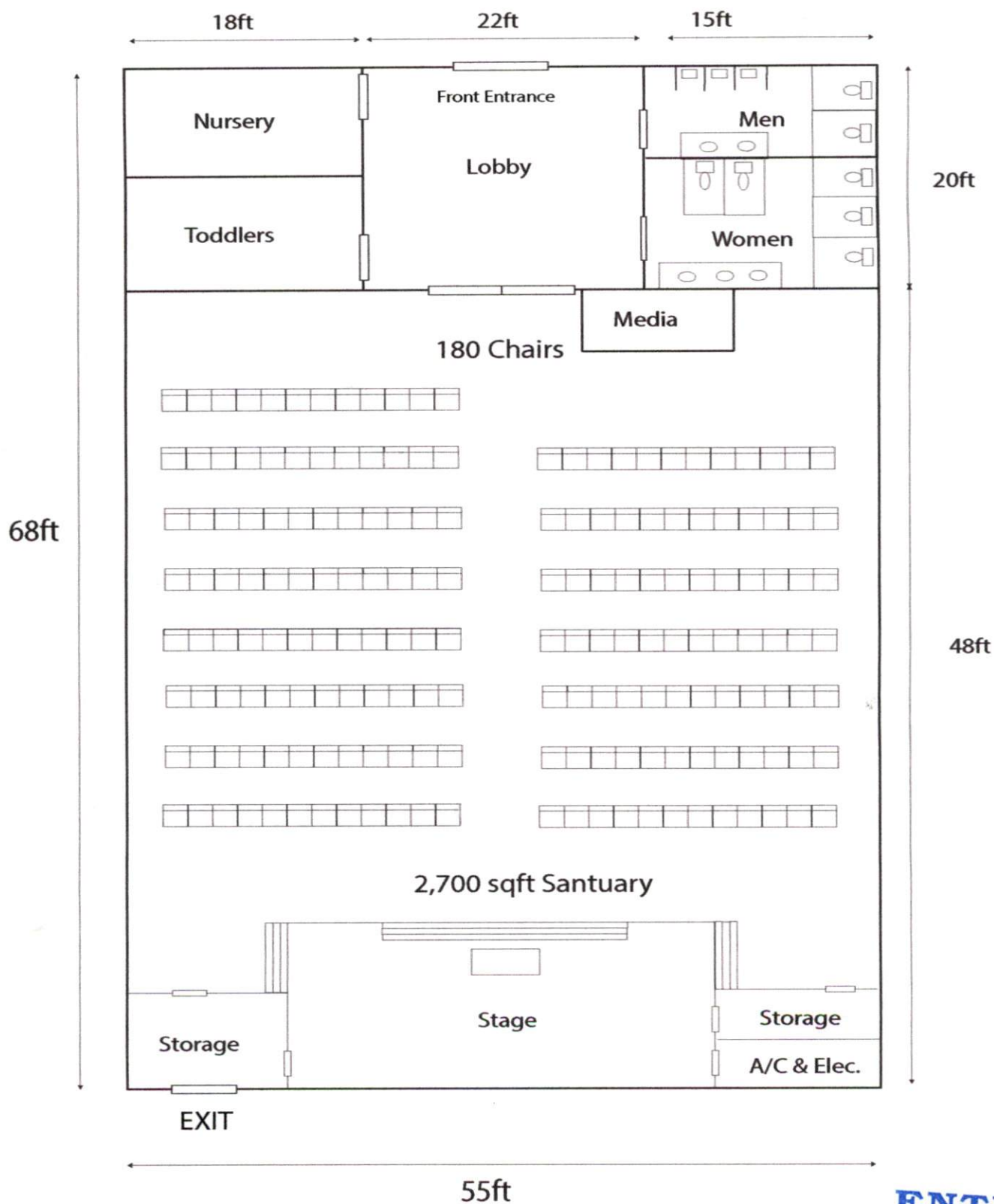
ENTERED

MAY 03 2022

Initial:

AK

Layout Option-1



ENTERED

MAY 03 2022

Initial: *AM*

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

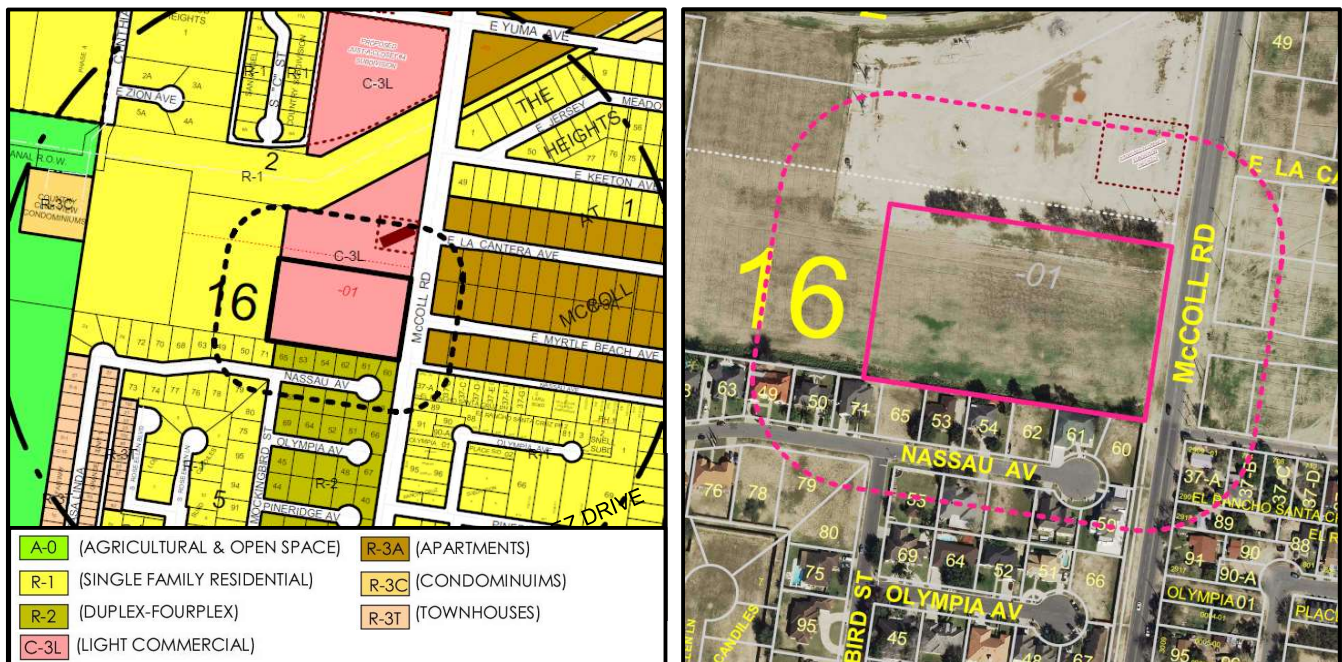
DATE: June 1, 2022

SUBJECT: REZONE FROM C-3L (LIGHT COMMERCIAL) DISTRICT TO R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT: 3.78 ACRES OUT OF LOT 2, BLOCK 16, STEELE AND PERSHING SUBDIVISION, HIDALGO COUNTY, TEXAS; 2800 SOUTH MCCOLL ROAD. (REZ2022-0016)

LOCATION: The property is located on the west side of South McColl Road, approximately 930 ft. south of East Yuma Avenue. The tract has 319.37 ft. of frontage along South McColl Road with a depth of 515 ft. for a lot size of 3.78 acres.

PROPOSAL: The applicant is requesting to rezone the property to R-1 (single-family residential) District in order to construct single-family residences. A feasibility plan has not been submitted.

ADJACENT ZONING: The adjacent zoning is C-3L (light commercial) District to the north, R-1 (single-family residential) District to the west, R-2 (duplex-fourplex residential) District to the south, and R3A (multifamily residential apartment) District to the east.



LAND USE: The property is currently vacant. Surrounding land uses include single-family residences, fourplexes, townhouses, Just a Closet Self-storage, and vacant land.

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

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

HISTORY: The tract was annexed into the city and initially zoned R-1 District on November 27, 1995. A rezoning request to C-3L District for the subject property was approved on August 26, 2002 by the City Commission. There has been no other rezoning request for the subject property since then.

ANALYSIS: The downzoning request conforms to the Auto Urban Single Family land use designation as indicated on the Foresight McAllen Comprehensive Plan.

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 a phone call or email in opposition to the rezoning request.

RECOMMENDATION: Staff recommends approval of the rezoning request to R-1 (single-family residential) District since it is a downzoning request which conforms to the land use designation on the Foresight McAllen Comprehensive Plan.

REMAINDER OF A 3.09 ACRE TRACT
OUT OF LOT 2, BLOCK 16, STEELE
AND PERSHING SUBDIVISION,
INSTRUMENT NO. 2832264 O/R

A 2.32 ACRE TRACT OUT OF
LOT 2, BLOCK 16 INST. NO.
3230688 O/R

S81°24'09"E

515.0'

319.37'

N08°35'51"E

3.78 ACRES OUT OF LOT 2, BLOCK 16,
STEELE AND PERSHING SUBDIVISION,
ACCORDING TO MAP RECORDED IN
VOLUME 8, PAGE 115, DEED RECORDS

319.37'

S08°35'51"W

S. McCOLL RD

100' R.O.W.

150

149

148

117

118

119

E. MYRTLE BEACH AVE.

116

115

114

N81°24'09"W

515.0'

N81°24'09"W

SE Corner Lot 2 P.O.C.

NASSAU AVE.

49

50

71

65

53

54

62

61

FAIRWAY GRANDE VILLAGE UNIT No. 2
Vol. 19, Pg. 174, M/R

60

37-A

37-B

37-D

37

EL RANCHO SANTA
CRUZ SUB'D
PHASE I

Vol. 25, Pg. 84-A, M/R

89

Date: APRIL 19, 2022
Scale: 1" = 100'

MAP OF



A 3.78 ACRE TRACT OF LAND OUT OF LOT 2, BLOCK 16,
STEELE AND PERSHING SUBDIVISION, ACCORDING TO MAP
RECORDED IN VOLUME 8, PAGE 115, DEED RECORDS,
HIDALGO COUNTY, TEXAS

Sheet No.

Prepared by:

Spoor Engineering Consultants, Inc.

Consulting Engineers - Civil Land Planning

FIRM # F-6003

202 South 4th. Street McAllen, Texas 78501

SEC@spooreng.com

(956) 683 1000



ENTERED

MAY 03 2022

un

OLYMPIA PLACE

A 3.78 ACRE TRACT OF LAND OUT OF LOT 2, BLOCK 16, STEELE AND PERSHING SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO PLAT RECORDED IN VOLUME 8, PAGE 115, DEED RECORDS, HIDALGO COUNTY, TEXAS;

BEGINNING at a point on the South line of Lot 2, North 81 Deg. 24 Min. 09 Sec. West, 50.0 feet from the Southeast corner of Lot 2, for the Southeast corner of the following described tract of land;

THENCE, with the South line of Lot 2, North 81 Deg. 24 Min. 15 Sec. West, 515.0 feet to a point for the Southwest corner hereof;

THENCE, parallel to the East line of Lot 2, North 08 Deg. 35 Min. 45 Sec. East, 319.37 feet to a point for the Northwest corner hereof;

THENCE, parallel to the South line of Lot 2, South 81 Deg. 24 Min. 09 Sec. East, 515.0 feet to a point for the Northeast corner hereof; said point being on the West line of South McColl Road;

THENCE, with the West line of South McColl Road, South 08 Deg. 35 Min. 45 Sec. West, 319.37 feet to the POINT OF BEGINNING; containing 3.78 acres of land, more or less.



SPOOR ENGINEERING CONSULTANTS, INC.
Registration # F-6003

ENTERED

MAY 03 2022

Initial: AK

**NOTICE
REZONING
FOR
THIS PROPERTY
REZ2022-0016**



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



Planning Department

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

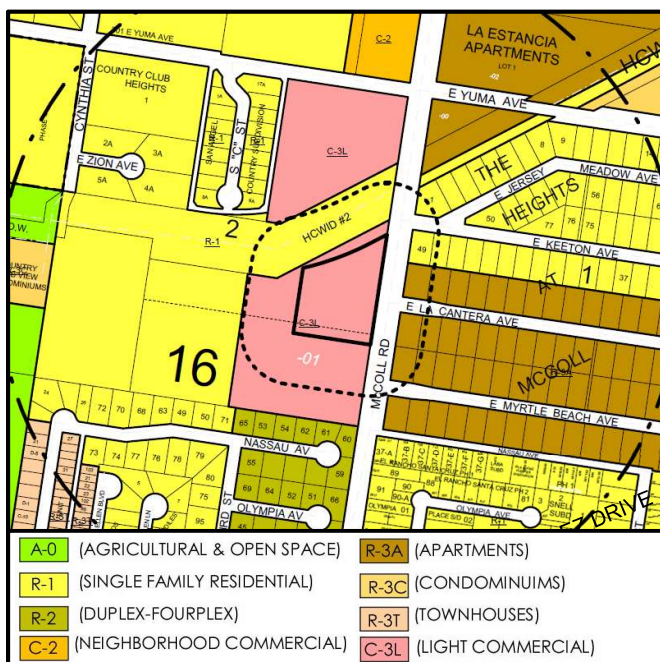
DATE: June 1, 2022

SUBJECT: REZONE FROM C-3L (LIGHT COMMERCIAL) DISTRICT TO R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT: 2.32 ACRES OUT OF LOT 2, BLOCK 16, STEELE AND PERSHING SUBDIVISION, HIDALGO COUNTY, TEXAS; 2700 SOUTH MCCOLL ROAD. (REZ2022-0017)

LOCATION: The property is located on the west side of South McColl Road, approximately 500 ft. south of East Yuma Avenue. The irregularly shaped tract has 431.84 ft. of frontage along South McColl Road with a depth of 302.77 ft. at its deepest point for a lot size of 2.32 acres.

PROPOSAL: The applicant is requesting to rezone the property to R-1 (single-family residential) District in order to construct single-family residences. A proposed subdivision under the name of Florencia Subdivision will be heard in revised preliminary form by the Planning and Zoning Commission on June 7, 2022.

ADJACENT ZONING: The adjacent zoning is C-3L (light commercial) District to the north, west, and south, R3A (multifamily residential apartment) District to the east, and R-1 (single-family residential) District to the northeast.



LAND USE: The property is currently vacant. Surrounding land uses include single-family residences, fourplexes, townhouses, Just a Closet Self-storage, and vacant land.

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

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

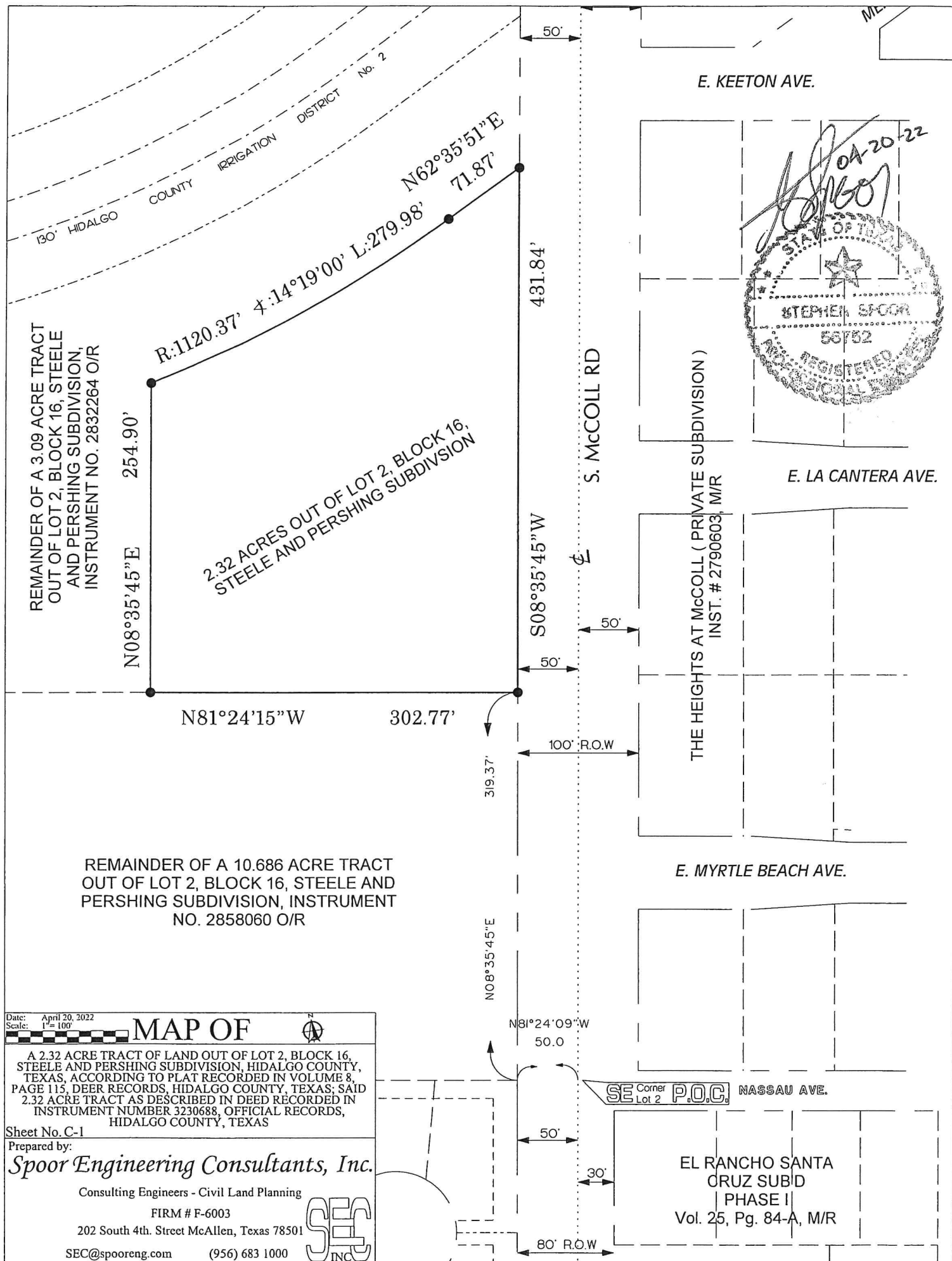
HISTORY: The tract was annexed into the city and initially zoned R-1 District on November 27, 1995. A rezoning request to C-3L District for the subject property was approved on August 26, 2002 by the City Commission. There has been no other rezoning request for the subject property since then.

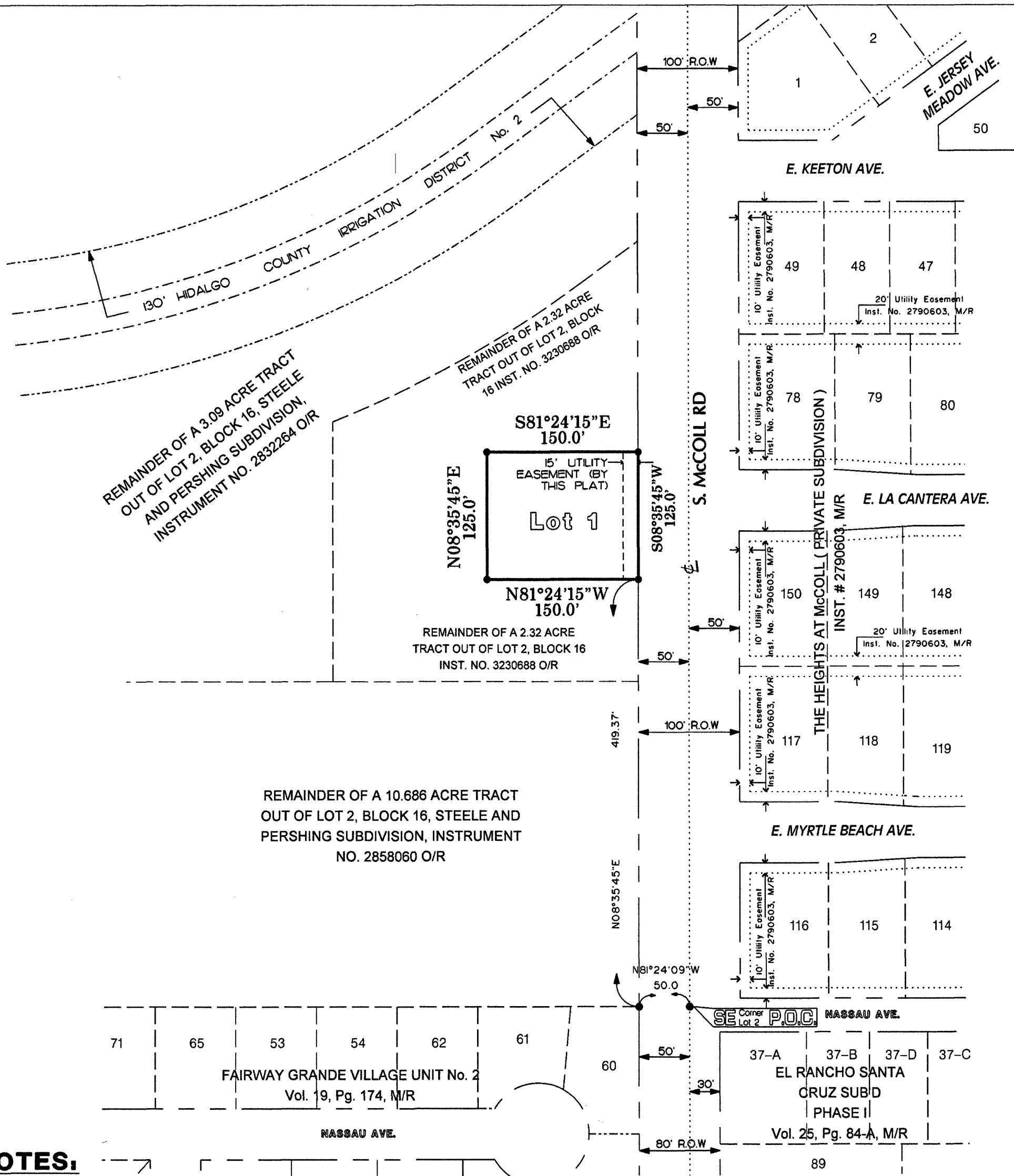
ANALYSIS: The downzoning request conforms to the Auto Urban Single Family land use designation as indicated on the Foresight McAllen Comprehensive Plan.

