#### **AGENDA**

#### PLANNING & ZONING COMMISSION REGULAR MEETING WEDNESDAY, JANUARY 24, 2024 - 3:30 PM MCALLEN CITY HALL, 1300 HOUSTON AVENUE CITY COMMISSION CHAMBERS, 3<sup>RD</sup> FLOOR

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

CALL TO ORDER PLEDGE OF ALLEGIANCE INVOCATION -

- 1) MINUTES:
  - a) Approval/disapproval of the minutes for the January 10, 2024 meeting.

#### 2) PUBLIC HEARING

- a) CONDITIONAL USE PERMITS:
  - Request of Melinda Montelongo, for a Conditional Use Permit, for one year, and adoption of an ordinance, for a Vaporizer Store (vape shop), at Lots 13 & 14, Lazy-A Ranch Addition, Hidalgo County, Texas; 1406 North 24th Street, Suite 190. (CUP2023-0178)
  - 2. Request of Melinda Montelongo, for a Conditional Use Permit, for one year, and adoption of an ordinance, for a Vaporizer Store (vape shop), at Lots 17 & 18, Block 12, Mcallen Addition, Hidalgo County, Texas; 1424 Beaumont Avenue, Suite B. (CUP2023-0179)
  - 3. Request of Aurelio Martinez Jr., for a Conditional Use Permit, for one year, for a portable food concession stand (La Esquina Del Taco), at Lot 5, Block 28A, Hammond Addition Subdivision, Hidalgo County, Texas; 2214 Austin Avenue. (CUP2023-0173)
  - **4.** Request of David M. Rossow for a Conditional Use Permit, for one year, and adoption of an ordinance for a smoke and vape shop, at Lots 5 & 6, Block 1, Trenton Commercial Park Subdivision, Hidalgo County, Texas; 2200 Trenton Road, Suite 2A. **(CUP2023-0175)**
  - **5.** Request of David M. Rossow for a Conditional Use Permit, for one year, and adoption of an ordinance for a smoke and vape shop at Lot 1A, Wilson Subdivision, Hidalgo County, Texas: 4000 North 10th Street Suite 30A. **(CUP2023-0176)**

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

- Rezone from R-1 (single-family residential) District to R-3T (multifamily residential townhouse) District: 8.11 acre tract out of Lot 9, E.M. Card Survey No. 1, Hidalgo County, Texas; 9228 North Bicentennial Boulevard. (REZ2023-0062)
- 2. Rezone from C-3L (Light Commercial) District to C-3 (General Business) District: Lot 1, Los Arcos Subdivision, Hidalgo County, Texas; 4400 South Ware Road. (REZ2023-0063)
- 3. Initial Zoning to C-3 (general business) District: 8.6 acres out of Lot 10, Section 4, Hidalgo Canal Company Subdivision, Hidalgo County, Texas; 6801 South 10th Street. (REZ2024-0001)

#### 3) CONSENT:

a) Villas at Northgate Subdivision, 1701 Northgate Lane, Lourdes Gabriella Vela (SUB2023-0124) (FINAL) RDE

#### 4) SUBDIVISIONS:

- a) JLG Subdivision, 9212 North Bentsen Palm Drive, Jose Luis Gonzalez Espana (SUB2023-0123) (FINAL) AEC
- b) Harvest Cove Phase I Subdivision, 2501 North Ware Road, Erickson Construction (SUB2024-0005) (REVISED PRELIMINARY) M&H
- c) Campo de Suenos Phase III Subdivision, 8300 North Ware Road, Riverside Development, LLC (SUB2021-0059) (REVISED FINAL) M&H
- d) Taylor Valley Estates Subdivision, 1300 North Taylor Road, GOTU Development, LLC (SUB2024-0004) (PRELIMINARY) M&H
- e) Habitat at Ware Subdivision, 6201 North Ware Road, Habitat Development Group, LLC (SUB2024-0001) (PRELIMINARY) SEC
- f) Victory Landing Subdivision, 7000 Mile 6 Road, Edgar Delgadillo La Flor Del Valle (SUB2021-0150) (6-MONTH EXTENSION PRELIMINARY) SAMES
- g) Moorefield Development Subdivision, 9936 North Moorefield Road, SAMES Inc. (SUB2023-0098) (REVISED PRELIMINARY) SAMES
- h) Harvest Creek at Ware Subdivision Phase I, 2301 North Ware Road, Erickson Construction (SUB2023-0011) (REVISED FINAL) M&H

#### ADJOURNMENT:

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

#### CITY OF McAllen

The McAllen Planning and Zoning Commission convened in a Regular Meeting on Wednesday January 10, 2024, at 3:30p.m. at the McAllen City Hall, 3<sup>rd</sup> Floor Commission Chambers Room,1300 Houston Avenue, McAllen, Texas.

Present: Michael Fallek Chairperson

Emilio Santos Jr. Member
Marco Suarez Member
Jose Saldana Member
Reza Badiozzamani Member

Absent: Jesse Ozuna Member

Staff Present: Austin Stevenson City Attorney

Michelle Rivera Assistant City Manager Edgar Garcia Planning Director

Omar Sotelo Development Coordinador

Rodrigo Sanchez
Mario Escamilla
Kaveh Forghanparast
Adriana Solis
Eduardo Garza
Hilda Tovar
Natalie Moreno

Senior Planner
Planner III
Planner II
Planner II
Planner II

Jacob Salazar Planner Technician II Even Gonzalez Development Engineer

Patrick Gray GIS Coordinator

Rafael Balderas Assistant to the Utility Engineer

Magda Ramirez Administrative Assistant

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

PLEDGE OF ALLEGIANCE

INVOCATION-. Mr. Emilio Santos Jr.

#### 1) MINUTES:

a) Approval/Disapproval of minutes from the December 19, 2023 meeting.

The minutes for the regular meeting held on December 19, 2023 was approved as submitted by Mr. Marco Suarez. Seconding the motion was Mr. Jose Saldana which carried unanimously with five members present and voting.

#### 2) PUBLIC HEARING:

a) CONDITIONAL USE PERMITS:

1) Request of Abigail L. Quinn for a Conditional Use Permit, for one year, for a home occupation (Boutique Facial Spa) at Lot 6, Block 1, Bonita Heights Subdivision; 1507 Fern Avenue. (CUP2023-0167)

Ms. Natalia Moreno stated that the subject property is located along the south side of Fern Avenue, approximately 103 feet east of North 16<sup>th</sup> Street and is zoned R-1 (single family residential) District. The adjacent zoning is R-1 District in all directions. Surrounding land use is single-family residential. A home occupation is permitted in an R-1 District with a Conditional Use Permit (CUP) and in compliance with requirements.

The initial Conditional Use Permit for the spa home occupation was approved on February 16, 2016. The Conditional use Permit was renewed annually, but lapsed in 2022. Due to the expired status, the application will follow the approval process as a new application.

The applicant is proposing to operate a Boutique Facial Spa business from the existing residence. The hours of operation are Monday through Friday between the hours of 9 a.m. to 5 p.m. with only one employee. Staff has not received any calls or emails in opposition to the Conditional Use Permit Request.

The Fire Department has inspected the location and has allowed CUP process to continue. Should the conditional use permit be approved, the applicant would be required to sign the certificate acknowledging and agreeing to the conditions of the permit. The establishment must also comply with requirements set forth in Section 138-118 (a)(1) of the Zoning Ordinance as follows:

- a) The home occupation shall be clearly secondary to the residential use. The applicant resides at this address.
- b) One nameplate attached to the building not larger than two square feet is permitted in all districts except R-1 single-family residential district. No signs are proposed.
- c) No exterior display or alterations indicating that the building is being used for any purpose other than residential shall be permitted.
- d) No more than one additional unrelated employee other than immediate family members residing on the premises shall be permitted. There is only one employee.
- e) No outside storage of materials or products shall be permitted. The applicant proposes no outside storage;
- f) Traffic generated by the proposed use shall not exceed 10 % of the average load per hour per street. Customers are to be scheduled by appointment.
- g) No retail sales shall be permitted. No retails sales are proposed;
- h) No additions to the residence or accessory building specifically to accommodate the use shall be permitted; the applicant proposes no additions or accessory building to accommodate the business.

- j) The propose use shall take place in the primary residential structure rather than a detached garage or accessory building.
- k) The proposed use shall take place at the location specified on the permit.

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

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

Being no discussion, Mr. Emilio Santos Jr. moved to approve with Mr. Reza Badiozzamani second the motion and one member with a nay vote. Motion was approved with five members present and voting.

2) Request of Ruben Martinez, for a Conditional Use Permit, for one year, and adoption of an ordinance, for a Bar, at 0.86 acre out of a part or portion out of Lots 3, 4, 6 and all of Lots 7 and 8, Block 54, a part or portion out of a 20' alley, North McAllen Subdivision and 0.37 acre adjoining the south line of said Block 54, Hidalgo County, Texas; 110 North 16th Street, Suite B. (CUP2023-0169)

Ms. Natalia Moreno stated that the property is located north of Highway Business 83 between North 15<sup>th</sup> and North 16<sup>th</sup> Street. It is zoned C-3 (general business) District. The adjacent zoning is C-3 District in all directions except to the west across North 16<sup>th</sup> street there is C-4 (commercial industrial) District. Surrounding land uses are Jamaican Jerk Stop restaurant, an auto parts retail store, Balsero Latin Kitchen and Seafood, JPC Recycling, Mercancia Credencial, and a parking facility for the McAllen Central Station. A Bar is allowed in a C-3 district with a Conditional Use Permit and in compliance with requirements.

This is the initial application for a Conditional Use Permit for a bar at this location.

The applicant is proposing to operate a bar in the 1,255 square ft. Building. The proposed business hours are Tuesday through Saturday from 5 p.m to 2 a.m. Required parking for the proposed bar is 13 parking spaces and 10 are provided. The area location contains 30 parking spaces. The applicant is proposing to obtain a parking agreement to accommodate parking requirements and overflow parking.

The Fire Department and the Health Department are pending inspections. The Planning Department has received no inquiries regarding this proposed establishment. 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:

The property line of the Lot of the above mentioned business must be at least 400 feet from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruption of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The proposed establishment is within 400 ft. from a publicly owned property to the north and adjacent to the south.

- 2) The business must be as close as possible to a major arterial and not generate traffic onto residential sized streets.
- 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 1,255 sq. ft. bar would require 13 parking spaces; and 10 parking spaces are provided for a deficiency of three 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

Staff recommends disapproval of the request based on noncompliance with requirement listed above as #1 (distance to a publicly owned property) of Section 138-118(a)(4)(a) and #3 (parking requirements) of Section 138-118(a)(4)(c) of the Zoning Ordinance.

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

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

3) Request of Melden and Hunt, Inc., for a Conditional Use Permit, for life of the use, and adoption of an ordinance, for a Planned Unit Development (PUD), Campo De Suenos Phase II, and (Proposed) Campo De Suenos Phase III, at 13.908 acres, out of Lots 45 and 52, La Lomita Irrigation and Construction Company Subdivision, Hidalgo County, Texas; 8300 North Ware Road. (CUP2023-0131)

Ms. Adriana Solis stated that the subject property is located along the east side of North Ware Road and north of Auburn Avenue. The property consists of 23.663 acres of vacant land. The property is zoned R-1 (single family residential) District. The adjacent zoning is A-O (agricultural and open space) District to the east and south, R-3T (multifamily townhouses) District to the north and ETJ (extraterritorial jurisdiction) to the west. A Planned Unit Development (PUD) is permitted in a R-1 District with a Conditional Use Permit and in compliance with Article IV for Planned Developments of the Subdivision Ordinance.

The Planning and Zoning Commission Board voted to approve the proposed subdivisions in revised

preliminary form subject to staff recommendations and variances with conditions noted on January 19, 2021. A variance request to the block length requirement at Campo de Sueños Phase II was approved by City Commission on February 22, 2021. Annexation and initial zoning to R-1 District for the portion of the tract that was outside City limits was approved by City Commission on May 24, 2021. The applicant applied for a variance request to allow a lot width less than 50 ft. for proposed Campo de Sueños Phase II subdivision and proposed Campo de Sueños Phase III subdivision; however, they withdrew the request in favor of a Planned Unit Development. At the City Commission meeting held on September 13, 2021, the Board voted to approve the request for life of the use with variances noted for the planned unit development.

On May 5, 2023 a request to amend the Planned Unit Development was submitted for Campo de Suenos Phase II and III, which consisted of one hundred eighteen (118) lots, and one being the common area. At the City Commission meeting of May 22, 2023 the Board unanimously voted to recommend approval subject to conditions noted.

A request is being made for the Planned Unit Development to be amended reflecting the new plat conditions below. Currently, the property does have single family homes built within phase II and vacant land. Phase III is composed of vacant land. The property consists of one hundred seventeen (117) lots, excluding lot 173. The applicant is proposing to develop a Planned Unit Development, which will include single family residences and a common area labeled as *Common Area "B"*.

The proposed PUD for Campo De Suenos Phase II and III is requesting the following:

- 67 total lots are not meeting the 50 ft. frontage minimum requirement.
- Lot 130 is not meeting the minimum lot area of 5,000 ft.
- Elevations: Maximum home height proposed at 30 ft.
- Lots 90, 123 & 170 are not meeting the minimum 18 ft. driveway width, the minimum proposed is 12.52 feet Engineering Department approved.
- Some lots such as lots 107, 116, 117 may not meet the 50% landscape requirement.

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

- 1. <u>CONCEPTUAL SITE PLAN:</u> Development and use of the property must comply with the conditional use permit conceptual site plan.
- 2. <u>PERMITTED USES:</u> Permitted uses are uses permitted in the R-1 District for buildings designated as residential. The applicant is proposing single family residences and a common area.
- 3. <u>OFF-STREET PARKING AND LOADING:</u> Parking in compliance with Chapter 134 Article VI, which requires two parking spaces per unit, with one being located beyond the front yard setback. Must provide floor plan with garage to determine if in compliance.
- 4. <u>LANDSCAPING:</u> Each lot requires 10% landscaping in an R-1 zone. Based on the lot area of 1,030,760.28 sq. ft., 103,076 sq. ft. of landscaping is required. Also, 50% of the required front yard must be landscape, including the side yard setback areas. Some lots such as lots 107, 116, 117 may not meet the 50% landscape requirement. A minimum of one tree is required.

Must provide front landscaping area and trees to determine if in compliance. Some lots show driveway on one side of the side yard setback, it is not in compliance.

- 5. STREETS AND SETBACKS: Additional 35 ft. right-of-way dedication required along Ware Road. Provide minimum of 50 ft. right-of-way and 40 ft. of pavement width for Emory Avenue. Provide minimum of 50 ft. right-of-way and 32 ft. of pavement for N. 33<sup>rd</sup> Lane. Setbacks are Front: 20 ft. or greater for easements, except 25 feet for lots 83-86, 91-103 & 139-149 or greater for easements; Rear: 10 ft. or greater or easements; Sides: 5 ft. or greater for easements; Side corner: 10 ft. or greater for easements; and Garage: 18 ft. except where greater setback is required or greater setback applies. An R-1 zone requires a front yard setback of 25 ft. on interior streets. The development is proposing less than 25 ft. of front yard setback, instead proposing a 20 ft. front yard setback for certain lots as mentioned above. The development is proposing 25 ft. of front yard setback for certain lots (Lots 84-85, 93-103, & 143-147). Provide setback lines with building envelope on site plan. A 5 ft. wide minimum sidewalk required on Ware Road and a 4 ft. wide minimum sidewalk required on N. 33<sup>rd</sup> Street and both sides of all interior street. Must provide sidewalk width dimension on site plan.
- 6. <u>DRAINAGE:</u> During the Campo de Sueños Phase II Subdivision and Campo de Sueños Phase III Subdivision process final drainage detention and design and drainage plan must be submitted and in accordance with City of McAllen Standard Design Guide.
- 7. <u>ADDITIONAL PROVISIONS:</u> Conditional Use Permit site plan controls if there is conflict with other City ordinances. A decision by the Planning Director may be reviewed by Planning and Zoning Commission for recommendation to Board of Commissioners for final determination. The Conditional Use Permit calls for mixed use and a minimum of five (5) acres. The development has 23.663 acres and is providing mixed uses, which include single family residences and common area.
- 8. Owner, Engineer and Surveyor certification and signature block needs to be shown on the PUD site plan. Submitted site plan meets requirements.
- A recorded subdivision plat and PUD site plan is required prior to issuance of building permits.
   Therefore, Campo de Sueños Phase II Subdivision and Campo de Sueños Phase III Subdivision process must be completed, and recorded together with the site plan.

If the subdivision layout changes, the PUD will need to be amended to resemble the approved Subdivision Plat. Any changes regarding ownership or the approved building layout may also require an amendment of the PUD. The PUD must comply with all City department requirements, including but not limited to, the Building Permit & Inspections Department, Planning Department, Engineering Department, Utilities Department, Traffic Department, Fire Department, and the Environmental and Health Code Compliance Department. Finally, if this request is granted approval, all proposed structures and improvements on the recorded Subdivision Plat and PUD site plan will be required during the building permitting process.

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

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

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

After a brief discussion, Mr. Marco Suarez moved to approve. Mr. Reza Badiozzamani seconded the motion, which was approved with five members present and voting.

4) Request of Melden and Hunt of (Proposed) Harvest Cove Phase I and II, for a Conditional Use Permit, for life of the use, and adoption of an ordinance, for a Planned Unit Development (PUD), at 18.677 acres, out of Lots 138 and 137, La Lomita Irrigation and Construction Company Subdivision, Hidalgo County, Texas; 2601 North Ware Road. (CUP2023-0161)

Ms. Adriana Solis stated that the subject property is located along the west side of North Ware Road and north of Warrior Drive. The property consists of 18.677 acres of vacant land. The property is zoned R-1 (single family residential) District. The adjacent zoning is A-O (agricultural and open space) District, R-3T (multifamily townhouses) District, and R-1 District to the north, A-O District to the west and east and R-3A (multifamily apartments) District to the south. A Planned Unit Development (PUD) is permitted in a R-1 District with a Conditional Use Permit and in compliance with Article IV for Planned Developments of the Subdivision Ordinance.

A rezoning request from A-O District to R-1 District for this tract was approved by City Commission on February 15, 2022. The Planning and Zoning Commission Board voted to approve the proposed subdivisions in preliminary form subject to conditions noted, drainage and utilities approval on October 13, 2023 regarding Phase I.

On November 9, 2023 a request for a Planned Unit Development was submitted for Harvest Cove Phase I and II, which consisted of one hundred ninety-six (196) lots, and an existing detention pond to the southwest corner.

A request is being made for the Planned Unit Development to be reflecting the new plat conditions below. Currently, the property does is composed of vacant land. The property consists of one hundred ninety-six (196) lots. The applicant is proposing to develop a Planned Unit Development, which will include single family residences.

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

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

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

- 10. <u>CONCEPTUAL SITE PLAN:</u> Development and use of the property must comply with the conditional use permit conceptual site plan.
- 11. <u>PERMITTED USES:</u> Permitted uses are uses permitted in the R-1 District for buildings designated as residential. The applicant is proposing single family residences and a common area.
- 12. OFF-STREET PARKING AND LOADING: Parking in compliance with Chapter 134 Article VI, which requires two parking spaces per unit, with one being located beyond the front yard setback. Must provide floor plan with garage to determine if in compliance.
- 13. <u>LANDSCAPING</u>: Each lot requires 10% landscaping in an R-1 zone. Based on the lot area of 813,570.12 sq. ft., 81,357.012 sq. ft. of landscaping is required. Also, 50% of the required front yard must be landscape, including the side yard setback areas. Some lots such as lots 48, 50-52, 186 may not meet the 50% landscape requirement. A minimum of one tree is required. Must provide front landscaping area and trees to determine if in compliance. Some lots show driveway on one side of the side yard setback, it is not in compliance.
- 14. <u>STREETS AND SETBACKS</u>: Providing a of 60 ft. right-of-way for North 43rd Street. Provide minimum of 50 ft. right-of-way and 32 ft. of pavement for each interior street within the subdivision. Setbacks are Front: 20 ft. or greater for easements, whichever is greater; Rear: 10 ft. or greater or easements; Sides: 6 ft. or greater for easements; Corner: 10 ft. or greater for easements; and Garage: 18 ft. except where greater setback is required. An R-1 zone requires a front yard setback of 25 ft. on interior streets. The development is proposing less than 25 ft. of front yard setback and instead is proposing 20 ft. of front setback for each lot. Provide setback lines with building envelope on site plan with a 5 ft. wide minimum sidewalk required on Ware Road and a 5 ft. wide minimum sidewalk required on all interior street. Must provide sidewalk width dimension on site plan.

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

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

If the subdivision layout changes, the PUD will need to be amended to resemble the approved Subdivision Plat. Any changes regarding ownership or the approved building layout may also require an amendment of the PUD. The PUD must comply with all City department requirements, including but not limited to, the Building Permit & Inspections Department, Planning Department, Engineering Department, Utilities Department, Traffic Department, Fire Department, and the Environmental and Health Code Compliance Department. Finally, if this request is granted approval, all proposed structures and improvements on the recorded Subdivision Plat and PUD site plan will be required during the building permitting process.

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

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

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

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

#### b) REZONING:

1) Rezone from R-1 (single-family residential) District to C-3 (general business) District: Lot 8, Rowland Addition Subdivision, Hidalgo County, Texas; 2312 Galveston Avenue. (REZ2023-0059)

Mr. Eduardo Garza stated that the subject property is located on the northeast corner of South 24<sup>th</sup> Street and Galveston Avenue.

The applicant is proposing to rezone the property from R-1 (single-family residential) District to C-3 (general business) District in order to develop the land for commercial use. A feasibility plan has not been submitted.

The adjacent zoning is R-1 (single-family residential) District to the north and to the west across South 24<sup>th</sup> Street and C-3 (general business) District to the east and to the south across Galveston Avenue.

The subject property is currently vacant. Surrounding land uses include residential homes and commercial businesses.

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

The development trend along the south side of Galveston Avenue is commercial. The subject property is adjacent to C-3 District along the east property line.

A subdivision under the name of Rowland Addition was recorded on April 11, 1950. The subject property was zoned R-1 District during the comprehensive zoning in 1979. The initial request for a C-3 District was disapproved in 1992. Another request for a C-3 District was disapproved in 2001 due to opposition from neighbors and McAllen Independent School District and was disapproved again in 2006. The property has been vacant since 2007.

The requested zoning and proposed use conform to the future land use designation on the Envision McAllen Future Land Use Plan. Infill development can provide opportunities for small businesses contained within a single building or development.

A building permit for a commercial use to comply with off-street parking, landscaping, buffers and building and fire codes will be required.

Staff did receive one phone call in opposition to the rezoning request citing traffic and property value concerns.

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

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

Citizen Ms. Claudia Mendiola (2408 Galveston Avenue, McAllen, Texas) stated her concern was traffic.

Citizen Ms. Lisa Gonzalez (2404 Galveston Avenue, McAllen, Texas) stated her concerns were traffic and different types of businesses in the area and there is no structure.

Applicant Mr. Sam Benson (a proxy of the owner) stated the applicant is applying for this rezoning to be able to control what is taking place at this location at this time by developing a storage area/mechanical shop. If this request would be approved, they can have control on the clean up and other issues happening at this time.

After a lengthy discussion, Mr. Marco Suarez moved to disapprove the rezoning request. Mr. Reza Badiozzamani seconded the motion, which was disapproved with five members present and voting.

2) Rezone from C-2 (neighborhood commercial) District to C-3 (general business) District: Lot 1, Yuma Subdivision, Hidalgo County, Texas; 2400 South McColl Road. (REZ2023-0060)

Mr. Eduardo Garza stated that the subject property is located on the northwest corner of South McColl Road and East Yuma Avenue.

The applicant is proposing to rezone the property from C-2 (neighborhood commercial) District to C-3 (general business) District to be able to sell and dispense a wine-based "ready to drink" margarita product utilizing a crew served program.

The adjacent zoning is C-3 (general business) District to the north, R-3A (multifamily residential apartment) District to the east across South McColl Road, C-3L (light commercial) District to the south across East Yuma Avenue, and R-3T (multifamily residential townhouse) District to the west.

There is a Stripes convenience store located on the subject property. Surrounding land uses include a self-storage, apartments, and vacant land.

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 center neighborhood and community scale, civic buildings, and parks and open space uses.

The development trend along this area of South McColl Road is commercial.

The property was zoned C-1 (office building) District upon annexation in November 1995. A rezoning request for C-2 (neighborhood commercial) District was approved in August 2021. A Conditional Use Permit for a convenience store where gasoline products are sold was approved for life of use in August 2021. A subdivision under the name of Yuma Subdivision was recorded on March 28, 2023.

The requested zoning and use conform to the future land use designation on the Envision McAllen Future Land Use Plan.

There is an existing Stripes convenience store that will need to continue to comply with requirements of the Conditional Use Permit as per Sections 138-257 through 138-261 of the Zoning Ordinance. The proposed program addition is a crew served wine-based margarita program by TABC trained staff for customers interested in purchasing a margarita. The margarita is a wine-based "ready to drink" product that is not customer facing and would require the staff to request age verification and staff dispensing. The approval would allow the applicant to pursue TABC requirements.

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

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

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

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

3) Rezone from R-2 (Duplex-Fourplex Residential) District to C-2 (Neighborhood Commercial) District: Lots 1, Block 2, Nelson Addition Subdivision, Hidalgo County, Texas; 803 South 15th Street. (REZ2023-0061)

Ms. Hilda Tovar stated that the subject property is located at the southeast corner of South 15<sup>th</sup> Street and Houston Avenue.

The applicant is proposing to rezone the property to C-2 (neighborhood commercial) District in order to use the subject property as a parking facility for McAllen Pregnancy Center. A feasibility plan has been submitted for a proposed parking area with enclosed garage for mobile transport units.

The adjacent zoning is C-3 (general business) District to the north and east and R-1 (single family residential) District to the south and west across South 15<sup>th</sup> Street.

The 7,000 square-foot property is currently vacant. Surrounding land uses include The Warren Group Architects Inc., Campos Insurance Agency, Bella Kara Skin Care, and other commercial businesses. There is also multifamily and single family residential.

The Envision McAllen Future Land Use Plan designates the future land use category for this property as Downtown which allows for mixed use to include retail and services. The intended land uses include residential, commercial, business and office use. The most appropriate type of development includes mixed-use Urban, Neighborhood Scale.

The development trend for this area along South 15<sup>th</sup> Street is commercial and service uses.

The Nelson Addition Subdivision was recorded on December 29, 1917. The subject property was zoned R-2 District during the comprehensive zoning in 1979.

The requested zoning does conform to the future land use designation as shown on the Envision

McAllen Future Land Use Plan. The proposed zoning aligns with existing developments and zoning districts along South 15<sup>th</sup> Street. The proposed development will serve as an extension to the McAllen Pregnancy Center located at the east of the property.

An approved site plan review will be required prior to building permit issuance.

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

Staff recommends approval of the rezoning request to C-2 (neighborhood commercial) District.

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

Being no discussion, Mr. Jose Saldana moved to approve the rezoning request. Mr. Reza Badiozzamani seconded the motion, which was approved with five members present and voting.

#### 3)SITE PLAN:

a) Site Plan Approval for LOT 2-A, Trenton Crossing Shopping Center Phase 2-B Subdivision, Hidalgo County, Texas; 7912 North 10th Street. **(SPR2023-0044)** 

Ms. Hilda Tovar stated that the subject property is located on the southeast corner of North 10th Street and Wisconsin Road. The subject property is zoned C-3 (general business) District. Adjacent properties are zoned C-3 District in all directions. Surrounding land uses include commercial retail and office uses.

The applicant is proposing to construct a 6,253 square-foot building and operate a restaurant with drive thru by the name of "Reyna's BBQ."

#### Access:

Access to the site is from North 10th Street and Wisconsin Road and adjacent lot to the east and south. No alley exists or is proposed.

#### Parking Requirements:

Based on 6,253 square feet that will be used for the restaurant, 50 parking spaces are required for the site. 52 parking spaces are proposed. Moreover, 3 of the proposed regular parking spaces must be accessible for van accessibility with an 8-foot-wide aisle. The applicant is meeting parking requirements for the new development.

#### **Landscape Requirements:**

6727 square feet of green area is required for the new development and 17,135 square feet is proposed. The tree requirement is as follows: 20 two-and-a half-inch-caliper trees, 10 four-inch caliper trees, 5 six-inch caliper trees, or 8 palm trees. A minimum 10 feet wide landscaped strip is required inside the front property line. Fifty percent of the required green area for the new development must be visible from the street or front property line, and each parking space must be within 100 feet of a landscaped area with a tree. Finally, a 6-foot buffer is required around dumpsters/compactors if visible from the street. The applicant is meeting landscaping requirements for green area and trees.

#### Other Planning Requirements:

There is a 60-foot front yard setback along North 10th Street, a 40-foot corner side setback along Wisconsin Road and other setbacks as per Zoning Ordinance or greater for approved site plan or easements. No structures are permitted to be built over any easements. The new development will be complying with all required setbacks for the property.

A 4-foot-wide minimum sidewalk is required along North 10th Street and Wisconsin Road.

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

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

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

#### 4) SUBDIVISIONS:

Replat of Lot 2 Sharyland Business Park No. 11 Subdivision, 5501
 Honduras Avenue, M & S Estate, Ltd. (SUB2023-0139) (PRELIMINARY)
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Mr. Mario Escamilla stated Honduras Ave: 80 ft. ROW dedication Paving: 52 ft. Curb & gutter: Both Sides Revisions needed: Submitted plat depicts 80 ft. existing ROW. Reference the document number for how the existing ROW has been dedicated and provide a copy for staff review prior to final. At the Planning and Zoning Commission meeting of April 5th,2022, the proposed subdivision to the north under the name of Sharyland Business park No. 10 received a variance to provide 44ft. of pavement width in lieu of 52ft with 80 ft. of ROW. ROW requirements must be finalized prior to final. Subdivision

Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. 1,200 ft. Block Length. Subdivision layout does not comply with block length requirement. Please revise accordingly prior to final or submit a variance request. Any variance request must be approved prior to final. Subdivision Ordinance: Section 134-118. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties. Add the following plat note prior to final: A minimum 24 ft. private service drive ease easement will be established as part of the site plan and will be maintained by the lot owners and not the City of McAllen. The subdivision is a proposed replat of Lot 2, Sharyland Business Park No. 11 Subdivision; therefore, all originally recorded plat notes will apply. Subdivision Ordinance: Section 134-106. Front: In accordance with zoning ordinance, or greater for easements or approved site plan, or in line with average setback, whichever is greater applies. Revisions needed: Revise plat note No.2 as shown above prior to final. Zoning Ordinance: Section 138-356 & 138-367. The subdivision is a proposed replat of Lot 2, Sharyland Business Park No. 11 Subdivision; therefore, all originally recorded plat notes will apply. Rear: In accordance with zoning ordinance, or greater for easements or approved site plan, whichever is greater applies. Revisions needed: Revise plat note No.2 as shown above prior to final. Zoning Ordinance: Section 138-356. The subdivision is a proposed replat of Lot 2, Sharyland Business Park No. 11 Subdivision; therefore, all originally recorded plat notes will apply. Non-compliance. Sides: In accordance with zoning ordinance, or greater for easements or approved site plan, or in line with average setback, whichever is greater applies. Revisions needed: Revise plat note No.2 as shown above prior to final. Zoning Ordinance: Section 138-356. The subdivision is a proposed replat of Lot 2, Sharyland Business Park No. 11 Subdivision; therefore, all originally recorded plat notes will apply. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 5 ft. wide minimum sidewalk required along Honduras Avenue. Add a plat note as shown above prior to final. Subdivision Ordinance: Section 134-120. The subdivision is a proposed replat of Lot 2, Sharyland Business Park No. 11 Subdivision; therefore, all originally recorded plat notes will apply. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Add a plat note as shown above prior to final. The subdivision is a proposed replat of Lot 2, Sharyland Business Park No. 11 Subdivision; therefore, all originally recorded plat notes will apply. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Add a plat note as shown above prior to final. The subdivision is a proposed replat of Lot 2, Sharyland Business Park No. 11 Subdivision; therefore, all originally recorded plat notes will apply. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. Must comply with City Access Management Policy Applied. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Common Areas, and service drives must be maintained by the lot owners and not the City of McAllen. Add a plat note as shown above prior to final. The subdivision is a proposed replat of Lot 2, Sharyland Business Park No. 11 Subdivision; therefore, all originally recorded plat notes will apply. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: I-1 Proposed: I-1. Zoning Ordinance: Article V. As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. Traffic Impact Analysis (TIA) required prior to final plat. Rename the subdivision name to: Sharyland Business Park No. 11A Subdivision prior to final. Rename the lot numbers to 2A, 2B, and 2C prior to final. There is a discrepancy between the dimensions of Lot 2 as shown on Sharyland Business Park No. 11 Subdivision and the proposed plat. Please clarify prior to final. Provide the legal description of all adjacent lots on all sides, including the lots on the east side of the subdivision and north side of Honduras Avenue, prior to final. Recorded

plat notes remain effective. Please add all relevant plat notes from Sharyland Business Park No. 11 prior to final. If any plat note is proposed to be removed or altered, a vacate and replat is required. All signature blocks must comply with Section 134-61 of the subdivision ordinance prior to recording. Must comply with City's Access Management Policy. The subdivision is a proposed replat of Lot 2, Sharyland Business Park No. 11 Subdivision; therefore, all originally recorded plat notes will apply.

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

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

b) Neuhaus Estates II Subdivision, 4223 Neuhaus Drive, Castores Builders, LLC (SUB2023-0140) (PRELIMINARY) MAS

Mr. Mario Escamilla stated S. 42nd Street (private): 56-76.31 ft. ROW proposed Paving: min. 32 ft. Curb & gutter: both sides Revisions needed: Revise the street name to "S. 42nd Street" prior to final. Neuhaus Estates Subdivision must be recorded prior to final as Neuhaus Estates II is currently landlocked. Reference the document number as how the ROW has been dedicated prior to final. An agreement between the private street owner(s) and proposed subdivision will be required prior to final as Neuhaus Estates II is currently landlocked. Neuhaus Estates Subdivision's project engineer requested a variance on behalf of the developer to allow one-20 ft. entrance and one-14 ft. wide exit lane with a 10 ft. median with existing trees instead of the 32 ft. cross section as required for single family residential development. City Commission granted a variance to allow a 20 ft. entrance and 17 ft. wide exit with no sidewalks on the east side at their meeting on October 23, 2017. Improvements must be escrowed if not built prior to recording. Cul-de-sac must be 96 ft. paving diameter face-face according to fire department requirements. City of McAllen Thoroughfare Plan. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. 1,200 ft. Block Length. Subdivision Ordinance: Section 134-118. 600 ft. Maximum Cul-de-Sac. Subdivision Ordinance: Section 134-105. Front: 25 ft. or greater for easement. Zoning Ordinance: Section 138-356. Rear: In accordance with the Zoning Ordinance, or greater for easements. Zoning Ordinance: Section 138-356. Interior Sides: In accordance with the Zoning Ordinance, or greater for easements. Corner (Proposing): Neuhaus Drive: 10 ft. or greater for easements. Remove the proposed note prior to final, as the property does not front Neuhaus Drive. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required, greater setback applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. Remove the wording above from plat note #1 prior to final since it is not a required plat note. 4 ft. wide minimum sidewalk required on S. 42nd Street. Revise plat note #6 as shown above prior to final. Proposing: Minimum 4 ft. wide minimum sidewalk required on Neuhaus Drive and per variance granted by the City Commission on October 23, 2017, a minimum 3 ft. wide sidewalk on both sides of the street, except no sidewalk from the north side of Lot to Neuhaus Drive. The property does not front Neuhaus Drive. Neuhaus Estates Subdivision's project engineer requested a variance, on behalf of the developer, for a 3 ft. wide sidewalk on the east side of S. 42nd Street due to the existing trees and property line. City Commission granted a variance to allow a 20 ft. entrance and 17 ft. wide exit with no sidewalks on the east side of S. 42nd Street from the north of Lot 1, Neuhaus Estates II Subdivision (formerly being Lot 5, Neuhaus Estates) at their meeting on October 23, 2017. Eventually Lot 5 was removed form Neuhaus Estates Subdivision and

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submitted as Neuhaus Estates II Subdivision. Therefore, sidewalk requirement will apply to this subdivision. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or moneyescrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Revise the plat note as shown above prior to Proposing: ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along Neuhaus Drive. The property does note front Neuhaus Drive. 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. Proposing: No curb cut, access, or lot frontage permitted along Neuhaus Drive. Remove plat note #10 since the property does not front Neuhaus Drive. Must comply with City Access Management Policy. Common Areas, private streets, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. This lot must be included in the HOA Document of Neuhaus Estates Subdivision prior to recording. If it has already been recorded, the document must be amended to include this lot. Provide a draft HOA for staff review prior to final. Plat note must be finalized based on the submittal prior to recording. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Lots fronting public/private streets. Neuhaus Estates Subdivision must be recorded prior to final as Neuhaus Estates II is currently landlocked. Reference the document number as how the ROW has been dedicated prior to final. An agreement between the private street owner(s) and proposed subdivision will be required prior to final as Neuhaus Estates II is currently landlocked. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: R-1 Proposed: R-1. Zoning Ordinance: Article V. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per the application submitted on December 15, 2023, one lot residential subdivision is proposed. Therefore, \$700 park fee is required prior to recording. If the number of lots increases, additional fee will be required. Use a bold line for the this property boundary before ROW dedication prior to final. Revise/clarify the discrepancy between the subdivision and survey dimensions prior to final. Neuhaus Estates Subdivision must be recorded prior to final as Neuhaus Estates II is currently landlocked. An agreement between the private street owner(s) and proposed subdivision will be required prior to final and referenced on the plat. Plat note wording must be finalized prior to final/recording. Add the legal description of all adjacent lots on all sides prior to final. Use a lighter shaded/ghosted text for adjacent lots to improve readability of other information. Clarify/revise the solid lines within S. 42nd Street ROW prior to final. Use dashed line for all easements. Some easements outside the subdivision boundary are shown as "by this plat." Revise/clarify prior to final. Reference the document number for any ROW or easement not dedicated by this plat. Any abandonment must be done by a separate process and instrument. Clarify note #15 prior to final and if there is any existing structure since no structure is shown on the survey. Must comply with City's Access Management Policy.

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

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

c) Re-plat of the District Phase I Subdivision, 7901 North 10th Street, Domain Development, Corp (SUB2023-0141) (PRELIMINARY) M&H

Mr. Kaveh Forghanparast stated North 10th Street: 60 ft. from centerline for 120 ft. total ROW Paving: By the State Curb & gutter: By the States Revisions needed: Provide for document number on plat regarding dedication of existing ROW. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. Wisconsin Road: 80-87 ft. ROW Paving: 52-65 ft. Curb & gutter: Both sides. Monies must be escrowed if any improvements are required prior to recording. COM Thoroughfare Plan. 1,200 ft. Block Length. Subdivision Ordinance: Section 134-118. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties Revisions needed: Proposed 26-30 ft. Private Service Drive/Access Easement. Ensure access provided to all lots. 9 ft. out of the existing N/S 35 ft. Private Service Drive/Access Easement is proposed to be abandoned. Any abandonment must be done by a separate process and instrument, not by plat. Since 9 ft. out of the existing N/S 35 ft. Private Service Drive/Access Easement is proposed to be abandoned prior to recording, 35 ft. will not be "Existing Private Service Drive/Access" Easement". Review and revise prior to final. 26-30 ft. Service Drive/ Access Easement must comply with Fire and Public Works Department maneuverability requirements, additional requirements may be required as applicable, finalize prior to recording. Minimum paving for Service drive is 24 ft. face-toface. If any islands/boulevards are proposed, 20 ft. of paving face-to-face on each side of the island must be provided. Subdivision Ordinance: Section 134-106. Front: In accordance with zoning ordinance, or greater for easements or approved site plan, or in line with average setback, whichever is greater applies. Zoning Ordinance: Section 138-356 & 138-367. Rear: In accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Zoning Ordinance: Section 138-356. Interior Sides: In accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Zoning Ordinance: Section 138-356. Corner: In accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 5 ft. wide minimum sidewalk required on North 10th Street and 4 ft. wide sidewalk required on Auburn Avenue. Sidewalk requirements might increase to 5 ft. prior to recording subject to Engineering Department requirements. Subdivision Ordinance: Section 134-120 Perimeter sidewalks must be built or money escrowed if not built at this time. Required. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. Must comply with City Access Management Policy Applied. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Lots fronting public streets. Lot 7 fronts N. 10th Street; however, it is only 15 ft. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: C-3(General Business) District. Proposed: C-3(General Business) District. Zoning Ordinance: Article V. As per Traffic Department, Master Trip Generation approved and TIA waived for Phase I. Rename the subdivision's name to "The District Phase 1A Subdivision" prior to final. Rename all lot numbers to 1A - 7A prior to final. Provide the legal description of all adjacent lots on all sides, including the lot on the west side, prior to final. Recorded plat notes remain effective. Please add all relevant plat notes from The District Phase I Subdivision prior to final. If any plat note is proposed to be removed or altered, a vacate and replat is required. Any abandonment must be done by a separate process and instrument, not by plat. Revise the wording to "abandoned by instrument No.\_" prior to final. The

document number must be added prior to recording. Reference the document number for existing easements and ROW prior to final and provide a copy for staff review. All signature blocks must comply with Section 134-61 of the subdivision ordinance prior to recording. Must comply with City's Access Management Policy. The subdivision is a proposed replat of The District Phase I Subdivision to decrease the recorded subdivision acreage and move the boundary on the west side to the east. Some of the lots dimensions have changed too (Lots 4-7). All originally recorded plat notes will apply. If any subdivision notes is proposed to be removed or altered a vacate and replat will be required.

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

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

# d) Barton Subdivision, 8501 North Main Street, Antonio Esparza (SUB2023-0082) (REVISED PRELIMINARY) TE

Mr. Kaveh Forghanparast stated N. Bicentennial Blvd: Dedication required for 75 ft. from centerline for 150 ft. total ROW Paving: 65 ft.-105 ft. Curb & gutter: both sides Revisions needed: Show and label, total existing ROW, and ROW on both sides of the centerline at multiple points and show "additional" ROW dedicated by this plat" as requested above prior to final. Include the Document number for the existing ROW on the plat and provide a copy for staff review prior to final. All ROW requirements must be finalized prior to final. If a variance is requested, it must be finalized prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. Northgate Lane: Dedication required for 35 ft. from centerline for 70 ft. total ROW Paving: 44 ft. Curb & gutter: both sides Revisions needed: Northgate Lane is labeled as variable ROW. Show existing at multiple points to clarify how it varies prior to final. Revise the wording form "15 ft. Prop. ROW by this plat" to "15 ft. additional ROW dedicated by this plat" Include the Document number for the existing ROW on the plat and provide a copy for staff review prior to final. All ROW requirements must be finalized prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. COM Thoroughfare Plan. Frontera Rd.: Dedication required for 40 ft. from centerline for 80 ft. total ROW Paving: 52 ft. Curb & gutter: both sides Revisions needed: Provide a copy of the referenced documents for staff review prior to final. Clarify/remove the dashed line where the existing 40 ft. ROW merges to existing 60 ft. ROW on the southwest side of the subdivision, prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. COM Thoroughfare Plan. N. Main Street: Dedication required for 30 ft. from centerline for 60 ft. ROW Paving: min. 40 ft. Curb & gutter: both sides Revisions needed: Add "N." to the label for N. Main Street on plat prior to final. Include the Document number for the existing ROW on the plat and provide a copy for staff review prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. 1,200 ft. Block Length. Revise the plat to comply with block length requirement. Subdivision Ordinance: Section 134-118. Front: 25 ft. or greater for easements. Zoning Ordinance: Section 138-356. Rear: 10 ft. or greater for easements. Zoning Ordinance: Section 138-356. Interior Sides: 6 ft. or greater for easements. Zoning Ordinance: Section 138-356. Corner: 10 ft. or greater for easements. Lot A as shown on plat is a corner lot on both N. Bicentennial Blvd. and N/S internal street. Clarify the use prior to final. A plat note may be needed for Lots A and B or note #16 may need to be revised to include Lot B. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater

setback is required, greater setback applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required along N. Bicentennial Blvd., Frontera Rd., Northgate Lane, N. Main St., and both sides of internal streets. 5 ft. sidewalk may be required by Engineering Department. Finalize prior to final. Plat note #9 will need to be revised as shown above, and once sidewalk requirements are finalized. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along N. Bicentennial Boulevard and Frontera Road. Revise plat note #10 as shown above prior to final. Other buffers may be required prior to final. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multifamily residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along N. Bicentennial Blvd. and Frontera Rd. Revise plat note #12 as shown above prior to final. Must comply with City Access Management Policy. Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Add a plat note as shown above prior to final. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. The signature block wording references a private subdivision; however, no private street is proposed in the latest submittal. If the subdivision is to remain private, an HOA document and note will be required for staff review prior to recording. If the subdivision is going to be public, clarify if there will be an HOA prior to final, since an HOA is not required for a three-lot public subdivision. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. The signature block wording references a private subdivision; however, no private street is proposed in the latest submittal. If the subdivision is to remain private, an HOA document and note will be required for staff review prior to recording. If the subdivision is going to be public, clarify if there will be an HOA prior to final, since an HOA is not required for a three-lot public subdivision. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Lots fronting public/private streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area Zoning Ordinance: Section 138-356. Existing: R-1 Proposed: R-1. The project engineer must verify if all lots are zoned residential. Based on the submitted plat boundary, a small portion on the east side of Lots B, 1, and 2 and the northeast side of Lot 3 seem to be A-O District. Zoning Ordinance: Article V. Rezoning Needed Before Final Approval. The project engineer must verify if all lots are zoned residential. Based on the submitted plat boundary, a small portion on the east side of Lots B, 1, and 2 and the northeast side of Lot 3 seem to be A-O District. Zoning Ordinance: Article V. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. Based on the latest plat three single-family residential lots are proposed, so a Park Fee of \$2,100 based on \$700 per dwelling to be paid prior to recording. Total amount of park fees is subject to change if number of proposed lots or dwelling units change. As per Traffic Department, Trip Generation is waived. Add distances from lot corners to the HCID #2 Irrigation Easements shown on the plat and add bearing and dimensions on the plat or in a table prior to final. Clarified the claimed easements on the plat or reference the document number prior to final. Use ghosted lines of Ebony Heights Citrus Grove Subdivision and contour lines since it is being confused with the proposed subdivision lot lines. Remove contour lines from ROW to avoid overlap of information prior to final. Show the lot lines and legal description of all adjacent lots on all sides, including the west side of N. Bicentennial Blvd., south side of Frontera Rd., east side of N. Main St., and north side of Northgate Lane. The owner's signature blocks wording may need to be revised prior to recording depending on all ROW dedication. The wording reflects a private subdivision; however,

the proposed private interior street has been removed form the latest submitted plat. Clarify/revise the wording prior to final. Any abandonment must be done by separate instrument and referenced on the plat. An expired subdivision application with the same name for this property was on file and was verbally requested to be withdrawn by the previous engineer. A written withdrawal request is needed prior to final. Revise the number of lots on the originally submitted application from four to three to match the latest submittal prior to final. Must comply with City's Access Management Policy. The N/S interior street with a Cul-de-Sac has been removed from the revised plat and number of lots reduced from 4 residential and one common lot to 3 residential lots. If a new interior street is proposed in future, it must comply with all requirements including the maximum Cul-de-Sac length.

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

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

e) Maebelle Estates Subdivision, 11201 North Moorefield Road, Onesimo Guerrero & Griselda Gutierrez (SUB2023-0076) (REVISED FINAL) M2E

Mr. Kaveh Forghanparast stated N. Moorefield Road (FM 681): Dedication as required for 60 ft. from centerline for 120 ft. total ROW Paving: by the State Curb & gutter: by the State Revisions as needed: Please reference document number for the existing ROW on the plat and provide a copy for staff review, prior to recording. Show and label total ROW after dedication prior to recording. Finalize that the overlap of the 5 ft. ROW dedication and the existing 8.00' ROW Easement to Sharyland Water is not an issue with the City and/or Sharyland Water prior to final/recording. Provide a copy of the document for staff review prior to recording. Any abandonment must be done by separate instrument and referenced on plat prior to recording. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. N/S Collector (west boundary): Dedication as required for 30-35 ft. of ROW dedication from the centerline for 60-70 ft. total ROW Paving: 40-44 ft. Curb & gutter: both sides. Based on the submitted ownership map, it seems that no property will be landlocked. However, ROW dedication may be required in future. Project Engineer informed staff that the owner has no issues with a plat note to dedicate ROW in future and pay their share of cost whenever the City or County requests it. The plat note wording will be finalized prior to recording. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. 1,200 ft. Block Length. Subdivision Ordinance: Section 134-118. Front: 45 ft. or greater for easements. Zoning Ordinance: Section 138-356. Rear: 10 ft. or greater for easements. Zoning Ordinance: Section 138-356. Sides: 6 ft. or greater for easements. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required; greater setback applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required on N. Moorefield Road (FM 681). Engineering Department may require 5 ft. sidewalk. Subdivision Ordinance: Section 134-120. The engineer submitted a variance application on behalf of the owner to request a contractual agreement in lieu of escrowing the fee for the sidewalk requirement. If the variance request is approved a plat note to reference the contractual agreement is needed prior to recording. Perimeter sidewalks must be built or money escrowed if not built at this time. The engineer submitted a variance application on behalf of the owner to request a contractual agreement in lieu of escrowing the fee for the sidewalk requirement. If the variance request is approved a plat note to reference the contractual agreement is needed prior to recording. 6 ft. opaque buffer required from adjacent/between multi-family residential

and commercial, and industrial zones/uses. A 6 ft. buffer will be required along the N/S collector street on the west side, if applicable. Provide an ownership map to verify that prior to final/recording. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. However, it's not a required plat note. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: ETJ Proposed: ETJ. Zoning Ordinance: Article V. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording (if annexed). The proposed subdivision is outside the City limits; therefore, park fees do not apply unless it is annexed. As per Traffic Department, Trip Generation for one lot single family subdivision will be waived. The Planning and Zoning Commission approved the subdivision in final form, subject to the conditions noted at the meeting of July 26, 2023. The engineer submitted a variance application on behalf of the owner to request a contractual agreement in lieu of escrowing the fee for the sidewalk requirement. If the variance request is approved a plat note to reference the contractual agreement is needed prior to recording. The engineer/owner requested the variance to be considered as a revised final approval. If the variance is not approved, the sidewalk must be escrowed prior to recording. Provide the legal description of all adjacent properties on the plat including the north side of the subdivision and the east side of N. Moorefield Road prior to recording. Signature blocks including the owner's acknowledgement must comply with Section 134-61 of Subdivision ordinance. If County requires different wording, a separate signature block based on City's code is required prior to recording. Must comply with City's Access Management Policy. All comments must be addressed prior to recording. Any abandonment must be done by separate document and referenced on plat. Must comply with City's Access Management Policy. Must comply with other requirements, as may be applicable.

Staff recommends approval of the subdivision in revised final form, subject to the conditions noted, and clarification of the board's recommendation on the variance request.

Being no discussion, Mr. Reza Badiozzamani moved to approve in revised final form, subject to the conditions noted, and recommended approval on the variance request. Mr. Jose Saldana seconded the motion, which was approved with five members present and voting.

#### **ADJOURNMENT:**

There being no further business to come before the Planning & Zoning Commission, Mr. Marco Suarez adjourned the meeting at 4:10p.m. with Mr. Emilio Santos Jr. seconding the motion with five members present and voting.

			Chairperson Michael Fallek
ATTEST:			
	Manda Ramirez	Administrative Assistant	

### **Planning Department**

#### Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

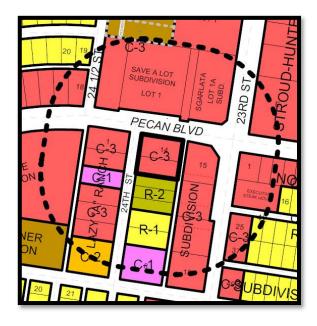
**DATE:** January 15, 2024

SUBJECT: REQUEST OF MELINDA MONTELONGO, FOR A CONDITIONAL USE PERMIT,

FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE, FOR A VAPORIZER STORE (VAPE SHOP), AT LOTS 13 & 14, LAZY-A RANCH ADDITION, HIDALGO COUNTY, TEXAS; 1406 NORTH 24<sup>TH</sup> STREET, SUITE 190.

(CUP2023-0178)

BRIEF DESCRIPTION: The property is located at the southeast corner of Pecan Boulevard and North 24<sup>th</sup> Street and is zoned C-3 (general business) District. The adjacent zoning is C-3 District to the east and west. There is also C-3 district to the north across Pecan Boulevard. There is R-2 (duplex-fourplex residential) District to the south. Surrounding land uses include EZ Pawn Shop, H&R Block tax service, a pharmacy and duplex-fourplex residential. A vaporizer store is permitted in the C-3 district with a Conditional Use Permit and in compliance with requirements.





#### **REQUEST/ANALYSIS:**

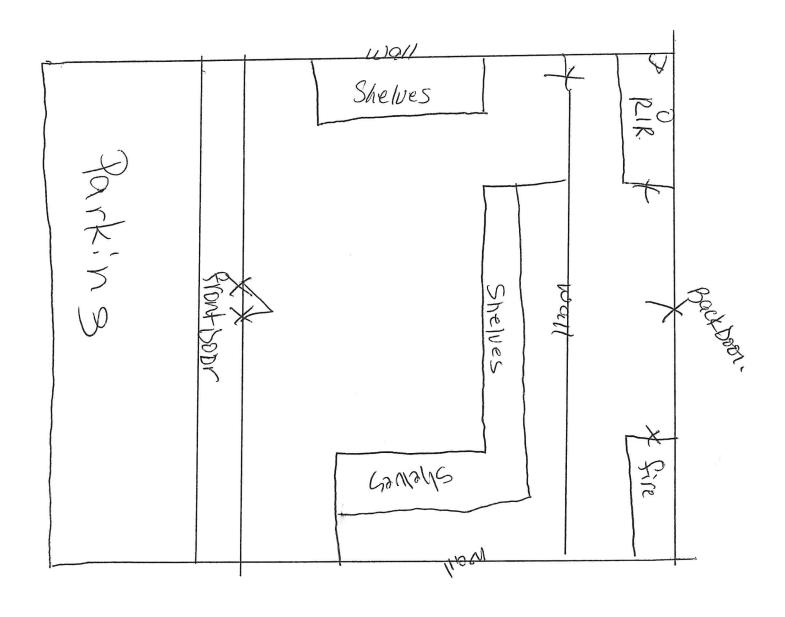
The applicant is proposing to operate a vaporizer store with retail sales only, with storage area of related general merchandise. There will be no customer seating inside the establishment. The proposed hours of operation will be 10:00 a.m. to 12:00 a.m., Monday through Sunday.

The Fire Department has conducted their inspection and advised the CUP process may continue. As per Section 138-400 of the Zoning Ordinance, the parking lot must be properly striped and free of potholes. The business must meet the requirements set forth in Section 138-118(a)(4) of the Zoning Ordinance and specific requirements as follows:

- 1) The property line of the lot of any of the above mentioned business must be at least 400 ft. from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruption of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The proposed establishment is within 400 ft. of a residential zone to the south.
- 2) The abovementioned business must be as close as possible to a major arterial, and shall not allow the traffic generated by such business onto residential streets, or allow such traffic to exit into and disrupt residential areas. The subject property has frontage along Pecan Boulevard.
- 3) The abovementioned businesses must provide parking in accordance with the city off-street parking ordinance as a minimum, and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional onsite parking. The proposed 1,799 sq. ft. commercial area requires eight parking spaces.
- 4) The abovementioned business must do everything possible to prevent the unauthorized parking by the patrons of such business on adjacent businesses or residential properties including, when necessary, the installation of fences and hedges, and the reorientation of entrances;
- The abovementioned business should do everything possible and be designed to discourage criminal activities and vandalism, both on the site and on adjacent properties. Included would be provision of sufficient lighting and perimeter fencing, elimination of dark areas, and the orientation of the building such that it provides maximum visibility as much as possible of the site from a public street;
- The abovementioned business must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties;
- 7) The abovementioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Director of Planning. The occupancy load for this establishment will be established by the Building and Inspections Department as part of the building permit review process.

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

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



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## **Planning Department**

#### Memo

**TO:** Planning and Zoning Commission

FROM: Planning Staff

**DATE:** January 16, 2024

SUBJECT: REQUEST OF MELINDA MONTELONGO, FOR A CONDITIONAL USE PERMIT,

FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE, FOR A VAPORIZER STORE (VAPE SHOP), AT LOTS 17 & 18, BLOCK 12, MCALLEN ADDITION, HIDALGO COUNTY, TEXAS; 1424 BEAUMONT AVENUE, SUITE B. (CUP2023-

0179)

**BRIEF DESCRIPTION:** The property is located at the northeast corner of South 15<sup>th</sup> Street and Beaumont Avenue and is zoned C-3 (general business) District. The adjacent zoning is C-3 District in all directions. Surrounding land uses include Cricket Wireless, Mcallen Central Station, Family Dollar store and the Downtown Mcallen Parking Garage. A vaporizer store is permitted in the C-3 district with a Conditional Use Permit and in compliance with requirements.





#### **REQUEST/ANALYSIS:**

The applicant is proposing to operate a vaporizer store with retail sales only, with storage area of related general merchandise. There will be no customer seating inside the establishment. The proposed hours of operation will be 10:00 a.m. to 12:00 a.m., Monday through Sunday.

The Fire Department is pending inspection. The Planning Department has received no calls or concerns regarding the proposed use. As per Section 138-400 of the Zoning Ordinance, the parking lot must be properly striped and free of potholes. The business must meet the requirements set forth in Section 138-118(a)(4) of the Zoning Ordinance and specific requirements as follows:

- The property line of the lot of any of the above mentioned business must be at least 400 ft. from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruption of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The proposed establishment is within 400 ft. of publicly owned properties known as the Downtown Mcallen Parking Garage and the Mcallen Central Station.
- 2) The abovementioned business must be as close as possible to a major arterial, and shall not allow the traffic generated by such business onto residential streets, or allow such traffic to exit into and disrupt residential areas. The subject property has frontage along Pecan Boulevard and does not generate traffic into residential areas.
- The abovementioned businesses must provide parking in accordance with the city off-street parking ordinance as a minimum, and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional onsite parking. The applicant intends to pay the applicable fee in lieu of providing the required parking. The subject property is located in the Downtown Retail Overlay District (DROD). Retail establishments in the DROD that do not comply with the city's off street parking ordinance by providing the required minimum number of parking spaces shall in lieu of such compliance pay an applicable fee.
- 4) The abovementioned business must do everything possible to prevent the unauthorized parking by the patrons of such business on adjacent businesses or residential properties including, when necessary, the installation of fences and hedges, and the reorientation of entrances;
- The abovementioned business should do everything possible and be designed to discourage criminal activities and vandalism, both on the site and on adjacent properties. Included would be provision of sufficient lighting and perimeter fencing, elimination of dark areas, and the orientation of the building such that it provides maximum visibility as much as possible of the site from a public street;
- The abovementioned business must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties;
- 7) The abovementioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Director of Planning. The occupancy load for this establishment will be established by the Building and Inspections Department as part of the building permit review process.

**RECOMMENDATIONS:** Staff recommends disapproval of the request based on non-compliance with requirements listed above as #1 (distance to publicly owned property) and #3 (off-street parking requirements) of Section 138-118(a)(4) of the Zoning Ordinance. If approved, the conditional use permit must comply with conditions noted.

64Pf Resister Entranc/ partins/parins forking Haus of Vape & Smoke Shop Meallen Downtont 14 24 Down L Allo C. L. B Meallen TX 78501





## **Planning Department**

#### Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

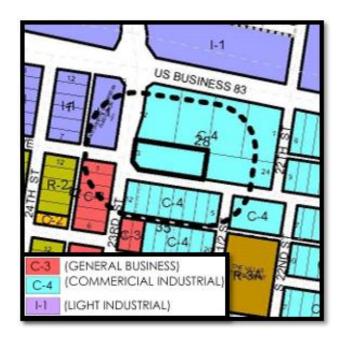
**DATE:** January 11, 2024

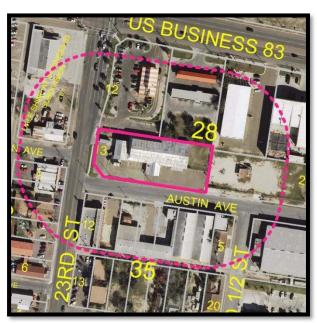
SUBJECT: REQUEST OF AURELIO MARTINEZ JR., FOR A CONDITIONAL USE

PERMIT, FOR ONE YEAR, FOR A PORTABLE FOOD CONCESSION STAND (LA ESQUINA DEL TACO), AT LOT 5, BLOCK 28A, HAMMOND ADDITION SUBDIVISION, HIDALGO COUNTY, TEXAS; 2214 AUSTIN

**AVENUE. (CUP2023-0173)** 

BRIEF DESCRIPTION: The property is located at the northeast corner of Austin Avenue and North 23<sup>rd</sup> Street. The property is zoned C-4 (commercial-industrial) District. The adjacent zoning is C-4 District in all directions except to the west across South 23<sup>rd</sup> Street there is C-3 (general business) District and I-1 (light industrial) District. Surrounding land uses are GO Car Wash, Whataburger, EZ-Clean, and other commercial businesses. A portable food concession stand is allowed in a C-4 district with a Conditional Use Permit and in compliance with requirements.





**HISTORY**: The initial Conditional Use Permit was approved for this location, for one year, by the Planning and Zoning Commission on November 16, 2011. The Conditional Use Permit has been renewed annually since 2013.

**REQUEST/ANALYSIS:** The applicant is proposing to operate a portable food concession stand to sell tacos. The proposed business hours are Sunday through Thursday from 6 PM to 12 AM and on Friday and Saturday from 6 PM to 2 AM. No outside seating is being proposed and the establishment would utilize the existing parking lot. Based on the area of 128 sq. ft. for the portable food concession stand, 4 parking spaces are required; 23 parking spaces are provided.

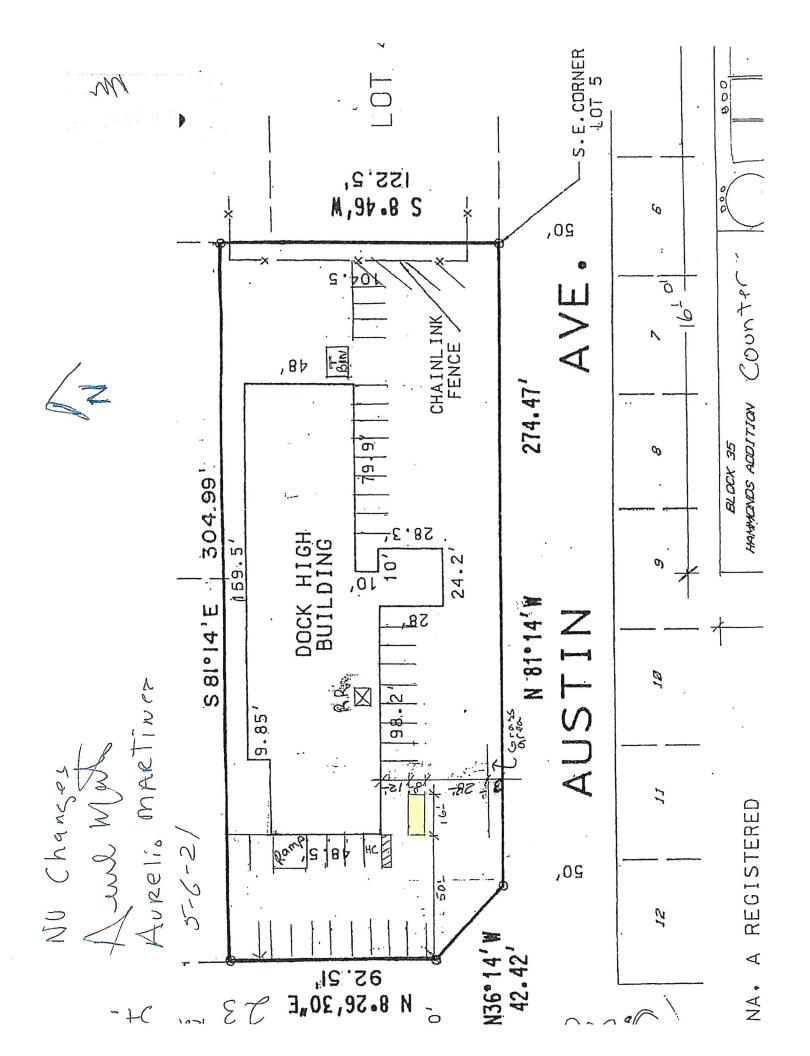
The Health and Fire Department have conducted their inspection and determined the CUP process can continue. The establishment must comply with requirements set forth in Section 138-118 of the Zoning Ordinance and specific requirements as follows:

- 1) Cannot be located in residentially zoned area. The portable food concession stand is located in a C-4 (commercial-industrial) District;
- 2) Stand must be inspected by building inspection department and meet applicable building codes;
- 3) Must have paved off-street parking available over and above what is required for the business to which it is adjacent. The parking lot must be properly striped and maintained free of potholes;
- 4) If it is a portable building or trailer it must be anchored to the ground properly;
- 5) Must meet setback requirements of the zoning district in which it is located; and
- 6) Water and sewage disposal facilities must be available and may be required.

If approval is granted to this request, the applicant must still comply with all other Zoning Ordinance, Building Code, Fire, and Health Department requirements.

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

**RECOMMENDATION:** Staff recommends approval of the request, for one year, subject to compliance with Section 138-118 (a)(9) of the Zoning Ordinance, Building Code, Fire, and Health Department requirements.







## Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

**DATE:** January 15, 2024

SUBJECT: REQUEST OF DAVID M. ROSSOW FOR A CONDITIONAL USE PERMIT,

FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE FOR A SMOKE AND VAPE SHOP, AT LOTS 5 & 6, BLOCK 1, TRENTON COMMERCIAL PARK SUBDIVISION, HIDALGO COUNTY, TEXAS; 2200 TRENTON

**ROAD, SUITE 2A. (CUP2023-0175)** 

### **BRIEF DESCRIPTION:**

The subject property is located along the north side of Trenton Road, east of North 23<sup>rd</sup> Street. The proposed use is located within a commercial plaza under the name of Trenton Village. The subject property is zoned C-3 (general business) District. The adjacent zoning is R-1 (single-family residential) District to the north and east and A-O (agricultural and open space) District to the south. There is C-3 district to the west. A smoke and vape shop is allowed in a C-3 District with a Conditional Use Permit and in compliance with requirements.





## **REQUEST/ANALYSIS:**

The applicant is proposing to operate a retail vape and smoke shop, in a suite, which is part of a multi-tenant commercial building by the name of Trenton Village. The proposed hours of operation are 10:00 a.m. – 2:00 a.m. Monday through Sunday. The commercial plaza is a mixture of retail, restaurants and other commercial uses.

The initial Conditional Use permit was submitted on September 2022. At the Planning and Zoning meeting of October 18, 2022, the Board recommended disapproval of the request. Later, at the City Commission meeting of November 14, 2022, the request was approved with a variance to the distance requirement.

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

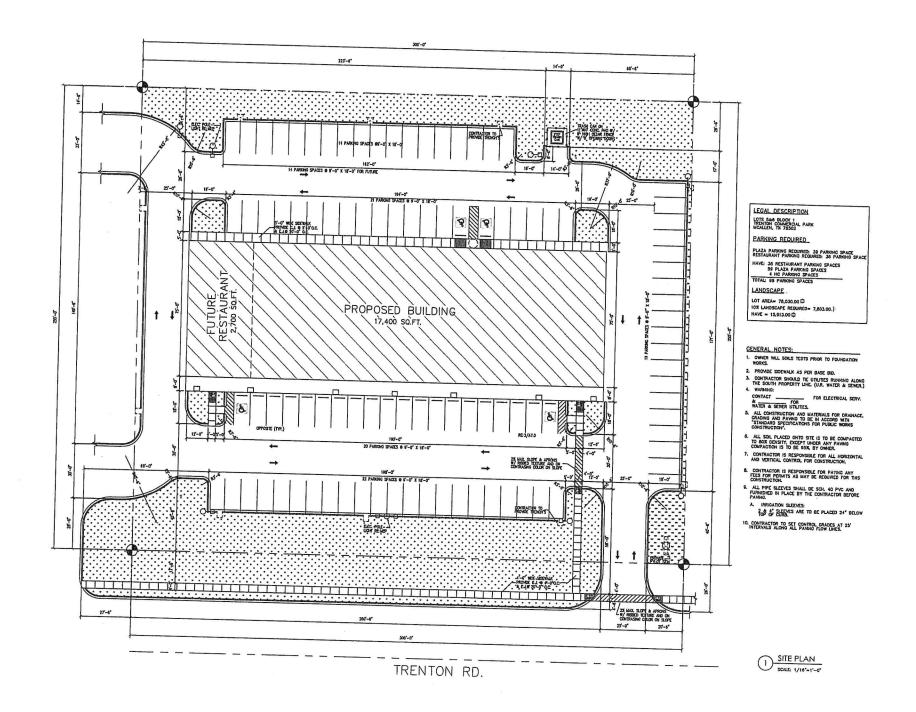
- 1) The property line of the lot of any of the above mentioned business must be at least 400 ft. from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruption of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The proposed establishment is within 400 feet of a residential zone.
- 2) The abovementioned business must be as close as possible to a major arterial, and shall not allow the traffic generated by such business onto residential streets, or allow such traffic to exit into and disrupt residential areas. The subject property has frontage along Trenton Road.
- 3) The abovementioned business must provide parking in accordance with the city off-street parking ordinance as a minimum, and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional onsite parking.
- 4) The abovementioned business must do everything possible to prevent the unauthorized parking by the patrons of such business on adjacent businesses or residential properties including, when necessary, the installation of fences and hedges, and the reorientation of entrances;
- The abovementioned business should do everything possible and be designed to discourage criminal activities and vandalism, both on the site and on adjacent properties. Included would be provision of sufficient lighting and perimeter fencing, elimination of dark areas, and the orientation of the building such that it provides maximum visibility as much as possible of the site from a public street;
- The abovementioned business must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties;
- 7) The abovementioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Director of Planning. The occupancy load for this establishment will be established by the Building and Inspections Department as part of the building permit review process.

