

**AGENDA**  
**PLANNING & ZONING COMMISSION REGULAR MEETING**  
**TUESDAY, JULY 20, 2021 - 3:30 PM**  
**MCALLEN CITY HALL, 1300 HOUSTON AVENUE**  
**CITY COMMISSION CHAMBERS, 3<sup>RD</sup> FLOOR**  
**Web: <https://zoom.us/join> or phone: (346) 248-7799**  
**Meeting ID: 672 423 1883**

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

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**INVOCATION**

**1) MINUTES:**

- a) Minutes from the meeting held on July 8, 2021

**2) PUBLIC HEARING**

**a) CONDITIONAL USE PERMITS:**

- 1. Request of Carlos and Arely Fuentes on behalf of Centro De Alabanza Comunidad Cristiana, Inc., for a Conditional Use Permit, for one year, for an Institutional Use (Church) at Lot 2, Shasta Commercial Plaza Phase II Subdivision, Hidalgo County, Texas; 2519 Buddy Owens Boulevard. **(CUP2021-0067)**

**b) REZONING:**

- 1. Rezone from A-O (agricultural and open space) District to C-3 (general business) District: 2.781 acre tract of land out of Lot 150, La Lomita Irrigation and Construction Company Subdivision, Hidalgo County, Texas; 4117 Highway 83 (Rear). **(REZ2021-0031)**
- 2. Rezone from A-O (agricultural and open space) District to R-1 (single-family residential) District: 16.28 acres out of the west one-half (1/2) of Lot 11, Section 280, Texas-Mexican Railway Company's Survey, Hidalgo County, Texas; 2433 State Highway 107 (Rear). **(REZ2021-0034)**
- 3. Rezone from C-3 (general business) District to R-1 (single-family residential) District: 1.96 acres out of the west one-half (1/2) of Lot 11, Section 280, Texas-Mexican Railway Company's Survey, Hidalgo County, Texas; 2433 State Highway 107. **(REZ2021-0035)**
- 4. Rezone from R-3A (multifamily residential apartment) District to R-3T (multifamily residential townhouse) District: 4.79 acres out of Lot 197, John H. Shary Subdivision, Hidalgo County, Texas; 701 South Taylor Road (Rear). **(REZ2021-0036)**

**3) SUBDIVISIONS:**

- a) Stonebriar At Trinity Oaks Subdivision, 11200 North La Lomita Road, Affordable Homes of South Texas, Inc. **(SUB2021-0057)**(FINAL)CHC
- b) BEJ Subdivision, 4701 North McColl Road, Taryn Santos, Violet Investments **(SUB2021-0054)**(Revised Preliminary)CHC
- c) Habitat Village, 2700 Trenton Road, Tina(Wychopen) Hoff, **(SUB2021-0074)** (Preliminary)SEC
- d) Villa Torre At North Bentsen Estates, 7500 North Bentsen Road, Riverside Development Services, LLC. **(SUB2021-0048)**(Revised Preliminary)RDE
- e) Castillo Estates Subdivision, 9601 Mile 10 1/3, Jesus and Susana Castillo **(SUB2021-0073)**(Preliminary Review) ROE
- f) Garcia Estates, 2901 Gumwood, Sonia Garcia/Erik J. Mora **(SUB2020-0048)**(Revised Preliminary)**(TABLED on 6/3/2021)**M&H

#### **4) INFORMATION ONLY:**

- a) City Commission Actions: July 12, 2021

#### **ADJOURNMENT:**

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



STATE OF TEXAS  
COUNTY OF HIDALGO  
CITY OF McAllen

The McAllen Planning and Zoning Commission convened in a Regular Meeting & Public Hearing on Thursday, July 8, 2021 at 3:33p.m. in the McAllen Public Library, Rooms A & B, 4100 North 23<sup>rd</sup> Street, McAllen, Texas.

<b>Present:</b>	<b>Michael Fallek</b> <b>Michael Hovar</b> <b>Michael Fallek</b> <b>Gabriel Kamel</b>	<b>Vice-Chairperson</b> <b>Member</b> <b>Member</b> <b>Member</b>
<b>Absent:</b>	<b>Daniel Santos</b> <b>Jose Saldana</b>	<b>Chairperson</b> <b>Member</b>
<b>Staff Present:</b>	<b>Isaac Tawil</b> <b>Michelle Rivera</b> <b>Edgar Garcia</b> <b>Luis Mora</b> <b>Juan Martinez</b> <b>Rodrigo Sanchez</b> <b>Omar Sotelo</b> <b>Jose Humberto De La Garza</b> <b>Berenice Gonzalez</b> <b>Carlos Garza</b> <b>Kaveh Forghanparast</b> <b>Liliana Garza</b> <b>Katia Sanchez</b> <b>Porfirio Hernandez</b> <b>Jacob Salazar</b> <b>Leonardo Martinez</b> <b>Bilikis Martinez</b> <b>Felipe Hernandez</b> <b>Alejrindrino Morales</b> <b>Magda Ramirez</b>	<b>City Attorney</b> <b>Assitant City Manager</b> <b>Planning Director</b> <b>Planning Deputy Director</b> <b>Development Coordinator</b> <b>Senior Planner</b> <b>Senior Planner</b> <b>Planner III</b> <b>Planner III</b> <b>Planner II</b> <b>Planner II</b> <b>Planner II</b> <b>Planner I</b> <b>Planning Technician II</b> <b>Planning Technician I</b> <b>Planning Intern</b> <b>Development Engineer</b> <b>Fire Captain Administrator</b> <b>Fire Lieutenant</b> <b>Administrative Assistant</b>

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

**Meeting held via Teleconference and Video Conference.**

**PLEDGE OF ALLEGIANCE**

**INVOCATION- Marco Suarez**

**1) MINUTES:**

**a) Minutes for Regular Meeting held on June 16, 2021**

The minutes for the regular meeting held on June 16, 2021 were approved with the correction of attendance, Board Member, Mr. Marco Suarez was in attendance at the July 16, 2021 Planning & Zoning Regular Committee Meeting via Zoom. The motion to approve was made by Gabriel Kamel & Marco Suarez seconded the motion, which carried unanimously with four members present and

voting.

**2) ELECTIONS OFFICERS:** Mr. Daniel Santos was nominated by Michael Fallek with Michael Hovar seconding the nomination and was voted by 4 members of the board to serve as Chairperson until the end of the current term is completed. Michael Fallek volunteered to serve as Vice Chairperson with Marco Suarez seconding then following 4 members of the board voting and approving.

**3) PUBLIC HEARING:**

**a) CONDITIONAL USE PERMITS:**

1. Request of Tony De La Tejera on behalf of Bada Real Estate LLC, for a Conditional Use Permit, for one year, for a portable building greater than 10'x12', at Lot 1, Millard Warehouse Subdivision No. 2, Hidalgo County, Texas; 2100 Trophy Drive. **(CUP2021-0063)**

Mr. Forghanparast stated that the subject property was located between Trophy Drive and Brand Drive, 1,970.36 ft. East of North 23rd Street. The tract had 956 ft. of frontage along Trophy Drive, 763.556 ft. of frontage along Brand Drive, and a depth of 841.67 ft. for a lot size of 16.1867 acres.

The property was zoned I-1 (light industrial) District, and the adjacent zoning was I-1 District to the north, south, and west, and A-O (agricultural and open space) District to the east. Surrounding land uses included Duda Sod office, warehouses, La Casa De Mi Padre church, and vacant land. A portable building was allowed in an I-1 District with a Conditional Use Permit and was in compliance with requirements. The applicant proposed to utilize a portable building, measuring 24 ft. x 60 ft., as an office for Duda Sod in the parking lot on the east side of the property. The Fire Department had conducted their inspection, and found the establishment to have been in compliance. Millard Warehouse Subdivision No. 2 was recorded on June 18, 1991, and the existing warehouse was built in 1973 according to the Appraisal District records. The portable building must also meet the requirements set forth in Section 138-118(3) of the Zoning Ordinance as follows:

- 1) Portable buildings must not be used for living quarters. The portable building would be used as an office only;
- 2) Must be located in such a manner as to have access to a public right-of-way within 200 ft. The property had access to North 23<sup>rd</sup> Street via Trophy Drive;
- 3) The proposed use and adjacent businesses shall comply with the off-street parking and loading ordinance. Based on the square footage, 11 additional parking spaces were required for the proposed portable building. The submitted site plan depicted 12 additional parking spaces. The parking lot had to be paved and striped according to Section 138-400 of the Zoning Ordinance;
- 4) Must provide garbage and trash collection and disposal;
- 5) Must be connected to an approved water distribution and sewage disposal system;

- 6) No form of pollution shall emanate beyond the immediate property line of the permitted use; and
- 7) Additional reasonable restrictions or conditions such as increased open space, loading and parking requirements, suitable landscaping, curbing, sidewalks or other similar improvements might be imposed in order to carry out the spirit of the Zoning Ordinance or mitigate adverse effects of the proposed use.

Staff recommended approval of the request, for one year, subject to Sections 138-118(a)(3) and 138-400 of the Zoning Ordinance and Fire Department requirements.

Vice Chairperson Michael Fallek asked if there was anyone present in opposition of the proposed Conditional Use Permit, there were none.

Being no discussion, Mr. Michael Hovar moved to approve. Mr. Gabriel Kamel seconded the motion, which was approved with four members present and voting

2. Request of Juana M. Mendez, for a Conditional Use Permit, for one year, for a home occupation (daycare), at Lot 9, Block 6, Balboa Acres Subdivision, Hidalgo County, Texas; 2405 Elmira Avenue. **(CUP 2021-0060)**

Ms. Garza stated that the property is located on the south side of Elmira Avenue, approximately 95 ft. west of South 24th Street. The property has 95 ft. of frontage along Elmira Avenue and a depth of 107.5 ft. for a lot size of 10,212.5 sq. ft. and it is zoned R-1 (single family residential) District. The adjacent zoning is R-1 District in all directions and C-3 (general business) District to the east. Surrounding land uses include single-family residences, Jessie's Meat Market, Iglesia Bautista el Cordero, a car lot and vacant land. A day care is allowed in the R-1 zone with a Conditional Use Permit and in compliance with requirements.

The initial conditional use permit was approved for this establishment by the Planning and Zoning Commission on February 21, 2006. The permit was not renewed in 2007 and was again approved by the Planning and Zoning Commission on November 18, 2008. The permit was not renewed in 2009, and in 2010, the request was approved in July 6, 2010. The Applicant failed to renew the following year (2011) and applied once more in 2012. The permit was renewed the following year but failed to be renewed in 2014. In April 9, 2015, the request was approved once more for one year, this time; the permit was being renewed annually until 2019. The last permit was issued on October 1, 2019. Applicant fail to renew on 2020, hence the submittal of a new application.

The applicant is proposing to operate a home day care from the existing 1,200 sq. ft. residence. The hours of operation would be from 7:30 a.m. to 6:30 p.m. Monday through Friday. The applicant is proposing one additional employee on site for the care of 12 children.

The Fire Department has inspected the property and found the establishment to be in compliance. Health Inspection is still pending. Should the Conditional Use Permit be approved, the applicant would be required to sign the application acknowledging and agreeing to all conditions of the permit. The proposed must also meet the requirements set forth in Section 138-118(8) of the Zoning Ordinance and specific requirements as follows:

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

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

Vice Chairperson Michael Fallek asked if there was anyone present in opposition of the proposed Conditional Use Permit, there were none.

Being no discussion, Mr. Michael Hovar moved to approve. Mr. Gabriel Kamel seconded the motion, which was approved with four members present and voting.

3. Request of Andrea G. Ruiz, for a Conditional Use Permit, for one year, for a home occupation (Notary Office), at Lot 51, Arthur Terrace Subdivision, Hidalgo County, Texas; 6208 North 36th Street. **(CUP 2021-0061)**

Ms. Garza stated that the property is located east of North 36th Street, approximately 233 ft. south of Lark Avenue. The property has 68 ft. of frontage along North 36th Street and a depth of 100 ft. for a lot size of 6,800 sq. ft. and it is zoned R-1 (single-family residential) District. The adjacent zoning is R-1 District to the north, east and south, C-2 (Neighborhood Commercial) District and R-2 (Duplex- Fourplex) District to the west. Surrounding land uses include multifamily apartment complex, single-family residences, El Rodeo Meat Market and vacant land. A home occupation is permitted in the R-1 District with a Conditional Use Permit and in compliance with requirements.

There is a pending enforcement case for running a business in a residential zone without a CUP. The enforcement case was created in May 25, 2021 and in June 1, 2021; the applicant submitted the CUP application for home occupation for a notary office.

The applicant is proposing to operate a home notary from an approximately 1,792 sq. ft. residence. Business would only take place on the rear part of the house on a 200 sq. ft. area; this area has access through the inside and outside of the residence. Applicant stated that the hours of operation are from Monday through Saturday from 10:00 AM to 2:00 PM. The applicant stated that it would only be per appointment, no walk-ins.

The Fire Department has inspected the residence, and found the property to be in compliance. The home occupation use may not operate until requirements are compliant and the process for a request for a conditional use permit has been completed and approval is granted. 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 home occupation must also comply with requirements set forth in Section 138-118 (a) (1) of the Zoning Ordinance and other specific requirements as follows:

- 1) The home occupation shall be clearly secondary to the residential use. The applicant lives at the residence.
- 2) Signs shall not be permitted except a nameplate bearing the person's name or occupation; and attached against the wall of the main building; and not exceeding 2 square feet located within R-2 to R-4 districts. There is no signage proposed.
- 3) No exterior display or alterations indicating that the building is being used for any purpose other than residential shall be permitted.
- 4) No more than 1 additional unrelated employee other than immediate family members residing on the premises shall be permitted. 1 additional employee is proposed.
- 5) No outside storage of materials or products shall be permitted. There would be no outside storage.
- 6) Traffic generated by the proposed use shall not exceed 10% of the average load per hour per street.
- 7) No retail sales shall be permitted. (items can be delivered).
- 8) No additions to the residence or accessory building specifically to accommodate the use

shall be permitted.

9) The proposed use shall take place in the primary residential structure rather than a detached garage or accessory building.

10) The proposed use shall take place at the location specified on the permit.

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

Vice Chairperson Michael Fallek asked if there was anyone present in opposition of the proposed Conditional Use Permit, there were none.

Being no discussion, Mr. Marco Suarez moved to approve. Mr. Gabriel Kamel seconded the motion, which was approved with four members present and voting.

**b) REZONING:**

1. Rezone from C-3 (general business) District to R-3A (multifamily residential apartments) District: 4.112 acres of land out of Lot 105, La Lomita Irrigation and Construction Company's Subdivision, Hidalgo County, Texas; 4200 North Ware Road. **(REZ2021-0033)** (TABLED: 6/16/2021)

Mr. Garza stated that the property is located on the northeast corner of North 34th Street and Primrose Avenue. The tract has 300 ft. of frontage along Primerose Avenue, with a depth of 597.06 ft., for a lot size of 179,118 sq. ft.

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

The adjacent zoning is C-3 (general business) District to the south and west, A-O (agriculture and open space) District to the northeast and East, and C-3L (light commercial) District to the North.

The subject property is currently vacant. Surrounding land uses include Covenant Christian Academy, McAllen Sport Park, Target, a retail commercial plaza, and St. Mary's Plaza.

The Foresight McAllen Comprehensive Plan designate the future land use for the subject property as Urban Center, which is comparable to C-3L (light industrial) District to C-3 (general business) Districts.

The development trend for this area along north 34th Street is a mix of residential and commercial.

The subject property was zoned A-O (agriculture and open space) District during comprehensive zoning in 1979. A rezoning request for the subject property to C-3 (general business) District was approved by the City Commission, on August 24, 2015 during the city initiated A-O rezoning project.

The requested zoning does not conform to the Auto Urban Commercial land use designation as indicated on the Foresight McAllen Comprehensive Plan; however, the zoning trend along North 34th Street is both commercial and residential.

If the request is approved, it may encourage other property owners to apply for a rezoning to R-3A (multi-family residential apartment) District as well, which will increase the density and traffic in the area.

The maximum density in R-3A (multifamily residential apartments) District is 29 three-bedroom units (1,500 sq. ft.) per acre to 43 one-bedroom apartment units (1000 sq. ft.) per acre. Therefore, the maximum number of units for the subject property is approximately 116 three-bedroom units to 172 one-bedroom units.

A recorded subdivision plat and approved site plan are required prior to building permit issuance. Compliance with off-street parking, landscaping, and various building and fire codes are required as part of the building permit process. Required parkland dedication or a fee in lieu of land comprising \$700 per dwelling unit might be required prior to building permit issuance.

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

Staff received one phone call in opposition to the rezoning request but did not give reason for the opposition, only that they are in close proximity to the business.

After a brief discussion, Mr. Gabriel Kamel moved to approve. Mr. Michael Hovar seconded the motion, which was approved with four members present and voting.

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

- a) Oxford Homes Subdivision, 2417 Oxford Avenue, Subhash & Sarojini Bose LP, (SUB2021-00055) (FINAL) RDE**

Oxford Avenue: 15 ft. of ROW dedication for 40 ft. from centerline for 80 ft. of total ROW Paving: 52 ft. Curb & gutter: Both sides must escrow monies if improvements are not built prior to recording. Label ROW on both sides of centerline to verify if any additional dedication is required. City of McAllen Thoroughfare Plan Northgate Lane: 50 ft. ROW. Paving: 32 ft. Curb & gutter: both sides. Owner must escrow monies for improvements not built prior to plat recording. City of McAllen Thoroughfare Plan Internal Streets: 50 ft. ROW Paving: 32 ft. Curb & gutter: Both sides must escrow monies if improvements are not built prior to final. Subdivision Ordinance: Section 134-105 paving, curb & gutter. Front: 25 ft. or greater for easements. Zoning Ordinance: Section 138-356. Rear: 10 ft. or greater for easements. Zoning Ordinance: Section 138-356. Interior sides: 6 ft. or greater for easements. Zoning Ordinance: Section 138-356 Corner: 10 ft. or greater for easements. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required; greater setback applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required on Oxford Avenue and both sides of internal streets. Subdivision Ordinance: Section 134-120 Perimeter sidewalks must be built or money escrowed if not built at this time. Buffers: 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along

Oxford Road. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along Oxford Avenue. City's Access Management Policy\* Common Areas, any private streets/drives, detention areas/ponds, and/or gates must be maintained by the lot owners and not the City of McAllen. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 110-72 applies if subdivision is proposed to be public. 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. HOA will be recorded simultaneously with plat. Subdivision Ordinance: Section 110-72 Lot requirements. Minimum lot width and lot area. Zoning Ordinance: Section. 138-356. Lots fronting public streets. Zoning Ordinance: 138-1 Zoning/cup. Existing: R-1 Proposed: R-1 (single family residential). Zoning Ordinance: Section 138-176. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, Preliminary plats shows 48 lots are proposed; there fore, \$33,600 are payable prior to recording. Park fees will be adjusted accordingly if proposed number of lots changes. \* As per Traffic Department, Trip Generation approved, No TIA required. Comments: Must comply with City's Access Management Policy. As per engineer, subdivision is proposed to be public. Label Detention Area with a lot letter or number prior to recording.

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

Being no discussion, Mr. Gabriel Kamel moved to approve. Mr. Michael Hovar seconded the motion, which was approved with four members present and voting.

**b) The Grove Subdivision, 500 South Ware Road, Tomas Gutierrez Jr.,  
(SUB2019-0027) (FINAL) IG**

S. Ware Road: - 60 ft. from centerline for 120 ft. ROW Paving: by the state Curb & gutter: by the state. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties. Setbacks: Front: 60 ft. or in line with the existing average building setbacks, or easements or approved site plan, whichever is greater. Rear: In accordance with the Zoning Ordinance, or greater for easements or approved site plan. Sides: In accordance with the Zoning Ordinance, or greater for easements or approved site plan. Garage: 18 ft. except where setback is required, greater setback applies. Please revise plat note #2. All setbacks are subject to increase for easements or approved site plan. Sidewalks: 5 ft. wide minimum sidewalk required on South Ware Road. Please revise plat note prior to final. Perimeter sidewalks must be built or money escrowed if not built at this time. Buffers: 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along South Ware Road. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Perimeter buffers must be built at time of Subdivision Improvements. Notes: No curb cut, access, or lot frontage permitted along. Site plan must be approved by the Planning Department and other development departments prior to building permit issuance. Common Areas, Private Drives/Streets must be maintained by the lot owners and not the City of McAllen Common Areas for commercial developments provide



for common parking, access, setbacks, landscaping, etc. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 110-72 applies for public subdivisions. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.

Lot requirements: Lots fronting public streets. Minimum lot width and lot area.

Zoning/cup: Existing: C-3 and R-3A Proposed: C-3 and R-3A. Rezoning Needed Before Final Approval: Rezoning from C-3 to R-3A was approved by P&Z Board on August 16, 2019 and City Commission on August 26, 2019.

Parks: Land dedication in lieu of fee. Park Land Dedication Advisory Board reviewed a variance of fees in lieu of land on November 13, 2019 to pay 50% prior to recording and the remaining 50% of the fees are to be paid during building permit application process as approved by City Commission on November 25, 2019. Park Fee of \$700 per dwelling unit/lot to be paid prior to recording x 139 units = \$97,300 due. Park Land Dedication Advisory Board reviewed a variance of fees in lieu of land on November 13, 2019 to pay 50% prior to recording and the remaining 50% of the fees are to be paid during building permit application process as approved by City Commission on November 25, 2019. Pending review by the Parkland Dedication Advisory Board and CC. Park Land Dedication Advisory Board reviewed a variance of fees in lieu of land on November 13, 2019 to pay 50% prior to recording and the remaining 50% of the fees are to be paid during building permit application process as approved by City Commission on November 25, 2019. Traffic: Trip Generation to determine if TIA is required, prior to final plat. Per Traffic Department, Trip Generation and TIA have been approved. Traffic Impact Analysis (TIA) required prior to final plat. Per Traffic Department, TIA has been approved. Comments: Must comply with City's Access Management Policy. Planning and Zoning Commission approved the subdivision in preliminary form, with conditions, at the meeting of May 21, 2019. Preliminary approval has expired, pending review by the Board.

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

Being no discussion, Mr. Gabriel Kamel moved to approve. Mr. Michael Hovar seconded the motion, which was approved with four members present and voting

**c)** Cascada At Tres Lagos Phase II, No Address at this time, Rhodes Development, INC. **(SUB2021-0023)** (FINAL) M&H

Interior streets (Chalk Ridge Dr. and Cascada Bend Road): 50 ft. ROW Paving: min. 32 ft. Curb gutter: both sides Money must be escrowed if improvements are not built prior to recording. Subdivision Ordinance: Sec. 134-105. 9 Mile Road: 100 ft. ROW Paving: 65 ft. Curb & gutter: both sides. Show document number for abandoned ROW for 9 Mile Road on plat prior to recording. Subdivision ordinance: Sec. 134-105. 800 ft. Block Length: Common areas and access walks/drives provided per agreement. Subdivision Ordinance: Section 134-118. 600 ft. Maximum Cul-de-Sac: Cul-de-sac street length does not apply provided that the development uses the "coving method" and emergency access walks/drives are provided, per agreement. Subdivision Ordinance: Section 134-105. \* Front: 20 ft. minimum or greater for easements. Zoning Ordinance: Section 138-356. Rear: 11 ft. or greater for easements. Zoning Ordinance: Section 138-356. Interior sides: 5 ft. or greater for easements. Zoning ordinance: Section 138-356. Side corner: 10 ft. or greater for easements. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required, greater setback applies. \*\*Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site

plan. Perimeter sidewalks must be built or money escrowed if not built at this time. Buffers. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. Site plan must be approved by the Planning and other Development Departments prior to building permit issuance. Common areas, private services drives, etc. must be maintained by the lot owners and not the City of McAllen Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Lot requirements. Lots fronting public streets Zoning Ordinance: Section 138-1 Minimum lot width and lot area. Zoning/cup. Existing: R-1 Proposed: R-1. Land dedication in lieu of fee. Pending review by the Parkland Dedication Advisory Board and CC. Trip Generation approved per Traffic Department. Trips from Traffic Impact Analysis (TIA) submitted in 2016 have been honored, per Traffic Department. Comments: Abandonment document number needs to be referenced on plat prior to recording

Staff recommends approval of the subdivision in final form.

Being no discussion, Mr. Gabriel Kamel moved to approve. Mr. Michael Hovar seconded the motion, which was approved with four members present and voting

**d) 495 Commerce Center Phase XIII, 1101 East Laurel Avenue, 495 Lakeview Properties LTD, (SUB2020-0003)(FINAL)SEC**

E. Laurel Avenue: 60 ft. ROW Paving: 40 ft. Curb & gutter: Both sides N. Commerce Street: 60 ft. ROW. Paving: 40 ft. Curb & gutter: Both sides. N. J. Street: 50 ft. ROW. Paving: 32 ft. Curb & gutter: Both sides E. Lakeside Drive: 25 ft. required for 50 ft. ROW. Paving: 32 ft. Curb & gutter: Both sides 800 ft. Block Length. 600 ft. Maximum Cul-de-Sac  
Alleys ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties Plat note required indicating service drive will be reviewed once site plan is submitted  
Setbacks Front: E. Laurel Avenue 30 ft., except 10 ft. for unenclosed carport. Rear: In accordance with Zoning Ordinance or greater for easements. Sides: In accordance with Zoning Ordinance or greater for easements Corner: In accordance with Zoning Ordinance or greater for easements. All setbacks are subject to increase for easements or approved site plan  
Sidewalks: 4 ft. wide minimum sidewalk required on E. Laurel Avenue, N. Commerce Center Street and all interior streets. Perimeter sidewalks must be built or money escrowed if not built at this time. Buffers: 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Perimeter buffers must be built at time of Subdivision Improvements. \* Site plan must be approved by the Planning and other Development Departments prior to building permit issuance. Common areas, private service drives and access easements must be maintained by the lot owners and not the City of McAllen Common areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. \* Lots fronting public streets. Minimum lot width and lot area Zoning/cup Existing: C-3 Proposed: C-3. \* Trip Generation to determine if TIA is required, prior to

final plat. Traffic Impact Analysis (TIA) required prior to final plat. Must comply with City's Access Management Policy.

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

Being no discussion, Mr. Gabriel Kamel moved to approve. Mr. Michael Hovar seconded the motion, which was approved with four members present and voting

## **5. SITE PLANS:**

- a) Revised site plan approval for Lot 2, Bicentennial Crossing Subdivision, Hidalgo County, Texas; 3601 N. Bicentennial Blvd. **(SPR2021-0026)**

Ms. Garza stated that the subject property is located at the northwest corner of Kerria Ave. and N. Bicentennial Blvd., and is zoned C-3 (general business) District. The adjacent zoning is C-3 District to the north and west, R-1 (single family residential) district to the east, and R-3C (multifamily condominiums) District to the south. Surrounding land uses include commercial retail, restaurants, and offices. Bicentennial Crossing Subdivision was recorded on September 23, 2014 and has a note indicating a Site Plan must be approved by the Planning and Zoning Commission prior to building permit issuance.

The applicant is proposing construct two restaurant buildings, which one will be a coffee shop. The applicant is proposing to construct two restaurants; one at 2,240 sq. ft. building for a coffee shop and a 2,688 sq. ft. building for a restaurant. Based on 4,928 sq. ft. of restaurant use, 50 parking spaces are required and 61 parking spaces are provided on site. Three of the provided parking spaces must be accessible, one which must be van accessible with an 8 ft. wide aisle. Access proposed from existing curb cut along N. Bicentennial Blvd., Kerria Ave., and Nolana Ave. Required landscaping is 5,748 sq. ft. with trees required as follows: 18 -2 ½" caliper trees, or 9 -4" caliper trees, or 105 -6" caliper trees, or 6 palm trees (not to exceed 80%). A minimum 10 ft. wide landscape strip is required inside the property line along N. Bicentennial Blvd. and Kerria Ave. Fifty percent of the landscaping must be visible in front areas, and each parking space must be within 100 ft. of a landscaped area with a tree, as required by ordinance. Existing sidewalk along N. Bicentennial Blvd., Nolana Ave., and Kerria Ave. No structures are permitted over easements. All setbacks will comply with the plat note requirements and the zoning ordinance.

The Building Permit Site Plan must comply with requirements noted on the Development Team Review sheet. Engineered detention plan must be provided at the time of building permit.

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

Being no discussion, Mr. Gabriel Kamel moved to approve. Mr. Marco Suarez seconded the motion, which was approved with four members present and three voting with Vice Chairperson Michael Fallek abstaining his vote.

## 5. SUBDIVISIONS:

a) 4700 Ware Subdivision, 4920 North Ware Road, Rhodes Development, INC.(SUB2021-0041) (REVISED PRELIMINARY) M&H (TABLED 6/16/2021)

Mr. Michael Hovar motioned to remove item from being tabled. Mr. Gabriel Kamel seconded the motion with four members present and voting.

Mr. De la Garza stated North Ware Road: 75 ft. from centerline for 150 ft. of total ROW Paving: by the state Curb & gutter: by the state. Please clarify if property will have access/frontage through North Ware Road prior to final to determine ROW dedication requirements, street paving requirements, paving improvements, etc. COM Thoroughfare Plan North 34th Street: 60 ft. ROW Paving: 40 ft. Curb & gutter: Both sides Monies must be escrowed if improvements are not built prior to recording. Street must be extended to connect north and south ends. Plat must be revised prior to final to comply with requirements. Dead-end streets are not permitted. Engineer submitted a letter requesting a variance to not extend North 34th Street to connect the north and south ends. Subdivision Ordinance: Section 134-105 Paving, Curb & gutter. ROW: 20 ft. Paving: 16 ft. Alley required for commercial properties. Subdivision Ordinance: Section 134-106. Front: 20 ft. or greater for easements or approved site plan. Please clarify frontage prior to final. Setbacks are subject to change prior to final. Zoning Ordinance: Section 138-356. Rear: In accordance with Zoning Ordinance or greater for easements or approved site plan. Please clarify frontage prior to final. Setbacks will be established prior to final. Zoning Ordinance: Section 138-356. Sides: In accordance with Zoning Ordinance or greater for easements or approved site plan. Please clarify frontage prior to final. Setbacks will be established prior to final. Zoning Ordinance: Section 138-356. Corner: In accordance with Zoning Ordinance or greater for easements or approved site plan. Please clarify frontage prior to final. Setbacks will be established prior to final. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required; greater setback applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required on both sides of North 34th Street. Please revise plat note #7 as shown above. Please clarify if access on North Ware Road will be proposed prior to Final to determine sidewalk requirements. 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 west property line, and others as needed prior to final. Please revise plat note as shown above prior to final. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses, and others as needed prior to final. Please revise plat note as shown above prior to final. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along. City's Access Management Policy Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Common Areas, private streets/drives, detention and common areas, etc. must be maintained by the lot owners and not the City of McAllen. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 110-72 applies if private subdivision is proposed. Landscaping Ordinance: Section

110-72. Subdivision Ordinance: Section 134-168. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Subdivision Ordinance: Section 110-72. Minimum lot width and lot area. Zoning Ordinance: 138-1. Lots fronting public streets. Plat must be revised to show extension of North 34th Street prior to final. Please clarify if access/frontage from North Ware Road is being proposed prior to final. Zoning Ordinance: Section. 138-356. Existing : R-3A Proposed: R-3A. Rezoning to R-3A approved by Planning and Zoning Board at their P&Z meeting of November 3, 2020 and by City commission on November 9, 2020. Zoning Ordinance: Article V Rezoning Needed Before Final Approval. Rezoning to R-3A approved by Planning and Zoning Board at their P&Z meeting of November 3, 2020 and by City commission on November 9, 2020. Zoning Ordinance: Article V. Land dedication in lieu of fee. As per Parks Department, please clarify number units to determine if land dedication or fees will be required prior to recording. Park Fee of \$700 per dwelling unit to be paid prior to recording. As per Parks Department, please clarify number units to determine if land dedication or fees will be required prior to recording. Pending review by the Parkland Dedication Advisory Board and CC. As per Parks Department, please clarify number units to determine if land dedication or fees will be required prior to recording. As per Traffic Department, Trip Generation approved, no TIA required. Comments: Must comply with City's Access Management Policy Clarify if access from North Ware Road is proposed. North 34th Street must be extended to connect north and south end; dead-end streets are not permitted. Please revise plat prior to final to comply with requirements. As per Fire Department, a second access might be required depending on the number of unit proposed. Please provide copy of Doc. 1190263 (37.5 ft. easement) along the north property line prior to final for staff to review. City Departments have reviewed proposed layout and recommend compliance with the required extension of North 34th Street.

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

Mr. Eziquiel Acevedo Jr., residing at 3425 Water Lily, spoke in opposition to the request. He is against having 34<sup>th</sup> Street connected due to traffic and also is against having an apartment complex added due to privacy issues. He was advised by the board that they were only approving the subdivision and not the rezoning at this time.

Mr. Ron Villarreal, resides at 4800 North 34<sup>th</sup> Street, stated he submitted a petition consisting of 36 signatures/households, representing 128 citizens in opposition of connecting 34<sup>th</sup> Street due to traffic safety and also privacy and safety issues.

Kelly Vela, Melden & Hunt Engineers, addressed the board that they can propose to not continue the dedication of one ways and dedicate turn around access instead to eliminate direct traffic on 34<sup>th</sup> Street. They will submit an exhibit to staff for their review prior to the City Commission Meeting.

After a short discussion, Mr. Michael Hovar moved to approve the subdivision and approving the variance subject to Melden & Hunt Engineers providing the information (site plan) of pathway. Mr. Gabriel Kamel seconded the motion, which was approved with four members present and voting.

b) Villa Torre At North Bentsen Estates, 7500 North Bentsen Road, Antonio M. Aguirre Jr. **(SUB2021-0048)** (REVISED PRELIMINARY) RDE

Mr. De la Garza stated North Bentsen Road: 20 ft. dedication for 50 ft. ROW from centerline for 100 ft. ROW Paving: 65 ft. Curb & gutter: Both sides. Monies must be escrowed if improvements are not built prior to recording. COM Thoroughfare Plan Internal street: 50 ft. ROW proposed. Paving: 32 ft. proposed. Curb & gutter: Both sides Monies must be escrowed if improvements are not built prior to recording. ROW for internal street might have to be increased to 60 ft. with 40 ft. of paving if proposed cul-de-sac length variance is approved. Street name will be assigned prior to final. Subdivision Ordinance: Section 134-105. Paving Curb & gutter. 600 ft. Maximum Cul-de-Sac: Engineer submitted an application on June 18, 2021 requesting a variance to the maximum allowed cul-de-sac length. The proposed cul-de-sac length is approximately 720 ft. instead of the maximum allowed 600 ft. ROW for internal street might have to be increased to 60 ft. with 40 ft. of paving if proposed cul-de-sac length variance is approved. Subdivision Ordinance: Section 134-105. Front : 25 ft. or greater for easements Zoning Ordinance: Section 138-356. Rear: 10 ft. or greater for easements Zoning Ordinance: Section 138-356. Interior sides: 6 ft. or greater for easements. Zoning Ordinance: Section 138-356. Corner: 10 ft. or greater for easements. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required; greater setback applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required on North Bentsen Road and both sides of all interior streets. Please revise plat note #9 as shown above prior to final. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along North Bentsen Road. Please revise plat note #11 as shown above prior to final. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along North Bentsen Road. Please revise plat note #14 as shown above prior to final. City's Access Management Policy. Common Areas, any private streets/drives, common areas, detention areas, etc. must be maintained by the lot owners and not the City of McAllen Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 110-72 applies if private subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. HOA document will be required to be recorded simultaneously with plat. Subdivision Ordinance: Section 110-72. Minimum lot width and lot area. If ROW is widened, lot dimensions might have to be revised to comply with minimum lot area requirements prior to final. Zoning Ordinance: 138-1. Lots fronting public streets. Zoning Ordinance: Section. 138-356. Existing: R-1 Proposed: R-1. Zoning Ordinance: Article V. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, 26 single-family lots are proposed, therefore, \$18,200 are due prior to recording. Comments: Must comply with City's Access Management Policy. Internal street name will be assigned prior to final. As per Fire Department, minimum 96 ft. of paving diameter face-to-face with 10 ft. ROW back of curb required. Additional documents as may be required by Public Works and Fire Departments to verify compliance with cul-de-sac maneuverability prior to final.

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

Mr. De la Garza clarified that usually these variances are approved with 40ft. of paving instead of 30ft.

After a brief discussion, Mr. Gabriel Kamel moved to approve subject to widening the street. Mr. Marco Suarez seconded the motion, which was approved with four members present and voting.

c) Pioneer Estates Subdivision, 9400 North Shary Road, JoAnn Schoening Leibowitz **(SUB2021-0066)** (PRELIMINARY) MAS

Mr. De la Garza stated North Shary Road: 30 ft. ROW dedication for 60 ft. from centerline for 120 ft. total ROW Paving: By the state Curb & gutter: By the state. Label ROW dedication, centerline, total ROW after dedication and ROW on both sides of centerline to verify if any additional ROW dedication is required prior to final. Please show document wherein the existing 60 ft. ROW was dedicated prior to final. Label strip of land located north of Lots 33-48 prior to final to establish ROW requirements. COM Thoroughfare Plan. 6 Mile Line: 50 ft. from centerline for 100 ft. total ROW Paving: 65 ft. Curb & gutter: Both sides must escrow monies if improvements are not built prior to recording. Label ROW dedication, centerline, total ROW after dedication and ROW on both sides of centerline to verify if any additional ROW dedication is required prior to final. Please show document wherein the existing 40 ft. ROW was dedicated prior to final. Label strip of land located north of Lots 33-48 prior to final to establish ROW requirements. COM Thoroughfare Plan North 56th Street (N/S Collector Road-east boundary line): 60-70 ft. ROW Paving: 40-44 ft. Curb & gutter: Both sides. Must escrow monies if improvements are not built prior to final. Subdivision Ordinance: Section 134-105 Internal Streets: 50 ft. ROW. Paving: 32 ft. Curb & gutter: Both sides must escrow monies if improvements are not built prior to recording. Submit gate details prior to final if applicable. Gate details might increase ROW requirements. Street names will be established prior to final. Include ROW radius for knuckles prior to final to verify compliance with requirements. Subdivision Ordinance: Section 134-105. Paving Curb & gutter 800 ft. Block Length exceeded. Block length for lots 55-72 is approximately 920 ft. Please revise subdivision layout to comply with requirements prior to final. Subdivision Ordinance: Section 134-118. Front: 25 ft. or greater for easements. Setbacks for R-1 (single-family residential) District. Setbacks might be revised prior to final if annexation is requested. Zoning Ordinance: Section 138-356. Rear: 10 ft. except 25 ft. for double fronting lots or greater for easements. Setbacks for R-1 (single-family residential) District. Setbacks might be revised prior to final if annexation is requested. Zoning Ordinance: Section 138-356. Interior Sides: 6 ft. or greater for easements. Setbacks for R-1 (single-family residential) District. Setbacks might be revised prior to final if annexation is requested. Zoning Ordinance: Section 138-356. Corner: 10 ft. or greater for easements. Add plat note as shown above prior to final. Setbacks for R-1 (single-family residential) District. Setbacks might be revised prior to final if annexation is requested. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required; greater setback applies. Setbacks for R-1 (single-family residential) District. Setbacks might be revised prior to final if annexation is requested. 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 Shary Road and 4 ft. wide minimum sidewalk required on 6 Mile Line., and both side of all interior streets. Please revise plat note as shown above prior to final. 5 ft. sidewalks required along North Shary Road as per Engineering Department. Subdivision

Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses, and along North Shary Road and 6 Mile Line, North 56th Street and any other applicable prior to final. Please revise plat note as shown above prior to final. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along North Shary Road, 6 Mile Linen and North 56th Street. Please add plat note as shown above prior to final. City's Access Management Policy. Common Areas, any private streets/drives must be maintained by the lot owners and not the City of McAllen Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 110-72 applies if subdivision is proposed to be public. 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. HOA will be recorded simultaneously with plat. Subdivision Ordinance: Section 110-72. Existing: ETJ Proposed: Single-family residences. If annexation and initial zoning is requested, both processes must finalized prior to final plat review. Zoning Ordinance: Article V Rezoning Needed Before Final Approval. If annexation and initial zoning is requested, both processes must finalized prior to final plat review. Zoning Ordinance: Article V. Minimum lot width and lot area. Lot 54 does not comply with the minimum width for a corner lot of 54 ft. Please revise subdivision layout prior to final to comply with requirements. Include all lots dimensions to verify compliance with this requirement prior to final. Zoning Ordinance: Section. 138-356. Lots fronting public streets. Zoning Ordinance: 138-1. As per Traffic Department, Trip Generation required to determine if TIA will be required prior to final. As per Traffic Department, Trip Generation required to determine if TIA will be required prior to final. Comments: Must comply with City's Access Management Policy Internal street names will be established prior to final. Label Drainage Area with a letter or number prior to final. Clarify "Temporary Construction Easement" along east subdivision boundary prior to final.

