

AGENDA

PLANNING & ZONING COMMISSION REGULAR MEETING TUESDAY, MARCH 21, 2023 - 3:30 PM MCALLEN CITY HALL, 1300 HOUSTON AVENUE CITY COMMISSION CHAMBERS, 3RD FLOOR

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

CALL TO ORDER -

PLEDGE OF ALLEGIANCE -

INVOCATION -

1) MINUTES:

- a) Approval/disapproval of minutes for the February 21, 2023 meeting
- b) Approval/disapproval of minutes for the March 7, 2023 meeting

2) PUBLIC HEARING

a) CONDITIONAL USE PERMITS:

- 1. Request of Turbo Lube, for a Conditional Use Permit, for life of use, and adoption of an ordinance, for an automotive service and repair, at Lot 1, Copperfield Estates Phase 1A, Hidalgo County, Texas; 4201 Pecan Boulevard. **(CUP2023-0025)**
- 2. Request of Melissa Garza, for a Conditional Use Permit, for one year, for a Home Occupation (Beauty Salon) at Lot 12, Lincoln Heights Addition, Hidalgo County, Texas; 416 Dallas Avenue. **(CUP2023-0026)**
- 3. Request of La Tambora Sinaloense LLC, for a Conditional Use Permit, for one year, and adoption of an ordinance, for a Bar, at Lot 12, Mejia Subdivision Unit No. 1, Hidalgo County, Texas; 2022 Nolana Avenue. **(CUP2023-0027)**

b) REZONING:

- 1. Rezone from A-O (agricultural-open space) District to I-1 (light industrial) District: 63.86 acres consisting of 23.86 acres out of Lot 5, Block 1 and all of Lot 6, Block 1, Rio Bravo Plantation Company Subdivision, Hidalgo County, Texas; 3500 South Ware Road. **(REZ2023-0013)**

2. Rezone from A-O (agricultural-open space) District to C-3 (general business) District: 33.894 acres consisting of 2.214 acres of Lot 8, McAllen First Citrus Groves Subdivision and 31.68 acres out of Lots 185 and 188, La Lomita Irrigation and Construction Company Subdivision, Hidalgo County, Texas; 2800 South Ware Road. **(REZ2023-0014)**
3. Rezone from R-3T (multi-family townhouse residential) District to C-3 (general business) District: 1.96 Acres out of Block 1, Whitewing Addition Unit No. 1, Hidalgo County, Texas; 2600 North 24th Street. **(REZ2023-0008)**
4. Rezone from R-1 (single-family residential) District to R-3T (multi-family townhouse residential) District: 3.96 Acres out of the west one-half (1/2) of the north 20 Acres of Lot 3, Block 8, A.J. McColl Subdivision, Hidalgo County, Texas; 1200 East Yuma Avenue. **(REZ2023-0009)**

3) CONSENT:

- a) Dake Subdivision, 5301 North Ware Road, Dake, LLC., **(SUB2022-0145) (FINAL)MAS**
- b) Belterra at Tres Lagos Phase I Subdivision, 14301 North Shary Road, Belterra at Tres Lagos, LLC. **(SUB2023-0025) (FINAL)M&H**
- c) Hinojosa Commercial Plaza Subdivision, 2413 North 23rd Street, Aleyda Enterprises, LLC **(SUB2022-0063) (FINAL)SEA**
- d) RMZ Development Subdivision, 2901 Colbath Road, RMZ Investments, LLC **(SUB2022-0129) (REVISED FINAL)RDE**

4) SUBDIVISIONS:

- a) North Park on 107 Subdivision, 2501 State Highway 107, Urban City Developers, LLC **(SUB2022-0038) (REVISED FINAL) TE**
- b) Vista Acres Subdivision, 2209 North Jackson Road, EBE Development, LTD. **(SUB2023-0022) (PRELIMINARY)CE**
- c) Balboa Acres, The West ½ of Lot 25, Block 25, Subdivision; 3310 Covina Avenue-Margarita Torres and Eliazar Zamora **(SUB2023-0021) (PRELIMINARY) SE**

ADJOURNMENT:

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

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF McAllen

The McAllen Planning and Zoning Commission convened in a Regular Meeting on Tuesday February 21, 2023, at 3:30p.m. in 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
	Marco Suarez	Member
	Emilio Santos Jr.	Member
	Erica De la Garza	Member
Absent:	Aaron D. Rivera	Member
Staff Present:	Austin Stevenson	Assistant City Attorney III
	Michelle Rivera	Assistant City Manager
	Edgar Garcia	Planning Director
	Luis Mora	Deputy Director
	Jose Humberto De la Garza	Development Coordinator
	Omar Sotelo	Senior Planner
	Rodrigo Sanchez	Senior Planner
	Mario Escamilla	Planner III
	Liliana Garza	Planner III
	Kaveh Forghanparast	Planner II
	Adriana Solis	Planner II
	Samantha Trevino	Planner I
	Porfirio Hernandez	Planner Technician II
	Jacob Salazar	Planner Technician I
	Magda Ramirez	Administrative Assistant

CALL TO ORDER – Chairperson Mr. Michael Fallek

PLEDGE OF ALLEGIANCE

INVOCATION- Emilio Santos Jr.

1) MINUTES:

- a) Minutes for the Regular meeting held on February 21, 2023.

The minutes for the regular meeting held in February 21, 2023 was approved as submitted by Mr. Marco Suarez. Seconding the motion was Ms. Erica De la Garza which carried unanimously with 5 members present and voting.

***** Mr. Jose Saldana entered the meeting at 3:32 after the minutes had been voted on. His vote began on item 2a1.**

2) PUBLIC HEARING:

a) CONDITIONAL USE PERMIT:

- 1) Request of Rachelle G. Rafols, for a Conditional Use Permit, for one year, for a Home Occupation (Cleaning Services) at Lot 54, Meadow Ridge, Hidalgo County, Texas, 4922 North 47th Lane. **(CUP2023-0005)**

Ms. Adriana Solis stated that the subject property is located on the east of 47th Lane and south of Xanthisma Avenue. The subject property is approximately 1,150 sq. ft. from Bentsen Road.

The property is zoned R-1 (single-family residential). The adjacent zoning is R-1 District all around and A-O (agricultural and open space) District to the west and southeast of the subject property. Surrounding land uses include single-family residences. A home occupation is permitted in the R-1 (single-family residential) District with a Conditional Use Permit and in compliance with requirements.

The applicant is proposing to provide storage for cleaning services from the garage, attached to the existing house, only using half the space as per the submitted floor plan. Applicant stated parking spaces would not be an issue for their vehicles, as they have a two-car garage. As per Sec. 138-394 (1) one off-street parking in the front yard setback for single-family uses is permitted. The proposed hours of operation will be from 8:00 a.m. to 5:00 p.m. Monday through Saturday by appointment only. The applicant stated cleaning services will be provided off the property, and the home will be used for storage. No customers will be present in the home and no retail sales will take place. 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 occupation may not be operational until issuance of the certificate. The Fire Department has inspected the building and allowed the CUP process to continue. The business must comply with requirements set forth in Section 138-118(1) of the Zoning Ordinance and other specific requirements as follows:

- 1) The home occupation must be clearly secondary to the residential use;
- 2) One nameplate attached to the building not larger than two square feet is permitted in all districts except R-1 single-family residential district;
- 3) There shall be no exterior display or alterations indicating that the building is being used for any purpose other than that of a dwelling. The applicant does not propose any alteration;
- 4) There shall be no more than one additional unrelated employee other than immediate members of the family residing on the premises. The applicant stated that he will have one employee; not related.
- 5) There shall be no outside storage of materials or products. The applicant proposes no outside storage;
- 6) The permitted use shall not create frequent or heavy traffic, not greater than ten percent (10%) of the average load per hour as determined by the city traffic engineer. The applicant stated that the home occupation would be used as storage for cleaning services.

- 7) No retail sales (items can be delivered). The applicant does not propose retail sale;
- 8) No additions to the residence or accessory building specifically to accommodate the business. The applicant proposes no additions or accessory building to accommodate the business;
- 9) The business must take place in the primary residential structure on the property rather than in a detached garage or separate accessory building. The occupation is proposed to take place in the primary residential structure; and
- 10) The activity must take place at the location of which the permit was issued.

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

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

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

- 2) Request of Rebeca Acosta for a Conditional Use Permit, for Life of the Use, and adoption of an ordinance, for a Single Family Dwelling on a commercial lot, Lot 19, Block 35, Hammond Addition, Hidalgo County, Texas; 2220 Beaumont Avenue. **(CUP2023-0009)**

Ms. Adriana Solis stated that the subject property is located on the east side of 23rd Street and west of 22nd ½ Street. The lot size is 7,000 sq. ft. and the proposed single-family home is approximately 1,285.24 sq. ft. The subject property currently exists as a vacant lot. The applicant is requesting a conditional use permit for a single-family dwelling for the subject property in order to build a new house.

The property is zoned C-4 (commercial industrial) District. The adjacent zoning is C-4 District all around. The adjacent zoning is R-3A (apartments) District to the east of the subject property and C-3 (general business) to the west of the property. Surrounding land uses include an automotive service business, single-family homes and apartments. A single-family dwelling is allowed in C-4 District with a conditional use permit and in compliance with requirements.

The applicant is proposing to construct a single-family home in a C-4 District. The submitted floor plan depicts that the proposed house will include three bedrooms, two bathrooms, a study room, a kitchen with a dining area, a living room, a laundry room, a porch and a patio. A building permit application for the proposed house has not been submitted. A CUP application for a single-family dwelling for the subject property was submitted on January 17, 2023. The Fire Department will conduct the necessary inspection once the construction of the home is completed to ensure the property complies with applicable code requirements.

The proposed residence must comply with the following requirements:

- 1) No form of pollution shall emanate beyond the immediate property line of the permitted use;
- 2) Additional reasonable restrictions or conditions such as increased open space, loading and parking requirements, suitable landscaping, curbing, sidewalks or other similar improvements may be imposed in order to carry out the spirit of the Zoning Ordinance or mitigate adverse effects of the proposed use; and
- 3) In a C-4 District, a single-family dwelling shall be located on a minimum lot size of 5,000 sq. ft. and in compliance with setbacks of the respective zoning district. The subject property is 7,000 sq. ft.

Staff has received phone calls in opposition to the conditional use permit request.

Staff recommends approval of the request, for life of the use, subject to compliance with Sections 138-176 and 138-238 of the Zoning Ordinance, Fire Department, and building permit requirements.

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

Citizen Mr. Ricardo Javier Garcia(112 or 122 South 22 1/2, McAllen- he could not remember the correct address) stated his concern is that he owns a bar next door to the property and does have a CUP to run the bar. He is concerned that the future tenants that will live at the home that is planned to be built, may have issues with loud music until 2:00a.m.

Applicant, Ms. Rebecca Acosta, stated she owns several locations in the surrounding area and is aware of the bar. She stated she does not have issues with the bar. She stated she will not be renting the home. Her plan is to build the home for her children to live in.

Vice Chairperson Mr. Gabriel Kamel questioned the zoning and later issues that may occur, how would Mr. Ricardo Garcia be assured that he will not be forced to close down. Attorney, Austin Stevenson stated that citizens have every right to complain but a note can be placed on the CUP for future requests of tenants of the home, that citizens will be aware of the CUP and the right that the business has to operate.

After a long discussion, Vice Chairperson Mr. Gabriel Kamel moved to approve with the conditions that the business located in front have a note stating the home owner is aware of the business operation. Mr. Emilio Santos Jr. seconded the motion, which was approve with six members present, five voting, with one members vote as nay.

- 3) Request of Eziquiel Ortiz, for a Conditional Use Permit, for one year, and adoption of an ordinance for a bar and restaurant (76 Bar and Kitchen) at Lot A-1, Lot A-1, Nolana Tower Subdivision, Hidalgo County, Texas, 400 Nolana Avenue, Suites S, T, R. **(CUP2023-0007)**

Ms. Samantha Trevino 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 also to the east, and A-O (agricultural and open space) District also to the west. The property is located within the Nolana Tower Subdivision and is the site for

Nolana Tower Shopping Center. Surrounding land uses include Chanin Engineering, Kemper Life, Jump, a water tower, and residential homes. A bar is permitted in a C-3 District with a conditional use permit and in compliance with requirements.

This is the first Conditional Use Permit application for the '76 Bar and Kitchen which was submitted January 13, 2023.

The 5,997 square feet two-floor building consists of a large dance floor/dining area, 2 restroom areas, 2 bars, a kitchen, one large storage room, and a second floor VIP lounge area, as shown on the submitted floor plan. The proposed daily hours of operation for '76 Bar and Kitchen are from 5:00 PM to 2:00 AM. As per the zoning ordinance, Section 138-395 (14), the business requires 59 parking spaces, and 729 common area parking spaces are provided, which complies with the parking requirement.

Inspections by the Health and Fire Departments have been completed and no violations were found.

As per Section 138-400 of the Zoning Ordinance, the parking lot must be properly striped and free of potholes. 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 PM) must be at least 400 feet 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 feet of residential zones and uses to the north and east, and a water tower 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 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, a children's event center, and bars. 729 parking spaces are provided on the common parking area in the front and rear of the building. For the 729 parking spaces of the common parking area, 15 accessible parking spaces are required and are provided on site. Based on the square footage of the building, 41 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. The occupancy load for this establishment will be established by the Building Department as part of the building permitting review.

Staff has received one phone call in opposition to this request.

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

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

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

- 4) Request of Jorge A. Gonzalez, for a Conditional Use Permit, for one year, and adoption of an ordinance for a bar/cigar shop, at Lot 2-A, Lots 2-A and 2-B, Valram Heights Subdivision, Hidalgo County, Texas, 2801 Expressway 83, Bldg 200, Suites 280-290. **(CUP2023-0008)**.

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

The applicant is proposing to continue to operate a retail store for Cigars & Luxury Goods and a lounge (Elephant Bar and Cigar Lounge) out of an approximate 2,950 sq. ft. lease area, from an existing multi-tenant commercial building by the name of Kamila Plaza. The proposed days and hours of operation are Monday through Saturday from 12:00 p.m. to 2:00 a.m. There was a conditional use permit for IL Regalo Preferito approved initially on January 12, 2015. The establishment changed its name to Elephant Bar and Cigar Lounge in 2017. The last conditional use permit was approved on March 14, 2022 by the City Commission with a variance to the distance requirement. 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 Health Department has inspected the building and found it to be in compliance, Fire Department conducted their inspection and found it to also be in compliance. The Planning Department has received no complaints regarding the present use as a bar. As per Section 138-400 of the Zoning Ordinance, the parking lot must be properly striped and free of potholes. The bar must also comply with requirements set forth in Section 138-118(a)(4) of the Zoning Ordinance and specific requirements as follows:

- 1) The property line of the 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 bar is within 400 ft. of the adjacent residential zone and use to the south.
- 2) The business must be as close as possible to a major arterial and shall not allow traffic generated by such businesses onto residential streets or allow such traffic to exit into a disrupt residential areas. The bar has access to U.S. Expressway 83 and South 29th Street, and does not generate traffic into residential areas;
- 3) The business must provide parking in accordance with the city off-street parking ordinance as a minimum, and make provisions to prevent the use of adjacent streets for parking. The 2,950 sq. ft. combined retail and lounge area would require a total of 16 parking spaces. The above mentioned business meets zoning ordinance 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 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(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, Mr. Marco Suarez moved to disapprove with favorable recommendation. Ms. Erica De la Garza seconded the motion, which was disapproved with favorable recommendation with six members present and voting.