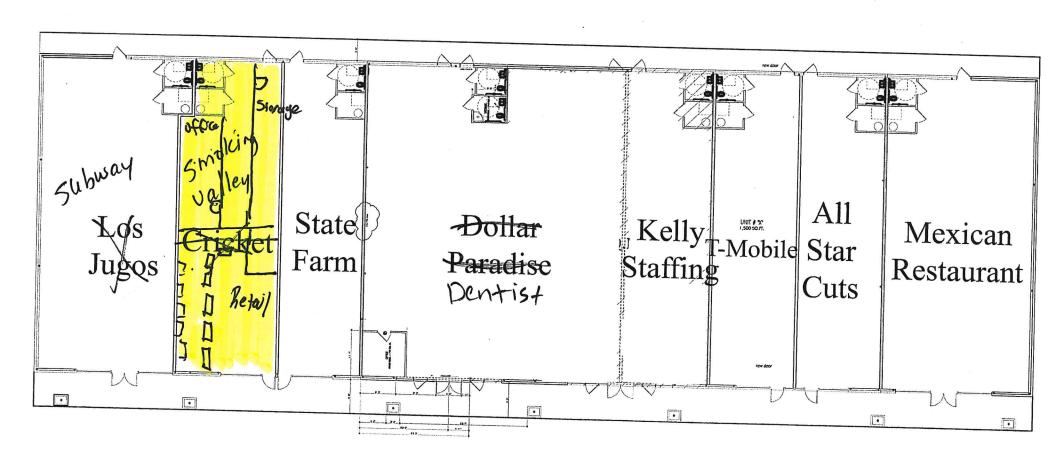
If approval is granted, the establishment must comply with all other Zoning ordinances, Building Code, and Fire Department requirements.

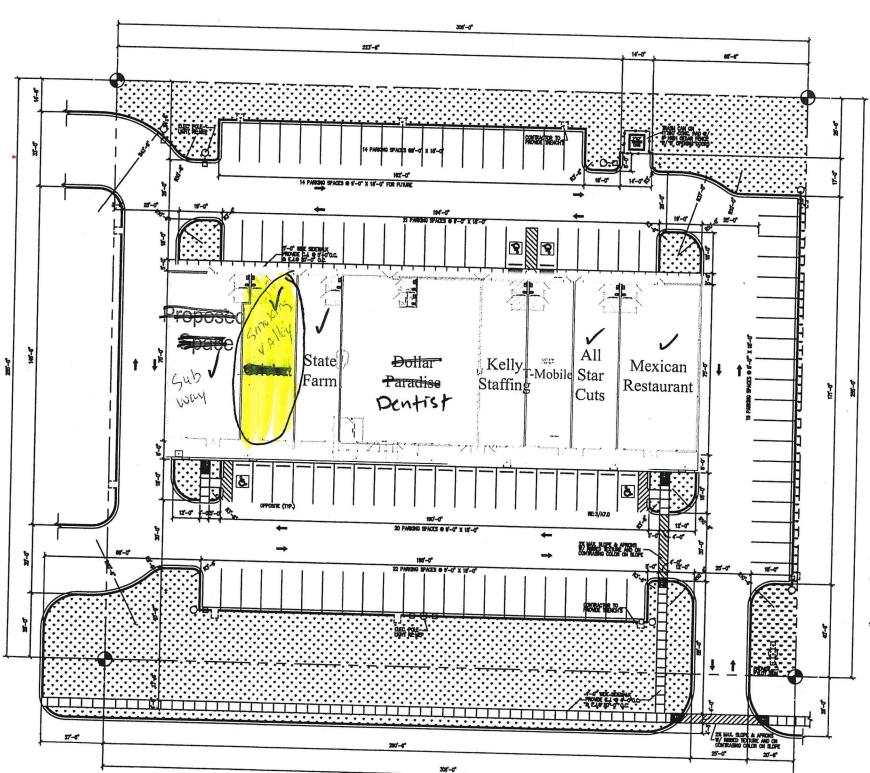
The Planning Department has received no calls or concerns regarding the proposed use.

## **RECOMMENDATION TO P&Z:**

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







LEGAL DESCRIPTION

LOTS S&S BLOCK 1 TRENTON COMMERCIAL PARK MCALLEN, TX 78502

PARKING REQUIRED

PLAZA PARKING REQUIRED: 30 PARKING SPACE RESTAURANT PARKING REQUIRED: 36 PARKING SPACE

HAVE: 36 RESTAURANT PARKING SPACES 50 PLAZA PARKING SPACES 4 HC PARKING SPACES TOTALI DO PARIONO SPACES

LANDSCAPE

LOT AREA - 78,030.00 4 10% LANDSCAPE REQUIRED- 7,803.00 m HAVE = 18,913,00 th

GENERAL NOTES:

- 1. OWNER WILL SOILS TESTS PRIOR TO FOUNDATION
- 2. PROVIDE SIDEWALK AS PER BASE BID.
- 3. CONTRACTOR SHOULD THE UTILITIES RUNNING ALONG THE SOUTH PROPERTY LINE. (U.R. WATER & SEWER.)
- 4. WARNING:
- ALL CONSTRUCTION
- B. ALL CONSTRUCTION AND MATERIALS FOR DRAINAGE, GRADING AND PAVING TO BE IN ACCORD WITH "STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION".
- 6. ALL SOIL PLACED ONTO SITE IS TO BE COMPACTED TO BOX DENSITY, EXCEPT UNDER ANY PAYING COMPACTION IS TO BE 95%, BY OWNER.
- 7. CONTRACTOR IS RESPONSIBLE FOR ALL HORIZONTAL AND VERTICAL CONTROL FOR CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR PAYING ANY FEES FOR PERMITS AS MAY BE REQUIRED FOR THIS CONSTRUCTION.
- 9. ALL PIPE SLEEVES SHALL BE SCH. 40 PVC AND FURNISHED IN PLACE BY THE CONTRACTOR BEFORE PAVING.
- A. POTOGATION SLEEVES: TOP OF CURRY ARE TO BE PLACED 24" BELOW
- 10. CONTRACTOR TO SET CONTROL GRADES AT 25"

SITE PLAN





## Memo

**TO:** Planning and Zoning Commission

FROM: Planning Staff

**DATE:** January 15, 2024

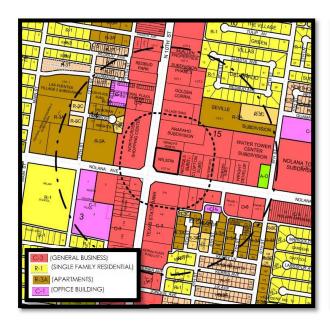
SUBJECT: REQUEST OF DAVID M. ROSSOW FOR A CONDITIONAL USE PERMIT,

FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE FOR A SMOKE AND VAPE SHOP AT LOT 1A, WILSON SUBDIVISION, HIDALGO COUNTY, TEXAS; 4000 NORTH 10<sup>TH</sup> STREET, SUITE 30A. (CUP2023-

0176)

## **BRIEF DESCRIPTION:**

The subject property is located at the northeast corner of Nolana Avenue and North 10th Street. The proposed use is located within a commercial plaza by the name of Sun Plaza. The subject property is zoned C-3 (general business) District. The adjacent zoning is C-3 District in all directions. A smoke and vape store is allowed in a C-3 District with a Conditional Use Permit and in compliance with requirements.





### **REQUEST/ANALYSIS:**

The applicant is proposing to operate a retail vape and smoke shop, in a multi-tenant commercial building. The proposed hours of operation are 10:00 a.m. - 2:00 a.m. Monday through Sunday. This location is strictly retail, no seating on site.

The initial Conditional Use permit was submitted on September 2022. At the Planning and Zoning meeting of October 18, 2022, the Board recommended disapproval of the request with a favorable recommendation. Later, at the City Commission meeting of November 14, 2022, the request was approved with a variance to the distance requirement.

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

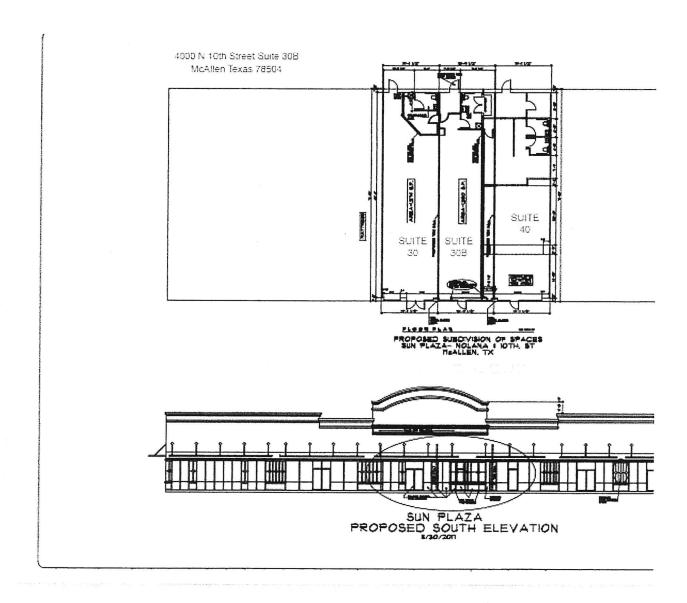
- 1) The property line of the lot of any of the above mentioned business must be at least 400 ft. from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruption of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The proposed establishment is within 400 ft. of a residential zone to the northeast;
- 2) The abovementioned business must be as close as possible to a major arterial, and shall not allow the traffic generated by such business onto residential streets, or allow such traffic to exit into and disrupt residential areas. The subject property has frontage along North 10<sup>th</sup> Street and Nolana Avenue and does not generate traffic into residential areas;
- 3) The abovementioned businesses must provide parking in accordance with the city offstreet parking ordinance as a minimum, and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional onsite parking. The proposed1,350 sq. ft. smoke shop requires 4 parking spaces.
- 4) The abovementioned business must do everything possible to prevent the unauthorized parking by the patrons of such business on adjacent businesses or residential properties including, when necessary, the installation of fences and hedges, and the reorientation of entrances;
- The abovementioned business should do everything possible and be designed to discourage criminal activities and vandalism, both on the site and on adjacent properties. Included would be provision of sufficient lighting and perimeter fencing, elimination of dark areas, and the orientation of the building such that it provides maximum visibility as much as possible of the site from a public street;
- The abovementioned business must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties;
- 7) The abovementioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Director of Planning. The occupancy load for this establishment will be established by the Building and Inspections Department as part of the building permit review process.

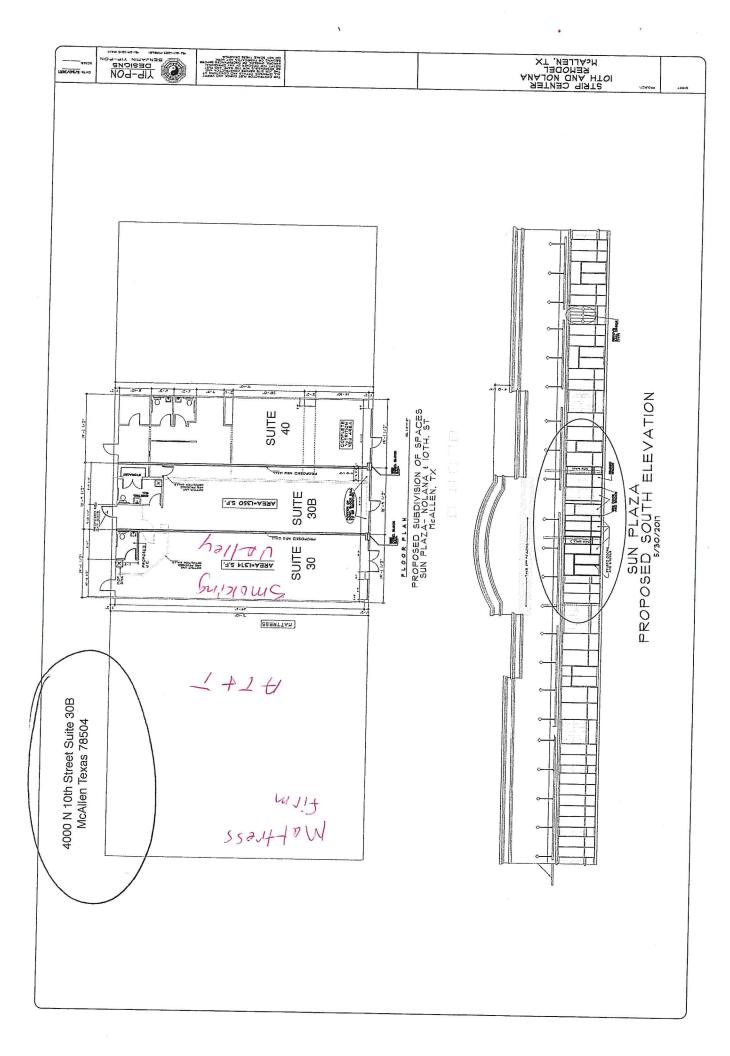
If approval is granted, the establishment must comply with all other Zoning ordinances, Building Code, and Fire Department requirements.

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

## **RECOMMENDATION:**

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









## Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

**DATE:** January 15, 2024

SUBJECT: REZONE FROM R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO R-3T

(MULTIFAMILY RESIDENTIAL TOWNHOUSE) DISTRICT: 8.11 ACRE TRACT OUT OF LOT 9, E.M. CARD SURVEY NO.1, HIDALGO COUNTY,

TEXAS; 9228 NORTH BICENTENNIAL BOULEVARD. (REZ2023-0062)

**LOCATION:** The subject property is located along the east side of North Bicentennial Boulevard, approximately 740 feet north of Northgate Avenue. The lot has 215.70 feet of frontage and 1,382.05 feet of depth as per the submitted survey.

**PROPOSAL:** The applicant is proposing to rezone the property from R-1 (single-family residential) District to R-3T (multifamily residential townhouse) District. A feasibility plan has not been submitted.





**ADJACENT ZONING:** The adjacent zoning is R-3T District to the north and R-1 District in all other directions.

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

FUTURE LAND USE PLAN: The Envision McAllen Future Land Use Plan designates the future

land use for this property as Complete Communities. The most appropriate type of development includes single-family detached homes, accessory uses to single-family residences, neighborhood-scale offices and retail, civic buildings, and parks and open space uses. Single family homes make up the majority of this land use category, although some townhomes should be encouraged to create diversity in housing choices.

**DEVELOPMENT TRENDS:** The development trend for this area along North Bicentennial Boulevard is primarily single-family residential. Villagio Phase II-A Subdivision was established in October 2013 for a townhouse development.

**HISTORY:** The property was initially zoned R-1 District upon annexation in 1985. There was a rezoning request for this property to R-3A (multifamily residential apartment) District in April 2023 which had opposition from the public with concerns regarding increased traffic, decreased property values, and it being a multifamily development. The Planning and Zoning Commission recommended disapproval of the request. The request was heard in August 2023 by the City Commission and was disapproved.

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

The proposed development is approximately 8.11 acres (353,271.6 square feet). Based on the maximum number of 20 dwelling units per gross acre in the R-3T District; approximately 162 dwelling units are allowed for this 8.11 gross acre tract.

The minimum lot area required for R-3T development is two thousand square feet per lot.

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

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

**RECOMMENDATION:** Staff recommends approval of the rezoning request to R-3T (multifamily residential townhouse) District since density, intensity, and scale are more in line with existing single family and townhouse developments in the area.

## **RIO-DELTA SURVEYING**

24593 FM 88 Monte Alto, Texas 78538 956-380-5154 956-262-0222 TBPLS FIRM # 10013900

## Metes and Bounds Description

AN 8.11 ACRE TRACT OUT OF LOT 9, E.M. CARD SURVEY NO. I. HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP RECORDED IN VOLUME 8, PAGE I, MAP RECORDS IN THE OFFICE OF THE COUNTY CLERK OF HIDALGO COUNTY, TEXAS SAID 8.11 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 9, E.M. CARD SURVEY No. 1; THENCE N 81°29'18" W, WITH THE SOUTH LINE OF SAID LOT 9, A DISTANCE OF 618.31' TO A ½" ROD FOUND ON THE SOUTH LINE OF SAID LOT 9, FOR THE NORTHEAST CORNER NORTHGATE ACRES SUBD (VOL. 46 PG 85 M.R.), THE SOUTHWEST CORNER OF THE D.J. CAMERON TRACT (DOC # 3228202 O.R.), THE SOUTHEAST CORNER OF THIS TRACT OF LAND AND THE POINT OF BEGINNING;

THENCE N 81°29'18" W, WITH THE SOUTH LINE OF SAID LOT 9, A DISTANCE OF 1326.45' TO A ½" ROD FOUND ON THE SOUTH LINE OF SAID LOT 9, FOR THE NORTHEAST CORNER OF THE FLORES TRACT (DOC # 1012705 O.R.) AND AN ANGLE POINT OF THIS TRACT;

THENCE N 81°34'47" W, WITH THE SOUTH LINE OF SAID LOT 9, A DISTANCE OF 373.90' TO A ½" ROD FOUND ON THE SOUTH LINE OF SAID LOT 9, AT THE EAST RIGHT OF WAY LINE OF BICENTENNIAL BLVD. (DOC # 1919572 O.R.) FOR THE SOUTHWEST CORNER OF THIS TRACT OF LAND;

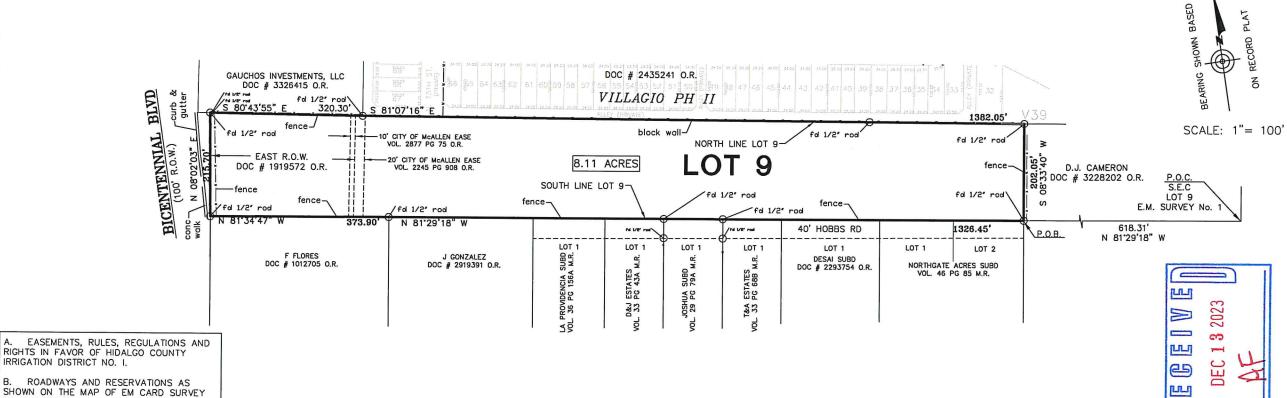
THENCE N 08°02'03" E, WITH THE EAST RIGHT OF WAY LINE OF SAID BICENTENNIAL BLVD., A DISTANCE OF 215.70' TO A ½" ROD FOUND ON THE NORTH LINE OF SAID LOT 9 FOR THE NORTHWEST CORNER OF THIS TRACT OF LAND;

THENCE S 80°43'55" E, WITH THE NORTH LINE OF SAID LOT 9, A DISTANCE OF 320.30' TO A ½" ROD FOUND ON THE NORTH LINE OF SAID LOT 9 FOR THE SOUTHWEST CORNER OF THE VILLAGIO PH II (DOC # 2435241 O.R.) FOR AN ANGLE POINT OF THIS TRACT OF LAND;

THENCE S 81°07'16" E, CONTINUING WITH THE NORTH LINE OF SAID LOT 9, A DISTANCE OF 1382.05' TO A ½" ROD FOUND ON THE NORTH LINE OF SAID LOT 9, FOR THE NORTHWEST CORNER OF SAID D.J. CAMERON TRACT FOR THE NORTHEAST CORNER OF THIS TRACT OF LAND;

THENCE S 08°33'40" W, WITH THE WEST LINE OF SAID D.J. CAMERON TRACT, A DISTANCE OF 202.05' TO THE POINT OF BEGINNING, CONTAINING 8.11 ACRES OF LAND, MORE OR LESS.

A plat of even survey date herewith accompanies this description



SHOWN ON THE MAP OF EM CARD SURVEY NO. I, RECORDED IN VOLUME. 8, PAGE 1, MAP RECORDS OF HIDALGO COUNTY, TEXAS.

EASEMENT IN FAVOR OF CITY OF MCALLEN AS SHOWN BY INSTRUMENT DATED OCTOBER 18, 1989, RECORDED IN VOLUME 2877, PAGE 75, OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS. (PLOTTED)

REQUESTED BY: ENRIQUEZ CONSULTING, LLC. A TEXAS LIMITED LIABILITY COMPANY

ADDRESS: BICENTENNIAL BLVD

McALLEN. TX

SURVEYED: 09-12-22

GF#: 179803

FLOOD ZONE DESIGNATION: ZONE "X" COMMUNITY-PANEL NUMBER: 480334 0325 D MAP REVISED: 06-06-2000 LOMR 5-17-01

JOB NUMBER

22 309

© COPYRIGHT 2022 RIO DELTA SURVEYING THIS SURVEY WAS PROVIDED IN MULTIPLE ORIGINALS SOLELY FOR THE USE OF THE BORROWER NAMES HEREON. NO LICENSE HAS BEEN CREATED, EXPRESSED OR IMPLIED TO COPY THIS SURVEY

## PLAT SHOWING

AN 8.11 ACRE TRACT OUT OF LOT 9, E.M. CARD SURVEY NO. I. HIDALGO COUNTY. TEXAS, ACCORDING TO THE MAP RECORDED IN VOLUME 8, PAGE I, MAP RECORDS IN THE OFFICE OF THE COUNTY CLERK OF HIDALGO COUNTY, TEXAS.

#### NOTE:

A METES AND BOUNDS DESCRIPTION OF EVEN SURVEY DATE HERE WITH ACCOMPANIES THIS PLAT.



I, JOSE MARIO GONZALEZ, CERTIFY THAT THE ABOVE PLAT IS AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION AND THAT THERE ARE NO VISIBLE EASEMENTS OR ENCROACHMENTS EXCEPT AS SHOWN AND THAT ALL CORNERS HAVE BEEN LOCATED AS INDICATED.

09-15-22

REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5571



## RIO DELTA SURVEYING

24593 FM 88, MONTE ALTO, TX 78538 (TEL) 956-380-5154 (FAX) 956-380-5156 EMÁIL: MARIO@RIODELTASURVEYING.COM T.B.P.L.S. FIRM # 10013900



## Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

**DATE:** January 15, 2024

SUBJECT: REZONE FROM C-3L (LIGHT COMMERCIAL) DISTRICT TO C-3 (GENERAL

BUSINESS) DISTRICT: LOT 1, LOS ARCOS SUBDIVISION, HIDALGO COUNTY.

**TEXAS: 4400 SOUTH WARE ROAD. (REZ2023-0063)** 

**LOCATION:** The subject property is located along the west side of South Ware Road across the intersection with Gloria Avenue.

**PROPOSAL:** The applicant is proposing to rezone the property to C-3 (general business) District in order to use the subject property as a food truck park. A feasibility plan has been submitted for a proposed food truck park.





**ADJACENT ZONING:** The adjacent zoning is C-3 (general business) District to the north, C-3L (light commercial) District to the west and R-1 (single family residential) District to the south and across South Ware Road to the east.

**LAND USE:** The 31,000 square-foot property is currently vacant. Surrounding land uses include Lopez Auto Center, Exxon, Leo's Drive In, Chapa's Moving Service, and other commercial businesses. Also, an existing food truck park is adjacent to the property on the north side. Other uses include single family residential, light industrial and multifamily.

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

**DEVELOPMENT TRENDS:** The development trend for this area along the west side of South Ware Road is commercial and industrial.

**HISTORY:** Los Arcos Subdivision was recorded on July 15, 2008. The subject property was zoned A-O (agricultural and open space) District during the comprehensive zoning in 1979. A rezoning request for C-3 (general business) District was disapproved in 2006 and alternatively approved for C-3L (light commercial) District.

The property to the north was rezoned to C-3 District in 2004.

**ANALYSIS:** The requested zoning does not conform to the future land use designation as shown on the Envision McAllen Future Land Use Plan. However, the proposed zoning aligns with rezoning and development trends along South Ware Road. The proposed development is adjacent to C-3 District along the north side.

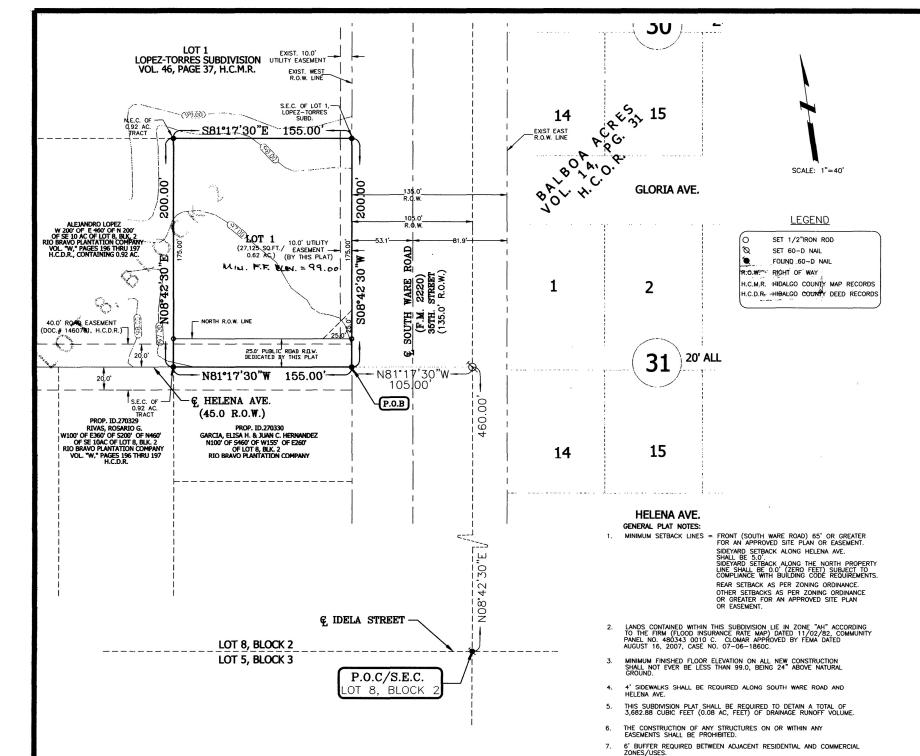
The applicant has submitted a feasibility plan showing a proposed food truck park space with outdoor seating. Each food truck is required to obtain an approved permit through the mobile food vendor application process with the Environmental Health and Code Enforcement Department.

An approved site plan by Planning and Zoning Commission will be required prior to building permit issuance.

A Conditional Use permit will be required for the development of a food truck park.

Staff received one phone call in opposition to the zoning request due to noise and traffic concerns.

**RECOMMENDATION:** Staff recommends approval of the rezoning request to C-3 (general business) District since it conforms to rezoning and development trends for this area.



## LOS ARCOS SUBDIVISION

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

BEING A 0.71 ACRE TRACT OF LAND, MORE OR LESS, CARVED OUT OF LOT 8, BLOCK 2, RIO BRAVO PLANTATION CO. SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME "W," PAGE 196, DEED RECORDS OF HIDALGO COUNTY, TEXAS.

PRINCIPAL CONTACTS

	NAME	ADDRESS	CITY & ZIP	PHONE	FAX
OWNER:	RAFAEL CANTU	3503 SAN ARMANDO	MISSION, TEXAS 78572	(956) 457-8809	(956)
OWNER:	MONICA A. GUAJARDO	3503 SAN ARMANDO	MISSION, TEXAS 78572	(956) 457-8809	(956)
ENGINEER:	DAVID O. SALINAS	2221 DAFFODIL AVE.	McALLEN, TEXAS 78501	(956) 682-9081	(956) 686-1489
SURVEYOR:	DAVID O. SALINAS	2221 DAFFODIL AVE.	McALLEN, TEXAS 78501	(956) 682-9081	(956) 686-1489

STATE OF TEXAS
COUNTY OF HIDAL

I (WE) THE UNDERSIGNED OWNER (S) OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS THE LOS ARCOS SUBDIMISION. TO THE CITY OF MCALLEN, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, DO HEREBY DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE OF CONSIDERATION THEREIN EXPRESSED.

OWNER: RAFAEL CANTU 3503 SAN ARMANDO MISSION, TEXAS 78572 WNER: MONICA A. GUAJARDO 3503 SAN ARMANDO MISSION, TEXAS 78572

#### STATE OF TEXAS COUNTY OF HIDALGO

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE \_\_\_\_

OF \_\_\_\_\_\_\_, 2008.

RICARDO OMAR SALINAS
Notery Public, State of Teass
My Commission Expires
September 14, 2011

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
MY COMMISSION EXPIRES. 4/4/201/

#### STATE OF TEXAS CITY OF MCALLEN

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



#### STATE OF TEXAS CITY OF MCALLEN

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



#### STATE OF TEXAS COUNTY OF HIDALGO

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





#### STATE OF TEXAS COUNTY OF HIDALGO

AN ENGINEERED DRAINAGE DETENTION PLAN, APPROVED BY THE ENGINEERING DEPARTMENT, IS REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMITS.

A 25.0' X 25.0' SITE OBSTRUCTION EASEMENT REQUIRED AT ALL STREET

FILED FOR RECORD IN:

MLCONTU

BENCHMARK – MCALLEN SURVEY CONTROL POINT NO. 92, ELEVATION – 98.55, OCATED INSIDE IDELA PARK 50 FEET NORTH FROM THE B.C. OF IDELA STREET IND 162 FEET EAST FROM THE CL. OF WARE ROAL

HIBALOO COUNTY
BY A RTURO GUAJARDO, 3R.
COUNTY CLERK
ON: 1-15-08 AT 3:14 AM PM.
AS A RECORDING NUMBER 110430

Recorded in volume 55 page 115 Of the map records of Hidalgo County, texas Aqtuad buajardo, jr County Clerk I, DAVID O. SALINAS, THE UNDERSIGNED A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE AND IS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.



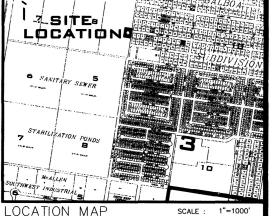
DAVID O. SALINA 5782

### HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 CERTIFICATION

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

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1





### METES AND BOUNDS DESCRIPTION

BEING A 0.71 GROSS ACRE TRACT OF LAND, MORE OR LESS, CARVED OUT OF LOT 8, BLOCK 2, RIO BRAVO PLANTATION CO. SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME "W," PAGE 196, DEED RECORDS OF HIDALGO COUNTY, TEXAS; SAID 0.71 ACRE TRACT OF LAND IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A ½ INCH DIAMETER IRON ROD FOUND ON INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF WARE ROAD FOR THE SOUTHEAST CORNER AND POINT OF BEGINNING OF THIS HEREIN DESCRIBED TRACT; SAID ROD IS LOCATED NORTH 08 DEGREES 42 MINUTES 30 SECONDS EAST, A DISTANCE OF 460.0 FEET AND THENCE, NORTH 81 DEGREES 17 MINUTES 30 SECONDS WEST, A DISTANCE OF 105.0 FEET ALL FROM THE SOUTHEAST CORNER OF SAID LOT 8;

- (1) THENCE, NORTH 81 DEGREES 17 MINUTES 30 SECONDS WEST, A DISTANCE OF 155.0 FEET TO A ½ INCH DIAMETER IRON ROD FOUND ON THE SOUTHEAST CORNER OF A 0.92 ACRE TRACT OF LAND HELD BY ALEJANDRO LOPEZ FOR THE SOUTHWEST CORNER OF THIS HEREIN DESCRIBED TRACT;
- (2) THENCE, NORTH 08 DEGREES 42 MINUTES 30 SECONDS EAST, COINCIDENT WITH THE EAST LINE OF SAID LOPEZ TRACT, A DISTANCE OF 200.0 FEET TO A 1/2 INCH DIAMETER IRON ROD FOUND ON INTERSECTION WITH THE SOUTH LINE OF LOT 1 OF LOPEZ-TORRES SUBDIVISION, MCALLEN, HIDALGO COUNTY, TEXAS, AS RECORDED IN VOLUME 46, PAGE 37, MAP RECORDS OF HIDALGO COUNTY, TEXAS, AND, SAID ROD BEING FURTHER LOCATED ON THE NORTHEAST CORNER OF SAID 0.92 ACRE TRACT FOR THE NORTHWEST CORNER OF THIS HEREIN DESCRIBED TRACT;
- (3) THENCE, SOUTH 81 DEGREES 17 MINUTES 30 SECONDS EAST, COINCIDENT WITH THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 155.0 FEET TO A ½ INCH DIAMETER IRON ROD FOUND ON THE SOUTHEAST CORNER OF SAID LOT 1 BEING LOCATED ON INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF SAID SOUTH WARE ROAD FOR THE NORTHEAST CORNER OF THIS HEREIN DESCRIBED TRACT:
- (4) THENCE, SOUTH 08 DEGREES 42 MINUTES 30 SECONDS WEST, COINCIDENT WITH THE WEST RIGHT-OF-WAY LINE OF SAID SOUTH WARE ROAD, A DISTANCE OF 200.0 FEET TO THE POINT OF BEGINNING, CONTAINING 0.71 GROSS ACRES OF LAND, MORE OR LESS.

BEARING SOURCE: RECORDED PLAT OF SAID RIO BRAVO PLANTATION CO. SUBDIVISION, H.C.T.
N:\SUBDIVISIONPLATS\CANTU.SUB\0.71

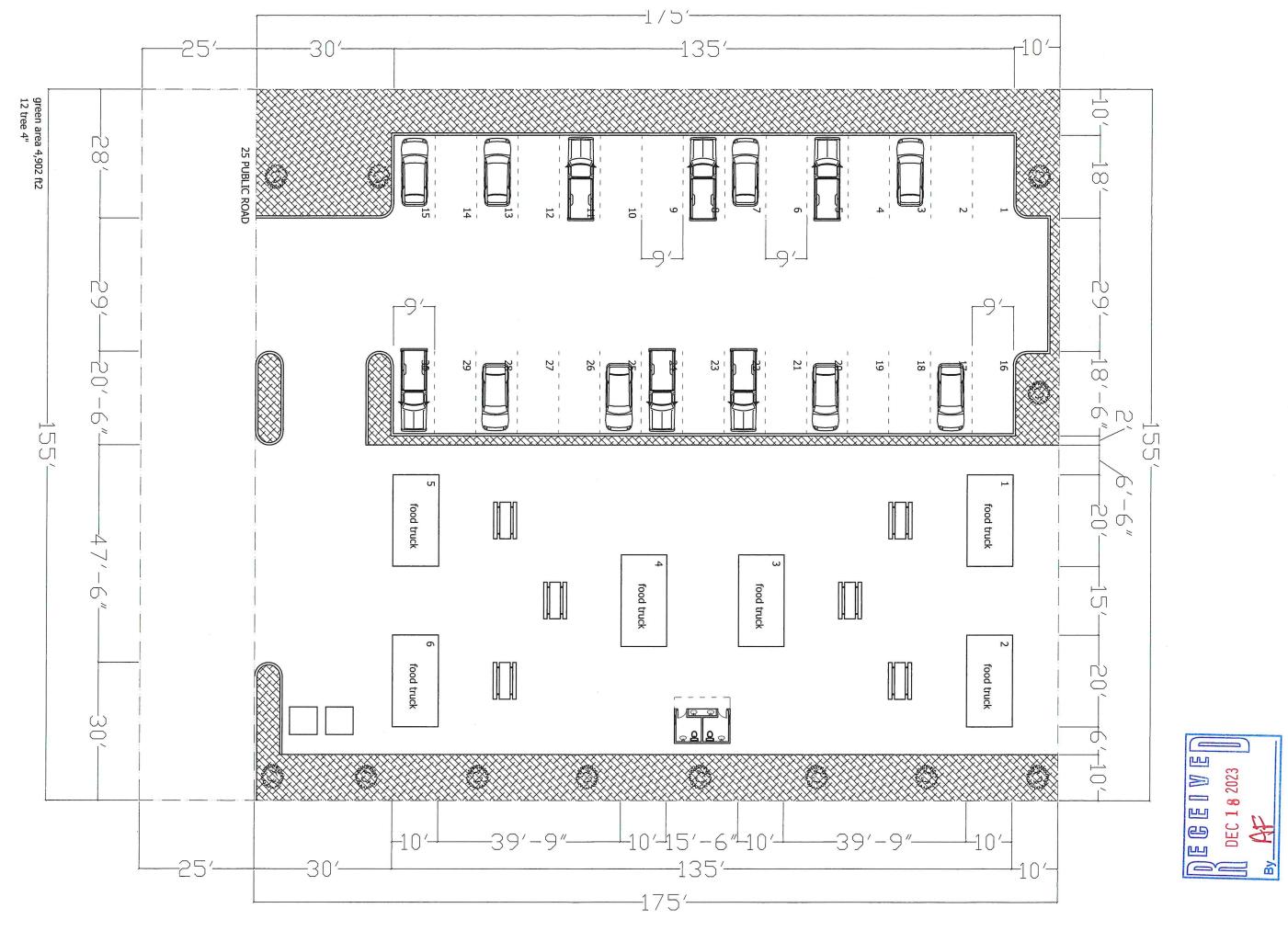
## LOS ARCOS SUBDIVISION

PREPARED BY: SALINAS ENGINEERING & ASSOCIATES DATE OF PREPARATION: APRIL 25, 2008 JOB NUMBER: SP-07-21421 OWNER: RAFAEL CANTU AND MONICA A. GUAJARDO MISSION, TEXAS 78572



CONSULTING ENGINEERS & SURVEYORS 2221 DAFFODIL - Moallen, Texas 78501 (956) 682-9081 (956) 686-1489 (FAX)





4400 S WARE ROAD



## Memo

**TO:** Planning and Zoning Commission

FROM: Planning Staff

**DATE:** January 3, 2024

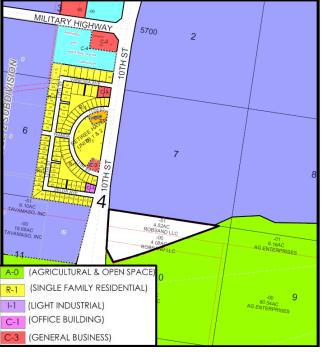
SUBJECT: INITIAL ZONING TO C-3 (GENERAL BUSINESS) DISTRICT: 8.6 ACRES OUT

OF LOT 10, SECTION 4, HIDALGO CANAL COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS; 6801 SOUTH 10TH STREET. (REZ2024-0001)

**LOCATION:** The property is located along the east side of South 10<sup>th</sup> Street, approximately 1,860 feet south of Military Highway. The tract of land consists of around 8.6 acres.

**PROPOSAL:** PROPOSAL The applicant is annexing the property as part of a development agreement made with the City of McAllen in November 2017. As per the agreement, this annexation comes with an initial zoning request to C-3 (general business) District. The initial zoning to C-3 District will become effective upon the annexation of the tract into the City.





**ADJACENT ZONING:** Adjacent properties are zoned I-1 (light industrial) District to the north and A-O (agricultural and open space) District to the south.

**LAND USE:** The property is currently used for a warehouse facility. Surrounding land uses are a mix of industrial, agricultural, and single family residential uses, with vacant land throughout.

**FUTURE LAND USE PLAN:** The Envision McAllen Future Land Use Plan designates the future land use for this property as Mixed Density Complete Neighborhood. This designation allows for a combination of diverse residential and nonresidential uses at a neighborhood-scale.

**DEVELOPMENT TRENDS:** The development trend along this area of South 10<sup>th</sup> Street is primarily agricultural, commercial, and industrial uses.

**HISTORY:** The subject property has been in the City's Extra-Territorial Jurisdiction (ETJ) since October 15, 1973. The request for the annexation and initial zoning of the subject property was submitted on December 8, 2023.

**ANALYSIS:** The requested zoning and existing use does not conform to the future land use plan designation. However, the request aligns with the existing uses and zoning districts in the area. Moreover, since a C-3 District was part of the development agreement for the annexation of the property, no other zoning district can be requested at this time. Once the property is officially annexed, a different zoning district can be requested by the current owner at his discretion.

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

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

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

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

Document No: 3427955 Billable Pages: 6

Recorded On: March 07, 2023 04:30 PM Number of Pages: 7

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

Total Recording: \$ 56.00

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

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

File Information: Record and Return To:

Document No: 3427955 Simplifile

Receipt No: 20230307000374 5072 North 300 West

Recorded On: March 07, 2023 04:30 PM

Deputy Clerk: Aerial Salazar PROVO UT 78589

Station: CH-1-CC-K01



# STATE OF TEXAS COUNTY OF HIDALGO

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

Atu Bright J

Arturo Guajardo Jr. County Clerk

Hidalgo County, Texas

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

## SPECIAL WARRANTY DEED

Date: March 1, 2023

Grantor: TIMOTHY WILKINS

Grantor's Mailing Address (including county):

113 Eagle Avenue McAllen, Texas 78504 Hidalgo County

Grantee: H & F TEXAS PROPERTIES, LLC, a Texas limited liability company

Grantee's Mailing Address (including county):

2501 Lilac Avenue Mission, Texas 78574 Hidalgo County

Consideration: Ten Dollars and other valuable consideration to the undersigned

paid by the grantee herein named, the receipt of which is hereby acknowledged and is further secured by a Deed of Trust of even

date to Tom Wilkins, Trustee.

Property (including any improvements):

A tract of land containing 8.6 acres out of Lot 10, Section 4, HIDALGO CANAL COMPANY SUBDIVISION, Hidalgo County, Texas, according to the map recorded in Volume "Q", Page 177, Deed Records in the Office of the County Clerk of Hidalgo County, Texas, reference to whish here made for all purposes and being more particularly described by metes and bounds in attached hereto Exhibit "A".

SAVE AND EXCEPT, and there is hereby reserved all oil, gas, and other minerals in, and, or under, or that may be produced from the property, together with the right of ingress and egress at all times for the purpose of mining, drilling, exploring, operating, and developing said property for oil, gas and/or other minerals and removing the same therefrom.

Reservations from and Exceptions to Conveyance and Warranty:

Subject to all valid reservations, easements and exceptions of record more particularly described on attached Exhibit "B", including ad valorem property taxes for 2023,

Grantor, for the consideration and subject to the Reservations from Conveyance and Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim by, through or under Grantor but not otherwise, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

By the acceptance of this Deed, Grantee is taking the Property "AS IS," "WHERE IS" and "WITH ALL FAULTS," and without any representations or warranties whatsoever, express or implied, written or oral, it being the intention of Grantor and Grantee to expressly negate and exclude all representations and warranties, including, but not limited to (i) the physical condition of the property or any element thereof, including, without limitation, warranties related to suitability for habitation, merchantability or fitness for a particular purpose; (ii) the nature or quality of construction and engineering of any improvements; (iii) the soil conditions; drainage or other conditions existing at the property with respect to any particular purpose, developmental potential or otherwise; (iv) all warranties created by any affirmation of fact or promise or by any description of the property; and (v) all other warranties and representations whatsoever, except the warranty of title expressly set forth herein.

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

TIMOTHY WILKINS

THE STATE OF TEXAS

999

COUNTY OF HIDALGO

was asknowing dged before me on this And day of March, 2023, by

Timothy

BETTY ANN MATA Notary ID #8584178 My Commission Expires May 12, 2023

NOTARY PUBLIC, STATE OF TEXAS

AFTER RECORDING RETURN TO:

H & F Texas Properties, LLC 2501 Lilac Avenue McAllen, Texas 78574 A tract of land containing 8.6 acres out of Lot 10, Section 4, HIDALGO CANAL COMPANY SUBDIVISION, Hidalgo County, Texas, according to the map recorded in Volume "Q", Page 177, Deed Records in the Office of the County Clerk of Hidalgo County, Texas, reference to which is here made for all purposes and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a point in the North line of Lot 10, said point being South 81 degrees, 13 minutes, 30 seconds East, a distance of 118.0 feet from the Northwest corner of Lot 10 for the Northwest corner of the tract herein described;

THENCE, with and along the North line of Lot 10, South 81 degrees, 13 minutes, 30 seconds East, a distance of 1214.0 feet to a point in the Northwest right-of-way line of the I.B.W.C. Floodway Levee;

THENCE, with and along the said right-of-way, South 69 degrees, 45 minutes West, a distance of 378.3 feet;

THENCE, South 70 degrees, 08 minutes, 30 seconds West, a distance of 548.0 feet;

THENCE, South 73 degrees, 46 minutes, 30 seconds West, a distance of 293.7 feet;

THENCE, North 27 degrees, 23 minutes, 35 seconds West, a distance of 164.97 feet to a point in the East right-of-way line of State Highway 336;

THENCE, North 03 degrees, 43 minutes East, a distance of 438.8 feet to a POINT OF BEGINNING.

NOTE: The Company is prohibited from insuring the area or quantity of the land described herein. Any statement in the above legal description of the area or quantity of land is not a representation that such area or quantity is correct, but is made only for informational and/or identification purposes and does not override item 2 of Schedule B hereof. "This company does not represent that the above described acreage or square footage is true and correct."

## EXHIBIT "B" Page 1 of 3

- (a) Statutory rights, rules, regulations, easements and liens in favor of Hidalgo County Water Control and Improvement District No. 3, pursuant to applicable sections of the Texas Water Code. (Blanket)
- (b) Easements and reservations as shown according to the map or plat thereof recorded in Volume Q, Page 177, Deed Records of Hidalgo County, Texas.
- (c) Easement and Right of Way dated April 11, 1960 from John Baldwin and Jerry E. Baldwin to the State of Texas, recorded under Clerk's File No. 10104, Volume 979, Page 91, Deed Records of Hidalgo County, Texas.
- (d) Right of Way Easement dated October 22, 1963 from Jerry Baldwin and wife, Sofie Baldwin to Hidalgo County Water Improvement District No. 3, recorded under Clerk's File No. 19016, Volume 1074, Page 337, Deed Records of Hidalgo County, Texas.
- (e) Right of Way Easement dated October 22, 1963 from Jerry Baldwin and wife, Sofie Baldwin to Hidalgo County Water Improvement District No. 3, recorded in Volume 1338, Page 719, Deed Records of Hidalgo County, Texas and Correction thereof recorded in Volume 1449, Page 601, Deed Records of Hidalgo County, Texas.
- (f) Right of Way Easement dated October 24, 1972 from Sofie F. Baldwin to Hidalgo County, recorded under Clerk's File No. 23074, Volume 1339, Page 775, Deed Records of Hidalgo County, Texas.
- (g) Right of Way Easement dated October 17, 1972, to the State of Texas, recorded in Volume 1338, Page 719, Deed Records of Hidalgo County, Texas, corrected by Correction Right of Way Easement dated July 11, 1975, to the State of Texas, recorded in Volume 1449, Page 601, Deed Records of Hidalgo County, Texas.
- (h) Terms, conditions and stipulations contained in Unilateral Memorandum of Lease Agreement dated June 19, 2006 by and between Robsand, LLC as Lessor and The Lamar Companies, filed under Clerk's File No. 1808379, Official Records of Hidalgo County, Texas.
- (i) Terms, conditions and stipulations contained in Unilateral Memorandum of Lease Agreement dated June 19, 2006 by and between Robsand, LLC as Lessor and The Lamar Companies, filed under Clerk's File No. 1808365, Official Records of Hidalgo County, Texas.
- (j) Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, dated August 7, 1985 from Sofie F. LeBow and husband, Henry A. LeBow to John L. Clanton, recorded in Volume 2180, Page 7, Official Records of Hidalgo County, Texas. Reference to which instrument is here made for particulars. No further search of title has been made as to the interest(s) evidenced by this instrument, and the Company makes no

## EXHIBIT "B" Page 2 of 3

representation as to the ownership or holder of such interest(s).

- Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, dated November 9, 1993 from J.W. Baldwin to Bill Foran, filed under Clerk's File No. 371665, Official Records of Hidalgo County, Texas. Reference to which instrument is here made for particulars. No further search of title has been made as to the interest(s) evidenced by this instrument, and the Company makes no representation as to the ownership or holder of such interest(s).
- (I) Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, dated November 16, 9193 from James A. Baldwin to Bill Foran, filed under Clerk's File No. 371666, Official Records of Hidalgo County, Texas. Reference to which instrument is here made for particulars. No further search of title has been made as to the interest(s) evidenced by this instrument, and the Company makes no representation as to the ownership or holder of such interest(s).
- (m) Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, dated May 4, 2006 from James A. Baldwin to LMP Exploration Holdings, LP, filed under Clerk's File No. 1672369, Official Records of Hidalgo County, Texas. Reference to which instrument is here made for particulars. No further search of title has been made as to the interest(s) evidenced by this instrument, and the Company makes no representation as to the ownership or holder of such interest(s).
- (n) Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, dated May 11, 2006 from Anna R. Baldwin, et al to LMP Exploration Holdings, LP, filed under Clerk's File No. 1672368, Official Records of Hidalgo County, Texas. Reference to which instrument is here made for particulars. No further search of title has been made as to the interest(s) evidenced by this instrument, and the Company makes no representation as to the ownership or holder of such interest(s).
- (o) Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, dated October 18, 2006 from Robsand, LLC to LMP Exploration Holdings, LP, filed under Clerk's File No. 1700914, Official Records of Hidalgo County, Texas. Reference to which instrument is here made for particulars. No further search of title has been made as to the interest(s) evidenced by this instrument, and the Company makes no representation as to the ownership or holder of such interest(s).
- (p) Terms, conditions and stipulations contained in Declaration of Unit dated November 2,1987, recorded din Volume 2524, Page 213, Official Records of Hidalgo County, Texas.
- (q) Terms, conditions and stipulations contained in Declaration of Unit dated August 1, 1995, filed under Clerk's File No. 494178, Official Records of

# EXHIBIT "B" Page 3 of 3

Hidalgo County, Texas.

- Interest in and to all coal, lignite, oil, gas, and other minerals, and all rights incident thereto, contained in instrument dated October 7, 1964 from Jerry e. Baldwin to John W. Baldwin, recorded under Clerk's File No. 21434, Volume 293, Page 231, Oil and Gas Lease Records of Hidalgo County, Texas. Reference to which instrument is here made for particulars. No further search of title has been made as to the interest(s) evidenced by this instrument, and the Company makes no representation as to the ownership or holder of such interest(s).
- Interest in and to all coal, lignite, oil, gas, and other minerals, and all rights incident thereto, contained in instrument dated January 30, 1965 from Jerry E. Baldwin to John W. Baldwin, recorded under Clerk's File No. 2494, Volume 294, Page 755, Oil and Gas Lease Records of Hidalgo County, Texas. Reference to which instrument is here made for particulars. No further search of title has been made as to the interest(s) evidenced by this instrument, and the Company makes no representation as to the ownership or holder of such interest(s).
- (t) All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges and immunities relating thereto, appearing in the Public Records whether listed in Schedule B or not. There may be leases, grants, exceptions or reservations of mineral interest that are not listed.
- (u) Zoning and building ordinances in favor of the City of McAllen, Texas.
- (v) Rights of tenants in possession under any and all outstanding lease agreement, recorded or unrecorded.
- (w) Any visible and apparent unrecorded easements on the insured property.
- (x) Right of parties in possession.
- (y) Rights of the Public in and to any portion of subject property lying within a public road.
- (z) Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the land.
- (aa) Terms, conditions and stipulations of Development Agreement dated November 28, 2017 by and between the City of McAllen and timothy Wilkins, filed under Clerk's File No. 2870074, Official Records of Hidalgo County, Texas.

#### STATE OF TEXAS

#### COUNTY OF HIDALGO

# CHAPTER 43 AND 212 TEXAS LOCAL GOVERNMENT CODE DEVELOPMENT AGREEMENT

This Agreement is entered into pursuant to Sections 43.035 and 212.172 of the Texas Local Government Code by and between the City of McAllen, Texas (the "City"), McAllen Public Utility Board (MPUB), and the undersigned property owner(s) (the "Owner"). The term "Owner" includes all owners of the Property.

WHEREAS, the Owner owns a parcel of real property (the "Property") in Hidalgo County, Texas, which is more particularly and separately described in the attached Exhibit "A"; and

WHEREAS, the City has begun the process to institute annexation proceedings on all or portions of the Property and has held public hearings on September 5, 2017 and September 11, 2017; and

WHEREAS, the Owner desires to have the Property remain in the City's extraterritorial jurisdiction, in consideration for which the Owner agrees to enter into this Agreement; and

WHEREAS, this Agreement is entered into pursuant to Sections 43.035 and 212.172 of the Texas Local Government Code, to address the desires of the Owner and the procedures of the City; and

WHEREAS, the Owner and the City acknowledge that this Agreement is binding upon the City and the Owner and their respective successors and assigns for the term (defined below) of this Agreement; and

WHEREAS, the Owner and the City acknowledge that matters related to water and sewer services are generally within the jurisdiction of the McAllen Public Utility Board and therefore it is a party to this agreement;

WHEREAS, this Development Agreement is to be recorded in the Real Property Records of Hidalgo County. NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties hereto agree as follows:

SECTION 1. The City guarantees the continuation of the extraterritorial status of the Owner's Property, its immunity from annexation by the City, and its immunity from City property taxes, for the term of this Agreement, subject to the provisions of this Agreement. Except as provided in this Agreement, the City agrees not to annex the Property, agrees not to involuntarily institute proceedings to annex the Property, and further agrees not to include the Property in a statutory



annexation plan for the Term of this Agreement. However, if the Property is annexed pursuant to the terms of this Agreement, then the City shall provide services to the Property pursuant to Chapter 43 of the Texas Local Government Code and as also required pursuant to Section 3 of this Agreement.

SECTION 2. The Owner acknowledges that each owner of the Property must sign this Agreement in order for the Agreement to take full effect, and the Owner who signs this Agreement covenants and agrees, jointly and severally, to indemnify, hold harmless, and defend the City against any and all legal claims, by any person claiming an ownership interest in the Property who has not signed the Agreement, arising in any way from the City's reliance on this Agreement.

SECTION 3. (a) If during the term of this agreement, (including any extensions of the initial term) Owner requests that water and sewer services be provided to Owner's Property, the City and MPUB will bear all costs of access and infrastructure in providing Owner with access to both water and sewer services to Owner's Property. Owner will be responsible for infrastructure within the Owner's Property, applicable usage fees and the pro-rata participation cost based upon acreage (approximately 8.6 acres or about \$5,000) upon tap-in, all as provided by ordinance, policies and regulations; (b) Furthermore, should the Owner be provided uninterrupted access to water and sewer services to the Property within eighteen (18) months of the beginning of the Term, or if the MPUB commences legal condemnation proceedings within eighteen (18) months of the beginning of the Term to obtain legal authority to the property to provide Owner with the water and sewer services in accordance with this Agreement, Owner agrees that this agreement constitutes a request for a voluntary annexation of the Property at the expiration of this Agreement or when the water and sewer services are provided within the Property - whichever occurs later; (c) At the expiration of this Agreement, all existing uses will be considered as preexisting conditions, but will be subject to all health and safety codes and will be subject to all city regulations if the use or structures are changed thereafter; (d) The future waterline to Owner's Property is planned to be a direct bore across 10<sup>th</sup> street, with no additional easement required, however the future sewer line will require some additional easements. Owner agrees to cooperate and assist the City and the PUB in the acquisition of such easements; and (e) It is understood by the parties that the Owner's plans for expansion are subject to uninterrupted access to both water and sewer services; thus, if such water and sewer services are not provided within eighteen (18) months of the execution of this Agreement, the initial term shall be equitably extended in proportion to the actual time uninterrupted water and sewer services are provided within the Property.

**SECTION 4.** The City states and specifically reserves its authority pursuant to Chapter 251 of the Texas Local Government Code to exercise eminent domain over property that is subject to a Chapter 43 and/or Chapter 212 development agreement.

SECTION 5. (a) This Agreement expires on the fifth anniversary from the date that the City Manager's signature to this Agreement is acknowledged by a notary public (the "Term"). Within ninety (90) days from the expiration of the initial Term, Owner may exercise an option to renew the Agreement for an additional four (4) year term by giving the City written notice of the



intention to renew ("Optional Term"). Upon renewal, all other terms contained in this Agreement continue without impairment.

(b) Subject to Section 3(e), the Owner, and all the Owner's heirs, successors and assigns shall be deemed to have filed a petition for voluntary annexation before the end of the Term, for annexation of the Property to be completed on or after the end of the Term. Prior to the end of the Term, the City may commence the voluntary annexation of the Property. In connection with annexation pursuant to this section, the Owners hereby waive any vested rights they may have under Section 43.002(a)(2) and Chapter 245 of the Texas Local Government Code that would otherwise exist by virtue of any plat or construction any of the owners may initiate during the time between the expiration of this Agreement and the institution of annexation proceedings by the City.

SECTION 6. Subject to the terms and conditions contained Section 3 herein, upon annexation, any of the Property not exempted that is subject to annexation will initially be zoned C-3 General Business District pursuant to the City's Code of Ordinances, pending determination of the property's permanent zoning in accordance with the provisions of applicable law and the City's Code of Ordinances.

**SECTION 7.** Any person who sells or conveys any portion of the Property shall, prior to such sale or conveyance give written notice of this Agreement to the prospective purchaser or grantee, and shall give written notice of the sale or conveyance to the City.

SECTION 8. This Agreement shall run with the Property, be recorded in the real property records of Hidalgo County, Texas, and all heirs, successors and assigns are bound by its terms

SECTION 9. If a court of competent jurisdiction determines that any covenant of this Agreement is void or unenforceable, including the covenants regarding involuntary annexation, then the remainder of this Agreement shall remain in full force and effect.

**SECTION 10.** This Agreement may be enforced by any Owner or the City by any proceeding at law or in equity. Failure to do so shall not be deemed a waiver to enforce the provisions of this Agreement thereafter.

SECTION 11. No subsequent change in the law regarding annexation shall affect the enforceability of this Agreement or the City's ability to annex the properties covered herein pursuant to the terms of this Agreement.

**SECTION 12.** Venue for this Agreement shall be in Hidalgo County, Texas.

**SECTION 13.** This Agreement may be separately executed in individual counterparts and, upon execution, shall constitute one and same instrument.

**SECTION 14.** This Agreement shall survive its termination to the extent necessary for the implementation of the provisions of Sections 3, 4 and 5 herein.



WITNESS OUR SIGNATURES this 28th day of November, 2017.

CITY OF McALLEN

By:

Roel Rodriguez, P.E. City Manager

Approved as to form;

Kevin D. Pagan, City Attorney

PROPERTY OWNER(S)

1. Mins Ladore: PLAN

1. Mins Mender Teach 6 Parchyment UC:

Approved as to Form:

The Pruneda Law Firm

Michael Pruneda By:

#### **ACKNOWLEDGMENT**

#### STATE OF TEXAS

#### **COUNTY OF HIDALGO**

Notary ID 130630855

This instrument was acknowledged before me by Timphy W. Wilkinson this day of November, 2017.

MAIRA AMELIA MOLINA
Notary Public, State of Texas

Comm. Expires 04-21-2026

Notary Public – State of Texas

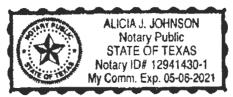
## CORPORATE ACKNOWLEDGMENT

#### STATE OF TEXAS

#### **COUNTY OF HIDALGO**

This instrument was acknowledged before me by Roel Rodriguez, P.E., City Manager for the City of McAllen, a municipal corporation of the State of Texas, on behalf of said corporation, this 32th day of November , 2017.

Notary Public - State of Texas



After original document has been recorded, please return to: City of McAllen – City Secretary P. O. Box 220 McAllen, Texas 78505-0220

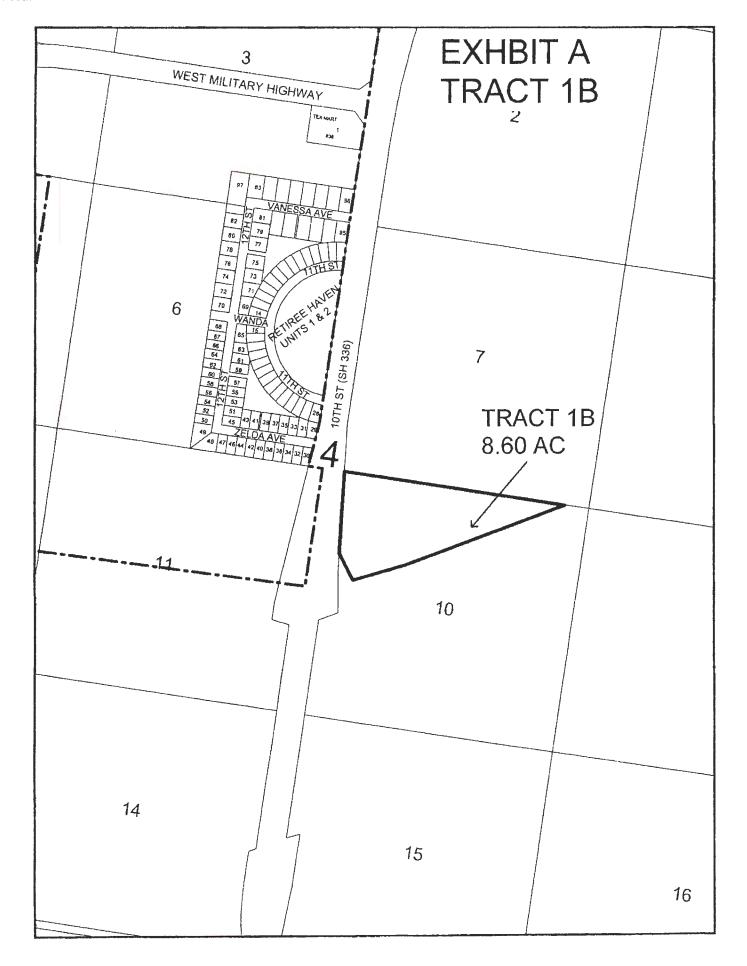


### MCALLEN PUBLIC UTILITY BOARD

By:

Mark Vega, General Manager





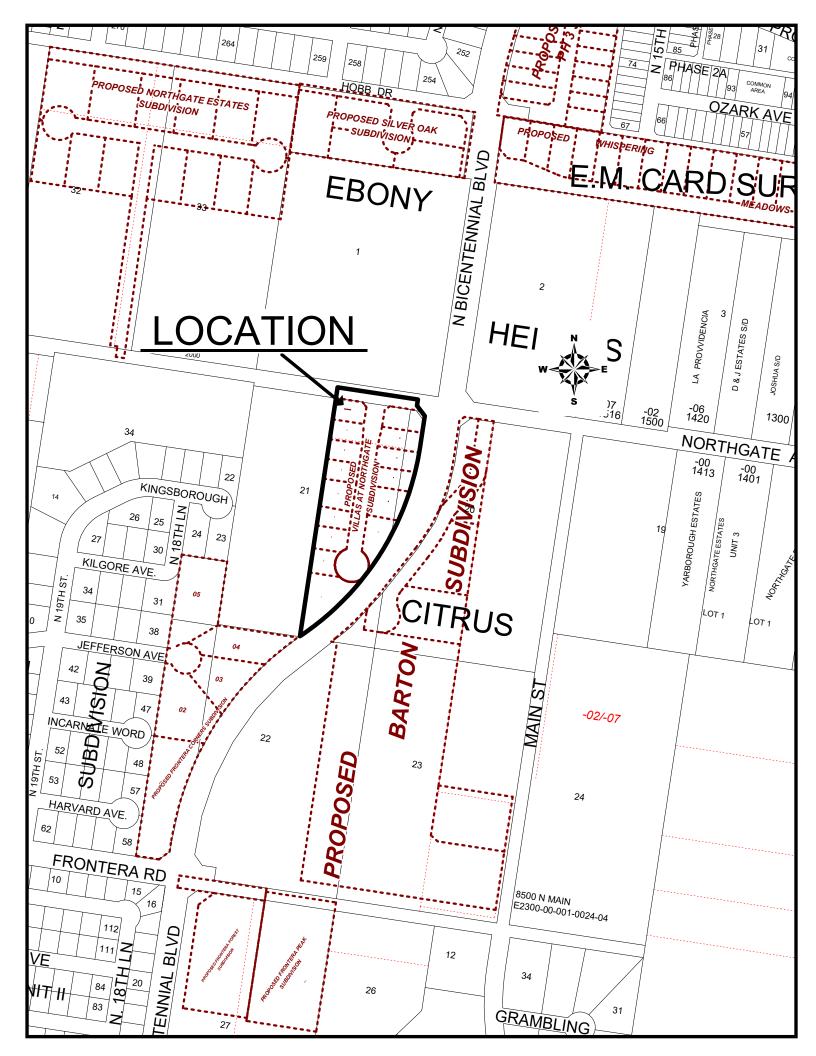


J182023-008-

# City of McAllen Planning Department

311 NORTH  $15^{\text{TH}}$  STREET • (956) 681-1250 • (956) 681-1279 (fax) SUBDIVISION PLAT REVIEW APPLICATION

Project Information	Subdivision Name 2,600 FEET WEST FROM THE INTERSECTION OF. 10TH ST. AND NORTHGATE LN ON Location THE SOUTH RIGHT-OF-WAY OF NORTHGATE LN.  City Address or Block Number 700 NorthGATE LN  Number of Lots 13 Gross Acres 4.74 Net Acres ETJ Yes No  Existing Zoning R-1 Proposed Zoning R-1 Rezoning Applied for Yes No Date Existing Land Use R-1 Proposed Land Use R-1 Irrigation District # H.C.I.D.#2  Replat Yes No Commercial Residential X Agricultural Exemption Yes No Estimated Rollback Tax Due 0.00  Parcel # 162863 Tax Dept. Review Water CCN MPU Sharyland Water SC Other Legal Description Being A 4.74 Acres Tract of Land Out of And Forming Part or Portion of Lot 21, EBONY HEIGHTS CITRUS GROVES UNIT RECORDED IN VOLUME 5, PAGE 39, MAP RECORDS OF HIDALGO COUNTY, TEXAS.		
Developer Owner	Name         LOURDES GABRIELLA VELA         Phone           Address         6703 N. 11TH ST.         E-mail           City         MCALLEN,         State         TEXAS         Zip         78504           Name         LOURDES GABRIELLA VELA         Phone		
Engineer	Name IVAN GARCIA P.E., R.P.L.S. Phone 956-380-5152  Address 921 S. 10TH STREET E-mail_RIODELTA2004@YAHOO.COM  CityEDINBURG StateTEXASZip		
Surveyor	Name IVAN GARCIA P.E., R.P.L.S.  Phone 956-380-5152  Address 921 S. 10TH STREET  E-mail RIODELTA2004@YAHOO.COM  City State TEXAS Zip 78539 F		



OWNER'S ACKNOWLEDGMENT STATE OF TEXAS

COUNTY OF HIDALGO I (WE), THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS THE VILLAS AT NORTHGATE SUBDIVISION. TO THE CITY OF MCALLEN, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, WATERCOURSES, 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 THERIN EXPRESSED, EITHER ON THE PLAT HEREOF OR ON THE OFFICIAL MINUTES OF THE APPLICABLE AUTHORITIES OF THE CITY OF MCALLEN.

<del>/-</del> 20.00'|<del>-</del>

EXIST. 40.00'

RIGHT OF WAY

LOURDES GABRIELLA VELA 6703 N. 11TH ST. MCALLEN, TEXAS 78504

STATE OF TEXAS

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

P.E. R.P.L.S.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_, 2023.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS MY COMMISSION EXPIRES \_\_\_\_\_

WNER: LOURDES GABRIELLA VELA

SURVEYOR: IVAN GARCIA

ENGINEER: IVAN GARCIA

## HOMEOWNERS' ASSOCIATION ACKNOWLEDGMENT

STATE OF TEXAS COUNTY OF HIDALGO I, LOURDES GABRIELLA VELA, PRESIDENT OF VILLAS AT NORTHGATE SUBDIVISION HOMEOWNERS' ASSOCIATION, (DOCUMENT NUMBER , HIDALGO COUNTY DEED RECORDS), AGREE TO THE CONDITIONS STATED

LOURDES GABRIELLA VELA (PRESIDENT) MCALLEN, TEXAS 78504

**ADDRESS** 

3703 N. 11TH ST.

921 S. 10TH AVENUE

921 S. 10TH AVENUE

IN NOTE #15 OF THE PLAT NOTES.