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 a phone call or email in opposition to the rezoning request.

RECOMMENDATION: Staff recommends approval of the rezoning request to R-1 (single-family residential) District since it is a downzoning request which conforms to the land use designation on the Foresight McAllen Comprehensive Plan.





NOTES.

- 1) MINIMUM BUILDING SETBACK SHALL BE AS FOLLOWS:
A.- FRONT: -50 FT. OR GREATER FOR EASEMENT
B.- REAR: -10 FT. OR GREATER FOR EASEMENT
C.- INTERIOR SIDES: -6 FT. OR GREATER FOR EASEMENT
D.- GARAGE: - 18 FT. EXCEPT WHERE GREATER SETBACK IS REQUIRED, GREATER SETBACK APPLIES.
- 2) MINIMUM FINISH FLOOR ELEVATION SHALL BE 18 INCHES ABOVE TOP OF CURB MEASURED AT CENTER OF LOT.
- 3) THIS PROPERTY FALLS IN ZONE "B" OF THE FLOOD INSURANCE RATE MAP, PANEL NO. 480343 000C, REVISED NOV. 2, 1982.
- 4) A 6' BUFFER OPAQUE IS REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL OR INDUSTRIAL ZONES/USES. AN 8' MASONRY WALL IS REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL OR MULTI-FAMILY RESIDENTIAL ZONES/USES.
- 5) 4.0' SIDEWALK REQUIRED ALONG S. McCOLL ROAD
- 6) OWNER IS REQUIRED TO PROVIDE AN ENGINEERED STORM WATER DETENTION PLAN APPROVED BY THE CITY OF McALLEN ENGINEERING DEPT. PRIOR TO ISSUANCE OF BUILDING PERMIT.
- 7) STORM WATER DETENTION OF 8700 CUBIC FEET OR 0.20 AC-FT SHALL BE REQUIRED FOR THIS SUBDIVISION.
- 8) BENCHMARK- STATION NAME: MC- 79 SET BY ARANDA & ASSOCIATES, LOCATED AT THE NORTHEAST CORNER OF McCOLL RD. AND U.S. BUSINESS 83. ELEV.: 1620.0 (NAVD83)
- 9) THE DEVELOPER SHALL BE RESPONSIBLE FOR DETAINING AND ACCOMMODATING MORE THAN THE DETAINED VOLUME SHOWN ON THIS PLAT IF IT IS DETERMINED, AT THE PERMIT STAGE, THAT THE DETENTION REQUIREMENTS ARE GREATER THAN STATED ON THIS PLAT. DUE TO THE IMPERVIOUS AREA BEING GREATER THAN THE PLAT ENGINEER CONSIDERED IN THE HYDRAULIC CALCULATIONS FOR THIS SUBDIVISION.

METES & BOUNDS

A 0.43 ACRE TRACT OF LAND OUT OF A CERTAIN 2.32 ACRE TRACT OF LAND OUT OF LOT 2, BLOCK 16, STEELE AND PERSHING SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO PLAT RECORDED IN VOLUME 8, PAGE 115, DEED RECORDS, HIDALGO COUNTY, TEXAS; SAID 2.32 ACRE TRACT AS DESCRIBED IN DEED RECORDED IN INSTRUMENT NUMBER 3230688, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS;

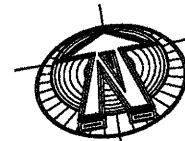
BEGINNING at a point on the East line of said 2.32 acre tract, North 08 Deg. 35 Min. 45 Sec. East, 100.0 feet from the Southeast corner of said 2.32 acre tract, for the Southeast corner of the following described tract of land, said point located North 81 Deg. 24 Min. 09 Sec. West, 50.0 feet and North 08 Deg. 35 Min. 45 Sec. East, 419.37 feet from the Southeast corner of Lot 2, Block 16; said point being on the West line of South McColl Road;

THENCE, parallel to the South line of said 2.32 acre tract, North 81 Deg. 24 Min. 15 Sec. West, 150.0 feet to a point for the Southwest corner hereof;

THENCE, parallel to the East line of said 2.32 acre tract, North 08 Deg. 35 Min. 45 Sec. East, 125.0 feet to a point for the Northwest corner hereof;

Thence, parallel to the South line of said 2.32 acre tract, South 81 Deg. 24 Min. 15 Sec. East, 150.0 feet to a point on the East line of said 2.32 acre tract, for the Northeast corner hereof; said point being on the West line of South McColl Road;

THENCE, with the East line of said 2.32 acre tract, and the West line of South McColl Road, South 08 Deg. 35 Min. 45 Sec. West, 125.0 feet to the POINT OF BEGINNING, containing 0.43 acres of land, more or less.



Sep. 30, 2021
Scale: 1"=100'

MAP OF FLORENCIA SUBDIVISION

McALLEN, TEXAS

BEING A SUBDIVISION OF A 0.43 ACRE TRACT OF LAND, OUT OF A 2.32 AC. TRACT OF LAND OUT OF LOT 2, BLOCK 16, STEELE & PERSHING SUBDIVISION, HIDALGO COUNTY, TEXAS. ACCORDING TO PLAT RECORDED IN VOL. 8, PG. 115, DEED RECORDS, HIDALGO COUNTY, TEXAS.

STATE OF TEXAS:
COUNTY OF HIDALGO:

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

STATE OF TEXAS:
COUNTY OF HIDALGO:

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

By: Patricia Lorenzo
2301 Tanglewood Lane,
Weslaco, Texas 78596

NOTARY PUBLIC

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

CHAIRMAN, PLANNING COMMISSION

DATE

STATE OF TEXAS:
COUNTY OF HIDALGO:

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

CARLOS VASQUEZ, RPLS 4608
CIVIL LAND SURVEYOR
517 BEAUMONT AVE.
McALLEN, TEXAS 78501
TBEPLS FIRM # 1019600

DATE

STATE OF TEXAS:
COUNTY OF HIDALGO:

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



REGISTERED PROFESSIONAL ENGINEER
P. E. REGISTRATION No. 56732

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

MAYOR, CITY OF McALLEN

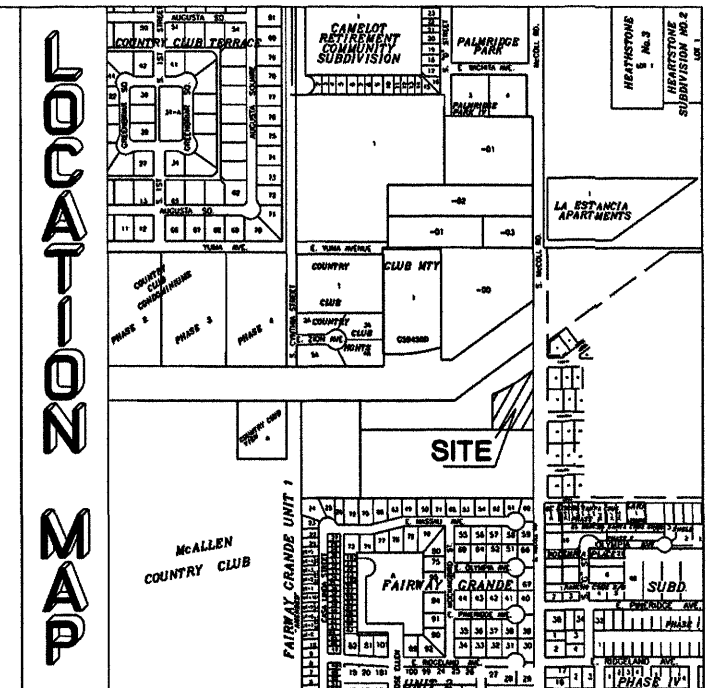
DATE

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 HEREBY CERTIFIES THAT THE DRAINAGE PLANS FOR THIS SUBDIVISION COMPLY WITH THE MINIMUM STANDARDS OF THE DISTRICT ADOPTED UNDER TEX. WATER CODE 49.216(g) THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES DESCRIBED ARE APPROPRIATE FOR THE SPECIFIC SUBDIVISION, BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA. IT IS THE RESPONSIBILITY OF THE DEVELOPER OF THE SUBDIVISION AND ITS ENGINEER TO MAKE THESE DETERMINATIONS.

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

BY: RAIL E. SESIN, P.E., CFM
GENERAL MANAGER

DATE



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



**NOTICE
REZONING
FOR
THIS PROPERTY
REZ2022-0017**

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



Planning Department

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

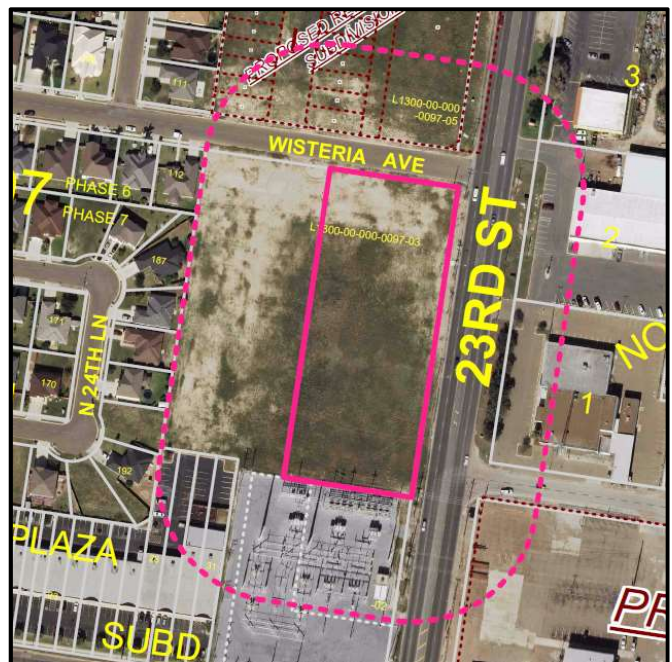
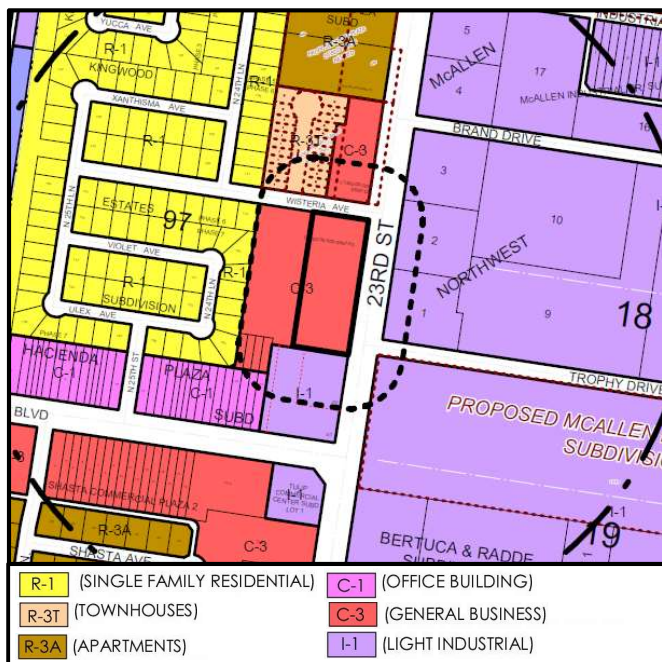
DATE: May 31, 2022

SUBJECT: REZONE FROM C-3 (GENERAL BUSINESS) DISTRICT TO I-1 (LIGHT INDUSTRIAL) DISTRICT: 2.683 ACRES OUT OF LOT 97, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS; 4801 NORTH 23RD STREET. (REZ2022-0018)

LOCATION: The property is located on the southwest corner of North 23rd Street and Wisteria Avenue, approximately 330 ft. north of Buddy Owens Boulevard. The property is a corner lot with 502.65 feet of frontage along North 23rd Street and 232.5 feet of depth fronting Wisteria Avenue for a lot size of 2.683 acres.

PROPOSAL: The applicant is requesting to rezone the property to I-1 (light industrial) District for a battery storage energy facility. The feasibility plan submitted by the applicant is included in the packet.

ADJACENT ZONING: The adjacent zoning is C-3 (general business) District to the north and west, R-3T (multifamily residential townhouse) District to the northwest, and I-1 District to the east and south.



LAND USE: The property is currently vacant. Surrounding land uses include an AEP substation, single-family residences, La Casa De Mi Padre Church, warehouses, commercial plazas, and vacant land.

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

DEVELOPMENT TRENDS: The development trend for this area along North 23rd Street is commercial and warehouse.

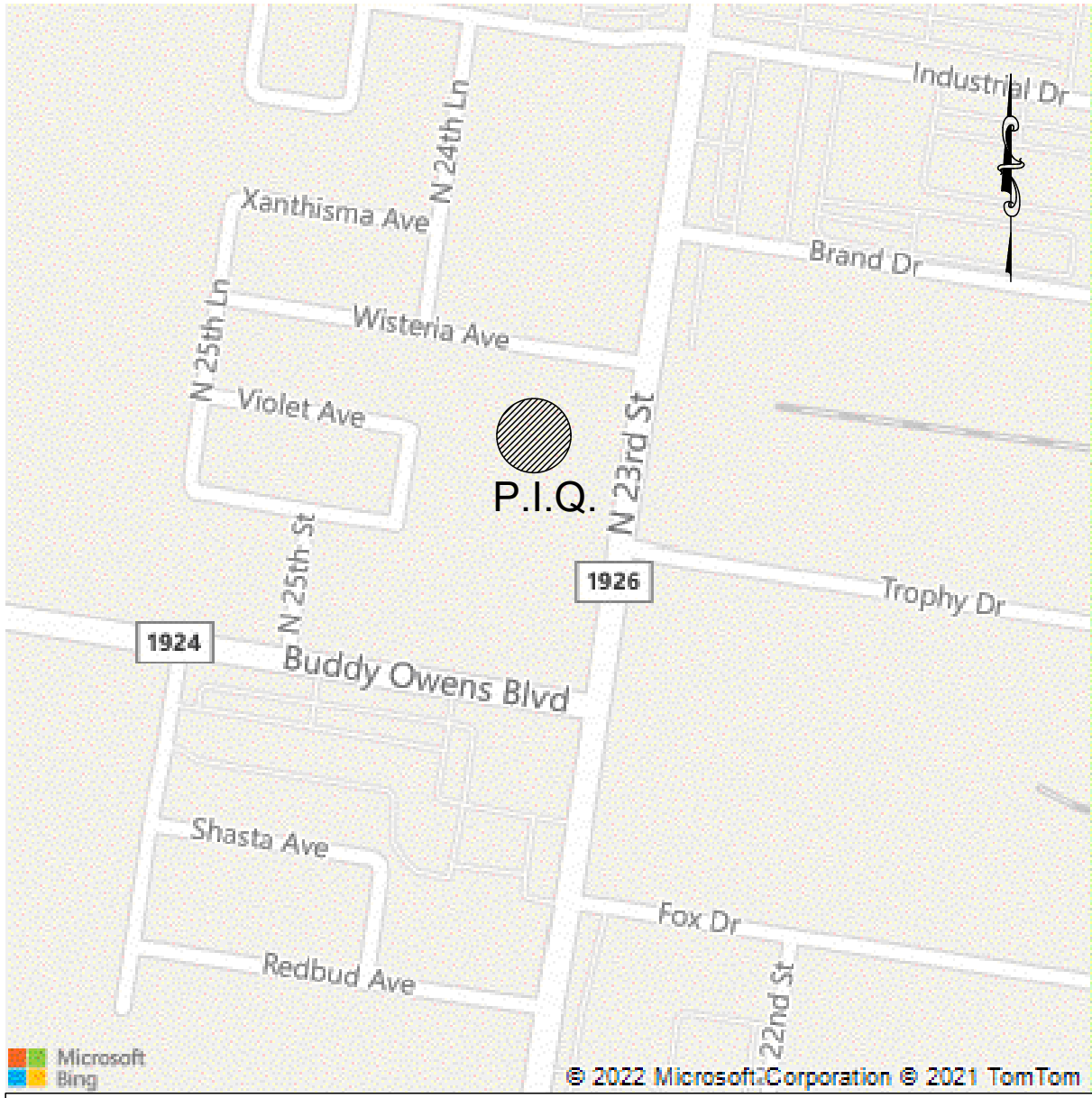
HISTORY: The property was zoned I-1 (light industrial) District during the comprehensive zoning in 1979. A rezoning request to C-3 District for the subject property was approved by the City Commission on April 8, 2002. A rezoning request to I-1 District for a 4.939 acre-tract of land, encompassing the subject property, was submitted on April 7, 2022, but was withdrawn before it was heard by the Planning and Zoning Commission. Subsequently, the current rezoning request for a 2.683 acre-tract of land keeping a 200.5 ft. of buffer from the residential lots to the west was submitted on May 4, 2022.

ANALYSIS: The requested zoning does not conform to the Auto Urban Commercial land use designations as indicated on the Foresight McAllen Comprehensive Plan. However, it is compatible with the surrounding zoning and uses in this area on North 23rd Street. An AEP substation is located adjacent to the south side of the subject property. The current rezoning request keeps a 200.5 ft. buffer of C-3 (general business) District between the residential lots to the west and the subject property.

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

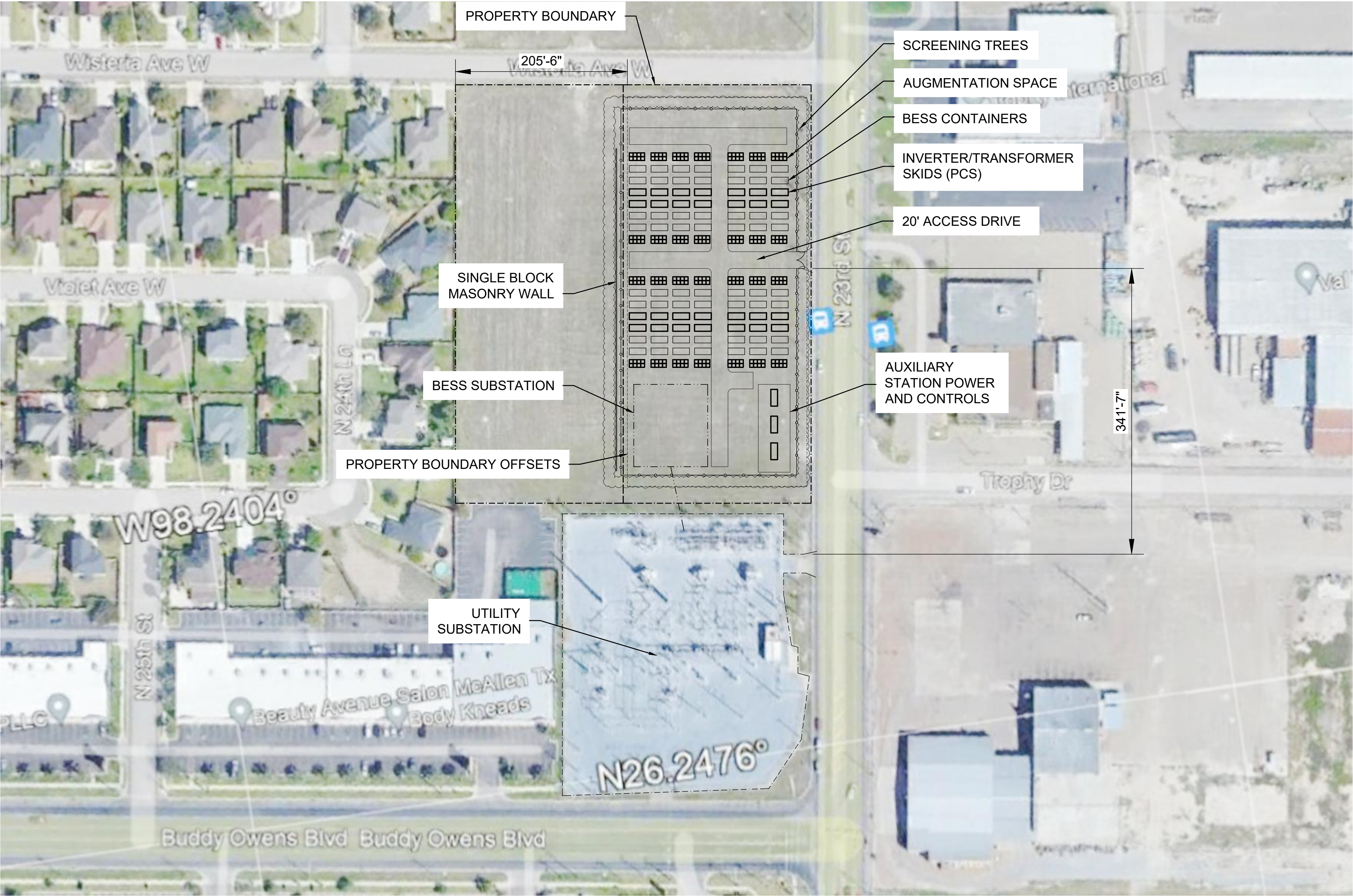
Staff has not received any phone calls or emails in opposition to the rezoning request.

RECOMMENDATION: Staff recommends approval of the rezoning request to I-1 (light industrial) District since it is compatible with the adjacent zoning and uses and keeps a commercial buffer between the proposed use and single-family residential zone to the west.



LOCATION MAP:

SITE PLAN/LAYOUT IS REPRESENTATIVE FOR INTERCONNECTION APPROVAL ONLY. NOT FOR CONSTRUCTION.



