

## AGENDA

### PLANNING & ZONING COMMISSION REGULAR MEETING TUESDAY, APRIL 2, 2024 - 3:30 PM MCALLEN CITY HALL, 1300 HOUSTON AVENUE CITY COMMISSION CHAMBERS, 3<sup>RD</sup> FLOOR

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

#### CALL TO ORDER -

#### PLEDGE OF ALLEGIANCE -

#### INVOCATION -

#### 1) MINUTES:

- a) Approval of the minutes for the February 6, 2024 meeting
- b) Approval of the minutes for the February 20, 2024 meeting

#### 2) PUBLIC HEARING

##### a) CONDITIONAL USE PERMITS:

- 1. Request of Jesus F. Davila on behalf of Auriel Investments LLC., for a Conditional Use Permit, for one year, for a Bar at a Lot 3, North Park Village Phase 2 Subdivision, Hidalgo County, Texas; 1200 Auburn Avenue, Building 300, Suite 300. **(CUP2024-0027)**

##### b) REZONING:

- 1. Rezone from C-3 (general business) District to R-3A (multifamily residential apartments) District: 0.784 of one acre out of Lot 11, Section 13, Hidalgo Canal Company Subdivision, and out of Lots 6 and 7, The District Phase 1 Subdivision, Hidalgo County, Texas; 7901 North 10th Street (Mid). **(REZ2024-0017)**
- 2. Rezone from R-1 (single family residential) District to C-3 (general business) District: 4.13 acres, more or less, out of the west 9.80 acres of Lot 6, Block 2, C.E. Hammond's Subdivision, Hidalgo County, Texas; 4300 Pecan Boulevard. **(REZ2024-0010)(TABLED ON 3/19/2024)**
- 3. Rezone from R-2 (duplex-fourplex residential) District to R-3T (multifamily residential townhouse) District: the west 50 feet of Lots 5 and 6, Block 1 and a tract of land out of Lot 4, Block 1, Nelson's Addition, Hidalgo County, Texas; 821 South 16th Street. **(REZ2024-0015)**

4. Rezone from C-3 (general business) District to I-1 (light industrial) District: Lots 1-9, Gosmar Subdivision, Hidalgo County, Texas; 2200, 2201, 2212, 2216, 2217, 2222, 2225, 2226 Beech Avenue, 2241 Cedar Avenue. **(REZ2024-0016)**
5. Rezone from C-3L (light commercial) District to R-3A (multifamily residential apartments) District: 4.37 acre gross; 4.22 acre net; tract of land out of Lot 105, La Lomita Irrigation and Construction Company's Subdivision, Hidalgo County, Texas; 4420 North Ware Road. **(REZ2024-0014)(TABLED ON 3/19/2024)**

**c) SUBDIVISION:**

1. Sharyland Business Park No. 11A Subdivision, 5501 Honduras Avenue, M & S Estate, Ltd. **(SUB2024-0015) (FINAL) STIG**

**3) SITE PLAN:**

- a) Site plan approval for LOT 27, Almon Estates Subdivision, Hidalgo County Texas; 7601 North 29th Street. **(SPR2022-0063)**

**4) SUBDIVISIONS:**

- a) Encino Estates Subdivision, 6700 North Shary Road, Silver Candle Holdings, LLC **(SUB2023-0088) (REVISED PRELIMINARY) BIG**
- b) Taylor Villas Subdivision, 2021 South Taylor Road, Sergio Govela **(SUB2022-00151) (REVISED PRELIMINARY) MAS**
- c) Las Brisas Phase I Subdivision, 3101 Monte Cristo Road, Rhodes Development Inc. **(SUB2023-0009) (PRELIMINARY 6-MONTH EXTENSION) M&H**
- d) iShine Car Wash - McAllen Subdivision, 1021 East Highway 83, Thomas Vuong **(SUB2024-0028) (PRELIMINARY) CHLH**

**ADJOURNMENT:**

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

STATE OF TEXAS  
COUNTY OF HIDALGO  
CITY OF McALLEN

The McAllen Planning and Zoning Commission convened in a Regular Meeting on Tuesday February 6, 2024, at 3:30p.m. at the McAllen City Hall, 3rd Floor Commission Chambers Room, 1300 Houston Avenue, McAllen, Texas.

Present:	Michael Fallek	Chairperson
	Gabriel Kamel	Vice Chairperson
	Jose Saldana	Member
	Emilio Santos Jr.	Member
	Jesse Ozuna	Member
Absent:	Marco Suarez	Member
	Reza Badiozzamani	Member
Staff Present:	Austin Stevenson	City Attorney
	Michelle Rivera	Assistant City Manager
	Edgar Garcia	Planning Director
	Omar Sotelo	Development Coordinator
	Rodrigo Sanchez	Senior Planner
	Mario Escamilla	Planner III
	Kaveh Forghanparast	Planner III
	Samuel Nunez	Planner II
	Adriana Solis	Planner II
	Eduardo Garza	Planner II
	Hilda Tovar	Planner II
	Samantha Trevino	Planner I
	Jacob Salazar	Planner Technician II
	Juan Gloria	Fire Chief
	Vince Abrigo	Fire Captain Admin
Magda Ramirez	Administrative Assistant	

**CALL TO ORDER** – Chairperson Mr. Michael Fallek

**PLEDGE OF ALLEGIANCE**

**INVOCATION**-. Mr. Emilio Santos Jr.

**1) MINUTES:**

- a) Approval/Disapproval of minutes from the January 24, 2024 meeting.

The minutes for the regular meeting held on January 24, 2024 were not presented to the board. No action was required.

**2) PUBLIC HEARING:**

- a) **CONDITIONAL USE PERMITS:**

- 1) Request of South Texas Development and Construction on behalf of Armando Rios, for a Conditional Use Permit, for one year, for a portable

food concession stand with a kitchen addition, at E96.53' N127.55'- Lot 1, Alta Loma Subdivision, Hidalgo County, Texas; 2309 Galveston Avenue.  
**(CUP2024-0003)**

Ms. Samantha Trevino stated that the property is located on the south side of Galveston Avenue, west of South 23<sup>rd</sup> Street and is zoned C-3 (General Business) District.

The initial Conditional Use Permit was submitted August 22, 2023 for a portable food concession stand. A new application was January 10, 2024 for a portable food concession stand with a kitchen addition.

The Fire and Health Departments have conducted their inspections and determined the Conditional Use Permit process may continue. Should the Conditional Use Permit be approved, the applicant would be required to sign the application acknowledging and agreeing to the conditions of the permit.

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

Section 138-118(3) of the Zoning Ordinance as follows:

- 1) The proposed use shall not be located in a residentially zoned area.
- 2) The proposed use shall be inspected by the Building inspector and comply with applicable building codes.
- 3) The proposed use and adjacent business shall comply with the Off-street Parking and Loading Ordinance.
- 4) A portable building or trailer used for the proposed use shall be properly anchored to the ground.
- 5) The proposed use shall comply with the zoning district setback requirements.
- 6) Water and sewer facilities shall be required to the tract and may be required to the proposed use.

There have been no phone calls, emails, or letters in oppositions to the Conditional Use Permit request.

Staff recommends approval of the Request for one year, subject to compliance with requirements from Section 138-118 (a)(9) of the Zoning Ordinance, Building permits, Health and Fire Department requirements.

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

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

- 2) Request of Jorge A. Gonzalez, for a Conditional Use Permit, for one year, and adoption of an ordinance for a bar/cigar shop, at Lot 2-A, Valram Heights Subdivision, Hidalgo County, Texas, 2801 West Expressway 83, Bldg 200, Suites 280-290. **(CUP2024-0002).**

Ms. Hilda Tovar stated that the property is located at the southeast corner of South 29th Street and U.S. Expressway 83 and is zoned C-3 (general business) District. The adjacent zoning is C-3 District to the north, east and west and R-1 (single family residential) District to the south. There is C-4 (commercial industrial) District to the southwest. Surrounding land uses include commercial businesses, restaurants, single family residences, and vacant land. A bar is permitted in a C-3 District with a Conditional Use Permit and in compliance with requirements.

The applicant is proposing to continue to operate a retail store for Cigars & Luxury Goods and a lounge (Elephant Bar and Cigar Lounge) out of an approximately 2,950 sq. ft. lease area, from an existing multi-tenant commercial building by the name of Kamila Plaza. The proposed days and hours of operation are Monday through Saturday from 12:00 p.m. to 2:00 a.m. There was a conditional use permit for IL Regalo Preferito approved initially on January 12, 2015. The establishment changed its name to Elephant Bar and Cigar Lounge in 2017.

The previous Conditional Use permit was submitted on January 2023. At the Planning and Zoning meeting of February 21, 2023, the Board recommended disapproval of the request with favorable recommendation. Later, at the City Commission meeting of March 13, 2023, the request was approved with a variance to the distance requirement.

The Health Department has inspected the building and found it to be in compliance; Fire Department conducted their inspection and found it to also be in compliance. The Planning Department has received no complaints regarding the present use as a bar. As per Section 138-400 of the Zoning Ordinance, the parking lot must be properly striped and free of potholes. The bar must also comply with requirements set forth in Section 138-118(a)(4) of the Zoning Ordinance and specific requirements as follows:

- 1) The property line of the lot of the abovementioned business must be at least 400 ft. from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruption of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The proposed establishment is within 400 feet of a residential zone.
- 2) The abovementioned business must be as close as possible to a major arterial, and shall not allow the traffic generated by such business onto residential streets, or allow such traffic to exit into and disrupt residential areas. The bar has access to U.S. Expressway 83 and South 29<sup>th</sup> Street and does not generate traffic into residential areas.

- 3) The abovementioned business must provide parking in accordance with the city off-street parking ordinance as a minimum, and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional onsite parking. The 2,950 sq. ft. combined retail and lounge area requires a total of 16 parking spaces.
- 4) The abovementioned business must do everything possible to prevent the unauthorized parking by the patrons of such business on adjacent businesses or residential properties including, when necessary, the installation of fences and hedges, and the reorientation of entrances;
- 5) The abovementioned business should do everything possible and be designed to discourage criminal activities and vandalism, both on the site and on adjacent properties. Included would be provision of sufficient lighting and perimeter fencing, elimination of dark areas, and the orientation of the building such that it provides maximum visibility as much as possible of the site from a public street;
- 6) The abovementioned business must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties;
- 7) The abovementioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Director of Planning. The occupancy load for this establishment will be established by the Building and Inspections Department as part of the building permit review process.

If approval is granted, the establishment must comply with all other Zoning ordinances, Building Code, and Fire Department requirements.

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

The Planning Department has received no calls or concerns regarding the proposed use.

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

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

Being no discussion, Vice Chairperson Mr. Gabriel Kamel moved to disapprove with a favorable recommendation. Mr. Jose Saldana seconded the motion, which was disapproved with favorable recommendation with five members present and voting.

- 3) Request of Rodolfo Flores III, for a Conditional Use Permit, for one year, and adoption of an ordinance for a smoke shop, at Lots 1, 2 & 3, Falcon Addition Subdivision, Hidalgo County, Texas, 821 North 23rd Street, Suite 160. **(CUP2024-0004)**

Ms. Hilda Tovar stated that the subject property is located at the southwest corner of North 23<sup>rd</sup> Street and Ivy Avenue. The proposed smoke shop will be located within a commercial plaza under the name of Serenity Suites at Midtown. The subject property is zoned C-3 (general business) District. The adjacent zoning is C-3 District in all directions except to the north which is R-3A (multifamily residential apartments) District.

Smoke and vape shops are allowed in a C-3 District with a Conditional Use Permit and in compliance with requirements.

The applicant is proposing to operate a retail vape and smoke shop, in a 1,228 sq. ft. suite, which is part of a multi-tenant commercial building by the name of Serenity Suites at Midtown. The proposed hours of operation are 11:00 a.m. – 12:00 a.m. Monday through Saturday and 12:00p.m. – 6:00p.m. on Sunday. Previously, the subject property was operating as a beauty salon. The commercial plaza is currently being used by other tenants as an event center, beauty salon other commercial uses.

The Fire Department has completed the inspection for the proposed business and the inspection was satisfactory. As per Section 138-400 of the Zoning Ordinance, the parking lot must be properly striped and free of potholes. The establishment must comply with requirements set forth in Section 138-118(a)(4) of the Zoning Ordinance and specific requirements as follows:

- 1) The property line of the lot of any of the abovementioned business must be at least 400 ft. from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruption of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The proposed establishment is within 400 feet of a residential district or user.
- 2) The abovementioned business must be as close as possible to a major arterial, and shall not allow the traffic generated by such business onto residential streets, or allow such traffic to exit into and disrupt residential areas. The subject property has frontage along North 23<sup>rd</sup> Street.
- 3) The abovementioned business must provide parking in accordance with the city off-street parking ordinance as a minimum, and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional onsite parking. The business will require six parking spaces.
- 4) The abovementioned business must do everything possible to prevent the unauthorized parking by the patrons of such business on adjacent businesses or residential properties including, when necessary, the installation of fences and hedges, and the reorientation of entrances;

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

If approval is granted, the establishment must comply with all other Zoning ordinances, Building Code, and Fire Department requirements.

The Planning Department has received no calls or concerns regarding the proposed use.

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

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

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

- 4) Request of Mario Gamas on behalf of Iglesia Gente Con Proposito, for a Conditional Use Permit, for one year, for an Institutional Use (church) at Lot 7, Shasta Commercial Plaza Phase II Subdivision, Hidalgo County, Texas; 2509 Buddy Owens Boulevard. **(CUP2024-0001)**

Ms. Adriana Solis stated that the subject property is located along the south side of Buddy Owens Boulevard and east of North 25<sup>th</sup> Lane. The property is zoned C-3 (general business) District. The adjacent zoning is R-3A (multifamily residential apartments) District to the south, C-1 (office building) District to the north, C-3 District to the west and east of the subject property. Surrounding land uses include residential homes, apartments, and commercial plazas. An Institutional Use is permitted in a C-3 District with a Conditional Use Permit and in compliance with requirements.

This is the first Conditional Use Permit request for this property. The Conditional Use Permit request application was submitted on January 2, 2024.

There is an existing 2,340 sq. ft. suite building within a commercial plaza for this subject property. The applicant is proposing to operate a church with a main sanctuary area, a room for infants and two areas that will be used as classrooms for the youth of different age groups. The proposed days and hours of the services of the church will be on Sunday until 11:00 PM and Wednesday until 7:30 PM. Based on the 75 seats proposed in the sanctuary area, 19 parking spaces are required; 283 parking spaces are provided on site.

The Health Department has completed the inspection and approved to continue with the CUP process, a Fire Inspection is still pending. Should the Conditional Use Permit be approved, the applicant would be required to sign the certificate acknowledging and agreeing to the conditions of the permit. The church must 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 business has frontage on Buddy Owens Boulevard with access onto North 23<sup>rd</sup> Street.
- 2) The proposed use shall comply with the McAllen Off-Street Parking Ordinance and make provisions to prevent the use of street parking, especially in residential areas. Based on the seating area of 75 seats in the sanctuary, 19 parking spaces are required; 283 parking spaces are provided on site.
- 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 numbers of persons within the building shall be restricted to the existing seating capacity for the building.
- 7) Sides adjacent to commercially and residentially zoned or used properties shall be screened by a 6 ft. opaque fence.

If approval is granted to this request, the applicant must still comply with all other Zoning Ordinance and Building Code requirements that will be requested during the building permit process.

Staff did not receive any phone calls, letters, or emails in opposition to this request.

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

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

Being no discussion, Mr. Jesse Ozuna moved to approve. Mr. Emilio Santos Jr. seconded the motion, which was approved with five members present and four voting and one member, Vice Chairperson Mr. Gabriel Kamel abstainin.

b) REZONING:

- 1) Rezone from R-1 (single family residential) District to R-3C (multifamily residential condominiums) District: 7.207 acres out of Lot 2, Block 9, A.J. McColl Subdivision, Hidalgo County, Texas; 3908 South Jackson Road, Unit D. **(REZ2023-0064)**

Ms. Adriana Solis stated that the subject property is located along the west side of South Jackson Road, north of East Orangewood Drive and consists of 7.207 acres.

The applicant is proposing to rezone the property to R-3C (multifamily residential condominiums) District in order to construct condominiums. A feasibility plan has not been submitted at this time.

The adjacent zoning is R-1 (single-family residential) District in all directions and R-3T (multifamily residential townhouses) District to the southeast. The area to the east across South Jackson Road is in the Pharr city limits.

The subject property is currently vacant. Surrounding land uses include multifamily residences such as proposed townhomes and single family residential uses.

The Envision McAllen Future Land Use Plan categorizes the future land use for this property as Complete Communities. Single-family residences, multifamily residences such as townhome and mixed-use neighborhood-scale such as diverse housing options.

The development trend along South Jackson Road is single-family residential uses as well as commercial uses and multifamily residential uses.

The requested zoning does conform to the Complete Communities use designation as indicated on the Envision McAllen Future Land Use Plan.

A recorded subdivision plat will be required prior to building permit issuance. An approved site plan may also be required prior to building permit issuance should a condominium dwelling complex of five units or more be proposed for individual lots. Compliance with off-street parking, landscaping, and various building and fire codes are required as part of the building permitting process.

The number of condominium units likely to be constructed would be limited based on parking and landscaping requirements.

Staff did receive a phone call in opposition to the zoning request.

Staff recommends approval of the rezoning request to R-3C (multifamily residential condominiums) District since the zoning does conform to the Envision McAllen Future Land Use Plan.

Chairperson Mr. Michael Fallek asked if there was anyone present in opposition of the proposed rezoning request. There were three:

Citizen Ms. Sheryl Hamer (3820 S. Jackson Rd.), stated she is in the process of building a single residence adjacent to the stated property (6.3 Acres) and worth \$485,000.00. She is concerned with noise, pollution, traffic and ascetics of the property. She is also concerned the value of the property will decrease.

Citizen Mr. Andrew You (824 E. Balboa Ave-President of the homeowners association) stated he had a petition with 58 homeowners signatures that are in opposition to the request. Reasons being: traffic and road design.

Un named citizen stated her concerns were safety and quality of life, traffic.

Citizen Pat Smith (resides on the north side of 3908 S. Jackson) stated her concerns are decrease of value, property value, traffic and privacy.

Applicant Mr. Mario Reyna requested the item be tabled.

After a lengthy discussion, Vice Chairperson Mr. Gabriel Kamel moved to table the rezoning request. Mr. Marco Suarez seconded the motion, which was tabled with five members present and voting.

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

- a) Site plan approval for Lot 1A, Palmridge Park Lot 1A Subdivision, Hidalgo County, Texas; 2100 South McColl Road. **(SPR2023-0037)**

Mr. Samuel Nunez stated that the subject property is located between South McColl Road and South "D" Street. The property is zoned C-3 (general business) District. Adjacent properties are zoned C-3 District in all directions. Surrounding land uses include commercial retail and office uses.

The applicant is proposing to construct a 3-story building with a total area of 110,064.83 square feet. This building will be used as a self-storage facility for individually rented units.

Access to the site is from South McColl Road. No alley exists or is proposed.

A minimum of 3 parking spaces are required for self-storage facilities with 1 additional parking space for every 250 square feet of office area. 5 parking spaces are required and 1 of the proposed regular parking spaces must be accessible for van accessibility with an 8-foot-wide aisle. The applicant is meeting parking requirements for the new development.

8,467 square feet of green area is required for the new development and 18,980 square feet is proposed. The tree requirement is as follows: 23 two-and-a half-inch-caliper trees, 12 four-inch caliper trees, 6 six-inch caliper trees, or 9 palm trees with 14 two-and-a-half-inch-caliper trees. A minimum 10 feet wide landscaped strip is required inside the front property line. Fifty percent of the required green area for the

new development must be visible from the street or front property line, and each parking space must be within 100 feet of a landscaped area with a tree. Finally, a 6-foot buffer is required around dumpsters/compactors if visible from the street. The applicant is meeting landscaping requirements for green area and trees.

There is a 50-foot front yard setback along South McColl Road, a 30-foot rear yard setback along South "D" Street, and side yard setbacks are at 21 feet. No structures or roof overhangs are permitted over any easements. The new development will be complying with all required setbacks for the property.

A 5-foot-wide minimum sidewalk is required along South McColl Road and South "D" Street.

The Building Permit Site Plan must comply with the required conditions noted on the Development Team Review sheet.

Staff recommends approval of the site plan subject to the conditions noted, Building Permit requirements and the subdivision and zoning ordinances.

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

- b) Site plan approval for Lot 2, La Vista Commerce Subdivision, Hidalgo County, Texas; 2301 North 23rd Street. (SPR2023-0046).

Mr. Eduardo Garza stated that the subject property is located along the west side of North 23<sup>rd</sup> Street, approximately 150 feet south of La Vista Avenue. The property is zoned C-3 (general business) District. Adjacent properties are zoned C-3 (general business) District to the north and south, R-1 (single-family residential) District to the east across North 23<sup>rd</sup> Street, and R-3A (multifamily residential apartment) District to the west. Surrounding land uses include McAllen High School, commercial retail, and apartments.

The applicant is proposing to construct a 9,289 square-foot building to operate as a retail plaza with one restaurant.

Access to the site is from North 23<sup>rd</sup> Street and an alley to the south of the property.

Based on the 7,776 square feet of retail area and 1,513 square feet of restaurant use, 35 parking spaces are required and 35 parking spaces are proposed. One of the proposed regular parking spaces must be accessible for van accessibility with an 8-foot-wide aisle. The applicant is meeting parking requirements for the new development.

2,830.8 square feet of green area is required for the new development and 5,378 square feet is proposed. The tree requirement is as follows: 12 two-and-a-half-inch-caliper trees, 6 four-inch caliper trees, 3 six-inch caliper trees, or 5 palm trees with 10 two-and-a-half-inch-caliper trees. A minimum 10 feet wide landscaped strip is required inside the front property line. Fifty percent of the required green area for the new development must be visible from the street or front property line, and each parking space must be within 100 feet of a landscaped area with a tree. Finally, a 6-foot buffer is required around dumpsters/compactors if visible from the street. The applicant is meeting landscaping requirements for green area and trees.

There is a 50-foot front yard setback along North 23<sup>rd</sup> Street and other setbacks are in accordance with Zoning Ordinance, easements, or approved site plan, whichever is greater. No structures or roof overhangs are permitted over any easements. The new development will be complying with all required setbacks for the property.

A 4-foot-wide minimum sidewalk is required along North 23<sup>rd</sup> Street.

The Building Permit Site Plan must comply with the required conditions noted on the Development Team Review sheet.

Staff recommends approval of the site plan subject to the conditions noted, Building Permit requirements and the subdivision and zoning ordinances.

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

#### **4) CONSENT:**

- a) Parke at Nolana Subdivision, 3200 Nolana Avenue, Corporate Asset Partners, LLC (SUB2023-0024) (FINAL) M&H
- b) Mayberry Hills Subdivision, 10400 North Mayberry Road, 22 Real Estate, LLC **(SUB2024-0003) (FINAL) MAS**

Being no discussion, Mr. Jose Ozuna moved to approve item 4a and 4b in consent form. Mr. Emilio Santos Jr. seconded the motion, which was approved with five members present and voting.

#### **5) SUBDIVAIONS:**

- a) Villas at Ware Subdivision, 4900 North Ware Road (Rear), Rhodes Enterprises, Inc. **(SUB2023-0063) (REVISED PRELIMINARY) M&H**

Mr. Mario Escamilla stated North Ware Road: 75 ft. from centerline for 150 ft. of total ROW Paving: by the state Curb & gutter: by the state Revisions Needed: Show document # on plat for the common access easement connecting to North Ware Road and provide a copy of the document for staff review, prior to recording. Provide Wisteria Avenue across North Ware Road with dimensions from centerline to centerline of proposed Common Access Easement to verify compliance with offset requirements, prior to final. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. North 34th Street: Dedication as needed for 60 ft. Total ROW. Paving: 40 ft. Curb & gutter: Both sides Revisions Needed: Subdivision layout must provide for street extension and must match existing ROW and Pavement to the North and South, please review and revise accordingly prior to final. Should a alternate layout be proposed and a variance is submitted and approved it would be subject to providing required Cul-De Sac's at the North and South ends of the existing streets within this plat boundary. Engineer submitted a variance request on January 5th, 2024 requesting to not extend the future N.34th Street and proposing to build a cul-de-sac within the existing ROW's of the adjacent subdivisions to the North and South. Subdivision proposed Interior dedication is 30 ft. of ROW, ROW must be revised to provide for minimum ROW requirements as noted above, review and revise as applicable prior to final. Engineer submitted a variance request on January 5th, 2024 requesting that the internal ROW's be reduced to 30 ft. instead

of the required 60 ft., as well as requesting that the internal paving be reduced to 30 ft. instead of the required 40 ft. and proposing to add a 10 ft. Utility and Sidewalk Easement on both sides of the internal streets with fire lane parking prohibited striping, which will be enforced by the HOA. If subdivision is proposed to be private as gate details are required and ROW are subject to increase for gate areas, finalize prior to final and submit gate details as applicable. Engineer must clarify if subdivision is proposed to be public or private, as it may trigger changes to ROW requirements and subdivision layout may have to be revised, clarify prior to final. As per updated plat submitted on December 5th, 2023 subdivision proposed to be private. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. Entrance Street Proposed Wisteria Avenue: Dedication as needed for 60 ft. Total ROW. Paving: 40 ft. Curb & gutter: Both sides Revisions Needed: Interior street names will be established, prior to final. Provide Wisteria Avenue across North Ware Road with dimensions from centerline to centerline of proposed Common Access Easement to verify compliance with offset requirements, prior to final\*\*. Engineer submitted a variance request on January 5th, 2024 for the Street jog requirements to allow a offset of 10 ft., the engineer has stated that there is a median along North Ware Road that would eliminate left turn conflicts. Subdivision proposed Interior dedication is 50 ft. of ROW, ROW must be revised to provide for minimum ROW requirements as noted above and may increase for gate areas, review and revise as applicable prior to final. Engineer submitted a variance request on January 5th, 2024 requesting that the internal ROW's be reduced to 30 ft. instead of the required 60 ft., as well as requesting that the internal paving be reduced to 30 ft. instead of the required 40 ft. and proposing to add a 10 ft. Utility and Sidewalk Easement on both sides of the internal streets with fire lane parking prohibited striping, which will be enforced by the HOA. Engineer must clarify if subdivision is proposed to be public or private, as it may trigger changes to ROW requirements and subdivision layout may have to be revised, clarify prior to final. As per updated plat submitted on December 5th, 2023 subdivision proposed to be private. If subdivision is proposed to be private as gate details are required and ROW are subject to increase for gate areas, finalize prior to final and submit gate details as applicable. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. Interior Streets: Dedication as needed for 60 ft. Total ROW. Paving 40 ft. Curb & gutter: Both Sides. Revisions Needed: Interior street names will be established, prior to final. Subdivision proposed Interior dedication is 30 ft. of ROW with 30 ft. of paving, ROW/Pavement must be revised to provide for minimum ROW/Pavement requirements as noted above and may increase for gate areas, review and revise as applicable prior to final. Engineer submitted a variance request on January 5th, 2024 requesting that the internal ROW's be reduced to 30 ft. instead of the required 60 ft., as well as requesting that the internal paving be reduced to 30 ft. instead of the required 40 ft. and proposing to add a 10 ft. Utility and Sidewalk Easement on both sides of the internal streets with fire lane parking prohibited striping, which will be enforced by the HOA. Engineer must clarify if subdivision is proposed to be public or private, as it may trigger changes to ROW requirements and subdivision layout may have to be revised, clarify prior to final. As per updated plat submitted on December 5th, 2023 subdivision proposed to be private. Provide for "Cul-De Sac" at interior street ends as dead end streets are not allowed, revise as applicable prior to final. ROW at "Cul-De Sac" areas may have to be increased to comply with Fire Department requirements, finalize prior to final. As per Fire Department requirements, 96 ft. of paving face-to-face required, and 10 ft. of ROW back of curb around Cul-de-Sac required. If proposing to loop the streets in lieu of Cul-De-Sacs, street layout must comply with minimum maneuverability requirements for Fire and Public Works Department in compliance with City Standards, as the easement shown on the south side of lots 1, 12, 13 and 24 does not meet requirements. Engineer submitted a variance request on January 5th, 2024 requesting to allow a 20.5 Emergency Access Easement that will function as a connection to N. 34th, N. 35th and N. 36th Street with fire lane parking prohibited striping, which will be enforced by the HOA. If subdivision is proposed to be private as gate details are required and ROW are subject to

increase for gate areas, finalize prior to final and submit gate details as applicable. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. E/W Quarter Mile Collector (northern boundary): Dedication as needed for 60 ft. total ROW Paving: 40 ft. Curb & gutter: Both sides. Engineer submitted a variance request on January 5th, 2024 requesting to not dedicate or escrow for this future E/W collector. The engineer has indicated that the street would not be able to extend east or west as there are existing established developments around this subdivision. After review of the area, due to the developed surrounding properties, the E/W collector street along the northern boundary is not feasible. Street alignment, R.O.W, and dedication requirements being reviewed by staff and plat would need to be revised accordingly. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. 900 ft. Block Length for R-3 Zone Districts. Pending Items: Subdivision layout does not comply with block length requirement, please revise accordingly prior to final. If no changes please submit variance request for 900 ft. maximum block length requirement. Engineer submitted a variance application on January 5th, 2024, requesting a variance to the 900ft. Block Length requirement. Subdivision Ordinance: Section 134-118. 600 ft. Maximum Cul-de-Sac. Revisions Needed: Engineer submitted a variance request on January 5th, 2024 requesting that ROW for cul-de-sacs be reduced to 100ft. from the required 116 ft. and proposes to maintain the 96 ft. of paving as per fire department requirements as well as dedicate a 10 ft. Utility and Sidewalk easement on both sides of all internal streets. Provide distance from proposed Wisteria Avenue ROW to the back of "Cul-De-Sac's" to verify compliance with 600 ft. block length requirements for Cul-de-Sacs, finalize prior to final. Provide for "Cul-De Sac" at interior street ends as dead end streets are not allowed, revise as applicable prior to final. ROW at "Cul-De Sac" areas may have to be increased to comply with Fire Department requirements, finalize prior to final. As per Fire Department requirements, 96 ft. of paving face-to-face required, and 10 ft. of ROW back of curb around Cul-de-Sac required. If proposing to loop the streets in lieu of Cul-De-Sacs's, street layout must comply with minimum maneuverability requirements for Fire and Public Works Department in compliance with City Standards, as the easement shown on the south side of lots 1, 12, 13 and 24 does not meet requirements. Subdivision layout does not comply with block length requirement, please revise accordingly prior to final. If no changes please submit variance request for 600 ft. maximum block length requirement. Provide "Cul-De Sac" details prior to final. Auto Turn Study may be required to verify compliance with maneuvering space needed at "Cul-De Sac", "Knuckle's", and curvatures, prior to final. Subdivision Ordinance: Section 134-105. ROW: 20 ft. Paving: 16 ft. Engineer submitted a variance application on January 5th, 2024 stating that the development is being processed with individual trash bins for each lot and one centralized location in, engineer must continue to finalize collection requirements prior to final. Alley/service drive easement required for commercial and multi-family properties. Finalize alley/service drive requirements prior to final. Subdivision Ordinance: Section 134-106. Front: 10 ft. or greater for easements, whichever is greater applies. Revisions needed: Setback requirements will be established once CUP for Planned Unit Development has been finalized. Zoning Ordinance: Section 138-356 Non-compliance. Rear: In accordance with the zoning ordinance or greater for easements, whichever is greater applies. Revise the note as shown above prior to final. Setback requirements will be established once CUP for Planned Unit Development has been finalized. Zoning Ordinance: Section 138-356. Sides: In accordance with the zoning ordinance or greater for easements, whichever is greater applies. Revisions needed: Setback requirements will be established once CUP for Planned Unit Development has been finalized. Zoning Ordinance: Section 138-356. Corner: 10 ft. or greater for easements, whichever is greater applies. Setback requirements will be established once CUP for Planned Unit Development has been finalized. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required, greater setback applies. Setback requirements will be established once CUP for Planned Unit Development has been finalized. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan.

4 ft. wide minimum sidewalk required along North Ware Road, and both sides of all interior streets. Revisions Needed: Finalize wording for note prior to final. Sidewalk requirements may increase to 5 ft. prior to final per Engineering Department requirements, finalize prior to final. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along Pending items: -Note wording for curb cut, access, or lot frontage must be finalized prior to final, requirements for note to be established once ROW requirements have been finalized. Must comply with City Access Management Policy. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Currently there is a Conditional Use Permit for a Planned Unit Development in process, however not finalized. Conditional use permit process for a Planned Unit Development must be finalized prior to final. Any owner, builder or developer of a multiple-family, condominium or townhouse dwelling complex of five units or more on a single lot or parcel, or five single-family attached units, shall submit to the planning department for review a site and building plan for the proposed development. Zoning Ordinance: Section 138-210. Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 134-168 applies if private subdivision is proposed. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Homeowner's Association Covenants must be submitted for staff review, prior to recording. Section 134-168 applies if private subdivision is proposed. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Lots fronting public streets. Pending Items: Show document # on plat for the common access easement connecting to North Ware Road and provide document for staff review prior to recording. Zoning Ordinance: Section. 138-356. Minimum lot width and lot area. Currently there is a Conditional Use Permit for a Planned Unit Development in process, however not finalized. Conditional use permit process for a Planned Unit Development must be finalized prior to final. Rezoning or Conditional Use Permit for Planned Unit Development required prior to final. CUP for Planned Unit Development will be reviewed simultaneously with subdivision plat and requirements will/may be revised as needed. Zoning Ordinance: Section 138-356. Existing : R-3A(apartment residential) District Proposed: R3-T (Townhouse Residential) District. Currently there is a Conditional Use Permit for a Planned Unit Development in process, however not finalized. Conditional use permit process for a Planned Unit Development must be finalized prior to final. Rezoning or Conditional Use Permit for Planned Unit Development required prior to final. CUP for Planned Unit Development will be reviewed simultaneously with subdivision plat and requirements will/may be revised as needed. Zoning Ordinance: Article V. Rezoning Needed Before Final Approval. Currently there is a Conditional Use Permit for a Planned Unit Development in process, however not finalized. Conditional use permit process for a Planned Unit Development must be finalized prior to final. Rezoning or Conditional Use Permit for Planned Unit Development required prior to final. CUP for Planned Unit Development will be reviewed simultaneously with subdivision plat and requirements will/may be revised as needed. Zoning Ordinance: Article V. Land dedication in lieu of fee. As per plat submitted on June 27th,2023, plat depicts 84 lots, as per City of McAllen Parkland Dedication Ordinance land dedication is over an acre. A variance request must be submitted if requesting fees in lieu of land to be reviewed by the City

Manager's office. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per plat submitted on June 27th, 2023, plat depicts 84 lots, as per City of McAllen Parkland Dedication Ordinance land dedication is over an acre. A variance request must be submitted if requesting fees in lieu of land to be reviewed by the City Manager's office. Pending review by the City Managers Office. As per plat submitted on June 27th, 2023, plat depicts 84 lots, as per City of McAllen Parkland Dedication Ordinance land dedication is over an acre. A variance request must be submitted if requesting fees in lieu of land to be reviewed by the City Manager's office. As per Traffic Department, Trip Generation approved no TIA required. Must comply with City's Access Management Policy. Any abandonments must be done by separate process, not by plat. Engineer must clarify ownership, as submitted warranty deed and title report do not correspond, clarify prior to final. Subdivision layout must be revised to comply with ROW/Pavement widths, no dead end streets without required Cul-De-Sac's, Fire and Public Works Maneuverability requirements, and other revisions as applicable to assure compliance. Currently there is a Conditional Use Permit for a Planned Unit Development in process, however not finalized. Conditional use permit process for a Planned Unit Development must be finalized prior to final. Notes, requirements etc. subject to change once CUP/ Site Plan for planned unit development is finalized.

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

Fire Captain, Vince Abrigo with the McAllen Fire Department stated they were in opposition because of secondary access and street width. These are safety issues that are of concern. They are requesting the width to stay at 32'. Applicant, Mario Reyna explained all concerns of the variances in question.

After a lengthy discussion, Vice Chairperson Mr. Gabriel Kamel moved to approve in revised preliminary form subject to conditions noted, drainage and utilities approvals and clarification of the requested variances with the exception of variance items #5, 6 and 9 (no action taken on those variances. Mr. Emilio Santos Jr. seconded the motion, which was approved with five members present and voting.

b) Taylor Villas Subdivision, 2021 South Taylor Road, Sergio Govela  
**(SUB2022-0151) (PRELIMINARY 6-MONTH EXTENSION) MAS**

Mr. Mario Escamilla stated S. Taylor Road: 10 ft. ROW dedication required for 40 ft. from centerline for 80 ft. ROW Paving: 52 ft. 65 ft. Curb & gutter: both sides Revisions Needed: Label referenced 70.00' as "Total ROW", prior to final, and ensure that dimension is legible, prior to final. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are required prior to recording. Uvalde Avenue: 49.63 ft. from centerline for 89.54 ft. ROW existing Paving: 52 ft. 65 ft. Curb & gutter: both sides Revisions Needed: Ensure that ROW being dedicated by this plat is labeled throughout plat boundary, prior to final. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are required prior to recording. Interior Streets (proposed as private): 60 ft. Paving: 40 ft. Curb & gutter: both sides Revisions needed: Engineer is proposing 50 ft. ROW with 40 ft. pavement plus a 10 ft. sidewalk and utility easement on both sides of streets. Please clarify prior to final. Street names will be finalized prior to final. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are required prior to recording. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. 900 ft. Block Length for R-3 Zone Districts Revisions needed: Current Subdivision

layout exceeds 900 ft. Block Length requirement for R-3 Zone Districts, revise accordingly. Subdivision Ordinance: Section 134-118. ROW: 20 ft. Paving: 16 ft. Revisions needed: Alley/service drive easement required for Commercial and Multi-Family properties. Must comply with Public Works Department requirements. Alley/service drive easement required for commercial properties. Subdivision Ordinance: Section 134-106. Front: 20 ft. or greater for easements, which ever is greater applies Revisions needed: Revise plat note #1.A as shown above prior to final. Setback requirements will be established once CUP for Planned Unit Development has been submitted and reviewed. Zoning Ordinance: Section 138-356. Rear: In accordance with the Zoning Ordinance, or greater for easements, which ever is greater applies Revisions needed: Revise plat note #1.B as shown above prior to final. Proposing: Rear: In accordance with the Zoning Ordinance, or greater for easements, except 20 ft. for the double fronting lots along S. Taylor Road and Uvalde Avenue. Please clarify proposed note prior to final. Setback requirements will be established once CUP for Planned Unit Development has been submitted and reviewed. Zoning Ordinance: Section 138-356. Sides: In accordance with the Zoning Ordinance, or greater for easements, which ever is greater applies Revisions needed: - Please revise plat note #1.C as shown above prior to final. Setback requirements will be established once CUP for Planned Unit Development has been submitted and reviewed. Zoning Ordinance: Section 138-356. Corner: 10 ft. or greater for easements, which ever is greater applies Revisions needed: Revise plat note #1.A as shown above prior to final. Setback requirements will be established once CUP for Planned Unit Development has been submitted and reviewed. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required; greater setback applies. Setback requirements will be established once CUP for Planned Unit Development has been submitted and reviewed. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required on S. Taylor Road, Uvalde Avenue and on both sides of all interior streets. Sidewalk requirements may increase to 5 ft. per Engineering Department , finalize wording for note prior to final. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along Uvalde Avenue and S. Taylor Road. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Revisions Needed: Revise note #9 as shown above prior to final. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along Uvalde Avenue and S. Taylor Road. Must comply with City Access Management Policy. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Overall site plan required as part of the CUP process for Planned Unit Development. Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 134-168 applies if private subdivision is proposed. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Homeowner's Association Covenants must be submitted for staff review, prior to recording. Section 134-168 applies if private subdivision is proposed. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Revisions needed: Common Area Lot "B" on plat submitted on December 28, 2022- does not meet minimum 50ft. lot frontage requirement. Clarify and revise prior to final. Zoning Ordinance: Section 138-356. Existing: R-2 Proposed: R-2 (Duplex-Fourplex Residential) District. Currently there is a

Conditional Use Permit for a Planned Unit Development in process, however not finalized. Conditional use permit process for a Planned Unit Development must be finalized prior to final. Rezoning or Conditional Use Permit for Planned Unit Development required prior to final. CUP for Planned Unit Development will be reviewed simultaneously with subdivision plat and requirements will/may be revised as needed. Zoning Ordinance: Article V. Rezoning Needed Before Final Approval. Currently there is a Conditional Use Permit for a Planned Unit Development in process, however not finalized. Conditional use permit process for a Planned Unit Development must be finalized prior to final. Rezoning or Conditional Use Permit for Planned Unit Development required prior to final. CUP for Planned Unit Development will be reviewed simultaneously with subdivision plat and requirements will/may be revised as needed. Zoning Ordinance: Article V. Land dedication in lieu of fee. As per Park Department fees apply to this subdivision at a rate of \$700 per dwelling unit, this in accordance with McAllen's Park Land Dedication and Park Development Fees Ordinance. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording, if land dedication is not required. Please provide number of dwelling units prior to final. Fees can go up or down, they are dependent on the number of units. Pending review by City Manager's Office. As per Traffic Department, TIA waived. Must comply with requirements/conditions of the Conditional Use Permit for the Planned Unit Development (PUD), if applying for the CUP. The site plan for the PUD will be recorded at such time as the plat is recorded. Cross reference notes will need to be finalized prior to final. Any changes to approved site plan for Planned Unit Development may require for Conditional use permit to be amended and presented before the Planning and Zoning Commission. Plat notes, setbacks, requirements, subject to be revised based on CUP for Planned Unit Development prior to final as process is reviewed simultaneously with the subdivision plat. CUP for Planned Unit Development will be reviewed simultaneously with subdivision plat and requirements will/may be revised as needed. Gate Details submitted on December 28, 2022 have been approved by Traffic Department. Currently there is a Conditional Use Permit for a Planned Unit Development in process, however not finalized. Conditional use permit process for a Planned Unit Development must be finalized prior to final. Any abandonments must be done by separate process, not by plat. Must comply with City's Access Management Policy.

Staff recommends approval of the preliminary 6-month extension subject to conditions noted, drainage, and utility approvals.

Being no discussion, Mr. Jesse Ozuna moved to approve a preliminary 6-month extension subject to conditions noted, drainage, and utility approvals. Mr. Jose Saldana seconded the motion, which was approved with five members present and voting.

c) 29th Sunrise Valley Subdivision, 8400 North 29th Street, DMJ Family Trust  
**(SUB2024-0007) (PRELIMINARY) SEC**

Mr. Mario Escamilla stated North 29th Street: Dedication as needed for 100 ft. total ROW. Paving : 65 ft. Curb & gutter: Both Sides Revisions Needed: Provide document numbers on plat regarding any existing dedication or acquisitions as applicable prior to final as well as documents for staff review. Dedication requirements to be established once ROW details regarding existing dedications are provided, finalize prior to final. Label any existing ROW;s as Existing ROW, as applicable prior to final. Label ROW after accounting for dedication as Total ROW, prior to final. Label ROW from centerline to new plat boundary, prior to final. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. Grambling Avenue: Dedication as needed for 50 feet total ROW. Paving: 32 ft. Curb & gutter: Both Sides Revisions Needed: Provide document numbers on plat regarding any existing dedication or acquisitions as applicable prior to final. Include reference to ROW in regards to Grambling Avenue, prior to final.

Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. 1,200 ft. Block Length. Subdivision Ordinance: Section 134-118. ROW: 20ft. Paving: 16ft. Service Street: In residential subdivisions which have lots abutting major or minor arterials or major collectors, the residences on such lots shall not face the major or minor arterial or major collector, unless: There shall be provided, in addition to any front setback, a 20-foot planting area (as defined in chapter 110, article II, Landscaping) between such lot and the major or minor arterial or major collector; If rear garbage pickup and/or rear access are not available to such lot, there shall be placed a service street, in addition to the planting area described in subsection (d)a.1., between the front lot line of such lot, and such planting area. Such service street shall also be at least 20 feet wide, and built to city plans and specifications by the developer, finalize service street requirements prior to final. Alley/service drive easement required for commercial and multi-family properties. Subdivision Ordinance: Section 134-106. Front: Lot 1: 45 ft. or in line with average setbacks of existing structures or greater for easements, whichever is greater applies. Lot 2: 25 feet or greater for easements. Revisions Needed: Revise front setback note as shown above prior final. Proposing: 25.0 Feet. Zoning Ordinance: Section 138-356 & 367, 134-106. Rear: 10 feet or greater for easements. Zoning Ordinance: Section 138-356. Sides: 6 feet or greater for easements. Revisions Needed: Revise side setback note as shown above prior final. Proposing: 6.0 feet, except 10.0 feet adjacent to street. Zoning Ordinance: Section 138-356. Corner: 10 feet or greater for easements. Revisions Needed: Add corner setback note as shown above prior final. Proposing: 6.0 feet, except 10.0 feet adjacent to street. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required, greater setback applies. Revisions Needed: Revise garage setback note as shown above prior final. Proposing: 18 ft. except where greater setback is required. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4ft. wide minimum sidewalk required along North 29th Street and Grambling Avenue. Revision Needed: Revise setback note as shown above, prior to final. Proposing: A 4.0 min. feet sidewalk required along the east side of N. 29th street and Grambling Ave. Sidewalk requirements may increase to 5 ft. prior to final per Engineering Department requirements, finalize wording for note prior to final. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along North 29th Street. Revisions Needed: Include note as shown above, prior to final. Must comply with City Access Management Policy. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. If proposed use requires a conditional use permit site plan must be approved and presented before the planning and zoning commission. Engineer must clarify proposed use of both lots as they may require conditional use permits, finalize CUP requirements as applicable prior to final. Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 134-168 applies if private subdivision is proposed. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Homeowner's Association Covenants must be submitted for staff review, prior to recording. Section 134-168 applies if private subdivision is proposed. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Lots fronting public streets. Subdivision Ordinance: Section

134-1. Minimum lot width and lot area. Revisions Needed: Please include lot square footages on plat, prior to final. Zoning Ordinance: Section 138-356. Existing: R-1 (Single-Family) Residential Proposed: R-1 (Single-Family) Residential. If proposed use requires a conditional use permit site plan must be approved and presented before the planning and zoning commission. Engineer must clarify proposed use of both lots as they may require conditional use permits, finalize CUP requirements as applicable prior to final. Zoning Ordinance: Article V. Rezoning Needed Before Final Approval. Proposed zoning is compliant with current zoning. Zoning Ordinance: Article V. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per plat submitted on January 18th, 2024 a total of 2 lots proposed park fees total to \$1,400 (\$700 X2 per lot/dwelling unit) payable prior to plat recording. If the number of lots/dwelling units changes fees will be adjusted accordingly. per Traffic Department, Trip Generation for 2-lot Single Family subdivision is waived. Must comply with City's Access Management Policy. Any abandonments must be done by separate process, not by plat. If proposed use requires a conditional use permit site plan must be approved and presented before the planning and zoning commission. Engineer must clarify proposed use of both lots as they may require conditional use permits, finalize CUP requirements as applicable prior to final.

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

Being no discussion, Mr. Jose Saldana moved to approve in in preliminary form, subject to the conditions noted, drainage, and utilities approval. Mr. Emilio Santos Jr. seconded the motion, which was approved with five members present and voting.

- d) Harvest Cove Phase II Subdivision, 2601 North Ware Road (Rear), Escanaba, LLC **(SUB2024-0008) (PRELIMINARY) M&H**

Mr. Kaveh Forghanparast stated N/S 1/4 mile collector: Dedication as needed for 60 ft. total ROW. Paving 40 ft. Curb & gutter: Both Sides Revisions Needed: Provide ROW dedication for N/S 1/4 mile collector, prior to final. Show and label N/S ROW shown on the survey along the west side of the subdivision and east side of Irrigation District canal ROW. Any abandonment must be done by a separate process and instrument number written on plat prior to recording. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are required prior to recording. An abandonment application (ABD2024-0003) has been submitted to abandon 370.45 ft. X 20 ft. of ROW along the west side of the subdivision. The abandonment process must be finalized and recorded with a separate instrument and referenced on the plat prior to recording. The project engineer must verify that the dimensions of the ROW abandonment matches the lot dimensions prior to final. The engineer submitted a variance application (VAR2024-0002) including a variance to the N/S quarter mile collector requirement. Two CUP applications for PUD (CUP2023-0161) for chase I & (CUP2024-0005) for Phase II has been submitted and are in process and must be approved prior to final. The PUD and variance requests must be approved and the plat layout must comply the layout and conditions approved by the City Commission. Plat notes cross referencing the PUD must be finalized prior to recording and the PUD must be recorded along with the plat. E/W 1/4 mile collector: Dedication as needed for 60 ft. total ROW. Paving 40 ft. Curb & gutter: Both Sides. Revisions Needed: Provide for E/W 1/4 mile collector dedication, prior to final. Show the width of the ROW somewhere along Lots 33-37 to determine compliance prior to final. If the variance request to provide an interior street with 50 ft. ROW as residential collector is approved, it should be subject to 40 ft. of paving. 10 ft. sidewalk easement along the front of the lots on this street may be required and will be finalized prior to final. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are required prior to recording. The engineer submitted a

variance application (VAR2024-0002) including a variance to consider an interior street with 50 ft. ROW (proposed as West Way Ave) to be considered as a residential collector. Two CUP applications for PUD (CUP2023-0161) for Phase I & (CUP2024-0005) for Phase II has been submitted and are in process and must be approved prior to final. The PUD and variance requests must be approved and the plat layout must comply the layout and conditions approved by the City Commission. Plat notes cross-referencing the PUD must be finalized prior to recording and the PUD must be recorded along with the plat. Interior Streets for R-1 (single-family residential): 50 ft. Total ROW Paving: 32 ft. Curb & gutter: both sides Revisions needed: Street names will be finalized by staff prior to final. If the submitted variance request (VAR2024-0002) to consider an interior street (currently shown as West Wat Avenue) as a residential collector is approved, it should be subject to 40ft. of paving. A 10 ft. sidewalk easement along the front of the lots along this street may be required and must be finalized prior to final. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are required prior to recording. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. 1,200 ft. Block Length. Subdivision Ordinance: Section 134-118. The engineer submitted a variance application (VAR2024-0002) including a variance to the block length requirement. Two CUP applications for PUD (CUP2023-0161) for Phase I & (CUP2024-0005) for Phase II has been submitted and are in process and must be approved prior to final. The PUD and variance requests must be approved and the plat layout must comply the layout and conditions approved by the City Commission. Plat notes cross referencing the PUD must be finalized prior to recording and the PUD must be recorded along with the plat. Front: 25 feet or greater for easement. Revisions needed: Must comply with the approved PUD. Proposing: 20 feet or greater for easement or as shown in front setback table. Zoning Ordinance: Section 138-356. Two CUP applications for PUD (CUP2023-0161) for Phase I & (CUP2024-0005) for Phase II has been submitted and are in process. The engineer requested the subdivision to be considered for final approval form subject to PUD approval. The PUD must be approved prior to final and the plat layout must comply the layout and conditions approved by the City Commission. Plat notes cross-referencing the PUD must be finalized prior to recording and the PUD must be recorded along with the plat. A variance application (VAR2024-0002) has been submitted and is in the process which includes in interior street with 50 ft. ROW (proposed as West Way Ave) to be considered as a residential collector. If the request is approved subject to 40 ft. paving, the front setback of the lots fronting this road should be kept as 25 ft. or greater for easements. Rear: 10 ft. or greater for easement. Zoning Ordinance: Section 138-356. Sides: 6 ft. or greater for easements. Zoning Ordinance: Section 138-356. Corner: 10 ft. or greater for easements. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required, greater setback applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required on both sides of all interior street and along the quarter mile collectors, if applicable. The note must be finalized based on the variance requests prior to final. Proposing: A 5 ft. minimum sidewalk required along the west side of Ware Road, and 4 ft. minimum sidewalk required along both sides of all interior streets and N/A collector as applicable. Clarify the proposing sidewalk note prior to final, as the subdivision does not front N. Ware Road. Engineering Department may require 5 ft. sidewalk prior to final. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along the collector streets, if applicable. Plat note must be finalized based on the variance request (VAR2024-0002) prior to final. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. Remove the above wording from plat note #10 prior to final as it is not a required plat note. No curb cut, access, or lot frontage permitted along quarter mile collectors, if applicable.