STATE OF TEXAS COUNTY OF HIDALGO BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED LOURDES GABRIELLA VELA, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR PURPOSES AND HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 CERTIFICATE CONSIDERATIONS THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS\_\_\_\_\_DAY OF \_\_\_\_\_,

STATE OF TEXAS MY COMMISSION EXPIRES \_\_\_\_ HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

MCALLEN, TX. 78504

## HIDALGO COUNTY IRRIGATION DISTRICT NO. 2

THIS PLAT APPROVED BY HIDALGO COUNTY IRRIGATION DISTRICT NO. \_\_\_\_\_ DAY OF \_\_\_\_\_\_, 2023 SUBJECT TO

LOT 21 EBONY HEIGHTS CITRUS

GROVES UNIT No.1

-VOL.5, PAGE 39, M.R.H.C

LUIS A. FIGUEROA & MARIA DIANA DOC. #1857266, W.D.

1) NO IMPROVEMENTS OF ANY KIND SHALL BE PLACED UPON H.C.I.D.

NO. 2 RIGHT-OF-WAY EASEMENT WITHOUT THE EXPRESSED WRITTEN

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 HEREBY CERTIFIES THAT THE DRAINAGE PLANS FOR THIS SUBDIVISION COMPLY WITH THE MINIMUM STANDARDS OF THE DISTRICT ADOPTED UNDER TEXAS WATER CODE NO. 49.211(C). THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES DESCRIBED ARE APPROPRIATE FOR THE SPECIFIC SUBDIVISION, BASED ON GENERALLY ACCEPTED ENGINEERING

CRITERIA. IT IS THE RESPONSIBILITY OF THE DEVELOPER OF THE

SUBDIVISION AND ITS ENGINEER TO MAKE THESE DETERMINATIONS.

PHONE & FAX

EDINBURG, TX. 78539 (956) 380-5152 (956) 380-5083

EDINBURG, TX. 78539 (956) 380-5152 (956) 380-5083

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

## COUNTY OF HIDALGO

MAYOR'S CERTIFICATE

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

#### STATE OF TEXAS COUNTY OF HIDALGO PLANNING AND ZONING COMMISSION CHAIR CERTIFICATE

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

PLANNING AND ZONING CHAIR

## STATE OF TEXAS - COUNTY OF HIDALGO

REG. PROFESSIONAL ENGINEER No. 115662

IVAN GARCIA P.E., R.P.L.S.

STATE OF TEXAS - COUNTY OF HIDALGO

CONSIDERATIONS HAVE BEEN GIVEN TO THIS PLAT.

, THE UNDERSIGNED, A REGISTERED PROFESSIONAL ENGINEER IN THE

STATE OF TEXAS, DO HEREBY CERTIFY THAT THE PROPER ENGINEERING

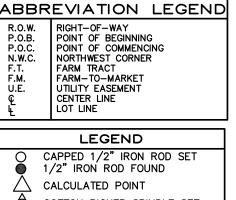
IVAN GARCIA

CENSED.

6496

I. THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE FROM AN ACTUAL SURVEY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON, AND THAT THERE ARE NO APPARENT DISCREPANCIES, CONFLICTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, EXCEPT AS SHOWN ON THE ACCOMPANYING PLAT AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF MCALLEN AND HIDALGO COUNTY, TEXAS.

REG. PROFESSIONAL LAND SURVEYOR No. 6469 SURVEY FIRM No. 10194027



 $\land$  cotton picker spindle set X "X" MARK SET IN CONCRETE

BASIS OF BEARING TEXAS STATE PLANE COORDINATES

TEXAS SOUTH ZONE (4205) WESTERN DATA SYSTEMS NETWORK

GROVES UNIT No.4

VOL.5, PAGE 39, M.R.H.C.

JO GUERRA

DOC. #3323727, W.D.

## METES AND BOUNDS

UNIT No. 1, RECORDED IN VOLUME 5, PAGE 39, MAP RECORDS OF HIDALGO COUNTY, TEXAS, AND SAID 4.112 ACRES TRACT BEING THE SAME LAND DESCRIBED IN A WARRANTY DEED FROM MARIA DE LOURDES VELA AND HUSBAND, LUIS FABIAN VELA TO LOURDES GABRIELLA VELA, AND RECORDED IN DOCUMENT #3413477, OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS. SAID 4.112 ACRES OF

COMMENCING AT A COTTON-PICKER-SPINDLE SET AT THE NORTHWEST CORNER OF THE SAID LOT 21 OF EBONY HEIGHTS CITRUS GROVES UNIT No. 1, SAME BEING A POINT ON THE CENTERLINE OF NORTHGATE LANE

THENCE S 81° 24' 43" E ALONG THE NORTH LINE OF THE SAID LOT 21 OF EBONY HEIGHTS CITRUS GROVES UNIT No. 1, A DISTANCE OF

THENCE N 81° 24' 43" W CONTINUING ALONG THE NORTH LINE OF THE SAID LOT 21 OF EBONY HEIGHTS CITRUS GROVES UNIT No. 1, TO A POINT ON THE NORTH LINE OF THE SAID LOT 20. A DISTANCE OF 263 92 FEET TO A COTTON-PICKER, SPINDLE SET, FOR THE A CORNER

THENCE N 8° 35' 17" E ACROSS THE SAID LOT 20 OF EBONY HEIGHTS CITRUS GROVES UNIT No. 1, TO A POINT ON THE SOUTH

THENCE N 36° 28' 31" W ACROSS THE SAID LOT 20 OF EBONY HEIGHTS CITRUS GROVES UNIT No. 1, A DISTANCE OF 42.31 FEET TO A 1/2 INCH CAPPED IRON ROD SET. FOR A CORNER OF THE HEREIN DESCRIBED TRACT: THENCE N 8° 31' 29" E ACROSS THE SAID LOT 20 OF EBONY HEIGHTS CITRUS GROVES UNIT No. 1. A DISTANCE OF 101.55 FEET TO A 1/2

THENCE ALONG A CURVE TO THE RIGHT TO A POINT ON THE SOUTH LINE OF THE SAID LOT 21, HAVING A CURVE LENGTH OF 749.85 FEET, RADIUS 900.00 FEET AND DELTA ANGLE 47.74° TO A 1/2-INCH CAPPED IRON ROD SET FOR THE SOUTHWEST CORNER OF THE HEREIN

THE SAID LOT 21 OF EBONY HEIGHTS CITRUS GROVES UNIT No. 1. SAME BEING A POINT ON THE CENTERLINE OF NORTHGATE LANE. ASSING AT 797.82 FEET A 1/2-INCH CAPPED IRON ROD SET ON THE EXISTING SOUTH RIGHT-OF-WAY LINE OF NORTHGATE LANE, AND CONTINUING FOR A TOTAL DISTANCE OF 817.82 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINING 4.112 ACRES OF LAND.

## **GENERAL PLAT NOTES:**

THE PROPERTY IS IN ZONE "X" - AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN, ACCORDING TO THE FEMA'S FLOOD INSURANCE RATE MAP COMMUNITY PANEL No. 480334 0325 D MAP REVISED: JUNE 6, 2000.

MINIMUM FINISH FLOOR ELEVATION SHALL BE 107.50 (NAGD 1929) OR 107.15 (NAVD 88). ELEVATION CERTIFICATE MAY BE REQUIRED FOR LOTS LOCATED OUTSIDE A DESIGNATED FLOOD ZONE AT THE TIME FOR A DEVELOPMENT PERMIT APPLICATION TO VERIFY PRE AND POST CONSTRUCTION FINISH FLOOR ELEVATIONS. AN ELEVATION CERTIFICATE SHALL BE REQUIRED FOR ALI LOTS WITHIN A DESIGNATED FLOOD ZONE AT THE TIME FOR A DEVELOPMENT PERMIT APPLICATION.

4. MINIMUM BUILDING SETBACKS SHALL COMPLY WITH THE CITY OF McALLEN ZONING CODE

10 FT. OR GREATER FOR EASEMENTS. 6 FT. OR GREATER FOR EASEMENTS. 10 FT. OR GREATER FOR EASEMENTS

18 FT. EXCEPT WHERE GREATER SETBACK IS REQUIRED; GREATER SETBACK APPLIES.

A DRAINAGE DETENTION OF 14.827 CF OR 0...340 ACRE FEET IS REQUIRED FOR THIS SUBDIVISION. CURRENT RUNOFF WILL BE DETAINED IN COMMON LOT "A" AND COMMON LOT "B" WILL BE DESIGNATED FOR DETENTION PURPOSES ONLY. DETENTION SHALL COMPLY WITH MASTER DRAINAGE PLAN. THE CITY OF MCALLEN WILL

ENGINEERED DRAINAGE DETENTION PLAN, APPROVED BY THE ENGINEERING DEPARTMENT, PRIOR TO ISSUANCE OF BUILDING PERMIT. GRADING MUST COMPLY WITH MASTER PLAN.

EASEMENTS SHALL BE KEPT CLEAR OF FENCES, BUILDINGS, SHEDS, SHRUBS, TREES, AND OTHER PLANTINGS (EXCEPT LOW, GROUND COVER, GRASS OR FLOWERS) AND OTHER OBSTRUCTIONS TO THE OPERATIONS AND MAINTENANCE OF THE

8. THE CITY OF MCALLEN TO HAVE A 25'X25' CORNER CLIP EASEMENT AT STREET INTERSECTIONS MEASURED FROM STREET

9. 5 FT. WIDE MINIMUM SIDEWALK REQUIRED NORTHGATE LANE, NORTH BICENTENNIAL BOULEVARD, AND ON BOTH SIDES OF

10. CITY OF McALLEN BENCHMARK (MC59) SET BY ARANDA & ASSOC. LOCATED AT THE NW CRN OF N. 23RD ST. AND MILE 3

11. 6 FT. OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, AND INDUSTRIAL ZONES/USES AND ALONG NORTHGATE LANE AND NORTH BICENTENNIAL BOULEVARD.

12. 8 FT. MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY

13. ALL UTILITY AND DRAINAGE EASEMENTS TO BE DEDICATED BY THIS PLAT, UNLESS STATED OTHERWISE.

14. NO CURB CUT, ACCESS, OR LOT FRONTAGE PERMITTED ALONG NORTHGATE LANE AND NORTH BICENTENNIAL BOULEVARD. COMMON AREAS, ANY PRIVATE STREETS/DRIVES, GATE AREAS, ETC. MUST BE MAINTAINED BY THE LOT OWNERS AND NOT

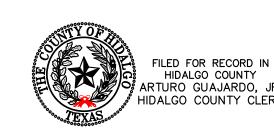
16. DEVELOPER/HOMEOWNER'S ASSOCIATION/OWNER, THEIR SUCCESSORS AND ASSIGNEES, AND NOT THE CITY OF MCALLEN

SHALL BE RESPONSIBLE FOR COMPLIANCE OF INSTALLATION AND MAINTENANCE AND OTHER REQUIREMENTS PER SECTION 134-168 OF THE SUBDIVISION ORDINANCE, INCLUDING BUT NOT LIMITED TO COMMON AREAS AND ITS PRIVATE STREETS.

AS PER DECLARATIONS OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR VILLAS AT NORTHGATE SUBDIVISION, RECORDED AS DOCUMENT NUMBER \_\_\_\_\_\_ HIDALGO COUNTY, DEED RECORDS, DEVELOPER/HOMEOWNER'S ASSOCIATION/OWNER, THEIR SUCCESSORS AND/OR ASSIGNEES, AND NOT THE CITY OF McALLEN SHALL BE RESPONSIBLE

FOR THE INSTALLATION, MAINTENANCE AND OTHER REQUIREMENTS AS PER SECTION 134-168 OF THE CODE OF ORDINANCES OF THE CITY OF MCALLEN, INCLUDING BUT NOT LIMITED TO COMMON AREAS. ANY AMENDMENT TO DECLARATIONS THAT CONFLICT WITH THE REQUIREMENTS OF SECTION 134-168 OF THE SUBDIVISION ORDINANCE SHALL BE

18. COMMON LOT A AND COMMON LOT B, IDENTIFIED AS A DETENTION AREA SHALL BE MAINTAINED BY THE DEVELOPER, WHO MAY TRANSFER SUCH MAINTENANCE OBLIGATION TO THE SUBDIVISION HOMEOWNER'S ASSOCIATION, VILLAS AT NORTHGATE SUBDIVISION HOMEOWNER'S ASSOCIATION, UPON CONVEYANCE OF TITLE TO THE SAME, THEIR SUCCESSORS AND ASSIGNS AND NOT BY THE CITY OF MCALLEN. NO BUILDINGS OR OTHER STRUCTURES SHALL BE ERECTED IN COMMON LOT A AND COMMON LOT "B". WHICH SHALL BE USED EXCLUSIVELY AS A DETENTION AREA. AFTER COMMON LOT A'S AND COMMON LOT B'S TRANSFER OF TITLE TO THE VILLAS AT NORTHGATE SUBDIVISION HOMEOWNER'S ASSOCIATION THE SUBDIVISION LC OWNER'S PRO RATA SHARES OF THE COST OF MAINTENANCE SHALL BE DETERMINED BY THE VILLAS AT NORTHGATE SUBDIVISION HOMEOWNER'S ASSOCIATION, FAILING IN SUCH MAINTENANCE OBLIGATIONS, THE CITY OF McALLEN MAY, BUT SHALL NOT BE REQUIRED TO MAINTAIN THE SAME AT THE LOT OWNER'S COST, WHICH COST MAY BECOME A LIEN AGAINST THEIR PROPERTIES. PRIOR TO THE IMPOSITION OF ANY LIEN, THE CITY SHALL FIRST COMPLY WITH NOTICE REQUIREMENTS SIMILAR TO THOSE UNDER EXISTING ORDINANCE SECTION 134-168(d), AS THE SAME MAY BE AMENDED. THE SPECIFIC AND EXCLUSIVE USE OF COMMON LOT A AND COMMON LOT B, THE OWNER'S MAINTENANCE OBLIGATION, AND THE CONSEQUENCES OF FAILURE TO MAINTAIN SHALL BE INCORPORATED INTO ANY DEED OR INSTRUMENT OF CONVEYANCE AS A DEED RESTRICTION. RECORDED IN INSTRUMENT No. \_\_\_\_\_\_, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS



INSTRUMENT NUMBER OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS

\_\_\_\_\_ DEPUTY

SHT 2

ARTURO GUAJARDO, JR. HIDALGO COUNTY CLERK

VAN GARCIA P.E. R.P.L. VAN GARCIA P.E. R.P.L.: VAN GARCIA P.E. R.P.L.

JANNUARY 8, 2024 SUB 019 028

01/19/2024 Page 1 of 5 SUB2023-0124



Reviewed On: 1/19/2024

SUBDIVISION NAME: VILLAS AT NORTHGATE SUBDIVISION	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
Northgate Lane: Proposing 15 ft. dedication for 35 ft. from centerline for 70 ft. total ROW Paving: 44 ft. Curb & gutter: both sides Revisions Needed: -Label ROW from Centerline to new plat boundary at NW corner, prior to recordingInclude additional ROW being dedicated by this plat labeling and dimension along plat boundary as to ensure compliance with requirements as noted above, prior to recording. ***Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan ***Monies must be escrowed if improvements are not constructed prior to recording.	Required
North Bicentennial Blvd.: Dedication as needed for 75ft. from centerline for 150 ft. Total ROW. Paving :65-105 ft. Curb & gutter Both Sides. Revisions Needed:City of McAllen thoroughfare plan designates N. Bicentennial Blvd, as a Hi-Speed arterial with 150 ft. of total ROW. Current subdivision layout does not comply with required ROW dedication requirements. After meeting with development staff the Engineer submitted a revised variance request on December 1st, 2023 to allow 10 ft. of additional dedication were applicable for 50 ft. from centerline by this plat. Engineer must include additional dimensions for ROW being dedicated by this plat as it varies, prior to recording. At the City Commission meeting of January 8th,2024 the request was approvedVerify alignment of existing N. Bicentennial Blvd to the North and South prior to recording. Include total ROW Labeling with dimensions prior to recording after accounting for dedication and existing at multiple pointsInclude document numbers on plat and provide any documents as applicable regarding any existing ROW dedications for N. Bicentennial Blvd  **Clarify what appears to be a remnant tract along eastern plat boundary adjacent to North Bicentennial Boulevard prior to final, subdivision requirement subject to change once clarified, finalize prior to final. As per plat submitted on November 16th,2023 plat no longer exhibits what appeared to be a remnant tract.  ***Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan ***Monies must be escrowed if improvements are not constructed prior to recording.	Required

01/19/2024 Page 2 of 5 SUB2023-0124

Interior Street: Dedication as needed for 50 ft. total ROW. Required Paving: 32 ft. Curb & gutter: Both Sides \*Plat dedication ranges proposes 50-60 ft. of total ROW dedication. Revisions Needed: -Street names will be established prior to recording and plat will need to revised accordingly. Must include private reference after street name. - As per plan submitted on August 9th .2023 gate details submitted entrance exhibits 60 ft. of total ROW with islands, engineer must clarify pavement width on both sides of islands as 20 ft. of paving is required face to face on both sides, row subject to increase to accommodate paving, gate mechanisms, islands and 4 ft. sidewalk on both sides finalize gate area requirements as applicable prior to NTP/recording \* Cul-De-Sac may have to be adjusted/moved to accommodate for improvements such as buffers, finalize prior to final. Currently exhibits 3.77 ft. of separation finalize as applicable prior to final. As per updated plat submitted on January 16th, 2024 plat exhibits 10 ft. of separation. \*\*Engineer must clarify if subdivision is proposed to be private as gate details were submitted, clarify prior to final. As per plat submitted on November 16th, 2023 subdivision proposed to be Private. \*\*\*The ROW for interior street is proposed to be adjacent to N. Bicentennial ROW. Clarify/revise the plat, since Internal street cannot have curb cut along N. Bicentennial and the buffer may not be placed on the ROW. Cul-De-Sac may have to be adjusted/moved to accommodate for improvements such as buffers. Cul-De-Sac may have to be adjusted/moved to accommodate for improvements such as buffers, finalize prior to final. Currently exhibits 3.77 ft. of separation 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. NA Paving Curb & autter \*\*Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan \*\*Monies must be escrowed if improvements are not constructed prior to recording. NA Paving Curb & gutter \*\*Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan \*\*Monies must be escrowed if improvements are not constructed prior to recording. \* 1.200 ft. Block Length. Compliance \*\*Subdivision Ordinance: Section 134-118 NA \* 900 ft. Block Length for R-3 Zone Districts. \*\*Subdivision Ordinance: Section 134-118 \* 600 ft. Maximum Cul-de-Sac **Applied** \*Engineer submitted a variance request on December 1st,2023 in reference to the the 10 ft. of ROW back of curb requirements around Cul-de Sac's proposing 55 ft. of ROW with a 10 ft. U.E, and S.W Easement, in lieu of the required 10 ft. ROW back of Curb. At the Planning and Zoning Commission meeting of December 19th, 2023, the request was approved as requested subject to complying with 96 ft. of paving as required by Fire Department. \*\*The ROW for interior street is proposed to be adjacent to N. Bicentennial ROW. Clarify/revise the plat, since Internal street cannot have curb cut along N. Bicentennial and the buffer may not be placed on the ROW. Cul-De-Sac may have to be adjusted/moved to accommodate for improvements such as buffers, finalize prior to final. Currently exhibits 3.77 ft. of separation finalize prior to final. As per updated plat submitted on January 16th, 2024, plat exhibits 10 ft. of separation. \*\*\*ROW at "Cul-de Sac" areas may have to be increased to comply with Fire Department requirements, finalize prior to final. As per Fire Department requirements, 96 ft. of paving faceto face required, and 10 ft. of ROW back of curb around Cul-de-Sac required. \*\*\*\*Subdivision Ordinance: Section 134-105

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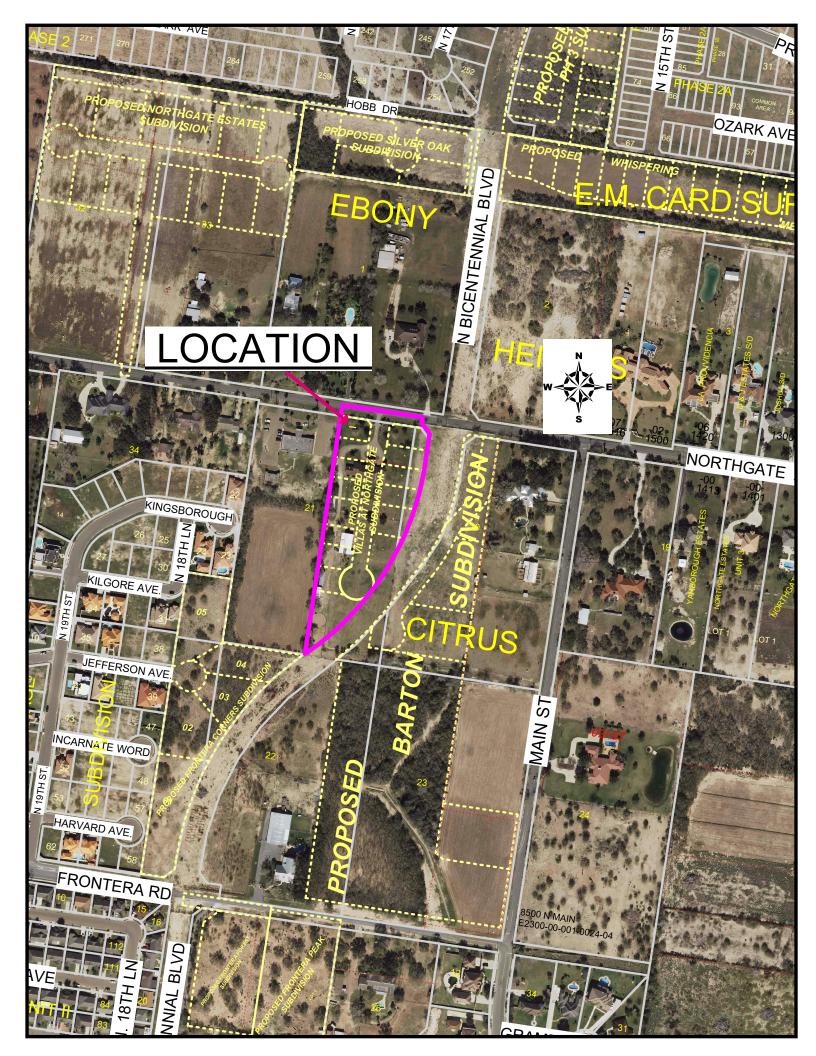
LLEYS	
ROW: 20 ft. Paving: 16 ft.  *Alley/service drive easement required for commercial properties and multi-family properties.  **Subdivision is proposed to be single-family residential.  ***Subdivision Ordinance: Section 134-106	NA
ETBACKS	
* Front: 25 ft. or greater for easements.  ***Zoning Ordinance: Section 138-356	Applied
* Rear:10 ft. or greater for easements. ***Zoning Ordinance: Section 138-356	Applied
* Interior sides: 6 ft. or greater for easements. ***Zoning Ordinance: Section 138-356	Applied
* Corner: 10 ft. or greater for easements ***Zoning Ordinance: Section 138-356	Applied
*Garage:18 ft. except where greater setback is required, greater setback applies.  **Zoning Ordinance: Section 138-356	Applied
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
DEWALKS	
* 4 ft. wide minimum sidewalk required along Northgate Lane, North Bicentennial Boulevard and both sides of all interior streets.  **Sidewalk requirements may increase to 5 ft. prior to final per Engineering Department requirements, finalize wording for note prior to recording. As per plat submitted on November 16th,2023 plat exhibits 5 ft. in note requirements.  **Subdivision Ordinance: Section 134-120	Applied
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Required
JFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along Northgate Lane and North Bicentennial Boulevard.  **Subdivision buffers must be located out of the ROW.  ***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
DTES	
* No curb cut, access, or lot frontage permitted along Northgate Lane and North Bicentennial Boulevard.  **As per Traffic Department, No individual access to Bicentennial Blvd or Northgate lane would be granted.  ***Must comply with City Access Management Policy	Applied
* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.	NA
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	NA

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

01/19/2024 Page 4 of 5 SUB2023-0124

* Common Areas, any private streets, gate areas, etc. must be maintained by the lot owners and not the City of McAllen.	Applied
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.  **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	Required
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.  **Homeowner's Association Covenants must be submitted for staff review, prior to recording.  ***Section 134-168 applies if private subdivision is proposed.  ****Section 110-72 applies if public subdivision is proposed.  ****Landscaping Ordinance: Section 110-72  *****Subdivision Ordinance: Section 134-168	Required
LOT REQUIREMENTS	
* Lots fronting public streets.  **Subdivision Ordinance: Section 134-1	Compliance
* Minimum lot width and lot area.  **Zoning Ordinance: Section 138-356Section 138-356	Compliance
ZONING/CUP	
* Existing: R-1 (Single-Family) Residential Proposed: R-1 (Single-Family) Residential ***Zoning Ordinance: Article V	Compliance
* Rezoning Needed Before Final Approval  **Proposed zoning is compliant with current zoning.  ***Zoning Ordinance: Article V	Applied
PARKS	
* Land dedication in lieu of fee. As per plat submitted on August 9th,2023 a total of 13 lots proposed park fees total to \$9,100 (\$700 X13 per lot/dwelling unit) payable prior to plat recording. If the number of lots/dwelling units changes fees will be adjusted accordingly.	NA
* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per plat submitted on August 9th,2023 a total of 13 lots proposed park fees total to \$9,100 (\$700 X13 per lot/dwelling unit) payable prior to plat recording. If the number of lots/dwelling units changes fees will be adjusted accordingly	Required
* Pending review by the City Manager's Office. As per plat submitted on August 9th,2023 a total of 13 lots proposed park fees total to \$9,100 (\$700 X13 per lot/dwelling unit) payable prior to plat recording. If the number of lots/dwelling units changes fees will be adjusted accordingly.	NA
TRAFFIC	
* As per Traffic Department, Trip Generation for a 15-single family Lot Subdivision is waived	Compliance
* Traffic Impact Analysis (TIA) required prior to final plat.  ** As per Traffic Department, Trip Generation for a 15-single family Lot Subdivision is waived	NA

COMMENTS	
Comments: -Must comply with City's Access Management Policy Any abandonments must be done by separate process, not by platAs per plat submitted on November 16th,2023 subdivision proposed to be Private.	Required
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM SUBJECT TO CONDITIONS NOTED.	Applied



# City of McAllen

## SUB2023-00UA

## Planning Department

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

Project Information	Subdivision Name JLG Subdivision  Location  City Address or Block Number 92/2 N. BENTSEN PALM DE  Number of Lots Gross Acres 10.0 Net Acres 8.50 ETJ Yes No  Existing Zoning TT Proposed Zoning ETT Rezoning Applied for Yes INo Date  Existing Land Use 10.0 Proposed Land Use 10.
Pr	Parcel # 1017 \(\begin{align*} Parcel Hold   Parcel   Parce
Owner	Name Jusces Raina Giz. Radingo Pangel, Yasmind Rargel Phone 956-534-3798  Address 9212 N Bentsen Palm Dr. E-mail  City MUSSION State TX Zip 78574
Developer	Name Jose Luis Gonzalez España Phone 954-271-3134  Address 9212 N Bentsen Palm Dr. E-mail Xgonzalez atlas Egmail Com  City Mission State TX Zip 78574  Contact Person XHAII GONZALZ
Engineer	Name Lucas Castillo Ir. Phone 956 271-3136  Address 2820 Gull E-mail Xgonzalez. attas Cgmail.com  City McHilen State TX Zip 78504  Contact Person XITIAII Gonzalez
Surveyor	Name tomen Gutterez  Address P.D. Box 548  City Hoteler  State TX  Phone 956-369-0988  E-mail homen-gutterez CSbcglobal ret  Zip 78505  DEGET VED
	JUN 3 0 2023

# Owners Signature

## **Proposed Plat Submittal**

## 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 blueline copies 2 Location Maps
- 2 8 ½" by 11" copies/legible copies of plat with name & north arrow
- 6 Folded blueline prints of the proposed plat
- 2 Warranty Deeds (identifying owner on application)
- AutoCAD 2005 DWG file and PDF of plat
- Letter of Authorization from the owner (if applicable)
- Proof of authority of person signing application on behalf of partnership/corporation (if applicable)

## **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

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.

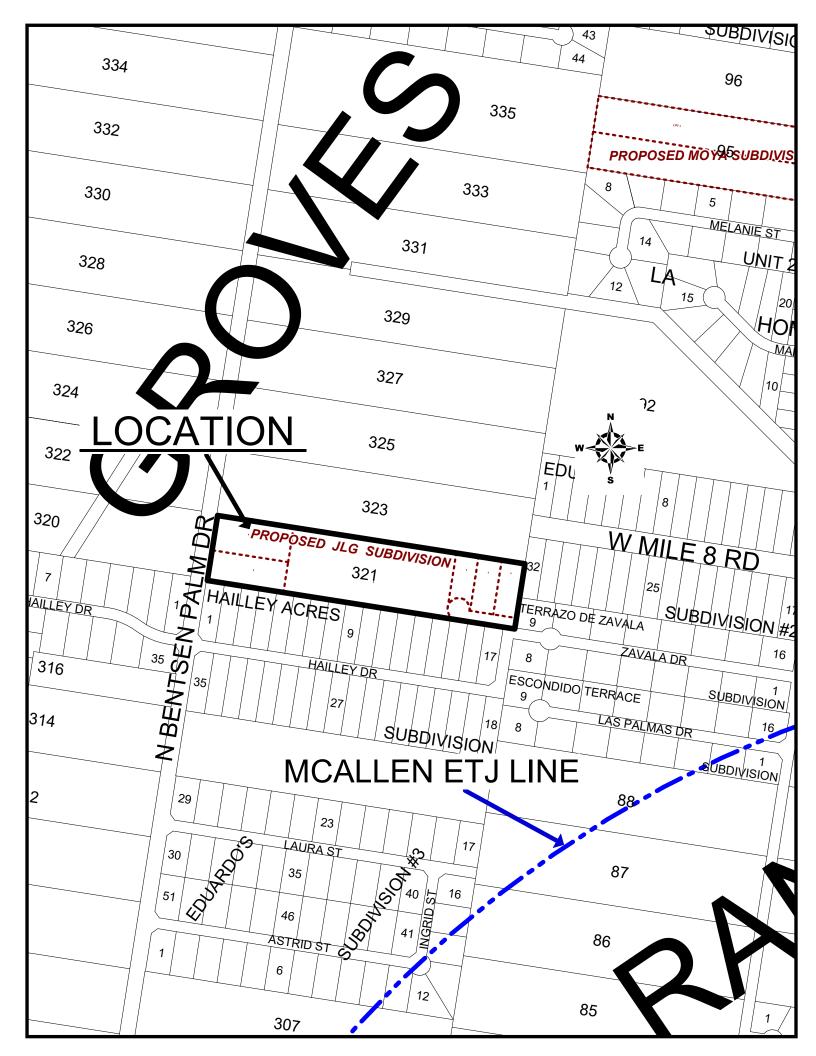
Signature USE LINIS GONZULZE Date 06/05/23

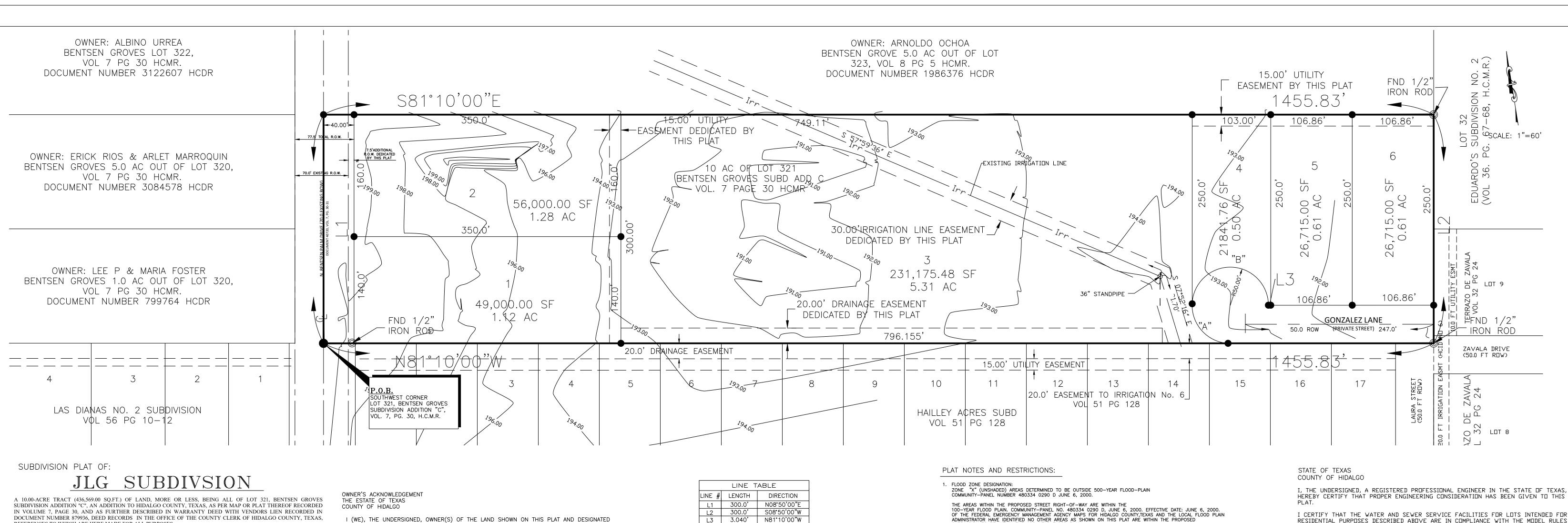
Print Name JOSE LINIS GONZULZ ESPURA

Owner d

Authorized Agent

The Planning Department is now accepting DocuSign signatures on application





CURVE DATA CHART

CURVE DELTA RADIUS LENGTH CHORD BEARING CHORD LENGTH

"A" 90°0′02" 50.0 78.54' \$ 36°10′01" E 70.71'

THE UNDERSIGNED, CERTIFY THAT THIS PLAT OF JLG SUBDIVISION WAS REVIEWED AND APPROVED BY THE

HIDALGO COUNTY HEALTH DEPARTMENT ON \_\_\_\_\_\_, \_\_\_\_, \_\_\_\_,

REFERENCES TO WHICH ARE HERE MADE FOR ALL PURPOSES.

## METES AND BOUNDS

A 10.00-ACRE TRACT (436,569.00 SO.FT.) OF LAND, MORE OR LESS, BEING ALL OF LOT 321, BENTSEN GROVES SUBDIVISION ADDITION "C", AN ADDITION TO HIDALGO COUNTY, TEXAS, AS PER MAP OR PLAT THEREOF RECORDED IN VOLUME 7, PAGE 30, AND AS FURTHER DESCRIBED IN WARRANTY DEED WITH VENDORS LIEN RECORDED IN DOCUMENT NUMBER 879936, DEED RECORDS IN THE OFFICE OF THE COUNTY CLERK OF HIDALGO COUNTY, TEXAS, REFERENCES TO WHICH ARE HERE MADE FOR ALL PURPOSES, LOCATED ON THE EAST SIDE OF BENTSEN PALM DRIVE APPROXIMATELY 4.800 FEET NORTH OF MILE 7 NORTH ROAD, IS DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

THE POINT OF COMMENCMENT (P.O.C.) BEING AT A NO. 4 REBAR FOUND (N: 16647315.34, E: 1033927.11) FOR THE APPARENT SOUHEAST CORNER OF A 5.00 ACRE TRAT OF LAND VESTED IN ARNOLDO OCHOA (WARANTY DEED RECORDED VIA DOCUMENT NO. 1986376, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS) AND THE NORTHEAST CORNER OF SAID LOT 321, AND ALSO BEING THE **POINT OF BEGINNING** (**P.O.B.**) OF SAID 10.00-ACRE TRACT OF LAND

THENCE, SOUTH 08°54'39" WEST, ALONG AN EXISTING CEDAR FENCE AT A USUAL 2.07 FEET TO THE RIGHT OF, AND WITH THE APPARENT WEST LOT LINE OF EDUARDOS SUBDIVISION NO. 2 (VOLUME 36, PAGE 67 - 68, MAP RECORDS, HIDALGO COUNTY, TEXAS), THENCE FOLIOWED BY THE WEST LOT LINE OF TERRAZA DE ZAVALA SUBDIVISION (VOLUME 32, PAGE 24, MAP RECORDS, HIDALGO COUNTY, TEXAS), FOR A TOTAL DISTANCE OF 300.00 FEET TO A FOUND HALF (1/2) INCH IRON ROD FOR THE APPARENT SOUTHEAST CORNER OF SAID 10.00-ACRE TRACT OF LAND HEREIN

THENCE; NORTH 81°05'21" WEST, WITH THE APPARENT NORTH LOT LINE OF HAILLEY ACRES SUBDIVISION (VOLUME 51, PAGE 128, MAP RECORDS, HIDALGO COUNTY, TEXAS) AND THE SOUTH LOT LINE OF SAID 10.00-ACRE TRACT FOR A DISTANCE OF APPROXIMATELY 105 FEET PAST AN EXISITNG GATE TO THE RIGHT OF AND THENCE ALONG AN EXISTING HOGWIRE FENCE AT A USUAL DISTANCE OF 0.5 OF A FOOT TO THE LEFT OF SAID SOUTH LOT LINE OF 10.00-ACRE TRACT FOR A DISTANCE OF 1,418.33 FEET PAST A NO. 4 REBAR SET WITH PLASTIC CAP STAMPED 2791 ON THE PROPOSED EAST RIGHT-OF-WAY LINE OF SAID BENTSEN PALM DRIVE VIA THIS PLAT, THENCE ANOTHER 5.00 FEET PAST A NO. 4 REBAR SET WITH PLASTIC CAP STAMPED 2791 ON THE APPARENT EXISTING EAST RIGHT-OF-WAY LINE OF SAID BENTSEN PALM DRIVE, CONTINUNING FOR A TOTAL DISTANCE OF 1,455.83 FEET TO A POINT LYING 2.50 FEET EAST OF THE APPARENT CENTERLINE OF A DESIGNATED 5-FOOT STRIP CENTERED WITHIN THE ORIGINAL 75.00-FOOT RIGHT-OF-WAY CENTERLINE OF SAID BENTSEN PALM DRIVE FOR THE APPARENT SOUTHWEST CORNER OF SAID 10.00-ACRE TRACT OF LAND HEREIN DESCRIBED:

THENCE, NORTH 08°50'00" EAST, 2.50 FEET EAST OF AND PARALLEL TO THE SAID BENTSEN PALM DRIVE ORIGINAL 75.00-FOOT RIGHT-OF-WAY CENTERLINE, FOR A DISTANCE OF 300.00 FEET TO A POINT FOR THE APPARENT NORTHWEST CORNER OF SAID 10.00-ACRE TRACT OF LAND HEREIN DESCRIBED;

THENCE, SOUTH 81°05'21" EAST, WITH THE APPARENT NORTH LOT LINE OF SAID 10.00-ACRE TRACT, A DISTANCE OF 32.50 FEET PAST A NO. 4 REBAR FOUND ON THE SAID BENTSEN PALM DRIVE EXISTING EAST RIGHT-OF-WAY LINE, THENCE ANOTHER 5.00 FEET PAST A NO. 4 REBAR SET WITH PLASTIC CAP STAMPED 2791 ON THE SAID BENTSEN PALM DRIVE PROPOSED EAST RIGHT-OF-WAY LINE, CONTINUING WITH THE APPARENT SOUTH LOT LINE OF SAID 5.0 ACRE TRACT VESTED IN OCHOA ARNOLDO AND MINERVA, AND THE NORTH LOT LINE OF SAID 10.00-ACRE TRACT FOR A TOTAL DISTANCE OF 1455.83 FEET TO THE SAID FOUND HALF (1/2) INCH IRON ROD FOR THE NORTHEAST CORNER OF SAID 10.00-ACRE TRACT OF LAND HEREIN DESCRIBED, ALSO BEING THE **POINT OF BEGINNING**, CONTAINING A GROSS OF 10.00 ACRES (436,569.00 SQ.FT.), OF WHICH 0.224 OF AN ACRE LIES IN EXISTING ROAD RIGHT-OF-WAY AND 0.436 OF AN ACRE LIES IN EXISTING IRRIGATION EASEMENT, FOR A NET OF 9.34 ACRES, MORE OR LESS.

INDEX OF SHEETS

& STATEMENT, REVISION NOTES

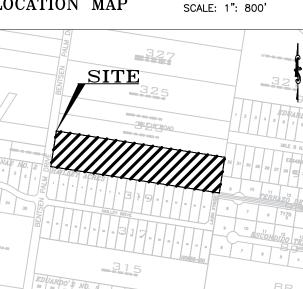
PRINCIPAL CONTACTS

CERTIFICATION AND COUNTY JUDGE'S CERTIFICATION. REVISION NOTES.

LOCATION OF SUBDIVISION WITH RESPECT TO THE EXTRATERRITORIAL JURISDICTION OF A MUNICIPALITY:

JLG SUBDIVISION IS LOCATED NORTHWEST SIDE OF HIDALGO COUNTY EAST OF BENTSEN ROAD. THE ONLY NEARBY MUNICIPALITY IS THE CITY OF ALTON ACCORDING TO THE OFFICIAL MAP IN THE OFFICE OF THE SECRETARY OF THE CITY OF ALTON (POPULATION 14,065), JLG SUBDIVISION LIES APPROXIMATELY 2 MILE FROM THE CITY LIMITS AND IT IS NOT WITHIN THE CITY'S TWO-MILE EXTRA-TERRITORIAL JURISDICTION (ETJ) UNDER LOCAL GOVERNMENT CODE § 42.021. IT LIES IN PCT. 3

LOCATION MAP



I (WE), THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS THE JLG SUBDIVISION TO THE CITY OF MCALLEN, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC ONLY BENTSEN PALM DRIVE STREET, ALLEYS, PARKS, WATERCOURSES, 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. I CERTIFY THAT I HAVE COMPLIED WITH THE REQUIREMENTS OF TEXAS LOCAL GOVERNMENT CODE

§232.032 AND THAT (A) THE WATER QUALITY AND CONNECTIONS TO THE LOTS MEET, OR WILL MEET, THE MINIMUM STATE STANDARDS; (B) SEWER CONNECTIONS TO THE LOTS OR SEPTIC TANKS MEET, OR WILL MEET, THE MINIMUM REQUIREMENTS OF STATE STANDARDS:

(C) ELECTRICAL CONNECTIONS PROVIDED TO THE LOTS MEET, OR WILL MEET, THE MINIMUM STATE STANDARDS; (D) GAS CONNECTIONS, IF AVAILABLE, PROVIDED TO THE THE LOTS MEET, OR WILL MEET, THE MINIMUM STATE

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

ENVIRONMENTAL HEALTH DIVISION MANAGER STATE OF TEXAS DATE Jose Luis Gonzalez COUNTY OF HIDALGO 9212 N. Bentsen Palm Drive Mission, Texas 78574 , THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE AND IS PREPARED FROM AN ACTUAL SURVEY ON THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND. Yasmin Gonzalez 9212 N. Bentsen Palm Drive Mission, Texas 78574 SIGNATURE OMERO LUIS GUTIERRE DATE Jose España Gonzalez 3310 Zavala Drive Mission, Texas 78574 DATE YASMIN I. RANGEL 3304 Zavala Drive Mission, Texas 78574 APPROVED BY DRAINAGE DISTRICT: RODRIGO RANGEL

3310 Zavala Drive Mission, Texas 78574

STATE OF TEXAS COUNTY OF HIDALGO

I, BEFORE ME THE USDERSIGNED NOTARY PUBLIC, ON THIS DAY APPEARED JOSE LUIS GONZALEZ, YASMIN GONZALEZ, JOSE ESPAÑA GONZALEZ, YASMIN I, RANGEL, AND RODRIGO RANGEL PROVED TO ME THROUGH HEIR TEXAS DEPARTMENT OF PUBLIC SAFETY DRIVER LICENSE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, WHO, BEING BY ME FIRST DULLY SWORN, DECLARED THAT THE STATEMENTS THEREIN ARE TRUE AND CORRECT AND ACKNOWLEDGED THAT HE EXECUTED THE SAME FOR THE PURPOSED AND CONSIDERATION THEREBY EXPRESSED

Given under my hand and seal of office this XITLALI YOLANDA GUERRERO RIVER MY COMMISSION EXPIRES MAY 18, 2024

SHEET 1.- HEADING INDEX: LOCATION MAP AND ETJ: PRINCIPAL CONTACTS: MAP: LOT, STREETS, AND EASEMENT LAYOUT: DESCRIPTION (METES AND BOUNDS): ENGINEER'S & SURVEYOR'S CERTIFICATION: NOTES AND

SHEET 3.- DRAINAGE REPORT INCLUDING DESCRIPTION OF DRAINAGE AND MAP OF TOPOGRAPHY AND DRAINAGE, AND ENGINEERING CERTIFICATION, CONSTRUCTION DETAILS, REVISION NOTES.

RESTRICTIONS: OWNER'S DEDICATION, CERTIFICATION, PLAT ATTESTATION: COUNTY CLERK'S RECORDING CERTIFICATION; CERTIFICATION, HCDD NO. 1 CERTIFICATION, HEALTH DEPARTMENT CERTIFICATION, IRRIGATION DISTRICT

SHEET 2.- ENGINEERING REPORT, INCLUDING DESCRIPTION OF WATER DISTRIBUTION SYSTEM, OSSF OR WASTE WATER COLLECTION SYSTEM AND ENGINEER'S CERTIFICATION (ENGLISH AND SPANISH VERSION) SUBDIVIDER CERTIFICATE

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 THE TEXAS WATER CODE 49.211( C ). THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES DESCRIBED ARE APPROPRIATE FOR THE SPECIFIC SUBDIVISION BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA. IT IS THE RESPONSIBILITY OF THE DEVELOPER AND HIS ENGINEER TO MAKE THEIR DETERMINATIONS. HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

RAUL SESIN, P.E., C.F.M.

GENERAL MANAGER NOTARY PUBLIC

HIDALGO COUNTY

CERTIFICATE OF PLAT APPROVAL

SUBDIVISION TO BE WITHIN THE 100-YEAR FLOOD PLAIN.

CONSTRUCTION OF RESIDENTIAL HOUSING WITHIN ANY AREA OF THE SUBDIVISION THAT IS IN THE 100—YEAR FLOOD PLAIN IS PROHIBITED UNLESS THE HOUSING QUALIFIES FOR INSURANCE UNDER THE NATIONAL FLOOD INSURANCE ACT OF 1968 (42 U.S.C. SECTIONS 4001 THROUGH 4127).

2. GENERAL NOTE FOR SINGLE FAMILY RESIDENCES: NO MORE THAN ONE-SINGLE FAMILY DETACHED DWELLING SHALL BE LOCATED ON EACH LOT. THIS MUST BE STIPULATED ON ALL DEEDS AND CONTRACTS FOR DEEDS. APPLICATIONS FOR CONSTRUCTION ARE REQUIRED

3. MINIMUM FINISH FLOOR NOTE: MINIMUM FINISH FLOOR ELEVATION SHALL BE 18" ABOVE CENTERLINE OF STREET OR 18" ABOVE NATURAL GROUND, WHICHEVER IS GREATER. ELEVATION CERTIFICATE MAY BE REQUIRED FOR LOTS LOCATED OUTSIDE A DESIGNATED FLOOD ZONE AT THE TIME FOR APPLICATION FOR CONSTRUCTION TO VERIFY PRE AND POST CONSTRUCTION FINISH FLOOR ELEVATIONS. AN ELEVATION CERTIFICATE SHALL BE REQUIRED FOR ALL LOTS WITHIN A DESIGNATED FLOOD ZONE AT THE TIME FOR A DEVELOPMENT PERMIT

4. LEGEND - O DENOTES 1/2" IRON ROD WITH A PLASTIC CAP 4856 SET UNLESS OTHERWISE NOTED.

THE HOMEOWNERS ASSOCIATION AND/OR EVERY LOT OWNER SHALL HOLD THE COUNTY OF HIDALGO, HARMLESS AND INDEMNIFY COUNTY FROM ANY AND ALL CLAIMS RELATING TO THE CONDITION OR ACCESSIBILITY OF THE PRIVATE STREETS. THE LOT OWNERS SHALL BE RESPONSIBLE FOR THE COSTS TO MAINTAIN THE PRIVATE STREETS, PRIVATE SIDEWALKS, AND PRIVATE STREETLIGHTS. ANY REQUEST FOR DEDICATION OF THE PRIVATE ROADS TO PUBLIC USE IF APPROVED SHALL CAUSE CONSTRUCTION SPECIFICATIONS TO MEET COUNTY

6. MINIMUM BUILDING SETBACK LINES: FRONT LOTS 1&2: 45.00' OR GREATER FOR EASEMENTS, OR INLINE WITH THE AVERAGE EXISTING STRUCTURES, WHICHEVER IS GREATER 25.00' OR GREATER FOR FASEMENTS 6.00' OR GREATER FOR EASEMENTS 15.00' OR GREATER FOR EASEMENTS

10.00' OR GREATER FOR EASEMENTS 18.00' EXCEPT WHERE GREATER SETBACK IS REQUIRED, GREATER SETBACK APPLIES

7. DRAINAGE: IN ACCORDANCE WITH THE HIDALGO COUNTY DRAINAGE DISTRICT No. 1 AND HIDALGO COUNTY REQUIREMENTS, THIS DEVELOPMENT WILL BE REQUIRED TO DETAIN A TOTAL OF 17,600 CUBIC FEET (0.4 ACRE FEET) OF STORM WATER RUNOFF. DRAINAGE RETENTION IN ACCORDANCE WITH THE LOCAL REQUIREMENTS WILL BE ACCOMPLISHED AS FOLLOWS: SEE DRAINAGE REPORT ON SHEET No. 3

8. NO STRUCTURE SHALL BE PERMITTED OVER ANY EASEMENT. EASEMENTS SHALL BE KEPT CLEAR OF FENCES, BUILDINGS, SHEDS, SHRUBS

TREES, AND OTHER PLANTINGS (EXCEPT LOW, LESS THAN 18 INCHES MATURE HEIGHT, GROUND COVER, GRASS, OR FLOWERS) AND OTHER OBSTRUCTIONS THAT WOULD INTERFERE WITH THE OPERATIONS AND MAINTENANCE OF THE EASEMENT. 9. BENCHMARK NOTE: THE FOLLOWING BENCHMARK IS IDENTIFIED ON THE FACE OF THE PLAT AND ON THE ATTACHED ENGINEERING PLANS.

LOCATION: AT THE EAST BOUND ON FM 2993 (1 MILE NORTH FROM HWY 107) TYPE OF MARK: 30" ALUMINUM PIPE WITH 3-1/4" BRASS MONUMENT CAP ON TOP. NORTHING: 16645037.93524 FASTING: 1047685.40348

HORIZONTAL DATUM: NAD 83 VERTICAL DATUM: NAVD 88 ORTHOMETRIC HEIGHT: 166.75 FT.

DATE

10. EACH PURCHASE CONTRACT MADE BETWEEN A SUBDIVIDER AND PURCHASER OF A LOT IN THIS SUBDIVISION SHALL CONTAIN A STATEMENT DESCRIBING HOW AND WHEN WATER, SEWER, ELECTRICITY AND GAS SERVICES WILL BE MADE AVAILABLE TO THE SUBDIVISION.

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

12. THE RESIDENTIAL LOTS SHOULD REFLECT SERVICE BY A 3/4" METER.

13. ALL PUBLIC UTILITIES EASEMENTS DEDICATED BY THIS PLAT SHALL BE A MINIMUM WIDTH OF 15.00 FEET AS PER THE HIDALGO COUNTY MODEL SUBDIVISION RULES. BY SIGNING THIS PLAT DEVELOPER AND ENGINEER CERTIFY THAT ALL OTHER EASEMENTS SHOWN COMPLY WITH THE SIZE REQUIRED BY EACH UTILITY PROVIDER OCCUPYING AN EASEMENT.

14. ALL LOTS SHALL HAVE A POST DEVELOPMENT FINISHED GRADE FROM THE REAR OF THE LOT TO THE CURB AND/OR ROADSIDE DITCH AT A 0.25% SLOPE TO ACCOMPLISH POSITIVE DRAINAGE.

15. JOSE LUIS GONZALEZ, YASMIN GONZALEZ, JOSE ESPANA GONZALEZ, AND YASMIN ISABEL GONZALEZ THE OWNER & SUBDIVIDER OF RBR SUBDIVISION No. 1 RETAINS AN EASEMENT UPON EACH LOT FOR THE PURPOSES OF INSTALLING AN APPROVED OSSF ON THE LOT AS DESCRIBED ON SHEET No.2 OF THIS PLAT.

16. NO UTILITY COMPANY OR OTHER PERSON IS ALLOWED TO CONNECT TO ANY DISTRICT FACILITY WITHOUT FIRST OBTAINING A PERMIT FROM THE IRRIGATION DISTRICT. ANY CONNECTION NOT AUTHORIZED BY THE DISTRICT IS SUBJECT TO REMOVAL.

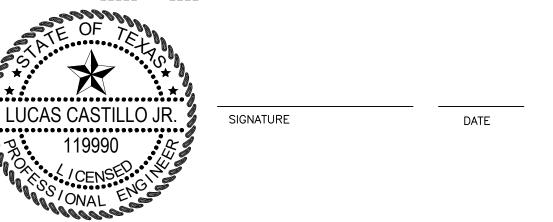
17. ON-SITE SEWAGE FACILITIES (OSSF) NOTE: THIS SUBDIVISION SHALL USE ON-SITE SEWAGE FACILITIES IN ACCORDANCE WITH TCEQ AND HIDALGO COUNTY REGULATIONS FOR SEWAGE DISPOSAL. THE SUBDIVIDER IS RESPONSIBLE FOR PROVIDING AN OSSF. A. OSSF SYSTEM IS BEING DESIGNED FOR DISPOSAL OF DOMESTIC SEWERAGE B. EACH LOT ON THIS PLAT COMPLIES WITH THE MINIMUM 21.780 SQUARE FEET OSSF SYSTEM SHALL REQUIRE INSPECTION AND APPROVAL BY HIDALGO

UTILITY LAYOUT FOR THIS SUBDIVISION AS SUBMITTED TO THE HIDALGO COUNTY PLANNING DEPARTMENT. THE ENGINEER HAS DETERMINED THAT THE SOIL IS SUITABLE FOR A STANDARD SEPTIC TANK AND ABSORPTIVE DRAINFIELD SYSTEM. E. APPROVED "OSSF" PERMIT APPLICATION IS REQUIRED INCLUDING INDIVIDUAL LOT PLANNING MATERIALS PRIOR TO OCCUPYING A LOT.

18. A 5 FT. WIDE MINIMUM SIDEWALK REQUIRED ON N. BENTSEN PALM DRIVE. 19. 6FT. OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, OR INDUSTRIAL ZONES/USES. 20. 8FT MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONES/USES. 21. COMMON AREAS, ANY PRIVATE STREETS/DRIVES, ETC. MUST BE MAINTAINED BY THE LOT OWNERS AND NOT THE CITY OF MCALLEN. 22. 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. , THE UNDERSIGNED, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS,

RESIDENTIAL PURPOSES DESCRIBED ABOVE ARE IN COMPLIANCE WITH THE MODEL RULES ADOPTED UNDER SECTION 16.343, WATER CODE. THE ESTIMATED COST TO INSTALL UNCONSTRUCTED WATER AND SEWAGE FACILITIES DESCRIBED ABOVE ARE AS FOLLOWS:

WATER FACILITIES: THESE FACILITIES WILL BE CONSTRUCTED. SEWAGE FACILITIES: INSTALLATION OF SEPTIC SYSTEMS ARE ESTIMATED TO COST \$\_ PER LO, FOR A TOTAL OF & \_\_\_\_ FOR THE SUBDIVISION, THE SUBDIVIDER HAS PAID A TOTAL OF \$\_\_\_\_ TO \_\_\_ TO COVER THE COST OF INSTALLATION OF SEPTIC SYSTEMS.



PLANNING & ZONING COMMISSION ACKNOWLEDGEMENT:

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

CHAIRMAN PLANNING AND ZONING COMISSION

CITY OF McALLEN CERTIFICATION OF APPROVAL:

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

MAYOR	DATE
CITY SECRETARY	DATE

IRRIGATION DISTRICT NO 6.

HAVE WHETHER SHOWN OR NOT.

THIS PLAT IS HEREBY APPORVED BY HIDALGO COUNTY IRRIGATION DDISTRICT No. 6 ON THIS DAY OF \_\_\_\_, 20\_\_. NO OMPROVEMENTS OF ANY KIND (INCLUDING WITHOUT LIMITATION TREE, FENCES AND BUILDING) SHALL BE PLASCED UPON HCID#6 RIGHT OF WAY OR EASEMENTS. APPROVAL OF THIS PLAT DOES NOT RELEASE ANY RIGHTS THAT THE DISTRICT MAY

BOARD MEMEBER



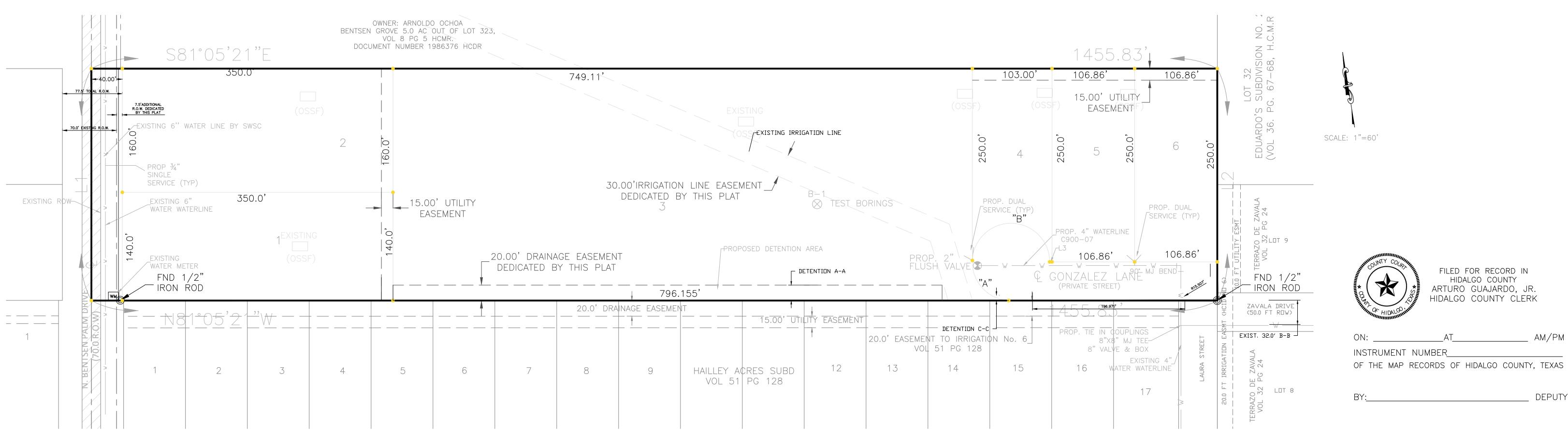
FILED FOR RECORD IN HIDALGO COUNTY ARTURO GUAJARDO, JR. HIDALGO COUNTY CLERK

AM/PM INSTRUMENT NUMBER OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS

\_\_\_ DEPUTY

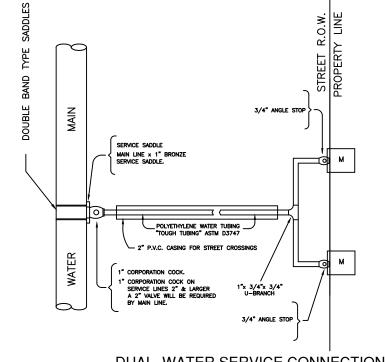
9212 N. Bentsen Palm Drive MISSION, Texas 78574 (956) 534-3798 Jose Luis Gonzalez McALLEN, Texas 78504 (956) 379-3857 2820 GULL ST ATLAS ENGINEERING CONSULTANTS ENGINEER: MISSION, Texas 78574 (956)369-0988 2600 SAN DIEGO ST. SURVEYOR: HOMERO LUIS GUTIERREZ

REVISION NOTES



# SUBDIVSION

BEING A 10.0 ACRE (436,569.00 SQ.FT.) GROSS, 9.74 ACRE (424,569.00 SQ.FT.) NET., TRACT OF LAND BEING ALL OF LOT 321, BENTSEN GROVES SUBDIVISION ADDITION "C", AN ADDITION TO HIDALGO COUNTY, TEXAS, ACCORDING TO THE OF MAP RECORDED IN VOLUME 7, PAGE 30, AS PER DEED RECORDS THEREOF RECORDED IN WARRANTY DEED WITH VENDORS LIEN NUMBER: 879936, IN THE OFFICE OF THE COUNTY CLERK OF HIDALGO COUNTY, TEXAS REFERENCE TO WHICH IS HERE MADE FOR ALL PURPOSES.



DUAL WATER SERVICE CONNECTION

(NOT TO SCALE)

M CAJA DE MEDIDOR DE AGUA

---- 4" LINEA DE AGUA

--- LINEAS DE SERVICIOS

SEPTIC TANK (OSSF)

COST ESTIMATE WATER DISTRIBUTION:

DRAINAGE IMPROVEMENTS: PAVING IMPROVEMENTS: <u>\$ 25,100.00</u> <u>\$ 4,000.00</u> SEPTIC TANK (OSSF):

M WATER METER BOX ----4" WATER SUPPLY LINE ----SERVICE LINES

1" DUAL SERVICE -LINE LOT LOTE " DOBLE LINEA DE SERVICIO M M M 3/4 UNA LINEA DE-SERVICIO 3/4SINGLE ´SERVICE-LINE LOTE LOT

REPORTE FINAL DE INGENIERIA PARA LA SUBDIVISION JLG SUBDIVISION

PROVISION DE AGUA: Descripcion y Gastos.

LA SUBDIVISION - JLG - SUBDIVISION - HA SIDO PROVISTA DE AGUA POTABLE POR LA COMPAÑIA DE SHARYLAND WATER SUPPLY CORPORATION (S.W.S.C) EL DUEÑO DE LA SUBDIVISION Y LA COMPAÑIA DE AGUA S.W.S.C. SE HA COMPROMETIDO A PROVEER DE AGUA SUFICIENTE A LA SUBDIVISION POR UN PERIODO DE 30 AÑOS. LA COMPAÑIA DE AGUA N.A.W.S.C. HA PRESENTADO LA DOCUMENTACION DEMOSTRANDO LA DISPONIBILIDAD DE CANTIDAD Y CALIDAD DE AGUA A LARGO PLAZO QUE SERVIRA PARA EL FUTURO DESARROLLO DE LA SUBDIVISION.

S.W.S.C. TIENE UNA LINEA DE AGUA DE 8" DE DIAMETRO EXISTENTE LA CUAL CORRE A LADO ESTE DE LA BENTSEN PALM ROAD. Y OTRA LINEA DE AGUA DE 8" DE DIAMETRO EXISISTENTE LA CUAL CORRE A LADO OESTE DE LA LAURA STREET.

EL SISTEMA DE AGUA PARA JLG SUBDIVISION CONSISTE DE UNA LINEA DE AGUA DE 4" DE DIAMETRO QUE SE CONECTA A UNA LINEA DE AGUA EXISTENTE DE 4" DE DIAMETRO. LINEA DE AGUA PROPUESTA DE 4" DE DIAMETRO CORRE HACIA EL NORTE VOLTIANDO AL OESTE EN LA CALLE GONZALEZ LANE.

DEL CONDUCTO DE AGUA DE 4 PULGADAS SE PRODUCEN SEIS (6) DOBLE-CONDUCTOS DE AGUA DE 1 PULGADA DE DIÁMETRO PARA CADA DOS LOTES. ESTOS CONDUCTOS SE SEPARAN PARA PRODUCIR DOS CONDUCTOS DE AGUA DE 3/4"DE PULGADA DE DIÁMETRO PARA CADA LOTE.

LOS DOBLE-CONDUCTOS DE AGUA DE 1 PULGADA DE DIÁMETRO, Y LOS MEDIDORES MECÁNICOS DE AGUA A UN COSTO TOTAL DE US\$ XXXXXXXX O US\$ XXXXXXXX POR LOTE. EL DUEÑO DE LA SUBDIVISIÓN TAMBIÉN LE HA PAGADO A LA COMPAÑÍA S.W.S.C. US\$ XXXXXXX, QUE CUBRE EL COSTO DEL MEDIDOR MECÁNICO DE AGUA PARA CADA LOTE, US\$ XXXXXXX ESTE PRECIO INCLUYE EL COSTO DE LA INSTALACIÓN DE CADA MEDIDOR Y LOS GASTOS DE CONEXIÓN. CUANDO EL DUEÑO DE CADA LOTE SOLICITE UN MEDIDOR DE AGUA. LA COMPAÑÍA S.W.S.C. LO INSTALARA SIN ALGÚN GASTO AL DUEÑO. EL SISTEMA DE AGUA ESTARÁ EN FUNCIONAMIENTO COMPLETO ANTES O EN LA FECHA, EN LA CUAL LA SUBDIVISIÓN SEA REGISTRADA EN EL CONDADO DE HIDALGO.

## DRENAJE DESCRIPCION Y GASTOS

CERTIFICACION

SE INSTALARA UNA FOSA SÉPTICA EN CADA SOLAR DE LA SUBDIVISION JLG SUBDIVISION ESTA FOSA SÉPTICA CONSISTE DE UN TANQUE SÉPTICO DE MODELO DUAL Y DE UN CAMPO DE DRENAJE PARA EL SOLAR. EL EVALUADOR (LIC# OS \_\_\_\_) AUTOR DE ESTE DOCUMENTO HA EVALUADO EL ÁREA DONDE SE ENCUENTRA LA SUBDIVISIÓN Y HA PREPARADO UN REPORTE QUE CONCLUYE QUE ESTE TERRENO ES ADECUADO PARA ESAS FOSAS SÉPTICAS (OSSF). EL REPORTE FUE APROBADO POR EL DEPARTAMENTO DE SALUBRIDAD DEL CONDADO DE HIDALGO (HIDALGO COUNTY HEALTH DEPARTMENT) SEGÚN EL REPORTE.

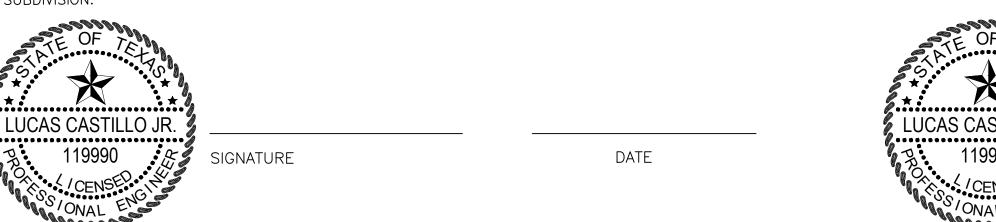
CADA LOTE EN LA SUBDIVISIÓN MIDE MEDIO ACRE. EL EVALUADOR (LIC# ) HIZO SEIS (6) PRUEBAS CON AGUJEROS EN EL CENTRO DE LOS LOTES #,#,# (EXCAVACIONES ADICIONALES NO FUERON NECESARIAS PORQUE EL TERRENO EN ESTA ÁREA ES SIGNIFICANTEMENTE UNIFORME). EL TERRENO ES UNIFORME FRANCO ARENOSO (CLASS II) Y SE EXTIENDE A 36 PULGADAS BAJO TODAS LAS EXCAVACIONES PROPUESTAS. NO EXISTE EVIDENCIA DE AGUA 24 PULGADAS MAS ARRIBA DE LO MAS BAJO DE LAS EXCAVACIONES PROPUESTAS. EL AGUA EN ESTA ÁREA FLUYE BIEN

EL COSTO TOTAL PARA LA INSTALACIÓN DE UN SISTEMA INDIVIDUAL DE FOSAS SÉPTICAS POR SOLAR SON US\$ INCLUYENDO EL COSTO DEL PERMISO REQUERIDO Y LICENCIA. EN ESTOS MOMENTOS TODAS LAS FOSA SÉPTICAS HAN SIDO INSTALADAS EN EL PROCESO DE LA APROBACIÓN FINAL. A UN COSTO TOTAL DE US\$ EL DEPARTAMENTO DE SALUBRIDAD DEL CONDADO DE HIDALGO HA INSPECCIONADO TODOS LAS FOSAS SÉPTICAS Y AH APROBADO LA INSTALACIÓN DE LAS FOSAS SÉPTICAS DESDE

CON MI FIRMA, CERTIFICO QUE LOS SERVICIOS Y SISTEMAS DE AGUA Y DE DRENAJE, DESCRITOS EN ESTE DOCUMENTO, CUMPLEN CON LAS MODEL SUBDIVISION RULES (LAS REGLAS GOBERNANDO A LAS SUBDIVISIONES), ADOPTADAS EN LA SECCION 16.343 DEL TEXAS WATER CODE (CODIGO DE AGUA DE TEXAS). CERTIFICO QUE LOS GASTOS PARA INSTALAR LOS SISTEMAS DE AGUA Y DE DRENAJE SON:

AGUA: EL SISTEMA/SERVICIO DE AGUA ESTA TOTALMENTE CONSTRUIDO, CON LA INSTALACION DE LOS MEDIDORES DE AGUA, EL GRAN COSTO TOTAL ES DE US\$ XXXXXXXX LO CUAL EQUIVALE A US\$ XXXXXXX POR LOTE.

DRENAJE: SE ESTIMA QUE LA FOSA SÉPTICA COSTARA \$ \_\_\_\_\_ A UN COSTO TOTAL DE \$ SUBDIVISIÓN.



