

AGENDA

PLANNING & ZONING COMMISSION REGULAR MEETING WEDNESDAY, JULY 24, 2024 - 3:30 PM MCALLEN CITY HALL, 1300 HOUSTON AVENUE CITY COMMISSION CHAMBERS, 3RD FLOOR

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

CALL TO ORDER -

PLEDGE OF ALLEGIANCE -

INVOCATION -

1) MINUTES:

- a) Approval of Minutes for the May 21, 2024 meeting
- b) Approval of Minutes for the June 4, 2024 meeting

2) PUBLIC HEARING

a) CONDITIONAL USE PERMITS:

- 1. Request of Enrique Martinez, Jr., for a Conditional Use Permit, for one year, for a nightclub (Hillbilly's) at Lots 1 and 2, Main International Subdivision, Hidalgo County, Texas, 6000 North 10th Street. **(CUP2024-0070)**

b) REZONING:

- 1. Rezone from R-1 (single family residential) District to C-3 (general business)
District: A 0.909 of an acre tract out of that certain 2.00 acre tract as described in document no. 2821446, of the official records, Hidalgo County, Texas, said 2.00 acre tract being the southeast corner of the south 20 acres of lot 337, John H. Shary Subdivision of lands out of porciones 58, 59, & 60 in Hidalgo County, Texas; 4800 Buddy Owens Boulevard **(FRONT)**. **(REZ2024-0036)**
- 2. Rezone from A-O (agricultural open space) District to C-3 (general business)
District: A 0.182 of an acre tract out of that certain 2.00 acre tract as described in document no. 2821446, of the official records, Hidalgo County, Texas, said 2.00 acre tract being the southeast corner of the south 20 acres of lot 337, John H.

Shary Subdivision of lands out of porciones 58, 59, & 60 in Hidalgo County, Texas; 4800 Buddy Owens Boulevard **(MIDDLE)**. **(REZ2024-0038)**

3. Rezone from A-O (agricultural open space) District to R-1 (single family residential) District: A 0.758 of an acre tract out of that certain 2.00 acre tract as described in document no. 2821446, of the official records, Hidalgo County, Texas, said 2.00 acre tract being the southeast corner of the south 20 acres of lot 337, John H. Shary Subdivision of lands out of porciones 58, 59, & 60 in Hidalgo County, Texas; 4800 Buddy Owens Boulevard **(REAR)**. **(REZ2024-0037)**
4. Rezone from R-3A (multifamily residential apartments) District to C-4 (commercial industrial) District: A 0.546 acre tract of land out of Lot 5, Block 22, Steele and Pershing Subdivision, Hidalgo County, Texas; 105 Dicker Road **(Rear)**. **(REZ2024-0039)**

3) SUBDIVISIONS:

- a) Barton Subdivision, 8501 North Main Street, Antonio Esparza **(SUB2023-0082) (REVISED PRELIMINARY) TUE**
- b) Taylor Valley Estates Subdivision, 1300 North Taylor Road, GOTU Development, LLC **(SUB2024-0004) (REVISED PRELIMINARY) M&H**
- c) The District Phase II Subdivision, 1201 Wisconsin Road, Auriel Investments **(SUB2024-0010) (REVISED FINAL) M&H**
- d) Pioneer Estates Subdivision, 9400 North Shary Road, Aldape Development LLC **(SUB2023-0040) (REVISED FINAL) MAS**
- e) The Heights on Wisconsin Subdivision Phase 1, 7901 North 7th Street, DK3 Investment Group, LLC **(SUB2024-0025) (REVISED PRELIMINARY) S2E**
- f) Vacating a Portion of Racquet Club Subdivision and Replat to Villages at Park West Subdivision, 1400 Sprague Road, Domain Development, Corp. **(SUB2024-0075) (PRELIMINARY) M&H**
- g) Pecan Bentsen Retail Subdivision, 4401 Pecan Boulevard, Pecan Bentsen Retail Partners **(SUB2024-0074) (PRELIMINARY) BOW**
- h) D' Costa Subdivision, 801 North 23rd Street, D'Costa Inc. **(SUB2023-0138) (FINAL) SE**
- i) Northgate Estates Subdivision, 1900 Northgate Lane, Marco Lopez **(SUB2024-0049) (REVISED FINAL) TUE**

ADJOURNMENT:

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

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF McALLEN

The McAllen Planning and Zoning Commission convened in a Regular Meeting on Tuesday, May 21, 2024 at 3:30p.m. at the McAllen City Hall, 3rd Floor Commission Chambers Room, 1300 Houston Avenue, McAllen, Texas.

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|----------------|--|---|
| Present: | Gabriel Kamel Emilio Santos Jr. Marco Suarez Jesse Ozuna Reza Badiozzamani | Vice Chairperson Member Member Member Member |
| Absent: | Michael Fallek Jose Saldana | Chairperson Member |
| Staff Present: | Josephine Ramirez Edgar Garcia Luis Mora Rodrigo Sanchez Samuel Nunez Kaveh Forghanparast Eduardo Garza Julio Constantino Adriana Solis Hilda Tovar Natalie Moreno Samantha Trevino Jacob Salazar Victor Grey Even Gonzalez Florencio De la Cruz Magda Ramirez | Assistant City Attorney III Planning Director Deputy Planning Director Senior Planner Senior Planner Planner III Planner III Planner III Planner II Planner II Planner II Planner I Planner Technician II Planner Technician I Development Engineer Designer/Subdivision Coordinator Administrative Assistant |

CALL TO ORDER – Vice Chairperson Gabriel Kamel

PLEDGE OF ALLEGIANCE

INVOCATION-. Mr. Emilio Santos Jr.

1) MINUTES:

- a) Approval of Minutes for the March 19, 2024 meeting.
- b) Approval of minutes for the April 16, 2024 meeting.

The minutes for the regular meetings held on March 19, 2024 and April 16, 2024 were approved as submitted together by Mr. Emilio Santos Jr. Seconding the motion was Mr. Jesse Ozuna which carried unanimously with five members present and voting.

PUBLIC HEARING:

a) CONDITIONAL USE PERMITS:

- 1)** Request of Christian C. Avila, on behalf of Vimaent, LLC, for a Conditional Use Permit, for one year, for a Bar and Grill (The Duchess) at Lot 1, Nolana West Subdivision, Hidalgo County, Texas; 2200 Nolana Avenue Suites 2210 & 2212. **(CUP2024-0037)**

Ms. Samantha Trevino stated that the property is located on the northeast corner of North 23rd Street and Nolana Avenue. It is zoned C-3 (general business) District. The adjacent zoning is C-3 District in all directions. There is R-3A (multifamily residential apartments) District to the south and C-4 (commercial-industrial) District to the northwest. Surrounding land uses are commercial businesses, offices, bars, churches, libraries and restaurants. A bar and grill is allowed in a C-3 district with a Conditional Use Permit and in compliance with requirements.

This is the initial Conditional Use Permit for a new bar by the name of The Duchess. The last approval by the City Commission for a bar at this location was on September 11, 2023 with a variance to the distance requirement of being at least 400 ft. from the nearest residence or residentially zoned property, church, school, or publicly owned property.

SUMMARY/ANALYSIS: The applicant is proposing to operate a bar (The Duchess Bar and Grill) from combined suites 2210 and 2212 as shown on the submitted site plan. The proposed days and hours of operation are, Monday through Sunday from 1:00 PM to 2:00 AM.

The Fire and Health Departments have inspected the bar and allowed the CUP process to continue. The police activity report for service calls from January 2023 to present is attached. The Planning Department has received no complaints regarding the proposed use as a bar. As per Section 138-400 of the Zoning Ordinance, the parking lot must be properly striped and free of potholes. The establishment must comply with requirements set forth in Section 138-118(a)(4) of the Zoning Ordinance and specific requirements as follows:

- 1) The property line of the lot of any of the above mentioned businesses must be at least 400 ft. from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruption of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The proposed establishment is within 400 feet. from the nearest residence and residentially zoned property to the southeast, a church across the street on the south side of Nolana Avenue, and publicly owned property (McAllen's Public Library) to the west;
- 2) The property must be as close as possible to a major arterial and shall not generate traffic onto residential sized streets. The property has access from North 23rd Street and Nolana Avenue.
- 3) The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance as a minimum, and make provisions to prevent the use of adjacent streets for

parking. The proposed 4,300 sq. ft. bar would require 47 parking spaces; there are 305 parking spaces provided on site. In a site visit conducted by staff, staff noticed that the parking lot was repaved, restriped and re-configured.

- 4) The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties;
- 5) The business shall provide sufficient lighting to eliminate dark areas and maximize visibility from a public street in order to discourage vandalism and criminal activities;
- 6) The business must make provisions to keep litter to a minimum and keep it from blowing onto adjacent properties; and
- 7) The above mentioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Planning Director.

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

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

Being no discussion, Mr. Marco Suarez moved to disapprove with favorable recommendation. Mr. Emilio Santos Jr. second the motion which was disapproved with favorable recommendation with five members present and voting.

- 2) Request of Juan Carlos Hernandez, for a Conditional Use Permit, for one year, for an Institutional Use (Euro Beauty Therapy and Academy) at the South 152.52 feet of the West 160 feet of the East 190 feet of the North 3 acres of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 9, Hidalgo Canal Company's Subdivision A/K/A the East 160 feet of Lot 8, Laurel Avenue Addition; 1111 North 10th Street, Suite F. **(CUP2024-0044)**

Ms. Samantha Trevino stated that the subject property is located at the southwest corner of North 10th Street and Laurel Avenue. The property is zoned C-3 (general business) District. The adjacent zoning is C-3 District in all directions except to the south there is R-1 (single family residential) District. A school is allowed in a C-3 District with a Conditional Use Permit.

This is the initial Conditional Use Permit request for an Institutional Use at this location.

The applicant is proposing to continue to operate a beauty salon but in a different Suite of the eleven commercial center. The business is relocating for more space in order to accommodate proposed continuing education instruction sessions related to skin care techniques.

The instruction element requires a Conditional Use Permit. The business currently provides services such as facials, permanent make- up, and massage therapy. The business will transition from suite G to suite F.

The Fire and Health Departments have inspected the location and allowed the CUP process to continue.

Should the conditional use permit be approved, the applicant would be required to sign the certificate acknowledging and agreeing to the conditions of the permit. The proposed use must meet the requirements set forth in Section 138-118 of the Zoning Ordinance and specific requirements as follows:

1. The proposed use shall not generate traffic onto residential size streets or disrupt residential areas, and shall be as close as possible to a major arterial. The property is adjacent to North 10th Street.
2. The proposed use shall comply with the Off-street Parking and Loading Ordinance and make provisions to prevent the use of street parking especially in residential areas. Should the number of offices and classrooms increase, additional parking will be required.
3. The proposed use shall prevent the unauthorized parking of its patrons on adjacent businesses or residences by providing fences, hedges, or reorientation of entrances and exits.
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 activity.
5. Provisions shall be made to prevent litter from blowing onto adjacent streets and residential areas.
6. The number of persons within the building shall be restricted to those allowed by the Fire Marshal and Building Official at the time of permit issuance.
7. Sides adjacent to a residentially zoned or use property shall be screened by a 6' opaque buffer.

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

Staff recommends approval of the Conditional Use Permit request for one year subject to compliance with the stated conditions, Zoning Ordinance, Fire Department, and Building Code requirements.

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

Being no discussion, Mr. Jesse Ozuna moved to approve with Mr. Marco Suarez second the motion which was approved with five members present and voting.

- 3) Request of Mark Allen Gray on behalf of Amanda M. Daschbach, for a Conditional Use Permit, for life of the use, and adoption of an ordinance, for a guest house, at Lot 1, Red Leaf Estates Subdivision, Hidalgo County, Texas; 1701 Wisteria Avenue. (CUP2024-0046)

Ms. Natalie Moreno stated that the subject property is located on a cul-de-sac on Wisteria Avenue, West of North 16th Street. The property is zoned R-1 (single-family residential) District. The applicant is proposing to construct a guest house as an accessory use. The adjacent zoning is R-1 (single-family residential) District in all directions and there is also A-O (agriculture & open space) District to the west. Surrounding land uses are single-family residences and City of McAllen Hidalgo County Irrigation District No. 3 right-of-way to the west. A guest house is allowed in an R-1 District with a Conditional Use Permit (CUP).

The plat for Red Leaf Estates Subdivision was recorded on March 7, 2008. According to Hidalgo County Appraisal District records, the existing residence was built in 2011. The application for a Conditional Use Permit for a guest house was submitted on April 17, 2024.

The proposed guest house will be 789 square feet in size and will consist of a bedroom, bathroom, office, kitchenette and a living room space.

The Fire Department inspection is pending. The guest house development must comply with requirements for guest houses set forth in Section 138-118(a)(5) of the Zoning Ordinance and specific requirements as follows:

- 1) Only one guest house shall be permitted on the property;
- 2) The proposed use shall comply with setback requirements. The proposed structure's setbacks are in compliance;
- 3) The proposed use shall be connected to the same utilities as the primary residence;
- 4) Lot size must be a minimum 8,000 square feet. According to the Hidalgo County Appraisal District, the Lot size where the guest house will be built is 40,296 square feet;
- 5) Separate driveways or garages for the proposed use shall not be permitted. The applicant is not proposing an independent driveway for the proposed guesthouse;
- 6) The proposed use shall not be rented;
- 7) The permit shall be revoked if money is ever paid for rent or utility expenses are shared with the proposed use.

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

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

Staff recommends approval of this request, for life of the use, subject to compliance with requirements set forth in Section 138-118(a)(5) of the Zoning Ordinance, and all other Zoning Ordinance, Building Code, and Fire Safety Code requirements.

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

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

- 4) Request of Nancy E. Garza, for a Conditional Use Permit, for life of the use, and adoption of an ordinance, for a home occupation (daycare), at Lot 224, Idela Park Unit No. 1 Subdivision, Hidalgo County, Texas; 2748 Melba Avenue. **(CUP2024-0048)**

Ms. Natalie Moreno stated that the subject property is located on the north side of Melba Avenue, approximately 100 ft. east of North 28th Street. The property is zoned R-1 (single family residential) District. The adjacent zoning is R-1 District in all directions. Surrounding land use is single-family residential. A home occupation is allowed in an R-1 District with a Conditional Use Permit and in compliance with requirements.

The initial application for this Conditional Use Permit for a home occupation (daycare) was submitted in April 2005 and has been renewed every year since then. The applicant submitted an application on April 17, 2024 to renew for life of the use. Idela Park Unit no. 1 subdivision was recorded on February 10, 1971.

The applicant is requesting a conditional use permit for a home occupation (daycare) for life of the use. The proposed hours of operation are from 7:30 a.m. to 6:30 p.m. Monday through Friday. The proposed area for the daycare is part of the main house and measures 25 x 10 feet.

The Fire department and Health departments have inspected the location and have determined the CUP process may continue. The home occupation (daycare) must meet the requirements set forth in Section 138-118(a)(8) of the Zoning Ordinance and specific requirements as follows:

- 1) The proposed use shall meet the requirements of the Department of Human Resources.
- 2) Fenced area for outside play yards shall be provided.
- 3) A paved area adjacent to the street for pickup and delivery of children off the street shall be provided.
- 4) The daycare facility shall be clearly secondary to the residential use. The daycare is secondary to the residential use.
- 5) The applicant must reside at the location of the permit.
- 6) No more than 2-day care facility shall be located within 600 feet of each other as

measured over the shortest distance of street right-of-way.

- 7) No more than 1-day care facility shall be located on a dead end street or cul-de-sac. Daycare facilities located on a dead end street or cul-de-sac shall be limited to the number of children permitted in a registered family home as defined by the Department of Human Resources.
- 8) Day care facilities shall not be located on a ½ street or a street that is accessed by a ½ street.
- 9) Day care facilities located in a residential and agriculture zoning districts shall not contain more than 12 children. The applicant proposes to care for 12 children.
- 10) Signs shall not be permitted except a nameplate not exceeding 1 square foot bearing the person's name or occupation; and attached against the wall of the main building in A-O, R-2 TO C-2 districts.
- 11) No more than one additional employee that does not reside on the premises shall be employed at the day care facility.
- 12) The property owner shall sign the applicant or the applicant shall provide a letter of authorization from the property owner.

The Planning Department has not received any calls in opposition to the request.

Staff recommends approval of the request, for life of the use since the existing conditional use permit has been renewed continuously for 19 years. Approval is subject to compliance with requirements in Section 138-118(a)(8) of the Zoning Ordinance, Health, Fire and Building Code requirements.

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

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

- 5) Request of Juan Ramon Alonso for a Conditional Use Permit for a parking facility, or life of use, at Lot 20, Block 11, Colonia Hermosa No.2 Subdivision, Hidalgo County, Texas; 2216 El Rancho Avenue. **(CUP2024-0040)**

Ms. Hilda Tovar stated that the subject property is located on the north side of El Rancho Avenue just east of 23rd Street. The property is zoned R-1 (single-family residential) District. The adjacent zoning is R-1 (single family residential) District in all directions except the west side which is C-3 (business general) District. Surrounding land uses include single-family residences and commercial uses such as mechanic shops, car sale lots and other retail uses. A parking facility for institutional uses is allowed in an R-1 District with a Conditional Use Permit and in compliance with requirements.

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

In 2005, a rezoning request for C-3 (general business) District for Lots 19 and 20 resulted in approval

of C-3 zoning for Lot 19 for an auto repair business as part of an auto sales business for Lot 18 that front South 23rd Street. In this same request, C-3 zoning was disapproved for Lot 20 and its use for parking on the subject property was authorized subject to a Conditional Use permit.

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

A rezoning request from R-1 (single family residential) to C-3 (general business) District was disapproved at the Planning and Zoning meeting of February 20, 2024.

A parking facility is allowed in a R-1 zone with a Conditional Use permit. The applicant is proposing to utilize the proposed parking facility to provide additional parking for an auto repair business and car sales lot located at Lot 20. The submitted site plan depicts that 11 parking spaces will be provided. During the site visit, staff noticed that the property is currently being used as a parking lot. The existing parking lot has to be striped and the landscape areas need to be cut and maintained.

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 parking facility must comply with landscaping, buffer, parking, and right of way requirements. It must also meet the requirements set forth in Section 138-118(6) of the Zoning Ordinance and specific requirements as follows:

- 1) The sides adjacent to residentially zoned property are to be screened by a six-foot opaque fence. A 6 ft. opaque fence exists on the north and east side of the subject property;
- 2) The parking area shall be landscaped in compliance with the Landscape Ordinance. The required landscaping for this parking lot is 500 sq. ft. with trees required as follows: 3 – 2 1/2" caliper, or 2 – 4" caliper, 1 – 6" caliper. Each parking space must also be within 100 ft. of a landscape area with a tree. A landscape strip area with a minimum width of ten feet shall be provided along and within the property lines along El Rancho Avenue, excluding driveway entrances and exits. Since the subject property has a lot depth of less than 200 feet, the landscaped strip may be reduced to a minimum width of five feet with a landscape hedge not exceeding three feet in height;
- 3) Residential areas shall be protected as far as possible against heavy traffic and against through traffic of all kinds, including traffic generated by commercial, industrial or other incompatible land uses.
- 4) Parking should not encroach into side yard setbacks when residential uses are adjacent. A 4 ft. landscape buffer is provided on the east and west side yard setback;
- 5) The parking area shall be adjacent to the primary use. The proposed parking area is adjacent to the primary use property on the west;
- 6) The parking area shall provide sufficient lighting to eliminate dark areas to provide maximum visibility from a public street in order to discourage vandalism and

criminal activities. Lighting shall be shielded from residential areas;

- 7) No form of pollution shall emanate beyond the immediate property line of the permitted use;
- 8) The Planning and Zoning Commission may impose additional reasonable restrictions or conditions to carry out the spirit and intent of this section and to mitigate adverse effects of the proposed use. These requirements may include, but are not limited to, increased open space, loading and parking requirements, suitable landscaping, and additional improvements such as curbing and sidewalks.

Staff recommended approval of the request, for two years, subject to compliance with requirements in Section 138-118(6) of the Zoning Ordinance, Engineering Department ROW requirements and Landscape requirements.

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

Applicant Mauro Alonzo stated he was requesting the conditional use permit be life of use. Vice Chairperson Mr. Kamel stated city staff recommends a 2 year permit due to citations given in the past for not complying. He was made aware that if he does comply within the next 2 years, then he may be eligible for a life of use permit.

After a short discussion, Mr. Marco Suarez moved to approve for a two year conditional use permit. Mr. Jesse Ozuna second the motion which was approved with five members present and voting.

- 6) Request of Sandra Ortiz on behalf of 2601 W. Expressway 83, LLC., for a Conditional Use Permit, for one year, for a portable building greater than 10'x12', for office use, at Lot 2B, Valram Heights Subdivision, Hidalgo County, Texas; 2703 West Expressway 83. **(CUP2024-0047)**

Ms. Hilda Tovar stated that the property is located on the south side of Expressway 83, approximately 380 ft. west of S. 26th Street. The property is zoned C-3 (general business) District. The adjacent zoning is C-3 District to the west, north, east and R-1 (single family residential) District to the south. Surrounding land uses include a car lot, shopping center and residential homes.

A portable building for commercial use is allowed in the C-3 District with a conditional use permit and in compliance with all requirements.

The initial conditional use permit was approved for the portable building by the Planning and Zoning Commission on September 17, 2002 and was renewed annually. The permit was last renewed on June 7, 2005. The applicant then, canceled the permit in August 21, 2006 due to the portable building being removed from the property. Another conditional use permit was approved for a portable building for one year by the Planning and Zoning Commission on April 5, 2011. The permit was renewed on April 2012 and expired in 2013. A new application was submitted on August 15, 2016 which expired in 2017.

An application for the portable building was submitted on March 1, 2021 for the same use. The conditional use permit has been renewed annually. The permit expires in June 20, 2024.

A new applicant submitted a conditional use permit for the portable building in April 17, 2024.

The applicant is proposing to utilize a portable building measuring 12 ft. by 32 ft. for an automotive sales office use. The site and floor plan indicates that the 384 sq. ft. portable building has the office space and one restroom. Five parking spaces are required based on the square footage and use of the building. As per site plan there are 94 parking spaces provided. A 6 ft. buffer is required from adjacent residential zone/use and around dumpsters if visible from the street. There is an alley and 6 ft. buffer between the subject property and the residential zone/use. A building permit for the portable building will be required and must comply with parking, setbacks, landscaping, and other permit requirements.

The Fire Department has inspected the building and the inspection has failed due to blocked means of egress. Another inspection will be conducted at the building permit process. The portable building must also meet the requirements set forth in Section 138-118(3) of the Zoning Ordinance as follows:

- 1) Portable buildings shall not be used for living quarters. The building will be used for office purposes;
- 2) Portable buildings shall be located in such a manner as to have access to a public right-of-way within 200 ft. The property fronts West Expressway 83;
- 3) Portable buildings approved for occupancy shall be connected to an approved water distribution and sewage disposal system.
- 4) Portable buildings shall be provided with garbage and trash collection services.

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

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

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

b) REZONING:

- 1) Rezone from C-1 (office building) District to C-3 (general business) District: 2.49 acres out of Lot 58, La Lomita Irrigation and Construction Company's Subdivision, Hidalgo County, Texas; 3201 Trenton Road. **(REZ2024-0023)**

Ms. Natalie Moreno stated that the subject property is located along the south side of Trenton Road approximately 295 feet west of Zenaida Avenue.

The applicant is requesting to rezone the property to C-3 (general business) District in order to construct a Pickle Ball Park. A feasibility plan has been submitted that shows the development will consist of six courts, a patio area and a snack bar. A proposed subdivision plat has not been submitted to the Planning Department for review.

The adjacent zoning is A-O (agricultural & open space) District in all directions except to the south, there is R-1 (single family residential) District.

The subject property is currently vacant. Surrounding land uses include McAllen Youth Baseball Complex, Agriculture Learning Center, Michael E. Fossum Middle School and Trenton Curve Plaza located to the west, Antigua Subdivision, single family residential to the South and vacant properties.

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

The development trend for this area along Trenton Road is horizontally- mixed commercial to the west.

The subject property was initially zoned A-O (agricultural & open space) District upon annexation in 1989.

A rezoning request to C-1 (office building) District for the subject property was approved in September 2008, however it was never developed.

The requested zoning does not conform to the future land use designation as shown on the Envision McAllen Future Land Use Plan. The proposed zoning change does not follow the C-3L (light commercial) District rezoning trend of the area along the south side of Trenton Road.

A masonry wall with a height of 8 feet is required to buffer commercial from adjacent single family residential.

Trenton Road is constructed as a principal arterial with four travel lanes, a left corner lane, and a potential speed limit of 45 miles per hour. A survey of the property shows a 16 foot gas line that traverses the property that may impact placement of development.

A recorded subdivision plat and site plan approval are required prior to issuance of building permits.

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

Staff recommends disapproval of the rezoning request to C-3 (general business) District since it does not follow the rezoning trend of the area. However, alternatively, staff recommends approval of a C-3L (light commercial) District since it follows the rezoning trend of the area and the proposed use can serve as an activity hub for the neighborhoods in this area.

Vice Chairperson Mr. Gabriel Kamel asked if there was anyone present in opposition of the rezoning request. There were four:

Applicant Mr. Juan Garza and Mr. Rene Pena spoke first. They explained the purpose of their project stating it was for recreation, sports and wellness community park. Mr. Garza stated they will use the parking lot as a buffer and do not plan on removing the trees that are in place now.

Citizen Mr. Charles Denis (3205 Zenida Avenue) stated that he was opposed to the request because of loud noise and the lighting at night.

Citizen Mr. Joe Cabrera (3009 Zenida Avenue) and Ms. Lena Mendez also stated his concern is noise and lighting. They have medical issues and feel that if they approve this rezoning it will affect their health and his mental well being.

Member, Mr. Emilio Santos Jr. asked what were the planned hours of the events. Applicant Mr. Juan Garza stated until 11:30p.m - 12:00a.m. daily. Mr. Santos recommended they adjusted their hours. Mr. Garza said it was something they are willing to do.

Citizen Ms. Katrina Davis (3205 Zenida) stated her concerns were lighting, noise, school traffic, and the serving of alcoholic beverages.

Planning Director Mr. Edgar Garcia stated that the request was up for voting only for rezoning and not for the actual proposed project.

After a lengthy discussion, Mr. Reza Badiozzamani moved to approve rezoning request as a C3-L. Mr. Marco Suarez seconded the motion, which was approved with five members present and voting.

- 2) Rezone from R-1 (single family residential) District to C-3L (light commercial) District: A 1.80 Acre Tract of Land, More or Less, out of Lot 6, Block 2, C.E. Hammond's Subdivision, Hidalgo County, Texas; 4300 Pecan Boulevard. **(REZ2024-0024)**

Ms. Hilda Tovar stated that the subject property is located north of Pecan Boulevard, approximately 315 feet east of North Benson Road.

The applicant is requesting to rezone the southern portion of the property in order to build a retail plaza. The northern portion of the tract will remain R-1 (single family residential) District. There are existing structures on the site. A feasibility plan has not been submitted yet.

The adjacent properties are zoned R-1 District to the east and north, C-2 (neighborhood commercial) District to the southeast and A-O (agricultural and open space) District to the west.

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

The Envision McAllen Future Land Use Plan designates the future land use for this property as Complete Communities. This future land use designation considers single-family homes or small multifamily proposals. Shopping center at a community scale, such as retail/restaurant uses are not considered appropriate for this property.

The development trend along Pecan Boulevard is single family residential, multifamily residential and other commercial uses.

During the comprehensive zoning in 1979 the subject property was zoned A-O (agricultural and open space) District.

A rezoning request to R-1 (single family residential) District was approved in 2014.

A rezoning request from R-1 District to C-3 (general business) District for this subject property was disapproved at the Planning and Zoning Commission meeting of April 2, 2024. However, the applicant withdrew the rezoning application before the scheduled City Commission meeting. The current rezone application for a C-3L District was submitted on April 17, 2024.

The requested zoning does not conform to the future land use plan designation. However, the proposed use does align with development trend along Pecan Boulevard. The surrounding land use around the subject property are single family residences and commercial uses.

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

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

Staff recommends approval of the rezoning request to C-3L (light commercial) District since it aligns with the development trend along Pecan Boulevard and will prohibit uses that will be at odds with the existing single family zones and uses in the area.

Vice Chairperson Mr. Gabriel Kamel asked if there was anyone present in opposition of the rezoning request. There was none.

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

- 3) Rezone from C-2 (neighborhood commercial) District to C-3 (general business) District: A 2.16 Acre Tract of Land, More or Less, out of Lot A, La Cantera Estates Subdivision, Hidalgo County, Texas; 3900 Buddy Owens Boulevard (Tract I). **(REZ2024-0026)**

Ms. Adriana Solis stated that the subject property is located on the northeast side of North 41st Street and Buddy Owens Boulevard. The subject property is zoned C-2 (neighborhood commercial) District.

The applicant is proposing to rezone the property to C-3 (general business) District in order to use the subject property for a multitenant commercial plaza. This tract is part of a larger parcel, the applicant is requesting to rezone the other tract to a C-4 District. A feasibility plan has not been submitted.

The adjacent zoning is C-2 District to the east and R-1 (single family residential) District in all the other directions.

The subject property is currently vacant. Surrounding land uses include an Auto Zone Shop, gasoline station, other commercial uses as well as single family dwellings.

The Envision McAllen Future Land Use Plan designates the future land use category for this property as Complete Communities, which is a land use designation for residential and nonresidential uses. Examples include single family dwellings and multifamily. These areas also include nonresidential uses such as neighborhood scale offices and retail uses.

The development trend for this area along Buddy Owens Boulevard is single family residential and general business.

A rezoning request for this property to C-3 (general business) District was disapproved in 2003. However, the City Commission approved for the rezoning request to C-2 District on December 28, 2003.

A conditional use permit was submitted in 2007 for an automotive service and repair use, specially an Auto Zone Shop. The request was approved subject to the conditions that an 8 ft. masonry buffer will be provided and the rezoning request to C-3 District is approved.

The requested zoning does not conform to the future land use designation as shown on the Envision McAllen Future Land Use Plan. However, the proposed zoning does align with the adjacent commercial properties along Buddy Owens Boulevards in this area.

As per section 110-49 (a) "A buffer shall be provided where a nonresidential use has a side or rear area property line in common with any residential use or zone. A masonry screen eight feet in height shall be required where a commercial, industrial or multifamily use has a side or rear property line in common with a single-family use or zone. Where such use has 200 feet or less in common with any residential use or zone, the buffer shall be eight feet in height but may be cedar planks." The requirement will apply if the property proposes a commercial use adjacent to any single-family use or zone.

A Conditional Use Permit (CUP) will be required of any uses that need such a permit to operate under a C-3 District, as per Sec. 138-278, 138-280 and 138-281. Due to the R-1 District zone or use to the west and south, staff may have to recommend disapproval because of the distance requirement.

Subdivision and site plan review may be required prior building permit issuance.

Staff did receive a phone call in opposition to the zoning request due to zoning, noise and traffic concerns.

Staff recommends approval of the rezoning request to C-3 (general business) District since it aligns with the development trend for this area of Buddy Owens Boulevard.

Vice Chairperson Mr. Gabriel Kamel asked if there was anyone present in opposition of the rezoning request. There was none.

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

- 4) Rezone from C-2 (neighborhood commercial) District to C-4 (commercial industrial) District: A 1.56 Acre Tract of Land, More or Less, out of Lot A, La Cantera Estates Subdivision, Hidalgo County, Texas; 3900 Buddy Owens Boulevard (Tract II). **(REZ2024-0025)**

Ms. Adriana Solis stated that the subject property is located on the northeast corner of North 41st Street and Buddy Owens Boulevard. The subject property is zoned C-2 (neighborhood commercial) District.

The applicant is proposing to rezone the property to C-4 (commercial industrial) District in order to use the subject property for storage units. This tract is part of a larger parcel, the applicant is requesting to rezone the other tract to a different zoning. A feasibility plan has not been submitted.

The adjacent zoning is C-2 to the west, C-3 District to the east and R-1 (single family residential) District in all the other directions.

The subject property is currently vacant. Surrounding land uses include an Auto Zone Shop, gasoline station, other commercial uses as well as single family dwellings.

The Envision McAllen Future Land Use Plan designates the future land use category for this property as Complete Communities, which is a land use designation for residential and nonresidential uses. Examples include single family dwellings and multifamily. These areas also include nonresidential uses such as neighborhood scale offices and retail.

The development trend for this area along Buddy Owens Boulevard is single family residential and general business.

A rezoning request for this property to C-3 (general business) District was disapproved in 2003. However, the City Commission approved for the rezoning request to C-2 District on December 28, 2003.

A conditional use permit was submitted in 2007 for an automotive service and repair use, specially an Auto Zone Shop. The request was approved subject to the conditions that an 8 ft. masonry buffer will be provided and the rezoning request to C-3 District is approved.

The requested zoning does not conform to the future land use designation as shown on the Envision McAllen Future Land Use Plan. However, the proposed zoning does align with the adjacent properties along Buddy Owens Boulevard as the proposed zone is for commercial industrial uses.

As per section 110-49 (a) "A buffer shall be provided where a nonresidential use has a side or rear area property line in common with any residential use or zone. A masonry screen eight feet in height shall be required where a commercial, industrial or multifamily use has a side or rear property line in common with a single-family use or zone. Where such use has 200 feet or less in common with any residential use or zone, the buffer shall be eight feet in height but may be cedar planks." The requirement will apply if the property proposes a commercial use adjacent to any single-family use or zone.

A Conditional Use Permit (CUP) will be required of any uses that need such a permit to operate under a C-3 District, as per Sec. 138-278, 138-280 and 138-281. Due to the R-1 District zone or use to the west and south, staff may have to recommend disapproval because of the distance requirement.

Subdivision and site plan review may be required prior building permit issuance.

Staff did receive a phone call in opposition to the zoning request due to zoning, noise and traffic concerns.

Staff recommends disapproval of the rezoning request to C-4 (commercial industrial) District since it does not conform to the current and future land use.

Staff instead recommends approval of a C-3 (general business) District as it more closely aligns with the existing uses and development trends in this area along Buddy Owens Boulevard.

Vice Chairperson Mr. Gabriel Kamel asked if there was anyone present in opposition of the rezoning request. There was none.

Being no discussion, Mr. Reza Badiozzamani moved to approve rezoning request to C-3 and not C-4. Mr. Marco Suarez seconded the motion, which was approved with five members present and voting.

3) CONSENT:

Mr. Eduardo Garza stated this item is to be removed from Consent and to be read under subdivisions.

- a) El Dorado at Thousand Oaks I, II, III, IV Phase 2 Subdivision, 13100 North 38th Street, Red Rock Real Estate Development Group, Ltd. (SUB2024-0040) (FINAL) QHA

Being no discussion, Mr. Reza Badiozzamani moved to approve consent item. Vice Chairperson Mr. Gabriel Kamel, seconded the motion which was approved by four members present and voting.

5) SUBDIVISIONS:

- a) Salinas Brothers Subdivision, 13401 North Los Ebanos Road, Juan Luis Salinas **(SUB2022-0034) (REVISED PRELIMINARY) TRE (TABLED ON 5/7/2024)**

Mr. Eduardo Garza requested the board remove the item from table. Mr. Reza Badiozzamani moved to remove from table. Mr. Jesse Ozuna second the motion which was approved by five members present and voting.

Mr. Eduardo Garza stated that the property located at North Los Ebanos Road: Proposing 30ft. dedication or as needed for 50 ft. from centerline for 100 ft. total R.O.W. Paving: 65 ft. Curb & gutter: Both Sides. An exclusive S.W.S.C. easement is shown within the existing ROW need to resolve any issue with overlap of R.O.W./easement. If new easement shown on plat, this will require existing easement to be abandoned, prior to final. Must Include Document #'s on plat and must provide any documents as applicable regarding existing R.O.W. dedications for the North Los Ebanos Road, prior to final. There is a reference to 20 ft. of existing ROW on both sides of centerline, but 20 ft. of total existing ROW clarify discrepancy, prior to final. The engineer submitted a variance request on April 29, 2024 to request a contractual agreement in lieu of escrowing the fee for the paving requirement. If the variance request is approved a plat note to reference the contractual agreement is needed, prior to recording. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. N/S Collector Street (West Side): Dedication as needed for 60 ft.- 70 ft. total ROW. Paving 40 ft.-44 ft. Curb & gutter: Both Sides. Must Clarify Ownership for Collector Street. Pending Items: Please provide ownership map to verify that no landlocked properties exist or will be created, prior to final. Street alignment, transitions and R.O.W being reviewed by staff once status of 50 ft. Dedication to H.C.W.C.I.D No.7 is clarified and plat would need to be revised accordingly as applicable prior to recording. ROW subject to increase as applicable

to accommodate transitions and street alignment, finalize prior to final. There have been conversations with the owner & engineer to include a plat note that the owner(s) shall dedicate/donate ROW should a future collector roadway be required along the west side of the subdivision. Engineer submitted a variance request on May 10, 2024 for the N/S quarter mile collector requirement. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. 1,200 ft. Block Length. Subdivision Ordinance: Section 134-118. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties and multi-family properties. Subdivision is proposed to be single-family residential use in ETJ. Alley/Service street requirements subject to change, if property is annexed or if commercial use is proposed. Subdivision Ordinance: Section 134-106. Front: Proposing 50 ft. or in line with average setback of existing structures, or easement, whichever is greater Pending Items: Clarify proposed setback and ensure compliance with minimum setback requirements for City and County, finalize wording prior to final. Subdivision Ordinance: Section 134-106. Zoning Ordinance: Section 138-356. Proposing: Rear: 15 ft. or easement, whichever is greater. Pending Items: Clarify proposed setback and ensure compliance with minimum setback requirements for City and County, finalize wording prior to final. N/S collector street along west side will be finalized prior to final. Zoning Ordinance: Section 138-356. Sides: Proposing 6 ft. or easement, whichever is greater. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setbacks are required; greater setback applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required along North Los Ebanos Rd. and other street as applicable, prior to final. Revisions needed: Finalize wording for Note #19 shown on plat submitted on 02-21-24 once ROW requirements have been finalized, prior to final. Provide Doc. #'s and clarify ownership on Collector Street. The engineer submitted a variance request on April 29, 2024 to request a contractual agreement in lieu of escrowing the fee for sidewalk requirement. If the variance request is approved a plat note to reference the contractual agreement is needed, prior to recording. Sidewalk requirements may increase to 5 ft. prior to final per Engineering Department requirements, finalize wording for note prior to final. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and other street as applicable. Revisions needed: Finalize wording for plat note #20 once Lot Frontage/ROW requirements have been finalized, prior to final. Landscaping Ordinance: Section 110-46. 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. Revisions needed: Finalize wording for note once Lot Frontage/R.O.W. requirements have been finalized, prior to final. Must comply with City Access Management Policy. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Existing: ETJ Proposed: ETJ. Zoning Ordinance: Article V. As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. Trip Generation for 2 Single Family Homes is waived. TG Worksheet was still submitted, TG Approved, no TIA required. Must comply with City's Access Management Policy. Any abandonments must be done by separate process, not by plat. Please provide ownership map of surrounding properties in order to verify that no landlocked properties exist or will be created, prior to final. Contractual agreement regarding public improvements must be recorded, prior to recording.

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

After a lengthy discussion, Mr. Marco Suarez motioned to approve in revised preliminary form, subject to the conditions noted and the board's clarification on the requested variance. Mr. Jesse Ozuna seconding the motion with five members present and voting.

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

Mr. Eduardo Garza stated that the property located on North Taylor Road: Proposing 10 ft. of dedication for 40 ft. from centerline for 80 ft. total ROW Paving: 52 ft. Curb & gutter: both sides. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. Auburn Avenue (5 Mile Line Road): 60 ft. of dedication from centerline for 120 ft. total ROW. Paving: by the state Curb & gutter: by the state. Based on the conversation with the engineer and documentation submitted on May 02, 2024, there is an existing 62 ft. ROW from centerline which includes a portion of the original ROW and acquisition from State and County; but the plat must be submitted showing these dedications prior to recording. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. Interior Street: Dedication as needed for 50 ft. total ROW. Paving: 32 ft. Curb & gutter: Both Sides Revisions Needed: Street names will be established prior to recording finalize street name prior to recording/ Mylar printing. Subdivision layout currently exhibits stub outs, clarify stub outs along lots 90 and 91 and lots 108 and 109, subdivision layout will have to be revised to provide for "Knuckle" design as dead end street are not permitted as this is a private subdivision, review and revise prior to recording. As per plat submitted on July 19th, 2023, subdivision provides for knuckle design. As per plat submitted on June 2nd, 2023 subdivision proposed to be private and for single family use, gate details are required. Gate details are under review and ROWs are subject to increase for gate areas, finalize prior to NTP/Recording. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. E/W Quarter Mile Collector (northern boundary): Dedication as needed for 60 ft. total ROW Paving: 40 ft. Curb & gutter: Both sides. Pending Items: Engineer submitted a variance application on July 7, 2023 in reference to the ROW dedication requirements for the E/W collector (1/4 Mile Collector) along the Northern Boundary the engineer has indicated that the street would not be able to extend east as there is an existing drain ditch and there are existing established developments to the north of this subdivision. After review of the ownership map submitted on July 12, 2023, due to the developed properties to the north and existing canal to the west and collector alignment, the E/W collector street along the northern boundary is not feasible. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. N/S collector (Eastern Boundary, 1/4 Mile Location): Dedication as needed for 60 ft. total R.O.W. Paving 40 ft. Curb & gutter: Both Sides. As per plat submitted on August 11th, 2023, plat exhibits an additional acreage due to addition 40 ft. along eastern plat boundary. Street alignment and R.O.W being reviewed by staff and plat would need to be revised accordingly. After review of the submitted plans on August 25, 2023, for the state drainage project from the engineer due to the developed properties to the north, collector alignment and state drainage project, the N/S collector street along the eastern boundary is not feasible. Engineer must clarify status of remnant tract, due to addition 40 ft. along eastern plat boundary. As per conversation with Engineer on September 15th, 2023 remnant of additional 40 ft. tract to be utilized by the state for a drainage project. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. 1,200 ft. Block Length. Subdivision layout does not comply with 1200 ft. block length requirement. Engineer submitted a variance application on August 1, 2023, requesting a variance to the 1200ft. Block Length requirement. Under the authority and review of the Planning Director the Variance request to the block length was approved administratively. Subdivision Ordinance: Section 134-118. 600 ft. Maximum Cul-de-Sac. Pending Items: ROW at "Cul-De Sac" areas may have to be increased to comply with Fire Department requirements, finalize prior to final. As per Fire Department requirements, 96 ft. of paving face-to-face required, and 10 ft. of ROW back of curb around Cul-de-Sac required. As per conversation with Engineer on September 15th, 2023,

10ft. U.E and Sidewalk easement proposed, engineer to continue to coordinating with corresponding departments to ensure compliance, finalize prior to NTP/ Recording. Subdivision Ordinance: Section 134-105. Front: 25 ft. or greater for easements. 20 ft. or greater for easements only for lots 19, 20, 21, 36, 37, 74, 75, 115, 116 15 ft. or greater for easements only for lots 3, 4, 5, 6, 38, 39, 40, 71, 72, 73, 117 and 118. Zoning Ordinance: Section 138-356. The project engineer submitted a variance application (VAR2024-0008), on behalf of the developer, which includes the following request: 15 ft. front setback for Lots 3 to 5, 19 to 21, 37 to 40, 71 to 74, and 115 to 118. The letter submitted by the engineer indicates that the variance has been requested for irregular shaped lots fronting Cul-de-Sacs and knuckles to increase the buildable area of the lot. If the variance is approved, the garage setback will remain as 18 ft. or greater for easements. At the Planning and Zoning Commission meeting of February 20, 2024, the Board considered the subdivision in revised final form and the variance request (VAR2024-0008) for 5 ft. side yard setback and 15 ft. front setback for Lots 3 to 5, 19 to 21, 37 to 40, 71 to 74, and 115 to 118. The Board asked staff for recommendation and staff recommended approval for 5 ft. side yard setback for all lots and recommended 20 ft. front setback instead of 15 ft. for the requested lots. The developer and a representative from the engineering firm were present and requested 15 ft. front setback. After further discussion, the Board unanimously tabled the item so that the developer can have further discussion with staff. On February 27, 2024, staff had a meeting with the project engineer and the developer, and the request was revised to the following: a. 15 ft. front setback for Lots 3 to 6, 38 to 40, 71 to 73, 117, and 118; and b. 20 ft. front setback for Lots 19 to 21, 36, 37, 74, 75, 115, and 116. At the Planning and Zoning Commission meeting of March 19, 2024, the Board approved the variance to the front setback as noted above. Rear: 10 ft. or greater for easements. Zoning Ordinance: Section 138-356. Interior sides: 5 ft. or greater for easements. Zoning Ordinance: Section 138-356. The project engineer submitted a variance application (VAR2024-0008), on behalf of the developer, which includes the following request: 5 ft. side yard setback for all lots. The letter submitted by the engineer indicates that the variance has been requested to increase the buildable area of the lot. If the variance is approved, it will be subject to being 5 ft. or greater for easements. At the Planning and Zoning Commission meeting of February 20, 2024, the Board considered the subdivision in revised final form and the variance request (VAR2024-0008) for 5 ft. side yard setback and 15 ft. front setback for Lots 3 to 5, 19 to 21, 37 to 40, 71 to 74, and 115 to 118. The Board asked staff for recommendation and staff recommended approval for 5 ft. side yard setback for all lots and recommended 20 ft. front setback instead of 15 ft. for the requested lots. The developer and a representative from the engineering firm were present and requested 15 ft. front setback. After further discussion, the Board unanimously tabled the item so that the developer can have further discussion with staff. On February 27, 2024, staff had a meeting with the project engineer and the developer, and the request was revised to the following: a. 15 ft. front setback for Lots 3 to 6, 38 to 40, 71 to 73, 117, and 118; and b. 20 ft. front setback for Lots 19 to 21, 36, 37, 74, 75, 115, and 116. At the Planning and Zoning Commission meeting of March 19, 2024, the Board approved the variance to the side setback as requested for 5 ft. or greater for easements. Corner: 10 ft. or greater for easements. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required; greater setback applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required along Auburn Avenue (5 Mile Line Road), North Taylor Road, and both sides of all interior streets. 5 ft. sidewalk might be required by Engineering Dept., finalize note wording requirements, prior to recording. Subdivision Ordinance: Section 134-120 Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along Auburn Avenue (5 Mile Line Road) and North Taylor Road. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along Auburn Avenue (5 Mile Line Road) and North Taylor Road. Must comply with City Access Management

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Policy. Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Revisions Needed: Add note as shown above, prior to recording. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 134-168 applies if private subdivision is proposed. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Homeowner's Association Covenants must be submitted for staff review, prior to recording. Section 134-168 applies if private subdivision is proposed. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Lots fronting public/private streets. Private Subdivision proposed as per plat submitted on June 2nd, 2023. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: (Extraterritorial jurisdiction) Proposed: R-1 (single-family residential) District. Annexation scheduled for the City Commission meeting of October 9th, 2023. Initial Zoning to R-1 (single-family residential) District scheduled for the Planning and Zoning Commission meeting of September 19th, 2023 and City Commission meeting of October 9th, 2023. Annexation approved at City Commission meeting of October 9, 2023. Zoning Ordinance: Article V. Rezoning Needed Before Recording. Annexation scheduled for the City Commission meeting of October 9th, 2023. Initial Zoning to R-1 (single-family residential) District scheduled for the Planning and Zoning Commission meeting of September 19th, 2023 and City Commission meeting of October 9th, 2023. Annexation approved at City Commission meeting of October 9, 2023. Zoning Ordinance: Article V. Land dedication in lieu of fee. As per Parks Department, based on proposed annexation and initial zoning scheduled for the City Commission meeting of October 9th, 2023, plat depicts 121 lots, as per City of McAllen Parkland Dedication Ordinance land dedication is over an acre. Parkland fees were waived as part of the annexation. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, based on proposed annexation and initial zoning scheduled for the City Commission meeting of October 9th, 2023, plat depicts 121 lots, as per City of McAllen Parkland Dedication Ordinance land dedication is over an acre. Parkland fees were waived as part of the annexation. Pending review by City Manager's Office. As per Parks Department, based on proposed annexation and initial zoning scheduled for the City Commission meeting of October 9th, 2023, plat depicts 121 lots, as per City of McAllen Parkland Dedication Ordinance land dedication is over an acre. Parkland fees were waived as part of the annexation. As per Traffic Department, Trip Generation approved, TIA Level I triggered. As per Traffic Department, Trip Generation approved, TIA Level I triggered. TIA Waiver granted with conditions, must comply with conditions as noted in TIA Waiver Letter. Must comply with City's Access Management Policy. Any abandonments must be done by separate process, not by plat. -Annexation scheduled for the City commission meeting of October 9th, 2023. Initial Zoning to R-1 (single-family residential) District scheduled for the Planning and Zoning Commission meeting of September 19th, 2023 and City Commission meeting of October 9th, 2023. Zoning requirements must be finalized prior to recording. At the Planning and Zoning Commission meeting of August 8th, 2023, the subdivision was approved in Revised Preliminary Form subject to conditions noted. As per plat submitted on August 11th, 2023, plat exhibits an additional acreage due to addition 40 ft. along eastern plat boundary. At the Planning and Zoning Commission meeting of August 22nd, 2023, the subdivision was approved in Revised Preliminary Form subject to conditions noted in the Planning Review. Engineer must clarify status of remnant tract, due to addition 40 ft. along eastern plat boundary. As per conversation with Engineer on September 15th, 2023 remnant of additional 40 ft. tract to be utilized by the state for a drainage project. Underlying Minerva Subdivision must also be vacated. The project engineer submitted a variance application (VAR2024-0008), on behalf of the developer, which includes the following requests: 1. 15

ft. front setback for Lots 3 to 5, 19 to 21, 37 to 40, 71 to 74, and 115 to 118. The letter submitted by the engineer indicates that the variance has been requested for irregular shaped lots fronting Cul-de-Sacs and knuckles to increase the buildable area of the lot. If the variance is approved, the garage setback will remain as 18 ft. or greater for easements. 2. 5 ft. side yard setback for all lots. The letter submitted by the engineer indicates that the variance has been requested to increase the buildable area of the lot. If the variance is approved, it will be subject to being 5 ft. or greater for easements. At the Planning and Zoning Commission meeting of February 20, 2024, the Board considered the subdivision in revised final form and the variance request (VAR2024-0008) for 5 ft. side yard setback and 15 ft. front setback for Lots 3 to 5, 19 to 21, 37 to 40, 71 to 74, and 115 to 118. The Board asked staff for recommendation and staff recommended approval for 5 ft. side yard setback for all lots and recommended 20 ft. front setback instead of 15 ft. for the requested lots. The developer and a representative from the engineering firm were present and requested 15 ft. front setback. After further discussion, the Board unanimously tabled the item so that the developer can have further discussion with staff. On February 27, 2024, staff had a meeting with the project engineer and the developer, and the request was revised to the following: a. 15 ft. front setback for Lots 3 to 6, 38 to 40, 71 to 73, 117, and 118; and b. 20 ft. front setback for Lots 19 to 21, 36, 37, 74, 75, 115, and 116. At the Planning and Zoning Commission meeting of March 19, 2024, the Board approved the variance to the front setback as noted: a. 15 ft. front setback for Lots 3 to 6, 38 to 40, 71 to 73, 117, and 118; and b. 20 ft. front setback for Lots 19 to 21, 36, 37, 74, 75, 115, and 116. and the side setback to be 5 ft. or greater for easements.

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

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

- c) Sprague Waterfalls Apartments Subdivision, 2520 Sprague Road,
Arqcarpa & Krystal Luxury Homes, LLC **(SUB2024-0050)**
(PRELIMINARY) BIG

Mr. Eduardo Garza stated that the property located at Sprague Road: Dedication as required for 40 ft. from centerline for 80 ft. total ROW Paving: 52 ft. Curb & gutter: both sides. Show the document number on the plat for the existing ROW and provide a copy for staff review prior to final. If 80 ft. is total ROW after ROW dedication, label it as "Total ROW" prior to final. All ROW requirements must be finalized prior to final approval. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. E/W Quarter Mile Collector (north boundary): dedication required for 60 ft. total ROW Paving: 40 ft. Curb & gutter: both sides. Show ROW dedication for an E/W quarter mile collector on the north side prior to final. Clarify if the E/W interior street is proposed in lieu of the northern boundary prior to final. If so, a variance request will be needed and a temporary stub out to be extended to the east will be reviewed by staff prior to final. A temporary turn around may be required and must be finalized prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. COM Thoroughfare Plan. Interior Streets: Dedication as required for 60 ft. total ROW Paving: 40 ft. Curb & gutter: both sides. A temporary turnaround at the east end of street fronting Lots 37 and 38 will be required on the plat, if layout remains as shown. Money must be escrowed prior to recording to remove the turnaround when the street is extended to the east, if layout remains as shown. Street names to be finalized, prior to final. "Knuckle" design required at lots 1, 2, 25, 26, finalize prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if

improvements are required prior to final. COM Thoroughfare Plan. 1,200 ft. Block Length. The block length is more than 1,200 ft. Submit a revised layout to comply with block length requirement or variance request, prior to final. Subdivision Ordinance: Section 134-118. 600 ft. Maximum Cul-de-Sac. Subdivision Ordinance: Section 134-105. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial and multi-family properties. As per Public Works, provide for alley or service drive easement on the plat prior to final. Alley or service drive easement cannot dead-end. Please provide service drive/alley for proper trash collection as well as a 8x8' dumpster easement between every 2 lots as per "Details 404" to allow for proper trash collection. If private service drive easement is proposed must be a minimum 24 ft. with 24 ft. of paving and in compliance with Fire and Public Works Department requirements. Subdivision Ordinance: Section 134-106. Front: 20 ft. or greater for easements or approved site plan Proposing: 20 ft. except 10 ft. for unenclosed carports or greater for easements or approved site plan whichever is greater. Clarify front setback, if setback to remain a variance request must be submitted. Setbacks for double fronting lots to be established prior to final. Plat note wording to be finalized prior to final. Zoning Ordinance: Section 138-356. Rear: 10 ft. or great for easements or approved site plan Proposing: 10 ft. or greater for easements or approved site plan whichever is greater. Setbacks for double fronting lots to be established prior to final. Plat note wording to be finalized prior to final. Zoning Ordinance: Section 138-356. Sides: 6 ft. or greater for easements or approved site plan Proposing: 5 feet or greater for easements or approved site plan whichever Clarify side setback, if setback to remain a variance request must be submitted. Zoning Ordinance: Section 138-356. Corner: 10 feet or greater for easements or approved site plan whichever is greater. Zoning Ordinance: Section 138-356. Garage: 18 ft. except wherever greater setback is required, greater setback applies. Add a plat note as shown above, prior to final. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan sidewalks. 4 ft. wide minimum sidewalk required on Sprague Road, both sides of all interior streets, and along quarter mile collector if collector street is required. Finalize the quarter mile collector requirement to finalize the sidewalk note requirement prior to final. Engineering Department may require 5 ft. sidewalk prior to final. Proposing: 5 ft. sidewalk required along Sprague Road, and 4 ft. wide minimum sidewalk required along both sides of interior streets. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses, Sprague Road, and quarter mile collector if collector street is required. Finalize the quarter mile collector requirement to finalize the buffer note requirement 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. Revise plat note numbering sequence as it shows two numbers. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along Sprague Road and quarter mile collector. Finalize the quarter mile collector requirement to finalize the note requirement prior to final. Must comply with City Access Management Policy. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Common lots and detention areas must be maintained by the lot owners/HOA and not the City of McAllen. Include plat note as shown above, wording to be finalized prior to final. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 110-72 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Include HOA plat notes to reference Section 110-72 which is for public subdivisions prior to final/recording. Section 134-168 applies if private subdivision is proposed. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Include HOA plat notes to reference Section 110-72 which is for public subdivisions prior to final/recording. Section 134-168 applies if private subdivision is proposed. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision

Ordinance: Section 134-168. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: ETJ Proposed: R-3A. An annexation and initial zoning to R-3A was approved by City Commission on May 13, 2024. Zoning Ordinance: Article V. Rezoning Needed Before Final Approval. An annexation and initial zoning to R-3A was approved by City Commission on May 13, 2024. Zoning Ordinance: Article V. Land dedication in lieu of fee. The application and plat submitted on May 3, 2024, proposes 43 lots which includes a common lot for a detention pond. A park fee of \$700 per dwelling unit must be paid prior to recording. Clarify total number of units prior to final to finalize the total park fee. If a park fee in lieu of land dedication is proposed, a letter must be submitted to the Planning Director prior to final. The request will be reviewed by the City Manager's Office and if approved, \$700 per dwelling unit must be paid prior to recording. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. The application and plat submitted on May 3, 2024, proposes 43 lots which includes a common lot for a detention pond. A park fee of \$700 per dwelling unit must be paid prior to recording. Clarify total number of units prior to final to finalize the total park fee. If a park fee in lieu of land dedication is proposed, a letter must be submitted to the Planning Director prior to final. The request will be reviewed by the City Manager's Office and if approved, \$700 per dwelling unit must be paid prior to recording. Pending review by the City Manager's Office. The application and plat submitted on May 3, 2024, proposes 43 lots which includes a common lot for a detention pond. A park fee of \$700 per dwelling unit must be paid prior to recording. Clarify total number of units prior to final to finalize the total park fee. If a park fee in lieu of land dedication is proposed, a letter must be submitted to the Planning Director prior to final. The request will be reviewed by the City Manager's Office and if approved, \$700 per dwelling unit must be paid prior to recording. As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. Trip Generation has not been submitted. Traffic Impact Analysis (TIA) required prior to final plat. Any abandonments must be done by separate document, not by plat. Easements need to be notated as dedicated by this plat or with a plat note. Ensure proper legal descriptions are provided for adjacent properties. Signature blocks must comply with Section 134-61 of the subdivision ordinance. Must comply with City's Access Management Policy.

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

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

d) Barton Subdivision, 8501 North Main Street, Antonio Esparza (SUB2023-0082) (REVISED PRELIMINARY) TUE (Tabled on 05/07/2024)

Mr. Kaveh Forghanparast requested item be removed from table. Mr. Marco Suarez moved to remove from table with Mr. Emilio Santos Jr. seconding the motion with five members present and voting.

Mr. Kaveh Forghanparast stated that the property located at N. Bicentennial Blvd: Dedication required for 75 ft. from centerline for 150 ft. total ROW Paving: 65 ft.-105 ft. Curb & gutter: both sides Revisions needed: Show and label, total existing ROW, and ROW on both sides of the centerline at multiple points and show "additional ROW dedicated by this plat" as requested above prior to final. Include the Document number for the existing ROW on the plat and provide a copy for staff review prior to final. All ROW requirements must be finalized prior to final. If a variance is requested, it must be finalized prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. The project engineer submitted a variance application (VAR2024-0017) on behalf of the developer with the following request: A variance request to dedicate minimum 50 ft. ROW

from centerline to N. Bicentennial Blvd. in lieu of 75 ft. from centerline for total 150 ft. ROW as required by the thoroughfare map. The submitted application proposed no ROW dedication; however, after further discussion, the project engineer submitted an email and revised the request to minimum 50 ft. from centerline. As per the submitted plat, the existing ROW ranges from 34.5 ft. from the centerline on the west side of the subdivision to 60 ft. from centerline on the northwest corner of the subdivision. Northgate Lane: Dedication required for 35 ft. from centerline for 70 ft. total ROW Paving: 44 ft. Curb & gutter: both sides Revisions needed: Northgate Lane is labeled as variable ROW. Show existing at multiple points to clarify how it varies prior to final. Revise the wording from "15 ft. Prop. ROW by this plat" to "15 ft. additional ROW dedicated by this plat". Include the Document number for the existing ROW on the plat and provide a copy for staff review prior to final. All ROW requirements must be finalized prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. Frontera Rd.: Dedication required for 40 ft. from centerline for 80 ft. total ROW Paving: 52 ft. Curb & gutter: both sides Revisions needed: Provide a copy of the referenced documents for staff review prior to final. Clarify/remove the dashed line where the existing 40 ft. ROW merges to existing 60 ft. ROW on the southwest side of the subdivision, prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. N. Main Street: Dedication required for 30 ft. from centerline for 60 ft. ROW Paving: min. 40 ft. Curb & gutter: both sides Revisions needed: Add "N." to the label for N. Main Street on plat prior to final. Include the Document number for the existing ROW on the plat and provide a copy for staff review prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. 1,200 ft. Block Length. Subdivision Ordinance: Section 134-118. The project engineer submitted a variance application (VAR2024-0017) on behalf of the developer with the following requests: A variance request to allow a block length of 1,569 ft. instead of maximum 1,200 ft. block length requirement. Based on the existing streets in the areas, it is not feasible to comply with the block length requirement; therefore, the block length variance was approved administratively by staff. Front: 25 ft. or greater for easements. Zoning Ordinance: Section 138-356. Rear: 10 ft. or greater for easements. Zoning Ordinance: Section 138-356. Interior Sides: 6 ft. or greater for easements. Zoning Ordinance: Section 138-356. Corner: 10 ft. or greater for easements. Lot A as shown on plat is a corner lot on both N. Bicentennial Blvd. and N/S internal street. Clarify the use prior to final. A plat note may be needed for Lots A and B or note #16 may need to be revised to include Lot B. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required, greater setback applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan sidewalks. 4 ft. wide minimum sidewalk required along N. Bicentennial Blvd., Frontera Rd., Northgate Lane, N. Main St., and both sides of internal streets. 5 ft. sidewalk may be required by Engineering Department. Finalize prior to final. Plat note #9 will need to be revised as shown above, and once sidewalk requirements are finalized. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along N. Bicentennial Boulevard and Frontera Road. Revise plat note #10 as shown above prior to final. Other buffers may be required prior to final. Landscaping Ordinance: Section 110-46. * 8 ft. masonry wall required between single family residential and commercial, industrial, or 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 N. Bicentennial Blvd. and Frontera Rd. Revise plat note #12 as shown above prior to final. Must comply with City Access Management Policy. Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. The signature block wording references a private subdivision; however, no private

street is proposed in the latest submittal. If the subdivision is to remain private, an HOA document and note will be required for staff review prior to recording. If the subdivision is going to be public, clarify if there will be an HOA prior to final, since an HOA is not required for a three-lot public subdivision. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. The signature block wording references a private subdivision; however, no private street is proposed in the latest submittal. If the subdivision is to remain private, an HOA document and note will be required for staff review prior to recording. If the subdivision is going to be public, clarify if there will be an HOA prior to final, since an HOA is not required for a three-lot public subdivision. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Lots fronting public/private streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: R-1 Proposed: R-1. The project engineer must verify if all lots are zoned residential. Based on the submitted plat boundary, a small portion on the east side of Lots B, 1, and 2 and the northeast side of Lot 3 seem to be A-O District. Zoning Ordinance: Article V. Rezoning Needed Before Final Approval. The project engineer must verify if all lots are zoned residential. Based on the submitted plat boundary, a small portion on the east side of Lots B, 1, and 2 and the northeast side of Lot 3 seem to be A-O District. Zoning Ordinance: Article V. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. Based on the latest plat three single-family residential lots are proposed, so a Park Fee of \$2,100 based on \$700 per dwelling to be paid prior to recording. Total amount of park fees is subject to change if number of proposed lots or dwelling units change. As per Traffic Department, Trip Generation is waived. Add distances from lot corners to the HCID #2 Irrigation Easements shown on the plat and add bearing and dimensions on the plat or in a table prior to final. Clarified the claimed easements on the plat or reference the document number prior to final.

- Use ghosted lines of Ebony Heights Citrus Grove Subdivision and contour lines since it is being confused with the proposed subdivision lot lines. Remove contour lines from ROW to avoid overlap of information prior to final. Show the lot lines and legal description of all adjacent lots on all sides, including the west side of N. Bicentennial Blvd., south side of Frontera Rd., east side of N. Main St., and north side of Northgate Lane. The owner's signature blocks wording may need to be revised prior to recording depending on all ROW dedication. The wording reflects a private subdivision; however, the proposed private interior street has been removed from the latest submitted plat. Clarify/revise the wording prior to final. Any abandonment must be done by separate instrument and referenced on the plat. An expired subdivision application with the same name for this property was on file and was verbally requested to be withdrawn by the previous engineer. A written withdrawal request is needed prior to final. Revise the number of lots on the originally submitted application from four to three to match the latest submittal prior to final. Must comply with City's Access Management Policy. The N/S interior street with a Cul-de-Sac has been removed from the revised plat and number of lots reduced from 4 residential and one common lot to 3 residential lots. If a new interior street is proposed in future, it must comply with all requirements including the maximum Cul-de-Sac length. The project engineer submitted a variance application (VAR2024-0017) on behalf of the developer with the following requests: 1. A variance request to dedicate minimum 50 ft. ROW from centerline to N. Bicentennial Blvd. in lieu of 75 ft. from centerline for total 150 ft. ROW as required by the thoroughfare map. The submitted application proposed no ROW dedication; however, after further discussion, the project engineer submitted an email and revised the request to minimum 50 ft. from centerline. As per the submitted plat, the existing ROW ranges from 34.5 ft. from the centerline on the west side of the subdivision to 60 ft. from centerline on the northwest corner of the subdivision. 2. A variance request to allow a block length of 1,569 ft. instead of maximum 1,200 ft. block length requirement. Based on the existing streets in the areas, it is not feasible to comply with the block length requirement; therefore, the block length variance was approved administratively by staff. At the Planning and Zoning Commission meeting of May 7, 2024, the project engineer was present. Staff recommended

disapproval for variance request No.1 (50 ft. ROW dedication from centerline for Bicentennial Boulevard instead of 75 ft. as per the thoroughfare map) and recommended minimum 60 ft. ROW dedication from centerline as requested by the Engineering Department; however, the Engineering Department was not present at the meeting. The applicant requested the Board to table the request to discuss it further with the Engineering Department. After further discussion, the item was unanimously tabled by the Board with four members present and voting.

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

City of McAllen Engineers, Mr. Even Gonzalez and Florentino De la Cruz spoke regarding the 50' center line in intersections, which is what the applicant is requesting.

After a lengthy discussion, Mr. Marco Suarez moved to approve in revised preliminary form subject to conditions noted, drainage, and utilities approval, and the board's clarification on the requested variances. Mr. Reza Badiozzamani seconded the motion, which was approved with five members present and voting.

