

AGENDA

PLANNING & ZONING COMMISSION REGULAR MEETING

TUESDAY, OCTOBER 6, 2020 - 3:30 PM

MCALLEN CITY HALL, 1300 HOUSTON AVENUE

CITY COMMISSION CHAMBERS, 3RD FLOOR

Web: <https://zoom.us/join> or phone: (346) 248-7799

Meeting ID: 672 423 1883

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

1) MINUTES:

- a) Minutes for Regular Meeting held on September 16, 2020

2) SUBDIVISIONS:

- a) Campo De Suenos II Subdivision; 8300 North Ware Road- Riverside Development Service, LLC (Preliminary) **(SUB2020-0060)** M&H
- b) Campo De Suenos III Subdivision; 8300 North Ware Road- Riverside Development Services, LLC (Preliminary) **(SUB2020-0061)** M&H
- c) Replat to Red Rose Subdivision; 13320 North Rooth Road- Ricardo R. Ramos and Dora I. Ramos (Preliminary) **(SUB2020-0063)** M&H
- d) Up North on Ware Road Apartments and Business Center Subdivision; 9500 North Ware Road- Ware Road Holding, LLC (Preliminary) **(SUB202-0059)** HEI
- e) 2nd and Dove Subdivision; 201 Dove Avenue Javier Perez (Preliminary) **(SUB2020-0062)** CLH
- f) Olvera Subdivision; 4509 Buddy Owens Boulevard- Jose Tellez Olvera (Revised Preliminary) **(SUB2020-0022)** SEA
- g) Barcelona Subdivision; 1800 South Bentsen Road- New Millenium L. Investments, Inc. (Preliminary) **(SUB2020-0034)** **(Tabled)** **(09/16/20)** SE

3) PUBLIC HEARING

a) REZONING:

- 1. Rezone from A-O (agricultural and open space) District to R-1 (single family residential) District: 17 acres out of Lot 398, John H. Shary Subdivision, Hidalgo County, Texas; 7401 N. Bentsen Rd. **(REZ2020-0030)**

2. Rezone from R-1 (single family residential) District to C-3 (general business) District: 4.44 acres out of Lot 156, La Lomita Irrigation and Construction Subdivision, Hidalgo County, Texas; 520 South 23rd Street. **(REZ2020-0032)**
3. Rezone from A-O (agricultural and open space) District to C-4 (commercial-industrial) District: 24.934 acres out of Section 231, Texas-Mexican Railway Company Survey, Hidalgo County, Texas; 4101 Monte Cristo Road. **(REZ2019-0025)**
4. Rezone from R-3A (multifamily residential apartment) District to R-1 (single-family residential) District: 58.722 acres out of Section 227, Texas-Mexican Railway Company Survey, Hidalgo County, Texas; 6400 Tres Lagos Boulevard. **(REZ2020-0013)**
5. Rezone from A-O (agricultural and open space) District to R-3A (multifamily residential apartment) District: 26.107 acres out of Section 231, Texas-Mexican Railway Company Survey, Hidalgo County, Texas; 3901 Monte Cristo Road. **(REZ2020-0022)**
6. Rezone from R-1 (single-family residential) District to R-3A (multifamily residential apartment) District: 50.305 acres out of Section 230, Texas-Mexican Railway Company Survey, Hidalgo County, Texas; 13201 North Shary Road. **(REZ2020-0025)**
7. Rezone from C-3L (light commercial) District to C-3 (general business) District: 0.54 acres out of Lots 1 and 2, Golden Acres Retirement Subdivision No. 1, Hidalgo County, Texas; 301 North Ware Road. **(REZ2020-0031)**
8. Rezone from C-3 (general business) District to R-3A (multifamily residential apartments) District: a 1.54 acre tract of land being 0.78 acres out of Lot 1, M & T Plaza Subdivision, and 0.76 acres out of Lot 96, La Lomita Irrigation and Construction Company's Subdivision, Hidalgo County, Texas; 5113 and 5101 North 23rd Street. **(REZ2020-0029)**
9. Rezone from C-3L (light commercial) District to C-3 (general business) District: Lots 10, 11, and 12, Block 3, Club Addition Amended, Hidalgo County, Texas; 125 East Pecan Boulevard, 119 East Pecan Boulevard, 113 East Pecan Boulevard. **(REZ2020-0028) (Tabled) (09/16/20)**
10. Rezone from R-2 (duplex-fourplex residential) District to R-3A (multifamily residential apartments) District: 21.18 acres out of Lot 14, La Lomita Irrigation and Construction Company Subdivision, Hidalgo County, Texas; 11200 North La Lomita Road. **(REZ2020-0026) (Tabled) (09/16/20)**
11. Rezone from R-2 (duplex-fourplex residential) District to R-1 (single family residential) District: 18.82 acres out of Lot 14, La Lomita Irrigation and Construction Company Subdivision, Hidalgo County, Texas; 11300 North La Lomita Road. **(REZ2020-0027) (Tabled) (09/16/20)**

b) CONDITIONAL USE PERMITS:

1. Request of Kien Quoc Tran for a Conditional Use Permit, for one year, for a social club at Lot 1, Ginther Estates Subdivision, Hidalgo County, Texas, 5025 West Expressway 83, Suite 100. **(CUP2020-0098)**
2. Request of Erika Lopez, for a Conditional Use Permit, for one year, for a Portable Building Greater than 10 ft. by 12 ft. (Car Lot Office), at the South 134 ft. of the North 418 ft. and the West 208 ft. of Lot 1, Block 6, Steele & Pershing Subdivision, Hidalgo County, Texas; 5516 North McColl Road. **(CUP2020-0093)**
3. Request of Jared W. Doxey, on behalf of The Church of Jesus Christ of Latter- Day Saints for a Conditional Use Permit, for life of the use, for an Institutional Use (church) at a 10.615-acre tract of land out of Lot 16, Section 13, Hidalgo Canal Company Subdivision, Hidalgo County, Texas; 7301 North 2nd Street. **(CUP2020-0102)**
4. Request of Sharon B. Flores, on behalf of St. John's Episcopal Church & School, for a Conditional Use Permit, for Life of the Use, for an Institutional Use (school) at a 3.12-acre tract of land out of lot 29, Block 10, Hidalgo Canal Company's Subdivision, Hidalgo County, Texas, 2410 N. 10th Street. **(CUP2020-0099)**
5. Request of Vincent G. Huebinger on behalf of Verizon Wireless, for a Conditional Use Permit, life of the use, for a personal wireless service facility, at the South 163.2 ft. of Lots 8 and 9, Block 5, Palm Heights Addition Subdivision, Hidalgo County, Texas, 665 Beech Avenue. **(CUP2020-0091) (Tabled) (09/16/20)**

4) INFORMATION ONLY:

a) City Commission Actions: September 28, 2020

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, September 16, 2020 at 3:34 p.m. in the McAllen City Hall City Commission Room at 1300 Houston Avenue, McAllen, Texas.

Present:	Pepe Cabeza de Vaca Daniel Santos Michael Hovar Rogelio Cervantes Gabriel Kamel Michael Fallek	Chairperson Vice-Chairperson Member Member Member Member
Absent:	Gabriel Kamel Jose Saldana	Member Member
Staff Present:	Victor Flores Michelle Rivera Edgar Garcia Luis Mora Rodrigo Sanchez Omar Sotelo Berenice Gonzalez Kaveh Forghanparast Liliana Garza Iris Alvarado Carlos Garza Juan Martinez Bilkis Olazaran Martinez Martina Mejia Porfirio Hernandez Claudia Mariscal	Assistant City Attorney Assistant City Manager Director Deputy Director Senior Planner Senior Planner Planner III Planner II Planner II Planner I Planner I Development Coordinator Engineering Department (Virtual) Traffic Department (virtual) Planning Technician II Administrative Secretary

CALL TO ORDER- Pepe Cabeza de Vaca, Chairperson

Meeting held via Teleconference and Video Conference.

PLEDGE OF ALLEGIANCE

INVOCATION- Mr. Rogelio Cervantes

1) MINUTES:

- a)** Minutes for Regular Meeting held on September 1, 2020

The minutes for the regular meeting held on September 1, 2020 were approved as submitted. The motion to approve was made by Mr. Michael Fallek. Mr. Michael Hovar seconded the motion, which carried unanimously with five members present and voting.

2) CONSENT:

- a)** Campo de Suenos Subdivision; 8600 North Ware Road- Riverside Development

Services, LLC. (Revised Final) (SUB2019-0033) M&H

The property is located on N. Ware Road: min. 15 ft. dedication for 75 ft. from centerline for 150 ft. ROW Paving: by the state Curb & gutter: by the state. Label centerline and clarify 35 ft. dedication and 75 ft. dedication shown on the plat for 75 ft. from centerline. N. 33rd Street: 30 ft. dedication for 60 ft. ROW Paving: 40 ft. Curb & gutter: both sides Must escrow monies if improvements are not constructed prior to recording. E/W Interior Street: min. 50 ft. ROW Paving: 32 ft. Curb & gutter: both sides Remove prop. from the ROW being dedicated by this plat. N. 34th Street: min. 50 ft. ROW Paving: 32 ft. Curb & gutter: both sides Escrows required if improvements are not built prior to recording N. 33rd Lane: min. 50 ft. ROW Paving: 32 ft. Curb & gutter: both sides. Need to provide a temporary turnaround/easement at the south end of N. 33rd Lane and barricades as may be required by Traffic Department Plat has been revised to show a temporary turnaround which is to be removed once property to the south develops. Escrows required for the removal of the temporary turnaround, prior to final. Requirements for the extension of N. 33rd Lane including crossing agreements with Hidalgo County Irrigation District #1 will be addressed/required as part of Phase II when it develops to the south, as per Project Engineer and discussions with staff including Engineering Department. 800 ft. Block Length: As proposed, the E/W Interior Street is approximately 1,100 ft. in length without a street stub out to the north or to the south. Engineer has submitted a letter requesting a variance to not provide for the 800 ft. stub out streets to the north and south. City Commission approved the variance as requested on April 22, 2019. 600 ft. Maximum Cul-de-Sac: Revised subdivision layout no longer has a cul-de-sac at the east end of the E/W Interior Street, but instead connects to N. 33rd Street located on the east boundary of the subdivision. Previous layout had the E/W street with a cul-de-sac with an approximate length of 1,100 ft. which would have required a variance and subject to increasing the ROW and paving widths. Cul-de-sac paving - 96 ft. as required by Fire Department. Increase ROW (Approx. 111 ft. back to back diameter of cul-de-sac ROW) accordingly so as to maintain minimum 7 ft. back of curb. Front setbacks: 25 ft. or greater for easements, except 20 ft. for Lots 36-40. Subdivision was previously approved in final form at the P&Z meeting of May 21, 2019 with 25 ft. front setback under its former name. Engineer submitted a variance request letter on July 24, 2020 asking for a front setback of 20 ft. instead of the required 25 ft. P&Z Board Disapproved the variance request at the meeting of August 4, 2020. Engineer submitted revised variance letter asking for a 20 ft. setback for Lots 36-40 Rear setbacks: 10 ft. or greater for easements except 25 ft. for double fronting lots. Interior Sides: 5 ft. or greater for easements. Subdivision was previously approved in final form at the May 21, 2019 meeting with a 6 ft. side setback under its former name. Engineer submitted a variance request letter on July 24, 2020 asking for a side setback of 5 ft. instead of the required 6 ft. P&Z Board disapproved variance request at the August 4, 2020 meeting Engineer submitted a revised letter on August 14, 2020 is again an interior 5 ft. side setback instead of the required 6 ft. Corner: 10 ft. or greater for easements. Garage: 18 ft. except where greater setback is required, greater setback applies. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required on N. 33rd Street and both sides of all interior streets. A 5 ft. wide minimum sidewalk required on N. Ware Road. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses, and along N. Ware Road and N. 33rd Street. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along N. Ware Road and N. 33rd Street. Common Areas, detention pond 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 of the Code of Ordinances will apply if the subdivision is public. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Lots fronting public streets: Minimum lot width and lot area. All lots for must be a minimum of 50 ft. wide, including Lot 53 - Detention Pond. Corner lots must be a minimum 4 ft. wider than the minimum 50 ft. Existing: ETJ Proposed: R-1 Property subject to being annexed. Application has been submitted for annexation with initial zoning. Annexation and initial zoning to R-1 approved by the City Commission on April 7, 2019. Rezoning Needed Before Final Approval. Initial zoning of R-1 processed simultaneously with the annexation. Annexation and initial zoning to R-1 approved by the City Commission on April 7, 2019. Trip Generation to determine if TIA is required, prior to final plat. Per Traffic Department, Trip Generation approved; no TIA required. Comments: Must comply with City's Access Management Policy. Need to clarify if the subdivision will be public or private. If private, need to submit Gate Details for staff review to assure compliance with requirements, including increasing the ROW, etc., prior to final. Proposed as public. P&Z approved the subdivision in preliminary form, with conditions, at the meeting of November 20, 2018. Will need to vacate Ware Oaks Subdivision if restrictions or covenants are being removed or amended as may be applicable, prior to recording. Subdivision name has been changed from Westwood Two Subdivision to Villa Torre Estates At Ware Road. Subdivision name has changed once more to Campo de Sueños Subdivision Revise metes and bounds description as it still references prior name Need to include note on plat regarding temporary for N. 33rd Lane as required by Public Works. Need note on plat regarding removal of the temporary turnaround to be done once property to the south develops Variance request for front and side setbacks was disapproved by P&Z Board on August 4, 2020 Engineer has submitted a revised variance letter on August 14, 2020 to be presented at P&Z meeting of August 18, 2020. P&Z Board approved variance request for 5 ft. side setbacks and 20 ft. front setbacks along cul-de-sac Lots 36-40 at the meeting held August 18, 2020. Requirements for the extension of N. 33rd Lane including crossing agreements with Hidalgo County Irrigation District #1 will be addressed/required as part of Phase II when it develops to the south, as per Project Engineer and discussions with staff including Engineering Department.

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

Being no discussion, Mr. Daniel Santos moved to approved. Mr. Michael Hovar seconded the motion, which was approved with five members present and voting.

3) SUBDIVISIONS:

- a) Barcelona Subdivision; 1800 South Bentsen Road- New Millenium L. Investments, Inc. (Revised Preliminary) (SUB2020-0033) SE

Ms. Gonzalez stated that the property was located on South Bentsen Road: 10 ft. dedication for 40 ft. from centerline for 80 ft. of ROW Paving: 52 ft. Curb & gutter: Both sides Monies must be escrowed if improvements are not built prior to recording. Colbath Road: 18.5 ft. dedication for 40 ft. from centerline for 80 ft. ROW Paving: 52 ft. Curb & gutter: Both sides Monies must be escrowed if improvements are not built prior to recording. Revise street name to "Colbath Road" on plat, vicinity map and wherever is applicable prior to final. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties. Private service drive easement to provide city services required. It will be maintained by the property owners, not the City of McAllen. It will be on the site plan and also on the plat as may be needed, prior to recording. Plat note will be required

to be noted on the plat regarding the service drive, prior to recording. South Bentsen Road : 40 ft. or greater for approved site plan or easements. Colbath Road: 40 ft. or greater for approved site plan or easements. Rear setbacks: 10 ft. or greater for easements or approved site plan. Engineer submitted a letter on September 4, 2020, requesting a variance for 6 ft. instead of the required 10 ft. setback required on the rear (west side). Interior Sides: In accordance with the Zoning Ordinance or greater for easements or approved site plan. Revise plat as shown above. Corner setbacks: See setbacks for North Bentsen Road and Colbath Road. Revise plat as shown above. Garage: 18 ft. or greater for approved site plan or easements. Revise plat as shown above. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required on South Bentsen Road and Colbath Road. 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 Colbath Road. 8 ft. masonry wall required between single-family residential and commercial, industrial, or multi-family residential zones/uses and along north side property. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along. Site plan must be approved by the Planning and Development departments prior to Building permit issuance. Common Areas, private streets/drives 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. Rezoning to R-3A approved by Planning and Zoning on November 19, 2019 Rezoning to R-3A approved by the City Commission on December 12, 2019. Park Fee of \$700 per dwelling unit to be paid prior to recording. As per parks Department, Park fees will apply at a rate of \$700 per dwelling unit. Total amount of fees is \$14,000 (\$700 X 20 = \$14,000). Fees may vary depending on the proposed amount of dwelling units. As per Traffic Department, Trip Generation has been waived. No TIA required. Must comply with City's Access Management policy.

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

Chairperson Cabeza de Vaca asked if anyone had any questions and Mr. Michael Hovar explained that the variance to reduce the setback to fit more units was a concern because of what was going to be available for emergency access in a 6-foot wide situation. Mr. Hovar stated that reducing the setback from 10 feet to 6 feet is going to cause a problematic back area for this development. Mr. Hovar and Chairperson Cabeza de Vaca are concerned with safety once 8 foot opaque wall is built.

After a brief discussion, Mr. Michael Hovar moved to table the item. Mr. Daniel Santos seconded the motion, which was approved with five members present and voting.

- b) Villatorre Estates at Almon; 3308 Yellowhammer Avenue- Riverside Development Services, LLC (Revised Preliminary) (SUB20200-0044) JHE

Ms. Gonzalez stated that the property is located Yellowhammer Avenue: 50 ft. ROW Paving: Submitted plan indicates 40 ft. of paving Curb & gutter: Both sides Monies must be escrowed if improvements are not built prior to recording. Please revise name to show "Yellowhammer Avenue" instead of "Yellow Hammer Avenue" wherever is applicable prior to final. If Cul-de-Sac length variance is approved, paving will be required to be increased as part of the conditions of the variance. If 50 ft. of ROW is proposed, 5 ft. sidewalks and utility easements on both sides of the street will be required, as well as 40 ft. of paving. Secondary access required as per Traffic and Fire Department. 600 ft. Maximum Cul-de-Sac length is allowed; approximately 1,120 ft. is

proposed. Engineer must request a variance to the cul-de-sac length prior to final or revise plat to comply with requirements. The engineer submitted a letter on August 26, 2020 requesting a variance to the cul-desac length. The maximum cul-de-sac length allowed is 600 ft. and the engineer is proposing approximately 1,120 ft. If variance is approved, paving will be required to be increased as part of the conditions of the variance. If 50 ft. of ROW is proposed, 5 ft. sidewalks and utility easements on both sides of the street will be required, as well as 40 ft. of paving. ROW: 20 Front: 25 ft. or greater for easements. Rear: 10 ft. or greater for easements. Please correct plat note as shown above. Sides: 6 ft. or greater for easements. Please revise plat note as shown above. Corner: 10 ft. or greater for easements. Garage: 18 ft. or except where greater setback is required, greater setback applies. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required on both sides of all interior streets. 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. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Perimeter buffers must be built at time of Subdivision Improvements. Common/Detention Lots/Areas, and any private streets, 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 if public subdivision is proposed. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Existing: A-O Proposed: R-1 Rezoning Needed Before Final Approval. Rezoning request will be presented at P&Z on 8/18/20 and at the City Commission on 9/14/20 Park Fee of \$700 per dwelling unit/lot. As per submitted plat, 41 lots are proposed (41 X \$700 = \$28,700) will have to be paid prior to recording. If number of proposed lots/dwelling units change, park fees will be adjusted. Required Trip Generation is under review to determine if TIA is required, prior to final plat. Traffic Impact Analysis (TIA) required prior to final plat. TBD Must comply with City's Access Management Policy. As per Fire and Traffic Dept., subdivision needs a second access due to the number of proposed lots (over 30). Please revise plat accordingly. If Cul-de-Sac length variance is approved, ROW and paving will be required to be increased as part of the conditions of the variance.

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

Chairperson Cabeza de Vaca asked if the zoning was changed and staff confirmed that it was approved.

Being no discussion, Mr. Michael Hovar moved to approved. Mr. Rogelio Cervantes seconded the motion, which was approved with five members present and voting.

- c) Verdin Heights Subdivision; 7401 North Bentsen Road- Sergio Guzman (Preliminary) (SUB2020-0057) SEC

Ms. Gonzalez stated that the property is located on North Bentsen Road: 30 ft. of dedication required for 50 ft. from centerline for 100 ft. ROW Paving 65 ft. Curb & gutter: Both Sides Monies must be escrowed if improvements are not built prior to recording. Must label centerline to verify if

any ROW dedication is required prior to final. North 48th Street: 30 ft. dedication for 30 from centerline for 60 ft. ROW Paving: 40 ft. Curb & gutter: Both Sides Monies must be escrowed if improvements are not built prior to recording. Must label centerline to verify if any additional ROW dedication is required prior to final. Interior streets: 50 ft. ROW Paving: 32 ft. Curb & gutter: Both Sides Streets names are subject to change prior to final. Provide temporary turn around and/or barricade on the west end of proposed Umar Avenue and Verdin Avenue as may be applicable. Provide temporary turn around and/or barricade on the north end of proposed North 45th Street as may be applicable. Staff recommends approval of the subdivision in preliminary form, subject to conditions noted, and utilities and drainage approvals. 810 block length is being proposed by the Engineer; maximum block length allowed is 800 ft. Engineer must revise plat to comply with requirements or request variance prior to final. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties Front: 25 ft. or greater for easements. Please revise plat note as shown above. Rear: 10 ft. or greater for easements. Please revise plat note as shown above. Interior Sides: 6 ft. or greater for easements. Please revise plat note as shown above. Corner: 10 ft. or greater for easements. Please revise plat note as shown above. Garage: 18 ft. except where greater setback is required, greater setback applies. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required on North Bentsen Road, North 48th Street, and both sides of all interior streets. 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 Bentsen Road and North 48th Street. Please add plat note as shown above prior to final. 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 final. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along North Bentsen Road and North 48th Street. Please add plat note as shown above prior to final. Common Areas, any private Streets must be maintained by the lot owners and not the City of McAllen Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 110-72 applies for public subdivisions. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. HOA Document is required to be recorded simultaneously with subdivision plat. Minimum lot width and lot area. Lot 27, 30, and 31 have less than the required 54 ft. of width. Please revise plat to comply with requirements prior to final. Lots fronting public streets. Existing: A-O Proposed: R-1 Rezoning request will be heard before the Planning and Zoning Board on October 6, 2020, and before the City Commission on October 26, 2020. Rezoning Needed Before Final Approval. Rezoning request will be heard before the Planning and Zoning Board on October 6, 2020, and before the City Commission on October 26, 2020. Land dedication in lieu of fee. As per Parks Department, subdivision will be subject to review by the Park Land Dedication Advisory Board Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, subdivision will be subject to review by the Park Land Dedication Advisory Board Pending review by the Parkland Dedication Advisory Board and CC. As per Parks As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. Department, subdivision will be subject to review by the Park Land Dedication Advisory Board must comply with City's Access Management Policy. Please add North 48th Street, and reference North" on Bentsen Road. Also, please add scale for location map prior to final.

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

utilities and drainage approvals.

Being no discussion, Mr. Daniel Santos moved to approved. Mr. Rogelio Cervantes seconded the motion, which was approved with five members present and voting.

- d) Depot Estates Subdivision; 7008 North 23rd Street- Rainbow Falls Properties, LLC (Preliminary) (SUB2020-0044) M&H

Ms. Gonzalez stated that the property is located on North 23rd Street: 20 ft. of dedication for 60 ft. from centerline for 120 ft. of ROW Paving: By the state Curb & gutter: By the state Monies must be escrowed prior to recording if improvements are not built. Ownership map must be provided to verify that there are not any landlocked properties prior to final. Swallow Avenue: 30 ft. from centerline for 60 ft. Paving 40 ft. Curb & gutter: Both sides. Possible e/w street running on the north boundary of property. Monies must be escrowed prior to recording if improvements are not built. Staff recommends approval of the resubdivision in preliminary form subject to the conditions noted, and utilities and drainage approval as required. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties. Front setbacks: 60 ft. or greater for easements or approved site plan. Please revise plat note as shown above. Rear setbacks: In accordance with the Zoning Ordinance or approved site plan. Please revise plat note as shown above. Sides: In accordance with the Zoning Ordinance or approved site plan. Please revise plat note as shown above. Garage: 18 ft., except where greater setback is required, greater setback applies. Please add plat note as shown above. All setbacks are subject to increase for easements or approved site plan. As per Engineering, 5 ft. wide minimum sidewalk required along North 23rd Street. Please revise plat note prior to final. 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 correct plat note as shown above. 8 ft. masonry wall required between single-family residential and commercial, industrial, or multi-family residential zones/uses and along east and south property line where adjacent to single-family residential District. Please revise plat note as shown above. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Common Areas, private Streets must be maintained by the lot owners and not the City of McAllen Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Minimum lot width and lot area. Lots fronting public streets. Existing: R: 3A Proposed: R-2 Proposed layout does not comply with proposed zoning R-2 (Duplex-Fourplex Residential). Engineer must revise application prior to final. Park Fee of \$700 per lot/dwelling (16 x \$700= \$11, 200) unit to be paid prior to recording. As per site plan submitted, 16 units are proposed. If number of dwelling units changes, Park fees will be adjusted accordingly. As per Traffic Department, Trip Generation to determine if TIA is required, prior to final plat. As per Traffic Department, Trip Generation to determine if TIA is required, prior to final plat. Must comply with City's Access Management Policy. Ownership map must be provided to verify that there are not any landlocked properties prior to final.

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

Mr. Fred Kurth of Melden and Hunt stated that the rezoning request was withdrawn.

Being no discussion, Mr. Michael Fallek moved to approved. Mr. Rogelio Cervantes seconded the motion, which was approved with five members present and voting.

4) PUBLIC HEARING

a) REZONING:

1. Rezone from R-3A (multifamily residential apartment) District to C-4 (commercial-industrial) District: 51.633 acres out of Section 227, Texas-Mexican Railway Company Survey, Hidalgo County, Texas; 6401 Monte Cristo Road. (REZ2019-0030)

Mr. Forghanparast stated the property is located on the south side of Monte Cristo Road, about 1,620 ft. west of North Shary Road. The tract has 1,580.87 ft. of frontage along Monte Cristo Road and a depth of 1,409.09 ft. for a lot size of 51.633 acres.

The applicant is requesting to rezone the property to C-4 (commercial-industrial) District for commercial use. No feasibility plan has been submitted.

The adjacent zoning is R-3A (multifamily residential apartment) District to the south and C-4 (commercial-industrial) District to the east and west. Properties on the north side of Monte Cristo Road are outside the City limits.

The property is currently vacant. Surrounding land uses are Texas A&M University and vacant land.

The Foresight McAllen Comprehensive Plan designates the future land use for this property as Auto Urban Multifamily and Special Use, which is not comparable to C-4 (commercial-industrial) District.

Most of the tracts along Monte Cristo Road are not developed. The tract was annexed into the city and initially zoned R-1 (single family residential) District in 2014. The City Commission approved an application to rezone the property to R-3A on February 23, 2015.

The requested zoning does not conform to the Auto Urban Multifamily land use designation as indicated on the Foresight McAllen Comprehensive Plan. However, the rezoning request provides opportunities for a variety of commercial types for the Tres Lagos development. The requested zoning is following the proposed zoning master plan submitted by the applicant in 2019.

The submitted survey depicts a 120-ft. drain ditch right-of-way dedication on the south side of the subject property which is not included in this rezoning request.

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

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

Staff recommends approval of the rezoning request to C-4 (commercial-industrial) District.

Chairperson Cabeza de Vaca asked if there was anyone present in opposition of the request, there was none.

Being no discussion, Mr. Rogelio Cervantes moved to approved. Mr. Michael Hovar seconded the motion, which was approved with five members present and voting.

2. Rezone from C-4 (commercial-industrial) District to R-3A (multifamily residential apartment) District: 13.683 acres out of Section 227, Texas-Mexican Railway Company Survey, Hidalgo County, Texas; 6301 Tres Lagos Boulevard. (REZ2019-0032)

Mr. Forghanparst stated that the property is located on the south side of Tres Lagos Boulevard, approximately 740 ft. west of the intersection of North Shary Road and Tre Lagos Boulevard. The tract is an irregular-shaped lot with 754.46 ft. of frontage along Tres Lagos Boulevard and consisting of 13.683 acres.

The applicant is requesting to rezone the property to R-3A (multifamily residential apartments) District in order to construct apartments. A feasibility plan has not been submitted.

The adjacent zoning is R-1 (single family residential) District to the west, R-2 (duplex-fourplex residential) District to the south, and C-4 (commercial-industrial) District to the north and east.

The property is currently vacant. Surrounding land uses are Texas A&M University and vacant land.

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

The development trend for this area along Tres Lagos Boulevard is single family residential. The tract was annexed into the city and initially zoned R-1 (single family residential) District in 2014. A rezoning request to C-4 (commercial-industrial) District was approved in 2015.

The requested zoning does not conform to the Suburban Commercial land use designation as indicated on the Foresight McAllen Comprehensive Plan. However, the rezoning request provides opportunities for a variety of housing types throughout the city that responds to the residents' economic and social lifestyles. The proposed development will be in proximity to compatible uses, a public charter school and a university, since institutional uses are located within residential neighborhoods. The requested zoning is following the proposed zoning master plan submitted by the applicant in 2019.

The maximum density in R-3A (multifamily residential apartments) District is 54 studio apartment units (800 sq. ft.) per acre or 29 three-bedroom units (1,500 sq. ft.) per acre. Therefore, the maximum number of units for the subject property is approximately 738 studio units to 396 three-bedroom units.

Section 110-49 (a) Vegetation Ordinance requires a masonry screen eight ft. in height where a commercial, industrial or multifamily use has a side or rear property line in common with a single-

family use or zone.

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

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

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

Chairperson Cabeza de Vaca asked if there was anyone present in opposition of the request, there was none.

Being no discussion, Mr. Michael Fallek moved to approved. Mr. Daniel Santos seconded the motion, which was approved with five members present and voting.

3. Rezone from R-1 (single-family residential) District to C-4 (commercial-industrial) District: 3.141 acres out of Section 232, Texas-Mexican Railway Company Survey, Hidalgo County, Texas; 15001 North Ware Road. (REZ2020-0023)

Mr. Forghanparast stated that the property was located on the west side of North Ware Road, approximately 1,600 ft. north of Tres Lagos Boulevard. The tract was irregularly shaped and had no frontage currently.

The applicant was requesting to rezone the property to C-4 (commercial-industrial) District for commercial use. A feasibility plan has not been submitted.

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

The property is currently vacant. Surrounding land uses are single-family residences, Anne Magee Elementary school, and vacant land.

The Foresight McAllen Comprehensive Plan designates the future land use for this property as Auto Urban Multifamily which is comparable to R-2 (duplex-fourplex residential) District and R-3 (multifamily residential) District.

The development trend along North Ware Road is single-family residences. The tract was annexed into the city and initially zoned R-1 (single family residential) District in 2014. The City Commission approved an application to rezone the property to R-3A District on February 23, 2015. A request to rezone the property to R-1 (single-family residential) District was approved by the City Commission on January 11, 2016.

The requested zoning does not conform to the Auto Urban Multifamily land use designation as indicated on the Foresight McAllen Comprehensive Plan. However, the rezoning request provides

opportunities for a variety of commercial types for the Tres Lagos development. The requested zoning is following the proposed overall zoning master plan submitted by the applicant in 2019.

The submitted survey depicts the future proposed North Ware Road to be located adjacent to the west side of the subject property.

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

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

Staff recommends approval of the rezoning request to C-4 (commercial-industrial) District.

Chairperson Cabeza de Vaca asked if on the masterplan, the location was already C-4 and Mr. Forghanparast confirmed and stated the masterplan was updated in 2019.

Chairperson Cabeza de Vaca asked if there was anyone present in opposition of the rezoning request. There was none.

Being no discussion, Mr. Michael Fallek moved to approved. Mr. Rogelio Cervantes seconded the motion, which was approved with five members present and voting.

4. Rezone from R-1 (single-family residential) District to R-3A (multifamily residential apartment) District: 0.317 acres out of Section 227, Texas-Mexican Railway Company Survey, Hidalgo County, Texas; 6401 Tres Lagos Boulevard. (REZ2020-0024)

Mr. Forghanaparst stated that the property is located on the south side of Tres Lagos Boulevard, approximately 1500 ft. west of the intersection of North Shary Road and Tre Lagos Boulevard. The tract is an irregular-shaped lot with 81 ft. of frontage along Tres Lagos Boulevard and consisting of 0.317 acres.

The applicant is requesting to rezone the property to R-3A (multifamily residential apartments) District in order to construct apartments. A feasibility plan has not been submitted.

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

The property is currently vacant. Surrounding land uses are Texas A&M University and vacant land.

The Foresight McAllen Comprehensive Plan designates the future land use for this property as City Parks, which is comparable to A-O (agricultural and open space) District.

The development trend for this area along Tres Lagos Boulevard is single family residential. The tract was annexed into the city and initially zoned R-1 (single family residential) District in 2014.

The requested zoning does not conform to the City Parks land use designation as indicated on the Foresight McAllen Comprehensive Plan. However, the rezoning request provides opportunities for a variety of housing types throughout the city that responds to the residents' economic and social lifestyles. The proposed development will be in proximity to compatible uses, a public charter

school and a university, since institutional uses are located within residential neighborhoods. The requested zoning is part of a larger rezoning request to R-3A (multifamily residential apartment) District and is following the proposed zoning master plan submitted by the applicant in 2019.

The maximum density in R-3A (multifamily residential apartments) District is 54 studio apartment units (800 sq. ft.) per acre or 29 three-bedroom units (1,500 sq. ft.) per acre. Therefore, the maximum number of units for the subject property is approximately 9 studio units to 17 three-bedroom units.

Section 110-49 (a) Vegetation Ordinance requires a masonry screen eight ft. in height where a commercial, industrial or multifamily use has a side or rear property line in common with a single-family use or zone.

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

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

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

Chairperson Cabeza de Vaca asked if there was anyone present in opposition, there was none.

Being no discussion, Mr. Michael Fallek moved to approved. Mr. Michael Hovar seconded the motion, which was approved with five members present and voting.

5. Rezone from R-2 (duplex-fourplex residential) District to R-3A (multifamily residential apartments) District: 21.18 acres out of Lot 14, La Lomita Irrigation and Construction Company Subdivision, Hidalgo County, Texas; 11200 North La Lomita Road. (REZ2020-0026)

Mr. Garza stated that the subject property consists of 21.18 acres with a frontage of 699 ft. along La Lomita Road.

The applicant is requesting to rezone the property to R-3A (single-family residential) District. An application for a subdivision for the subject property under the name of Stonebriar at Trinity Oaks Subdivision in order to establish unattached duplex units has been submitted and received approval in preliminary form on June 2, 2020 by the Planning and Zoning Commission.

The adjacent zoning is R-1 (single-family residential) District to the north, east, and west, R-4 (mobile homes) District to the northeast, R-2 (duplex-fourplex residential) District to the south, and A-O (agriculture and open space) District to the east.

The property is currently vacant. Surrounding land uses are single-family residences, and vacant lots.

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

The development trend for the area along La Lomita Road is single family residential

The property was zoned A-O District during comprehensive zoning in May 1979.

On January 23, 2006, The City Commission Board approved a rezoning request from to A-O District to R-2 District.

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

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

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

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

Chairperson Cabeza de Vaca asked if the applicant was present and Mr. Ken Dejarnett 708 Heron Avenue stated that original owner of the property zoned it as R-2 and affordable homes bought it. Mr. Dejarnett explained that the reason to change the zoning is that they wanted less units on a lot to have more space. Mr. Michael Hovar asked to ensure that the develop has two duplexes could be built on each lot rather a single fourplex this could have be achieve through a PUD process as well. Chairperson Cabeza de Vaca asked attorney Victor Flores what the options were for the applicant in regards to hold off voting on the item. Mr. Victor Flores stated that there are two options, which would be to table the item for the next meeting or for the applicant to withdraw the item.

After a brief discussion, Mr. Daniel Santos moved to table the item. Mr. Michael Hovar seconded the motion, which was approved with five members present and voting

6. Rezone from R-2 (duplex-fourplex residential) District to R-1 (single family residential) District: 18.82 acres out of Lot 14, La Lomita Irrigation and Construction Company Subdivision, Hidalgo County, Texas; 11300 North La Lomita Road. (REZ2020-0027)

Mr. Garza stated that the property is a tract that fronts La Lomita Road and has a frontage of 621 ft. along La Lomita Road.

The applicant is requesting to rezone the property to R-1 (single-family residential) District. An application for a subdivision for the subject property under the name of Stonebriar at Trinity Oaks Subdivision for single-family residences has been submitted and received approval in preliminary form on June 2, 2020 by the Planning and Zoning Commission.

The adjacent zoning is R-1 (single-family residential) District to the east, and west, R-2 (duplex-fourplex residential) District to the north, and A-O (agriculture and open space) District to the south and east.

The property is currently vacant. Surrounding land uses are single-family residences, and vacant

lots.

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

The development trend for the area along La Lomita Road is single family residential

The property was zoned A-O District during comprehensive zoning in May 1979.

On January 23, 2006, The City Commission Board approved a rezoning request from to A-O District to R-2 District.

The requested zoning conforms to the Urban Single Family land use designation as indicated on the Foresight McAllen Comprehensive Plan. The proposed zoning is consistent with the development and rezoning trends for this area.

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

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

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

Chairperson Cabeza de Vaca asked if anyone was present in opposition, there was none. Mr. Hovar stated that the subdivision maps were reversed with the previous item. Attorney Victor Flores as if this item was together with previous item. Mr. Dejarnett stated that it was being filed as one large plat and asked to have this item to be tabled as well.

After a brief discussion, Mr. Michael Fallak moved to table the item. Mr. Michael Hovar seconded the motion, which was approved with five members present and voting.

7. Rezone from C-3L (light commercial) District to C-3 (general business) District: Lots 10, 11, and 12, Block 3, Club Addition Amended, Hidalgo County, Texas; 125 East Pecan Boulevard, 119 East Pecan Boulevard, 113 East Pecan Boulevard. (REZ2020-0028)

Applicant requested to table the item.

After a brief discussion, Mr. Michael Hovar moved to table the item. Mr. Daniel Santos seconded the motion, which was approved with five members present and voting.

b) CONDITIONAL USE PERMITS:

1. Request of Juan C. Hernandez, for a Conditional Use Permit, for one year, for automotive service and repair at the North 50 ft. of Lot 13 and 14, Block 36, Hammond Addition Subdivision, Hidalgo County, Texas; 213 South 23rd Street. (CUP2020-0092)

Ms. Alvarado stated that the property is located on the east side of S. 23rd Street, 90 ft. north of

Chicago Avenue, and is zoned C-3 (general business) District. Adjacent zoning is C-3 District to the south, west and R-2 (duplex-fourplex) District to the east and C-3 to the north. Surrounding land uses include commercial businesses, single and multi-family residential. An automotive service and repair business is allowed in a C-3 (general business) District with a Conditional Use Permit and in compliance with requirements.

The initial conditional use permit was approved by the City Commission on October 9, 2017 with variances to the lot size and the distance requirements. The last conditional use permit was issued on July 22, 2019 with a variance to the lot size and distance requirements.

Currently, the applicant has submitted an application which proposes to continue to use the business under the name of J & E Tires and Service. Existing conditions of the six parking spaces will remain unchanged. The hours of operation are from 8:00 A.M. to 7:00 P.M. daily, but due to COVID-19 the business has been operating from 8:00 A.M. to 6:00 P.M.

The Fire Department has conducted their initial inspection, but a follow-up inspection is still pending. The establishment must also 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 has approximately 4,850 sq. ft.
- 2) All service, repair, maintenance, painting and other work shall take place within an enclosed area.
- 3) Outside storage of materials is prohibited. No outside storage is proposed;
- 4) The building where the work is to take place shall be a minimum of 100 ft. from the nearest residence. The nearest residence is approximately 20 ft. from the building where the work is to take place.
- 5) A 6 ft. opaque buffer fence is required for the proposed use from any residential zone / use;
- 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, due to non-compliance with requirement # 1 (lot size) and requirement # 4 (distance to a residence) of Section 138-281 of the Zoning Ordinance.

Chairperson Cabeza de Vaca asked if there was anyone in opposition of the proposed conditional use permit, there was none.

After a brief discussion, Mr. Michael Hovar moved to disapproved with a favorable recommendation. Mr. Rogelio Cervantes seconded the motion, which was approved with five members present and voting.

2. Request of Patricia S. Chapa, for a Conditional Use Permit, for one year, for a Home Occupation (Day Care Facility), at Lot 11, Geronimo Subdivision,

Hidalgo County, Texas; 3001 Fir Avenue. (CUP2020-0088)

Ms. Alvarado stated that the property is located on the south side of Fir Avenue, west of 30th Street, and is zoned R-1 (single family residential) District. The adjacent zoning is R-1 District in all directions, and it is surrounded by single-family residences. A day care is allowed in the R-1 zone with a Conditional Use Permit and in compliance with requirements.

The applicant was first approved for a home occupation (day care facility) Conditional Use Permit (CUP) on April 16, 2002 and renewed the CUP through October 5, 2010. The applicant stated she did not renew her home occupation after 2010, because she opened a day care facility in Pharr, TX. Presently she is closing down her facility and is requesting to operate from her house once again.

There is a one story single-family residential home on the property. The applicant is proposing to operate a day care facility from this existing residence. The proposed hours of operation are from 6:30 AM to 10:00 PM Monday through Sunday.

The Fire and Health Departments have pending inspections. The proposed use shall meet all the minimum standards and applicable ordinances. Should the conditional use permit be approved, the applicant would be required to sign the application acknowledging and agreeing to the conditions on the permit. The daycare may not be operational until the issuance of the certificate. The daycare must comply with requirements set forth in Section 138-118(8) of the Zoning Ordinance and other specific requirements as follows:

1. Meet the requirements of the Department of Human Services;
2. Provide a fenced in area for outside play of children. A fenced area is provided on site;
3. Provide paved area adjacent to street for pickup and delivery of children. The existing driveway accommodates the two required parking spaces needed for the residential home and required space for the pick-up and drop off of the children;
4. Area used for the day care facility should be clearly secondary to the use of the structure;
5. Person who applies for permit must reside at location for which the permit is granted. The applicant resides at this location;
6. There shall be no more than two (2) day care facilities within 600 ft. of each other as measured over the shortest distance of street right-of-way between the facilities. There is no other day care within 600 ft.;
7. No more than one day-care shall be located on a dead-end street or cul-de-sac; Fir Ave is not in a cul-de-sac street; no other daycare exists on this street;
8. Day care facilities shall not be located on a half street or a street that is accessed by a half street; Fir Avenue is not a half street or a street accessed by a half street;
9. Day care facilities that care for more than 12 children shall not be permitted in a residential zoning district. The applicant is proposing to care for up to 12 children;

10. No signs are permitted; No signs are proposed;
11. No more than one additional employee that does not reside on the premises is permitted. The applicant is proposing a total of two employees which include the applicant;
12. The property owner shall sign the application or the applicant shall provide a letter of authorization from the property owner. According to Hidalgo County Appraisal district the property owner is Patricia Vera. The applicant stated that was her married name and can provide documentation.

No calls have been received in opposition to the CUP request.

Staff recommends approval of the request, for one year, subject to compliance with Section 138-118(8) of the Zoning Ordinance, and Health, and Fire Department Requirements.

Chairperson Cabeza de Vaca asked if there was anyone present in opposition, there was none.

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

3. Request of Eduardo Villagordoa, for a Conditional Use Permit, for one year, for a bar at Lots 8, 9, and 10, 21st Place Subdivision, Hidalgo County, Texas, 2005 Nolana Avenue. (CUP2020-0086)

The property is located on the south side of Nolana Avenue, approximately 500 ft. west of Bicentennial Boulevard and is zoned C-3 (general business) District. The adjacent zoning is C-3 District in all directions and surrounding land uses include commercial businesses, restaurants, bars, residences, and the International Museum of Arts and Science. A bar is allowed in a C-3 zone with a conditional use permit and in compliance with requirements.

A previous tenant of this property, Mr. Virgilio Gonzalez, started operating a bar without a conditional use permit, and remodeled the interior of the building without the required building permit. The establishment was "shut down" by the Chief Building Official of the City of McAllen on June 14, 2019 due to noncompliance with City's requirements. Subsequently, the tenant submitted a "cancellation letter" to the Building Department on July 1, 2019. The owner of the building, Mr. Eduardo Villagordoa, submitted a "takeover application" on July 2, 2019 in order to complete the necessary requirements for the Building Permit. On July 3, 2019, a Conditional Use Permit application was submitted under a different applicant, Jonathon Rodriguez. The Conditional Use Permit was approved for one year with a variance to the distance requirement by the City Commission on August 26, 2020.

The owner of building, is now applying for the Conditional Use Permit and is proposing to operate a bar, Chaparral VIP, from the approximately 9,200 sq. ft. existing building. The proposed hours of operation are from 5:00 P.M. to 2:00 A.M. daily. The establishment in question was previously operated as a restarautant/bar.

The Health Department inspected the establishment and found the place to be in compliance to continue the CUP process, but a final inspection is still pending. Fire Department inspected the proposed bar and the property is in compliance. Attached is the police report from September 3,

2019 until present. The establishment must also meet the requirements set forth in Section 138-118(4) of the Zoning Ordinance and specific requirements as follows:

- 1) The property line of the lot of any of the abovementioned businesses must be at least 400 feet from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruptions of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The establishment is within 400 ft. of publicly owned property, the International Museum of Arts & Science (IMAS), and R-3A District to the southwest of the property;
- 2) The abovementioned businesses must be as close as possible to a major arterial, and shall not allow the traffic generated by such businesses onto residential streets, or allow such traffic to exit into and disrupt residential areas. The location fronts Nolana Avenue and does not generate traffic into residential areas;
- 3) The abovementioned businesses must provide parking in accordance with the city off-street parking ordinance as a minimum, and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional onsite parking. The proposed bar requires 92 parking spaces, which are provided on the common parking area in the front of building. All 92 parking spaces must comply with Section 138-400 of the Ordinance and must be clearly striped and pavement surface shall be maintained free of litter, debris, loose gravel, cracks and potholes before final inspection of building permit.
- 4) The abovementioned businesses must do everything possible to prevent the unauthorized parking by the patrons of such businesses on adjacent business or residential properties including, when necessary, the installation of fences and hedges, and the reorientation of entrances.;
- 5) The abovementioned businesses should do everything possible and be designed to discourage criminal activities and vandalism, both on the site and on adjacent properties. Included would be provision of sufficient lighting and perimeter fencing, elimination of dark areas, and the orientation of the building such that it provides maximum visibility of as much as possible of the site from a public street;
- 6) The abovementioned businesses must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties;
- 7) The abovementioned businesses shall restrict the number of persons within the building to those allowed by the planning and zoning commission at the time of permit issuance, after having taken into account the recommendations of the fire marshal, building official and director of planning. This number cannot exceed the number provided for in existing city ordinances.

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

Mr. Michael Fallek abstain from this item.

Chairperson Cabeza de Vaca asked if there was anyone present in opposition for the proposed conditional use permit, there was none.

After a brief discussion, Mr. Michael Hovar moved to disapprove with conditions noted and favorable recommendation. Mr. Daniel Santos seconded the motion, which was approved with four members present and voting.

4. Request of Vincent G. Huebinger on behalf of Verizon Wireless, for a Conditional Use Permit, for life of the use, for a personal wireless service facility, at the South 163.2 ft. of Lots 8 and 9, Block 5, Palm Heights Addition Subdivision, Hidalgo County, Texas, 665 Beech Avenue. (CUP2020-0091)

The subject property is located on the southwest corner of Beech Avenue and N. 6th Street and has a zoning classification of C-3 (general business) District. Surrounding zoning is C-3 to the north, west, and east, R-1 (single family residential) District and R-2 (duplex-fourplex residential) District to the north. Land uses in the area include Ric Brown Family Funeral Home to the east, retail/office to the east, single family and duplex residential to the north, and railroad track to the south. A personal wireless service facility is allowed in a C-3 (general business) District with a Conditional Use Permit and in compliance with requirements.

There is an existing business, Superior Alarms, that has a personal communication tower on site that has been there for several years. There is no Conditional Use Permit on file with the City for the existing tower.

The applicant, on behalf of Verizon Wireless, is proposing to add a new 38 ft. by 16 ft. Personal Wireless Service Facility on the west side of the existing building on site and co-locate their antennas on the existing tower structure on site. Verizon Wireless wishes to take advantage of the existing tower to install their antennas and equipment rather than build a new tower nearby. The proposal will need to meet all minimum setbacks and building permit requirements. Federal Aviation Administration (FAA) approval must be obtained prior to beginning construction. In addition, the request must comply with requirements set forth in Section 138-118(11) of the zoning ordinance as follows:

- a. Maximum height of pole or tower structure of 80 feet within commercial zones or within 200 feet of an existing residential structure;
 - o The existing tower is 110 ft. and applicant is proposing to decrease it by 10 ft., the proposed height of the tower will be 100 ft. with a 5 ft. lightning rod on top; overall height of tower structure will be 105 ft. Verizon's antennas are proposed at 80 ft. and will not protrude over 20 ft. from the tower. Staff recommends for the tower height to be reduce to comply with the 80 ft. height requirement.
- b. Maximum height of pole or tower structure of 120 feet within industrial zones for measuring distance purposes, the leasehold interest area boundary or compound area boundary, whichever is greater shall be utilized;
 - o The applicant is not located within an industrial zone;
- c. Only one pole or tower structure-allowed per lot or tract within a commercial or industrial zone;
 - o There is an existing tower structure on property;
- d. The applicant shall attempt to locate the proposed facility on an existing structure, or base station, as per subsections k—m of this section. If collocation of the proposed wireless facility is

not possible (as per subsections k—m of this section) then the applicant for a personal wireless service facility must submit at least two alternative designs for antenna and supporting structure, pole or tower design (including the equipment shelter, as per subsection h, below) that is treated with an architectural material (e.g., "stealth" design) so as to conform to the predominant architectural environment in the area of the facility. Such "stealth" personal wireless service facility shall blend into its proposed surroundings such as a tree, flag pole or other feature, to be approved. When a tree-type stealth design is used, one live and growing tree of the same variety or species one-half the height of the proposed tower shall be planted at the time of installation;

- o The applicant is co-locating on existing tower;

e. Minimum spacing between poles and tower structures within commercial or industrial zones of 1,000 feet measured in a direct line of another tower;

- o The applicant is co-locating on existing tower on site;

f. Minimum setback of one-half the street right-of-way from front property line, ten feet from side yard and ten feet from rear, unless greater requirements as noted on subdivision plat;

- o There is already an existing tower on site;

g. A masonry wall shall be required as a buffer if pole or tower structure is located within the front or side yard, or adjacent to a residential use or zone;

- o A 6 ft. chain link fence is being proposed around the 38 ft. by 16 ft. facility area;

h. The transmission equipment structure installed at the base of the proposed tower shall be not greater than 180 square feet and constructed to conform to the predominant architectural environment;

i. A landscaped buffer area to soften the visual impact shall commence along the perimeter of the lease area or the property line. At least one row of shrubs shall be installed as well as trees as appropriate shall be included. Materials shall be of a variety which can be expected to grow to form a continuous hedge at least six feet in height within two years of planting;

j. The pole or tower structure will be constructed or installed with the capabilities of locating thereon additional personal wireless service facilities when tower or pole is greater than 80 feet in height. The applicant agrees to cooperate with other personal wireless service facility providers in collocating additional facilities on permitted support structures;

- o The applicant is co-locating on existing tower;

k. A permittee shall exercise good faith in collocating with other providers and sharing the permitted structure, provided such shared use does not give rise to a substantial technical level impairment of the ability to provide the permitted use (i.e., a significant interference in broadcast or reception capabilities as opposed to a competitive conflict or financial burden). Such good faith shall include sharing technical information to evaluate the feasibility of co-location. In the event a dispute arises as to whether a permittee has exercised good faith in accommodation other users, the city may require a third party technical study at the expense of either or both the applicant and permittee;

- o The applicant is co-locating on existing tower;

l. All conditional use applicants shall demonstrate good-faith, reasonable efforts in developing a collocation alternative for their proposed personal wireless service facility site, which efforts shall be documented to the city and shall include, but not be limited to, providing technical details

sufficient to determine co-locations efforts. If the applicant asserts that co-location is not possible, the applicant must provide, in addition to the foregoing, an affidavit in a form provided by the city stating that all efforts to collocate the personal wireless facility at an existing facility have been exhausted and that there is no possibility of co-location on the existing towers;

o The applicant is co-locating on existing tower;

m. Failure to comply with the collocation requirements of this section may result in the denial of a permit request or revocation of an existing permit;

n. If any applicant provides false or misleading information on their application, or in the application process to obtain a permit for a personal wireless facility, then their application may be denied or revoked at the expense of the applicant or the permittee;

o. If property is leased, term of conditional use permit shall be co-terminus with that term of lease of property;

p. Construction of tower and equipment facilities shall meet applicable building codes and wind loads;

q. Notwithstanding the above conditions, to the extent an applicant is fully qualified as an eligible facilities request under Section 6409, in the event of a conflict between the above conditions in this subsection and those criteria and conditions in section 138-1.A., above, and the 2014 Infrastructure Order, then section 138-1.A., and the 2014 Infrastructure Order control, subject to the city reservation of rights, as set forth in the preface to section 138-1.A.

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

Chairperson Cabeza de Vaca asked if there was anyone present in opposition of the proposed condition use permit, Mr. Juan Velasquez 539 Baywood Avenue was present and in opposition of this proposal. Mr. Juan Velasquez stated that his concerns was the hazardous health conditions that the antenna can create. Mr. Velasquez also mention that he felt the legal notice should be resent stating that an antenna was going to be proposed. Chairperson Cabeza de Vaca stated that legal notice mentioned personal wireless facility, which includes the antenna. Chairperson Cabeza de Vaca suggested for Mr. Velazquez to speak to his neighbors and get signatures since he was in opposition. Mr. Michael Fallak asked if there was an existing antenna there and Ms. Garza confirmed that it was a personal tower for broadcasting, but now a provider is coming in to the antenna is why a conditional use permit is required. Mr. Fallak wanted to understand what Mr. Velazquez's concern since there is an existing tower. Mr. Velazquez stated that he did some research and learned that those antennas produce a lot of radiation. Chairperson Cabeza de Vaca asked the applicant to speak regarding Mr. Velazquez's concern. Mr. Vincent Huebinger representing Verizon 1715 Capital Texas Highway stated he had a presentation and would address Mr. Velazaquez's concerns. Mr. Huebinger stated that they were adding to an existing structure and needed the additional antenna to improve service for the community. Mr. Huebinger showed the existing locations where they added to existing structures. Mr. Velazquez explained why he was concerned with the radiation waves produced. Chairperson Cabeza de Vaca suggested that the applicant meet with the neighbors near the location and explain how the tower is needed and how it works. Mr. Hovar asked if the board would need to disapprove because of the size of the

height to comply with the 80-foot ordinance. Attorney Victor Flores stated that it would need to comply with the ordinance. Chairperson Cabeza de Vaca suggested that the item be table so that the applicant can meet with the residents in opposition and with the legal department.

After a brief discussion, Mr. Michael Hovar moved to table the item. Mr. Daniel Santos seconded the motion, which was approved with five members present and voting.

ADJOURNMENT:

There being no further business to come before the Planning & Zoning Commission, Mr. Michael Fallek adjourned the meeting at 5:14 p.m., and Mr. Daniel Santos seconded the motion, which carried unanimously with five members present and voting.

Chairperson, Pepe Cabeza de Vaca

ATTEST: _____
Claudia Mariscal, Secretary

Sub 2020-0060



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>CAMPO DE SUENOS PHASE II SUBDIVISION</u></p> <p>Location <u>1/4 MI. NORTH OF AUBURN AVE. - EAST OF WARE ROAD</u></p> <p>City Address or Block Number <u>NONE AT THIS TIME</u></p> <p>Number of lots <u>47</u> Gross acres <u>9.486</u> Net acres <u>9.486</u></p> <p>Existing Zoning _____ Proposed <u>R1</u> Rezoning Applied For <input type="checkbox"/> Yes <input type="checkbox"/> No Date _____</p> <p>Existing Land Use <u>VACANT</u> Proposed Land Use <u>RESIDENTIAL</u> Irrigation District # <u>1</u></p> <p>Residential Replat Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Commercial Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> ETJ Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Agricultural Tax Exempt Yes <input type="checkbox"/> No <input type="checkbox"/> Estimated Rollback tax due <u>0</u></p> <p>Parcel No. <u>210552/210550</u> Tax Dept. Review _____</p> <p>Legal Description _____</p> <p><u>APROX. 9.486 AC. O/O LOTS 45 & 52, LA LOMITA IRRIGATION & CONSTR. COMPANY</u></p>
Owner	<p>Name <u>RIVERSIDE DEVELOPMENT SERVICES, LLC</u> Phone <u>C/O (956) 381-0981</u></p> <p>Address <u>2606 ZINNIA AVENUE</u></p> <p>City <u>MCALLEN</u> State <u>TX</u> Zip <u>78504</u></p> <p>E-mail <u>TAGUIRRECONSULTING@ME.COM</u></p>
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Engineer	<p>Name <u>MELDEN & HUNT, INC.</u> Phone <u>(956) 381-0981</u></p> <p>Address <u>115 W. MCINTYRE ST.</u></p> <p>City <u>EDINBURG</u> State <u>TX</u> Zip <u>78541</u></p> <p>Contact Person <u>MARIO A. REYNA, P.E.</u></p> <p>E-mail <u>MARIO@MELDENANDHUNT.COM</u></p>
Surveyor	<p>Name <u>MELDEN & HUNT, INC.</u> Phone <u>(956) 381-0981</u></p> <p>Address <u>115 W. MCINTYRE ST.</u></p> <p>City <u>EDINBURG</u> State <u>TX</u> Zip <u>78541</u></p>

Sub

SEP 16 2020
BY: aw

Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

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

PLAT TO SHOW:

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

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

Owner's Signature

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

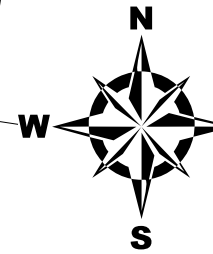
Signature  Date _____

Print Name MARIO A. REYNA, P.E.

Owner ☐

Authorized Agent ☒

TEXAS



MCALLEN ISD

LOT 2

WEST EL

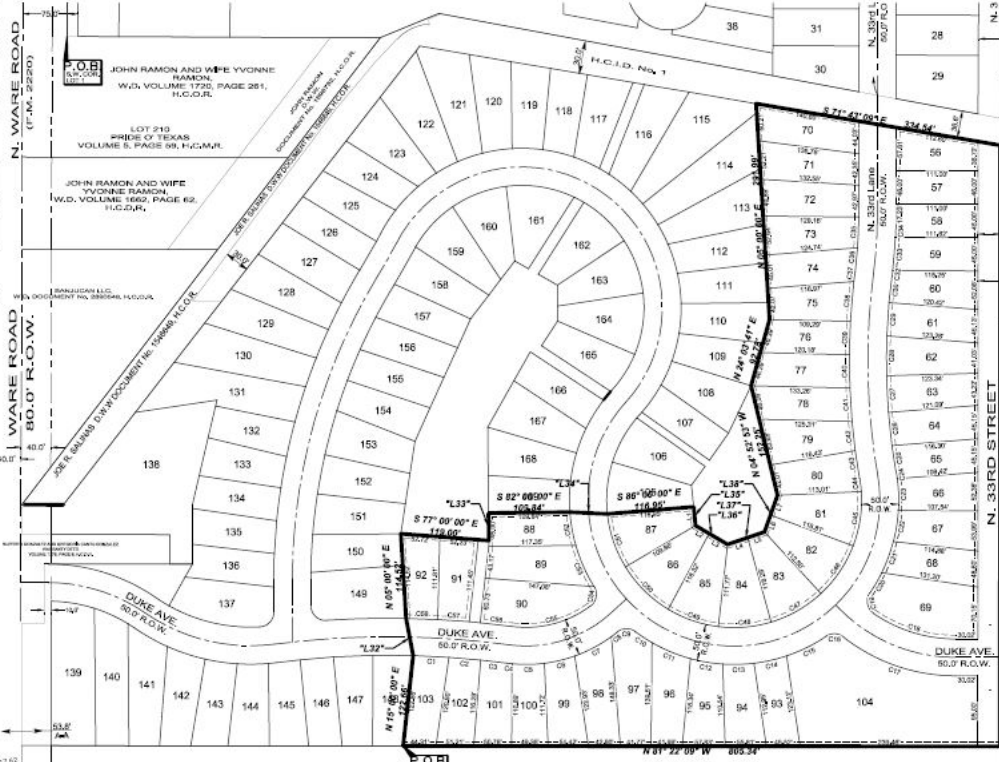
BASEBALL COMP

SUBDIVISION

WARE RIDGE
CORNELL AVE
SUBDIVISION

EL TIGRE FOOD
STORE NO. 15

AUBURN AVE



30.0' ADDITIONAL R.O.W.
TO THE CITY
OF MCALLEN
DEDICATED BY THIS PLAN

TOTAL GOLD

30.0' R.
oc. No. 2
H C M

85
MCALLEN I.S.D., NORTHWEST
ELEMENTARY SUBDIVISION



SCALE: 1" = 100'

SUBDIVISION MAP OF
CAMPO DE SUEÑOS
SUBDIVISION PHASE II

BEING A SUBDIVISION OF 9.486 ACRES SITUATED IN THE COUNTY OF HIDALGO, TEXAS, BEING A PART OR PORTION OUT OF LOTS 45 AND 52, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 24, PAGES 67-68, HIDALGO COUNTY DEED RECORDS, SAID 9.486 ACRES WERE CONVEYED TO RIVERSIDE DEVELOPMENT SERVICES, BY VIRTUE OF A WARRANTY DEED WITH VENDOR'S LIEN RECORDED UNDER DOCUMENT NUMBER 3135302 AND DOCUMENT NUMBER 3135352, HIDALGO COUNTY OFFICIAL RECORDS.



Reviewed On: 10/2/2020

SUBDIVISION NAME: CAMPO DE SUENOS PHASE II**REQUIREMENTS****STREETS AND RIGHT-OF-WAYS**

North 33rd Street: 30 ft. of dedication for 60 ft. of ROW

Paving: 40 ft. Curb & gutter: Both sides

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

Applied

Duke Avenue (1/4 mile Collector) 60-70 ft. ROW

Paving: 40-44 ft. Curb & gutter: Both sides

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

***Engineer must pinpoint location of 40-acre parcel to establish location of E/W 1/4 mile collector prior to final.

****Street name might be revised prior to final.

Non-compliance

North 33rd Lane: 50 ft. ROW

Paving: 32 ft. Curb & gutter: Both sides

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

***Must show document number for agreement/permit for HCID #1 to connect North 33rd Lane to Phase 1 to the north of Phase 2. Any documents/permits must be finalized or recorded prior to final.

Non-compliance

Other interior streets: 50 ft. ROW

Paving: 32 ft. Curb & gutter: Both sides

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

Applied

Paving _____ Curb & gutter _____

Applied

* 800 ft. Block Length. The combined length of the easternmost block of Phase 1 and Phase 2 is approximately 960 ft. Please revise plat to comply with requirements or request a variance prior to final.

Non-compliance

* 600 ft. Maximum Cul-de-Sac.

NA

ALLEYS

ROW: 20 ft. Paving: Both sides

*Alley/service drive easement required for commercial properties

NA

SETBACKS

* Front: 25 ft. or greater for easements.

** Please revise plat as shown above.

* Rear: 10 ft. or greater for easements except 25 ft. for double fronting lots.

Non-compliance

Applied

* Interior sides: 6 ft. or greater for easements.

**Please revise plat note as shown above.

Non-compliance

* Corner: 10 ft. or greater for easements.

Applied

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

Applied

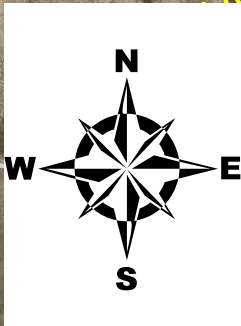
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN

Applied

SIDEWALKS	
<ul style="list-style-type: none"> * 4 ft. wide minimum sidewalk required on North 33rd Street and both sides of all interior streets. **Please revise plat note as shown above and remove "and along North Ware Road" since it does not apply to Phase 2. It will be applied and required on Phase 3. * Perimeter sidewalks must be built or money escrowed if not built at this time. 	Non-compliance
	Applied
BUFFERS	
<ul style="list-style-type: none"> * 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along North 33rd Street. Others as may be applicable prior to final. **Please revise plat note as shown above, and remove "along North Ware Road" since it does not apply to Phase 2. It will be applied and required on Phase 3. * 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. *Perimeter buffers must be built at time of Subdivision Improvements. 	Non-compliance
	Applied
	Applied
NOTES	
<ul style="list-style-type: none"> * No curb cut, access, or lot frontage permitted along North 33rd Street. **Please revise plat note as shown above, and remove "along North Ware Road" since it does not apply to Phase 2. It will be applied and required on Phase 3. * Site plan must be approved by the Planning and Development Departments prior to building permit issuance. * Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. * Common Areas, any private streets/drives, detention pond, must be maintained by the lot owners and not the City of McAllen. ***Plat note #14 references Lot 53, please revise plat accordingly prior to final. * 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 Public Subdivision. * Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. 	Non-compliance
	NA
	Applied
	Non-compliance
	Required
	Required
LOT REQUIREMENTS	
<ul style="list-style-type: none"> * Lots fronting public streets. * Minimum lot width and lot area. **Lots 57-61, 63-68, 70-74, 76-79, 91-95, 98-103 do not comply with the minimum requirement of 50 ft. of frontage to a street and 54 ft. for corner lots. Revise plat to comply with requirements wherever is applicable prior to final. ****C31 was skipped on curve table, please revise prior to final. *****Please show frontage for detention/common areas wherever is applicable. 	Applied
	Non-compliance
ZONING/CUP	
<ul style="list-style-type: none"> * Existing: ETJ Proposed: ETJ **If annexation is requested, annexation and initial zoning/rezoning process must be finalized prior to final. 	TBD

<p>* Rezoning Needed Before Final Approval. **If annexation is requested, annexation and initial zoning/rezoning process must be finalized prior to final.</p>	TBD
PARKS	
<p>* Land dedication in lieu of fee. **Property currently in ETJ. If property is annexed prior to recording, park fees or Park Land Dedication Advisory Board review might be required.</p>	TBD
<p>* Park Fee of \$700 per dwelling unit/lot to be paid prior to recording. ****Property currently in ETJ. If property is annexed prior to recording, park fees or Park Land Dedication Advisory Board review might be required.</p>	TBD
<p>* Pending review by the Parkland Dedication Advisory Board and CC. ****Property currently in ETJ. If property is annexed prior to recording, park fees or Park Land Dedication Advisory Board review might be required.</p>	TBD
TRAFFIC	
<p>* As per Traffic Department, a Master Trip Generation to determine if TIA is required, prior to final plat.</p>	Non-compliance
<p>* As per Traffic Department, a Master Trip Generation to determine if TIA is required, prior to final plat.</p>	TBD
COMMENTS	
<p>Comments: Must comply with City's Access Management Policy. ***As per Traffic and Fire Dept., please submit gate detail if applicable prior to final. ***Must show document number for agreement/permit for HCID #1 to connect North 33rd Lane to Phase 1 to the north of Phase 2. Any documents/permits must be finalized or recorded prior to final. **** If annexation is requested, it must be finalized prior to final. ***** Need to identify area between Lots 89, 90, 91. Plat must be revised accordingly to not show reserve strips prior to final. *****Street names must be revised prior to final. *****Please submit master plan prior to final for overall review.</p>	Applied
RECOMMENDATION	
<p>Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED, AND UTILITIES AND DRAINAGE APPROVALS.</p>	Applied

LOCATION



Sub 2020-0061



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>CAMPO DE SUENOS PHASE III SUBDIVISION</u></p> <p>Location <u>1/4 MI. NORTH OF AUBURN AVE. - EAST OF WARE ROAD</u></p> <p>City Address or Block Number <u>NONE AT THIS TIME</u></p> <p>Number of lots <u>64</u> Gross acres <u>13.496</u> Net acres <u>13.491</u></p> <p>Existing Zoning <u> </u> Proposed <u>R1</u> Rezoning Applied For <input type="checkbox"/> Yes <input type="checkbox"/> No Date <u> </u></p> <p>Existing Land Use <u>VACANT</u> Proposed Land Use <u>RESIDENTIAL</u> Irrigation District # <u>1</u></p> <p>Residential Replat Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Commercial Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> ETJ Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Agricultural Tax Exempt Yes <input type="checkbox"/> No <input type="checkbox"/> Estimated Rollback tax due <u>0</u></p> <p>Parcel No. <u>210502, 210504, 210500, 210553</u> Tax Dept. Review <u> </u></p> <p>Legal Description <u> </u></p> <p><u>APPROX. 13.496 AC O/O LOTS 45 & 52, LA LOMITA IRRIGATION & CONSTR. COMPANY</u></p>
Owner 1	<p>Name <u>RIVERSIDE DEVELOPMENT SERVICES, LLC</u> Phone <u>C/O (956) 381-0981</u></p> <p>Address <u>2606 ZINNIA AVENUE</u></p> <p>City <u>MCALLEN</u> State <u>TX</u> Zip <u>78504</u></p> <p>E-mail <u>TAGUIRRECONSULTING@ME.COM</u></p>
Developer	<p>Name <u>RIVERSIDE DEVELOPMENT SERVICES, LLC</u> Phone <u>C/O (956) 381-0981</u></p> <p>Address <u>2606 ZINNIA AVENUE</u></p> <p>City <u>MCALLEN</u> State <u>TX</u> Zip <u>78504</u></p> <p>Contact Person <u>ANTONIO M. AGUIRRE, JR. - MANAGER</u></p> <p>E-mail <u>TAGUIRRECONSULTING@ME.COM</u></p>
Engineer	<p>Name <u>MELDEN & HUNT, INC.</u> Phone <u>(956) 381-0981</u></p> <p>Address <u>115 W. MCINTYRE ST.</u></p> <p>City <u>EDINBURG</u> State <u>TX</u> Zip <u>78541</u></p> <p>Contact Person <u>MARIO A. REYNA, P.E.</u></p> <p>E-mail <u>MARIO@MELDENANDHUNT.COM</u></p>
Surveyor	<p>Name <u>MELDEN & HUNT, INC.</u> Phone <u>(956) 381-0981</u></p> <p>Address <u>115 W. MCINTYRE ST.</u></p> <p>City <u>EDINBURG</u> State <u>TX</u> Zip <u>78541</u></p>

Bulk



4:29 pm

Proposed Plat Submittal

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

PLAT TO SHOW:

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

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

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

Signature  Date _____

Print Name MARIO A. REYNA, P.E.

Owner ☐

Authorized Agent ☒



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 CAMPO DE SUENOS PHASE III SUBDIVISION
Location 1/4 MI. NORTH OF AUBURN AVE. - EAST OF WARE ROAD
City Address or Block Number NONE AT THIS TIME
Number of lots 64 Gross acres 13.496 Net acres 13.491
Existing Zoning Proposed R1 Rezoning Applied For ☐ Yes ☐ No Date
Existing Land Use VACANT Proposed Land Use RESIDENTIAL Irrigation District # 1
Residential Replat Yes ☒ No ☐ Commercial Replat Yes ☐ No ☒ ETJ Yes ☐ No ☐
Agricultural Tax Exempt Yes ☐ No ☐ Estimated Rollback tax due 0
Parcel No. 210502, 210504, 210553, 210500 Tax Dept. Review
Legal Description
APPROX. 13.496 AC O/O LOTS 45 & 52, LA LOMITA IRRIGATION & CONSTR. COMPANY

Owner

Name JOSE R. SALINAS & MARIA J. SALINAS Phone C/O (956) 381-0981
Address 1500 FULLERTON AVENUE
City MCALLEN State TX Zip 78504
E-mail C/O MARIO@MELDENANDHUNT.COM

Developer

Name RIVERSIDE DEVELOPMENT SERVICES, LLC Phone C/O (956) 381-0981
Address 2606 ZINNIA AVENUE
City MCALLEN State TX Zip 78504
Contact Person ANTONIO M. AGUIRRE, JR. - MANAGER
E-mail TAGUIRRECONSULTING@ME.COM

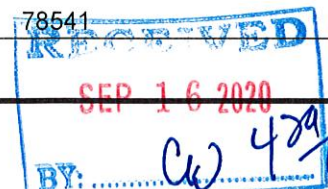
Engineer

Name MELDEN & HUNT, INC. Phone (956) 381-0981
Address 115 W. MCINTYRE ST.
City EDINBURG State TX Zip 78541
Contact Person MARIO A. REYNA, P.E.
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Surveyor

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BMLH



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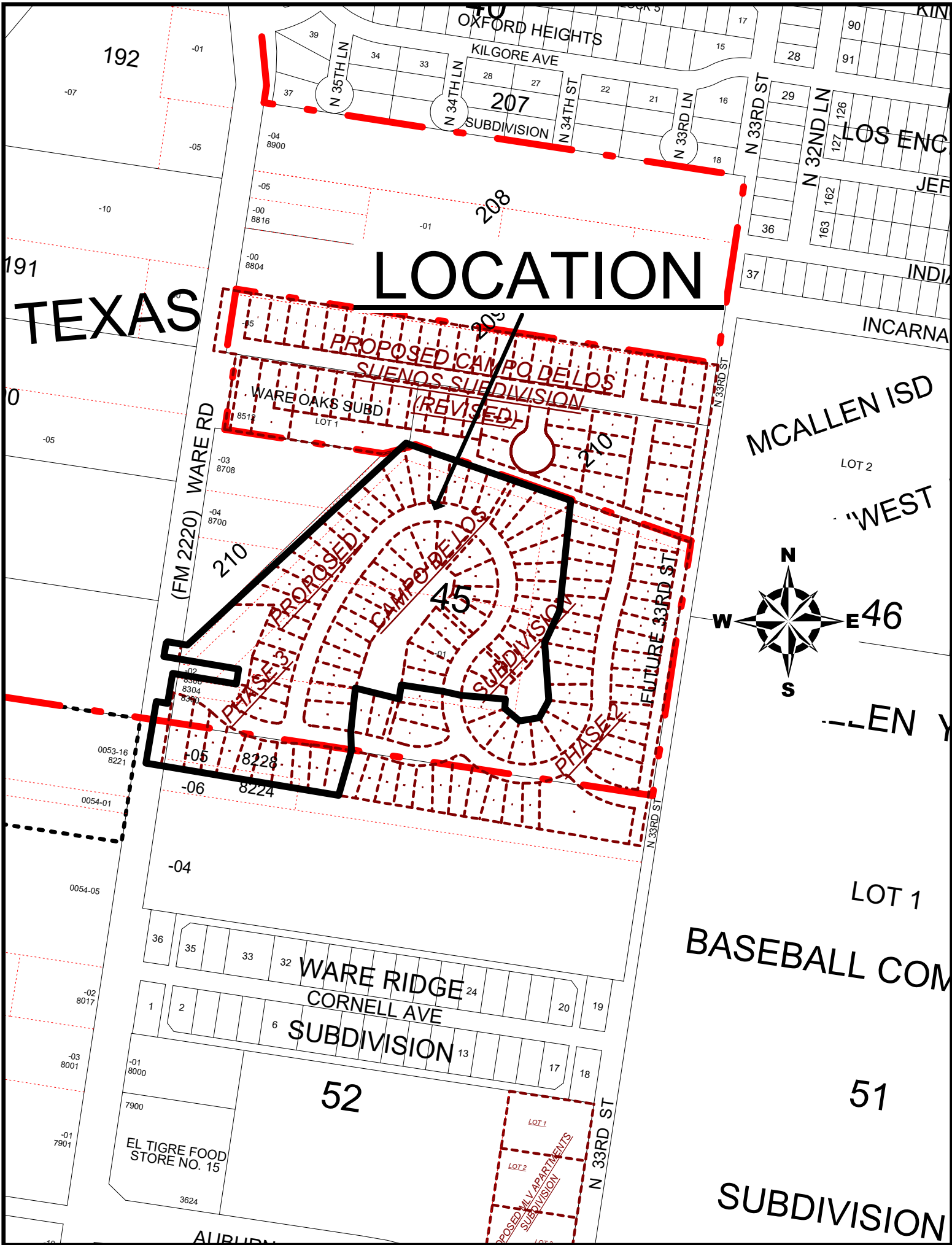
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Signature  Date _____

Print Name MARIO A. REYNA, P.E.

Owner ☐

Authorized Agent ☒



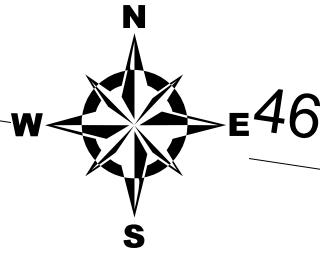
LOCATION

TEXAS

MCALLEN ISD

LOT 2

WEST



LOT 1

BASEBALL COM

51

SUBDIVISION

52

WARE RIDGE
CORNELL AVE
SUBDIVISION

EL TIGRE FOOD
STORE NO. 15

ALBUQUERQUE

PROPOSED MILV APARTMENTS
SUBDIVISION

WARE RD
(FM 2220)

FUTURE 33RD ST

N 33RD ST

KILGORE AVE

SUBDIVISION

LOS ENC

JEF

INDIA

INCARNA

192

-01

-07

-05

-10

191

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0053-16
8221

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LOT 180
HIERO TEXAS
VOLUME 1, PAGE 561, H.C.D.R.

WARE ROAD
80.0' R.O.W.

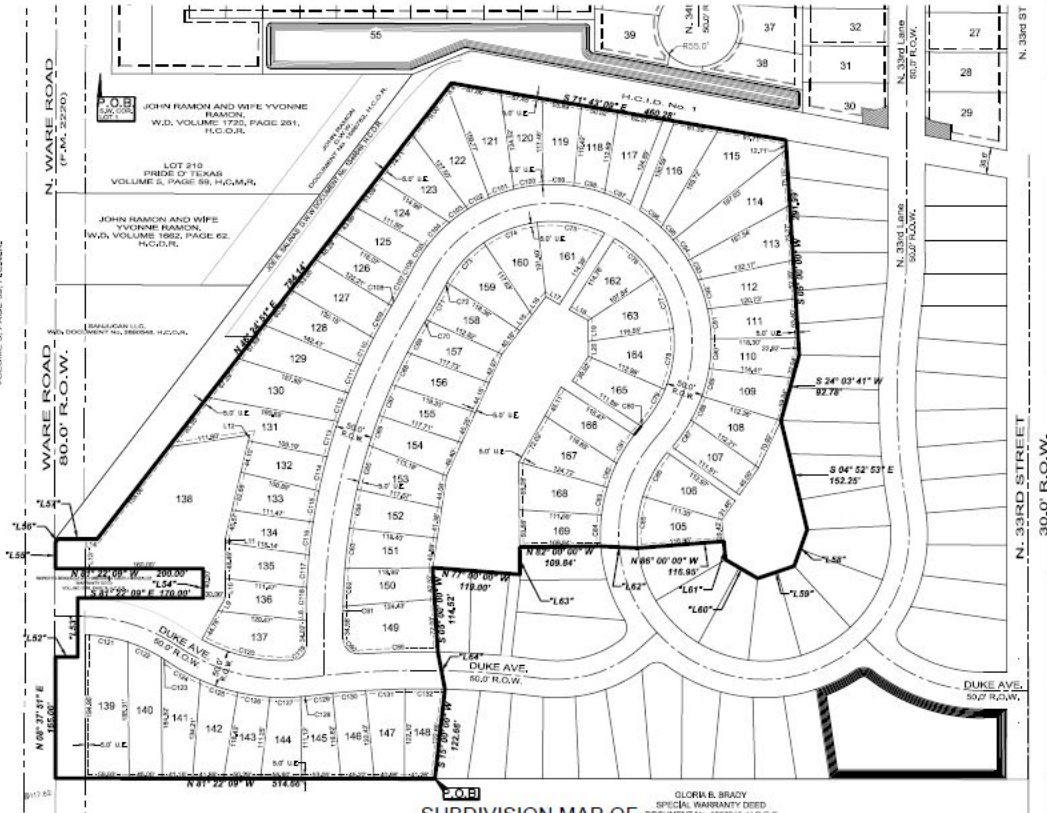
N. WARE ROAD
(F.M. 32202)

P.O.B.
JOHN RAMON AND WIFE YVONNE
W.D. VOLUME 1722, PAGE 261,
H.C.D.R.

LOT 210
PRIDE OF TEXAS
VOLUME 6, PAGE 66, H.C.M.R.

JOHN RAMON AND WIFE
YVONNE RAMON,
W.D. VOLUME 1962, PAGE 62,
H.C.D.R.

ESPANOLAN LLC
W.D. DOCUMENT NO. 280846, H.C.D.R.



SUBDIVISION MAP OF

CAMPO DE SUEÑOS SUBDIVISION PHASE III

BEING A SUBDIVISION OF 3.491 ACRES SITUATED IN THE COUNTY OF HIDALGO,
TEXAS, BEING A PART OR PORTION OUT OF LOTS 45 AND 52, LA LOMITA
IRRIGATION AND CONSTRUCTION COMPANY'S SUBDIVISION, ACCORDING TO
THE PLAT THEREOF RECORDED IN VOLUME 24, PAGES 67-68, HIDALGO
COUNTY DEED RECORDS.

GLORIA B. BRADY
SPECIAL WARRANTY DEED
DOCUMENT NO. 1867969, H.C.D.R.



MACALLAN L&D, NORTHWEST
APPROPRIATION LAWYER
DOCUMENT NO. 280846, H.C.D.R.



Reviewed On: 10/2/2020

SUBDIVISION NAME: CAMPO DE SUENOS PHASE III**REQUIREMENTS****STREETS AND RIGHT-OF-WAYS**

North Ware Road: 75 ft. from centerline for 150 ft. of ROW
 Paving: By the state Curb & gutter: By the state
 **Monies must be escrowed if improvements are not built prior to final.
 **Must show how much ROW exists on both sides of centerline to verify ROW dedication prior to final.
 ***Add "North" to Ware Road on every reference on the plat prior to final.

Duke Avenue (1/4 mile Collector) 60-70 ft. ROW
 Paving: 40-44 ft. Curb & gutter: Both sides
 **Must escrow monies if improvements are not constructed prior to recording.
 ***Engineer must pinpoint location of 40-acre parcel to establish location of E/W 1/4 mile collector prior to final.
 ****Street name might be revised prior to final.

Other interior streets: 50 ft. ROW
 Paving: 32 ft. Curb & gutter: Both sides
 **Must escrow monies if improvements are not constructed prior to recording

Paving _____ Curb & gutter _____

Paving _____ Curb & gutter _____

* 800 ft. Block Length.

* 600 ft. Maximum Cul-de-Sac.

Non-compliance

Non-compliance

Applied

Applied

Applied

Applied

NA

ALLEYS

ROW: 20 ft. Paving: 16 ft.
 *Alley/service drive easement required for commercial properties

NA

SETBACKS

* Front: 25 ft. or greater for easements.
 **Please revise plat note as shown above.

* Rear: 10 ft. or greater for easements except 25 ft. for double fronting lots.

* Interior Sides: 6 ft. or greater for easements.
 **Please revise plat note as shown above.

* Corner: 10 ft. or greater for easements.

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

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

Non-compliance

Applied

Non-compliance

Applied

Applied

Applied

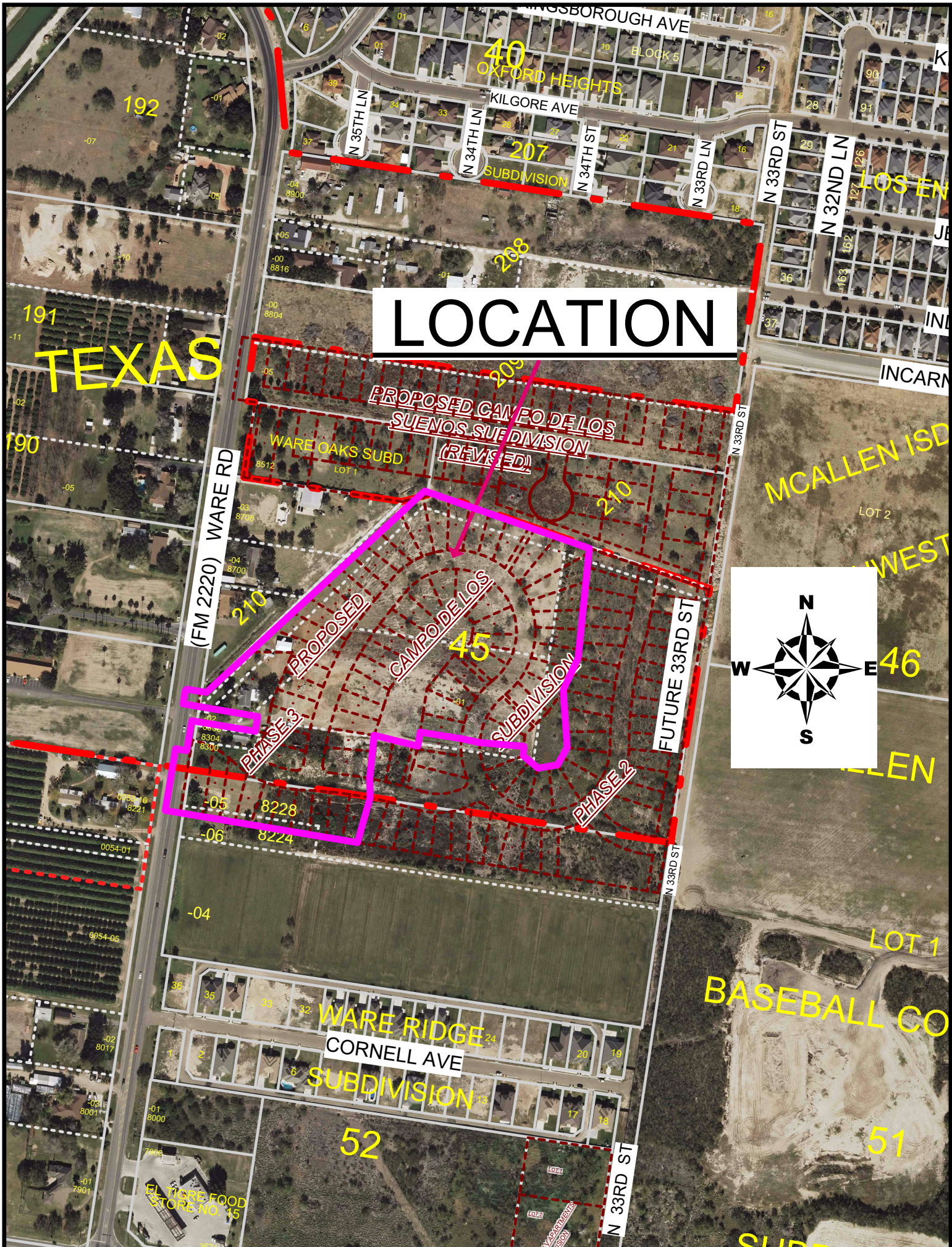
SIDEWALKS

* 4 ft. wide minimum sidewalk required on both sides of all interior streets and 5 ft. wide minimum sidewalk required along North Ware Road as per Engineering Department.
 ***Remove "North 33rd Street" from plat note since it doesn't apply to this phase. It will be required and applied to Phase 2.

Non-compliance

* 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 North Ware Road. Others as may be applicable prior to final. ***Remove "North 33rd Street" from plat note since it doesn't apply to this phase. It will be required and applied to Phase 2.	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 North Ware Road. ***Remove "North 33rd Street" from plat note since it doesn't apply to this phase. It will be required and applied to Phase 2.	Non-compliance
* 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, and detention areas must be maintained by the lot owners and not the City of McAllen **Plat note #14 references "Lot 53", please revise plat accordingly prior to final.	Non-compliance
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. ***Section 110-72 applies for Public Subdivisions.	Required
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.	Required
LOT REQUIREMENTS	
* Minimum lot width and lot area. **Lots 107-125, 128-136, 122, 143-146, 154-156, 166-169 do not have the minimum 50 ft. of frontage and 54 ft. for corner lots required. Please revise plat prior to final to comply with requirements. ***Please show frontage for detention/common areas.	Non-compliance
* Lots fronting public streets.	Applied
ZONING/CUP	
* Existing: ETJ Proposed: ETJ **If annexation is requested, annexation and initial zoning/rezoning process must be finalized prior to final.	TBD
* Rezoning Needed Before Final Approval. **If annexation is requested, annexation and initial zoning/rezoning process must be finalized prior to final.	TBD
PARKS	
* Land dedication in lieu of fee. **Property currently in ETJ. If property is annexed prior to recording, park fees or Park Land Dedication Advisory Board review might be required.	TBD

* Park Fee of \$700 per dwelling unit/lot to be paid prior to recording. **Property currently in ETJ. If property is annexed prior to recording, park fees or Park Land Dedication Advisory Board review might be required. * Pending review by the Parkland Dedication Advisory Board and CC. ****Property currently in ETJ. If property is annexed prior to recording, park fees or Park Land Dedication Advisory Board review might be required.	TBD
	TBD
TRAFFIC	
* As per Traffic Department, a Master Trip Generation to determine if TIA is required, prior to final plat. As per Traffic Department, a Master Trip Generation to determine if TIA is required, prior to final plat	Non-compliance
	TBD
COMMENTS	
Comments: Must comply with City's Access Management Policy. ***As per Traffic and Fire Dept., please submit gate detail if applicable prior to final. ***Must show document number for agreement/permit for HCID #1 to connect North 33rd Lane to Phase 1 to the north of Phase 2. Any documents/permits must be finalized or recorded prior to final. *****If annexation is requested, annexation and initial zoning/rezoning process must be finalized prior to final. *****Need to identify areas between Lots 106-107, 116-117, 151-169, 105-108, and 165-166, prior to final. These areas might have to get a lot number assigned. No reserve strips. *****Street names will have to be revised prior to final. *****Revise plat to show all lot dimensions prior to final. *****Please submit master plan prior to final for overall review.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED, AND UTILITIES AND DRAINAGE APPROVALS.	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)

Sub 2020-0003

Project Description

Subdivision Name Replat of Red Rose Subdivision
Location Rooth Road just NE of West Chapin Street
City Address or Block Number 13320 Rooth Road, McAllen
Number of lots 2 Lots Gross acres 2.23 Net acres _____
Existing Zoning R-1 Proposed R-1 Rezoning Applied For ☐ Yes ☒ No Date _____
Existing Land Use Res. Proposed Land Use Residential Irrigation District # HCID #1
Residential Replat Yes ☒ No ☐ **Commercial** Replat Yes ☐ No ☒ **ETJ** Yes ☐ No ☒
Agricultural Tax Exempt Yes ☐ No ☒ **Estimated Rollback tax due** No
Parcel No. H0850-00-001-0010-03 **Tax Dept. Review** _____
Legal Description 2.23 Acres, being all of Lot 1 Red Rose Subdivision, recorded in Vol. 29,
Pg. 72B, Hidalgo County Map Records, Hidalgo County, Texas.