Proposing: No curb cut, access, or lot frontage permitted along N. Ware Road and other streets as applicable. Clarify N. Ware Road since the subdivision has no frontage along N. Ware Road. Plat note must be finalized based on the variance request (VAR2024-0002) prior to final. Must comply with City Access Management Policy. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Two CUP applications for PUD (CUP2023-0161) for Phase I & (CUP2024-0005) for Phase II has been submitted and are in process. The PUD must be approved prior to final and the plat layout must comply the layout and conditions approved by the City Commission. Plat notes cross-referencing the PUD must be finalized prior to recording and the PUD must be recorded along with the plat. Common Areas, any detention lots, etc. must be maintained by the lot owners/HOA and not the City of McAllen. Proposing: Common or detention areas, any private streets/alleys or drives, and/or gates must be maintained by property owners/HOA and not the City of McAllen. Based on the submitted application, the subdivision is public. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 110-72 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 134-168 applies if private subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Section 110-72 applies if private subdivision is proposed. A draft HOA document needed prior to recording. HOA must be signed and recorded after staff review and the document number must be cross-referenced on the plat and HOA. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Some lots do not comply with the minimum lot frontage requirement. Zoning Ordinance: Section 138-356. Two CUP applications for PUD (CUP2023-0161) for Phase I & (CUP2024-0005) for Phase II has been submitted and are in process. The PUD must be approved prior to final and the plat layout must comply the layout and conditions approved by the City Commission. Plat notes cross-referencing the PUD must be finalized prior to recording and the PUD must be recorded along with the plat. Existing: R-1 Proposed: R-1. Zoning Ordinance: Article V. Land dedication in lieu of fee. A request to pay park fees in lieu of land dedication for Harvest Cove Phase I & II has been submitted and is in process. The request includes paying half of the park fees prior to recording and the other half prior to building permit issuance. If the request is approved, \$350 per dwelling unit is needed prior to recording and plat note to reference that must be finalized prior to recording. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. A request to pay park fees in lieu of land dedication for Harvest Cove Phase I & II has been submitted and is in process. The request includes paying half of the park fees prior to recording and the other half prior to building permit issuance. If the request is approved, \$350 per dwelling unit is needed prior to recording and plat note to reference that must be finalized prior to recording. Pending review by the City Managers Office. A request to pay park fees in lieu of land dedication for Harvest Cove Phase I & II has been submitted and is in process. The request includes paying half of the park fees prior to recording and the other half prior to building permit issuance. If the request is approved, \$350 per dwelling unit is needed prior to recording and plat note to reference that must be finalized prior to recording. As per Traffic Department, Trip Generation would be honored from previous case, any changes to the current plat will required an updated Trip Gen. As per Traffic Department, Traffic Impact Analysis (TIA) Honored from previous case. Must comply with City's Access Management Policy. The location map is not for this phase of the subdivision. Revise it prior to final. Harvest Cove Phase II may not be recorded prior to phase I. Plat notes must be finalized prior to final based on the variances. The legal description of all adjacent lots on all sides are required prior to recording. Clarify/revise plat note #17 prior to final. The engineer submitted a variance application (VAR2024-0002) including the following:

1. A variance to the N/S quarter mile collector requirement.
2. A variance to the E/W quarter mile collector requirement.
3. Block length requirement
4. Cul-de-Sac maximum length requirement

Two CUP applications for PUD (CUP2023-0161) for Phase I & (CUP2024-0005) for Phase II has been submitted and are in process and must be approved prior to final. An abandonment application (ABD2024-0003) has been submitted and must be referenced on the plat prior to recording.

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

Being no discussion, Mr. Jesse Ozuna moved to approve in in preliminary form, subject to the conditions noted, drainage, and Utilities approval. Mr. Emilio Santos Jr. seconded the motion, which was approved with five members present and voting.

- e) McAllen Public Works Subdivision, 4001 North Bentsen Road, City of McAllen **(SUB2021-0024) (REVISED PRELIMINARY) COM**

Mr. Kaveh Forghanparast stated N. Bentsen Road: 100 ft. ROW required Paving: 65 ft. Curb & gutter: both sides Revisions needed: Revise plat to show centerline and ROW as required above. Also, label existing ROW on both sides of centerline, and total ROW after dedication. Reference the document number for the existing ROW, and show new property line after accounting for any required dedication prior to final. Replace any reference to "Proposed" on the plat to "by this plat" (e.g. 30 ft. additional ROW dedicated by this plat) prior to final. If the ROW width is different at multiple points, please show the dimensions at multiple points prior to final. Revise the street name to N. Bentsen Road. Subdivision Ordinance: Sec.135-105 Non-compliance Nolana Avenue: 120 ft. ROW required Paving: 65 ft. Curb & gutter: both sides Revisions needed: Revise the plat to show ROW as needed above prior to final. Revise plat to show centerline. Show existing ROW on both sides of centerline, and show ROW to new property line after accounting for dedication. ROW dedicated by this plat should be referenced as "dedicated by this plat" and the total ROW constituting of existing ROW plus ROW dedicated by this plat should be referenced as "Total ROW". Subdivision Ordinance: Sec.134-105. Primrose Avenue: 35 ft. dedication required for 70 ft. ROW Paving: 44 ft. Curb & gutter: both sides. Revise plat accordingly; finalize prior to final. Subdivision Ordinance: Sec.134-105. A variance application (VAR2023-0029) for the following items has been submitted:

1. To not dedicate 30 ft. ROW for future N. 48th Street (on the west side)
2. To not dedicate 35 ft. ROW for future Primrose Avenue (on the north side) N. 48th Street: 30ft. ROW dedication required for 60 ft. ROW Paving: 40 ft. Curb & gutter: both sides Label ROW dedication as N. 48th St. Subdivision Ordinance: Sec.134-105.

A variance application (VAR2023-0029) for the following items have been submitted:

1. To not dedicate 30 ft. ROW for future N. 48th Street (on the west side)
2. To not dedicate 35 ft. ROW for future Primrose Avenue (on the north side). ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties.

Service drives provided as part of the overall development. Front (N. Bentsen Road and Nolana Avenue): In accordance with the Zoning Ordinance or greater for approved site plan, or easements, or average existing structures, whichever is greater applies. Revise plat as noted above. Zoning Ordinance: Sec.138-356. Rear: in accordance with the zoning ordinance or greater for easements or approved site plan. Zoning Ordinance: Sec.138-356. Sides: In accordance with the zoning ordinance or greater for approved site plan or easements. Subdivision ordinance: Sec.138-356. Corner: See Front Setback note. Zoning Ordinance: Sec. 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required on N. Bentsen Road and Nolana Avenue. Engineering Department may require 5 ft. sidewalk prior to final. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. May apply for N. 48th St. and Primrose Ave. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along. Existing access. Site plan must be approved by the Planning and other Development Departments prior to building permit issuance. Common Areas, Private Streets must be maintained by the lot owners and not the City of McAllen. Common areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Lots fronting public streets. Zoning Ordinance: Sec.138-1. Minimum lot width and lot area. Zoning Ordinance: Sec.138-356. Existing: C-4 Proposed: C-4. Trip Generation to determine if TIA is required, prior to final plat. Traffic Impact Analysis (TIA) required prior to final plat. Remove any reference to "Proposed" from the plat. Any ROW or easement dedicated by this plat should be labeled as "By this plat" prior to final. ROW dedicated by this plat should be referenced as "dedicated by this plat" and the total ROW constituting of existing ROW plus ROW dedicated by this plat should be referenced as "Total ROW". Provide ownership map to assure there are no landlocked properties prior to final. Use a bolder font for the original property boundaries prior to final. If only one lot is proposed, label as Lot 1, not Lot 318 or Lot 328, prior to final. CUP for institutional use required prior to final. Revise preparation date shown on the bottom left corner. Review & revise and the legal description and metes and bounds as needed. Use a ghosted line for the existing lot lines or current lot numbers, etc. inside Lot 1 boundary. Show centerline on Nolana Avenue and Bentsen Road to establish the required ROW. Show the legal Description of all adjacent properties on all sides prior to final. Must comply with City's Access Management Policy. The Planning and Zoning Commission approved the subdivision in preliminary form, subject to the conditions noted, drainage, and utilities approval at the meeting of April 6, 2021. A variance application (VAR2023-0029) for the following items has been submitted and is in process:

1. To not dedicate 30 ft. ROW for future N. 48th Street (on the west side)
2. To not dedicate 35 ft. ROW for future Primrose Avenue (on the north side)

Staff recommends approval of the subdivision in revised preliminary form, subject to the conditions noted, drainage, and utilities approval, and the board's clarification on the requested variances.

Being no discussion, Vice Chairperson Mr. Gabriel Kamel moved to approve in in revised preliminary form, subject to the conditions noted, drainage, and utilities approval, and the board's clarification on the requested variances. Mr. Jose Saldana. seconded the motion, which was approved with five members present and voting.

f) Grace Haven Subdivision, 7100 7 Mile Line, Isidro Quintero **(SUB2023-0068)**  
**(REVISED FINAL) SEA**

Mr. Eduardo Garza stated Mile Line: 5 ft. additional dedication for 40 ft. from centerline for 80 ft. total ROW Paving: 52 ft. Curb & gutter: Both Sides Revisions needed: - Clarify "Utility Block Building" written on plat note number 13 prior to recording, Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. COM Thoroughfare Plan. 1,200 ft. Block Length Subdivision Ordinance: Section 134-118. Front: 45 ft. or greater for easements or in line with existing structure, whichever is greater applies. Revise the plat note as shown above prior to recording. Proposed: 40 ft. or greater for easements or in line with existing structure, whichever is greater. Zoning Ordinance: Section 138-356. Rear: 10 ft. or greater for easements. Zoning Ordinance: Section 138-356. Interior Sides: In accordance with the zoning ordinance, or greater for easements. Zoning Ordinance: Section 138-356. Corner: 10 ft. or greater for easements or line with existing structures, whichever is greater applies. Remove plat note for side corner prior to recording, as it is not applicable to this plat. Zoning Ordinance: Section 138-356. Garage: 18ft. except where greater setback is requires, greater setback applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4ft. wide minimum sidewalk required on Mile 7 Road. Pending Items: The engineer submitted a variance application on January 24, 2024 on behalf of the owner to request a contractual agreement in lieu of escrowing the fee for the sidewalk requirement. If the variance request is approved a plat note to reference the contractual agreement is needed prior to recording. Engineering Department may require 5 ft. sidewalk. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. Pending Items: The engineer submitted a variance application on January 24, 2024 on behalf of the owner to request a contractual agreement in lieu of escrowing the fee for the sidewalk requirement. If the variance request is approved a plat note to reference the contractual agreement is needed prior to recording. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, or industrial zones/uses. Clarify/revise plat note #7 as shown above prior to recording. Proposed: 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along South Bentsen Road. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. Must comply with City Access Management Policy Applied. Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Being no discussion, Vice Chairperson Mr. Gabriel Kamel moved to approve in in preliminary form, subject to the conditions noted, drainage, and Utilities approval. Mr. Emilio Santos Jr. seconded the motion, which was approved with five members present and voting. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: R-1 Proposed: R-1. Zoning Ordinance: Article V. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per the application submitted on 5/5/2023, the subdivision is proposed to have one single family lot; therefore, a park fee of \$700 must be paid prior to recording as per Parks Department. As per Traffic Department, Trip generation waived for one single residential home. 5 ft. additional ROW dedication shown on the plat with an "\*" and plat note #13 states "\*" Denotes future ROW to be dedicated when existing utility block building near southwest corner of Lot 1 is removed and/or demolished." Clarify "utility block building" review and revise as applicable prior to recording. A second page for the plat is provided labeled as "Water, Sanitary Sewer, Paving, and Drainage Layout." Clarify including the second page prior to recording, since the property is inside the City of McAllen limits and the recording the second page is not required. Must comply with City's Access Management Policy. Plat note #11 states a blanket easement for United Irrigation District. The

engineer, developer, or property owner, and not the City of McAllen, are responsible to contact the Irrigation District to resolve it prior to submitting a building permit request.

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

Being no discussion, Mr. Jesse Ozuna moved to approve in revised final form, subject to the conditions noted, and clarification of the requested variance. Mr. Emilio Santos Jr. seconded the motion, which was approved with five members present and voting.

g) Harvest Cove Phase I Subdivision, 2501 North Ware Road, Escanaba, LLC  
**(SUB2024-0005) (FINAL) M&H**

Mr. Kaveh Forghanparast stated North Ware Road: 60 ft. from centerline for 120 ft. ROW Paving: 65 ft. Curb & gutter: Both Sides Revisions needed: Clarify and add labels to all ROW dimensions shown on N. Ware Road prior to final/recording. Show and label "Existing ROW" for the total existing ROW and show the existing ROW on both sides of centerline to determine if any ROW dedication is required prior to final/recording. Identify existing ROW by plat or instrument number and provide a copy for staff review prior to final/recording. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are required prior to recording. Interior Streets for R-1 (single-family residential): 50 ft. Total ROW Paving: 32 ft. Curb & gutter: both sides Revisions needed: Street names will be finalized prior to recording. Submit revised paving layout showing that the islands within the Cul-de-Sacs have been removed to comply with Fire Department requirements. If the variance request to provide an interior street with 50 ft. ROW as residential collector is approved, it should be subject to 40 ft. of paving. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are required prior to recording. The engineer submitted a variance application (VAR2024-0002) including a variance to consider an interior street with 50 ft. ROW (proposed as West Way Ave) to be considered as a residential collector. Two CUP applications for PUD (CUP2023-0161) for Phase I & (CUP2024-0005) for Phase II has been submitted and are in process and must be approved prior to final/recording. The PUD and variance requests must be approved and the plat layout must comply the layout and conditions approved by the City Commission. Plat notes cross-referencing the PUD must be finalized prior to recording and the PUD must be recorded along with the plat. N/S 1/4 mile collector: Dedication as needed for 60 ft. total ROW. Paving 40 ft. Curb & gutter: Both Sides Revisions Needed: The submitted variance request (VAR2024-0002) includes a variance to N/S 1/4 mile collector road requirement. Planning and Zoning Commission recommended approval of the variance request at the meeting of January 24, 2024. The request is scheduled to be heard by City Commission. If the request is not approved, the plat layout must be revised to comply with City requirement. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are required prior to recording. The engineer submitted a variance application (VAR2021-0002) including a variance to the N/S quarter mile collector requirement. Two CUP applications for PUD (CUP2023-0161) for Phase I & (CUP2024-0005) for Phase II has been submitted and are in process. The PUD and variance requests must be approved prior to final/recording and the plat layout must comply the layout and conditions approved by the City Commission. Plat notes cross-referencing the PUD must be finalized prior to recording and the PUD must be recorded along with the plat. E/W 1/4 mile collector(Northern Boundary): Dedication as needed for 60 ft. total ROW. Paving 40 ft. Curb & gutter: Both Sides Revisions Needed: Provide for E/W 1/4 mile collector dedication, prior to final/recording. Show the width of the ROW somewhere along Lots 33-37 to determine compliance prior to final/recording. If the variance request to provide an interior street with 50 ft. ROW as E/W 1/4 collector is approved, it should be subject to 40 ft. of paving. A 10 ft. sidewalk easement along the front of the lots fronting street may be required and will

be finalized prior to final/recording. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are required prior to recording. The engineer submitted a variance application (VAR2021-0002) including a variance to consider an interior street with 50 ft. ROW (proposed as Westway Ave) to be considered as an E/W quarter mile collector requirement. Two CUP applications for PUD (CUP2023-0161) for Phase I & (CUP2024-0005) for Phase II has been submitted and are in process. The PUD and variance requests must be approved and the plat layout must comply the layout and conditions approved by the City Commission. Plat notes cross-referencing the PUD must be finalized prior to recording and the PUD must be recorded along with the plat. 1,200 ft. Block Length. The variance request (VAR2024-0002) is in process which includes a variance to block length requirement. If the variance request is not approved, the plat layout must be revised to comply with City requirements.

Subdivision Ordinance: Section 134-118. 600 ft. Maximum Cul-de-Sac. The variance request (VAR2024-0002) is in process which includes a variance to Cul-de-Sac length. As per the submitted request, the Cul-de-Sac length will be in compliance once Harvest Cove Phase II is recorded. If the variance request is not approved, the plat layout must be revised to comply with City requirements.

Subdivision Ordinance: Section 134-105. Front: 25 feet or greater for easement. Revisions needed: Must comply with the approved PUD. Proposing: 20 feet or greater for easement or as shown in front setback table. Zoning Ordinance: Section 138-356. Two CUP applications for PUD (CUP2023-0161) for Phase I & (CUP2024-0005) for Phase II has been submitted and are in process. The engineer requested the subdivision to be considered for final approval form subject to PUD approval. The PUD must be approved prior to final/recording and the plat layout must comply the layout and conditions approved by the City Commission. Plat notes cross-referencing the PUD must be finalized prior to recording and the PUD must be recorded along with the plat. A variance application (VAR2024-0002) has been submitted and is in the process which includes in interior street with 50 ft. ROW (proposed as Westway Ave) to be considered as a residential collector. If the request is approved subject to 40 ft. paving, the front setback of the lots fronting this road should be kept as 25 ft. or greater for easements. Required. Rear: Proposing: 10 feet or greater for easement. Zoning Ordinance: Section 138-356. Sides: Proposing: 6 feet or greater for easement. Zoning Ordinance: Section 138-356. Corner: Proposing: 10 feet or greater for easement. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required, greater setback applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. Remove the above wording from plat note #3 prior to final/recording as it is not a required plat note. 4 ft. wide minimum sidewalk required along N. Ware Road both sides of all interior streets and Collector streets if applicable. Revisions needed: The note must be finalized based on the variance requests prior to final/recording. Proposing: A 5 ft. minimum sidewalk required along the west side of Ware Road, and 4 ft. minimum sidewalk required along both sides of all interior streets and N/S collector as applicable. Sidewalk requirements may increase to 5 ft. as per Engineering Department requirements, prior to final/recording.

Subdivision Ordinance: Section 134-120. The engineer submitted a variance application (VAR2024-0002) including a variance to the N/S & E/W quarter mile collector requirements. Two CUP applications for PUD (CUP2023-0161) for Phase I & (CUP2024-0005) for Phase II has been submitted and are in process. The PUD and variance requests must be approved and the plat layout must comply the layout and conditions approved by the City Commission. Plat notes cross-referencing the PUD must be finalized prior to recording and the PUD must be recorded along with the plat. 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 the collector streets, if applicable. Revisions Needed: Plat note must be finalized once the variance request (VAR2024-0002) is finalized, prior to final/recording.

Landscaping Ordinance: Section 110-46. The engineer submitted a variance application (VAR2024-0002) including a variance to the N/S & E/W quarter mile collector requirements. Two CUP applications for PUD

(CUP2023-0161) for Phase I & (CUP2024-0005) for Phase II has been submitted and are in process. The PUD and variance requests must be approved and the plat layout must comply the layout and conditions approved by the City Commission. Plat notes cross-referencing the PUD must be finalized prior to recording and the PUD must be recorded along with the plat. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. Remove the above wording from plat note #10 prior to final/recording. No curb cut, access, or lot frontage permitted along N. Ware Road. If the variance request (VAR2024-0002) is approved, plat note #13 must be revise as shown above prior to final/recording. Proposing: No curb cut, access, or lot frontage permitted along N. Ware Road and other streets as applicable. Must comply with City Access Management Policy Required. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Two CUP applications for PUD (CUP2023-0161) for Phase I & (CUP2024-0005) for Phase II has been submitted and are in process. The PUD must be approved prior to final/recording and the plat layout must comply the layout and conditions approved by the City Commission. Plat notes cross-referencing the PUD must be finalized prior to recording and the PUD must be recorded along with the plat. Common Areas, any detention lots, etc. must be maintained by the lot owners/HOA and not the City of McAllen. Proposing: Common or detention areas, any private streets/alleys or drives, and/or gates must be maintained by property owners/HOA and not the City of McAllen. Based on the submitted application, the subdivision is public. Clarify/revise plat notes #12 & #18 prior to final/recording. Plat notes #12 & #18 seem to be duplicate. Clarify/remove one note prior to final/recording. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 110-72 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 134-168 applies if private subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Clarify/combine plat notes #14, #15, #16 prior to final/recording. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. A draft HOA document needed prior to recording. HOA must be signed and recorded after staff review and the document number must be cross-referenced on the plat and HOA. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Two CUP applications for PUD (CUP2023-0161) for Phase I & (CUP2024-0005) for Phase II has been submitted and are in process. The PUD must be approved prior to final/recording and the plat layout must comply the layout and conditions approved by the City Commission. Plat notes cross-referencing the PUD must be finalized prior to recording and the PUD must be recorded along with the plat. Existing: R-1 Proposed: R-1. Zoning Ordinance: Article V. Land dedication in lieu of fee. A request to pay park fees in lieu of land dedication for Harvest Cove Phase I & II has been submitted and is in process. The request includes paying half of the park fees prior to recording and the other half prior to building permit issuance. If the request is approved, \$350 per dwelling unit is needed prior to recording and plat note to reference that must be finalized prior to recording. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. A request to pay park fees in lieu of land dedication for Harvest Cove Phase I & II has been submitted and is in process. The request includes paying half of the park fees prior to recording and the other half prior to building permit issuance. If the request is approved, \$350 per dwelling unit is needed prior to recording and plat note to reference that must be finalized prior to recording. Pending review by the City Managers Office. A request to pay park fees in lieu of land dedication for Harvest Cove Phase I & II has been submitted and is in process. The request includes paying half of the park fees prior to recording and the other half prior to building permit issuance. If the request is approved, \$350 per dwelling unit is needed prior

to recording and plat note to reference that must be finalized prior to recording. As per Traffic Department, Trip Generation would be honored from previous case, any changes to the current plat will required an updated Trip Gen. As per Traffic Department, Traffic Impact Analysis (TIA) honored from previous case. Must comply with City's Access Management Policy. Clarify/revise the wording for Cul-de-Sac outside the plat boundary to be abandoned by this plat. Any abandonments must be done by separate process, not by plat. Clarify connection to existing recorded subdivision under Arrow Head Subdivision Phase I, prior to final/recording. Some details are shown by circles and some by arrows. Please use a consistent method prior to final/recording. Detail "B" on the north side of Lot 5 is shown outside the subdivision boundary. Review and revise prior to final/recording. Any temporary Cul-de-Sac must be done by separate instrument and document number referenced on the plat prior to recording. Any abandonment must be done by separate process and instrument, not by plat. The subdivision boundary on the location map does not match the plat. Revise it prior to final/recording. Legal Description of all adjacent properties on all sides, including the east side of N. Ware Road, is needed on the plat prior to recording. Revise/clarify plat note #17 prior to final/recording. The engineer submitted a variance application (VAR2024-0002) including the following:

1. a variance to the N/S quarter mile collector requirement.
2. a variance to the E/W quarter mile collector requirement.
3. Block length requirement
4. Cul-de-Sac maximum length requirement

At the Planning and Zoning Commission meeting of January 24, 2024, the Board approved the subdivision in revised preliminary form and recommended approval to the requested variance. The variances are scheduled to be heard by the City Commission on February 20, 2024. Two CUP applications for PUD (CUP2023-0161) for Phase I & (CUP2024-0005) for Phase II has been submitted and are in process. CUP2023-0161 was approved by the Planning and Zoning Commission on 01/10/2024 and is scheduled to be heard by City Commission on 02/12/2024. CUP2024-0005 has been scheduled to be heard by the Planning and Zoning Commission on 02/20/2024 and by City Commission on 03/11/2024. The engineer requested the subdivision to be considered for final/recording approval form subject to the variance and PUD approval. The PUD and variance requests must be approved and the plat layout must comply the layout and conditions approved by the City Commission. Plat notes cross-referencing the PUD must be finalized prior to recording and the PUD must be recorded along with the plat.

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

Being no discussion, Vice Chairperson Mr. Gabriel Kamel moved to approve in final form, subject to the conditions noted. Mr. Emilio Santos Jr. seconded the motion, which was approved with five members present and voting.

- h)       Bright Woods Subdivision, 2700 Sprague Road, Star Trails Holdings, LLC  
          **(SUB2024-0006) (FINAL) S2E**

Mr. Kaveh Forghanparast Sprague Road: Dedication as required for 40 ft. from centerline for 80 ft. total ROW Paving: 52 ft. Curb & gutter: both sides Revisions needed: If 60 ft. is the "Existing ROW" please label it according. Add the document number on the plat for the existing ROW and provide a copy for staff review prior to recording. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. E/W Quarter Mile Collector (north boundary): dedication required for 60 ft. total ROW Paving: 40 ft. Curb & gutter: both sides. Subdivision Ordinance: Section

134-105. Monies must be escrowed if improvements are required prior to recording. A variance application (VAR2024-0007) has been submitted to consider the interior E/W and N/S streets as 1/4 mile collectors. No department objected to the variance request; therefore, the variance request was approved administratively. Interior Streets: Dedication as required for 60 ft. total ROW Paving: 40 ft. Curb & gutter: both sides Revisions needed: The temporary turn around shown on Lots 33, 34, and 35 is not labeled nor dimensioned. Label and dimension must be finalized prior to recording. Money must be escrowed prior to recording to remove the turnaround when the street is extended to the east, if layout remains as shown. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. A variance application (VAR2024-0007) has been submitted to consider the interior E/W and N/S streets as 1/4 mile collectors. No department objected to the variance request; therefore, the variance request was approved administratively. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. 1,200 ft. Block Length. Subdivision Ordinance: Section 134-118. A variance application (VAR2024-0007) has been submitted to consider the interior E/W and N/S streets as 1/4 mile collectors and block length to be accepted as shown. No department objected to the variance request; therefore, the variance request was approved administratively. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties. Subdivision Ordinance: Section 134-106. Based on Public Works Department, there is an agreement to provide centralized dumpster locations within the subdivision, in lieu of providing alleys. Dumpster locations and details must be approved by Public Works prior to final/recording. Front: 20 ft. or greater for easements or approved site plan. Revise setback plat note #3 as shown above prior to final/recording. Proposed: Front: 20 ft. or greater for easements. Front Setback for Lots 38, 44, 45, 51, 52, and 58 shall be lot line facing street. Rear: 10 ft. or greater for easements or approved site plan. Zoning Ordinance: Section 138-356. Interior Sides: 6 ft. or greater for easements or approved site plan. Zoning Ordinance: Section 138-356. Corner: 10 ft. or greater for easements or approved site plan. Revise the setback note as shown above prior to final/recording. Proposing: 10 ft. or greater for easements or site plan. Garage: 18 ft. except wherever greater setback is required, greater setback applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required on Sprague Road and both sides of all interior streets. Engineering Department may require 5 ft. sidewalk prior to final. Proposing: 5 ft. wide minimum sidewalk required along the north side of Sprague Road, and 4 ft. wide minimum sidewalk required along both sides of all interior streets. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along Sprague Road. Revise plat note #8 as shown above prior to final/recording. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along Sprague Road. Must comply with City Access Management Policy. Site plan must be approved by the Planning and Development Departments prior to building permit issuance for any lots with more than 4 dwelling units. Common lots and detention areas must be maintained by the lot owners/HOA and not the City of McAllen. The project engineer informed staff that the subdivision will be public. Clarify/Revise plat note #11 as shown above prior to final/recording. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 110-72 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 134-168 applies if private subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. As per the project engineer, the subdivision will be public. Revise HOA plat notes to reference Section 110-72 which is for public subdivisions prior

to final/recording. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Based on the plat notes it seems that an HOA document will be recorded. Provide a draft HOA document for staff review prior to recording. As per the project engineer, the subdivision will be public. Revise HOA plat notes to reference Section 110-72 which is for public subdivisions prior to final/recording. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. The engineer informed staff that only one duplex is proposed to be built on each lot. Minimum lot size for a duplex is 5,600 SF. Existing: R-3A Proposed: R-3A. Zoning Ordinance: Article V. An annexation and initial zoning to R-3A was approved by the City Commission on March 28, 2023. The engineer informed staff that only one duplex will be built on each lot. Land dedication in lieu of fee. The engineer submitted a request to pay park fees in lieu of land dedication. There are 97 lots shown on the latest submitted plat. Based on the information provided by the engineer, only one duplex will be built on each lot. If the request is approved, a park fee of \$135,800 (97 x 2 x \$700) is needed prior to recording. If the number of units changes in future, additional park fees must be paid. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. The engineer submitted a request to pay park fees in lieu of land dedication. There are 97 lots shown on the latest submitted plat. Based on the information provided by the engineer, only one duplex will be built on each lot. If the request is approved, a park fee of \$135,800 (97 x 2 x \$700) is needed prior to recording. If the number of units changes in future, additional park fees must be paid. Pending review by the City Manager's office. The engineer submitted a request to pay park fees in lieu of land dedication. There are 97 lots shown on the latest submitted plat. Based on the information provided by the engineer, only one duplex will be built on each lot. If the request is approved, a park fee of \$135,800 (97 x 2 x \$700) is needed prior to recording. If the number of units changes in future, additional park fees must be paid. As per Traffic Department, Trip Generation approved. As per Traffic Department, Traffic Impact Analysis (TIA) is waived. Provide a copy of the referenced documents for staff review prior to final/recording. Label the common lots (e.g. Common Detention Lot A) and add a plat note to clarify prior to final/recording. The proposed trash bin easements must be approved by all departments including Public Works and Utilities prior to final/recording. Some lots dimensions and information are overlapped with other texts or lines, review and revise as applicable prior to final/recording. Clarify and provide a copy of the referenced document referenced as "30 ft. Save and Except to Hidalgo County Irrigation District No. 1 Vol 24 Pages 168-171 Doc. 2880111" and resolve the overlap on a "proposed 20 ft. easement to Hidalgo Country Irrigation District No 1" and proposed 10 ft. U.E. prior to final/recording. Remove any wording referencing "proposed" (e.g. Prop. 10 ft. U.E.) and change it to "By This Plat" if it is dedicated by this plat. Any abandonment must be done by separate instrument and referenced on the plat prior to final/recording. Signature blocks complying with Sec. 134-61 of the subdivision ordinance is required prior to final/recording. Legal description of all adjacent lots on all sides are required prior to final/recording. Check and revise any discrepancy between the survey and subdivision dimensions and bearing prior to final/recording. Must comply with City's Access Management Policy. The project engineer informed staff that the subdivision will be public and only one duplex will be built on each lot.

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

Being no discussion, Mr. Jose Saldana moved to approve in in final form, subject to the conditions noted. Mr. Emilio Santos Jr. 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. Jesse Ozuna adjourned the meeting at 4:32p.m. with Mr. Jose Saldana seconding the motion with five members present and voting.

\_\_\_\_\_  
Chairperson Michael Fallek

ATTEST: \_\_\_\_\_  
Magda Ramirez, Administrative Assistant

STATE OF TEXAS  
COUNTY OF HIDALGO  
CITY OF McALLEN

The McAllen Planning and Zoning Commission convened in a Regular Meeting on Tuesday, February 20, 2024 at 3:33p.m. at the McAllen City Hall, 3<sup>rd</sup> Floor Commission Chambers Room, 1300 Houston Avenue, McAllen, Texas.

Present:	Michael Fallek	Chairperson
	Emilio Santos Jr.	Member
	Marco Suarez	Member
	Jesse Ozuna	Member
	Reza Badiozzamani	Member
Absent:	Gabriel Kamel	Vice Chairperson
	Jose Saldana	Member
Staff Present:	Austin Stevenson	City Attorney
	Michelle Rivera	Assistant City Manager
	Edgar Garcia	Planning Director
	Omar Sotelo	Development Coordinator
	Rodrigo Sanchez	Senior Planner
	Kaveh Forghanparast	Planner III
	Julio Constantino	Planner III
	Samuel Nunez	Planner II
	Adriana Solis	Planner II
	Eduardo Garza	Planner II
	Hilda Tovar	Planner II
	Natalie Moreno	Planner I
	Porfirio Hernandez	Planner I
	Jacob Salazar	Planner Technician II
	Magda Ramirez	Administrative Assistant

**CALL TO ORDER** – Chairperson Mr. Michael Fallek

**PLEDGE OF ALLEGIANCE**

**INVOCATION**-. Mr. Marco Suarez.

**MINUTES:**

- a) Approval/Disapproval of minutes from the January 24, 2024 meeting.

After a correction was requested by Mr. Jesse Ozuna and addressed by staff, the minutes for the regular meeting held on January 24, 2024 was approved as submitted by Mr. Jesse Ozuna. Seconding the motion was Mr. Emilio Santos Jr., which carried unanimously with five members present and voting.

**PUBLIC HEARING:**

- b) CONDITIONAL USE PERMITS:

- 1) Request of OL Beverage Holdings, LLC for a Conditional Use Permit, for one year, and adoption of an ordinance, for a Bar at Lot A2, Lots A2 & A3, Wichita Commercial Park Subdivision, Hidalgo County, Texas; 2121 South 10th Street. **(CUP2024-0009)**

Mr. Porfirio Hernandez stated that the property is located at the northeast corner of South 10<sup>th</sup> Street and Wichita Avenue and is zoned C-3 (general business) District. The adjacent zoning is C-3 District to the north, east, and west, and A-O (agricultural and open space) District to the south. Surrounding land uses include McAllen Country Club, Logan's Roadhouse, McCreery Aviation Co., La Placita retail plaza, Fairway Plaza Shopping Center, and multifamily condominiums. A bar is allowed in a C-3 District with a Conditional Use Permit and in compliance with requirements.

The initial Conditional Use Permit was approved by the City Commission on December 14, 2020 with a variance to the distance requirement of being at least 400 feet from the nearest residence or residentially zoned property, church, school, or publicly owned property. The permit is renewed annually therefore; it has to come before the Planning and Zoning Commission for consideration.

The applicant is proposing to continue operating the bar (Ojos Locos Sports Cantina) from the existing 6,450 sq. ft. building. The proposed hours of operation are from 11 a.m. to 12 a.m. Sunday through Wednesday and 11 a.m. to 2 a.m. Thursday through Saturday.

The Fire Department has completed and passed the inspection. The Health Department inspected the bar and determined the property to be in compliance. The Planning Department has received no complaints regarding this use. The establishment must also meet the requirements set forth in Section 138-118(a) (4) of the Zoning Ordinance and specific requirements as follows:

- 1) The property line of the lot of any of the abovementioned businesses must be at least 400 feet from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruptions of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The establishment is within 400 ft. of the residential zone/use to the north;
- 2) The abovementioned business must be as close as possible to a major arterial, and shall not allow the traffic generated by such business onto residential streets, or allow such traffic to exit into and disrupt residential areas. The establishment has direct access to South 10th Street;
- 3) The abovementioned business must provide parking in accordance with the city off-street parking ordinance as a minimum, and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional onsite parking. Sixty-five parking spaces are required and are provided as per site plan.
- 4) The abovementioned business must do everything possible to prevent the unauthorized parking by the patrons of such business on adjacent businesses or residential properties including, when necessary, the installation of fences and hedges, and the reorientation of entrances.
- 5) The abovementioned business should do everything possible and be designed to discourage criminal activities and vandalism, both on the site and on adjacent properties. Included would be provision of sufficient lighting and perimeter fencing, elimination of dark areas, and the orientation of the building such that it provides maximum visibility of as much as possible of the site from a public street.

- 6) The abovementioned business must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties.
- 7) The abovementioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Director of Planning. This number cannot exceed the number provided for in existing city ordinances.

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

Mr. Marco Suarez asked if there was anyone present in opposition of the proposed conditional use permit request. There was none.

Being no discussion, Mr. Reza Badiozzamani moved to disapprove with favorable recommendation with Mr. Emilio Santos Jr. second the motion and one member, Chairperson Mr. Michael Fallek, abstaining. Motion was disapproved with favorable recommendation with five members present and voting.

- 2) Request of Maria N. Valdez, for a Conditional Use Permit, for life of use, and adoption of an ordinance, for automotive service and repair (auto air conditioning service) at Lots 4 and 5, Block 3, Altamira Subdivision, Hidalgo County, Texas; 2613 U.S. Highway 83. **(CUP2024-0006)**

Ms. Natalia Moreno stated that the property is located along the south side of U.S. Highway 83, approximately 165 ft. west of South 26<sup>th</sup> Street and is zoned C-3 (general business) District. Adjacent zoning is C-3 District to the east and west and R-2 (duplex-fourplex residential) District to the south, and I-1 (light industrial) District to the north. Surrounding land uses include general commercial uses, single-family residences, and multifamily residences. An automotive service and repair shop is allowed in the C-3 District with a Conditional Use Permit and in compliance with requirements.

The initial conditional use permit for this establishment was approved by the Planning and Zoning Commission on May 19, 2015 and has been renewed annually. At a meeting on September 7, 2021, the Planning and Zoning Commission recommended approval for life of use for this establishment and at the City Commission meeting of September 27, 2021 a request for Life of Use was approved. The applicant has submitted an application in order to amend the site plan to add a new metal building. The applicant submitted an application for a building permit on January 8, 2024 but the storage building has been constructed prior to building permit issuance. The applicant submitted a Conditional Use Permit for life of the use on January 12, 2024 in order to amend the site plan.

The applicant is requesting to continue to operate the existing Martinez Auto Air Office and Air Conditioning Service and Repair business for life of the use. The applicant recently constructed a storage building measuring 16 feet by 40 feet. The storage building houses two storage containers that are used for storage of materials for the business. As per the applicant, no work will be done inside the storage building. The main building consists of an office with 906 square feet and a service area with 2,388 square feet. The proposed days and hours of operations are Monday through Friday from 8:30 AM to 6:00 PM and Saturday from 8:30 AM to 2:00 PM.

Fire Department has not inspected the location. The Planning Department has not received any calls

in opposition to the request. As per Section 138-400 of the Zoning Ordinance, the parking lot must be properly striped and free of potholes. The business must meet the requirements set forth in Section 138-281 of the Zoning Ordinance and specific requirements as follows:

- 1) A minimum lot size of 10,000 square feet is required. The subject property is approximately 20,000 square feet;
- 2) All service, repair, maintenance, painting and other work shall take place within an enclosed area. The work will be performed in the service area;
- 3) Outside storage of materials is prohibited;
- 4) The building where the work is to take place shall be at least 100 ft. from the nearest residence. The building is located approximately 127 ft. from an existing residence to the south;
- 5) A 6 ft. opaque fence may be required to buffer residential uses or districts.
- 6) New buildings and conversions of existing buildings shall meet current building and fire code requirements concerning separation of high hazard uses from other occupancy use classifications.

Staff recommends approval of the request subject to the conditions noted in Section 138-281 of the Zoning Ordinance, Building Permit and Fire Department requirements

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

Being no discussion, Mr. Emilio Santos Jr. moved to approve. Mr. Reza Badiozzamani seconded the motion, which was approved with five members present and voting.

- 3) Request of Lasco Development Corporation, for a Conditional Use Permit, for life of the use, and adoption of an ordinance for a gasoline service station, at 4.055 acres out of Lot 248, John H. Shary Subdivision, Hidalgo County, Texas; 4401 Pecan Boulevard. **(CUP2024-0008)**

Mr. Eduardo Garza stated that the subject property is located at the southwest corner of Pecan Boulevard and North Bentsen Road. The property is zoned C-3 (general business) District. The adjacent zoning is C-1 (office building) District to the north across Pecan Boulevard, C-3 District to the east across North Bentsen Road, R-1 (single-family residential) District to the south, and R-3A (multifamily residential apartment) District to the west. Surrounding land uses are commercial uses, single-family residential, and apartments. A gasoline service station is permitted in a C-3 District, subject to compliance with Conditional Use Permit requirements.

The applicant is proposing to build and operate a convenience store and gas station from the subject property. The location will offer a 4,810 square-foot convenience store with one canopy for gasoline fuel pumps. Based on the square footage of the convenience store, 15 parking spaces are required for the location. The latest site plan submitted proposes 50 parking spaces. A proposed site plan has been submitted; however, it is subject to change in agreement with any proposed subdivision plat and

ordinance requirements. A site plan must be approved city staff prior to issuance of the building permit.

All building permit requirements must be met including parking landscaping, setbacks etc.

The Fire Department is pending their inspection. The proposed use must comply with Sections 138-257 through 138-261 of the Zoning Ordinance and the following specific requirements:

- 1) Activities are limited to sale of gasoline, oil, and minor accessories and incidental services. Repair work, steam cleaning or undercoating vehicle body repair, painting, tire recapping, engine rebuilding, auto dismantling, upholstery, auto glasswork and such other activities whose external effects could adversely extend beyond the property line are not permitted;
- 2) Ingress or egress shall not be permitted at locations where it will tend to create traffic hazards. Entrances shall not be permitted within 25 ft. of a street intersection. Curb cuts are proposed from Pecan Boulevard and North Bentsen Road;
- 3) Front yard building setback shall be 60 ft., not including gas pumps or driveway covers (canopy). Convenience store building is proposed to comply with required setbacks;
- 4) All lighting shall be shielded from adjacent residential districts;
- 5) A 6 ft. opaque buffer shall be provided where abutting or adjacent to residential districts;
- 6) Gasoline service stations that have facilities for the repair or servicing of automobiles shall be a minimum of 13,000 square feet. Retail outlets for gasoline, oil, and minor accessories, without repair facilities, may be permitted on lots less than 13,000 square feet. There will be no automobile servicing;
- 7) Gas pumps/islands shall be set back at least 13 ft. from the property line or 18 ft. from the curb, whichever is greater;
- 8) Gas pump canopy shall be set back at least 9 ft. from the property line or 10 ft. from the curb, whichever is greater; and
- 9) Gas pumps shall not be located within 100 ft. of a residential district. The gas pumps are not located within 100 ft. of a residential district.

Staff did not receive any phone calls, emails, or letters in opposition to this request.

Staff recommends approval of the request, for life of the use, subject to compliance with Sections 138-257 through 138-261 and the specific conditions noted, Building Code requirements, Fire Department requirements, and all other relevant Zoning and Subdivision ordinances.

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

Citizen Mr. Rene Guillen (living adjacent to property in request), representing neighbors, stated their concerns are lighting at night, noise, and traffic.

Citizen Mr. Mike Stanton (1118 N. Bentsen Rd) stated his concern is the over lighting.

After a lengthy discussion, Mr. Reza Badiozzamani moved to approve. Mr. Marco Suarez seconded

the motion, which was approved with five members present and voting.

- 4) Request of Melden and Hunt, Inc. for (Proposed) Harvest Cove Phase II, for a Conditional Use Permit, for life of the use, and adoption of an ordinance, for a Planned Unit Development (PUD), at 17.438 acres, out of Lots 138 and 137, La Lomita Irrigation and Construction Company Subdivision, Hidalgo County, Texas; 2601 North Ware Road. **(CUP2024-0005)**

Ms. Adriana Solis stated that the subject property is located along the west side of North Ware Road and generally 680 feet north of Warrior Drive (Vine Avenue). Harvest Cove Phase II consists of 17.438 acres of vacant land. The property is zoned R-1 (single family residential) District. The adjacent zoning is A-O (agricultural and open space) District to the north and west, R-3T (multifamily residential townhouses) District to the north, and R-1 District to the north and east. There is R-3A (multifamily residential apartments) District to the south. A Planned Unit Development (PUD) is permitted in a R-1 District with a Conditional Use Permit and in compliance with Article IV for Planned Developments of the Subdivision Ordinance.

A rezoning request from A-O District to R-1 District for this tract was approved by the City Commission on February 15, 2022. The Planning and Zoning Commission voted to approve the proposed subdivision plat in preliminary form subject to conditions noted, drainage and utilities approval on October 3, 2023 for Phase I and is scheduled for consideration by the City Commission on the meeting of February 12, 2024. The plat for Harvest Cove Phase II is scheduled to be considered in preliminary form later on this same agenda. On November 9, 2023, a request for a Planned Unit Development was submitted for Harvest Cove Phase I. On January 30, 2024 an application for a PUD - Harvest Cove Phase II was submitted.

A request is being made for the Planned Unit Development to be reflecting the new plat conditions below. Currently, the property is vacant land. The proposed plat consists of 199 lots regarding Harvest Cove Phase I and II. The applicant is also proposing an 8-foot masonry wall as a proposed buffer for both Harvest Cove Phase I and Phase II. The applicant is proposing to develop a Planned Unit Development, which will include single-family residences.

The proposed PUD for Harvest Cove Phase I and II is requesting the following:

- Lots 58-145 are not meeting the 50 ft. frontage minimum requirement.
- Lots 56-181 are not meeting the minimum lot area of 5,000 ft.
- Elevations: Maximum home height proposed at 33 ft.
- 36 lots total not meeting the minimum 18 ft. driveway width, the minimum proposed is 12 feet – Engineering Department approved.
- Some lots such as lots 48, 50-52, and 186 may not meet the 50% landscape requirement.

PUDs allow a variety of land uses that complement each other within the development and with existing land uses in the vicinity. Specific requirements for the approval of PUDs are set forth on Article IV for Planned Developments of the Subdivision Ordinance, and are summarized as the following:

1. CONCEPTUAL SITE PLAN: Development and use of the property must comply with the conditional use permit conceptual site plan.
2. PERMITTED USES: Permitted uses are uses permitted in the R-1 District for buildings

designated as residential. The applicant is proposing single-family residences and a common area.

3. OFF-STREET PARKING AND LOADING: Parking should be in compliance with Chapter 134 Article VI, which requires two parking spaces per unit, with one being located beyond the front yard setback. Must provide floor plan with garage to determine if in compliance.
4. LANDSCAPING: Each lot requires 10% landscaping in an R-1 zone. Based on the lot area of 813,570.12 sq. ft., 81,357.012 sq. ft. of landscaping is required. Also, 50% of the required front yard must be landscape, including the side yard setback areas. Some lots such as lots 48, 50-52, 186 may not meet the 50% landscape requirement. A minimum of one tree is required. Must provide front landscaping area and trees to determine if in compliance. Some lots show driveway proposed to be located over a side yard setback, being not in compliance.
5. STREETS AND SETBACKS: Providing a of 60 ft. right-of-way for North 43rd Street. Provide minimum of 50 ft. right-of-way and 32 ft. of pavement for each interior street within the subdivision. Setbacks are Front: 20 ft. or greater for easements, whichever is greater; Rear: 10 ft. or greater or easements; Sides: 6 ft. or greater for easements; Corner: 10 ft. or greater for easements; and Garage: 18 ft. except where greater setback is required. An R-1 zone requires a front yard setback of 25 ft. on interior streets. The development is proposing less than 25 ft. of front yard setback and instead is proposing 20 ft. of front setback for each lot. Provide setback lines with building envelope on site plan with a 5 ft. wide minimum sidewalk required on Ware Road and a 5 ft. wide minimum sidewalk required on all interior street. Must provide sidewalk width dimension on site plan.

An access variance on Ware Road were approved by the Traffic Department.

6. DRAINAGE: During the Harvest Cove Subdivision Phase I and II process final drainage detention and design and drainage plan must be submitted and in accordance with City of McAllen Standard Design Guide.
7. ADDITIONAL PROVISIONS: Conditional Use Permit site plan controls if there is conflict with other City ordinances. A decision by the Planning Director may be reviewed by Planning and Zoning Commission for recommendation to Board of Commissioners for final determination. The Conditional Use Permit calls for mixed use and a minimum area for development of five (5) acres. The development has 18.677 acres, which includes single-family residences.
8. Owner, Engineer and Surveyor certification and signature block needs to be shown on the PUD site plan. Submitted site plan meets requirements.
9. A recorded subdivision plat and approved PUD site plan is required prior to issuance of building permits. Therefore, Harvest Cove Phase I and II subdivision process must be completed and recorded together with the site plan.

If the subdivision layout changes, the PUD will need to be amended to resemble the approved Subdivision Plat. Any changes regarding ownership or the approved building layout may also require an amendment of the PUD. The PUD must comply with all City department requirements, including but not limited to, the Building Permit & Inspections Department, Planning Department, Engineering

Department, Utilities Department, Traffic Department, Fire Department, and the Environmental and

Health Code Compliance Department. Finally, if this request is granted approval, all proposed structures and improvements on the recorded Subdivision Plat and PUD site plan will be required during the building permitting process.

Staff did receive several phone calls in opposition to this request.

Staff recommends approval of the Planned Unit Development as presented, for life of the use, subject to all aforementioned conditions.

Chairperson Mr. Michael Fallek asked if there was anyone present in opposition of the proposed conditional use permit request. There was one citizen in opposition and one citizen that had a confirmation question.

Citizen Mr. Chuck Hiass's concern was if an 8' masonry wall was going to be built for flooding and privacy purposes. He stated he spoke to a representative from Melden & Hunt and they advised there will be a masonry wall built.

Citizen Ms. Delfina Gonzalez (lives in the area where the proposed build is to take place) stated her concern is the height of the buildings and privacy.

After a brief discussion, Mr. Marco Suarez moved to approve with conditions noted. Mr. Jesse Ozuna seconded the motion, which was approved subject to conditions noted with five members present and voting.

c) REZONING:

- 1) Rezone from C-3 (general business) District to C-4 (commercial-industrial) District: 2.152 acres out of Lot 1, T-Rey Subdivision, Hidalgo County, Texas; 3612 State Highway 107 (rear). **(REZ2024-0004)**

Mr. Eduardo Garza stated that the subject property is an interior tract and is located along the north side of State Highway 107, approximately 1,225 feet east of Ware Road. The irregularly shaped tract consists of 2.152 acres out of Lot 1, T-Rey Subdivision.

The applicant is proposing to rezone the property from C-3 (general business) District to C-4 (commercial-industrial) District in order to build a self-storage facility for recreational vehicle and boat storage. A feasibility plan has not been submitted.

The adjacent zoning is C-3 District in all directions except to the east there is A-O (agricultural and open space) District.

The property is part of a larger tract that is proposed to be developed for a plaza and a self-storage facility is proposed for the subject tract. Surrounding land uses include Rockin' Moose Sales, 107 Auto Financial, CXL Motors, single-family residences, and vacant land.

The Envision McAllen Future Land Use Plan designates the future land use for this property as Complete Communities. The most appropriate type of development includes single-family detached homes, accessory uses to single-family residences, neighborhood-scale offices and retail, civic

buildings, and parks and open space uses. Nonresidential uses in this category primarily include

neighborhood serving retail, services, and offices.

The development trend along State Highway 107 is commercial use.

The tract was initially zoned A-O (agricultural and open space) District upon annexation in May of 1995. In 2005, a rezoning request for C-3 District was approved by the City Commission in March 2005. There have been no other rezoning requests since that time.

The requested zoning does not conform to the future land use designation on the Envision McAllen Future Land Use Plan. However, the proposed zoning and use align with the existing commercial development. The zoning trend along State Highway 107 is commercial use. The primary use of the proposed rezoning is for storage of recreational vehicles and boats.

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

Staff recommends approval of the rezoning request to C-4 (commercial-industrial) District since the proposed zoning is consistent with the rezoning and development trends for this area.

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

Being no discussion, Mr. Jesse Ozuna moved to approve rezoning request. Mr. Emilio Santos Jr. seconded the motion, which was approved with five members present and voting.

- 2) Rezone from C-3 (general business) District to R-3T (multifamily residential townhouses) District: 3.581 acres out of Lot 60, La Lomita Irrigation & Construction Company's Subdivision, Hidalgo County, Texas; 7709 North 23rd Street. **(REZ2024-0003)**

Ms. Adriana Solis stated that the subject property is located along the west side of North 23<sup>rd</sup> Street, approximately 361 feet south of Zenaida Avenue. The tract has 228.91 feet of frontage along North 23<sup>rd</sup> Street and a depth of 683 feet for a tract size of 3.581 acres.

The applicant is proposing to rezone the property to R-3T (multifamily residential townhouse) District for a townhouse development.

The adjacent zoning is R-1 (single-family residential) District in all directions.

The subject property is the former location for Greg Auto Service. Surrounding land uses include single-family residential homes, commercial uses adjacent to single family.

The Envision McAllen Future Land Use Plan designates the future land use for this property as Complete Communities. Single-family residences make up the majority in this land use category although townhomes are encouraged to create diversity in housing choices. Nearby nonresidential uses help to serve the residents.

The development trend along this area of North 23<sup>rd</sup> Street is single-family residential.

The requested zoning conforms to the Complete Communities land use designation as indicated on

the Envision McAllen Future Land Use Plan, since diversity is more in line with single-family neighborhoods.

The proposed development area is 3.581 acres. Based on the maximum density per gross acres in the R-3T District: 20 dwelling units per gross acre are allowed, approximately 72 dwelling units are allowed 3.581 (gross) acres. Two thousand square feet represents the minimum lot area for R-3T a residential tract use.

A recorded subdivision plat will be required prior to building permit issuance. An approved site plan may also be required prior to building permit issuance should townhouses proposed be comprised of five units or more on single lot. Compliance with off-street parking, landscaping, buffer requirements and various building and fire codes are required as part of the building permitting process.

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

Staff recommends approval of the rezoning request to R-3T (multifamily residential townhouse) District since the proposed to zoning conforms to the Envision McAllen Future Land Use Plan.

Chairperson Mr. Michael Fallek asked if there was anyone present in opposition of the proposed rezoning request. There were none in opposition, but one citizen did have concerns.

Citizen Mr. Mikel Schlotterback, (7609 N. 24<sup>th</sup> Circle), asked if the property value was going to decrease? Is the developer going to build townhomes? Chairperson Mr. Michael Fallek responded to Mr. Schlotterback questions.

After a brief discussion, Mr. Marco Suarez moved to approve the rezoning request. Mr. Emilio Santos Jr. seconded the motion, which was approved with five members present and voting.