- e) Pioneer Estates Subdivision, 9400 North Shary Road, Aldape Development, LLC (SUB2023-0040) (REVISED FINAL) MAS Villas at Ware Subdivision, 4900 North Ware Road, Rhodes Enterprises, Inc. **(SUB2024-0039) (FINAL) M&H**

Mr. Kaveh Forghanparast stated that the property located on 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 Revisions needed: Clarify 30 ft. additional ROW by this plat as it appears to be outside plat boundaries, finalize ROW requirements 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 recording. Please show document wherein the existing 60 ft. ROW was dedicated prior to recording. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. 6 Mile Line: 50 ft. from centerline for 100 ft. total ROW Paving: 65 ft. Curb & gutter: Both sides Revisions needed: Please show document wherein the existing 40 ft. ROW was dedicated prior to recording. Clarify access from 6 Mile Line as plat boundary does not extend to ROW, and ownership is by United Irrigation District as per plat submitted on October 5th, 2022. As per plat submitted on May 31st, 2023, plat no longer exhibits frontage along 6 mile line Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. North 56th Street (N/S Collector Road-east boundary line): 30 ft. dedication for 60 ft. total ROW. Paving: 40 ft. Curb & gutter: Both sides Revision Needed: Include street name labeling, prior to recording. Revise reference from "Right of Way dedicated to McAllen Public Utility by this plat" to "R.O.W dedicated by this plat", prior to recording. Engineer submitted a variance application on October 7, 2021 requesting to dedicate 15 ft. of ROW for North 56th Street. The Planning and Zoning Commission considered the subdivision in revised preliminary form at their meeting of April 5, 2022. Following discussion, the board unanimously voted to approve the subdivision in revised preliminary form, and recommended approval of the variance for 15 ft. ROW dedication for N. 56th Street. There were 6 members present and voting. At the City Commission meeting of April 25, 2022, the City of McAllen Board of Commissioners considered the request and was approved. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. Internal Streets: 60 ft. ROW Paving: 40 ft. Curb & gutter: Both sides Pending Items: Revise street names as follows: E/W street at entrance: Ozark Avenue. N/S Street west of Lot 1: North 59th Lane. E/W interior street:

Princeton Avenue. N/S street at Cul-De-Sac: North 56th Lane. Finalize street names on plat prior to recording. Engineer submitted a variance application on April 21st, 2023 requesting that the ROW be reduced from 60 ft. to 50 ft., the engineer has indicated that the 40 ft. paving width will remain. Development staff has reviewed the request and indicated that if approved that a 10 ft. U.E and Sidewalk Easement be dedicated along the front of the lots as applicable. Submit gate details, ROW and paving at gate locations may increase to accommodate proposed improvements, finalize prior to NTP/recording. As per Fire Department requirements, 96 ft. of paving face-to face required, and 10 ft. of ROW back of curb around Cul-de-Sac required, finalize Cul-De-Sac paving and ROW requirements prior to NTP/ Recording. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. 1,200 ft. Block Length. Subdivision Ordinance: Section 134-118. 600 ft. Maximum Cul-de-Sac. As per Fire Department requirements, 96 ft. of paving face-to face required, and 10 ft. of ROW back of curb around Cul-de-Sac required, finalize Cul-De-Sac paving and ROW requirements prior to NTP/ Recording. Subdivision Ordinance: Section 134-105. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties and multi-family properties. Subdivision layout is being processed with public works centralized locations. As per public works must build dumpster enclosure at the time the subdivision is built. Must comply with Chapter 90 of McAllen's Solid Waste Ordinance. Subdivision Ordinance: Section 134-106. Front: Proposing 20 ft. or greater for easement. Pending Items: Engineer submitted variance request on April 21st, 2023 to allow a 15 ft. front setback for unenclosed carports only. If variance request for the front setback for unclosed carports is approved, front setback note wording must be finalized prior to recording. Zoning Ordinance: Section 138-356. Rear: In accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Revisions needed: Revise note as shown above prior to recording. Proposing Rear: In accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater. Zoning Ordinance: Section 138-356. Interior sides: 6 ft. or greater for easements or approved site plan, whichever is greater applies. Revisions needed: Revise note as shown above prior to recording. Proposing: 6 ft. or greater for easement. Zoning Ordinance: Section 138-356. Corner: 10 ft. or greater for easements or approved site plan, whichever is greater applies. Revisions needed: Revise note as shown above prior to recording. Proposing Corner :10 feet or greater for easement. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required; greater setback applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 5 ft. wide minimum sidewalk required along North Shary Road and 4 ft. wide minimum sidewalk required on N. 56th Street and both sides of all interior streets. Revisions needed: Revise plat note #3 as shown above prior to recording. As per plat submitted on May 31st, 2023, plat no longer exhibits frontage along 6 mile line. Proposing: 5 ft. wide minimum sidewalk required along North Shary Road and 4 ft. wide minimum sidewalk required on N. 56th Street , 6 Mile Line and both sides of all interior streets. 5 ft. sidewalks required along North Shary Road as per Engineering Department. Sidewalk requirements may increase to 5 ft. per Engineering Department requirements, finalize prior to recording. 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 North 56th Street. Revisions needed: Revise plat note#12 as shown above prior to recording. Clarify if buffer is proposed along northern plat boundaries as it may trigger changes to note requirements, finalize note wording prior to recording. Proposing:6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses, and along North Shary Road ,6 Mile Line, and North 56th Street. 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 and North 56th Street. Revision needed: Revise plat note #14 as shown above, prior to recording. Proposing: No curb cut, access, or

lot frontage permitted along North Shary Road, 6 Mile Line and North 56th Street. As per plat submitted on May 31st, 2023, plat no longer exhibits frontage along 6 mile line. Must comply with City Access Management Policy. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Any owner, builder or developer of a multiple-family, condominium or townhouse dwelling complex of five units or more on a single lot or parcel, or five single-family attached units, shall submit to the planning department for review a site and building plan for the proposed development. Zoning Ordinance: Section 138-210. Common Areas, drainage detention pond, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Revisions Needed: Revise plat note #10 as shown above prior to recording. Proposing: Common areas and drainage detention pond must be maintained by the homeowner association lot owner or his assigns, not the City of McAllen or other public entity. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Revisions needed: 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. Homeowner's Association Covenants must be submitted for staff review, prior to recording. Section 134-168 applies if private subdivision is proposed. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: R-3A (apartment residential) District Proposed: R-3A (apartment residential) District. Rezoning from R-1 (Single Family Residential) District to R-3A (apartment residential) District approved at City Commission meeting of November 28, 2022. Zoning Ordinance: Article V. Rezoning Needed Before Final Approval. Rezoning from R-1 (Single Family Residential) District to R-3A (apartment residential) District approved at City Commission meeting of November 28, 2022. Zoning Ordinance: Article V. Land dedication in lieu of fee. As per Parks Department, Park Department a waiver to McAllen's Park Land Dedication and Park Development Fees Ordinance was granted -- as part of the annexation process, Park fees were waived. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, Park Department a waiver to McAllen's Park Land Dedication and Park Development Fees Ordinance was granted as part of the annexation process, Park fees were waived. Pending review by City Management. As per Parks Department, Park Department a waiver to McAllen's Park Land Dedication and Park Development Fees Ordinance was granted -- as part of the annexation process, Park fees were waived. As per Traffic Department, Trip Generation approved no TIA required. Comments: Must comply with City's Access Management Policy. Must comply with Fire Department requirements. Label Drainage Area with a letter or number prior to recording. Clarify access from 6 Mile Line as plat boundary does not extend to ROW, and ownership is by United Irrigation District as per plat submitted on October 5th, 2022. As per plat submitted on May 31st, 2023, plat no longer exhibits frontage along 6 mile line. Subdivision previously approved in Revised Preliminary form at the Planning and Zoning Commission meeting of April 5th, 2022 as a single family development, as per plat submitted on October 5th, 2022 multi-family subdivision now proposed. Submit gate details, ROW and paving at gate locations may increase to accommodate proposed improvements, finalize prior to NTP/recording. As per Fire Department, there was an agreement between the Fire Department and the developer/engineer prior to final approval on June 6, 2023, for all units to be fully sprinklered, in lieu of a secondary access, since N. 56th Street (on the east side of the subdivision) was not going to be built at this time. After final approval was granted by Planning and Zoning Commission, the developer asked Fire Department for an alternative to the sprinkler system, as it may get costly. Fire Department indicated that a secondary access would be required, without a fire sprinkler system. After further discussion and proposals, on April 29, 2024, Fire Department approved a secondary access easement location proposed to connect Lot 12 on the

proposed Pioneer Estates Subdivision to Lot 21 on the Hills at Sharyland recorded subdivision to the south side of the subject property, until N. 56th Street is built. The proposed temporary access easement wording must comply with the City's requirements and recorded, as a separate document, prior to recording the subdivision and referenced as a plat note.

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

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

f) AFG Plaza Subdivision, 5520 North McColl Road, Suzie An (SUB2022-0146) (PRELIMINARY 6-MONTH EXTENSION) SEA

Mr. Julio Constantino stated that the property located on McColl Road (F.M. 2061): 20 ft. of additional dedication for 60 ft. from centerline for 120 ft. total ROW. Paving 65 ft.-85 ft. Curb & gutter: Both sides Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are required prior to recording, if not done by the state. E. Dove Avenue: Dedication as needed for 60 ft. from centerline for 120ft. total ROW. Paving: 65 ft. to 85 ft. Curb & gutter: Both Sides Revisions needed: City of McAllen thoroughfare plan designates E. Dove Avenue, as a Principle arterial with 120 ft. of ROW. Current subdivision layout does not comply with required ROW dedication requirements. Engineer submitted a variance request to allow existing 100 ft. ROW as depicted on plat with no additional dedication. Variance was approved by the Planning & Zoning Commission on October 3, 2023. Variance was approved by the City Commission on October 23, 2023 on the condition that requirements to maintain existing 100 ft. of ROW throughout the plat boundary would apply. (i.e. NE Corner of plat that was not included in conveyance to the City of McAllen, of which is now included.) Label ROW being dedicated by this plat along Dove Avenue please see requirements above, prior to final. Clarify area conveyed to the City Of McAllen, submit copy of referenced documents for staff review prior to final. Include any document numbers regarding existing dedication of Dove Avenue, as applicable and provide copies for staff review, prior to final. Corner clip required for NE dedication, review and revise as applicable, finalize prior to final. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are required prior to recording. ,200 ft. Block Length. Subdivision Ordinance: Section 134-118. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties. Revisions Needed: Private Service Drive Easement required, Easement must be private with 24 ft. of dedication with 24 ft. of paving in compliance with Public Works and Fire Department requirements. Alley or service drive easement cannot dead-end, provide for extension or looping of alley or service drive easement on the plat prior to final. Finalize alley/ service drive requirements prior to final. Subdivision Ordinance: Section 134-106. Front: McColl Road (F.M. 2061)/ E. Dove Avenue: In accordance with the zoning ordinance, or greater for easements or approved site plan, or in line with average setback, whichever is greater applies. Zoning Ordinance: Section 138-356. Rear: In accordance with the Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Zoning Ordinance: Section 138-356. Sides In accordance with the Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Zoning Ordinance: Section 138-356. Corner :See front setback note. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan sidewalks. 5 ft. wide minimum sidewalk required along N. McColl Road and 4 ft. wide minimum sidewalk required along E. Dove Avenue. 5 ft. Sidewalk requirements as per Engineering Department 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. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family

residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. Must comply with City Access Management Policy. As per McAllen's Access Management Policy, spacing requirement along both McColl Road at 55 MPH and Dove Avenue is 425 ft. between any entrances/streets. Site plan must be approved by the Planning and Zoning Commission prior to building permit issuance. Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Revise Note #12 as noted above. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Include original subdivision boundary. Provide a copy of the original recorded subdivision, Lot 1, Block, Steele & Pershing Doc. for staff review. Zoning Ordinance: Section 138-356. Existing : A-O(Agricultural and Open-Space) District and C-4 (Commercial Industrial) District Proposed: C-4 (Commercial Industrial) District. At the City Commission meeting of December 12th,2022, a rezoning request at the subject property was approved to complete the entire tract zoning C-4 District. Zoning Ordinance: Article V. Rezoning Needed Before Final Approval. At the City Commission meeting of December 12th,2022, a rezoning request at the subject property was approved to complete the entire tract zoning C-4 District. Zoning Ordinance: Article V. As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. Traffic Impact Analysis (TIA) required prior to final plat. Must comply with City's Access Management Policy. Any abandonments must be done by separate process, not by plat, any abandonments by separate instrument must be finalized prior to recording.

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

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

g) Valencia Marketplace Lots 6D and 6E Subdivision, 1300 Trenton Road, Chapa Blue Management, LLC (SUB2024-0046) (PRELIMINARY) IEG

Mr. Julio Constantino stated that the property located on Trenton Road: 60 ft. from centerline; 110 ft. ROW existing Paving: 65 ft. Curb & gutter: both sides. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan N. Main Street: 60 ft. ROW Paving: 40 ft. Curb & gutter: both sides. Subdivision Ordinance: Section 134-105 Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties. Shared Access Easement provided as part of the original plat; will need to serve proposed lots. Service drive will be required as part of the site plan review and shown on the plat; will provide access to each lot for city services, etc., prior to recording. Clarify the reciprocal easement shown on the plat and Document #1920637, prior to recording. Subdivision Ordinance: Section 134-106. Front: Trenton Road - 60 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. Sides: In accordance with the Zoning Ordinance, or greater for approved site plan or easements. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required on Trenton Road and N. Main Street. Sidewalk requirements may increase to 5 ft. prior to final per Engineering Department requirements. Subdivision Ordinance: Section 134-120. 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, and along

N. Main Street. 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. Main Street. Must comply with City Access Management Policy. Must comply with Traffic Departments requirements. Site plan must be approved by the Planning & Zoning Commission prior to building permit issuance. Common Areas, any private drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Lots fronting public streets. Trenton Road. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. All lots must have a minimum 50 ft. of frontage on a street. Zoning Ordinance: Section 138-356. G/CUP. Existing: C-3 Proposed: C-3. Zoning Ordinance: Article V. Rezoning Needed Before Final Approval. Zoning Ordinance: Article V. 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. Existing plat notes remain the same. Existing Access Easements/Drives must remain as noted/shown on the original subdivision. Need to clarify the ""highlighted"" area at the southeast portion of Lot 6D, prior to recording. Remove Note #5 from the plat referencing zone.

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

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

h) La Casita Deli Subdivision, 901 East Fir Avenue, Bernardo Flores
(SUB2024-0031) (FINAL) PS

Mr. Julio Constantino stated that the property located at E. FIR Avenue: Dedication as needed for 60 ft. total ROW. Paving: 40 ft. Curb & gutter: Both Sides. Revisions Needed: Provide copy of document numbers shown on plat for staff review prior to recording. Label R.O.W. from centerline and total R.O.W. after accounting for R.O.W. dedication. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. 1,200 ft. Block Length. Subdivision Ordinance: Section 134-118. 900 ft. Block Length for R-3 Zone Districts. Subdivision Ordinance: Section 134-118. 600 ft. Maximum Cul-de-Sac. Subdivision Ordinance: Section 134-105. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial, industrial, and multi-family properties. Revisions Needed: Private Access Service Drive Easement must be minimum 24 ft. with 24 ft. of paving and in compliance with Fire and Public Works Department requirements. Provide for corner clips as needed, prior to recording. Plat submitted on May 15, 2024 provides for a 25' access, service and utility easement. Subdivision Ordinance: Section 134-106. Front: In accordance with zoning ordinance, or greater for easements or approved site plan, or in line with average setback, whichever is greater applies. Revisions Needed: Include note as shown above prior to recording. Zoning Ordinance: Section 138-356. Rear: In accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Revision Needed: include note as shown above prior to recording. Zoning Ordinance: Section 138-356. Sides: In accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Revision Needed: Include note as shown above prior to recording. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required along E. Fir Avenue. Revisions Needed: Sidewalk requirements may increase to 5 ft. prior to final per Engineering Department requirement. Finalize plat note wording prior to recording. 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 as may be required by ordinance. Revisions Needed: Revise Note #15 as noted above, prior to recording. A buffer shall be provided to screen refuse areas (including refuse dumpsters, compactors and contained compactors), outdoor storage areas and loading docks from public streets. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Plat note required as noted above, prior to recording. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. Site plan must be approved by the Planning and Zoning Commission prior to building permit issuance. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Common Areas, any private access/service drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Revisions Needed: Include note as shown above, prior to recording. Note subject to change once subdivision requirements have been finalized. Finalize wording prior to recording. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: C-4(Commercial-Industrial) District Proposed: C-4(Commercial-Industrial) District. Rezoning to C-4(Commercial Industrial) District approved at the City Commission meeting of May 22, 2023. Engineer must verify if proposed subdivision is within appropriate zoning as it may prompt changes to plat and or rezoning process, review and finalize prior to final. Zoning Ordinance: Article V. Rezoning Needed Before Final Approval. Zoning Ordinance: Article V. As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. As per Traffic Review of 03-15-24, TG Approved, No TIA Required. Traffic Impact Analysis (TIA) required prior to final plat. As per Traffic Review of 03-15-24, TG Approved, No TIA Required. Pending Items: As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. **As per Traffic Review of 03-15-24, TG Approved, No TIA Required. Must comply with City's Access Management Policy.

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

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

- i) Northgate Estates Subdivision, 1900 Northgate Lane, Urban City Developers, LLC **(SUB2024-0049) (FINAL) TUE**

Mr. Julio Constantino stated that the property located at Northgate Lane: Dedication as needed for 35 ft. from centerline for 70 ft. total ROW Paving: 44 ft. Curb & gutter: both sides Revisions needed: Need to provide a copy of the referenced R.O.W. document shown on the plat for staff review prior to recording. Instead of variable R.O.W., please show existing R.O.W. at multiple points to show how it varies, prior to recording. Provide total R.O.W. width and the R.O.W. to the centerline after accounting for the dedication on the plat. All ROW requirements must be addressed prior to recording. Label the 55.0' Total R.O.W. and the 35.0' R.O.W. from C.L. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. COM Thoroughfare Plan Hobbs Drive: Dedication as needed for 40 ft. for 80 ft. total ROW. Proposed: 20 ft. ROW dedication for 60 ft. total ROW Paving: 52 ft. Curb & gutter: Both Sides Revisions as needed: Provide a copy of the document for existing ROW for staff review prior to recording. All ROW requirements must be addressed prior to recording. A variance request for 20 ft. dedication for total 60 ft. ROW was submitted by the project engineer and was approved by the City Commission on 10/23/2023. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. COM Thoroughfare Plan Interior Street: 50 ft. R.O.W. (for single-family residential development) Paving: 40 ft. Curb & gutter: both sides Revisions as needed: Show the ROW diameter

at the Cul-de-Sacs and provide a PAVING LAYOUT to show compliance with minimum 96 ft. paving face to face according to Fire Department requirement and 10 ft. ROW back of curb prior to recording. Please provide GATE DETAILS for staff review. - Additional R.O.W. may be required at the gate area. Submit revised paving layout to finalized the ROW requirement prior to recording. 10' U.E. + Sidewalk Easement will be required on both sides of the street prior to recording. A variance to 600 ft. maximum Cul-de-Sac length was submitted, proposing a paving width of 40 ft. for the interior street. The variance was approved by the City Commission on 10/23/2023, subject to 40 ft. paving for all interior streets. Sidewalk easement may be required on both sides and must be finalized prior to recording. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. COM Thoroughfare Plan. 1,200 ft. Block Length. Subdivision Ordinance: Section 134-118. 600 ft. Maximum Cul-de-Sac. A variance to 600 ft. maximum Cul-de-Sac length was submitted, proposing a paving width of 40 ft. for the interior street. The variance was approved by the City Commission on 10/23/2023, subject to 40 ft. paving for all interior streets. Sidewalk easement may be required on both sides and must be finalized prior to recording. 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 Northgate Lane, Hobbs Drive, and both sides of all interior and entrance streets. Minimum sidewalk width is subject to increase as per the 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 Hobbs Drive. Other buffers as may be applicable 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 Hobbs Drive. Others as may be applicable prior to final. Must comply with City Access Management Policy. Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Add a plat note as shown above prior to recording. 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 134-168 applies if private subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Clarify if the subdivision is proposed to be private or public and add the plat note referencing the correct ordinance. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Clarify if the subdivision is proposed to be private or public. Submit a copy of the draft HOA covenant referencing the correct ordinance. A plat note to reference the HOA document is required prior to recording. Lots fronting public/private streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: R-1 Proposed: R-1. Zoning Ordinance: Article V. Land dedication in lieu of fee. Based on the application submitted on 4/13/2023, 13 single-family residential lots are proposed. a revise plat submitted on 6/16/2023, shows 14 residential lots. Clarify and revise the application prior to recording.. A park fee of \$700 per dwelling unit (\$9,800 total) is required prior to recording. The park fee is subject to change, if the number of dwelling units changes. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. Based on the application submitted on 4/13/2023, 13 single-family residential lots are proposed. a revise plat

submitted on 6/16/2023, shows 14 residential lots. Clarify and revise the application prior to recording.. A park fee of \$700 per dwelling unit (\$9,800 total) is required prior to recording. The park fee is subject to change, if the number of dwelling units changes. Pending review by the City Management's Office. Based on the application submitted on 4/13/2023, 13 single-family residential lots are proposed. a revise plat submitted on 6/16/2023, shows 14 residential lots. Clarify and revise the application prior to final. A park fee of \$700 per dwelling unit (\$9,800 total) is required prior to recording. The park fee is subject to change, if the number of dwelling units changes. As per Traffic Department, Trip Generation is waived. As per Traffic Department: 1. TG waived for 13-single family lot subdivision and a detention lot. 2. No access requirement along Northgate Lane. 3. If private, please submit gate details; ok for final with the condition to ensure gate standard requirements are being met. Comments: submitted survey dated 04-23-24 shows the new boundaries of the subdivision, document under staff review. The owner's signature block follows public street template. Subdivision labeled as (private subdivision). If the subdivision is proposed to be private, proper wording for owner's signature block is required. Label Detention area as Common Lot A prior to recording. Submit PAVING LAYOUT and GATE DETAILS for staff review to finalize the R.O.W. requirements prior to recording. Additional R.O.W. may be required at the gate area to ensure gate standard requirements. If subject to this change, subdivision will be required to go through a "revised final" process. Must comply with City's Access Management Policy. The project engineer submitted a variance application (VAR2023-0026) including the following variances: A variance to the maximum 600 ft. Cul-de-Sac Length, proposing to provide 40 ft. of paving back to back for the interior street. A variance to dedicate 20 ft. ROW for total 60 ft. ROW for Hobbs Drive, instead of 40 ft. dedication for total 80 ft. ROW. If the variance is approved, it should be subject to providing sidewalk easement on both sides. Variances were approved by the City Commission meeting on 10/23/2023.

The subdivision was approved in revised preliminary form at the Planning and Zoning Commission meeting of October 3, 2023, subject to the conditions noted, drainage, and utilities approval. The Board unanimously recommended approval of the variance requests: 1. A variance to the maximum 600 ft. Cul-de-Sac Length, proposing to provide 40 ft. of paving B-B for the interior street, subject to providing sidewalk easement on both sides. 2. A variance to dedicate 20 ft. ROW for total 60 ft. ROW for Hobbs Drive, instead of 40 ft. dedication for total 80 ft. ROW. On the City Commission Date of 10/23/2023, variances were approved by the Commission.

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

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

j) Northgate Estates Subdivision, 1900 Northgate Lane, Urban City
Developers, LLC **(SUB2024-0049) (FINAL) TUE**

Mr. Kaveh Forghanparast stated that the property located on Northgate Lane: Dedication as needed for 35 ft. from centerline for 70 ft. total ROW Paving: 44 ft. Curb & gutter: both sides Revisions needed: Need to provide a copy of the referenced R.O.W. document shown on the plat for staff review prior to recording. Instead of variable R.O.W., please show existing R.O.W. at multiple points to show how it varies, prior to recording. Provide total R.O.W. width and the R.O.W. to the centerline after accounting for the dedication on the plat. All ROW requirements must be addressed prior to recording. Label the 55.0' Total R.O.W. and the 35.0' R.O.W. from C.L. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. COM Thoroughfare Plan. Hobbs Drive: Dedication as needed for 40 ft. for 80 ft. total ROW. Proposed: 20 ft. ROW dedication for 60 ft.

total ROW Paving: 52 ft. Curb & gutter: Both Sides Revisions as needed: Provide a copy of the document for existing ROW for staff review prior to recording. All ROW requirements must be addressed prior to recording. A variance request for 20 ft. dedication for total 60 ft. ROW was submitted by the project engineer and was approved by the City Commission on 10/23/2023. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. COM Thoroughfare Plan Interior Street: 50 ft. R.O.W. (for single-family residential development) Paving: 40 ft. Curb & gutter: both sides. Revisions as needed: Show the ROW diameter at the Cul-de-Sacs and provide a paving layout to show compliance with minimum 96 ft. paving face to face according to Fire Department requirement and 10 ft. ROW back of curb prior to recording. Please provide GATE DETAILS for staff review. Additional R.O.W. may be required at the gate area. Submit revised paving layout to finalized the ROW requirement prior to recording. 10' U.E. + Sidewalk Easement will be required on both sides of the street prior to recording. A variance to 600 ft. maximum Cul-de-Sac length was submitted, proposing a paving width of 40 ft. for the interior street. The variance was approved by the City Commission on 10/23/2023, subject to 40 ft. paving for all interior streets. Sidewalk easement may be required on both sides and must be finalized prior to recording. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. COM Thoroughfare Plan. 1,200 ft. Block Length. Subdivision Ordinance: Section 134-118. 600 ft. Maximum Cul-de-Sac. A variance to 600 ft. maximum Cul-de-Sac length was submitted, proposing a paving width of 40 ft. for the interior street. The variance was approved by the City Commission on 10/23/2023, subject to 40 ft. paving for all interior streets. Sidewalk easement may be required on both sides and must be finalized prior to recording. 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 Northgate Lane, Hobbs Drive, and both sides of all interior and entrance streets. Minimum sidewalk width is subject to increase as per the 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 Hobbs Drive. Other buffers as may be applicable 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 Hobbs Drive. Others as may be applicable prior to final. Must comply with City Access Management Policy. Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Add a plat note as shown above prior to recording. 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 134-168 applies if private subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168, Clarify if the subdivision is proposed to be private or public and add the plat note referencing the correct ordinance. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Clarify if the subdivision is proposed to be private or public. Submit a copy of the draft HOA covenant referencing the correct ordinance. A plat note to reference the HOA document is required prior to recording. Lots fronting public/private streets. Subdivision Ordinance: Section 134-1. Minimum

lot width and lot area. Zoning Ordinance: Section 138-356. Existing: R-1 Proposed: R-1. Zoning Ordinance: Article V. Rezoning Needed Before Final Approval. Zoning Ordinance: Article V. Land dedication in lieu of fee. Based on the application submitted on 4/13/2023, 13 single-family residential lots are proposed. a revise plat submitted on 6/16/2023, shows 14 residential lots. Clarify and revise the application prior to recording. A park fee of \$700 per dwelling unit (\$9,800 total) is required prior to recording. The park fee is subject to change, if the number of dwelling units changes. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. Based on the application submitted on 4/13/2023, 13 single-family residential lots are proposed. A revise plat submitted on 6/16/2023, shows 14 residential lots. Clarify and revise the application prior to recording. A park fee of \$700 per dwelling unit (\$9,800 total) is required prior to recording. The park fee is subject to change, if the number of dwelling units changes. Pending review by the City Management's Office. Based on the application submitted on 4/13/2023, 13 single-family residential lots are proposed. a revise plat submitted on 6/16/2023, shows 14 residential lots. Clarify and revise the application prior to final. A park fee of \$700 per dwelling unit (\$9,800 total) is required prior to recording. The park fee is subject to change, if the number of dwelling units changes. As per Traffic Department, Trip Generation is waived. As per Traffic Department:

1. TG waived for 13-single family lot subdivision and a detention lot.
2. No access requirement along Northgate Lane.
3. If private, please submit gate details; ok for final with the condition to ensure gate standard requirements are being met.

Submitted survey dated 04-23-24 shows the new boundaries of the subdivision, document under staff review. The owner's signature block follows public street template. Subdivision labeled as (private subdivision). If the subdivision is proposed to be private, proper wording for owner's signature block is required. Label Detention area as Common Lot A prior to recording. Submit PAVING LAYOUT and GATE DETAILS for staff review to finalize the R.O.W. requirements prior to recording. Additional R.O.W. may be required at the gate area to ensure gate standard requirements. If subject to this change, subdivision will be required to go through a "revised final" process. Must comply with City's Access Management Policy. The project engineer submitted a variance application (VAR2023-0026) including the following variances: 1. A variance to the maximum 600 ft. Cul-de-Sac Length, proposing to provide 40 ft. of paving back to back for the interior street. 2. A variance to dedicate 20 ft. ROW for total 60 ft. ROW for Hobbs Drive, instead of 40 ft. dedication for total 80 ft. ROW. If the variance is approved, it should be subject to providing sidewalk easement on both sides. Variances were approved by the City Commission meeting on 10/23/2023.

The subdivision was approved in revised preliminary form at the Planning and Zoning Commission meeting of October 3, 2023, subject to the conditions noted, drainage, and utilities approval. The Board unanimously recommended approval of the variance requests:

1. A variance to the maximum 600 ft. Cul-de-Sac Length, proposing to provide 40 ft. of paving B-B for the interior street, subject to providing sidewalk easement on both sides.
2. A variance to dedicate 20 ft. ROW for total 60 ft. ROW for Hobbs Drive, instead of 40 ft. dedication for total 80 ft. ROW.

On the City Commission Date of 10/23/2023, variances were approved by the Commission.

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

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

- k) Vacating Plat of Minerva Subdivision, 5000 5 Mile Road, Fortis Land Company, LLC **(SUB2024-0059) (PRELIMINARY/FINAL) RDE**

Mr. Eduardo Garza stated that the property located on Auburn Avenue (5 Mile Line Road): 60 ft. of dedication from centerline for 120 ft. total ROW Paving: by the state Curb & gutter: by the state-Maintain 40 ft. of dedication for Auburn Avenue. New ROW's & improvements will be established when property is subdivided. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. Front: New setbacks to be established when property is subdivided. Zoning Ordinance: Section 138-356. Rear: New setbacks to be established when property is subdivided. Zoning Ordinance: Section 138-356. Sides: New setbacks to be established when property is subdivided. Zoning Ordinance: Section 138-356. Corner: New setbacks to be established when property is subdivided. Zoning Ordinance: Section 138-356. Garage: New setbacks to be established when property is subdivided. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required on Requirement will be established when property is subdivided. Subdivision Ordinance: Section 134-120. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Requirement will be established when property is subdivided. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Requirement will be established when property is subdivided. Landscaping Ordinance: Section 110-46. Must comply with City Access Management Policy. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Requirement will be established when property is subdivided. Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Requirement will be established when property is subdivided. Comments: Any abandonments must be done by separate document, not by plat. Declaration of Plat Vacation as applicable, prior to recording. Contractual Agreement and 30 ft. Private Ingress & Egress Easement will need to be repealed. Must comply with City's Access Management Policy.

Staff recommends approval of the plat vacation in preliminary/final form subject to the conditions noted.

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

ADJOURNMENT:

There being no further business to come before the Planning & Zoning Commission, Mr. Jesse Ozuna adjourned the meeting at 4:50p.m. with Mr. Marco Suarez seconding the motion with five members present and voting.

Vice Chairperson Mr. Gabriel Kamel

ATTEST: _____
Magda Ramirez, Administrative Assistant

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF McALLEN

The McAllen Planning and Zoning Commission convened in a Regular Meeting on Tuesday, June 4, 2024 at 3:30p.m. at the McAllen City Hall, 3rd Floor Commission Chambers Room, 1300 Houston Avenue, McAllen, Texas.

| | | |
|----------------|---------------------|-----------------------------|
| Present: | Michael Fallek | Chairperson |
| | Gabriel Kamel | Vice Chairperson |
| | Jose Saldana | Member |
| | Emilio Santos Jr. | Member |
| | Reza Badiozzamani | Member |
| | Jesse Ozuna | Member |
| Absent: | Marco Suarez | Member |
| Staff Present: | Josephine Ramirez | Assistant City Attorney III |
| | Michelle Rivera | Assistant City Manager |
| | Edgar Garcia | Planning Director |
| | Luis Mora | Deputy Planning Director |
| | Omar Sotelo | Development Coordinator |
| | Rodrigo Sanchez | Senior Planner |
| | Kaveh Forghanparast | Planner III |
| | Eduardo Garza | Planner III |
| | Julio Constantino | Planner III |
| | Adriana Solis | Planner II |
| | Hilda Tovar | Planner II |
| | Edson Lara | Planner II |
| | Porfirio Hernandez | Planner I |
| | Victor Grey | Planner Technician I |
| | Magda Ramirez | Administrative Assistant |

CALL TO ORDER – Chairperson Mr. Michael Fallek

PLEDGE OF ALLEGIANCE

INVOCATION-. Mr. Emilio Santos Jr.

1) MINUTES:

a) Approval of Minutes for April 2, 2024

The minutes for the regular meeting held on April 2, 2024 was approved as submitted by Vice Chairperson, Mr. Gabriel Kamel. Seconding the motion was Mr. Jose Saldana which carried unanimously with five members present and voting.

Mr. Reza Badiozzamani entered the meeting at 3:32p.m, therefore beginning his votes on Item 2a1.

2) PUBLIC HEARING:

a) **CONDITIONAL USE PERMITS:**

- 1) Request of Shawn Boreta on behalf of Rhodes Enterprises, for a Conditional Use Permit for a food truck park, for one year, at Lot 1, Community Center at Tres Lagos Subdivision, Hidalgo County, Texas; 4900 Tres Lagos Boulevard. **(CUP2024-0049)**

Ms. Adriana Solis stated that the subject property is located along the north side of Tres Lagos Boulevard and is zoned R-1 (single-family residential) District and C-4 (commercial-industrial) District. The adjacent zoning to this property is R-1 District in all directions. A Food Truck Park is permitted in a C-4 District with a Conditional Use Permit, and in compliance with all other requirements. The Food Truck Park is proposed to be located and operating out of the R-1 District portion of the lot. A request for a conditional use permit to operate the food truck park was approved by the City Commission on April 24, 2023.

There is an existing Food Truck Park on the subject property. According to the applicant, the location can accommodate up to 5 food trucks. Based on the total number of food trucks that can be accommodated, 20 parking spaces would be required. A total of 71 parking spaces, including 7 accessible spaces, are available on site. The Food Truck Park's proposed days and hours of operation are currently Thursday through Sunday from 3 PM to 10 PM. The applicant proposes to expand the hours of operation to Monday through Sunday from 5:00 AM to 11:00 PM. This new request amends the Conditional Use Permit to allow the new hours of operation.

The plat for Community Center at Tres Lagos Subdivision was recorded on June 8, 2017. An Associated Recreation Conditional Use Permit, for the life of the use, was approved for this Subdivision by City Commission on October 10, 2016. The Conditional Use Permit for an Associated Recreation was originally requested to allow recreation areas that would include a community center, two parks, and a pool area. The Associated Recreation will remain in effect as it was originally approved in October 10, 2016, unless an amendment is requested. The Conditional Use Permit application was submitted on March 28th, 2023.

The Fire and Health Departments has completed their inspections and found no violations with the proposed site. The Food Truck Park and its vendors must comply with the requirements set forth in Section 54-52 of the Zoning Ordinance for mobile food vendor courts and the following specific requirements:

- 1) The property line of the lot must be at least 200 feet from the nearest residence or residentially zoned property; the location of the Food Truck Park is proposed to be within the R-1 District portion of the Lot and adjacent to other residentially zoned properties.
- 2) The name, address, phone number and email address of a contact person who shall be available 24 hours per day, 7 days per week for the purposes of responding to complaints regarding the operation of the mobile food vendor court; applicant has provided their contact information
- 3) Mobile food vendor courts shall not operate between the hours of 2:00 AM and 7:00 AM; proposed hours of operation are between 5:00 AM and 11:00 PM
- 4) Each mobile food vendor court shall provide access to a restroom on or within 600 feet of the property lines of the track of land on which it is situated;

- 5) Mobile food vendor courts must provide one (1) garbage receptacle, to hold a minimum of thirteen (13) gallons, per each vendor located on premises for public use. This requirement is in addition to the receptacles required of each individual vendor;
- 6) Mobile food vendors may not be placed or parking on unimproved surfaces;
- 7) Adequate lighting, as determined by the Health Director, to enable clear and unobstructed visibility of mobile food vendors and patrons shall be provided at all entrances and exits of the mobile food vendor court;
- 8) Mobile food vendor courts shall provide on premise parking areas sufficient to accommodate staffing needs and seating areas.

The proposed location for the Food Truck Park would be within the R-1 District portion of the subject property. The applicant or owner of the property may consider rezoning the R-1 District portion of the subject property to a C-4 District in order to bring the proposed use closer to compliance.

This Conditional Use Permit for a Food Truck Park does not grant approval for the current or future food trucks that will be on site. Each food truck is required to obtain an approved permit through the Mobile Food Vendors application process with the City's Environmental Health and Code Enforcement Department.

The Planning Department has not received any phone calls, emails, or letters in opposition of the Conditional Use Permit request.

Staff recommends disapproval of the conditional use permit request due to non-compliance with requirement #1 (distance) and requirement #3 (hours of operation) of Sec. 54-52, which prohibits food truck parks from operating between the hours of 2:00 AM to 7:00 AM. The food truck park is proposing to operate Monday through Sunday from 5:00 AM to 11:00 PM.

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

After a brief discussion regarding the hours of operation between Vice Chairperson Mr. Gabriel Kamel and Applicant representative Kelvin Thomas (property manager), Vice Chairperson Mr. Gabriel Kamel moved to disapprove with favorable recommendation. Mr. Jose Saldana second the motion which was disapproved with favorable recommendation with six members present and voting.

- 2) Request of El Redentor a las Naciones on behalf of Jose E. Lugo, for a Conditional Use Permit for a Church, for life of use, at Lots 14-15, Block 9, Guerra's Addition Subdivision, Hidalgo County, Texas; 2016 Houston Avenue. **(CUP2024-0051)**

Ms. Adriana Solis stated that the subject property is located along the north side of Houston Avenue. The property is zoned C-3 (general business) District. The adjacent zoning is C-3 District to the west and east. The property to the north is zoned R-2 (duplex-fourplex) District. Surrounding land uses include residential homes and commercial uses. An Institutional Use is permitted in a C-3 District with a Conditional Use Permit and in compliance with requirements.

A Conditional Use Permit for a church has been requested for this property previously. The Conditional Use Permit from the previous year was approved for a one year term by the Planning and Zoning

Committee on March 21, 2023. The applicant is now requesting life of use, as per this current request.

The church will continue to operate from an existing 3,600 sq. ft. structure. The applicant is proposing to operate a small church with a main sanctuary area and three classrooms. The days and hours of the services of the church will be on Sunday from 7 P.M. to 9 P.M. and Wednesday from 11 P.M. to 2 P.M. Based on the 2 seats proposed in the sanctuary area, 1 parking space is required; 8 parking spaces are being proposed.

The Fire Department has conducted their required fire inspection and approved for the CUP process to continue. Should the Conditional Use Permit be approved, the applicant would be required to sign the certificate acknowledging and agreeing to the conditions of the permit. The church must comply with the Zoning Ordinance and specific requirements as follows:

- 1) The proposed use shall not generate traffic onto residential size streets or disrupt residential areas, and shall be as close as possible to a major arterial. The church has access on Houston Ave.
- 2) The proposed use shall comply with the McAllen Off-Street Parking Ordinance and make provisions to prevent the use of street parking, especially in residential areas. Based on the seating area of 2 seats in the sanctuary, 1 parking space is required; 8 parking spaces are being proposed.
- 3) The proposed use shall prevent the unauthorized parking of its patrons on adjacent businesses or residences by providing fences, hedges or reorientation of entrances and exits.
- 4) The proposed use shall provide sufficient lighting to eliminate dark areas, perimeter fencing, and an orientation of the building to provide maximum visibility from a public street in order to discourage vandalism and criminal activities.
- 5) Provisions shall be made to prevent litter from blowing onto adjacent streets and residential areas.
- 6) The numbers of persons within the building shall be restricted to the existing seating capacity for the building.
- 7) Sides adjacent to commercially and residentially zoned or used properties shall be screened by a 6 ft. opaque fence.

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

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

Staff recommended approval of the request, for life of the use, subject to compliance with requirements of the Zoning Ordinance, Building Department, and Fire Department requirements.

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

- 3) Request of Jesus F. Davila on behalf of Trenton Palms LLC, for a Conditional Use Permit for a Bar, for one year, at Lot 1, Valerie Subdivision, Hidalgo County, Texas; 7001 North 10th Street. **(CUP2024-0052)**

Ms. Adriana Solis stated that the property is located at the northwest corner of North 10th Street and Robin Avenue, and is zoned C-3 (general business) District. The adjacent zoning is C-3 District in all directions except to the southeast there is C-1 (office building) District. Surrounding land uses include commercial businesses, restaurants, bars, and residences. A bar is allowed in a C-3 District with a

conditional use permit and in compliance with requirements.

A Conditional Use Permit was approved by City Commission on May 23, 2023. The same tenant is applying for a new CUP since the previous one has expired.

The applicant is proposing to operate a bar from the existing 2,897 sq. ft. building. The proposed days and hours of operation are Sunday through Saturday from 11:00 AM to 2:00 AM daily. A police activity report was requested and has been attached. The Fire Department and Health Department performed their respective inspection and deemed the establishment to be in compliance. The establishment must also meet the requirements set forth in Section 138-118(4) of the Zoning Ordinance and specific requirements as follows:

- 1) The property line of the lot of any of the abovementioned businesses must be at least 400 feet from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruptions of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The establishment is within 400 ft. of R-3T District to the southwest of the property and Robin Park (publicly owned property).
- 2) The property must be as close as possible to a major arterial and shall not generate traffic onto residential-sized streets. The establishment has direct access to North 10th Street and does not generate traffic into residential areas;
- 3) The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance as a minimum, and make provisions to prevent the use of adjacent streets for parking. Based on the floor area of 2,897 sq. ft., 29 parking spaces are required; 120 parking spaces are provided for all the businesses to operate collectively. Upon the inspection, the parking area provided is in compliance with striping and maintenance requirements. There are currently 65 parking spaces available. The applicant will obtain a parking agreement from Trenton View Subdivision in order to insure compliance with parking requirements.
- 4) The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties.
- 5) The business shall provide sufficient lighting to eliminate dark areas and maximize visibility from a public street to discourage vandalism and criminal activities;
- 6) The abovementioned businesses must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties;
- 7) The above-mentioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance after taking into account the recommendations of the Fire Marshal, Building Official, and Planning Director. The maximum capacity for the establishment is 99 persons.

Staff recommended disapproval of the request based on non-compliance with requirement #1 distance to publicly owned land (Robin Park) and residential use (R-3T Zoning) of Section 138-118a(4)a of the Zoning Ordinance. If approved, the Conditional Use Permit must comply with conditions noted.

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

Being no discussion, Vice Chairperson Mr. Gabriel Kamel moved to disapprove with favorable recommendation. Mr. Emilio Santos second the motion which was disapproved with favorable recommendation with six members present and voting.

- 4) Request of Brandon Solis on behalf of LA PLACITA RGV(AMENDED),LLC, for a Conditional Use Permit, for 1 year, for an Event Center, Hidalgo County, Texas; 2109 South 10th Street, Building 300, Suit 20 **(CUP2024-0057)**

Mr. Edson Lara stated that the subject property is located on the east side of south 10th Street. The property is zoned C-3 (general business) District. The adjacent zoning is C-3 in all directions. Surrounding land uses includes a high volume of C-3 businesses such a Simon Plaza, Lone Star National Bank and other Retail stores. Additionally Townhouses, Condominiums and Multifamily Residential and found in surrounding land. An Event Center is allowed in a C-3 District with a conditional use permit and in compliance with requirements.

No previous history of occupancy in this location from applicant.

The applicant is proposing to operate (May/07/2024) an event center from the approximately 2,205 square foot building. The proposed days and hours of operation are to be from 9:00 AM to 10:00 PM Monday through Sunday.

The Fire Department has conducted their inspection and has allowed the CUP process to continue. The Health Department has completed and approved the necessary inspection. The establishment must also meet the requirements set forth in Section 138-118(a)(4) of the Zoning Ordinance and specific requirements as follows:

1. The property line of the lot of any of the above mentioned businesses must be at least 400 ft. from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruption of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The proposed establishment is within 400 ft. from the nearest residentially zoned property and apartment zoned area.
2. The property must be as close as possible to a major arterial and shall not generate traffic onto residential sized streets. The establishment has direct access to South 10th Street and does not generate traffic into residential areas;
3. The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance as a minimum, and make provisions to prevent the use of adjacent streets for parking. Based on the square footage and use of the building, 22 parking spaces are required one of which should be for persons with disability. The parking lot is common area and should be clear of potholes and properly striped.
4. The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties.

5. The business shall provide sufficient lighting to eliminate dark areas and maximize visibility from a public street in order to discourage vandalism and criminal activities;
6. The business must make provisions to keep litter to a minimum and keep it from blowing onto adjacent properties; and
7. The above-mentioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Planning Director.

The Planning Department has not received any phone calls nor emails in opposition of the Conditional Use Permit request.

Staff recommended disapproval of the request based on noncompliance with requirement #1 (distance) of section 138-118(4) of the Zoning Ordinance.

Chairperson Mr. Michael Fallek abstained from this item.

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

Being no discussion, Mr. Jose Saldana moved to disapprove with favorable recommendation. Mr. Jesse Ozuna second the motion which was disapproved with six members present, five voting and one abstain vote.

- 5) Request of Luis A. Alvarez on behalf of BORBA,LLC for a Conditional Use Permit, for one year, for a food concession stand, at Lot 2, Redbud No. 2 Subdivision, Hidalgo County, Texas; 6700 North 23rd Street, Suite E. **(CUP2024-0058)**

Mr. Edson Lara stated that the subject property is located on the northeast corner of North 23rd Street and Oriole Avenue. The property is zoned C-3 (general business) District. The adjacent zoning is R-1 District to the west and east of the subject property. There is R-3C (condominiums) District to the north and C-1 (office building) District to the south. Surrounding land uses includes Kusina Filipino Restaurant & Market, ADC Acute Dialysis Care, Little Shinning Stars Daycare, Las Torres Condominiums and residential homes. A portable food concession stand is allowed in a C-3 District with a conditional use permit and in compliance with requirements.

The most recent approval for the conditional use permit was on July 27, 2023. Ownership is the same under different management. This application was submitted on May 08 2024.

The applicant is proposing to operate from a 172 sq. ft. portable food trailer with an existing 38 sq. ft. outdoor deck area on the subject property. The portable food trailer business is already in place. The applicant may utilize outdoor seating, maximum of 10 seats. Based on the total area of the 210 sq. ft. portable food concession stand/deck area, 6 parking spaces are required if the applicant includes seating area; 56 parking spaces provided on site. Of the 56 parking spaces, 35 parking spaces are required for the existing restaurant and 5 parking spaces are required for the retail uses, for a total of 40 spaces required. The proposed days and hours of operation are, Monday through Saturday 2 PM to 10 PM, and on Sundays from 2 PM to 8 PM.

The Fire Department is pending their inspection. The Health Department has completed and approved the necessary inspection. The portable building must also meet the requirements set forth in Section 138-118(a) (9) of the Zoning Ordinance and specific requirements as follows:

- 1) Cannot be located in residentially zoned area. The portable food concession stand is located in a C-3 District;
- 2) Stand must be inspected by building inspection department and meet applicable building codes;
- 3) Must have paved off-street parking available over and above what is required for the business to which it is adjacent. The parking lot must be restriped and ensure there are no loose gravel visible
- 4) If it is a portable building or trailer it must be anchored to the ground properly;
- 5) Must meet setback requirements of the zoning district in which it is located; and
- 6) Water and sewage disposal facilities must be available and may be required.

The Planning Department has not received any phone calls nor emails in opposition of the Conditional Use Permit request.

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

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

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

- 6) Request of Alberto Martinez Chontal on behalf of Mymama Ltd., for a Conditional Use Permit, for one year, for Institutional Use (Church) at the north 120 feet of Lot 16, Alaniz Subdivision, Hidalgo County, Texas; 300 North 29th Street. **(CUP2024-0053)**

Ms. Hilda Tovar stated that the property is located on the east side of North 29th Street, approximately 750 ft. north of U.S. Business Highway 83. The subject property is zoned I-1 (light industrial) District. The adjacent zoning is I-1 to the north, south and west and R-3A (multifamily residential apartments) District to the east. Surrounding land uses include apartments, townhomes, warehouses, a commercial plaza, (with retail, restaurants, an insurance office and beauty salon), vacant land and a church by the name of Iglesia Bethesda. An institutional use is permitted in the I-1 zone with a conditional use permit and in compliance with requirements.

The applicant is proposing to operate a church in a multitenant commercial plaza. The proposed location is approximately 1,539 sq. ft. and it was previously used as a restaurant by the name of Cocinita. The hours of operation are Tuesdays and Thursdays from 7:00 pm to 9:00 pm and Sundays 5:00 am to 7:00 am and 1:00pm to 3:00pm. The church is proposing a seating capacity of 60 in the main auditorium. The suite consists of an open area used as the auditorium, two restrooms and a storage for fruits and vegetables. The Building Permits & Inspections Department will require a change of use permit prior to occupancy.

Based on a seating capacity of 60 in the main auditorium, 15 parking spaces are required; 23 parking spaces are provided as part of the common parking area for the retail plaza. One of the provided parking spaces must be van accessible with an 8ft. wide aisle. One van accessible parking is provided.

The Fire Department has completed the inspection for the proposed business and the inspection was satisfactory. The Planning Department has received no complaints regarding the requested use as a church. As per Section 138-400 of the Zoning Ordinance, the parking lot must be properly striped and free of potholes. 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 North 29th Street.
- 2) The proposed use shall comply with the McAllen Off-Street Parking Ordinance and make provisions to prevent the use of street parking, especially in residential areas. Based on the seating area of 60 seats, 15 parking spaces are required; 23 parking spaces are provided on site. One of the provided parking spaces is required to be van accessible with an 8 ft. wide aisle. The parking must be clear of potholes and properly striped per city requirements.
- 3) The proposed use shall prevent the unauthorized parking of its patrons on adjacent businesses or residences by providing fences, hedges or reorientation of entrances and exits;
- 4) The proposed use shall provide sufficient lighting to eliminate dark areas, perimeter fencing, and an orientation of the building to provide maximum visibility from a public street in order to discourage vandalism and criminal activities;
- 5) Provisions shall be made to prevent litter from blowing onto adjacent streets and residential areas;
- 6) The number of persons within the building shall be restricted to the existing seating capacity for the building; and
- 7) Sides adjacent to commercially and residentially zoned or use property shall be screened by an 6 ft. opaque fence.

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

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

The Planning Department has not received calls or concerns regarding the proposed use.

Staff recommended approval of the request, for one year, subject to compliance with requirements in Section 138-118 and Section 138-400 of the Zoning Ordinance, and Building Permits and Fire Department requirements.

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

Being no discussion, Mr. Jose Saldana moved to approve subject to conditions noted. Vice Chairperson Mr. Gabriel Kamel second the motion which was approved with six members present and voting.

- 7) Request of Israel Villarreal III on behalf of Jose A. Chanin, for a Conditional Use Permit, for one year, for a Bar (80's Brewery) at Lot A-1, Nolana Tower Subdivision, Hidalgo County, Texas; 400 Nolana Avenue, Suites I, J, K. **(CUP2024-0056)**

Ms. Hilda Tovar stated that the property is located at the northeast corner of Nolana Avenue and North 6th Street, and is zoned C-3 (general business) District. The adjacent zoning is C-1 (office building) District to the north, C- 3 (general business) District to the east, south and west, R-1 (single family residential) District to the east and A-O (agricultural and open space) District to the west. The property is located within the Nolana Tower Subdivision and is part of the Nolana Tower Shopping Center. Surrounding land uses include Chanin Engineering LLC, Suerte Bar & Grill, Eddy's Tavern & Social and residential homes. A bar and grill is permitted in a C-3 District with a conditional use permit and in compliance with requirements.

The subject property is the location for a multi-tenant commercial shopping center by the name of Nolana Tower Shopping Center. The applicant is proposing to operate a bar (80's Brewery) from combined suites I, J and K with an area of 6,989 sq. ft.as shown on the submitted site plan. The hours and days of operation would to be Monday-Sunday from 5:00 PM to 2:00 AM.

The Fire Department has not completed the necessary inspection for this property. 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. Staff has not received any calls with concerns or complaints of the request. The establishment must also meet the requirements set forth in Section 138- 118(a)(4) of the Zoning Ordinance and specific requirements as follows:

- 1) The property line of those businesses having late hours (after 10:00 p.m.) must be at least 400 ft. from the nearest residence, church, school or publicly-owned property or must provide sufficient buffer and sound insulation of the building such that the building is not visible and cannot be heard from the residential areas. The establishment is within 400 ft. of the residential zones and uses, however, staff has not received any complaints from the residents; The establishment is also within 400 feet of publicly owned property (City of McAllen water tower).
- 2) The property must be as close as possible to a major arterial and shall not generate traffic onto residential sized streets. The property has direct access to Nolana Avenue, North 4th Street and North 6th Street. The existing gates on North 4th Street need to be closed as required from other Conditional Use Permits in this commercial plaza;
- 3) The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance as a minimum, and make provisions to prevent the use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional on-site parking. Currently there is a multi-tenant commercial building on the property. The shopping center is a mixture of office, retail, vacant suites, restaurants, and bars. 729 parking spaces are provided as part of a common parking area in the front and rear of the building. Based on the square footage of the building, 70 parking spaces are required. Parking spaces are provided on site during the applicable hours of operation for this business;

- 4) The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties by providing, when necessary, fences, hedges or reorientation of entrances and exits under the vegetation ordinance;
- 5) The business shall provide sufficient lighting to eliminate dark areas and maximize visibility from a public street in order to discourage vandalism and criminal activities;
- 6) The business must make provisions to keep litter to a minimum and keep it from blowing onto adjacent properties; and
- 7) The above-mentioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Planning Director.

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

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

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

- 8) Request of Mario A. Salinas on behalf of Synergy a Real Estate Alliance, LLC, for a Conditional Use Permit, for life of the use, for a Planned Unit Development (PUD) at a 12.51-acre tract out of the south 412.50 feet of Lot 167, John H. Shary Subdivision, Hidalgo County, Texas; 2021 South Taylor Road. **(CUP2023-0056)**

Ms. Hilda Tovar stated that the property is located at the northeast corner of South Taylor Road and Uvalde Avenue. The tract has a lot size of 12.51 gross acres and is currently vacant with street improvements in place. The property is zoned R-2 (duplex-fourplex residential) District. The adjacent zoning is R-3T (multi-family townhouse residential) District to the north, and R-1 (single-family residential) District to the east and south. The area to the west, across South Taylor Road, is outside of McAllen's city limits. A Planned Unit Development (PUD) is permitted in an R-2 District with a Conditional Use Permit and in compliance with Article IV for Planned Developments of the Subdivision Ordinance.

The tract of land was annexed into the City and initially zoned R-2 District on September 22, 2015. A rezoning request to R-3A District for the subject property was submitted on October 10, 2022 and the Planning and Zoning Commission recommended disapproval of the request at the meeting of November 16, 2022. After being advised by the Planning and Zoning Commission to consider the PUD process, the applicant withdrew his request before it could be considered by the City Commission.

An application for a proposed subdivision was submitted on April 28, 2015 for a 42-lot duplex-fourplex development under the name "Taylor Villas" and was approved in preliminary form at the Planning and Zoning Commission meeting of September 1, 2015. A variance to the R.O.W. was approved by the Planning and Zoning Commission at 50 feet instead of 60 feet with 40 feet of pavement width and 10

feet of sidewalk and utility easements on both sides. Improvements were made on the subject property that appear to comply with its original zoning designation and subdivision proposal.

The original proposed subdivision was approved in revised final form at the Planning and Zoning Commission meeting of July 18, 2017, however the subdivision was never recorded. Since the property changed ownership before the plat was recorded, a new subdivision application was submitted on December 28, 2022. The new subdivision plat received approval in preliminary form at the Planning and Zoning Commission meeting of January 17, 2023.

The applicant is proposing to use the existing 12.51 gross acres of vacant land to establish a PUD for a multi-family apartment development. The subdivision for this PUD is proposed as a private/gated subdivision. The PUD will have 40 lots, 84 apartment buildings, and 168 living units in total.

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

1. CONCEPTUAL SITE PLAN: Development and use of the property must comply with the conditional use permit conceptual site plan.
2. PERMITTED USES: Proposed uses are uses permitted in the R-3A (multi-family apartment residential) District for detached buildings designated as apartments.
3. OFF-STREET PARKING AND LOADING: Parking in compliance with Chapter 134 Article VII, Section 138-395 (1) (b.). Triplex, fourplex, apartment/condominium buildings with five or more units: Two parking spaces for each two or more bedrooms living unit. Based on the 168 living units, 334 total parking spaces are proposed, with 4 parking spaces for Lot 26, 8 parking spaces required for Lots 1-13, 15, 20, 16-18, 21-24, 19, 25, 27-39, 24 parking spaces required for Lot 14 and 10 parking spaces for Lot 40. The overall site plan is complying with parking requirements.
4. LANDSCAPING: A minimum of ten percent of the area of any lot or parcel shall be devoted to landscape material and comply with the intent and purpose of this article and 50 percent of such landscaped area for nonresidential lots shall be visible from the street fronting the developed property. Landscape areas located within the street and alley rights-of-way shall not be credited towards meeting the minimum landscape area requirement. However, right-of-way areas shall be landscaped. Landscape areas associated with drainage detention facilities located on the lot or parcel may be credited towards the landscape area requirement. A minimum of 50 percent of the area within the required front yard of any residential parcel shall be devoted to landscape material.
 - a. Landscape (sod/green area) square footage requirement per Lot:
 - i. **Lots 4-12**: 866
 - ii. **Lots 16-18 & 21-24**: 897
 - iii. **Lots 27-38**: 850
 - iv. **Lot 1**: 866, **Lots 2, 3**: 898, **Lot 13**: 865, **Lot 14**: 2,657, **Lot 15**: 874, **Lot 19**: 897, **Lot 25**: 874, **Lot 26**: 531, **Lot 39**: 850, **Lot 40**: 1,087.

As per Section 110-51 (1), when the required area being landscaped is from one to 2,000 square feet a minimum of one tree for every 200 square feet of landscape area shall be required.

- b. Tree requirements per Lot (2.5", 4", and 6" caliper size):
 - i. All lots will require a minimum of 5 trees at 2.5" caliper size, except for Lot 42 which will require 6 trees at 2.5" caliper size.
 - ii. 3 trees at 4" caliper size can also be provided for all lots, or one tree at 6" caliper size, except for Lot 14 which will require 3 trees at 6" caliper size.
5. STREETS AND SETBACKS: Final setbacks and right-of-way dedication will be addressed and determined through the subdivision review process.
6. DRAINAGE: Addressed through subdivision process. Final drainage detention and design and the drainage plan must be submitted and in accordance with City of McAllen Standard Design Guide.
7. ADDITIONAL PROVISIONS: Conditional Use Permit site plan controls if there is conflict with other City ordinances. A decision by the Planning Director may be reviewed by the Planning and Zoning Commission for recommendation to the City Commission Board for final determination. The Conditional Use Permit calls for mixed use and a minimum of five (5) acres. The development has 12.51 acres and is proposing a single use.
8. Owner, Engineer and Surveyor certification and signature block needs to be shown on the PUD site plan. Submitted site plan meets requirements.
9. A recorded subdivision plat and PUD site plan is required prior to issuance of building permits. The subdivision review process must be completed, and the subdivision plat must be recorded together with the PUD site plan.

Three different elevation plan types will be recorded along with the PUD site plan that will reflect three different lot groups (i.e., Lots 1-16, Lots 17-27, and Lots 29-42).

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

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

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

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

Being no discussion, Vice Chairperson Gabriel Kamel moved to approve subject to conditions noted. Mr. Reza Badiozzamani second the motion which was approved with six members present and voting.

- 9) Request of Joseph M. Caporusso on behalf of CARCAP Enterprises, LTD., for a Conditional Use Permit for a parking facility, for life of use, at Lot 4, 5 & 6, Block 7, Fairfield Place Subdivision, Hidalgo County, Texas; 813 Kennedy Avenue. **(CUP2024-0054**

Ms. Hilda Tovar stated that the subject property is located on the south side of Kennedy Avenue in between South 10th Street and South 8th Street. The property is zoned R-1 (single-family residential) District. The adjacent zonings are R-1 District in all directions except to the south which is C-1 (office building) District. Surrounding land uses include single-family residences and other office buildings by the name of Futuro Clinical Trails, Complete Family Care, etc. A parking facility for office uses is allowed in an R-1 District with a Conditional Use Permit and in compliance with requirements.

A Conditional Use Permit for the life of use for a parking facility was submitted in April 25, 2024. The purpose of the parking facility request is to provide additional parking for an existing office building located on the south side of the subject property.

A parking facility is allowed in a R-1 zone with a Conditional Use permit. The applicant is proposing to utilize the proposed parking lot to provide additional parking for an existing office building by the name of Complete Family Care located at 812 Lindberg Ave. The submitted site plan depicts that 24 parking spaces will be provided. During the site visit, staff noticed that the property is currently vacant. The parking lot has to be striped and the landscape areas need to be cut and maintained.

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 parking facility must comply with landscaping, buffer, parking, and right of way requirements. It must also meet the requirements set forth in Section 138-118(6) of the Zoning Ordinance and specific requirements as follows:

- 1) The sides adjacent to residentially zoned property are to be screened by a six-foot opaque fence. A 6 ft. opaque fence exists on the east, south and west side of the subject property;
- 2) The parking area shall be landscaped in compliance with the Landscape Ordinance. The required landscaping for this parking lot is 1,350 sq. ft. with trees required as follows: 7 – 2 1/2" caliper, or 4 – 4" caliper, 2 – 6" caliper. Each parking space must also be within 100 ft. of a landscape area with a tree. A landscape strip area with a minimum width of ten feet shall be provided along and within the property lines along Kennedy Avenue, excluding driveway entrances and exits. Since the subject property has a lot depth of less than 200 feet, the landscaped strip may be reduced to a minimum width of five feet with a landscape hedge not exceeding three feet in height;
- 3) Residential areas shall be protected as far as possible against heavy traffic and against through traffic of all kinds, including traffic generated by commercial, industrial or other incompatible land uses.
- 4) Parking should not encroach into side yard setbacks when residential uses are adjacent. A 6 ft. landscape buffer is provided on the west side yard setback and 83 feet on the west side yard setback;
- 5) The parking area shall be adjacent to the primary use. The proposed parking area is adjacent to the primary use property on the south side;

- 6) The parking area shall provide sufficient lighting to eliminate dark areas to provide maximum visibility from a public street in order to discourage vandalism and criminal activities. Lighting shall be shielded from residential areas;
- 7) No form of pollution shall emanate beyond the immediate property line of the permitted use;
- 8) The Planning and Zoning Commission may impose additional reasonable restrictions or conditions to carry out the spirit and intent of this section and to mitigate adverse effects of the proposed use. These requirements may include, but are not limited to, increased open space, loading and parking requirements, suitable landscaping, and additional improvements such as curbing and sidewalks.

Staff recommended approval of the request, for life of the use, subject to compliance with requirements in Section 138-118(6) of the Zoning Ordinance, Engineering Department ROW requirements and Landscape requirements.

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

Being no discussion, Mr. Jose Saldana moved to approve. Mr. Emilio Santos second the motion which was approved with six members present and voting

b) REZONING:

1) Tract 1: Rezone from C-3 (general business) District to R-3T (multifamily residential townhouse) District: 0.170 acres out of Lot 52, out of Lots 35 to 68, Inclusive, Section 229, Tex-Mex Subdivision, Hidalgo County, Texas; 13931 North Ware Road (middle). (REZ2024-0031)

Tract 2: Rezone from R-2 (duplex-fourplex residential) District to R-3T (multifamily residential townhouse) District: 2.227 acres out of Lots 52 through 54, out of Lots 35 to 68, Inclusive, Section 229, Tex-Mex Subdivision, Hidalgo County, Texas; 13931 North Ware Road (rear). (REZ2024-0028)

Mr. Porfirio Hernandez stated that the two interior tracts are located along the west side of North Ware Road, approximately 340 feet south of Mile 9 Road. Tract 1 consists of 0.170 acres and is zoned C-3 (general business) District. Tract 2 consists of 2.227 acres and is zoned R-2 (duplex-fourplex residential) District. Both tracts were initially zoned upon annexation in August 2023.

The applicant is proposing to rezone the subject properties to R-3T (multifamily residential townhouse) District in order to construct a townhouse development. A feasibility plan has not been submitted. A subdivision plat under the name Mediterranean Subdivision received approval in preliminary form by the Planning and Zoning Commission on November 7, 2023.

The adjacent zoning is C-3 District to the east. The properties to the north, south and west are outside of the McAllen city limits. Ensenada at Tres Lagos Subdivision is located to the north across Russel Road. Country Meadows Subdivision is located to the east across North Ware Road. Both are single family residential developments.

The subject property is vacant and includes a portion of a pond on the north side. Surrounding land uses include single-family residences, farmland and vacant properties.

The Envision McAllen Future Land Use Plan categorizes the future land use for this property under Complete Communities. Single family homes make up the majority of this land use category although townhomes should be encouraged to create diversity in housing choices. Single family residential and townhome uses are considered appropriate for this area and are encouraged especially when retail services and offices are nearby.

The development trend for this area is single family residential and non-residential.

The requested zoning conforms to the Complete Communities Future Land Use Plan designation.

Appropriate locations for multifamily developments along arterial streets are commercial along the front and multifamily on interior tracts. The proposed development follows this arrangement.

A masonry screen 8 feet in height is required where a townhouse development is adjacent to a residential use or zone.

Parkland dedication or fees in lieu of parkland dedication comprising \$700 per dwelling unit is required prior to recording a subdivision plat.

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

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

Staff recommended approval of the rezoning request to R-3T (multifamily residential townhouse) District.

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

Being no discussion, Mr. Jesse Ozuna moved to approve Items 2b1 & 2b4 rezoning request. Mr. Reza Badiozzamani seconded the motion, which was approved with six members present and voting.

- 2) Rezone from R-1 (single family residential) District to R-2 (duplex-fourplex residential) District: Lot 37, Bonham Unit No. 2 Subdivision, Hidalgo County, Texas; 2404 South 28th Street. (REZ2024-0027)**

Mr. Porfirio Hernandez stated that the property is located along the west side of South 28th Street, approximately 182 feet north of Jordan Road.

The property is zoned R-1 (single-family residential) District. The adjacent zoning is R-1 District to the north and east, and R-3A (multifamily residential apartments) District to the south and west.

The subject property is currently vacant. Surrounding land uses include single-family residences and apartments.

The Envision McAllen Future Land Use Plan categorizes the future land use for this property under Complete Communities. Single family homes make up the majority of this land use category although duplexes should be encouraged to create diversity in housing choices. Single family residential and duplex uses are considered most appropriate for this area and are similar in character and lot standards to single-family.

The development trend for this area is established single family residential and apartment use.

The requested zoning conforms to the Complete Communities Future Land Use Plan designation. This property is adjacent to R-3A District to the south and west, properties that contain apartment use.

The Lot size meets the minimum lot size requirement for duplex development.

Compliance with off street parking, landscaping and various building codes are required before issuance of any building permit.

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

Staff recommended approval of the rezoning request to R-2 (duplex-fourplex residential) District.