Owner

Name Ricardo R. Ramos & Dora I. Ramos Phone 956.739.6520
Address 703 Bishop Avenue
City Edinburg State TX Zip 78539
E-mail rick_rrj@yahoo.com

Developer

Name Ricardo Ramos Phone 956.739.6520
Address 703 Bishop Avenue
City Edinburg State Texas Zip 78539
Contact Person Ricardo Ramos
E-mail rick_rrj@yahoo.com

Engineer

Name Melden and Hunt, Inc. Phone 956.381.0981
Address 115 W. McIntyre Street
City Edinburg State Texas Zip 78539
Contact Person Ruben James De Jesus, P.E.
E-mail ruben@meldenandhunt.com

Surveyor

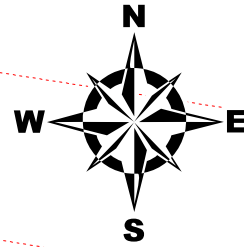
Name Melden and Hunt, Inc. Phone 956.381.0981
Address 115 W. McIntyre Street
City Edinburg State Texas Zip 78539

RECEIVED
SEP 18 2020

BY:

LOCATION

5



13143

RED ROSE

REPLAT RED ROSE

SUBDIVISION

SUBDIVISION

CHAPIN ROAD

N Rooth RD

12

LOT 5, SECTION 233
TEXAS MEXICAN RAILWAY CO. SURVEY

ROBERTO MARTIN
AND OLGA L. HINOJOSA
Doc. No. 746391 H.C.O.R.

ROSA E. HINOJOSA AND OLGA L. HINOJOSA,
Doc. No. 746391 H.C.O.R.
LOT 5, SECTION 233
TEXAS MEXICAN RAILWAY CO. SUBDIVISION

BEARING BASIS AS PER
RED ROSE SUBDIVISION
VOL. 29, PAGE 728 H.C.M.R.

SCALE: 1" = 60'

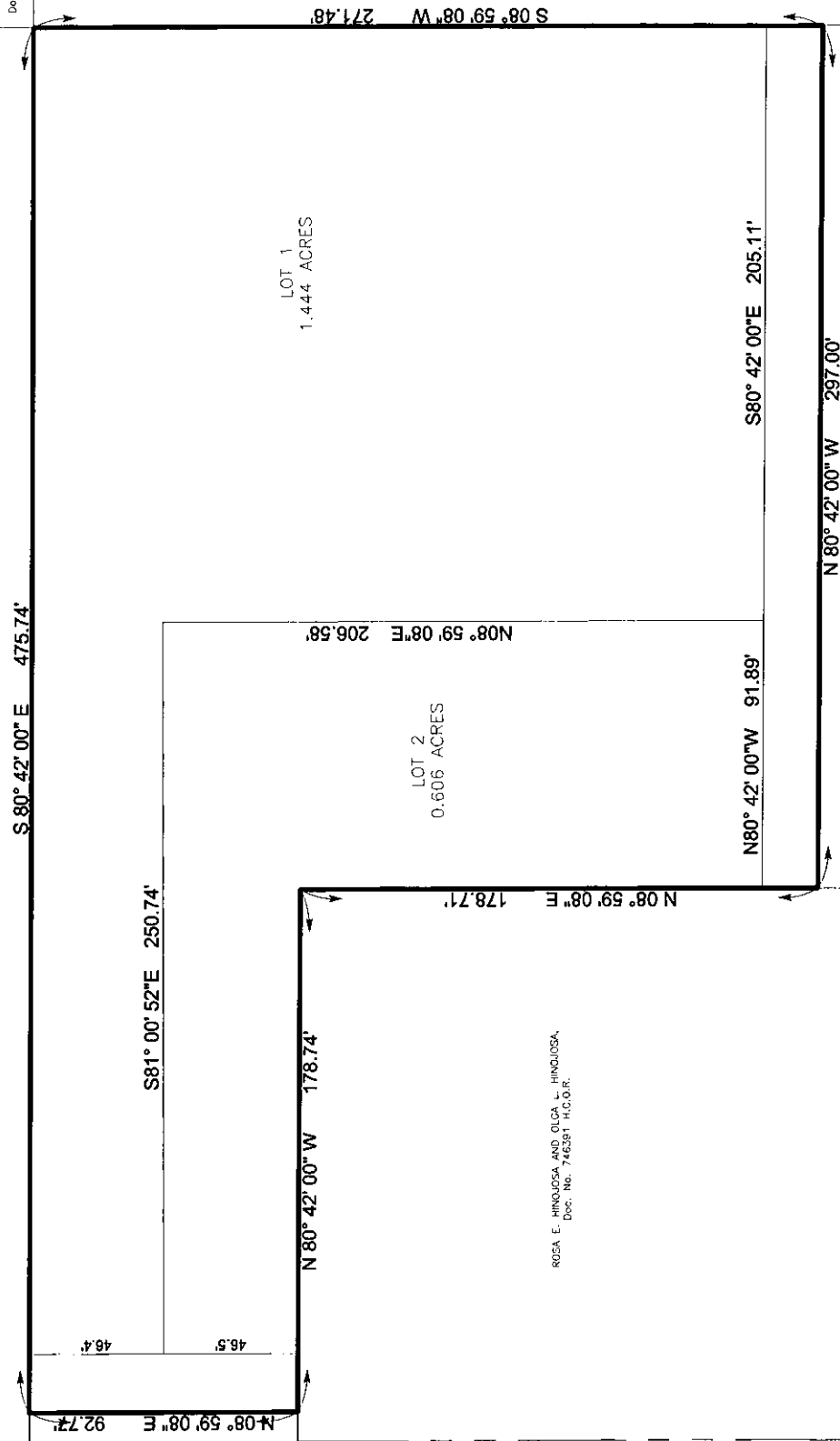
LOT 1 RED ROSE SUBDIVISION

BEING A RESUBDIVISION OF 2.23 ACRES BEING ALL OF LOT 1, RED ROSE SUBDIVISION
SITUATED IN THE CITY OF McALLEN, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP
OR PLAT THEREOF RECORDED IN VOLUME 29, PAGE 72, HIDALGO COUNTY MAP RECORDS
HIDALGO COUNTY, TEXAS

RE-PLAT OF

CHAPIN ROAD

ROOTH ROAD





Reviewed On: 10/2/2020

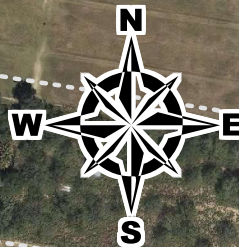
SUBDIVISION NAME: REPLAT OF RED ROSE	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
Chapin Road: 20 ft. dedication required for 50 ft. from centerline for 100 ft. total ROW Paving: 65 ft. Curb & gutter: both sides **Revise plat to reflect: "...additional road ROW dedicated by this plat" ***Monies must be escrowed if improvements are not built prior to recording	Non-compliance
N. 29th Street (Rooth Road): Dedication for 50 ft. from centerline required for 100 ft. total ROW Paving: 65 ft. Curb & gutter: both sides **Label existing ROW on each side of the centerline and show label after accounting for dedication **Revise street name as noted above ***Show existing ROW on both sides of centerline to determine dedication prior to final approval ****Monies must be escrowed if improvements are not built prior to recording	Non-compliance
Paving _____ Curb & gutter _____	Applied
* 800 ft. Block Length	Applied
* 600 ft. Maximum Cul-de-Sac	Applied
ALLEYS	
ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties	NA
SETBACKS	
* Front: 45 ft. or greater for approved site plan or easements (North 29th Street and Chapin Road) **Revise plat as noted above ***Recorded Red Rose Subdivision plat reflects 40 ft. setback on North 29th Street and Chapin Road. ****Vacating of existing Red Rose Subdivision needed if requesting lesser setbacks.	Non-compliance
* Rear: 10 ft. or greater for approved site plan or easements *****Recorded Red Rose Subdivision plat reflects 10 ft. rear setback. ****Vacating of existing Red Rose Subdivision needed if requesting lesser setbacks.	Applied
* Interior Sides: 10 ft. or greater for approved site plan or easements ***Recorded Red Rose Subdivision plat reflects 10 ft. interior side setback. ****Vacating of existing Red Rose Subdivision needed if requesting lesser setbacks.	Non-compliance
* Corner	NA
* Garage: 18 ft. except where greater setback is required, greater setback applies.	Applied
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied

SIDEWALKS	
* 4 ft. wide minimum sidewalk required on N. 29th Street (Rooth Road) and Chapin Road. **Revise plat as noted above.	Non-compliance
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Required
BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses	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	TBD
* Site plan must be approved by the Planning and other Development Departments prior to building permit issuance.	NA
* Common areas, any private streets/services drives must be maintained by the lot owners and not the City of McAllen	Applied
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	NA
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. **Section 110-72 applies for public subdivisions.	Applied
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.	Applied
LOT REQUIREMENTS	
* Lots fronting public streets	Compliance
* Minimum lot width and lot area **Only 46.4 ft. of frontage along N. 29th St. (Rooth Rd.) for the proposed lots and 91.89 and 205.11 along Chapin Road. Should the property be replatted in the future to have lots only fronting onto North 29th Street (Rooth Road) it would not comply with minimum required frontage. ***Frontage to be clarified/established prior to final	TBD
ZONING/CUP	
* Existing: R-1 Proposed: R-1 (Single-Family residences)	Applied
* Rezoning Needed Before Final Approval	NA
PARKS	
* Land dedication in lieu of fee	NA
* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. 2 Lots being proposed x \$700 = \$1,400 due prior to recording.	Required
* Pending review by the Parkland Dedication Advisory Board and CC.	NA

TRAFFIC	
* Trip Generation to determine if TIA is required, prior to final plat as per Traffic Department.	Non-compliance
* Trip Generation to determine if TIA is required, prior to final plat as per Traffic Department.	TBD
COMMENTS	
Comments: **Must comply with City's Access Management Policy ***Subdivision name needs to be revised to Red Rose Subdivision Lots 1A and 1B. ****Label Lots as 1A and 1B	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM, SUBJECT TO CONDITIONS NOTED, UTILITIES, AND DRAINAGE APPROVALS.	Applied

LOCATION

5



13443

RED ROSE
REPLAT RED ROSE
SUBDIVISION
SUBDIVISION

CHAPIN ROAD

N ROUTH RD

12

Sub 2020-0059



City of McAllen
Planning Department
APPLICATION FOR

SUBDIVISION PLAT REVIEW

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

Project Description	<p>Subdivision Name <u>Up North on Ware Road Apartments & Business Center</u></p> <p>Location <u>Intersection of Ware Road and Mile 6 Road (Northeast Corner)</u></p> <p>City Address or Block Number <u>NE Corner N Ware & Mile 6 Road</u></p> <p>Number of lots <u>1</u> Gross acres <u>10.45</u> Net acres <u>9.39</u></p> <p>Existing Zoning <u>AO</u> Proposed <u>R3ACZ</u> Rezoning Applied For <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____</p> <p>Existing Land Use <u>AO</u> Proposed Land Use <u>VACANT</u> Irrigation District # <u>1</u></p> <p>Residential Replat Yes <input type="checkbox"/> No <input type="checkbox"/> Commercial Replat Yes <input type="checkbox"/> No <input type="checkbox"/> ETJ Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>Agricultural Tax Exempt Yes <input type="checkbox"/> No <input type="checkbox"/> Estimated Rollback tax due <u>to MC</u></p> <p>Parcel No. <u>262553</u> Tax Dept. Review _____</p> <p>Legal Description <u>PRIDE OF TEXAS ALL LOT 147 AND S14.85' LOT 148</u></p> <p><u>9.39 AC NET</u></p>
Owner	<p>Name <u>Ware Road Holding, LLC</u> Phone <u>956-445-9505</u></p> <p>Address <u>814 San Jacinto Blvd</u></p> <p>City <u>Austin</u> State <u>TX</u> Zip <u>78701</u></p> <p>E-mail <u>jaikensell@yahoo.com</u></p>
Developer	<p>Name <u>J. Allen Consulting, LLC</u> Phone <u>(956) 445-9505</u></p> <p>Address <u>3825 N. 10th Street</u></p> <p>City <u>McAllen</u> State <u>Texas</u> Zip <u>78501</u></p> <p>Contact Person <u>Jeff Godinez</u></p> <p>E-mail <u>jeffallensells@yahoo.com</u></p>
Engineer	<p>Name <u>Hinojosa Engineering, Inc.</u> Phone <u>(956) 581-0143</u></p> <p>Address <u>108 W 18th Street</u></p> <p>City <u>Mission</u> State <u>Texas</u> Zip <u>78572</u></p> <p>Contact Person <u>San Isidro Navarro</u></p> <p>E-mail <u>inavarro@hengineering.com</u></p>
Surveyor	<p>Name <u>William A. Mangum</u> Phone <u>(956) 249-8061</u></p> <p>Address <u>11809 N. Shary Road</u></p> <p>City <u>Mission</u> State <u>Texas</u> Zip <u>78572</u></p>

RECEIVED
SEP 16 2020
BY: BMT

Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

- ☐ \$225 Preliminary Review Fee and \$75 Final Approval Fee
- ☐ Title Report
- ☒ 8 1/2" by 11" Original Sealed Survey showing existing structures/easements or 3 blueline copies
- ☒ 2 Location Maps
- ☒ 2 8 1/2" by 11" copies/legible copies of plat with name & north arrow
- ☒ 6 Folded blueline prints of the proposed plat *24x36*
- ☒ 2 Warranty Deeds (Identifying owner on application) *w/correction*
- ☒ 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 *Cert. of Formation (Inc.)*

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

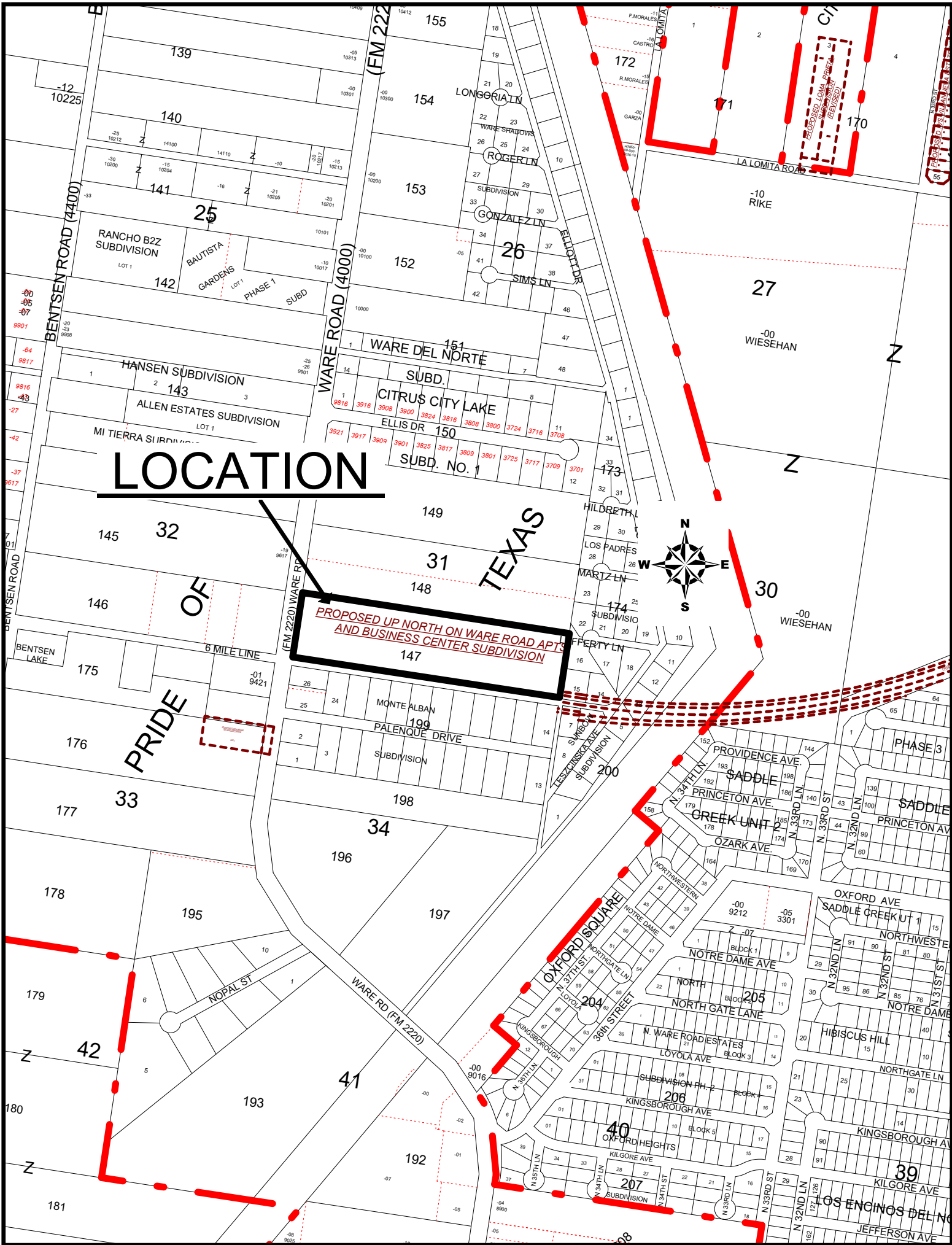
I certify that I am the actual owner of the property described above and (include corporate name if applicable); or I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

Signature  Date 9/15/2020

Print Name Jeff Allen Godinez

Owner ☐

Authorized Agent ☒



LOCATION

**PROPOSED UP NORTH ON WARE ROAD APTS
AND BUSINESS CENTER SUBDIVISION**

WARE ROAD

SUBDIVISION PLAT OF
UP NORTH ON WARE ROAD
APARTMENTS & BUSINESS CENTER

10.45 ACRES OUT OF LOT 147 AND THE SOUTH 0.45 ACRE OF
LOT 148, PRIDE-O-TEXAS SUBDIVISION, RECORDED IN
VOLUME 5, PAGES 58 & 59,
HIDALGO COUNTY MAP RECORDS,
HIDALGO COUNTY TEXAS

EXISTING 40.00' R.O.W.
PROPOSED 75.00' R.O.W.
ADDITIONAL 35.00' R.O.W.

LOT 148 PRIDE O' TEXAS
VOLUME 05 PAGE 58 AND 59, H.C.M.R.

SCALE 1"= 150'

LOT 146 PRIDE O' TEXAS
VOLUME 05 PAGE 58, H.C.M.R.

TRACT : 2
76211.85 SQ FT
1.75 ACRES

TRACT : 1
378990.15 SQ FT
8.70 ACRES

LOS PADRES SUBDIVISION
VOLUME 20 PAGE 16, H.C.M.R.

P.O.B.

6 MILE ROAD

MONTE ALBAN SUBDIVISION
VOLUME 19 PAGE 40, H.C.M.R.

EXISTING 20.00' R.O.W.
PROPOSED 50.00' R.O.W.
ADDITIONAL 30.00' R.O.W.

HINOJOSA
ENGINEERING, INC.

STRUCTURAL AND CIVIL ENGINEERING
108 W. 18TH ST. MISSION, TEXAS
(956) 581-0143 FAX: (956) 581-2074
E-MAIL: HinojosaEngInc@aol.com
REGISTRATION NUMBER EXPIRATION DATE
F-908 9/30/2020

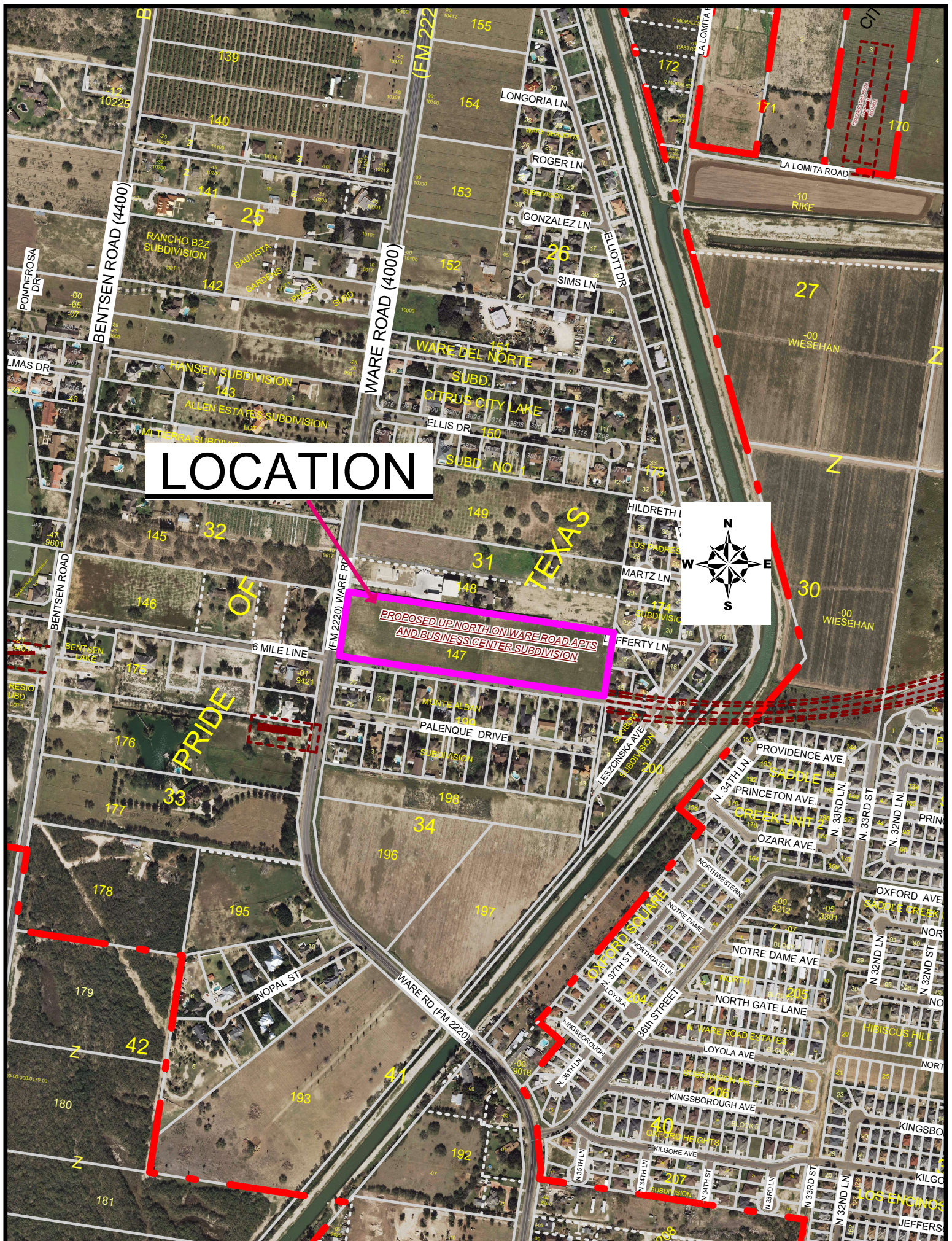


Reviewed On: 10/2/2020

SUBDIVISION NAME: UP NORTH ON WARE ROAD APARTMENTS & BUSINESS CENTER	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
<p>North Ware Road: Proposing 35 ft. dedication for 75 ft. from centerline for 150 ft. of ROW Paving: By the state Curb & gutter: By the state **Please indicate on plat document number of the existing 40 ft. of ROW. ***Please add word "North" to all Ware Road references on plat. ****Show existing ROW on both sides of centerline to finalize dedication prior to final (show centerline on plat). *****Remove "proposed" reference from plat regarding ROW dedication. *****Show total ROW after accounting for any ROW dedication including both sides of centerline. *****Monies must be escrowed if improvements are not built prior to recording.</p>	Non-compliance
<p>6 Mile Road: 20 ft. dedication for 50 ft. from centerline for 100 ft. ROW Paving 65 ft. Curb & gutter: Both sides *Monies must be escrowed if improvements are not built prior to recording. **Please indicate document number for existing 20 ft. ROW ****Remove "proposed" reference. ****Show existing ROW on both sides of centerline to finalize dedication prior to final (show centerline on plat). *****Show total ROW after accounting for any ROW dedication including both sides of centerline.</p>	Non-compliance
<p>N/S 1/4 Mile Street: Clarify 40 ft. County Road on east boundary for 60 ROW dedication prior to final. Paving: 40 ft. Curb & gutter: Both sides **Make reference to the 40 ft. county road along east property line. ****Show existing ROW on both sides of centerline to determine if any dedication is required prior to final for 60 ft. (Show centerline)</p>	Non-compliance
Paving _____ Curb & gutter _____	Applied
Paving _____ Curb & gutter _____	Applied
* 800 ft. Block Length	NA
* 600 ft. Maximum Cul-de-Sac	NA
ALLEYS	
<p>ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties</p>	Non-compliance
SETBACKS	
<p>* Front: North Ware Road: 75 ft. or greater for easements or approved site plan. **6 Mile Road: 50 or greater for easements or approved site plan. ***N/S 1/4 mile Street: 30 ft. or greater for approved site plan or easements ****Please revise plat note as shown above prior to final.</p>	Non-compliance
<p>* Rear: In accordance with Zoning Ordinance or greater for easements or approved site plan. **Please revise plat note as shown above prior to final.</p>	Non-compliance

<ul style="list-style-type: none"> * Interior Sides: In accordance with Zoning Ordinance or greater for easements or approved site plan. **Please revise plat note as shown above prior to final. * Corner: See above setbacks. * Garage: 18 ft. or wherever greater setback is required, greater setback applies. **Please revise plat note as shown above prior to final. *ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN 	Non-compliance
	Applied
	Non-compliance
	Applied
SIDEWALKS	
<ul style="list-style-type: none"> * 4 ft. wide minimum sidewalk required on 6 Mile Road and N/S 1/4 Mile Street, and 5 ft. wide minimum sidewalk required along North Ware Road. **Please revise plat note as shown above prior to final. * Perimeter sidewalks must be built or money escrowed if not built at this time. 	Non-compliance
	Applied
BUFFERS	
<ul style="list-style-type: none"> * 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 final. * 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 final. *Perimeter buffers must be built at time of Subdivision Improvements. 	Non-compliance
	Non-compliance
	Applied
NOTES	
<ul style="list-style-type: none"> * No curb cut, access, or lot frontage permitted along North Ware Road as per Traffic Department. **Please add plat note as shown above prior to final. * Site plan must be approved by the Planning and Development Departments prior to building permit issuance is property if annexed. * Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. * Common Areas, any private streets/service drives must be maintained by the lot owners and not the City of McAllen * Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. **Section 110-72 applies for public subdivisions ***Applicable if annexed prior to final * Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. 	Non-compliance
	TBD
	Required
	Required
	TBD
LOT REQUIREMENTS	
<ul style="list-style-type: none"> * Lots fronting public streets. * Minimum lot width and lot area. 	Applied
	Applied
ZONING/CUP	
<ul style="list-style-type: none"> * Existing: ETJ Proposed: ETJ **If property were to be annexed to the City of McAllen, process must be finalized prior to final. 	Applied

<ul style="list-style-type: none"> * Rezoning Needed Before Final Approval. **If property is annexed to the City of McAllen, and initial zoning/rezoning process will be required prior to final. 	TBD
PARKS	
<ul style="list-style-type: none"> * Land dedication in lieu of fee. ****Property currently in ETJ. If property is annexed prior to recording, park fees or Park Land Dedication Advisory Board review might be required. * Park Fee of \$700 per dwelling unit/ lot to be paid prior to recording. **Property currently in ETJ. If property is annexed prior to recording, park fees or Park Land Dedication Advisory Board review might be required. * Pending review by the Parkland Dedication Advisory Board and CC. **Property currently in ETJ. If property is annexed prior to recording, park fees or Park Land Dedication Advisory Board review might be required. 	TBD
	TBD
	TBD
TRAFFIC	
<ul style="list-style-type: none"> * As per Traffic Department, Trip Generation to determine if TIA is required prior to final plat. * Traffic Impact Analysis (TIA) required prior to final plat. 	Non-compliance
	TBD
COMMENTS	
<p>Comments: Must comply with City's Access Management Policy</p> <p>****If property were to be annexed to the City of McAllen, process must be finalized prior to final.</p> <p>*****Zoning required if property is annexed prior to final.</p> <p>*****As per Fire and Public Works Departments, please submit site plan to review location of dumpsters and access drives prior to final.</p> <p>*****Instead of referencing "tracts" show "Lot" prior to final.</p> <p>*****After accounting for any ROW dedications, provide for a solid lot line instead of dashed line currently shown on plat but not as bold as boundaries of subdivision.</p>	Applied
RECOMMENDATION	
<p>Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED, AND UTILITIES AND DRAINAGE APPROVALS.</p>	Applied



LOCATION



PROPOSED UPNORTH WARE ROAD APTS
AND BUSINESS CENTER SUBDIVISION
147

PRIDE

TEXAS

Sub 2020-0058



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>2nd + Dove Subdivision</u></p> <p>Location <u>2nd Street + Dove Street</u></p> <p>City Address or Block Number <u>201 Dove</u></p> <p>Number of lots <u>21</u> Gross acres <u>1.231</u> Net acres _____</p> <p>Existing Zoning <u>R-37</u> Proposed _____ Rezoning Applied For <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____</p> <p>Existing Land Use <u>Vacant</u> Proposed Land Use <u>Townhomes</u> Irrigation District # <u>1</u></p> <p>Residential Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Commercial Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> ETJ Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Agricultural Tax Exempt Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Estimated Rollback tax due <u>0</u></p> <p>Parcel No. <u>H2558-00-011-000105</u> Tax Dept. Review <u>Guerra</u></p> <p>Legal Description <u>Lot 1, Section 11, Hidalgo Canal company Subdivision</u></p>
Owner	<p>Name <u>Javier Perez</u> Phone <u>956-467-8833</u></p> <p>Address <u>305 Shary Rd.</u></p> <p>City <u>Mission</u> State <u>Tx</u> Zip <u>78572</u></p> <p>E-mail <u>dolly@ereonline.com</u></p>
Developer	<p>Name <u>Alonzo Cantu</u> Phone <u>956-631-1273</u></p> <p>Address <u>5221 W. McCall</u></p> <p>City <u>McAllen</u> State <u>Tx</u> Zip <u>78504</u></p> <p>Contact Person <u>Alonzo Cantu</u></p> <p>E-mail <u>alonzo@cantucasfunction.com</u></p>
Engineer	<p>Name <u>Cloromiro Hinojosa</u> Phone <u>956-667-5560</u></p> <p>Address <u>701 S. 15th Street</u></p> <p>City <u>McAllen</u> State <u>Tx</u> Zip <u>78501</u></p> <p>Contact Person <u>Cloromiro Hinojosa</u></p> <p>E-mail <u>chinojosa@cltengineering.com</u></p>
Surveyor	<p>Name <u>Pablo Soto Jr.</u> Phone <u>956-702-2557</u></p> <p>Address <u>130 E Park Ave</u></p> <p>City <u>Pharm</u> State <u>Tx</u> Zip <u>78577</u></p>

SEP 18 2020

Bulk

SEP 18 2020

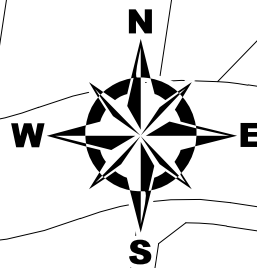
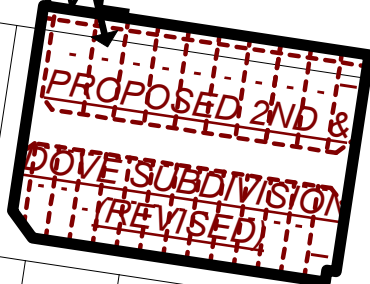
2nd #734412

Rec'd 11 E

NEREA

LOCATION

DOVE AVE



(COL ROWE BLVD)

FALCON AVE

1ST LN

EAGLE

SUBD

SUBD

BLK 11

CONDOR

HERITAGE

CARDINAL

2ND ST

1ST LN

CARDINAL

CONDOR

CARDINAL



Reviewed On: 10/2/2020

SUBDIVISION NAME: 2ND & DOVE**REQUIREMENTS****STREETS AND RIGHT-OF-WAYS**

Interior E/W Street: 60 ft. ROW

Paving: 40 ft. Curb & gutter: both sides

**E/W interior turns north to Dove Avenue. Need to clarify if this will be a street as it shows an existing 20 ft. alley ROW, but no reference to dedication where 30 ft. is shown. Also, if existing alley ROW is being proposed to be converted to street ROW process needs to be clarified/finalized prior to final.

***Variance letter needed if interior street is being proposed with a 30 ft. ROW.

Dove Avenue: Dedication for 75 ft. from centerline required for total 150 ft. ROW.

Paving: min. 65 ft. Curb & gutter: both sides

***Revise plat to show centerline, show also existing ROW on both sides to determine ROW dedication prior to final.

** Preliminary Plat shows a proposed 10 ft. dedication; however, this is subject to increase based on required information of existing ROW.

***Once ROW is addressed, show total ROW after accounting for any dedication prior to final.

*****Need to clarify proposed paving width prior to final.

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

North Col. Rowe Boulevard (N. 2nd Street): Dedication for 60 ft. from centerline required for total of 120 ft. ROW

Paving : min. 65 ft. Curb & gutter: both sides

**Revise plat to show centerline and existing ROW on both sides of centerline to determine ROW dedication prior to final.

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

* 800 ft. Block Length

* 600 ft. Maximum Cul-de-Sac

Non-compliance

Non-compliance

Non-compliance

Applied

Applied

ALLEYS

ROW: 20 ft. Paving: 16 ft.

*Alley/service drive easement required for commercial properties

**Existing 20 ft. alley ROW along the south and west of property dedicated by subdivision to the south.

***The plat does not identify the use of the existing 20 ft. alley on the west side of property.

****if existing alley ROW is being proposed to be converted to street ROW process needs to be clarified/finalized prior to final.

Applied

SETBACKS

* Front: Preliminary plat proposes a "25 ft. or greater for easements" setback.

***Engineer must clarify setbacks prior to final but not less than required by Ordinance.

* Rear: 10 ft. or greater for approved site plan or easements. Setbacks subject to increase for double fronting lots need to be established/clarified prior to final.

* Interior Sides: in accordance with the zoning ordinance or greater for approved site plan or easements

Non-compliance

Non-compliance

Applied

<ul style="list-style-type: none"> * Corner: 10 ft. or greater for easements. **If detention areas become lots, it will also apply to these lots. * Garage: 18 ft. except where greater setback is required, greater setback applies. **Please revise plat as shown above. *ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN 	Applied
	Non-compliance
	Applied
SIDEWALKS	
<ul style="list-style-type: none"> * 4 ft. wide minimum sidewalk required on Dove Avenue, North Col. Rowe Blvd. (N. 2nd Street) and both sides of all interior streets, and entrance street from Dove Avenue. **Revise plat as noted above prior to final * Perimeter sidewalks must be built or money escrowed if not built at this time. 	Non-compliance
	Applied
BUFFERS	
<ul style="list-style-type: none"> * 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses, and along North Col. Row Boulevard (N. 2nd Street) and Dove Avenue **Please revise plat as shown above prior to final. * 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses *Perimeter buffers must be built at time of Subdivision Improvements. 	Non-compliance
	Applied
	Applied
NOTES	
<ul style="list-style-type: none"> * No curb cut, access, or lot frontage permitted along North Col. Rowe Boulevard (N. 2nd Street) and Dove Avenue. **Per Traffic Department, no connection to 2nd Street allowed due to spacing requirements of a principal arterial of 360 ft. not being met. * Site plan must be approved by the Planning and other Development Departments prior to building permit issuance. * Detention areas, any private streets/ service drives, must be maintained by the lot owners and not the City of McAllen **Subdivision appears to be public. Detention areas need to be assigned a letter or lot number. ***Revise plat to include note indicating detention areas will be maintained by the developer. * 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 for public subdivisions * Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. 	Applied
	Applied
	Non-compliance
	NA
	Required
	Applied
LOT REQUIREMENTS	
<ul style="list-style-type: none"> * Lots fronting public streets * Minimum lot width and lot area **Lots do not comply with minimum lot area for R-3T of 2000 sq. ft.; minimum lot width is 20 ft. and 24 ft. for corner lots. ***Variances required for lot size, lot frontage, etc. will have to be presented before Zoning Board of Adjustments and Appeals by a separate process/application prior to final. 	Applied
	Non-compliance

ZONING/CUP	
* Existing: R-1 Proposed: R-3T **Rezoning from R-1 to R-3T was approved by Planning and Zoning Board at the August 4, 2020 meeting. City Commission approved the rezoning request at the August 10, 2020 meeting. * Rezoning Needed Before Final Approval **Rezoning from R-1 to R-3T was approved by Planning and Zoning Board at the August 4, 2020 meeting. City Commission approved the rezoning request at the August 10, 2020 meeting.	Completed
	Completed
PARKS	
* Land dedication in lieu of fee * Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. Based on 21 lots, Park Fee of \$14,700 to be prior to recording. If number of lots changes, fee will be adjusted accordingly. * Pending review by the Parkland Dedication Advisory Board and CC.	NA
	Applied
	NA
TRAFFIC	
* Per Traffic Department, Trip Generation is required to determine if TIA, prior to final plat. * Traffic Impact Analysis (TIA) required prior to final plat.	Non-compliance
	TBD
COMMENTS	
Comments: **Must comply with City's Access Management Policy ***Provide Auto-Turn template for review prior to final. ****Clarify if subdivision is public or private prior to final. *****Plat note required for maintenance of detention areas to be done by owners and not City of McAllen. *****Revise plat to eliminate lot line extending into area being dedicated for Dove Avenue ROW. *****On Lot 18, plat references "20 ft. road ROW to be abandoned". This must be clarified to determine process needed prior to final. *****Lot line should not be shown as bold as subdivision boundaries. *****Need to clarify/finalize wording for some plat notes # 6, 8, 13, 16, etc. currently shown prior to final. *****If streets are public, no gates are allowed. *****Some variances required for lot size, lot frontage, etc. will have to be presented before Zoning Board of Adjustments and Appeals by a separate process/application prior to final. *****Must comply with minimum 25x25 sight obstruction easement at all street intersections. *****Identify area on west side of Lot 1.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM, SUBJECT TO CONDITIONS NOTED, UTILITIES AND DRAINAGE APPROVALS.	Applied



3RD LN

NE

FALCON AVE

1ST LN

EAGLE AVE

LOCATION

DOVE AVE



PROPOSED 2ND &
DOVE SUBDIVISION

2ND ST

CONDOR

ERAGE

ARDINAL

1ST LN

CO

RD ST

CAP

SUB 2020-0022



City of McAllen
Planning Department

APPLICATION FOR
SUBDIVISION PLAT REVIEW

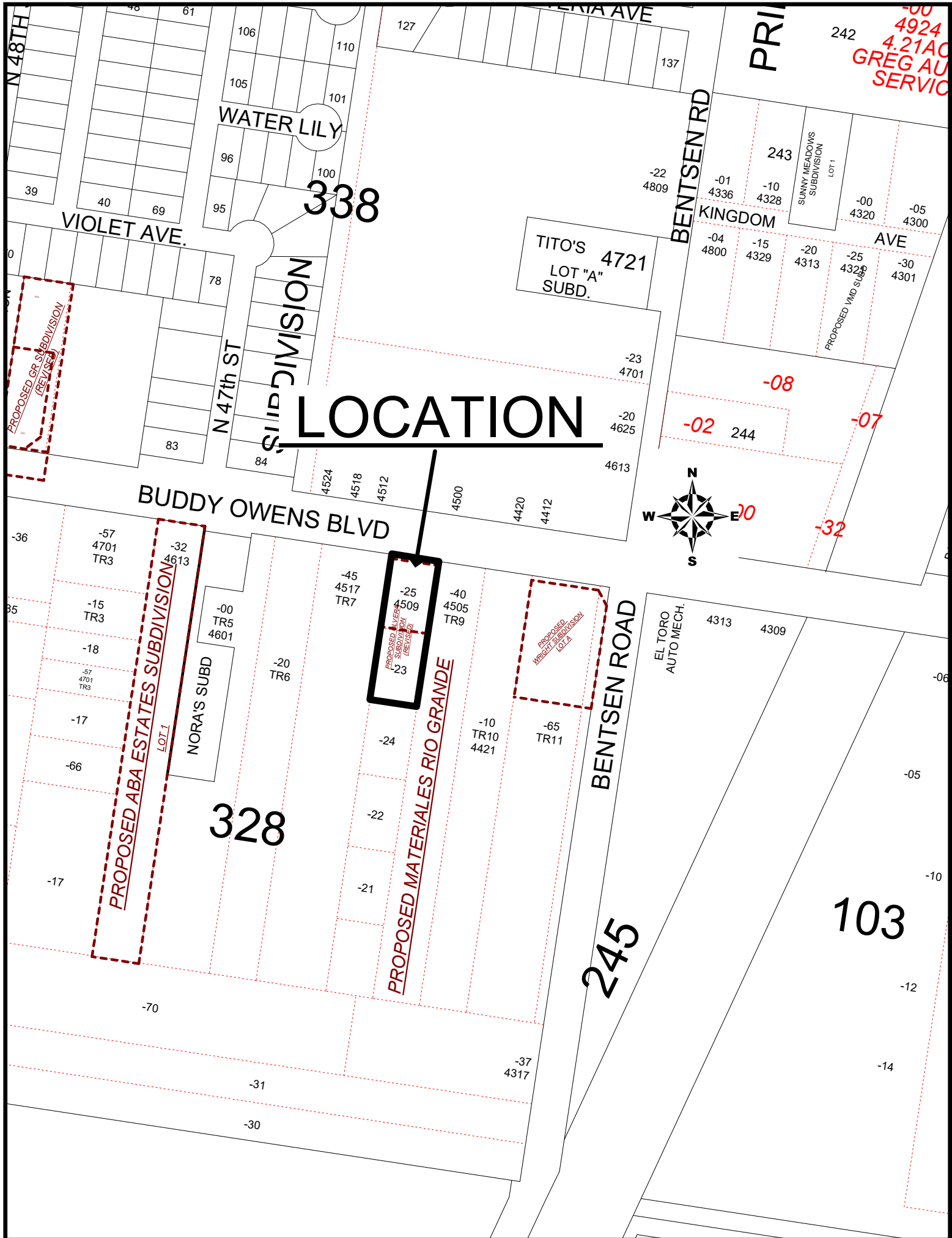
311 North 15th Street
McAllen, TX 78501
P. O. Box 220
McAllen, TX 78505-0220
(956) 681-1250
(956) 681-1279 (fax)

Project Description	<p>Subdivision Name <u>OLVERA SUBD.</u> <u>OF BUDDY OWENS</u></p> <p>Location <u>1/4 475' WEST OF BENTLEY ROAD ALONG SOUTH SIDE</u></p> <p>City Address or Block Number <u>4509 BUDDY OWENS BLVD.</u></p> <p>Number of lots <u>6</u> Gross acres <u>2.15</u> Net acres <u>2.15</u></p> <p>Existing Zoning <u>C3/R-1</u> Proposed <u>C3/R-1</u> Rezoning Applied For <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____</p> <p>Existing Land Use <u>OPEN/RESIDENTIAL</u> Proposed Land Use <u>RESIDENTIAL</u> Irrigation District # <u>1</u></p> <p>Residential Replat Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Commercial Replat Yes <input type="checkbox"/> No <input type="checkbox"/> ETJ Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Agricultural Tax Exempt Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Estimated Rollback tax due <u>1500⁰⁰</u></p> <p>Parcel No. <u>PROP. I.D. # 281799</u> Tax Dept. Review _____</p> <p>Legal Description <u>2.15 AC. 0/0 LOT 328, JOHN. D. SHARP SUBD., D.C.T.</u></p>
Owner	<p>Name <u>JOSE TALLEZ OLVERA</u> Phone <u>776-9268</u></p> <p>Address <u>4509 BUDDY OWENS BLVD.</u></p> <p>City <u>MCALLEN</u> State <u>TX</u> Zip <u>78504</u></p> <p>E-mail <u>None</u></p>
Developer	<p>Name <u>SHARPS AS OWNER</u> Phone _____</p> <p>Address _____</p> <p>City _____ State _____ Zip _____</p> <p>Contact Person _____</p> <p>E-mail _____</p>
Engineer	<p>Name <u>DAVID O. SALINAS</u> Phone <u>682-9001</u></p> <p>Address <u>2221 DAFFODIL AVE.</u></p> <p>City <u>MCALLEN</u> State <u>TX</u> Zip <u>78501</u></p> <p>Contact Person <u>DAVID</u></p> <p>E-mail <u>dsalinas@salinasengineering.com</u></p>
Surveyor	<p>Name <u>SHARPS AS ENGR.</u> Phone _____</p> <p>Address _____</p> <p>City _____ State _____ Zip _____</p>

RECEIVED
APR 14 2020

BY: NC 4:00 pm

Ref # 712517



PRINCIPAL CONTACTS

NAME	ADDRESS	CITY & ZIP	PHONE	FAX
OWNER: ROBERTO OLVERA	4509 BUDDY OWENS BLVD.	MCALLEN, TEXAS 78504	(956) XXX-XXXX	NONE
ENGINEER: DAVID O. SALINAS	2221 DAFFODIL AVE.	MCALLEN, TEXAS 78501	(956) 682-9081	(956) 686-1489
SURVEYOR: DAVID O. SALINAS	2221 DAFFODIL AVE.	MCALLEN, TEXAS 78501	(956) 682-9081	(956) 686-1489

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW BY THE CITY OF MCALLEN ONLY & BY NO OTHERS UNDER THE AUTHORITY OF DAVID OMAR SALINAS, P.E., TX. REG. NO. 71973 ON JULY 06, 2020. IT IS NOT TO BE USED FOR CONSTRUCTION PURPOSES.

OLVERA SUBDIVISION

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

BEING A 0.716 ACRE TRACT OF LAND, MORE OR LESS, CARVED OUT OF LOT 328, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 01, PAGE 17, MAP RECORDS OF HIDALGO COUNTY, TEXAS.



SCALE: 1" = 50'

LEGEND

●	FOUND No.4 REBAR
●	FOUND NAIL
○	SET No.4 REBAR WITH PLASTIC CAP STAMPED SEA 5782
R.O.W.	RIGHT-OF-WAY
P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
H.C.D.R.	HIDALGO COUNTY DEED RECORDS
H.C.O.R.	HIDALGO COUNTY OFFICIAL RECORDS
H.C.M.R.	HIDALGO COUNTY MAP RECORDS

STATE OF TEXAS COUNTY OF HIDALGO

I (WE) THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS **OLVERA 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.

OWNER: ROBERTO OLVERA
4509 BUDDY OWENS BLVD.
MCALLEN, TEXAS 78504
(OWNER OF LOT 1)

OWNER: JOSE TELLEZ OLVERA
4509 BUDDY OWENS BLVD.
MCALLEN, TEXAS 78504
(OWNER OF LOT 2)

STATE OF TEXAS COUNTY OF HIDALGO

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE _____ DAY
OF _____, 2020.

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

STATE OF TEXAS CITY OF MCALLEN

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

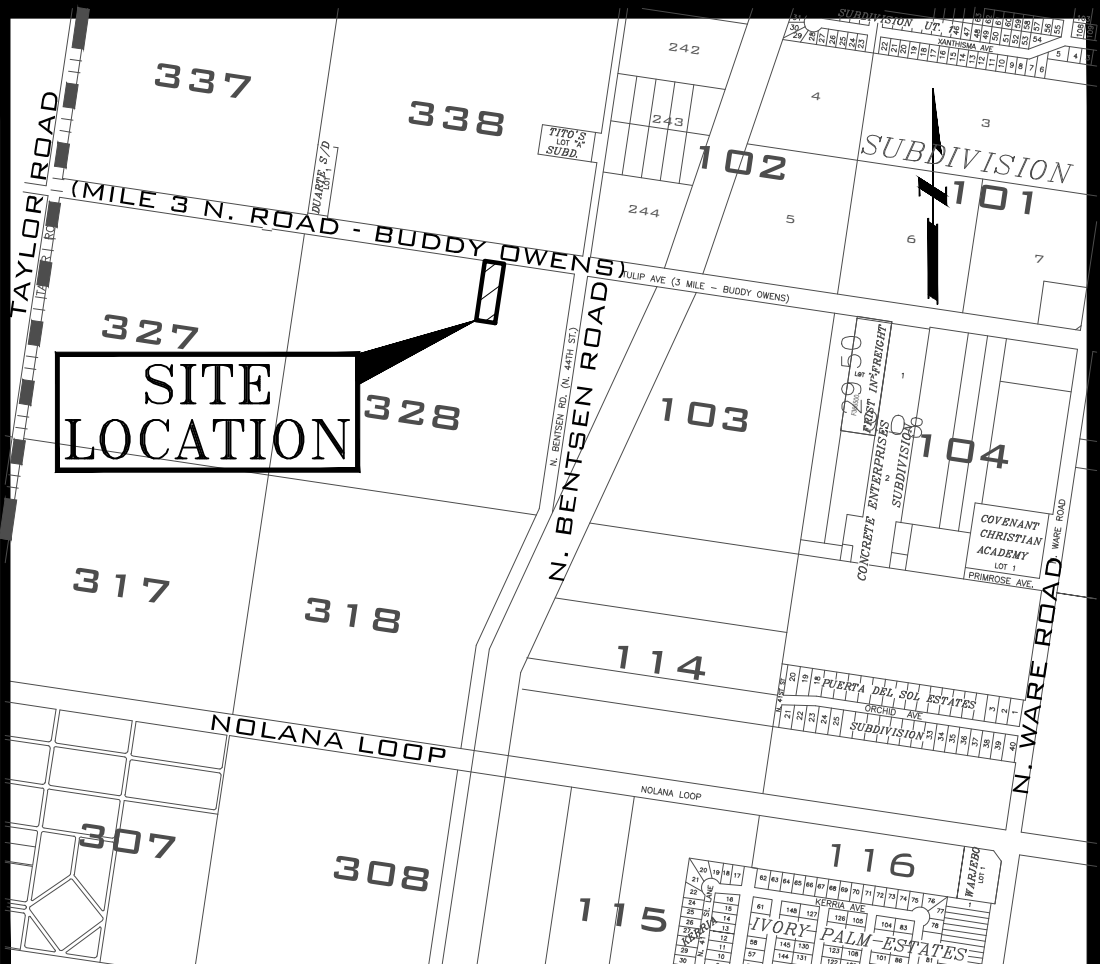
MAYOR _____ DATE _____

STATE OF TEXAS CITY OF MCALLEN

I, THE UNDERSIGNED CHAIRPERSON 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.

CHAIRPERSON,
PLANNING AND ZONING COMMISSION

DATE _____



LOCATION MAP

SCALE : 1" = 1000'

PREPARED BY:

SALINAS ENGINEERING & ASSOC.
DAVID D. SALINAS, P.E., R.P.L.S.
2221 DAFFODIL AVE.
MCALLEN, TEXAS 78501

DATE PREPARED: JULY 06, 2020
DATE SURVEYED: APRIL 06, 2020

METES AND BOUNDS DESCRIPTION

BEING A 0.716 ACRE TRACT OF LAND, MORE OR LESS, CARVED OUT OF LOT 328, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 01, PAGE 17, MAP RECORDS OF HIDALGO COUNTY, TEXAS; SAID 0.716 ACRE TRACT OF LAND IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A NAIL FOUND ON THE NORTHEAST CORNER OF SAID LOT 328, LOCATED WITHIN THE RIGHT-OF-WAY LINE OF MILE 3 NORTH ROAD; THENCE, AS FOLLOWS:

NORTH 81 DEGREES 19 MINUTES 00 SECONDS WEST, COINCIDENT WITH THE NORTH LINE OF SAID LOT 328, A DISTANCE OF 406.00 FEET TO A POINT;

THENCE, SOUTH 08 DEGREES 41 MINUTES 00 SECONDS WEST, ALONG A LINE PARALLEL TO THE EAST LINE OF SAID LOT 328, A DISTANCE OF 312.15 FEET TO A NAIL FOUND ON INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF SAID MILE 3 NORTH ROAD FOR THE NORTHEAST CORNER AND POINT OF BEGINNING OF THIS HEREIN DESCRIBED TRACT;

(1) THENCE, SOUTH 08 DEGREES 41 MINUTES 00 SECONDS WEST, CONTINUING ALONG A LINE PARALLEL TO THE EAST LINE OF SAID LOT 328, A DISTANCE OF 312.15 FEET TO A SET No.4 REBAR WITH PLASTIC CAP STAMPED 5782 FOR THE SOUTHEAST CORNER OF THIS HEREIN DESCRIBED TRACT;

(2) THENCE, NORTH 81 DEGREES 19 MINUTES 00 SECONDS WEST, ALONG A LINE PARALLEL TO THE NORTH LINE OF SAID LOT 328, A DISTANCE OF 100.0 FEET TO A SET No.4 REBAR WITH PLASTIC CAP STAMPED 5782 FOR THE SOUTHWEST CORNER OF THIS HEREIN DESCRIBED TRACT;

(3) THENCE, NORTH 08 DEGREES 41 MINUTES 00 SECONDS EAST, ALONG A LINE PARALLEL TO THE EAST LINE OF SAID LOT 328, A DISTANCE OF 312.15 FEET TO A FOUND No.4 REBAR ON INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF SAID MILE 3 NORTH ROAD FOR THE NORTHWEST CORNER OF THIS HEREIN DESCRIBED TRACT;

(4) THENCE, SOUTH 81 DEGREES 19 MINUTES 00 SECONDS EAST, COINCIDENT WITH THE SOUTH RIGHT-OF-WAY LINE OF SAID MILE 3 NORTH ROAD, A DISTANCE OF 100.0 FEET TO THE POINT OF BEGINNING, CONTAINING 0.716 ACRES OF LAND, MORE OR LESS.

BEARING SOURCE: GIFT DEED DATED OCTOBER 27, 2014, DOC.# 2559795, H.C.O.R., GRANTOR RAUL OLVERA, GRANTEE: RAUL OLVERA AND WIFE THELMA OLVERA.



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

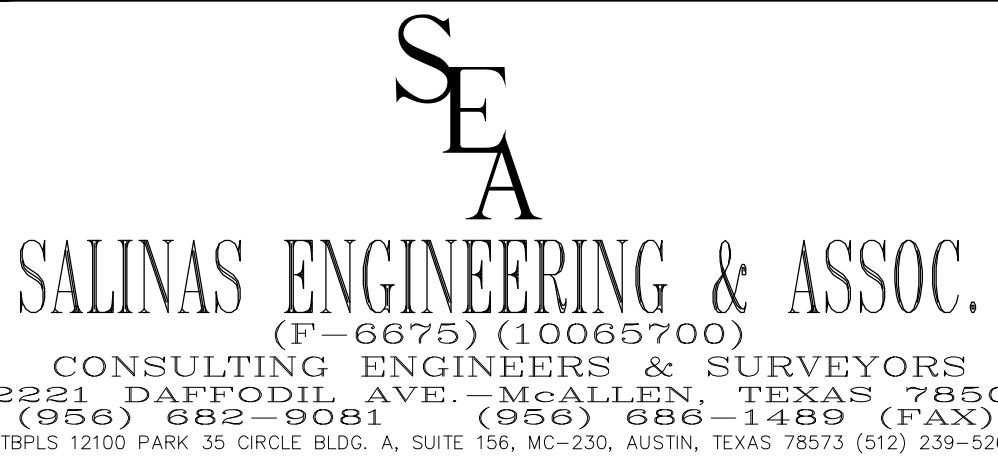
ON: _____ AT _____ AM/PM

INSTRUMENT NUMBER _____

RECORDED IN VOLUME _____ PAGE _____

OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS

BY: _____ DEPUTY



SALINAS ENGINEERING & ASSOC.
(F-6875) (10065700)
CONSULTING ENGINEERS & SURVEYORS
2221 DAFFODIL AVE. MCALLEN, TEXAS 78501
(956) 682-9081 (956) 686-1489 (FAX)
TBPLS 12100 PARK 35 CIRCLE BLDG. A, SUITE 156, MC-230, AUSTIN, TEXAS 78753 (512) 239-5263



Reviewed On: 10/2/2020

SUBDIVISION NAME: OLVERA**REQUIREMENTS****STREETS AND RIGHT-OF-WAYS**

Buddy Owens Boulevard: 10 ft. ROW dedication by this plat for 60 ft. from centerline for 120 ft. of ROW

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

**Make reference to "10 ft. additional ROW dedicated by this plat" prior to final.

Interior N/S Street: 50 ft. of ROW

Paving: 32 ft. Curb & gutter: Both sides

*Cul-de-Sac is required at the south end of property with a minimum of 96 ft. paving diameter face to face as per Fire Department with an approximately 10 ft. ROW back of curb.

**As per Public Works, ROW is required to be dedicated in order to provide for necessary pavement improvements and Cul-de-Sac design for residential waste collection services.

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

***As per plat submitted on July 15, 2020, 20 ft. access road and utility easement is proposed to be dedicated by this plat. Engineer must change that to reference the document where the existing easement was recorded.

****Engineer submitted a revised variance letter on August 28, 2020 to not provide the required 50 ft. of ROW, 32 ft. of pavement with curb and gutter on both sides. Instead, the engineer is proposing a 20 ft. caliche access easement with no curb and gutter.

Paving _____ Curb & gutter _____

* 800 ft. Block Length.

*Block length proposed is approximately 312 ft. which does not exceed the maximum 800 ft. allowed.

* 600 ft. Maximum Cul-de-Sac.

****Engineer submitted a revised variance letter on August 28, 2020 to not provide the required cul-de-sac with 96 ft. paving diameter at the south end of the proposed 20 ft. access easement.

Applied

Non-compliance

Applied

Compliance

Non-compliance

ALLEYS

ROW 20 ft. Paving: 16 ft.

*Alley/service drive easement required for commercial properties

Applied

SETBACKS

* Front:

**Lot 1: 60 ft. or greater for easements on Buddy Owens Boulevard.

***Lot 2: 25 ft. or greater for easements but not less than the Zoning Ordinance on properties facing interior N/S street.

***Zoning must be verified by Engineer prior to final to determine required setbacks.

****If Conditional use Permit is required, it must be approved prior to final.

* Rear: 10 ft. or greater for easements but not less than the Zoning Ordinance

***Zoning must be verified by Engineer prior to final to determine required setbacks.

**If Conditional use Permit is required, it must be approved prior to final.

* Interior Sides: 6 ft or greater for easements but not less than the Zoning Ordinance

*Zoning must be verified by Engineer prior to final to determine required setbacks.

**If Conditional use Permit is required, it must be approved prior to final.

TBD

TBD

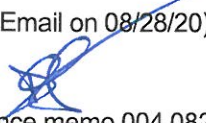
TBD

<ul style="list-style-type: none"> * Corner: 10 ft. or greater for easements but not less than the Zoning Ordinance **Please remove plat note. * Garage: 18 ft. or greater for easements except where greater setback is required, greater setback applies ***Zoning must be verified by Engineer prior to final to determine required setbacks. ****If Conditional use Permit is required, it must be approved prior to final. *ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN 	NA
	TBD
	Applied
SIDEWALKS	
<ul style="list-style-type: none"> * 4 ft. wide minimum sidewalk required on both sides of interior street **5 ft. wide minimum sidewalk along Buddy Owens Blvd. as per Engineering Dept. ***Engineer submitted a revised variance letter on August 28, 2020 to not provide sidewalks along the interior street and Buddy Owens Blvd. * Perimeter sidewalks must be built or money escrowed if not built at this time. 	Non-compliance
	Applied
BUFFERS	
<ul style="list-style-type: none"> * 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. * 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. *Perimeter buffers must be built at time of Subdivision Improvements. 	Compliance
	Compliance
	Applied
NOTES	
<ul style="list-style-type: none"> * No curb cut, access, or lot frontage permitted along Buddy Owens Blvd. * Site plan must be approved by the Planning and Development Departments prior to building permit issuance. **As per applicant, proposed use is residential, which does not require site plan review. If use changes to Commercial, site plan review might be triggered. * Common Areas, Private Streets must be maintained by the lot owners and not the City of McAllen * Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. * 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 110-70 if a public subdivision. *Engineer must clarify if this will be a private or public subdivision prior to final. * Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. **Engineer must clarify if subdivision will be private or public prior to final. 	TBD
	NA
	Applied
	NA
	Required
	Applied
LOT REQUIREMENTS	
<ul style="list-style-type: none"> * Lots fronting public streets. **Engineer submitted a revised variance letter on August 28, 2020 to allow Lot 2 to front onto a proposed 20 ft. access easement instead of the required street. Lot 1 has more than 50 ft. of frontage onto Buddy Owens Boulevard. * Minimum lot width and lot area. 	Non-compliance
	Applied

ZONING/CUP	
* Existing: C-3 & R-1 Proposed: R-1 (single family residences) **Zoning must be verified by the engineer. If any rezoning or CUP for residence in a C-3 zone required, it must be done prior to final.	TBD
* Rezoning or Conditional Use Permit needed prior to final.	TBD
PARKS	
* Land dedication in lieu of fee.	NA
* Park Fee of \$700 per dwelling unit to be paid prior to recording. Revised plat submitted shows only 2 lots. Parks fees apply at a rate of \$700 per dwelling unit (2 lots X \$700= \$1,400)	Required
* Pending review by the Parkland Dedication Advisory Board and CC.	NA
TRAFFIC	
* As per Traffic Department, Trip Generation has been waived; no TIA required.	Complete
* Traffic Impact Analysis (TIA) NOT required prior to final plat.	NA
COMMENTS	
Comments: *Must comply with City's Access Management Policy **As per Public Works Dept., ROW must be dedicated and provide pavement improvements including a turnaround design for residential waste collection service ***Minimum 96 ft. paving diameter required for Cul-de-Sac as per Fire Dept. ***** Preliminary plat approved by P&Z with 6 lots with conditions such as to lots to front a street, to dedicate 50 ft. of ROW with 32 ft. of paving with curb and gutter on both sides, to provide the required sidewalks along the interior street and Buddy Owens Boulevard, and to provide the required cul-de-sac with 96 ft. of paving diameter face-to-face at the south end of property. *****Revised plat shows only the north 2 lots with request for variances for Lot 2 to front an existing 20 ft. access easements instead of the required frontage to a street, to not dedicate 50 ft. of ROW with 32 ft. of paving with curb and gutter on both sides, to not provide the required sidewalks along the interior street and Buddy Owens Boulevard, and to not provide the required cul-de-sac with 96 ft. of paving diameter face-to-face.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED, UTILITY AND DRAINAGE APPROVALS, AND CLARIFICATION ON VARIANCES REQUESTED.	Applied



Memo

To: McAllen Planning Department (Via Email on 08/28/20)
From: David Omar Salinas, P.E., R.P.L.S. 
CC: n:\subdivisionplats\olvera.sub\variance.memo.004.082820
Date: 8/28/2020
Re: Olvera Subd. – 3rd. Amended Variance Request

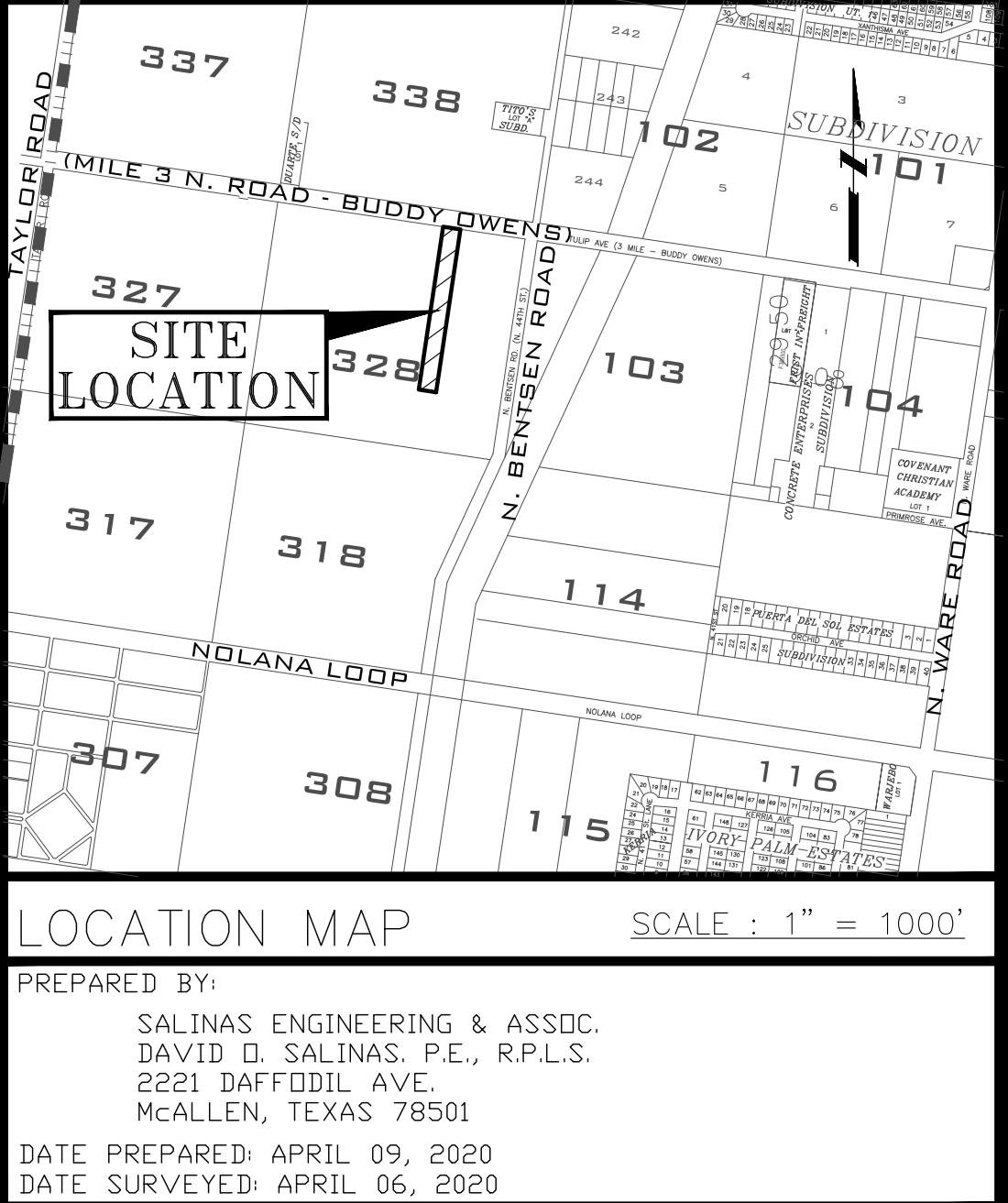
On behalf of the subdivider of Olvera Subdivision, please find the following third amended variances to the street of the amended proposed plat:

1. Variance for proposed Lot 2 not fronting a public street. Currently, proposed Lot 2 fronts on a private 20.0 foot roadway access easement that has been in existence for close to 50 years;
2. Variance to not providing for 50.0 feet of public dedicated ROW, and, not providing a 32' back to back roadway from Mile 3 North Road to the sound end of proposed Lot 2. Client has agreed to provide for an all-weather road (i.e. caliche) in lieu of a paved section;
3. Client is requesting a variance to not providing sidewalks along the private easement and and Mile 3 North Road.
4. Client is requesting a variance to the cul-de-sac.

Please see plat.

The main purpose of this plat is to secure a building permit on proposed Lot 2 – proposed Lot 1 already has residential improvements. Please advise if you need any further information. Thank you.

2221 Daffodil Ave., McAllen, Texas 78501
(956) 682-9081/(956) 686-1489 Facsimile
(956) 648-8899 Cell
dsalinas@salinasengineering.com



AN ADDITION TO THE CITY OF MCALLEN,
HIDALGO COUNTY, TEXAS
BEING A 2.15 ACRE TRACT OF LAND, MORE OR LESS, CARVED OUT OF LOT
328, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO
THE MAP OR PLAT THEREOF RECORDED IN VOLUME 01, PAGE 17, MAP
RECORDS OF HIDALGO COUNTY, TEXAS.

GENERAL PLAT NOTES:

1. MINIMUM SETBACK LINES;
IN ACCORDANCE WITH THE ZONING ORDINANCE
2. LANDS CONTAINED WITHIN THIS SUBDIVISION LIE IN ZONE "C" ACCORDING TO THE FIRM (FLOOD INSURANCE RATE MAP) DATED 11/16/82, COMMUNITY PANEL NO. 480334 0400 C.
3. ZONE "C" AREAS OF MINIMAL FLOOD HAZARD, USUALLY DEPICTED ON FIRMS AS ABOVE THE 500-YEAR FLOOD LEVEL.
3. MINIMUM FINISHED FLOOR ELEVATION ON ALL NEW CONSTRUCTION SHALL BE A MINIMUM OF 18.0 INCHES ABOVE THE TOP OF THE ROAD AS MEASURED FROM THE CENTER OF THIS LOT.
4. 5' WIDE MINIMUM SIDEWALK SHALL BE REQUIRED ALONG BUDDY OWENS BLVD.
5. THIS SUBDIVISION PLAT SHALL BE REQUIRED TO DETAIN A TOTAL OF XXX.XX CUBIC FEET, OR, XXX ACRE-FEET OF DRAINAGE RUNOFF VOLUME.
6. THE CONSTRUCTION OF ANY STRUCTURES ON OR WITHIN ANY EASEMENTS SHALL BE PROHIBITED.
7. A 6' OPAQUE BUFFER IS REQUIRED FROM ANY ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL OR INDUSTRIAL ZONE/ USE. AN 8' MASONRY WALL IS REQUIRED BETWEEN SINGLE-FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL OR RESIDENTIAL ZONE/ USE.
8. BENCHMARK: MCALLEN SURVEY CONTROL POINT NO. 57, LOCATED AT THE SOUTH CORNER OF LOT 3 LINE 1 EAST OF TAYLOR ROAD AND 33 FEET SOUTH OF THE TOP OF MILE 3 LINE, THERE IS A CAR STEREO STORE ACROSS FROM THE MONUMENT MCALLEN SURVEY CONTROL POINT NO. 57 ELEVATION IS 131.17.
9. STORMWATER RUNOFF GENERATED FROM DEVELOPMENT (50 YEAR-FREQUENCY STORM EVENT) SHALL BE DETAINED ON-SITE (DETENTION AREAS) AND RELEASED INTO AN APPROVED STORM SEWER SYSTEM AT THE PRE-DEVELOPMENT RATE FOR A 10-YEAR FREQUENCY STORM EVENT.
10. NO MORE THAN ONE SINGLE-FAMILY DWELLING PER LOT.
11. ALL CONSTRUCTION SHALL COMPLY WITH STORM-WATER POLLUTION PREVENTION PLAN (SW3P) REQUIREMENTS.

STATE OF TEXAS
COUNTY OF HIDALGO

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

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

STATE OF TEXAS
COUNTY OF HIDALGO

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

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

APPROVED BY DRAINAGE DISTRICT:

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

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

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

STATE OF TEXAS
COUNTY OF HIDALGO

(WE) THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS OLVERA SUBDIVISION TO THE CITY OF MCALLEN, TEXAS, AND WHOMEVER NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE PUBLIC THE FOLLOWING DESCRIBED LOTS, PARTS, WALLS, CORNERS, ENCLOSURES, WATER LINES, STREET 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 FOLLOWING CONDITIONS: THAT THE SAME SHALL BE AVAILABLE TO THE PUBLIC FOR THE PURPOSES HEREIN EXPRESSED, EITHER ON THE PLAT HEREOF OR ON THE OFFICIAL MINUTES OF THE APPLICABLE AUTHORITIES OF THE CITY OF MCALLEN.

OWNER: ROBERTO OLVERA
4509 BUDDY OWENS BLVD.
McALLEN, TEXAS 78504
(OWNER OF LOT 1)

OWNER: JOSE TELLEZ OLVERA
4509 BUDDY OWENS BLVD
McALLEN, TEXAS 78504
(OWNER OF LOT 2)

OWNER: RICARDO OLVERA
1410 MADRID ST.
PHARR, TEXAS 78577
(OWNER OF LOT 3)

OWNER: RAUL OLVERA AND WIFE THELMA OLVERA
4509 BUDDY OWENS BLVD.
McALLEN, TEXAS 78504
(OWNER OF LOT 4)

OWNER: JOSE OLVERA
4509 BUDDY OWENS BLVD
McALLEN, TEXAS 78504
(OWNER OF LOTS 5 & 5)

STATE OF TEXAS
COUNTY OF HIDALGO

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE _____ DAY
OF _____, 2020.

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

STATE OF TEXAS
CITY OF MCALLEN

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

MAYOR _____ DATE _____

STATE OF TEXAS
CITY OF MCALLEN

I, THE UNDERSIGNED CHAIRPERSON 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.

CHAIRPERSON,
PLANNING AND ZONING COMMISSION

DATE _____

PRINCIPAL CONTACTS

NAME	ADDRESS	CITY & ZIP	PHONE	FAX
OWNER: <u>ROBERTO OLVERA</u>	<u>4509 BUDDY OWENS BLVD.</u>	<u>MCALLEN, TEXAS 78504</u>	<u>(956) XXX-XXXX</u>	<u>NONE</u>
ENGINEER: <u>DAVID O. SALINAS</u>	<u>2221 DAFFODIL AVE.</u>	<u>MCALLEN, TEXAS 78501</u>	<u>(956) 682-9081</u>	<u>(956) 686-1489</u>
SURVEYOR: <u>DAVID O. SALINAS</u>	<u>2221 DAFFODIL AVE.</u>	<u>MCALLEN, TEXAS 78501</u>	<u>(956) 682-9081</u>	<u>(956) 686-1489</u>

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW BY THE CITY OF MCALLEN ONLY & BY NO OTHERS UNDER THE AUTHORITY OF DAVID OMAR SALINAS, P.E., TX. REG. NO. 71973 ON APRIL 09, 2020. IT IS NOT TO BE USED FOR CONSTRUCTION PURPOSES.

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

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

RECEIVED

By Nikki Marie Cavazos at 12:06 pm, Apr 21, 2020

RECEIVED VIA CD 04/14/2020 AT 4:00 PM

SEA
SALINAS ENGINEERING & ASSOC.
(F-6675) (10065700)
CONSULTING ENGINEERS & SURVEYORS
2221 DAFODIL AVE.-McAllen, TEXAS 78501
(936) 682-9081 (936) 686-1489 (FAX)
TIBBS 12100 PARK 35 CIRCLE BLDG. A, SUITE 156, MC-250, AUSTIN, TEXAS 78753 (512) 238-5

SUB2020-0034



City of McAllen
Planning Department
APPLICATION FOR

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

SUBDIVISION PLAT REVIEW

Project Description	<p>Subdivision Name <u>Barcelona Subdivision</u></p> <p>Location <u>Northwest corner Bentsen Rd and Colbath Ave.</u></p> <p>City Address or Block Number <u>TBD</u></p> <p>Number of lots <u>1</u> Gross acres <u>1.55</u> Net acres <u>1.26</u></p> <p>Existing Zoning <u>R-3A</u> Proposed _____ Rezoning Applied For <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____</p> <p>Existing Land Use <u>Vacant</u> Proposed Land Use <u>Multifamily</u> Irrigation District # <u>United</u></p> <p>Residential Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Commercial Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> ETJ Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Agricultural Tax Exempt Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Estimated Rollback tax due <u>0-</u></p> <p>Parcel No. <u>S2950-00-000-0178-40</u> Tax Dept. Review <u>Guerra</u></p> <p>Legal Description <u>A 1.55 acre tract of land out of Lot 178, JOHN H. SHARY SUBDIVISION</u></p>
Owner	<p>Name <u>New Millenium L Investments, Inc.</u> Phone <u>(956) 483-4372</u></p> <p>Address <u>711 W. Nolana Ave. Suite 102B</u></p> <p>City <u>McAllen</u> State <u>TX</u> Zip <u>78504</u></p> <p>E-mail _____</p>
Developer	<p>Name <u>Servikon, LLC</u> Phone <u>(956) 483-4372</u></p> <p>Address <u>101 N McColl Rd. Ste 8</u></p> <p>City <u>McAllen</u> State <u>TX</u> Zip <u>78501</u></p> <p>Contact Person <u>Adriana Salazar</u></p> <p>E-mail <u>adrianasalazar68@hotmail.com</u></p>
Engineer	<p>Name <u>Supreme Engineering, PLLC</u> Phone <u>(956) 272-2246</u></p> <p>Address <u>410 S Jackson Rd #2780</u></p> <p>City <u>Edinburg</u> State <u>TX</u> Zip <u>78539</u></p> <p>Contact Person <u>Omar Cano, P.E.</u></p> <p>E-mail <u>omar.cano@supremeengineering.com</u></p>
Surveyor	<p>Name <u>Pablo Pena III, RPLS</u> Phone <u>(956) 682-8812</u></p> <p>Address <u>1001 Whitewing Ave.</u></p> <p>City <u>McAllen</u> State <u>TX</u> Zip <u>78501</u></p>

RECEIVED
MAY 15 2020
BY: Sc 3:00pm

Act # 716823 pd \$ 3008

Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

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

PLAT TO SHOW:

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

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

Owner's Signature

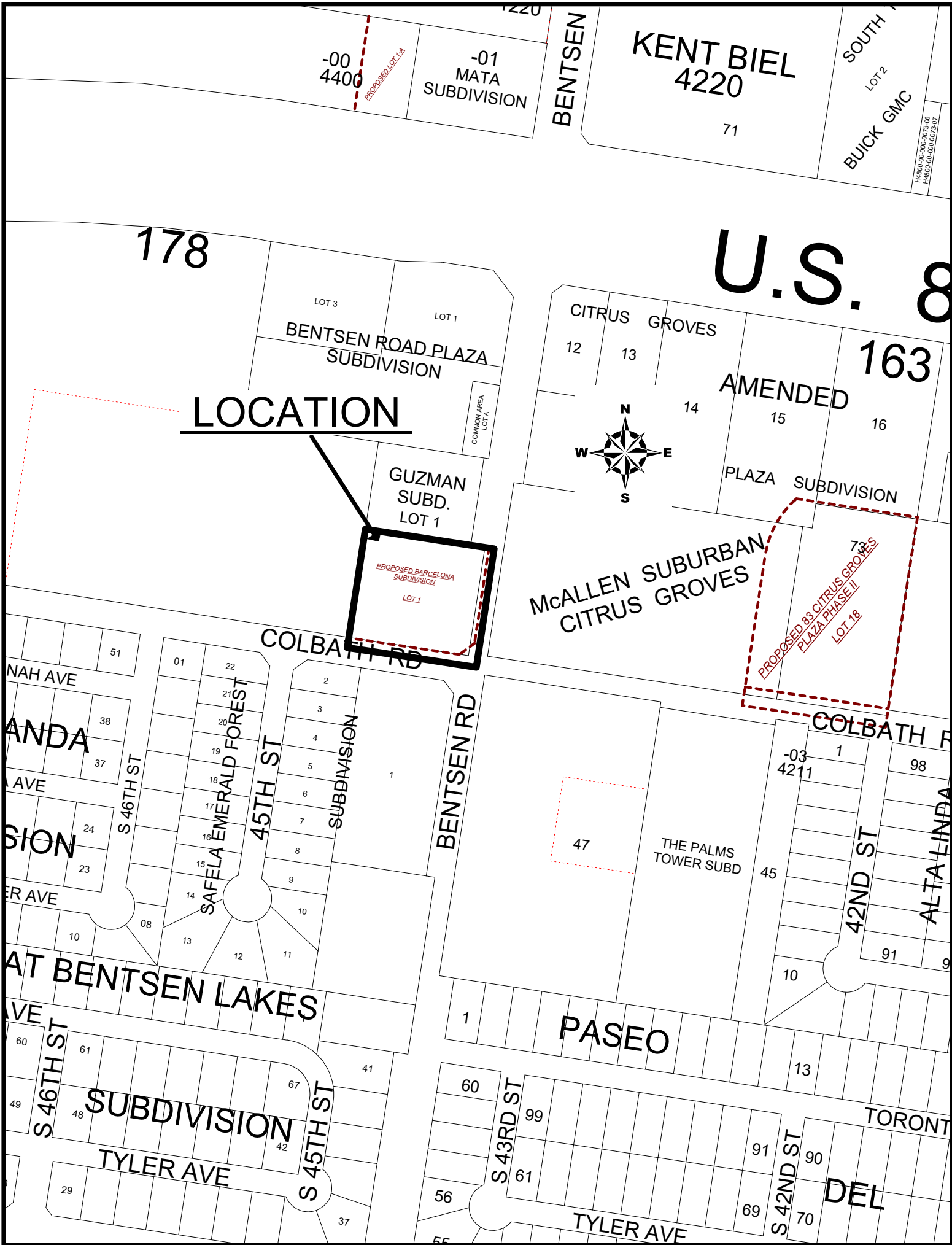
I certify that I am the actual owner of the property described above and (include corporate name if applicable); or I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

Signature _____ Date 05/14/2020

Print Name Laura Elena Aragon D.

Owner ☒

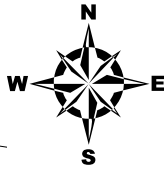
Authorized Agent ☐



LOCATION

PROPOSED BARCELONA
SUBDIVISION
LOT 1

PROPOSED 83 CITRUS GROVES
PLAZA PHASE II
LOT 1/8



McALLEN SUBURBAN
CITRUS GROVES

KENT BIEL
4220

71

BUICK GMC
LOT 2

H480-00-000-0073-08
H480-00-000-0073-07

U.S. 8

163

AMENDED

PLAZA SUBDIVISION

COLBATH RD

COLBATH RD

BENTSEN RD

PASEO

TORONT

DEL

SUBDIVISION

TYLER AVE

TYLER AVE

NAH AVE

ANDA

AVE

SION

ER AVE

AT BENTSEN LAKES

AVE

S 46TH ST

S 46TH ST

S 45TH ST

S 45TH ST

S 44TH ST

S 43TH ST

S 42TH ST

S 41TH ST

S 40TH ST

S 39TH ST

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S 27TH ST

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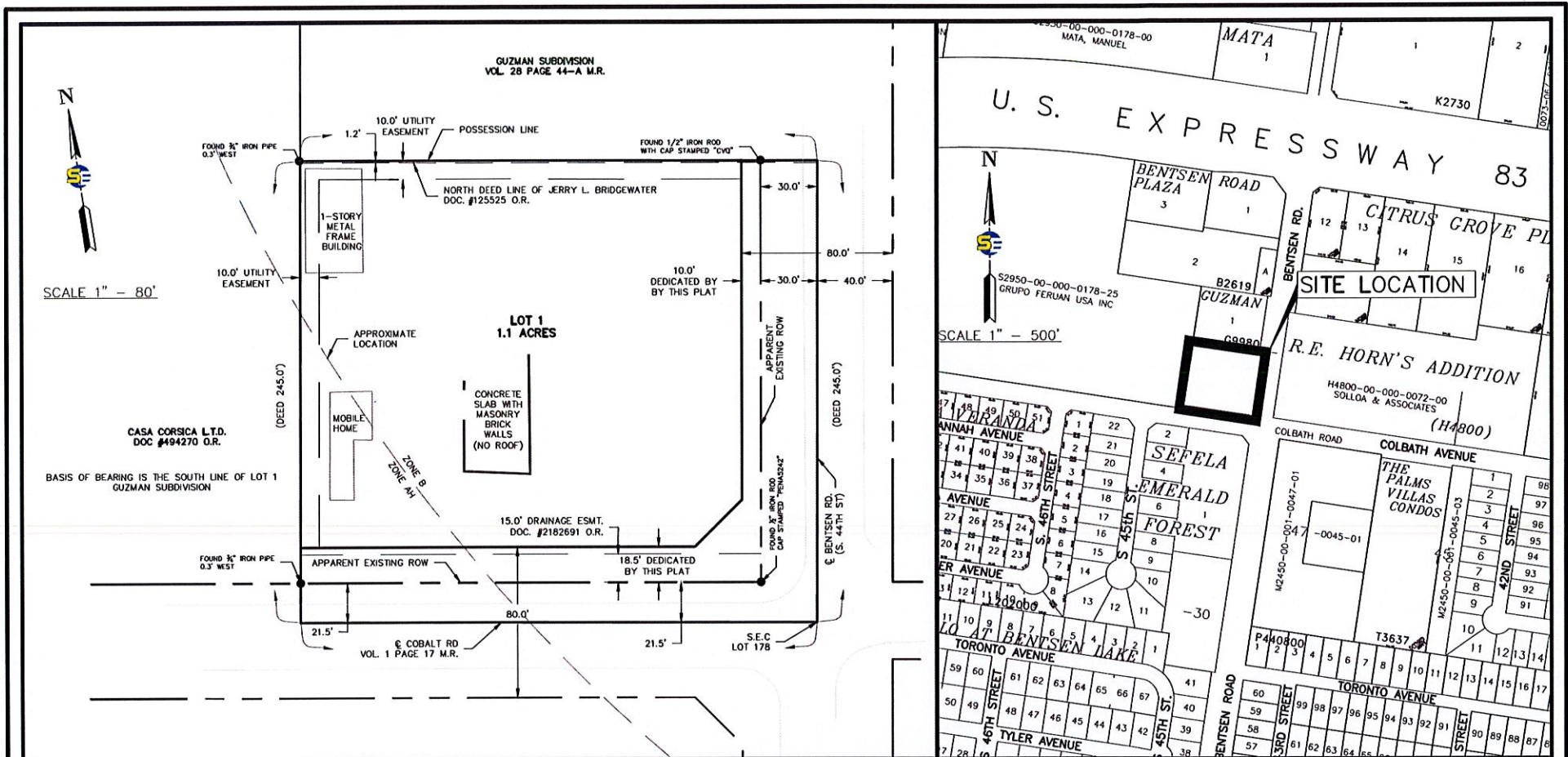
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PLAT OF BARCELONA SUBDIVISION

RECEIVED
 MAY 17 2020
 BY: *Sc. 11:40am*

A 1.55 ACRE TRACT OF LAND OUT OF LOT 178, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER MAP THEREOF RECORDED IN VOLUME 1 PAGE 17 OF THE MAP RECORDS OF SAID COUNTY WITHIN THE CITY OF MCALLEN TEXAS.



SUPREME ENGINEERING, PLLC
 CONSULTING ENGINEERS
 ENGINEERING FIRM F-21135
 410 S. JACKSON RD. #2780 - EDINBURG, TX 78539
 (956) 272-2246

PRINCIPAL CONTACTS			
NAME	ADDRESS	CITY, STATE & ZIP CODE	PHONE
OWNER:	NEW MILLENNIUM L INVESTMENTS, INC	711 W. NOLANA AVE. STE. 102B	MCALLEN, TEXAS 78504
ENGINEER:	OMAR CANO, P.E.	410 S. JACKSON RD #2780	EDINBURG, TEXAS 78539
SURVEYOR:	PABLO PENA III, R.P.L.S	1001 WHITEWING AVE	MCALLEN, TEXAS 78501



Reviewed On: 9/10/2020

SUBDIVISION NAME: BARCELONA	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
South Bentsen Road: 10 ft. dedication for 40 ft. from centerline for 80 ft. of ROW Paving: 52 ft. Curb & gutter: Both sides **Monies must be escrowed if improvements are not built prior to recording.	Applied
Colbath Road: 18.5 ft. dedication for 40 ft. from centerline for 80 ft. ROW Paving: 52 ft. Curb & gutter: Both sides **Monies must be escrowed if improvements are not built prior to recording. ***Revise street name to "Colbath Road" on plat, vicinity map and wherever is applicable prior to final.	Applied
Paving _____ Curb & gutter _____	Applied
* 800 ft. Block Length.	NA
* 600 ft. Maximum Cul-de-Sac.	NA
ALLEYS	
ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties. ***Private service drive easement to provide city services required. It will be maintained by the property owners, not the City of McAllen. It will be on the site plan and also on the plat as may be needed, prior to recording. Plat note will be required to be noted on the plat regarding the service drive, prior to recording.	Required
SETBACKS	
* South Bentsen Road : 40 ft. or greater for approved site plan or easements.	Applied
**Colbath Road: 40 ft. or greater for approved site plan or easements.	
* Rear: 10 ft. or greater for easements or approved site plan.	Non-compliance
**Engineer submitted a letter on September 4,2020, requesting a variance for 6 ft. instead of the required 10 ft. setback required on the rear (west side).	
* Interior Sides: In accordance with the Zoning Ordinance or greater for easements or approved site plan.	Non-compliance
**Revise plat as shown above.	
* Corner: See setbacks for North Bentsen Road and Colbath Road	Non-compliance
**Revise plat as shown above.	
* Garage: 18 ft. or greater for approved site plan or easements.	Non-compliance
**Revise plat as shown above.	
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
SIDEWALKS	
* 4 ft. wide minimum sidewalk required on South Bentsen Road and Colbath Road.	Applied
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Applied

BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along Colbath Road.	Non-compliance
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses and along north side property.	Applied
* Perimeter buffers must be built at time of Subdivision Improvements.	Applied
NOTES	
* No curb cut, access, or lot frontage permitted along.	Applied
* Site plan must be approved by the Planning and Development departments prior to Building permit issuance.	Applied
* Common Areas, private streets/drives must be maintained by the lot owners and not the City of McAllen	Required
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	Applied
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.	NA
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.	NA
LOT REQUIREMENTS	
* Lots fronting public streets	Compliance
* Minimum lot width and lot area	Compliance
ZONING/CUP	
* Existing: R-3A Proposed: R-3A **Rezoning to R-3A approved by Planning and Zoning on November 19, 2019 ***Rezoning to R-3A approved by the City Commission on December 12, 2019 * Rezoning Needed Before Final Approval	Compliance
	NA
PARKS	
* Land dedication in lieu of fee does not apply.	NA
* Park Fee of \$700 per dwelling unit to be paid prior to recording. As per parks Department, Park fees will apply at a rate of \$700 per dwelling unit. Total amount of fees is \$14,000 (\$700 X 20 = \$14,000). Fees may vary depending on the proposed amount of dwelling units.	Required
* Pending review by the Parkland Dedication Advisory Board and CC.	NA
TRAFFIC	
* As per Traffic Department, Trip Generation has been waived. No TIA required.	Complete
* As per Traffic Department, Trip Generation has been waived. No TIA required.	NA
COMMENTS	
Comments: Must comply with City's Access Management policy	Applied

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

178

U.