- 3) Rezone from A-O (agricultural and open space) District to R-3A (multifamily residential apartments) District: 2.99 acres more or less of the South ½ of Lot 74, La Lomita Irrigation & Construction Company's Subdivision, Hidalgo County, Texas; 2600 Lark Avenue. **(REZ2024-0008)WITHDRAWN.**

Ms. Adriana Solis stated that the applicant has withdrawn the request, no action is required, none was taken. Item has been withdrawn.

- 4) Rezone from R-1 (single family residential) District to R-3C (multifamily residential condominiums) District: 7.207 acres out of Lot 2, Block 9, A.J. McColl Subdivision, Hidalgo County, Texas; 3908 South Jackson Road, Unit D. **(REZ2023-0064)TABLED ON 2/6/2024.**

Ms. Adriana Solis stated that the applicant has withdrawn the request, no action is required, none was taken. Item has been withdrawn.

- 5) Rezone from R-1 (single family residential) District to C-3 (general business) District: Lot 20, Block 11, Colonia Hermosa No. 2 Subdivision, Hidalgo County, Texas; 2216 El Rancho Avenue. **(REZ2024-0005)**

Ms. Hilda Tovar stated that the subject property is located on the north side of El Rancho Avenue just

The applicant is proposing to rezone the property to C-3 (general business) District in order to use the subject property as an expansion of an existing auto repair business and car sales lot.

The adjacent zoning is R-1 (single family residential) District in all directions except the west side, which is C-3 (business general) District.

The property is currently being used as an auto repair business and car sales lot. Surrounding land uses include Booz Auto Sales LLC, Morin Appliances, RDL Auto Sales, Corvette of South Texas, Rodriguez Auto Sales, RS Motors, and other commercial businesses. In addition, on the west side of the property there is an existing car lot by the name of Riverside Infinity Auto. Other uses include single family residential and agricultural.

The Envision McAllen Future Land Use Plan designates the future land use category for this property as Complete Communities, which allow established low-density neighborhoods to welcome compatible density and commercial uses into their neighborhoods via incremental infill. These areas are majority residential, with some office, retail, and other nonresidential uses that serve residents.

The development trend for this area along El Rancho Avenue is established single family residential.

Colonia Hermosa No.2 Subdivision was recorded on November 28, 1947. The subject property was zoned R-1 (single family residential) District during the comprehensive zoning in 1979.

In 2005, a rezoning request for C-3 (general business) District for Lots 19 and 20 resulted in approval of C-3 zoning for Lot 19 for an auto repair business as part of an auto sales business for Lot 18 that front South 23<sup>rd</sup> Street. In this same request, C-3 zoning was disapproved for Lot 20 and its use for parking on the subject property was authorized subject to a Conditional Use permit.

In 2009, a rezoning request for C-3 (general business) District for Lot 20 was disapproved. The Board recommended that Lot 20 should remain single-family residential, allowing parking as approved by the City Commission in 2005 and the R-1 zoning will allow it to serve as a buffer to protect the neighborhood.

The requested zoning does not conform to the future land use designation as shown on the Envision McAllen Future Land Use Plan. The proposed development is adjacent to C-3 District along the west side.

According to the applicant, the rezoning request is necessary because the subject property serves as an expansion of the existing auto repair business and car sales lot on the west side.

If the rezoning request were to be approved, compliance with buffers, landscaping, off street parking, building and fire codes are required prior to issuance of building permits or occupancy. A Conditional Use permit for auto repair is required in a C-3 District with a minimum separation of 100 feet from the nearest residence.

The subject property fronts El Rancho Avenue, which is a residential street with 40 feet of right-of-way.

Staff received did not any phone calls in opposition to the zoning request.

Staff recommends disapproval of the rezoning request to C-3 (general business) District since it does not conform to the established residential trend for this area to the east along El Rancho Avenue.

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

Being no discussion, Mr. Emilio Santos moved to disapprove the rezoning request. Mr. Jesse Ozuna seconded the motion, which was disapproved with five members present and voting.

- 6) Rezone from C-1 (office building) District to R-3T (multifamily residential townhouse) District: 1.515 acres out of Lot 2, Hamilton Place Subdivision, Hidalgo County, Texas; 100 East Pecan Boulevard (rear). **(REZ2024-0007)**

Ms. Hilda Tovar stated that the subject property is located along the east side of North 1<sup>st</sup> Street approximately 250 feet south of East Pecan Boulevard.

The applicant is proposing to rezone the property to R-3T (multifamily residential townhouse) District in order to use the subject property for the future development of townhouses.

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

The adjacent zoning is C-1 (office building) District to the north, A-O (agricultural and open space) District to the west across North 1st Street, R-3T (multifamily residential townhouse) District to the south across the alley and R-3A (multifamily residential apartment) District to the east.

The subject property is currently vacant. Surrounding land uses include residential townhouses, McAllen Memorial Mustang Softball Field, Watermill Express, Bentley Estates HOA and United Way of South Texas. Also, an existing dentist office by the name of Dr. Karl F. Frey, DDS is adjacent to the property on the north side. Other uses include commercial and multifamily.

The Envision McAllen Future Land Use Plan designates the future land use category for this property as Complete Communities which allow for established low-density neighborhoods to welcome compatible density and commercial uses into their neighborhoods via incremental infill. These areas are majority residential, with some office, retail, and other nonresidential uses that serve residents.

The development trend for this area along the south side of Pecan Boulevard is commercial and multifamily.

Hamilton Place Subdivision was recorded on October 14, 1996. The subject property was zoned A-O (agricultural and open space) District during the comprehensive zoning in 1979. A rezoning request for C-1 (office building) District was approved in June 1996.

The requested zoning conforms to the future land use designation as shown on the Envision McAllen Future Land Use Plan. The proposed zoning aligns with the adjacent subdivision on the south side. Maple-Memorial Subdivision was recorded on May 1st, 1996 and the existing zoning is an R-3T

(multifamily residential townhouse) District.

If approval of the zoning request is granted, an approved site plan by Planning and Zoning Commission will be required prior to building permit issuance.

Staff has not received any phone calls in opposition to the zoning request.

Staff recommends approval of the rezoning request to R-3T (multifamily residential townhouse) District since it conforms to the Envision McAllen Future Land Use Plan

Being no discussion, Mr. Jesse Ozuna moved to approve the rezoning request. Mr. Emilio Santos Jr. seconded the motion, which was approved with five members present and voting.

- 7) Initial Zoning to A-O (agricultural and open space) District: 202.788 acres, more or less, out of a 212.788 acre (Deed: 211.18 acres) tract of land, more or less, out of Survey 215 and Survey 218, Texas Mexican Railway Company Survey, said 202.788 acres being a part of the former Moore Field Subdivision, save and except a 1.60-acre tract (Water Tower Tract), Hidalgo County, Texas; 23415 North Moorefield Road. **(REZ2024-0006)**

The property is located along the west side of North Moorefield Road, adjacent on its southwest boundary to a deactivated United States Air Force facility by the name of Moore Air Base. The tract of land consists of around 202.788 acres of undeveloped brush land.

The applicant is requesting annexation of the property and initial zoning to A-O (agricultural and open space) District. The tract is currently outside of McAllen's City limits. The initial zoning to A-O District will become effective upon the annexation of the tract into the City. The owners will propose a rezoning request in the future once they have finalized their development plan for the tract.

All adjacent properties are currently outside of McAllen's city limits and are therefore without zone.

The property is currently vacant. Surrounding land uses are a mix of some industrial and agricultural uses, with vacant land throughout.

The Envision McAllen Future Land Use Plan designates the future land use for this property as Industrial. This land use is designed to keep certain uses in isolated areas of the City in order to prevent compatibility concerns with future commercial and residential projects. Major manufacturing uses and major employer centers are considered most appropriate for this area.

The development trend along this area of North Moorefield Road is primarily agricultural and open spaces. There are also minor industrial projects throughout.

The subject property has been in the City's Extra-Territorial Jurisdiction (ETJ) since December 22, 2014. The request for the initial zoning of the subject property was submitted on December 8, 2023.

The requested zoning conforms to the future land use plan designation. Parks and open space uses are considered compatible.

The subdivision review and site plan review processes will be required prior to building permit issuance for any future developments in the property. Any future developments must also comply with the

permitted and conditional uses of the designated zoning district.

Staff did not receive any phone calls, emails, or letters in opposition to the rezoning request.

Staff recommends approval of the initial zoning request to A-O (agricultural and open space) District.

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

Being no discussion, Mr. Emilio Santos Jr. moved to approve the rezoning request. Mr. Marco Suarez seconded the motion, which was approved with five members present and voting.

### 3) SUBDIVISIONS:

- a) Replat of Sharyland Business Park Lot 17A Subdivision, 5201 Military Highway, Tierra Tech USA Inc. **(SUB2023-0046) (REVISED PRELIMINARY) STIG**

Mr. Kaveh Forghanparast stated Military Highway (F.M.1016): Dedication as needed for 75 feet from centerline for 150 feet total ROW. Paving with 65 ft. of curb & gutter on both sides. Revisions needed Current subdivision layout does not provide ROW details. Show and label Centerline, total existing ROW, and existing ROW on both sides of the centerline, etc. prior to final. Show ROW and document number for Military Highway (F.M.1016) to establish ROW dedication requirements prior to final. Final approval consideration has been requested by the engineer; however, subdivision requirements including the ROW have not been addressed yet. All subdivision requirements including the ROW must be addressed prior to final. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. 1,200 ft. Block Length. Subdivision Ordinance: Section 134-118. ROW had 20 ft. and paving of 16 ft. Alley/service drive easement required for commercial, industrial, and multi-family properties. Revisions needed: Provide for alley or service drive easement on the plat or a plat note that the service drive will be established as part of site plan review prior to final. Alley or service drive easement cannot dead-end. Subdivision Ordinance: Section 134-106. Front: 75 feet. or greater per approved site plan. Revisions needed Revise plat note as shown above prior to final. Proposing: In accordance with zoning ordinance, or greater for easements or approved site plan, or in line with average setback, whichever is greater applies. If any plat restrictions are proposed to be changed from original plat, vacate and replat would be required. Zoning Ordinance: Section 138-356. Rear were in accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater applied. Zoning Ordinance: Section 138-356. Sides were in accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater applied. Zoning Ordinance: Section 138-356. Corner were in accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater applied. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk required on Military Highway (F.M. 1016). Revisions Needed: Include note as shown above prior to final. Sidewalk requirements may increase to 5 ft. prior to final per Engineering Department requirements, finalize prior to final. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Revisions Needed: Include note as shown above prior to final.

Landscaping Ordinance: Section 110-46. An 8 ft. masonry wall required between single-family residential and commercial, industrial, or multi-family residential zones/uses. Revisions Needed:

Include note as shown above prior to final. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. Must comply with City Access Management Policy. As per Traffic Department, As per McAllen Access Management Policy, spacing requirement along Military Hwy @ 55 mph is 425 ft. Site plan must be approved by Planning and Zoning Commission prior to Building Permit Issuance. Revisions Needed: Include note as shown above prior to final. If any plat restrictions are proposed to be changed from original plat, vacate and replat would be required. The lot owners and not the City of McAllen must maintain common areas, any private streets/drives, gate areas, etc. Revisions Needed: Include note as shown above, prior to final. Note subject to change once subdivision requirements have been finalized. Finalize wording prior to final. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: I-1(Light Industrial) District Proposed: I-1(Light Industrial) District. Zoning Ordinance: Article V. \* As per Traffic Department, Trip Generation is approved. As per Traffic Department, no TIA (Traffic Impact Analysis) is required. If any plat restrictions are proposed to be changed from original plat, vacate and replat would be required. Clarify plat note #6, as fire hydrants are required as part of subdivision public improvements, finalize prior to final. Please revise the subdivision name as follows "Sharyland Business Park Lots 17B and 17C Subdivision" and any associated document as applicable, reports, application, etc., prior to final. Revise the lot numbers to 17B & 17C prior to final. Remove plat note #8 or clarify if it was requested by City/State prior to final. Revise the label for all easement dedicated by this plat to include "by this plat" prior to final. Easement labels fonts seem to be too small. Review and revised as applicable prior to final/recording. Legal Description of all adjacent lots on all sides, including north side of Military Highway is needed prior to final/recording. Must comply with City's Access Management Policy. Original Subdivision plat of Sharyland Business Park Lot 17A presents reference to abandoned ROW for Taylor Road, however submitted plat does not have reference, review and revise as applicable prior to final. Any abandonments must be done by separate process, not by plat. Final approval consideration has been requested by the engineer; however, subdivision requirements including the ROW and altered plat notes, which may require vacate and replat have not been addressed yet. All subdivision requirements must be addressed prior to final. Subdivision approved in Preliminary form at the Planning and Zoning Commission meeting of May 16, 2023, subject to conditions noted drainage and utilities approval.

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

Being no discussion, Mr. Jesse Ozuna moved to approve in revised preliminary form, subject to the conditions noted, drainage, and utilities approval. Mr. Reza Badiozzamani seconded the motion, which was approved with five members present and voting.

b) Silverado Moon Subdivision, 8100 North Taylor Road, Fortis Land Company, LLC  
**(SUB2023-0102) (REVISED FINAL) RDE**

Mr. Kaveh Forghanparast stated North Taylor Road: Proposing 10 ft. of dedication for 40 ft. from centerline for 80 ft. total ROW of paving with 52 ft. of curb & gutter on both sides. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. Auburn Avenue (5 Mile Line Road): Proposing 40 ft. of dedication for 60 ft. from centerline for 120 ft. total ROW with paving of 65 ft. and curb & gutter on both sides. Revision Needed: Clarify 40 ft. existing on the south side of Auburn Avenue, any additional/existing dedications must be referenced with document number on plat, finalize prior to recording. As

per conversation with Engineer on September 15, 2023 to continue verifying existing dedications along the south ROW line of Auburn Avenue. Any adjustments to ROW will require review of ROW dedication

requirements, and may require Planning and Zoning Commission action in the future, finalize prior to NTP/ recording. Label ROW as " Total ROW "after accounting for dedication from center line, and Label ROW as" Total ROW "after accounting for dedication from existing ROW line across Auburn Avenue, prior to recording. Ensure that all dimensions are legible, ex referenced 60.00', review and revise as applicable prior to recording. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. Interior Street: Dedication as needed for 50 ft. total ROW with paving of 32 ft. and curb & gutter on both sides. Revisions Needed: Street names will be established prior to recording finalize street name prior to recording/ Mylar printing. Subdivision layout currently exhibits stub outs, clarify stub outs along lots 90 and 91 and lots 108 and 109, subdivision layout will have to be revised to provide for "Knuckle" design as dead end street are not permitted as this is a private subdivision, review and revise prior to final. As per plat submitted on July 19, 2023, subdivision provides for knuckle design. As per plat submitted on June 2, 2023, subdivision proposed to be private and for single-family use, gate details are required. Gate details are under review and ROWs are subject to increase for gate areas, finalize prior to NTP/Recording. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. E/W Quarter Mile Collector (northern boundary): Dedication as needed for 60 ft. total ROW of paving of 40 ft. and curb & gutter: both sides. Pending Items: Engineer submitted a variance application on July 7, 2023 in reference to the ROW dedication requirements for the E/W collector(1/4 Mile Collector) along the Northern Boundary the engineer has indicated that the street would not be able to extend east as there is an existing drain ditch and there are existing established developments to the north of this subdivision. After review of the ownership map submitted on July 12, 2023, due to the developed properties to the north and existing canal to the west and collector alignment, the E/W collector street along the northern boundary is not feasible. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. N/S collector (Eastern Boundary, 1/4 Mile Location): Dedication as needed for 60 ft. total R.O.W. of Paving with 40 ft. of Curb & gutter on both sides. As per plat submitted on August 11, 2023, plat exhibits an additional acreage due to addition 40 ft. along eastern plat boundary. Street alignment and R.O.W being reviewed by staff and plat would need to be revised accordingly. After review of the submitted plans on August 25, 2023, for the state drainage project from the engineer due to the developed properties to the north, collector alignment and state drainage project, the N/S collector street along the eastern boundary is not feasible. Engineer must clarify status of remnant tract, due to addition 40 ft. along eastern plat boundary. As per conversation with Engineer on September 15, 2023 remnant of additional 40 ft. tract to be utilized by the state for a drainage project. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. 1,200 ft. Block Length. Subdivision layout does not comply with 1200 ft. block length requirement. Engineer submitted a variance application on August 1, 2023, requesting a variance to the 1200ft. Block Length requirement. Under the authority and review of the Planning Director, the Variance request to the block length was approved administratively. Subdivision Ordinance: Section 134-118. 600 ft. Maximum Cul-de-Sac. Pending Items: ROW at "Cul-De Sac" areas may have to be increased to comply with Fire Department requirements, finalize prior to final. As per Fire Department requirements, 96 ft. of paving face-to-face required, and 10 ft. of ROW back of curb around Cul-de-Sac required. As per conversation with Engineer on September 15th,2023, 10ft. U.E and Sidewalk easement proposed, engineer to continue to coordinating with corresponding departments to ensure compliance, finalize prior to NTP/ Recording. Subdivision Ordinance: Section 134-105. Front: 25 ft. or greater for easements. Zoning Ordinance: Section 138-356. The project engineer submitted a variance application (VAR2024-0008), on behalf of the developer, which includes the following request: 15 ft.

front setback for Lots 3 to 5, 19 to 21, 37 to 40, 71 to 74, and 115 to 118. The letter submitted by the engineer indicates that the variance has been requested for irregular shaped lots fronting Cul-de-Sacs

and knuckles to increase the buildable area of the lot. If the variance is approved, the garage setback will remain as 18 ft. or greater for easements. Rear: 10 ft. or greater for easements. Zoning Ordinance: Section 138-356. Interior sides: 6 ft. or greater for easements Zoning Ordinance: Section 138-356. The project engineer submitted a variance application (VAR2024-0008), on behalf of the developer, which includes the following request: 5 ft. side yard setback for all lots. The letter submitted by the engineer indicates that the variance has been requested to increase the buildable area of the lot. If the variance is approved, it will be subject to being 5 ft. or greater for easements. Corner: 10 ft. or greater for easements. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required; greater setback applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk required along Auburn Avenue (5 Mile Line Road), North Taylor Road, and both sides of all interior streets. A 5 ft. sidewalk might be required by Engineering Dept., finalize note-wording requirements, prior to recording. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along Auburn Avenue (5 Mile Line Road) and North Taylor Road. Landscaping Ordinance: Section 110-46. An 8 ft. masonry wall required between single-family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along Auburn Avenue (5 Mile Line Road) and North Taylor Road. Must comply with City Access Management Policy. Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Revisions Needed: Add note as shown above, prior to recording. North Taylor Road: Proposing 10 ft. of dedication for 40 ft. from centerline for 80 ft. total ROW with paving of 52 ft. with curb & gutter on both sides. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. Auburn Avenue (5 Mile Line Road): Proposing 40 ft. of dedication for 60 ft. from centerline for 120 ft. total ROW with paving of 65 ft. with curb & gutter on both sides. Revision Needed: Clarify 40 ft. existing on the south side of Auburn Avenue, any additional/ existing dedications must be referenced with document number on plat, finalize prior to recording. As per conversation with Engineer on September 15, 2023 to continue verifying existing dedications along the south ROW line of Auburn Avenue. Any adjustments to ROW will require review of ROW dedication requirements, and may require Planning and Zoning Commission action in the future, finalize prior to NTP/ recording. Label ROW as "Total ROW "after accounting for dedication from center line, and Label ROW as "Total ROW "after accounting for dedication from existing ROW line across Auburn Avenue, prior to recording. Ensure that all dimensions are legible, ex referenced 60.00', review and revise as applicable prior to recording. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. Interior Street: Dedication as needed for 50 ft. total ROW with paving of 32 ft. and curb & gutter on both sides. Revisions Needed: Street names will be established prior to recording finalize street name prior to recording/ Mylar printing. Subdivision layout currently exhibits stub outs, clarify stub outs along lots 90 and 91 and lots 108 and 109, subdivision layout will have to be revised to provide for "Knuckle" design as dead end street are not permitted as this is a private subdivision, review and revise prior to final. As per plat submitted on July 19, 2023, subdivision provides for knuckle design. As per plat submitted on June 2, 2023 subdivision proposed to be private and for single-family use, gate details are required. Gate details are under review and ROWs are subject to increase for gate areas, finalize prior to NTP/Recording. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. E/W Quarter Mile Collector (northern boundary): Dedication as needed for 60 ft. total ROW with paving

of 40 ft. and curb & gutter on both sides. Pending Items: Engineer submitted a variance application on July 7, 2023 in reference to the ROW dedication requirements for the E/W collector(1/4 Mile Collector)

along the Northern Boundary the engineer has indicated that the street would not be able to extend east as there is an existing drain ditch and there are existing established developments to the north of this subdivision. After review of the ownership map submitted on July 12, 2023, due to the developed properties to the north and existing canal to the west and collector alignment, the E/W collector street along the northern boundary is not feasible. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. N/S collector (Eastern Boundary, 1/4 Mile Location): Dedication as needed for 60 ft. total R.O.W. Paving of 40 ft. and curb & gutter on both sides. As per plat submitted on August 11, 2023, plat exhibits an additional acreage due to addition 40 ft. along eastern plat boundary. Street alignment and R.O.W. being reviewed by staff and plat would need to be revised accordingly. After review of the submitted plans on August 25, 2023, for the state drainage project from the engineer due to the developed properties to the north, collector alignment and state drainage project, the N/S collector street along the eastern boundary is not feasible. Engineer must clarify status of remnant tract, due to addition 40 ft. along eastern plat boundary. As per conversation with Engineer on September 15, 2023 remnant of additional 40 ft. tract to be utilized by the state for a drainage project. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. 1,200 ft. Block Length. Subdivision layout does not comply with 1200 ft. block length requirement. Engineer submitted a variance application on August 1, 2023, requesting a variance to the 1200ft. Block Length requirement. Under the authority and review of the Planning Director, the Variance request to the block length was approved administratively. Subdivision Ordinance: Section 134-118. 900 ft. Block Length for R-3 Zone Districts. Subdivision Ordinance: Section 134-118. 600 ft. Maximum Cul-de-Sac. Pending Items: ROW at "Cul-De Sac" areas may have to be increased to comply with Fire Department requirements, finalize prior to final. As per Fire Department requirements, 96 ft. of paving face-to-face required, and 10 ft. of ROW back of curb around Cul-de-Sac required. As per conversation with Engineer on September 15th, 2023, 10ft. U.E and Sidewalk easement proposed, engineer to continue to coordinating with corresponding departments to ensure compliance, finalize prior to NTP/ Recording. Subdivision Ordinance: Section 134-105. ROW with of 20 ft. and paving of 16 ft. Alley/service drive easement required for commercial and multi-family properties. Subdivision Ordinance: Section 134-106. Front: 25 ft. or greater for easements. Zoning Ordinance: Section 138-356. The project engineer submitted a variance application (VAR2024-0008), on behalf of the developer, which includes the following request: 15 ft. front setback for Lots 3 to 5, 19 to 21, 37 to 40, 71 to 74, and 115 to 118. The letter submitted by the engineer indicates that the variance has been requested for irregular shaped lots fronting Cul-de-Sacs and knuckles to increase the buildable area of the lot. If the variance is approved, the garage setback will remain as 18 ft. or greater for easements. Rear: 10 ft. or greater for easements. Zoning Ordinance: Section 138-356. Interior sides: 6 ft. or greater for easements. Zoning Ordinance: Section 138-356. The project engineer submitted a variance application (VAR2024-0008), on behalf of the developer, which includes the following request: 5 ft. side yard setback for all lots. The letter submitted by the engineer indicates that the variance has been requested to increase the buildable area of the lot. If the variance is approved, it will be subject to being 5 ft. or greater for easements. Corner: 10 ft. or greater for easements. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required; greater setback applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk required along Auburn Avenue (5 Mile Line Road), North Taylor Road, and both sides of all interior streets. A 5 ft. sidewalk might be required by Engineering Dept., finalize note-wording requirements, prior to recording. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial

zones/uses and along Auburn Avenue (5 Mile Line Road) and North Taylor Road. Landscaping Ordinance: Section 110-46. An 8 ft. masonry wall required between single-family residential and

commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along Auburn Avenue (5 Mile Line Road) and North Taylor Road. Must comply with City Access Management Policy Common Area, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Revisions Needed: Add note as shown above, prior to recording. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 134-168 applies if private subdivision is proposed. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Homeowner's Association Covenants must be submitted for staff review, prior to recording. Section 134-168 applies if private subdivision is proposed. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Lots fronting public streets. Private Subdivision proposed as per plat submitted on June 2, 2023. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: (Extraterritorial jurisdiction) Proposed: R-1 (single-family residential) District. Pending Items: Annexation scheduled for the City Commission meeting of October 9, 2023. Initial Zoning to R-1 (single-family residential) District scheduled for the Planning and Zoning Commission meeting of September 19th, 2023 and City Commission meeting of October 9, 2023. Zoning requirements must be finalized prior to recording. Zoning Ordinance: Article V. Rezoning Needed Before Recording. Pending Items: Annexation scheduled for the City Commission meeting of October 9, 2023. Initial Zoning to R-1 (single-family residential) District scheduled for the Planning and Zoning Commission meeting of September 19th, 2023 and City Commission meeting of October 9th, 2023. Zoning Ordinance: Article V. Land dedication in lieu of fee. As per Parks Department, based on proposed annexation and initial zoning scheduled for the City Commission meeting of October 9, 2023, plat depicts 121 lots, as per City of McAllen Parkland Dedication Ordinance land dedication is over an acre. A variance request must be submitted if requesting fees in lieu of land to be reviewed by the City Manager's office. Parkland dedication requirements must be finalized prior to recording. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, based on proposed annexation and initial zoning scheduled for the City Commission meeting of October 9, 2023, plat depicts 121 lots, as per City of McAllen Parkland Dedication Ordinance land dedication is over an acre. A variance request must be submitted if requesting fees in lieu of land to be reviewed by the City Manager's office. Parkland dedication requirements must be finalized prior to recording. Pending review by City Manager's Office. As per Parks Department, based on proposed annexation and initial zoning scheduled for the City Commission meeting of October 9th, 2023, plat depicts 121 lots, as per City of McAllen Parkland Dedication Ordinance land dedication is over an acre. A variance request must be submitted if requesting fees in lieu of land to be reviewed by the City Manager's office. Parkland dedication requirements must be finalized prior to recording. As per Traffic Department, Trip Generation approved, TIA Level I triggered. As per Traffic Department, Trip Generation approved, TIA Level I triggered. TIA Waiver granted with conditions, must comply with conditions as noted in TIA Waiver Letter. Must comply with City's Access Management Policy. Any abandonments must be done by separate process, not by plat. Annexation scheduled for the City Commission meeting of October 9th, 2023. Initial Zoning to R-1 (single-family residential) District scheduled for the Planning and Zoning Commission meeting of September 19th, 2023 and City Commission meeting of October 9th, 2023. Zoning requirements must be finalized prior to recording. At the Planning and Zoning Commission meeting of August 8, 2023, the subdivision was approved in

Revised Preliminary Form subject to conditions noted. As per plat submitted on August 11, 2023, plat exhibits an additional acreage due to addition 40 ft. along eastern plat boundary. At the Planning and

Zoning Commission meeting of August 22, 2023, the subdivision was approved in Revised Preliminary Form subject to conditions noted in the Planning Review. Engineer must clarify status of remnant tract, due to addition 40 ft. along eastern plat boundary. As per conversation with Engineer on September 15, 2023 remnant of additional 40 ft. tract to be utilized by the state for a drainage project. Clarify solid line running through lots 20-38 any easements must be labeled, finalize prior to recording. The project engineer submitted a variance application (VAR2024-0008), on behalf of the developer, which includes the following requests: 1.15 ft. front setback for Lots 3 to 5, 19 to 21, 37 to 40, 71 to 74, and 115 to 118. The letter submitted by the engineer indicates that the variance has been requested for irregular shaped lots fronting Cul-de-Sacs and knuckles to increase the buildable area of the lot. If the variance is approved, the garage setback will remain as 18 ft. or greater for easements. 2.5 ft. side yard setback for all lots. The letter submitted by the engineer indicates that the variance has been requested to increase the buildable area of the lot. If the variance is approved, it will be subject to being 5 ft. or greater for easements.

Staff recommends approval of the subdivision in revised final form subject to conditions noted, and the board's clarification on the requested setback variances.

After a lengthy discussion, Mr. Marco Suarez moved to table and Mr. Jesse Ozuna seconded the motion, which was tabled with five members present and voting.

- c) Red Square Dental and Orthodontics Plaza Subdivision, 4909 Pecan Boulevard, Hors de Prix, LLC **(SUB2023-0035) (REVISED PRELIMINARY)**  
**M&H**

Mr. Kaveh Forghanparast stated Pecan Boulevard: dedication as required for 60 ft. from centerline for total 120 ft. ROW Paving: By the State curb & gutter on by the State. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. 1,200 ft. Block Length. Subdivision Ordinance: Section 134-118. ROW: 20 ft. Paving: 16 ft. Alley/private service drive easement required for commercial properties. Revise the label for service drive easement to "private service drive easement" prior to final. Please clarify and show how the private service drive easement connects to the properties on the east side prior to final. Clarify a dashed line extended to the 10 ft. U.E. prior to final. Contact Staff for any questions. The proposed service drive alignment must be approved by all development departments prior to final. Alley/service drive layout must be finalized prior to final. When the proposed subdivision for the adjacent property to the west is recorded, the document number will be needed for the service drive easement outside this subdivision boundary. Subdivision Ordinance: Section 134-106. Front: In accordance with the Zoning Ordinance or greater for approved site plan or easements or inline with existing structures, whichever is greater applies. Zoning Ordinance: Section 138-356. Rear: In accordance with the Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Zoning Ordinance: Section 138-356. Sides: In accordance with the Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk required along Pecan Boulevard (F.M. 495). Sidewalk may increase to 5 ft. as per Engineering prior to final. Proposing: 5 ft. wide minimum sidewalk required along Pecan Boulevard (F.M. 495). Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer required from adjacent/between multi-family

residential and commercial and industrial zones/uses Landscaping Ordinance: Section 110-46. An 8 ft. masonry wall required between single-family residential and commercial, industrial, or multi-family

residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. Must comply with City Access Management Policy. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Common areas, any private drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: C-3 Proposed: C-3. Zoning Ordinance: Article V. As per Traffic Department, Trip Generation is approved. As per Traffic Department, Traffic Impact Analysis (TIA) is not required. Clarify plat note #13 and provide a copy of the referenced documents, prior to final. Provide the legal description of all adjacent properties on all sides, including on the north side of Pecan Boulevard. Ownership map of surrounding properties needed to assure no landlocked property exists, prior to final. Must comply with City's Access Management Policy. As per plat note #13, the property is subject to UID Blanket reservation. It is up to the developer/property owner, and not the City of McAllen, to get any required approvals from the Irrigation District prior to building permit issuance.

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

Being no discussion, Mr. Marco Suarez moved to approve in revised preliminary form, subject to the conditions noted, drainage, and utilities approvals. Mr. Emilio Santos Jr. seconded the motion, which was approved with five members present and voting.

**d) Bentsen View Subdivision, 4109 Highway 83, Adryca Properties, LLC (SUB2023-0094) (REVISED PRELIMINARY) M2E**

Mr. Eduardo Garza stated U.S. Business Highway 83 (Loop 374): 50 ft. ROW required from centerline for 100 ft. total ROW Paving: by the state Curb & gutter: by the state. Revisions needed: Revise reference from "Future ROW" to "Total ROW", prior to final. Provide dimension from centerline to new property line after accounting for dedication, prior to final. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not built prior to recording. 1,200 ft. Block Length. Subdivision Ordinance: Section 134-118. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties and multi-family properties. Provide for alley or service drive easement on the plat, prior to final. If private service drive easement is proposed, it must be at least 24 ft. wide, may not dead-end, and must show the proposed access easements for curb cut locations. Subdivision Ordinance: Section 134-106. Front: In accordance with zoning ordinance, or greater for easements or approved site plan, or in line with average setback, whichever is greater applies. Revisions Needed: Revise front setback note as shown above, prior to final. Proposing: 50.00 feet or greater for easement or approved site plan. Zoning Ordinance: Section 138-356. Rear: In accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Revisions Needed: Revise rear setback note as shown above, prior to final. Proposing: 15.00 feet or easements whichever is greater. Zoning Ordinance: Section 138-356. Sides: In accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Revisions Needed: Revise side setback note as shown above, prior to final. Proposing: In accordance with Zoning Ordinance or greater for easements or approved site plan. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. Sidewalks. A 4 ft. wide minimum sidewalk required on U.S. Business Highway 83. Sidewalk

requirements may increase to 5 ft. prior to final per Engineering Department requirements, finalize wording for note prior to final. Proposing: A 5-foot wide minimum sidewalk required on U.S Business

Highway 83. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Landscaping Ordinance: Section 110-46. An 8 ft. masonry wall required between single-family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. Must comply with City Access Management Policy. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Zoning Ordinance: Section 138-210. Common Areas, any private drive, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Revisions Needed: Include note as shown above, note subject to change once subdivision requirements have been finalized. Finalize wording for note prior to final. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: C-4 (commercial industrial) District Proposed: C-4 (commercial industrial) District. Rezoning to R-3A for a portion on the rear was approved by Planning and Zoning Commission at their meeting of December 06, 2022 and by City Commission on January 9, 2023. Rezoning to C-4 for the entire tract was approved by Planning and Zoning Commission at their meeting of December 19, 2023 and by City Commission on January 22, 2024. Zoning Ordinance: Article V. Rezoning Needed Before Final Approval. Rezoning to R-3A for a portion on the rear was approved by Planning and Zoning Commission at their meeting of December 6, 2022 and by City Commission on January 9, 2023. Rezoning to C-4 for the entire tract was approved by Planning and Zoning Commission at their meeting of December 19, 2023 and by City Commission on January 22, 2024. Zoning Ordinance: Article V. As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. Traffic Impact Analysis (TIA) required prior to final plat. Pending Items: As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. Must comply with City's Access Management Policy. Any abandonments must be done by separate process, not by plat, any abandonments by separate instrument must be finalized prior to recording. Remove prop from easement dedications and include dedicated by this plat, as applicable prior to final. Clarify use of the 25 ft. dedication to Hidalgo County Drainage District #1, will it be an easement or ROW, revise and review as applicable. Application states 2 lots and revised plat shows as a 1 lot subdivision. A rezoning was approved for the entire tract by City Commission on January 22, 2024, submit a revised application with corresponding information as applicable. At the Planning & Zoning Commission meeting of February 7, 2023, the board voted to approve the preliminary 6-month extension subject to conditions noted, drainage, and utility approvals. Subdivision approval extension expired therefore new submittal was submitted. At the Planning and Zoning meeting of September 19, 2023, the subdivision was approved in Preliminary form subject to conditions noted in the Planning Review.

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

Being no discussion, Mr. Jesse Ozuna moved to approve in revised preliminary form subject to conditions noted, drainage and utilities approvals. Mr. Emilio Santos Jr. seconded the motion, which was approved with five members present and voting.

- e) Plaza on Ridge Road Lots 1A & 1B Subdivision, 1101 East Ridge Road, Ridge Car Wash Services, LLC **(SUB2024-0017) (PRELIMINARY) KLE**

Mr. Eduardo Garza stated South "K" Center Street: Dedication as needed for 30 ft. from centerline for 60 ft. ROW. Paving 40 ft. Curb & gutter on both sides. Current plat does not provide ROW details,

show the document number on the plat for the existing ROW and label existing ROW dedication. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan East Ridge Road: Dedication as needed for 50 ft. from centerline for 100 ft. ROW. Paving 65 ft. curb & gutter on both sides. Current plat does not provide ROW details, show the document number on the plat for the existing ROW and label existing ROW dedication. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan.1, 200 ft. Block Length Subdivision Ordinance: Section 134-118. ROW: 20 ft. Paving 16 ft. Alley/service drive easement required for commercial and multi-family properties Provide for alley or service drive easement on the plat prior to final. If private service drive easement is proposed, it must be at least 24 ft. wide, may not dead-end, and must show the proposed access easements for curb cut locations. Subdivision Ordinance: Section 134-106. Does not reflect existing plat setback notations - appears to reflect property at another location, revise as applicable. Refer to "Plaza on Ridge Road Subdivision" for setback notes. If any plat restrictions are proposed to be changed from original plat, vacate and replat would be required. Zoning Ordinance: Section 138-356. Does not reflect existing plat setback notations - appears to reflect property at another location, revise as applicable. Refer to "Plaza on Ridge Road Subdivision" for setback notes. If any plat restrictions are proposed to be changed from original plat, vacate and replat would be required. Zoning Ordinance: Section 138-356. Does not reflect existing plat setback notations - appears to reflect property at another location, revise as applicable. Refer to "Plaza on Ridge Road Subdivision" for setback notes. If any plat restrictions are proposed to be changed from original plat, vacate and replat would be required. Zoning Ordinance: Section 138-356. Does not reflect existing plat setback notations - appears to reflect property at another location, revise as applicable. Refer to "Plaza on Ridge Road Subdivision" for setback notes. If any plat restrictions are proposed to be changed from original plat, vacate and replat would be required. Zoning Ordinance: Section 138-356. \* 4' sidewalks shall be required along East Ridge Road and South "K" Center St. Sidewalk requirements may increase to 5 ft. prior to final per Engineering Department requirements, finalize prior to final. Subdivision Ordinance: Section 134-12.0 Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Revisions Needed: Include note as shown above prior to final. Landscaping Ordinance: Section 110-46. An 8 ft. masonry wall required between single-family residential and commercial, industrial, or multi-family residential zones/uses. Revisions Needed: Include note as shown above prior to final. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along. Must use existing curb cut as per Traffic Department Must comply with City Access Management Policy Site plan must be approved by the Planning and Zoning Commission prior to issuance of building permits. Revisions Needed: Include note as shown above prior to final. Common Areas, any private drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Finalize wording for note on the plat, prior to final as may be applicable. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: C-3 (general business) District Proposed: C-3 (general business) District. Zoning Ordinance: Article V. As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. Traffic Impact Analysis (TIA) required prior to final plat. Revisions Needed: Must comply with City's Access Management Policy. Vacating of existing recorded plat will be required if any restrictions/notes are removed from existing plat. Name of subdivision must be revised to "Plaza on Ridge Road Lots 1A and 2A Subdivision", prior to final. Verify boundaries, dimensions, and plat notes shown on this plat as they differ from existing recorded plat - verify and correct as needed, prior to final.

Verify signature blocks on plat, as they appear to be from another existing plat - verify and correct as needed, prior to final.

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

Being no discussion, Mr. Emilio Santos Jr. moved to approve in preliminary form, subject to the conditions noted, drainage, and utilities approvals. Mr. Reza Badiozzamani seconded the motion, which was approved with five members present and voting.

**f) Aarya Terrace Subdivision, 4815 Pecan Boulevard, Aarya Properties, LLC (SUB2024-0016) (PRELIMINARY) SEC**

Mr. Eduardo Garza stated Pecan Blvd. (F.M. 495): 20 ft. dedication for 60 ft. from centerline for 120 ft. ROW. Revise plat to accommodate ROW dedication as noted above. If the centerline shown on plat submitted changes, required dedication will be adjusted as needed for 60 ft. from centerline for 120 ft. total ROW. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. ROW: 20 ft. Paving 16 ft. Alley/service drive easement required for commercial properties. If a private service drive easement is proposed, requires minimum 24 ft. width/pavement. Alley and/or private drive easement will be required to be extended to the east and west as adjacent properties are developed. Subdivision Ordinance: Section 134-106. Front: In accordance with the Zoning Ordinance or greater for approved site plan or easements or inline with existing structures, whichever is greater applies. Zoning Ordinance: Section 138-356 and 138-367. Plat submitted proposes a note referencing a 50 ft. or greater for easements front setback - need to clarify prior to final. Rear: In accordance with the Zoning Ordinance or greater for approved site plan or easements or greater setback applies. Zoning Ordinance: Section 138-356. Plat submitted proposes a note referencing a 10 ft. or greater for easements rear setback - need to clarify prior to final. Sides: In accordance with the Zoning Ordinance or greater for easements or approved site plans, whichever is greater applies. Revise "Other" setback referenced on plat to Sides as noted above. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk required on Pecan Blvd. (F.M. 495). Sidewalk may increase to 5 ft. as per Engineering prior to final. Plat submitted proposes a note referencing a 5 ft. minimum sidewalk, finalize prior to final. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Revise plat note #4 on submitted plat as noted above. Landscaping Ordinance: Section 110-46. An 8 ft. masonry wall required between single-family residential and commercial, industrial, or multi-family residential zones/uses. Plat note as referenced above required on plat. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along. Must comply with City Access Management Policy. Per Traffic, Access Management Policy, spacing requirement along Pecan Blvd @ 45 mph is 360 ft. between any proposed/exiting driveways. Share Access easements connection would be required with property to the East and west. Need to finalize requirements prior to final. Plat note will be required once finalized. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Site plan review is required, but not as a plat note. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Common Areas, any private service drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width

and lot area. Zoning Ordinance: Section 138-356. Existing: C-3 Proposed: C-3. Verify that the plat boundaries are within the C-3 zoning area, prior to final. Zoning Ordinance: Article V. Rezoning Needed

Before Final Approval. The Project engineer to verify that the plat boundaries are within the C-3 zoning area, prior to final. Zoning Ordinance: Article V. As per Traffic Department, need to submit a Trip Generation with the proposed land use to determine if a TIA will be required; prior to final. Traffic Impact Analysis (TIA) required prior to final plat. Must comply with City's Access Management Policy. Ownership map of surrounding properties needed to assure no landlocked property exists, prior to final. Vicinity map references an irrigation district that appears to differ from the one shown on plat map. Verify and correct as needed. \*Provide the legal description of all adjacent properties on all sides, including on the north side of Pecan Blvd.

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

Being no discussion, Mr. Reza Badiozzamani moved to approve in in preliminary form, subject to the conditions noted, and utility and drainage approvals. Mr. Emilio Santos Jr. 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. Marco Suarez adjourned the meeting at 4:23p.m. with Mr. Emilio Santos Jr. seconding the motion with five members present and voting.

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Chairperson Michael Fallek

ATTEST: \_\_\_\_\_  
Magda Ramirez, Administrative Assistant

## Memo

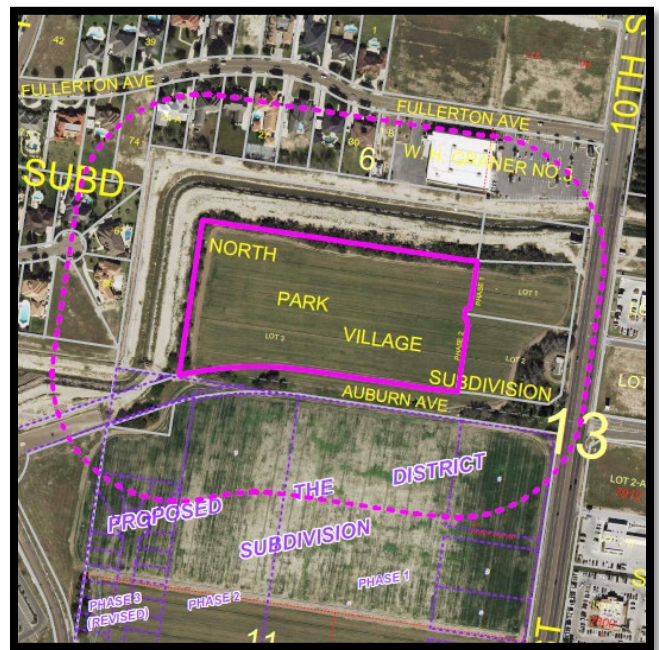
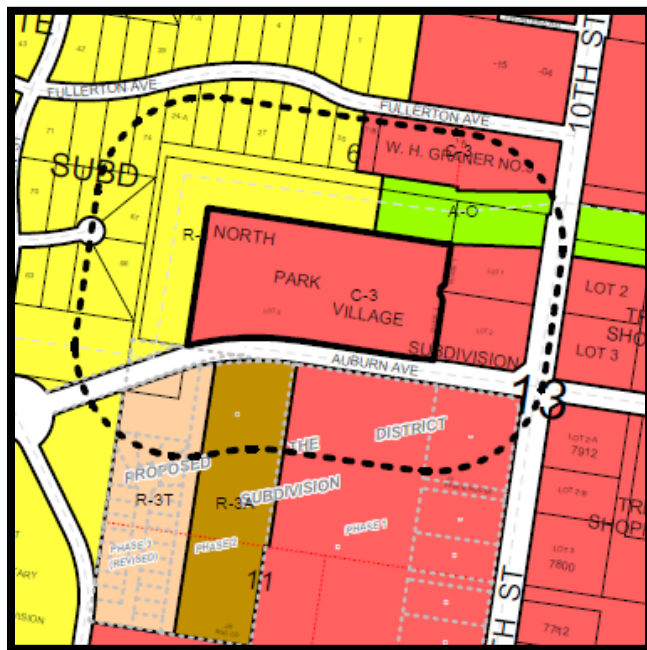
**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

**DATE:** March 13, 2024

**SUBJECT: REQUEST OF JESUS F. DAVILA ON BEHALF OF AURIEL INVESTMENTS LLC., FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A BAR AT A LOT 3, NORTH PARK VILLAGE PHASE 2 SUBDIVISION, HIDALGO COUNTY, TEXAS; 1200 AUBURN AVENUE, BUILDING 300, SUITE 300. (CUP2024-0027)**

**BRIEF DESCRIPTION:** The property is located on the northwest corner of Auburn Avenue and N. 10<sup>th</sup> Street. It is zoned C-3 (general business) District. The adjacent zoning is C-3 District to the east and R-1 (single family residential) District to the north and west. There is also A-O (agricultural and open space) District to the north. Surrounding land uses are commercial plazas including existing bars and restaurants, single family residences and future multifamily developments. A bar is allowed in a C-3 district with a Conditional Use Permit and in compliance with requirements.



**HISTORY:** This is the initial CUP request for this bar. A CUP has been approved for another bar located in the same location. This application was submitted on March 6, 2024.

**SUMMARY/ANALYSIS:** The applicant is proposing to operate a bar (OTBG North Park) from an existing 3,516 square ft. suite. The proposed business hours are Monday through Sunday from 11 A.M. to 2 A.M.

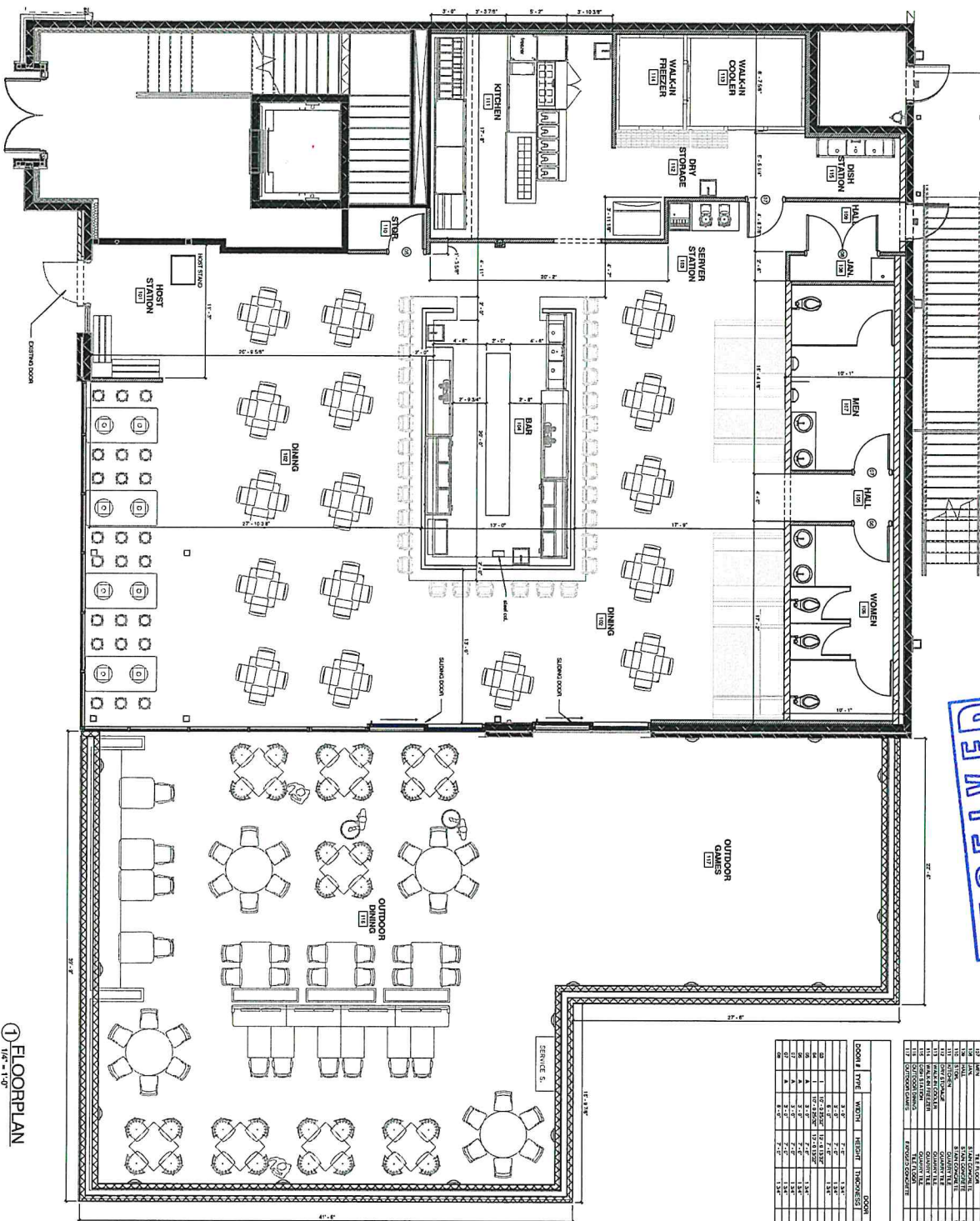
The Fire Department and the Health Department have inspected and approved the CUP process to continue.. The establishment must comply with requirements set forth in Section 138-118(a)(4) of the Zoning Ordinance and specific requirements as follows:

- 1) The property line of the Lot of the above mentioned business must be at least 400 feet from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruption of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The proposed establishment is within 400 ft. of the residential zone/use to the north and south;
- 2) The abovementioned businesses must be as close as possible to a major arterial, and shall not allow the traffic generated by such businesses onto residential streets, or allow such traffic to exit into and disrupt residential areas. The establishment has direct access to Auburn Avenue;
- 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. 35 parking spaces are required and more than 250 are provided as per site plan with shared parking within the plaza.
- 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 business shall restrict the number of persons within the building to those allowed by the Chief Building Official and Fire Marshal. The occupancy load will be established by the Building Inspections Department as part of the building permit review process.

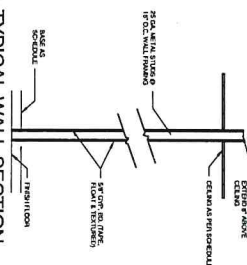
Staff has not received a phone call or any letters in opposition regarding this specific request.

**RECOMMENDATION:** Staff recommends disapproval of the request based on noncompliance with requirement listed above as #1 (distance to a residential zone/use) of Section 138-118(a)(4).