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

Being no discussion, Mr. Gabriel Kamel moved to approve. Mr. Michael Hovar seconded the motion, which was approved with four members present and voting.

**d)** Avanti Legacy Violet Parc, 4601 North McColl Road, Roberto Aura Salazar, **(SUB2021-0068)** (PRELIMINARY) CE

Mr. De la Garza stated North McColl Road: 60 ft. dedication for 60 ft. from centerline for 120 ft. total ROW. Paving: By the state Curb & gutter: By the state. Please label clearly amount (feet) of ROW being dedicated prior to final. Remove utility lines, site plan, curb cuts, etc. from plat prior to final. COM Thoroughfare Plan. Paving, Curb & gutter ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties. Front: In accordance with Zoning Ordinance or greater for easements or approved site plan or in line with existing structures. Setbacks will be established prior to final. Zoning Ordinance: Section 138-356. Rear: In accordance with Zoning Ordinance or greater for easements or approved site plan. Setbacks will be established prior to



final. Zoning Ordinance: Section 138-356. Interior Sides: In accordance with Zoning Ordinance or greater for easements or approved site plan. Setbacks will be established prior to final. Zoning Ordinance: Section 138-356. Corner: In accordance with Zoning Ordinance or greater for easements or approved site plan. Setbacks will be established prior to final. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required; greater setback applies. Setbacks will be established prior to final. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. Sidewalks 5 ft. wide minimum sidewalk required on North McColl Road. Please revise plat note # 13 as shown above prior to final. 5 ft. sidewalk requirements as per Engineering Department. Subdivision Ordinance: Section 134-120 Perimeter sidewalks must be built or money escrowed if not built at this time. Buffers. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along. City's Access Management Policy 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, etc. must be maintained by the lot owners and not the City of McAllen Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 110-72 applies if private subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168 Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Subdivision Ordinance: Section 110-72. Lot requirements. Minimum lot width and lot area. Zoning Ordinance: 138-1. Lots fronting public streets. Zoning Ordinance: Section. 138-356 Zoning/cup Existing: R-3A & C-3 Proposed: R-3A & C-3. Zoning Ordinance: Article V Rezoning Needed Before Final Approval Zoning Ordinance: Article V Parks. Land dedication in lieu of fee. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. Pending review by the Parkland Dedication Advisory Board and City Commission based on the 84 units proposed. Traffic As per Traffic Department, Trip Generation needed to determine if TIA will be required prior to final. As per Traffic Department, Trip Generation needed to determine if TIA will be required prior to final. Comments: Must comply with City's Access Management Policy. Please remove utility layout, shaded areas, site plan, curb cuts, etc. from plat prior to final. Number of units proposed for Lot 1 required to determine requirements such as number of accesses, setbacks, Parks Dept. requirements, etc. prior to final. Please submit any gate details if applicable prior to final. Clarify if any "Central Power and Light Company Easements" are located within subdivision boundaries. For Lot 2 (existing law office), parking spaces might have to be relocated to not be within the proposed ROW dedication. If any license agreements are requested, they will have to be reviewed by TX-Dot and must be finalized prior to final plat review.

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

Being no discussion, Mr. Gabriel Kamel moved to approve. Mr. Michael Hovar seconded the motion, which was approved with four members present and voting.

**e) The Hills At Sharyland, 9200 North Shary Road, JoAnn Schoening Leibowitz,  
(SUB2021-0067) (PRELIMINARY) MAS**

Ms. Gonzalez stated N. Shary Road: 30 ft. of ROW dedicated for 60 ft. ROW required from centerline for 120 ft. total ROW Paving: min. 65 ft. Curb & gutter: both sides. Label centerline and show street name on plat prior to final approval City of McAllen Thoroughfare Plan N. 56th Street: 35 ft. ROW dedication required for future 70 ft. ROW Paving: 44 ft. Curb & gutter: both sides Owner must escrow monies for improvements if not built prior to plat recording. Revise plat accordingly to reflect required dedication for N. 56th Street prior to final approval. City of McAllen Thoroughfare Plan E/W Collector: 30 ft. ROW dedication required for 60 ft. ROW Paving: 40 ft. Curb & gutter: both sides. Owner must escrow monies for improvements if not built prior to plat recording. Revise plat accordingly to reflect required dedication for future collector road prior to final. City of McAllen Thoroughfare Plan Interior Streets: 60 ft. ROW Paving: 40 ft. Curb & gutter: both sides Owner must escrow monies for improvements if not built prior to plat recording. Required ROW is 60 ft., revise plat accordingly City of McAllen Thoroughfare Plan 800 ft. Block Length. Label street length since it appears to exceed maximum length permitted, if so, revise plat accordingly prior to final approval. Subdivision Ordinance: Section 134-118. 600 ft. Maximum Cul-de-Sac. Revise plat prior to final, label street length 96 ft. paving diameter required (face to face) per Fire Department Subdivision Ordinance: Section 134-105. Alleys ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties. Subdivision Ordinance: Section 134-106. Setbacks: Front: Proposing 25 ft. or greater for easement. A 20 ft. setback applies for the proposed R-2 use, revise accordingly prior to final. Zoning Ordinance: Section 138-356. Rear: 10 ft. or greater for easements. Zoning Ordinance: Section 138-356. Sides: 6 ft. or greater for approved site plan or easement Zoning Ordinance: Section 138-356. Corner: 10 ft. or in accordance with the zoning ordinance or greater for approved site plan or easement. Revise plat as noted above Zoning Ordinance: Section 138-356. Garage: 18 ft. except where a greater setback is require, greater setback applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. Sidewalks: 5 ft. wide minimum sidewalk required on the east side of N. Shary Road and 4 ft. wide minimum wide sidewalk N. 56th Street, both sides of interior streets and east/west collector road on the south boundary. Revise plat as noted above Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. Buffers: 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along N. Shary Rd., N. 56th St. and E/W collector street. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/use. 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. Shary Rd., N. 56th Street and E/W Collector road on the south boundary City's Access Management Policy. Site plan must be approved by the Planning and other Development Departments prior to building permit issuance. Common areas, private service drives, etc. must be maintained by the lot owners and not the City of McAllen Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 110-72 applies for public

subdivisions. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Subdivision Ordinance: Section 110-72

Lot requirements: Lots fronting public streets. Zoning Ordinance: 138-1, Minimum lot width and lot area, Zoning Ordinance: 138-1

Zoning/cup: Existing: ETJ Proposed: R-2. Rezoning needs to be finalized prior to final approval. No application on file yet. Rezoning Needed Before Final Approval. Park Fee of \$700 per dwelling unit/lot to be paid prior to recording. Property is currently in the ETJ, if annexed Park Board review will be needed since land is over one acre. If fees are applied \$38,500 are due prior to recording for proposed 55 lots. Trip Generation required by Traffic Department to determine if TIA is required, prior to final plat. Traffic Impact Analysis (TIA) required prior to final plat. Comments: Must comply with City's Access Management Policy. Show 35 ft. required ROW dedication for N. 56th Street and the required 30 ft. for the east/west collector road along the south side of the property. Clarify whether annexation will be sought. Annexation and rezoning needs to be finalized prior to final approval. Label interior street width. Need to Label Detention with a letter or number. Secondary access needed per Fire Department since development is over 30 lots.

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

After a brief discussion, Mr. Gabriel Kamel moved to approve. Mr. Marco Suarez seconded the motion, which was approved with four members present and voting.

**f) Just A Closet #8, 4200 North Ware Road, Just A Closet #8, LLC (SUB2021 0069) (PRELIMINARY) IG**

Ms. Gonzalez stated N. Ware Road: 15 ft. additional ROW for 75 ft. from centerline for 150 ft. total ROW Paving: by the state Curb & gutter: by the state City of McAllen Thoroughfare Plan Primrose Avenue: 70 ft. ROW Paving: 44 ft. Curb & gutter: both sides. Revise plat to show document number for the existing 33.5 ft. of ROW shown to determine if any additional ROW is required. City of McAllen Thoroughfare Plan N. 34th Street: 70 ft. ROW Paving: 44 ft. Curb & gutter: both sides. City of McAllen Thoroughfare Plan. Paving, Curb & gutter ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties. Note #13 indicates service drive will be reviewed with site plan and will be maintained by lot owners. Setbacks: N. Ware Road: Proposing 60 ft. or greater for approved site plan or easements Zoning Ordinance: Section 138-356. Primrose Avenue: Proposing 35 ft. or greater for approved site plan or easements. Zoning Ordinance: Section 138-356. Rear: in accordance with the zoning ordinance or greater for approved site plan or easements. Zoning Ordinance: Section 138-356. Interior Sides: in accordance with the zoning ordinance or greater for easements or approved site plan. Zoning Ordinance: Section 138-356. Corner to be established prior to final approval as may be needed. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. Sidewalks: 5 ft. wide minimum sidewalk required on N. Ware Road and 4 ft. wide minimum sidewalk required along Primrose Avenue and N. 34th Street. Revise plat Note #8 as noted above. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. Buffers. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Revise Note #11 since it references different streets other than this location. Additional bufferer along streets as needed prior to final. 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. Notes: No curb cut, access, or lot frontage permitted along Ware Road. Variance required for any new accesses proposed along N. Ware Road, per Traffic Department. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Common areas, private service roads, etc. must be maintained by the lot owners and not the City of McAllen. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 110-72 applies for public subdivisions. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Lot requirements Lots fronting public streets. Zoning Ordinance: Section 138-356. Minimum lot width and lot area. Zoning Ordinance: 138-1. Zoning/cup Existing: C-3 Proposed: C-3 & R-3A. Rezoning application will be reviewed by P&Z on July 8, 2021, and City Commission on July 12, 2021. Rezoning Needed Before Final Approval Parks: Land dedication in lieu of fee, Park Fee of \$700 per dwelling unit/lot to be paid prior to recording. Pending clarification on amount of proposed units to determine amount to be paid prior to recording. Pending review by the Parkland Dedication Advisory Board and CC. Pending clarification on proposed number of units to determine if Board review and approval is required. Traffic: Trip Generation to determine if TIA is required, prior to final plat. Traffic Impact Analysis (TIA) required prior to final plat. Comments: Must comply with City's Access Management Policy Rezoning needed prior to final approval. Revise Note #11 and reference applicable streets

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

Being no discussion, Mr. Marco Suarez moved to approve subject to conditions noted. Mr. Gabriel Kamel seconded the motion, which was approved with four members present and voting.

#### 7) INFORMATION ONLY

- a) City Commission Actions held on June 28, 2021.
- b) Planning Director, Mr. Edgar Garcia introduced new Employees for the Planning Department.

#### **ADJOURNMENT:**

There being no further business to come before the Planning & Zoning Commission, Gabriel Kamel adjourned the meeting at 4:33 p.m. and Mr. Marco Suarez seconded the motion, which carried unanimously with four members present and voting.

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

\_\_\_\_\_  
Vice-Chairperson, Michael Fallek

## Planning Department

# Memo

**TO:** Planning and Zoning Commission

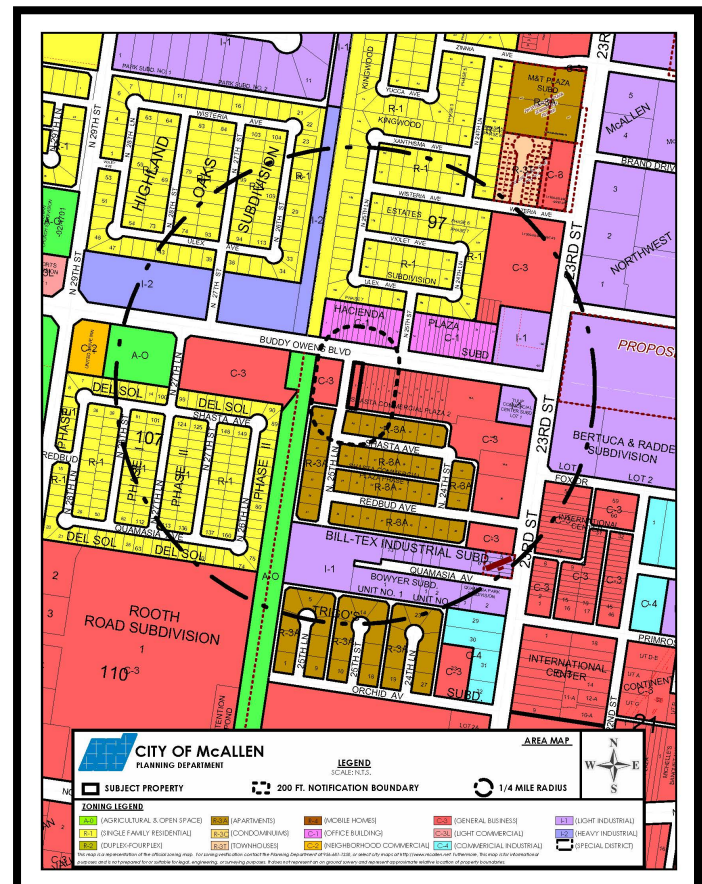
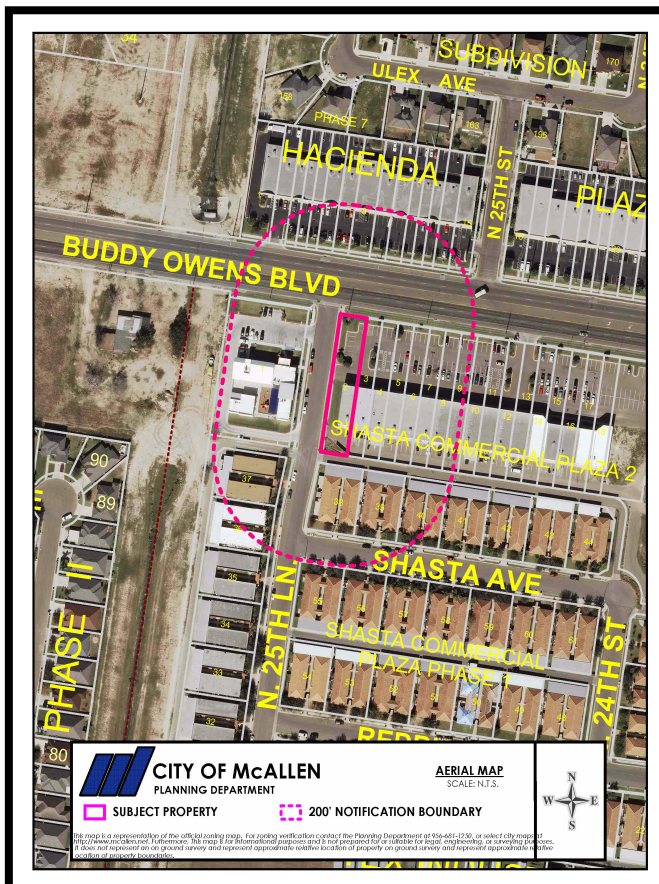
**FROM:** Planning Staff

**DATE:** July 14, 2021

**SUBJECT: REQUEST OF CARLOS AND ARELY FUENTES ON BEHALF OF CENTRO DE ALABANZA COMUNIDAD CRISTIANA, INC., FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR AN INSTITUTIONAL USE (CHURCH) AT LOT 2, SHASTA COMMERCIAL PLAZA PHASE II SUBDIVISION, HIDALGO COUNTY, TEXAS; 2519 BUDDY OWENS BOULEVARD. (CUP2021-0067)**

### BRIEF DESCRIPTION:

The property is located at the southeast corner of the intersection of Buddy Owens Boulevard and North 25<sup>th</sup> Lane. The property is zoned C-3 (general business) District. The adjacent zoning is C-3 District to the east and west, R-3A (apartments) District to the south, and C-1 (office building) District to the north. An institutional use is permitted in a C-3 zone with a conditional use permit and in compliance with requirements.



**HISTORY:**

A Conditional Use Permit for a church was approved by the Planning and Zoning Commission for one year at this location on April 21, 2015. There is now a new applicant who is requesting the permit; therefore, it has to come before the Planning and Zoning Commission for consideration.

**REQUEST/ANALYSIS:**

The applicant, (Centro de Alabanza Comunidad Cristiana, Inc.), is proposing to operate a church out of an approximate 2,180 sq. ft. lease space (according to Hidalgo County Appraisal District), which is part of a multi-tenant commercial building by the name of Shasta Commercial Plaza. The property was previously the site for Next Level Fitness Studio. Shasta Commercial Plaza is a mixture of office, retail, and vacant suites. The lease space consists of an auditorium, two restrooms and a closet as shown on the submitted site plan. The applicant is proposing a seating arrangement of 50 chairs in the auditorium. The proposed days and hours for worship services will be Wednesday from 7:00 p.m. to 10:00 p.m. and Sundays from at 8:00 a.m. to 1:00 p.m.

Based on the 50 seats in the main auditorium, 13 parking spaces are required. There are 280 parking spaces provided on site as part of a common parking area of the existing commercial development. The parking spaces for the other businesses do not interfere with the church's parking based on the hours of operation for the majority of the businesses.

The Fire Department has inspected the lease space, and is pending compliance with safety codes and regulations. Should the conditional use permit be approved, the applicant would be required to sign the application acknowledging and agreeing to other conditions of the permit. The proposed use must also comply with the zoning ordinance and specific requirements as follows:

- 1) The proposed use shall not generate traffic onto residential size streets or disrupt residential areas, and shall be as close as possible to a major arterial. The property fronts and has access to Buddy Owens Boulevard.
- 2) The proposed use shall comply with the McAllen Off-Street Parking Ordinance and make provisions to prevent the use of street parking, especially in residential areas. Based on a seating capacity of 50 persons in the main auditorium, 13 parking spaces are required; 280 parking spaces are provided on site. The parking spaces are part of the existing commercial development.
- 3) The proposed use shall prevent the unauthorized parking of its patrons on adjacent businesses or residences by providing fences, hedges or reorientation of entrances and exits;
- 4) The proposed use shall provide sufficient lighting to eliminate dark areas, perimeter fencing, and an orientation of the building to provide maximum visibility from a public street in order to discourage vandalism and criminal activities;

- 5) Provisions shall be made to prevent litter from blowing onto adjacent streets and residential areas;
- 6) The number of persons within the building shall be restricted to the existing seating capacity for the building; and
- 7) Sides adjacent to commercially and residentially zoned or used properties shall be screened by a 6 ft. opaque fence. A 6 ft. opaque fence is required on the south side and one is provided.

**RECOMMENDATION:**

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



P67  
7/20/21



CITY OF McALLEN, TEXAS  
311 NORTH 15<sup>TH</sup> STREET, McALLEN, TX 78501  
P. O. BOX 220, McALLEN, TEXAS 78505-0220 • (956) 681-1250 • FAX (956) 681-1279

Permit No. Cup 2021-0067

## INSTITUTIONAL USES

CONDITIONAL USE PERMIT APPLICATION

(Please print or type)

New

Application Date 06 / 16 / 21

Carlos y Arely Fuentes in behalf of  
Centro de Alabanza Comunidad Cristiana Inc. PHONE NO: (956) 509-4602  
Applicant (first) (initial) (last)

107 N 20<sup>th</sup> & McAllen Tx 78501  
Mailing Address (city) (state) (zip)

Mario Buez PHONE NO: (956) 827-0170  
Property Owner (first) (initial) (last)

2507 Buddy Owens McAllen TX 78504  
Mailing Address (city) (state) (zip)

2519 Buddy Owens Blvd. McAllen Tx 78504  
Property Location (street address)

Lot 2 Shasta Commercial Plaza Ph. 2 Lot 2  
Property Legal Description (if metes and bounds, attach survey of the property) (subdivision) (block) (lot)

Vacant Church  
Current use of property Proposed use of property

TERM OF PERMIT: ✓ 1 YEAR        MORE THAN 1 YEAR (requires City Commission approval)

Hours of Operation  
Sunday  
8AM - 1PM  
Wednesday  
7PM - 10PM

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

<u>      </u> Scale, north arrow, legal description of property	<u>      </u> Landscaping and fencing of yard
<u>      </u> Location and height of all structures	<u>      </u> Off-street parking and loading
<u>      </u> Setback from property lines and between structures	<u>      </u> Driveway location & design
<u>      </u> Proposed changes and uses	<u>      </u> Location, type, height and lighting of all signs

[Signature] 6/16/2021 [Signature] 6/16/2021  
(Applicant signature) (date) (Property owner signature) (date)

Arely Fuentes

### GENERAL INFORMATION

**NOTIFICATION AND PUBLIC HEARING:** Property owners within 200' of the subject property shall be notified within at least 10 working days of the Planning and Zoning Commission public hearing. Upon considering the recommendation of the Director of Planning, the Planning and Zoning Commission shall approve or disapprove the application.

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

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

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

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

### DEFINITIONS

Institutional - A nonprofit organization or building, public or private, for the benefit of the public; or educational facilities, churches, temples, hospitals, clubs, fire stations, police stations, libraries, museums, city offices, etc.



Pct# 799258

ME GR





## **CENTRO DE ALABANZA**

COMUNIDAD CRISTIANA, INC.

TAX ID:32062808905

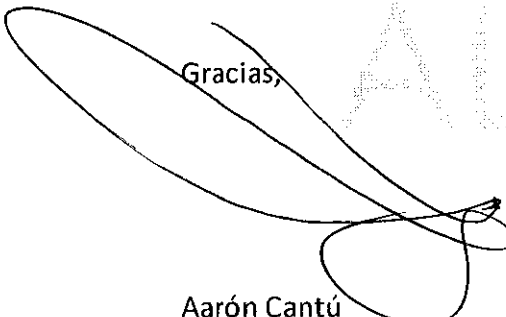
Miércoles 16 de junio del 2021

A quien corresponda:

Por este medio informo que Carlos A. Fuentes Jr. Y Arely I. Gutiérrez pueden representar nuestra iglesia en cualquier tramite relacionado con la renta del local ubicado en el 2519 Buddy Owens Ave, McAllen, TX 78504. Ambos tienen autorización para aplicar para los permisos y aplicaciones requeridas por City of McAllen.

Si requiere mas información, por favor comunicarse al (956)414-8342.

Gracias,

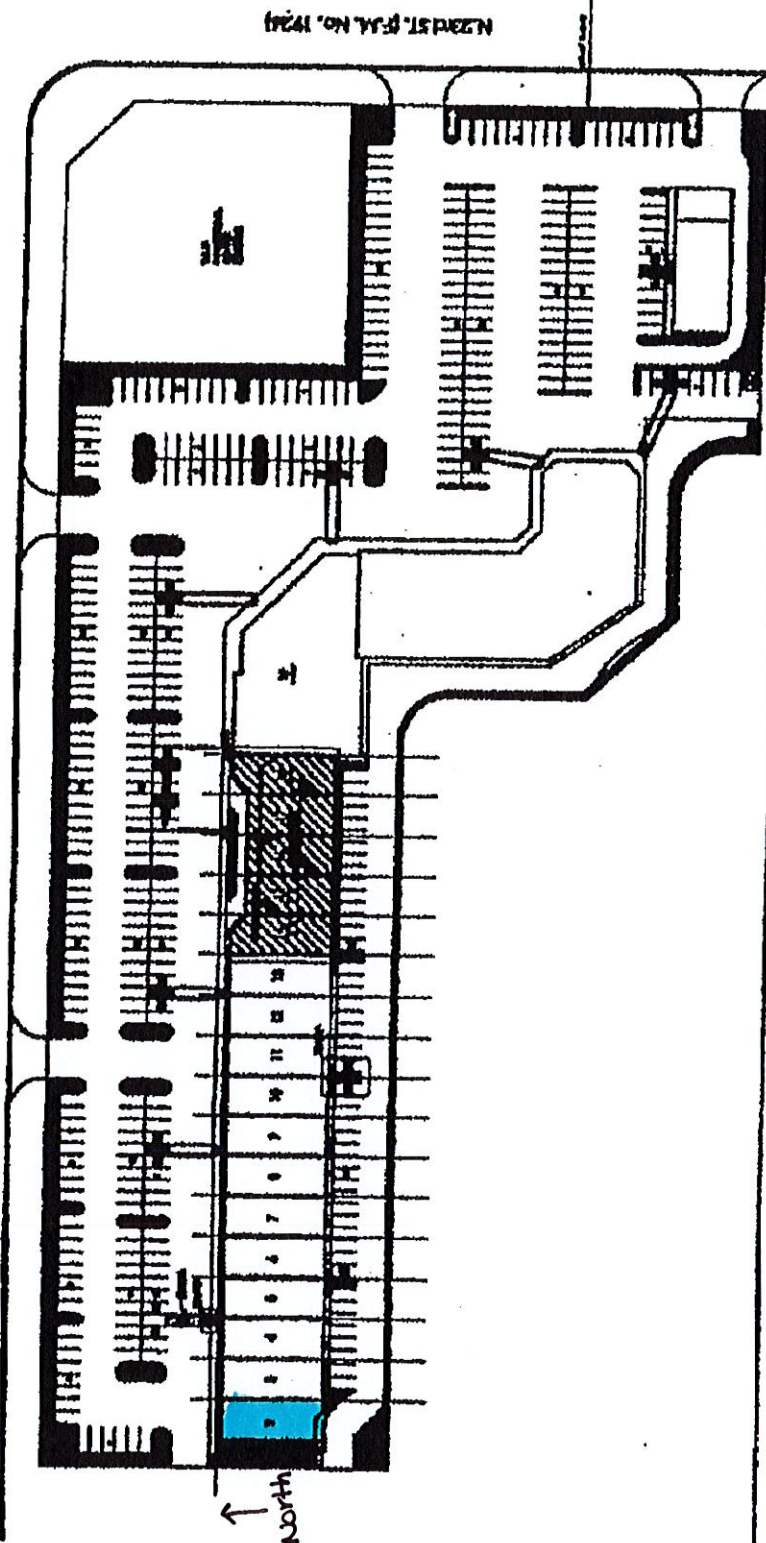


Aarón Cantú

Head Pastor

# SITE PLAN/ LOCATION MAP

2519 Buddy Owens Blvd BUDDY OWENS AV. (MILE 3 NORTH ROAD F.M. No. 1924)



OCCUPANCY CODED.

↑ Looking Area ↑

windows

windows

entrance

STAGE

50 CHAIRS

↑ NORTH

SINK

closet

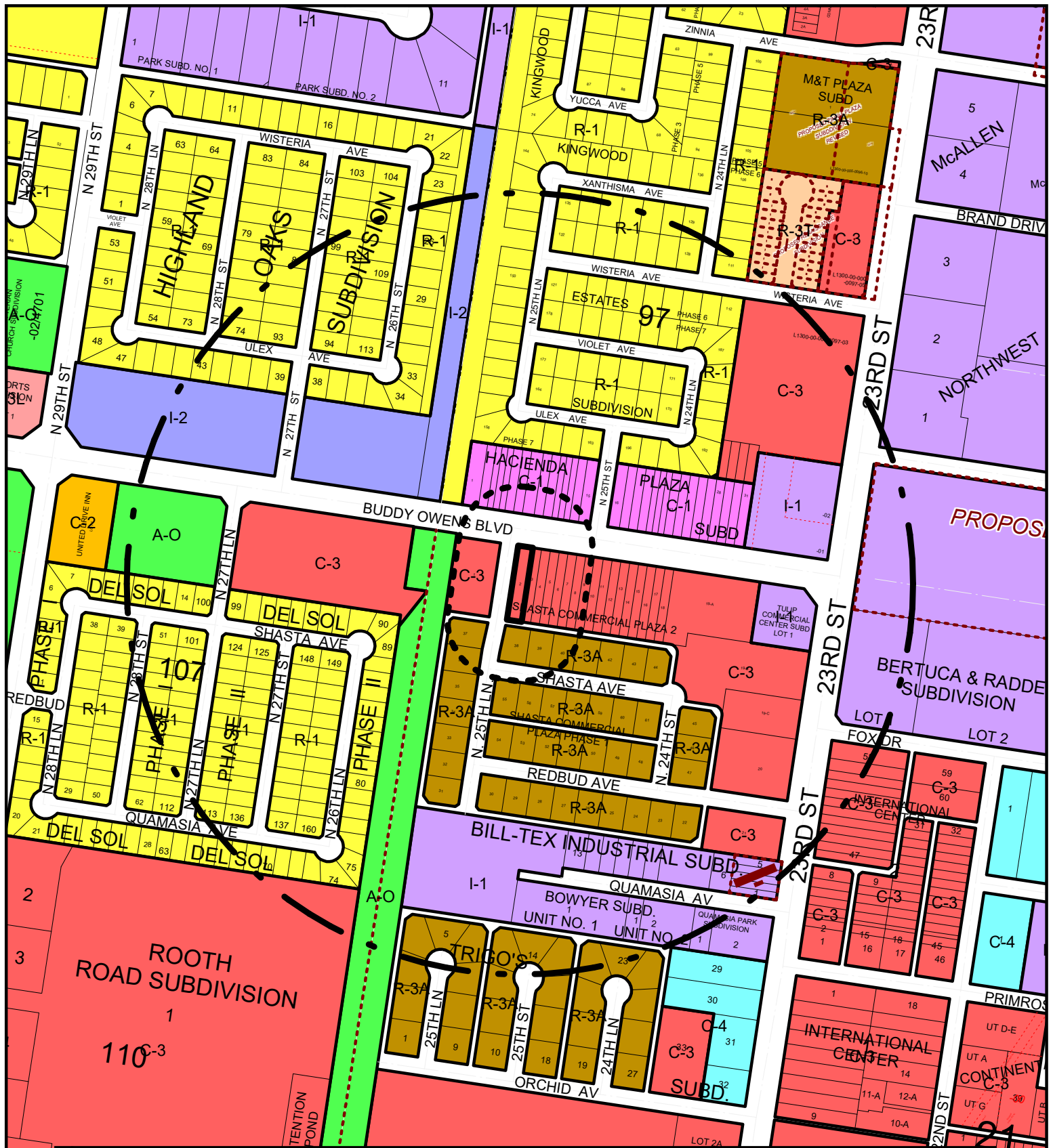
restroom  
(women)

restroom  
(men)

OPEN  
SPACE

EXIT

RECEIVED
JUN 14 2002
BY: .....



# **CITY OF McALLEN** PLANNING DEPARTMENT

**LEGEND**  
SCALE: N.T.S.

**SUBJECT PROPERTY**

**200 FT. NOTIFICATION BOUNDARY**

**1/4 MILE RADIUS**

## **ZONING LEGEND**

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

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







**CITY OF McALLEN**  
PLANNING DEPARTMENT

**AERIAL MAP**  
SCALE: N.T.S.



**SUBJECT PROPERTY**



**200' NOTIFICATION BOUNDARY**



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**LUCY'S  
BEAUTY SALON**

**NEXT LEVEL**  
FITNESS STUDIO











LUCY'S  
BEAUTY SALON

NEXT LEVEL  
FITNESS STUDIO

NOTICE  
INSTITUTIONAL  
USE  
FOR  
THIS PROPERTY  
CUP2021-0067

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



## Planning Department

### Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

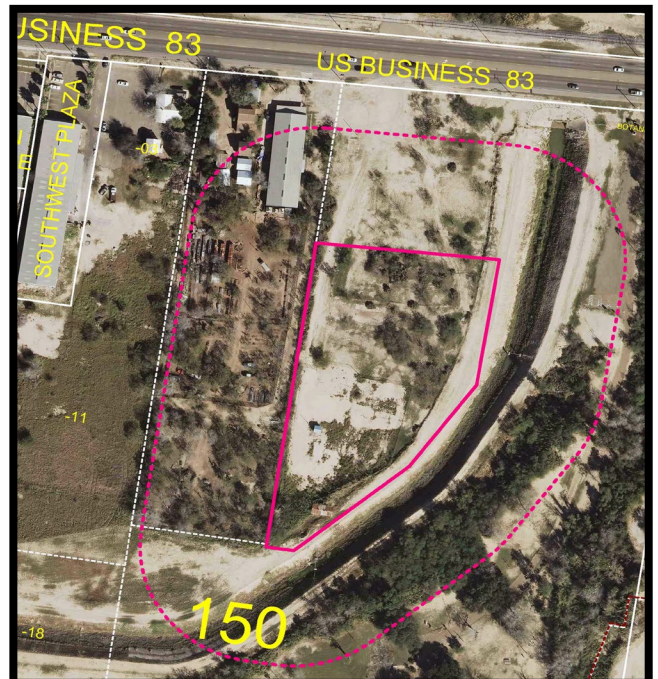
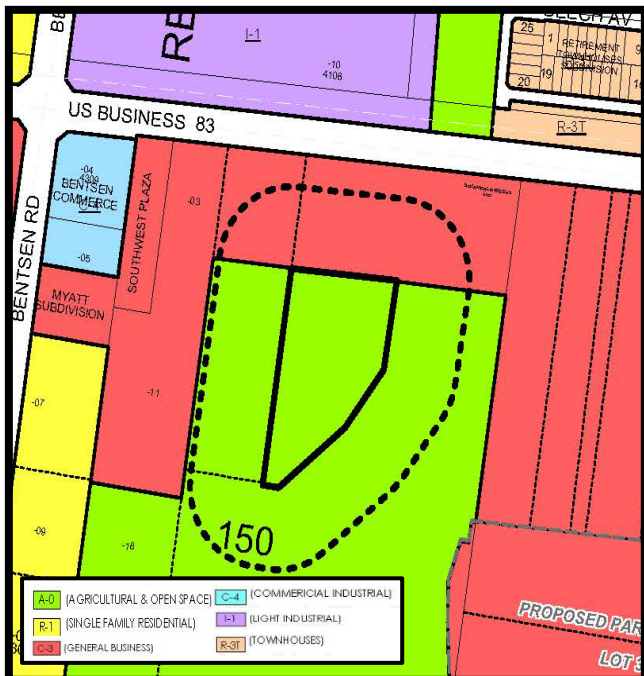
**DATE:** July 9, 2021

**SUBJECT: REZONE FROM A-O (AGRICULTURAL AND OPEN SPACE) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: 2.781 ACRE TRACT OF LAND OUT OF LOT 150, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS; 4117 HIGHWAY 83 (REAR). (REZ2021-0031)**

**LOCATION:** The property is an interior tract that is located along US Business 83 approximately 690 ft. west of South Bentsen Road. The irregularly-shaped tract a lot size of 2.781 acres.

**PROPOSAL:** The applicant is requesting to rezone the property to C-3 (general business) District for commercial use. The requested zoning is part of a larger commercial development. A feasibility plan has not been submitted.

**ADJACENT ZONING:** The adjacent zoning is C-3 (general business) District to the north and A-O (agriculture and open space) District to the west, east, and south.



LAND USE: The property is currently vacant. Surrounding land uses include Thompson Engine Rebuilders, McAllen Nature Center, Rio Truss LLC, Taqueria La Lomita, Rio Mattress Outlet, and vacant land.

COMPREHENSIVE PLAN: The Foresight McAllen Comprehensive Plan designates the future land use for this property as City Parks, which is comparable A-O District.

DEVELOPMENT TRENDS: The development trend for this area along US Business 83 is commercial.

HISTORY: The subject property was zoned A-O (agricultural and open space) District during comprehensive zoning in 1979.

In April 27, 2015, the City Commission voted to approve a rezoning request from A-O District to C-3 District at 4219 Highway 83 (rear) during the city initiated A-O rezoning project.

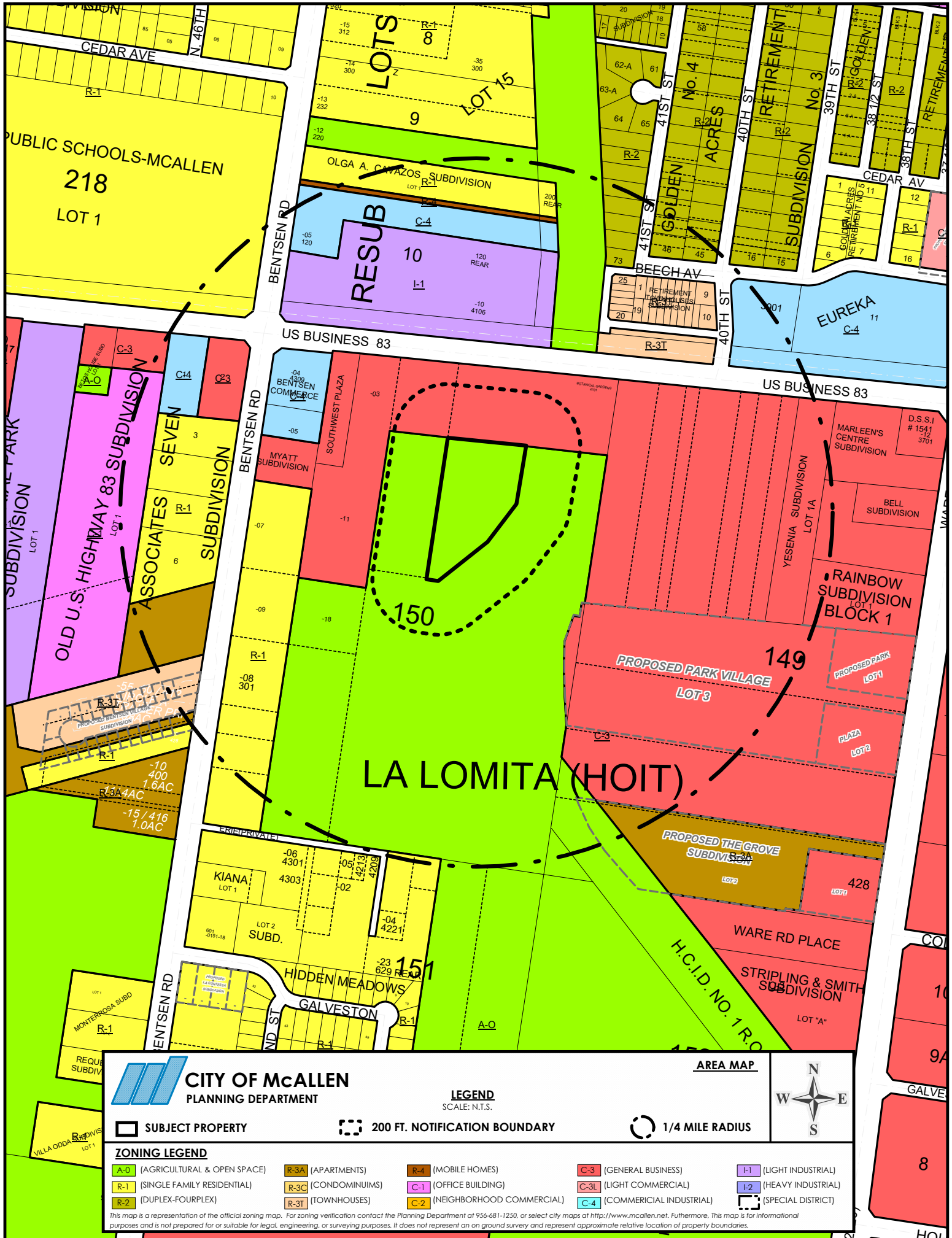
In April 27, 2015, the City Commission voted to approve a rezoning request from A-O District to C-3 District at 3813-4005 Highway 83 during the city initiated A-O rezoning project.

ANALYSIS: The requested zoning does not conform to the City Parks land use designation as indicated on the Foresight McAllen Comprehensive Plan; however, the zoning trend along US Business 83 is commercial.