SMT MCALLEN II LLC

112.0 MW MAX / 208.72 MWh AC BESS STORAGE SYSTEM

PROJECT DATA	
SITE:	COORDINATES: 26.248391°, -98.238736° WISTERIA AVE W & N 23RD STREET MCALLEN, TX 78504
DEVELOPER:	SMT ENERGY LLC DAVID SPOTTS PHONE # 480-252-5496
BATTERY STORAGE SYSTEM:	
SYSTEM RATING:	87.5 MW NOM / 112 MW MAX / 208.72 MWH AC BESS

RECEIVED
By K.F. at 3:31 pm, May 04, 2022

ARC DESIGN
SALEM COUNTY OFFICE
409 NORTH MAIN STREET
ELMER, NJ 08318
(856) 712-2166 FAX: (856) 358-1511

SMT ENERGY
SMT ENERGY LLC
334 ARAPAHOE AVE
BOULDER, CO 80302

PROPOSED PHOTOVOLTAIC ARRAY
SMT MCALLEN II LLC
COORDINATES: 26.248391°, -98.238736°
WISTERIA AVE W & N 23RD ST
MCALLEN, TX 78504

--	--

REVISIONS	
DATE	COMMENT
05-03-22	PROPERTY LINES / SIZE
JOB #	
DRWN	RCA
CHKD	JAC
SCALE	AS NOTED
DATE	01-31-2022

C-1

**NOTICE
REZONING
FOR
THIS PROPERTY
REZ2022-0018**

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

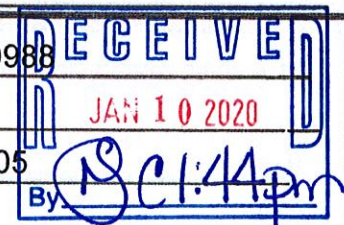
SUB2020-0000



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

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

Project Description	<p>Subdivision Name <u>Re-Subdivision of Lot 1, Penitas Subdivision</u></p> <p>Location <u>On the east side of N 23rd Street, 450 feet South of Trenton Road</u></p> <p>City Address or Block Number <u>7108 N 23rd Street</u></p> <p>Number of lots <u>2</u> Gross acres <u>0.964</u> Net acres <u>0.964</u></p> <p>Existing Zoning <u>C3</u> Proposed _____ Rezoning Applied For <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date <u>n/a</u></p> <p>Existing Land Use <u>Comm</u> Proposed Land Use <u>Commercial</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>P5470-00-000-0001-00</u> Tax Dept. Review <u>10</u></p> <p>Legal Description <u>All of Lot 1, Penitas Subdivision, Vol. 43, Pg. 142, H.C.M.R.</u></p>
Owner	<p>Name <u>Roman Martinez Mendez-President</u> Phone <u>(956) 522-1777</u></p> <p><u>Martmore Real Estate LLC</u></p> <p>Address <u>118 W. FLAMINGO CT.</u></p> <p>City <u>McAllen</u> State <u>Texas</u> Zip <u>78504</u></p> <p>E-mail <u>rommtz@gmail.com</u></p>
Developer	<p>Name <u>same as above</u> Phone _____</p> <p>Address _____</p> <p>City _____ State _____ Zip _____</p> <p>Contact Person _____</p> <p>E-mail _____</p>
Engineer	<p>Name <u>HLG Plan Review Services</u> Phone <u>(956) 369-0988</u></p> <p>Address <u>P.O. Box 548</u></p> <p>City <u>McAllen</u> State <u>Texas</u> Zip <u>78505</u></p> <p>Contact Person <u>Homero L. Gutierrez, P.E. / Isidro Fernandez</u> (956) 854-5515</p> <p>E-mail <u>ifernandez@land-mark-services.com</u></p>
Surveyor	<p>Name <u>HLG Plan Review Services</u> Phone <u>(956) 369-0988</u></p> <p>Address <u>P.O. Box 548</u></p> <p>City <u>McAllen</u> State <u>Texas</u> Zip <u>78505</u></p> <p><u>homero_gutierrez@sbcglobal.net</u></p>



Pct # 684730 pd \$300

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
- ☐ n/a Proof of authority of person signing application on behalf of partnership/corporation, if applicable

PLAT TO SHOW:

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

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

Owner's Signature

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

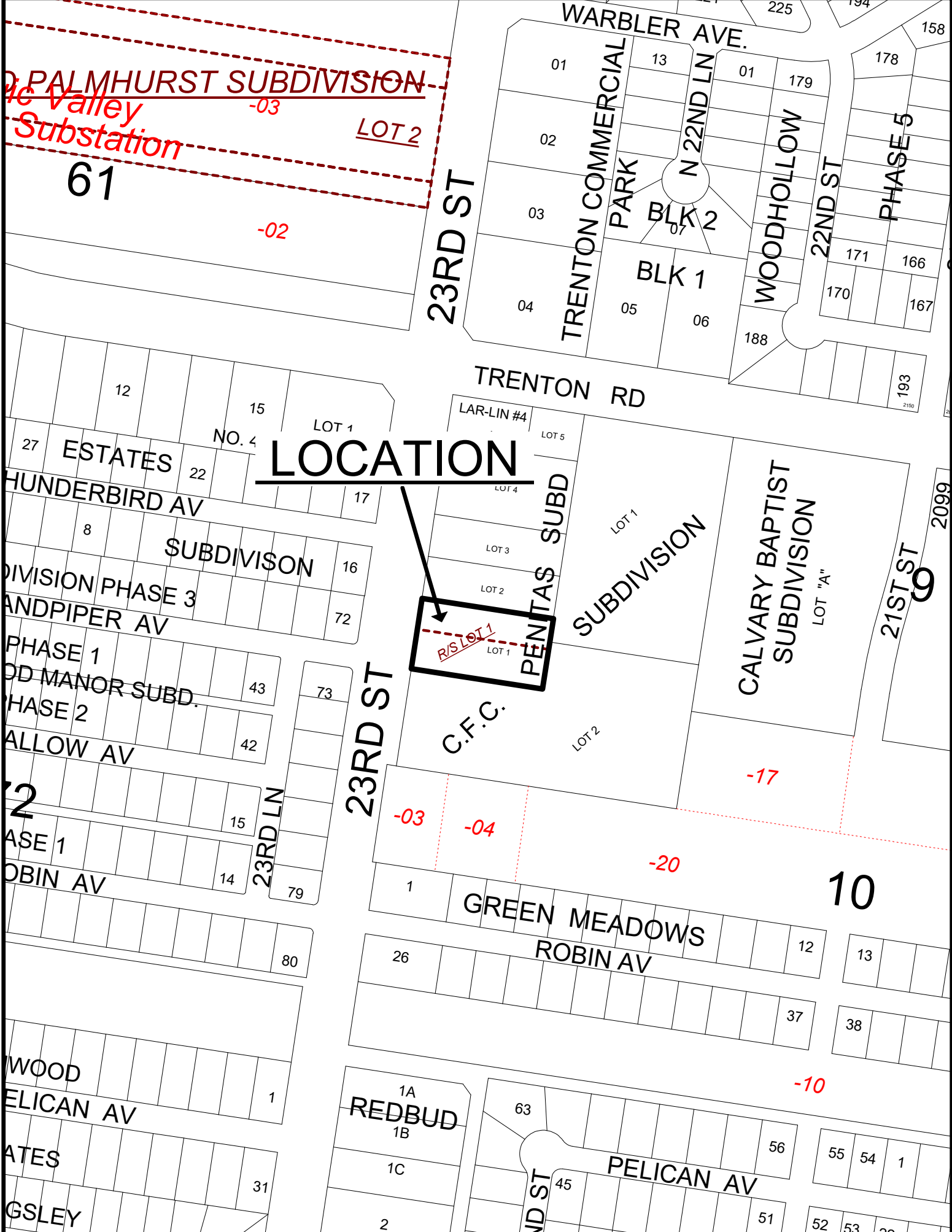
Signature  Date 10-08-19

Print Name Roman Martinez Mendez-President
Martmore Real Estate LLC

Owner ☒

Authorized Agent ☐

Rev 03/11



PALMHURST SUBDIVISION
Valley
Substation

LOT 2

61

-02

-03

23RD ST

WARBLER AVE.

TRENTON COMMERCIAL PARK

N 22ND LN

BLK 2

BLK 1

WOODHOLLOW

22ND ST

PHASE 5

TRENTON RD

LOCATION

R/S LOT 1

PENITAS SUBD

SUBDIVISION

CALVARY BAPTIST SUBDIVISION

21ST ST

9

23RD ST

C.F.C.

-17

-20

-03

-04

10

GREEN MEADOWS

ROBIN AV

2

ASE 1

OBIN AV

WOOD

ELICAN AV

ATES

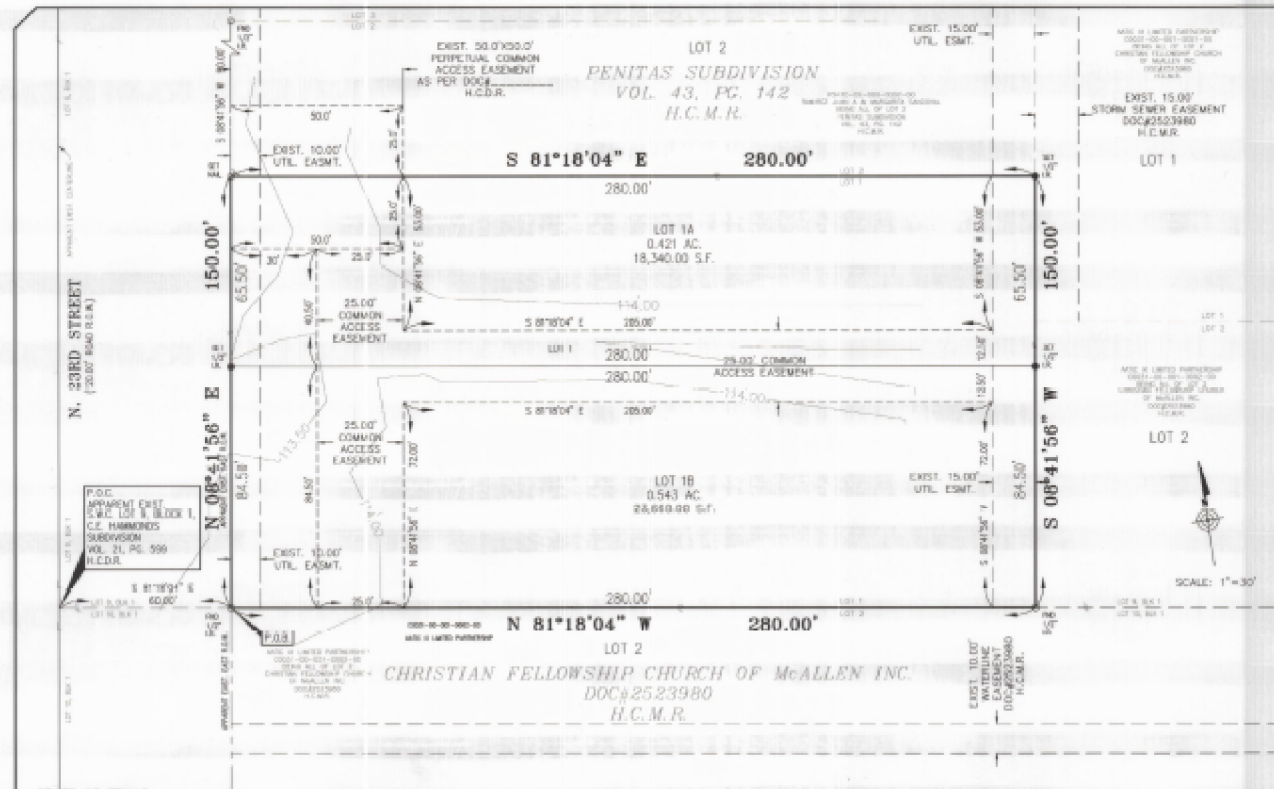
GSLEY

1A REDBUD

1C

PELICAN AV

ND ST



GENERAL SUBDIVISION PLAT NOTES

1. MINIMUM FINISH FLOOR SHALL BE 18" ABOVE TOP OF CURB AS MEASURED AT THE CENTER OF THE LOT.
2. FLOOD ZONE STATEMENT: ZONE "B" AREAS BETWEEN LIMITS OF THE 100-YEAR AND 500-YEAR FLOOD; OR CERTAIN AREAS SUBJECT TO 100-YEAR FLOODING WITH AVERAGE DEPTHS LESS THAN ONE (1) FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN ONE (1) SQUARE MILE, OR AREAS PROTECTED BY LEVEES FROM THE BASE FLOOD, AS PER COMMUNITY-PANEL NUMBER: 480343 0005-C REVISED NOVEMBER 2, 1982.
3. MINIMUM BUILDING SETBACKS SHALL BE AS FOLLOWS:
FRONT (N. 23RD STREET): 60.0 FEET, EXCEPT WHERE GREATER SETBACK IS REQUIRED; OR EASEMENT WHICHEVER IS GREATER ON ALL CASES.
OTHER: AS PER ZONING ORDINANCE OR GREATER SETBACK APPLIES OR EASEMENT WHICHEVER IS GREATER ON ALL CASES.
4. NO PERMANENT STRUCTURES SHALL BE ALLOWED WITHIN UTILITY EASEMENTS, GAS EASEMENTS, IRRIGATION EASEMENTS AND LOT LINES.
5. THE DETENTION REQUIREMENTS AS REFERENCED ON THE DRAINAGE APPROVAL LETTER DATED _____ DETENTION REQUIRED IS 0.218 AC-FT (9,475.58 CUBIC FEET) BASED ON APPROVED DRAINAGE LETTER FROM CITY OF McALLEN.
6. THE OWNER OF EACH LOT SHALL BE RESPONSIBLE FOR THE REPLACEMENT OF ASPHALT/LANDSCAPING INCIDENTAL TO THE UTILITY COMPANY MAKING REPAIRS TO PUBLIC UTILITIES.
7. AN ENGINEERED DRAINAGE DETENTION PLAN IS REQUIRED AND APPROVED BY THE ENGINEERING DEPARTMENT PRIOR TO ISSUANCE OF BUILDING PERMIT.
8. SITE PLAN APPROVAL BY PLANNING AND ZONING COMMISSION IS REQUIRED PRIOR TO ISSUANCE OF A BUILDING PERMIT.
9. A MINIMUM 5.0 FT. WIDE SIDEWALK IS REQUIRED ALONG N. 23RD STREET.
10. A 6.0 FOOT OPAQUE BUFFER REQUIRED FROM ADJACENT RESIDENTIAL ZONE USE.
11. DEVELOPER IS RESPONSIBLE FOR MAINTENANCE OF PRIVATE DRAINAGE SYSTEM.
12. NEAREST CITY OF McALLEN BENCHMARK, MC 48, SAID BENCHMARK IS LOCATED ON SOUTHWEST CORNER OF THE INTERSECTION OF 23RD & MILE 5 LINE ROAD, ELEVATION 110.82.
13. ALL LOT CORNERS ARE SET 1/2 INCH IRON RODS.
14. THE OWNERS OF THE HEREIN DESCRIBED PROPERTY RESERVE UNTO THEMSELVES THE RIGHT TO UTILIZE THE EASEMENT AREAS DEDICATED HEREON FOR THE PURPOSES WHICH DO NOT CONFLICT WITH THE APPLICABLE EASEMENT DEDICATED HEREON INCLUDING, WITH LIMITATION, THE RIGHT TO USE SUCH EASEMENT AREAS FOR PAVING, LANDSCAPING AND LANDSCAPING PROVIDED, HOWEVER, SUCH OWNERS SHALL NOT, WITHOUT THE PRIOR WRITTEN CONSENT OF THE EASEMENT HOLDER, HAVE ANY RIGHT TO CONSTRUCT OR MAINTAIN A BUILDING WITHIN ANY SUCH EASEMENT AREA.
15. PRIVATE ACCESS EASEMENT TO BE MAINTAIN BY OWNERS, NOT THE CITY OF McALLEN.

LEGEND
• 1/2" IRON ROD
• 1/4" IRON ROD
• 1/8" IRON ROD
• 1/16" IRON ROD
• 1/32" IRON ROD
• 1/64" IRON ROD
• 1/128" IRON ROD
• 1/256" IRON ROD
• 1/512" IRON ROD
• 1/1024" IRON ROD
• 1/2048" IRON ROD
• 1/4096" IRON ROD
• 1/8192" IRON ROD
• 1/16384" IRON ROD
• 1/32768" IRON ROD
• 1/65536" IRON ROD
• 1/131072" IRON ROD
• 1/262144" IRON ROD
• 1/524288" IRON ROD
• 1/1048576" IRON ROD
• 1/2097152" IRON ROD
• 1/4194304" IRON ROD
• 1/8388608" IRON ROD
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• 1/138034920916531223262112516621334755555563552128" IRON ROD
• 1/27606984183306244652422503322668911111112704256" IRON ROD
• 1/55213968366612489304845006645337822222225408512" IRON ROD
• 1/110427936733224978609690013290676444444410817024" IRON ROD
• 1/220855873466449957219380026581352888888821634048" IRON ROD
• 1/441711746932899914438760053162705777777743268096" IRON ROD
• 1/883423493865799828877520106325411555555685366192" IRON ROD
• 1/1766846977331599657755040212650823111111370732384" IRON ROD
• 1/3533693954663199315510080425301646222222741464768" IRON ROD
• 1/706738790932639863102016085060329244444448292952" IRON ROD
• 1/1413477581865279726204032170120658488888965845904" IRON ROD
• 1/2826955163730559452408064340241316977779316909808" IRON ROD
• 1/5653910327461118904816128680482633955558633819616" IRON ROD
• 1/11307820654922237809632257360965267911117273635328" IRON ROD
• 1/22615641309844475619264514721930535822234547270656" IRON ROD
• 1/45231282619688951238529029443861071644468914541312" IRON ROD
• 1/90462565239377902477058058887722142888937829082624" IRON ROD
• 1/18092513047875580495411611776544428577787578176384" IRON ROD
• 1/3618502609575116099082322355308885715555515735376" IRON ROD
• 1/72370052191502321981646447106177714111111111111112" IRON ROD
• 1/144740104383004639632928894212354222222222222222224" IRON ROD
• 1/289480208766009279265857788424708444444444444444448" IRON ROD
• 1/578960417532018558531715576849416888888888888888896" IRON ROD
• 1/115792083506403711706353113736983777777777777777792" IRON ROD
• 1/231584167012807423412706227473967555555555555555584" IRON ROD
• 1/463168334025614846825412449447931111111111111111168" IRON ROD
• 1/92633666805122969365082489889586222222222



City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 6/2/2022

SUBDIVISION NAME: PENITAS, LOTS 1A AND 2A

REQUIREMENTS

STREETS AND RIGHT-OF-WAYS

N. 23rd Street: Dedication as needed for 60 ft. from centerline for 120 ft. ROW.
 Paving: min. 65 ft. Curb & gutter: Both sides
 **Show entire road ROW for N.23rd Street.
 *** Label Centerline and corresponding ROW on both sides of centerline for N. 23rd Street.
 ***Subdivision Ordinance: Section 134-105
 ****Monies must be escrowed if improvements are required prior to final
 *****COM Thoroughfare Plan

Required

Paving _____ Curb & gutter _____

Applied

* 1200 ft. Block Length.
 **Subdivision Ordinance: Section 134-118

Applied

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

NA

ALLEYS

ROW: 20 ft. Paving: 16 ft.
 *Alley/service drive easement required for commercial properties
 **Plat showing 25 ft. common access easement should indicate that it is private and paved.
 ***Perpetual common access easement document must be recorded and document number must be included on plat prior to recording.
 ****Alley or service drive easement requirements will be reviewed at time of site plan.
 *****Alley or service drive easement must comply with Public Works requirements.