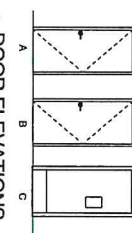
RECEIVED  
MAR 06 2024  
BY *HF*



**2 TYPICAL WALL SECTION**  
1/2" = 1'-0"



**DOOR ELEVATIONS**  
1/4" = 1'-0"



DOOR SCHEDULE		DOOR		FRAME		COMMENTS
DOOR #	TYPE	WIDTH	HEIGHT	MATERIAL	FINISH	
1	SWING	3'-0"	7'-0"	1/2" X 4" SCHED. 40	PAINTED	DOOR TO RESTROOM
2	SWING	3'-0"	7'-0"	1/2" X 4" SCHED. 40	PAINTED	DOOR TO RESTROOM
3	SWING	3'-0"	7'-0"	1/2" X 4" SCHED. 40	PAINTED	DOOR TO RESTROOM
4	SWING	3'-0"	7'-0"	1/2" X 4" SCHED. 40	PAINTED	DOOR TO RESTROOM
5	SWING	3'-0"	7'-0"	1/2" X 4" SCHED. 40	PAINTED	DOOR TO RESTROOM
6	SWING	3'-0"	7'-0"	1/2" X 4" SCHED. 40	PAINTED	DOOR TO RESTROOM
7	SWING	3'-0"	7'-0"	1/2" X 4" SCHED. 40	PAINTED	DOOR TO RESTROOM
8	SWING	3'-0"	7'-0"	1/2" X 4" SCHED. 40	PAINTED	DOOR TO RESTROOM
9	SWING	3'-0"	7'-0"	1/2" X 4" SCHED. 40	PAINTED	DOOR TO RESTROOM
10	SWING	3'-0"	7'-0"	1/2" X 4" SCHED. 40	PAINTED	DOOR TO RESTROOM
11	SWING	3'-0"	7'-0"	1/2" X 4" SCHED. 40	PAINTED	DOOR TO RESTROOM
12	SWING	3'-0"	7'-0"	1/2" X 4" SCHED. 40	PAINTED	DOOR TO RESTROOM
13	SWING	3'-0"	7'-0"	1/2" X 4" SCHED. 40	PAINTED	DOOR TO RESTROOM
14	SWING	3'-0"	7'-0"	1/2" X 4" SCHED. 40	PAINTED	DOOR TO RESTROOM
15	SWING	3'-0"	7'-0"	1/2" X 4" SCHED. 40	PAINTED	DOOR TO RESTROOM
16	SWING	3'-0"	7'-0"	1/2" X 4" SCHED. 40	PAINTED	DOOR TO RESTROOM
17	SWING	3'-0"	7'-0"	1/2" X 4" SCHED. 40	PAINTED	DOOR TO RESTROOM
18	SWING	3'-0"	7'-0"	1/2" X 4" SCHED. 40	PAINTED	DOOR TO RESTROOM
19	SWING	3'-0"	7'-0"	1/2" X 4" SCHED. 40	PAINTED	DOOR TO RESTROOM
20	SWING	3'-0"	7'-0"	1/2" X 4" SCHED. 40	PAINTED	DOOR TO RESTROOM
21	SWING	3'-0"	7'-0"	1/2" X 4" SCHED. 40	PAINTED	DOOR TO RESTROOM
22	SWING	3'-0"	7'-0"	1/2" X 4" SCHED. 40	PAINTED	DOOR TO RESTROOM
23	SWING	3'-0"	7'-0"	1/2" X 4" SCHED. 40	PAINTED	DOOR TO RESTROOM
24	SWING	3'-0"	7'-0"	1/2" X 4" SCHED. 40	PAINTED	DOOR TO RESTROOM
25	SWING	3'-0"	7'-0"	1/2" X 4" SCHED. 40	PAINTED	DOOR TO RESTROOM
26	SWING	3'-0"	7'-0"	1/2" X 4" SCHED. 40	PAINTED	DOOR TO RESTROOM
27	SWING	3'-0"	7'-0"	1/2" X 4" SCHED. 40	PAINTED	DOOR TO RESTROOM
28	SWING	3'-0"	7'-0"	1/2" X 4" SCHED. 40	PAINTED	DOOR TO RESTROOM
29	SWING	3'-0"	7'-0"	1/2" X 4" SCHED. 40	PAINTED	DOOR TO RESTROOM
30	SWING	3'-0"	7'-0"	1/2" X 4" SCHED. 40	PAINTED	DOOR TO RESTROOM

ROOM FINISH		ROOM FINISH		ROOM FINISH		COMMENTS
ROOM #	NAME	FLOOR FINISH	BASE FINISH	WALL FINISH	CEILING FINISH	
1	RESTROOM	WOOD GRAB	WOOD GRAB	WOOD GRAB	WOOD GRAB	DOOR TO RESTROOM
2	RESTROOM	WOOD GRAB	WOOD GRAB	WOOD GRAB	WOOD GRAB	DOOR TO RESTROOM
3	RESTROOM	WOOD GRAB	WOOD GRAB	WOOD GRAB	WOOD GRAB	DOOR TO RESTROOM
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29	RESTROOM	WOOD GRAB	WOOD GRAB	WOOD GRAB	WOOD GRAB	DOOR TO RESTROOM
30	RESTROOM	WOOD GRAB	WOOD GRAB	WOOD GRAB	WOOD GRAB	DOOR TO RESTROOM

**LEGEND**

ROOM  
DOOR  
DOOR HANDLE  
DOOR SWING  
DOOR LOCK  
DOOR KEY  
DOOR KEY

**1.1**

**NORTH PARK VILLAGE BLDG. E**  
**FRANKIE FLAVZ**  
1200 AUBURN AVE., SUITE 300, McALLEN TEXAS

**AURIEL**  
INVESTMENTS  
100 E. NOLANA St., 130, McALLEN, TX. 78504 956-661-8888

ISSUES/REVISIONS  
REVISION 8.1.22

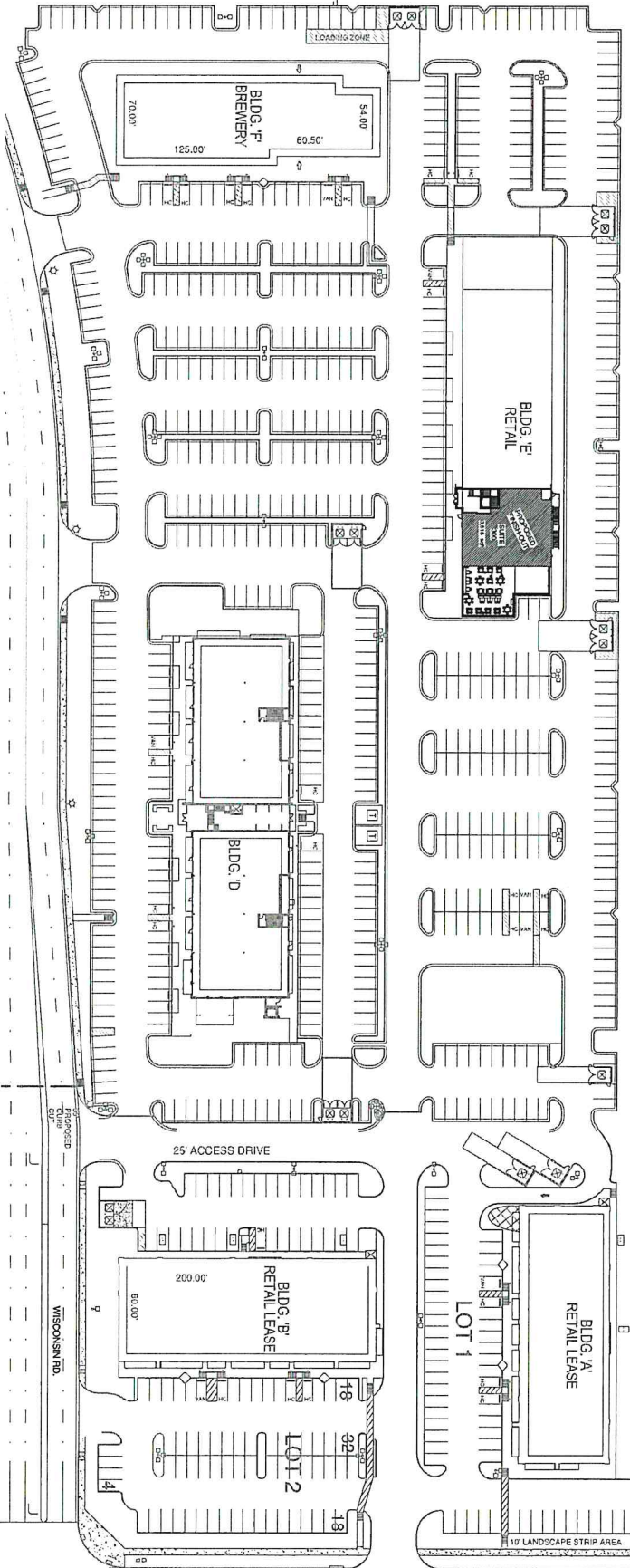
JFO. 3/5/24

## NORTH PARK VILLAGE

# FRANKIE FLAVZ'S CRAFT BURGER HOUSE

0TB6 North Park

1200 AUBURN AVE., SUITE 300  
MCALLEN TEXAS



① SITE PLAN  
1" = 40.0'

DATE: 7-1-22  
PROJECT: FRANKIE FLAVZ  
DRAWN BY: G.Z.  
CHECKED BY:  
FILE NAME:

SHEET  
0.0

**NORTH PARK VILLAGE BLDG. E  
FRANKIE FLAVZ**

1200 AUBURN AVE., SUITE 300, McALLEN TEXAS

**AURIEL**  
INVESTMENTS

100 E. NOLANA Ste. 130, McALLEN, TX. 78504 956-661-8888

ISSUES/REVISIONS





# COLD BEER

## DOMESTICS

BUD LIGHT  
BUDWEISER  
COORS LIGHT  
LONESTAR (CAN)  
MICHELOB ULTRA  
MICHELOB ULTRA GOLD  
MILLER LITE  
SHINER BOCK

## IMPORTS

MODELO  
NEGRA MODELO  
DOS XX  
CORONA EXTRA  
CORONA PREMIER  
HEINEKEN 0.0

## DRAFTS

BUD LIGHT  
BUDWEISER  
DOS XX  
MICHELOB ULTRA  
MICHELOB ULTRA GOLD  
MILLER LITE  
MODELO

## SPECIALTY DRINKS

### BLESS YOUR HEART

WESTERN SON BLUEBERRY VODKA, RASPBERRY  
LIQUEUR, K-HATED FUSION LIQUEUR, KWISSIT AND  
SOUR, TOPPED WITH FRESH BERRIES, GARNISHED  
WITH SHAVED COCAINER

### SOUTHERN PEACH

WESTERN SON PEACH VODKA, TERP & C  
PEACH PUNCH, SWEET TEA, TOPPED WITH  
PEACHES, GARNISHED WITH A LEMON WHEEL

### CUCUMBER REFRESHER *FM FAVORITE*

THIS IS HOMEMADE VODKA, FRESH LIME JUICE AND  
CUCUMBER PULP, DRESSED WITH TRIO, &  
GARNISHED WITH A CUCUMBER WHEEL

### LONESTAR LEMONADE

THIS IS HOMEMADE VODKA, LEMONADE, TOPPED WITH  
A POMEGRANATE FLAVORED TEXAS SHAPED ICE CUBE  
GARNISHED WITH A LEMON WHEEL

## HAPPY HOUR

MON-FRI FROM 11AM TO 7PM

\$2.50 DOMESTIC DRAFTS

\$3.50 IMPORT DRAFTS

\$5.00 PATRON

\$3.00 JAGER

\$3.00 FIREBALL

\$4.00 JAGER BOMBS

\$4.00 VEGAS BOMBS

\$3.00 WELLS

\$5.00 YOU CALL IT

\$7.00 MARGARITAS ALL FLAVORS

(WELL TEQUILA ONLY)

\$7.00 PINA COLADA

# OAK

## TEXAS BAR & GRILL

## DAILY SPECIALS

MON-FRI FROM 11AM TO 3PM

\*DINE-IN ONLY WITH PURCHASE OF A DRINK

MONDAY  
OAK WRAP \$5.99

TUESDAY (ALL DAY)  
BISTEC TACOS \$4.99

WEDNESDAY  
6 PIECE WINGS \$5.99

THURSDAY  
3/3 TACO WING COMBO \$6.99

FRIDAY  
BURGER & BREW \$5.99



## KIDS MENU

10 AND UNDER  
COMES WITH FRIES & DRINK

1 CHEESE QUESADILLA \$6.99

2 SLIDERS \$6.99

3 BONELESS WINGS \$6.99



20% GRATUITY WILL BE ADDED TO  
TABLES OF 6 OR MORE GUESTS  
AND BAR TABS OF \$100 OR MORE

## DESSERT

FRIED OREOS \$8.99

6 FRIED OREOS SERVED WITH A SCOOP  
OF VANILLA ICE CREAM

CHEESECAKE \$6.99

SLICE OF CHEESECAKE SERVED WITH  
STRAWBERRIES & WHIPPED CREAM



## LOCATIONS

MCALLEN UPTOWN 7001 N 10TH ST SUITE C MCALLEN, TX 78504

MCALLEN SOUTHTOWN 2011 S 10TH ST MCALLEN, TX 78503

WESLACO 313 S TEXAS BLVD WESLACO, TX 78596

BROWNSVILLE 3230 S PABLO KISEL BLVD SUITE E106-E107 BROWNSVILLE, TX 78526

FOLLOW US  
ON OUR SOCIAL NETWORKS



## APPETIZERS

### OAK SAMPLER \$13.99

STEP 1: CHOOSE 1  
BONELESS WING, TRADITIONAL WING, BUFFALO SHRIMP SLIDER  
STEP 2: CHOOSE 5  
MOZZARELLA STICK, FRIED PICKLES, ONION RINGS, CHEESE QUESADILLA, FRIES, CAULIFLOWER WINGS

### QUESADILLA \$8.99

FLOUR TORTILLA FILLED WITH CHEESE, MILD PEPPER & ONION. YOUR CHOICE OF CHICKEN, BISTEC OR FALSA. SERVED WITH A SIDE OF GUACAMOLE AND SALSA

### SLIDERS \$8.99

1 MINI BURGER ON HAWAIIAN BUNS, CHEDDAR CHEESE & HOUSE SAUCE. SERVED WITH RANCH AND A PICKLE SLURP

### CAULIFLOWER WINGS \$8.99

CAULIFLOWER COATED IN BEEF BUTTER AND LIGHTLY FRIED. CHOOSE YOUR FAVORITE SAUCE & SERVED WITH CELERY & CARROT STICKS



### GULF COAST AGUACHILES \$14.99

SHRIMP MARINATED IN GREEN SALSA, SERVED WITH SLICES OF CUCUMBER, ONION & CILANTRO

### CEVICHE \$10.99

FISH MARINATED IN LIME JUICE, TOMATO, CUCUMBER, CARROT, CILANTRO & ONION. SERVED WITH CHOICE OF CHIPS OR CRACKERS

### BUFFALO SHRIMP \$8.99

FRESH SHRIMP BREADED IN OUR HOMEMADE BUTTER, COATED IN BUFFALO SAUCE

### FRIED PICKLES \$8.99

FRESH CUT PICKLES BREADED IN OUR HOMEMADE BUTTER

### MOZZARELLA STICKS \$8.99

MOZZARELLA BREADED IN OUR HOMEMADE BUTTER, SERVED WITH HAWAIIAN SAUCE, TOPPED WITH PARMESAN CHEESE

### MEXICAN STREET CORN \$4.99

WAXY YELLOW CORN BROILED WITH MAYO, QUESO FRIED & CHILI POWDER

### CHIPS & SALSA \$4.99

HOMEMADE TOBILLO CHIPS & SPICY RED SALSA



## TEX-MEX SKILLETS

GRILLED MEAT OR CHICKEN PASTES ON A FOLDING SKILLET WITH SAUTIAED ONIONS & MILD PEPPERS. SERVED WITH A SIDE OF CHARD, BEANS, GUACAMOLE, YOUR CHIPS & YOUR CHOICE OF FUSION OR CORN TORTILLAS

### CHICKEN FAJITAS \$14.99

### BEEF FAJITAS \$16.99

### MIXED \$16.99

ADD GRILLED SHRIMP FOR \$4



## TACOS

### FAJI-GRINGAS \$12.99

BEEF FAJITA TACOS WITH MELTED MOZZARELLA CHEESE ON FLOUR TORTILLAS, SERVED WITH A SIDE OF GUACAMOLE, GRILLED ONIONS & RED SALSA

### TACOS A LA DIABLA \$11.99

Sauteed shrimp in salsa a la diablo, MOZZARELLA CHEESE ON CORN TORTILLAS, SERVED WITH DICED ONIONS, CILANTRO & LIME

### BISTEC TACOS \$9.99

GRILLED STEAK ON CORN TORTILLAS, SERVED WITH GRILLED ONIONS, CILANTRO, LIME & GREEN SALSA. \*ADD CHEESE & AVOCADO FOR \$1 EACH

### FISH TACOS \$9.99

FRIED FISH SERVED ON CORN TORTILLAS, TOPPED WITH SHREDDED CABBAGE, CARROTS & HOUSE SAUCE. \*ALSO AVAILABLE IN SHRIMP. \*GRILLED AVAILABLE UPON REQUEST

# OAK

## TEXAS BAR & GRILL



TRY OUR

## FAN FAVORITE

### TACO & WING COMBO \$9.99

CAN'T DECIDE WHAT YOU WANT? WHY NOT BOTH?



## BURGERS

### OAK HOUSE BURGER \$12.99

CHARBROILED ALL BEEF PATTY, ONION RING, CHEDDAR CHEESE TOPPED WITH BBQ SAUCE, SERVED ON A TOASTED BUN

### JALAPENO PEPPER JACK MELT \$10.99

CHARBROILED ALL BEEF PATTY TOPPED WITH GRILLED JALAPENOS, GRILLED ONION & PEPPER JACK CHEESE, SERVED ON A TOASTED BUN

### CLASSIC CHEESEBURGER \$9.99

CHARBROILED ALL BEEF PATTY, CHEDDAR CHEESE, LETTUCE, TOMATO, PICKLES SERVED ON TOASTED BUNS. \*ADD WHOLE JALAPENO FOR \$1



## WINGS

TRADITIONAL | BONELESS

6 PIECE \$8.99

12 PIECE \$14.99

18 PIECE \$19.99

### CHOOSE YOUR FLAVOR

BUFFALO  
LEMON PEPPER  
GARLIC PARMESAN  
MANGO HABANERO

BUFFALO PARMESAN  
HOUSE SAUCE  
BBQ

## SIDES

FRENCH FRIES  
SIDE SALAD  
ONION RINGS

CHARROS BEANS  
CHARROS LOCOS  
CELERY & CARROT STICKS

## SALADS

### SALMON SALAD \$12.99

GRILLED SALMON, LETTUCE, TOMATO, CUCUMBER, CARROTS & CROUTONS, TOPPED WITH SHREDDED CHEESE SERVED WITH YOUR CHOICE OF DRESSING

### BUFFALO CHICKEN SALAD \$10.99

GRILLED CHICKEN, LETTUCE, TOMATO, CUCUMBER, CARROTS & CROUTONS, TOPPED WITH SHREDDED CHEESE & RANCH DRESSING

### GRILLED CHICKEN SALAD \$10.99

GRILLED CHICKEN, LETTUCE, TOMATO, CUCUMBER, CARROTS & CROUTONS, TOPPED WITH SHREDDED CHEESE, SERVED WITH YOUR CHOICE OF DRESSING



## WRAPS & SANDWICHES

### OAK WRAP \$10.99

GRILLED CHICKEN, LETTUCE, TOMATO, SLICED SPINACH, AVOCADO, TOPPED WITH OUR HOUSE SAUCE, WRAPPED IN A SPINACH TORTILLA

### BUFFALO CHICKEN WRAP \$10.99

FRIED CHICKEN TENDER COATED IN BUFFALO SAUCE, LETTUCE, TOMATO & CHEESE TOPPED WITH OUR HOUSE SAUCE, WRAPPED IN A SPINACH TORTILLA

### BUFFALO CHICKEN SANDWICH \$10.99

FRIED CHICKEN BREAST COATED IN BUFFALO SAUCE, SERVED WITH PICKLES, RANCH & PEPPER JACK CHEESE

### CHICKEN SANDWICH \$9.99

FRIED OR GRILLED CHICKEN BREAST SERVED WITH LETTUCE, TOMATO & PICKLES, TOPPED WITH YOUR CHOICE OF SAUCE & CHEESE



### DRESSINGS

RANCH, HOUSE SAUCE, BLUE CHEESE & BALSAMIC VINAIGRETTE

Kids & Drink menu  
ON BACK SIDE

## Planning Department

### Memo

**TO:** Planning and Zoning Commission

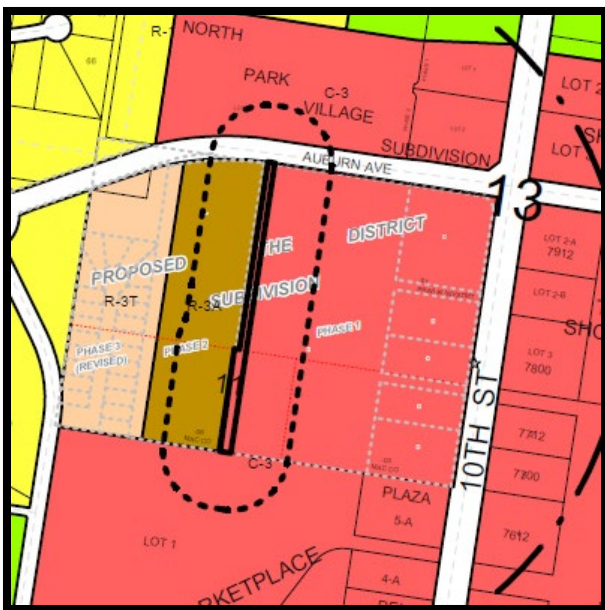
**FROM:** Planning Staff

**DATE:** March 18, 2024

**SUBJECT:** REZONE FROM C-3 (GENERAL BUSINESS) DISTRICT TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENTS) DISTRICT: 0.784 OF ONE ACRE OUT OF LOT 11, SECTION 13, HIDALGO CANAL COMPANY SUBDIVISION, AND OUT OF LOTS 6 AND 7, THE DISTRICT PHASE 1 SUBDIVISION, HIDALGO COUNTY, TEXAS; 7901 NORTH 10TH STREET (MID). (REZ2024-0017)

**LOCATION:** The property is located at the southwest corner of Auburn Avenue and North 10<sup>th</sup> Street. The subject property is a 0.784 part of one acre out of Lots 6 and 7 of The District Phase I Subdivision.

**PROPOSAL:** The applicant is requesting this rezoning in order to develop the tract of land for an apartment complex use. The subject property is currently part of The District Phase I Subdivision. However, the subject property is undergoing the re-platting process as part of a proposed multifamily development by the name of "The District Phase II Subdivision." A site plan for this proposed project has been submitted.



**ADJACENT ZONING:** Adjacent properties are zoned C-3 (general business) District to the east and south. There is also R-3A (multifamily apartment residential) District and R-3T (multifamily townhouse residential) District to the west.

**LAND USE:** The subject property is currently vacant. Surrounding land uses include commercial office, retail, and restaurant uses. There is also single-family residential uses to the northwest across Auburn Avenue.

**FUTURE LAND USE PLAN:** The Envision McAllen Future Land Use Plan designates the future land use for this property as Mixed-Use Nodes. This designation allows for a combination of high-density residential and nonresidential uses. The integration of small to large multifamily projects with neighborhood to community-scale commercial uses is considered most appropriate for this area.

**DEVELOPMENT TRENDS:** The development trend in this area of Auburn Avenue and North 10<sup>th</sup> Street is primarily commercial, with single to multifamily residential uses on the perimeters or interior tracts.

**HISTORY:** The tract was annexed into the City and initially zoned R-1 (single family residential) District on November 27, 1995. A rezoning request to C-3 District was approved by City Commission on January 9, 2006, and has remained the same since.

An application for a proposed subdivision under the name “The District Phase II” was submitted on November 11, 2021 and was approved in preliminary form by the Planning and Zoning Commission in January 2023. An application for a site plan review under the name of “The Emry at the District Subdivision” was submitted on December 11, 2023 and is underway. The application for this rezoning request was submitted on March 6, 2024.

**ANALYSIS:** The requested zoning and proposed use conforms to the future land use plan designation. A multifamily apartment residential project would also align with the existing high-density uses in the area.

The subdivision review and site plan review processes will be required prior to building permit issuance for any future developments in the property. Any future developments must also comply with the permitted and conditional uses of the designated zoning district.

Staff did not receive any phone calls, emails, or letters in opposition to the rezoning request.

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

# **EXHIBIT "A"**

Revised: February 05, 2024  
December 15, 2023

## **METES AND BOUNDS DESCRIPTION 0.784 OF ONE ACRE OUT OF LOT 11, SECTION 13 HIDALGO CANAL COMPANY SUBDIVISION. AND OUT OF LOTS 6 AND 7, THE DISTRICT PHASE I SUBDIVISION CITY OF McALLEN, HIDALGO COUNTY, TEXAS**

A tract of land containing 0.784 of one acre situated in the City of McAllen, Hidalgo County, Texas, being a part or portion out of Lot 11, Section 13, Hidalgo Canal Company Subdivision according to the plat thereof recorded in Volume "Q", Page 177, Hidalgo County Deed Records, and out of Lots 6 and 7, The District Phase I Subdivision, according to the plat thereof recorded in Instrument Number 3464751, Hidalgo County Map Records, said 0.784 of one acre also being more particularly described as follows:

BEGINNING at a No. 4 rebar set on the existing South right-of-way line of Auburn Avenue from which an iron pipe found bears S 81° 20' 28" E along the existing South right-of-way line of Auburn Avenue, a distance of 780.50 feet for the Northeast corner and POINT OF BEGINNING of this herein described tract;

1. THENCE, S 08° 39' 32" W at a distance of 659.99 feet pass the South line of said Lot 6 and the North line of said Lot 7, continuing a total distance of 1,023.33 feet to a No. 4 rebar set on the South line of said Lot 7, for the Southeast corner of this tract;
2. THENCE, N 81° 24' 18" W along the South line of said Lot 7, at distance of 24.50 feet pass the Southwest corner of said Lot 7 and the East line of a certain tract conveyed to Domain Development Corporation, a Texas corporation by virtue of a Special Warranty Deed with Vendor's Lien recorded under Document Numbers 3297479 and 3297480, Hidalgo County Official Records, continuing a total distance of 49.50 feet to a No. 4 rebar set, for the Southwest corner of this tract;
3. THENCE, N 08° 39' 32" E a distance of 363.39 feet to a No. 4 rebar set, for an outside corner of this tract;
4. THENCE, S 81° 21' 46" E a distance of 25.00 feet to a No. 4 rebar set at the Northwest corner of said Lot 7 and Southwest corner of said Lot 6, for an inside corner of this tract;
5. THENCE, N 08° 39' 32" E along the West line of said Lot 6, a distance of 659.99 feet to a No. 4 rebar set at the Northwest corner of said Lot 6, for the Northwest corner of this tract;
6. THENCE, S 81° 20' 28" E along the East line of said Lot 6 and existing South right-of-way of Auburn Avenue, a distance of 24.50 feet to the POINT OF BEGINNING and containing 0.784 of one acre of land, more or less.

AUBURN AVENUE  
80.0' R.O.W.

EXHIBIT "B"

S 81° 20' 28" E  
24.50'

P.O.B.

S 81° 20' 28" E  
780.50'

30.0' SOUTH TEXAS NATURAL GAS GATHERING Co.  
EASEMENT, VOLUME 1169, PAGE 111, H.C.D.R.

EASEMENT TO PUBLIC  
G.O.E. DOC. NO. 3451624,  
H.C.O.R.

10.00' UTILITY EASEMENT  
10.00' DRAINAGE EASEMENT  
15.00' UTILITY EASEMENT

NORTHEAST CORNER  
THE DISTRICT PHASE I  
SUBDIVISION

N-10th STREET  
R.O.W. VARIES

SCALE: 1"=100'

DOMAIN DEVELOPMENT CORP., A TEXAS CORPORATION  
S.W.D.W.V.L. DOC. NO. 3297479, H.C.O.R.  
DOMAIN DEVELOPMENT CORP., A TEXAS CORPORATION  
S.W.D.W.V.L. DOC. NO. 3297480, H.C.O.R.

N 08° 39' 32" E 659.99'

659.99'

10.00' UTILITY EASEMENT

10.00' UTILITY EASEMENT

LOT 6

S 08° 39' 32" W 1023.33'

10.00' UTILITY EASEMENT

LOT 7

THE DISTRICT PHASE I SUBDIVISION  
INSTRUMENT NUMBER 3464751, H.C.M.R.

### LEGEND

- FOUND PIPE
- SET No.4 REBAR WITH PLASTIC  
CAP STAMPED MELDEN & HUNT, INC
- R.O.W. - RIGHT OF WAY
- H.C.M.R. - HIDALGO COUNTY MAP RECORDS
- H.C.D.R. - HIDALGO COUNTY DEED RECORDS
- H.C.O.R. - HIDALGO COUNTY OFFICIAL RECORDS
- P.O.B. - POINT OF BEGINNING
- └─ LOT LINE

### NOTES:

1. SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR.
2. BEARING BASIS IS FROM THE IRON PIPE FOUND AT THE NORTHEAST CORNER OF THE DISTRICT PHASE I SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN INSTRUMENT NUMBER 3464751, HIDALGO COUNTY MAP RECORDS AND THE No. 4 REBAR SET AT THE NORTHEAST CORNER OF SUBJECT TRACT.
3. ALL BEARINGS AND DISTANCES AS PER TEXAS COORDINATE SYSTEM SOUTH ZONE 4205, GRID COORDINATES.
4. SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT WHICH MAY SHOW ADDITIONAL EASEMENTS AFFECTING THIS TRACT. THE SURVEYOR IS ADVISING THE RECIPIENT OF THIS PLAT THAT ADDITIONAL EASEMENTS MAY AFFECT THIS TRACT.
5. ELEVATION DATUM PER NAVD 88 (GEOID 2012B)

**PLAT SHOWING  
0.784 OF ONE ACRE  
OUT OF LOT 11, SECTION 13,  
HIDALGO CANAL COMPANY SUBDIVISION  
VOLUME "Q", PAGE 177, H.C.D.R.  
AND OUT OF LOTS 6 AND 7,  
THE DISTRICT PHASE I SUBDIVISION  
INSTRUMENT NUMBER 3464751, H.C.M.R.  
CITY OF McALLEN  
HIDALGO COUNTY, TEXAS**

I, ROBERTO N. TAMEZ, A REGISTERED PROFESSIONAL  
LAND SURVEYOR, DO HEREBY CERTIFY THE  
FOREGOING PLAT TO BE TRUE AND CORRECT  
REPRESENTATION OF A SURVEY MADE ON THE  
GROUND ON 12/01/22 UNDER MY DIRECTION  
AND SUPERVISION.

LOT 11  
SECTION 13  
HIDALGO CANAL COMPANY SUBDIVISION  
VOLUME "Q", PAGE 177, H.C.D.R.

N 08° 39' 32" E 363.39'

S 81° 21' 46" E  
25.00'



## Planning Department

### Memo

**TO:** Planning and Zoning Commission

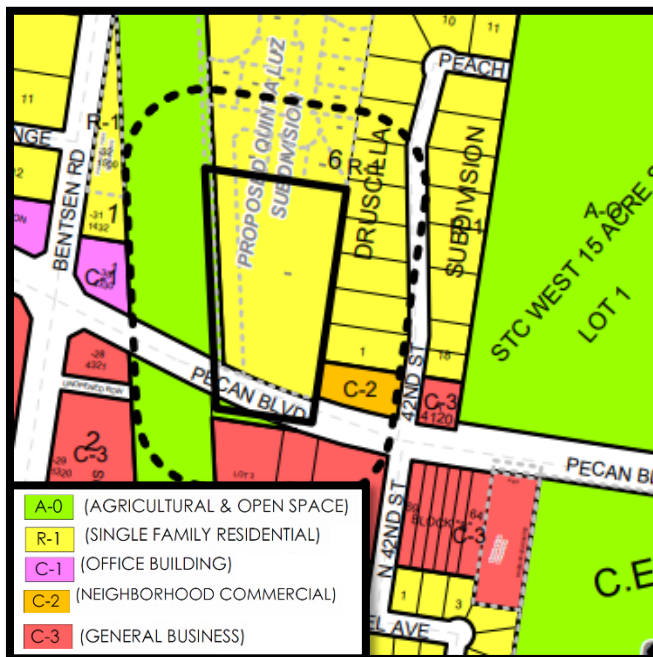
**FROM:** Planning Staff

**DATE:** February 19, 2024

**SUBJECT: REZONE FROM R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: 4.13 ACRES, MORE OR LESS, OUT OF THE WEST 9.80 ACRES OF LOT 6, BLOCK 2, C.E. HAMMOND'S SUBDIVISION, HIDALGO COUNTY, TEXAS; 4300 PECAN BOULEVARD. (REZ2024-0010)**

**LOCATION:** The subject property is located north of Pecan Boulevard, approximately 315 feet east of North Benson Road.

**PROPOSAL:** The applicant is requesting to rezone the southern portion of the property in order to operate a commercial use such as a restaurant or small event center. The northern portion of the tract will remain R-1 (single family residential) District. There are existing structures on the site. A feasibility plan has not been submitted yet.



**ADJACENT ZONING:** Adjacent properties are zoned R-1 District to the east and north, C-2 (neighborhood commercial) District to the southeast and A-O (agricultural and open space) District to the west.

**LAND USE:** The property is zoned R-1 District. Surrounding uses include single-family residences, Nikki Rowe High School, and commercial uses.

***FUTURE LAND USE PLAN:*** The Envision McAllen Future Land Use Plan designates the future land use for this property as Complete Communities. This future land use designation is considers single-family homes or small multifamily proposals. Less preferable uses include shopping center at a community scale, such as retail/restaurant uses.

***DEVELOPMENT TRENDS:*** The development trend along Pecan Blvd. is a mix of single to multifamily residential with commercial uses.

***HISTORY:*** A rezoning request from A-O District to C-3 (general business) District for this subject property was proposed in November 2013. However, the applicant requested to table the item on November 25, 2013. A conditional use permit for an event center proposed at this property was requested in January 2015 and was disapproved by the Planning and Zoning Commission on February 4, 2015.

***ANALYSIS:*** The requested zoning does conform to the future land use plan designation. However, the proposed use does not align with the future land use plan. The surrounding land use around the subject property are single family residences.

The subdivision review and site plan review processes may be required prior to building permit issuance for any future developments in the property. Any future developments must also comply with the permitted and conditional uses of the designated zoning district.

Staff did receive phone calls and letters in opposition to the rezoning request.

***RECOMMENDATION:*** Staff recommends disapproval of the rezoning request to C-3 (general business) District as it does not align with the development trend.

TBPLS 12100 PARK 35 CIRCLE BLDG. A, SUITE 156, MC-230, AUSTIN, TEXAS 78573 (512) 239-5263

VOL. 25, P. G. 191B, H. C. M. R.

### METES AND BOUNDS DESCRIPTION

BEING A 4.13 GROSS ACRES TRACT OF LAND, MORE OR LESS, CONSISTING OF THE WEST 98 ACRES OF LOT 6, BLOCK 2, C.E. HAMMOND'S SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER THE MAP ON PLAT THEREOF RECORDED IN VOLUME 21, PAGE 593, DEED RECORDS OF HIDALGO COUNTY, TEXAS; SAID 4.13 GROSS ACRES TRACT OF LAND BEING A PART OF ALL THE SAME LANDS AS SURVEYED ON THE GROUND BY PLINIO C. MEDINA, RPTS., W/O. NO. 32288, DATED 03/16/90; SAID 4.13 ACRES TRACT OF LAND IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 6 SAME BEING THE NORTHWEST CORNER OF SAID 9.80 ACRE TRACT; THENCE, AS FOLLOWS:

SOUTH 02 DEGREES 41 MINUTES 30 SECONDS EAST, COINCIDENT WITH THE WEST LINE OF SAID 9.80 ACRE TRACT SAME BEING THE WEST LINE OF SAID LOT 6, A DISTANCE OF 591.63 FEET TO A ½ INCH DIAMETER IRON ROD WITH YELLOW CAP MARKED "SEA 5782" SET FOR THE NORTHWEST CORNER AND **POINT OF BEGINNING** OF THIS HEREIN DESCRIBED TRACT;

(1) THENCE, SOUTH 81 DEGREES 36 MINUTES 00 SECONDS EAST, ALONG A LINE PARALLEL TO THE SOUTH LINE OF SAID LOT 6 AND SAID 9.80 ACRE TRACT, A DISTANCE OF 360.88 FEET TO A X 1/2 INCH DIAMETER IRON ROD WITH YELLOW CAP MARKED "SEA 5782" SET ON INTERSECTION WITH THE EAST LINE OF SAID 9.80 ACRE TRACT SAME LINE BEING THE WEST LINE OF DRUSCILLA SUBDIVISION (VOL. 19, PAGE 134, H.C.M.R.) FOR THE NORTHEAST CORNER OF THIS HEREIN DESCRIBED TRACT;

(2) THENCE, SOUTH 08 DEGREES 24 MINUTES AND 00 SECONDS, WEST, COINCIDENT WITH THE EAST LINE OF SAID 9.80 ACRE TRACT, AND THE WEST LINE OF SAID DRUSILLA SUBDIVISION, A DISTANCE OF 515.29 FEET; SET A 1/8 INCH DIAMETER IRON ROD WITH YELLOW CAP MARKED "SEA 5782" SET ON INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF PECAN BLVD. (AKA F.M. 495), AT A DISTANCE OF 593.85 FEET ALONG TO A POINT ON THE SOUTHEAST CORNER OF SAID 9.80 ACRE TRACT LOCATED WITHIN THE RIGHT-OF-WAY OF PECAN BLVD. (AKA F.M. 495) FOR THE SOUTHEAST CORNER OF THIS HEREIN DESCRIBED TRACT;

(3) THENCE, NORTH 81 DEGREES 36 MINUTES 00 SECONDS WEST, COINCIDENT WITH THE CORNER OF THIS TRACT DESCRIBED TRACT);

(4) THENCE, NORTH 02 DEGREES 41 MINUTES 30 SECONDS WEST, COINCIDENT WITH THE WEST LINE OF SAID LOT 6 AND SAID 9.80 ACRE TRACT, A DISTANCE OF 140.51 FEET PASS A 1/2 INCH DIAMETER IRON ROD WITH YELLOW CAP MARKED "SEA 5782" SET ON AN INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF SAID PECAN BLVD., AT A DISTANCE OF 605.46 FEET IN ALL TO THE POINT OF BEGINNING, CONTAINING 4.13 GROSS ACRES OF LAND, MORE OR LESS.

5.69 GROSS ACRES  
EXISTING R-1 ZONE  
(NOT A PART OF THIS SURVEY)

LOT 6, BLOCK 2  
C. E. HAMMOND'S  
SUBDIVISION  
VOL. 21, PG. 599,  
H. C. D. R.

BASIS OF BEARING: SAID MEDINA SURVEY  
N:\SUBDIVISION\PLATS\QUNTALUZ.SUB\REZOING.4.13.020624

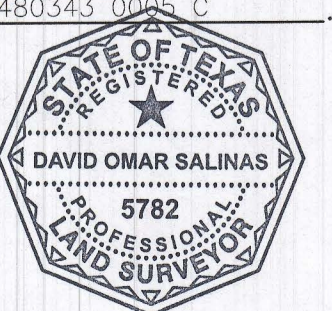
This is to certify that I have, this date, made a careful and accurate standard land survey on the ground of property which is located at 4300 PECAN BLVD. in McALLEN, Texas, described as follows: BEING A 4.13 GROSS ACRE TRACT OF LAND, MORE OR LESS, CONSISTING OF THE WEST 9.80 ACRES OF (SEE MAP AND SOUND RECORDATION)

(SEE METES AND BOUNDS DESCRIPTION)

Lot 6, Block 2, of C.E. HAMMOND'S SUBDIVISION HIDALGO CO.

Texas, according to the plat recorded in Volume 21, Pages 599, of the MAP Records of Hidalgo County, Texas. I further certify that this property lies in Zone "C" as per FIRM (Flood Insurance Rate Map) dated Nov. 02, 1982 Community Panel No. 480343 0005 C.

<u>A.E.</u>	
DRN. BY	
FEBRUARY 07, 2024	SP-23-25938
DATE	JOB NO.




REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5782



PZ meeting 3/5/24

We oppose the rezoning of this property from  
R1 to C3. 4.13 acres of Lot 6 Block 2, Hammurabi Subd.

756-369-5649 Terry & Beth Keelin 1313 No. 42nd St.  
756-221-2287 Gerardo & Cynthia Reyes 1405 N. 42nd St.  
956-330-3813 Sonia Longoria 1401 N. 42nd St.  
956-905-4889 Susie Casso 1413 N. 42nd St.  
956-648-7003 Arturo Band 1305 N. 42nd St.  
156-400-8883 Elva Gloria Medina 1409 N. 42nd St. 

756-212-0023 Robert & Patsy Herrera 1417 N. 42nd M'Allen  
Veronica & Jon Alford 1418 N. 42nd M'Allen  
756-638-7845 Edward Garza & Andiea 1308 N. 42nd M'Allen  
156-492-4140 Onnando Castro 4116 Peach Ave


MAR 04 2024

BY:

CW

P+Z meeting 3/5/24

We oppose the rezoning of this property from  
R1 to C3. 4.13 acres of Lot 6 Block 2, Hammurabi Subd.

756-369-5649 Terry & Beth Keelin 1313 No. 42nd St.  
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Veronica & Jon Alford 1418 N. 42nd McAllen  
756-638-7845 Edward Garza & Andica 1308 N. 42nd McAllen  
156-492-4140 Onnamberto Castro 4116 Peach Ave

MAR 04 2024

BY: 

## Planning Department

### Memo

**TO:** Planning and Zoning Commission

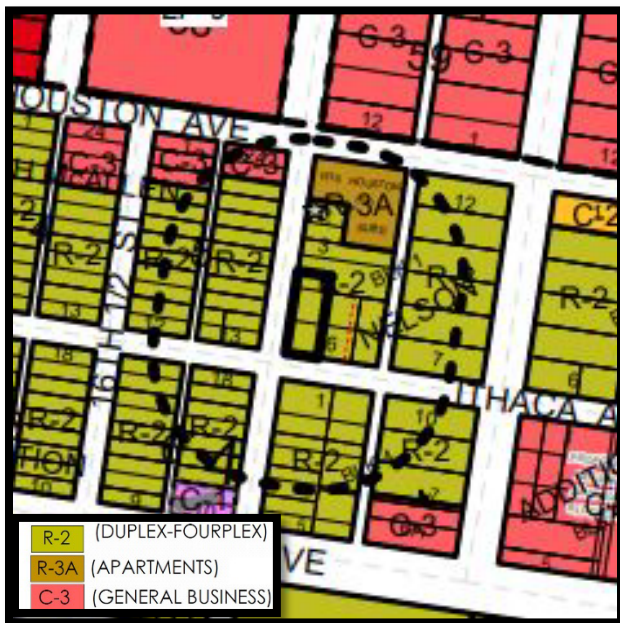
**FROM:** Planning Staff

**DATE:** March 25, 2024

**SUBJECT: REZONE FROM R-2 (DUPLEX-FOURPLEX RESIDENTIAL) DISTRICT TO R-3T (MULTIFAMILY RESIDENTIAL TOWNHOUSE) DISTRICT: THE WEST 50 FEET OF LOTS 5 AND 6, BLOCK 1 AND A TRACT OF LAND OUT OF LOT 4, BLOCK 1, NELSON'S ADDITION, HIDALGO COUNTY, TEXAS; 821 SOUTH 16<sup>TH</sup> STREET. (REZ2024-0015)**

**LOCATION:** The subject property is located at the northeast corner of Ithaca Avenue and South 16<sup>th</sup> Street. The tract consists of three partial lots with 125 feet of frontage along South 16<sup>th</sup> Street and a depth of 50 feet for a total area of 6,250 square feet.

**PROPOSAL:** The applicant is proposing to rezone the property to R-3T (multifamily residential townhouse) District in order to build a townhome.



**ADJACENT ZONING:** The adjacent zoning is R-2 (duplex-fourplex residential) District in all directions. There is R-3A (multifamily family residential apartments) and C-3 (general business) districts to the north along Houston Avenue.

**LAND USE:** There is a single family home on the north side of the subject property and the south side of the property is vacant. Surrounding land uses include single family homes, apartments and vacant properties.

**FUTURE LAND USE PLAN:** The Envision McAllen Future Land Use Plan designates the future land use category for this property as Downtown, which is intended for the higher density land uses to include residential, commercial, business and office uses. The general area is a mixed use environment consisting of apartments, McAllen City Hall, McAllen pregnancy center, Juanita's Flower Shop, Inter-tech Technical school and Primera Iglesia Bautista church. The most appropriate type of future development would include mixed-uses.

**DEVELOPMENT TRENDS:** The development trend for this area at South 16<sup>th</sup> Street and Ithaca Avenue consists of established single-family homes.

**HISTORY:** Nelson's Addition Subdivision was recorded on December 20, 1917. The subject property was zoned R-2 District during comprehensive zoning in 1979. There have been no other rezoning requests for the subject property since then.

A rezoning request for C-2 (neighborhood commercial) District at Lot 1, Block 2 was approved in February 2024 for a parking facility for McAllen pregnancy center, Nelson Addition Subdivision.

A rezoning request to C-3 (general business) District for 0.32 acres out of Lots 1 and 2 and the north one-half of Lot 3, Block 1, Nelsons Addition was disapproved however, alternatively approved for C-3L (light commercial) District in February 2010. A rezoning request for this same property to R-3A (multifamily residential apartments) District was approved in August 2013. A subdivision under the name of 1515 Houston was established and apartments were constructed.

**ANALYSIS:** The requested zoning conforms to the future land use designation as shown on the Envision McAllen Future Land Use Plan.

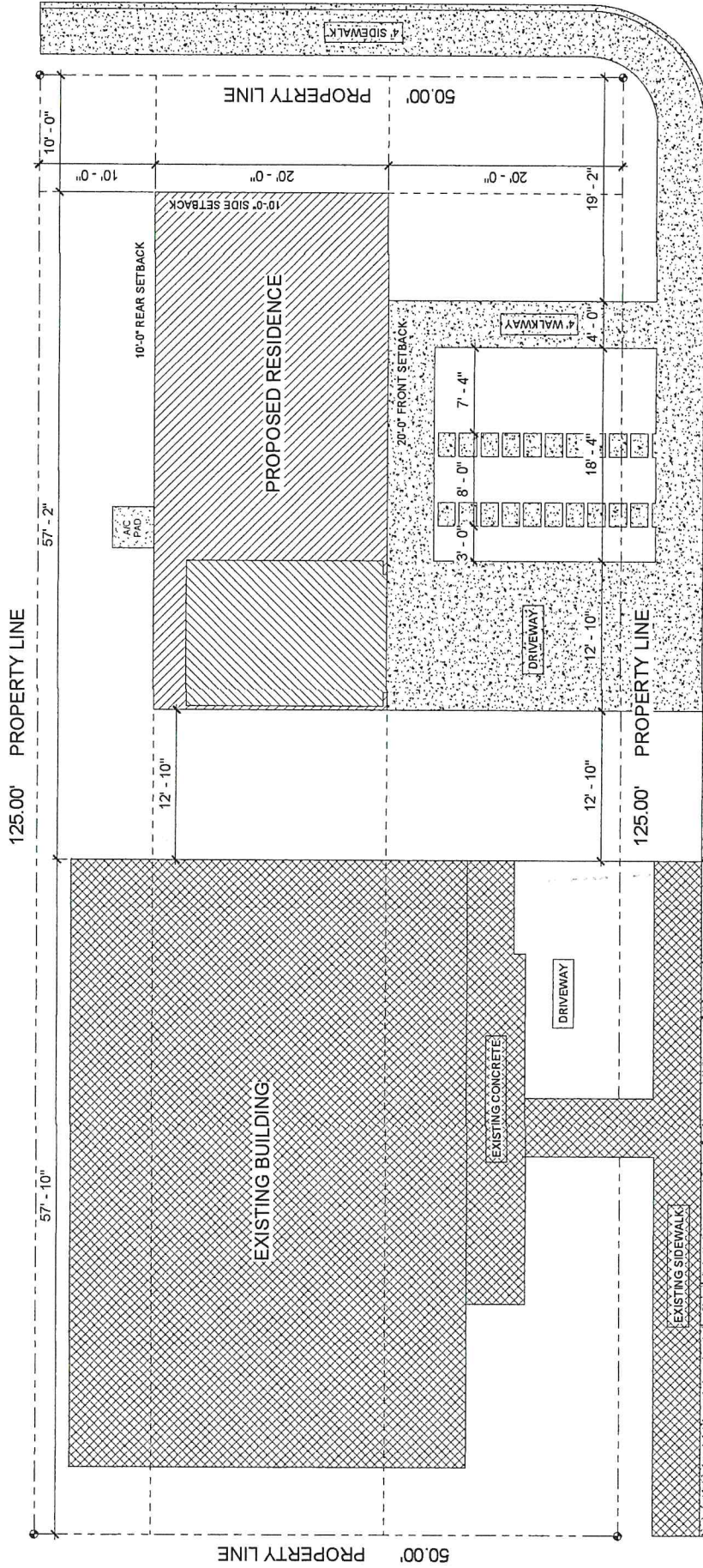
The applicant is requesting to rezone the property in order to establish townhouse use. Re-development requires a re-plat and may include dedication of additional right-of-way.

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

**RECOMMENDATION:** Staff recommends approval of the rezoning request to R-3T (multifamily residential townhouse) District since the proposed use will be compatible with the existing mix of uses in the general area and with potential for a higher mix in the future.

821 S. 16th ST  
McAllen, TX 78501

PROPOSED PLAN



S

THACA AVENUE

S 16TH STREET

W



# ART SALINAS

## ENGINEERING & SURVEYING

1524 DOVE AVENUE, McALLEN, TEXAS 78504 PH: (956) 618-5565 FAX: (956) 618-5540

ADJ. LAND OWNER INFO.  
OWNER: MAYRA G. DELGADILLO REYNA  
RECORDED: DOC. #2245788, O/R

**LOT 4**

**EAST 50.0'**

ADJ. LAND OWNER INFO.  
OWNER: MAYRA G. DELGADILLO REYNA  
RECORDED: DOC. #2245788, O/R

S. LINE OF LOT 4  
**LOT 4**  
**LOT 5**

S.W.C.  
LOT 4  
& POB

**BRICK RESIDENCE**

6,250 S.F.

POWER BOX

CONC. WALK

CHAIN LINK GATE

**STUCCO BUILDING**

**LOT 6**

### LEGEND

- - DENOTES FOUND 1/2" ROD
- - DENOTES SET 1/2" ROD
- - DENOTES FOUND 5/8" PIPE
- - DENOTES NO MONUMENT
- ROW - DENOTES RIGHT OF WAY
- BOC - DENOTES BACK OF CURB
- POB - DENOTES POINT OF BEGINNING

POWER POLE

CHAIN LINK FENCE

**ITHACA AVE.**

(40' ROW-VOL. 1, PG. 45, M/R)

**WEST 50.0'**

OVERHEAD POWER LINE

TRAFFIC SIGN

**NORTH**

**SOUTH**

**FLOOD ZONE DESIGNATION:** The property shown hereon lies in Zone C. Zone C areas are areas of "minimal flooding" and are not designated flood prone areas as per F.E.M.A. Flood Insurance Rate Map Panel Number 480343-0010-C dated 11-02-82.

#### PLAT NOTES:

- There are no discrepancies, conflicts, shortages in area or boundary lines, encroachments, overlapping of improvements or visible or apparent easements, except as shown on this plat.
- This survey plat is prepared in connection with Title Policy G.F. # 22-661 and does not guarantee title. This survey is for the exclusive use of the client named hereon and may not be copied or transferred to another party without the express written consent of the surveyor.
- This survey must contain an embossed seal and an original signature to be valid as per Section 661.46 and Section 663.19 of the "The Professional Land Surveying Practices Act".
- This is a standard survey and does not include the location or subsurface investigation of underground utility, irrigation and/or gas lines.
- Subject to City of McAllen rules and regulations.
- Subject to any oil, gas and mineral lease of record.
- Bearing Basis: "W. line of Lot 4, Block 1, Nelson's Addition"

**BORROWER(s):** De La Fuente Investments LLC, a Limited Liability Company

THIS IS TO CERTIFY THAT I HAVE, THIS DATE, PREPARED A SURVEY ON THE GROUND WHICH IS LOCATED AT 821 S. 16th ST. in McALLEN, TEXAS DESCRIBED AS FOLLOWS:





## Planning Department

### Memo

**TO:** Planning and Zoning Commission

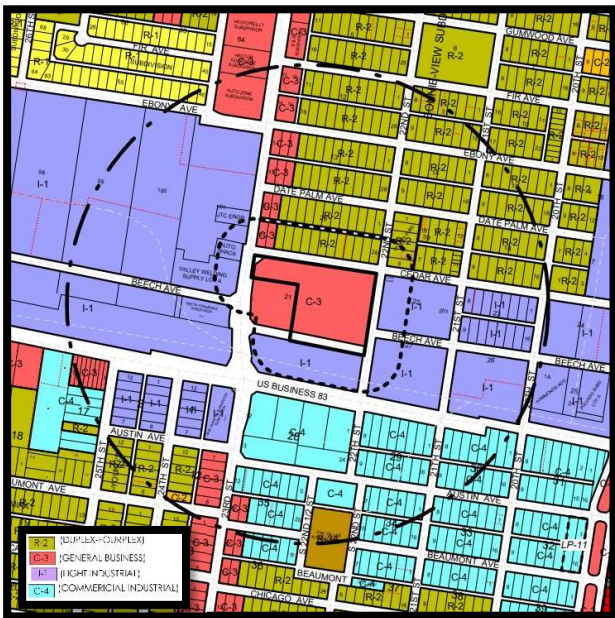
**FROM:** Planning Staff

**DATE:** March 25, 2024

**SUBJECT: REZONE FROM C-3 (GENERAL BUSINESS) DISTRICT TO I-1 (LIGHT INDUSTRIAL) DISTRICT: LOTS 1-9, GOSMAR SUBDIVISION, HIDALGO COUNTY, TEXAS; 2200, 2201, 2212, 2216, 2217, 2222, 2225, 2226 BEECH AVENUE, 2241 CEDAR AVENUE. (REZ2024-0016)**

**LOCATION:** The subject property is located along the south side of Cedar Avenue in between North 22<sup>nd</sup> Street and South 23<sup>rd</sup> Street.