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

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

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



**CITY OF McALLEN**  
PLANNING DEPARTMENT

**LEGEND**  
SCALE: N.T.S.

**SUBJECT PROPERTY**

**200 FT. NOTIFICATION BOUNDARY**

**1/4 MILE RADIUS**

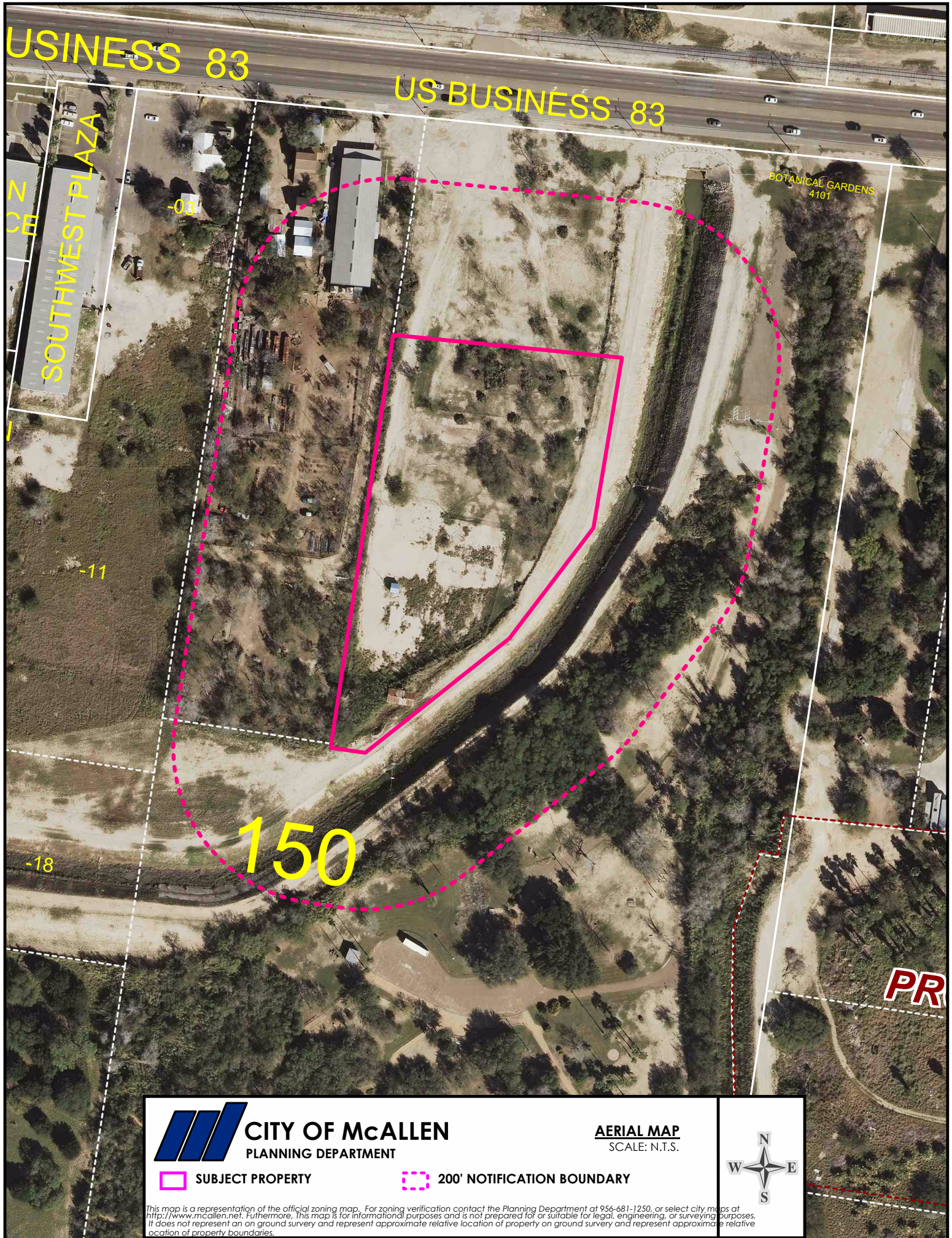


**ZONING LEGEND**

<b>A-0</b> (AGRICULTURAL & OPEN SPACE)	<b>R-3A</b> (APARTMENTS)	<b>R-4</b> (MOBILE HOMES)	<b>C-3</b> (GENERAL BUSINESS)	<b>I-1</b> (LIGHT INDUSTRIAL)
<b>R-1</b> (SINGLE FAMILY RESIDENTIAL)	<b>R-3C</b> (CONDOMINIUMS)	<b>C-1</b> (OFFICE BUILDING)	<b>C-3L</b> (LIGHT COMMERCIAL)	<b>I-2</b> (HEAVY INDUSTRIAL)
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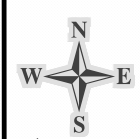


**CITY OF McALLEN**  
PLANNING DEPARTMENT

**AERIAL MAP**  
SCALE: N.T.S.

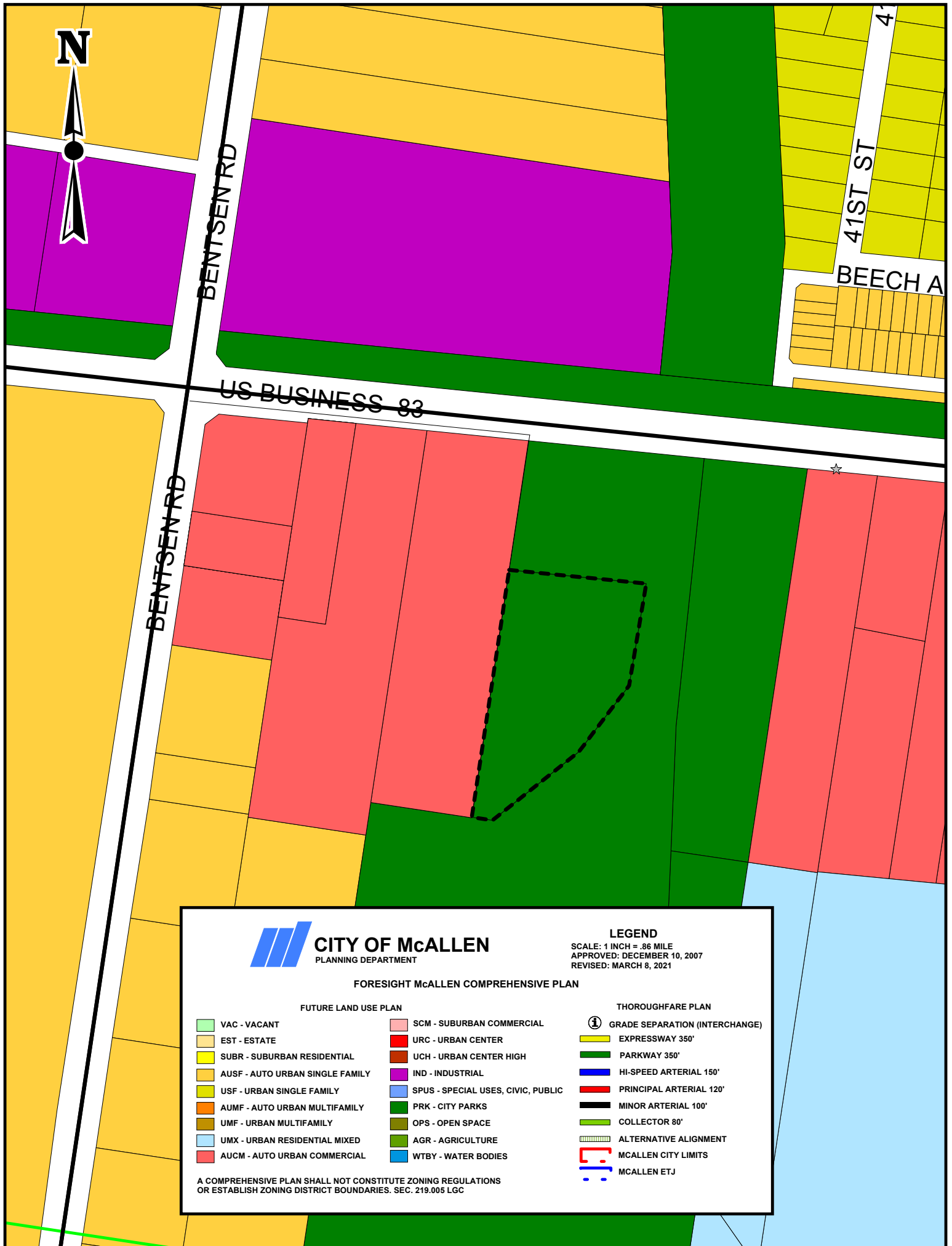
 **SUBJECT PROPERTY**

 **200' NOTIFICATION BOUNDARY**



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**EXHIBIT A  
METES AND BOUNDS  
2.781 ACRES**

BEING 2.781 ACRES OUT OF LOT 150 OF LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY SUBDIVISION OF PORCIONES 61, 62, AND 63, RECORDED IN VOLUME 24, PAGE 68-69 OFFICIAL PUBLIC DEED RECORDS HIDALGO COUNTY, TEXAS, SAME BEING A PORTION OUT OF A CALLED 4.676 ACRE TRACT, CONVEYED TO ADRYCA PROPERTIES, LLC, RECORDED IN DOCUMENT NO. 3190282, OFFICIAL PUBLIC DEED RECORDS HIDALGO COUNTY, TEXAS, SAID 2.781 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**COMMENCING** AT A CALCULATED POINT, THE NORTHWEST CORNER OF THE SAID LOT 150;

**THENCE**, S84°18'29"E, ALONG THE NORTH LINE OF THE SAID LOT 150, A DISTANCE OF 726.10 FEET TO A CALCULATED POINT ON THE NORTH LINE OF THE SAID LOT 150,

**THENCE**, S08°37'33"W, ACROSS THE SAID LOT 150, PASSING AT 10.01 FEET TO AN IRON PIPE FOUND FOR THE NORTHEAST CORNER OF THE SAID CALLED 4.676 ACRE TRACT, CONTINUING FOR A TOTAL DISTANCE OF 290.38 FEET TO AN IRON ROD WITH PINK CAP SET FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT AND THE **POINT OF BEGINNING**,

**THENCE**, S84°18'29"E, ACROSS THE SAID LOT 150, SAME BEING ACROSS THE SAID CALLED 4.676 ACRE TRACT, A DISTANCE OF 292.57 FEET TO AN IRON ROD WITH PINK CAP SET ON THE WEST LINE OF A CALLED 1.45 ACRE TRACT CONVEYED TO HIDALGO COUNTY DRAINAGE DISTRICT No. 1, RECORDED IN VOLUME 2765, PAGE 778, OFFICIAL PUBLIC DEED RECORDS HIDALGO COUNTY, TEXAS, FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT,

**THENCE**, S09°31'03"W, ALONG THE WEST LINE OF THE SAID DRAINAGE DISTRICT TRACT, PASSING AT 159.42 AN IRON ROD WITH PINK CAP FOUND FOR A POINT ON LINE CONTINUING FOR A TOTAL DISTANCE OF 219.42 FEET TO A CALCULATED POINT FOR AN EXTERIOR CORNER OF THE HEREIN DESCRIBED TRACT,

**THENCE**, S37°13'27"W, ALONG THE SOUTHWESTERLY LINE OF THE SAID DRAINAGE DISTRICT TRACT, PASSING AT 80.00 AN IRON ROD WITH PINK CAP FOUND FOR A POINT ON LINE CONTINUING FOR A TOTAL DISTANCE OF 177.07 FEET TO AN IRON ROD WITH PINK CAP FOUND FOR AN EXTERIOR CORNER OF THE HEREIN DESCRIBED TRACT,

**THENCE**, S51°34'05"W, ALONG THE SOUTHWESTERLY LINE OF THE SAID DRAINAGE DISTRICT TRACT, A DISTANCE OF 233.96 FEET TO AN IRON ROD FOUND WITH "MF" CAP FOR AN EXTERIOR CORNER OF THE HEREIN DESCRIBED TRACT,

**THENCE**, N81°23'37"W, ALONG THE NORTH LINE OF THE SAID DRAINAGE DISTRICT TRACT, A DISTANCE OF 44.62 FEET TO AN IRON ROD FOUND THE SOUTHWEST CORNER OF THE SAID CALLED 4.676 ACRE TRACT, FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT,

**THENCE**, N08°37'33"E, ALONG THE WEST LINE OF THE SAID CALLED 4.676 ACRE TRACT, A DISTANCE OF 531.18 FEET TO THE **POINT OF BEGINNING**, AND CONTAINING 2.781 ACRES OF LAND, MORE OR LESS.

A SURVEY PLAT OF EVEN DATE HEREBY ACCOMPANIES THESE METES AND BOUNDS DESCRIPTION

  
MANUEL CARRIZALES  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6388  
512-470-1489  
fnfcad@gmail.com

6-11-2021  
DATE:





NOTICE  
REZONING  
FOR  
THIS PROPERTY  
REZ2021-0031

CITY OF MCALLEN PLANNING DEPT.  
904-651-1200  
WWW.MCALLE.NET



## Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

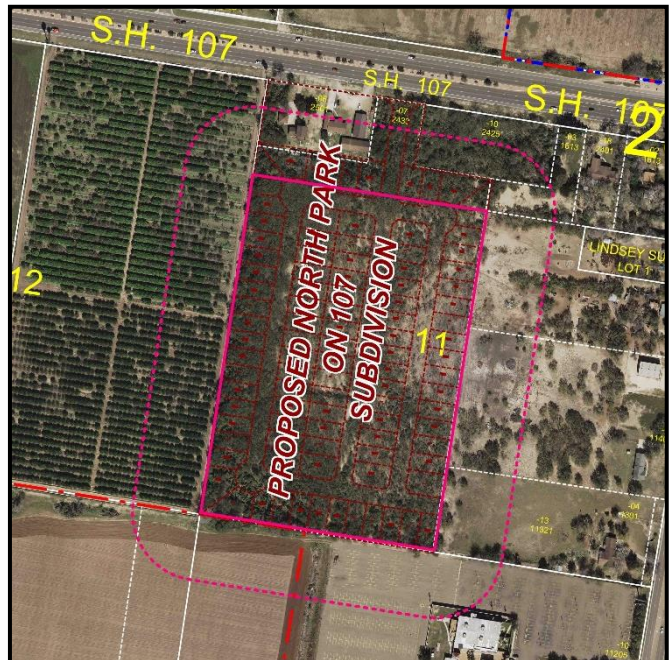
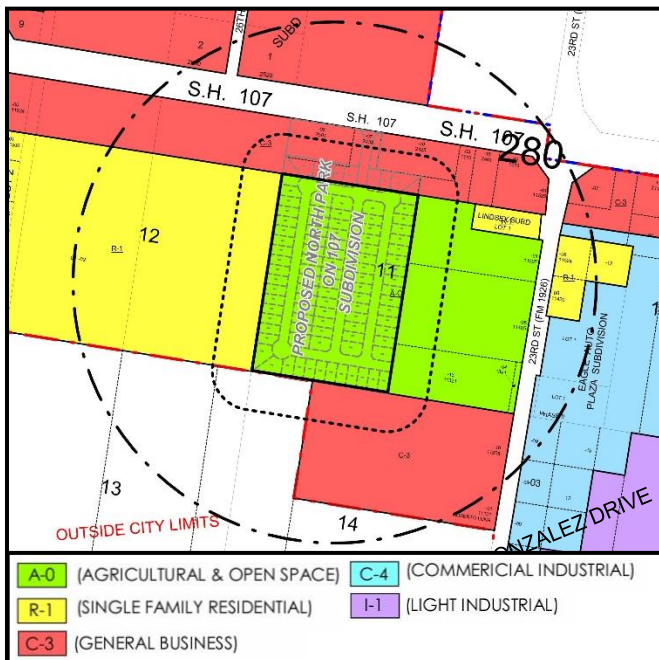
**DATE:** July 14, 2021

**SUBJECT: REZONE FROM A-O (AGRICULTURAL AND OPEN SPACE) DISTRICT TO R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT: 16.28 ACRES OUT OF THE WEST ONE-HALF (1/2) OF LOT 11, SECTION 280, TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY, HIDALGO COUNTY, TEXAS; 2433 STATE HIGHWAY 107 (REAR). (REZ2021-0034)**

**LOCATION:** The property is located approximately 274 ft. south of State Highway 107, approximately 650 ft. west of North 23<sup>rd</sup> Street. The subject property consists of 16.2785 acres and is an interior tract that is proposed to be part of another tract that will provide access to State Highway 107.

**PROPOSAL:** The applicant is requesting to rezone the property to R-1 (single-family residential) District in order to construct single-family residences. A 98-lot subdivision under the name of North Park on 107 Subdivision for the subject property was approved in preliminary form by the Planning and Zoning Commission on February 16, 2021.

**ADJACENT ZONING:** The adjacent zoning is A-O (agricultural and open space) District to the east, R-1 (single-family residential) District to the west, and C-3 (general business) District to the north and southeast. The properties to the southwest of the subject property are outside the City limits.



LAND USE: The property is currently vacant. Surrounding land uses include single-family residences, apartments, Angel Upholstery, Pollos Asados Nuevo Leon Restaurant, Fred Loya Insurance Group, and vacant land.

COMPREHENSIVE PLAN: The Foresight McAllen Comprehensive Plan designates the future land use for this property as Auto Urban Commercial at the front which is comparable to C-1 (office building) to C-3L (light commercial) Districts and Suburban Residential at the rear which is comparable to R-1 (single-family residential) District.

DEVELOPMENT TRENDS: The development trend for this area along State Highway 107 is single-family residential and commercial.

HISTORY: The tract was annexed into the city and initially zoned A-O (agricultural and open space) District on July 10, 1995. There has been no other rezoning request for the subject property since then.

A rezoning request initiated by the City for the adjacent property to the west to R-1 District was approved on December 14, 2015.

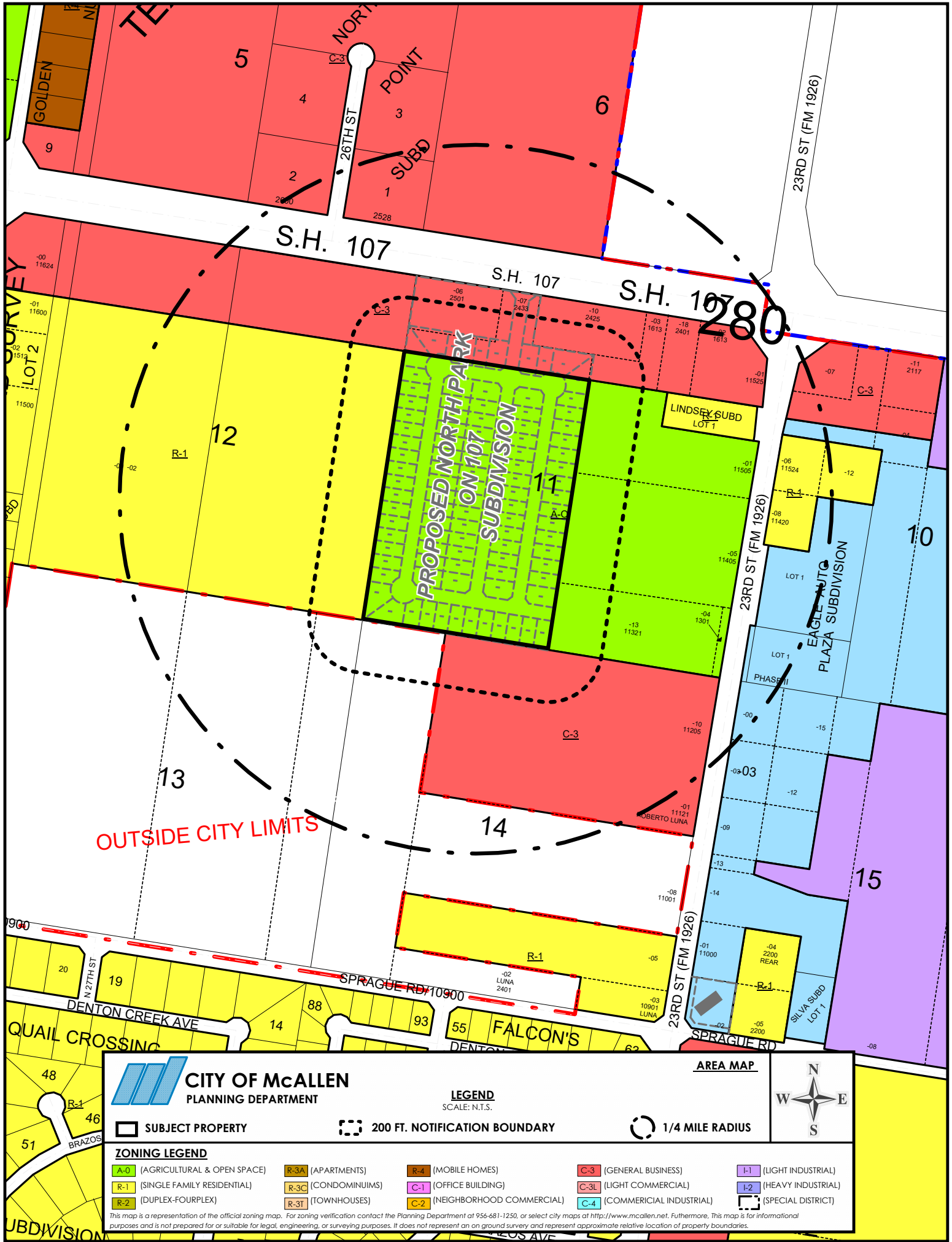
ANALYSIS: The requested zoning conforms to the Suburban Residential land use designation as indicated on the Foresight McAllen Comprehensive Plan. It also follows the rezoning and development trend to single-family residences in the area.

The submitted plat depicts that the adjacent lot to the north of the subject property will provide access to State Highway 107 for the proposed subdivision.

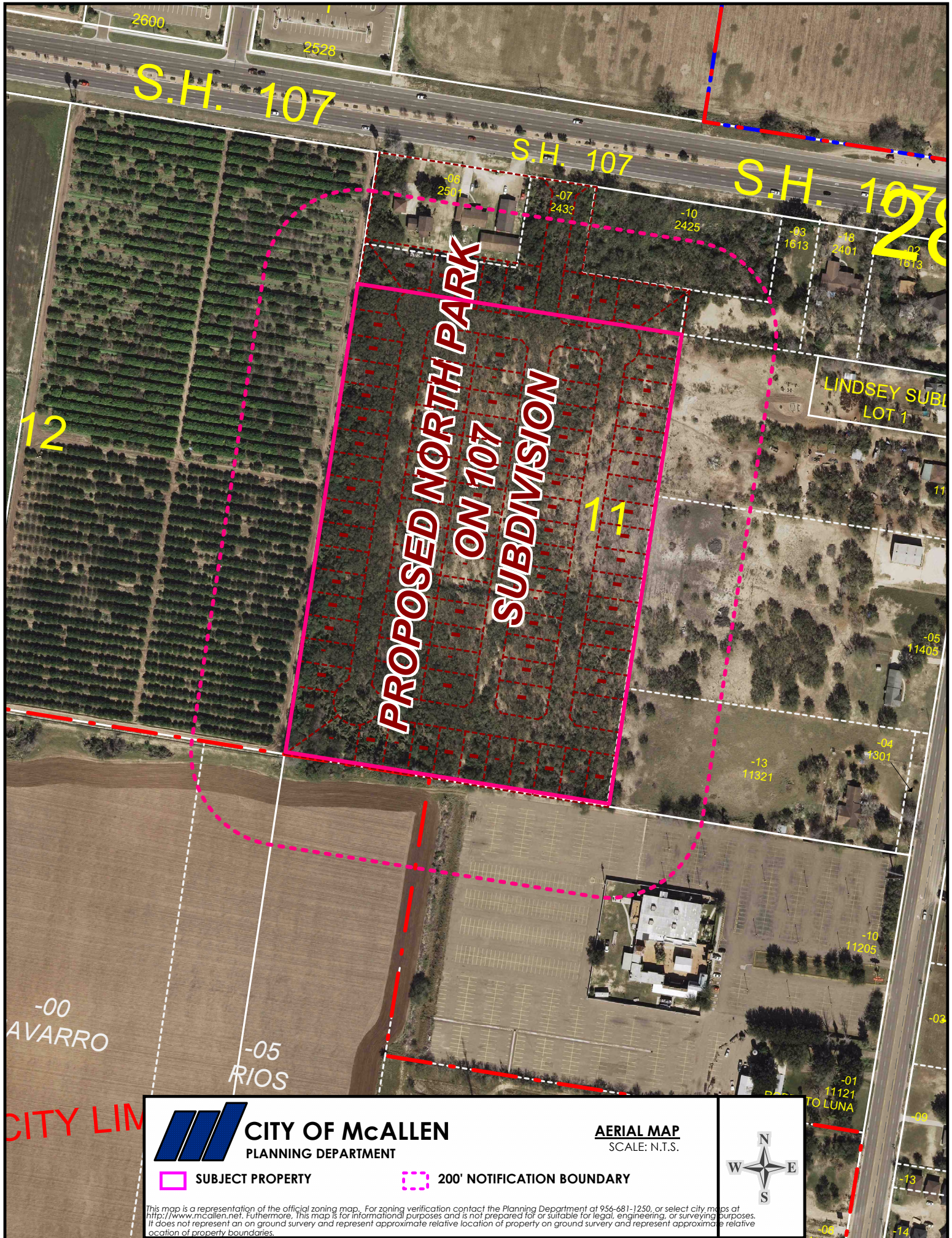
A recorded subdivision plat is required prior to building permit issuance. Required park land dedication or a fee in lieu of land comprising \$700 per dwelling unit is required prior to recording a subdivision plat.

Staff has not received a phone call or email in opposition to the rezoning request.

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







S.H. 107

S.H. 107

S.H. 107

PROPOSED NORTH PARK  
ON 107  
SUBDIVISION

LINDSEY SUB  
LOT 1

-00  
AVARRO

-05  
RIOS

CITY LIN



**CITY OF McALLEN**  
PLANNING DEPARTMENT

**AERIAL MAP**  
SCALE: N.T.S.

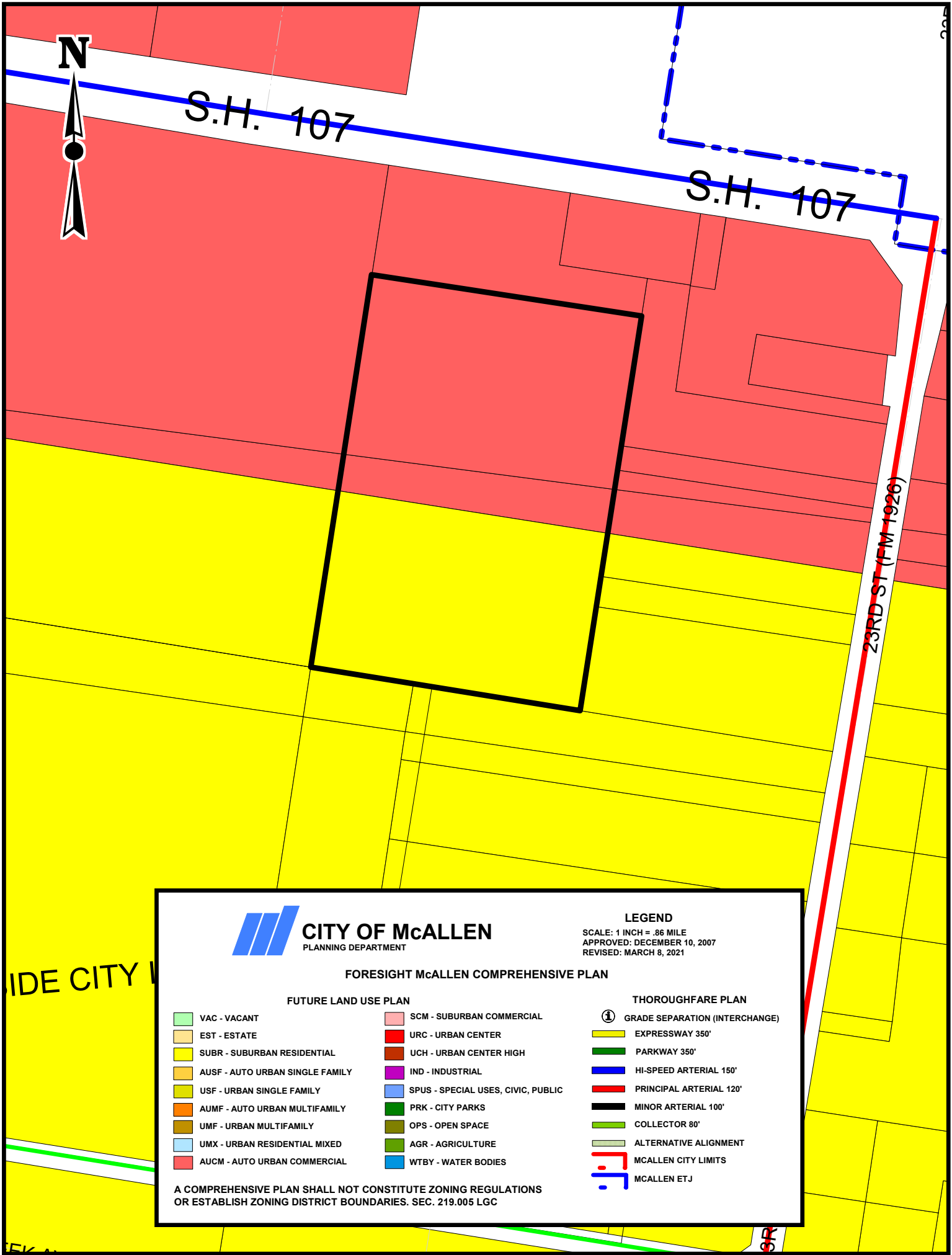
**SUBJECT PROPERTY**

**200' NOTIFICATION BOUNDARY**



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





# CITY OF McALLEN

PLANNING DEPARTMENT

## FORESIGHT McALLEN COMPREHENSIVE PLAN

### FUTURE LAND USE PLAN

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

### LEGEND

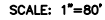
SCALE: 1 INCH = .86 MILE  
APPROVED: DECEMBER 10, 2007  
REVISED: MARCH 8, 2021

### THOROUGHFARE PLAN

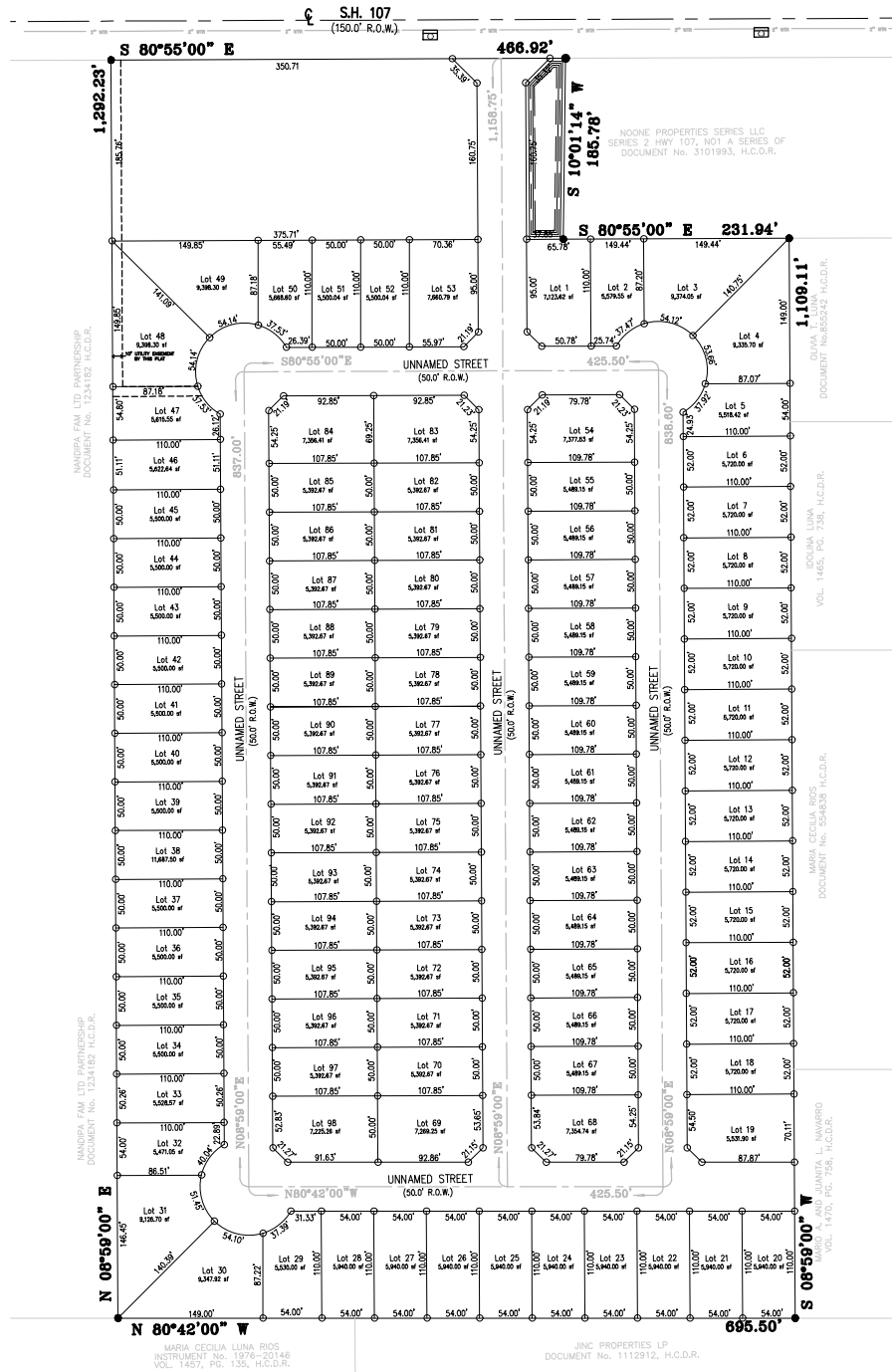
①	GRADE SEPARATION (INTERCHANGE)
	EXPRESSWAY 350'
	PARKWAY 350'
	HI-SPEED ARTERIAL 150'
	PRINCIPAL ARTERIAL 120'
	MINOR ARTERIAL 100'
	COLLECTOR 80'
	ALTERNATIVE ALIGNMENT
	MCALLEN CITY LIMITS
	MCALLEN ETJ

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





○ SET IRON ROD  
● FOUND IRON ROD



A TRACT OF LAND CONTAINING 19.67 ACRES, MORE OR LESS, OUT OF THE WEST 1/2 OF LOT 11, SECTION 280, TEXAS-MEXICAN RAILWAY COMPANYS SURVEY, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 24, PAGE 168, DEED RECORDS OF HIDALGO COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:



FIRM No. F-7906

ident@trevisoengineering.com





**NOTICE  
REZONING  
FOR  
THIS PROPERTY  
REZ2021-0035**

CITY OF MCALLEN PLANNING DEPT.  
956-511-1260  
WWW.MCALLE.NET

**NOTICE  
REZONING  
FOR  
THIS PROPERTY  
REZ2021-0034**

CITY OF MCALLEN PLANNING DEPT.  
956-511-1260  
WWW.MCALLE.NET



## Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

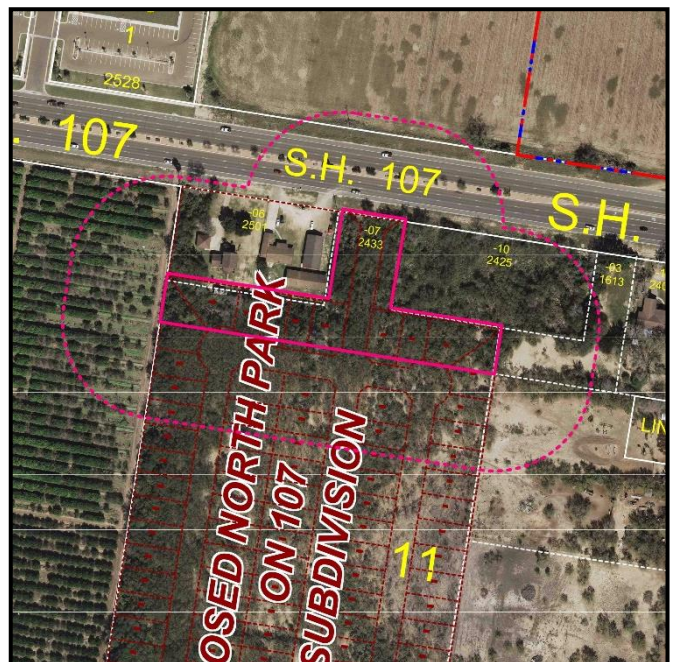
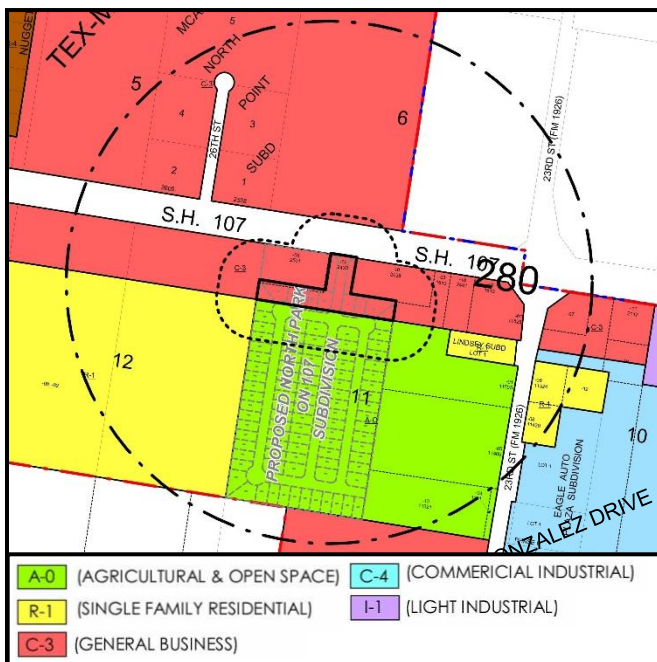
**DATE:** July 14, 2021

**SUBJECT: REZONE FROM C-3 (GENERAL BUSINESS) DISTRICT TO R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT: 1.96 ACRES OUT OF THE WEST ONE-HALF (1/2) OF LOT 11, SECTION 280, TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY, HIDALGO COUNTY, TEXAS; 2433 STATE HIGHWAY 107. (REZ2021-0035)**

**LOCATION:** The property is located on the south side of State Highway 107, approximately 850 ft. west of North 23<sup>rd</sup> Street. The irregularly shaped tract has 131.22 ft. of frontage along State Highway 107 with a depth of 274.03 ft. at its deepest point for a lot size of 1.9613 acres.

**PROPOSAL:** The applicant is requesting to rezone the property as part of a larger development to R-1 (single-family residential) District in order to construct single-family residences. A 98-lot subdivision under the name of North Park on 107 Subdivision for the subject property was approved in preliminary form by the Planning and Zoning Commission on February 16, 2021.

**ADJACENT ZONING:** The adjacent zoning is C-3 (general business) District to the north, east, and west, A-O (agricultural and open space) District to the south and R-1 (single-family residential) District to the southwest.



LAND USE: The property is currently vacant. Surrounding land uses include single-family residences, apartments, Angel Upholstery, Pollos Asados Nuevo Leon Restaurant, Fred Loya Insurance Group, and vacant land.

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

DEVELOPMENT TRENDS: The development trend for this area along State Highway 107 is single-family residential and commercial.

HISTORY: The tract was annexed into the city and initially zoned C-3 (general business) District on July 10, 1995. There has been no other rezoning request for the subject property since then.

A rezoning request initiated by the City for the adjacent property to the southwest to R-1 District was approved on December 14, 2015.

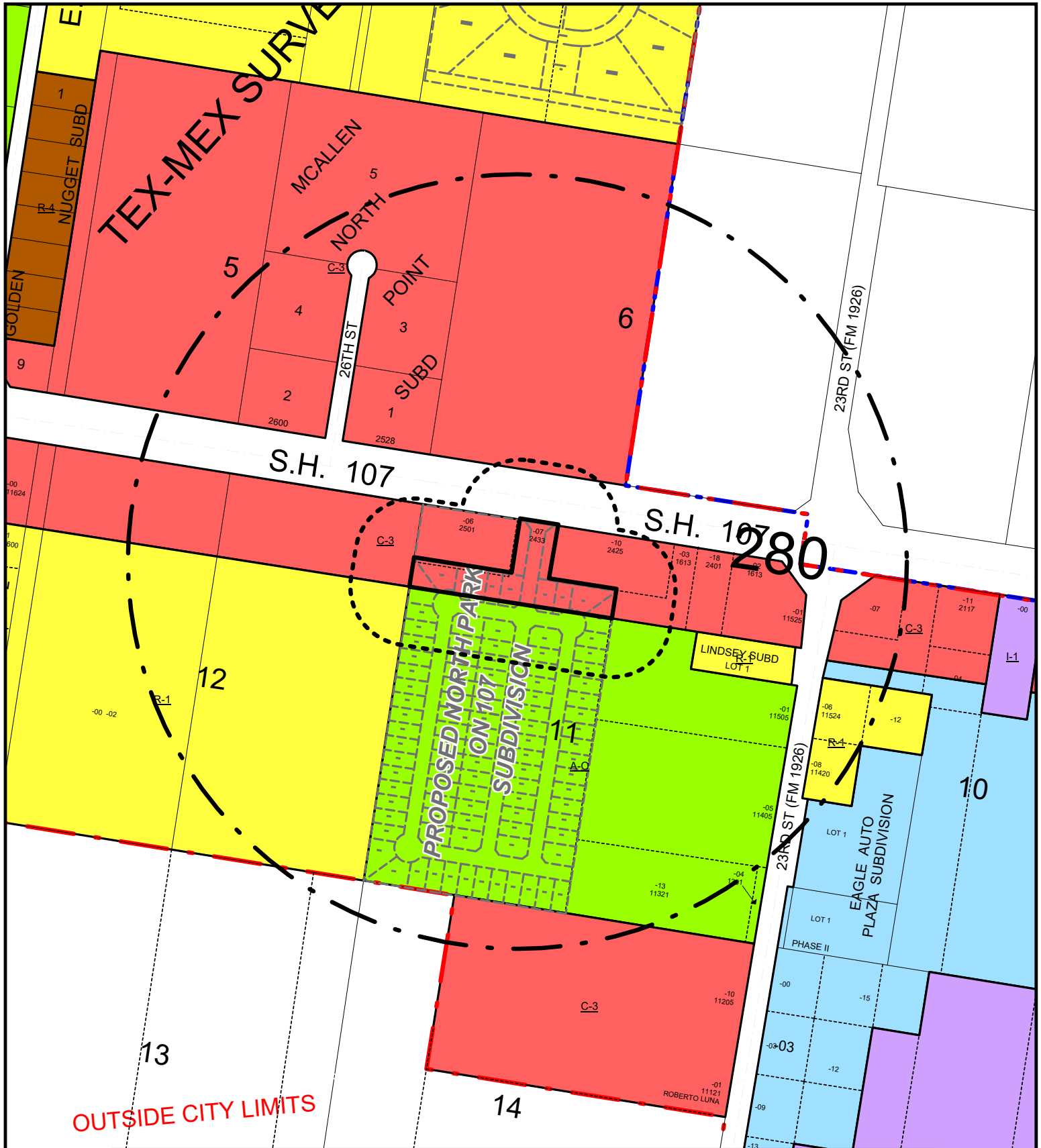
ANALYSIS: The requested zoning does not conform to the Auto Urban Commercial land use designation as indicated on the Foresight McAllen Comprehensive Plan. However, it is a lesser intense zone than C-3 District and it also follows the rezoning and development trend to single-family residences in the area.


