

AGENDA

PLANNING & ZONING COMMISSION REGULAR MEETING TUESDAY, DECEMBER 5, 2023 - 3:30 PM MCALLEN CITY HALL, 1300 HOUSTON AVENUE CITY COMMISSION CHAMBERS, 3RD FLOOR

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

CALL TO ORDER -

PLEDGE OF ALLEGIANCE -

INVOCATION -

1) MINUTES:

- a) Minutes for the November 21, 2023 meeting to be uploaded on the next meeting packet (12/19/2023)

2) PUBLIC HEARING

a) CONDITIONAL USE PERMITS:

1. Request of Jorge G. Martinez, for a Conditional Use Permit, for two years, and adoption of an Ordinance for an Event Center at Lot 5A, Kingwood Estates Subdivision Phase II, Hidalgo County, Texas, 5245 North 23rd Street. **(CUP2023-0156)**
2. Request of Jessica Aguilar on behalf of Fern Corporation C/O W. D. Moschel, for a Conditional Use Permit, for one year, and adoption of an Ordinance for a bar (Thirsty Monkey) at North 20 feet of Lot 1 & all of Lot 2 excluding the Northwest 225 feet by 240 feet of Lot 2, Plaza Del Norte Subdivision, Hidalgo County, Texas, 3424 North 10th Street. **(CUP2023-0158)**

b) REZONING:

1. Rezoning from R-3A (multifamily residential apartments) District to R-3T (multifamily residential townhomes) District: 1.27 acre tract of land being out of Lot 10, Section 13, and 4.974 acre tract of land being out of Lot 10 and Lot 15, Section 13, Hidalgo Canal Company's Subdivision, Hidalgo County, Texas; 7601 North 7th Street (West). **(REZ2023-0042).**
2. Rezoning from A-O (agricultural and open space) District to R-3T (multifamily residential townhomes) District: 0.64 acre tract of land being out of Lot 10, Section 13, and 1.655 acre tract of land being out of Lot 10 and Lot 15, Section 13, Hidalgo Canal Company's Subdivision, Hidalgo County, Texas; 7601 North 7th Street (East). **(REZ2023-0055)**

3. Rezone from R-4 (mobile home and modular home) District to R-3T (multifamily residential townhouse) District: 6.59 acres more or less, consisting of the South 5 acres out of Lot 187, John H. Shary Subdivision and 1.59 acres being the North 52.5 feet of abandoned canal right-of-way between Lots 177 and 187, John H. Shary Subdivision, Hidalgo County, Texas; 1301 South Taylor Road. **(REZ2023-0056)**

3) CONSENT:

- a) Santoy Subdivision, 3321 Highway 83, Juan F. Santoy **(SUB2023-0129) (FINAL) SEC**

4) SUBDIVISIONS:

- a) Garden Rose Subdivision, 1200 East Yuma Avenue, Edgar Escobedo **(SUB2023-0020) (REVISED PRELIMINARY) MAS**
- b) Lumen Palace Subdivision, 3401 La Lomita Road, Ahmad Gorabi **(SUB2023-0133) (PRELIMINARY) SEC**
- c) Villas at Northgate Subdivision, 1701 Northgate Lane, Lourdes Gabriella Vela **(SUB2023-0087) (REVISED PRELIMINARY) (TABLED ON 11/21/2023) RDE**

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.

BOARD MEMBERS,

MINUTES FOR THE
11/21/2023 MEETING
WILL BE UPLOADED ON
THE NEXT MEETING
PACKET TO BE HELD
TUESDAY 12/19/2023.

THANK YOU

Memo

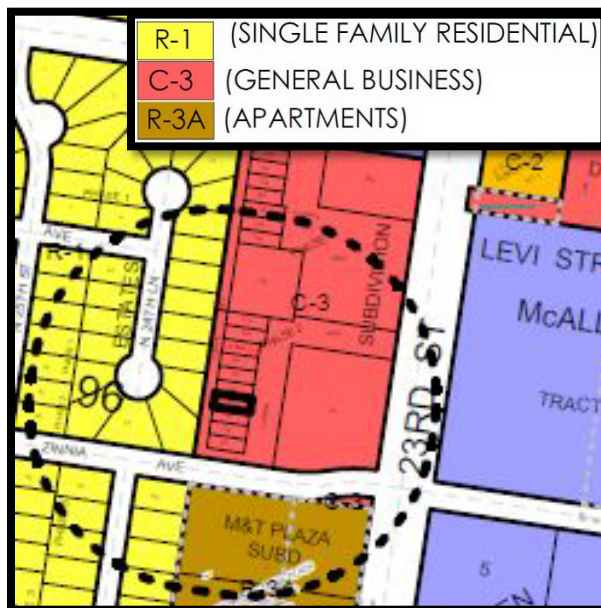
TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: November 14, 2023

SUBJECT: REQUEST OF JORGE G. MARTINEZ, FOR A CONDITIONAL USE PERMIT, FOR TWO YEARS, AND ADOPTION OF AN ORDINANCE FOR AN EVENT CENTER AT LOT 5A, KINGWOOD ESTATES SUBDIVISION PHASE II, HIDALGO COUNTY, TEXAS, 5245 NORTH 23RD STREET. (CUP2023-0156)

BRIEF DESCRIPTION: The property is located on the west side of North 23rd Street, North of Zinnia Avenue and is zoned C-3 (general business) District. The adjacent zoning is R-1 (single-family residential) District to the west. There is I-1 (light industrial) District to the east across North 23rd Street and R-3A (multifamily residential apartment) District to the south across Zinnia Avenue. Surrounding land uses include commercial businesses, restaurants, apartments, and single family residences. An event center is allowed in a C-3 District with a Conditional Use Permit and in compliance with requirements.



HISTORY: The initial application for an event center at this location was submitted and approved in February of 2022.

SUMMARY/ANALYSIS: The applicant is proposing to continue operating an event center from the approximately 2,229 square foot building. The proposed days and hours of operation are to be from 8:00 AM to 10:00 PM Monday through Sunday.

The Fire Department and Health Department have conducted their inspections of the

premises and have approved for the CUP process to continue.

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

1. The property line of the lot of any of the above mentioned businesses must be at least 400 ft. from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruption of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The proposed establishment is within 400 ft. from the nearest residentially zoned property and apartment zoned area.
2. The property must be as close as possible to a major arterial and shall not generate traffic onto residential sized streets. The establishment has direct access to Zinnia Avenue and 23rd Street and does not generate traffic into residential areas;
3. The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance as a minimum, and make provisions to prevent the use of adjacent streets for parking. Based on the square footage and use of the building, 22 parking spaces are required one of which should be for persons with disability. The parking lot is common area and should be clear of potholes and properly striped.
4. The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties.
5. The business shall provide sufficient lighting to eliminate dark areas and maximize visibility from a public street in order to discourage vandalism and criminal activities;
6. The business must make provisions to keep litter to a minimum and keep it from blowing onto adjacent properties; and
7. The above-mentioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Planning Director.

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



CITY OF McALLEN, TEXAS

311 NORTH 15TH STREET, McALLEN, TX 78501

P. O. BOX 220, McALLEN, TEXAS 78505-0220 • (956) 681-1250 • FAX (956) 681-1279

**BARS, COCKTAIL LOUNGES, TAVERNS, CANTINAS, SALOONS
DANCEHALLS, DISCOTHEQUES, DISCOS OR NIGHTCLUBS, EVENT CENTERS, LIQUOR
STORES, VAPORIZER STORES**

.....CONDITIONAL USE PERMIT APPLICATION

Case Number: <u>CUR2023-0156</u>	P&Z Meeting: <u>12/5/23</u>	<input type="checkbox"/> Routed
Receipt No: <u>319943</u>	CC Meeting: <u>1/8/24</u>	<input type="checkbox"/> Scanned
Accepted by: P: <u>AS</u> S: <u>OS</u>	Customer Acknowledgment (Int.): <u>JM</u>	

Application Date 10/23/2023

Applicant (first) (initial) (last) Jorge G. Martinez

PHONE NO. 956-451-1208

Mailing Address (city) (state) (zip) 5421 N. 23rd St. McAllen, TX 78504

EMAIL lajusticiamcallen@yahoo.com

Property Owner (first) (initial) (last) Same

PHONE NO.

Mailing Address (city) (state) (zip) Same

EMAIL

Property Location (street address) 5245 N. 23rd St. McAllen, TX 78504

Property Legal Description (if metes and bounds, attach survey of the property) (subdivision) (block) (lot) Lot 5A Kingwood estates Subdivision Phase II

Current use of property Event Center

Proposed use of property Event Center

TERM OF PERMIT: 2 YEAR JM

DAYS AND HOURS OF OPERATION: Monday thru Sunday 8am to 10pm

I understand that City Commission action will be required for my permits approval.

(initials)

(date)

FLOOR PLAN & SITE PLAN (attach a drawing of the property showing the following)

Scale, north arrow, legal description of property

Landscaping and fencing of yard

Location and height of all structures

Off-street parking and loading

Setback from property lines and between structures

Driveway location & design

Proposed changes and uses

Location, type, height and lighting of all signs

(Applicant signature) Jorge Martinez

(date) 10/23/2023

(Property owner signature) Jorge Martinez

(date) 10/23/2023

GENERAL INFORMATION

NOTIFICATION AND PUBLIC HEARING: Property owners within 400' of the subject property shall be notified within at least 10 working days of the Planning and Zoning Commission public hearing. Upon considering the recommendation of the Director of Planning, the Planning and Zoning Commission shall approve or disapprove the application.

APPEALS PROCEDURE: Any decision of the Planning and Zoning Commission may be appealed to the City Commission by presenting a petition to the City Commission within 10 days after the decision of the Planning and Zoning Commission and specifying the grounds for the appeal. A vote of 3/4 of the City Commission is required to overrule a vote of the Planning and Zoning Commission denying a conditional use permit.

CANCELLATION: A conditional use permit is automatically cancelled if not used within 6 months.

REVOCATION: A conditional use permit may be revoked by the Planning and Zoning Commission at a public hearing upon failure of the applicant to remedy a violation of the conditions of the permit within a specified time period (10 to 30 days) as specified in a written notice to the applicant by the Code Enforcement Officer or Building Inspector.

RENEWAL PERIOD: A conditional use permit shall expire within 1 year unless otherwise specified by the Planning and Zoning Commission. Application for renewal of a permit shall be made prior to 20 days before permit expiration. A permit for more than 1 year shall be approved by the City Commission.



[illegible]





NOTICE
EVENT CENTER
FOR
THIS PROPERTY
CUP 2023-0156

TEXAS REGIONAL
BANK

ATM

Memo

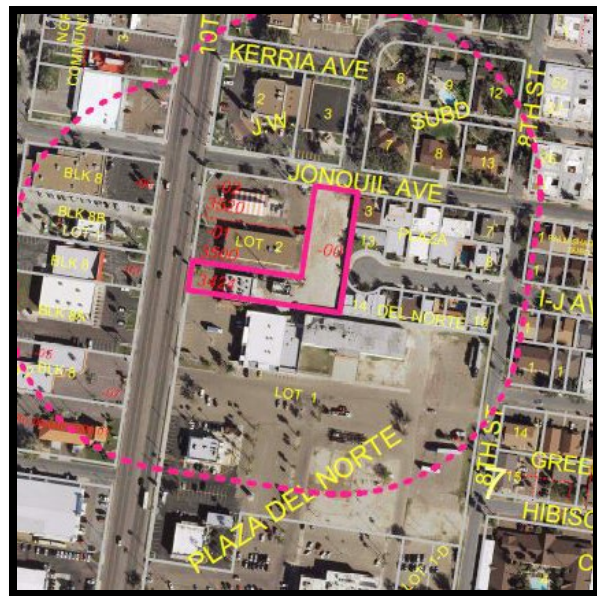
TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: November 14, 2023

SUBJECT: REQUEST OF JESSICA AGUILAR ON BEHALF OF FERN CORPORATION C/O W. D. MOSCHEL, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE FOR A BAR (THIRSTY MONKEY) AT NORTH 20 FEET OF LOT 1 & ALL OF LOT 2 EXCLUDING THE NORTHWEST 225 FEET BY 240 FEET OF LOT 2, PLAZA DEL NORTE SUBDIVISION, HIDALGO COUNTY, TEXAS, 3424 NORTH 10TH STREET. (CUP2023-0158)

BRIEF DESCRIPTION: The property is located on the east side of North 10th Street and south of Jonquil Avenue with frontage on both streets. The property is zoned C-3 (general business) District. The adjacent zoning is C-3 District to the north, south and west, R-3T (multifamily-residential townhouse) District to the east and R-1(single-family residential) District to the northeast. Surrounding land uses include retail stores, restaurants, multifamily residences, and single-family residences. A bar is allowed in a C-3 District with a Conditional Use Permit and in compliance with requirements.



HISTORY: The initial Conditional Use Permit for a bar by the name of Love Buzz was submitted March 31, 2021 and was approved by City Commission on May 24, 2021. The CUP for the establishment has been renewed annually. The current application for a Conditional Use Permit for a bar was submitted October 31, 2023 with the name of the establishment as Thirsty Monkey.

SUMMARY/ANALYSIS: The applicant is proposing to operate a bar (Thirsty Monkey) from an existing 3,850 square foot building. The proposed days and hours of operation are Monday-Sunday from 12:00 PM to 2:00 AM.

The Fire department has not yet conducted their inspection of the premises. The Health Department has conducted their inspection and have approved for the Conditional Use Permit process to continue. The police activity report for service calls from November 2022-present is attached. 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 establishment must comply with requirements set forth in Section 138-118(a)(4) of the Zoning Ordinance and specific requirements as follows:

- 1) The property line of the lot of any of the above mentioned 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 disruption of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 PM. The establishment is less than 400 feet of a residential zone/use, to the northeast and east of the subject property
- 2) The property must be as close as possible to a major arterial and shall not generate traffic onto residential sized streets. The property has access from North 10th Street.
- 3) The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance as a minimum, and make provisions to prevent the use of adjacent streets for parking. The bar requires 39 parking spaces based on square footage of the building and additional 3 parking spaces for the existing outside seating area (3 benches) for a total of 41 parking spaces
- 4) The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties;
- 5) The business shall provide sufficient lighting to eliminate dark areas and maximize visibility from a public street in order to discourage vandalism and criminal activities;
- 6) The business must make provisions to keep litter to a minimum and keep it from blowing onto adjacent properties; and
- 7) The above mentioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official, and Planning Director.

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

RECOMMENDATION: Staff is recommending disapproval of the request due to noncompliance with requirement #1 (distance to a residentially zoned property) of Section 138-118(a)(4)(a) of the Zoning Ordinance.

FERN CORPORATION

**1633 N. 10TH STREET
P.O. BOX 2814
McALLEN, TEXAS 78502
(956)682-8373**

October 30, 2023

Jessica Aguilar
Love Buzz North, LLC
1811 Victoria
Mission, Texas 78572

Re: 3424 North 10th Lease Space

Dear Ms. Aguilar,

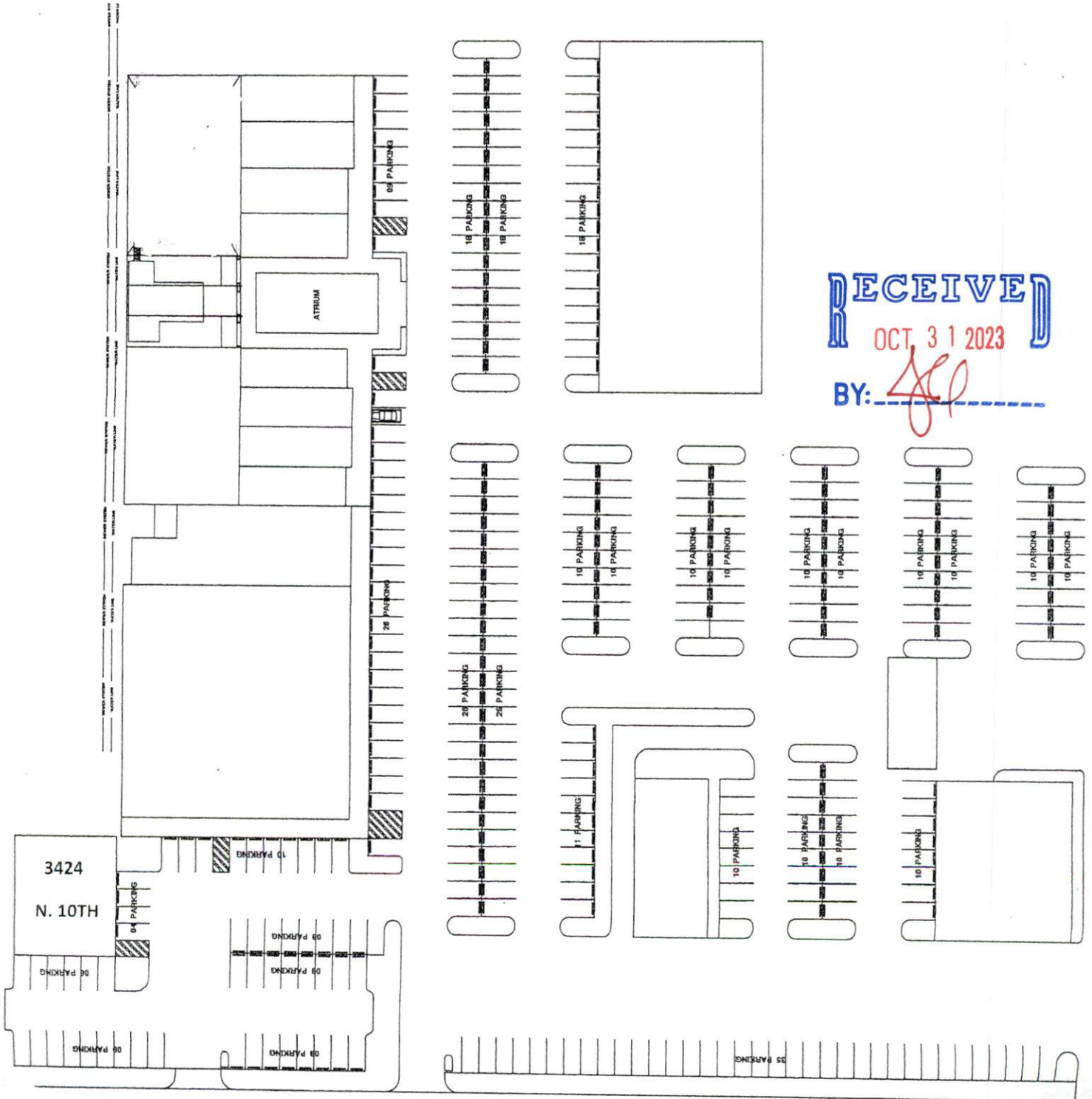
Attached is the Plaza del Norte Shopping Center lay-out, showing the reciprocal parking available. There are approximately 346 parking spaces available. In addition to the 346 parking spaces, we have a reciprocal parking agreement with H.E.B. Their parking spaces are also available to our tenants and their customers.