Applied

SETBACKS

* Front: N. 23rd Street - 60 ft. or greater for approved site plan or easements
 * Rear: Proposing Other: As per Zoning Ordinance or greater setback applies or easement whichever is greater on all cases.
 **Revise note as followed prior to recording: Other Setbacks as per Zoning Ordinance or greater for approved site plan or easements.
 ***Note may appear once and apply to to all setbacks, excluding the front.
 * Sides: Proposing Other: As per Zoning Ordinance or greater setback applies or easement whichever is greater on all cases.
 **Revise note as followed prior to recording: Other Setbacks as per Zoning Ordinance or greater for approved site plan or easements.
 ***Note may appear once and apply to to all setbacks, excluding the front.
 * Corner: Interior lot
 * Garage: Commercial Development.
 *ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN

Applied

Applied

Applied

NA

NA

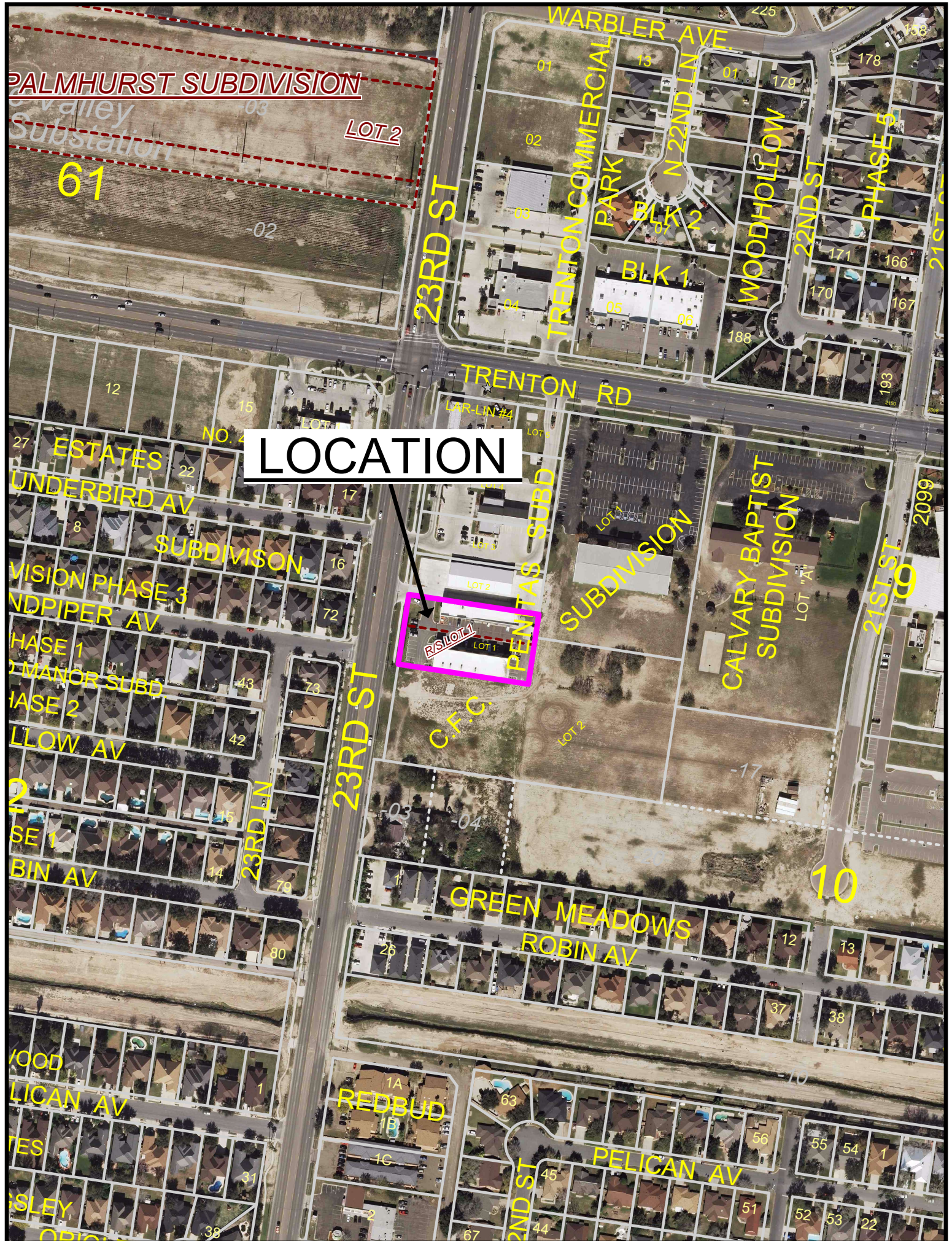
Applied

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

SIDEWALKS	
* 4 ft. wide minimum sidewalk required along N. 23rd Street. **Minimum width may be increased to 5 ft. as per Engineering Department, finalize wording prior to recording.	Applied
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Required
BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses **Revise note as shown above prior to recording.	Applied
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses **Add note as shown above, prior to recording.	Required
*Perimeter buffers must be built at time of Subdivision Improvements.	Required
NOTES	
* No curb cut, access, or lot frontage permitted along. **Perpetual common access easement document number must be added prior to recording. ***Must comply with City Access Management Policy.	Required
* Site Plan must be approved by the Planning and Zoning Commission prior to issuance of building permits. The number and location of curb cuts will be reviewed as part of site plan approval. **Revise note #8 as shown above prior to recording.	Required
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	Applied
* Common Areas, Private Common Access Easements must be maintained by the lot owners and not the City of McAllen **Revise Note #15 as noted above, prior to final. ***Please add Private to all Common Access Easements.	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.	NA
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.	NA
LOT REQUIREMENTS	
* Lots fronting public streets	Compliance
* Minimum lot width and lot area	Compliance
ZONING/CUP	
* Existing: C-3 Proposed: C-3 **As per email from engineer zoning and current uses will remain the same.	Applied
* Rezoning Needed Before Final Approval	Applied

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


PARKS	
* Land dedication in lieu of fee. As per Parks Department, proposed use as commercial. Commercial subdivisions do not apply to Parks.	NA
* Park Fee of \$700 per dwelling unit/lot to be paid prior to recording. As per Parks Department, proposed use as commercial. Commercial subdivisions do not apply to Parks.	NA
* Pending review by the City Manager's Office. As per Parks Department, proposed use as commercial. Commercial subdivisions do not apply to Parks.	NA
TRAFFIC	
* Trip Generation to determine if TIA is required, prior to final plat. As per Traffic Department, TG approved, no TIA required.	Completed
* Traffic Impact Analysis (TIA) required prior to final plat. As per Traffic Department, TG approved, no TIA required.	NA
COMMENTS	
Comments: Must comply with City's Access Management Policy *Name needs to be revised on plat and application as follows: Penitas, Lots 1A and 1B Subdivision. Plat submitted on May 24th, 2022 presents revised name as noted. **Existing plat notes remain as now exist. **Subdivision was approved in preliminary form at the Planning and Zoning Commission meeting February 4, 2020.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM SUBJECT TO THE CONDITIONS NOTED.	Applied

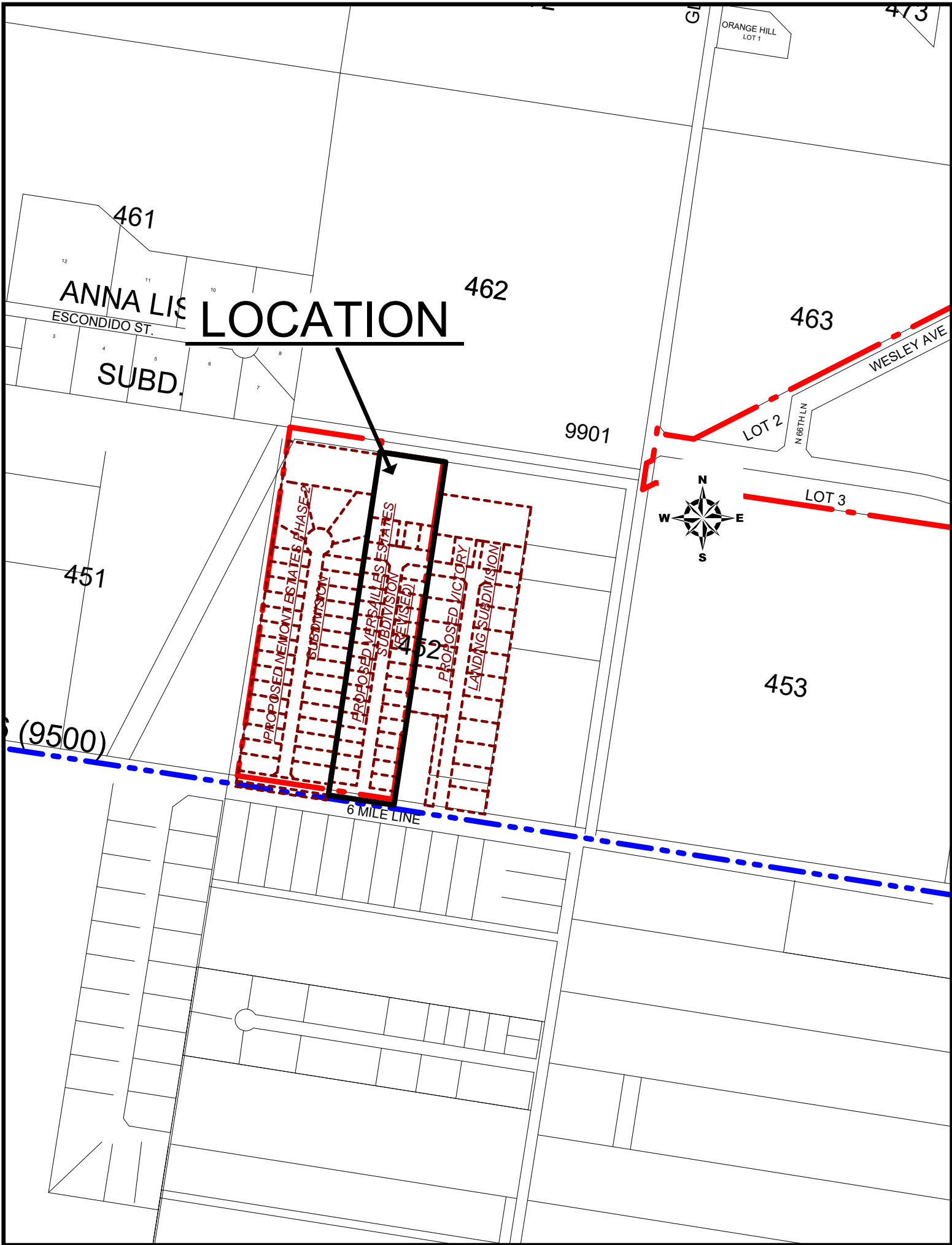




City of McAllen
Planning Department
**APPLICATION FOR
SUBDIVISION PLAT REVIEW**

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

Project Description	Subdivision Name <u>VERSAILLES ESTATES SUBDIVISION</u> Location <u>820' WEST OF INTERSECTION MILE 6 & GLASSCOCK RD.</u> City Address or Block Number <u>7018 MILE 6 RD</u> Number of lots <u>38</u> Gross acres <u>7.24</u> Net acres <u>6.29</u> Existing Zoning _____ Proposed _____ Rezoning Applied For <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____ Existing Land Use _____ Proposed Land Use <u>single family</u> Irrigation District # <u>16</u> Residential Replat Yes <input type="checkbox"/> No <input type="checkbox"/> Commercial Replat Yes <input type="checkbox"/> No <input type="checkbox"/> ETJ Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Agricultural Tax Exempt Yes <input type="checkbox"/> No <input type="checkbox"/> Estimated Rollback tax due _____ Parcel No. _____ Tax Dept. Review _____ Legal Description <u>J7.24 ACRE GROSS TRACT OF LAND OUT OF LOT 452 JOHN H SHARY SUBDIVISION</u>
Owner	Name <u>LA FLOR DEL VALLE ENTERPRISES, LP</u> <u>A TEXAS LIMITED PARTNERSHIP</u> Phone <u>956-404-4861</u> Address <u>202 - A MELBA CARTER</u> City <u>MISSION</u> State <u>TX</u> Zip <u>78572</u> E-mail <u>Excellence Real Estate Advisors <excellence@bigrealty.com></u>
Developer	Name <u>LA FLOR DEL VALLE ENTERPRISES, LP</u> <u>A TEXAS LIMITED PARTNERSHIP</u> Phone <u>956-404-4861</u> Address <u>202 - A MELBA CARTER</u> City <u>MISSION</u> State <u>TX</u> Zip <u>78572</u> Contact Person <u>EDGAR DELGADILLO</u> E-mail <u>Excellence Real Estate Advisors <excellence@bigrealty.com></u>
Engineer	Name <u>SAMES, Inc. - Jessica M. Maldonado</u> Phone <u>956-702-8880</u> Address <u>200 S. 10th St. Suite 1500</u> City <u>McAllen</u> State <u>TX</u> Zip <u>78501</u> Contact Person <u>Jessica Maldonado or Alexandria Mendez</u> E-mail <u>jessica@samengineering-surveying.com ; alex@samengineering-surveying.com</u>
Surveyor	Name <u>SAMES, Inc. - Oscar Hernandez</u> Phone <u>956-702-8880</u> Address <u>200 S. 10th St. Suite 1500</u> City <u>McAllen</u> State <u>TX</u> Zip <u>78501</u> <div style="text-align: right;"> ENTERED <u>SEP 30 2021</u> Initial: <u>MM</u>  </div>





City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 6/2/2022

SUBDIVISION NAME: VERSAILLES ESTATES SUBDIVISION

REQUIREMENTS

STREETS AND RIGHT-OF-WAYS

Mile 6 Road: 30 ft. dedication required for 50 ft. from centerline for 100 ft. total ROW
Paving: 65 ft. Curb & gutter: Both sides
***Label existing ROW from both sides of centerline prior to recording.
***Label total ROW after accounting for ROW dedication to verify ROW dedication requirements prior to recording.
*****Street name will be established prior to recording.
**Subdivision Ordinance: Section 134-105
**Monies must be escrowed if improvements are required prior to recording.
**COM Thoroughfare Plan

Required

Internal Street (proposed Versailles Avenue): 50 ft.
Paving: 32 ft. Curb & gutter: Both sides
*****Street name will be established prior to recording.
**Subdivision Ordinance: Section 134-105
**Monies must be escrowed if improvements are required prior to recording.
**COM Thoroughfare Plan

Required

E/W 1/4 Collector Road along North Property Line: 60 ft. total ROW
Paving: 40 ft. Curb & gutter: Both sides
*****Street name will be established prior to recording.
**Subdivision Ordinance: Section 134-105
**Monies must be escrowed if improvements are required prior to recording.
**COM Thoroughfare Plan

Required

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

Applied

* 1,200 ft. Block Length
**Subdivision Ordinance: Section 134-118
* 900 ft. Block Length for R-3 Zone Districts
**Subdivision Ordinance: Section 134-118
* 600 ft. Maximum Cul-de-Sac
**Subdivision Ordinance: Section 134-105

Applied

NA

Applied

ALLEYS

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

NA

SETBACKS

* Front: 25 ft. or greater for easements.
**Zoning Ordinance: Section 138-356

Applied

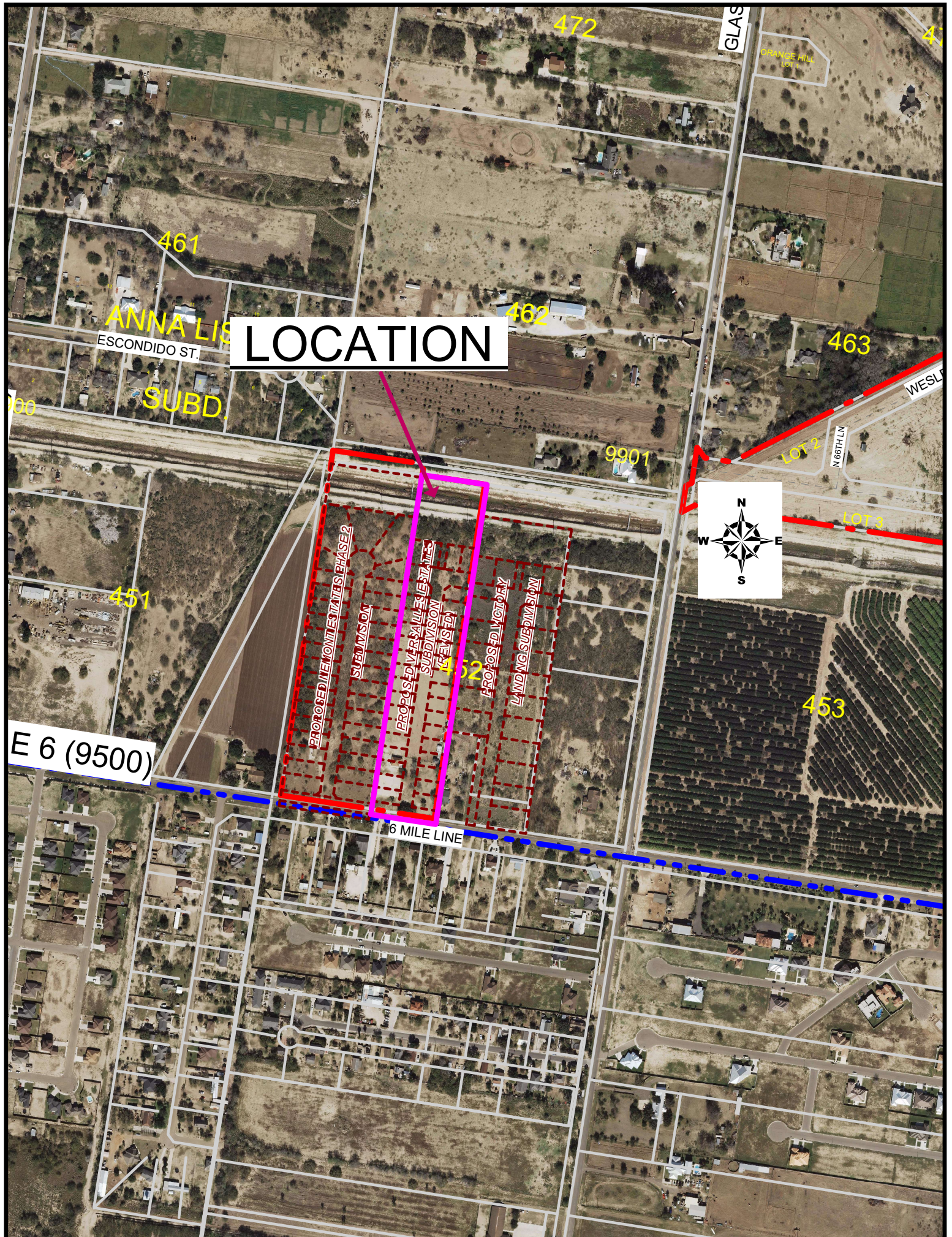
These comments are for subdivision requirements only – additional requirements may apply at time of site plan review

* Rear: 10 ft. or greater for easements. **Zoning Ordinance: Section 138-356	Applied
* Internal Sides: 6 ft. or greater for easements. **Zoning Ordinance: Section 138-356	Applied
* Corner: 10 ft. or greater for easements. **Zoning Ordinance: 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
SIDEWALKS	
* 4 ft. wide minimum sidewalk required on 6 Mile road and both sides of all internal streets. **5 ft. sidewalk requirement might be required by Engineering Department prior to recording. ***Please revise plat #17 as shown above, and once sidewalk requirements are determined prior to recording. **Subdivision Ordinance: Section 134-120	Required
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Applied
BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along 6 Mile Road **Landscaping Ordinance: Section 110-46	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
NOTES	
* No curb cut, access, or lot frontage permitted along 6 Mile Road. **Must comply with City Access Management Policy	Applied
* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.	NA
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	NA
* Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen.	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. ***Note on plat will need to be provided as required with document number prior to recording. **Section 110-72 applies if public subdivision is proposed. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168	Required
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. ***Note on plat will need to be provided as required with document number prior to recording. **Section 110-72 applies if public subdivision is proposed. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168	Required

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

LOT REQUIREMENTS	
* Minimum lot width and lot area **Zoning Ordinance: Section 138-356	Compliance
* Lots fronting public streets **Subdivision Ordinance: Section 134-1	Compliance
ZONING/CUP	
* Existing: ETJ Proposed: R-1 **At the City Commission meeting of December 13, 2021, the board voted to approve the annexation and initial zoning to R-1. ***Zoning Ordinance: Article V	Compliance
* Rezoning Needed Before Final Approval **At the City Commission meeting of December 13, 2021, the board voted to approve the annexation and initial zoning to R-1. ***Zoning Ordinance: Article V	Complete
PARKS	
* Land dedication in lieu of fee. Property received annexation approval at the City Commission of Dec. 13, 2021. As per planning director, park requirements are waived. **Remove note #19, not required on plat	Applied
* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. Property received annexation approval at the City Commission of Dec. 13, 2021. As per planning director, park requirements are waived. **Remove note #19, not required on plat	Applied
* Pending review by the Parkland Dedication Advisory Board and CC. Property received annexation approval at the City Commission of Dec. 13, 2021. As per planning director, park requirements are waived. **Remove note #19, not required on plat	Applied
TRAFFIC	
* As per Traffic Dept., TG waived for 38 single-family residences and no TIA required.	Compliance
* Traffic Impact Analysis (TIA) required prior to final plat.	NA
COMMENTS	
Comments: *Must comply with City's Access Management Policy. **Lots designated for detention must be labeled as detention/common areas prior to recording to establish final requirements. ****Provide City of McAllen mayor signature block since property has been annexed. ****Revise signature blocks to comply with McAllen's Subdivision Ordinance requirements since property has been annexed. ***Remove note #19, as it is not required on plat ***Please remove the subdivision layout to the west of the development as it has not been recorded prior to recording. *****As per Engineer, subdivision is proposed to be public	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM SUBJECT TO CONDITIONS NOTED.	Applied

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



LOCATION

ANNA LIS
ESCONDIDO ST.
SUBD.

E 6 (9500)

6 MILE LINE



PROPOSED MONTESITES PHASE 2
SUBDIVISION
PROPOSED VERMILION
SUBDIVISION
PROPOSED VICTORY
LANDING SUBDIVISION

461
462
463
9901
451
452
453

ORANGE HILL
LOT 1

LOT 2

LOT 3

WESL

GLAS

L/300-00-000-009201



City of McAllen
Planning Department
APPLICATION FOR
SUBDIVISION PLAT REVIEW

Submittal-0056

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

Project Description	Subdivision Name: <u>DAVE Subdivision G.H. 6/2/22</u> Location: <u>1.758 Acres gross out of lot 92, The La Lomita irrigation and construction company's subdivision, Hidalgo County, Texas, recorded in volume 24, page 68, map records of Hidalgo County, Texas</u> City Address or Block Number: <u>5301 N. WARE RD</u> Number of lots: <u>1</u> Gross acres: <u>1.75</u> Net acres: <u>1.75</u> Existing Zoning: <u>A-3</u> Proposed: <u>C-3</u> Rezoning Applied For <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date: <u> </u> Existing Land Use: <u>Industrial</u> Proposed Land Use: <u>Commercial</u> Irrigation District #: <u>1</u> Residential Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Commercial Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> ETJ Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Agricultural Tax Exemption Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Estimated Rollback tax due: <u>0</u> Legal Description: <u>Being 1.758 acres gross out of lot 92, The La Lomita irrigation construction company's subdivision, Hidalgo County, Texas, according to the map recorded in volume 24, page 68, map records of Hidalgo County, Texas</u>
	Owner
Name: <u>EDUARDO RIOS / Dake LLC</u> Phone: <u>(956) 522-9179</u> Address: <u>P.O. BOX 720397</u> City: <u>McAllen</u> State: <u>TX</u> Zip: <u>78504</u> E-mail: <u>DAKE LLC@HOTMAIL.COM</u>	
Developer	Name: <u>SAME AS ABOVE</u> Phone: <u> </u> Address: <u> </u> City: <u> </u> State: <u> </u> Zip: <u> </u> Contact Person: <u> </u> E-mail: <u> </u>
Engineer	Name: <u>MAS ENGINEERING LLC</u> Phone: <u>(956) 537-1311</u> Address: <u>3911 N 10th ST. SUITE H</u> City: <u>McALLEN</u> State: <u>TX</u> Zip: <u>78501</u> Contact Person: <u>MARIO A SALINAS</u> E-mail: <u>MSALINAS 6973@ATT.NET</u>
Surveyor	Name: <u>LEO S. BOND</u> Phone: <u> </u> Address: <u>125 LOST PINE DRIVE</u> City: <u>BASTROP</u> State: <u>TX</u> Zip: <u>71222</u> E-mail: <u> </u>

Initial: AM

Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

- ☐ \$225 Preliminary Review Fee and \$75 Final Approval Fee
- ☐ Title Report
- ☒ 8 1/2" by 11" ~~Sealed Survey~~ showing existing structures/easements or 3 blueline copies
- ☒ 2 Location Maps
- ☒ 2 8 1/2" by 11" copies/legible copies of plat with name & north arrow
- ☐ 6 Folded blueline prints of the proposed plat
- ☒ 2 Warranty Deeds (Identifying owner on application)
- ☐ Autocad 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 1/2" by 11" copies/legible copy of the plat, affected by changes.