FINAL ENGINEERING REPORT FOR JLG SUBDIVISION WATER SUPPLY: Description and Costs.

WATER METER BOXES FOR EACH LOT.

JLG SUBDIVISION WILL BE PROVIDED WITH POTABLE WATER BY THE SHARYLAND WATER SUPPLY CORPORATION (S.W.S.C.) THE SUBDIVIDER AND S.W.S.C. HAVE ENTERED INTO A CONTRACT IN WHICH S.W.S.C. HAS PROMISED TO PROVIDE SUFFICIENT WATER TO THE SUBDIVISION FOR AT LEAST 30 YEARS AND S.W.S.C. HAS PROVIDED DOCUMENTATION TO SUFFICIENTLY ESTABLISH THE LONG TERM QUANTITY AND QUALITY OF THE AVAILABLE WATER SUPPLIES TO SERVE THE FULL DEVELOPMENT OF THIS SUBDIVISION.

S.W.S.C. HAS AN EXISTING 6" DIAMETER WATERLINE RUNNING ALONG THE EAST RIGHT OF WAY LINE OF BENTSEN PALM DRIVE. THE WATER SYSTEM FOR JLG SUBDIVISION CONSISTS OF AN 4" DIAMETER WATERLINE THAT CONNECTS INTO THE EXISTING 4" DIAMETER WATERLINE ON THE WEST SIDE OF LAURA STREET. FROM THE 4" DIAMETER WATERLINE, THERE ARE SIX (6) 1" DUAL SERVICE LINES RUNNING TO PAIR OF LOTS BEFORE SPLITTING INTO TWO 3/4" DIAMETER SINGLE SERVICE LINES THAT RUN INTO THE

THE 6" WATERLINE, THE 1" DUAL SERVICE LINES, AND THE METER BOXES WILL BE INSTALLED, AT A TOTAL COST OF \$ XXXXXXXOR \$ XXXXXXX PER LOT. THE SUBDIVIDER HAS IN ADDITION PAID S.W.S.C. THE SUM OF \$ XXXXXXOR \$ XXXXX PER LOT, WHICH REPRESENTS THE TOTAL COST OF WATER METERS AND ALL MEMBERSHIPS OR OTHER FEES ASSOCIATED WITH CONNECTING THE INDIVIDUAL LOTS IN THE SUBDIVISION TO THE S.W.S.C. SYSTEM. THE ENTIRE WATER FACILITIES WILL BE APPROVED AND ACCEPTED BY S.W.S.C. AND SAID DISTRIBUTION SYSTEM IS OPERABLE AS OF THE DATE OF THE RECORDING OF THE PLAT. SEWAGE FACILITIES: Description and Costs.

SEWAGE FROM THE JLG SUBDIVISION IS TREATED BY INDIVIDUAL ON-SITE SEWAGE FACILITIES ("OSSF") CONSISTING OF A STANDARD DESIGN DUAL COMPARTMENT SEPTIC TANK AND A DRAINFIELD ON EACH LOT. THE SITE EVALUATOR (LICENSE NUMBER OS 12258) HAS EVALUATED THE SUITABILITY OF THE SUBDIVISION SITE FOR OSSF AND SUBMITTED A REPORT CONCLUDING THAT THE SITE IS SUITABLE FOR OSSF. THE REPORT WAS REVIEWED AND APPROVED BY THE HIDALGO COUNTY HEALTH DEPARTMENT. EACH LOT HAS ADEQUATE AREA FOR A REPLACEMENT DRAIN FIELD.

EACH LOT IN THE EXISTING SUBDIVISION IS AT LEAST 1/2 ACRE IN SIZE. THE NATURAL RESOURCE CONSERVATION SERVICE SOIL SURVEY BOOK INDICATED A FINE SANDY LOAM, SANDY CLAY LOAM AND CLAY LOAM SOIL FOR THE AREA. THE SITE EVALUATOR (LICENSE NUMBER OS  $\_\_\_$ ) HAD # (#) TEST BORINGS MADE AT OPPOSITE AREAS OF THE SUBDIVISION AT THE CENTERS OF LOTS #,#, (ADDITIONAL BORINGS WERE UNNECESSARY BECAUSE THE SOILS ARE VERY UNIFORM WITHIN THIS LIMITED AREA.) THE SOIL IS A UNIFORM SANDY LOAM (CLASS II) EXTENDING UP TO 36" BELOW THE BOTTOM OF ANY EXISTING EXCAVATIONS. THERE IS NO INDICATION OF GROUNDWATER OR A RESTRICTIVE LAYER WITHIN 24" OF BOTTOM OF THE EXISTING EXCAVATIONS. THE SUBDIVISION DRAINS WELL.

THE COST TO INSTALL A SEPTIC SYSTEM ON AN INDIVIDUAL LOT IS \$ 1,350.00, INCLUDING THE COST FOR THE REQUIRED PERMIT AND LICENSE. ALL OSSFS HAVE BEEN INSTALLED AS OF THE TIME OF APPLICATION FOR FINAL PLAT APPROVAL AT A TOTAL COST OF \$ THE HIDALGO COUNTY HEALTH DEPARTMENT HAS INSPECTED AND APPROVED THE INSTALLATION OF ALL OSSF ON

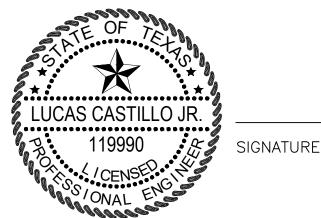
## **CERTIFICATION:**

\_\_\_\_\_

BY MY SIGNATURE BELOW, I CERTIFY THAT THE WATER AND SEWAGE SERVICE FACILITIES DESCRIBED ABOVE ARE IN COMPLIANCE WITH THE MODEL RULES ADOPTED UNDER SECTION 16.343, WATER CODE. I CERTIFY THAT THE COSTS TO INSTALL THE CONSTRUCTED WATER AND ON-SITE SEWAGE FACILITIES, DISCUSSED ABOVE, ARE AS FOLLOWS:

WATER FACILITIES - THESE FACILITIES WILL BE CONSTRUCTED, WITH THE INSTALLATION OF WATER METER BOXES, HAVE COST A GRAND TOTAL OF \$ XXXXXX WHICH EQUALS TO \$ XXXXXX PER LOT.

SEWAGE FACILITIES - SEPTIC SYSTEM IS ESTIMATED TO COST \$ \_\_\_\_\_PER LOT (ALL INCLUSIVE), FOR A TOTAL OF \$ \_\_\_\_\_ FOR THE ENTIRE SUBDIVISION.



DATE

SUBDIVIDER CERTIFICATION

1.- BY COMPLETING THE IMPROVEMENTS DESCRIBED ON THE PLAT, SUBDIVIDER WILL COMPLY WITH MINIMUM STATE STANDARDS AND THAT (a) WATER QUALITY AND CONNECTIONS INCLUDING WATER METERS TO THE LOTS MEET SUCH STANDARDS AND (b) SEWER CONNECTIONS TO THE LOTS OR SEPTIC TANKS MEET OR WILL MEET SUCH STANDARDS AND WILL BE CONSTRUCTED IN ACCORDANCE WITH STATE AND COUNTY REGULATIONS.

SUBDIVIDER STATEMENT:

Jose Luis Gonzalez, Yasmin Gonzalez, Jose España

1.- I (WE), Gonzalez, Yasmin I. Rangel, & Rodrigo Rangel subdividers of JLG subdivision hereby certify sewer permits, as applicable, have been paid and copies of receipts are on file with the hidalgo COUNTY HEALTH DEPARTMENT AND THAT AN ADEQUATE DRINKING WATER SOURCE IS IMMEDIATELY AVAILABLE TO EACH LOT OF THE TYPE, QUALITY & QUANTITY TO ENABLE EACH PERSON PURCHASING A LOT HAVE ADEQUATE WATER TO COMPLY WITH THE REGULATIONS AND THE LAWS OF THE STATE AS REQUIRED BY STATE AND COUNTY REGULATIONS.

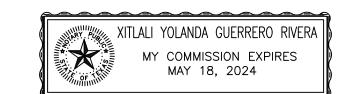
Jose Luis Gonzalez 9212 N. Bentsen Palm Drive Mission, Texas 78574	·	DATE
Yasmin Gonzalez 9212 N. Bentsen Palm Drive Mission, Texas 78574	-	DATE
Jose España Gonzalez 3310 Zavala Drive Mission, Texas 78574	_	DATE
Yasmin I. Rangel 3304 Zavala Drive Mission, Texas 78574		DATE
Rodrigo Rangel 3304 Zavala Drive Mission, Texas 78574	-	DATE

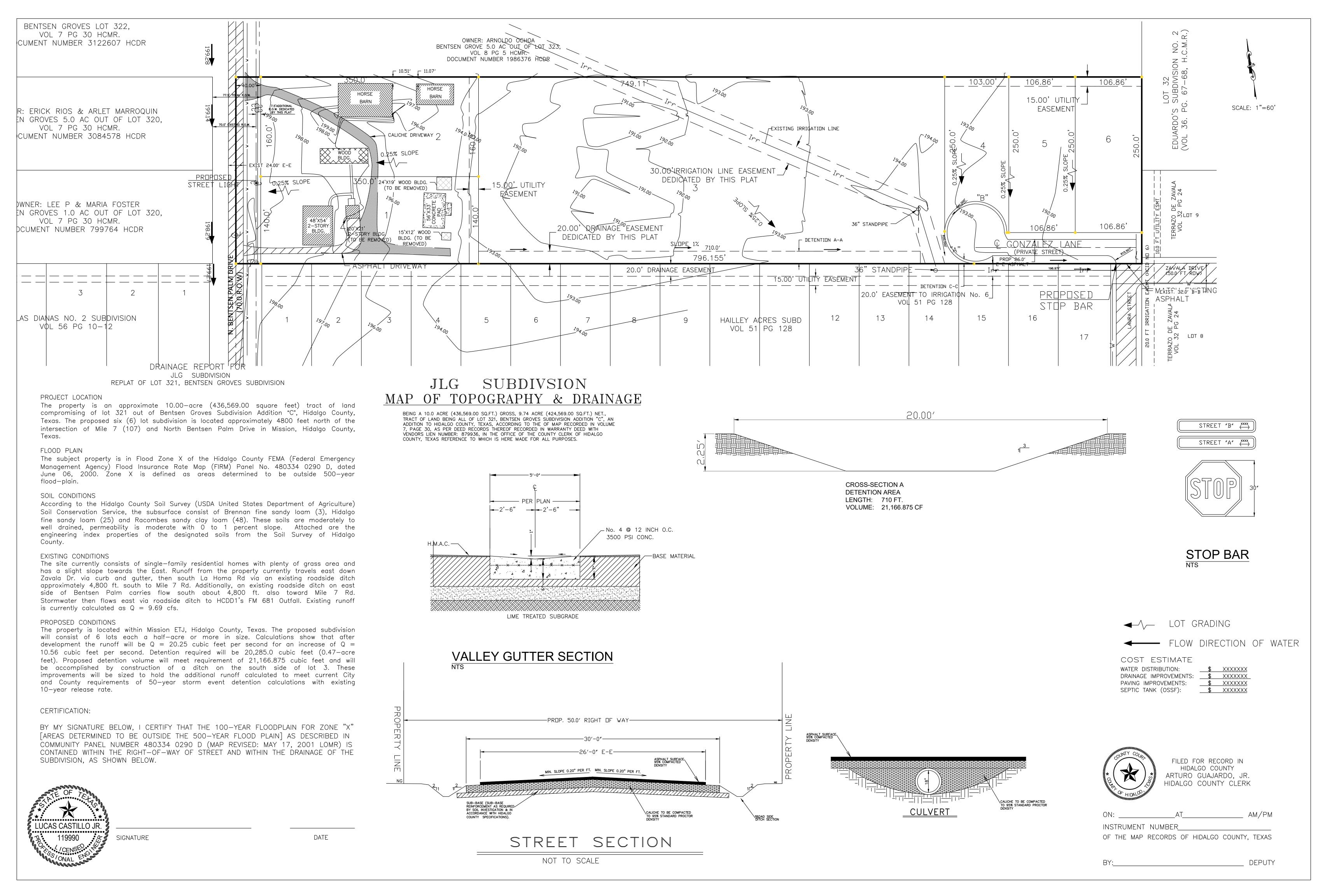
STATE OF TEXAS COUNTY OF HIDALGO

BEFORE ME, the undersigned notary public, on this day personally appeared

proved to me through his Texas Department of Public Safety Driver License to be the person whose name is subscribed to the foregoing instrument, who, being by me first duly sworn, declared that the statements therein are true and correct and acknowledged that he executed the same for the purposed and consideration thereby expressed.

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





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Reviewed On: 1/19/2024

QUIREMENTS	
REETS AND RIGHT-OF-WAYS	
N. Bentsen Palm Drive: Dedication as required for 40 ft. from centerline for 80 ft. total ROW Paving: 52 ft. Curb & gutter: both sides Revisions required:  - Use a larger font for the name of the street prior to final/recording.  - Show the existing ROW on both sides of the centerline prior to final/recording.  - For the existing ROW, provide a copy of the referenced document for staff review prior to final/recording.  - A plat note to reference the contractual agreement for paving, curb and gutter, and sidewalk on N. Bentsen Palm Drive will be finalized prior to recording.  **Subdivision Ordinance: Section 134-105  **Monies must be escrowed if improvements are required prior to recording.  **COM Thoroughfare Plan	Required
**A variance application and letter (VAR2023-0022) was submitted by the applicant which includes a request to not provide or escrow sidewalk and curb and gutter along N. Bentsen Palm Drive. The City Commission approved a contractual agreement in lieu of paving, curb and gutter, or sidewalk for N. Bentsen Palm Drive on October 9, 2023.	
Gonzalez Lane (interior street): Dedication as required for 50 ft. Paving: 32 ft.*** Curb & gutter: both sides*** Revisions required: - Show the distance between the centerline of proposed Gonzalez Lane and existing Zavala Drive prior to final. Street jogs with centerline offsets of less than 125 ft. are not allowed. Revise the plat or submit a variance application for processing prior to final The engineer has requested the subdivision to be considered for final approval by the Planning and Zoning Commission, subject to a variance approval for street jog requirement. The engineer has been informed that a variance request must be submitted prior to the Planning and Zoning Commission meeting and approval of the variance request is required prior to recording. If the variance request is denied, a revised layout of the subdivision complying with city codes must be submitted and approved by the Planning and Zoning Commission in revised final form prior to recording.  **As per the applicant, the subdivision is private but not gated.  **Subdivision Ordinance: Section 134-105  **Monies must be escrowed if improvements are required prior to recording.  **COM Thoroughfare Plan	Required
***A revised variance request (VAR2023-0022) was submitted by the applicant which includes the following items for the interior street (Gonzalez Lane): Request of 26 ft. paving width for the interior street instead of minimum 32 ft., not to provide or escrow sidewalk, and curb and gutter, but 96 ft. of paving for the Cul-de-Sac. The City Commission approved the variances as requested to provide 26 ft. paving width for the interior street and to not provide or escrow for curb and gutter or sidewalk for the interior street and Cul-de-Sac.	

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N/S Quarter Mile Collector (east boundary): dedication as required for 30-35 ft. for 60-70 ft. total ROW*** Paving: 40-44 ft. Curb & gutter: both sides **Subdivision Ordinance: Section 134-105 **Monies must be escrowed if improvements are required prior to recording. **COM Thoroughfare Plan	Applied
***A variance application and letter (VAR2023-0022) was submitted by the applicant which includes a request to not provide or escrow for a N/S quarter mile collector (east boundary). The variance request was approved by Planning and Zoning Commission on September 19, 2023, as a future collector street at this location did not seem feasible since other subdivisions were recorded at this area without dedicating ROW for a future N/S quarter mile collector.	
* 1,200 ft. Block Length.  **Subdivision Ordinance: Section 134-118	Applied
**A variance application and letter (VAR2023-0022) was submitted by the applicant which includes a variance request for 1200 ft. block length requirement. The proposed block length is 1,415.83 ft. The variance request was approved by Planning and Zoning Commission on September 19, 2023, as a future collector street at this location did not seem feasible since other subdivisions recorded at this area have not dedicated ROW for a future N/S quarter mile collector.	
* 900 ft. Block Length for R-3 Zone Districts  **Subdivision Ordinance: Section 134-118	NA
* 600 ft. Maximum Cul-de-Sac **Subdivision Ordinance: Section 134-105	Applied
**A revised variance application and letter (VAR2023-0022) was submitted by the applicant which includes a request to provide 100 ft. diameter ROW with 96 ft. of paving for the Cul-de-Sac instead of minimum 116 ft. of ROW for 96 ft. of paving face to face as required by Fire Department and 10 ft. additional ROW back of curb. Planning and Zoning Commission approved 100 ft. ROW for the Cul-de-Sac for this private subdivision with 96 ft. paving face-to-face as required by Fire Department on September 19, 2023.	
ALLEYS	
ROW: 20 ft. Paving: 16 ft.  *Alley/service drive easement required for commercial properties  **Subdivision Ordinance: Section 134-106	NA
SETBACKS	
* Front: Lots 1 & 2: 45 ft. or greater for easements, or inline with the average existing structures, whichever is greater  Lots 3-6: 25 ft. or greater for easements  - Add "Lots 3-6" on the plat note as shown above prior to final/recording.  **Zoning Ordinance: Section 138-356 & 138-367	Required
* Rear: 15 ft. or greater for easements  **Zoning Ordinance: Section 138-356	Applied
* Sides: 6 ft. or greater for easements **Zoning Ordinance: Section 138-356	Applied
* Corner: (proposing) 10 ft. or greater for easements - Remove the corner setback prior to final/recording as no corner lot is proposed. **Zoning Ordinance: Section 138-356	Required
* Garage: 18 ft. except where greater setback is required, greater setback applies. **Zoning Ordinance: Section 138-356	Applied

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

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*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
DEWALKS	
* A 4 ft. wide minimum sidewalk required on N. Bentsen Palm Drive - Proposing: A 5 ft. wide minimum sidewalk is required on N. Bentsen Palm Drive Clarify if 5 ft. wide sidewalk was required by the Engineering Department prior to final/recording A plat note to reference the contractual agreement must be finalized prior to final/recording. **Subdivision Ordinance: Section 134-120	Required
**A variance application and letter (VAR2023-0022) was submitted by the applicant which includes a request to not provide or escrow sidewalk and curb and gutter along N. Bentsen Palm Drive and Gonzalez Lane (interior street). On October 9, 2023, the City Commission approved the variances for a contractual agreement in lieu of paving, curb and gutter, or sidewalk on N. Bentsen Palm Drive, and approved to not provide or escrow for curb and gutter or sidewalk for the interior street and Cul-de-Sac.	
* Perimeter sidewalks must be built or money escrowed if not built at this time.  - City Commission approved a contractual agreement in lieu of providing or escrowing for sidewalk, curb and gutter on N. Bentsen Palm Drive. A plat note to reference the contractual agreement must be finalized prior to final/recording.	Required
**A variance application and letter (VAR2023-0022) was submitted by the applicant which includes a request to not provide or escrow sidewalk and curb and gutter along N. Bentsen Palm Drive and Gonzalez Lane (interior street). 10/09/2023: The City Commission approved the variances as requested for a contractual agreement in lieu of paving, curb and gutter, or sidewalk on N. Bentsen Palm Drive, on October 9, 2023.	
JFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, or 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.	Applied
DTES	
* No curb cut, access, or lot frontage permitted along N/S collector street.  **Must comply with City Access Management Policy.	Applied
**A variance application and letter (VAR2023-0022) was submitted by the applicant which includes a request to not provide or escrow for a N/S quarter mile collector (east boundary). The variance request was approved administratively by staff as a future collector street at this location did not seem feasible since other subdivisions were recorded at this area without dedicating ROW for a future N/S quarter mile collector.	
* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.	NA
* Common Areas, any private streets/drives, etc. must be maintained by the lot owners and not the City of McAllen.  ** As per the applicant, the subdivision is private but not gated.	Applied
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	NA

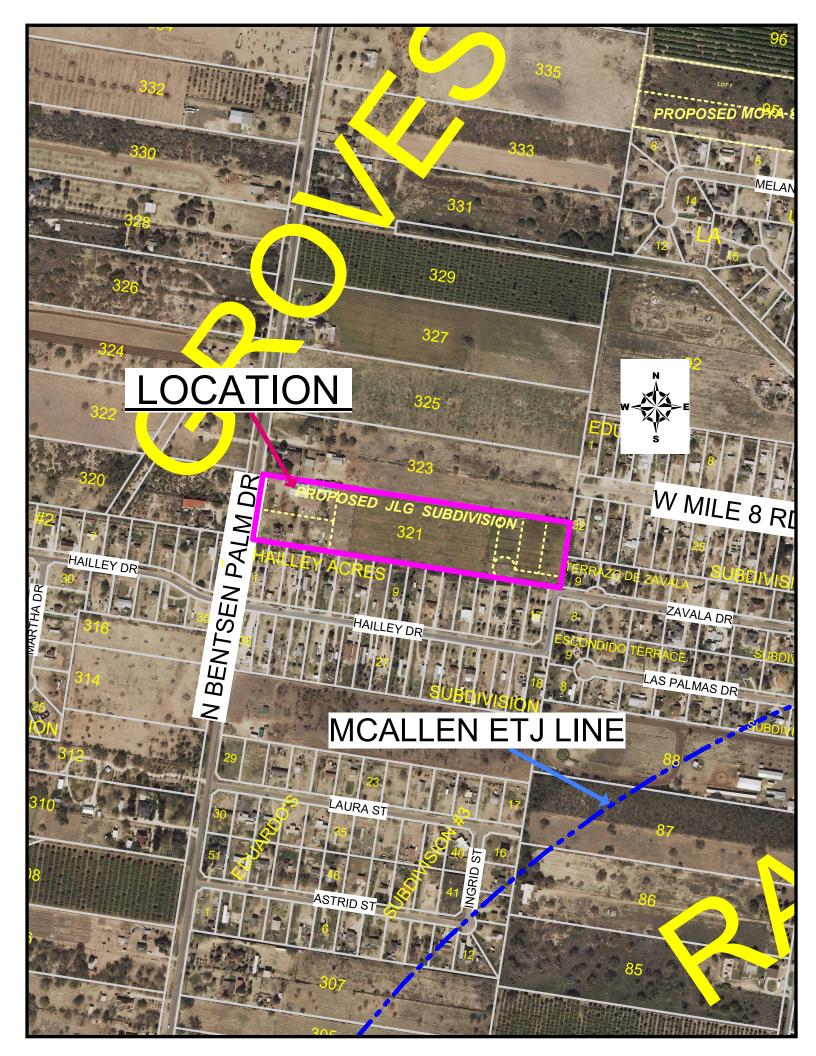
These comments are for subdivision requirements only – additional requirements may apply at time of site plan review

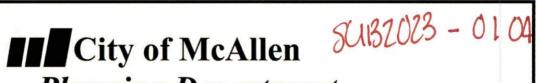
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* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.  ** As per the applicant, the subdivision is private but not gated.  **Section 110-72 applies if public subdivision is proposed.  **Landscaping Ordinance: Section 110-72  **Subdivision Ordinance: Section 134-168	Applied
<ul> <li>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</li> <li>- Provide a copy of the draft HOA draft document prior to final/recording.</li> <li>- A plat note to reference the HOA document number must be added prior to final/recording. Contact staff for any questions.</li> <li>** As per the applicant, the subdivision is private but not gated.</li> <li>**Section 110-72 applies if public subdivision is proposed.</li> <li>**Landscaping Ordinance: Section 110-72</li> <li>**Subdivision Ordinance: Section 134-168</li> </ul>	Required
LOT REQUIREMENTS	
* Lots fronting public streets  **Subdivision Ordinance: Section 134-1	Applied
* Minimum lot width and lot area **Zoning Ordinance: Section 138-356	Applied
ZONING/CUP	
* Existing: ETJ Proposed: ETJ ***Zoning Ordinance: Article V	Applied
* Rezoning Needed Before Final Approval ***Zoning Ordinance: Article V	NA
PARKS	
<ul> <li>* Land dedication in lieu of fee.</li> <li>- Subdivision is located in ETJ. Park fees do not apply to ETJ subdivisions unless they get annexed.</li> </ul>	NA
<ul> <li>Park Fee of \$700 per lot/dwelling unit to be paid prior to recording.</li> <li>Subdivision is located in ETJ. Park fees do not apply to ETJ subdivisions unless they get annexed.</li> </ul>	NA
* Pending review by the City Manager's Office.	NA
TRAFFIC	
* As per Traffic Department, Trip Generation for a 6-Lot Single Family subdivision is waived	Applied
* Traffic Impact Analysis (TIA) required prior to final plat.	NA
·	

01/19/2024 Page 5 of 5 SUB2023-0123

#### COMMENTS Comments: Required - The ROW shown along N. Bentsen Palm Drive for this subdivision and the subdivision to the south (Hailley Acres) shown as 70 ft. but there is a notch on the southwest corner of Lot 1. Clarify/revise plat layout prior to final/recording. - Provide bearing, dimensions, and annotation arrows for the 30 ft. existing Irrigation easement on the plat prior to final/recording. - Show how many fee of the irrigation easement is on each side of the irrigation line prior to final/recording. - Show the distance from the 30 ft. existing Irrigation easement to the lot's corner points prior to final. - As per the applicant, the subdivision is private. The owner's signature block wording does not comply with City of McAllen requirements. It must be referenced correctly to include public dedication for N. Bentsen Palm Drive. -Contact Staff for any questions. - Signature blocks must comply with Section 134-61 of Subdivision ordinance. If County requires different wording, a separate signature block based on City's code is required prior to - For any easement dedicated by this plat add "by this plat" at the end of the label prior to final/recording (e.g. 15.00' utility easement by this plat). Any existing easements must reference the document number. - Revise plat note #4 as it is incomplete. Review and revise plat notes as applicable prior to final/recording. - Clarify plat note #15 and reference to RBR subdivision prior to final/recording. - Clarify plat note #11 and reference to Delta Lake Irrigation District prior to final/recording since the plat contains a signature block for Irrigation District No. 6. - Clarify the location note written above the location map prior to recording. The note is not the City of McAllen requirement. Clarify if the note is required by the County and why it references City of Alton and not McAllen's ETJ. Review and revise as applicable prior to recording. \*Must comply with City's Access Management Policy. \*\*A variance application and letter (VAR2023-0022) was submitted by the applicant which includes the following items: 1. To not dedicate ROW for a N/S Quarter Mile collector (east boundary), which was approved by Planning and Zoning Commission on September 19, 2023, as the a N/S guester mile collector is not feasible at this location as other subdivisions have been recorded without dedicating ROW for a future N/S collector. 2. A variance to 1,200 ft. block length requirement, which was approved by Planning and Zoning Commission on September 19, 2023, as a N/S quester mile collector was not feasible at this location. 3. An updated variance request to provide 26 ft. of paving for the interior instead of 32 ft. minimum paying requirement and provide 100 ft. ROW with 96 ft. of paying for Cul-de-Sac instead of 116 ft. ROW with 96 ft. of paving face to face and 10 ft. ROW back of curb. City Commission approved the variance as requested on October 9, 2023. 4. An updated variance request to no provide or escrow do a contractual agreement in lieu of providing or escrow for sidewalk and curb and gutter along N. Bentsen Palm Drive and the interior street. City Commission approved the variance as requested on October 9, 2023. RECOMMENDATION REOCMMENDATION: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL Applied FORM, SUBJECT TO THE CONDITIONS NOTED.





## Planning Department

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

Project Information					
	Subdivision Name Harvest Cove Subdivision Phase I				
	Location On the northwest corner of Vine Avenue and Ware Road (Along Ware Road)				
	City Address or Block Number 2501 K. WARE RD				
	Number of Lots 10 1 FT Gross Acres 18.677 Net Acres ETJ □Yes ☑No				
	Existing Zoning R1 Proposed Zoning R1 Rezoning Applied for □Yes ☑No Date				
	Existing Land Use Vacant Proposed Land Use Residential Irrigation District #_HCID#1  Replat □Yes No Commercial N/A Residential				
	Agricultural Examption Aca -No. Estimated Ballback Tax Dua 10 944 80				
	Porcel # 0100 UKFT 9-15-33				
	Parcel # 210948 FT Tax Dept. Review				
	Water CCN □MPU ⊡Sharyland Water SC Other				
	Legal Des	Legal Description 18.677 acres, being out of Lots 138 & 137, La Lomita Irrigation & Construction Company			
	Subdivision, according to the plat thereof recorded in Volume 24, Page 67, Hidalgo County Deed Records				
Owner	Name	Escanaba, LLC		Phone (956) 638-6456	
	Address	3520 Buddy Owens		E-mail_jeff@ericksonrgv.com	
	City	McAllen	StateTX_	Zip <u>78504</u>	
Developer	Name Eri	ckson Construction		Phone (956) 638-6456	
	Address	3520 Buddy Owens		E-mail_jeff@ericksonrgv.com	
	City McAl	len S	State TX	Zip <u>78504</u>	
ă	Contact Person Jeff Erickson & Rene Salinas Ramirez				
_	Name Me	elden & Hunt, Inc.		Phone (956) 381-0981	
neer		elden & Hunt, Inc. 115 West McIntyre Street		Phone (956) 381-0981  E-mail mario@meldenandhunt.com	
Engineer	Address			E-mail_mario@meldenandhunt.com	
Engineer	Address City Edin	115 West McIntyre Street	State TX	E-mail_mario@meldenandhunt.com	
Engine	Address City Edin	115 West McIntyre Street	State TX	E-mail_mario@meldenandhunt.com	
Engine	Address City Edini Contact P Name M	115 West McIntyre Street burg erson Mario A Reyna and	State TX	E-mail_mario@meldenandhunt.com Zip _78541	
Engine	Address City Edini Contact P Name M	115 West McIntyre Street burg Person Mario A Reyna and elden & Hunt, Inc. 115 West McIntyre Street	State <u>TX</u>	E-mail_mario@meldenandhunt.com  Zip _78541  Phone _956.381.0981  E-mail_robert@meldenandhunt.com  Zip _78541	
Surveyor Engineer	Address City Edin Contact P Name M Address	115 West McIntyre Street burg Person Mario A Reyna and elden & Hunt, Inc. 115 West McIntyre Street	State <u>TX</u>	E-mail_mario@meldenandhunt.com Zip _78541  Phone _956.381.0981  E-mail_robert@meldenandhunt.com	



# 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)

	Legal Description 36.114 acres, being out of Lots 138 & 137, La Lomita Irrigation & Construction Company Subdivision,				
t	according to the plat thereof recorded in Volume 24, Page 67, Hidalgo County Deed Records				
jec	Proposed Subdivision (if applicable) Harvest Cove Subdivision Phase I & Phase II				
Project	Street Address 2601 North Ware Road				
	Number of lots 200 Gross acres 36.114				
	Existing Zoning R-1 Single Family Residential Existing Land Use Vacant				
	☑ Current Survey and Metes and Bounds (required if the legal description is a portion of a lot)				
nt	Name Melden & Hunt, Inc. (Mario A. Reyna, P.E.) Phone (956) 381-0981				
Applicant	Address 115 West McIntyre Street E-mail drobles@meldenandhunt.com				
App	City Edinburg State Texas Zip 78541				
	Name Escanaba, LLC Phone (956) 638-6456				
Owner	Address 3520 Buddy Owens E-mail jeff@eriksonrgv.com				
ŏ	City McAllen State Texas Zip 78504				
_	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?				
tio	☐ Yes				
iza	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)				
uthorization	OR I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.				
ut	Signature Date January 04, 2024				
4	Print Name Mario A. Reyna, P.E.   Owner Authorized Agent				
	*FOR OFFICE USE ONLY*				
Ce	APPLICATION FILING FEE: \$250.00				
Office	Accepted by Payment received by Date				
0	Rev 06/21				
	î .				



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

- 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.
- 1. N/S ¼ Mile Collector Road: Harvest Creek Subdivision (adjacent south) is a private subdivision that was approved without a stub-out street to connect to. Harvest Cove Phase 1 is proposing to connect to N. 40th Street to the north which is the only connection available.
- 2. E/W ¼ Mile Collector Road: Arrowhead Subdivision and The Village of Westlakes Units 2, 3 and 4 (adjacent north) were approved, recorded and constructed without providing any ¼ Mile Collector. We are proposing an internal street that will connect N. Ware Road and N. 43rd Street that could be utilized as a residential collector. This subdivision will not be gated.
- 3. Block Length: No stub-out streets were installed to the north or south of Harvest Cove Phase I and Phase II Subdivision to connect to. Harvest Cove Phase I is proposing to connect to N. 40th Street to the north which is the only connection available.
- 4. Cul-de-Sac Length: The cul-de-sac in front of lots 43-53 do not meet the maximum cul-de-sac length allowed of 600 ft. due to the development being constructed in two phases. The developer is proposing to dedicate the ROW of Westway Avenue within Harvest Cove Phase II through a separate document to assure that a connection will be made to N. 43rd Street. This should alleviate the cul-de-sac length concern
- Described how the variance is necessary for the preservation and enjoyment of the legal property rights of its owner.
- 1. N/S ½ Mile Collector Road: Harvest Creek Subdivision (adjacent south) is a private subdivision that was approved without a stub-out street to connect to. Harvest Cove Phase 1 is proposing to connect to N. 40th Street to the north which is the only connection available.
- 2. E/W ¼ Mile Collector Road: Arrowhead Subdivision and The Village of Westlakes Units 2, 3 and 4 (adjacent north) were approved, recorded and constructed without providing any ¼ Mile Collector. We are proposing an internal street that will connect N. Ware Road and N. 43rd Street that could be utilized as a residential collector. This subdivision will not be gated.
- 3. Block Length: No stub-out streets were installed to the north or south of Harvest Cove Phase I and Phase II Subdivision to connect to. Harvest Cove Phase I is proposing to connect to N. 40th Street to the north which is the only connection available.
- 4. Cul-de-Sac Length: The cul-de-sac in front of lots 43-53 do not meet the maximum cul-de-sac length allowed of 600 ft. due to the development being constructed in two phases. The developer is proposing to dedicate the ROW of Westway Avenue within Harvest Cove Phase II through a separate document to assure that a connection will be made to N. 43rd Street. This should alleviate the cul-de-sac length concern.
- Describe how the variance will not be detrimental to the public health, safety or welfare or injurious to the legal rights other property owners enjoy in the area.

The variance will not be detrimental to the public health, safety, or welfare or injurious to the legal rights that

other property owners may enjoy within the proposed area.

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

The variance will not have any negative effect or prevent the orderly subdivision of other lands within the area

in accordance with the provisions of this chapter and the City of McAllen, as all surrounding areas have already

been developed.



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

January 2, 2024

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

Re: HARVEST COVES SUBDIVISION- Variance Request to City of McAllen

Dear Mr. Garcia:

Harvest Cove Subdivision is a public single-family subdivision that consists of 195 lots at 4 common areas ant is located on the northwest corner of North Ware Road and Warrior Drive. The construction of this development will be done in 2 phases.

On behalf of the developer, Rhodes Development, Inc. we respectfully request a variance for the following items.

- 1. N/S ¼ Mile Collector Road: Harvest Creek Subdivision (adjacent south) is a private subdivision that was approved without a stub-out street to connect to. Harvest Cove Phase 1 is proposing to connect to N. 40th Street to the north which is the only connection available.
- 2. E/W ¼ Mile Collector Road: Arrowhead Subdivision and The Village of Westlakes Units 2, 3 and 4 (adjacent north) were approved, recorded and constructed without providing any ¼ Mile Collector. We are proposing an internal street that will connect N. Ware Road and N. 43rd Street that could be utilized as a residential collector. This subdivision will not be gated.
- 3. **Block Length**: No stub-out streets were installed to the north or south of Harvest Cove Subdivision to connect to. Harvest Cove Phase 1 is proposing to connect to N. 40th Street to the north which is the only connection available.
- 4. Cul-de-Sac Length: The cul-de-sac in front of lots 43-53 does meet the maximum cul-de-sac length allowed of 600 ft. due to the development being constructed in two phases. The developer is proposing to dedicate the ROW of Westway Avenue on Harvest Cove Phase 2 through a separate document to assure that a connection will be done to N. 43rd Street. This should alleviate the cul-de-sac length concern.

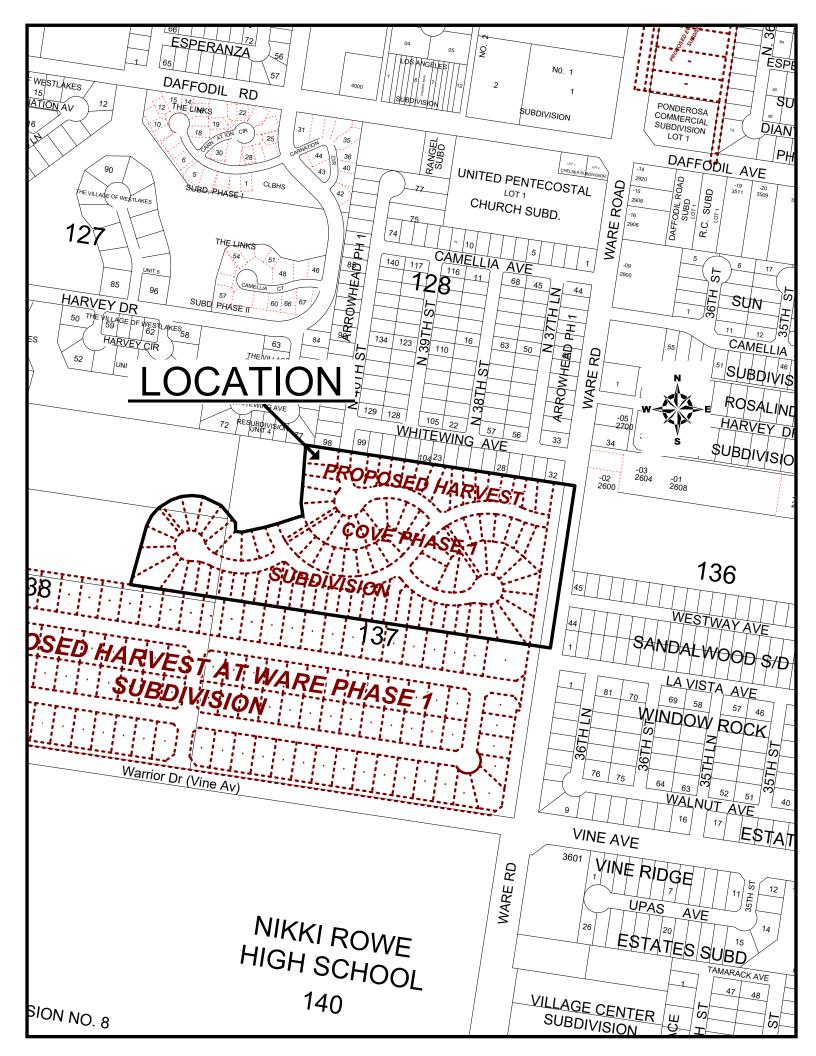
Your consideration on this matter is greatly appreciated. If you have any questions or comments, please contact our office. Thank you.

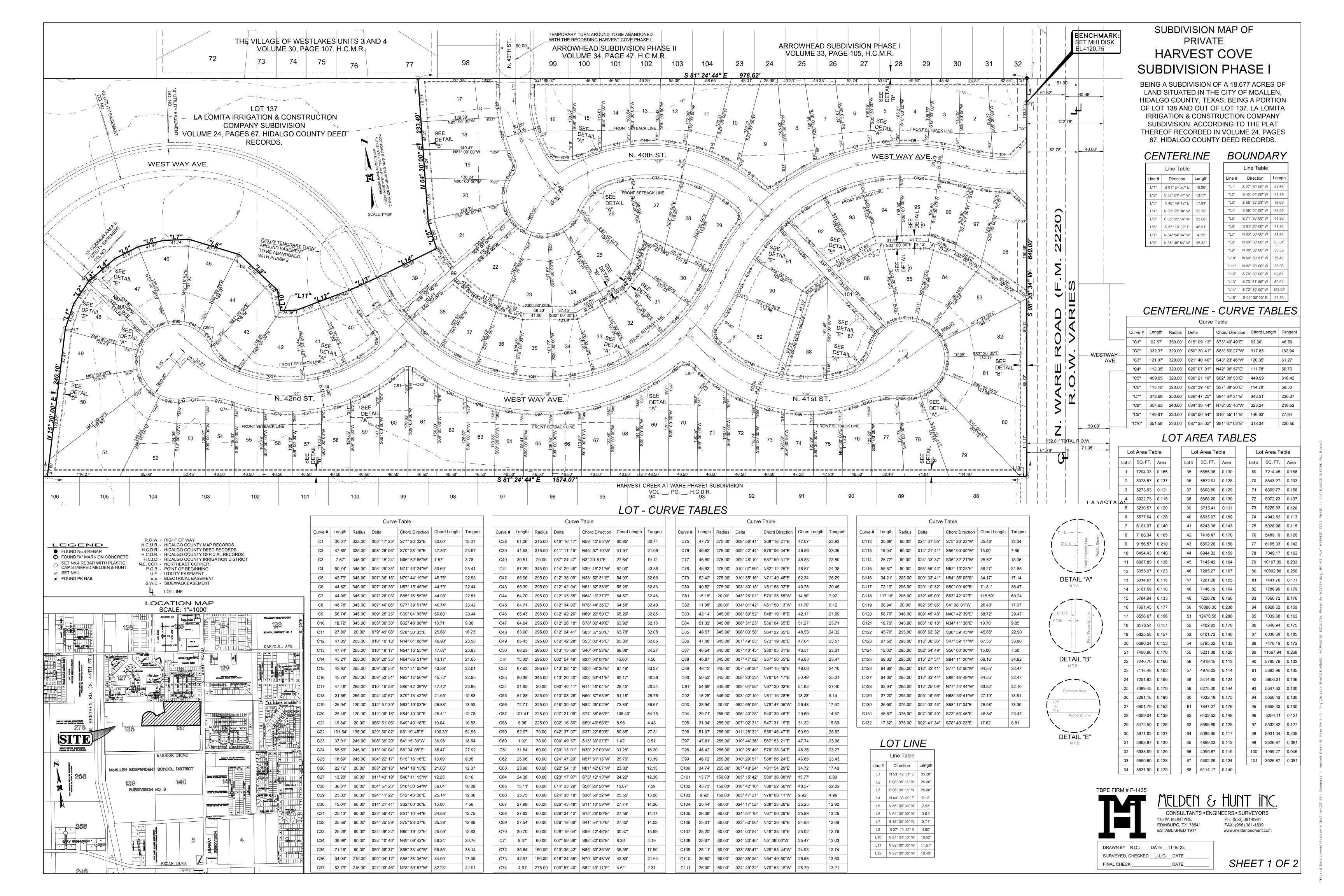
Respectfully,

Mario A. Reyna, P.E.

President

cc: Rhodes Development, Inc.





# SUBDIVISION PHASE

BEING A SUBDIVISION OF A 18.677 ACRES OF LAND SITUATED IN THE CITY OF MCALLEN, HIDALGO COUNTY, TEXAS, BEING A PORTION OF LOT 138 AND OUT OF LOT 137, LA LOMITA IRRIGATION & CONSTRUCTION COMPANY SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 24. PAGES 67, HIDALGO COUNTY DEED RECORDS.

## METES AND BOUNDS DESCRIPTION:

A TRACT OF LAND CONTAINING 18.677 ACRES SITUATED IN THE CITY OF MCALLEN. COUNTY OF HIDALGO, TEXAS, BEING OUT OF LOTS 138 AND 137, LA LOMITA IRRIGATION & CONSTRUCTION CO. SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 24, PAGE 67, HIDALGO COUNTY DEED RECORDS. WHICH SAID 18 677 ACRES ARE OUT OF A CERTAIN TRACT CONVEYED TO ESCANABA, LLC, A TEXAS LIMITED LIABILITY COMPANY BY VIRTUE OF A WARRANTY DEED WITH VENDOR'S LIEN RECORDED UNDER DOCUMENT NUMBER 3334895, HIDALGO COUNTY OFFICIAL RECORDS, SAID 18.677 ACRES ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A NO. 4 REBAR SET ON THE NORTHWEST CORNER OF SAID LOT 138;

THENCE, S 81° 24' 44" E ALONG THE NORTH LINE OF SAID LOT 138, A DISTANCE OF 1,578.60 FEET TO A NO. 4 REBAR SET, FOR THE NORTHWEST CORNER OF THIS HEREIN DESCRIBED TRACT;

1. THENCE, S 81° 24' 44" E ALONG THE NORTH LINE OF SAID LOT 138 AT A DISTANCE OF 241.40 FEET PASS A NO. 4 REBAR FOUND ON THE SOUTHEAST CORNER OF LOT 99, ARROWHEAD SUBDIVISION PHASE II, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 34, PAGE 47, HIDALGO COUNTY MAP RECORDS, AT A DISTANCE OF 291.40 FEET PASS A NO. 4 REBAR FOUND ON THE SOUTHEAST CORNER OF LOT 100, OF SAID ARROWHEAD SUBDIVISION PHASE II, AT A DISTANCE OF 391.40 FEET PASS A NO. 4 REBAR FOUND ON THE SOUTHEAST CORNER OF LOT 102, OF SAID ARROWHEAD SUBDIVISION PHASE II, AT A DISTANCE OF 841.40 FEET PASS A NO. 4 REBAR FOUND ON THE SOUTHEAST CORNER OF LOT 29, OF ARROWHEAD SUBDIVISION PHASE I. ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 33, PAGE 105, HIDALGO COUNTY MAP RECORDS, AT A DISTANCE OF 891.40 FEET PASS A NO. 4 REBAR FOUND ON THE SOUTHEAST CORNER OF LOT 30, OF SAID ARROWHEAD SUBDIVISION PHASE I, AT A DISTANCE OF 941.40 FEET PASS A NO. 4 REBAR FOUND ON THE SOUTHEAST CORNER OF LOT 31, OF SAID ARROWHEAD SUBDIVISION PHASE I. CONTINUING A TOTAL DISTANCE OF 978.62 FEET TO A NO. 4 REBAR FOUND ON THE EXISTING WEST RIGHT-OF-WAY LINE OF N. WARE ROAD FOR THE NORTHEAST CORNER OF THIS TRACT;

2. THENCE, S 08° 35' 34" W ALONG THE WEST RIGHT-OF-WAY LINE OF N. WARE ROAD, A DISTANCE OF 640.00 FEET TO A NO. 4 REBAR SET FOR THE SOUTHEAST CORNER OF THIS TRACT;

3. THENCE, N 81° 24' 44" W AT A DISTANCE OF 1,237.17 FEET PASS THE WEST LINE OF SAID LOT 137, AND THE EAST LINE OF SAID LOT 138, CONTINUING A TOTAL DISTANCE OF 1,574.07 FEET TO A NO. 4 REBAR SET FOR THE SOUTHWEST CORNER OF THIS TRACT;

4. THENCE, N 15° 30' 00" E A DISTANCE OF 240.10 FEET TO A NO. 4 REBAR SET FOR AN OUTSIDE CORNER OF THIS TRACT

5. THENCE, N 27° 30' 00" E A DISTANCE OF 41.66 FEET TO A NO. 4 REBAR SET FOR AN OUTSIDE

6. THENCE, N 42° 00' 00" E A DISTANCE OF 41.29 FEET TO A NO. 4 REBAR SET FOR AN OUTSIDE

7. THENCE, N 55° 52' 29" E A DISTANCE OF 15.05 FEET TO A NO. 4 REBAR SET FOR AN OUTSIDE CORNER OF THIS TRACT

8. THENCE, N 58° 00' 00" E A DISTANCE OF 42.66 FEET TO A NO. 4 REBAR SET FOR AN OUTSIDE

CORNER OF THIS TRACT 9. THENCE, N 71° 30' 00" E A DISTANCE OF 41.93 FEET TO A NO. 4 REBAR SET FOR AN OUTSIDE

CORNER OF THIS TRACT

10. THENCE, N 84° 30' 00" E A DISTANCE OF 41.93 FEET TO A NO. 4 REBAR SET FOR AN OUTSIDE CORNER OF THIS TRACT

11. THENCE, S 83° 30' 00" E A DISTANCE OF 41.74 FEET TO A NO. 4 REBAR SET FOR AN OUTSIDE

12. THENCE, S 64° 30' 00" E A DISTANCE OF 83.64 FEET TO A NO. 4 REBAR SET FOR AN OUTSIDE

13. THENCE, S 38° 30' 00" E A DISTANCE OF 83.55 FEET TO A NO. 4 REBAR SET FOR AN OUTSIDE CORNER OF THIS TRACT

14. THENCE, S 00° 39' 51" E A DISTANCE OF 33.49 FEET TO A NO. 4 REBAR SET FOR AN INSIDE CORNER OF THIS TRACT;

15. THENCE, S 82° 30' 00" E A DISTANCE OF 25.06 FEET TO A NO. 4 REBAR SET FOR AN INSIDE

16. THENCE, N 78° 00' 00" E A DISTANCE OF 92.61 FEET TO A NO. 4 REBAR SET FOR AN INSIDE CORNER OF THIS TRACT

17. THENCE, N 73° 51' 55" E A DISTANCE OF 50.01 FEET TO A NO. 4 REBAR SET FOR AN INSIDE CORNER OF THIS TRACT:

18. THENCE, N 72° 30' 00" E A DISTANCE OF 103.95 FEET TO A NO. 4 REBAR SET FOR AN INSIDE

19. THENCE, N 09° 30' 00" E A DISTANCE OF 42.80 FEET TO A NO. 4 REBAR SET FOR AN OUTSIDE CORNER OF THIS TRACT

20. THENCE, N 04° 30' 00" E A DISTANCE OF 233.50 FEET TO THE POINT OF BEGINNING AND

CONTAINING 18.677 ACRES OF LAND, MORE OR LESS.

GENERAL NOTES: CONTINUE

MY COMMISSION EXPIRES:

Line Table

Line # Direction Length

"S1" N 81° 24' 44" W 15.00'

"S2" S 81° 24' 26" E 15.00'

"S3" N 05° 00' 00" E 38.55'

"S4" N 12° 00' 00" E 26.06'

"S5" N 12° 00' 00" E 20.51'

"S6" N 10° 00' 00" E 21.92'

"S7" N 05° 30' 00" E 26.04'

"S8" N 01° 30' 00" E 32.06'

"S9" N 00° 00' 00" W 42.03'

"S10" N 00° 00' 00" W 22.03'

"S11" N 03° 30' 00" E 42.36'

"S12" N 23° 00' 00" E 22.24'

"S13" N 23° 00' 00" E 41.06'

"S14" N 23° 00' 00" E 30.55'

"S15" N 16° 00' 00" E 27.76'

"S16" N 10° 00' 00" E 22.65'

"S17" N 08° 00' 00" E | 23.61'

"S18" N 08° 00' 00" E 32.90'

"S19" N 08° 00' 00" E 46.68'

"S20" | S 79° 17' 15" W | 14.81'

"S21" S 81° 24' 44" E 24.07'

"S22" N 81° 24' 44" W 41.04'

"S23" N 85° 00' 00" W 36.48'

"S24" N 81° 00' 00" W 50.40'

"S25" N 80° 00' 00" W 50.62'

"S26" S 86° 00' 00" W 43.56'

"\$27" | \$ 58° 00' 00" W | 47 13'

"S28" | S 58° 00' 00" W | 47.56'

"S29" S 31° 30' 00" W 46.82'

"S30" S 05° 00' 00" W 44.94'

"S32" S 37° 45' 32" E 44.13'

"S33" S 37° 45' 32" E 22.23'

"S34" S 03° 00' 00" E 20.03'

"S31" S 22° 00' 00" E 46.72'

1. THE SITE LIES IN ZONE "C" . ZONE "C" IS DEFINED AS AREAS OF MINIMAL FLOODING. ZONE "C" SHOWN ON: COMMUNITY-PANEL NUMBER: 480334 0400 C MAP REVISED: NOVEMBER 16, 1982. & COMMUNITY-PANEL NUMBER: 480334 0500 C

MAP REVISED:NOVEMBER 2, 1982. MINIMUM FINISH FLOOR ELEVATION SHALL BE 18" ABOVE TOP OF CURB AT CENTER OF LOT.

MINIMUM SETBACKS SHALL COMPLY WITH THE CITY OF McALLEN ZONING CODE

20 FEET OR GREATER FOR EASEMENT OR AS SHOWN IN FRONT SETBACK TABLE 10 FEET OR GREATER FOR EASMENT INTERIOR SIDES: 6 FEET OR GREATER FOR EASEMENT

CORNER: 10 FEET OR GREATER FOR EASEMENT GARAGE: 18 FEET EXCEPT WHERE GREATER SETBACK IS REQUIRED: GREATER SETBACK APPLIES.

SETBACK LOT DIMENSIONS TABLES

Line # | Direction | Length

"S69" | S 09° 00' 00" W | 21.38'

"S70" | S 09° 00' 00" W | 22.96

"S71" N 09° 00' 00" E 37.00

"S72" N 09° 00' 00" E 29.00

"S73" N 09° 00' 00" E 53.02

"S74" N 09° 00' 00" E 41.02

"S75" N 09° 00' 00" E 70.53'

"S76" N 09° 00' 00" E 62.03

"S77" N 09° 00' 00" E 35.46'

"S78" N 09° 00' 00" E 47.46'

"S79" N 09° 00' 00" E 25.85

"S80" N 09° 00' 00" E 40.85

"S81" N 09° 00' 03" E 26.97

"S82" S 09° 00' 02" W 29.97

"S83" N 09° 00' 03" E 22.87

"S84" N 09° 00' 04" E 21.13

"S85" N 09° 00' 03" E 26.72'

"S86" | S 09° 00' 03" W | 23.72'

"S87" N 09° 00' 02" E 35.95

"S88" N 09° 00' 03" E 28.45'

"S89" N 09° 00' 02" E 48.12

"S90" N 09° 00' 02" E 36.12

"S91" N 09° 00' 01" E 64.80

"S92" N 09° 00' 01" E 54.80

"S93" N 09° 00' 05" E | 15.53'

"S94" N 46° 00' 00" E 33.86

"S95" N 09° 00' 03" E 23.53'

"S96" N 09° 00' 02" E 33.29'

"S97" N 09° 00' 03" E 46.29'

"S98" N 09° 00' 06" E 25.38'

"S99" N 09° 00' 04" E 34.38'

S100" N 09° 00' 06" E 23.55

"S101" | N 08° 30' 00" E | 21.51

"S102" N 08° 00' 00" E 27.14'

Line # Direction Length

"S35" | S 22° 00' 00" W | 20.00'

"S36" | S 32° 00' 00" W | 20.14'

"S37" S 57° 43' 58" E 20.00'

"S38" | S 45° 00' 00" E | 20.00'

"S39" | S 32° 00' 00" E | 20.00'

"S40" | S 19° 30' 00" E | 20.00'

"S41" | S 07° 00' 00" E | 20.00'

"S42" | S 06° 00' 00" W | 20.00'

"S43" | S 18° 00' 00" W | 20.00'

"S44" | S 30° 00' 00" W | 20.00'

"S45" | S 43° 00' 00" W | 20.00'

"S46" | S 58° 00' 00" W | 20.01'

"S47" | S 58° 00' 00" W | 20.01

"S48" | S 72° 30' 00" W | 20.00'

"S49" | S 78° 00' 00" W | 18.87'

"S50" N 59° 40' 20" E 16.92'

"S51" N 16° 30' 00" W 20.00'

"S52" N 01° 30' 00" E 20.00'

"S53" N 43° 00' 00" E 27.82'

"S54" N 51° 00' 00" E 29.30'

"S55" N 51° 00' 00" E 56.18'

"S56" N 35° 00' 00" E 53.13'

"S57" N 12° 15' 52" E 52.85'

"S58" N 12° 56' 18" W 51.96'

"S59" N 39° 00' 00" W 48.78'

"S60" N 39° 00' 00" W 47.60'

"S61" N 65° 30' 00" W 42.40'

"S62" | S 88° 00' 00" W | 38.90'

"S63" | S 61° 00' 00" W | 41.80'

"S64" S 35° 00' 00" W 43.42'

"S65" | S 13° 00' 00" W | 39.65'

'S66" | S 09° 00' 00" W | 43.45'

"S67" | S 09° 00' 00" W | 34.24'

"S68" | S 09° 00' 00" W | 23.74'

Line Table

Line # Direction Length

"S103" N 08° 00' 00" E 40.87

"S104" N 04° 00' 00" E 45.83

"S105" N 11° 00' 00" W 43.77

"S106" N 35° 00' 00" W 52.03

"S107" S 59° 00' 00" E 52.20

"S108" | S 83° 30' 00" E | 48.31

"S109" N 72° 00' 00" E 50.54

"S110" N 46° 39' 10" E 47.43'

"S111" N 22° 00' 00" E 45.86

"S112" N 04° 00' 00" W 46.18

"S112" N 09° 00' 03" E 22.13

"S113" N 34° 00' 00" W 45.92

"S114" N 34° 00' 00" W 20.13

"S115" S 30° 44' 41" E 20.00

"S116" N 09° 00' 00" E 34.32

"S117" N 09° 00' 00" E 20.82

"S118" N 26° 00' 00" E 20.68

"S119" S 50° 23' 09" W 40.61

"S120" N 47° 18' 42" W 34.12

"S121" S 61° 30' 00" E 21.22

"S122" S 48° 30' 00" E 20.00

"S123" S 34° 00' 00" E 20.01

"S124" | S 34° 00' 00" E | 20.01

"S125" S 19° 00' 00" E 20.00

"S126" | S 06° 30' 00" E | 20.00

"S127" | S 06° 00' 00" W | 20.00

"S128" | S 18° 00' 00" W | 20.00

"S129" S 23° 00' 00" W 21.32

"S130" N 23° 00' 00" E 28.32

"S131" | S 23° 00' 00" W | 33.94

"S132" S 23° 00' 00" W 46.94'

"S133" S 81° 24' 26" E 15.00

"S134" S 47° 00' 00" E 18.18'

NOTE: ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN.

REQUIRED STORM SEWER RUNOFF DETENTION FOR THIS SUBDIVISION AS PER THE APPROVED DRAINAGE REPORT: 426,032 CUBIC FEET (9.780 AC.-FT.) TO BE PROVIDED WITHIN DESIGNATED DETENTION AREA. 5. CITY OF McALLEN BENCHMARK: "MC64" FROM THE CITY OF McALLEN G.P.S. REFERNCE MARKS LIST

PREPARED GY GLICK, LINN OFFICE ON OCTOBER 06, 1999. BEING LOCATED ON THE SOUTHWEST CORNER OF THE INTERSECTION OF WARE ROAD AND DAFFODIL STREET. 30" ALUMINUM PIPE WITH A

3-1/4" BRASS MONUMENT CAP ON TOP ELEVATION= 120.38 NORTHING: 16610485.2066, EASTING:1063866.99623 6. NO STRUCTURES PERMITTED TO BE BUILT OVER EASEMENTS.

7. AN 5 FT. MINIMUM SIDEWALK REQUIRED ALONG THE WEST SIDE OF WARE ROAD, AND A 4 FT. MINIMUM SIDEWALK REQUIRED ALONG BOTH SIDES OF ALL INTERIOR STREETS AND N/S COLLECTOR STREET AS

8. 25 FT. x 25 FT. SIGHT OBSTRUCTION CLIP REQUIRED AT ALL STREET INTERSECTIONS, AND 10 FT X 10 FT SITE OBSTRUCTION CLIP REQUIRED AT ALL STREET/ALLEY INTERSECTIONS

9. 6 FT. OPAQUE BUFFER REQUIRED FROM ADJACENT/ BETWEEN/ MULTI-FAMILY RESIDENTIAL AND COMMERCIAL AND INDUSTRIAL ZONES/USES AND ALONG COLLECTOR STREET AS APPLICABLE.

10. AN 8 FT. MASONRY WALL IS REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONES/USES. PERIMETER BUFFERS MUST BE BUILT AT TIME OF SUBDIVISION IMPROVEMENTS

11. SET No. 4 REBARS WITH PLASTIC CAP STAMPED MELDEN AND HUNT ON ALL LOT CORNERS.

12. COMMON OR DETENTION AREAS, ANY PRIVATE STREETS/ALLEYS OR DRIVES, AND/OR GATES MUST BE MAINTAINED BY THE PROPERTY OWNERS/HOA AND NOT THE CITY OF McALLEN.

13. NO CURB CUT, ACCESS, OR LOT FRONTAGE PERMITTED ALONG N. WARE RD. AND OTHER STREETS AS APPLICABLE.

ÞEVELOPER/ HOMEOWNER'S ASSOCIATION/ OWNER, THEIR SUCCESSORS AND ASSIGNEES, AND NOT THE ÉITY OF McALLEN SHALL BE RESPONSIBLE FOR COMPLIANCE OF INSTALLATION AND MAINTENANCE AND OTHER REQUIREMENTS PER SECTION 110-72 OF THE SUBDIVISION ORDINANCE, INCLUDING BUT NOT LIMITED TO COMMON AREAS AND ITS PRIVATE STREETS.

15. HOME OWNERS ASSOCIATION COVENANTS FOR HARVEST COVE PHASE I SUBDIVISION AS RECORDED UNDER AS RECORDED UNDER DOCUMENT NO. \_

16. AS PER DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS, FOR HARVEST COVE SUBDIVISION PHASE I RECORDED UNDER DOCUMENT NUMBER , HIDALGO COUNTY OFFICIAL RECORDS, DEVELOPER/HOMEOWNERS ASSOCIATION/OWNER, THEIR SUCCESSORS AND/OR ASSIGNS. AND NOT THE CITY OF McALLEN SHALL BE RESPONSIBLE OF INSTALLATION, MAINTENANCE AND OTHER REQUIREMENTS AS PER SECTION 110-72 OF THE CODE OF ORDINANCE OF THE CITY OF McALLEN, INCLUDING BUT NOT LIMITED TO COMMON AREAS AND DETENTION PONDS. ANY AMENDMENT TO DECLARATION THAT CONFLICT WITH THE REQUIREMENTS OF SECTION 110-72 SHALL BE NULL & VOID

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

MAYOR. CITY OF McALLEN DATE CITY SECRETARY

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

CHAIRMAN, PLANNING AND ZONING COMMISSION

HIDALGO COUNTY IRRIGATION DISTRICT NO. 2

THIS PLAT IS HEREBY APPROVED BY THE HIDALGO COUNTY IRRIGATION DISTRICT No. 2 ON THIS, THE DAY OF

NO IMPROVEMENTS OF ANY KIND (INCLUDING WITHOUT LIMITATION, TREES, FENCES, AND BUILDINGS) SHALL BE PLACED UPON HIDALGO COUNTY IRRIGATION DISTRICT No. 2 RIGHT OF WAYS OR EASEMENTS.

PRESIDENT SECRETAR)

APPROVED BY DRAINAGE DISTRICT:

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

HIDALGO COUNTY DRAINAGE DISTRICT NO.1

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

STATE OF TEXAS COUNTY OF HIDALGO

> I (WE), THE UNDERSIGNED, LIEN HOLDER(S) (OR DULLY AUTHORIZED OFFICERS OF THE HOLDER(S)) OF A SECURITY INTEREST IN THE ABOVE DESCRIBED REAL PROPERTY, AS SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS HARVEST COVE SUBDIVISION PHASE I , OF THE CITY OF MCALLEN, TEXAS, HEREBY CONSENT TO THE SUBDIVISION OF THE REAL PROPERTY AS PROVIDED FOR UNDER THE PLAT, AND DO HEREBY PROVIDE THAT ANY FORECLOSURE RELATING TO THE SECURITY INTEREST ON THE ABOVE DESCRIBED REAL PROPERTY SHALL BE SUBJECT TO THE PLATTING OF THE PROPERTY AS PROVIDED FOR HEREIN.

> > DATE

MARIN J. ESPINOSA, TRUSTEE VANTAGE BANK TEXAS 1801 S. 2ND STREET McALLEN, TEXAS 78503

STATE OF TEXAS

**COUNTY OF HIDALGO** 

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

AND SEAL OF OFFICE, THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20 \_\_\_\_.

NOTARY PUBLIC, FOR THE STATE OF TEXAS

17. COMMON LOT 113, IDENTIFIED AS DETENTION AREAS SHALL BE MAINTAINED BY THE DEVELOPER WHO MAY TRANSFER SUCH MAINTENANCE OBLIGATION TO THE SUBDIVISION HOMEOWNER'S ASSOCIATION, HARVEST CREEK AT WARE SUBDIVISION HOMEOWNER'S ASSOCIATION, UPON CONVEYANCE OF TITLE TO THE SAME, THEIR SUCCESSORS AND ASSIGNEES, AND NOT BY THE CITY OF McALLEN, NO BUILDINGS OR OTHER STRUCTURES SHALL BE ERECTED IN COMMON LOT 113, WHICH SHALL BE USED EXCLUSIVELY AS DETENTION AREAS. AFTER COMMON LOT 113 TRANSFER OF TITLES TO THE HARVEST CREEK AT WARE SUBDIVISION HOMEOWNER'S ASSOCIATION THE SUBDIVISION LOT OWNER'S PRO RATA SHARES OF THE COST OF MAINTENANCE SHALL BE DETERMINED BY HARVEST CREEK AT WARE PHASE 1 SUBDIVISION HOMEOWNER'S ASSOCIATION. FAILING IN SUCH MAINTENANCE OBLIGATIONS, THE CITY OF McALLEN MAY, BUT SHALL NOT BE REQUIRED TO MAINTAIN THE SAME AT THE LOT OWNER'S COST, WHICH COST MAY BECOME A LIEN AGAINST THEIR PROPERTIES. PRIOR TO THE IMPOSITION OF ANY LIEN, THE CITY SHALL FIRST COMPLY WITH NOTICE REQUIREMENTS SIMILAR TO THOSE UNDER EXISTING ORDINANCE SECTION 134-168(d), AS THE SAME MAY BE AMENDED. THE SPECIFIC AND EXCLUSIVE USE OF COMMON LOT 113 THE OWNER'S MAINTENANCE OBLIGATION, AND THE CONSEQUENCES OF FAILURE TO MAINTAIN SHALL BE INCORPORATED INTO ANY DEED OR INSTRUMENT OF CONVEYANCE AS A DEED RESTRICTION. RECORDED IN INSTRUMENT No.\_ OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS.

18. COMMON OR DETENTION AREAS, ANY PRIVATE STREET / ALLEYS OR DRIVES, AND OR GATES FOR LANDSCAPING MUST BE MAINTAINED BY THE PROPERTY OWNERS/ THE H.O.A. AND NOT THE CITY OF McALLEN.

19. SITE PLAN MUST BE APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENTS PRIOR TO **BUILDING PERMIT ISSUANCE** 

20. AN 8-FOOT MINIMUM SIDEWALK WITH FULL LANDSCAPING, IRRIGATION AND LIGHTING TO BE CONSTRUCTED ALONG THE NORTH SIDE OF WARRIOR DRIVE (VINE AVENUE), SAID SIDEWALK WILL CONNECT TO THE BENTSEN HIKE AND BIKE TRAIL. A VARIANCE OF "ADDITIONAL 10 FT RIGHT OF WAY TO BE DEDICATED IN LIEU OF PARK LAND FEES" WAS APPROVED ON JUNE 29, 2023, WITH THE CONDITIONS LISTED.

DRAWN BY: R. DE JESUS DATE 11/16/23 SURVEYED, CHECKED J.L.G. DATE 08/18/23 FINAL CHECK \_



## STATE OF TEXAS **COUNTY OF HIDALGO**

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

JEFFERY ERICKSON, MANAGER ESCANABA, LLC A TEXAS LIMITED LIABILITY COMPANY 3520 BUDDY OWENS AVENUE McALLEN, TEXAS 78504

RENE SALINAS RAMIREZ, MANAGER ESCANABA, LLC A TEXAS LIMITED LIABILITY COMPANY 3520 BUDDY OWENS AVENUE

STATE OF TEXAS COUNTY OF HIDALGO

McALLEN, TEXAS 78504

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

SEAL OF OFFICE, THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_ , 20 \_\_\_\_.

NOTARY PUBLIC, FOR THE STATE OF TEXAS

STATE OF TEXAS COUNTY OF HIDALGO

MY COMMISSION EXPIRES:

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

SEAL OF OFFICE, THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_ , 20 \_\_\_\_\_

NOTARY PUBLIC, FOR THE STATE OF TEXAS

STATE OF TEXAS

**COUNTY OF HIDALGO:** 

MY COMMISSION EXPIRES:

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

MARIO A. REYNA, PROFESSIONAL ENGINEER # 117368

STATE OF TEXAS **DATE PREPARED: 11-16-2023** DATE REVISED: 11-10-2023 ENGINEERING JOB No. 23145.00 TEXAS REGISTRATION F-1435 MARIO A. REYNA 117368

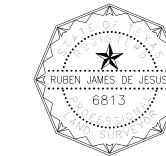
MELDEN & HUNT, INC

STATE OF TEXAS COUNTY OF HIDALGO:

SURVEY JOB No. 21999.23

I, THE UNDERSIGNED, RUBEN J. DE JESUS, A REGISTERED PROFESSIONAL LAND SURVEYOR, IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE HEREIN PRESENTED PLAT AND DESCRIPTION OF HARVEST COVE SUBDIVISION PHASE I, WAS PREPARED FROM A SURVEY OF THE PROPERTY MADE ON THE GROUND BY ME OR UNDER MY SUPERVISION ON 12-10-21, AND THAT IT IS A TRUE AND ACCURATE REPRESENTATION OF THE SUBDIVISION OF THE LANDS HEREON DESCRIBED.