Sincerely,


J.M. Moffitt
Vice President

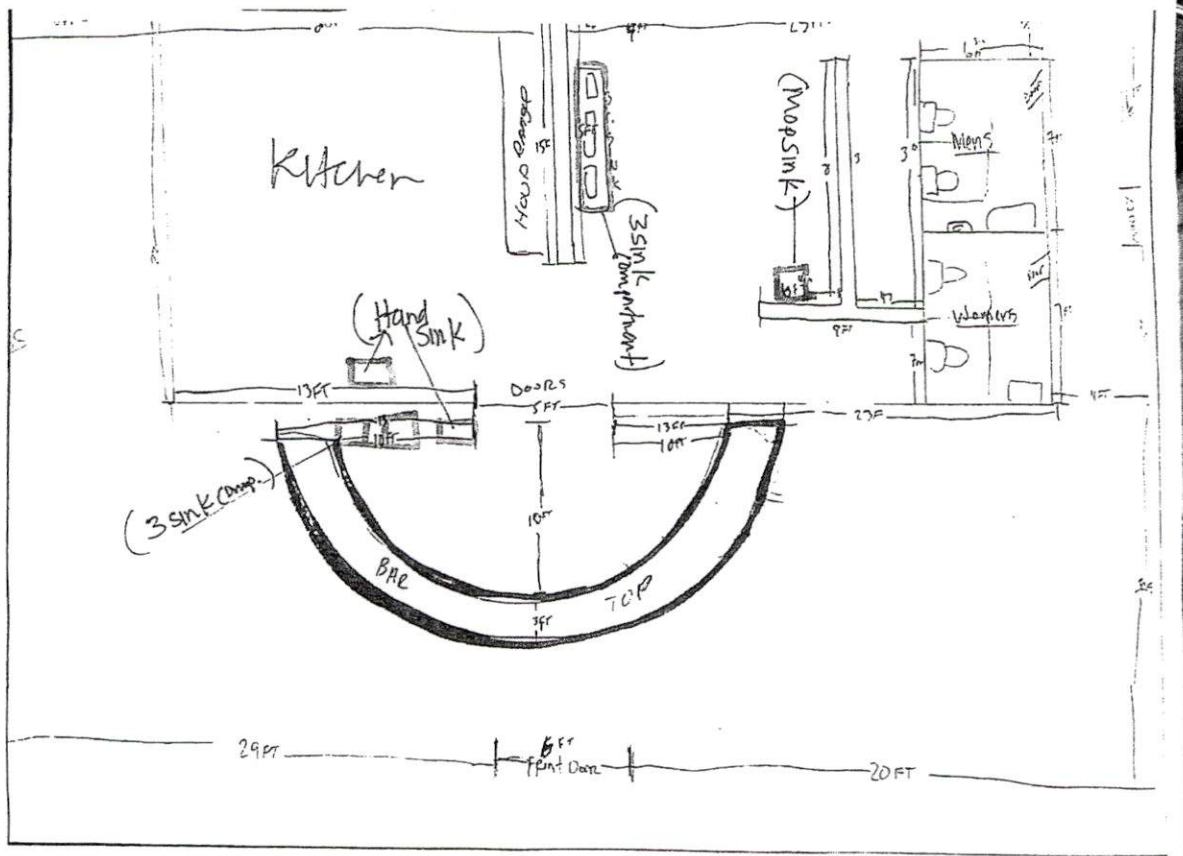
RECEIVED
OCT 31 2023
BY: 

PLAZA DEL NORTE SHOPPING CENTER



RECEIVED
OCT. 31 2023

BY: *[Signature]*



RECEIVED
OCT 31 2023

BY:

5/17/23
(signature)





McALLEN POLICE DEPARTMENT

CALLS FOR SERVICE REPORT

From Date/Time: 11/01/2022 00:00

Incident Type: All

To Date/Time: 11/02/2023 23:59

Location: 3424 N. 10th St [Love Buzz]

Call Date/Time	Incident Number	Incident Type	Location
10/18/2023 10:20	2023-00075372	WELFARE CONCERN	3424 N 10TH ST, MCALLEN
10/17/2023 18:27	2023-00075249	Alarm Burglary	3424 N 10TH ST, MCALLEN
7/21/2023 10:18	2023-00052355	Accident w/Injuries	3424 N 10TH ST, MCALLEN
6/19/2023 12:20	2023-00044210	Alarm Burglary	3424 N 10TH ST, MCALLEN
5/6/2023 2:35	2023-00032559	Alarm Burglary	3424 N 10TH ST, MCALLEN
3/20/2023 14:42	2023-00020166	Alarm Burglary	3424 N 10TH ST, MCALLEN
12/29/2022 14:01	2022-00091599	Domestic Disturbance	3424 N 10TH ST, MCALLEN
11/10/2022 10:40	2022-00078918	Alarm Burglary	3424 N 10TH ST, MCALLEN

Incident Type	Count of Incident Number
Accident w/Injuries	1
Alarm Burglary	5
Domestic Disturbance	1
WELFARE CONCERN	1
Grand Total	8



NOTICE
BAR
FOR
THIS PROPERTY
CUP2023-0158

SHERWIN-WILLIAMS

CITY OF
McALLEN
PLANNING

PL2003

TEXAS
119-0167

Planning Department

Memo

TO: Planning and Zoning Commission

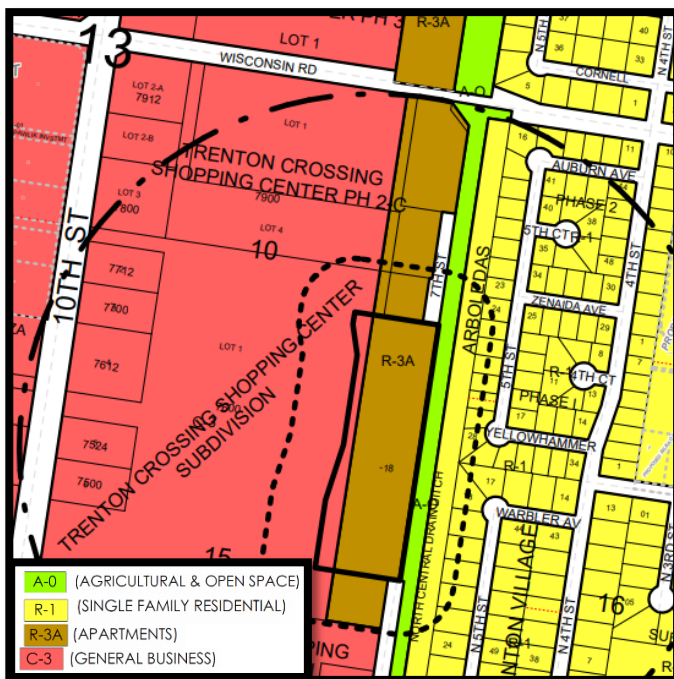
FROM: Planning Staff

DATE: November 20, 2023

SUBJECT: REZONING FROM R-3A (MULTIFAMILY RESIDENTIAL APARTMENTS) DISTRICT TO R-3T (MULTIFAMILY RESIDENTIAL TOWNHOMES) DISTRICT: 1.27 ACRE TRACT OF LAND BEING OUT OF LOT 10, SECTION 13, AND 4.974 ACRE TRACT OF LAND BEING OUT OF LOT 10 AND LOT 15, SECTION 13, HIDALGO CANAL COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS; 7601 NORTH 7TH STREET (WEST). (REZ2023-0042).

LOCATION: The subject properties are located at south of Wisconsin Road and east of North 10th Street. Tract 1 is made up of approximately 1.27 acres, tract 2 is approximately 4.974 acres – both properties are zoned R-3A (apartments) District. Both tracts belong to two larger tracts, seeking to rezone to R-3T (townhomes).

PROPOSAL: The applicant is proposing to rezone the property to R-3T District in order to construct townhomes on both properties.



ADJACENT ZONING: The adjacent zoning to the north and south is R-3A District. The adjacent zoning is C-3 (general business) District to the west. The adjacent zoning is A-O (agricultural and open space) District to the east – a request has been made to rezone from A-O to R-3T.

LAND USE: The subject property is vacant, alongside a canal. Surrounding land uses include a target, commercial plazas, single family residences and vacant land.

FUTURE LAND USE PLAN: The Envision McAllen Future Land Use Plan categorizes the future land use for this property as mixed used nodes. Multi-family residences, commercial uses, and civic/parks and open space uses are considered most appropriate for this area.

DEVELOPMENT TRENDS: The development trend along Wisconsin Road is commercial uses and single-family residential uses.

ANALYSIS: The requested zoning does conform to the Future Land Use Plan designation.

The proposed development area to the north would have 1.91 acres. Based on the maximum density per gross acres in the R-3T District: 20 dwelling units per gross acre are allowed, approximately 39 dwelling units are allowed per 1.91 gross acres.

The proposed development area to the south would have 6.629 acres. Based on the maximum density per gross acres in the R-3T District: 20 dwelling units per gross acre are allowed, approximately 133 dwelling units are allowed per 6.629 gross acres.

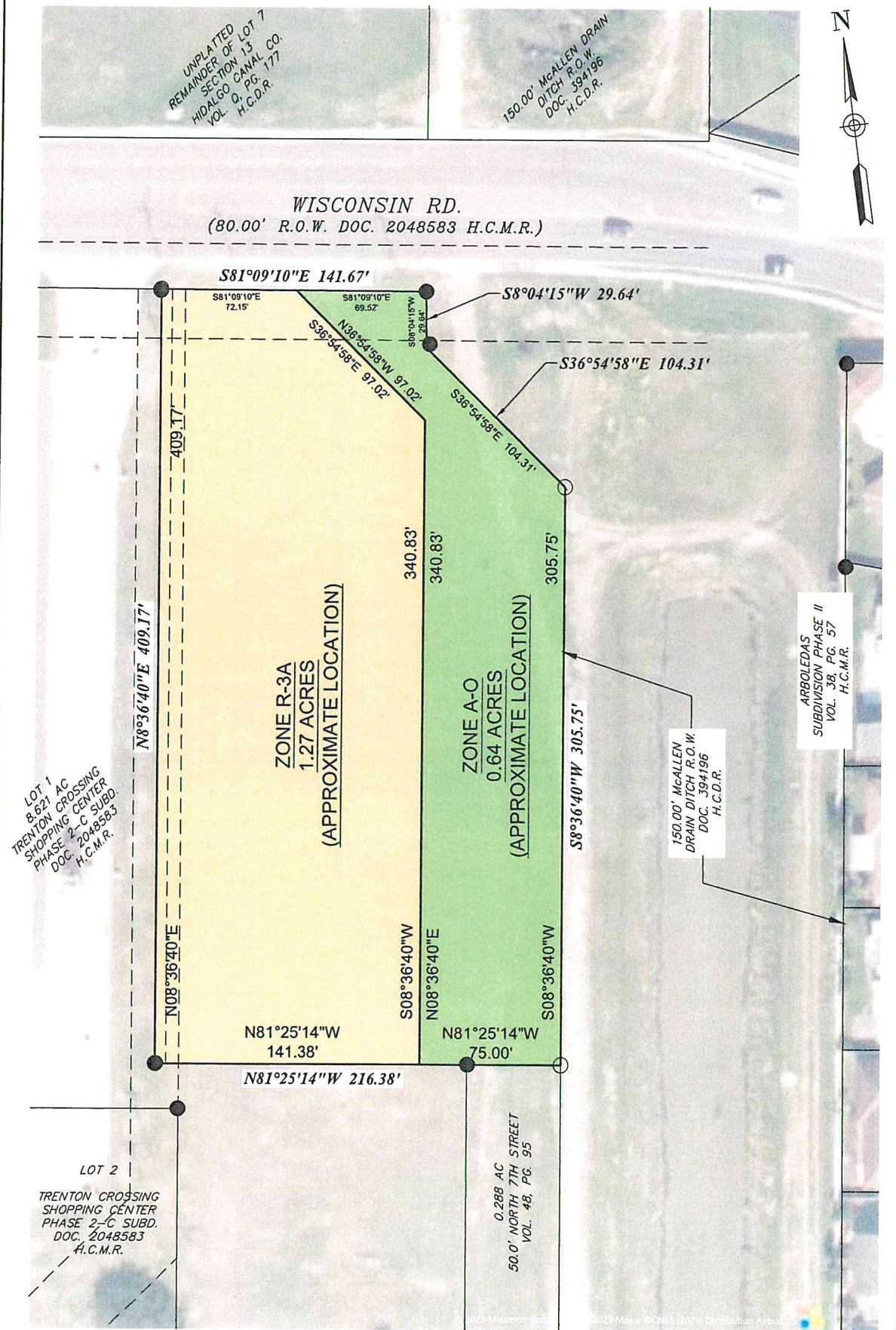
Two thousand square feet represents the minimum lot area for R-3T multifamily residential district use.

Must comply with all Zoning, landscaping, buffer, parking and maneuvering.

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

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

RECOMMENDATION: Staff recommends approval of the rezoning request to R-3T (townhomes) District as the future land use does allow for multi-family residential uses in the area.



BEING A 1.917 ACRE TRACT OF LAND OUT OF LOT 10, SECTION 13, HIDALGO CANAL COMPANY SUBDIVISION, AS PER MAP RECORDED IN VOLUME Q, PAGE 177, D.R.H.C., TEXAS.

TBPE F-22858

TBPELS F-10194796



2020 GRIFFIN PKWY
MISSION TEXAS, 78574
PHONE (956) 403-9787

S2 ENGINEERING, PLLC
CIVIL ENGINEERING & LAND SURVEYING
TBPE F-22858 TBL5 10194796



METES AND BOUNDS

**STATE OF TEXAS
COUNTY OF HIDALGO
1.27 ACRES**

BEING A 1.27 ACRE TRACT OF LAND BEING OUT OF LOT 10, SECTION 13, HIDALGO COUNTY CANAL COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER MAP OR PLAT THEREOF RECORDED IN VOLUME Q, PAGE 177, DEED RECORDS, HIDALGO COUNTY, TEXAS, SAID 1.27 ACRE TRACT OF LAND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING, AT A 1/2 INCH IRON ROD FOUND WITH CAP, FOR THE NORTHERN NORTHEAST CORNER OF LOT 4, TRENTON CROSSING SHOPPING CENTER PHASE - 2C SUBDIVISION, RECORDED IN DOCUMENT No. 2048583, MAP RECORDS, HIDALGO COUNTY, TEXAS, SAME BEING THE NORTHWEST CORNER OF LOT 1, OF SAID TRENTON CROSSING SHOPPING CENTER PHASE - 2C SUBDIVISION, THENCE, SOUTH 81°09'10" EAST, ALONG THE SOUTH RIGHT-OF-WAY LINE OF WISCONSIN ROAD (80.00 FOOT RIGHT-OF-WAY), AT A DISTANCE OF 772.68 FEET TO A IRON ROD SET WITH CAP, FOR A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SAID WISCONSIN ROAD, SAME BEING THE NORTHEAST CORNER OF SAID LOT 1, TRENTON CROSSING SHOPPING CENTER PHASE - 2C SUBDIVISION, FOR THE NORTHWEST CORNER AND POINT OF BEGINNING OF HEREIN DESCRIBED TRACT;

THENCE, SOUTH 81°09'10" EAST, CONTINUING ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID WISCONSIN ROAD, A DISTANCE OF 72.15 FEET TO A POINT FOR THE NORTHEAST CORNER OF HEREIN DESCRIBE TRACT.

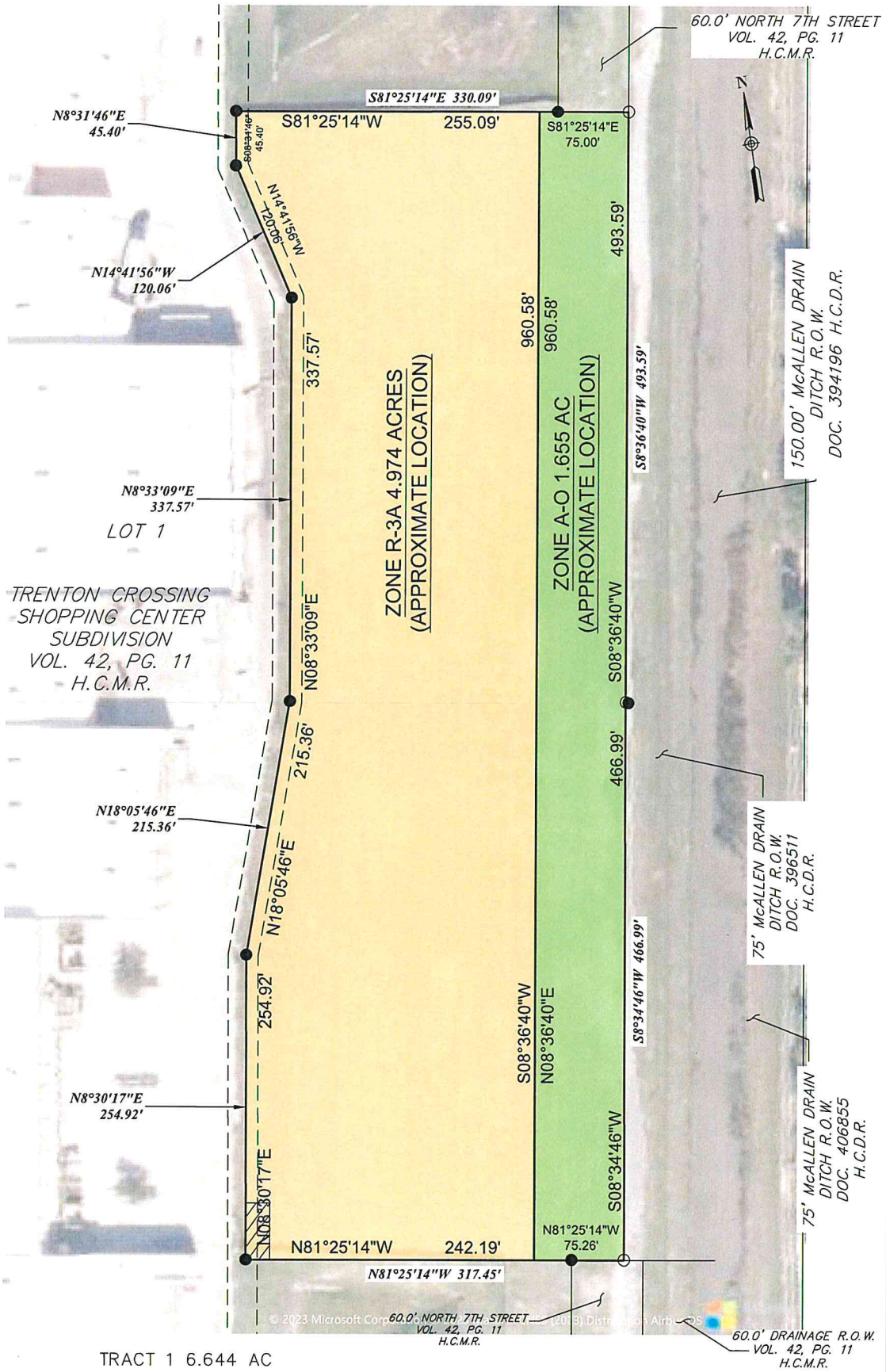
THENCE, SOUTH 36°54'58" EAST, A DISTANCE OF 97.02 FEET TO A POINT, FOR THE SOUTHEASTERLY NORTHEAST CORNER OF THIS HEREIN DESCRIBED TRACT.