Owner's Signature

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

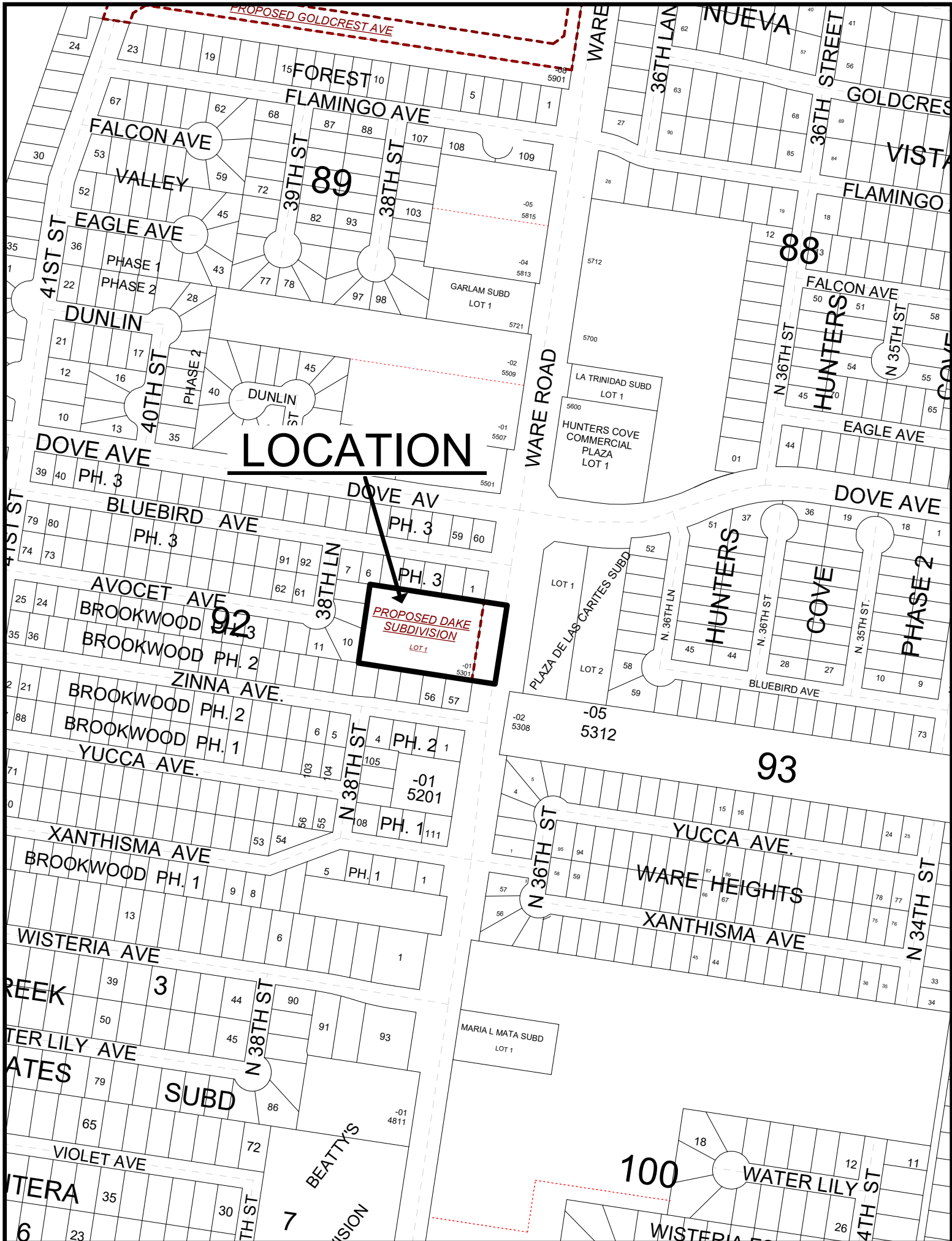
Signature  Date 5/13/22

Print Name Eduardo Rios Managing Member

Owner ☐

Authorized Agent ☐

Rev 03/11



MAP
OF
DAKE SUBDIVISION
McALLEN, TEXAS

BEING 1.758 ACRES GROSS OUT OF LOT 92, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY'S
SUBDIVISION, ACCORDING TO THE MAP RECORDED IN VOLUME 24, PAGE 68, MAP RECORDS OF HIDALGO
COUNTY, TEXAS



STATE OF TEXAS
COUNTY OF HIDALGO

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

EDUARDO ENRIQUE RIOS, OWNER
DAKE LLC, COMPANY
ADDRESS: 9406 N. 33rd LANE
McALLEN, TEXAS 78504

Date

STATE OF TEXAS
COUNTY OF HIDALGO

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

NOTARY PUBLIC

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

CHAIRMAN, PLANNING COMMISSION

Date

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

MAYOR, CITY OF McALLEN

Date

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

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

BY:

RAUL E. SESIN, P.E.
GENERAL MANAGER

Date

STATE OF TEXAS
COUNTY OF HIDALGO

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

SALINAS ENGINEERING & ASSOCIATES
CONSULTING ENGINEERS & SURVEYORS
2221 DAFFOL AVE.
McALLEN, TEXAS 78501
(956) 682-9081

DATE

STATE OF TEXAS
COUNTY OF HIDALGO

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

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

DATE

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

BY: VANTAGE BANK
McALLEN, TEXAS 78501

DATE

STATE OF TEXAS
COUNTY OF HIDALGO

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

NOTARY PUBLIC

NOTES:

- 1.- MINIMUM BUILDING SETBACK LINES SHALL BE AS FOLLOWS:
A) FRONT: N. WARE RD. - 75' OR GREATER FOR EASEMENTS
B) REAR: IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER FOR EASEMENTS
C) SIDE: IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER FOR EASEMENTS
- 2.- THIS PROPERTY FALLS IN ZONE "C" OF THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL
NO. 480343.0005 C, REVISED NOV. 2, 1982.
FLOOD ZONE "C" IS DEFINED AS AREAS WITH MINIMUM FLOODING. (NO SHADING)
- 3.- STORM WATER DETENTION OF 17,859 C.F. OR 0.41 AC-FT IS REQUIRED FOR THIS LOT
SUBDIVISION;
- 4.- MINIMUM FINISH FLOOR ELEVATION SHALL BE 18 INCHES ABOVE TOP CENTERLINE OF
PAVEMENT MEASURED AT FRONT CENTER OF EACH LOT.
- 5.- A MINIMUM 5.0 FT. WIDE SIDEWALK IS REQUIRED ON NORTH WARE RD.
- 6.- NO BUILDING SHALL BE CONSTRUCTED OVER ANY EASEMENT OR LOT LINE.
- 7.- 6.0 FOOT OPAQUE BUFFER IS REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL
AND COMMERCIAL, OR INDUSTRIAL ZONES/USES.
- 8.- CITY OF McALLEN BENCHMARK: MC 58-1 IS LOCATED AT THE SOUTHEAST CORNER OF THE
WARE RD./MILE 3 LINE INTERSECTION, 109 FT SOUTH OF THE E.O.P. OF MILE 3 AND 37 FT EAST
OF O.E.P. WEST OF WARE ROAD, ON THE NORTHEAST CORNER OF THE SAME INTERSECTION, THERE
IS A EXXON GAS STATION. ELEV. 118.75 FT.
- 9.- OWNER IS REQUIRED TO PROVIDE AN ENGINEERED DRAINAGE DETENTION PLAN, APPROVED BY
THE CITY OF McALLEN - ENGINEERING DEPARTMENT, PRIOR TO ISSUANCE OF BUILDING PERMITS.
- 10.- AN 8 FOOT MASONRY WALL IS REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND
COMMERCIAL, INDUSTRIAL OR MULTI-FAMILY RESIDENTIAL ZONES/USES.
- 11.- THE DEVELOPER SHALL BE RESPONSIBLE FOR DETAINING AND ACCOMMODATING MORE THAN
THE DETAINED VOLUME SHOWN ON THIS PLAT IF IT IS DETERMINED, AT THE PERMIT STAGE, THAT
THE DETENTION REQUIREMENTS ARE GREATER THAN STATED ON THIS PLAT, DUE TO THE
IMPERVIOUS AREA BEING GREATER THAN THE PLAT ENGINEER CONSIDERED IN THE HYDRAULIC
CALCULATIONS FOR THIS SUBDIVISION.
- 12.- COMMON AREAS, SERVICE DRIVE EASEMENTS, ETC. MUST BE MAINTAINED BY THE LOT OWNERS
AND NOT THE CITY OF McALLEN.
- 13.- SITE PLAN MUST BE APPROVED BY THE PLANNING DEPARTMENT AND OTHER DEPARTMENTS
PRIOR TO BUILDING PERMIT ISSUANCE

METES AND BOUNDS DESCRIPTION

BEING 1.758 ACRES GROSS OUT OF LOT 92, THE LA LOMITA IRRIGATION AND
CONSTRUCTION COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO
THE MAP RECORDED IN VOLUME 24, PAGE 68, MAP RECORDS OF HIDALGO COUNTY,
TEXAS;

COMMENCING AT THE NORTHEAST CORNER OF THE SAID LOT 92, SAME BEING
WITHIN THE RIGHT-OF-WAY OF WARE ROAD;

THENCE, S08°39'35"W, ALONG THE EAST LINE OF THE SAID LOT 92, A DISTANCE OF
432.18 FEET TO A CALCULATED POINT FOR THE NORTHEAST CORNER OF THE
HEREIN DESCRIBED TRACT, AND THE POINT OF BEGINNING;

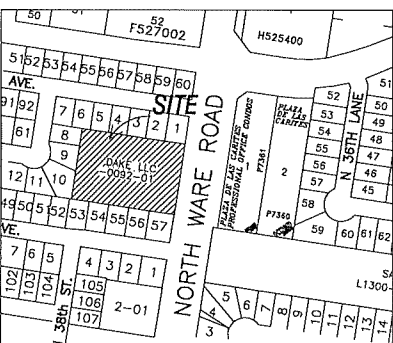
THENCE, S08°39'35"W, ALONG THE EAST LINE OF THE SAID LOT 92, AND WITHIN
THE RIGHT-OF-WAY OF WARE ROAD (F.M. 2220), A DISTANCE OF 209.80 FEET TO
A CALCULATED POINT FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED
TRACT;

THENCE, N81°17'45"W, ALONG THE NORTH LINE OF BROOKWOOD SUBDIVISION UNIT II,
RECORDED IN VOLUME 33, PAGE 193, MAP RECORDS OF HIDALGO COUNTY, TEXAS,
PASSING AT 62.00 FEET A CAPPED IRON ROD FOUND ON THE WEST
RIGHT-OF-WAY OF WARE ROAD CONTINUING FOR A TOTAL DISTANCE OF 364.96
FEET TO AN IRON ROD FOUND FOR THE SOUTHWEST CORNER OF THE HEREIN
DESCRIBED TRACT;

THENCE, N08°39'35"E, ALONG THE EAST LINE OF BROOKWOOD UNIT III, RECORDED IN
VOLUME 34, PAGE 67, MAP RECORDS OF HIDALGO COUNTY, TEXAS, A DISTANCE OF
209.80 FEET TO A CAPPED IRON ROD SET FOR THE NORTHWEST CORNER OF THE
HEREIN DESCRIBED TRACT;

THENCE, S81°17'45"E, ALONG THE SOUTH LINE OF THE SAID BROOKWOOD UNIT III,
PASSING AT 302.96 FEET AN IRON ROD FOUND ON THE WEST RIGHT-OF-WAY OF
WARE ROAD, CONTINUING FOR A TOTAL DISTANCE OF 364.96 FEET TO THE POINT
OF BEGINNING, AND CONTAINING 1.758 ACRES OF LAND, MORE OR LESS.

LEGEND	
●	1/2" IRON ROD FOUND
○	1/2" IRON ROD SET W/D CAP
△	CALCULATED POINT





City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 6/2/2022

SUBDIVISION NAME: DAKE SUBDIVISION

REQUIREMENTS

STREETS AND RIGHT-OF-WAYS

N. Ware Road: 13 ft. minimum dedication for 75 ft. from centerline for 150 ft. ROW
 Paving: By the state Curb & gutter: By the state
 *Please provide how existing ROW was dedicated on plat prior to final.
 **Label ROW dedications based status of dedication, existing, total, etc. on plat prior to final.
 ***Subdivision Ordinance: Section 134-105
 ****Monies must be escrowed if improvements are required prior to final
 *****COM Thoroughfare Plan

Non-compliance

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

Applied

* 1,200 ft. Block Length
 **Subdivision Ordinance: Section 134-118
 * 900 ft. Block Length for R-3 Zone Districts.
 **Subdivision Ordinance: Section 134-118
 * 600 ft. Maximum Cul-de-Sac
 **Subdivision Ordinance: Section 134-105

NA

NA

NA

ALLEYS

ROW: 20 ft. Paving: 16 ft.
 *Alley/service drive easement required for commercial properties
 **Alley or service drive easement cannot dead-end. Provide for alley or service drive easement on the plat prior to final.
 ****Subdivision Ordinance: Section 134-106

Non-compliance

SETBACKS

* Front: Proposing: N. Ware Rd.-75' or greater for easements.
 **Revise front setback note to: In accordance with zoning ordinance, or greater for easements or approved site plan, or in line with average setback, whichever is greater.
 ***Finalize wording prior to final.
 **Zoning Ordinance: Section 138-356
 * Rear: Proposing: In Accordance with the Zoning Ordinance, or greater for easements.
 **Revise rear setback to: In accordance with Zoning Ordinance or greater for easements or approved site plan.
 ***Zoning Ordinance: Section 138-356
 * Sides: Proposing: In Accordance with the Zoning Ordinance, or greater for easements.
 **Revise side setback to: In accordance with Zoning Ordinance or greater for easements or approved site plan.
 ***Zoning Ordinance: Section 138-356

TBD

Non-compliance

Non-compliance

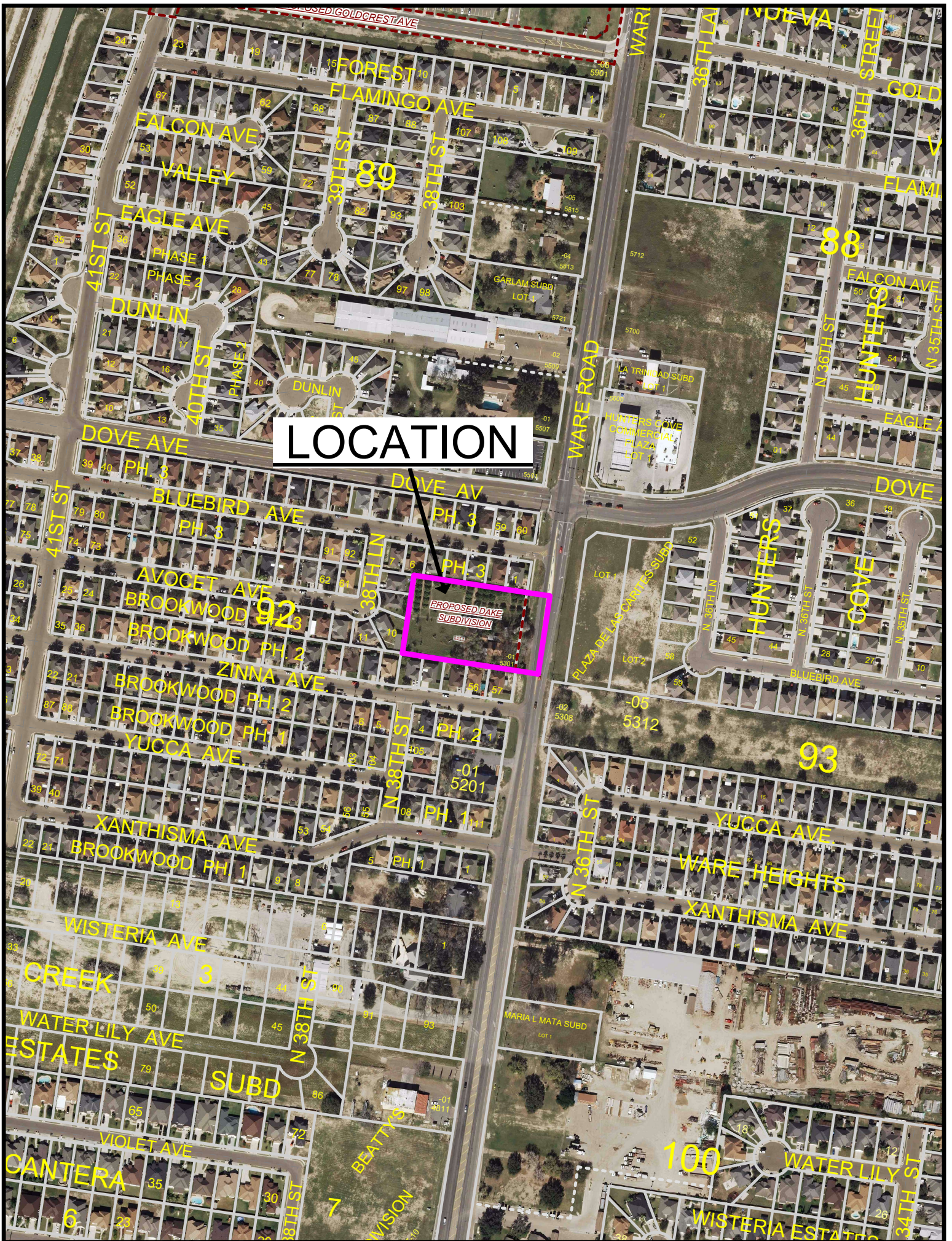
These comments are for subdivision requirements only – additional requirements may apply at time of site plan review

* Corner: Interior Lot **Zoning Ordinance: Section 138-356 * Garage: Commercial Development. **Zoning Ordinance: Section 138-356 *ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	NA
	NA
	Applied
SIDEWALKS	
Sidewalk: Proposing: A Minimum 5.0 FT. Wide Sidewalk is required on North Ware Rd. * 4 ft. wide minimum sidewalk required along N. Ware Road. **Sidewalk requirements for N. Ware Rd. may increase to 5 ft. prior to final per Engineering Department requirements. **Please finalize plat note prior to final. **Subdivision Ordinance: Section 134-120 * Perimeter sidewalks must be built or money escrowed if not built at this time.	TBD
	Required
BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. **Landscaping Ordinance: Section 110-46 * 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. **Landscaping Ordinance: Section 110-46 *Perimeter buffers must be built at time of Subdivision Improvements.	Applied
	Applied
	Required
NOTES	
* No curb cut, access, or lot frontage permitted along. **Must comply with City Access Management Policy * Site plan must be approved by the Planning and Development Departments prior to building permit issuance. * Common Areas, any private drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. **Proposing: Common Areas, Service Drive Easements, Etc. must be maintained by the lot owners and not the City of McAllen * Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. * Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. **Section 110-72 applies if private subdivision is proposed. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168 * Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. **Section 110-72 applies if private subdivision is proposed. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168	Applied
	Required
	Applied
	Applied
	NA
	NA

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

LOT REQUIREMENTS	
* Lots fronting public streets. **Subdivision Ordinance: Section 134-1	Compliance
* Minimum lot width and lot area. **Zoning Ordinance: Section 138-356	Compliance
ZONING/CUP	
* Existing : C-3L(Light Commercial) District. Proposed: C-3L **Engineer has indicated that the uses proposed by the owner will be allowed in the C-3L. ***Zoning Ordinance: Article V	Compliance
* Rezoning Needed Before Final Approval **Engineer has indicated that the uses proposed by the owner will be allowed in the C-3L. ***Zoning Ordinance: Article V	Applied
PARKS	
* Land dedication in lieu of fee. As per Parks Department, Proposed use is commercial. Commercial developments do not apply to Parks.	NA
* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, Proposed use is commercial. Commercial developments do not apply to Parks.	NA
* Pending review by the City Manager's Office. As per Parks Department, Proposed use is commercial. Commercial developments do not apply to Parks.	NA
TRAFFIC	
* As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat.	Non-compliance
* Traffic Impact Analysis (TIA) required prior to final plat.	TBD
COMMENTS	
Comments: *Must comply with City's Access Management Policy. **The subdivision was approved in final form at the Planning and Zoning Commission meeting of March 5, 2019. Due to expiration the subdivision will be considered as a new submittal.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED, UTILITIES AND DRAINAGE APPROVALS.	Applied

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



LOCATION

PROPOSED DAKE
SUBDIVISION



City of McAllen

Planning Department

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

SUBDIVISION PLAT REVIEW APPLICATION

Sub2022-0020

Project Information	Subdivision Name <u>Florencia Subdivision</u>	
	Location <u>South McColl Road at La Cantera Avenue</u>	
	City Address or Block Number <u>2700 S McColl RD</u>	
	Number of Lots <u>1</u>	Gross Acres <u>0.43</u> Net Acres <u>0.43</u> ETJ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Existing Zoning <u>C-3L</u> Proposed Zoning <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>Residential</u> Irrigation District # <u>2</u>	
	Replat <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Commercial _____ Residential _____	
	Agricultural Exemption <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Estimated Rollback Tax Due <u>n/a</u> <i>as of today</i>	
	Parcel # <u>1351918</u> Tax Dept. Review _____	
	Water CCN <input checked="" type="checkbox"/> MPU <input type="checkbox"/> Sharyland Water SC Other _____	
Legal Description <u>2.32 Acres out of Lot 2, Block 16, Steele and Pershing Subd.</u>		
Owner	Name <u>Patricia Lorenzo</u>	Phone <u>956-683-100</u>
	Address <u>2301 Tanglewood Drive</u>	E-mail <u>patricialorenzo28@yahoo.com</u>
	City <u>Weslaco</u> State <u>Texas</u>	Zip <u>78596</u>
Developer	Name <u>Same as Owner</u>	Phone _____
	Address _____	E-mail _____
	City _____ State _____	Zip _____
	Contact Person _____	
Engineer	Name <u>Spoor Engineering Consultants, Inc.</u>	Phone <u>956-683-1000</u>
	Address <u>202 S. 4th Street</u>	E-mail <u>sec@spooreseng.com</u>
	City <u>McAllen</u> State <u>Texas</u>	Zip <u>78501</u>
	Contact Person <u>Steve Spoor, P.E.</u>	
Surveyor	Name <u>CVQ Land Surveyors</u>	Phone <u>956-618-1551</u>
	Address <u>517 Beaumont Avenue</u>	E-mail <u>cvq@cvqlandsurvey.com</u>
	City <u>McAllen</u> State <u>Texas</u>	Zip <u>78501</u>
	Contact Person <u>Carlos Vasquez</u>	

ENTERED

FEB 11 2022

Initial: CM

Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

In Person Submittal Requirements

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

Email Submittal Requirements

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

Documents must be submitted in PDF format. No scanned documents

*Please submit documents to subdivisions@mcallen.net

ORIGINAL APPLICATION & FEE MUST BE SUBMITTED IN PERSON

PLAT TO SHOW:

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

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

Owners Signature

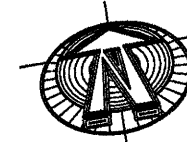
I certify that I am the actual owner of the property described above and (include corporate name if applicable); or I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

Signature  Date 02/11/22

Print Name Steve Spoor, P.E.