RUBEN J. DE JESUS, REGISTERED PROFESSIONAL LAND SURVEYOR # 6813 STATE OF TEXAS DATE SURVEYED: 12-10-2021





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

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

SHEET 2 OF 2

01/19/2024 Page 1 of 6 SUB2024-0005



Reviewed On: 01/19/2024

SUBDIVISION NAME: HARVEST COVE SUBDIVISION PHASE I	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
North Ware Road: 60 ft. from centerline for 120 ft. ROW Paving: 65 ft. Curb & gutter: Both Sides Revisions needed: - Clarify and add labels to all ROW dimensions shown on N. Ware Road prior to final Show and label "Existing ROW" for the total existing ROW and show the existing ROW on both sides of centerline to determine if any ROW dedication is required prior to final Identify existing ROW by plat or instrument number and provide a copy for staff review prior to final.  **Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan **Monies must be escrowed if improvements are required prior to recording.	Non-compliance
Interior Streets for R-1 (single-family residential): 50 ft. Total ROW Paving: 32 ft. Curb & gutter: both sides Revisions needed: - Street names will be assigned prior to final Submit revised paving layout showing that the islands within the Cul-de-Sacs have been removed to comply with Fire Department requirements.  **Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan **Monies must be escrowed if improvements are required prior to recording.	Non-compliance
N/S 1/4 mile collector: Dedication as needed for 60 ft. total ROW. Paving 40 ft. Curb & gutter: Both Sides Revisions Needed: - Provide for N/S 1/4 mile collector dedication, prior to final The submitted variance request is for Harvest Cove Subdivision Phase I & Phase II. Harvest Cove Subdivision Phase II has not been submitted yet. However, based on the PUD site plan, it will extend all the way to the west, adjacent to the Irrigation District canal ROW. Clarify if the N/S 40 ft. ROW shown on the survey along the east side of Irrigation District canal ROW is a street ROW or not and submit document for verification prior to final.  **Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan  **Monies must be escrowed if improvements are required prior to recording.	Non-compliance
**The engineer submitted a variance application (VAR2021-0002) including a variance to the N/S quarter mile collector requirement. Two CUP applications for PUD (CUP2023-0161) for Phase I & (CUP2024-0005) for Phase II has been submitted and are in process. The PUD and variance requests must be approved and the plat layout must comply the layout and conditions approved by the City Commission. Plat notes cross-referencing the PUD must be finalized prior to recording and the PUD must be recorded along with the plat.	
E/W 1/4 mile collector(Northern Boundary): Dedication as needed for 60 ft. total ROW. Paving 40 ft. Curb & gutter: Both Sides Revisions Needed: - Provide for E/W 1/4 mile collector dedication, prior to final Show the width of the ROW somewhere along Lots 33-37 to determine compliance prior to final If the variance request to provide an interior street with 50 ft. ROW as E/W 1/4 collector is approved, it should be subject to 40 ft. of paving 10 ft. sidewalk easement along the front of the lots on this street may be required and will be finalized prior to final.  **Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan  **Monies must be escrowed if improvements are required prior to recording.	Non-compliance

**The engineer submitted a variance application (VAR2021-0002) including a variance to consider an interior street with 50 ft. ROW (proposed as West Way Ave) to be considered as an E/W quarter mile collector requirement. Two CUP applications for PUD (CUP2023-0161) for Phase I & (CUP2024-0005) for Phase II has been submitted and are in process. The PUD and variance requests must be approved and the plat layout must comply the layout and conditions approved by the City Commission. Plat notes cross-referencing the PUD must be finalized prior to recording and the PUD must be recorded along with the plat.	
Paving Curb & gutter  **Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan  **Monies must be escrowed if improvements are required prior to recording.	NA
* 1,200 ft. Block Length. Revisions Needed:	Non-compliance
-Subdivision layout does not comply with block length requirement, please revise accordingly prior to final. If no changes please submit variance request for 1200 ft. maximum block length requirement.  **Subdivision Ordinance: Section 134-118	
**The engineer submitted a variance application (VAR2021-0002) including a variance to the block length requirement. Two CUP applications for PUD (CUP2023-0161) for Phase I & (CUP2024-0005) for Phase II has been submitted and are in process. The PUD and variance requests must be approved and the plat layout must comply the layout and conditions approved by the City Commission. Plat notes cross-referencing the PUD must be finalized prior to recording and the PUD must be recorded along with the plat.	
* 900 ft. Block Length for R-3 Zone Districts.  **Subdivision Ordinance: Section 134-118	NA
<ul> <li>* 600 ft. Maximum Cul-de-Sac.</li> <li>Revisions needed: <ul> <li>Islands within the Cul-de-Sacs must be removed as per the Fire Department requirements prior to final.</li> <li>Dedicate ROW for continuation of the street labeled as West Way Ave. to connect to N. 43rd Street by this plat or apply for a variance for Cul-de-Sac Length prior to final.</li> </ul> </li> <li>**Subdivision Ordinance: Section 134-105</li> </ul>	Non-compliance
**The engineer submitted a variance application (VAR2021-0002) including a variance to the Cul-de-Sac length. Two CUP applications for PUD (CUP2023-0161) for Phase I & (CUP2024-0005) for Phase II has been submitted and are in process. The PUD and variance requests must be approved and the plat layout must comply the layout and conditions approved by the City Commission. Plat notes cross-referencing the PUD must be finalized prior to recording and the PUD must be recorded along with the plat.	
LLEYS	
ROW: 20 ft. Paving: 16 ft.  *Alley/service drive easement required for commercial properties and multi-family properties.  **Subdivision is proposed to be single-family residential.  ***Subdivision Ordinance: Section 134-106	NA
ETBACKS	
* Front: 25 feet or greater for easement. Revisions needed: - Must comply with the approved PUD. **Proposing: 20 feet or greater for easement **Zoning Ordinance: Section 138-356	Non-compliance
**Two CUP applications for PUD (CUP2023-0161) for Phase I & (CUP2024-0005) for Phase II has been submitted and are in process. The engineer requested the subdivision to be considered for final approval form subject to PUD approval. The PUD must be approved and	

the plat layout must comply the layout and conditions approved by the City Commission. Plat notes cross-referencing the PUD must be finalized prior to recording and the PUD must be recorded along with the plat.	
* Rear: Proposing: 10 feet or greater for easement. **Zoning Ordinance: Section 138-356	Applied
* Sides: Proposing: 6 feet or greater for easement.  **Zoning Ordinance: Section 138-356	Applied
* Corner: Proposing:10 feet or greater for easement.  **Zoning Ordinance: Section 138-356	Applied
* Garage: 18 ft. except where greater setback is required, greater setback applies. **Zoning Ordinance: Section 138-356	Applied
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN.	Non-compliance
- Remove the above wording from plat note #3 prior to final as it is not a required plat note.	
SIDEWALKS	
<ul> <li>* 4 ft. wide minimum sidewalk required along N. Ware Road both sides of all interior streets and Collector streets as applicable.</li> <li>Revisions needed:</li> <li>Finalize the ROW requirements to finalize sidewalk plat note, prior to final.</li> <li>Street names will be assigned prior to recording.</li> </ul>	Non-compliance
***Sidewalk requirements may increase to 5 ft. as per Engineering Department requirements, prior to final.	
**Subdivision Ordinance: Section 134-120	
**The engineer submitted a variance application (VAR2021-0002) including a variance to the N/S & E/W quarter mile collector requirements. Two CUP applications for PUD (CUP2023-0161) for Phase I & (CUP2024-0005) for Phase II has been submitted and are in process. The PUD and variance requests must be approved and the plat layout must comply the layout and conditions approved by the City Commission. Plat notes cross-referencing the PUD must be finalized prior to recording and the PUD must be recorded along with the plat.	
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Required
BUFFERS	'
BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses, and along N. Ware Road and the collector streets, if applicable. Revisions Needed: - Finalize the ROW requirements to finalize buffer plat note, prior to final. **Landscaping Ordinance: Section 110-46	Non-compliance
**The engineer submitted a variance application (VAR2021-0002) including a variance to the N/S & E/W quarter mile collector requirements. Two CUP applications for PUD (CUP2023-0161) for Phase I & (CUP2024-0005) for Phase II has been submitted and are in process. The PUD and variance requests must be approved and the plat layout must comply the layout and conditions approved by the City Commission. Plat notes cross-referencing the PUD must be finalized prior to recording and the PUD must be recorded along with the plat.	
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.  **Landscaping Ordinance: Section 110-46	Applied
*Perimeter buffers must be built at time of Subdivision Improvements Remove the above wording from plat note #10 prior to final as it is not a plat note requirement.	Non-compliance
NOTES	
* No curb cut, access, or lot frontage permitted along North Ware Road and other streets as applicable.	TBD
1	J.

Revisions needed: -Finalize wording for note once ROW requirements have been finalized, prior to final. **Must comply with City Access Management Policy	
**The engineer submitted a variance application (VAR2021-0002) including a variance to the N/S & E/W quarter mile collector requirements. Two CUP applications for PUD (CUP2023-0161) for Phase I & (CUP2024-0005) for Phase II has been submitted and are in process. The PUD and variance requests must be approved and the plat layout must comply the layout and conditions approved by the City Commission. Plat notes cross-referencing the PUD must be finalized prior to recording and the PUD must be recorded along with the plat.	
* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.  Revision Needed: - Remove plat note #19 prior to final.	Non-compliance
**Two CUP applications for PUD (CUP2023-0161) for Phase I & (CUP2024-0005) for Phase II has been submitted and are in process. The engineer requested the subdivision to be considered for final approval form subject to the PUD approval. The PUD and variance requests must be approved and the plat layout must comply the layout and conditions approved by the City Commission. Plat notes cross-referencing the PUD must be finalized prior to recording and the PUD must be recorded along with the plat.	
*Proposing: Common or Detention areas, any private streets/alleys or drives, and/ or gates must be maintained by the property owners/HOA and not the City of McAllen. Revisions needed: - Finalize wording for note once subdivision requirements have been finalized prior to final.	Non-compliance
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	NA
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 110-72 of the Subdivision Ordinance, including but not limited to common areas and its private streets.  Revisions required:  ***Section 134-168 applies if private subdivision is proposed.  ***Section 110-72 applies if public subdivision is proposed.  ****Section 110-72 applies if public subdivision is proposed.  *****Subdivision Ordinance: Section 110-72	Applied
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.  **Homeowner's Association Covenants must be submitted for staff review, prior to recording.  ***Section 134-168 applies if private subdivision is proposed.  ****Section 110-72 applies if public subdivision is proposed.  *****Landscaping Ordinance: Section 110-72  *****Subdivision Ordinance: Section 134-168	Required
LOT REQUIREMENTS	
* Lots fronting public/private streets. **Subdivision Ordinance: Section 134-1	Compliance
* Minimum lot width and lot area. Revisions needed:	Requiured
<ul> <li>Multiple lots under current subdivision layout do not comply with minimum frontage requirements review and revise lot frontages as applicable prior to final. Minimum lot width and lot area: Lots must comply with the minimum 50 ft. frontage requirement and 54 ft. on corner lots.</li> </ul>	
<ul> <li>Multiple lots under current subdivision layout do not comply with minimum lot area requirements review and revise as applicable prior to final. Minimum lot area is 5,000 square feet.</li> </ul>	
- Common areas do not comply minimum frontage requirements of 25 ft. review and revise as applicable prior to final.	

**Zoning Ordinance: Section 138-356	
**Two CUP applications for PUD (CUP2023-0161) for Phase I & (CUP2024-0005) for Phase II has been submitted and are in process. The PUD and variance requests must be approved and the plat layout must comply the layout and conditions approved by the City Commission. Plat notes cross-referencing the PUD must be finalized prior to recording and the PUD must be recorded along with the plat.	
ZONING/CUP	
* Existing: R-1 (Single-Family) Residential Proposed: R-1 (Single-Family) Residential ***Zoning Ordinance: Article V	Compliance
* Rezoning Needed Before Final Approval  **Proposed use is compliant with current zoning.  ***Zoning Ordinance: Article V	NA
PARKS	
* Land dedication in lieu of fee. Parkland dedication requirements are under review and any exiting approvals may have to be re-assessed, finalize prior to final.	Required
* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. Parkland dedication requirements are under review and any exiting approvals may have to be re-assessed, finalize prior to final	Required
* Pending review by the City Manager's Office. Parkland dedication requirements are under review and any exiting approvals may have to be re-assessed, finalize prior to final	Required
TRAFFIC	
* As per Traffic Department, Trip Generation would be honored from previous case, any changes to the current plat will require an updated Trip Gen,. TIA Honored from previous case.	Applied
* Traffic Impact Analysis (TIA) honored from previous case.	Applied
COMMENTS	
Comments:  - Must comply with City's Access Management Policy.  - Clarify/revise the wording for Cul-de-Sac outside the plat boundary to be abandoned by this plat. Any abandonments must be done by separate process, not by plat.  - Clarify connection to existing recorded subdivision under Arrow Head Subdivision Phase I, prior to final.  - Some details are shown by circles and some by arrows. Please use a consistent method prior to final.  - Detail "B" on the north side of Lot 5 is shown outside the subdivision boundary. Review and revise prior to final.  - Any temporary Cul-de-Sac must be done by separate instrument and document number referenced on the plat prior to recording.  - The submitted variance request is for Harvest Cove Subdivision Phase I & Phase II. Harvest Cove Subdivision Phase II has not been submitted yet. However, based on the PUD site plan, it will extend all the way to the west, adjacent to the Irrigation District canal ROW. Clarify if the N/S 40 ft. ROW shown on the survey along the east side of Irrigation District canal ROW is a street ROW or not and submit document for verification prior to final.  - Any abandonment must be done by separate process and instrument, not by plat.  **The engineer submitted a variance application (VAR2021-0002) including the following:  1. a variance to the N/S quarter mile collector requirement.  2. a variance to the E/W quarter mile collector requirement.	Non-compliance

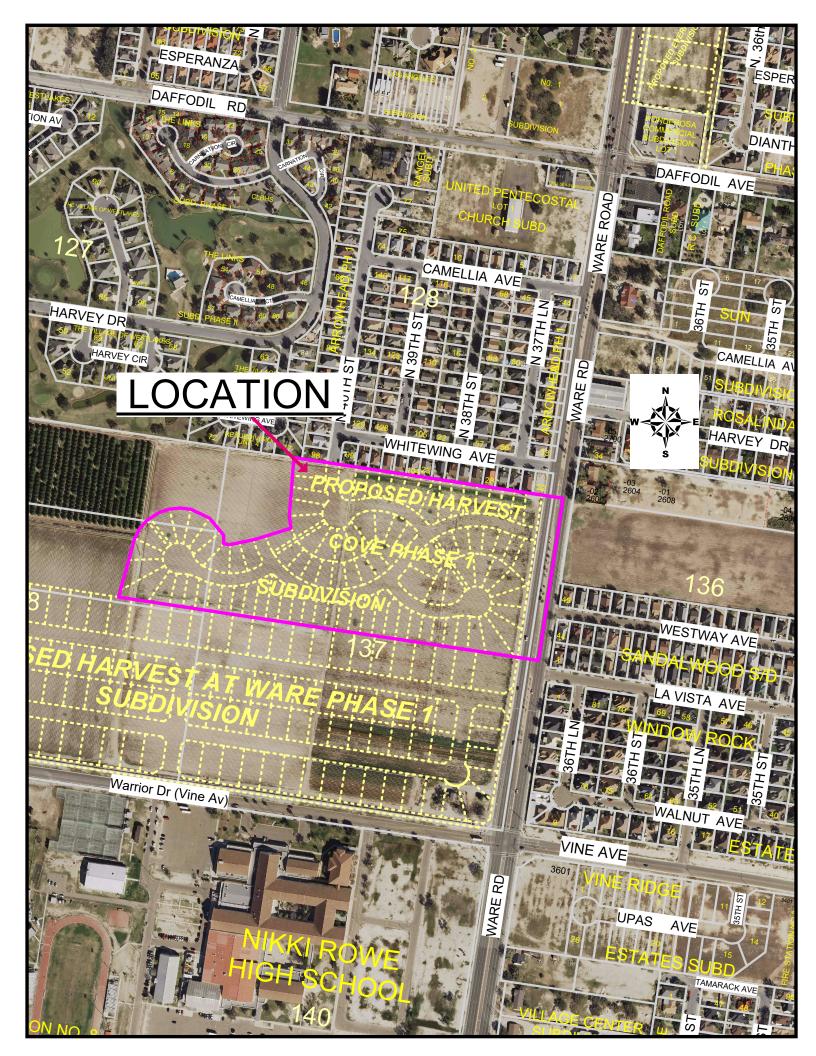
SUB2024-0005

Page 6 of 6

FORM SUBJECT TO THE CONDITIONS NOTED, DRAINAGE, AND UTILITIES APPROVAL,

AND THE BOARD'S CLARIFICATION ON THE REQUESTED VARIANCES.

01/19/2024



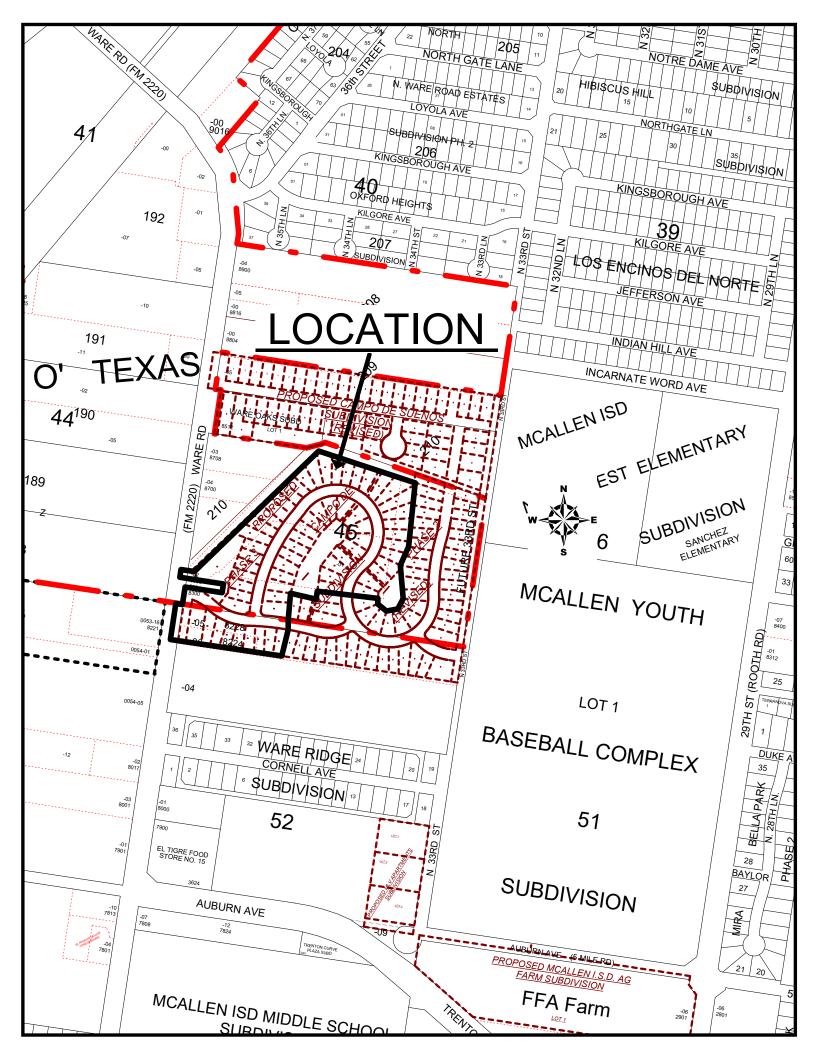
Subscar 00061

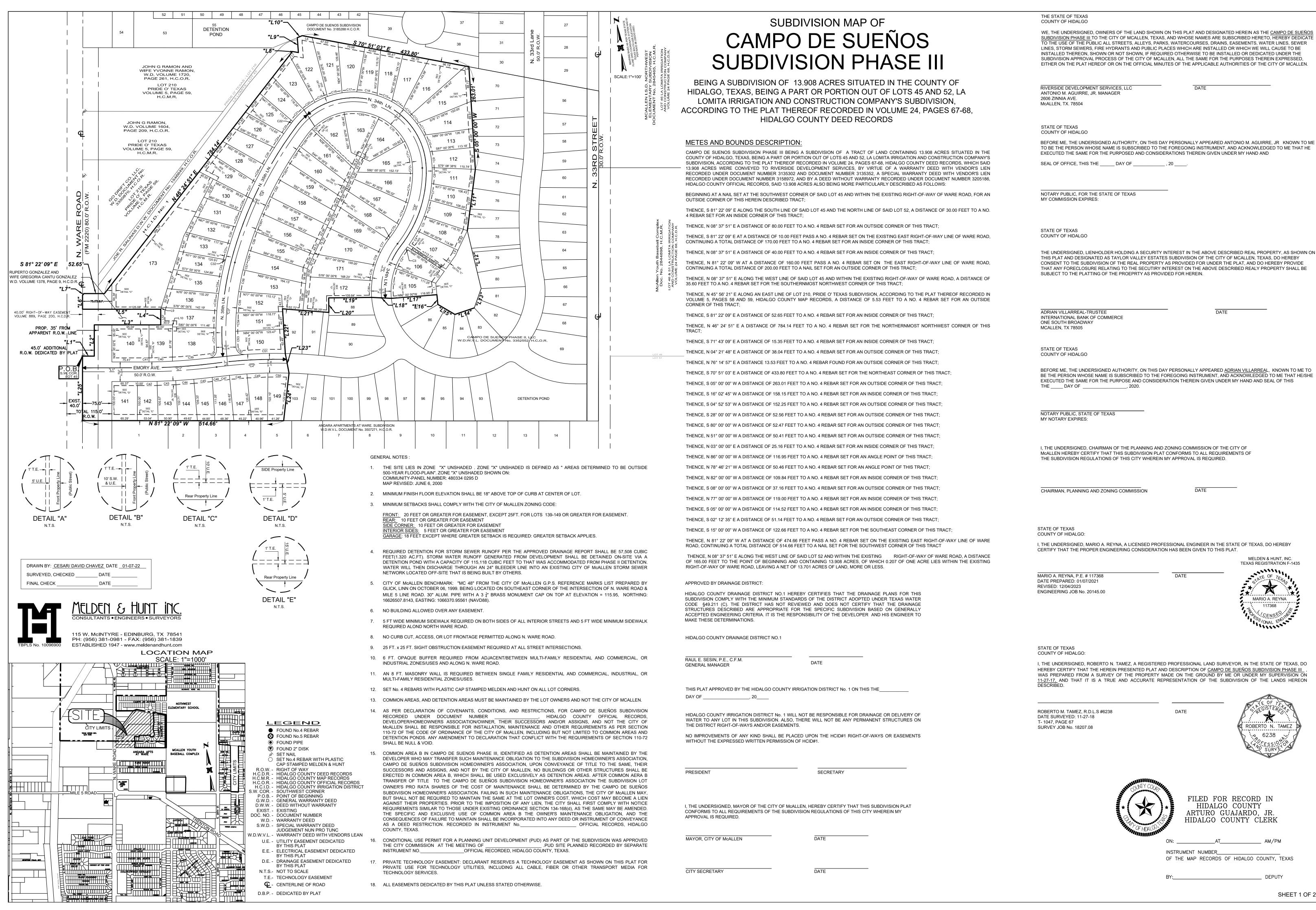
# City of McAllen Planning Department APPLICATION FOR SUBDIVISION PLAT REVIEW

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

Project Description	Subdivision Name CAMPO DE SUENOS PHASE III SUBDIVISION  Location 1/4 MI. NORTH OF AUBURN AVE EAST OF WARE ROAD  City Address or Block Number 300 M. WARE ROAD  Number of lots 64 Gross acres 13.496 Net acres 13.491  Existing Zoning Proposed R1 Rezoning Applied For Yes No Date Existing Land Use VACANT Proposed Land Use RESIDENTIAL Irrigation District # 1  Residential Replat Yes No Commercial Replat Yes No ETJ Yes No Agricultural Tax Exempt Yes No Estimated Rollback tax due Parcel No. 210502, 210504;  Parcel No. 210500, 210505  Legal Description  APPROX. 13.496 AC O/O LOTS 45 & 52, LA LOMITA IRRIGATION & CONSTR. COMPANY
Owner 1	Name RIVERSIDE DEVELOPMENT SERVICES, LLC Phone C/O (956) 381-0981  Address _2606 ZINNIA AVENUE  City MCALLEN State TX Zip _78504  E-mail _TAGUIRRECONSULTING@ME.COM
Developer	Name RIVERSIDE DEVELOPMENT SERVICES, LLC Phone C/O (956) 381-0981  Address 2606 ZINNIA AVENUE  City MCALLEN State TX Zip 78504  Contact Person ANTONIO M. AGUIRRE, JR MANAGER  E-mail TAGUIRRECONSULTING@ME.COM
Engineer	Name MELDEN & HUNT, INC. Phone (956) 381-0981  Address 115 W. MCINTYRE ST.  City EDINBURG State TX Zip 78541  Contact Person MARIO A. REYNA, P.E.  E-mail MARIO@MELDENANDHUNT.COM
Surveyor	Name MELDEN & HUNT, INC. Phone (956) 381-0981  Address 115 W. MCINTYRE ST.  City EDINBURG State TX Zip 78541







Lot Area Table		
Lot#	SQ, FT,	Area
105	6157.94	0.141
106	5678.90	0.130
107	5617.21	0.129
108	5585.66	0.128
109	5207.72	0.120
110	5044.15	0.116
111	5210.40	0.120
112	5408.58	0.124
113	5448.93	0.125
114	6958.10	0.160
115	9564.03	0.220
116	8934.81	0.205
117	6551.67	0.150
118	5829.45	0.134
119	5340.08	0.123
120	6476.58	0.149
121	7212.10	0.166
122	8206.20	0.188
123	6326.14	0.145
124	5310.25	0.122

Lot #	SQ, FT,	Area
125	5485.48	0.126
126	5388.49	0.124
127	5580.77	0.128
128	5782.56	0.133
129	6535.50	0.150
130	4763.68	0.109
131	5044.61	0.116
132	5105.69	0.117
133	5646.94	0.130
134	5677.03	0.130
135	6047.42	0.139
136	6382.81	0.147
137	6501.88	0.149
138	9116.08	0.209
139	5643.97	0.130
140	9024.65	0.207
141	6532.78	0.150
142	5179.07	0.119
143	5001.00	0.115
144	5001.00	0.115

Lot	Area Ta	ble	Lot	Area Ta	ble
Lot #	SQ, FT,	Area	Lot#	SQ, FT,	Area
125	5485.48	0.126	145	5001.01	0.115
126	5388.49	0.124	146	5263.39	0.121
127	5580.77	0.128	147	5340.02	0.123
128	5782.56	0.133	148	5734.24	0.132
129	6535.50	0.150	149	5828.00	0.134
130	4763.68	0.109	150	7466.71	0.171
131	5044.61	0.116	151	5541.30	0.127
132	5105.69	0.117	152	5574.68	0.128
133	5646.94	0.130	153	9473.19	0.217
134	5677.03	0.130	154	7269.75	0.167
135	6047.42	0.139	155	7217.59	0.166
136	6382.81	0.147	156	7370.80	0.169
137	6501.88	0.149	157	7454.06	0.171
138	9116.08	0.209	158	7439.05	0.171
139	5643.97	0.130	159	7342.86	0.169
140	9024.65	0.207	160	7185.39	0.165
141	6532.78	0.150	161	6986.74	0.160

162 7457.00 0.171

164 6350.97 0.146

Lot Area Table		
Lot#	SQ, FT,	Area
165	7348.88	0.169
166	7105.51	0.163
167	7545.88	0.173
168	7459.70	0.171
169	7651.09	0.176
170	8424.88	0.193
171	8414.28	0.193
172	10492.16	0.241
173	33692.80	0.773

Boundary Line Table		
Line #	Length	Direction
"L1"	30.00'	S81° 22' 09"E
"L2"	80.00'	N08° 37' 51"E
"L3"	170.00'	S81° 22' 09"E
"L4"	40.00'	N08° 37' 51"E
"L5"	200.00'	N81° 22' 09"W
"L6"	35.60'	N08° 37' 51"E
"L7"	5.53'	N45° 56' 21"E
"L11"	158.15'	S16° 02' 45"W
"L12"	152.25'	S04° 52' 53"E
"L13"	52.56'	S28° 00' 00"W
"L14"	52.47'	S80° 00' 00"W
"L15"	50.41'	N51° 00' 00"W
"L16"	25.16'	N03° 00' 00"E
"L17"	116.95'	N86° 00' 00"W
"L18"	50.46'	N78° 46' 21"W
"L19"	109.84'	N82° 00' 00"W
"L20"	37.16'	S08° 00' 00"W

119.00'

N77° 00' 00"W

S05° 00' 00"W

Line #	Length	Direction
L1	29.42'	S03° 00' 00"W
L2	37.50'	N44° 00' 00"E
L3	41.95'	S44° 00' 00"W
L4	15.30'	S34° 00' 00"W
L5	8.46'	N70° 51' 03"W
L6	25.66'	N70° 51' 03"W
L7	12.55'	S46° 24' 44"W
L8	11.49'	N35° 52' 22"E
L9	4.99'	N26° 00' 58"E
L10	5.09'	N08° 37' 50"E
L11	25.93'	S56° 00' 00"E
L12	26.26'	S56° 00' 00"E

Curve #	Length	Radius	Delta	Chord Direction	Chord Leng	thTangent
C1	78.41'	172.00'	026° 07' 07"	S15° 29' 38"W'	77.73'	39.90
C2	54.09'	172.00'	018° 01' 01"	S37° 33' 42"W'	53.86'	27.27
C3	9.10'	325.00'	001° 36' 18"	N45° 46' 04"E'	9.10'	4.55
C4	41.13'	325.00'	007° 15' 02"	N40° 06' 18"E'	41.10'	20.59
C5	41.48'	325.00'	007° 18' 45"	N32° 49' 24"E'	41.45'	20.77
C6	43.50'	325.00'	007° 40' 08"	N25° 19' 58"E'	43.47'	21.78
C7	42.58'	325.00'	007° 30' 24"	N17° 44' 42"E'	42.55'	21.32
C8	40.71'	325.00'	007° 10' 35"	N10° 24' 12"E'	40.68'	20.38
C9	41.31'	200.00'	011° 50' 07"	N0° 53' 51"E'	41.24'	20.73
C10	45.10'	200.00'	012° 55' 08"	N11° 28' 47"W'	45.00'	22.64
C11	34.83'	200.00'	009° 58' 41"	N22° 55' 41"W'	34.79'	17.46
C12	26.89'	200.00'	007° 42' 16"	N31° 46' 09"W'	26.87'	13.47
C13	24.65'	200.00'	007° 03' 46"	N39° 09' 10"W'	24.64'	12.34
C14	34.12'	200.00'	009° 46' 31"	N47° 34' 19"W'	34.08'	17.10
C15	40.89'	200.00'	011° 42' 48"	N58° 18' 58"W'	40.82'	20.52
C16	52.95'	200.00'	015° 10' 12"	N71° 45' 28"W'	52.80'	26.63
C17	37.71'	200.00'	010° 48' 10"	N84° 44' 40"W'	37.65'	18.91
C18	38.73'	200.00'	011° 05' 38"	S84° 18' 26"W'	38.66'	19.42
C19	34.97'	200.00'	010° 01' 05"	S73° 45' 04"W'	34.93'	17.53
C20	34.26'	200.00'	009° 48' 50"	S63° 50' 07"W'	34.21'	17.17
C21	41.36'	200.00'	011° 50' 54"	S53° 00' 15"W'	41.28'	20.75
C22	6.57'	200.00'	001° 52' 53"	S46° 08' 22"W'	6.57'	3.28
C23	32.25'	1,025.00'	001° 48' 11"	S44° 17' 50"W'	32.25'	16.13
C24	43.19'	1,025.00'	002° 24' 52"	S42° 11' 19"W'	43.19'	21.60
C25	51.03'	1,025.00'	002° 51' 08"	S39° 33' 19"W'	51.02'	25.52
C26	49.42'	1,025.00'	002° 45' 44"	S36° 44' 52"W'	49.41'	24.71
C27	42.76'	1,025.00'	002° 23' 24"	S34° 10' 18"W'	42.75'	21.38
C28	41.72'	1,025.00'	002° 19' 55"	S31° 48' 39"W'	41.72'	20.86
C29	40.97'	1,025.00'	002° 17' 25"	S29° 29' 59"W'	40.97'	20.49
C30	45.12'	1,025.00'	002° 31' 19"	S27° 05' 37"W'	45.12'	22.56

LOCATION MAP SCALE: 1"=1000'

JEFFERSON AVE.

Curve #	Length	Radius	Delta	Chord Direction	Chord Leng	thTangent
C31	43.13'	1,025.00'	002° 24' 39"	S24° 37' 38"W'	43.12'	21.57
C32	0.58'	1,025.00'	000° 01' 57"	S23° 24' 20"W'	0.58'	0.29
C33	43.66'	725.00'	003° 27' 00"	S21° 39' 52"W'	43.65'	21.83
C34	43.83'	725.00'	003° 27' 50"	S18° 12' 26"W'	43.83'	21.92
C35	44.24'	725.00'	003° 29' 46"	S14° 43' 38"W'	44.23'	22.13
C36	44.22'	725.00'	003° 29' 41"	S11° 13' 55"W'	44.21'	22.12
C37	55.79'	725.00'	004° 24' 32"	S7° 16' 48"W'	55.78'	27.91
C38	30.28'	20.00'	086° 45' 10"	N48° 27' 07"E'	27.47'	18.90
C39	95.53'	1,475.00'	003° 42' 38"	S86° 18' 59"E'	95.51'	47.78
C40	60.04'	1,475.00'	002° 19' 56"	S83° 17' 42"E'	60.03'	30.02
C41	19.56'	1,475.00'	000° 45' 35"	S81° 44' 57"E'	19.56'	9.78
C42	40.38'	1,525.00'	001° 31' 02"	S82° 07' 40"E'	40.38'	20.19
C43	47.68'	1,525.00'	001° 47' 29"	S83° 46' 56"E'	47.68'	23.84
C44	46.32'	1,525.00'	001° 44' 25"	S85° 32' 53"E'	46.32'	23.16
C45	47.43'	1,525.00'	001° 46' 56"	S87° 18' 33"E'	47.43'	23.72
C46	14.40'	1,525.00'	000° 32' 28"	S88° 28' 15"E'	14.40'	7.20
C47	29.85'	1,175.00'	001° 27' 21"	N88° 00' 49"W'	29.85'	14.93
C48	45.01'	1,175.00'	002° 11' 41"	N86° 11' 18"W'	45.00'	22.51
C49	53.61'	1,175.00'	002° 36' 52"	N83° 47' 02"W'	53.61'	26.81
C50	54.09'	1,175.00'	002° 38' 15"	N81° 09' 29"W'	54.08'	27.05
C51	104.96'	1,225.00'	004° 54' 33"	N82° 48' 23"W'	104.93'	52.51
C52	31.64'	20.00'	090° 39' 15"	S39° 56' 02"E'	28.45'	20.23
C53	40.53'	675.00'	003° 26' 25"	S7° 06' 48"W'	40.52'	20.27
C54	46.85'	675.00'	003° 58' 36"	S10° 49' 18"W'	46.84'	23.43
C55	54.83'	675.00'	004° 39' 13"	S15° 08' 13"W'	54.81'	27.43
C56	56.92'	675.00'	004° 49' 52"	S19° 52' 46"W'	56.90'	28.48
C57	12.89'	675.00'	001° 05' 40"	S22° 50' 32"W'	12.89'	6.45
C58	39.31'	975.00'	002° 18' 36"	S24° 32' 40"W'	39.31'	19.66
C59	50.70'	975.00'	002° 58' 47"	S27° 11' 21"W'	50.70'	25.36
C60	49.27'	975.00'	002° 53' 44"	S30° 07' 37"W'	49.27'	24.64

Cente	Centerline Lot Line Table			
Line #	Length	Direction		
"L1"	150.44'	S81° 22' 09"E		
"L2"	12.61'	N02° 37' 58"E		
LZ	12.01	NU2 37 58 E		

Center Line Curve Table						
Curve #	Length	Radius	Delta	Chord Direction	Chord Length	Tangent
"C1"	193.01'	1,500.00'	007° 22' 20"	S85° 03' 19"E'	192.87'	96.64
"C2"	180.97'	1,200.00'	008° 38' 26"	N84° 25' 16"W'	180.80'	90.66
"C3"	253.59'	700.00'	020° 45' 24"	S13° 00' 40"W'	252.21'	128.20
"C4"	380.64'	1,000.00'	021° 48' 33"	S34° 17' 39"W'	378.35'	192.65
"C5"	432.54'	175.00'	141° 36' 59"	N63° 59' 35"W'	330.55'	502.76
"C6"	208.16'	300.00'	039° 45' 19"	N26° 41' 34"E'	204.01'	108.47
"C7"	147.85'	197.82'	042° 49' 24"	S25° 03' 09"W'	144.43'	77.57

Curve Table						
Curve #	Length	Radius	Delta	Chord Direction	Chord Leng	thTangent
C61	47.85'	975.00'	002° 48' 43"	S32° 58' 50"W'	47.85'	23.93
C62	49.25'	975.00'	002° 53' 39"	S35° 50' 01"W'	49.24'	24.63
C63	50.63'	975.00'	002° 58' 30"	S38° 46' 06"W'	50.62'	25.32
C64	50.65'	975.00'	002° 58' 36"	S41° 44' 39"W'	50.65'	25.33
C65	33.46'	975.00'	001° 57' 59"	S44° 12' 56"W'	33.46'	16.73
C66	20.11'	150.00'	007° 40' 46"	S49° 02' 18"W'	20.09'	10.07
C67	10.01'	150.00'	003° 49' 30"	S54° 47' 27"W'	10.01'	5.01
C68	84.34'	150.00'	032° 12' 52"	S72° 48' 38"W'	83.23'	43.32
C69	92.21'	150.00'	035° 13' 17"	N73° 28' 18"W'	90.76'	47.61
C70	91.44'	150.00'	034° 55' 36"	N38° 23' 51"W'	90.03'	47.19
C71	72.65'	150.00'	027° 44' 57"	N7° 03' 34"W'	71.94'	37.05
C72	13.61'	275.00'	002° 50' 08"	N8° 13' 58"E'	13.61'	6.81
C73	76.37'	275.00'	015° 54' 39"	N17° 36' 22"E'	76.12'	38.43
C74	59.83'	275.00'	012° 27' 57"	N31° 47' 41"E'	59.71'	30.03
C75	41.00'	275.00'	008° 32' 34"	N42° 17' 56"E'	40.96'	20.54
C76	5.49'	222.00'	001° 25' 01"	S45° 51' 42"W'	5.49'	2.75
C77	39.12'	222.00'	010° 05' 51"	S40° 06' 16"W'	39.07'	19.61
C78	34.69'	222.00'	008° 57' 07"	S30° 34' 47"W'	34.65'	17.38
C79	41.03'	222.00'	010° 35' 20"	S20° 48' 33"W'	40.97'	20.57
C80	42.97'	222.00'	011° 05' 21"	S9° 58' 13"W'	42.90'	21.55

STATE OF TEXAS COUNTY OF HIDALGO:

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

MELDEN & HUNT, INC.

MARIO A. REYNA, P.E. # 117368 DATE PREPARED: 01-07-2022 ENGINEERING JOB No. 20145.00



STATE OF TEXAS COUNTY OF HIDALGO:

I, THE UNDERSIGNED, ROBERTO N. TAMEZ, A REGISTERED PROFESSIONAL LAND SURVEYOR, IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE HEREIN PRESENTED PLAT AND DESCRIPTION OF <u>CAMPO DE SUEÑOS SUBDIVISION PHASE III</u> WERE PREPARED FROM A SURVEY OF THE PROPERTY MADE ON THE GROUND BY ME OR UNDER MY SUPERVISION ON 11-27-17, AND THAT IT IS A TRUE AND ACCURATE REPRESENTATION OF THE SUBDIVISION OF THE LANDS HEREON DESCRIBED.

ROBERTO N. TAMEZ, R.P.L.S. # 6238 DATE SURVEYED: 11-27-18 T- 1047, PAGE 67 SURVEY JOB No. 18207.08





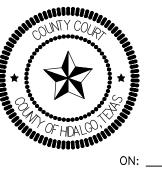
CAMPO DE SUEÑOS	
SUBDIVISION PHASE II	

SUBDIVISION MAP OF

BEING A SUBDIVISION OF 13.908 ACRES SITUATED IN THE COUNTY OF HIDALGO, TEXAS, BEING A PART OR PORTION OUT OF LOTS 45 AND 52, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 24, PAGES 67-68, HIDALGO COUNTY DEED RECORDS



DRAWN BY: CESAR/ DAVID CHAVEZ DATE 01-07-22 SURVEYED, CHECKED \_\_\_\_



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

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

SHEET 2 OF 2

01/19/2024 Page 1 of 5 SUB2021-0059



Reviewed On: 1/19/2024

SUBDIVISION NAME: CAMPO DE SUENOS PHASE III SUBDIVISION	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
North Ware Road: Dedication for 75 ft. from centerline for 150 ft. of ROW Paving: By the State Curb & Gutter: By the State Revision needed: - Remove any reference as "PROP." from the plat prior to recording. For any ROW dedicated by this plat, please reference "ROW dedicated by this plat" Paving: By the state Curb & gutter: By the state **Monies must be escrowed if improvements are not built prior to final.	Required
Emory Avenue (collector): 60 ft. Engineer is proposing 50 ft. Paving: 40 ft. Curb & gutter: Both sides  **Must escrow monies if improvements are not constructed prior to recording.  ****Street name might be revised prior to final.  ***Engineer is proposing a 10 ft. Sidewalk and Utility Easements along the front of all lots (142-152) with frontage onto Duke Avenue (collector road) in leu of the required 60 ft. of ROW.	Applied
Other interior streets: 50 ft. ROW Paving: 32 ft. Curb & gutter: Both sides - Street names will be finalized prior to recording.  **Must escrow monies if improvements are not constructed prior to recording	Applied
Paving Curb & gutter	NA
* 1200 ft. Block Length.  ***Engineer submitted a variance letter on December 3, 2020 to allow a block length of 960 ft., instead of the maximum allowed 800 ft. required at the time, along the easternmost block of Phase 1 and 2.  **City Commission approved a variance to allow a block length greater than the maximum allowed 800 ft. at their February 22, 2021 meeting subject to adding a new common area access between North 33rd Lane and the common area, and the engineer mentioned that he would comply with that request.	Applied
* 600 ft. Maximum Cul-de-Sac.	NA
ALLEYS	
ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties	NA

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SETBACKS	
*FRONT: 25 FEET OR GREATER FOR EASEMENT  ***Engineer submitted a variance letter on December 3, 2020 to allow a front setback of 20 ft. or greater for easements instead of the required 25 ft. or greater for easements.  ****During the P&Z meeting of January 19, 2021 the engineer withdrew this request and stated that subdivision would comply with requirement.  *****Setbacks must be shown on plat as established on PUD. The original PUD was approved by the City Commission meeting of September 13, 2021. An application to amend the PUD has been submitted by the engineer (CUP2023-0131) and approved by the P&Z on January 10, 2024, and scheduled to be heard by the City Commission on February 12, 2024. The engineer requested the subdivision to be considered in final form, subject to PUD approval. The plat and plat notes must comply with the approved PUD prior to recording. The approved PUD and the the plat must be recorded with notes cross-referencing document numbers. The plat notes and PUD notes must be finalized prior to recording.	Required
* Rear: 10 ft. or greater for easements  ***Engineer submitted a variance letter on December 3, 2020 to allow a rear setback of 10 ft. or greater for easements for double fronting lots instead of the required 25 ft. or greater for easements for Lots 56-70.  ****Planning and Zoning Board approved a variance to allow a "10 ft. rear setback or greater for easements including double fronting easements" at their January 19, 2021 meeting.  *****Setbacks as established on approved PUD. The original PUD was approved by the City Commission meeting of September 13, 2021. An application to amend the PUD has been submitted by the engineer (CUP2023-0131) and approved by the P&Z on January 10, 2024, and scheduled to be heard by the City Commission on February 12, 2024. The engineer requested the subdivision to be considered in final form, subject to PUD approval. The plat and plat notes must comply with the approved PUD prior to recording. The approved PUD and the the plat must be recorded with notes cross-referencing document numbers. The plat notes and PUD notes must be finalized prior to recording.	Applied
* Interior sides: proposing 5 ft. or greater for easements.  ***Engineer submitted a variance letter on December 3, 2020 to allow a interior side setback of 5 ft. or greater for easements instead of the required 6 ft. or greater for easements.  ****Planning and Zoning Board approved a variance to allow a 5 ft. interior side setback or greater for easements at their January 19, 2021 meeting.  *****Setbacks as established on approved PUD. The original PUD was approved by the City Commission meeting of September 13, 2021. An application to amend the PUD has been submitted by the engineer (CUP2023-0131) and approved by the P&Z on January 10, 2024, and scheduled to be heard by the City Commission on February 12, 2024. The engineer requested the subdivision to be considered in final form, subject to PUD approval. The plat and plat notes must comply with the approved PUD prior to recording. The approved PUD and the the plat must be recorded with notes cross-referencing document numbers. The plat notes and PUD notes must be finalized prior to recording.	Required
* Corner: 10 ft. or greater for easements.  *****Setbacks as established on approved PUD.	Applied
* Garage: 18 ft. except where greater setbacks is required, greater setback applies.  ***Setbacks as established on approved PUD.	Applied
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied

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DEWALKS	
* 4 ft. wide minimum sidewalk required on both sides of all interior streets and 5 ft. wide minimum sidewalk required along North Ware Road.  - Clarify the proposed plat note or revise as shown above prior to recording.  - Proposing: 5 ft. wide minimum sidewalk required on both sides of all interior streets and 5 ft. wide minimum sidewalk required along N. Ware Road.  - Engineering Department may require 5 ft. wide sidewalk.	Required
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Applied
JFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along North Ware Road.	Applied
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.	Applied
*Perimeter buffers must be built at time of Subdivision Improvements.	Applied
DTES	
* No curb cut, access, or lot frontage permitted along North Ware Road.  - Clarify the frontage of Lot 173 prior to recording. The original PUD was approved by the City Commission meeting of September 13, 2021. An application to amend the PUD has been submitted by the engineer (CUP2023-0131) and approved by the P&Z on January 10, 2024, and scheduled to be heard by the City Commission on February 12, 2024. The engineer requested the subdivision to be considered in final form, subject to PUD approval. The plat and plat notes must comply with the approved PUD prior to recording. The approved PUD and the the plat must be recorded with notes cross-referencing document numbers. The plat notes and PUD notes must be finalized prior to recording.  - The plat note must be finalized based on the approved PUD and the engineer's clarification prior to recording.	Required
* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.	NA
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	NA
* Common Areas, any private streets, and detention areas must be maintained by the lot owners and not the City of McAllen	Required
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.  ***Section 110-72 applies for Public Subdivisions.	Required
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.	Required
NING/CUP	
* Existing: ETJ Proposed: R-1  ** Annexation and initial zoning approved by City Commission on their May 24, 2021 meeting.	Completed
* Rezoning Needed Before Final Approval  ** Annexation and initial zoning approved by City Commission on their May 24, 2021 meeting.	Completed

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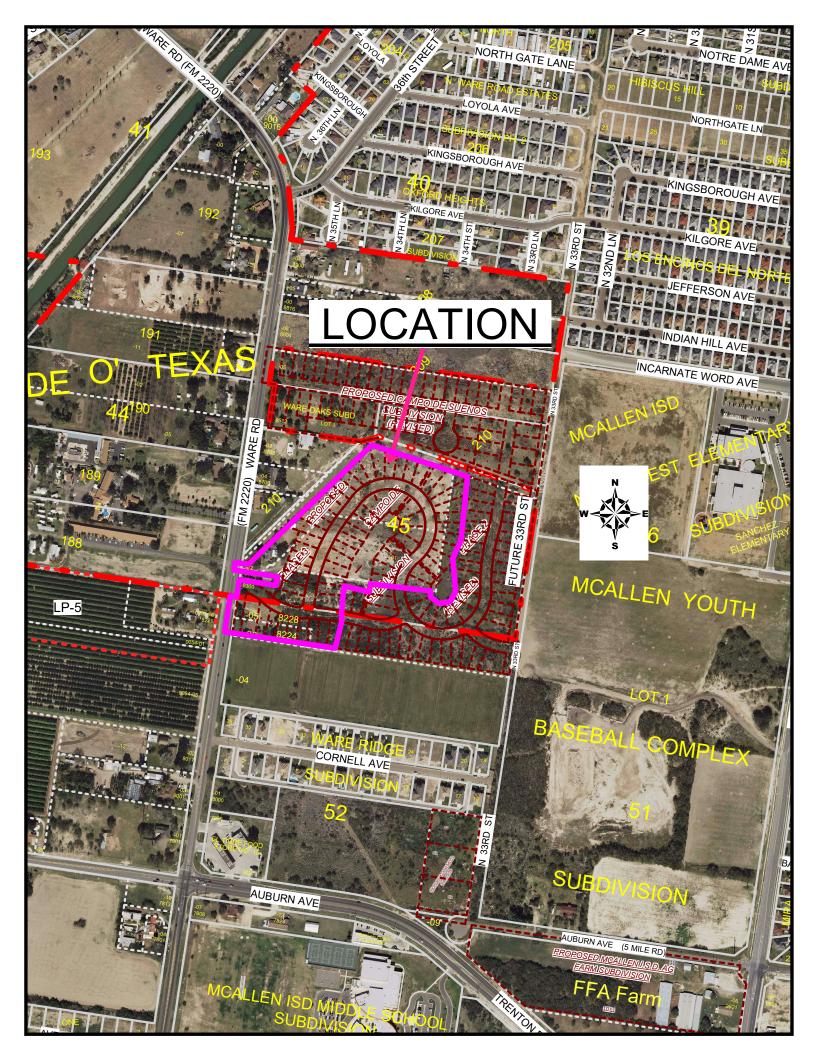
LOT REQUIREMENTS	
LOT REQUIREMENTS	
* Minimum lot width and lot area.  **Not all lots meet the minimum frontage requirement of 50 ft.  *******Lot dimensions and layouts as approved by PUD. The original PUD was approved by the City Commission meeting of September 13, 2021. An application to amend the PUD has been submitted by the engineer (CUP2023-0131) and approved by the P&Z on January 10, 2024, and scheduled to be heard by the City Commission on February 12, 2024. The engineer requested the subdivision to be considered in final form, subject to PUD approval. The plat and plat notes must comply with the approved PUD prior to recording. The approved PUD and the the plat must be recorded with notes cross-referencing document numbers. The plat notes and PUD notes must be finalized prior to recording.	Required
* Lots fronting public streets.  ****Clarify the frontage of common Area "B" with the frontage dimension prior to recording. It seems that the lot line along N. 34th street is missing. The subdivision layout must match the approved PUD. The original PUD was approved by the City Commission meeting of September 13, 2021. An application to amend the PUD has been submitted by the engineer (CUP2023-0131) and approved by the P&Z on January 10, 2024, and scheduled to be heard by the City Commission on February 12, 2024. The engineer requested the subdivision to be considered in final form, subject to PUD approval. The plat and plat notes must comply with the approved PUD prior to recording. The approved PUD and the the plat must be recorded with notes cross-referencing document numbers. The plat notes and PUD notes must be finalized prior to recording.	Required
PARKS	
* Land dedication in lieu of fee.  **** As per Parks Department, Park requirements will not apply to this development.	NA
* Park Fee of \$700 per dwelling unit/lot to be paid prior to recording.  **** As per Parks Department, Park requirements will not apply to this development.	NA
* Pending review by the Parkland Dedication Advisory Board and CC.  **** As per Parks Department, Park requirements will not apply to this development.	NA
TRAFFIC	
* As per Traffic Department, Trip Generation approved. TIA approved.	Completed
* As per Traffic Department, Trip Generation approved. TIA approved.	Completed
COMMENTS	
Comments:  - Must comply with City's Access Management Policy.  - Clarify use of Lot 173. If Detention Area is proposed, please label accordingly prior to recording. A plat note may be required prior to recording.  - Street names will be finalized prior to recording.  - Clarify and label all common areas.  - Legal Description of all adjacent lots on all side, including the west side of N. Ware Road will be required prior to recording.  ***The original PUD was approved by the City Commission meeting of September 13, 2021. An application to amend the PUD has been submitted by the engineer (CUP2023-0131) and approved by the P&Z on January 10, 2024, and scheduled to be heard by the City Commission on February 12, 2024. The engineer requested the subdivision to be considered in final form, subject to PUD approval. The plat and plat notes must comply with the approved PUD prior to recording. The approved PUD and the the plat must be recorded with notes cross-referencing document numbers. The plat notes and PUD notes must be finalized prior to recording.	Required

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

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

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



# City of McAllen SUB2024-0002/ Planning Department

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

Subdivision Name PROPOS	SED Taylor Valley Estates
Legal Description 10.00 acres out of Lot 247, John H Shary Subdivision	, Volume 1, Page 17, Hidalgo
County Map Records, City of McAllen, Hidalgo County, Texas	d State of S
Location East side of Taylor Road approximately 320 feet south of Peca	n Boulevard (F.M.495)
City Address or Block Number	Taylor Rd.
Total No. of Lots 40 Total Dwelling Units 39 Gross Acr	And the second of the second o
Public Subdivision/□Private and Gated /□Private but Not Gated	within ETJ: □Yes/⊌No
For Fee Purposes: □Commercial ( Acres)/☑ Residential ( 40 _ I	Lots) Replat: □Yes/⊌No
City Address or Block Number  Total No. of Lots 40 Total Dwelling Units 39 Gross Acr  Public Subdivision/  For Fee Purposes: Commercial ( Acres)/  Existing Zoning R-1 Proposed Zoning R-1 Applied for Rezo	
Existing Land Use 1 existing house rest is vacant Proposed Land Use	2 2 2 10 NS 10 LODA - 2 2
보는 사업하는 상태대를 위대하게 하는 이 전에 가장하는 가입니다.	ny magazina kaleurien 🕴 🚶 🔒 .
Irrigation District # <u>UID</u> Water CCN: ☑MPU/□Sharylan	
Agricultural Exemption: □Yes/□No Parcel # Prop ID: #281256;	
Estimated Rollback Tax Due \$7,520.60 Tax Dept. F	Review MR. 1-15-24
Name GOTU Development, LLC Phone (956	s) 777-3695
0	utmcallen@aol.com
City Pharr State Texas Zip 7857	4
and the company of th	
Name GOTU Development, LLC Phone (956	Company Straightening and Company Straightening and Company Straightening and Company Straightening and Company
Address 3814 North Cage Boulevard E-mail rodu  City Pharr State Texas Zip 7857	tmcallen@aol.com
City Pharr State Texas Zip 7857	7
Contact Person Daniel Garza or Robert Tudor	មេកាស្រែក កាស 🛊 🚆
Name Melden & Hunt, Inc. Phone (956	3) 381-0981
Address 115 West McIntyre Street E-mail droble	@meldenandhunt.com / beto@meldenandhunt.com s@meldenandhunt.com
Address 115 West McIntyre Street E-mail droble  City Edinburg State Texas Zip 7854	1
Contact Person Mario A. Reyna, P.E. & Della Robles	
Name Melden & Hunt, Inc. Phone (95)	6) 381-0981 F R R R R R
Address 115 West McIntyre Street E-mail robe  City Edinburg State Texas Z	rt@meldenandhunt.com
City Edinburg State Texas Z	ip <u>78541 JAN <b>15</b> 2024</u>

# Minimum Developer's Requirements Submitted with Application

# **Proposed Plat Submittal**

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

# **Email 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
- Sealed Survey
- Location Map
- Plat & Reduced Plat
- 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 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
- 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 <a href="mailto:subdivisions@mcallen.net">subdivisions@mcallen.net</a>

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 / \_\_\_

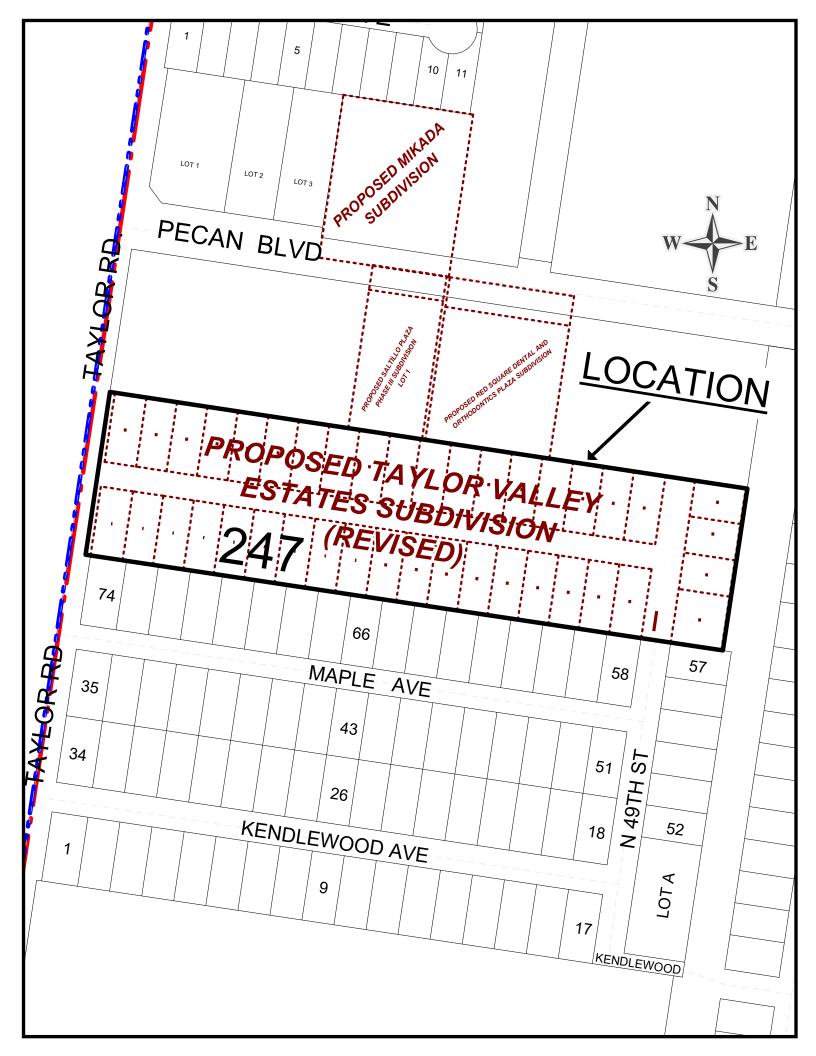
Date January 12, 2024

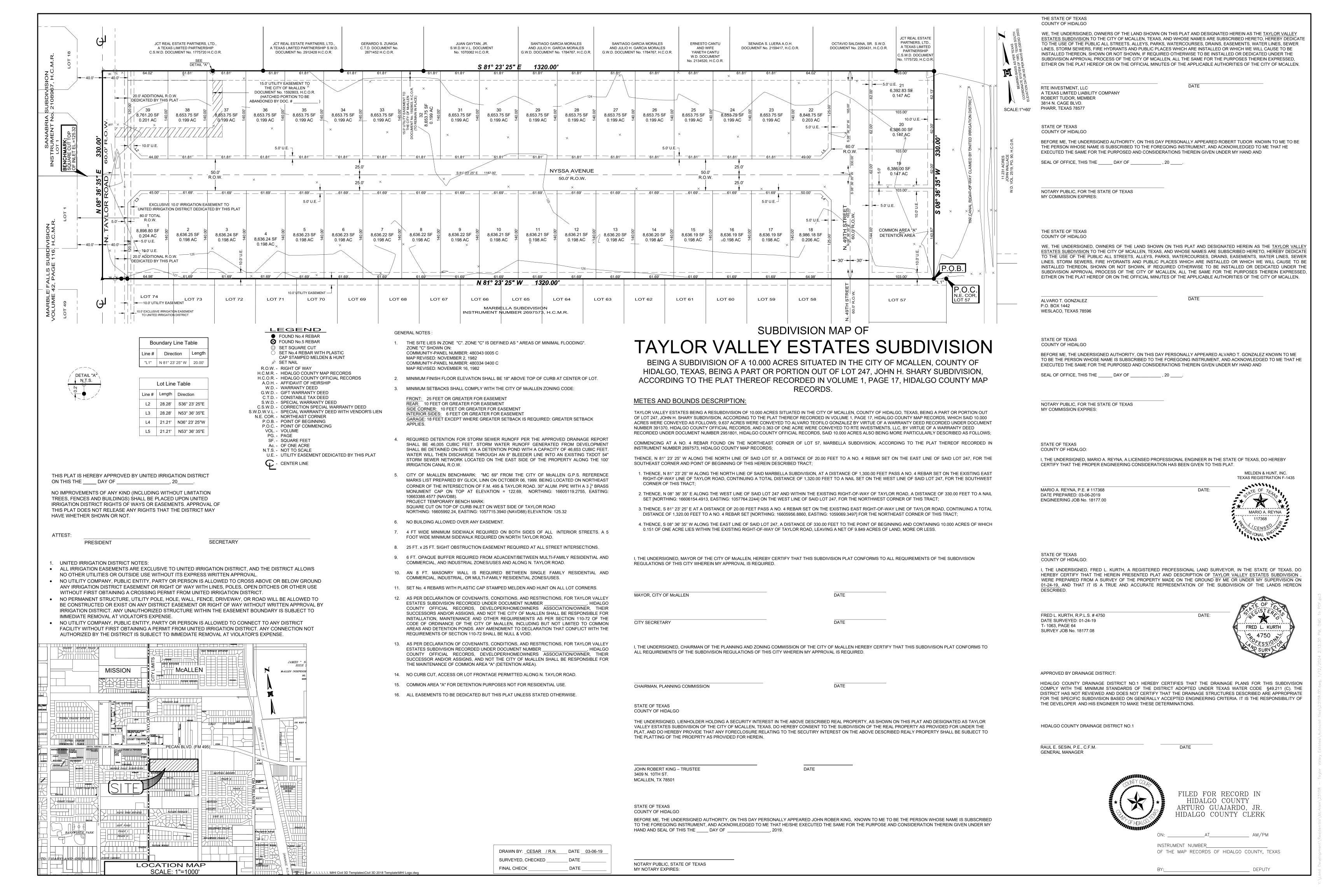
Print Name Mario A. Reyna, P.E.

Owner

Authorized Agent

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





01/19/2024 Page 1 of 4 SUB2024-0004



Reviewed On: 1/19/2024

SUBDIVISION NAME: TAYLOR VALLEY ESTATES	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
N. Taylor Road: Dedication required for 40 ft. from centerline for total 80 ft. ROW Paving: 52 ft. Curb & gutter: on both sides Revisions needed: - Include the document number on the plat for existing ROW on both sides of the centerline and provide a copy for staff review 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. 49th Street: Dedication as required for 60 ft. ROW Paving: 40 ft. Curb & gutter: both sides Revisions needed: - A temporary Cul-de-Sac may be required on the north side of the street and will be finalized prior to final. * The engineer must verify the alignment of ROW dedication for N. 49th Street with the existing ROW on the south side prior to final. **Subdivision Ordinance: Section 134-105 **Monies must be escrowed if improvements are required prior to recording **COM Thoroughfare Plan	Required
Interior Street: Dedication as required for 50 ft. ROW dedication Paving: 32 ft. Curb & gutter: both sides Revisions needed: - Street jogs with centerline offsets of less than 125 feet shall be avoided. Show the distance form the centerline of the interior street to the centerline of the existing streets on the west side of N. Taylor Road to verify compliance prior to final Street name will be assigned by staff prior to final.  **Subdivision Ordinance: Section 134-105  **Monies must be escrowed if improvements are required prior to recording  **COM Thoroughfare Plan	Non-compliance
Paving Curb & gutter  **Subdivision Ordinance: Section 134-105  **Monies must be escrowed if improvements are required prior to final  **COM Thoroughfare Plan	Applied
* 1,200 ft. Block Length **Subdivision Ordinance: Section 134-118	Applied
* 900 ft. Block Length for R-3 Zone Districts **Subdivision Ordinance: Section 134-118	NA
* 600 ft. Maximum Cul-de-Sac **Subdivision Ordinance: Section 134-105	NA

01/19/2024 Page 2 of 4 SUB2024-0004

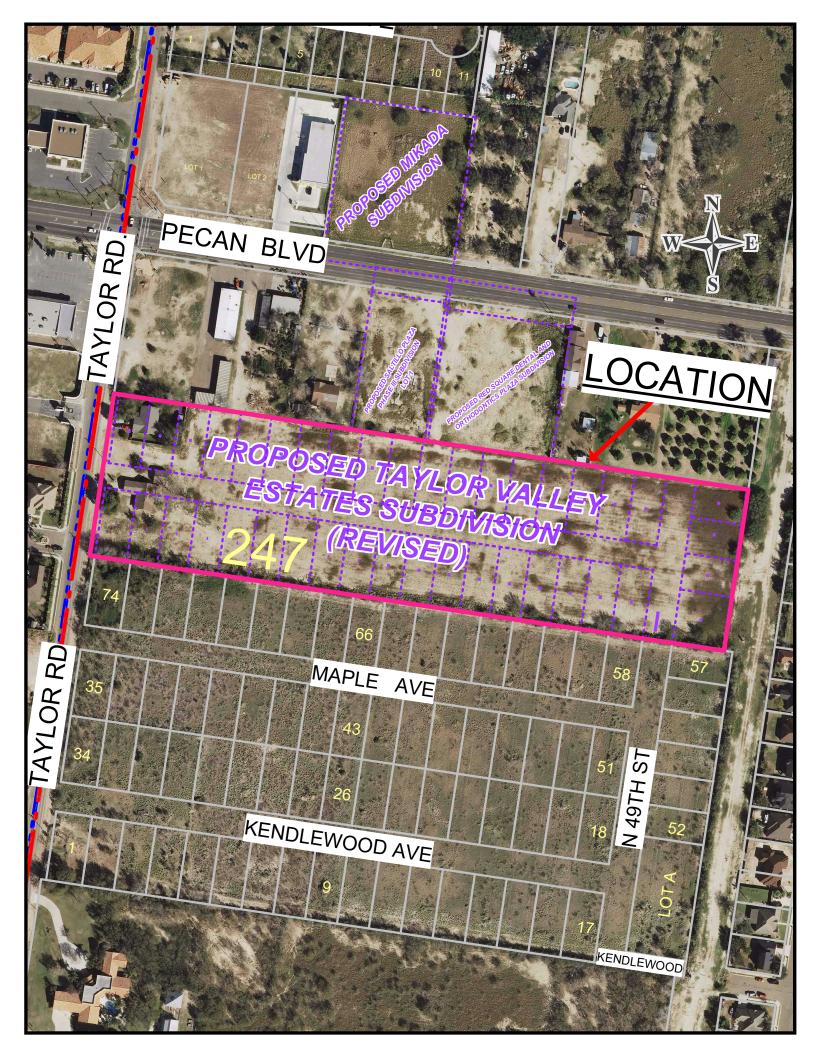
ALLEYS	
ROW: 20 ft. Paving: 16 ft.  *Alley/service drive easement required for commercial properties  **Subdivision Ordinance: Section 134-106	NA
SETBACKS	
* Front: 25 ft. or greater for easements **Zoning Ordinance: Section 138-356	Applied
* Rear: 10 ft. or greater for easements **Zoning Ordinance: Section 138-356	Applied
* Interior Sides: 6 ft. or greater for easements **Zoning Ordinance: Section 138-356	Applied
* Corner: 10 ft. or greater for easements **Zoning Ordinance: Section 138-356	Applied
* Garage: 18 ft. except where greater setback is required, greater setback applies **Zoning Ordinance: Section 138-356	Applied
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
SIDEWALKS	
<ul> <li>* 4 ft. wide minimum sidewalk required on N. Taylor Road and both sides of all interior streets.</li> <li>- Clarify if 5 ft. wide sidewalk on N. Taylor Road has been requested by the Engineering Department or revise the plat note as shown above prior to final.</li> <li>- Proposing: 4 ft. wide minimum sidewalk required on both sides of all interior streets. A 5 ft. wide minimum sidewalk required on N. Taylor Road.</li> <li>* Engineering Department may require 5 ft. sidewalk prior to final.</li> <li>**Subdivision Ordinance: Section 134-120</li> </ul>	Non-compliance
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Applied
BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along N. Taylor Road.  **Landscaping Ordinance: Section 110-46	Applied
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses **Landscaping Ordinance: Section 110-46	Applied
*Perimeter buffers must be built at time of Subdivision Improvements.	Applied
NOTES	
* No curb cut, access, or lot frontage permitted along N. Taylor Road.  **Must comply with City Access Management Policy	Applied
* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.	NA
* Common Areas must be maintained by the lot owners and not the City of McAllen.	Applied
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	NA

01/19/2024 Page 3 of 4 SUB2024-0004

* Lots fronting public streets **Subdivision Ordinance: Section 134-1 * Minimum lot width and lot area **Zoning Ordinance: Section 138-356  ZONING/CUP  * Existing: R-1 Proposed: R-1 ***Zoning Ordinance: Article V * Rezoning Needed Before Final Approval ***Zoning Ordinance: Article V  PARKS  * Land dedication in lieu of fee - If land dedication is proposed, a request must be submitted prior to final. * Park Fee of \$700 per lot/dwelling unit to be paid prior to recording Based on the submitted application, a 40 lot subdivision with 39 single-family residential lot and one common lot is proposed. As per Parks Department, \$700 per dwelling units for a total of \$27,300 must be paid prior to recording. If the number of lots/dwelling units changes prior to recording, park fee will be adjusted accordingly.  * Pending review by the City Manager's Office. Based on the submitted application, a 40 lot subdivision with 39 single-family residential lot and one common lot is proposed. As per Parks Department, \$700 per dwelling units for a total of \$27,300 must be paid prior to recording. If the number of lots/dwelling units on a total of \$27,300 must be paid prior to recording. If the number of lots/dwelling units for a total of \$27,300 must be paid prior to recording. If the number of lots/dwelling units on a total of \$27,300 must be paid prior to recording. If the number of lots/dwelling units on a total of \$27,300 must be paid prior to recording. If the number of lots/dwelling units on a total of \$27,300 must be paid prior to recording. If the number of lots/dwelling units on a total of \$27,300 must be paid prior to recording. If the number of lots/dwelling units on a total of \$27,300 must be paid prior to recording. If the number of lots/dwelling units on a total of \$27,300 must be paid prior to recording. If the number of lots/dwelling units on a total of \$27,300 must be paid prior to recording. If the number of lots/dwelling units on a total of \$27,300 must be paid prior to recording. If the number of lots/dwelling u		
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* Lots fronting public streets **Subdivision Ordinance: Section 134-1 * Minimum lot width and lot area **Zoning Ordinance: Section 138-356  ZONING/CUP  * Existing: R-1 Proposed: R-1 ***Zoning Ordinance: Article V * Rezoning Needed Before Final Approval ***Zoning Ordinance: Article V  PARKS  * Land dedication in lieu of fee - If land dedication is proposed, a request must be submitted prior to final. * Park Fee of \$700 per lot/dwelling unit to be paid prior to recording Based on the submitted application, a 40 lot subdivision with 39 single-family residential lot and one common lot is proposed. As per Parks Department, \$700 per dwelling units for a total of \$27,300 must be paid prior to recording. If the number of lots/dwelling units changes prior to recording, park fee will be adjusted accordingly.  * Pending review by the City Manager's Office. Based on the submitted application, a 40 lot subdivision with 39 single-family residential lot and one common lot is proposed. As per Parks Department, \$700 per dwelling units for a total of \$27,300 must be paid prior to recording. If the number of lots/dwelling units on a total of \$27,300 must be paid prior to recording. If the number of lots/dwelling units for a total of \$27,300 must be paid prior to recording. If the number of lots/dwelling units on a total of \$27,300 must be paid prior to recording. If the number of lots/dwelling units on a total of \$27,300 must be paid prior to recording. If the number of lots/dwelling units on a total of \$27,300 must be paid prior to recording. If the number of lots/dwelling units on a total of \$27,300 must be paid prior to recording. If the number of lots/dwelling units on a total of \$27,300 must be paid prior to recording. If the number of lots/dwelling units on a total of \$27,300 must be paid prior to recording. If the number of lots/dwelling units on a total of \$27,300 must be paid prior to recording. If the number of lots/dwelling units on a total of \$27,300 must be paid prior to recording. If the number of lots/dwelling u	number on the plat, prior to recording.  - Provide a draft HOA document for staff review prior to recording. Signed HOA document will be required after being verified by staff prior to recording.  **Section 110-72 applies if public subdivision is proposed.  **Landscaping Ordinance: Section 110-72	Required
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	TRAFFIC	
	* As per Traffic Department, Trip Generation for 39- Single Family Lot is waived	Applied
	* Traffic Impact Analysis (TIA) required prior to final plat.	