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

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

Staff has not received a phone call or email in opposition to the rezoning request.

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






**CITY OF McALLEN**  
PLANNING DEPARTMENT

**LEGEND**  
SCALE: N.T.S.

**AREA MAP**



**SUBJECT PROPERTY**

**200 FT. NOTIFICATION BOUNDARY**

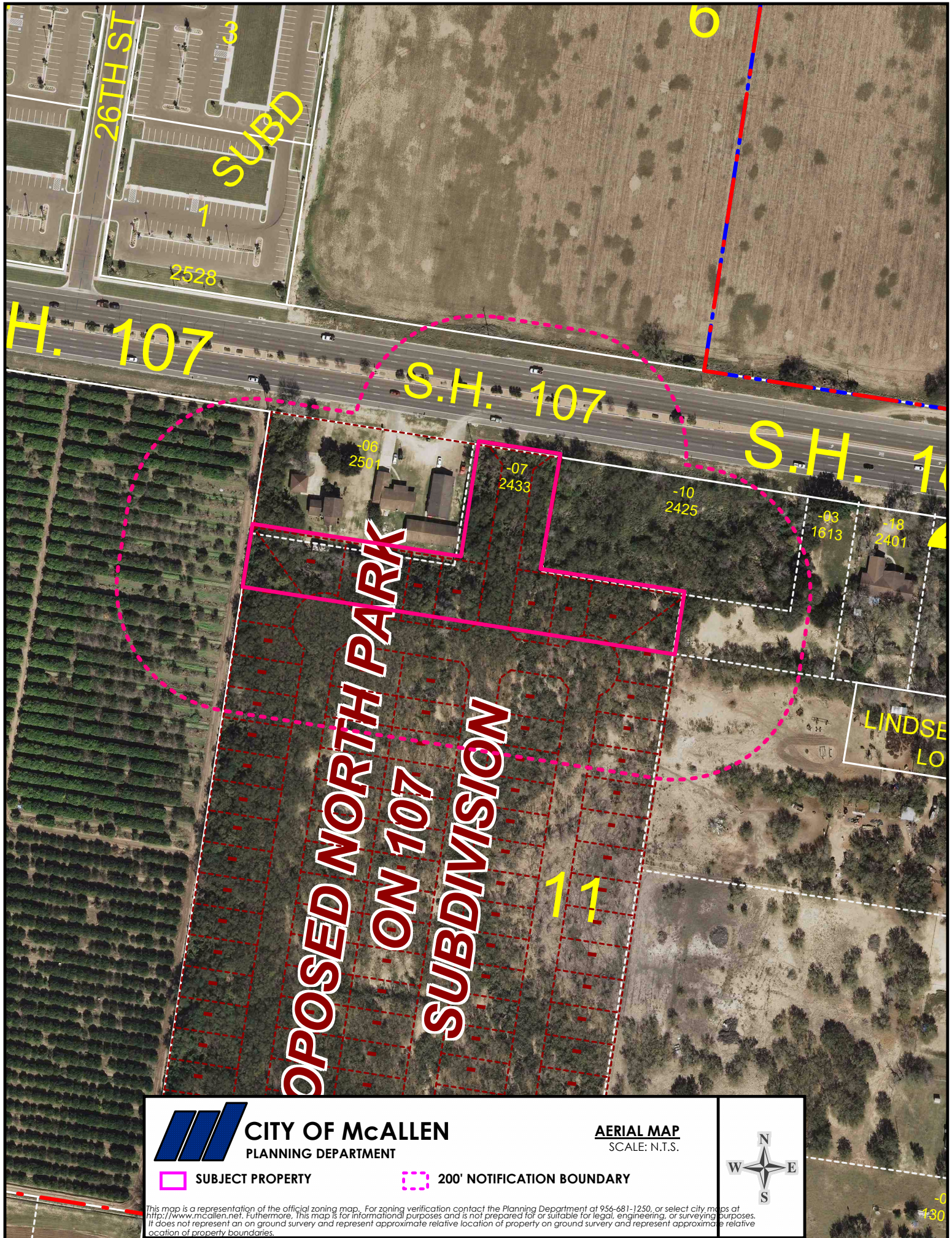
**1/4 MILE RADIUS**

**ZONING LEGEND**

<div style="background-color: #90EE90; border: 1px solid black; width: 20px; height: 10px; display: inline-block;"></div> <b>A-0</b> (AGRICULTURAL & OPEN SPACE)	<div style="background-color: #FFD700; border: 1px solid black; width: 20px; height: 10px; display: inline-block;"></div> <b>R-3A</b> (APARTMENTS)	<div style="background-color: #FFA500; border: 1px solid black; width: 20px; height: 10px; display: inline-block;"></div> <b>R-4</b> (MOBILE HOMES)	<div style="background-color: #FF69B4; border: 1px solid black; width: 20px; height: 10px; display: inline-block;"></div> <b>C-3</b> (GENERAL BUSINESS)	<div style="background-color: #9370DB; border: 1px solid black; width: 20px; height: 10px; display: inline-block;"></div> <b>I-1</b> (LIGHT INDUSTRIAL)
<div style="background-color: #FFFFE0; border: 1px solid black; width: 20px; height: 10px; display: inline-block;"></div> <b>R-1</b> (SINGLE FAMILY RESIDENTIAL)	<div style="background-color: #FFDAB9; border: 1px solid black; width: 20px; height: 10px; display: inline-block;"></div> <b>R-3C</b> (CONDOMINIUMS)	<div style="background-color: #FFB6C1; border: 1px solid black; width: 20px; height: 10px; display: inline-block;"></div> <b>C-1</b> (OFFICE BUILDING)	<div style="background-color: #FFB6C1; border: 1px solid black; width: 20px; height: 10px; display: inline-block;"></div> <b>C-3L</b> (LIGHT COMMERCIAL)	<div style="background-color: #9370DB; border: 1px solid black; width: 20px; height: 10px; display: inline-block;"></div> <b>I-2</b> (HEAVY INDUSTRIAL)
<div style="background-color: #FFDAB9; border: 1px solid black; width: 20px; height: 10px; display: inline-block;"></div> <b>R-2</b> (DUPLEX-FOURPLEX)	<div style="background-color: #FFDAB9; border: 1px solid black; width: 20px; height: 10px; display: inline-block;"></div> <b>R-3I</b> (TOWNHOUSES)	<div style="background-color: #FFDAB9; border: 1px solid black; width: 20px; height: 10px; display: inline-block;"></div> <b>C-2</b> (NEIGHBORHOOD COMMERCIAL)	<div style="background-color: #FFDAB9; border: 1px solid black; width: 20px; height: 10px; display: inline-block;"></div> <b>C-4</b> (COMMERCIAL INDUSTRIAL)	<div style="border: 1px dashed black; width: 20px; height: 10px; display: inline-block;"></div> <b>(SPECIAL DISTRICT)</b>

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





**CITY OF McALLEN**  
PLANNING DEPARTMENT

**AERIAL MAP**  
SCALE: N.T.S.

 **SUBJECT PROPERTY**

 **200' NOTIFICATION BOUNDARY**



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26TH ST

S.H. 107

S.H. 107

23RD ST (FM 1926)

23RD ST (FM 1926)



**CITY OF McALLEN**  
PLANNING DEPARTMENT

**FORESIGHT McALLEN COMPREHENSIVE PLAN**

**FUTURE LAND USE PLAN**

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

**LEGEND**

SCALE: 1 INCH = .86 MILE  
APPROVED: DECEMBER 10, 2007  
REVISED: MARCH 8, 2021

**THOROUGHFARE PLAN**

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

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

POINT OF COMMENCEMENT  
APPARENT N.W.C. OF LOT 11,  
SECTION 280, TEXAS-MEXICAN  
RAILWAY COMPANY'S SURVEY  
VOL 24, PG 168, H.C.D.R.

SH 107 (UNIVERSITY DR.)  
172.0' R.O.W.  
(EAST BOUND TRAVEL LANES)



SCALE: 1"=100'

BEARING BASIS AS PER  
NAD 1983 STATE PLANE  
TEXAS SOUTH FIPS 4205 FEET

LEGEND

- - FND. 1/2" IRON ROD
- - SET No 4 REBAR  
WITH PLASTIC CAP  
STAMPED 2791
- ⊙ - FND. 5/8" IRON ROD
- ⦿ - FND. 2" IRON PIPE
- R.O.W. - RIGHT OF WAY
- FND. - FOUND
- P.O.C. - POINT OF COMMENCEMENT
- P.O.B. - POINT OF BEGINNING
- x - - OLD BARB WIRE FENCE
- / - - CHAIN LINK FENCE
- ▨ - ASPHALT PAVING



SURVEYOR'S CERTIFICATION

I, HOMERO LUIS GUTIERREZ, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, STATE THAT THIS PLAT REPRESENTS THE FACTS FOUND ON THE GROUND ON MAY 14, 2021, AND THAT THERE ARE NO DISCREPANCIES, CONFLICTS OR SHORTAGES IN THE AREA OR BOUNDARY LINES, OR ANY ENCROACHMENTS, OR OVERLAPPING OF IMPROVEMENTS OR NO VISIBLE OR APPARENT EASEMENTS EXCEPT AS SHOWN ON THIS PLAT.

*Homero Luis Gutierrez*

HOMERO LUIS GUTIERREZ, RPLS #2791 DATE 6-10-21

HOMERO L. GUTIERREZ, P.E., R.P.L.S.

P.O. Box 548  
McAllen, Texas 78505  
(956) 369-0988

DATE: 6-1-21 | JOB No. HLG21-06-01 | DRAWN BY: DRAFTERS INK

Nandipaty Family Limited Partnership  
Cash Warranty Deed (20.0ac)  
Document #1234182, H.C.O.R.  
TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY  
(VOLUME 24, PAGE 168, H.C.D.R.)  
SECTION 280  
LOT 12

ROBERT & MICHELE BEGIAN  
1.4315 AC.  
LOT 11  
TEXAS-MEXICAN RAILWAY COMPANY'S  
SURVEY  
(VOLUME 24, PAGE 168, H.C.D.R.)  
SECTION 280

A Series of Noone  
Properties Series, LLC  
Warranty Deed w/Vendor's  
Lien (1.699ac)  
Document #3101993,  
H.C.O.R.

Olivia T. Luna  
Affidavit of  
Heirship (5.35ac)  
Document #855242, H.C.O.R.

Idolina R. Luna  
Warranty Deed (5.35ac)  
Volume 1465, Page 736, H.C.D.R.  
TEXAS-MEXICAN RAILWAY  
COMPANY'S SURVEY  
(VOLUME 24, PAGE 168, H.C.D.R.)  
SECTION 280  
LOT 11

ROBERT & MICHELE BEGIAN  
15.3279 AC.  
LOT 11  
TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY  
(VOLUME 24, PAGE 168, H.C.D.R.)  
SECTION 280

SEE EXHIBIT "A" FOR METES AND BOUNDS  
OF 1.9613-ACRE TRACT

SURVEY PLAT FOR REZONING REQUEST OF

A TRACT OF LAND CONTAINING 1.9613-ACRES, MORE OR LESS, OUT OF THE ONE-HALF (1/2) OF LOT 11, SECTION 280, TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY, AS PER THE MAP OR PLAT THEREOF RECORDED IN VOLUME 24, PAGE 168, DEED RECORDS OF HIDALGO COUNTY, TEXAS.

NOTES:

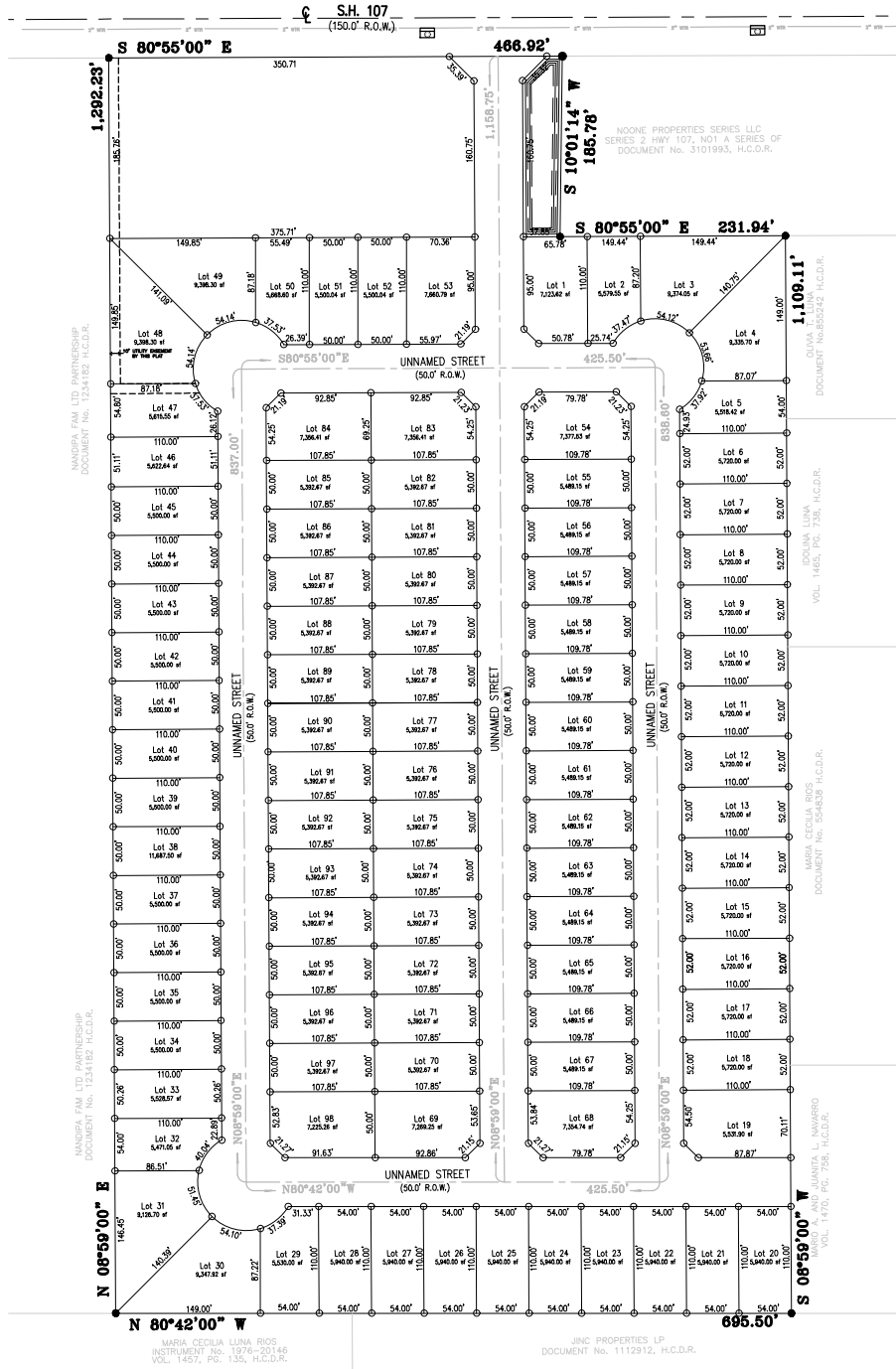
1. SURVEY IS VALID ONLY IF PRINT HAS ELECTRONIC SEAL AND ORIGINAL SIGNATURE OF SURVEYOR.
2. SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE POLICY, WHICH MAY SHOW ADDITIONAL EASEMENTS AFFECTING THIS TRACT. SURVEYOR IS ADVISING THE RECIPIENT OF THIS PLAT THAT ADDITIONAL EASEMENTS MAY BE ON THIS TRACT.
3. HOMERO L. GUTIERREZ, DID NOT RESEARCH OR PREPARE A TITLE REPORT OR ABSTRACT OF TITLE ON THE ABOVE PROPERTY.
4. THE EXISTENCE, IF ANY, UNDERGROUND GAS LINES OR OTHER UNDERGROUND UTILITIES NOT SHOWN ON THIS SURVEY SHOULD BE THOROUGHLY INVESTIGATED BY THE OWNER PRIOR TO ANY CONSTRUCTION ON THIS SITE. THE SURVEYOR HAS LIMITED HIS INVESTIGATION OF UNDERGROUND UTILITIES ON THIS SITE TO THAT WHICH CAN BE SEEN.
5. SURVEYOR'S STATEMENT: THE PROPERTY CORNERS OF THE TRACT SURVEYED WERE STAKED OUT BASED ON THE BEST FIT OF MONUMENTS FOUND FOR THIS PROPERTY AND OTHERS WITHIN THE IMMEDIATE VICINITY, TAKING INTO ACCOUNT THE INTENT OF THE SURVEYORS' ORIGINAL FOOT STEPS.



SCALE: 1"=80'

LEGEND

- SET IRON ROD
- FOUND IRON ROD



## NORTH PARK ON 107 SUBDIVISION

A TRACT OF LAND CONTAINING 19.67 ACRES, MORE OR LESS, OUT OF THE WEST 1/2 OF LOT 11, SECTION 280, TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 24, PAGE 168, DEED RECORDS OF HIDALGO COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:



**TREÑO ENGINEERING**

FIRM No. F-7906

TEL No. (956) 283-8847

200 S. 10th St. Ste. 1303

McAllen, Texas 78501

ident@treñoengineering.com





**NOTICE  
REZONING  
FOR  
THIS PROPERTY  
REZ2021-0035**

CITY OF MCALLEN PLANNING DEPT.  
956-511-1260  
WWW.MCALLE.NET

**NOTICE  
REZONING  
FOR  
THIS PROPERTY  
REZ2021-0034**

CITY OF MCALLEN PLANNING DEPT.  
956-511-1260  
WWW.MCALLE.NET



## Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

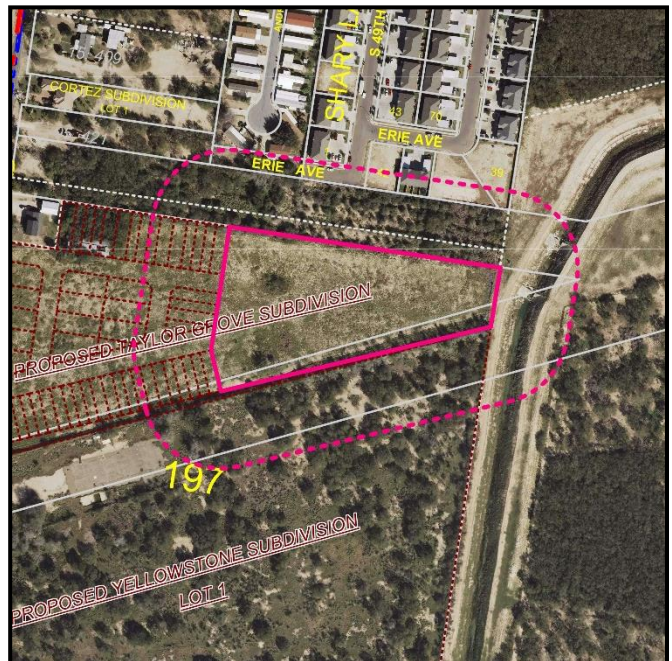
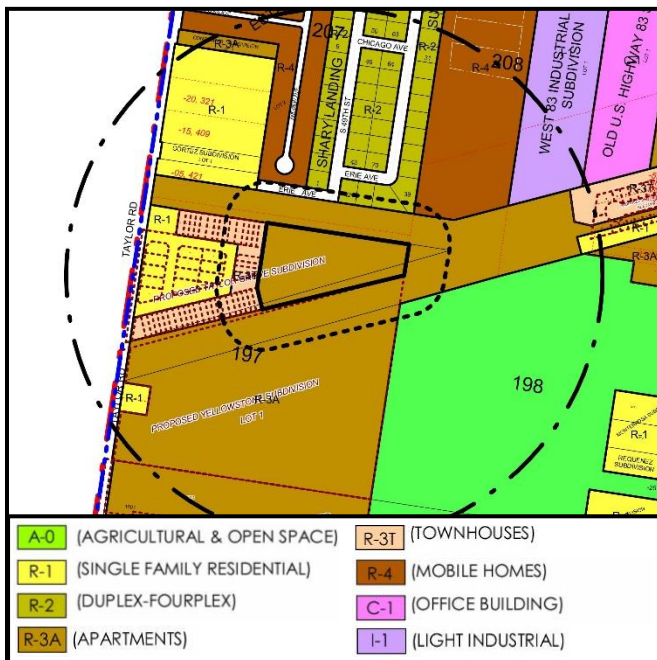
**DATE:** July 13, 2021

**SUBJECT: REZONE FROM R-3A (MULTIFAMILY RESIDENTIAL APARTMENT) DISTRICT TO R-3T (MULTIFAMILY RESIDENTIAL TOWNHOUSE) DISTRICT: 4.79 ACRES OUT OF LOT 197, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS; 701 SOUTH TAYLOR ROAD (REAR). (REZ2021-0036)**

**LOCATION:** The property is located 580 ft. east of South Taylor Road, approximately 1,720 ft. south of U.S. Business 83. The tract consists of 4.79 acres and is an interior tract proposed to be part of a larger development with access to South Taylor Road.

**PROPOSAL:** The applicant is requesting to rezone the property to R-3T (multifamily residential townhouse) District in order to construct townhomes. The subject property is part of a proposed subdivision under the name of The Woodlands on Taylor, previously known as Taylor Grove Subdivision, which was approved in preliminary form on December 3, 2020, by the Planning and Zoning Commission. A rezoning request for the subject property to R-3T District was submitted on June 14, 2021.

**ADJACENT ZONING:** The adjacent zoning is R-3A (multifamily residential apartment) District to the north, east and south and R-3T (multifamily residential townhouse) Districts to the west.



LAND USE: The property is currently vacant. Surrounding land uses include single-family homes, fourplex residences, El Valle de la Luna mobile homes, Romulo D. Martinez Elementary School, and vacant land.

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

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

HISTORY: The tract was annexed into the city and initially zoned A-O (agricultural and open space) District in 1999. The City Commission approved a request initiated by the City to rezone the property to R-3A (multifamily residential apartment) District on April 13, 2015. Two other rezoning requests for the proposed Taylor Grove Subdivision to R-1 (single-family residential) and R-3T (multifamily residential Townhouse) Districts were approved by the City Commission on January 11, 2021. A rezoning request to R-1 District for the subject property which was submitted on May 6, 2021, was withdrawn on June 10, 2021, by the applicant.

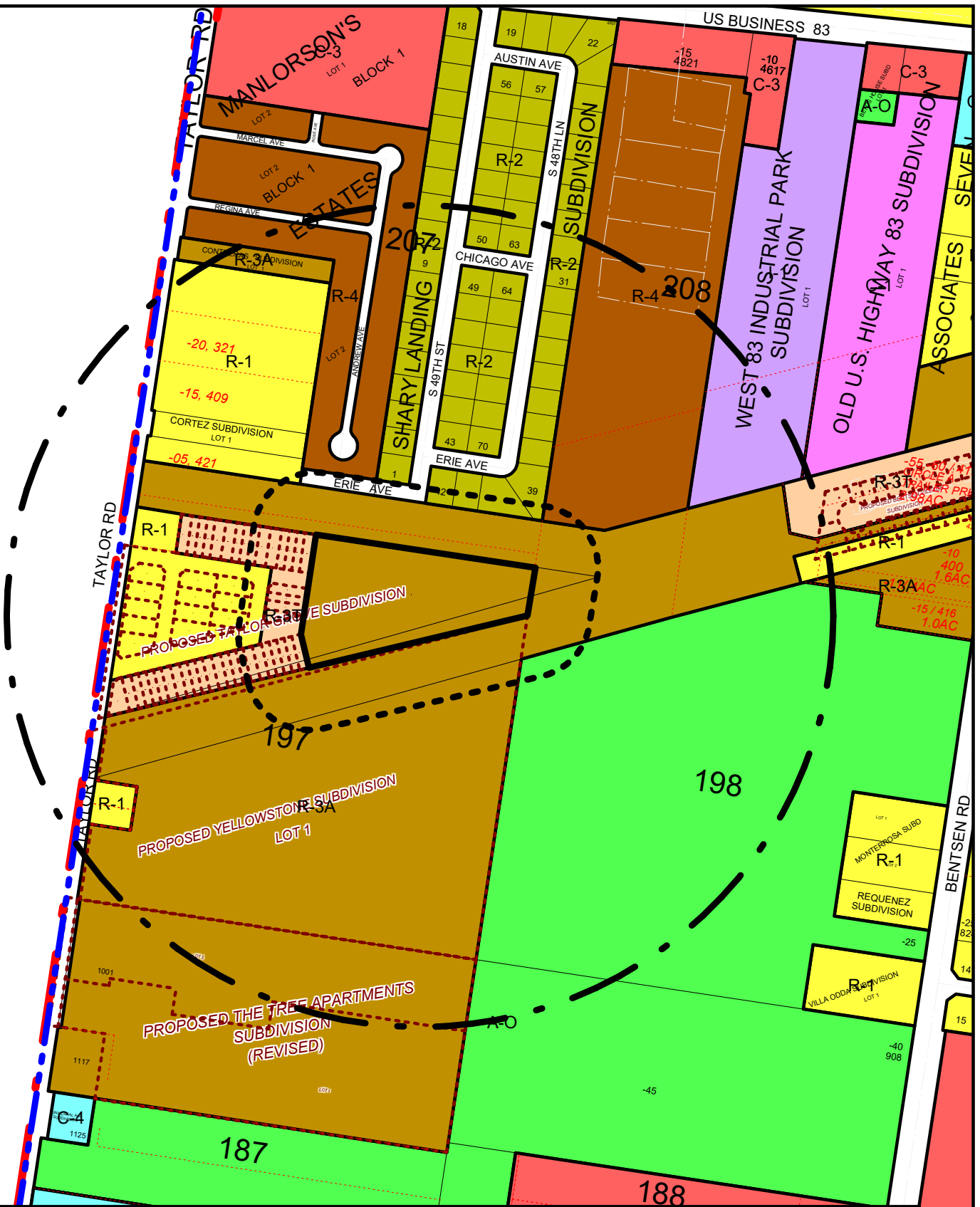
ANALYSIS: The requested zoning does not conform to the Auto Urban Single Family land use designation as indicated on the Foresight McAllen Comprehensive Plan. However, it follows the multifamily development and zoning trend in this area along South Taylor Road.

The proposed development for the subject property has less density than allowed on R-3A District and is more compatible with the adjacent R-3T District to the west.

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

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

RECOMMENDATION: Staff recommends approval of the rezoning request R-3T (multifamily residential townhouse) District.



# **CITY OF McALLEN** PLANNING DEPARTMENT

## **LEGEND** SCALE: N.T.S.

SUBJECT PROPERTY

200 FT. NOTIFICATION BOUNDARY

1/4 MILE RADIUS



### **ZONING LEGEND**

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

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

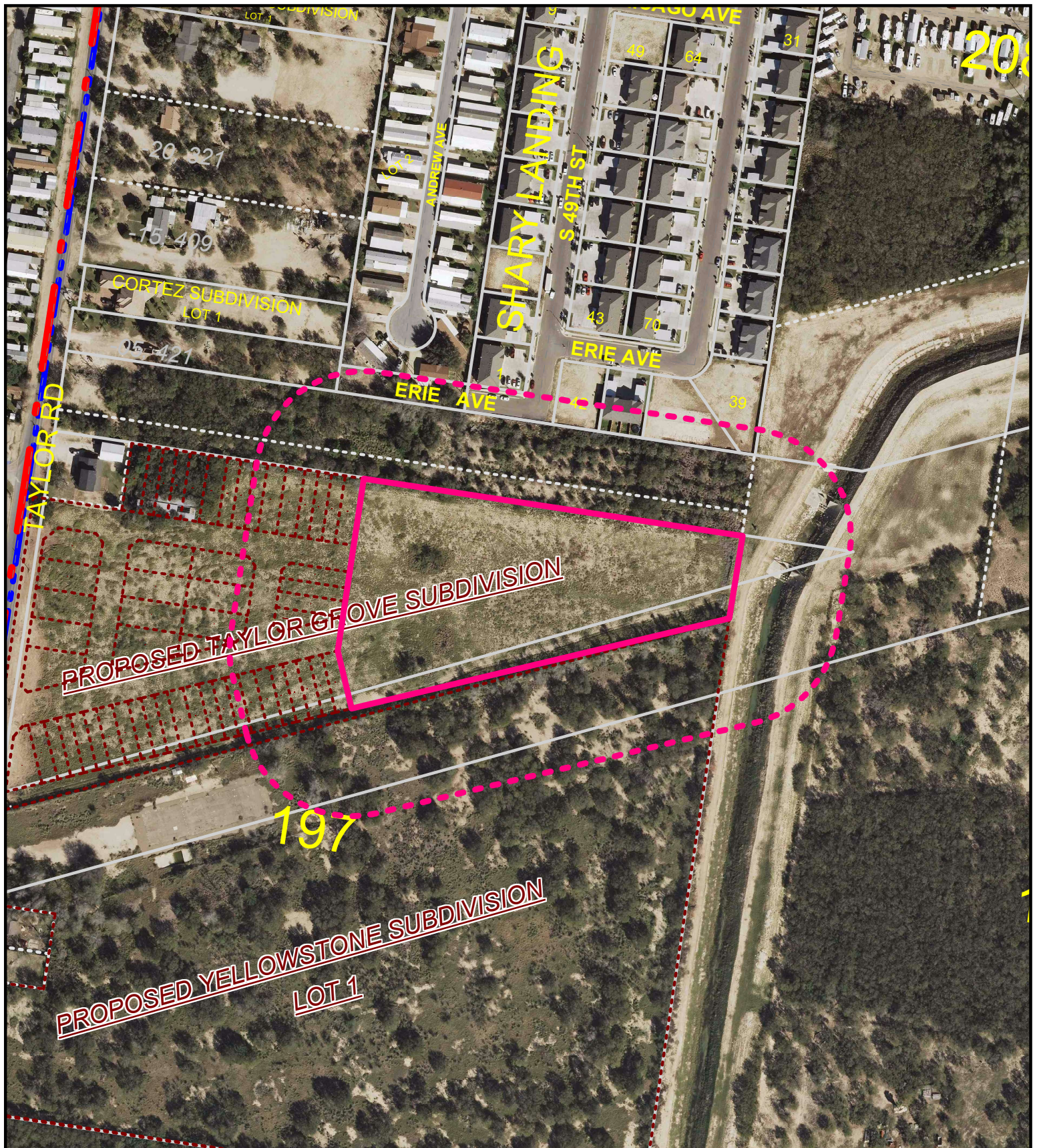
**R-4** (MOBILE HOMES)  
**C-1** (OFFICE BUILDING)  
**C-2** (NEIGHBORHOOD COMMERCIAL)

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

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

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20

197



**CITY OF McALLEN**  
PLANNING DEPARTMENT

**AERIAL MAP**  
SCALE: N.T.S.



**SUBJECT PROPERTY**

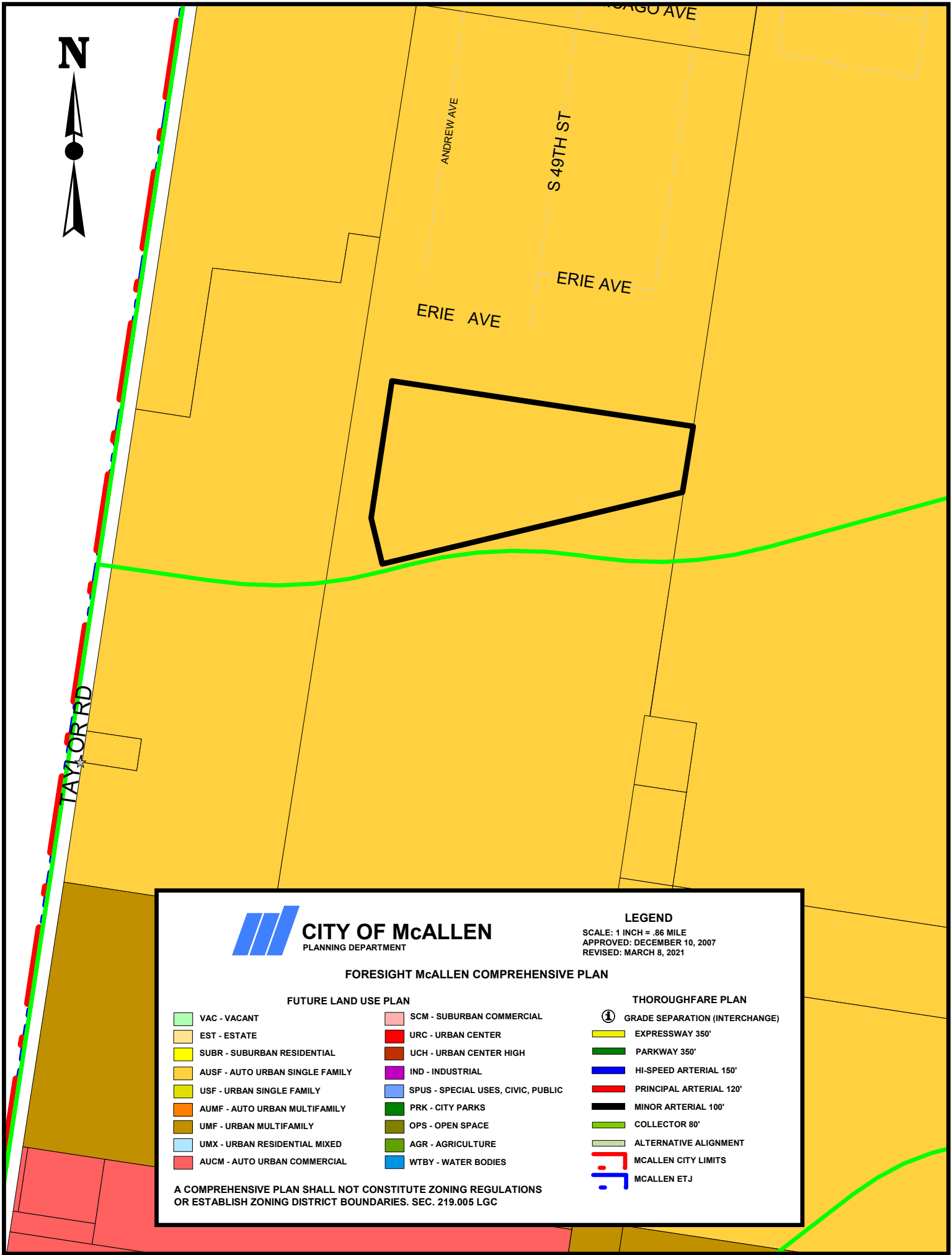


**200' NOTIFICATION BOUNDARY**



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





**CITY OF McALLEN**  
PLANNING DEPARTMENT

**LEGEND**

SCALE: 1 INCH = .86 MILE  
APPROVED: DECEMBER 10, 2007  
REVISED: MARCH 8, 2021

**FORESIGHT McALLEN COMPREHENSIVE PLAN**

**FUTURE LAND USE PLAN**

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

**THOROUGHFARE PLAN**

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

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

EXHIBIT B  
TRACT 1 - 4.79 ACRES  
OUT OF LOT 197,  
JOHN H. SHARY SUBDIVISION,  
VOLUME 1, PAGE 17,  
MAP RECORDS OF HIDALGO COUNTY, TEXAS  
TO ACCOMPANY FIELD NOTES

SCALE: 1" = 200'  
BEARING BASIS  
TX STATE PLANE  
COORDINATES NAD 83  
TEXAS SOUTH ZONE (4205)  
WESTERN DATA  
SYSTEMS NETWORK

LEGEND	
○	CAPPED 1/2" IRON ROD SET
●	1/2" IRON ROD FOUND
△	COTTON-PICKER-SPINDLE SET
▲	COTTON-PICKER-SPINDLE FOUND

HIDALGO COUNTY  
DRAINAGE DISTRICT No.1  
(RADO DRAIN)-EASEMENT  
0.65 ACRES  
VOL. 2772, PG. 92, D.R.H.C.

SHARY LANDING  
20.355 ACRES  
VOL. 51, PG. 116, M.R.H.C.

GRANITE SOL LUNA, LLC  
TRACT II "VALLE DE LA LUNA"  
11.927 ACRES  
DOC#2427288, O.R.H.C.

LUIS L. GARZA & DIANA N. GARZA  
1.00 ACRE

DOC#2919110, O.R.H.C.

P.O.C.  
NE CRN LOT 196  
NW CRN LOT 197

LONGVIEW ASSOCIATE PARTNER, LP  
4.5 ACRES

DOC#2427285, O.R.H.C.

S81° 23' 31"E 610.00'

S81° 23' 31"E 710.00'

50.00'  
LEROY CREMAR  
& DIANA CREMAR  
0.50 ACRES  
DOC#595479, O.R.H.C.

CENTERLINE OF  
S. TAYLOR ROAD

30.00'

N8° 36' 29"E 323.02'

S8° 36' 29"W 153.22'

TRACT 1  
4.79 ACRES NET

4.00'

S76° 29' 30"W 721.69'

N13° 30' 30"W 110.00'

80.00'  
EAST  
RIGHT-OF-WAY  
LINE

70.00'  
EXIST.  
R.O.W.

120.00'  
ABANDONED CANAL  
R.O.W.

EXIST H.C.I.D. No. 1  
RIGHT-OF-WAY  
(AS PER VOL.249 PG.323 O.R.H.C.)

NEW MILLENNIUM L. INVESTMENTS, INC.  
24.56 ACRES  
DOC#2155004 O.R.H.C.

ALBERTA ADAMES  
0.29 ACRES  
VOL.2433, PG. 794 D.R.H.C.

ANISA A. FERNANDEZ  
0.24 ACRES  
DOC# 2775377 O.R.H.C.

SURVEYOR'S NOTES:

- 1) SURVEY DONE WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
- 2) NO ADDITIONAL RESEARCH WAS PERFORMED BY RIO DELTA ENGINEERING FOR ANY ADDITIONAL EASEMENT(S) OR BUILDINGS LINES WHICH MAY OR MAY NOT AFFECT THE SUBJECT TRACT



# THE WOODLANDS ON TAYLOR

BEING A 12.27 ACRES TRACT OF LAND OUT OF AND BEING A PART OR PORTION OF THAT PART OF LOT 197 LYING NORTH AND WEST OF ABANDONED CANAL RIGHT-OF-WAY, JOHN H. SHARY SUBDIVISION RECORDED IN VOLUME 1, PAGE 17, MAP RECORDS OF HIDALGO COUNTY, TEXAS,

**LOCATION MAP**

**SCALE: 1" = 2000'**

**RIO DELTA ENGINEERING**  
FIRM REGISTRATION No. F-7628  
SURVEY FIRM No. 10194027  
921 S. 10TH AVENUE EDINBURG, TEXAS 76533  
(TEL) 956-380-5152 (FAX) 956-380-5083



THIS DOCUMENT IS  
RELEASED FOR THE  
PURPOSE OF INTERIM  
REVIEW UNDER THE  
AUTHORITY OF  
IVAN GARCIA,  
P.E. 115662 ON  
**JUNE 29, 2021**  
IT IS NOT TO BE  
USED FOR CONSTRUCTION,  
BIDDING OR PERMIT  
PURPOSES.