THENCE, SOUTH 08°36'40" WEST, A DISTANCE OF 340.83 FEET TO A POINT, FOR THE SOUTHEAST CORNER OF HEREIN DESCRIBED TRACT;

THENCE, NORTH 81°25'14" WEST, ALONG THE NORTH LINE OF LOT 1, TRENTON CROSSING SHOPPING CENTER, PHASE 2-C SUBDIVISION, A DISTANCE OF 141.38 FEET TO A 1/2 IN IRON ROD FOUND WITH CAP, FOR AN INSIDE CORNER OF SAID LOT 1, TRENTON CROSSING SHOPPING CENTER, PHASE 2-C SUBDIVISION, SAME BEING THE SOUTHWEST CORNER OF HEREIN DESCRIBED TRACT;



THENCE, NORTH 08°36'40" EAST, A DISTANCE OF 408.54 FEET PASSING A 1/2 INCH IRON ROD ALONG THE EAST LINE OF SAID LOT 1, TRENTON CROSSING SHOPPING CENTER, PHASE 2-C SUBDIVISION, A TOTAL DISTANCE OF 409.17 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.27 ACRES OF LAND, MORE OR LESS.



TRACT 1 6.644 AC

DK3 INVESTMENT GROUP, LLC, A
TEXAS LIMITS LIABILITY
COMPANY
BY WARRANTY DEED WITH
VENDOR'S LIEN
DATED: APRIL 20, 2023
DOCUMENT NO. 3441866
H.C.O.R.



2020 GRIFFIN PKWY
MISSION TEXAS, 78574
PHONE (956) 403-9787
S2 ENGINEERING, PLLC
CIVIL ENGINEERING & LAND SURVEYING
TBPE F-22858 TBLS 10194796



**METES AND BOUNDS
OF
4.974 Acre Tract Boundary Survey**

BEING A 4.974 ACRE TRACT OF LAND OUT OF LOT 10 AND LOT 15, SECTION 13, HIDALGO CANAL COMPANY SUBDIVISION, AS PER MAP OR PLAT VOLUME Q, PAGE 177, DEED RECORDS OF HIDALGO COUNTY, TEXAS, AND ALSO BEING A PART OF A 6.644 ACRE TRACT, AS CONVEYED TO DK3 INVESTMENT GROUP, LLC, A TEXAS LIMITED LIABILITY COMPANY BY SPECIAL WARRANTY DEED WITH VENDOR'S LIEN, RECORDED DATED ON APRIL 20, 2023, AS PER DOCUMENT NO. 3441866, OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS, AND BEING MORE PARTICULARLY BY METES AND BOUNDS AS FOLLOWS:

COMMENCING, AT A 1/2 INCH IRON ROD FOUND, AT THE NORTHEAST CORNER OF A 60.00 FOOT ROAD RIGHT-OF-WAY NORTH 7TH STREET, AS SHOWN IN MAP OR PLAT OF TRENTON CROSSING SHOPPING CENTER SUBDIVISION, RECORDED IN VOLUME 42, PAGE 11, MAP RECORDS OF HIDALGO COUNTY TEXAS, SAME BEING THE SOUTHEAST CORNER OF A 50.00 FOOT ROAD RIGHT-OF-WAY NORTH 7TH STREET, AS SHOWN IN MAP OR PLAT OF TRENTON CROSSING SHOPPING CENTER PHASE 2 SUBDIVISION, RECORDED IN VOLUME 48, PAGE 95, MAP RECORDS OF HIDALGO COUNTY TEXAS, SAME BEING ON THE WEST LINE OF A 150.00 FOOT CITY OF MCALLEN DRAIN DITCH RIGHT-OF-WAY, RECORDED IN DOCUMENT NO. 394196, DEED RECORDS OF HIDALGO COUNTY, TEXAS, **THENCE**, S08°36'40"W, ALONG THE EAST LINE OF SAID 60.00 FOOT ROAD RIGHT-OF-WAY, SAME BEING THE WEST LINE OF SAID 150.00 FOOT CITY OF MCALLEN DRAIN DITCH RIGHT-OF-WAY, A DISTANCE OF 165.89 FEET TO A POINT, **THENCE**, N81°25'14"W, A DISTANCE OF 75.0 FEET TO A POINT, FOR THE NORTHEAST CORNER OF THIS TRACT AND **POINT OF BEGINNING**;

THENCE, S08°36'40"W, A DISTANCE OF 960.58 FEET TO A 1/2 INCH IRON ROD SET WITH PLASTIC CAP STAMPED S2 10194796, FOR THE SOUTHEAST CORNER OF THIS TRACT.

THENCE, N81°25'14"W, ALONG THE INSIDE LINE OF LOT 1 OF SAID TRENTON CROSSING SHOPPING CENTER SUBDIVISION, A DISTANCE OF 242.19 FEET, TO A 1/2 IRON ROD FOUND WITH BP1 CAP, FOR A INSIDE CORNER OF SAID LOT 1 OF SAID TRENTON CROSSING SHOPPING CENTER SUBDIVISION, FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE, ALONG THE COMMON BOUNDARY LINES BETWEEN THE DESCRIBED TRACT OF LAND AND SAID LOT 1, OF SAID TRENTON CROSSING SHOPPING CENTER SUBDIVISION, THE FOLLOWING COURSES;

THENCE, N08°30'17"E, A DISTANCE OF 254.92 FEET, TO A 1/2 INCH IRON ROD FOUND WITH BPI CAP;

THENCE, N18°05'46"E, A DISTANCE OF 215.36 FEET, TO A 1/2 INCH IRON ROD FOUND WITH BPI CAP;



THENCE, N08°33'09"E, A DISTANCE OF 337.57 FEET, TO A 1/2 INCH IRON ROD FOUND;

THENCE, N14°41'56"W, A DISTANCE OF 120.06 FEET, TO A 1/2 INCH IRON ROD FOUND WITH BPI CAP;

THENCE, N08°31'46"E, A DISTANCE OF 45.40 FEET, TO A 1/2 INCH IRON ROD FOUND;

THENCE, S81°25'14"E, ALONG THE INSIDE LINE OF LOT 1 OF SAID TRENTON CROSSING SHOPPING CENTER SUBDIVISION, A DISTANCE OF 255.09 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 4.974 ACRE OF LAND MORE OR LESS.



Planning Department

Memo

TO: Planning and Zoning Commission

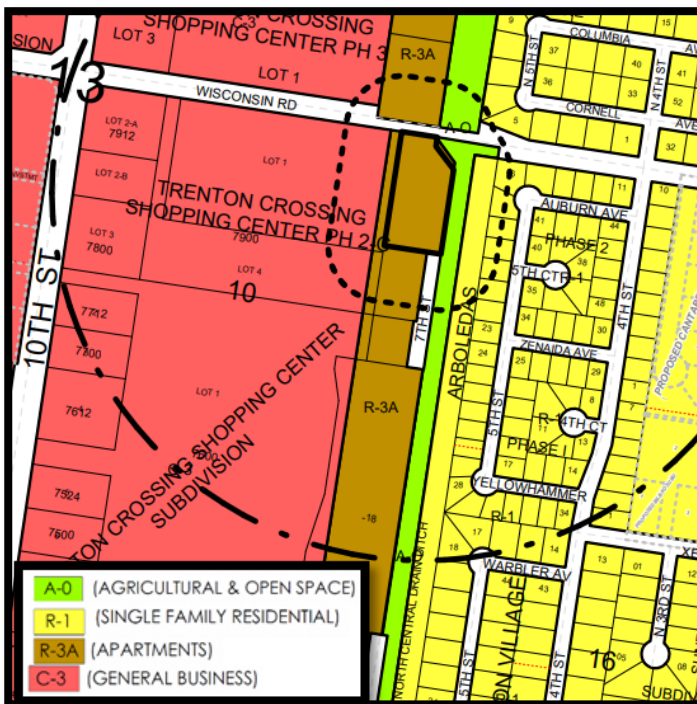
FROM: Planning Staff

DATE: November 20, 2023

SUBJECT: REZONING FROM A-O (AGRICULTURAL AND OPEN SPACE) DISTRICT TO R-3T (MULTIFAMILY RESIDENTIAL TOWNHOMES) DISTRICT: 0.64 ACRE TRACT OF LAND BEING OUT OF LOT 10, SECTION 13, AND 1.655 ACRE TRACT OF LAND BEING OUT OF LOT 10 AND LOT 15, SECTION 13, HIDALGO CANAL COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS; 7601 NORTH 7TH STREET (EAST). (REZ2023-0055)

LOCATION: The subject properties are located at south of Wisconsin Road and east of North 10th Street. Tract 1 is made up of approximately 0.64 acres, tract 2 is approximately 1.655 acres – both properties are zoned A-O (agricultural and open space) District. Both tracts belong to two larger tracts, seeking to rezone to R-3T (townhomes).

PROPOSAL: The applicant is proposing to rezone the property to R-3T District in order to construct townhomes on both properties.



ADJACENT ZONING: The adjacent zoning to the north and south is A-O District. The adjacent zoning is R-3A (apartments) District to the west – a request has been made to rezone from R-3A to R-3T. The adjacent zoning is R-1 (single-family residential) District to the east.

LAND USE: The subject property is vacant, alongside a canal. Surrounding land uses include a target, commercial plazas, single family residences and vacant land.

FUTURE LAND USE PLAN: The Envision McAllen Future Land Use Plan categorizes the future land use for this property as mixed used nodes. Multi-family residences, commercial uses, and civic/parks and open space uses are considered most appropriate for this area.

DEVELOPMENT TRENDS: The development trend along Wisconsin Road is commercial uses and single-family residential uses.

ANALYSIS: The requested zoning does conform to the Future Land Use Plan designation.

The proposed development area to the north would have 1.91 acres. Based on the maximum density per gross acres in the R-3T District: 20 dwelling units per gross acre are allowed, approximately 39 dwelling units are allowed per 1.91 gross acres.

The proposed development area to the south would have 6.629 acres. Based on the maximum density per gross acres in the R-3T District: 20 dwelling units per gross acre are allowed, approximately 133 dwelling units are allowed per 6.629 gross acres.

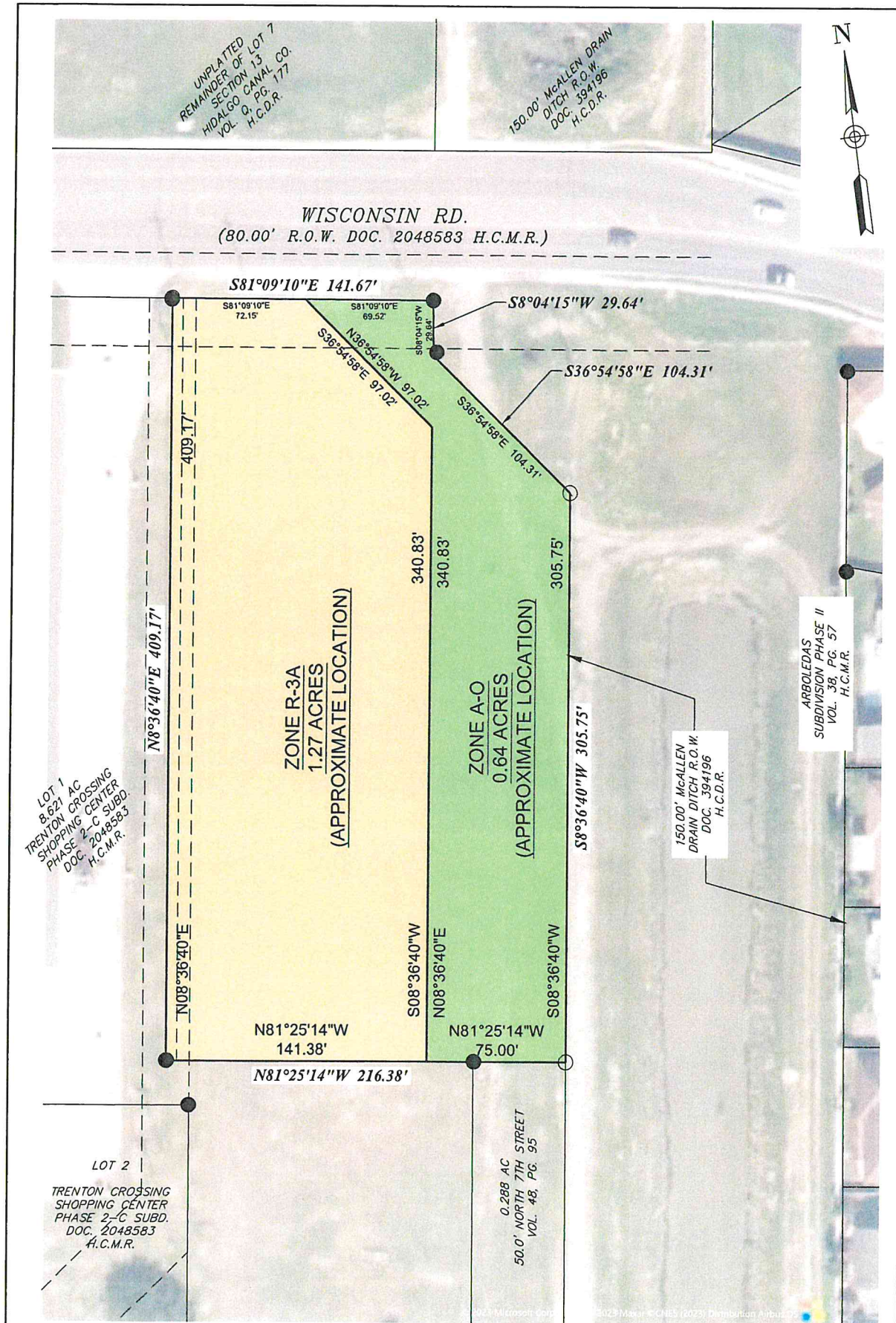
Two thousand square feet represents the minimum lot area for R-3T multifamily residential district use.

Must comply with all Zoning, landscaping, buffer, parking and maneuvering.

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

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

RECOMMENDATION: Staff recommends approval of the rezoning request to R-3T (townhomes) District as the future land use does allow for multi-family residential uses in the area.



BEING A 1.917 ACRE TRACT OF LAND OUT OF LOT 10, SECTION 13, HIDALGO CANAL COMPANY SUBDIVISION, AS PER MAP RECORDED IN VOLUME Q, PAGE 177, D.R.H.C., TEXAS.

TBPE F-22858

TBPELS F-10194796



S2 ENGINEERING, PLLC
CIVIL ENGINEERING & LAND SURVEYING
TBPE F-22858 TBLs 10194796

METES AND BOUNDS



STATE OF TEXAS}
COUNTY OF HIDALGO}
0.64 ACRES

BEING A 0.64 ACRE TRACT OF LAND BEING OUT OF LOT 10, SECTION 13, HIDALGO COUNTY CANAL COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER MAP OR PLAT THEREOF RECORDED IN VOLUME Q, PAGE 177, DEED RECORDS, HIDALGO COUNTY, TEXAS, SAID 0.64 ACRE TRACT OF LAND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING, AT A 1/2 INCH IRON ROD FOUND WITH CAP, FOR THE NORTHERN NORTHEAST CORNER OF LOT 4, TRENTON CROSSING SHOPPING CENTER PHASE - 2C SUBDIVISION, RECORDED IN DOCUMENT No. 2048583, MAP RECORDS, HIDALGO COUNTY, TEXAS, SAME BEING THE NORTHWEST CORNER OF LOT 1, OF SAID TRENTON CROSSING SHOPPING CENTER PHASE - 2C SUBDIVISION, THENCE, SOUTH 81°09'10" EAST, ALONG THE SOUTH RIGHT-OF-WAY LINE OF WISCONSIN ROAD (80.00 FOOT RIGHT-OF-WAY), AT A DISTANCE OF 844.83 FEET TO A IRON ROD SET WITH CAP, FOR A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SAID WISCONSIN ROAD, FOR THE NORTHWEST CORNER AND POINT OF BEGINNING OF HEREIN DESCRIBED TRACT;

THENCE, SOUTH 81°09'10" EAST, CONTINUING ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID WISCONSIN ROAD, A DISTANCE OF 69.52 FEET TO A 1/2 INCH IRON ROD FOUND WITH CAP, FOR A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SAID WISCONSIN ROAD, SAME BEING ON THE WEST RIGHT-OF-WAY LINE OF A 150.00 FOOT CITY OF McALLEN DRAIN DITCH RIGHT-OF-WAY RECORDED IN DOCUMENT No. 394196 DEED RECORDS OF HIDALGO COUNTY, TEXAS, FOR THE NORTHERN NORTHEAST CORNER OF HEREIN DESCRIBED TRACT;

THENCE, SOUTH 08°04'15" WEST, ALONG THE WEST LINE OF SAID 150.00 FOOT CITY OF McALLEN DRAIN DITCH RIGHT-OF-WAY, A DISTANCE OF 29.64 FEET TO A 1/2 INCH IRON ROD FOUND WITH CAP, FOR AN OUTSIDE CORNER OF SAID 150 FOOT CITY OF McALLEN DRAIN DITCH RIGHT-OF-WAY, SAME BEING AN INSIDE CORNER OF HEREIN DESCRIBED TRACT.