01/19/2024 Page 4 of 4 SUB2024-0004

COMMENTS	
Comments:  - Clarify the line shown on the survey labeled as IRR running E/W on the south side of the subdivision but not shown on the plat, prior to final.  - Clarify the overhead power line running N/S on the east side of the subdivision prior to final.  - For all recorded easements, add document number on plat and provide a copy for staff review prior to final.  - Clarify the overlap on the Irrigation easement with ROW dedication and U.E. on lots 1 & 39. Any overlap must be approved by the Irrigation District and the City Development Departments. Review and revise as applicable prior to final.  - Clarify the overlap of 5 ft. U.E. and 10 ft. U.E. on the west side of Lot 1. Add document number for any existing easements prior to final. Review and revise as applicable prior to final.  - Revise the wording for the 15 ft. U.E. from "to be abandoned by Doc. #" to "abandoned by Doc. #" prior to final.  - Any abandonment must be done by separate process and referenced by document number on the plat prior to recording.  *Must comply with City's Access Management Policy.	Non-compliance
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM, SUBJECT TO THE CONDITIONS NOTED, DRAINAGE, AND UTILITIES APPROVAL.	Applied



SUB 2024-0001

# City of McAllen Planning Department

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

	Subdivision Name Habitat at Ware  Legal Description 6.84 Acres out of Lot 80 La Lomita Irrigation & Construction Co. Subdivision
Project Information	Location The west side of N. Ware Road, approximately 500 feet south of Lark Avenue  City Address or Block Numbe. 620 / N. Vare Road  Total No. of Lots 64 Total Dwelling Units 60 Gross Acres 6.84 Net Acres 6.84  ■Public Subdivision/□Private and Gated /□Private but Not Gated within ETJ: □Yes/■No  For Fee Purposes: □Commercial ( 0 Acres)/■ Residential ( 60 Lots) Replat: □Yes/■No  Existing Zoning R-3T Proposed Zoning R-3T Applied for Rezoning ■No/□Yes: Date Existing Land Use Vacant Proposed Land Use Townhomes  Irrigation District # 1 Water CCN: ■MPU/□Sharyland Water SC Other Agricultural Exemption: □Yes/■No  Estimated Rollback Tax Due N/a Tax Dept. Review ■
Owner	Name Ricardo Daniel Martinez, Managing Member Phone 956-578-3919  Address Octy McAllen State Texas Zip 78501
Developer	Name         Same as Owner         Phone           Address         E-mail           City         State         Zip           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  Address 107 W. Huisache Street  City Weslaco  State Texas  Phone 956-  E-mail roblesandassoc@gmail.com  JAN 0 5 2024

KF

# **Proposed Plat Submittal**

# 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
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  <u>Each file must be less than 20 MB</u>. No scanned documents\*
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\*ORIGINAL APPLICATION & FEE MUST BE SUBMITTED IN PERSON/VIA MAIL\*

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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 Jan. 5, 2024

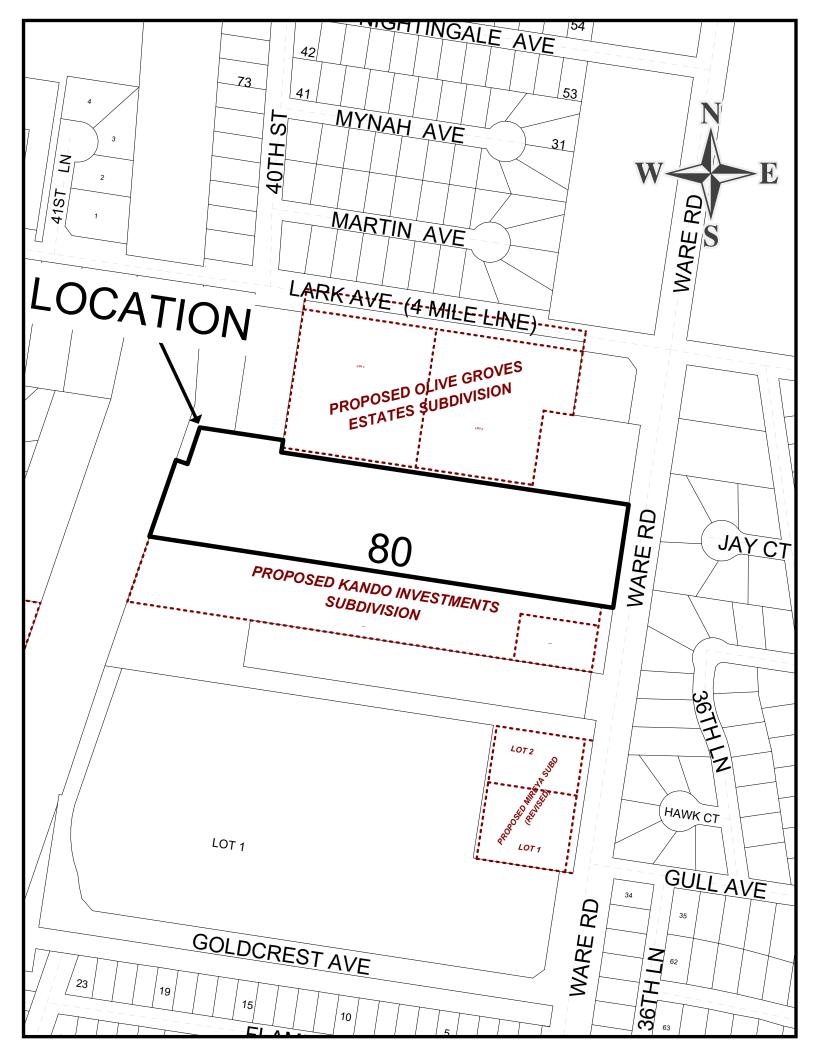
Print Name

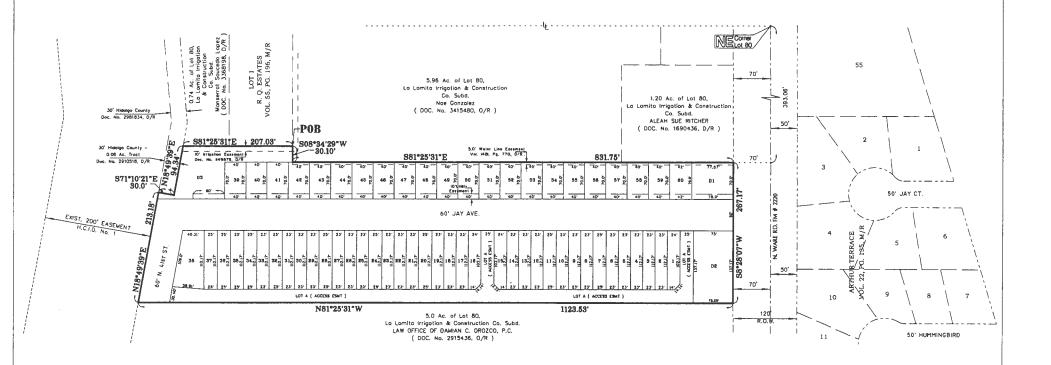
Ricardo Daniel Martinez, Man. Member

Owner

Authorized Agent

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

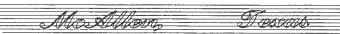








# HABITAT AT WARE



BEING A SUBDIVISION OF A 6.84 AC.
TRACT OF LAND OUT OF LOT 80,

LA LOMITA IRRIGATION & CONSTRUCTION
CO. SUBDIVISION,
Hidalgo County, Texas;
according to plat recorded in
vol. 24, page 68, Deed Records
Hidalgo County, Texas.



01/19/2024 Page 1 of 4 SUB2024-0001



Reviewed On: 1/19/2024

SUBDIVISION NAME: HABITAT AT WARE	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
North Ware Road: Dedication as needed for 75 ft. from centerline for 150 total ROW. Paving: By the State Curb & gutter: By the State. Revisions Needed: -Label centerline to determine ROW dedication requirements prior to finalLabel existing ROW dedications, from centerline, total, etc. ***Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan ***Monies must be escrowed if improvements are not constructed prior to recording.	Non-compliance
Proposed Jay Avenue: 60 ft. of total ROW dedication. Paving: 40 ft. Curb & gutter: Both Sides. Revisions Needed: -Street name under review, and city established street name will be provided prior to final, 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
North 41st Street: 60 ft. of total ROW dedication. Paving: 40 ft. Curb & gutter: Both Sides Revisions Needed: -Street alignment, extension north, transitions and R.O.W being reviewed by staff and plat would need to be revised accordingly as applicable prior to final. ROW subject to increase as applicable to accommodate transitions and street alignment, finalize prior to final.  ***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 and/or COM Thoroughfare Plan  ***Monies must be escrowed if improvements are not constructed prior to recording.	NA
* 1,200 ft. Block Length.  **Subdivision Ordinance: Section 134-118	NA
* 900 ft. Block Length for R-3 Zone Districts. Revisions Needed: -Subdivision layout does not comply with block length requirement, please revise accordingly prior to final. If no changes please submit variance request for 900 ft. maximum block length requirement. **Subdivision Ordinance: Section 134-118	Non-compliance
* 600 ft. Maximum Cul-de-Sac. **Subdivision Ordinance: Section 134-105	NA

01/19/2024 Page 2 of 4 SUB2024-0001

ALLEYS	
ROW: 20 ft. Paving: 16 ft. Pending Items: -Subdivision plat proposes a access easement as a separate lot, if a private service drive easement is proposed it must be a minimum of 24 ft. and labeled as such and in compliance with fire and public works department requirements, finalize all service drive requirements prior to final. Must finalize private service drive requirements for all lots prior to final as lots 39-60 do not exhibit a service drive.  *Alley/service drive easement required for commercial properties and multi-family properties.  **Subdivision Ordinance: Section 134-106	
SETBACKS	
* Front: 10.00 ft. or greater for easements. Revisions needed: -Include note as shown above, prior to final **Zoning Ordinance: Section 138-356	Non-compliance
<ul> <li>* Rear: In accordance with the Zoning Ordinance or greater for easements.</li> <li>Revisions needed:</li> <li>-Include note as shown above, prior to final</li> <li>**Zoning Ordinance: Section 138-356</li> </ul>	Non-compliance
* Sides: In accordance with the Zoning Ordinance or greater for easements. Revisions needed: -Include note as shown above, prior to final **Zoning Ordinance: Section 138-356	Non-compliance
* Corner: 10.00 ft. or greater for easements Revisions needed: -Include note as shown above, prior to final. **Zoning Ordinance: Section 138-356	Non-compliance
* Garage: 18.00 ft. except where greater setback is required, greater setback applies. Revisions needed: -Include note as shown above, prior to final. **Zoning Ordinance: Section 138-356	Non-compliance
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
SIDEWALKS	
* 5 ft. wide minimum sidewalk required on North Ware Road (FM 220) and 4 ft. wide minimum sidewalk required on both sides of North 41st Street and all interior street. Revisions Needed: -Finalize wording for note once ROW requirements have been established. Revisions Needed: -Include note as shown above prior to final. **5 ft. sidewalk along N. Ware Road as per Engineering Department, 4ft. Sidewalk requirement may increase to 5 ft. for interior streets per Engineering Department prior to final. Finalize wording for note prior to final. **Subdivision Ordinance: Section 134-120	Non-compliance
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Required

01/19/2024 Page 3 of 4 SUB2024-0001

BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along North Ware Road and North 41st Street. Revisions needed: -Include note as shown above, prior to final. **Landscaping Ordinance: Section 110-46	Non-compliance
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Revisions needed: -Include note as shown above, prior to final. **Landscaping Ordinance: Section 110-46	Non-compliance
*Perimeter buffers must be built at time of Subdivision Improvements.	Required
NOTES	
* No curb cut, access, or lot frontage permitted along North Ware Road and North 41st Street. Pending Items: -Include note as shown above, finalize wording for note prior to final. **Must comply with City Access Management Policy	Non-compliance
* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.  **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 recording.  ***Zoning Ordinance: Section 138-210.	Required
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	NA
* Common Areas, private service drives, etc. must be maintained by the lot owners and not the City of McAllen. Pending Items: -Note subject to change once subdivision requirements have been finalized. Finalize wording prior to final.	Required
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.  **Section 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	Required
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.  **Homeowner's Association Covenants must be submitted for staff review, prior to recording.  ***Section 134-168 applies if private subdivision is proposed.  ****Section 110-72 applies if public subdivision is proposed.  *****Landscaping Ordinance: Section 110-72  *****Subdivision Ordinance: Section 134-168	Required
LOT REQUIREMENTS	
* Lots fronting public streets. **Subdivision Ordinance: Section 134-1	Compliance

01/19/2024 Page 4 of 4 SUB2024-0001

* Minimum lot width and lot area. Revisions Needed:	Non-compliance
-Please include lot square footage table on plat, prior to final.  **Zoning Ordinance: Section 138-356	
ZONING/CUP	
* Existing:R3-T(Townhouse Residential) District Proposed:R3-T(Townhouse Residential) District	Applied
**At the City Commission meeting of August 28th,2023 the requested rezoning for the subject property to R-3T District was approved.  ***Zoning Ordinance: Article V	
* Rezoning Needed Before Final Approval.  **At the City Commission meeting of August 28th,2023 the requested rezoning for the subject property to R-3T District was approved.  ***Zoning Ordinance: Article V	Completed
PARKS	
* Land dedication in lieu of fee. As per application submitted on January 5,2024 a total of 60 lots proposed park fees total to \$42,000 (\$700 X60 per lot/dwelling unit) payable prior to plat recording. If the number of lots/dwelling units changes fees will be adjusted accordingly.	Required
* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per application submitted on January 5,2024 a total of 60 lots proposed park fees total to \$42,000 (\$700 X60 per lot/dwelling unit) payable prior to plat recording. If the number of lots/dwelling units changes fees will be adjusted accordingly.	Required
* Pending review by the City Manager's Office. As per application submitted on January 5,2024 a total of 60 lots proposed park fees total to \$42,000 (\$700 X60 per lot/dwelling unit) payable prior to plat recording. If the number of lots/dwelling units changes fees will be adjusted accordingly.	Required
TRAFFIC	
* As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat.	Non-compliance
* Traffic Impact Analysis (TIA) required prior to final plat.	TBD
COMMENTS	
Comments:  *Must comply with City's Access Management Policy.  *Any abandonments must be done by separate process, not by plat.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM, SUBJECT TO CONDITIONS NOTED, DRAINAGE, & UTILITY APPROVALS.	Applied



# City of McAllen Planning Department APPLICATION FOR SUBDIVISION PLAT REVIEW

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

Project Description	Subdivision Name Victory Landing Subdivison  Location located on the north side of Mile 6 ROW, 490' west from intersection Glasscock Rd & Mile 6  City Address or Block Number 7000 MILE 6 RD  Number of lots 20 Gross acres 9.0 Net acres 7.73  Existing Zoning ag Proposed R-2 Rezoning Applied For Yes No Date Existing Land Use vacant Proposed Land Use Duplex-4plex Irrigation District # 16  Residential Replat Yes No Commercial Replat Yes No ETJ Yes No Agricultural Tax Exempt Yes No Estimated Rollback tax due Parcel No. 42525 Tax Dept. Review Malen No Taxes  Legal Description 9.00 acre gross, 7.73 acre net out of lot 452 John H. Shary Subdivision Vol 1, Pg 17, HCMR., Document # 187090, O.R.H.C.
Owner	NameRogelio Montemayor Phone  Address3601 N 38th St.  CityMcAllen StateTX Zip78501-336  E-mail
Developer	Name Edgar Delgadillo - La Flor Del Valle Phone 956-638-1577  Address 202-A Melba Carter  City Mission State TX Zip 78572  Contact Person E-mail evolvingbuilderLLC@gmail.com
Engineer	Name SAMES, INC. Phone 956-702-8880  Address 200 S 10TH ST SUITE 1500  City MCALLEN State TX Zip 78501  Contact Person JESSICA M. MALDONADO, P.E., P.M.P., C.F.M.  E-mail jessica@samengineering-surveying.com or alex@samengineering-surveying.com
Surveyor	Name         SAMES, INC.         Phone         956-702-8880           Address         200 S 10TH ST SUITE 1500         ENTERE           City         MCALLEN         State         TX         Zip         78501

Submitted with Application	\$225 Preling Title Report 8 ½" by 11" easements 2 Location 2 8 ½" by 6 Folded bl 2 Warranty Autocad 20 Letter of Autoral partnership
Minimum Developer's Requirements Submitted with Application	PLAT TO SI  ✓ Metes an ✓ Lots num ✓ Surround ✓ Name an surveyor ✓ North arro ✓ Name & o from cent  Note: Though the ori not require the draina the original submitta requirements for the drainage and utility required during the re would require resubi copy of the plat, affect
	Loortify that Lam 4

# **Proposed Plat Submittal**

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

## HOW:

- d bounds
- bered with dimensions and area of irregular lots noted
- ing platted lots and/or lot lines for uplatted tracts
- d address of owner, lienholder, developer, engineer and shown along with signature lines
- ow, scale and vicinity map
- dimension of adjoining street ROWs (total width & width erline)

iginal submittal for application to process a subdivision plat does age report or utility plans, it is advisable that they be included with If to expedite the review process. Complying with the minimum original plat submittal does not constitute meeting the deadline for review by the appropriate boards. Additional information will be eview to properly complete the subdivision process. Any revisions mission of blueline copies prints and 8 ½" by 11" copies/legible cted by changes.

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

Signature

Print Name

Owner's Signature

Owner

Authorized Agent #



# City of McAllen

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

# Planning Department VARIANCE TO SUBDIVISION PROCESS APPLICATION PR

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

	Legal Description Please see attached exhibit.		
Project	Proposed Subdivision (if applicable) Victory Landing Subdivision  Street Address 400 ft. east of the intersection of Mile 6 Rd. & N. Glasscock Blvd.  Number of lots 20 Gross acres 8.92 acres  Existing Zoning R-3A (multifamily residential) Existing Land Use Vacant  Current Survey and Metes and Bounds (required if the legal description is a portion of a lot)		
Applicant	Name_SAMES INC. Phone (956) 702-8880  Address 200 S. 10th Street, Suite 1500 E-mail_mario@samengineering-surveying.com  City_McAllen State Texas Zip 78501		
Owner	Name Evolving Builders, LLC Phone (956) 638 - 1577  Address 1224 E. Yuma Ave. E-mail evolvingbuildersllc@gmail.com  City McAllen State Texas Zip 78504		
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?  Yes 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 12/13/2023  Print Name Mario A Garcia   Owner Authorized Agent		
Office	*FOR OFFICE USE ONLY*  APPLICATION FILING FEE: \$250.00  Accepted by Payment received by Date  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 belo

2. Described how the variance is necessary for the preservation and enjoyment of the legislates of its owner.  Please refer to the attached response document.  3. Describe how the variance will not be detrimental to the public health, safety or welfare or the legal rights other property owners enjoy in the area.  Please refer to the attached response document.  4. Describe how the variance will not have the effect of preventing the orderly subdivision of or in the area in accordance with the provisions of this chapter.  Please refer to the attached response document.	strict e use of hi
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in the area in accordance with the provisions of this chapter.	
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Please refer to the attached response document.	ther land

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

#### Variance Application – Reason for Appeal

- 1. The special circumstance and/or condition affecting the land involved such that the strict application of Sec. 134-106 Alleys would deprive the applicant of reasonable use of the land is an alternate solution being proposed in lieu of compliance. The alternate idea we would like to pursue is to provide dumpster enclosures along the front of the lots as opposed to the back with an alley. To our understanding alleys are required for multi-family development to provide centralized dumpster locations for ease of garbage management with City of McAllen Public Works.
- The variance is necessary for the preservation and enjoyment of the legal property rights of the owner as the addition of an alley along the back of the proposed subdivision layout would adversely affect the proposed development currently planned.
- 3. The variance will not be detrimental to the public health, safety, or welfare or injurious to the legal rights of other property owners in the area as the alleys will not be built. By placing the dumpster enclosures along the front of the proposed lots and constructing no alleys, the garbage management would be the furthest away from the property's neighbors as possible. This in turn would increase the health, safety, and welfare and injurious rights of the property owners of the area by adding a greater buffer between the developments.
- 4. The variance will not have the effect of preventing the orderly subdivision of other land in the area as all improvements would be kept within the internal proposed street right of way at the front of the proposed lots.

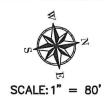


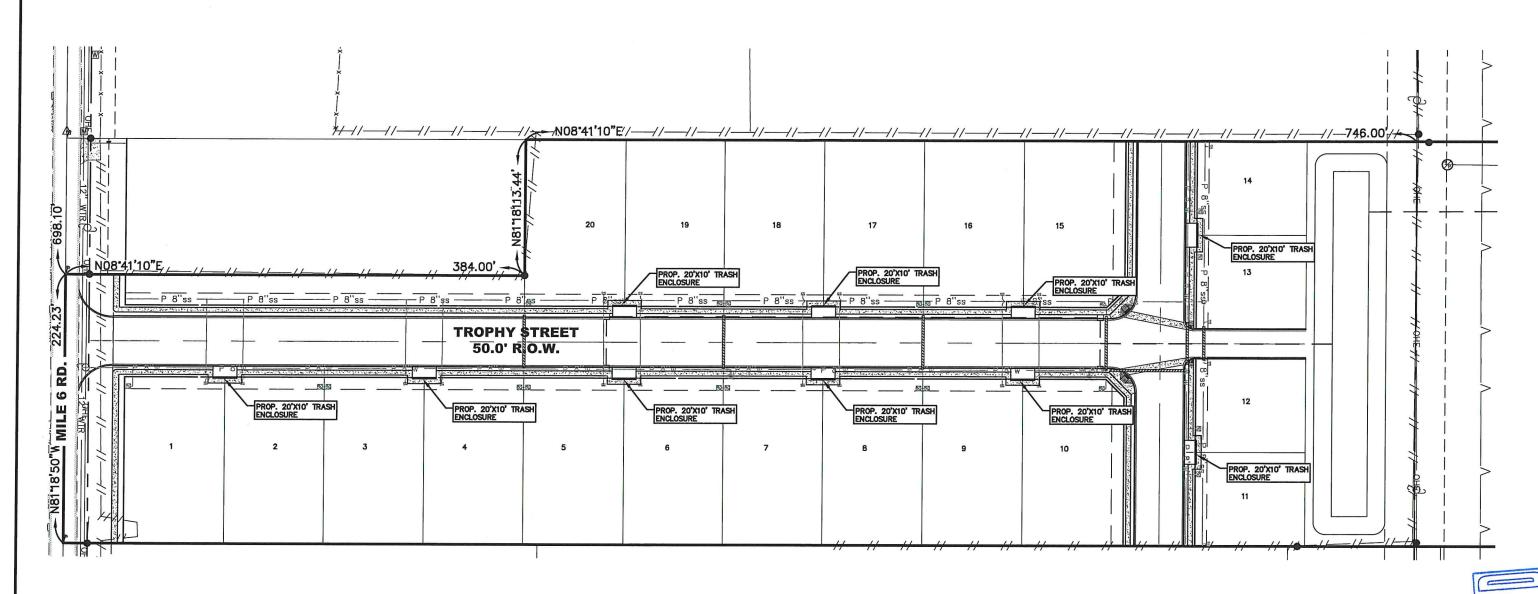
### **City of McAllen Planning Department**

#### Variance Application – Legal Description

AN 8.92 (388,656.64 SQ. FT.) ACRE GROSS., 7.66 (333,521.54 SQ. FT.) ACRE NET., MORE OR LESS, TRACT OF LAND OUT OF LOT 452, AMENDED PLAT OF JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGES 42, MAP RECORDS, HIDALGO COUNTY, TEXAS, THEREOF CONVEYED TO EVOLVING BUILDERS, LLC, AS RECORDED IN DOCUMENT NUMBER 3338486, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS









 JOB NUMBER
 DRAWN BY
 RVWD. BY
 DATE

 SUB 21.014
 D.O.
 C.H.
 11/30/2023

VICTORY LANDING SUBDIVISION

 $\begin{array}{c} {\rm TRASH\; ENCLOSURE} \\ {\rm EXHIBIT} \end{array}$ 



200 S. 10TH ST. SUITE 1500. TEL. (956) 702-8880 McALLEN, TEXAS 78501 FAX: (956) 702-8883

TEX. REG. ENGINEERING FIRM F-10802
TEX. REG. SURVEYING FIRM No. 101416-00

8 2023

DEC 2



Engineering Firm Reg # 10602 Surveying Firm Reg # 101416-00 200 S. 10<sup>th</sup> Street, Suite 1500, McAllen, Texas 78501 Phone: (956) 702-8880 Fax: (956) 702-8883

December 27, 2023

City of McAllen Planning Department Attn: Mario Escamilla (Planner III) 311 N. 15<sup>th</sup> Street McAllen, Texas 78501

Subject: Victory Landing Subdivision Preliminary Approval Extension Request

On behalf of Mr. Edgar Delgadillo, the managing member of Evolving Builders LLC., SAMES, Inc. would like to formally request a six (6) month extension of preliminary plat approval given by City of McAllen for Victory Landing Subdivision. The subdivision received preliminary plat approval on January 18, 2022, at City of McAllen's Planning and Zoning Commission meeting.

The basis of this request stems from the offsite sewer improvements being delayed over the last year. With an additional six (6) months, we feel we can advance the Victory Landing Subdivision to get final approval and get into construction.

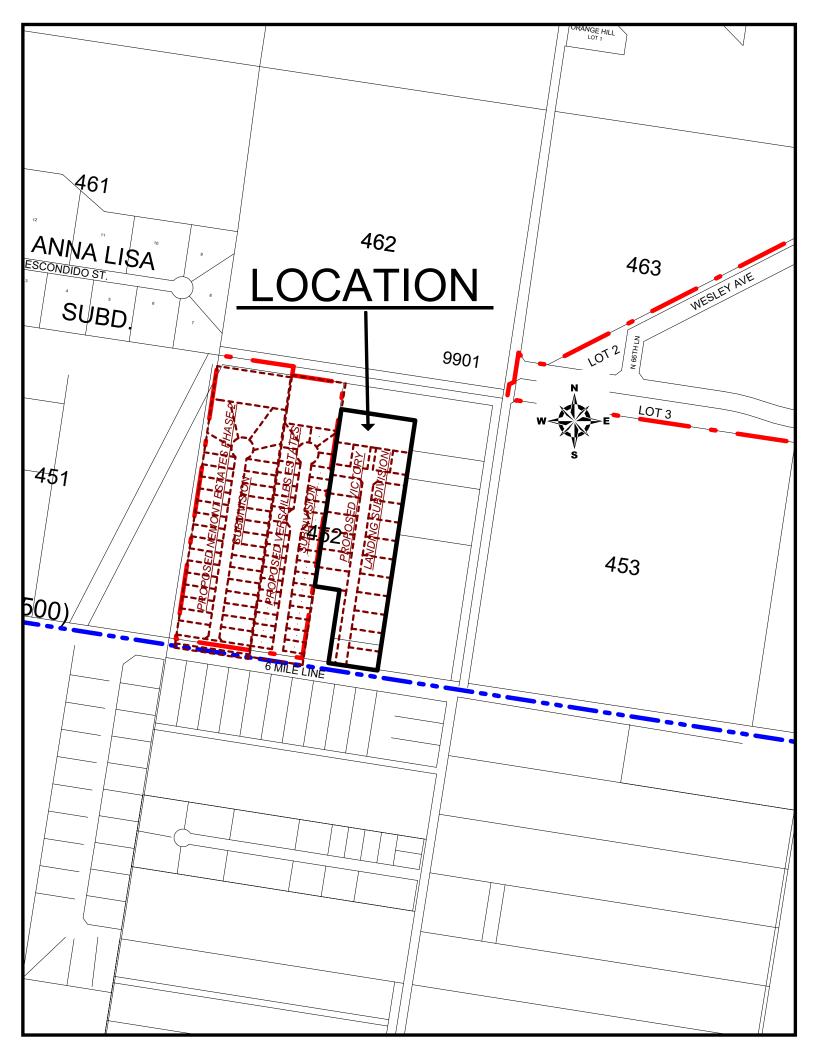
Please let us know if there are any questions or concerns.

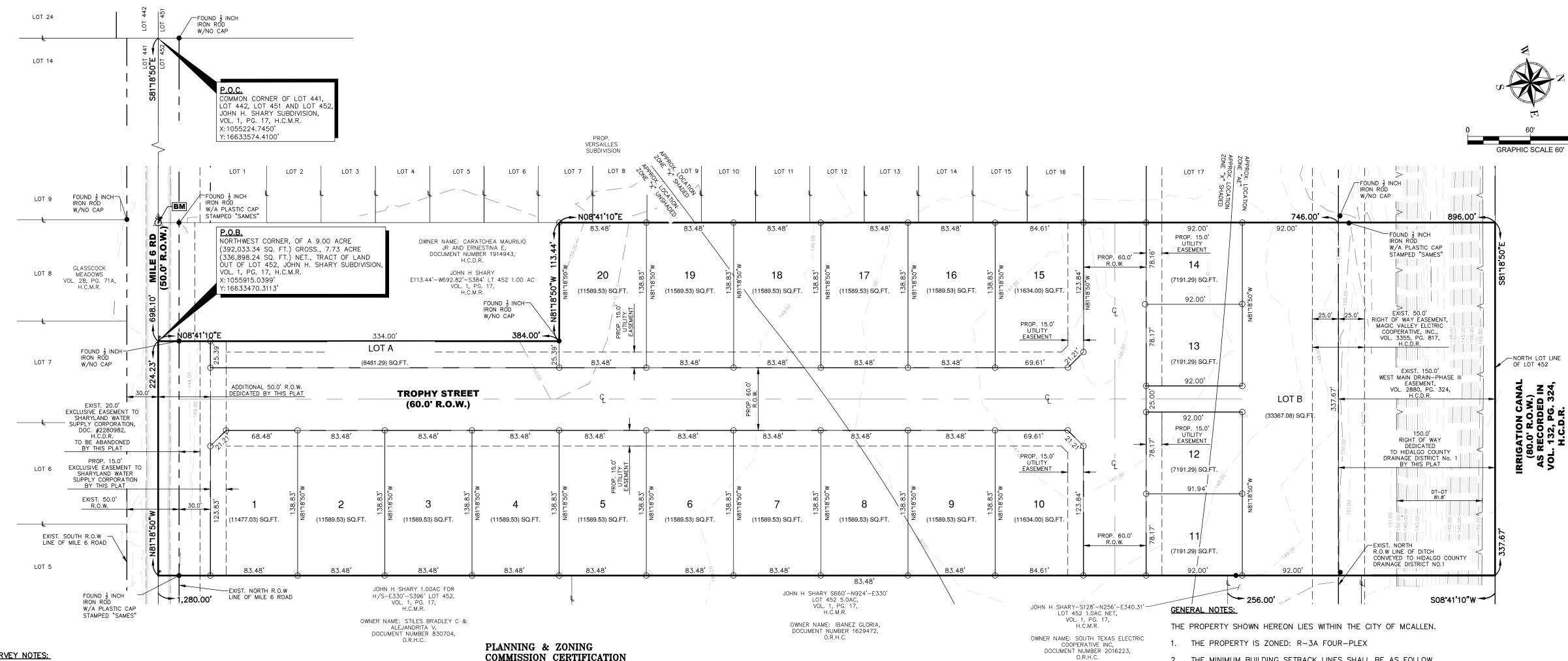
Thank you,

Mario A Garcia, PE

Director of Engineering

SAMES, Inc.





# **SURVEY NOTES:**

- 1. BASIS OF BEARING THE NORTH LINE OF LOT 452, JOHN H. SHARY SUBDIVISION, AS PER THE MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 17, MAP RECORDS OF HIDALGO COUNTY, TEXAS.
- 2. ALL BEARINGS AND DISTANCES ARE BASED ON THE TEXAS COORDINATE SYSTEM, (NAD 83), TEXAS STATE PLANES, SOUTH ZONE, US SURVEY FEET, GRID. BEARINGS AND DISTANCES IN PARENTHESIS ARE BASED ON RECORDED DOCUMENT
- 3. ALL HORIZONTAL CONTROL ON THIS PROJECT WAS ESTABLISHED UTILIZING RTK GPS METHODS.
- 4. ELEVATIONS ON THIS PROJECT ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88)

# APPROVED BY DRAINAGE DISTRICT No. 1:

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 THE TEXAS WATER CODE 49.211(C). THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES DESCRIBED ARE APPROPRIATE FOR THE SPECIFIC SUBDIVISION BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA. IT IS THE RESPONSIBILITY OF THE DEVELOPER AND HIS ENGINEER TO MAKE THEIR DETERMINATIONS.

HIDALGO COUNTY DRAINAGE DISTRICT No. 1

RAUL E. SESIN, P.E. DATE GENERAL MANAGER

### STATE OF TEXAS COUNTY OF HIDALGO

THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED AS <u>VICTORY</u> LANDING SUBDIVISION DO HEREBY GRANT AN EASEMENT TO THE CITY OF MCALLEN, TEXAS, AND THOS WHOSE MAY NOW OR HEREAFTER HOLD FRANCHISE UNDER SAID CITY, THE PRIVATE ACCESS, STREET LIGHTS, TRAFFIC CONTROL DEVICES, SIDEWALKS AND OTHER IMPROVEMENTS AND EASEMENTS, HEREON SHOWN, SURFACE USE OF THE STREET AND ALLEYS IS RESTRICTED TO THE EMPLOYEES OR AGENTS OF THE CITY OF MCALLEN, EMPLOYEES OF UTILITIES OPERATING UNDER FRANCHISE TO THE CITY OF MCALLEN AND RESIDENTS OF THE SUBDIVISION AND THEIR GUESTS.

EVOLVING BUILDERS, LLC. MANAGING MEMBER: EDGAR DELGADILLO 1224 E YUMA AVE. MCALLEN, TX 78504

## STATE OF TEXAS COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, ON THIS DAY PERSONALLY APPEARED, EDGAR DELGADILLO, PROVED TO ME THROUGH HIS/HER TEXAS DEPARTMENT OF PUBLIC SAFETY DRIVER LICENSE TO BE THE PERSONS WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, WHO, BEING BY ME FIRST DULY SWORN, DECLARED THAT THE STATEMENTS THEREIN ARE TRUE AND CORRECT AND ACKNOWLEDGED THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREBY GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS \_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

NOTARY PUBLIC, HIDALGO COUNTY, TEXAS

COMMISSION CERTIFICATION

THIS PLAT OF <u>VICTORY LANDING SUBDIVISION</u> HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF MCALLEN, TEXAS AND IS HERE BY APPROVED BY SUCH COMMISSION.

CHAIRPERSON-PLANNING AND ZONING COMMISSION

DATE THIS \_\_\_\_, DAY OF \_\_\_\_\_, \_\_\_\_

# UNITED IRRIGATION DISTRICT

THIS PLAT IS HEREBY APPROVED BY UNITED IRRIGATION DISTRICT ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_

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

DATE

DATE

ATTEST: PRESIDENT SECRETARY

# SHARYLAND WATER SUPPLY CORPORATION

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

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

GENERAL MANAGER. SHARYLAND WATER SUPPLY CORPORATION

### STATE OF TEXAS COUNTY OF HIDALGO

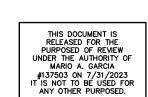
I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT. AND WAS MADE AND PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY DONE ON THE GROUND UNDER MY SUPERVISION.

LEO L. RODRIGUEZ, JR. R.P.L.S. NO. 2448

# STATE OF TEXAS COUNTY OF HIDALGO

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

MARIO A. GARCIA, PE NO. 137503 DATE



#2448 ON 7/31/2023
IT IS NOT TO BE USED FOR ANY OTHER PURPOSED.

PRINCIPAL CONTACTS:

NAME ADDRESS <u>1224 E YUMA AV</u>E. EVOLVING BUILDERS, LLC. OWNER: 200 S. 10TH ST., SUITE 1500 MARIO A. GARCIA, P.E. **ENGINEER:** LEO L. RODRIGUEZ, JR., R.P.L.S 200 S. 10TH ST., SUITE 1500 SURVEYOR:

CITY & ZIP MCALLEN, TX 78504 McALLEN, TX 78501 McALLEN, TX 78501

PHONE FAX (000) 000 - 0000(000) 000 - 0000(956) 702-8880 (956) 702-8883 (956) 702-8880 (956) 702-8883

ARTURO GUAJARDO JR. HIDALGO COUNTY CLERK

OF MAP RECORD OF HIDALGO COUNTY TEXAS.

FILED FOR RECORD IN HIDALGO COUNTY

ON: \_\_\_\_\_ AT \_\_\_\_ AM/PM. INSTRUMENT NUMBER\_

LEGEND

○ - SET 1/2" IRON ROD W/CAP

STAMPED "SAMES"

- FND. 5/8" IRON ROD

FND. COTTON PICKER SPINDLE

- ON-SITE BENCHMARK

P.O.B. - POINT OF BEGINNING

P.O.C. - POINT OF COMMENCING

- SET COTTON PICKER SPINDLE

H.C.M.R.- HIDALGO COUNTY MAP RECORDS

H.C.D.R. - HIDALGO COUNTY DEED RECORDS

P - SET MAG NAIL

R.O.W. - RIGHT OF WAY

FND. — FOUND

EXIST. - EXISTING

PROP. - PROPOSED

DT - DITCH TOP

L - LOT LINE

- CENTER LINE

THE MINIMUM BUILDING SETBACK LINES SHALL BE AS FOLLOW

"ZONE AE" - BASE FLOOD ELEVATIONS DETERMINED. (ELE=148 FT.)

4. BENCHMARK: FOUND COTTON PICKER SPINDLE WITH ELEVATION 149.78 FEET

GARAGE: 18 FT. EXCEPT WHERE GREATER WHERE GREATER SETBACK IS REQUIRED; GREATER SETBACK

THIS SUBDIVISION IN "ZONE X" SHADED - AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOOD PLAIN, "ZONE

AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS

X" - AREAS BETWEEN LIMITS OF 100-YEAR AND 500-YEAR FLOOD; OR AREAS OF 100-YEAR FLOOD WITH

NO MORE THAN ONE FOUR-PLEX DETACHED DWELLING SHALL BE LOCATED ON EACH LOT. THIS MUST BE

STIPULATED ON ALL DEEDS AND CONTRACTS FOR DEEDS. APPLICATIONS FOR CONSTRUCTION ARE REQUIRED

MINIMUM FINISH FLOOR ELEVATION SHALL BE 18" ABOVE TOP OF CURB OR CENTER OF ROAD, MEASURED AT

9. ALL LOTS SHALL HAVE A POST DEVELOPMENT FINISH GRADE FROM THE REAR OF THE LOT TO THE CURB AT A

11. IN ACCORDANCE WITH THE HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 REQUIREMENTS, THIS DEVELOPMENT

12. THE DEVELOPER SHALL BE RESPONSIBLE TO DETAIN AND ACCOMMODATE MORE THAN THE DETAINED VOLUME

14. NO PERMANENT STRUCTURES SHALL BE ALLOWED WITHIN EASEMENTS. EASEMENTS SHALL BE KEPT CLEAR OF

BUILDINGS, SHEDS, SHRUBS, TREES, AND OTHER PLATING (EXCEPT LOW, LESS THAN 18 INCHES MATURE

15. A 4 FOOT WIDE MINIMUM CONCRETE SIDEWALK WITH ADA RAMPS IS REQUIRED ALONG MILE 6 ROAD. DURING

16. A 4 FOOT CONCRETE SIDEWALK, 3 FEET BEHIND THE BACK OF CURB, WITH ADA RAMPS IS REQUIRED ON ALL

17. ALL CONSTRUCTION SHALL COMPLY WITH STORM WATER POLLUTION PREVENTION PLAN (SW3P) REQUIREMENTS.

20. 6 FT. OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL,

21. 8 FT. MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR

22. ALL IRRIGATION EASEMENTS ARE EXCLUSIVE TO UNITED IRRIGATION DISTRICT, AND THE DISTRICT ALLOWS NO

23. NO UTILITY COMPANY, PUBLIC ENTITY, PARTY OR PERSON IS ALLOWED TO CROSS ABOVE OR BELOW GROUND ANY IRRIGATION DISTRICT EASEMENT OR RIGHT OF WAY WITH LINES, POLES OPEN DITCHES OR OTHER USE

24. NO PERMANENT STRUCTURE, UTILITY POLE, HOLE, WALL, FENCE, DRIVEWAY, OR ROAD WILL BE ALLOWED TO BE

CONSTRUCTED OR EXIST ON ANY DISTRICT EASEMENT OR RIGHT OF WAY WITHOUT WRITTEN APPROVAL BY IRRIGATION DISTRICT. ANY UNAUTHORIZED STRUCTURE WITHIN THE EASEMENT BOUNDARY IS SUBJECT TO

25. NO UTILITY COMPANY, PUBLIC ENTITY, PARTY OR PERSON IS ALLOWED TO CONNECT TO ANY DISTRICT FACILITY

27. ALL SHARYLAND WATER SUPPLY CORPORATION EASEMENTS ARE EXCLUSIVE. NO OTHER USE OF EASEMENT IS

PERMITTED WITHOUT THE EXPRESS WRITTEN APPROVAL OF SHARYLAND WATER SUPPLY CORPORATION.

WITHOUT FIRST OBTAINING A PERMIT FROM IRRIGATION DISTRICT. ANY CONNECTION NOT AUTHORIZED BY THE

HEIGHT, GROUND COVER, GRASS OR FLOWERS) AND OTHER OBSTRUCTIONS THAT WOULD INTERFERE WITH THE

REQUIREMENTS ARE GREATER THAN STATED ON THIS PLAT, DUE TO THE IMPERVIOUS AREA BEING GREATER

SHOWN ON THIS PLAT IF IT IS DETERMINED, AT THE DEVELOPMENT STAGE, THAT THE DETENTION

THAN THE PLAT ENGINEER CONSIDERED IN THE HYDRAULIC CALCULATIONS OF THIS SUBDIVISION.

13. MAINTENANCE OF DETENTION AREAS ARE THE RESPONSIBILITY OF THE HOME OWNERS ASSOCIATION OR

WILL BE REQUIRED TO DETAIN A TOTAL OF 1.123 AC-FT (48,901 CF) STORM WATER RUNOFF.

"ZONE X" UNSHADED - AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOOD-PLAIN.

FRONT SETBACK: 20 FT. OR GREATER FOR EASEMENTS.

SIDE SETBACK: 6 FT. OR GREATER FOR EASEMENTS.

REAR SETBACK: 10 FT. OR GREATER FOR EASEMENTS

CORNER: 10 FT. OR GREATER FOR EASEMENTS.

PROTECTED BY LEVEES FROM 100-YEAR FLOOD.

COMMUNITY-PANEL NUMBER 480334 0295 D

MAP REVISED: JUNE 6, 2000

N: 16633487.27, E: 1055802.8380

PRIOR TO OCCUPYING THE LOT.

FRONT OF LOT, WHICHEVER IS GREATER.

1.0% MINIMUM SLOPE TO PROVIDE POSITIVE DRAINAGE.

10. ALL LOT CORNERS ARE SET WITH 1/2 INCH IRON RODS.

OPERATIONS AND MAINTENANCE OF THE EASEMENT.

INTERIOR STREETS AT BUILDING PERMIT STAGE BY LOT OWNER.

AND INDUSTRIAL ZONES/USES AND ALONG 6 MILE ROAD.

MULTI-FAMILY RESIDENTIAL ZONES/USES.

IMMEDIATE REMOVAL AT VIOLATOR'S EXPENSE.

18. PARKLAND FEE: 50% PARKLAND DEDICATION FEE DUE AT THE TIME OF CONSTRUCTION.

19. NO CURB CUT, ACCESS, OR LOT FRONTAGE PERMITTED ALONG 6 MILE ROAD.

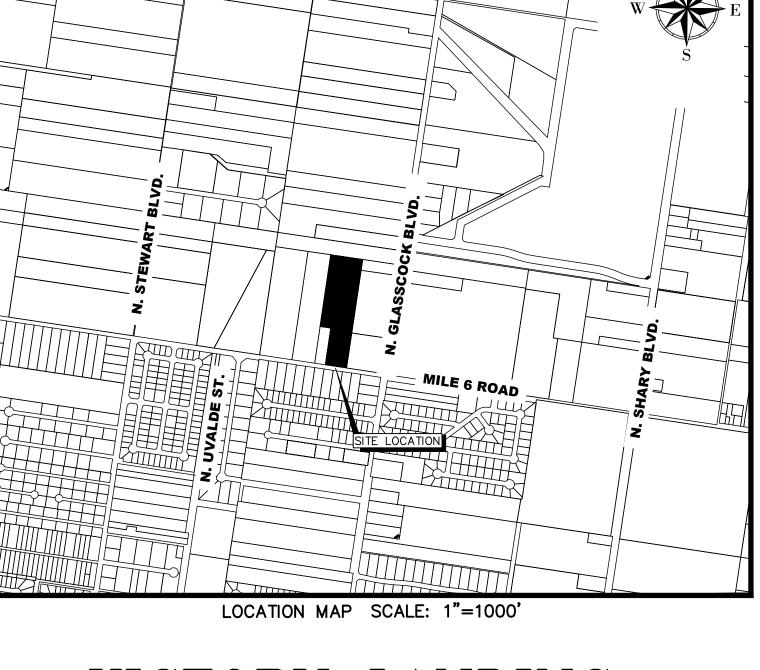
OTHER UTILITIES OR OUTSIDE USE WITHOUT ITS EXPRESS WRITTEN APPROVAL.

DISTRICT IS SUBJECT TO IMMEDIATE REMOVAL AT VIOLATOR'S EXPENSE.

WITHOUT FIRST OBTAINING A CROSSING PERMIT FROM UNITED IRRIGATION DISTRICT.

26. LOT A & LOT B: USED AS A DRAINAGE EASEMENTS DEDICATED TO CITY OF MCALLEN.

CONSTRUCTION BY THE DEVELOPER.



# VICTORY LANDING SUBDIVISION

AN 8.92 (388,656.64 SQ. FT.) ACRE GROSS., 7.66 (333,521.54 SQ. FT.) ACRE NET., MORE OR LESS, TRACT OF LAND OUT OF LOT 452, AMENDED PLAT OF JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGES 42, MAP RECORDS, HIDALGO COUNTY, TEXAS, THEREOF CONVEYED TO EVOLVING BUILDERS, LLC, AS RECORDED IN DOCUMENT NUMBER 187090, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS, AS FOLLOWS;

# METES AND BOUNDS

COMMENCING; AT THE COMMON CORNER OF LOT 441, LOT 442, LOT 451 AND LOT 452, OF SAID AMENDED PLAT OF JOHN H SHARY SUBDIVISION, AND BEING THE COMMON CORNER OF A TRACT OF LAND CONVEYED TO RIVERA ROGELIO, AS RECORDED IN VOLUME 1291, PAGE 776, DEED RECORDS, HIDALGO COUNTY, TEXAS, AND OF A TRACT OF LAND CONVEYED TO NEMONT ESTATES II LP, AS RECORDED IN DOCUMENT NUMBER 3250090, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, AND NORTHEAST CORNER OF SHARY RANCH ESTATES, AS RECORDED IN VOLUME 32, PAGE 8, MAP RECORDS, HIDALGO COUNTY, TEXAS, AND THE NORTHWEST CORNER OF GLASSCOCK MEADOWS, AS RECORDED IN VOLUME 28, PAGE 71A, MAP RECORDS, HIDALGO COUNTY, TEXAS, AND ALSO BEING ON THE CENTERLINE OF MILE 6 ROAD (HAVING A 40.00' R.O.W.), THENCE; SOUTH 81"18'50" EAST, ALONG THE SOUTH LOT LINE OF LOT 452, OF SAID AMENDED PLAT OF JOHN H SHARY SUBDIVISION, AND BEING THE CENTERLINE OF SAID MILE 6 ROAD, AND THE NORTH LINE OF SAID GLASSCOCK MEADOWS, AT A DISTANCE OF 698.10 FEET, TO A SET PK NAIL, FOR THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO CARATCHEA MAURILIO JR AND ERNESTINA E, AS RECORDED IN DOCUMENT NUMBER 1914943, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, FOR THE SOUTHWEST CORNER AND POINT OF BEGINNING, OF THIS HEREIN DESCRIBED TRACT OF LAND, HAVING A GRID COORDINATE N=16633470.3113', E=1055915.0399',

THENCE; NORTH 08°41'10" EAST, ALONG THE EAST LINE OF SAID TRACT OF LAND, CONVEYED TO CARATCHEA MAURILIO JR AND ERNESTINA E, AT A DISTANCE OF 20.00 FEET, PASSING A FOUND 1/2 INCH IRON ROD WITH A PLASTIC CAP STAMPED "SAMES", FOR THE NORTH RIGHT OF WAY LINE OF SAID MILE 6 ROAD, CONTINUING AT A TOTAL DISTANCE OF 384.00 FEET, TO A SET 1/2 INCH IRON ROD WITH A PLASTIC CAP STAMPED "SAMES", FOR THE NORTHEAST CORNER OF A TRACT OF LAND CONVEYED TO CARATCHEA MAURILIO JR AND ERNESTINA E, FOR THE INTERIOR CORNER OF THIS HEREIN DESCRIBED TRACT OF LAND;

THENCE; NORTH 81"18'50" WEST, ALONG THE NORTH LINE OF SAID TRACT OF LAND, CONVEYED TO CARATCHEA MAURILIO JR AND ERNESTINA E, AT A DISTANCE OF 113.44 FEET, TO A SET 1/2 INCH IRON ROD WITH A PLASTIC CAP STAMPED "SAMES", FOR THE NORTHWEST CORNER OF A TRACT SAID TRACT OF LAND CONVEYED TO CARATCHEA MAURILIO JR AND ERNESTINA E, AND BEING ON THE EAST LINE OF A TRACT OF LAND CONVEYED TO LA FLOR DEL VALLE ENTERPRISES LP, AS RECORDED IN DOCUMENT NUMBER 1914943, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, FOR THE EXTERIOR CORNER OF THIS HEREIN DESCRIBED TRACT OF LAND;

THENCE; NORTH 08°41'10" EAST, ALONG THE EAST LINE OF SAID TRACT OF LAND, CONVEYED TO LA FLOR DEL VALLE ENTERPRISES LP, AT A DISTANCE OF 746.00 FEET, PASSING A FOUND 1/2 INCH IRON ROD WITH A PLASTIC CAP STAMPED "SAMES", FOR THE SOUTH RIGHT OF WAY LINE OF WEST MAIN DRAIN - PHASE III RIGHT OF WAY EASEMENT, AS RECORDED IN VOLUME 2880, PAGE 324, DEED RECORDS, HIDALGO COUNTY, TEXAS, CONTINUING AT A DISTANCE OF 896.00 FEET, TO A POINT, BEING ON THE NORTH RIGHT OF WAY LINE OF SAID WEST MAIN DRAIN - PHASE III RIGHT OF WAY EASEMENT, AND ON THE NORTH LOT LINE OF LOT 452 OF SAID AMENDED PLAT OF JOHN H SHARY SUBDIVISION AND FOR THE NORTHEAST CORNER OF SAID TRACT OF LAND CONVEYED TO LA FLOR DEL VALLE ENTERPRISES LP, AND THE NORTHWEST CORNER OF THIS HEREIN DESCRIBED TRACT OF LAND;

THENCE; SOUTH 81"18'50" EAST, ALONG THE NORTH LOT LINE OF LOT 452 OF SAID AMENDED PLAT OF JOHN H SHARY SUBDIVISION AND BEING ALONG THE NORTH RIGHT OF WAY LINE OF WEST MAIN DRAIN - PHASE III RIGHT OF WAY EASEMENT, AND THE SOUTH LINE OF AN ORIGINAL 80.0 FOOT RIGHT OF WAY CANAL, AT A DISTANCE OF 337.67 FEET, TO A POINT, FOR THE NORTHEAST CORNER OF THIS HEREIN DESCRIBED TRACT OF LAND;

THENCE; SOUTH 08'41'10" WEST, AT A DISTANCE OF 128.00 FEET, PASSING A POINT, FOR THE NORTHWEST CORNER OF A TRACT OF LAND CONVEYED TO SOUTH TEXAS ELECTRIC COOPERATIVE INC, AS RECORDED IN DOCUMENT NUMBER 2016223, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, CONTINUING AT A DISTANCE OF 150.00 FEET, PASSING A SET 1/2 INCH IRON ROD WITH A PLASTIC CAP STAMPED "SAMES", FOR THE SOUTH RIGHT OF WAY LINE OF WEST MAIN DRAIN PHASE III RIGHT OF WAY EASEMENT, CONTINUING AT A DISTANCE OF 256.00 FEET, ALONG THE WEST LINE OF SAID TRACT OF LAND CONVEYED TO SOUTH TEXAS ELECTRIC COOPERATIVE INC. PASSING A POINT, FOR THE COMMON CORNER OF A TRACT OF LAND CONVEYED TO SAID SOUTH TEXAS ELECTRIC COOPERATIVE INC, AND A TRACT OF LAND CONVEYED TO IBANEZ GLORIA, AS RECORDED IN DOCUMENT NUMBER 1629472, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, CONTINUING AT A DISTANCE OF 884.00 FEET, PASSING A POINT, FOR THE NORTHWEST CORNER OF A TRACT OF LAND CONVEYED TO STILES BRADLEY C AND ALEJANDRITA V, AS RECORDED IN DOCUMENT NUMBER 830704, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, CONTINUING AT A DISTANCE OF 1,260.00 FEET, PASSING A SET 1/2 INCH IRON ROD WITH A PLASTIC CAP STAMPED "SAMES", FOR THE NORTH RIGHT OF WAY LINE OF SAID MILE 6 ROAD, CONTINUING AT A TOTAL DISTANCE OF 1,280.00 FEET, TO A SET PK NAIL, FOR THE SOUTHWEST CORNER OF SAID TRACT OF LAND CONVEYED TO STILES BRADLEY C AND ALEJANDRITA V, AND BEING THE SOUTH LOT LINE OF LOT 452, OF SAID AMENDED PLAT OF JOHN H SHARY SUBDIVISION, AND THE NORTH LINE OF SAID GLASSCOCK MEADOWS, AND THE CENTERLINE OF SAID MILE 6 ROAD, AND FOR THE SOUTHEAST CORNER OF THIS HEREIN DESCRIBED TRACT OF

THENCE; NORTH 81"18'50" WEST, ALONG THE SOUTH LOT LINE OF LOT 452 OF SAID AMENDED PLAT OF JOHN H SHARY SUBDIVISION, AND BEING THE NORTH LINE OF SAID GLASSCOCK MEADOWS, AND BEING AT THE CENTERLINE OF MILE 6 ROAD, AT A DISTANCE OF 224.23, FOR THE POINT OF BEGINNING, CONTAINING A 8.92 (388,656.64 SQ. FT.) ACRE GROSS., 7.66 (333.521.54 SQ. FT.) ACRE NET., TRACT OF LAND, MORE OR LESS.

DATE OF PREPARATION: July 2023

REGISTRATION # F-10602

FAX: (956) 702-8883



200 S. 10TH STREET, SUITE 1500 TEL: (956) 702-888

SURVEY FIRM REG. No. 101416-00 | MCALLEN TX. | | HARLINGEN TX. | SANTA FE NM. | | LOS ALAMOS NM. |

# <u>GENERAL CONSTRUCTION NOTES</u>

- UTILITIES AND ELECTRICAL UTILITIES IS NOT GUARANTEED TO BE EXACT OR COMPLETE. THE LOCATIONS AND SIZES HAVE BEEN TAKEN FROM EXISTING RECORDS AND THE BEST AS-BUILT INFORMATION AVAILABLE. HOWEVER, IT IS EXPECTED THAT THERE MAY BE SOME DISCREPANCIES AND OMISSIONS IN THE LOCATIONS, QUALITIES AND SIZES SHOWN. THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING THE EXACT TYPE, SIZE AND LOCATION OF ALL UTILITIES AFFECTED BY THE CONSTRUCTION OF THIS PROJECT. THE CONTRACTOR SHALL ARRANGE FOR THE REPAIR AND RESTORATION OF CONTRACTOR DAMAGED UTILITIES. THE COST OF ANY REPAIR OR REPLACEMENT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. IT IS THE CONTRACTOR'S RESPONSIBILITY TO CONTACT THE CURRENT LINE SPOTTING TOLL FREE NUMBER AND COORDINATE WITH ALL THE UTILITY COMPANIES FOR ACTUAL LOCATING AND
- 2. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE PROJECT ENGINEER OF ANY UNREPORTED OBSTACLES THAT MAY IMPEDE OR PREVENT THE PROPER CONSTRUCTION OF THIS PROJECT.

UNCOVERING OF EXISTING LINE PRIOR TO EXCAVATION OPERATIONS.

- 3. ALL CONSTRUCTION OPERATIONS SHALL BE ACCOMPLISHED IN ACCORDANCE WITH THE APPLICABLE STATE STATUES AND THE U.S. OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION REGULATIONS (OSHA). COPIES OF THE O.S.H.A. STANDARDS MAY BE PURCHASED FROM THE U.S. GOVERNMENT
- 4. ALL WORK SHALL BE PERFORMED WITHIN EACH COMMUNITY RIGHT—OF—WAY, EASEMENTS OR ON DISTRICT-OWNED PROPERTY. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN PERMISSION TO USE PRIVATE PROPERTY FOR THE PURPOSES OF STAGING, STOCKPILE, STORAGE OR REFUSE AREAS.
- 5. THE CONTRACTOR SHALL MAINTAIN THE JOB SITE IN A SAFE, NEAT, AND WORKMAN LIKE MANNER AT ALL TIMES. JOB SAFETY SHALL NOT BE COMPROMISED. ANY UNSAFE OR UNATTRACTIVE NUISANCE SHALL BE REMOVED OR OTHERWISE TAKEN CARE OF BY THE CONTRACTOR WHEN DIRECTED BY THE OWNER OR PROJECT ENGINEER.
- 6. DE-WATERING, GRADING, BACK FILLING, ETC. TO COMPLETE THE PROJECT. ASSOCIATED COSTS SHALL BE SUBSIDIARY TO THE RESPECTIVE BID ITEMS AS IDENTIFIED IN THE CONTRACT UNLESS NOTED OTHERWISE.
- 7. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO REMOVE ALL EXCAVATED MATERIAL, EXCESS
- CONCRETE, AND DEBRIS FROM THE CONSTRUCTION SITE AT NO ADDITIONAL EXPENSE 8. EXCAVATIONS, TRENCHES AND OTHER HAZARDOUS AREAS SHALL BE ADEQUATELY PROTECTED BY

BARRICADES, FENCING, LIGHTS AND/OR OTHER PROTECTIVE DEVICES AT ALL TIMES.

WITH THE PERSONS CONDUCTING THE TESTING AND INSPECTION PROGRAM.

- 9. CONSTRUCTION OF THIS PROJECT WILL BE SUBJECT TO INSPECTIONS AND TESTING AS DEEMED NECESSARY OR APPROPRIATE BY THE ENGINEER. THE CONTRACTOR SHALL FURNISH INCIDENTAL LABOR AND 9. RING AND COVER SHALL HAVE A 32" DIA. OPENING. EQUIPMENT TO ALLOW THE TESTING PERSONNEL ACCESS TO THE WORK SITE AND WILL COOPERATE FULLY
- 10. A PART OF THE WORK THAT IS NECESSARY OR REQUIRED TO MAKE EACH SYSTEM OR INSTALLATION SATISFACTORY AND OPERABLE FOR ITS INTENDED PURPOSE, EVEN THOUGH IT IS NOT SPECIFICALLY INCLUDED IN THE SPECIFICATIONS OR DRAWINGS, SHALL BE PERFORMED AS INCIDENTAL WORK AS IF IT WERE DESCRIBED IN THE SPECIFICATIONS AND SHOWN ON THE DRAWINGS.
- 11. ALL EXCAVATION FOR THIS PROJECT SHALL BE UNCLASSIFIED.
- 12. THERE WILL BE NO BLASTING ALLOWED ON THIS PROJECT.

CONNECT THE DEVICE AND MAKE IT OPERABLE.

- 13. THE CONTRACTOR SHALL INSPECT ALL MATERIALS AT DELIVERY AND NOTIFY THE PROJECT ENGINEER OF ANY DAMAGED OR QUESTIONABLE MATERIALS ANY INSTALLED DAMAGED OR QUESTIONABLE MATERIAL WITHOUT PRIOR INSPECTION BY THE PROJECT ENGINEER SHALL BE REMOVED AT THE CONTRACTOR'S
- 14. ALL PAVEMENTS SHALL BE NEATLY SAW—CUT. DAMAGE TO PAVEMENT BEYOND THE EXTENTS OF TRENCH WIDTHS AS A RESULT OF FAILURE TO PROPERLY SAW-CUT SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.
- 15. ALL COMPACTION SHALL BE ACHIEVED BY MECHANICAL METHODS, NO WATER JETTING ALLOWED.
- 16. UTILITY SERVICE CROSSINGS AND TRUNKLINE CROSSINGS SHALL BE TESTED AND SUBJECT TO CITY OF EDINBURG ROAD COMPACTION STANDARDS.
- 17. ALL TREES TO REMAIN SHALL BE PROTECTED DURING CONSTRUCTION WITH THE USE OF PROTECTIVE BARRIERS INSTALLED BY THE CONTRACTOR, AT THE DRIP LINE OF EACH TREE.
- 18. ANY SAFETY DEVICES, WARNING LIGHTS, CONTROLS, ALARMS OR OTHER DEVICES SHOWN ON ANY PLANS OR CALLED FOR BY ANY SECTION OF THE SPECIFICATIONS SHALL BE MADE OPERABLE. THE CONTRACTOR SHALL SUPPLY ALL CONDUIT, WIRING, SWITCHES, SENSORS, OR ANY OTHER MATERIALS NECESSARY TO
- 19. ALL UTILITIES WHICH ARE TO REMAIN AND WHICH ARE DAMAGED OR REMOVED WILL BE REPAIRED TO THE SATISFACTION OF THE ENGINEER AT THE CONTRACTOR'S EXPENSE
- 20. THESE NOTES ARE INTENDED TO SUPPLEMENT THE TECHNICAL SPECIFICATIONS AND SHOULD NOT BE CONSIDERED A SUBSTITUTE FOR THE DETAILED REQUIREMENTS SET FORTH IN THE SPECIFICATIONS. WHERE THERE IS A CONFLICT BETWEEN THE DRAWINGS AND THE SPECIFICATIONS, THE SPECIFICATIONS SHALL
- 21. AS SOON AS PRACTICAL, ALL PORTIONS OF EXCAVATIONS NOT OCCUPIED BY A PERMANENT STRUCTURE SHALL BE BACKFILLED.
- 22. AREAS USED FOR THE CONTRACTOR'S JOB TRAILER, PERSONNEL PARKING, MATERIAL STORAGE, SPOILS STOCKPILE, MATERIAL FABRICATION AND RELATED CONSTRUCTION USES MUST BE APPROVED BY THE
- 23. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND/OR SAFETY OF THE CONSTRUCTION SITE, SITE PERSONNEL, SUBCONTRACTORS, MATERIALS AND SAFETY OF THE CONSTRUCTION.
- 24. THE CONTRACTOR SHALL RETURN THE SITE TO ORIGINAL GRADES UNLESS FINISHED GRADES SHOW OTHERWISE ON THE CONSTRUCTION PLANS. THE CONTRACTOR SHALL ENSURE NO AREAS OF PONDING AREA PRESENT.
- 25. THE CONTRACTOR SHALL BE RESPONSIBLE FOR RECORDING ALL FIELD CHANGES AND FURNISHING A LEGIBLE SET OF "AS-BUILT" DRAWINGS TO THE PROJECT ENGINEER.
- 26. CONTRACTOR SHALL REMOVE AND REINSTALL ALL SIGNS, MAILBOXES, FENCES, CULVERTS AND OTHER ITEMS IN WAY OF THE WORK.
- 27. CONTRACTOR SHALL REPAIR AND RESTORE ALL PAVED AREAS AFFECTED BY OPEN CUTS, TO A BETTER STATE THAN PRE-CONSTRUCTION CONDITIONS, WITH LIKE MATERIALS.
- 28. PROVIDE INTERIM DRAINAGE DURING CONSTRUCTION AS REQUIRED. USE PUMPS, TEMPORARY DITCHES, ETC. TO MAINTAIN A WELL DRAINED SITE FREE OF STANDING WATER AND WATER SOFTENED SOILS.
- 29. MAINTAIN COVER BELOW DITCHES AND SURFACE DEPRESSIONS. PRESSURE UTILITIES MAY BE LAID APPROXIMATELY PARALLEL TO GRADE, UNLESS OTHERWISE INDICATED, WITH LOCAL DEEPENING TO AVOID OTHER UTILITIES OR OBSTRUCTIONS. PROVIDE PROTECTION WHERE COVER IS TEMPORARILY REDUCED.
- 30. ANCHOR ALL UNDERGROUND PRESSURE PIPING AS NECESSARY TO PREVENT MOVEMENT UNDER PRESSURE TEST AND SERVICES.
- 31. ALL REINFORCING STEEL SHALL CONFORM TO ASTM SPECIFICATION A-165, GRADE 60. ALL BARS SHALL CONFORM TO ASTM SPECIFICATION A-305.
- 32. ALL CONCRETE AND FORM WORK SHALL CONFORM TO CURRENT ACI CODE REQUIREMENTS.

# GENERAL WASTEWATER NOTES:

STANDARD PROCTOR.