LOCATION

CITRUS GROVES

AMEN

PLAZA



GUZMAN SUBD.
LOT 1

McALLEN SUBURBAN
CITRUS GROVES

PROPOSED BARCELONA
SUBDIVISION

LOT 1

COLBATH RD

BENTSEN RD

SUBDIVISION

45TH ST

SAFELA EMERALD FOREST

THE PALMS
TOWER SUBD

BENTSEN LAKES

PASEO

September 1, 2020

Barcelona Subdivision
New Millennium L Investments
711 W. Nolana Ave. Ste 102B
McAllen, TX 78501

City of McAllen
Planning & Zoning Board
1300 Houston Ave.
McAllen, TX 78501

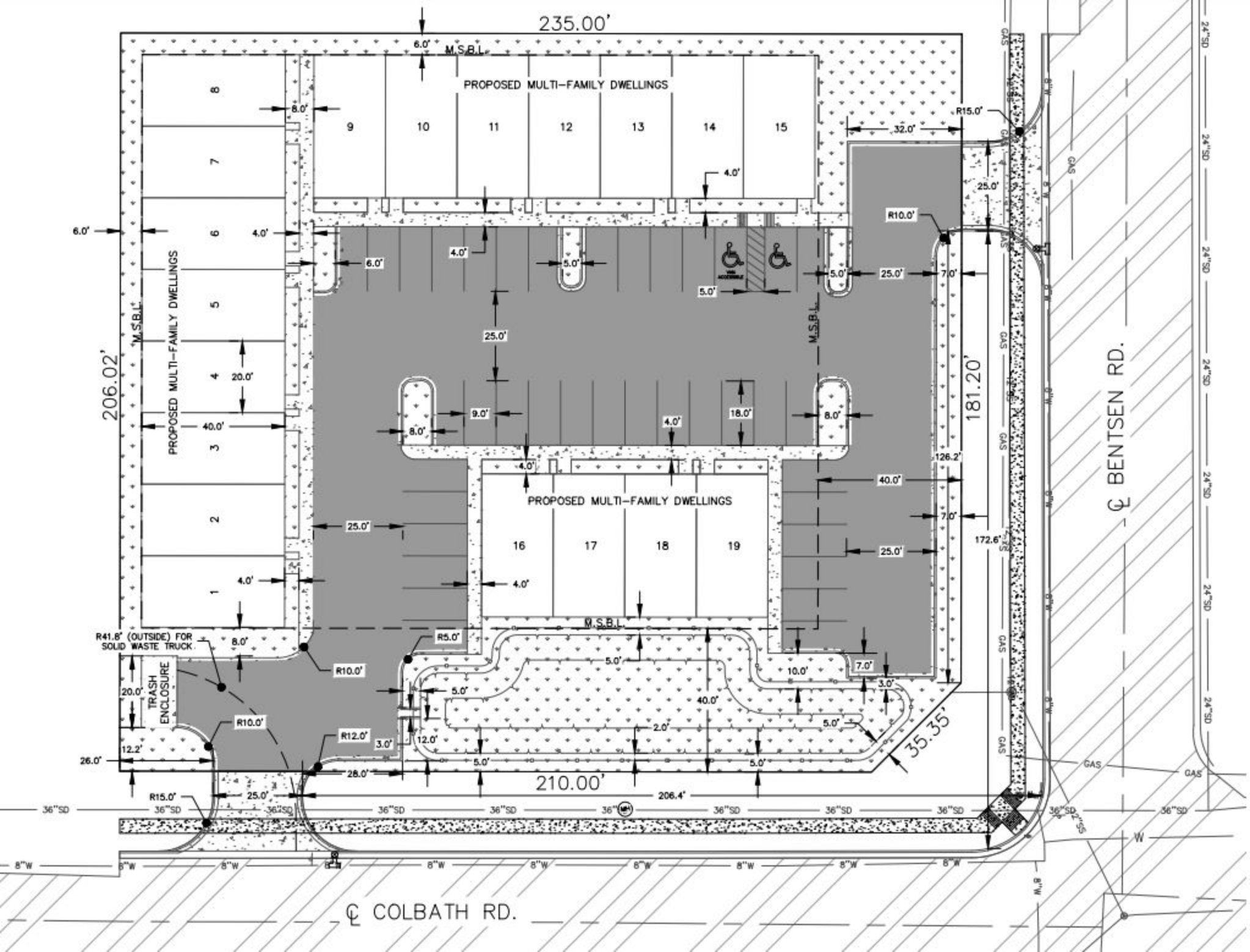
Dear Planning and Zoning Chairman/Board Members:

I am requesting a variance for a six (6) feet rear setback instead of ten (10) feet (west side of property). In order to maximize and make the project feasible there is the need to keep the aforementioned setback. It is imperative to mention that all other proper improvements will be constructed during the subdivision process and the developer (I) is in compliance with all City of McAllen requirements.

Sincerely,


New Millennium L Investment, LLC





Planning Department

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

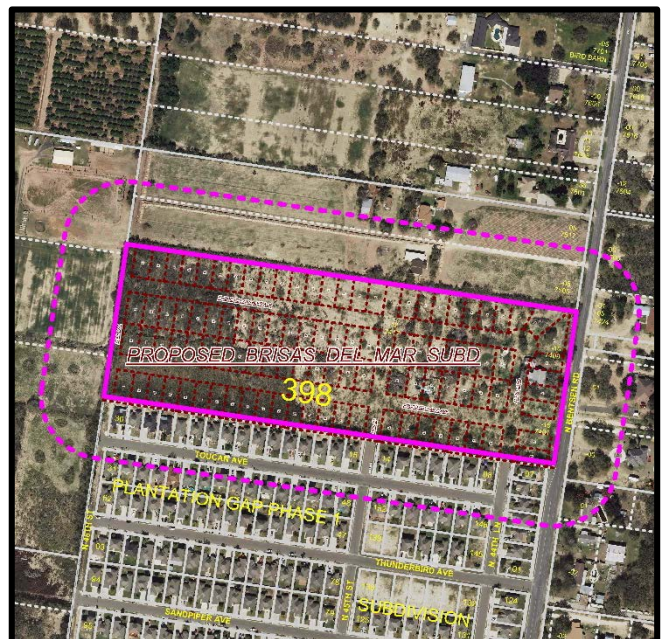
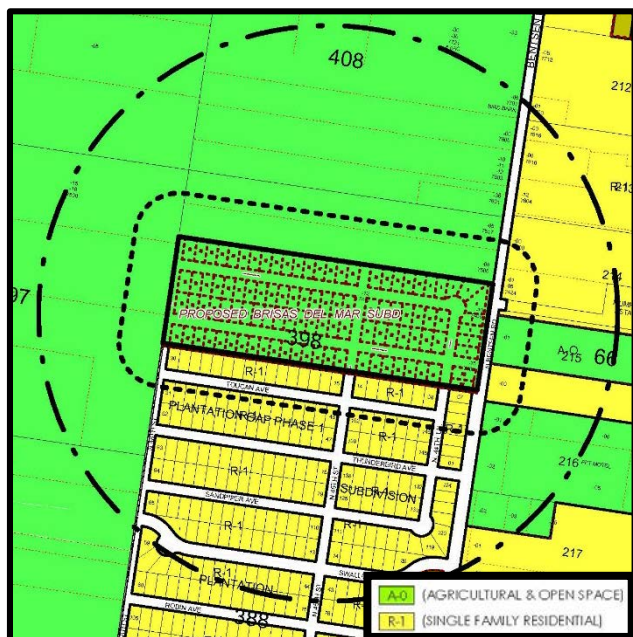
DATE: September 29, 2020

SUBJECT: REZONE FROM A-O (AGRICULTURAL AND OPEN SPACE) DISTRICT TO R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT: 17 ACRES OUT OF LOT 398, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS; 7401 N. BENTSEN RD. (REZ2020-0030)

LOCATION: The property is located on the west side of North Bentsen Road, approximately 1,600 feet south of Auburn Avenue. The tract has 503.68 feet of frontage along North Bentsen Road and comprises a total area of 17 acres.

PROPOSAL: The applicant is requesting to rezone the property from A-O (agricultural and open space) to R-1 (single-family residential) District. An application for a subdivision for the subject property under the name of Verdin Heights Subdivision for single-family homes has been submitted and received approval in preliminary form on September 16, 2020 by the Planning and Zoning Commission.

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



LAND USE: The property is currently vacant. Surrounding land uses are single-family residences.

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

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

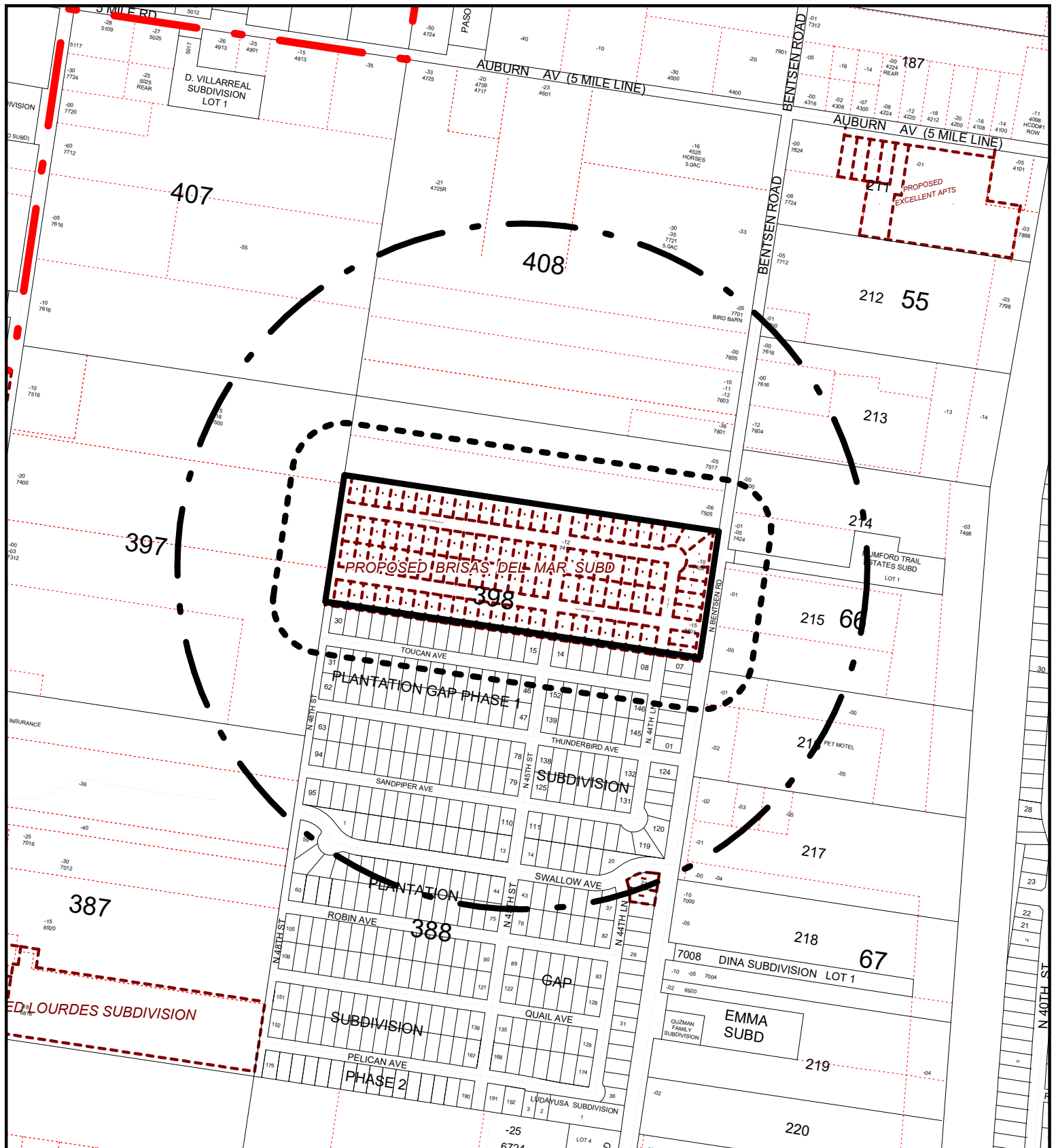
HISTORY: The property was annexed into the City of McAllen in 1999, and was zoned A-O (agricultural and open space) District. There has been no other rezoning requests on the property since then.

ANALYSIS: The requested zoning conforms to the Auto Urban Residential land use designation as indicated on the Foresight McAllen Comprehensive Plan. The proposed zoning is consistent with the development and rezoning trends for this area.

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

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

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



CITY OF McALLEN
PLANNING DEPARTMENT

LEGEND
SCALE: N.T.S.

AREA MAP



SUBJECT PROPERTY

200 FT. NOTIFICATION BOUNDARY

1/4 MILE RADIUS

ZONING LEGEND

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

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



CITY OF McALLEN PLANNING DEPARTMENT

LEGEND SCALE: N.T.S.

SUBJECT PROPERTY

200 FT. NOTIFICATION BOUNDARY

1/4 MILE RADIUS



ZONING LEGEND

A-0 (AGRICULTURAL & OPEN SPACE)
R-1 (SINGLE FAMILY RESIDENTIAL)
R-2 (DUPLEX-FOURPLEX)

R-3A (APARTMENTS)
R-3C (CONDOMINIUMS)
R-3T (TOWNHOUSES)

R-4 (MOBILE HOMES)
C-1 (OFFICE BUILDING)
C-2 (NEIGHBORHOOD COMMERCIAL)

C-3 (GENERAL BUSINESS)
C-3L (LIGHT COMMERCIAL)
C-4 (COMMERCIAL INDUSTRIAL)

I-1 (LIGHT INDUSTRIAL)
I-2 (HEAVY INDUSTRIAL)
 (SPECIAL DISTRICT)

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.mcalen.net>. Furthermore, this map is for informational purposes and is not prepared for or suitable for legal, engineering, or surveying purposes. It does not represent an on ground survey and represent approximate relative location of property boundaries.

A 17.0 ACRE TRACT OF LAND OUT OF LOT 398, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO PLAT RECORDED IN VOLUME 1, PAGE 17, MAP RECORDS, HIDALGO COUNTY, TEXAS; SAID 17.0 ACRES BEING THE SOUTH 10.00 ACRES OF THE NORTH 20.00 ACRES OF LOT 398 AND BEING THE NORTH 7.00 ACRES OF THE SOUTH 24.57 ACRES OF LOT 398.

BEGINNING at the northeast corner of the South 10.0 acres of the North 20.0 acres of Lot 398 for the northeast corner of the following described tract of land; said point located South 08 Deg. 41 Min. 10 Sec. West, 296.13 feet from the northeast corner of Lot 398, and being located in N. Bentsen Road;

THENCE, with the East line of Lot 398, in N. Bentsen Road, South 08 Deg. 41 Min. 10 Sec. West, 503.41 feet to the southeast corner of the North 7.0 acres of the South 24.57 acres of Lot 398, for the southeast corner hereof;

THENCE, with the South line of the North 7.0 acre of the South 24.57 acres of Lot 398, North 81 Deg. 18 Min. 50 Sec. West, at 20.0 feet pass the West line of N. Bentsen Road, and at 1471.0 feet the southwest corner the North 7.0 acres of the South 24.57 acres of Lot 398, for the southwest corner hereof;

THENCE, with the West line of Lot 398, North 08 Deg. 41 Min. 10 Sec. East, 503.41 feet to the northwest corner of the South 10.0 acres of the North 20 acres of Lot 398, for the northwest corner hereof;

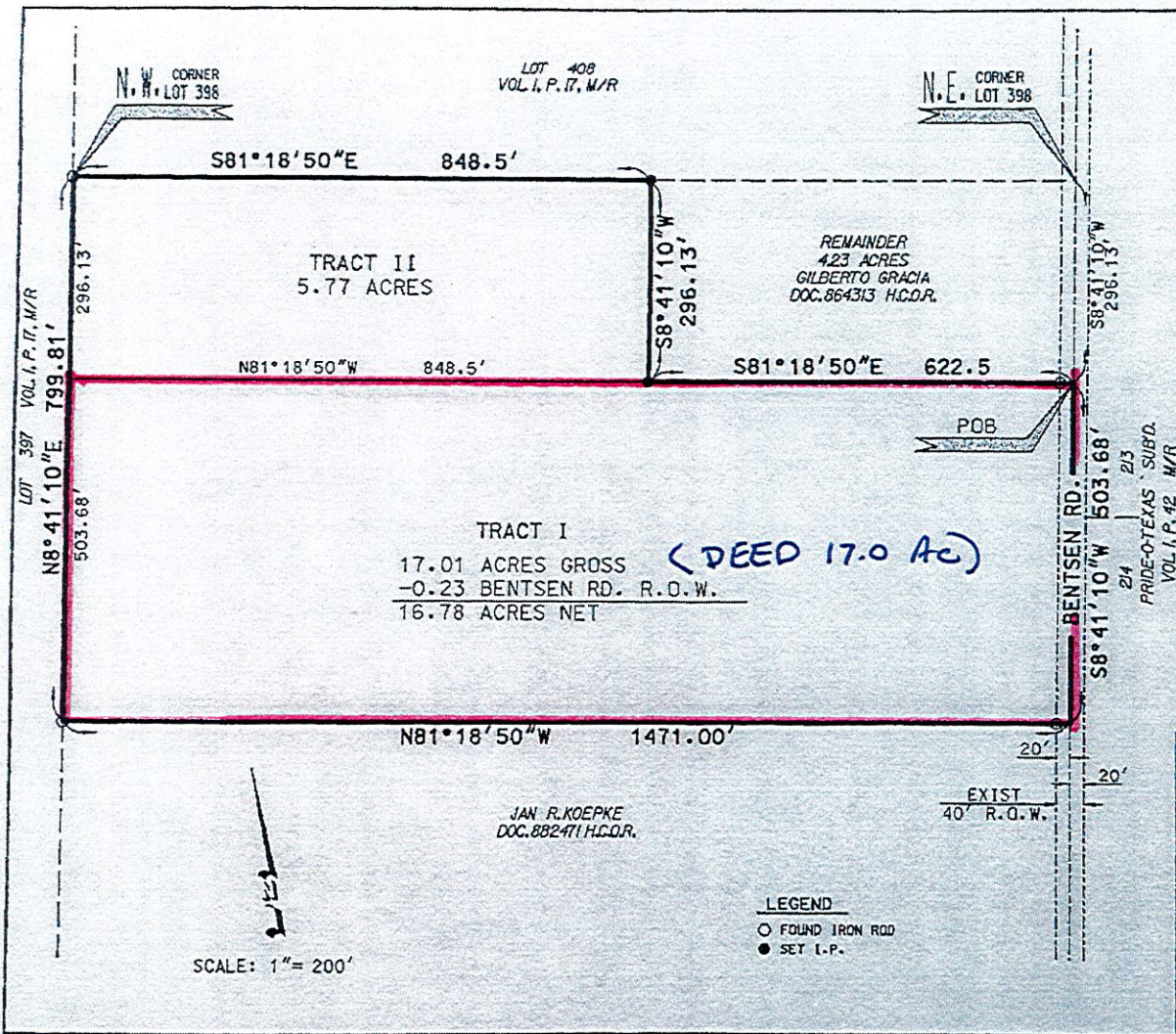
THENCE, with the North line of the South 10.0 acres of the North 20.0 acres of Lot 398, South 81 Deg. 18 Min. 50 Sec. East, at 1451.0 feet pass the West line of N. Bentsen Road, and at 1471.0 feet the POINT OF BEGINNING. Containing 17.0 acres of land, more or less, of which the East 20.0 feet, containing 0.23 acre, lies in N. Bentsen Road.



SPOOR ENGINEERING CONSULTANTS, INC.
Registration # F-6003

RECEIVED
SEP 04 2020

BY: 



MAP OF TWO TRACTS OF LAND

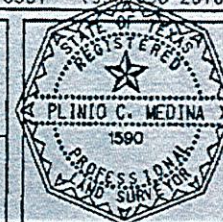
TRACT I
THE SOUTH 17.01 ACRES OF THE NORTH 27.0 ACRES
OUT OF LOT 398, JOHN H. SHARY SUBDIVISION
AS RECORDED IN VOLUME 1, PAGE 17, H.C.M.R.
LOCATED IN McALLEN, HIDALGO COUNTY, TEXAS.

TRACT II
THE WEST 5.77 ACRES OF THE NORTH 10.0 ACRES
OUT OF LOT 398, JOHN H. SHARY SUBDIVISION
AS RECORDED IN VOLUME 1, PAGE 17, H.C.M.R.
LOCATED IN McALLEN, HIDALGO COUNTY, TEXAS.

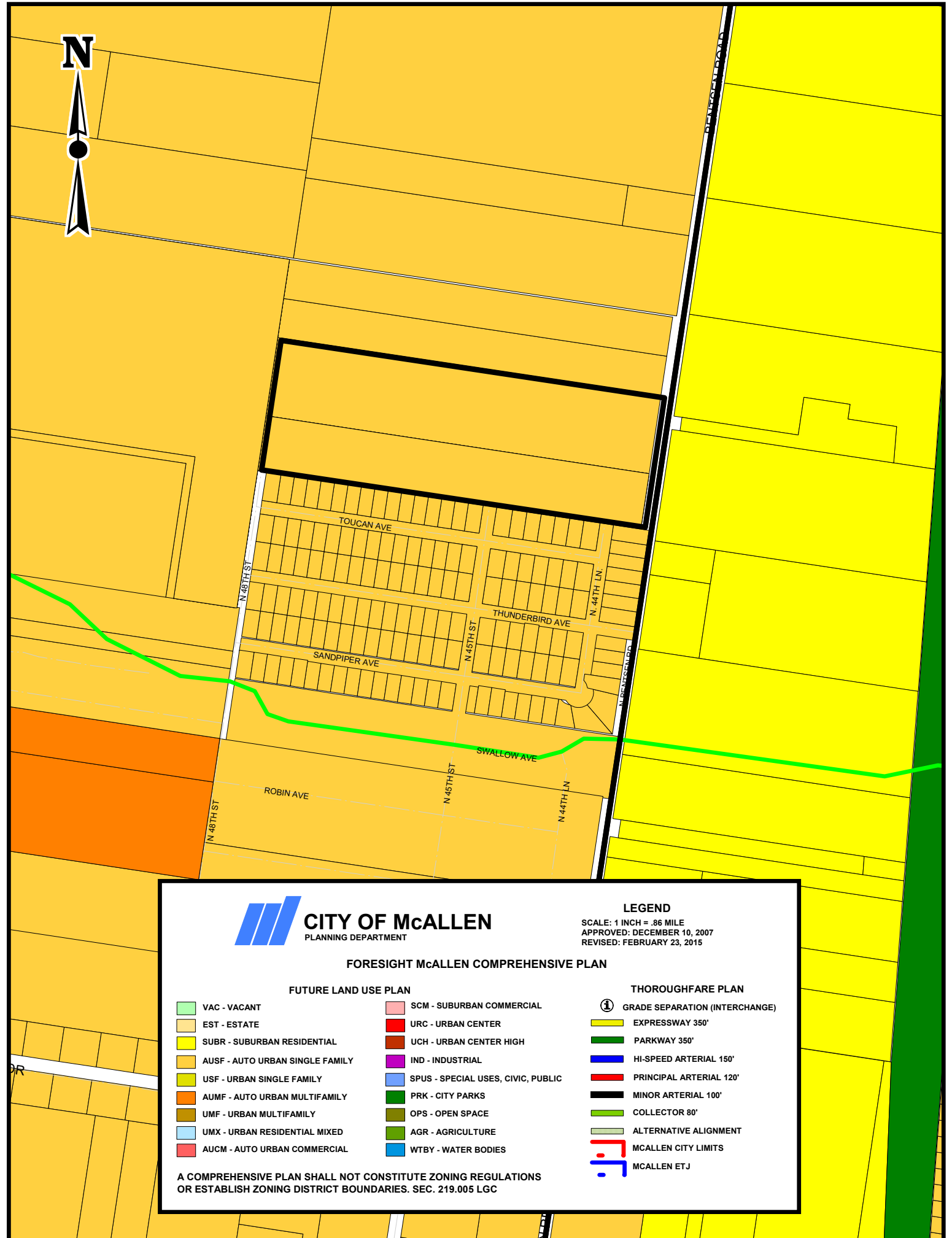
I, PLINIO C. MEDINA, A REGISTERED PROFESSIONAL LAND SURVEYOR,
DO HEREBY CERTIFY THE FOREGOING MAP TO BE A REPRESENTATION OF
SURVEY MADE ON THE GROUND UNDER MY SUPERVISION AND THAT THIS
PROPERTY FALLS IN ZONE "C" OF THE FLOOD INSURANCE RATE MAP.

Plinio C. Medina
PLINIO C. MEDINA
REGISTERED PROFESSIONAL LAND SURVEYOR
McALLEN, TEXAS

PREPARED BY Plinio C. Medina	
TEL. (956) 682-2616	FAX (956) 630-2616
2912 N. 6th ST. McALLEN, TEXAS 78501	
PLINIO C. MEDINA REGISTERED PROFESSIONAL LAND SURVEYOR	
W.O.	
Bk.No.	Pg.
Scale:	Date: 4-30-04



RECEIVED
SEP 04 2020
BY: *SCA*



CITY OF McALLEN

PLANNING DEPARTMENT

LEGEND

SCALE: 1 INCH = .86 MILE
APPROVED: DECEMBER 10, 2007
REVISED: FEBRUARY 23, 2015

FORESIGHT McALLEN COMPREHENSIVE PLAN

FUTURE LAND USE PLAN

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

THOROUGHFARE PLAN

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

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

NOTICE
REZONING
FOR
THIS PROPERTY
REZ2020-0030



Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

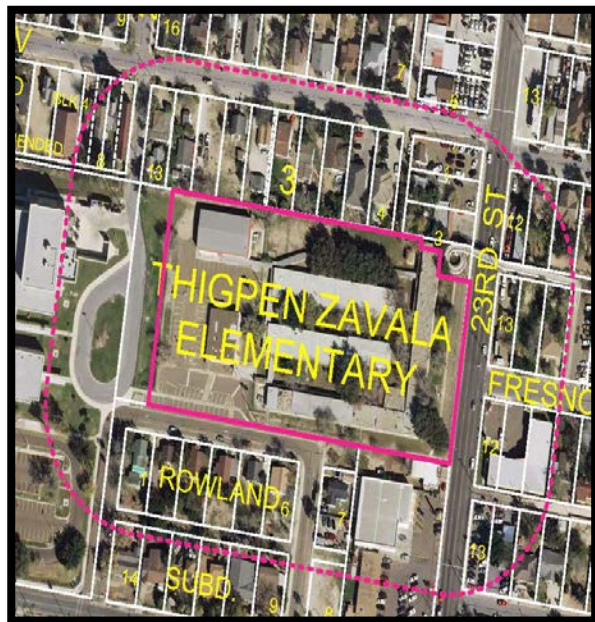
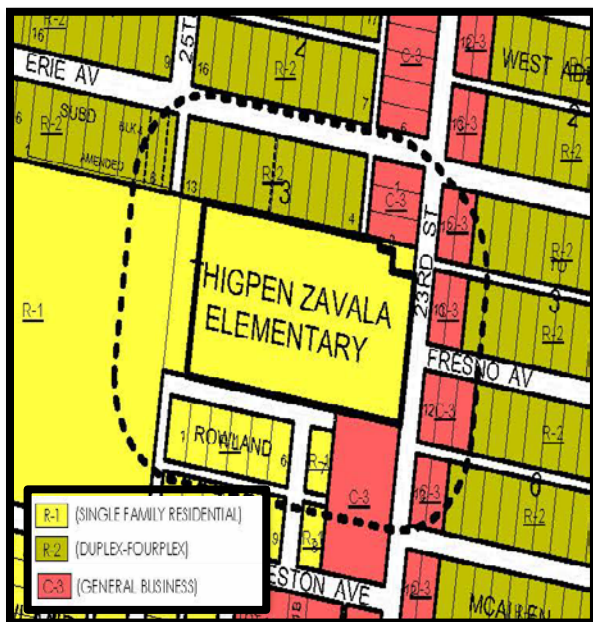
DATE: September 30, 2020

SUBJECT: REZONE FROM R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: 4.44 ACRES OUT OF LOT 156, LA LOMITA IRRIGATION AND CONSTRUCTION SUBDIVISION, HIDALGO COUNTY, TEXAS; 520 SOUTH 23RD STREET. (REZ2020-0032)

LOCATION: The property is located on the west side of South 23rd Street, approximately 307 ft. north of Galveston Avenue.

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

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



LAND USE: Part of the property is vacant. The building at the rear of the property remains in place. Surrounding land uses are single-family residences, duplexes, commercial plazas, a variety of Car Lots, Thigpen Zavala Elementary school, and vacant land.

COMPREHENSIVE PLAN: The Foresight McAllen Comprehensive Plan designates the future land use for this property as Special, Public and Civic Use; which is comparable to A-O (agricultural- open space) District.

DEVELOPMENT TRENDS: The development trend along South 23rd Street is single-family residences and duplexes to the east and west of 23rd Street, and Commercial along 23rd St. The tract was classified as a School zone in the 1979 Zoning Ordinance. A rezoning case was attempted 2 times south of the subject property from R-1 to C-3, the cases were in 2006 and 2001, both cases were denied by City Commission. Other rezoning case across the subject property was submitted and approved by City Commission; the zone changes was from R-2 to C-3.

ANALYSIS: The requested zoning does not conform to the Special, Public and Civic Use designation as indicated on the Foresight McAllen Comprehensive Plan. However, the proposed rezoning is consistent with the C-3 District along South 23rd Street.

The submitted site plan shows entrance and exit through Fresno Avenue and South 23rd

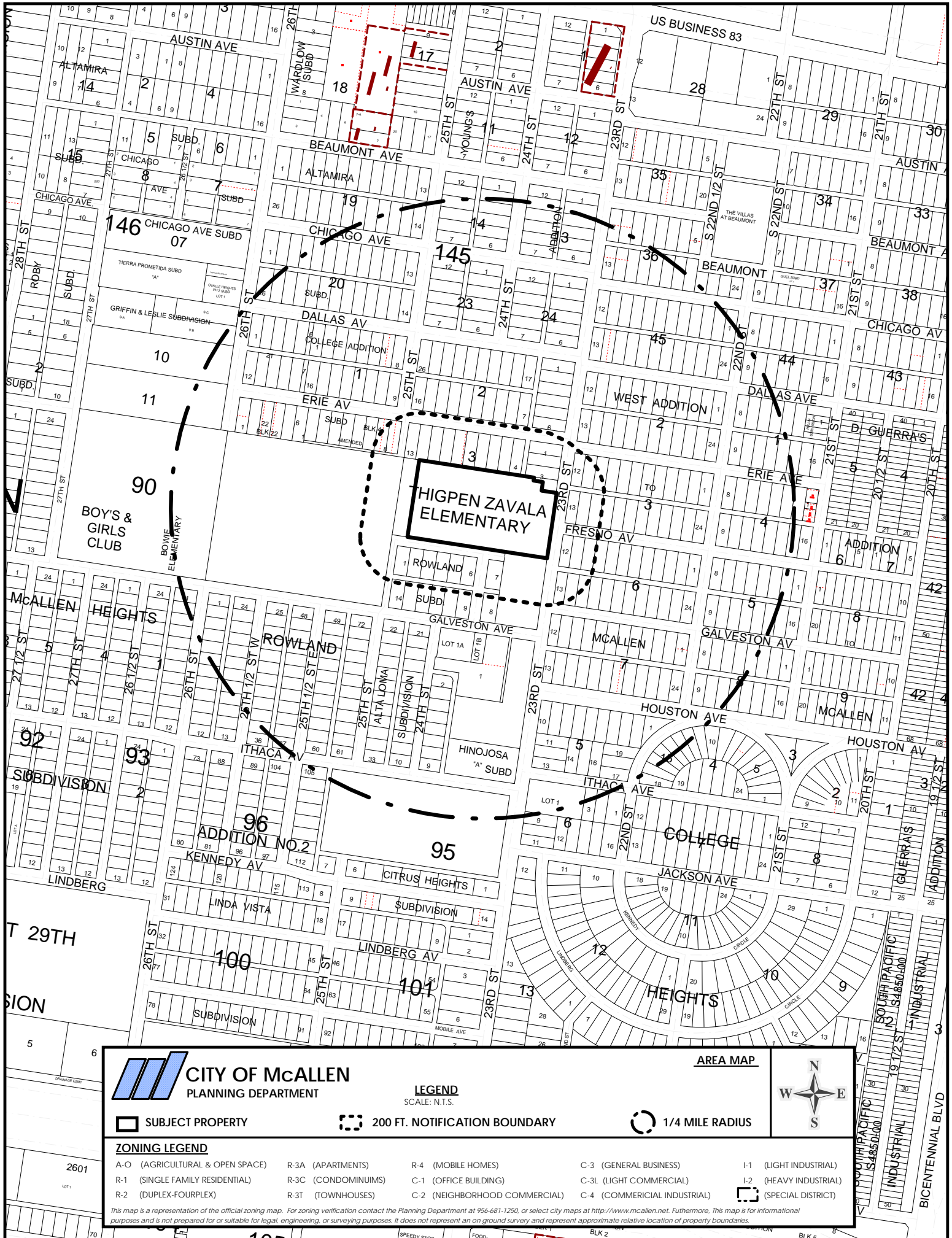
South 23rd Street has 70 ft. of Right of Way and is constructed as a 4-way lane. Fresno Avenue has a 40 ft. Right of Way and is constructed as a one way.

Access to the property is along 23rd St and through Fresno Ave.

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

Staff has received some calls of concern in regards to the rezoning request.

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



CITY OF McALLEN
PLANNING DEPARTMENT

LEGEND
SCALE: N.T.S.

SUBJECT PROPERTY

200 FT. NOTIFICATION BOUNDARY

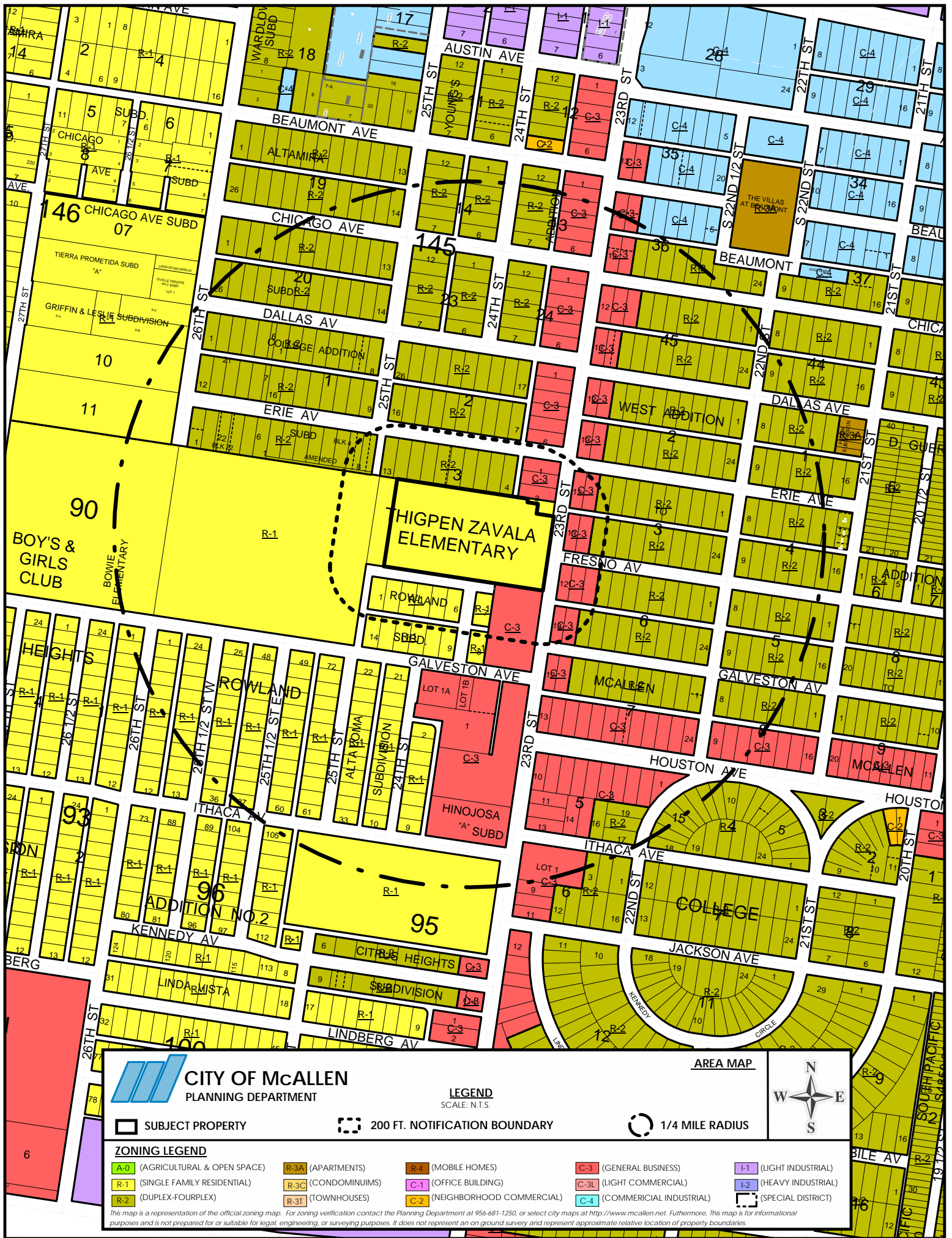
1/4 MILE RADIUS



ZONING LEGEND

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

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





CITY OF McALLEN
PLANNING DEPARTMENT

AERIAL MAP
SCALE: N.T.S.



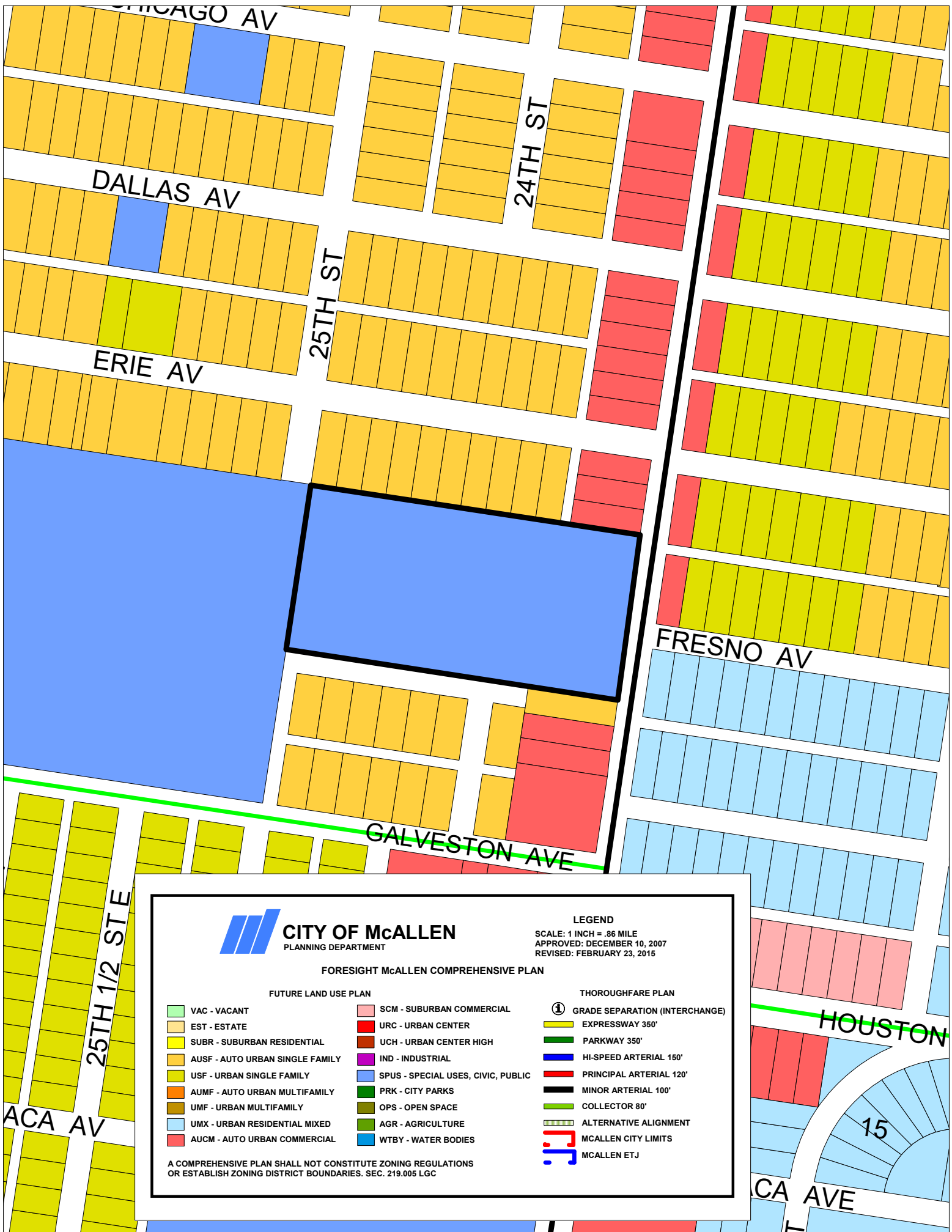
SUBJECT PROPERTY



200' NOTIFICATION BOUNDARY



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



**METES AND BOUNDS DESCRIPTION
FOR A
4.44 ACRE TRACT**

A 4.44 acre tract of land being a portion of Lot 156, La Lomita Irrigation and Construction Company Subdivision, as recorded in Volume 24, Page 67, Deed Records, Hidalgo County, Texas, also being a portion of Lots 1 and 2, Subdivision of Block 156 of La Lomita Irrigation and Construction Company Subdivision, as recorded in Volume 1, Page 38, Map Records, Hidalgo County, Texas, also being a portion of that certain tract described in Warranty Deed recorded in Volume 612, Page 516, Deed Records, Hidalgo County, Texas, also being that certain tract located at 520 South 23rd Street, McAllen, Texas, 78501, and being more fully described by metes and bounds as follows:

BEGINNING at a found Mag nail on the north Right-of-Way line of Fresno Avenue also being the south line of said tract described in Warranty Deed recorded in Volume 612, Page 516, Deed Records, Hidalgo County, Texas, also being the north line of Rowland Addition Subdivision as recorded in Volume 10, Page 15B, Map Records, Hidalgo County, Texas, for the southwest corner of herein described tract. Said point bears N 08°35'45" E 330.00 feet and S 81° 24' 33" E 61.00 feet from the southwest corner of said Lot 2 of Subdivision of Block 156 of La Lomita Irrigation and Construction Company Subdivision also being the southeast corner of Lot 3 of said Subdivision of Block 156 of La Lomita Irrigation and Construction Company Subdivision also being the southwest corner of said Rowland Addition Subdivision.

THENCE N 08°35'45" E 329.99 feet along a line to a found one-half inch iron rod on the north line of said Lot 2 Subdivision of Block 156 of La Lomita Irrigation and Construction Company Subdivision, also being the south line of College Addition Subdivision as recorded in Volume 3, Page 14, Map Records, Hidalgo County, Texas, for the northwest corner of herein described tract.

THENCE S 81° 24' 15" E 492.53 feet along said north line of Lot 2, Subdivision of Block 156 of La Lomita Irrigation and Construction Company Subdivision, also being the south line of said College Addition Subdivision, to a set one-half inch iron rod with a cap labeled "RPLS 4204" being the northwest corner of that certain tract described Warranty Deed recorded in Volume 1351, Page 106, Deed Records, Hidalgo County, Texas, for an exterior corner of herein described tract.

THENCE S 08° 35' 45" W 13.00 feet along the west line of said tract described Warranty Deed recorded in Volume 1351, Page 106, Deed Records, Hidalgo County, Texas, to a "X"scribed in concrete being the most northerly southwest corner of said tract described Warranty Deed recorded in Volume 1351, Page 106, Deed Records, Hidalgo County, Texas for an interior corner of herein described tract.

THENCE S 81° 24' 15" E 40.00 feet along the south line of said tract described Warranty Deed recorded in Volume 1351, Page 106, Deed Records, Hidalgo County, Texas, to a "X"scribed in concrete being an interior corner of said tract described Warranty Deed recorded in Volume 1351, Page 106, Deed Records, Hidalgo County, Texas, for an interior corner of herein described tract.

THENCE S 08° 35' 45" W 37.00 feet along the west line of said tract described Warranty Deed recorded in Volume 1351, Page 106, Deed Records, Hidalgo County, Texas, to a set one-half inch iron rod with a cap labeled "RPLS 4204" being the most southerly southwest corner of said tract described Warranty Deed recorded in Volume 1351, Page 106, Deed Records, Hidalgo County, Texas, for an interior corner of herein described tract.

THENCE S 81° 24' 15" E along the south line of said tract described in Warranty Deed recorded in Volume 1351, Page 106, Deed Records, Hidalgo County, Texas, pass at 50.00 feet a set one-half inch iron rod with a cap labeled "RPLS 4204" being the apparant west Right-of-Way line of 23rd Street (FM 1926) and continuing for a total distance of 65.11 feet to a point on the east line of said Lots 1, Subdivision of Block 156 of La Lomita Irrigation and Construction Company Subdivision for the northeast corner of herein described tract.

THENCE S 08° 19' 05" W 279.94 feet along said east line of Lot 1, Subdivision of Block 156 of La Lomita Irrigation and Construction Company Subdivision, being within the 23rd Street (FM 1926) Right-of-Way to a point being the southeast corner of said tract described in Warranty Deed recorded in Volume 612, Page 516, Deed Records, Hidalgo County, Texas, also being the northeast corner of that certain tract described in Warranty Deed with Vendor's Lien recorded in Document # 2967651, Official Records, Hidalgo County, Texas, for the southeast corner of herein described tract.

THENCE N 81° 24' 33" W along the south line of said tract described in Warranty Deed recorded in Volume 612, Page 516, Deed Records, Hidalgo County, Texas, also being the north line said tract described in Warranty Deed with Vendor's Lien recorded in Document # 2967651, Official Records, Hidalgo County, Texas, pass at 16.21 feet a found "X" scribed in concrete being the apparent west Right-of-Way line of said 23rd Street (FM 1926), pass at 187.45 feet a point on the north Right-of-way line of Fresno Street being the northeast corner of said Rowland Addition Subdivision and continuing along said north Right-of-Way line of Fresno Street also being the north line of said Rowland Addition Subdivision for a total distance of 599.00 feet to the point of beginning and containing 4.44 acres of land, more or less.

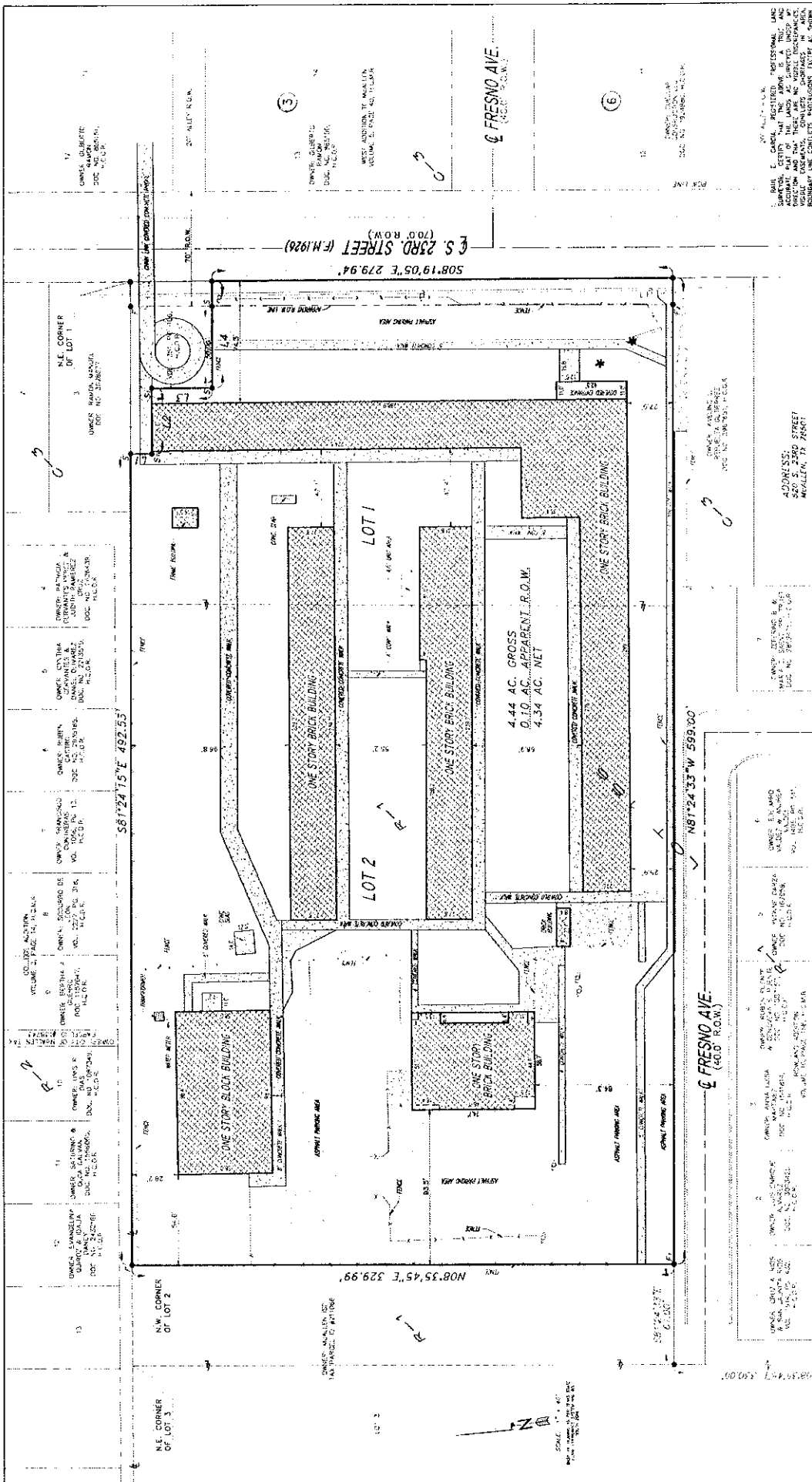
Basis of Bearing as per Texas State Plane Coordinate System NAD 83, South Zone

This description is based on the Land Title Survey and plat issued by R. E. Garcia & Associates and certified by Raul E. Garcia, Professional Engineer, Registered Professional Land Surveyor, Certified Floodplain Manager, dated March 24, 2020.



 3/24/20
Raul E. Garcia, P.E., R.P.L.S., C.F.M. Date

JOB NO.: 2020-038.LA LOMITA
R. E. GARCIA & ASSOCIATES



OWNER: R. E. GARCIA & ASSOCIATES
ENGINEERS, SURVEYORS, PLANNERS
DALLAS, TEXAS 75241 (956) 394-1081
EMAIL: REGARSSOC@GMAIL.COM

DATE: MARCH 24, 2020
BOOK: 1-147/P.55
DATE: 2020-03-24
SCALE: 1" = 40'

PROJECT: LAND TITLE SURVEY
DATE: MARCH 24, 2020
BOOK: 1-147/P.55
DATE: 2020-03-24
SCALE: 1" = 40'

LEGEND:
F = FOUND 1/2" IRON ROD
F1 = FOUND MAG. NAIL
F2 = FOUND 1" IN CONCRETE
S = FOUND 1" IN CONCRETE
P = FOUND 1" IN CONCRETE
T = FOUND 1" IN CONCRETE
B = FOUND 1" IN CONCRETE
C = FOUND 1" IN CONCRETE
D = FOUND 1" IN CONCRETE
E = FOUND 1" IN CONCRETE
F = FOUND 1" IN CONCRETE
G = FOUND 1" IN CONCRETE
H = FOUND 1" IN CONCRETE
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K = FOUND 1" IN CONCRETE
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N = FOUND 1" IN CONCRETE
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S = FOUND 1" IN CONCRETE
T = FOUND 1" IN CONCRETE
U = FOUND 1" IN CONCRETE
V = FOUND 1" IN CONCRETE
W = FOUND 1" IN CONCRETE
X = FOUND 1" IN CONCRETE
Y = FOUND 1" IN CONCRETE
Z = FOUND 1" IN CONCRETE

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V = FOUND 1" IN CONCRETE
W = FOUND 1" IN CONCRETE
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Z = FOUND 1" IN CONCRETE

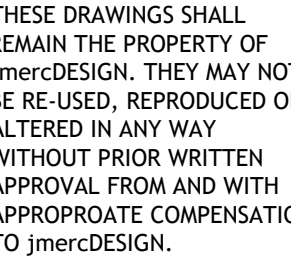
OWNER: R. E. GARCIA & ASSOCIATES
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DALLAS, TEXAS 75241 (956) 394-1081
EMAIL: REGARSSOC@GMAIL.COM

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M = FOUND 1" IN CONCRETE
N = FOUND 1" IN CONCRETE
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Q = FOUND 1" IN CONCRETE
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OWNER: R. E. GARCIA & ASSOCIATES
ENGINEERS, SURVEYORS, PLANNERS
DALLAS, TEXAS 75241 (956) 394-1081
EMAIL: REGARSSOC@GMAIL.COM

DATE: MARCH 24, 2020
BOOK: 1-147/P.55
DATE: 2020-03-24
SCALE: 1" = 40'

[illegible]

SHEET NUMBER

A SITE PLAN
SCALE : 1" = 30'-0"

FE-MA ENTERPRISES, INC
Juniors Supermarkets
Felix Chavez, Jr.
6503 S. Cage Blvd.
Pharr, Texas 78577
956-781-4207 (Phone)



September 1, 2020

City of McAllen
Planning and Zoning Dept

Reference: Agent Authorization
Property : 520 S. 23rd, McAllen, Texas

To Whom It May Concern,

I hereby authorize Jose L. Castillo, Jr and Jesus A Palacios to act on my behalf for applying for a zoning change and answer any questions at the hearing if needed for the above referenced property.
If you have any further questions, please do not hesitate to contact me at 956-781-4207 or by email at Admin@juniorssupermarket.com

Sincerely,

A handwritten signature in blue ink that reads "Felix Chavez, Jr." with a stylized flourish at the end.

Felix Chavez, Jr. individually and President
FE-MA Enterprises, Inc.
Juniors Supermarket



NOTICE
REZONING
FOR
THIS PROPERTY
REZ2020-0032

NOTICE
REZONING
FOR
THIS PROPERTY
REZ2020-0032



2911

WARRANTY DEED
(LONG FORM)

THE STATE OF TEXAS
COUNTY OF HIDALGO

} KNOW ALL MEN BY THESE PRESENTS:

That McALLEN INDEPENDENT SCHOOL DISTRICT, a Municipal Corporation,
of Hidalgo County, Texas, acting by and through its duly authorized officials as
authorized by Resolution of its Board of Trustees,

of the County of Hidalgo State of Texas for and in
consideration of the sum of TEN AND NO/100 (\$10.00)----- DOLLARS
and other good and valuable consideration
to it in hand paid by the grantee herein named, the receipt of which is hereby acknowledged,

have GRANTED, SOLD AND CONVEYED, and by these presents do GRANT, SELL AND CONVEY
unto the CITY OF McALLEN, a Municipal Corporation,

of the County of Hidalgo State of Texas, all of
the following described real property in Hidalgo County, Texas, to-wit:

Being all that part of 0.08 acre tract of land out of the Northeast
corner of the North 5 acres of the East 10 acres of the North 21.71
acres of Lot One Hundred Fifty-six (156), La Lomita Irrigation and
Construction Company Subdivision, Hidalgo County, Texas, being
more particularly described by metes and bounds as follows:

BEGINNING at the Northeast corner of said five (5) acre tract,
said corner being 25 feet, more or less, West of the centerline
of the existing South Depot Road (Spur 115) and the North line
of said Lot 156, La Lomita Subdivision, Thence in a Westerly
direction along the said North line of said 5 acre tract, a distance

of 100 feet to a point for the Northwest corner of this .08 acre tract; THENCE, in a Southerly direction perpendicular to the North line of said 5 acre tract, a distance of 13.0 feet to a point for the Southwest corner of this parcel; THENCE, in an Easterly direction parallel to and 13.0 feet Southerly from the North line of said 5 acre tract, a distance of 40 feet to a point for an inside corner of this parcel; THENCE, in a Southerly direction perpendicular to the North line of said 5.0 acres a distance of 37.0 feet to a point for an outside corner of this parcel; THENCE, in an Easterly direction parallel to and 50 feet Southerly of the said North boundary line of said 5.0 acres, a distance of 60.0 feet to a point, said point being 25 feet more or less West of the Centerline of said Spur 115 and the Southeast corner of this parcel; THENCE, in a Northerly direction parallel to and 25 feet more or less, West of said existing South Depot Road centerline, a distance of 50.0 feet to the point of beginning and containing 0.08 acres, more or less.

In the event said above described property is not used for said pedestrian overpass purposes by January 1, 1975 or if so used and the use thereof is terminated, the GRANTEE agrees that upon written request from the GRANTOR, the GRANTEE will reconvey said property to the GRANTOR.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said grantee, its ^{successors} ~~heirs~~ and assigns forever; and it ^{does} ~~do~~ hereby bind itself, its ^{and assigns} ~~successors, heirs, assigns and assigns forever~~ to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said grantee, its ~~successors, heirs~~ and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this 23 day of January A. D. 19 73.

McALLEN INDEPENDENT SCHOOL DISTRICT

ATTEST:

Arturo Lopez
Secretary

By: James R. Meyer

(Acknowledgment)

THE STATE OF TEXAS
COUNTY OF Hidalgo

Before me, the undersigned authority, on this day personally appeared James R. Meyer
and Arturo Lopez
known to me to be the persons whose names subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office on this the 23 day of January, A. D. 19 73.

Bea Vacca
Notary Public in and for Hidalgo County, Texas.

BEA VACCA
NOTARY PUBLIC IN AND FOR
HIDALGO COUNTY, TEXAS

(Acknowledgment)

THE 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 ... subscribed to the foregoing instrument, and acknowledged to me that he ... executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office on this the _____ day of _____, A. D. 19 ____.

Notary Public in and for _____ County, Texas.

(Acknowledgment)

THE STATE OF TEXAS
COUNTY OF _____ }

Before me, the undersigned authority, on this day personally appeared

known to me to be the person ... whose name ... subscribed to the foregoing instrument, and acknowledged to me that he ... executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office on this the _____ day of _____, A. D. 19 ____.

Notary Public in and for _____ County, Texas.

2911

WARRANTY DEED
(Long Form)

FROM
McALLEN INDEPENDENT
SCHOOL DISTRICT
TO
CITY OF McALLEN

FILED FOR RECORD THIS DATE
At 1:06 o'clock P. M.

FEB 5 - 1973

SANTOS SALDANA
County Clerk, Hidalgo County, Texas
By *[Signature]* Deputy

PREPARED IN THE LAW OFFICE OF:
[Signature]
Rankin, Kern and Martinez
P. O. Box 3592
McAllen, Texas 78501

PLEASE RETURN TO:

R. H. Kern, Jr.
P. O. Box 3592
McAllen, Texas 78501

(Corporate acknowledgment)

THE STATE OF TEXAS
COUNTY OF HIDALGO }

Before me, the undersigned authority, on this day personally appeared James B. Mayes,

of McALLEN INDEPENDENT SCHOOL DISTRICT, a municipal corporation, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said Corporation.

Given under my hand and seal of office on this the 23rd day of January, A. D. 1973.

[Signature]
Notary Public in and for Hidalgo County, Texas.

MARTHA JACKSON
Notary Public
Hidalgo Co.

109

Hidalgo County
Arturo Guajardo Jr.
County Clerk
Edinburg, Texas 78540

Document No: 3102365

Billable Pages: 5

Recorded On: March 30, 2020 03:48 PM

Number of Pages: 6

*****Examined and Charged as Follows*****

Total Recording: \$ 52.00

*****THIS PAGE IS PART OF THE DOCUMENT*****

Any provision herein which restricts the Sale, Rental, or use of the described REAL PROPERTY
because of color or race is invalid and unenforceable under federal law.

File Information:

Document No: 3102365
Receipt No: 20200330000178
Recorded On: March 30, 2020 03:48 PM
Deputy Clerk: Elaine Acuna
Station: CH-1-CC-K31

Record and Return To:

Valley Land Title

MCALLEN TX



STATE OF TEXAS
COUNTY OF HIDALGO

I hereby certify that this Instrument was FILED in the File Number sequence on the date/time
printed hereon, and was duly RECORDED in the Official Records of Hidalgo County, Texas.

Arturo Guajardo Jr.
County Clerk
Hidalgo County, Texas

Charge to VLTC
GF#166632/PG

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

SPECIAL WARRANTY DEED

Date: March 24, 2020

Grantor: BOARD OF TRUSTEES OF THE MCALLEN INDEPENDENT SCHOOL DISTRICT

Grantor's Mailing Address: 2000 N. 23rd St.
McAllen, Texas 78501

Grantee: FELIX CHAVEZ, JR., a married person

Grantee's Mailing Address: 6503 S. Cage Blvd.
Pharr, Texas 78577

Consideration: TEN AND NO/100 DOLLARS (\$10.00) and other valuable consideration

Property (including any improvements):

A tract of land containing 4.53 acres of land, more or less, situated in Hidalgo County, Texas, being part or portion of Lot 156, LA. LOMITA IRRIGATION AND CONSTRUCTION COMPANY'S SUBDIVISION, Hidalgo County, Texas, map reference: Volume 24, Page 67, Deed Records, Hidalgo County, Texas, also being out of Lots 1 and 2, of a resubdivision of Lot 156, map reference Volume 1, page 38, Map Records, Hidalgo County, Texas, and said 4.53 acres of land being out of a tract of land deeded to McAllen Independent School District, recorded in Document Number 5042 Deed Records, Hidalgo County, Texas, and said 4.53 acres also being more particularly described as follows;

COMMENCING, for reference at the southwest corner of said Lot 2 same being the southeast corner of Lot 3 of said resubdivision of Lot 156 and the southwest corner of Rowland Addition map reference Volume 10, page 15, Map Records, Hidalgo County, Texas, THENCE N 08 degrees 35' 45" E, along the west line of Lot 2, same being the West line of said Rowland Addition, a distance of 330.0 feet, to the northwest corner of said Rowland Addition and the north right of way line of Fresno Avenue, THENCE S 81 degrees 24' 33" E, along the north right of way line of said Fresno Avenue a distance of 61.00 feet, to an iron rod with a plastic cap stamped "CVQ LS" set for the POINT OF BEGINNING, and the Southwest corner of this tract;

THENCE North 08 degrees 35' 45" E, a distance of 329.99 feet to a 1/2" iron rod with plastic cap stamped "CVQ LS" set, on the north line of said Lot 2, and the South line of College Addition map reference Volume 3, page 14, Map Records, Hidalgo County, Texas for the Northwest corner hereof;

THENCE S 81 degrees 24' 15" E, along the common line of said Lot 2, and said College Addition, a distance of 582.40 feet, to a 1/2" iron rod with a plastic cap stamped "CVQ LS" set on the apparent west right of way line of 23rd street continuing a total distance of 597.40 feet to the northeast corner of said Lot 1, for the Northeast corner hereof;

THENCE S 08 degrees 19' 05" W, along the east line of said Lot 1, within said 23rd Street, a distance of 329.94 feet, to the northeast corner of a tract of land deeded to Avelino L. Rebuelta Gutierrez, recorded in Document Number 2967651 Deed Records, Hidalgo County, Texas, for the Southeast corner hereof;

THENCE N 81 degrees 24' 33" W, along the common line of said McAllen ISD tract and the said Gutierrez tract, at a distance of 16.31 feet pass an "X" mark on concrete found on the apparent west right of way line of said 23rd Street, at a distance of 187.40 feet pass the northeast corner of said Rowland Addition, continuing a total distance of 599.00 feet to the POINT OF BEGINNING, containing 4.53 acres of land, more or less.

SAVE AND EXCEPT that part conveyed to the City of McAllen as shown by instrument dated January 23, 1973, recorded in Volume 1351, Page 106, Records of Hidalgo County, Texas.

Fee Simple Determinable Condition:

Grantee is purchasing the Property with the full knowledge that part of the consideration for this conveyance of the Property to Grantor, is Grantee's agreement that the Property shall never be used as an open-enrollment charter school as provided and/or described by Subchapter D, Title 2, Texas Education Code as may from time to time be amended.

Reservations from Conveyance:

For Grantor and Grantor's successors and assigns forever, a reservation of all oil, gas, and other minerals in and under and that may be produced from the Property. If the mineral estate is subject to existing production or an existing lease, this reservation includes the production, the lease, and all benefits from it.

Excluded from the definition of "Property," and hereby reserved by Grantor, is all of Grantor's right, title, and interest in and to the oil, gas, and other minerals located beneath the surface of the Property. As used in this Special Warranty Deed, the terms "oil, gas, and other minerals" and "mineral estate" do not include minerals that form a part of the surface or near-surface of the Property, including without limitation, said, iron ore, gravel, uranium, and stone, nor does it include water located on, in, or under the Property. Grantor agrees that Grantor (i) expressly releases and waives, on behalf of itself and its successors and assigns, all of Grantor's rights of ingress and egress, and all other rights of every kind and character whatsoever that Grantor may have to enter upon or to use, disturb, or occupy any portion of the surface of the Property, including without limitation, Grantor's right to enter upon the surface of the Property for purposes of exploring for, drilling for, developing, transporting, storing, and/or producing said subsurface minerals in, on, and under the Land, and (ii) agrees not disturb or affect the Property and/or any buildings, structures, improvements, landscaping and/or other alterations now constructed or placed, or at any time in the future constructed or placed, under or upon the Property, including any future replacements and additions thereto.

Exceptions to Conveyance and Warranty:

- Statutory easements, rules, regulations and rights in favor of Hidalgo County Irrigation District No. 1.
- Roadways as shown on the map of Subdivision of Block 156 of La Lomita Canal & Construction Co. Subdivision, recorded in Volume 1, Page 38, Map Records of Hidalgo County, Texas.

- Easement in favor of City of McAllen as shown by instrument dated January 31, 1964, recorded in Volume 1081, Page 152, Deed Records of Hidalgo County, Texas.
- Deed in favor of City of McAllen as shown by instrument dated January 23, 1973, recorded in Volume 1351, Page 106, Records of Hidalgo County, Texas.
- Easement in favor of State of Texas as shown by instrument dated January 23, 1973, recorded in Volume 1351, Page 110, Deed Records of Hidalgo County, Texas.
- Easement and Right of way in favor of Central Power and Light Company, a Texas corporation as shown by instrument dated February 22, 2001, filed January 24, 2007 under Document Number 2007-1713390, Official Records of Hidalgo County, Texas.
- Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, dated February 11, 1952, by and between McAllen Independent School District, as Lessor, and Ralph E. Fair, as Lessee, recorded in Volume 133, Page 373, Oil and Gas Records of Hidalgo County, Texas.
- Terms, stipulations and conditions contained in Declaration of Unit as set forth in instrument dated January 30, 1953, recorded in Volume 138, Page 1, Oil and Gas Records of Hidalgo County, Texas.
- Any portion of the property described herein within the limits or boundaries of any public or private roadway and/or highway.
- Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the land.
- Validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing restrictions, reservations, covenants, conditions, oil and gas leases, mineral interests, and water interests outstanding in persons other than Grantor, and other instruments, other than conveyances of the surface fee estate, that affect the Property; validly existing rights of adjoining owners in any walls and fences situated on a common boundary; any discrepancies, conflicts, or shortages in area or boundary lines; any encroachments or overlapping of improvements; all rights, obligations, and other matters arising from and existing by reason of the Hidalgo County, Texas; and taxes for 2020, which Grantee assumes and agrees to pay, and subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantee assumes and furnish tax statements or certificates showing no delinquent taxes on the property.

THE PROPERTY IS SOLD AND CONVEYED TO AND ACCEPTED BY GRANTEE IN ITS PRESENT CONDITION, AS IS, WHERE IS, WITH ALL FAULTS AND WITHOUT ANY REPRESENTATIONS OR WARRANTIES WHATSOEVER, EXPRESS OR IMPLIED, OTHER THAN THE LIMITED SPECIAL WARRANTY OF TITLE INCLUDED HEREIN, AND GRANTEE EXPRESSLY ACKNOWLEDGES THAT THE SALES PRICE REFLECTS SUCH CONDITION. WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, EXCEPT FOR THE LIMITED SPECIAL WARRANTY OF TITLE INCLUDED HEREIN AND THE LIMITED WARRANTIES AND REPRESENTATIONS CONTAINED IN THE REAL ESTATE SALES CONTRACT BY AND BETWEEN GRANTOR AND GRANTEE, THE SALE OF THE PROPERTY IS WITHOUT ANY EXPRESS OR IMPLIED WARRANTY, REPRESENTATION, AGREEMENT, STATEMENT OR EXPRESSION OF OPINION (OR LACK THEREOF) OF OR WITH RESPECT TO: (I) THE CONDITION OF THE PROPERTY OR ANY ASPECT THEREOF, INCLUDING, WITHOUT LIMITATION, ANY AND ALL EXPRESS OR IMPLIED REPRESENTATIONS OR WARRANTIES RELATED TO SUITABILITY FOR HABITATION, MERCHANTABILITY OR FITNESS FOR A PARTICULAR USE OR PURPOSE; (II) THE SOIL CONDITIONS, DRAINAGE, TOPOGRAPHICAL FEATURES OR OTHER CONDITIONS OF THE PROPERTY OR WHICH AFFECT THE PROPERTY; (III) ANY CONDITIONS RELATING TO OR ARISING FROM ANY ARCHEOLOGICAL OR HISTORIC SITE, CEMETERY, BURIAL GROUND, ENDANGERED SPECIES HABITAT, OR OTHER SUCH CONDITION WHICH MAY AFFECT THE PROPERTY; (IV) AREA, SIZE, SHAPE, CONFIGURATION, LOCATION, CAPACITY, QUANTITY, QUALITY, VALUE, CONDITION OR COMPOSITION OF THE PROPERTY INCLUDING BUT NOT LIMITED TO THE DISCLOSURES IN THE REAL ESTATE SALES CONTRACT; (V) ANY ASBESTOS AND ALSO ENVIRONMENTAL, GEOLOGICAL,

METEOROLOGICAL, STRUCTURAL OR OTHER CONDITION OR HAZARD OR THE ABSENCE THEREOF HERETOFORE, NOW OR HEREAFTER AFFECTING IN ANY MANNER ANY OF THE PROPERTY; AND (VI) ALL OTHER EXPRESS OR IMPLIED REPRESENTATIONS AND WARRANTIES BY GRANTOR WHATSOEVER. GRANTEE HAS MADE ITS OWN PHYSICAL INSPECTION OF THE PROPERTY AND HAS SATISFIED ITSELF AS TO THE CONDITION OF THE PROPERTY FOR GRANTEE'S INTENDED USE. GRANTOR MAKES NO EXPRESS OR IMPLIED REPRESENTATIONS OR WARRANTIES AS TO THE NATURE OR QUANTITY OF THE INTERESTS THEY OWN IN ANY OIL, GAS AND OTHER MINERALS AFTERCLOSING, AS BETWEEN GRANTEE AND GRANTOR, THE RISK OF LIABILITY OR EXPENSE FOR ENVIRONMENTAL PROBLEMS, EVEN IF ARISING FROM EVENTS BEFORE CLOSING, WILL BE THE SOLE RESPONSIBILITY OF GRANTEE, REGARDLESS OF WHETHER THE ENVIRONMENTAL PROBLEMS WERE KNOWN OR UNKNOWN AT CLOSING. ONCE CLOSING HAS OCCURRED, GRANTEE INDEMNIFIES, HOLDS HARMLESS, AND RELEASES GRANTOR FROM LIABILITY FOR ANY LATENT DEFECTS AND FROM ANY LIABILITY FOR ENVIRONMENTAL PROBLEMS AFFECTING THE PROPERTY, INCLUDING LIABILITY UNDER THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT (CERCLA), THE RESOURCE CONSERVATION AND RECOVERY ACT (RCRA), THE TEXAS SOLID WASTE DISPOSAL ACT, OR THE TEXAS WATER CODE. GRANTEE INDEMNIFIES, HOLDS HARMLESS, AND RELEASES GRANTOR FROM ANY LIABILITY FOR ENVIRONMENTAL PROBLEMS AFFECTING THE PROPERTY ARISING AS THE RESULT OF GRANTOR'S OWN NEGLIGENCE OR THE NEGLIGENCE OF GRANTOR'S REPRESENTATIVES. GRANTEE INDEMNIFIES, HOLDS HARMLESS, AND RELEASES GRANTOR FROM ANY LIABILITY FOR ENVIRONMENTAL PROBLEMS AFFECTING THE PROPERTY ARISING AS THE RESULT OF THEORIES OF PRODUCTS LIABILITY AND STRICT LIABILITY, OR UNDER NEW LAWS OR CHANGES TO EXISTING LAWS ENACTED AFTER THE EFFECTIVE DATE THAT WOULD OTHERWISE IMPOSE ON GRANTORS IN THIS TYPE OF TRANSACTION NEW LIABILITIES FOR ENVIRONMENTAL PROBLEMS AFFECTING THE PROPERTY. GRANTEE FURTHER AGREES TO DEFEND, AT ITS OWN EXPENSE, AND ON BEHALF OF GRANTOR AND IN THE NAME OF GRANTOR, ANY CLAIM OR LITIGATION BROUGHT IN CONNECTION WITH ANY SUCH ENVIRONMENTAL PROBLEMS AFFECTING THE PROPERTY.

Grantor, for the consideration and subject to the reservations from conveyance and exceptions to conveyance and warranty, grants, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Grantee, their heirs, beneficiaries, successors and assigns for so long as the Fee Simple Determinable Condition is met and if the Fee Simple Determinable Condition is violated, the Property will automatically revert to and be owned by Grantor without the necessity of any further act on the part of Grantor, it being Grantor's intent to convey a fee simple determinable estate to Grantee; and Grantor does hereby bind itself and its successors to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said Grantee, their heirs, beneficiaries, successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty, when the claim is by, through or under Grantor but not otherwise.

When the context requires, singular nouns and pronouns include the plural.

**BOARD OF TRUSTEES OF THE MCALLEN
INDEPENDENT SCHOOL DISTRICT**

By: 

MARCO SUAREZ

Its: Board of Trustees President

GRANTEE'S ACCEPTANCE:

Felix Chavez Jr
 FELIX CHAVEZ, JR.

STATE OF TEXAS

§

ACKNOWLEDGMENT

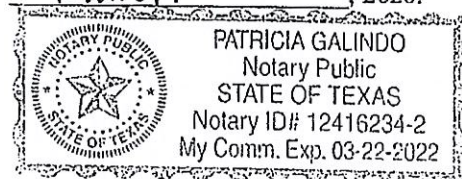
§

COUNTY OF HIDALGO

§

BEFORE ME, a Notary Public, on this day personally appeared **MARCOS SUAREZ**, known to me to be the person whose name is subscribed to the foregoing instrument, and having been sworn, upon his oath stated that he is the President of the Board of Trustees of the McAllen Independent School District; that he was authorized to execute such instrument pursuant to resolution of the Board of Trustees adopted on Feb 11, 2020; and that said instrument is executed as the free and voluntary act and deed of such governmental unit for the purposes and consideration expressed therein.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 25th day of March, 2020.



Patricia Galindo
 Notary Public, State of Texas

STATE OF TEXAS

§

ACKNOWLEDGMENT

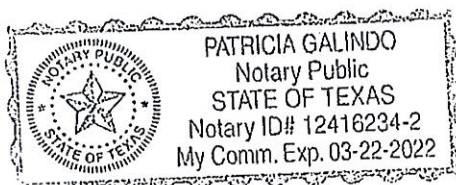
§

COUNTY OF HIDALGO

§

Before me, the undersigned authority, on this day personally appeared **FELIX CHAVEZ, JR.**, proved to me through picture id to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that **FELIX CHAVEZ, JR.**, executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 24th day of March, 2020.



Patricia Galindo
 Notary Public, State of Texas

AFTER RECORDING RETURN TO:
FELIX CHAVEZ, JR
 6503 S. Cage Blvd.
 Pharr, Texas 78577

PREPARED IN THE LAW OFFICE OF:
JEFFERSON A. CRABB
 6013 N. 10th Street
 McAllen, Texas 78504
 File No. 166632

Planning Department

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

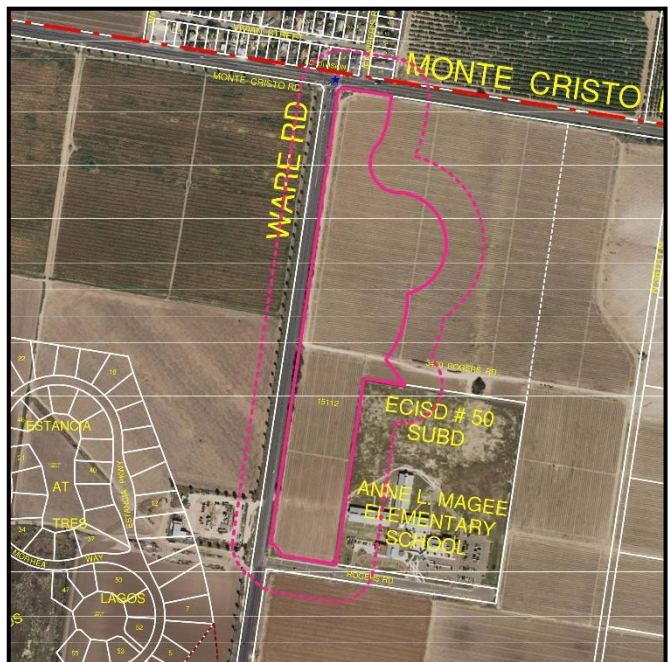
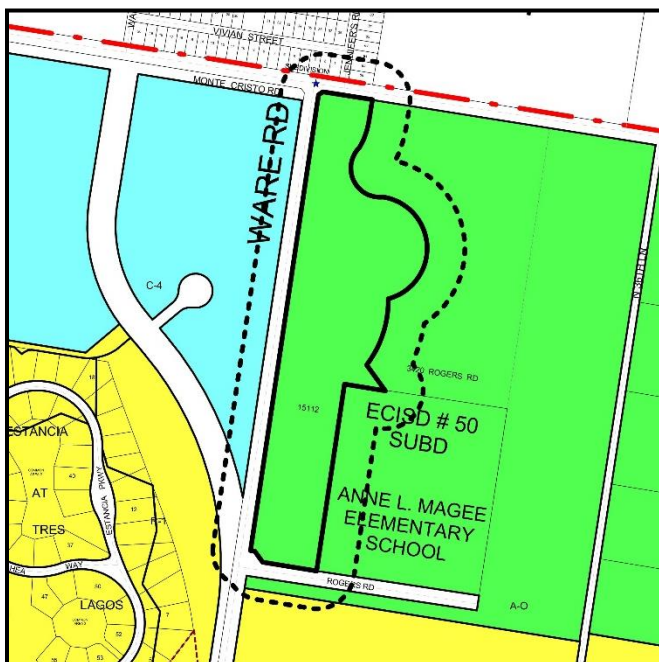
DATE: September 23, 2020

SUBJECT: REZONE FROM A-O (AGRICULTURAL AND OPEN SPACE) DISTRICT TO C-4 (COMMERCIAL-INDUSTRIAL) DISTRICT: 24.934 ACRES OUT OF SECTION 231, TEXAS-MEXICAN RAILWAY COMPANY SURVEY, HIDALGO COUNTY, TEXAS; 4101 MONTE CRISTO ROAD. (REZ2019-0025)

LOCATION: The property is located at the southeast corner of side of Monte Cristo Road and North Ware Road. The irregularly shaped tract has 265.23 ft. of frontage along Monte Cristo Road and a depth of 2,437.82 ft. for a lot size of 24.934 acres.

PROPOSAL: The applicant is requesting to rezone the property to C-4 (commercial-industrial) District for commercial use. No feasibility plan has been submitted.

ADJACENT ZONING: The adjacent zoning is A-O (agricultural and open space) District to the east and south, C-4 (commercial-industrial) District to the west, and R-1 (single-family residential) District to the southwest. The properties on the north side of Monte Cristo Road are outside the City limits.



LAND USE: The property is currently vacant. Surrounding land uses are Anne Magee Elementary School, single-family residences, and vacant land.

COMPREHENSIVE PLAN: The Foresight McAllen Comprehensive Plan designates the future land use for this property as Estate Residential, which is comparable to A-O (agricultural and open space) District and R-1 (single-family residential) District.

DEVELOPMENT TRENDS: Most of the tracts along Monte Cristo Road are not developed. The tract was annexed into the city and initially zoned A-O (agricultural and open space) District in 2015.

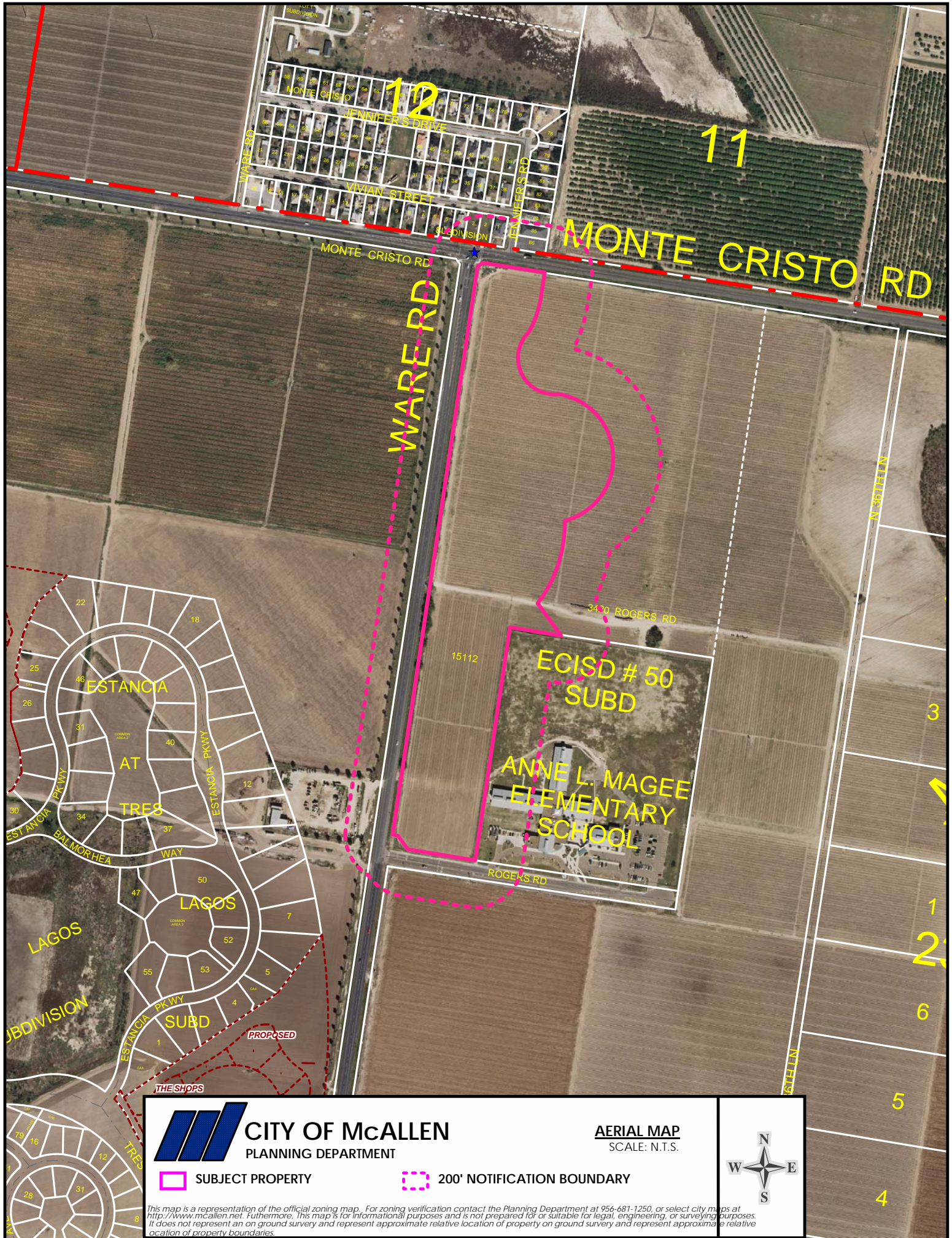
ANALYSIS: The requested zoning does not conform to the Estate Residential land use designation as indicated on the Foresight McAllen Comprehensive Plan. However, the rezoning request provides opportunities for a variety of commercial types for the Tres Lagos development. The requested zoning is following the proposed zoning master plan submitted by the applicant in 2019.

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

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

RECOMMENDATION: Staff recommends approval of the rezoning request to C-4 (commercial-industrial) District.





CITY OF McALLEN
PLANNING DEPARTMENT

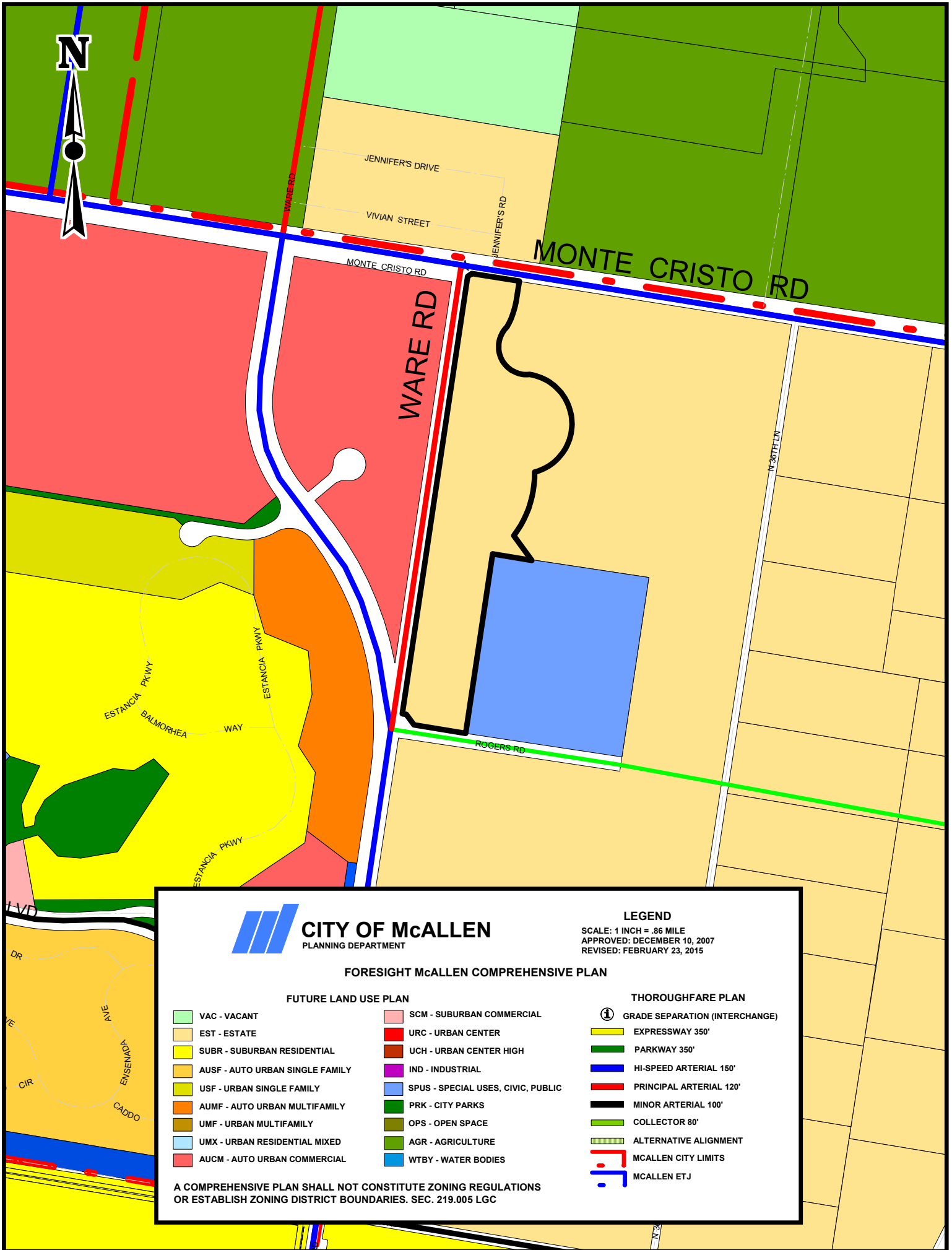
AERIAL MAP
SCALE: N.T.S.

 **SUBJECT PROPERTY**

 **200' 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. It does not represent an on ground survey and represent approximate relative location of property on ground survey and represent approximate relative location of property boundaries.



CITY OF McALLEN
PLANNING DEPARTMENT

FORESIGHT McALLEN COMPREHENSIVE PLAN

FUTURE LAND USE PLAN

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

LEGEND

SCALE: 1 INCH = .86 MILE
APPROVED: DECEMBER 10, 2007
REVISED: FEBRUARY 23, 2015

THOROUGHFARE PLAN

- ① GRADE SEPARATION (INTERCHANGE)
- EXPRESSWAY 350'
- PARKWAY 350'
- HI-SPEED ARTERIAL 150'
- PRINCIPAL ARTERIAL 120'
- MINOR ARTERIAL 100'
- COLLECTOR 80'
- ALTERNATIVE ALIGNMENT
- McALLEN CITY LIMITS
- McALLEN ETJ

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

MONTE CRISTO ROAD

LEGEND

POB - POINT OF BEGINNING

POC - POINT OF COMMENCEMENT

(X) PROPOSED ZONING PARCEL

X CURRENT ZONING PARCEL

EXHIBIT "B"

PLAT SHOWING
PARCEL # 2
BEING 24.934 ACRE TRACT



BEARING BASIS AS PER TEXAS
COORDINATE SYSTEM OF 1983, TEXAS SOUTH

SCALE: 1"=300'

WARE ROAD (EXISTING)

S81° 01' 03"E
265.23'

S08° 59' 49"W
113.45'

2

1

S36° 00' 00"E
169.21'

N80° 40' 51"W
219.61'

ECISD #50
VOLUME 41, PAGE 32, H.C.M.R.