- 5) Request of Noble Texas Builders, on behalf of McAllen Independent School District, for a Conditional Use Permit, for the life of the use, and adoption of an ordinance for an institutional use for a high school, at Steele & Pershing N661.40'-E1207.25', Lot 1, Blk 11 exc an irr tr S375.30'-E513.14' 14.9 acres net, Hidalgo County, Texas, 801 East Lakeview Drive. **(CUP2023-0012)**

Ms. Samantha Trevino stated that the subject property is located along the south side of Pecan Boulevard and is located between North McColl Road and North Commerce Center Street (K). The

subject property is currently zoned C-3 (general business) District. The adjacent zoning is C-3 District in all directions. The applicant is requesting a conditional use permit (CUP) for a proposed high school for McAllen Independent School District in conjunction with the University of Texas Rio Grande Valley (UTRGV) as property owner. An institutional use is permitted in the C-3 District with a conditional use permit. The property is currently vacant.

The application for a conditional use permit for the proposed educational institution was submitted on January 20, 2023. An application for a commercial building permit was submitted on December 27, 2022, and is undergoing the review process.

The application submitted for the conditional use permit lists the proposed use as a high school.

An approved building permit will be required and will be subject to compliance with all requirements. The Fire Department will conduct their inspections once the construction for the proposed high school is completed and prior to occupancy.

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 Pecan Boulevard.
2. The proposed use shall comply with the McAllen Off-Street Parking and Loading Ordinance and make provisions to prevent the use of street parking, especially in residential areas. A proposed parking lot is in compliance with requirements. 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 activities.
5. Provisions shall be made to prevent litter from blowing onto adjacent streets and residential areas;
6. The number of persons within the buildings shall be restricted to those allowed by the Fire Marshal and Building Official at the time of permit issuance.
7. Must comply with traffic requirements- TIA Waiver. Please ensure that the Driveway that leads to McColl Road is for "Exit Only".

Staff recommends approval of the request, for the life of the use, subject to compliance with the stated conditions, Zoning Ordinance, Fire Department requirements, and building permit requirements.

Planning and Zoning Commission Board unanimously voted to recommend approval of the request for the life of the use.

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 seconded the motion, which was approved with six members present, five voting and one, Mr. Marco Suarez, abstaining.

b) REZONING:

- 1) Rezone from R-1 (single-family residential) District to C-3 (general commercial) District: 6.84 Acres (Tract 3), of the South 9 Acres of the North 20 Acres of Lot 80, La Lomita Irrigation & Construction Company's Subdivision, Hidalgo County, Texas; 6201 North Ware Road **(REZ2023-0003)**

Mr. Edgar Garcia stated that the applicant requested to table the item. Mr. Marco Suarez moved to table item. Mr. Jose Saldana second the motion which tabled with six members present and voting.

c) SUBDIVISION:

- 1) Rancho Lots 31A, 31B, and 33A, 33B Subdivision, 5311 and 5401 South 28th Street, Viridiana Suchil **(SUB2023-0006)(FINAL)SEA**

Mr. Mario Escamilla stated South 28th Street: Existing 60 ft. total ROW. Paving :32 ft. Curb & gutter: Both Sides Pending Items: Existing paving 28.3' clarify prior to recording. Provide a copy of any referenced document regarding existing ROW, prior to recording. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are not built prior to recording. COM Thoroughfare Plan. Subdivision Ordinance: Section 134-118. ROW: 20 ft. Paving: Existing conditions to remain. Alley/service drive easement required for commercial and multi-family properties. As per application submitted on August 23rd, 2022 single family residential lots proposed, if use changes from single family residential a Alley/service drive easement will be required. Subdivision Ordinance: Section 134-106. Front: In accordance with the Zoning Ordinance or greater for easements or inline with existing structures, whichever is greater applies. Zoning Ordinance: Section 138-356. Rear: In accordance with the Zoning Ordinance or greater for easements, 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: Interior Lots. Zoning Ordinance: Section 138-356. garage: 18 ft. except where greater setbacks 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 South 28th Street. Sidewalks are subject to increase to 5 ft. as per Engineering Department requirements, prior to recording. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Landscaping Ordinance: Section 110-46. 8ft. 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. Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 134-168 applies if private subdivision is proposed. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Homeowner's Association Covenants must be submitted for staff review, prior to recording. Section 134-168 applies if private subdivision is proposed. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: R-1 (Single-Family) Residential Proposed: R-1 (Single-Family) Residential. Zoning Ordinance: Article V. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, In accordance with McAllen's Park Land Dedication and Park Development Fees Ordinance, park fees apply at a rate of \$700 per dwelling unit and payable prior to plat recording. In this case it's \$2,800, \$700 for each individual home. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, In accordance with McAllen's Park Land Dedication and Park Development Fees Ordinance, park fees apply at a rate of \$700 per dwelling unit and payable prior to plat recording. In this case it's \$2,800, \$700 for each individual home. Must comply with City's Access Management Policy. Public Hearing with notices will be required for the resubdivision. Revise subdivision name as shown on plat and all applicable documents: "Rancho Lots 31A,31B, and 33A,33B Subdivision" At the Planning and Zoning Commission meeting of September 7, 2022, the board approved the subdivision in preliminary form with conditions noted, drainage, and utilities approval. Staff recommends approval of the subdivision in final form subject to conditions noted.

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

Citizen Ms. Maria Teresa Presas(5320 South 27th St., McAllen) stated she is concerned with the elevation of the property that is causing issues with the adjacent properties. She stated the clay dirt is an issue.

Citizen Veronica Garza (5510 South 28th St, McAllen) concern is if the plan was to rezone to a multi-family dwelling. Chairperson Mr. Fallek stated the present request is not a request for rezoning and if and when it does the citizens will have the right to come in at that time and speak their opinions.

Citizen Mr. Vicente Martinez(5301 S. 28th St, McAllen) stated that he had raised his concerns to the city in the past but feels that his concerns were not met.

After a lengthy discussion, Vice Chairperson, Mr. Gabriel Kamel moved to approve. He also recommended staff have Code Enforcement inspect the area. Mr. Marco Suarez seconded the motion, which was approved with six members present and voting.

**Mr. Marco Suarez left the meeting at 4:11p.m.

3) CONSENT:

- a) Tercer Milenium Taylor, 7201 North Taylor Road, New Millennium L. Investments, Inc. **(SUB2023-0008)(FINAL)SE**
- b) MAE Subdivision, 2301 La Vista Avenue, Irineo Aguilar, Jr. **(SUB2023-0007)(FINAL)REGA**

Being no discussion, Vice Chairperson Mr. Gabriel Kamel moved to approve subdivisions in consent form Items 4a-b. Ms. Erica De la Garza seconded the motion, which was approved with six members present and voting.

4) SUBDIVISION:

- a) Villas on Bentsen Subdivision, 5912 N. 42nd Street, Carlo and Brooke Cantu **(SUB2023-0001)(REVISED PRELIMINARY)QHA**

Mr. Mario Escamilla stated N.42nd Street:50ft. of total ROW dedication. Paving: 32 ft. Curb & gutter: Both Sides. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are not built prior to recording. **COM Thoroughfare Plan. 600 ft. Maximum Cul-de Sac. Provide dimension from back of curb of Cul-de-Sac to centerline of Goldcrest Avenue to verify compliance with 600 ft. block length requirements for Cul-de-Sacs, 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. Subdivision Ordinance: Section 134-105. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial and multi-family properties. As per updated application submitted on February 7th,2023 single family residential lots proposed, if use changes from single family residential a Alley/service drive easement will be required. Subdivision Ordinance: Section 134-106. Front: 25 ft. or greater for easements, whichever is greater applies. Revisions Needed: Revise note as shown above prior to final. Proposing: 25.00 FT. Zoning Ordinance: Section 138-356. Rear: 10 ft. or greater for easements, whichever is greater applies. Revisions Needed: Revise note as shown above prior to final. Proposing: In accordance with the zoning ordinance or greater for easements. Zoning Ordinance: Section 138-356. Sides: 6 ft. or greater for easements, whichever is greater applies. Revisions Needed: Revise note as shown above prior to final. Proposing: 6.00'. Zoning Ordinance: Section 138-356. Garage: 18ft. except where greater setback is required, greater setback applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required on both sides of N. 42nd Street and around Cul-de-Sac. Revisions Needed: Revise note#9 as shown above prior to final. Sidewalk requirements may increase to 5 ft. prior to final per Engineering Department requirements. Please finalize plat note prior to final. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. Required, 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Revisions Needed: Revise note#14 as shown above prior to final. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements.

Must comply with City Access Management Policy. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. As per updated application submitted on February 7th, 2023 single family residential lots proposed, if use changes from single family residential a site plan may be required. Common Areas, any Cul-de Sacs/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 final. Note subject to change once subdivision requirements have been finalized. Finalize 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 streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Compliance with lot requirement to be determined once rezoning has been finalized. Zoning Ordinance: Section 138-356. Existing: A-O(Agricultural Open-Space) District Proposed: R-1(Single-Family) Residential Pending Items: Rezoning to R-1 scheduled for the Planning and Zoning Commission meeting of February 7, 2023 and City commission meeting of February 27, 2023. Zoning Ordinance: Article V. Rezoning Needed Before Final Approval Pending Items: Rezoning to R-1 scheduled for the Planning and Zoning Commission meeting of February 7, 2023 and City commission meeting of February 27, 2023. Zoning Ordinance: Article V. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per updated application submitted on February 7th, 2023 a total of 4 lots proposed park fees total to \$2,800 (\$700 X4 per lot/dwelling unit) payable prior to plat recording. If the number of lots/dwelling units changes fees will be adjusted accordingly. As per Traffic Department, Trip Generation waived for 4- single family lots. Must comply with City's Access Management Policy. Please provide ownership map to verify that no landlocked properties exist or will be created. As per updated application submitted on February 7th, 2023 single family residential lots proposed, subdivision previously approved in Preliminary form at the Planning and Zoning Commission meeting of January 17th, 2023 as a townhouse development.

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

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

- b) Las Brisas Phase I Subdivision, 3101 Monte Cristo Road, Rhodes Development Inc. **(SUB2023-0009)(PRELIMINARY)M&H**

Mr. Kaveh Forghanparast stated Monte Cristo Road: Dedication as needed for 75 ft. from the centerline for 150 ft. total ROW. Paving: 65 ft. to 105 ft. Curb & gutter: both sides. Revisions needed: Include "Existing" label in ROW. Label Center Line. Dedication must be finalized once centerline is established. Show and label R.O.W. from centerline after the dedication. Submit a copy of the referenced documents on the plat. Clarify "70.00 ft. future additional ROW". All comments referencing "future" must be changed to "(by this plat)" or reference the document

number. Sharyland easement may not overlap the street ROW. Any abandonment must be done by separate document and referenced on plat. Clarify if Monte Cristo Road is a State road to determine improvement requirements prior to final. Please finalize R.O.W requirements once centerline is established prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. North 29th Street (N. Rooth Road): Dedication as needed for 50 ft. from centerline for 100 ft. total ROW. Paving: 65 ft. Curb & gutter: on both sides Revisions Needed: Correct the street label to "North 29th Street (Rooth Road)" Please label Center Line. Dedication must be finalized once centerline is established. Please show and label R.O.W. from centerline after the dedication. Please submit a copy of the referenced documents on the plat. Please clarify "30.00 ft. future additional ROW." All comments referencing "future" must be changed to "(by this plat)" or reference the document number. Sharyland easement may not overlap the street ROW. Any abandonment must be done by separate document and referenced on plat. Please finalize R.O.W requirements prior to final once centerline is established prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. Interior Streets: 50 ft. ROW Paving: 32 ft. Curb & gutter: both sides. Revisions required: Street names will be finalized prior to recording. Show the ROW. Please finalize all ROW requirements prior to final. Temporary paved turnarounds are required at the end of streets not continuing at this time by plat or separate document prior to final. Subdivision Ordinance: Section 134-105. *Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. 1,200 ft. Block Length Revisions needed: Dimensions of centerline is needed prior to final. 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. Revisions needed: Please provide dimensions of Cul-de-Sacs. Please clarify if islands are proposed and provide paving dimensions around all islands to determine compliance prior to final. Paving must be 96 ft. in diameter face to face and island must meet 32 ft. paving all around and must be fire lane striped, as applicable. Subdivision Ordinance: Section 134-105. Front: 20 ft. minimum or greater for easements, or as shown on "Front Setback Table" greater applies, as per agreement. Zoning Ordinance: Section 138-356. The proposed subdivision complies with minimum setback requirements, as per the agreement. Rear: 11 ft. or greater for easements. Zoning Ordinance: Section 138-356. Sides: 5 ft. or greater for easements, as per agreement. Zoning Ordinance: Section 138-356. The proposed subdivision complies with minimum setback requirements, as per the agreement. 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 Monte Cristo Road and N. 29th Street. Sidewalk may increase to 5 ft. as per Engineering. Sidewalk for interior streets: Sidewalk design plan must be submitted. City ordinance will not apply, provided a sidewalk having at least an adequate width for pedestrian and bike traffic is provided in a plan that is sealed by the registered engineer designing the unit of development, per agreement. 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 Monte Cristo Road and N. 29th Street (Rooth Road) Revisions needed: Revise the plat note as shown above prior to Final. Landscaping Ordinance: Section 110-46. 8ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Revisions required: Please correct plat note 9 to read as follows: "8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses." Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along Monte

Cristo Road and N. 29th Street (Rooth Road) Revisions required: Revise the plat note 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/PID and not the City of McAllen. Public Improvement District (PID) or Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 110-72 of the Vegetation Ordinance, including but not limited to common areas. Section 134-168 applies if private subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Public Improvement District (PID) or 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. Lots fronting public streets: Access to subdivision from Monte Cristo Road. The proposed subdivision must comply with minimum access points, as per agreement. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area: Project engineer to verify that all lots comply with the minimum 50 ft. frontage requirement and 54 ft. on corner lots, and 5,000 sq. ft. minimum lot size, or in compliance per Agreement. Zoning Ordinance: Section 138-356. Existing: R-1 (Single-Family Residential) District. Proposed: R-1 (Single-Family Residential) District. 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, Trip Generation required to determine if TIA is required, prior to final plat. Traffic Impact Analysis (TIA) required prior to final plat. Please use a wider/bold line for the subdivision boundary on all sides. Any abandonment must be done by separate document and referenced on plat. Must comply with City's Access Management Policy. Must comply with the Agreement and Public Improvement District (PID) conditions. Must comply with other requirements, as may be applicable, prior to final.