- THE INFORMATION SHOWN ON THESE DRAWINGS INDICATING TYPE AND LOCATION OF UNDERGROUND 1. ALL WORKMANSHIP AND MATERIALS FOR THE WASTE WATER SYSTEM SHALL CONFORM TO THE CONSTRUCTIONS STANDARDS OF THE CITY OF McALLEN AND IN ACCORDANCE WITH THE DESIGN CRITERIAL FOR SEWAGE SYSTEMS, TAC 217 BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ), CURRENT EDITION.
  - 2. THE CONTRACTOR SHALL MAINTAIN SERVICE TO EXISTING WASTEWATER SYSTEM AT ALL TIMES DURING CONSTRUCTION.
  - 3. ALL 8" SEWER PIPE AND FITTINGS IN THIS PROJECT ARE P.V.C. SDR-26, ASTM, D-3034, D-3212, F-477.
  - 4. WASTEWATER MAINS SHALL HAVE A MINIMUM OF 3 FEET OF COVER, OTHERWISE CONCRETE ENCASEMENT WILL BE REQUIRED.
  - 5. ALL WASTEWATER LINES MUST BE BEDDED. INITIAL BEDDING MATERIAL SHALL BE "MANUFACTURED SAND" AS PER CITY OF McALLEN SPECIFICAITONS. SECONDARY BACKFILL SHALL GENERALLY CONSIST OF MATERIAL REMOVED FROM TRENCH, FREE FROM BRISH, DEBRIS, AND TRASH OR STONES HAVE ANY DIMENSION LARGER THAN 6" AT THE LARGEST DIMENSION COMPACTED. PIPE BEDDING SHALL BE PLACED AS FOLLOW:
  - SAND BEDDING PLACED BEFORE PIPE IS LAID UP TO FLOW LINE OF PIPE (MIN. THICKNESS = 6") SAND BACKFILL PLACED AFTER PIPE IS LAID FROM BOTTOM OF PIPE TO SPRING LINE OF PIPE SHALL
  - BE PLACED IN 4" LIFTS AND MECHANICALLY TAMPED. C. SAND BACKFILL PLACED FROM SPRING LINE OF PIPE TO 6" ABOVE TOP OF PIPE SHALL BE PLACED IN
  - 6" LIFTS AND MECHANICALLY TAMPED. D. SECONDARY BACKFILL SHALL BE PLACED WITHIN REMAINING TRENCH IN 12" LIFTS COMPACTED TO 90%
  - 6. ALL RESIDENTIAL WASTEWATER SERVICE LATERALS SHALL BE 4" P.V.C. SDR-26 OR SCH. 40 AND EXTEND 2' BEYOND THE PROPERTY LINE OR EASEMENT WITH A CLEAN OUT SHALL BE INSTALLED AT THE PROPERTY LINE OR EASEMENT. THESE SERVICE LOCATIONS SHALL BE MARKED ON THE CURB AND THE GUTTER WITH AN "S" NOT LESS THAN 4 INCHES IN SIZE OR IN A MANNER APPROVED BY THE CITY.
  - 7. ALL RESIDENTIAL WASTEWATER SERVICE LATERALS MUST BE MARKED WITH A MAGNETIC TAPE FROM THE POINT OF THE STUB OUT EXTENDING 12 INCHES ABOVE FINISH GRADE OF THE LOT. THE TAPE SHALL READ "SEWER" AT INTERVALS ON THE ENTIRE LENGTH OF THE TAPE.
  - 8. ALL MANHOLES SHALL BE 48" DIA. FIBERGLASS 1/2" THICKNESS (FULL LENGTH) WITH A CONCRETE BASE, NO PRE-CAST PERMITTED. H.D.P.E. GRDE RINGS MAY BE USED FOR ADJUSTMENTS AS NEEDED.

  - 10. ALL MANHOLES SHALL BE CONSTRUCTED SO THAT THE TOP OF THE RING IS 2" ABOVE SURROUNDING GROUND EXCEPT WHEN LOCATED IN PAVED AREA. IN PAVED AREAS, THE MANHOLE RING SHALL BE FLUSH WITH PAVEMENT.
  - 11. IN AREAS WHERE A NEW WASTEWATER MANHOLE IS TO BE CONSTRUCTED OVER AN EXISTING WASTEWATER SYSTEM, IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO TEST THE EXISTING MANHOLES BEFORE CONSTRUCTION. AFTER THE PROPOSED MANHOLE(S) HAS BEEN BUILT, THE CONTRACTOR SHALL RE-TEST THE EXISTING SYSTEM TO THE SATISFACTION OF THE CONSTRUCTION INSPECTOR. (NO SEPARATE PAY ITEM).
  - 12. WHERE THE MINIMUM 9 FOOT SEPARATION DISTANCE BETWEEN WASTEWATER LINES AND WATER LINES / MAINS CANNOT BE MAINTAINED, THE INSTALLATION OF WASTEWATER LINES SHALL BE IN STRICT ACCORDANCE WITH TCEQ. THE WASTEWATER LINE SHALL BE CONSTRUCTED OF CAST IRON, DUCTILE IRON OR PVC MEETING THE ASTM SPECIFICATION FOR BOTH PIPES AND JOINTS OF 150 PSI AND SHALL BE IN ACCORDANCE WITH 30 TAC \( \)217.53 (D) (3) (A) (I).
  - 13. PRIOR TO ACCEPTANCE AND CONNECTION TO CITY DISTRIBUTION SYSTEM, NEW WASTEWATER MAINS AND MANHOLES MUST BE TESTED FOR EXFILTRATION/INFILTRATION IN ACCORDANCE WITH DESIGN CRITERIA FOR SEWAGE SYSTEMS BY THE TCEQ TAC 217, CURRENT EDITION.
  - 14. NO TESTING WILL BE PERFORMED PRIOR TO 30 DAYS FROM COMPLETE INSTALLATION OF THE WASTEWATER LINES. THE FOLLOWING SEQUENCE WILL BE STRICTLY ADHERED TO:
  - A. PULL MANDREL PERFORM AIR TEST
  - C. CLEANING OF ANY DEBRIS
  - D. FLUSHING OF SYSTEM
  - E. TV INSPECTION (WITHIN 72 HOURS OF FLUSHING)
  - FILLING OR TESTING.
  - 16. WASTEWATER MAIN CONNECTIONS MADE DIRECTLY TO EXISTING MANHOLES WILL REQUIRE SUCCESSFUL TESTING OF THE MANHOLE IN ACCORDANCE WITH THE CITY OF McALLEN STANDARDS AND REGULATIONS.
  - 17. A PRE-CONSTRUCTION MEETING SHALL BE HELD BEFORE CONSTRUCTION BEGINS.
  - 18. CONTRACTOR MUST PROVIDE ADEQUATE SHORING AND TRENCH PROTECTION IN ACCORDANCE WITH OSHA REGULATIONS. FAILURE TO PROVIDE A SAFE WORK ENVIRONMENT WILL RESULT IN IMMEDIATE ISSUANCE OF A STOP WORK ORDER UNTIL SUCH TIME AS THE HAZARDS ARE CORRECTED.
  - 19. IT IS THE CONTRACTOR'S RESPONSIBILITY TO PROVIDE A TRAFFIC CONTROL PLAN AND SUBMIT TO THE OWNER, CITY ENGINEER AND ANY OTHER AGENCY THAT MAY APPLY. IT IS THE CONTRACTORS RESPONSIBILITY TO SEE THAT ALL SIGNS AND BARRICADES ARE PROPERLY INSTALLED AND MAINTAINED THROUGH THE DURATION OF THE PROJECT. ALL LOCATIONS AND DISTANCES WILL BE DECIDED UPON IN THE FIELD BY THE CONTRACTOR USING THE TEXAS MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES. THE CONSTRUCTION INSPECTOR AND THE OWNERS REPRESENTATIVE WILL ONLY BE RESPONSIBLE TO INSPECT BARRICADES AND SIGNS. IF IN THE OPINION OF THE OWNERS REPRESENTATIVE AND THE CONSTRUCTION INSPECTOR, THE BARRICADES AND SIGNS DO NOT CONFORM TO ESTABLISHED STANDARDS OR ARE INCORRECTLY PLACED OR ARE INSUFFICIENT IN QUANTITY TO PROTECT THE GENERAL PUBLIC, THE CONSTRUCTION INSPECTOR SHALL HAVE THE OPTION TO STOP OPERATIONS UNTIL SUCH TIME AS THE CONDITIONS ARE CORRECTED.
  - 20. THE CONDITION OF THE ROAD AND OR RIGHT OF WAY, UPON COMPLETION OF JOB SHALL BE AS GOOD AS OR BETTER THAN PRIOR TO STARTING WORK. THE CONTRACTOR SHALL ALSO BE RESPONSIBLE FOR RESTORING TO ITS ORIGINAL, OR BETTER CONDITION ANY DAMAGE DONE TO EXISTING FENCES, CULVERT PIPES OR DRIVEWAYS. ANY DAMAGE INCURRED WILL BE REPAIRED AT THE CONTRACTORS EXPENSE (NO SEPARATE PAY ITEM).
  - 21. THE INTENT OF THE CONSTRUCTION DRAWINGS IS THAT THE CONTRACTOR SHALL FURNISH ALL LABOR, MATERIALS, TOOLS, EQUIPMENT, AND TRANSPORTATION NECESSARY FOR THE PROPER EXECUTION OF THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS AND ALL INCIDENTAL WORK NECESSARY TO COMPLETE THE PROJECT IN AN ACCEPTABLE MANNER READY FOR USE BY THE OWNER.
  - 22. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR THE MEANS, METHODS, SEQUENCE, PROCEDURES, TECHNIQUES AND SCHEDULING OF ALL PORTIONS OF THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS. THE CONTRACTOR SHALL ALSO BE SOLELY RESPONSIBLE FOR SAFETY IN OR ABOUT THE JOB SITE IN ACCORDANCE WITH ANY HEALTH OR SAFETY PRECAUTIONS, REGULATIONS, STANDARDS OR CODES REQUIRED BY O.S.H.A. OR ANY OTHER REGULATORY AGENCY.
  - 23. THE CONTRACTOR IS RESPONSIBLE TO ENSURE THAT NO OVERFLOWS OR SPILLAGE OF SEWAGE OCCURS. SHOULD THIS OCCUR. THE CONTRACTOR SHALL:
    - IDENTIFY THE SOURCE AND CAUSE OF THE SPILL, ATTEMPT TO ELIMINATE ANY ADDITIONAL SPILLAGE AND NOTIFY THE CITY STAFF AND ENGINEER.
  - CONTAIN THE SPILL AND DISPOSE OF CONTAMINATED MATERIALS.
  - CLEAN UP THE SPILL AND DISPOSE OF CONTAMINATED MATERIALS
  - DISINFECT THE AREA OF THE SPILL WITH A MIXTURE OF HTH AND WATER. IDENTIFY AND TRAIN PERSONNEL RESPONSIBLE FOR SPILLAGE PREVENTION AND CONTROL.

# TRENCH SAFETY

- 1. IN ACCORDANCE WITH HOUSE BILLS 662 AND 665 ENACTED BY THE TEXAS LEGISLATURE (70TH REGULAR LEGISLATIVE SESSION), THE CONTRACTOR SHALL MEET THE REQUIREMENTS FOR TRENCH SAFETY AS OUTLINED IN THE CURRENT VERSION OF THE UNITED STATES DEPARTMENT OF LABOR, OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) STANDARDS, 29 CFR, PART 1926, SUBPART P- EXCAVATIONS.
- PRIOR TO COMMENCING ANY EXCAVATION, THE CONTRACTOR SHALL PROVIDE A TRENCH SAFETY PLAN. ALL PLANS SHALL BE PREPARED BY A PROFESSIONAL ENGINEER LICENSED TO PRACTICE IN THE STATE OF TEXAS. THE PLAN SHALL BE SUBMITTED TO THE PROJECT ENGINEER
- 3. IN THE EVENT CONDITIONS ENCOUNTERED IN THE FIELD REQUIRE TRENCH SAFETY SYSTEMS OUTSIDE OF THE EXTENTS SUGGESTED TRENCH PROTECTION SHOWN ON THE CONSTRUCTION PLANS, ALL EXCAVATION SHALL CEASE AND THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE PROJECT ENGINEER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR SUBMITTING A REVISED TRENCH SAFETY PLAN. NO EXCAVATION SHALL RESUME UNTIL THE REVISED TRENCH SAFETY PLAN HAS BEEN APPROVED.
- THE CONTRACTOR SHALL ENSURE APPROVED TRENCH SAFETY PLANS ARE IMPLEMENTED. FAILURE TO ADHERE TO THE TRENCH SAFETY PLAN WILL RESULT IN A STOP WORK ORDER. NONCOMPLIANCE INCIDENTS MAY BE REPORTED TO OSHA
- TRENCHES OR EXCAVATIONS MAY NOT BE LEFT OPEN OVERNIGHT UNLESS AUTHORIZED IN WRITING BY THE PROJECT ENGINEER. IN CASES WHERE TRENCHES ARE LEFT OPEN, THE CONTRACTOR MUST PROVIDE TRAFFIC RATED, ANCHORED STEEL PLATE COVERS APPROVED BY THE ENGINEER.

# <u>DRAINAGE</u>

- 1. ALL REINFORCED CONCRETE PIPE SHALL BE ASTM C—76 CLASS III (RUBBER JOINT) UNLESS NOTED OTHERWISE ON THE PLANS. ALL PIPE AND APPURTENANCES (INLETS, MANHOLES, JUNCTION BOXES, ETC.) SHALL CONFORM TO THE TECHNICAL SPECIFICATIONS.
- BEDDING MATERIAL SHALL CONSIST OF PIT RUN GRAVEL WITH A MAXIMUM SIZE OF 3/4-INCHES OR APPROVED SUBSTITUTE AND SHALL EXTEND TO THE SPRING LINE OF THE PIPE.
- ALL PIPES SHALL EXTEND TO THE INSIDE FACE OF ALL STRUCTURES. ALL JOINTS SHALL BE GROUTED TO ENSURE A WATER TIGHT FIT IN NO INSTANCE SHALL GROUT BE USED TO EXTEND AN INCOMPLETE SEGMENT OF PIPE TO THE INSIDE FACE OF A STRUCTURE
- SAND BACKFILL IN LIEU OF NATIVE MATERIAL IS ALLOWED AT THE CONTRACTOR'S DISCRETION; NO SEPARATE PAY. THE CONTRACTOR SHALL SUBMIT A SAMPLE OF THE BACKFILL MATERIAL TO THE PROJECT ENGINEER FOR INSPECTION AND SHALL UTILIZE THE MATERIAL ONLY UPON APPROVAL BY THE ENGINEER.
- EXPANSION JOINTS ARE REQUIRED BETWEEN ALL INLET STRUCTURES AND CURB AND GUTTER AND/OR
- THE CONTRACTOR SHALL ENSURE THAT ALL EXISTING STORM SEWER INFRASTRUCTURE REMAINS FUNCTIONAL THROUGHOUT THE COURSE OF CONSTRUCTION. IN THE EVENT THAT ANY ASSOCIATED CONSTRUCTION ACTIVITY IMPEDES THE FUNCTION OF A SYSTEM, THE CONTRACTOR SHALL PROVIDE THE PROJECT ENGINEERING A PLAN TO ADDRESS THE ISSUE IN ANTICIPATION OF A STORM EVENT.
- ALL NEWLY INSTALLED STORM SEWER PIPE AND APPURTENANCES ARE SUBJECT TO VIDEO INSPECTION.
- 8. ALL STREET TURN-OUTS AND DRIVEWAY CULVERTS AFFECTED BY THE PROPOSED IMPROVEMENTS SHALL BE REPLACED SUBSIDIARY TO CONTRACT.
- 9. ROADSIDE DITCH REGRADING AS PROPOSED IN PLANS SHALL BE COMPLETED SUBSIDIARY TO CONTRACT

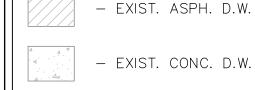
# EROSION CONTROL NOTES

- THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) AND ENVIRONMENTAL PROTECTION AGENCY (EPA) REQUIRE EROSION AND SEDIMENTATION CONTROL FOR CONSTRUCTION. CONTRACTOR SHALL PROVIDE ALL REQUIRED EROSION AND SEDIMENTATION CONTROL. CONTRACTOR SHALL BE RESPONSIBLE FOR IMPLEMENTATION OF THE STORM WATER POLLUTION PREVENTION PLAN
- 15. THE CITY OF MCALLEN INSPECTOR SHALL BE NOTIFIED AT LEAST FORTY-EIGHT HOURS PRIOR TO BACK 2. AT A MINIMUM THESE CONTROLS SHALL CONSIST OF ROCK BERMS AND/OR SILT FENCES CONSTRUCTED PARALLEL TO AND DOWN GRADIENT FROM THE TRENCHES. THE ROCK BERM OR SILT FENCES SHALL BE INSTALLED IN A MANNER SUCH THAT ANY RAINFALL RUNOFF SHALL BE FILTERED. HAY BALES SHALL NOT BE USED FOR TEMPORARY EROSION AND SEDIMENTATION CONTROLS.
  - 3. ALL SLOPES SHALL BE SODDED OR SEEDED WITH APPROVED GRASS, GRASS MIXTURES OR GROUND COVER SUITABLE TO THE AREA AND SEASON IN WHICH THEY ARE APPLIED.
  - THE CONTRACTOR SHALL INSPECT THE CONTROLS AT WEEKLY INTERVALS AND AFTER EVERY SIGNIFICANT RAINFALL TO INSURE DISTURBANCE TO THE STRUCTURES HAS NOT OCCURRED. SEDIMENT DEPOSITED AFTER A RAINFALL SHALL BE REMOVED FROM THE SITE OR PLACED IN AN APPROVED DESIGNATED SOIL DISPOSAL AREA.
  - EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE EMPLOYED DURING CONSTRUCTION TO PREVENT POINT SOURCE SEDIMENTATION LOADINGS OF DOWNSTREAM FACILITIES. SUCH INSTALLATIONS SHALL BE REGULARLY INSPECTED BY THE CONTRACTOR FOR EFFECTIVENESS. ADDITIONAL MEASURES MAY BE REQUIRED IF, IN THE OPINION OF THE OWNER, THEY ARE WARRANTED.
  - ALL TEMPORARY EROSION AND SEDIMENTATION CONTROLS SHALL BE IMPLEMENTED BEFORE CONSTRUCTION COMMENCES, SHALL BE MAINTAINED DURING CONSTRUCTION, AND SHALL BE REMOVED WHEN VEGETATION IS ESTABLISHED AND THE CONSTRUCTION AREA IS STABILIZED. ADDITIONAL PROTECTION MAY BE NECESSARY IF EXCESSIVE SOLIDS ARE BEING DISCHARGED FROM THE SITE.
  - 7. SILT FENCEING SHALL BE MAINTAINED AROUND PROPOSED INLETS THROUGHOUT THE LENGTH OF THE
  - ALL TEMPORARY EROSION AND SEDIMENTATION CONTROLS SHALL BE REMOVED BY THE CONTRACTOR AT FINAL ACCEPTANCE OF THE PROJECT BY THE OWNER.
  - 9. ALL STAGING, MATERIAL STORAGE, STOCKPILE AND REFUSE AREAS SHALL REQUIRE APPLICABLE EROSION AND SEDIMENT CONTROL MEASURES.
  - CONTAINERS, DUMPSTERS, TRASH CANS, WIRE-MESH CAGES, Etc.) AND CONFINED WITHIN PERIMETER EROSION AND SEDIMENT CONTROLS. 11. THE CONTRACTOR MAY REFER TO THE TEXAS DEPARTMENT OF TRANSPORTATION STANDARD
  - SPECIFICATIONS FOR CONSTRUCTION AND MAINTENANCE OF HIGHWAYS, STREETS, AND BRIDGES (2004 EDITION) ITEM 164, "SEEDING FOR EROSION CONTROL" AND ITEM 168, "VEGETATIVE WATERING" FOR VEGETATIVE STABILIZATION SPECIFICATIONS.
  - DUST CONTROL SHALL BE IMPLEMENTED AS NECESSARY OR AS DIRECTED BY THE ENGINEER. DUST CONTROL MAY CONSIST OF WATERING OR OTHER METHODS APPROVED BY THE PROJECT ENGINEER.
  - 13. ALL DISCHARGES ASSOCIATED WITH DEWATERING OPERATIONS SHALL IMPLEMENT APPROPRIATE EROSION AND SEDIMENT CONTROL MEASURES. MEASURES MAY INCLUDE BUT ARE NOT LIMITED TO SEDIMENTATION BASINS OR FILTER SOCKS.
  - 14. CONCRETE WASH-WATER SHALL NOT BE DISCHARGED DIRECTLY INTO A STORM SEWER SYSTEM OR RECEIVING STREAM. ALL WASH ACTIVITIES MUST BE PERFORMED WITHIN THE EXTENTS OF ESTABLISHED EROSION AND SEDIMENT CONTROL MEASURES OR DESIGNATED AREAS APPROVED BY PROJECT ENGINEER.
  - 15. SEDIMENT SHALL BE CLEARED FROM ALL STORM SEWER PIPES, CULVERTS AND APPURTENANCES WITHIN THE LIMITS OF CONSTRUCTION PRIOR TO FINAL PROJECT ACCEPTANCE. SEDIMENT SHALL BE PROPERLY DISPOSED.
  - 16. SW3P SHALL BE FOLLOWED AS INDICATED IN SW3P SHEETS.
  - 17. CONTRACTOR TO FURNISH AND IMPLEMENT DUST CONTROL MEASURES AND PLAN. BEST MANAGEMENT PRACTICES AND ENVIRONMENTAL PROTECTION AGENCY'S MENU SHALL BE UTILIZED FOR THE TYPES OF DUST MEASURES USED

# DRIVEWAY LEGEND



- EXIST. CAL. D.W.



- EXIST. DIRT D.W.

# **LEGEND**

- FND. 1/2" IRON ROD
- SET 1/2" IRON ROD W/PLASTIC
- FND. COTTON PICKER SPINDLE
- FND. PK-NAIL
- FND. IRON PIPE
- FND. "X" MARK
- POWER POLE
- SERVICE POLE - GUY WIRE
- LIGHT POLE
- (T) TELEPHONE PEDESTAL
- CABLE PEDESTAL CLEAN OUT
- W WATER METER - GAS METER
- MAIL BOX
- E ELECTRICAL BOX
- IRRIGATION CONTROL VALVE

IRRIGATION VALVE

- WATER VALVE
- FLUSH VALVE
- UNDER GROUND CABLE GAS — UNDER GROUND GAS
- STOP STOP SIGN
- TRAFFIC SIGN
- SANITARY SEWER MANHOLE

- TRANSFORMER BOX

- WATER FOSSIT
- (P)
- - FIRE HYDRAN
  - PALM TREE
- —□— CMU FENCE LINE
  - —X – CHAINLINK FENCE LINE \_ <>--- - STEEL FENCE LINE
- // - CEDAR FENCE LINE ○ - IRON FENCE LINE
- \_ DHE--- OVERHEAD ELECTRIC LINE GAS - GAS PIPELINE
- WTR--- WATER LINE ugc — UNDERGROUND CABLE 10. ALL CONSTRUCTION DEBRIS SHALL BE CONTAINED WITHIN APPROPRIATE RECEPTACLES (ROLL—OFF
  - CONC. CONCRETE R.O.W. - RIGHT OF WAY

EXIST. — EXISTING

ASPH. - ASPHALT

- EOP EDGE OF PAVEMENT
- CAL. CALICHE D.W. - DRIVEWAY
- S.W. SIDEWALK TOC - TOP OF CURB
- DTT DITCH TOP DTB - DITCH BOTTOM



# 0 $\overline{\square} \geq 5$ $\triangleleft$ $\square$ O ∭ ₹

**REVISIONS** DESCRIPTION DATE

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> OF MARIO A GARCIA
> P.E. #137503
> ON 7/31/23
> IT IS NOT TO BE USED
> FOR ANY OTHER
> PURPOSE.

90% SUBMITTAL

TEXAS REGISTERED ENGINEERING F-10602 e Professional Engineers seal affixed to this she olies only to the material and items shown on heet. All drawings, instruments or other docu ot exhibiting this seal shall not be considered

SAMES, INC

epared by this Engineer, and this Engineer pressly disclaims any and all responsibility for n, drawinas or documents not exhibiting this s PROJ. NO. | SUB 21.014 July 2023

AS NOTED SCALE: SHEET NAME:

SHEET NUMBER:

**GENERAL NOTES** 



01/19/2024 Page 1 of 5 SUB2021-0150



Reviewed On: 1/19/2024

SUBDIVISION NAME: VICTORY LANDING SUBDIVISION	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
Queens Avenue (6 Mile Road): 30 ft. dedication required for 50 ft. from centerline for 100 ft. total ROW Paving: 65 ft. Curb & gutter: Both sides Revisions Needed: -Street name reference must be revised as noted above were applicable prior to final, notes, plat, etcClarify additional ROW dedicated by this plat as it overlaps with existing 50' ROW, clarify and revise as applicable prior to final.  **Monies must be escrowed if improvements are not constructed prior to recording.  ***Label centerline and ROW on both sides of centerline and total ROW after accounting for ROW dedication to verify ROW dedication requirements prior to final.  ****Any abandonment must be done by separate instrument and the document number referenced on the plat.  *****COM Thoroughfare Plan	Non-compliance
Internal Street: 60 ft. Paving: 40 ft. Curb & gutter: Both sides Revisions Needed: -Street names will be established prior to finalRemove proposed from ROW dedication labeling., prior to final **Monies must be escrowed if improvements are not built prior to recording. ******Subdivision Ordinance: Section 134-105	Non-compliance
E/W 1/4 Collector Road along North Property Line: 60-70 ft. total ROW Paving: 40-44 ft. Curb & gutter: Both sides Revisions Needed: -Street names will be established prior to finalPlat layout must be revised to comply with ROW dedication requirements prior to finalRemove proposed from ROW dedication labeling., prior to final *Collector street is to be a public street. **Road will align with properties to the west, and will be extended east when adjacent properties develop. The project engineer must verify it prior to final.  ***Barricades to be provided as required prior to recording on east end. ****Monies must be escrowed if improvements are not built prior to recording. *****Plat layout must be revised to comply with ROW dedication requirements prior to final. ********Subdivision Ordinance: Section 134-105	Non-compliance
Paving Curb & gutter	Applied
* 1200 ft. Block Length for R-3A Zone Districts.  **Subdivision Ordinance: Section 134-118	Applied
* 600 ft. Maximum Cul-de-Sac. *****Subdivision Ordinance: Section 134-105	NA

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ALLEYS	
ROW: 20 ft. Paving: 16 ft. Pending Items: -Engineer submitted a Variance request on December 28th,2023, requesting to provide dumpster enclosures along the front of the lots as opposed to the back with an alley, as required by public works department requirements. Public Works departments reviewed the request and recommended compliance with alley requirements. *Alley/service drive easement required for commercial/multifamily properties **As per Public Works Department, please provide a service drive for trash/recycling collection.	Non-compliance
SETBACKS	
* Front: 20 ft. or greater for easements or approved site plan, whichever is greater applies. Revisions needed: -Revise note as shown above prior to final. *Proposing Front:20 feet or greater for easements. *****Zoning Ordinance: Section 138-356	Non-compliance
* Rear: In accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Revisions needed: -Revise note as shown above prior to final. *Proposing Rear:10 feet or greater for easements. *****Zoning Ordinance: Section 138-356	Non-compliance
* Interior sides: 6 ft. or greater for easements or approved site plan, whichever is greater applies. Revisions needed: -Revise note as shown above prior to final. *Proposing Side:6 feet or greater for easements. *****Zoning Ordinance: Section 138-356	Non-compliance
* Corner: 10 ft. or greater for easements or approved site plan, whichever is greater applies. Revisions needed: -Revise note as shown above prior to final. *Proposing Corner:10 feet or greater for easements. *****Zoning Ordinance: Section 138-356	Non-compliance
* Garage: 18 ft. except where greater setbacks is required; greater setback applies.  **Zoning Ordinance: Section 138-356	Applied
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
SIDEWALKS	
* 4 ft. wide minimum sidewalk required on Queens Avenue (6 Mile Road) and both side of all interior streets.  Revisions Needed: -Plat note to be revised as shown above prior to final.  **5 ft. sidewalk might be required as per Engineering Department prior to final.  *****Subdivision Ordinance: Section 134-120	Non-compliance
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Required

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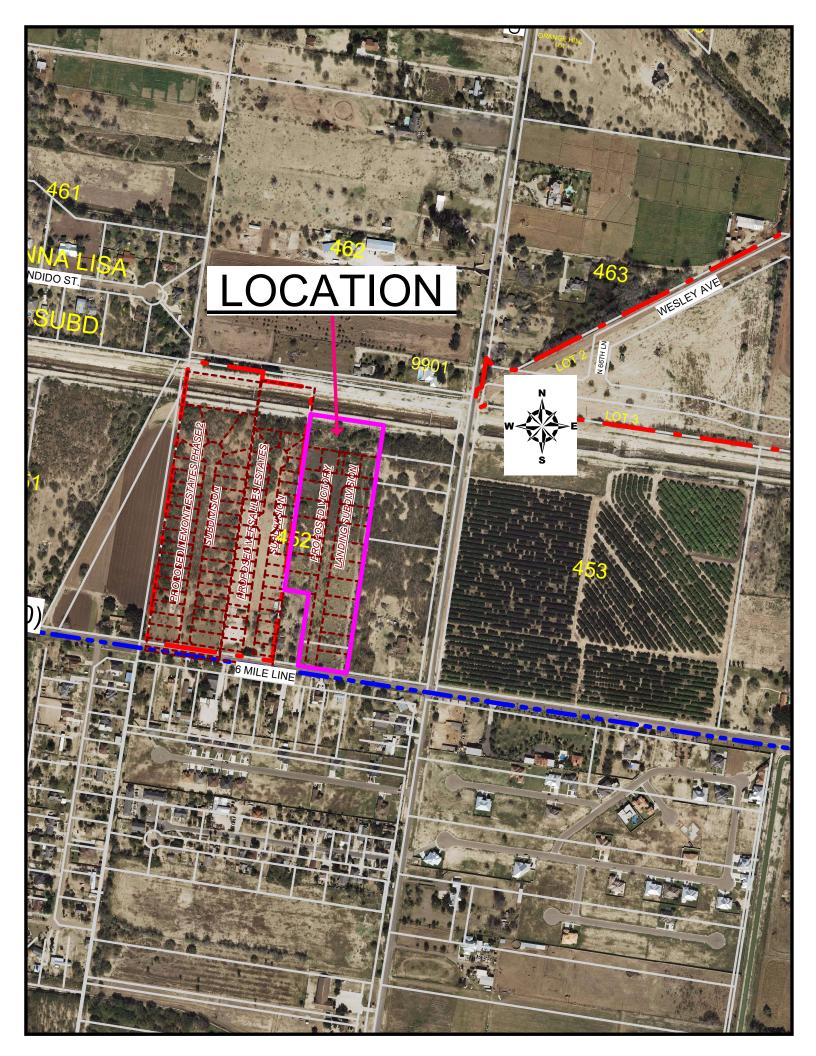
BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along Queens Avenue (6 Mile Road). Revisions Needed: -Revise note as shown above prior to final. ***Landscaping Ordinance: Section 110-46	Non-compliance
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.  ***Landscaping Ordinance: Section 110-46	Applied
*Perimeter buffers must be built at time of Subdivision Improvements.	Required
NOTES	
* No curb cut, access, or lot frontage permitted along Queens Avenue(6 Mile Road). Revisions Needed: -Revise the note as shown above prior to final. ****City's Access Management Policy	Non-compliance
<ul> <li>* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.</li> <li>Revisions Needed:</li> <li>-Please submit a site plan with the proposed number of units per lot, prior to final.</li> </ul>	Non-compliance
* Common Areas, any private streets/drives must be maintained by the lot owners and not the City of McAllen Revisions Needed: -Clarify note #26 prior to final, indicating as Drainage Easements Dedicated to the City of McAllen.  **Landscaping Ordinance: Section 110-72  **Subdivision Ordinance: Section 134-168	Required
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	NA
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.  Revisions needed: -Clarify if subdivision will be private and if there will be any private streets/drives, revise plat note #20, as applicable.  **Section 110-72 applies if subdivision is proposed to be public.  **Landscaping Ordinance: Section 110-72  **Subdivision Ordinance: Section 134-168	Required
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.  **Homeowner's Association Covenants must be submitted for staff review, prior to recording.  ***Section 134-168 applies if private subdivision is proposed.  ****Section 110-72 applies if public subdivision is proposed.  ****Landscaping Ordinance: Section 110-72  *****Subdivision Ordinance: Section 134-168	Required

01/19/2024 Page 4 of 5 SUB2021-0150

LOT REQUIREMENTS	
EST REGULETIO	
* Lots fronting public streets.  *****Detention Pond lot boundary line must be modified to be be in line with the south property line of Lots 11-14. 25 ft. Access Road is not permitted. Plat submitted on October 3rd,2022 has addressed this comment.  ****** Clarify dedication of 150 ft. Drain Area along north boundary prior to final.  **Zoning Ordinance: 138-1	Required
* Minimum lot width and lot area.  **Clarify number of unit proposed per lot to verify compliance with area requirements prior to final.  **Zoning Ordinance: Section. 138-356	Required
ZONING/CUP	
* Existing: R-3A(apartment residential) District Proposed: R-3A(apartment residential) District **Annexation and initial zoning to R-3A(apartment residential) District approved by the City Commission at their meeting of October 24, 2022.  ***Zoning Ordinance: Article V	Compliance
* Rezoning Needed Before Final Approval  **Annexation and initial zoning to R-3A(apartment residential) District approved by the City Commission at their meeting of October 24, 2022.  ***Zoning Ordinance: Article V	Completed
PARKS	
* Land dedication in lieu of fee. Park Fee required at \$700 per lot/dwelling unit to be paid prior to recording, if land dedication is not applicable.	TBD
* Park Fee required at \$700 per lot/dwelling unit to be paid prior to recording, if land dedication is not applicable.  **Provide total number of units proposed to establish requirements, prior to final.	Non-compliance
* Pending review by the City Manager's Office.	TBD
TRAFFIC	
**As per Traffic Department, Trip Generation is required to determine if a TIA will be required prior to final.	Non-compliance
**As per Traffic Department, Trip Generation is required to determine if a TIA will be required prior to final.	TBD

01/19/2024 Page 5 of 5 SUB2021-0150

COMMENTS	
Comments: Must comply with City's Access Management Policy  **Lots designated for detention must be labeled as detention/common areas with a lot # or letter on plat prior to final to establish final requirements.  ***Please clarify if drain ditch is included within the subdivision boundaries since it appears to be a separate lot. If that is the case, lot is landlocked and subdivision layout must be modified prior to final to give frontage to this lot.  ***** E/W Collector street is to be public and will align with properties to the west, and will be extended east when adjacent properties develop.  ******Barricades to be provided as required prior to recording on east end.  *******Submit gate details for staff to review prior to final as it may trigger changes on plat.  *******Submit gate details for staff to review prior to final, if private.  ********Any abandonment must be done by separate instrument and document number referenced on the plat, prior to final.  *********If the subdivision on the east side is not recorded, the lot layout must be removed and the current legal description must be written prior to recording.	Non-compliance
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE PRELIMINARY 6-MONTH EXTENSION SUBJECT TO CONDITIONS NOTED, DRIANAGE, AND UTILITY APPROVALS AND CLARIFICATION OF THE REQUESTED VARIANCE.	Applied

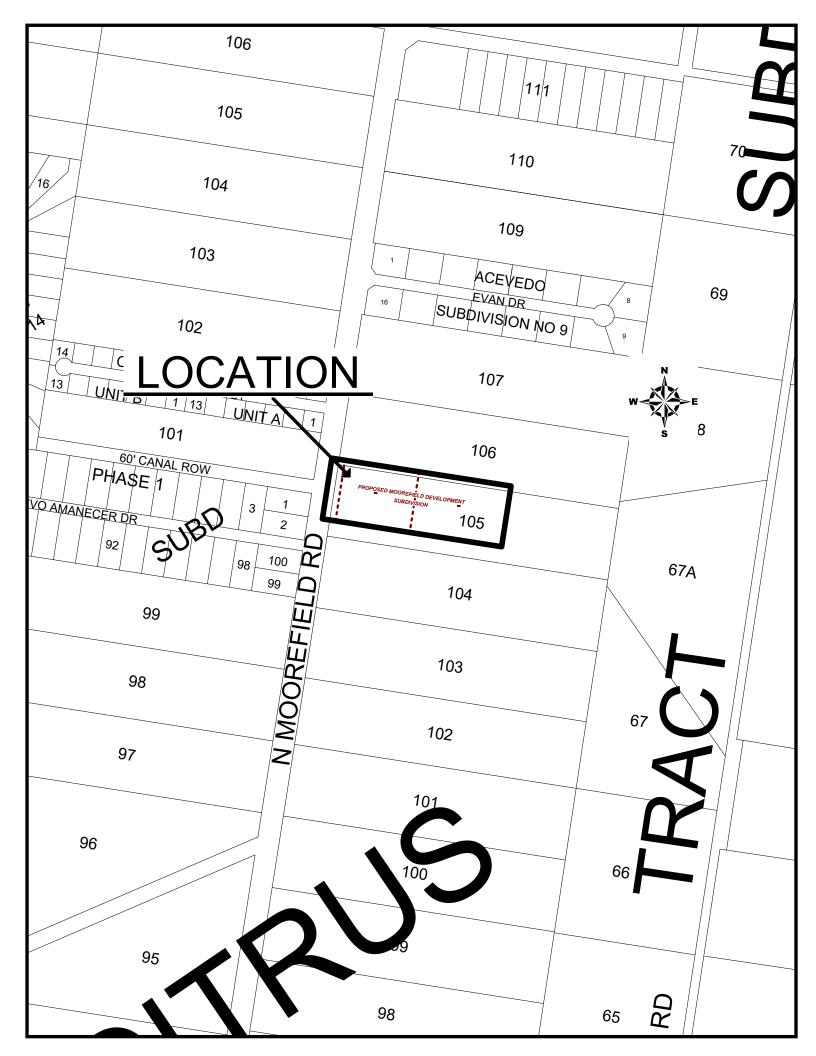


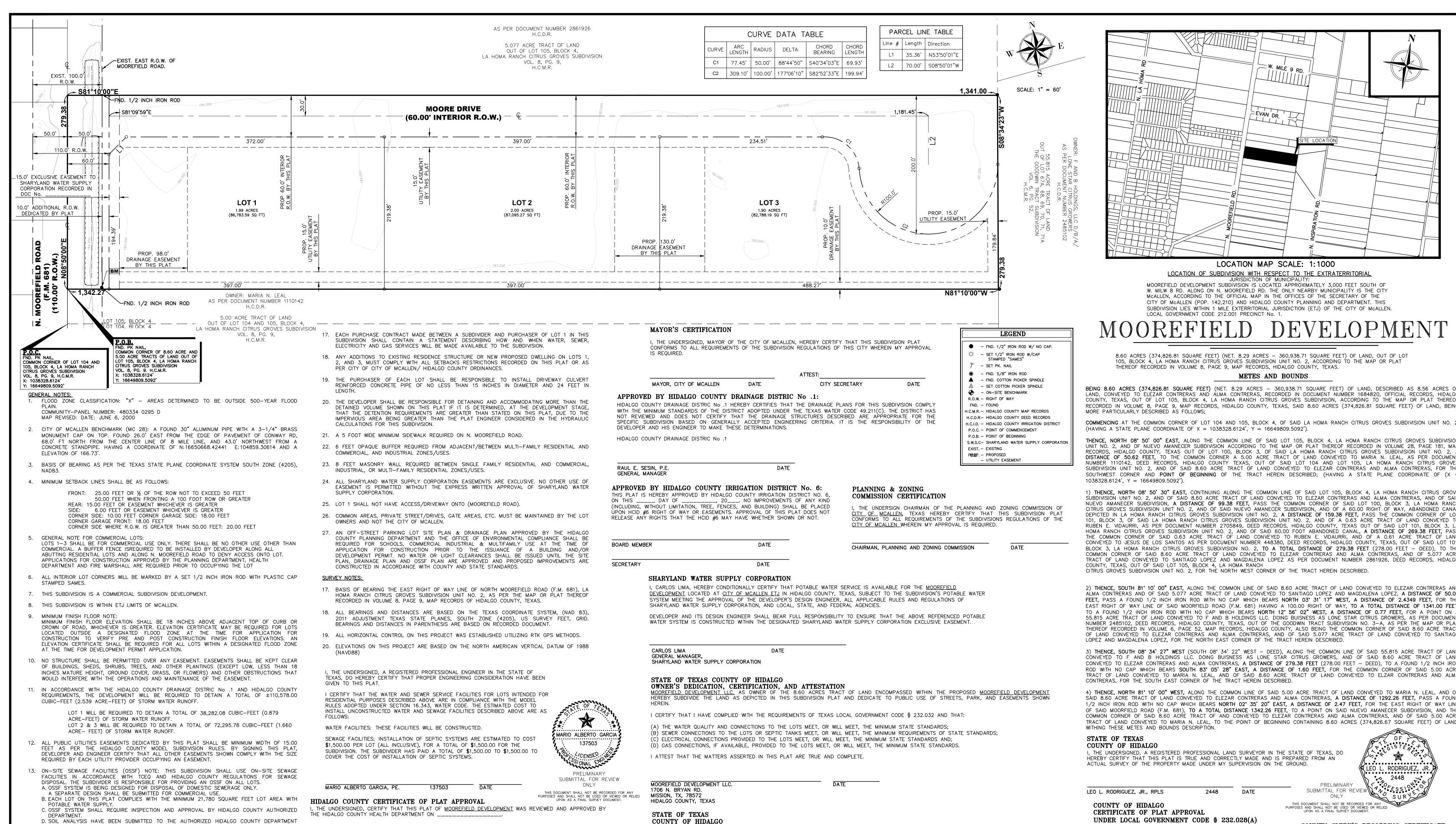
JUS0015-009

# City of McAllen Planning Department

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

Project Information	City Address Number of Existing Zo Existing La Replat □Yo Agricultura Parcel # 2 Water CCI	ss or Block Number $9736$ Lots $\frac{2}{100}$ Gross Acres $\frac{5}{100}$ During $\frac{1}{100}$ Proposed Zoning	th McAllen. In McA	Acres 4.9 ETJ dYes □No ezoning Applied for □Yes dNo Date_ se Retail _ Irrigation District #6 Rollback Tax Due	-
Owner	Name Address City			E-mail <u>ramiro.ramirez04@gmail.com</u> Zip <u>78572</u>	
Developer	City McA	MES Inc.  200 S. 10th Street Suite 1500  Illen State erson Luis B. Hernandez		E-mail hernandez@samengineering-surveying	ng.com
Engineer	Address City McA Contact F	200 S. 10th Street Suite 1500  llen  Person Mario A. Garcia		E-mail_mario@samengineering-surveying.co Zip 78501	m
Surveyor		eo L. Rodriguez 200 S. 10th Street Suite 150 Illen	00 State <u>TX</u>	Phone (956) 702-8880  E-mail Irodriguez@samengineering-surveying.co  Zip 78501	





PRELIMINARY SUBMITTAL FOR REVIEW ONLY 1/5/2024 THIS DOCUMENT SHALL NOT BE RELIED ON FOR RECORDING OR ANY OTHER INTENDED USE

SEEN ON THE UTILITY LAYOUT FOR THIS SUBDIVISION AS SUBMITTED TO THE HIDALGO COUNTY

ENGINEER HAS DETERMINED THAT THE SOIL IS SUITABLE FOR A STANDARDS SEPTIC AND

E. APPROVED "OSSF" PERMIT APPLICATION IS REQUIRED INCLUDING INDIVIDUAL LOT PLANNING

14. THERE ARE NO WATER WELLS WITHIN 150 FEET FROM THE BOUNDARIES ON THIS SUBDIVISION.

16. THIS SUBDIVISION IS SERVED BY SHARYLAND WATER SUPPLY CORPORATION (S.W.S.C.).

15. ALL CONSTRUCTION SHALL COMPLY WITH STORM WATER POLLUTION PREVENTION PLAN (SW3P)

AND EXCERPTS MAY BE ALSO

PLANNING DEPARTMENT. THE

REQUIREMENTS.

ABSORPTIVE DRAINFIELD SYSTEM.

MATERIALS PRIOR TO OCCUPYING A LOT.

PRINCIPAL CONTACTS: OWNER: MOOREFIELD DEVELOPMENT LLC

ENGINEER: MARIO ALBERTO GARCIA, PE. SURVEYOR: LEO L. RODRIGUEZ, JR., R.P.L.S.

HIDALGO COUNTY RIGHT OF WAY DIRECTOR

HIDALGO COUNTY ENVIRONMENTAL HEALTH DIVISION MANAGER

HIDALGO COUNTY RIGHT OF WAY DEPARTMENT ON \_\_\_\_\_\_

HIDALGO COUNTY CERTIFICATE OF PLAT APPROVAL

**ADDRESS** 1706 N. BRYAN RD. 200 S. 10TH ST., SUITE 1500 200 S. 10TH ST., SUITE 1500

I, THE UNDERSIGNED, CERTIFY THAT THIS PLAT OF MOOREFIELD DEVELOPMENT WAS REVIEWED AND APPROVED BY THE

CITY & ZIP McALLEN, TX 78516 McALLEN, TX 78501 McALLEN, TX 78501

PHONE (000) 000 - 0000(956) 702-8880 (956) 702-8880

(000) 000-0000(956) 702-8883 (956) 702-8883

\_\_\_ EXPIRES\_\_\_

DESCRIPTION (METES AND BOUNDS): SURVEYOR'S AND ENGINEER'S CERTIFICATION PLAT NOTES AND RESTRICTIONS: OWNER'S DEDICATION, CERTIFICATION, AND ATTESTATION: CITY OF APPROVAL CERTIFICATE: COUNTY CLERK'S RECORDING CERTIFICATE: HIDALGO COUNTY JUDGE CERTIFICATE OF PLAT APPROVAL; DESCRIPTION OF LOCATION OF SUBDIVISION WITH RESPECT OF MUNICIPALITY AND DESIGNATE THE PRECINCT THE PROJECT IS SITUATED; H.C.D.D. No. 1 CERTIFICATION; H.C.IRRIGATION DISTRICT #6, AND H.C.H.D. REVISION NOTES. WATER DISTRIBUTION AND SANITARY SEWER MAP: TYPICAL WATER SERVICE CONNECTION: REVISION NOTES: ENGINEERING REPORT (ENGLISH AND SPANISH VERSION), INCLUDING DESCRIPTION OF WATER AND WASTE WATER AND ENGINEER'S CERTIFICATION (ENGLISH AND SPANISH VERSION); OWNER'S DEDICATION, CERTIFICATION, AND ATTESTATION. WATER DISTRIBUTION AND SANITARY SEWER MAP; TYPICAL WATER SERVICE CONNECTION. DRAINAGE REPORT INCLUDING DESCRIPTION OF DRAINAGE AND HOW IT WILL SERVE THIS DEVELOPMENT; MAP OF TOPOGRAPHY SHEET 4 AND DRAINAGE, AND ENGINEER'S CERTIFICATION; REVISION NOTES; & CONSTRUCTION DETAILS.

INDEX TO SHEETS OF MOOREFIELD DEVELOPMENT

HEADING: INDEX: LOCATION MAP: AND ETJ: PRINCIPAL CONTACTS: PLAT WITH LOT AND EASEMENT DESIGNATIONS: LEGAL

UNDERSIGNED NOTARY PUBLIC, ON THIS DAY PERSONALLY APPEARED,

FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR PROPOSED AND CONSIDERATION

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

, KNOWN TO ME BY THE PERSON (S) WHOSE NAME (S) IS (ARE) SUBSCRIBED TO THE



## LOCATION MAP SCALE: 1:1000

MOOREFIELD DEVELOPMENT SUBDIVISION IS LOCATED APPROXIMATELY 3,000 FEET SOUTH OF W. MILW 8 RD. ALONG ON N. MOOREFIELD RD. THE ONLY NEARBY MUNICIPALITY IS THE CITY MCALLEN, ACCORDING TO THE OFFICIAL MAP IN THE OFFICES OF THE SECRETARY OF THE CITY OF McALLEN (POP. 142,210) AND HIDALGO COUNTY PLANNING AND DEPARTMENT. THIS SUBDIVISION LIES WITHIN 1 MILE EXTERRITORIAL JURISDICTION (ETJ) OF THE CITY OF McALLEN.

# MOOREFIELD DEVELOPMENT

8.60 ACRES (374,826.81 SQUARE FEET) (NET. 8.29 ACRES - 360,938.71 SQUARE FEET) OF LAND, OUT OF LOT 105, BLOCK 4, LA HOMA RANCH CITRUS GROVES SUBDIVISION UNIT NO. 2, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 8, PAGE 9, MAP RECORDS, HIDALGO COUNTY, TEXAS.

BEING 8.60 ACRES (374,826.81 SQUARE FEET) (NET. 8.29 ACRES - 360,938.71 SQUARE FEET) OF LAND, DESCRIBED AS 8.56 ACRES O LAND, CONVEYED TO ELEZAR CONTRERAS AND ALMA CONTRERAS, RECORDED IN DOCUMENT NUMBER 1684820, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, OUT OF LOT 105, BLOCK 4, LA HOMA RANCH CITRUS GROVES SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 8, PAGE 9, MAP RECORDS, HIDALGO COUNTY, TEXAS, SAID 8.60 ACRES (374,826.81 SQUARE FEET) OF LAND, BEING

COMMENCING AT THE COMMON CORNER OF LOT 104 AND 105, BLOCK 4, OF SAID LA HOMA RANCH CITRUS GROVES SUBDIVISION UNIT NO. 2

UNIT NO. 2, AND OF NUEVO AMANECER SUBDIVISION ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 28, PAGE 181, MAF RECORDS, HIDALGO COUNTY, TEXAS OUT OF LOT 100, BLOCK 3, OF SAID LA HOMA RANCH CITRUS GROVES SUBDIVISION UNIT NO. 2, DISTANCE OF 50.62 FEET, TO THE COMMON CORNER A 5.00 ACRE TRACT OF LAND CONVEYED TO MARIA N. LEAL, AS PER DOCUMENT NUMBER 1110142, DEED RECORDS, HIDALGO COUNTY TEXAS, OUT OF SAID LOT 104 AND LOT 105, LA HOMA RANCH CITRUS GROVES SUBDIVISION UNIT NO. 2, AND OF SAID 8.60 ACRE TRACT OF LAND CONVEYED TO ELEZAR CONTRERAS AND ALMA CONTRERAS, FOR THE SOUTHWEST CORNER AND POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED; (HAVING A STATE PLANE COORDINATE OF (X

1) THENCE, NORTH 08' 50' 30" EAST, CONTINUING ALONG THE COMMON LINE OF SAID LOT 105, BLOCK 4, LA HOMA RANCH CITRUS GROVE SUBDIVISION UNIT NO. 2, AND OF SAID 8.60 ACRE TRACT OF LAND CONVEYED TO ELEZAR CONTRERAS AND ALMA CONTRERAS, AND OF SAID NUEVO AMANECER SUBDIVISION, A DISTANCE OF 99.38 FEET, PASS THE COMMON CORNER OF SAID LOT 100. BLOCK 3. LA HOMA RANCH CITRUS GROVES SUBDIVISION UNIT NO. 2, AND OF SAID NUEVO AMANECER SUBDIVISION, AND OF A 60.00 RIGHT OF WAY, ABANDONED CANAL DEPICTED IN LA HOMA RANCH CITRUS GROVES SUBDIVISION UNIT NO. 2, A DISTANCE OF 159.38 FEET, PASS THE COMMON CORNER OF 101. BLOCK 3. OF SAID LA HOMA RANCH CITRUS GROVES SUBDIVISION UNIT NO. 2, AND OF A 0.63 ACRE TRACT OF LAND CONVEYED RUBEN E. VIDAURRI, AS PER DOCUMENT NUMBER 2705849, DEED RECORDS, HIDALGO COUNTY, TEXAS OUT OF SAID LOT 101, BLOCK 3, HOMA RANCH CITRUS GROVES SUBDIVISION UNIT NO. 2, AND OF SAID 60.00 FOOT ABANDONED CANAL, A DISTANCE OF 269.38 FEET, PASS THE COMMON CORNER OF SAID 0.63 ACRE TRACT OF LAND CONVEYED TO RUBEN E. VIDAURRI, AND OF A 0.61 ACRE TRACT OF LAND CONVEYED TO JESUS DE LOS SANTOS AS PER DOCUMENT NUMBER 448380, DEED RECORDS, HIDALGO COUNTY, TEXAS, OUT OF SAID LOT 10 BLOCK 3, LA HOMA RANCH CITRUS GROVES SUBDIVISION NO. 2, TO A TOTAL DISTANCE OF 279.38 FEET (278.00 FEET — DEED), TO TH COMMON CORNER OF SAID 8.60 ACRE TRACT OF LAND CONVEYED TO ELEZAR CONTRERAS AND ALMA CONTRERAS, AND OF 5.077 ACRE TRACT OF LAND CONVEYED TO SANTIAGO LOPEZ AND MAGDALENA LOPEZ AS PER DOCUMENT NUMBER 2861926, DEED RECORDS, HIDALGO

2) THENCE, SOUTH 81' 10' 00" EAST, ALONG THE COMMON LINE OF SAID 8.60 ACRE TRACT OF LAND CONVEYED TO ELEZAR CONTRERAS AND ALMA CONTRERAS AND OF SAID 5.077 ACRE TRACT OF LAND CONVEYED TO SANTIAGO LOPEZ AND MAGDALENA LOPEZ, A DISTANCE OF 50.00 FEET, PASS A FOUND 1/2 INCH IRON ROD WITH NO CAP WHICH BEARS NORTH 03° 31' 17" WEST, A DISTANCE OF 2.4349 FEET, FOR TH EAST RIGHT OF WAY LINE OF SAID MOORFIELD ROAD (F.M. 681) HAVING A 100.00 RIGHT OF WAY, TO A TOTAL DISTANCE OF 1341.00 FEET TO A FOUND 1/2 INCH IRON ROD WITH NO CAP WHICH BEARS NORTH 12° 56' 02" WEST, A DISTANCE OF 0.77 FEET, FOR A POINT ON 55.815 ACRE TRACT OF LAND CONVEYED TO F AND B HOLDINGS LLC. DOING BUISNESS AS LONE STAR CITRUS GROWERS, AS PER DOCUMENT NUMBER 2485102, DEED RECORDS, HIDALGO COUNTY, TEXAS, OUT OF THE GOODWIN TRACT SUBDIVISION NO. 3—A, AS PER THE MAP OR PLAT THEREOF RECORDED IN VOLUME 6. PAGE 52, MAP RECORDS, HIDALGO COUNTY, ALSO BEING THE COMMON CORNER OF SAID 8.60 ACRE TRACT OF LAND CONVEYED TO ELEZAR CONTRERAS AND ALMA CONTRERAS, AND OF SAID 5.077 ACRE TRACT OF LAND CONVEYED TO SANTIAGO LOPEZ AND MAGDALENA LOPEZ, FOR THE NORTH EAST CORNER OF THE TRACT HEREIN DESCRIBED.

3) **THENCE, SOUTH 08°34'27" WEST** (SOUTH 08°34'22" WEST — DEED), ALONG THE COMMON LINE OF SAID 55.815 ACRE TRACT OF LAND CÓNVEYED TO F AND B HOLDINGS LLC. DOING BUISNESS AS LONE STAR CITRUS GROWERS, AND OF SAID 8.60 ACRE TRACT OF LAND CONVEYED TO ELEZAR CONTRERAS AND ALMA CONTRERAS, A DISTANCE OF 279.38 FEET (278.00 FEET - DEED), TO A FOUND 1/2 INCH IRON ROD WITH NO CAP WHICH BEARS SOUTH 83° 05' 28" EAST, A DISTANCE OF 1.60 FEET, FOR THE COMMON CORNER OF SAID 5.00 ACRE TRACT OF LAND CONVEYED TO MARIA N. LEAL, AND OF SAID 8.60 ACRE TRACT OF LAND CONVEYED TO ELZAR CONTRERAS AND ALMA

4) THENCE, NORTH 81° 10' 00" WEST, ALONG THE COMMON LINE OF SAID 5.00 ACRE TRACT OF LAND CONVEYED TO MARIA N. LEAL, AND O SAID 8.60 ACRE TRACT OF LAND CONVEYED TO ELEZAR CONTRERAS AND ALMA CONTRERAS, A DISTANCE OF 1292.26 FEET, PASS A FOUND 1/2 INCH IRON ROD WITH NO CAP WHICH BEARS NORTH 02° 35' 20" EAST, A DISTANCE OF 2.47 FEET, FOR THE EAST RIGHT OF WAY LINE OF SAID MOORFIELD ROAD (F.M. 681), TO A TOTAL DISTANCE 1342.26 FEET, TO A POINT ON SAID NUEVO AMANECER SUBDIVISION, AND TH COMMON CORNER OF SAID 8.60 ACRE TRACT OF AND CONVEYED TO ELEZAR CONTRERAS AND ALMA CONTRERAS, AND OF SAID 5.00 ACRE TRACT OF LAND CONVEYED TO MARIA N. LEAL, TO THE POINT OF BEGINNING CONTAINING 8.60 ACRES (374,826.67 SQUARE FEET) OF LAND

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE AND IS PREPARED FROM AN

WE THE UNDER SIGNED CERTIFY THAT THIS PLAT OF MOOREFIELD DEVELOPMENT WAS REVIEWED AND APPROVED BY THE HIDALGO COUNTY COMMISSIONER COURT ON \_\_\_\_\_, 20\_\_.

COUNTY CLERK'S RECORDING CERTIFICATE: , COUNTY CLERK OF HIDALGO, CERTIF THAT THE PLAT BEARING THIS CERTIFICATE WAS FILED FOR RECORD AT\_\_\_\_O'CLOCK\_\_\_\_

\_\_\_\_ AND WAS RECORDED IN \_\_SHEET(S)\_\_\_\_\_THE PLAT RECORDS OF HIDALGO COUNTY JUDGE HIDALGO COUNTY AT\_\_\_\_O'CLOCK\_ HIDALGO COUNTY CLERK

DATE OF PREPARATION: January 5, 2024 McALLEN, TEXAS 78501 TEX. REG. ENGINEERING

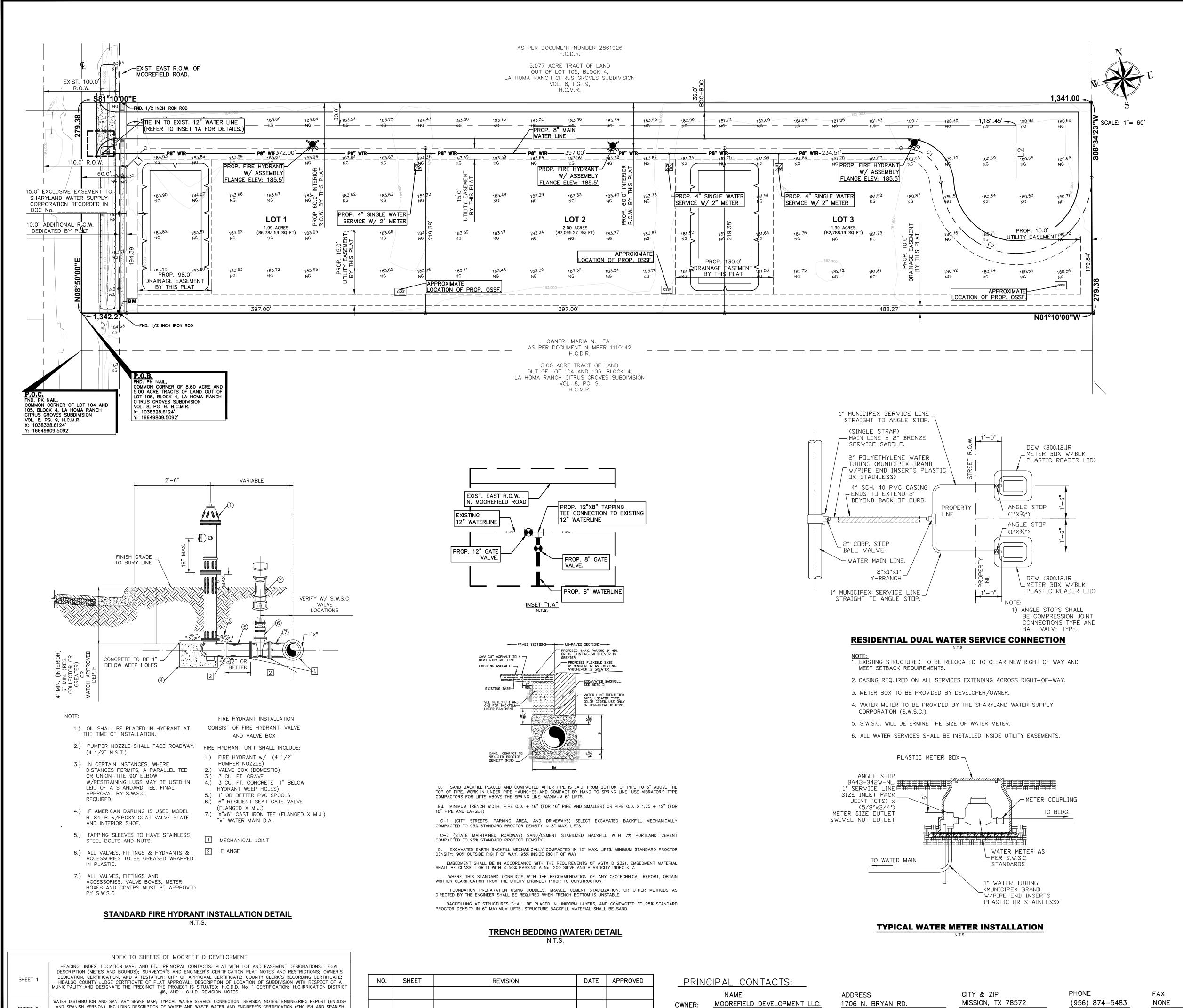


200 S. 10TH ST. SUITE 1500. TEL. (956) 702-8880

FAX: (956) 702-8883 FIRM F-10602 TEX. REG. SURVEYING FIRM No. 101416-00

LEO L. RODRIGUEZ, JR

REGISTRATION # F-10603



AND SPANISH VERSION). INCLUDING DESCRIPTION OF WATER AND WASTE WATER AND ENGINEER'S CERTIFICATION (ENGLISH AND SPANISH VERSION); OWNER'S DEDICATION, CERTIFICATION, AND ATTESTATION. WATER DISTRIBUTION AND SANITARY SEWER MAP; TYPICAL WATER SERVICE CONNECTION.

DRAINAGE REPORT INCLUDING DESCRIPTION OF DRAINAGE AND HOW IT WILL SERVE THIS DEVELOPMENT; MAP OF TOPOGRAPHY

AND DRAINAGE, AND ENGINEER'S CERTIFICATION; REVISION NOTES; & CONSTRUCTION DETAILS.

# MOOREFIELD DEVELOPMENT

# UTILITY LAYOUT

SUBDIVIDER CERTIFICATION:

BY COMPLETING THE IMPROVEMENTS DESCRIBED ON THE PLAT, SUBDIVIDER WILL COMPLY WITH MINIMUM STATE STANDARDS AND THAT (a) WATER QUALITY AND CONNECTIONS INCLUDING WATER METERS TO THE LOTS MEET SUCH STANDARDS AND (b) SEWER CONNECTIONS TO THE LOTS OR SEPTIC TANKS MEET OR WILL MEET SUCH STANDARDS AND WILL BE CONSTRUCTED IN ACCORDANCE WITH STATE AND COUNTY REGULATIONS.

SUBDIVIDER STATEMENT:

I (WE) MOOREFIELD DEVELOPMENT LLC. SUBDIVIDER OF MOOREFIELD DEVELOPMENT SUBDIVISION, HEREBY CERTIFY SEWER PERMITS HAVE BEEN PAID AND ARE ON FILE WITH HIDALGO COUNTY HEALTH DEPARTMENT AND THAT AN ADEQUATE DRINKING WATER SOURCE IS IMMEDIATELY AVAILABLE TO EACH LOT OF THE TYPE, QUALITY AND QUANTITY TO ENABLE EACH PERSON PURCHASING A LOT TO HAVE ADEQUATE WATER TO COMPLY WITH THE REGULATIONS AND THE LAWS OF THE STATE REQUIRED BY STATE AND COUNTY REGULATIONS.

OWNER: MOOREFIELD DEVELOPMENT LLC. MANAGING MEMBER: RAMIRO RAMIREZ

STATE OF TEXAS COUNTY OF HIDALGO:

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED NANCY CINDY RODRIGUEZ, KNOWN TO ME BY THE PERSON (S) WHOSE NAME (S) IS (ARE) SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR PURPOSE AND CONSIDERATION THEREIN STATED, GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE

\_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_\_

NOTARY PUBLIC

MY COMMISSION EXPIRES\_\_\_\_\_

# PRELIMINARY SUBMITTAL FOR REVIEW ONLY 1/5/2024 THIS DOCUMENT SHALL NOT BE RELIED ON FOR RECORDING OR ANY OTHER INTENDED USE

SHEET 2 OF 3

(956) 702-8883

(956) 702-8883

(956) 702-8880

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McALLEN, TX 78501

McALLEN, TX 78501

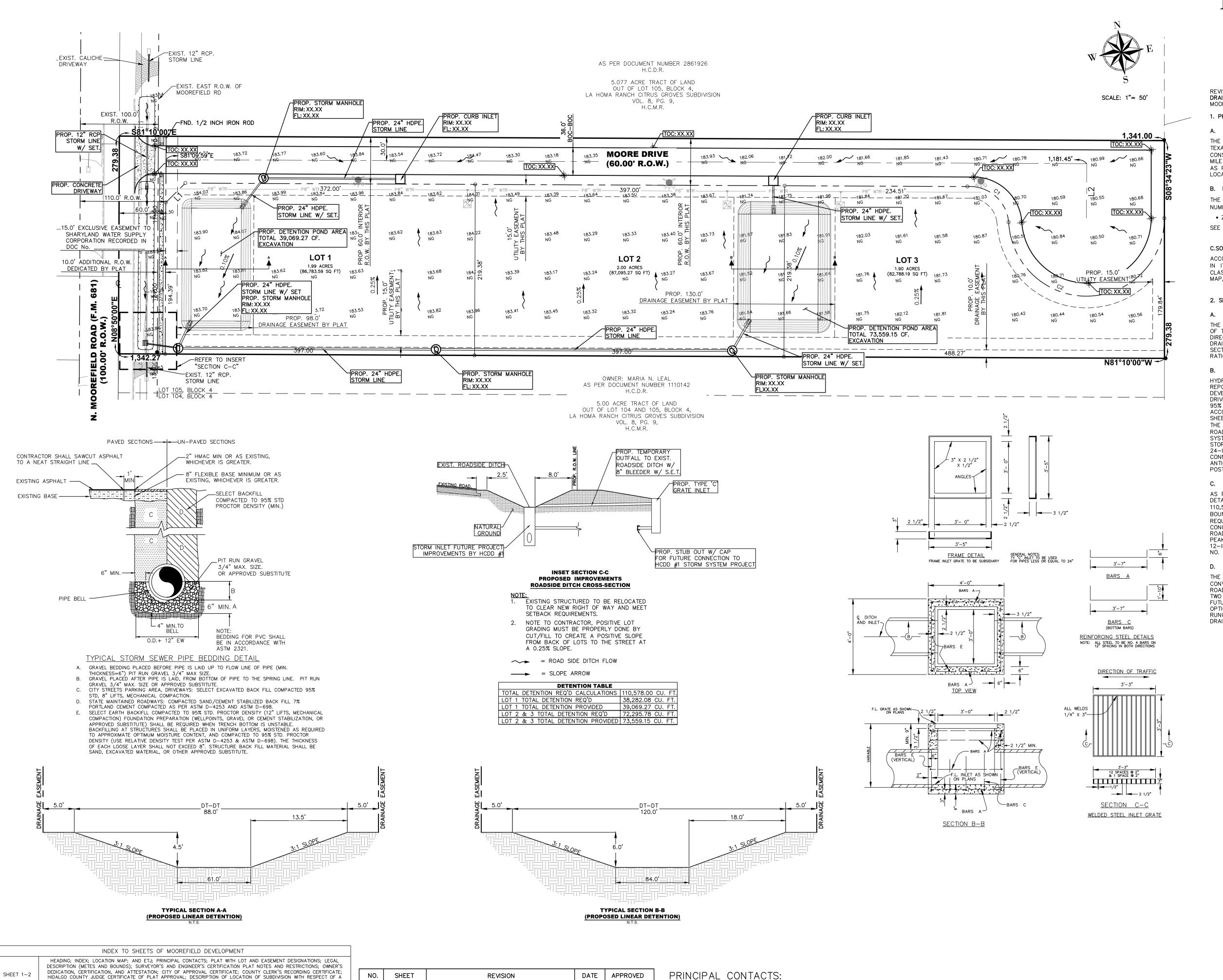
200 S. 10TH ST., SUITE 1500

200 S. 10TH ST., SUITE 1500

ENGINEER: MARIO ALBERTO GARCIA, PE.

SURVEYOR: <u>LEO L. RODRIGUEZ, JR., R.P.L.S</u>.

DATE OF PREPARATION: January 5, 2024 REGISTRATION # F-10603 200 S. 10TH ST. SUITE 1500. TEL. (956) 702-8880 McALLEN, TEXAS 78501 FAX: (956) 702-8883 TEX. REG. ENGINEERING FIRM F-10602 TEX. REG. SURVEYING FIRM No. 101416-00



MUNICIPALITY AND DESIGNATE THE PRECINCT THE PROJECT IS SITUATED; H.C.D.D. No. 1 CERTIFICATION; H.C.IRRIGATION DISTRICT #6, AND H.C.H.D. REVISION NOTES.