S08° 30' 09"W
1000.00'

N08° 29' 48"E
2437.82'

L3

L2

N80° 40' 51"W
289.48'

POB

N08° 29' 48"E
2779.29'

S80° 30' 26"E
5290.42'

POC
S.W. CORNER SECTION 232
S.E. CORNER SECTION 227
N.E. CORNER SECTION 230

RECEIVED
AUG 31 2020
K.F.

Lot Line Table

Line #	Length	Direction
L1	28.40'	N54° 53' 20"E
L2	71.23'	N36° 05' 41"W
L3	22.60'	N80° 40' 51"W

Curve Table

Curve #	Length	Radius	Delta	Chord Direction	Chord Length	Tangent
C1	151.29'	405.00'	021° 24' 12"	S19° 41' 55"W	150.41'	76.54
C2	341.55'	175.00'	111° 49' 30"	S25° 30' 44"E	289.86'	258.60
C3	752.93'	275.00'	156° 52' 18"	S2° 59' 21"E	538.84'	1,343.96
C4	381.08'	430.00'	050° 46' 40"	S18° 09' 14"W	368.73'	204.08



TBPLS No. 10096900

PREPARED BY:

MELDEN & HUNT INC.
CONSULTANTS • ENGINEERS • SURVEYORS

DATE: 04-09-20
JOB No. 19116
FILE NAME: CHANGE OF ZONE
DRAWN BY: R.N

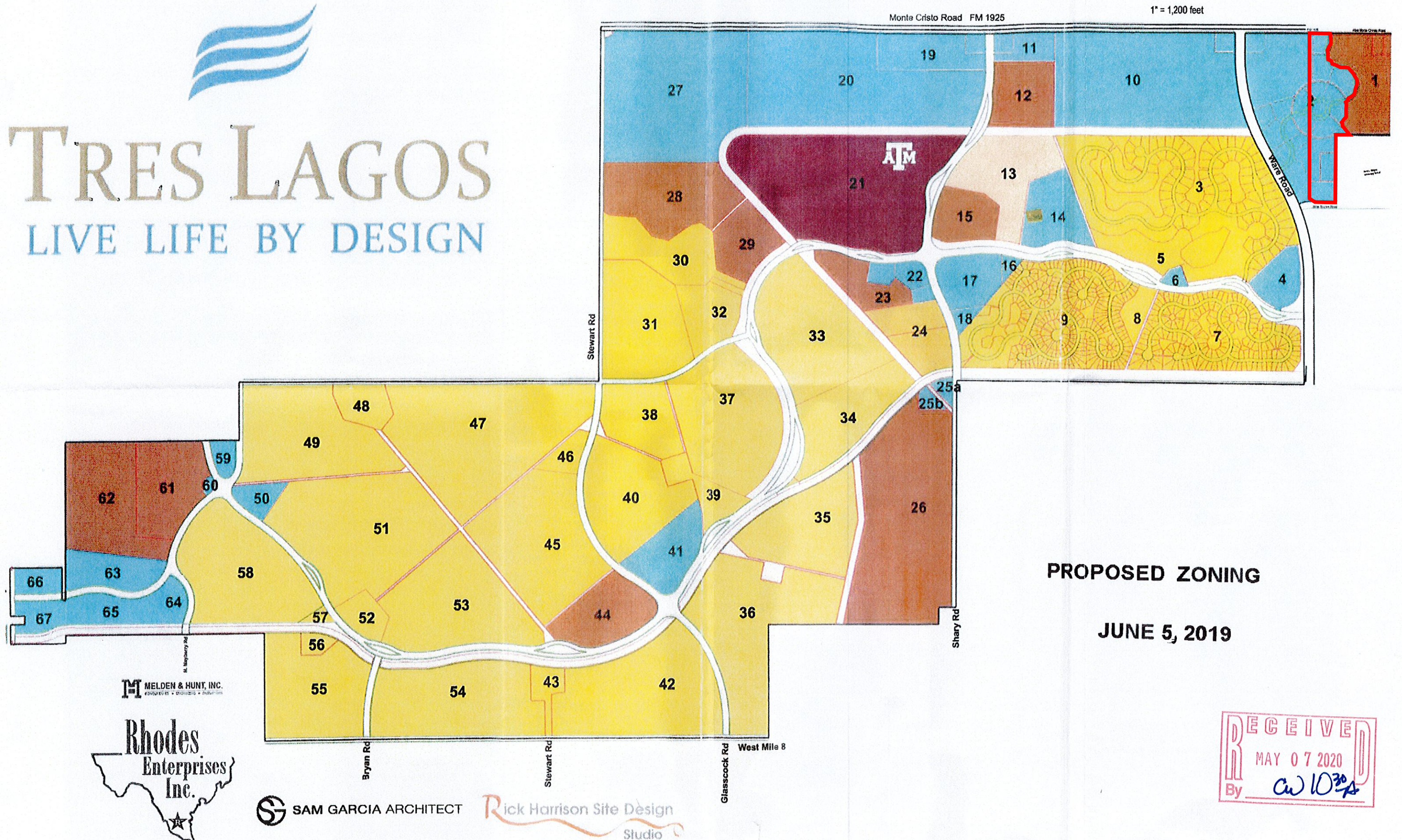
115 W. McINTYRE
EDINBURG, TX 78541
PH: (956) 381-0981
FAX: (956) 381-1839
ESTABLISHED 1947
www.meldenandhunt.com

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TRES LAGOS

LIVE LIFE BY DESIGN

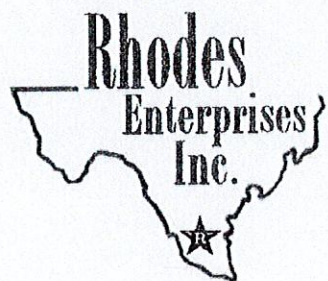


PROPOSED ZONING

JUNE 5, 2019

RECEIVED
MAY 07 2020
By *aw 1030A*

MELDEN & HUNT, INC.
ENGINEERS • ARCHITECTS • PLANNERS



SAM GARCIA ARCHITECT

Rick Harrison Site Design
Studio



NOTICE
REZONING
FOR
THIS PROPERTY
REZ2019-0025

Planning Department

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

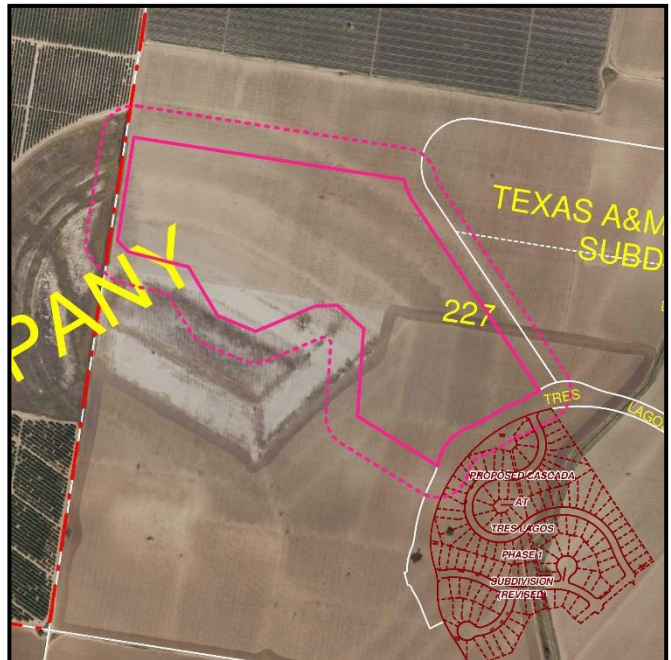
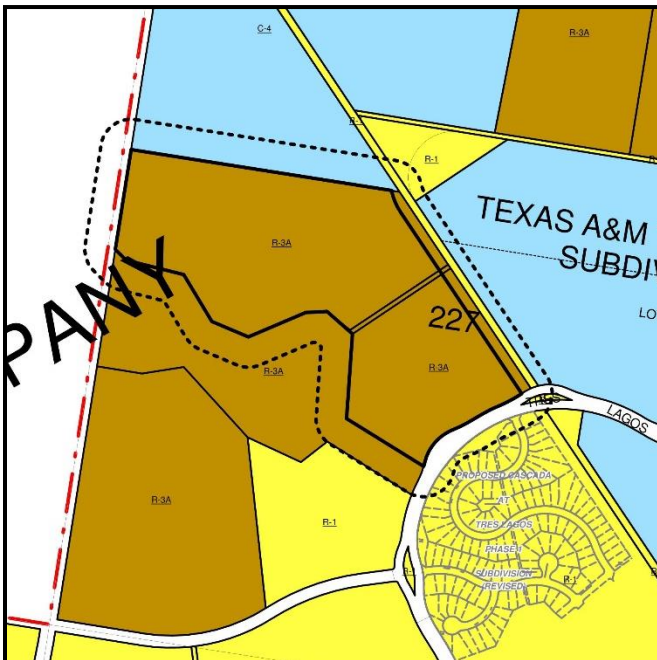
DATE: September 23, 2020

SUBJECT: REZONE FROM R-3A (MULTIFAMILY RESIDENTIAL APARTMENT) DISTRICT TO R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT: 58.722 ACRES OUT OF SECTION 227, TEXAS-MEXICAN RAILWAY COMPANY SURVEY, HIDALGO COUNTY, TEXAS; 6400 TRES LAGOS BOULEVARD. (REZ2020-0013)

LOCATION: The property is located on the north side of Tres Lagos Boulevard, approximately 1,930 ft. west of the intersection of North Shary Road and Tres Lagos Boulevard. The irregularly shaped tract has 837.76 ft. of frontage along Tres Lagos Boulevard and comprises 58.722 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 R-3A (multifamily residential apartment) District to the east and southwest, R-1 (single-family residential) District to the southeast, and C-4 (commercial-industrial) District to the north. The adjacent property to the west are outside the City limits.



LAND USE: The property is currently vacant. Surrounding land uses are Texas A&M University and vacant land.

COMPREHENSIVE PLAN: The Foresight McAllen Comprehensive Plan designates the future land use for this property as Urban Single Family, Auto Urban Multifamily, and City Parks, which are comparable to R-1 (single-family residential) District, R-2 (duplex-fourplex residential) and R-3 (multifamily residential) Districts, and A-O (agricultural and open space) District respectively.

DEVELOPMENT TRENDS: The development trend for this area along Tres Lagos Boulevard is single family residential. The tract was annexed into the city and initially zoned R-1 (single family residential) District in 2014. The City Commission approved an application to rezone the property to R-3A on February 23, 2015.

ANALYSIS: The requested zoning conforms to the Urban Single Family land use designation as indicated on the Foresight McAllen Comprehensive Plan. However, it does not conform to the Urban Multifamily, and City Parks land uses. The proposed development will be in proximity to compatible uses, IDEA Public School and Texas A&M University, since institutional uses are located within residential neighborhoods. The requested zoning is following the proposed zoning master plan submitted by the applicant in 2019.

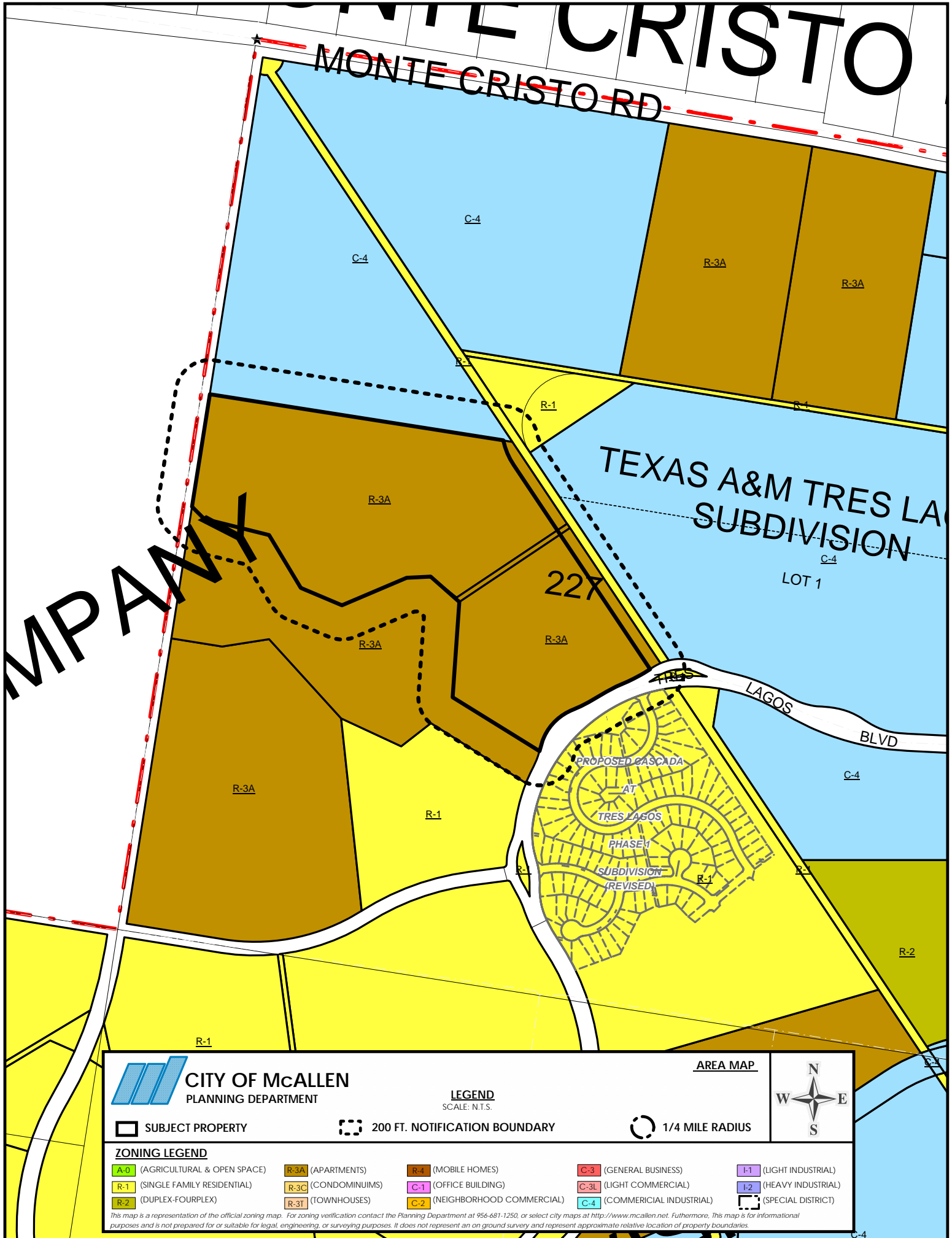
The submitted survey depicts a drain ditch right-of-way dedication on the east side of the subject property which is not included in this rezoning request.

The maximum density in R-1 (single-family residential) District is 8 dwelling units per acre. Therefore, the maximum number of units for the subject property is approximately 469 single-family houses.

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

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

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



CITY OF McALLEN
PLANNING DEPARTMENT

LEGEND
SCALE: N.T.S.

AREA MAP



SUBJECT PROPERTY

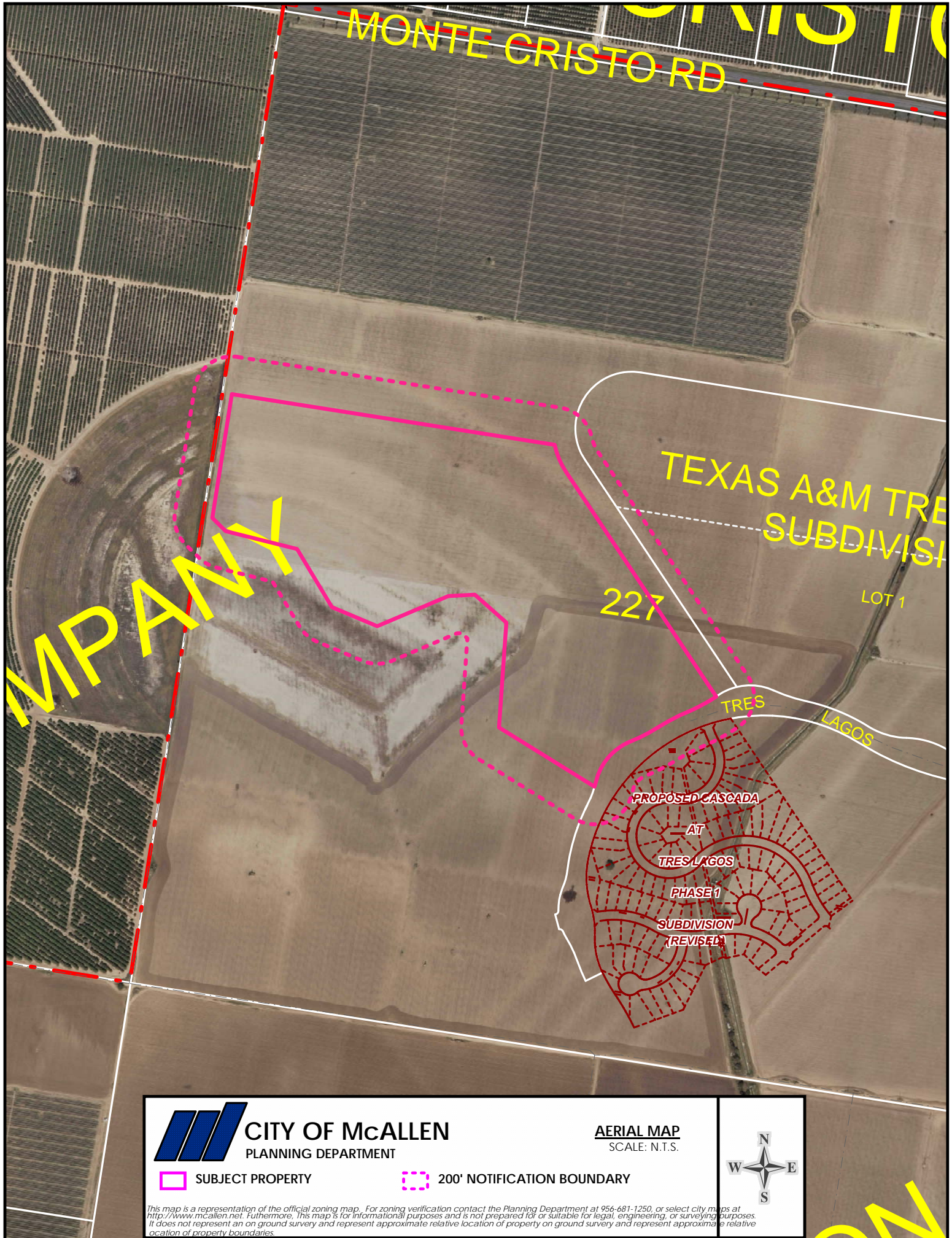
200 FT. NOTIFICATION BOUNDARY

1/4 MILE RADIUS

ZONING LEGEND

A-0 (AGRICULTURAL & OPEN SPACE)	R-3A (APARTMENTS)	R-4 (MOBILE HOMES)	C-3 (GENERAL BUSINESS)	I-1 (LIGHT INDUSTRIAL)
R-1 (SINGLE FAMILY RESIDENTIAL)	R-3C (CONDOMINIUMS)	C-1 (OFFICE BUILDING)	C-3L (LIGHT COMMERCIAL)	I-2 (HEAVY INDUSTRIAL)
R-2 (DUPLEX-FOURPLEX)	R-31 (TOWNHOUSES)	C-2 (NEIGHBORHOOD COMMERCIAL)	C-4 (COMMERCIAL INDUSTRIAL)	(SPECIAL DISTRICT)

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CITY OF McALLEN
PLANNING DEPARTMENT

AERIAL MAP
SCALE: N.T.S.



SUBJECT PROPERTY



200' NOTIFICATION BOUNDARY



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CITY OF McALLEN
PLANNING DEPARTMENT

FORESIGHT McALLEN COMPREHENSIVE PLAN

FUTURE LAND USE PLAN

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

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

LEGEND

SCALE: 1 INCH = .86 MILE
APPROVED: DECEMBER 10, 2007
REVISED: FEBRUARY 23, 2015

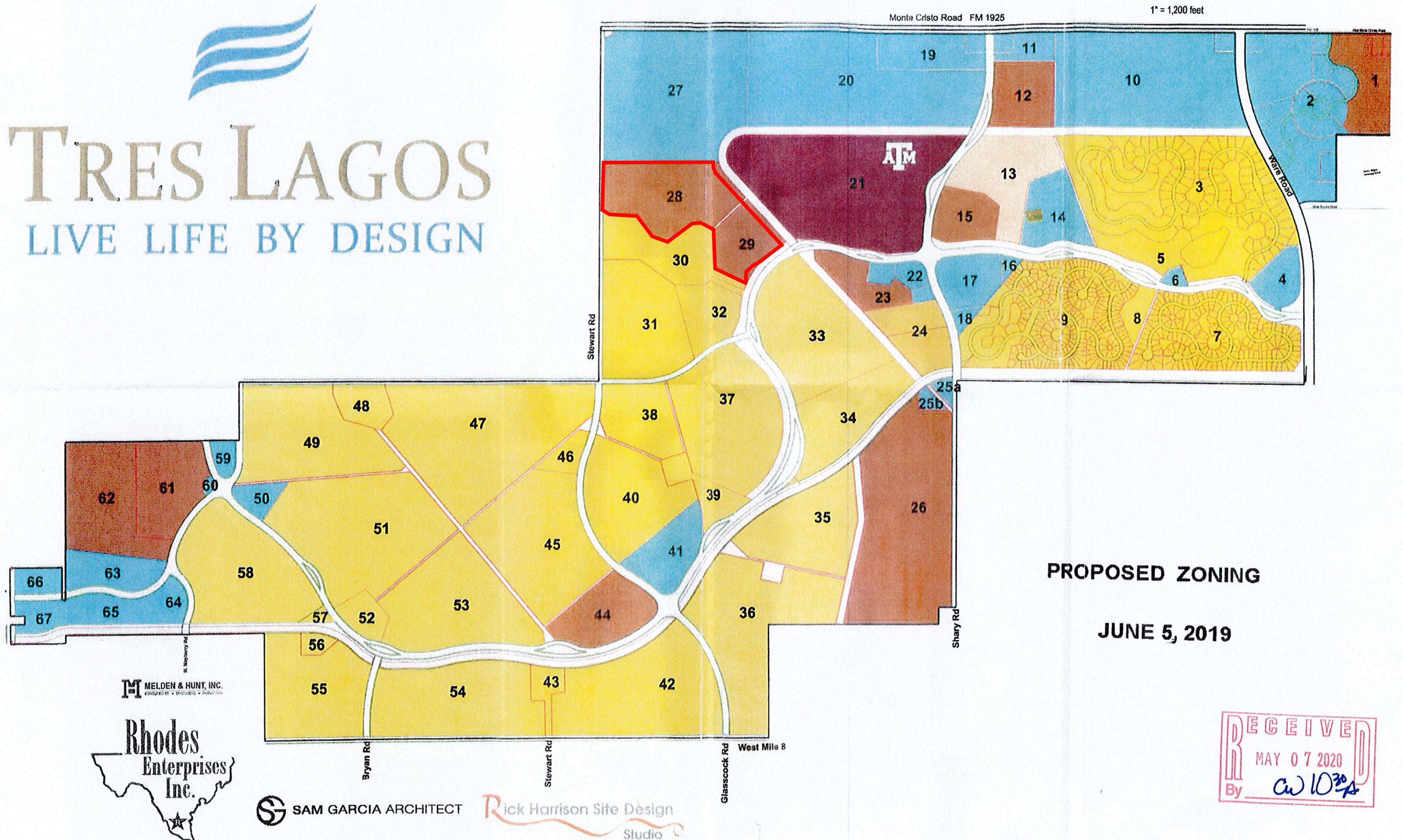
THOROUGHFARE PLAN

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



TRES LAGOS

LIVE LIFE BY DESIGN

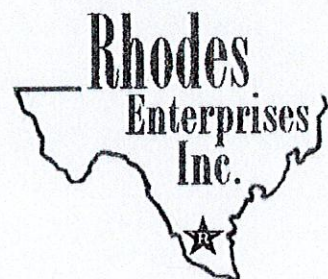


PROPOSED ZONING

JUNE 5, 2019

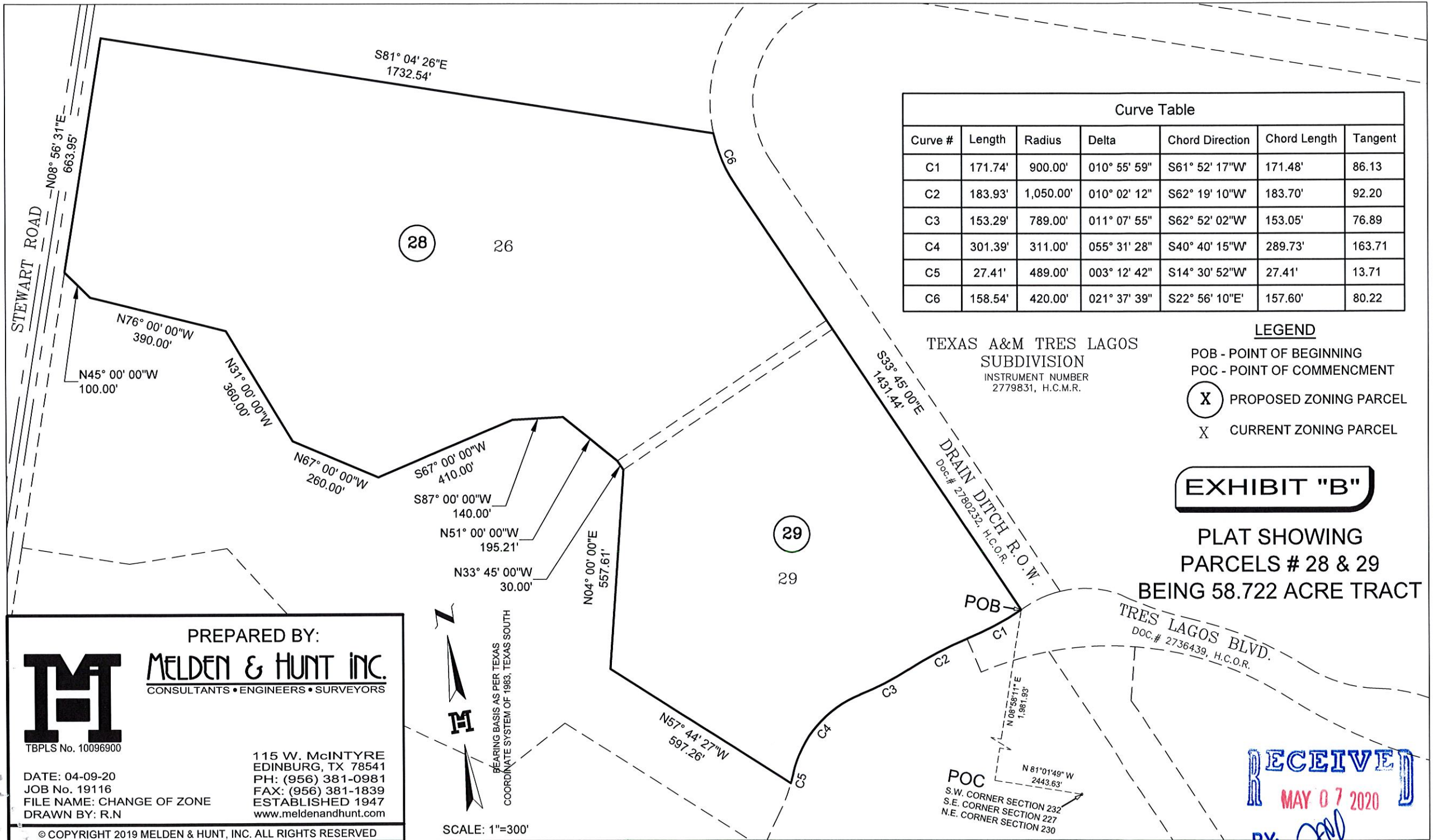
RECEIVED
MAY 07 2020
By CW 1030A

MELDEN & HUNT, INC.
ENGINEERS • ARCHITECTS • PLANNERS



SAM GARCIA ARCHITECT

Rick Harrison Site Design
Studio





NOTICE
REZONING
FOR
THIS PROPERTY
REZ2020-0013

Planning Department

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

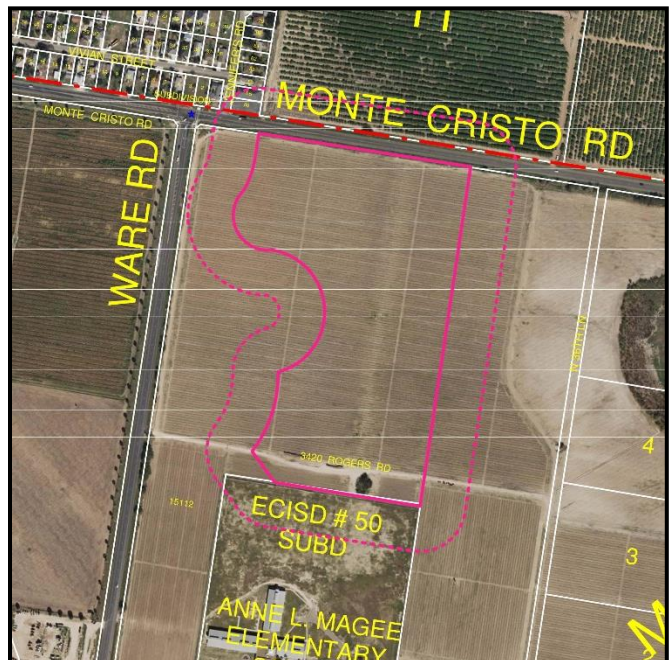
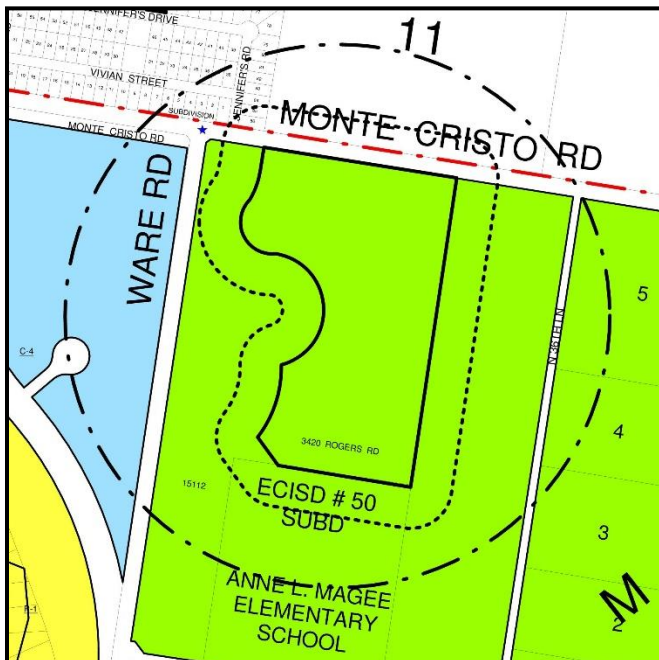
DATE: September 28, 2020

SUBJECT: REZONE FROM A-O (AGRICULTURAL AND OPEN SPACE) DISTRICT TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENT) DISTRICT: 26.107 ACRES OUT OF SECTION 231, TEXAS-MEXICAN RAILWAY COMPANY SURVEY, HIDALGO COUNTY, TEXAS; 3901 MONTE CRISTO ROAD. (REZ2020-0022)

LOCATION: The property is located on the south side of Monte Cristo Road, approximately 293 ft. east of Monte Cristo Road and North Ware Road intersection. The irregularly shaped tract has 947.66 ft. of frontage along Monte Cristo Road and a depth of 1,514.84 ft. for a lot size of 26.107 acres.

PROPOSAL: The applicant is requesting to rezone the property to R-3A (multifamily residential apartment) District in order to build apartments. No feasibility plan has been submitted.

ADJACENT ZONING: The adjacent zoning is A-O (agricultural and open space) District to the east, south, and west. The properties on the north side of Monte Cristo Road are outside the city limits.



LAND USE: The property is currently vacant. Surrounding land uses are Anne Magee Elementary School and vacant land.

COMPREHENSIVE PLAN: The Foresight McAllen Comprehensive Plan designates the future land use for this property as Estate Residential, which is comparable to A-O (agricultural and open space) District and R-1 (single-family residential) District.

DEVELOPMENT TRENDS: Most of the tracts along Monte Cristo Road are not developed. The tract was annexed into the city and initially zoned A-O (agricultural and open space) District in 2015.

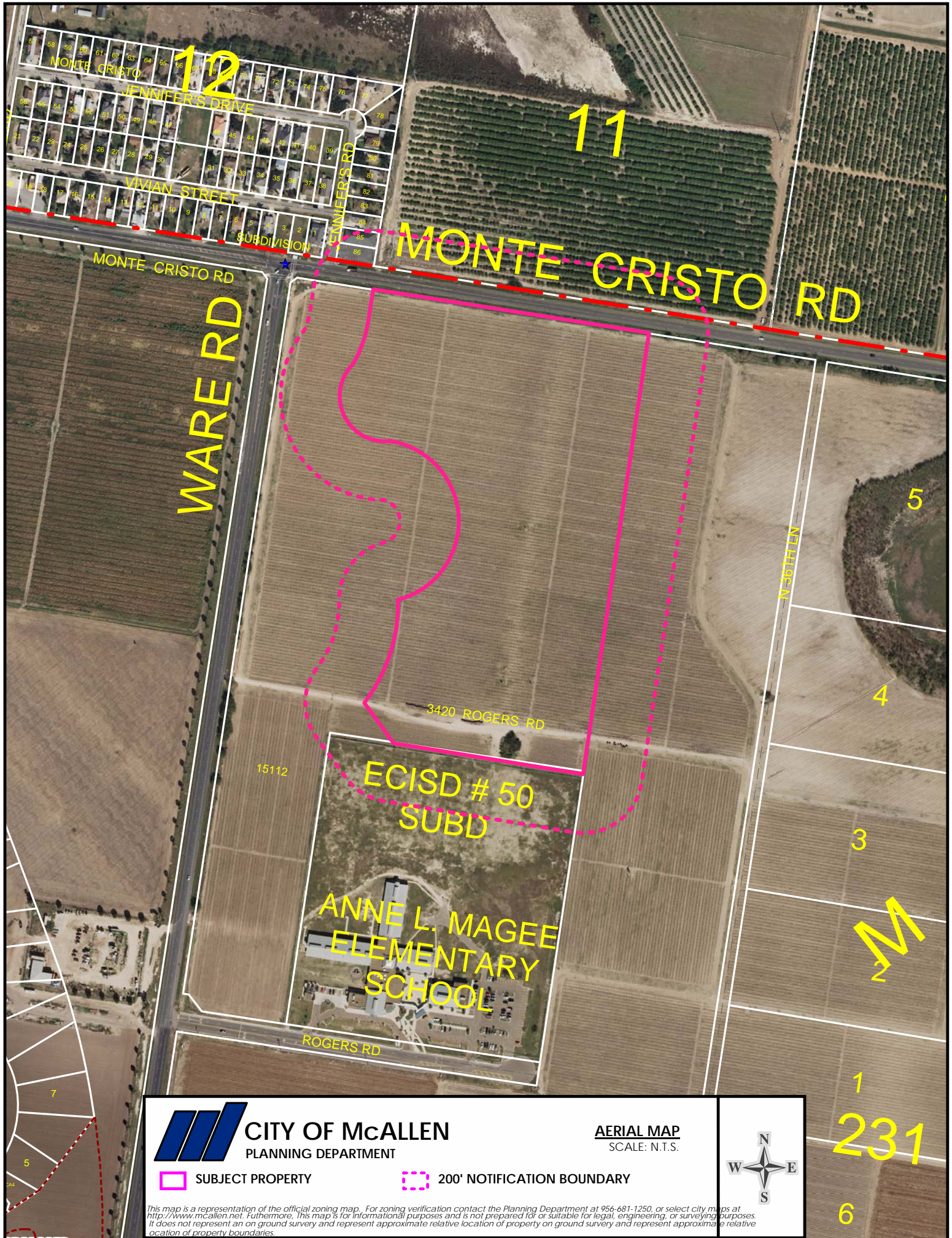
ANALYSIS: The requested zoning does not conform to the Estate Residential land use designation as indicated on the Foresight McAllen Comprehensive Plan. However, the rezoning request provides opportunities for a variety of housing types throughout the city that responds to the residents' economic and social lifestyles. The proposed development will be in proximity to compatible uses, an elementary school, since institutional uses are located within residential neighborhoods. The requested zoning is following the proposed zoning master plan submitted by the applicant in 2019.

The maximum density in R-3A (multifamily residential apartments) District is 54 studio apartment units (800 sq. ft.) per acre or 29 three-bedroom units (1,500 sq. ft.) per acre. Therefore, the maximum number of units for the subject property is approximately 1,409 studio units to 756 three-bedroom units.

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


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

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



CITY OF McALLEN
PLANNING DEPARTMENT

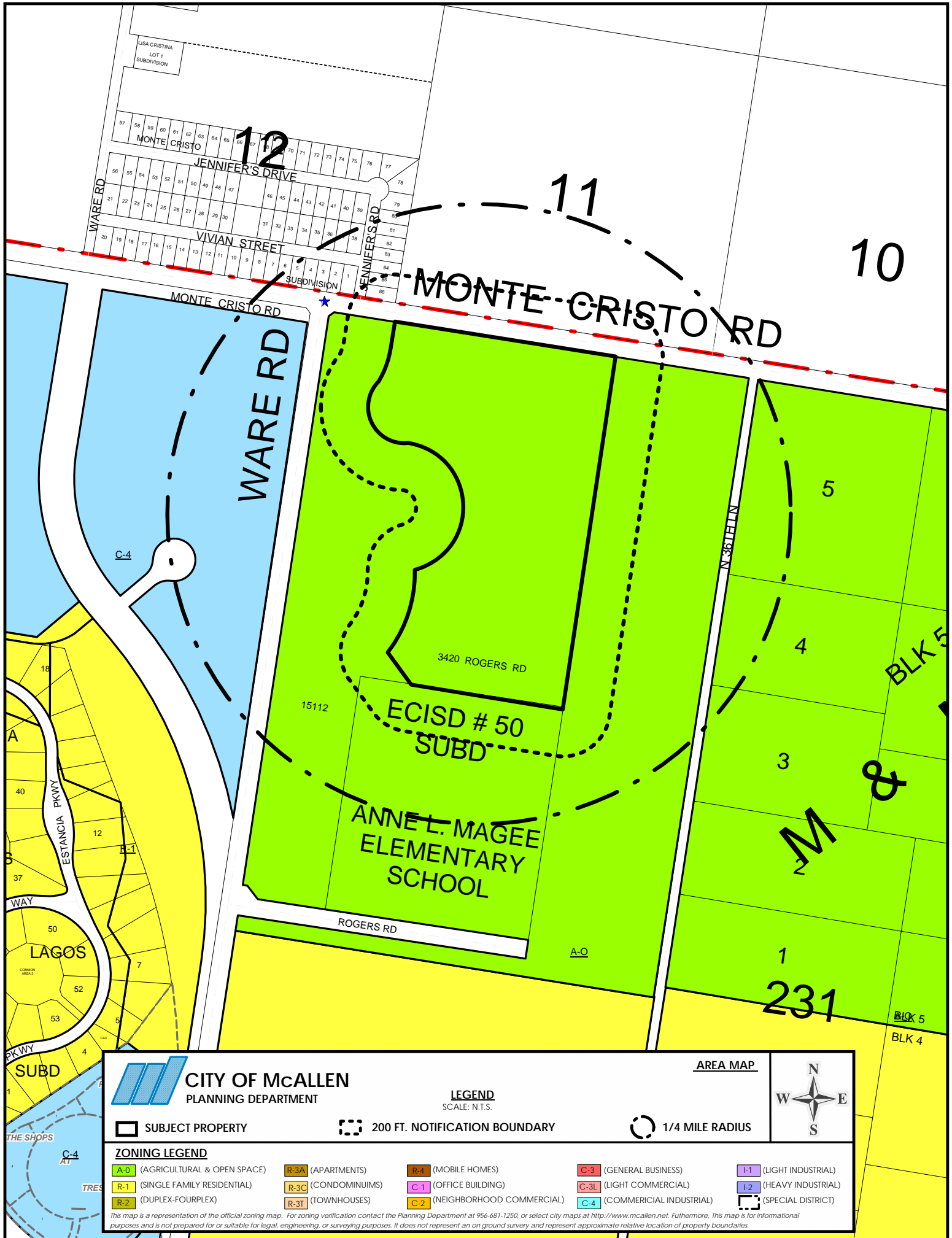
AERIAL MAP
SCALE: N.T.S.

 SUBJECT PROPERTY

 200' 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. It does not represent an on ground survey and represent approximate relative location of property on ground survey and represent approximate relative location of property boundaries.



CITY OF McALLEN
PLANNING DEPARTMENT

LEGEND
SCALE: N.T.S.

AREA MAP



SUBJECT PROPERTY

200 FT. NOTIFICATION BOUNDARY

1/4 MILE RADIUS

ZONING LEGEND

A-0 (AGRICULTURAL & OPEN SPACE)

R-1 (SINGLE FAMILY RESIDENTIAL)

R-2 (DUPLEX-FOURPLEX)

R-3A (APARTMENTS)

R-3C (CONDOMINIUMS)

R-31 (TOWNHOUSES)

R-4 (MOBILE HOMES)

C-1 (OFFICE BUILDING)

C-2 (NEIGHBORHOOD COMMERCIAL)

C-3 (GENERAL BUSINESS)

C-3L (LIGHT COMMERCIAL)

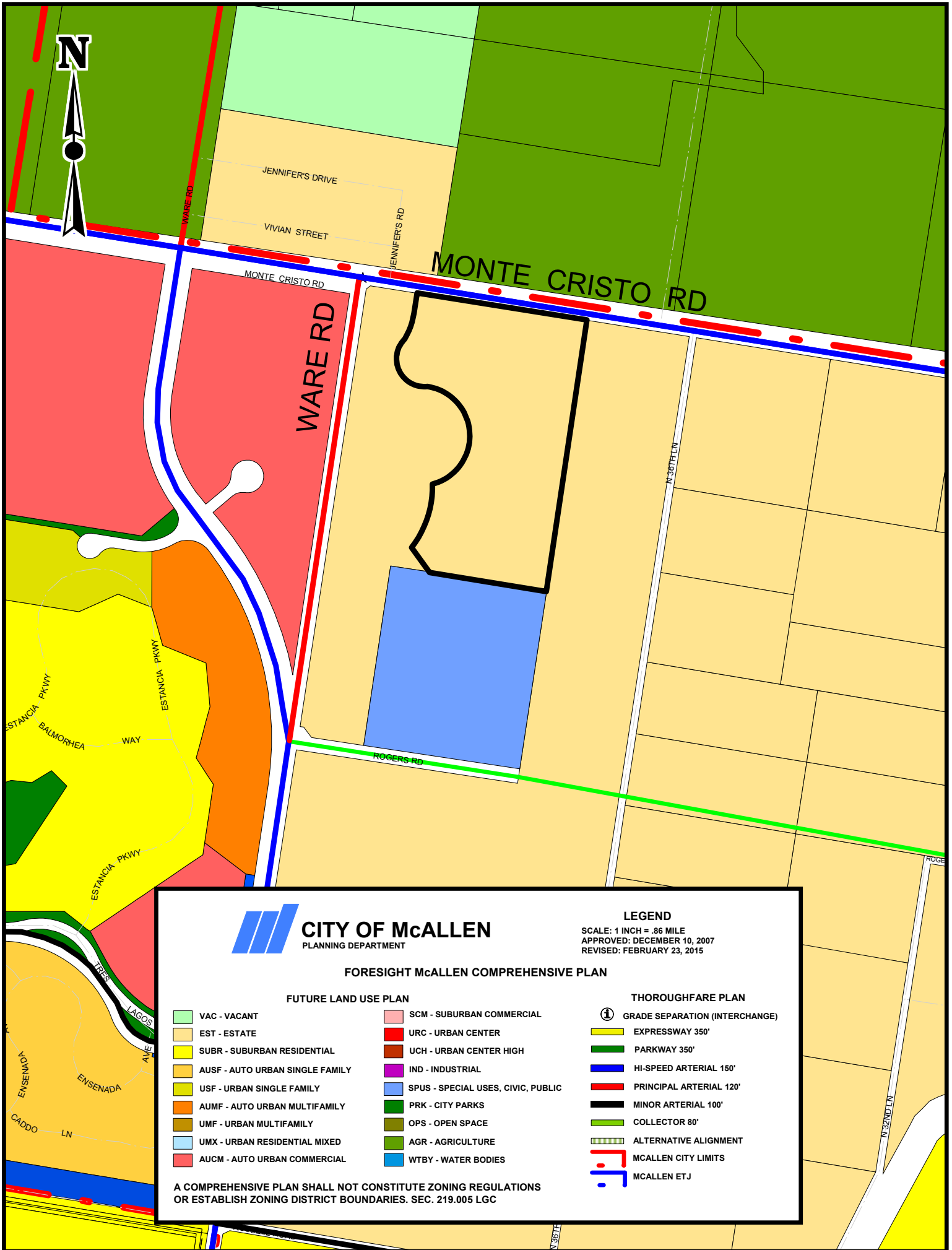
C-4 (COMMERCIAL INDUSTRIAL)

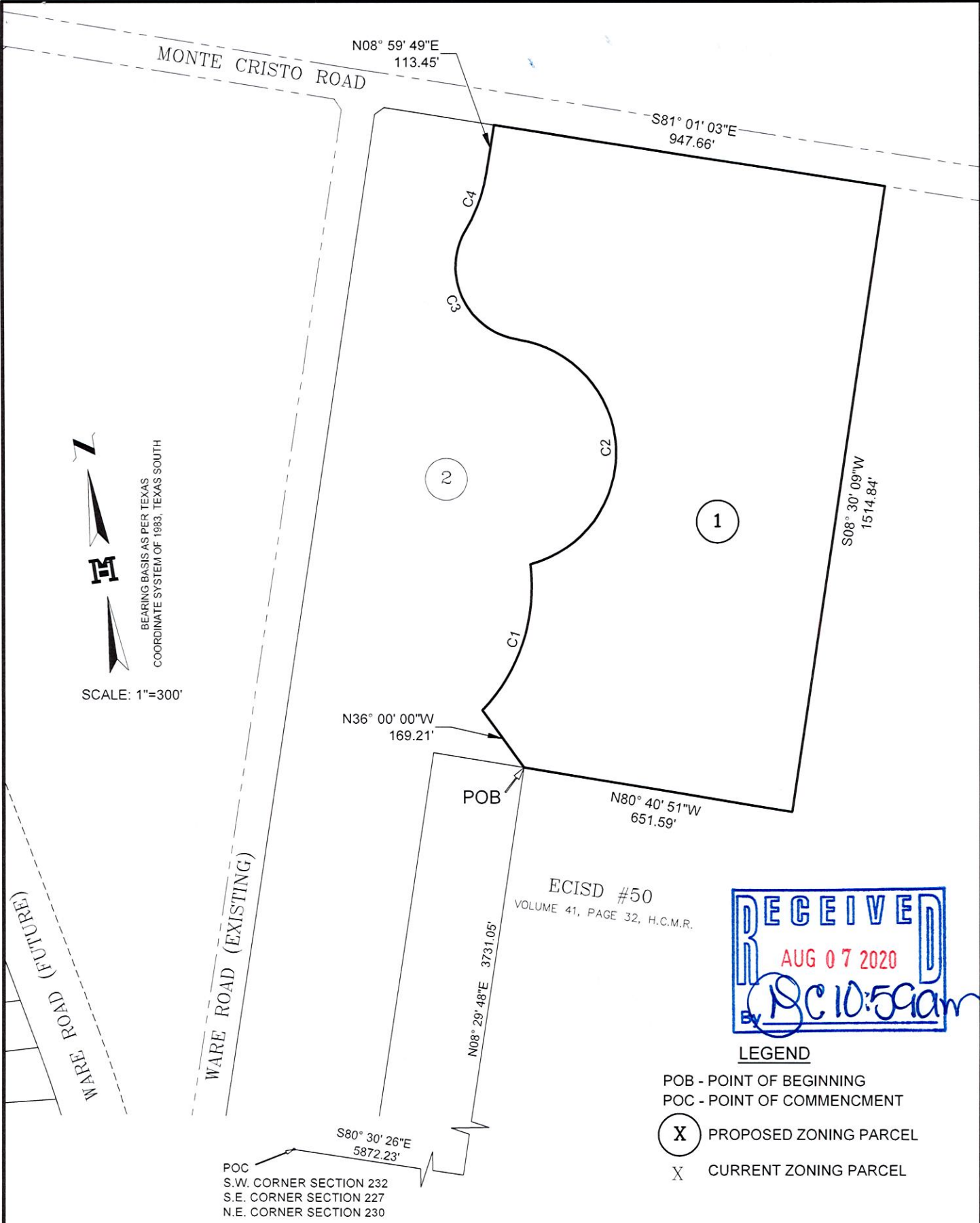
I-1 (LIGHT INDUSTRIAL)

I-2 (HEAVY INDUSTRIAL)

(SPECIAL DISTRICT)

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Curve Table						
Curve #	Length	Radius	Delta	Chord Direction	Chord Length	Tangent
C1	381.08'	430.00'	050° 46' 40"	N18° 09' 14"E'	368.73'	204.08
C2	752.93'	275.00'	156° 52' 18"	N2° 59' 21"W'	538.84'	1,343.96
C3	341.55'	175.00'	111° 49' 30"	N25° 30' 44"W'	289.86'	258.60
C4	151.29'	405.00'	021° 24' 12"	N19° 41' 55"E'	150.41'	76.54

EXHIBIT "B"

PLAT SHOWING
PARCEL # 1
BEING 26.107 ACRE TRACT



TBPLS No. 10096900

DATE: 04-09-20
JOB No. 19116
FILE NAME: CHANGE OF ZONE
DRAWN BY: R.N

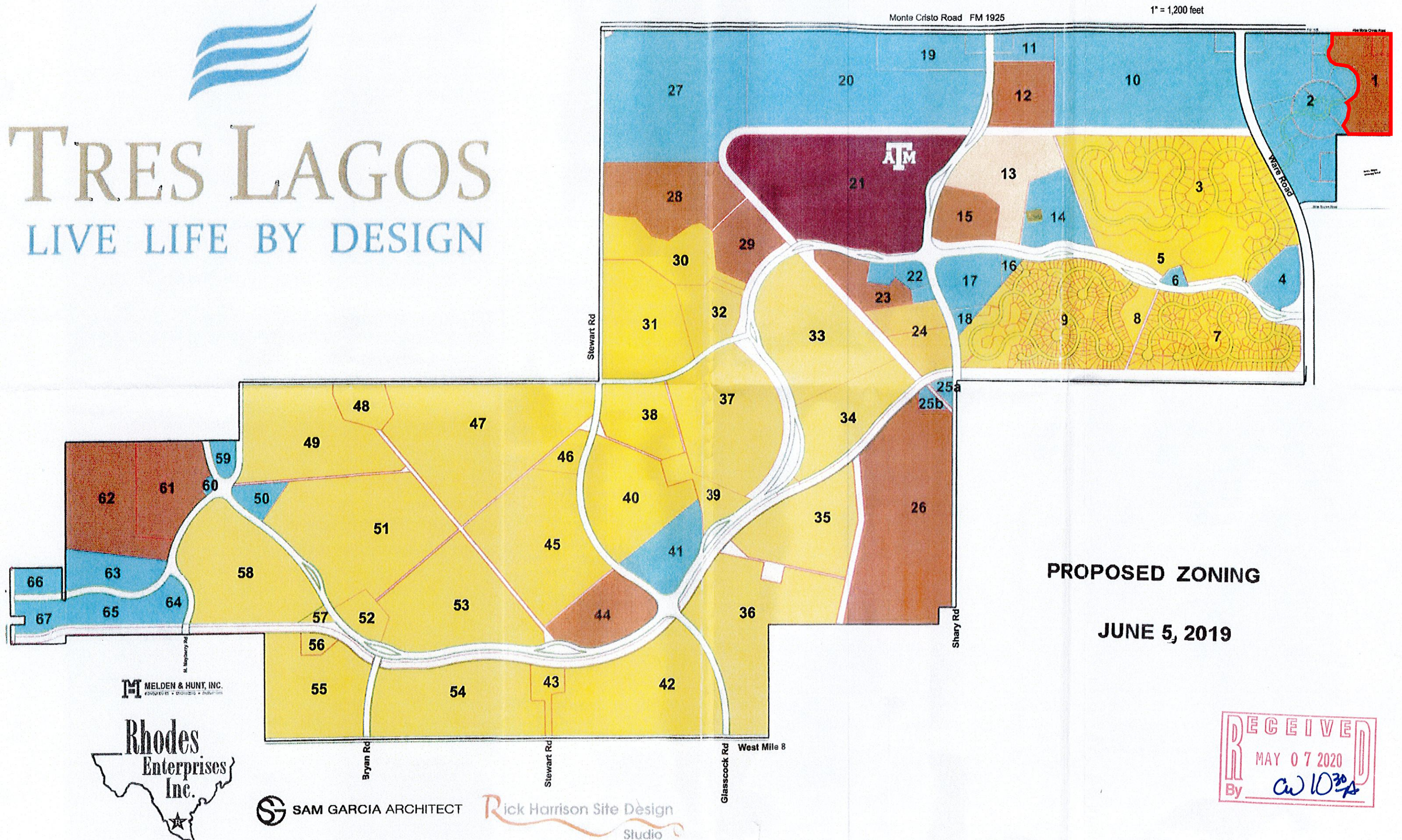
PREPARED BY:
MELDEN & HUNT INC.
CONSULTANTS • ENGINEERS • SURVEYORS

115 W. McINTYRE
EDINBURG, TX 78541
PH: (956) 381-0981
FAX: (956) 381-1839
ESTABLISHED 1947
www.meldenandhunt.com



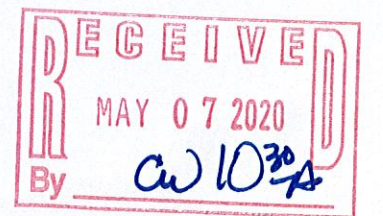
TRES LAGOS

LIVE LIFE BY DESIGN

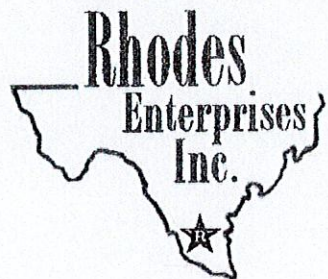


PROPOSED ZONING

JUNE 5, 2019



MELDEN & HUNT, INC.
ENGINEERS • ARCHITECTS • PLANNERS



SAM GARCIA ARCHITECT

Rick Harrison Site Design
Studio



NOTICE
REZONING
FOR
THIS PROPERTY
REZ2020-0022

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: September 28, 2020

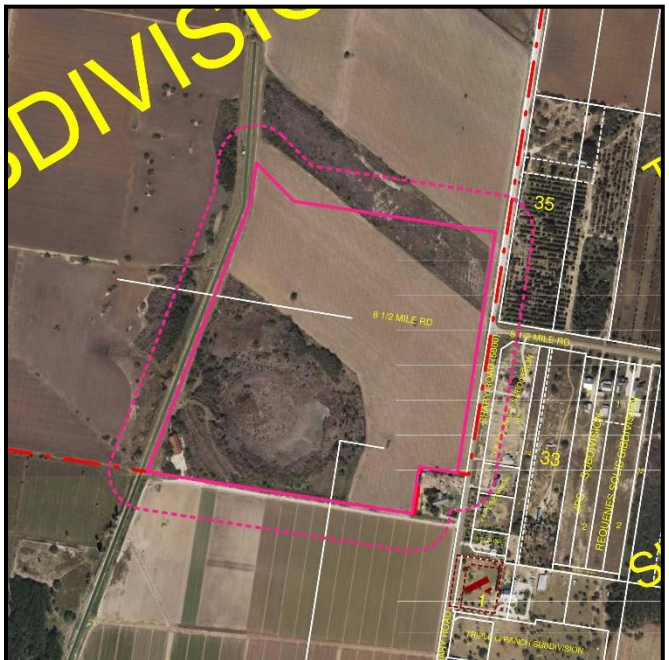
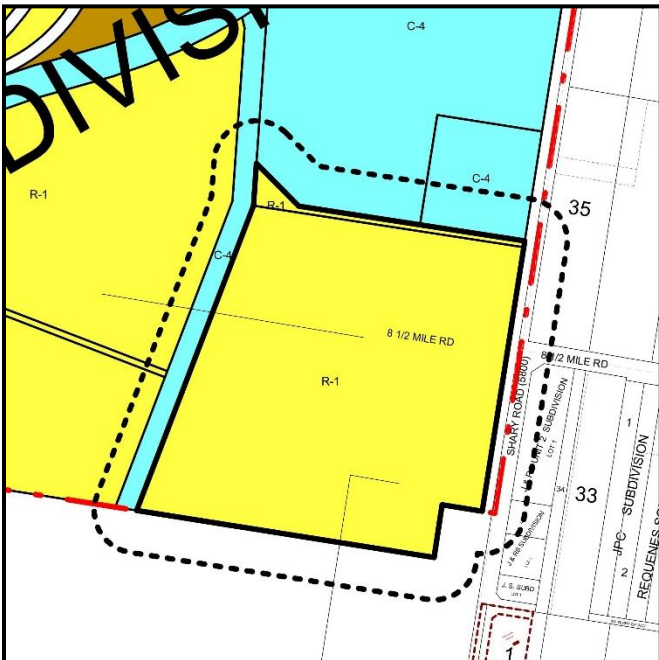
SUBJECT: REZONE FROM R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENT) DISTRICT: 50.305 ACRES OUT OF SECTION 230, TEXAS-MEXICAN RAILWAY COMPANY SURVEY, HIDALGO COUNTY, TEXAS; 13201 NORTH SHARY ROAD. (REZ2020-0025)

LOCATION: The property is located on the west side of North Shary Road, approximately 1,870 ft. north of 8 Mile Line. The tract is an irregular-shaped lot with 1,288.60 ft. of frontage along North Shary Road and consisting of 50.305 acres.

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

ADJACENT ZONING: The adjacent zoning is C-4 (commercial-industrial) District to the north and west. The properties to the east and south of the subject property are outside the city limits.

LAND USE: The property is currently vacant. Surrounding land uses are single-family residences and vacant land.



COMPREHENSIVE PLAN: The Foresight McAllen Comprehensive Plan designates the future land use for this property as Auto Urban Single Family and City Parks, which are comparable to R-1 (single-family residential) and A-O (agricultural and open space) Districts respectively.

DEVELOPMENT TRENDS: Most of the tracts along North Shary Road are not developed. The tract was annexed into the city and initially zoned R-1 (single-family residential) District in 2014.

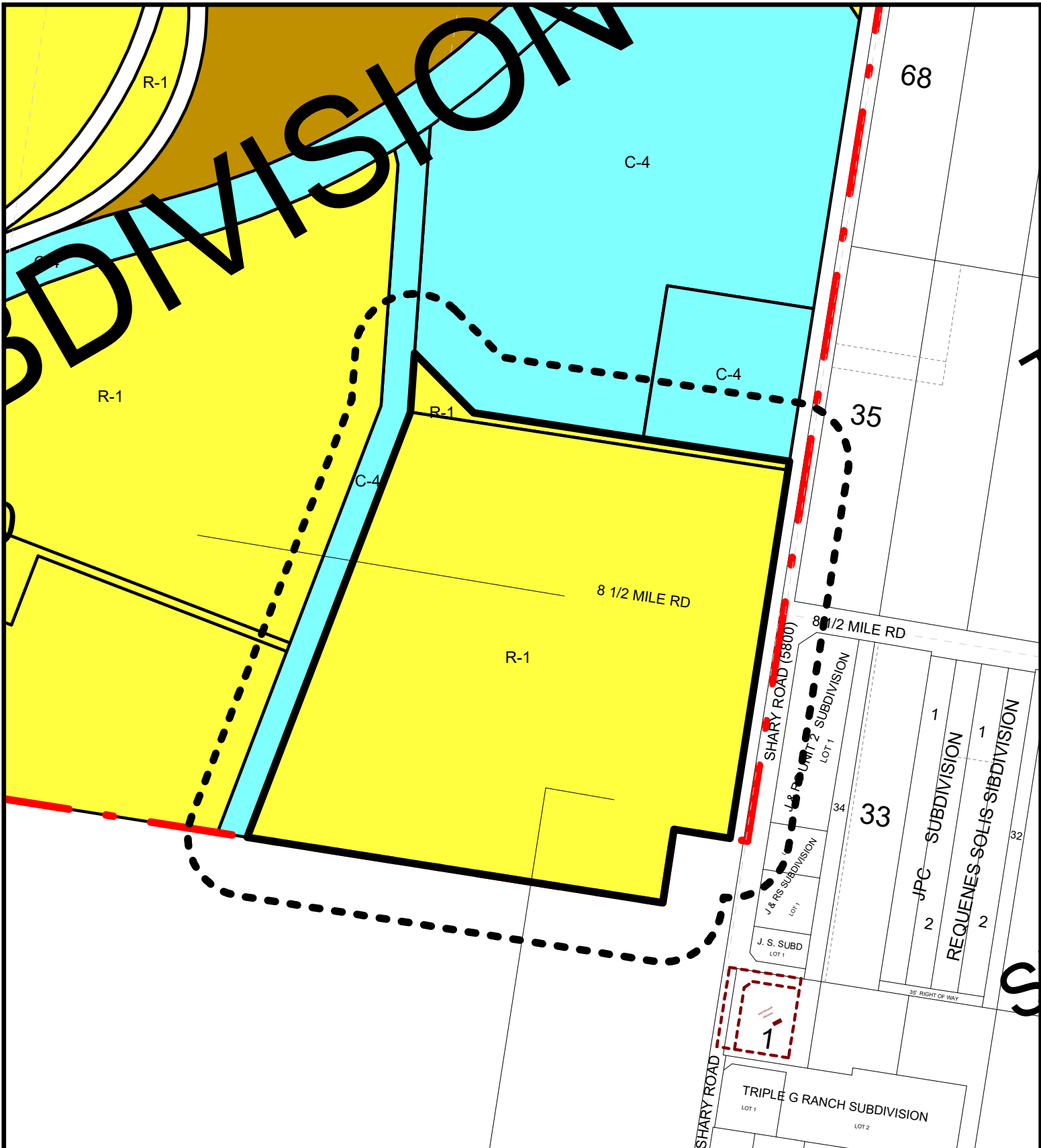
ANALYSIS: The requested zoning does not conform to the Auto Urban Single Family land use designation as indicated on the Foresight McAllen Comprehensive Plan. However, the rezoning request provides opportunities for a variety of housing types throughout the city that responds to the residents' economic and social lifestyles. The requested zoning is following the proposed zoning master plan submitted by the applicant in 2019.


The maximum density in R-3A (multifamily residential apartments) District is 54 studio apartment units (800 sq. ft.) per acre or 29 three-bedroom units (1,500 sq. ft.) per acre. Therefore, the maximum number of units for the subject property is approximately 2,716 studio units to 1,458 three-bedroom units.

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

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

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







CITY OF McALLEN
PLANNING DEPARTMENT

LEGEND
SCALE: N.T.S.


AREA MAP




SUBJECT PROPERTY



200 FT. NOTIFICATION BOUNDARY



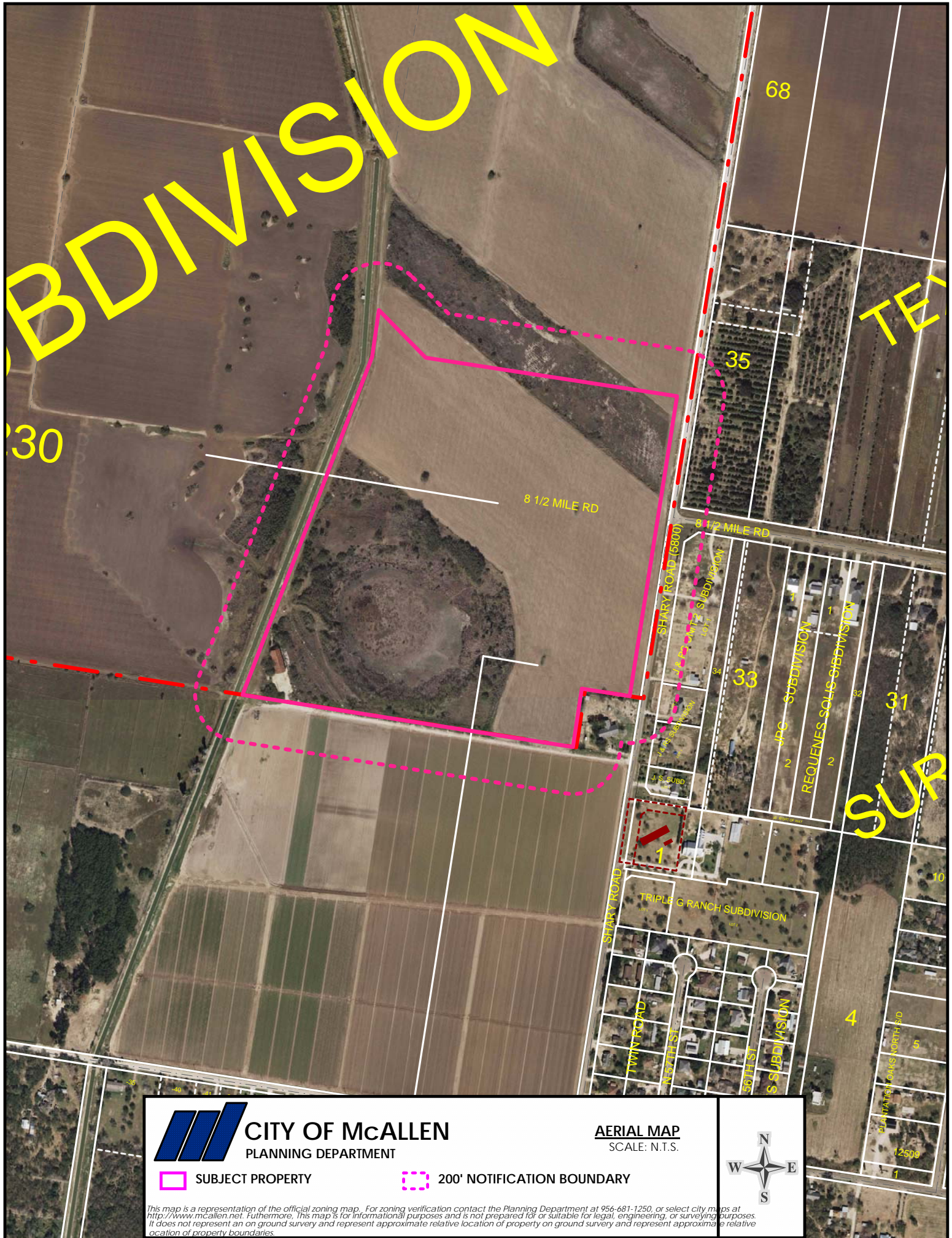
1/4 MILE RADIUS



ZONING LEGEND

<div style="display: flex; flex-wrap: wrap;"> <div style="width: 33%;"> <div style="background-color: #90EE90; border: 1px solid black; padding: 2px; margin-bottom: 2px;">A-0</div> (AGRICULTURAL & OPEN SPACE) <div style="background-color: #FFD700; border: 1px solid black; padding: 2px; margin-bottom: 2px;">R-1</div> (SINGLE FAMILY RESIDENTIAL) <div style="background-color: #FFA500; border: 1px solid black; padding: 2px; margin-bottom: 2px;">R-2</div> (DUPLEX-FOURPLEX) </div> <div style="width: 33%;"> <div style="background-color: #FFD700; border: 1px solid black; padding: 2px; margin-bottom: 2px;">R-3A</div> (APARTMENTS) <div style="background-color: #FFD700; border: 1px solid black; padding: 2px; margin-bottom: 2px;">R-3C</div> (CONDOMINIUMS) <div style="background-color: #FFD700; border: 1px solid black; padding: 2px; margin-bottom: 2px;">R-3T</div> (TOWNHOUSES) </div> <div style="width: 33%;"> <div style="background-color: #FFD700; border: 1px solid black; padding: 2px; margin-bottom: 2px;">R-4</div> (MOBILE HOMES) <div style="background-color: #FFD700; border: 1px solid black; padding: 2px; margin-bottom: 2px;">C-1</div> (OFFICE BUILDING) <div style="background-color: #FFD700; border: 1px solid black; padding: 2px; margin-bottom: 2px;">C-2</div> (NEIGHBORHOOD COMMERCIAL) </div> </div>	<div style="display: flex; flex-wrap: wrap;"> <div style="width: 33%;"> <div style="background-color: #FF0000; border: 1px solid black; padding: 2px; margin-bottom: 2px;">C-3</div> (GENERAL BUSINESS) <div style="background-color: #FF0000; border: 1px solid black; padding: 2px; margin-bottom: 2px;">C-3L</div> (LIGHT COMMERCIAL) <div style="background-color: #FF0000; border: 1px solid black; padding: 2px; margin-bottom: 2px;">C-4</div> (COMMERCIAL INDUSTRIAL) </div> <div style="width: 33%;"> <div style="background-color: #FF0000; border: 1px solid black; padding: 2px; margin-bottom: 2px;">I-1</div> (LIGHT INDUSTRIAL) <div style="background-color: #FF0000; border: 1px solid black; padding: 2px; margin-bottom: 2px;">I-2</div> (HEAVY INDUSTRIAL) <div style="background-color: #FF0000; border: 1px solid black; padding: 2px; margin-bottom: 2px;">S</div> (SPECIAL DISTRICT) </div> </div>
---	--

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CITY OF McALLEN
PLANNING DEPARTMENT

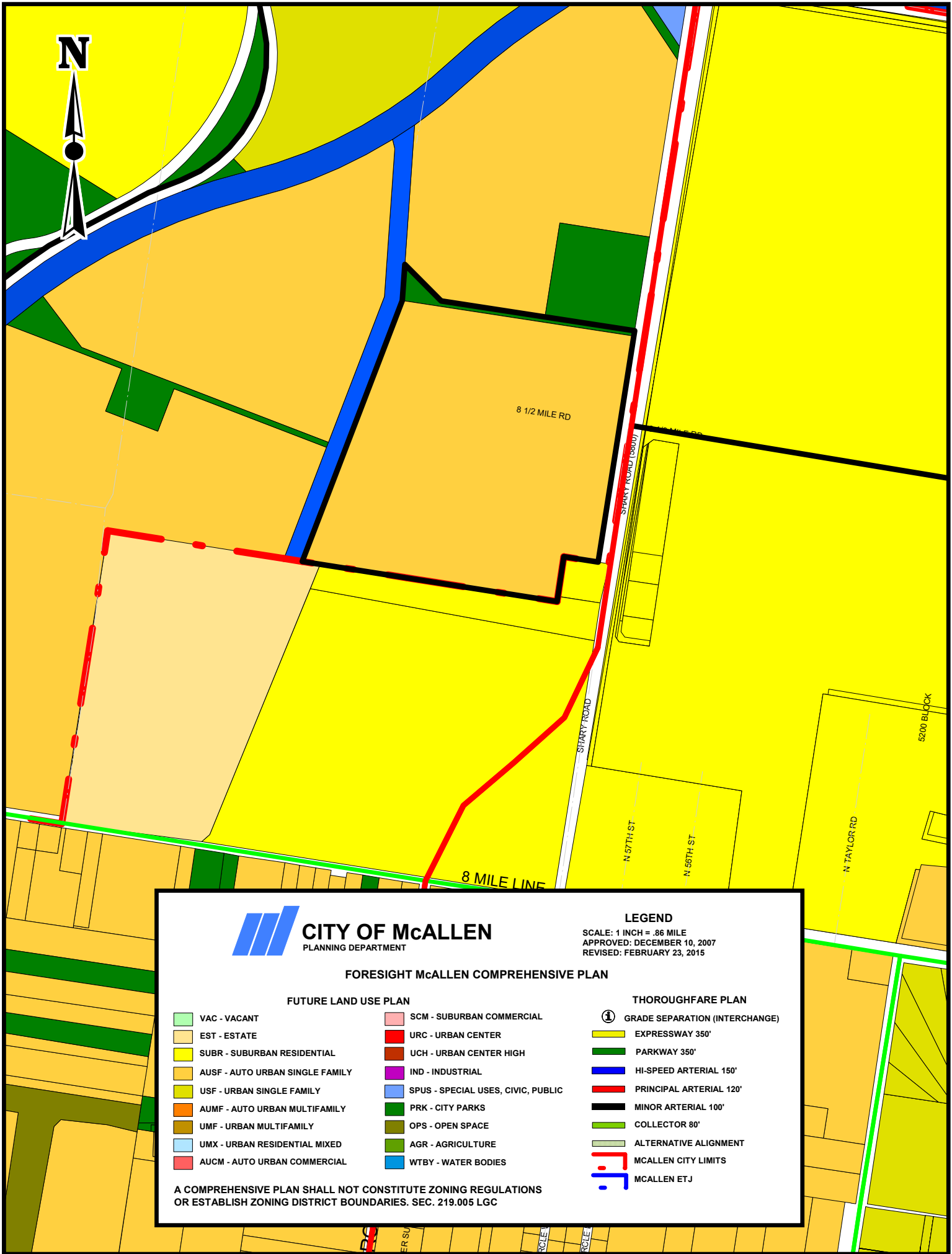
AERIAL MAP
SCALE: N.T.S.

 **SUBJECT PROPERTY**

 **200' NOTIFICATION BOUNDARY**



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CITY OF McALLEN

PLANNING DEPARTMENT

FORESIGHT McALLEN COMPREHENSIVE PLAN

FUTURE LAND USE PLAN

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

LEGEND

SCALE: 1 INCH = .86 MILE
APPROVED: DECEMBER 10, 2007
REVISED: FEBRUARY 23, 2015

THOROUGHFARE PLAN

①	GRADE SEPARATION (INTERCHANGE)
EXPRESSWAY 350'	
PARKWAY 350'	
HI-SPEED ARTERIAL 150'	
PRINCIPAL ARTERIAL 120'	
MINOR ARTERIAL 100'	
COLLECTOR 80'	
ALTERNATIVE ALIGNMENT	
McALLEN CITY LIMITS	
McALLEN ETJ	

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



PREPARED BY:
MELDEN & HUNT INC.
CONSULTANTS • ENGINEERS • SURVEYORS

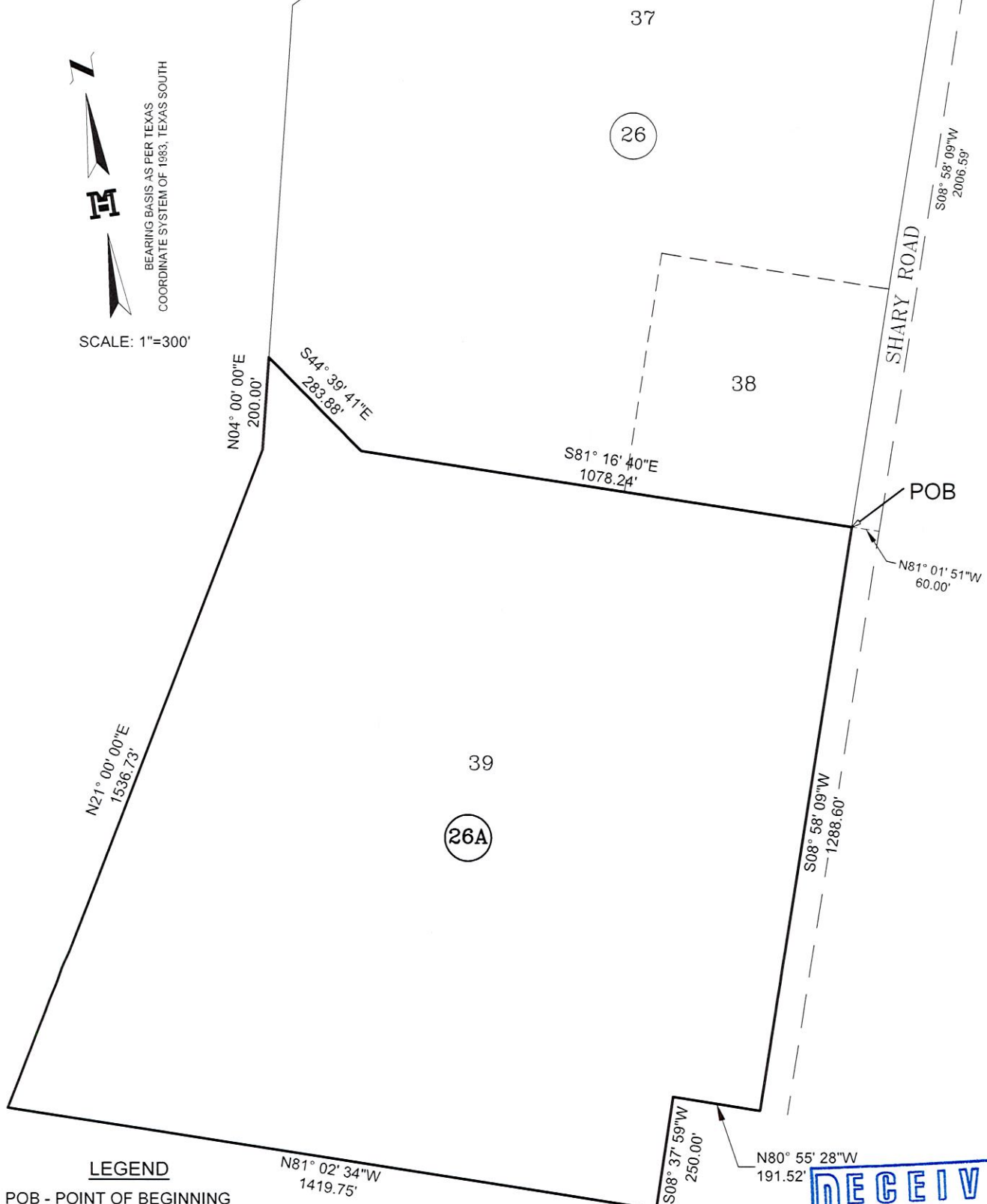
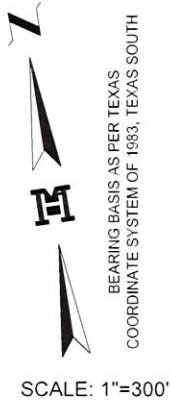
DATE: 04-09-20
JOB No. 19116
FILE NAME: CHANGE OF ZONE
DRAWN BY: R.N

115 W. McINTYRE
EDINBURG, TX 78541
PH: (956) 381-0981
FAX: (956) 381-1839
ESTABLISHED 1947
www.meldenandhunt.com

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EXHIBIT "B"

PLAT SHOWING
PARCEL # 26A
BEING 50.305 ACRE TRACT



LEGEND

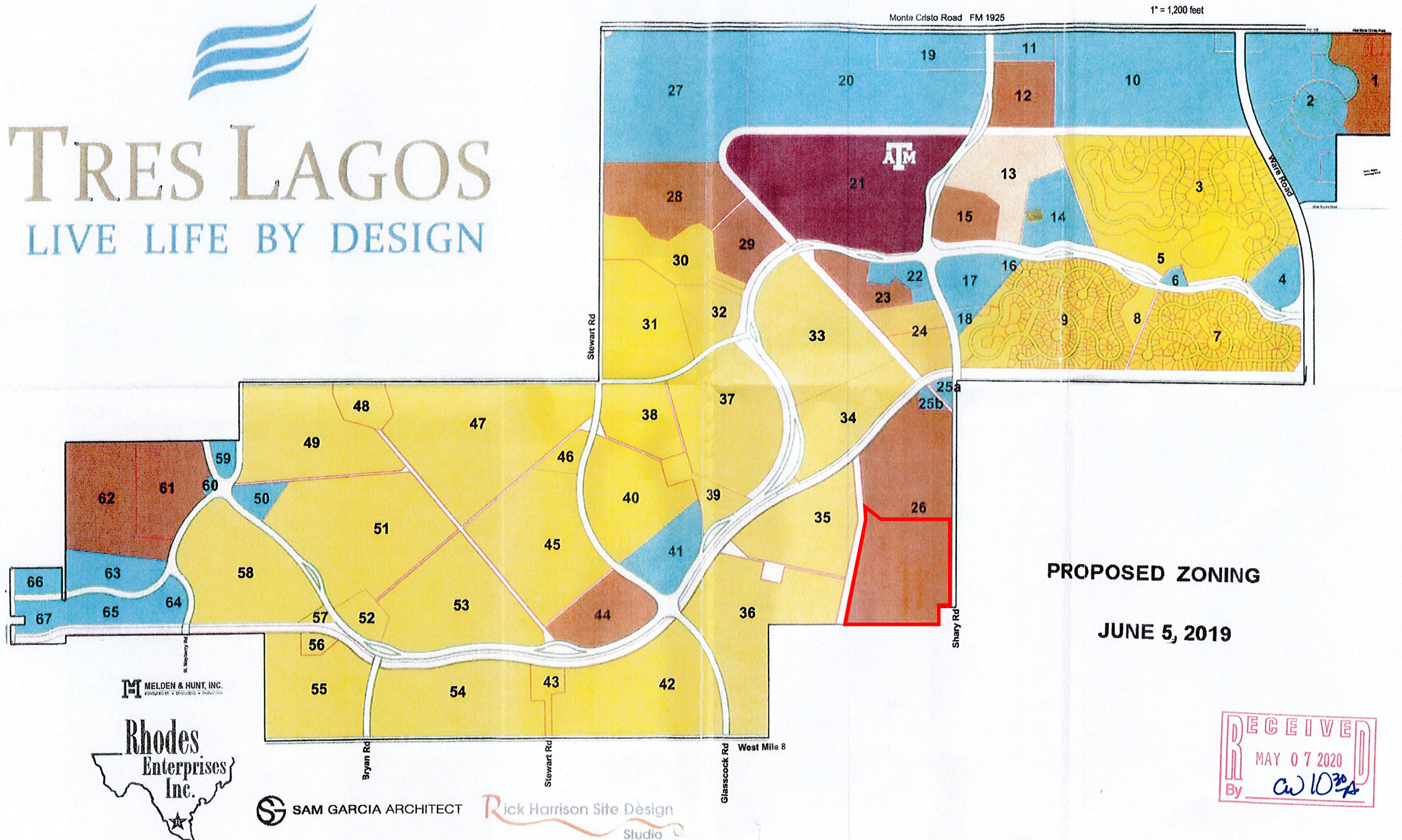
- POB - POINT OF BEGINNING
- POC - POINT OF COMMENCEMENT
- (X) PROPOSED ZONING PARCEL
- X CURRENT ZONING PARCEL





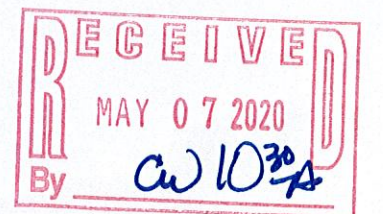
TRES LAGOS

LIVE LIFE BY DESIGN

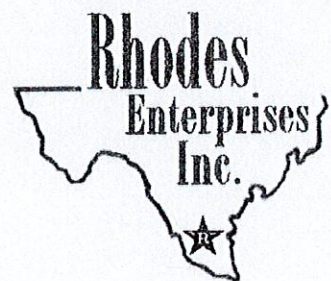


PROPOSED ZONING

JUNE 5, 2019



MELDEN & HUNT, INC.
ENGINEERS • ARCHITECTS • PLANNERS



SAM GARCIA ARCHITECT

Rick Harrison Site Design Studio



NOTICE
REZONING
FOR
THIS PROPERTY
REZ2020-0025

Planning Department

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

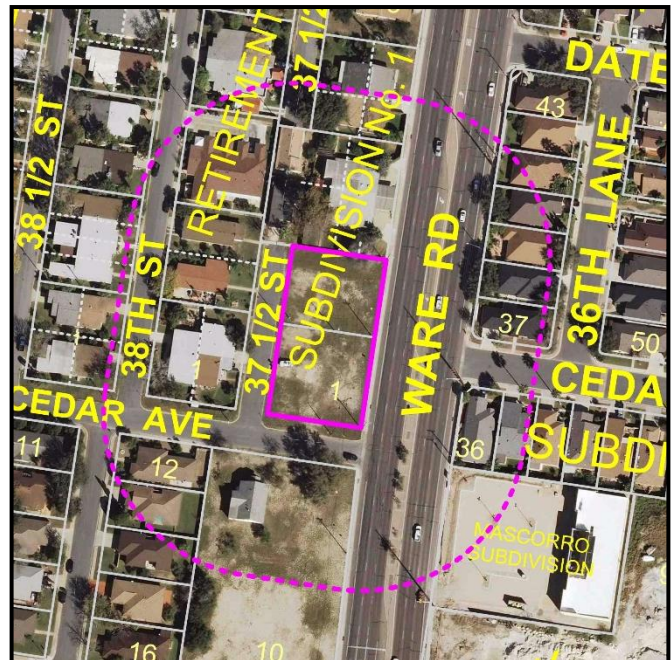
DATE: October 2, 2020

SUBJECT: REZONE FROM C-3L (LIGHT COMMERCIAL) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: 0.54 ACRES OUT OF LOTS 1 AND 2, GOLDEN ACRES RETIREMENT SUBDIVISION NO. 1, HIDALGO COUNTY, TEXAS; 301 NORTH WARE ROAD. (REZ2020-0031)

LOCATION: The property is located on the north side of Cedar Avenue, between North Ware Road and North 37th ½ Street. The tract has 207.97 ft. of frontage along North Ware Road, 207.95 ft. of frontage along North 37th ½ Street, and 113.95 ft. of frontage along Cedar Avenue for a tract size of 0.54 acres.

PROPOSAL: The applicant is requesting to rezone the subject property to C-3 (general business) District to allow for a greater variety of commercial uses and to include a liquor store in one of the suites of the existing commercial plaza.

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



LAND USE: The subject property contains a commercial retail plaza known as Ruby Plaza. Surrounding land uses are single-family, duplex-fourplex, and multi-family residences, a retail plaza, and vacant land.

COMPREHENSIVE PLAN: The Foresight McAllen Comprehensive Plan designates the future land use for this property as Urban Multifamily which is comparable to R-2 (duplex-fourplex residential) District and R-3 (multifamily residential) District.

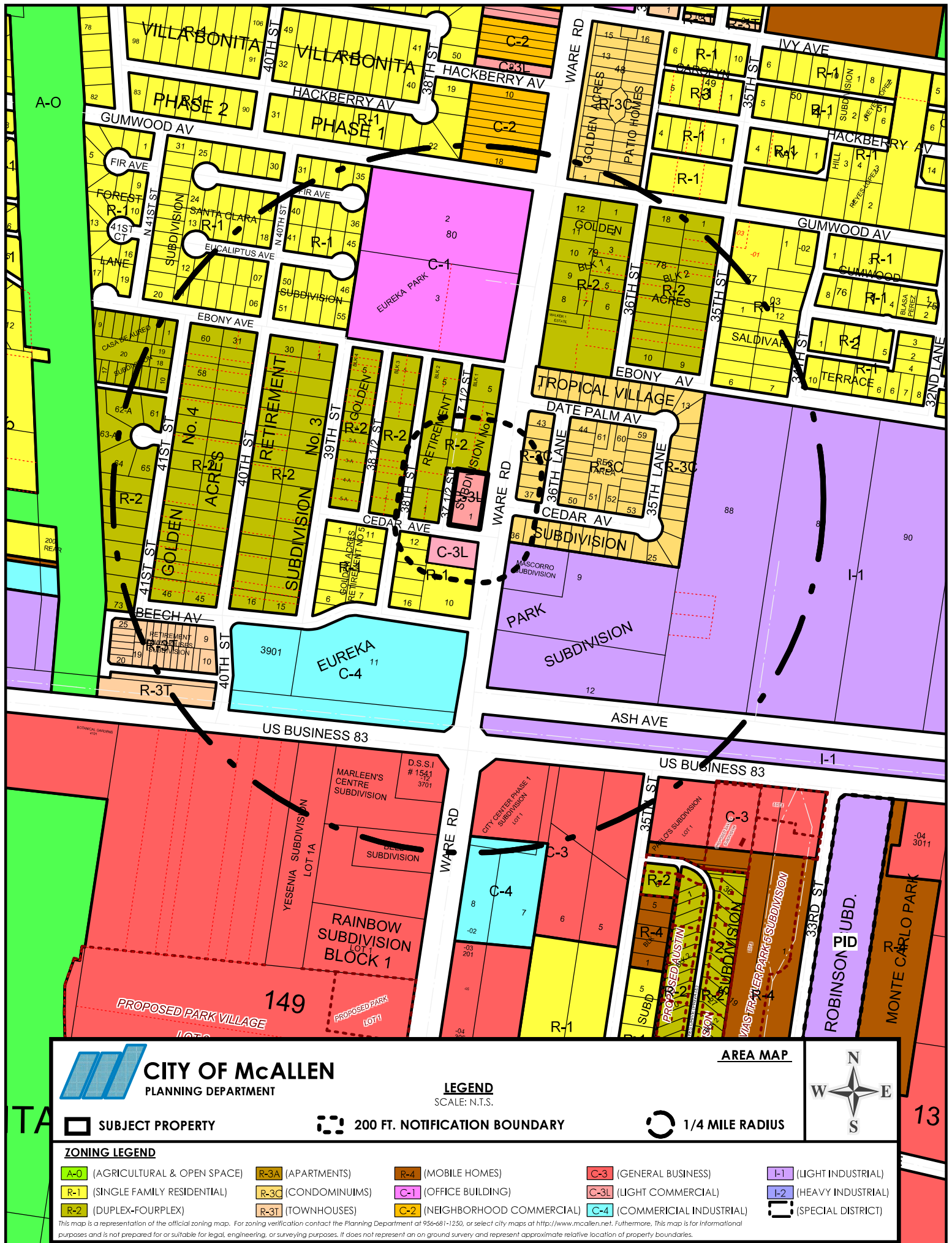
DEVELOPMENT TRENDS: The development trend for this area along North Ware Road is residential and retail. The subject property was zoned R-2 (duplex-fourplex residential) District during comprehensive zoning in 1979. A request to rezone the subject property to C-3L (light commercial) District was approved by the City Commission on May 14, 2018. A rezoning request to C-3 (general business) District for the adjacent property to the south, located at 212 North Ware Road, was disapproved and alternatively approved for C-3L (light commercial) District by the City Commission on May 28, 2019.