**PROPOSAL:** The applicant is proposing to rezone the property to I-1 (light industrial) District in order to use the subject property for the future development of warehouses.



**ADJACENT ZONING:** The adjacent zoning is R-2 (duplex-fourplex residential) District to the north, C-3 (general business) District to the southwest and I-1 (light industrial) District in all the other directions.

**LAND USE:** The subject properties are currently vacant. Surrounding land uses include multifamily residential, McAllen Nuts and Bolt, LLC, Rio Valley Switching, McAllen Central Fire Station, Green Light Go, Airgas Store, Pow Wow Tobacco Accessories & Nvlt's., etc. Other uses include commercial industrial and light industrial.

**FUTURE LAND USE PLAN:** The Envision McAllen Future Land Use Plan designates the future land use category for this property as Mixed Use Corridors which is a land use designation for residential and nonresidential uses, putting housing nearby jobs and services, and specifically access to public transit options. These areas include nonresidential uses such as office, retail, industrial and other multifamily residential uses.

**DEVELOPMENT TRENDS:** The development trend for this area along Cedar Avenue and Beech Avenue is commercial and light industrial, with multifamily residential.

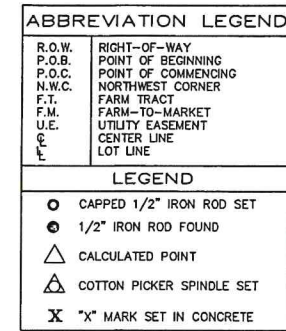
**HISTORY:** Gosmar Subdivision was recorded on September 25, 2023. The subject properties were zoned I-1 (light industrial) District during the comprehensive zoning in 1979. A rezoning request from I-1 (light industrial) to C-3 (office building) District was approved in 1992.

**ANALYSIS:** The requested zoning conforms to the future land use designation as shown on the Envision McAllen Future Land Use Plan. The proposed zoning aligns with the adjacent properties on the east, south, and west side.

A site plan review may be required prior to building permit issuance.

Staff has not received any phone calls in opposition to the zoning request.

**RECOMMENDATION:** Staff recommends approval of the rezoning request to I-1 (light industrial) District.



19. ONLY THE SOUTH 25' OF LOT 6 SHALL BE USED FOR CURB CUT/ACCESS FROM 23RD STREET.

ON: 9-25-2023 AT 2:18 AM/PM PM  
INSTRUMENT NUMBER 3486079  
OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS  
BY: [Signature] DEPUTY



"NOTICE"  
OF  
REZONING  
FOR  
THIS PROPERTY  
REZ2024-0016

## Memo

**TO:** Planning and Zoning Commission

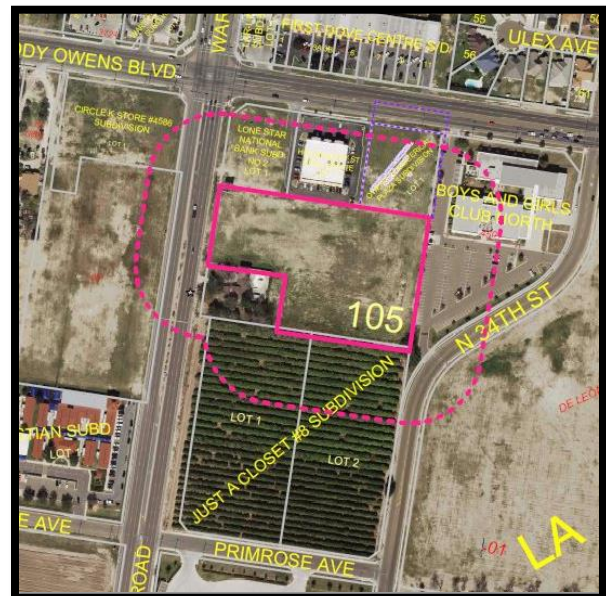
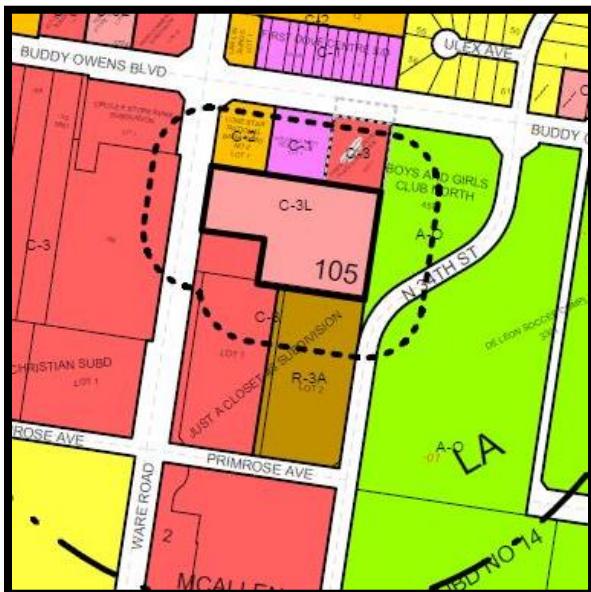
**FROM:** Planning Staff

**DATE:** March 7, 2024

**SUBJECT:** REZONE FROM C-3L (LIGHT COMMERCIAL) DISTRICT TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENTS) DISTRICT: 4.37 ACRE GROSS; 4.22 ACRE NET; TRACT OF LAND OUT OF LOT 105, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS; 4420 NORTH WARE ROAD. (REZ2024-0014)

**LOCATION:** The subject property is located along the east side of North Ware road, just south of Buddy Owens Boulevard and is currently zoned C-3L (light commercial) District.

**PROPOSAL:** The applicant is proposing to rezone the property to R-3A in order to develop the land for apartment use. No site plan or subdivision review has been submitted to the Planning Department at this time.



**ADJACENT ZONING:** Adjacent properties are zoned C-1 (office building) District, C-2 (neighborhood commercial) District, and C-3 (general business) Districts to the north, south and west, A-O District to the east and R-3A District to the south (City owned property)

**LAND USE:** The property is currently vacant. The surrounding land use includes Commercial, Open Space and Multifamily uses.

**FUTURE LAND USE PLAN:** The Envision McAllen Future Land Use Plan designates the future land use for this property as Mixed-Use Corridors. Multifamily projects with medium to high density are considered appropriate when there are other mixed-use buildings or shopping centers in the area. The intersection of Buddy Owens and North Ware Road has these uses making a multifamily (small to large) project appropriate for this area.

**DEVELOPMENT TRENDS:** The development trend for this area along North Ware Road is a mix of commercial, open space, and residential uses.

**HISTORY:** The application was submitted February 20, 2024.

**ANALYSIS:** The requested zoning and proposed use does conform to the future land use plan designation. Apartments are considered appropriate for this area.

The subdivision review and site plan review processes will be required prior to building permit issuance for any future developments in the property. Any future developments must also comply with the permitted and conditional uses of the designated zoning district.

There is a single-family use adjacent to the southwest portion of the property. As per Section 110-49, *"A masonry screen eight feet in height shall be required where a commercial, industrial or multifamily use has a side or rear property line in common with a single family use or zone. Where such use has 200 feet or less in common with any residential use or zone, the buffer shall be eight feet in height but may be cedar planks."* This requirement will apply if the property proposes a multifamily use adjacent to any single-family use or zone.

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

**RECOMMENDATION:** Staff recommends approval of the rezoning request to R-3A (multifamily residential apartments) District as is aligns with the current Zoning and Development trends along North Ware Road.

LEGEND	
●	- FND. 1/2" IRON ROD
○	- SET 1/2" IRON ROD W/PLASTIC CAP STAMPED "SAMES"
⊙	- POWER POLE
⊙	- LIGHT POLE
⊙	- WATER VALVE
⊙	- STORM DRAIN MANHOLE
⊙	- SANITARY SEWER MANHOLE
⊙	- CLEAN OUT
✱	- PALM TREE
—	- CMU FENCE LINE
—	- OVERHEAD ELECTRIC LINE
—	- CHAINLINK FENCE LINE
—	- WROUGHT IRON FENCE LINE
—	- CEDAR FENCE LINE
---	- EXIST. - EXISTING
---	- CONC. - CONCRETE
---	- ASPHALT
---	- CONCRETE
---	- U.E. - UTILITY EASEMENT
H.C.M.R.	- HIDALGO COUNTY MAP RECORDS
H.C.D.R.	- HIDALGO COUNTY DEED RECORDS
O.R.H.C.	- OFFICIAL RECORDS OF HIDALGO COUNTY
R.O.W.	- RIGHT OF WAY
FND.	- FOUND

#### SURVEY NOTES:

1. BASIS OF BEARING THE EAST RIGHT OF WAY LINE OF WARE ROAD, CONVEYED TO THE STATE OF TEXAS, AS PER DOCUMENT NUMBER 968223, OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS.
2. ALL COORDINATES, BEARINGS, AND DISTANCES, ARE BASED ON THE TEXAS COORDINATE SYSTEM (NAD 83), TEXAS STATE PLACES, SOUTH ZONE, US SURVEY FEET, GRID, BEARINGS AND DISTANCES SHOWN IN PARENTHESES ARE BASED ON RECORDED DOCUMENT.
3. ALL HORIZONTAL CONTROL ON THIS PROJECT WAS ESTABLISHED UTILIZING RTK GPS METHODS.
4. THE SURVEYOR DID NOT PREPARE AN ABSTRACT OF TITLE. TITLE WORK WAS FURNISHED BY STEWART TITLE GUARANTY COMPANY, UNDER OF NO. 2159507, AND TITLE COMMITMENT DATED EFFECTIVE OCTOBER 4, 2023. SURVEYOR ASSUMES NO LIABILITY FOR THE ACCURACY OF THE TITLE WORK FURNISHED.

#### THE FOLLOWING MATTERS AND ALL TERMS OF THE DOCUMENTS CREATING OR OTHERWISE EVIDENCE OF THE MATTERS:

5. SUBJECT TO THE SUBDIVISION RULES AND REGULATIONS OF THE COUNTY OF HIDALGO AND ORDINANCES OR GOVERNMENTAL REGULATIONS OF THE CITY IN WHICH THE PROPERTY MAY BE LOCATED OR HOLDING EXTRA TERRITORIAL JURISDICTION OF SAID PROPERTY.
6. SCHEDULE "D" ITEMS IN REFERENCED TITLE COMMITMENT.
7. RIGHT OF WAY EASEMENT DATED NOVEMBER 1, 1913, RECORDED IN VOLUME 33, PAGE 318, DEED RECORDS, HIDALGO COUNTY, TEXAS.
8. RIGHT OF WAY EASEMENT DATED JUNE 17, 1957, RECORDED IN VOLUME 891, PAGE 364, DEED RECORDS, HIDALGO COUNTY, TEXAS.
9. EASEMENT AGREEMENT FOR ACCESS DATED JANUARY 4, 2006, RECORDED UNDER CLERK'S FILE NO. 1568886, OFFICIAL RECORDS, AND CORRECTED IN INSTRUMENT DATED APRIL 3, 2006, RECORDED UNDER CLERK'S FILE NO. 1881195, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS.
10. EASEMENTS, RULES, REGULATIONS AND RIGHTS IN FAVOR OF HIDALGO COUNTY IRRIGATION DISTRICT NO. 1.
11. EASEMENTS AND RESERVATIONS AS MAY APPEAR UPON THE RECORDED MAP AND DEDICATION OF SAID SUBDIVISION.

I, LEO L. RODRIGUEZ, JR., CERTIFY THAT THIS PLAT REPRESENTS THE FACTS FOUND ON THE GROUND AT THE TIME OF SURVEY AND THAT THERE ARE NO VISIBLE OR APPARENT EASEMENTS, DISCREPANCIES, CONFLICTS, OR SHORTAGES IN AREA OR BOUNDARY LINES, OR ANY ENCROACHMENTS, OR OVERLAPPING OF IMPROVEMENTS OR VISIBLE EASEMENTS EXCEPT AS SHOWN ON THIS PLAT. NO SUBSURFACE UTILITIES OR SERVICE CONNECTIONS ARE SHOWN. © COPYRIGHT 2018 SAM ENGINEERING & SURVEYING. THIS SURVEY WAS PROVIDED IN MULTIPLE ORIGINALS SOLELY FOR THE BORROWER NAMED HEREON. IN CONJUNCTION WITH THE ORIGINAL TRANSACTION WHICH SHALL TAKE PLACE WITHIN 6 MONTHS AFTER THE SURVEY WAS PROVIDED. NO LICENSE HAS BEEN GRANTED OR IMPLIED COPY THIS SURVEY. SURVEY VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE.

02/07/24  
LEO L. RODRIGUEZ, JR. DATE  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 2448  
SHEET 1 OF 1: SURVEY PLAT



**P.O.C.**  
COMMON CORNER OF LOT 100,  
LOT 101, LOT 104, AND LOT 105,  
LA LOMITA IRRIGATION AND  
CONSTRUCTION COMPANY'S  
SUBDIVISION,  
VOL. 24, PG. 68, H.C.M.R.  
N: 16616112.4611  
E: 1064760.7100

**P.O.B.**  
SET 1/2" IRON ROD WITH BLUE  
PLASTIC CAP STAMPED "SAMES"  
N: 16615809.5268  
E: 1064775.0648

LOT 1,  
JUST A CLOSET #8 SUBDIVISION,  
DOCUMENT NUMBER 3405726  
H.C.M.R.  
OWNER NAME: JUST A CLOSET #8 LLC

**GENERAL NOTES:**  
ADDRESS: N WARE ROAD, MCALLEN, TEXAS 78504  
SURVEYED: JANUARY 30, 2023  
REQUESTED BY: ALISSA FLORES - MADHOUSE DEVELOPMENT SERVICES  
PROPOSED BORROWER: MADHOUSE DEVELOPMENT, INC.  
FLOOD ZONE DESIGNATION: "ZONE C" - AREAS OF MINIMAL FLOODING.  
COMMUNITY-PANEL NUMBER: 460343 0005 C  
MAP REVISED: NOVEMBER 2, 1982

4.37 (190,501.08 SQ. FT.) ACRE GROSS;  
4.22 (184,006.16 SQ. FT.) ACRE NET;  
TRACT OF LAND OUT OF LOT 105,  
LA LOMITA IRRIGATION AND  
CONSTRUCTION COMPANY'S SUBDIVISION,  
VOL. 24, PG. 68,  
H.C.M.R.

**PLAT SHOWING**  
4.37 (190,501.08 SQ. FT.) ACRE GROSS; 4.22 (184,006.16 SQ. FT.) ACRE NET; TRACT OF LAND OUT OF LOT 105, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY'S SUBDIVISION, AS PER MAP OR PLAT THEREOF RECORDED IN VOLUME 24, PAGE 68, MAP RECORDS OF HIDALGO COUNTY, TEXAS.



**SAMES**  
200 S. 10TH STREET, SUITE 1500 TEL: (956) 702-8860  
MCALLEN, TEXAS 78501 FAX: (956) 702-8863  
SUBSET FIRM REG. NO. 101616-00  
[RENEWED TO 11/2024] [RENEWED TO 11/2024] [RENEWED TO 11/2024]



# Villas at Primrose

Site Location Map

## Legend

-  Site Location Boundaries
-  Villas at Primrose



Google Earth

Image Landsat / Copernicus



NOTICE  
REZONING  
FOR  
THIS PROPERTY  
REZ 2024-0014



City of McAllen

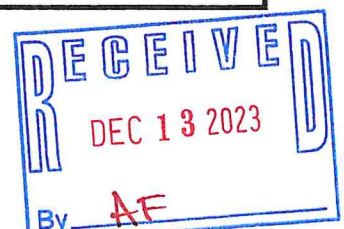
SUB2023-039

## Planning Department

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

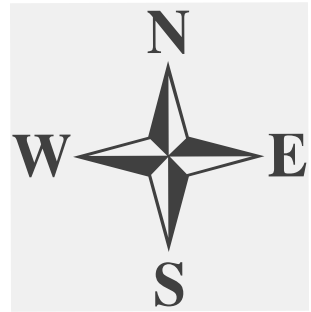
### SUBDIVISION PLAT REVIEW APPLICATION

Project Information	Subdivision Name	<u>Replat of Lot 2, Sharyland Business Park No. 11</u>		
	Legal Description	<u>Being all of lot 2, Sharyland Business Park No. 11 Sub. As per map or plat thereof record in Doc. No. 343406 of the official records H.C.T.</u>		
	Location	<u>S. Shary Rd. and Honduras Ave.</u>		
	City Address or Block Number	<u>5501 Honduras Avenue</u>		
	Total No. of Lots	<u>3</u>	Total Dwelling Units	_____
	Gross Acres	<u>25.96</u>	Net Acres	_____
	<input checked="" type="checkbox"/> Public Subdivision/ <input type="checkbox"/> Private and Gated / <input type="checkbox"/> Private but Not Gated within ETJ: <input type="checkbox"/> Yes/ <input checked="" type="checkbox"/> No			
	For Fee Purposes: <input checked="" type="checkbox"/> Commercial ( <u>25.97</u> Acres)/ <input type="checkbox"/> Residential ( _____ Lots) Replat: <input checked="" type="checkbox"/> Yes/ <input type="checkbox"/> No			
	Existing Zoning <u>1-2</u> Proposed Zoning _____ Applied for Rezoning <input type="checkbox"/> No/ <input type="checkbox"/> Yes: Date _____			
	Existing Land Use <u>Industrial</u> Proposed Land Use <u>Industrial</u>			
Owner	Irrigation District # <u>HCID #19</u> Water CCN: <input checked="" type="checkbox"/> MGPU/ <input type="checkbox"/> Sharyland Water SC Other _____			
	Agricultural Exemption: <input type="checkbox"/> Yes/ <input type="checkbox"/> No Parcel # _____			
	Estimated Rollback Tax Due _____ Tax Dept. Review _____			
	Name	<u>M &amp; S ESTATE, LTD</u>	Phone	_____
Developer	Address	<u>3504 Santa Laura</u>	E-mail	_____
	City	<u>Mission</u>	State	<u>Texas</u> Zip <u>78572</u>
	Name	<u>M &amp; S Estate, LTD</u>	Phone	_____
	Address	<u>3504 Santa Laura</u>	E-mail	_____
Engineer	City	<u>Mission</u>	State	<u>Texas</u> Zip <u>78572</u>
	Contact Person	_____		
	Name	<u>Victor H. Trevino</u>	Phone	<u>(956) 424-3132</u>
	Address	<u>900 S. Stewart Rd. STE 13</u>	E-mail	_____
Surveyor	City	<u>Mission</u>	State	<u>Texas</u> Zip <u>78572</u>
	Contact Person	_____		
	Name	<u>Victor H. Trevino</u>	Phone	<u>(956) 424-3132</u>
	Address	<u>900 S. Stewart Rd. STE 13</u>	E-mail	_____
	City	<u>Mission</u>	State	<u>Texas</u> Zip <u>78572</u>



SHARY RD

LOCATION



HONDURAS AVE

HONDURAS AVE

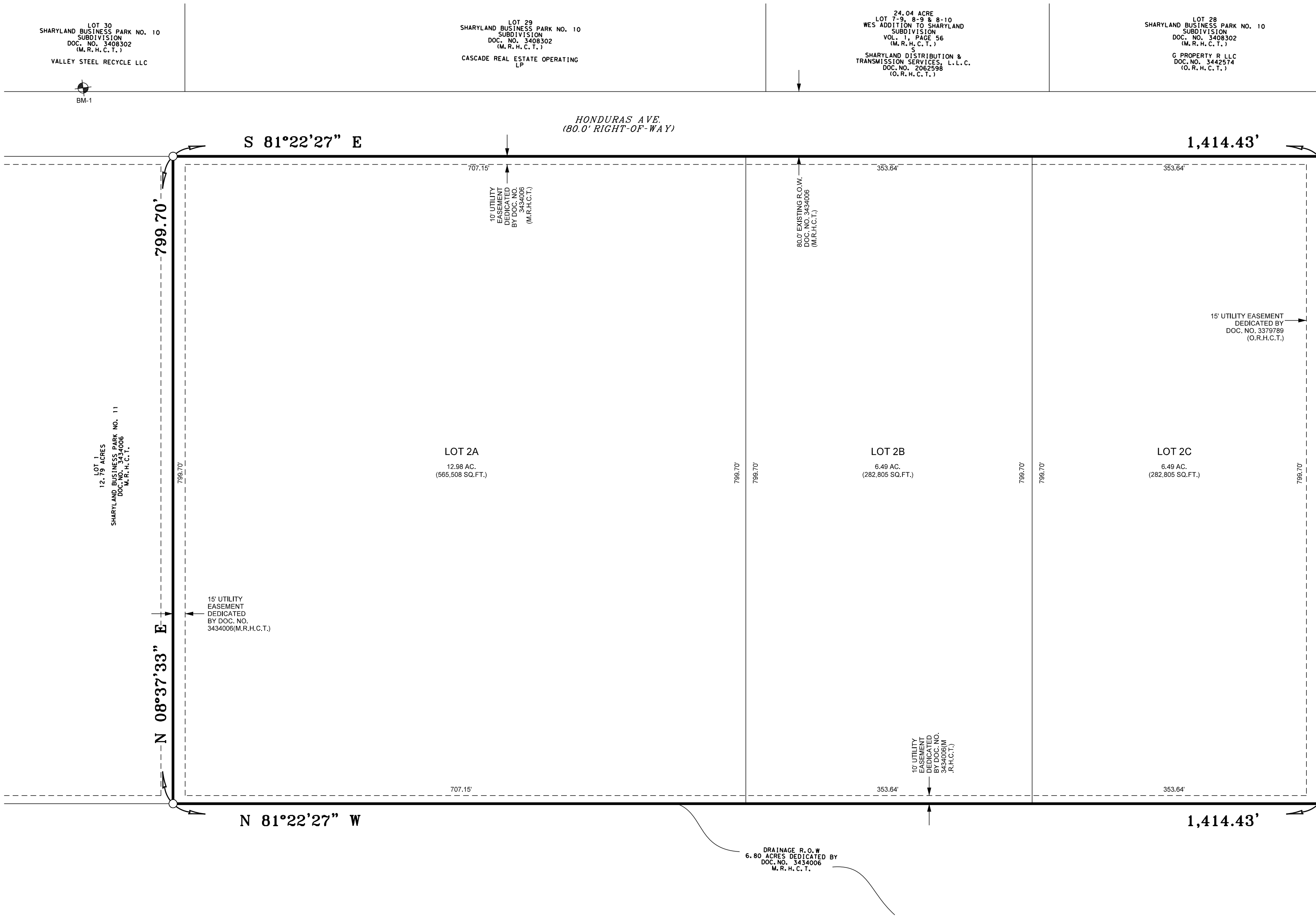
**PROPOSED SHARYLAND**

LOT 1

LOT 2

**BUSINESS PARK SUBD NO 11**

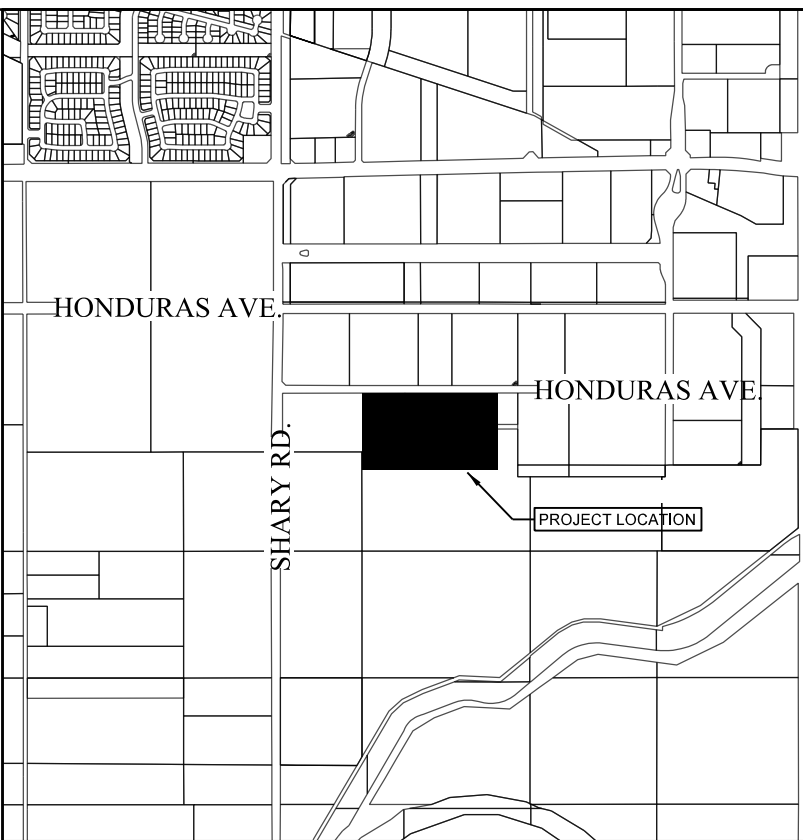
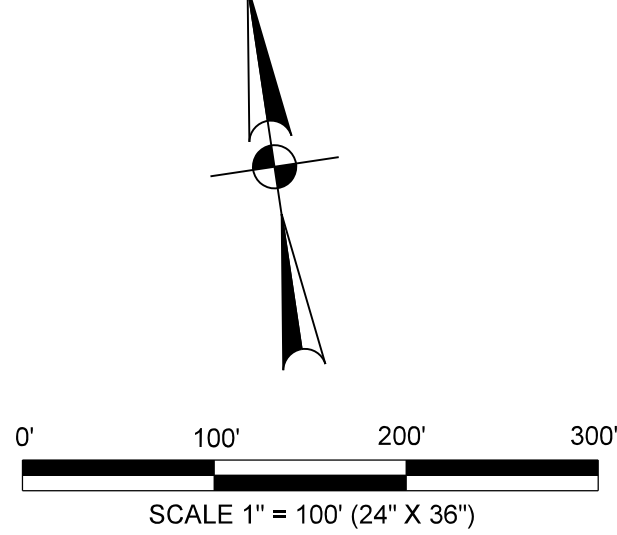
DRAINAGE R-O-W



P.O.B.  
N.E. CORNER  
LOT 12  
SHARYLAND BUSINESS  
PARK NO. 11

P.O.B.  
N.E. CORNER  
LOT 12  
SHARYLAND BUSINESS  
PARK NO. 11

- LEGEND:**
- SET # 5/8" IRON ROD WITH PLASTIC CAP STAMPED "TOWNS PROP. COR."
  - FOUND IRON ROD WITH PLASTIC CAP STAMPED "TOWNS PROP. COR." UNLESS OTHERWISE NOTED
  - OFFICIAL RECORDS HIDALGO COUNTY TEXAS
  - MAP RECORDS HIDALGO COUNTY TEXAS
  - DEED RECORDS HIDALGO COUNTY TEXAS
  - RIGHT-OF-WAY HIDALGO COUNTY DRAINAGE DISTRICT



LOCATION MAP  
SCALE 1" : 2000'

#### OWNER ACKNOWLEDGMENT

STATE OF TEXAS  
COUNTY OF HIDALGO

I, WE, THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS THE MCALLEN NEAR-SHORE INDUSTRIAL PARK SUBDIVISION OF THE CITY OF MCALLEN, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINAGE, 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.

M & S ESTATE, LTD. (OWNER) \_\_\_\_\_ DATE \_\_\_\_\_  
3504 SANTA LAURA  
MISSION, TX 78572

GCS GROUP, LLC. (OWNER) \_\_\_\_\_ DATE \_\_\_\_\_  
1801 TEXAS ROAD  
HIDALGO, TX 78567

STATE OF TEXAS  
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED M & S ESTATE, LTD. KNOWN TO ME TO BE THE PERSONS WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS \_\_\_\_ DAY OF \_\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC

#### GENERAL NOTES

- FLOOD ZONE DESIGNATION: ZONE "B" ARE AREAS BETWEEN LIMITS OF THE 100-YEAR FLOOD AND 500-YEAR FLOOD; OR CERTAIN AREAS SUBJECT TO 100-YEAR FLOODING WITH AVERAGE DEPTHS LESS THAN ONE (1) FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN ONE SQUARE MILE; OR AREAS PROTECTED BY LEVEES FROM THE BASE FLOOD. COMMUNITY PANEL NO.: 480334 0400 C EFFECTIVE DATE: NOVEMBER 16, 1982.
- CITY OF MCALLEN BENCHMARK "NC 5P" FROM THE CITY OF MCALLEN G.P.S. REFERENCE MARKS LIST LOCATED AT THE SOUTHWEST INTERSECTION OF F.M. 1016 AND 74TH ROAD ELEVATION = 102.29 FEET (NAVD83).
- BM1 SQUARE CUT ON AN EXISTING CURB INLET AT THE NORTH RIGHT-OF-WAY OF HONDURAS AVENUE ELEV=103.78
- MINIMUM BUILDING SETBACK LINES SHALL BE: FRONT: IN ACCORDANCE WITH ZONING ORDINANCE, OR GREATER FOR EASEMENTS OR APPROVED SITE PLAN, OR IN LINE WITH AVERAGE SETBACK, WHICHEVER IS GREATER APPLIES. REAR: IN ACCORDANCE WITH ZONING ORDINANCE, OR GREATER FOR EASEMENTS OR APPROVED SITE PLAN, WHICHEVER IS GREATER APPLIES. SIDES: IN ACCORDANCE WITH ZONING ORDINANCE, OR GREATER FOR EASEMENTS OR APPROVED SITE PLAN, WHICHEVER IS GREATER APPLIES. CORNER: IN ACCORDANCE WITH ZONING ORDINANCE, OR GREATER FOR EASEMENTS OR APPROVED SITE PLAN, WHICHEVER IS GREATER APPLIES.
- MINIMUM FINISH FLOOR NOTE: MINIMUM FINISH FLOOR ELEVATION SHALL BE 18" ABOVE TOP OF CURB AT CENTER OF LOT OR \_\_\_\_\_, WHICHEVER IS GREATER.
- NO BUILDING SHALL BE CONSTRUCTED OVER ANY EASEMENT.
- IN ACCORDANCE WITH THE HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 AND HIDALGO COUNTY REQUIREMENTS, THE DETENTION REQUIRED HAS ALREADY BEEN CONSIDERED AND PROVIDED BY SHARYLAND BUSINESS PARK NO. 11 SUBDIVISION AS DESCRIBED IN DOCUMENT NUMBER 340302, MAP RECORDS HIDALGO COUNTY, TEXAS.
- ALL CURB CUTS SHALL COMPLY WITH THE TRANSPORTATION ELEMENT OF THE CITY OF MCALLEN COMPREHENSIVE PLAN.
- DRIVEWAY LOCATIONS SHALL COMPLY WITH THE CITY OF MCALLEN AND TxDOT'S ACCESS MANAGEMENT POLICY.
- 5.5 FT. WIDE MINIMUM SIDEWALK REQUIRE ALONG HONDURAS AVENUE.
- COMMON AREAS, AND SERVICE DRIVES MUST BE MAINTAINED BY THE LOT OWNERS AND NOT THE CITY OF MCALLEN.
- SOLID WASTE DELIVERY REQUIREMENTS SHALL BE IMPOSED BY THE CITY OF MCALLEN'S SOLID WASTE ORDINANCE AT THE TIME OF APPLICATION FOR BUILDING PERMITS.
- A MINIMUM 24 FT. PRIVATE SERVICE DRIVE EASEMENT WILL BE ESTABLISHED AS PART OF THE SITE PLAN AND WILL BE MAINTAINED BY THE LOT OWNERS AND NOT THE CITY OF MCALLEN.
- ALL IMPROVEMENTS SHALL BE MADE IN ACCORDANCE WITH THE MCALLEN SUBDIVISION ORDINANCE REQUIREMENTS
- 6 FOOT OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTIFAMILY RESIDENTIAL AND COMMERCIAL, AND INDUSTRIAL ZONESUSES.
- A 25 FOOT X 25 FOOT SIGHT OBSTRUCTION EASEMENT SHALL BE PROVIDED AT ALL STREET INTERSECTIONS.
- ALL IMPROVEMENTS SHALL BE MADE IN ACCORDANCE WITH THE MCALLEN SUBDIVISION ORDINANCE REQUIREMENTS

#### ENGINEER AND SURVEYOR CERTIFICATE

STATE OF TEXAS  
COUNTY OF HIDALGO

KNOW ALL MEN BY THESE PRESENTS:

I, VICTOR H. TREVINO, A REGISTERED PROFESSIONAL ENGINEER LICENSED TO PRACTICE IN THE STATE OF TEXAS, LICENSE NUMBER 128195, DO HEREBY CERTIFY THAT THIS PLAT HAS BEEN GIVEN PROPER AND ADEQUATE ENGINEERING CONSIDERATION.

VICTOR H. TREVINO, P.E.  
LICENSED PROFESSIONAL ENGINEER,  
TEXAS U.C. NO. 128195

#### HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

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 46.21(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 THEIR DETERMINATIONS.

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

RAUL E. SESIN, P.E., C.F.M. \_\_\_\_\_ DATE \_\_\_\_\_

#### CITY OF MCALLEN

STATE OF TEXAS  
COUNTY OF HIDALGO

KNOW ALL MEN BY THESE PRESENTS:

I, VICTOR H. TREVINO, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE AND PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND ON \_\_\_\_\_ UNDER MY DIRECTION.

VICTOR H. TREVINO, R.P.L.S.  
REG. PROFESSIONAL LAND SURVEYOR # 6965  
ROW SURVEYING SERVICES FIRM # 1010388

CERTIFICATION BY THE CHAIRMAN OF THE COMMISSION

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

CHAIRMAN, PLANNING AND ZONING COMMISSION

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

CERTIFICATION OF THE MAYOR OF THE CITY OF MCALLEN

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

MAYOR, CITY OF MCALLEN

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

#### HIDALGO COUNTY WATER & IMPROVEMENT DISTRICT NO. 19 CERTIFICATE

HIDALGO COUNTY WATER & IMPROVEMENT DISTRICT NO. 19 CERTIFICATION

THIS PLAT APPROVED BY HIDALGO COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 19 ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_

HIDALGO COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 19 WILL NOT BE RESPONSIBLE FOR DRAINAGE OR DELIVERY OF WATER TO ANY LOT IN THIS SUBDIVISION, ALSO THERE WILL NOT BE ANY PERMANENT STRUCTURES ON THE DISTRICT RIGHT-OF-WAYS AND/OR EASEMENTS.

NO IMPROVEMENT OF ANY KIND SHALL BE PLACED UPON THE HOWARD NO. 19 RIGHT OF WAY OR EASEMENTS WITHOUT THE EXPRESSED WRITTEN PERMISSION OF HOWARD NO. 19.

OSCAR GONZALEZ  
PRESIDENT

ANDRES GONZALEZ  
SECRETARY



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

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

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

DATE OF PREPARATION: 12/11/2023

#### LOT LAYOUT SHARYLAND BUSINESS PARK NO. 11A SUBDIVISION

BEING ALL OF LOT 2, SHARYLAND BUSINESS PARK NO. 11 SUBDIVISION, AS PER MAP OR PLAT THEREOF RECORDED IN DOCUMENT NUMBER 340306, OF THE OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS.



PAGE

1

#### PRINCIPAL CONTACTS:

	NAME	ADDRESS	CITY & ZIP	PHONE	FAX
OWNER:	M & S ESTATE, LTD	3504 SANTA LAURA	MISSION TEXAS 78572	(956) 000-0000	
ENGINEER:	VICTOR TREVINO, P.E.	900 S. STEWART RD., STE. 13	MISSION, TEXAS 78572	(956) 424-3335	(956) 424-3132
SURVEYOR:	VICTOR TREVINO, R.P.L.S.	900 S. STEWART RD., STE. 13	MISSION, TEXAS 78572	(956) 424-3335	(956) 424-3132

SOUTH TEXAS INFRASTRUCTURE GROUP  
900 S. STEWART, SUITE 13  
MISSION, TEXAS 78572  
PH: (956) 424-3335  
FAX: (956) 424-3132  
TBP REG. # 15000



# City of McAllen

## SUBDIVISION PLAT REVIEW

Reviewed On: 1/5/2024

### SUBDIVISION NAME: SHARYLAND BUSINESS PARK NO. 11A

#### REQUIREMENTS

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

Honduras Ave: 80 ft. ROW dedication  
Paving: 52 ft. Curb & gutter: Both Sides  
Revisions needed:  
- Submitted plat depicts 80 ft. existing ROW. Provide a copy of the referenced document for staff review prior to final/recording.  
\*\* At the Planning and Zoning Commission meeting of April 5th, 2022, the proposed subdivision to the north under the name of Sharyland Business park No. 10 received a variance (VAR2022-0005) to provide 44ft. of pavement width in lieu of 52ft with 80 ft. of ROW.  
\*\*\*\*Subdivision Ordinance: Section 134-105  
\*\*\*\*Monies must be escrowed if improvements are required prior to recording  
\*\*\*\*COM Thoroughfare Plan

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

\* 1,200 ft. Block Length  
- A variance (VAR2022-0029) for the block length requirement was approved administratively for Sharyland Business Park No. 11 on 10/03/2022. The proposed subdivision is a replat of Lot 2, Sharyland Business Park No. 11. The approved variance for the original subdivision will be honored.  
\*\*Subdivision Ordinance: Section 134-118

\* 900 ft. Block Length for R-3 Zone Districts \_\_\_\_\_  
\*\*Subdivision Ordinance: Section 134-118

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

Required

Applied

Applied

NA

NA

##### ALLEYS

ROW: 20 ft. Paving: 16 ft.  
\*Alley/service drive easement required for commercial properties.  
- Proposing plat note #12: A minimum 24 ft. private service drive easement will be established as part of the site plan and will be maintained by the lot owners and not the City of McAllen.  
\*\* The subdivision is a proposed replat of Lot 2, Sharyland Business Park No. 11 Subdivision; therefore, all originally recorded plat notes will apply.  
\*\*Subdivision Ordinance: Section 134-106

Applied

##### SETBACKS

\* Front: In accordance with zoning ordinance, or greater for easements or approved site plan, or in line with average setback, whichever is greater applies.  
Revisions needed:  
\*\*Zoning Ordinance: Section 138-356 & 138-367  
\*\* The subdivision is a proposed replat of Lot 2, Sharyland Business Park No. 11 Subdivision; therefore, all originally recorded plat notes will apply.

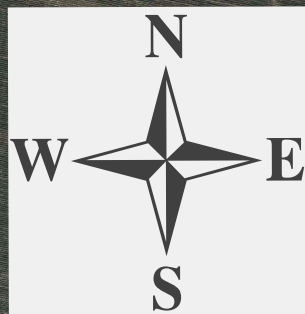
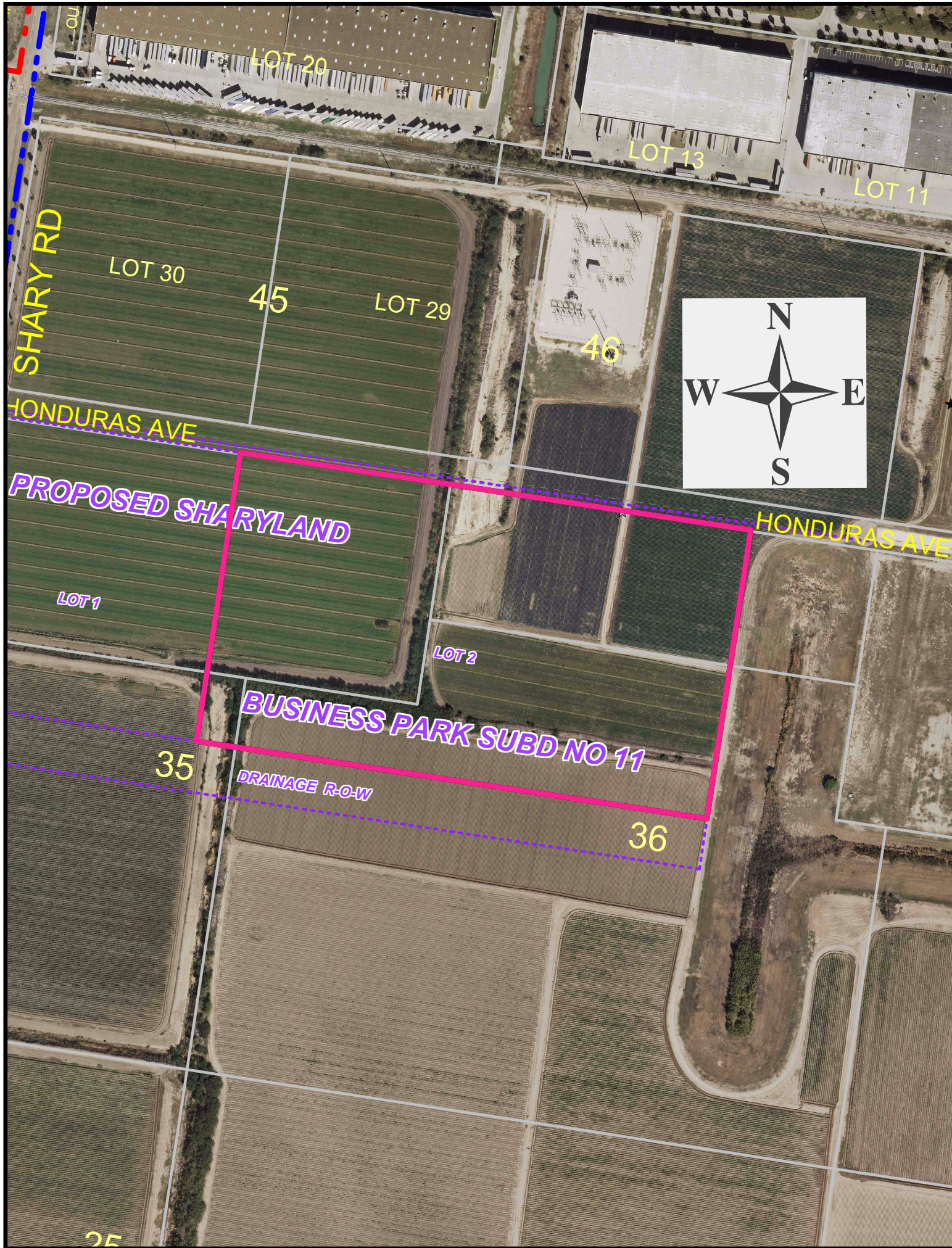
\* Rear: In accordance with zoning ordinance, or greater for easements or approved site plan, whichever is greater applies..  
\*\*Zoning Ordinance: Section 138-356

Applied

Applied

<p>** The subdivision is a proposed replat of Lot 2, Sharyland Business Park No. 11 Subdivision; therefore, all originally recorded plat notes will apply.</p> <p>* Sides: In accordance with zoning ordinance, or greater for easements or approved site plan, or in line with average setback, whichever is greater applies.</p> <p>**Zoning Ordinance: Section 138-356</p> <p>** The subdivision is a proposed replat of Lot 2, Sharyland Business Park No. 11 Subdivision; therefore, all originally recorded plat notes will apply.</p> <p>**Zoning Ordinance: Section 138-356</p> <p>* Corner _____</p> <p>- Clarify/remove the corner setback note prior to final/recording as no corner lot has been proposed.</p> <p>- Proposing: In accordance with zoning ordinance, or greater for easements or approved site plan, or in line with average setback, whichever is greater applies.</p> <p>**Zoning Ordinance: Section 138-356</p> <p>* Garage _____</p> <p>**Zoning Ordinance: Section 138-356</p> <p>*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN</p>	
	Applied
	Required
	NA
	Applied
<b>SIDEWALKS</b>	
<p>* 5 ft. wide minimum sidewalk required along Honduras Avenue.</p> <p>**Subdivision Ordinance: Section 134-120</p> <p>** The subdivision is a proposed replat of Lot 2, Sharyland Business Park No. 11 Subdivision; therefore, all originally recorded plat notes will apply.</p> <p>* Perimeter sidewalks must be built or money escrowed if not built at this time.</p>	Applied
	Applied
<b>BUFFERS</b>	
<p>* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses.</p> <p>** The subdivision is a proposed replat of Lot 2, Sharyland Business Park No. 11 Subdivision; therefore, all originally recorded plat notes will apply.</p> <p>**Landscaping Ordinance: Section 110-46</p> <p>* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses</p> <p>- Add a plat note as shown above prior to final/recording.</p> <p>** The subdivision is a proposed replat of Lot 2, Sharyland Business Park No. 11 Subdivision; therefore, all originally recorded plat notes will apply.</p> <p>**Landscaping Ordinance: Section 110-46</p> <p>*Perimeter buffers must be built at time of Subdivision Improvements.</p>	Applied
	Required
	Applied
<b>NOTES</b>	
<p>**Must comply with City Access Management Policy</p> <p>* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.</p> <p>* Common Areas, and service drives must be maintained by the lot owners and not the City of McAllen.</p> <p>** The subdivision is a proposed replat of Lot 2, Sharyland Business Park No. 11 Subdivision; therefore, all originally recorded plat notes will apply</p> <p>* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.</p> <p>* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.</p>	Applied
	Applied
	Applied
	Applied
	NA

<p>**Section 110-72 applies if private subdivision is proposed.</p> <p>**Landscaping Ordinance: Section 110-72</p> <p>**Subdivision Ordinance: Section 134-168</p> <p>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</p> <p>**Section 110-72 applies if private subdivision is proposed.</p> <p>**Landscaping Ordinance: Section 110-72</p> <p>**Subdivision Ordinance: Section 134-168</p>	NA
<b>LOT REQUIREMENTS</b>	
<p>* Lots fronting public streets</p> <p>**Subdivision Ordinance: Section 134-1</p>	Applied
<p>* Minimum lot width and lot area</p> <p>**Zoning Ordinance: Section 138-356</p>	Applied
<b>ZONING/CUP</b>	
<p>* Existing: I-1 Proposed: I-1</p> <p>***Zoning Ordinance: Article V</p>	Applied
<p>* Rezoning Needed Before Final Approval</p> <p>***Zoning Ordinance: Article V</p>	NA
<b>PARKS</b>	
<p>* Land dedication in lieu of fee.</p> <p>- Application submitted on December 13, 2023, proposes an industrial development. Park land dedication does not apply to commercial/industrial subdivisions.</p>	NA
<p>* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording</p> <p>- Application submitted on December 13, 2023, proposes an industrial development. Park fee does not apply to commercial/industrial subdivisions.</p>	NA
<p>* Pending review by City Manager's Office.</p> <p>- Application submitted on December 13, 2023, proposes an industrial development. Park land dedication does not apply to commercial/industrial subdivisions.</p>	NA
<b>TRAFFIC</b>	
<p>* As per Traffic Department, Trip Generation is approved.</p>	Applied
<p>* As per Traffic Department, Traffic Impact Analysis (TIA) is waived.</p>	Applied
<b>COMMENTS</b>	
<p>Comments:</p> <p>- There is a discrepancy between the dimensions of Lot 2 as shown on Sharyland Business Park No. 11 Subdivision and the proposed plat. Please clarify prior to final/recording.</p> <p>- Recorded plat notes remain effective. Please add all relevant plat notes from Sharyland Business Park No. 11 prior to recording. If any plat note is proposed to be removed or altered, a vacate and replat is required.</p> <p>- All signature blocks must comply with Section 134-61 of the subdivision ordinance prior to recording.</p> <p>* Must comply with City's Access Management Policy.</p> <p>** The subdivision is a proposed replat of Lot 2, Sharyland Business Park No. 11 Subdivision; therefore, all originally recorded plat notes will apply.</p>	Required
<b>RECOMMENDATION</b>	
<p>Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM, SUBJECT TO THE CONDITIONS NOTED.</p>	Applied



## Memo

**TO:** Planning and Zoning Commission

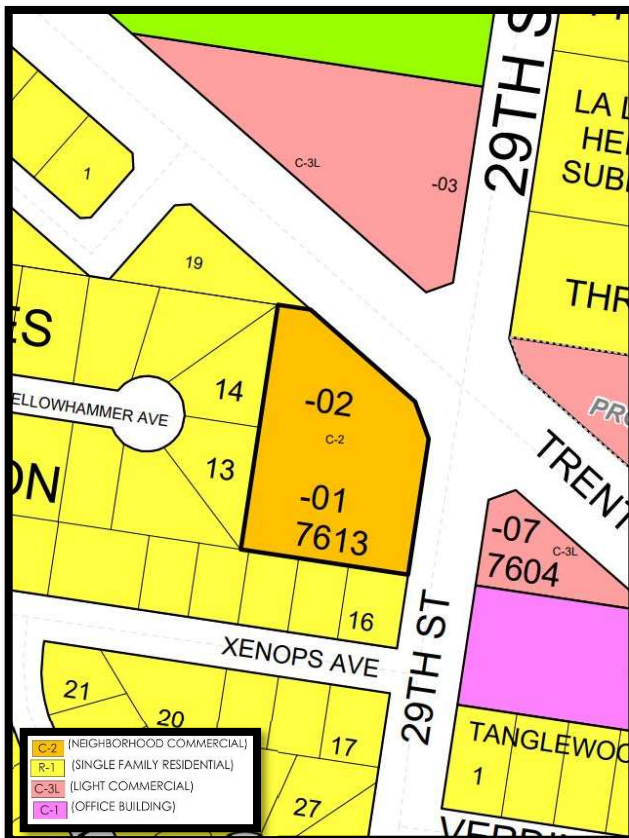
**FROM:** Planning Staff

**DATE:** March 25, 2024

**SUBJECT: SITE PLAN APPROVAL FOR LOT 27, ALMON ESTATES SUBDIVISION, HIDALGO COUNTY, TEXAS; 7601 NORTH 29<sup>TH</sup> STREET. (SPR2022-0063)**

**LOCATION:** The subject property is located on the southwest corner of North 29<sup>th</sup> Street and Trenton Road. The subject property is zoned C-2 (neighborhood commercial) District. Adjacent properties are zoned R-1 (single family residential) District to the west and south, C-1 (office building) to the southeast and C-3L (light commercial) in all the other directions. Surrounding land uses include single family residential and office uses.

**PROPOSAL:** The applicant is proposing to construct a 14,734 square-foot building to operate as a multi-tenant retail plaza.



## **ANALYSIS:**

### Access:

Access to the site is from North 29<sup>th</sup> Street and Trenton Road. No alley exists or is proposed.

### Parking Requirements:

Based on 14,734 square feet that will be used for the multi-tenant retail plaza, 40 parking spaces are required for the site. 43 parking spaces are proposed. Moreover, 2 of the proposed regular parking spaces must be accessible for van accessibility with an 8-foot-wide aisle. The applicant is meeting parking requirements for the new development.

### Landscape Requirements:

6,320 square feet of green area is required for the new development and 10,479 square feet is proposed. The tree requirement is as follows: 19 two-and-a half-inch-caliper trees, 10 four-inch caliper trees, 5 six-inch caliper trees, or 7 palm trees. A minimum 10 feet wide landscaped strip is required inside the front property line. Fifty percent of the required green area for the new development must be visible from the street or front property line, and each parking space must be within 100 feet of a landscaped area with a tree. A 6-foot buffer is required around dumpsters/compactors if visible from the street. Finally, an 8-foot masonry wall is required between commercial and residential zone/use. The applicant is meeting landscaping requirements for green area and trees.

### Other Planning Requirements:

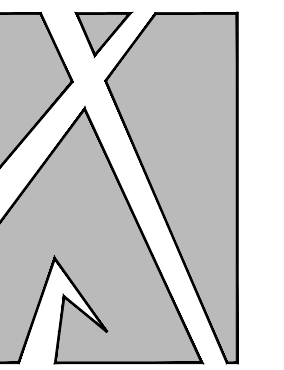
There is a 60-foot front yard setback along Trenton Road, a 40-foot corner side setback along North 29<sup>th</sup> Street and other setbacks as per Zoning Ordinance or greater for approved site plan or easements. No structures are permitted to be built over any easements. The new development will be complying with all required setbacks for the property.

A 4-foot-wide minimum sidewalk is required along North 29<sup>th</sup> Street and Trenton Road.

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

**RECOMMENDATION:** Staff recommends approval of the site plan subject to the conditions noted, Building Permit requirements and the subdivision and zoning ordinances.

C1.1



jmerc  
DESIGN  
CONSULTING, LLC

J. MERCADO  
EDINBURG, TEXAS  
jmercDESIGN@gmail.com  
956-792-0523

THESE DRAWINGS SHALL  
REMAIN THE PROPERTY OF  
jmercDESIGN. THEY MAY NOT  
BE RE-USED, REPRODUCED OR  
ALTERED IN ANY WAY  
WITHOUT PRIOR WRITTEN  
APPROVAL FROM AND WITH  
APPROPRIATE COMPENSATION  
TO jmercDESIGN.