THENCE, SOUTH 36°54'58" EAST, CONTINUING ALONG THE WEST LINE OF SAID 150.00 FOOT CITY OF McALLEN DRAIN DITCH RIGHT-OF-WAY, A DISTANCE OF 104.31 FEET TO A 1/2 INCH IRON ROD SET WITH CAP ON THE INTERIOR CORNER OF THE SAID 150.00 FOOT CITY OF McALLEN DRAIN DITCH RIGHT-OF-WAY, SAME BEING AN OUTSIDE CORNER OF HEREIN DESCRIBED TRACT, FROM WHICH A 1/2 INCH IRON ROD FOUND THAT BEARS SOUTH 31°23'00"EAST, AT A DISTANCE OF 1.99' FROM THE AFOREMENTION OUTSIDE CORNER;



THENCE, SOUTH $08^{\circ}36'40''$ WEST, CONTINUING ALONG THE WEST LINE OF SAID 150.00 FOOT CITY OF McALLEN DRAIN DITCH RIGHT-OF-WAY, A DISTANCE OF 305.75 FEET TO A 1/2 INCH IRON ROD SET WITH CAP, ALONG THE WEST LINE OF SAID 150.00 FOOT CITY OF McALLEN DRAIN DITCH RIGHT-OF-WAY, SAME BEING THE NORTHEAST CORNER OF A 0.288 ACRE TRACT (50 FOOT ROAD RIGHT-OF-WAY) DEDICATED TO THE CITY OF McALLEN RECORDED IN VOLUME 48, PAGE 95 (TRENTON CROSSING SHOPPING CENTER PHASE 2 SUBDIVISION) MAP RECORDS HIDALGO COUNTY TEXAS, FOR THE SOUTHEAST CORNER OF HEREIN DESCRIBED TRACT;

THENCE, NORTH $81^{\circ}25'14''$ WEST, A DISTANCE OF 49.08 FEET PASSING A 1/2 INCH IRON ROD FOUND ALONG THE NORTH LINE OF SAID 0.288 ACRE TRACT OF LAND, SAME BEING THE SOUTHERN NORTH LINE OF SAID LOT 1, TRENTON CROSSING SHOPPING CENTER, PHASE 2-C SUBDIVISION, A TOTAL DISTANCE OF 75.0 FEET TO A POINT, FOR AN INSIDE CORNER OF SAID LOT 1, TRENTON CROSSING SHOPPING CENTER, PHASE 2-C SUBDIVISION, SAME BEING THE SOUTHWEST CORNER OF HEREIN DESCRIBED TRACT;

THENCE, NORTH $08^{\circ}36'40''$ EAST, A DISTANCE OF 340.83 FEET TO A POINT FOR AN INSIDE CORNER OF HEREIN DESCRIBE TRACT

THENCE, NORTH $36^{\circ}54'58''$ WEST, A DISTANCE OF 97.02 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.64 ACRES OF LAND, MORE OR LESS.



METES AND BOUNDS
OF
1.655Acre Tract Boundary Survey

BEING A 1.655 ACRE TRACT OF LAND OUT OF LOT 10 AND LOT 15, SECTION 13, HIDALGO CANAL COMPANY SUBDIVISION, AS PER MAP OR PLAT VOLUME Q, PAGE 177, DEED RECORDS OF HIDALGO COUNTY, TEXAS, AND ALSO BEING A PART OF A 6.644 ACRE TRACT, AS CONVEYED TO DK3 INVESTMENT GROUP, LLC, A TEXAS LIMITED LIABILITY COMPANY BY SPECIAL WARRANTY DEED WITH VENDOR'S LIEN, RECORDED DATED ON APRIL 20, 2023, AS PER DOCUMENT NO. 3441866, OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS, AND BEING MORE PARTICULARLY BY METES AND BOUNDS AS FOLLOWS:

COMMENCING, AT A 1/2 INCH IRON ROD FOUND, AT THE NORTHEAST CORNER OF A 60.00 FOOT ROAD RIGHT-OF-WAY NORTH 7TH STREET, AS SHOWN IN MAP OR PLAT OF TRENTON CROSSING SHOPPING CENTER SUBDIVISION, RECORDED IN VOLUME 42, PAGE 11, MAP RECORDS OF HIDALGO COUNTY TEXAS, SAME BEING THE SOUTHEAST CORNER OF A 50.00 FOOT ROAD RIGHT-OF-WAY NORTH 7TH STREET, AS SHOWN IN MAP OR PLAT OF TRENTON CROSSING SHOPPING CENTER PHASE 2 SUBDIVISION, RECORDED IN VOLUME 48, PAGE 95, MAP RECORDS OF HIDALGO COUNTY TEXAS, SAME BEING ON THE WEST LINE OF A 150.00 FOOT CITY OF MCALLEN DRAIN DITCH RIGHT-OF-WAY, RECORDED IN DOCUMENT NO. 394196, DEED RECORDS OF HIDALGO COUNTY, TEXAS, **THENCE**, S08°36'40"W, ALONG THE EAST LINE OF SAID 60.00 FOOT ROAD RIGHT-OF-WAY, SAME BEING THE WEST LINE OF SAID 150.00 FOOT CITY OF MCALLEN DRAIN DITCH RIGHT-OF-WAY, A DISTANCE OF 165.89 FEET, TO A 1/2 INCH IRON ROD SET WITH PLASTIC CAP STAMPED S2 10194796, FOR THE SOUTHEAST CORNER OF SAID 60.00 FOOT ROAD RIGHT-OF-WAY, FOR THE NORTHEAST CORNER OF THIS TRACT AND **POINT OF BEGINNING**;

THENCE, S08°36'40"W, ALONG THE WEST LINE OF SAID 150.00 FOOT CITY OF MCALLEN DRAIN DITCH RIGHT-OF-WAY, A DISTANCE OF 493.59 FEET TO A 1/2 INCH IRON ROD SET, FOR A POINT OF INTERSECTION OF THIS TRACT, ALSO A REFERENCE 1/2 INCH IRON ROD FOUND, THAT BEARS S64°13'57"E, A DISTANCE OF 2.30 FEET FROM THE SAID POINT OF INTERSECTION;

THENCE, S08°34'46"W, CONTINUING ALONG THE WEST LINE OF A 75.00 FOOT CITY OF MCALLEN DRAIN DITCH RIGHT-OF-WAY, RECORDED IN DOCUMENT NO. 396511, DEED RECORDS OF HIDALGO COUNTY, TEXAS, A DISTANCE OF 466.99 FEET, TO A 1/2 INCH IRON ROD SET WITH PLASTIC CAP STAMPED S2 10194796, ON THE NORTH LINE OF 60.00 FOOT ROAD RIGHT-OF-WAY NORTH 7TH STREET, AS SHOWN IN MAP OR PLAT OF SAID TRENTON CROSSING SHOPPING CENTER SUBDIVISION, FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE, N81°25'14"W, ALONG THE NORTH LINE OF SAID 60.00 FOOT ROAD RIGHT-OF-WAY NORTH 7TH STREET, AT A PASSING DISTANCE OF 43.62 FEET, TO A 1/2 INCH IRON ROD FOUND WITH BPI CAP, FOR THE NORTHWEST CORNER OF SAID 60.00 FOOT ROAD RIGHT-OF-WAY NORTH 7TH STREET, AND CONTINUING ALONG THE INSIDE LINE OF LOT 1 OF SAID TRENTON CROSSING



SHOPPING CENTER SUBDIVISION, A TOTAL DISTANCE OF 75.26 FEET, TO A TO A POINT FOR THE SOUTHWEST CORNER OF THIS TRACT.

THENCE, N08°36'40"E, A DISTANCE OF 960.58 FEET TO A POINT, FOR THE NORTHWEST CORNER OF THIS TRACT.

THENCE, S81°25'14"E, ALONG THE INSIDE LINE OF LOT 1 OF SAID TRENTON CROSSING SHOPPING CENTER SUBDIVISION, A PASSING DISTANCE OF 15.78 FEET, TO A 1/2 INCH IRON ROD FOUND WITH BPI CAP, FOR THE SOUTHEAST CORNER OF SAID 60.00 FOOT ROAD RIGHT-OF-WAY NORTH 7TH STREET, AND CONTINUING ALONG THE SOUTH LINE OF SAID 60.00 FOOT ROAD RIGHT-OF-WAY NORTH 7TH STREET, A TOTAL DISTANCE OF 75.0 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 1.655 ACRE OF LAND MORE OR LESS.



Planning Department

Memo

TO: Planning and Zoning Commission

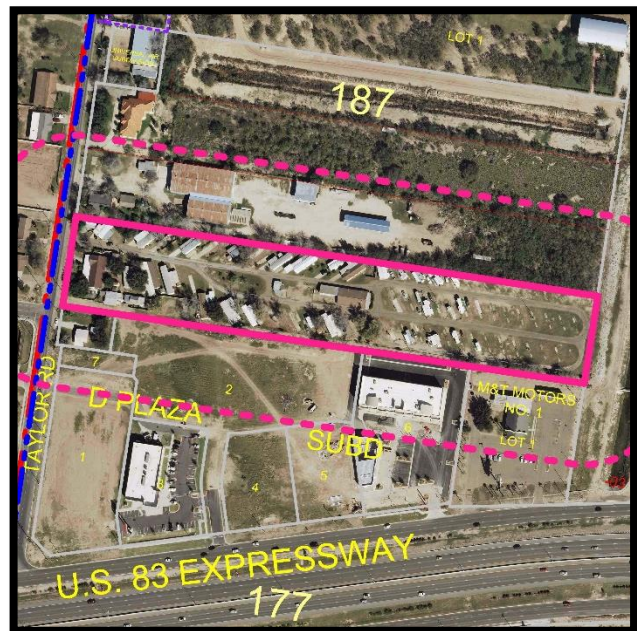
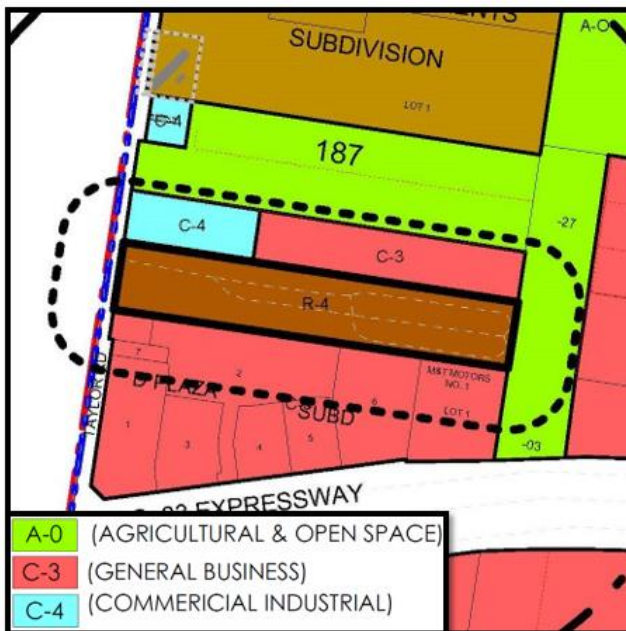
FROM: Planning Staff

DATE: November 20, 2023

SUBJECT: REZONE FROM R-4 (MOBILE HOME AND MODULAR HOME) DISTRICT TO R-3T (MULTIFAMILY RESIDENTIAL TOWNHOUSE) DISTRICT: 6.59 ACRES MORE OR LESS, CONSISTING OF THE SOUTH 5 ACRES OUT OF LOT 187, JOHN H. SHARY SUBDIVISION AND 1.59 ACRES BEING THE NORTH 52.5 FEET OF ABANDONED CANAL RIGHT-OF-WAY BETWEEN LOTS 177 AND 187, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS; 1301 SOUTH TAYLOR ROAD. (REZ2023-0056)

LOCATION: The subject property is located on the east side of South Taylor Road approximately 660 feet north of West Expressway 83.

PROPOSAL: The applicant is proposing to rezone the property from R-4 (mobile home and modular home) District to R-3T (multifamily residential townhouse) District in order to develop the tract of land for multifamily residential townhouses. No feasibility plan or site plan have been submitted for the proposal.



ADJACENT ZONING: The adjacent zoning is C-3 (general business) District and C-4 (commercial-industrial) District to the north, A-O (agricultural and open space) District to the east, C-3 to the south, and to the west is outside city limits.

LAND USE: The subject property was being used as a mobile home park. Surrounding land uses include commercial retail uses.

FUTURE LAND USE PLAN: The Envision McAllen Future Land Use Plan designates the future land use for this property as Regional Commercial. The most appropriate type of development includes shopping centers neighborhood and community scale, civic buildings, and parks and open space uses.

DEVELOPMENT TRENDS: The development trend for this area is neighborhood scale shopping centers and multi-family residential.

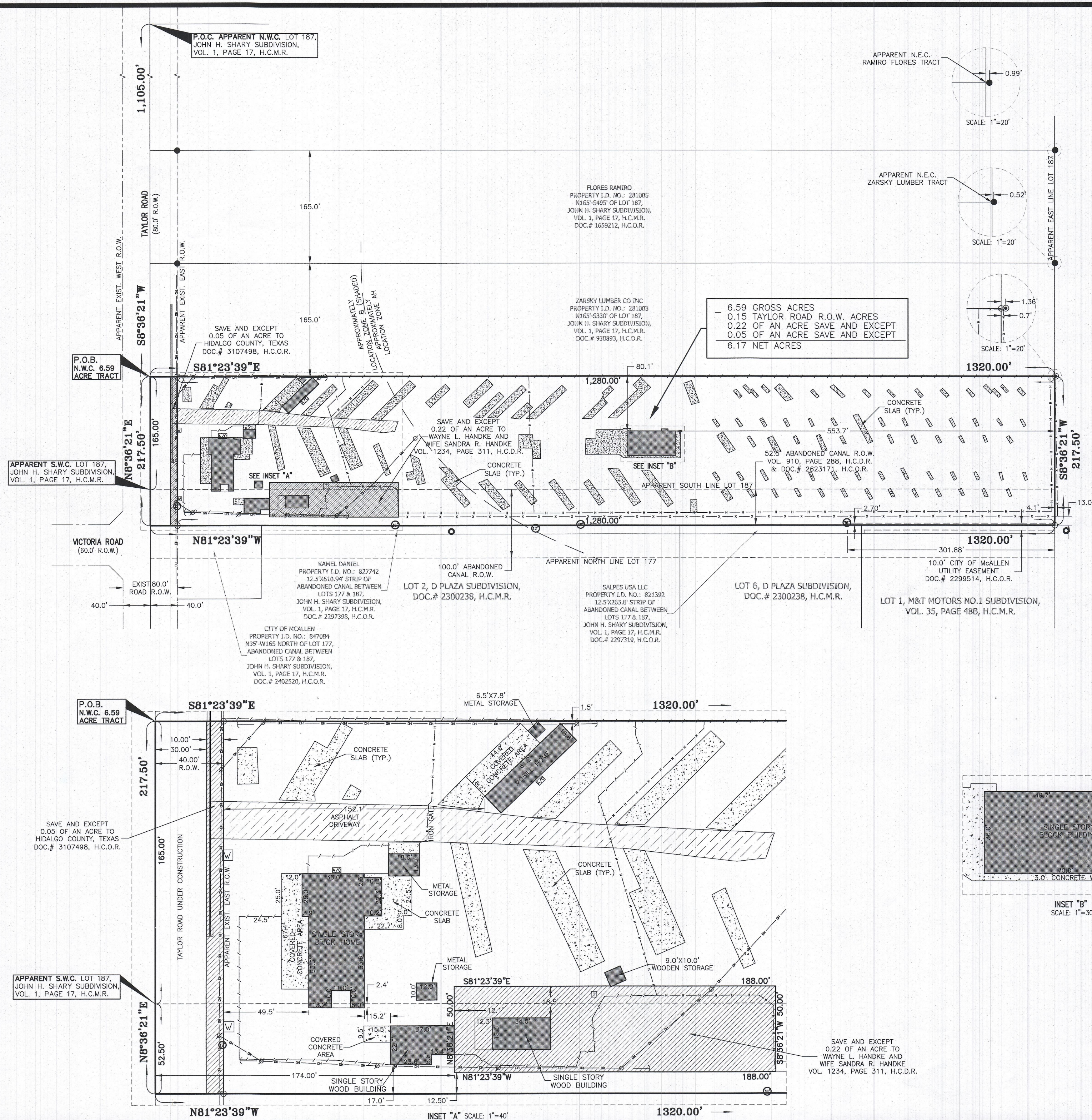
ANALYSIS: The requested zoning does not conform to the Future Land Use Plan designation. However, the request constitutes a downzoning that is similar to residential land use further to the north.

The proposed development area would have 6.59 acres (287,060.40 square feet). The maximum density in R-3T District is 20 dwelling units per gross acre. Therefore, the maximum of number of dwelling units for the subject property is approximately 131 townhouses.

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

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

RECOMMENDATION: Staff recommends approval of the rezoning request to R-3T (multifamily residential townhouse) as it constitutes a downsizing and would allow for more diverse housing options.