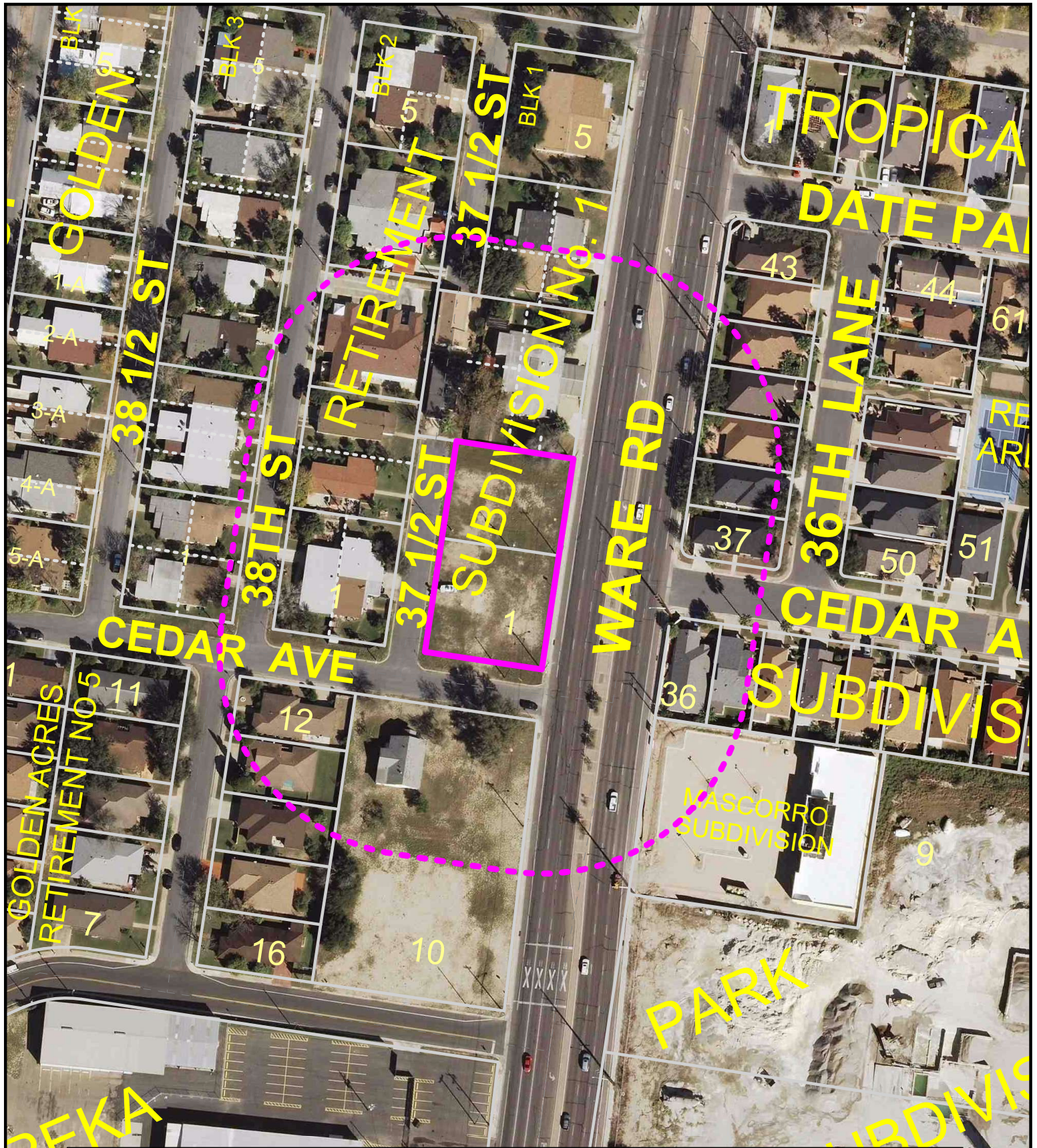
ANALYSIS: The requested zoning does not conform to the Auto Urban Multifamily land use designation as indicated on the Foresight McAllen Comprehensive Plan. The proposed rezoning is not appropriate adjacent to the residential area. Adjacent single and multifamily residential uses establish the residential character in this area. The proposed zoning could impact the adjacent residences with increased traffic, noise, light, and trash.

Uses allowed in C-3 (general business) District include retail, offices, hospitals, hotels, restaurants, bus terminals, accessory wholesale, accessory auto repair services, and other uses as specified in Section 138-277 of the Zoning Ordinance.

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

RECOMMENDATION: Staff recommends disapproval of the rezoning request to C-3 (general business) District.





CITY OF McALLEN
PLANNING DEPARTMENT

AERIAL MAP
SCALE: N.T.S.



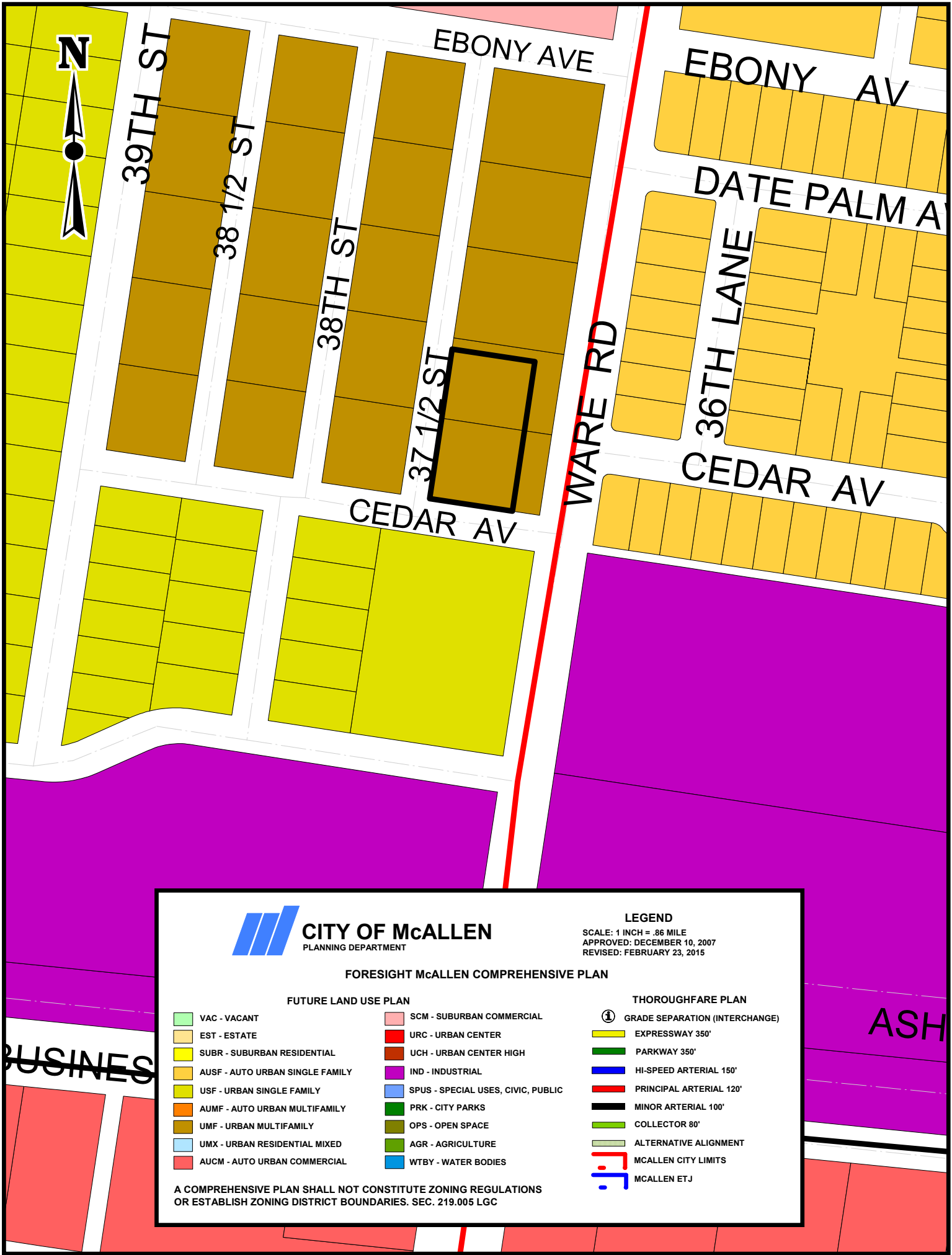
SUBJECT PROPERTY



200' NOTIFICATION BOUNDARY



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39TH ST

38 1/2 ST

38TH ST

37 1/2 ST

EBONY AVE

EBONY AV

DATE PALM A

36TH LANE

CEDAR AV

WARE RD

CEDAR AV

ASH



CITY OF McALLEN

PLANNING DEPARTMENT

LEGEND

SCALE: 1 INCH = .86 MILE
APPROVED: DECEMBER 10, 2007
REVISED: FEBRUARY 23, 2015

FORESIGHT McALLEN COMPREHENSIVE PLAN

FUTURE LAND USE PLAN

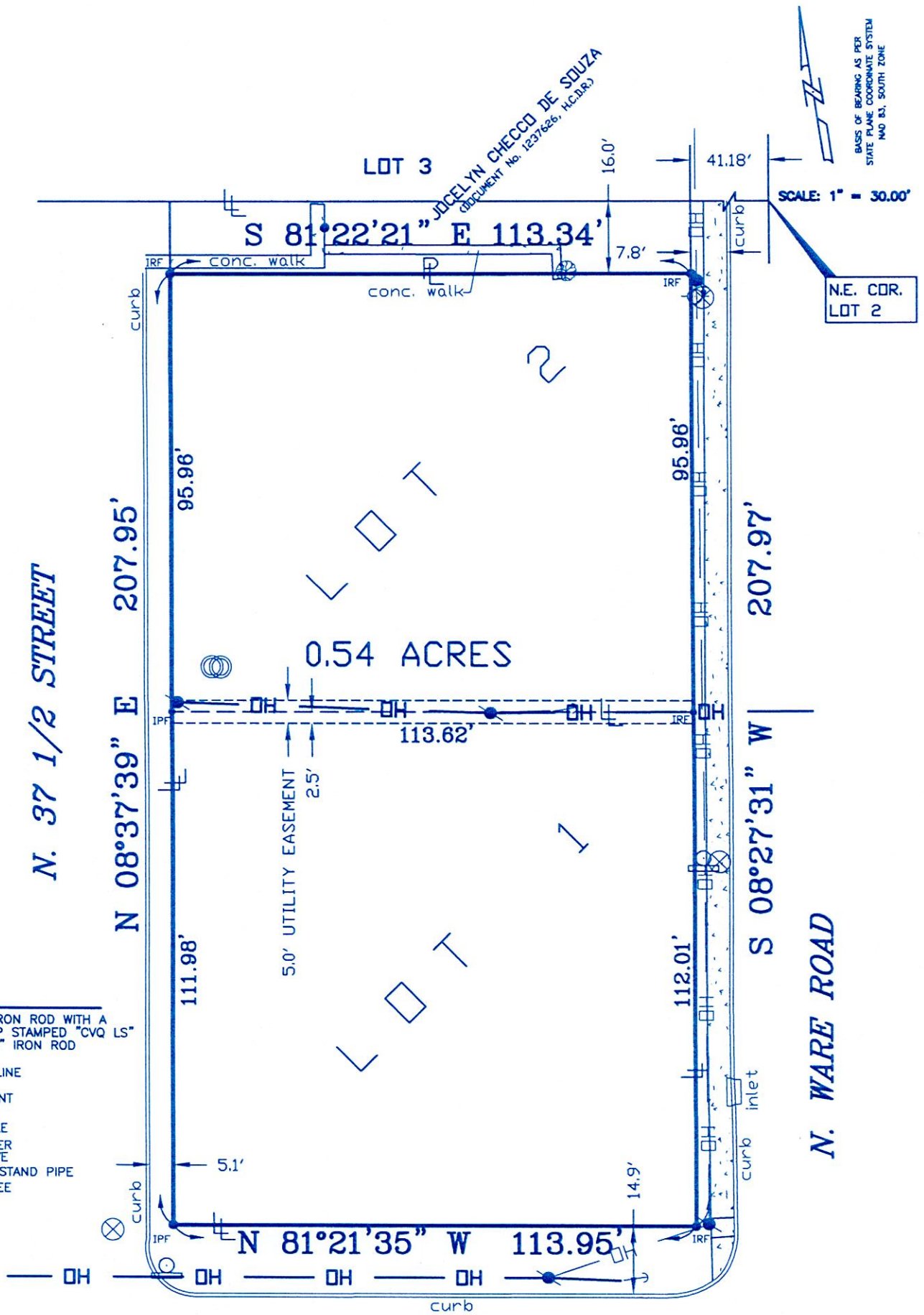
- | | |
|---------------------------------|------------------------------------|
| VAC - VACANT | SCM - SUBURBAN COMMERCIAL |
| EST - ESTATE | URC - URBAN CENTER |
| SUBR - SUBURBAN RESIDENTIAL | UCH - URBAN CENTER HIGH |
| AUSF - AUTO URBAN SINGLE FAMILY | IND - INDUSTRIAL |
| USF - URBAN SINGLE FAMILY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

THOROUGHFARE PLAN

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

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

301 N. Wave Rd.



LEGEND

- IRS = SET 1/2" IRON ROD WITH A PLASTIC CAP STAMPED "CVQ LS"
- IRF = FOUND 1/2" IRON ROD
- IRL = LOT LINE
- IRP = PROPERTY LINE
- IRW = GUY WIRE
- IRH = FIRE HYDRANT
- ISG = SIGN
- IPW = POWER POLE
- IRM = WATER METER
- IRV = WATER VALVE
- IRI = IRRIGATION STAND PIPE
- IRT = FRESNO TREE

FLOOD DESIGNATION

The flood designation for this property is "Zone C" which are "Areas of minimal flooding". As per F.E.M.A.s Flood Insurance Rate Map Panel No.:

Map Revised: November 2, 1982

Flood Zone is determined by graphic plotting only. We do not assume responsibility for exact determination.

NOTES

1. Subject to the subdivision regulations of the County of Hidalgo and/or ordinances or governmental regulations of the city in which the property may be located or holding extraterritorial jurisdiction of said property.
2. This survey was performed without the benefit of a title commitment, and may be subject to easements recorded or unrecorded.
3. If this survey does not bear an original seal and signature, it is INVALID as per Section 663.19 of the "The Professional Land Surveying Practices Act" enacted under Article 5282c, Vernon's Texas Civil Statutes.
4. Easement, rules, regulations and rights in favor of Hidalgo County Irrigation District No. 1, and all visible easements.
5. This certification is made to the herein named client, it is not transferable nor, certified to any owner or future owner or future lending institutions. certification herein will expire 6 months from this date on this plat and may not be utilized for any specific future transaction of this herein named realstate.

CEDAR AVE.

LEGAL DESCRIPTION

This plat is a true and correct representation of a survey made on the ground of the property located at: CEDAR AVE. BETWEEN N. 37 1/2 STREET AND N. WARE ROAD Hidalgo County, Texas, described as follows: 0.54 ACRES OUT OF LOT 1 AND LOT 2 BLOCK 1, GOLDEN ACRES RETIREMENT SUBDIVISION No. J, Hidalgo County, Texas, according to the map or plat thereof recorded in Volume 13, Page 49, Map Records, Hidalgo County, Texas.

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and format is strictly prohibited without
the written consent and permission of
"CVQ Land Surveyors, LLC".



RECEIVED
SEP 02 2020
By RC 2:04pm

SURVEYED DATE:	09/15/11
JOB No.:	110723
DRAWN BY:	PT
CHECKED BY:	C.V.
REVISIONS:	

SURVEYOR'S CERTIFICATION

I, Carlos Vasquez, Registered Professional Land Surveyor, do hereby certify the above forgoing plat to be a true and correct representation of the land as surveyed on September 15, 2011, on the ground under my direction.

Carlos Vasquez
R.P.L.S. No. 4608
STATE OF TEXAS



Y'S
AL LAB

301 N.
Ste. B

WYLD
Ste. C

NOTICE
REZONING
FOR
THIS PROPERTY
REZ2020-0031

INSURANCE

IN
STYLE
SHOP

The Little
MANSHOP

309 N.
Ste. C

Planning Department

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

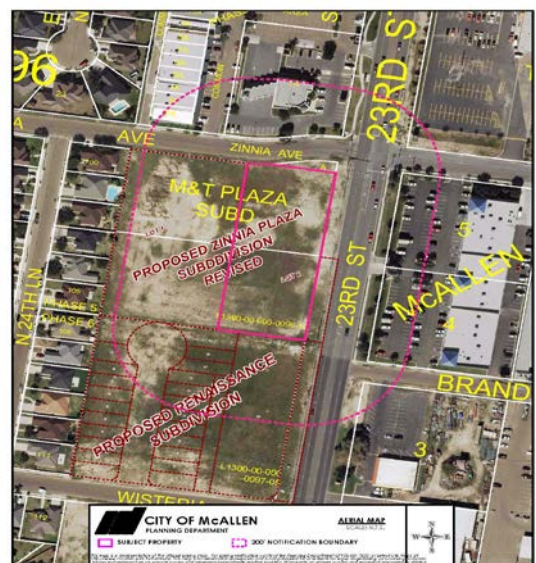
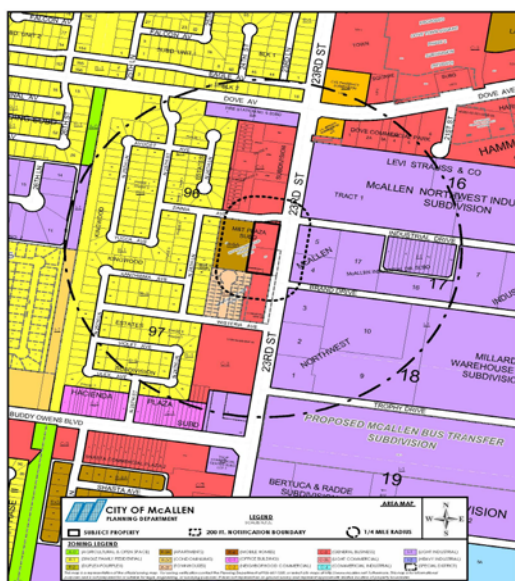
DATE: October 2, 2020

SUBJECT: REZONE FROM C-3 (GENERAL BUSINESS) DISTRICT TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENTS) DISTRICT: A 1.54 ACRE TRACT OF LAND BEING 0.78 ACRES OUT OF LOT 1, M & T PLAZA SUBDIVISION, AND 0.76 ACRES OUT OF LOT 96, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS; 5113 AND 5101 NORTH 23RD STREET.(REZ2020-0029)

LOCATION: The subject property is located at the southwest corner of North 23rd Street and Zinnia Avenue and consists of 1.54 acres with a frontage along North 23rd Street and Zinnia Avenue.

PROPOSAL: The applicant is requesting to rezone the property to R-3A (multi-family residential apartments) District, it and will be part of a larger tract for development of apartment use. The applicant submitted an overall feasibility plan that is proposing 36 2-bedroom.

ADJACENT ZONING: Adjacent zoning is C-3 (general business) District to the north and south, R-3T (multifamily residential townhomes) District to the southwest, I-1 (light industrial) to the east, and R-3A District to the west.



LAND USE: The property is vacant. Surrounding land uses are single family residential, Texas Regional Bank, Tru-Fit, Fuentes Eye Center, Hollywood Haircuts, South Texas Clinic, Subway, and Fire Station #5, Kingwood Village and Texas Plaza, commercial retail centers.

COMPREHENSIVE PLAN: The Foresight McAllen Comprehensive Plan designates the future land use as Auto Urban Commercial. Which is comparable to C-3 (general business) District

DEVELOPMENT TRENDS: The development trend for this area along 23rd Street is commercial use. The subject property and adjacent commercial properties were rezoned from I-1 (light industrial) District to C-3 (general business) District in 1998 as part of the Kingwood Estates development. There have been no other rezoning requests for the subject property since that time. The adjacent tract to the west was rezoned to R-3A District in 2013 and a .59-acre strip to the west was rezoned in 2017. The requested rezoning is enlarging the existing R-3A area by 1.54 acres.

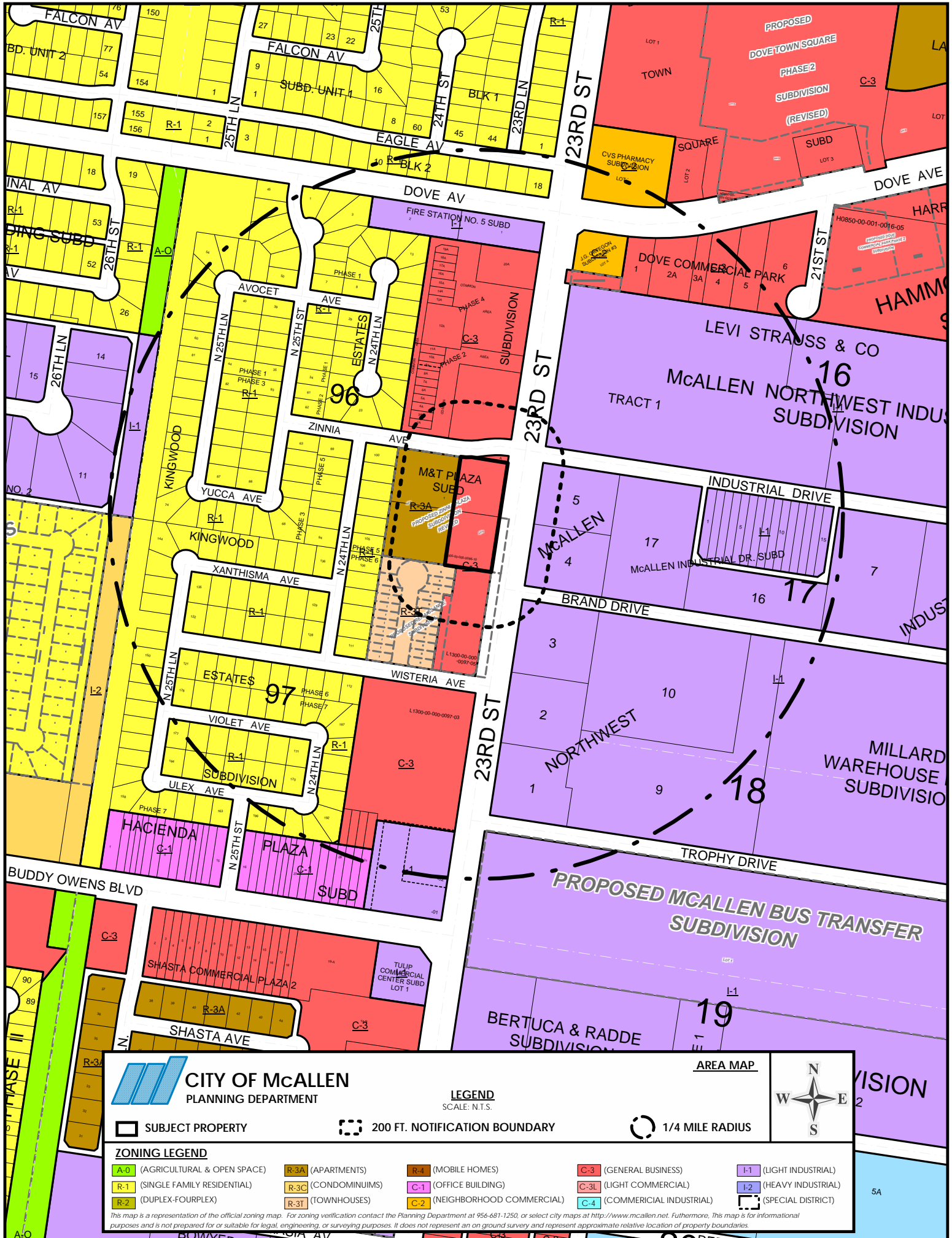
ANALYSIS: The requested zoning does not conform to the Auto Urban Commercial land use designation as indicated on the Foresight McAllen Comprehensive Plan. However, the proposed zoning is to be part of a larger proposed apartment development with 36 2-bedroom units.

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

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

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

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



CITY OF McALLEN
PLANNING DEPARTMENT

LEGEND
SCALE: N.T.S.

SUBJECT PROPERTY

200 FT. NOTIFICATION BOUNDARY

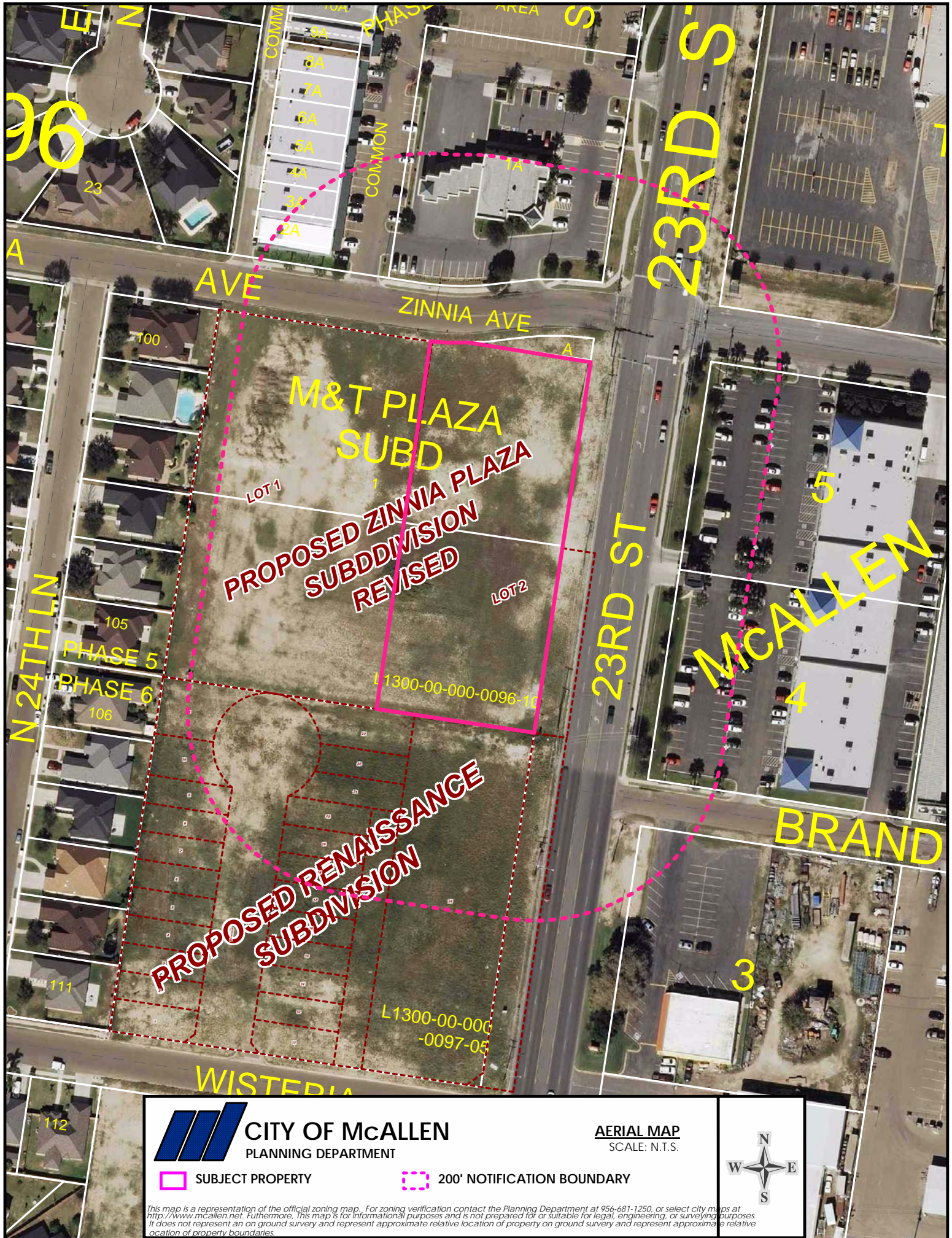
1/4 MILE RADIUS



ZONING LEGEND

(AGRICULTURAL & OPEN SPACE)	(APARTMENTS)	(MOBILE HOMES)	(GENERAL BUSINESS)	(LIGHT INDUSTRIAL)
(SINGLE FAMILY RESIDENTIAL)	(CONDOMINIUMS)	(OFFICE BUILDING)	(LIGHT COMMERCIAL)	(HEAVY INDUSTRIAL)
(DUPLEX-FOURPLEX)	(TOWNHOUSES)	(NEIGHBORHOOD COMMERCIAL)	(COMMERCIAL INDUSTRIAL)	(SPECIAL DISTRICT)

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



CITY OF McALLEN
PLANNING DEPARTMENT

AERIAL MAP
SCALE: N.T.S.

 **SUBJECT PROPERTY**

 **200' NOTIFICATION BOUNDARY**



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ZINNIA AVENUE
EXIST. 40.0' B-B

EXIST. 40.0' B-B



PROPOSED 72 UNITS

RECEIVED

AUG 21 2020

BY: Ced

METES AND BOUNDS

A 1.54 acre tract of land being a 0.78 acres out of Lot 1, M & T PLAZA, according to the map recorded in volume 55, page 194, map records, Hidalgo County, Texas, and a 0.76 acres out of a certain acre tract out of lot 96, La Lomita Irrigation and Construction Company's Subdivision, according to the map recorded in volume 24, page 68, deed records, Hidalgo County, Texas, and being more particularly described by metes and bounds as follows;

Beginning a ½ inch iron rod found on the west R.O.W. line of N 23rd street for the northeast corner of lot 1, M & T Plaza Subdivision and the northeast corner of this tract;

S 08°42'30" W, along the west R.O.W line of N. 23rd street, a distance of 39398.15 feet to a point for the southeast corner of this tract

TENCE; N 81°17'30" W, a distance of 169.10 feet to a point for the southwest corner of this tract; THENCE

THENCE; N 08°42'30" E, a distance of 394.57 feet to a point for the northwest corner of this tract;.

THENCE; along the north line of lot 1 of M & T Plaza Subdivision and the south R.O.W. line of Zinnia Avenue, along an arc to the left having a Radius of 53.51 feet and a length of 33.55 feet to a ½ inch iron rod found for an interior corner of this tract, thence S 81°17'30" E , a distance of 135.76 feet to the point of beginning and containing 1.54 acres of land more or less.



A 1.54 ACRE TRACT OF LAND BEING A 0.78 ACRES OUT OF LOT 1, M & T PLAZA SUBDIVISION, ACCORDING TO THE MAP RECORDED IN VOLUME 55, PAGE 194, MAP RECORDS, HIDALGO COUNTY, TEXAS, AND A 0.76 ACRES OUT OF A CERTAIN 1.97 ACRE TRACT OF LAND OUT OF LOT 96, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY'S SUBDIVISION, ACCORDING TO THE MAP RECORDED IN VOLUME 24, PAGE 68, DEED RECORDS, HIDALGO COUNTY, TEXAS.



Planning Department

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

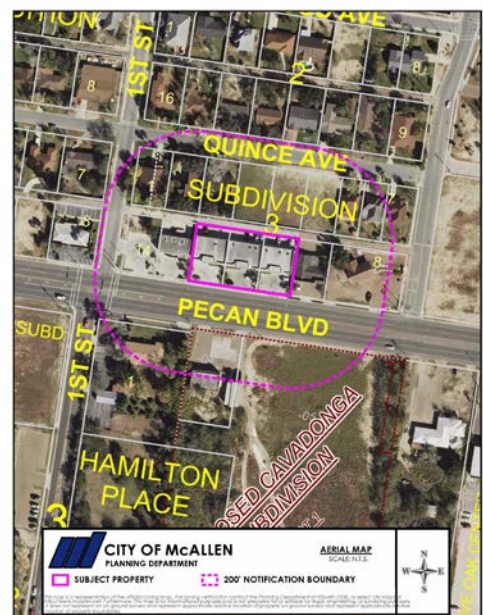
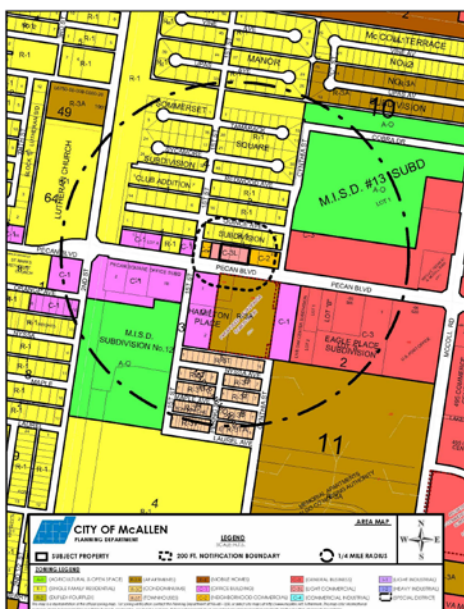
DATE: October 2, 2020

SUBJECT: REZONE FROM C-3L (LIGHT COMMERCIAL) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: LOTS 10, 11, AND 12, BLOCK 3, CLUB ADDITION AMENDED, HIDALGO COUNTY, TEXAS; 125 EAST PECAN BOULEVARD, 119 EAST PECAN BOULEVARD, 113 EAST PECAN BOULEVARD. (REZ2020-0028)

LOCATION: The subject properties are located along the north side of Pecan Boulevard. The tract consists of three lots and has a total frontage of 220 ft. along Pecan Boulevard.

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

ADJACENT ZONING: The adjacent zoning is R-1 (single-family residential) District to the north, C-2 (neighborhood commercial) District to the east, C-3L (light commercial), R-3A (multifamily residential apartments) District to the south, and C-1 (office building) District to the south.



LAND USE: The property is currently used as a retail plaza. It contains a Fannie's Hair Salon, a High Rollerz Smoke Shop, Static Vapor, and vacant retail spaces. Surrounding land uses are single-family residences, 5 Star Insurance Agency, LLC., Your Tax Service, and vacant lots.

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

DEVELOPMENT TRENDS: The development trend for the area along Pecan Boulevard is commercial along the north side.

HISTORY: The property was zoned R-1 District during comprehensive zoning in May 1979.

On October 2005, the City Commission Board approved a rezoning request from C-1 District to C-3L District on lot 10, 125 E Pecan Boulevard.

On November 05, 2002, the City Commission Board approved a rezoning request from C-2 District to C3-L District for lots 11 and 12, 113 E Pecan Boulevard.

On June 11, 2001, the City Commission Board approved a rezoning request from R-1 District to C2 District for lots 11 and 12, 113 E Pecan Boulevard.

On April 14, 1997, the City Commission Board approved a rezoning request from R-1 District to C-1 District on lot 10, 125 E Pecan Boulevard.

ANALYSIS: The requested zoning does not conform to the Urban Single Family land use designation as indicated on the Foresight McAllen Comprehensive Plan. The proposed rezoning is not consistent with the C-3L (light commercial) District rezoning trends for this area.

Pecan Boulevard is designated as a Principal Arterial with 120 feet of right of way and is constructed as a 4-lane roadway, left turn lane, curb and gutter, streetlights and a posted speed limit of 35 miles per hour.

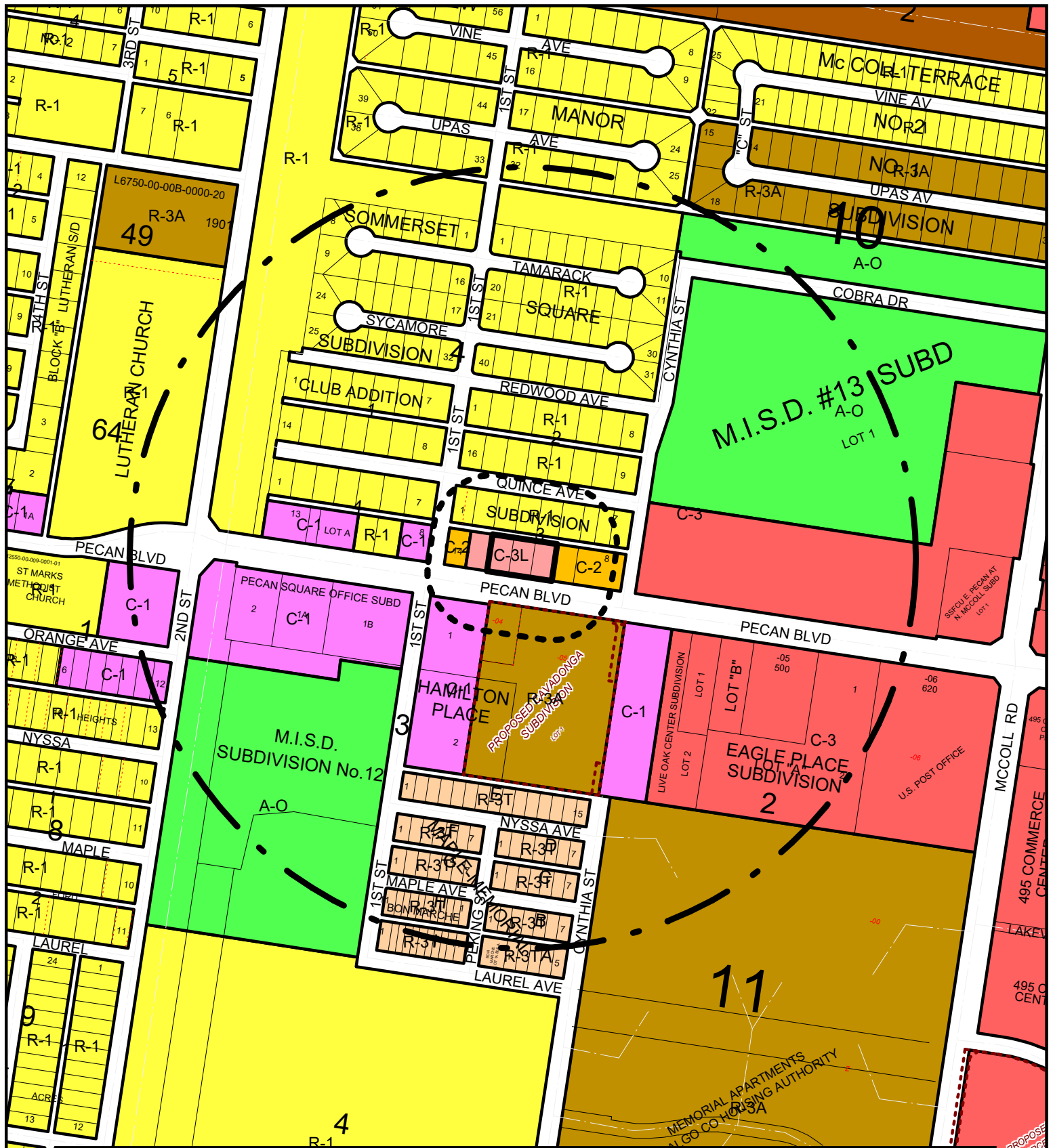
A recorded subdivision plat and approved site plan are required prior to building permit issuance.

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

RECOMMENDATION: Staff recommends disapproval of the rezoning request to C-3 (general business) District.

PLANNING AND ZONING COMMISSION MEETING OF SEPTEMBER 16, 2020:

At the Planning and Zoning Commission meeting of September 16, 2020, the applicant was not present. No one appeared in opposition to the rezoning request. At the request of the applicant, the Board unanimously voted to table the rezoning request. There were six members present and voting.



CITY OF McALLEN PLANNING DEPARTMENT

LEGEND
SCALE: N.T.S.

SUBJECT PROPERTY

200 FT. NOTIFICATION BOUNDARY

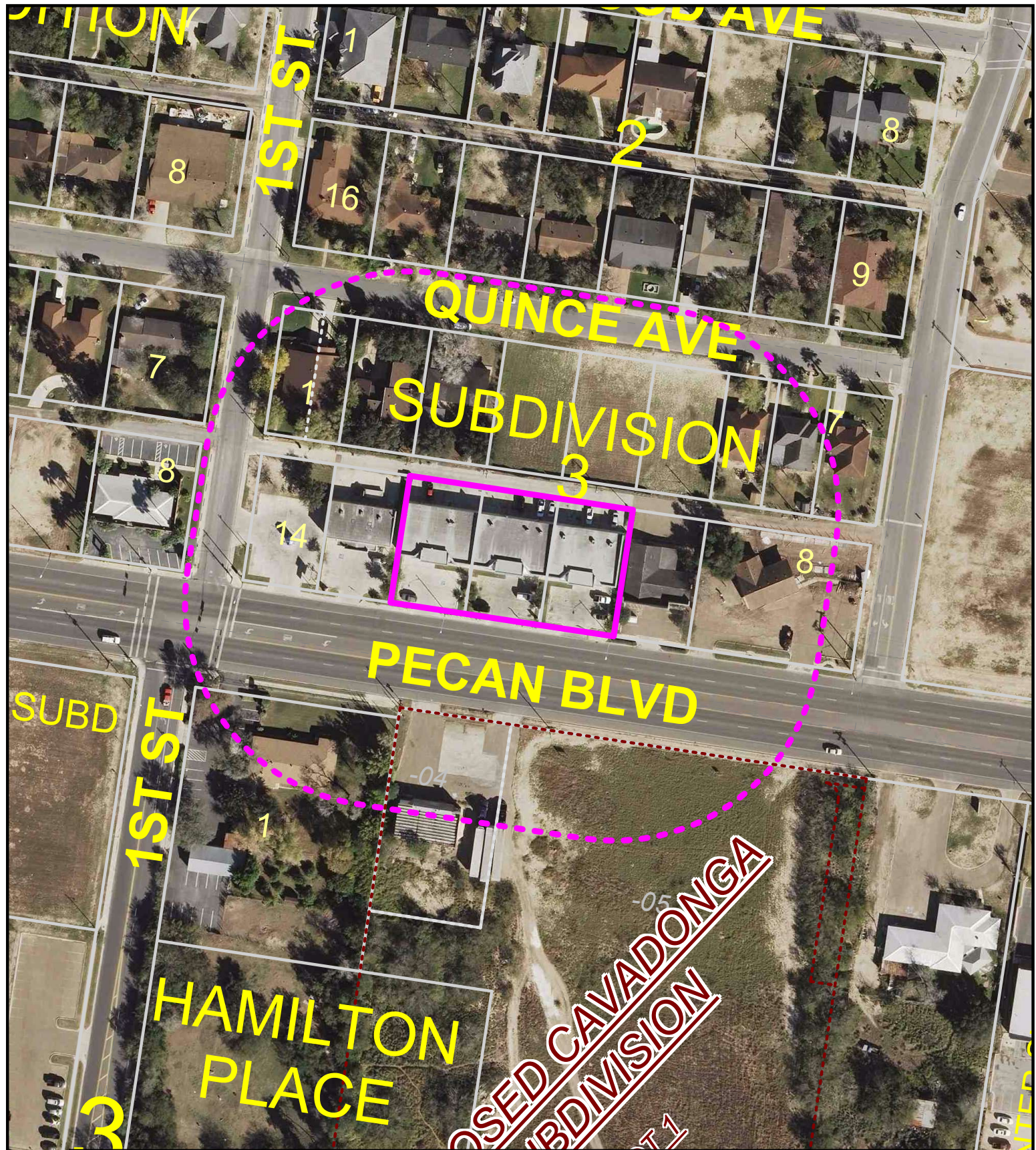
1/4 MILE RADIUS



ZONING LEGEND

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

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CITY OF McALLEN
PLANNING DEPARTMENT

AERIAL MAP
SCALE: N.T.S.



SUBJECT PROPERTY



200' NOTIFICATION BOUNDARY



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MAD
OF
WEST HIGHLAND ADDITION
MC ALLEN, TEXAS
BEING THE
SUBDIVISION OF
LOT 2 & THE EAST 1/2 OF LOT 14, SECTION 10,
HIDALGO COUNTY, TEXAS
OR PORTIONS OF, BEING
HIDALGO COUNTY, TEXAS
SCALE 1"=100' DATE FEB 1953

STATE OF TEXAS
COUNTY OF HIDALGO

I, A. L. FABIAN, OWNER OF THE PROPERTY HEREIN DESCRIBED, DO HEREBY
APPROVE, DEDICATE AND CONFIRM THE FOREGOING PLAT, AND DO HEREBY DEDICATE
TO THE PUBLIC FOR USE AS SUCH THE STREETS AND ALLEYS THEREIN DESIGNATED.

STATE OF TEXAS
COUNTY OF HIDALGO

SUBSCRIBED AND SWORN TO before me on this 12th day of Feb. A.D. 1953

Robert A. Fabian
A. FABIAN

Robert A. Fabian
Robert A. Fabian
Notary Public in and for
Hidalgo County, Texas
My Commission Expires
June 12, 1953

THIS PLAT APPROVED FEB. 17, 1953, BY THE MC ALLEN BOARD OF PLANNING BOARD.

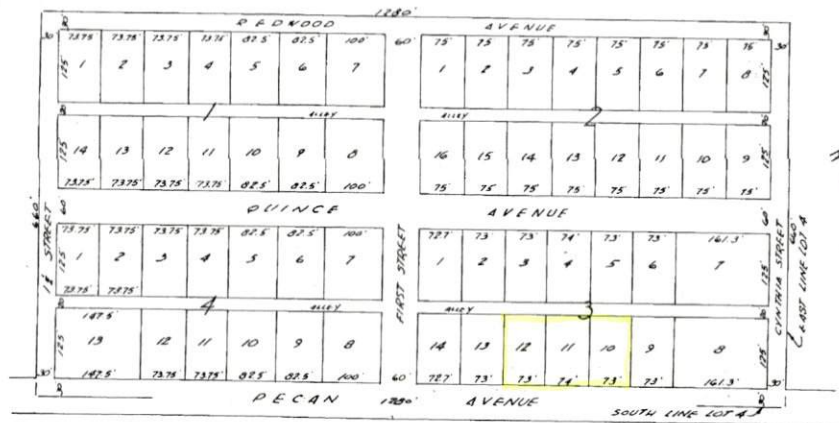
Robert A. Fabian
Robert A. Fabian
Notary Public in and for
Hidalgo County, Texas

THIS PLAT APPROVED BY THE CITY COMMISSION OF THE CITY OF MC ALLEN, TEXAS,
ON THE 17th day of Feb. A.D. 1953

William C. Schupp
William C. Schupp
City Secretary

I, C. L. FABIAN, A LICENSED LAND SURVEYOR, DO HEREBY CERTIFY THE FOREGOING
PLAT TO BE A TRUE AND CORRECT REPRESENTATION OF SURVEY MADE BY ME
ON THE GROUND DURING THE MONTH OF Feb. 1953.

C. L. Fabian
C. L. FABIAN
LICENSED LAND SURVEYOR FOR MC ALLEN, TEXAS



MAD
CLUB ADDITION AMENDED
MC ALLEN, TEXAS
BEING THE 1/2 SUBDIVISION
OF THE SOUTH 1/2 OF LOT 14, SECTION 10,
HIDALGO COUNTY, TEXAS
SCALE 1"=100'

STATE OF TEXAS
COUNTY OF HIDALGO

FROM ALL ORIGIN OF THESE PRESENTS THAT BY THE FOLLOWING: I, C. L. FABIAN, OWNER OF LOT 13, BEING 42; RUTH DUNN, OWNER OF LOTS 7 & 8, BEING 31;
C. L. FABIAN, OWNER OF LOTS 3 & 4, BEING 1, and LOTS 5, 6, 7 & 8, BEING 42; ROBERT J. FABIAN, OWNER OF ALL OTHER LOTS -
CUBA ADDITION DESCRIBED, DO HEREBY APPROVE, DEDICATE AND CONFIRM THE FOREGOING PLAT AND DO HEREBY DEDICATE TO THE PUBLIC THE STREETS AND
ALLEYS THEREIN DESIGNATED.

C. L. Fabian *Robert J. Fabian* *Ruth Dunn* *C. L. Fabian* *Robert J. Fabian* *Ruth Dunn*

STATE OF TEXAS
COUNTY OF HIDALGO

SUBSCRIBED AND SWORN TO before me, the undersigned authority, on this 12th day of December, A.D. 1952

G. C. Jackson
G. C. Jackson
Notary Public in and for
Hidalgo County, Texas

APPROVED BY THE MC ALLEN BOARD OF PLANNING BOARD ON THE 12th day of December, A.D. 1952

William C. Schupp
William C. Schupp
City Secretary

I, C. L. FABIAN, A LICENSED LAND SURVEYOR, DO HEREBY CERTIFY THE FOREGOING PLAT TO BE A TRUE AND CORRECT PLAT OF THIS ADDITION AS SUBMITTED BY
ME ON THIS 12th day of December, A.D. 1952.

C. L. Fabian
C. L. FABIAN
LICENSED LAND SURVEYOR
MC ALLEN, TEXAS

Filed for Record This Date at 10:40 AM, March 2, 1953.

RECEIVED
AUG 14 2020

BY: *[Signature]*



ART SALINAS

ENGINEERING & SURVEYING

1524 DOVE AVENUE,

McALLEN, TEXAS 78504

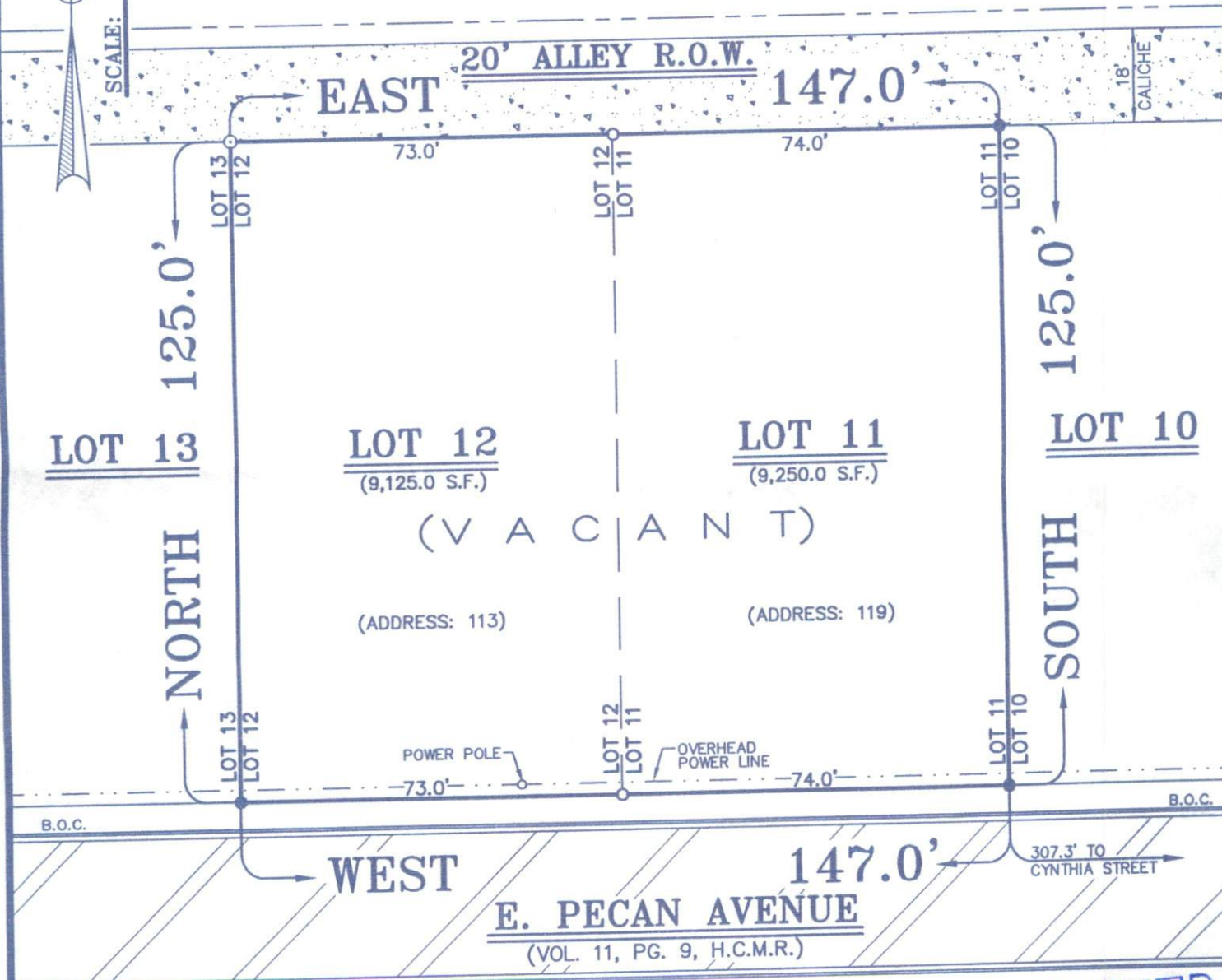
PH: (956) 618-5565

FAX: (956) 618-5540



LEGEND

- - DENOTES FOUND 1/2" ROD
- - DENOTES FOUND 5/8" PIPE

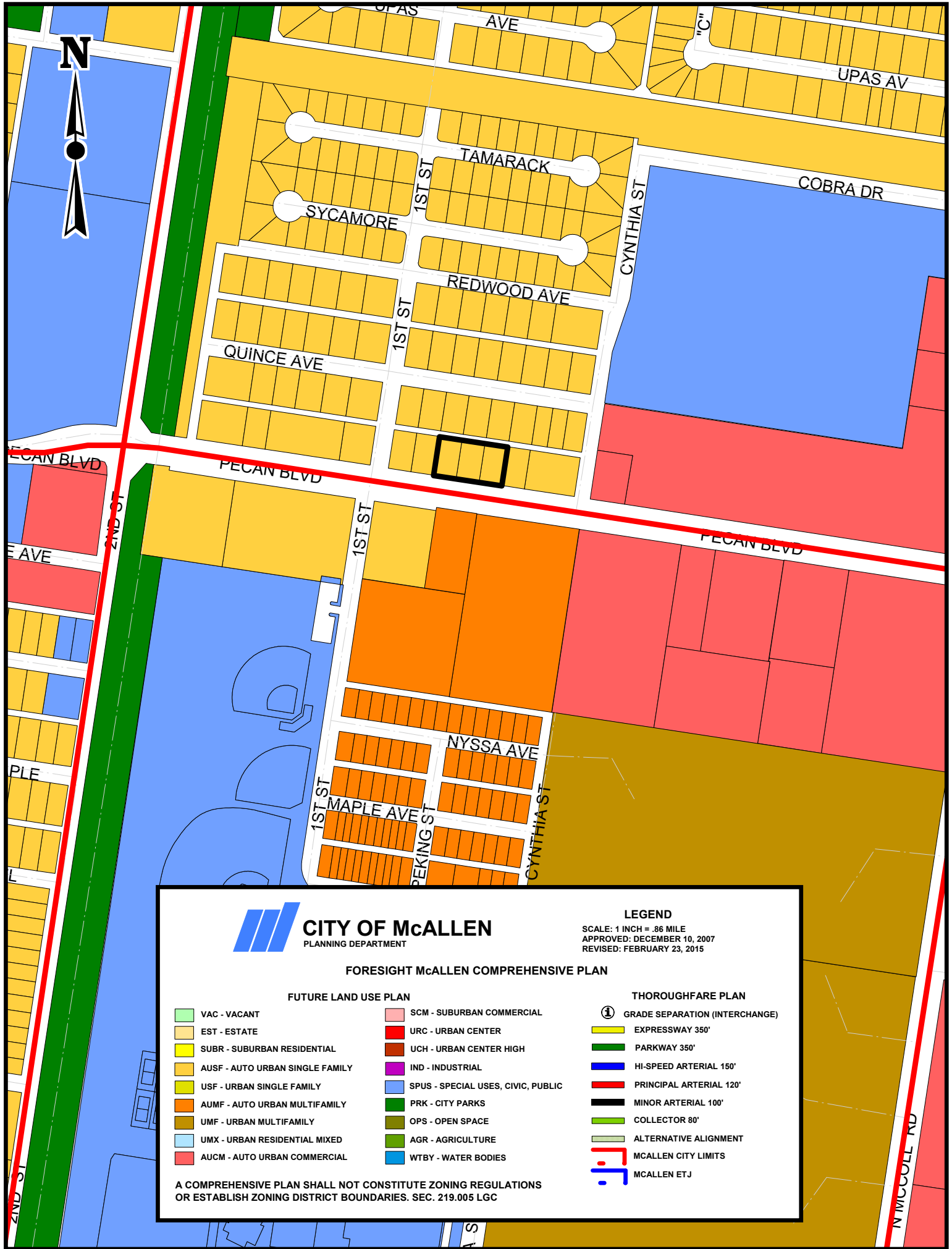


RECEIVED
AUG 14 2020

BY: *[Signature]*

FLOOD CERTIFICATION: The property shown hereon lies in Zone "B". Zone "B" areas lie between limits of the 100-year flood and 500-year flood; or certain areas subject to 100-year flooding with average depths less than one (1) foot or where the contributing drainage area is less than one square mile; or areas protected by levees from the base flood as per F.E.M.A. Flood Insurance Rate Map Panel No. 480343-0005-C dated 11-02-82.

- PLAT NOTES:**
- There are no discrepancies, conflict or shortages in area or boundary lines, any encroachments, or any overlapping of improvements except as shown or noted hereon.
 - This survey plat is prepared in connection with Title Policy G.F.# 707769 and is for the exclusive use of the client named hereon. This survey and/or copies may not be transferred to another party without the express written consent of the surveyor.
 - If this survey does not bear an original seal and signature it is **INVALID** as per Section 661.46 and Section 663.19 of the "The Professional Land Surveying Practices Act" enacted under Article 5282c, Vernon's Texas Civil Statutes.
 - Easements, Rules, Regulations and Rights in favor of Hidalgo County Irrigation District No. 2. (Blanket)



Planning Department

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

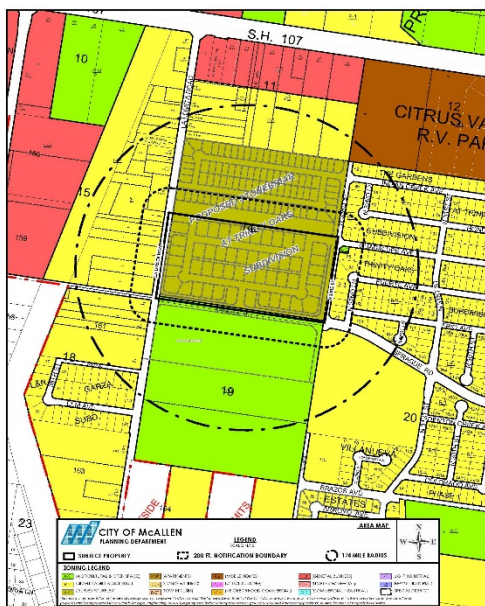
DATE: October 2, 2020

SUBJECT: REZONE FROM R-2 (DUPLEX-FOURPLEX RESIDENTIAL) DISTRICT TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENTS) DISTRICT: 21.18 ACRES OUT OF LOT 14, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS; 11200 NORTH LA LOMITA ROAD. (REZ2020-0026)

LOCATION: The subject property consists of 21.18 acres with a frontage of 699 ft. along La Lomita Road.

PROPOSAL: The applicant is requesting to rezone the property to R-3A (single-family residential) District. An application for a subdivision for the subject property under the name of Stonebriar at Trinity Oaks Subdivision in order to establish unattached duplex units has been submitted and received approval in preliminary form on June 2, 2020 by the Planning and Zoning Commission.

ADJACENT ZONING: The adjacent zoning is R-1 (single-family residential) District to the north, east, and west, R-4 (mobile homes) District to the northeast, R-2 (duplex-fourplex residential) District to the south, and A-O (agriculture and open space) District to the east.



LAND USE: The property is currently vacant. Surrounding land uses are single-family residences, and vacant lots.

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

DEVELOPMENT TRENDS: The development trend for the area along La Lomita Road is single family residential

HISTORY: The property was zoned A-O District during comprehensive zoning in May 1979.

On January 23, 2006, The City Commission Board approved a rezoning request from to A-O District to R-2 District.

ANALYSIS: The requested zoning does not conform to the Urban Single Family land use designation as indicated on the Foresight McAllen Comprehensive Plan. The proposed zoning is not consistent with the development and rezoning trends for this area.

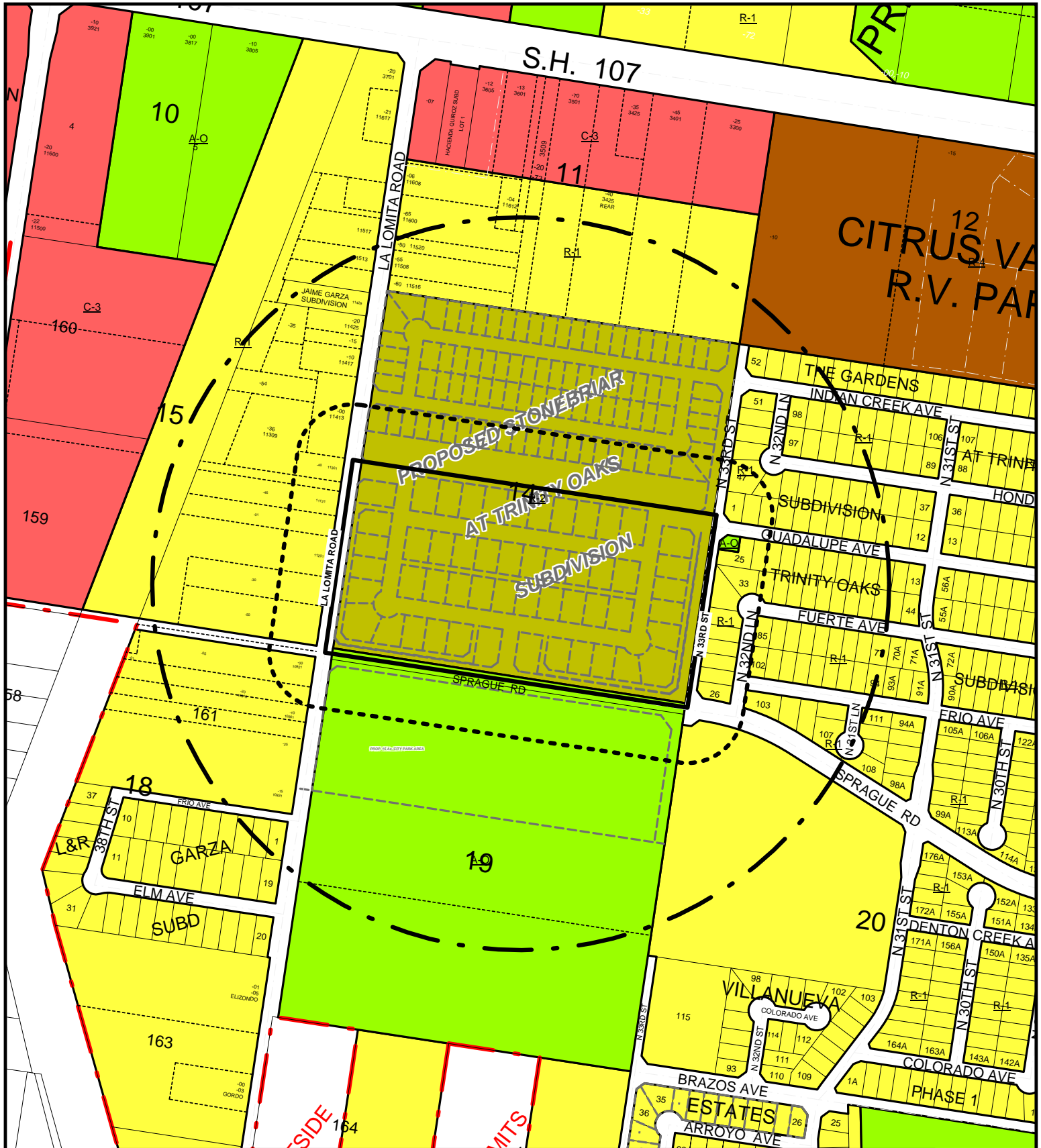
A recorded subdivision plat and approved site plan are required prior to building permit issuance.


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

RECOMMENDATION: Staff recommends disapproval of the rezoning request to R-3A (multifamily residential apartments) District

PLANNING AND ZONING COMMISSION MEETING OF SEPTEMBER 16, 2020:


At the Planning and Zoning Commission meeting of September 16, 2020, the applicant was present. No one appeared in opposition to the rezoning request. The Board unanimously voted to table the rezoning request in order to allow the applicant time to consider the option of a Planned Unit Development. There were six members present and voting.







CITY OF McALLEN
PLANNING DEPARTMENT
















LEGEND
SCALE: N.T.S.

 **SUBJECT PROPERTY**

 **200 FT. NOTIFICATION BOUNDARY**

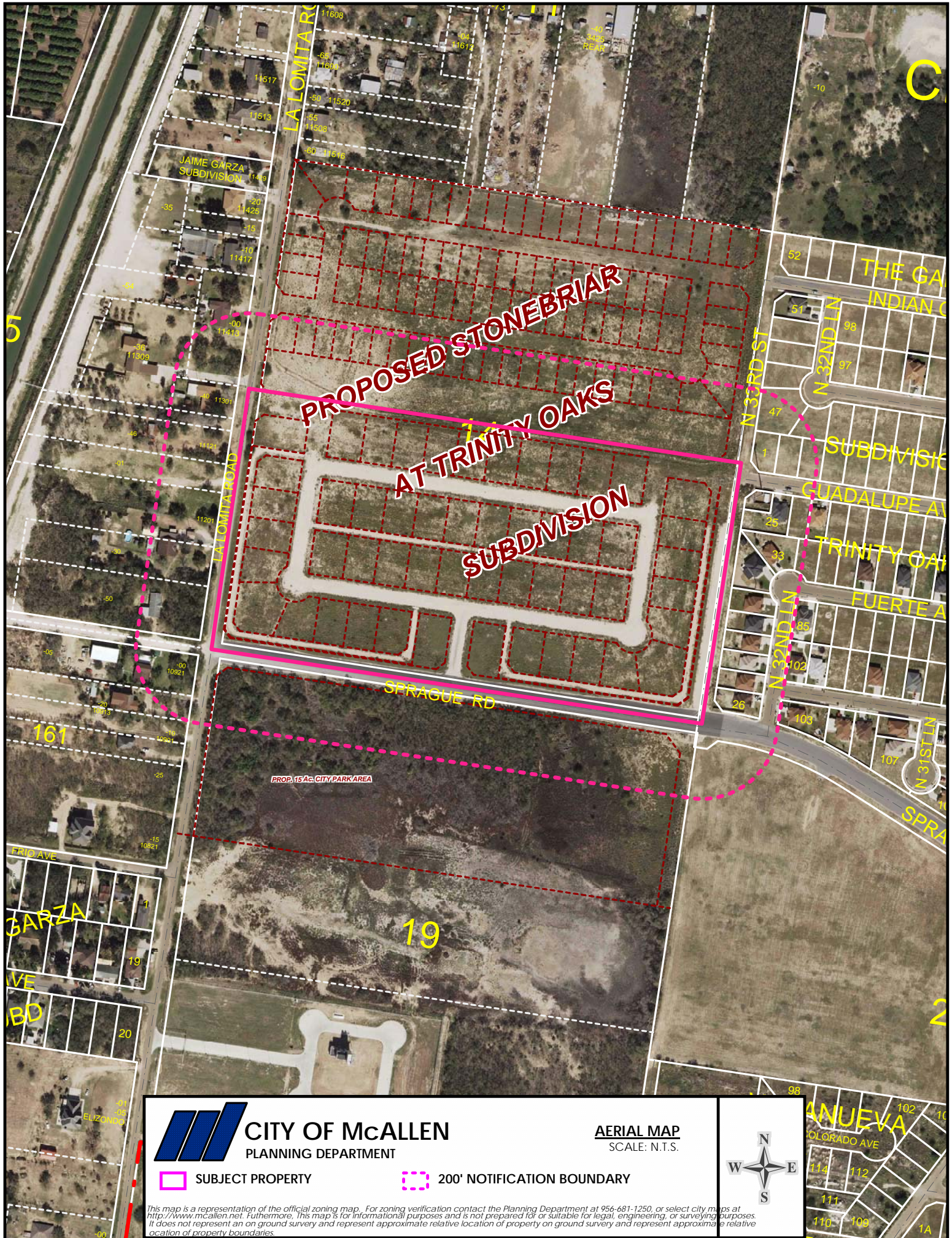
 **1/4 MILE RADIUS**

ZONING LEGEND

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

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CITY OF McALLEN
PLANNING DEPARTMENT

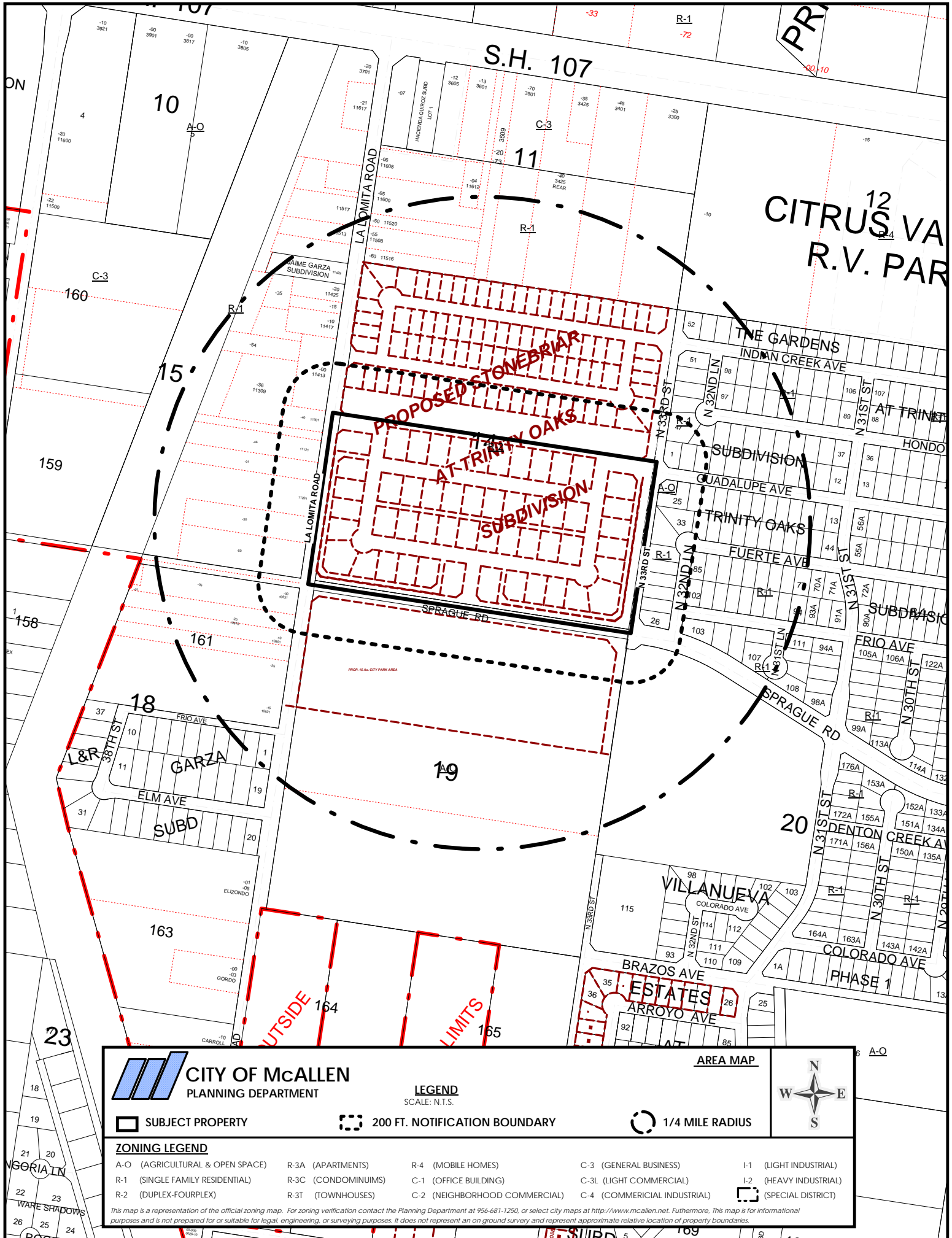
AERIAL MAP
SCALE: N.T.S.


 **SUBJECT PROPERTY**

 **200' NOTIFICATION BOUNDARY**




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CITY OF McALLEN
PLANNING DEPARTMENT

LEGEND
SCALE: N.T.S.

 SUBJECT PROPERTY

 200 FT. NOTIFICATION BOUNDARY

 1/4 MILE RADIUS

ZONING LEGEND

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

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ROBLES &
ASSOCIATES, PLLC

FIRM No. 10096700

PROFESSIONAL LAND SURVEYORS

P.O. BOX 476

WESLACO, TEXAS 78599-0476

PHONE (956) 968 - 2422

FAX (956) 969 - 2011

DESCRIPTION OF 21.18 ACRES OF LAND OUT OF LOT 14,
LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY SUBDIVISION,
HIDALGO COUNTY, TEXAS

Being 21.18 acres of land situated in Hidalgo County, Texas and being out of Lot 14, La Lomita Irrigation and Construction Company Subdivision as per map recorded in Volume 24, Page 68 of the Hidalgo County Deed Records, and said 21.18 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a cotton picker spindle set for the southwest corner of said Lot 14 and for the southwest corner of said tract herein described;

THENCE, NORTH 8°35'58" EAST, 699.00 feet with the centerline of North La Lomita Road, the east line of Lot 15 and the west line of said Lot 14 to a point for the northwest corner of said tract herein described;

THENCE, SOUTH 81°24'02" EAST, with a line parallel to the south line of said Lot 14, passing at a distance of 20.00 feet the east right-of-way line of North La Lomita Road, and continuing for a total distance of 1,320.00 feet to a point on the east line of said Lot 14 for the northeast corner of said tract herein described;

THENCE, SOUTH 8°35'58" WEST, 699.00 feet with the west line of 33rd Street (35.0 feet wide) and the east line of said Lot 14 to a point on the centerline of Sprague Road (Mile 7 North Road) for the southeast corner of said Lot 14 and the southeast corner of said tract herein described from which a found nail bears SOUTH 8°35'58" WEST 0.6 feet and SOUTH 81°24'02" EAST 0.8 feet;

THENCE, NORTH 81°24'02" WEST, 1,320.00 feet with the south line of said Lot 14 and the centerline of said Sprague Road to the POINT OF BEGINNING and containing 21.18 acres of land more or less.

Surveyed: July 19, 2019

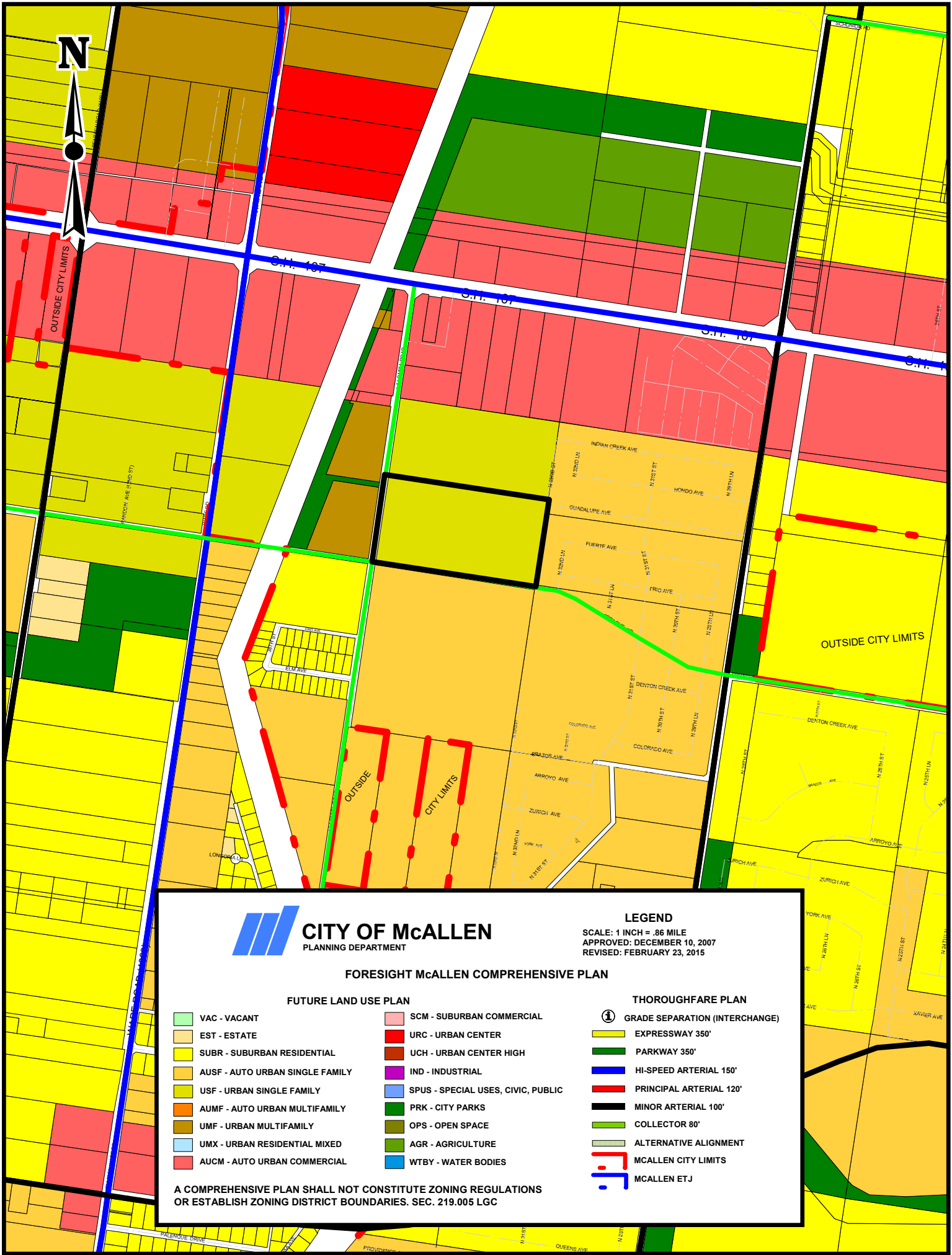
Basis of bearings: Texas State Plane Coordinate System South Zone;

20212-2

8-14-20

Reynaldo Robles, R.P.L.S. #4032





Planning Department

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

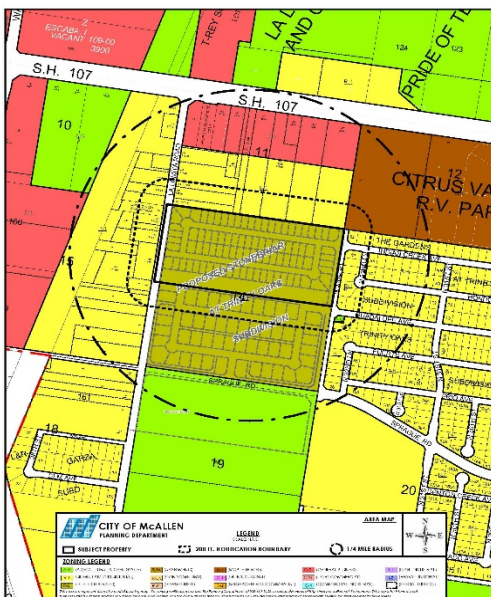
DATE: October 2, 2020

SUBJECT: REZONE FROM R-2 (DUPLEX-FOURPLEX RESIDENTIAL) DISTRICT TO R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT: 18.82 ACRES OUT OF LOT 14, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS; 11300 NORTH LA LOMITA ROAD. (REZ2020-0027)

LOCATION: The property is a tract that fronts La Lomita Road and has a frontage of 621 ft. along La Lomita Road.

PROPOSAL: The applicant is requesting to rezone the property to R-1 (single-family residential) District. An application for a subdivision for the subject property under the name of Stonebriar at Trinity Oaks Subdivision for single-family residences has been submitted and received approval in preliminary form on June 2, 2020 by the Planning and Zoning Commission.

ADJACENT ZONING: The adjacent zoning is R-1 (single-family residential) District to the east, and west, R-2 (duplex-fourplex residential) District to the north, and A-O (agriculture and open space) District to the south and east.



LAND USE: The property is currently vacant. Surrounding land uses are single-family residences, and vacant lots.

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

DEVELOPMENT TRENDS: The development trend for the area along La Lomita Road is single family residential

HISTORY: The property was zoned A-O District during comprehensive zoning in May 1979.

On January 23, 2006, The City Commission Board approved a rezoning request from to A-O District to R-2 District.

ANALYSIS: The requested zoning conforms to the Urban Single Family land use designation as indicated on the Foresight McAllen Comprehensive Plan. The proposed zoning is consistent with the development and rezoning trends for this area.

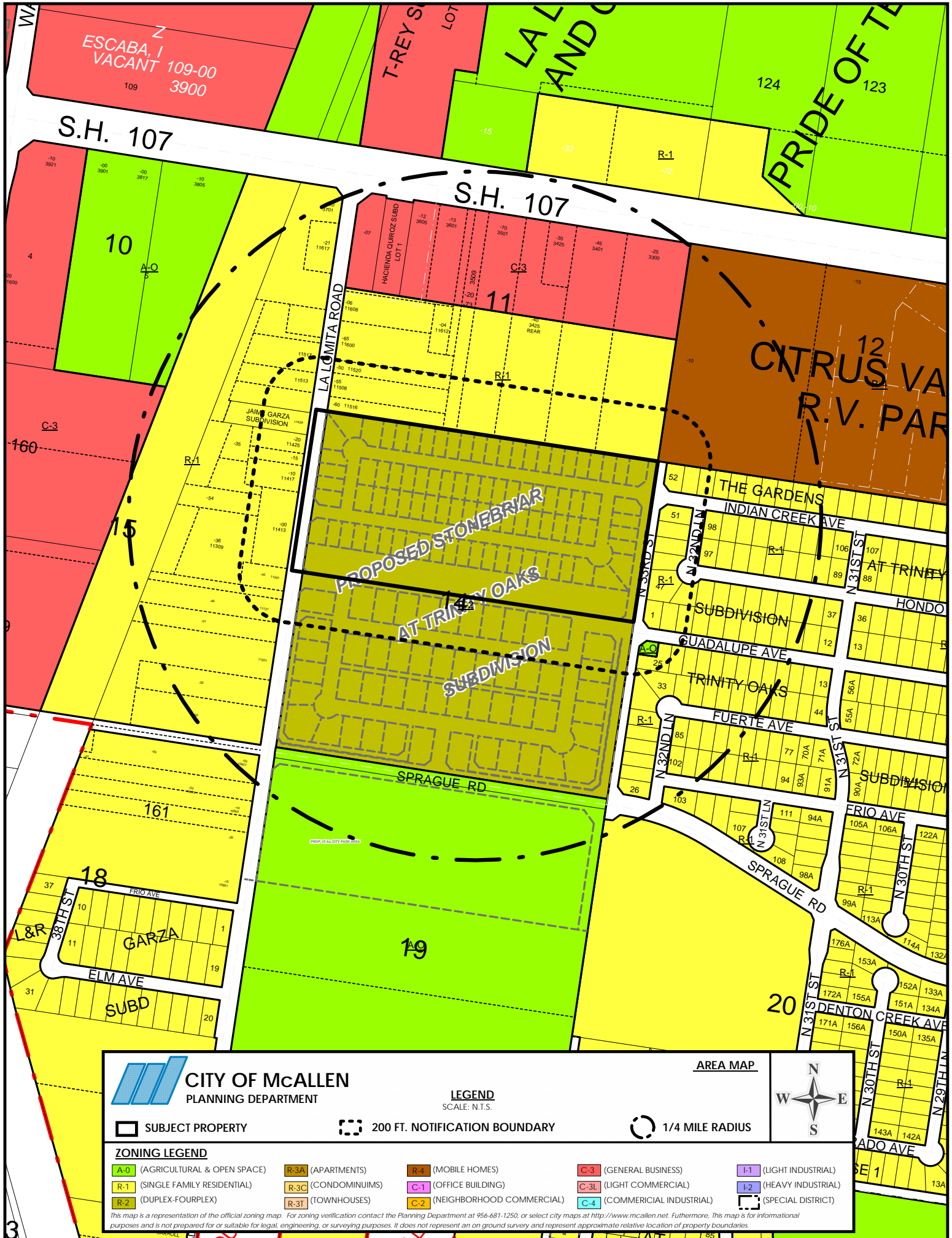
A recorded subdivision plat and approved site plan are required prior to building permit issuance.


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

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

PLANNING AND ZONING COMMISSION MEETING OF SEPTEMBER 16, 2020:


At the Planning and Zoning Commission meeting of September 16, 2020, the applicant was present. No one appeared in opposition to the rezoning request. The Board unanimously voted to table the rezoning request in order to allow the applicant time to consider the option of a Planned Unit Development. There were six members present and voting.







CITY OF McALLEN
PLANNING DEPARTMENT
















LEGEND
SCALE: N.T.S.

 **SUBJECT PROPERTY**

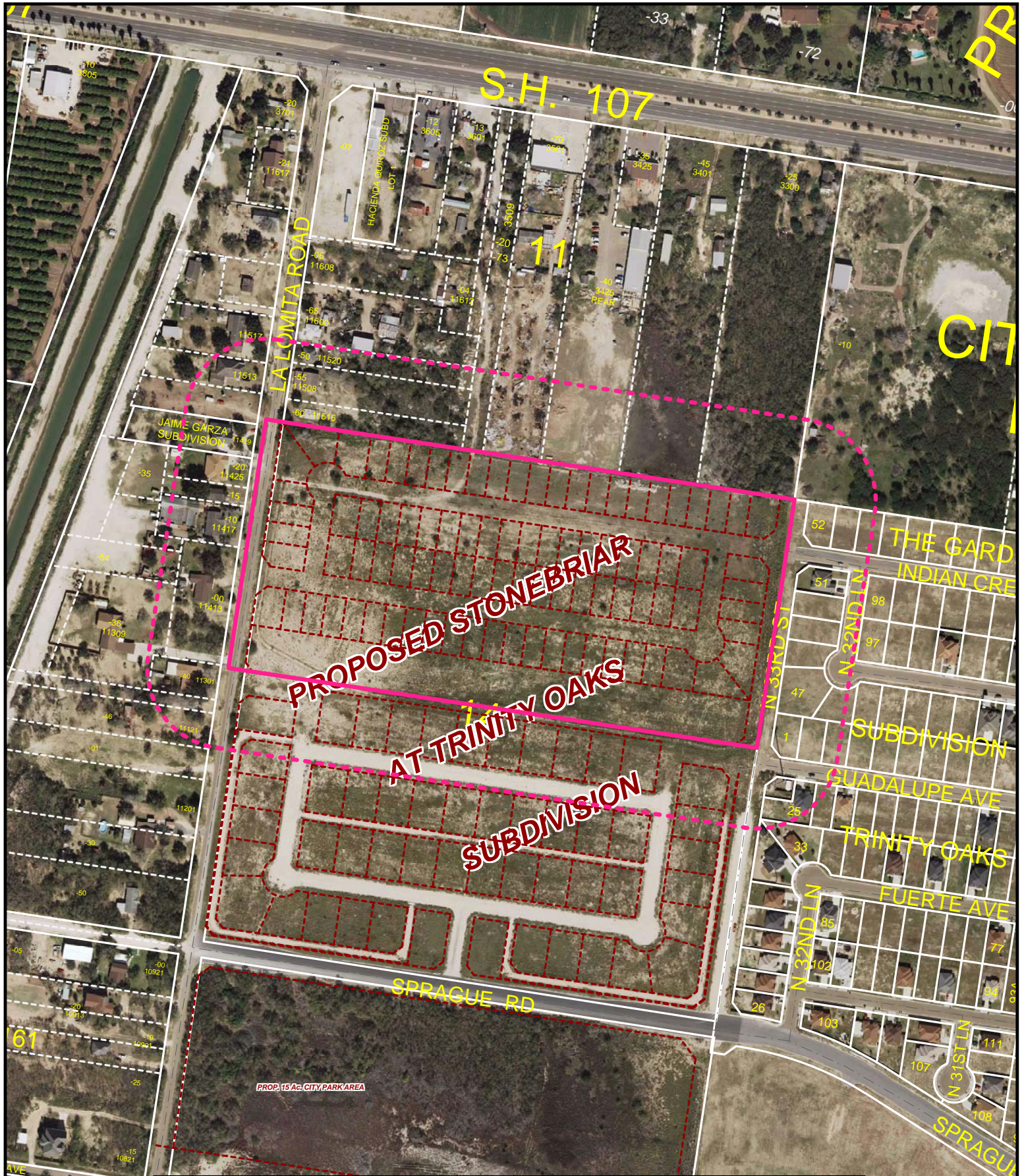
 **200 FT. NOTIFICATION BOUNDARY**

 **1/4 MILE RADIUS**

ZONING LEGEND

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

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



CITY OF McALLEN
PLANNING DEPARTMENT

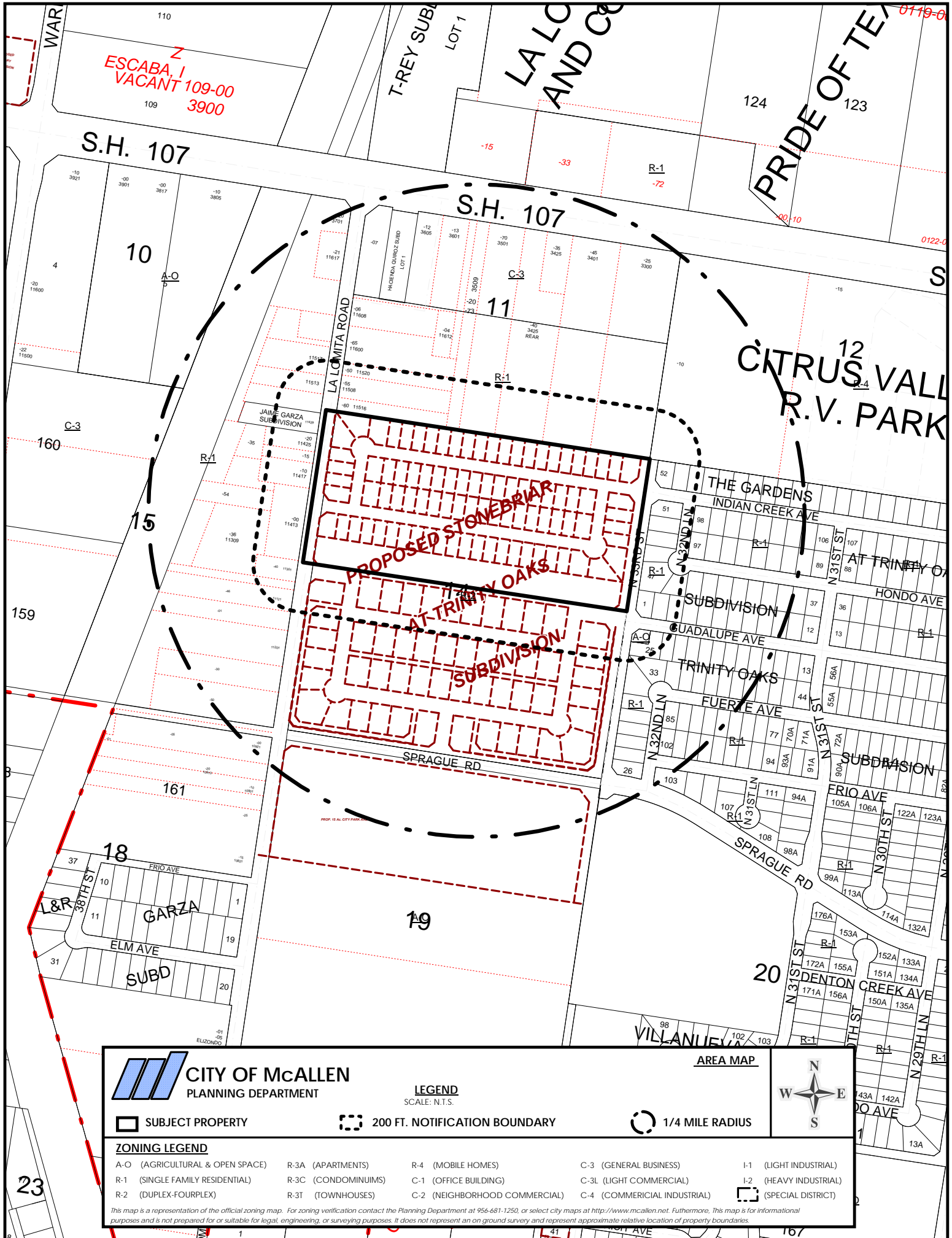
AERIAL MAP
SCALE: N.T.S.