ISSUED FOR:  
**PRELIMINARY**


PLAT SHEET  
WOODLANDS ON TAYLOR  
MCALLEN, TEXAS  
HIDALGO COUNTY, TEXAS

ENGINEER: \_\_\_\_\_  
 AN GARCIA P.E. R.P.L.S.  
 SURVEYOR: \_\_\_\_\_  
 AN GARCIA P.E. R.P.L.S.  
 CHECKED: \_\_\_\_\_  
 AN GARCIA P.E. R.P.L.S.  
 DRAWN: \_\_\_\_\_  
 EDWIN PENA  
 SCALE: \_\_\_\_\_  
 1"=60'  
 DATE: \_\_\_\_\_

PROJECT: SUB 18 019  
 REVISIONS:  
 PAGE NO. 1 OF 1

NAME	ADDRESS	PHONE	FAX
OWNER: MDM LAND COMPANY LLC	2515 COLORADO STREET SUITE 6 MISSION, TX 78572	(956) 445-7631	
ENGINEER: IVAN GARCIA, P.E., R.P.L.S.	921 SOUTH 10th AVE. EDINBURG, TX 78539	(956) 380-5152	(956) 380-5083
SURVEYOR: IVAN GARCIA, P.E., R.P.L.S.	921 SOUTH 10th AVE. EDINBURG, TX 78539	(956) 380-5152	(956) 380-5083

IVAN GARCIA P.E., R.P.L.S. DATE  
REG. PROFESSIONAL LAND SURVEYOR No. 6469  
SURVEY FIRM No. 10194027


 FILED FOR RECORD IN \_\_\_\_\_  
 ON: \_\_\_\_\_ AT \_\_\_\_\_ AM/PM  
 INSTRUMENT NUMBER \_\_\_\_\_

HIDALGO COUNTY  
ARTURO GUAJARDO, JR.  
HIDALGO COUNTY CLERK

BT: \_\_\_\_\_ DEPT: \_\_\_\_\_





NOTICE  
REZONING  
FOR  
THIS PROPERTY  
REZ2021-0036





City of McAllen  
Planning Department

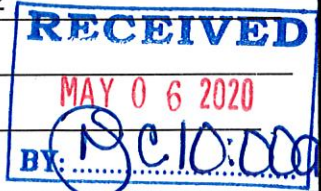
APPLICATION FOR  
SUBDIVISION PLAT REVIEW

SUB2020-0029

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 <u>Stonebriar at Trinity Oaks Subdivision</u>
	Location <u>Sprague and La Lomita Roads</u>
	City Address or Block Number _____
	Number of lots <u>143</u> Gross acres <u>40,000</u> Net acres _____
	Existing Zoning _____ Proposed <u>R-1 / R-3A</u> Rezoning Applied For <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____
	Existing Land Use _____ Proposed Land Use _____ Irrigation District # <u>/</u>
	Residential Replat Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Commercial Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> ETJ Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
	Agricultural Tax Exempt Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Estimated Rollback tax due _____
	Parcel No. _____ Tax Dept. Review _____
	Legal Description <u>Lot 14, La Lomita Irrigation and Construction Company Subdivision</u> <u>as per Map Recorded in Vol. 24, Page 68 of HCDR.</u>
Owner	Name <u>Affordable Homes of South Texas, Inc.</u> Phone <u>(956) 687-6263</u>
	Address <u>1420 Erie Avenue</u>
	City <u>McAllen</u> State <u>Texas</u> Zip <u>78501</u>
	E-mail <u>rcalvillo@ahsti.org</u>
Developer	Name <u>Affordable Homes of South Texas, Inc.</u> Phone <u>(956) 687-6263</u>
	Address <u>1420 Erie Avenue</u>
	City <u>McAllen</u> State <u>Texas</u> Zip <u>78501</u>
	Contact Person <u>Robert Calvillo</u>
	E-mail <u>rcalvillo@ahsti.org</u>
Engineer	Name <u>Cruz-Hogan Consultants, Inc.</u> Phone <u>(956) 682-5022</u>
	Address <u>605 E. Violet Avenue, Suite 1</u>
	City <u>McAllen</u> State <u>Texas</u> Zip <u>78504</u>
	Contact Person <u>Ronnie Cruz, P.E., CFM</u>
	E-mail <u>ronnie@cruzhogan.net</u>
Surveyor	Name <u>Robles &amp; Associates PLLC</u> Phone <u>(956) 968-2422</u>
	Address <u>107 W. Huisache Street</u>
	City <u>Weslaco</u> State <u>Texas</u> Zip <u>78596</u>

Act # 715590 pd \$3000



## Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

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

### PLAT TO SHOW:

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

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

Owner's Signature

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

Signature  Date 5/5/20

Print Name Ronnie Cruz, P.E., CFM

Owner ☐

Authorized Agent ☐



ESCABA, I  
VACANT 109-00  
3900

T-REX

LA  
AND

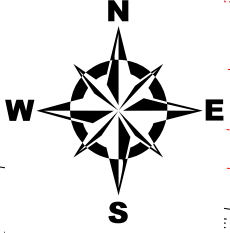
124

PRIDE OF

H. 107

S.H. 107

10

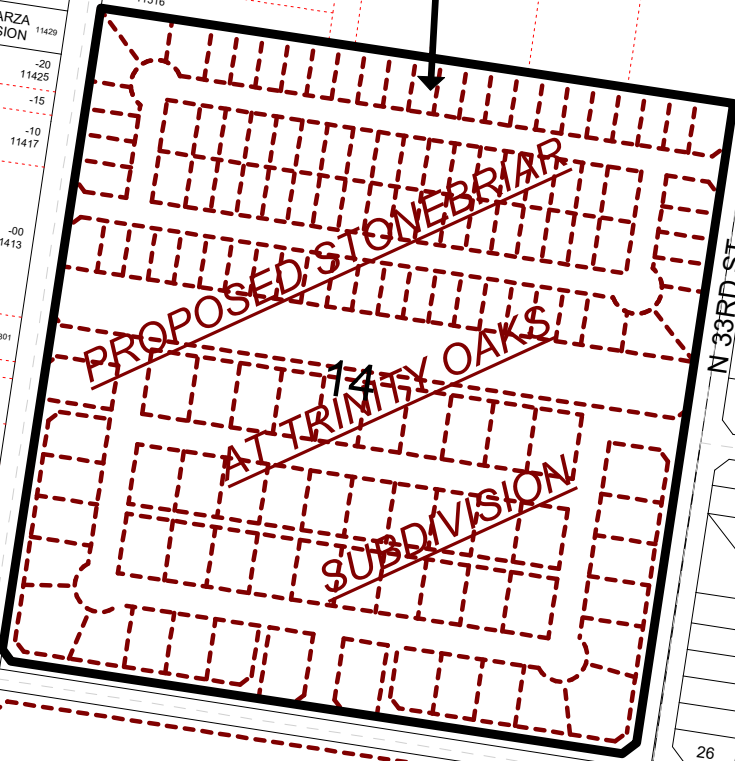


LOCATION

11

CITRUS  
R.V.

15



THE GARDENS  
INDIAN CREEK AVE

SUBDIVISION

GUADALUPE AVE

TRINITY OAKS

FUERTE AVE

161

PROP. 15 AC. CITY PARK AREA

19

18

FRIJO AVE

GARZA

ELM AVE

SUBD

20

176A  
172A  
171A  
156



# City of McAllen

## SUBDIVISION PLAT REVIEW

Reviewed On: 7/16/2021

### SUBDIVISION NAME: STONEBRIAR AT TRINITY OAKS SUBDIVISION

#### REQUIREMENTS

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

North La Lomita Rd.: 20 ft. dedication for 40 ft. from centerline for 80 ft. total ROW.

Paving: Min. 52 ft. Curb & gutter: Both sides

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

Sprague Road: Additional 20 ft. dedication for 40 ft. from centerline for total 80 ft. ROW

Paving: min. 52 ft. Curb & gutter: Both sides

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

N. 33rd Street: 35 ft. ROW from centerline for 70 ft. ROW

Paving: 44 ft. Curb & gutter: both sides

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

Lots 1-52: 60-65 ft. ROW (applies for multi-family use)

Paving: min. 40 ft. Curb & gutter: Both sides

\*\*Monies must be escrowed if any applicable improvements are not built prior to recording.

Lots 53-142: 50 ft. ROW (applies for single family use)

Paving: min. 32 ft. Curb & gutter: Both sides

\*\*Monies must be escrowed if any applicable improvements are not built prior to recording.

\*\*\*Please clarify if gates are proposed. Gate details might increase required ROW at subdivision entrances.

\* 800 ft. Block Length:

\*\*Plat submitted May 6, 2020, will need to be revised as the proposed layout exceeds maximum block length

\*\*\*Plat submitted May 24, 2021 still shows block length greater than 800 ft. for internal E/W blocks. Please clarify if variance will be requested or plat will be revised to provide for stub out streets prior to final.

\*\*\*\*Engineer submitted an email on July 16, 2021 requesting a variance to the block length requirement for this subdivision.

\* 600 ft. Maximum Cul-de-Sac:

Applied

Applied

Applied

Applied

Required

Non-compliance

NA

##### ALLEYS

ROW: 22 ft. proposed Paving: 16 ft.

\*\*\*Alleys are only allowed in private residential subdivisions. If alleys are proposed for this subdivision, they must be labeled as "private alleys" and maintained by property owners/HOA and not the City of McAllen. Please revise plat prior to final.

Required

##### SETBACKS

\* Front:

Lots 1-52: 20 ft. or greater for easements

Lots 53-140: 25 ft. or greater for easements

\* Rear: In accordance with the zoning ordinance or greater for easements.

\* Interior Sides: 6 ft. or greater for easements

\* Side Corner: 10 ft. or greater for easements.

Applied

Applied

Applied

Applied

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

* Garage: 18 ft. except where greater setback is required; greater setback applies	Applied
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
<b>SIDEWALKS</b>	
* 4 ft. wide minimum sidewalk required on N. 33rd St., N. La Lomita Rd., Sprague Rd., and both sides of all interior streets	Applied
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Applied
<b>BUFFERS</b>	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses, and along N. 33rd St., N. La Lomita Rd., and Sprague Rd.	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
<b>NOTES</b>	
* No curb cut, access, or lot frontage permitted along N. 33rd St., N. La Lomita Rd., and Sprague Rd.	Applied
* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.	Applied
**Internal site plan review might be required depending on the amount of units proposed for Lots 1-52 (R-3A Zoning).	
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	NA
* Park and Detention Area, Common areas, any private streets/drives, private alleys, etc. must be maintained by the lot owners and not the City of McAllen	Required
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.	Required
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.	Applied
** HOA document will be recorded simultaneously with plat.	
<b>LOT REQUIREMENTS</b>	
* Minimum lot width and lot area.	Compliance
* Lots fronting public streets.	Compliance
<b>ZONING/CUP</b>	
* Existing: R-1 and R-3A Proposed: R-1 and R-3A	Compliance
**Planning and Zoning Board approved rezoning at their April 20, 2021 meeting and City Commission at their April 26, 2021 meeting.	
* Rezoning Needed Before Final Approval	Completed
**Planning and Zoning Board approved rezoning at their April 20, 2021 meeting and City Commission at their April 26, 2021 meeting.	

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



<b>PARKS</b>	
* Land dedication in lieu of fee.	TBD
* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording	TBD
* Pending review by the Parkland Dedication Advisory Board and CC. **Per Parks Department, must go before Park Land Dedication Advisory Board and City Commission to determine land or fee requirements, prior to final.	Applied
<b>TRAFFIC</b>	
* As per Traffic Department, Trip generation and traffic impact analysis approved. TIA has a condition of approval, to have North 33rd Street built-out.	Applied
* As per Traffic Department, Trip generation and traffic impact analysis approved. TIA has a condition of approval, to have North 33rd Street built-out.	Applied
<b>COMMENTS</b>	
Comments: **Must comply with City's Access Management Policy ***Will need a variance letter for streets exceeding 800 ft. in length without stub-outs ****Plat shows a 20 ft. alley south of Lot 1 which extends to Lot 22. Alleys are required to be paved and private and will have to be maintained by property owners and not the City of McAllen. Provide a 20 ft. x 20 ft. ROW clip at alley intersections. ***** Lot located north of Lot 2 is not labeled, please label prior to recording. *****Abandonment for utility easements must be recorded prior to recording.	Applied
<b>RECOMMENDATION</b>	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM SUBJECT TO CONDITIONS NOTED, AND APPROVAL OF BLOCK LENGTH VARIANCE REQUEST.	Applied



STATE OF TEXAS  
COUNTY OF HIDALGO

I, THE UNDERSIGNED, CEO OF RGV TIERRA PROPERTIES, LLC, IN WHICH RGV TIERRA PROPERTIES, LLC IS THE OWNER OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS STONEBRIAR AT TRINITY OAKS SUBDIVISION, AN ADDITION TO THE CITY OF McALLEN, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, SEWER LINES, WATER COURSES, STORM SEWERS, EASEMENTS, FIRE HYDRANTS, AND PUBLIC PLACES WHICH ARE INSTALLED OR WHICH I WILL CAUSE TO BE INSTALLED OR DEDICATED UNDER THE SUBDIVISION APPROVAL PROCESS OF THE CITY OF McALLEN, ALL THE SAME FOR THE PURPOSES THEREIN EXPRESSED, EITHER ON THE PLAT OR ON THE OFFICIAL MINUTES OF THE APPLICABLE AUTHORITIES OF THE CITY OF McALLEN.

RGV TIERRA PROPERTIES, LLC  
ROBERT CALVILLO, CEO MEMBER  
1420 ERIE AVE  
McALLEN, TEXAS 78501

DATE

STATE OF TEXAS  
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, ON THIS DAY PERSONALLY APPEARED ROBERT CALVILLO, CEO 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 CONTAINED 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\_\_\_\_.

NOTARY PUBLIC, HIDALGO COUNTY, TEXAS

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.

JIM DARLING  
MAYOR, CITY OF McALLEN

DATE

CITY CLERK

DATE

PLANNING AND ZONING:

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

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

DATE

IRRIGATION DISTRICT:

THIS PLAT APPROVED BY HIDALGO COUNTY IRRIGATION DISTRICT NO. 1, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ A.D. NO IMPROVEMENTS OF ANY KIND SHALL BE PLACED ON HIDALGO COUNTY IRRIGATION DISTRICT NO. 1 RIGHT-OF-WAY OR EASEMENTS WITHOUT THE EXPRESSED WRITTEN PERMISSION OF THE HIDALGO COUNTY IRRIGATION DISTRICT NO. 1.

PRESIDENT

SECRETARY

STATE OF TEXAS  
COUNTY OF HIDALGO

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

REYNALDO ROBLES  
REGISTERED PROFESSIONAL LAND SURVEYOR  
NO. 4032  
WESLACO, TEXAS 78599

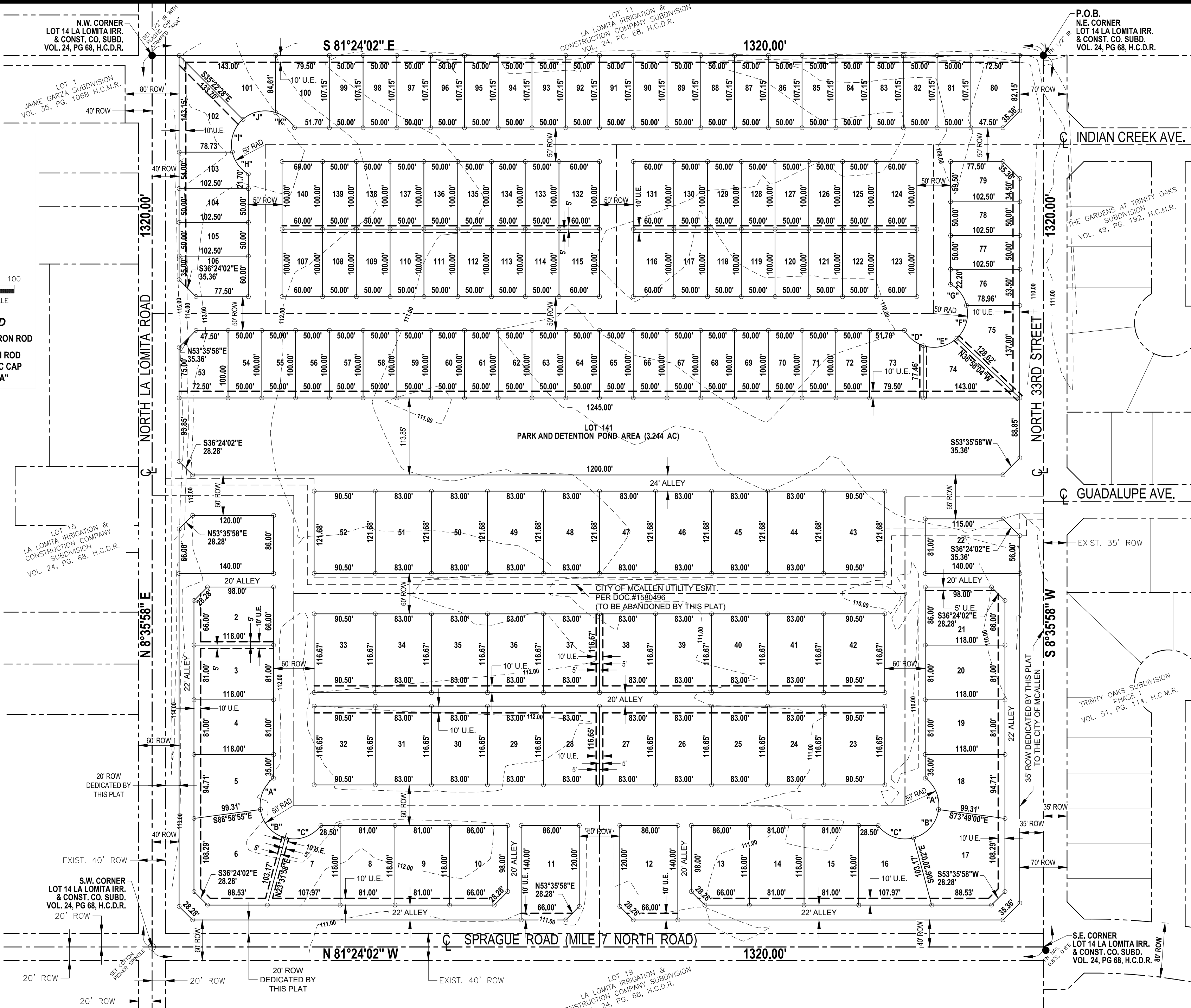
STATE OF TEXAS  
COUNTY OF HIDALGO

I, THE UNDERSIGNED, ROLANDO CRUZ, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN TO THIS PLAT, AND THAT ALL ASPECTS OF IT ARE IN ACCORDANCE WITH THE CITY OF McALLEN SUBDIVISION ORDINANCE AND ALL STATE STATUTES GOVERNING SURVEYS.

ROLANDO CRUZ, P.E. CFM  
REGISTERED PROFESSIONAL ENGINEER  
NO. 55459  
McALLEN, TEXAS 78504

PRINCIPAL CONTACTS:

NAME	ADDRESS	CITY & ZIP	PHONE	FAX
OWNER: ROBERT CALVILLO	1420 ERIE AVE.	McALLEN, TX. 78501	(956) 687-6263	(956) 682-9751
ENGINEER: ROLANDO CRUZ, PE	605 E. VIOLET AVE. STE. 1	McALLEN, TX. 78504	(956) 682-5022	(956) 682-5089
SURVEYOR: REYNALDO ROBLES	P.O. BOX 476	WESLACO, TX. 78599	(956) 968-2422	(956) 969-2011



## STONEBRIAR AT TRINITY OAKS SUBDIVISION

40.00 ACRES OF LAND  
OUT OF LOT 14, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY SUBDIVISION,  
HIDALGO COUNTY, TEXAS  
AS PER MAP RECORDED IN VOLUME 24, PAGE 68, H.C.D.R.

GENERAL NOTES:

1.- FLOOD ZONE "X" (AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOOD PLAIN.)

COMMUNITY-PANEL NO. 480334 0295 D  
EFFECTIVE DATE: JUNE 6, 2000

COMMUNITY-PANEL NO. 480334 0325 D  
EFFECTIVE DATE: JUNE 6, 2000

2.- LOTS 1-52 WILL BE ZONED FOURPLEX RESIDENTIAL AND LOTS 53-140 WILL BE ZONED SINGLE FAMILY RESIDENCE.

3.- MINIMUM BUILDING SETBACKS  
FRONT : LOTS 1-52: 20 FT. OR GREATER FOR EASEMENTS.  
FRONT : LOTS 53-140: 25 FT. OR GREATER FOR EASEMENTS.  
REAR : IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER FOR EASEMENTS.  
INTERIOR SIDES: 6 FT.  
SIDE CORNER : 10 FT. OR GREATER FOR EASEMENTS.  
GARAGE : 18 FT. EXCEPT WHERE GREATER SETBACK IS REQUIRED; GREATER SETBACK APPLIES.  
ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN.

4.-NO STRUCTURES SHOULD BE CONSTRUCTED ON ANY EASEMENTS.

5.-FINISHED FLOOR ELEVATION SHALL BE 18" ABOVE TOP OF CURB AS MEASURED FROM THE CENTER OF EACH LOT.

6.-BENCHMARK:  
CITY OF McALLEN B.M. #61 (BRASS DISK), LOCATED ON THE SOUTHEAST INTERSECTION OF VIOLET AVENUE AND MCCOLL ROAD  
ELEVATION = 113.54 (NAVD 88) FEET

7.-6 FT. OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, AND INDUSTRIAL ZONES/USES AND ALONG N. 33RD STREET, N. LA LOMITA ROAD AND SPRAGUE ROAD.

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

8.-REQUIRED DETENTION FOR STORM SEWER RUNOFF PER THE APPROVED DRAINAGE REPORT SHALL BE 145,840 CUBIC/FEET OR 3.35 AC-FT. DETENTION WILL BE PROVIDED WITHIN A POND IN LOT 141.

9.-AN ENGINEERING DRAINAGE DETENTION PLAN APPROVED BY THE ENGINEERING DEPARTMENT, PRIOR TO ISSUANCE OF BUILDING PERMITS FOR LOTS 1-52.

10.-A 4 FT. WIDE MINIMUM SIDEWALK REQUIRED ON N. 33RD STREET, N. LA LOMITA ROAD, SPRAGUE ROAD, AND ON BOTH SIDES OF ALL INTERIOR STREETS.

11.-NO CURB CUT, ACCESS, OR LOT FRONTAGE PERMITTED ALONG N. 33RD STREET, N. LA LOMITA ROAD AND SPRAGUE ROAD.

12.-A 15'X15' SIGHT OBSTRUCTION EASEMENT IS REQUIRED AT ALL STREET INTERSECTIONS. A 10'X10' IS REQUIRED AT ALL STREET/ALLEY INTERSECTIONS. EXCEPT WHERE NOTED.

13.-LEGEND ● DENOTES 1/2" IRON ROD FOUND UNLESS OTHERWISE NOTED.

14.-ALL LOT CORNERS ARE MARKED WITH A 1/2" IRON ROD WITH A PLASTIC CAP STAMPED "R&A" UNLESS OTHERWISE NOTED ON THIS PLAT.

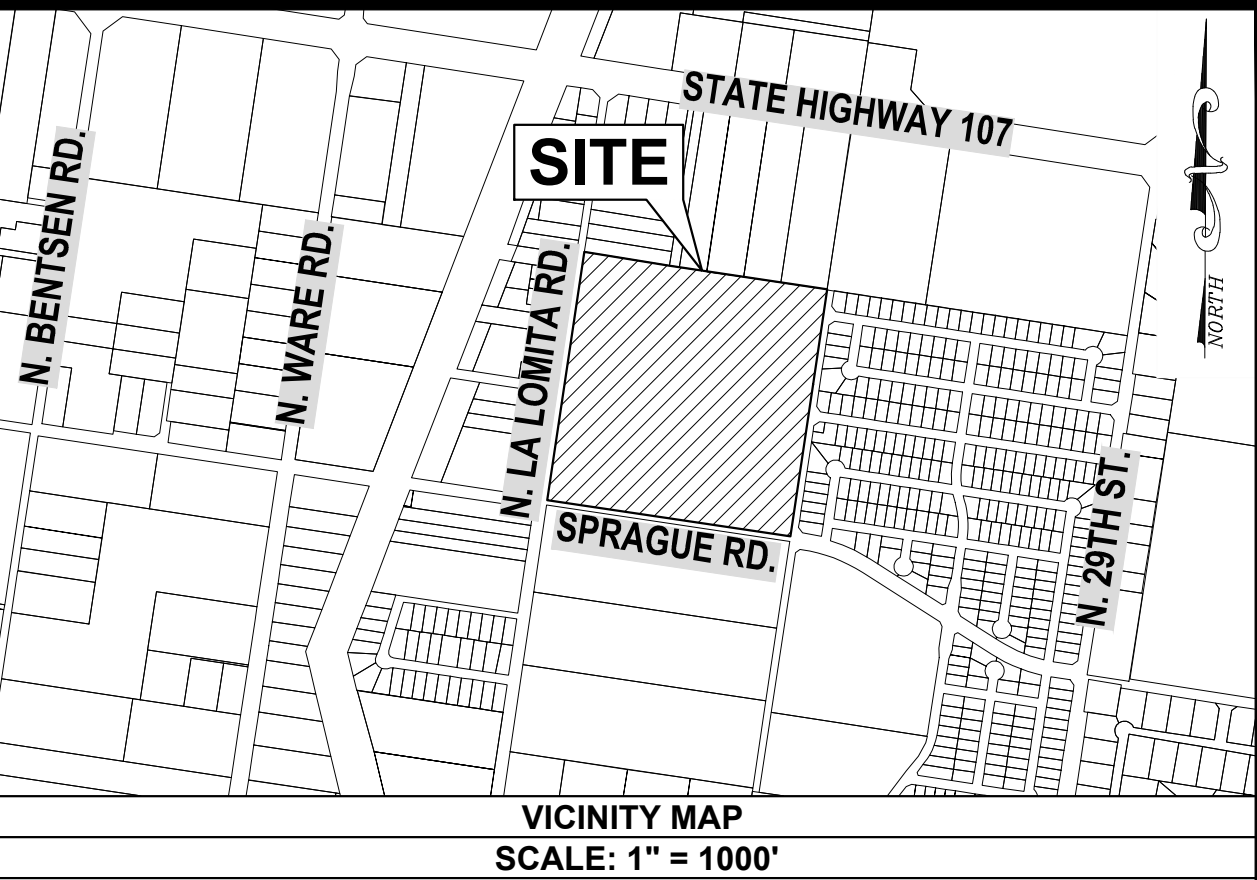
15.-COMMON AREAS, PRIVATE STREETS, SERVICE DRIVES, DETENTION POND AREA, ETC., MUST BE MAINTAINED BY THE LOT OWNERS AND NOT THE CITY OF McALLEN.

16.-DEVELOPER/HOMEOWNER'S ASSOCIATION/OWNER, THEIR SUCCESSORS AND ASSIGNEES, AND NOT THE CITY OF McALLEN SHALL BE RESPONSIBLE FOR COMPLIANCE OF INSTALLATION AND MAINTENANCE AND OTHER REQUIREMENTS PER SECTION 134-168 OF THE SUBDIVISION ORDINANCE, INCLUDING BUT NOT LIMITED TO COMMON AREAS AND ITS PRIVATE STREETS.

17.-SHOULD THE SUBDIVISION BE PROPOSED AS PUBLIC, THEN A HOMEOWNER'S ASSOCIATION IS REQUIRED PER SECTION 110-72(e) OF THE VEGETATION ORDINANCE WITH REGARDS TO MAINTENANCE OBLIGATIONS AS IT RELATES TO COMMON AREAS OR AREAS THAT ARE UNIMPROVED AND LIE BETWEEN THE SUBDIVISION AND ADJACENT PUBLIC STREETS.

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

19.-AS PER DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR STONEBRIAR AT TRINITY OAKS SUBDIVISION, RECORDED AS DOCUMENT NUMBER \_\_\_\_\_ HIDALGO COUNTY, DEED RECORDS, DEVELOPER/HOMEOWNER'S ASSOCIATION/OWNERS, THEIR SUCCESSORS AND ASSIGNEES, AND NOT THE CITY OF McALLEN SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF LOT 143 (DETENTION AREA).



METES & BOUNDS

BEING 40.00 ACRES OF LAND SITUATED IN HIDALGO COUNTY, TEXAS AND BEING ALL OF LOT 14, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY SUBDIVISION AS PER MAP RECORDED IN VOLUME 24, PAGE 68 OF THE HIDALGO COUNTY DEED RECORDS, AND SAID 40.00 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2-INCH IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID LOT 14 AND THE NORTHEAST CORNER OF SAID TRACT HEREIN DESCRIBED;

THENCE, SOUTH 8°35'58" WEST, 1,320.00 FEET WITH THE WEST LINE OF OF 33RD STREET (35.0 FEET WIDE) AND THE EAST LINE OF SAID LOT 14 TO A POINT ON THE CENTERLINE OF SPRAGUE ROAD (MILE 7 NORTH ROAD) FOR THE SOUTHEAST CORNER OF SAID LOT 14 AND THE SOUTHEAST CORNER OF SAID TRACT HEREIN DESCRIBED FROM WHICH A FOUND NAIL BEARS SOUTH 8°35'58" WEST 0.6 FEET AND SOUTH 81°24'02" EAST 0.8 FEET;

THENCE, NORTH 81°24'02" WEST, 1,320.00 FEET WITH THE SOUTH LINE OF SAID LOT 14 AND THE CENTERLINE OF SAID SPRAGUE ROAD TO A COTTON PICKER SPINDLE SET FOR THE SOUTHWEST CORNER OF SAID LOT 14 AND THE SOUTHWEST CORNER OF SAID TRACT HEREIN DESCRIBED;

THENCE, NORTH 8°35'58" EAST, 1,320.00 FEET WITH THE CENTERLINE OF N. LA LOMITA ROAD, THE EAST LINE OF LOT 15 AND THE WEST LINE OF SAID LOT 14 TO A 1/2-INCH IRON ROD WITH A PLASTIC CAP STAMPED "R&A" SET FOR THE NORTHEAST CORNER OF SAID LOT 15, THE NORTHWEST CORNER OF SAID LOT 14 AND THE NORTHWEST CORNER OF SAID TRACT HEREIN DESCRIBED;

THENCE, NORTH 81°24'02" EAST, WITH THE NORTH LINE OF SAID LOT 14 AND THE SOUTH LINE OF LOT 11, PASSING AT A DISTANCE OF 20.00 FEET THE EAST RIGHT-OF-WAY LINE OF SAID N. LA LOMITA ROAD, AND CONTINUING FOR A TOTAL DISTANCE OF 1,320.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 40.00 ACRES OF LAND MORE OR LESS.

CURVE	DELTA	RADIUS	TANGENT	LENGTH	CHORD
"A"	60°43'31"	50.00'	29.29'	52.99'	50.55'
"B"	67°28'26"	50.00'	33.39'	58.88'	55.54'
"C"	68°03'41"	50.00'	33.76'	59.39'	55.96'
"D"	41°56'27"	50.00'	19.16'	36.60'	35.79'
"E"	63°37'35"	50.00'	31.02'	55.53'	52.72'
"F"	58°19'09"	50.00'	27.90'	50.90'	48.73'
"G"	46°06'48"	50.00'	21.28'	40.24'	39.16'
"H"	47°17'27"	50.00'	21.89'	41.27'	40.11'
"I"	58°44'05"	50.00'	28.14'	51.26'	49.04'
"J"	62°01'59"	50.00'	30.06'	54.13'	51.53'
"K"	41°56'27"	50.00'	19.16'	36.60'	35.79'

IRREGULAR LOT AREAS		
LOT #	SQ. FT.	AREA
1	11,840	0.271
2	9,948	0.228
5	9,584	0.220
6	15,852	0.364
7	10,119	0.232
10	9,948	0.228
11	11,840	0.272
12	11,840	0.272
13	9,948	0.228
16	10,119	0.232
17	15,852	0.364
18	9,584	0.220
21	9,948	0.228
22	11,028	0.253
53	6,937	0.159
73	7,557	0.173
74	8,150	0.187
75	7,935	0.182
76	5,010	0.115
79	5,837	0.134
80	7,456	0.171
100	8,126	0.187
101	8,751	0.201
102	8,277	0.190
103	5,038	0.116
106	5,838	0.134

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

DOCUMENT NUMBER \_\_\_\_\_

OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS

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

FILED FOR RECORD IN

HIDALGO COUNTY  
ARTURO GUJARDO, JR.  
HIDALGO COUNTY CLERK

### STONEBRIAR AT TRINITY OAKS SUBDIVISION

DATE: JUNE 4, 2020



**CRUZ - HOGAN**

ENGINEERS | PLANNERS

McAllen Harlingen Weslaco  
TBE FIRM REGISTRATION No: F-4860






Fri 7/16/2021 9:19 AM

Ronnie Cruz <ronnie@cruzhogan.net>

Stonebriar At Trinity Oaks Subdivision

To  Jose Humberto De La Garza

Cc  'robert calvillo'

[Phish Alert](#)

Mr. De La Garza,

On behalf of my client, I am requesting a variance on the above referenced subdivision for block lengths to be greater than 800 Feet.

Thanks You,

**Ronnie Cruz, P.E., CFM**

**CRUZ-HOGAN** *Consultants, Inc.*

ENGINEERS | PLANNERS | CONSULTANTS

McAllen | Harlingen | Weslaco

TBPE Firm Reg No: F-4860

605 E. Violet Ave., Ste.1

McAllen, TX 78504

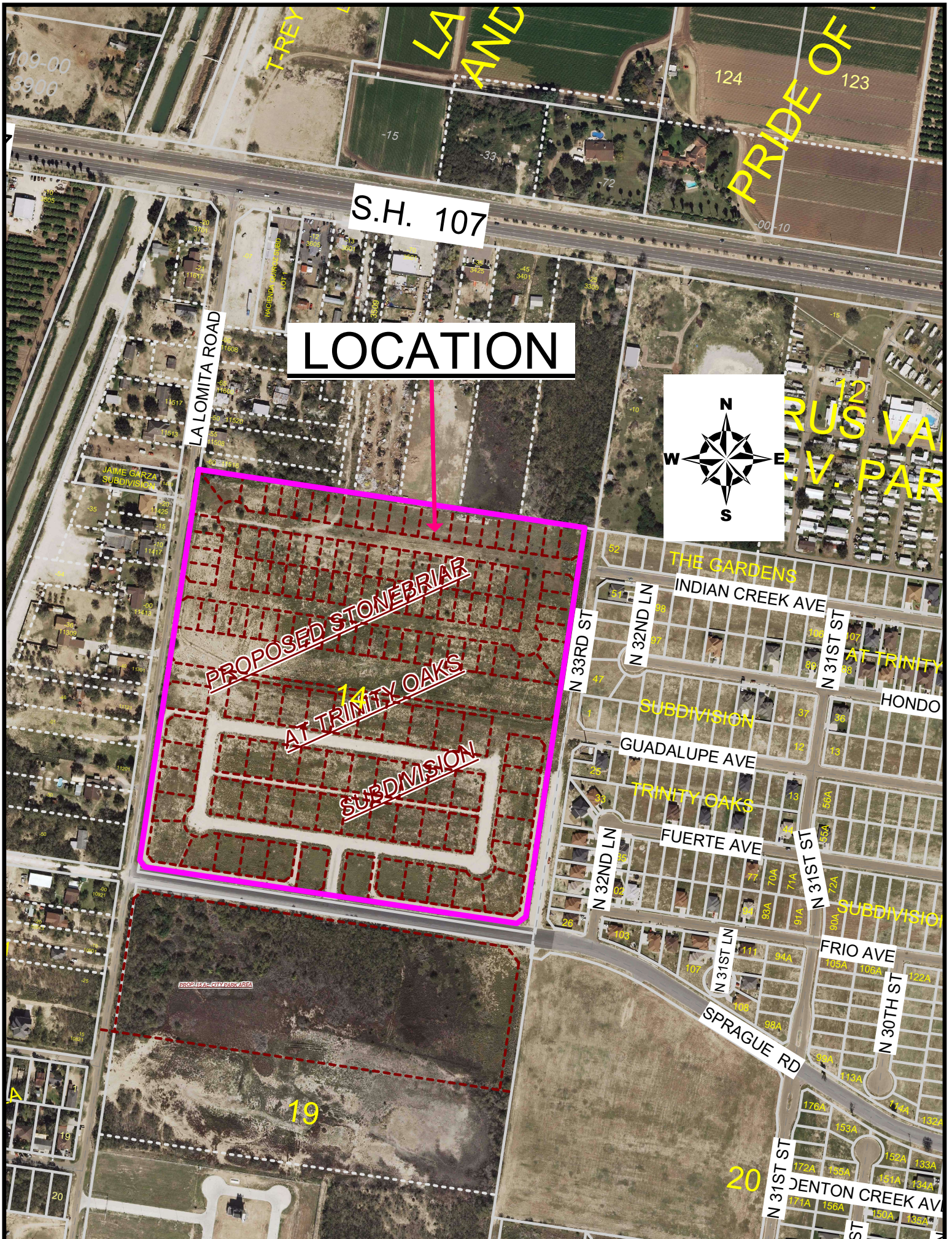
Ofc: (956) 682-5022

Fax: (956) 682-5089

***Helping Build Better Communities***







S.H. 107

LOCATION



PROPOSED STONEBRIAR  
AT TRINITY OAKS  
SUBDIVISION

PROPOSED CITY PARK AREA

19

20



SUB2021-0025



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 <u>BEJ Subdivision</u> Location <u>Violet Avenue &amp; McColl Road</u> City Address or Block Number _____ Number of lots <u>1</u> Gross acres <u>1.36</u> Net acres <u>.919</u> Existing Zoning _____ Proposed _____ Rezoning Applied For <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____ Existing Land Use _____ Proposed Land Use _____ Irrigation District # <u>2</u> Residential Replat Yes <input type="checkbox"/> No <input type="checkbox"/> Commercial Replat Yes <input type="checkbox"/> No <input type="checkbox"/> ETJ Yes <input type="checkbox"/> No <input type="checkbox"/> Agricultural Tax Exempt Yes <input type="checkbox"/> No <input type="checkbox"/> Estimated Rollback tax due <u>0-</u> Parcel No. <u>55950-00-006-000507</u> Tax Dept. Review <u>Querra</u> Legal Description <u>A tract of land out of Lot 5, Block 6, Steele and Pershing</u> <u>Subdivision, Hidalgo County, Texas</u>
Owner	Name <u>Taryn Santos, Violet Investments</u> Phone <u>956-633-1111</u> Address <u>605 E. Violet Avenue, Suite #3</u> City <u>McAllen</u> State <u>Texas</u> Zip <u>78504</u> E-mail <u>dsantos@dsantoslaw.com</u>
Developer	Name <u>Taryn Santos, Violet Investments</u> Phone <u>956-633-1111</u> Address <u>605 E. Violet Avenue, Suite #3</u> City <u>McAllen</u> State <u>Texas</u> Zip <u>78504</u> Contact Person <u>Daniel Santos</u> E-mail <u>dtprops@hotmail.com</u>
Engineer	Name <u>Cruz-Hogan Consultants, Inc.</u> Phone <u>956-682-5022</u> Address <u>605 E. Violet Avenue, Suite #1</u> City <u>McAllen</u> State <u>Texas</u> Zip <u>78504</u> Contact Person <u>Ronnie Cruz, P.E., CFM</u> E-mail <u>ronnie@cruzhogan.net</u>
Surveyor	Name <u>Robles &amp; Associates PLLC</u> Phone <u>956-968-2422</u> Address <u>107 W. Huisache Street</u> City <u>Weslaco</u> State <u>Texas</u> Zip <u>78596</u>

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Beto

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BY: 4CP

## Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

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

### PLAT TO SHOW:

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

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

Owner's Signature

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

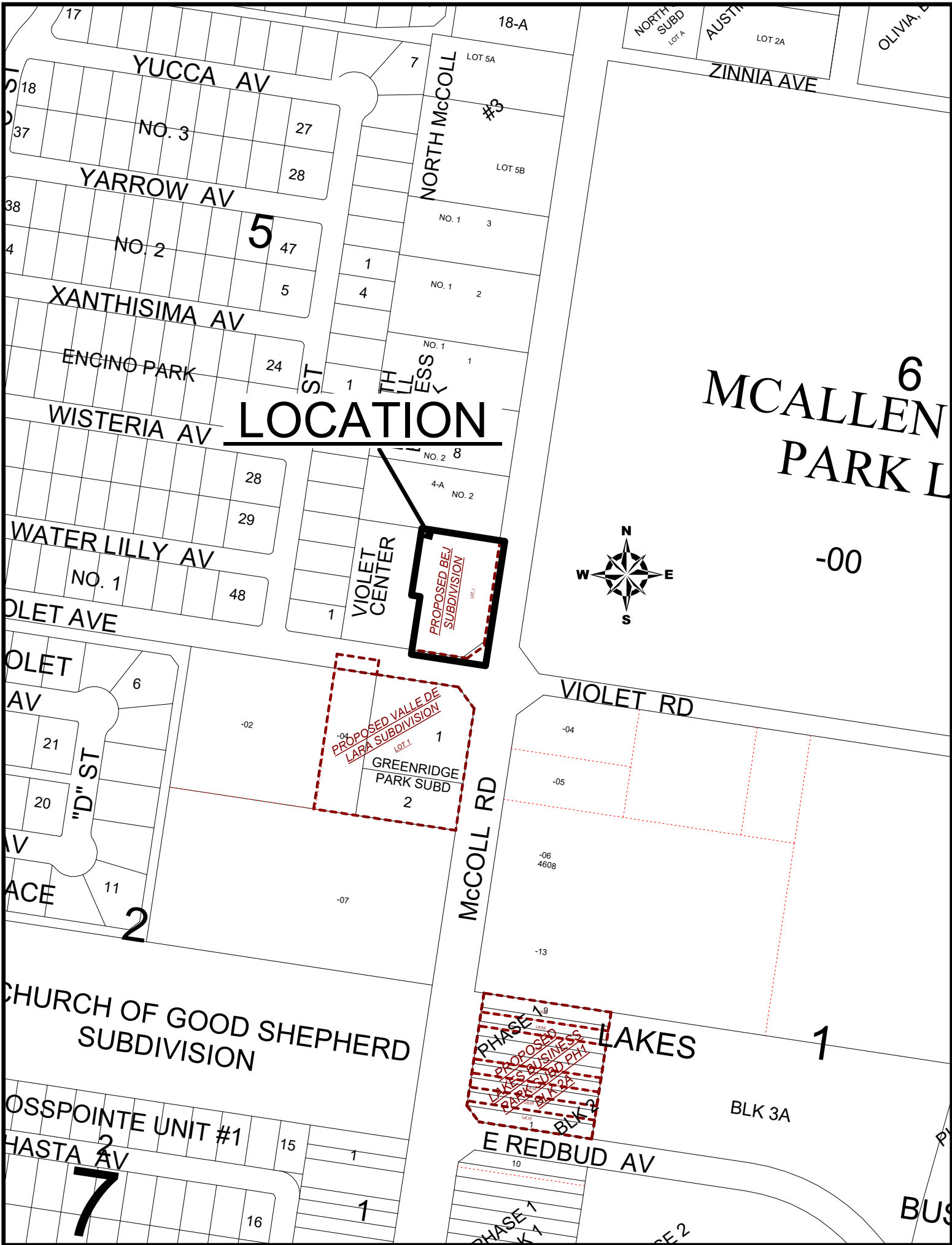
Signature  P.E., C.F.M. Date 3/1/21

Print Name RONNIE CRAVE P.E., C.F.M.