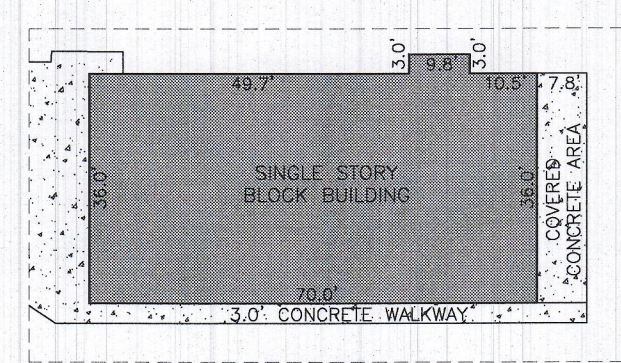


230.0' HIDALGO COUNTY DRAINAGE DISTRICT No.1
DRAINAGE EASEMENT

- LEGEND**
- FOUND NO.4 REBAR
 - FOUND 1" IRON PIPE
 - SET NO.4 REBAR WITH ORANGE PLASTIC CAP STAMPED 2791
 - R.O.W. RIGHT OF WAY
 - P.O.B. POINT OF BEGINNING
 - P.O.C. POINT OF COMMENCEMENT
 - H.C.M.R. HIDALGO COUNTY MAP RECORDS
 - H.C.D.R. HIDALGO COUNTY DEED RECORDS
 - H.C.O.R. HIDALGO COUNTY OFFICIAL RECORDS
 - N.W.C. NORTHWEST CORNER
 - S.W.C. SOUTHWEST CORNER
 - POWER POLE
 - GUY WIRE
 - TELEPHONE PEDESTAL
 - WATER METER
 - A/C UNIT
 - SANITARY SEWER MANHOLE
 - 12" IRRIGATION STAND PIPE
 - 36" IRRIGATION STAND PIPE
 - WOODEN FENCE
 - HOG WIRE FENCE
 - CHAINLINK FENCE
 - OVERHEAD POWER LINE

- NOTES:**
1. SURVEY IS VALID ONLY IF PRINT HAS ELECTRONIC SEAL AND ORIGINAL SIGNATURE OF SURVEYOR.
 2. COMMITMENT OF TITLE INSURANCE ISSUED BY TRUE EDWARDS ABSTRACT AND TITLE CO.
 3. BORROWER: INSURED: GP NO. 951842 EFFECTIVE DATE: OCTOBER 16, 2023 ISSUED: OCTOBER 26, 2023
 4. ALSO SEE SCHEDULE B. FROM 10.a TO 10.j FOR ADDITIONAL EASEMENTS AND PROPERTY MATTERS.
 5. THIS LOT IS SUBJECT TO RESTRICTIONS AS RECORDED IN VOLUME 1, PAGE 17, MAP RECORDS OF HIDALGO COUNTY, TEXAS.
 6. THE EXISTENCE, IF ANY, UNDERGROUND GAS LINES OR OTHER UNDERGROUND UTILITIES NOT SHOWN ON THIS SURVEY SHOULD BE THOROUGHLY INVESTIGATED BY THE OWNER PRIOR TO ANY CONSTRUCTION ON THIS SITE. THE SURVEYOR HAS LIMITED HIS INVESTIGATION OF UNDERGROUND UTILITIES ON THIS SITE TO THAT WHICH CAN BE SEEN.
 7. SURVEYOR'S STATEMENT: THE PROPERTY CORNERS OF THE TRACT SURVEYED WERE STAKED OUT BASED ON THE BEST FIT OF MONUMENTS FOUND FOR THIS PROPERTY AND OTHERS WITHIN THE IMMEDIATE VICINITY, TAKING INTO ACCOUNT THE INTENT OF THE SURVEYORS' ORIGINAL FOOT STEPS.

SURVEY PLAT SHOWING 6.59 ACRE TRACT BEING THE SOUTH 5.00 ACRES OF LOT 187 AND 1.59 ACRES BEING THE NORTH 52.5 FEET OF ABANDONED CANAL RIGHT OF WAY BETWEEN LOTS 177 AND 187, JOHN H SHARY SUBDIVISION, VOL. 1, PAGE 17, H.C.M.R. CITY OF McALLEN, HIDALGO COUNTY, TEXAS, SAVE AND EXCEPT 0.22 OF AN ACRE AS DESCRIBED IN DEED FROM HOWARD HANDKE AND WIFE, MARIAN HANDKE, TO WAYNE L. HANDKE AND WIFE, SANDRA R. HANDKE, DATED JUNE 10, 1969, RECORDED IN VOL. 1234, PAGE 311, DEED RECORDS OF HIDALGO COUNTY, TEXAS FURTHER SAVE AND EXCEPT 0.05 OF AN ACRE CONVEYED TO HIDALGO COUNTY IN GENERAL WARRANTY DEED DATED MARCH 19, 2020 AND RECORDED APRIL 24, 2020 IN DOCUMENT NO. 3107498, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS. SEE EXHIBIT "A" FOR METES AND BOUNDS DESCRIPTION

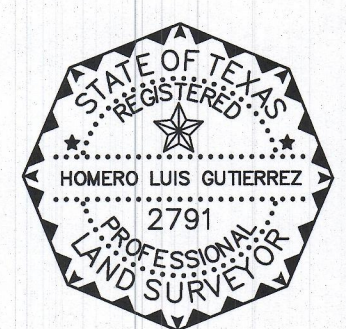


INSET "B" SCALE: 1"=30'

FLOOD ZONE

ZONE "B" (SHADED)
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 FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN ONE SQUARE MILE; OR AREAS PROTECTED BY LEVEES FROM THE BASE FLOOD. (MEDIUM SHADING)

ZONE "AH"
AREAS OF 100-YEAR SHALLOW FLOODING WHERE DEPTHS AREA BETWEEN ONE AND THREE FEET; BASE FLOOD ELEVATIONS ARE SHOWN, BUT NO FLOOD HAZARD FACTORS ARE DETERMINED.



Surveyor's Certification

I, Homero Luis Gutierrez, a Registered Professional Land Surveyor in the State of Texas, state that this plat represents the facts found on the ground on October 26, 2023, and that there are no discrepancies, conflicts or shortages in the area or boundary lines, or any encroachments, or overlapping of improvements or no visible or apparent easements except as shown on this plat.

Homero Luis Gutierrez 11-01-23
Homero Luis Gutierrez, RPLS #2791 Date

HOMERO L. GUTIERREZ, P.E., R.P.L.S.
P.O. Box 548
McAllen, Texas 78505
(956) 369-0988

EXHIBIT "A"
METES AND BOUNDS
6.59-Acre Tract

A 6.59-Acre Tract of land, more or less, consisting of the South 5 acres out of Lot 187, John H. Shary Subdivision, Hidalgo County, Texas, and 1.59 acres out of the North 52.5 feet of abandoned canal right-of-way, according to the map or plat thereof recorded in Volume 1, Page 17, Map Records, Hidalgo County, Texas, and being 0.38 of an acre out of the canal right-of-way between Lot 177 and said Lot 187 (out of same said abandoned canal right-of-way), John H. Shary Subdivision, Hidalgo County, Texas, **SAVE AND EXCEPT** 0.22 of an acre described in Deed from Howard Handke and wife, Marian Handke, to Wayne L. Handke and wife, Sandra R. Handke, dated June 10, 1969 (Volume 1234, Page 311, Deed Records, Hidalgo County, Texas) and **FURTHER, SAVE AND EXCEPT** 0.05 of an acre tract (0.0499 of an acre tract recorded) (2,175 square feet) as described in General Warranty Deed dated March 19, 2020, executed by Handke's Mobile Park, LLC, to Hidalgo County, Texas (Clerk's File No. 3107498, Official Records, Hidalgo County, Texas), references to which are here made for all purpose, located on the Northeast corner of the intersection of Victoria Road and Taylor Road, is described by metes and bounds as follows:

The **POINT OF COMMENCEMENT (P.O.C.)** being at a point on the apparent existing 80.00-foot right-of-way centerline of said Taylor Road for the apparent Northwest corner of said Lot 187; **THENCE**, South 08 degrees 36 minutes 21 seconds West, with the said Taylor Road existing 80.00-foot right-of-way centerline and the apparent West lot line of said Lot 187, a distance of 1,105.00 feet for the apparent Northwest corner of said 6.59-Acre Tract, and also being the **POINT OF BEGINNING (P.O.B.)** of said 6.59-Acre Tract of land herein described:

THENCE, South 81 degrees 23 minutes 39 seconds East, parallel with the apparent South lot line of said Lot 187 and with the apparent North lot line of said 6.59-Acre Tract, a distance of 40.00 feet past a No. 4 Rebar set with plastic cap stamped 2791 on the apparent existing East right-of-way line of said Taylor Road, continuing for a total distance of 1,320.00 feet to a No. 4 Rebar set with plastic cap stamped 2791 on the apparent East lot line of said Lot 187, bearing North 81 degrees 23 minutes 39 seconds West a distance of 1.38 feet from a one-inch iron pipe found and 0.7 of a foot from an existing chainlink fence, for the apparent Northeast corner of said 6.59-Acre Tract of land herein described;

THENCE, South 08 degrees 36 minutes 21 seconds West, along an existing chainlink fence varying from 0.7 of a foot to 4.1 feet to the left of, and with the said East lot line of Lot 187 and of said 6.59-Acre Tract, a distance of 165.00 feet past the apparent Southeast corner of said Lot 187 and being a point on the North right-of-way line of said abandoned canal, continuing for a total distance of 217.50 feet to a No. 4 Rebar set with plastic cap stamped 2791, bearing 4.1 feet to the left of and 13.0 feet South of an existing chainlink fence corner, for the apparent Southeast corner of said 6.59-Acre Tract of land herein described;

THENCE, North 81 degrees 23 minutes 39 seconds West, parallel with the said North right-of-way line of abandoned canal and with the apparent South lot line of said 6.59-Acre Tract, a distance of 1,280.00 feet past a No. 4 Rebar set with plastic cap stamped 2791 at the apparent said Taylor Road existing East right-of-way line, continuing for a total distance of 1,320.00 feet to a point on the said Taylor Road existing 80.00-foot right-of-way for the apparent Southwest corner of said 6.59-Acre Tract of land herein described;

THENCE, North 08 degrees 36 minutes 21 seconds East, with the said Taylor Road existing 80.00-foot right-of-way, and the apparent West lot line of said 6.59-Acre Tract, a distance of 52.50 feet past the said Lot 187 Southwest corner, continuing for a total distance of 217.50 feet to the said point for the Northwest corner of said 6.59-Acre Tract of land herein described, and being the **POINT OF BEGINNING (P.O.B.)**, containing a gross of 6.59 of land, of which 0.15 of an acre lies in existing road right-of-way easement and **SAVE AND EXCEPT** 0.27 of an acre, for a net of 6.17 acres, more or less.

Bearing basis as per NAD 1983 State Plane Texas South FIPS 4205 Feet

THE ABOVE DESCRIPTION WAS SURVEYED ON THE GROUND UNDER MY DIRECTION ON OCTOBER 26, 2023. SEE ACCOMPANIED SURVEY PLAT OF SAID 6.59-ACRE TRACT OF LAND.

Homero Luis Gutierrez

Homero Luis Gutierrez – R.P.L.S. # 2791

November 02, 2023
Date





NOTICE
REZONING
FOR
THIS PROPERTY
REZ2023-0056

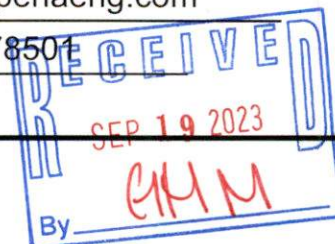
City of McAllen

Planning Department

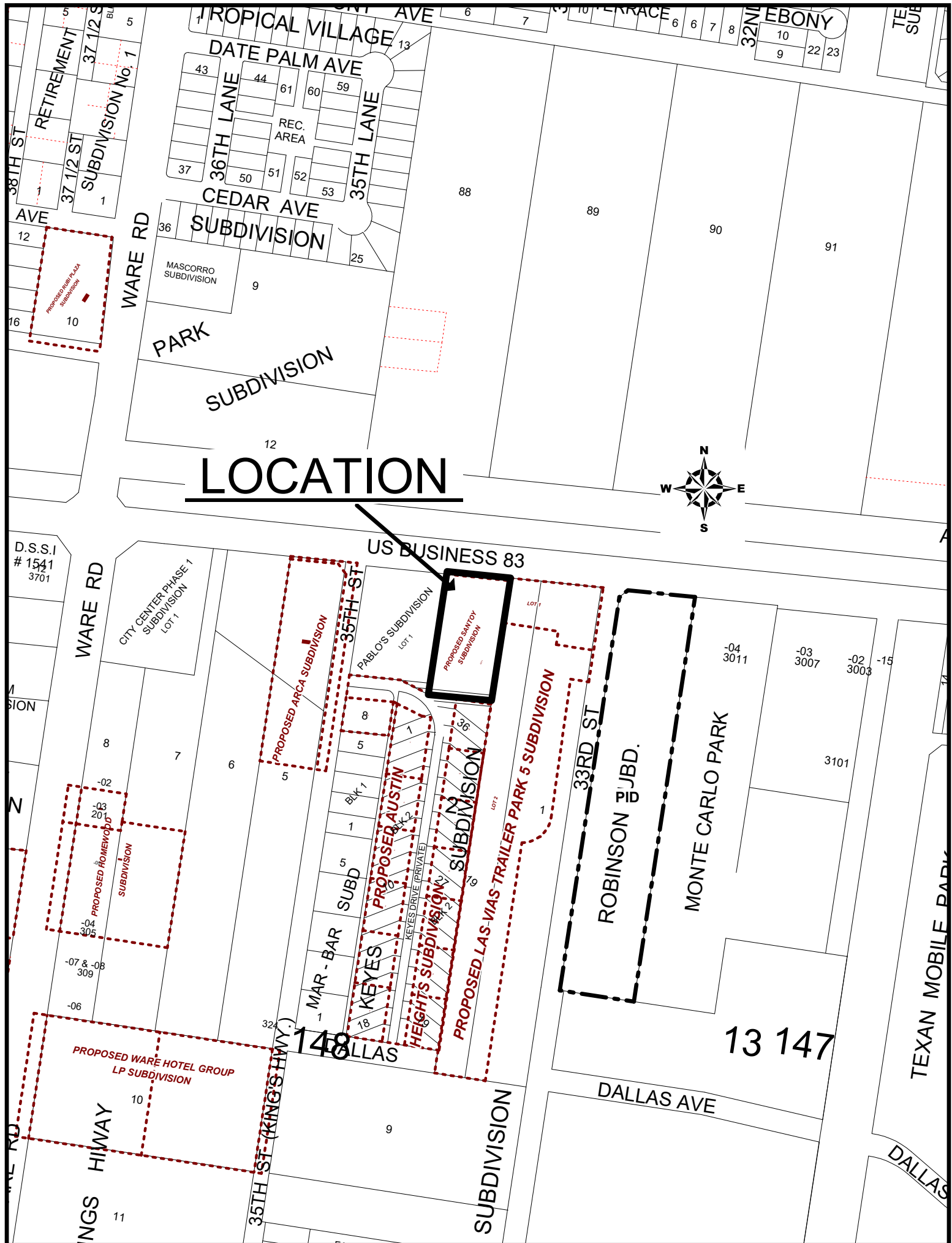
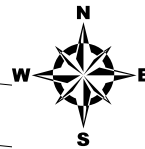
SUB2023-0105

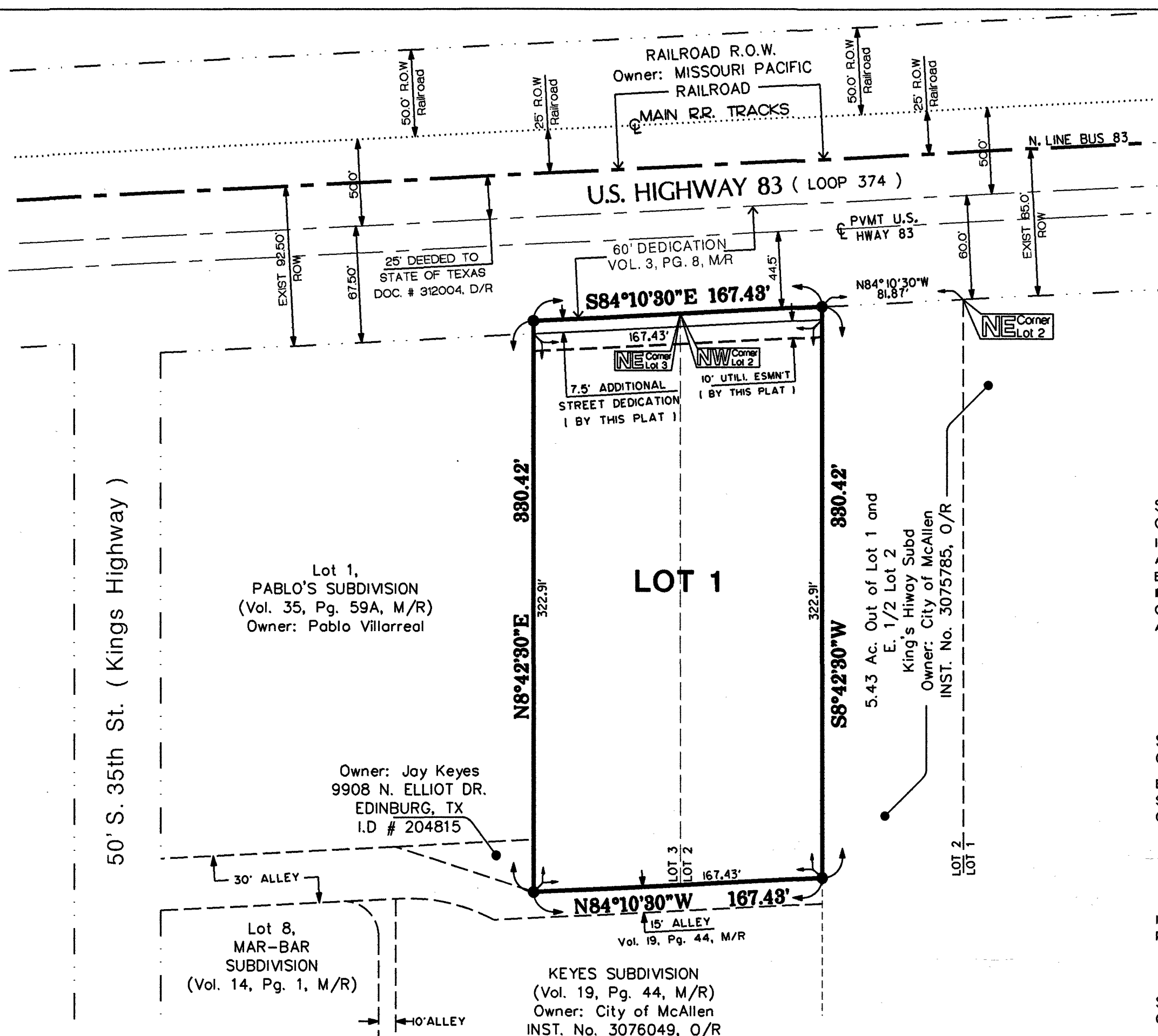
311 NORTH 15TH STREET • (956) 681-1250 • (956) 681-1279 (fax)
SUBDIVISION PLAT REVIEW APPLICATION