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

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

- c) Stewart Valley Subdivision, 9901 North Stewart Road, Betterra Developments, LLC. **(SUB2023-0010)(PRELIMINARY)M&H**

Ms. Liliana Garza stated North Stewart Road: Dedication as needed for 40 ft. from centerline for 80ft. total ROW. Paving: 52 Curb & gutter : Both Sides. Revisions Needed: Label ROW being dedicated by this plat prior to final. Label "Existing" ROW on both sides of centerline with document number on plat, and provide a copy for staff review prior to final. Label "Total" ROW from centerline and existing ROW line across North Stewart Road to new plat boundary prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are not built prior to recording. COM Thoroughfare Plan. Interior Streets: 60 ft. required ROW Paving: 40 ft. Curb & gutter: Both Sides Revisions Needed: Clarify turnaround shown on lots 9 & 10 and 29 & 30, prior to final. Street names will be established prior to final. Please refer to Cul-De-Sac requirements for temporary turnaround needed and required N/S Collector on the western boundary to ensure

compliance with street layout as it can not dead end, finalize prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are not built prior to recording. COM Thoroughfare Plan. N/S collector (western boundary): 30ft. ROW dedication required for 60 ft. Total ROW. Paving: 52 ft. Curb & gutter: Both Sides Pending Items: Street names will be established prior to final. Please provide ownership map to verify that no landlocked properties exist or will be created. Street alignment and R.O.W being reviewed and plat would need to be revised accordingly prior to final. ROW subject to increase for 40 ft. of ROW dedication required for 80 ft. Total ROW, if deemed a half mile location. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are not built prior to recording. COM Thoroughfare Plan. E/W Collector, (southern boundary): 30 ft. ROW dedication required for 60 ft. Total ROW Paving: 52 ft. Curb & gutter: Both Sides Pending Items: Street names will be established prior to final. Please provide ownership map to verify that no landlocked properties exist or will be created. Street alignment and R.O.W being reviewed and plat would need to be revised accordingly prior to final. ROW subject to increase for 40 ft. of ROW dedication required for 80 ft. Total ROW, if deemed a half mile location. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final COM Thoroughfare Plan. Revisions Needed: Subdivision layout does not comply with block length requirement, please revise accordingly prior to final. If no changes please submit variance request for 900 ft. maximum block length requirement. Subdivision Ordinance: Section 134-118. 600 ft. Maximum Cul-de-Sac. Revisions Needed: A paved temporary turnaround in compliance with City requirements will be required on the west end of interior street (until N/S collector is constructed), temporary turnaround must be shown on plat and must be included with plat note reference, finalize prior to recording. Please note if dedicated through separate instrument document must be recorded prior to recording and document number shown on plat prior to recording. Finalize temporary turnaround requirements, prior to final. Subdivision Ordinance: Section 134-105. ROW: 20 ft. Paving: 16 ft. Public Works Department might require service drive or alley to provide waste collection service for the R-3A lots prior to final. Alley/service drive easement required for commercial and multi-family properties. Subdivision Ordinance: Section 134-106. Front: 20 ft. or greater for easements. Revisions Needed: Revise note as shown above, prior to final. Proposing: 20 feet. Zoning Ordinance: Section 138-356. Rear: 10 ft. or greater for easements. Zoning Ordinance: Section 138-356. Sides: 6 ft., or greater for easements. Zoning Ordinance: Section 138-356. Corner: 10 ft. or greater for easements. Revisions Needed: Revise note as shown above prior to final. Proposing: 10 feet or greater for easements, whichever is greater. Zoning Ordinance: Section 138-356. 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 N. Stewart Road, N/S Collector, E/W Collector and both sides of interior streets. Revisions Needed: Please revise plat note #12 as shown above prior to final, note subject to change once ROW requirements have been established, finalize note wording prior to final. Sidewalk requirements may increase to 5 ft. prior to final per Engineering Department requirements, finalize prior to final. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along N. Stewart Road and N/S Collector and E/W Collector Streets. Revisions Needed: Please revise plat note #18 as shown above prior to final, note subject to change once ROW requirements have been established, finalize note wording 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. Required NOTES No curb cut, access, or lot frontage permitted along N. Stewart Road and N/S Collector and E/W Collector Streets. Revisions Needed: Please revise plat note #14 as shown above prior to final,

note subject to change once ROW requirements have been established, 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. Any owner, builder or developer of a multiple-family, condominium or townhouse dwelling complex of five units or more on a single lot or parcel, or five single-family attached units, shall submit to the planning department for review a site and building plan for the proposed development, submit a site plan for staff review prior to final. Zoning Ordinance: Section 138-210. Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 134-168 applies if private subdivision is proposed. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72 Subdivision Ordinance: Section 134-168. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. 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. Pending Items: Compliance to be established once site plan has been submitted, and number of units per lot has been clarified. Zoning Ordinance: Section 138-356. Existing : ETJ (Extraterritorial jurisdiction) Proposed: ETJ (Extraterritorial jurisdiction). Proposed land use is Multi-family. 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 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. Please clarify the number of units per lot prior to final. Clarify if subdivision is proposed to be public or private, as additional subdivision requirements may be triggered, prior to final. Please provide ownership map to verify that no landlocked properties exist or will be created. Clarify if proposing annexation as additional subdivision requirements/changes may be triggered, prior to final.

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

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

d) Mikada Subdivision, 5000 Pecan Boulevard, Mikada,LLC.(SUB2023-0014)(PRELIMINARY)JHE

Mr. Kaveh Forghanparast stated Pecan Boulevard: Dedication as needed for 60 ft. from centerline for 120 ft. total ROW. Paving: By State Curb & gutter: By State Revisions Needed: Survey & plat contradict on lot size and dedicated ROW. Please clarify before final. A copy of the referenced documents are needed prior to final. Review and revise ROW dedications prior to final; please see requirements above. 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. Revisions required: Please remove any reference as "Prop." and indicate if the access easement is done by this plat or

separate document number, prior to final. Please indicate temporary paved turnaround as needed until extended, prior to final. Alley/service drive easement required for commercial properties. Subdivision Ordinance: Section 134-106. Front: In accordance with the Zoning Ordinance or greater for approved site plan or easements or inline with existing structures, whichever is greater applies. Revisions Needed: Proposed: 25 feet or greater for easements. Revise plat note as shown above or clarify proposed setback note, prior to final. Zoning Ordinance: Section 138-356. Rear: In accordance with the Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Revisions Needed: Proposed: 10 feet or greater for easements. Revise plat note as shown above or clarify proposed setback note, prior to final. Zoning Ordinance: Section 138-356. Sides: In accordance with the Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Revisions Needed: Proposed: 6 feet or greater for easements. Revise plat note as shown above or clarify proposed setback note, prior to final. Zoning Ordinance: Section 138-356. Proposed Corner: 10 feet or greater for easements. Revisions Needed: Please remove the corner setback note prior to final, since the property is not a corner lot. Zoning Ordinance: Section 138-356. Proposed Garage: 18 feet except where greater setback is required, greater setback applies. Revisions Needed: Please remove the garage setback note prior to final, since the property is proposed to be commercial. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required along Pecan Boulevard (F.M. 495). Sidewalk may increase to 5 ft. as per Engineering. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6ft. 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 Required. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Revisions needed: Add note as shown above, prior to final. Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. revisions needed: Add note 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 District, proposed, C-3 District. Zoning Ordinance: Article V. As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. A trip generation is required. Traffic Impact Analysis (TIA) required prior to final plat. Must comply with City's Access Management Policy. Please clarify the discrepancy between the lot dimensions, easements, and ROW on the survey and plat prior to final.

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

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

- e) McAllen Oaks North Subdivision, 2701 SH 107, Mark Wilkins and Noe Gonzalez **(SUB2023-0015) (PRELIMINARY)MDCE**

Ms. Liliana Garza stated State Highway 107: 150 ft. ROW. Paving: By the state Curb & gutter: By the state Revisions needed: Please provide how existing ROW was dedicated on plat prior to final. Label existing ROW dedications, from centerline, total, existing etc. on both sides. Please provide

copy of the document where ROW was dedicated to verify if any additional ROW dedication is required 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. Interior Streets: 60 ft. ROW. Paving: 40 ft. Curb & gutter: Both sides. Revisions Required: -Interior dedications range from 50-60 ft. of ROW, please see ROW requirements above, revise as applicable prior to final. Street names will be established prior to final and plat will need to be revised accordingly. Clarify if subdivision is proposed to be private as gate details are required and ROW are subject to increase for gate areas, finalize prior to final and submit gate details as applicable. 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 (south boundary): Dedication as needed 60 ft. ROW Paving: 40 ft. Curb & gutter: Both sides Pending Items: Please provide ownership map to verify that no landlocked properties exist or will be created. Street alignment and R.O.W being reviewed and plat would need to be revised accordingly prior to final. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. 1,200 ft. Block Length. Revisions Needed: Subdivision layout does not comply with block length requirement, finalize block length requirements prior to final. Subdivision Ordinance: Section 134-118. 900 ft. Block Length for R-3 Zone Districts. Revisions Needed: Subdivision layout does not comply with block length requirement if proposed zoning is R-3A, please revise accordingly as applicable as requirement would be applied once zoning is finalized. If no changes please submit variance request for 900 ft. maximum block length requirement. Finalize block length requirements prior to final. Subdivision Ordinance: Section 134-118. ROW: 20 ft. Paving: 16 ft. As per Public Works Department service drive or alley required to provide waste collection service for the R-3A and commercial lots, finalize alley/service drive requirements prior to final. Alley/service drive easement required for commercial and multi-family properties. Subdivision Ordinance: Section 134-106. Proposing: Front (HWY 107): 30.00' or greater for easement or site plan. Front: In accordance with the zoning ordinance or greater for easements or site plan. Pending Items: Clarify proposed: 30.00' setback for State Highway 107, prior to final. Setbacks to be established once zoning requirements have been finalized. For front commercial setback note should read as follows: In accordance with the Zoning Ordinance or greater for approved site plan or easements or inline with existing structures, whichever is greater applies. Note wording subject to change once zoning requirements have been finalized. Zoning Ordinance: Section 138-356. Proposing: Rear: In accordance with the zoning ordinance or greater for easements or site plan. Pending Items: Setbacks to be established once zoning requirements have been finalized. Note wording subject to change once zoning requirements have been finalized. Zoning Ordinance: Section 138-356. Proposing: Interior Sides: In accordance with the zoning ordinance or greater for easements or site plan. Pending Items: Setbacks to be established once zoning requirements have been finalized. Note wording subject to change once zoning requirements have been finalized. Zoning Ordinance: Section 138-356. Proposing: Corner: 10.00' or greater for easements or site plan. Pending Items: Setbacks to be established once zoning requirements have been finalized. Note wording subject to change once zoning requirements have been finalized. Zoning Ordinance: Section 138-356. Garage: 18 ft. or wherever greater setback is required, greater setback applies. Revisions Needed: Add note as shown above, prior to final. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4ft. wide minimum sidewalk required on State Highway 107, and both sides of interior streets. Revisions Needed: Please revise plat note #9 as shown above prior to final, note subject to change once ROW requirements have been established, finalize note wording prior to final. Sidewalk requirements may increase to 5 ft. prior to final per Engineering Department requirements, finalize prior to final. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque

buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Revisions Needed: Please revise plat note #10 as shown above prior to final, note subject to change once ROW requirements have been established, finalize note wording 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. Required. No curb cut, access, or lot frontage permitted along. As per Traffic Department, spacing requirement along SH 107 at @55 MPH is 425 ft. between access, Shared Access easement will be required for Commercial Lots (1-4). Must comply with City Access Management Policy. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Revisions Needed: Remove note #12 as it is a requirement, not a required plat note. Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Note subject to change once subdivision requirements have been finalized. Finalize prior to final. 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. 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. Compliance with lot requirement to be determined once rezoning has been finalized. Zoning Ordinance: Section 138-356. Existing: R-1(single-family)Residential District/C-3 (commercial) General Business District Proposed: R-3A(apartment residential) District/C-3 (commercial) General Business District. Rezoning process must be finalized before final plat 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. Rezoning Needed Before Final Approval. Rezoning process must be finalized before final plat 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. 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. Please provide number of dwelling units prior to final. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording, if land dedication is not required. Please provide number of dwelling units prior to final. Pending review by City Managers Office. Once clarified if land dedication is applicable to this development ,a variance request must be submitted if requesting fees in lieu of land to be reviewed by the City Manager's office. As per Traffic Department, Trip Generation 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. Rezoning process must be finalized before final plat 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. Include subdivision name on plat prior to final. Clarify if subdivision is proposed to be public or private, as additional requirements may be triggered. Clarify and label accordingly the dashed line running through lots 1 and 40-52, prior to final. As per Fire Department, Secondary access may be required.

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

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

ADJOURNMENT:

There being no further business to come before the Planning & Zoning Commission, Vice Chairperson Mr. Gabriel Kamel adjourned the meeting at 4:19.m. with Ms. Erica De la Garza seconding the motion and with six members present and voting.

Chairperson Michael Fallek

ATTEST: _____
Magda Ramirez, Administrative Assistant

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF McAllen

The McAllen Planning and Zoning Commission convened in a Regular Meeting on Tuesday March 7, 2023, at 3:30p.m. in the McAllen City Hall, 3rd Floor Commission Chambers Room, 1300 Houston Avenue, McAllen, Texas.

Present:	Gabriel Kamel Marco Suarez Emilio Santos Jr. Erica De la Garza Aaron Rivera	Vice Chairperson Member Member Member Member
Absent:	Michael Fallek Jose Saldana	Chairperson Member
Staff Present:	Austin Stevenson Michelle Rivera Edgar Garcia Luis Mora Jose Humberto De la Garza Rodrigo Sanchez Mario Escamilla Kaveh Forghanparast Katia Sanchez Samuel Nunez Adriana Solis Samantha Trevino Eduardo Garza Porfirio Hernandez Jacob Salazar Jessica Cavazos Magda Ramirez	Assistant City Attorney III Assistant City Manager Planning Director Deputy Director Development Coordinator Senior Planner Planner III Planner II Planner II Planner II Planner II Planner I Planner I Planner Technician II Planner Technician I Administrative Supervisor Administrative Assistant

CALL TO ORDER – Emilio Santos Jr.

PLEDGE OF ALLEGIANCE

INVOCATION- Marco Suarez

** Vice Chairperson, Mr. Gabriel Kamel entered meeting at 3:32. Started his votes on Item 2a1.

1) MINUTES:

a) Minutes for the Regular meeting held on February 21, 2023.

The minutes were not available for this meeting. They will be provided and voted upon on the next Planning & Zoning Commission meeting scheduled for March 21, 2023.

2) PUBLIC HEARING:

a) CONDITIONAL USE PERMIT:

- 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. **(CUP2023-0014)**

Ms. Samantha Trevino stated that 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.

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. The last permit was approved by the Planning and Zoning Commission on January 24, 2022.

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:

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;

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;

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.

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.

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.

The abovementioned business must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties.

The abovementioned business shall restrict the number of persons within the building to those allowed by the planning and zoning commission at the time of permit issuance, after having taken into account the recommendations of the fire marshal, building official and director of planning. This number cannot exceed the number provided for in existing city ordinances.

Staff recommends 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.

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

Being no discussion, Ms. Erica De la Garza moved to approve. Mr. Emilio Santos Jr. seconded the motion, which was approved with five members present in which one member abstained and four voting.

- 2) Request of Esaul Padilla, for a Conditional Use Permit, for three years, for automotive service and repair (truck accessories) at Lots 11 & 12, Block 2, West Addition to McAllen Subdivision, Hidalgo County, Texas, 2241 Dallas Avenue, Suite A and B. **(CUP2023-0019)**

Ms. Samantha Trevino stated that the property is located at the southeast corner of Dallas Avenue and South 23rd Street. The property consists of 2 Lots and has 100 ft. of frontage along Dallas Avenue and a depth of 140 ft. for a lot area of 14,000 square feet. It is zoned C-3 (general business) District. The adjacent zoning is R-2 (duplex-fourplex residential) District to the east and C-3 District to the north, south, and west. Surrounding land uses include single-family residences, vacant land, a body shop, various auto sales car lots, a yerberia and a plumbing company. An automotive service and repair business is allowed in a C-3 zone with a Conditional Use Permit and in compliance with requirements.