Owner ☐

Authorized Agent ☐





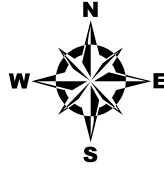
LOCATION

PROPOSED BEL  
SUBDIVISION

PROPOSED VALLE DE  
LARA SUBDIVISION

PROPOSED  
LAKES BUSINESS  
PARK SUBD PH 1

6  
MCALLEN  
PARK L



YUCCA AV  
NO. 3

YARROW AV  
NO. 2

XANTHISIMA AV  
ENCINO PARK

WISTERIA AV  
NO. 1

WATER LILLY AV  
NO. 1

VIOLET AV  
"D" ST  
ACE

CHURCH OF GOOD SHEPHERD  
SUBDIVISION

ROSSPOINTE UNIT #1  
HASTA AV

NORTH MCCOLL  
LOT 5A  
LOT 5B

NO. 1  
NO. 1

NO. 1

NO. 2  
4-A NO. 2

VIOLET  
CENTER

MCCOLL RD

VIOLET RD

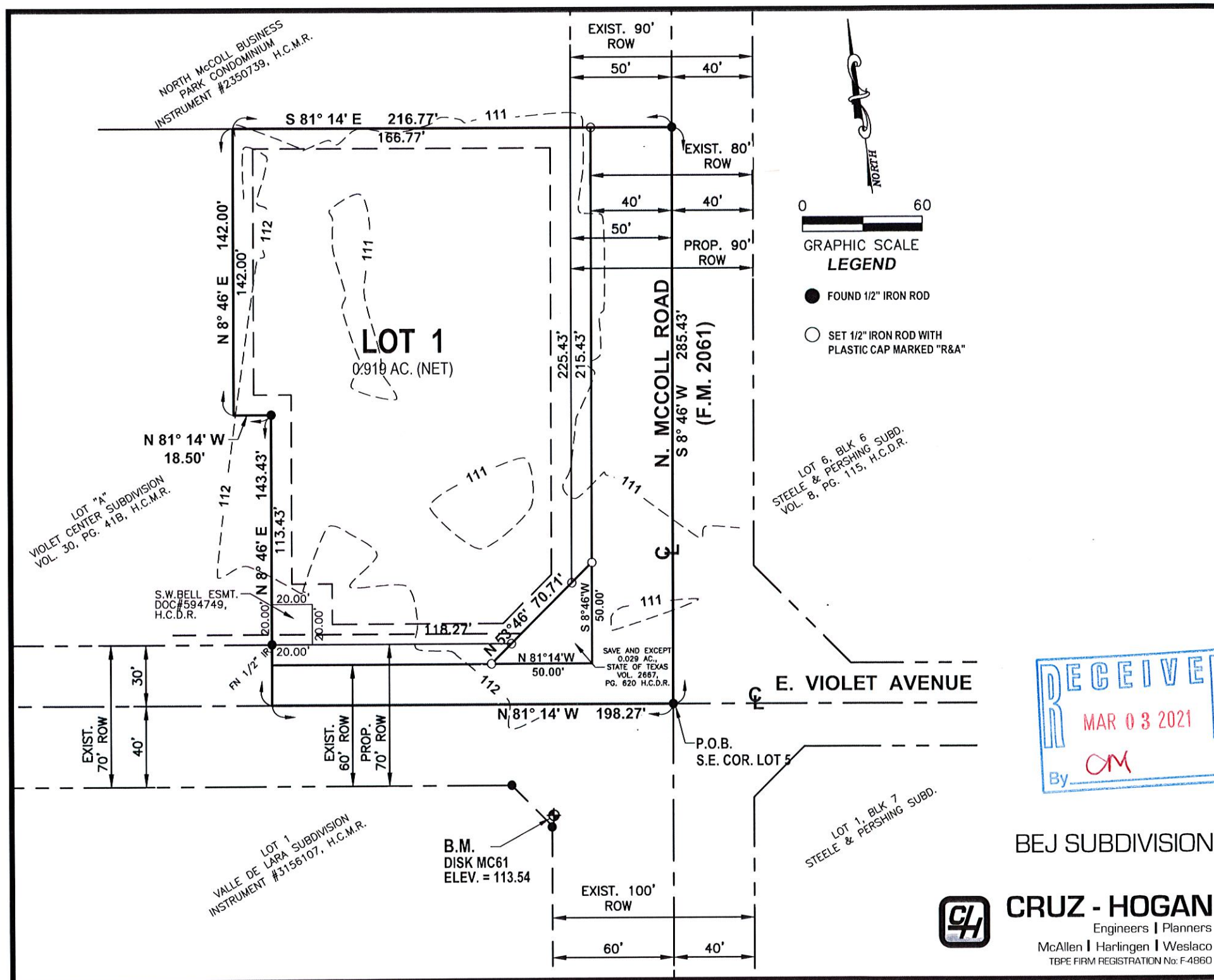
LAKES

E REDBUD AV

BLK 3A

BUS









# City of McAllen

## SUBDIVISION PLAT REVIEW

Reviewed On: 7/16/2021

### SUBDIVISION NAME: BEJ SUBDIVISION

#### REQUIREMENTS

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

N. McColl Road: 20 ft. dedication for 60 from centerline for 120 ROW  
Paving: by the state Curb & gutter: by the state  
\*\*\*Engineer submitted a revised letter on July 16, 2021 requesting a variance to ROW dedication to dedicate only 10 ft. instead of the 20 ft. required.  
\*\*\*TX-DOT ROW Division has recommended to acquire the extra 20 ft. of ROW as required by the Thoroughfare Plan.  
\*\*\*\*City of McAllen Thoroughfare Plan

Non-compliance

East Violet Avenue: 20 ft. ROW dedication for 40 ft. from centerline for 80 ft. ROW  
Paving: 52 ft. Curb & gutter: Both sides  
\*\*Monies must be escrowed if improvements are not built prior to recording.  
\*\*\*Clarify if 15 ft. SWSC easement running along East Violet Avenue will be abandoned prior to final as it appears to be encroaching into the required ROW dedication. If abandonment is required, it must be done by a separate instrument and not by this plat.  
\*\*\*\*\*Engineer submitted a revised letter on July 16, 2021 requesting a variance to only dedicate 10 ft. instead of the required 20 ft.  
\*\*\*\*\*Engineering Department has recommended to acquire the extra 20 ft. of ROW as required by the Thoroughfare Plan.  
\*\*\*\*\*City of McAllen Thoroughfare Plan

Non-compliance

Paving \_\_\_\_\_ Curb & gutter \_\_\_\_\_

Applied

\* 800 ft. Block Length.  
\*\*Subdivision Ordinance: Section 134-118  
\* 600 ft. Maximum Cul-de-Sac.  
\*\*Subdivision Ordinance: Section 134-105

NA

NA

##### ALLEYS

ROW: 20 ft. Paving. 16 ft.  
\*Alley/service drive easement required for commercial properties  
\*\* 24 ft. private service drive to provide city services required. It will be maintained by the property owners, and not the City of McAllen. It will be on the site plan and also on the plat as may be needed, prior to recording. Plat note will be required to be noted on the plat regarding the service drive, prior to recording.  
\*\*Subdivision Ordinance: Section 134-106

Required

##### SETBACKS

\* Front : North McColl Road: 60 ft. or greater for easements or approved site plan.  
East Violet Avenue: 40 ft. or greater for easements or approved site plan.  
\*\*Please revise plat note #2 as shown above prior to final.  
\*\*Zoning Ordinance: Section 138-356  
\* Rear: In accordance with the Zoning Ordinance or greater for easements or approved site plan.  
\*\*Please revise plat note #2 as shown above prior to final.  
\*\*Zoning Ordinance: Section 138-356

Applied

Applied

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

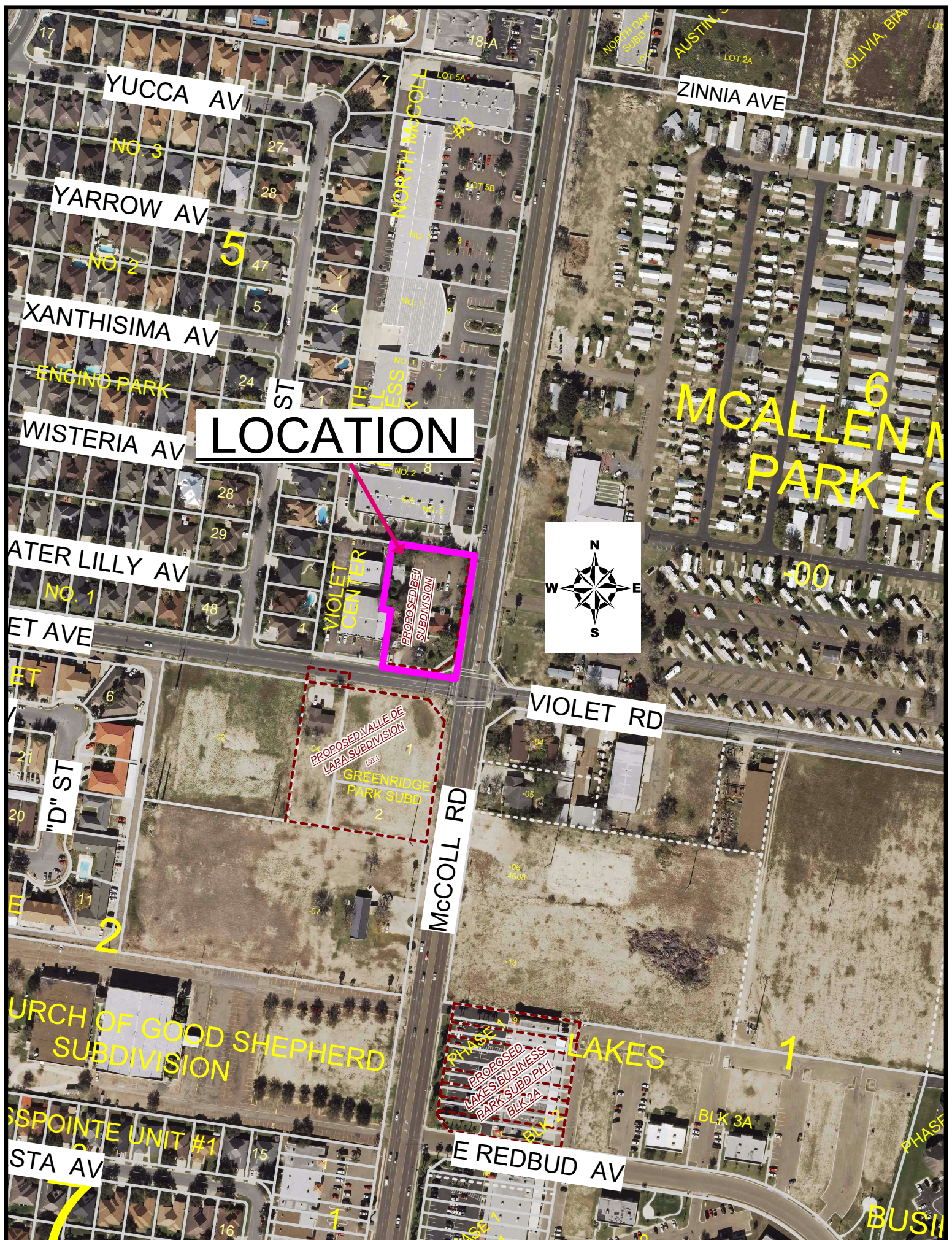


<ul style="list-style-type: none"> <li>* Interior Sides: In accordance with the Zoning Ordinance or greater for easements or approved site plan.</li> <li>**Zoning Ordinance: Section 138-356</li> <li>* Corner: See above</li> <li>**Please revise plat note #2 as shown above prior to final.</li> <li>**Zoning Ordinance: Section 138-356</li> <li>* Garage:</li> <li>**Zoning Ordinance: Section 138-356</li> <li>*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN</li> </ul>	Applied
	Applied
	NA
	Applied
<b>SIDEWALKS</b>	
<ul style="list-style-type: none"> <li>* 4 ft. wide minimum sidewalk required along East Violet Avenue and 5 ft. wide minimum sidewalk required along North McColl Road as per Engineering Department.</li> <li>****Subdivision Ordinance: Section 134-120</li> <li>* Perimeter sidewalks must be built or money escrowed if not built at this time.</li> </ul>	Applied
	Applied
<b>BUFFERS</b>	
<ul style="list-style-type: none"> <li>* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses.</li> <li>****Landscaping Ordinance: Section 110-46</li> <li>8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.</li> <li>****Landscaping Ordinance: Section 110-46</li> <li>*Perimeter buffers must be built at time of Subdivision Improvements.</li> </ul>	Applied
	Applied
	Applied
<b>NOTES</b>	
<ul style="list-style-type: none"> <li>* No curb cut, access, or lot frontage permitted along.</li> <li>**City's Access Management Policy</li> <li>* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.</li> <li>**Plat note #10 is not required, please remove.</li> <li>* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.</li> <li>* Common Areas, any private streets, service drives, etc. must be maintained by the lot owners and not the City of McAllen</li> <li>**Landscaping Ordinance: Section 110-72</li> <li>**Subdivision Ordinance: Section 134-168</li> <li>* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.</li> <li>**Landscaping Ordinance: Section 110-72</li> <li>**Subdivision Ordinance: Section 134-168</li> <li>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</li> <li>**Subdivision Ordinance: Section 110-72</li> </ul>	TBD
	Required
	Required
	Required
	NA
	NA



LOT REQUIREMENTS	
* Minimum lot width and lot area. **Zoning Ordinance: Section. 138-356	Compliance
* Lots fronting public streets. **Zoning Ordinance: 138-1	Compliance
ZONING/CUP	
* Existing: C-3 Proposed: C-3 **Zoning Ordinance: Article V	Compliance
* Rezoning Needed Before Final Approval **Zoning Ordinance: Article V	NA
PARKS	
* Land dedication in lieu of fee.	NA
* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording.	NA
* Pending review by the Parkland Dedication Advisory Board and CC.	NA
TRAFFIC	
* As per Traffic Department, Trip Generation approved; no TIA required.	Completed
* As per Traffic Department, Trip Generation approved; no TIA required.	NA
COMMENTS	
Comments: Must comply with City's Access Management Policy **If any abandonments are needed, they will have to be recorded prior to final by a separate instrument. *****Engineer submitted a letter on May 3, 2021 requesting a variance to only dedicate 10 ft. instead of the required 20 ft. Staff is coordinating with TX-Dot to review variance requested for North McColl Road and both variances will be resented together before Planning and Zoning Board and City Commission once review is completed. Please contact staff if any questions.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED, AND ROW DEDICATION AS REQUIRED.	Applied







SUB 2021-0074



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 <u>Habitat Village</u> Location <u>The north side of Trenton Road at 26th Lane</u> City Address or Block Number <u>2700 Trenton Road</u> Number of lots <u>13</u> Gross acres <u>2.0</u> Net acres <u>2.0</u> Existing Zoning <u>C-3</u> Proposed <u>R-3T</u> Rezoning Applied For <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date <u>6/29/21</u> Existing Land Use <u>Vacant</u> Proposed Land Use <u>Townhomes</u> Irrigation District # <u>1</u> Residential Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Commercial Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> ETJ Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Agricultural Tax Exempt Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Estimated Rollback tax due <u>N/A</u> Parcel No. <u>530385</u> Tax Dept. Review _____ Legal Description <u>2.0 acres out of the north 5.0 acres of Lot 62, La Lomita Irrigation and Construction</u> <u>Company Subdivision</u>
Owner	Name <u>Tina (Wychopen) Hoff</u> Phone <u>956-683-1000</u> Address <u>409 Palm Valley West</u> City <u>Palm Valley</u> State <u>Texas</u> Zip <u>78552</u> E-mail _____
Developer	Name <u>Same as Owner</u> Phone _____ Address _____ City _____ State _____ Zip _____ Contact Person _____ E-mail _____
Engineer	Name <u>Spoor Engineering Consultants, Inc.</u> Phone <u>956-683-1000</u> Address <u>202 S. 4th Street</u> City <u>McAllen</u> State <u>Texas</u> Zip <u>78501</u> Contact Person <u>Steve Spoor</u> E-mail <u>sec@spooreng.com</u>
Surveyor	Name <u>CVQ Land Surveyors</u> Phone <u>956-618-1551</u> Address <u>517 Beaumont Ave.</u> City <u>McAllen</u> State <u>Texas</u> Zip <u>78501</u>

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BY: sec

640 8/7/21



## Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

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

### PLAT TO SHOW:

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

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

Owner's Signature

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

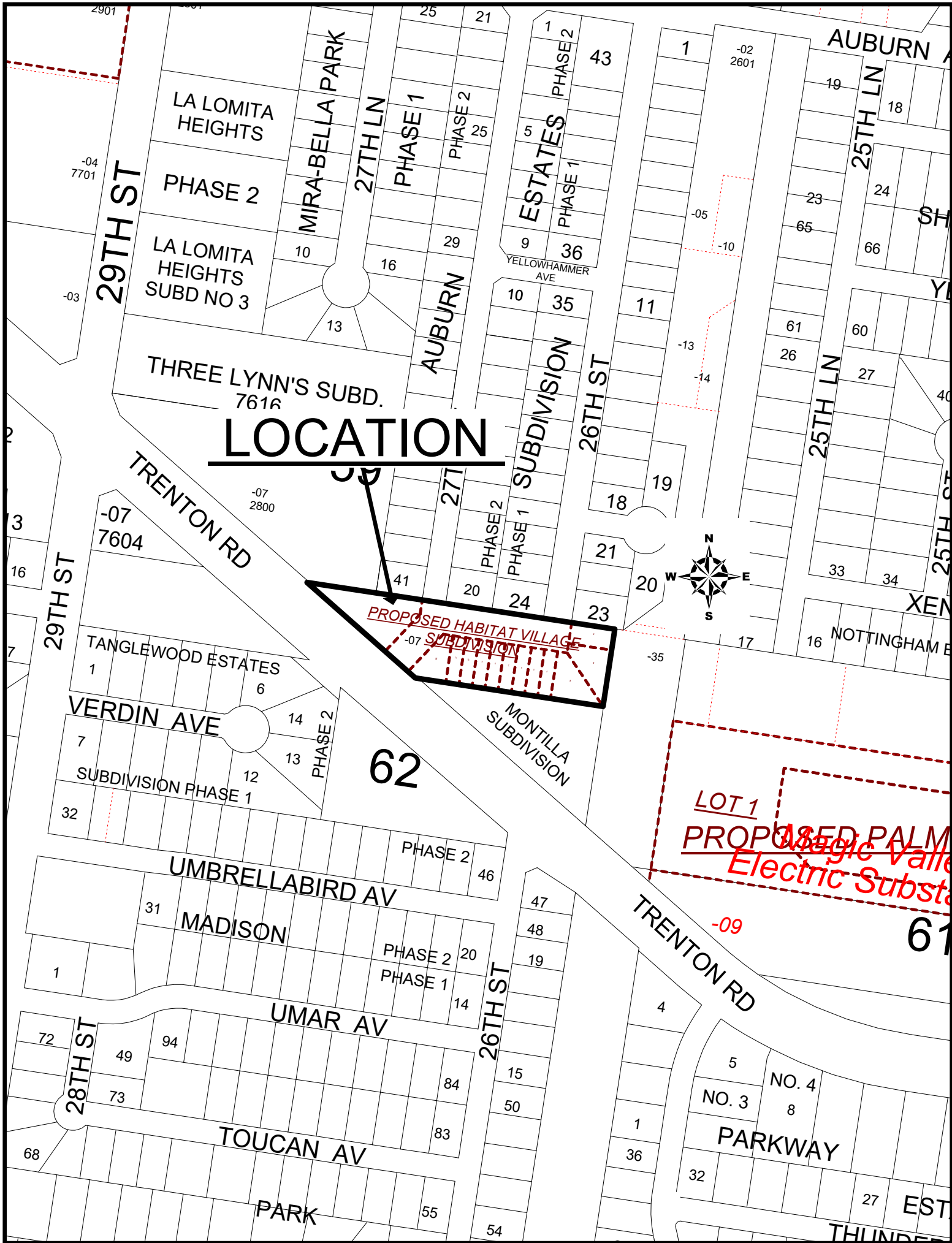
Signature  Date 7/2/21

Print Name Steve Spoor, P.E.

Owner ☐

Authorized Agent ☒





**LOCATION**

**PROPOSED HABITAT VILLAGE  
SUBDIVISION**

**LOT 1  
PROPOSED PALM Magic Valley  
Electric Substa**

**62**

**61**





RECEIVED  
JUL 02 2021  
BY: *[Signature]*





# City of McAllen

## SUBDIVISION PLAT REVIEW

Reviewed On: 7/13/2021

<b>SUBDIVISION NAME: HABITAT VILLAGE</b>	
<b>REQUIREMENTS</b>	
<b>STREETS AND RIGHT-OF-WAYS</b>	
Trenton Road: 60 ft. from centerline for 120 ft. ROW Paving: 65 ft. Curb & gutter: Both sides **Must escrow monies if any improvements are not built prior to recording. ***COM Thoroughfare Plan	Applied
E/W Street: 65 ft. proposed ROW Paving: 40 ft. Curb & gutter: Both sides **Must escrow monies if any improvements are not built prior to recording. ***Please clarify amount of paving proposed for internal street. Paving layout required prior to final to verify compliance with requirements. ****Knuckle design might be required in front of Lots 1-5 to comply with measurability requirements. Provide paving details to verify compliance prior to final. *****Internal street name will be finalized prior to final plat. ****Subdivision Ordinance: Section 134-105	Non-compliance
Paving _____ Curb & gutter _____	Applied
Paving _____ Curb & gutter _____	Applied
Paving _____ Curb & gutter _____	Applied
* 800 ft. Block Length. **Subdivision Ordinance: Section 134-118	Compliance
* 600 ft. Maximum Cul-de-Sac. **Subdivision Ordinance: Section 134-105	NA
<b>ALLEYS</b>	
ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties **Subdivision Ordinance: Section 134-106	NA
<b>SETBACKS</b>	
* Front : 10 ft. or greater for easements. **Please revise plat note #3 as shown above. **Zoning Ordinance: Section 138-356	Non-compliance
* Rear: 10 ft. or greater for easements **Zoning Ordinance: Section 138-356	Applied
* Interior Sides: In accordance with Zoning Ordinance 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

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



<p>*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN</p> <p>***All setbacks will be finalized prior to final plat review since rezoning is in process.</p>	Applied
<b>SIDEWALKS</b>	
<p>* 4 ft. wide minimum sidewalk required on Trenton Road and both sides of all interior streets.</p> <p>**Please revise plat note #9 as shown above prior to final.</p> <p>***Street name for interior street will be assigned prior to final.</p> <p>****Subdivision Ordinance: Section 134-120</p>	Required
<p>* Perimeter sidewalks must be built or money escrowed if not built at this time.</p>	Applied
<b>BUFFERS</b>	
<p>* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along Trenton Road.</p> <p>**Please revise plat note as shown above prior to final.</p> <p>***Please clarify "landscape easement" reference on plat note #10 prior to final.</p> <p>**Landscaping Ordinance: Section 110-46</p>	Non-compliance
<p>* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.</p> <p>**Landscaping Ordinance: Section 110-46</p>	Applied
<p>*Perimeter buffers must be built at time of Subdivision Improvements.</p>	Applied
<b>NOTES</b>	
<p>* No curb cut, access, or lot frontage permitted along Trenton Road.</p> <p>**Please add plat note as shown above prior to final.</p> <p>***City's Access Management Policy</p>	Non-compliance
<p>* Site plan must be approved by the Planning and Development Departments prior to building permit issuance for 5 or more attached units.</p> <p>**Zoning Ordinance: Section 138-210.</p>	Required
<p>* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.</p>	NA
<p>* Common Areas, private streets/drives must be maintained by the lot owners and not the City of McAllen.</p> <p>**Please clarify "private service drive" referenced on plat note #10 prior to final.</p>	Required
<p>* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.</p> <p>**Section 110-72 applies if private subdivision is proposed.</p> <p>**Landscaping Ordinance: Section 110-72</p> <p>**Subdivision Ordinance: Section 134-168</p>	Required
<p>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</p> <p>**HOA Document needs to be recorded simultaneously with plat.</p> <p>**Landscaping Ordinance: Section 110-72</p> <p>**Subdivision Ordinance: Section 134-168</p>	Required
<b>LOT REQUIREMENTS</b>	
<p>* Lots fronting public streets.</p> <p>**Zoning Ordinance: Section. 138-356</p>	Compliance

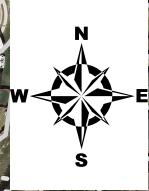
**These comments are for subdivision requirements only – additional requirements may apply at time of site plan review**



<ul style="list-style-type: none"> <li>* Minimum lot width and lot area.</li> <li>** Clarify 25 ft. ROW Easement Magic Valley to verify that Lot 1 and 13 comply with minimum lot size requirement.</li> <li>***Zoning Ordinance: 138-1</li> </ul>	Required
<b>ZONING/CUP</b>	
<ul style="list-style-type: none"> <li>* Existing: C-3 Proposed: R-3T</li> <li>**Rezoning will be presented before Planning and Zoning Board at the August 3, 2021 meeting.</li> <li>**Zoning Ordinance: Article V</li> </ul>	Non-compliance
<ul style="list-style-type: none"> <li>* Rezoning Needed Before Final Approval.</li> <li>**Rezoning will be presented before Planning and Zoning Board at the August 3, 2021 meeting.</li> <li>**Zoning Ordinance: Article V</li> </ul>	Non-compliance
<b>PARKS</b>	
<ul style="list-style-type: none"> <li>* Land dedication in lieu of fee.</li> </ul>	NA
<ul style="list-style-type: none"> <li>* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, 13 lots are proposed; therefore, \$9,100 are due prior to recording.</li> </ul>	Required
<ul style="list-style-type: none"> <li>* Pending review by the Parkland Dedication Advisory Board and CC.</li> </ul>	NA
<b>TRAFFIC</b>	
<ul style="list-style-type: none"> <li>* As per Traffic Department, Trip Generation waived; no TIA required.</li> </ul>	Compliance
<ul style="list-style-type: none"> <li>* As per Traffic Department, Trip Generation waived; no TIA required.</li> </ul>	NA
<b>COMMENTS</b>	
<ul style="list-style-type: none"> <li>Comments: Must comply with City's Access Management Policy</li> <li>**Provide paving layout to verify compliance with requirements prior to final.</li> <li>***Rezoning must be finalized prior to final plat review. Requirements such as setbacks, ROW, etc. will be finalized after rezoning is completed.</li> <li>****Label detention area with a number or letter prior to final.</li> <li>*****Clarify 25 ft. ROW easement to Magic Valley prior to final.</li> </ul>	Applied
<b>RECOMMENDATION</b>	
<ul style="list-style-type: none"> <li>Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED, DRAINAGE AND UTILITIES APPROVALS.</li> </ul>	Applied

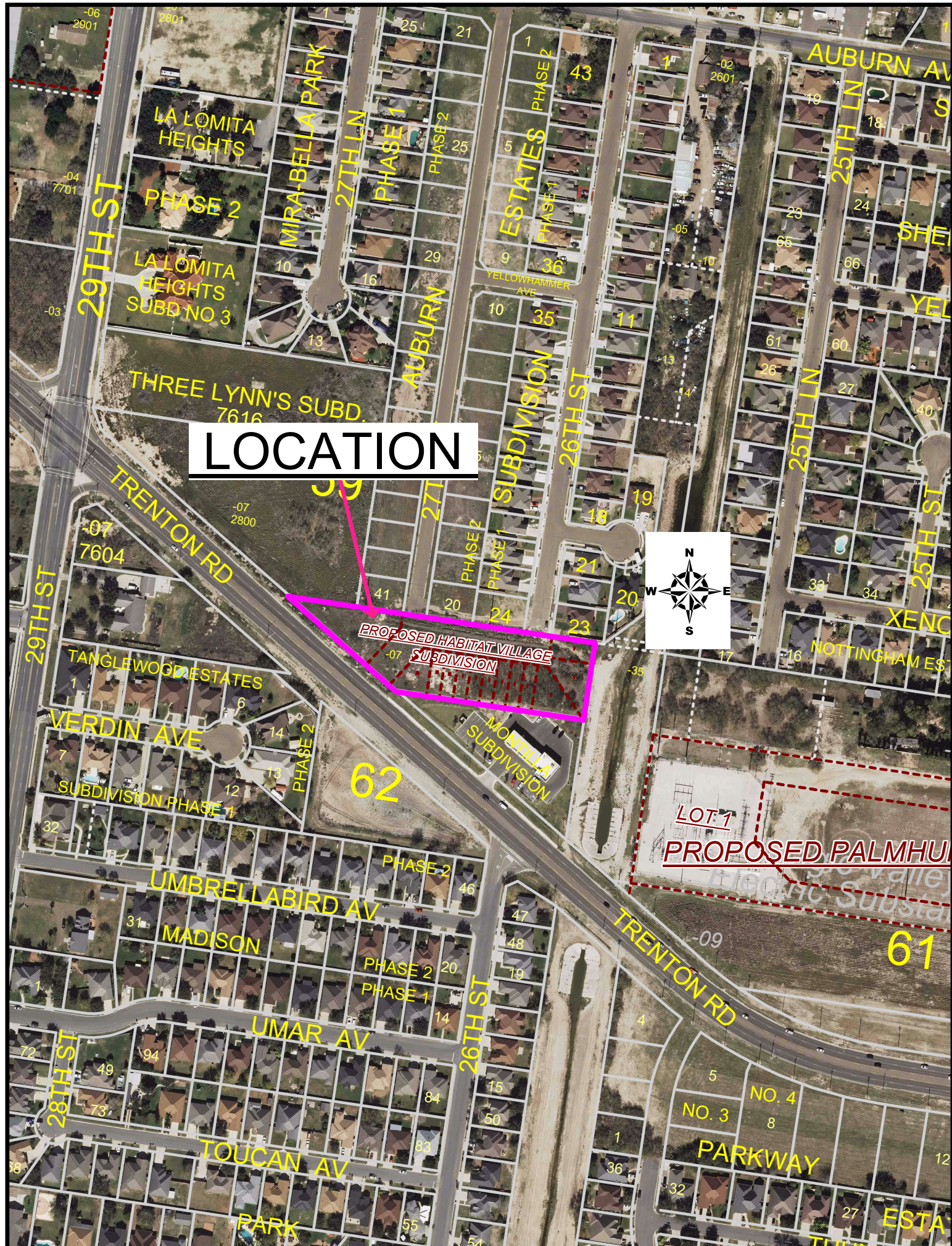


# LOCATION



**PROPOSED HABITAT VILLAGE  
SUBDIVISION**

**LOT 1  
PROPOSED PALMHURST**





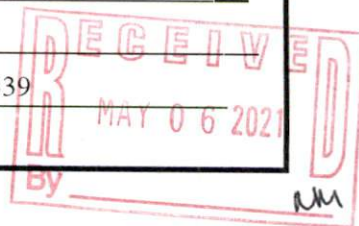
SUB2021-0048



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)

<b>Project Description</b>	<p>Subdivision Name <u>VILLA TORRE AT NORTH BENTSEN ESTATES</u>          APPROX. 1400 FEET SOUTH OF THE INTERSECTION OF AUBURN AVENUE &amp; BENTSEN ROAD ON THE          Location <u>EAST R.O.W. OF BENTSEN ROAD.</u>          City Address or Block Number <u>7500 N. BENTSEN RD.</u>          Number of lots <u>27</u> Gross acres <u>5.00</u> Net acres <u>4.83</u>          Existing Zoning <u>R-1</u> Proposed <u>R-1</u> Rezoning Applied For <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____          SINGLE SINGLE          Existing Land Use <u>FAMILY</u> Proposed Land Use <u>FAMILY</u> Irrigation District # <u>1</u>          Residential Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Commercial Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> ETJ Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>          Agricultural Tax Exempt Yes <input type="checkbox"/> No <input type="checkbox"/> Estimated Rollback tax due _____          Parcel No. _____ Tax Dept. Review _____          Legal Description <u>BEING A 5.00 ACRES TRACT OF LAND, MORE OR LESS OUT OF LOT 214, PRIDE</u>  <u>O' TEXAS SUBDIVISION, HIDALGO COUNTY, TEXAS, RECORDED IN VOLUME</u>  <u>5, PAGE 58-59, MAP RECORDS OF HIDALGO COUNTY, TEXAS.</u></p>
<b>Owner</b>	<p>Name <u>ANTONIO M. AGUIRRE JR. -</u>  <u>RIVERSIDE DEVELOPMENT SERVICES, LLC</u> Phone <u>956-867-0036</u>          Address <u>2606 ZINNIA AVENUE</u>          City <u>MCALLEN</u> State <u>TEXAS</u> Zip <u>78504</u>          E-mail <u>TAGUIRRECONSULTING@ME.COM</u></p>
<b>Developer</b>	<p>Name <u>RIVERSIDE DEVELOPMENT SERVICES, LLC</u> Phone <u>956-867-0036</u>          Address <u>2606 ZINNIA AVENUE</u>          City <u>MCALLEN</u> State <u>TEXAS</u> Zip <u>78504</u>          Contact Person <u>ANTONIO M. AGUIRRE JR.</u>          E-mail <u>TAGUIRRECONSULTING@ME.COM</u></p>
<b>Engineer</b>	<p>Name <u>RIO DELTA ENGINEERING</u> Phone <u>956-380-5152</u>          Address <u>921 S. 10TH AVENUE</u>          City <u>EDINBURG</u> State <u>TEXAS</u> Zip <u>78539</u>          Contact Person <u>IVAN GARCIA, P.E., R.P.L.S.</u>          E-mail <u>RIODELTA2004@YAHOO.COM</u></p>
<b>Surveyor</b>	<p>Name <u>RIO DELTA ENGINEERING</u> Phone <u>956-380-5152</u>          Address <u>921 S. 10TH AVENUE</u>          City <u>EDINBURG</u> State <u>TEXAS</u> Zip <u>78539</u></p>





## Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

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

### PLAT TO SHOW:

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

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

Owner's Signature

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

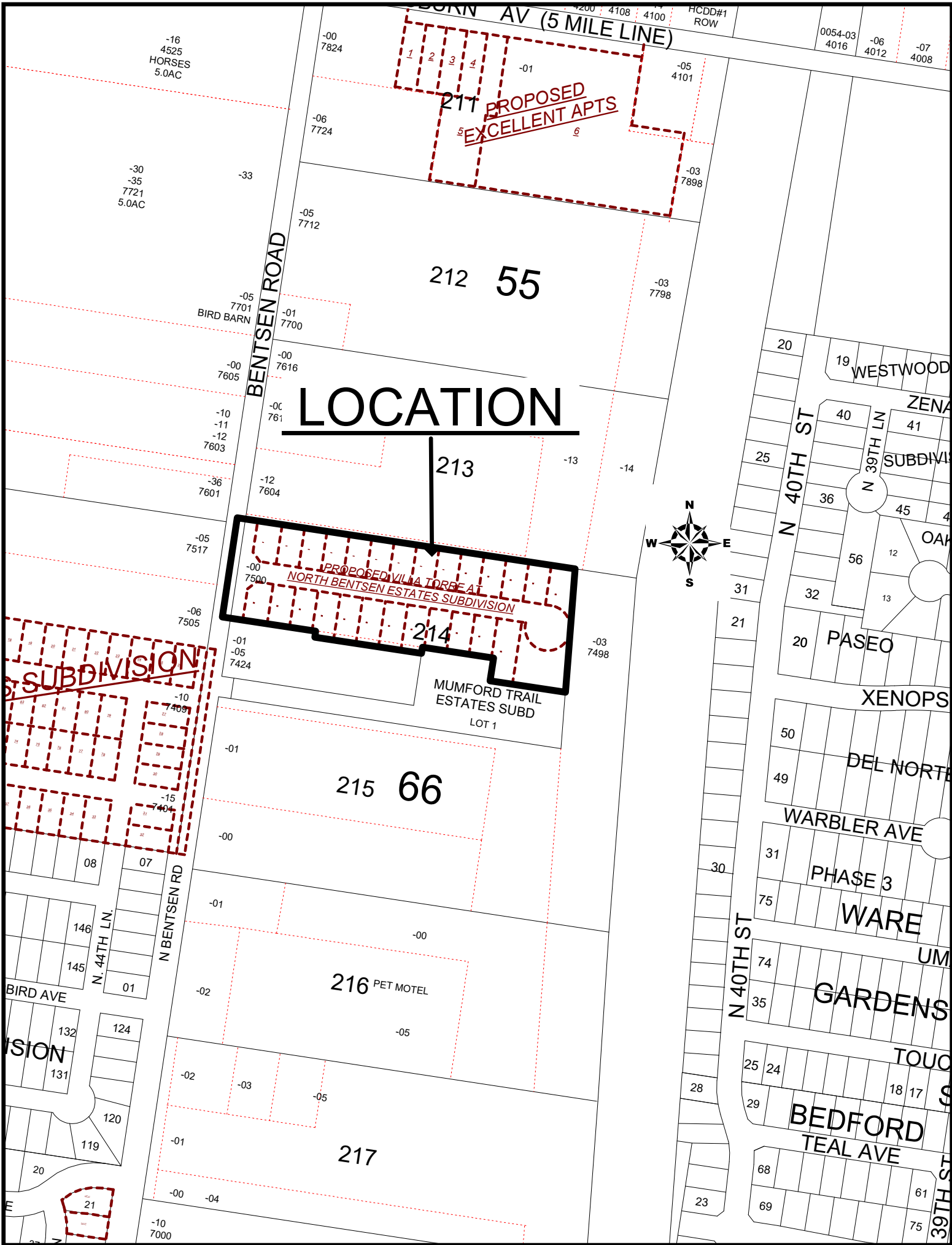
Signature  Date 4/30/21

Print Name IVAN GARCIA

Owner ☐

Authorized Agent ☒

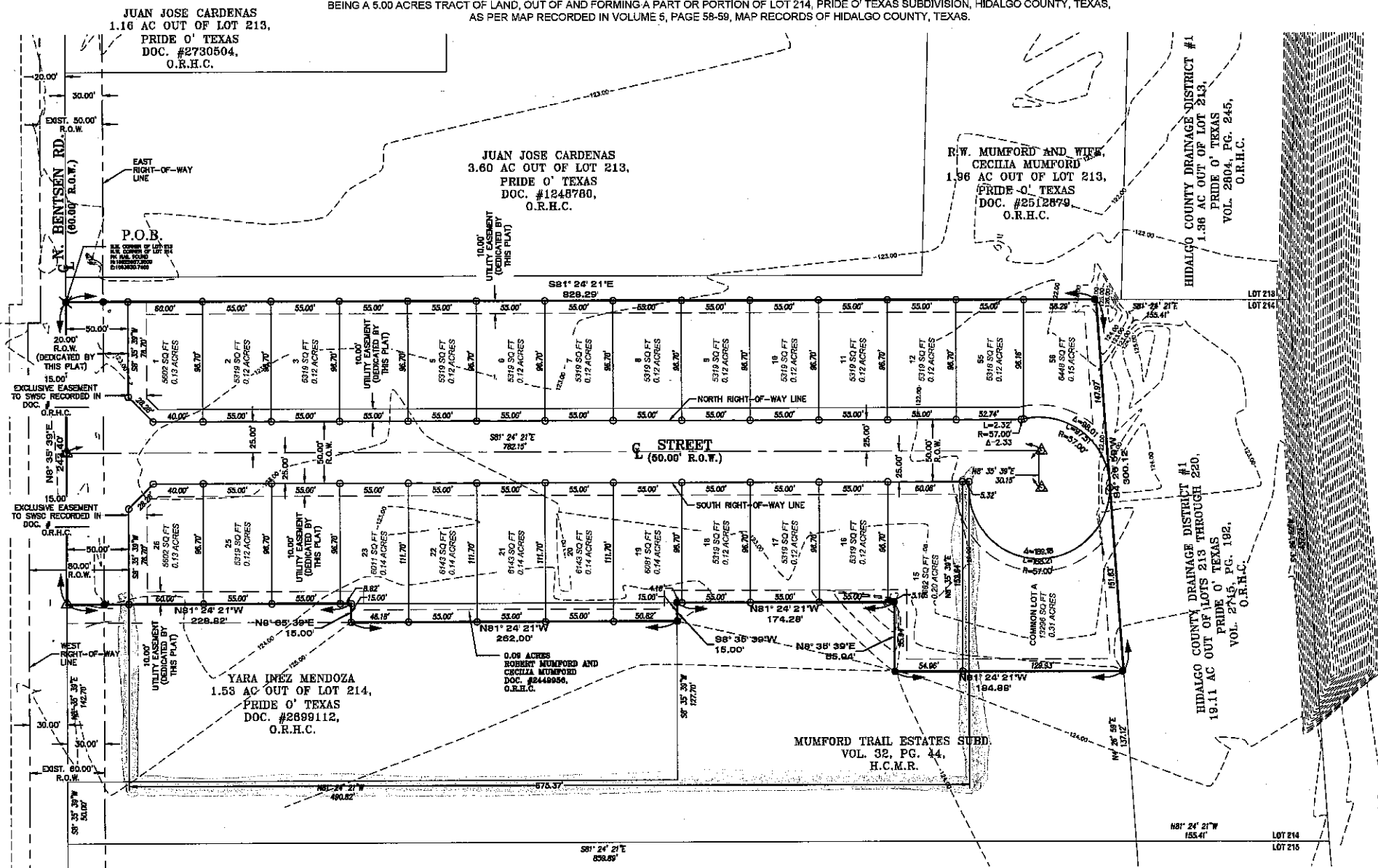






# VILLA TORRE AT NORTH BENTSEN ESTATES

BEING A 5.00 ACRES TRACT OF LAND, OUT OF AND FORMING A PART OR PORTION OF LOT 214, PRIDE O' TEXAS SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER MAP RECORDED IN VOLUME 5, PAGE 58-59, MAP RECORDS OF HIDALGO COUNTY, TEXAS.