Project Information	Subdivision Name <u>Santoy Subdivision</u> Location <u>3321 W. US Highway 83, McAllen, Texas</u> City Address or Block Number <u>3321 HWY 83</u> Number of Lots <u>1</u> Gross Acres <u>1.27</u> Net Acres <u>1.27</u> ETJ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Existing Zoning <u>C-3</u> Proposed Zoning <u>C-3</u> Rezoning Applied for <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____ Existing Land Use <u>Comm.</u> Proposed Land Use <u>Comm.</u> Irrigation District # <u>1</u> Replat <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Commercial _____ Residential _____ Agricultural Exemption <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Estimated Rollback Tax Due <u>N/a</u> Parcel # <u>204813</u> Tax Dept. Review <u>MPG</u> Water CCN <input checked="" type="checkbox"/> MPU <input type="checkbox"/> Sharyland Water SC Other _____ Legal Description <u>1.27 Acres out of Lot 2 & 3 King's Hiway Subdivision</u>
Owner	Name <u>Juan F. Santoy</u> Phone <u>956-630-2444</u> Address <u>2436 Carianna Avenue</u> E-mail <u>jfsantoy@gmail.com</u> City <u>Mission</u> State <u>Tx</u> Zip <u>78572</u>
Developer	Name <u>Same as Owner</u> Phone _____ Address _____ E-mail _____ City _____ State _____ Zip _____ Contact Person _____
Engineer	Name <u>Spoor Engineering Consultants, Inc.</u> Phone <u>956-683-1000</u> Address <u>202 S. 4th Street</u> E-mail <u>sec@spooreng.com</u> City <u>McAllen</u> State <u>Tx</u> Zip <u>78501</u> Contact Person <u>Steve Spoor, P.E.</u>
Surveyor	Name <u>Paul Pena</u> Phone <u>956-682-8812</u> Address <u>1001 Whitewing Avenue</u> E-mail <u>paul@penaeng.com</u> City <u>McAllen</u> State <u>Tx</u> Zip <u>78501</u>



LOCATION





- NOTES:**
- 1) MINIMUM BUILDING SETBACK SHALL BE AS FOLLOWS:
A.- FRONT: IN ACCORDANCE WITH ZONING ORDINANCE OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS, OR IN LINE WITH EXISTING STRUCTURES, WHICHEVER IS GREATEST.
B.- REAR: IN ACCORDANCE WITH ZONING ORDINANCE OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS.
C.- SIDES: IN ACCORDANCE WITH ZONING ORDINANCE OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS.
 - 2) MINIMUM FINISH FLOOR ELEVATION SHALL BE 18 INCHES ABOVE TOP OF CURB MEASURED AT CENTER OF LOT.
 - 3) THIS PROPERTY FALLS IN ZONE "C" OF THE FLOOD INSURANCE RATE MAP, PANEL NO. 480 343 0005 C, REVISED NOVEMBER 2, 1982. ZONE "C" IS DESCRIBED AS "AREAS OF MINIMAL FLOOD HAZARD, USUALLY DEPICTED ON FIRMS AS ABOVE THE 500-YEAR FLOOD LEVEL. ZONE C MAY HAVE PONDING AND LOCAL DRAINAGE PROBLEMS THAT DON'T WARRANT A DETAILED STUDY OR DESIGNATION AS BASE FLOODPLAIN.
 - 4) A 6' BUFFER OPAQUE IS REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL OR INDUSTRIAL ZONES/USES. AN 8' MASONRY WALL IS REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL OR MULTI-FAMILY RESIDENTIAL ZONES/USES.
 - 5) A 5.0 FT. WIDE MIN. SIDEWALK IS REQUIRED ALONG U.S. HIGHWAY 83
 - 6) BENCHMARK- STATION NAME: MC 76 SET BY ARANDA & ASSOC. LOCATED AT THE NORTHEAST CORNER OF BUSINESS 83 AND WARE RD.- BRASS CAP ELEV.- 13144 FT (NAVD83)
 - 7) OWNER IS REQUIRED TO PROVIDE AN ENGINEERED STORM WATER DETENTION PLAN APPROVED BY THE CITY OF McALLEN ENGINEERING DEPT. PRIOR TO ISSUANCE OF BUILDING PERMIT.
 - 8) STORM WATER DETENTION OF 0.16 AC-FT (6.810 cu. ft.) IS REQUIRED FOR THIS SUBDIVISION
 - 9) THE DEVELOPER SHALL BE RESPONSIBLE FOR DETAINING AND ACCOMMODATING MORE THAN THE DETAINED VOLUME SHOWN ON THIS PLAT IF IT IS DETERMINED, AT THE PERMIT STAGE, THAT THE DETENTION REQUIREMENTS ARE GREATER THAN STATED ON THIS PLAT, DUE TO THE IMPERVIOUS AREA BEING GREATER THAN THE PLAT ENGINEER CONSIDERED IN THE HYDRAULIC CALCULATIONS FOR THIS SUBDIVISION.

METES & BOUNDS

A 127 ACRE TRACT OF LAND OUT OF LOTS 2 AND 3, KINGS HIWAY SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO PLAT RECORDED IN VOLUME 3, PAGE 8, MAP RECORDS, HIDALGO COUNTY, TEXAS.

BEGINNING at a point on the North line of Lot 2, North 84 Deg. 10 Min. 30 Sec. West, 81.87 feet from the northeast corner of Lot 2, for the northeast corner of the following described tract of land, said point being on the South line of Business Highway 83;

THENCE, parallel to the West line of Lot 2, South 08 Deg. 42 Min. 30 Sec. West, 330.42 feet to a point for the southeast corner hereof; said point being the northeast corner of 15 foot dedicated alley as shown on plat of Keyes Subdivision, City of McAllen, recorded in Vol. 19, Page 44, Map Records;

THENCE, with the North line of said 15 foot alley, North 84 Deg. 10 Min. 30 Sec. West, at 82.23 feet pass the division line between Lots 2 and 3, and at 167.43 feet a point for the southwest corner hereof; said point being on the projection of the East line of Lot 1, Pablo's Subdivision, City of McAllen, recorded in Volume 35, Page 59A, Map Records;

THENCE, with the East line of Lot 1, Pablo's Subdivision, and its projection, North 08 Deg. 42 Min. 30 Sec. East, at 30.04 feet pass the southeast corner of Lot 1, at 322.91 feet pass the northeast corner of Lot 1, and at 330.42 feet a point on the North line of Lot 3, for the northwest corner hereof; said point being on the South line of Business Highway 83;

THENCE, with the North line of Lots 3 and 2, and the South line of Business Highway 83, South 84 Deg. 10 Min. 30 Sec. East, at 85.20 feet pass the common North corner between Lots 3 and 2, and at 167.43 feet the POINT OF BEGINNING, containing 127 acre of land, more or less.

10) COMMON AREAS, PRIVATE STREETS AND PRIVATE SERVICE DRIVES SHALL BE MAINTAINED BY THE LOT OWNERS AND NOT THE CITY OF McALLEN.



SEPT. 15, 2023
Scale: 1"=60'

MAP OF SANTOY SUBDIVISION

McAllen, Texas

Being a Subdivision of a 1.27 Ac. Tract of Land
Out of Lots 2 and 3, Kings Hiway Subdivision,
Hidalgo County, Texas, according to plat record in
Vol. 3, Pg. 8, Map Records, Map Records,
Hidalgo County, Texas.

STATE OF TEXAS,
COUNTY OF HIDALGO:

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

STATE OF TEXAS,
COUNTY OF HIDALGO:

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Juan F. Santoy, 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 _____, 2023.

NOTARY PUBLIC _____ DATE _____

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

CHAIRMAN, PLANNING & ZONING COMMISSION _____ DATE _____

STATE OF TEXAS,
COUNTY OF HIDALGO:

I, REYNALDO ROBLES, 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.

REYNALDO ROBLES, R.P.L.S. #4032
R. ROBLES & ASSOCIATES, PLLC - TEPPELS FIRM 10096700
107 W. HUSACHE STREET WESLACO, TEXAS 78596

DATE _____

STATE OF TEXAS,
COUNTY OF HIDALGO:

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

Stephen Spoor
11-10-23
REGISTERED PROFESSIONAL ENGINEER
P. E. REGISTRATION No. 56752

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

MAYOR, CITY OF McALLEN _____ DATE _____

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

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

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

DATE _____

LOCATION MAP

SOUTH WARE ROAD

BUSINESS 83 (LOOP 374)

LOT 1 & LOT 2

LOT 3

KEYES SUBD.

CATALINA MOBILE HOME

ROBINSON

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

SEC INC.



City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 12/1/2023

SUBDIVISION NAME: SANTOY SUBDIVISION

REQUIREMENTS

STREETS AND RIGHT-OF-WAYS

U.S. Highway 83: Dedication required for 50 ft. from centerline for total 100 ft. ROW
 Paving: By the State Curb & gutter: By the State
 Proposing: 7.5 ft. additional ROW for 52 ft. from "PVMT U.S. HWAY 83" centerline for total 92.5 ft. ROW
 Revisions needed:
 - Clarify "PVMT" centerline to finalize the ROW dedication requirement prior to final/recording.
 - Show the ROW from centerline after ROW dedication, and total ROW along the property after ROW dedication and label as "Total ROW" prior to final/recording.
 - Submit a copy of the referenced documents shown on the plat prior to final/recording.
 **Subdivision Ordinance: Section 134-105
 **Monies must be escrowed if improvements are required prior to recording.
 **COM Thoroughfare Plan

Required

Paving _____ Curb & gutter _____

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

Applied

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

Applied

NA

NA

ALLEYS

ROW: 20 ft. Paving: 16 ft.
 *Alley/service drive easement required for commercial properties
 - Plat shows 15 ft. alley on the rear side of the property. Revise the plat as needed to comply with requirements for City services prior to final/recording.
 - Alley/service drive easement may not dead-end. Revise as applicable prior to final/recording.
 If a plat note is required for a minimum 24 ft. wide service drive easement to be established at time of site plan review, it must be finalized prior to recording.
 **Subdivision Ordinance: Section 134-106

Required

***Engineer submitted a variance request on February 10, 2021, to not require additional dedication, paving, nor escrow for the paving of the existing 15 ft. alley for the previously submitted and approved subdivision application which has been expired (SUB2020-0041) (SUB2021-0053). The variance request received a favorable recommendation by the P&Z Board at the meeting of February 16, 2021, and was approved by City Commission at the meeting of April 26, 2021.

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

SETBACKS	
* Front: In accordance with the Zoning Ordinance, or greater for the approved site plan, or easements, or in line with existing structures, whichever is greater **Zoning Ordinance: Section 138-356 & 138-367	Applied
* Rear: In accordance with the Zoning Ordinance, or greater for the approved site plan, or easements **Zoning Ordinance: Section 138-356	Applied
* Sides: In accordance with the Zoning Ordinance, or greater for the approved site plan, or easements **Zoning Ordinance: Section 138-356	Applied
* Corner **Zoning Ordinance: Section 138-356	NA
* Garage **Zoning Ordinance: Section 138-356	NA
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
SIDEWALKS	
* 4 ft. wide minimum sidewalk required on Highway 83. - Proposed: A 5 ft. wide minimum sidewalk required on Highway 83. *Engineering Department may require 5 ft. wide sidewalk prior to final/recording. **Subdivision Ordinance: Section 134-120	Applied
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Required
BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses **Landscaping Ordinance: Section 110-46	Applied
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses **Landscaping Ordinance: Section 110-46	Applied
*Perimeter buffers must be built at time of Subdivision Improvements.	Required
NOTES	
**Must comply with City Access Management Policy	Applied
* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.	Required
* Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen.	Applied
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	Applied
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. **Section 110-72 applies if public subdivision is proposed. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168	NA

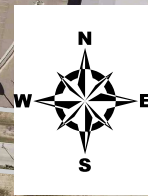
These comments are for subdivision requirements only – additional requirements may apply at time of site plan review

<ul style="list-style-type: none"> * Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. **Section 110-72 applies if public subdivision is proposed. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168 	NA
LOT REQUIREMENTS	
<ul style="list-style-type: none"> * Lots fronting public streets **Subdivision Ordinance: Section 134-1 	Compliance
<ul style="list-style-type: none"> * Minimum lot width and lot area **Zoning Ordinance: Section 138-356 	Compliance
ZONING/CUP	
<ul style="list-style-type: none"> * Existing: C-3 & R-4 Proposed: C-3 * A rezoning request to rezone the rear portion from R-4 to C-3 District was approved by the City Commission on November 27, 2023. 	Completed
<ul style="list-style-type: none"> * Rezoning Needed Before Final Approval * A rezoning request to rezone the rear portion from R-4 to C-3 District was approved by the City Commission on November 27, 2023. ***Zoning Ordinance: Article V 	Completed
PARKS	
<ul style="list-style-type: none"> * Land dedication in lieu of fee. * Application submitted on September 19, 2023, proposes commercial development. Park fees do not apply to commercial properties. 	NA
<ul style="list-style-type: none"> * Park Fee of \$700 per lot/dwelling unit to be paid prior to recording * Application submitted on September 19, 2023, proposes commercial development. Park fees do not apply to commercial properties. 	NA
<ul style="list-style-type: none"> * Pending review by the City Manager's Office. * Application submitted on September 19, 2023, proposes commercial development. Park fees do not apply to commercial properties. 	NA
TRAFFIC	
<ul style="list-style-type: none"> * As per Traffic Department, Land use was conformed; therefore, previous Tip Gen is honored and TIA is waived. 	Applied
<ul style="list-style-type: none"> * As per Traffic Department, Land use was conformed; therefore, previous Tip Gen is honored and TIA is waived. 	Applied
COMMENTS	
<p>Comments:</p> <ul style="list-style-type: none"> - Show the legal description of all adjacent properties on all sides, including the triangular shaped lot on the southwest corner of the lot, and the properties located on the north side of Highway 83, prior to final/recording. *Must comply with City's Access Management Policy. *All signature blocks must comply with Sec. 134-61 of the Subdivision Ordinance. *An older subdivision for the same property (SUB2020-0041 & SUB2021-0053) with the same name "Santoy Subdivision" was expired. The engineer submitted the new subdivision application on September 19, 2023. *Some variances for the expired submittal were approved. A new variance application and approval is required for the new application. 	Required

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

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

LOCATION



US BUSINESS 83

WARE RD

35TH ST

33RD ST

ROBINSON JBD
PID

MONTE CARLO PARK

TEXAN MOBILE PARK

DALLAS AVE

DALLAS

35TH ST (KING'S HWY.)

DALLAS

13 147

DATE PALM AVE

36TH LANE

35TH LANE

CEDAR AVE

SUBDIVISION

WARE RD

PARK

SUBDIVISION

PROPOSED ARCA SUBDIVISION

PROPOSED SANTOY SUBDIVISION

MAR BAR SUBD

PROPOSED ANSTIN SUBDIVISION

KEYES SUBDIVISION

PROPOSED LAS VAS TRAILER PARK & SUBDIVISION

HEIGHTS SUBDIVISION

KEYES DRIVE (PRIVATE)

PROPOSED WARE HOTEL GROUP LP SUBDIVISION

KINGS HWY

FAITH CHRISTIAN SUBDIVISION

PROPOSED RUBY PARK SUBDIVISION

RETIREMENT SUBDIVISION

RECREATION AREA

WARE RD

35TH ST

36TH LANE

35TH LANE

CEDAR AVE

SUBDIVISION

WARE RD

35TH ST

36TH LANE

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CEDAR AVE

SUBDIVISION

WARE RD

SUB 2023-0020

City of McAllen

Planning Department

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

Project Information	Subdivision Name <u>GARDEN ROSE</u>	
	Location <u>SOUTH SIDE OF E. YUMA AVENUE, APPROXIMATELY 145' EAST OF S. "J." STREET</u>	
	City Address or Block Number <u>1200 E. YUMA AVE</u>	
	Number of Lots <u>38</u>	Gross Acres <u>5.007</u> Net Acres _____ ETJ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Existing Zoning <u>R-1</u>	Proposed Zoning <u>R-3T</u> ^{R-1 &} Rezoning Applied for <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date _____
	Existing Land Use <u>RES/VACANT</u> Proposed Land Use <u>RESIDENTIAL TOWNHOMES</u> Irrigation District # <u>HCID#2</u>	
	Replat <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Commercial <u>N/A</u> Residential <u>N/A</u>	
	Agricultural Exemption <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Estimated Rollback Tax Due <u>0</u>	
	Parcel # <u>231203 & 231204</u> Tax Dept. Review <u>ng</u>	
	Water CCN <input checked="" type="checkbox"/> MPU <input type="checkbox"/> Sharyland Water SC Other _____	
Legal Description <u>5.007 ACRES OUT OF LOT 3, BLOCK 8, A.J. MCCOLL SUBD</u>		
Owner	Name <u>KARLA ESCOBEDO, TRUSTEE</u> Phone <u>210-636-5003</u>	
	Address <u>ESCOBEDO LIVING TRUST</u>	
	City <u>MCALLEN</u> State <u>TX</u> Zip <u>78501</u>	
	E-mail <u>ESCOBE8@AOL.COM</u>	
Developer	Name <u>EDGAR ESCOBEDO</u> Phone <u>210-636-5003</u>	
	Address <u>3100 SOUTH 2ND STREET, APT. 5</u> E-mail <u>ESCOBE8@AOL.COM</u>	
	City <u>MCALLEN</u> State <u>TX</u> Zip <u>78501</u>	
	Contact Person <u>EDGAR ESCOBEDO</u>	
Engineer	Name <u>MAS ENGINEERING, LLC.</u> Phone <u>956-537-1311</u>	
	Address <u>MARIO A. SALINAS, P.E.</u> E-mail <u>MSALINAS6973@ATT.NET</u>	
	City <u>MCALLEN</u> State <u>TX</u> Zip <u>78501</u>	
	Contact Person <u>NIKKI CAVAZOS- 956-321-1930 / NCAVAZOS.MASE@GMAIL.COM</u>	
Surveyor	Name <u>CARRIZALES LAND SURVEYING</u> Phone <u>956-567-2167/ 512-470-1489</u>	
	Address <u>MANUEL CARRIZALES</u> E-mail <u>FNFCAD@GMAIL.COM</u>	
	City <u>EDINBURG</u> State <u>TX</u> Zip <u>78542</u>	

ENTERED

FEB 22 2023

Initial: NM

Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

In Person Submittal Requirements

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

Email Submittal Requirements

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

Documents must be submitted in PDF format. No scanned documents

*Please submit documents to subdivisions@mcallen.net

ORIGINAL APPLICATION & FEE MUST BE SUBMITTED IN PERSON

PLAT TO SHOW:

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

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

Owners Signature

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

Signature Mario Salinas Date 2/17/23

Print Name Mario Salinas

Owner ☐ Authorized Agent ☐

The Planning Department is now accepting DocuSign signatures on application



City of McAllen
Planning Department
VARIANCE TO SUBDIVISION
PROCESS APPLICATION

311 North 15th Street
McAllen, TX 78501
P. O. Box 220

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

VAB 2023-0032

Project	Legal Description	BEING 5.007 ACRES OUT OF THE WEST ONE-HALF (1/2) OF THE				
		NORTH 20 ACRES OF LOT 3, BLOCK 8, A.J. MCCOLL SUBDIVISION				
	Proposed Subdivision (if applicable)	GARDEN ROSE SUBDIVISION				
	Street Address	1200 E. YUMA AVENUE				
		Number of lots	31	Gross acres	5.007	
	Existing Zoning	R-3T	Existing Land Use	RESIDENTIAL / VACANT		
	<input type="checkbox"/> Current Survey and Metes and Bounds (required if the legal description is a portion of a lot)					
Applicant	Name	MARIO A. SALINAS, P.E.,		Phone	956-537-1311	
		MAS ENGINEERING, LLC.				
	Address	3911 N. 10TH STREET, SUITE H	E-mail	MSALINAS6973@ATT.NET		
	City	MCALLEN	State	TX	Zip	78501
Owner	Name	KARLA ESCOBEDO, TRUSTEE		Phone	210-636-5003	
	Address	3700 N. 10TH STREET, SUITE 101		E-mail	ESCOBE8@AOL.COM	
	City	MCALLEN	State	TX	Zip	78501
Authorization	To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated?					
	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					
	I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable) OR I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.					
	Signature			Date	11/17/2023	
	Print Name	MARIO A. SALINAS, P.E.		<input type="checkbox"/> Owner <input checked="" type="checkbox"/> Authorized Agent		
Office	*FOR OFFICE USE ONLY*					
	APPLICATION FILING FEE:	<input type="checkbox"/> \$250.00				
	Accepted by			Payment received by		
	Rev 06/21					





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.