The initial conditional use permit for suite A was approved for the first time in 2015, for Truck Accessories part installations. The last time the CUP was renewed was in 2022. The Board voted to recommend disapproval with a favorable recommendation and to grant a variance to distance of a single family residential use or zone as well as to parking requirements in January 2022. The City Commission approved the request for one year at their meeting of February 14, 2022.

On the initial application, the case was presented to the Board of Commissioners; the applicant

appealed the decision of the P&Z Board. Part of the discussion was the parking requirement. The applicant stated that the owner of the plaza bought a property across the street (2226 Dallas Ave) to comply with parking requirements; however, the property is zoned R-2 and would require a CUP for a parking facility. A CUP has not been submitted for this address. Furthermore, the address mentioned, is not paved as required by the ordinance. However, the initial permit was approved as to maintain existing parking since it was an older building.

There is an existing 9,600 sq. ft. commercial building consisting of two suites. In the past, suite A has been used for auto repair services. The applicant is expanding the auto repair service and will occupy suits A and B.

The applicant is proposing to use Suite As and B as a truck accessory business. The request is for 3 years. The proposed hours of operation are from 8:00 A.M. to 6:00 P.M. Monday through Friday and 8:30 A.M. to 3:00 P.M on Saturday. Based on the total square footage for the truck accessory business, 27 parking spaces are required; 9 parking spaces are provided on site. One of the provided spaces must be van accessible; one van accessible parking space is provided.

Staff has not received any phone calls in regards to this request.

The Fire Department has inspected the establishment and found the place to be in compliance. 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 business must meet the requirements set forth in Section 138-281 of the Zoning Ordinance and specific requirements as follows:

- 1) A minimum lot size of 10,000 sq. ft. is required. The subject property is approximately 14,000 sq. ft.
- 2) All service, repair, maintenance, painting and other work shall take place within an enclosed area. The applicant is proposing to work inside the main structure.
- 3) Outside storage of materials is prohibited.
- 4) The building where the work is to take place shall be at least 100 ft. from the nearest residence. The Building is adjacent to single-family residential use to the east, south and north, with a distance of less than 100 feet.
- 5) A 6 ft. opaque fence buffered the proposed use from any residential use or residentially zoned area is required. There is an existing block wall, 6'-3" in height.
- 6) New buildings and conversions of existing buildings shall meet current building and fire code requirements concerning separation of high hazard uses from other occupancy use classifications.

Staff recommends disapproval of the request based on non-compliance with requirements #4 (distance) of Section 138-281 and Section 138-395 (off-street parking requirement) 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. Ms. Erica De la Garza seconded the motion, which was disapproved with favorable recommendation with five members present and voting.

- 3) Request of Ashwin George on behalf of Elite Entertainment Investments LLC, for a Conditional Use Permit, for one year, and adoption of an ordinance, for a social club at Lots 7 and 8, Citrus Grove Plaza Subdivision, Hidalgo County, Texas, 4037 Expressway 83, Suites 100, 105, and 110. **(CUP2023-0023)**

Ms. Samantha Trevino stated that the property is located along the north side of Colbath Road, south of U.S. Expressway 83. The subject property is zoned C-3 (general business) District. The adjacent zoning is C-3 District in all directions. There is R-1 (single family residential) District along the south side of Colbath Road. Surrounding land uses include Turbo Bicycles, Lucky 4, Express 83 Nails, Be Fit Nutrition, and True Fit Athletic Clubs. A social club is permitted in a C-3 District with a Conditional Use Permit.

This is the initial request for a social club at this location and is the former location for Club Indigo.

The applicant is proposing to operate a social club. The applicant stated that this club would be selling bar foods like wings, fries, small pizza, etc. They will also sell cocktails, beer and wine. The front lobby area will have bar seating and booths for people to grab drinks, eat food, and enjoy sports games. The club would be used for Texas Hold'em Poker with strict membership regulations for people 21 years and older. The proposed hours of operation will be Monday-Sunday from 6 pm-2 am.

Based on the square footage of the proposed establishment, 57 parking spaces are required. As per the submitted site plan there are 274 parking spaces provided as common parking.

A Conditional Use Permit is required for a bar/social club. The Health and Fire Departments inspected the property and allowed the CUP process to continue. The applicant must comply with all their requirements. The establishment must also meet the requirements set forth in Section 138-118(a)(4) of the Zoning Ordinance and specific requirements as follows:

- 1) The property line of the lot of any of the abovementioned 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 property is within 400 ft. of residential 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 access to U.S. Expressway 83 and Colbath Road.
- 3) The abovementioned business must provide parking in accordance with the city off-street parking ordinance as a minimum, and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional onsite

parking. Based on the square footage, 57 parking spaces are required. There are 274 common parking spaces provided as common parking. Based on area utilized, the proposed facility complies with parking. Parking spaces must comply with Section 138-400 of the Ordinance and must be clearly striped and pavement surface shall be maintained free of litter, debris, loose gravel, cracks and potholes;

- 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.

Staff recommends disapproval of the request based on noncompliance with requirement #1 (distance to the nearest residentially zoned property). 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. seconded the motion, which was disapproved with favorable recommendation with five members present and voting.

- 4) Request of Melissa Burton for a Conditional Use Permit, for life of the use, for a dog kennel at a 1.00 acre tract of land out of the South 19.39 acres of Lot 387, John H. Shary Subdivision, Hidalgo County, Texas, 6820 North Taylor Road. **(CUP2023-0024)**

Ms. Samantha Trevino stated that the property is located on the east side of North Taylor Road approximately 1,400 ft. north of Lark Avenue and is zoned A-O (agricultural-open space) District. The adjacent zoning is A-O District in all directions. The properties to the west of North Taylor Road are outside of the McAllen city limits. Surrounding land uses include single family residences and vacant land. A dog kennel is allowed in an A-O District zone with a Conditional Use Permit and in compliance with requirements.

The initial Conditional Use Permit request was presented before the City Commission on June 22, 2020. The Board of Commissioners approved the request for 6 months with the following conditions.

1. Dogs must be inside the residence from 8:00 PM to 6:00 AM, unless they need to go outside for their necessities.
2. Drop off and pick up should be limited to no earlier than 6:00AM and no later than 8:00PM
3. 50 dogs limit at all times
4. A sign is required to let customers know of business location

There were concerns by neighboring residents about dogs barking all day, traffic issues and operation of a business in a residential area. The Planning and Zoning Commission had unanimously voted to recommend disapproval of the conditional use permit.

The Code Enforcement Department responded to a complaint on February 4, 2019 for a possible business running from a residential area with a sign advertising the business. In May 2019, the Code Enforcement Department received another complaint and requested a "complaint and summons." The applicant appeared at Municipal Court on several occasions to resolve this issue since then. On September 28, 2020, a complaint was issued for trash and debris on the side of road.

At the City Commission meeting of February 8, 2021 the Board approved the same request for 2 years. On February 8, 2023, the applicant submitted a request to continue the use as a dog day care and the current request is for more than one year.

There is an approximately 2,700 sq. ft. single family residence in the 1-acre property that is the location for Melissa's Pet Services that includes day care services for dogs.

A sign was required as a condition by City Commission in order to prevent customers going into the wrong location and disturb surrounding neighbors. The applicant erected a business sign on the fence for location purposes in an attempt to comply with the City Commission request.

The Health and Fire Department are currently pending inspection. The establishment must also meet the requirements set forth in Section 138-163 (8) of the Zoning Ordinance and specific requirements as follows:

- 1) Located a minimum of 300 feet from the nearest residence. The operation takes place inside the residence and outdoors in the different dog playgrounds. The property is adjacent to other residences.
- 2) On parcels of 5 acres or more. This property is a 1-acre parcel.

Staff has not received any calls or letters in opposition to this request.

Staff recommends disapproval of the request based on noncompliance with requirements #1(distance) and #2 (property size) of Section 138-163 (8) 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 one:

Citizen, Hector Hernandez(6912 North Taylor Road) stated his concerns are the noise and the load barking of dogs.

Applicant, Melissa Burton(6820 North Taylor Road) stated she purchased the property with the zoning allowing her to have a conditional use permit for a kennel. She also stated that they control the barking noise to a minimal and do not allow the chaos of the dogs barking constantly. Ms. Burton did provide a petition list of signatures with community support with over 966 signatures.

Mr. Marco Suarez asked Ms. Burton why she was requesting a conditional use permit with a life of use. She stated she did not want to be worried every year if her business will stay open.

After a lengthy discussion, Ms. Erica De la Garza moved to disapprove with favorable recommendation for a five year conditional use permit. Mr. Emilio Santos Jr. seconded the motion, which was disapproved with favorable recommendation with five members present and voting.

- 5) Request of Israel L. Rivas, for a Conditional Use Permit, for one year, for a Home Occupation (Home Office) at Lot McColl A. J. 1.20AC Out of S10AC N-Lat D., Block 9, Hidalgo County, Texas, 3920 South Jackson Road.
(CUP2023-0016)

Ms. Adriana Solis stated that the subject property is located on the west of South Jackson Road and 2,910 feet east of South McColl. The property is zoned R-1 (single-family residential) District. The adjacent zoning is R-1 District north and west of the subject property. The adjacent zoning is R-3T (townhouses) District south of the subject property. Surrounding land uses include single-family residences and proposed townhomes. A home occupation is permitted in the R-1 (single-family residential) District with a Conditional Use Permit and in compliance with requirements.

This is the first Conditional Use Permit for a home office at A.J. McColl's addition to McAllen First Suburban Citrus Groves Subdivision. The Conditional Use Permit for a law firm was submitted to the Planning Department on January 27, 2023. The Conditional Use Permit request is for one year.

The applicant stated that they are operating a legal office from a 336 sq. ft. office space inside the existing house as per the submitted floor plan. The applicant stated that he is the owner and lives on the property. The hours of operation are from 8:00 AM to 5:00 PM, by appointment only.

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 occupation could not be operational until issuance of the certificate. The Fire Department has inspected the building and allowed the CUP process to continue. The business must comply with requirements set forth in Section 138-118(1) of the Zoning Ordinance and other specific requirements as follows:

- 1) The home occupation must be clearly secondary to the residential use. The occupation does appear to be a secondary use;
- 2) One nameplate attached to the building not larger than two square feet is permitted in all

districts except R-1 single-family residential district.

- 3) There shall be no exterior display or alterations indicating that the building is being used for any purpose other than that of a dwelling.
- 4) There shall be no more than one additional unrelated employee other than immediate members of the family residing on the premises. The applicant stated that there is one employee only; a paralegal who is unrelated.
- 5) There shall be no outside storage of materials or products.
- 6) The permitted use shall not create frequent or heavy traffic, not greater than ten percent (10%) of the average load per hour as determined by the city traffic engineer. The applicant stated that customers would visit by appointment only;
- 7) No retail sales (items can be delivered). The applicant does not propose retail sale;
- 8) No additions to the residence or accessory building specifically to accommodate the business. The applicant proposes no additions or accessory building to accommodate the business;
- 9) The business must take place in the primary residential structure on the property rather than in a detached garage or separate accessory building. The occupation is proposed to take place in the primary structure; and
- 10) The activity must take place at the location of which the permit was issued.

Staff has not received a phone call in opposition to the conditional use permit request.

Staff recommends approval of the request based on compliance with requirements of Section 138-118(1) 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, Ms. Erica De la Garza moved to approve. Mr. Aaron Rivera seconded the motion, which was approved with five members present and voting.

- 6) Request of Maryann Gonzalez, for a Conditional Use Permit, for one year, for an Institutional Use (barber school) at Lot 2 & 3, Michelle's Plaza, Hidalgo County, Texas; 2108 Nolana Avenue. **(CUP2023-0017)**

Ms. Adriana Solis stated that the property is located on the east side of 23rd Street and North of Nolana Avenue. The subject property is zoned C-3 (general business) District. The adjacent zoning is C-3 district in all directions. Surrounding land uses include The Gala Special Events, Stars Drive-in, and O'Reilly Auto Parts. A barber school is permitted in the C-3 district with a Conditional Use Permit and in compliance with requirements.

A Conditional Use Permit for an Institutional Use (barber school) was submitted on February 1,

2023. The Conditional Use Permit request is for one year.

The applicant is proposing to operate a barber school within a 3,000 sq. ft. suite in Michelle's Plaza. The proposed hours of operation for the institutional use are Mondays to Fridays from 8AM to 9PM. The establishment consists of one restroom, one storage room, and a main area (training area). Based on the type of use, 12 parking spaces are required, 55 parking spaces are provided. Applicant was informed during the site visit that the parking spaces would need to be restriping.

The Fire Department is pending to conduct the necessary inspection. Should the conditional use permit be approved, the applicant would be required to sign the application acknowledging and agreeing to all conditions noted of the permit. The proposed use must also comply with the zoning ordinance and specific requirements as follows:

- 1) The proposed use shall not generate traffic onto residential size streets or disrupt residential areas, and shall be as close as possible to a major arterial. The property fronts Nolana Avenue.
- 2) The proposed use shall comply with the McAllen Off-Street Parking Ordinance and make provisions to prevent the use of parking along street, especially in residential areas. Based on the number of classrooms and offices, 12 parking spaces are required; 55 parking spaces are provided. The parking must be clear of potholes and be 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 main building shall be determined by the Building Inspections Department and shall maintain the existing seating capacity for the main sanctuary; and
- 7) Sides adjacent to commercially and residentially zoned or use property shall be screened by a 6 ft. opaque fence.

Staff recommends 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.

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. Emilio Santos Jr. moved to approve. Ms. Erica De la Garza seconded

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

- 7) Request of Abel A. Montilla for Conditional Use Permit, for the life of the use, and adoption of an ordinance for an amendment automotive service at Lot 1 at Montilla, Hidalgo County, Texas; 2600 West Trenton Road. **(CUP2023-0021)**

Ms. Adriana Solis stated that the subject property is located north of Trenton Road, between 29th Street and 23rd Street. The property is zoned C-3 (general business) District, and the adjacent zoning is A-O (agriculture and open space) District to the east and south. The adjacent zoning is R-3T (townhouses) District to the north and R-1 (single family) District to the southeast. Surrounding land uses include vacant land, single family residences, and proposed townhouses. An automotive service and hand car wash is allowed in a C-3 zone with a Conditional Use Permit and in compliance with requirements.

There is one existing commercial building on site, the proposed building is located west of the existing building. The existing is approximately 5,163.87 square feet which is comprised of four garages and an office. The proposed building is approximately 1,787.94 square feet and will be used as a hand car wash. The proposed building is comprised of two garages, a detail area and a washing area. The applicant is requesting a CUP for life of use.

Based on the total 6,951.81 sq. ft. for the addition of a hand car wash to the automotive services, 30 parking spaces are required for the proposed hand car wash services including the existing automotive services building; 31 parking spaces are provided on site.

Staff has not received a phone call in favor or in opposition to this request.

Fire Department has conducted the necessary inspection, and gave approval to continue with CUP process. 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 business must meet the requirements set forth in Section 138-281 of the Zoning Ordinance and specific requirements as follows:

- 1) A minimum lot size of 10,000 sq. ft. is required. The subject property is approximately 51,820 sq. ft.
- 2) All service, repair, maintenance, painting and other work shall take place within an enclosed area. The applicant is proposing to work inside the commercial structure.
- 3) Outside storage of materials is prohibited. The applicant indicated that there would be no outside storage.
- 4) The building where the work is to take place shall be at least 100 ft. from the nearest residence. The building where the work is to take place is more than 100 feet from all single-family residential uses to the north, south and west.
- 5) A 6 ft. opaque fence buffered the proposed use from any residential use or residentially zoned area is required.