Owner ☐ Authorized Agent ☒

The Planning Department is now accepting DocuSign signatures on application



Sep. 30, 2021
Scale: 1"=100'

MAP OF FLORENCIA SUBDIVISION

McALLEN, TEXAS

BEING A SUBDIVISION OF A 0.43 ACRE TRACT OF LAND, OUT
OF A 2.32 AC. TRACT OF LAND OUT OF LOT 2, BLOCK 16,
STEELE & PERSHING SUBDIVISION, HIDALGO COUNTY, TEXAS.
ACCORDING TO PLAT RECORDED IN VOL. 8, PG. 115, DEED
RECORDS, HIDALGO COUNTY, TEXAS.

LOCATION MAP

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

SEC INC.

STATE OF TEXAS:
COUNTY OF HIDALGO:

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

STATE OF TEXAS:
COUNTY OF HIDALGO:

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

By: Patricia Lorenzo
2301 Tanglewood Lane,
Weslaco, Texas 78596

NOTARY PUBLIC

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

CHAIRMAN, PLANNING COMMISSION DATE

STATE OF TEXAS:
COUNTY OF HIDALGO:

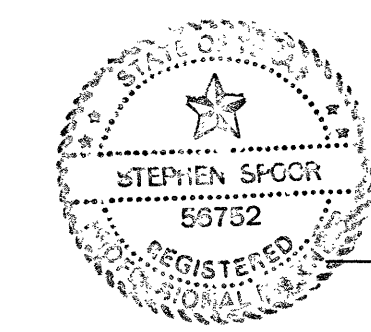
I, THE UNDERSIGNED, CARLOS VASQUEZ A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE AND IS PREPARED FROM AN ACTUAL SURVEY ON THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND AND THAT THE CORNER MONUMENTS WERE PROPERLY PLACED UNDER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

CARLOS VASQUEZ, RPLS 4608
CIVIL LAND SURVEYOR
517 BEAUMONT AVE
McALLEN, TEXAS 78501
TBEPLS FIRM # 1019600

DATE

STATE OF TEXAS:
COUNTY OF HIDALGO:

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



Stephen Spoor 04/08/22
REGISTERED PROFESSIONAL ENGINEER
P. E. REGISTRATION No. 56752

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

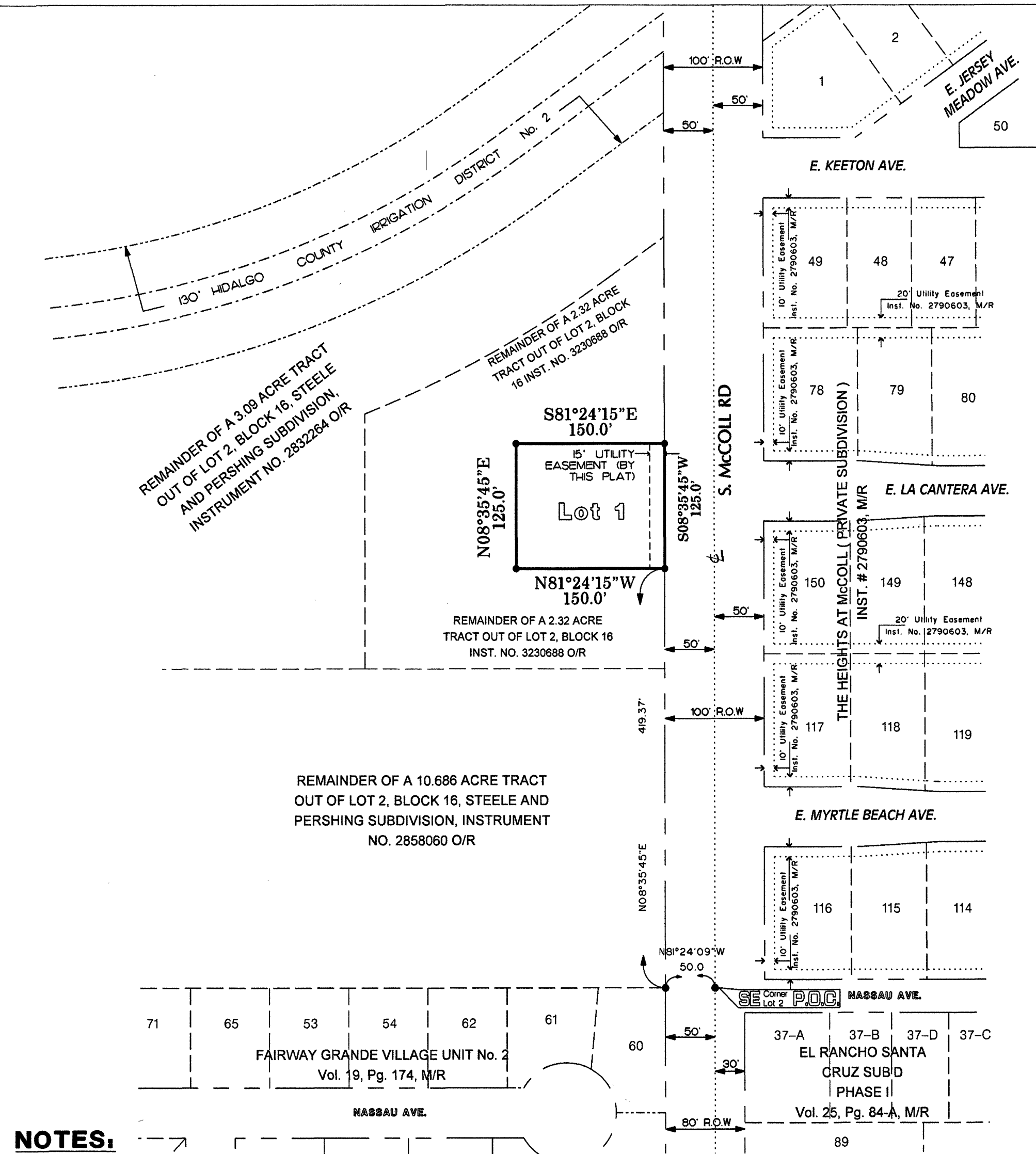
MAYOR, CITY OF McALLEN DATE

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 HEREBY CERTIFIES THAT THE DRAINAGE PLANS FOR THIS SUBDIVISION COMPLY WITH THE MINIMUM STANDARDS OF THE DISTRICT ADOPTED UNDER TEX. WATER CODE 49.216(g) THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES DESCRIBED ARE APPROPRIATE FOR THE SPECIFIC SUBDIVISION, BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA. IT IS THE RESPONSIBILITY OF THE DEVELOPER OF THE SUBDIVISION AND ITS ENGINEER TO MAKE THESE DETERMINATIONS.

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

By: RAIL E. SESIN, P.E., CFM
GENERAL MANAGER

DATE



NOTES.

- MINIMUM BUILDING SETBACK SHALL BE AS FOLLOWS:
A- FRONT: -50 FT. OR GREATER FOR EASEMENT
B- REAR: -10 FT. OR GREATER FOR EASEMENT
C- INTERIOR SIDES: -6 FT. OR GREATER FOR EASEMENT
D- GARAGE: - 18 FT. EXCEPT WHERE GREATER SETBACK IS REQUIRED, GREATER SETBACK APPLIES.
- MINIMUM FINISH FLOOR ELEVATION SHALL BE 18 INCHES ABOVE TOP OF CURB MEASURED AT CENTER OF LOT.
- THIS PROPERTY FALLS IN ZONE "B" OF THE FLOOD INSURANCE RATE MAP, PANEL NO. 480343 000C, REVISED NOV. 2, 1982.
- A 6' BUFFER OPAQUE IS REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL OR INDUSTRIAL ZONES/USES. AN 8' MASONRY WALL IS REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL OR MULTI-FAMILY RESIDENTIAL ZONES/USES.
- 4.0' SIDEWALK REQUIRED ALONG S. McCOLL ROAD
- OWNER IS REQUIRED TO PROVIDE AN ENGINEERED STORM WATER DETENTION PLAN APPROVED BY THE CITY OF McALLEN ENGINEERING DEPT. PRIOR TO ISSUANCE OF BUILDING PERMIT.
- STORM WATER DETENTION OF 8700 CUBIC FEET OR 0.20 AC-FT SHALL BE REQUIRED FOR THIS SUBDIVISION.
- BENCHMARK- STATION NAME: MC- 79 SET BY ARANDA & ASSOCIATES. LOCATED AT THE NORTHEAST CORNER OF McCOLL RD. AND U.S. BUSINESS 83. ELEV.: 16.20(NAVD83)
- THE DEVELOPER SHALL BE RESPONSIBLE FOR DETAINING AND ACCOMMODATING MORE THAN THE DETAINED VOLUME SHOWN ON THIS PLAT IF IT IS DETERMINED, AT THE PERMIT STAGE, THAT THE DETENTION REQUIREMENTS ARE GREATER THAN STATED ON THIS PLAT. DUE TO THE IMPERVIOUS AREA BEING GREATER THAN THE PLAT ENGINEER CONSIDERED IN THE HYDRAULIC CALCULATIONS FOR THIS SUBDIVISION.

METES & BOUNDS

A 0.43 ACRE TRACT OF LAND OUT OF A CERTAIN 2.32 ACRE TRACT OF LAND OUT OF LOT 2, BLOCK 16, STEELE AND PERSHING SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO PLAT RECORDED IN VOLUME 8, PAGE 115, DEED RECORDS, HIDALGO COUNTY, TEXAS; SAID 2.32 ACRE TRACT AS DESCRIBED IN DEED RECORDED IN INSTRUMENT NUMBER 3230688, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS:

BEGINNING at a point on the East line of said 2.32 acre tract, North 08 Deg. 35 Min. 45 Sec. East, 100.0 feet from the Southeast corner of said 2.32 acre tract, for the Southeast corner of the following described tract of land, said point located North 81 Deg. 24 Min. 09 Sec. West, 50.0 feet and North 08 Deg. 35 Min. 45 Sec. East, 419.37 feet from the Southeast corner of Lot 2, Block 16; said point being on the West line of South McColl Road;

THENCE, parallel to the South line of said 2.32 acre tract, North 81 Deg. 24 Min. 15 Sec. West, 150.0 feet to a point for the Southwest corner hereof;

THENCE, parallel to the East line of said 2.32 acre tract, North 08 Deg. 35 Min. 45 Sec. East, 125.0 feet to a point for the Northwest corner hereof;

Thence, parallel to the South line of said 2.32 acre tract, South 81 Deg. 24 Min. 15 Sec. East, 150.0 feet to a point on the East line of said 2.32 acre tract, for the Northeast corner hereof; said point being on the West line of South McColl Road;

THENCE, with the East line of said 2.32 acre tract, and the West line of South McColl Road, South 08 Deg. 35 Min. 45 Sec. West, 125.0 feet to the POINT OF BEGINNING, containing 0.43 acres of land, more or less.



City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 6/2/2022

SUBDIVISION NAME: FLORENCIA SUBDIVISION

REQUIREMENTS

STREETS AND RIGHT-OF-WAYS

S. McColl Rd: 50 ft. from centerline for 100 ft. ROW
 Paving: 65 ft. Curb & gutter: both sides
 ***Please clarify how 50 ft. from centerline was dedicated on plat and include document numbers as needed prior to final
 **Subdivision Ordinance: Section 134-105
 **Monies must be escrowed if improvements are required prior to recording
 **COM Thoroughfare Plan

Non-compliance

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

Applied

* 1,200 ft. Block Length
 **Subdivision Ordinance: Section 134-118
 * 900 ft. Block Length for R-3 Zone Districts
 **Subdivision Ordinance: Section 134-118
 * 600 ft. Maximum Cul-de-Sac
 **Subdivision Ordinance: Section 134-105

NA

NA

NA

ALLEYS

ROW: 20 ft. Paving: 16 ft.
 *Minimum 20 ft. wide paved alley/service drive required for City services on lots fronting a minor arterial road as per Section 134-106
 **Subdivision Ordinance: Section 134-106

Applied

SETBACKS

* Proposing: Front: 50 ft. or greater for easements or inline with the average of existing structures, whichever is greater
 **Please revise plat note #1 as shown above without the word proposing prior to final
 **Clarify note #1 regarding front setback prior to final
 **Zoning Ordinance: Section 138-356

Non-compliance

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

Applied

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

Applied

* Corner
 **Zoning Ordinance: Section 138-356

NA

* Garage: 18 ft. except where greater setback is required, greater setback applies.
 **Zoning Ordinance: Section 138-356

Applied

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

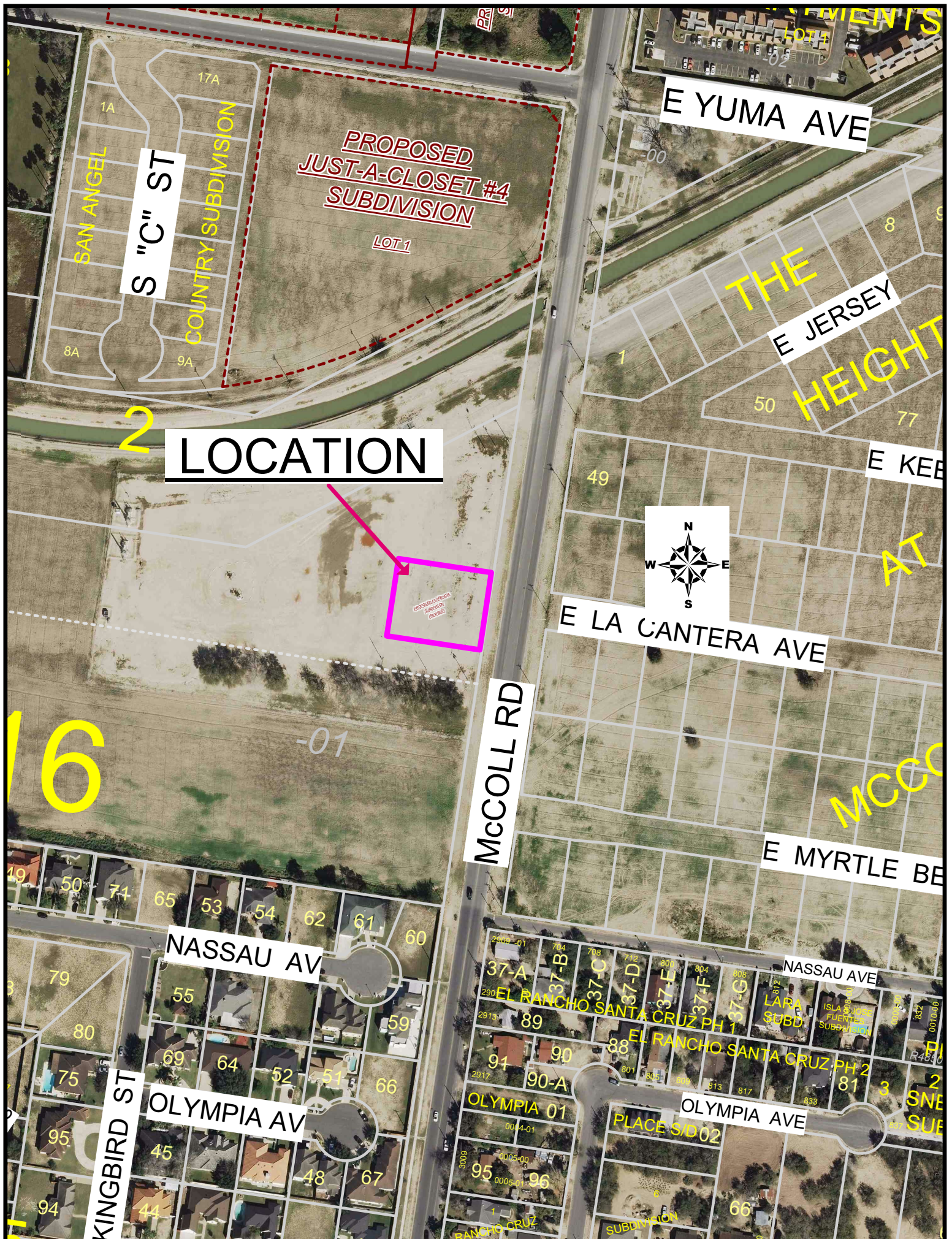
Applied

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

SIDEWALKS	
<ul style="list-style-type: none"> * 4 ft. wide minimum sidewalk required on S. McColl Rd. **5ft. sidewalk might be required on S. McColl Rd. by Engineering Department **Plat note #5 may need to be revised as shown above once sidewalk requirement are determine prior to final **Subdivision Ordinance: Section 134-120 * Perimeter sidewalks must be built or money escrowed if not built at this time. 	<div>Non-compliance</div> <div>Applied</div>
BUFFERS	
<ul style="list-style-type: none"> * 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. **Landscaping Ordinance: Section 110-46 * 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. **Landscaping Ordinance: Section 110-46 *Perimeter buffers must be built at time of Subdivision Improvements. 	Applied
	Applied
	Applied
NOTES	
<ul style="list-style-type: none"> * No curb cut, access, or lot frontage permitted along **Must comply with City Access Management Policy * Site plan must be approved by the Planning and Development Departments prior to building permit issuance. * Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. * Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. * Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. **Section 110-72 applies if private subdivision is proposed. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168 * Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. **Section 110-72 applies if private subdivision is proposed. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168 	TBD
	NA
	Applied
	NA
	NA
	NA
LOT REQUIREMENTS	
<ul style="list-style-type: none"> * Lots fronting public streets **Subdivision Ordinance: Section 134-1 * Minimum lot width and lot area **Zoning Ordinance: Section 138-356 	Compliance
	Compliance

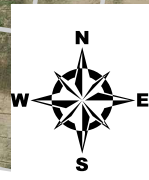
These comments are for subdivision requirements only – additional requirements may apply at time of site plan review

ZONING/CUP	
<ul style="list-style-type: none"> * Existing: C-3L Proposed: R-1 **Rezoning application was submitted on May 3, 2022 and will be presented at PZ on June 7, 2022. ***Zoning Ordinance: Article V * Rezoning Needed Before Final Approval ***Zoning Ordinance: Article V 	Non-compliance
	Required
PARKS	
<ul style="list-style-type: none"> * Land dedication in lieu of fee. **Must comply with Park Department requirements. **Clarify if use other than single family residential prior to final 	TBD
<ul style="list-style-type: none"> * Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. Total amount of park fees is subject to amount of proposed lots and dwelling units per each lot. **Must comply with Park Department requirements. **Clarify if use other than single family residential prior to final 	TBD
<ul style="list-style-type: none"> **Must comply with Park Department requirements. * Park Fee of \$700 per lot/dwelling unit to be paid prior to recording and/or land dedication. Total amount of park fees is subject to amount of proposed lots and dwelling units per each lot. **Clarify if use other than single family residential prior to final 	TBD
TRAFFIC	
<ul style="list-style-type: none"> * As per Traffic Department, Trip Generation is waived for 1 single family residential house. Please advise if use or number of units change. * Traffic Impact Analysis (TIA) required prior to final plat. 	Compliance
	NA
COMMENTS	
<ul style="list-style-type: none"> Comments: *Must comply with City's Access Management Policy. **Please provide ownership map to assure no parcels are landlock prior to final **Subdivision application will need to be updated as acreage for the subdivision has changed. Once application has been updated, we will need to present it to PZ in revised preliminary form 	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED, DRIANGE AND UTILITIES APPROVAL.	Applied



2

LOCATION



S2950-00-000-0308-55
S2950-00-000-0308-70

SUB2002-0007



City of McAllen

Planning Department

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

Project Information	Subdivision Name <u>PROPOSED BRIER VILLAGE SUBDIVISION</u>	
	Location <u>Approximately 180' south of the southwest corner of West Nolana Avenue and North Bentsen Road</u>	
	City Address or Block Number <u>3901 N. BENTSEN RD</u>	
	Number of Lots <u>32</u> Gross Acres <u>6.427</u> Net Acres _____ ETJ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
	Existing Zoning <u>R-1</u> Proposed Zoning <u>R-3A</u> Rezoning Applied for <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date <u>11.03.2021</u>	
	Existing Land Use <u>Vacant</u> Proposed Land Use <u>Detached Duplex</u> Irrigation District # <u>2</u>	
	Replat <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Commercial _____ Residential <u>X</u>	
	Agricultural Exemption <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Estimated Rollback Tax Due _____	
	Parcel # <u>1. 281653, 2. 281654 & 3. 281655</u> Tax Dept. Review _____	
	Water CCN <input checked="" type="checkbox"/> MPU <input type="checkbox"/> Sharyland Water SC Other _____	
Legal Description <u>6.427 acres out of Lot 308, John H. Shary Subdivision, City of McAllen, Hidalgo</u>		
Owner	Name <u>1. Elsie Wall (WD 11278, Deed Record 1264, Page 209) 2. Loretta Williams & Daniel E Prukop (WD 1468503) 3. Loretta Williams & Daniel E Prukop (WD 1468503)</u>	Phone <u>c/o (956) 381-0981</u>
	Address <u>1. 2934 Melcoff Street 2. P.O. Box 10 & 544 CR 439 3. P.O. Box 10 & 644 CR 439</u>	E-mail <u>c/o ruben@meldenandhunt.com</u>
	City <u>1. Houston 2. Sundown 3. Alice</u> State <u>1. Texas 2. Texas 3. Texas</u> Zip <u>1. 77017-1621 2. 79372 3. 78332-7418</u>	
Developer	Name <u>Garman Investments, LP</u>	Phone <u>(956) 655-2393</u>
	Address <u>1804 N. 23rd Street</u>	E-mail <u>ireneuribe00@yahoo.com robertog20@yahoo.com</u>
	City <u>McAllen</u> State <u>Texas</u> Zip <u>78501</u>	
	Contact Person <u>Irene Uribe & Roberto Garza</u>	
Engineer	Name <u>Melden & Hunt, Inc.</u>	Phone <u>(956) 381-0981</u>
	Address <u>115 West McIntyre Street</u>	E-mail <u>ruben@meldenandhunt.com</u>
	City <u>Edinburg</u> State <u>Texas</u> Zip <u>78541</u>	
	Contact Person <u>Ruben James De Jesus, P.E., R.P.L.S.</u>	
Surveyor	Name <u>Melden & Hunt, Inc.</u>	Phone <u>(956) 381-0981</u>
	Address <u>115 West McIntyre Street</u>	E-mail <u>fkurth@meldenandhunt.com</u>
	City <u>Edinburg</u> State <u>Texas</u> Zip <u>78541</u>	

ENTERED

JAN 14 2022

Initial: Or

Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

In Person Submittal Requirements

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

Email Submittal Requirements

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

Documents must be submitted in PDF format. No scanned documents

*Please submit documents to subdivisions@mcallen.net

ORIGINAL APPLICATION & FEE MUST BE SUBMITTED IN PERSON

PLAT TO SHOW:

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

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

Owners Signature

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

Signature  Date 01.14.2022

Print Name Ruben James De Jesus, P.E., R.P.L.S.