The applicant is proposing to rezone the subject property to R-2 (duplex-fourplex residential) District in order to construct a duplex. A feasibility plan has been submitted and is attached.

Chairperson Mr. Michael Fallek asked if there was anyone present in opposition of the rezoning request. There was one.

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

- 3) Rezone from R-1 (single family residential) District to R-2 (duplex-fourplex residential) District: Lot 4, R. Martinez Family Subdivision, Hidalgo County, Texas; 1113 East Pineridge Avenue. **(REZ2024-0029)**

Mr. Porfirio Hernandez stated that the property is located along the north side of East Pineridge Avenue, approximately 100 feet west of South "K" Center Street.

The applicant is proposing to rezone the subject property to R-2 (duplex-fourplex residential) District in order to construct a duplex. A feasibility plan has not been submitted.

The subject property is zoned R-1 (single-family residential) District and adjacent zoning is R-1 District to the north, south and west. There is R-2 (duplex-fourplex residential) District to the east.

The subject property is vacant. Surrounding land uses include single-family residences and duplex-fourplex residences.

The Envision McAllen Future Land Use Plan designates the future land use for this property as Complete Communities. Single family homes make up the majority of this land use category although duplexes should be encouraged to create diversity in housing choices.

The development trend for the area to the west is established single family residential and duplex-fourplex residential to the east.

Although the requested zoning conforms to the Complete Communities Future Land Use Plan designation. Development and rezoning trends appear to clearly identify established areas between the two zoning districts. This property is adjacent to Las Cañadas Subdivision, an established fourplex residential development.

East Pineridge Avenue is constructed with 50 feet of right of way, typical for single family residential areas. Generally right of way for multifamily construction is 60 feet.

The minimum Lot area required for a duplex in the R-2 District is 5,600 square feet. The tract size is approximately 5,540 square feet. A variance may be required to resolve the difference.

Compliance with off street parking, landscaping and various building codes are required before issuance of any building permit.

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

Staff recommended disapproval of the rezoning request to R-2 (duplex-fourplex residential) District.

Chairperson Mr. Michael Fallek asked if there was anyone present in opposition of the rezoning request. There was one. Citizen Ms. Raquel Garcia spoke at the end of the meeting (after item# 3f) regarding her concerns.

Citizen Ms. Raquel Garcia (1109 East Pineridge Avenue) stated her concerns were flooding, traffic, and it is a small lot area.

After a brief discussion with the applicant which he explained that the reason he wants to rezone this property is because his father is moving into the United States and he wants to give this property to his father. Mr. Reza Badiozzamani moved to approve the rezoning request. Mr. Jose Saldana seconded the motion, which was disapproved with six members present and voting.

c) SUBDIVISIONS:

1) Club Addition Subdivision, 135 Quince Avenue, Heir Fund, LLC (SUB2024-0056) (FINAL) AEC

Mr. Eduardo Garza stated that the property located at Quince Avenue: Dedication for 25 ft. from centerline for 50 ft. total ROW. Paving: 32 ft. curb & gutter on both sides. Remove reference to pavement/curb & gutter as only ROW should be shown, prior to recording. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are required prior to recording. North 1 1/2 Street: Existing 30ft. of total ROW per recorded plat. Paving: 32 ft. curb & gutter on both sides. ROW requirements will have to be reviewed once existing dedications have been established. Finalize ROW requirements for Original 1 1/2 Street, subdivision, paving,

ROW, and note requirements subject to change once ROW is clarified, prior to recording. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are required prior to recording. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. 1,200 ft. Block Length. Subdivision Ordinance: Section 134-118. Front: In accordance with the zoning ordinance or in line with average setbacks of existing structures or greater for easements, whichever is greater applies. Zoning Ordinance: Section 138-356, 138-367. Rear: In accordance with the zoning ordinance or greater for easements, whichever is greater applies. Zoning Ordinance: Section 138-356. Sides: In accordance with the zoning ordinance or greater for easements, whichever is greater applies. Zoning Ordinance: Section 138-356. Corner: 10 ft. or greater for easements. Revisions Needed: Note requirement under review, as survey and original subdivision plat exhibit ROW along the western boundary of lot 1, clarify existing dedications, any existing abandonments must be referenced on plat, finalize corner setbacks requirements prior to recording. Garage: 18 ft. except where greater setback is required; greater setback applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk required along Quince Avenue and other streets as applicable. Revisions needed: Include note once ROW requirements have been finalized, finalize wording for note prior to recording. Sidewalk requirements may increase to 5 ft. prior to final per Engineering Department requirements, finalize wording for note prior to recording. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Landscaping Ordinance: Section 110-46. An 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. Must comply with City Access Management Policy. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: R-1 (Single-Family) Residential Proposed: R-1 (Single-Family) Residential Zoning Ordinance: Article V. Park Fee of \$1400 (\$700 X 2 lot/dwelling unit) to be paid prior to recording. Fees are payable prior to recording and can go up or down; as they are dependent on the amount of lots/dwelling units. Must comply with Parkland dedication ordinance requirements prior to recording. As per Traffic Department, Trip Generation waived for a 2-lot Single Family subdivision. Any abandonments must be done by separate process, not by plat. If any plat restrictions are proposed to be changed from original plat, vacate and replat would be required. Public Hearing with notices will be required for the re-subdivision. Revise name of Subdivision to "Club Addition Amended Lots 1A and 2A Subdivision". Remove reference to pavement/curb & gutter as only ROW should be shown. Owner's signature block makes reference to wrong subdivision. Must comply with City's Access Management Policy.

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

Chairperson Mr. Michael Fallek asked if there was anyone present in opposition of the subdivision request. There was one.

Citizen Mr. Daniel Gallegos (123 Quince Avenue) stated his concerns are safety, construction workers, and having additional tenants moving in and out of the area constantly.

After a brief discussion, Vice Chairperson Mr. Gabriel Kamel moved to approve the subdivision in final form request. Mr. Reza Badiozzamani seconded the motion, which was approved with six members present and voting.

5) SUBDIVISIONS:

a) Triple "B" Mobile Park II Subdivision, 10505 North 10th Street, FWW Inc. (SUB2024-0055) (PRELIMINARY) BDE

Mr. Eduardo Garza stated that the property located on North 10th Street (S.H. No. 336): Dedication as required for 120 ft. total ROW Paving: by the state curb & gutter by the state. Label centerline to finalize the ROW requirements, prior to final. Reference the document number for the existing ROW on the plat and provide a copy for staff review, prior to final. Label existing ROW before dedication, prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. North Bicentennial Boulevard: Dedication as required for 150 ft. total ROW. Paving: 65 ft. - 105 ft. curb & gutter on both sides. Revise street name as shown above, prior to final. Plat shows 125 ft. ROW, Thoroughfare Plan requires 150 ft. ROW. Need to establish centerline to determine ROW requirements for 150 ft. total ROW. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. Interior Drives: 30 ft. driveway. Paving: 24 ft. - 30 ft. curb & gutter: Internal drives will be private and maintained by the property owner. Provide details of existing width, prior to final. Will finalize paving details prior to final but not less than ordinance requirements. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. 600 ft. Maximum Cul-de-Sac. Subdivision Ordinance: Section 134-105. North 10th Street: In accordance with the Zoning Ordinance or greater for easements or approved site plan or inline with existing structures, whichever is greater applies. Mobile homes in Mobile Home Park: Front: 10 ft. from nearest corner of mobile home to the front line of the mobile home space or lot; 15 ft. from ROW line adjoining Public Street. Side: 5 ft. to lot line (10 ft. between buildings). Revise setback notes as shown above, prior to final. Zoning Ordinance: Section 138-356. Manufactured homes and recreational vehicles: Section 122-93. Recreational vehicles in Mobile Home Park. Front: 5 ft. from nearest corner of RV to front line of RV space; 15 ft. from ROW line adjoining public property. Side: 4 ft. to lot line (8 ft. between buildings) Revise setback notes as shown above, prior to final. Zoning Ordinance: Section 138-356. Manufactured homes and recreational vehicles: Section 122-93. All setbacks are subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk required on North 10th Street and North Bicentennial Boulevard. Sidewalk requirement may increase to 5 ft. per Engineering Department. Revise plat note #10 as applicable prior to final. Proposing: 4 ft. walk required along 10th St. (S.H. #336). Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along North Bicentennial Boulevard Revise plat note #11 as shown above, prior to final. Proposing: 6 ft. buffer required from adjacent commercial zone/use Landscaping Ordinance: Section 110-46. An 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Provide 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 North Bicentennial Boulevard. Must comply with City Access Management Policy. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Site plan must be submitted showing number of spaces, dimensions, and locations for mobile homes, prior to final. Plat notes will be required once site plan is finalized regarding maximum number of spaces, not for sale, etc. Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Provide plat note as shown above, prior to final. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: R-4 Proposed: R-4. Zoning Ordinance: Article V. Rezoning Needed Before Final Approval. Zoning Ordinance: Article V. Land

dedication in lieu of fee. A park fee of \$700 per dwelling unit must be paid prior to recording. Clarify total number of units prior to final to finalize the total park fee. If a park fee in lieu of land dedication is proposed, a letter must be submitted to the Planning Director prior to final. The request will be reviewed by the City Manager's Office and if approved, \$700 per dwelling unit must be paid prior to recording. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. Clarify total number of units prior to final to finalize the total park fee. If a park fee in lieu of land dedication is proposed, a letter must be submitted to the Planning Director prior to final. The request will be reviewed by the City Manager's Office and if approved, \$700 per dwelling unit must be paid prior to recording. Pending review by the City Manager's Office. A park fee of \$700 per dwelling unit must be paid prior to recording. Clarify total number of units prior to final to finalize the total park fee. If a park fee in lieu of land dedication is proposed, a letter must be submitted to the Planning Director prior to final. The request will be reviewed by the City Manager's Office and if approved, \$700 per dwelling unit must be paid prior to recording. As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. Trip Generation is pending submittal. Traffic Impact Analysis (TIA) required prior to final plat. Any abandonments must be done by separate process, not by plat, prior to final. Document number whereby Canal ROW was abandoned must be shown on plat, prior to final. Provide clarification if utility easements are to be dedicated by plat, separate instrument, or reference document number for dedication, prior to final. Internal drives will be private and maintained by the property owner. Each mobile home space shall have a minimum 1500 sq. ft. and each RV space must be in compliance with city ordinances. Must comply with City's Access Management Policy.

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

After a lengthy discussion, Vice Chairperson Mr. Gabriel Kamel motioned to approve item in preliminary form, subject to the conditions noted, drainage and utility approval. Mr. Jose Saldana seconding the motion with six members present and voting.

**b) Jain at Freddy Subdivision, 1001 Freddy Gonzalez Road, Nanak, Ltd.
(SUB2024-0058) (PRELIMINARY) SEC**

Mr. Eduardo Garza stated that the property located on North 10th Street: Dedication as required for 60 ft. from centerline for 120 ft. total ROW. Paving: by the state curb & gutter: by the state. Include label of Total ROW after dedication, prior to final. Label existing ROW before dedication, prior to final. Provide a copy for existing ROW for staff review, prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. Freddy Gonzalez Road: Dedication as required for 50 ft. from centerline for 100 ft. total ROW. Paving: 65 ft. curb & gutter on both sides. Revise street name to Freddy Gonzalez Road, prior to final. Include label of Total ROW after dedication, prior to final. Label existing ROW before dedication, prior to final. Provide a copy for existing ROW for staff review, prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. 1,200 ft. Block Length. Subdivision Ordinance: Section 134-118. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties. Proposing 26 ft. service drive and utility easement. Revise the label for service drive and utility easement to "private service drive and utility easement", prior to final. Provide corner clip for the 26 ft. service drive & utility easement, prior to final. Subdivision Ordinance: Section 134-106. N.10th Street (SH#336) / Freddy Gonzalez Road: In accordance with the Zoning Ordinance or greater for easements or approved site plan or inline with existing structures, whichever is greater applies. Clarify/revise note as shown above, prior to final. Proposing: 60 feet or greater for easements, or approved site plan, or in

line with existing structures, whichever is greater. Zoning Ordinance: Section 138-356. Rear - In accordance with the Zoning Ordinance or greater for easements or approved site plan, whichever is greater. Clarify/revise note as shown above prior to final. Proposing: 10 feet or greater for easement or approved site plan. Zoning Ordinance: Section 138-356. Sides: In accordance with the Zoning Ordinance or greater for easements or approved site plan, whichever is greater. Clarify/revise note as shown above prior to final. Proposing: According to Zoning Ordinance or greater for easements, or approved site plan whichever is greater. Zoning Ordinance: Section 138-356. Corner - See setback note for North 10th Street / Freddy Gonzalez Road. Clarify/revise note as shown above, prior to final. Proposing 10 feet or greater for easements or approved site plan, whichever is greater. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk required along North 10th Street and Freddy Gonzalez Road. Sidewalk requirement may increase to 5 ft. along North 10th Street per Engineering Department prior to final. Revise plat note #5 as applicable prior to final. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Landscaping Ordinance: Section 110-46. An 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. Must comply with City Access Management Policy. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Common Areas, any private service drives, etc. must be maintained by the lot owners and not the City of McAllen. Revise plat note #11 as shown above, prior to final. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: C-3 Proposed: C-3. Zoning Ordinance: Article V. As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. Trip generation submittal is pending. Traffic Impact Analysis (TIA) required prior to final plat. Any abandonments must be done by separate instrument, not by plat prior to final. Clarify if the 26 ft. service drive and utility easement will be dedicated by plat or separate document. Must comply with City's Access Management Policy.

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

Being no discussion, Vice Chairperson Mr. Gabriel Kamel moved to approve in preliminary form, subject to the conditions noted, drainage, and utility approval.. Mr. Jose Saldana seconded the motion, which was approved with six members present and voting.

c) Plantation Oaks North Lots 10A & 10B Subdivision, 12801 North Taylor Road, 5 A Construction, LLC (SUB2024-0057) (PRELIMINARY) INCD

Mr. Julio Constantino stated that the property located on Taylor Rd.: 50 ft. ROW Paving: 32 ft. Curb & gutter on both sides. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are not built prior to recording. For single family use. COM Thoroughfare Plan. 1,200 ft. Block Length Subdivision Ordinance: Section 134-118. 600 ft. Maximum Cul-de-Sac. As per Fire Department requirements, 96 ft. of paving face-to face required. 10 ft. of R.O.W. back of curb around Cul-de-Sac required. Existing Cul-De-Sac exceeds 600ft approximately 1,200 ft. in length. Subdivision Ordinance: Section 134-105. Front: 25 ft. or in line with existing structures or easements, whichever is greater. Proposed: 20 ft. or easement, whichever is greater. Clarify/Revise the plat note as shown above prior to final. For Lot 10A, clarify which side of the property will be the front to finalize the setback requirement prior to final. Setback note will be finalized, once the front and rear sides are clarified.

Zoning Ordinance: Section 138-356" Rear: 10 ft. or greater for easements. Proposed: 10 ft. or easement, whichever is greater. Clarify which side of the property will be the rear to finalize the setback requirement prior to final. Setback note will be finalized, once the front and rear sides are clarified. Zoning Ordinance: Section 138-356. Clarify/Revise the plat note as shown above prior to final. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required, greater setback applies. Add a plat note as shown above prior to final. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan.

A 4 ft. wide minimum sidewalk required on Taylor Rd. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Add a plat note as shown above prior to final. Landscaping Ordinance: Section 110-46. An 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Add a 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. Must comply with City Access Management Policy. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: ETJ Proposed: ETJ. Zoning Ordinance: Article V. As per Traffic Department, TG waived for 2-single family lot subdivision. Traffic Impact Analysis (TIA) required prior to final plat. TG waived for 2-single family lot subdivision. On principal contacts box, clarify address of owner. There is an existing 20 ft. irrigation easement going through the proposed Lot 10A. Any abandonment or shift must be done with a separate instrument and referenced on the plat. Please clarify prior to final. Please clarify location map to show a hatch for the City Limits and ETJ location. Add North Arrow and modify the scale to fit the whole map on the viewport. Clarify the Existing 40.0' R.O.W. on the East side of Lot 10A. Owner Signature box is for the County, please make sure to add the Signature Box of the City of McAllen as per Ordinance 134-61(e) (5). Public notice is required prior to final approval. Must comply with City's Access Management Policy.

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

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

d) Las Nubes at Taylor Subdivision, 1301 South Taylor Road, ALPEG Properties, LLC (SUB2024-0060) (PRELIMINARY) M2E

Mr. Julio Constantino stated that the property located on S. Taylor Road: Dedication as needed from centerline for 80 ft. Total R.O.W. Paving: 52ft. Curb & gutter: both sides. Revisions Needed: Show R.O.W. dedication as needed, R.O.W. varies. Verify alignment of road. Label existing R.O.W. dedications, from centerline, total, etc., prior to final. Include document numbers on plat and provide any documents as applicable regarding any existing ROW dedications for S. Taylor Road. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. Kennedy Ave.: Dedication as needed for New Facility Collector Street for a 80 ft. Total R.O.W. Paving: 40ft curb & gutter on both sides. Revisions Needed: Clarify existing ROW for future Kennedy Ave. along southern boundary prior to final. Any incorporation of use as a interior street must be established prior to final. Street must align with existing Kennedy Ave. alignment (without offset) to the West, as per Engineering and Traffic Department

requirements, finalize prior to final. City of McAllen thoroughfare plan designates Kennedy Ave. as a collector street with 80ft. of R.O.W. Current subdivision layout does not comply with required ROW dedication requirements. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. Interior Street: 60 ft. R.O.W. Paving: 40 ft. curb & gutter on both sides. Revisions Needed: Plat shows 50 ft. ROW for Interior Street with a stub out at the end. Show ROW dedication as needed above and clarify the stub out. Review and revise as applicable prior to final. Clarify existing ROW for Kennedy Ave. along southern boundary prior to final. Any incorporation of use as a interior street must be established prior to final. Street must align with existing Kennedy Ave. alignment (without offset) to the East, as per Engineering and Traffic Department requirements, finalize prior to final. Clarify if subdivision is proposed to be private as gate details are required and ROW are subject to increase for gate areas, sidewalks, islands, etc. finalize prior to final and submit gate details as applicable. Gates on private streets shall be setback with a turnaround as specified by the city engineer. Gate clearance and mechanisms shall comply with the requirements of the fire marshal for emergency access. If boulevard/ island proposed, 20 ft. face to face of paving on both sides required, finalize prior to final. Will require R.O.W. to increase accordingly to accommodate gate areas. Will this be connecting South? Please provide gate details. A secondary access shall be required for gated streets providing access to 30 or more dwelling units. As per Fire Department requirements, 96 ft. of paving face-to face required. 10 ft. of R.O.W. back of curb around Cul-de-Sac required. Subdivision Ordinance: Section 134-105 and/or COM. Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. 900 ft. Block Length for R-3T Zone Districts. Revisions Needed: The preliminary plat considered from May 23, 2024 does not comply with block length requirement, please revise accordingly. Subdivision Ordinance: Section 134-118. 600 ft. Maximum Cul-de-Sac. Revisions Needed: The preliminary plat submitted on May 23, 2024 appears to not comply with the maximum cul-de-sac length requirement. Please revise accordingly. Provide "Cul-de-sac" details regarding R.O.W. and paving details to assure compliance prior to final. As per Fire Department requirements, 96 ft. of paving face-to face required. 10 ft. of ROW back of curb around Cul-de-Sac required. Subdivision Ordinance: Section 134-105. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial and multi-family properties. Subdivision Ordinance: Section 134-106. Front: 10 ft. or greater for easements, whichever is greater applies. Revisions Needed: Include note as shown above prior to final. Setbacks are based on R-3T Zoning District. Zoning Ordinance: Section 138-356. Rear: 10 ft. or greater for easements, whichever is greater applies. Revisions Needed: Include note as shown above prior to final. Zoning Ordinance: Section 138-356. Sides: In accordance with the zoning ordinance or greater for easements, whichever is greater applies. Revisions Needed: Include note as shown above prior to final. Zoning Ordinance: Section 138-356. Corner: 10 ft. or greater for easements, whichever is greater applies. Revisions Needed: Include note as shown above prior to final. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required, greater setback applies. Revisions Needed: Include note as shown above prior to final. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk required on S. Taylor Rd., Kennedy Ave., and both sides of all interior streets. Revisions Needed: Include note as shown above prior to final, once final wording is established. Note may be subject to change once street designation is finalized, finalize wording prior to final. Sidewalk requirement may increase to 5 ft. for interior streets per Engineering Department prior to final. Finalize wording prior to final. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses, and along S. Taylor Rd. and Kennedy Ave. Revisions Needed: Include note as shown above prior to final once wording is established. Note subject to change once street designation is finalized, finalize wording prior to final. Landscaping Ordinance: Section 110-46. An 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of

Subdivision Improvements. No curb cut, access, or lot frontage permitted along Taylor Rd. & Kennedy Ave. Revisions Needed: Include note as shown above prior to final once wording is established. Other streets may be required once subdivision layout and street designations have finalized, finalize note wording prior to final. Must comply with City Access Management Policy. Site plan must be approved by the Planning and Development Departments prior to building permit issuance for 5 or more attached dwelling units on each lot if applicable. Any owner, builder or developer of a multiple-family, condominium or townhouse dwelling complex of five units or more on a single lot or parcel, or five single-family attached units, shall submit to the planning department for review a site and building plan for the proposed development. Review as applicable prior to final. Zoning Ordinance: Section 138-210. Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Revisions Needed: Add a plat note as shown above prior to final. Note subject to change once subdivision requirements have been finalized. Finalize wording for note prior to final. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 134-168 applies if private subdivision is proposed. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Homeowner's Association Covenants must be submitted for staff review, prior to recording. Section 134-168 applies if private subdivision is proposed. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Lots fronting public/private streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Lot dedication min. 25' frontage on street. Zoning Ordinance: Section 138-356. Existing: R-3T (townhouse residential) Proposed: R-3T (townhouse residential). Zoning Ordinance: Article V. Rezoning needed if pickle ball area will be used for public or only by the tenants/owner. If so, CUP for associated recreational area will be required prior to final. Land dedication in lieu of fee. Park Fee required at \$700 per lot/dwelling unit to be paid prior to recording, if land dedication is not applicable. If park fee requested in lieu of land dedication, need to submit variance request for fee in lieu of land dedication. Clarify the total number of dwelling units to finalize the park fee prior to final. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording, if land dedication is not required. Once the number of lots/dwelling units have been finalized, park fees to be paid prior to recording will be established. If park fee requested in lieu of land dedication, need to submit variance request for fee in lieu of land dedication. Clarify the use of "Prop. Pickle Ball Areas" to finalize the park fee prior to final. Pending review by City Manager's Office. Once clarified if land dedication is applicable to this development, a written request must be submitted if requesting fees in lieu of land to be reviewed by the City Manager's office. If park fee requested in lieu of land dedication, need to submit variance request for fee in lieu of land dedication. As per Traffic Department, Trip Generation required to be submitted to determine if TIA is required, prior to final plat. Traffic Impact Analysis (TIA) required prior to final plat.

1. Verify that Metes and Bounds on the Plat match the Bearings and Distances labeled on the Plat Boundary.
2. Verify Note #5, it makes reference to Lot 12 as Detention area, but Lot 12 seems to indicate a regular Lot, not a detention area.
3. Verify the Owner Signature Line, ALPEG Properties, LLC must include all of its member signature lines, with their own heading and title.
4. Verify City of McAllen Mayor's signature line, misspelling of "TAHT."
5. Verify the neighboring subdivision owner names and doc. no's.
6. Location Map needs to show a hatch for the City of McAllen City Limits.
7. For the HCDD#1 Drainage Ditch located on the East Side, show the CL of the Ditch to the property

Must comply with City's Access Management Policy. Any abandonments must be done by separate process, not by plat. Any variances that may be requested must be finalized prior to final and will establish additional requirements as needed prior to finalizing the plat.

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

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

- e) Aqualina at Tres Lagos Phase III Subdivision, 6617 Tres Lagos Boulevard, Rhodes Development, Inc. **(SUB2023-0079) (REVISED FINAL) M&H**

Mr. Julio Constantino stated that the property located on Major Collector (1/2): N. Stewart Road dedication as needed for 40 ft. from centerline for 80 ft. total R.O.W. Paving: 52 ft. curb & gutter on both sides. Plat proposes 30 ft. of ROW, finalize/clarify ROW requirements prior to NTP/recording. Any changes to plat may require board action in the future. Remove "Prop" from any dedications, and label as ROW dedicated by this plat as applicable prior to recording. Label total ROW after accounting for dedication from center line as "Total", prior to recording. Label total ROW after accounting for dedication from Existing ROW line across N. Stewart Road as Total", prior to recording. Provide a copy of document regarding referenced existing dedications prior to recording. Recording of Contractual Agreement for Stewart Rd. will be required prior to recording of the Plat. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan Monies must be escrowed if improvements are not built prior to recording. Interior streets: Aqualina Way 50 ft. ROW Paving: 32 ft. curb & gutter on both sides. Revisions needed: Street names will be established prior to recording. Finalize street name requirement prior to recording/Mylar printing. Clarify islands in ROW, remove or labels as common areas, islands are not required as part of plat layout, finalize prior to recording. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not built prior to recording. Interior streets: Aqualina Lane 50 ft. ROW Paving: 32 ft. curb & gutter on both sides. Revisions needed: Street names will be established prior to recording. Finalize street name requirement prior to recording/Mylar printing. Clarify islands in ROW, remove or labels as common areas, islands are not required as part of plat layout, finalize prior to recording. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not built prior to recording. 1,200 ft. Block Length: common areas and access walks/drives provided. 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. As per Fire Department, paving must be 96 ft. in diameter face to face. They recommend removal of island, but if it remains, island must meet 32 ft. paving all around and must be fire lane striped, finalize prior to NTP/recording. Subdivision Ordinance: Section 134-105. Front: 20 ft. minimum or greater for setbacks. The proposed subdivision complies with minimum setback requirements, as per agreement. Zoning Ordinance: Section 138-356. Rear: 11 ft. or greater for easements. Zoning Ordinance: Section 138-356. Sides: 5 ft. or greater for easements. The proposed subdivision complies with minimum setback requirements, as per agreement. 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. A 4 ft. wide minimum sidewalk required along N. Stewart Road. Interior Sidewalks: City ordinance will not apply provided a sidewalk having at least an adequate width for pedestrian and bike traffic is provided in a plan that is sealed by the registered engineer designing the unit of development, per agreement. Pending Items: Please submit sidewalk plan for this development, prior to recording. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along North Stewart Road. Landscaping Ordinance: Section 110-46. An 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along North Stewart Road. Revisions Needed: Must comply with City Access Management Policy. * Common Areas, any private streets/drives, gate areas, etc., must be maintained by the lot owners/PID and not the City of McAllen. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Public Improvement District (PID) or Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Homeowner's Association Covenants must be submitted for staff review, prior to recording. Section 134-168 applies if private subdivision is proposed. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Lots fronting public streets: Access to subdivision from Aqualina at Tres Lagos Phase I & Proposed Phase II subdivision, which has access to Tres Lagos Boulevard. The proposed subdivision complies with minimum access points, as per agreement. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area: Lots must comply with the minimum 50 ft. frontage requirement and 54 ft. on corner lots, or in compliance per Agreement. Zoning Ordinance: Section 138-356. Existing: R-1 (Single-Family Residential) District Proposed: R-1 (Single-Family Residential) District. Engineer must verify if proposed subdivision is within appropriate zoning as it may prompt changes to plat and or rezoning process. Zoning Ordinance: Article V. Land dedication in lieu of fee. As per Parks Department, in this case Park fees do not apply because Park land dedication exceeds City's requirements as of 10/30/2014, as per agreement. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department in this case Park fees do not apply because Park land dedication exceeds City's requirements as of 10/30/2014, as per agreement. Pending review by City Manager's Office. As per Parks Department, in this case Park fees do not apply because Park land dedication exceeds City's requirements as of 10/30/2014, as per agreement. As per Traffic Department, Master Trip Generation approved, no TIA is required. Must comply with City's Access Management Policy. Any abandonments must be done by separate process, not by plat. Must comply with the Agreement and Public Improvement District (PID) conditions. Must comply with other requirements, as may be applicable, prior to recording. Any documents being recorded by separate instrument must be finalized prior to recording. The subdivision was approved in Final form at the Planning and Zoning Commission meeting of August 8, 2023, subject to the conditions noted. Reason for the Revised Final was in regards to changes to Lot Layouts & Lot Configurations regarding the Common Areas (Common Area 39 reduction).

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

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

f) Mediterranean Subdivision, 13931 North Ware Road, Ancer Properties LLC (SUB2023-0110) (REVISED PRELIMINARY) TRE

Mr. Kaveh Forghanparast stated that the property located on N. Ware Road: Dedication as required for 75 ft. from centerline for 150 ft. total ROW Paving: By the States curb & gutter by the State. Revisions needed: The existing ROW line and centerline is not clear. Remove the contour lines from the ROW and use bigger font to show ROW details prior to final. Label centerline and existing ROW on both sides with the document number for the existing ROW prior to final. Show the ROW dedicated by plat, and ROW dedication from centerline, and total ROW including the dedication prior to final. Clarify what appears to be a unlabeled 35' area along the Eastern plat boundary to establish dedication requirements, prior final. Ensure that ROW complies with State plans for North Ware Road, any acquisitions should be include with document number, dimensions, and labeling, finalize prior to final. Reference the document number on the plat for any existing ROW, adjacent to the subdivision boundary, and provide a copy for staff review prior to final. Please review dedication requirements as noted above, label dedications by this plat, prior to final. Remove any reference to "Proposed" ROW prior to final. Use "dedicated by this plat" for referencing any ROW dedicated by this plat. Revise reference from "Future" to "Total", prior to final. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are required prior to recording. Interior Street: Dedication as needed for 60 ft. total ROW. Paving: 40 ft. curb & gutter on both sides. Revisions Needed. Interior street references a document number on the Plat for the R.O.W. easement, provide copy of this for review prior to final. Proposed Interior dedications present 50 ft. ROW, Subdivision layout does not comply with ROW requirements, please revise accordingly prior to final. Street names will be established prior to final and plat will need to revise accordingly. Clarify 10 ft. Easement dedicated to United Irrigation within ROW, need to resolve any issues with overlap, finalize prior to final. Identify centerline for proposed interior street and existing Country Meadows West Drive and provided distance from centerline to centerline to verify compliance with 125 ft. from centerline to centerline for street jogs.(134-105(d)) finalize prior to final. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. Project Engineer, on behalf of the developer, submitted a variance application (VAR2024-0024) including a variance to provide 50 ft. ROW for the interior streets in lieu of 60 ft. ROW requirement. The applicant stated that the proposed ROW is an existing 50 ft. recorded access easement. N/S collector (Western Boundary): Dedication as needed for 60 ft. total R.O.W. Paving 40 ft. curb & gutter on both sides. Pending Items: Please provide ownership map to verify that no landlocked properties exist or will be created, prior to final. Clarify status of remnant tract along northern plat boundary, finalize prior to final. Street alignment, transitions and R.O.W being reviewed by staff and plat would need to be revised accordingly as applicable prior to final once ROW requirements have been established. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. Project Engineer, on behalf of the developer, submitted a variance application (VAR2024-0024) including a variance to not dedicate ROW for a N/S Collector street along the west boundary of the subdivision for a future collector street. The applicant stated that there is no existing N/S street along the west side of the property. 1,200 ft. Block Length. Current Zoning is R-2 & C-3. The subdivision complies with 1,200 ft. maximum block length requirement for R-2 & C-3 zones. A rezoning request (REZ2024-0031) to R-3T zone for all of tract zoned R-2 and a portion of C-3 zoned parcel has been submitted and is scheduled to be heard by the Planning and Zoning Commission on June 6, 2024, and City Commission on June 24, 2024. If the rezoning is approved, the portion zoned R-3T must comply with 900 block length

requirement. Subdivision Ordinance: Section 134-118. 900 ft. Block Length for R-3T & R-3C Zone Districts. Current Zoning is R-2 & C-3. The subdivision complies with 1,200 ft. maximum block length requirement for R-2 & C-3 zones. A rezoning request (REZ2024-0031) to R-3T zone for all of tract zoned R-2 and a portion of C-3 zoned parcel has been submitted and is scheduled to be heard by the Planning and Zoning Commission on June 6, 2024, and City Commission on June 24, 2024. If the rezoning is approved, the portion zoned R-3T must comply with 900 block length requirement. Subdivision Ordinance: Section 134-118. 600 ft. Maximum Cul-de-Sac. Revision needed: Subdivision layout does not comply with block length requirement, please revise accordingly prior to final. If no changes please submit variance request for 600 ft. maximum block length requirement. Finalize prior to final. Should a variance be approved it would be subject to 60 ft. of ROW with 40 ft. of paving. T-Head is not an acceptable street design. Provide a Cul-De-Sac to comply with minimum requirements: as per Fire Department requirements, 96 ft. of paving face-to-face required for Cul-De-Sac turnaround area, and minimum 10 ft. of ROW back of curb around Cul-De-Sac area, finalize prior to final. Subdivision Ordinance: Section 134-105. Project Engineer, on behalf of the developer, submitted a variance application (VAR2024-0024) including a variance to the maximum 600 ft. Cul-de-Sac length requirement. The applicant stated that the current street length is 817.96 ft. If the variance is approved it will be subject to 40 ft. of paving for the interior street. ROW: 20 ft. Paving: 16 ft. Revisions Needed: Lot 1: Commercial. Provide for alley or service drive easement on the plat prior to final. Alley or service drive easement cannot dead-end. If a service drive easement is proposed, it must be at least 24 ft. wide. If proposing note, finalize wording for note regarding Private Service Drive Easement prior to final. If applicable note should read as follows :“A minimum 24 ft. private service drive easement will be established as part of the site plan for lot 1 and will be maintained by the lot owners and not the city of McAllen. Alley/service drive easement required for commercial and multi-family properties. Lots 2-10: Residential. Provide for alley or service drive easement on the plat prior to final. Alley or service drive easement cannot dead-end. Alley/service drive easement required for commercial and multi-family properties Subdivision Ordinance: Section 134-106. Lot 1: Commercial Front: In accordance with the Zoning Ordinance or greater for approved site plan or easements or inline with existing structures, whichever is greater applies. Revisions Needed: Revise the front setback for the commercial lot as noted above, prior to final. Zoning Ordinance: Section 138-356,134-36.7. Lots 2-10: Residential. Front: 20 feet except 15 feet for unenclosed carport or greater for easement. Revisions needed: Clarify reference to carport as it will require a variance submittal, prior to final. Finalize wording for note prior to final. Zoning Ordinance: Section 138-356. A rezoning request for the property (REZ2024-0031) is in process. The setback notes and other subdivision requirements will be finalized once the zoning is finalized. Lot 1: Commercial. Rear: In accordance with the Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Revisions Needed: Revise the rear setback for the commercial lot as noted above, prior to final. Lots 2-10: Residential. Rear: 10 feet or greater for easements. Zoning Ordinance: Section 138-356. A rezoning request for the property (REZ2024-0031) is in process. The setback notes and other subdivision requirements will be finalized once the zoning is finalized. Lot 1: Commercial Sides: In accordance with the Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Revisions Needed: Revise the side setbacks for the commercial lot as noted above, prior to final. Lots 2-10: Residential. Sides: 6 feet or greater for easements. Zoning Ordinance: Section 138-356" A rezoning request for the property (REZ2024-0031) is in process. The setback notes and other subdivision requirements will be finalized once the zoning is finalized. Lot 1: Commercial Corner: In accordance with the Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Revisions Needed: Include the corner setback for the commercial lot as noted above, prior to final. Lots 2-10: Residential. Corner: 10 feet or greater for easements. Revision Needed: Clarify proposed setback as lots 2-10 do not have lots abutting a street, revise as applicable prior to final. Zoning Ordinance: Section 138-356. A rezoning request for the property (REZ2024-0031) is in process. The setback notes and other subdivision requirements will be finalized once the zoning is finalized. Lot 1: Commercial. Garage: N/A Commercial

Development. Lots 2-10: Residential. 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. Note: "5 ft. wide minimum sidewalk required on North Ware Road (FM 220) and 4 ft. wide minimum sidewalk required on both sides of all interior streets and other street as applicable." Revisions Needed: Finalize wording for note once ROW requirements have been established. Finalize wording prior to final. Revisions Needed: Revise note #5 as shown above prior to final. A 5 ft. sidewalk along N. Ware Road as per Engineering Department, 4ft. Sidewalk requirement may increase to 5 ft. for interior streets per Engineering Department prior to final. Finalize wording for note prior to final. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and other street as applicable, prior to final. Revisions Needed: Finalize wording for note once ROW requirements have been established. Clarify Note #. Landscaping Ordinance: Section 110-46. An 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Clarify Note #. 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 Ware Road and other street as applicable, prior to final. Revisions Needed: Finalize wording for note once ROW requirements have been established. Must comply with City Access Management Policy As per Traffic Department, as per Access Management Policy, spacing requirement along Ware Road @ 55MPH is 425 ft. show distance from proposed street to any exiting driveways/ streets. Lot 1 will not be granted access off Ware Road. Commercial Lot: Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Multi-family Lot: Any owner, builder or developer of a multiple-family, condominium or townhouse dwelling complex of five units or more on a single lot or parcel, or five single-family attached units, shall submit to the planning department for review a site and building plan for the proposed development, submit a site plan for staff review prior to final. Common Areas, private service drives, etc. must be maintained by the lot owners and not the City of McAllen. Pending Items: Note subject to change once subdivision requirements have been finalized. Finalize wording prior to final. 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 134-168 applies if private subdivision is proposed. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Section 134-168 applies if private subdivision is proposed. Section 110-72 applies if public subdivision is proposed. Lots fronting public streets. Revisions Needed: Lot referenced as "'Lot A'" / Lake does not exhibit any frontage on a public street, revise prior to final. Please keep lots must comply with the minimum 50 ft. frontage requirement and 54 ft. on corner lots. Common areas and detention areas must meet a minimum of 25 ft. of frontage, and be labeled accordingly. Finalize lot frontage requirements prior to final. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. The lots does not comply with current R-2 Zone. If the rezoning to R-3T is approved, additional requirement may be applicable and must be finalized prior to final. Current subdivision layout exhibits various lot square footages, ensure that proposed square footages comply with proposed use as there may be limitation to the amount of units per lot. Finalize prior final. Zoning Ordinance: Section 138-356. Existing:R-2(Duplex-Fourplex) District and C-3 (General Business) District Proposed:R-2(Duplex-Fourplex) District and C-3 (General Business) District. Annexation and initial zoning approved by City Commission on August 28th, 2023. Zoning Ordinance: Article V. Current Zoning is R-2 & C-3. The subdivision complies with 1,200 ft. maximum block length requirement for R-2 & C-3 zones. A rezoning request (REZ2024-0031) to R-3T zone for all of tract zoned R-2 and a portion of C-3 zoned parcel has been submitted and is scheduled to be

heard by the Planning and Zoning Commission on June 6, 2024, and City Commission on June 24, 2024. Other requirements as may be applicable to the subdivision, will be finalized prior to final. Rezoning Needed Before Final Approval. Annexation and initial zoning approved by City Commission on August 28th, 2023. Zoning Ordinance: Article V. Current Zoning is R-2 & C-3. The subdivision complies with 1,200 ft. maximum block length requirement for R-2 & C-3 zones. A rezoning request (REZ2024-0031) to R-3T zone for all of tract zoned R-2 and a portion of C-3 zoned parcel has been submitted and is scheduled to be heard by the Planning and Zoning Commission on June 6, 2024, and City Commission on June 24, 2024. Other requirements as may be applicable to the subdivision, will be finalized prior to final. Land dedication in lieu of fee. Lot 1: Commercial, as per parks department park fees do not apply to commercial developments. For Lot 2-10 (Multi-family), Park Fee required at \$700 per lot/dwelling unit to be paid prior to recording, if land dedication is not applicable. Please provide number of lots/dwelling units prior to final. Once clarified if land dedication is applicable to this development, a written request must be submitted if requesting fees in lieu of land to be reviewed by the City Manager's office. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. Lot 1: Commercial, as per parks department park fees do not apply to commercial developments. For Lot 2-10 (Multi-family), Park Fee required at \$700 per lot/dwelling unit to be paid prior to recording, if land dedication is not applicable. Please provide number of lots/dwelling units prior to final. Once clarified if land dedication is applicable to this development, a written request must be submitted if requesting fees in lieu of land to be reviewed by the City Manager's office. Pending review by the City Manager's Office. Lot 1: Commercial, as per parks Department Park fees do not apply to commercial developments. For Lot 2-10 (Multi-family), Park Fee required at \$700 per lot/dwelling unit to be paid prior to recording, if land dedication is not applicable. Please provide number of lots/dwelling units prior to final. Once clarified if land dedication is applicable to this development, a written request must be submitted if requesting fees in lieu of land to be reviewed by the City Manager's office. As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. Traffic Impact Analysis (TIA) required prior to final plat. Use a bold line for the original subdivision boundary to distinguish from the lot lines prior to final. Remove the contour lines from Ware Road ROW as it obstructs some ROW information. Use a lighter shade for contour lines to avoid any information obstruction and confusion with lot lines prior to final. Legal Description of all adjacent lots on all sides are needed, including the east side of N. Ware Road, prior to final. Must comply with City's Access Management Policy. Any abandonments must be done by separate process, not by plat. Please review vicinity map, project site appears to be offset, review and revise accordingly. At the Planning & Zoning Commission meeting of November 07, 2023 the subdivision was approved in Preliminary Form subject to conditions noted, drainage and utilities approvals. Current Zoning is R-2 & C-3. The subdivision complies with 1,200 ft. maximum block length requirement for R-2 & C-3 zones. A rezoning request (REZ2024-0031) to R-3T zone for all of tract zoned R-2 and a portion of C-3 zoned parcel has been submitted and is scheduled to be heard by the Planning and Zoning Commission on June 6, 2024, and City Commission on June 24, 2024. Other requirements as may be applicable to the subdivision, will be finalized prior to final. Project Engineer, on behalf of the developer, submitted a variance application (VAR2024-0024) including:

1. A variance request to provide 50 ft. ROW for the interior streets in lieu of 60 ft. ROW requirement. The applicant stated that the proposed ROW is an existing 50 ft. recorded access easement.
2. A variance to the maximum 600 ft. Cul-de-Sac length requirement. The applicant stated that the current street length is 817.96 ft. If the variance is approved it will be subject to 40 ft. of paving for the interior street.
3. A variance to not dedicate ROW for a N/S Collector street along the west boundary of the subdivision for a future collector street. The applicant stated that there is no existing N/S street along the west side of the property.

Processing the variance requests requires discussion and further clarification from the project

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

Being no discussion, Vice Chairperson Mr. Gabriel Kamel moved to approve revised preliminary form, subject to the conditions noted, drainage, and utilities approval. Mr. Jose Saldana seconded the motion, which was approved with six members present and voting.

ADJOURNMENT:

There being no further business to come before the Planning & Zoning Commission, Mr. Jesse Ozuna adjourned the meeting at 4:19p.m. with Mr. Jose Saldana seconding the motion with six members present and voting.

Chairperson Michael Fallek

ATTEST: _____
Magda Ramirez, Administrative Assistant

Memo

TO: Planning and Zoning Commission

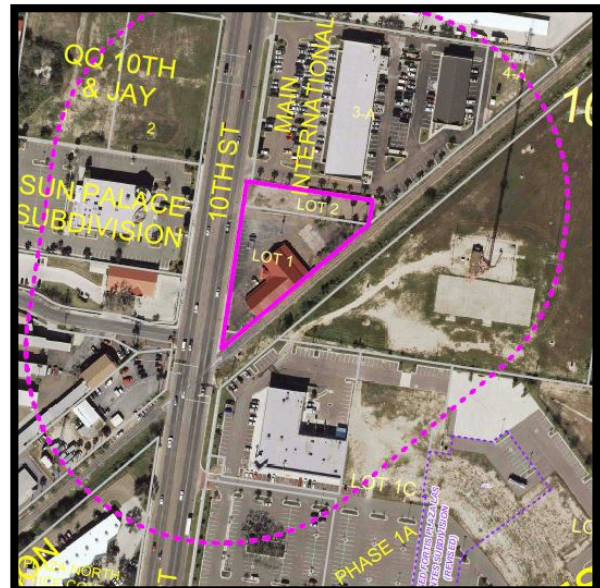
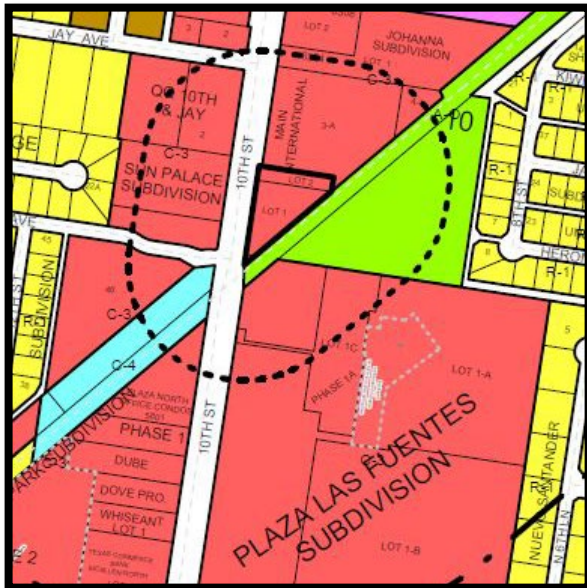
FROM: Planning Staff

DATE: June 24th, 2024

SUBJECT: REQUEST OF ENRIQUE MARTINEZ, JR., FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A NIGHTCLUB (HILLBILLY'S) AT LOTS 1 AND 2, MAIN INTERNATIONAL SUBDIVISION, HIDALGO COUNTY, TEXAS, 6000 NORTH 10TH STREET. (CUP2024-0070)

DESCRIPTION:

The property is located on the east side of North 10th Street at Hawk Avenue and is zoned C-3 (general business) District. The adjacent zoning is C-3 District to the north and west, and A-O (agricultural and open space) District to the east and south. Surrounding land uses include offices, retail, restaurants, cell tower, single family residential, and apartment. A nightclub is allowed in a C-3 zone with a Conditional Use Permit and in compliance with requirements.



HISTORY:

The initial conditional use permit was approved for this establishment by the Planning and Zoning Commission in January of 1991 and has been renewed annually. At the January 6, 2004 Planning and Zoning Commission meeting, a condition was placed on the approval that there be no parking permitted on the west side of North 10th Street, and has been maintained as a condition of the permit approvals ever since. The last permit was approved by the Planning and Zoning Commission on March 7, 2023.

ANALYSIS:

The applicant is proposing to continue operating a bar (Hillbilly's) from the existing 7,200 sq. ft.

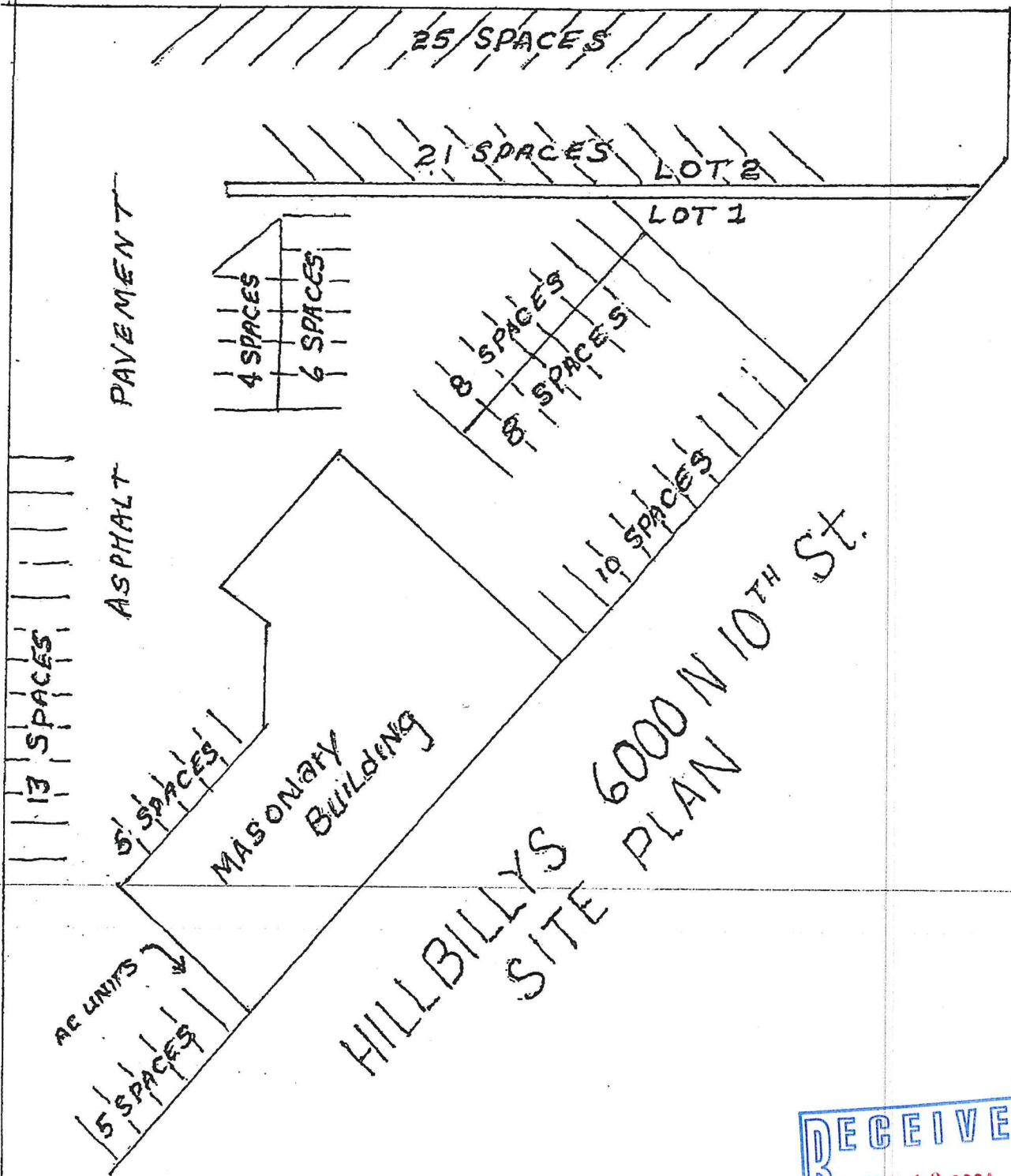
building. The hours of operation would continue to be from 8:00 p.m. to 2:00 a.m. Wednesday thru Saturday.

The Fire and Health Departments have inspected the bar and the property is in compliance. The Planning Department has received no complaints regarding this request. The establishment must also meet the requirements set forth in Section 138-118(4) of the Zoning Ordinance and specific requirements as follows:

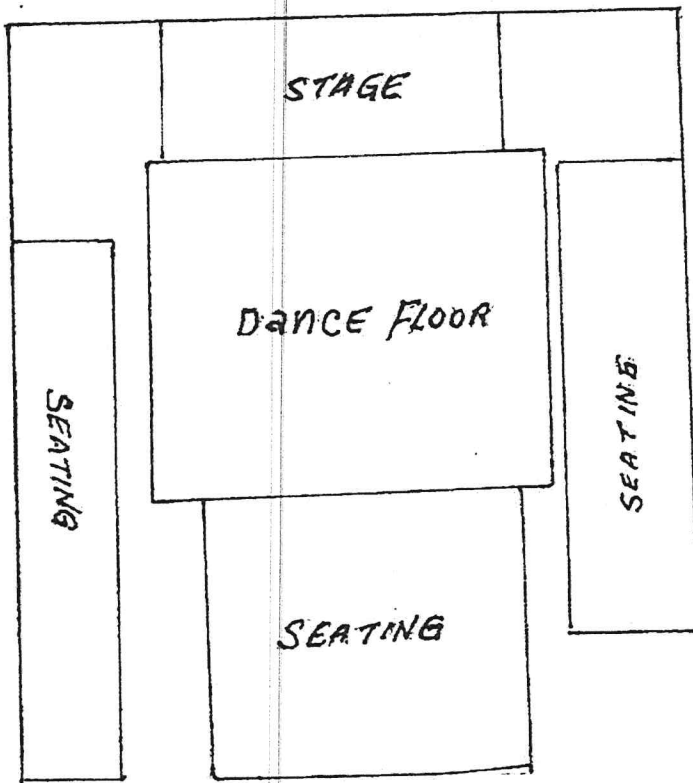
1. The property line of the Lot of the abovementioned business must be at least 400 feet from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruptions of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The establishment is not within 400 ft. of the above mentioned land uses;
2. The abovementioned business must be as close as possible to a major arterial, and shall not allow the traffic generated by such businesses onto residential streets, or allow such traffic to exit into and disrupt residential areas. The establishment has direct access to North 10th Street and does not generate traffic into residential areas;
3. The abovementioned business must provide parking in accordance with the city off-street parking ordinance as a minimum, and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional onsite parking. Based on a building capacity of 332 persons, 83 parking spaces are required and are provided as per site plan. No parking is permitted on the west side of North 10th Street.
4. The abovementioned business must do everything possible to prevent the unauthorized parking by the patrons of such businesses on adjacent business or residential properties including, when necessary, the installation of fences and hedges, and the reorientation of entrances.
5. The abovementioned business should do everything possible and be designed to discourage criminal activities and vandalism, both on the site and on adjacent properties. Included would be provision of sufficient lighting and perimeter fencing, elimination of dark areas, and the orientation of the building such that it provides maximum visibility of as much as possible of the site from a public street.
6. The abovementioned business must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties.
7. The abovementioned business shall restrict the number of persons within the building to those allowed by the planning and zoning commission at the time of permit issuance, after having taken into account the recommendations of the fire marshal, building official and director of planning. This number cannot exceed the number provided for in existing city ordinances.

RECOMMENDATION:

Staff recommends approval of the request, for one year, subject to compliance with requirements in Section 138-118(4) of the Zoning Ordinance, Health and Fire Department requirements, and maintaining the condition of no parking on the west side of North 10th Street.

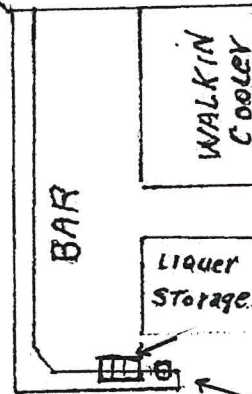
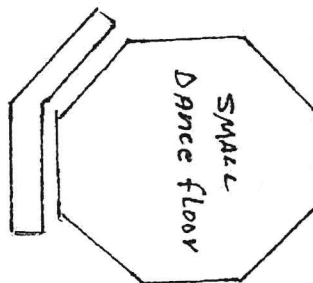
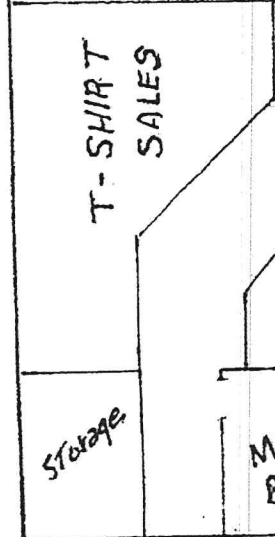
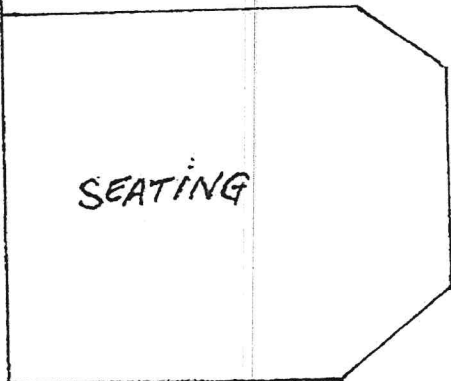


RECEIVED
JUN 18 2024
By *MD*

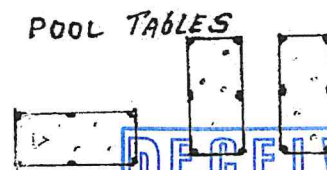
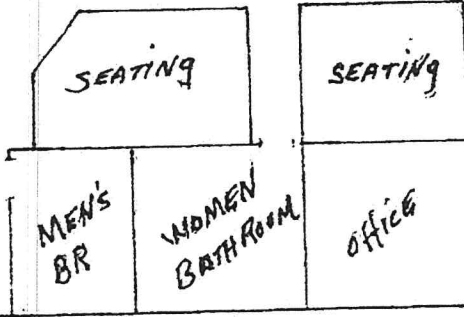


HILLBILLYS INDOOR
FLOOR PLAN

ENJOY MARTINEZ
[Signature]
6-17-24



Three compartment sink
Hand wash sink



RECEIVED
JUN 18 2024
By *[Signature]*

ENTERED

Initial: _____





McALLEN POLICE DEPARTMENT

CALLS FOR SERVICE REPORT

From Date/Time: 06/01/2023 00:00
To Date/Time: 06/24/2024 23:59

Incident Type: All
Location: 6000 N 10th St., McAllen

| <u>Call Date</u> | <u>Time</u> | <u>Incident Number</u> | <u>Incident Type</u> |
|------------------|-------------|------------------------|---------------------------|
| 6/20/2024 | 1:03 | 2024-00041902 | Intoxicated Person |
| 6/14/2024 | 13:16 | 2024-00040543 | Domestic Disturbance |
| 5/23/2024 | 1:07 | 2024-00035119 | Harassment |
| 4/27/2024 | 1:36 | 2024-00028523 | Suspicious Person/Vehicle |
| 4/20/2024 | 1:54 | 2024-00026758 | Domestic Disturbance |
| 4/7/2024 | 1:43 | 2024-00023524 | Police Services |
| 4/5/2024 | 23:51 | 2024-00023263 | Assault |
| 3/7/2024 | 1:02 | 2024-00015980 | Assault |
| 2/10/2024 | 0:03 | 2024-00009487 | MINOR ACC |
| 12/14/2023 | 0:11 | 2023-00089376 | Domestic Disturbance |
| 12/7/2023 | 2:13 | 2023-00087555 | Hit and Run |
| 11/15/2023 | 1:03 | 2023-00082261 | Alarm Burglary |
| 10/30/2023 | 22:01 | 2023-00078633 | Alarm Burglary |
| 10/19/2023 | 23:00 | 2023-00075784 | DUI |
| 10/12/2023 | 22:24 | 2023-00074000 | MINOR ACC |
| 10/12/2023 | 1:59 | 2023-00073779 | Reckless Driving |
| 10/12/2023 | 1:41 | 2023-00073775 | Hit and Run |
| 8/27/2023 | 14:21 | 2023-00062150 | Assault |
| 8/20/2023 | 2:02 | 2023-00060246 | Domestic Disturbance |
| 8/17/2023 | 1:35 | 2023-00059457 | Assault |
| 8/16/2023 | 23:59 | 2023-00059446 | Intoxicated Driver |
| 8/9/2023 | 23:25 | 2023-00057605 | MINOR ACC |
| 6/7/2023 | 23:23 | 2023-00041085 | MINOR ACC |
| 6/5/2023 | 17:53 | 2023-00040519 | Lost/Found Property |

- Disclaimer:** The figures reflected above are 'calls for service' for the City of McAllen. They are NOT lists of Crimes or Crime Reports. Calls are titled as they are called in and dispatched.



NOTICE
BAR
FOR
THIS PROPERTY
CUP2024-0070



Hillbilly's

6000

Planning Department

Memo

TO: Planning and Zoning Commission

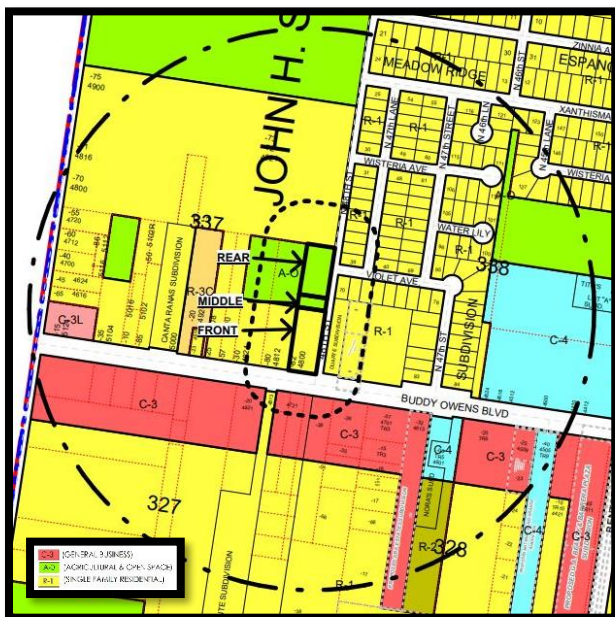
FROM: Planning Staff

DATE: July 16, 2024

SUBJECT: REZONE FROM R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: A 0.909 OF AN ACRE TRACT OUT OF THAT CERTAIN 2.00 ACRE TRACT AS DESCRIBED IN DOCUMENT NO. 2821446, OF THE OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, SAID 2.00 ACRE TRACT BEING THE SOUTHEAST CORNER OF THE SOUTH 20 ACRES OF LOT 337, JOHN H. SHARY SUBDIVISION OF LANDS OUT OF PORCIONES 58, 59, & 60 IN HIDALGO COUNTY, TEXAS; 4800 BUDDY OWENS BOULEVARD (FRONT). (REZ2024-0036)

LOCATION: The subject property is located on the northwest corner of Buddy Owens Boulevard and North 48th Street.

PROPOSAL: The applicant is requesting to rezone the southern portion of the property to C-3 (general business) District for a commercial development. The property is currently vacant. A feasibility plan has not been submitted yet.



ADJACENT ZONING: The adjacent properties are zoned R-1 (single family residential) District to the east and west, A-O (agricultural and open space) District to the north and C-3 (general business) District to the south across Buddy Owens Boulevard.

LAND USE: The property is currently vacant and it is zoned R-1 District. Surrounding uses include single family residences, Aros Auto Repair, Lucky Dog Spa, M Razo Auto Body Shop, Shade & Solutions RGV, Martinez Swim

School and other commercial uses.

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

DEVELOPMENT TRENDS: The development trend along Buddy Owens Boulevard is residential and commercial uses.

HISTORY: During the comprehensive zoning of 1979 the subject property was part of the Extra-Territorial Jurisdiction (ETJ) and the zoning designation was A-O (agricultural and open space) District.

The property was annexed into the City of McAllen in 2002 with an initial zoning to R-1 (single family residential) District.

A rezoning application was submitted on June 11th, 2024.

ANALYSIS: The requested zoning does not conform to the future land use plan designation. However, the request aligns with the existing and future development trend for the area.

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

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

RECOMMENDATION: Staff recommends disapproval of the rezoning request to C-3 (general business) District. Alternately, Staff instead recommends approval of a rezone to C-3L (light commercial) District.

FIELD NOTES OF AN 0.909 OF AN ACRE TRACT OUT OF THAT CERTAIN 2.00 ACRE TRACT AS DESCRIBED IN DOCUMENT NO. 2821446, OF THE OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, SAID 2.00 ACRE TRACT BEING THE SOUTHEAST CORNER OF THE SOUTH 20 ACRES OF LOT 337, JOHN H. SHARY SUBDIVISION OF LANDS OUT OF PORCIONES 58, 59, & 60 IN HIDALGO COUNTY, TEXAS; SAID 0.909 OF AN ACRE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING, at a 1/2 inch iron rod found with a surveyor's cap stamped "CLS 6388" for the southeast corner of the herein described tract, from which the southeast corner of said Lot 337 bears, South 08°19'19" West a distance of 50.00 feet;

THENCE, North 81°40'41" West, along the north Right-of-way of Buddy Owns Drive (90.0' R.O.W.), at a distance of **132.00 feet**, to a point of the on the west line of said 2.00 acre tract, being the southwest corner of the herein described tract, from which a found 1/2 inch iron pipe bears North 05°34'30" West a distance of 0.7 feet;

THENCE, North 08°19'19" East, along the west line of said 2.00 acre tract, a distance of **300.00 feet**, to a point, being the northwest corner of the herein described tract;

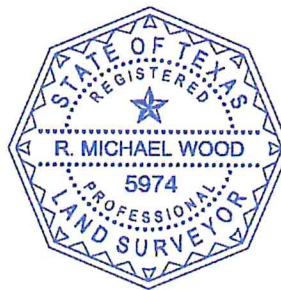
THENCE, South 81°40'41" East, parallel to the south line said 2.00 acre tract, a distance of **132.00 feet**, to a point on the east line of said 2.00 acre tract, being the northeast corner of the herein described tract;

THENCE, South 08°19'19" West, along the east line of said 2.00 acre tract, a distance of **300.00 feet** to the **POINT OF BEGINNING** of the herein described tract of land, said tract containing 0.909 acres, more or less, within these metes and bounds.

A survey exhibit was prepared (2460.03.dwg) an accompanies this metes and bounds description.



R. Michael Wood, R.P.L.S.
Registered Professional Land Surveyor
State of Texas Registration No. 5974



6/21/2024

S81.40'41"E - 132.00'

5. A METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANIES THIS SURVEY EXHIBIT.



1 1/2" IRON ROD FOUND W/CAP
STAMPED "CLS RPLS 6388"
1 1/2" IRON PIPE FOUND
- RIGHT-OF-WAY LINE



1409 N. Stuart Place Rd., Ste. A (956) 368-5074
Hartingen, TX 78552 TBPELS Firm No. 10194358

**NOTICE
REZONING
FOR
THIS PROPERTY
REZ2024-0036**

 CITY OF MCALLEN PLANNING DEPT.
956-681-1230
WWW.MCALLEN.NET



Planning Department

Memo

TO: Planning and Zoning Commission

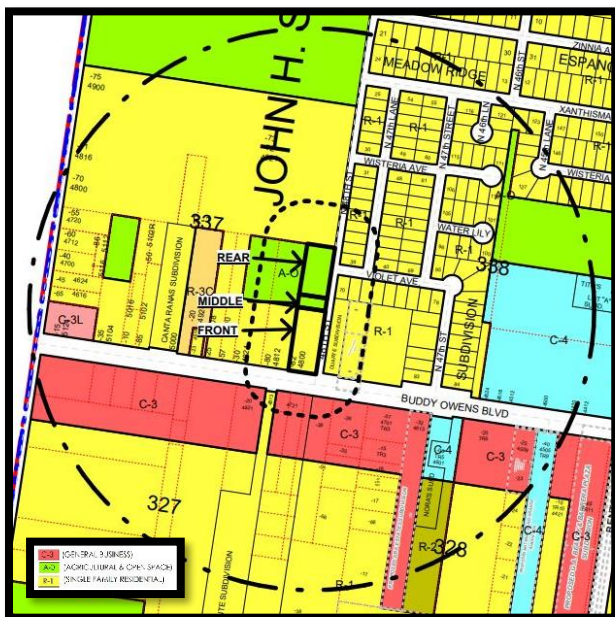
FROM: Planning Staff

DATE: July 16, 2024

SUBJECT: REZONE FROM A-O (AGRICULTURAL OPEN SPACE) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: A 0.182 OF AN ACRE TRACT OUT OF THAT CERTAIN 2.00 ACRE TRACT AS DESCRIBED IN DOCUMENT NO. 2821446, OF THE OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, SAID 2.00 ACRE TRACT BEING THE SOUTHEAST CORNER OF THE SOUTH 20 ACRES OF LOT 337, JOHN H. SHARY SUBDIVISION OF LANDS OUT OF PORCIONES 58, 59, & 60 IN HIDALGO COUNTY, TEXAS; 4800 BUDDY OWENS BOULEVARD (MIDDLE). (REZ2024-0038)

LOCATION: The subject property is located on the northwest corner of Buddy Owens Boulevard and North 48th Street.