- 6) New buildings and conversions of existing buildings shall meet current building and fire code requirements concerning separation of high hazard uses from other occupancy use classifications.

Staff recommends approval of the request, for life of the use, subject to with requirements of Section 138-281 of the Zoning Ordinance, Fire Department, and building permit 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, Ms. Erica De La Garza moved to approve. Mr. Emilio Santos Jr. seconded the motion, which was approved with five members present and voting.

- 8) Request of Jessica Hernandez on behalf of South Texas Educational Technologies, Inc., for a Conditional Use Permit, for life of the use, and an adoption of an ordinance, for an Institutional Use (Horizon Montessori Public School) at Lot 1 and Lots 5 through 12, Block 36, North McAllen Addition, Hidalgo County, Texas; 320 North Main Street. **(CUP2023-0015)**

Mr. Samuel Nunez stated that the subject property is located along the east side of North Main Street, between Cedar and Date Palm Avenues. It is comprised of eight lots. The L-shaped property is located between Date Palm Avenue and Cedar Avenue. The property is zoned C-3 (general business) District and R-3A (multifamily residential apartments) District to the east. Two of the lots that comprise this tract have frontage along the west side of Broadway Avenue. The adjacent zoning is C-3 (general business) District to the north, south, and west, and R-3A (multifamily residential apartments) District to the east. Surrounding land uses include Archer Park, The Village Condominiums, commercial and office buildings, and apartments. An institutional use (grade school) is permitted in the C-3 zone with a conditional use permit.

The initial conditional use permit was requested for the life of the use; however, it was approved for one year by the Planning and Zoning Commission on June 21, 2011 to allow for the renovation of the building, allow staff to review any changes, and evaluate traffic circulation in the area. The applicant submitted a Conditional Use Permit application for one year for a school campus on October 25, 2021 which was approved at the Planning and Zoning Commission meeting of December 12, 2021.

The applicant has now submitted this Conditional Use Permit request for the life of the use on January 27, 2023.

Currently, there is a two-story building and an existing pavilion which is located on Lot 6, Block 36; on the property and are part of the Horizon Montessori Elementary and Horizon Middle School expansion. The property also includes a playground area on Lot 1.

According to the applicant, the pavilion has existed on the property for over two years, and is used for recreational purposes by the school students. During a site visit, Planning Department staff noticed that the existing pavilion is constructed over 14 parking spaces, displacing these parking spaces, which leaves 5 parking spaces available.

The applicant is proposing to continue to operate a school from the existing building. The total

number of classrooms and offices for the school is 31. Based on 1.5 parking spaces per classroom and office, 47 parking spaces are required; 66 spaces are provided on site, which leaves 19 spaces available. If the number of offices and classrooms increase, additional parking will be required. The Traffic Department has recommended approval for one year in order to continue monitoring the traffic flow.

Following a trip generation worksheet approval and a revised traffic circulation plan from the last permit approval, a circulation pattern was established for the use of the school, which was approved by the Traffic Commission. The intersection of North Main Street and Cedar Avenue is under a stop sign control by the school's security guard, who sets out portable crosswalk pedestrian warning signs before school hours and during the day. The portable crosswalk pedestrian warning signs are to be removed after school hours.

The Fire Department has conducted their respective inspections; however, a follow up inspection is required. Should the Conditional Use Permit be approved, the applicant would be required to sign the application acknowledging and agreeing to the conditions of the permit.

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

- 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 has direct access to North Main Street, Broadway Avenue and Cedar Avenue;
- 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 1.5 parking spaces per classroom and office, 47 parking spaces are required; 66 spaces are provided on site, which leaves 19 spaces available. 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. The school must comply with the circulation pattern approved by the Traffic Operations Department;
- 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 those allowed by the Fire Marshal and Building Official at the time of permit issuance; and
- 7) Sides adjacent to commercially and residentially zoned or used properties shall be screened by a 6 ft. opaque fence.

Staff recommends approval of the request for three years to allow Traffic Operations Department

to continue to monitor traffic circulation and the previously approved routes.

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

Applicant, Jessica Hernandez(2402 E. Business 83 Weslaco, Texas) stated that she was advised that she could apply for Life of Use. She stated she understands why it only gets approved for three years.

Being no discussion, Mr. Emilio Santos Jr. moved to approve for three years. Mr. Erica De La Garza seconded the motion, which was approved with five members present and voting.

- 9) Request of Carlos and Arely Fuentes on behalf Trono de Gracia Iglesia Cristiana, Inc., for a Conditional Use Permit, for one year, for an Institutional Use (Church) at Lot 2, Shasta Commercial Plaza Phase II Subdivision, Hidalgo County, Texas; 2519 Buddy Owens Boulevard. **(CUP2023-0018)**

Mr. Marco Rivera stated that the property is located at the southeast corner of Buddy Owens Boulevard and North 25th Lane. The property is zoned C-3 (general business) District. The adjacent zoning is C-3 District to the east and west, R-3A (multi-family residential apartments) District to the south, and C-1 (office building) District to the north. An Institutional Use is permitted in a C-3 District with a Conditional Use Permit and in compliance with requirements.

Two Conditional Use Permits for a church have been approved by the Planning and Zoning Commission for one year at this location on April 21, 2015 and July 20, 2021. Due to a change in ownership and church name, this new request is made as an amendment to the request approved on July 20, 2021.

The applicant is proposing to operate a church out of an approximate 2,180 square feet of lease space, which is part of a multi-tenant commercial building by the name of Shasta Commercial Plaza. Shasta Commercial Plaza is a mixture of office, retail, and vacant suites. The lease space consists of an auditorium, two restrooms, and a closet, as shown on the submitted floor plan. The applicant is proposing a seating arrangement of 50 chairs in the auditorium. The proposed days and hours for the church's worship services are Wednesdays 7:00 PM to 10:00 PM and Sundays 8:00 AM to 1:00 PM.

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

The Fire Department has inspected the lease space, and no violations were found. Should the Conditional Use Permit be approved, the applicant would be required to sign the application acknowledging and agreeing to other conditions of the permit. The proposed use must also comply with the Zoning Ordinance and the following specific requirements:

- 1) The proposed use shall not generate traffic onto residential size streets or disrupt residential areas, and shall be as close as possible to a major arterial. The property fronts and has access to Buddy Owens Boulevard.

- 2) The proposed use shall comply with the McAllen Off-Street Parking Ordinance and make provisions to prevent the use of street parking, especially in residential areas. Based on a seating capacity of 50 persons in the main auditorium, 13 parking spaces are required; 280 parking spaces are provided on site as part of the existing commercial development's common parking area.
- 3) The proposed use shall prevent the unauthorized parking of its patrons on adjacent businesses or residences by providing fences, hedges or reorientation of entrances and exits;
- 4) The proposed use shall provide sufficient lighting to eliminate dark areas, perimeter fencing, and an orientation of the building to provide maximum visibility from a public street in order to discourage vandalism and criminal activities;
- 5) Provisions shall be made to prevent litter from blowing onto adjacent streets and residential areas;
- 6) The number of persons within the building shall be restricted to the existing seating capacity for the building; and
- 7) Sides adjacent to commercially and residentially zoned or used properties shall be screened by a 6-foot opaque fence. A 6-foot opaque fence is required on the south side and one is provided.

Staff has not received any phone call, letters, or email in opposition to this request.

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

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

Being no discussion, Ms. Erica De La Garza moved to approve subject to conditions noted. Mr. Emilio Santos Jr. seconded the motion, which was approved with five members present, one member abstaining, and four voting.

b) REZONING:

- 1) Rezone from R-1 (single-family residential) District to C-4 (commercial-industrial) District: 6.06 Acres out of Lot 1, Block 4, A.J. McColl Subdivision, Hidalgo County, Texas; 4401 North Jackson Avenue (rear). **(REZ2023-0004)**

Mr. Samuel Nunez stated that the property is located on the rear portion of a tract of land that currently fronts North Jackson Road, and is approximately 1,270 feet north of Nolana Avenue. The property may, however, front North "K" Center Street (to the west) in the future once Right-of-Way dedication is completed during the pending subdivision review process.

The applicant is requesting to rezone the subject property to a C-4 (industrial-commercial) District

to develop the tract of land for a “classic car” self-storage facility.

The zoning for adjacent properties are R-1 (single family residential) District to the north and east, C-3 (general business) District to the north and south, and R-3A (multi-family residential apartment) District to the north and west.

The property is currently vacant and used as agricultural land. Surrounding land uses adjacent to the property include multi-family apartments, agricultural, and vacant land.

The Foresight McAllen Comprehensive Plan (FMCP) designates the future land use for this property as Auto Urban Commercial. The proposed rezoning of the subject property does not conform to the land use designation as indicated on the FMCP. The requested C-4 District would be designated as an Industrial land use.

The development trend for this area is generally multi-family residential and commercial uses.

The requested rezoning does not conform to the Suburban Residential land use designation as indicated on the Foresight McAllen Comprehensive Plan.

Approval of the rezoning request to a C-4 District would not limit the owner to the current development proposal for a “classic car” self-storage facility. Once approval is granted for the requested rezoning, the owner can at any time change the development project for the tract to another permitted or conditional use within a C-4 District. This can potentially lead to a number of unforeseen issues (e.g., increased traffic, noise, pollution, etc.) that can negatively impact the surrounding property owners and residents.

A recorded subdivision plat is required prior to building and or sign permit issuance.

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

Staff re commends disapproval of the rezoning request.

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

Being no discussion, Mr. Marco Suarez moved to approve. Ms. Erica De la Garza seconded the motion, which was approved with five members present and voting.

- 2) Initial Zoning to R-3A (multi-family residential apartment) District: The west 19.946 Acres of Lot 13, Section 280, Texas-Mexican Railway Company's Survey, Hidalgo County, Texas; 2700 Sprague Road. **(REZ2023-0005)**

Mr. Samuel Nunez stated that the property is located along the north side of Sprague Road, and approximately 1,960 feet west of North 23rd Street. The tract has 659.97 feet of frontage along Sprague Road with a depth of 1,299.91 feet, with a lot size of 19.19 net acres.

The applicant is requesting R-3A (multifamily residential apartment) District for proposed apartments. The tract is currently outside the City limits and is undergoing voluntary annexation. The initial zoning to R-3A District will become effective upon the annexation of the tract into the City. The subdivision review and site plan review processes may be required at a later time prior

to building permit issuance.

The zoning for adjacent properties are R-1 (single family residential) District to the north, west, and south, with an R-3A District also to the west. The property to the east of the subject property is located outside of city limits.

The property is currently used as agricultural land. Surrounding land uses include single-family residences, agricultural land, and vacant land.

The Foresight McAllen Comprehensive Plan designates the future land use for this property as Suburban Residential. The proposed initial zoning of the subject property does not conform to the land use designation as indicated on the Foresight McAllen Comprehensive Plan.

The development trend for this area along Sprague Road is generally single-family residential.

The requested zoning does not conform to the Suburban Residential land use designation as indicated on the Foresight McAllen Comprehensive Plan. However, the zoning request provides opportunities for a variety of housing types throughout the City. There is also one adjacent property that is zoned R-3A to the west.

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

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

Staff recommends approval of the initial zoning request to R-3A District since the request provides opportunities for a variety of housing types throughout the City.

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

Being no discussion, Mr. Marco Suarez moved to approve. Ms. Erica De la Garza seconded the motion, which was approved with five members present.

- 3) Rezone from C-3 (general commercial) District to R-3A (multifamily residential apartment) District: Lot 1, Wilson Subdivision No. 3, Hidalgo County, Texas; 120 South 4th Street. **(REZ2023-0006)**

Ms. Katia Sanchez stated that the property is located at the northwest corner of Beaumont Avenue and South 4th Street. The approximate lot size is 27,675.34 square feet.

The applicant is requesting to rezone the property to R-3A (multifamily residential apartment) District for proposed apartments. The Planning Department has received a feasibility plan for the subject property, please see the attachment. The applicant proposes to utilize the existing two buildings to operate apartments.

The properties to the north, east, and west are zoned as C-3 (general business) District. The contiguous zoning is R-1 (single-family residential) District to the east and west, it is C-1 (office

building) District to the south of the subject property.

The property is currently zoned as commercial, and currently has two existing buildings (former La Casita Motel) and parking lot. Surrounding land uses include single-family residences, Ricky's Transmission Shop, South Texas Solar Systems, and All State Insurance office.

The Foresight McAllen Comprehensive Plan designates the future land use for this property as Auto Urban Commercial, which is comparable to C-1 (office building) District, C-2 (neighborhood commercial) District, C-3L (light commercial) District, and C-3 (general business) District.

The development trend for this area is a mix of single-family residential, commercial, and some R-2 (duplex-fourplex) zoning. However, a site visit revealed that the area has commercial and single-family residential use.

The property was rezoned from R-1 (single-family residential) District to C-3 (general commercial) District in 1980. There has not been a rezoning request for the subject property since then.

The requested zoning does not conform to the Auto Urban Commercial land use designation as indicated on the Foresight McAllen Comprehensive Plan.

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. The applicant has applied for a variance request for the buffer requirements.

Staff has received neighborhood opposition of the rezoning request. The citizens expressed concerns of potential traffic and blocking of roadways by potential vehicles.

Staff recommends disapproval of the rezoning request since the requested zoning does not conform to the Foresight McAllen Comprehensive Plan, nor the development trend for this area, and staff has received neighborhood opposition.

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

Citizen, Mr. Michael Lopez(419 Chicago, McAllen Texas) stated he had concerns about traffic, not enough parking, and criminal activities. He requested to keep the location as commercial and to stay as conditional use to allow future control with compliance of conditions.

Applicant, Mr. Andrew Lebaron (4103 Santa Maria, Mission Texas) stated that they plan on building multi-family apartments to attract travelers, professional travelers, professional workers, doctors, nurses etc. He stated the property value will increase by rezoning. Vice Chairperson Mr. Gabriel Kamel suggested to apply for a conditional use permit (plan unit development) due to the zoning request not in compliance.

After a lengthy discussion, Mr. Marco Suarez moved to disapprove. Ms. Erica De la Garza seconded the motion, which was disapproved with five members present and voting.

- 4) Rezone from R-2 (duplex-fourplex residential) District to C-3 (general commercial) District: Lots 10-12, Block 19, College Heights Subdivision, Hidalgo County, Texas; 2205 Newport Avenue, 2209 Newport Avenue, 2213 Newport Avenue. **(REZ2023-0007)**

Ms. Katia Sanchez stated that the subject properties are located along the south side of Newport Avenue, approximately 160 feet away from North 23rd Street and Expressway 83. The request is for three lots (2205 Newport Avenue, 2209 Newport Avenue, and 2213 Newport Avenue).

The applicant is requesting to rezone the properties to C-3 (general commercial) District for proposed commercial plaza. The Planning Department has not received a feasibility plan. The subject properties are currently vacant.

The properties to the north, south, and west are zoned C-3 (general commercial) District. The contiguous zoning to the east is R-2 (duplex-fourplex) District, and C-3L (commercial light) District to the south of the subject property.

The properties are currently zoned as R-2 District. Surrounding land uses are single-family residences and First Cash Pawn.

The Foresight McAllen Comprehensive Plan designates the future land use for this property as Urban Residential Mixed, which is comparable to a Planned Unit Development.

The development trend and use along Newport Avenue is mainly single-family residences.