Owner ☐ Authorized Agent ☐

The Planning Department is now accepting DocuSign signatures on application

VAR 2022-0019



City of McAllen
Planning Department
VARIANCE TO SUBDIVISION
PROCESS APPLICATION

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

Project	<p>Legal Description <u>Being a 6.427 acres of land situated in the City of McAllen, Hidalgo County, Texas, being all of Lot 308, John H. Shary Subdivision, according to the plat thereof recorded in Volume 1, Page 17, H.C.M.R.</u></p> <p>Street Address <u>4501 and 4701 Nolana Avenue</u></p> <p>Number of lots <u>18</u> Gross acres <u>6.427</u></p> <p>Existing Zoning <u>R-3A</u> Existing Land Use <u>Vacant</u></p> <p><input checked="" type="checkbox"/> Current Survey and Metes and Bounds (if the legal description of the tract is a portion of a lot) is required</p>
Applicant	<p>Name <u>Melden & Hunt, Inc.</u> Phone <u>(956) 381-0981</u></p> <p>Address <u>115 West McIntyre Street</u> E-mail <u>ruben@meldenandhunt.com</u></p> <p>City <u>Edinburg</u> State <u>Texas</u> Zip <u>78541</u></p>
Owner	<p>Name <u>GARMAN INVESTMENTS LP</u> Phone <u>c/o (956) 381-0981</u></p> <p>Address <u>1804 N 23RD STREET</u> E-mail <u>robertog20@yahoo.com</u></p> <p>City <u>MCALLEN</u> State <u>Texas</u> Zip <u>78504</u></p>
Authorization	<p>To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable) OR I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.</p> <p>Signature <u>[Signature]</u> Date <u>May 13, 2022</u></p> <p>Print Name <u>Ruben James De Jesus, P.E., R.P.L.S.</u> <input type="checkbox"/> Owner <input checked="" type="checkbox"/> Authorized Agent</p>
Office	<p>Accepted by _____ Payment received by _____ Date _____</p> <p>Rev 10/18</p> <p style="text-align: right;">ENTERED MAY 16 2022 Initial: <u>AM</u></p>



City of McAllen

Planning Department

REASON FOR APPEAL

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

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

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

Reason for Appeal

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

Due to the required addition of the quarter mile collector along the west side of the development the owner was required to change the layout of the proposed private subdivision which caused layout to change and the street to extend further west making it exceed the maximum length of the block length.

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

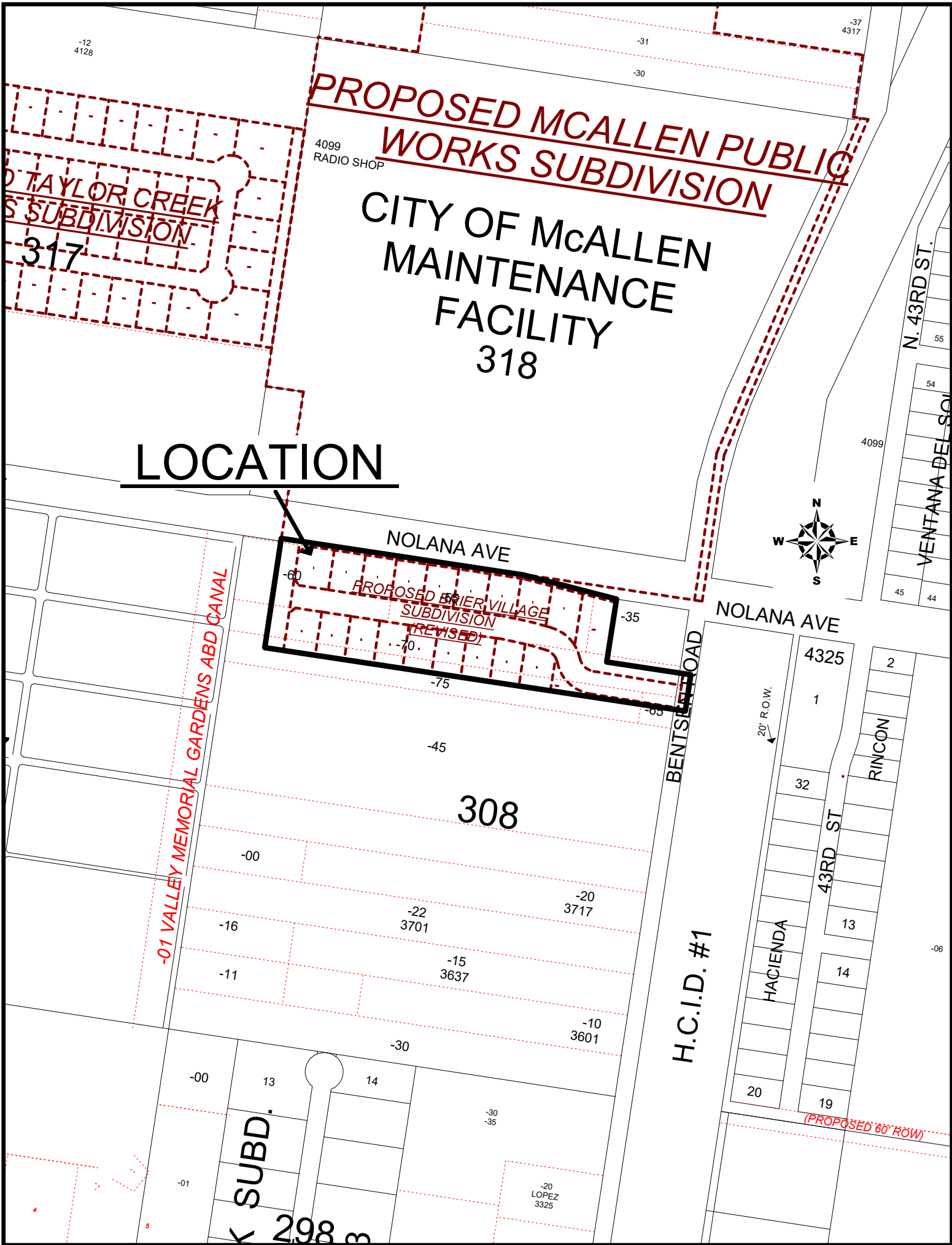
The variance is necessary because there are no other options for the property because of its narrow shape. The majority of property will be used to construct multi-family lots and because of the city's requirement to extend the quarter mile collector along the west property line the layout has changed causing the developer to exceed the maximum block length. or Also, by adding an additional entrance off Nolana will still require a variance to the cities Access Management requirements for the distance to an intersection.

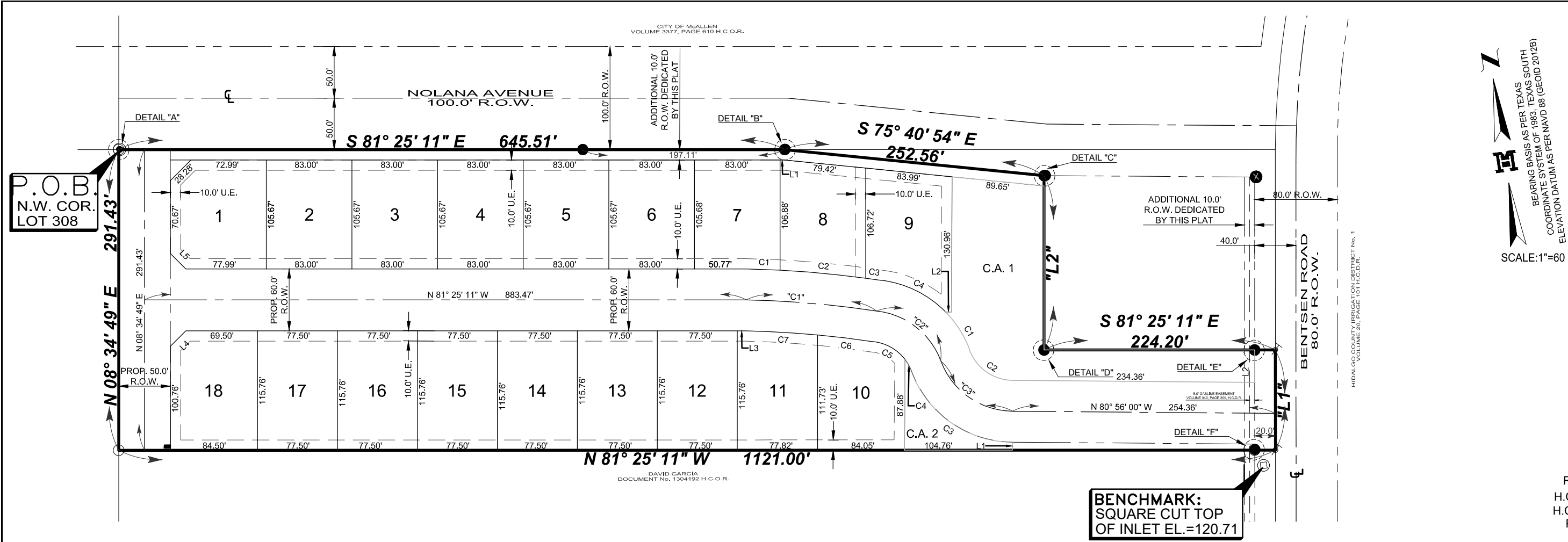
3. Describe how the variance will not be detrimental to the public health, safety or welfare or injurious to the legal rights other property owners enjoy in the area.

The variance will not be detrimental to the public health, safety, or welfare or injurious to the legal rights that other property owners may enjoy within the proposed area.

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

The variance will not have any negative effect or prevent the orderly subdivision of other lands within the area in accordance with the provisions of this chapter and the City of McAllen. This subdivision will be a private subdivision.





- LEGEND**
- FOUND PIPE (SIZE AS NOTED)
 - FOUND "X" MARK ON CONCRETE
 - FOUND NO. 4 REBAR
 - SET NO. 4 REBAR WITH PLASTIC
 - CAP STAMPED MELDEN & HUNT
 - ▲ SET NAIL
- R.O.W. - RIGHT OF WAY
H.C.D.R. - HIDALGO COUNTY DEED RECORDS
H.C.O.R. - HIDALGO COUNTY OFFICIAL RECORDS
P.O.B. - POINT OF BEGINNING
C.A. - COMMON AREA

METES AND BOUNDS DESCRIPTION:

A TRACT OF LAND CONTAINING 6.427 ACRES SITUATED IN THE CITY OF MCALLEN, HIDALGO COUNTY, TEXAS, BEING A PART OR PORTION OUT OF LOT 308, JOHN H. SHARY SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 1, PAGE 17, HIDALGO COUNTY MAP RECORDS, SAID 6.427 ACRES CONSIST OF: A 2,000- ACRE TRACT AND A 2,500-ACRE TRACT CONVEYED TO LORETTA WILLIAMS & DANIEL E. PRUKOP, BY VIRTUE OF A CORRECTION GIFT DEED RECORDED UNDER DOCUMENT NUMBER 1489503, HIDALGO COUNTY OFFICIAL RECORDS, AND OF 1.927 ACRES CONVEYED TO ELSIE WALL BY VIRTUE OF A DEED RECORDED IN VOLUME 1264, PAGE 209, HIDALGO COUNTY DEED RECORDS, SAID 6.427 ACRES ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING ON A NO. 4 REBAR SET (FROM WHICH AN IRON PIPE FOUND BEARS N 78° 37' 06" E A DISTANCE OF 0.83 FEET) AT THE NORTHWEST CORNER OF SAID LOT 308 FOR THE NORTHWEST CORNER OF THIS HEREIN DESCRIBED TRACT:

1. THENCE, S 81° 25' 11" E ALONG THE NORTH LINE OF SAID LOT 308 AND THE EXISTING SOUTH RIGHT-OF-WAY LINE OF NOLANA AVENUE, AT A DISTANCE OF 448.44 FEET PASS THE EAST PROPERTY LINE OF SAID 2,000-ACRE TRACT, CONTINUING A TOTAL DISTANCE OF 645.51 FEET TO A NO. 4 REBAR SET (FROM WHICH A NO. 4 REBAR FOUND BEARS N 52° 00' 46" E A DISTANCE OF 0.35 FEET) FOR AN OUTSIDE CORNER OF THIS TRACT;
2. THENCE, S 75° 40' 54" E CONTINUING ALONG THE EXISTING SOUTH RIGHT-OF-WAY LINE OF NOLANA AVENUE, A DISTANCE OF 252.56 FEET TO A NO. 4 REBAR WITH A CAP LABELED "ASES 7802" FOUND (FROM WHICH A NO. 4 REBAR FOUND BEARS S 81° 01' 57" E A DISTANCE OF 1.34 FEET) FOR THE NORTHERMOST NORTHEAST CORNER OF THIS TRACT;
3. THENCE, S 08° 34' 49" W A DISTANCE OF 169.04 FEET TO A NO. 4 REBAR SET (FROM WHICH A NO. 4 REBAR FOUND BEARS S 08° 34' 49" W A DISTANCE OF 0.24 FEET) FOR AN INSIDE CORNER OF THIS TRACT;
4. THENCE, S 81° 25' 11" W AT A DISTANCE OF 204.20 PASS A NO. 4 REBAR SET (FROM WHICH A NO. 4 REBAR FOUND BEARS S 26° 44' 16" E A DISTANCE OF 0.23 FEET) ON THE EXISTING WEST RIGHT-OF-WAY LINE OF BENTSEN ROAD, CONTINUING A TOTAL DISTANCE OF 224.20 FEET TO A NAIL SET FOR THE SOUTHERNMOST NORTHEAST CORNER OF THIS TRACT;
5. THENCE, S 08° 34' 49" W ALONG THE EAST LINE OF SAID LOT 308 AND WITHIN THE EXISTING RIGHT-OF-WAY OF BENTSEN ROAD, A DISTANCE OF 97.14 FEET TO A NAIL SET FOR THE SOUTHEAST CORNER OF THIS TRACT;
6. THENCE, N 81° 25' 11" W AT A DISTANCE OF 20.00 FEET PASS A NO. 4 REBAR SET (FROM WHICH A NO. 4 REBAR FOUND BEARS N 08° 34' 49" W A DISTANCE OF 0.70 FEET) CONTINUING A TOTAL DISTANCE OF 1,121.00 FEET TO A NO. 4 REBAR SET FOR THE SOUTHWEST CORNER OF THIS TRACT;
7. THENCE, N 08° 34' 49" E ALONG THE WEST LINE OF SAID LOT 308, AT A DISTANCE OF 97.14 FEET PASS THE SOUTH LINE OF SAID 2,000-ACRE TRACT AND THE NORTH LINE OF SAID 2,500-ACRE TRACT, CONTINUING A TOTAL DISTANCE OF 291.43 FEET TO THE POINT OF BEGINNING AND CONTAINING 6.427 ACRES, OF WHICH 0.045 OF ONE ACRE LIES WITHIN THE EXISTING RIGHT-OF-WAY OF BENTSEN ROAD, LEAVING A NET OF 6.382 ACRES OF LAND, MORE OR LESS.

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

MAYOR, CITY OF MCALLEN _____ DATE _____

CITY SECRETARY _____ DATE _____

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

CHAIRMAN, PLANNING COMMISSION _____ DATE _____

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

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

PRESIDENT _____ ATTEST: _____ SECRETARY _____

APPROVED BY DRAINAGE DISTRICT:

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

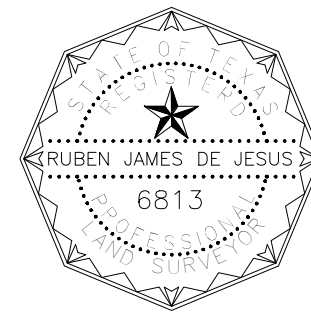
HIDALGO COUNTY DRAINAGE DISTRICT NO.1

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

STATE OF TEXAS
COUNTY OF HIDALGO:

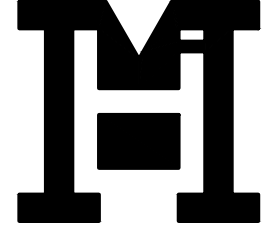
I, THE UNDERSIGNED, RUBEN JAMES DE JESUS, A REGISTERED PROFESSIONAL LAND SURVEYOR, IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE HEREIN PRESENTED PLAT AND DESCRIPTION OF BRIER VILLAGE SUBDIVISION, WERE PREPARED FROM A SURVEY OF THE PROPERTY MADE ON THE GROUND BY ME OR UNDER MY SUPERVISION ON 11-08-2021, AND THAT IT IS A TRUE AND ACCURATE REPRESENTATION OF THE SUBDIVISION OF THE LANDS HEREON DESCRIBED.

RUBEN JAMES DE JESUS, R.P.L.S. # 6813 _____ DATE: _____
DATE SURVEYED: 11-08-2021
SURVEY JOB No. 21210.02-08



DRAWN BY: E.V.Z. _____ DATE 05-13-22
SURVEYED, CHECKED _____ DATE _____
FINAL CHECK _____ DATE _____

BTPE FIRM # F-1435



MELDEN & HUNT INC.
CONSULTANTS • ENGINEERS • SURVEYORS
115 W. MAIN ST.
EDINBURG, TX 78541
ESTABLISHED 1947
PH: (956) 381-0981
FAX: (956) 381-1839
www.meldenandhunt.com

THE STATE OF TEXAS
COUNTY OF BEXAR

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

ELSIE WALL
1934 MTCALF STREET
HOUSTON, TEXAS 77017-1621

THE STATE OF TEXAS
COUNTY OF BEXAR

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

LORETTA WILLIAMS
P.O. BOX 10
SUNDOWN, TX 79372

THE STATE OF TEXAS
COUNTY OF BEXAR

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

DANIEL E. PRUKOP
6400 COUNTY ROAD 439
ALICE, TEXAS 78332

STATE OF TEXAS
COUNTY OF BEXAR

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

SEAL OF OFFICE, THIS THE _____ DAY OF _____, 20____.

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

STATE OF TEXAS
COUNTY OF

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

AND SEAL OF OFFICE, THIS THE _____ DAY OF _____, 20____.

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

STATE OF TEXAS
COUNTY OF

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

AND SEAL OF OFFICE, THIS THE _____ DAY OF _____, 20____.