Trenton 29 Plaza  
7701 N 29th Street  
Floor Plan  
McAllen, Texas

ISSUES AND REVISIONS

Floor Plan  
TITLE

03-07-23  
ISSUE DATE

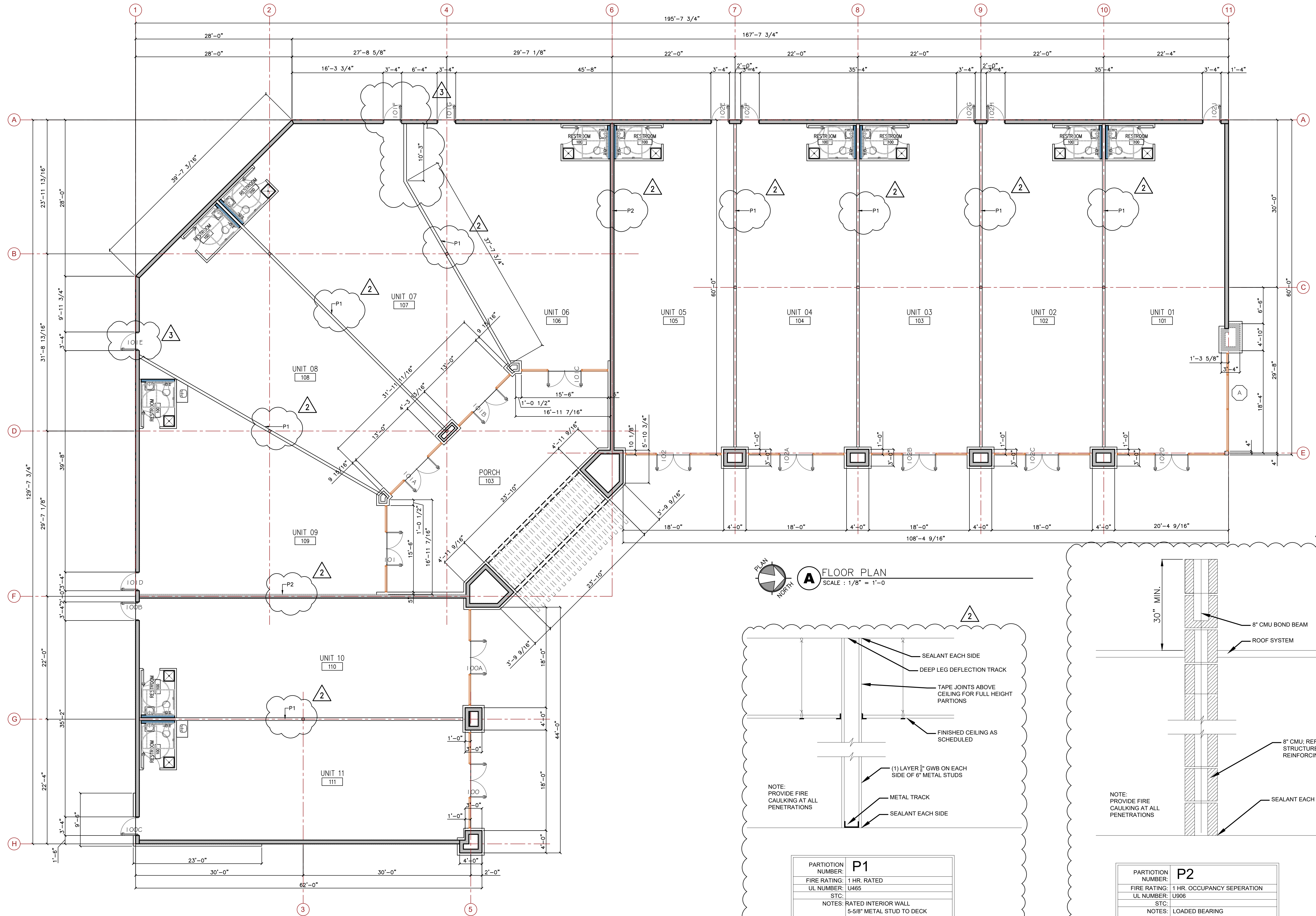
JOB NUMBER

jmerc  
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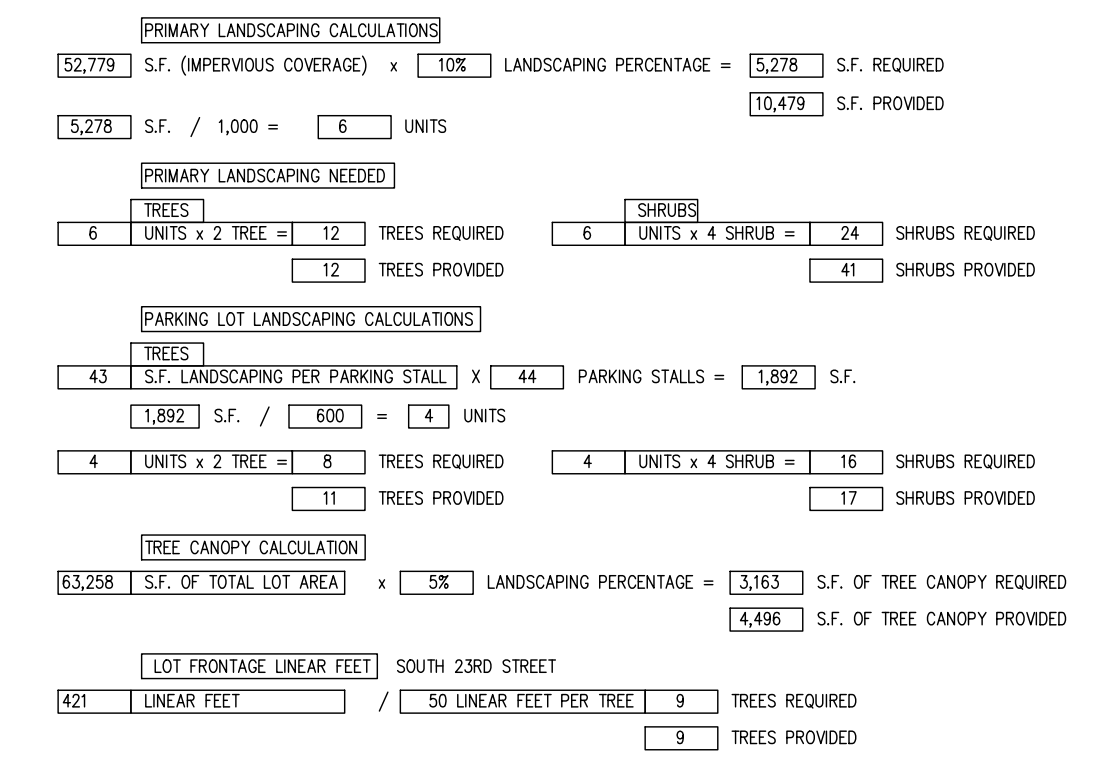
CHECKED BY

SHEET NUMBER

A1.1



REV 3 PERMIT 03-04-24



# SUBDIVISION PLAT OF ALMON ESTATES

A TRACT OF LAND CONTAINING 10.00 ACRES, SITUATED IN HIDALGO COUNTY, TEXAS AND ALSO BEING A PART OR PORTION OF LOT 58, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY SUBDIVISION, MAP REFERENCE: VOLUME 24, PAGE 68, HIDALGO COUNTY MAP RECORDS

STATE OF TEXAS  
COUNTY OF HIDALGO

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

OWNER: LEO MONTALVO  
900 N. MAIN STREET  
MCALLEN, TEXAS 78501

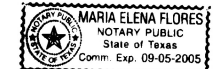
OWNER: RENE ALCALA  
2709 QUAIL AVENUE  
MCALLEN, TEXAS 78501

STATE OF TEXAS  
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, LEO MONTALVO & RENE ALCALA PERSONALLY APPEARED AND PROVED, THROUGH THEIR DEPARTMENT OF PUBLIC SAFETY DRIVER'S LICENSES, TO BE THE PEOPLE WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT. FURTHERMORE, AFTER BEING DULY SWORN BY ME, THEY DECLARED THAT THE STATEMENTS CONTAINED THEREIN ARE TRUE AND CORRECT, AND ACKNOWLEDGED THAT THEY EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREBY EXPRESSED. ALL GIVEN UNDER MY HAND AND SEAL OF OFFICE DATED

THIS THE 25<sup>th</sup> DAY OF August, 2003 A.D.

NOTARY PUBLIC FOR THE STATE OF TEXAS  
MY COMMISSION EXPIRES ON: 9/5/05



I, THE UNDERSIGNED, THE MAYOR PRO-TEM 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 PRO-TEM, CITY OF MCALLEN  
DATE: 9/23/03



THIS SUBDIVISION PLAT OF ALMON ESTATES HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING COMMISSION OF THE CITY OF MCALLEN, TEXAS, AND IS HEREBY APPROVED BY SUCH COMMISSION.

DATED THIS 23<sup>rd</sup> DAY OF September, 2003 A.D.

CHAIRMAN, PLANNING & ZONING COMMISSION

STATE OF TEXAS  
COUNTY OF HIDALGO

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

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



STATE OF TEXAS  
COUNTY OF HIDALGO

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

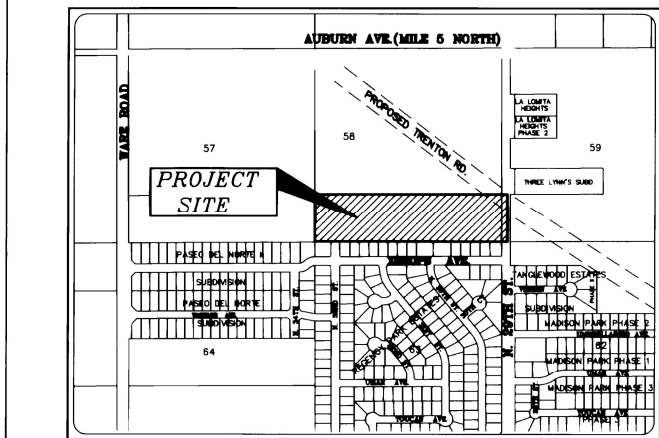
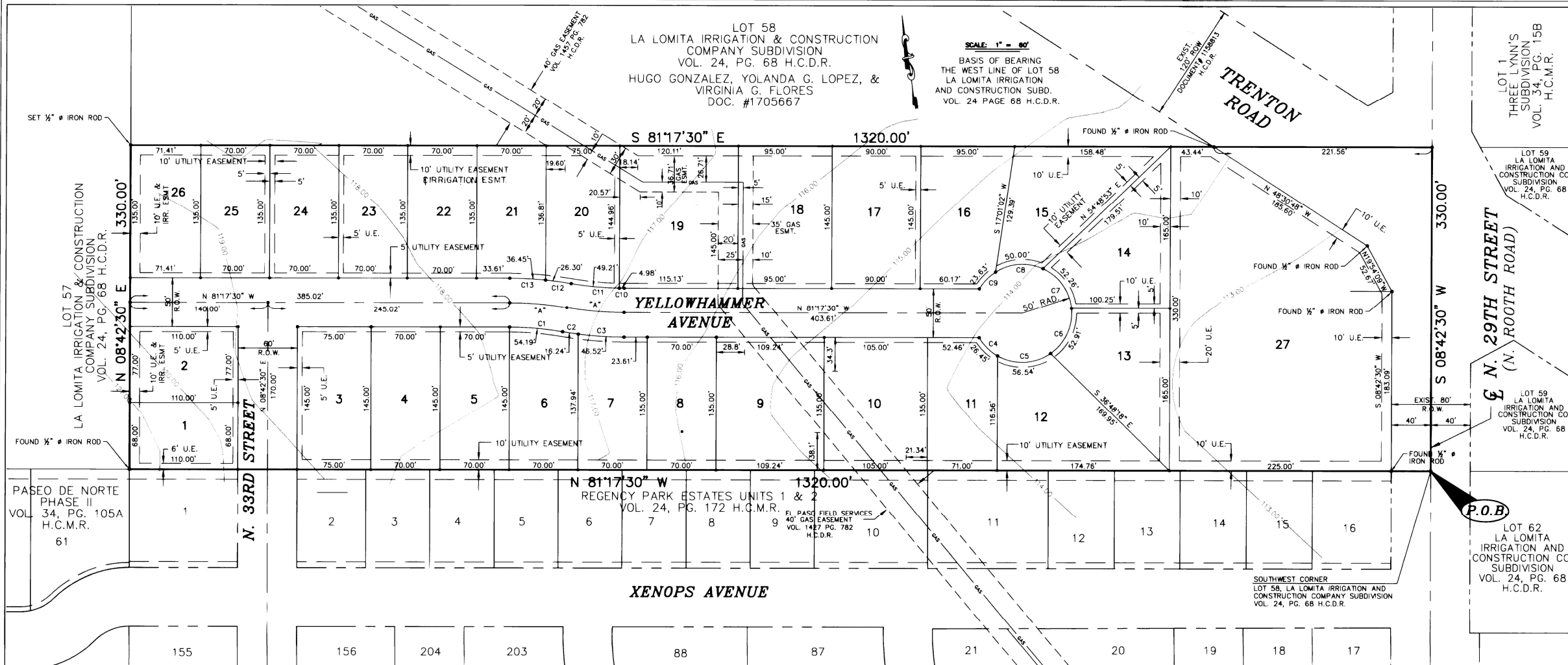
CARLOS VASQUEZ, R.P.L.S.  
REGISTERED PROFESSIONAL LAND SURVEYOR No. 4608  
C.V. LAND SURVEYORS  
2014 NORTH WARE ROAD  
MCALLEN, TEXAS 78501  
(956) 618-1551  
DATE SURVEYED: NOVEMBER 7, 2002

STATE OF TEXAS  
COUNTY OF HIDALGO

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

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

BY: [Signature]



LOCATION MAP  
N.T.S.

LOT #	SQ. FT.	ACRES
6	9,969.00	0.229
7	9,495.00	0.218
11	9,383.58	0.2154
12	13,242.93	0.3040
13	12,070.28	0.2771
14	12,479.42	0.2865
15	12,691.06	0.2913
16	12,102.00	0.2778
19	17,416.00	0.4000
20	10,620.86	0.2438
21	9,471.96	0.2174

STATE OF TEXAS  
COUNTY OF HIDALGO

WE, THE UNDERSIGNED, HOLDER OF SECURITY INTEREST IN THE ABOVE DESCRIBED PROPERTY, BEING THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS ALMON ESTATES SUBDIVISION, OF THE CITY OF MCALLEN, TEXAS, DO HEREBY CONSENT TO THE SUBDIVISION OF THE PROPERTY AS PROVIDED FOR UNDER THE PLAT AND DO HEREBY THAT ANY FORECLOSURE RELATING TO THE SECURITY INTEREST ON THE ABOVE DESCRIBED PROPERTY SHALL BE SUBJECT TO THE PLATTING OF THE PROPERTY AS PROVIDED FOR HEREIN.

BANK NAME: [Signature]  
SIGNATURE: [Signature]  
TITLE: [Signature]

STATE OF TEXAS  
COUNTY OF HIDALGO

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

THIS THE 14<sup>th</sup> DAY OF August, 2003 A.D.



NOTARY PUBLIC, TEXAS  
EXPIRATION DATE: 2/10/07

THIS PLAT APPROVED BY HIDALGO COUNTY IRRIGATION DISTRICT NO. 1, THIS THE 14<sup>th</sup> DAY OF August, 2003 A.D. NO IMPROVEMENTS OF ANY KIND SHALL BE PLACED ON HIDALGO COUNTY IRRIGATION DISTRICT NO. 1 RIGHT-OF-WAYS OR EASEMENTS WITHOUT THE EXPRESSED WRITTEN PERMISSION OF THE HIDALGO COUNTY IRRIGATION DISTRICT NO. 1.

SECRETARY: [Signature]  
PRESIDENT: [Signature]

## METES AND BOUNDS DESCRIPTION

A TRACT OF LAND CONTAINING 10.00 ACRES, SITUATED IN HIDALGO COUNTY, TEXAS AND ALSO BEING A PART OR PORTION OF LOT 58, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY SUBDIVISION, MAP REFERENCE: VOLUME 24, PAGE 68, H.C.D.R. AND SAID 10.00 ACRES OF LAND ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING ON THE SOUTHEAST CORNER OF SAID LOT 58 AND THE CENTERLINE OF 29TH STREET (NORTH ROTH ROAD), FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE N 81° 17' 30" W, ALONG THE SOUTH LINE OF SAID LOT 58, AT A DISTANCE OF 20.00 FEET PASS THE WEST RIGHT-OF-WAY LINE OF SAID 29TH STREET, AND CONTINUING A TOTAL DISTANCE OF 1320.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 58, FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE N 08° 42' 30" E, ALONG THE WEST LINE OF SAID LOT 58, A DISTANCE OF 330.00 FEET TO THE NORTHWEST CORNER OF THIS TRACT;

THENCE S 81° 17' 30" E, AT A DISTANCE OF 1300.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF SAID 29TH STREET, AND CONTINUING A TOTAL DISTANCE OF 1320.00 FEET TO THE EAST LINE OF SAID LOT 58 AND THE CENTER LINE OF SAID 29TH STREET, FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE S 08° 42' 30" W, ALONG THE WEST LINE OF SAID LOT 58, A DISTANCE OF 330.00 FEET TO THE POINT OF BEGINNING, CONTAINING 10.00 ACRES OF LAND, OF WHICH 0.15 OF ONE ACRE LIES IN THE RIGHT-OF-WAY OF SAID 29TH STREET, LEAVING A NET OF 9.85 ACRES OF LAND, MORE OR LESS;

No.	DELTA	RADIUS	TANGENT	LENGTH	CHORD
C1	09°49'23"	316.05'	27.12'	54.19'	54.14'
C2	02°32'31"	366.05'	8.12'	16.24'	16.22'
C3	07°16'52"	366.05'	23.29'	46.54'	46.51'
C4	30°18'47"	50.00'	13.54'	26.45'	26.15'
C5	64°47'29"	50.00'	31.73'	56.54'	53.58'
C6	60°38'05"	50.00'	29.24'	52.91'	50.48'
C7	59°52'54"	50.00'	28.80'	52.26'	49.91'
C8	57°17'58"	50.00'	27.32'	50.00'	47.95'
C9	27°04'47"	50.00'	12.04'	23.63'	23.41'
C10	00°54'09"	316.05'	2.49'	4.98'	4.98'
C11	08°55'14"	316.05'	24.65'	49.21'	49.16'
C12	04°07'02"	366.05'	13.16'	26.30'	26.30'
C13	05°42'21"	366.05'	18.24'	36.45'	36.44'

No.	DELTA	RADIUS	TANGENT	LENGTH	CHORD
"A"	09°49'23"	341.05'	29.31'	58.47'	58.40'

FILED FOR RECORD IN:  
HIDALGO COUNTY  
BY J.D. SALINAS, III  
COUNTY CLERK  
ON 12-10-2003 AT 4:08 AM PM  
AS A RECORDING NUMBER 25174  
BY [Signature] DEPUTY

Recorded in volume 46 Page 138  
of the map records of Hidalgo  
County Texas  
J.D. Salinas III  
County Clerk

DATE OF PREPARATION: NOVEMBER 12, 2002 DRAWN BY: A. O'CAÑA, JR., L. HERNANDEZ, & M. FONSECA



JAVIER HINOJOSA ENGINEERING  
CONSULTING ENGINEERS

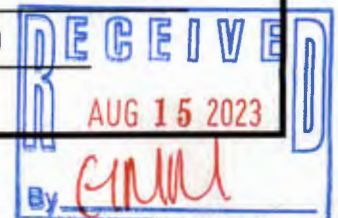
416 E. DOVE AVENUE MCALLEN, TEXAS 78504  
PHONE (956) 668-1588

**City of McAllen**  
**Planning Department**

SUB 2023-0088

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

Project Information	Subdivision Name	ENCINO ESTATES				
	Location	N. SHARY ROAD				
	City Address or Block Number	6700 N. SHARY RD				
	Number of Lots	37	Gross Acres	12.15		
			Net Acres	12.15		
	ETJ	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			
	Existing Zoning	N.A.	Proposed Zoning	R3-A		
			Rezoning Applied for	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
	Date					
	Existing Land Use	VACANT	Proposed Land Use			
Irrigation District #	UNITED IRR.					
Replat	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Commercial				
Residential						
Agricultural Exemption	<input type="checkbox"/> Yes <input type="checkbox"/> No	Estimated Rollback Tax Due	0			
Parcel #	282437	Tax Dept. Review	MPG			
Water CCN	<input type="checkbox"/> MPU <input checked="" type="checkbox"/> Sharyland Water SC	Other				
Legal Description	12.15 Acre tract out of Lot 435, John H. Shary Subd.,					
Owner	Name	SILVER CANDLE HOLDINGS, LLC		Phone	956-566-1763	
	Address	1242 E. Business 83, Sk. 7		E-mail	ruben.d.plata@hotmail.com	
	City	MISSION	State	TX	Zip	78572
Developer	Name	Same as Above Owner		Phone		
	Address			E-mail		
	City		State		Zip	
	Contact Person					
Engineer	Name	Barrera Infrastructure Group Inc.		Phone	956-687-3355	
	Address	3525 W. Freddy Gonzalez Ave, Suite B2		E-mail	rene@big-engineering.com	
	City	Edinburg	State	TX	Zip	78539
	Contact Person	Rene, Barrer, P.E.				
Surveyor	Name	PABLO Soto Jr.		Phone	956-460-1605	
	Address	1208 S. Ironwood		E-mail		
	City	Pharr, TX	State	TEXAS	Zip	78571



## Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

### In Person Submittal Requirements

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

### Email Submittal Requirements

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

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

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

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

### **PLAT TO SHOW:**

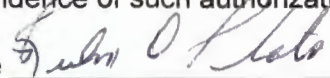
- Metes and bounds
- Lots numbered with dimensions and area of irregular lots noted Surrounding platted lots and/or lot lines for unsubdivided tracts
- Name and address of owner, lienholder, developer, engineer and surveyor shown along with signature lines
- North arrow, scale and vicinity map
- Name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

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

Owners Signature

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

Signature



Date

07/25/2023

Print Name

Ruben D. Plata

Owner ☐

Authorized Agent ☐



José Alberto Vela

The Planning Department is now accepting DocuSign signatures on application



**City of McAllen**

311 North 15<sup>th</sup> Street  
McAllen, TX 78501  
P. O. Box 220

**Planning Department**  
**VARIANCE TO SUBDIVISION**  
**PROCESS APPLICATION**

McAllen, TX 78505-0220  
(956) 681-1250  
(956) 681-1279 (fax)

*VAB2023-0030*

<b>Project</b>	<p>Legal Description <u>Proposed Encino Estates Subdivision, being a 12.15 ac tract of land out of Lot 435 West Addition to Sharyland S/D as per map recorded in Vol.1, Pg 17 MRHC</u></p> <p>Street Address <u>Appro 1/2 Mile South of 6 Mile North Road, along East Right of Way of N. Shary North McAllen, Tx</u></p> <p>Number of lots <u>37</u> Gross acres <u>12.15 ac</u></p> <p>Existing Zoning <u>R3 - Multifamily</u> Existing Land Use <u>vacant</u></p> <p><input checked="" type="checkbox"/> Current Survey and Metes and Bounds (if the legal description of the tract is a portion of a lot) is required</p>
	<b>Applicant</b>
<b>Owner</b>	<p>Name <u>SAME AS APPLICANT</u> Phone _____</p> <p>Address _____ E-mail _____</p> <p>City _____ State _____ Zip _____</p>
<b>Authorization</b>	<p>To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable) OR I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.</p> <p>Signature <u><i>Ruben Plata</i></u> Date <u>10/23/2023</u></p> <p>Print Name <u>Ruben Plata / Jose A Velaz</u> <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Authorized Agent</p>
<b>Office</b>	<p>*FOR OFFICE USE ONLY*</p> <p>APPLICATION FILING FEE: <input type="checkbox"/> \$250.00</p> <p>Accepted by <u><i>[Signature]</i></u> Payment received by _____ Date <u><i>[Signature]</i></u></p> <p>Rev 06/21</p> <div data-bbox="1185 1723 1526 1968"> </div>



March 7, 2024

City of McAllen  
Planning Department  
311 North 15<sup>th</sup> Street  
McAllen, Texas 78501

**Attn: Edgar Garcia, City Planner**

**Re: Proposed Encino Estates Subdivision – Variance Requests for consideration**

Dear Mr. Garcia,

On behalf of my client, I am respectfully requesting the following variance requests for Encino Estates Subdivision, based on the City of McAllen Staff requirements.


- 1) ***Remove the requirement: 5 ½ Mile Road E/W Collector along Southern Boundary of subdivision, 40 ft ROW dedication***

The location of this proposed East – West Collector is not viable for a future collector in this area. There are residential dwellings along adjoining tract to the south and a fully occupied trailer park on the adjoining tract to the east in direct alignment of the collector. In addition, the Rio Grande Valley Metropolitan Planning Organization does not identify this as a future collector street. In addition, The neighboring City of Alton does not identify this as a ½ collector as well.

- 2) ***Request variance to approve a 15 ft right of way dedication along the east property line in lieu of the required 30 ft right of way dedication***

We propose to dedicate a 15-foot right of way dedication which is consistent with the right of way dedication granted at The Hills on Shary Subdivision, north of the proposed Encino Estates Subdivision.

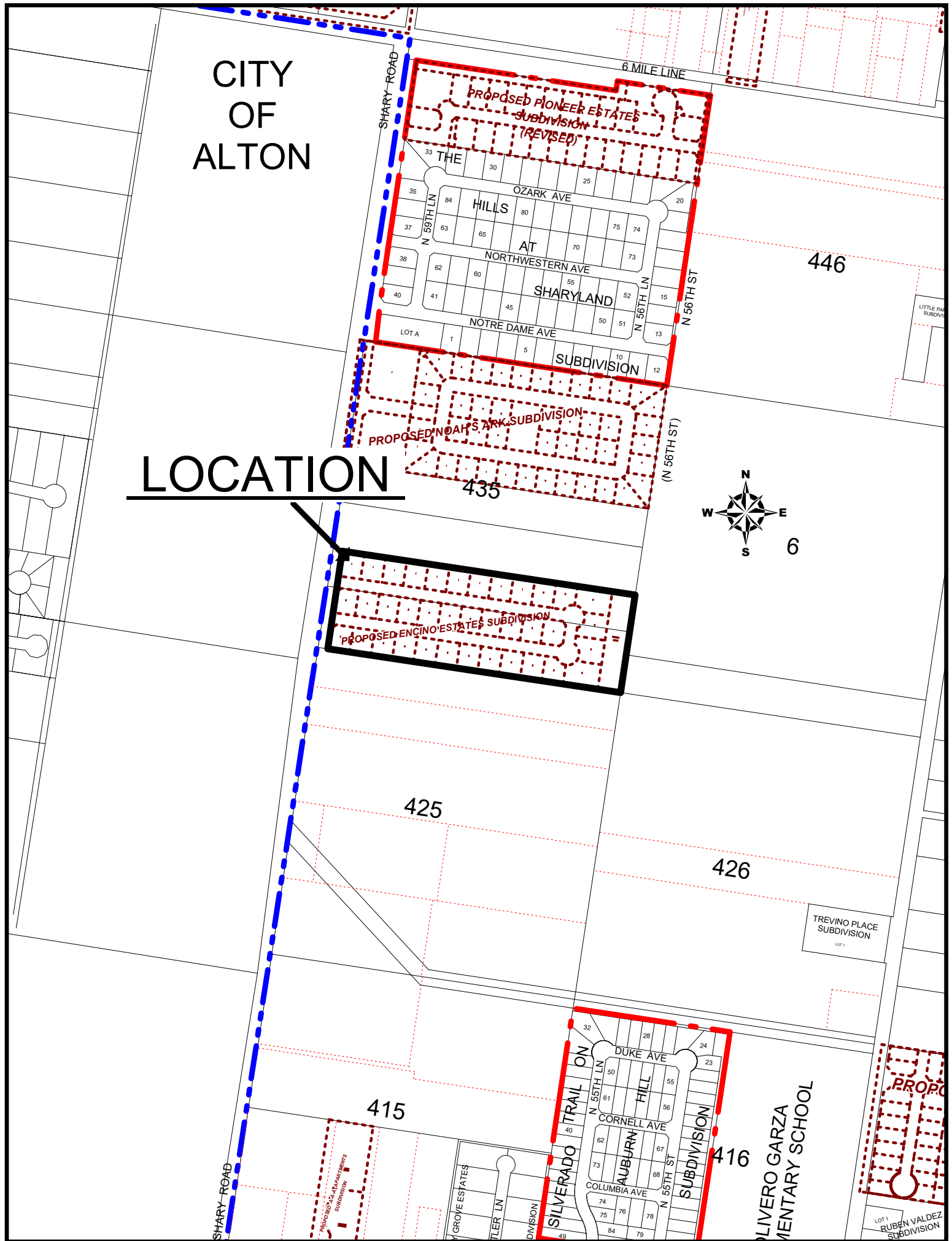
Respectfully,

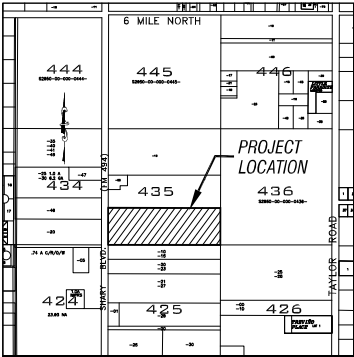
 3/7/24  
Rene Barrera, P.E.  
Texas Firm No: F-6435



CITY  
OF  
ALTON

LOCATION





LOCATION MAP  
SCALE: 1"= 1000'

PREPARED BY:  
BARRERA INFRASTRUCTURE GROUP, INC.  
3525 W. FREDDY GONZALEZ AVE., SUITE B2  
EDINBURG, TEXAS 78539  
DATE PREPARED: 2-15-24  
DATE SURVEYED: ---

PLAT OF  
**ENCINO ESTATES**  
12.15 ACRE TRACT OF LAND OUT OF LOT 435,  
JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY,  
TEXAS, AS PER MAP RECORDED IN VOLUME 1,  
PAGE 17, MAP RECORDS OF HIDALGO COUNTY,  
TEXAS

LOCATION OF SUBDIVISION WITH RESPECT TO THE  
EXTRATERRITORIAL JURISDICTION OF A MUNICIPALITY:  
THE ENCINO ESTATES IS LOCATED APPROXIMATELY 1/2 MILE  
SOUTH OF MILE 6 ROAD ON THE EAST SIDE OF SHARY  
ROAD (FM 494). THIS DEVELOPMENT LIES WITHIN THE CITY  
OF MCALLEN E.T.J..

STATE OF TEXAS  
COUNTY OF HIDALGO

OWNER'S DEDICATION, CERTIFICATION, AND ATTESTATION:

I (WE), QUALITY MULTI INVESTMENTS LLC., AS OWNER (S) OF THE 12.15 ACRE TRACT OF LAND  
ENCOMPASSED WITHIN THE PROPOSED ENCINO ESTATES SUBDIVISION, HEREBY SUBDIVIDE THE  
LAND AS DEPICTED IN THIS SUBDIVISION PLAT AND DEDICATED TO PUBLIC USE THE STREET,  
PARK, AND EASEMENTS SHOWN HEREIN.

I CERTIFY THAT I HAVE COMPLIED WITH THE REQUIREMENTS OF TEXAS LOCAL GOVERNMENT  
CODE § 232.032 AND THAT:

- THE WATER QUALITY AND CONNECTIONS TO THE LOTS MEET,  
OR WILL MEET, THE MINIMUM STATE STANDARDS;
- SEWER CONNECTIONS TO THE LOTS OR SEPTIC TANKS MEET,  
OR WILL MEET, THE MINIMUM REQUIREMENTS OF THE STATE  
STANDARDS;
- ELECTRICAL CONNECTIONS PROVIDED TO THE LOTS MEET,  
OR WILL MEET, THE MINIMUM STATE STANDARDS; AND
- GAS CONNECTIONS, IF AVAILABLE, PROVIDED TO THE LOTS  
MEET, OR WILL MEET, THE MINIMUM STATE STANDARDS.

I ATTEST THAT THE MATTERS ASSERTED IN THIS PLAT ARE TRUE AND COMPLETE.

QUALITY MULTI INVESTMENTS LLC. \_\_\_\_\_ DATE \_\_\_\_\_  
BY:  
4302 SAN EFRAIN  
MISSION, TEXAS 78572

STATE OF TEXAS  
COUNTY OF HIDALGO:

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

NOTARY PUBLIC  
MY COMMISSION EXPIRES: \_\_\_\_\_

STATE OF TEXAS  
CITY OF MCALLEN

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

CHAIRMAN \_\_\_\_\_ DATE \_\_\_\_\_

STATE OF TEXAS  
CITY OF MCALLEN

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

MAYOR \_\_\_\_\_ DATE \_\_\_\_\_  
CITY OF MCALLEN

STATE OF TEXAS  
COUNTY OF HIDALGO

I, THE UNDERSIGNED, A REGISTER PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY  
CERTIFY THAT THE MAP ON THIS SHEET SHOWING THE LOTS, EASEMENTS, AND STREETS OF  
SUBDIVISION AND ITS METES AND BOUNDS DESCRIPTION WERE PREPARED FROM A SURVEY OF THE  
PROPERTY MADE ON THE GROUND BY ME OR UNDER MY SUPERVISION ON \_\_\_\_\_

MANUEL CARRIZALES, RPLS \_\_\_\_\_ DATE \_\_\_\_\_  
R.P.L.S. No. 6388  
4807 GONDOLA AVE.  
EDINBURG, TEXAS 78542  
FIRM NO.

STATE OF TEXAS  
COUNTY OF HIDALGO

I, RENE BARRERA, P.E., A LICENSED PROFESSIONAL ENGINEER LICENSED TO PRACTICE IN THE STATE  
TEXAS, LICENSE NUMBER TX. 86862, DO HEREBY CERTIFY THAT THIS PLAT HAS BEEN GIVEN PROPER AND  
ADEQUATE ENGINEERING CONSIDERATION.

For Review Only  
2-15-24  
RENE BARRERA, P.E.  
LICENSED PROFESSIONAL ENGINEER, TEXAS LIC. NO. 86862

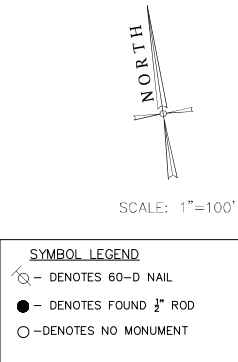


PRINCIPAL CONTACTS:

NAME	ADDRESS	CITY & ZIP	PHONE	FAX
OWNER: QUALITY MULTI INV. LLC.	4302 SAN EFRAIN	MISSION, TX. 78572		
ENGINEER: RENE BARRERA, P.E.	3325 FREDDY GONZALEZ	EDINBURG, TX. 78539	956-687-3355	956-992-8801
SURVEYOR: MANUEL CARRIZALES	4807 GONDOLA AVE.	EDINBURG, TX. 78542	956-567-2167	

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

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



SYMBOL LEGEND  
X - DENOTES 60-D NAIL  
● - DENOTES FOUND 1" ROD  
○ - DENOTES NO MONUMENT

PRELIMINARY  
THIS DOCUMENT HAS BEEN  
RELEASED FOR REVIEW ONLY. BY  
RENE BARRERA, P.E. No. 86862,  
2-15-24

HIDALGO COUNTY  
CERTIFICATE OF PLAT APPROVAL  
UNDER LOCAL GOVERNMENT CODE § 232.028(c)

WE THE UNDERSIGNED CERTIFY THAT THIS PLAT OF ENCINO ESTATES  
WAS REVIEWED AND APPROVED BY THE HIDALGO COUNTY COMMISSIONERS COURT  
ON \_\_\_\_\_

HIDALGO COUNTY JUDGE \_\_\_\_\_ DATE \_\_\_\_\_

ATTEST: HIDALGO COUNTY CLERK \_\_\_\_\_ DATE \_\_\_\_\_

COUNTY OF HIDALGO  
CERTIFICATE OF PLAT APPROVAL

I, THE UNDERSIGNED, CERTIFY THAT THIS PLAT OF ENCINO ESTATES SUBDIVISION WAS REVIEWED  
AND APPROVED BY THE HIDALGO COUNTY HEALTH DEPARTMENT ON \_\_\_\_\_  
20\_\_\_\_.

HIDALGO COUNTY ENVIRONMENTAL HEALTH DIVISION MANAGER \_\_\_\_\_ DATE \_\_\_\_\_

I, CARLOS LIMA, HEREBY CONDITIONALLY CERTIFY THAT POTABLE WATER SERVICE IS AVAILABLE  
FOR THE ENCINO ESTATES SUBDIVISION LOCATED AT SHARY ROAD IN HIDALGO  
COUNTY, TEXAS, SUBJECT TO THE SUBDIVISION'S POTABLE WATER SYSTEM MEETING THE  
APPROVAL OF THE DEVELOPER'S DESIGN ENGINEER, ALL APPLICABLE RULES AND REGULATIONS  
OF SHARYLAND WATER SUPPLY CORPORATION, AND LOCAL, STATE, AND FEDERAL AGENCIES.

DEVELOPER AND ITS DESIGN ENGINEER SHALL BEAR FULL RESPONSIBILITY TO ENSURE THAT THE  
ABOVE REFERENCED POTABLE WATER SYSTEM IS CONSTRUCTED WITHIN THE DESIGNATED  
SHARYLAND WATER SUPPLY CORPORATION EXCLUSIVE EASEMENT.

CARLOS LIMA \_\_\_\_\_ DATE \_\_\_\_\_  
DATE  
GENERAL MANAGER  
SHARYLAND WATER SUPPLY CORPORATION

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 DEVELOPER AND HIS  
ENGINEER TO MAKE THEIR DETERMINATIONS.

METES AND BOUNDS DESCRIPTION:

A 12.15 ACRE TRACT OF LAND OUT OF LOT FOUR HUNDRED THIRTY-FIVE (435), JOHN H. SHARY  
SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER MAP RECORDED IN VOLUME 1, PAGE 17, MAP RECORDS  
OF HIDALGO COUNTY, TEXAS, SAID 12.15 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED  
BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 435, JOHN H. SHARY SUBDIVISION, THENCE SOUTH 81  
DEGREES 18 MINUTES 50 SECONDS EAST, WITH THE SOUTH LINE OF LOT 435, JOHN H. SHARY  
SUBDIVISION, A DISTANCE OF 60.00 FEET TO A HALF (1/2) INCH IRON ROD FOUND AT THE CURRENT  
EAST RIGHT OF WAY LINE OF FM 494 (SHARY ROAD) FOR THE SOUTHWEST CORNER OF THIS TRACT OF  
LAND AND THE POINT OF BEGINNING;

THENCE NORTH 08 DEGREES 41 MINUTES 10 SECONDS EAST, WITH THE CURRENT EAST RIGHT OF WAY  
LINE OF SAID FM 494 (SHARY ROAD), A DISTANCE OF 420.21 FEET TO A HALF (1/2) INCH IRON ROD  
FOUND AT THE SOUTHWEST CORNER OF THE QUALITY MULTI INVESTMENTS, LLC PROPERTY, AS PER  
WARRANTY DEED RECORDED IN DOCUMENT NO. 2294985, OFFICIAL RECORDS FOR THE NORTHWEST  
CORNER OF THIS TRACT OF LAND;

THENCE SOUTH 81 DEGREES 18 MINUTES 50 SECONDS EAST, WITH THE SOUTH LINE OF THE SAID  
QUALITY MULTI INVESTMENTS, LLC PROPERTY, A DISTANCE OF 1,260.00 FEET TO A HALF (1/2) INCH  
IRON ROD FOUND AT THE EAST LINE OF SAID LOT 435, JOHN H. SHARY SUBDIVISION, ALSO BEING THE  
SOUTHEAST CORNER OF THE SAID QUALITY MULTI INVESTMENTS, LLC PROPERTY FOR THE NORTHEAST  
CORNER OF THIS TRACT OF LAND;

THENCE SOUTH 08 DEGREES 41 MINUTES 10 SECONDS WEST, WITH THE EAST LINE OF SAID LOT 435,  
JOHN H. SHARY SUBDIVISION, A DISTANCE OF 420.21 FEET TO A HALF (1/2) INCH IRON ROD WITH A  
YELLOW CAP STAMPED ROWS PROP. FOUND AT THE SOUTHEAST CORNER OF SAID LOT 435, JOHN H.  
SHARY SUBDIVISION FOR THE SOUTHEAST CORNER OF THIS TRACT OF LAND;

THENCE NORTH 81 DEGREES 18 MINUTES 50 SECONDS WEST, WITH THE SOUTH LINE OF SAID LOT 435,  
JOHN H. SHARY SUBDIVISION, A DISTANCE OF 1,260.00 FEET TO THE POINT OF BEGINNING, CONTAINING  
12.15 ACRES, MORE OR LESS.

THIS PLAT IS HEREBY APPROVED BY UNITED IRRIGATION DISTRICT ON THIS

THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20 \_\_\_\_.

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

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

UNITED IRRIGATION DISTRICT NOTES

- ALL IRRIGATION EASEMENTS ARE EXCLUSIVE TO UNITED IRRIGATION DISTRICT, AND THE DISTRICT ALLOWS NO OTHER UTILITIES  
OR OUTSIDE USE WITHOUT ITS EXPRESS WRITTEN APPROVAL.
- NO UTILITY COMPANY, PUBLIC ENTITY, PARTY OR PERSON IS ALLOWED TO CROSS ABOVE OR BELOW GROUND ANY IRRIGATION  
DISTRICT EASEMENT OR RIGHT OF WAY WITH UNLIS, POLES, OPEN DITCHES OR OTHER USE WITHOUT FIRST OBTAINING A  
CROSSING PERMIT FROM UNITED IRRIGATION DISTRICT.
- NO PERMANENT STRUCTURE, UTILITY POLE, HOLE, WALL, FENCE, DRIVEWAY, OR ROAD WILL BE ALLOWED TO BE CONSTRUCTED  
OR EXIST ON ANY DISTRICT EASEMENT OR RIGHT OF WAY WITHOUT WRITTEN APPROVAL BY IRRIGATION DISTRICT. ANY  
UNAUTHORIZED STRUCTURE WITHIN THE EASEMENT BOUNDARY IS SUBJECT TO IMMEDIATE REMOVAL AT VIOLATOR'S EXPENSE.
- NO UTILITY COMPANY, PUBLIC ENTITY, PARTY OR PERSON IS ALLOWED TO CONNECT TO ANY DISTRICT FACILITY WITHOUT FIRST  
OBTAINING A PERMIT FROM IRRIGATION DISTRICT. ANY CONNECTION NOT AUTHORIZED BY THE DISTRICT IS SUBJECT TO  
IMMEDIATE REMOVAL AT VIOLATOR'S EXPENSE.

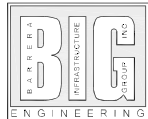


FILED FOR RECORD IN  
HIDALGO COUNTY  
ARTURO GUJARDO, JR.  
HIDALGO COUNTY CLERK

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

INSTRUMENT NUMBER \_\_\_\_\_  
OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS

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



3525 W. Freddy Gonzalez Ave.  
Suite B2  
Edinburg, TX 78539  
956-687-3355, FAX: 956-992-8801  
TEXAS FIRM NO.: 6435



# City of McAllen

## SUBDIVISION PLAT REVIEW

Reviewed On: 3/28/2024

### SUBDIVISION NAME: ENCINO ESTATES

#### REQUIREMENTS

#### STREETS AND RIGHT-OF-WAYS

North Shary Road: Dedication as needed for 120 ft. total ROW

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

Revisions needed:

- Revise street name as shown above were applicable, prior to final
- Provide copy of document regarding 30 ft. additional ROW for staff review, ROW requirements subject to change once document and details have been provided finalize prior to final.
- Label existing ROW, on both sides of centerline to verify if any additional ROW dedication are required prior to final.
- Please show document on plat where the existing 30 ft. Original ROW was dedicated prior to final.

\*\*Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan

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

5 1/2 Mile Road E/W collector(Southern Boundary,1/2Mile Location): Dedication as needed for 40 ft. from centerline for 80ft. total R.O.W.

Paving \_52 ft.\_ Curb & gutter: Both Sides.

Pending Items:

- Street alignment, transitions and R.O.W being reviewed by staff and plat would need to be revised accordingly as applicable prior to final. ROW subject to increase as applicable to accommodate transitions and street alignment, finalize prior to final.
- City Street names will be established prior to final and plat will need to revised accordingly.
- Please provide ownership map to verify that no landlocked properties exist or will be created.

\*Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan

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

\*\*\*The project engineer on behalf of the developer, submitted a variance application (VAR2023-0030) on October 31, 2023, and a revised letter on March 7, 2024. The application includes a variance to waive the ROW dedication requirement for 5 1/2 Mile Road (E/W Collector), on the south side of the subdivision. The applicant stated that an E/W Collector is not viable at this location, for the existing improvements on the south side and east of the subject property. They also mentioned that 5 1/2 Road was not shown on the Rio Grande Valley MPO map as a half-mile collector.