PROPOSAL: The applicant is requesting to rezone the middle portion of the property to C-3 (general business) District for a commercial development. The property is currently vacant. A feasibility plan has not been submitted yet.



ADJACENT ZONING: The adjacent properties are zoned R-1 (single family residential) District in all directions except to the north which is A-O (agricultural and open space) District.

LAND USE: The property is currently vacant and it is zoned A-O (agricultural and open space) District. Surrounding uses include single family residences, Aros Auto Repair, Lucky Dog Spa, M Razo Auto Body Shop, Shade & Solutions RGV, Martinez Swim School and other commercial uses.

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

DEVELOPMENT TRENDS: The development trend along Buddy Owens Boulevard is residential and commercial uses.

HISTORY: During the comprehensive zoning of 1979 the subject property was part of the Extra-Territorial Jurisdiction (ETJ) and the zoning designation was A-O (agricultural and open space) District.

The property was annexed into the City of McAllen in 2002 with an initial zoning to A-O (agricultural and open space) District.

A rezoning application was submitted on June 11th, 2024.

ANALYSIS: The requested zoning does not conform to the future land use plan designation; however, the request aligns with the existing and future development trend for the area.

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

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

RECOMMENDATION: Staff recommends disapproval of the rezoning request to C-3 (general business) District. Alternately, Staff instead recommends approval of a rezone to C-3L (light commercial) District.

FIELD NOTES OF A 0.182 OF AN ACRE TRACT OUT OF THAT CERTAIN 2.00 ACRE TRACT AS DESCRIBED IN DOCUMENT NO. 2821446, OF THE OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, SAID 2.00 ACRE TRACT BEING THE SOUTHEAST CORNER OF THE SOUTH 20 ACRES OF LOT 337, JOHN H. SHARY SUBDIVISION OF LANDS OUT OF PORCIONES 58, 59, & 60 IN HIDALGO COUNTY, TEXAS; SAID 0.182 OF AN ACRE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING, at a point on the east line of said 2.00 acre tract" for the southeast corner of the herein described tract, from which the southeast corner of said Lot 337 bears, South 08°19'19" West a distance of 350.00 feet;

THENCE, North 81°40'41" West, parallel to the north line of said 2.00 acre tract of land, a distance of 132.00 feet, to a point on the west line of said 2.00 acre tract of land, being the southwest are tract of land;

THENCE, North 08°19'19" East, along the west line of said 2.00 acre tract, a distance of **60.00 feet**, to a point, being the northwest corner of the herein described tact;

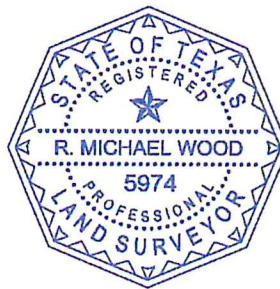
THENCE, South 81°40'41" East, parallel to the north line said 2.00 acre tract, a distance of **132.00 feet**, to a point on the east line of said 2.00 acre tract, being the northeast corner of the herein described tract;

THENCE, South 08°19'19" West, along the east line of said 2.00 acre tract, a distance of **60.00 feet** to the **POINT OF BEGINNING** of the herein described tract of land, said tract containing 0.182 acres, more or less, within these metes and bounds.

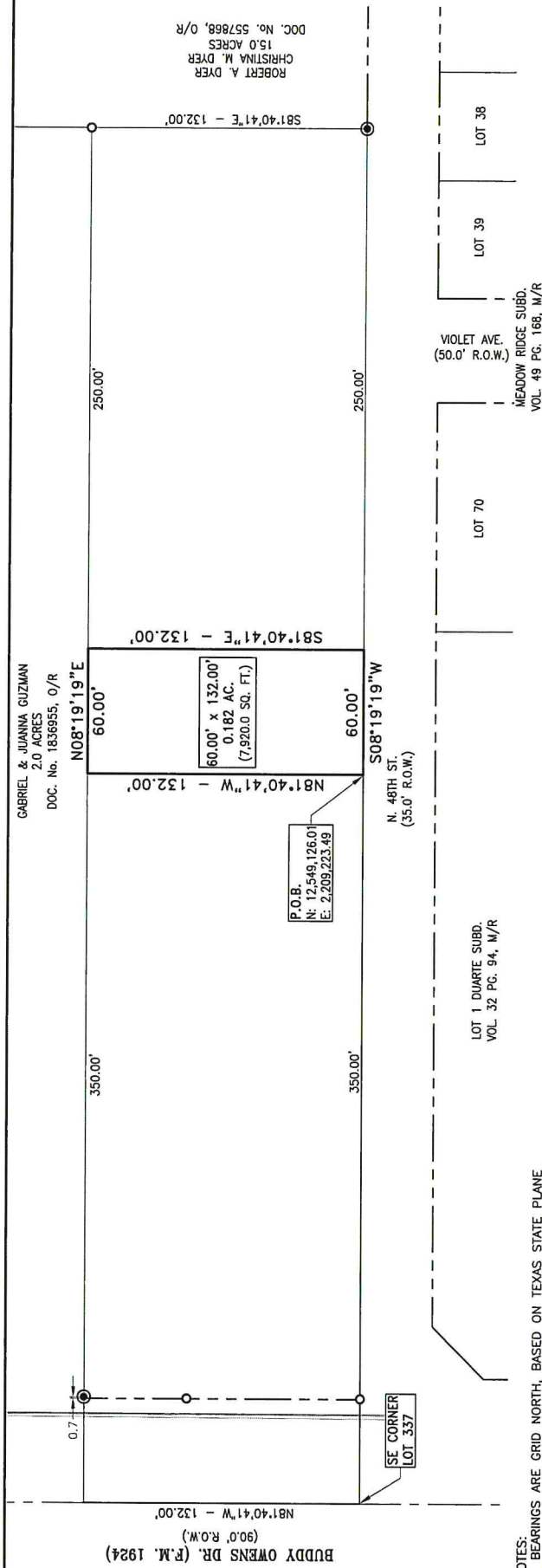
A survey exhibit was prepared (2460.03.dwg) an accompanies this metes and bounds description.



R. Michael Wood, R.P.L.S.
Registered Professional Land Surveyor
State of Texas Registration No. 5974

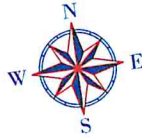


6/21/2024



NOTES:

1. BEARINGS ARE GRID NORTH, BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (4205) NAD83(2007). ALL BEARINGS, DISTANCES AND COORDINATES SHOWN ARE GRID.
2. THIS PROPERTY APPEARS TO LIE WITHIN ZONE "C" (AREAS OF MINIMAL FLOODING) ACCORDING TO THE FLOOD INSURANCE RATE MAP FLOOD INSURANCE POLICY NO. 480334-0400 C, DATED NOVEMBER 16, 1982. *FLOOD ZONE IS DETERMINED BY GRAPHIC SCALING ONLY; SOUTHPPOINT TEXAS SURVEYING, LLC DOES NOT ASSUME RESPONSIBILITY FOR EXACT DETERMINATION.*
3. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT, EASEMENTS/ENCUMBRANCES OTHER THAN THOSE SHOWN MAY EXIST AND AFFECT THIS PROPERTY.
4. ORIGINAL SURVEY'S ARE SIGNED AND SEALED IN BLUE INK. ALL OTHER COPIES ARE NULL AND VOID.
5. A METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANIES THIS SURVEY EXHIBIT.



LEGEND

- | | |
|-----|--|
| ○ | 1 1/2" IRON ROD FOUND W/CAP STAMPED "CLS RPLS 6388" |
| ● | 1 1/2" IRON PIPE FOUND |
| --- | RIGHT-OF-WAY LINE |

0.182 OF AN ACRE OUT OF THAT CERTAIN 2.00 ACRE TRACT AS DESCRIBED AND RECORDED IN DOCUMENT NO. 2821446, OF THE OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, SAID 2.00 ACRE TRACT BEING THE SOUTHEAST CORNER OF THE SOUTH 20 ACES OF LOT 337, JOHN H. SHARY SUBDIVISION OF LANDS OUT OF PORCIONES 58, 59 & 60 IN HIDALGO COUNTY, TEXAS



6/21/2024



Texas Surveying, LLC

1409 N. Stuart Place Rd., Ste. A (956) 368-5074
Harlingen, TX 78552 TBPELS Firm No. 10194358

**NOTICE
REZONING
FOR
THIS PROPERTY
REZ2024-0038**

 CITY OF MCALLEN PLANNING DEPT.
944-561-1730
WWW.MCALLEX.NET



Planning Department

Memo

TO: Planning and Zoning Commission

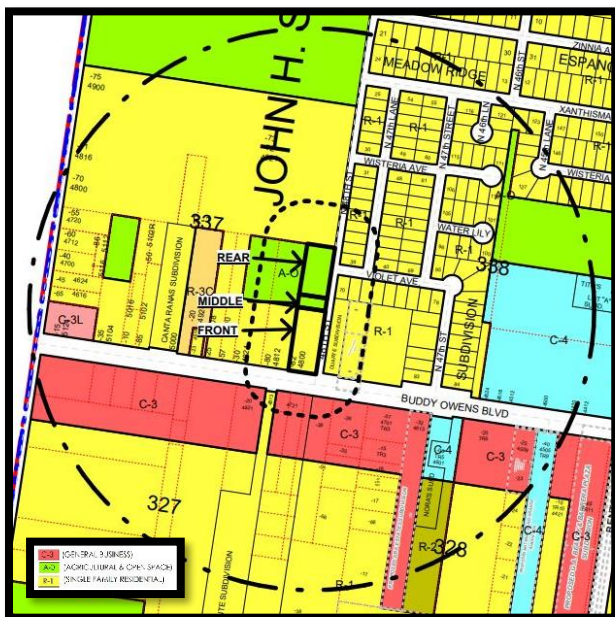
FROM: Planning Staff

DATE: July 16, 2024

SUBJECT: REZONE FROM A-O (AGRICULTURAL OPEN SPACE) DISTRICT TO R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT: A 0.758 OF AN ACRE TRACT OUT OF THAT CERTAIN 2.00 ACRE TRACT AS DESCRIBED IN DOCUMENT NO. 2821446, OF THE OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, SAID 2.00 ACRE TRACT BEING THE SOUTHEAST CORNER OF THE SOUTH 20 ACRES OF LOT 337, JOHN H. SHARY SUBDIVISION OF LANDS OUT OF PORCIONES 58, 59, & 60 IN HIDALGO COUNTY, TEXAS; 4800 BUDDY OWENS BOULEVARD (REAR). (REZ2024-0037)

LOCATION: The subject property is located along the west side of North 48th Street, north of Buddy Owens Boulevard.

PROPOSAL: The applicant is requesting to rezone the rear portion of the property to R-1 (single family residential) District for a single family residential development. The property is currently vacant. A feasibility plan has not been submitted yet.



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

DEVELOPMENT TRENDS: The development trend along Buddy Owens Boulevard is residential and commercial uses.

HISTORY: During the comprehensive zoning of 1979 the subject property was part of the Extra-Territorial Jurisdiction (ETJ) and the zoning designation was A-O (agricultural and open space) District.

The property was annexed into the City of McAllen in 2002 with an initial zoning to A-O (agricultural and open space) District.

A rezoning application was submitted on June 11th, 2024.

ANALYSIS: The requested zoning does conform to the future land use plan designation and the request aligns with the existing and future development trend for the area.

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

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

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

FIELD NOTES OF A 0.758 OF AN ACRE TRACT OUT OF THAT CERTAIN 2.00 ACRE TRACT AS DESCRIBED IN DOCUMENT NO. 2821446, OF THE OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, SAID 2.00 ACRE TRACT BEING THE SOUTHEAST CORNER OF THE SOUTH 20 ACRES OF LOT 337, JOHN H. SHARY SUBDIVISION OF LANDS OUT OF PORCIONES 58, 59, & 60 IN HIDALGO COUNTY, TEXAS; SAID 0.758 OF AN ACRE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING, at a point on the east line of said 2.00 acre tract for the southeast corner of the herein described tract, from which the southeast corner of said Lot 337 bears, South 08°19'19" West a distance of 410.00 feet;

THENCE, North 81°40'41" West, parallel to the north line of the said 2.00 acre tract, a distance of **132.00 feet**, to a point of the on the west line of said 2.00 acre tract, being the southwest corner of the herein described tract;

THENCE, North 08°19'19" East, along the west line of said 2.00 acre tract, a distance of **250.00 feet**, to a point a 1/2 inch iron rod found with a surveyor's cap stamped "CLS 6388" being the northwest corner of the herein described tract;

THENCE, South 81°40'41" East, along the north line of said 2.00 acre tract a distance of **132.00 feet**, to a 1/2 inch iron pipe found on the northeast corner of said 2.00 acre tract, being the northeast corner of the herein described tract;

THENCE, South 08°19'19" West, along the east line of said 2.00 acre tract, a distance of **250.00 feet** to the **POINT OF BEGINNING** of the herein described tract of land, said tract containing 0.758 acres, more or less, within these metes and bounds.

A survey exhibit was prepared (2460.03.dwg) an accompanies this metes and bounds description.



R. Michael Wood, R.P.L.S.
Registered Professional Land Surveyor
State of Texas Registration No. 5974



6/03/2024

GABRIEL & JUANA GUZMAN
2.0 ACRES
DOC. No. 1836955, O/R

BUDDY OWENS DR. (F.M. 1924)
(90.0' R.O.W.)

N81°40'41"W - 132.00'

0.7

410.00'

SE CORNER
LOT 337

410.00'

LOT 1 DUARTE SUBD.
VOL. 32 PG. 94, M/R

N. 48TH ST.
(35.0' R.O.W.)

P.O.B.
N: 12,548,957.80
E: 2,209,161.62

N81°40'41"W - 132.00'

N08°19'19"E - 250.00'

250.00' x 132.00'
0.758 AC.
(33,000.0 SQ. FT.)

S08°19'19"W - 250.00'

S81°40'41"E - 132.00'

ROBERT A. DYER
CHRISTINA M. DYER
15.0 ACRES
DOC. No. 557868, O/R

VIOLET AVE.
(50.0' R.O.W.)
LOT 70
MEADOW RIDGE SUBD.
VOL. 49 PG. 168, M/R

LOT 39

LOT 38

LOT 37

LOT 36

LOT 35

LOT 34

LOT 33

LOT 32

LOT 31

LOT 30

LOT 29

LOT 28

LOT 27

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Planning Department

Memo

TO: Planning and Zoning Commission

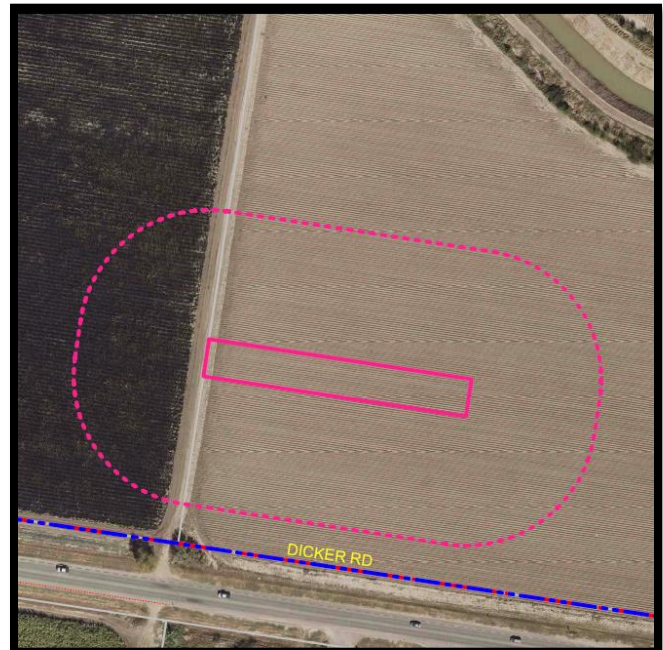
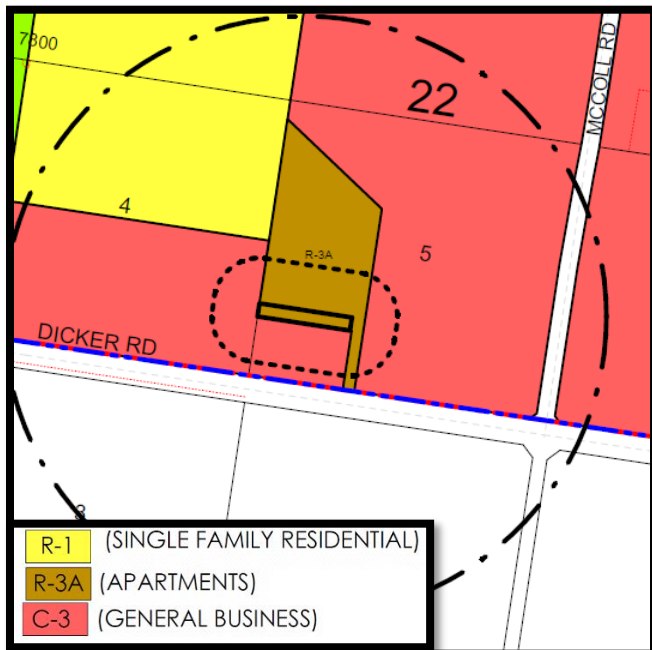
FROM: Planning Staff

DATE: July 8, 2024

SUBJECT: REZONE FROM R-3A (MULTIFAMILY RESIDENTIAL APARTMENTS) DISTRICT TO C-4 (COMMERCIAL INDUSTRIAL) DISTRICT: A 0.546 ACRE TRACT OF LAND OUT OF LOT 5, BLOCK 22, STEELE AND PERSHING SUBDIVISION, HIDALGO COUNTY, TEXAS; 105 DICKER ROAD (REAR). (REZ2024-0039)

LOCATION: The subject property is located north of Dicker Road and west of South McColl Road.

PROPOSAL: The applicant is requesting to rezone from R-3A (Multifamily Residential Apartments) District to C-4 (Commercial Industrial) District in order to develop land for warehouse use. The subject property is currently vacant. A feasibility plan has not been submitted yet.



ADJACENT ZONING: The adjacent properties are zoned C-3 (General Business) District in all directions except R-1 (Single Family Residential) to the northwest corner of the subject property.

LAND USE: The property is currently vacant, surrounding uses also include vacant land.

FUTURE LAND USE PLAN: The Envision McAllen Future Land Use Plan designates the future land use for this property as Industrial. This future land use designation considers shopping centers, light industrial, manufacturing, civic and open space. Residential developments of any kind are not considered appropriate for this property.

DEVELOPMENT TRENDS: The development trend along this area of Dicker Road is primarily commercial, industrial uses as well as open space.

HISTORY: This rezoning request is part of another tract that is currently zoned C-3. The request for the front portion was submitted May 17, 2024 from C-3 District to C-4 District, as well as the current request for rear portion from R-3A to C-4 District. Both requests will be heard by the City Commission on August 12, 2024.

ANALYSIS: The requested zoning does conform to the future land use plan designation and is compatible with the existing development trend along this area. .

As per section 110-49 (a) "A buffer shall be provided where a nonresidential use has a side or rear area property line in common with any residential use or zone. A masonry screen eight feet in height shall be required where a commercial, industrial or multifamily use has a side or rear property line in common with a single-family use or zone. Where such use has 200 feet or less in common with any residential use or zone, the buffer shall be eight feet in height but may be cedar planks."

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

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

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

Carrizales Land Surveying, LLC

Texas Registered Surveying Firm
TBPELS Firm No:10194417

METES AND BOUNDS DESCRIPTION A 0.546 ACRE TRACT

A 0.546 ACRE TRACT OF LAND BEING OUT OF LOT 5, BLOCK 22, STEELE AND PERSHING SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 8, PAGE 115, MAP RECORDS OF HIDALGO COUNTY, TEXAS, AND BEING OUT OF A CALLED TRACT 1, LOTS 1, 5 AND 6, BEING DESCRIBED AND CONVEYED TO KATHLEEN WILD, AS TRUSTEE OF THE KAYHLEEN S. WILD FAMILY TRUST BY VIRTUE OF WARRANTY DEED RECORDED IN DOCUMENT 1518628, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS (ORHCT), SAID 0.546 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a calculated point on E. Dicker Road, for the southwest corner of said Lot 5, Block 22, Thence, North 08 degrees 39 minutes 09 seconds East, along the west line of said Lot 5, Block 22, a distance of 75.00 feet to a half (1/2)-inch iron rod found [N:16571995.7986, E:1073028.8685], on the north right of way line of said E. Dicker Road, Thence, North 08 degrees 39 minutes 09 seconds East, along the west line of said Lot 5, Block 22, a distance of 260.73 feet to a calculated point for the westmost southwest corner of this tract of land and the **POINT OF BEGINNING**;


THENCE, North 08 degrees 39 minutes 09 seconds East, along the west line of said Lot 5, Block 22, a distance of 58.00 feet to a found 1/2 inch iron rod for the northwest corner of this tract of land;

THENCE, South 81 degrees 20 minutes 51 seconds East, within and across said Lot 5, Block 22, a distance of 410.00 feet to a found 1/2 inch iron rod for the northeast corner of this tract of land;

THENCE, South 08 degrees 39 minutes 09 seconds West, within and across said Lot 5, Block 22, a distance of 58.00 feet to a calculated point for the southeast corner of this tract of land;

THENCE, North 81 degrees 20 minutes 51 seconds West, within and across said Lot 5, Block 22, a distance of 410.00 feet to the **POINT OF BEGINNING**; containing 0.546 acres of land more or less.

All coordinates, bearings, and distances noted within this metes and bounds description are in U.S. Survey Feet and reference the Texas State Plane Coordinate System South Zone 4205 and in grid coordinates.

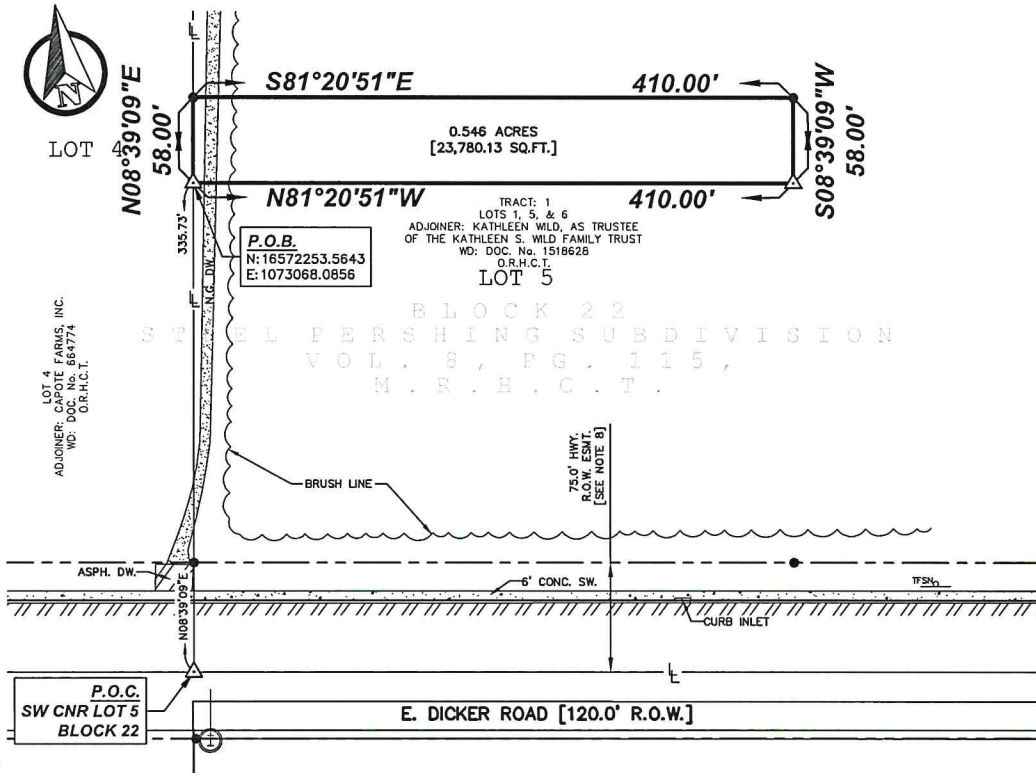

Manuel Carrizales
Registered Professional Land Surveyor
Texas Registration Number 6388

6-20-2024

Date



PLAT SHOWING:
A 0.546 ACRE TRACT [23,780.13 SQ.FT.] OF LAND BEING OUT OF LOT 5, BLOCK 22, STEELE AND PERSHING SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 8, PAGE 115, MAP RECORDS OF HIDALGO COUNTY, TEXAS.



LEGEND

- BOUNDARY LINE
- - - RIGHT OF WAY LINE
- - - EASEMENT LINE
- LOT LINE
- CONCRETE CURB AND GUTTER
- CONCRETE
- FOUND 1/2" IRON ROD OR AS NOTED
- SET 1/2" IRON ROD W/PINK CAP STAMPED "CLS RPLS #6388"
- △ CALCULATED POINT
- TSN — TRAFFIC SIGN
- ① — IRRIGATION STAND PIPE
- R.O.W. — RIGHT OF WAY
- VOL. — VOLUME
- PG. — PAGE
- DOC. — DOCUMENT
- CONC. — CONCRETE
- ASPH. — ASPHALT
- ESMT. — EASEMENT
- DW. — DRIVEWAY
- SW. — SIDEWALK
- N.G. — NATURAL GROUND
- WD. — WARRANTY DEED
- O.R.H.C.T. — OFFICIAL RECORDS HIDALGO COUNTY TEXAS
- M.R.H.C.T. — MAP RECORDS HIDALGO COUNTY TEXAS

NOTES:

1. ALL ADJOINER INFORMATION SHOWN HEREON AS PER HIDALGO COUNTY APPRAISAL DISTRICT RECORDS.
 2. A METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANIES THIS SURVEY PLAT.
 3. SURVEY VALID ONLY WITH ORIGINAL SEAL AND SIGNATURE.
- JOB NO. 24070 ZONING 0.5 AC
SHEET 02 OF 02



Carrizales Land Surveying, LLC
Texas Registered Surveying Firm
TSPS FIRM No: 10194417
4807 Gondola Avenue,
Edinburg, TX 78542
Office: 956-567-2167
www.cls.land

I, MANUEL CARRIZALES, REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

Manuel Carrizales 6-20-2024
MANUEL CARRIZALES DATE
R.P.L.S. #6388







City of McAllen

SUB 2023-0082

Planning Department

311 NORTH 15TH STREET • (956) 681-1250 • (956) 681-1279 (fax)

SUBDIVISION PLAT REVIEW APPLICATION

| | | | | |
|---------------------|---|---|----------------------------|---|
| Project Information | Subdivision Name | <u>BARTON SUBDIVISION</u> | | |
| | Location | <u>SOUTH ROW OF NORTHAGE LN BETWEEN MAIN ST AND BICENTENNIAL BLVD</u> | | |
| | City Address or Block Number | <u>8501 N. MAIN ST.</u> | | |
| | Number of Lots | <u>4</u> | Gross Acres | <u>12.798</u> Net Acres <u>11.77</u> ETJ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| | Existing Zoning | <u>R1</u> | Proposed Zoning | <u>R1</u> Rezoning Applied for <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____ |
| | Existing Land Use | <u>RESID.</u> | Proposed Land Use | <u>RESID.</u> Irrigation District # <u>2</u> |
| | Replat | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Commercial | _____ Residential _____ |
| | Agricultural Exemption | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Estimated Rollback Tax Due | <u>58.07</u> |
| | Parcel # | <u>1371103, 162805</u> | Tax Dept. Review | <u>19</u> |
| | Water CCN | <input checked="" type="checkbox"/> MPU <input type="checkbox"/> Sharyland Water SC | Other | _____ |
| Legal Description | A 12.798 ACRE TRACT OF LAND, MORE OR LESS, BEING OUT OF AND FORMING PART OR PORTION OF LOTS 20, 21, 22, AND 23, EBONY HEIGHTS CITRUS GROVES UNIT NO.1 RECORDED IN VOLUME 5, PAGE 39, MAP RECORDS OF HIDALGO COUNTY, TEXAS | | | |
| Owner | Name | <u>ANTONIO ESPARZA</u> | <u>BARBARA JO GUERRA</u> | Phone _____ |
| | Address | <u>900 W SAM HOUSTON, SUITE 1</u> | | E-mail <u>aemd@me.com</u> |
| | City | <u>PHARR</u> | State <u>TX</u> | Zip <u>78577</u> |
| Developer | Name | <u>ANTONIO ESPARZA</u> | | Phone _____ |
| | Address | <u>900 W SAM HOUSTON, SUITE 1</u> | | E-mail <u>aemd@me.com</u> |
| | City | <u>PHARR</u> | State <u>TX</u> | Zip <u>78577</u> |
| | Contact Person | <u>ANTONIO ESPARZA</u> | | |
| Engineer | Name | <u>TURBO ENGINEERS, PLLC</u> | | Phone <u>956-598-2940</u> |
| | Address | <u>1203 ERIE AVE SUITE F</u> | | E-mail <u>roberto@turboengineers.net</u> |
| | City | <u>McALLEN</u> | State <u>TX</u> | Zip <u>78501</u> |
| | Contact Person | <u>ROBERTO SALINAS, P.E.</u> | | |
| Surveyor | Name | <u>CARRIZALES LAND SURVEYING, LLC</u> | | Phone <u>956-579-6709</u> |
| | Address | <u>4807 GANDOLA AVE</u> | | E-mail <u>mannyrpls@cls.land</u> |
| | City | <u>EDINBURG</u> | State <u>TX</u> | Zip <u>78542</u> |





City of McAllen

Planning Department
VARIANCE TO SUBDIVISION
PROCESS APPLICATION

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

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

BARTON SUBDIVISION

VAR2024-0028

| | | | | | |
|---------------|---|---|---|------------------|----------------------------|
| Project | Legal Description | A 12.798 Acre Tract of Land, More or Less, Being out of and Forming Part of Portion of Lots 20, 21, 22, and 23 Ebony Heights Citrus Groves Unit No. 1 recorded in Volume 5, Page 39, Map Records of Hidalgo county, Texas | | | |
| | Street Address | | | | |
| | Number of lots | 3 | Gross acres | 12.79 | |
| | Existing Zoning | R-1 | Existing Land Use | R-1 | |
| | <input checked="" type="checkbox"/> Current Survey and Metes and Bounds (if the legal description of the tract is a portion of a lot) is required | | | | |
| Applicant | Name | Turbo Engineers, PLLC | | Phone | (956) 598-2940 |
| | Address | 4013 Zion Ave | | E-mail | roberto@turboengineers.net |
| | City | McAllen | State | TX | Zip |
| Owner | Name | Antonio Esparza & Barbara Jo Guerra | | Phone | (956) 802-1295 |
| | Address | 900 W sam Houston Ste 1 | | E-mail | aemd@me.com |
| | City | Pharr | State | TX | Zip |
| Authorization | To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | | | |
| | I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable) OR I am authorized by the actual owner to submit this application and have attached written evidence of such authorization. | | | | |
| | Signature | | | Date | 06/11/2024 |
| Office | Print Name | | | | |
| | Roberto Salinas | | <input type="checkbox"/> Owner <input checked="" type="checkbox"/> Authorized Agent | | |
| | *FOR OFFICE USE ONLY* | | | | |
| Office | APPLICATION FILING FEE: <input checked="" type="checkbox"/> \$250.00 | | | | |
| | Accepted by | KCF | Payment received by | Date JUN 11 2024 | |
| | Rev 06/21 | | | | |





City of McAllen
Planning Department
REASON FOR APPEAL

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

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

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

Reason for Appeal

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

See Attachment

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

See Attachement

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

See Attachment

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

See Attachment

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

North Bicentennial Boulevard is located along the west border of the proposed Barton Subdivision. It is designated by the Rio Grande Valley Metropolitan Planning Organization as a Major Thoroughfare Roadway with a One Hundred Fifty (150) feet of Right-Of-Way according to their most recent approved thoroughfare map. The current existing Right-of-Way along the borders of our project varies from 80 ft to 120 ft at the intersection of Northgate Lane. This variance is being submitted to dedicate additional ROW 50 ft from centerline by Barton Subdivision. The existing Right-of-Way at the intersection of Northgate Lane meets the City of McAllen Ordinance *Section 134-105- Street Requirements (j)* which requires a 120 feet Right-of-Way for Major Roadways. This variance will allow for a greater developable area within the subdivision, and all masonry fence lines will match within the east Right-of-Way of North Bicentennial Blvd from Frontera Road to Northgate Lane with a potential license agreement with the City of McAllen. North Bicentennial Boulevard is a brand-new developed roadway from Trenton Road to State highway 107 within the City Limits of McAllen, TX. The

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

The variances requested are necessary for developmental purposes and are essential for the project vision and success of Barton Subdivision. The subdivision is being developed by the Esparza Family into three (3 lots) residential urban homestead properties with their own private nature reserve within the extents of the proposed Lot 1. The variance will allow for maximum enjoyable area for the Esparza family.

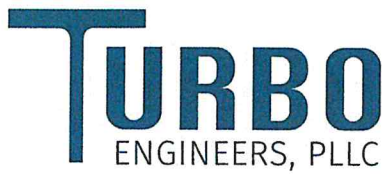
- 3. Describe how the variance will not be detrimental to the public health, safety or welfare or injurious to the legal rights other property owners enjoy in the area.**

The variances requested will not alter or interfere with public health, safety, or welfare of surrounding and future property owners. Barton Subdivision is proposed as R1-Single Family Residential.

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

The proposed variances will not prevent the orderly development and subdivision of the surrounding land with the City of McAllen's ordinances. All the adjacent properties are being used as residences. The proposed zoning for Barton Subdivision will be R1-Single Family Residential. The proposed variances do not alter the use of the land.





Engineering Firm Reg # 21737
4013 McAllen, TX 78503
Phone: (956) 598-2940 roberto@turboengineers.net

June 11, 2024

City of McAllen Planning
311 N 15th Street McAllen, TX

Re: **Variance Application**
Barton Subdivision

To Whom It May Concern,

A variance request is being submitted for consideration to the City of McAllen Planning and Zoning Commission. It is our professional opinion that the variance requested will not have a negative impact to the development of the City of McAllen and are critical to the success of Barton Subdivision as a viable project.

The following variances are being submitted for consideration :

- A. 50 ft from Centerline Right-of-Way dedication by Barton Subdivision for North Bicentennial Blvd. The existing Right-of-Way of N Bicentennial Blvd along the proposed Barton Subdivision varies from 80 ft to 120 ft at the intersection of Northgate Lane. The RGVMPD determined N Bicentennial Blvd to be 150 ft total Right-of-Way. We are requesting to dedicate 50 ft from Centerline ROW. The intersection of N Bicentennial Blvd and Northgate Lane already meets The City of McAllen Ordinance Section 134-105- Street Requirements (j) for Major Thoroughfares which require a 120 ft total Right-of-Way.

Attached is the variance application along with supporting documents. If there are any questions or concerns regarding this matter, please contact me at roberto@turboengineers.net or at (956) 598-2940.

Respectfully,

A large, stylized handwritten signature in blue ink, appearing to read "Roberto Salinas".

Roberto Salinas, P.E.

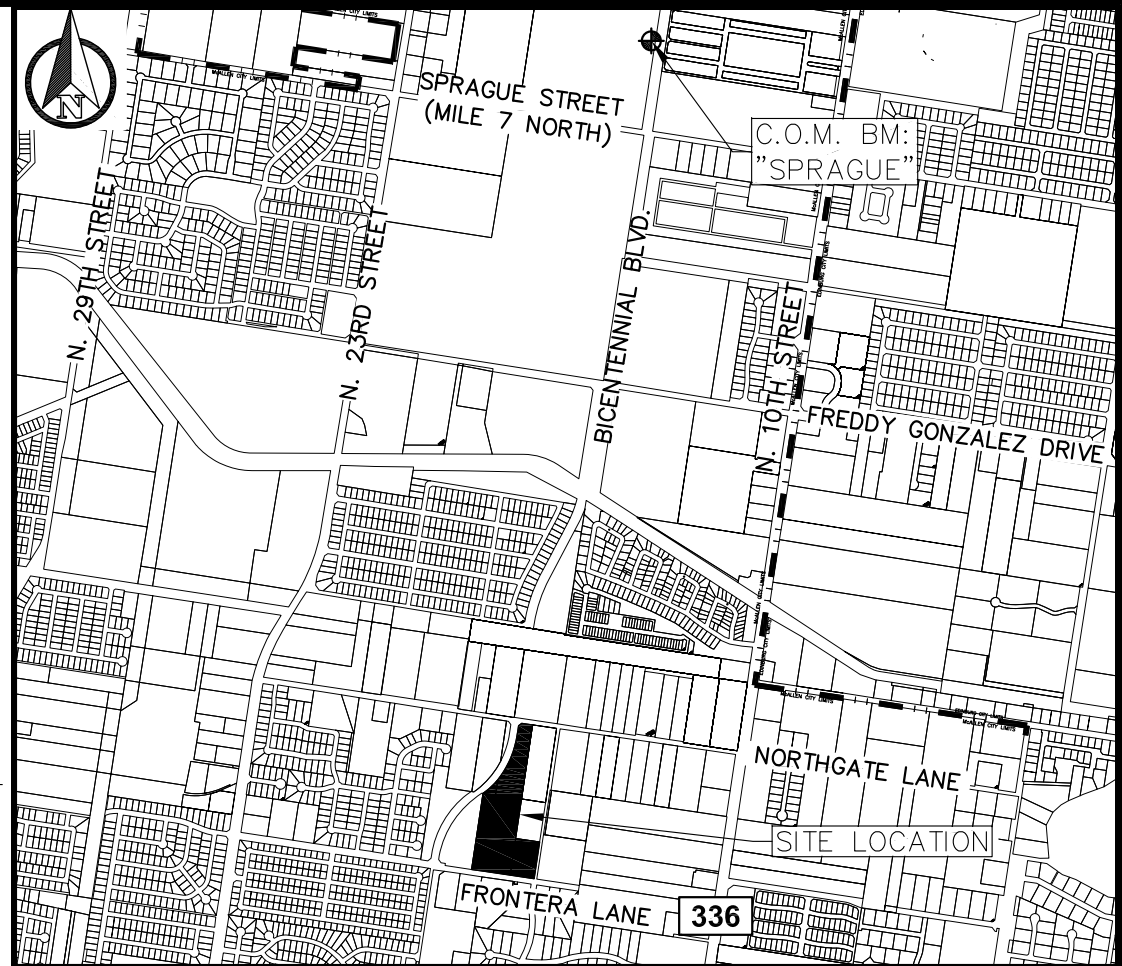


MAP OF
BARTON SUBDIVISION

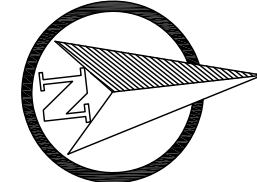
A 12.798 ACRE TRACT OF LAND, MORE OR LESS, BEING OUT OF AND FORMING PART OR PORTION OF LOTS 20, 21, 22, AND 23, EBONY HEIGHTS CITRUS GROVES UNIT No. 1, RECORDED IN VOLUME 5, PAGE 39, MAP RECORDS OF HIDALGO COUNTY, TEXAS.

N. BICENTENNIAL BOULEVARD
[CSJ: 0921-02-352]

| CURVE TABLE | | | | | |
|-------------|---------|---------|------------|-----------------|--------------|
| CURVE # | RADIUS | LENGTH | DELTA | CHORD DIRECTION | CHORD LENGTH |
| C1 | 980.00' | 241.11' | 014°05'48" | N44°42'21"E | 240.51' |
| C2 | 589.93' | 307.48' | 029°51'48" | N23°29'58"E | 304.01' |



LOCATION MAP 1" = 2,000'



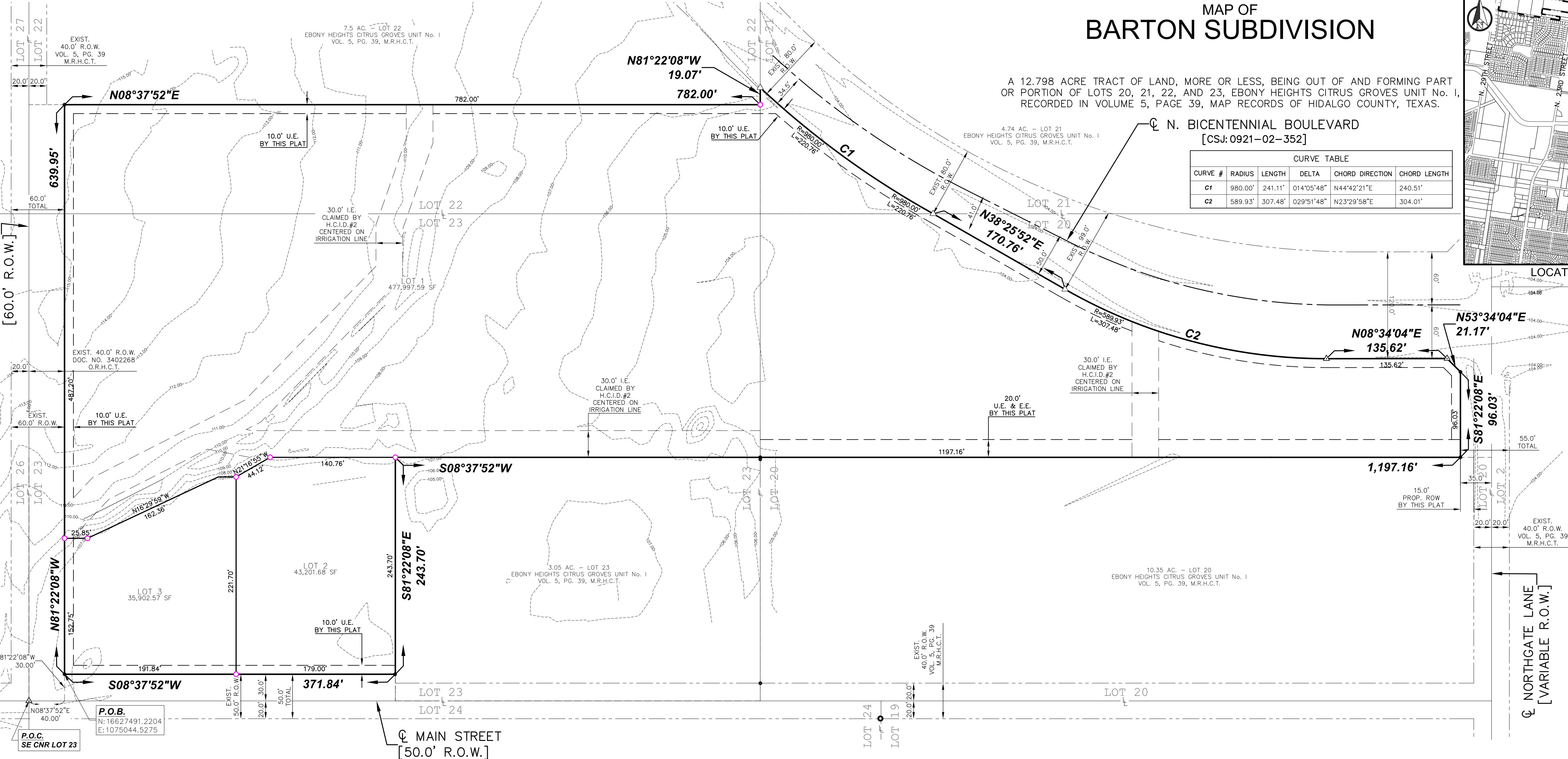
BASIS OF BEARINGS:
TEXAS STATE PLANE
COORDINATE SYSTEM
SOUTH ZONE 4205

GRAPHIC SCALE IN FEET: 1"=60'



LEGEND

- BOUNDARY LINE
- - - RIGHT OF WAY LINE
- - - ROADWAY CENTERLINE
- - - EASEMENT LINE
- - - LOT LINE
- - - PROPERTY LINE
- - - CONTOUR LINE WITH ELEVATION
- - - FOUND 1/2" IRON ROD OR AS NOTED
- - - FOUND 1/2" IRON PIPE
- - - SET 1/2" IRON ROD W/PINK CAP STAMPED "CLS RPLS #6388"
- - - CALCULATED POINT
- - - IRRIGATION STAND PIPE
- - - UTILITY EASEMENT
- - - IRRIGATION EASEMENT
- - - ELECTRICAL EASEMENT
- - - POINT OF BEGINNING
- - - NORTHWEST
- - - SOUTHWEST
- - - CORNER
- - - CNR
- - - OFFICIAL RECORDS HIDALGO COUNTY TEXAS
- - - MAP RECORDS HIDALGO COUNTY TEXAS
- - - DEED RECORDS HIDALGO COUNTY TEXAS
- - - HIDALGO COUNTY IRRIGATION DISTRICT



METES AND BOUNDS DESCRIPTION:
BEING A 12.798 ACRE TRACT OF LAND, MORE OR LESS, BEING OUT OF AND FORMING PART OR PORTION OF LOTS 20, 21, 22, AND 23, EBONY HEIGHTS CITRUS GROVES UNIT No. 1, RECORDED IN VOLUME 5, PAGE 39, MAP RECORDS OF HIDALGO COUNTY, TEXAS; SAID 12.798 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
COMMENCING AT A CALCULATED POINT AT THE INTERSECTION OF FRONTERA ROAD AND MAIN STREET FOR THE SOUTHEAST CORNER OF SAID LOT 23, THENCE NORTH 08 DEGREES 37 MINUTES 52 SECONDS EAST, ALONG THE EAST LINE OF SAID LOT 23, A DISTANCE OF 40.00 FEET TO A CALCULATED POINT, THENCE NORTH 81 DEGREES 22 MINUTES 08 SECONDS WEST A DISTANCE OF 30.00 FEET TO A HALF (1/2)-INCH IRON ROD WITH A PINK CAP STAMPED "C.L.S. RPLS #6388" FOUND [N:16627491.2204, E:1075044.5275] AT THE INTERSECTING POINT OF THE WEST RIGHT OF WAY LINE OF SAID MAIN STREET AND THE NORTH RIGHT OF LINE OF SAID FRONTERA ROAD, FOR THE SOUTHEAST CORNER OF THIS TRACT OF LAND AND THE POINT OF BEGINNING;
THENCE NORTH 81°22'08" WEST, PARALLEL TO THE SOUTH LINE OF SAID LOT 23 AND ALONG THE NORTH RIGHT OF WAY LINE OF SAID FRONTERA ROAD A DISTANCE OF 639.95 FEET TO A HALF (1/2)-INCH IRON ROD WITH A PINK CAP STAMPED "C.L.S. RPLS #6388" FOUND FOR THE SOUTHWEST CORNER OF THIS TRACT OF LAND;
THENCE NORTH 08°37'52" EAST, PARALLEL TO THE EAST LINE OF SAID LOT 22, A DISTANCE OF 782.00 FEET TO A HALF (1/2)-INCH IRON ROD WITH A PINK CAP STAMPED "C.L.S. RPLS #6388" SET ON THE NORTH LINE OF SAID LOT 22, FOR AN INTERIOR CORNER OF THIS TRACT OF LAND;
THENCE NORTH 81°22'08" WEST, ALONG THE NORTH LINE OF SAID LOT 22, A DISTANCE OF 19.07 FEET TO A CALCULATED POINT ON THE EAST RIGHT OF WAY LINE OF BICENTENNIAL BOULEVARD, FOR THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY, SAID CURVE HAS A RADIUS OF 980.00 FEET, AND AN EXTERIOR;
THENCE NORTHEASTERLY ALONG THE EAST RIGHT OF WAY LINE OF SAID BICENTENNIAL BOULEVARD AND SAID CURVE AN ARC DISTANCE OF 241.11 FEET, THROUGH A CENTRAL ANGLE OF 14°05'48", CHORD DIRECTION BEARS NORTH 44°42'21" EAST A DISTANCE OF 240.51 FEET, TO A CALCULATED POINT OF TANGENCY AND AN EXTERIOR CORNER OF THIS TRACT OF LAND;
THENCE NORTH 38°25'52" EAST, ALONG THE EAST RIGHT OF WAY LINE OF SAID BICENTENNIAL BOULEVARD, A DISTANCE OF 170.76 FEET TO A CALCULATED POINT FOR THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY, SAID CURVE HAS A RADIUS OF 589.93 FEET, FOR AN EXTERIOR CORNER OF THIS TRACT OF LAND;
THENCE NORTHEASTERLY ALONG THE EAST RIGHT OF WAY LINE OF SAID BICENTENNIAL BOULEVARD AND SAID CURVE AN ARC DISTANCE OF 307.48 FEET, THROUGH A CENTRAL ANGLE OF 29°51'48", CHORD DIRECTION BEARS NORTH 23°29'58" EAST A DISTANCE OF 304.01 FEET, TO A CALCULATED POINT TO A POINT OF TANGENCY AND AN EXTERIOR CORNER OF THIS TRACT OF LAND;
THENCE NORTH 08°34'04" EAST, ALONG THE EAST RIGHT OF WAY LINE OF SAID BICENTENNIAL BOULEVARD, A DISTANCE OF 135.62 FEET TO A CALCULATED POINT FOR THE MOST WESTERLY NORTHWEST CORNER OF THIS TRACT OF LAND;
THENCE NORTH 53°34'04" EAST, ALONG THE WEST RIGHT OF WAY LINE OF SAID BICENTENNIAL BOULEVARD, A DISTANCE OF 21.17 FEET TO A HALF (1/2)-INCH IRON ROD WITH A PINK CAP STAMPED "C.L.S. RPLS #6388" FOUND ON THE SOUTH RIGHT OF WAY LINE OF NORTHGATE LANE, FOR THE MOST NORTHERLY NORTHWEST CORNER OF THIS TRACT OF LAND;
THENCE SOUTH 81°22'08" WEST, PARALLEL TO THE NORTH LINE OF SAID LOT 20 AND ALONG THE SOUTH RIGHT OF WAY LINE OF SAID NORTHGATE LANE, A DISTANCE OF 96.03 FEET TO A HALF (1/2)-INCH IRON ROD WITH A PINK CAP STAMPED "C.L.S. RPLS #6388" SET FOR THE INTERIOR CORNER OF THIS TRACT OF LAND;
THENCE SOUTH 81°22'08" WEST, PARALLEL TO THE SOUTH LINE OF SAID LOT 20 AND ALONG THE SOUTH RIGHT OF WAY LINE OF SAID NORTHGATE LANE, A DISTANCE OF 240.51 FEET, TO A CALCULATED POINT OF TANGENCY AND AN EXTERIOR CORNER OF THIS TRACT OF LAND;
THENCE SOUTH 08°37'52" WEST, PARALLEL TO THE EAST LINE OF SAID LOTS 20 AND 23, A DISTANCE OF 1,197.16 FEET TO A HALF (1/2)-INCH IRON ROD WITH A PINK CAP STAMPED "C.L.S. RPLS #6388" SET FOR THE INTERIOR CORNER OF THIS TRACT OF LAND;
THENCE SOUTH 08°37'52" WEST, PARALLEL TO THE EAST LINE OF SAID LOT 23 AND ALONG THE WEST RIGHT OF WAY LINE OF SAID MAIN STREET, A DISTANCE OF 371.84 FEET TO THE POINT OF BEGINNING, CONTAINING 12.798 ACRES OF LAND [557,101.11 SQ. FT.] MORE OR LESS.

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

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

CITY OF TEXAS
STATE OF TEXAS
COUNTY OF HIDALGO
(WE, THE UNDERSIGNED OWNER OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS **BARTON SUBDIVISION**, DO HEREBY GRANT AN EASEMENT TO THE CITY OF McALLEN AND THOSE WHO MAY NOW OR HEREAFTER HOLD FRANCHISE UNDER SAID CITY, THE USE OF THE STREETS AND EASEMENTS THEREON SHOWN, SURFACE USE OF THE STREETS IS RESTRICTED TO THE EMPLOYEES OR AGENTS OF THE CITY OF McALLEN, EMPLOYEES OF UTILITIES OPERATING UNDER FRANCHISE TO THE CITY OF McALLEN AND RESIDENTS OF THE SUBDIVISION AND THEIR GUESTS, EXCEPT NORTHGATE LANE AND FRONTERA ROAD WHICH ARE FOR PUBLIC USE.

ANTONIO ESPARZA 900 W. SAM HOUSTON, SUITE 1 PHARR, TEXAS 78577
BARBARA JO GUERRA 900 W. SAM HOUSTON, SUITE 1 PHARR, TEXAS 78577

STATE OF TEXAS
COUNTY OF HIDALGO
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED ANTONIO ESPARZA & BARBARA JO GUERRA, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 20____.

NOTARY PUBLIC

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

CHAIRMAN, PLANNING COMMISSION DATE: _____
GENERAL MANAGER

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

MAYOR, CITY OF McALLEN DATE: _____
CITY SECRETARY DATE: _____

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

ON: _____ AT _____ AM/PM
INSTRUMENT NUMBER _____
OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS

BY: _____ DEPUTY

STATE OF TEXAS
COUNTY OF HIDALGO
CERTIFICATION OF SURVEYOR
I, THE UNDERSIGNED, MANUEL CARRIZALES, A REGISTERED PROFESSIONAL PUBLIC 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.

MANUEL CARRIZALES
TEXAS R.P.L.S. No. 6388
TEXAS REG. SURVEYING FIRM No. 101194417

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

ROBERTO SALINAS, PE
TEXAS LICENSED PROFESSIONAL ENGINEER No. 122063
TBPELS FIRM No. 21737

PLAT NOTES AND RESTRICTIONS:
1. FLOOD ZONE DESIGNATION: ZONE "X" [NO SHADING] DESCRIBED AS "AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOOD-PLAIN", COMMUNITY-PANEL NUMBER 480334 0325 D EFFECTIVE DATE: JUNE 6, 2000
2. MINIMUM BUILDING SETBACK LINES AS PER CITY OF McALLEN ORDINANCE.
FRONT: 25' OR GREATER FOR EASEMENTS
REAR: 10' OR GREATER FOR EASEMENTS
INTERIOR SIDES: 6' OR GREATER FOR EASEMENTS
SIDE CORNER: 10' OR GREATER FOR EASEMENTS
GARAGE: 18' EXCEPT WHERE GREATER SETBACK IS REQUIRED, GREATER SETBACK APPLIES
3. MINIMUM PERMISSIBLE FINISH FLOOR ELEVATION SHALL BE 18 INCHES ABOVE THE FRONT TOP OF CURB MEASURED FROM THE CENTER OF THE LOT OR 16 INCHES ABOVE THE HIGHEST ADJACENT GRADE, WHICHEVER IS GREATER.
4. NO BUILDINGS SHALL BE CONSTRUCTED OVER ANY EASEMENT OR LOT LINE.
5. REQUIRED STORM SEWER RUNOFF DETENTION FOR THIS SUBDIVISION AS PER THE APPROVED DRAINAGE REPORT: _____ C.F. (_____ AC.FT.) TO BE PROVIDED WITHIN DESIGNATED DETENTION AREAS.
6. AN ENGINEERED DRAINAGE DETENTION PLAN, APPROVED BY THE CITY OF McALLEN ENGINEERING DEPARTMENT, SHALL BE REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMIT.
7. PRIVATE DRAINAGE SYSTEM/DETENTION AREAS TO BE MAINTAINED BY PROPERTY OWNER.
8. BENCHMARK IS CITY OF McALLEN BENCHMARK "SPRAGUE" MONUMENT: STAINLESS STEEL, 3/8", COVERED WITH AN ALUMINUM LOGO CAP. LOCATED INSIDE THE WATER TREATMENT PLANT [SEE LOCATION MAP FOR APPROXIMATE LOCATION]
PUBLISHED DATA: CITY OF McALLEN BENCHMARK "SPRAGUE" ELEVATION = 102.61 COORDINATES: TEXAS STATE PLANE SOUTH ZONE (4205), NAD 83, NAD80 US SURVEY FEET GRID: N=16636202.03496 E=1076277.68322
9. 4 FT WIDE MINIMUM SIDEWALK REQUIRED ALONG FRONTERA ROAD, MAIN STREET, NORTHGATE LANE, N. BICENTENNIAL BOULEVARD, AND BOTH SIDES OF INTERNAL STREETS
10. 6 FT OPAQUE BUFFER REQUIRED FROM ADJACENT BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL AND INDUSTRIAL ZONES/USES, AND ALONG N. BICENTENNIAL BOULEVARD, FRONTERA ROAD AND NORTHGATE LANE.
11. 8 FT MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONES/USES.
12. NO CURB CUT, ACCESS, OR LOT FRONTAGE PERMITTED ALONG N. BICENTENNIAL BOULEVARD, NORTHGATE LANE AND FRONTERA ROAD.
13. ALL CONSTRUCTION SHALL COMPLY WITH STORM WATER POLLUTION PREVENTION PLAN REQUIREMENTS.
14. 25 X 25 FT SIGHT OBSTRUCTION EASEMENT REQUIRED AT ALL STREET INTERSECTIONS.

SHEET 01 OF 01
DATE OF PREPARATION: 11.29.2023
PROJECT NO: 23045

Carrizales
Land
Surveying, LLC
Texas Registered Surveying Firm
TBPELS FIRM No: 10194417
4807 Gondola Avenue,
Edinburg, TX 78542
Office: 956-567-2167
www.cls.ltd

TURBO
ENGINEERS, PLLC
1203 ERIE AVENUE, SUITE F
MCALLEN, TEXAS 78501
956.598.2940
roberto@turboengineers.net

TBPE FIRM #21737



City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 6/12/2024

SUBDIVISION NAME: BARTON SUBDIVISION

REQUIREMENTS

STREETS AND RIGHT-OF-WAYS

N. Bicentennial Blvd: Dedication required for 75 ft. from centerline for 150 ft. total ROW

Paving: 65 ft.-105 ft. Curb & gutter: both sides

Revisions needed:

- Show and label, total existing ROW, and ROW on both sides of the centerline at multiple points and show "additional ROW dedicated by this plat" as requested above prior to final.
- Include the Document number for the existing ROW on the plat and provide a copy for staff review prior to final.
- All ROW requirements must be finalized prior to final. If a variance is requested, it must be finalized prior to final.