The property was zoned (duplex-fourplex residential) district upon comprehensive zoning in 1979. In September 2012, the applicant withdrew the rezoning request to C-3 District for 2213 Newport Avenue. In March 2013, City Commission disapproved a rezoning request to C-3 District for 2213 Newport Avenue.

The requested zoning from R-2 District to C-3 District for a proposed commercial plaza on Lots 10, 11, and 12, Block 19 does not conform to the Urban Residential Mixed land use designation for the tract as indicated on the Foresight McAllen Comprehensive Plan. Urban Residential Mixed allows residential and retail for redevelopment areas. The zoning along Newport Avenue to the east is R-2 District. Adjacent land uses are primarily commercial to the north, south, and west of the tract.

The requested zoning is in alignment with commercial zoning to the south. Newport Avenue is a local residential street with 50 feet of right-of-way, 30 feet of pavement, curb and gutter. A buffer is required where a nonresidential use has a rear or side property line in common with a residential use or zone.

Should the rezoning request be approved, a site plan in compliance with buffers, landscaping, and off-street parking is required prior to issuance of building permits or certificate of occupancy.

Staff has not received any phone calls nor emails in opposition of the rezoning request.

Staff recommends approval of the rezoning request since the adjacent land uses are primarily commercial to the north, south, and west of the tract.

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

Being no discussion, Ms. Erica De La Garza moved to approve. Mr. Emilio Santos Jr. seconded the motion, which was approved with six members present, five voting and one, Mr. Marco Suarez, abstaining.

- 5) Rezone from R-1 (single-family residential) District to C-3 (general commercial) District: 6.84 Acres (Tract 3), of the South 9 Acres of the North 20 Acres of Lot 80, La Lomita Irrigation & Construction Company's Subdivision, Hidalgo County, Texas; 6201 North Ware Road **(REZ2023-0003)(TABLED ON 2/21/23)**

Ms. Katia Sanchez announced that the applicant for item 2b5 requested to withdraw their request. Item was remove.

c) ORDINANCE

- 1) AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MCALLEN AT CHAPTER 138 ("ZONING"), ARTICLE VI ("SUPPLEMENTARY DISTRICT REGULATIONS"), DIVISION 2 ("REQUIREMENTS BY DISTRICT"), AMENDING COMMERCIAL SIDE SETBACKS; PROVIDING FOR SEVERABILITY, AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF.

Mr. Edgar Garcia, Director of Planning & Zoning explained 2c1 ordinance, stated that staff recommends approval.

Being no discussion, Mr. Marco Suarez moved to approve the ordinance. Ms. Erica De la Garza seconded the motion, which was approved with five members present and voting.

3) CONSENT:

- a) Amigo Park Subdivision Unit No. 3, Lots 12A& 12B, 3113 North 46th Street, Johnny Rodriguez **(SUB2022-0068) (FINAL)SEC**
- b) Moya Subdivision, 9601 North La Homa Road, Raul Moya **(SUB2023-0012) (FINAL)BE**
- c) Olive Grove Estates Subdivision, 3900 Lark Avenue, Mouayad Development, LLC **(SUB2023-0013) (FINAL)JHE**

Being no discussion, Mr. Emilio Santos Jr. moved to approve subdivisions in consent form Items 3a-c. Ms. Erica De la Garza seconded the motion, which was approved with five members present and voting.

4) SUBDIVISION:

- a) Harvest Creek at Ware Phase I Subdivision, 2301 North Ware Road, Escanaba, LLC **(SUB2023-0011)(FINAL)M&H**

Mr. Mario Escamilla stated North Ware Road: 60 ft. from centerline for 120 ft. ROW Paving: 65 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. Warrior Drive (Vine Ave.): 10 ft. dedication for 40 ft. from centerline for 80 ft. ROW Paving: 52 ft. Curb & gutter: both sides Pending Items: Engineer submitted a variance application on February 13, 2023 requesting that the pavement width be reduced and escrow not be required for Warrior Drive. There is an existing 40.67-42.29 ft. of paving currently and 52 ft. is required. The request for the pavement width to be reduced requires Planning and Zoning Commission action. The request for the escrow to not be required will have to go before the City Commission. Please revise street name as shown above prior to recording. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan Monies must be escrowed if improvements are not constructed prior to recording. N-S Street on West Boundary: Proposing 60 ft. ROW Paving: 40 ft. Curb & gutter: both sides Revisions needed: Label dash line on west side to determine any ROW dedication. (May affect phase II) Revise plat accordingly to accommodate ROW, prior to recording. - Existing 40 ft. ROW on west side, of which 20 ft. is within this plat boundary; clarify and label accordingly. Clarify cul-de-sac turnaround proposed on the north; 20 ft. ROW beyond turnaround cul-de-sac. Must be resolved prior to recording. Location of turnaround and design must be clarified prior to recording. Street name will be assigned 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. Internal Streets for R-3A: 60 ft. ROW Paving: 40 ft. Curb & gutter: both sides. Pending Items: Engineer submitted a variance application on February 13, 2023 requesting that the ROW be reduced from 60 ft. to 50 ft., the engineer has indicated that the 40 ft. paving width will remain. Development staff has reviewed the request and indicated that if approved that a 10 ft. U.E and Sidewalk Easement be dedicated along the front of the lots as applicable. ROW at gate locations to increase to accommodate proposed improvements, finalize prior to recording. Street names will be assigned 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. Paving, curb and gutter. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final COM Thoroughfare Plan. 900 ft. Block Length for R-3A Zone Districts Revisions needed: Subdivision layout does not comply with block length requirement, please revise accordingly prior to final. Length proposed, approximately 2,355ft. Engineer submitted variance to the block length requirement on May 4, 2022. At the PZ meeting of May 17, 2022, the board recommended approval of the variance to the block length requirement for the R-3A district, and City Commission approved the variance request on June 13, 2022. Subdivision Ordinance: Section 134-118. 600 ft. Maximum Cul-de-Sac. Pending Items: Temporary turnaround at the Northwest Corner of subdivision plat must comply with Fire Department requirements, additional notes may be needed prior to recording. Subdivision Ordinance: Section 134-105 Required ROW: 20 ft. Paving: 16 ft. Must comply with Public Works Department waste collection service requirements for the R-3A lots prior to recording. 24 ft. Utility and Service Drive Easement proposed at the rear of lots 35-87. Alley/service drive easement required for commercial properties and Multi-Family properties. Subdivision Ordinance: Section 134-106. Front: 20 ft. or greater for easement. Any changes to setbacks may require Planning and Zoning Commission action in the future. Zoning Ordinance: Section 138-356. Rear: 10 ft. or greater for easement. 12ft. U.E and Service Drive Easement proposed at the rear of lots 35-87. Zoning Ordinance: Section 138-356. Interior Sides: 6 ft. or greater for easement. Zoning Ordinance: Section 138-356. Corner:

10 ft. 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. 4 ft. wide minimum sidewalk required along N. Ware Road and Warrior Dr. (Vine Ave.), and both sides of all interior streets and N/S Street. Revisions needed: Plat note #7 will need to be revised as shown above, and once sidewalk requirements are determined, prior to recording. Sidewalk along N. Ware Road subject to increase to 5 ft. as per Engineering Department prior to final. Sidewalk width requirement for Warrior Dr. (Vine Ave.) and both sides of internal streets subject to increase prior to recording as per Engineering Department requirements. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. Required 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along Warrior Dr. (Vine Ave.) and N. Ware Rd. Revisions needed: Buffer requirement may be required on the west side of Lots 1, 60-62, and 113. Common Area detention adjacent to the N/S street on the west side boundary prior to recording. Please revise plat note #9 as shown above and once street name along the west side is finalized prior to recording. Additional buffers may be required prior to recording. Landscaping Ordinance: Section 110-46. Required 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. Required No curb cut, access, or lot frontage permitted along N. Ware Rd and Warrior Dr. (Vine Ave.) Must comply with City Access Management Policy. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Revisions Needed: Remove note #19 prior to recording as it is a requirement not a required note. Requirement might be triggered depending on the # of units proposed per lot on the multifamily lots. Required. Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 134-168 applies if private subdivision is proposed. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. *Subdivision Ordinance: Section 134-168. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Homeowner's Association Covenants must be submitted for staff review, prior to recording. Section 134-168 applies if private subdivision is proposed. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Please verify that all lots are in compliance with lot width requirement. Provide preliminary site plan for multi-family lots to verify compliance with landscaping requirements. Zoning Ordinance: Section 138-356. Existing: A-O Proposed: R-1 & R-3A. Rezoning was approved by City Commission on 2/14/22. Zoning Ordinance: Article V. Rezoning Needed Before Final Approval. Rezoning was approved by City Commission on 2/14/22. Zoning Ordinance: Article V. Land dedication in lieu of fee. Must comply with Park Department requirements. The Developer submitted a variance request letter to the Park Land Ordinance requirements to be waived and proposes to dedicate an additional 10 ft. ROW and construct an 8-foot trail with landscape, lighting and irrigation and a connection to Bentsen Hike & Bike Trail instead. On June 29, 2022, City Manager's Office approved the variance request with conditions. Must comply with conditions noted as per agreement letter dated July 14, 2022 prior to recording. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. Total amount of park fees is subject to amount of proposed lots and dwelling units per each lot. Must comply with Park Department requirements. The Developer submitted a variance request letter to the Park Land Ordinance requirements to be

waived and proposes to dedicate an additional 10 ft. ROW and construct an 8-foot trail with landscape, lighting and irrigation and a connection to Bentsen Hike & Bike Trail instead. On June 29, 2022, City Manager's Office approved the variance request with conditions. Must comply with conditions noted as per agreement letter dated July 14, 2022 prior to recording. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording and/or land dedication. Total amount of park fees is subject to amount of proposed lots and dwelling units per each lot/and land dedication. Must comply with Park Department requirements. The Developer submitted a variance request letter to the Park Land Ordinance requirements to be waived and proposes to dedicate an additional 10 ft. ROW and construct an 8-foot trail with landscape, lighting and irrigation and a connection to Bentsen Hike & Bike Trail instead. On June 29, 2022, City Manager's Office approved the variance request with conditions. Must comply with conditions noted as per agreement letter dated July 14, 2022 prior to recording. Required. As per Traffic Department, previous Trip Generation and TIA submitted to be honored for Phase I. As per Traffic Department, previous Trip Generation and TIA submitted to be honored for Phase I. Comments/Revisions needed: Label reference for dash line on the west side side of proposed north to south street on the west boundary. Label parcel on the west side of the west boundary line. Subdivision proposed to be private with dedication for ROW on perimeter streets as required, prior to recording. Entry access from the R-3A district along N. Ware Rd. on the plat submitted was reviewed by Traffic Department. ROW at gate locations to increase to accommodate proposed improvements, finalize prior to recording. Any changes to setbacks may require Planning and Zoning Commission action in the future. Must comply with City's Access Management Policy.-Subdivision approved in Preliminary form at the Planning and Zoning Commission meeting of November 16th,2022, subject to conditions noted in Planning Review, please see attached review.

Staff recommends approval of the subdivision in final form subject to conditions noted, and clarification of the variance requests for the interior streets and warrior drive.

Being no discussion, Mr. Marco Suarez moved to with conditions noted. Mr. Aaron Rivera seconded the motion, which was approved with five members present and voting.

b) **Garden Rose Subdivision, 1200 East Yuma Avenue, Edgar Escobedo
(SUB2023-0020)(PRELIMINARY)MAS**

Mr. Mario Escamilla stated E. Yuma Avenue: Dedication as needed for 40 ft. from centerline for 80 ft. total ROW Paving: 52 ft. - 65 ft. Curb & gutter: both sides. Revisions needed: Please provide how existing ROW was dedicated on plat and a copy of any referenced document for staff review, prior to final. Label existing ROW dedications, from centerline, total, existing, etc. on both sides, prior to final. Label ROW dedications by this plat as applicable, prior to final, once existing dedication have been finalized Label Easement along street and ensure there are no issues with overlap, dedication, etc. with the Irrigation company, finalize prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are not constructed prior to recording. COM Thoroughfare Plan. Interior Streets: 60ft. Total ROW. Paving 40 ft. Curb & gutter: Both Sides Revisions needed: Proposed Interior dedications range from 50-60 ft. of ROW, please see ROW requirements above, review and revise as applicable prior to final. Street names will be established prior to final and plat will need to revised accordingly. Clarify if subdivision is proposed to be private as gate details are required and ROW are subject to increase for gate areas, finalize prior to final and submit gate details as applicable. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are not constructed prior to recording. N/S collector (western boundary): Dedication as needed for 60 ft. Total ROW. Paving: 40 ft. Curb & gutter: Both Sides Pending Items:

Street names will be established prior to final. Please provide ownership map to verify that no landlocked properties exist or will be created. Street alignment and R.O.W being reviewed and plat would need to be revised accordingly prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are not constructed prior to recording. Paving, curb and gutter. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. Paving, curb and gutter. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. 900 ft. Block Length for R-3 Zone Districts. Subdivision Ordinance: Section 134-118. 600 ft. Maximum Cul-de-Sac. Provide "Cul-De Sac" and "Knuckle" details prior to final. Provide distance from Yuma ROW to the back of Southeastern Cul-De-Sac to verify compliance with 600 ft. block length requirements for Cul-de-Sacs, 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. 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: Revise note as shown above prior to final. Setbacks requirements subject to change once zoning requirements have been finalized. 25ft. or greater for easement required for existing R-1 Zone, finalize prior to final. Proposing:10 ft. or greater for easements. Zoning Ordinance: Section 138-356. Rear :10 ft. or greater for easements, whichever is greater applies. Revise note as shown above prior to final. Proposing:10 ft. or greater for easements. Zoning Ordinance: Section 138-356. Sides :In accordance with the zoning ordinance or greater for easements, whichever is greater applies. Revisions needed: Revise note as shown above prior to final. Proposing: In accordance with the zoning ordinance or greater for easements. Zoning Ordinance: Section 138-356. Corner:10 ft. or greater for easements, whichever is greater applies. Revise note as shown above prior to final. Proposing: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 E. Yuma Avenue, N/S Collector, and both sides of interior streets. Revisions Needed: Please revise plat note # 5 as shown above prior to final, note subject to change once ROW requirements have been established, finalize note wording prior to final. Sidewalk requirements may increase to 5 ft. prior to final per Engineering Department requirements, finalize prior to final. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along E. Yuma Avenue and N/S Collector Street. Revisions Needed: -Please revise plat note #7 as shown above prior to final, note subject to change once ROW requirements have been established, finalize note wording 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 E. Yuma Avenue and N/S Collector Street. Revisions Needed: Please revise plat note #11 as shown above prior to final, note subject to change once ROW requirements have been established, 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. Any owner, builder or developer of a multiple-family, condominium or townhouse dwelling complex of five units or more on a single lot or parcel, or five single-family attached units, shall submit to the planning department for review a site and building plan for the proposed development, submit a site plan for staff review prior to final. Zoning Ordinance: Section 138-210. Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Note subject to change once

subdivision requirements have been finalized. Finalize prior to final. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 134-168 applies if private subdivision is proposed. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Homeowner's Association Covenants must be submitted for staff review, prior to recording. Section 134-168 applies if private subdivision is proposed. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Lots fronting public streets. Revisions Needed: Remnant of original tract exhibiting 30 ft. of frontage, review and revise as applicable as a non-conforming lot is being created. 50 ft. of frontage minimum required in the R-1(Single-Family Residential) District. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Revisions Needed: Lot square footages must be included on plat prior to final.(Table or detail on lots is acceptable.) Remnant of original tract exhibiting 30 ft. of frontage, review and revise as applicable as a non-conforming lot is being created. 50 ft. of frontage minimum required in the R-1(Single-Family Residential) District. Compliance with lot requirement to be determined once rezoning has been finalized. Zoning Ordinance: Section 138-356. Existing:R-1(single-family)Residential District Proposed: R3-T(Townhouse residential) District Pending Items: Rezoning to R3-T scheduled for the Planning and Zoning Commission meeting of March 21, 2023 and City commission meeting of April 10, 2023. Zoning Ordinance: Article V. Rezoning Needed Before Final Approval Pending Items: Rezoning to R3-T scheduled for the Planning and Zoning Commission meeting of March 21, 2023 and City commission meeting of April 10, 2023. Zoning Ordinance: Article V. 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. Please clarify number of lots prior to final. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording if land dedication is not applicable. Please clarify number of lots prior to final. Pending review by City Managers Office. Once clarified if land dedication is applicable to this development ,a variance request must be submitted if requesting fees in lieu of land to be reviewed by the City Manager's office. As per Traffic Department, Trip Generation 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. Rezoning process must be finalized before final plat 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. Clarify if subdivision is proposed to be public or private, as additional requirements may be triggered. Clarify status of Remnant of original tract exhibiting 30 ft. of frontage. Clarify proposed zoning on application as it exhibits R-1 and R3-T. Clarify number of lots and lot labeling prior to final. As per Fire Department, Secondary access will be required.