 **SUBJECT PROPERTY**

 **200' NOTIFICATION BOUNDARY**




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CITY OF McALLEN
PLANNING DEPARTMENT

LEGEND
SCALE: N.T.S.

 SUBJECT PROPERTY

 200 FT. NOTIFICATION BOUNDARY

 1/4 MILE RADIUS

ZONING LEGEND

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

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ROBLES &
ASSOCIATES, PLLC

FIRM No. 10096700

PROFESSIONAL LAND SURVEYORS

P.O. BOX 476

WESLACO, TEXAS 78599-0476

PHONE (956) 968 - 2422

FAX (956) 969 - 2011

DESCRIPTION OF 18.82 ACRES OF LAND OUT OF LOT 14,
LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY SUBDIVISION,
HIDALGO COUNTY, TEXAS

Being 18.82 acres of land situated in Hidalgo County, Texas and being out of Lot 14, La Lomita Irrigation and Construction Company Subdivision as per map recorded in Volume 24, Page 68 of the Hidalgo County Deed Records, and said 18.82 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron rod found for the northeast corner of said Lot 14 and the northeast corner of said tract herein described;

THENCE, SOUTH 8°35'58" WEST, 621.00 feet with the west line of 33rd Street (35.0 feet wide) and the east line of said Lot 14 to a point for the southeast corner of said tract herein described;

THENCE, NORTH 81°24'02" WEST, with a line parallel to the north line of said Lot 14, passing at a distance of 1300.00 feet the east right-of-way line of North La Lomita Road, and continuing for a total distance of 1320.00 feet to a point on the west line of said Lot 14 and the centerline of said North La Lomita Road for the southwest corner of said tract herein described;

THENCE, NORTH 8°35'58" EAST, 621.00 feet with the centerline of said North La Lomita Road, the east line of Lot 15 and the west line of said Lot 14 to a 1/2-inch iron rod with a plastic cap stamped "R&A" set for the northeast corner of said Lot 15, the northwest corner of said Lot 14 and the northwest corner of said tract herein described;

THENCE, SOUTH 81°24'02" EAST, with the north line of said Lot 14 and the south line of Lot 11, passing at a distance of 20.00 feet the east right-of-way line of said North La Lomita Road, and continuing for a total distance of 1,320.00 feet to the POINT OF BEGINNING and containing 18.82 acres of land more or less.

Surveyed: July 19, 2019

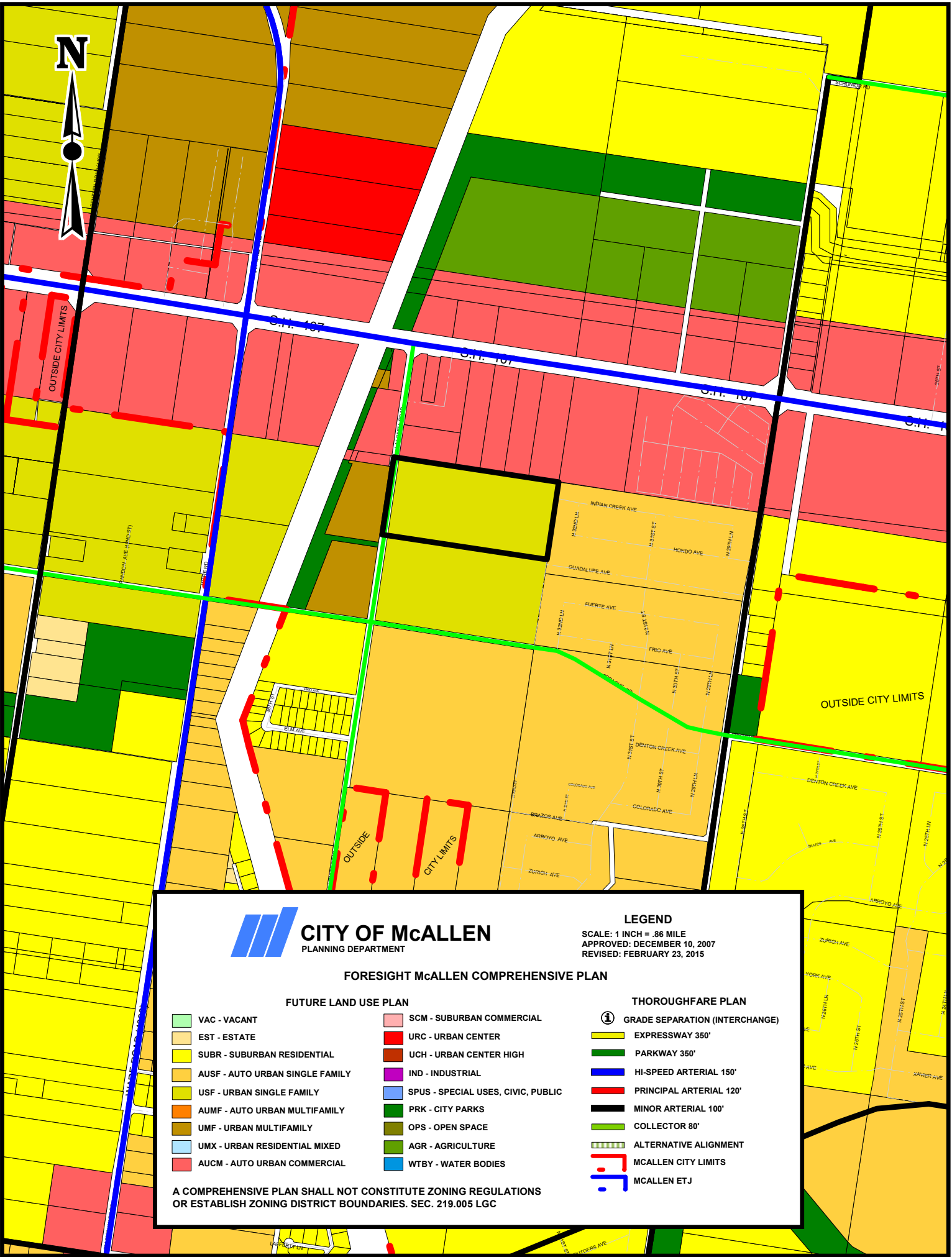
Basis of bearings: Texas State Plane Coordinate System South Zone;

20212-1

8-14-20

Reynaldo Robles, R.P.L.S. #4032





CITY OF McALLEN
PLANNING DEPARTMENT

LEGEND
SCALE: 1 INCH = .86 MILE
APPROVED: DECEMBER 10, 2007
REVISED: FEBRUARY 23, 2015

FORESIGHT McALLEN COMPREHENSIVE PLAN

FUTURE LAND USE PLAN

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

THOROUGHFARE PLAN

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

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

Memo

TO: Planning and Zoning Commission

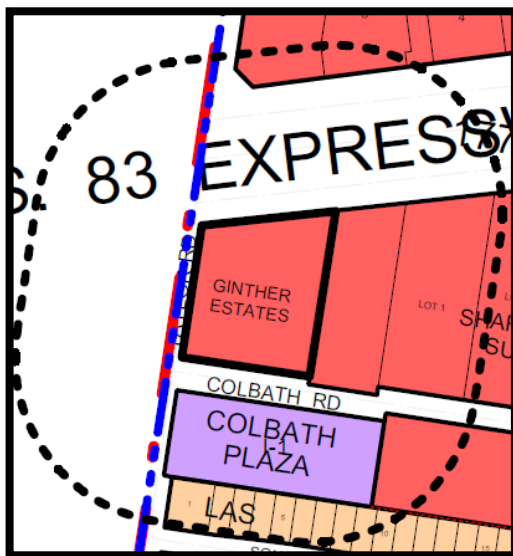
FROM: Planning Staff

DATE: October 2, 2020

SUBJECT: REQUEST OF KIEN QUOC TRAN FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A SOCIAL CLUB AT LOT 1, GINTHER ESTATES SUBDIVISION, HIDALGO COUNTY, TEXAS, 5025 WEST EXPRESSWAY 83, SUITE 100. (CUP2020-0098)

DESCRIPTION:

The property is located on the south side of Expressway 83, approximately 300 ft. east of Taylor Road and is zoned C-3 (general business) District. The adjacent zoning is C-3 District to the north and east, and I-1 (light industrial) District to the south. The surrounding land uses include commercial businesses, restaurants, beauty salon, gym, and bars. A social club is allowed in a C-3 zone with a conditional use permit and in compliance with requirements.



HISTORY:

The previous tenant KO Social Club was issued a certificate of occupancy for a restaurant on March 1, 2019. Conditions noted require a Conditional Use Permit should the use (bar) change.

ANALYSIS:

The applicant is proposing a social club, in an existing 7,000 sq. ft. building. The proposed hours of operation are from 1:00 P.M. to 7:00 A.M. daily. A Conditional Use Permit is required for a social club. The applicant must comply with the Health and Fire Department requirements. The establishment must also meet the requirements set forth in Section 138-118(4) of the

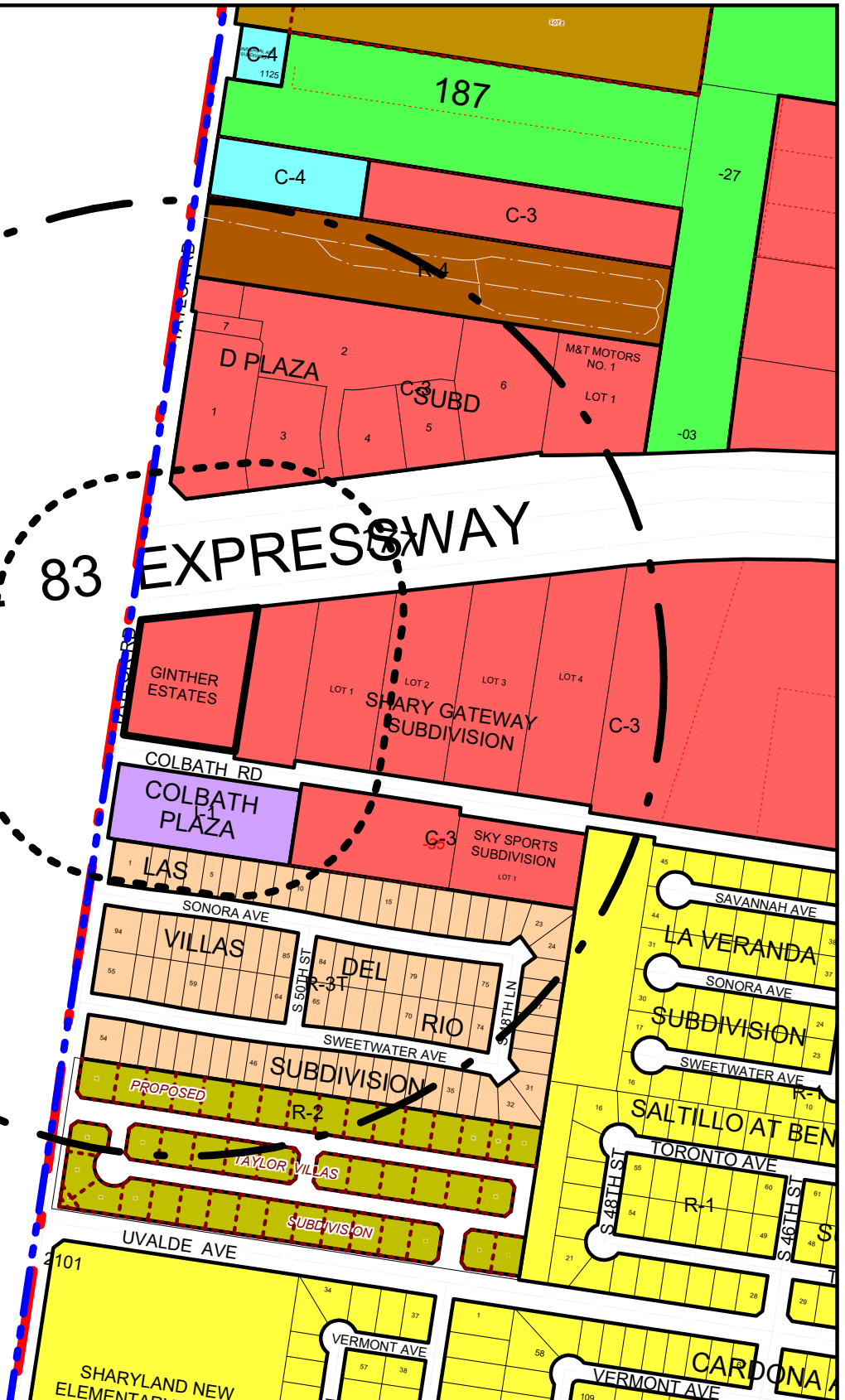
Zoning Ordinance and specific requirements as follows:

- 1) The property line of the lot of any of the abovementioned businesses must be at least 400 feet from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruptions of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The establishment is less than 400 ft. of a residential subdivision to the south of the subject property;
- 2) The abovementioned businesses must be as close as possible to a major arterial, and shall not allow the traffic generated by such businesses onto residential streets, or allow such traffic to exit into and disrupt residential areas. The subject property has frontage on expressway 83 and does not generate traffic into residential areas;
- 3) The abovementioned businesses must provide parking in accordance with the city off-street parking ordinance as a minimum, and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional onsite parking. The proposed bar requires 160 parking spaces, there are 149 total parking spaces provided. Parking spaces must comply with Section 138-400 of the Ordinance and must be clearly striped and pavement surface shall be maintained free of litter, debris, loose gravel, cracks and potholes before final inspection of building permit;
- 4) The abovementioned businesses must do everything possible to prevent the unauthorized parking by the patrons of such businesses on adjacent business or residential properties including, when necessary, the installation of fences and hedges, and the reorientation of entrances;
- 5) The abovementioned businesses should do everything possible and be designed to discourage criminal activities and vandalism, both on the site and on adjacent properties. Included would be provision of sufficient lighting and perimeter fencing, elimination of dark areas, and the orientation of the building such that it provides maximum visibility of as much as possible of the site from a public street;
- 6) The abovementioned businesses must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties;
- 7) The abovementioned businesses shall restrict the number of persons within the building to those allowed by the planning and zoning commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Director of Planning. This number cannot exceed the number provided for in existing city ordinances.

RECOMMENDATION:

Staff recommends disapproval of the request based on non-compliance with requirement #1 (distance) and requirement #3 (parking) of Section 138-118(4) of the Zoning Ordinance. If approved, Conditional Use Permit must comply with conditions noted.

U.S. 83 EXPRESSWAY



CITY OF McALLEN

PLANNING DEPARTMENT

LEGEND

SCALE: N.T.S.

SUBJECT PROPERTY

400 FT. NOTIFICATION BOUNDARY

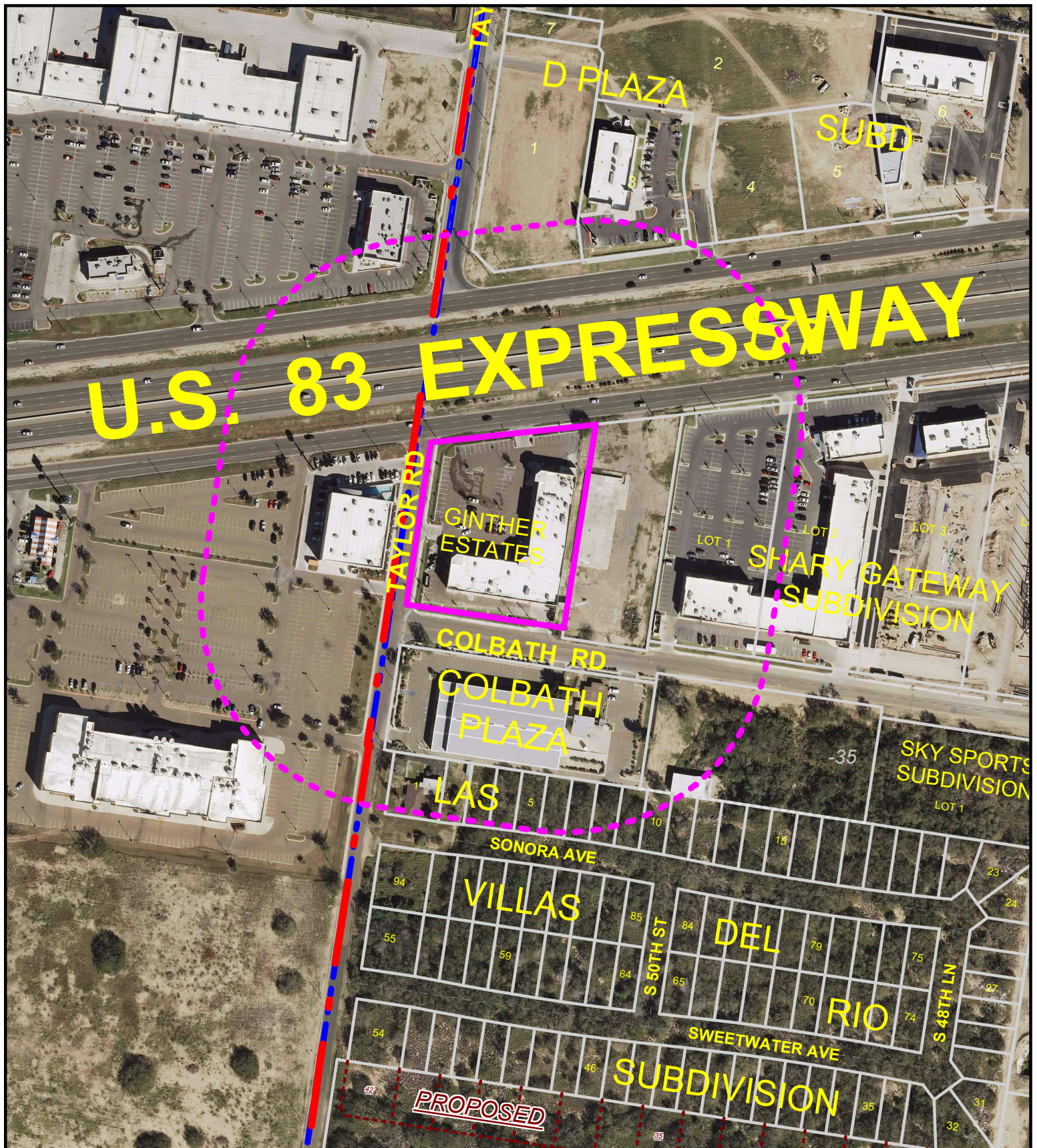
1/4 MILE RADIUS



ZONING LEGEND

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

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CITY OF McALLEN
PLANNING DEPARTMENT

AERIAL MAP
SCALE: N.T.S.



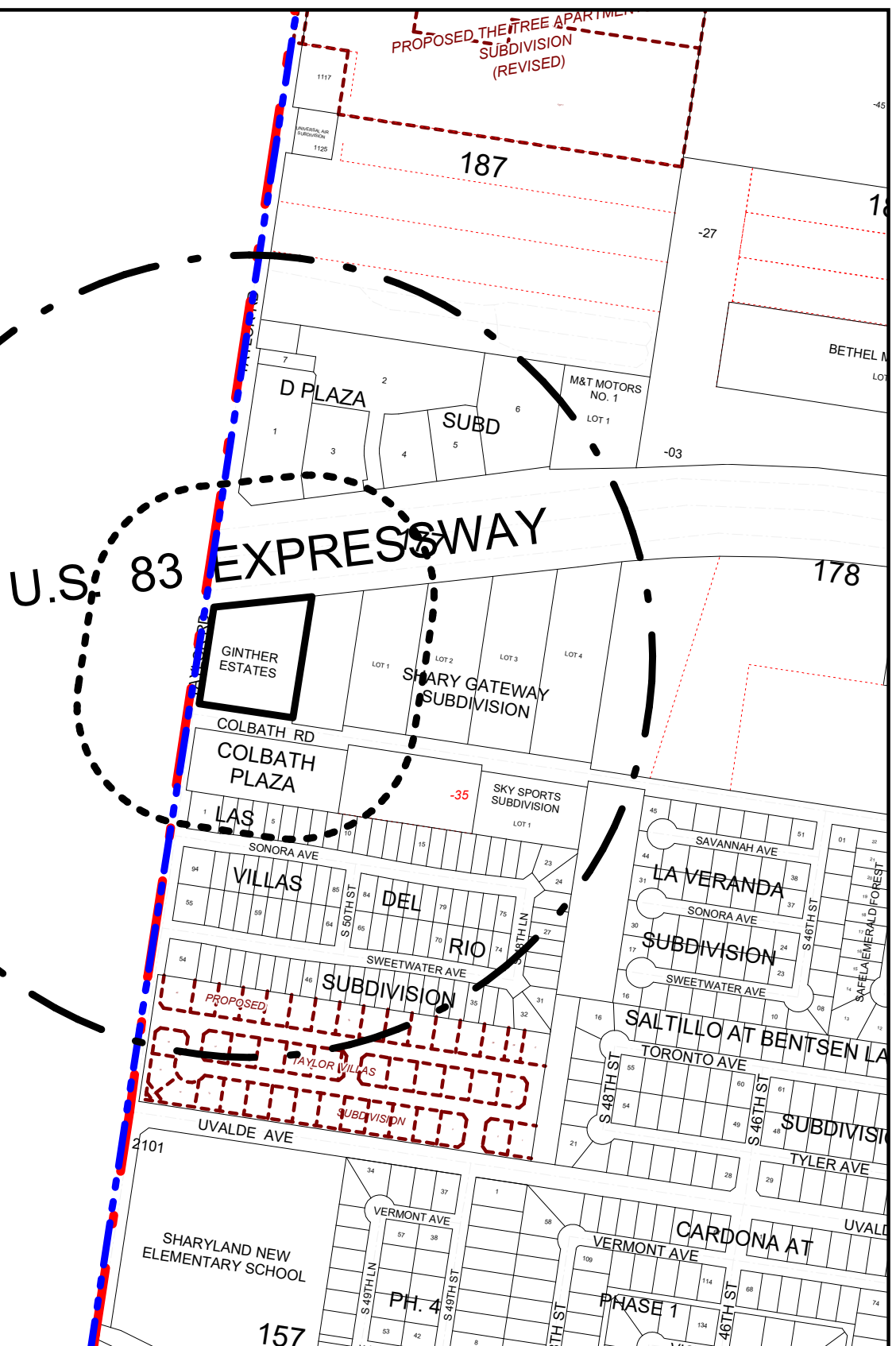
SUBJECT PROPERTY



400' NOTIFICATION BOUNDARY



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CITY OF McALLEN
PLANNING DEPARTMENT

AREA MAP

LEGEND

SCALE: N.T.S.

SUBJECT PROPERTY

400 FT. NOTIFICATION BOUNDARY

1/4 MILE RADIUS

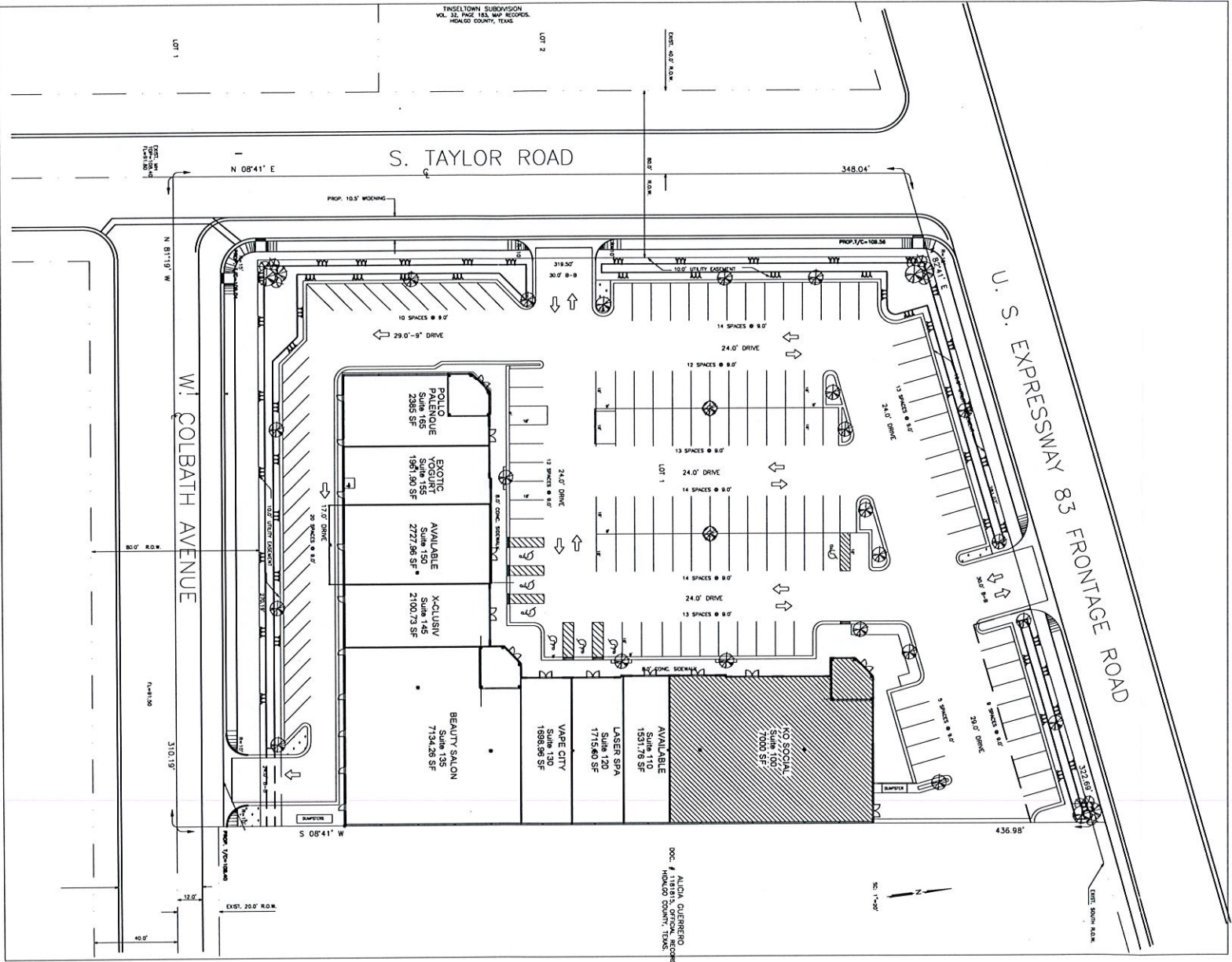


ZONING LEGEND

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

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RECEIVED
SEP 02 2020
By C4:04pm



1 SITE PLAN
SCALE: 1/32" = 1'-0"

					Project:	
Project Name:		Owner Name:		Revision	No.	Date
GMR CONSTRUCTION 5025 W. Expressway 83 Suite 135, Int 108 McAllen, TX 78503		KO SOCIAL 5025 W. Expy 83 Ste 100 McAllen, TX, 78503		Kien Quoc Tran 13406 Juniper Point Dr Houston, TX 77083		General Notes:

General Notes:

Revision	No.	Date

Owner Name:

KIEN QUOC TRAN
13406 Juniper Point Dr.
Houston, TX. 77083

Project Name:

KO SOCIAL
5025 W. Expy 83 Ste
100
McAllen, TX. 78503

Project:

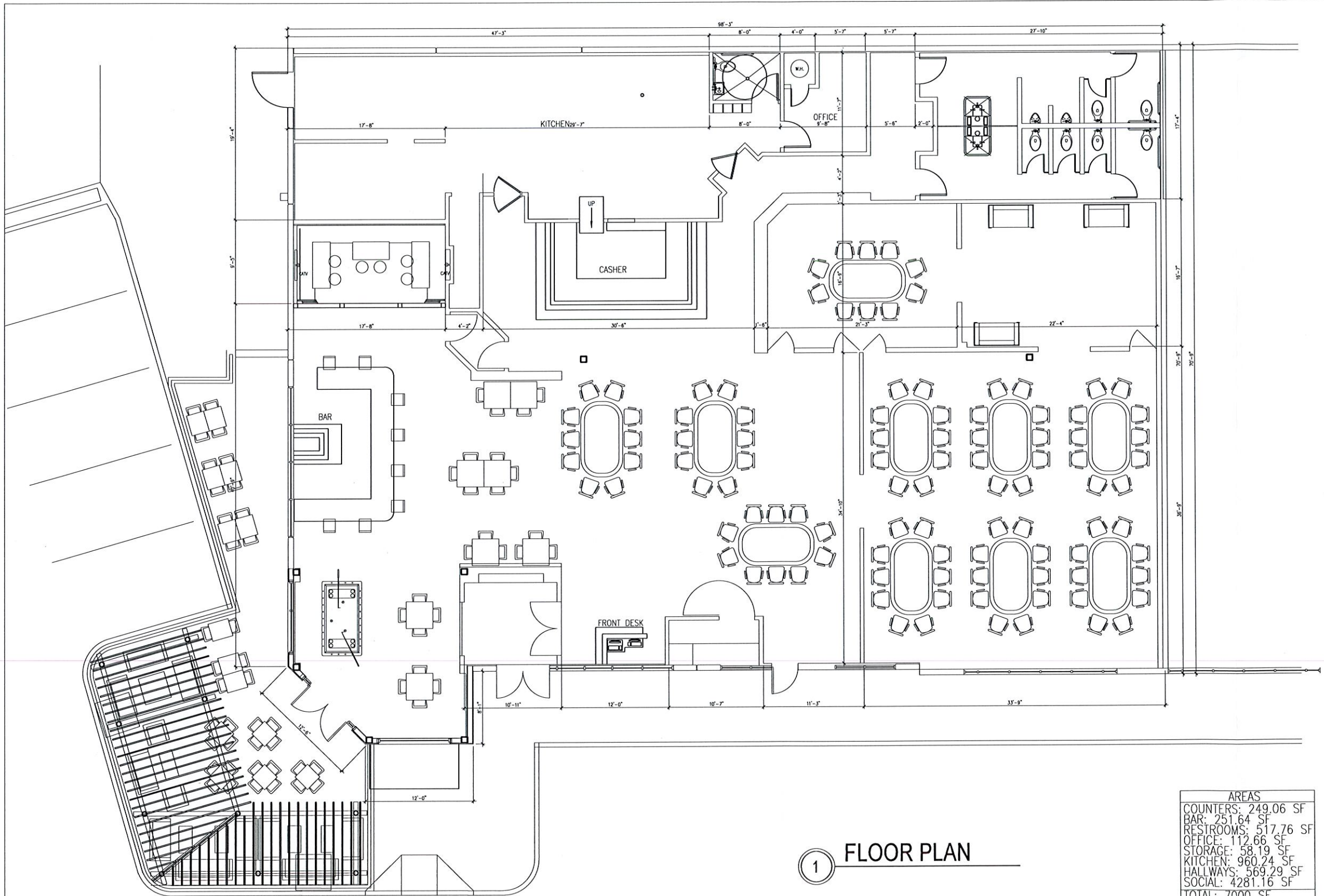
FLOOR PLAN

Date:

08/28/2020

RECEIVED
SEP 02 2020
By C. J. [Signature]

3/16" = 1'-0"



1 FLOOR PLAN

AREAS	
COUNTERS:	249.06 SF
BAR:	251.64 SF
RESTROOMS:	517.76 SF
OFFICE:	112.66 SF
STORAGE:	58.19 SF
KITCHEN:	960.24 SF
HALLWAYS:	569.29 SF
SOCIAL:	4281.16 SF
TOTAL:	7000 SF



August 26, 2020




Letter of Authorization

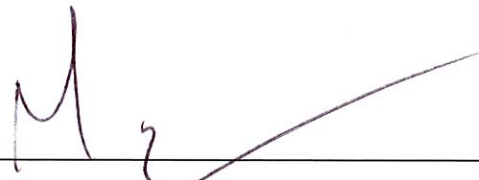
To whom it may concern

I hereby authorize Minh Van Nguyen to act on my own behalf to represent me in all matters relating to the management of my business "KO Social Club" 5025 E 1-2 frontage Rd, including signing all documents relating to this matter.

This authorization is effective August 26, 2020



Owner



Authorized Representative



Memo

TO: Planning and Zoning Commission

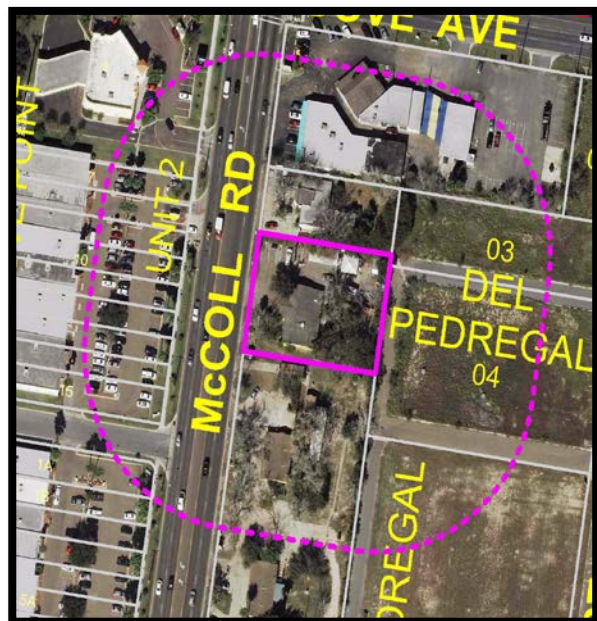
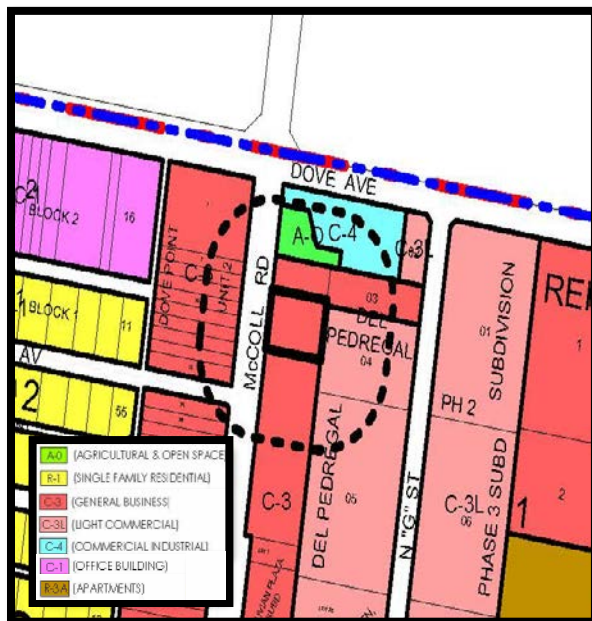
FROM: Planning Staff

DATE: September 30, 2020

SUBJECT: REQUEST OF ERIKA LOPEZ, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A PORTABLE BUILDING GREATER THAN 10'X12' (CAR LOT OFFICE) AT THE SOUTH 134 FT. OF THE NORTH 418 FT. AND THE WEST 208 FT. OF LOT 1, BLOCK 6, STEELE & PERSHING SUBDIVISION, HIDALGO COUNTY, TEXAS; 5516 NORTH MCCOLL ROAD. (CUP2020-0093)

DESCRIPTION:

The property is located east of North Ware road, approximately 240 ft. south of Dove Avenue. The property is zoned C-3 (general business) District. The adjacent zoning is C-3 District to the North, South and West, C-3L (light commercial) District to the east. A portable building is allowed in a C-3 District with a Conditional Use permit and in compliance with requirements. Surrounding uses are Lone Star National Banl, DHR Hospital, Dove Pointe Plaza and Zamoras Restaurant.



History:

A Conditional Use Permit was submitted on May 20, 2015, for a Portable Building Greater than 10 ft. x 12 ft. However it never made it to Public Hearing. A subdivision application was submitted on November 3, 2017 and got approved on preliminary form on the P&Z meeting of November 21, 2017. In Addition, a site plan review was submitted on September 25, 2018, never got finalized after revisions were made.

REQUEST/ANALYSIS:

The existing portable building is sited at the rear of the property. The applicant is proposing to utilize the portable building measuring 16 ft. X 12 ft. as an office for an car lot. Currently there are 9 parking spaces with 1 being an accessible use. In addition, a daycare is in operation on the same lot as where the proposed portable office currently sits.

A site visit revealed there is an RV Home and that the office sits on unpaved area, the approval of the CUP requires for a properly paved parking lot, this includes properly striped, clean out of grass and to be paved according to City Standards. This is under Section 138-400 sections (a) and (b).

The portable building has an area of 192 square feet, requiring 4 additional parking spaces. As per Building permits the parking requirements of the existing daycare is of 7 parking spaces. With the addition of the portable building, this would bring the total required parking spaces to 11; only 9 stalls are provided.

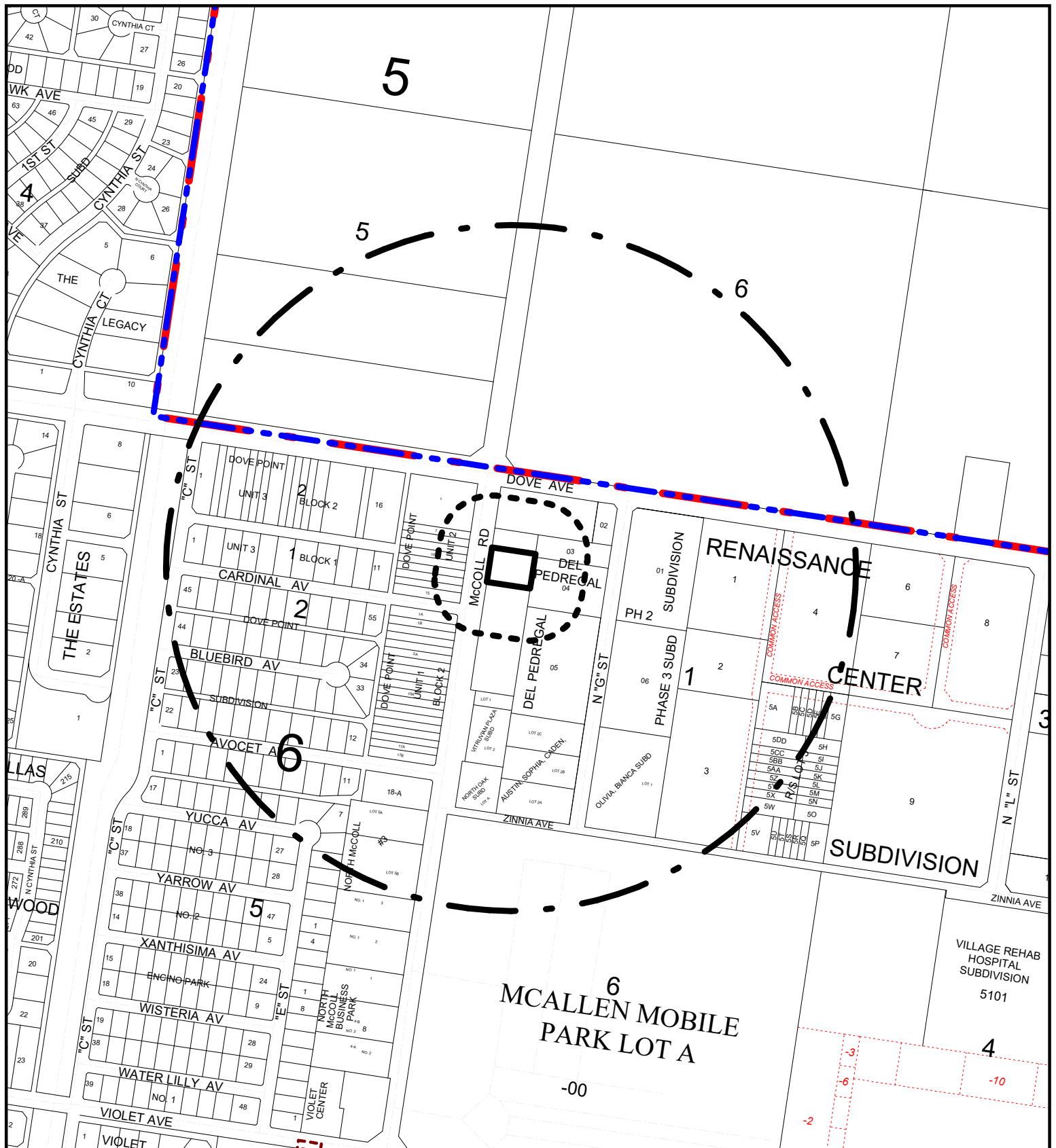
The Fire Department has conducted their inspection, and found the establishment to be in compliance. A building permit is in process, the approval of the CUP would clear the permit. The portable building must also meet the requirements set forth in Section 138-118(3) of the Zoning Ordinance as follows:

- 1) Portable buildings must not be used for living quarters. The portable building is for office use for a car lot.
- 2) Must be located in such a manner as to have access to a public right-of-way within 200 ft. The property fronts North McColl Road.
- 3) The proposed use and adjacent businesses shall comply with the off-street parking and loading ordinance. Based on the square footage, four (4) additional parking spaces are required, making a requirement of 11 spaces. Nine (9) parking spaces are provided.
- 4) Must provide for garbage and trash collection and disposal.
- 5) Must be connected to an approved water distribution and sewage disposal system.
- 6) No form of pollution shall emanate beyond the immediate property line of the permitted use; and
- 7) Additional reasonable restrictions or conditions such as increased open space,

loading and parking requirements, suitable landscaping, curbing, sidewalks or other similar improvements may be imposed in order to carry out the spirit of the Zoning Ordinance or mitigate adverse effects of the proposed use.

RECOMMENDATION:

Staff recommends disapproval of the request, due to non-compliance to requirement #3 and non-compliance to Sec.138-400 Off-Street parking requirements



CITY OF McALLEN
PLANNING DEPARTMENT

LEGEND

SCALE: N.T.S.

AREA MAP


 **SUBJECT PROPERTY**

 **200 FT. NOTIFICATION BOUNDARY**

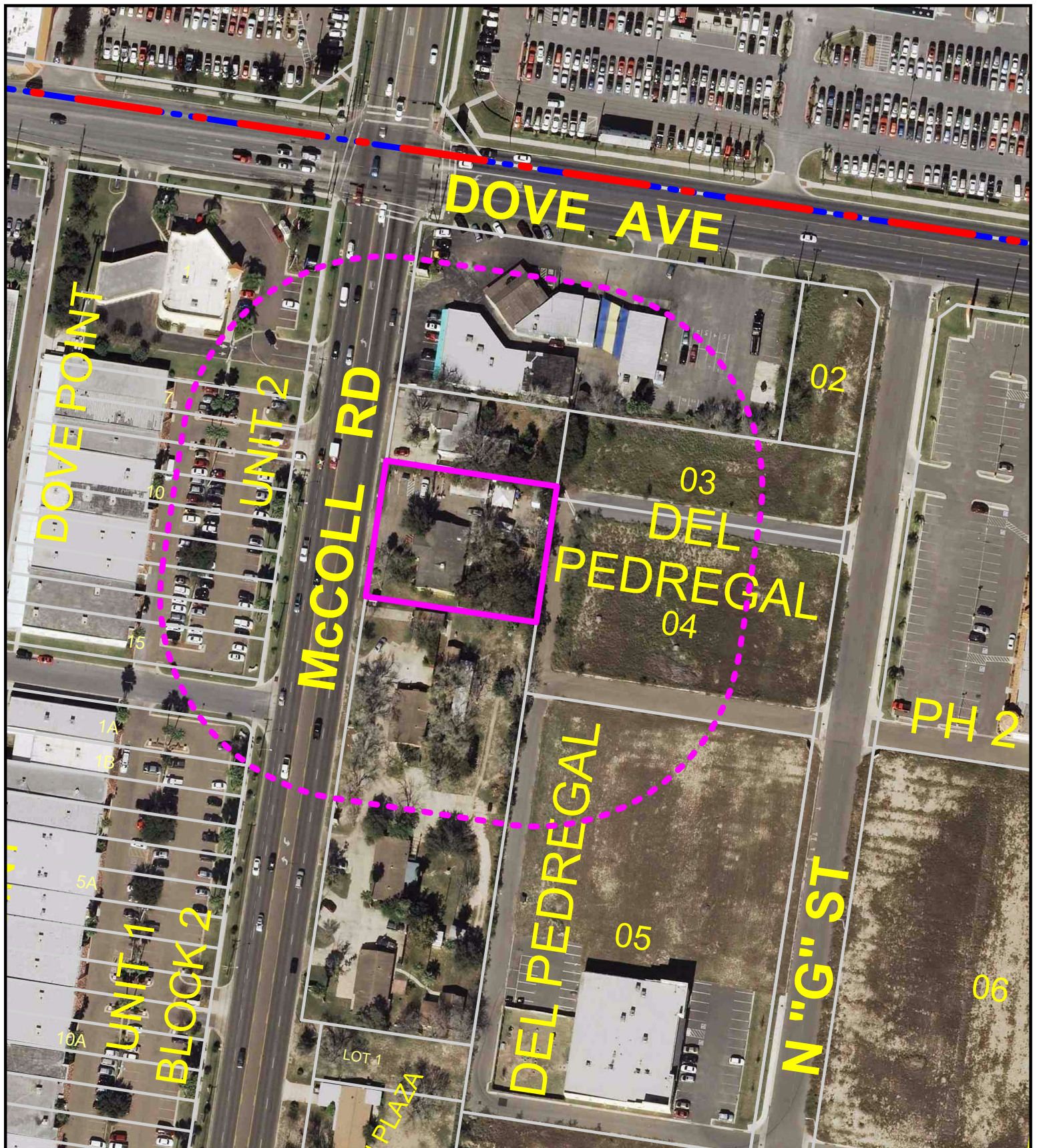
 **1/4 MILE RADIUS**



ZONING LEGEND

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

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



CITY OF McALLEN
PLANNING DEPARTMENT

AERIAL MAP
SCALE: N.T.S.



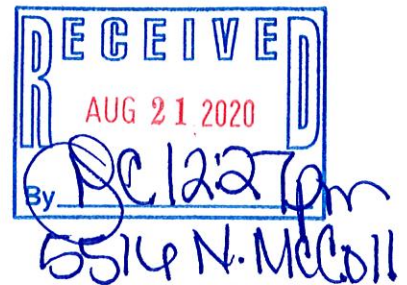
SUBJECT PROPERTY



200' NOTIFICATION BOUNDARY

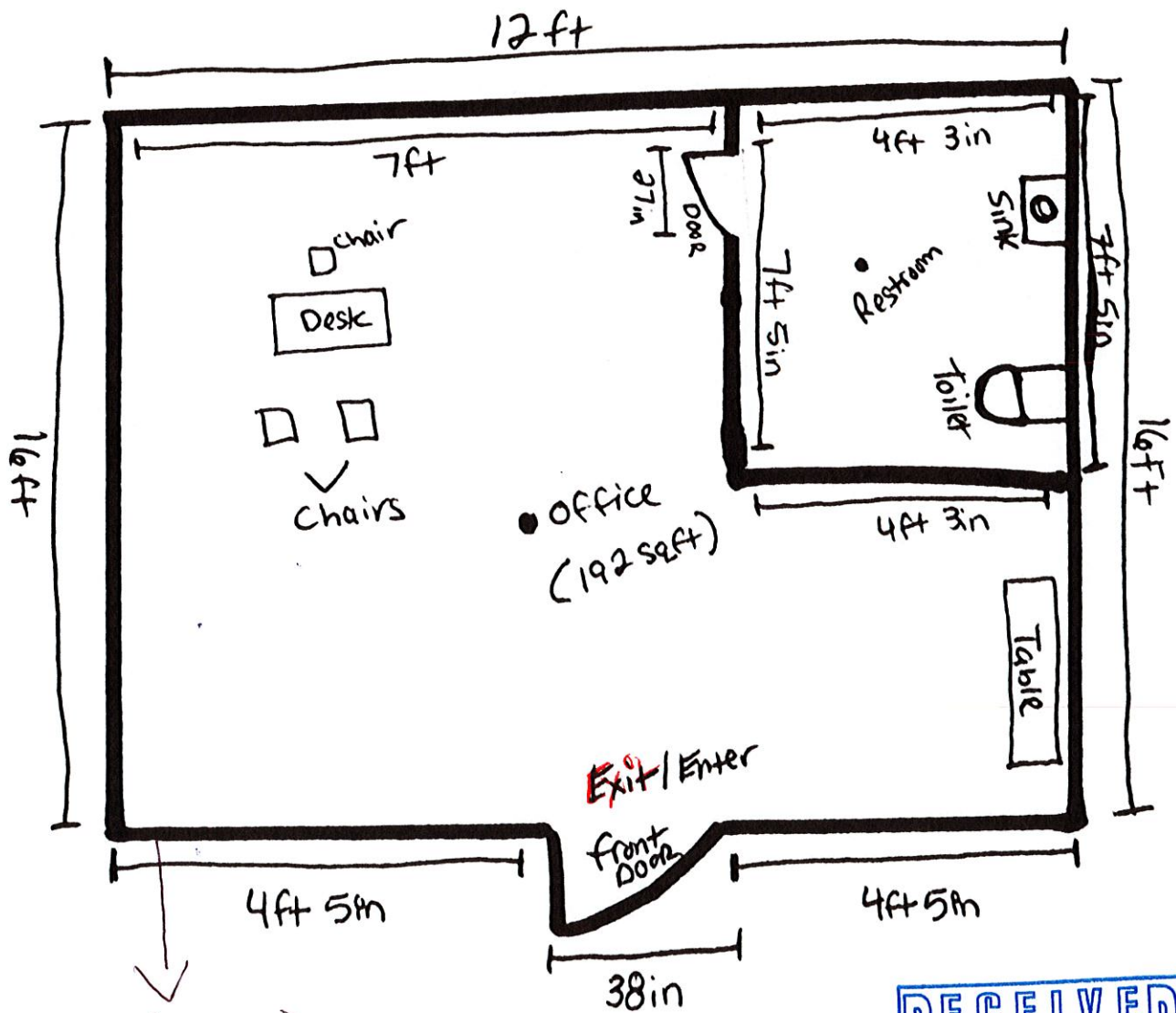


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Floor Plan

Car Lot Office



(hight)
12 ft
(floor to
Roof)









Memo

TO: Planning and Zoning Commission

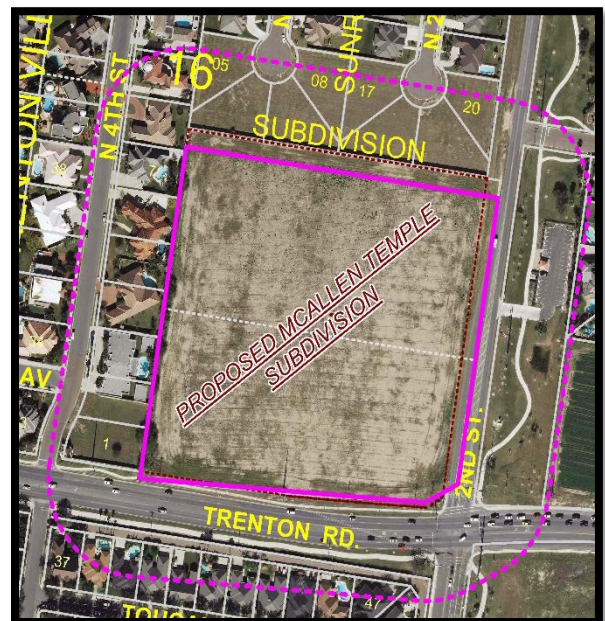
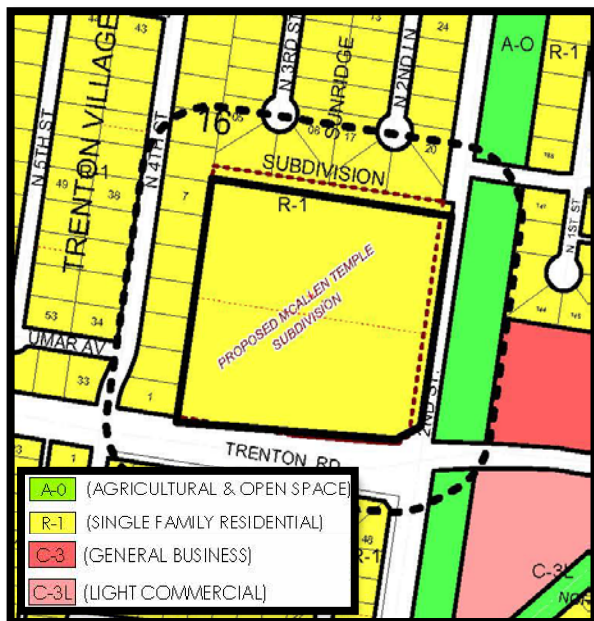
FROM: Planning Staff

DATE: September 30, 2020

SUBJECT: REQUEST OF JARED W. DOXEY, ON BEHALF OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, FOR AN INSTITUTIONAL USE (CHURCH) AT A 10.615-ACRE TRACT OF LAND OUT OF LOT 16, SECTION 13, HIDALGO CANAL COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS; 7301 NORTH 2ND STREET. (CUP2020-0102)

BRIEF DESCRIPTION:

The property is located at the northwest corner of North 2nd Street and Trenton Road. It is zoned R-1 (single family) District. The adjacent zoning is R-1 in all directions, and A-O (agricultural-open space), C-3(general business) to the east and C-3L (light commercial) District to the southeast. Surrounding land uses include single-family residences and vacant land. An institutional use is permitted in an R-1 zone with conditional use permit and in compliance with requirements.



HISTORY:

A subdivision submitted under the name McAllen Temple was approved in its preliminary form by the Planning and Zoning Commission meeting of March 3, 2020. A Site Plan Review application was submitted on July 13, 2020. The application is still under review.

REQUEST/ANALYSIS:

The applicant is proposing to construct two buildings for a church (Temple and Meeting House) on the 10.615-acre vacant land.

The Meeting House, approximately 18,636 square feet, consists of 11 rooms, 9 offices, a distribution center, both women and men restrooms, as well as women and men dressing rooms, 6 service area rooms, a cultural center that serves for overflow seating and a chapel. The chapel has 31 pews, and 342 chairs for a seating area capacity of approximately 564 people. Its primary use is for religious worship. It's scheduled to operate only on Sundays.

The Temple approximately 29,732 square feet. consists of 5 instructional rooms, 4 offices, both women and men restrooms, a lobby and multiple dressing rooms. The temple is schedule to operate from Tuesday to Saturday.

Based on the number of seats in the main sanctuary, 141 parking spaces are required for the church building, of which 5 parking spaces must be accessible and one of them with an 8 ft. aisle. 210 parking spaces are proposed; of which 16 are accessible parking spaces and 8 of them are with an 8 ft. aisle.

The landscape requirement would be met through Site Plan Review Process.

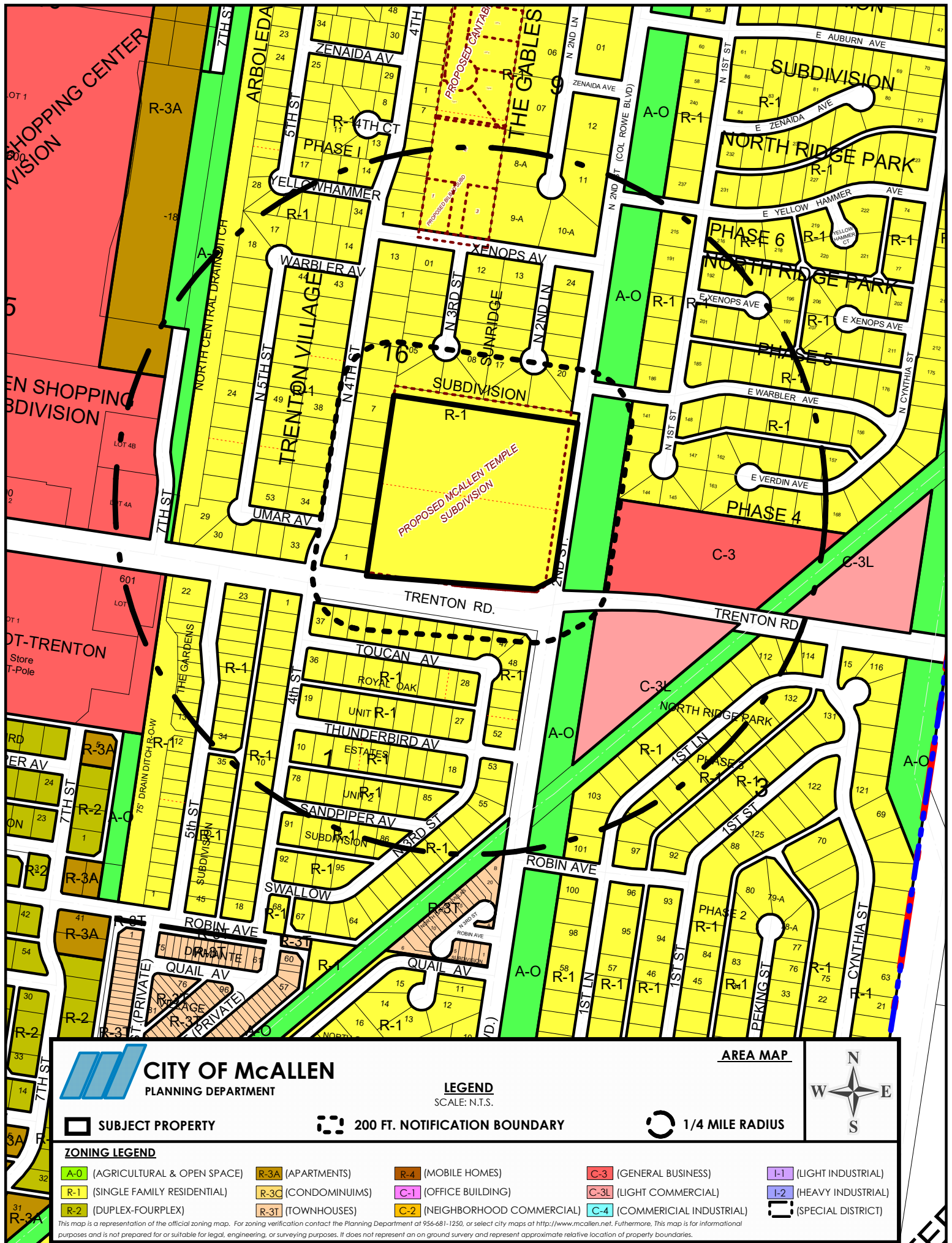
The Fire Department has not conducted the necessary inspections since the property is vacant. Should the conditional use permit be approved, the applicant would be required to sign the application acknowledging and agreeing to all conditions of the permit. The proposed use must also comply with the zoning 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 Trenton Road and North 2nd Street.
- 2) The proposed use shall comply with the McAllen Off-Street Parking Ordinance and make provisions to prevent the use of street parking, especially in residential areas. Based on the seating area of 564 seats in the main sanctuary, 141 parking spaces are required; 210 parking spaces are proposed. The parking must be clear of potholes and properly striped per city requirements.
- 3) The proposed use shall prevent the unauthorized parking of its patrons on adjacent businesses or residences by providing fences, hedges or reorientation of entrances and exits;
- 4) The proposed use shall provide sufficient lighting to eliminate dark areas, perimeter fencing, and an orientation of the building to provide maximum visibility from a public street in order to discourage vandalism and criminal activities;
- 5) Provisions shall be made to prevent litter from blowing onto adjacent streets and residential areas;
- 6) The number of persons within the main building shall be determined by the Building Inspections Department and shall maintain the existing seating capacity for the main sanctuary;

- 7) Sides adjacent to commercially and residentially zoned or use property shall be screened by a 6 ft. opaque fence. A 6 ft. opaque fence will need to be provided along the north and west property line

RECOMMENDATION:

Staff recommends approval of the request, for life of the use, subject to compliance with requirements in Section 138-118, Approval of Site Plan, Subdivision Plat recordation, Building Permits and Fire Department requirements.





CITY OF McALLEN
PLANNING DEPARTMENT

AERIAL MAP
SCALE: N.T.S.



SUBJECT PROPERTY



200' NOTIFICATION BOUNDARY



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MAP OF
MCALLEN TEMPLE SUBDIVISION
BEING 10.615 ACRES
OUT OF LOT 16, SECTION 13,
HIDALGO CANAL COMPANY SUBDIVISION
VOLUME Q, PAGE 177, H.C.D.R.
CITY OF MCALLEN,
HIDALGO COUNTY, TEXAS

THE STATE OF TEXAS
COUNTY OF HIDALGO

(WE), THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, HEREBY AUTHORIZE FRED L. KURTH, P.E., R.P.L.S. (PRESIDENT) AND MARIO A. REYNA, P.E. (VICE PRESIDENT) OF MELDEN & HUNT, INC. TO SIGN ALL SUBDIVISION APPLICATIONS AND RELATED PAPERWORK FOR A PROPERTY CONSISTING OF APPROXIMATELY 10.615 ACRES OF LAND, MORE OR LESS, OUT OF LOT 16, BLOCK 13, HIDALGO CANAL COMPANY'S SUBDIVISION, AS PER MAP OR PLAT THEREOF RECORDED IN VOLUME "Q", PAGE 177, HIDALGO COUNTY DEED RECORDS, MCALLEN, HIDALGO COUNTY, TEXAS.

THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS
A UTAH CORPORATION SOLE
GLENN MCKAY - SIGNING AUTHORITY
500 EAST NORTH TEMPLE STREET, 22ND FLOOR
SALT LAKE CITY, UTAH 84150

THE STATE OF
COUNTY OF

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED GLENN MCKAY, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/HIS EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION HEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE DAY OF 20

NOTARY PUBLIC, STATE OF

STATE OF TEXAS
COUNTY OF HIDALGO

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

MARIO A. REYNA, P.E. #117368
DATE PREPARED: 02-12-2020
ENGINEERING JOB NO. 20038.00



STATE OF TEXAS
COUNTY OF HIDALGO

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

DATED THIS THE DAY OF 20

FRED L. KURTH, PROFESSIONAL LAND SURVEYOR No. 4750
STATE OF TEXAS

DATE SURVEYED: 10-31-19
T-1083, PG. 78
SURVEYING JOB NO. 19189.02



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

ATTESTED BY

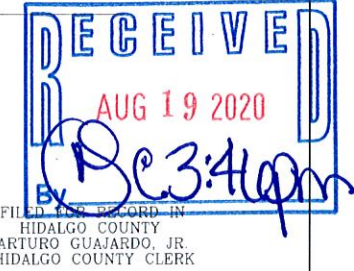
CITY SECRETARY

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



ON: AT AM/PM

INSTRUMENT NUMBER
OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS

BY: DEPUTY

GENERAL NOTES:

- THE SITE LIES IN ZONE "B" AREAS BETWEEN LIMITS OF THE 100-YEAR FLOOD AND 500-YEAR FLOOD, OR CERTAIN AREAS SUBJECT TO 100-YEAR FLOODING WITH AVERAGE DEPTHS LESS THAN ONE (1) FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN ONE SQUARE MILE, OR AREAS PROTECTED BY LEVEES FROM THE BASE FLOOD.
- MINIMUM PERMISSIBLE FINISH FLOOR ELEVATION SHALL BE 18 INCHES ABOVE THE FRONT TOP OF CURB MEASURED FROM THE CENTER OF THE LOT.
- FRONT TRENTON ROAD: 60 FT. OR GREATER FOR APPROVED SITE PLAN OR EASEMENT.
REAR N. 2ND STREET: 60 FT. OR GREATER FOR APPROVED SITE PLAN OR EASEMENT.
SIDES IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER FOR EASEMENTS OR APPROVED SITE PLAN.
CORNER SEE FRONT SETBACKS.
ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN ALLEYS 20 FT. PAVING 16 FT.
- CITY OF MCALLEN BENCHMARK "GARCIA" LOCATED 1.443 FEET EAST OF THE TRENTON ROAD AND 2ND STREET INTERSECTION ALONG THE SOUTH R.O.W. OF TRENTON ROAD, NORTHING 1662271.898 EASTING 1080595.783 ELEV+107.677
- REQUIRED STORM SEWER RUNOFF DETENTION FOR THIS SUBDIVISION AS PER THE APPROVED DRAINAGE REPORT: 85.010 C.F. (1.952 AC. FT.) TO BE PROVIDED WITHIN DESIGNATED DETENTION AREAS.
REQUIRED DETENTION FOR STORM SEWER RUNOFF PER THE APPROVED DRAINAGE REPORT SHALL BE 85.010 CUBIC FEET. STORM WATER RUNOFF GENERATED FROM DEVELOPMENT SHALL BE DETAINED ON-SITE VIA A DETENTION POND WITH A CAPACITY OF 112.843 CUBIC FEET. WATER WILL THEN DISCHARGE THROUGH AN 8" BLEEDER LINE INTO AN EXISTING CURB INLET LOCATED ON THE NORTH SIDE OF THE PROPERTY ALONG THE TRENTON ROAD R.O.W.
- AN ENGINEERED DRAINAGE DETENTION PLAN, APPROVED BY THE CITY OF MCALLEN ENGINEERING DEPARTMENT, SHALL BE REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMIT.
- NO BUILDING ALLOWED OVER ANY EASEMENT.
- SITE PLAN MUST BE APPROVED BY THE PLANNING AND ZONING COMMISSION PRIOR TO BUILDING PERMIT ISSUANCE.
- 4 FT. WIDE MINIMUM SIDEWALK REQUIRED ALONG NORTH 2ND STREET AND TRENTON ROAD.
- 6 FT. OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, AND INDUSTRIAL ZONUSES.
- 8' MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL OR MULTI-FAMILY RESIDENTIAL ZONUSES.
- ALLEY/SERVICE DRIVE EASEMENT REQUIRED FOR COMMERCIAL PROPERTIES.
- THE FOLLOWING BENCHMARK ARE IDENTIFIED ON THE FACE OF THE PLAT AND ON THE ATTACHED ENGINEERING PLANS
- COMMON AREAS PRIVATE SERVICE DRIVES MUST BE MAINTAINED BY LOT OWNERS AND NOT THE CITY OF MCALLEN.

METES AND BOUNDS DESCRIPTION

A TRACT OF LAND CONTAINING 10.615 ACRES SITUATED IN THE CITY OF MCALLEN, COUNTY OF HIDALGO, TEXAS, BEING A PART OR PORTION OUT OF LOT 16, SECTION 13, HIDALGO CANAL COMPANY SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME "Q", PAGE 177, HIDALGO COUNTY DEED RECORDS, SAID 10.615 ACRES BEING A PART OR PORTION OUT OF A LARGER TRACT OF LAND CONVEYED TO MOSCHEL TRUSTEE BY VIRTUE OF A WARRANTY DEED RECORDED UNDER DOCUMENT NUMBER 1052901, HIDALGO COUNTY DEED RECORDS, SAID 10.615 ACRES ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 16.

THENCE, N 08° 38' 32" E ALONG THE EAST LOT LINE OF SAID LOT 16, A DISTANCE OF 109.27 FEET.

THENCE, N 81° 21' 28" W A DISTANCE OF 70.00 FEET TO A NO. 4 REBAR SET ON THE EXISTING WEST RIGHT-OF-WAY LINE OF NORTH 2ND STREET, FOR THE NORTHEAST CORNER AND POINT OF BEGINNING OF THIS HEREIN DESCRIBED TRACT.

- THENCE, S 53° 38' 12" W A DISTANCE OF 38.34 FEET TO A NO. 4 REBAR SET FOR THE SOUTHERNMOST SOUTHEAST CORNER OF THIS TRACT.
- THENCE, IN A NORTHWESTERLY DIRECTION ALONG THE NORTH RIGHT-OF-WAY LINE OF W. TRENTON ROAD AND A CURVE TO THE RIGHT, WITH A CENTRAL ANGLE OF 003° 28' 38", A RADIUS OF 10,480.00 FEET, AN ARC LENGTH OF 636.02 FEET, A TANGENT OF 318.11 FEET, AND A CHORD THAT BEARS N 84° 37' 11" W A DISTANCE OF 635.92 FEET, TO A NO. 4 REBAR SET, FOR THE SOUTHWEST CORNER OF THIS TRACT.
- THENCE, N 08° 38' 32" E A DISTANCE OF 714.80 FEET TO A NO. 4 REBAR SET [N 16623306.960 E 1078616.953] FOR THE NORTHWEST CORNER OF THIS TRACT.
- THENCE, S 81° 21' 28" E A DISTANCE OF 662.00 FEET TO A NO. 4 REBAR FOUND FOR THE NORTHEAST CORNER OF THIS TRACT.
- THENCE, S 08° 38' 32" W A DISTANCE OF 451.50 FEET ALONG THE EXISTING WEST RIGHT-OF-WAY LINE OF N. 2ND STREET TO THE POINT OF BEGINNING AND CONTAINING 10.615 ACRES OF LAND, MORE OR LESS.

THIS PLAT APPROVED BY THE HIDALGO COUNTY IRRIGATION NO. 3 ON

THIS THE DAY OF 20

NO IMPROVEMENTS OF ANY KIND SHALL BE PLACED UPON THE HIDALGO COUNTY IRRIGATION DISTRICT NO. 3 RIGHT-OF-WAYS OR EASEMENTS WITHOUT THE EXPRESSED WRITTEN PERMISSION OF THE HIDALGO COUNTY IRRIGATION DISTRICT NO. 3.

IRRIGATION DISTRICT PRESIDENT

ATTEST SECRETARY

DATE

DATE

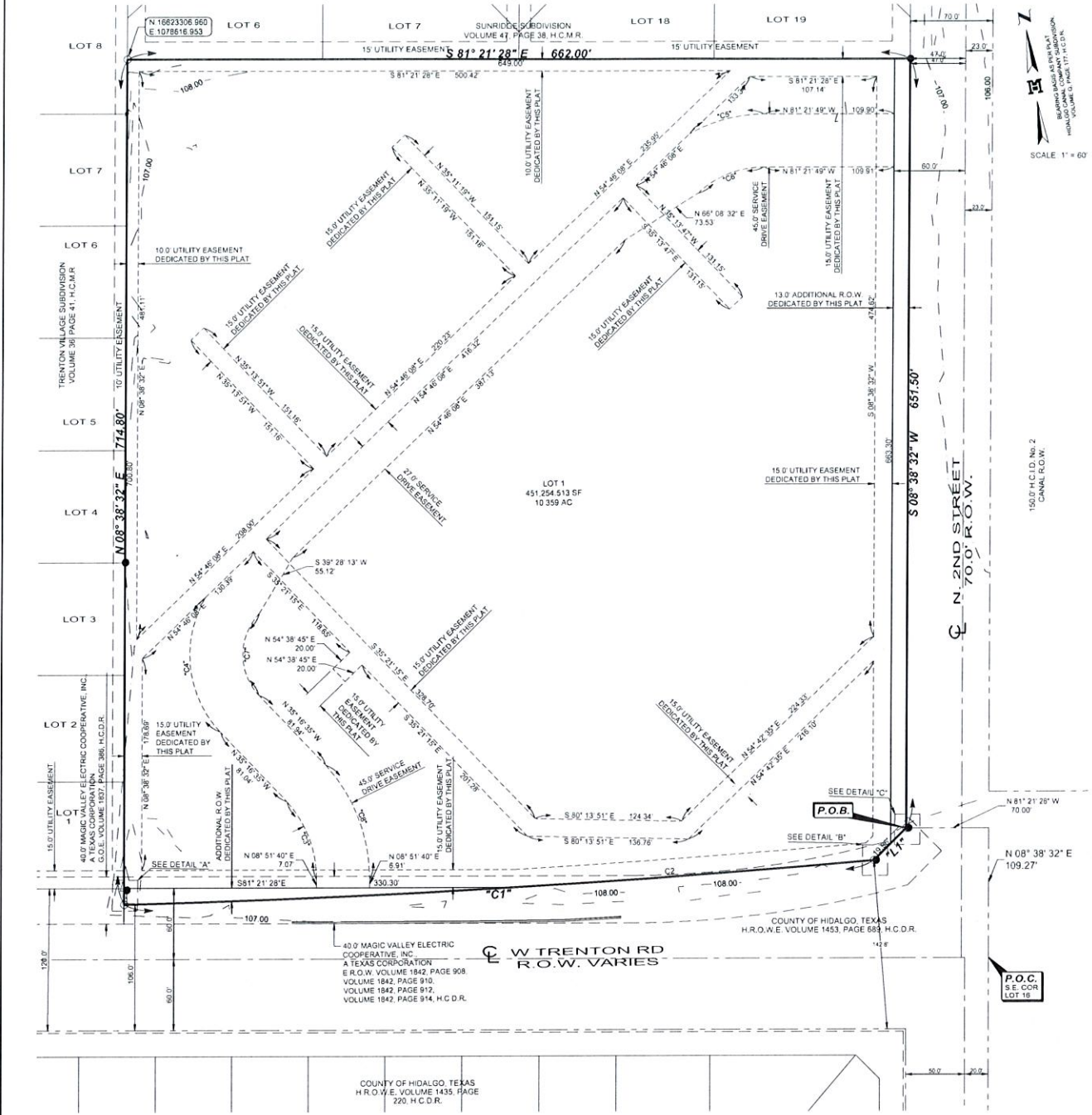
APPROVED BY DRAINAGE DISTRICT

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

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

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

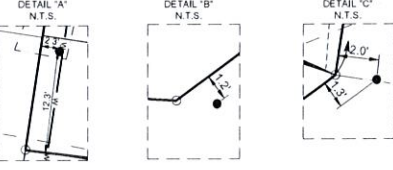
DATE



- LEGEND
- FOUND NO. 4 REBAR
 - SET NO. 4 REBAR WITH PLASTIC CAP STAMPED MELDEN & HUNT
 - A-A' EDGE OF ASPHALT TO EDGE OF ASPHALT
 - B-B' BACK OF CURB TO BACK OF CURB
 - C-C' RIGHT OF WAY
 - H.C.M.R. HIDALGO COUNTY MAP RECORDS
 - H.C.D.R. HIDALGO COUNTY DEED RECORDS
 - S.E. COR. SOUTHEAST CORNER
 - W.D. WARRANTY DEED
 - H.R.O.W. HIGHWAY RIGHT OF WAY EASEMENT
 - E.R.O.W. EASEMENT AND RIGHT OF WAY
 - P.O.B. POINT OF BEGINNING
 - P.O.C. POINT OF COMMENCING
 - CL CENTERLINE

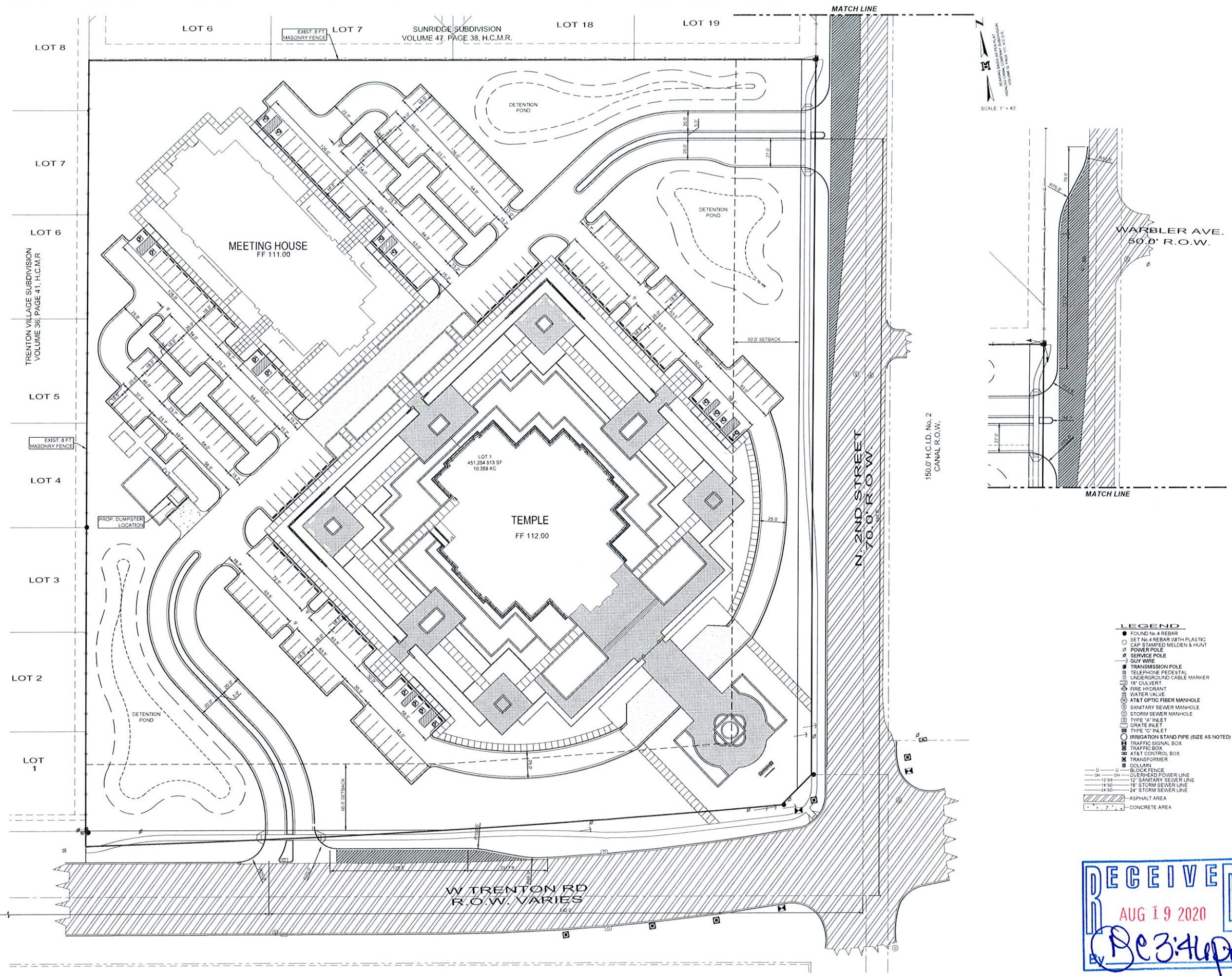
DRAWN BY: EM DATE: 02-11-20
SURVEYED, CHECKED: DATE
FINAL CHECK: DATE

MELDEN & HUNT, INC.
CONSULTANTS • ENGINEERS • SURVEYORS
115 W. MCINTYRE • EDINBURG, TX 78541
PH: (956) 381-0381 • FAX: (956) 381-1839
ESTABLISHED 1947 • www.meldenandhunt.com

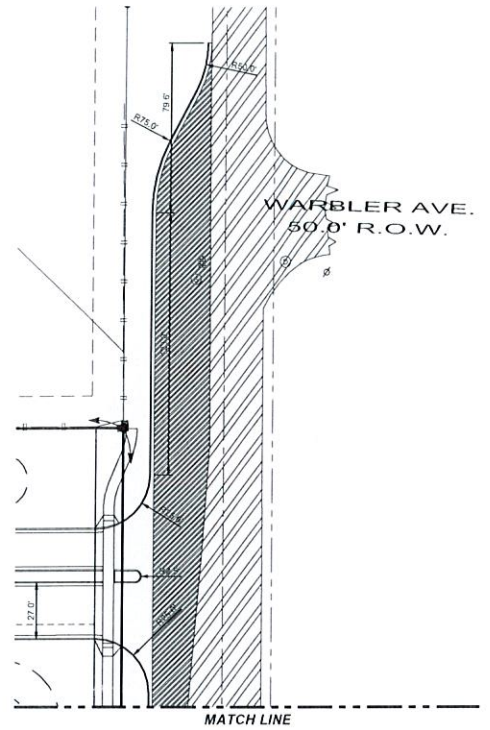


Curve Table						
Curve #	Length	Radius	Delta	Chord Direction	Chord Length	Tangent
"C1"	636.02	10,480.00	003° 28' 38"	S84° 37' 11" E	635.92	318.11
"C3"	72.16	95.00	043° 03' 55"	N12° 33' 34" W	70.47	37.88
"C4"	122.48	94.99	073° 52' 44"	S2° 13' 51" W	114.17	71.42
"C5"	66.07	125.00	030° 16' 59"	S83° 30' 03" W	65.30	33.82
"C6"	61.26	80.00	043° 52' 24"	S76° 42' 20" W	59.77	32.22
"C7"	75.43	50.00	087° 35' 07"	S8° 33' 24" W	69.20	47.94
"C8"	106.91	141.07	043° 00' 53"	N12° 34' 12" W	103.44	55.59
"C2"	305.41	10,480.00	001° 40' 11"	S85° 31' 24" E	305.40	152.72

Line Table		
Line #	Direction	Length
"L1"	S53° 38' 12" W	38.34



SCALE 1" = 40'

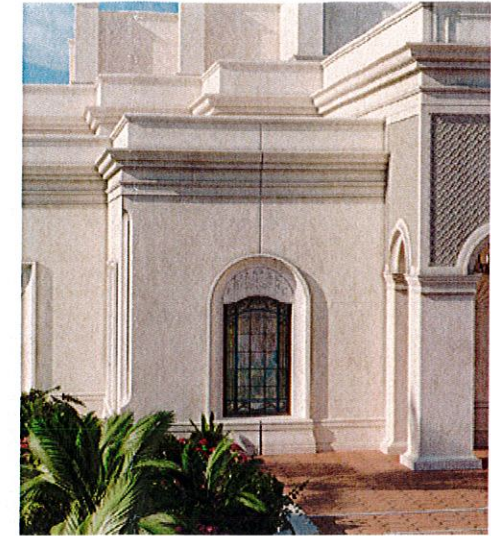


- LEGEND**
- FOUND No. 4 REBAR
 - SET No. 4 REBAR WITH PLASTIC
 - CAP STAMPED MELDEN & HUNT
 - POWER POLE
 - SERVICE POLE
 - GUY WIRE
 - TRANSMISSION POLE
 - TELEPHONE PEDESTAL
 - UNDERGROUND CABLE MARKER
 - 18" CULVERT
 - FIRE HYDRANT
 - WATER VALVE
 - AT&T OPTIC FIBER MANHOLE
 - SANITARY SEWER MANHOLE
 - STORM SEWER MANHOLE
 - TYPE "A" INLET
 - GRATE INLET
 - TYPE "C" INLET
 - IRRIGATION STAND PIPE (SIZE AS NOTED)
 - TRAFFIC SIGNAL BOX
 - TRAFFIC BOX
 - AT&T CONTROL BOX
 - TRANSFORMER
 - COLUMN
 - BLOCK FENCE
 - OH — OH — OVERHEAD POWER LINE
 - 12" SS — 12" SANITARY SEWER LINE
 - 18" SS — 18" STORM SEWER LINE
 - 24" SS — 24" STORM SEWER LINE
 - ▨ ASPHALT AREA
 - ▨ CONCRETE AREA

RECEIVED
AUG 19 2020
Be 3:40pm

JOB No.		20038.00	
PROJECT ENG. M.A.R.	PROJECT ENG. M.A.R.	DATE	BY
T-BOOK	PG.	1. RELEASE DATE	MELDEN & HUNT, INC.
2. RELEASE DATE	3. RELEASE DATE	SCALE	AS SHOWN
THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW UNDER THE AUTHORITY OF AUGUST 18, 2020. IT IS NOT TO BE USED FOR CONSTRUCTION OR FOR PERMIT PURPOSES.			
McALLEN TEMPLE SUBDIVISION		McALLEN, TEXAS HIDALGO COUNTY	
SITE PLAN		Copyright 2020 Melden & Hunt, Inc. All Rights Reserved. File Name: XXXXXXXXXX	
SHEET 1		OF 1	

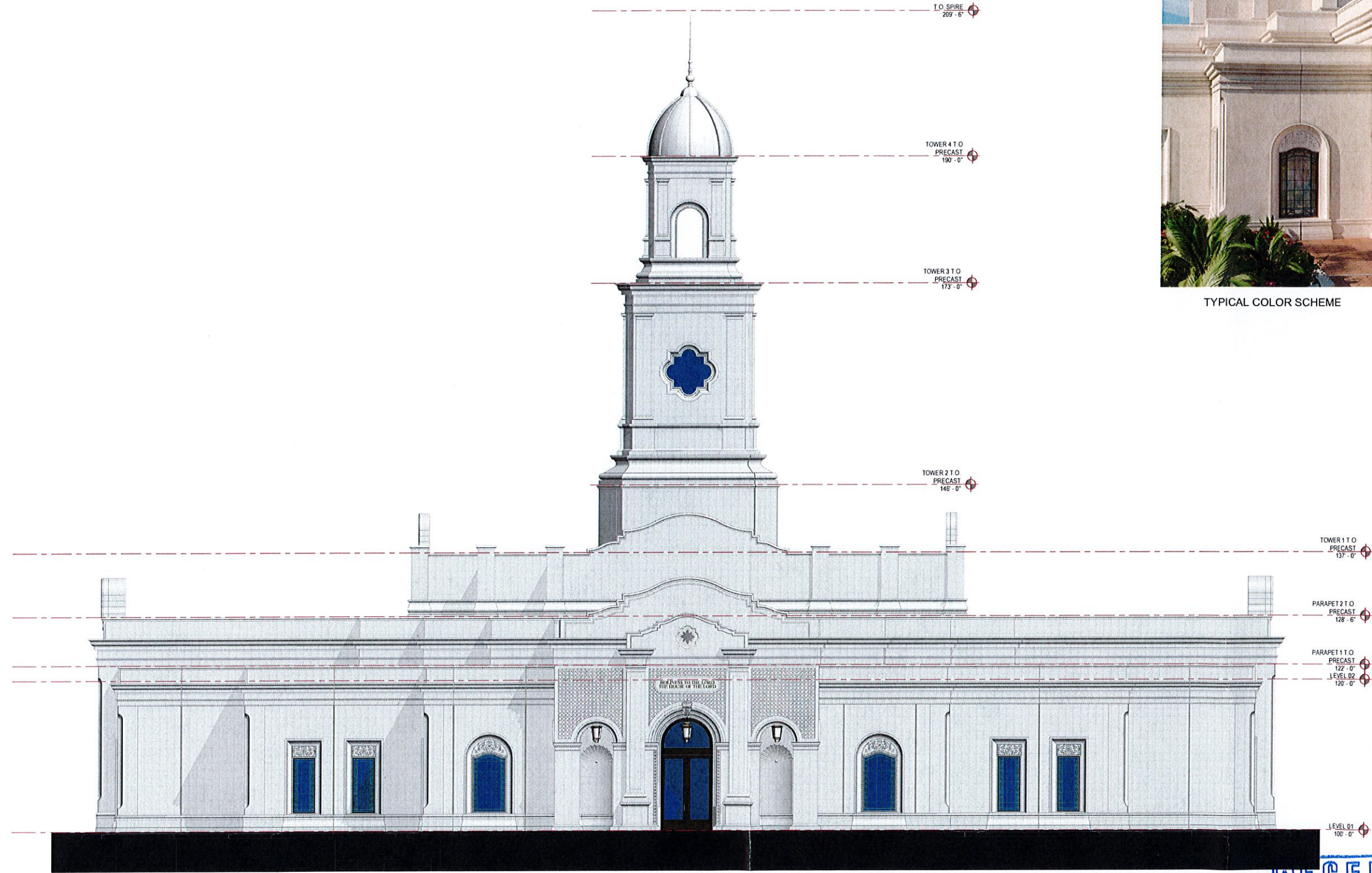
NOTE ALL EXTERIOR WALLS ARE
INTEGRAL COLOR ARCHITECTURAL
CONCRETE.