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

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

****COM Thoroughfare Plan**

*****The project engineer submitted a variance application (VAR2024-0017) on behalf of the developer with the following request: A variance request to dedicate minimum 50 ft. ROW from centerline to N. Bicentennial Blvd. in lieu of 75 ft. from centerline for total 150 ft. ROW as required by the thoroughfare map. The submitted application proposed no ROW dedication; however, after further discussion, the project engineer submitted an email and revised the request to minimum 50 ft. from centerline. As per the submitted plat, the existing ROW ranges from 34.5 ft. from the centerline on the west side of the subdivision to 60 ft. from centerline on the northwest corner of the subdivision.**

*****Planning and Zoning Commission tabled the request on May 7, 2024, for the applicant to further discuss the request with the Engineering Department.**

*****At the Planning and Zoning Commission meeting of May 21, 2024, the Board approved the subdivision in revised preliminary form and recommended approval of the requested variance to dedicate minimum 50 ft. ROW from centerline to N. Bicentennial Boulevard.**

******On June 10, 2024, the City Commission unanimously approved option No. 2, and disapproved the variance request and alternatively approved 60 ft. minimum ROW dedication from centerline for N. Bicentennial Boulevard as recommended by the Engineering Department.**

******The project engineer resubmitted a variance application (VAR2024-0028) on behalf of the developer with the following request: A variance to dedicate minimum 50 ft. ROW from centerline to N. Bicentennial Blvd. in lieu of 60 ft. ROW dedication requirement as approved by the City Commission at the meeting of June 10, 2024. As per the submitted plat, the existing ROW ranges from 34.5 ft. from the centerline on the west side of the subdivision to 60 ft. from centerline on the northwest corner of the subdivision.**

Non-compliance

| | |
|--|----------------|
| <p>Northgate Lane: Dedication required for 35 ft. from centerline for 70 ft. total ROW Paving: 44 ft. Curb & gutter: both sides Revisions needed: - Northgate Lane is labeled as variable ROW. Show existing at multiple points to clarify how it varies prior to final. - Revise the wording from "15 ft. Prop. ROW by this plat" to "15 ft. additional ROW dedicated by this plat" - Include the Document number for the existing ROW on the plat and provide a copy for staff review prior to final. - All ROW requirements must be finalized prior to final. **Subdivision Ordinance: Section 134-105 **Monies must be escrowed if improvements are required prior to recording. **COM Thoroughfare Plan</p> | Non-compliance |
| <p>Frontera Rd.: Dedication required for 40 ft. from centerline for 80 ft. total ROW Paving: 52 ft. Curb & gutter: both sides Revisions needed: - Provide a copy of the referenced documents for staff review prior to final. - Clarify/remove the dashed line where the existing 40 ft. ROW merges to existing 60 ft. ROW on the southwest side of the subdivision, prior to final. **Subdivision Ordinance: Section 134-105 **Monies must be escrowed if improvements are required prior to recording. **COM Thoroughfare Plan</p> | Non-compliance |
| <p>N. Main Street: Dedication required for 30 ft. from centerline for 60 ft. ROW Paving: min. 40 ft. Curb & gutter: both sides Revisions needed: - Add "N." to the label for N. Main Street on plat prior to final. - Include the Document number for the existing ROW on the plat and provide a copy for staff review prior to final. **Subdivision Ordinance: Section 134-105 **Monies must be escrowed if improvements are required prior to final **COM Thoroughfare Plan</p> | Non-compliance |
| <p>* 1,200 ft. Block Length **Subdivision Ordinance: Section 134-118</p> | Applied |
| <p>***The project engineer submitted a variance application (VAR2024-0017) on behalf of the developer with the following requests: A variance request to allow a block length of 1,569 ft. instead of maximum 1,200 ft. block length requirement. Based on the existing streets in the areas, it is not feasible to comply with the block length requirement; therefore, the block length variance was approved administratively by staff.</p> | |
| <p>* 900 ft. Block Length for R-3 Zone Districts **Subdivision Ordinance: Section 134-118</p> | NA |
| <p>* 600 ft. Maximum Cul-de-Sac - The N/S interior street with a Cul-de-Sac has been removed from the revised plat. If a new interior street is proposed in future, it must comply with all requirements including the maximum Cul-de-Sac length. **Subdivision Ordinance: Section 134-105</p> | NA |
| ALLEYS | |
| <p>ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties **Subdivision Ordinance: Section 134-106</p> | 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 - Lot A as shown on plat is a corner lot on both N. Bicentennial Blvd. and N/S internal street. Clarify the use prior to final. A plat note may be needed for Lots A and B or note #16 may need to be revised to include Lot B. **Zoning Ordinance: Section 138-356 | Non-compliance |
| * Garage: 18 ft. except where greater setback is required, greater setback applies **Zoning Ordinance: Section 138-356 | Applied |
| *ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN | Applied |
| SIDEWALKS | |
| * 4 ft. wide minimum sidewalk required along N. Bicentennial Blvd., Frontera Rd., Northgate Lane, N. Main St., and both sides of internal streets. ***5 ft. sidewalk may be required by Engineering Department. Finalize prior to final. ***Plat note #9 will need to be revised as shown above, and once sidewalk requirements are finalized. **Subdivision Ordinance: Section 134-120 | Non-compliance |
| * Perimeter sidewalks must be built or money escrowed if not built at this time. | Required |
| BUFFERS | |
| * 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along N. Bicentennial Boulevard and Frontera Road. ***Revise plat note #10 as shown above prior to final ***Other buffers may be required prior to final **Landscaping Ordinance: Section 110-46 | Non-compliance |
| * 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses **Landscaping Ordinance: Section 110-46 | Applied |
| *Perimeter buffers must be built at time of Subdivision Improvements. | Required |
| NOTES | |
| * No curb cut, access, or lot frontage permitted along N. Bicentennial Blvd. and Frontera Rd. - Revise plat note #12 as shown above prior to final. **Must comply with City Access Management Policy | Non-compliance |
| * Site plan must be approved by the Planning and Development Departments prior to building permit issuance. - The development is proposed as single-family residential subdivision which does not require an approved site plan. If any of the lots is proposed to be multifamily or commercial and rezoned, a site plan review will be required prior to building permit issuance. | NA |
| * Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. - Add a plat note as shown above prior to final. | Non-compliance |

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

| | |
|---|----------------|
| <p>* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.</p> <p>* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.</p> <p>- The signature block wording references a private subdivision; however, no private street is proposed in the latest submittal. If the subdivision is to remain private, an HOA document and note will be required for staff review prior to recording. If the subdivision is going to be public, clarify if there will be an HOA prior to final, since an HOA is not required for a three-lot public subdivision.</p> <p>**Section 110-72 applies if public subdivision is proposed.</p> <p>**Landscaping Ordinance: Section 110-72</p> <p>**Subdivision Ordinance: Section 134-168</p> <p>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</p> <p>- The signature block wording references a private subdivision; however, no private street is proposed in the latest submittal. If the subdivision is to remain private, an HOA document and note will be required for staff review prior to recording. If the subdivision is going to be public, clarify if there will be an HOA prior to final, since an HOA is not required for a three-lot public subdivision.</p> <p>**Section 110-72 applies if public subdivision is proposed.</p> <p>**Landscaping Ordinance: Section 110-72</p> <p>**Subdivision Ordinance: Section 134-168</p> | NA |
| | Non-compliance |
| | Non-compliance |
| LOT REQUIREMENTS | |
| <p>* Lots fronting public/private streets</p> <p>**Subdivision Ordinance: Section 134-1</p> <p>* Minimum lot width and lot area</p> <p>**Zoning Ordinance: Section 138-356</p> | Applied |
| | Applied |
| ZONING/CUP | |
| <p>* Existing: R-1 Proposed: R-1</p> <p>- The project engineer must verify if all lots are zoned residential. Based on the submitted plat boundary, a small portion on the east side of Lots B, 1, and 2 and the northeast side of Lot 3 seem to be A-O District.</p> <p>***Zoning Ordinance: Article V</p> <p>* Rezoning Needed Before Final Approval</p> <p>- The project engineer must verify if all lots are zoned residential. Based on the submitted plat boundary, a small portion on the east side of Lots B, 1, and 2 and the northeast side of Lot 3 seem to be A-O District.</p> <p>***Zoning Ordinance: Article V</p> | Required |
| | Required |
| PARKS | |
| <p>* Land dedication in lieu of fee.</p> <p>*** Based on the latest plat three single-family residential lots are proposed, so a Park Fee of \$2,100 based on \$700 per dwelling to be paid prior to recording. Total amount of park fees is subject to change if number of proposed lots or dwelling units change.</p> <p>* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording.</p> <p>*** Based on the latest plat three single-family residential lots are proposed, so a Park Fee of \$2,100 based on \$700 per dwelling to be paid prior to recording. Total amount of park fees is subject to change if number of proposed lots or dwelling units change.</p> <p>* Pending review by the City Manager's Office.</p> | NA |
| | Required |
| | NA |

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

| TRAFFIC | |
|---|---------|
| * As per Traffic Department, Trip Generation is waived. | Applied |
| * Traffic Impact Analysis (TIA) required prior to final plat. | NA |

| COMMENTS | |
|---|----------------|
| <p>Comments:</p> <ul style="list-style-type: none"> - Add distances from lot corners to the HCID #2 Irrigation Easements shown on the plat and add bearing and dimensions on the plat or in a table prior to final. - Clarified the claimed easements on the plat or reference the document number prior to final. - Use ghosted lines of Ebony Heights Citrus Grove Subdivision and contour lines since it is being confused with the proposed subdivision lot lines. - Remove contour lines from ROW to avoid overlap of information prior to final. - Show the lot lines and legal description of all adjacent lots on all sides, including the west side of N. Bicentennial Blvd., south side of Frontera Rd., east side of N. Main St., and north side of Northgate Lane. - The owner's signature blocks wording may need to be revised prior to recording depending on all ROW dedication. The wording reflects a private subdivision; however, the proposed private interior street has been removed from the latest submitted plat. Clarify/revise the wording prior to final. - Any abandonment must be done by separate instrument and referenced on the plat. - An expired subdivision application with the same name for this property was on file and was verbally requested to be withdrawn by the previous engineer. A written withdrawal request is needed prior to final. - Revise the number of lots on the originally submitted application from four to three to match the latest submittal prior to final. <p>** The N/S interior street with a Cul-de-Sac has been removed from the revised plat and number of lots reduced from 4 residential and one common lot to 3 residential lots. If a new interior street is proposed in future, it must comply with all requirements including the maximum Cul-de-Sac length.</p> <p>***The project engineer submitted a variance application (VAR2024-0017) on behalf of the developer:</p> <ol style="list-style-type: none"> 1. A variance request to dedicate minimum 50 ft. ROW from centerline to N. Bicentennial Blvd. in lieu of 75 ft. from centerline for total 150 ft. ROW as required by the thoroughfare map. The submitted application proposed no ROW dedication; however, the project engineer submitted an email and revised the request to minimum 50 ft. from centerline. As per the submitted plat, the existing ROW ranges from 34.5 ft. from the centerline on the west side of the subdivision to 60 ft. from centerline on the northwest corner of the subdivision. 2. A variance request to allow a block length of 1,569 ft. instead of maximum 1,200 ft. block length requirement. Based on the existing streets in the areas, it is not feasible to comply with the block length requirement; therefore, the block length variance was approved administratively by staff. <p>***At the Planning and Zoning Commission meeting of May 7, 2024, the project engineer was present. Staff recommended disapproval for variance request No.1 (50 ft. ROW dedication from centerline for Bicentennial Boulevard instead of 75 ft. as per the thoroughfare map) and recommended minimum 60 ft. ROW dedication from centerline as requested by the Engineering Department. After further discussion, the item was unanimously tabled by the Board to discuss it further with the Engineering Department.</p> <p>***At the Planning and Zoning Commission meeting of May 21, 2024, the Board approved the subdivision in revised preliminary form and recommended approval of the requested variance to dedicate minimum 50 ft. ROW from centerline to N. Bicentennial Boulevard.</p> <p>****The City Commission unanimously approved option No. 2, and disapproved the variance request and alternatively approved 60 ft. minimum ROW dedication from centerline for N. Bicentennial Boulevard as recommended by the Engineering Department.</p> <p>****A new variance application (VAR2024-0028) has been submitted with the following request: A variance to dedicate minimum 50 ft. ROW from centerline to N. Bicentennial Blvd. in lieu of 60 ft. ROW dedication requirement as approved by the City Commission on 06/10/2024.</p> | Non-compliance |

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

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



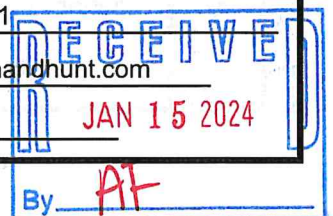


City of McAllen
Planning Department

SV B2024-00021

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

| | | | | |
|----------------------------|--|--|---|---|
| Project Information | Subdivision Name | <u>PROPOSED Taylor Valley Estates</u> | | |
| | Legal Description | <u>10.00 acres out of Lot 247, John H Shary Subdivision, Volume 1, Page 17, Hidalgo County Map Records, City of McAllen, Hidalgo County, Texas</u> | | |
| | Location | <u>East side of Taylor Road approximately 320 feet south of Pecan Boulevard (F.M.495)</u> | | |
| | City Address or Block Number | <u>1300 N. Taylor Rd.</u> | | |
| | Total No. of Lots | <u>40</u> | Total Dwelling Units | <u>39</u> |
| | Gross Acres | <u>10</u> | Net Acres | <u>9.848</u> |
| | <input checked="" type="checkbox"/> Public Subdivision / <input type="checkbox"/> Private and Gated / <input type="checkbox"/> Private but Not Gated within ETJ: <input type="checkbox"/> Yes / <input checked="" type="checkbox"/> No | | | |
| | For Fee Purposes: <input type="checkbox"/> Commercial (<u> </u> Acres) / <input checked="" type="checkbox"/> Residential (<u>40</u> Lots) Replat: <input type="checkbox"/> Yes / <input checked="" type="checkbox"/> No | | | |
| | Existing Zoning <u>R-1</u> Proposed Zoning <u>R-1</u> Applied for Rezoning <input checked="" type="checkbox"/> No / <input type="checkbox"/> Yes: Date <u> </u> | | | |
| | Existing Land Use <u>1 existing house rest is vacant</u> Proposed Land Use <u>single-family residential</u> | | | |
| Irrigation District # | <u>UID</u> | Water CCN: | <input checked="" type="checkbox"/> MPU / <input type="checkbox"/> Sharyland Water SC Other <u> </u> | |
| Agricultural Exemption: | <input type="checkbox"/> Yes / <input type="checkbox"/> No | Parcel # | <u>Prop ID: #281256; #281257; #281258</u> | |
| Estimated Rollback Tax Due | <u>\$7,520.60</u> | Tax Dept. Review | <u>MR. 1-15-24</u> | |
| Owner | Name | <u>GOTU Development, LLC</u> | Phone | <u>(956) 777-3695</u> |
| | Address | <u>3814 North Cage Boulevard</u> | E-mail | <u>rodutmcallen@aol.com</u> |
| | City | <u>Pharr</u> | State | <u>Texas</u> Zip <u>78577</u> |
| Developer | Name | <u>GOTU Development, LLC</u> | Phone | <u>(956) 777-3695</u> |
| | Address | <u>3814 North Cage Boulevard</u> | E-mail | <u>rodutmcallen@aol.com</u> |
| | City | <u>Pharr</u> | State | <u>Texas</u> Zip <u>78577</u> |
| | Contact Person | <u>Daniel Garza or Robert Tudor</u> | | |
| Engineer | Name | <u>Melden & Hunt, Inc.</u> | Phone | <u>(956) 381-0981</u> |
| | Address | <u>115 West McIntyre Street</u> | E-mail | <u>mario@meldenandhunt.com / beto@meldenandhunt.com</u> |
| | City | <u>Edinburg</u> | State | <u>Texas</u> Zip <u>78541</u> |
| | Contact Person | <u>Mario A. Reyna, P.E. & Della Robles</u> | | |
| Surveyor | Name | <u>Melden & Hunt, Inc.</u> | Phone | <u>(956) 381-0981</u> |
| | Address | <u>115 West McIntyre Street</u> | E-mail | <u>robert@meldenandhunt.com</u> |
| | City | <u>Edinburg</u> | State | <u>Texas</u> Zip <u>78541</u> |



Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

In Person Submittal Requirements

- Application Fee: \$300 + \$25/lot **for residential** (excluding apartment complexes) or \$400 + \$200 (0-5 acres), \$400 + \$300 (5.01-10 acres), \$400 + \$400 (10 acres or greater) **for commercial, industrial, or apartment complexes**
- Title Report
- 8 1/2" by 11" Original Sealed Survey showing existing structures/easements or 3 blue-line copies 2 Location Maps
- 2 8 1/2" by 11" copies/legible copies of plat with name & north arrow
- 6 Folded blue-line prints of the proposed plat
- 2 Warranty Deeds (identifying owner on application)
- AutoCAD 2005 DWG file and PDF of plat
- Letter of Authorization from the owner (if applicable)
- Proof of authority of person signing application on behalf of partnership/corporation (if applicable)

Email Submittal Requirements

- Application Fee: \$300 + \$25/lot **for residential** (excluding apartment complexes) or \$400 + \$200 (0-5 acres), \$400 + \$300 (5.01-10 acres), \$400 + \$400 (10 acres or greater) **for commercial, industrial, or apartment complexes**
- Title Report
- Sealed Survey
- Location Map
- Plat & Reduced Plat
- Warranty Deed
- DWG File
- Letter of Authorization from the owner (if applicable)
- Proof of authority of person signing application on behalf of partnership/corporation, if applicable

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

*Submit documents to subdivisions@mcallen.net

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


PLAT TO SHOW:

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

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

Owner(s) Signature(s)

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

Signature  Date January 12, 2024

Print Name Mario A. Reyna, P.E.

Owner ☐ Authorized Agent ☒

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

VAR 2024-0033



City of McAllen
Planning Department
VARIANCE TO SUBDIVISION
PROCESS APPLICATION

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

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

| | |
|----------------------|--|
| Project | Legal Description <u>10.0 acres out of Lot 247, John H. Shary Subdivision, Volume 1, Page 17</u> <u>Hidalgo County Map Records, City of McAllen, Hidalgo County, Texas.</u> |
| | Proposed Subdivision (if applicable) <u>Taylor Valley Estates</u> |
| | Street Address <u>1300 North Taylor Road</u> Number of lots <u>39</u> Gross acres <u>10</u> |
| | Existing Zoning <u>R-1</u> Existing Land Use <u>1 existing house reset is vacant</u> |
| | <input checked="" type="checkbox"/> Current Survey and Metes and Bounds (required if the legal description is a portion of a lot) |
| Applicant | Name <u>Melden & Hunt, Inc</u> Phone <u>(956) 381-0981</u> |
| | Address <u>115 West McIntyre Street</u> E-mail <u>mario@meldenandhunt.com / beto@meldenandhunt.com</u> <u>drobles@meldenandhunt.com</u> |
| | City <u>Edinburg</u> State <u>Texas</u> Zip <u>78541</u> |
| Owner | Name <u>GOTU Development, LLC</u> Phone <u>(956) 777-3695</u> |
| | Address <u>3814 North Cage Boulevard</u> E-mail <u>rodutmcallen@aol.com</u> |
| | City <u>Pharr</u> State <u>Texas</u> Zip <u>78577</u> |
| Authorization | To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated? <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable) OR I am authorized by the actual owner to submit this application and have attached written evidence of such authorization. |
| | Signature <u>[Signature]</u> Date <u>July 11, 2024</u> Print Name <u>Mario A Reyna, P.E.</u> <input type="checkbox"/> Owner <input checked="" type="checkbox"/> Authorized Agent |
| Office | *FOR OFFICE USE ONLY* |
| | APPLICATION FILING FEE: <input type="checkbox"/> \$250.00 |
| | Accepted by _____ Payment received by _____ Date _____ |

Rev 06/21

RECEIVED
JUL 11 2024
By NG



City of McAllen
Planning Department
REASON FOR APPEAL

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

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

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

Reason for Appeal

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

This is a one street subdivision with a total of 39 single-family lots. The lay of the land does not allow for any other layout/design for the subdivision development so they can meet the subdivision requirement of 125 foot street offset.

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

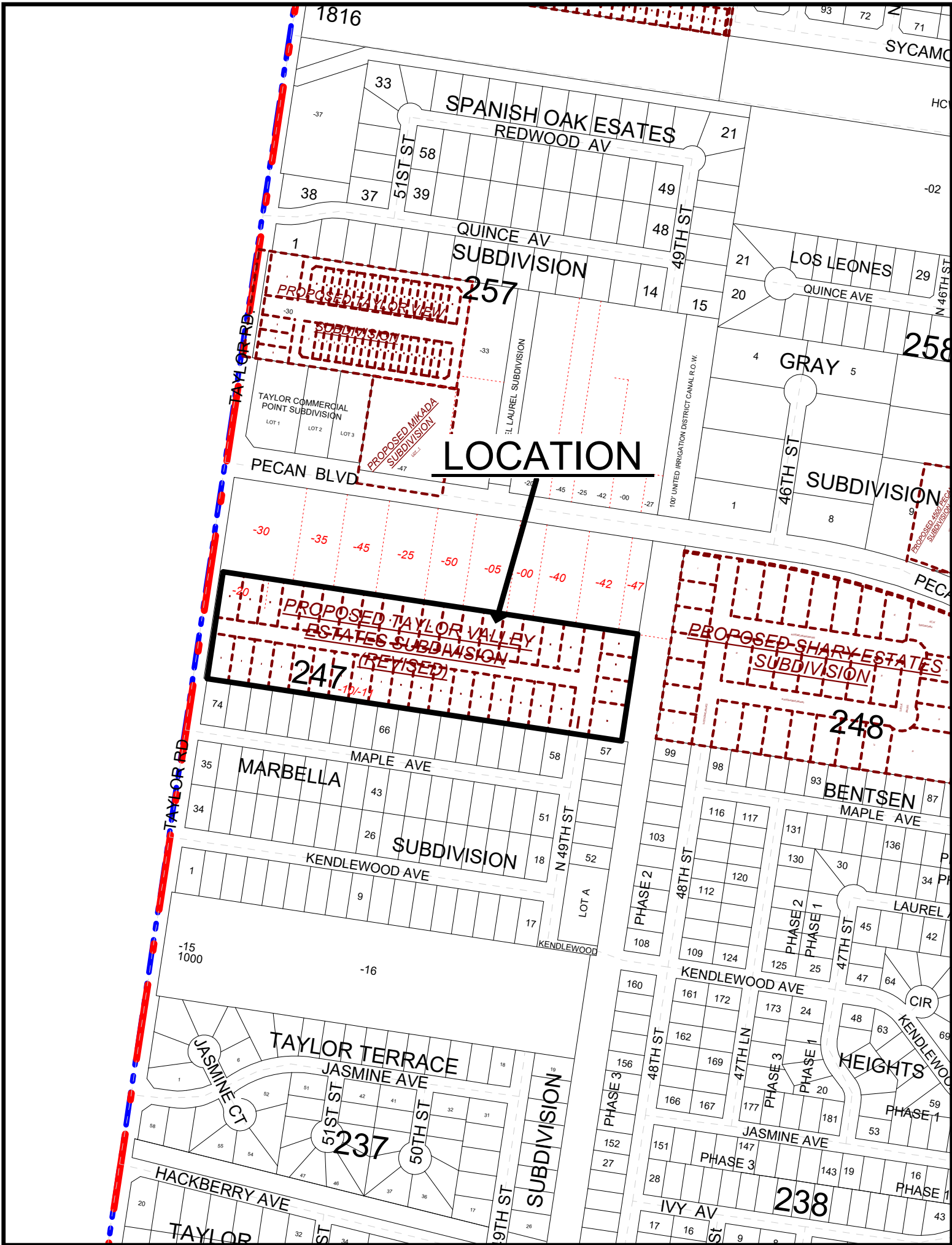
This is a subdivision with 39 single family lots and in order to be able to use the property and develop a variance to the 125 foot street offset is necessary.

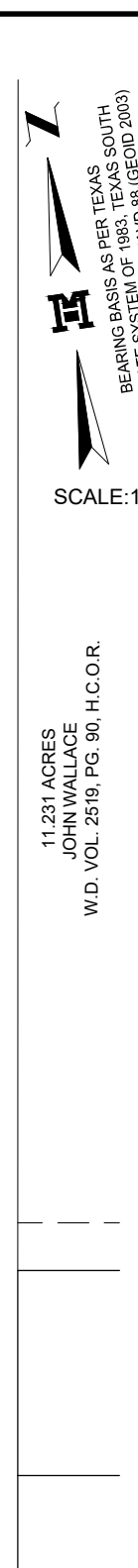
3. Describe how the variance will not be detrimental to the public health, safety or welfare or injurious to the legal rights other property owners enjoy in the area.

The variance will not be detrimental to the public health, safety, or welfare or injurious to the legal rights that other property owners may enjoy within the proposed area.

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

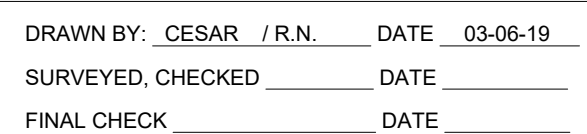
The variance will not have any negative effect or prevent the orderly subdivision of other lands within the area in accordance with the provisions of this chapter and the City of McAllen. All surrounding properties have been developed.





BY: _____ DEPUTY

NOTARY PUBLIC, STATE OF TEXAS
MY NOTARY EXPIRES:





City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 7/18/2024

SUBDIVISION NAME: TAYLOR VALLEY ESTATES

REQUIREMENTS

STREETS AND RIGHT-OF-WAYS

N. Taylor Road: Dedication required for 40 ft. from centerline for total 80 ft. ROW
Paving: 52 ft. Curb & gutter: on both sides

Revisions needed:

- Include the document number on the plat for existing ROW on both sides of the centerline and provide a copy for staff review prior to final.

**Subdivision Ordinance: Section 134-105

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

**COM Thoroughfare Plan

N. 49th Street: Dedication as required for 60 ft. ROW

Paving: 40 ft. Curb & gutter: both sides

Revisions needed:

- A temporary Cul-de-Sac may be required on the north side of the street and will be finalized prior to final. .

* The engineer must verify the alignment of ROW dedication for N. 49th Street with the existing ROW on the south side prior to final.

**Subdivision Ordinance: Section 134-105

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

**COM Thoroughfare Plan

Interior Street: Dedication as required for 50 ft. ROW dedication

Paving: 32 ft. Curb & gutter: both sides

Revisions needed:

- Street jogs with centerline offsets of less than 125 feet shall be avoided. Show the distance from the centerline of the interior street to the centerline of the existing streets on the west side of N. Taylor Road to verify compliance prior to final.

- Street name will be assigned by staff prior to final.

**Subdivision Ordinance: Section 134-105

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

**COM Thoroughfare Plan

**The project engineer submitted a variance application (VAR2024-0033) on behalf of the developer to waive minimum 125 ft. street jog requirement for the interior street. Based on the submitted layout, the centerline of the proposed interior street is approximately 117 ft. from the centerline of Brock Street, a private street, on the west side on N. Taylor Road and northwest side of the proposed subdivision, providing access to Sanabria Subdivision, an 18-lot residential subdivision located within the City of Mission limits. According to the submitted layout, the proposed interior street for Taylor Valley Subdivision is in compliance with minimum street jog requirement with Summer Breeze Avenue, located on the southwest side of the proposed subdivision.

Paving _____ Curb & gutter _____

**Subdivision Ordinance: Section 134-105

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

**COM Thoroughfare Plan

Non-compliance

Required

Non-compliance

Applied

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

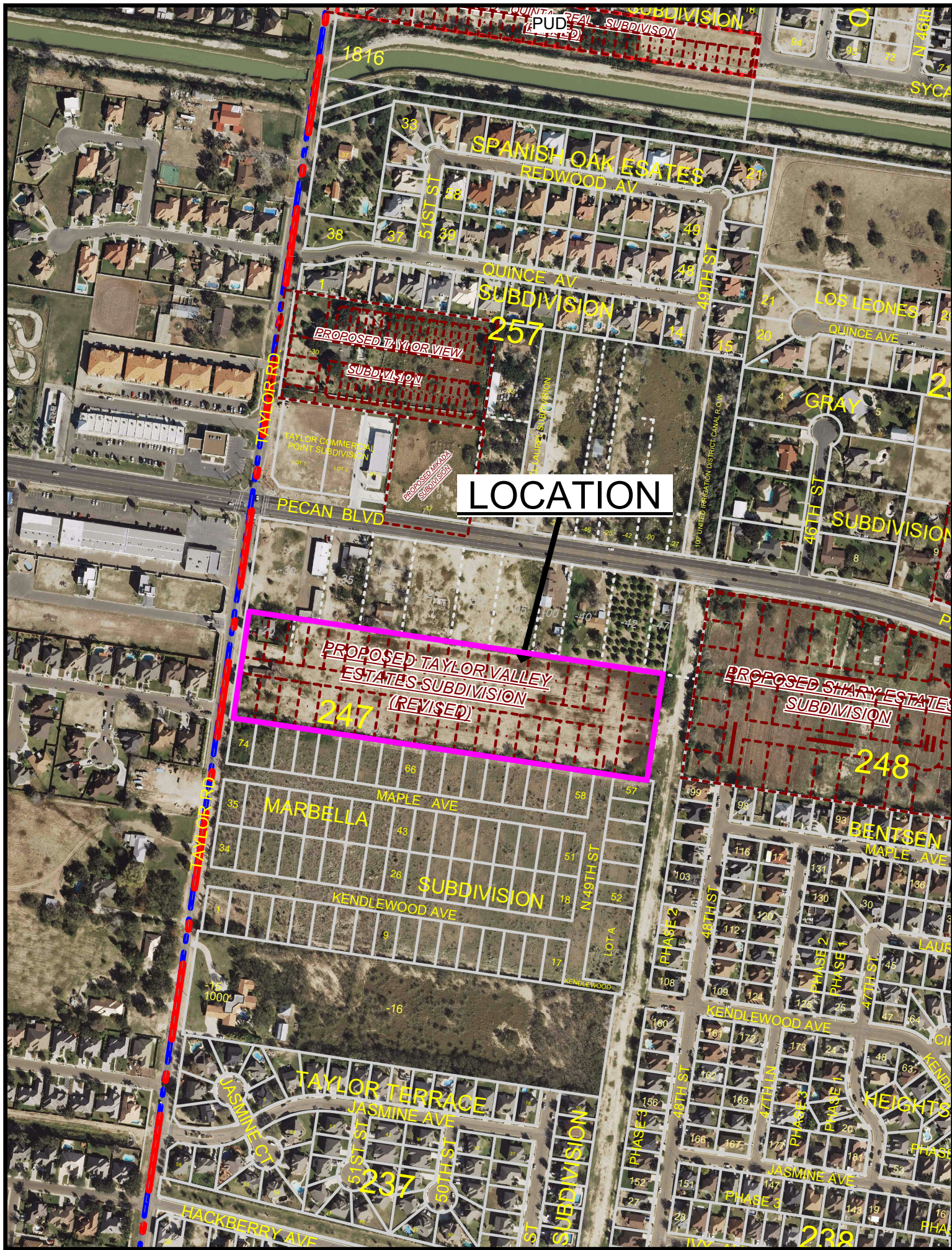
| | |
|---|----------------|
| * 1,200 ft. Block Length **Subdivision Ordinance: Section 134-118 | Applied |
| * 900 ft. Block Length for R-3 Zone Districts _____ **Subdivision Ordinance: Section 134-118 | NA |
| * 600 ft. Maximum Cul-de-Sac **Subdivision Ordinance: Section 134-105 | NA |
| ALLEYS | |
| ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties **Subdivision Ordinance: Section 134-106 | NA |
| SETBACKS | |
| * Front: 25 ft. or greater for easements **Zoning Ordinance: Section 138-356 | Applied |
| * Rear: 10 ft. or greater for easements **Zoning Ordinance: Section 138-356 | Applied |
| * Interior Sides: 6 ft. or greater for easements **Zoning Ordinance: Section 138-356 | Applied |
| * Corner: 10 ft. or greater for easements **Zoning Ordinance: Section 138-356 | Applied |
| * Garage: 18 ft. except where greater setback is required, greater setback applies **Zoning Ordinance: Section 138-356 | Applied |
| *ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN | Applied |
| SIDEWALKS | |
| * 4 ft. wide minimum sidewalk required on N. Taylor Road and both sides of all interior streets. - Clarify if 5 ft. wide sidewalk on N. Taylor Road has been requested by the Engineering Department or revise the plat note as shown above prior to final. - Proposing: 4 ft. wide minimum sidewalk required on both sides of all interior streets. A 5 ft. wide minimum sidewalk required on N. Taylor Road. * Engineering Department may require 5 ft. sidewalk 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 |
| BUFFERS | |
| * 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along N. Taylor Road. **Landscaping Ordinance: Section 110-46 | Applied |
| * 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses **Landscaping Ordinance: Section 110-46 | Applied |
| *Perimeter buffers must be built at time of Subdivision Improvements. | Applied |
| NOTES | |
| * No curb cut, access, or lot frontage permitted along N. Taylor Road. **Must comply with City Access Management Policy | Applied |

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

| | |
|--|----------|
| <ul style="list-style-type: none"> * Site plan must be approved by the Planning and Development Departments prior to building permit issuance. * Common Areas 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 110-72 of the Subdivision Ordinance, including but not limited to common areas and its private streets. **Section 134-168 applies if private subdivision is proposed. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168 * Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. - Provide a draft HOA document for staff review prior to recording. Signed HOA document will be required after being verified by staff prior to recording. **Section 110-72 applies if public subdivision is proposed. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168 | NA |
| | Applied |
| | NA |
| | Applied |
| | Required |
| LOT REQUIREMENTS | |
| <ul style="list-style-type: none"> * Lots fronting public streets **Subdivision Ordinance: Section 134-1 * Minimum lot width and lot area **Zoning Ordinance: Section 138-356 | Applied |
| | Applied |
| ZONING/CUP | |
| <ul style="list-style-type: none"> * Existing: R-1 Proposed: R-1 ***Zoning Ordinance: Article V * Rezoning Needed Before Final Approval ***Zoning Ordinance: Article V | Applied |
| | NA |
| PARKS | |
| <ul style="list-style-type: none"> * Land dedication in lieu of fee. - If land dedication is proposed, a request must be submitted prior to final. * Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. - Based on the submitted application, a 40 lot subdivision with 39 single-family residential lot and one common lot is proposed. As per Parks Department, \$700 per dwelling units for a total of \$27,300 must be paid prior to recording. If the number of lots/dwelling units changes prior to recording, park fee will be adjusted accordingly. * Pending review by the City Manager's Office. Based on the submitted application, a 40 lot subdivision with 39 single-family residential lot and one common lot is proposed. As per Parks Department, \$700 per dwelling units for a total of \$27,300 must be paid prior to recording. If the number of lots/dwelling units changes prior to recording, park fee will be adjusted accordingly. If a request to dedicate land in lieu of park fee is submitted, it must be reviewed by the City Manager's Office. | Applied |
| | Required |
| | Applied |
| TRAFFIC | |
| <ul style="list-style-type: none"> * As per Traffic Department, Trip Generation for 39- Single Family Lot is waived * Traffic Impact Analysis (TIA) required prior to final plat. | Applied |
| | NA |

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

| COMMENTS | |
|---|----------------|
| <p>Comments:</p> <ul style="list-style-type: none"> - Clarify the line shown on the survey labeled as IRR running E/W on the south side of the subdivision but not shown on the plat, prior to final. - Clarify the overhead power line running N/S on the east side of the subdivision prior to final. - For all recorded easements, add document number on plat and provide a copy for staff review prior to final. - Clarify the overlap on the Irrigation easement with ROW dedication and U.E. on lots 1 & 39. Any overlap must be approved by the Irrigation District and the City Development Departments. Review and revise as applicable prior to final. - Clarify the overlap of 5 ft. U.E. and 10 ft. U.E. on the west side of Lot 1. Add document number for any existing easements prior to final. Review and revise as applicable prior to final. - Revise the wording for the 15 ft. U.E. from "to be abandoned by Doc. #" to "abandoned by Doc. #" prior to final. - Any abandonment must be done by separate process and referenced by document number on the plat prior to recording. <p>*Must comply with City's Access Management Policy.</p> <p>**The project engineer submitted a variance application (VAR2024-0033) on behalf of the developer to waive minimum 125 ft. street jog requirement for the interior street. Based on the submitted layout, the centerline of the proposed interior street is approximately 117 ft. from the centerline of Brock Street, a private street, on the west side on N. Taylor Road and northwest side of the proposed subdivision, providing access to Sanabria Subdivision, an 18-lot residential subdivision located within the City of Mission limits. According to the submitted layout, the proposed interior street for Taylor Valley Subdivision is in compliance with minimum street jog requirement with Summer Breeze Avenue, located on the southwest side of the proposed subdivision.</p> | Non-compliance |
| RECOMMENDATION | |
| <p>Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED PRELIMINARY FORM, SUBJECT TO THE CONDITIONS NOTED, UTILITIES APPROVAL AND THE BOARD'S CLARIFICATION ON THE REQUESTED VARIANCE.</p> | Applied |



LOCATION

PROPOSED TAYLOR VALLEY
ESTATES SUBDIVISION
(REVISED)
247

PROPOSED SHARY ESTATES
SUBDIVISION
248

MARBELLA
SUBDIVISION
KENDLEWOOD AVE
N 49TH ST
LOT A

TAYLOR TERRACE
SUBDIVISION
JASMINE AVE
51ST ST
50TH ST
HACKBERRY AVE
237

BENTZEN
SUBDIVISION
KENDLEWOOD AVE
JASMINE AVE
PHASE 1
PHASE 2
PHASE 3
238

City of McAllen

Planning Department

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

Subarea-0133

| | | |
|--|---|--|
| Project Information | Subdivision Name <u>The District Subdivision Phase II</u> | |
| | Location <u>880 feet west of the corner of North 10th Street and Auburn <u>WISCONSIN RD</u> Avenue</u> | |
| | City Address or Block Number <u>1201 WISCONSIN RD</u> | |
| | Number of Lots <u>1</u> Gross Acres <u>7.589</u> Net Acres _____ ETJ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| | Existing Zoning <u>R-3A</u> Proposed Zoning <u>R-3A</u> Rezoning Applied for <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date <u>10.22.2021</u> | |
| | Existing Land Use <u>Vacant</u> Proposed Land Use <u>Multi-family Apartment</u> Irrigation District # <u>2</u> | |
| | Replat <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Commercial _____ Residential <u>X</u> | |
| | Agricultural Exemption <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Estimated Rollback Tax Due <u>1 189867 TAXES DUE \$57.59 2 189869 NO TAXES DUE 3 792230 NO TAXES DUE</u> | |
| | Parcel # <u>1 189867 2 189869 & 3 792230</u> Tax Dept. Review _____ | |
| | Water CCN <input checked="" type="checkbox"/> MPU <input type="checkbox"/> Sharyland Water SC Other _____ | |
| Legal Description <u>A tract of land containing 7.589 acres situated in the County of Hidalgo, Texas, being a part or portion out of Lot 11, Section 13, Hidalgo Canal Company Subdivision, according to the plat thereof recorded in Volume "Q", Page 177, Hidalgo County Deed Records.</u> | | |
| Owner | Name <u>View attached owners sheet</u> Phone <u>c/o (956) 381-0981</u> | |
| | Address _____ E-mail <u>c/o mario@meldenandhunt.com</u> | |
| | City _____ State _____ Zip _____ | |
| Developer | Name <u>Auriel Investments</u> Phone <u>(956) 661-8888</u> | |
| | Address <u>100 East Nolana Avenue, Suite 130</u> E-mail <u>shavi@aurielinvestments.com</u> | |
| | City <u>McAllen</u> State <u>Texas</u> Zip <u>78504</u> | |
| | Contact Person <u>Shavi Mahtani</u> | |
| Engineer | Name <u>Melden & Hunt, Inc.</u> Phone <u>(956) 381-0981</u> | |
| | Address <u>115 West McIntyre Street</u> E-mail <u>(956) 381-1839</u> | |
| | City <u>Edinburg</u> State <u>Texas</u> Zip <u>78541</u> | |
| | Contact Person <u>Mario A. Reyna, P.E.</u> | |
| Surveyor | Name <u>Melden & Hunt, Inc.</u> Phone <u>(956) 381-0981</u> | |
| | Address <u>115 West McIntyre Street</u> E-mail <u>(956) 381-1839</u> | |
| | City <u>Edinburg</u> State <u>Texas</u> Zip <u>78541</u> | |

ENTERED

NOV 11 2021

Initial: Out

Proposed Plat Submittal

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

PLAT TO SHOW:

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

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Minimum Developer's Requirements Submitted with Application

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 October 21, 2021

Print Name Mario A. Reyna, P.E.

Owner ☐

Authorized Agent ☒

Owners Signature

VAR 2024-0031




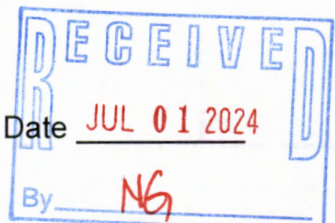
City of McAllen

Planning Department

VARIANCE TO SUBDIVISION PROCESS APPLICATION

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

THE DISTRICT
PHASE II

| | |
|---------------|---|
| Project | <p>Legal Description <small>A tract of land containing 7.504 acres situated in the County of Hidalgo, Texas being a part or portion out of Lot 1, Section 13, <u>Hidalgo Canal Company Subdivision</u>, according to the plat thereof received in Volume "Q", Page 177, H.C.D.R., and being part or portion out of Lot 6 & 7, <u>The District Phase I Subdivision</u>, according to the plat thereof recorded in Instrument No. 3464751, H.C.M.R.</small></p> <p>Street Address <u>7901 North 10th Street (Mid)</u></p> <p>Number of lots <u>1</u> Gross acres <u>7.504</u></p> <p>Existing Zoning <u>R-3A</u> Existing Land Use <u>Vacant</u></p> <p><input checked="" type="checkbox"/> Current Survey and Metes and Bounds (if the legal description of the tract is a portion of a lot) is required</p> |
| Applicant | <p>Name <u>Melden & Hunt, Inc.</u> Phone <u>(956) 381-0981</u></p> <p>Address <u>115 West McIntyre Street</u> E-mail <u>mario@meldenandhunt.com / beto@meldenandhunt.com / drobles@meldenandhunt.com</u></p> <p>City <u>Edinburg</u> State <u>Texas</u> Zip <u>78541</u></p> |
| Owner | <p>Name <u>Domain Development, Corp</u> Phone <u>(956) 661-8888</u></p> <p>Address <u>1200 Auburn Street, Suite 250</u> E-mail <u>shavi@aurielinvestments.com</u></p> <p>City <u>McAllen</u> State <u>Texas</u> Zip <u>78504</u></p> |
| Authorization | <p>To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable) OR I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.</p> <p>Signature <u></u> Date <u>June 27, 2024</u></p> <p>Print Name <u>Mario A Reyna, P.E.</u> <input type="checkbox"/> Owner <input checked="" type="checkbox"/> Authorized Agent</p> |
| Office | <p>Accepted by <u>KF</u> Payment received by _____ Date <u>JUL 01 2024</u></p> <p>Rev 10/18</p> <p style="text-align: right;">  </p> |



City of McAllen
Planning Department
REASON FOR APPEAL

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

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

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

Reason for Appeal

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

See attached letter

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

See attached letter

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

The variance will not be detrimental to the public health, safety, or welfare or injurious to the legal rights that other property owners may enjoy within the proposed area.

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

The variance will not have any negative effect or prevent the orderly subdivision of other lands within the area in accordance with the provisions of this chapter and the City of McAllen. Also, there additional 10' ROW would allow the completion of a 50' road ROW for Gumwood Avenue.



MELDEN & HUNT INC.

CONSULTANTS • ENGINEERS • SURVEYORS

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

TBPELS Firm # F-1435
TBPELS # 10096900

June 28, 2024

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

Re: The District Phase II Variance Request

Dear Mr. Garcia:

On behalf of Domain Development, Corp., and in reference to The District Phase II Subdivision, we respectfully request a variance to the City of McAllen's setback ordinance for

1. Side Setback:

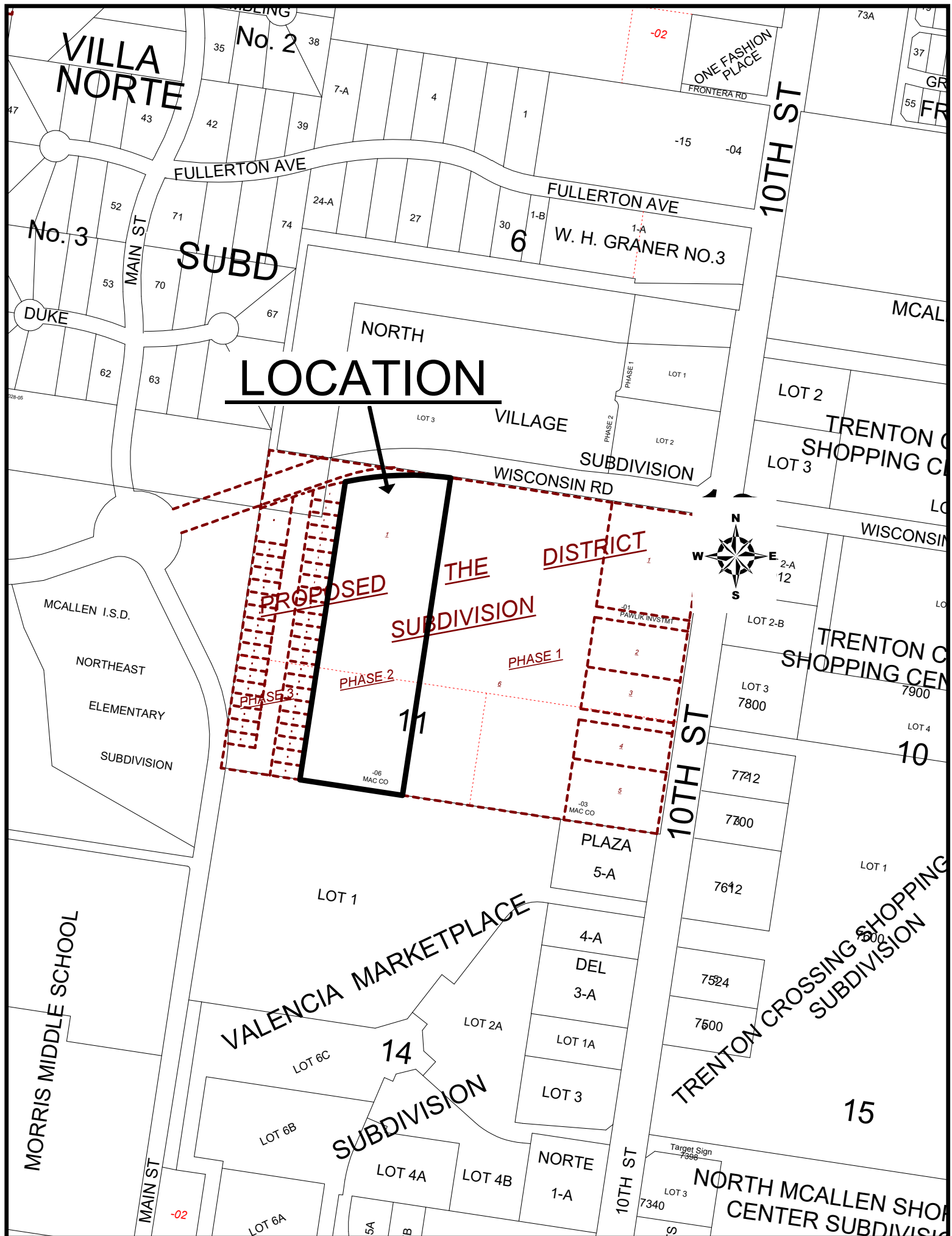
- a. The City of McAllen's requirement for a side setback for an R-3A zoned property is 6 feet. The owner is requesting 2 feet to accommodate for proposed carports and car garages.

The reason for this request is to be able to accommodate the proposed car garages and carports along the sides of the property. Domain Development, Corp. is the owner of the property to the east (The District Phase 1 Subdivision) and the property to the west (proposed The District Phase 3 Subdivision).

Please consider this request and advise us as soon as possible on your decision. If you have any questions or require additional information, please do not hesitate to ask.

Respectfully,

Mario A. Reyna, P.E.
President





City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 7/18/2024

SUBDIVISION NAME: THE DISTRICT PHASE II SUBDIVISION

REQUIREMENTS

STREETS AND RIGHT-OF-WAYS

Auburn Avenue: 80-87 ft. ROW
Paving: 52-57 ft. Curb & gutter: Both sides
Revisions needed:
- Any existing ROW dedication must be referenced with document number on plat.
**Monies must be escrowed if any improvements are required prior to recording.
***Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan

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

* 900 ft. Block Length
**Subdivision Ordinance: Section 134-118

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

Required

Applied

NA

NA

ALLEYS

ROW: 20 ft. Paving: 16 ft.
- Plat Note #14 states "Minimum 24 ft. service drive easement for city services will be provided as part of the site plan review for this property and must be maintained by the lot owners and not the City of McAllen."
*Alley/service drive easement required for commercial properties and multi-family properties.
***Minimum paving for Service drive is 24 ft. face-to-face. If any islands/boulevards are proposed, 20 ft. of paving face-to-face on each side of the island must be provided.
**Subdivision Ordinance: Section 134-106

Applied

SETBACKS

* Front: In accordance with the Zoning Ordinance or greater for approved site plan or easements or inline with existing structures.
**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 approved site plan or easements.
**Zoning Ordinance: Section 138-356

***The project engineer submitted a variance application (VAR2024-0031) on behalf of the developer and requested 2 ft. side yard setback in lieu of 6 ft. as required by Section 138-356 of the Zoning Ordinance in order to accommodate for proposed carports and car garages. If the request is approved, the side setback note will be 2 ft. or greater for easements or approved site plan and subject to compliance with building code requirements.

* Corner
**Zoning Ordinance: Section 138-356

Applied

Applied

Required

NA

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

| | |
|---|----------|
| <ul style="list-style-type: none"> * Garage: 18 ft. except where greater setback is required; greater setback applies. Revisions Needed: <ul style="list-style-type: none"> - Add a setback note for the garage as noted above. ***Zoning Ordinance: 138-356 *ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN | Required |
| | Applied |
| SIDEWALKS | |
| <ul style="list-style-type: none"> * 4 ft. wide sidewalk required on Auburn Avenue. Revisions Needed: <ul style="list-style-type: none"> - Revise plat note #7 as shown above. ****Subdivision Ordinance: Section 134-120 * Perimeter sidewalks must be built or money escrowed if not built at this time. | Required |
| | Applied |
| BUFFERS | |
| <ul style="list-style-type: none"> * 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses **Landscaping Ordinance: Section 110-46 * 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses **Landscaping Ordinance: Section 110-46 *Perimeter buffers must be built at time of Subdivision Improvements. | Applied |
| | Applied |
| | Applied |
| NOTES | |
| <ul style="list-style-type: none"> * No curb cut, access, or lot frontage permitted along **Must comply with City Access Management Policy *** As per Traffic Department, please ensure access easement is updated to new property line location. Must provide document establishing shared access with adjacent property to the east and must show proper plat notes as needed, prior to recording * Site plan must be approved by the Planning and Development Departments prior to building permit issuance. - Any owner, builder or developer of a multiple-family, condominium or townhouse dwelling complex of five units or more on a single lot or parcel, or five single-family attached units, shall submit to the planning department for review a site and building plan for the proposed development. * Common Areas, any private drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. * Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. * Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. **Section 134-168 applies if private subdivision is proposed. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168 * Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. **Section 134-168 applies if private subdivision is proposed. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168 | Required |
| | Required |
| | Applied |
| | Applied |
| | NA |
| | NA |

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

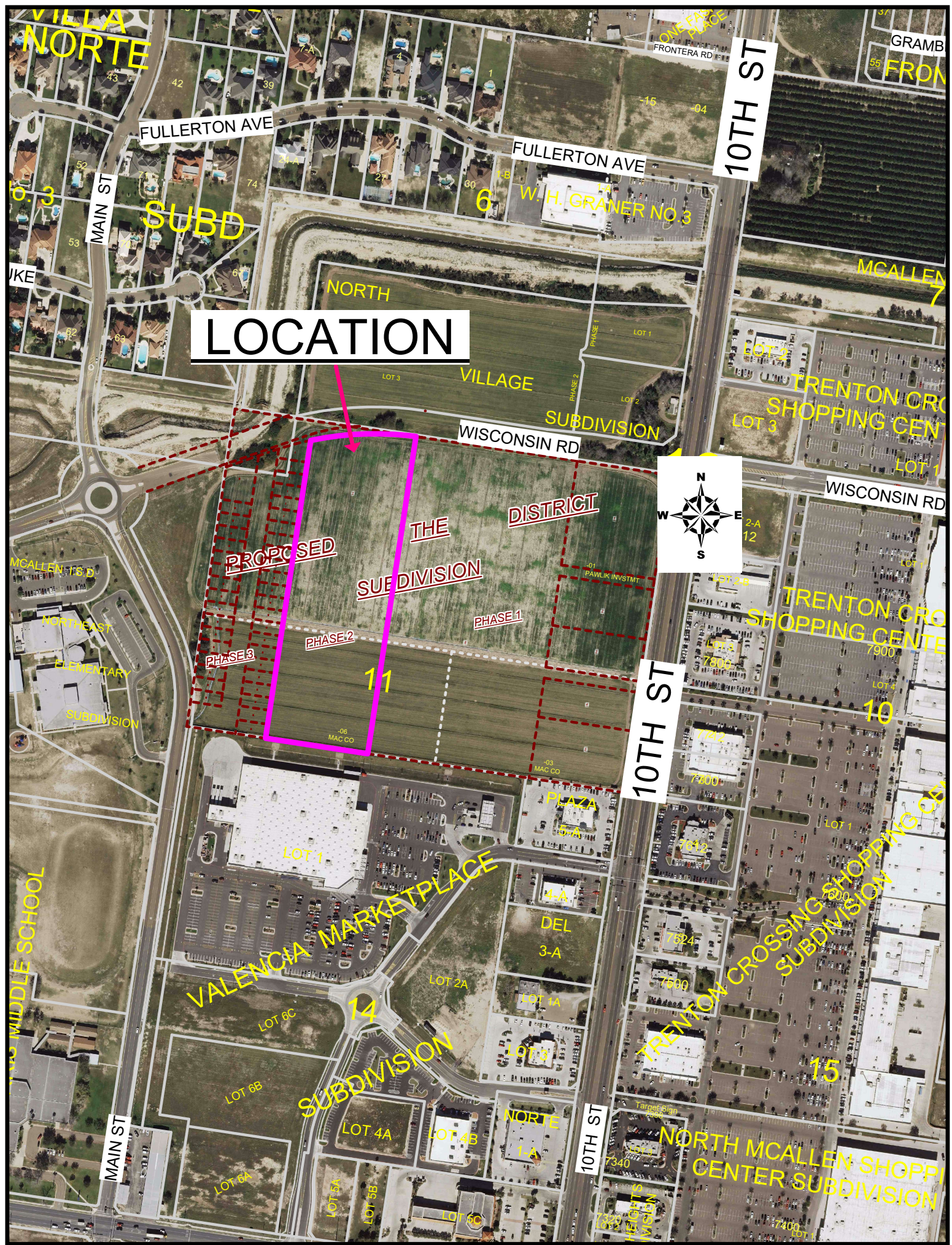
| LOT REQUIREMENTS | |
|---|----------|
| * Minimum lot width and lot area **Zoning Ordinance: Section 138-356 | Applied |
| * Lots fronting public streets **Subdivision Ordinance: Section 134-1 | Applied |
| ZONING/CUP | |
| * Existing: R-3A and C-3 Proposed: R-3A **Rezoning to R-3A for the remaining portion of the property zoned C-3 was approved by City Commission on January 10, 2022. ***A rezoning application to rezone a 0.784 acres of the property from C-3 to R-3A was approved by the City Commission on April 22, 2024. ****The project engineer must verify that all of the proposed subdivision boundary is within R-3A zone prior to recording. ***Zoning Ordinance: Article V | Required |
| * Rezoning Needed Before Final Approval **Rezoning to R-3A for the remaining portion of the property zoned C-3 was approved by City Commission on January 10, 2022. ***A rezoning application to rezone a 0.784 acres of the property from C-3 to R-3A was approved by the City Commission on April 22, 2024. ****The project engineer must verify that all of the proposed subdivision boundary is within R-3A zone prior to recording. ****Zoning Ordinance: Article V | Required |
| PARKS | |
| * Land dedication in lieu of fee. **As per Parks Department: Application for Subdivision was submitted on November 11, 2021. Proposed use is R-3A -- multifamily/apartments. Per previous conversation with Engineer's office plan is build 210 units. Site plan submitted on December 11, 2023 proposed 220 total units, clarify total number of dwelling units for this subdivision to determine park fees or land dedication. Engineer submitted a variance on land dedication on March 27, 2024 clarifying total amount of units to be 220 (\$700 x 220 = \$154,000). The request is for in lieu of park land dedication that \$700 dwelling unit fee be paid instead in which fifty percent of park fees (\$350 per dwelling unit) (\$77,000) be paid prior to recording and the remaining fifty percent (\$350 per dwelling unit) (\$77,000) be paid at building permit stage. The request was reviewed and approved by the City Manager on May 30, 2024. - If the number of dwelling units changes prior to recording, the park fee must be adjusted accordingly. - A plat note to reference the approved park fee variance must be finalized prior to recording. | Required |
| * Park Fee of \$700 per lot/dwelling unit to be paid prior to recording **As per Parks Department: Application for Subdivision was submitted on November 11, 2021. Proposed use is R-3A -- multifamily/apartments. Per previous conversation with Engineer's office plan is build 210 units. Site plan submitted on December 11, 2023 proposed 220 total units, clarify total number of dwelling units for this subdivision to determine park fees or land dedication. Engineer submitted a variance on land dedication on March 27, 2024 clarifying total amount of units to be 220 (\$700 x 220 = \$154,000). The request is for in lieu of park land dedication that \$700 dwelling unit fee be paid instead in which fifty percent of park fees (\$350 per dwelling unit) (\$77,000) be paid prior to recording and the remaining fifty percent (\$350 per dwelling unit) (\$77,000) be paid at building permit stage. The request was reviewed and approved by the City Manager on May 30, 2024. - If the number of dwelling units changes prior to recording, the park fee must be adjusted accordingly. - A plat note to reference the approved park fee variance must be finalized prior to recording. | Required |

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

| | |
|---|----------|
| <p>* Pending review by the City Manager's Office.</p> <p>**As per Parks Department: Application for Subdivision was submitted on November 11, 2021. Proposed use is R-3A -- multifamily/apartments. Per previous conversation with Engineer's office plan is build 210 units. Site plan submitted on December 11, 2023 proposed 220 total units, clarify total number of dwelling units for this subdivision to determine park fees or land dedication. Engineer submitted a variance on land dedication on March 27, 2024 clarifying total amount of units to be 220 (\$700 x 220 = \$154,000). The request is for in lieu of park land dedication that \$700 dwelling unit fee be paid instead in which fifty percent of park fees (\$350 per dwelling unit) (\$77,000) be paid prior to recording and the remaining fifty percent (\$350 per dwelling unit) (\$77,000) be paid at building permit stage. The request was reviewed and approved by the City Manager on May 30, 2024.</p> <p>- If the number of dwelling units changes prior to recording, the park fee must be adjusted accordingly.</p> <p>- A plat note to reference the approved park fee variance must be finalized prior to recording.</p> | Required |
| TRAFFIC | |
| * As per Traffic Department, Master Trip Generation approved, Phase II Trip Generation not required. | Applied |
| * As per Traffic Department, Traffic Impact Analysis (TIA) has been waived. | Applied |
| COMMENTS | |
| <p>Comments:</p> <ul style="list-style-type: none"> - Submit paving layout to verify compliance with minimum paving widths requirements prior to final. 20 ft. face-to-face required on both sides of islands. - Any abandonments must be done by separate process, not by plat. - Must provide document establishing shared access with adjacent property to the east and must show proper plat notes as needed, prior to recording. <p>*Must comply with City's Access Management Policy</p> <p>***The project engineer submitted a variance application (VAR2024-0031) on behalf of the developer and requested 2 ft. side yard setback in lieu of 6 ft. as required by Section 138-356 of the Zoning Ordinance in order to accommodate for proposed carports and car garages. If the request is approved, the side setback note will be 2 ft. or greater for easements or approved site plan and subject to compliance with building code requirements</p> | Required |
| RECOMMENDATION | |
| Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED FINAL FORM SUBJECT TO CONDITIONS NOTED, AND THE BOARD'S CLARIFICATION ON THE REQUESTED VARIANCE. | Applied |

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

LOCATION



S2950-00-000-0445-00

SUB2021-0066



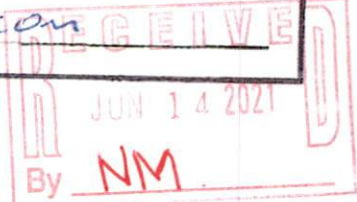
City of McAllen
Planning Department
APPLICATION FOR
SUBDIVISION PLAT REVIEW

1300 Houston Avenue
McAllen, TX 78501
P. O. Box 220
McAllen, TX 78505-0220
(956) 681-1250
(956) 681-1279 (fax)

| | |
|---------------------|--|
| Project Description | Subdivision Name <u>Pioneer Estates Subdivision</u> Location <u>South east corner of N. Shary Rd and 6 Mile Line</u> City Address or Block Number <u>9400 N. SHARY RD</u> Number of lots <u>30</u> Gross acres <u>18.298</u> Net acres <u>17.408</u> Existing Zoning <u>R-1</u> Proposed <u>R-3A</u> Rezoning Applied For <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date <u>6/9/22</u> Existing Land Use <u>Vacant</u> Proposed Land Use <u>Multi-Family</u> Irrigation District # <u>Unit 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 Exemption Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Estimated Rollback tax due <u>unknown</u> Legal Description <u>Being 10.201 Acres out of lot 4-5 of John H. Shary Subdivision</u> |
| Owner | Name <u>JoAnn Schoenring Leibowitz</u> Phone <u>281-721-2350</u> (956) 802-4785 Address <u>P.O. Box 156</u> City <u>McAllen</u> State <u>TX</u> Zip <u>78503</u> E-mail <u>phil@acresconstruction.com</u> |
| Developer | Name <u>Aldape Development, LLC</u> Phone <u>(956) 802-4785</u> Address <u>4508 Tyler Ave</u> City <u>McAllen</u> State <u>Texas</u> Zip <u>78503</u> Contact Person <u>Javier Aldape / Gerardo Higuera</u> E-mail <u>acresconstruction@outlook.com</u> / <u>gerardo.acresconstruction@gmail.com</u> |
| Engineer | Name <u>Alas Engineering, LLC</u> Phone <u>(481) 537-1311</u> Address <u>3911 N 10th Street Suite H</u> City <u>McAllen</u> State <u>Texas</u> Zip <u>78501</u> Contact Person <u>Marib A. Salinas</u> E-mail <u>msalinas@salinasengineering.com</u> |
| Surveyor | Name <u>Salinas Engineering & Assoc</u> Phone <u></u> Address <u>2221 Daffodil Ave</u> City <u>McAllen</u> State <u>Texas</u> Zip <u>78501</u> E-mail <u>dsalinas@salinasengineering.com</u> |

ENTERED

APR 01 2022

Initial: MS

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 unsubdivided tracts
- Name and address of owner, lienholder, developer, engineer and surveyor shown along with signature lines
- North arrow, scale and vicinity map
- Name & dimension of adjoining street ROWs (total width & width from centerline)

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

Owners Signature

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

Signature _____ Date 4/1/2022

Print Name Javier Aldape

Owner ☐

Authorized Agent ☐

VAP 2024-0034



City of McAllen

**Planning Department
VARIANCE TO SUBDIVISION
PROCESS APPLICATION**

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

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

| | | | | |
|----------------------|--|--|---------------------|---|
| Project | Legal Description | BEING 10.201 ACRES OUT OF LOT 445, JOHN SHARY SUBDIVISION RECORDED IN VOLUME 1, PAGE 17, HIDALGO COUNTY | | |
| | Proposed Subdivision (if applicable) | PIONEER ESTATES | | |
| | Street Address | N/A | | |
| | Number of lots | 29 | Gross acres | 10.201 |
| | Existing Zoning | R-3A | Existing Land Use | |
| | <input checked="" type="checkbox"/> Current Survey and Metes and Bounds (required if the legal description is a portion of a lot) | | | |
| Applicant | Name | GERARDO HIGAREDA | | Phone (956) 648 5998 |
| | Address | P.O. BOX 52660 | | E-mail GHIGAREDA@ALDAPEHOLDINGS.COM |
| | City | MCALLEN | State TEXAS | Zip 78505 |
| | | | | |
| Owner | Name | ALDAPE DEVELOPMENT, LLC | | Phone (956) 648 5998 |
| | Address | P.O. BOX 52660 | | E-mail ACRE.CONSTRUCTION@OUTLOOK.COM |
| | City | MCALLEN | State TEXAS | Zip 78505 |
| Authorization | <p>To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable) OR I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.</p> | | | |
| | Signature | | | Date 7/12/24 |
| | Print Name | Javier Aldape | | <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Authorized Agent |
| | | | | |
| Office | *FOR OFFICE USE ONLY* | | | |
| | APPLICATION FILING FEE: | <input type="checkbox"/> \$250.00 | | |
| | Accepted by | | Payment received by | |
| | Rev 06/21 | | | |



City of McAllen

Planning Department

REASON FOR APPEAL

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

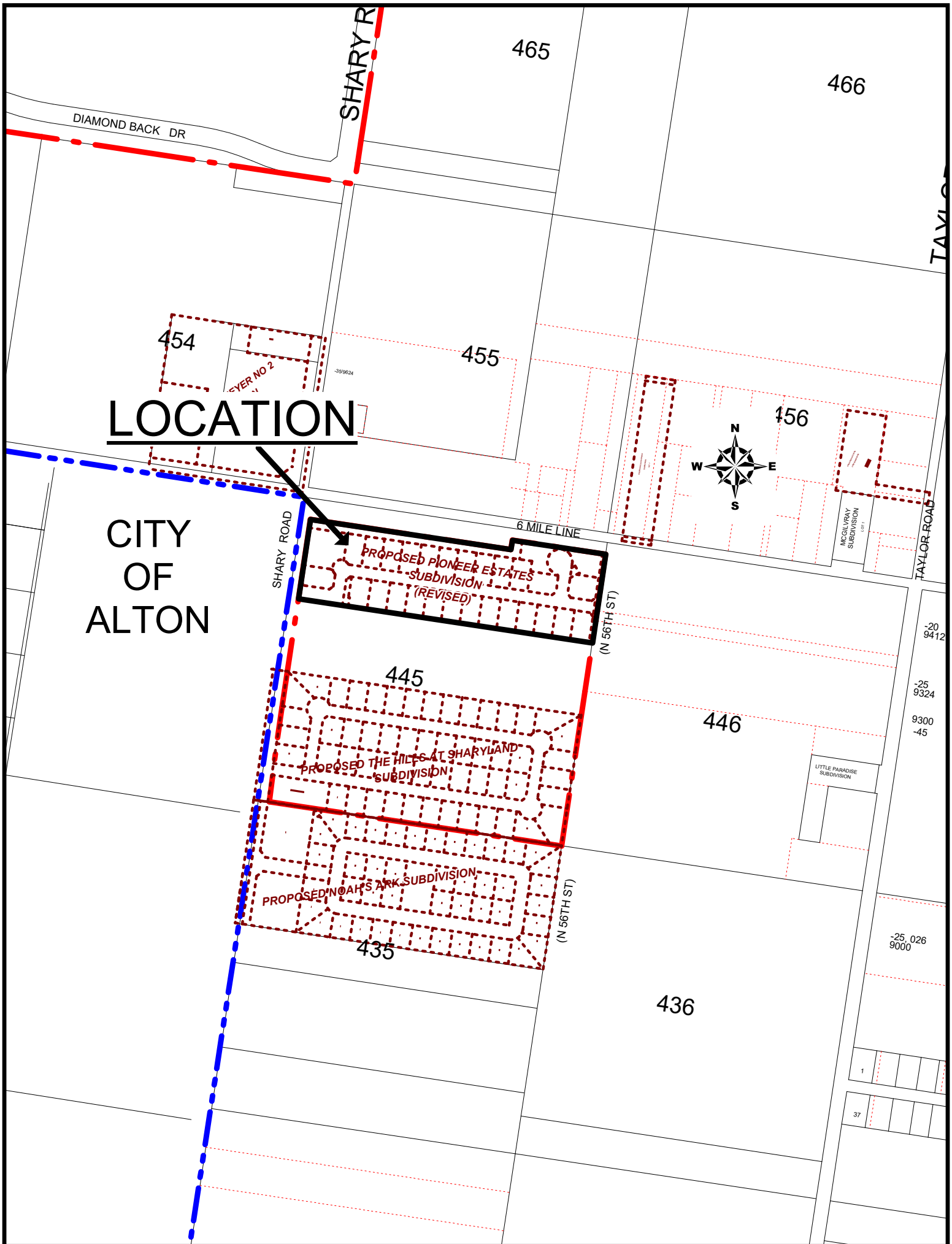
**Information provided here by the applicant does not guarantee that the Commission will grant a variance.