Non-compliance

Non-compliance

<p>North 56th Street, N/S collector(Eastern Boundary,1/4 Mile Location): Dedication as needed for 30 ft. from centerline for 60 ft. total R.O.W.  Paving _40 ft._ Curb &amp; gutter: Both Sides.  Pending Items:  -Street alignment, transitions and R.O.W being reviewed by staff and plat would need to be revised accordingly as applicable prior to final. ROW subject to increase as applicable to accommodate transitions and street alignment, finalize prior to final.  -Please provide ownership map to verify that no landlocked properties exist or will be created.  ***Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan  ***Monies must be escrowed if improvements are not constructed prior to recording.</p> <p>***The project engineer on behalf of the developer, submitted a variance application (VAR2023-0030) on October 31, 2023, and a revised letter on March 7, 2024. The application includes a variance to dedicate 15 ft. ROW for a N/S quarter-mile collector (future N. 56th Street) in lieu of 30 ft. requirement along the east side of the subdivision. The applicant stated that they are following the ROW dedication approved by the City for the subdivision on the north side, the Hills on Sharyland.</p>	Non-compliance
<p>Interior Street: Dedication as needed for 60 ft. total ROW.  Paving: 40 ft. Curb &amp; gutter: Both Sides  Revisions Needed:  - Proposed Interior dedications present 50 ft. ROW, Subdivision layout does not comply with ROW requirements, please revise accordingly prior to final. If no changes please submit variance request for ROW dedication requirements for interior streets, finalize ROW requirements prior to final.  - Street names will be established prior to final and plat will need to revised accordingly.  - As per the project engineer the subdivision is proposed to be private. Please submit gate details prior to final. ROW requirements at gate area are subject to increase for gate areas, sidewalks, islands, etc. finalize prior to final. Gates on private streets shall be setback with a turnaround as specified by the city engineer. Gate clearance and mechanisms shall comply with the requirements of the Fire Marshall for emergency access.  - A knuckle will be required on Lots 25-27 prior to final, similar to Lots 11-14.  **Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan  **Monies must be escrowed if improvements are not constructed prior to recording.</p>	Non-compliance
<p>Paving _____ Curb &amp; gutter _____  **Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan  **Monies must be escrowed if improvements are not constructed prior to recording.</p>	NA
<p>* 1,200 ft. Block Length.  **Subdivision Ordinance: Section 134-118</p>	NA
<p>* 900 ft. Block Length for R-3 Zone Districts.  Revisions Needed:  -Subdivision layout does not comply with block length requirement, please revise accordingly prior to final. If no changes please submit variance request for maximum block length requirement.  **Subdivision Ordinance: Section 134-118</p>	Non-compliance
<p>* 600 ft. Maximum Cul-de-Sac.  **Subdivision layout currently does not propose any Cul-De- Sac's.  ***Subdivision Ordinance: Section 134-105</p>	NA

ALLEYS	
<p>ROW: 20 ft. Paving: 16 ft.            *Alley/service drive easement required for commercial and multi-family properties.            Pending Items:            - A per the Public Works Department's comments, the subdivision layout is approved with dumpster easements in lieu of alley requirement. The dumpster easements and details must be finalized prior to final.            ***Subdivision Ordinance: Section 134-106</p>	Required
SETBACKS	
<p>* Front: 20 ft. or greater for easements, whichever is greater applies.            Revisions Needed:            -Revise note as shown above and/or clarify proposed note, as a variance request will be required regarding specific setbacks (ex. carports), finalize setback requirements prior to final.            Proposing: 20 feet or greater for easements.            Unenclosed carport front: 10 feet or greater for easements.            **Zoning Ordinance: Section 138-356</p>	Non-compliance
<p>* Rear: 10 ft. or greater for easements, whichever is greater applies.            Revisions Needed:            -Include note as shown above prior to final.            **Zoning Ordinance: Section 138-356</p>	Non-compliance
<p>* Sides: In accordance with the zoning ordinance or greater for easements, whichever is greater applies.            Revisions Needed:            -Revise note as shown above and/or clarify proposed note, prior to final.            -Proposing: 5 feet or greater for easements as P.U.D            **Zoning Ordinance: Section 138-356</p>	Non-compliance
<p>* Corner: 10 ft. or greater for easements, whichever is greater applies.            Revisions Needed:            -Revise note as shown above prior to final.            Proposing: 10 feet or greater for easements, whichever is greater            **Zoning Ordinance: Section 138-356</p>	Non-compliance
<p>* Garage: 18 ft. except where greater setback is required, greater setback applies.            Revisions Needed:            -Include note as shown above prior to final.            **Zoning Ordinance: Section 138-356</p>	Non-compliance
<p>**Setbacks are based on R-3A Zoning District. Rezoning to R-3A must be finalized prior to final plat review. Setbacks requirements subject to increase once zoning requirements and street alignment/designation has been finalized.            *ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN</p>	Applied
SIDEWALKS	
<p>* 4 ft. wide minimum sidewalk required along North Shary Road, North 56th Street, 5 1/2 Mile Road and both sides of all interior streets.            Revisions Needed:            -Revise note #3 as shown above prior to final.            **Sidewalk requirements may increase to 5 ft. prior to final per Engineering Department requirements, finalize wording for note prior to final.            **Subdivision Ordinance: Section 134-120</p>	Applied
<p>* Perimeter sidewalks must be built or money escrowed if not built at this time.</p>	Required

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

BUFFERS	
<p>* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along North Shary Road, North 56th Street, and 5 1/2 Mile Road.</p> <p>Revisions needed:</p> <p>-Revise note #13 as shown above, prior to final.</p> <p>* Proposing: * 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along Mile 6 Road, and also along 1/4 mile collector roads (lot 1 and 34).</p> <p>**Landscaping Ordinance: Section 110-46</p> <p>* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.</p> <p>**Landscaping Ordinance: Section 110-46</p> <p>*Perimeter buffers must be built at time of Subdivision Improvements.</p>	<p>Non-compliance</p> <p>Applied</p> <p>Required</p>
NOTES	
<p>* No curb cut, access, or lot frontage permitted along North Shary Road, North 56th Street and 5 1/2 Mile Road.</p> <p>Revision required:</p> <p>-Revise note #18 as shown above, prior to final.</p> <p>**Must comply with City Access Management Policy</p> <p>* Site plan must be approved by the Planning and Development Departments prior to building permit issuance for 5 or more dwelling units on each lot if applicable.</p> <p>**Any owner, builder or developer of a multiple-family, condominium or townhouse dwelling complex of five units or more on a single lot or parcel, or five single-family attached units, shall submit to the planning department for review a site and building plan for the proposed development, submit a site plan for staff review prior to final.</p> <p>***Zoning Ordinance: Section 138-210.</p> <p>* Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen.</p> <p>Revisions required:</p> <p>-Include note as shown above, prior to final.</p> <p>* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.</p> <p>* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.</p> <p>**Section 134-168 applies if private subdivision is proposed.</p> <p>***Section 110-72 applies if public subdivision is proposed.</p> <p>****Landscaping Ordinance: Section 110-72</p> <p>*****Subdivision Ordinance: Section 134-168</p> <p>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</p> <p>**Homeowner's Association Covenants must be submitted for staff review, prior to recording.</p> <p>***Section 134-168 applies if private subdivision is proposed.</p> <p>****Section 110-72 applies if public subdivision is proposed.</p> <p>*****Landscaping Ordinance: Section 110-72</p> <p>*****Subdivision Ordinance: Section 134-168</p>	Non-compliance
	Applied
	Non-compliance
	NA
	Applied
	Required

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

LOT REQUIREMENTS	
<ul style="list-style-type: none"> <li>* Lots fronting public/private streets.</li> <li>Revisions needed:</li> <li>**Subdivision Ordinance: Section 134-1</li> <li>* Minimum lot width and lot area.</li> <li>**Compliance is based on R-3A Zoning District. Rezoning to R-3A must be finalized prior to final plat review</li> <li>**Zoning Ordinance: Section 138-356</li> </ul>	Applied
	Applied
ZONING/CUP	
<ul style="list-style-type: none"> <li>* Existing: (Extraterritorial jurisdiction) Proposed:R-3A(Multi-family) District</li> <li>**As per application dated August 15th,2023 proposed land use is Multi-family.</li> <li>Pending Items:</li> <li>- Engineer must clarify annexation status as zoning requirements must be finalized prior to final.</li> <li>-Subdivision requirements subject to change once zoning requirements are finalized.</li> <li>***Zoning Ordinance: Article V</li> <li>* Rezoning Needed Before Final Approval</li> <li>Pending Items:</li> <li>- Engineer must clarify annexation status as zoning requirements must be finalized prior to final.</li> <li>***Zoning Ordinance: Article V</li> </ul>	Non-compliance
	Non-compliance
PARKS	
<ul style="list-style-type: none"> <li>* Land dedication in lieu of fee. As per Parks Department, per application dated August 15th,2023 proposed 37 lot multi-family subdivision is not within City limits,(ETJ) therefore City of McAllen Park Land Dedication and Park Development Fees Ordinance does not apply unless annexed. Engineer must clarify annexation status and number of units prior to final.</li> <li>* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, per application dated August 15th,2023 proposed 37 lot multi-family subdivision is not within City limits,(ETJ) therefore City of McAllen Park Land Dedication and Park Development Fees Ordinance does not apply unless annexed. Engineer must clarify annexation status and number of units prior to final.</li> <li>* Pending review by City Manager's Office. As per Parks Department, per application dated August 15th,2023 proposed 37 lot multi-family subdivision is not within City limits,(ETJ) therefore City of McAllen Park Land Dedication and Park Development Fees Ordinance does not apply unless annexed. Engineer must clarify annexation status and number of units prior to final.</li> </ul>	TBD
	TBD
	TBD
TRAFFIC	
<ul style="list-style-type: none"> <li>* As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat.</li> <li>* Traffic Impact Analysis (TIA) required prior to final plat.</li> </ul>	Non-compliance
	TBD

COMMENTS	
<p>Comments:</p> <ul style="list-style-type: none"> <li>- Must comply with City's Access Management Policy.</li> <li>- Any abandonments must be done by separate process, not by plat.</li> <li>- Engineer must clarify annexation status as zoning requirements must be finalized prior to final. Subdivision requirements subject to change once zoning requirements are finalized.</li> <li>- Setbacks are based on R-3A Zoning District. Rezoning to R-3A must be finalized prior to final plat review. Subdivision requirements are subject to change once zoning requirements and street alignment/designation has been finalized.</li> <li>- Use a lighter shade for contour lines, to avoid any conflict with lot lines, prior to final.</li> </ul> <p>***The project engineer on behalf of the developer, submitted a variance application (VAR2023-0030) on October 31, 2023, and a revised letter on March 7, 2024. The application includes two variance:</p> <ol style="list-style-type: none"> <li>1. A variance to waive the ROW dedication requirement for and E/W half-mile collector (future 5 1/2 Mile Road), on the south side of the subdivision. The applicant stated that an E/W Collector is not viable at this location, for the existing improvements on the south side and east of the subject property. They also mentioned that 5 1/2 Road was not shown on the Rio Grande Valley MPO map as a half-mile collector.</li> <li>2. A variance to dedicate 15 ft. ROW for a N/S quarter-mile collector (future N. 56th Street) in lieu of 30 ft. requirement along the east side of the subdivision. The applicant stated that they are following the ROW dedication approved by the City for the subdivision on the north side, the Hills on Sharyland.</li> </ol>	Non-compliance
RECOMMENDATION	
<p>Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED, DRAINAGE AND UTILITIES APPROVALS, AND THE BOARD'S CLARIFICATION ON THE REQUESTED VARIANCES.</p>	Applied

## LOCATION



SUB2022-0151



City of McAllen  
Planning Department  
APPLICATION FOR  
SUBDIVISION PLAT REVIEW

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

Project Description

Subdivision Name Taylor Village Subdivision  
Location north-east corner of Taylor Rd & Wanda Ave.  
City Address or Block Number 2021 S. TAYLOR RD  
Number of lots 42 Gross acres 12.51 Net acres 12.08  
Existing Zoning R-2 Proposed PUD Rezoning Applied For ☐ Yes ☒ No Date \_\_\_\_\_  
Existing Land Use Vacant Proposed Land Use 2- Duplex Irrigation District # 1  
Residential Replat Yes ☐ No ☒ Commercial Replat Yes ☐ No ☐ ETJ Yes ☐ No ☐  
Agricultural Tax Exempt Yes ☐ No ☐ Estimated Rollback tax due 8/12/2022  
Parcel No. 101914 Tax Dept. Review Montreros  
Legal Description 12.51 Acre tract at land out of lot 167 John H. Shum & Denise  
Recorded in volume 1, page 17 MATHC

Owner

Name Sergio Govelet Phone (956) 607-1762  
Address 4002 S Shum Rd Suite 550-42  
City Mission State TX Zip 78572  
E-mail escruihome@hotmail.com

Developer

Name Senac as above Phone \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Contact Person \_\_\_\_\_  
E-mail \_\_\_\_\_

Engineer

Name MAS Engineering LLC Phone (956) 537-1311  
Address 3911 N. 10<sup>th</sup> St Suite H  
City McAllen State TX Zip 78501  
Contact Person Mani A. Salinas  
E-mail msalinas@att.net

Surveyor

Name David Salinas Phone (956) 682-9081  
Address 3320 Dattoch Ave.  
City McAllen State TX Zip 78501

ENTERED

DEC 28 2022

Initial: DPA

## 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 12/20/2022

Print Name ERIC LOUELA

Owner ☐

Authorized Agent ☐

VAR 2024-0011



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

311 North 15<sup>th</sup> Street  
 McAllen, TX 78501  
 P. O. Box 220

McAllen, TX 78505-0220  
 (956) 681-1250  
 (956) 681-1279 (fax)

Project	<p>Legal Description <u>BEING A 12.51 ACRE TRACT OF LAND OUT OF LOT 167,</u>  <u>JOHN H. SHARY SUBDIVISION</u></p> <p>Proposed Subdivision (if applicable) <u>TAYLOR VILLAS SUBDIVISION</u></p> <p>Street Address <u>2021 S. TAYLOR ROAD</u></p> <p>Number of lots <u>41</u> Gross acres <u>12.51</u></p> <p>Existing Zoning <u>R-2 DUPLEX- FOURPLEX</u> Existing Land Use <u>VACANT</u></p> <p><input type="checkbox"/> Current Survey and Metes and Bounds (required if the legal description is a portion of a lot)</p>
Applicant	<p><u>MAS ENGINEERING, LLC.</u>          Name <u>MARIO A. SALINAS, P.E.</u> Phone <u>956-537-1311</u></p> <p>Address <u>3911 N. 10TH STREET, SUITE H</u> E-mail <u>MSALINAS6973@ATT.NET</u></p> <p>City <u>MCALLEN</u> State <u>TX</u> Zip <u>78501</u></p>
Owner	<p><u>PORT BILBAO GROUP LLC.</u>          Name <u>SERGIO GOVELA</u> Phone <u>956-607-1762</u></p> <p>Address <u>4002 S. SHARY ROAD, SUITE 550-47</u> E-mail <u>ESCRIBEME@HOTMAIL.COM</u></p> <p>City <u>MISSION</u> State <u>TX</u> Zip <u>78572</u></p>
Authorization	<p>To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <u>2/13/24 4:47pm</u></p> <p>I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable) OR I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.</p> <p>Signature <u>[Signature]</u> Date <u>02/13/2024</u></p> <p>Print Name <u>SERGIO GOVELA</u> <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Authorized Agent</p>
Office	<p><b>*FOR OFFICE USE ONLY*</b></p> <p>APPLICATION FILING FEE: <u>X</u> \$250.00</p> <p>Accepted by <u>ICP</u> Payment received by _____ Date _____</p> <p>Rev 06/21</p> <p style="text-align: right;">FEB 16 2024 CW</p>



# City of McAllen

## Planning Department

### REASON FOR APPEAL

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

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

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

Reason for Appeal

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

THIS PROJECT HAS BEEN ON GOING FOR MANY YEARS, AND HAVE BEEN IN CONTACT WITH THE CITY OF MCALLEN DEVELOPMENT TEAM TO STRATEGIZE DEVELOPMENT COMPLETION

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

THIS VARIANCE WOULD BE REQUIRED DUE TO THE INFRASTRUCTURE ALREADY BEING CONSTRUCTED, AND THE DEVELOPER ALONG WITH THE CITY OF MCALLEN TO MAKE NECESSARY ACCOMMODATIONS FOR THIS DEVELOPMENT TO COME TO FRUITION.

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

SAME AS ABOVE

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

SAME AS ABOVE

Edgar Garcia  
City of McAllen  
Planning Department  
311 North 15<sup>th</sup> Street  
McAllen, Texas 78501

Re: Variance Request – Taylor Villas Subdivision

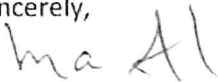
Dear Mr. Garcia,

On behalf of the Developer, we are requesting multiple variances for the subdivision as follows:

- 1) Requesting 1,320 ft. block length on the north side of the subdivision due to the existing adjacent subdivision.
- 2) Requesting to reduce the existing 20 ft. setback for unenclosed carports to 10 ft. and building setbacks to remain at 20 ft.
- 3) Requesting to change the right-of-way from 60 ft. to 50 ft. and will construct a 40 ft. back-to-back pavement cross-section and add a 10 ft. utility easement on both sides.

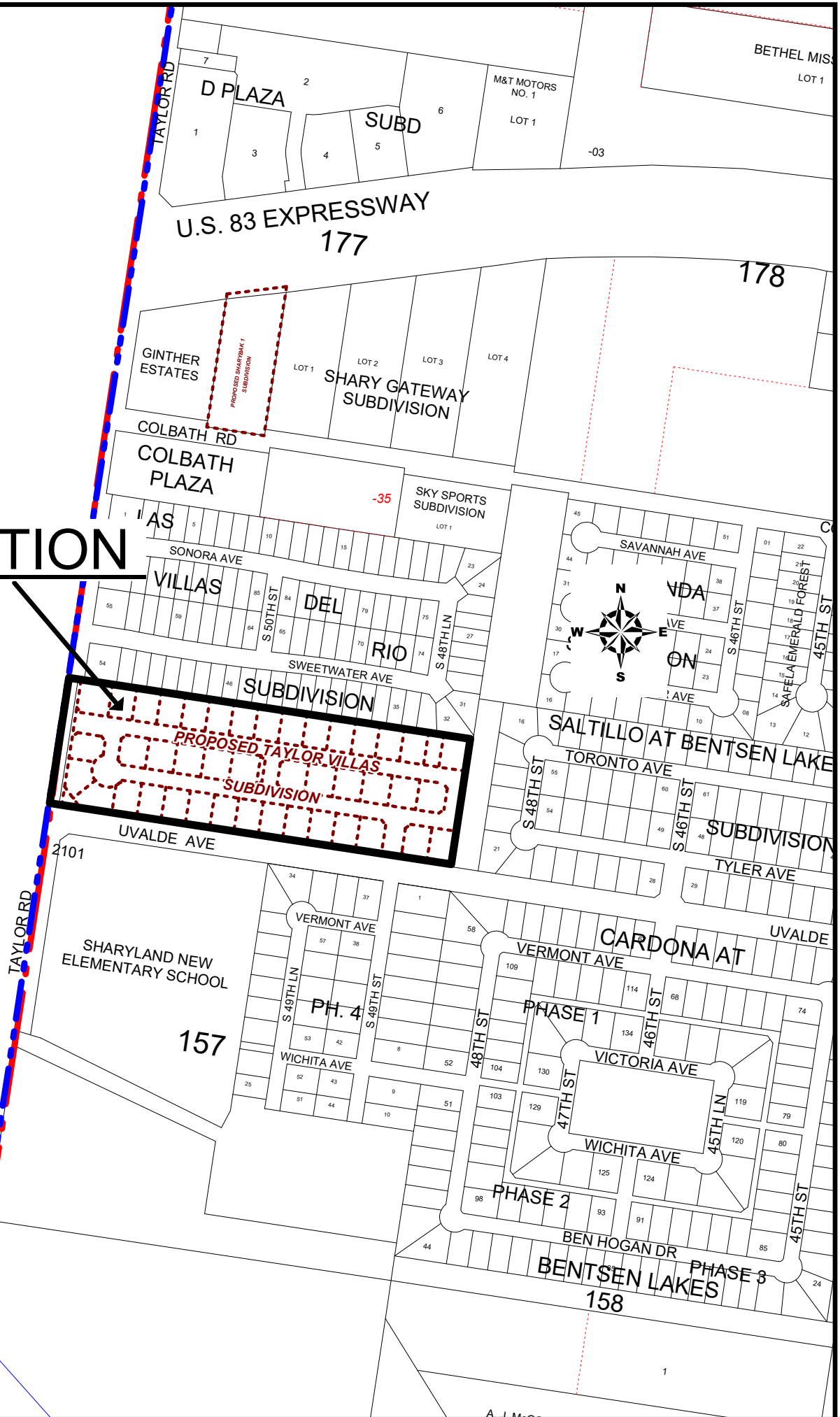
Please feel free to contact me with any questions.

Sincerely,

A handwritten signature in dark ink, appearing to read 'ma Al'.

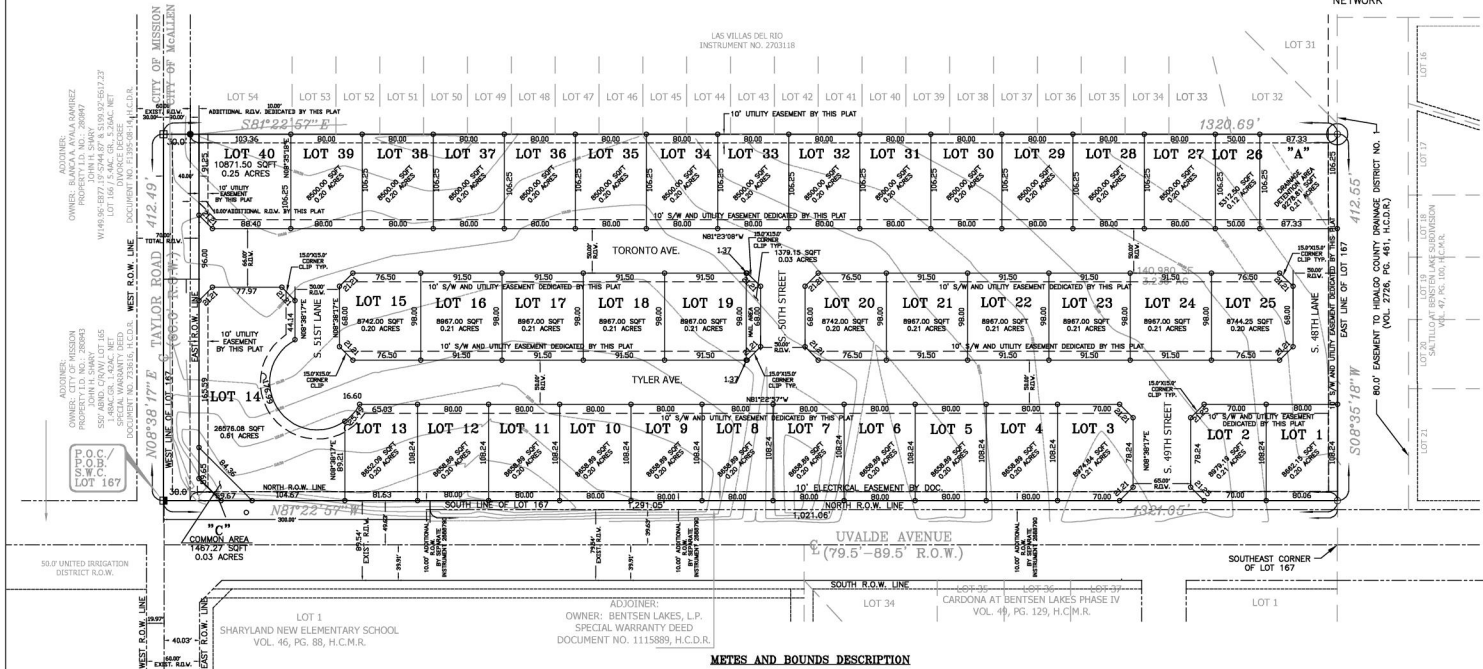
Mario A. Salinas, P.E.  
MAS Engineering, LLC

**LOCATION**



MAP  
OF  
TAYLOR VILLAS SUBDIVISION  
McAlLEN, TEXAS

BEING A 12.51 ACRE TRACT OF LAND OUT OF LOT 167, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS  
ACCORDING TO PLAT RECORDED IN VOLUME 1, PAGE 17, DEED RECORDS, HIDALGO COUNTY, TEXAS



BEING 12.51 ACRES OF LAND OUT OF LOT 167, JOHN H. SHARY SUBDIVISION, RECORDED IN VOLUME 1, PAGE 17, MAP RECORDS HIDALGO COUNTY, TEXAS, AND BEING THE SAME LAND DESCRIBED AS 12.50 ACRES OUT OF SAID LOT 167, BY WARRANTY DEED WITH VENDOR'S LIEN FROM HARRY H. POWELL AND MARY MAY POWELL, CO-TRUSTEES OF THE HARRY H. AND MARY MAY POWELL LIVING TRUST, DATED NOVEMBER 29, 2000, RECORDED IN DOCUMENT NO. 928321, DEED RECORDS HIDALGO COUNTY, TEXAS, SAID 12.51 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

BEGINNING AT A COTTON PICKER SPINDLE FOUND, THE SOUTHWEST CORNER OF THE SAID LOT 167, AND SAME BEING THE CENTERLINE OF TAYLOR ROAD FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT AND THE POINT AND PLACE OF BEGINNING;

THENCE N 08°38'17"E ALONG THE WEST LINE OF THE SAID LOT 167 AND WITHIN THE RIGHT-OF-WAY OF TAYLOR ROAD, A DISTANCE OF 412.49 FEET TO A COTTON PICKER SPINDLE SET FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 81°22'57"E ACROSS THE SAID LOT 167, SAME BEING THE NORTH LINE OF THE SAID CALLED 12.50 ACRE TRACT, PASSING AT 20.0 FEET THE DEDICATED EAST RIGHT-OF-WAY OF TAYLOR ROAD, AT 30.0 FEET TO AN IRON ROD FOUND FOR THE APPARENT EAST RIGHT-OF-WAY OF TAYLOR ROAD, CONTINUING FOR A TOTAL DISTANCE OF 1320.69 FEET TO AN IRON ROD SET, FROM WHICH AN IRON ROD FOUND BEARS N 18°23'09"E, A DISTANCE OF 0.07 FEET, FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 08°35'18"W ALONG THE EAST LINE OF THE SAID LOT 167, SAME BEING THE WEST LINE OF AN 80.0 EASEMENT TO HCDD NO. 1, RECORDED IN VOLUME 2726, PAGE 461, HIDALGO COUNTY DEED RECORDS, A DISTANCE OF 412.55 FEET TO AN IRON ROD SET ON THE NORTH LINE OF A 100 FOOT UNITED IRRIGATION DISTRICT RIGHT-OF-WAY, FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 81°22'57"W ALONG THE SOUTH LINE OF THE SAID LOT 167, SAME BEING THE NORTH LINE OF A 100 FOOT UNITED IRRIGATION DISTRICT RIGHT-OF-WAY, PASSING AT 1291.05 THE APPARENT EAST RIGHT-OF-WAY OF TAYLOR ROAD, AT 1301.05 FEET THE DEDICATED EAST RIGHT-OF-WAY OF TAYLOR ROAD, CONTINUING FOR A TOTAL DISTANCE OF 1321.05 FEET TO THE POINT AND PLACE OF BEGINNING, SAID TRACT CONTAINING 12.51 ACRES OF LAND, MORE OR LESS.

NOTES:

1. MINIMUM BUILDING SETBACK LINES SHALL BE AS FOLLOWS:

- A) FRONT: 20 FT. EXCEPT 10 FT. FOR ENCLOSED CARPORT OR GREATER FOR EASEMENTS, WHICHEVER IS GREATER APPLIES
- B) REAR: IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER FOR EASEMENTS, WHICHEVER IS GREATER APPLIES.
- C) SIDES: IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER FOR EASEMENTS, WHICHEVER IS GREATER APPLIES.
- D) CORNER: 10 FT. OR GREATER FOR EASEMENTS, WHICHEVER IS GREATER APPLIES.
- E) GARAGE: 18 FT. EXCEPT WHERE GREATER SETBACK IS REQUIRED; GREATER SETBACK APPLIES.

2. THIS PROPERTY FALLS IN ZONE "B" OF THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL No. 480334 0400 C, REVISED NOV. 16, 1982. FLOOD ZONE "B" IS DEFINED AS AREAS BETWEEN LIMITS OF THE 100-YEAR FLOOD AND 500 YEAR FLOOD; OR CERTAIN AREAS SUBJECT TO 100-YEAR FLOODING WITH AVERAGE DEPTHS LESS THAN ONE (1) FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN ONE SQUARE MILE; OR AREAS PROTECTED BY LEVEES FROM THE BASE FLOOD, (MEDIUM SHADING).

3. STORM WATER DETENTION OF \_\_\_\_\_ C.F. OR \_\_\_\_\_ AC-FT IS REQUIRED FOR THIS SUBDIVISION.

4. MINIMUM FINISHED FLOOR ELEVATIONS SHALL BE AT LEAST 18 INCHES ABOVE TOP OF CURB MEASURED AT FRONT CENTER OF EACH LOT.

5. 4 FT. WIDE MINIMUM SIDEWALK REQUIRED ON S. TAYLOR ROAD, UVALDE AVENUE AND ON BOTH SIDES OF ALL INTERIOR STREETS.

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

7. 6 FT. OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, AND INDUSTRIAL ZONES/USES AND ALONG UVALDE AVENUE AND S. TAYLOR ROAD.

8. CITY OF McAllen BENCHMARK: MC 80 IS LOCATED ON THE SOUTH (FRONTAGE ROAD) BOUND OF EXP. 83, 80 FT. SOUTH FROM THE EOP OF THE FRONTAGE ROAD, AND 16 FT. NORTH FROM THE END OF A CANAL. THE MONUMENT IS SET APPROXIMATELY 500 FT. EAST OF TAYLOR RD. ELEV. 104.41 FT.

9. 8 FT. MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONES/USES.

10. NO CURB CUT, ACCESS OR LOT FRONTAGE PERMITTED ON UVALDE AVE. AND S. TAYLOR ROAD.

11. ALL IRRIGATION EASEMENTS ARE EXCLUSIVE TO UNITED IRRIGATION DISTRICT, AND THE DISTRICT ALLOWS NO OTHER UTILITIES OR OUTSIDE USE WITHOUT ITS EXPRESS WRITTEN APPROVAL.

12. NO UTILITY COMPANY, PUBLIC ENTITY, PARTY OR PERSON IS ALLOWED TO CROSS ABOVE OR BELOW GROUND ANY IRRIGATION DISTRICT EASEMENT OR RIGHT OF WAY WITH LINES, POLES, OPEN DITCHES OR OTHER USE WITHOUT FIRST OBTAINING A CROSSING PERMIT FROM UNITED IRRIGATION DISTRICT.

13. NO PERMANENT STRUCTURE, UTILITY POLE, HOLE, WALL, FENCE, DRIVEWAY, OR ROAD WILL BE ALLOWED TO BE CONSTRUCTED OR EXIST ON ANY DISTRICT EASEMENT OR RIGHT OF WAY WITHOUT WRITTEN APPROVAL BY IRRIGATION DISTRICT. ANY UNAUTHORIZED STRUCTURE WITHIN THE EASEMENT BOUNDARY IS SUBJECT TO IMMEDIATE REMOVAL AT VIOLATOR'S EXPENSE.

14. NO UTILITY COMPANY, PUBLIC ENTITY, PARTY OR PERSON IS ALLOWED TO CONNECT TO ANY DISTRICT FACILITY WITHOUT FIRST OBTAINING A PERMIT FROM IRRIGATION DISTRICT. ANY CONNECTION NOT AUTHORIZED BY THE DISTRICT IS SUBJECT TO IMMEDIATE REMOVAL AT VIOLATOR'S EXPENSE.

15. COMMON AREAS, DETENTION AREAS AND PRIVATE STREETS MUST BE MAINTAINED BY THE LOT OWNERS, AND NOT THE CITY OF McAllen.

16. 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.

17. AS PER DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR TAYLOR VILLAS SUBDIVISION, RECORDED AS DOCUMENT NUMBER \_\_\_\_\_, HIDALGO COUNTY, DEED RECORDS, DEVELOPER/HOMEOWNER'S ASSOCIATION/OWNER, THEIR SUCCESSORS AND/OR ASSIGNS, AND NOT THE CITY OF McAllen SHALL BE RESPONSIBLE FOR INSTALLATION, MAINTENANCE AND OTHER REQUIREMENTS AS PER SECTION 134-168 OF THE CODE OF ORDINANCE OF THE CITY OF McAllen, INCLUDING BUT NOT LIMITED TO COMMON AREAS AND PRIVATE STREETS. ANY AMENDMENT OF DECLARATIONS THAT CONFLICT WITH THE REQUIREMENTS OF SECTION 134-168 SHALL BE NULL AND VOID.

18. 15 FT. X 15 FT. SIDE OBSTRUCTION EASEMENT REQUIRED AT ALL STREET INTERSECTIONS.

STATE OF TEXAS:  
COUNTY OF HIDALGO:

I/WE THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS TAYLOR VILLAS, SUBDIVISION TO THE CITY OF McALLEN, TEXAS, AND WHOSE NAME(S) IS/ARE SUBSCRIBED HERETO, DO HEREBY GRANT AN EASEMENT TO THE CITY OF McALLEN AND THOSE WHO MAY NOW OR HEREAFTER HOLD FRANCHISE UNDER SAID CITY. THE SURFACE USE OF THE STREETS, ALLEYS, COMMON AREAS AND UTILITY EASEMENTS THEREON SHOWN ARE RESTRICTED TO THE EMPLOYEES AND AGENTS OF THE CITY OF McALLEN, EMPLOYEES OF THE UTILITY COMPANIES UNDER FRANCHISE OF SAID CITY, AND RESIDENTS OF THE SUBDIVISION AND THEIR GUESTS. OWNERSHIP AND MAINTENANCE OF ALL STREET IMPROVEMENTS AND COMMON AREA(S) SHALL REMAIN WITH AND BE THE RESPONSIBILITY OF THE TAYLOR VILLAS HOMEOWNER'S ASSOCIATION. THE OWNER DOES HEREBY DEDICATE TO THE USE OF THE PUBLIC THE PORTIONS OF TAYLOR ROAD AND UVALDE AVENUE FOR USE AS STREET RIGHT OF WAY DEDICATED TO THE CITY OF McALLEN.

TAYLOR VILLAS, INC.

Date

By

Name:

Title:

Address:

Manager

STATE OF TEXAS:  
COUNTY OF HIDALGO:

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED \_\_\_\_\_ KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE (SHE) EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE DAY \_\_\_\_\_ OF \_\_\_\_\_, 2017

NOTARY PUBLIC

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

CHAIRMAN, PLANNING COMMISSION

Date

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

MAYOR, CITY OF McALLEN

Date

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

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

BY:

Date

STATE OF TEXAS  
COUNTY OF HIDALGO

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

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

DATE

STATE OF TEXAS  
COUNTY OF HIDALGO

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

MARIO A. SALINAS  
LICENSED PROFESSIONAL ENGINEER # 96611  
4037 W. EXP.83, SUITE 150  
McALLEN, TEXAS 78501

DATE

UNITED IRRIGATION DISTRICT

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

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

ATTEST:

PRESIDENT

SECRETARY

DATE OF PREPARATION 02-09-24



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

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

INSTRUMENT NUMBER \_\_\_\_\_  
OF THE MAP RECORDS OF HIDALGO COUNTY, TE

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

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

4037 W. EXP.83, SUITE 150  
McALLEN, TEXAS. 78501

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



# City of McAllen

## SUBDIVISION PLAT REVIEW

Reviewed On: 3/28/2024

### SUBDIVISION NAME: TAYLOR VILLAS SUBDIVISION

#### REQUIREMENTS

#### STREETS AND RIGHT-OF-WAYS

S. Taylor Road: 10 ft. ROW dedication required for 40 ft. from centerline for 80 ft. ROW  
Paving: 52 ft. - 65 ft. Curb & gutter: both sides  
Revisions Needed:  
- Some lines and text are overlapping. Ensure that dimensions and labels are legible, prior to final.  
\*\*Subdivision Ordinance: Section 134-105 and/or \*COM Thoroughfare Plan  
\*\*Monies must be escrowed if improvements are required prior to recording.

Uvalde Avenue: 49.63 ft. from centerline for 89.54 ft. ROW existing  
Paving: 52 ft. - 65 ft. Curb & gutter: both sides  
Revisions Needed:  
- Some lines and text are overlapping. Ensure that dimensions and labels are legible, prior to final.  
- Ensure that ROW being dedicated by this plat is labeled throughout plat boundary, prior to final.  
\*\*Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan  
\*\*Monies must be escrowed if improvements are required prior to recording

Interior Streets (proposed as private): 60 ft.  
Paving: 40 ft. Curb & gutter: both sides  
- Street names will be finalized prior to final.  
\*\*Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan  
\*\*Monies must be escrowed if improvements are required prior to recording

\*\*\* The project engineer on behalf of the developer has submitted a variance application (VAR2024-0011) which includes a variance request to allow 50 ft. ROW with 40 ft. paving back-to-back and 10 ft. utility easement on both sides of the interior streets. A subdivision application for this property with the same proposed name was in process in 2015 and a variance to allow 50 ft. ROW with 40 ft. paving was approved by the Board on September 1, 2015, subject to 10 ft. sidewalk and utility easement on both sides of the interior streets. The same variance with the same conditions will be honored for this subdivision.

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

\* 1,200 ft. Block Length  
\*\*Subdivision Ordinance: Section 134-118

Required

Required

Applied

Applied

NA

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

<p>* 900 ft. Block Length for R-3 Zone Districts  **Subdivision Ordinance: Section 134-118</p> <p>*** The project engineer on behalf of the developer has submitted a variance application (VAR2024-0011) which includes a variance to the maximum block length requirement to allow 1,320 ft. block length on the north side, due to the existing adjacent subdivision on the north side. A subdivision application for this property with the same proposed name was in process in 2015 and a variance to allow the block length was recommended for approval by the Planning and Zoning Commission on June 16, 2015, and approved by the City Commission on July 13, 2015. The same variance will be honored for this subdivision.</p> <p>* 600 ft. Maximum Cul-de-Sac  **Subdivision Ordinance: Section 134-105</p>	<p>Applied</p> <p>NA</p>
<b>ALLEYS</b>	
<p>ROW: 20 ft. Paving: 16 ft.  Revisions needed:  - Alley/service drive easement required for Commercial and Multi-Family properties.  - Must comply with Public Works Department requirements.  ** A subdivision application for this property with the same proposed name was in process in 2015. The proposed layout was approved in final form for that subdivision on March 1, 2016, and in revised final form on July 18, 2017. However, the subdivision must comply with Public Works Department requirements.  *Alley/service drive easement required for commercial properties  **Subdivision Ordinance: Section 134-106</p>	Non-compliance
<b>SETBACKS</b>	
<p>* Front: 20 ft. or greater for easements, which ever is greater applies  Revisions needed:  - Revise plat note #1.A as shown above prior to final.  **Setback requirements will be established once CUP for Planned Unit Development has been submitted and reviewed.  **Zoning Ordinance: Section 138-356</p> <p>*** The project engineer on behalf of the developer has submitted a variance application (VAR2024-0011) which includes a variance request to allow the front setback to be 20 ft. except 10 ft. for unenclosed carports or greater for easements, whichever is greater applies. Based on the 50 ft. ROW and 40 ft. paving for the interior streets and requirement of 10 ft. sidewalk and utility easement, staff recommends 15 ft. minimum setback for unenclosed carports in lieu of 10 ft. requested by the project engineer.</p> <p>* Rear: In accordance with the Zoning Ordinance, or greater for easements, which ever is greater applies  **Setback requirements will be established once CUP for Planned Unit Development has been submitted and reviewed.  **Zoning Ordinance: Section 138-356</p> <p>* Sides: In accordance with the Zoning Ordinance, or greater for easements, which ever is greater applies  **Setback requirements will be established once CUP for Planned Unit Development has been submitted and reviewed.  **Zoning Ordinance: Section 138-356</p> <p>* Corner: 10 ft. or greater for easements, which ever is greater applies  **Setback requirements will be established once CUP for Planned Unit Development has been submitted and reviewed.  **Zoning Ordinance: Section 138-356</p>	Non-compliance
	Applied
	Applied
	Applied

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

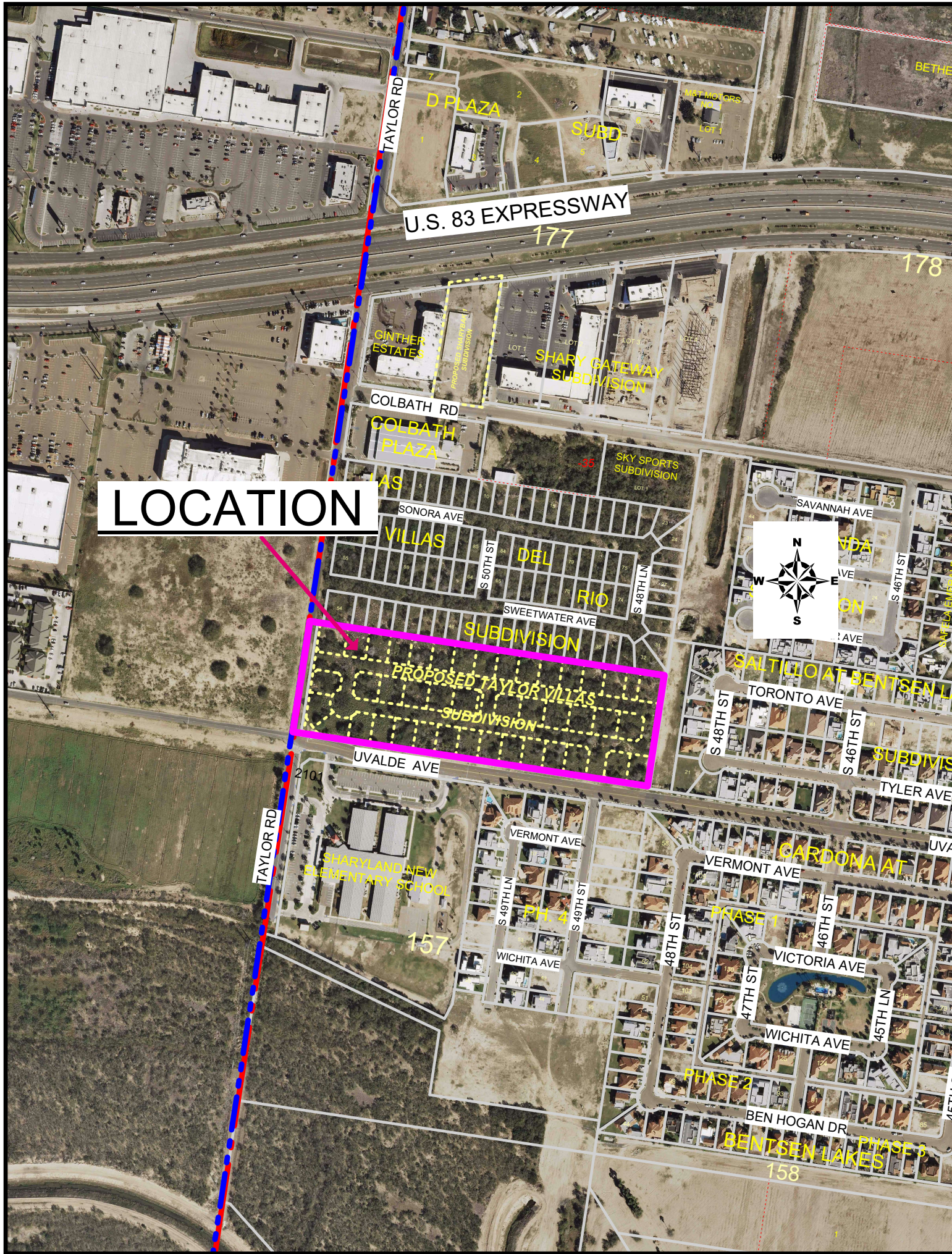
<ul style="list-style-type: none"> <li>* Garage: 18 ft. except where greater setback is required; greater setback applies</li> <li>**Setback requirements will be established once CUP for Planned Unit Development has been submitted and reviewed.</li> <li>**Zoning Ordinance: Section 138-356</li> <li>*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN</li> </ul>	Applied
	Required
<b>SIDEWALKS</b>	
<ul style="list-style-type: none"> <li>* 4 ft. wide minimum sidewalk required on S. Taylor Road, Uvalde Avenue and on both sides of all interior streets.</li> <li>**Sidewalk requirements may increase to 5 ft. per Engineering Department , finalize wording for note prior to final.</li> <li>**Subdivision Ordinance: Section 134-120</li> <li>* Perimeter sidewalks must be built or money escrowed if not built at this time.</li> </ul>	Applied
	Required
<b>BUFFERS</b>	
<ul style="list-style-type: none"> <li>* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along Uvalde Avenue and S. Taylor Road.</li> <li>**Landscaping Ordinance: Section 110-46</li> <li>* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.</li> <li>**Landscaping Ordinance: Section 110-46</li> <li>*Perimeter buffers must be built at time of Subdivision Improvements.</li> </ul>	Applied
	Applied
	Required
<b>NOTES</b>	
<ul style="list-style-type: none"> <li>* No curb cut, access, or lot frontage permitted along Uvalde Avenue and S. Taylor Road.</li> <li>**Must comply with City Access Management Policy</li> <li>* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.</li> <li>**Overall site plan required as part of the CUP process for Planned Unit Development.</li> <li>* Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen.</li> <li>* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.</li> <li>* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.</li> <li>**Section 134-168 applies if private subdivision is proposed.</li> <li>***Section 110-72 applies if public subdivision is proposed.</li> <li>****Landscaping Ordinance: Section 110-72</li> <li>*****Subdivision Ordinance: Section 134-168</li> <li>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</li> <li>**Homeowner's Association Covenants must be submitted for staff review, prior to recording.</li> <li>***Section 134-168 applies if private subdivision is proposed.</li> <li>****Section 110-72 applies if public subdivision is proposed.</li> <li>*****Landscaping Ordinance: Section 110-72</li> <li>*****Subdivision Ordinance: Section 134-168</li> </ul>	Applied
	Required
	Applied
	NA
	Required
	Required

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

LOT REQUIREMENTS	
<ul style="list-style-type: none"> <li>* Lots fronting public/private streets</li> <li>**Subdivision Ordinance: Section 134-1</li> <li>* Minimum lot width and lot area</li> <li>Revisions needed: <ul style="list-style-type: none"> <li>- Clarify the use of Lot 26 prior to final, since the Lot size (5,312.50 sq. ft.) does not qualify for multi-family residential use.</li> </ul> </li> <li>**Zoning Ordinance: Section 138-356</li> </ul>	Applied
	Non-compliance
ZONING/CUP	
<ul style="list-style-type: none"> <li>* Existing: R-2 Proposed: R-2 (Duplex-Fourplex Residential) District</li> <li>**Currently there is a Conditional Use Permit for a Planned Unit Development in process, however not finalized. Conditional use permit process for a Planned Unit Development must be finalized prior to final.</li> <li>** Rezoning or Conditional Use Permit for Planned Unit Development required prior to final.</li> <li>** CUP for Planned Unit Development will be reviewed simultaneously with subdivision plat and requirements will/may be revised as needed.</li> <li>** The property was annexed and initially zoned to R-2 District on September 14, 2015.</li> <li>***Zoning Ordinance: Article V</li> <li>* Rezoning Needed Before Final Approval</li> <li>**Currently there is a Conditional Use Permit for a Planned Unit Development in process, however not finalized. Conditional use permit process for a Planned Unit Development must be finalized prior to final.</li> <li>*** Rezoning or Conditional Use Permit for Planned Unit Development required prior to final.</li> <li>*** CUP for Planned Unit Development will be reviewed simultaneously with subdivision plat and requirements will/may be revised as needed.</li> <li>****Zoning Ordinance: Article V</li> </ul>	Required
	Required
PARKS	
<ul style="list-style-type: none"> <li>* Land dedication in lieu of fee. As per Park Department fees apply to this subdivision at a rate of \$700 per dwelling unit, this in accordance with McAllen's Park Land Dedication and Park Development Fees Ordinance.</li> <li>- Submit a site plan to clarify the total number of dwelling units to finalize the Parks requirement prior to final.</li> <li>* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording, if land dedication is not required. Please provide number of dwelling units prior to final. Fees can go up or down, they are dependent on the number of units.</li> <li>- Submit a site plan to clarify the total number of dwelling units to finalize the Parks requirement prior to final.</li> <li>* Pending review by City Manager's Office.</li> <li>- Submit a site plan to clarify the total number of dwelling units to finalize the Parks requirement prior to final.</li> </ul>	TBD
	TBD
	TBD
TRAFFIC	
<ul style="list-style-type: none"> <li>* As per Traffic Department, TIA waived.</li> <li>* Traffic Impact Analysis (TIA) required prior to final plat.</li> <li>** As per Traffic Department, TIA waived.</li> </ul>	Applied
	NA

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

COMMENTS	
<p>Comments:</p> <ul style="list-style-type: none"> <li>- Must comply with requirements/conditions of the Conditional Use Permit for the Planned Unit Development (PUD), if applying for the CUP. The site plan for the PUD will be recorded at such time as the plat is recorded. Cross reference notes will need to be finalized prior to final.</li> <li>- Any changes to approved site plan for Planned Unit Development may require for Conditional use permit to be amended and presented before the Planning and Zoning Commission.</li> <li>- Plat notes, setbacks, requirements, subject to be revised based on CUP for Planned Unit Development prior to final as process is reviewed simultaneously with the subdivision plat.</li> <li>- CUP for Planned Unit Development will be reviewed simultaneously with subdivision plat and requirements will/may be revised as needed.</li> </ul> <p><b>**Gate Details submitted on December 28, 2022 have been approved by Traffic Department.</b></p> <ul style="list-style-type: none"> <li>-Currently there is a Conditional Use Permit for a Planned Unit Development in process, however not finalized. Conditional use permit process for a Planned Unit Development must be finalized prior to final.</li> <li>-Any abandonments must be done by separate process, not by plat.</li> </ul> <p><b>**Must comply with City's Access Management Policy.</b></p> <p><b>*** The project engineer on behalf of the developer has submitted a variance application (VAR2024-0011) which includes the following requests:</b></p> <ol style="list-style-type: none"> <li>1. A variance to the maximum block length requirement to allow 1,320 ft. block length on the north side, due to the existing adjacent subdivision on the north side. A subdivision application for this property with the same proposed name was in process in 2015 and a variance to allow the block length was recommended for approval by the Planning and Zoning Commission on June 16, 2015, and approved by the City Commission on July 13, 2015. The same variance will be honored for this subdivision.</li> <li>2. A variance request to allow the front setback to be 20 ft. except 10 ft. for unenclosed carports or greater for easements, whichever is greater applies. Based on the 50 ft. ROW and 40 ft. paving for the interior streets and requirement of 10 ft. sidewalk and utility easement, staff recommends 15 ft. minimum setback for unenclosed carports in lieu of 10 ft. requested by the project engineer.</li> <li>3. A variance request to allow 50 ft. ROW with 40 ft. paving back-to-back and 10 ft. utility easement on both sides of the interior streets. A subdivision application for this property with the same proposed name was in process in 2015 and a variance to allow 50 ft. ROW with 40 ft. paving was approved by the Board on September 1, 2015, subject to 10 ft. sidewalk and utility easement on both sides of the interior streets. The same variance with the same conditions will be honored for this subdivision.</li> </ol>	Required
RECOMMENDATION	
<p>Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED PRELIMINARY FORM, SUBJECT TO CONDITIONS NOTED, DRAINAGE, AND UTILITY APPROVALS, AND THE BOARD'S CLARIFICATION ON THE REQUESTED VARIANCES.</p>	Applied



LOCATION



**City of McAllen**

**Planning Department**

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

**SUBDIVISION PLAT REVIEW APPLICATION**

Subap23-0009

Project Information	Subdivision Name <u>Las Brisas Phase I</u>	
	Location <u>On the southwest corner of Rooth Road and Monte Cristo Road</u>	
	City Address or Block Number <u>3101 MONTE CRISTO RD</u>	
	Number of Lots <u>126</u>	Gross Acres <u>23.74</u> Net Acres _____ ETJ <input type="checkbox"/> Yes <input type="checkbox"/> No
	Existing Zoning <u>AO</u> Proposed Zoning <u>R-1</u> Rezoning Applied for <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date _____	
	Existing Land Use <u>Vacant</u> Proposed Land Use <u>Residential</u> Irrigation District # <u>1</u>	
	Replat <input type="checkbox"/> Yes <input type="checkbox"/> No Commercial _____ Residential _____	
	Agricultural Exemption <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Estimated Rollback Tax Due <u>8,080.26</u>	
	Parcel # <u>224742</u> Tax Dept. Review <u>19</u>	
	Water CCN <input type="checkbox"/> MPU <input checked="" type="checkbox"/> Sharyland Water SC Other _____	
Legal Description <u>95.465 acres out of Lots 1-5, Block 1, and part of portion out of Lots 6-10, Block 5, M &amp; M Subdivision, recorded in Volume 8, Page 20, Hidalgo County Map Records, City of McAllen, Hidalgo County, Texas.</u>		
Owner	Name <u>ML Rhodes, LTD</u> Phone <u>(956) 287-2800</u>	
	Address <u>200 S 10th St, Suite 1700</u> E-mail <u>nick@rhodesenterprises.com</u>	
	City <u>McAllen</u> State <u>Texas</u> Zip <u>78501</u>	
Developer	Name <u>Rhodes Development Inc</u> Phone <u>(956) 287-2800</u>	
	Address <u>200 S 10th St, Suite 1700</u> E-mail <u>nick@rhodesenterprises.com</u>	
	City <u>McAllen</u> State <u>Texas</u> Zip <u>78501</u>	
	Contact Person <u>Nick Rhodes, President</u>	
Engineer	Name <u>Melden &amp; Hunt, Inc.</u> Phone <u>(956) 381-0981</u>	
	Address <u>115 West McIntyre Street</u> E-mail <u>mario@meldenandhunt.com</u>	
	City <u>Edinburg</u> State <u>Texas</u> Zip <u>78541</u>	
	Contact Person <u>Mario A. Reyna, P.E.</u>	
Surveyor	Name <u>Melden &amp; Hunt, Inc.</u> Phone <u>(956) 381-0981</u>	
	Address <u>115 West McIntyre Street</u> E-mail <u>robert@meldenandhunt.com</u>	
	City <u>Edinburg</u> State <u>Texas</u> Zip <u>78541</u>	

FEB 03 2023

BY:

CW

KF

## Proposed Plat Submittal

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

### PLAT TO SHOW:

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

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

Minimum Developer's Requirements Submitted with Application

Owners Signature

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

Signature  Date 02.03.2023

Print Name Mario A. Reyna, P.E.

Owner ☐

Authorized Agent ☒



TBPELS Firm # F-1435  
TBPELS # 10096900

# MELDEN & HUNT INC.

CONSULTANTS • ENGINEERS • SURVEYORS

MARIO A. REYNA • ALLAN F. BOOE • KELLEY A. HELLER-VELA • ROBERTO N. TAMEZ • RUBEN JAMES DE JESUS • MICHAEL HERNANDEZ

March 8, 2024

**CITY OF MCALLEN PLANNING DEPT.**

Edgar Garcia, AICP, CPM  
311 North 15<sup>th</sup> Street  
McAllen Texas 78501

**Re: LAS BRISAS PHASE I – REQUEST FOR EXTENSION**

Dear Mr. Garcia:

On behalf of the owner, ML Rhodes LTD, Melden & Hunt, Inc. is requesting a six-month extension on the above referenced subdivision plat. According to our records, the Planning and Zoning Commission gave the plat preliminary approval on February 21, 2023. The owners are requesting an additional six-month time frame.

Your consideration on this request at your next board meeting is appreciated. If you have any questions and/or require additional information, please do not hesitate to contact me.