We ask to meet compliance with as much effort due to the land shape & existing developed properties within the area.

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

The proposed subdivision being private will avoid having a public street going to an already developed land.

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

The proposed subdivision will comply with private subdivision requirements such as gate entrance and an HOA which will not affect adversely of the .

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

The proposed subdivision is the last remaining vacant land adjacent to the surrounding area.

MAS ENGINEERING, LLC
TEPE FIRM NO. 15499

November 17th, 2023

Mr. Edgar Garcia
Planning Director
City of McAllen

Re: Garden Rose Subdivision

Dear Mr. Garcia,

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

- 1) 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 to add a 10 ft. utility easement on each side.
- 2) Requesting to not provide the right-of-way or construction for the requested north and south road on the west side of the property. The surrounding areas are already constructed and will not alleviate traffic movement.
- 3) Requesting an 800 ft. length from the entrance to the cul-de-sac. The proposed private subdivision is located on the south side of Yuma between McColl Road and Jackson Road and is within the City of McAllen limits.

Please feel free to contact me with any questions.

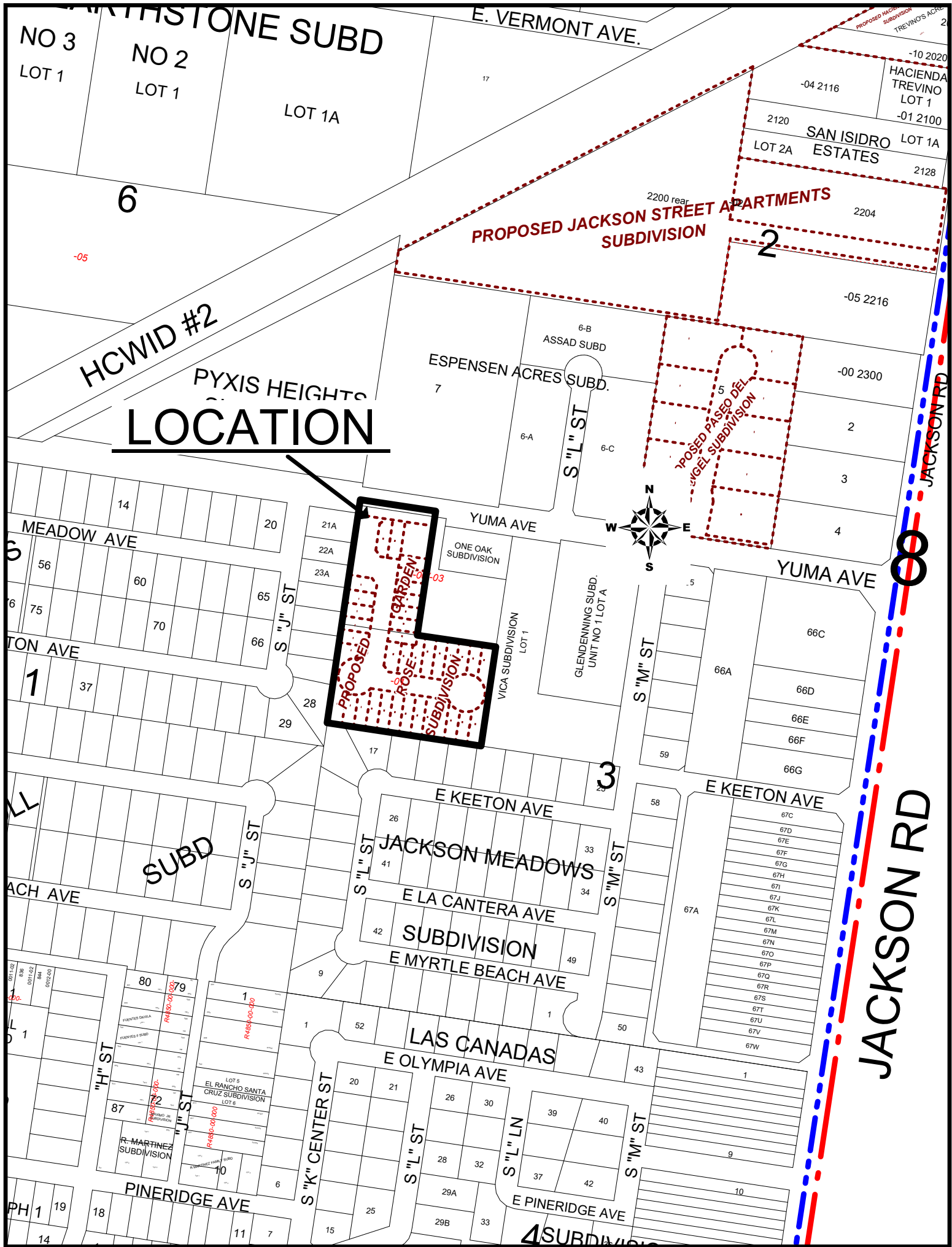
Sincerely,



Mario A. Salinas, P.E.

3911 N 10th St. Suite A
McAllen, Texas 78501
E-mail: msalinas6373@att.net
Phone: (956) 537-1311





LOCATION

2200 rear
**PROPOSED JACKSON STREET APARTMENTS
SUBDIVISION**

**PROPOSED PASEO DEL
ANGEL SUBDIVISION**

**PROPOSED ROSE
GARDEN
SUBDIVISION**

JACKSON RD



City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 12/1/2023

SUBDIVISION NAME: GARDEN ROSE

REQUIREMENTS

STREETS AND RIGHT-OF-WAYS

E. Yuma Avenue: Dedication as needed for 40 ft. from centerline for 80 ft. total ROW
Paving: 52 ft. - 65 ft. Curb & gutter: both sides.

Revisions needed:

- Please provide how existing ROW was dedicated on plat and a copy of any referenced document for staff review, prior to final.
- Remove prop from ROW dedications, prior to final.
- 70' Existing ROW labeling must be revised to Total ROW, prior to final.
- Provide document number for Easement along street and ensure there are no issues with overlap, dedication, etc. with the Irrigation company, finalize 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.

Non-compliance

Interior Streets: 60ft. Total ROW.
Paving 40 ft. Curb & gutter: Both Sides

Revisions needed:

- Proposed Interior dedications range from 50-60 ft. of ROW, Engineer submitted application November 20,2023, requesting that the ROW be reduced from 60 ft. to 50 ft., the Engineer has indicated that the paving width will remain at 40 ft., and will have an additional 10 ft. Utility Easement on either side. Development staff has reviewed the request and indicated that if approved that a 10 ft. U.E and Sidewalk Easement be dedicated along the front of the lots as applicable.
- Street names will be established prior to final and plat will need to revised accordingly.
- Clarify 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. As per plat submitted on November 17th,2023 subdivision proposed to be private ROW is subject to increase based on the gate details prior to final. Gated details must be submitted prior to final. Boulevard islands are proposed 20ft. of paving from face to face is required on both sides. Gate mechanisms, pedestrian gates, sidewalks, etc. must be located within ROW, gate areas must be revised to provide for such, and plat will need to revised accordingly, finalize gate requirements/ROW, 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.

Non-compliance

N/S collector (western boundary): Dedication as needed for 60 ft. Total ROW.

Paving: 40 ft. Curb & gutter: Both Sides

Pending Items:

- Engineer submitted a variance application on November 20, 2023 in reference to the ROW dedication requirements for the N/S collector(1/4 Mile Collector) along the Western Boundary the engineer has indicated that the street would not be able to extend south as there are existing established developments around this subdivision. After review of the area, due to the developed properties to the west and south, the N/S collector street along the western boundary is not feasible.
- Please provide ownership map to verify that no landlocked properties exist or will be created.
- *Street alignment and R.O.W being reviewed and plat would need to be revised accordingly 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.

Applied

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

<p>_____</p> <p>Paving _____ Curb & gutter _____</p> <p>**Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan</p> <p>**Monies must be escrowed if improvements are not constructed prior to recording.</p>	NA
<p>_____</p> <p>Paving _____ Curb & gutter _____</p> <p>**Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan</p> <p>**Monies must be escrowed if improvements are not constructed prior to recording.</p>	NA
<p>* 1,200 ft. Block Length.</p> <p>**Subdivision Ordinance: Section 134-118</p>	NA
<p>* 900 ft. Block Length for R-3 Zone Districts.</p> <p>**Subdivision Ordinance: Section 134-118</p>	Compliance
<p>* 600 ft. Maximum Cul-de-Sac</p> <p>Pending Items:</p> <p>-Engineer submitted a Variance request on November 20th,2023 to the 600ft. Cul-de-Sac length requirements. Development staff have reviewed the request and should the variance be approved it should be subject to 40 ft. of paving as noted in the interior street paving requirements.</p> <p>-Provide "Cul-De Sac" and "Knuckle" details prior to final.</p> <p>**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.</p> <p>**Subdivision Ordinance: Section 134-105</p>	Non-compliance
ALLEYS	
<p>ROW: 20 ft. Paving: 16 ft.</p> <p>*Alley/service drive easement required for commercial and multi-family properties.</p> <p>**Finalize Public Works department requirements as may be applicable prior to final.</p> <p>**Subdivision Ordinance: Section 134-106</p>	Non-compliance
SETBACKS	
<p>* Front:10 ft. or greater for easements, whichever is greater applies.</p> <p>Pending Items:</p> <p>*Setbacks requirements subject to change once zoning requirements have been finalized. Clarify Zoning Status for lot 31 as 45 ft. or in line with average setbacks of existing structures or greater for easements, whichever is greater applies. required for existing R-1 Zone along E. Yuma Avenue, finalize prior to final. Note Subject to change once zoning status has been clarified.</p> <p>***Zoning Ordinance: Section 138-356,367,134-106</p>	Non-compliance
<p>* Rear: In accordance with the zoning ordinance or greater for easements, whichever is greater applies.</p> <p>***Zoning Ordinance: Section 138-356</p>	Applied
<p>* Sides :In accordance with the zoning ordinance or greater for easements, whichever is greater applies.</p> <p>***Zoning Ordinance: Section 138-356</p>	Applied
<p>* Corner:10 ft. or greater for easements, whichever is greater applies.</p> <p>**Zoning Ordinance: Section 138-356</p>	Applied
<p>* Garage:18 ft. except where greater setback is required, greater setback applies.</p> <p>**Zoning Ordinance: Section 138-356</p>	Applied
<p>*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN</p>	Applied

SIDEWALKS	
<p>* 4 ft. wide minimum sidewalk required E. Yuma Avenue and both sides of interior streets. Revisions needed: -Revise note #5 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</p> <p>* Perimeter sidewalks must be built or money escrowed if not built at this time.</p>	<p>Non-compliance</p> <p>Required</p>
BUFFERS	
<p>* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along E. Yuma Avenue. Revisions Needed: -Revise note #7 as shown above prior to final. ***Landscaping Ordinance: Section 110-46</p> <p>* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses . **Landscaping Ordinance: Section 110-46</p> <p>*Perimeter buffers must be built at time of Subdivision Improvements.</p>	Non-compliance
	Applied
	Required
NOTES	
<p>* No curb cut, access, or lot frontage permitted along E. Yuma Avenue. Revisions Needed: -Finalize wording for note prior to final. ** Wording for note subject to change once lot frontage requirements have been established, finalize wording for note prior to final. ***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. **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. ***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. **Note subject to change once subdivision requirements have been finalized. Finalize 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. **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</p>	Non-compliance
	Applied
	Applied
	NA
	Required

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

<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>	Required
LOT REQUIREMENTS	
<p>* Lots fronting public streets.</p> <p>Revisions required:</p> <p>-Common area C and Detention area, currently fronts E. Yuma Avenue, lot may require frontage within interior street finalize frontage requirements as may be applicable prior to final.</p> <p>**Lot 31 exhibits 30 ft. of frontage, review and revise as applicable as a non-conforming lot is being created under current zoning. Clarify zoning status for lot 31 as 50 ft. of frontage minimum required in the R-1(Single-Family Residential) District. As per updated plat submitted on November 17th,2023 lot 31 now exhibits 50 ft. of frontage.</p> <p>**Subdivision Ordinance: Section 134-1</p>	Applied
<p>* Minimum lot width and lot area.</p> <p>**Clarify zoning status for lot 31 as 50 ft. of frontage minimum required in the R-1(Single-Family Residential) District. Compliance with lot requirement to be determined once zoning has been clarified/ finalized, prior to final. As per updated plat submitted on November 17th,2023 lot 31 now exhibits 50 ft. of frontage.</p> <p>***Zoning Ordinance: Section 138-356</p>	Applied
ZONING/CUP	
<p>* Existing:R-1(single-family)Residential District and R3-T(Townhouse residential) District</p> <p>Proposed: R3-T(Townhouse residential) District</p> <p>**Rezoning to R3-T approved at the City commission meeting of April 10, 2023, however lot 31 not included as part of rezoning approval.</p> <p>Pending Items:</p> <p>-Engineer must clarify verify if proposed subdivision is within appropriate zoning as it may prompt changes to plat and or rezoning process, review and finalize prior to final.</p> <p>***Zoning Ordinance: Article V</p>	Non-compliance
<p>* Rezoning Needed Before Final Approval</p> <p>Pending Items:</p> <p>-Any rezoning process must be finalized before final plat approval</p> <p>-Engineer must verify if proposed subdivision is within appropriate zoning as it may prompt changes to plat and or rezoning process, review and finalize prior to final.</p> <p>***Zoning Ordinance: Article V</p>	Required
PARKS	
<p>* Land dedication in lieu of fee. As per plat submitted on June 10,2023 a total of 31 lots proposed park fees total to \$21,700 (\$700 X31 per lot/dwelling unit) payable prior to plat recording. If the number of lots/dwelling units changes fees will be adjusted accordingly.</p>	NA
<p>* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per plat submitted on June 10,2023 a total of 31 lots proposed park fees total to \$21,700 (\$700 X31 per lot/dwelling unit) payable prior to plat recording. If the number of lots/dwelling units changes fees will be adjusted accordingly.</p>	Required
<p>* Pending review by City Managers Office. As per plat submitted on June 10,2023 a total of 31 lots proposed park fees total to \$21,700 (\$700 X31 per lot/dwelling unit) payable prior to plat recording. If the number of lots/dwelling units changes fees will be adjusted accordingly.</p>	NA

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

TRAFFIC	
* As per Traffic Department, Trip Generation approved, no TIA required. * Traffic Impact Analysis (TIA) required prior to final plat. ** As per Traffic Department, Trip Generation approved, no TIA required.	Completed
	Applied
COMMENTS	
Comments: -Must comply with City's Access Management Policy. -Any abandonments must be done by separate process, not by plat. -Engineer must verify if proposed subdivision is within appropriate zoning as it may prompt changes to plat and or rezoning process, review and finalize prior to final. -Clarify if subdivision is proposed to be public or private, as additional requirements may be triggered. As per plat submitted on November 17th,2023 subdivision proposed to be Private. Engineer must submit gate details prior to final. -Clarify proposed zoning on application as it exhibits R-1 and R3-T. -At the Planning and Zoning Commission meeting of March 7, 2023, the board voted to approve the subdivision in preliminary form subject to conditions noted, drainage and utility approvals as a 37 lot townhouse development. As per plat submitted on June 10th,2023 31 lots proposed with additional acreage. -Engineer must update provided information on submitted application prior to final.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBVISION IN REVISED PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED, DRAINAGE AND UTILITIES APPROVAL AND CLARIFICATION OF THE REQUESTED VARIANCES.	Applied



HEARTHSTONE SUBD

E. VERMONT AVE.

HCWID #2

PYXIS HEIGHTS

LOCATION

PROPOSED JACKSON STREET SUBDIVISION

ESPENSEN ACRES SUBD

S "L" ST



YUMA AVE

YUMA AVE

S "M" ST

E KEETON AVE

E KEETON AVE

JACKSON MEADOWS SUBDIVISION

E LA CANTERA AVE

E MYRTLE BEACH AVE

LAS CANADAS

E OLYMPIA AVE

S "K" CENTER ST

S "L" ST

S "L" LN

S "M" ST

JACKSON RD

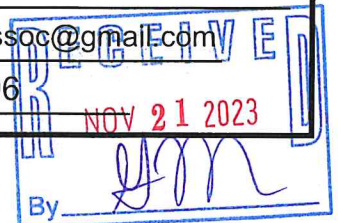


City of McAllen SUB2023-0133

Planning Department

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

Project Information	Subdivision Name	Lumen Palace		
	Legal Description	5.411 Acres out of Lot 27, La Lomita Irrigation and Construction Co. Subdivision		
	Location	The Southeast corner of La Lomita Road and Mile 6 1/2 North Road		
	City Address or Block Number	3401 La Lomita Rd.		
	Total No. of Lots	14	Total Dwelling Units	44
	Gross Acres	5.411	Net Acres	4.5
	<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 type="checkbox"/> Commercial (___ Acres) / <input type="checkbox"/> Residential (14 Lots) Replat: <input type="checkbox"/> Yes / <input checked="" type="checkbox"/> No			
	Existing Zoning R-3A Proposed Zoning R-3A Applied for Rezoning <input type="checkbox"/> No / <input checked="" type="checkbox"/> Yes: Date _____			
	Existing Land Use Vacant Proposed Land Use Apartments			
Owner	Irrigation District #	1	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 # 623946			
	Estimated Rollback Tax Due N/A 3,129.67 Tax Dept. Review <i>guerra</i>			
Developer	Name	Ahmad Gorabi		Phone 801-243-8486
	Address	2704 Maria Luisa Drive		E-mail gorabi@gmail.com
	City	Edinburg	State Texas	Zip 78579
	Contact Person _____			
Engineer	Name	Spoor Engineering Consultants, Inc.		Phone 956-683-1000
	Address	202 S. 4th Street		E-mail sec@spooreng.com
	City	McAllen	State Texas	Zip 78501
	Contact Person Steve Spoor, P.E.			
Surveyor	Name	Robles & Associates - Reynaldo Robles		Phone 956-
	Address	107 W. Huisache Street		E-mail roblesandassoc@gmail.com
	City	Weslaco	State Texas	Zip 78596



Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

In Person Submittal Requirements

- Application Fee: \$300 + \$25/lot **for residential** (excluding apartment complexes) or \$400 + \$200 (0-5 acres), \$400 + \$300 (5.01-10 acres), \$400 + \$400 (10 acres or greater) **for commercial, industrial, or apartment complexes**
- Title Report
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- DWG File
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- Proof of authority of person signing application on behalf of partnership/corporation, if applicable

Documents must be submitted in separate PDF files. Each file must be less than 20 MB. No scanned documents

*Submit documents to subdivisions@mcallen.net

ORIGINAL APPLICATION & FEE MUST BE SUBMITTED IN PERSON/VIA MAIL

PLAT TO SHOW:

- Metes and bounds
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Owner(s) Signature(s)

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 Nov. 21, 2023

Print Name Steve Spoor, P.E.