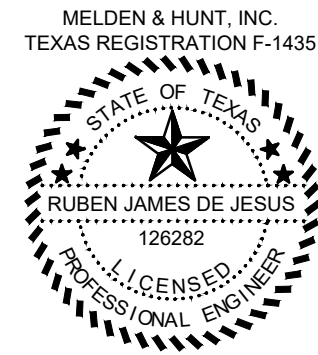
NOTARY PUBLIC, FOR THE STATE OF TEXAS
MY COMMISSION EXPIRES:

STATE OF TEXAS
COUNTY OF HIDALGO:

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

RUBEN JAMES DE JESUS, P.E. # 126282
DATE PREPARED: 01-13-2022
ENGINEERING JOB No. 21210.00

DATE: _____



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

ON: _____ AT _____ AM/PM

INSTRUMENT NUMBER _____
OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS

BY: _____ DEPUTY

LOT - CURVE TABLES

Curve Table						
Curve #	Delta	Radius	Length	Tangent	Chord Length	Chord Direction
C1	001° 47' 38"	1030.29'	32.26'	16.13'	32.26'	N 79° 16' 47" W
C2	004° 38' 19"	1030.29'	83.41'	41.73'	83.39'	N 78° 03' 48" W
C3	000° 48' 47"	1030.29'	14.62'	7.31'	14.62'	N 73° 20' 16" W
C4	038° 52' 00"	105.00'	71.23'	37.05'	69.83'	N 55° 24' 30" W
C5	046° 50' 01"	45.00'	36.78'	19.49'	35.77'	N 52° 27' 08" W
C6	003° 10' 59"	970.29'	53.80'	26.96'	53.89'	N 74° 27' 07" W
C7	004° 05' 43"	970.29'	69.35'	34.69'	69.34'	N 78° 05' 38" W

LOT - AREAS

Lot Area Table			Lot Area Table		
Lot #	SQ. FT.	ACRES	Lot #	SQ. FT.	ACRES
1	9514.22	0.22	11	8897.83	0.20
2	8771.28	0.20	12	8971.70	0.21
3	8771.28	0.20	13	8971.53	0.21
4	8771.28	0.20	14	8971.53	0.21
5	8771.28	0.20	15	8971.53	0.21
6	8771.36	0.20	16	8971.40	0.21
7	8787.88	0.20	17	8971.40	0.21
8	8835.94	0.20	18	9669.35	0.22
9	9562.75	0.22			
10	8893.53	0.20			

LOT LINE TABLES

Line Table		
Line #	Direction	Length
L1	N 81° 25' 11" W	4.00'
L2	N 82° 03' 23" W	5.74'
L3	S 81° 25' 11" E	8.60'
L4	N 53° 34' 49" E	21.21'
L5	N 36° 22' 11" W	21.21'

ROAD CENTER LINE - CURVE TABLES

Curve Table						
Curve #	Delta	Radius	Length	Tangent	Chord Length	Chord Direction
"C1"	007° 19' 28"	1030.29'	126.71'	63.44'	106.82'	N 78° 31' 45" W
"C2"	002° 00' 08"	75.00'	63.91'	46.20'	78.79'	N 43° 31' 42" W
"C3"	009° 04' 23"	75.00'	90.42'	51.62'	85.04'	N 46° 23' 48" W

BOUNDARY LINE TABLES

Line Table		
Line #	Direction	Length
"L1"	S 08° 34' 49" W	97.14'
"L2"	S 08° 34' 49" W	169.04'

COMMON / DETENTION - AREAS

Lot Area Table		
Lot #	SQ. FT.	ACRES
1	22370.18	0.51
2	3166.74	0.07

COMMON / DETENTION - LINE TABLE

Line Table		
Line #	Direction	Length
L1	N 08° 35' 16" E	7.81'
L2	N 08° 34' 49" E	31.51'

COMMON / DETENTION - CURVE TABLE

Curve Table						
Curve #	Length	Radius	Delta	Chord Direction	Chord Length	Tangent
C1	44.19'	105.00'	024° 06' 50"	N23° 55' 02"W	43.87'	22.43'
C2	54.25'	45.00'	069° 04' 23"	N46° 23' 48"W	51.02'	30.97'
C3	126.58'	105.00'	069° 04' 23"	S46° 23' 48"E	119.06'	72.26'
C4	13.49'	45.00'	017° 10' 31"	S20° 26' 53"E	13.44'	6.80'

GENERAL NOTES:

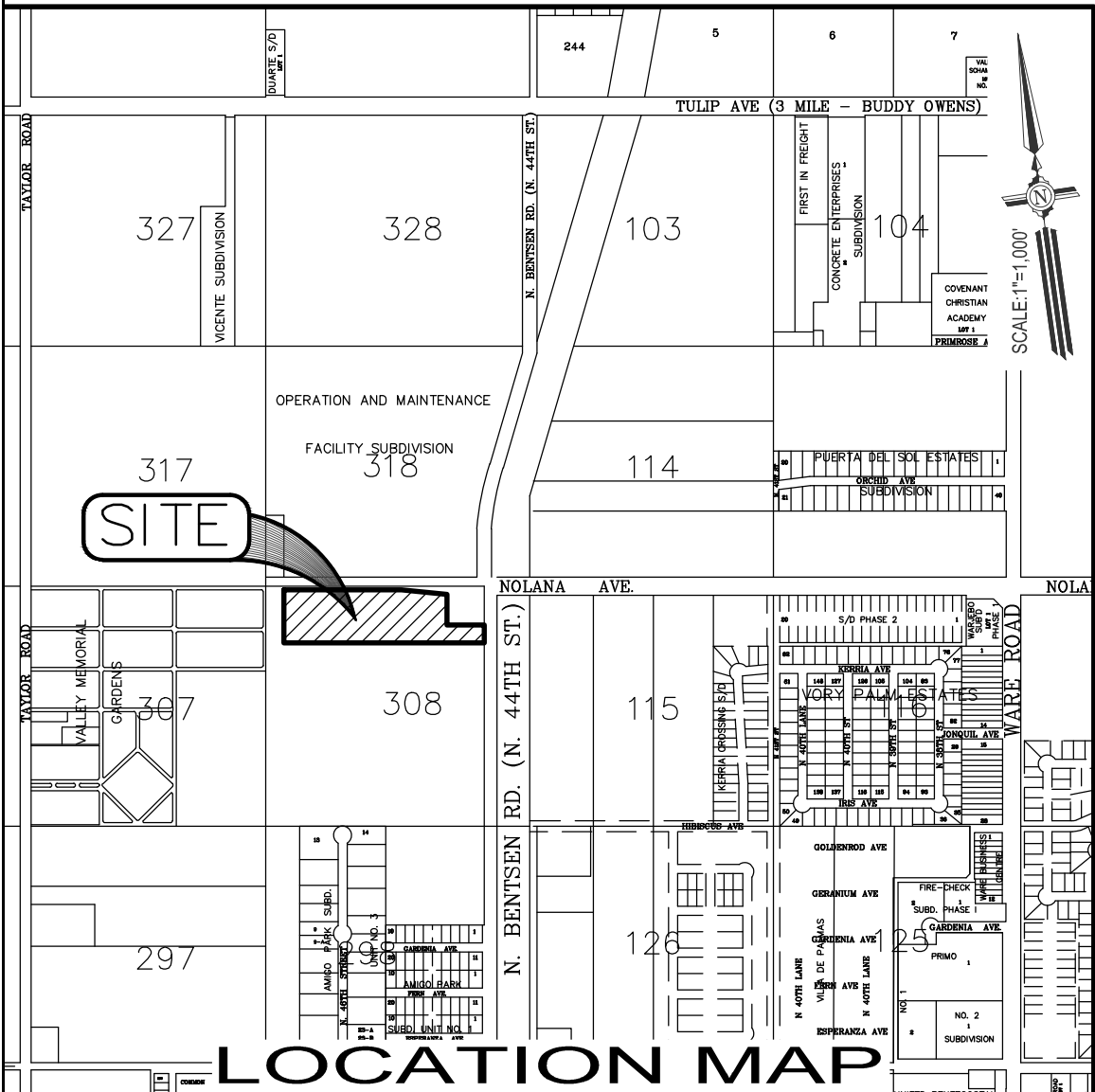
1. THE SITE LIES IN ZONE "C". ZONE "C" IS DEFINED AS "AREAS OF MINIMAL FLOODING. ZONE "C" SHOWN ON: COMMUNITY-PANEL NUMBER: 480334 0400 C MAP REVISED NOVEMBER 16, 1982.

2. MINIMUM FINISH FLOOR ELEVATION SHALL BE 18" ABOVE TOP OF CURB AT CENTER OF LOT.
3. MINIMUM SETBACKS SHALL COMPLY WITH THE CITY OF MCALLEN ZONING CODE:

FRONT: 20 FEET OR GREATER FOR EASEMENT OR APPROVED SITE PLAN
REAR: IN ACCORDANCE WITH THE ZONING ORDINANCE OR GREATER FOR EASEMENTS OR APPROVED SITE PLAN

SIDE CORNER: 10 FEET OR GREATER FOR EASEMENTS OR APPROVED SITE PLAN
INTERIOR SIDES: IN ACCORDANCE WITH THE ZONING ORDINANCE OR GREATER FOR EASEMENTS OR APPROVED SITE PLAN
GARAGE: 18 FEET EXCEPT WHERE GREATER SETBACK IS REQUIRED: GREATER SETBACK APPLIES.

4. REQUIRED DETENTION FOR STORM SEWER RUNOFF PER THE APPROVED DRAINAGE REPORT SHALL BE 53,775 CUBIC FEET. STORM WATER RUNOFF GENERATED FROM DEVELOPMENT SHALL BE OBTAINED ON-SITE VIA A DETENTION POND WITH A CAPACITY OF 38,633 CUBIC FEET. WATER WILL THEN DISCHARGE THROUGH AN 36" LINE INTO AN EXISTING CITY OF MCALLEN STORM SEWER NETWORK LOCATED ON THE NORTH SIDE OF THE PROPERTY .
5. CITY OF MCALLEN BENCHMARK: (BENTSEN) FROM THE CITY OF MCALLEN G.P.S. REFERENCE MARKS LIST PREPARED BY GLICK, LINN ON OCTOBER 08, 1999. BEING LOCATED INSIDE THE MCALLEN PUBLIC WORKS WHICH IS IN BENTSEN RD AND SOUTH OF 3 MILE LINE. STAINLESS STEEL, 3/8" BOLT, COVERED WITH AN ALUMINUM LOGO CAP.
CAP ON TOP AT ELEVATION = 123.99, NORTHING: 16614919.50858, EASTING: 1061694.29109 (NAVDB8).
6. NO STRUCTURES PERMITTED TO BE BUILT OVER EASEMENTS.
7. 5 FT. WIDE MINIMUM SIDEWALK REQUIRED ALONG THE SOUTH SIDE WEST NOLANA AVENUE, AND A 5 FT. WIDE MINIMUM SIDEWALK REQUIRED ALONG WEST SIDE OF NORTH BENTSEN AND 4 FT. WIDE MINIMUM SIDEWALK REQUIRED ALONG BOTH SIDES OF ALL INTERNAL STREETS.
8. 25 FT. x 25 FT. SIGHT OBSTRUCTION EASEMENT REQUIRED AT ALL STREET INTERSECTIONS.
9. 6 FT. OPAQUE BUFFER REQUIRED FROM ADJACENT BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, AND INDIVIDUAL ZONE/USES ALONG NORTH BENTSEN ROAD AND NOLANA AVENUE.
10. AN 8 FT. MASONRY WALL IS REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONE/USES.
11. SET NO. 4 REBARS WITH PLASTIC CAP STAMPED MELDEN AND HUNT ON ALL LOT CORNERS.
12. C.A. 1 AND C.A. 2 ARE COMMON OR DETENTION AREAS IN WHICH NO BUILDING WILL BE BUILT, ANY PRIVATE STREET/ALLEYS, AND/OR GATES MUST MAINTAINED BY THE LOT OWNERS AND NOT THE CITY OF MCALLEN.
13. NO CURB CUT, ACCESS, OR LOT FRONTAGE PERMITTED ALONG WEST NOLANA AVENUE.



**SUBDIVISION MAP OF
BRIER VILLAGE
PRIVATE SUBDIVISION**

BEING A SUBDIVISION OF A 6.427 ACRES OF LAND SITUATED IN THE CITY OF MCALLEN, HIDALGO COUNTY, TEXAS, BEING ALL OF LOT 308, JOHN H. SHARY SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 1, PAGES 17, HIDALGO COUNTY MAP RECORDS.

GENERAL NOTES CONTINUED:

14. AS PER DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS, FOR THE BRIER VILLAGE SUBDIVISION RECORDED UNDER DOCUMENT NUMBER _____, HIDALGO COUNTY OFFICIAL RECORDS, DEVELOPER/HOMEOWNERS ASSOCIATION/OWNER, THEIR SUCCESSORS AND/OR ASSIGNS, AND NOT THE CITY OF MCALLEN SHALL BE RESPONSIBLE OF INSTALLATION, MAINTENANCE AND OTHER REQUIREMENTS AS PER SECTION 134-168 OF THE CODE OF ORDINANCE OF THE CITY OF MCALLEN, INCLUDING BUT NOT LIMITED TO COMMON AREAS AND DETENTION PONDS, ANY AMENDMENT TO DECLARATION THAT CONFLICT WITH THE REQUIREMENTS OF SECTION 134-168 SHALL BE NULL & VOID.
15. COMMON LOTS 20, IDENTIFIED AS DETENTION AREAS SHALL BE MAINTAINED BY THE DEVELOPER WHO MAY TRANSFER SUCH MAINTENANCE OBLIGATION TO THE SUBDIVISION HOMEOWNER'S ASSOCIATION, THE BRIER VILLAGE SUBDIVISION HOMEOWNER'S ASSOCIATION, UPON CONVEYANCE OF TITLE TO THE SAME, THEIR SUCCESSORS AND ASSIGNEES, AND NOT BY THE CITY OF MCALLEN. NO BUILDINGS OR OTHER STRUCTURES SHALL BE ERCTED IN COMMON LOT 20, WHICH SHALL BE USED EXCLUSIVELY AS DETENTION AREAS. AFTER COMMON LOT 20 TRANSFER OF TITLES TO THE BRIER VILLAGE SUBDIVISION HOMEOWNERS ASSOCIATION THE SUBDIVISION LOT OWNER'S PRO RATA SHARES OF THE COST OF MAINTENANCE SHALL BE DETERMINED BY THE BRIER VILLAGE SUBDIVISION HOMEOWNERS ASSOCIATION. FAILING IN SUCH MAINTENANCE OBLIGATION, THE CITY OF MCALLEN MAY, BUT SHALL NOT BE REQUIRED TO MAINTAIN THE SAME AT THE LOT OWNER'S COST, WHICH COST MAY BECOME A LIEN AGAINST THEIR PROPERTIES. PRIOR TO THE IMPOSITION OF ANY LIEN, THE CITY SHALL FIRST COMPLY WITH NOTICE REQUIREMENTS SIMILAR TO THOSE UNDER EXISTING ORDINANCE SECTION 134-168(a), AS THE SAME MAY BE AMENDED. THE SPECIFIC AND EXCLUSIVE USE OF COMMON LOT 62 THE OWNER'S MAINTENANCE OBLIGATION, AND THE CONSEQUENCES OF FAILURE TO MAINTAIN SHALL BE INCORPORATED INTO ANY DEED OR INSTRUMENT OF CONVEYANCE AS A DEED RESTRICTION, RECORDED IN INSTRUMENT NO. _____ OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS.
16. LOT 20 FOR LANDSCAPING DETENTION PURPOSES ONLY, WILL BE PRIVATE AND MAINTAINED BY THE H.O.A./PROPERTY OWNERS AND NOT THE CITY OF MCALLEN.
17. SITE PLAN MUST BE APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENTS PRIOR TO BUILDING PERMIT ISSUANCE.



City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 6/3/2022

SUBDIVISION NAME: BRIER VILLAGE SUBDIVISION

REQUIREMENTS

STREETS AND RIGHT-OF-WAYS

Nolana Avenue: 60 ft. from centerline for 120 ft. of total ROW

Paving: 65 ft. Curb & gutter: Both sides

**Label total ROW after accounting for dedication prior to final

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

**Subdivision Ordinance: Section 134-105

**COM Thoroughfare Plan

Non-compliance

North Bentsen Road: 50 ft. from centerline for 100 ft of total ROW

Paving: 65 ft. Curb & gutter: Both sides

**Label total ROW after accounting for dedication prior to final.

***Label "20 ft." reference shown on North Bentsen Road prior to final.

****Clarify if 5 ft. Gas Line Easement will be within the proposed ROW prior to final.

**Subdivision Ordinance: Section 134-105

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

**COM Thoroughfare Plan

Non-compliance

Internal Road: 60 ft.

Paving: 40 ft. Curb & gutter: Both sides

**Clarify if subdivision is proposed to be private. If so, provide gate details prior to final to finalize ROW requirements.

***Street name will be issued prior to final.

**Subdivision Ordinance: Section 134-105

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

**COM Thoroughfare Plan

Required

1/4 Mile Collector (North 48th Street): 50 ft. ROW

Paving: 40 ft. Curb & gutter: Both sides

**Plat submitted on 5/13/2022 provides the 1/4 mile collector on the west boundary of development.

**Street name will be finalized prior to final.

**Subdivision Ordinance: Section 134-105

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

**COM Thoroughfare Plan

Applied

Paving _____ Curb & gutter _____

**Subdivision Ordinance: Section 134-105

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

**COM Thoroughfare Plan

Applied

* 1,200 ft. Block Length

**Subdivision Ordinance: Section 134-118

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

**Engineer has submitted a variance request to the block length requirement on May 16, 2022.

NA

**Subdivision Ordinance: Section 134-118

* 600 ft. Maximum Cul-de-Sac

**Subdivision Ordinance: Section 134-105

Non-compliance

NA

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

ALLEYS	
ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties **Subdivision Ordinance: Section 134-106	NA
SETBACKS	
* Front: 20 ft. or greater for easements. **Clarify proposed setbacks prior to final. ***Clarify if carports along the front will be proposed prior to final. **Zoning Ordinance: Section 138-356	Required
* Rear: In Accordance with Zoning ordinance or greater for easements or approved site plan. **Zoning Ordinance: Section 138-356	Applied
* Interior Sides: In Accordance with Zoning ordinance or greater for easements or approved site plan. **Zoning Ordinance: Section 138-356	Applied
* Corner: 10 ft. or greater for easements or approved site plan. **Zoning Ordinance: 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
SIDEWALKS	
* 4 ft. wide minimum sidewalk required on North Bentsen Road and Nolana Avenue, both sides of all internal streets, and any other applicable streets prior to final. **5 ft. sidewalk might be required by Engineering Dept. prior to final. **Subdivision Ordinance: Section 134-120	Required
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Applied
BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses along North Bentsen Road, Nolana Avenue, and North 48th Street. **Revise plat note #9 as shown above prior to final. **Landscaping Ordinance: Section 110-46	Non-compliance
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. **This might be required along south and east property line where adjacent to single-family residential zones/uses. **Landscaping Ordinance: Section 110-46	Applied
*Perimeter buffers must be built at time of Subdivision Improvements.	Applied
NOTES	
* No curb cut, access, or lot frontage permitted along Nolana Avenue, North Bentsen Road, and North 48th Street. **Please revise plat note #13 as shown above prior to final. **Must comply with City Access Management Policy	Non-compliance
* Site plan must be approved by the Planning and Development Departments prior to building permit issuance. **This requirements might be triggered depending on the amount of units proposed per lot.	Applied

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

<ul style="list-style-type: none"> * Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. * Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. * Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. **Section 110-72 applies if private subdivision is proposed. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168 * Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. **Section 110-72 applies if private subdivision is proposed. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168 	Applied
	Required
	Required
	Required
LOT REQUIREMENTS	
<ul style="list-style-type: none"> * Minimum lot width and lot area. **Zoning Ordinance: Section 138-356 * Lots fronting public streets. **Subdivision Ordinance: Section 134-1 	Applied
	Compliance
ZONING/CUP	
<ul style="list-style-type: none"> * Existing: r-1 and R-3A Proposed: R-3A] **Verify metes and bounds of zoning districts since there seems to be an overlap. Clarify prior to final. ***Zoning Ordinance: Article V * Rezoning Needed Before Final Approval **Verify metes and bounds of zoning districts since there seems to be an overlap. Clarify prior to final. ***If any rezoning are needed, they must be finalized prior to final plat approval. ***Zoning Ordinance: Article V 	Non-compliance
	TBD
PARKS	
<ul style="list-style-type: none"> * Land dedication in lieu of fee. * Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, number of unit to be clarified prior to final to determine total amount of park fees. * Pending review by the Parkland Dedication Advisory Board and CC. 	NA
	Required
	NA
TRAFFIC	
<ul style="list-style-type: none"> * As per Traffic Department, Trip Generation approved, no TIA required. * Traffic Impact Analysis (TIA) required prior to final plat. 	Compliance
	NA
COMMENTS	
<p>Comments:</p> <ul style="list-style-type: none"> *Must comply with City's Access Management Policy. **Verify metes and bounds of zoning districts since there seems to be an overlap. Clarify prior to final. 	Applied

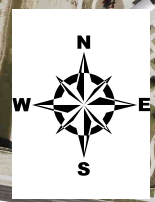
These comments are for subdivision requirements only – additional requirements may apply at time of site plan review

RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED AND CLARIFICATION OF THE VARIANCE REQUEST TO THE BLOCK LENGTH.	Applied

**PROPOSED MCALLEN PUBLIC
WORKS SUBDIVISION**

**CITY OF MCALLEN
MAINTENANCE
FACILITY
318**

LOCATION



NOLANA AVE

**PROPOSED BRIER VILLAGE
SUBDIVISION
(REVISED)**

NOLANA AVE

BENTLEY ROAD

H.C.I.D. #1

43RD ST

HACIENDA

RINCON

N. 43RD ST.

VENTANA DEL SOL

VENTANA

PE

N. 43RD ST.

**TAYLOR CREEK
SUBDIVISION**

17

-01 VALLEY MEMORIAL GARDENS ABD CANAL

2K SUBD.

ST 298

3

308

3701

3637

3717

3601

3377

3377

4325

32

13

14

10

11

10

(PROPOSED 60' ROW)

Memo

TO: Planning & Zoning Commission
FROM: Edgar I. Garcia, AICP, CNU-A, CPM
DATE: June 2nd, 2022
SUBJECT: City Commission Actions on May 23rd, 2022

CONDITIONAL USE PERMITS

1. Request of Robert Espericueta, on behalf of The House Club LLC, for one year, for a social club at Lot 1A & Lot 1B, The Courtyard, Amended Subdivision; 5401 N 10th St, Suite 203
 - Planning and Zoning Commission disapproved with favorable recommendation
 - City Commission approved as recommended
2. Request of Maria D. Acuna, for one year, for an Outdoor Commercial Recreation (soccer fields) at 1.405-acre tract out of Lot 151, La Lomita Irrigation and Construction Company Subdivision; 501 S Bentsen
 - Planning and Zoning Commission disapproved with favorable recommendation
 - City Commission approved as recommended

REZONINGS

3. Rezone from C-1 to C-3L, Lot 1, Ramali Subdivision Phase III; 2020 N McColl Rd
 - Planning and Zoning Commission recommended approval
 - City Commission approved as recommended
4. Rezone from C-3 to R-1, Lot 4-A, North Bryan Estates Subdivision; 8401 SH 107
 - Planning and Zoning Commission recommended approval
 - City Commission approved as recommended
5. Initial zoning to R-3A, 10 acres being all of Lot 3, Resubdivision of Lots 164-171 of Pride O' Texas; 3420 La Lomita Road
 - Planning and Zoning Commission recommended approval
 - City Commission approved as recommended

[illegible][illegible]







PLANNING DEPARTMENT

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



2022 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 2022

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

FEBRUARY 2022

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

MARCH 2022

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

APRIL 2022

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

MAY 2022

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

JUNE 2022

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

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

2022 CALENDAR

Meetings:





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

Deadlines:






- D- Zoning/CUP Application
- N - Public Notification

* **Holiday** - Office is closed





JULY 2022

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






AUGUST 2022

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





SEPTEMBER 2022

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




OCTOBER 2022

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

NOVEMBER 2022

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

DECEMBER 2022

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