## 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 VILLA TORRE AT NORTH BENTSEN ESTATES, TO THE CITY OF McALLEN, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, WALKWAYS, DRAINAGE, EASEMENTS, WATER LINES, SEWER LINES, STORM SEWERS, FIRE HYDRANTS, AND PUBLIC PLACES WHICH ARE INSTALLED OR WHICH I (WE) WILL CAUSE TO BE INSTALLED THEREON, SHOWN OR NOT SHOWN, IF REQUIRED OTHERWISE TO BE INSTALLED OR DEDICATED UNDER THE SUBDIVISION APPROVAL PROCESS OF THE CITY OF McALLEN, ALL THE SAME FOR THE PURPOSES THEREIN EXPRESSED, EITHER ON THE PLAT HEREOF OR ON THE ORIGINAL MINUTES OF THE APPLICABLE AUTHORITIES OF THE CITY OF McALLEN.

TONY AGUIRRE, OWNER  
RIVERIDE DEVELOPMENT SERVICES, LLC  
2806 ZINNA AVENUE  
McALLEN, TX 78504

## STATE OF TEXAS

COUNTY OF HIDALGO  
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED TONY AGUIRRE, 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.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

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

## HIDALGO COUNTY IRRIGATION DISTRICT NO. 1

THIS PLAT IS HEREBY APPROVED BY THE HIDALGO COUNTY IRRIGATION DISTRICT NO. 1 ON THIS, THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, SUBJECT TO THE FOLLOWING:  
NO IMPROVEMENTS OF ANY KIND (INCLUDING WITHOUT LIMITATION, TREES, ALLEYS, PARKS, WALKWAYS, DRAINAGE, EASEMENTS, WATER LINES, SEWER LINES, STORM SEWERS, FIRE HYDRANTS, AND PUBLIC PLACES WHICH ARE INSTALLED OR WHICH I (WE) WILL CAUSE TO BE INSTALLED THEREON, SHOWN OR NOT SHOWN, IF REQUIRED OTHERWISE TO BE INSTALLED OR DEDICATED UNDER THE SUBDIVISION APPROVAL PROCESS OF THE CITY OF McALLEN, ALL THE SAME FOR THE PURPOSES THEREIN EXPRESSED, EITHER ON THE PLAT HEREOF OR ON THE ORIGINAL MINUTES OF THE APPLICABLE AUTHORITIES OF THE CITY OF McALLEN.

SECRETARY \_\_\_\_\_

PRESIDENT \_\_\_\_\_

## STATE OF TEXAS

COUNTY OF HIDALGO  
MAYOR'S CERTIFICATE  
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.

CITY MAYOR \_\_\_\_\_

DATE \_\_\_\_\_

## STATE OF TEXAS

SHARPLAND WATER SUPPLY CORPORATION  
I, SHERILYN DAHLBERG, HEREBY CONDITIONALLY CERTIFY THAT POTABLE WATER SERVICE IS AVAILABLE FOR THE VILLA TORRE AT NORTH BENTSEN ESTATES SUBDIVISION, LOCATED AT CITY OF McALLEN IN HIDALGO COUNTY, TEXAS, SUBJECT TO THE SUBDIVISION'S POTABLE WATER SYSTEM MEETING THE APPROVAL OF THE DEVELOPER'S DESIGN ENGINEER, ALL APPLICABLE RULES AND REGULATIONS OF SHARPLAND 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 SHARPLAND WATER SUPPLY CORPORATION EXCLUSIVE EASEMENT.

SHERILYN DAHLBERG, DATE \_\_\_\_\_  
GENERAL MANAGER  
SHARPLAND 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 CORRECTLY MADE FROM AN ACTUAL SURVEY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON, AND THAT THERE ARE NO APPARENT DISCREPANCIES, CONFLICTS, OR OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, EXCEPT AS SHOWN ON THE ACCOMPANYING PLAT, AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF McALLEN AND HIDALGO COUNTY, TEXAS.

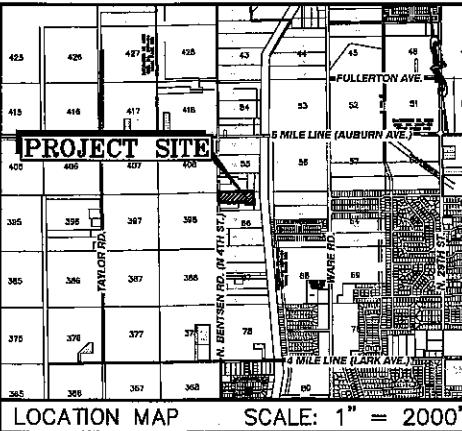
IVAN GARCIA P.E., R.P.L.S.,  
REG. PROFESSIONAL LAND SURVEYOR NO. 6469  
SURVEY FIRM NO. 10194027



## STATE OF TEXAS - COUNTY OF HIDALGO

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

IVAN GARCIA P.E., R.P.L.S.,  
REG. PROFESSIONAL ENGINEER NO. 110692



## METES AND BOUNDS DESCRIPTION:

BEING A 5.00 ACRES TRACT OF LAND, MORE OR LESS, OUT OF LOT 214, PRIDE O' TEXAS SUBDIVISION, HIDALGO COUNTY, TEXAS, RECORDED IN VOLUME 5, PAGE 58-59, MAP RECORDS OF HIDALGO COUNTY, TEXAS. SAID 5.00 ACRES TRACT BEING THE SAME LAND DESCRIBED IN A GENERAL WARRANTY DEED CONVEYED TO JUAN JOSE CARDENAS AND WIFE, CECILIA MUMFORD, DATED SEPTEMBER 14, 2010, RECORDED IN DOCUMENT #244996, OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS, AND SAID 5.00 ACRES TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A P.N. FOUND AT THE NORTHWEST CORNER OF THE SAID LOT 214, SAME BEING A POINT ON THE CENTERLINE OF N. BENTSEN RD. (60.00' R.O.W.) FOR THE WEST END CORNER OF THE HEREIN DESCRIBED TRACT, A DISTANCE OF 300.12 FEET TO A 1/4" CHIPPED IRON ROD SET, FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 81°24'21"E ALONG THE NORTH LINE OF THE SAID LOT 214, SAME BEING ALONG THE SOUTH BOUNDARY LINE OF A CALLED 5.00 ACRES TRACT CONVEYED TO JUAN JOSE CARDENAS AND WIFE, CECILIA MUMFORD, DATED SEPTEMBER 14, 2010, RECORDED IN DOCUMENT #244996, OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS, TO A POINT ON THE WEST LINE OF A CALLED 5.00 ACRES TRACT DESCRIBED IN THE SAID GENERAL WARRANTY DEED CONVEYED TO JUAN JOSE CARDENAS AND WIFE, CECILIA MUMFORD, DATED SEPTEMBER 14, 2010, RECORDED IN DOCUMENT #244996, OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS, A DISTANCE OF 150.00 FEET TO A 1/4" CHIPPED IRON ROD SET, FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 81°24'21"E ALONG THE NORTH LINE OF THE SAID 5.00 ACRES TRACT, TO A CORNER OF THE SAID MUMFORD TRAIL ESTATES, A DISTANCE OF 150.00 FEET TO A 1/4" CHIPPED IRON ROD SET, FOR A CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 81°24'21"E ALONG THE NORTH LINE OF THE SAID MUMFORD TRAIL ESTATES, TO A CORNER OF THE SAID MUMFORD TRAIL ESTATES, A DISTANCE OF 150.00 FEET TO A 1/4" CHIPPED IRON ROD SET, FOR AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 81°24'21"E ALONG THE NORTH LINE OF THE SAID MUMFORD TRAIL ESTATES, TO A CORNER OF THE SAID MUMFORD TRAIL ESTATES, A DISTANCE OF 150.00 FEET TO A 1/4" CHIPPED IRON ROD SET, FOR AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 81°24'21"E ALONG THE NORTH LINE OF THE SAID MUMFORD TRAIL ESTATES, TO A CORNER OF THE SAID MUMFORD TRAIL ESTATES, A DISTANCE OF 150.00 FEET TO A 1/4" CHIPPED IRON ROD SET, FOR AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 81°24'21"E ALONG THE NORTH LINE OF THE SAID MUMFORD TRAIL ESTATES, TO A CORNER OF THE SAID MUMFORD TRAIL ESTATES, A DISTANCE OF 150.00 FEET TO A 1/4" CHIPPED IRON ROD SET, FOR AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 81°24'21"E ALONG THE NORTH LINE OF THE SAID MUMFORD TRAIL ESTATES, TO A CORNER OF THE SAID MUMFORD TRAIL ESTATES, A DISTANCE OF 150.00 FEET TO A 1/4" CHIPPED IRON ROD SET, FOR AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

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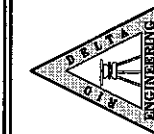
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RIO DELTA ENGINEERING  
FIRM REGISTRATION NO. F-7628  
SURVEY FIRM NO. 10194027

921 S. 10TH AVENUE EDINBURG, TEXAS 78539  
(TEL) 956-380-5152 (FAX) 956-380-5083



THIS DOCUMENT IS  
RELEASED FOR THE  
PURPOSE OF INTRIM  
REVIEW UNDER THE  
AUTHORITY OF  
IVAN GARCIA, P.E.  
P.E. 115682 ON  
APRIL 14, 2021  
IT IS NOT TO BE  
USED FOR CONSTRUCTION,  
BIDDING OR PERMIT  
PURPOSES.

ISSUED FOR: PRELIMINARY

PLAT SHEET  
VILLA TORRE AT NORTH BENTSEN ESTATES  
McALLEN, TEXAS  
HIDALGO COUNTY

DESIGNED BY: IVAN GARCIA P.E., R.P.L.S.

SURVEYED BY: IVAN GARCIA P.E., R.P.L.S.

DRAWN BY: IVAN GARCIA P.E., R.P.L.S.

SCALE: 1" = 50'

DATE: MAY 24, 2021

PROJECT: SUB 20 037

REVISIONS:

PAGE NO. 1-OF-1





# City of McAllen

## SUBDIVISION PLAT REVIEW

Reviewed On: 7/16/2021

### SUBDIVISION NAME: VILLA TORRE AT NORTH BENTSEN ESTATES

#### REQUIREMENTS

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

North Bentsen Road: 20 ft. dedication for 50 ft. ROW from centerline for 100 ft. ROW  
Paving: 65 ft. Curb & gutter: Both sides

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

\*\*COM Thoroughfare Plan

Applied

Internal street: 50 ft. ROW proposed.

Paving: 36 ft. proposed. Curb & gutter: Both sides

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

\*\*Engineer is proposing 36 ft. of paving instead of the 40 ft. usually required.

\*\*\*Fire Department reviewed engineer's proposal of 36 ft. of paving, but is recommending 40 ft. of paving width for the internal street.

\*\*\*Street name will be assigned prior to final.

\*\*\*Subdivision Ordinance: Section 134-105

Non-compliance

Paving \_\_\_\_\_ Curb & gutter \_\_\_\_\_

Applied

\* 800 ft. Block Length.

\*\*Subdivision Ordinance: Section 134-118

NA

\* 600 ft. Maximum Cul-de-Sac:

\*\*Engineer submitted an application on June 18, 2021 requesting a variance to the maximum allowed cul-de-sac length. The proposed cul-de-sac length is approximately 720 ft. instead of the maximum allowed 600 ft.

\*\*\*Planning and Zoning Board recommended approval of the cul-de-sac variance subject to 40 ft. of paving.

\*\*Engineer is proposing 36 ft. of paving instead of the 40 ft. required.

\*\*\*Fire Department reviewed engineer's proposal of 36 ft. of paving, but is recommending 40 ft. of paving width for the internal street.

\*\*Subdivision Ordinance: Section 134-105

Non-compliance

##### 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

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



* 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
<b>SIDEWALKS</b>	
* 4 ft. wide minimum sidewalk required on North Bentsen Road and both sides of all interior streets. **Please revise plat note #9 as shown above prior to final. ****Subdivision Ordinance: Section 134-120	Non-compliance
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Applied
<b>BUFFERS</b>	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along North Bentsen Road. **Please revise plat note #11 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.	Applied
<b>NOTES</b>	
* No curb cut, access, or lot frontage permitted along North Bentsen Road. **Please revise plat note #14 as shown above prior to final. ***City's Access Management Policy	Non-compliance
* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.	NA
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	NA
* Common Areas, any private streets/drives, common areas, detention areas, etc. must be maintained by the lot owners and not the City of McAllen	Required
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. **Section 110-72 applies if private 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. **HOA document will be required to be recorded simultaneously with plat. **Subdivision Ordinance: Section 110-72	Required
<b>LOT REQUIREMENTS</b>	
* Minimum lot width and lot area. ** If ROW is widened, lot dimensions might have to be revised to comply with minimum lot area requirements prior to final. ***Zoning Ordinance: 138-1	Applied

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



* Lots fronting public streets. **Zoning Ordinance: Section. 138-356	Compliance
<b>ZONING/CUP</b>	
* Existing: R-1 Proposed: R-1 **Zoning Ordinance: Article V	Compliance
* Rezoning Needed Before Final Approval **If any rezonings are needed, they must be finalized prior to final plat review. **Zoning Ordinance: Article V	NA
<b>PARKS</b>	
* Land dedication in lieu of fee.	NA
* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, 26 single-family lots are proposed, therefore, \$18,200 are due prior to recording.	Required
* Pending review by the Parkland Dedication Advisory Board and CC.	NA
<b>TRAFFIC</b>	
* As per Traffic Department, Trip Generation for 26 single-family residential lots will be waived. No TIA required.	NA
* As per Traffic Department, Trip Generation for 26 single-family residential lots will be waived. No TIA required.	NA
<b>COMMENTS</b>	
Comments: Must comply with City's Access Management Policy **Internal street name will be assigned prior to final. ***As per Fire Department, minimum 96 ft. of paving diameter face-to-face with 10 ft. ROW back of curb required. ***Engineer is proposing 36 ft. of paving instead of the 40 ft. usually required for the internal street when cul-de-sac exceeds 600 ft. in length. ****Fire Department reviewed engineer's proposal of 36 ft. of paving, but is recommending 40 ft. of paving width for the internal street. *****Additional documents as may be required by Public Works and Fire Departments to verify compliance with cul-de-sac maneuverability prior to final.	Applied
<b>RECOMMENDATION</b>	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED, DRAINAGE AND UTILITIES APPROVALS, AND APPROVAL OF CUL-DE-SAC LENGTH VARIANCE WITH 40 FT. OF PAVING WIDTH.	Applied









## RIO DELTA ENGINEERING

CIVIL ENGINEERING • PROJECT MANAGEMENT • LAND DEVELOPMENT  
TEXAS REGISTERED ENGINEERING FIRM F-7628  
TEXAS LICENSED SURVEYING FIRM #10194027

June 17, 2021  
Planning and Zoning Commission  
City of McAllen  
1300 Houston Ave.  
McAllen, TX 78501

Re: Villa Torre at North Bentsen Estates Subdivision, City requirement for cul-de-sac shall not exceed 600 feet in length in residential areas (Sec. 134-105).

Dear Sirs,

On behalf of Riverside Development Services, LLC, property owner of the subdivision to be named "Villa Torre at North Bentsen Estates Subdivision", we are requesting a waiver for the city requirements of:

- 1) Cul-de-sac shall not exceed 600 feet in length in residential areas (Sec. 134-105).

Villa Torre at North Bentsen Estates Subdivision is a proposed 26 single family residential development described as follows:

BEING A 5.00 ACRES TRACT OF LAND, OUT OF AND FORMING A PART OR PORTION OF LOT 214, PRIDE O' TEXAS SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER MAP RECORDED IN VOLUME 5, PAGE 58-59, MAP RECORDS OF HIDALGO COUNTY, TEXAS.

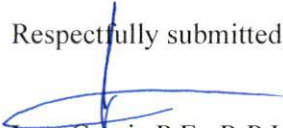
This subdivision is located approx. 1300 feet south of the intersection of Bentsen Road and Auburn Ave. This property is zoned as R-1 Single Family Residential. The proposed subdivision layout was developed centered on the limitations of the lot dimensions and configuration; and designed to comply with minimum City of McAllen subdivision ordinance standards.

The reason why we are requesting this variance is because if we were to modify the street and subdivision configuration to meet the 600 feet length requirement, this would result on reducing the total number of proposed lots. The subdivision layout was developed in an effort to maximize the number of lots within the geometry of the property. In addition to this, due to the size and location of the subdivision, there is no requirement for any street connections that would allow for any future connections for thru traffic. The present layout is the most efficient and economical configuration for the development this property.

The proposed site plan complies with all other City of McAllen development and construction requirements. Attached is the proposed development layout for your reference.

Your consideration of this request is greatly appreciated.

Respectfully submitted,

  
Ivan Garcia P.E., R.P.L.S., C.F.M.  
Agent



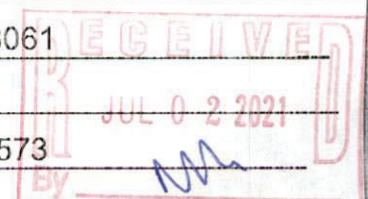


City of McAllen  
Planning Department  
APPLICATION FOR

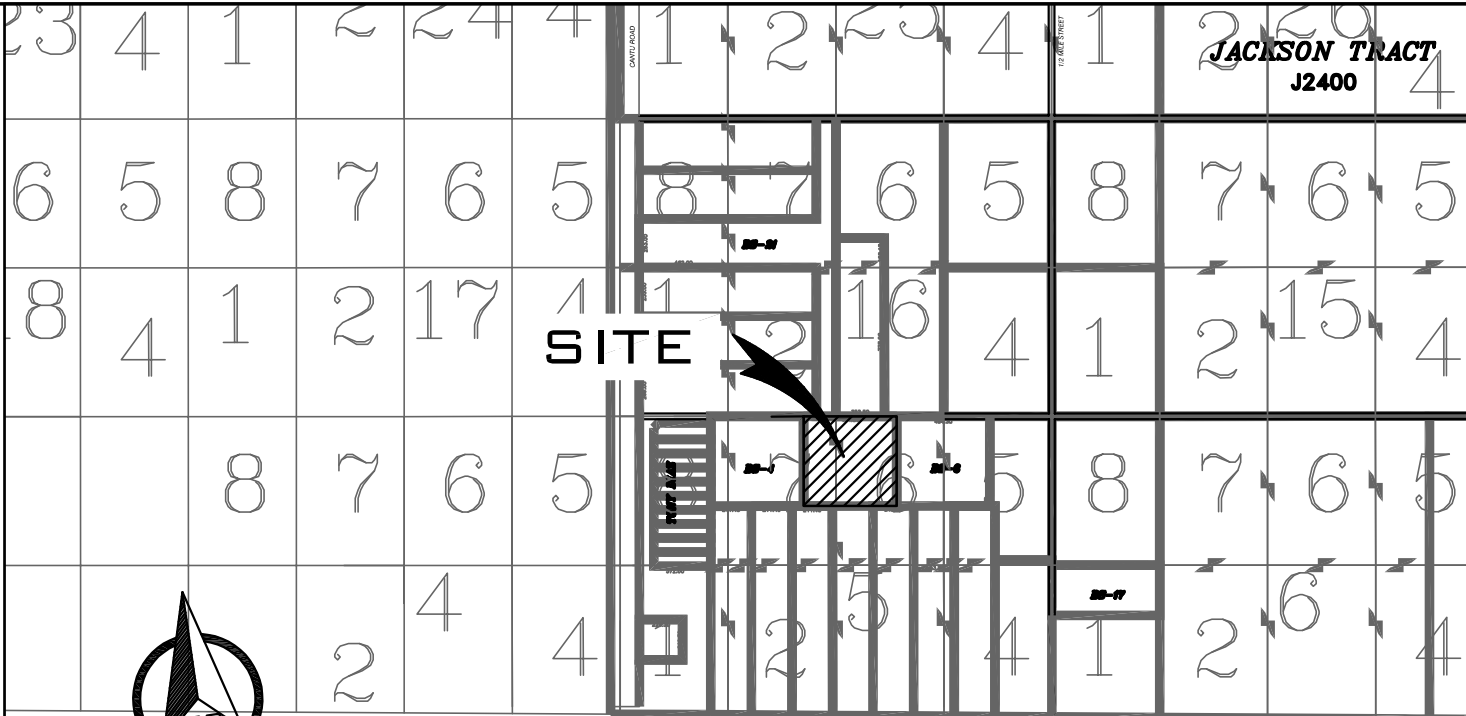
SUBDIVISION PLAT REVIEW

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	<p>Subdivision Name <u>Castillo Estates Subdivision</u></p> <p>Location <u>323 feet east from intersection of El Bienestar Rd and County Rd 4501</u></p> <p>City Address or Block Number <u>9705 Mile 10 1/3</u></p> <p>Number of lots <u>3</u> Gross acres <u>5.19</u> Net acres <u>5.03</u></p> <p>Existing Zoning <u>R-1</u> Proposed _____ Rezoning Applied For <input type="checkbox"/> Yes <input type="checkbox"/> No Date _____</p> <p>Existing Land Use _____ Proposed Land Use <u>X</u> Irrigation District # _____</p> <p>Residential Replat Yes <input type="checkbox"/> No <input type="checkbox"/> Commercial Replat Yes <input type="checkbox"/> No <input type="checkbox"/> ETJ Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>Agricultural Tax Exempt Yes <input type="checkbox"/> No <input type="checkbox"/> Estimated Rollback tax due _____</p> <p>Parcel No. <u>555718</u> Tax Dept. Review _____</p> <p>Legal Description <u>A 5.19 ACRE TRACT OF LAND OUT OF LOT 7 AND LOT6 BLOCK 5, JACKSON SUBDIVISION, OF THE MELADO TRACT, HIDALGO COUNTY, TEXAS</u></p>
Owner	<p>Name <u>Jesus Castillo</u> <u>Susana Castillo</u> Phone <u>(956) 451-0339</u></p> <p>Address <u>9705 Mile 10 1/3</u></p> <p>City <u>Edinburg</u> State <u>Texas</u> Zip <u>78541</u></p> <p>E-mail <u>sgarcia2jcastillo@yahoo.com</u></p>
Developer	<p>Name _____ Phone _____</p> <p>Address _____</p> <p>City _____ State _____ Zip _____</p> <p>Contact Person _____</p> <p>E-mail _____</p>
Engineer	<p>Name <u>RO Engineering, PLLC</u> Phone <u>(956) 205-3845</u></p> <p>Address <u>2705 E. Davis Rd</u></p> <p>City <u>Edinburg</u> State <u>Texas</u> Zip <u>78540</u></p> <p>Contact Person <u>San Isidro Navarro</u></p> <p>E-mail <u>isidro@incivildesigns.com</u></p>
Surveyor	<p>Name <u>William A. Mangum</u> Phone <u>(956) 249-8061</u></p> <p>Address <u>11809 Shary Rd</u></p> <p>City <u>Mission</u> State <u>Texas</u> Zip <u>78573</u></p>







SCALE: 1" = 1000'

PREPARED BY: RO ENGINEERING, PLLC

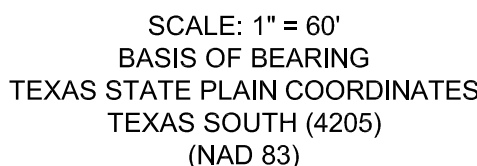
2705 E. DAVIS RD

EDINBURG, TEXAS 78540

DATE PREPARED:  
03-20-2021

## LOCATION MAP





**ENGINEERING & CONSTRUCTION MGT.**  
2705 E. Davis Rd., Suite A  
Edinburg, Texas 78540  
TBPE Firm Registration No. 12179  
[www.ro-engineering.com](http://www.ro-engineering.com)

**CASTILLO ESTATES SUBDIVISION** IS LOCATED IN SOUTHWESTERN PART OF HIDALGO COUNTY AT 323 FEET EAST FROM THE INTERSECTION OF EL BIENESTAR ROAD AND COUNTY ROAD 4501, NEARBY MUNICIPALITY IS THE CITY OF McALLEN (POPULATION 123,622). ACCORDING TO THE OFFICIAL MAP THE SUBDIVISION LIES APPROXIMATELY 4.8 MILES FROM THE CITY LIMITS (AND IS INSIDE THE 5 MILE EXTRATERRITORIAL JURISDICTION E.T.J.) UNDER LOCAL GOVERNMENT CODE § 212.001 LIES WITHIN PRECINCT NUMBER 3.





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



BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses **Landscaping Ordinance: Section 110-46	Applied
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses *Plat note required as noted above **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 *City's Access Management Policy	NA
* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.	Applied
* Common areas, private streets, service drives, etc. must be maintained by the lot owners and not the City of McAllen	Applied
* Common areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	Applied
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. *Section 110-72 applies for public subdivisions	NA
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. **Subdivision Ordinance: Section 110-72	NA
LOT REQUIREMENTS	
* Lots fronting public streets *Zoning Ordinance: 138-1	Compliance
* Minimum lot width and lot area *Zoning Ordinance: 138-1	Compliance
ZONING/CUP	
* Existing: ETJ Proposed: ETJ *No annexation applications on file	TBD
* Rezoning Needed Before Final Approval	NA
PARKS	
* Land dedication in lieu of fee	NA
* Park Fee of \$700 per x 3 proposed lots = \$2,100 to be paid prior to recording if land is annexed	TBD
* Pending review by the Parkland Dedication Advisory Board and CC.	NA
TRAFFIC	
* Trip Generation has been waived by Traffic Department.	NA
* Traffic Impact Analysis (TIA) required prior to final plat.	NA
COMMENTS	
Comments: *Must comply with City's Access Management **Revise street name for Mile 10 1/3 - County Road 4501 ****Revise setbacks as noted above *****Need note indicating 4 ft. minimum wide sidewalk required along Mile 10 1/3 and	Applied



County Road 4501 *****DWG file reviewed by staff is defective *****Need an ownership map of surrounding properties to assure no landlocked properties exist. *****Revise vicinity map and label accordingly	
<b>RECOMMENDATION</b>	
Recommendation: STAFF RECOMMENDS DISAPPROVAL OF THE SUBDIVISION DUE TO MISSING FILES.	Applied



SUB2020-0048



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)

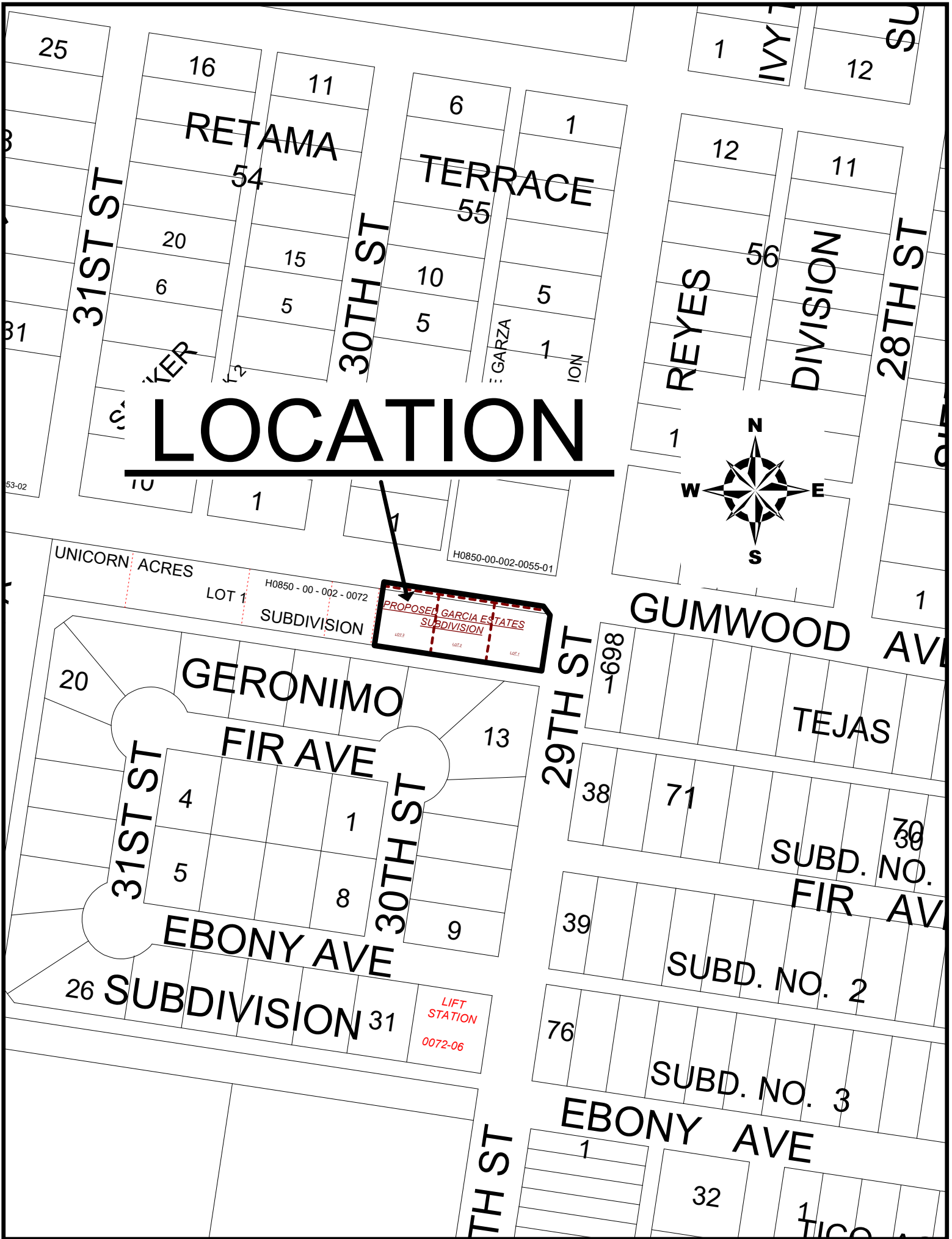
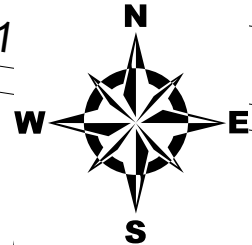
Project Description	Subdivision Name <u>Garcia Estates</u> Location <u>SW C Gumwood Avenue &amp; 29th St.</u> City Address or Block Number <u>2901 Gumwood</u> Number of lots <u>3</u> Gross acres <u>0.40</u> Net acres <u>0.40</u> Existing Zoning <u>R1</u> Proposed <u>R1</u> Rezoning Applied For <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____ Existing Land Use <u>vacant</u> Proposed Land Use <u>single family</u> Irrigation District # _____ Residential Replat Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Commercial Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> ETJ Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Agricultural Tax Exempt Yes <input type="checkbox"/> No <input type="checkbox"/> Estimated Rollback tax due <u>0</u> Parcel No. <u>185437</u> Tax Dept. Review <u>Norma Guerra</u> Legal Description <u>Approx. 0.40 ac. being East 1/2 Lot 1 of Reub. of N. 1/2 L 72 &amp; 73 BL 2 C &amp; Hammond aka Lot 1 Unicorn Acres</u>
Owner	Name <u>Sonia Garcia / Erik J. Mora</u> Phone <u>956 (956) 381-0981</u> Address <u>7608 N. 20th St.</u> City <u>McAllen</u> State <u>TX</u> Zip <u>78504</u> E-mail <u>90ruben@meldenandhunt.com</u>
Developer	Name <u>Sonia Garcia / Erik J. Mora</u> Phone <u>956 (956) 381-0981</u> Address <u>7608 N. 20th St.</u> City <u>McAllen</u> State <u>TX</u> Zip <u>78504</u> Contact Person <u>Sonia Garcia</u> E-mail <u>sonia910@yahoo.com</u>
Engineer	Name <u>Melden &amp; Hunt, Inc.</u> Phone <u>(956) 381-0981</u> Address <u>115 W. McIntyre</u> City <u>Edinburg</u> State <u>TX</u> Zip <u>78541</u> Contact Person <u>Ruben James De Jesus</u> E-mail <u>ruben@meldenandhunt.com</u>
Surveyor	Name <u>Melden &amp; Hunt, Inc.</u> Phone <u>(956) 381-0981</u> Address <u>115 W. McIntyre St.</u> City <u>Edinburg</u> State <u>TX</u> Zip <u>78541</u>

Ret # 728117 Pd \$300





# LOCATION





SPYKER SUBDIVISION,  
VOL. 15, PG. 7,  
H.C.M.R.

HINOJOSA ARTURO JR.

Q GUMWOOD AVENUE

P.O.B.

P.O.C.  
N.E. COR. LOT 1,  
UNICORN ACRES

THE FERNANDO GONZALEZ,  
TRUSTEE OF THE MODESTO GONZALEZ  
MANAGEMENT TRUST TRACT: THE EAST  
300.0 FEET OF THE WEST 60.0 FEET  
OF LOT 1, UNICORN ACRES,  
S.W.D. DOC. No. 2205761, H.C.O.R.

N 08° 15' 34" E

81.66'

3  
5490.864 SQ. FT.  
0.126 AC.

15.00' U.E. DEDICATED  
BY THIS PLAT

2  
5490.864 SQ. FT.  
0.126 AC.

1  
5490.864 SQ. FT.  
0.126 AC.

10.00' U.E.  
DEDICATED  
BY THIS PLAT

S 08° 23' 19" W

THE CITY OF McALLEN TRACT:  
A 0.020 OF AN ACRE TRACT OUT OF  
LOT 1, UNICORN ACRES,  
W.D. DOC. No. 1112323, H.C.O.R.

N. 29TH STREET

N:16602719.974  
E:1065158.649

100' ALLEY

N:16602688.586  
E:1065371.416

16

15

GERONIMO SUBDIVISION,  
VOL. 20, PG. 169, H.C.M.R.

14

13



BEARING BASIS AS PER  
GERONIMO SUBDIVISION  
VOL. 20, PG. 169 H.C.M.R.

SCALE: 1" = 40'

# PLAT OF **GARCIA ESTATES SUBDIVISION**

BEING A RESUBDIVISION OF 0.40 OF ONE ACRE SITUATED IN THE CITY OF McALLEN,  
HIDALGO COUNTY, TEXAS, BEING A PART OR PORTION OUT OF LOT 1, UNICORN ACRES,  
ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 4, PAGE 3, HIDALGO  
COUNTY MAP RECORDS, AND ACCORDING TO WARRANTY DEED WITH VENDOR'S LIEN  
RECORDED UNDER COUNTY CLERK'S DOCUMENT NUMBER 2734788,  
HIDALGO COUNTY OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS





# City of McAllen

## SUBDIVISION PLAT REVIEW

Reviewed On: 5/20/2021

<b>SUBDIVISION NAME: GARCIA ESTATES</b>	
<b>REQUIREMENTS</b>	
<b>STREETS AND RIGHT-OF-WAYS</b>	
N. 29th Street: 10 ft. ROW dedication required for 50 ft. from centerline required for 100 ft. total ROW Paving: min. 52 ft. Curb & gutter: Both sides *Variance letter submitted by engineer dedicating 5 ft. of additional ROW for N. 29th Street instead of the required 10 ft.	Non-compliance
Gumwood Avenue: 20 ft. dedication required for 40 ft. from centerline for a total of 80 ft. ROW Paving: min. 52 ft. Curb & gutter: Both sides *Variance letter received proposing 10 ft. of additional ROW instead of the required 20 ft. along Gumwood Avenue.	Non-compliance
* 800 ft. Block Length	Compliance
* 600 ft. Maximum Cul-de-Sac	NA
<b>ALLEYS</b>	
ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties **Existing alley to the south currently not paved.	Required
<b>SETBACKS</b>	
* Front: 45 ft. or greater for approved site plan or easements **Please revise plat note as shown above prior to final.	Non-compliance
* Rear: 10 ft. or greater for approved site plan or easements	Applied
* Sides: 6 ft. or greater for approved site plan or easements	Applied
* Corner side: 25 ft. or greater for easements **Revise plat as noted above	TBD
* Garage: 18 ft. except where greater setback is required, greater setback applies	Applied
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
<b>SIDEWALKS</b>	
* 4 ft. wide minimum sidewalk required on Gumwood Avenue and N. 29th Street.	Applied
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Required
<b>BUFFERS</b>	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses	Applied
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses	Applied
*Perimeter buffers must be built at time of Subdivision Improvements.	Applied
<b>NOTES</b>	
* No curb cut, access, or lot frontage permitted along **Engineer to show access locations due to Gumwood Avenue being a collector road requiring 200 ft. spacing between accesses	TBD



* 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, Private Streets, service drives, 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.	Applied
**Section 110-72 applies for public subdivisions	
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.	NA
**If proposed number of lots changes, new requirements might be triggered.	
<b>LOT REQUIREMENTS</b>	
* Minimum lot width and lot area	Compliance
* Lots fronting public streets	Compliance
<b>ZONING/CUP</b>	
* Existing: R-1 Proposed: R-1 (Single Family Residences)	Compliance
* Rezoning not required if proposed use is single family residences.	NA
<b>PARKS</b>	
* Land dedication in lieu of fee	NA
* Park Fee of \$700 per dwelling unit/lot to be paid prior to recording. Per parks Department \$700 x 3 lots = \$2,100	Required
* Pending review by the Parkland Dedication Advisory Board and CC.	NA
<b>TRAFFIC</b>	
* As per Traffic Department, Trip Generation waived for three single family residences. No TIA required.	Completed
* As per Traffic Dept., Traffic Impact Analysis (TIA) not required prior to final plat.	NA
<b>COMMENTS</b>	
Comments: *Must comply with City's Access Management Policy **Clarify ROW dedication on Gumwood Avenue and N. 29th Street ***Engineer submitted a variance request for the required ROW dedication along Gumwood Avenue and N. 29th Street which will be presented at the P&Z meeting scheduled for June 3, 2021.	Applied
<b>RECOMMENDATION</b>	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED PRELIMINARY FORM, SUBJECT TO CONDITIONS NOTED AND CLARIFICATION ON THE REQUESTED VARIANCES.	Applied




31ST ST

30TH ST

28TH ST



RETAMA



TERRACE

GUMWOOD AVE

# GERONIMO

FIR AVE

31ST ST

30TH ST

EBONY AVE 3

**SUBDIVISION**

29TH ST

FIR AVE

EBONY AVE

TS





TBPELS Firm # F-1435  
TBPELS # 10096900

MELDEN & HUNT INC.