Owner ☐ Authorized Agent ☒

The Planning Department now accepts DocuSign signatures on application with a Certificate of Completion

M2 SUBDIVISION
LOT 1

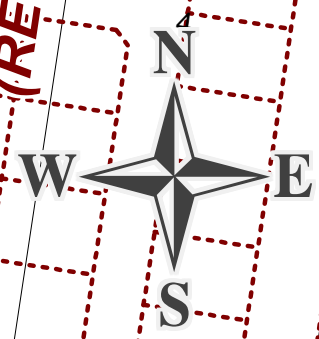
LA LOMITA ROAD

1

LOCATION

**PROPOSED LA LOMITA PARK
SUBDIVISION**

**PROPOSED NORTHWEST CREEK
SUBDIVISION
(REVISED)**



LA LOMITA ROAD

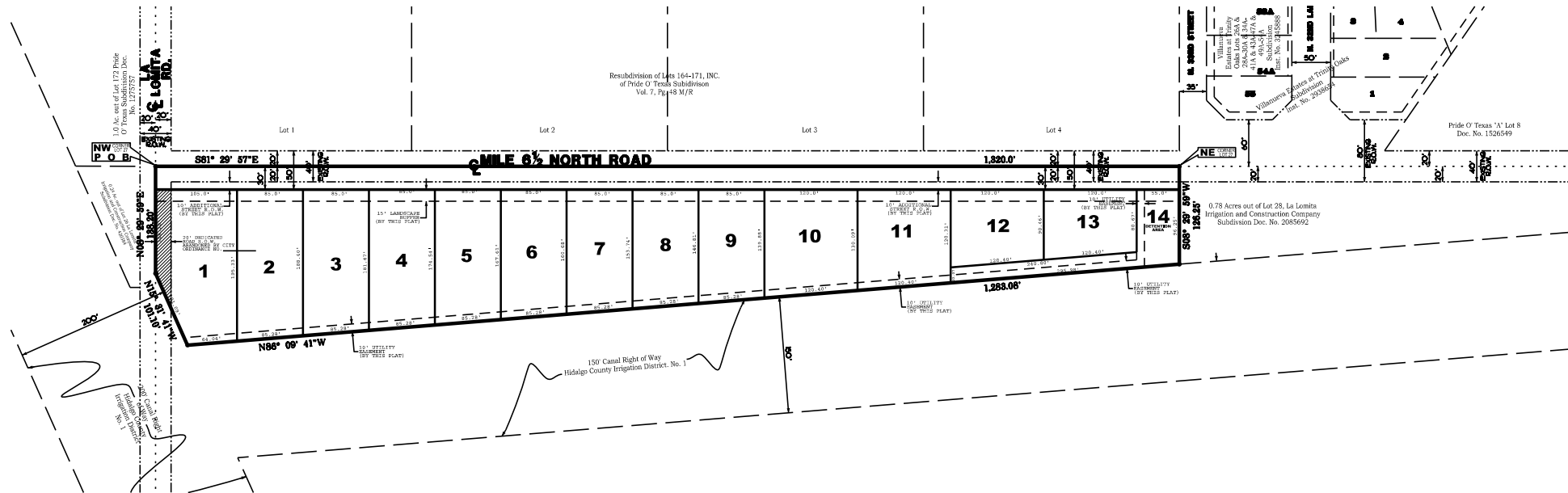
N 33RD ST
55

**PROPOSED RESUBDIVISION OF VILLAGE
(REVISED)**

27

**NORTHWOOD
BLK II**

(REVISED)



Map of Lumen Palace

City of McAllen, Texas



Date: 06 NOV. 2023
Scale: 1" = 200'

BEING A SUBDIVISION OF A 5.411 ACRE TRACT OF LAND OUT
OF LOT 27, LA LOMITA IRRIGATION & CONSTRUCTION
COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS,
ACCORDING TO MAP RECORDED IN VOLUME 24, PAGE 88,
DEED RECORDS, HIDALGO COUNTY, TEXAS.

Prepared by:

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Consulting Engineers - Civil Land Planning

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City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 12/1/2023

SUBDIVISION NAME: LUMEN PALACE

REQUIREMENTS

STREETS AND RIGHT-OF-WAYS

La Lomita (Mile 6 1/2) Road: 40 ft. ROW dedication required from centerline for 80 ft. total ROW

Paving: 52 ft. Curb & gutter: both sides

Proposed: 10 ft. additional street ROW dedication for 30 ft. ROW from centerline

Revisions required:

- Revise the street name label to "La Lomita (Mile 6 1/2) Road" prior to final.
- Show ROW dedication as required or submit a variance request for staff review and commission action prior to final.
- Show the document number on the plat for the existing ROW and provide a copy for staff review prior to final.
- If 50 ft. is total ROW after the ROW dedication, label it as "Total ROW" prior to final.

**Subdivision Ordinance: Section 134-105

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

**COM Thoroughfare Plan

Non-compliance

N. La Lomita Road (N/S Quarter Mile Collector) (west boundary): 40 ft. ROW dedication required from centerline for 80 ft. total ROW

Paving: 52 ft. Curb & gutter: Both Sides

Revisions required:

- Revise the label to "N. La Lomita Road" prior to final.
- Reference the document number for the existing ROW on plat and provide a copy for staff review prior to final.
- Clarify the label shown as "20 ft. dedicated ROW abandoned by City ordinance No. _____" prior to final. Any abandonment must be done by a separate process, not by plat.
- Show the required ROW dedication as shown above or submit a variance request with an ownership map for staff review and possible commission action 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.

Non-compliance

N. 33rd Street (N/S Quarter Mile Collector) (east boundary): 30-35 ft. ROW dedication required from centerline for 60-70 ft. total ROW

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

Revisions required:

- Submit an ownership map to finalize ROW dedication requirement prior to final. After the ownership map is reviewed by staff and ROW dedication is required, the layout must be revised or a variance request must be submitted and approved 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.

Non-compliance

Paving _____ Curb & gutter _____

**Subdivision Ordinance: Section 134-105

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

**COM Thoroughfare Plan

Applied

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

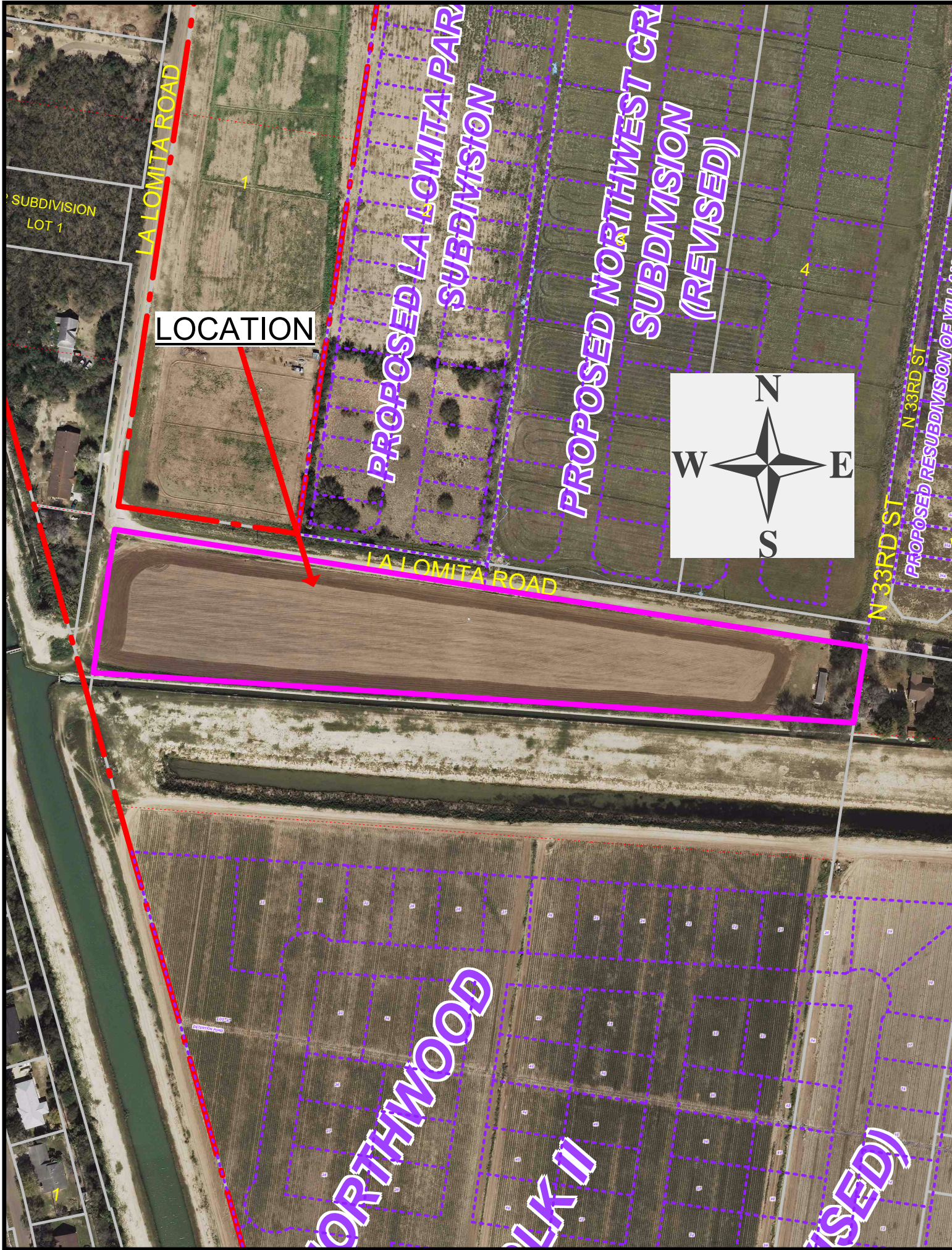
<ul style="list-style-type: none"> * 1,200 ft. Block Length - Proposed block length: 1,320 ft. - Revise the layout to comply with the requirement or submit a variance request for staff review and possible commission action. **Subdivision Ordinance: Section 134-118 * 900 ft. Block Length for R-3T & R-3C Zone Districts **Subdivision Ordinance: Section 134-118 * 600 ft. Maximum Cul-de-Sac **Subdivision Ordinance: Section 134-105 	Non-compliance
	NA
	NA
ALLEYS	
<p>ROW: 20 ft. Paving: 16 ft.</p> <ul style="list-style-type: none"> *Alley/service drive easement required for commercial & multifamily properties. - Revise the layout to show alley/service drive easement prior to final. - If a private service drive easement is proposed, it must be at least 24 ft. wide, may not be dead-end, and must show the proposed access easements for curb cut locations. **Subdivision Ordinance: Section 134-106 	Non-compliance
SETBACKS	
<ul style="list-style-type: none"> * Front: 40 ft. or greater for easements or in line with average existing structures, whichever is greater Proposed: 20 ft. or greater for easements - Clarify/Revise the plat note as shown above prior to final. - Proposed: 20 ft. or greater for easements - Clarify/revise the landscape buffer shown as 15 ft. prior to final. ** Based on Sec. 134-106: 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; **Zoning Ordinance: Sections 138-356 & 138-367 * Rear: 10 ft. or greater for easements. **Zoning Ordinance: Section 138-356 * Sides: In accordance with the zoning ordinance or greater for easements. - Clarify/revise the setback note as shown above prior to final. - Proposed: 20 ft. or greater for easements **Zoning Ordinance: Section 138-356 * Corner: 10 ft. or greater for easements. - Finalize the ROW dedication requirements for N/S collector streets to finalize the corner setback requirement prior to final. **Zoning Ordinance: Section 138-356 * Garage: 18 ft. except where greater setback is required, greater setback applies - Add a note as shown above prior to final. **Zoning Ordinance: Section 138-356 *ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN 	Non-compliance
	Applied
	Non-compliance
	Non-compliance
	Non-compliance
	Applied

SIDEWALKS	
<ul style="list-style-type: none"> * 4 ft. wide minimum sidewalk required on La Lomita (Mile 6 1/2) Road, and N/S Collector streets if applicable. - Finalize the ROW dedication for collector streets to finalize the plat note requirement prior to final. * Engineering Department may require 5 ft. wide minimum sidewalk prior to final. **Subdivision Ordinance: Section 134-120 * Perimeter sidewalks must be built or money escrowed if not built at this time. 	<div>Non-compliance</div> <div>Required</div>
BUFFERS	
<ul style="list-style-type: none"> * 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along collector streets if applicable. - Finalize the ROW dedication requirements to finalize the note prior to final. **Landscaping Ordinance: Section 110-46 * 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses **Landscaping Ordinance: Section 110-46 *Perimeter buffers must be built at time of Subdivision Improvements. 	Non-compliance
	Applied
	Required
NOTES	
<ul style="list-style-type: none"> * No curb cut, access, or lot frontage permitted along _____ - Finalize the ROW dedication for N/S collector streets to finalize the note prior to final. **Must comply with City Access Management Policy * Site plan must be approved by the Planning and Development Departments for any lots with more than 4 dwelling units prior to building permit issuance. - Submit a site plan to clarify the number of units for each lot 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. - Clarify if the subdivision is private or public and submit the gate details if applicable to finalize the note prior to final. * 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 public subdivision is proposed. - Add a plat note as shown above prior to final referencing the correct section based on being public or private prior to final. **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 public subdivision is proposed. - Submit a draft HOA document for staff review prior to getting signatures prior to final. Signed HOA is required after being reviewed by staff before recording. - Add a plat note prior to final to cross reference the HOA document at time of recording and leave the document number blank. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168 	Non-compliance
	Non-compliance
	Non-compliance
	NA
	Non-compliance
	Non-compliance

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LOT REQUIREMENTS	
<ul style="list-style-type: none"> * Lots fronting public streets - Clarify the detention area access for maintenance prior to final. **Subdivision Ordinance: Section 134-1 	Non-compliance
<ul style="list-style-type: none"> * Minimum lot width and lot area - Submit a revised plat showing the lot areas to determine compliance prior to final. **Zoning Ordinance: Section 138-356 	Non-compliance
ZONING/CUP	
<ul style="list-style-type: none"> * Existing: R-3A Proposed: R-3A ***Zoning Ordinance: Article V 	Applied
<ul style="list-style-type: none"> * Rezoning Needed Before Final Approval * A rezoning request (REZ2023-0044) to for the property from R-1 to R-3A District was approved by the City Commission on September 25, 2023. ***Zoning Ordinance: Article V 	Completed
PARKS	
<ul style="list-style-type: none"> * Land dedication in lieu of fee. - Based on the submitted application on November 21, 2023, 44 dwelling units are proposed which requires \$30,800 park fees to be paid prior to recording. The park fee is subject to change if the number of dwelling units changes prior to recording. Contact staff and revise the application for any change in dwelling units. 	Required
<ul style="list-style-type: none"> * Park Fee of \$700 per dwelling unit to be paid prior to recording. - Based on the submitted application on November 21, 2023, 44 dwelling units are proposed which requires \$30,800 park fees to be paid prior to recording. The park fee is subject to change if the number of dwelling units changes prior to recording. Contact staff and revise the application for any change in dwelling units. 	Required
<ul style="list-style-type: none"> * Pending review by the City Manager's Office. - Based on the submitted application on November 21, 2023, 44 dwelling units are proposed which requires \$30,800 park fees to be paid prior to recording. The park fee is subject to change if the number of dwelling units changes prior to recording. Contact staff and revise the application for any change in dwelling units. Any variance request must be submitted to the Planning Director and requires approval by the City Manager's Office. 	Applied
TRAFFIC	
<ul style="list-style-type: none"> * As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. 	Required
<ul style="list-style-type: none"> * Traffic Impact Analysis (TIA) required prior to final plat. 	TBD
COMMENTS	
<p>Comments:</p> <ul style="list-style-type: none"> * Submit the site plan to determine access to lots and any alley/service drive easement requirements prior to final. * Any abandonment must be done by a separate instrument, not by the plat. * Must comply with City's Access Management Policy. 	Required
RECOMMENDATION	
<p>Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM, SUBJECT TO THE CONDITIONS NOTED, DRAINAGE, AND UTILITIES APPROVAL.</p>	Applied

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ITEM

SUB2023-0087

TO REMAIN
TABLED