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

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

- c) Homewood Subdivision, 301 South Ware Road, Victor Barrera **(SUB2023-0019)(PRELIMINARY)MAS**

Mr. Kaveh Forghanparast stated S. Ware Road: 60 ft. from centerline for 120 ft. Total ROW. Paving: by the state Curb & gutter: by the state Pending Items: Provide any documents regarding exiting dedications for review, to ensure compliance with ROW requirements, prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final COM Thoroughfare Plan Required. Paving, curb and 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. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties and multi-family properties. Revisions Needed: Provide for alley or service drive easement on the plat prior to final. Alley or service drive easement cannot dead-end. Subdivision Ordinance: Section 134-106. Front: In accordance with the Zoning Ordinance or greater for approved site plan or easements or inline with existing structures, whichever is greater applies. Revisions Needed: Revise note as shown above prior to final. Proposed: S.Ware Road-60 feet or greater for easement. Zoning Ordinance: Section 138-356. Rear: In accordance with the Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Revisions Needed: Revise note as shown above prior to final. Proposed: In accordance with the Zoning Ordinance or greater for easements. Zoning Ordinance: Section 138-356. Sides: In accordance with the Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Revisions Needed: Revise note as shown above prior to final. Proposed: In accordance with the Zoning Ordinance or greater for easements. Zoning Ordinance: Section 138-356. Garage: Commercial Development. Revision needed: Remove note as it is a commercial development, garage note does not apply. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 5 ft. wide minimum sidewalk required along South Ware Road(F.M. 2220). Revisions needed: -Add note as shown above, prior to final. 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. Required. 6ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Revisions Needed: Revise note#7 as shown above prior to final. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. 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 streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Revisions Needed: Include note as shown above, prior to final. Note subject to change once subdivision requirements have been finalized. Finalize wording prior to final. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Revisions Needed: Lot square footages must be included on plat prior to final.(Table or detail on lots is acceptable.) Zoning Ordinance: Section 138-356. Existing:C-3 (General Business)/C-4 (Commercial Industrial) District Proposed:C-3 (General Business) District/C-4 (Commercial Industrial) District. 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. As per application dated February 22,2023 proposed land use is commercial, please review intended use as it may require a conditional use permit. Zoning Ordinance: Article V. As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. Required. 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. 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.

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

Being no discussion, Mr. Aaron Rivera moved to approve. Ms. Erica De la Garza seconded the motion, which was approved with five members present and voting.

- d) Maebelle Subdivision, 11201 N. Moorefield Road, Onesimo Guerrero and Griselda Gutierrez **(SUB2023-0017) (PRELIMINARY)M2E**

Mr. Kaveh Forghanparast stated N. Moorefield Road (FM 681): Dedication as required for 60 ft. from centerline for 120 ft. total ROW Paving: by the State Curb & gutter: by the State Revisions as needed: Correct the name of the street to "N. Moorefield Road" Please reference and submit documents for the existing ROW dedication. Show and label centerline and show how much ROW exists on both sides of the centerline. Dedication must be finalized once the centerline is established. Show and label ROW from centerline after the dedication. If 100 ft. is the existing ROW, please label it as existing ROW. There is an 8.00' Utility Easement shown on the submitted survey which is not shown on the plat. Please clarify type of easement and how it was dedicated and provide the document. Utility Easement may not overlap the street ROW. Any abandonment must be done by separate document and referenced on plat. Please finalize R.O.W requirements once centerline is established prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. N/S Collector (west boundary): Dedication as required for 30-40 ft. of ROW dedication from the centerline for 60-80 ft. total ROW Paving: TBD Curb & gutter: both sides. Staff is reviewing additional Collectors as may be required. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. 1,200 ft. Block Length. Subdivision Ordinance: Section 134-118. Front: 45 ft. or greater for easements. If the County's setback requirement is higher, the greater will apply. Please clarify for all setbacks prior to final. Zoning Ordinance: Section 138-356. Rear: 10 ft. or greater for easements. Zoning Ordinance: Section 138-356. Sides: 6 ft. or greater for easements. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required; greater setback applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required on N. Moorefield Road (FM 681). 4 ft. wide minimum sidewalk will be required on collector street if applicable. Additional sidewalks applicable if additional street is needed prior to final. Engineering Department may require 5 ft. sidewalk. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial and industrial zones/uses. Please correct the plat note as shown above prior to final. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Please add the plat note as shown above prior to final. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. However, it's not a required plat note and needs to be removed from plat note #6. Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Lots fronting public streets: N. Moorefield Road. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: ETJ Proposed: ETJ (residential). Zoning Ordinance: Article V. Submit ownership map of the surrounding properties assuring no adjacent properties will be

landlocked. Additional Streets may be requires prior to final, based on surrounding properties/ownership map. All comments must be addressed prior to final. Any abandonment must be done by separate document and referenced on plat. Must comply with City's Access Management Policy. Must comply with other requirements, as may be applicable, prior to final.

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

Being no discussion, Ms. Erica De la Garza moved to approve. Mr. Aaron Rivera 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, Ms. Erica De la Garza adjourned the meeting at 4:51.m. with Mr. Emilio Santos Jr. seconding the motion and with five members present and voting.

Vice Chairperson Gabriel Kamel

ATTEST: _____
Magda Ramirez, Administrative Assistant

Memo

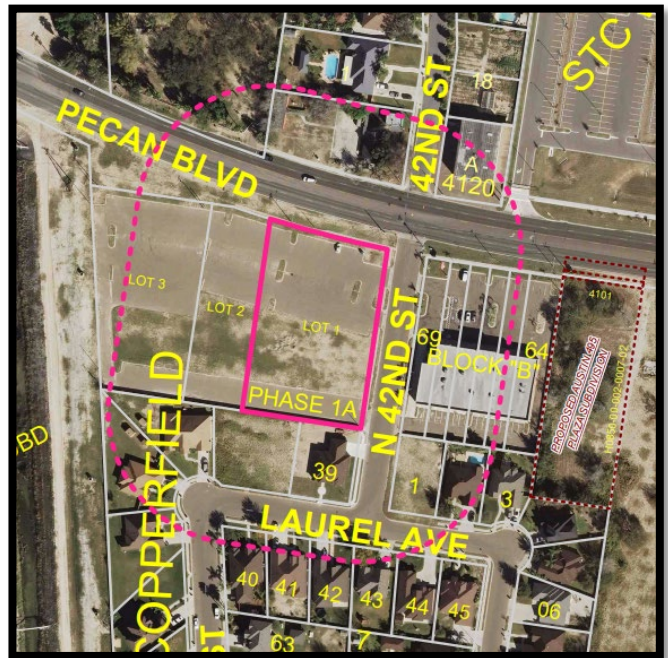
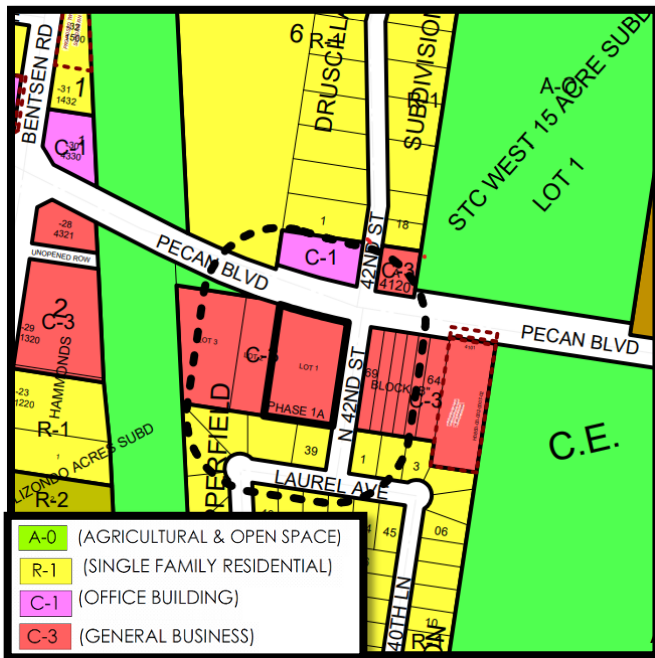
TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: March 9, 2023

SUBJECT: Request of Turbo Lube, for a Conditional Use Permit, for life of use, and adoption of an ordinance, for an automotive service and repair, at Lot 1, Copperfield Estates Phase 1A, Hidalgo County, Texas; 4201 Pecan Boulevard. (CUP2023-0025)

BRIEF DESCRIPTION: The subject property is located south of Pecan Boulevard, between Bentsen Road and Ware Road. The property is zoned C-3 (general business) District, and the adjacent zoning is C-1 (office building) District to the north and R-1 (single family) District to the south. The adjacent zoning is C-3 District to the west and east side of the property. Surrounding land uses include vacant land, single family residences, and commercial plazas. An automotive service and repair is allowed in a C-3 zone with a Conditional Use Permit and in compliance with requirements.



REQUEST/ANALYSIS: The proposed commercial building is comprised of five suites. As per the site plan, Suites A and B are dedicated to the oil change services. Both Suite A and B are approximately 5,380.68 square feet. Suites C-E are dedicated to proposed office and retail uses. The applicant is requesting a CUP for life of use, for an automotive service and repair.

Based on the total 5,380.68 sq. ft. of Suite A and B, 17 parking spaces are required for the proposed oil change services; 55 parking spaces are provided on site.

Staff has not received a phone call in favor or in opposition to this request.

The Fire Department has approved 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 business must meet the requirements set forth in Section 138-281 of the Zoning Ordinance and specific requirements as follows:

- 1) A minimum lot size of 10,000 sq. ft. is required. The subject property is approximately 52,698 sq. ft.
- 2) All service, repair, maintenance, painting and other work shall take place within an enclosed area. The applicant is proposing to work inside the commercial structure.
- 3) Outside storage of materials is prohibited. The applicant indicated that there would be no outside storage.
- 4) The building where the work is to take place shall be at least 100 ft. from the nearest residence. The building where the work is to take place is more than 100 feet from all single-family residential uses to the north, south and west.
- 5) A 6 ft. opaque fence buffered the proposed use from any residential use or residentially zoned area is required.
- 6) New buildings and conversions of existing buildings shall meet current building and fire code requirements concerning separation of high hazard uses from other occupancy use classifications.

RECOMMENDATION: Staff recommends approval of the request, for life of the use, subject to with requirements of Section 138-281 of the Zoning Ordinance, Fire Department, and building permit requirements.

- 1) BUILDER OR CONTRACTOR MUST VERIFY ALL DIMENSIONS PRIOR TO PROCEEDING CONSTRUCTION.
- 2) CONTRACTOR MUST VERIFY COMPLIANCE WITH LOCAL BUILDING CODES IN THE AREA WHERE THE HOME IS TO BE CONSTRUCTED.
- 3) PLANS INDICATE LOCATION ONLY; ENGINEERING ASPECTS SHOULD INCORPORATE ACTUAL SITE CONDITIONS.

DRAFTING: NB

arq.n.bolanos@gmail.com

SHEET TITLE(S)
SITE PLAN

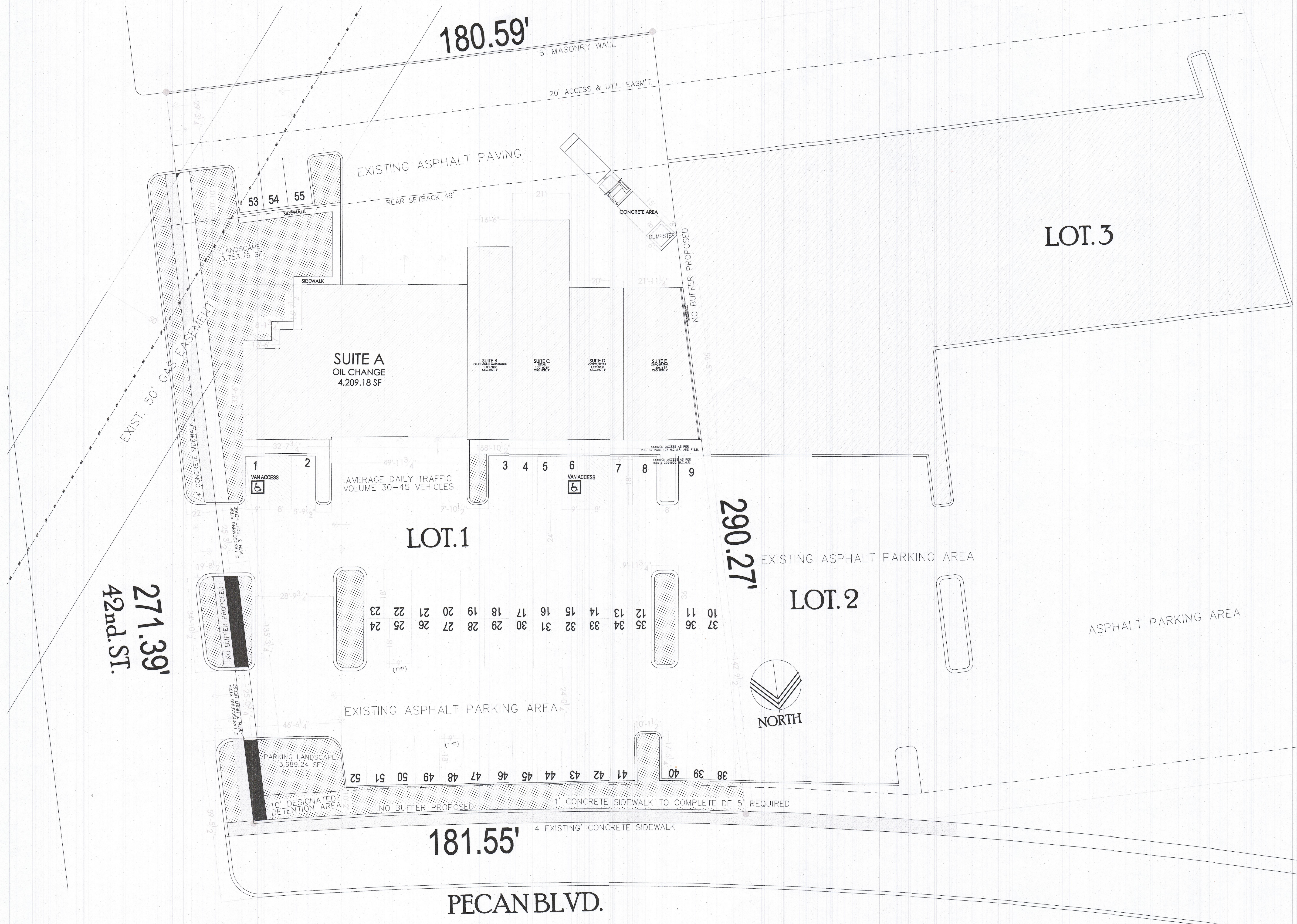
PROJECT: TURBO LUBE 495
COMMERCIAL SUITES