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

| | |
|-------------------|---|
| Reason for Appeal | 1. Describe the special circumstances or conditions affecting the land involved such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of his land. |
| | A VARIANCE FOR THE ESCROW REQUESTED BY THE ENGINEERING DEPARTMENT FOR THE FUTURE 56TH STREET IS BEING REQUESTED BY ALDAPE DEVELOPMENT. DUE TO THE UNCERTAINTY AND LACK OF DATE OF WHEN 56TH ST WILL BE BUILT, WE REQUEST TO ENTER A CONTRACTUAL AGREEMENT WITH THE CITY OF MCALLEN TO PAY FOR THE STREET ONCE PLANS FOR ITS CONSTRUCTION ARE MATERIALIZED. IN ORDER TO PROVIDE THE PROJECT WITH A FUNCTIONING EMERGENCY EXIT, WE PLACED TEMPORARY EASEMENTS BETWEEN TWO OF OUR LOTS AND CONSTRUCTED AN EMERGENCY ALLEY. THE MARKET VALUE OF THE LOTS IS ESTIMATED TO BE \$260,000.00, FAR EXCEEDING THE \$76,099.43 REQUESTED BY THE ENGINEERING DEPARTMENT. WE INTEND THE EASEMENT GRANTED TO THE CITY TO SERVE AS GOODWILL AND COLLATERAL ONCE THE COSTS AND PROJECT TIMELINE FOR THE 56TH STREET ARE MATERIALIZED IN THE FUTURE. |
| | 2. Described how the variance is necessary for the preservation and enjoyment of the legal property rights of its owner. |
| | |
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| | |
| | |
| | |
| | 3. Describe how the variance will not be detrimental to the public health, safety or welfare or injurious to the legal rights other property owners enjoy in the area. |
| | |
| | |
| | |
| | |
| | 4. Describe how the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of this chapter. |
| | |
| | |
| | |

LOCATION

CITY
OF
ALTON



**City of McAllen****SUBDIVISION PLAT REVIEW**

Reviewed On: 7/18/2024

| SUBDIVISION NAME: PIONEER ESTATES SUBDIVISION | |
|--|----------|
| REQUIREMENTS | |
| STREETS AND RIGHT-OF-WAYS | |
| 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 Revisions needed: -Clarify 30 ft. additional ROW by this plat as it appears to be outside plat boundaries, finalize ROW requirements prior to recording -Label ROW dedication, total ROW after dedication and ROW on both sides of centerline to verify if any additional ROW dedication is required prior to recording. -Please show document wherein the existing 60 ft. existing ROW was dedicated prior to recording. **Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan **Monies must be escrowed if improvements are not constructed prior to recording. | Required |
| 6 Mile Line: 50 ft. from centerline for 100 ft. total ROW Paving: 65 ft. Curb & gutter: Both sides Revisions needed: -Please show document wherein the existing 40 ft. ROW was dedicated prior to recording. *As per plat submitted on May 31st, 2023, plat no longer exhibits frontage along 6 mile line. **Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan **Monies must be escrowed if improvements are not constructed prior to recording. | Required |

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

| | |
|--|------------|
| <p>North 56th Street (N/S Collector Road-east boundary line): 30 ft. dedication for 60 ft. total ROW. Paving: 40 ft. Curb & gutter: Both sides Revision Needed: -Include street name labeling, prior to recording. -Revise reference from "Right of Way dedicated to McAllen Public Utility by this plat" to "R.O.W dedicated by this plat", prior to recording. *Engineer submitted a variance application on October 7, 2021 requesting to dedicate 15 ft. of ROW for North 56th Street. The Planning and Zoning Commission considered the subdivision in revised preliminary form at their meeting of April 5, 2022. Following discussion, the board unanimously voted to approve the subdivision in revised preliminary form, and recommended approval of the variance for 15 ft. ROW dedication for N. 56th Street. There were 6 members present and voting. At the City Commission meeting of April 25, 2022, the City of McAllen Board of Commissioners considered the request and was approved. **Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan **Monies must be escrowed if improvements are not constructed prior to recording.</p> <p>**The developer submitted a variance application (VAR2024-034) to request a contractual agreement in lieu of escrowing half of the construction cost for N. 56th Street. The application explains that since N. 56th Street plans have not been finalized, they prefer to have a contractual agreement in lieu of escrow requirement. It is also added that they have provided a temporary emergency access easement on Lot 12 of proposed Pioneer Estates Subdivision and Lot 21 of The Hills at Sharyland Subdivision until N. 56th Street is built. Section 134-87 of the Subdivision Ordinance explains that a contractual agreement may be requested for single-lot subdivisions in the extraterritorial jurisdiction and if approved and recorded, it shall run with the land. - If the contractual agreement or any other agreement is approved, a plat note to reference the recorded agreement must be finalized prior to recording.</p> | Required |
| <p>Internal Streets: 60 ft. ROW Paving: 40 ft. Curb & gutter: Both sides Pending Items: -Revise street names as follows: -E/W street at entrance: Ozark Avenue -N/S Street west of Lot 1: North 59th Lane -E/W interior street: Princeton Avenue -N/S street at Cul-De-Sac: North 56th Lane -Finalize street names on plat prior to recording. -Engineer submitted a variance application on April 21st, 2023 requesting that the ROW be reduced from 60 ft. to 50 ft., the engineer has indicated that the 40 ft. paving width will remain. Development staff has reviewed the request and indicated that if approved that a 10 ft. U.E and Sidewalk Easement be dedicated along the front of the lots as applicable. -Submit gate details, ROW and paving at gate locations may increase to accommodate proposed improvements, finalize prior to NTP/recording. -As per Fire Department requirements, 96 ft. of paving face-to face required, and 10 ft. of ROW back of curb around Cul-de-Sac required, finalize Cul-De-Sac paving and ROW requirements prior to NTP/ Recording. **Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan **Monies must be escrowed if improvements are not constructed prior to recording.</p> | Required |
| <p>* 1,200 ft. Block Length.</p> | Compliance |
| <p>***Subdivision Ordinance: Section 134-118 * 900 ft. Block Length for R-3 Zone Districts. **Subdivision Ordinance: Section 134-118</p> | NA |

| | |
|---|----------|
| <ul style="list-style-type: none"> * 600 ft. Maximum Cul-de-Sac. *As per Fire Department requirements, 96 ft. of paving face-to face required, and 10 ft. of ROW back of curb around Cul-de-Sac required, finalize Cul-De-Sac paving and ROW requirements prior to NTP/ Recording. **Subdivision Ordinance: Section 134-105 | Required |
| ALLEYS | |
| <ul style="list-style-type: none"> ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties and multi-family properties. **Subdivision layout is being processed with public works centralized locations. ***As per public works,must build dumpster enclosure at the time the subdivision is built. Must comply with Chapter 90 of McAllen's Solid Waste Ordinance. ****Subdivision Ordinance: Section 134-106 | Applied |
| SETBACKS | |
| <ul style="list-style-type: none"> * Front: Proposing 20 ft. or greater for easement. Pending Items: -Engineer submitted variance request on April 21st, 2023 to allow a 15 ft. front setback for unenclosed carports only. **If variance request for the front setback for unclosed carports is approved, front setback note wording must be finalized prior to recording. ***Zoning Ordinance: Section 138-356 | Required |
| <ul style="list-style-type: none"> * Rear: In accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Revisions needed: -Revise note as shown above prior to recording. *Proposing Rear: In accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater ****Zoning Ordinance: Section 138-356 | Required |
| <ul style="list-style-type: none"> * Interior sides: 6 ft. or greater for easements or approved site plan, whichever is greater applies. Revisions needed: -Revise note as shown above prior to recording. *Proposing:6 ft. or greater for easement. ****Zoning Ordinance: Section 138-356 | Required |
| <ul style="list-style-type: none"> * Corner: 10 ft. or greater for easements or approved site plan, whichever is greater applies. Revisions needed: -Revise note as shown above prior to recording. *Proposing Corner :10 feet or greater for easement. ****Zoning Ordinance: Section 138-356 | Required |
| <ul style="list-style-type: none"> * Garage: 18 ft. except where greater setback is required; greater setback applies. **Zoning Ordinance: Section 138-356 | Applied |
| *ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN | Applied |

| SIDEWALKS | |
|---|---------------------------------|
| <p>* 5 ft. wide minimum sidewalk required along North Shary Road and 4 ft. wide minimum sidewalk required on N. 56th Street and both sides of all interior streets. Revisions needed: -Revise plat note #3 as shown above prior to recording. **As per plat submitted on May 31st, 2023, plat no longer exhibits frontage along 6 mile line. ***Proposing: 5 ft. wide minimum sidewalk required along North Shary Road and 4 ft. wide minimum sidewalk required on N. 56th Street, 6 Mile Line and both sides of all interior streets. ****5 ft. sidewalks required along North Shary Road as per Engineering Department. *****Sidewalk requirements may increase to 5 ft. per Engineering Department requirements, finalize prior to recording. *****Subdivision Ordinance: Section 134-120</p> <p>* Perimeter sidewalks must be built or money escrowed if not built at this time.</p> | <p>Required</p> <p>Required</p> |
| BUFFERS | |
| <p>* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses, and along North Shary Road, and North 56th Street. Revisions needed: -Revise plat note#12 as shown above prior to recording. -Clarify if buffer is proposed along northern plat boundaries as it may trigger changes to note requirements, finalize note wording prior to recording. **Proposing: 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses, and along North Shary Road, 6 Mile Line, and North 56th Street. **Landscaping Ordinance: Section 110-46</p> <p>* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. **Landscaping Ordinance: Section 110-46</p> <p>*Perimeter buffers must be built at time of Subdivision Improvements.</p> | Required |
| | Applied |
| | Required |
| NOTES | |
| <p>* No curb cut, access, or lot frontage permitted along North Shary Road and North 56th Street. Revision needed: -Revise plat note #14 as shown above, prior to recording. **Proposing: No curb cut, access, or lot frontage permitted along North Shary Road, 6 Mile Line and North 56th Street. ***As per plat submitted on May 31st, 2023, plat no longer exhibits frontage along 6 mile line. ****Must comply with City Access Management Policy</p> <p>* Site plan must be approved by the Planning and Development Departments prior to building permit issuance. **Any owner, builder or developer of a multiple-family, condominium or townhouse dwelling complex of five units or more on a single lot or parcel, or five single-family attached units, shall submit to the planning department for review a site and building plan for the proposed development. ***Zoning Ordinance: Section 138-210</p> <p>* Common Areas, drainage detention pond, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Revisions Needed: -Revise plat note #10 as shown above prior to recording. **Proposing: Common areas and drainage detention pond must be maintained by the homeowner association lot owner or his assigns, not the City of McAllen or other public entity.</p> | Required |
| | Applied |
| | Required |

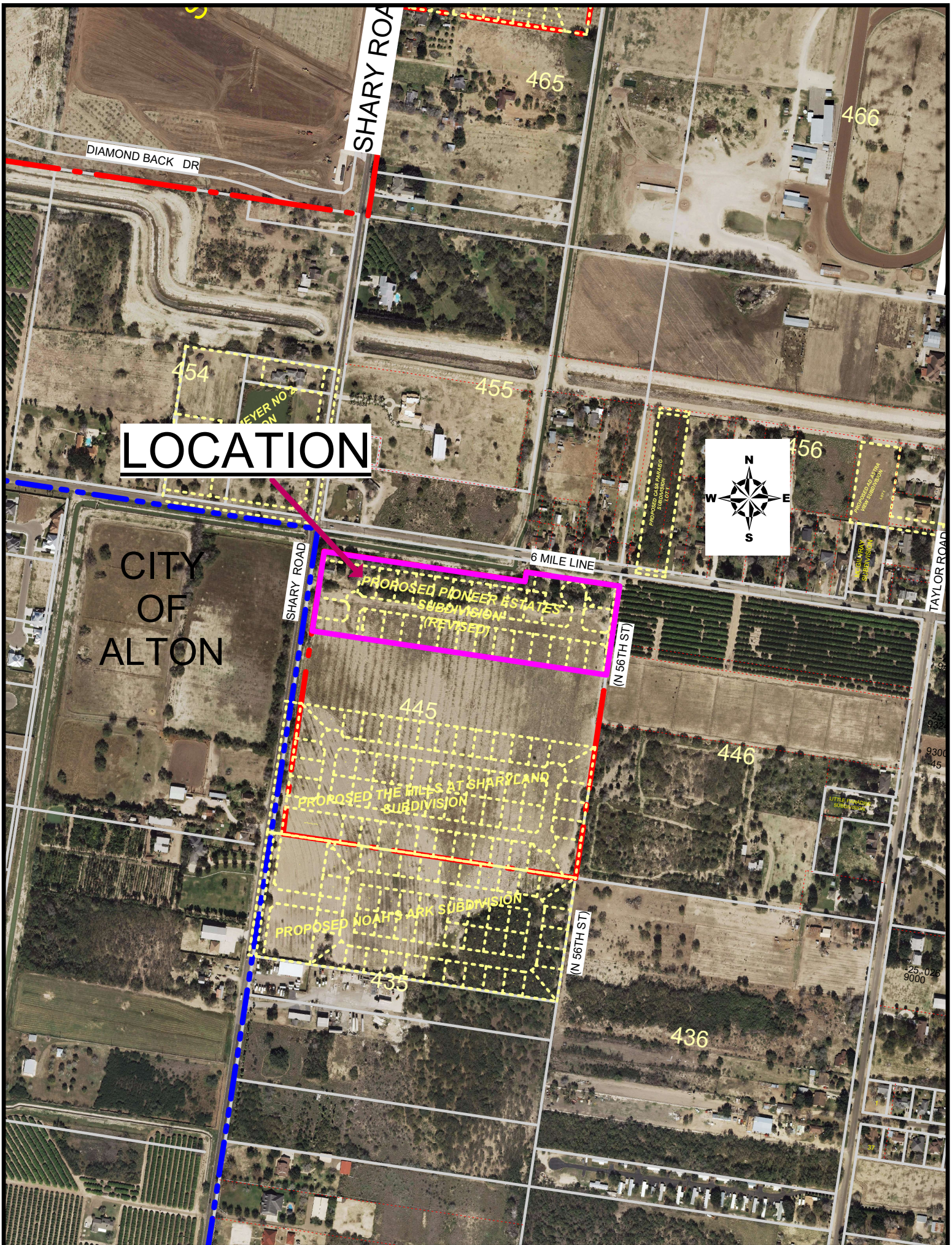
These comments are for subdivision requirements only – additional requirements may apply at time of site plan review

| | |
|---|------------|
| <p>* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.</p> <p>* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.</p> <p>Revisions needed:</p> <p>**Section 110-72 applies if subdivision is proposed to be public.</p> <p>**Landscaping Ordinance: Section 110-72</p> <p>**Subdivision Ordinance: Section 134-168</p> <p>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</p> <p>**Homeowner's Association Covenants must be submitted for staff review, prior to recording.</p> <p>***Section 134-168 applies if private subdivision is proposed.</p> <p>****Section 110-72 applies if public subdivision is proposed.</p> <p>*****Landscaping Ordinance: Section 110-72</p> <p>*****Subdivision Ordinance: Section 134-168</p> | NA |
| | Applied |
| | Required |
| LOT REQUIREMENTS | |
| <p>* Lots fronting public streets.</p> <p>**Subdivision Ordinance: Section 134-1</p> <p>* Minimum lot width and lot area.</p> <p>**Zoning Ordinance: Section 138-356</p> | Compliance |
| | Compliance |
| ZONING/CUP | |
| <p>* Existing: R-3A(apartment residential) District Proposed: R-3A(apartment residential) District</p> <p>**Rezoning from R-1 (Single Family Residential) District to R-3A(apartment residential) District approved at City Commission meeting of November 28, 2022.</p> <p>***Zoning Ordinance: Article V</p> <p>* Rezoning Needed Before Final Approval</p> <p>**Rezoning from R-1 (Single Family Residential) District to R-3A(apartment residential) District approved at City Commission meeting of November 28, 2022.</p> <p>***Zoning Ordinance: Article V</p> | Compliance |
| | Completed |
| PARKS | |
| <p>* Land dedication in lieu of fee. As per Parks Department, Park Department a waiver to McAllen's Park Land Dedication and Park Development Fees Ordinance was granted -- as part of the annexation process, Park fees were waived.</p> <p>* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, Park Department a waiver to McAllen's Park Land Dedication and Park Development Fees Ordinance was granted -- as part of the annexation process, Park fees were waived.</p> <p>* Pending review by City Management. As per Parks Department, Park Department a waiver to McAllen's Park Land Dedication and Park Development Fees Ordinance was granted -- as part of the annexation process, Park fees were waived.</p> | Applied |
| | Applied |
| | Applied |
| TRAFFIC | |
| <p>* As per Traffic Department, Trip Generation approved no TIA required.</p> <p>* Traffic Impact Analysis (TIA) required prior to final plat.</p> <p>*** As per Traffic Department, Trip Generation approved no TIA required.</p> | Completed |
| | NA |

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

| COMMENTS | |
|--|----------|
| <p>Comments:</p> <ul style="list-style-type: none"> -Must comply with City's Access Management Policy -Must comply with Fire Department requirements. -Label Drainage Area with a letter or number prior to recording. -Clarify access from 6 Mile Line as plat boundary does not extend to ROW, and ownership is by United Irrigation District as per plat submitted on October 5th, 2022. As per plat submitted on May 31st, 2023, plat no longer exhibits frontage along 6 mile line. -Subdivision previously approved in Revised Preliminary form at the Planning and Zoning Commission meeting of April 5th, 2022 as a single family development, as per plat submitted on October 5th, 2022 multi-family subdivision now proposed. -Submit gate details, ROW and paving at gate locations may increase to accommodate proposed improvements, finalize prior to NTP/recording. <p>**As per Fire Department, there was an agreement between the Fire Department and the developer/engineer prior to final approval on June 6, 2023, for all units to be fully sprinklered, in lieu of a secondary access, since N. 56th Street (on the east side of the subdivision) was not going to be built at this time.</p> <p>After final approval was granted by Planning and Zoning Commission, the developer asked Fire Department for an alternative to the sprinkler system, as it may get costly. Fire Department indicated that a secondary access would be required, without a fire sprinkler system. After further discussion and proposals, on April 29, 2024, Fire Department approved a secondary access easement location proposed to connect Lot 12 on the proposed Pioneer Estates Subdivision to Lot 21 on the Hills at Sharyland recorded subdivision to the south side of the subject property, until N. 56th Street is built.</p> <p>**The proposed temporary access easement wording must comply with the City's requirements and recorded, as a separate document, prior to recording the subdivision and referenced as a plat note.</p> <p>**The developer submitted a variance application (VAR2024-034) to request a contractual agreement in lieu of escrowing half of the construction cost for N. 56th Street. The application explains that since N. 56th Street plans have not been finalized, they prefer to have a contractual agreement in lieu of escrow requirement. It is also added that they have provided a temporary emergency access easement on Lot 12 of proposed Pioneer Estates Subdivision and Lot 21 of The Hills at Sharyland Subdivision until N. 56th Street is built. Section 134-87 of the Subdivision Ordinance explains that a contractual agreement may be requested for single-lot subdivisions in the extraterritorial jurisdiction and if approved and recorded, it shall run with the land.</p> <ul style="list-style-type: none"> - If the contractual agreement or any other agreement is approved, a plat note to reference the recorded agreement must be finalized prior to recording. | Required |
| RECOMMENDATION | |
| <p>Recommendation: STAFF RECOMMENDS APPROVAL OF SUBDIVISION IN REVISED FINAL FORM, SUBJECT TO CONDITIONS NOTED, AND THE BOARD'S CLARIFICATION ON THE REQUESTED VARIANCE.</p> | Applied |

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



LOCATION

CITY
OF
ALTON



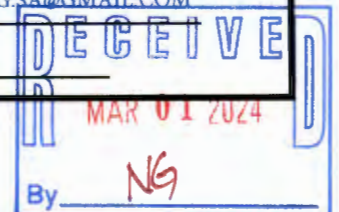
City of McAllen

Planning Department

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

| | | | | | | |
|--|--|---|----------------------|--------|----------------------------|-------|
| Project Information | Subdivision Name | Oaks At Wisconsin Phase 1 | | | | |
| | Legal Description | A 1.917 ACRE TRACT OF LAND BEING OUT OF LOT 10, SECTION 13, HIDALGO COUNTY CANAL COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER MAP OR PLAT THEREOF RECORDED IN VOLUME Q, PAGE 177, DEED RECORDS, HIDALGO COUNTY, TEXAS | | | | |
| | Location | SOUTH SIDE OF WISCONSIN RD APPROXIMATELY 0.25 MILES EAST OF 10TH STREET | | | | |
| | City Address or Block Number | 7921 11 TH STREET | | | | |
| | Total No. of Lots | 22 | Total Dwelling Units | 22 | | |
| | Gross Acres | 1.917 | Net Acres | 1.917 | | |
| | <input checked="" type="checkbox"/> Public Subdivision / <input type="checkbox"/> Private and Gated / <input type="checkbox"/> Private but Not Gated within ETJ: <input type="checkbox"/> Yes / <input checked="" type="checkbox"/> No | | | | | |
| | For Fee Purposes: <input type="checkbox"/> Commercial (_____ Acres) / <input checked="" type="checkbox"/> Residential (22 Lots) Replat: <input type="checkbox"/> Yes / <input checked="" type="checkbox"/> No | | | | | |
| | Existing Zoning R-3T Proposed Zoning R-3T Applied for Rezoning <input checked="" type="checkbox"/> No / <input type="checkbox"/> Yes: Date _____ | | | | | |
| | Existing Land Use OPEN LAND Proposed Land Use TOWNHOUSES | | | | | |
| Irrigation District # NO. 3 Water CCN: <input checked="" type="checkbox"/> MPU / <input type="checkbox"/> Sharyland Water SC Other _____ | | | | | | |
| Agricultural Exemption: <input type="checkbox"/> Yes / <input type="checkbox"/> No Parcel # 189866 | | | | | | |
| Estimated Rollback Tax Due . ϕ Tax Dept. Review MR | | | | | | |
| Owner | Name | DK3 INVESTMENT GROUP LLC | | Phone | 956-497-3962 | |
| | Address | 702 W. EXPRESSWAY 83 | | E-mail | sonia@reynacompanies.com | |
| | City | Weslaco | State | Texas | Zip | 78596 |
| | | | | | | |
| Developer | Name | DK3 INVESTMENT GROUP LLC | | Phone | 956-497-3962 | |
| | Address | 702 W. EXPRESSWAY 83 | | E-mail | sonia@reynacompanies.com | |
| | City | Weslaco | State | Texas | Zip | 78596 |
| | Contact Person | Sonia Flores | | | | |
| Engineer | Name | S2 ENGINEERING PLLC | | Phone | 956-627-9671 | |
| | Address | 2020 E. GRIFFIN PKWY | | E-mail | S2ENGINEERING.NS@GMAIL.COM | |
| | City | MISSION | State | TEXAS | Zip | 78574 |
| | Contact Person | JOSE N. SALDIVAR P.E. | | | | |
| Surveyor | Name | S2 ENGINEERING PLLC | | Phone | 956-627-9671 | |
| | Address | 2020 E. GRIFFIN PKWY | | E-mail | S2ENGINEERING.SA@GMAIL.COM | |
| | City | MISSION | State | TEXAS | Zip | 78574 |

KF



Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

In Person Submittal Requirements

- Application Fee: \$300 + \$25/lot **for residential** (excluding apartment complexes) or \$400 + \$200 (0-5 acres), \$400 + \$300 (5.01-10 acres), \$400 + \$400 (10 acres or greater) **for commercial, industrial, or apartment complexes**
- Title Report
- 8 ½" by 11" Original Sealed Survey showing existing structures/easements or 3 blue-line copies 2 Location Maps
- 2 8 ½" by 11" copies/legible copies of plat with name & north arrow
- 6 Folded blue-line prints of the proposed plat
- 2 Warranty Deeds (identifying owner on application)
- AutoCAD 2005 DWG file and PDF of plat
- Letter of Authorization from the owner (if applicable)
- Proof of authority of person signing application on behalf of partnership/corporation (if applicable)

Email Submittal Requirements

- Application Fee: \$300 + \$25/lot **for residential** (excluding apartment complexes) or \$400 + \$200 (0-5 acres), \$400 + \$300 (5.01-10 acres), \$400 + \$400 (10 acres or greater) **for commercial, industrial, or apartment complexes**
- Title Report
- Sealed Survey
- Location Map
- Plat & Reduced Plat
- Warranty Deed
- DWG File
- Letter of Authorization from the owner (if applicable)
- Proof of authority of person signing application on behalf of partnership/corporation, if applicable

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

*Submit documents to subdivisions@mcallen.net

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

PLAT TO SHOW:

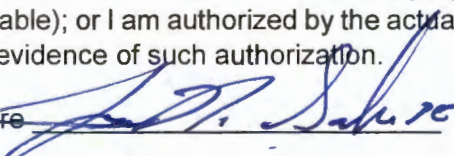
- Metes and bounds
- Lots numbered with dimensions and area of irregular lots noted Surrounding platted lots and/or lot lines for unsubdivided tracts
- Name and address of owner, lienholder, developer, engineer and surveyor shown along with signature lines
- North arrow, scale and vicinity map
- Name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

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

Owner(s) Signature(s)

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

Signature



Date 2-29-24

Print Name Jose N. Saldivar P.E.

Owner ☐

Authorized Agent ☒

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

VAR2024-0026



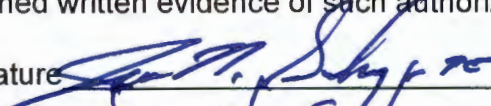
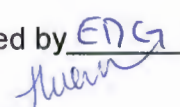
City of McAllen

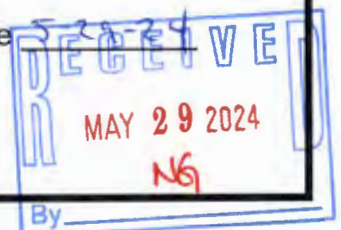
Planning Department

VARIANCE TO SUBDIVISION PROCESS APPLICATION

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

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

| | |
|------------------|---|
| Project | Legal Description 1.917 ACRE TRACT OF LAND BEING OUT OF LOT 10, SECTION 13, HIDALGO COUNTY CANAL COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER MAP OR PLAT THEREOF RECORDED IN VOLUME Q, PAGE 177, DEED RECORDS, HIDALGO COUNTY, TEXAS. |
| | Proposed Subdivision (if applicable) OAKS AT WISCONSIN PHASE 1 Street Address 7701 N 7TH STREET, MCALLEN, TEXAS, 78504 Number of lots 21 Gross acres 1.917 Existing Zoning R-3A Existing Land Use OPEN LAND <input checked="" type="checkbox"/> Current Survey and Metes and Bounds (required if the legal description is a portion of a lot) |
| Applicant | Name S2 ENGINEERING PLLC Phone 956-403-9787 Address 2020 GRIFFIN PKWY E-mail s2engineering.ns@gmail.com City Mission State Tx Zip 78574 |
| | Name DK3 INVESTMENT GROUP LLC Phone 956-497-3962 Address 702 W. EXPRESSWAY 83 E-mail sonia@reynacompanies.com City Weslaco State Texas Zip 78596 |
| Owner | To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable) OR I am authorized by the actual owner to submit this application and have attached written evidence of such authorization. Signature  Date 05/29/24 Print Name Sonia R. Reyna <input type="checkbox"/> Owner <input checked="" type="checkbox"/> Authorized Agent |
| | Office *FOR OFFICE USE ONLY* APPLICATION FILING FEE: <input checked="" type="checkbox"/> \$250.00 Accepted by  Payment received by _____ Date 5-29-24 Rev 06/21 |





City of McAllen
Planning Department
REASON FOR APPEAL

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

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

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

Reason for Appeal

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

DK3 Investments respectfully request a variance to the ROW requirement from 60.0' to 50.0' for the proposed subdivision. The limited depth of the property creates a hardship to develop the property and comply with the ROW. Furthermore the existing ROW dedicated by Trenton Crossing Shopping Center Subdivision is 50.0'. A 10' utility and sidewalk easement will be dedicated adjacent to the ROW along the front of each lot.

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

The proposed variance will allow for the continuation of the existing 50.0' ROW as dedicated by Trenton Crossing Shopping Center Subdivision.

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

The granting of the variance will provide adequate ROW for the proposed 40.0' B-B road and the additional 10.0' utility and sidewalk easement will afford the opportunity for utilities and a sidewalk to be constructed within a corridor that can be accessed by COM and utility providers.

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

The variance will allow for the continuation of an existing 50.0' Road ROW. The road is a proposed street that will serve this phase and a future phase connected via said existing 50.0' ROW.

MCALLEN MAIN DITCH

EMORY AVE

SUBDIVIS



LOCATION

TRENTON CROSSING SHOPPING CENTER PH 3

LOT 1

WISCONSIN RD

LOT 1

TRENTON CROSSING SHOPPING CENTER PH 2-C

7900

LOT 4

10

TRENTON CROSSING SHOPPING CENTER SUBDIVISION

LOT 1

8000

-18

MAIN DITCH

ARBOLEDAS

AUBURN AVE

PHASE 2

5TH CT

ZENAIDA AVE

PHASE I

YELLOWHAMMER

WARBLER AV

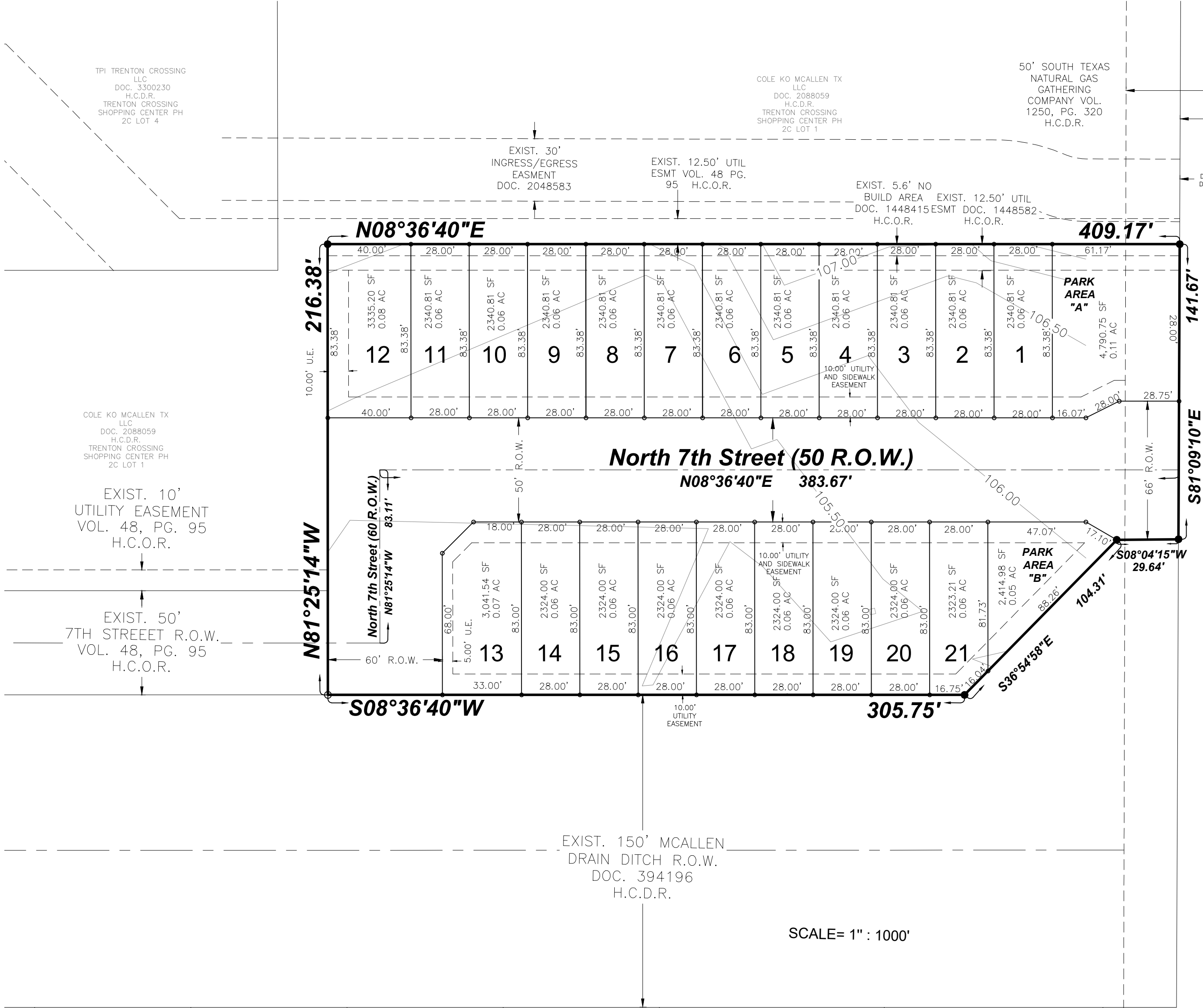
PROPOSED CANAL

PROPOSED BILBAO SUBD

SUBDIVISION PLAT OF:

THE HEIGHTS ON WISCONSIN
PHASE 1

TRACT 1: BEING A 1.917 ACRE TRACT OF LAND BEING OUT OF LOT 10, SECTION 13, HIDALGO COUNTY CANAL COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER MAP OR PLAT THEREOF RECORDED IN VOLUME Q, PAGE 177, DEED RECORDS, HIDALGO COUNTY, TEXAS



STATE OF TEXAS
COUNTY OF HIDALGO

I, RESTITUTO A. ASCANO III, A REGISTERED PROFESSIONAL LAND SURVEYOR IN TEXAS, HEREBY CERTIFY THAT THE ABOVE PLAT AND DESCRIPTION OF THE THE HEIGHTS ON WISCONSIN SUBDIVISION PHASE 1 WAS PREPARED FROM A SURVEY OF THE PROPERTY MADE ON THE GROUND BY ME OR UNDER MY SUPERVISION ON



| PRINCIPAL CONTACTS: | | | |
|---|------------------------|----------------------|---------------|
| Name | Address | City & Zip | Phone |
| OWNER: DK3 INVESTMENT GROUP LLC | 702 WEST EXPRESSWAY 83 | WESLACO, TEXAS 78596 | (956)975-6383 |
| ENGINEER: JOSE N. SALDIVAR P.E., C.F.M. | 2020 E GRIFFIN PKWY | MISSION, TEXAS 78574 | (956)403-9787 |
| SURVEYOR: RESTITUTO A. ASCANO III | 2020 E GRIFFIN PKWY | MISSION, TEXAS 78574 | (956)403-9787 |

STATE OF TEXAS
COUNTY OF HIDALGO

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



Preliminary
JOSE N. SALDIVAR, P.E., C.F.M.
LICENSED PROFESSIONAL ENGINEER No. 94076
S2 ENGINEERING, PLLC
2020 E GRIFFIN PKWY
MISSION, TEXAS 78574

STATE OF TEXAS
COUNTY OF HIDALGO

I, THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED AS THE HEIGHTS ON WISCONSIN SUBDIVISION PHASE 1, DO HEREBY GRANT AND EASEMENT TO THE CITY OF MCALLEN AND THOSE WHO MAY NOW OR HEREAFTER HOLD FRANCHISE UNDER SAID CITY, THE USE OF STREETS, ALLEYS, AND EASEMENTS THEREIN SHOWN, SURFACE USE OF THE STREETS AND ALLEYS IS RESTRICTED TO THE EMPLOYEES OR AGENTS OF THE CITY OF MCALLEN, EMPLOYEES OF UTILITIES OPERATING UNDER FRANCHISE TO THE CITY OF MCALLEN, RESIDENTS OF THE SUBDIVISION, AND THEIR GUESTS.

DOMINIC A. REYNA, MEMBER
DK3 INVESTMENT GROUP LLC
702 WEST EXPRESSWAY 83
WESLACO, TX 78596
STATE OF TEXAS
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, ON THIS DAY PERSONALLY APPEARED _____, PROVED TO ME THROUGH HER 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, DE-CLARED THAT THE STATEMENTS THEREIN ARE TRUE AND CORRECT AND ACKNOWLEDGED THAT SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREBY EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 20____.

NOTARY PUBLIC- STATE OF TEXAS

METES AND BOUNDS:

TRACT 1: BEING A 1.917 ACRE TRACT OF LAND BEING OUT OF LOT 10, SECTION 13, HIDALGO COUNTY CANAL COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER MAP OR PLAT THEREOF RECORDED IN VOLUME Q, PAGE 177, DEED RECORDS, HIDALGO COUNTY, TEXAS, SAID 1.917 ACRE TRACT OF LAND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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

THENCE, SOUTH 81°09'10" EAST, CONTINUING ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID WISCONSIN ROAD, A DISTANCE OF 141.67 FEET TO A 1/2 INCH IRON ROD FOUND WITH CAP, FOR A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SAID WISCONSIN ROAD, SAME BEING ON THE WEST RIGHT-OF-WAY LINE OF A 150.00 FOOT CITY OF MCALLEN DRAIN DITCH RIGHT-OF-WAY RECORDED IN DOCUMENT No. 394196 DEED RECORDS OF HIDALGO COUNTY, TEXAS, FOR THE NORTHERN NORTHEAST CORNER OF HEREIN DESCRIBED TRACT;

THENCE, SOUTH 08°04'15" WEST, ALONG THE WEST LINE OF SAID 150.00 FOOT CITY OF MCALLEN DRAIN DITCH RIGHT-OF-WAY, A DISTANCE OF 23.64 FEET TO A 1/2 INCH IRON ROD FOUND WITH CAP, FOR AN OUTSIDE CORNER OF SAID 150 FOOT CITY OF MCALLEN DRAIN DITCH RIGHT-OF-WAY, SAME BEING AN INSIDE CORNER OF HEREIN DESCRIBED TRACT;

THENCE, SOUTH 36°04'58" EAST, CONTINUING ALONG THE WEST LINE OF SAID 150.00 FOOT CITY OF MCALLEN DRAIN DITCH RIGHT-OF-WAY, A DISTANCE OF 104.31 FEET TO A 1/2 INCH IRON ROD SET WITH CAP ON THE INTERIOR CORNER OF THE SAID 150.00 FOOT CITY OF MCALLEN DRAIN DITCH RIGHT-OF-WAY, SAME BEING AN OUTSIDE CORNER OF HEREIN DESCRIBED TRACT, FROM WHICH A 1/2 INCH IRON ROD FOUND THAT BEARS SOUTH 31°23'00"EAST, AT A DISTANCE OF 1.99' FROM THE AFOREMENTION OUTSIDE CORNER;

THENCE, SOUTH 08°36'40" WEST, CONTINUING ALONG THE WEST LINE OF SAID 150.00 FOOT CITY OF MCALLEN DRAIN DITCH RIGHT-OF-WAY, A DISTANCE OF 305.75 FEET TO A 1/2 INCH IRON ROD SET WITH CAP, ALONG THE WEST LINE OF SAID 150.00 FOOT CITY OF MCALLEN DRAIN DITCH RIGHT-OF-WAY, SAME BEING THE NORTHEAST CORNER OF A 0.288 ACRE TRACT (50 FOOT ROAD RIGHT-OF-WAY) DEDICATED TO THE CITY OF MCALLEN RECORDED IN VOLUME 48, PAGE 45 (TRENTON CROSSING SHOPPING CENTER PHASE 2 SUBDIVISION) MAP RECORDS HIDALGO COUNTY TEXAS, FOR THE SOUTHEAST CORNER OF HEREIN DESCRIBED TRACT;

THENCE, NORTH 81°25'14" WEST, A DISTANCE OF 49.08 FEET PASSING A 1/2 INCH IRON ROD FOUND ALONG THE NORTH LINE OF SAID 0.288 ACRE TRACT OF LAND, SAME BEING THE SOUTHERN NORTH LINE OF SAID LOT 1, TRENTON CROSSING SHOPPING CENTER, PHASE 2-C SUBDIVISION, A TOTAL DISTANCE OF 216.38 FEET TO A 1/2 IN IRON ROD FOUND WITH CAP, FOR AN INSIDE CORNER OF SAID LOT 1, TRENTON CROSSING SHOPPING CENTER, PHASE 2-C SUBDIVISION, SAME BEING THE SOUTHWEST CORNER OF HEREIN DESCRIBED TRACT;

THENCE, NORTH 08°36'40" EAST, A DISTANCE OF 408.54 FEET PASSING A 1/2 INCH IRON ROD ALONG THE EAST LINE OF SAID LOT 1, TRENTON CROSSING SHOPPING CENTER, PHASE 2-C SUBDIVISION, A TOTAL DISTANCE OF 409.17 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.917 ACRES OF LAND, MORE OR LESS.

PLAT NOTES AND RESTRICTIONS:

1.- FLOOD ZONE DESIGNATION: ZONE "B" AREAS BETWEEN LIMITS OF THE 100-YEAR FLOOD AND 500-YEAR FLOOD; OR CERTAIN AREAS SUBJECT TO A 100-YEAR FLOODING WITH AVERAGE DEPTHS LESS THAN ONE (1) FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN ONE SQUARE MILE; OR AREAS PROTECTED BY LEVEES FROM THE BASE FLOOD. (MEDIUM SHADING). COMMUNITY-PANEL NUMBER: 480334-0425 C. REVISED DATE: NOVEMBER 16, 1982.

2.- GENERAL NOTE FOR SINGLE FAMILY RESIDENCES: NO MORE THAN ONE-SINGLE FAMILY DETACHED DWELLING SHALL BE LOCATED ON EACH LOT. APPLICATIONS FOR CONSTRUCTION ARE REQUIRED PRIOR TO OCCUPANCY OF THE LOT. NO COMMERCIAL USE SHALL BE ALLOWED ON ALL INTERNAL LOTS 60 - 153.

3.- REQUIRED DETENTION FOR STORM SEWER RUNOFF PER THE APPROVED DRAINAGE REPORT SHALL BE 6,108 CUBIC FEET. STORM WATER RUNOFF GENERATED FROM DEVELOPMENT SHALL BE DETAINED ON EXISTING DETENTION POND LOCATED ON THE EAST SIDE OF THE PROPERTY AS PER TRENTON CROSSING SHOPPING CENTER PHASE 2 SUBDIVISION, DOC. 1499843, H.C.D.R. WATER WILL THEN DISCHARGE THROUGH AN EXISTING 15 INCH PIPE INTO AND EXISTING CITY OF MCALLEN DRAINAGE DITCH LOCATED ON THE SOUTH SIDE OF THIS PROPOSED DEVELOPMENT.

4.- MINIMUM FINISH FLOOR NOTE: MINIMUM FINISH FLOOR ELEVATION SHALL BE 18" ABOVE TOP OF CURB MEASURED AT FRONT CENTER OF EACH LOT OR 18" ABOVE NATURAL GROUND, WHICHEVER IS GREATER. ELEVATION CERTIFICATE MAY BE REQUIRED FOR LOTS LOCATED OUTSIDE A DESIGNATED FLOOD ZONE AT THE TIME FOR APPLICATION FOR CONSTRUCTION TO VERIFY PRE AND POST CONSTRUCTION FINISH FLOOR ELEVATIONS. AN ELEVATION CERTIFICATE SHALL BE REQUIRED FOR ALL LOTS WITHIN A DESIGNATED FLOOD ZONE AT THE TIME FOR A DEVELOPMENT PERMIT APPLICATION.

5.- THERE ARE NO WATER WELLS WITHIN 150 FEET FROM THE BOUNDARIES OF THIS SUBDIVISION.

6.- MINIMUM BUILDING SETBACK LINES:
FRONT10.00' OR GREATER FOR EASEMENTS
REAR.....10.00' OR GREATER FOR EASEMENTS
SIDE.....0.00' WITH FIRE WALL OR GREATER FOR EASEMENTS
CORNER.....10.00' OR GREATER FOR EASEMENTS
GARAGE.....18.00' OR GREATER FOR EASEMENTS

7.- 5 FT WIDE MINIMUM SIDEWALK REQUIRED ON WISCONSIN ROAD AND BOTH SIDES OF NORTH 7TH STREET/INTERIOR STREETS.

8.- NO MORE THAN ONE SINGLE-FAMILY DWELLING PER LOT.

9.- ALL LOT CORNERS SET HALF INCH (1/2) IRON RODS OR AS NOTED.

10.- BENCHMARK NOTE: CITY OF MCALLEN NO. MC 33, EAST SIDE OF WARE ROAD BY THE WATER TREATMENT PLANT. ELEVATION 118.60.

11.- NO STRUCTURE SHALL BE PERMITTED OVER ANY EASEMENT. EASEMENTS SHALL BE KEPT CLEAR OF FENCES, BUILDINGS, SHEDS, SHRUBS TREES, AND OTHER PLANTINGS (EXCEPT LOW, LESS THAN 18 INCHES MATURE HEIGHT, GROUND COVER, GRASS, OR FLOWERS) AND OTHER OBSTRUCTIONS THAT WOULD INTERFERE WITH THE OPERATIONS AND MAINTENANCE OF THE EASEMENT.

12.- ALL IRRIGATION EASEMENTS ARE EXCLUSIVE TO HIDALGO WATER IMPROVEMENT DISTRICT NO. 3, AND THE DISTRICT ALLOWS NO OTHER UTILITIES OR USE WITHOUT ITS EXPRESS WRITTEN APPROVAL.

13.- EASEMENTS SHOWN ON THIS PLAT ARE DEDICATED BY THIS PLAT.

15.- 6 FT OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL. AND INDUSTRIAL ZONES/USES AND ALONG WISCONSIN ROAD.

16.- AN 8 FT MASONRY WALL IS REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL INDUSTRIAL OR MULTIFAMILY RESIDENTIAL ZONES/USES.

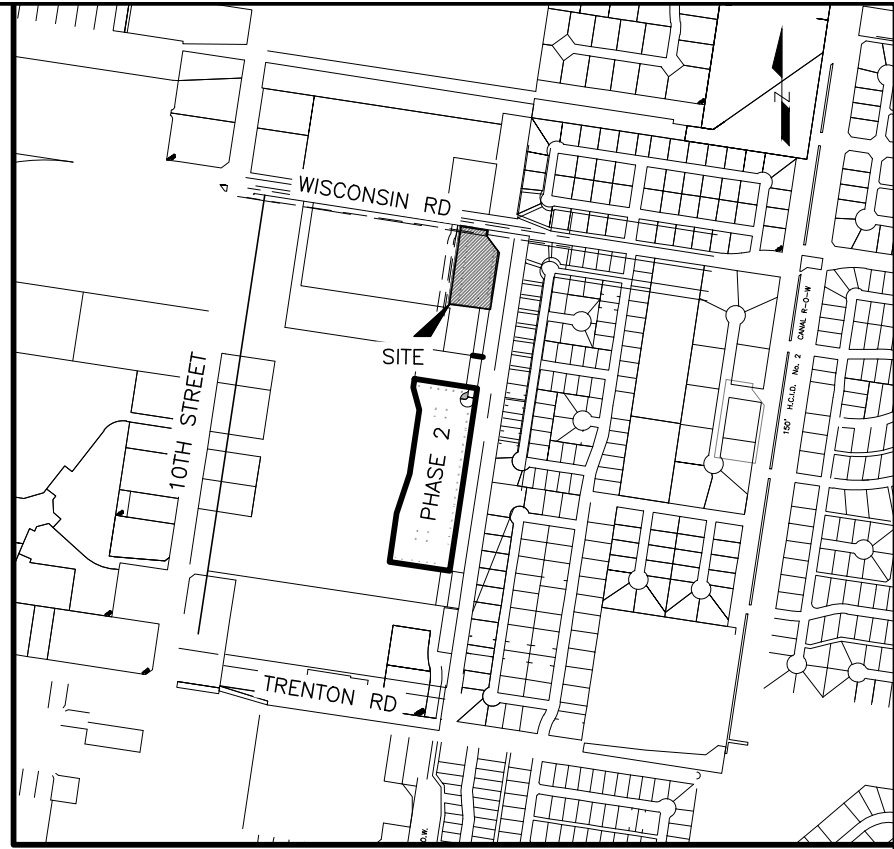
17.- AN ENGINEERED DRAINAGE DETENTION PLAN, APPROVED BY THE CITY OF MCALLEN ENGINEER DEPARTMENT, SHALL BE REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMITS.

18.- NO CURB CUT, ACCESS, OR LOT FRONTAGE PERMITTED ALONG WISCONSIN ROAD.

19.- THIS DEVELOPMENT IS CONSIDERED PUBLIC SUBDIVISION.

| LEGEND | |
|--------|-----------------------------|
| ✕ | 1/2" IRON PIN W/CAP FOUND |
| ● | 1/2" IRON PIN FOUND |
| ○ | 1/2" IRON PIN SET "S2 500S" |
| ⊠ | CONCRETE MONUMENTS SET |

| LINE TABLE | | |
|------------|-------------|----------|
| LINE | BEARING | DISTANCE |
| L1 | N36°24'17"W | 21.21' |



LOCATION MAP SCALE= 1"=1000'

LOCATION OF SUBDIVISION WITH RESPECT TO THE HIDALGO COUNTY AREA:
OAKS AT WISCONSIN PHASE 1 IS LOCATED NORTH HIDALGO COUNTY TEXAS, ON THE SOUTH SIDE OF WISCONSIN RD. THE NEAREST MUNICIPALITY IS THE CITY OF MCALLEN (POPULATION 41,024 - 2021 CENSUS). THIS SUBDIVISION LIES WITHIN THE CITY'S 2.5 MILE EXTRA TERRITORIAL JURISDICTION (ETJ) HIDALGO COUNTY, TEXAS UNDER LOCAL GOVERNMENT CODE 42.02 PRECINCT NO. 1.

STATE OF TEXAS
CITY OF MCALLEN
PLANNING AND ZONING COMMISSION

I, THE UNDERSIGNED, CHAIRMAN OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF MCALLEN, HEREBY CERTIFY THIS THE HEIGHTS ON WISCONSIN SUBDIVISION PLAT WHICH CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THE CITY WHEN MY APPROVAL IS REQUIRED.

DATED THIS _____ DAY OF _____, 20____.

CHAIRMAN OF PLANNING AND ZONING COMMISSION

STATE OF TEXAS
CITY OF MCALLEN
MAYOR APPROVAL

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

MAYOR, CITY OF MCALLEN _____ DATE _____
CITY SECRETARY _____ DATE _____

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 CERTIFICATE

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

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

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

HIDALGO COUNTY WATER IMPROVEMENT DISTRICT No. 3

THIS PLAT IS HEREBY APPROVED BY THE HIDALGO COUNTY WATER IMPROVEMENT DISTRICT NO. 3

DATED THIS _____ DAY OF _____, 20____.

- NO IMPROVEMENTS OF ANY KIND SHALL BE PLACED UPON HIDALGO COUNTY WATER IMPROVEMENT DISTRICT NO. 3 RIGHTS-OF-WAYS AND/OR EASEMENTS WITHOUT THE EXPRESSED WRITTEN PERMISSION OF HIDALGO COUNTY IMPROVEMENT DISTRICT NO. 3.
- IT IS UNDERSTOOD THAT THE RATE OF FLOW OF STORM WATER FOR THE DEVELOPMENT WILL BE NO GREATER THAN THE RATE OF FLOW OF STORM WATER WHEN THE LAND WAS IN AGRICULTURAL USE.
- HID03 WILL NOT BE RESPONSIBLE FOR THE STORM/DRAINAGE WATER SYSTEM TO ANY LOT WITHIN THIS SUBDIVISION. AS WELL, HID03 WILL NOT RESPONSIBLE FOR THE DELIVERY OF WATER TO ANY LOT WITHIN THIS SUBDIVISION. IF DESIRED, THIS WILL NOT BE AT THE DISTRICTS EXPENSE.
- HID03 HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE STORM SEWER OR UTILITIES SYSTEMS DESCRIBED ARE APPROPRIATE FOR THE PARTICULAR SUBDIVISION, BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA. THE DEVELOPER AND HIS ENGINEER ARE RESPONSIBLE FOR THEIR DETERMINATIONS.
- HID03 EXCLUSIVE EASEMENTS SHALL BE KEPT CLEAR OF BUILDINGS, SHEDS, FENCES, SHRUBS, TREES, AND OTHER PLANTINGS AND OTHER OBSTRUCTION THAT WOULD INTERFERE WITH THE OPERATIONS AND MAINTENANCE OF THE EASEMENT.

GENERAL MANAGER
HIDALGO COUNTY IMPROVEMENT DISTRICT NO. 3.



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

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



S2 ENGINEERING, PLLC
CIVIL ENGINEERING & LAND SURVEYING
TBPE F-22858 TBLs 10194796
2020 E GRIFFIN PKWY, MISSION, TX 78574 956-403-9787
SZENGINEERINGPLLC.COM



City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 7/18/2024

SUBDIVISION NAME: THE HEIGHTS ON WISCONSIN SUBDIVISION PHASE I

REQUIREMENTS

STREETS AND RIGHT-OF-WAYS

Wisconsin Road: 40 ft. Dedication from centerline for 80 ft. ROW

Paving: 52 ft. Curb & gutter: both sides

**Subdivision Ordinance: Section 134-105

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

**COM Thoroughfare Plan

Applied

North 7th Street: Dedication as needed for 60 ft. ROW.

Paving: 40 ft. Curb & gutter: both sides

- "Knuckle" design required at lots 10-12, finalize prior to final.

- If private and proposing gates, need to provide details for review, prior to final.

- 20 ft. paving face to face on both sides of island in the gate area.

- Plans submitted on shows a temporary turnaround further south of the subdivision, and will be temporary turnaround easement by separate document.

- Engineer submitted a variance request on May 29, 2024 requesting 50 ft. ROW with 40 ft. paving back to back and a 10 ft. utility and sidewalk easement.

**Subdivision Ordinance: Section 134-105

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

**COM Thoroughfare Plan

Non-compliance

Paving _____ Curb & gutter _____

**Subdivision Ordinance: Section 134-105

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

**COM Thoroughfare Plan

Applied

Paving _____ Curb & gutter _____

**Subdivision Ordinance: Section 134-105

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

**COM Thoroughfare Plan

Applied

Paving _____ Curb & gutter _____

**Subdivision Ordinance: Section 134-105

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

**COM Thoroughfare Plan

Applied

* 1,200 ft. Block Length

**Subdivision Ordinance: Section 134-118

* 900 ft. Block Length for R-3 Zone Districts

**Subdivision Ordinance: Section 134-118

* 600 ft. Maximum Cul-de-Sac

**Subdivision Ordinance: Section 134-105

NA

Applied

NA

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

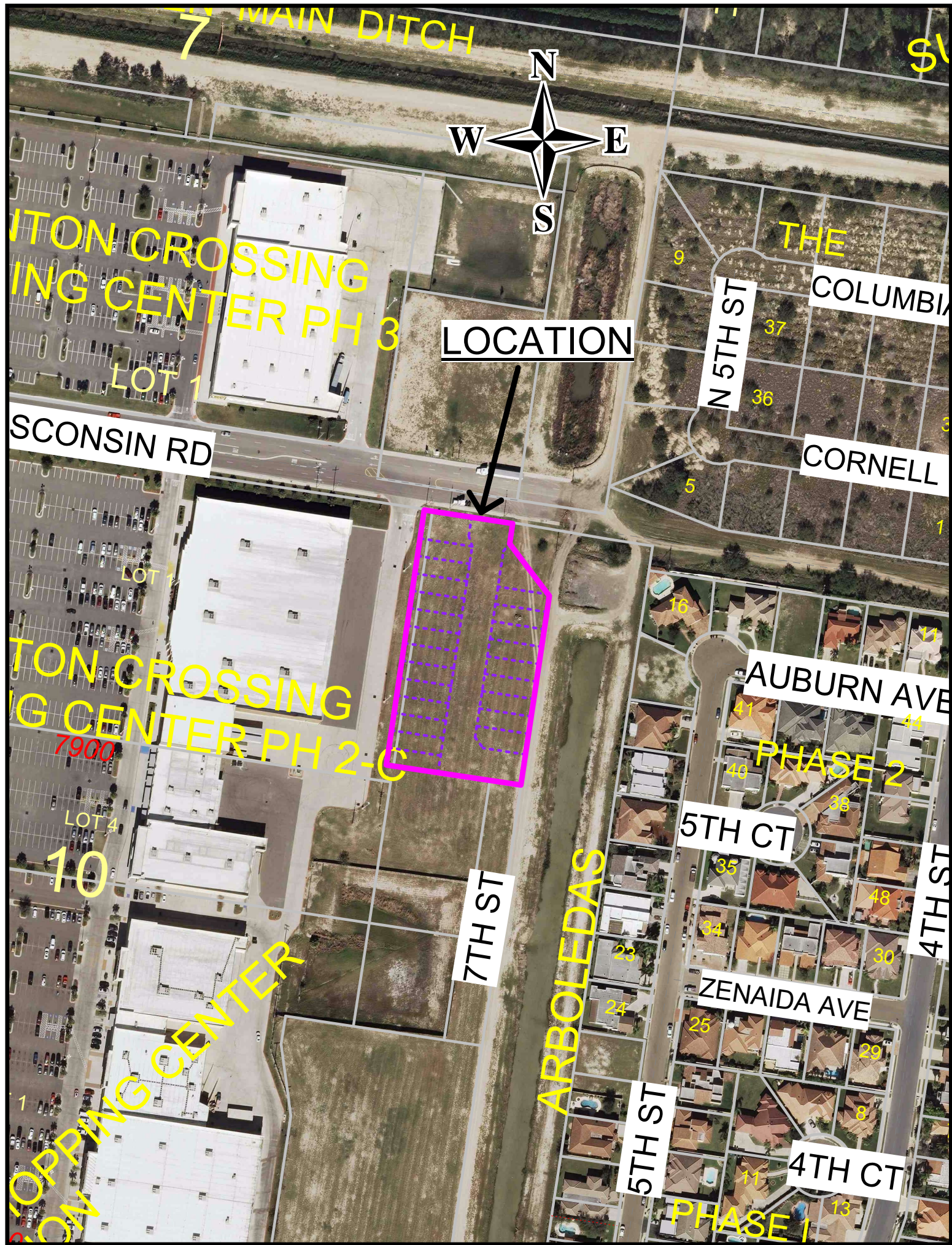
| ALLEYS | |
|---|----------------|
| ROW:20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial/multifamily properties **Subdivision Ordinance: Section 134-106 - As per Public Works, residential trash collection with a centralized recycling dumpster collection will take place. | Applied |
| SETBACKS | |
| * Front: 10 ft. or greater for easements **Zoning Ordinance: Section 138-356 **Zoning Ordinance: Section 138-210 * Rear: 10 ft. or greater for easements **Zoning Ordinance: Section 138-356 **Zoning Ordinance: Section 138-210 * Sides: In accordance with Zoning Ordinance or greater for easements - Revise side yard setback as shown above, prior to final. **Zoning Ordinance: Section 138-356 **Zoning Ordinance: Section 138-210 * Corner: 10 ft. or greater for easements, whichever is greater. - Revise corner setback as shown above, prior to final. **Zoning Ordinance: Section 138-356 **Zoning Ordinance: Section 138-210 * Garage: 18 ft. except where greater setback is required, greater setback applies Revisions Needed: - Revise garage setback as shown above, prior to final. **Zoning Ordinance: Section 138-356 *ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN | Applied |
| | Applied |
| | Non-compliance |
| | Non-compliance |
| | Non-compliance |
| | Applied |
| SIDEWALKS | |
| * 4 ft. wide minimum sidewalk required on Wisconsin Road and both sides of North 7th Street. Revisions Needed: - Once finalized revise plat note #7 as shown above, prior to final **Sidewalk requirements may increase to 5 ft. prior to final per Engineering Department requirements. **Subdivision Ordinance: Section 134-120 * Perimeter sidewalks must be built or money escrowed if not built at this time. | Non-compliance |
| | Required |
| BUFFERS | |
| * 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along Wisconsin 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. | Applied |
| | Applied |
| | Required |

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

| NOTES | |
|---|----------------|
| <p>* No curb cut, access, or lot frontage permitted along Wisconsin Road **Must comply with City Access Management Policy</p> <p>* Site plan must be approved by the Planning and Development Departments prior to building permit issuance. ** Zoning Ordinance: Section 138-210</p> <p>* Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Revisions Needed: - Engineer needs to clarify if this is a public or private subdivision, prior to final.</p> <p>* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.</p> <p>* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. **Section 134-168 applies if private subdivision is proposed. Revisions Needed: - Engineer needs to clarify if this is a public or private subdivision, prior to final. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168</p> <p>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. **Section 134-168 applies if private subdivision is proposed. Revisions Needed: - Engineer needs to clarify if this is a public or private subdivision, prior to final. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168</p> | Applied |
| | Applied |
| | Non-compliance |
| | Applied |
| | Required |
| | Required |
| LOT REQUIREMENTS | |
| <p>* Lots fronting public streets **Subdivision Ordinance: Section 134-1</p> <p>* Minimum lot width and lot area **Zoning Ordinance: Section 138-356</p> | Applied |
| | Applied |
| ZONING/CUP | |
| <p>* Existing: R-3T Proposed: R-3T ** The rezoning requests to R-3T was approved by City Commission on January 8, 2024. ***Zoning Ordinance: Article V</p> <p>* Rezoning Needed Before Final Approval ** The rezoning requests to R-3T was approved by City Commission on January 8, 2024. ***Zoning Ordinance: Article V</p> | Applied |
| | Applied |
| PARKS | |
| <p>* Land dedication in lieu of fee.</p> <p>* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. Per Parks Department, park fees of \$14,700 (based on 21 lots/dwelling units x \$700) to be paid prior to recording. If the number of lots/dwelling units changes, park fees will be adjusted accordingly prior to recording.</p> <p>* Pending review by the City Manager's Office</p> | NA |
| | Required |
| | Applied |

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

| TRAFFIC | |
|--|---------|
| <ul style="list-style-type: none"> * As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. - As per Traffic Department, Master Trip Generation approved no TIA required. * Traffic Impact Analysis (TIA) required prior to final plat. | Applied |
| | NA |
| COMMENTS | |
| <p>Comments:</p> <ul style="list-style-type: none"> - Any abandonments must be done by separate process, not by plat. - Darken adjacent properties legal descriptions to make them more legible. - Add plat note "25 ft. x 25 ft. sight obstruction clip required at all street intersections". - Engineer needs to clarify if this is public or private subdivision. - Submit a master site plan for phase I and II. - Subdivision name will need to be revised on application, prior to final. *Must comply with City's Access Management Policy. | Applied |
| RECOMMENDATION | |
| <p>Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED PRELIMINARY FORM, SUBJECT TO THE CONDITIONS NOTED, DRAINAGE, AND UTILITY APPROVAL, AND THE BOARD'S CLARIFICATION ON THE REQUESTED VARIANCE.</p> | Applied |



Sub 2024-0075



City of McAllen

Planning Department

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

| | | |
|---|---|--|
| Project Information | Subdivision Name <u>Vacating a Portion of Racquet Club and Replat Villages at Park West Subdivision</u> | |
| | Legal Description <u>28.365 acres being out of Racquet Club Subdivision and out of Lot 13, Section 277, Texas Mexican Railway Company's Survey, City of McAllen, Teas according to the plat thereof recorded in Vol 18, Page 60, H.C.D.R.</u> | |
| | Location <u>Northeast corner of North Bicentennial Boulevard and Sprague Road</u> | |
| | City Address or Block Number <u>1400 Sprague Rd</u> | |
| | Total No. of Lots <u>89</u> Total Dwelling Units <u>88</u> Gross Acres <u>28.365</u> Net Acres <u> </u> | |
| | <input type="checkbox"/> Public Subdivision / <input type="checkbox"/> Private and Gated / <input type="checkbox"/> Private but Not Gated within ETJ: <input checked="" type="checkbox"/> Yes / <input type="checkbox"/> No | |
| | For Fee Purposes: <input type="checkbox"/> Commercial (<u> </u> Acres) / <input checked="" type="checkbox"/> Residential (<u>89</u> Lots) Replat: <input type="checkbox"/> Yes / <input checked="" type="checkbox"/> No | |
| | Existing Zoning <u>C-3, R-2 & R-3T</u> Proposed Zoning <u>R-3</u> Applied for Rezoning <input checked="" type="checkbox"/> No / <input type="checkbox"/> Yes: Date <u> </u> | |
| | Existing Land Use <u>Vacant</u> Proposed Land Use <u>4-plex</u> | |
| | Irrigation District # <u>HCID#1</u> Water CCN: <input checked="" type="checkbox"/> MPU / <input type="checkbox"/> Sharyland Water SC Other <u> </u> | |
| Agricultural Exemption: <input checked="" type="checkbox"/> Yes / <input type="checkbox"/> No Parcel # <u>297507 & 265628</u> | | |
| Estimated Rollback Tax Due <u>\$90,028.78</u> Tax Dept. Review <u>J. D. L 07/05/24</u> | | |
| Owner | Name <u>N, 10th Racquet Club, LLC Stephen C Reynolds, manager</u> Phone <u>c/o (956) 381-0981</u> | |
| | Address <u>39718 LOOP ROAD</u> E-mail <u>c/o mario@meldenandhunt.com / beto@meldenandhunt.com / drobles@meldenandhunt.com</u> | |
| | City <u>Bayview</u> State <u>Texas</u> Zip <u>78566</u> | |
| Developer | Name <u>Domain Development, Corp.</u> Phone <u>c/o (956) 381-0981</u> | |
| | Address <u>1200 Auburn Street, Suite 250</u> E-mail <u>shavi@aurielinvestments.com</u> | |
| | City <u>McAllen</u> State <u>Texas</u> Zip <u>78504</u> | |
| | Contact Person <u>Shavi Mahtani, President</u> | |
| Engineer | Name <u>Melden & Hunt, Inc.</u> Phone <u>(956) 381-0981</u> | |
| | Address <u>115 West McIntyre Street</u> E-mail <u>mario@meldenandhunt.com, beto@meldenandhunt.com and drobles@meldenandhunt.com</u> | |
| | City <u>Edinburg</u> State <u>Texas</u> Zip <u>78541</u> | |
| | Contact Person <u>Mario A Reyna, P.E., Beto De La Garza, and Della Robles</u> | |
| Surveyor | Name <u>Melden & Hunt, Inc.</u> Phone <u>(956) 381-0981</u> | |
| | Address <u>115 West McIntyre Street</u> E-mail <u>robert@meldenandhunt.com</u> | |
| | City <u>Edinburg</u> State <u>Texas</u> Zip <u>78541</u> | |

JUL 05 2024

BY: CW

Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

In Person Submittal Requirements

- Application Fee: \$300 + \$25/lot **for residential** (excluding apartment complexes) or \$400 + \$200 (0-5 acres), \$400 + \$300 (5.01-10 acres), \$400 + \$400 (10 acres or greater) **for commercial, industrial, or apartment complexes**
- Title Report
- 8 ½" by 11" Original Sealed Survey showing existing structures/easements or 3 blue-line copies 2 Location Maps
- 2 8 ½" by 11" copies/legible copies of plat with name & north arrow
- 6 Folded blue-line prints of the proposed plat
- 2 Warranty Deeds (identifying owner on application)
- AutoCAD 2005 DWG file and PDF of plat
- Letter of Authorization from the owner (if applicable)
- Proof of authority of person signing application on behalf of partnership/corporation (if applicable)

Email Submittal Requirements

- Application Fee: \$300 + \$25/lot **for residential** (excluding apartment complexes) or \$400 + \$200 (0-5 acres), \$400 + \$300 (5.01-10 acres), \$400 + \$400 (10 acres or greater) **for commercial, industrial, or apartment complexes**
- Title Report
- Sealed Survey
- Location Map
- Plat & Reduced Plat
- Warranty Deed
- DWG File
- Letter of Authorization from the owner (if applicable)
- Proof of authority of person signing application on behalf of partnership/corporation, if applicable

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

*Submit documents to subdivisions@mcallen.net

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


PLAT TO SHOW:

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

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

Owner(s) Signature(s)

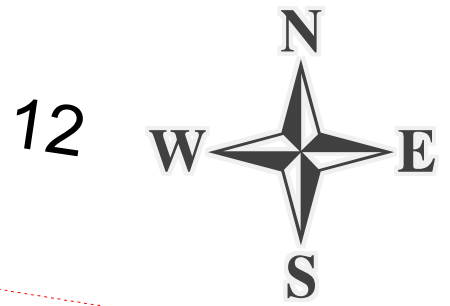
I certify that I am the actual owner of the property described above and (include corporate name if applicable); or I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

Signature  Date 07.03.2024

Print Name Mario A Reyna, P.E.

Owner ☐ Authorized Agent ☒

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



LOCATION



BICENTENNIAL BLVD

VACATING A PORTION OF
RAQUET CLUB AND REPLAT VILLAGES AT PARK WEST

13

SPRAGUE RD

BARRIOS NURSERY
LOT 1
SUBD

CHILI PEP
EXPRESS S
LOT 1

4
TRIPLE "B" MO

METES AND BOUNDS DESCRIPTION:

A TRACT OF LAND CONTAINING 28.366 ACRES SITUATED IN THE CITY OF MCALLEN, HIDALGO COUNTY, TEXAS, BEING A PART OR PORTION OUT OF RACQUET CLUB SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 18, PAGE 60, HIDALGO COUNTY MAP RECORDS, AND ALSO BEING A PART OR PORTION OUT OF LOT 13, SECTION 277, TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 24, PAGE 168, HIDALGO COUNTY DEED RECORDS, WHICH SAID 28.366 ACRES ARE OUT OF A CERTAIN TRACT CONVEYED TO STEPHEN C. REYNOLDS, BY VIRTUE OF A GENERAL WARRANTY DEED IN LIEU OF FORECLOSURE, RECORDED UNDER DOCUMENT NUMBER 190046, HIDALGO COUNTY OFFICIAL RECORDS, SAID 28.366 ACRES ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 13, SECTION 277, ALSO BEING THE NORTHEAST CORNER OF SAID RACQUET CLUB SUBDIVISION AND WITHIN THE EXISTING RIGHT-OF-WAY OF 10TH STREET;

THENCE, N 80° 56' 31" W ALONG THE NORTH LINE OF SAID RACQUET CLUB SUBDIVISION, AT A DISTANCE OF 50.00 FEET PASS A NO. 4 REBAR SET ON THE EXISTING WEST RIGHT-OF-WAY LINE OF 10TH STREET, [FROM WHICH AN IRON PIPE FOUND BEARS S 85° 15' 58" E, A DISTANCE OF 0.81 FEET], CONTINUING A TOTAL DISTANCE OF 518.52 FEET TO A NO. 4 REBAR SET FOR THE NORTHEAST CORNER AND POINT OF BEGINNING OF THIS HEREIN DESCRIBED TRACT;

THENCE, S 08° 44' 29" W A DISTANCE OF 65.20 FEET TO A NO. 4 REBAR SET, FOR AN OUTSIDE CORNER OF THIS TRACT;

THENCE, N 81° 15' 31" W A DISTANCE OF 418.00 FEET TO A NO. 4 REBAR SET FOR AN INSIDE CORNER OF THIS TRACT;

THENCE, S 08° 44' 29" W AT A DISTANCE OF 601.45 FEET PASS THE SOUTH LINE OF SAID RACQUET CLUB SUBDIVISION, AT A DISTANCE OF 1,232.47 FEET PASS A NO. 4 REBAR SET ON THE EXISTING NORTH RIGHT-OF-WAY LINE OF SPRAGUE ROAD, CONTINUING A TOTAL DISTANCE OF 1,232.47 FEET TO A NAIL SET, FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE, N 80° 56' 31" W WITHIN THE EXISTING RIGHT-OF-WAY OF SPRAGUE ROAD AND SOUTH LINE OF SAID LOT 13, SECTION 277, A DISTANCE OF 907.97 FEET TO A NAIL SET, FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE, N 08° 44' 29" E, A DISTANCE OF 20.00 FEET TO A NO. 4 REBAR SET ON THE EXISTING NORTH RIGHT-OF-WAY LINE OF SPRAGUE ROAD AND THE EXISTING EAST RIGHT-OF-WAY LINE OF BICENTENNIAL BOULEVARD, FOR AN OUTSIDE CORNER OF THIS TRACT;

THENCE, S 80° 56' 31" E ALONG THE EXISTING NORTH RIGHT-OF-WAY LINE OF SPRAGUE ROAD, A DISTANCE OF 35.06 FEET TO A NO. 4 REBAR SET, FOR AN INSIDE CORNER OF THIS TRACT;

THENCE, N 36° 08' 39" W A DISTANCE OF 49.68 FEET TO A NO. 4 REBAR SET ON THE EXISTING EAST RIGHT-OF-WAY LINE OF BICENTENNIAL BOULEVARD, FOR AN OUTSIDE CORNER OF THIS TRACT;

THENCE, N 08° 44' 29" E ALONG THE EXISTING EAST RIGHT-OF-WAY LINE OF BICENTENNIAL BOULEVARD, A DISTANCE OF 596.02 FEET TO A NO. 4 REBAR SET ON THE SOUTH LINE OF SAID RACQUET CLUB SUBDIVISION, FOR AN INSIDE CORNER OF THIS TRACT;

THENCE, N 80° 56' 31" W ALONG THE SOUTH LINE OF SAID RACQUET CLUB SUBDIVISION, A DISTANCE OF 15.00 FEET TO A NO. 4 REBAR SET ON THE SOUTHWEST CORNER OF SAID RACQUET CLUB SUBDIVISION AND THE EXISTING EAST RIGHT-OF-WAY LINE OF BICENTENNIAL BOULEVARD, FOR AN OUTSIDE CORNER OF THIS TRACT;

THENCE, N 08° 44' 29" E ALONG THE WEST LINE OF SAID RACQUET CLUB SUBDIVISION AND THE EXISTING EAST RIGHT-OF-WAY LINE OF BICENTENNIAL BOULEVARD, A DISTANCE OF 668.96 FEET TO A NO. 4 REBAR SET ON THE NORTHWEST CORNER OF SAID RACQUET CLUB SUBDIVISION, FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE, S 80° 56' 31" E ALONG THE NORTH LINE OF SAID RACQUET CLUB SUBDIVISION, A DISTANCE OF 1,340.98 FEET TO THE POINT OF BEGINNING AND CONTAINING 28.366 ACRES, SAVE AND EXCEPT 4.765 ACRES, LEAVING 23.601 ACRES GROSS, OF WHICH 0.417 OF ONE ACRE LIES WITHIN THE EXISTING RIGHT-OF-WAY OF SPRAGUE ROAD, LEAVING A NET OF 23.184 ACRES OF LAND, MORE OR LESS.