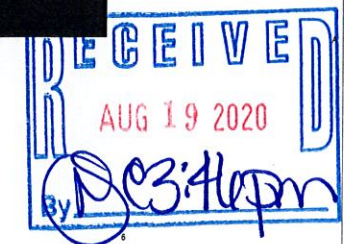
TYPICAL COLOR SCHEME

REV	DATE	DESCRIPTION
-----	------	-------------

VCBO NUMBER:	19514
CLIENT NUMBER:	00000
DATE:	AUGUST 19, 2020



A4 FRONT ELEVATION
SCALE: 3/16" = 1'-0"



MCALLEN TEXAS TEMPLE
THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS
300 TRENTON ROAD, MCALLEN, TEXAS 78504
CONDITIONAL USE PERMIT

EXTERIOR ELEVATIONS
A201



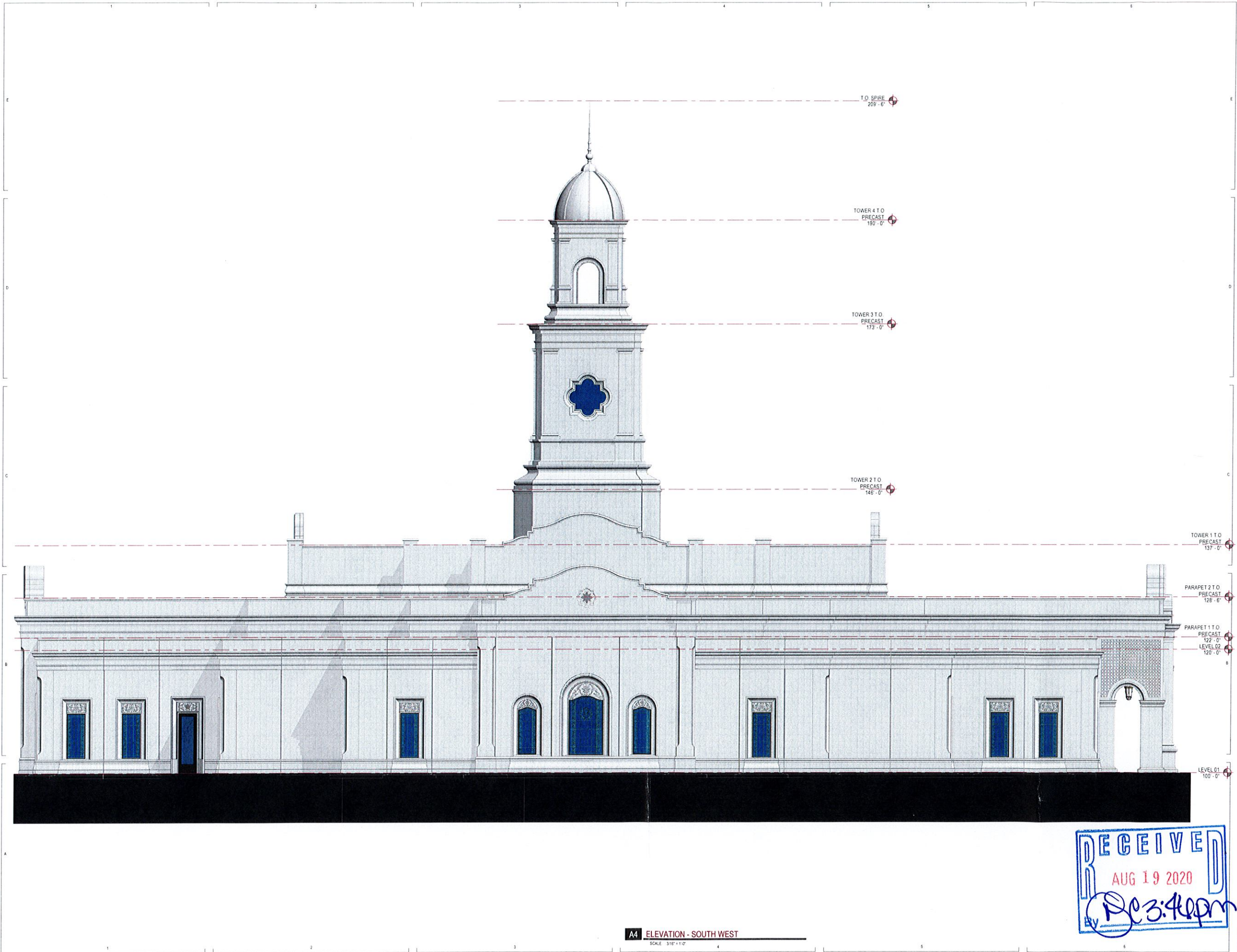
REV DATE DESCRIPTION

VCBO NUMBER 19614
CLIENT NUMBER 00000
DATE AUGUST 19, 2020

MCALLEN TEXAS TEMPLE
THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS
300 TRENTON ROAD, MCALLEN, TEXAS 78504
CONDITIONAL USE PERMIT

EXTERIOR ELEVATIONS

A202



GENERAL NOTES

1. SEE CIVIL, MEP AND ARCHITECTURAL SHEETS FOR ALL CIVIL, MEP AND ARCHITECTURAL IMPROVEMENTS
2. THE LOCATION OF ALL TREES, BOULDERS, SHRUBS AND EDGING SHALL BE STAKED OR MARKED IN THE FIELD BY THE CONTRACTOR FOR LANDSCAPE ARCHITECT APPROVAL PRIOR TO INSTALLATION
3. SOO ENTIRE PROJECT LIMITS AND ALL AREAS DISTURBED BY CONSTRUCTION ACTIVITIES. DO NOT SOO LANDSCAPE BEDS OR IMPERVIOUS SURFACES
4. ALL LAWN AREAS TO RECEIVE A MINIMUM OF 6" OF TOPSOIL AND 1" OF COMPOST. ALL LANDSCAPE BEDS TO RECEIVE A MINIMUM OF 12" OF TOPSOIL AND 3" OF COMPOST.
5. ALL DIRECTIONAL SIGNAGE TO BE PLACED INSIDE LANDSCAPE BEDS. SEE ARCHITECTURAL SHEETS FOR SIGNAGE
6. ALL EXISTING AND PROPOSED UTILITIES ARE SHOWN SCHEMATICALLY AND ARE FOR THE CONTRACTORS REFERENCE. THE CONTRACTOR SHALL VERIFY THE LOCATION, SIZE AND DEPTH OF ALL UTILITIES PRIOR TO COMMENCING WORK.

7. IF ANY FIELD CONDITIONS VARY FROM THE CONTRACT DOCUMENTS THE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT IN WRITING UPON DISCOVERY
8. MAINTAIN A POSITIVE SLOPE AWAY FROM THE BUILDING FOUNDATION
9. THE QUANTITIES INDICATED ON THE PLANT LIST & PLAN ARE PROVIDED FOR THE BENEFIT OF THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR HIS OWN QUANTITY CALCULATIONS AND THE LIABILITY WHICH PERTAINS TO THESE QUANTITIES AND TO ANY RELATED CONTRACT DOCUMENTS AND/OR PRICE QUOTATIONS. QUESTIONS SHOULD BE DIRECTED TO THE LANDSCAPE ARCHITECT
10. ALL IMPROVEMENTS SHALL BE CONSTRUCTED TO COMPLY WITH THE TEXAS ARCHITECTURAL BARRIERS ACTS AND THE ARCHITECTURAL BARRIERS ACT OF 1968
11. FREEZE PROTECTION - DURING THE ONE YEAR WARRANTY PERIOD, ALL PLANT MATERIALS THAT ARE SUSCEPTIBLE TO A FREEZE SHALL BE PROTECTED FROM A FREEZE BY THE CONTRACTOR. THE CONTRACTOR SHALL INCLUDE AN ALLOWANCE OF (INSERT DOLLAR AMOUNT) OF FREEZE SENSITIVE PLANTS BASED ON 70% (0.7) FOR PLANT REPLACEMENT FOR PLANTS THAT ARE DAMAGED BY FREEZING TEMPERATURES AFTER THE ONE YEAR WARRANTY PERIOD. ALL PLANT DAMAGE DUE TO FREEZING TEMPERATURES IS THE RESPONSIBILITY OF THE OWNER. THE OWNER SHALL HAVE A CONTINGENCY PLAN IN PLACE FOR FREEZE PROTECTION OF ALL FREEZE SUSCEPTIBLE MATERIALS

MCALLEN TEXAS TEMPLE MCALLEN, TX

LANDSCAPE & IRRIGATION DRAWING INDEX

L10 OVERALL SITE PLAN TREE MITIGATION & TREE & LANDSCAPE BED LOCATION PLAN

SITE PLAN APPROVAL NOTES:

1. THIS PLAN EXCEEDS THE MINIMUM LANDSCAPE ORDINANCE REQUIREMENTS
2. ALL LANDSCAPE AREAS WILL HAVE AN AUTOMATIC IRRIGATION SYSTEM
3. ALL LANDSCAPE AREAS INSIDE THE RIGHT-OF-WAYS WILL UTILIZE DRIP AND BUBBLER IRRIGATION
4. ALL PARKING SPACES ARE WITHIN 50' OF A SHADE TREE
5. ALL TREES WILL MEET THE MINIMUM REQUIRED CALIPER
6. ALL DETENTION PONDS WILL BE COMPLETELY SOODED
7. ALL LANDSCAPE BEDS WILL EXCEED 50% PLANT COVERAGE

CITY OF MCALLEN LANDSCAPE ORDINANCE COMPLIANCE WORKSHEET

SECTION	DESCRIPTION	DEVELOPMENT AREA	VALUE
		602,340	SF
110-48	REQUIRED LANDSCAPE IMPROVEMENT AREA	10% =	60,234 SF
	PROPOSED LANDSCAPE IMPROVEMENT AREA	52% =	2,99,777 SF
110-48	REQUIRED LANDSCAPE AREA VISIBLE FROM THE STREET		23,107 SF
	PROPOSED LANDSCAPE AREA VISIBLE FROM THE STREET		180,080 SF
344-127 (B)	REQUIRED LANDSCAPE AREA VISIBLE FROM THE STREET THAT IS NOT LAWN	50% =	115,544 SF
	PROPOSED LANDSCAPE AREA VISIBLE FROM THE STREET THAT IS NOT LAWN	206% =	4,75,719 SF
110-50	ALL PARKING SPACES ARE WITHIN 50' OF A TREE TRUNK		
110-51	REQUIRED NUMBER OF TREES PER FIRST 10,000 SF OF REQUIRED LANDSCAPE AREA		26 TREES
	REQUIRED NUMBER OF TREES FOR EVERY 800 SF OVER 10,000 SF OF REQUIRED LANDSCAPE AREA (36214 SF - 8000)		45 TREES
	REQUIRED NUMBER OF TREES		71 TREES
	PROPOSED NUMBER OF TREES		129 TREES (178 PALMS EXCLUDES MITIGATION TREES)
	PROPOSED NUMBER OF 2.5" TREES FOR MITIGATION		100 TREES
	NUMBER OF CALIPER INCHES OF TREES REMOVED	100% =	192 INCHES
	PROPOSED TREES TO MITIGATE REMOVED TREES (100 - 2.5" TREES)	100% =	250 INCHES

LANDSCAPE BEDS TOTAL SF: 118,434 SF
LAWN TOTAL SF: 112,682 SF

LANDSCAPE MATERIAL SCHEDULE

CODE	BOTANICAL NAME	COMMON NAME	APPROXIMATE QTY.	SIZE
Alp	ARCHONTOPHOENIX ALEXANDRAE	ALEXANDER PALM	12	12" CLR. TRUNK, SINGLE TRUNK
HKO	BAUHINIA BLAKEANA (SEEDLESS)	HONG KONG ORCHID TREE	20	4" CAL., 45 GALLON
MFP	CHAMPAEROPS HUMILIS	MEDITERRANEAN FAN PALM	10	25 GALLON, 3-4" CLR. TRUNKS
Mo	CORDIA BOISSIERI	MEXICAN OLIVE TREE	6	4" CAL., B&B, FULLY CURED
RP	DELONIX REGIA	ROYAL POINCIANA	3	4" CAL., 45 GALLON
Txp	DIOSPYROS TEXANA	TEXAS PERSIMMON	6	4" CAL., B&B, FULLY CURED
YA	LEX VOMITORIA "PRIDE OF HOUSTON"	PRIDE OF HOUSTON YALPOON HOLLY	16	25 GALLON, 7" HEIGHT, MULTI-STEM
E	EASINOPSIS EBANO	TEXAS EBONY TREE	7	4" CAL., B&B, FULLY CURED
J	JACARANDA MINOSFOLIA	JACARANDA	4	4" CAL., CONTAINER
Cm	JACOSTROMEA INDICA "BASHAM'S PARTY PINK"	BASHAM'S PARTY PINK CRAFT MYRTLE	22	30 GALLON, 9" TALL, MULTI-STEM
CFP	UVISTONIA CHINENSIS	CHINESE FAN PALM	36	12" CLR. TRUNK
LGM	MAGNOLIA GRANDIFLORA "LITTLE GEM"	LITTLE GEM MAGNOLIA	20	4" CAL., 45 GALLON
Py	PHOENIX ROEBELLII	PYGMY DATE PALM	10	25 GALLON, 3-4" CLR. TRUNKS
MS	PLATANUS MEXICANA	MEXICAN SYCAMORE	20	4" CAL., 45 GALLON
BU	QUERCUS MACROCARPA	BUR OAK	10	4" CAL., B & B
MON	QUERCUS POLYMOERPHIA	MONTERREY OAK	23	4" CAL., B & B
LO	QUERCUS VIRGINIANA	SOUTHERN LIVE OAK	15	8" CAL., B & B
CRP	ROYSTONIA REGIA	CLUBAN ROYAL PALM	69	16" CLR. TRUNK
EO	OLEA EUROPAEA	EUROPEAN OLIVE	2	4" CAL., 45 GALLON
CE	ULMUS CRASSIFOLIA	CEDAR ELM	11	6" CAL., 60 GALLON
TM	SOPHORA SECUNDIFLORA	TEXAS MOUNTAIN LAUREL	22	30" BOX, 10" TALL, MULTI-STEM
WP	WASHINGTONIA ROBUSTA	MEXICAN FAN PALM	16	18-22" CLR. TRUNKS, FULLY SKINNED
FP	WODNYETIA BIRUCATA	FOXTAIL PALM	33	12" CLR. TRUNK, SINGLE TRUNK
Sy	YUCCA GIGANTEA	SOFT-TIPPED YUCCA	14	TRIPLE STEM, 4" CLR. TRUNK, 10 GALLON, 42" O.C. SPACING

NORTH
SCALE 1" = 30'



MCALLEN TEXAS TEMPLE

THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS
PROJECT ADDRESS: CORNER OF TRENTON ROAD AND COL. ROWE BLVD.

CONDITIONAL USE PERMIT SUBMISSION

OVERALL SITE PLAN
TREE MITIGATION &
TREE & LANDSCAPE
BED LOCATION PLAN
L1.0



VCBO
ARCHITECTURE



DATE: 08-19-2020



HEFFNER DESIGN TEAM, PLLC

REV DATE DESCRIPTION
CONDITIONAL USE
PERMIT SUBMISSION

VCBO NUMBER: 19014
CLIENT NUMBER: 50149051515
DATE: 2020 08 19



THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS
McAllen, TX



MELDEN & HUNT, INC.
CONSULTANTS • ENGINEERS • SURVEYORS



HEFFNER DESIGN TEAM, PLLC



Gracie Lira

From: Philip Haderlie <phaderlie@vcbo.com>
Sent: Wednesday, August 19, 2020 2:04 PM
To: Gracie Lira
Subject: Parking Info / Floorplans
Attachments: Meeting House Color Plan.pdf; Temple Floorplans McAllen (1).pdf

Mario,

Attached are the floorplans for the meetinghouse and the temple.

Below is our thinking on how the parking is used, which has been confirmed with the church standards. **The temple and chapel are never used at the same time, so the parking lot is only sized for the larger occupant load of the two buildings.** The Meeting house is only used on Sundays and the Temple is only used from Tuesday - Saturday.

Here is the breakdown of the occupants of the major spaces:

Meetinghouse

Chapel - 212 occupants
Overflow / Cultural Center - 255 Occupants

Total = 467

We estimate that on the average you would have up to 3 people per stall as many families are in the same vehicle. Therefore $467/3 = 155$ stalls required. This is very conservative as some families would be larger.

There are many small rooms in the chapel, but those should not count in the parking count as they are auxiliary to the major spaces. The first part of the meeting happens in the larger spaces, then during the second hour of meeting the building occupants move to the smaller rooms, there is never a time when all rooms in the building are used at the same time.

Temple

The temple has several assembly rooms on the main floor as follows:

Instruction Room E (2 rooms) - Total 80 Occupants
INSTRUCTION ROOM 1 - 25 OCCUPANTS
INSTRUCTION ROOM 2 - 17 OCCUPANTS
BAPTISTRY - 28 OCCUPANTS
OFFICES - 10 OCCUPANTS
LOCKER ROOMS / SUPPORT SPACES/ LOBBY - 40 OCCUPANTS
WORKERS - 20 OCCUPANTS
WAITING ROOM - 30 occupants

TOTAL OCCUPANTS = 230



Usually they would have 2 people per ca (husband and wife) Therefore $230/2 = 115$ Stalls Needed.

I've included drawings for basement and the second floor mechanical but these spaces are not major contributors to the overall occupant load.

I hope this helps resolve the question of parking, the chapel is the largest occupant load and even using conservative numbers we will have a surplus of parking stalls.

Thanks,

Phil Haderlie

PHIL HADERLIE, AIA, LEED
AP BD+C
Associate Principal

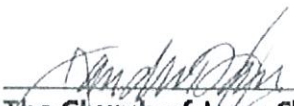
VCBO ARCHITECTURE
524 South 600 East
Salt Lake City, UT 84102
801.
575.8800
vcbo.com
phaderlie@vcbo.com

PHIL HADERLIE, AIA, LEED
AP BD+C
Associate Principal

VCBO ARCHITECTURE
524 South 600 East
Salt Lake City, UT 84102
801.
575.8800
vcbo.com
phaderlie@vcbo.com

OWNER'S AUTHORIZATION

We, The Church of Jesus Christ of Latter-Day Saints, hereby authorize Fred L. Kurth, P.E., R.P.L.S. (President) and Mario A. Reyna, P.E. (Vice President) of Melden & Hunt, Inc. to sign all subdivision applications and related paperwork for a property consisting of approximately 10.615 acres of land, more or less, out of Lot 16, Block 13, Hidalgo Canal Company's Subdivision, as per map or plat thereof recorded in Volume "Q", Page 177, Hidalgo County Deed Records, McAllen, Hidalgo County, Texas.



The Church of Jesus Christ of Latter-Day Saints
Jared Doxey, Director
500 East North Temple Street, 22nd Floor
Salt Lake City, Utah 84150

2/3/20

Date

STATE OF Utah §

COUNTY OF Salt Lake §

Before me, the undersigned authority, on this day personally appeared **Jared Doxey** 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 purpose and consideration herein stated.

Given under my hand and seal of office, this the 3rd day of March, 2020.



Amy M. Schaber
Notary Public, State of Texas Utah ^{AMS.}





NOTICE
INSTITUTIONAL
FOR
THIS PROPERTY
CUP2025-010

Hebert Camacho

From: Liliana Garza
Sent: Monday, September 14, 2020 9:41 AM
To: Hebert Camacho
Subject: FW: Intro Mcallen Temple
Attachments: McAllen_Exterior.jpg; Meeting House Color Plan (1).pdf; Temple Floorplans McAllen (1) (2).pdf; Chapel Elevation for McAllen.pdf

Info on McAllen temple

Sincerely,

Liliana Garza
Planner II
City of McAllen Planning Department
311 N. 15th Street
lgarza@mcallen.net
Phone: (956) 681-1250

From: Philip Haderlie [mailto:phaderlie@vcbo.com]
Sent: Friday, September 11, 2020 3:01 PM
To: Mario Reyna <Mario@meldenandhunt.com>
Cc: Liliana Garza <lgarza@mcallen.net>; Corey Bowman AIA <cbowman@vcbo.com>; Niels Valentiner <nvalentiner@vcbo.com>
Subject: Re: Intro

Liliana,

It's nice to "meet" you and to be working with you on the project. See attached elevations of the building which show the overall building heights. I'm also providing a rendering of the building which was not available before please feel free to include the rendering in any of the future city review meetings for Conditional Use permit etc.

The square footages for the buildings are as follows:

Temple 29,732 s.f.

Meetinghouse 18,636 s.f.

See also attached floorplans. On these floorplans we have provided the number of occupants (seat count) in each of the rooms to help you verify the parking requirements. Below is a summary of how I have calculated the parking:

The temple and chapel are never used at the same time, so the parking lot is only sized for the larger occupant load of the two buildings. The Meeting house is only used on Sundays and the Temple is only used from Tuesday - Saturday.

Here is the breakdown of the occupants of the major spaces:

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I hope this helps resolve the question of parking, the chapel is the largest occupant load and even using conservative numbers we will have a surplus of parking stalls.

PHIL HADERLIE, AIA, LEED
AP BD+C

Associate Principal

VCBO ARCHITECTURE
524 South 600 East
Salt Lake City, UT 84102

2020.09.11 McAllen Texas Temple_Exterior Elevat...

On Fri, Sep 11, 2020 at 8:27 AM Mario Reyna <Mario@meldenandhunt.com> wrote:

Philip meet Liliana.

Please send an elevation view showing heights dimensions and the overall building square footages.

Thanks,



Mario A. Reyna, P.E.
Vice President
Melden & Hunt, Inc.
115 West McIntyre
Edinburg, Texas 78541

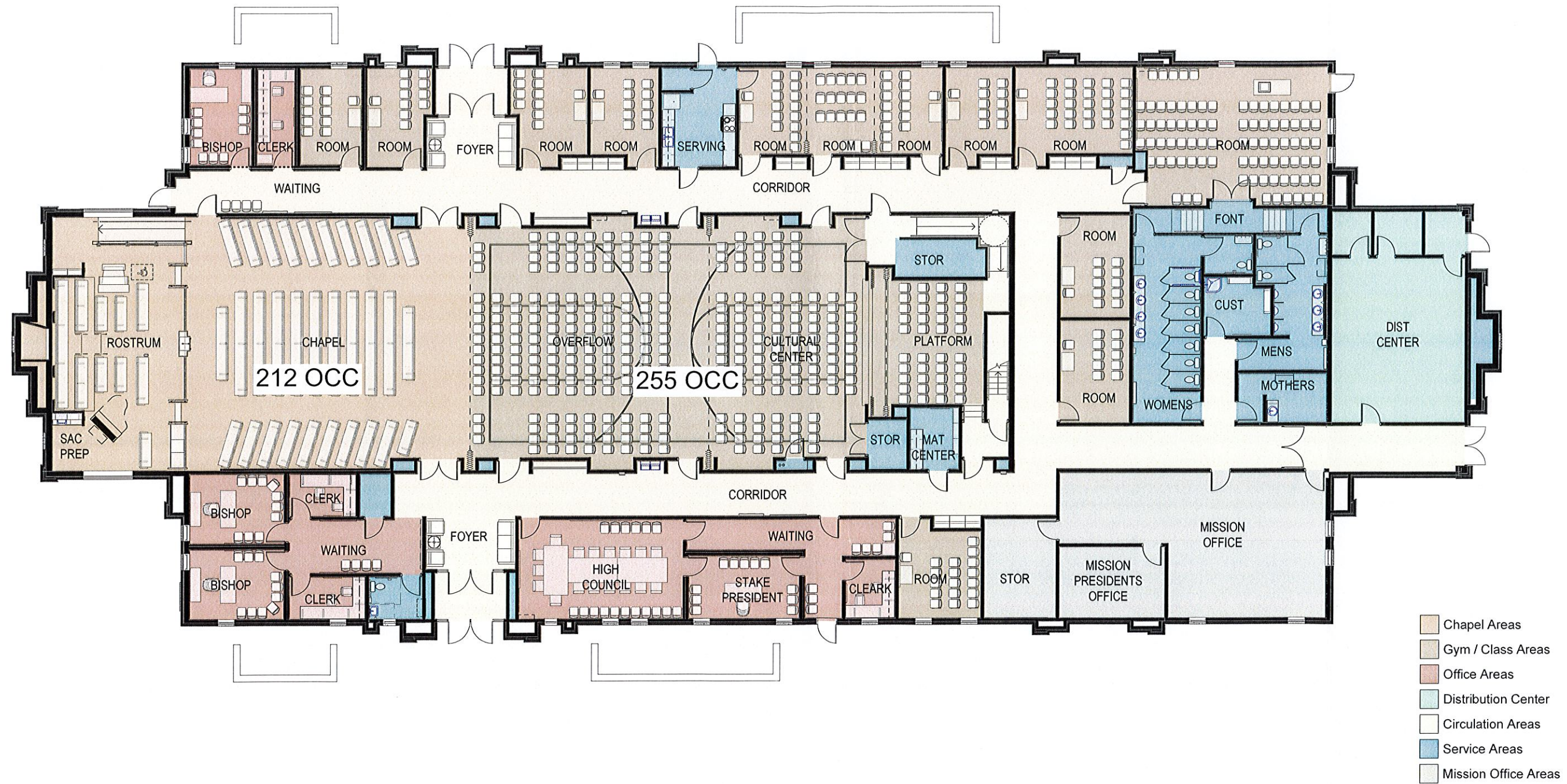
Office: (956) 381-0981 Fax: (956) 381-1839 Cell: (956) 500-2734

Email: mario@meldenandhunt.com

Website: www.meldenandhunt.com

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MEETING HOUSE FLOORPLAN





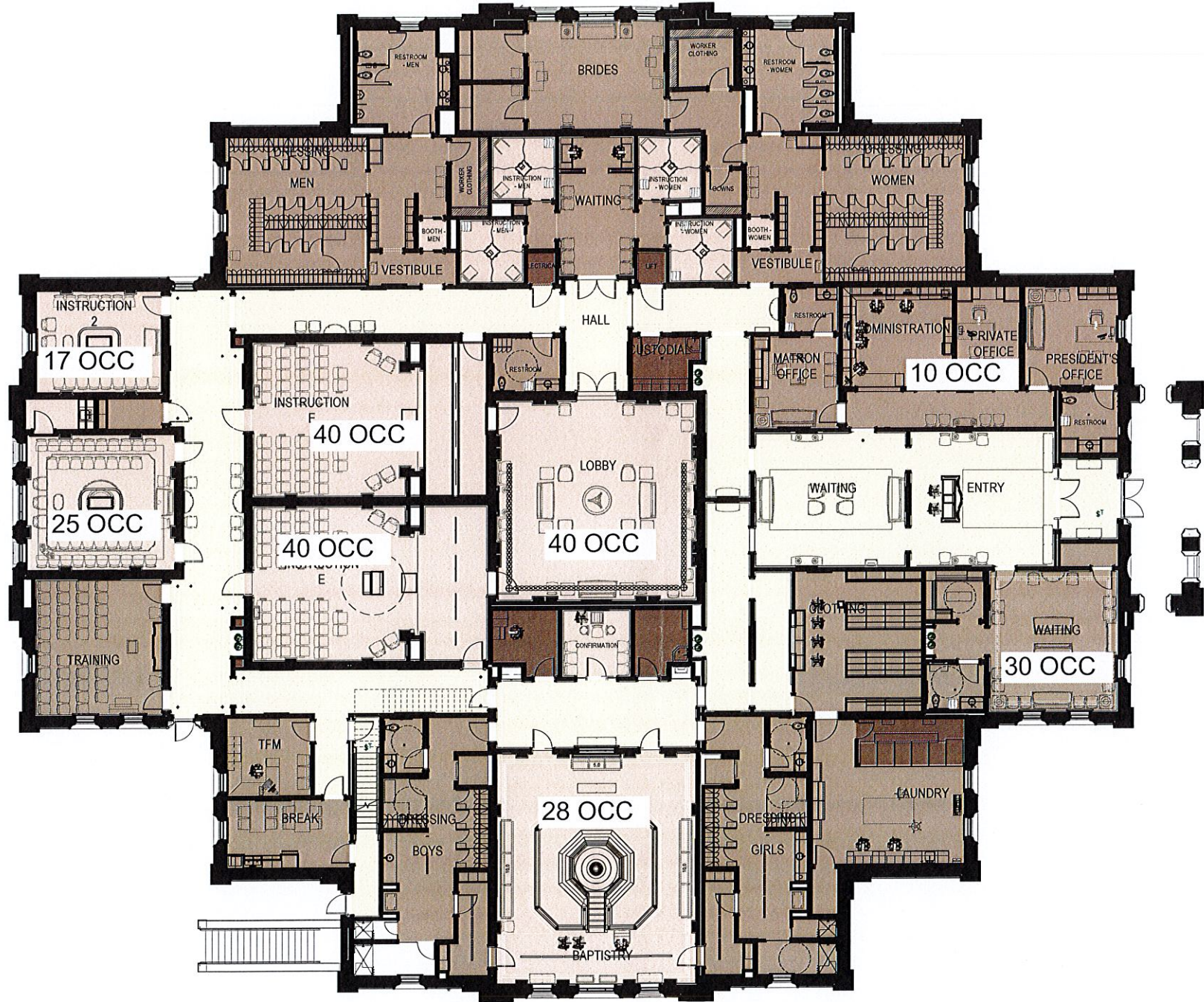
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CLIENT NUMBER: 50145877519
CITY NUMBER:
DATE: AUGUST 24, 2020

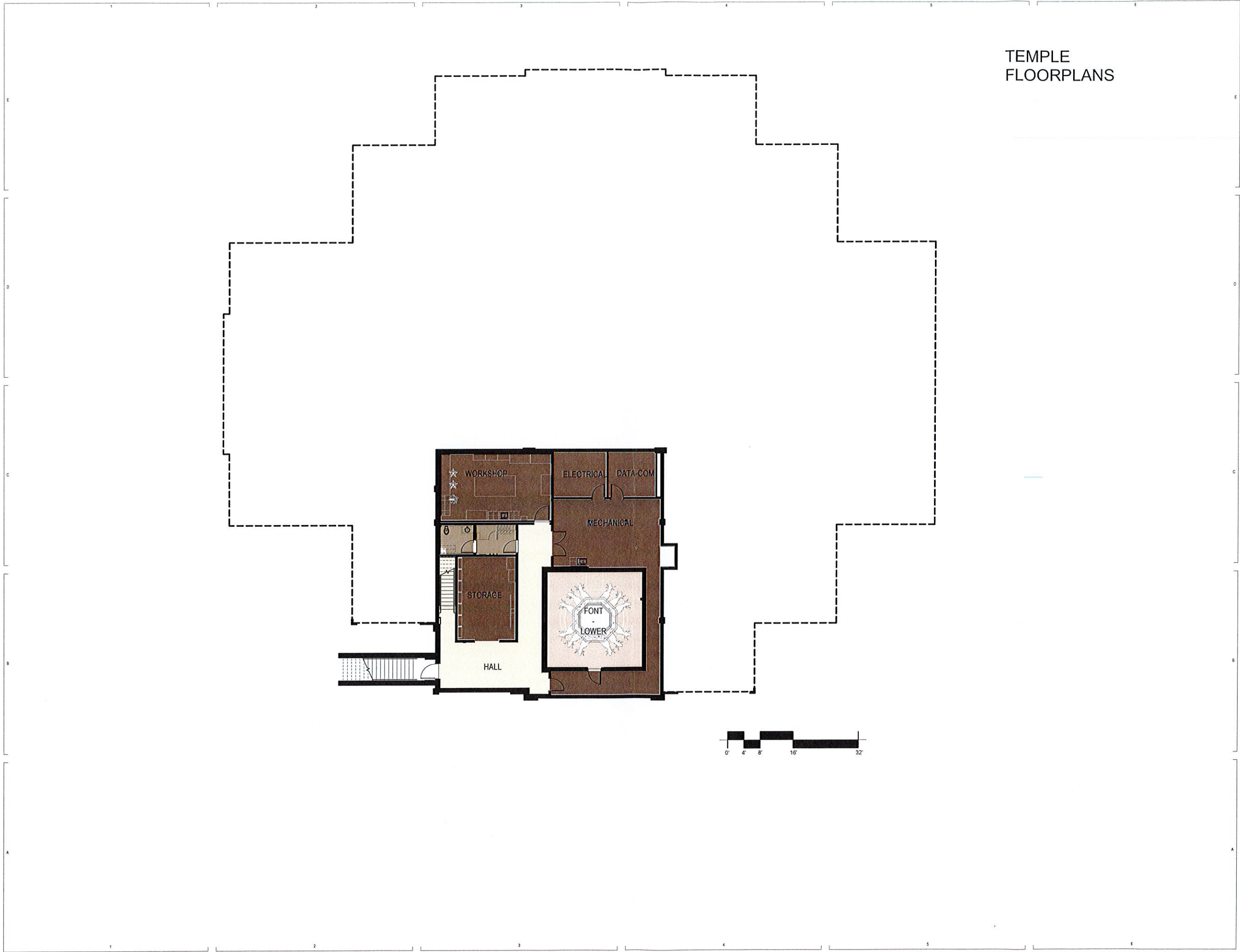
McAlLEN TEXAS TEMPLE
THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS

COLORED LEVEL 01 PLAN

M1



1 PLAN - LEVEL 01 - COLORED
SCALE: 1/8" = 1'-0"



TEMPLE
FLOORPLANS

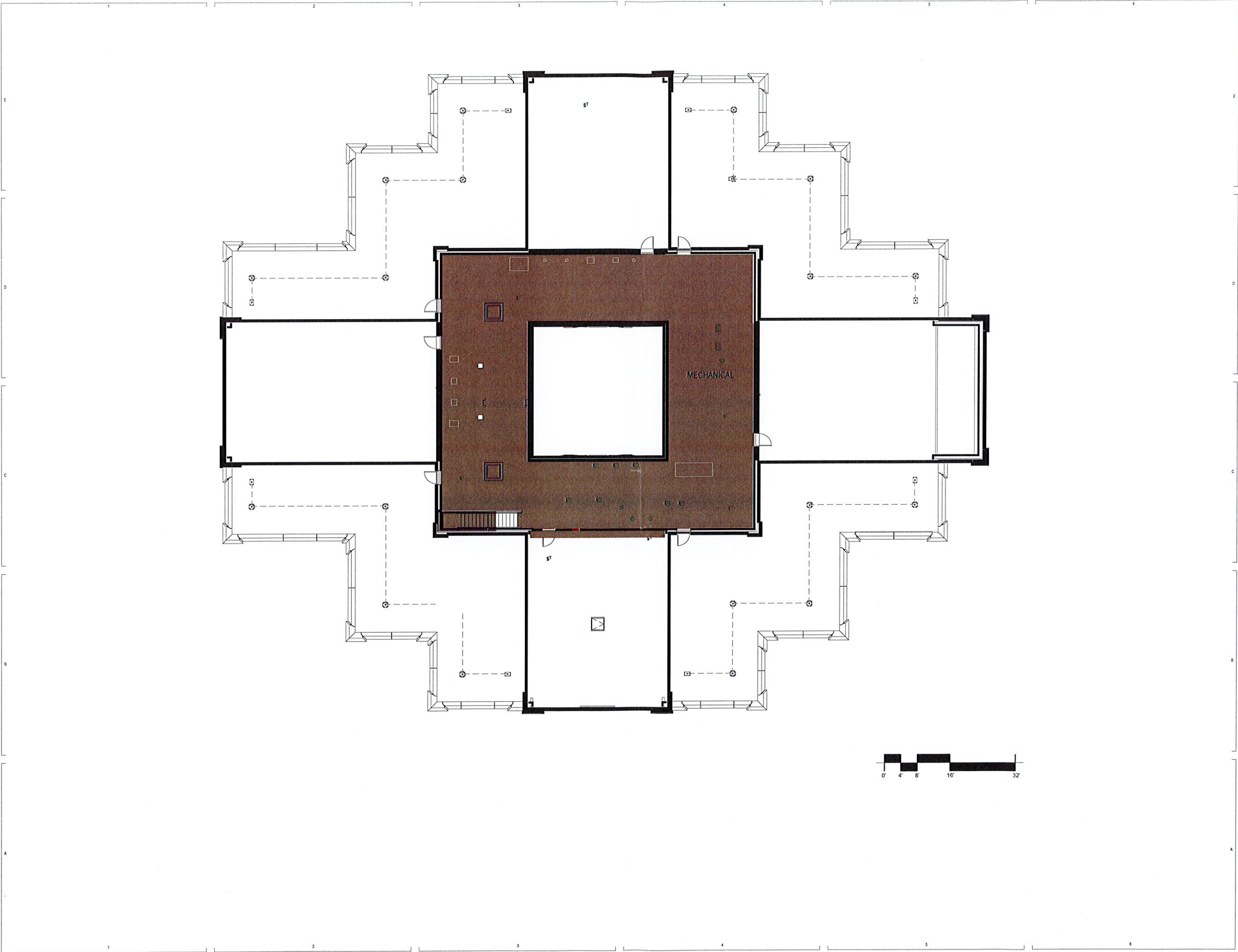


REV	DATE	DESCRIPTION
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VCBO NUMBER: 19612
CLIENT NUMBER: 50143877519
CITY NUMBER:
DATE: AUGUST 24 2020

McALLEN TEXAS TEMPLE
THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS

COLORED - LOWER LEVEL



REV	DATE	DESCRIPTION
-----	------	-------------

VCBO NUMBER: 13612
CLIENT NUMBER: 5014997519
CITY NUMBER:
DATE: AUGUST, 24, 2020

McALLEN TEXAS TEMPLE
THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS

COLORADO - LEVEL 02 PLAN

Memo

TO: Planning and Zoning Commission

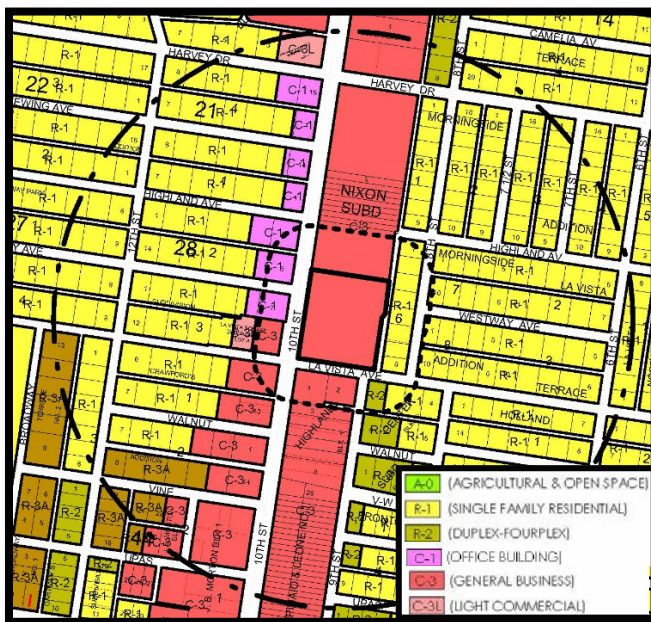
FROM: Planning Staff

DATE: October 2, 2020

SUBJECT: REQUEST OF SHARON B. FLORES, ON BEHALF OF ST. JOHN'S EPISCOPAL CHURCH & SCHOOL, FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, FOR AN INSTITUTIONAL USE (SCHOOL) AT A 3.12-ACRE TRACT OF LAND OUT OF LOT 29, BLOCK 10, HIDALGO CANAL COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS, 2410 N. 10TH STREET. (CUP2020-0099)

BRIEF DESCRIPTION:

The property is located on the northeast corner of North 10th Street and La Vista Avenue and is zoned C-3 (general business) District. The adjacent zoning is C-3 (general business) District to the north, south, and west, C-1 (office building) District to the west, R-2 (duplex-fourplex) District to the south, and R-1 (single-family residential) District to the east. Surrounding land uses include church, offices, retail stores, apartments, and single family residence.



HISTORY:

St. John's Episcopal Church to the north of the property has an existing Conditional Use Permit for an institutional use that was approved by City Commission on June 23, 1997. There is an existing

Conditional Use Permit for properties owned by the church located at Lot 1 and Lot 2, Block 6, Morningside Subdivision for a school/daycare; which was approved by City Commission on January 8, 1987 for life of the use. A Conditional Use Permit for property located Lot 3, Block 6, Morningside Subdivision for youth gathering and meetings for the church was approved by City Commission on November 24, 2014. St. John's Episcopal Church has now acquired the property on the northeast corner of North 10th Street and La Vista Avenue is proposing to use the existing building for a school. The acquired property will have its own Conditional Use Permit, therefore, the existing Conditional Use Permits of the Church will not be affected.

REQUEST/ANALYSIS:

The applicant is proposing to use the property for the purposes of conducting school classes from the existing 19, 606 sq. ft. two story building on site. There is also a 6,800 sq. ft. "annex" building that is sectioned into smaller offices on the south side that are leased commercially with tenants that were acquired with the purchase of the property. The applicant's future plan is to use the "annex" building as a preschool. An institutional use is allowed in a C-3 District with a Conditional Use Permit. The two story building will consist of 7 classrooms and 4 admin. offices and in the future the annex building will consist of 8 preschool classrooms. Based on 1.5 parking spaces per classroom and 1.5 parking spaces per admin office, 29 parking spaces are required for the two-story building and the proposed preschool. However, based on the 6,800 sq. ft. of office use, 37 parking spaces are required for the "annex" building right now. The total parking spaces required 54, and 98 spaces are provided on site. Should the number of offices and classrooms increase, then additional parking will be required.

Any future changes or additions to the site will require amended of the Conditional Use Permit.

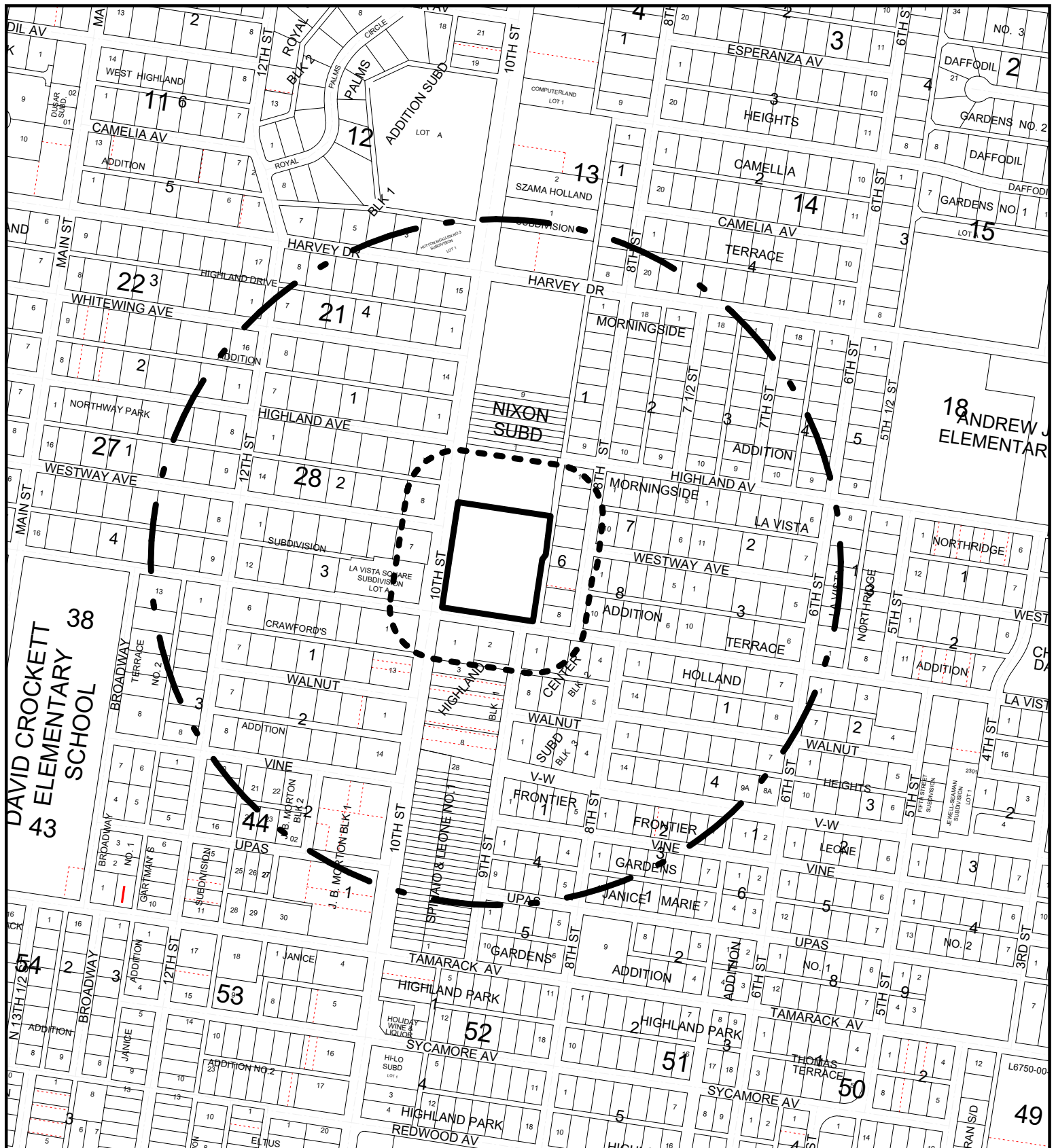
The Health Department inspected the establishment and found the place to be in compliance to continue the CUP process. The Fire Department is still pending inspection of the site. The proposed use must also meet the requirements set forth in Section 138-118 of the Zoning Ordinance and specific requirements as follows:

- 1) The proposed use shall not generate traffic onto residential size streets or disrupt residential areas, and shall be as close as possible to a major arterial; The property has direct access to North 10th Street;
- 2) The proposed use shall comply with the McAllen Off-Street Parking Ordinance and make provisions to prevent the use of street parking, especially in residential areas; 54 parking spaces are required, and 98 spaces are provided, two of which are accessible. However, four of the provided spaces are required to be accessible, one of which must be van accessible. Should the number of offices and classrooms increase, then additional parking will be required;
- 3) The proposed use shall prevent the unauthorized parking of its patrons on adjacent businesses or residences by providing fences, hedges or reorientation of entrances and exits. The school must comply with the circulation pattern approved by the Traffic Operations Department;

- 4) The proposed use shall provide sufficient lighting to eliminate dark areas, perimeter fencing, and an orientation of the building to provide maximum visibility from a public street in order to discourage vandalism and criminal activities;
- 5) Provisions shall be made to prevent litter from blowing onto adjacent streets and residential areas;
- 6) The number of persons within the building shall be restricted to those allowed by the Fire Marshal and Building Official at the time of permit issuance; The maximum capacity for the two existing buildings on site is 1,123 persons;
- 7) Sides adjacent to residentially zoned or used properties shall be screened by a 6 ft. opaque fence.

RECOMMENDATION:

Staff recommends approval of the request, for life of the use, subject to Section 138-118 and Section 138-396 (accessible parking requirements) of the Zoning Ordinance, Building Permit, and Fire Department requirements.



CITY OF McALLEN PLANNING DEPARTMENT

AREA MAP



LEGEND

SUBJECT PROPERTY

200 FT. NOTIFICATION BOUNDARY

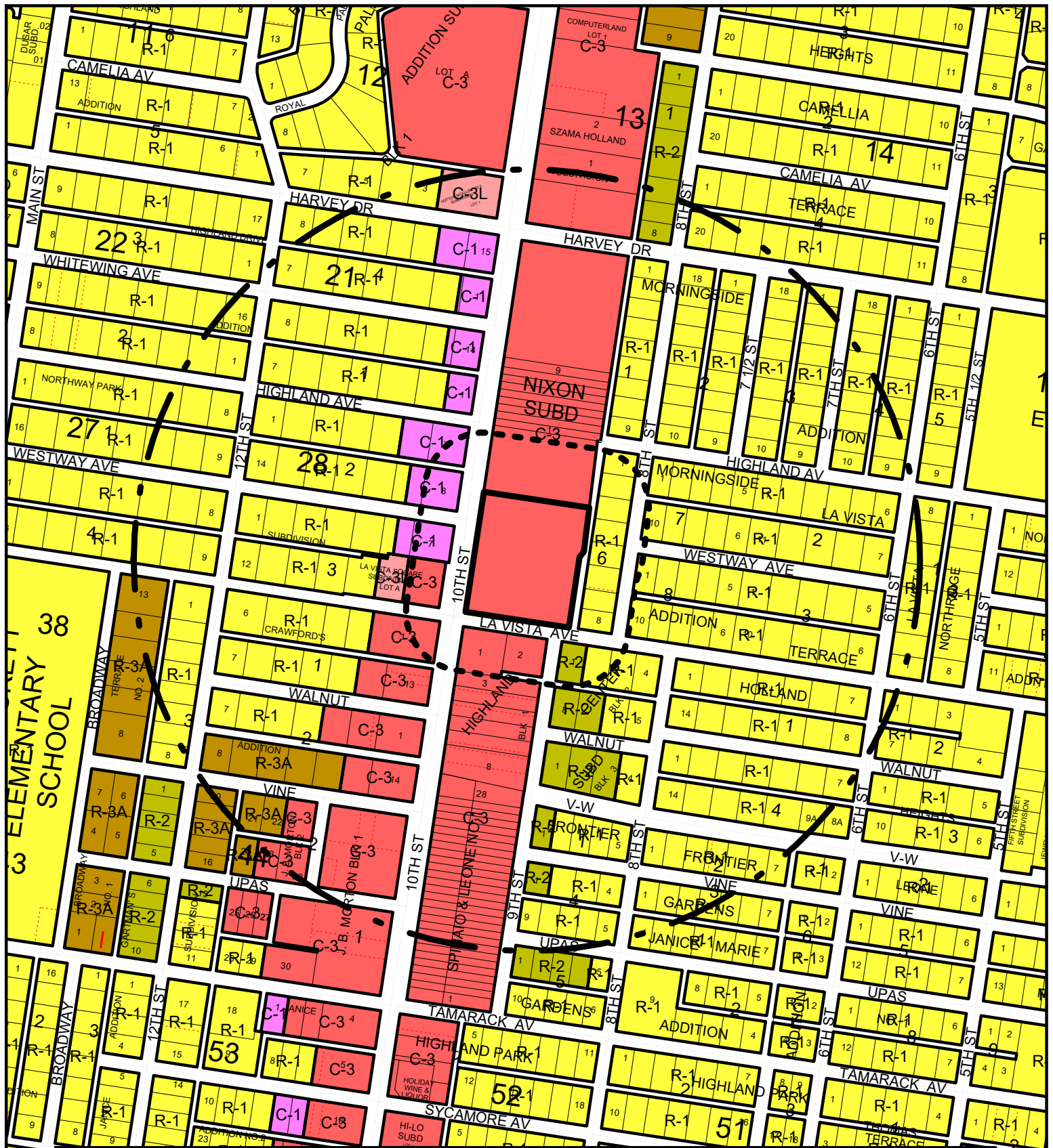
1/4 MILE RADIUS

ZONING LEGEND

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

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

LUTHERAN CHURCH



CITY OF McALLEN

PLANNING DEPARTMENT

LEGEND
SCALE: N.T.S.

SUBJECT PROPERTY

200 FT. NOTIFICATION BOUNDARY

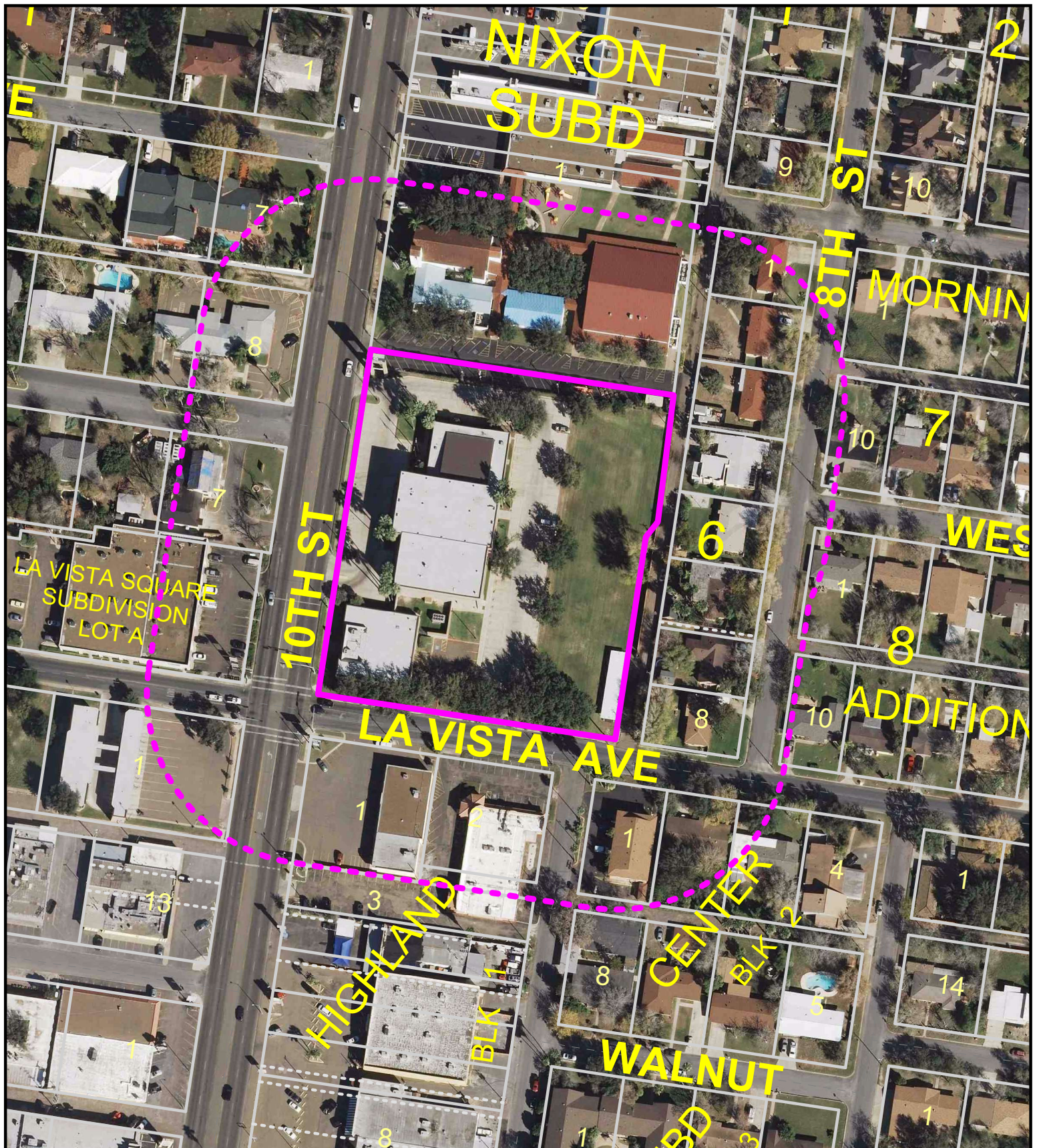
1/4 MILE RADIUS



ZONING LEGEND

(AGRICULTURAL & OPEN SPACE)	(APARTMENTS)	(MOBILE HOMES)	(GENERAL BUSINESS)	(LIGHT INDUSTRIAL)
(SINGLE FAMILY RESIDENTIAL)	(CONDOMINIUMS)	(OFFICE BUILDING)	(LIGHT COMMERCIAL)	(HEAVY INDUSTRIAL)
(DUPLEX-FOURPLEX)	(TOWNHOUSES)	(NEIGHBORHOOD COMMERCIAL)	(COMMERCIAL INDUSTRIAL)	(SPECIAL DISTRICT)

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CITY OF McALLEN
PLANNING DEPARTMENT

AERIAL MAP
SCALE: N.T.S.



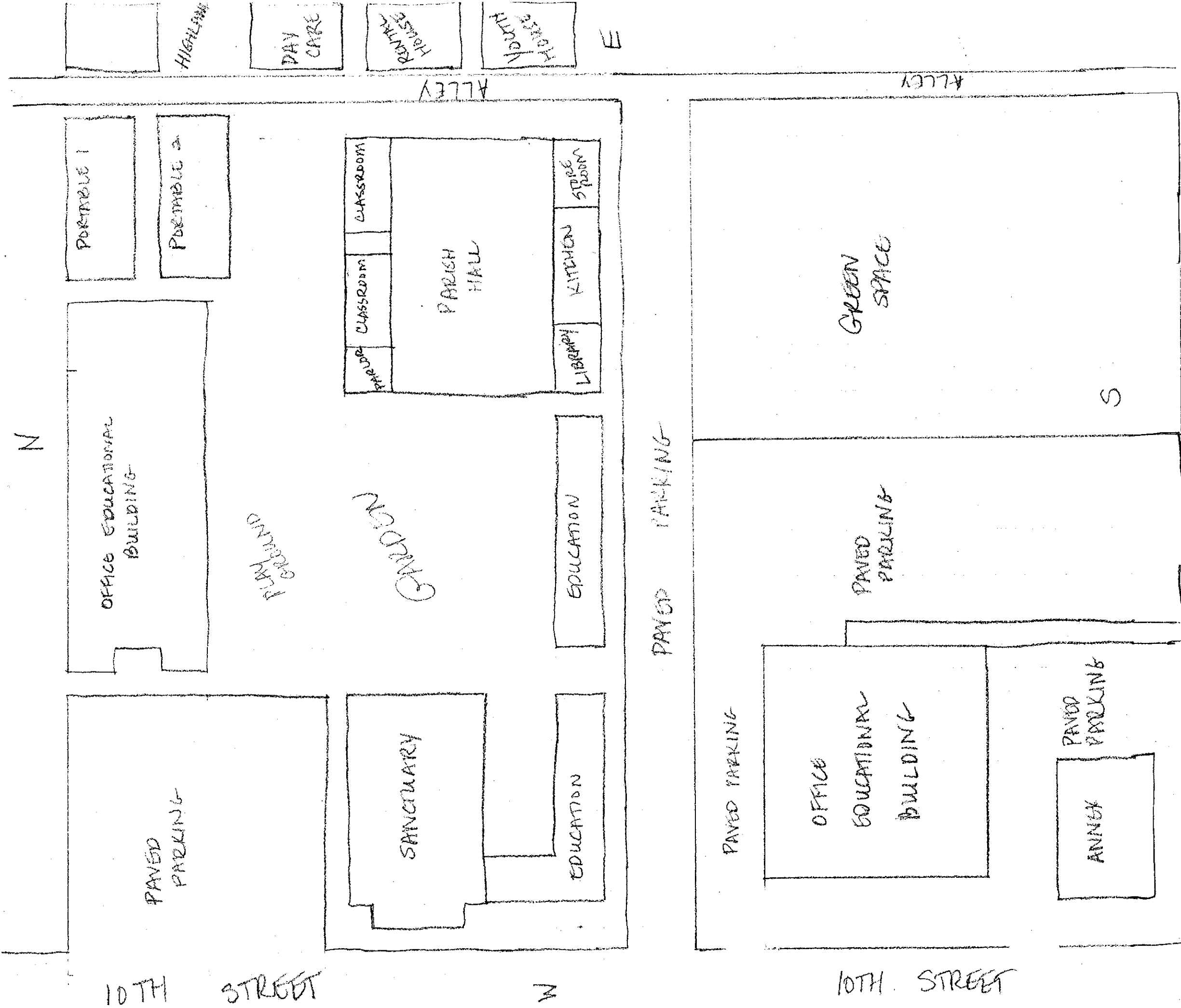
SUBJECT PROPERTY

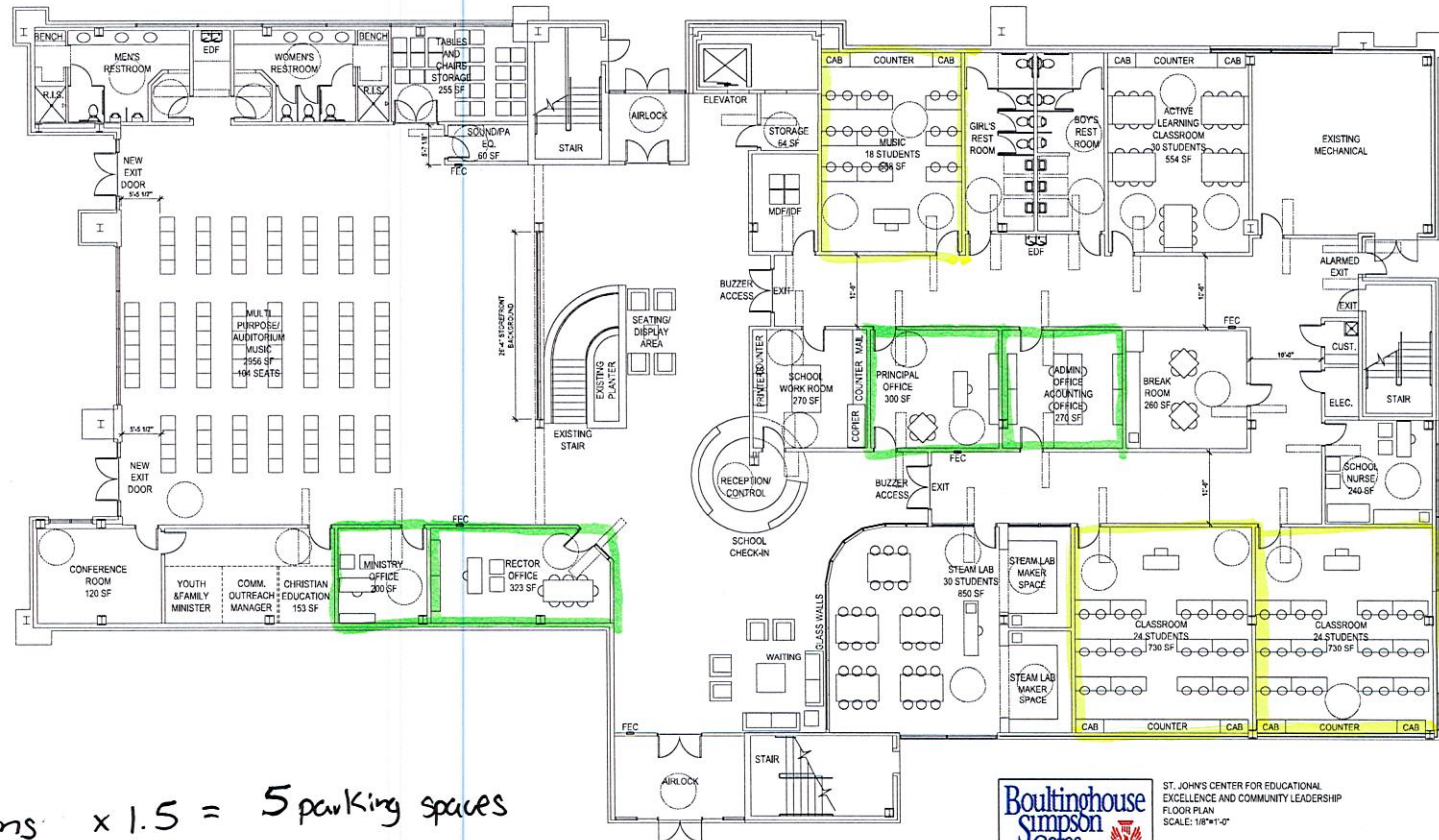


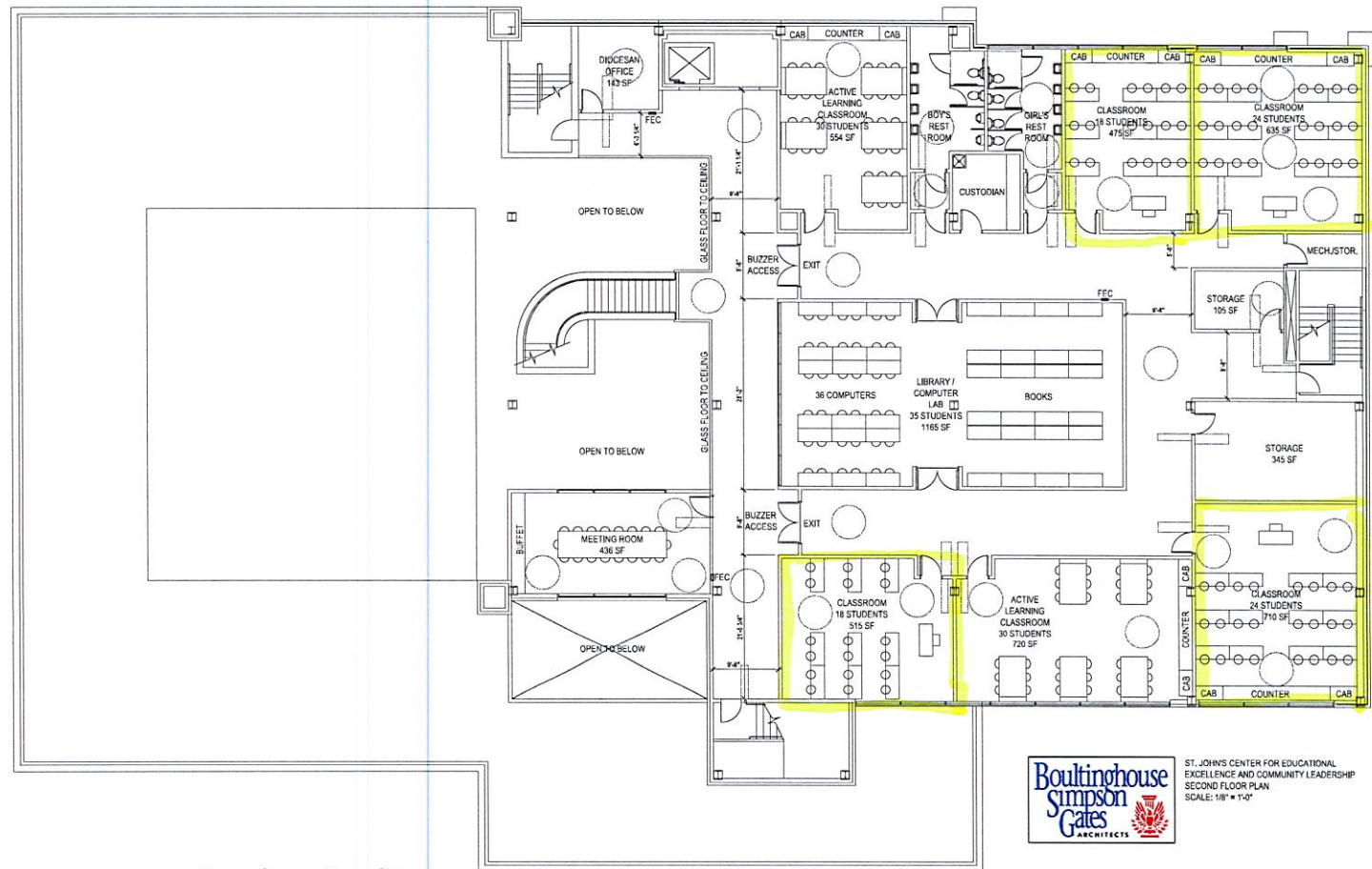
200' NOTIFICATION BOUNDARY



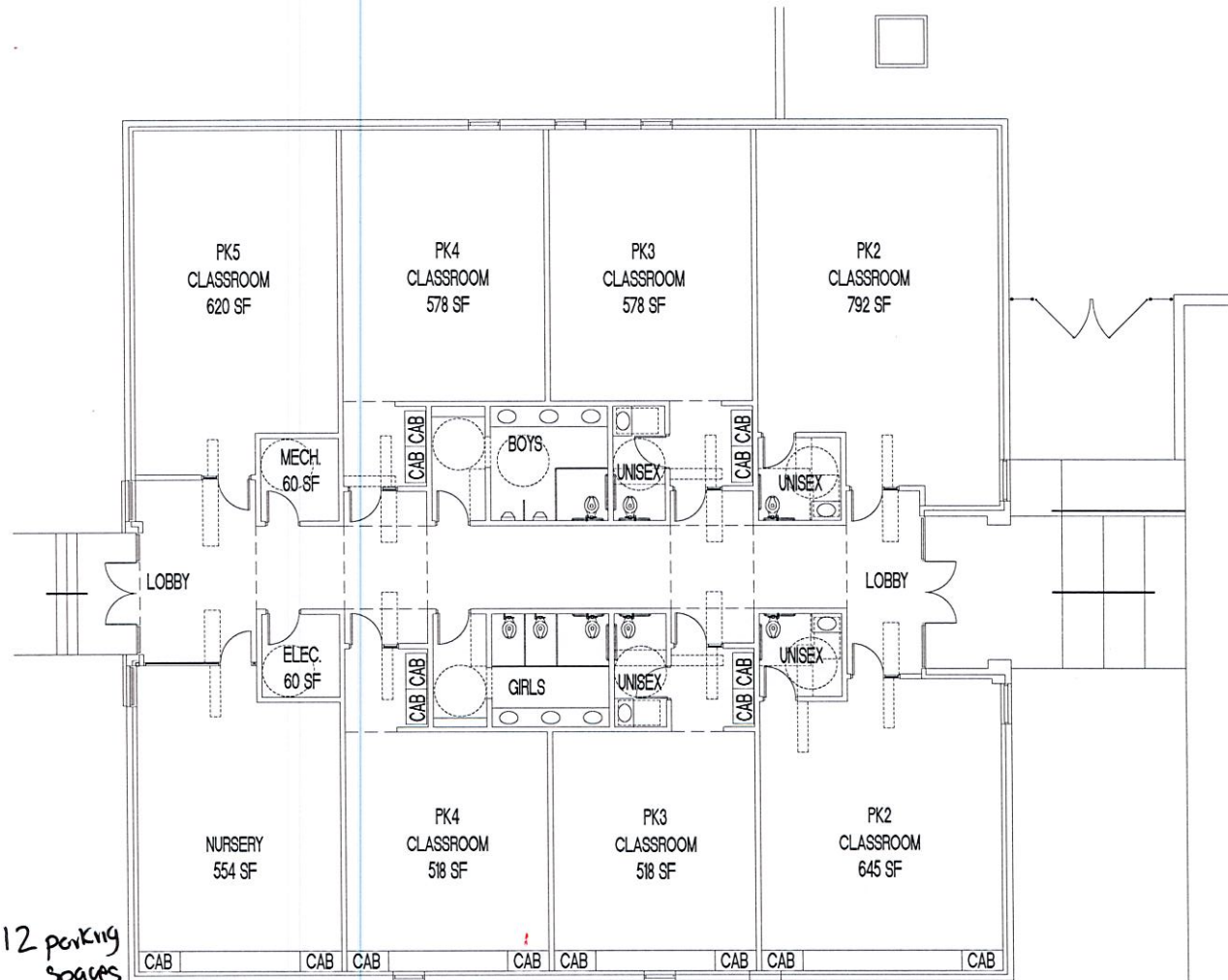
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Proposed Use: Preschool



8 classrooms x 1.5 = 12 parking spaces

Annex

Hidalgo County
Arturo Guajardo Jr.
County Clerk
Edinburg, Texas 78540

Document No: 3103125
Recorded On: April 02, 2020 11:15 AM

Billable Pages: 7
Number of Pages: 8

*****Examined and Charged as Follows*****

Total Recording: \$ 60.00

*****THIS PAGE IS PART OF THE DOCUMENT*****

Any provision herein which restricts the Sale, Rental, or use of the described REAL PROPERTY
because of color or race is invalid and unenforceable under federal law.

File Information:

Document No: 3103125
Receipt No: 20200402000010
Recorded On: April 02, 2020 11:15 AM
Deputy Clerk: Gilbert Ramos
Station: CH-1-CC-K21

Record and Return To:

Corporation Service Company
na
na TX



STATE OF TEXAS
COUNTY OF HIDALGO

I hereby certify that this Instrument was FILED in the File Number sequence on the date/time
printed hereon, and was duly RECORDED in the Official Records of Hidalgo County, Texas.

Arturo Guajardo Jr.
County Clerk
Hidalgo County, Texas

1-184020

AFTER RECORDING RETURN TO:

Presidio Title LLC
 7373 Broadway, Suite 105
 San Antonio, Texas 78209
 Attn: Ron Bates

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

SPECIAL WARRANTY DEED WITH VENDOR'S LIEN

STATE OF TEXAS

§

§

KNOW ALL PERSONS BY THESE PRESENTS:

COUNTY OF HIDALGO

§

THAT FROST BANK, a Texas state bank ("Grantor"), effective as of March 30, 2020 (the "Effective Date"), for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to it paid by EPISCOPAL CHURCH CORPORATION IN WEST TEXAS, a Domestic Nonprofit Corporation ("Grantee"), whose mailing address is 111 Torcido Drive, San Antonio, Texas 78209, Attention: David Reed, President, the receipt and sufficiency of which are hereby acknowledged and confessed by Grantor, has GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents does hereby GRANT, BARGAIN, SELL and CONVEY unto Grantee that certain real property situated in the County of Hidalgo, State of Texas, and described on **Exhibit A** attached hereto and made a part hereof for all purposes (the "Land"), together with all improvements, structures and fixtures thereon (the "Improvements"), and, without warranty (express or implied), all interest (if any) of Grantor in and to all appurtenances pertaining to the Land and Improvements, including, without limitation, any interest of Grantor in and to adjacent streets, alleys, rights-of-way, easements, strips or gores (the Land, Improvements and such appurtenances being herein referred to collectively as the "Property"); however, notwithstanding the foregoing or anything herein expressed or implied to the contrary, the Property shall not include, and Grantor specifically reserves and retains unto itself, its successors and assigns, any and all rights, title and interests of Grantor in and to any and all oil, gas, lignite and other minerals and hydrocarbons (and mineral rights) of every nature in, on, under and with respect to, and that may be produced from, the Property, however, Grantor hereby expressly waives (on behalf of itself and its successor or assigns) all rights of ingress and egress upon or across the surface of the Property for purposes of exploring for or developing oil, gas, lignite, hydrocarbons or other minerals, but nothing herein contained shall ever be construed to prevent Grantor or its successors or assigns from developing and/or producing the oil, gas, lignite, hydrocarbons and/or other minerals in, on, under and with respect to, and that may be produced from, the Property by pooling or by directional or horizontal drilling under the Property from wells or other well sites located on property other than the Property, provided that such activities are conducted at depths that will not affect the structural integrity of existing and future improvements on the Property and in such a manner as to not adversely affect the use of the surface of the Property.

This conveyance is made and accepted subject, subordinate and inferior to the leases, easements, encumbrances, covenants and the other matters and exceptions set forth on **Exhibit B**, attached hereto and made a part hereof for all purposes (the "Permitted Encumbrances"). Ad valorem taxes and assessments for the year of this Special Warranty Deed (this "Deed") have been prorated; accordingly, by its

acceptance of this Deed, Grantee assumes responsibility and agrees to pay any and all ad valorem taxes and assessments on or pertaining to the Property for the calendar year in which this Deed is executed by Grantor and all subsequent years. Grantee by its acceptance of this Deed does further hereby assume and agree to pay any and all ad valorem taxes relating to a subsequent change in the usage or ownership of the Property, whether by reason of this conveyance or hereafter.

GRANTEE IS RELYING ON ITS OWN DUE DILIGENCE INVESTIGATION IN MAKING ITS DECISION TO PURCHASE THE PROPERTY AND HAS NOT RELIED ON ANY REPRESENTATIONS OR WARRANTIES OF GRANTOR OR ANYONE ACTING BY OR ON BEHALF OF GRANTOR, EXCEPT FOR THE SPECIAL WARRANTY OF TITLE AS SET FORTH IN THIS DEED AND THE REPRESENTATIONS AND WARRANTIES EXPRESSLY SET FORTH IN THAT CERTAIN PURCHASE AND SALE AGREEMENT BY AND BETWEEN GRANTOR AND GRANTEE DATED EFFECTIVE AS OF SEPTEMBER 14, 2018 (AS SAME HAS BEEN HERETOFORE MODIFIED, AMENDED AND/OR SUPPLEMENTED, COLLECTIVELY, THE "AGREEMENT"). EXCEPT AS OTHERWISE EXPRESSLY SET FORTH IN THIS DEED AND IN THE AGREEMENT, THE PROPERTY IS BEING SOLD "AS IS, WHERE IS, WITH ALL FAULTS" AND WITHOUT ANY (AND GRANTEE EXPRESSLY DISCLAIMS ANY) REPRESENTATION, WARRANTY, PROMISE, COVENANT, AGREEMENT OR GUARANTY OF ANY KIND OR CHARACTER WHATSOEVER, EXPRESS OR IMPLIED, ORAL OR WRITTEN, PAST, PRESENT OR FUTURE, INCLUDING, WITHOUT LIMITATION, NO SUCH REPRESENTATION, WARRANTY, PROMISE, COVENANT, AGREEMENT OR GUARANTY AS TO, CONCERNING OR WITH RESPECT TO (a) THE VALUE, NATURE, QUALITY OR CONDITION OF THE PROPERTY, INCLUDING, WITHOUT LIMITATION, THE WATER, SOIL OR GEOLOGY, (b) THE INCOME TO BE DERIVED FROM THE PROPERTY, (c) THE FITNESS OR SUITABILITY OF THE PROPERTY FOR ANY AND ALL ACTIVITIES AND USES WHICH GRANTEE OR ANY TENANT MAY CONDUCT OR DESIRE TO CONDUCT THEREON, (d) THE COMPLIANCE OF OR BY THE PROPERTY OR ITS OPERATION WITH ANY CITY, STATE, FEDERAL OR OTHER LAWS, RULES, CODES, ORDERS, ORDINANCES OR REGULATIONS OF ANY APPLICABLE GOVERNMENTAL AUTHORITY OR BODY (INCLUDING, WITHOUT LIMITATION, ANY LAWS RELATING TO THE ENVIRONMENTAL CONDITION OF THE PROPERTY) OR ANY RESTRICTIVE COVENANTS WITH RESPECT TO THE PROPERTY, (e) THE HABITABILITY, MERCHANTABILITY, MARKETABILITY, SUITABILITY, PROFITABILITY, QUALITY, CONDITION OR FITNESS FOR A PARTICULAR PURPOSE OF THE PROPERTY, (f) THE MANNER OR QUALITY OF THE CONSTRUCTION OR MATERIALS, IF ANY, INCORPORATED INTO THE PROPERTY, (g) THE MANNER, QUALITY, STATE OF REPAIR OR LACK OF REPAIR OF THE PROPERTY, (h) COMPLIANCE WITH ANY ENVIRONMENTAL PROTECTION, POLLUTION OR LAND USE LAWS, RULES, REGULATIONS, ORDERS OR REQUIREMENTS, INCLUDING THE EXISTENCE IN OR ON THE PROPERTY OF ANY HAZARDOUS MATERIALS, OR (i) ANY OTHER MATTER OF ANY KIND WITH RESPECT TO THE PROPERTY. GRANTEE FURTHER ACKNOWLEDGES AND AGREES THAT ANY INFORMATION PROVIDED OR TO BE PROVIDED WITH RESPECT TO THE PROPERTY WAS OBTAINED FROM A VARIETY OF SOURCES AND THAT GRANTOR HAS NOT MADE ANY INDEPENDENT INVESTIGATION OR VERIFICATION OF SUCH INFORMATION AND MAKES NO REPRESENTATIONS AS TO THE ACCURACY, TRUTHFULNESS OR COMPLETENESS OF SUCH INFORMATION PREPARED BY PARTIES OTHER THAN GRANTOR. EXCEPT AS OTHERWISE SET FORTH IN THE AGREEMENT, GRANTOR IS NOT LIABLE OR BOUND IN ANY MANNER BY ANY VERBAL OR WRITTEN STATEMENT, REPRESENTATION OR INFORMATION PERTAINING TO THE PROPERTY, OR THE OPERATION THEREOF, FURNISHED BY ANY REAL ESTATE BROKER, CONTRACTOR, AGENT, EMPLOYEE, SERVANT OR OTHER PERSON.

TO HAVE AND TO HOLD the Property, subject to the Permitted Encumbrances, unto Grantee, its successors and assigns, forever, and Grantor does hereby bind Grantor, and Grantor's successors and assigns, to WARRANT and FOREVER DEFEND all and singular the Property, subject to the Permitted Encumbrances, unto Grantee and Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by through, or under Grantor, but not otherwise.

As a portion of the other consideration for the conveyance herein made, it is Grantor's understanding that St. John's Episcopal Church, McAllen, Texas ("Borrower") shall execute and deliver to Frost Bank, a Texas state bank (which, for purposes of the vendor's lien described below is herein called "Lender") a certain promissory note ("Note") of even date with the date of this Deed, evidencing a loan advanced at the special instance and request of Grantee and Borrower as a part of the purchase price of the Property, in the original principal amount of Three Million Six Hundred Ninety-Two Thousand and No/100 Dollars (\$3,692,000.00) executed by Borrower and payable to the order of said Lender, and payment of which Note shall be secured by the vendor's lien and superior title herein reserved to Lender (to the extent of the purchase price amount advanced out of the aforesaid Note proceeds) and is further secured by a certain first lien Deed of Trust, Security Agreement-Financing Statement ("Deed of Trust") of even date with the aforesaid Note from Grantee to Dan J. Guarino, as Trustee for the benefit of said Lender, covering the Property.

Grantor hereby expressly reserves and retains for, and assigns to, the aforesaid Lender and said Lender's successors and assigns (which reservation and assignment is made without warranty by, and without recourse or liability to, Grantor) a vendor's lien, as well as the superior title, in and to the Property to secure (i) the payment of the Note, and (ii) the performance and payment by Grantee of all covenants, conditions, obligations and liabilities under the Deed of Trust. Lender shall not be entitled to enforce the vendor's lien or to assert the superior title thereunder unless Lender shall also be entitled, at the time of such enforcement or assertion, to exercise the right of foreclosure under the terms of the Deed of Trust. Upon the full and complete payment of the Note and satisfaction and performance of all covenants, conditions, obligations and liabilities under the Deed of Trust, then the conveyance the subject of this Deed shall become absolute and the vendor's lien and superior title herein reserved shall be automatically released and discharged.

[Signature page follows.]

This instrument is executed on the date set forth on the acknowledgements appended hereto, but is effective for all purposes as of the Effective Date.

GRANTOR:

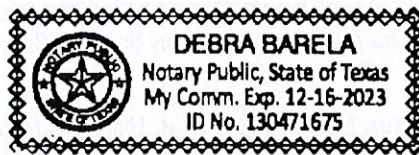
FROST BANK,
a Texas state bank

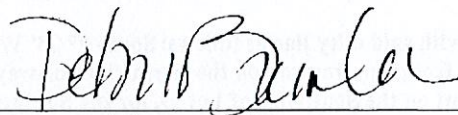
By: 
Robert Goudge, Executive Vice President

STATE OF TEXAS §
 §
COUNTY OF Bexar §

This instrument was acknowledged before me on the 25th day of March, 2020 by Robert Goudge, Executive Vice President of FROST BANK, a Texas state bank, on behalf of said state bank.

Seal:




Notary Public, State of Texas

**EXHIBIT A TO
SPECIAL WARRANTY DEED**

Description of Land

TRACT I:

A tract of land out of the Southwest part of Lot 29, Southeast 1/4 of Section 10, HIDALGO CANAL COMPANY'S SUBDIVISION, of Porciones 64, 65 and 66, Hidalgo County, Texas, as per map or plat thereof recorded in Volume "O" Page 2, Deed Records of Hidalgo County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a point on the South line of Lot 29, for the Southwest corner of the following described tract of land, said point being in La Vista Avenue in the City of McAllen, Texas and located South 81° 14' East, 291.5 feet from the Southwest corner of said Lot 29;

THENCE, parallel to the West line of Lot 29, North 08° 45' East, at 25.0 feet pass an iron rod on the North right-of-way line of La Vista Avenue and at 410.0 feet an iron rod, for the Northwest corner hereof;

THENCE, parallel to the South line of Lot 29, South 81° 14' East, at 112.83 feet to an iron rod on the West line of dedicated alley on the West side of Block 6, Morningside Addition, for the Northeast corner hereof;

THENCE, with said alley line as follows: South 7° 23' West 146.93 feet; South 43° 43' West 28.9 feet; South 7° 23' West, 214.5 feet to an iron rod on the North right-of-way line of La Vista Avenue and continue South 7° 23' West, 25.0 feet to a point on the South line of Lot 29, for the Southeast corner hereof;

THENCE, with the South line of Lot 29, in the center of La Vista Avenue, North 81° 14' West, 105.3 feet to the **PLACE OF BEGINNING**, containing 1.0 acres of land, more or less of which 0.06 acre is in use by La Vista Avenue.

TRACT II:

A tract of land out of the Southwest part of Lot 29, Southeast 1/4 of Section 10, HIDALGO CANAL COMPANY'S SUBDIVISION, of Porciones 64, 65 and 66, Hidalgo County, Texas, as per map or plat thereof recorded in Volume "O" Page 2, Deed Records of Hidalgo County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a point on the West line of Lot 29, for the Southwest corner of the following described tract of land, said point being in North 10th Street (S.H. #336) in the City of McAllen, Texas, and located North 8° 45' East, 143.0 feet from the Southwest corner of said Lot 29;

THENCE, with the West line of Lot 29, along the centerline of State Highway #336 (North 10th Street); North 8° 45' East 267.0 feet to a point, for the Northwest corner hereof;

THENCE, parallel to the South line of Lot 29; South 81° 14' East, at 45.0 feet pass an iron rod set on the East right-of-way line of S.H. #336 and at 291.5 feet an iron rod, for the Northeast corner hereof;

THENCE, parallel to the West line of said Lot 29, South 8° 45' West, 267.0 feet to an iron rod, for the Southeast corner hereof;

THENCE, parallel to the South line of said Lot 29, North 81° 14' West, at 246.5 feet pass an iron rod on the East right-of-way line of North 10th Street and at 291.5 feet the **PLACE OF BEGINNING**, containing 1.79 acres of land more or less, of which 0.28 acre is in use by S.H. #336.

TRACT III:

A tract of land out of the Southwest part of Lot 29, Southeast 1/4 of Section 10, HIDALGO CANAL COMPANY'S SUBDIVISION, of Porciones 64, 65 and 66, Hidalgo County, Texas, as per map or plat thereof recorded in Volume "O" Page 2, Deed Records of Hidalgo County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at the Southwest corner of Lot 29, for the Southwest corner of the following described tract of land, said point being at the intersection of La Vista Avenue and North 10th Street (S.H. #336) in the City of McAllen, Texas;

THENCE, with the West line of Lot 29, along the centerline of State Highway #336 (North 10th Street), North 8° 45' East, 143.0 feet to a point, for the Northwest corner hereof;

THENCE, parallel to the South line of Lot 29, South 81° 14' East, at 45.0 feet pass an iron rod set on the East right-of-way line of S.H. #336, and at 291.5 feet an iron rod, for the Northeast corner hereof;

THENCE, parallel to the West line of said Lot 29, South 8° 45' West, at 118.0 feet pass an iron rod on the North right-of-way line of La Vista Avenue and at 143.0 feet to a point on the South line of Lot 29, for the Southeast corner hereof;

THENCE, with the South line of Lot 29, in the center of La Vista Avenue, North 81° 14' West 291.5 feet to the **PLACE OF BEGINNING**, containing 0.96 acres of land, more or less, of which 0.15 is in use by S.H. #336 and 0.14 acre is in use by La Vista Avenue.

[END OF EXHIBIT]

**EXHIBIT B TO
SPECIAL WARRANTY DEED**

Permitted Encumbrances

1. Rights of tenants in possession, as tenants only, under any unrecorded rental or lease agreements.
2. All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges, and immunities relating thereto, appearing in the Public Records.
3. Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, dated May 4, 1951, by and between T.J. Chidlow and wife, Mrs. T.J. Chidlow, as Lessor, and Taylor Refining Company and Mayfair Minerals, Inc., as Lessee, recorded June 14, 1951 in Volume 115, Page 403, Oil and Gas Lease Records of Hidalgo County, Texas. Said Lease being affected by Non-Drilling Agreement contained in instrument dated August 27, 1959, recorded in Volume 239, Page 210, Oil and Gas Lease Records of Hidalgo County, Texas.
4. Coal, lignite, oil, gas or other mineral interest(s), together with rights incident thereto, contained in instrument dated February 10, 1970, recorded February 16, 1970 in Volume 1251, Page 271, Deed of the Official Records of Hidalgo County, Texas, which document contains the following language "Said L.G. McCullough in his capacity as guardian of the person and estate of Fannie B. Chidlow hereby reserves and there is not conveyed hereby all oil, gas, and other minerals on, in, under and that may be produced from the land herein and hereby conveyed."
5. Rights or claims by Hidalgo County Irrigation District No. 3 to any portion of property lying within canal and/or drain ditch easements and/or rights of way located on the property.
6. Easements and reservations as shown according to the map or plat thereof recorded in Volume "0" Page 2, Deed Records of Hidalgo County, Texas.
7. A twenty-five foot (25') easement for the use of Hidalgo Irrigation Co., as set out in Deed dated February 11, 1908 from Hidalgo Canal Co. to Wm. Fischer, recorded in Volume "T," Page 291, Deed Records of Hidalgo County, Texas.
8. Right of Way Easement dated October 15, 1954 from Fanny Brown Chidlow to the State of Texas, recorded in Volume 818, Page 178, Deed Records of Hidalgo County, Texas
9. Right of Way Easement dated March 7, 1985 from Valley National Bank to Central Power and Light Company, recorded in Volume 2160, Page 879, Official Records of Hidalgo County, Texas.
10. Reservation of oil, gas, lignite and other minerals and hydrocarbons by Grantor as fully set out in the Special Warranty Deed to which this Exhibit B is attached.
11. Subject to the rights of others in and to that portion of the subject property described in Exhibit A that is situated and lying within the 50' Right of Way for La Vista Avenue and within the 90' R.O.W. of S.H. 336 (10th Street).
12. Consequences arising out of the encroachments of the following into the Alley and Canal R.O.W. located to the east of the subject property, as follows:
 - a. Chain Link Fence,
 - b. Wood Fence, and
 - c. Overhead Canopy

[END OF EXHIBIT]



St. John's

EPISCOPAL CHURCH & SCHOOL

To Whom it May Concern,

August 24, 2020

This letter is to serve as notification that St. John's Episcopal Church & School in McAllen, TX intends to use the property (which it owns) at 2424 N 10th Street for the purposes of conducting school classes during the 2020/2021 School year. This action has been approved by the managing board (The Vestry) of St. John's Church. Signatures indicating this approved action are included below. Should you have any questions, please do not hesitate to call us at 956-687-6191.