Respectfully,

Mario A. Reyna, P.E.  
President

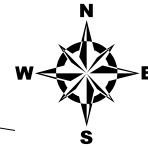
Cc: ML Rhodes LTD , ML Rhodes LLC Managing Member

07

09  
LOCATION

12

11



MONTE CRISTO RD

15700

15300

14900

ROGERS RD

4

SAN JOSE RANCHO

9

8

6

MORENO

MORENO SR

PHASE 3

2520

2623 2611 2611

CITY OF MCALLEN

5

BLK 1

BLK 2

PROPOSED, TESORO DEL VALLE SUBDIVISION

BLK 2

PROPOSED LAS BRISAS PHASE 1 SUBDIVISION

PROPOSED KALO SUBDIVISION

SUBDIVISION

ROGERS RD

11

BLK 4  
BLK 2

N 32ND ST

BLK 5

7

6

8

9

10

11

M

CITY OF MCALLEN

METES AND BOUNDS DESCRIPTION

A TRACT OF LAND CONTAINING 23.363 ACRES SITUATED IN THE COUNTY OF HIDALGO, TEXAS, BEING A PART OR PORTION OUT OF LOTS 1, 2, 3 AND 4, BLOCK 1, , M AND M SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 8, PAGE 20, HIDALGO COUNTY MAP RECORDS, SAID 23.363 ACRES BEING OUT OF A CERTAIN TRACT CONVEYED TO M.L. RHODES, LTD, BY VIRTUE OF A SPECIAL WARRANTY DEED RECORDED UNDER DOCUMENT NUMBER 2770269, HIDALGO COUNTY OFFICIAL RECORDS, SAID 23.363 ACRES ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A NAIL SET ON THE SOUTHEAST CORNER OF LOT 5, OF SAID BLOCK 1;

THENCE, N 08° 40' 10" E ALONG THE EAST LINE OF SAID LOT 5, BLOCK 1, A DISTANCE OF 869.60 FEET;

THENCE, N 81° 19' 50" W A DISTANCE OF 50.00 FEET TO A NO. 4 REBAR SET FOR THE SOUTHEAST CORNER AND THE POINT OF BEGINNING OF THIS HEREIN DESCRIBED TRACT;

1. THENCE, S 68° 00' 00" W A DISTANCE OF 164.29 FEET TO A NO. 4 REBAR SET FOR AN OUTSIDE CORNER OF THIS TRACT;
2. THENCE, S 81° 00' 00" W A DISTANCE OF 100.64 FEET TO A NO. 4 REBAR SET FOR AN INSIDE CORNER OF THIS TRACT;
3. THENCE, S 72° 00' 00" W A DISTANCE OF 95.15 FEET TO A NO. 4 REBAR SET FOR AN INSIDE CORNER OF THIS TRACT;
4. THENCE, S 41° 58' 50" W A DISTANCE OF 23.85 FEET TO A NO. 4 REBAR SET FOR AN OUTSIDE CORNER OF THIS TRACT;
5. THENCE, N 84° 00' 00" W A DISTANCE OF 102.14 FEET TO A NO. 4 REBAR SET FOR AN OUTSIDE CORNER OF THIS TRACT;
6. THENCE, N 64° 00' 00" W A DISTANCE OF 81.54 FEET TO A NO. 4 REBAR SET FOR AN OUTSIDE CORNER OF THIS TRACT;
7. THENCE, N 35° 30' 00" W A DISTANCE OF 81.68 FEET TO A NO. 4 REBAR SET FOR AN OUTSIDE CORNER OF THIS TRACT;
8. THENCE, N 13° 00' 00" W A DISTANCE OF 81.63 FEET TO A NO. 4 REBAR SET FOR AN INSIDE CORNER OF THIS TRACT;
9. THENCE, N 89° 30' 00" W A DISTANCE OF 100.28 FEET TO A NO. 4 REBAR SET FOR AN ANGLE POINT OF THIS TRACT;
10. THENCE, N 86° 44' 13" W A DISTANCE OF 50.06 FEET TO A NO. 4 REBAR SET FOR AN OUTSIDE CORNER OF THIS TRACT;
11. THENCE, N 82° 25' 40" W A DISTANCE OF 151.34 FEET TO A NO. 4 REBAR SET FOR AN OUTSIDE CORNER OF THIS TRACT;
12. THENCE, N 73° 53' 58" W A DISTANCE OF 159.47 FEET TO A NO. 4 REBAR SET FOR AN OUTSIDE CORNER OF THIS TRACT;
13. THENCE, N 41° 25' 11" W A DISTANCE OF 50.00 FEET TO A NO. 4 REBAR SET FOR AN ANGLE POINT OF THIS TRACT;
14. THENCE, N 36° 23' 58" W A DISTANCE OF 130.94 FEET TO A NO. 4 REBAR SET FOR AN OUTSIDE CORNER OF THIS TRACT;
15. THENCE, N 73° 36' 02" E A DISTANCE OF 44.42 FEET TO A NO. 4 REBAR SET FOR AN INSIDE CORNER OF THIS TRACT;
16. THENCE, N 45° 06' 02" E A DISTANCE OF 85.80 FEET TO A NO. 4 REBAR SET FOR AN INSIDE CORNER OF THIS TRACT;
17. THENCE, N 25° 06' 02" E A DISTANCE OF 144.95 FEET TO A NO. 4 REBAR SET FOR AN INSIDE CORNER OF THIS TRACT;
18. THENCE, N 09° 53' 15" E A DISTANCE OF 223.74 FEET TO A NO. 4 REBAR SET FOR AN OUTSIDE CORNER OF THIS TRACT;
19. THENCE, S 84° 53' 58" E A DISTANCE OF 91.29 FEET TO A NO. 4 REBAR SET FOR AN INSIDE CORNER OF THIS TRACT;
20. THENCE, N 00° 06' 02" E A DISTANCE OF 128.01 FEET TO A NO. 4 REBAR SET FOR AN OUTSIDE CORNER OF THIS TRACT;
21. THENCE, IN A NORTHEASTERLY DIRECTION, ALONG A CURVE TO THE LEFT WITH A CENTRAL ANGLE OF 03° 02' 37", A RADIUS OF 325.00 FEET, AN ARC LENGTH OF 17.26 FEET, A TANGENT OF 8.63 FEET, AND A CHORD THAT BEARS N 88° 59' 22" E A DISTANCE OF 17.26 FEET TO A NO. 4 REBAR SET FOR AN INSIDE CORNER OF THIS TRACT;
22. THENCE, N 09° 04' 48" W A DISTANCE OF 50.39 FEET TO A NO. 4 REBAR SET FOR AN OUTSIDE CORNER OF THIS TRACT;
23. THENCE, IN A NORTHEASTERLY DIRECTION, ALONG A CURVE TO THE LEFT, WITH A CENTRAL ANGLE OF 93° 18' 52", A RADIUS OF 20.00 FEET, AN ARC LENGTH OF 32.57 FEET, A TANGENT OF 21.19 FEET, AND A CHORD THAT BEARS N 42° 00' 28" E A DISTANCE OF 29.09 FEET TO A NO. 4 REBAR SET FOR AN ANGLE POINT OF THIS TRACT;
24. THENCE, IN A NORTHWESTERLY DIRECTION, ALONG A CURVE TO THE RIGHT, WITH A CENTRAL ANGLE OF 04° 47' 34", A RADIUS OF 925.00 FEET, AN ARC LENGTH OF 77.38 FEET, A TANGENT OF 38.71 FEET, AND A CHORD THAT BEARS N 02° 15' 12" W A DISTANCE OF 77.35 FEET TO A NO. 4 REBAR SET FOR AN INSIDE CORNER OF THIS TRACT;
25. THENCE, S 83° 06' 02" W A DISTANCE OF 61.27 FEET TO A NO. 4 REBAR SET FOR AN OUTSIDE CORNER OF THIS TRACT;
26. THENCE, N 71° 53' 58" W A DISTANCE OF 92.78 FEET TO A NO. 4 REBAR SET FOR AN OUTSIDE CORNER OF THIS TRACT;
27. THENCE, N 13° 06' 02" E A DISTANCE OF 131.37 FEET TO A NO. 4 REBAR SET FOR AN OUTSIDE CORNER OF THIS TRACT;
28. THENCE, S 80° 56' 50" E A DISTANCE OF 130.22 FEET TO A NO. 4 REBAR SET FOR AN INSIDE CORNER OF THIS TRACT;
29. THENCE, IN A NORTHEASTERLY DIRECTION, ALONG A CURVE TO THE RIGHT, WITH A CENTRAL ANGLE OF 00° 53' 47", A RADIUS OF 925.00 FEET, AN ARC LENGTH OF 14.47 FEET, A TANGENT OF 17.24 FEET, AND A CHORD THAT BEARS N 08° 36' 17" E A DISTANCE OF 14.47 FEET TO A NO. 4 REBAR SET FOR AN ANGLE POINT OF THIS TRACT;
30. THENCE, N 09° 03' 10" E A DISTANCE OF 37.64 FEET TO A NO. 4 REBAR SET FOR AN OUTSIDE CORNER OF THIS TRACT;
31. THENCE, S 81° 53' 59" E A DISTANCE OF 50.00 FEET TO A NO. 4 REBAR SET FOR AN OUTSIDE CORNER OF THIS TRACT;
32. THENCE, S 09° 03' 10" W A DISTANCE OF 37.60 FEET TO A NO. 4 REBAR SET FOR AN ANGLE POINT OF THIS TRACT;
33. THENCE, IN A SOUTHEASTERLY DIRECTION, ALONG A CURVE TO THE LEFT, WITH A CENTRAL ANGLE OF 00° 56' 52", A RADIUS OF 875.00 FEET, AN ARC LENGTH OF 14.47 FEET, A TANGENT OF 17.24 FEET, AND A CHORD THAT BEARS S 08° 34' 44" W A DISTANCE OF 14.47 FEET TO A NO. 4 REBAR SET FOR AN INSIDE CORNER OF THIS TRACT;
34. THENCE, S 80° 56' 50" E A DISTANCE OF 118.49 FEET TO A NO. 4 REBAR SET FOR AN OUTSIDE CORNER OF THIS TRACT;
35. THENCE, S 06° 06' 02" W A DISTANCE OF 113.49 FEET TO A NO. 4 REBAR SET FOR AN INSIDE CORNER OF THIS TRACT;
36. THENCE, S 81° 01' 04" E A DISTANCE OF 815.59 FEET TO A NO. 4 REBAR SET FOR THE NORTHEAST CORNER OF THIS TRACT;
37. THENCE, S 08° 40' 10" W A DISTANCE OF 846.91 FEET TO THE POINT OF BEGINNING AND CONTAINING 23.363 ACRES OF LAND, MORE OR LESS.

GENERAL NOTES :

1. THIS SUBDIVISION IS LOCATED IN ZONE "X" UNSHADED ON FEMA'S FLOOD INSURANCE RATE MAP. AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN . COMMUNITY PANEL NUMBER 480334 0325 D. MAP REVISED: JUNE 06, 2000;
2. MINIMUM FINISH FLOOR NOTE : MINIMUM FINISH FLOOR ELEVATION SHALL BE 18" ABOVE TOP OF CURB AT CENTER OF LOT.
3. MINIMUM SETBACKS SHALL BE :

FRONT : 20 FEET MINIMUM OR GREATER FOR EASEMENTS, OR AS SHOWN ON "FRONT SETBACK TABLE" GREATER APPLIES, AS PER AGREEMENT.

REAR : 10 FEET, OR GREATER FOR EASEMENTS.

INTERIOR SIDES : 5 FEET, OR GREATER FOR EASEMENTS.

SIDE CORNER : 10 FEET OR GREATER FOR EASEMENTS.

GARAGE : 18 FEET EXCEPT WHERE GREATER SETBACK IS REQUIRED; GREATER SETBACK APPLIES.

4. REQUIRED DETENTION FOR STORM SEWER RUNOFF PER THE APPROVED MASTER DRAINAGE REPORT SHALL BE 796,520 C.F. (18,286 AC.-FT.) AND FOR PHASE 1 BASED ON ( 0.190 Ac. FL Per ac). STORM WATER RUNOFF GENERATED SHALL BE 193,362 C.F. STORM WATER RUNOFF GENERATED FROM DEVELOPMENT SHALL BE DETAINED OFF-SITE IN THE ADJACENT DRAIN DITCHES. DESIGN OF THESE DRAIN DITCHES IS REFERENCED IN THE MASTER DRAINAGE STUDY.

5. AN ENGINEERED DRAINAGE DETENTION PLAN, APPROVED BY THE ENGINEERING DEPARTMENT SHALL BE SUBMITTED AND APPROVED BY CITY OF McALLEN PRIOR TO ISSUANCE OF BUILDING PERMIT.

6. CITY OF McALLEN BENCHMARK: NUMBER MC24, TOP OF 30" ALUMINUM PIPE WITH A 3-14" BRASS MONUMENT CAP TOP LOCATED AT NORTHWEST CORNER OF THE INTERSECTION OF Rooth Road and FM 1925, GEODETIC G.P.S. TEXAS STATE PLANE GRID COORDINATE SYSTEM, NAD 83 TEXAS SOUTH 4205 ELEVATION PER NAVD 88 (GEOID 2003) N=16652113.3155, 1072415.84758, ELEV.=118.08

7. NO BUILDING ALLOWED OVER ANY EASEMENT.

8. 6' OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, AND INDUSTRIAL ZONES/USES AND ALONG MONTE CRISTO ROAD AND 29TH STREET (ROOTH ROAD).

9. 8' MASONRY WALL WILL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL OR MULTI-FAMILY RESIDENTIAL ZONES/ USES.

10. PRIVATE TECHNOLOGY EASEMENT. OWNER RESERVES UNTO RHODES DEVELOPMENT INC A TECHNOLOGY EASEMENT OVER THE PROPERTY IN THE LOCATION IDENTIFIED ON THIS PLAT (THE "TECHNOLOGY EASEMENT"). THE TECHNOLOGY EASEMENT SHALL BE AN EXCLUSIVE EASEMENT FOR THE PURPOSE OF INSTALLING, MAINTAINING, REPAIRING AND UPGRADING ANY AND ALL CABLE, FIBER, OR OTHER ANY TRANSPORT MEDIA REASONABLY NECESSARY FOR PROVIDING TECHNOLOGY SERVICES, INCLUDING BUT NOT LIMITED TO INTERNET, CABLE, SECURITY, AND RELATED SERVICES, TO THE LOTS CREATED BY THIS PLAT.

11. TERMS AND CONDITIONS AND RESERVATION OF TECHNOLOGY EASEMENTS DATED AUGUST 13, 2015, FILED NOVEMBER 25, 2015, BETWEEN HIDALGO COUNTY TEXAS CORPORATION, INC., TO M.L. RHODES LTD, A TEXAS LIMITED PARTNERSHIP RECORDED UNDER CLERK'S FILE NO. 2665228, OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS. EASEMENT PROPERTY DESCRIBED IN SAID DOCUMENT IS INCOMPLETE. EASEMENT PERTAINS TO AND IS FOR THE BENEFIT OF THE OWNER/RESERVIST. NO WIDTH SPECIFIED FOR EASEMENT. THE ACTUAL EASEMENT BOUNDARY IS NOT DESCRIBED, BUT IS WITHIN THE EASEMENT PROPERTY WHICH IS INCOMPLETE. EASEMENT MAY BE REVOKED OR AMENDED BY OWNER/ RESERVER AND IS EXCLUSIVE.

12. DEVELOPER / TRES LAGOS (PID) PUBLIC IMPROVEMENT DISTRICT / OWNER/HOA, 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.

13. A CERTIFICATE OF OCCUPANCY WILL NOT BE ISSUED BY THE CITY OF McALLEN FOR ANY STRUCTURE BUILT ON A LOT IDENTIFIED ON THIS PLAT UNTIL ALL INFRASTRUCTURE REQUIRED TO SERVE THE LOT HAS BEEN INSTALLED, INSPECTED, AND APPROVED BY THE APPROPRIATE AUTHORITY.

14. A 25 FOOT x 25 FOOT SIGHT OBSTRUCTION EASEMENT REQUIRED AT ALL STREET INTERSECTIONS.

15. \* DENOTES CURVED SETBACK.

16. CITY OF McALLEN ACTING BY AND THROUGH THE LAS BRISAS PUBLIC IMPROVEMENT DISTRICT (PID) DEDICATES A WALL EASEMENT FOR THE CONSTRUCTION, MAINTENANCE, REPAIR, REMOVAL, REPLACEMENT, AND OPERATION OF MASONRY WALLS PROVIDING ACCESS CONTROL AND SOUND BUFFERING WITHIN THE PID.

17. 5 FT. WIDE MINIMUM SIDEWALK REQUIRED ON MONTE CRISTO ROAD AND N. 29TH STREET (ROOTH ROAD), SIDEWALK FOR INTERIOR STREETS: SHALL 4 FT. WIDE MINIMUM AND BE INSTALLED AT BUILDING PERMIT STAGE AS PER SIDEWALK PLAN FILED WITH THE CITY BY REGISTERED ENGINEER DESIGNING THE UNIT OF DEVELOPMENT, PER AGREEMENT.

18. NOTE FOR MAINTENANCE UNDER SECTION 110-72 & 134-168 CITY OF McALLEN CODE OF ORDINANCES:

THE CITY OF McALLEN SHALL ONLY BE RESPONSIBLE FOR MAINTAINING THOSE IMPROVEMENTS WHICH HAVE BEEN SPECIFICALLY DEDICATED TO AND ACCEPTED BY THE CITY FOR MAINTENANCE. SUCH MAINTENANCE SHALL BE PERFORMED BY AND BE THE SOLE RESPONSIBILITY OF THE TRES LAGOS PUBLIC IMPROVEMENT DISTRICT FOR THOSE IMPROVEMENTS OR RIGHT OF WAYS DEDICATED TO THE CITY ACTING BY AND THROUGH SUCH DISTRICT. PURSUANT TO SECTION 110-72 OF THE CITY OF McALLEN CODE OF ORDINANCES MAINTENANCE OF AREAS WHICH HAVE NOT BEEN DEDICATED TO AND ACCEPTED FOR MAINTENANCE BY THE CITY SUCH AS UNDEDICATED COMMON AREAS, AREAS NOT INCLUDED IN SPECIFIC LOTS, AND THOSE AREAS ADJACENT TO THE SUBDIVISION AND THAT ARE UNIMPROVED AND LIE BETWEEN THE SUBDIVISION AND ADJACENT PAVED PUBLIC STREETS (THE "UNDEDICATED COMMON AREAS") SHALL BE THE RESPONSIBILITY OF THE DEVELOPER/HOMEOWNER'S ASSOCIATION/OWNERS, THEIR SUCCESSORS AND/OR ASSIGNEES AS PER DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR LAS BRISAS PHASE I SUBDIVISION, RECORDED AS DOCUMENT NUMBER \_\_\_\_\_, AND THE MASTER DECLARATION OF COVENANTS AND CONDITIONS FOR TRES LAGOS RESIDENTIAL DEVELOPMENT RECORDED AS DOCUMENT NUMBER 2821589, HIDALGO COUNTY, DEED RECORDS (COLLECTIVELY THE "DECLARATIONS"). PURSUANT TO SECTION 134-168 OF THE CITY OF McALLEN CODE OF ORDINANCES MAINTENANCE OF ANY PRIVATE STREETS, PRIVATE STREET LIGHTING, PRIVATE TRAFFIC CONTROL DEVICES AND PRIVATE SIDEWALKS AND PRIVATE COMMON AREAS OF THE SUBDIVISION WHICH HAVE NOT BEEN DEDICATED TO AND ACCEPTED FOR MAINTENANCE BY THE TRES LAGOS PUBLIC IMPROVEMENT DISTRICT (THE "PRIVATE COMMON AREAS") SHALL BE THE RESPONSIBILITY OF THE SUBDIVIDER/DEVELOPER/OWNER OR THE HOMEOWNERS ASSOCIATION PURSUANT TO THE REQUIREMENTS OF SECTION 134-168, AS APPLICABLE. THE CITY OF McALLEN SHALL NOT BE RESPONSIBLE FOR THE MAINTENANCE OF SAID UNDEDICATED COMMON AREAS OR PRIVATE COMMON AREAS. ANY AMENDMENT TO THE DECLARATIONS THAT CONFLICTS WITH THE REQUIREMENTS OF SAID SECTION 110-72 OR SECTION 134-168 SHALL BE NULL AND VOID.

19. ALL INTERIOR LOT CORNERS WILL HAVE A NO.4 REBAR SET WITH PLASTIC CAP STAMPED MELDEN & HUNT, INC.

20. ALL SHARYLAND WATER SUPPLY CORPORATION EASEMENTS ARE EXCLUSIVE. NO OTHER USE OF THE EASEMENTS IS PERMITTED WITHOUT THE EXPRESS WRITTEN APPROVAL OF SHARYLAND WATER SUPPLY CORPORATION.

22. NO CURB CUT, ACCESS , OR LOT FRONTAGE PERMITTED ALONG MONTE CRISTO AND N. 29TH STREET (ROOTH ROAD)

23. COMMON AREAS, ANY PRIVATE STREETS/ DRIVES, GATE AREAS, ETC. MUST BE MAINTAINED BY THE LOT OWNERS / PID AND NOT THE CITY OF McALLEN.

24. PUBLIC IMPROVEMENT DISTRICT (PID) OR HOMEOWNER'S ASSOCIATION COVENANTS UST BE RECORDED AND SUBMITTED WITH DOCUMENT NUMBER ON THE PLAT, PRIOR TO RECORDING.

25. COMMON AREAS 125,126,127,128 AND 129 WILL BE MAINTAINED BY LOT OWNERS/ HOA/PID AND NOT THE CITY OF McALLEN.

SUBDIVISION MAP OF  
LAS BRISAS PHASE I  
SUBDIVISION

23.363 ACRES OUT OF LOTS 1, 23 AND 4, BLOCK 1,  
M AND M SUBDIVISION,  
VOLUME 8, PAGE 20, H.C.M.R.,  
CITY OF McALLEN,  
HIDALGO COUNTY, TEXAS

APPROVED BY DRAINAGE DISTRICT:

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

HIDALGO COUNTY DRAINAGE DISTRICT NO.1

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

I, CARLOS LIMA, HEREBY CONDITIONALLY CERTIFY THAT POTABLE WATER SERVICE IS AVAILABLE FOR THE LAS BRISAS PHASE I SUBDIVISION LOCATED AT CITY OF McALLEN IN HIDALGO COUNTY, TEXAS, SUBJECT TO THE SUBDIVISION'S POTABLE WATER SYSTEM MEETING THE APPROVAL OF THE DEVELOPER'S DESIGN ENGINEER, ALL APPLICABLE RULES AND REGULATIONS OF SHARYLAND WATER SUPPLY CORPORATION, AND LOCAL, STATE, AND FEDERAL AGENCIES.

DEVELOPER AND ITS DESIGN ENGINEER SHALL BEAR FULL RESPONSIBILITY TO ENSURE THAT THE ABOVE REFERENCED POTABLE WATER SYSTEM IS CONSTRUCTED WITHIN THE DESIGNATED SHARYLAND WATER SUPPLY CORPORATION EXCLUSIVE EASEMENT.

CARLOS LIMA  
GENERAL MANAGER  
SHARYLAND WATER SUPPLY CORPORATION

THIS PLAT APPROVED BY THE HIDALGO COUNTY IRRIGATION NO. 1 ON THIS THE

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

NO IMPROVEMENTS OF ANY KIND SHALL BE PLACED UPON THE HCID#1 RIGHT-OF-WAYS OR EASEMENTS WITHOUT THE EXPRESSED WRITTEN PERMISSION OF HCID#1.

PRESIDENT SECRETARY

STATE OF TEXAS  
COUNTY OF HIDALGO

I, THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS, LAS BRISAS PHASE I 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, SANITARY SEWER LINES, STORM SEWERS, FIRE HYDRANTS, PUBLIC PLACES WHICH ARE INSTALLED OR WHICH WE WILL CAUSE TO BE INSTALLED THEREON SHOWN OR NOT SHOWN AND 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 HEREON OR ON THE OFFICIAL MINUTES OF THE APPLICABLE AUTHORITIES OF THE CITY OF McALLEN.

RHODES DEVELOPMENT, INC. DATE:  
NICK RHODES, PRESIDENT  
200 S. 10TH ST., STE. 1700  
McALLEN, TEXAS 78501  
HIDALGO COUNTY, TEXAS

STATE OF TEXAS  
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED NICK RHODES KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE DAY OF 20

NOTARY PUBLIC, HIDALGO COUNTY, TEXAS  
MY COMMISSION EXPIRES:

TRES LAGOS PUBLIC IMPROVEMENT DISTRICT HEREBY CERTIFIES AND APPROVES THIS PLAT AND ACCEPTS RESPONSIBILITIES AND NOTES INDICATED HEREIN.

MIKE RHODES  
CHAIRMAN OF PUBLIC IMPROVEMENT DISTRICT  
200 S. 10TH ST., STE. 1700  
McALLEN, TEXAS 78501  
HIDALGO COUNTY, TEXAS

STATE OF TEXAS  
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED MIKE RHODES, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE DAY OF 20

NOTARY PUBLIC, HIDALGO COUNTY, TEXAS  
MY COMMISSION EXPIRES:

STATE OF TEXAS  
COUNTY OF HIDALGO

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

DATED THIS THE DAY OF 20

MARIO A. REYNA, PROFESSIONAL ENGINEER No. 117368  
STATE OF TEXAS  
DATE PREPARED: 12/06/23  
ENGINEERING JOB # 22097.0



STATE OF TEXAS  
COUNTY OF HIDALGO

I, ROBERT N. TAMEZ, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE FROM AN ACTUAL SURVEY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON, AND THAT THERE ARE NO APPARENT DISCREPANCIES, CONFLICTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, EXCEPT AS SHOWN ON THE ACCOMPANYING PLAT, AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF MISSION, TEXAS.

DATED THIS THE DAY OF 20

ROBERT N. TAMEZ, PROFESSIONAL LAND SURVEYOR No. 6238  
STATE OF TEXAS  
DATE SURVEYED: 05/05/2022  
SURVEY JOB # 22096.08



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 AND ZONING COMMISSION DATE



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

ON: AT AM/PM

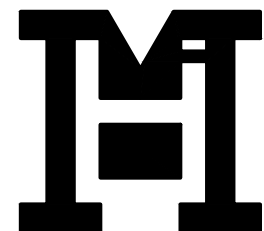
INSTRUMENT NUMBER  
OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS

BY: DEPUTY

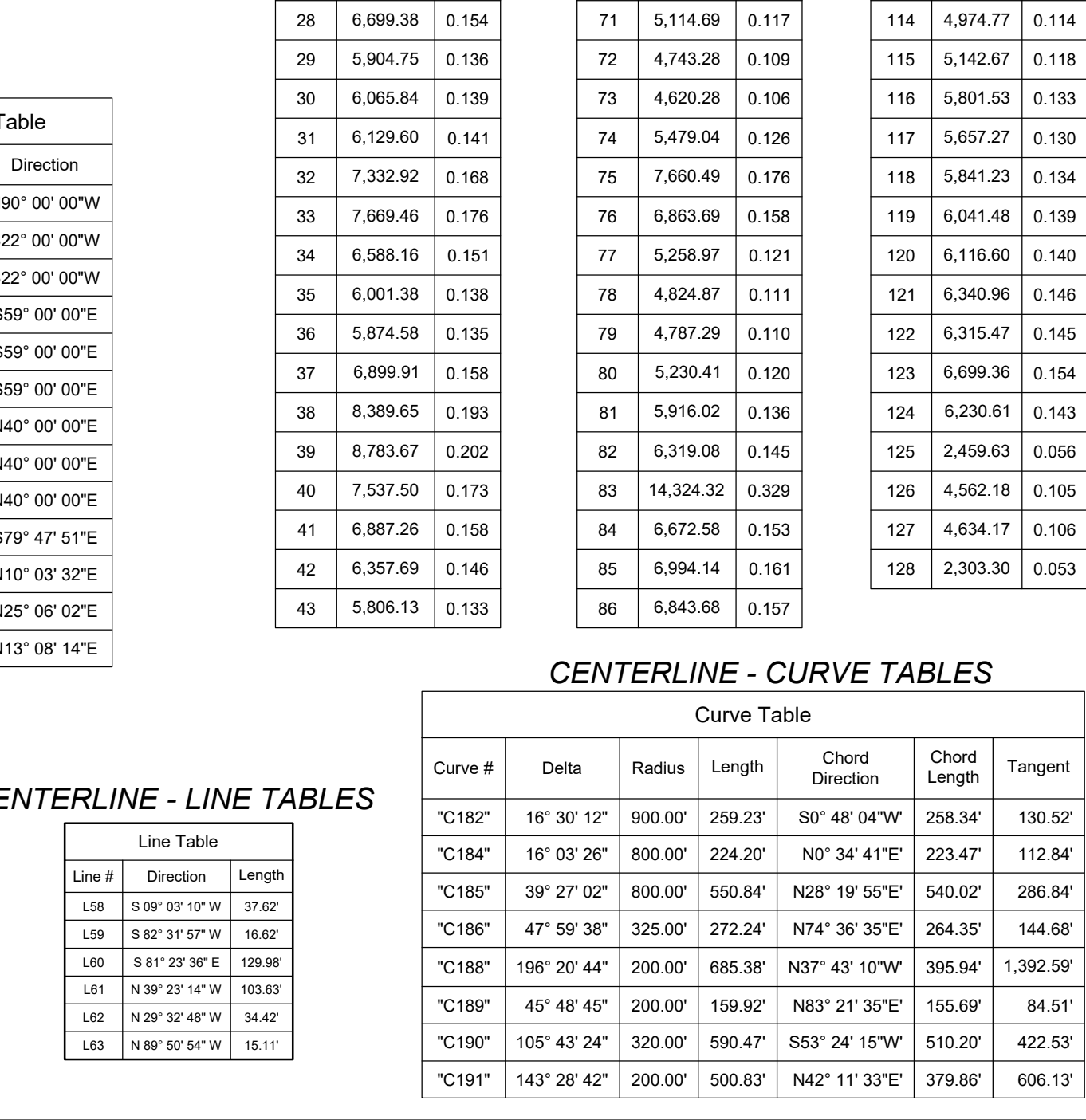
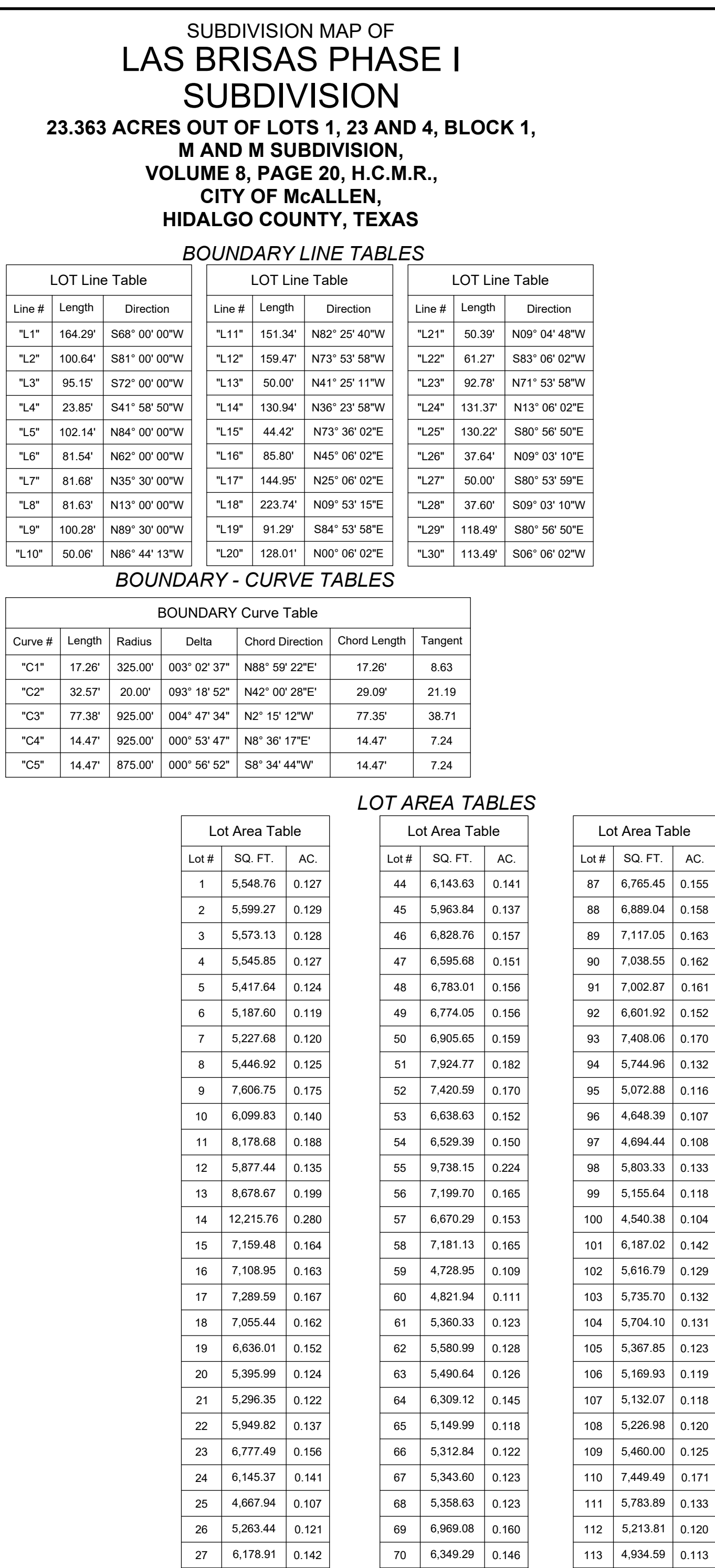
SHEET 1 OF 2

DRAWN BY: +R.N./R.D.J. DATE 02-26-24  
SURVEYED, CHECKED J.L.G. DATE  
FINAL CHECK DATE

TBPE FIRM # F-1435



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



2 OF 2



# City of McAllen

## SUBDIVISION PLAT REVIEW

Reviewed On: 3/28/2024

### SUBDIVISION NAME: LAS BRISAS PHASE I

#### REQUIREMENTS

#### STREETS AND RIGHT-OF-WAYS

Monte Cristo Road: Dedication as needed for 75 ft. from the centerline for 150 ft. total ROW.  
Paving: 65 ft. to 105 ft. Curb & gutter: both sides  
Revisions needed:  
- Include "Existing" label in ROW.  
- Label Center Line.  
- Dedication must be finalized once centerline is established.  
- Show and label R.O.W. from centerline after the dedication.  
- Submit a copy of the referenced documents on the plat.  
- Clarify 80 ft. additional R.O.W. by separate document; 160 ft. R.O.W.  
- Need to clarify any issues for R.O.W. overlapping easements so that no issues exist.  
- All comments referencing "future" must be changed to "(by this plat)" or reference the document number.  
- Sharyland easement may not overlap the street ROW. Any abandonment must be done by separate document and referenced on plat.  
- Clarify if Monte Cristo Road is a State road to determine improvement requirements prior to final.  
- Please finalize R.O.W requirements once centerline is established prior to final.  
\*\*Subdivision Ordinance: Section 134-105  
\*\*Monies must be escrowed if improvements are required prior to final  
\*\*COM Thoroughfare Plan

Non-compliance

North 29th Street (N. Rooth Road): Dedication as needed for 50 ft. from centerline for 100 ft. total ROW.  
Paving: 65 ft. Curb & gutter: on both sides  
Revisions Needed:  
- Correct the street label to "North 29th Street (Rooth Road)"  
- Please label Center Line.  
- Dedication must be finalized once centerline is established.  
- Please show and label R.O.W. from centerline after the dedication.  
- Please submit a copy of the referenced documents on the plat.  
- Please clarify "30.00 ft. future additional ROW."  
- All comments referencing "future" must be changed to "(by this plat)" or reference the document number.  
- Sharyland easement may not overlap the street ROW. Any abandonment must be done by separate document and referenced on plat.  
- Please finalize R.O.W requirements prior to final once centerline is established prior to final.  
\*\*Subdivision Ordinance: Section 134-105  
\*\*Monies must be escrowed if improvements are required prior to final  
\*\*COM Thoroughfare Plan

Non-compliance

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

<p>Interior Streets: 50 ft. ROW  Paving: 32 ft. Curb &amp; gutter: both sides  Revisions required:  - Street names will be finalized prior to recording.  - Show the R.O.W. for all streets.  - Please finalize all ROW requirements prior to final.  - Temporary paved turnarounds are required at the end of streets not continuing at this time by plat or separate document prior to final.  **Subdivision Ordinance: Section 134-105  **Monies must be escrowed if improvements are required prior to final  **COM Thoroughfare Plan</p>	Non-compliance
<p>* 1,200 ft. Block Length  Revisions needed:  - Dimensions of centerline is needed prior to final.  **Subdivision Ordinance: Section 134-118</p>	Non-compliance
<p>* 900 ft. Block Length for R-3 Zone Districts _____  **Subdivision Ordinance: Section 134-118</p>	NA
<p>* 600 ft. Maximum Cul-de-Sac: Cul-de-sac street length does not apply provided that the development uses the "coving method" and emergency access walks/drives are provided, per agreement.  Revisions needed:  - Please provide dimensions of Cul-de-Sacs.  - Please clarify if islands are proposed and provide paving dimensions around all islands to determine compliance prior to final.  ***Paving must be 96 ft. in diameter face to face and island must meet 32 ft. paving all around and must be fire lane striped, as applicable.  **Subdivision Ordinance: Section 134-105</p>	Non-compliance
<b>ALLEYS</b>	
<p>ROW: 20 ft. Paving: 16 ft.  *Alley/service drive easement required for commercial properties  **Subdivision Ordinance: Section 134-106</p>	NA
<b>SETBACKS</b>	
<p>* Front: 20 ft. minimum or greater for easements, or as shown on "Front Setback Table" greater applies, as per agreement.  **Zoning Ordinance: Section 138-356  **The proposed subdivision complies with minimum setback requirements, as per the agreement.</p>	Applied
<p>* Rear: 11 ft. or greater for easements  **Zoning Ordinance: Section 138-356</p>	Applied
<p>* Sides: 5 ft. or greater for easements, as per agreement  **Zoning Ordinance: Section 138-356  **The proposed subdivision complies with minimum setback requirements, as per the agreement.</p>	Applied
<p>* Corner: 10 ft. or greater for easements  **Zoning Ordinance: Section 138-356</p>	Applied
<p>* Garage: 18 ft. except where greater setback is required, greater setback applies.  **Zoning Ordinance: Section 138-356</p>	Applied
<p>*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN</p>	Applied

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

SIDEWALKS	
<p>* 4 ft. wide minimum sidewalk required on Monte Cristo Road and N. 29th Street. Sidewalk may increase to 5 ft. as per Engineering.</p> <p>Sidewalk for interior streets: Sidewalk design plan must be submitted. City ordinance will not apply, provided a sidewalk having at least an adequate width for pedestrian and bike traffic is provided in a plan that is sealed by the registered engineer designing the unit of development, per agreement.</p> <p>**Subdivision Ordinance: Section 134-120</p>	Applied
<p>* Perimeter sidewalks must be built or money escrowed if not built at this time.</p>	Required
BUFFERS	
<p>* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along Monte Cristo Road and N. 29th Street (Rooth Road)</p> <p>Revisions needed:</p> <p>- Revise the plat note as shown above prior to Final.</p> <p>**Landscaping Ordinance: Section 110-46</p>	Non-compliance
<p>* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.</p> <p>Revisions required:</p> <p>- Please correct plat note 9 to read as follows: "8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses."</p> <p>**Landscaping Ordinance: Section 110-46</p>	Non-compliance
<p>*Perimeter buffers must be built at time of Subdivision Improvements.</p>	Applied
NOTES	
<p>* No curb cut, access, or lot frontage permitted along Monte Cristo Road and N. 29th Street (Rooth Road)</p> <p>Revisions required:</p> <p>- Revise the plat note as shown above prior to Final.</p> <p>**Must comply with City Access Management Policy</p>	Non-compliance
<p>* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.</p>	NA
<p>* Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners/PID and not the City of McAllen.</p>	Applied
<p>* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.</p>	NA
<p>Public Improvement District (PID) or Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 110-72 of the Vegetation Ordinance, including but not limited to common areas.</p> <p>**Section 134-168 applies if private subdivision is proposed.</p> <p>**Landscaping Ordinance: Section 110-72</p> <p>**Subdivision Ordinance: Section 134-168</p>	Applied
<p>Public Improvement District (PID) or Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</p> <p>**Section 134-168 applies if private subdivision is proposed.</p> <p>**Landscaping Ordinance: Section 110-72</p> <p>**Subdivision Ordinance: Section 134-168</p>	Required

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

LOT REQUIREMENTS	
<ul style="list-style-type: none"> <li>* Lots fronting public streets: Access to subdivision from Monte Cristo Road.</li> <li>**The proposed subdivision must comply with minimum access points, as per agreement.</li> <li>**Subdivision Ordinance: Section 134-1</li> <li>* Minimum lot width and lot area: Project engineer to verify that all lots comply with the minimum 50 ft. frontage requirement and 54 ft. on corner lots, and 5,000 sq. ft. minimum lot size, or in compliance per Agreement.</li> <li>**Zoning Ordinance: Section 138-356</li> </ul>	Required
	Required
ZONING/CUP	
<ul style="list-style-type: none"> <li>* Existing: R-1 (Single-Family Residential) District. Proposed: R-1 (Single-Family Residential) District</li> <li>***Zoning Ordinance: Article V</li> <li>* Rezoning Needed Before Final Approval</li> <li>***Zoning Ordinance: Article V</li> </ul>	Applied
	NA
PARKS	
<ul style="list-style-type: none"> <li>* Land dedication in lieu of fee. As per Parks Department, in this case Park fees do not apply because Park land dedication exceeds City's requirements as of 10/30/2014, as per agreement.</li> <li>* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department in this case Park fees do not apply because Park land dedication exceeds City's requirements as of 10/30/2014, as per agreement.</li> <li>* Pending review by City Manager's Office. As per Parks Department, In this case Park fees do not apply because Park land dedication exceeds City's requirements as of 10/30/2014, as per agreement.</li> </ul>	Applied
	Applied
	Applied
TRAFFIC	
<ul style="list-style-type: none"> <li>* As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat.</li> <li>* Traffic Impact Analysis (TIA) required prior to final plat.</li> </ul>	Required
	TBD
COMMENTS	
<p>Comments:</p> <ul style="list-style-type: none"> <li>- Please use a wider/bold line for the subdivision boundary on all sides.</li> <li>* Need to include document numbers for easements, R.O.W.'s etc. shown on plat.</li> <li>* Any abandonment must be done by separate document and referenced on plat.</li> <li>* Must comply with City's Access Management Policy.</li> <li>* Must comply with the Agreement and Public Improvement District (PID) conditions.</li> <li>* Must comply with other requirements, as may be applicable, prior to final</li> </ul>	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE PRELIMINARY 6-MONTH EXTENSION SUBJECT TO CONDITIONS NOTED, DRAINAGE, AND UTILITY APPROVALS.	Applied

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

08

07

09

LOCATION

12

11

MONTE CRISTO RD

15700



DOY TH RD

15300

PROPOSED TULO SUBDIVISION

SAN JOSE RAIN

MORENO

MORENO SR

2520

ROGERS RD

BLK 2

BLK 2

BLK 1

N 32ND ST

BLK 5

BLK 1

CITY OF MCALLEN

CITY OF MCALLEN

SUBDIVISION

ROGERS RD

M

7

11

10

9

8

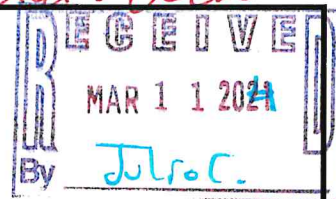
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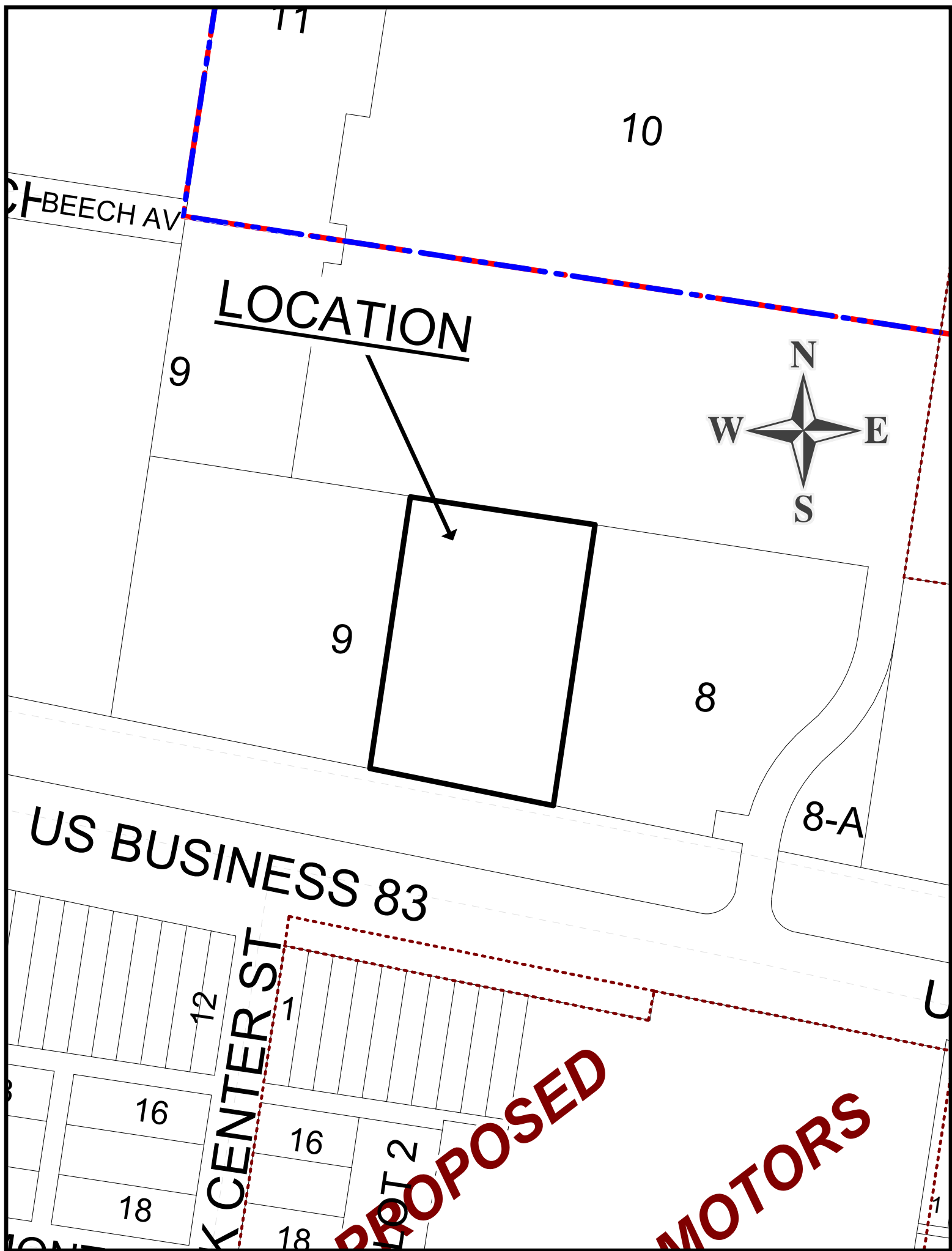
SUB2024-0028

**City of McAllen**  
**Planning Department**



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

Project Information	Subdivision Name <u>i Shine Car Wash - McAllen</u>	
	Legal Description <u>1.20 Acre tract of land out of lot 9, Jackson Commerce Development Subd, Phase IV, Volume 33, Page 34 map records Hidalgo County, Texas</u>	
	Location <u>1021 E. HWY 83</u>	
	City Address or Block Number _____	
	Total No. of Lots <u>1</u> Total Dwelling Units <u>1</u> Gross Acres <u>1.2</u> Net Acres <u>1.1</u>	
	<input checked="" type="checkbox"/> Public Subdivision / <input type="checkbox"/> Private and Gated / <input type="checkbox"/> Private but Not Gated within ETJ: <input type="checkbox"/> Yes / <input type="checkbox"/> No	
	For Fee Purposes: <input checked="" type="checkbox"/> Commercial ( <u>1.2</u> Acres) / <input type="checkbox"/> Residential ( _____ Lots) Replat: <input type="checkbox"/> Yes / <input checked="" type="checkbox"/> No	
	Existing Zoning <u>C3L</u> Proposed Zoning <u>C3L</u> Applied for Rezoning <input checked="" type="checkbox"/> No / <input type="checkbox"/> Yes: Date _____	
	Existing Land Use <u>Vacant</u> Proposed Land Use <u>Car Wash</u>	
	Irrigation District # _____ Water CCN: <input checked="" type="checkbox"/> MPU / <input type="checkbox"/> Sharyland Water SC Other _____	
Agricultural Exemption: <input type="checkbox"/> Yes / <input checked="" type="checkbox"/> No Parcel # <u>J 2003-04-000-0009-05/1539731</u>		
Estimated Rollback Tax Due <u>x</u> <u>0</u> Tax Dept. Review <u>x</u> <u>M. Reyna</u>		
Owner	Name <u>Thomas Vuong</u> Phone <u>832-477-2284</u>	
	Address <u>6310 Cambrai Wood Ln</u> E-mail <u>Thomas@ishinecorp.com</u>	
	City <u>Katy</u> State <u>TX</u> Zip <u>77493</u>	
Developer	Name <u>Same as Owner</u> Phone _____	
	Address _____ E-mail _____	
	City _____ State _____ Zip _____	
	Contact Person _____	
Engineer	Name <u>CHLH Engineering, LLC</u> Phone <u>956-687-5560</u>	
	Address <u>701 S. 15th Street</u> E-mail <u>cloro@chlhengineering.com</u>	
	City <u>McAllen</u> State <u>TX</u> Zip <u>78501</u>	
	Contact Person <u>Cloromiro Hinojosa Jr., P.E.</u>	
Surveyor	Name <u>Mario Gonzalez/ Rio Delta Surveying</u> Phone <u>956-262-0222</u>	
	Address <u>24593 FM88</u> E-mail <u>jmgonzalezrpls@msn.com</u>	
	City <u>Monte Alto</u> State <u>TX</u> Zip _____	



TBPE FIRM No. F-8719  
 701 S. 15th STREET McALLEN, TX. 78501  
 (954) 487-5540 (954) 487-5541 FAX



# City of McAllen

## SUBDIVISION PLAT REVIEW

Reviewed On: 3/27/2024

### SUBDIVISION NAME: I SHINE CAR WASH - MCALLEN

#### REQUIREMENTS

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

(LOOP 374): E. Business Highway 83 . Plat Shows existing 70.0' R.O.W. need to finalize requirement for any dedication for a 100.0' R.O.W. prior to final.  
 \*\*80.0' R.O.W. also shown for railroad.  
 \*\*Paving: BY STATE. Curb & gutter: BY STATE.  
 Revisions Needed:  
 -Label R.O.W. from Centerline to new property line & Total R.O.W. after accounting for R.O.W. dedications - use applicable arrow annotation lines.  
 -Must Include Document #'s on plat and must provide any documents as applicable regarding existing R.O.W.  
 \*\*\*Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan  
 \*\*\*Monies must be escrowed if improvements are not constructed prior to recording.  
 \* 1,200 ft. Block Length.  
 \*\*Subdivision Ordinance: Section 134-118  
 \* 900 ft. Block Length for R-3 Zone Districts.  
 \*\*Subdivision Ordinance: Section 134-118  
 \* 600 ft. Maximum Cul-de-Sac.  
 \*\*Subdivision Ordinance: Section 134-105

Non-compliance

Applied

NA

NA

##### ALLEYS

ROW: 20 ft. Paving: 16 ft.  
 \*Alley/service drive easement required for commercial properties.  
 \*\*A 30.0' access easement exists on the north side of property. Finalize service access/alley easement requirements prior to final.  
 \*\*\*Subdivision Ordinance: Section 134-106

Non-compliance

##### SETBACKS

\* Front: Proposed 45 ft. or in line with average setback of existing structures, or easement, whichever is greater.  
 -Clarify proposed setback notes and ensure compliance with minimum setback requirements and as noted on recorded subdivision plat, prior to final.  
 \*\*\*\*Zoning Ordinance: Section 138-356  
 \* Rear: Proposed 10 ft. or greater for easements.  
 -Clarify proposed setback and ensure compliance with minimum setback requirements as noted on recorded subdivision plat, prior to final.  
 \*\*\*\*\*Zoning Ordinance: Section 138-356  
 \* Sides: Proposing 6 ft. or greater for easements, whichever is greater.  
 - Clarify proposed setback and ensure compliance with minimum setback requirements and as noted on existing recorded subdivision, prior to final.  
 \*\*\*Zoning Ordinance: Section 138-356  
 \* Corner: 10 ft. or greater for easements.  
 \*\*Zoning Ordinance: Section 138-356

Non-compliance

Non-compliance

Non-compliance

NA

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

* Garage: 18 ft. except where greater setbacks are required; greater setback applies. ***Zoning Ordinance: Section 138-356 *ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	NA
	Applied
<b>SIDEWALKS</b>	
* 4 ft. wide minimum sidewalk required along E. Business Highway 83. *Sidewalk requirements may increase to 5 ft. prior to final per Engineering Department requirements. **Staff reviewing sidewalk requirements, need to finalize prior to final. ***Subdivision Ordinance: Section 134-120 * Perimeter sidewalks must be built or money escrowed if not built at this time.	TBD
	NA
<b>BUFFERS</b>	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. **Landscaping Ordinance: Section 110-46 * 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. ***Landscaping Ordinance: Section 110-46 *Perimeter buffers must be built at time of Subdivision Improvements.	Applied
	Applied
	Applied
<b>NOTES</b>	
* No curb cut, access, or lot frontage permitted. As per Traffic Department: No Direct Access to Hwy 83 would be granted, Egress and Ingress to and from the development would be through the dedicated private easement. **Must comply with City Access Management Policy *Per recorded plat, needs to add note that says the following: "Site Plan must be approved by the Planning and Zoning Commission prior to issuance of any building permits." *Common Areas, any private streets, drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. *Access Easement on North side of Lot 9A proposed as per recorded lot. **Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. * Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. **Section 110-72 applies if private subdivision is proposed. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168 * Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. **Section 134-168 applies if private subdivision is proposed. ***Section 110-72 applies if public subdivision is proposed. ****Landscaping Ordinance: Section 110-72 *****Subdivision Ordinance: Section 134-168	Applied
	Non-compliance
	Applied
	NA
	NA
	NA

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

LOT REQUIREMENTS	
* Lots fronting public street: Lot 9A has no frontage on the street but has a shared access easement along the north side of the lot. Variance granted on August 25, 1997 by the City Commission to allow lots not to front a public street as part of the original subdivision. **Subdivision Ordinance: Section 134-1	Applied
**Minimum Lot width and lot area: Lot 9A has no frontage on the street but has a shared access easement along the north side of the lot. Variance granted on August 25, 1997 by the City Commission to allow lots not to front a public street as part of the original subdivision. **Zoning Ordinance: Section 138-356	Applied
ZONING/CUP	
* Existing I-1 Proposed C-3L. **As noted on application, the proposed zoning is C-3L needs to verify zoning prior to final and revise applications as needed. ***Zoning Ordinance: Article V	Required
* Rezoning Needed Before Final Approval. ***Zoning Ordinance: Article V	TBD
PARKS	
* Land dedication in lieu of fee. As per Parks Department, properties in Commercial Zoning are not subject to Parks Department requirements. If switching to residential, park requirements apply.	NA
* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. If switching to residential, park requirements apply.	NA
* Pending review by the Parkland Dedication Advisory Board and CC. If switching to residential, park requirements apply.	NA
TRAFFIC	
* As per Traffic Department, need to submit a Trip Generation letter with proposed land use.	Non-compliance
* Traffic Impact Analysis (TIA) required prior to final plat. Per Traffic Department, needs to submit Trip Generation Letter with proposed land use.	TBD
COMMENTS	
Comments: *Revise Plat Name to reflect: Jackson Commerce Development Subdivision, Lot 9A, Phase IVA. **For this replat, finalize inclusion of remainder portion of lot 9, prior to final as part of this replat. **Change Lot 1 to Lot 9A to reflect original lot #. **Plat references Notes 1-11 as per survey, however this is the subdivision. Clarify notes prior to final. **If any easements proposed to be abandoned, requirements would need to be completed prior to final. **If changing or removing restrictions or notes, vacate and replat will be required. **Existing plat notes remain as noted on recorded plat. *Must comply with City's Access Management Policy.	Non-compliance

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

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

EECH AV

LOCATION



US BUSINESS 83

K CENTER ST

PROPOSED MOTORS

ONT AV

P	PRESENT
A	ABSENT
MC	MEETING CANCELLED
LQ	LACK OF QUORUM

## 2024 ATTENDANCE RECORD FOR PLANNING AND ZONING COMMISSION MEETINGS

[illegible]

## 2024 ATTENDANCE RECORD FOR PLANNING AND ZONING COMMISSION WORKSHOPS

[illegible]

P	PRESENT
A	ABSENT
MC	MEETING CANCELLED
LQ	LACK OF QUORUM

## 2024 ATTENDANCE RECORD FOR PLANNING AND ZONING COMMISSION MEETINGS

[illegible]

## 2024 ATTENDANCE RECORD FOR PLANNING AND ZONING COMMISSION WORKSHOPS

[illegible]