SAVE AND EXCEPT TRACT "A"

A TRACT OF LAND CONTAINING 1.599 ACRES SITUATED IN THE CITY OF MCALLEN, HIDALGO COUNTY, TEXAS, BEING A PART OR PORTION OUT OF RACQUET CLUB SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 18, PAGE 60, HIDALGO COUNTY MAP RECORDS, SAID 1.599 ACRES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID RACQUET CLUB SUBDIVISION, ALSO BEING THE NORTHEAST CORNER OF LOT 13, SECTION 277, TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY AND WITHIN THE EXISTING RIGHT-OF-WAY OF 10TH STREET;

THENCE, N 80° 56' 31" W ALONG THE NORTH LINE OF SAID RACQUET CLUB SUBDIVISION, AT A DISTANCE OF 50.00 FEET PASS A NO. 4 REBAR SET ON THE EXISTING WEST RIGHT-OF-WAY LINE OF 10TH STREET, [FROM WHICH AN IRON PIPE FOUND BEARS S 85° 15' 58" E, A DISTANCE OF 0.81 FEET], CONTINUING A TOTAL DISTANCE OF 518.52 FEET TO A NO. 4 REBAR SET FOR THE NORTHEAST CORNER AND POINT OF BEGINNING OF THIS HEREIN DESCRIBED TRACT;

THENCE, S 08° 44' 29" W A DISTANCE OF 30.00 FEET TO A NO. 4 REBAR SET, FOR AN OUTSIDE CORNER OF THIS TRACT;

THENCE, N 80° 56' 31" W A DISTANCE OF 768.48 FEET TO A NO. 4 REBAR SET, FOR AN OUTSIDE CORNER OF THIS TRACT;

THENCE, N 09° 03' 29" E A DISTANCE OF 10.00 FEET TO A NO. 4 REBAR SET, FOR AN INSIDE CORNER OF THIS TRACT;

THENCE, N 80° 56' 31" W A DISTANCE OF 535.52 FEET TO A NO. 4 REBAR SET, FOR AN INSIDE CORNER OF THIS TRACT;

THENCE, S 49° 17' 03" W A DISTANCE OF 26.20 FEET TO A NO. 4 REBAR SET, FOR AN INSIDE CORNER OF THIS TRACT;

THENCE, S 08° 44' 29" W A DISTANCE OF 264.51 FEET TO A NO. 4 REBAR SET, FOR AN INSIDE CORNER OF THIS TRACT;

THENCE, S 36° 22' 27" E A DISTANCE OF 28.46 FEET TO A NO. 4 REBAR SET, FOR AN OUTSIDE CORNER OF THIS TRACT;

THENCE, S 08° 42' 51" W A DISTANCE OF 20.00 FEET TO A NO. 4 REBAR SET, FOR AN OUTSIDE CORNER OF THIS TRACT;

THENCE, S 54° 08' 55" W A DISTANCE OF 28.33 FEET TO A NO. 4 REBAR SET, FOR AN INSIDE CORNER OF THIS TRACT;

THENCE, S 08° 44' 29" W A DISTANCE OF 264.48 FEET TO A NO. 4 REBAR SET, FOR AN INSIDE CORNER OF THIS TRACT;

THENCE, S 36° 33' 26" E A DISTANCE OF 28.58 FEET TO A NO. 4 REBAR SET, FOR AN INSIDE CORNER OF THIS TRACT;

THENCE, S 80° 56' 31" E A DISTANCE OF 588.76 FEET TO A NO. 4 REBAR SET, FOR AN INSIDE CORNER OF THIS TRACT;

THENCE, N 09° 03' 29" E A DISTANCE OF 10.00 FEET TO A NO. 4 REBAR SET, FOR AN OUTSIDE CORNER OF THIS TRACT;

THENCE, S 80° 56' 31" E A DISTANCE OF 293.84 FEET TO A NO. 4 REBAR SET, FOR AN OUTSIDE CORNER OF THIS TRACT;

THENCE, S 08° 44' 29" W A DISTANCE OF 30.00 FEET TO A NO. 4 REBAR SET ON THE SOUTH LINE OF SAID RACQUET CLUB SUBDIVISION, FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE, N 80° 56' 31" W ALONG THE SOUTH LINE OF SAID RACQUET CLUB SUBDIVISION, A DISTANCE OF 922.97 FEET TO A NO. 4 REBAR SET ON THE SOUTHWEST CORNER OF SAID RACQUET CLUB SUBDIVISION AND THE EXISTING EAST RIGHT-OF-WAY LINE OF BICENTENNIAL BOULEVARD, FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE, N 08° 44' 29" E, ALONG THE WEST LINE OF SAID RACQUET CLUB SUBDIVISION AND THE EXISTING EAST RIGHT-OF-WAY LINE OF BICENTENNIAL BOULEVARD, A DISTANCE OF 668.96 TO A NO. 4 REBAR SET ON THE NORTHWEST CORNER OF SAID RACQUET CLUB SUBDIVISION, FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE, S 80° 56' 31" E ALONG THE NORTH LINE OF RACQUET CLUB SUBDIVISION, A DISTANCE OF 1,340.98 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.599 ACRES OF LAND MORE OR LESS.

SAVE AND EXCEPT TRACT "B"

A TRACT OF LAND CONTAINING 3.166 ACRES SITUATED IN THE CITY OF MCALLEN, HIDALGO COUNTY, TEXAS, BEING A PART OR PORTION OUT OF RACQUET CLUB SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 18, PAGE 60, HIDALGO COUNTY MAP RECORDS, SAID 3.166 ACRES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID RACQUET CLUB SUBDIVISION, ALSO BEING THE NORTHEAST CORNER OF LOT 13, SECTION 277, TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY AND WITHIN THE EXISTING RIGHT-OF-WAY OF 10TH STREET;

THENCE, N 80° 56' 31" W ALONG THE NORTH LINE OF SAID RACQUET CLUB SUBDIVISION, AT A DISTANCE OF 50.00 FEET PASS A NO. 4 REBAR SET ON THE EXISTING WEST RIGHT-OF-WAY LINE OF 10TH STREET, [FROM WHICH AN IRON PIPE FOUND BEARS S 85° 15' 58" E, A DISTANCE OF 0.81 FEET], CONTINUING A TOTAL DISTANCE OF 518.52 FEET;

THENCE, S 08° 44' 29" W A DISTANCE OF 30.00 FEET;

THENCE, N 80° 56' 31" W A DISTANCE OF 708.48 FEET TO A NO. 4 REBAR SET, FOR THE NORTHEAST CORNER AND POINT OF BEGINNING OF THIS HEREIN DESCRIBED TRACT;

THENCE, S 09° 03' 29" W A DISTANCE OF 70.00 FEET TO A NO. 4 REBAR SET, FOR AN INSIDE CORNER OF THIS TRACT;

THENCE, S 80° 56' 31" E, A DISTANCE OF 290.87 FEET TO A NO. 4 REBAR SET, FOR AN OUTSIDE CORNER OF THIS TRACT;

THENCE, S 08° 44' 29" W A DISTANCE OF 60.00 FEET TO A NO. 4 REBAR SET, FOR AN OUTSIDE CORNER OF THIS TRACT;

THENCE, N 80° 56' 31" W A DISTANCE OF 291.20 FEET TO A NO. 4 REBAR SET, FOR AN INSIDE CORNER OF THIS TRACT;

1. THENCE, S 09° 03' 29" W A DISTANCE OF 348.95 FEET TO A NO. 4 REBAR SET, FOR AN INSIDE CORNER OF THIS TRACT;

2. THENCE, N 80° 56' 31" E A DISTANCE OF 203.12 FEET TO A NO. 4 REBAR SET, FOR AN OUTSIDE CORNER OF THIS TRACT;

3. THENCE, S 08° 44' 29" W A DISTANCE OF 60.00 FEET TO A NO. 4 REBAR SET, FOR AN OUTSIDE CORNER OF THIS TRACT;

4. THENCE, N 80° 56' 31" W A DISTANCE OF 293.46 FEET TO A NO. 4 REBAR SET, FOR AN INSIDE CORNER OF THIS TRACT;

5. THENCE, S 09° 03' 29" W A DISTANCE OF 80.00 FEET TO A NO. 4 REBAR SET, FOR THE SOUTHEAST CORNER OF THIS TRACT;

6. THENCE, N 80° 56' 31" W A DISTANCE OF 60.00 FEET TO A NO. 4 REBAR SET, FOR THE SOUTHWEST CORNER OF THIS TRACT;

7. THENCE, N 09° 03' 29" E A DISTANCE OF 127.23 FEET TO A NO. 4 REBAR SET, FOR AN INSIDE CORNER OF THIS TRACT;

8. THENCE, N 80° 56' 31" W A DISTANCE OF 549.78 FEET TO A NO. 4 REBAR SET, FOR AN OUTSIDE CORNER OF THIS TRACT;

9. THENCE, N 08° 44' 29" E A DISTANCE OF 50.00 FEET TO A NO. 4 REBAR SET, FOR AN OUTSIDE CORNER OF THIS TRACT;

10. THENCE, S 80° 56' 31" E A DISTANCE OF 550.05 FEET TO A NO. 4 REBAR SET, FOR AN INSIDE CORNER OF THIS TRACT;

11. THENCE, N 09° 03' 29" E A DISTANCE OF 127.24 FEET TO A NO. 4 REBAR SET, FOR AN INSIDE CORNER OF THIS TRACT;

12. THENCE, N 80° 56' 31" W A DISTANCE OF 530.58 FEET TO A NO. 4 REBAR SET, FOR AN OUTSIDE CORNER OF THIS TRACT;

13. THENCE, N 08° 44' 29" E A DISTANCE OF 20.00 FEET TO A NO. 4 REBAR SET, FOR AN OUTSIDE CORNER OF THIS TRACT;

14. THENCE, S 80° 56' 31" E A DISTANCE OF 530.70 FEET TO A NO. 4 REBAR SET, FOR AN INSIDE CORNER OF THIS TRACT;

15. THENCE, N 09° 03' 29" E A DISTANCE OF 127.24 FEET TO A NO. 4 REBAR SET, FOR AN INSIDE CORNER OF THIS TRACT;

16. THENCE, N 80° 56' 31" W A DISTANCE OF 551.57 FEET TO A NO. 4 REBAR SET, FOR AN OUTSIDE CORNER OF THIS TRACT;

17. THENCE, N 08° 44' 29" E A DISTANCE OF 50.00 FEET TO A NO. 4 REBAR SET, FOR AN OUTSIDE CORNER OF THIS TRACT;

18. THENCE, S 80° 56' 31" E A DISTANCE OF 551.85 FEET TO A NO. 4 REBAR SET, FOR AN INSIDE CORNER OF THIS TRACT;

19. THENCE, N 09° 03' 29" E A DISTANCE OF 117.24 FEET TO A NO. 4 REBAR SET, FOR THE NORTHWEST CORNER OF THIS TRACT;

20. THENCE, S 80° 56' 31" E A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 3.166 ACRES OF LAND MORE OR LESS.

SUBDIVISION MAP OF

VACATING A PORTION OF
RACQUET CLUB
SUBDIVISION AND RE-PLAT
VILLAGES AT PARK WEST
SUBDIVISION
(PRIVATE SUBDIVISION)

BEING A SUBDIVISION OF 28.366 ACRES SITUATED IN THE CITY OF MCALLEN, HIDALGO COUNTY, TEXAS, BEING A PART OR PORTION OUT OF RACQUET CLUB SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 18, PAGE 60, HIDALGO COUNTY MAP RECORDS.

GENERAL NOTES :

- THIS SUBDIVISION IS IN FLOOD ZONE "X" (SHADED) AREAS OF 500-YEAR FLOOD; AREAS OF 100-YEAR FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE AND AREAS PROTECTED BY LEVEES FROM 100-YEAR FLOOD. COMMUNITY-PANEL NUMBER: 480345 0325 D MAP REVISED: JUNE 6, 2000.
- MINIMUM PERMISSIBLE FINISH FLOOR ELEVATION SHALL BE 18 INCHES ABOVE THE FRONT TOP OF CURB MEASURED FROM THE CENTER OF THE LOT.
- MINIMUM SETBACKS SHALL COMPLY WITH THE CITY OF MCALLEN ZONING CODE: FRONT AUBURN AVE. : 40 FT. OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS FRONT INTERIOR LOTS 1-23 : 10 FT. OR GREATER FOR EASEMENT, APPROVED SITE PLAN OR EASEMENTS REAR: IN ACCORDANCE WITH THE ZONING ORDINANCE OR GRATER FOR EASEMENTS, WHICHEVER IS GREATER APPLIES. SIDE : IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER FOR EASEMENTS WHICHEVER IS GREATER APPLIES. GARAGE : 18 FT. EXCEPT WHERE GREATER SETBACK IS REQUIRED GREATER SETBACK APPLIES. CORNER : 10 ft. OR GREATER FOR EASEMENTS, WHICHEVER IS GREATER APPLIES.
- CITY OF MCALLEN BENCHMARK: NUMBER MC 12, TOP OF 30" ALUMINUM PIPE WITH A 3-1/4" BRASS MONUMENT CAP ON TOP AT THE WEST SIDE OF BICENTENNIAL BLVD. IN BETWEEN SPRAGUE ROAD & 107. GEODETIC G.P.S. TEXAS STATE PLANE GRID COORDINATE SYSTEM. NAD 83 TEXAS SOUTH 4205 ELEVATION PER NAVD 88 (GEOID 2003) N=16636202.035, E=1076277.683, ELEV=-102.61.
- REQUIRED STORM SEWER RUNOFF DETENTION FOR THIS SUBDIVISION AS PER THE APPROVED DRAINAGE REPORT: 212.488 C.F. - 4.878 AC.-FT. TO BE PROVIDED WITHIN DESIGNATED DETENTION AREA DESIGNATED AS LOT 89.
- AN ENGINEERED DRAINAGE DETENTION PLAN, APPROVED BY THE CITY OF MCALLEN ENGINEERING DEPARTMENT, SHALL BE REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMIT FOR ALL NEW BUILDING.
- NO STRUCTURES PERMITTED TO BE BUILT OVER EASEMENTS.
- 4' WIDE MINIMUM SIDEWALK REQUIRED ON NORTH SPRAGUE STREET AND BOTH SIDES OF ALL INTERIOR STREETS.
- 6 FT. OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, AND INDUSTRIAL ZONES/USES AND ALONG NORTH MAIN STREET.
- 8 FT. MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONES/USES.
- THE DEVELOPER SHALL BE RESPONSIBLE FOR DETAINING AND ACCOMMODATING MORE THAN THE DETAINED VOLUME SHOWN ON THIS PLAT IF IT IS DETERMINED, AT THE PERMIT STAGE, THAT THE DETENTION REQUIREMENTS ARE GREATER THAN STATED ON THIS PLAT, DUE TO THE IMPERVIOUS AREA BEING GREATER THAN THE PLAT ENGINEER CONSIDERED IN THE HYDRAULIC CALCULATIONS FOR THIS SUBDIVISION.
- 25 X 25 SIGN OBSTRUCTION EASEMENT REQUIRED AT ALL STREET INTERSECTIONS AND 10 X 10 CLIP REQUIRED AT ALL STREET AND ALLEY INTERSECTIONS.
- LOT 89 TO BE DESIGNATED AS DETENTION
- NO CURB CUT, ACCESS, OR LOT FRONTAGE PERMITTED ALONG NORTH MAIN STREET.
- LOT 89 (DETENTION), COMMON/DETENTION AREAS, ANY PRIVATE STREETS/ DRIVES, GATE AREAS, ETC. MUST BE MAINTAINED BY THE LOT OWNERS AND NOT THE CITY OF MCALLEN.
- AS PER DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS, FOR THE VILLAGES AT PARK WEST SUBDIVISION RECORDED UNDER DOCUMENT NUMBER _____, HIDALGO COUNTY OFFICIAL RECORDS, DEVELOPER/HOMEOWNERS ASSOCIATIONOWNER, THEIR SUCCESSORS AND/OR ASSIGNS, AND NOT THE CITY OF MCALLEN SHALL BE RESPONSIBLE OF INSTALLATION, MAINTENANCE AND OTHER REQUIREMENTS AS PER SECTION 134-168 OF THE CODE OF ORDINANCE OF THE CITY OF MCALLEN, INCLUDING BUT NOT LIMITED TO COMMON AREAS AND DETENTION PONDS. ANY AMENDMENT TO DECLARATION THAT CONFLICT WITH THE REQUIREMENTS OS SECTION 134-138 SHALL BE NULL & VOID.
- DEVELOPER/HOMEOWNERS 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/DETENTION AREAS AND ITS PRIVATE STREETS.
- HOME OWNERS ASSOCIATION COVENANTS FOR THE VILLAGES AT PARK WEST SUBDIVISION AS RECORDED UNDER AS RECORDED UNDER DOCUMENT NO. _____, H.C.D.R.

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

THIS PLAT IS HEREBY APPROVED BY THE HIDALGO COUNTY WATER IMPROVEMENT DISTRICT NO. 3 ON THIS THE _____ DAY OF _____, 20 ____.

NO IMPROVEMENTS OF ANY KIND (INCLUDING WITHOUT LIMITATION TREES, FENCES AND BUILDINGS) SHALL BE PLACED UPON HIDALGO COUNTY WATER IMPROVEMENT DISTRICT NO. 3 RIGHT OF WAYS OR EASEMENTS. APPROVAL OF THIS PLAT DOES NOT CONSTITUTE A CONVEYANCE, WAIVER OR ABANDONMENT OF ANY PROPERTY INTEREST HELD BY THE DISTRICT IN THE PROPERTY SHOWN ON THE PLAT, OR THE ACCEPTANCE OR APPROVAL OF THE ACCURACY OF ANY STATEMENT, DIMENSION OR DESCRIPTION SHOWN ON THE PLAT.

O.E. BRAND JR., PRESIDENT

MARK FREELAND, SECRETARY

THE STATE OF TEXAS
COUNTY OF HIDALGO

I, (WE), THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS VACATING A PORTION OF RACQUET CLUB SUBDIVISION AND RE-PLAT VILLAGES AT PARK WEST SUBDIVISION, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, DO HEREBY GRANT AN ACCESS UTILITY EASEMENT TO THE CITY OF MCALLEN AND THOSE WHO MAY NOW OR HEREAFTER HOLD FRANCHISE UNDER SAID CITY. THE USE OF THE STREET(S), ALLEY(S), AND EASEMENT(S) HEREON SHOWN, SURFACE USE OF THE STREET(S) AND ALLEY(S) IS RESTRICTED TO THE EMPLOYEES OR AGENTS OF THE CITY OF MCALLEN, TO THE EMPLOYEES OR UTILITIES OPERATING UNDER FRANCHISE TO THE CITY OF MCALLEN AND RESIDENTS OF THE SUBDIVISION AND THEIR GUESTS. THE OWNER DOES HEREBY DEDICATE TO THE USE OF THE PUBLIC THE PORTION OF AUBURN AVENUE AND N. MAIN STREET FOR THE USE AS STREET RIGHT OF WAY DEDICATED TO THE CITY OF MCALLEN BY THIS PLAT.

RYDELL DWAYNE FRANCIS, OWNER
4705 S. DULUTH AVENUE
SIOUX FALLS, SOUTH DAKOTA 57105-6738

DATE

THE STATE OF TEXAS
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED RYDEL DWAYNE FRANCIS, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSED AND CONSIDERATIONS THEREIN GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE _____ DAY OF _____, 20 ____.

NOTARY PUBLIC, FOR THE STATE OF TEXAS
MY COMMISSION EXPIRES:

STATE OF TEXAS
COUNTY OF HIDALGO

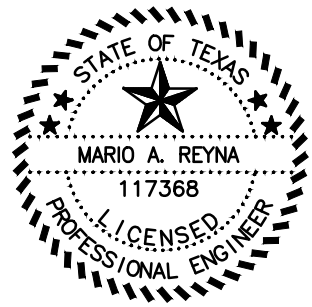
I, THE UNDERSIGNED, MARIO A. REYNA, A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN TO THIS PLAT.

DATED THIS THE _____ DAY OF _____, 20 ____.

MARIO A. REYNA, PROFESSIONAL ENGINEER No. 117368
STATE OF TEXAS

DATE PREPARED: 10/18/2023
ENGINEERING JOB # 23089.00

MELDEN & HUNT, INC.
TEXAS REGISTRATION F-1435



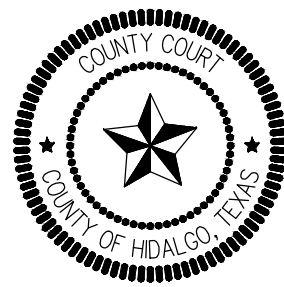
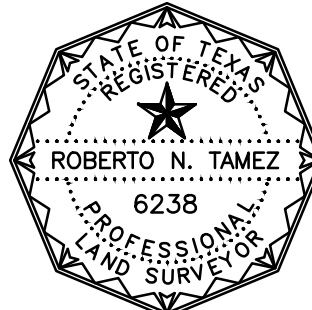
STATE OF TEXAS
COUNTY OF HIDALGO

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

DATED THIS THE _____ DAY OF _____, 20 ____.

ROBERTO N. TAMEZ PROFESSIONAL LAND SURVEYOR No. 6238
STATE OF TEXAS

DATE SURVEYED: 07/30/2021
T-1127 PG. 58
SURVEY JOB # 21726.08



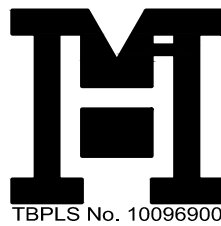
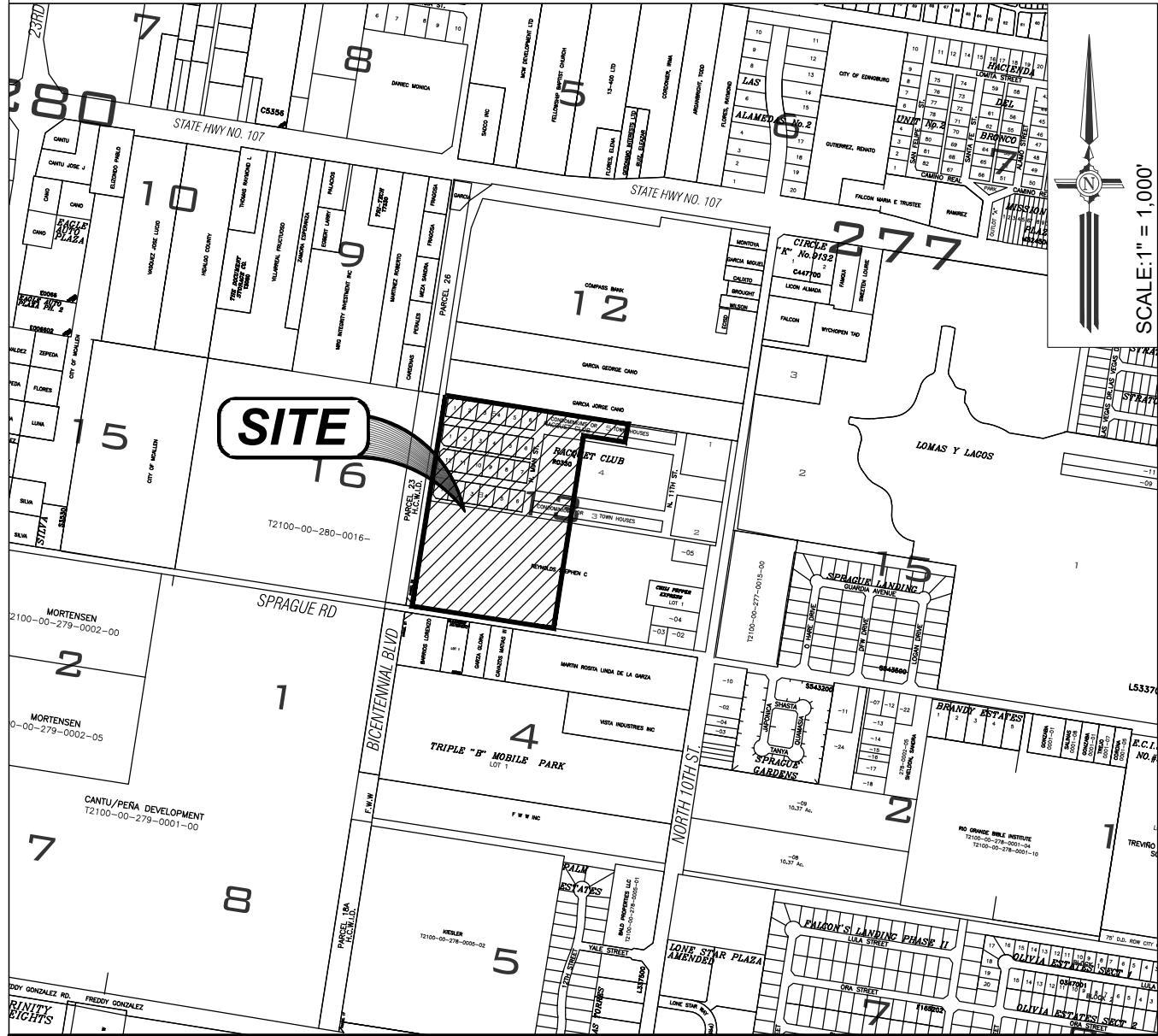
FILED FOR RECORD IN
HIDALGO COUNTY
ARTURO GUAJARDO, JR.
HIDALGO COUNTY CLERK

ON: _____ AT _____ AM/PM

INSTRUMENT NUMBER _____
OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS

BY: _____ DEPUTY

LOCATION MAP



MELDEN & HUNT, INC.
CONSULTANTS • ENGINEERS • SURVEYORS

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

- FOUND NO.4 REBAR
- FOUND PIPE
- SET NO.4 REBAR WITH PLASTIC
- CAP STAMPED MELDEN & HUNT

DRAWN BY: CESAR DATE: 6-21-2024
SURVEYED, CHECKED DATE
FINAL CHECK DATE

S 80° 56' 31" E 1341.02'

S 81° 15' 31" E 418.00'

SAVE & EXCEPT TRACT "B"

STREET 60.0' R.O.W.

STREET 50.0' R.O.W.

STREET 50.0' R.O.W.

STREET 60.0' R.O.W.

STREET 30' R.O.W.

SPRAGUE ROAD

LORENZO BARRIOS
W.D.W.V.L.
DOC No. 1615665
H.C.O.R.

EXIST. 40.0'
R.O.W.
SUBDIVISION PLAT OF
BARRIOS NURSERY
VOL. 33 PG. 107
H.C.M.R.

MIGUEL ANGEL MATEOS
E.W.D. DOC No. 3156660, H.C.O.R.

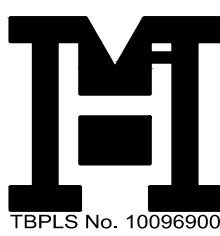
HIRAM ALI GARZA
E.W.D. DOCUMENT No.
3156662, H.C.O.R.

HACIENDA VENTURES PROPERTIES
WARRANTY DEED WITH VENDORS LIEN
DOC No. 3400074
H.C.O.R.

VACATING PORTION OF RACQUET CLUB SUBDIVISION

BEING A SUBDIVISION OF 4.765 ACRES SITUATED IN THE CITY OF MCALLEN,
HIDALGO COUNTY, TEXAS, BEING A PART OR PORTION OUT OF RACQUET CLUB
SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 18,
PAGE 60, HIDALGO COUNTY MAP RECORDS

LOCATION MAP



MELDEN & HUNT INC.
CONSULTANTS • ENGINEERS • SURVEYORS

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

DRAWN BY: CESAR DATE 7-03-2024
SURVEYED, CHECKED DATE
FINAL CHECK DATE

| Lot Area Table | | | | Lot Area Table | | | | Lot Area Table | | | |
|----------------|----------|-------|--|----------------|---------|-------|--|----------------|----------|-------|--|
| Lot # | SQ. FT. | Area | | Lot # | SQ. FT. | Area | | Lot # | SQ. FT. | Area | |
| 1 | 9215.59 | 0.212 | | 31 | 9254.70 | 0.212 | | 61 | 9254.70 | 0.212 | |
| 2 | 9567.67 | 0.220 | | 32 | 9254.70 | 0.212 | | 62 | 9254.70 | 0.212 | |
| 3 | 13028.90 | 0.299 | | 33 | 9254.70 | 0.212 | | 63 | 9254.70 | 0.212 | |
| 4 | 18432.50 | 0.423 | | 34 | 9254.70 | 0.212 | | 64 | 9254.70 | 0.212 | |
| 5 | 8751.58 | 0.201 | | 35 | 9254.70 | 0.212 | | 65 | 9254.70 | 0.212 | |
| 6 | 9379.14 | 0.215 | | 36 | 9142.20 | 0.210 | | 66 | 9254.70 | 0.212 | |
| 7 | 9379.14 | 0.215 | | 37 | 9142.20 | 0.210 | | 67 | 9254.70 | 0.212 | |
| 8 | 9379.14 | 0.215 | | 38 | 9254.70 | 0.212 | | 68 | 9254.70 | 0.212 | |
| 9 | 9379.14 | 0.215 | | 39 | 9254.70 | 0.212 | | 69 | 9142.20 | 0.210 | |
| 10 | 9379.14 | 0.215 | | 40 | 9254.70 | 0.212 | | 70 | 11233.87 | 0.258 | |
| 11 | 9379.14 | 0.215 | | 41 | 9254.70 | 0.212 | | 71 | 9121.69 | 0.209 | |
| 12 | 9379.14 | 0.215 | | 42 | 9254.70 | 0.212 | | 72 | 9121.69 | 0.209 | |
| 13 | 9379.14 | 0.215 | | 43 | 9254.70 | 0.212 | | 73 | 9121.69 | 0.209 | |
| 14 | 9379.14 | 0.215 | | 44 | 9254.70 | 0.212 | | 74 | 9121.69 | 0.209 | |
| 15 | 9379.14 | 0.215 | | 45 | 9254.70 | 0.212 | | 75 | 9121.69 | 0.209 | |
| 16 | 8962.92 | 0.206 | | 46 | 9254.70 | 0.212 | | 76 | 9121.69 | 0.209 | |
| 17 | 11329.88 | 0.260 | | 47 | 9142.20 | 0.210 | | 77 | 9477.31 | 0.218 | |
| 18 | 13964.30 | 0.321 | | 48 | 9142.20 | 0.210 | | 78 | 9121.69 | 0.209 | |
| 19 | 9168.45 | 0.210 | | 49 | 9254.70 | 0.212 | | 79 | 9121.69 | 0.209 | |
| 20 | 9204.00 | 0.211 | | 50 | 9254.70 | 0.212 | | 80 | 9121.69 | 0.209 | |
| 21 | 9204.00 | 0.211 | | 51 | 9254.70 | 0.212 | | 81 | 9121.69 | 0.209 | |
| 22 | 9204.00 | 0.211 | | 52 | 9254.70 | 0.212 | | 82 | 9121.69 | 0.209 | |
| 23 | 9204.00 | 0.211 | | 53 | 9254.70 | 0.212 | | 83 | 7820.37 | 0.180 | |
| 24 | 9204.00 | 0.211 | | 54 | 9254.70 | 0.212 | | 84 | 12065.12 | 0.277 | |
| 25 | 9324.75 | 0.214 | | 55 | 9254.70 | 0.212 | | 85 | 9897.00 | 0.227 | |
| 26 | 9142.20 | 0.210 | | 56 | 9254.70 | 0.212 | | 86 | 9404.26 | 0.216 | |
| 27 | 9254.70 | 0.212 | | 57 | 9254.70 | 0.212 | | 87 | 9439.28 | 0.217 | |
| 28 | 9254.70 | 0.212 | | 58 | 9142.20 | 0.210 | | 88 | 9153.73 | 0.210 | |
| 29 | 9254.70 | 0.212 | | 59 | 9142.20 | 0.210 | | 89 | 79803.26 | 1.832 | |
| 30 | 9254.70 | 0.212 | | 60 | 9254.70 | 0.212 | | | | | |

| Curve Table | | | | | | |
|-------------|--------|--------|--------------|-----------------|--------------|-----------|
| Curve # | Length | Radius | Delta | Chord Direction | Chord Length | Tangent |
| C1 | 42.29 | 50.00' | 048° 27' 47" | S45° 29' 24"E | 41.04' | 22.50 |
| C2 | 58.00 | 50.00' | 066° 27' 58" | N35° 30' 30"W | 54.80' | 32.76 |
| C3 | 46.72 | 50.00' | 053° 32' 02" | N24° 29' 30"W | 45.04' | 25.22 |
| C4 | 37.68 | 50.00' | 043° 10' 44" | N47° 09' 07"E | 36.80' | 19.79 |
| C5 | 53.95 | 50.00' | 061° 49' 16" | N5° 20' 53"W | 51.37' | 29.94 |
| C6 | 91.63 | 50.00' | 105° 00' 00" | N88° 45' 31"W | 79.34' | 65.16 |
| C7 | 77.99 | 50.00' | 089° 22' 02" | N35° 56' 31"W | 70.32' | 49.45 |
| C8 | 157.02 | 50.00' | 179° 56' 12" | S8° 46' 23"W | 100.00' | 90,518.86 |
| C9 | 55.29 | 50.00' | 063° 21' 31" | S37° 03' 44"W | 52.52' | 30.86 |
| C10 | 62.74 | 50.00' | 071° 53' 27" | S30° 33' 45"E | 68.70' | 36.25 |
| C11 | 62.74 | 50.00' | 071° 53' 27" | N77° 32' 48"E | 68.70' | 36.25 |
| C12 | 2.50 | 50.00' | 002° 51' 36" | N40° 10' 17"E | 2.50' | 1.25 |

| Line Table | | | Line Table | | |
|------------|--------|---------------|------------|--------|---------------|
| Line # | Length | Direction | Line # | Length | Direction |
| L1* | 65.20' | N08° 44' 29"E | L15 | 23.36' | N08° 44' 29"E |
| L1 | 42.54' | S36° 06' 01"E | L16 | 21.21' | S36° 15' 31"E |
| L2 | 21.21' | S53° 44' 29"W | L17 | 21.28' | S36° 08' 39"E |
| L3 | 21.21' | S36° 15' 31"E | L18 | 23.31' | N80° 56' 31"W |
| L4 | 21.21' | N53° 44' 29"E | | | |
| L5 | 21.21' | N36° 15' 31"W | | | |
| L6 | 42.31' | S53° 53' 59"W | | | |
| L7 | 21.21' | N53° 44' 29"E | | | |
| L8 | 21.21' | N36° 15' 31"W | | | |
| L9 | 21.21' | S53° 44' 29"W | | | |
| L10 | 21.21' | N36° 15' 31"W | | | |
| L11 | 21.21' | S53° 44' 29"W | | | |
| L12 | 21.21' | N36° 14' 50"W | | | |
| L13 | 21.88' | N08° 45' 51"E | | | |
| L14 | 29.27' | N08° 44' 29"E | | | |

S 80° 56' 31" E 1341.02'

S 81° 15' 31" E 418.00'

STREET "A"

STREET "A"

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SUBDIVISION FOR VILLAGES AT PARK WEST SUBDIVISION

BRING A SUBDIVISION OF 28.366 ACRES SITUATED IN THE CITY OF MCALLEN,
HIDALGO COUNTY, TEXAS, BEING A PART OR PORTION OUT OF RACQUET CLUB
SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 18,
PAGE 60, HIDALGO COUNTY MAP RECORDS.



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

ON: _____ AT _____ AM/PM

INSTRUMENT NUMBER _____
OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS

BY: _____ DEPUTY



City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 7/19/2024

SUBDIVISION NAME: VACATING A PORTION OF RACQUET CLUB AND REPLAT VILLAGES AT PARK WEST

REQUIREMENTS

STREETS AND RIGHT-OF-WAYS

North Bicentennial Boulevard: Dedication as required for 75 ft. from centerline for 150 ft. total ROW

Paving: 65 ft. - 105 ft. Curb & gutter: both sides

- Revise street name as shown above, prior to final.

- Reference document number on the plat for the existing ROW and provide a copy for staff review as applicable, prior to final. Clarify discrepancy of the existing 125 ft. ROW and 140 ft. ROW.

**Subdivision Ordinance: Section 134-105

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

**COM Thoroughfare Plan

Non-compliance

Sprague Road: Dedication as required for 40 ft. from centerline for 80 ft. total ROW

Paving: 52 ft. Curb & gutter: both sides

- Reference document number on the plat for the existing ROW and provide a copy for staff review as applicable, prior to final.

- Clarify 60.4 ft. total ROW of dedication as plat references 40 ft. of existing ROW and 20 ft. additional ROW dedication by this plat, prior to final.

- Clarify southwest corner of subdivision as it appears that a portion of Sprague won't be dedicated.

**Subdivision Ordinance: Section 134-105

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

**COM Thoroughfare Plan

Non-compliance

Interior Streets: Dedication as required for 60 ft. total ROW

Paving: 40 ft. Curb & gutter: both sides

- Street names to be finalized, prior to final.

- Additional ROW may be required at the gate area.

- Provide gate details for staff review

**Subdivision Ordinance: Section 134-105

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

**COM Thoroughfare Plan

Non-compliance

E/W Quarter Mile Collector (north boundary): dedication required for 60 ft. total ROW

Paving: 40 ft. Curb & gutter: both sides

- Show ROW dedication for an E/W quarter mile collector on the north side, prior to final.

**Subdivision Ordinance: Section 134-105

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

**COM Thoroughfare Plan

Non-compliance

Paving _____ Curb & gutter _____

**Subdivision Ordinance: Section 134-105

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

**COM Thoroughfare Plan

Applied

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

| | |
|--|----------------|
| <ul style="list-style-type: none"> * 1,200 ft. Block Length - Subdivision block length must be clarified and if a variance is needed, must be submitted and finalized prior to final. **Subdivision Ordinance: Section 134-118 * 900 ft. Block Length for R-3C or R-3T Zone Districts **Subdivision Ordinance: Section 134-118 * 600 ft. Maximum Cul-de-Sac **Subdivision Ordinance: Section 134-105 | Non-compliance |
| | NA |
| | Applied |
| ALLEYS | |
| <ul style="list-style-type: none"> ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial/multi-family properties - Subdivision layout is proposing a 24 ft. alley for interior lots only. **Subdivision Ordinance: Section 134-106 | Non-compliance |
| SETBACKS | |
| <ul style="list-style-type: none"> * Front: 20 ft. or greater for easements or approved site plan (if R-3A zoning) - Clarify front setback as it makes reference to Auburn Ave and Interior Lots 1-23 - Once zoning is finalized, final setbacks will be established but not less than ordinance requirements. - Engineer must verify if proposed subdivision is within appropriate zoning as it may prompt changes to plat and or setbacks, review and finalize prior to final. **Zoning Ordinance: Section 138-356 * Rear: 10 ft. or greater for easement or approved site plan - Once zoning is finalized, final setbacks will be established but not less than ordinance requirements. - Engineer must verify if proposed subdivision is within appropriate zoning as it may prompt changes to plat and or setbacks, review and finalize prior to final. **Zoning Ordinance: Section 138-356 * Sides: 6 ft. or greater for easements or approved site plan. - Once zoning is finalized, final setbacks will be established but not less than ordinance requirements. - Engineer must verify if proposed subdivision is within appropriate zoning as it may prompt changes to plat and or setbacks, review and finalize prior to final. **Zoning Ordinance: Section 138-356 * Corner: 10 ft. or greater for easements or approved site plan. - Revise corner setback as shown above, 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 | Non-compliance |
| | Non-compliance |
| | Non-compliance |
| | Non-compliance |
| | Applied |
| | Applied |
| SIDEWALKS | |
| <ul style="list-style-type: none"> * 4 ft. wide minimum sidewalk required on North Bicentennial Boulevard, Sprague Road, and on both sides of all interior streets. - Revise plat note #8 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. | Non-compliance |
| | Required |

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

| BUFFERS | |
|---|----------------|
| <ul style="list-style-type: none"> * 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along North Bicentennial Boulevard and Sprague Road. - Revise plat note #9 as shown above, prior to final. **Landscaping Ordinance: Section 110-46 | Non-compliance |
| <ul style="list-style-type: none"> * 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses **Landscaping Ordinance: Section 110-46 | Applied |
| <ul style="list-style-type: none"> *Perimeter buffers must be built at time of Subdivision Improvements. | Required |
| NOTES | |
| <ul style="list-style-type: none"> * No curb cut, access, or lot frontage permitted along North Bicentennial Boulevard and Sprague Road. - Revise plat note #14 as shown above, prior to final. **Must comply with City Access Management Policy | Non-compliance |
| <ul style="list-style-type: none"> * Site plan must be approved by the Planning and Development Departments prior to building permit issuance. - Any owner, builder or developer of a multiple-family, condominium or townhouse dwelling complex of five units or more on a single lot or parcel, or five single-family attached units, shall submit to the planning department for review a site and building plan for the proposed development. - Submit a site plan or clarify to determine requirement, prior to final. ***Zoning Ordinance: Section 138-210. | Required |
| <ul style="list-style-type: none"> * Common/Detention Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. - Revise plat note #15 as shown above, prior to final. | Non-compliance |
| <ul style="list-style-type: none"> * Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. | NA |
| <ul style="list-style-type: none"> * Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. **Section 110-72 applies if public subdivision is proposed. **Section 134-168 applies if private subdivision is proposed. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168 | Required |
| <ul style="list-style-type: none"> * Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. * Homeowner's Association Covenants must be submitted for staff review, prior to recording. **Section 110-72 applies if public subdivision is proposed. **Section 134-168 applies if private subdivision is proposed. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168 | Required |
| LOT REQUIREMENTS | |
| <ul style="list-style-type: none"> * Lots fronting public/private streets **Subdivision Ordinance: Section 134-1 | Applied |
| <ul style="list-style-type: none"> * Minimum lot width and lot area - Engineer must verify if proposed subdivision is within appropriate zoning as it may prompt changes to plat or rezoning process, review and finalized prior to final. **Zoning Ordinance: Section 138-356 | Non-compliance |

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

| ZONING/CUP | |
|--|----------------|
| <ul style="list-style-type: none"> * Existing: R-2, R-3T, C-3 Proposed: R-3A - Engineer must verify if proposed subdivision is within appropriate zoning as it may prompt changes to plat and or rezoning process, review and finalize prior to final. ***Zoning Ordinance: Article V * Rezoning Needed Before Final Approval - Engineer must verify if proposed subdivision is within appropriate zoning as it may prompt changes to plat and or rezoning process, review and finalize prior to final. ***Zoning Ordinance: Article V | Non-compliance |
| | Non-compliance |
| PARKS | |
| <ul style="list-style-type: none"> * Land dedication in lieu of fee. As per plat submitted on July 5, 2024, plat depicts 89 lots, as per City of McAllen Parkland Dedication Ordinance land dedication is over an acre. Engineer must clarify number of dwelling units. A variance request must be submitted if requesting fees in lieu of land to be reviewed by City Manager's Office. Should land dedication be required, the plat must be revised to accommodate the dedication. Parkland dedication requirements must be finalized prior to recording. * Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per plat submitted on July 5, 2024, plat depicts 89 lots, as per City of McAllen Parkland Dedication Ordinance land dedication is over an acre. Engineer must clarify number of dwelling units. A variance request must be submitted if requesting fees in lieu of land to be reviewed by City Manager's Office. Should land dedication be required, the plat must be revised to accommodate the dedication. Parkland dedication requirements must be finalized prior to recording. * Pending review by the City Manager's Office. As per plat submitted on July 5, 2024, plat depicts 89 lots, as per City of McAllen Parkland Dedication Ordinance land dedication is over an acre. Engineer must clarify number of dwelling units. A variance request must be submitted if requesting fees in lieu of land to be reviewed by City Manager's Office. Should land dedication be required, the plat must be revised to accommodate the dedication. Parkland dedication requirements must be finalized prior to recording. | TBD |
| | TBD |
| | TBD |
| TRAFFIC | |
| <ul style="list-style-type: none"> * As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. - Pending Trip Generation submittal. * Traffic Impact Analysis (TIA) required prior to final plat. | Non-compliance |
| | TBD |
| COMMENTS | |
| <p>Comments:</p> <ul style="list-style-type: none"> - Any abandonments must be done by separate document, not by plat, must be finalized prior to recording. - Clarify if easements will be dedicated by plat by either plat note or labeled on plat. - Clarify dotted line along Sprague Road within additional ROW dedication and its annotation/use, prior to final. - Location will require a secondary access that must meet Fire Department requirements. - Clarify if 15.3 ft. Waterline Easement is still currently existing as it isn't shown on the plat. - Submit a master plan for overall development to determine compliance with subdivision requirements, streets, etc and any additional requirements that may be needed. - Subdivision name will need to be changed/finalized, prior to final. *Must comply with City's Access Management Policy. | Applied |

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

| RECOMMENDATION | |
|--|---------|
| Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM, SUBJECT TO THE CONDITIONS NOTED, DRAINAGE, AND UTILITY APPROVAL. | Applied |



12

LOCATION



VACATING A PORTION OF
RAQUET CLUB AND REPLAT VILLAGES AT PARK WEST

13

BICENTENNIAL BLVD

SPRAGUE RD

BRAYOS NURSERY
LOT 1

GULF PEX
EXPRESS
LOFT



City of McAllen

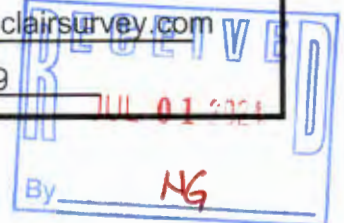
Planning Department

311 NORTH 15TH STREET • (956) 681-1250 • (956) 681-1279 (fax)

SUBDIVISION PLAT REVIEW APPLICATION

SUB2024-0074

| | | | | | | |
|--|--|--|---|--------------|---------------------------------------|--------------|
| Project Information | Subdivision Name | <u>Pecan Bentsen Retail</u> | | | | |
| | Legal Description | <u>4.055 Acres out of Lot 248, John H. Shary Subdivision as shown by plat of record in Volume 1 at Page 17 of the Map Records of Hidalgo County Texas.</u> | | | | |
| | Location | <u>Southwest corner of Pecan Blvd and Bentsen Rd intersection.</u> | | | | |
| | City Address or Block Numl | <u>4401 Pecan Blvd.</u> | | | | |
| | Total No. of Lots | <u>2</u> | Total Dwelling Units | <u>0</u> | | |
| | Gross Acres | <u>4.055</u> | Net Acres | <u>4.055</u> | | |
| | <input checked="" type="checkbox"/> Public Subdivision / <input type="checkbox"/> Private and Gated / <input type="checkbox"/> Private but Not Gated | | within ETJ: <input type="checkbox"/> Yes / <input checked="" type="checkbox"/> No (in City) | | | |
| | For Fee Purposes: <input checked="" type="checkbox"/> Commercial (<u>4.055 Acres</u>) / <input type="checkbox"/> Residential (<u> </u> Lots) | | Replat: <input type="checkbox"/> Yes / <input checked="" type="checkbox"/> No | | | |
| | Existing Zoning <u>C-3</u> Proposed Zoning <u>C-3</u> Applied for Rezoning <input checked="" type="checkbox"/> No / <input type="checkbox"/> Yes: Date <u> </u> | | | | | |
| | Existing Land Use <u>Undeveloped</u> Proposed Land Use <u>C-Store & Gas Station</u> | | | | | |
| Irrigation District # <u>United Irr. District</u> Water CCN: <input checked="" type="checkbox"/> MPU / <input type="checkbox"/> Sharyland Water SC Other <u> </u> | | | | | | |
| Agricultural Exemption: <input type="checkbox"/> Yes / <input checked="" type="checkbox"/> No Property ID: <u>281271 (HIDALGO COUNTY CAD)</u> | | | | | | |
| Estimated Rollback Tax Due <u> </u> | | Tax Dept. Review <u>MR 7/1/24</u> | | | | |
| Owner | Name | <u>Pecan Bentsen Retail Partners</u> | | Phone | <u>713-961-0280</u> | |
| | Address | <u>1207 Antoine Drive</u> | | E-mail | <u>jromeo@lascodesdevelopment.com</u> | |
| | City | <u>Houston</u> | State | <u>Texas</u> | Zip | <u>77055</u> |
| | | | | | | |
| Developer | Name | <u>Pecan Bentsen Retail Partners</u> | | Phone | <u>713-961-0280</u> | |
| | Address | <u>1207 Antoine Drive</u> | | E-mail | <u>jromeo@lascodesdevelopment.com</u> | |
| | City | <u>Houston</u> | State | <u>Texas</u> | Zip | <u>77055</u> |
| | Contact Person | <u>Jairo Romeo</u> | | | | |
| Engineer | Name | <u>Bowman</u> | | Phone | <u>210-298-1600</u> | |
| | Address | <u>8122 Datapoint Rd, Suite 202</u> | | E-mail | <u>jhora@bowman.com</u> | |
| | City | <u>San Antonio</u> | State | <u>Texas</u> | Zip | <u>78229</u> |
| | Contact Person | <u>Jamie Hora</u> | | | | |
| Surveyor | Name | <u>Sinclair Land Surveying</u> | | Phone | <u>210-341-4518</u> | |
| | Address | <u>3411 Magic Drive</u> | | E-mail | <u>Lsinclair@sinclairsurvey.com</u> | |
| | City | <u>San Antonio</u> | State | <u>Texas</u> | Zip | <u>78229</u> |



Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

In Person Submittal Requirements

- Application Fee: \$300 + \$25/lot **for residential** (excluding apartment complexes) or \$400 + \$200 (0-5 acres), \$400 + \$300 (5.01-10 acres), \$400 + \$400 (10 acres or greater) **for commercial, industrial, or apartment complexes**
- Title Report
- 8 1/2" by 11" Original Sealed Survey showing existing structures/easements or 3 blueline copies 2 Location Maps
- 2 8 1/2" by 11" copies/legible copies of plat with name & north arrow
- 6 Folded blueline prints of the proposed plat
- 2 Warranty Deeds (identifying owner on application)
- AutoCAD 2005 DWG file and PDF of plat
- Letter of Authorization from the owner (if applicable)
- Proof of authority of person signing application on behalf of partnership/corporation (if applicable)

Email Submittal Requirements

- Application Fee: \$300 + \$25/lot **for residential** (excluding apartment complexes) or \$400 + \$200 (0-5 acres), \$400 + \$300 (5.01-10 acres), \$400 + \$400 (10 acres or greater) **for commercial, industrial, or apartment complexes**
- Title Report
- Sealed Survey
- Location Map
- Plat & Reduced Plat
- Warranty Deed
- DWG File
- Letter of Authorization from the owner (if applicable)
- Proof of authority of person signing application on behalf of partnership/corporation, if applicable

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

*Submit documents to subdivisions@mcallen.net

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

PLAT TO SHOW:

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

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

Owner(s) Signature(s)

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

Signature

Sharon Hayden

Date

6-24-24

Print Name

SHARON HAYDON

Owner ☒

Authorized Agent ☐

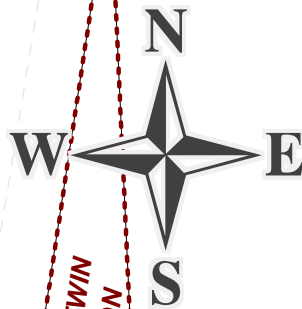
The Planning Department now accepts DocuSign signatures on application with a Certificate of Completion

SUBD

ICAN
SION

LOCATION

ORANGE



PROPOSED TWIN
SUBDIVISION

-31
1432

-30
4330

-28
4321

UNOPENED ROW

-29
1320

-23
1220

HAMMONDS

ELIZONDO ACRES SUBD

IGLESIAS SUBDIVISION

BENTSEN RD

PECAN BLVD

PROPOSED PECAN BENTSEN
RETAIL SUBDIVISION

Y AVE

TES
AVE

47TH ST

UBDIVISION

BENTSEN

MAPLE AVE

PHASE 2
PHASE 1

45TH ST

PHASE 2

LAUREL AVE

47TH ST



LOCATION MAP
NOT TO SCALE

METES AND BOUNDS DESCRIPTION OF A SURVEY OF

4.055 acres out of Lot 248, John H. Shary Subdivision, City of McAllen, Hidalgo County, Texas as shown by plot of record in Volume 1 at page 17 of the Map Records of Hidalgo County, Texas, being a portion of a 15.71-acre tract of land described in deed of record in Document Number 284915B of the Official Records of Hidalgo County, Texas and being more particularly described by metes and bounds, as surveyed, as follows:

Beginning at an "X" iron bar with a yellow cap marked "MELDEN & HUNT INC" found set in the ground in the west right-of-way line of N. Bentsen Road, the southeast corner of a 15.71-acre tract of land described in deed of record in Document Number 284915B of the Official Records of Hidalgo County, Texas and the northeast corner of Lot 80, Bentsen Heights Unit Two, City of McAllen, Hidalgo County, Texas as shown by plot of record in Volume 32 at page 4 of the Map Records of Hidalgo County, Texas, at Nothing 1860426.6 and Existing 1000426.1, for the southeast corner of this tract;

Thence N 81°26'26" W (called N 81°18' W) crossing Lot 248, John H. Shary Subdivision, City of McAllen, Hidalgo County, Texas as shown by plot of record in Volume 1 at page 17 of the Map Records of Hidalgo County, Texas, with the south boundary line of said 15.71-acre tract and the north boundary lines of Lots 80, 81, 82, 83, 84, 85 and 86, said Bentsen Heights Unit Two a distance of 412.04 feet to an 1/2" iron bar with an orange cap marked "RPLS 4856" found set in the ground, the southeast corner of Lot 15, Shary Estates (Private Subdivision), City of McAllen, Hidalgo County, Texas as shown by plot of record in Instrument Number 3091336 of the Map Records of Hidalgo County, for the southwest corner of this tract;

Thence N 8°34'08" E crossing said 15.71-acre tract with the east boundary lines of Lots 15, 16, 17, 18 and "A", said Shary Estates (Private Subdivision) a distance of 492.20 feet to an "X" iron bar with an orange cap marked "SLS RPLS 5142" set in the ground in the arc of a curve having a radius of 2,809.79 feet, the southwest right-of-way line of Pecan Boulevard, a northeast boundary line of said 15.71-acre tract and a southwest boundary line of a 0.180-acre tract of land described in deed of record in Document Number 1004091 of the Official Records of Hidalgo County, Texas, for the northwest corner of this tract;

Thence curve right in an southeasterly direction along the arc of said curve having a radius of 2,809.79 feet with the southwest right-of-way line of Pecan Boulevard, a northeast boundary line of said 15.71-acre tract and a southwest boundary line of said 0.180-acre tract a distance of 218.03 feet (called 217.94 feet) to an "X" iron bar with a yellow cap marked "MELDEN & HUNT INC" found set in the ground at the point of intersection of the southwest right-of-way line of Pecan Boulevard and the cutback right-of-way line joining the southwest right-of-way of Pecan Boulevard and the west right-of-way line of N. Bentsen Road, a corner of said 15.71-acre tract and a reentrant corner of said 0.180-acre tract, for a corner of this tract;

Thence S 63°14'41" E (called S 63°05'15" E) with the southwest right-of-way line of Pecan Boulevard, a northeast boundary line of said 15.71-acre tract and a southwest boundary line of said 0.180-acre tract a distance of 218.03 feet (called 217.94 feet) to an "X" iron bar with a yellow cap marked "MELDEN & HUNT INC" found set in the ground at the point of intersection of the southwest right-of-way line of Pecan Boulevard and the cutback right-of-way line joining the southwest right-of-way of Pecan Boulevard and the west right-of-way line of N. Bentsen Road, a corner of said 15.71-acre tract and a reentrant corner of said 0.180-acre tract, for a corner of this tract;

Thence S 29°31'43" E (called S 29°17'09 E) with said cutback right-of-way line, the northeast boundary line of said 15.71-acre tract and a southwest boundary line of said 0.180-acre tract a distance of 39.86 feet (called 39.97 feet) to an "X" iron bar with an orange cap marked "SLS RPLS 5142" set in the ground at the point of intersection of the west right-of-way line of N. Bentsen Road and said cutback right-of-way line, the northeast corner of said 15.71-acre tract, for the northeast corner of this tract;

Thence S 8°32'17" W (called S 8°42'34" W) with the west right-of-way line of N. Bentsen Road and an east boundary line of said 15.71-acre tract a distance of 128.32 feet (called 128.20 feet) to an "X" iron bar with a yellow cap marked "MELDEN & HUNT INC" found set in the ground in the arc of a curve having a radius of 5,050.00 feet, a corner of said 15.71-acre tract, for a corner of this tract;

Thence curve left in a southerly direction along the arc of said curve having a radius of 5,050.00 feet with the west right-of-way line of N. Bentsen Road and an east boundary line of said 15.71-acre tract, through a central angle of 0°43'09", a chord bearing and distance of S 8°08'39" W - 63.38 feet, a distance of 63.38 feet to an "X" iron bar with a yellow cap marked "MELDEN & HUNT INC" found set in the ground, a corner of said 15.71-acre tract, for a corner of this tract;

Thence S 7°56'49" W (called S 7°57'31" W) with the west right-of-way line of N. Bentsen Road and an east boundary line of said 15.71-acre tract a distance of 42.44 feet (called 42.49 feet) to an "X" iron bar with a yellow cap marked "MELDEN & HUNT INC" found set in the ground in the arc of a curve having a radius of 4,950.00 feet, a corner of said 15.71-acre tract, for a corner of this tract;

Thence curve right in a southerly direction along the arc of said curve having a radius of 4,950.00 feet with the west right-of-way line of N. Bentsen Road and an east boundary line of said 15.71-acre tract, through a central angle of 0°45'01", a chord bearing and distance of S 8°10'58" W - 64.83 feet, a distance of 64.83 feet to an "X" iron bar with a yellow cap marked "MELDEN & HUNT INC" found set in the ground, a corner of said 15.71-acre tract, for a corner of this tract;

Thence S 8°14'50" W (called S 8°05'39" W) with the west right-of-way line of N. Bentsen Road and an east boundary line of said 15.71-acre tract a distance of 41.46 feet (called 41.66 feet) to the point of beginning.

Containing 4.055 acres (176,626 square feet) of land, more or less.

The bearings and coordinates for this survey are based on the Texas State Plane Coordinate System (Grid), Texas South Zone (4205), North American Datum of 1983 (NA2011) epoch 2010.

CITY OF McALLEN BENCHMARK:

STATION NAME: MCB8
DESCRIPTION: 30" ALUMINUM PIPE WITH A 3-1/4" BRASS MONUMENT CAP ON TOP
NORTHING: 16587523.199142
EASTING: 1075425.18515
ELEVATION: 112.96'

PLAT NOTES:

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

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

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

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

5. DEVELOPER SHALL BE RESPONSIBLE FOR PROVIDING 19,173 CUBIC FEET OF DETENTION VOLUME ON LOT 1. LOT 2 SHALL BE REQUIRED TO DETAIN 21,820 CUBIC FEET AT THE TIME OF DEVELOPMENT, BASED ON THE ESTIMATED WEIGHTED C-VALUE OF 0.83.

SURVEYORS' NOTES:

1. PROPERTY CORNERS ARE MONUMENTED WITH A CAP OR DISK MARKED "SLS RPLS 5142" UNLESS NOTED OTHERWISE.

2. ALL COORDINATES AND BEARINGS SHOWN ARE BASED ON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE 4204, NORTH AMERICAN DATUM OF 1983 (NA2011), GRID. DISTANCES SHOWN HEREON ARE BASED UPON SURFACE MEASUREMENTS. TO CONVERT SURFACE DISTANCES TO GRID, APPLY A COMBINED SCALE FACTOR OF 1.000040.

3. DIMENSIONS SHOWN ARE SURFACE.



SUBDIVISION PLAT OF
PECAN BENTSEN RETAIL

4.055 ACRES OUT OF LOT 248, JOHN H. SHARY SUBDIVISION AS SHOWN BY PLAT OF RECORD IN VOLUME 1 AT PAGE 17 OF THE MAP RECORDS OF HIDALGO COUNTY TEXAS.

STATE OF TEXAS
COUNTY OF HARRIS

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

PECAN BENTSEN RETAIL PARTNERS, LTD.,
A TEXAS LIMITED PARTNERSHIP
BY: PECAN BENTSEN RETAIL GP, LLC,
A TEXAS LIMITED LIABILITY COMPANY,
ITS GENERAL PARTNER

BY: SHARON A. HAYDON
ITS: PRESIDENT

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, ON THIS DAY PERSONALLY APPEARED _____
PROVED TO ME THROUGH HIS TEXAS DEPARTMENT OF PUBLIC SAFETY DRIVER LICENSE, TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, WHO, BEING BY ME FIRST DULY SWORN, DECLARED THAT THE STATEMENTS CONTAINED THEREIN ARE TRUE AND CORRECT, AND ACKNOWLEDGED THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREBY EXPRESSED, GIVEN UNDER MY HAND AND SEAL OF OFFICE.

GIVEN UNDER MY HAND & SEAL OF OFFICE
THIS _____ DAY OF _____, 2024.

NOTARY PUBLIC
HARRIS COUNTY, TEXAS

CERTIFICATION OF THE MAYOR OF THE CITY OF McALLEN

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

MAYOR, CITY OF McALLEN

CITY CLERK

CERTIFICATION BY THE CHAIRMAN OF THE PLANNING AND ZONING COMMISSION

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

CHAIRMAN,
PLANNING AND ZONING COMMISSION

APPROVED BY DRAINAGE DISTRICT

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

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

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

STATE OF TEXAS
COUNTY OF HIDALGO

THIS PLAT IS HEREBY APPROVED BY THE UNITED IRRIGATION DISTRICT ON THIS THE _____ DAY OF _____, 20____

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

PRESIDENT

ATTEST: SECRETARY

STATE OF TEXAS
COUNTY OF HARRIS

I/WE, THE UNDERSIGNED, HOLDER(S) (OR DULY AUTHORIZED OFFICERS OF THE HOLDER(S)) OF A SECURITY INTEREST IN THE ABOVE DESCRIBED PROPERTY, BEING THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS THE PECAN BENTSEN RETAIL OF THE CITY OF McALLEN, TEXAS, DO HEREBY CONSENT TO THE SUBDIVISION OF THIS PROPERTY AS DEVELOPED FOR UNDER THE PLAT AND DO HEREBY PROVIDE THAT ANY FORECLOSURE RELATING TO THE SECURITY INTEREST ON THE ABOVE DESCRIBED PROPERTY SHALL BE SUBJECT TO THE PLATING OF THE PROPERTY AS PROVIDED FOR HEREIN.

FIDELITY BANK NA

RICHARD L. COSTELLO
VICE PRESIDENT

STATE OF TEXAS
COUNTY OF BEXAR

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

WILLIAM "BILL" SCHOCK, P.E.
LICENSED PROFESSIONAL ENGINEER
TEXAS REGISTRATION NO. 88635

STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT THE ABOVE PLAT CONFORMS TO THE MINIMUM STANDARDS SET FORTH BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND BY: EMPLOYEES OF SINCLAIR LAND SURVEYING, INC. UNDER MY SUPERVISION.

LEMUEL T. SINCLAIR, R.P.L.S. #5142
REGISTERED PROFESSIONAL LAND SURVEYOR

PROJECT SURVEYOR:



SINCLAIR LAND
SURVEYING, INC.

3411 MAGIC DRIVE
SAN ANTONIO, TEXAS 78229
210-541-6518
TBPES FIRM NO. 1008900
JOB NUMBER: S-202372649

PROJECT ENGINEER:

Bowman

8122 DATAPoint RD., STE. 202
SAN ANTONIO, TEXAS 78229
PHONE: 210-288-1600
EMAIL: BSCHOCK@BOWMAN.com
TBPE Registration No.: F-14309

DATE OF PREPARATION: JUNE 12, 2024



City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 7/19/2024

SUBDIVISION NAME: PECAN BENTSEN RETAIL

REQUIREMENTS

STREETS AND RIGHT-OF-WAYS

Pecan Boulevard (S.H. 495) : dedication for 60 ft. from Centerline for total 120 ft. R.O.W.
Paving: By the State Curb & gutter: By the State

Revisions Needed:

-R.O.W. distance shown by plat varies from 120 ft. - 124.1 ft. clarify if other plats differ in this regard prior to final.

-Please label the Centerline and label R.O.W. from Centerline. Need to show the R.O.W. on both sides of the Centerline to determine R.O.W. dedication, prior to final.

-Label Total R.O.W. after accounting for the dedication. Use applicable arrow annotation.

-Clearly Label Streets and street dedications. Pecan Boulevard (S.H. 495) is labeled as an Existing Minor Arterial Street.

-Must include Document #'s on plat and must provide any recorded documents as applicable for staff review.

-All R.O.W. requirements must be addressed prior to final.

**Subdivision Ordinance: Section 134-105

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

**COM Thoroughfare Plan

North Bentsen Road: 10 ft. of dedication for 50 ft. from Centerline for total 100 ft. R.O.W.

Paving: 65 ft. Curb & gutter: Both sides

Revisions Needed:

-Show and label "Existing R.O.W." and "Total R.O.W." after R.O.W. dedication prior to final.

-Please label the Centerline and label R.O.W. from Centerline. Need to show the R.O.W. on both sides of the Centerline to determine R.O.W. dedication, prior to final.

-Please clarify existing easements and linetypes as there seems to be encroaching easements inside of the road R.O.W.

-Abandonment of easements cannot be done by plat, must be done by a separate instrument.

**Subdivision Ordinance: Section 134-105

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

**COM Thoroughfare Plan

Paving _____ Curb & gutter _____

**Subdivision Ordinance: Section 134-105

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

**COM Thoroughfare Plan

Paving _____ Curb & gutter _____

**Subdivision Ordinance: Section 134-105

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

**COM Thoroughfare Plan

* 1,200 ft. Block Length.

**Subdivision Ordinance: Section 134-118

* 900 ft. Block Length for R-3 Zone Districts.