Rector



The Rev. Rod Clark

Head of School



Mrs. Sharon Flores

Sr. Warden (Vestry)



Mrs. Ali Alter

Liliana Garza

From: Sharon Flores <sflores@stjohns-mcallen.org>
Sent: Tuesday, September 29, 2020 2:49 PM
To: Liliana Garza
Subject: Annex Use

Good afternoon,

The smaller "annex" building is 6800 +/- square feet. Currently the building is sectioned into smaller offices that are leased commercially with tenants that were acquired with the purchase of the property.

Our future plan is to use the building as a preschool. We will convert the space to include classrooms for students ages 18 months- 5 years old.

--

Sharon Flores

Interim Head of School

St. John's Day School

"A GOoD place to grow!"

2500 N. 10th Street

McAllen, Texas 78501

956-821-0464 cell



2424

NOTICE
INSTITUTIONAL
USE
FOR
THIS PROPERTY
CUP2020-0099

Memo

TO: Planning and Zoning Commission

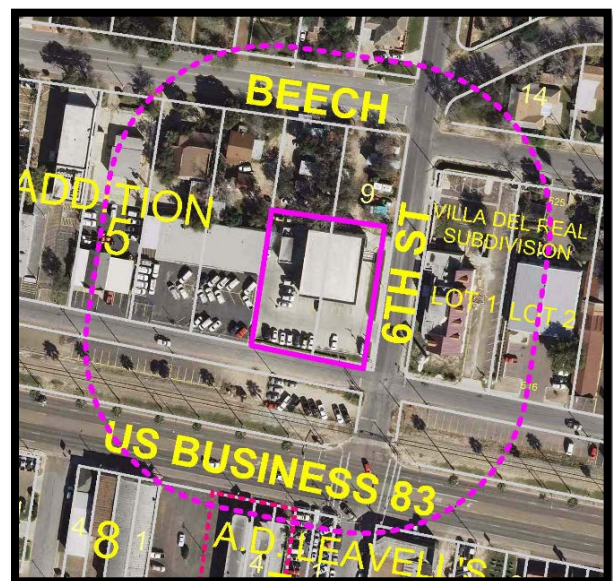
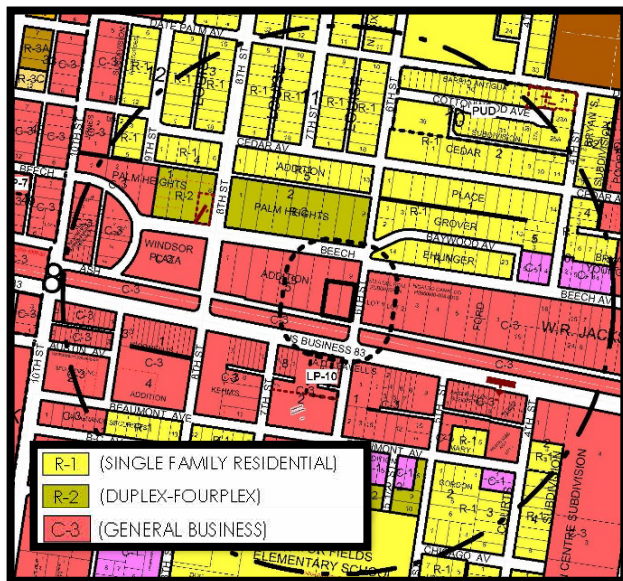
FROM: Planning Staff

DATE: September 10, 2020

SUBJECT: REQUEST OF VINCENT G. HUEBINGER ON BEHALF OF VERIZON WIRELESS, FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, FOR A PERSONAL WIRELESS SERVICE FACILITY AT THE SOUTH 163.2 FT. OF LOTS 8 AND 9, BLOCK 5, PALM HEIGHTS ADDITION SUBDIVISION; HIDALGO COUNTY, TEXAS; 665 BEECH AVENUE. (CUP2020-0091)

BRIEF DESCRIPTION:

The subject property is located on the southwest corner of Beech Avenue and N. 6th Street and has a zoning classification of C-3 (general business) District. Surrounding zoning is C-3 to the north, west, and east, R-1 (single family residential) District and R-2 (duplex-fourplex residential) District to the north. Land uses in the area include Ric Brown Family Funeral Home to the east, retail/office to the east, single family and duplex residential to the north, and railroad track to the south. A personal wireless service facility is allowed in a C-3 (general business) District with a Conditional Use Permit and in compliance with requirements.



HISTORY:

There is an existing business, Superior Alarms, that has a personal communication tower on site that has been there for several years. There is no Conditional Use Permit on file with the City for the existing tower.

PROPOSAL:

The applicant, on behalf of Verizon Wireless, is proposing to add a new 38 ft. by 16 ft. Personal Wireless Service Facility on the west side of the existing building on site and co-locate their antennas on the existing tower structure on site. Verizon Wireless wishes to take advantage of the existing tower to install their antennas and equipment rather than build a new tower nearby. The

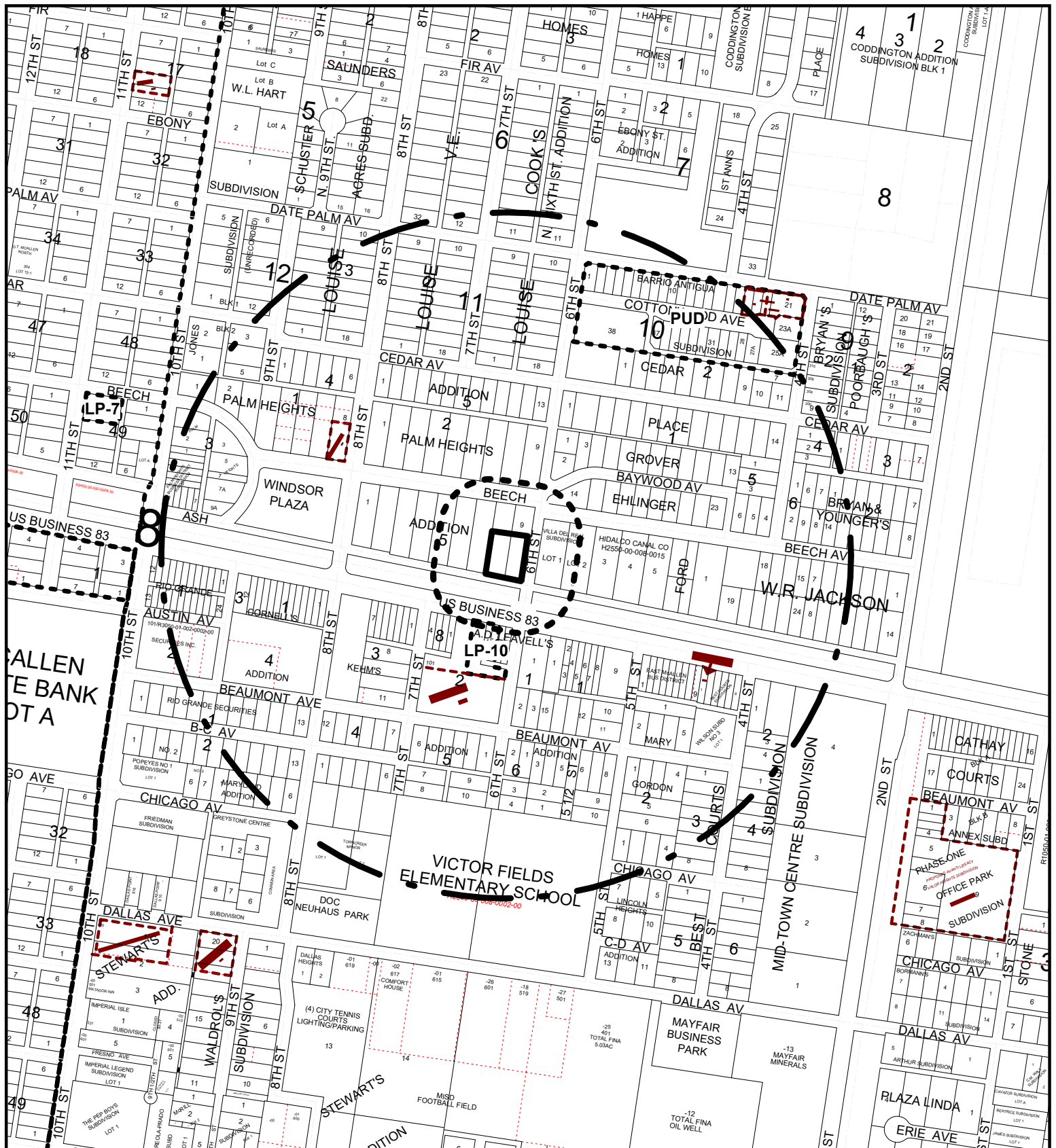
proposal will need to meet all minimum setbacks and building permit requirements. Federal Aviation Administration (FAA) approval must be obtained prior to beginning construction. In addition, the request must comply with requirements set forth in Section 138-118(11) of the zoning ordinance as follows:

- a. Maximum height of pole or tower structure of 80 feet within commercial zones or within 200 feet of an existing residential structure;
 - o The existing tower is 110 ft. and applicant is proposing to decrease it by 10 ft., the proposed height of the tower will be 100 ft. with a 5 ft. lightning rod on top; overall height of tower structure will be 105 ft. Verizon's antennas are proposed at 80 ft. and will not protrude over 20 ft. from the tower. Staff recommends for the tower height to be reduce to comply with the 80 ft. height requirement.
- b. Maximum height of pole or tower structure of 120 feet within industrial zones for measuring distance purposes, the leasehold interest area boundary or compound area boundary, whichever is greater shall be utilized;
 - o The applicant is not located within an industrial zone;
- c. Only one pole or tower structure-allowed per lot or tract within a commercial or industrial zone;
 - o There is an existing tower structure on property;
- d. The applicant shall attempt to locate the proposed facility on an existing structure, or base station, as per subsections k—m of this section. If collocation of the proposed wireless facility is not possible (as per subsections k—m of this section) then the applicant for a personal wireless service facility must submit at least two alternatives designs for antenna and supporting structure, pole or tower design (including the equipment shelter, as per subsection h, below) that is treated with an architectural material (e.g., "stealth" design) so as to conform to the predominant architectural environment in the area of the facility. Such "stealth" personal wireless service facility shall blend into its proposed surroundings such as a tree, flag pole or other feature, to be approved. When a tree-type stealth design is used, one live and growing tree of the same variety or species one-half the height of the proposed tower shall be planted at the time of installation;
 - o The applicant is co-locating on existing tower;
- e. Minimum spacing between poles and tower structures within commercial or industrial zones of 1,000 feet measured in a direct line of another tower;
 - o The applicant is co-locating on existing tower on site;
- f. Minimum setback of one-half the street right-of-way from front property line, ten feet from side yard and ten feet from rear, unless greater requirements as noted on subdivision plat;
 - o There is already an existing tower on site;
- g. A masonry wall shall be required as a buffer if pole or tower structure is located within the front or side yard, or adjacent to a residential use or zone;
 - o A 6 ft. chain link fence is being proposed around the 38 ft. by 16 ft. facility area;
- h. The transmission equipment structure installed at the base of the proposed tower shall be not greater than 180 square feet and constructed to conform to the predominant architectural environment;

- i. A landscaped buffer area to soften the visual impact shall commence along the perimeter of the lease area or the property line. At least one row of shrubs shall be installed as well as trees as appropriate shall be included. Materials shall be of a variety which can be expected to grow to form a continuous hedge at least six feet in height within two years of planting;
- j. The pole or tower structure will be constructed or installed with the capabilities of locating thereon additional personal wireless service facilities when tower or pole is greater than 80 feet in height. The applicant agrees to cooperate with other personal wireless service facility providers in collocating additional facilities on permitted support structures;
 - o The applicant is co-locating on existing tower;
- k. A permittee shall exercise good faith in collocating with other providers and sharing the permitted structure, provided such shared use does not give rise to a substantial technical level impairment of the ability to provide the permitted use (i.e., a significant interference in broadcast or reception capabilities as opposed to a competitive conflict or financial burden). Such good faith shall include sharing technical information to evaluate the feasibility of co-location. In the event a dispute arises as to whether a permittee has exercised good faith in accommodation other users, the city may require a third party technical study at the expense of either or both the applicant and permittee;
 - o The applicant is co-locating on existing tower;
- l. All conditional use applicants shall demonstrate good-faith, reasonable efforts in developing a collocation alternative for their proposed personal wireless service facility site, which efforts shall be documented to the city and shall include, but not be limited to, providing technical details sufficient to determine co-locations efforts. If the applicant asserts that co-location is not possible, the applicant must provide, in addition to the foregoing, an affidavit in a form provided by the city stating that all efforts to collocate the personal wireless facility at an existing facility have been exhausted and that there is no possibility of co-location on the existing towers;
 - o The applicant is co-locating on existing tower;
- m. Failure to comply with the collocation requirements of this section may result in the denial of a permit request or revocation of an existing permit;
- n. If any applicant provides false or misleading information on their application, or in the application process to obtain a permit for a personal wireless facility, then their application may be denied or revoked at the expense of the applicant or the permittee;
- o. If property is leased, term of conditional use permit shall be co-terminus with that term of lease of property;
- p. Construction of tower and equipment facilities shall meet applicable building codes and wind loads;
- q. Notwithstanding the above conditions, to the extent an applicant is fully qualified as an eligible facilities request under Section 6409, in the event of a conflict between the above conditions in this subsection and those criteria and conditions in section 138-1.A., above, and the 2014 Infrastructure Order, then section 138-1.A., and the 2014 Infrastructure Order control, subject to the city reservation of rights, as set forth in the preface to section 138-1.A.

RECOMMENDATION:

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



CITY OF McALLEN PLANNING DEPARTMENT

AREA MAP

LEGEND

SCALE: N.T.S.

200 FT. NOTIFICATION BOUNDARY

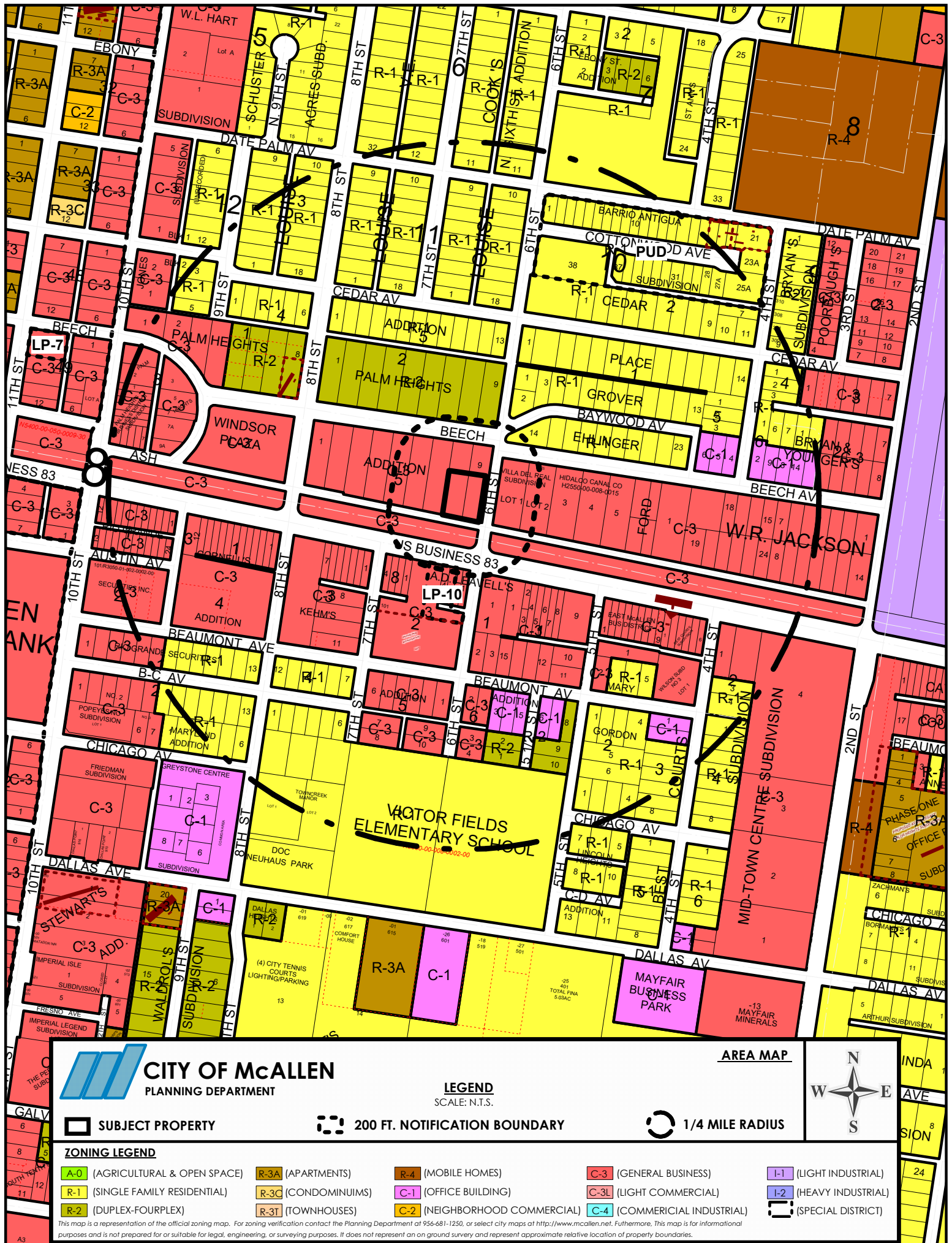
1/4 MILE RADIUS



ZONING LEGEND

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

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



CITY OF McALLEN

PLANNING DEPARTMENT

AREA MAP

LEGEND
SCALE: N.T.S.



SUBJECT PROPERTY

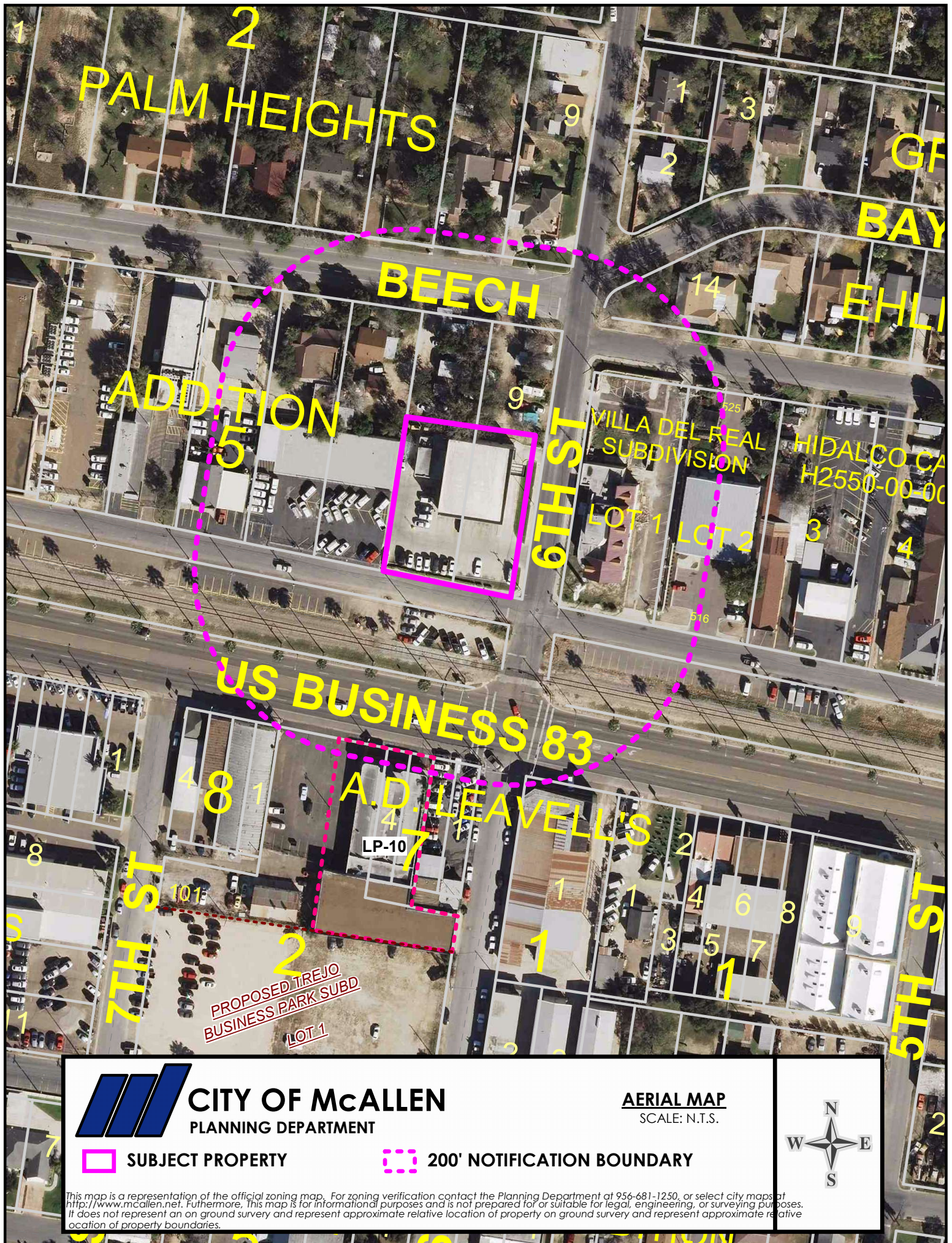
200 FT. NOTIFICATION BOUNDARY

1/4 MILE RADIUS

ZONING LEGEND

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

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



CITY OF McALLEN
PLANNING DEPARTMENT

AERIAL MAP
SCALE: N.T.S.



SUBJECT PROPERTY



200' NOTIFICATION BOUNDARY



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

**LESSEE'S RIGHT-OF-WAY FOR INGRESS/EGRESS
0.0952 ACRE**

STATE OF TEXAS §
COUNTY OF HIDALGO §

A METES & BOUNDS description of a certain 0.0952 acre Lessee's Right-of-Way for Ingress/Egress situated in the northeast 1/4 of Section 8, Hidalgo Canal Company Subdivision of Porciones 64-66 in Hidalgo County, Texas, being out of Lots 8 and 9, Block 5, Palm Heights Addition recorded in Volume 1, Page 56A of the Map Records of Hidalgo County and being the same tract of land conveyed by Gift Deeds to Charles Alan Yoder and Dwight Fendol Yoder recorded in Volume 2999, Page 638 and Volume 3072, Page 93 of the Official Records of Hidalgo County (Yoder Tract); said 0.0952 acre Lessee's Right-of-Way for Ingress/Egress being more particularly described as follows with all bearings being based on the Texas Coordinate System, South Zone, NAD 83;

COMMENCING at a found 5/8-inch iron rod marking the northwest corner of Lot 1, Villa Del Real Subdivision recorded in Volume 31, Page 70 of the Map Records of Hidalgo County, Texas and being in the east right-of-way line of North 6th Street (50-foot wide) as shown in Volume 1, Page 56A and Volume 31, Page 70 of the Map Records of Hidalgo County, Texas;

THENCE, South 08°44'36" West, along said east right-of-way line of North 6th Street, 243.32 feet to a found bent 5/8-inch iron rod marking the southwest corner of said Lot 1;

THENCE, North 55°09'53" West, over and across said North 6th Street, 55.67 feet to point-for-corner marking the POINT OF BEGINNING and the southeast corner of the herein described 0.0952 acre Lessee's Right-of-Way for Ingress/Egress, being in the east line of aforementioned Yoder Tract being common with the west right-of-way line of said North 6th Street;

THENCE, over and across said Yoder Tract the following five (5) courses and distances:

1. North 83°37'41" West, 149.22 feet to a point-for corner marking the southwest corner of the herein described 0.0952 acre Lessee's Right-of-Way for Ingress/Egress;
2. North 08°37'36" East, 78.52 feet to a point-for-corner marking the northwest corner of the herein described 0.0952 acre Lessee's Right-of-Way for Ingress/Egress, from which a found "X" in concrete at the base of a block building bears North 08°37'36" East, 8.36 feet;
3. South 81°22'24" East, 20.00 feet to a point-for-corner marking the northeast corner of the herein described 0.0952 acre Lessee's Right-of-Way for Ingress/Egress, from which a found MAG nail in concrete at the base of a block building bears North 08°37'36" East, 8.33;
4. South 08°37'36" West, 57.72 feet to a point-for-corner marking a northerly interior corner of the herein described 0.0952 acre Lessee's Right-of-Way for Ingress/Egress;
5. South 83°37'41" East, 129.25 feet to a point-for-corner marking the most easterly northeast corner of the herein described 0.0952 acre Lessee's Right-of-Way for Ingress/Egress and being in aforementioned common line of the Yoder Tract and North 6th Street;

THENCE, South 08°44'36" West, along said common line, 20.02 feet to the POINT OF BEGINNING, CONTAINING 0.0952 acre (4,147 square feet) of land in Hidalgo County, Texas as shown on Drawing No. 1829 filed in the offices of Jones|Carter in College Station, Texas.

**LESSEE'S RIGHT-OF-WAY FOR UTILITIES
0.0263 ACRE**

STATE OF TEXAS §
COUNTY OF HIDALGO §

A METES & BOUNDS description of a certain 0.0263 acre Lessee's Right-of-Way for Utilities situated in the northeast 1/4 of Section 8, Hidalgo Canal Company Subdivision of Porciones 64-66 in Hidalgo County, Texas, being out of Lots 8 and 9, Block 5, Palm Heights Addition recorded in Volume 1, Page 56A of the Map Records of Hidalgo County and being the same tract of land conveyed by Gift Deeds to Charles Alan Yoder and Dwight Fendol Yoder recorded in Volume 2999, Page 638 and Volume 3072, Page 93 of the Official Records of Hidalgo County (Yoder Tract); said 0.0263 acre Lessee's Right-of-Way for Utilities being more particularly described as follows with all bearings being based on the Texas Coordinate System, South Zone, NAD 83;

COMMENCING at a found 5/8-inch iron rod marking the northwest corner of Lot 1, Villa Del Real Subdivision recorded in Volume 31, Page 70 of the Map Records of Hidalgo County, Texas and being in the east right-of-way line of North 6th Street (50-foot wide) as shown in Volume 1, Page 56A and Volume 31, Page 70 of the Map Records of Hidalgo County, Texas, from which a found bent 5/8-inch iron rod marking the southwest corner of said Lot 1 bears South 08°44'36" West, 243.32 feet;

THENCE, South 37°56'34" West, over and across said North 6th Street, 102.49 feet to point-for-corner marking the POINT OF BEGINNING and the northeast corner of the herein described 0.0263 acre Lessee's Right-of-Way for Utilities, being the northeast corner of aforementioned Yoder Tract being common with the southeast corner of a tract of land conveyed by General Warranty Deed to Dwight & Frieda Yoder Trust 1 recorded in Document No. 2715349 of the Official Records of Hidalgo County, Texas (Trust Tract) and being in the west right-of-way line of said North 6th Street;

THENCE, South 08°44'36" West, along said west right-of-way line of North 6th Street, 3.53 feet to a point-for-corner marking the most easterly southeast corner of the herein described 0.0263 acre Lessee's Right-of-Way for Utilities, being in line with the north wall of a block building;

THENCE, over and across aforementioned Yoder Tract the following four (4) courses and distances:

1. North 81°22'03" West, passing at 28.79 feet the northeast corner of aforementioned block building, leaving said north wall at 114.64 feet, continuing in all a total distance of 138.44 feet to a point-for corner marking an interior corner of the herein described 0.0263 acre Lessee's Right-of-Way for Utilities;
2. South 08°37'36" West, 14.87 feet to a found "X" in concrete marking the most southerly southeast corner of the herein described 0.0263 acre Lessee's Right-of-Way for Utilities, from which a found MAG nail bears South 81°22'24" East, 9.08 feet;
3. North 81°22'24" West, 9.36 feet to a point-for-corner marking the southwest corner of the herein described 0.0263 acre Lessee's Right-of-Way for Utilities, from which a found MAG nail bears North 81°22'24" West, 1.57 feet;
4. North 08°24'21" East, with an existing wood fence, 24.95 feet to a point-for-corner marking the northwest corner of the herein described 0.0263 acre Lessee's Right-of-Way for Utilities, being in the north line of aforementioned Yoder Tract being common with the south line of aforementioned Trust Tract;

THENCE, South 78°49'59" East, along said common line, 148.04 feet to the POINT OF BEGINNING, CONTAINING 0.0263 acre (1,146 square feet) of land in Hidalgo County, Texas as shown on Drawing No. 1829 filed in the offices of Jones|Carter in College Station, Texas.

**LESSEE'S LAND SPACE
0.0141 ACRE**

STATE OF TEXAS §
COUNTY OF HIDALGO §

A METES & BOUNDS description of a certain 0.0141 acre Lessee's Land Space situated in the northeast 1/4 of Section 8, Hidalgo Canal Company Subdivision of Porciones 64-66 in Hidalgo County, Texas, being out of Lot 8, Block 5, Palm Heights Addition recorded in Volume 1, Page 56A of the Map Records of Hidalgo County and being the same tract of land conveyed by Gift Deeds to Charles Alan Yoder and Dwight Fendol Yoder recorded in Volume 2999, Page 638 and Volume 3072, Page 93 of the Official Records of Hidalgo County; said 0.0141 acre Lessee's Land Space being more particularly described as follows with all bearings being based on the Texas Coordinate System, South Zone, NAD 83;

COMMENCING at a found 5/8-inch iron rod marking the northwest corner of Lot 1, Villa Del Real Subdivision recorded in Volume 31, Page 70 of the Map Records of Hidalgo County, Texas and being in the east right-of-way line of North 6th Street (50-foot wide) as shown in Volume 1, Page 56A and Volume 31, Page 70 of the Map Records of Hidalgo County, Texas;

THENCE, South 08°44'36" West, along said east right-of-way line of North 6th Street, 243.32 feet to a found bent 5/8-inch iron rod marking the southwest corner of said Lot 1;

THENCE, North 55°09'53" West, over and across said North 6th Street, 55.67 feet to point-for-corner in the east line of Lot 9, Block 5, Palm Heights Addition recorded in Volume 1, Page 56A of the Map Records of Hidalgo County, Texas conveyed by Gift Deeds to Charles Alan Yoder and Dwight Fendol Yoder recorded in Volume 2999, Page 638 and Volume 3072, Page 93 of the Official Records of Hidalgo County, Texas, being common with the west right-of-way line of said North 6th Street;

THENCE, over and across aforementioned Lot 8 and said Lot 9 the following six (6) courses and distances:

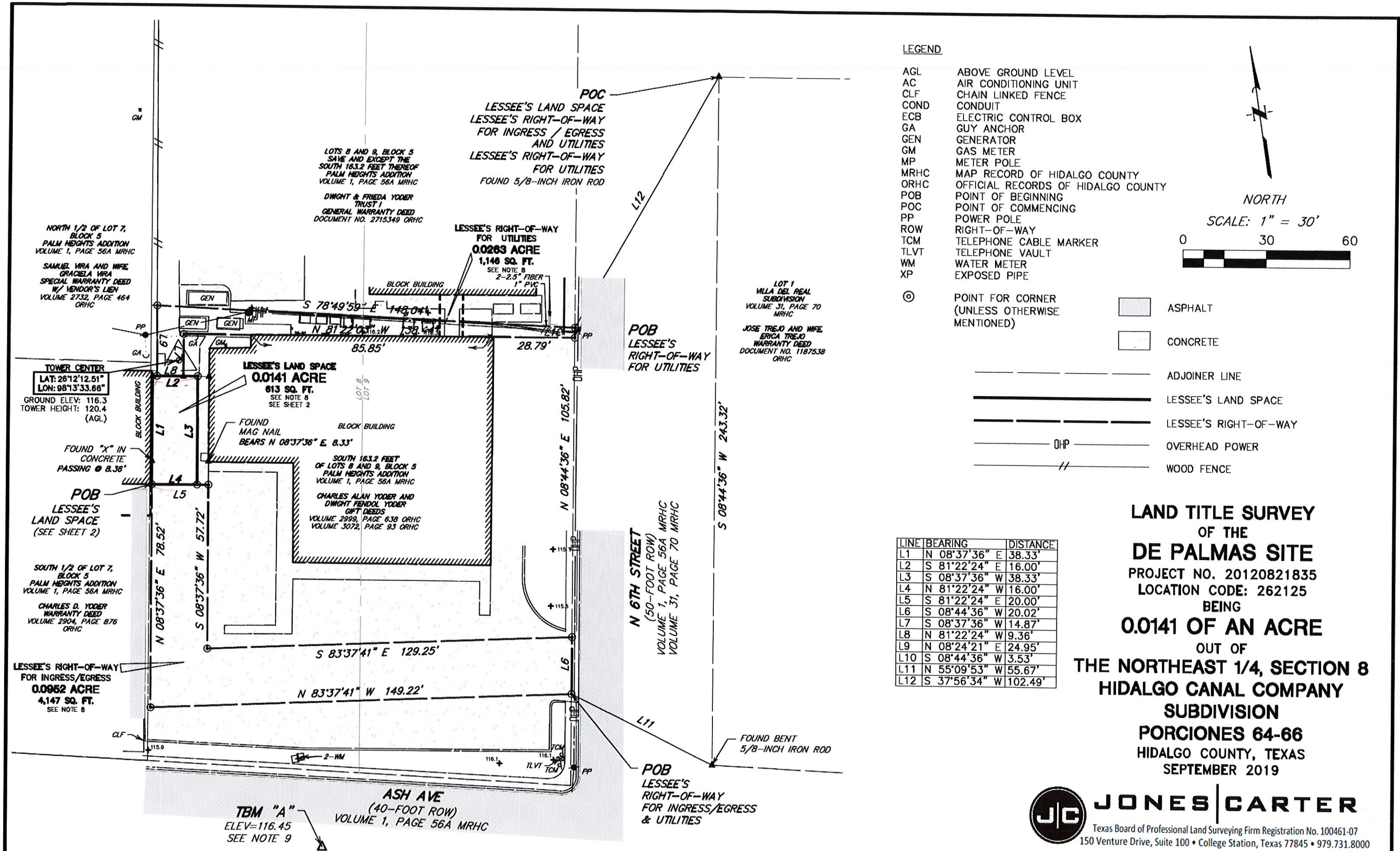
1. North 83°37'41" West, 149.22 feet to a point-for corner;
2. North 08°37'36" East, 78.52 feet to a point-for-corner marking the POINT OF BEGINNING and the southwest corner of the herein described 0.0141 acre Lessee's Land Space;
3. North 08°37'36" East, passing a 8.36 feet a found "X" in concrete, continuing in all a total distance of 38.33 feet to a found MAG nail in concrete at the base of a block building marking the northwest corner of the herein described 0.0141 acre Lessee's Land Space;
4. South 81°22'24" East, passing at 10.92 feet a found "X" in concrete, continuing in all a total distance of 16.00 feet to a point-for-corner marking the northeast corner of the herein described 0.0141 acre Lessee's Land Space, from which a found MAG nail at the base of a block building bears South 81°22'24" East, 4.00 feet;
5. South 08°37'36" West, 38.33 feet to a point-for-corner marking the southeast corner of the herein described 0.0141 acre Lessee's Land Space;
6. North 81°22'24" West, 16.00 feet to the POINT OF BEGINNING, CONTAINING 0.0141 acre (613 square feet) of land in Hidalgo County, Texas as shown on Drawing No. 1829 filed in the offices of Jones|Carter in College Station, Texas.

**LAND TITLE SURVEY
OF THE
DE PALMAS SITE
PROJECT NO. 20120821835
LOCATION CODE: 262125
BEING
0.0145 OF AN ACRE
OUT OF
THE NORTHEAST 1/4, SECTION 8
HIDALGO CANAL COMPANY
SUBDIVISION
PORCIONES 64-66
HIDALGO COUNTY, TEXAS
SEPTEMBER 2019**



JONES|CARTER

Texas Board of Professional Land Surveying Firm Registration No. 100461-07
150 Venture Drive, Suite 100 • College Station, Texas 77845 • 979.731.8000



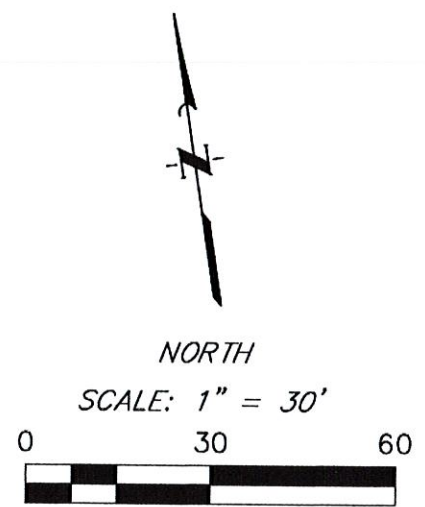
LEGEND

- AGL ABOVE GROUND LEVEL
- AC AIR CONDITIONING UNIT
- CLF CHAIN LINKED FENCE
- COND CONDUIT
- ECB ELECTRIC CONTROL BOX
- GA GUY ANCHOR
- GEN GENERATOR
- GM GAS METER
- MP METER POLE
- MRHC MAP RECORD OF HIDALGO COUNTY
- ORHC OFFICIAL RECORDS OF HIDALGO COUNTY
- POB POINT OF BEGINNING
- POC POINT OF COMMENCING
- PP POWER POLE
- ROW RIGHT-OF-WAY
- TCM TELEPHONE CABLE MARKER
- TLVT TELEPHONE VAULT
- WM WATER METER
- XP EXPOSED PIPE

⊙ POINT FOR CORNER
(UNLESS OTHERWISE
MENTIONED)


- ASPHALT
- CONCRETE

- ADJOINER LINE
- LESSEE'S LAND SPACE
- LESSEE'S RIGHT-OF-WAY
- OHP OVERHEAD POWER
- WOOD FENCE

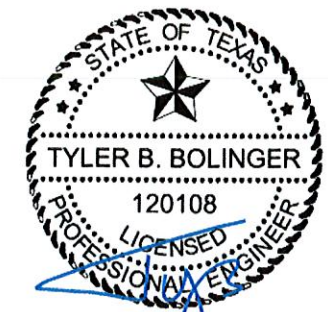
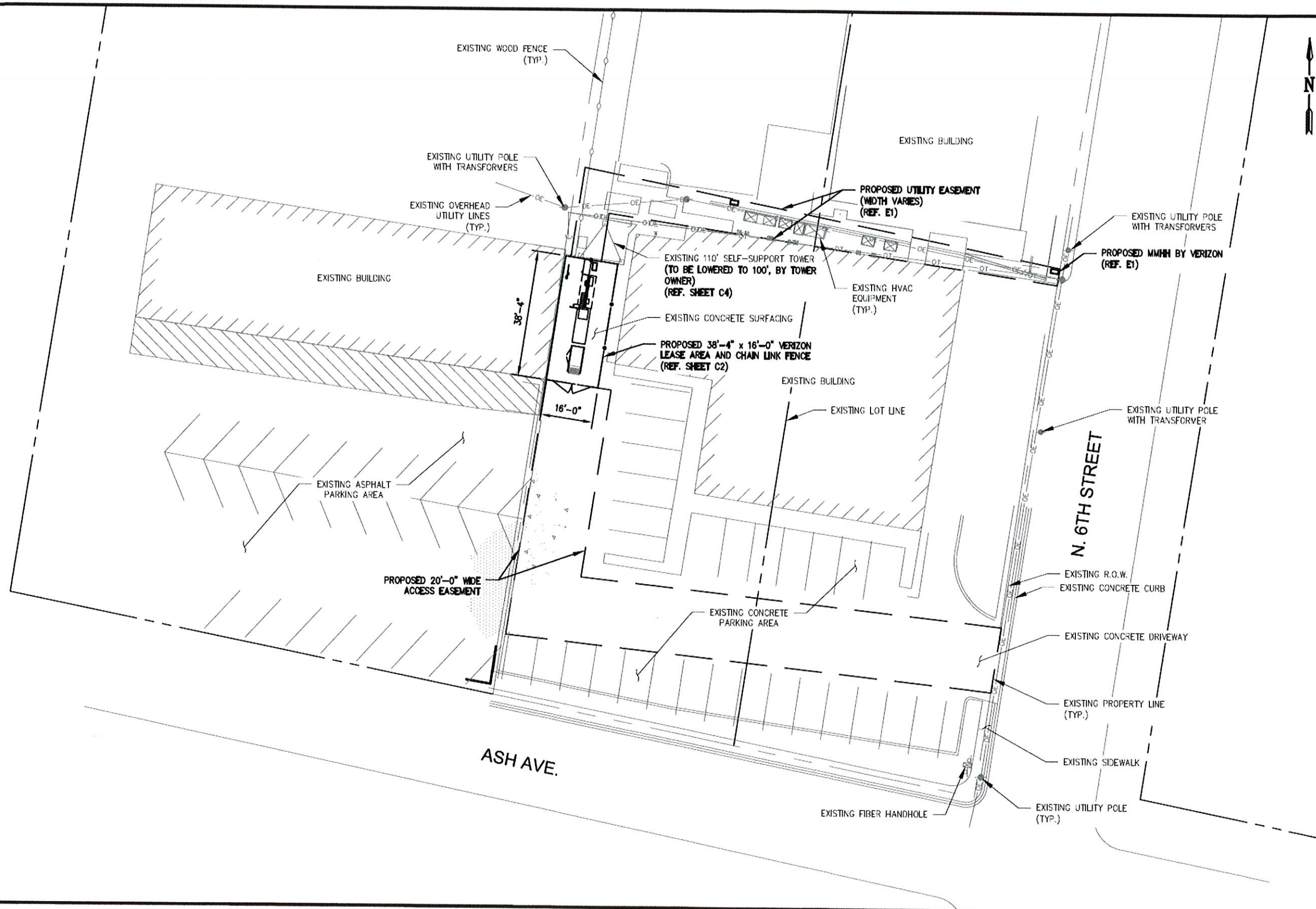


LINE	BEARING	DISTANCE
L1	N 08°37'36" E	38.33'
L2	S 81°22'24" E	16.00'
L3	S 08°37'36" W	38.33'
L4	N 81°22'24" W	16.00'
L5	S 81°22'24" E	20.00'
L6	S 08°44'36" W	20.02'
L7	S 08°37'36" W	14.87'
L8	N 81°22'24" W	9.36'
L9	N 08°24'21" E	24.95'
L10	S 08°44'36" W	3.53'
L11	N 55°09'53" W	55.67'
L12	S 37°56'34" W	102.49'

LAND TITLE SURVEY
OF THE
DE PALMAS SITE
PROJECT NO. 20120821835
LOCATION CODE: 262125
BEING
0.0141 OF AN ACRE
OUT OF
THE NORTHEAST 1/4, SECTION 8
HIDALGO CANAL COMPANY
SUBDIVISION
PORCIONES 64-66
HIDALGO COUNTY, TEXAS
SEPTEMBER 2019

**JONES | CARTER**

Texas Board of Professional Land Surveying Firm Registration No. 100461-07
150 Venture Drive, Suite 100 • College Station, Texas 77845 • 979.731.8000



08/07/2020
KGI WIRELESS, INC. TEXAS FIRM NO. F-15692
FIRM REGISTRATION RENEWAL 12/31/2020
PE LICENSE RENEWAL 03/31/2021



KGI WIRELESS, INC.
805 LAS CINAS PKWY
BUILDING THREE, SUITE 370
AUSTIN, TX 78748
TEL: 512.345.9595
FAX: 512.345.9898

SITE NAME:
DE PALMAS
LOCATION CODE:
262125
SITE ADDRESS:
665 BEECH AVENUE
MCALLEN, TX 78501

THESE DRAWINGS ARE THE PROPERTY OF VERIZON WIRELESS. THEY ARE INTENDED FOR THE EXCLUSIVE USE OF THIS PROJECT ONLY. ANY RE-USE OF THESE PLANS (DRAWINGS) WITHOUT THE EXPRESS WRITTEN CONSENT OF VERIZON WIRELESS IS PROHIBITED.

ISSUED FOR: CONSTRUCTION REV 0
DATE: 08/07/2020
CONSTRUCTION REV 1
DATE: 08/07/2020

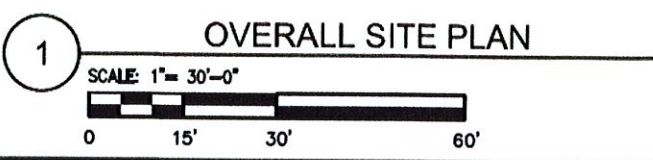
REVISION			
NO	DESCRIPTION	BY	DATE
1	E911	CM	08/05/20

SHEET TITLE:
OVERALL SITE PLAN

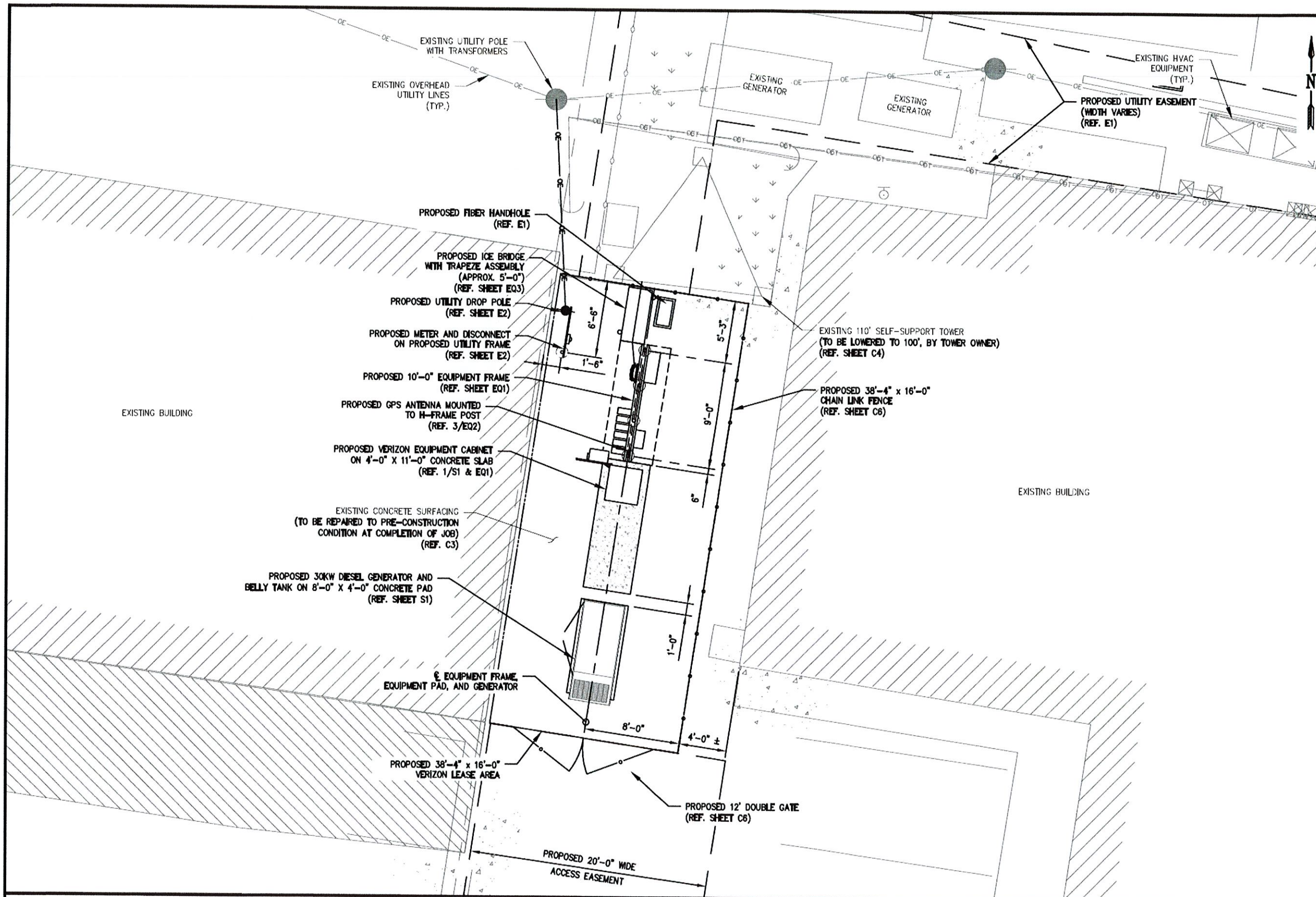
SHEET NUMBER:
C1



Know what's below.
Call before you dig.



REPAIR NOTE:
CONTRACTOR SHALL REPAIR ALL PAVING DAMAGED DURING CONSTRUCTION BACK TO PRE-CONSTRUCTION CONDITION OR BETTER AT COMPLETION OF PROJECT.



08/07/2020

KGI WIRELESS, INC. TEXAS FIRM NO. F-15692
FIRM REGISTRATION RENEWAL 12/31/2020
PE LICENSE RENEWAL 03/31/2021

verizon

KGI

KGI WIRELESS, INC.
805 LAS CINAS PKWY
BUILDING THREE, SUITE 370
AUSTIN, TX 78746
TEL: 512.345.9595
FAX: 512.345.9898

SITE NAME:

DE PALMAS

LOCATION CODE:

262125

SITE ADDRESS:

665 BEECH AVENUE
MCALLEN, TX 78501

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ISSUED FOR:	DATE
CONSTRUCTION REV 0	08/07/2020
CONSTRUCTION REV 1	08/07/2020

REVISION

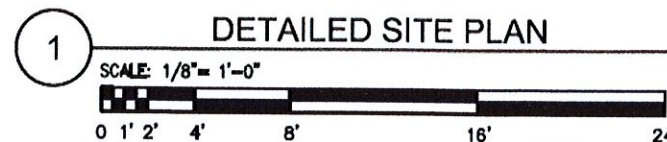
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1	E911	CM	08/05/20

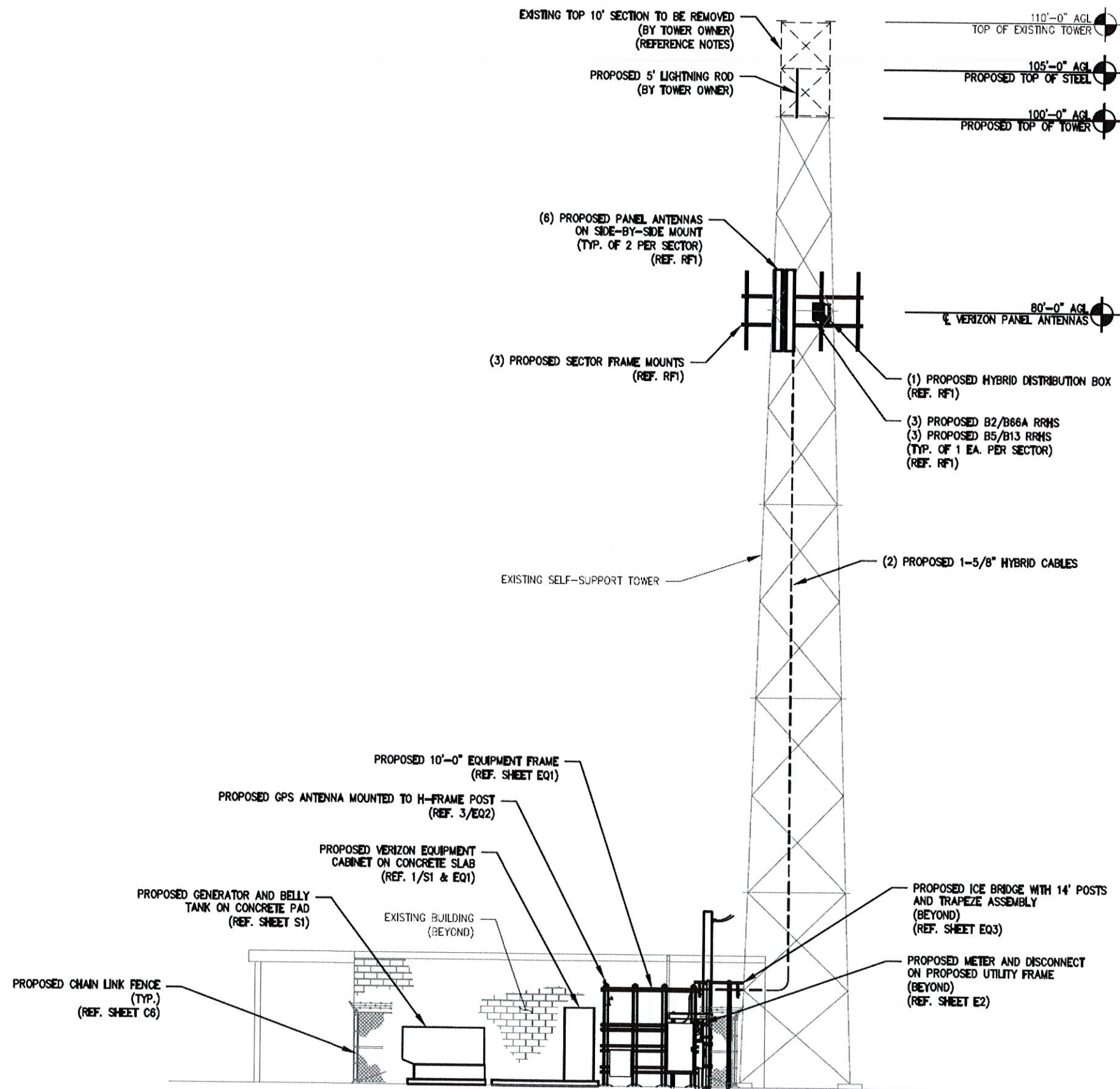
SHEET TITLE:

DETAILED SITE PLAN

SHEET NUMBER:

C2





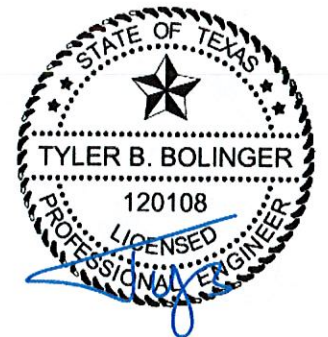
3 PROPOSED ELEVATION
SCALE: N.T.S.

NOTES:

1. ALL TOWER MODIFICATIONS SPECIFIED IN STRUCTURAL ANALYSIS MUST BE PERFORMED PRIOR TO INSTALLATION OF NEW EQUIPMENT.
2. ALL EXISTING ANTENNAS, MOUNTS, AND FEED LINES MUST BE REMOVED PRIOR TO INSTALLATION OF NEW EQUIPMENT.

GENERAL NOTES:

1. SUBCONTRACTOR TO COMPLY WITH ALL FCC AND FAA REGULATIONS ON THIS PROJECT.
2. ON TOWERS OVER 200' TALL, ADD AIRCRAFT WARNING LIGHTS AND CONTROLS PER FAA REGULATIONS.
3. THIS SITE ELEVATION IS A GENERALIZATION OF SITE AND TOWER COMPONENTS AND THEIR RELATIONSHIPS WITH ONE ANOTHER.



08/07/2020

KGI WIRELESS, INC. TEXAS FIRM NO. F-15692
FIRM REGISTRATION RENEWAL 12/31/2020
PE LICENSE RENEWAL 03/31/2021

verizon

KGI

KGI WIRELESS, INC.
805 LAS CIMAS PKWY
BUILDING THREE, SUITE 370
AUSTIN, TX 78746
TEL: 512.345.9595
FAX: 512.345.9898

SITE NAME:

DE PALMAS

LOCATION CODE:

262125

SITE ADDRESS:

665 BEECH AVENUE
MCALLEN, TX 78501

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ISSUED FOR: CONSTRUCTION REV 0
DATE: 08/07/2020
CONSTRUCTION REV 1
DATE: 08/07/2020

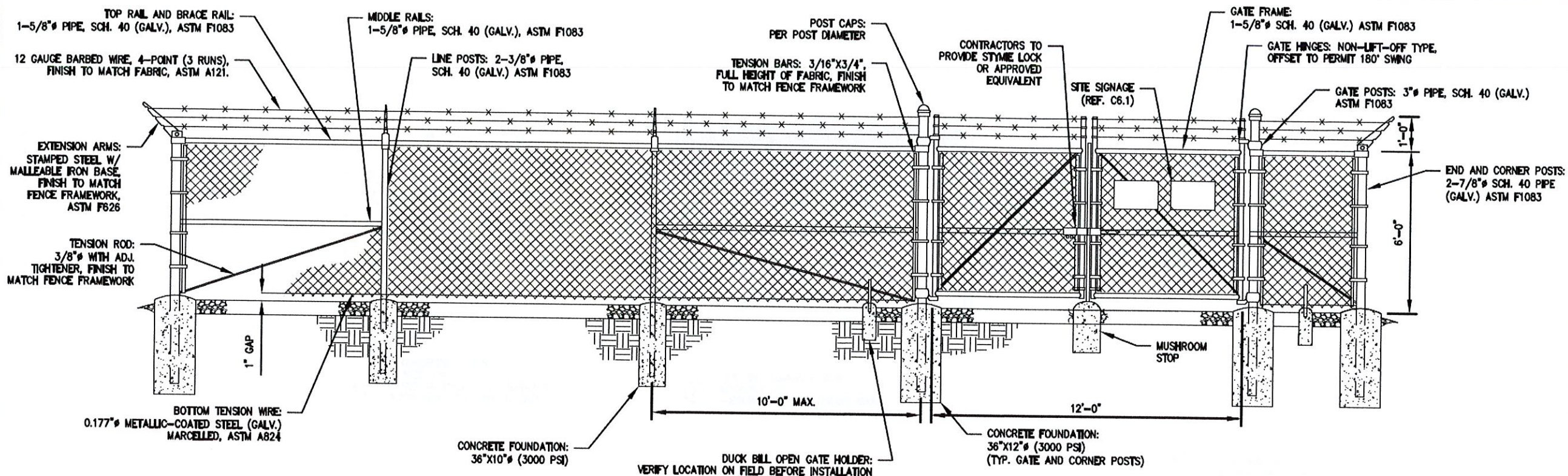
REVISION

NO	DESCRIPTION	BY	DATE
1	E911	CM	08/05/20

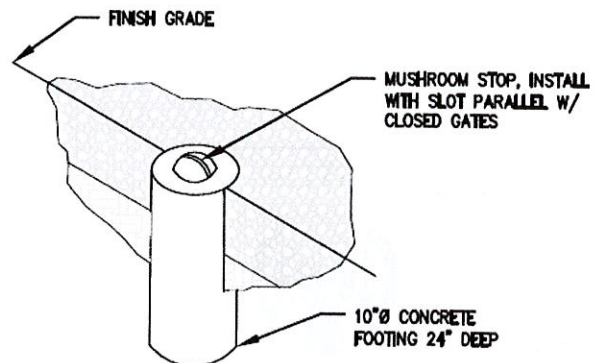
SHEET TITLE:
TOWER ELEVATION &
ANTENNA PLAN

SHEET NUMBER:

C4

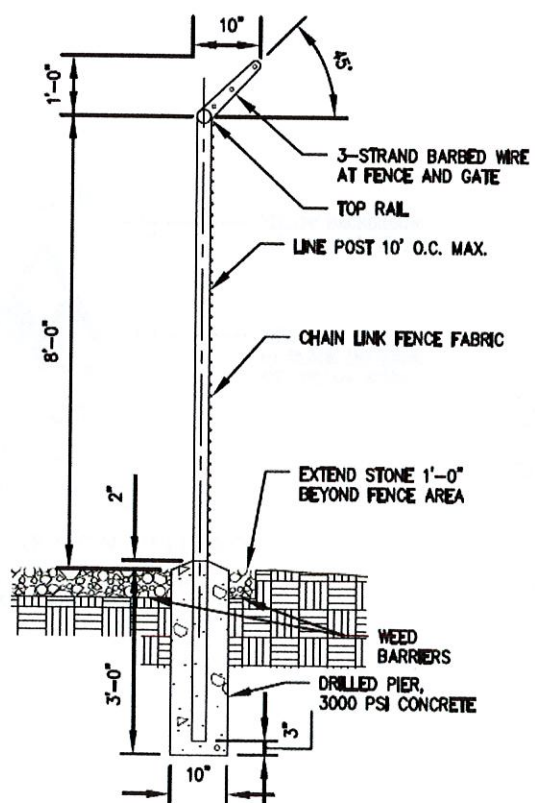


1 TYP. FENCE ELEVATION
SCALE: N.T.S.

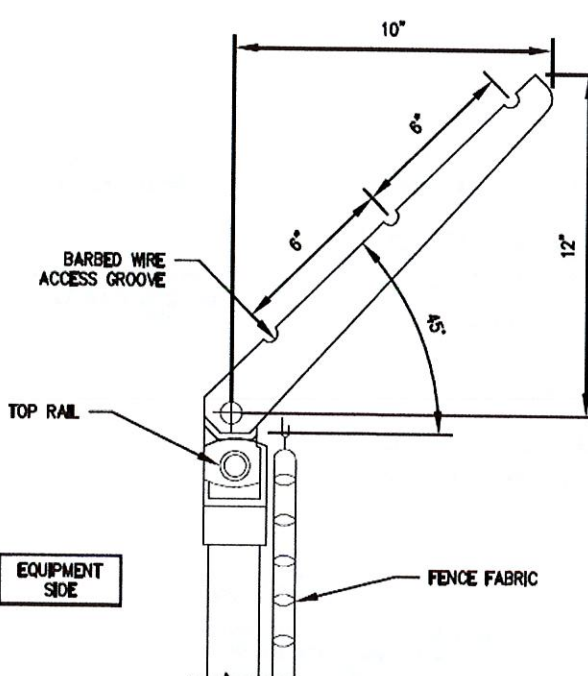


2 MUSHROOM STOP
SCALE: N.T.S.

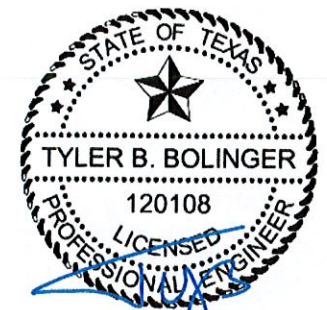
- FENCE NOTES:**
1. USE 3,000-PSI CONCRETE, FULLY CONSOLIDATED AROUND THE POST.
 2. WHERE THE POST IS SET IN ROCK OR CONCRETE, CORE A HOLE 12" DEEP AND 1" LARGER IN DIAMETER THAN THE POST. SET THE POST AND GROUT IN PLACE USING NON-SHRINK GROUT.
 3. ALL POSTS MUST BE PLUMB AND ALIGNED WITH ONE ANOTHER IN BOTH HORIZONTAL AND VERTICAL PLANES.
 4. CORNERS AND GATEPOSTS FOR CHAIN LINK FENCES SHALL EXTEND ABOVE THE TOP STRAND OF BARBED WIRE TO PROVIDE TENSIONING FOR THE BARBED WIRE.
 5. PROVIDE MIDRAILS AND BRACING AT ALL CORNER POSTS WHERE THE FENCE CHANGES DIRECTION BY MORE THAN 30 DEGREES.
 6. THE GRADE OF THE SITE AND INSTALLATION OF THE FENCE SHALL PROVIDE FOR NO MORE THAN A 1" GAP BETWEEN THE BOTTOM OF THE FENCE MATERIAL AND FINISH GRADE.
 7. CONTRACTOR SHALL PROVIDE HOLD OPEN DEVICES FOR ALL GATES AT THE SPECIFIED OPEN POSITIONS, DRIVEN PIPE TYPE RECEIVERS ARE NOT AUTHORIZED.
 8. CONTRACTOR SHALL ALSO PROVIDE A MUSHROOM TYPE RECEIVER AT THE CLOSE POSITION.



3 TYP. FENCE SECTION
SCALE: N.T.S.



4 TYP. BARBED WIRE DETAIL
SCALE: N.T.S.



08/07/2020
KGI WIRELESS, INC. TEXAS FIRM NO. F-15892
FIRM REGISTRATION RENEWAL 12/31/2020
PE LICENSE RENEWAL 03/31/2021



KGI WIRELESS, INC.
805 LAS CIMAS PKWY
BUILDING THREE, SUITE 370
AUSTIN, TX 78746
TEL: 512.345.9595
FAX: 512.345.9898

SITE NAME:
DE PALMAS
LOCATION CODE:
262125
SITE ADDRESS:
665 BEECH AVENUE
MCALLEN, TX 78501

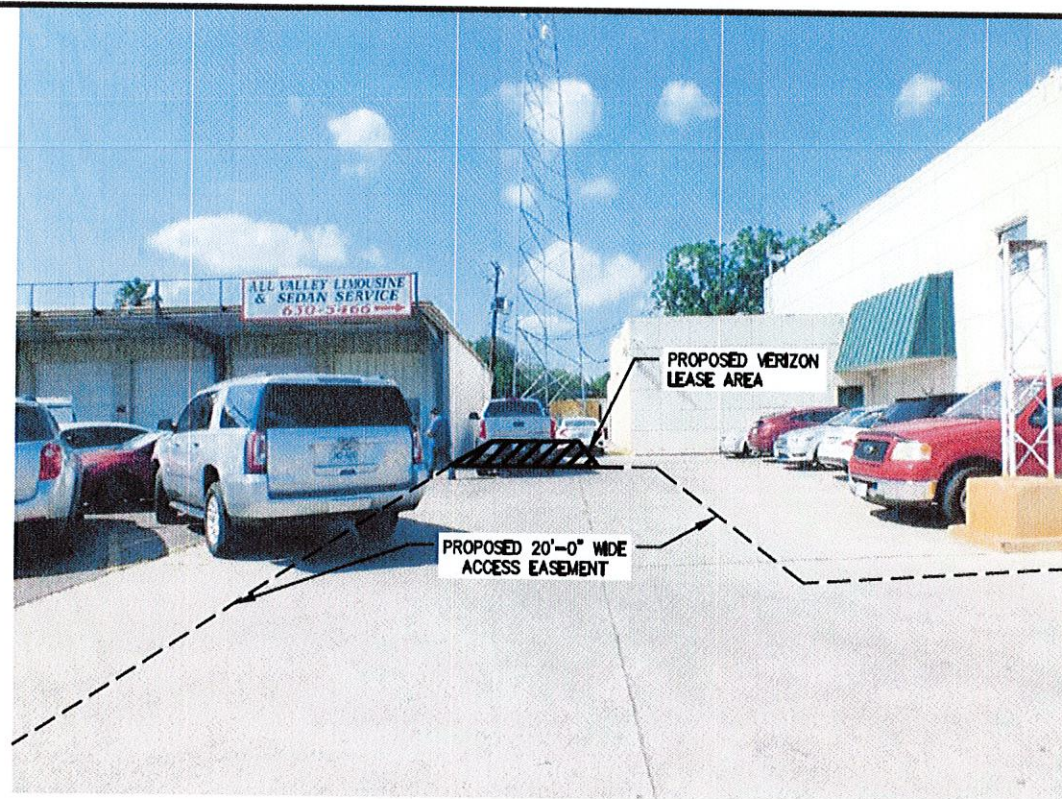
THESE DRAWINGS ARE THE PROPERTY OF VERIZON WIRELESS. THEY ARE INTENDED FOR THE EXCLUSIVE USE OF THIS PROJECT ONLY. ANY RE-USE OF THESE PLANS (DRAWINGS) WITHOUT THE EXPRESS WRITTEN CONSENT OF VERIZON WIRELESS IS PROHIBITED.

ISSUED FOR: CONSTRUCTION REV 0
DATE: 08/07/2020
CONSTRUCTION REV 1
DATE: 08/07/2020

REVISION			
NO	DESCRIPTION	BY	DATE
1	E911	CM	08/05/20

SHEET TITLE:
FENCING DETAILS

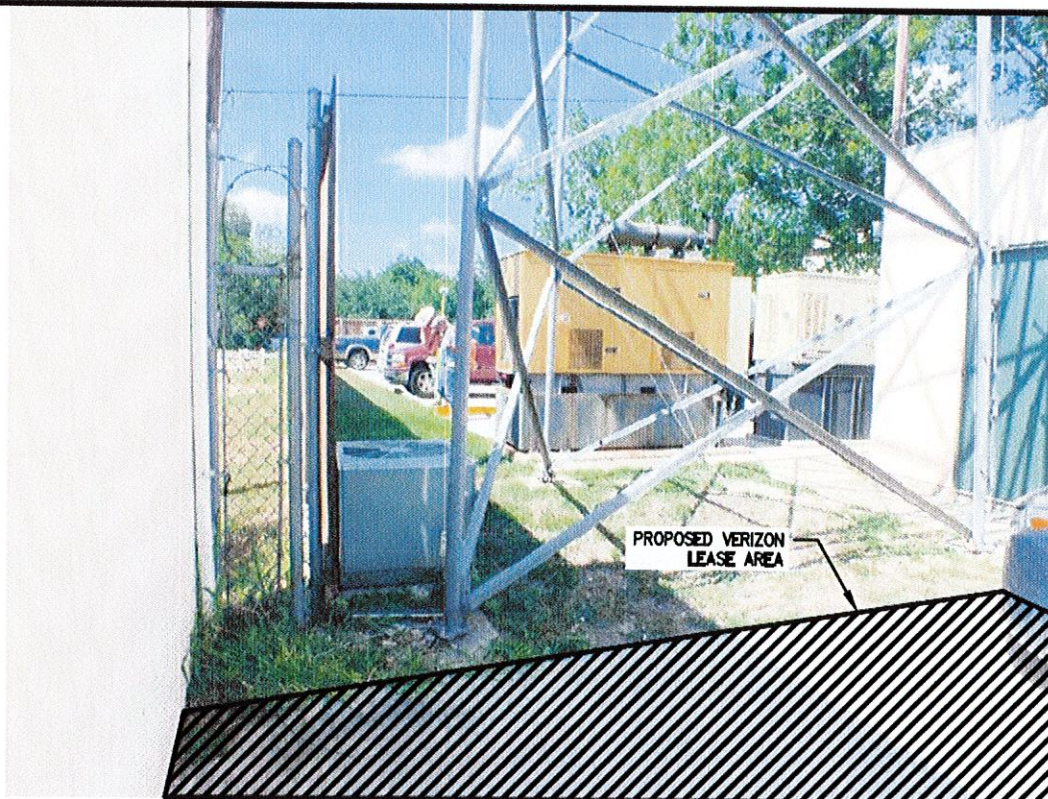
SHEET NUMBER:
C6



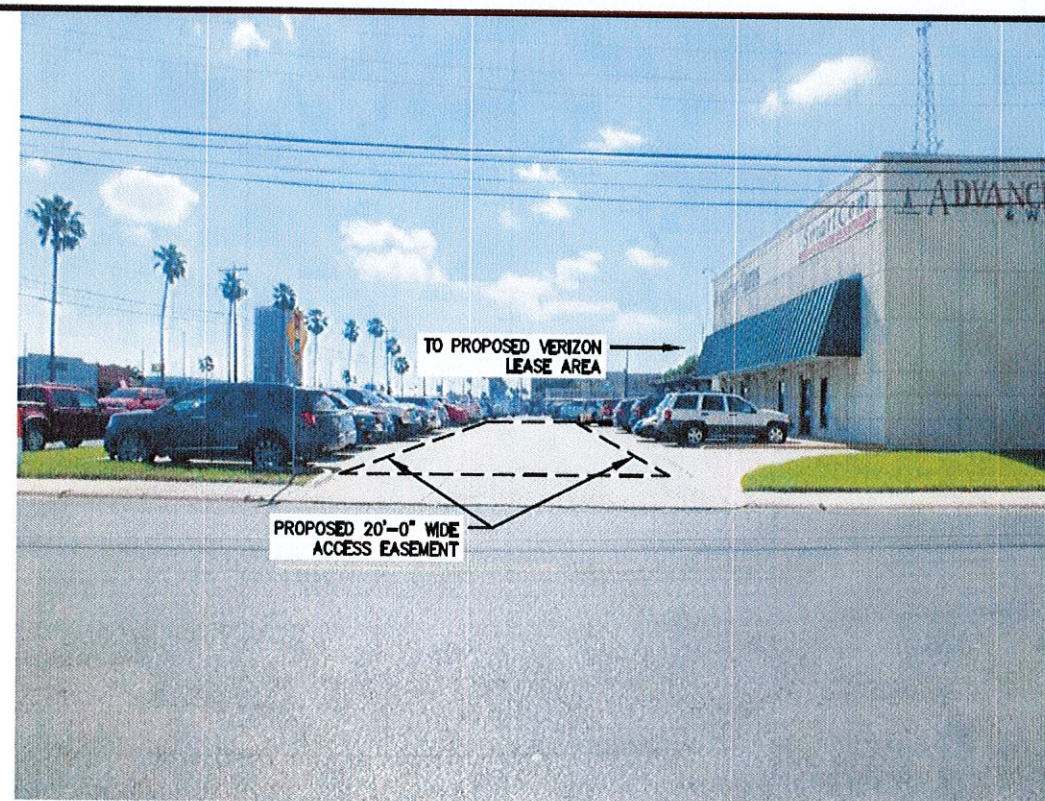
1 PROPOSED LEASE AREA
(LOOKING NORTH)
SCALE: N.T.S.



2 PROPOSED LEASE AREA
(LOOKING SOUTH)
SCALE: N.T.S.



3 EXISTING TOWER BASE
(LOOKING EAST)
SCALE: N.T.S.



4 SITE ACCESS
(LOOKING WEST)
SCALE: N.T.S.



08/07/2020

KGI WIRELESS, INC. TEXAS FIRM NO. F-15692
FIRM REGISTRATION RENEWAL 12/31/2020
PE LICENSE RENEWAL 08/30/2020

verizon

KGI

KGI WIRELESS, INC.
805 LAS CIMAS PKWY
BUILDING THREE, SUITE 370
AUSTIN, TX 78746
TEL: 512.345.9595
FAX: 512.345.9898

SITE NAME:
DE PALMAS
LOCATION CODE:
262125
SITE ADDRESS:
665 BEECH AVENUE
MCALLEN, TX 78501

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ISSUED FOR: CONSTRUCTION REV 0
DATE: 08/07/2020
CONSTRUCTION REV 1
DATE: 08/07/2020

REVISION			
NO	DESCRIPTION	BY	DATE
1	E911	CM	08/05/20

SHEET TITLE:
PHOTO SHEET

SHEET NUMBER:

PS1

7/17/2020

City of McAllen
Planning Department
311 N. 15th Street
McAllen, TX 78501

RE: Landowner Authorization for Proposed Conditional Use Permit for Verizon Wireless to Collocate on Existing Self-Support Tower at 600 Ash Avenue; Legal Description: Palm Heights Addn S163.2' Lots 8 & 9 Blk 5

To whom it may concern,

As record owner of the above property, we hereby authorize Vincent Gerard & Associates, Inc., and/or Lewis Martin, Martin Consulting, LLC, to file all appropriate zoning, site plans, and permits on the specified tract listed above.



Signature

Charles Alan Yoder





5804 Tri County Parkway
Schertz, TX 78154

To Whom It may concern:

I, Tim Caletka (Principal Const. Engineer-Verizon Wireless) hereby authorize Vincent Gerard & Associates to file and pull all appropriate documents, permits and applications with respect to Verizon permits on our projects. Vincent Gerard & Associates is an authorized agent for Verizon Wireless.

Thank You,

A handwritten signature in blue ink, appearing to read "Tim Caletka", with a long horizontal flourish extending to the right.

Tim Caletka –Sr. Construction Engineer



Verizon Wireless Communication Facility

Engineering Necessity Case - De_Palmas

Prepared by Shelia Bendele

August 2020



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Project Need Overview

The primary objective for this project is to improve service quality on the east side of downtown McAllen and in the residential and commercial area along Business-83. This new site will provide increased coverage and capacity which will allow for greater throughput and reliability in the area.

Our engineering data shows that this area is trending toward data capacity limits. The existing sites, McAllen_DT and Pharr_NE need to have some of the area it covers moved onto another site to allow it to keep performing well. This new site, DePalmas, does an good job of moving traffic onto a more localized site, better able to serve this area.

Additional details and explanations follow in this presentation.

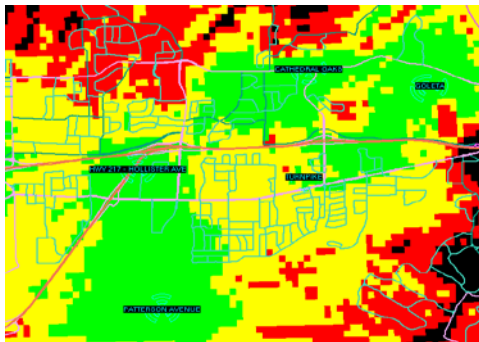
Introduction:

Coverage and/or capacity deficiencies are the two main drivers that prompt the need for a new wireless communications facility (WCF). Most WCF provide a mixture of both capacity and coverage for the benefit of the end user.

Coverage describes the existence or lack of wireless service in an area. The request for improved service often comes from our customers or emergency services personnel that have no service or poor service. Coverage used to refer to the ability to make or place a call in vehicles, however, as usage patterns have shifted, coverage is now determined based on whether or not sufficient WCF exist to provide a reliable signal inside of buildings and residential areas, as well. Historically, when wireless was still in its infancy, coverage was the primary means to measure the effectiveness of the network in a given area.

Capacity is the metric used to determine if sufficient wireless resources exist and is now the primary means to measure how a community's wireless needs are being addressed. "Five bars" no longer means guaranteed coverage and capacity because each WCF has a limited amount of resources to handle voice calls, data connections and data volume. When these limits are reached and the WCF becomes overloaded (meaning there is more demand than signal to service it), the user experience quickly degrades preventing customers from making/receiving calls or getting applications to run. A WCF short on capacity could also make internet connections time out or delay information to emergency response personnel

Explanation of Wireless Coverage



Coverage is best shown via coverage maps. RF engineers use tools that take into account terrain, vegetation, building types, and WCF specifics to model the existing coverage and prediction what we expect to see with the addition of a proposed WCF.

Explanation of Wireless Capacity



Capacity is the amount of resources that a WCF has to service customer demand. Verizon utilizes sophisticated programs and customer feedback to monitor current usage trends and to forecast future needs. Because it takes an average of 2-3 years to complete a WCF, we have to start the process of adding a new WCF several years in advance of when the WCF will be needed.

Location, Location, Location. A good capacity WCF needs to be in the center of a user population which insures that traffic is evenly distributed around the WCF. A typical WCF is configured into three sectors (like a pie cut into three pieces), with each slice (sector) having 33% of the WCF resources. If one sector is under-utilized, it's resources can not necessarily be diverted to another sector. Therefore, optimal performance is only obtained when all three sectors have an even traffic distribution.

Wireless Data Growth

Each year Verizon sees large increases in how much data its customers need. As the resolution of the pictures we send increases, the quality of the video we watch improves and the complexity of the applications grow, we commonly see tremendous growth year-over-year

Machine to Machine communications will also increase the data burden on wireless networks, as over the next five (5) years more and more services that improve our safety and make our lives easier will be available over the wireless infrastructure , such as:

- Cars that notify 911 when an airbag deploys.
- “Driverless” cars needing traffic data and maps to reach your destination as quickly as possible.
- Medical monitors that will alert us should a loved one neglect taking their prescription drugs.
- Home alarms that notify you when your child arrives home from school.
- Smart street lights that notify the city when they are not working.
- City garbage cans that let people know when they need to be emptied.
- Tracking watches will aid in finding lost Alzheimer patients.

Radio Emission Safety

A common question received is “Are the radio emissions safe?”

Verizon goes to great effort to ensure that all of its projects meet the standards established by the FCC to ensure safety of the public and its employees. The links below are to three reputable organizations that have performed extensive reviews of the science available on this subject and have good educational articles on the results of their research.

World Health Organization

<http://www.who.int/peh-emf/about/WhatisEMF/en/index1.html>

American Cancer Society

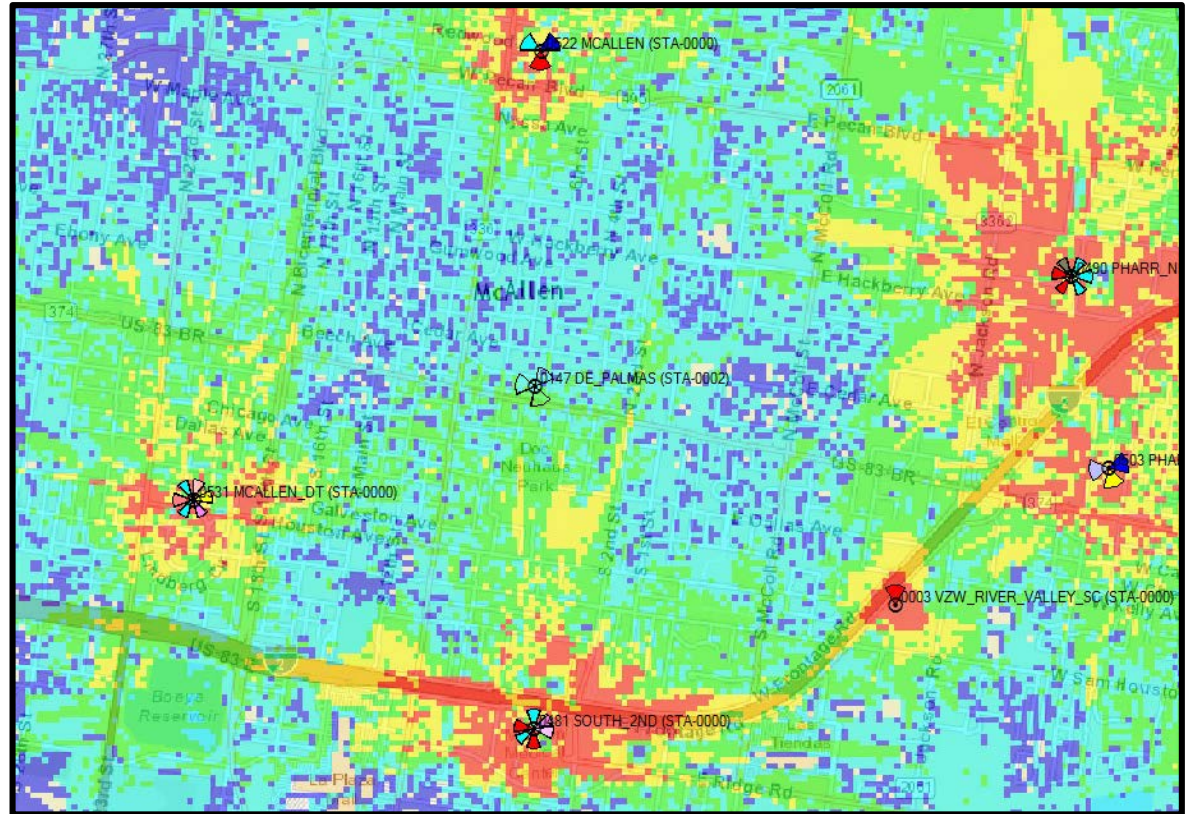
<https://www.cancer.org/cancer/cancer-causes/radiation-exposure/cellular-phone-towers.html>

FCC Radio Frequency Safety

<https://www.fcc.gov/general/radio-frequency-safety-0>

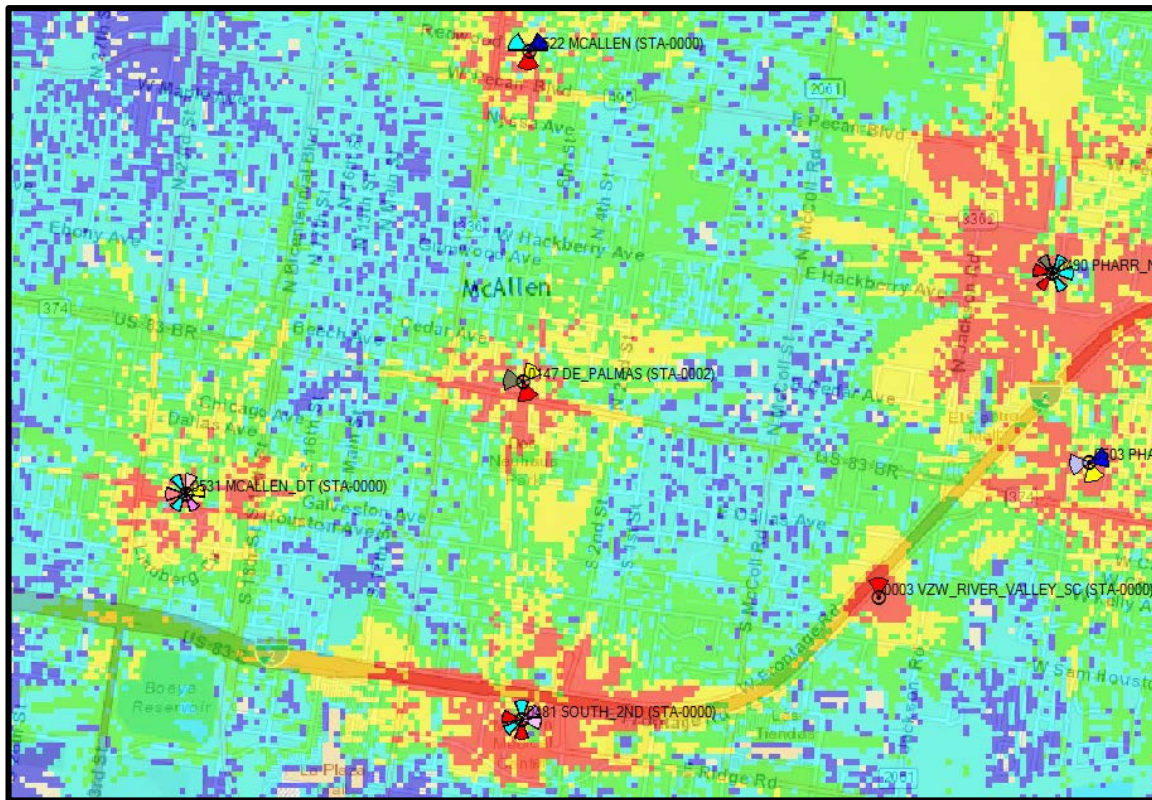
Current Coverage

Current coverage near the proposed DePalmas site



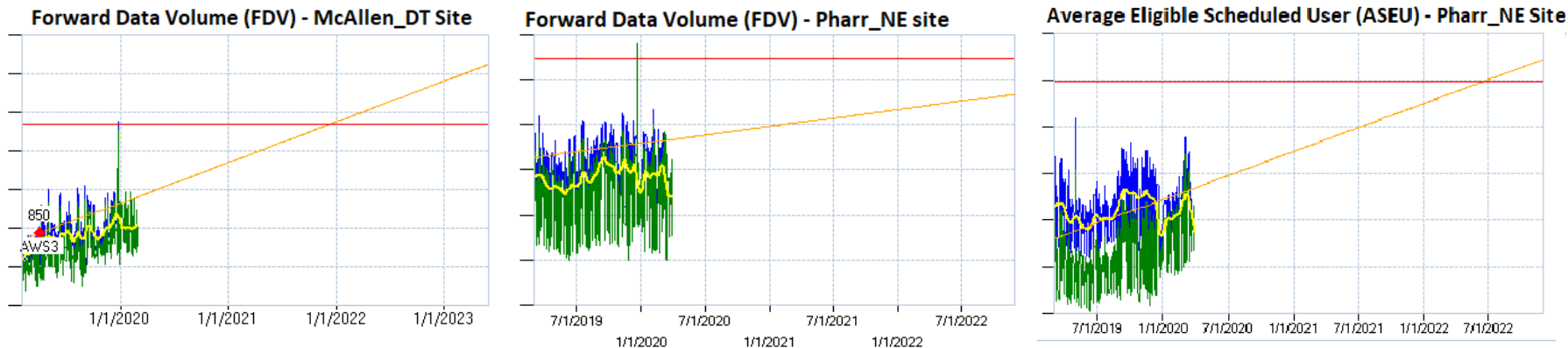
Proposed Coverage

Although this site is proposed primarily to offload capacity from the McAllen_DT and Pharr_NE sites, an added benefit is improved coverage in the area around the proposed DePalmas site, improving data throughput.



The proposed site footprint on the right will improve both capacity and coverage in the highlighted area. The plots above show the best servers or sectors that cover this area with each sector shown in a different color. The left map shows what sectors currently cover this area with the projected overloaded sectors circled. The right map shows the area this new site will cover. This project will improve service by providing necessary capacity to support the growth we are seeing in 4G data traffic. The area around the proposed site will see much better service. If the site is not built the area circled on the left map will see data speeds and new 4G voice service start to degrade as the site overloads.

Capacity Projection



Summary: The existing McAllen_DT and Pharr_NE sites will not be able to support the traffic in the area they cover in the future as shown above by the orange trend line meets the red exhaustion threshold. When this occurs 4G data speeds slow to unacceptable levels.

Details:

The graphs above show FDV (Forward Data Volume) which is a measurement of the customer data usage that this sector currently serves and the Average Eligible Scheduled User (ASEU) which is the average number of users trying to access services at the same time. The blue line shows the daily data use on this sector of the wireless facility site. The orange line is a projection based on the last years usage to show when we expect to see our customers begin to see their data speeds begin to slow down. The red line is the limit where the sector becomes exhausted and service starts to degrade. The point in time where we see the orange line go above the red line is when we will start seeing service begin to degrade. Service will quickly degrade after that point as usage continues to grow.

To aid in resolving this, we ask to add a 3 sector communications facility as proposed to improve wireless service capacity and coverage in this area by offloading commercial traffic from this growing sector with the proposed site. We are requesting this site in advance to meet customer demand before service is degraded.



Verizon Wireless

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your community.
Because we live
and work there too.**

We believe technology can help solve
our biggest social problems.

We're working with innovators,
community leaders, non-profits,
universities and our peers to
address some of the unmet
challenges in education, healthcare
and energy management.

Learn more about our corporate social
responsibility at www.verizon.com.





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NOTICE
CELL TOWER
FOR
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CUP2020-0091

City Commission Actions will be uploaded
Monday October 5, 2020.

2020 ATTENDANCE RECORD FOR PLANNING AND ZONING COMMISSION MEETINGS

[illegible]

2020 ATTENDANCE RECORD FOR PLANNING AND ZONING COMMISSION WORKSHOPS

[illegible]



PLANNING DEPARTMENT

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



2020 CALENDAR

Meetings:

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

Deadlines:

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

JANUARY 2020

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

FEBRUARY 2020

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

MARCH 2020

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

APRIL 2020

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

MAY 2020

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





JUNE 2020

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

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

2020 CALENDAR

Meetings:

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

Deadlines:

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

* **Holiday** - Office is closed

JULY 2020

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

AUGUST 2020

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

SEPTEMBER 2020

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

OCTOBER 2020

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

NOVEMBER 2020

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

DECEMBER 2020

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