WATER DISTRIBUTION AND SANITARY SEWER MAP; TYPICAL WATER SERVICE CONNECTION; REVISION NOTES: ENGINEERING REPORT (ENGLISH

AND SPANISH VERSION), INCLUDING DESCRIPTION OF WATER AND WASTE WATER AND ENGINEER'S CERTIFICATION (ENGLISH AND SPANISH

VERSION); OWNER'S DEDICATION, CERTIFICATION, AND ATTESTATION. WATER DISTRIBUTION AND SANITARY SEWER MAP; TYPICAL WATER

DRAINAGE REPORT INCLUDING DESCRIPTION OF DRAINAGE AND HOW IT WILL SERVE THIS DEVELOPMENT; MAP OF TOPOGRAPHY

AND DRAINAGE, AND ENGINEER'S CERTIFICATION: REVISION NOTES: & CONSTRUCTION DETAILS.

# MOOREFIELD DEVELOPMENT DRAINAGE LAYOUT

REVISED 12-29-2023 DRAINAGE REPORT FOR: MOOREFIELD DEVELOPMENT

1. PROJECT DESCRIPTION

## A. SITE SUMMARY

THE PROPOSED MOOREFIELD DEVELOPMENT IS A COMMERCIAL SUBDIVISION SITUATED IN CITY OF MCALLEN ETJ, HIDALGO COUNTY TEXAS. THIS DRAINAGE REPORT IS BEING PREPARED FOR MOOREFIELD DEVELOPMENT SUBDIVISION (PROPERTY ID 210071) WHICH CONSISTS OF AN 8.60 -ACRE (GROSS) TRACT OF LAND. THE PROPERTY IS LOCATED APPROXIMATELY ±3000 FEET SOUTH FROM W. MILE 8 RD. ALONG N. MOOREFIELD RD. THE PROJECT IS BEING EVALUATED TO MEET THE REQUIREMENTS OF THE COUNTY OF HIDALGO AS PER HIDALGO COUNTY DRAINAGE DISTRICT (HCDD) NO. 1 AND CITY OF MCALLEN DRAINAGE GUIDELINES. SEE ATTACHED PROJECT LOCATION MAP AND USGS TOPOGRAPHIC MAP.

THE PROPERTY, IN ITS ENTIRETY, LIES WITHIN ZONE "X", ACCORDING TO FEMA'S FLOOD INSURANCE RATE MAP, COMMUNITY-PANEL NUMBER 480334 0295 D, MAP REVISED JUNE 06, 2000.

• ZONE X IS THE AREA THE AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD-PLAIN.

SEE ATTACHED FEMA FIRM MAP WITH PROJECT LOCATION AND COMMUNITY PANEL FOR REFERENCE.

#### C.SOIL CONDITIONS

ACCORDING TO THE SOIL SURVEY REPORT PREPARED FOR HIDALGO COUNTY BY THE U.S.D.A. SOIL CONSERVATION SERVICES. THE SITE. IN ITS ENTIRETY, CONSISTS OF HIDALGO FINE SANDY LOAM (25), O TO 1 PERCENT SLOPES. BRENNAN FINE SANDY LOAM IS CLASSIFIED AS A WELL-DRAINED SOIL WITH LOW RUNOFF POTENTIAL AND IS IN HYDROLOGIC GROUP 'B'. SEE ATTACHED USDA SOIL MAP, LEGEND, SYMBOL, CLASSIFICATION DESCRIPTIONS AND PROPERTIES.

## 2. SITE DRAINAGE ANALYSIS

THE SUBJECT SITE IS CURRENTLY UNDEVELOPED WITH NO EXISTING STRUCTURES WITHIN THE PROPERTY. BASED ON A FIELD OBTAINED OF TOPOGRAPHIC SURVEY, EXISTING ON-SITE RUNOFF TRAVELS FROM THE NORTHWEST PORTION OF THE PROPERTY IN A SOUTHEAST DIRECTION TOWARDS THE BACK PORTION OF THE LOT. THE RUNOFF COEFFICIENT UTILIZED FOR UNIMPROVED LAND IS 0.20 FOR DRAINAGE CALCULATIONS. HYDROLOGIC CALCULATIONS FOR EXISTING CONDITIONS ARE PROVIDED IN THE DRAINAGE CALCULATIONS SECTION OF THIS REPORT AND UTILIZE THE RATIONAL METHOD TO DETERMINE THE PRE-DEVELOPMENT STORM RUNOFF GENERATED. RATIONAL METHOD CALCULATIONS HAVE DETERMINED THAT THE PRE-DEVELOPMENT RUNOFF IS 6.69 CFS.

## B. PROPOSED CONDITIONS

HYDROLOGIC CALCULATIONS FOR THE FUTURE CONDITIONS ARE ALSO INCLUDED IN THE DRAINAGE CALCULATIONS SECTION OF THIS REPORT AND UTILIZE THE RATIONAL METHOD TO DETERMINE THE RUNOFF GENERATED FOR A 50-YEAR STORM. THE PROPOSED DEVELOPMENT ANTICIPATES THAT THIS PROPERTY WILL CONSIST OF TWO COMMERCIAL FACILITIES WITH AN ASSOCIATED ENTRANCE DRIVE FROM MOOREFIELD RD. FOR THIS ANALYSIS, THE ASSUMPTION MADE FOR THE COMMERCIAL FACILITIES WILL BE COMPOSED OF 95% IMPERVIOUS AREA. THE RUNOFF COEFFICIENT USED FOR THE EXISTING TRACT OF LAND WILL INCREASE FROM 0.20 TO 0.93 TO ACCOUNT FOR POST-DEVELOPMENT CONDITIONS. RUNOFF GENERATED BY THE DEVELOPED LOTS AND ROAD WILL BE CONVEYED BY SHEET FLOW AND SHALLOW CONCENTRATED FLOW INTO EACH INDIVIDUAL LOT DETENTION AREA, WHICH WILL THEN DISCHARGE INTO THE SUBDIVISION'S DRAINAGE SYSTEM. THE SUBDIVISION'S DRAINAGE SYSTEM WILL THEN OUTFALL TEMPORARILY TO AN EXISTING ROADSIDE DITCH AT A PREDEVELOPMENT RATE. AS A RESULT OF FUTURE DRAINAGE IMPROVEMENTS, THE SUBDIVISION'S DRAINAGE SYSTEM WILL ACCOMMODATE TO BOTH TEMPORARY AND PERMANENT MEASURES. THE SYSTEM WILL DISCHARGE TEMPORARILY WITH TWO STORM 8-INCH PVC PIPE SLOPED AT 3.66% TO THE EXISTING ROADSIDE DITCH, LOCATED ON THE WEST SIDE OF THE PROPERTY. A 24-INCH RCP WITH 12-INCH CHOKE WITH A 0.35% SLOPE WILL ALSO BE CONNECTED AND WILL SERVE AS A STUB OUT FOR FUTURE CONNECTION TO THE 2023 BOND PROJECT— WEST MAIN DRAIN NO. 3 EXTENSION PHASE II DRAINAGE IMPROVEMENTS. THE ANTICIPATED POST DEVELOPMENT PEAK RUNOFF CALCULATED FOR A 50-YEAR STORM EVENT IS 58.59 CFS, AN INCREASE IN POST-DEVELOPMENT RUNOFF IS CALCULATED TO BE 51.90 CFS FROM THE EXISTING 10-YEAR STORM RUNOFF CONDITIONS.

# C. DETENTION REQUIREMENTS

AS PER THE CITY OF MCALLEN AND HIDALGO COUNTY DRAINAGE POLICIES, MOOREFIELD DEVELOPMENT SUBDIVISION, IS SUBJECT TO DETAINING THE INCREASED STORMWATER RUNOFF GENERATED BY A 50-YEAR STORM WHICH PRODUCES A TOTAL VOLUME OF 110,578.00 CF (2.539 AC-FT). DETENTION IS TO BE MITIGATED WITHIN TWO (2) ON-SITE DETENTION PONDS WITHIN THE PROPERTY BOUNDARY FOR EACH DRAINAGE AREA. LOT 1 WILL BE REQUIRED TO DETAIN 38,282.08 CF (0.879 AC-FT) AND LOT 2 & 3 WILL BE REQUIRED TO DETAIN TOGETHER A TOTAL 72,295.78 CF (1.660 AC-FT). THE SITE WILL BE GRADED TO INCREASE THE TIME OF CONCENTRATION BEFORE STORMWATER REACHES CHANNEL FLOW IN THE FUTURE DETENTION AREA, AND DISCHARGE INTO AN EXISTING ROADSIDE DITCH THROUGH TWO TEMPORARY 8-INCH PVC PIPE AT A SLOPE OF 3.66%, MINIMIZING THE OUTFALL CONVEYANCE TO THE PEAK FLOW OF A 10-YEAR PRE-DEVELOPMENT STORM EVENT. THE SUBDIVISION DRAINAGE SYSTEM WILL USE A 24-INCH RCP WITH 12-INCH CHOKE THAT WILL TEMPORARILY SERVE AS A STUB OUT AND CONNECT ONCE THE 2023 BOND PROJECT- WEST MAIN DRAIN NO. 3 EXTENSION PHASE II DRAINAGE IMPROVEMENTS TAKE PLACE.

# D. CONCLUSION

CITY & ZIP

McALLEN, TX 78516

McALLEN, TX 78501

McALLEN, TX 78501

**ADDRESS** 

MOOREFIELD DEVELOPMENT LLC. 1706 N. BRYAN RD.

MARIO ALBERTO GARCIA, PE. 200 S. 10TH ST., SUITE 1500

LEO L. RODRIGUEZ, JR., R.P.L.S. 200 S. 10TH ST., SUITE 1500

OWNER:

**ENGINEER:** 

PHONE

(956) 874-5483

(956) 702-8880

(956) 702-8880

FAX

NONE

(956) 702-8883

(956) 702-8883

THE POST-DEVELOPMENT REQUIRED RUNOFF STORAGE VOLUME WILL BE HELD WITHIN THE FUTURE LOT DETENTION AREAS AND CONVEYED THROUGH THE SUBDIVISION'S DRAINAGE SYSTEM AND DISCHARGED AT A PREDEVELOPMENT RATE TO THE EXISTING ROADSIDE DITCH. BY ACCOMMODATING TO FUTURE DRAINAGE IMPROVEMENTS, THE SUBDIVISION WILL DISCHARGE TEMPORARILY WITH TWO 8-INCH PVC PIPE, AND PERMANENTLY WITH A 24-INCH RCP WITH 12-INCH CHOKE THAT WILL SERVE AS A STUB OUT FOR FUTURE CONNECTION TO THE 2023 BOND PROJECT- WEST MAIN DRAIN NO. 3 EXTENSION PHASE II DRAINAGE IMPROVEMENTS. BOTH OPTIONS ARE TO DISCHARGE AT A PRE-DEVELOPMENT FLOW RATE INTO THE EXISTING ROADSIDE DITCH. THE ADDITIONAL STORMWATER RUNOFF DETAINED WITHIN THE DITCH IS NOT EXPECTED TO ADVERSELY IMPACT THE DOWNSTREAM CONDITIONS OF THE STORM DRAINAGE SYSTEM. DRAINAGE DESIGN WILL BE MEETING TXDOT REQUIREMENTS AND A TXDOT DISCHARGE PERMIT WILL BE ACQUIRED.

# DRAINAGE REQUIREMENTS FOR MOOREFIELD DEVELOPMENT SUBDIVISION:

PROPOSED USE: CALCULATION METHOD: DESIGN STORM: PRE-DEVELOPMENT PEAK RUNOFF: POST-DEVELOPMENT PEAK RUNOFF: DETENTION REQUIREMENT:

OUTFALL LOCATION:

8.6-AC (GROSS), 8.29-AC (NET), COMMERCIAL. RAINFALL-RUNOFF MODEL - THE RATIONAL METHOD 10-YR PRE/ 50-YR POST 6.69 CFS 58.59 CFS

2.539 AC-FT (110,578.00 CF.) EXISTING ROADSIDE DITCH ALONG N MOOREFIELD RD (TEMPORARY) CONNECTION TO DRAINAGE SYSTEM ALONG N MOOREFIELD RD (FUTURE IMPROVEMENT)

BY MY SIGNATURE BELOW, I CERTIFY THAT THIS SUBDIVISION LIES IN A FLOOD ZONE CLASSIFICATION: "X"-AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD-PLAIN.

COMMUNITY-PANEL NUMBER: 480334 0295 D MAP REVISED: JUNE 06, 2000

PREPARED BY: MARIO ALBERTO GARCIA, PE. NO. 137503

PRFI IMINARY SUBMITTAL FOR REVIEW ONLY

THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSES AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL DOCUMENT.

MARIO ALBERTO GARCIA

137503

# PRELIMINARY SUBMITTAL FOR REVIEW ONLY 1/5/2024 THIS DOCUMENT SHALL NOT BE RELIED ON FOR RECORDING

OR ANY OTHER INTENDED USE

SHEET 3 OF 3

FIRM No. 101416-00

DATE OF PREPARATION: January 5, 2024

McALLEN, TEXAS 78501 TEX. REG. ENGINEERING TEX. REG. SURVEYING

REGISTRATION # F-10602 200 S. 10TH ST. SUITE 1500. TEL. (956) 702-8880 FAX: (956) 702-8883 FIRM F-10602

01/19/2024 Page 1 of 5 SUB2023-0098



Reviewed On: 1/19/2024

SUBDIVISION NAME: MOOREFIELD DEVELOPMENT	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
N. Moorefield Road (FM 681):10 ft. of additional dedication for 60 ft. from centerline existing for 120 ft. ROW Paving: by the state Curb & gutter: by the state Revisions Needed: -Please provide how existing ROW was dedicated on plat prior to finalLabel reference to 110.0' ROW as Total 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
Interior street(s): Dedication as needed for 60 ft. Total ROW. Paving: 40 ft. Curb & gutter: both sides Revision needed: -Please provide ownership map to verify that no landlocked properties exist or will be created, prior to final As per plat submitted, Lot 2 and remnant tract has no frontage onto a public street, please revise plat and label interior ROW as applicable, finalize prior to final. Clarify status of remnant tract along eastern plat boundary, prior to final. As per updated plat submitted on January 5th,2024 subdivision layout has been revised and presents a 3 lot subdivision with additional acreage. *Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan **Monies must be escrowed if improvements are not built prior to recording.	Non-compliance
N/S collector(Eastern Boundary,1/4 Mile Location): Dedication as needed for 30 ft. from centerline for 60 ft. total R.O.W. Paving _40 ft Curb & gutter: Both Sides. Pending Items: -Please provide ownership map to verify that no landlocked properties exist or will be created, prior to finalStreet alignment, transitions and R.O.W being reviewed by staff and plat would need to be revised accordingly as applicable prior to final. ROW subject to increase as applicable to accommodate transitions and street alignment, finalize prior to final.  ***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 and/or COM Thoroughfare Plan  ***Monies must be escrowed if improvements are not constructed prior to recording.  * 1,200 ft. Block Length.  Revisions Needed:  - Engineer to clarify status of remnant tract as it may affect block length requirements, block length requirements to be established once lot 2 frontage and remnant tract is clarified and resolved and subdivision layout is established. Finalize prior to final As per updated plat submitted on January 5th,2024 updated layout incorporates remnant tract subdivision layout currently exceed 1200 ft. block length plat must be revised accordingly prior to final, if no changes please submit a variance request.  **Subdivision Ordinance: Section 134-118	NA Non-compliance

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

01/19/2024 Page 2 of 5 SUB2023-0098

* 900 ft. Block Length for R-3 Zone Districts.  **Subdivision Ordinance: Section 134-118	NA
* 600 ft. Maximum Cul-de-Sac. Revisions needed: - Current subdivision layout does not provide for frontage for lot 2 onto a public street, revise layout to determine whether a variance request will be needed i.e. will there be interior streets? Lot 2 has no frontage. Block length requirements will be established once lot 2 frontage is resolved and subdivision layout is established prior to finalAs per updated plat submitted on January 5th,2024 updated layout incorporates remnant tract subdivision layout currently exceeds 600 ft. Cul-de-Sac length plat must be revised accordingly prior to final, if no changes please submit a variance requestCul-de-Sac's shall have a turnaround not less than 200 feet in diameter (right-of-way) with pavement diameter of 180 feet in commercial and industrial areas please review Cul-de-Sac requirements and ensure compliance with requirements as noted above prior to final. **Subdivision Ordinance: Section 134-105	Non-compliance
ALLEYS	
ROW: 20 ft. Paving: 16 ft.  *Alley/service drive easement required for commercial properties and multi-family properties.  **Subdivision Ordinance: Section 134-106	Non-compliance
SETBACKS	
* Front: Proposing 25.00 feet or 1/2 of the ROW not to exceed 50 feet. 50.00 feet when fronting a 100 foot ROW or greater. Pending Items: -Clarify proposed setback and ensure compliance with minimum setback requirements for City	Non-compliance
and County, finalize wording prior to final.  **Zoning Ordinance: Section 138-356	
* Rear: Proposing:15.00 feet or easement whichever is greater. Pending Items: -Clarify proposed setback and ensure compliance with minimum setback requirements for City and County, finalize wording prior to final. **Zoning Ordinance: Section 138-356	Non-compliance
* Sides:6.0 feet or easement whichever is greater. Pending Items: -Clarify proposed setback and ensure compliance with minimum setback requirements for City and County, finalize wording prior to final.  **Zoning Ordinance: Section 138-356	Non-compliance
* Corner: Proposing :10 feet corner Where ROW is greater than 50 feet: 20 feet	Non-compliance
Pending Items: -Clarify proposed setback and ensure compliance with minimum setback requirements for City and County, finalize wording prior to final. **Zoning Ordinance: Section 138-356	
* Garage: Proposing:18 Pending Items: -Clarify proposed setback as it is being proposed as a commercial development prior to final. **Zoning Ordinance: Section 138-356	Non-compliance
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied

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SIDEWALKS	
* 4 ft. wide minimum sidewalk required on N. Moorefield Road (F.M.681) and both sides of all interior streets and other street as applicable, prior to final.  Revisions needed: -Finalize wording for note once Lot Frontage/ROW requirements have been finalized, prior to	Non-compliance
final.  *Sidewalk requirements may increase to 5 ft. prior to final per Engineering Department requirements, finalize wording for note prior to final.  *Proposing: A 5 foot wide minimum sidewalk required on N. Moorefield Road.  ***Subdivision Ordinance: Section 134-120	
* 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 and other street as applicable Revisions needed: -Finalize wording for note once Lot Frontage/ROW requirements have been finalized, prior to final.	Non-compliance
**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	Applied
*Perimeter buffers must be built at time of Subdivision Improvements.	Required
IOTES	
*Must comply with City Access Management Policy	Applied
* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.  **Requirement does not apply, unless annexed in the near future.	Applied
* Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Revisions Needed: -Include note as shown above, note subject to change once subdivision requirements have been finalized. Finalize wording for note prior to final.	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 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	NA
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.  **Homeowner's Association Covenants must be submitted for staff review, prior to recording.  ***Section 134-168 applies if private subdivision is proposed.  ****Section 110-72 applies if public subdivision is proposed.  ****Landscaping Ordinance: Section 110-72  *****Subdivision Ordinance: Section 134-168	NA

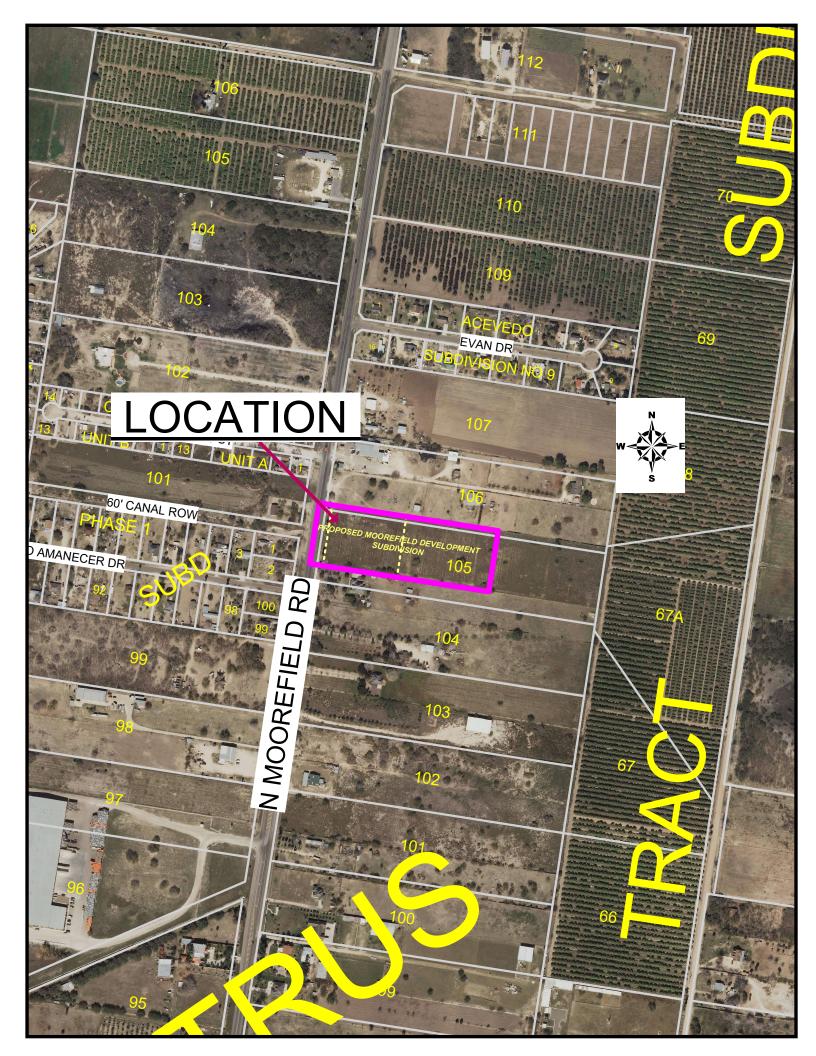
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	•
LOT REQUIREMENTS	
* Lots fronting public streets.  **Current subdivision layout does not provide for frontage onto a public street for lot 2, revise layout minimum 100 ft. of frontage required, finalize lot frontage requirements prior to final. Clarify status of remnant tract and ensure compliance with minimum lot frontage requirements, finalize prior to final. As per updated plat submitted on January 5th,2024 subdivision layout has been revised and presents a 3 lot subdivision with additional acreage and frontage on a public street.  ***Subdivision Ordinance: Section 134-1	Non-compliance
* Minimum lot width and lot area.  **Zoning Ordinance: Section 138-356	Compliance
ZONING/CUP	
* Existing: ETJ (Extraterritorial jurisdiction) Proposed: ETJ (Extraterritorial jurisdiction)  **Proposed land use is commercial (retail).  **Zoning Ordinance: Article V	Applied
* Rezoning Needed Before Final Approval ***Zoning Ordinance: Article V	NA
PARKS	
* Land dedication in lieu of fee. As per Parks Department, according to the application development is in the ETJ therefore City of McAllen Park Land Dedication and Park Development Fees Ordinance may not apply unless annexed in the near future and different use is proposed.	NA
* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, according to the application development is in the ETJ therefore City of McAllen Park Land Dedication and Park Development Fees Ordinance may not apply unless annexed in the near future and different use is proposed.	NA
* Pending review by the City Manager's Office. As per Parks Department, according to the application development is in the ETJ therefore City of McAllen Park Land Dedication and Park Development Fees Ordinance may not apply unless annexed in the near future and different use is proposed.	NA
TRAFFIC	
* As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat.	Non-compliance
* Traffic Impact Analysis (TIA) required prior to final plat. Pending Items: -As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat.	TBD
COMMENTS	
Comments:  *Must comply with City's Access Management Policy.  *Any abandonments must be done by separate process, not by plat, any abandonments by separate instrument must be finalized prior to recording.  *Please provide ownership map to verify that no landlocked properties exist or will be created and to finalize street requirements, prior to final.  * As per updated plat submitted on January 5th,2024 updated layout shown with 3 lots and additional acreage, requiring Planning and Zoning Commission action.  *Engineer must update application to reflect updated changes prior to final.	Required

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

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RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED, DRAINAGE AND UTILITIES APPROVALS.	Applied



JUDOUSS- () IX I

# City of McAllen Planning Department

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

	Subdivision Name Harvest Creek at Ware Subdivision	Phase I	
	Location On the northwest corner of Vine Avenue and Ware Road		
	City Address or Block Number 2301 4 kg	ARE RD	
Ĕ	Number of Lots 112 Gross Acres 39.785 Ne		
natic	Existing Zoning R3A Proposed Zoning R3A R6	ezoning Applied for □Yes ⊡No Date	
Project Information	Existing Land Use <u>Vacant</u> Proposed Land Use		
ect l	Replat □Yes □No Commercial N/A Residential		
Proje	Agricultural Exemption Pes No Estimated Rollback Tax Due 37,205.53  Parcel # 210010 Tax Dept. Review MC 10 124 (203)		
- 1	Water CCN □MPU 回Sharyland Water SC Othe		
	ქგია Legal Description <u>41.676 acres, being out of Lots 138 &amp;</u>	4 137, La Lomita Irrigation & Construction Company	
	Subdivision, according to the plat thereof recorded in Volum		
7.	Name Escalpaba, LLC	Phone (956) 638-6456	
Owner	Address 3520 Buddy Owens	E-mail_jeff@ericksonrgv.com	
100	City McAllen State TX		
<u>.</u>	Name Erickson Construction	Phone (956) 638-6456	
odo	Address 3520 Buddy Owens	E-mail_jeff@ericksonrgv.com	
Developer	City McAllen State TX	Zip <u>_78504</u>	
_	Contact Person Jeff Erickson		
	Name Melden & Hunt, Inc.	Phone _(956) 381-0981	
ineer		E-mail mario@meldenandhunt.com	
Engin	City Edinburg State TX	Zip 78541	
	Contact Person Mario A Reyna and/or Della Robles		
<u> </u>	Name Melden & Hunt, Inc.	Phone <u>956.381.0981</u>	
Surveyor	Address 115 West McIntyre Street	E-mail_robert@meldenandhunt.com	
Sur	City Edinburg State TX	Zip <u>78541</u>	

OCT 25 2022 BY:

# **Proposed Plat Submittal**

- \* \$225 Preliminary Review Fee and \$75 Final Approval Fee
- Title Report

A LONDON

- 8 ½" by 11" Original Sealed Survey showing existing structures/easements or 3 blueline copies 2 Location Maps
- ~ 2 8 ½" by 11" copies/legible copies of plat with name & north arrow
- 6 Folded blueline prints of the proposed plat

- Letter of Authorization from the owner, if applicable
- Proof of authority of person signing application on behalf of partnership/corporation, if applicable

#### **PLAT TO SHOW:**

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

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

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/	hi-	Date 10.24.2022
Print Name Mario	A. Reyna, P.E	
Owner □	Authorized Agent	

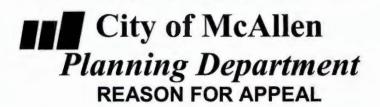


# City of McAllen

# Planning Department VARIANCE TO SUBDIVISION

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

	PROCESS APPLICATION		
	Harvest Creek At Ware Subdivision Phase    Legal Description Being a subdivision of 41.241 acres of land, being a portion of Lot 138 and out of Lot 137, La Lomita Irrigation		
Project	Construction Company Subdivision, According to the plat thereof recorded in Volume 24, Pages 67, H.C.D.R.  Street Address  None at this time		
Ö	Number of lots 113 Gross acres 41.241		
P	Existing Zoning R-3A Multi Family Residential Existing Land Use Vacant		
	Existing Zoning 14-5A Mulii Family Residential Existing Land Ose Vacant		
	<ul> <li>Current Survey and Metes and Bounds (if the legal description of the tract is a portion of a lot) is required</li> </ul>		
ŧ	Name Melden & Hunt, Inc. c/o Mario A Reyna Phone (956) 381-0981		
lica	Address 115 West McIntyre Street E-mail drobles@meldenandhunt.com    Mario@meldenandhunt.com   M		
Applicant	City Edinburg State Texas Zip 78541		
ě,	Name ESCANGALLC Phone (956) 638-6456		
Owner	Address 3520 Buddy Owens Avenue E-mail jeff@eriksonrgv.com		
Š	City McAllen State Texas Zip 78504		
	Oity Methon Citate 197004		
_	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?		
Ö	☐ Yes ☑ No		
zat	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)		
thorization	OR I am authorized by the actual owner to submit this application and have		
Ę.	attached written evidence of such authorization.		
γn	Signature Date_January 08, 2024		
•	Print Name Mario A Reyna, P.E.   Owner Authorized Agent		
	DECEINED		
Φ			
Office	JAN 0 9 2024		
Q.	Accepted by KF Payment received by BDete		
	Accepted by C1 Payment received by		
	Pay 10/19		



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.

1.	Describe the special circumstances or conditions affecting the land involved such that the stric application of the provisions of this chapter would deprive the applicant of the reasonable use of his land.
The	e developer is proposing a carport over the parking area for each lot. Parking areas are located in the front
ava	lable space of each lot to offer each resident protection from our excessive and sometimes unpredictable
Tex	kas weather. This subdivision is currently in the process of being recorded.
2.	Described how the variance is necessary for the preservation and enjoyment of the legal property rights of its owner.
The	e variance is necessary because of the layout of each lot. The subdivision is currently in the process of
bei	ng developed and this will allow each resident the protection for the vehicle and property. This is not an
enc	losed carport but merely something to cover and protect from the Texas weather.
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	e variance will not be detrimental to the public health, safety, or welfare or injurious to the legal rights that
oth	er property owners may enjoy within the proposed area.
4.	Describe how the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of this chapter.
The	e variance will not have any negative effect or prevent the orderly subdivision of other lands within the area
in a	ccordance with the provisions of this chapter and the City of McAllen



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

TBPELS Firm # F-1435 TBPELS # 10096900

January 08, 2024

## City of McAllen Planning Department

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

Re: Harvest Creek at Ware Phase I Subdivision Variance Request

Dear Mr. Garcia:

On behalf of Escanaba, LLC, and in reference to Harvest Creek at Ware Subdivision, we respectfully request a variance to the City of McAllen's setback ordinance for

#### 1. Front Setback:

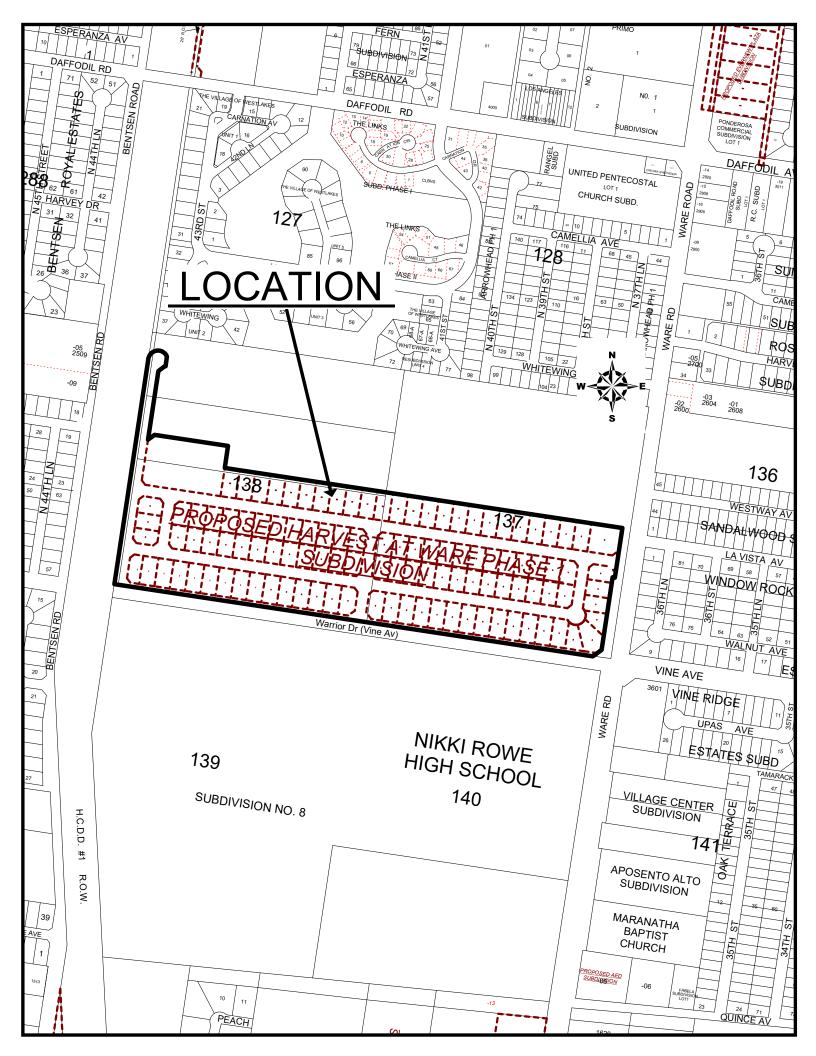
a. The City of McAllen's requirement for a front setback is 20 feet or greater for easement. Section 138-356.

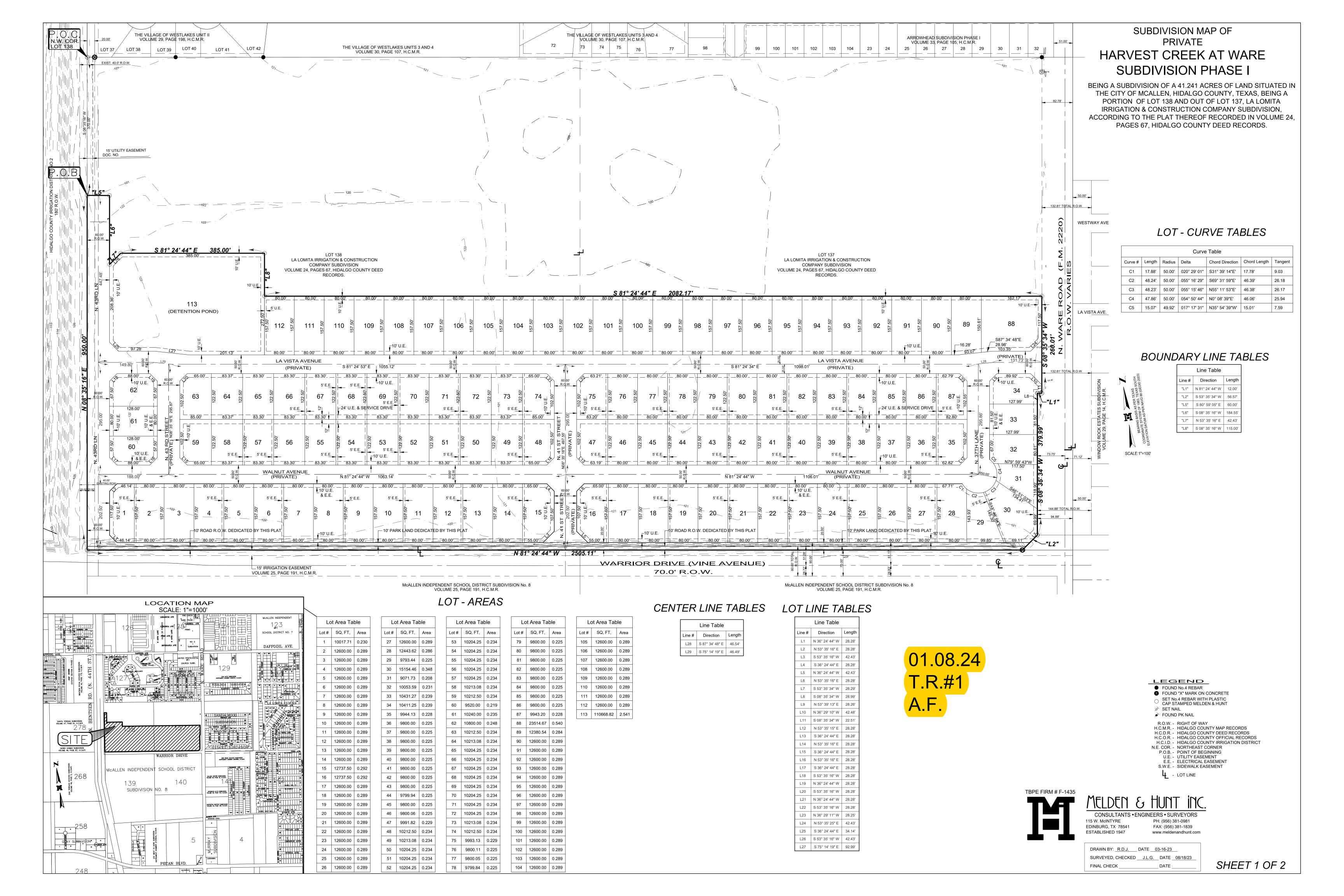
We ask for the variance for the setback for Lot 1 through 112 within the Harvest Creek at Ware Phase I Subdivision to accommodate the proposed unenclosed carport for parking area. Due to the constraints of the land, no alleys and the lay of the property the developer is respectfully asking for the setback to be accepted at 10-feet. An unenclosed carport is being proposed for each residential lot to allow each resident protection from the elements. This request will not be detrimental to the surrounding property owners or cause injury to others. Please consider this request and advise us as soon as possible on your decision. If you have any questions or require additional information, please do not hesitate to ask.

Respectfully.

Mario A Revna, P.E.

President





# SUBDIVISION MAP OF

# HARVEST CREEK AT WARE SUBDIVISION PHASE I

BEING A SUBDIVISION OF A 41.241 ACRES SITUATED IN THE CITY OF MCALLEN, COUNTY OF HIDALGO, TEXAS, BEING OUT OF LOT 138 AND 137, LA LOMITA IRRIGATION & CONSTRUCTION CO. SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 24, PAGE 67, HIDALGO COUNTY DEED RECORDS.

# METES AND BOUNDS DESCRIPTION:

A TRACT OF LAND CONTAINING 41.241 ACRES SITUATED IN THE CITY OF MCALLEN, COUNTY OF HIDALGO, TEXAS, BEING OUT OF LOT 138 AND 137, LA LOMITA IRRIGATION & CONSTRUCTION CO. SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 24, PAGE 67, HIDALGO COUNTY DEED RECORDS, WHICH SAID 41.241 ACRES ARE OUT OF A CERTAIN TRACT CONVEYED TO ESCANABA, LLC, A TEXAS LIMITED LIABILITY COMPANY, BY VIRTUE OF A WARRANTY DEED WITH VENDOR'S LIEN RECORDED UNDER DOCUMENT NUMBER 3334895, HIDALGO COUNTY OFFICIAL RECORDS, SAID 41.241 ACRES ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A NO. 4 REBAR SET ON THE NORTHWEST CORNER OF SAID LOT 138

THENCE, S 08° 35' 16" W ALONG THE WEST LINE OF SAID LOT 138, A DISTANCE OF 370.45 FEET TO A NO. 4 REBAR SET FOR THE NORTHWEST CORNER AND POINT OF BEGINNING OF THIS HEREIN DESCRIBED TRACT;

- 1. THENCE, S 81° 24' 44" E A DISTANCE OF 60.00 FEET TO A NO. 4 REBAR SET FOR AN OUTSIDE CORNER OF THIS TRACT;
- 2. THENCE, S 08° 35' 16" W A DISTANCE OF 184.55 FEET TO A NO. 4 REBAR SET FOR AN INSIDE CORNER OF THIS TRACT;
- 3. THENCE, N 53° 35' 16" E A DISTANCE OF 42.43 FEET TO A NO. 4 REBAR SET FOR AN OUTSIDE CORNER OF THIS TRACT;
- 4. THENCE, S 81° 24' 44" E A DISTANCE OF 385.00 FEET TO A NO. 4 REBAR SET FOR AN OUTSIDE CORNER OF THIS TRACT;
- 5. THENCE, S 08° 35' 16" W A DISTANCE OF 115.00 FEET TO A NO. 4 REBAR SET FOR AN INSIDE CORNER OF THIS TRACT;
- 6. THENCE, S 81° 24' 44" E A DISTANCE OF 2,082.17 FEET TO A NO. 4 REBAR SET FOR THE NORTHEAST CORNER OF THIS TRACT;
- 7. THENCE, S 08° 35' 34" W ALONG THE WEST RIGHT-OF-WAY LINE OF N. WARE ROAD, A DISTANCE OF 260.01 FEET TO A NO. 4 REBAR SET FOR AN OUTSIDE CORNER OF THIS TRACT;

8. THENCE, N 81° 24' 44" W A DISTANCE OF 12.00 FEET TO A NO. 4 REBAR SET FOR AN INSIDE CORNER OF THIS TRACT;

- 9. THENCE, S 08° 35' 34" W ALONG THE WEST RIGHT-OF-WAY LINE OF N. WARE ROAD, A DISTANCE OF 379.99 FEET TO A NO. 4 REBAR SET FOR THE NORTHERNMOST SOUTHEAST CORNER OF THIS TRACT;
- 10. THENCE, S 53° 35' 34" W ALONG A CORNER CLIP, A DISTANCE OF 56.57 FEET TO A NO. 5 REBAR FOUND FOR THE SOUTHERNMOST SOUTHEAST CORNER OF THIS TRACT;
- 11. THENCE, N 81° 24' 44" W ALONG THE SOUTH LINES OF SAID LOTS 138 AND 137, LA LOMITA IRRIGATION & CONSTRUCTION CO. SUBDIVISION, A DISTANCE OF 2,505.11 FEET TO A NO. 4 REBAR SET FOR THE SOUTHWEST CORNER OF THIS TRACT;
- 12. THENCE, N 08° 35' 16" E ALONG THE WEST LINE OF SAID LOT 138, A DISTANCE OF 949.55 FEET TO THE POINT OF BEGINNING AND CONTAINING 41.241 ACRES OF LAND, MORE OR LESS.

# GENERAL NOTES

- THE SITE LIES IN ZONE "C" . ZONE "C" IS DEFINED AS AREAS OF MINIMAL FLOODING.
   ZONE "C" SHOWN ON: COMMUNITY-PANEL NUMBER: 480334 0400 C
   MAP REVISED:NOVEMBER 16, 1982.
   & COMMUNITY-PANEL NUMBER: 480334 0500 C
- MAP REVISED:NOVEMBER 2, 1982.

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

FRONT: 20 FEET OR GREATER FOR EASEMENT REAR: 10 FEET OR GREATER FOR EASEMENT INTERIOR SIDES: 6 FEET OR GREATER FOR EASEMENT

CORNER: 10 FEET OR GREATER FOR EASEMENT

GARAGE: 18 FEET EXCEPT WHERE GREATER SETBACK IS REQUIRED: GREATER SETBACK APPLIES.

NOTE: ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN.

- 4. REQUIRED STORM SEWER RUNOFF DETENTION FOR THIS SUBDIVISION AS PER THE APPROVED DRAINAGE REPORT: 421,595 CUBIC FEET (9.679 AC.-FT.) TO BE PROVIDED WITHIN DESIGNATED DETENTION AREA.
- 5. CITY OF McALLEN BENCHMARK: "MC64" FROM THE CITY OF McALLEN G.P.S. REFERNCE MARKS LIST PREPARED GY GLICK, LINN OFFICE ON OCTOBER 06, 1999. BEING LOCATED ON THE SOUTHWEST CORNER OF THE INTERSECTION OF WARE ROAD AND DAFFODIL STREET. 30" ALUMINUM PIPE WITH A 3-1/4" BRASS MONUMENT CAP ON TOP ELEVATION= 120.38 NORTHING: 16610485.2066, EASTING:1063866.99623
- 6. NO STRUCTURES PERMITTED TO BE BUILT OVER EASEMENTS.
- 7. AN 8 FT. MINIMUM SIDEWALK REQUIRED ALONG THE NORTH SIDE OF WARRIOR DRIVE, A 5 FT. WIDE MINIMUM SIDEWALK REQUIRED ALONG THE WEST SIDE OF WARE ROAD, AND A 4 FT. MINIMUM SIDEWALK REQUIRED ALONG BOTH SIDES OF ALL INTERNAL STREETS.
- 8. 25 FT. x 25 FT. SIGHT OBSTRUCTION CLIP REQUIRED AT ALL STREET INTERSECTIONS, AND 10 FT X 10 FT SITE OBSTRUCTION CLIP REQUIRED AT ALL STREET/ALLEY INTERSECTIONS.
- 9. 6 FT. OPAQUE BUFFER REQUIRED FROM ADJACENT/ BETWEEN/ MULTI-FAMILY RESIDENTIAL AND COMMERCIAL AND INDUSTRIAL ZONES/USES ALONG WARRIOR DR. (VINE AVE.) AND N. WARE RD. BUFFER REQUIREMENTS MAY BE REQUIRED ON THE WEST SIDE OF LOTS 1, 60-62 AND 113- COMMON AREA DETENTION
- 10. AN 8 FT. MASONRY WALL IS REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONES/USES.
- 11. SET No. 4 REBARS WITH PLASTIC CAP STAMPED MELDEN AND HUNT ON ALL LOT CORNERS.
- 12. COMMON OR DETENTION AREAS, ANY PRIVATE STREETS/ALLEYS OR DRIVES, AND/OR GATES MUST BE MAINTAINED BY THE PROPERTY OWNERS/HOA AND NOT THE CITY OF McALLEN.
- 13. NO CURB CUT, ACCESS, OR LOT FRONTAGE PERMITTED ALONG N. WARE RD. AND WARRIOR DR. (VINE AVE.)
- 14. 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.
- 15. HOME OWNERS ASSOCIATION COVENANTS FOR HARVEST CREEK PHASE I SUBDIVISION AS RECORDED UNDER AS RECORDED UNDER DOCUMENT NO. H.C.D.R.
- 16. AS PER DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS, FOR HARVEST CREEK AT WARE SUBDIVISION PHASE I RECORDED UNDER DOCUMENT NUMBER \_\_\_\_\_\_\_, HIDALGO COUNTY OFFICIAL RECORDS, DEVELOPER/HOMEOWNERS ASSOCIATION/OWNER, THEIR SUCCESSORS AND/OR ASSIGNS, AND NOT THE CITY OF McALLEN SHALL BE RESPONSIBLE OF INSTALLATION, MAINTENANCE AND OTHER REQUIREMENTS AS PER SECTION 134-168 OF THE CODE OF ORDINANCE OF THE CITY OF McALLEN, INCLUDING BUT NOT LIMITED TO COMMON AREAS AND DETENTION PONDS. ANY AMENDMENT TO DECLARATION THAT CONFLICT WITH THE REQUIREMENTS OF SECTION 134-168 SHALL BE NULL & VOID.

MAYOR, CITY OF McALLEN

CITY SECRETARY

DATE

I, THE UNDERSIGNED, MAYOR OF THE CITY OF McALLEN, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL

REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THIS CITY WHEREIN MY APPROVAL IS REQUIRED.

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

CHAIRMAN, PLANNING AND ZONING COMMISSION

DATE

THIS PLAT APPROVED BY THE HIDALGO COUNTY IRRIGATION NO. 1 ON THIS THE DAY OF , 20 .

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

NO IMPROVEMENTS OF ANY KIND SHALL BE PLACED UPON THE HCID#1 RIGHT-OF-WAYS OR EASEMENTS WITHOUT THE EXPRESSED WRITTEN PERMISSION OF HCID#1.

PRESIDENT SECRETARY

# APPROVED BY DRAINAGE DISTRICT:

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

HIDALGO COUNTY DRAINAGE DISTRICT NO.1

RAUL E. SESIN, P.E., C.F.M.

DATE

STATE OF TEXAS COUNTY OF HIDALGO

GENERAL MANAGER

I (WE), THE UNDERSIGNED, LIEN HOLDER(S) (OR DULLY AUTHORIZED OFFICERS OF THE HOLDER(S)) OF A SECURITY INTEREST IN THE ABOVE DESCRIBED REAL PROPERTY, AS SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS <u>HARVEST CREEK AT WARE SUBDIVISION PHASE I</u>, OF THE CITY OF MCALLEN, TEXAS, HEREBY CONSENT TO THE SUBDIVISION OF THE REAL PROPERTY AS PROVIDED FOR UNDER THE PLAT, AND DO HEREBY PROVIDE THAT ANY FORECLOSURE RELATING TO THE SECURITY INTEREST ON THE ABOVE DESCRIBED REAL PROPERTY SHALL BE SUBJECT TO THE PLATTING OF THE PROPERTY AS PROVIDED FOR HEREIN.

MARIN J. ESPINOSA, TRUSTEE VANTAGE BANK TEXAS 1801 S. 2ND STREET McALLEN, TEXAS 78503

STATE OF TEXAS COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED <u>MARIN J. ESPINOSA</u> KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSED AND CONSIDERATIONS THEREIN GIVEN UNDER MY HAND

DATE

AND SEAL OF OFFICE, THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20 \_\_\_\_.

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

# GENERAL NOTES : CONTINUE

- 17. COMMON LOT 113, IDENTIFIED AS DETENTION AREAS SHALL BE MAINTAINED BY THE DEVELOPER WHO MAY TRANSFER SUCH MAINTENANCE OBLIGATION TO THE SUBDIVISION HOMEOWNER'S ASSOCIATION, HARVEST CREEK AT WARE SUBDIVISION HOMEOWNER'S ASSOCIATION, UPON CONVEYANCE OF TITLE TO THE SAME, THEIR SUCCESSORS AND ASSIGNEES, AND NOT BY THE CITY OF McALLEN, NO BUILDINGS OR OTHER STRUCTURES SHALL BE ERECTED IN COMMON LOT 113, WHICH SHALL BE USED EXCLUSIVELY AS DETENTION AREAS. AFTER COMMON LOT 113 TRANSFER OF TITLES TO THE HARVEST CREEK AT WARE SUBDIVISION HOMEOWNER'S ASSOCIATION THE SUBDIVISION LOT OWNER'S PRO RATA SHARES OF THE COST OF MAINTENANCE SHALL BE DETERMINED BY HARVEST CREEK AT WARE PHASE 1 SUBDIVISION HOMEOWNER'S ASSOCIATION. FAILING IN SUCH MAINTENANCE OBLIGATIONS, THE CITY OF McALLEN MAY, BUT SHALL NOT BE REQUIRED TO MAINTAIN THE SAME AT THE LOT OWNER'S COST, WHICH COST MAY BECOME A LIEN AGAINST THEIR PROPERTIES. PRIOR TO THE IMPOSITION OF ANY LIEN, THE CITY SHALL FIRST COMPLY WITH NOTICE REQUIREMENTS SIMILAR TO THOSE UNDER EXISTING ORDINANCE SECTION 134-168(d), AS THE SAME MAY BE AMENDED. THE SPECIFIC AND EXCLUSIVE USE OF COMMON LOT 113 THE OWNER'S MAINTENANCE OBLIGATION, AND THE CONSEQUENCES OF FAILURE TO MAINTAIN SHALL BE INCORPORATED INTO ANY DEED OR INSTRUMENT OF CONVEYANCE AS A DEED RESTRICTION. RECORDED IN INSTRUMENT No. OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS.
- 18. COMMON AREA LOT 113 FOR LANDSCAPING DETENTION PURPOSES ONLY, WILL BE PRIVATE AND MAINTAINED BY THE H.O.A./ PROPERTY OWNERS AND NOT THE CITY OF McALLEN.
- 19. SITE PLAN MUST BE APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENTS PRIOR TO BUILDING PERMIT ISSUANCE.
- 20. AN 8-FOOT MINIMUM SIDEWALK WITH FULL LANDSCAPING, IRRIGATION AND LIGHTING TO BE CONSTRUCTED ALONG THE NORTH SIDE OF WARRIOR DRIVE (VINE AVENUE), SAID SIDEWALK WILL CONNECT TO THE BENTSEN HIKE AND BIKE TRAIL. A VARIANCE OF "ADDITIONAL 10 FT RIGHT OF WAY TO BE DEDICATED IN LIEU OF PARK LAND FEES" WAS APPROVED ON JUNE 29, 2022, WITH THE CONDITIONS LISTED.

TBPE FIRM # F-1435

CONSULTANTS • ENGINEERS • SURVEYORS

115 W. McINTYRE
EDINBURG, TX 78541
ESTABLISHED 1947

PH: (956) 381-0981
FAX: (956) 381-1839
www.meldenandhunt.com

COUNTY OF HIDALGO

THE STATE OF TEXAS

I(WE), THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS THE <u>HARVEST CREEK AT WARE SUBDIVISION PHASE I</u>, TO THE CITY OF McALLEN, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, DO HEREBY GRANT AN ACCESS AND UTILITIY EASEMENT TO THE CITY OF MCALLEN AND THOSE WHO MAY NOW OR HEREAFTER HOLD FRANCHISE UNDER SAID CITY, THE USE OF THE STREET(S), ALLEY(S), AND EASEMENT(S) THEREON SHOWN, SURFACE USE OF THE STREET(S) AND ALLEY(S) IS RESTRICTED TO THE EMPLOYEES OR AGENTS OF THE CITY OF McALLEN, TO THE EMPLOYEES OR UTILITIES OPERATING UNDER FRANCHISE TO THE CITY OF McALLEN AND RESIDENTS OF THE SUBDIVISION AND THEIR GUEST. THE OWNER DOES HEREBY DEDICATE TO THE USE OF THE PUBLIC THE PRORTION OF WARRIOR STREET (VINE AVENUE), WARE ROAD (F.M. 2220) FOR THE USE AS STREET RIGHT OF WAY DEDICATED TO THE CITY OF McALLEN BY

JEFFERY ERICKSON, MANAGER
ESCANABA, LLC
A TEXAS LIMITED LIABILITY COMPANY
3520 BUDDY OWENS AVENUE
McALLEN, TEXAS 78504

RENE SALINAS RAMIREZ, MANAGER ESCANABA, LLC A TEXAS LIMITED LIABILITY COMPANY 3520 BUDDY OWENS AVENUE McALLEN, TEXAS 78504

STATE OF TEXAS

COUNTY OF HIDALGO

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

SEAL OF OFFICE, THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20 \_\_\_\_.

NOTARY PUBLIC, FOR THE STATE OF TEXAS

STATE OF TEXAS

MY COMMISSION EXPIRES:

COUNTY OF HIDALGO

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

SEAL OF OFFICE, THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20 \_\_\_\_.

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

STATE OF TEXAS COUNTY OF HIDALGO:

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

MARIO A. REYNA, PROFESSIONAL ENGINEER # 117368
STATE OF TEXAS
DATE PREPARED: 10-19-2023
DATE REVISED: 01-04-2023

TEXAS REGISTRATION F-1435

117368

MELDEN & HUNT, INC

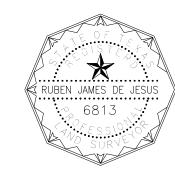
STATE OF TEXAS COUNTY OF HIDALGO:

SURVEY JOB No. 21999.23

ENGINEERING JOB No. 21246.00

I, THE UNDERSIGNED, RUBEN J. DE JESUS, A REGISTERED PROFESSIONAL LAND SURVEYOR, IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE HEREIN PRESENTED PLAT AND DESCRIPTION OF <u>HARVEST\_CREEK\_AT\_WARE\_SUBDIVISION PHASE I</u>, WAS PREPARED FROM A SURVEY OF THE PROPERTY MADE ON THE GROUND BY ME OR UNDER MY SUPERVISION ON <u>12-10-21</u>, AND THAT IT IS A TRUE AND ACCURATE REPRESENTATION OF THE SUBDIVISION OF THE LANDS HEREON DESCRIBED.

RUBEN J. DE JESUS, REGISTERED PROFESSIONAL LAND SURVEYOR # 6813 STATE OF TEXAS DATE SURVEYED: 12-10-2021



DATE:



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

ON: \_\_\_\_\_AT\_\_\_\_ AM/PM
INSTRUMENT NUMBER\_\_\_\_

OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS

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Reviewed On: 1/19/2024

SUBDIVISION NAME: HARVEST CREEK AT WARE PHASE I	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
North Ware Road: 60 ft. from centerline for 120 ft. ROW Paving: 65 ft. Curb & gutter: Both Sides Revisions Needed: -Provide additional ROW details along plat boundary from centerline, as ROW varies prior to recording.  **Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan  **Monies must be escrowed if improvements are not constructed prior to recording.	Required
Warrior Drive (Vine Ave.): 10 ft. dedication for 40 ft. from centerline for 80 ft. ROW Paving: 52 ft. Curb & gutter: both sides Pending Items:  - Please revise street name as shown above prior to recordingEngineer submitted a variance application on February 13, 2023 requesting that the pavement width be reduced and escrow not be required for Warrior Drive. There is an existing 40.67-42.29 ft. of paving currently and 52 ft. is required. At the Planning and Zoning Commission meeting of March 7th,2023 the subdivision was approved in Final form subject to conditions noted and with a recommendation of approval for the requested variance. At the City Commission meeting of March 27th,2023, the variance request was approved and no further board action was required.  **Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan  **Monies must be escrowed if improvements are not constructed prior to recording.	Required
N.43rd Lane: Proposing 60 ft. ROW Paving: 40 ft. Curb & gutter: both sides Revisions needed: -Revise street name as shown above prior to recording, were applicable plat, notes, etc Label dash line on west side to determine any ROW dedication. (May affect adjacent development to the north) Revise plat accordingly to accommodate ROW, prior to recording Existing 40 ft. ROW on west side, of which 20 ft. is within this plat boundary; clarify and label accordingly prior to recording Temporary turnaround at the Northwest Corner of subdivision plat must comply with Fire Department requirements, additional notes may be needed prior to recording. As per conversation with Engineer on December 13th,2023, street build out for N. 43rd Lane to not extend past La Vista Avenue, finalize any temporary turnaround requirements and escrow requirements as applicable prior to recording. Street cannot dead must provide a turnaround mechanism in compliance with Fire and Public Works Department requirements, finalize prior to recording. *Clarify cul-de-sac turnaround proposed on the north; 20 ft. ROW beyond turnaround cul-desac. Must be resolved prior to prior to recording. As per updated plat submitted on November 22nd,2023 plat no longer shares common lot lines with previously referenced 20 ft. ROW. **Subdivision Ordinance: Section 134-105 and/or *COM Thoroughfare Plan **Monies must be escrowed if improvements are not constructed prior to recording.	Required

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Internal Streets for R-3A: 60 ft. ROW Paving: 40 ft. Curb & gutter: both sides Pending Items: -ROW at gate locations to increase to accommodate proposed improvements, finalize prior to recording. *Engineer submitted a variance application on February 13, 2023 requesting that the ROW be reduced from 60 ft. to 50 ft., the engineer has indicated that the 40 ft. paving width will remain. 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. At the Planning and Zoning Commission meeting of March 7th,2023 the subdivision was approved in Final form subject to conditions noted and with a recommendation of approval for the requested variance.  **Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan **Monies must be escrowed if improvements are not constructed prior to recording.	Required
	NA
Paving Curb & gutter  **Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan  **Monies must be escrowed if improvements are not constructed prior to recording.	
* 1,200 ft. Block Length.  **Subdivision Ordinance: Section 134-118	Applied
<ul> <li>* 900 ft. Block Length for R-3A Zone Districts Revisions needed: <ul> <li>Subdivision layout does not comply with block length requirement, please revise accordingly prior to final</li> <li>Length proposed, approximately 2,355 ft.</li> <li>Engineer submitted variance to the block length requirement on May 4, 2022. At the PZ meeting of May 17, 2022, the board recommended approval of the variance to the block length requirement for the R-3A district, and City Commission approved the variance request on June 13,2022.</li> </ul> </li> <li>**Subdivision Ordinance: Section 134-118</li> </ul>	Applied
* 600 ft. Maximum Cul-de-Sac Pending Items: -Temporary turnaround at the Northwest Corner of subdivision plat must comply with Fire Department requirements, additional notes may be needed prior to recording. As per conversation with Engineer on December 13th,2023, street build out for N. 43rd Lane to not extend past La Vista Avenue, finalize any temporary turnaround requirements as applicable prior to recording. Street cannot dead must provide a turnaround mechanism in compliance with Fire and Public Works Department requirements, finalize prior to recording. **Subdivision Ordinance: Section 134-105	Required
LLEYS	
ROW: 20 ft. Paving: 16 ft.  *Must comply with Public Works Department waste collection service requirements for the R-3A lots prior to recording.  **24 ft. Utility and Service Drive Easement proposed at the rear of lots 35-87  ***Alley/service drive easement required for commercial properties and Multi-Family properties.  ****Subdivision Ordinance: Section 134-106.	Required

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SETBACKS	
* Front: 20 ft. or greater for easement. Pending Items: -Engineer submitted a variance application on January 9th,2024 requesting a front setback of 20 feet except 10 feet for unclosed carports for lots 1-112. Development staff reviewed the request and recommended if approval is considered that the setback for unenclosed carports only be at 15 feet. Wording for front setback notes must be finalized given the outcome of the request prior to recording.	Required
**Zoning Ordinance: Section 138-356  * Rear: 10 ft. or greater for easement.	Applied
**12ft. U.E and Service Drive Easement proposed at the rear of lots35-87.  **Zoning Ordinance: Section 138-356	
* Interior Sides: 6 ft. or greater for easement **Zoning Ordinance: Section 138-356	Applied
* Corner: 10 ft. or greater for easement **Zoning Ordinance: Section 138-356	Applied
* Garage: 18 ft. except where greater setback is required, greater setback applies **Zoning Ordinance: Section 138-356	Applied
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Required
SIDEWALKS	
* 4 ft. wide minimum sidewalk required along N. Ware Road ,Warrior Dr. (Vine Ave.),and both sides of N.43rd Lane and both sides of all internal streets. Revisions needed: - Plat note #7 will need to be revised as shown above, and once sidewalk requirements are determined, prior to recording.  **Sidewalk along N. Ware Road subject to increase to 5 ft. as per Engineering Department prior to final.  **Sidewalk width requirement for Warrior Dr. (Vine Ave.) ,N.43rd Lane and both sides of internal streets subject to increase prior to recording as per Engineering Department requirements.  **Subdivision Ordinance: Section 134-120	Required
* 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 and along Warrior Dr. (Vine Ave.), N. Ware Rd. And N.43rd Lane Please revise plat note #9 as shown above prior to recording. **Additional buffers may be required prior to recording. **Landscaping Ordinance: Section 110-46	Required
* 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

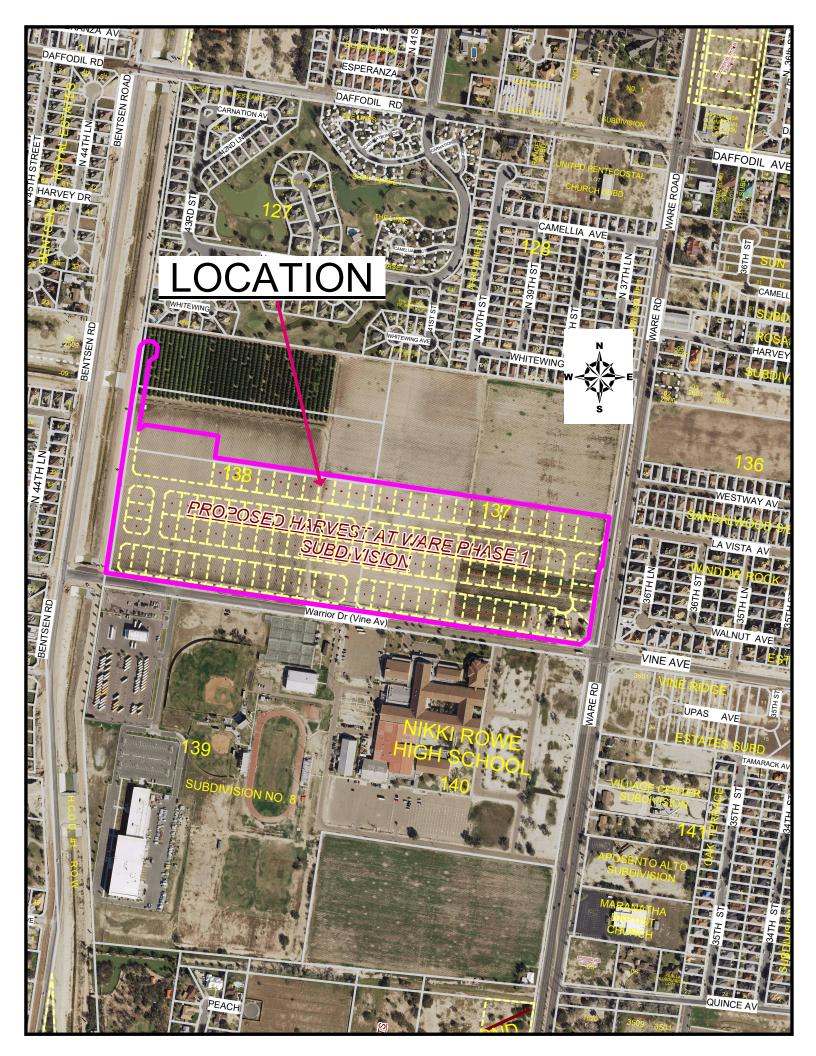
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NOTES	
* No curb cut, access, or lot frontage permitted along N. Ware Rd, Warrior Dr. (Vine Ave.) and N.43rd Lane. Revisions Needed: - Please revise plat note #13 as shown above prior to recording. **Must comply with City Access Management Policy	Required
* Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Revisions Needed: -Remove note #19 prior to recording as it is a requirement not a required note. **Requirement might be triggered depending on the # of units proposed per lot on the multifamily lots.	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.	NA
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.  **Section 134-168 applies if private subdivision is proposed.  ***Section 110-72 applies if public subdivision is proposed.  ****Landscaping Ordinance: Section 110-72  *****Subdivision Ordinance: Section 134-168	Applied
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.  **Homeowner's Association Covenants must be submitted for staff review, prior to recording.  ***Section 134-168 applies if private subdivision is proposed.  ****Section 110-72 applies if public subdivision is proposed.  *****Landscaping Ordinance: Section 110-72  *****Subdivision Ordinance: Section 134-168	Required
LOT REQUIREMENTS	
* Lots fronting public streets  **Subdivision Ordinance: Section 134-1	Compliance
* Minimum lot width and lot area Revisions Needed: -Please verify that all lots are in compliance with lot width requirements. Please see interior lots 29-31 lots will have to be adjusted to comply with minimum 50 ft. of frontage requirements 54 ft. for corner lots prior to recording. Review all lots and revise applicable prior to recording. Previous final approved as noted above comment yet to be addressed, must comply with requirements as noted above prior to recording. *Provide preliminary site plan for multi-family lots to verify compliance with landscaping requirements. **Zoning Ordinance: Section 138-356  ZONING/CUP	Required
* Existing: A-O Proposed: R-1 & R-3A  **Rezoning was approved by City Commission on 2/14/22.  ***Zoning Ordinance: Article V	Compliance

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* Rezoning Needed Before Final Approval ****Rezoning was approved by City Commission on 2/14/22. ***Zoning Ordinance: Article V	Compliance
PARKS	
* Land dedication in lieu of fee.  *Must comply with Park Department requirements, the Developer submitted a variance request letter to the Park Land Ordinance requirements to be waived and proposes to dedicate an additional 10 ft. ROW and construct an 8-foot trail with landscape, lighting and irrigation and a connection to Bentsen Hike & Bike Trail instead. On June 29, 2022, City Manager's Office approved the variance request with conditions. Must comply with conditions noted as per agreement letter dated July 14, 2022 prior to recording.	Required
* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording.  *Must comply with Park Department requirements, the Developer submitted a variance request letter to the Park Land Ordinance requirements to be waived and proposes to dedicate an additional 10 ft. ROW and construct an 8-foot trail with landscape, lighting and irrigation and a connection to Bentsen Hike & Bike Trail instead. On June 29, 2022, City Manager's Office approved the variance request with conditions. Must comply with conditions noted as per agreement letter dated July 14, 2022 prior to recording.	Required
* Pending review by the City Manager's Office.  **Must comply with Park Department requirements, the Developer submitted a variance request letter to the Park Land Ordinance requirements to be waived and proposes to dedicate an additional 10 ft. ROW and construct an 8-foot trail with landscape, lighting and irrigation and a connection to Bentsen Hike & Bike Trail instead. On June 29, 2022, City Manager's Office approved the variance request with conditions. Must comply with conditions noted as per agreement letter dated July 14, 2022 prior to recording.	Required
TRAFFIC	
* As per Traffic Department, previous Trip Generation and TIA submitted to be honored for Phase I.	Compliance
* As per Traffic Department, previous Trip Generation and TIA submitted to be honored for Phase I.	Compliance
COMMENTS	
Comments/Revisions needed:  - Label reference for dash line on the west side side of proposed north to south street on the west boundary.  - Label parcel on the west side of the west boundary line - Subdivision proposed to be private with dedication for ROW on perimeter streets as required, prior to recording.  - Entry access from the R-3A district along N. Ware Rd. on the plat submitted was reviewed by Traffic Department.  - ROW at gate locations to increase to accommodate proposed improvements, finalize prior to recording.  - Any changes to setbacks may require Planning and Zoning Commission action in the future.  - Must comply with City's Access Management Policy.  - Subdivision approved in Preliminary form at the Planning and Zoning Commission meeting of November 16th, 2022, subject to conditions noted in Planning Review.  - At the Planning and Zoning Commission meeting of March 7th, 2023 the subdivision was approved in Final form subject to conditions noted and with a recommendation of approval for both Variances. Subdivision boundaries have changed therefore requiring revised final approval by the Planning and Zoning Commission. At the Planning and Zoning Commission meeting of December 19th, 2023 the subdivision was approved in Revised Final form subject to conditions noted.	Applied

RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APROVAL OF THE SUBDIVISION IN REVISED FINAL FORM SUBJECT TO CONDITIONS NOTED AND CLARIFICATION OF THE REQUESTED VARIANCE.	Applied



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Jose B. Saldana	Р																							
Marco Suarez	Р																							
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