**Subdivision Ordinance: Section 134-118

Non-compliance

Non-compliance

Applied

Applied

Applied

NA

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

| | |
|--|----------------|
| * 600 ft. Maximum Cul-de-Sacs. **Subdivision Ordinance: Section 134-105 | NA |
| ALLEYS | |
| R.O.W.: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties. -Private Access Service Drive Easement must be minimum 24 ft. paved width and cannot dead-end, must be in compliance with Fire & Public Works Department Requirements. -Maintenance of such drive is by the property owner and not the City of McAllen. -Alley/Service drive requirement must be addressed prior to final. **Subdivision Ordinance: Section 134-106 | Non-compliance |
| SETBACKS | |
| * Front: (Pecan Boulevard & N. Bentsen Road) In accordance with the Zoning Ordinance or greater for approved site plan or easements or inline with existing structures, whichever is greater applies. Revisions Needed: -Add plat note as shown above prior to final. Plat submitted on 07/01/24 does not propose any setbacks. Please add the Setback notes. **Zoning Ordinance: Section 138-356 | Non-compliance |
| * Rear: In accordance with the Zoning Ordinance or greater for approved site plan, whichever is greater applies. Revisions Needed: -Add plat note as shown above prior to final. Plat submitted on 07/01/24 does not propose any setbacks. Please add the Setback notes. **Zoning Ordinance: Section 138-356 | Non-compliance |
| Sides: In accordance with the Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Revisions Needed: -Add plat note as shown above prior to final. Plat submitted on 07/01/24 does not propose any setbacks. Please add the Setback notes. **Zoning Ordinance: Section 138-356 | Non-compliance |
| * Corner: See reference to Front Setback above. **Zoning Ordinance: Section 138-356 | NA |
| * Garage: Commercial Development. **Zoning Ordinance: Section 138-356 | NA |
| *ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN | Applied |
| SIDEWALKS | |
| * 4 ft. wide minimum sidewalk required on Pecan Boulevard & N. Bentsen Road. - May Increase to 5 ft. as per Engineering Department, prior to final. **Subdivision Ordinance: Section 134-120 | Non-compliance |
| * Perimeter sidewalks must be built or money escrowed if not built at this time. | Required |
| BUFFERS | |
| * 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Revisions Needed: Please Add as a Plat note. **Landscaping Ordinance: Section 110-46 | Non-compliance |

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

| | |
|---|----------------|
| <ul style="list-style-type: none"> * 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. **Landscaping Ordinance: Section 110-46 *Perimeter buffers must be built at time of Subdivision Improvements. | Non-compliance |
| | Applied |
| NOTES | |
| <ul style="list-style-type: none"> * No curb cut, access, or lot frontage permitted along. **Must comply with City Access Management Policy * Site plan must be approved by the Planning and Development Departments prior to building permit issuance. * Common Areas, any private service drive, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Revisions Needed: Please Add the above as a Plat note. **Wording for note on plat needs to be finalized prior to final. * Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. * Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. **Section 110-72 applies if private subdivision is proposed. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168 * Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. **Section 110-72 applies if private subdivision is proposed. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168 | Applied |
| | Required |
| | Non-compliance |
| | Applied |
| | NA |
| | NA |
| LOT REQUIREMENTS | |
| <ul style="list-style-type: none"> * Lots fronting public streets. **Subdivision Ordinance: Section 134-1 * Minimum lot width and lot area. -Please verify Lot Width and Lot Area. Please submit the survey for staff review. -Provide for all interior lot dimensions after accounting for R.O.W. dedication to assure compliance with minimum requirements prior to final. **Zoning Ordinance: Section 138-356 | Compliance |
| | Non-compliance |
| ZONING/CUP | |
| <ul style="list-style-type: none"> * Existing: C-3 Proposed: C-3 ***Zoning Ordinance: Article V * If planning to change Zoning, Rezoning needed before final approval. ***Zoning Ordinance: Article V | Applied |
| | Applied |
| PARKS | |
| <ul style="list-style-type: none"> * Land dedication in lieu of fee. -Submitted application proposes commercial development. As per Parks Dept. park fees do not apply to commercial subdivisions, unless changed. | NA |

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

| | |
|---|----------------|
| <ul style="list-style-type: none"> * Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. - Submitted application proposes commercial development. As per Park's Dept. Park fees do not apply to commercial subdivisions, unless changed. * Pending review by the Parkland Dedication Advisory Board and CC. -Submitted application proposes commercial development. As per Parks Dept. Park fees do not apply to commercial subdivision, unless changed. | NA |
| | NA |
| TRAFFIC | |
| <ul style="list-style-type: none"> * As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. * Traffic Impact Analysis (TIA) required prior to final plat. | Non-compliance |
| | TBD |
| COMMENTS | |
| <p>Comments:</p> <ul style="list-style-type: none"> -Please provide documents for the recorded R.O.W.'s and Easements that are shown on the plat for staff review. No overlap of easements into the R.O.W. is allowed. Easements cannot be abandoned by this Plat, abandonment must be done by a separate instrument/document. -If any easements proposed to be abandoned, requirements would need to be completed prior to final. -Please provide a current Signed and Sealed Survey & Metes and Bounds description for staff review. -Plat references Survey Notes 1-3 as per Survey, however this is for the subdivision. Clarify notes prior to final. -Please label Centerlines for the streets, R.O.W., Total R.O.W., Existing R.O.W., etc -Please provide updated location map to show North Arrow, scale, and correct map layout (Parcel Maps). *Must comply with City's Access Management Policy. | Non-compliance |
| RECOMMENDATION | |
| RECOMMENDATION: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM, SUBJECT TO THE CONDITIONS NOTED, DRAINAGE & UTILITIES APPROVAL. | Applied |



LOCATION

ORANGE

BENTSEN RD

PECAN BLVD

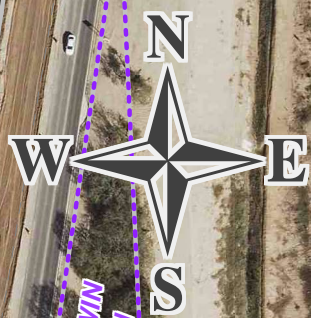
PROPOSED PECAN BENTSEN
RETAIL SUBDIVISION

PROPOSED TWIN
SUBDIVISION

UNOPENED ROW

HAMMONDS

ELIZONDO ACRES SUBD



SUBD

CAN
SION

LOCATION

IGLESIAS SUBDIVISION

-31
1432

-30
4330

-28
4321

-29
1320

-23
1220

RY AVE

TES
AVE

47TH ST

UBDIVISION

BENTSEN

MAPLE AVE

PHASE 2
PHASE 1

LAUREL AVE

45TH ST

PHASE 2

47TH ST



City of McAllen

SUB 2023-0100

Planning Department

311 NORTH 15TH STREET • (956) 681-1250 • (956) 681-1279 (fax)

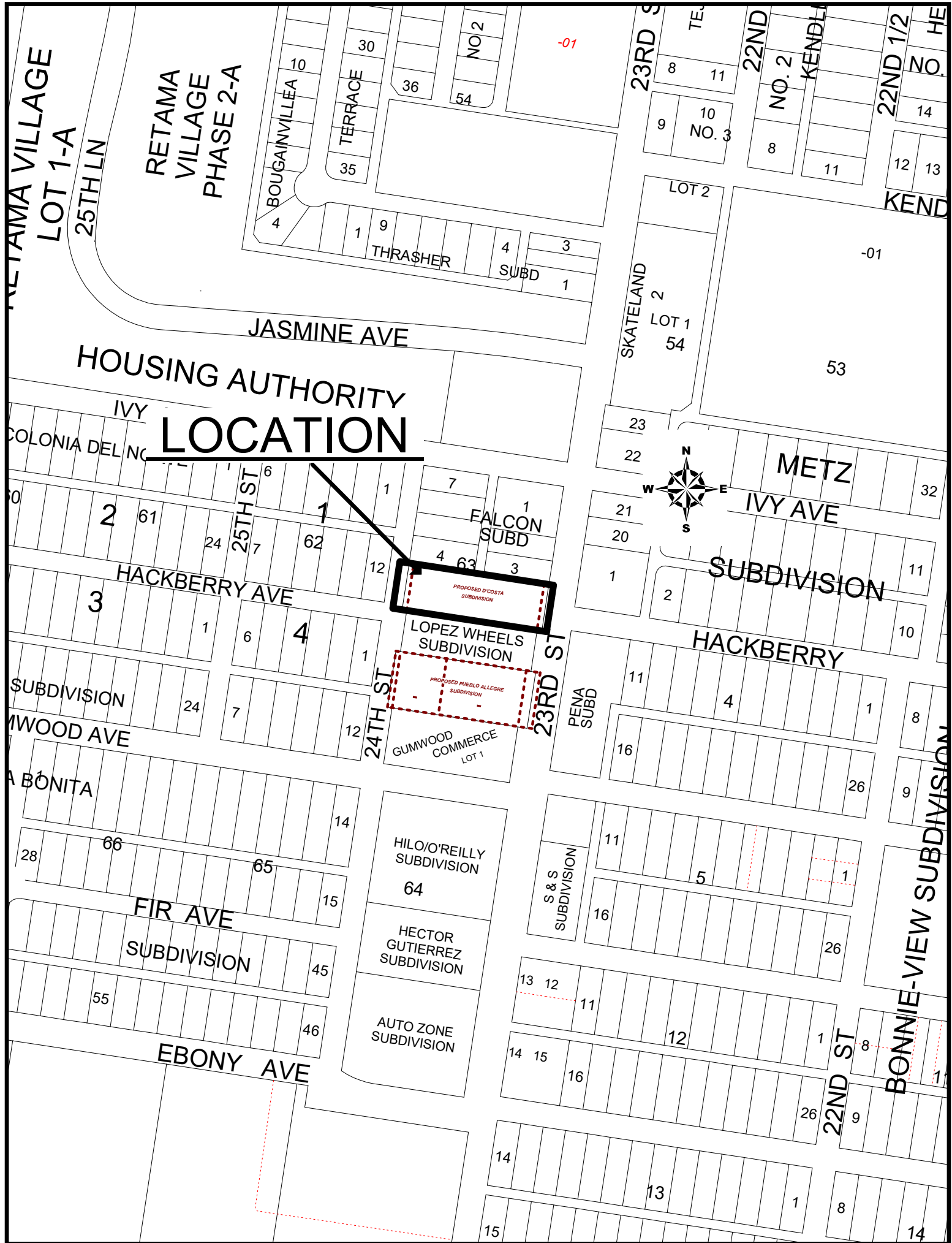
SUBDIVISION PLAT REVIEW APPLICATION

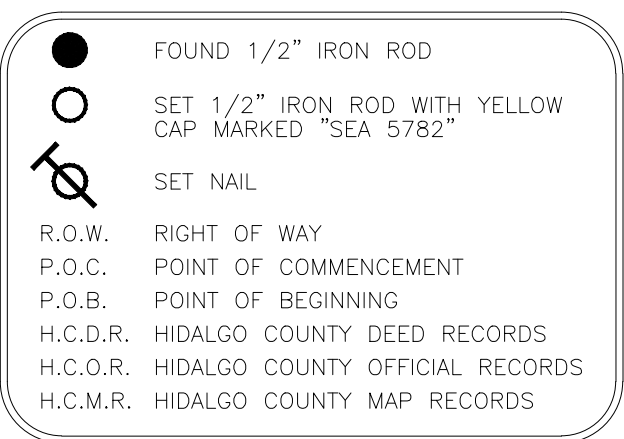
| | | | | |
|--|--|---|-------------------|---|
| Project Information | Subdivision Name | <u>D' COSTA SUBD.</u> | | |
| | Location | <u>INTERSECTION N. 23RD ST. @ HACKBERRY AVE.</u> | | |
| | City Address or Block Number | <u>801 N. 23RD ST</u> | | |
| | Number of Lots | <u>1</u> | Gross Acres | <u>0.76</u> Net Acres <u>0.64</u> ETJ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| | Existing Zoning | <u>C-3</u> | Proposed Zoning | <u>C-3</u> Rezoning Applied for <input type="checkbox"/> Yes <input type="checkbox"/> No Date _____ |
| | Existing Land Use | <u>OPEN</u> | Proposed Land Use | <u>RETAIL</u> Irrigation District # <u>1</u> |
| | Replaces <input checked="" type="checkbox"/> No Commercial <input checked="" type="checkbox"/> Residential _____ | | | |
| | Agricultural Exemption <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Estimated Rollback Tax Due <u>1,500</u> \$10 <u>UPG</u> | | |
| Parcel # | <u>185433</u> Tax Dept. Review <u>NOB50-00-002-0063-03</u> | | | |
| Water CCN <input checked="" type="checkbox"/> MPMU <input type="checkbox"/> Sharyland Water SC Other _____ | | | | |
| Legal Description | <u>0.76 AC. 0/0 LOT 63, B1K. 2, C.E. HAMMOND SUBD., N.C.T.</u> | | | |
| Owner | Name | <u>D. COSTA INC. 9-8-23</u> Phone <u>789-3279</u> | | |
| | Address | <u>2913 BLUEBIRD AVE</u> E-mail _____ | | |
| | City | <u>MEALIER</u> | State | <u>TX</u> Zip <u>78504</u> |
| Developer | Name | <u>SAME AS OWNER</u> Phone _____ | | |
| | Address | _____ E-mail _____ | | |
| | City | _____ | State | _____ Zip _____ |
| | Contact Person | _____ | | |
| Engineer | Name | <u>David Salinas</u> Phone <u>682-9081</u> | | |
| | Address | <u>2221 DAFFODIL AVE.</u> E-mail <u>dsalinas@salinasengineering.com</u> | | |
| | City | <u>MEALIER</u> | State | <u>TX</u> Zip <u>78501</u> |
| | Contact Person | <u>David</u> | | |
| Surveyor | Name | <u>SAME AS ENGINEER</u> Phone _____ | | |
| | Address | _____ E-mail _____ | | |
| | City | _____ | State | _____ Zip _____ |

RECEIVED

6 KF







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

GENERAL PLAT NOTES:

6. THE CONSTRUCTION OF ANY STRUCTURES ON OR WITHIN ANY UTILITY EASEMENTS SHALL BE PROHIBITED.
7. 6' OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, AND INDUSTRIAL ZONES/USES.

8' MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL OR MULTI-FAMILY RESIDENTIAL ZONES/USES.
8. AN ENGINEERED DRAINAGE DETENTION PLAN, APPROVED BY THE ENGINEERING DEPARTMENT, IS REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMITS.
9. BENCHMARK: MCALLEN SURVEY CONTROL POINT NO. 71, LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF F.M. 495 & 23RD. STREET. THE MONUMENT IS 27.10 FEET NORTH FROM THE BACK OF CURB OF PECAN BOULEVARD & 19.90 FT. EAST FROM THE BACK OF CURB OF NORTH 23RD. STREET. ELEV. = 118.72.
HORIZONTAL DATUM: NAD 83
VERTICAL DATUM: NAVD 88
10. THE DEVELOPER SHALL BE RESPONSIBLE FOR DETAINING AND ACCOMMODATING MORE THAN THE DETAINED VOLUME SHOWN ON THIS PLAT IF IT IS DETERMINED AT THE PERMIT STAGE, THAT THE DETENTION REQUIREMENTS ARE GREATER THAN STATED ON THIS PLAT, DUE TO THE IMPERVIOUS AREA BEING GREATER THAN THE PLAT ENGINEER CONSIDERED IN THE HYDRAULIC CALCULATIONS FOR THIS SUBDIVISION.
11. COMMON AREAS, ANY PRIVATE STREETS/DRIVES, GATE AREAS, ETC. MUST BE MAINTAINED BY THE LOT OWNERS AND NOT THE CITY OF MCALLEN.
12. COMMON AREAS FOR COMMERCIAL DEVELOPMENTS SHALL BE PROVIDED FOR COMMON PARKING, ACCESS, SETBACKS, LANDSCAPING, ETC.
13. LOT 1 IS SUBJECT TO THAT CERTAIN EASEMENT AGREEMENT FOR RECIPROCAL ACCESS RECORDED UNDER INSTRUMENT # _____, H.C.D.R.

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

BY: _____ DEPUTY

SE
A

SALINAS ENGINEERING & ASSOC.

(F-6675) (TBPLS-10065700)

CONSULTING ENGINEERS & SURVEYORS

2321 DAFFODIL - McALEEN, TEXAS 78501

(366) 682-9081 (366) 686-1489 (FAX)

TBPLS 12100 PARK 35 CIRCLE BLDG. A, SUITE 156, MC-230, AUSTIN, TEXAS 78753 (512) 239-



City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 7/19/2024

SUBDIVISION NAME: D' COSTA SUBDIVISION

REQUIREMENTS

STREETS AND RIGHT-OF-WAYS

North 23rd Street (FM 1926): 20ft. dedication for 50 ft. from centerline for 100 ft. total ROW
Paving: By the state Curb & gutter: By the state

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

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

North 24th Street: 10 ft. of dedication for 30 ft. from centerline for 60 ft. total ROW

Paving: 40 ft. Curb & gutter: Both sides

Revisions Needed:

- Label total R.O.W. after accounting dedication from center-line as "Total," prior to recording.

- Provide a copy of document regarding referenced existing dedications prior to recording.

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

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

Paving Curb & gutter

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

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

* 1,200 ft. Block Length.

**Subdivision Ordinance: Section 134-118

* 900 ft. Block Length for R-3 Zone Districts.

**Subdivision Ordinance: Section 134-118

* 600 ft. Maximum Cul-de-Sac.

**Subdivision Ordinance: Section 134-105

Applied

Required

NA

Compliance

NA

Applied

ALLEYS

R.O.W.: 20 ft. Paving: 16 ft.

*Alley/service drive easement required for commercial properties and multi-family properties.

Revisions Needed:

-Provide for looping for existing 20 ft. alley abutting Northern property line dedicated by Falcon Addition, finalize prior to recording. Plat submitted on July 3, 2024 provides for a 20 ft. alley

R.O.W. dedication from the existing alley to the North West to N. 24th street to eliminate dead-end alley. Alley must be in compliance with Fire and Public Works Department requirements for Maneuvering as applicable prior to recording.

**Subdivision Ordinance: Section 134-106

Required

SETBACKS

* Front: (N.23rd Street):In accordance with the zoning ordinance, or greater for easements or approved site plan, or in line with average setback, whichever is greater applies.

***Zoning Ordinance: Section 138-356,138-367

*Rear: (N.24th Street):In accordance with the zoning ordinance, or greater for easements or approved site plan, or in line with average setback, whichever is greater applies.

***Zoning Ordinance: Section 138-356

Applied

Applied

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

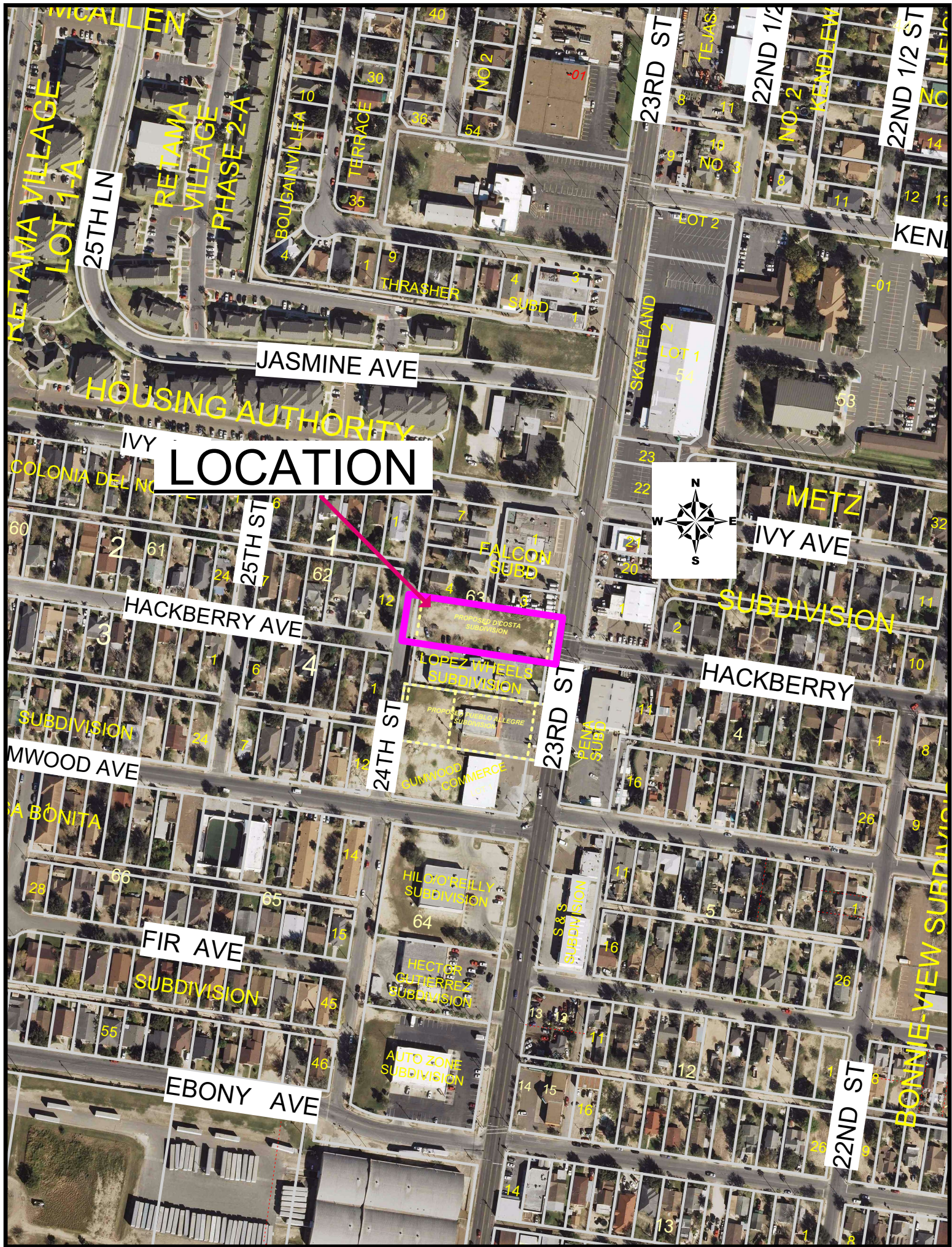
| | |
|---|----------|
| <p>* Sides: In accordance with the Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies..</p> <p>**Side Setback requirements subject to change once alley requirements have been finalized, finalize setback requirements, prior to recording.</p> <p>***Proposed: As per zoning ordinance or greater for approved site plan or easements.</p> <p>***Zoning Ordinance: Section 138-356</p> <p>* Corner: Interior Lot</p> <p>Pending Items:</p> <p>-Corner setback requirements subject to change once alley requirements have been finalized, finalize setback requirements, prior to recording..</p> <p>**Zoning Ordinance: Section 138-356</p> <p>* Garage: Commercial Development.</p> <p>**Zoning Ordinance: Section 138-356</p> <p>*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN</p> | Applied |
| | NA |
| | NA |
| | Applied |
| SIDEWALKS | |
| <p>* 5 ft. sidewalk along North 23rd Street and 4 ft. wide minimum sidewalk required on North 24th Street.</p> <p>**5 ft. sidewalk requirement as per Engineering Department.</p> <p>***Sidewalk requirement for North 24th Street subject to be increased to 5 ft. prior to recording by Engineering Department.</p> <p>****Subdivision Ordinance: Section 134-120</p> <p>* Perimeter sidewalks must be built or money escrowed if not built at this time.</p> | Applied |
| | Required |
| BUFFERS | |
| <p>* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses, and along N. 24th Street.</p> <p>***A buffer shall be provided to screen refuse areas (including refuse dumpsters, compactors and contained compactors), outdoor storage areas and loading docks from public streets.</p> <p>***Finalize plat note wording for note #8 once buffer requirements have been finalized, prior to recording.</p> <p>****Landscaping Ordinance: Section 110-46,110-49</p> <p>* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.</p> <p>Revisions Needed:</p> <p>- Please provide the note for Masonry Wall as its own separate note, not to be packed together with the note for Opaque Buffer.</p> <p>**Landscaping Ordinance: Section 110-46</p> <p>*Perimeter buffers must be built at time of Subdivision Improvements.</p> | Required |
| | Required |
| | Required |
| NOTES | |
| <p>* No curb cut, access, or lot frontage permitted along.</p> <p>Pending items:</p> <p>-Any access agreements must be shown on plat and if done by separate instrument, document numbers must be shown on plat and finalized prior to recording.</p> <p>**Must comply with City Access Management Policy</p> <p>***As per Traffic Department, As per Access Management Policy, spacing requirement along S. 23rd Street is 250 ft. between access, a shared access with the northern lot required.</p> <p>* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.</p> | Applied |
| | Required |

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

| | |
|--|------------|
| <ul style="list-style-type: none"> * Common Areas, any private drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. **Note requirements subject to change once subdivision requirements have been finalized. Finalize wording prior to recording. * Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. * Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. **Section 110-72 applies if 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. **Homeowner's Association Covenants must be submitted for staff review, prior to recording. ***Section 134-168 applies if private subdivision is proposed. ****Section 110-72 applies if public subdivision is proposed. *****Landscaping Ordinance: Section 110-72 *****Subdivision Ordinance: Section 134-168 | Required |
| | Applied |
| | NA |
| <ul style="list-style-type: none"> * Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. **Homeowner's Association Covenants must be submitted for staff review, prior to recording. ***Section 134-168 applies if private subdivision is proposed. ****Section 110-72 applies if public subdivision is proposed. *****Landscaping Ordinance: Section 110-72 *****Subdivision Ordinance: Section 134-168 | NA |
| | |
| | |
| LOT REQUIREMENTS | |
| <ul style="list-style-type: none"> * Lots fronting public streets. **Subdivision Ordinance: Section 134-1 * Minimum lot width and lot area. **Zoning Ordinance: Section 138-356 | Applied |
| | Compliance |
| ZONING/CUP | |
| <ul style="list-style-type: none"> * Existing :C-3 (General Business) District Proposed :C-3 (General Business) District *As per application dated September 08,2023 proposed land use is commercial, please review intended use as it may require a conditional use permit. ***Zoning Ordinance: Article V * Rezoning Needed Before Final Approval ***Zoning Ordinance: Article V | Applied |
| | NA |
| PARKS | |
| <ul style="list-style-type: none"> * Land dedication in lieu of fee. -As per the application submitted on September 08, 2023, the proposed land use is commercial. As per Parks Department, park fees do not apply to commercial developments. * Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. -As per the application submitted on September 08, 2023, the proposed land use is commercial. As per Parks Department, park fees do not apply to commercial developments. * Pending review by the City Management's Office. -As per the application submitted on September 08, 2023, the proposed land use is commercial. As per Parks Department, park fees do not apply to commercial developments. | NA |
| | NA |
| | NA |
| TRAFFIC | |
| <ul style="list-style-type: none"> * As per Traffic Department, Trip Generation is approved, TIA waived with conditions. * Traffic Impact Analysis (TIA) required prior to final plat. As per Traffic Department, Trip Generation is approved, TIA waived with conditions. | Applied |
| | Applied |

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

| COMMENTS | |
|---|----------|
| <p>Comments:</p> <ul style="list-style-type: none">*Must comply with City's Access Management Policy.*Any abandonments must be done by separate process, not by plat, any abandonments by separate instrument must be finalized prior to recording.-Provide for looping for existing 20 ft. alley abutting Northern property line dedicated by Falcon Addition, finalize prior to recording. Plat submitted on July 3, 2024 provides for a 20 ft. alley R.O.W. dedication from the existing alley to the North West to N. 24th street to eliminate dead-end alley. Alley must be in compliance with Fire and Public Works Department requirements. Maneuvering as applicable prior to recording.*Engineer must continue to finalize ownership requirements prior to recording.***If planning to submit for final review, submittal must include plat addressing any pending comments from all departments, MPUB approval letter, Drainage Report approval letter, Trip Generation/TIA approval letter, and final fee. Once reviewed by staff, determination will be made to determine if plat is ready to be presented in final form to the Planning and Zoning Commission. | Required |
| RECOMMENDATION | |
| RECOMMENDATION: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM, SUBJECT TO THE CONDITIONS NOTED. | Applied |



LOCATION



SUB 2023-0034

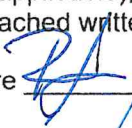


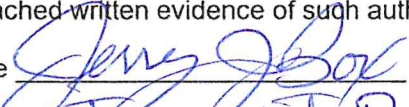
City of McAllen

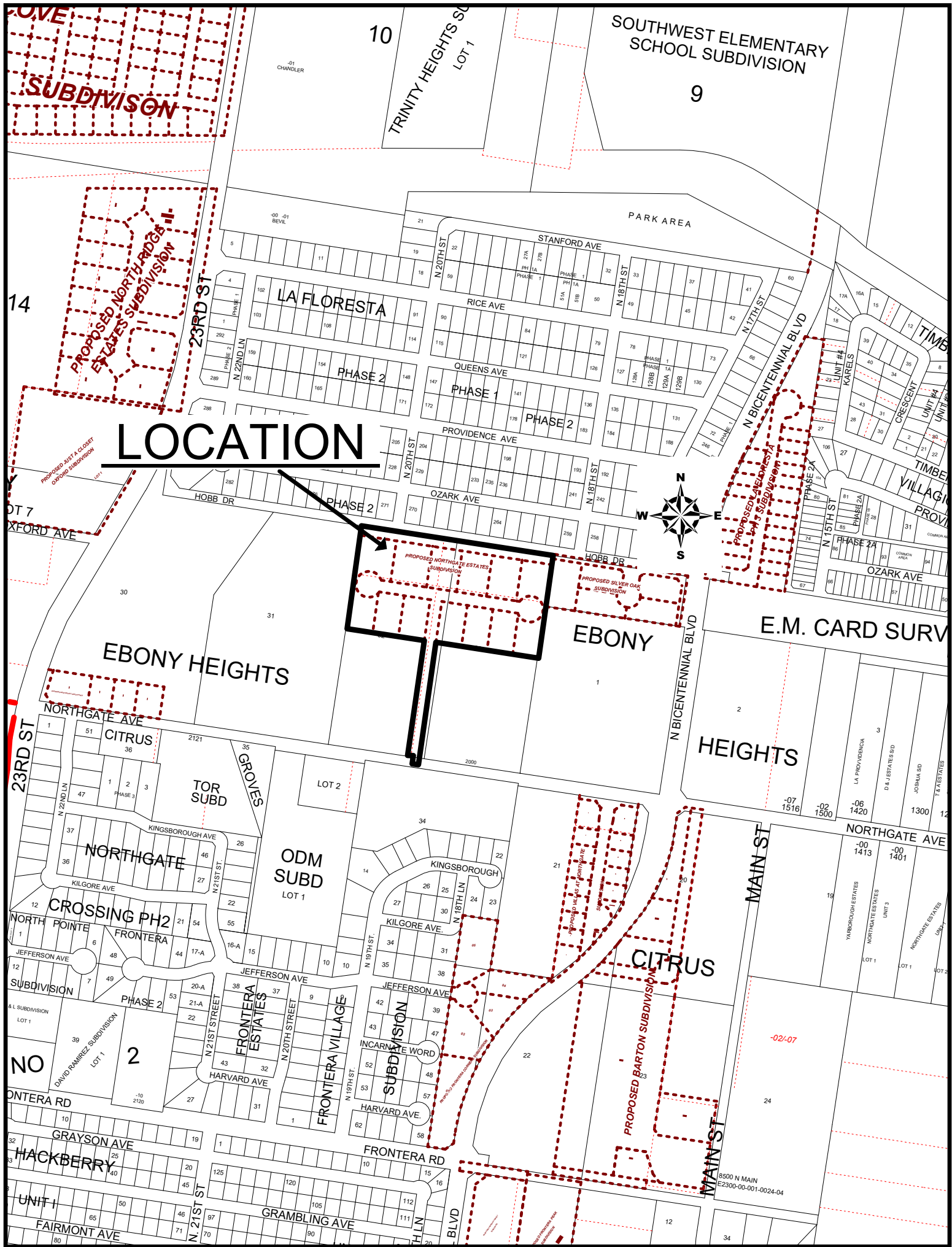
Planning Department

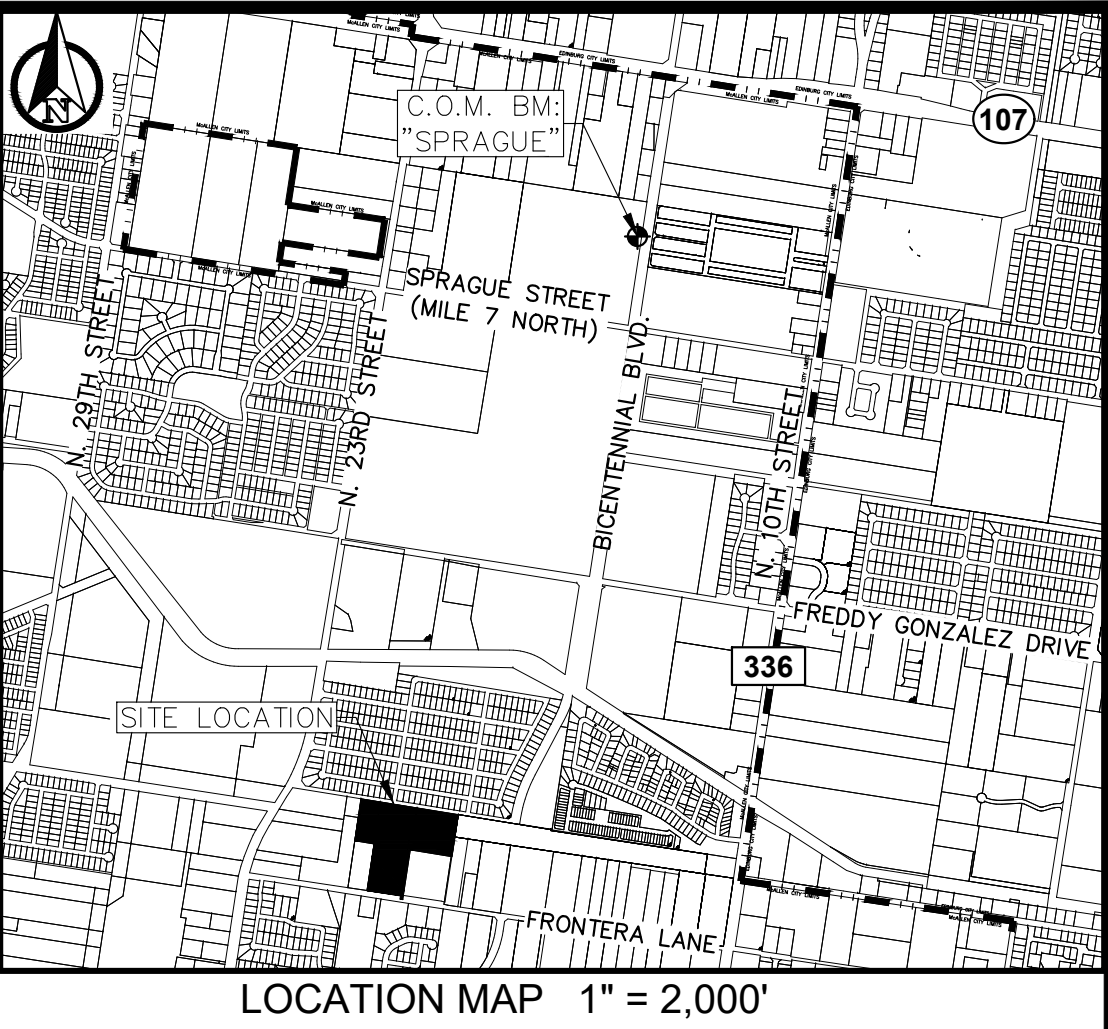
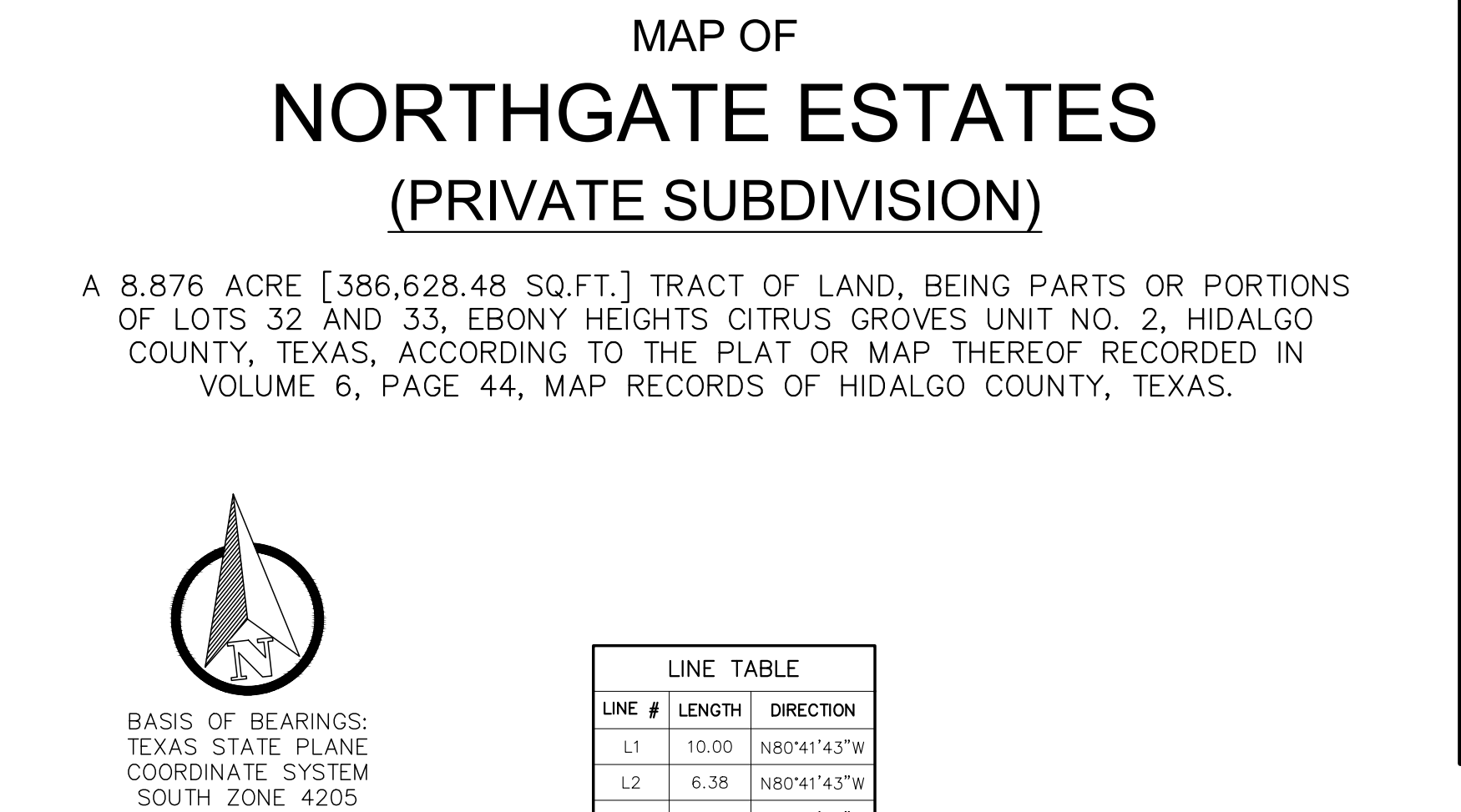
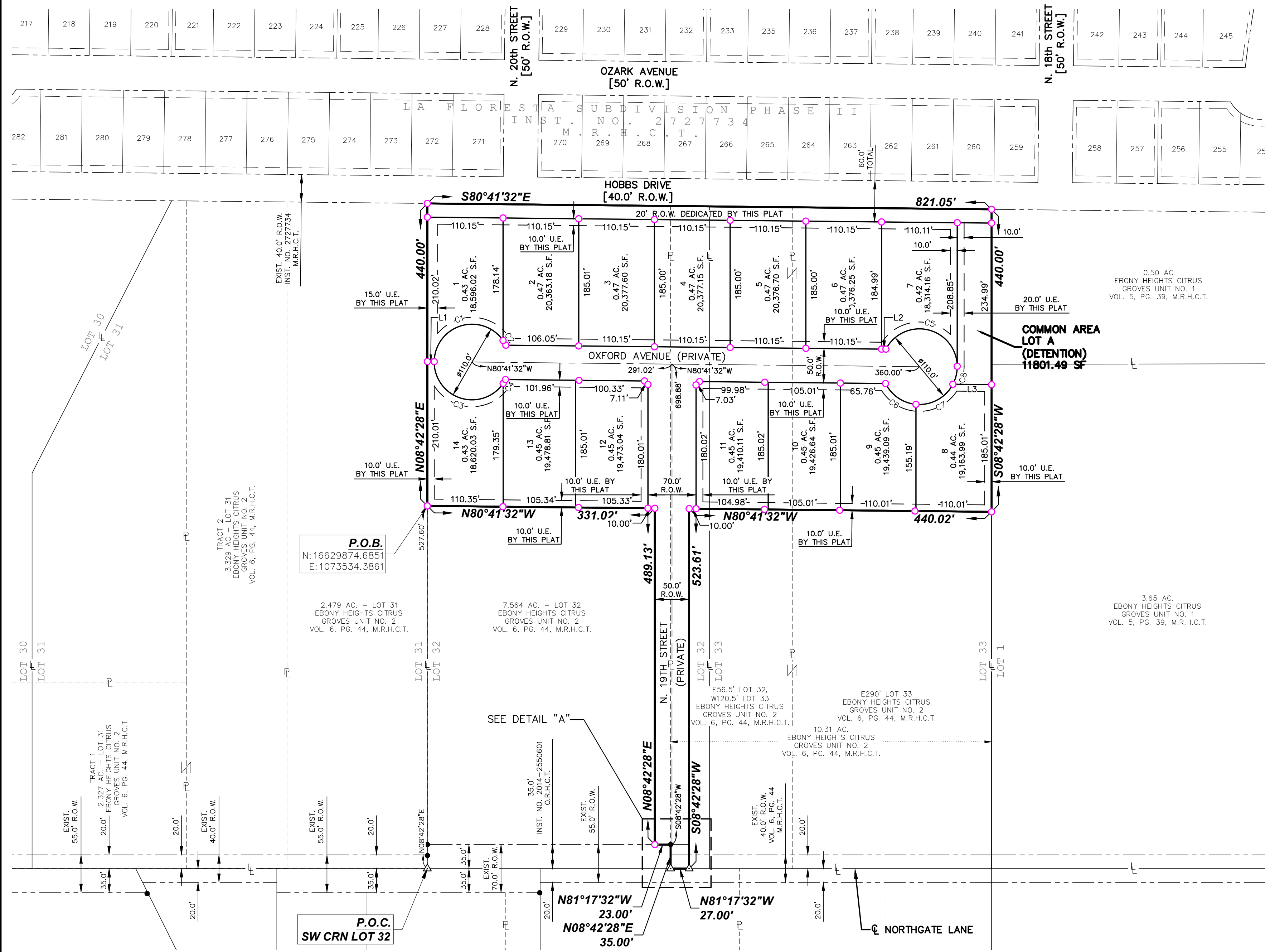
311 NORTH 15TH STREET • (956) 681-1250 • (956) 681-1279 (fax)
SUBDIVISION PLAT REVIEW APPLICATION

| | | | |
|---|---|-----------------------------|--|
| Project Information | Subdivision Name <u>Northgate Estates</u> | | |
| | Location <u>Northgate Lane between 23rd and Bicentennial</u> | | |
| | City Address or Block Number <u>1900 NORTHGATE LN</u> | | |
| | Number of Lots <u>13</u> | Gross Acres <u>8.876 Ac</u> | Net Acres <u>6.985</u> ETJ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| | Existing Zoning <u>R1</u> Proposed Zoning <u>R1</u> Rezoning Applied for <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date <u>N/A</u> | | |
| | Existing Land Use <u>Residential</u> Proposed Land Use <u>Residential</u> Irrigation District # <u>N/A</u> | | |
| | Replat <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Commercial <input type="checkbox"/> Residential <input checked="" type="checkbox"/> <u>X</u> | | |
| | Agricultural Exemption <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Estimated Rollback Tax Due <u>0</u> | | |
| | Parcel # ^{NO} <u>585976, 1460665</u> Tax Dept. Review <u>585975, 162826</u> | | |
| | Water CCN <input checked="" type="checkbox"/> MPMU <input type="checkbox"/> Sharyland Water SC Other <u> </u> | | |
| Legal Description <u>A 8.876 ACRE [386,628.48 SQ.FT.] TRACT OF LAND, BEING PARTS OR PORTIONS OF LOTS 32 AND 33, EBONY HEIGHTS CITRUS GROVES UNIT NO. 2, HIDALGO COUNTY, TEXAS, ACCORDING TO THE PLAT OR MAP THEREOF RECORDED IN VOLUME 6, PAGE 44, MAP RECORDS OF HIDALGO COUNTY, TEXAS</u> | | | |
| Owner | Name <u>Urban City Developers, LLC</u> Jerry Box | | Phone <u>(956) 358-1212</u> |
| | Address <u>4501 Expy 83 Suite 10</u> <u>McAllen, TX 78503</u> | | PO BOX 3376 McAllen, TX 78502 |
| | City <u> </u> State <u> </u> Zip <u> </u> | | E-mail <u>mlopez@urbancitytx.com</u> |
| | | | |
| Developer | Name <u>Marco A. Lopez</u> | | Phone <u>(956) 358-1212</u> |
| | Address <u>601 Pecan Blvd</u> | | E-mail <u>mlopez@urbancitytx.com</u> |
| | City <u>McAllen</u> | State <u>TX</u> | Zip <u>78501</u> |
| | Contact Person <u>Marco A. Lopez</u> | | |
| Engineer | Name <u>Roberto Salinas</u> | | Phone <u>(956) 598-2940</u> |
| | Address <u>1203 Erie Ave Suite F</u> | | E-mail <u>roberto@turboengineers.net</u> |
| | City <u>McAllen</u> | State <u>TX</u> | Zip <u>78501</u> |
| | Contact Person <u>Roberto Salinas</u> | | |
| Surveyor | Name <u>Manuel Carrizales</u> | | Phone <u>(956) 567-2167</u> |
| | Address <u>4807 Gondola Ave</u> | | E-mail <u>mannyrpls@cls.land</u> |
| | City <u>Edinburg</u> | State <u>TX</u> | Zip <u>78542</u> |

| | |
|---|--|
| Minimum Developer's Requirements Submitted with Application | <p style="text-align: center;">Proposed Plat Submittal</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> \$225 Preliminary Review Fee and \$75 Final Approval Fee <input checked="" type="checkbox"/> Title Report <input checked="" type="checkbox"/> 8 ½" by 11" Original Sealed Survey showing existing structures/easements or 3 blueline copies 2 Location Maps <input checked="" type="checkbox"/> 2 8 ½" by 11" copies/legible copies of plat with name & north arrow <input checked="" type="checkbox"/> 6 Folded blueline prints of the proposed plat <input checked="" type="checkbox"/> 2 Warranty Deeds (identifying owner on application) <input checked="" type="checkbox"/> AutoCAD 2005 DWG file and PDF of plat <input checked="" type="checkbox"/> Letter of Authorization from the owner, if applicable <input checked="" type="checkbox"/> Proof of authority of person signing application on behalf of partnership/corporation, if applicable <p>PLAT TO SHOW:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Metes and bounds <input checked="" type="checkbox"/> Lots numbered with dimensions and area of irregular lots noted Surrounding platted lots and/or lot lines for unsubdivided tracts <input checked="" type="checkbox"/> Name and address of owner, lienholder, developer, engineer and surveyor shown along with signature lines <input checked="" type="checkbox"/> North arrow, scale and vicinity map <input checked="" type="checkbox"/> Name & dimension of adjoining street ROWs (total width & width from centerline) <p>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.</p> |
| | <p>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.</p> <p>Signature <u></u> Date <u>4/12/23</u></p> <p>Print Name <u>ROXANA LOPEZ</u></p> <p>Owner <input checked="" type="checkbox"/> Authorized Agent <input checked="" type="checkbox"/></p> |

| | |
|---|--|
| Minimum Developer's Requirements Submitted with Application | <p style="text-align: center;">Proposed Plat Submittal</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> \$225 Preliminary Review Fee and \$75 Final Approval Fee <input checked="" type="checkbox"/> Title Report <input checked="" type="checkbox"/> 8 ½" by 11" Original Sealed Survey showing existing structures/easements or 3 blueline copies 2 Location Maps <input checked="" type="checkbox"/> 2 8 ½" by 11" copies/legible copies of plat with name & north arrow <input checked="" type="checkbox"/> 6 Folded blueline prints of the proposed plat <input checked="" type="checkbox"/> 2 Warranty Deeds (identifying owner on application) <input checked="" type="checkbox"/> AutoCAD 2005 DWG file and PDF of plat <input checked="" type="checkbox"/> Letter of Authorization from the owner, if applicable <input checked="" type="checkbox"/> Proof of authority of person signing application on behalf of partnership/corporation, if applicable <p>PLAT TO SHOW:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Metes and bounds <input checked="" type="checkbox"/> Lots numbered with dimensions and area of irregular lots noted Surrounding platted lots and/or lot lines for unsubdivided tracts <input checked="" type="checkbox"/> Name and address of owner, lienholder, developer, engineer and surveyor shown along with signature lines <input checked="" type="checkbox"/> North arrow, scale and vicinity map <input checked="" type="checkbox"/> Name & dimension of adjoining street ROWs (total width & width from centerline) <p>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.</p> |
| Owners Signature | <p>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.</p> <p>Signature <u></u> Date <u>4/12/2023</u></p> <p>Print Name <u>Jerry J. Box</u></p> <p>Owner <input checked="" type="checkbox"/> Authorized Agent <input type="checkbox"/></p> |





PLAT NOTES AND RESTRICTIONS:

- FLOOD ZONE DESIGNATION: ZONE "X" (NO SHADING) DESCRIBED AS "AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOOD-PLAIN". COMMUNITY-PANEL NUMBER 480334 0325 D EFFECTIVE DATE: JUNE 6, 2000
- MINIMUM BUILDING SETBACK LINES AS PER CITY OF McALLEN ORDINANCE. FRONT: 25' OR GREATER FOR EASEMENTS REAR: 10' OR GREATER FOR EASEMENTS INTERIOR SIDES: 6' OR GREATER FOR EASEMENTS SITE CORNER: 10' OR GREATER FOR EASEMENTS GARAGE: 18' EXCEPT WHERE GREATER SETBACK IS REQUIRED, GREATER SETBACK APPLIES
- MINIMUM PERMISSIBLE FINISH FLOOR ELEVATION SHALL BE 18 INCHES ABOVE THE FRONT TOP OF CURB MEASURED FROM THE CENTER OF THE LOT OR 18 INCHES ABOVE THE HIGHEST ADJACENT GRADE, WHICHEVER IS GREATER.
- NO BUILDINGS SHALL BE CONSTRUCTED OVER ANY EASEMENT OR LOT LINE.
- REQUIRED STORM SEWER RUNOFF DETENTION FOR THIS SUBDIVISION AS PER THE APPROVED DRAINAGE REPORT: _____ C.F. (_____) AC.FT. TO BE PROVIDED WITHIN DESIGNATED DETENTION AREAS.
- AN ENGINEERED DRAINAGE DETENTION PLAN, APPROVED BY THE CITY OF McALLEN ENGINEERING DEPARTMENT, SHALL BE REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMIT.
- PRIVATE DRAINAGE SYSTEM/DETENTION AREAS TO BE MAINTAINED BY PROPERTY OWNER.
- BENCHMARK IS CITY OF McALLEN BENCHMARK "SPRAGUE" MONUMENT: STAINLESS STEEL, 3/8", COVERED WITH AN ALUMINUM LOGO CAP. LOCATED INSIDE THE WATER TREATMENT PLANT [SEE LOCATION MAP FOR APPROXIMATE LOCATION] PUBLISHED DATA: CITY OF McALLEN BENCHMARK "SPRAGUE" ELEVATION = 102.61 COORDINATES: TEXAS STATE PLANE SOUTH ZONE (4205), NAD 83, NAD 83 SURVEY FEET GRID: N=16636202.03496 E=1076277.68322
- 4 FT WIDE MINIMUM SIDEWALK REQUIRED ON NORTHGATE LANE, HOBBS DRIVE, AND BOTH SIDES OF ALL INTERIOR STREETS.
- 6 FT OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY, RESIDENTIAL AND COMMERCIAL, AND INDUSTRIAL ZONES/USES, AND ALONG HOBBS DRIVE.
- 8 FT MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONES/USES.
- ALL CONSTRUCTION SHALL COMPLY WITH STORM WATER POLLUTION PREVENTION PLAN REQUIREMENTS.
- 25 X 25 FT SIGHT OBSTRUCTION EASEMENT REQUIRED AT ALL STREET INTERSECTIONS.
- NO CURB CUT, ACCESS, OR LOT FRONTAGE PERMITTED ALONG HOBBS DRIVE.
- DEVELOPER/HOMEOWNER'S ASSOCIATION/OWNER, THEIR SUCCESSORS AND ASSIGNEES, AND NOT THE CITY OF McALLEN SHALL BE RESPONSIBLE FOR COMPLIANCE OF INSTALLATION AND MAINTENANCE AND OTHER REQUIREMENTS PER SECTION 134-168 OF THE SUBDIVISION ORDINANCE, INCLUDING BUT NOT LIMITED TO COMMON AREAS AND ITS PRIVATE STREETS.
- AS PER DECLARATIONS OF COVENANTS, CONDITIONS, AND RESTRICTION FOR NORTHGATE ESTATES, RECORDED AS INSTRUMENT NO. _____ HIDALGO COUNTY OFFICIAL RECORDS, DEVELOPER/HOMEOWNER ASSOCIATION/OWNER, THEIR SUCCESSORS AND/OR ASSIGNEES, AND NOT THE CITY OF McALLEN SHALL BE RESPONSIBLE FOR THE INSTALLATION, MAINTENANCE AND OTHER REQUIREMENTS AS PER SECTION 134-168 OF THE CODE OF ORDINANCES OR THE CITY OF McALLEN INCLUDING BUT NOT LIMITED TO THE COMMON AREA, ANY AMENDMENT TO DECLARATIONS THAT CONFLICT WITH HE REQUIREMENTS OF SECTION 134-168 SHALL BE NULL AND VOID.
- COMMON AREA LOT A, IDENTIFIED AS DETENTION AREA LOT A SHALL BE MAINTAINED BY THE DEVELOPER, WHO MAY TRANSFER SUCH MAINTENANCE OBLIGATION TO THE SUBDIVISION HOMEOWNER'S ASSOCIATION, NORTHGATE ESTATES HOMEOWNER ASSOCIATION, UPON CONVEYANCE OF TITLE TO THE SAME. THEIR SUCCESSORS AND ASSIGNS, AND NOT BY THE CITY OF McALLEN, NO BUILDINGS OR OTHER STRUCTURES SHALL BE ERECTED IN COMMON AREA, WHICH SHALL BE USED EXCLUSIVELY AS DETENTION COMMON AREA LOT A. AFTER COMMON AREA LOT A TRANSFER OF TITLE TO THE NORTHGATE ESTATES HOMEOWNER'S ASSOCIATION, THE SUBDIVISION LOT OWNER RATES SHARE OF THE COST OF MAINTENANCE SHALL BE DETERMINED BY THE NORTHGATE ESTATES HOMEOWNER'S ASSOCIATION, FAILING IN SUCH MAINTENANCE OBLIGATIONS, THE CITY OF McALLEN MAY, BUT SHALL NOT BE REQUIRED TO MAINTAIN THE SAME AT THE LOT OWNER'S COST, WHICH COST MAY BECOME A LIEN AGAINST THEIR PROPERTIES. PRIOR TO THE IMPOSITION OF ANY LIEN, THE CITY SHALL FIRST COMPLY WITH NOTICE REQUIREMENTS SIMILAR TO THOSE UNDER EXISTING ORDINANCE SECTION 134-168, AS THE SAME MAY BE AMENDED. THE SPECIFIC AND EXCLUSIVE USE OF COMMON AREA LOT A, THE OWNER'S MAINTENANCE OBLIGATION, AND THE CONSEQUENCES OF FAILURE TO MAINTAIN SHALL BE INCORPORATED INTO ANY DEED OR INSTRUMENT OF CONVEYANCE AS A DEED RESTRICTION, RECORDED IN INSTRUMENT NO. _____ OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS.

CERTIFICATE OF APPROVAL PLANNING & ZONING COMMISSION

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

CHAIRMAN, PLANNING AND ZONING COMMISSION DATE

CITY OF McALLEN MAYOR CERTIFICATION

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

MAYOR, CITY OF McALLEN DATE

CITY SECRETARY DATE

CERTIFICATE OF APPROVAL HIDALGO COUNTY DRAINAGE DISTRICT No. 1

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

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



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

ON: _____ AT _____ AM/PM INSTRUMENT NUMBER _____ OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS

BY: _____ DEPUTY

STATE OF TEXAS COUNTY OF HIDALGO CERTIFICATION OF SURVEYOR

I, THE UNDERSIGNED, MANUEL CARRIZALES, A REGISTERED PROFESSIONAL PUBLIC 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.

MANUEL CARRIZALES TEXAS R.P.L.S. No. 6388 TEXAS REG. SURVEYING FIRM NO. 101194417

STATE OF TEXAS COUNTY OF HIDALGO CERTIFICATION OF ENGINEER

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

ROBERTO SALINAS, PE TEXAS LICENSED PROFESSIONAL ENGINEER No. 122063 TBPLS FIRM NO. 21737

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

URBAN CITY DEVELOPERS, LLC 4501 EXPY 83 STE 10 McALLEN, TEXAS 78503

JERRY J. BOX P.O. BOX 3376 McALLEN, TEXAS 78501

STATE OF TEXAS COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED URBAN CITY DEVELOPERS, LLC, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 20__.

NOTARY PUBLIC

STATE OF TEXAS COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JERRY J. BOX, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 20__.

NOTARY PUBLIC

SHEET 01 OF 01 DATE OF PREPARATION: 3.29.2023 PROJECT NO:21735

| NO. | DATE | DESCRIPTION | BY |
|-----|------|-------------|----|
| | | | |
| | | | |

PRINCIPAL CONTACTS:

| NAME | ADDRESS | CITY & ZIP | PHONE |
|---------------------------------------|---------------------------|----------------------|--------------|
| OWNER: URBAN CITY DEVELOPERS, LLC | 4501 EXPY. 83, STE. 10 | McALLEN, TEXAS 78503 | 956-_____ |
| ENGINEER: TURBO ENGINEERS, PLLC | 1203 ERIE AVENUE, SUITE F | McALLEN, TX 78501 | 956.598.2940 |
| SURVEYOR: MANUEL CARRIZALES, R.P.L.S. | 4807 GONDOLA AVENUE | EDINBURG, TX 78542 | 956.567.2167 |



City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 7/19/2024

SUBDIVISION NAME: NORTHGATE ESTATES

REQUIREMENTS

STREETS AND RIGHT-OF-WAYS

Northgate Lane: Dedication as needed for 35 ft. from centerline for 70 ft. total ROW
Paving: 44 ft. Curb & gutter: both sides
Revisions needed:
- Need to provide a copy of the referenced R.O.W. document shown on the plat for staff review prior to recording.
- Provide total R.O.W. width and the R.O.W. to the centerline after accounting for the dedication on the plat.
- All R.O.W. requirements must be addressed prior to recording. Label the 55.0' Total R.O.W. and the 35.0' R.O.W. from C.L.
**Subdivision Ordinance: Section 134-105
**Monies must be escrowed if improvements are required prior to recording.
**COM Thoroughfare Plan

Required

Hobbs Drive: Dedication as needed for 40 ft. for 80 ft. total ROW.*
Proposed: 20 ft. ROW dedication for 60 ft. total ROW
Paving: 52 ft. Curb & gutter: Both Sides
Revisions as needed:
- Provide a copy of the document for existing ROW for staff review prior to recording.
- All ROW requirements must be addressed prior to recording.
*A variance request for 20 ft. dedication for total 60 ft. ROW was submitted by the project engineer and was approved by the City Commission on 10/23/2023.
**Subdivision Ordinance: Section 134-105
**Monies must be escrowed if improvements are required prior to recording.
**COM Thoroughfare Plan

Applied

Interior Street: 50 ft. R.O.W. (for single-family residential development) (*70ft R.O.W. will only be between Lots 11 & 12)
Paving: 40 ft. Curb & gutter: both sides
Revisions as needed:
- Additional R.O.W. may be required at the gate area.
- 10' U.E. + Sidewalk Easement will be required on both sides of the street prior to recording.
* A variance to 600 ft. maximum Cul-de-Sac length was submitted, proposing a paving width of 40 ft. for the interior street. The variance was approved by the City Commission on 10/23/2023, subject to 40 ft. paving for all interior streets. Sidewalk easement may be required on both sides and must be finalized prior to recording.
* 70 ft. R.O.W. between Lots 11 & 12 is for the purpose of accommodating the proposed width of the gate detail.
**Subdivision Ordinance: Section 134-105
**Monies must be escrowed if improvements are required prior to recording.
**COM Thoroughfare Plan

Required

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

NA

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

| | |
|--|----------|
| <ul style="list-style-type: none"> * 1,200 ft. Block Length. **Subdivision Ordinance: Section 134-118 * 900 ft. Block Length for R-3T and R-3C Zone Districts. - Property is zoned R-1 District. **Subdivision Ordinance: Section 134-118 * 600 ft. Maximum Cul-de-Sac. * A variance to 600 ft. maximum Cul-de-Sac length was submitted, proposing a paving width of 40 ft. for the interior street. The variance was approved by the City Commission on 10/23/2023, subject to 40 ft. paving for all interior streets. Sidewalk easement may be required on both sides and must be finalized prior to recording. **Subdivision Ordinance: Section 134-105 | Applied |
| | NA |
| | Applied |
| ALLEYS | |
| <ul style="list-style-type: none"> ROW: 20 ft. Paving: 16 ft. -Alleys are not proposed. *Alley/service drive easement required for commercial properties **Subdivision Ordinance: Section 134-106 | NA |
| SETBACKS | |
| <ul style="list-style-type: none"> * 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 | Applied |
| | Applied |
| | Applied |
| | Applied |
| | Applied |
| | Applied |
| SIDEWALKS | |
| <ul style="list-style-type: none"> * 4 ft. wide minimum sidewalk required on Northgate Lane, Hobbs Drive, and both sides of all interior and entrance streets. - Minimum sidewalk width is subject to increase as per the Engineering Department **Subdivision Ordinance: Section 134-120 * Perimeter sidewalks must be built or money escrowed if not built at this time. | Applied |
| | Required |
| BUFFERS | |
| <ul style="list-style-type: none"> * 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along Hobbs Drive. - Other buffers as may be applicable 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. | Applied |
| | Applied |
| | Required |

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

| NOTES | |
|--|----------|
| <ul style="list-style-type: none"> * No curb cut, access, or lot frontage permitted along Hobbs Drive. - Others as may be applicable prior to final. **Must comply with City Access Management Policy | Applied |
| <ul style="list-style-type: none"> * Site plan must be approved by the Planning and Development Departments prior to building permit issuance. - Subdivision proposed as single-family development which doesn't required site plan approval. | NA |
| <ul style="list-style-type: none"> * Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. -Add a plat note as shown above prior to recording. | Required |
| <ul style="list-style-type: none"> * Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. | Applied |
| <ul style="list-style-type: none"> * Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. **Section 134-168 applies if private subdivision is proposed. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168 -Clarify if the subdivision is proposed to be private or public and add the plat note referencing the correct ordinance. | Required |
| <ul style="list-style-type: none"> * Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. **Section 110-72 applies if public subdivision is proposed. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168 - Clarify if the subdivision is proposed to be private or public - Submit a copy of the draft HOA covenant referencing the correct ordinance. - A plat note to reference the HOA document is required prior to recording. | Required |
| LOT REQUIREMENTS | |
| <ul style="list-style-type: none"> * Lots fronting public/private streets. **Subdivision Ordinance: Section 134-1 | Applied |
| <ul style="list-style-type: none"> * Minimum lot width and lot area **Zoning Ordinance: Section 138-356 | Applied |
| ZONING/CUP | |
| <ul style="list-style-type: none"> * Existing: R-1 Proposed: R-1 ***Zoning Ordinance: Article V | Applied |
| <ul style="list-style-type: none"> * Rezoning Needed Before Final Approval ***Zoning Ordinance: Article V | NA |
| PARKS | |
| <ul style="list-style-type: none"> * Land dedication in lieu of fee. - Based on the application submitted on 4/13/2023, 13 single-family residential lots are proposed. a revise plat submitted on 6/16/2023, shows 14 residential lots. Clarify and revise the application prior to recording.. A park fee of \$700 per dwelling unit (\$9,800 total) is required prior to recording. The park fee is subject to change, if the number of dwelling units changes. | Required |

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

| | |
|---|----------|
| <p>* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. - Based on the application submitted on 4/13/2023, 13 single-family residential lots are proposed. a revise plat submitted on 6/16/2023, shows 14 residential lots. Clarify and revise the application prior to recording.. A park fee of \$700 per dwelling unit (\$9,800 total) is required prior to recording. The park fee is subject to change, if the number of dwelling units changes.</p> <p>* Pending review by the City Management's Office. - Based on the application submitted on 4/13/2023, 13 single-family residential lots are proposed. a revise plat submitted on 6/16/2023, shows 14 residential lots. Clarify and revise the application prior to final. A park fee of \$700 per dwelling unit (\$9,800 total) is required prior to recording. The park fee is subject to change, if the number of dwelling units changes.</p> | Required |
| | Applied |
| TRAFFIC | |
| <p>* As per Traffic Department, Trip Generation is waived. As per Traffic Department: 1. TG waived for 13-single family lot subdivision and a detention lot. 2. No access requirement along Northgate Lane. 3. Ok for final with the condition to ensure gate standard requirements are being met. *Traffic Impact Analysis (TIA) not required as per Traffic Department.</p> | Required |
| | NA |
| COMMENTS | |
| <p>Comments: - If the subdivision is proposed to be private, proper wording for owner's signature block is required. - Label Detention area as Common Lot A prior to recording. - Additional R.O.W. may be required at the gate area to ensure gate standard requirements. If subject to this change, subdivision will be required to go through a "revised final" process. *Must comply with City's Access Management Policy. **The project engineer submitted a variance application (VAR2023-0026) including the following variances: 1. A variance to the maximum 600 ft. Cul-de-Sac Length, proposing to provide 40 ft. of paving back to back for the interior street. 2. A variance to dedicate 20 ft. ROW for total 60 ft. ROW for Hobbs Drive, instead of 40 ft. dedication for total 80 ft. ROW. If the variance is approved, it should be subject to providing sidewalk easement on both sides. ** Variances were approved by the City Commission meeting on 10/23/2023.</p> | Required |
| RECOMMENDATION | |
| RECOMMENDATION: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED FINAL FORM, SUBJECT TO THE CONDITIONS NOTED. | Applied |

| | |
|----|-------------------|
| P | PRESENT |
| A | ABSENT |
| MC | MEETING CANCELLED |
| LQ | LACK OF QUORUM |

2024 ATTENDANCE RECORD FOR PLANNING AND ZONING COMMISSION MEETINGS

[illegible]

2024 ATTENDANCE RECORD FOR PLANNING AND ZONING COMMISSION WORKSHOPS

[illegible]