CONSULTANTS • ENGINEERS • SURVEYORS

FRED L. KURTH • ALLAN F. BOOE • KELLEY A. HELLER-VELA • ROBERTO N. TAMEZ • MARIO A. REYNA • RUBEN JAMES DE JESUS

May 13, 2021

Edgar Garcia, Planning Director  
**CITY OF MCALLEN PLANNING DEPT.**  
311 N. 15<sup>TH</sup> St.  
McAllen, TX 78501

**RE: Variance for Additional R.O.W. Requirement - Garcia Estates**

Dear Mr. Garcia:

On behalf of the owners, Sonia Garcia & Erik Mora, Melden and Hunt, Inc. is requesting a variance to the additional right-of-way being required by City of McAllen Planning Department for **GARCIA ESTATES**.

We will dedicate an additional 10 feet of right of way in lieu of the required 20 feet on Gumwood Avenue. The dedicated 10 feet would complete a 50-foot road right-of-way for Gumwood Avenue fronting **GARCIA ESTATES** which will leave room for the future right-of-way to be 60-feet if the adjacent property to the north dedicates an additional 10 feet. In our observation of the Gumwood corridor at a minimum of a ¼ mile to the West and East of our site, there is a maximum right of way of 50 feet. Due to the nature of the existing improvements along this corridor an 80-foot right-of-way would not be feasible.

In addition, we will dedicate an additional 5 feet of right of way in lieu of the required 10 feet on 29<sup>th</sup> Street. The dedicated 5 feet would complete a 75-foot road right-of-way for 29<sup>th</sup> Street fronting **GARCIA ESTATES**.

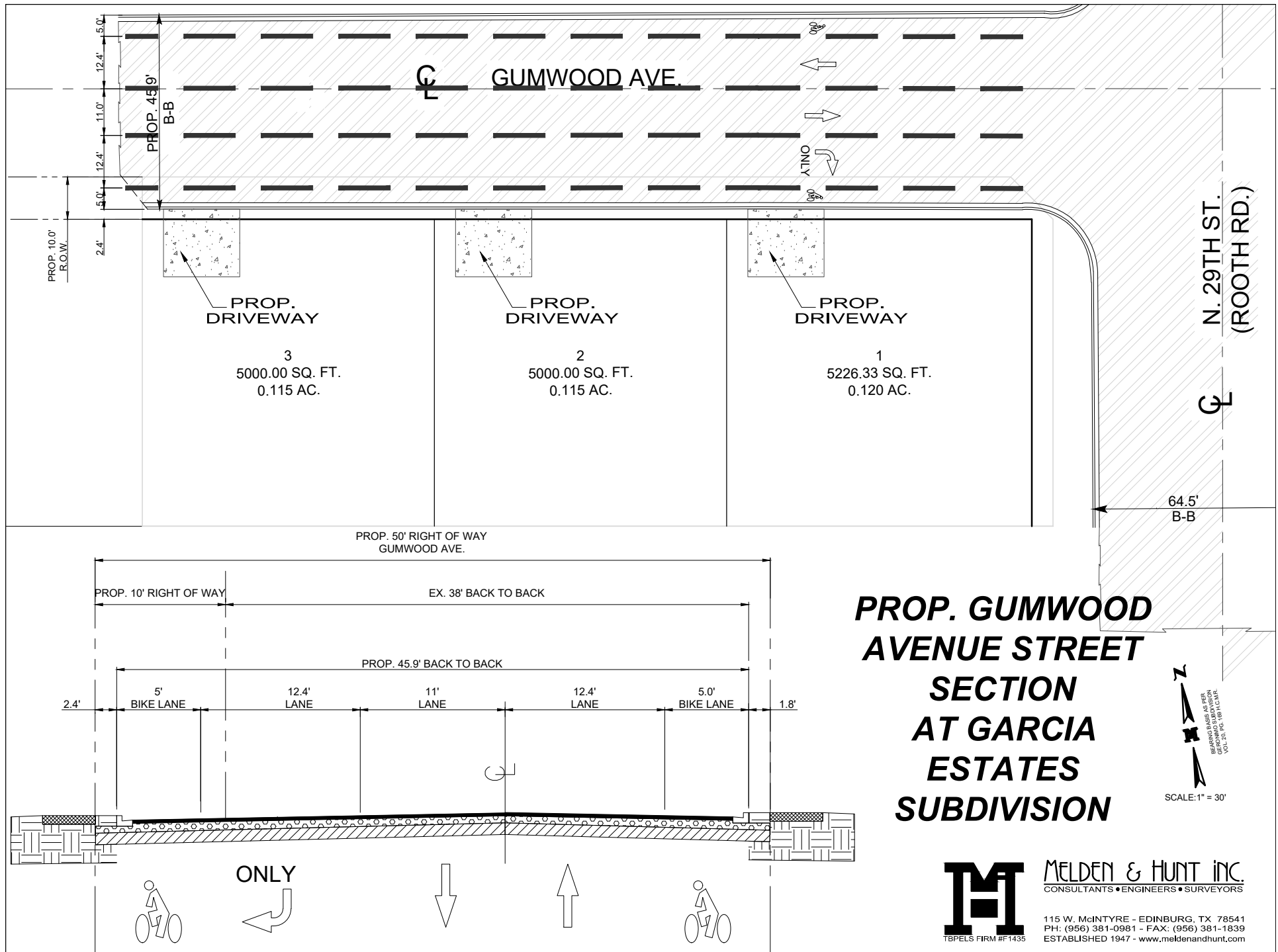
If you need additional information, please don't hesitate to contact us. We look forward to presenting this item at your next P&Z Meeting. Thank you.

Sincerely,

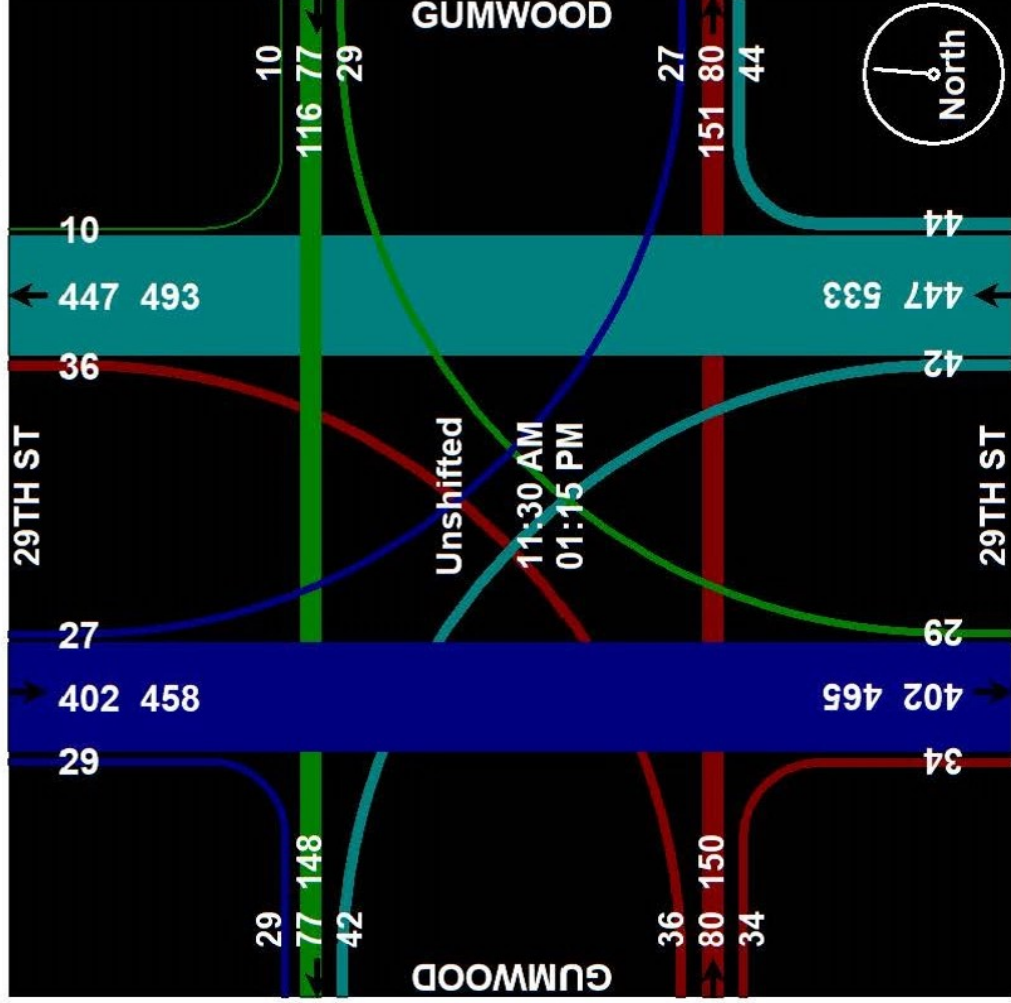


Ruben James De Jesus, P.E., R.P.L.S.  
Vice President











File Name : Noon Peak Hours  
Site Code : 00000000  
Start Date : 6/8/2021  
Page No : 3



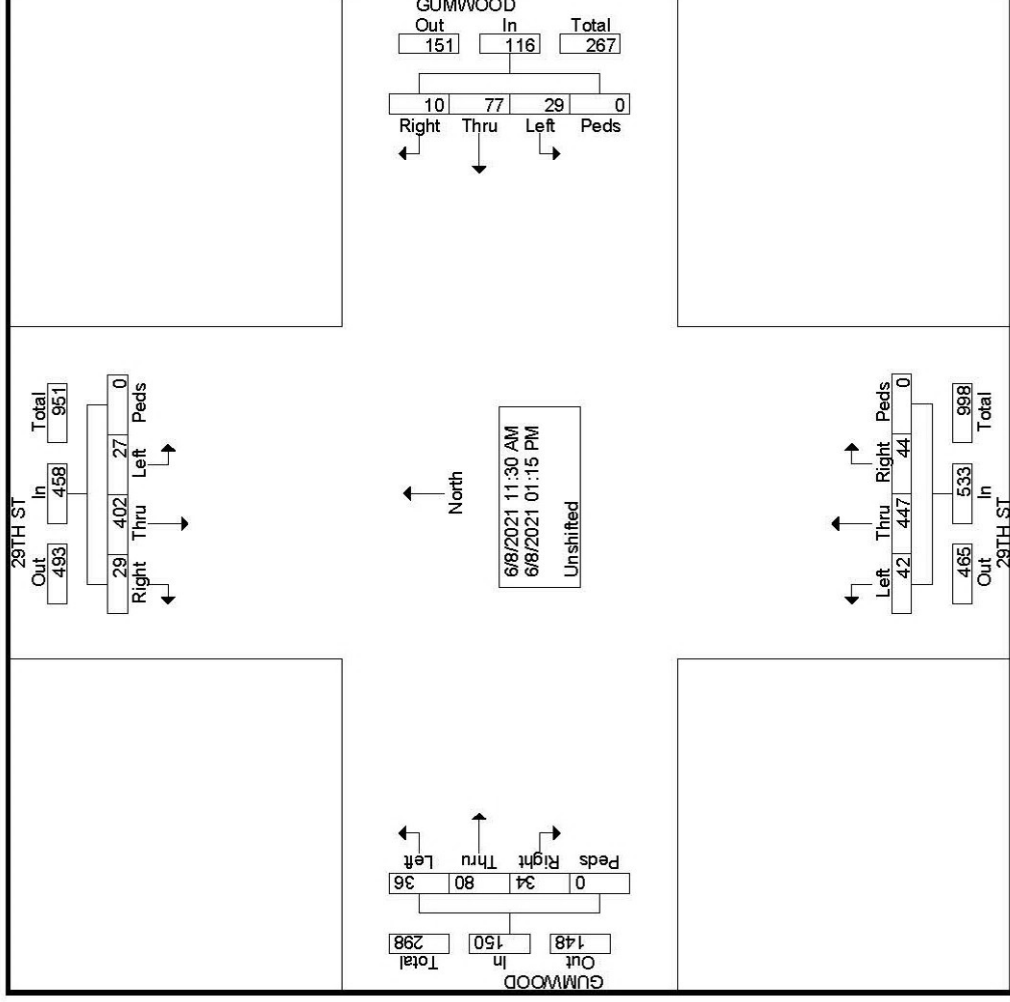


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Change These in The Preferences Window  
Select File/Preference in the Main Screenshot  
Then Click the Comments Tab

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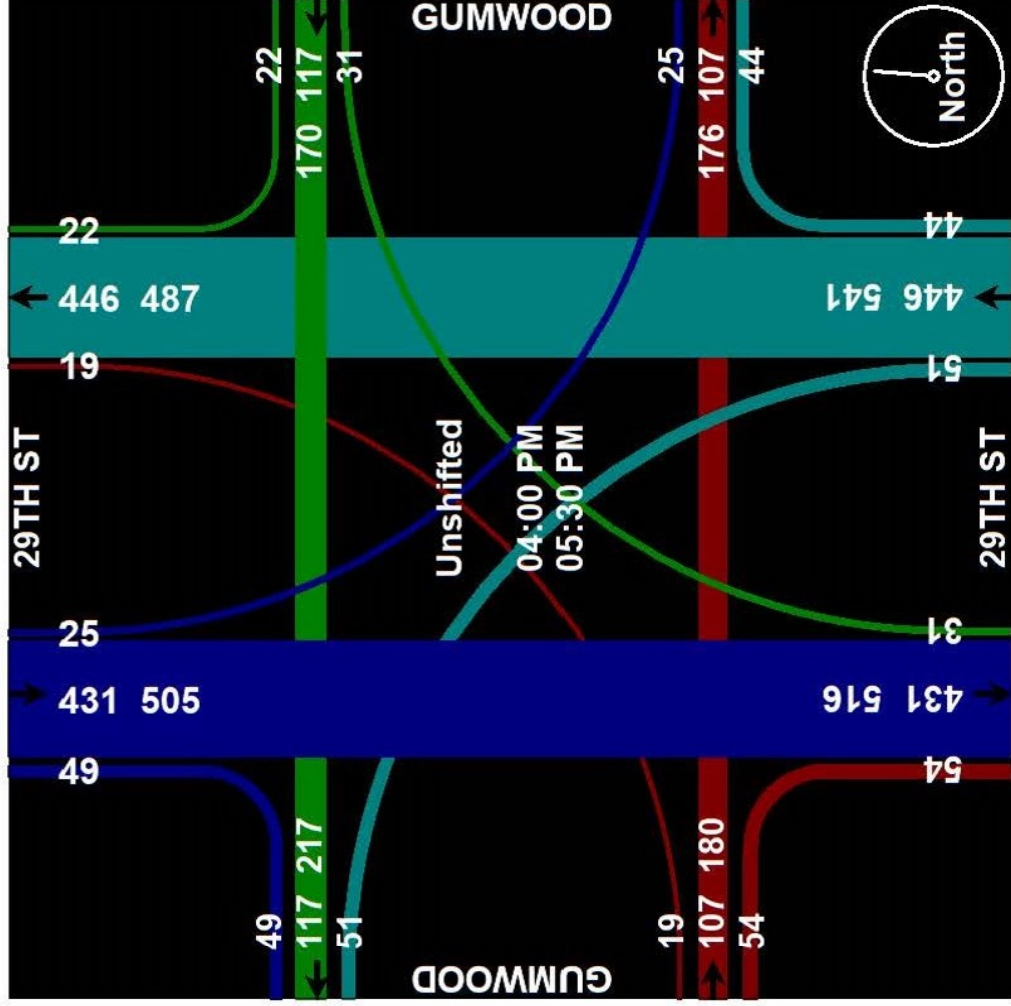
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	Right	Thru	Left	Peds		Right	Thru	Left	Peds		Right	Thru	Left	Peds		Right	Thru	Left	Peds	
11:30 AM	6	53	2	0	61	2	7	1	0	10	7	53	4	0	64	3	12	5	0	20
11:45 AM	1	44	8	0	53	1	8	8	0	17	9	46	5	0	60	1	12	1	0	14
Total	7	97	10	0	114	3	15	9	0	27	16	99	9	0	124	4	24	6	0	34
12:00 PM	3	69	2	0	74	4	17	4	0	25	8	67	5	0	80	6	12	4	0	22
12:15 PM	3	55	3	0	61	0	13	2	0	15	2	63	2	0	67	4	11	3	0	18
12:30 PM	5	41	4	0	50	1	9	6	0	16	4	52	3	0	59	4	7	9	0	20
12:45 PM	2	45	1	0	48	0	10	6	0	16	4	50	7	0	61	4	14	7	0	25
Total	13	210	10	0	233	5	49	18	0	72	18	232	17	0	267	18	44	23	0	85
01:00 PM	6	48	2	0	56	1	4	1	0	6	4	59	6	0	69	7	7	5	0	19
01:15 PM	3	47	5	0	55	1	9	1	0	11	6	57	10	0	73	5	5	2	0	12
Grand Total	29	402	27	0	458	10	77	29	0	116	44	447	42	0	533	34	80	36	0	150
Approch %	6.3	87.8	5.9	0		8.6	66.4	25	0		8.3	83.9	7.9	0		22.7	53.3	24	0	
Total %	2.3	32	2.1	0	36.4	0.8	6.1	2.3	0	9.2	3.5	35.6	3.3	0	42.4	2.7	6.4	2.9	0	11.9





File Name : Evening Peak Hours  
Site Code : 00000000  
Start Date : 6/8/2021  
Page No : 2





File Name : Evening Peak Hours  
Site Code : 00000000  
Start Date : 6/8/2021  
Page No : 3





## Default Comments

Change These in The Preferences Window

Select File/Preference in the Main Scree

Then Click the Comments Tab

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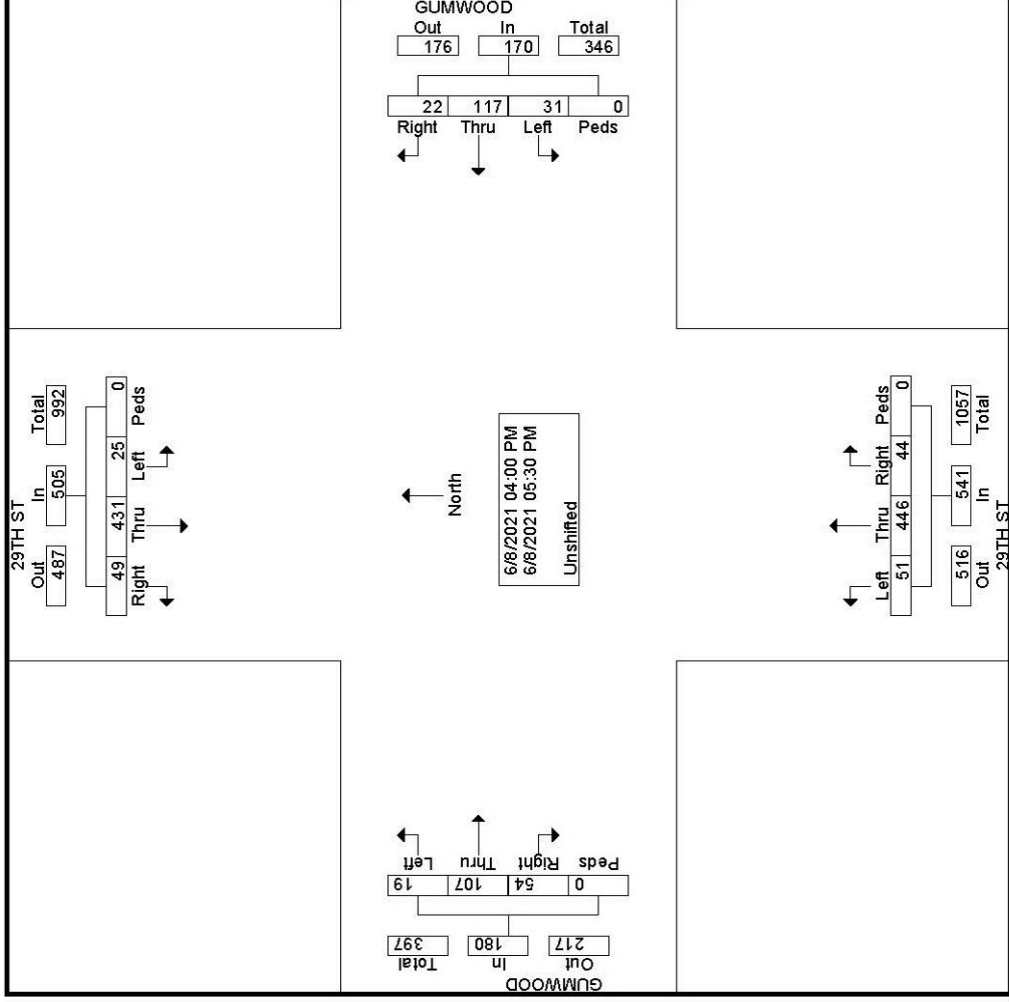
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Start Date : 6/8/2021

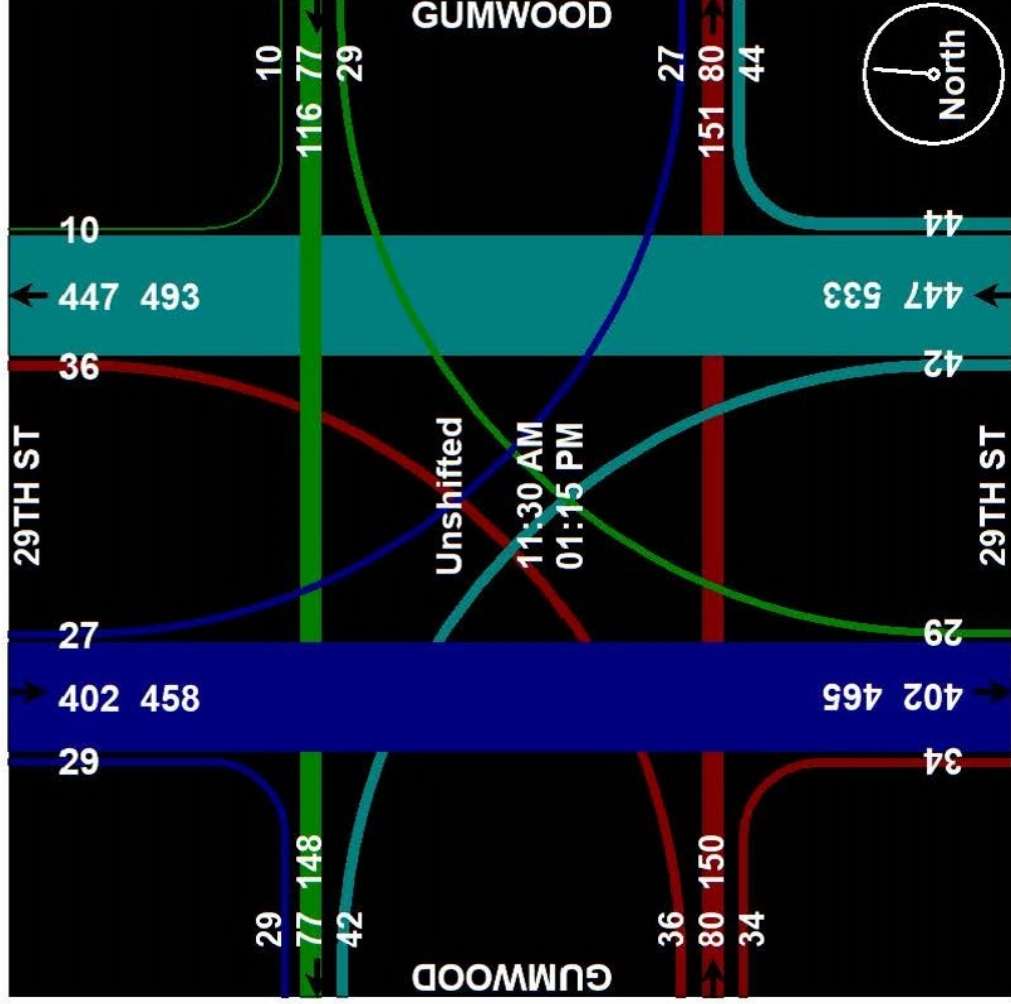
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	29TH ST					GUMWOOD					29TH ST					GUMWOOD				
Start Time	From North		From East		From South		From West		Int. Total		From North		From East		From South		From West		Int. Total	
	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total
04:00 PM	1	57	2	0	60	6	13	2	0	21	9	53	3	0	65	8	9	5	0	22
04:15 PM	5	62	4	0	71	4	19	4	0	27	6	76	7	0	89	6	16	3	0	25
04:30 PM	3	58	7	0	68	4	18	4	0	26	6	51	12	0	69	8	16	3	0	27
04:45 PM	19	64	6	0	89	3	13	6	0	22	4	78	5	0	87	7	14	1	0	22
Total	28	241	19	0	288	17	63	16	0	96	25	258	27	0	310	29	55	12	0	96
05:00 PM	13	67	3	0	83	4	14	7	0	25	4	56	13	0	73	11	25	4	0	40
05:15 PM	4	70	1	0	75	0	22	5	0	27	10	71	6	0	87	10	16	3	0	29
05:30 PM	4	53	2	0	59	1	18	3	0	22	5	61	5	0	71	4	11	0	0	15
Grand Total	49	431	25	0	505	22	117	31	0	170	44	446	51	0	541	54	107	19	0	180
Apprch %	9.7	85.3	5	0	36.2	12.9	68.8	18.2	0	12.2	8.1	82.4	9.4	0	38.8	3.9	59.4	10.6	0	12.9
Total %	3.5	30.9	1.8	0	36.2	1.6	8.4	2.2	0	12.2	3.2	31.9	3.7	0	38.8	3.9	7.7	1.4	0	12.9

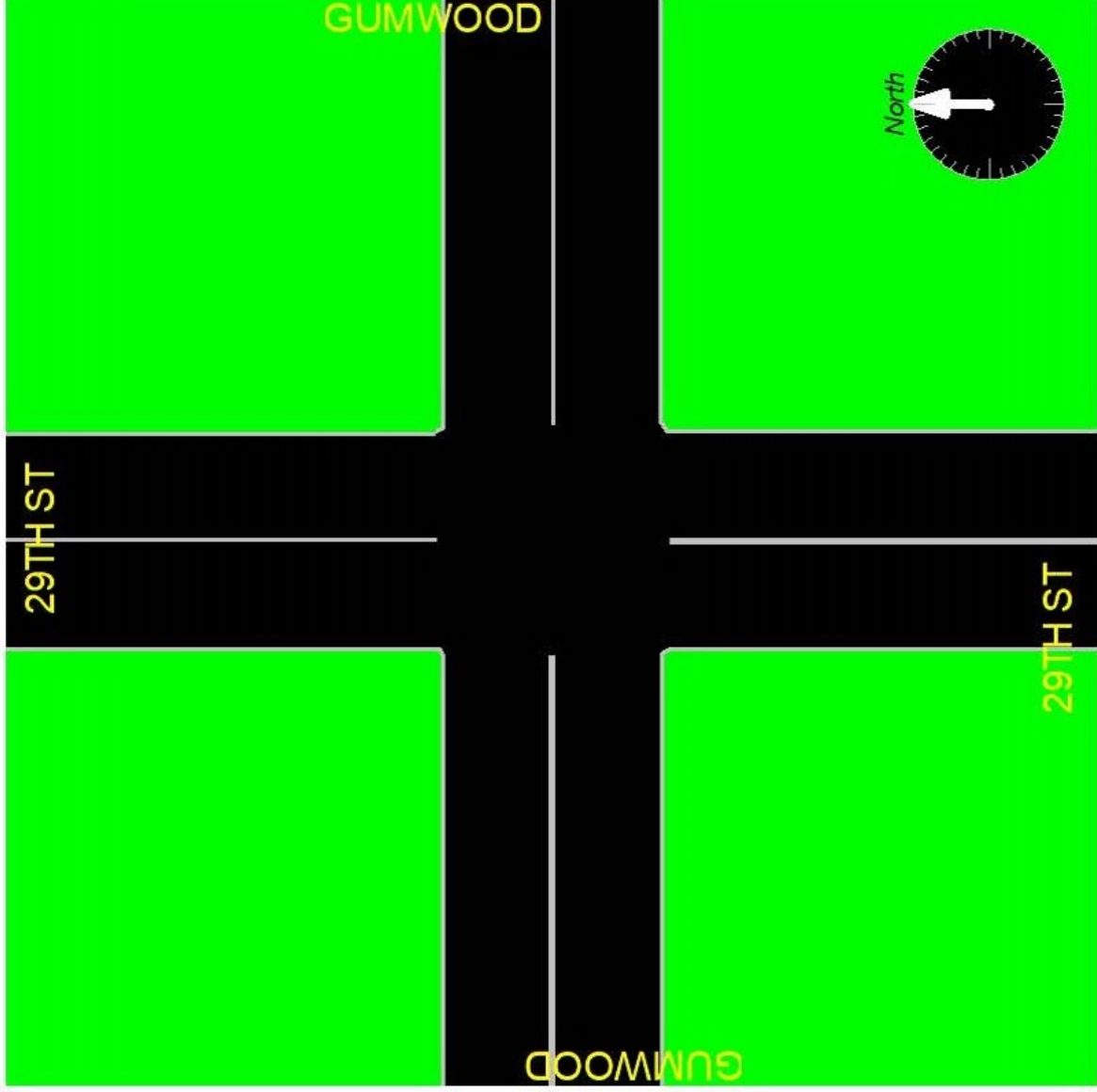








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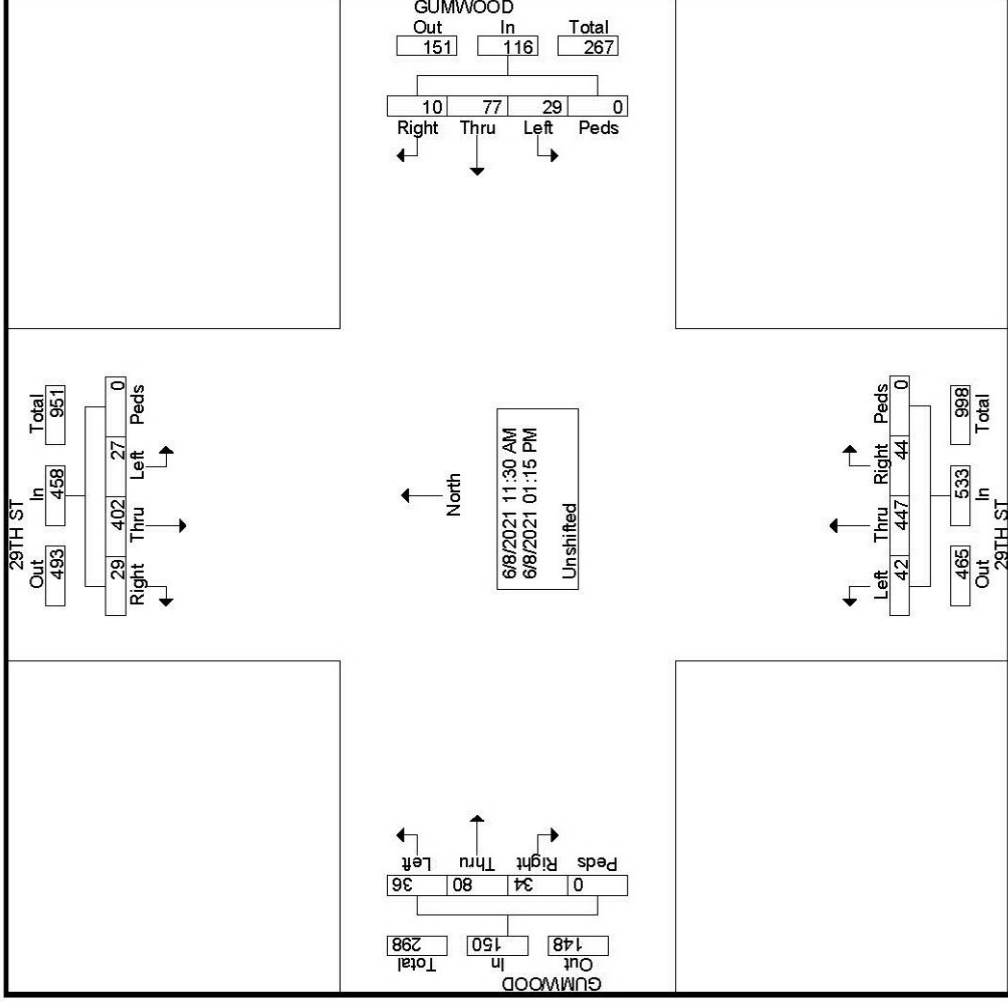


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Start Time	From North			From East			From South			From West			Int. Total								
	Right	Thru	Left	Peds	Thru	Left	Peds	Thru	Left	Peds	Thru	Left		Peds	App. Total						
11:30 AM	6	53	2	0	61	2	7	1	0	10	7	53	4	0	64	3	12	5	0	20	155
11:45 AM	1	44	8	0	53	1	8	8	0	17	9	46	5	0	60	1	12	1	0	14	144
Total	7	97	10	0	114	3	15	9	0	27	16	99	9	0	124	4	24	6	0	34	299
12:00 PM	3	69	2	0	74	4	17	4	0	25	8	67	5	0	80	6	12	4	0	22	201
12:15 PM	3	55	3	0	61	0	13	2	0	15	2	63	2	0	67	4	11	3	0	18	161
12:30 PM	5	41	4	0	50	1	9	6	0	16	4	52	3	0	59	4	7	9	0	20	145
12:45 PM	2	45	1	0	48	0	10	6	0	16	4	50	7	0	61	4	14	7	0	25	150
Total	13	210	10	0	233	5	49	18	0	72	18	232	17	0	267	18	44	23	0	85	657
01:00 PM	6	48	2	0	56	1	4	1	0	6	4	59	6	0	69	7	7	5	0	19	150
01:15 PM	3	47	5	0	55	1	9	1	0	11	6	57	10	0	73	5	5	2	0	12	151
Grand Total	29	402	27	0	458	10	77	29	0	116	44	447	42	0	533	34	80	36	0	150	1257
Approch %	6.3	87.8	5.9	0		8.6	66.4	25	0		8.3	83.9	7.9	0		22.7	53.3	24	0		
Total %	2.3	32	2.1	0	36.4	0.8	6.1	2.3	0	9.2	3.5	35.6	3.3	0	42.4	2.7	6.4	2.9	0	11.9	





**Memo**

**TO:** Planning & Zoning Commission  
**FROM:** Edgar I. Garcia, AICP, CNU-A  
**DATE:** July 15, 2021  
**SUBJECT:** City Commission Actions on July 12, 2021

---

**REZONING:**

1. Rezone from C-3 District to R-3A District: 4.112 acres of land out of Lot 105, La Lomita Irrigation and Construction Company's Subdivision; 4200 N Ware Rd
  - Planning and Zoning Commission recommended approval
  - City Commission approved as recommended
2. Initial zoning to R-1 District: 21.288 acres out of Lots 475 and 465, John H. Shary Subdivision; 10300 N Shary Rd
  - Planning and Zoning Commission recommended approval
  - City Commission approved as recommended

**CONDITIONAL USE PERMITS:**

1. Request of Adrian G. Garcia Jr., for a Conditional Use Permit, for life of the use, for an Institutional Use (barber school): Lots 4 and 5, McAllen Northwest Industrial Subdivision No. 2; 5000 N 23<sup>rd</sup> St, Suite E
  - Planning and Zoning Commission recommended approval
  - City Commission approved as recommended
2. Request of Robert Wilson, for a Conditional Use Permit, for one year, for a bar: Lot A-1, Nolana Tower Subdivision; 400 Nolana Ave, Suite G
  - Planning and Zoning Commission disapproved with a favorable recommendation
  - City Commission approved as recommended
3. Request of Misty M. Garcia, for a Conditional Use Permit, for one year, for a smokeshop: Lot 5, The District at McAllen Subdivision; 3200 N McColl, Suite 110
  - Planning and Zoning Commission disapproved with a favorable recommendation
  - City Commission approved as recommended



**ANNEXATION:**

1. Annexation of 21.288 acres out of Lots 475 and 465, John H. Shary Subdivision; 10300 N Shary Rd
  - Planning and Zoning Commission recommended approval
  - City Commission approved as recommended



## 2021 ATTENDANCE RECORD FOR PLANNING AND ZONING COMMISSION MEETINGS

	01/05/21	01/19/21	02/02/21	02/16/21	03/02/21	03/16/21	04/06/21	04/20/21	05/04/21	05/18/21	06/03/21	06/16/21	07/08/21	07/20/21	08/03/21	08/17/21	09/07/21	09/21/21	10/05/21	10/19/21	11/02/21	11/16/21	12/07/21
Pepe Cabeza de Vaca	P	P	P	P	P	P	P	P	A	P	P												
Daniel Santos	A	A	P	P	P	A	P	P	P	P	P	P	A										
Mike Hovar	P	P	P	P	P	P	P	P	P	P	P	P	P										
Rogelio Cervantes	P	A	A	A	A	A	A																
Gabriel Kamel	P	P	P	P	P	P	P	P	A	A	P	P	P										
Michael Fallek	P	P	P	P	P	P	P	P	P	P	P	P	P										
Jose B. Saldana	P	A	A	P	A	P	P	A	P	A	A	P	A										
Marco Suarez								P	P	P	P	A	P										

## 2021 ATTENDANCE RECORD FOR PLANNING AND ZONING COMMISSION WORKSHOPS

Pepe Cabeza de Vaca																							
Daniel Santos																							
Mike Hovar																							
Rogelio Cervantes																							
Gabriel Kamel																							
Michael Fallek																							
Jose B. Saldana																							

Marco Suarez









# PLANNING DEPARTMENT

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



## 2021 CALENDAR

### Meetings:

-  City Commission
-  Public Utility Board
-  Planning & Zoning Board
-  Zoning Board of Adjustment

HPC - Historic Preservation Council

### Deadlines:

D- Zoning/CUP Application      N - Public Notification

\* **Holiday** - Office is closed

### JANUARY 2021

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

### FEBRUARY 2021

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

### MARCH 2021

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

### APRIL 2021

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

### MAY 2021

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

### JUNE 2021

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

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# PLANNING DEPARTMENT

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



## 2021 CALENDAR

### Meetings:

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

### Deadlines:

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

\* **Holiday** - Office is closed

### JULY 2021

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

### AUGUST 2021

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

### SEPTEMBER 2021

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

### OCTOBER 2021

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

### NOVEMBER 2021

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

### DECEMBER 2021

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

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















































# PLANNING DEPARTMENT



























## 2020 Calendar

### SUBDIVISION AND UTILITY REVIEW CALENDAR

SUBDIVISION/UTILITY MEETING	CITY MEETING	DEADLINE AT 5:00P.M.
 <b>Subdivision Review Meeting - 8:30 a.m.</b> Review with staff, developers and engineers	 City Commission  Planning and Zoning  Public Utility Board	 <b>Changes to subdivision/site plans</b> Required to be placed on following review meeting  <b>Deadline for New Plats</b> New Plats with all supporting information and fees
 <b>Project Review - 1:15 p.m.</b> Review of plats, utilities and drainage and site plans		

JULY 2021							AUGUST 2021						
Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3	1	2	3	4	5	6	7
													
					D-8/3								
4	5	6	7	8	9	10	8	9	10	11	12	13	14
	HOLIDAY												
11	12	13	14	15	16	17	15	16	17	18	19	20	21
													
					D-8/17								
18	19	20	21	22	23	24	22	23	24	25	26	27	28
													
												D-9/21	
25	26	27	28	29	30	31	29	30	31				
													

SEPTEMBER 2021							OCTOBER 2021						
Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4						1	2
													
													
5	6	7	8	9	10	11	3	4	5	6	7	8	9
	HOLIDAY				D-10/5							D-11/2	
12	13	14	15	16	17	18	10	11	12	13	14	15	16
													
19	20	21	22	23	24	25	17	18	19	20	21	22	23
													
					D-10/19							D-11/16	
26	27	28	29	30			24	25	26	27	28	29	30
							31						

NOVEMBER 2021							DECEMBER 2021						
Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6				1	2	3	4
													
					D-12/7								
7	8	9	10	11	12	13	5	6	7	8	9	10	11
												D-1/4	
14	15	16	17	18	19	20	12	13	14	15	16	17	18
													
					D-12/21								
21	22	23	24	25	26	27	19	20	21	22	23	24	25
													
				HOLIDAY							HOLIDAY	HOLIDAY	
28	29	30					26	27	28	29	30	31	
													
											D-1/18		

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