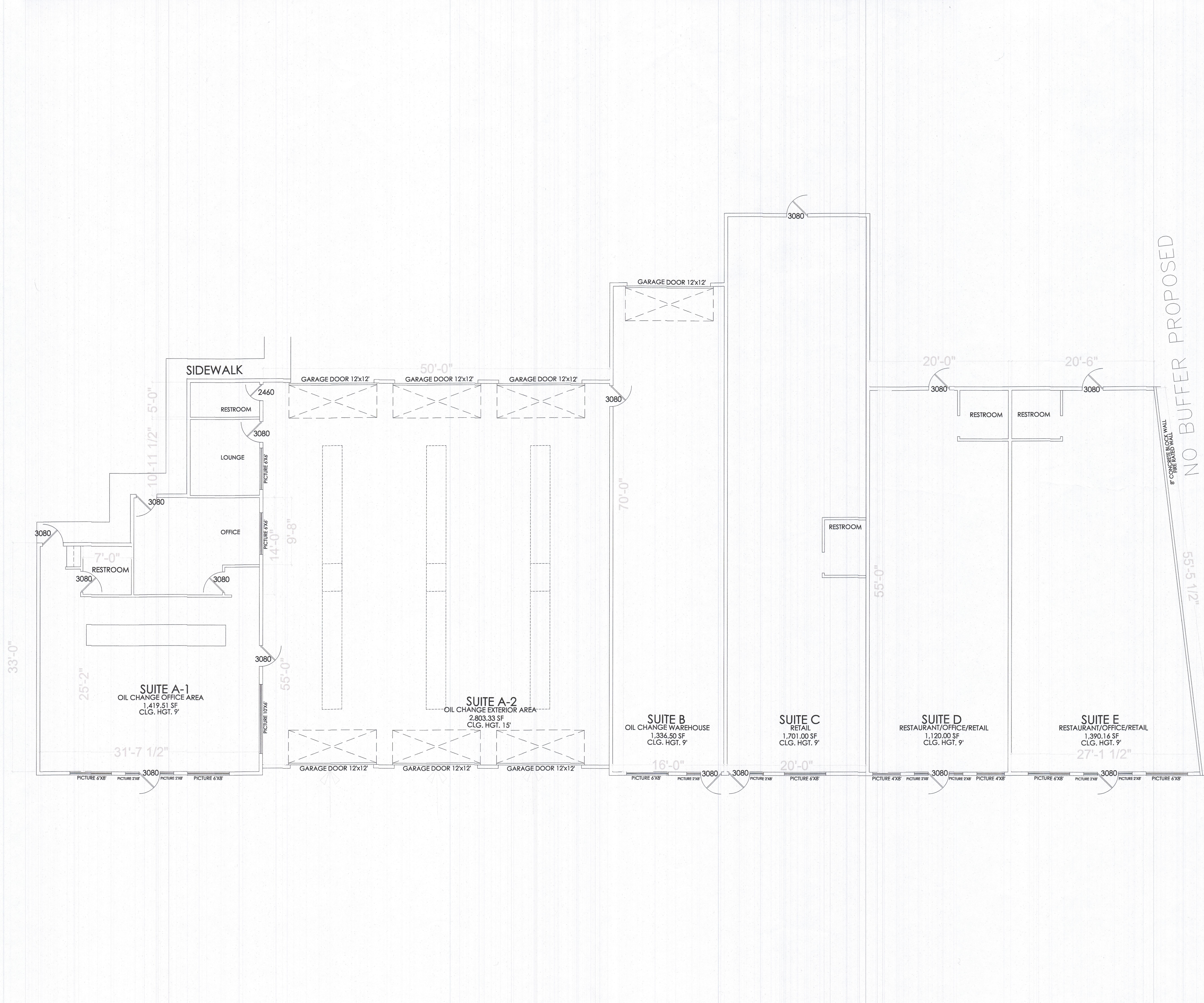
DATE: 2/17/2023	SHEET: 1
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4201 PECAN, PLVD. MCALLEN, TX. 78501

OWNER: JOSE LUIS RODRIGUEZ

Trazzo^{LLC}
DESIGN CONSTRUCTION DRAFTING





IT IS THE RESPONSIBILITY OF THE PURCHASER OF THIS PLAN TO PERFORM THE FOLLOWING BEFORE BEGINNING ACTUAL CONSTRUCTION.

- 1) BUILDER OR CONTRACTOR MUST VERIFY ALL DIMENSIONS PRIOR TO PROCEEDING CONSTRUCTION.
- 2) CONTRACTOR MUST VERIFY COMPLIANCE WITH LOCAL BUILDING CODES IN THE AREA WHERE THE HOME IS TO BE CONSTRUCTED.
- 3) PLANS INDICATE LOCATION ONLY; ENGINEERING ASPECTS SHOULD INCORPORATE ACTUAL SITE CONDITIONS.

CAUTION MUST BE EXCERCISED IN MAKING ANY CHANGES IN THIS PLAN. ONLY A QUALIFIED ENGINEER SHOULD ATTEMPT MODIFICATIONS, AS EVEN MINOR CHANGES IN ONE AREA OF THE HOUSE COULD LEAD TO MAJOR PROBLEMS.

PROJECT: TURBO LUBE 495 COMMERCIAL SUITES	DRAFTING: NB	
	arq.n.bolanos@gmail.com	
DATE: 2/17/2023	SHEET: 2	
4201 PECAN, PLVD. MCALLEN, TX. 78501	SHEET TITLE(S) FLOOR PLAN	
OWNER: JOSE LUIS RODRIGUEZ		



NOTICE
AUTO SERVICE
FOR
THIS PROPERTY
CUP2023-0025



Memo

TO: Planning and Zoning Commission

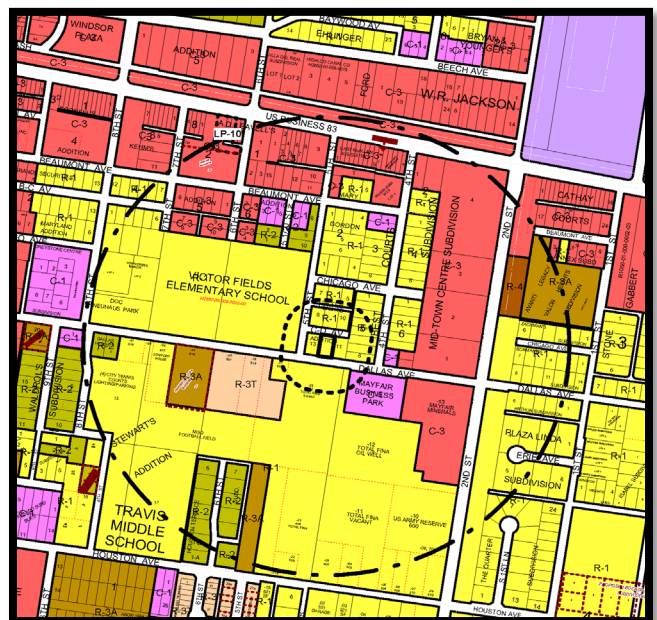
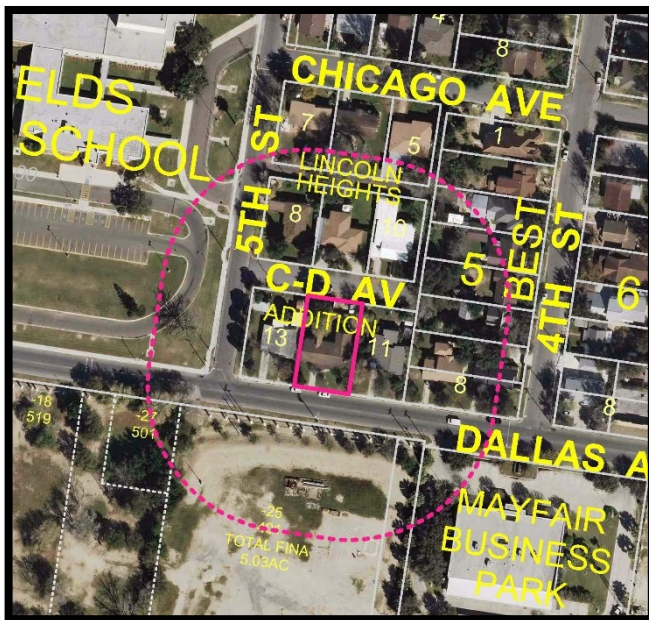
FROM: Planning Staff

DATE: March 14, 2023

SUBJECT: REQUEST OF MELISSA GARZA, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A HOME OCCUPATION (BEAUTY SALON) AT LOT 12, LINCOLN HEIGHTS ADDITION, HIDALGO COUNTY, TEXAS; 416 DALLAS AVENUE. (CUP2023-0026)

BRIEF DESCRIPTION:

The property is located along the north side of Dallas Avenue, 75.4 feet east of South 5th Street. The property is zoned R-1 (single family residential) District. The adjacent zoning is R-1 district in all directions. Surrounding land uses include single-family residences and Victor Fields Elementary School. A home occupation is permitted in the R-1 district with a Conditional Use Permit and in compliance with requirements.



HISTORY:

This is the initial request for a Conditional Use Permit for a hair salon at this location by this applicant.

REQUEST/ANALYSIS:

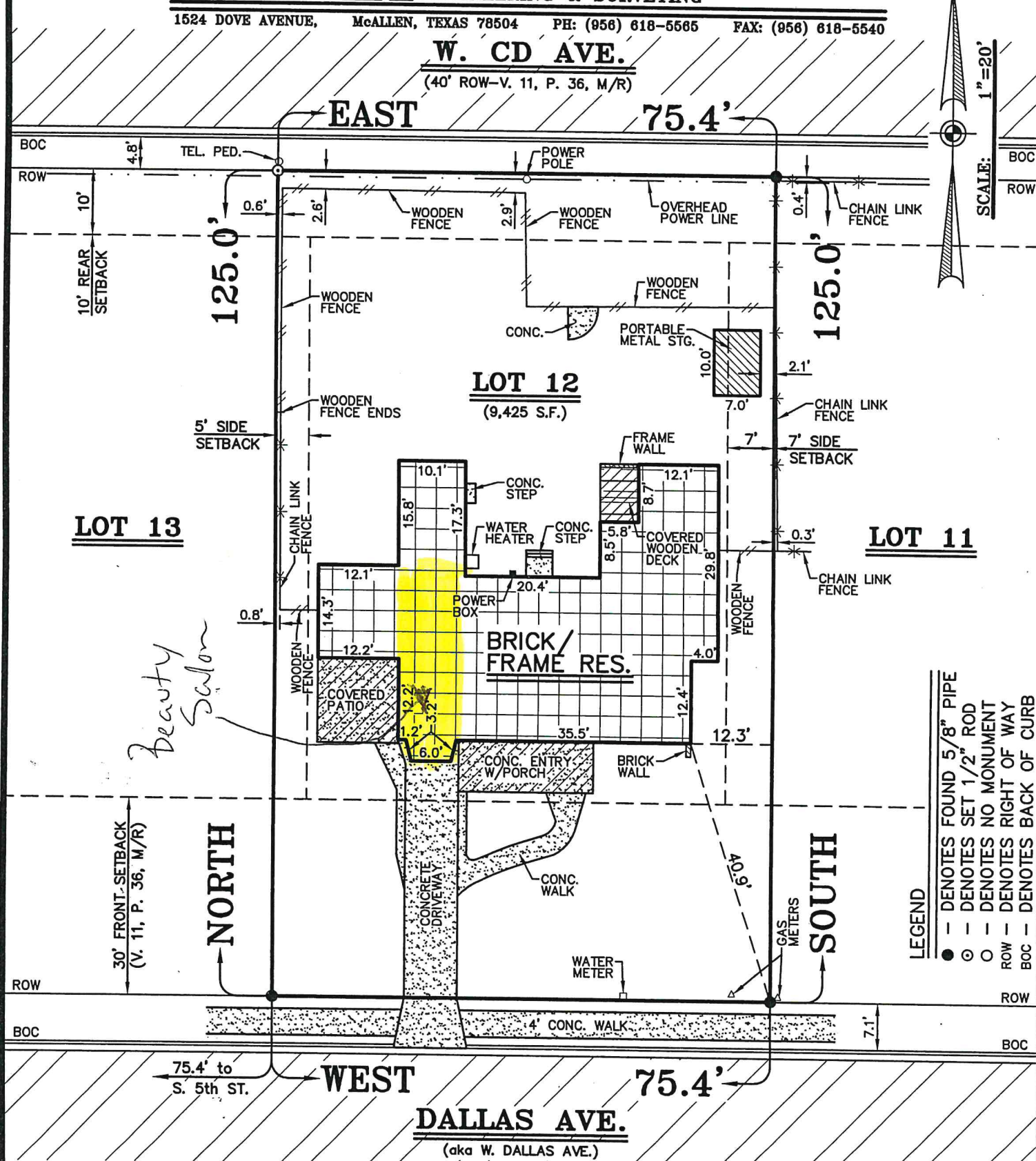
The applicant is proposing to operate a hair salon from an approximately 400 sq. ft. area of the existing 1,601 sq. ft. residence. The proposed hours of operation are Tuesday through Saturday from 10:00 AM to 4:00 PM by appointment only. The applicant stated that she will have one employee. The staff verified the ownership of the property.

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 occupation may not be operational until the issuance of the certificate. The Fire Department is pending to conduct an inspection at this location. The business must comply with requirements set forth in Section 138-118(a)(1) of the Zoning Ordinance and the specific requirements are as follows:

- 1) The home occupation must be clearly secondary to the residential use;
- 2) No signs are permitted. No sign is proposed or installed;
- 3) There shall be no exterior display or alterations indicating that the building is being used for any purpose other than that of a dwelling;
- 4) There shall be no more than one additional unrelated employee other than immediate members of the family residing on the premises.
- 5) There shall be no outside storage of materials or products. The applicant does not propose any outside storage;
- 6) The permitted use shall not create frequent or heavy traffic, not greater than ten percent (10%) of the average load per hour as determined by the city traffic engineer. The applicant stated that customers would visit by appointment only within the hours of 10:00 AM. and 4:00 PM.;
- 7) No retail sales (items can be delivered). The applicant did not propose any retail sales from home;
- 8) No additions to the residence or accessory building specifically to accommodate the business. The applicant proposes no additions or accessory building to accommodate the business;
- 9) The business must take place in the primary residential structure on the property rather than in a detached garage or separate accessory building. The occupation is proposed to take place in the primary residential structure; and
- 10) The activity must take place at the location of which the permit was issued.

RECOMMENDATION:

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



FLOOD ZONE DESIGNATION: The property shown here on lies in Zone "B". Zone "B" areas lie between limits of the 100-year flood and 500-year flood; or certain areas subject to 100-year flooding with average depths less than one (1) foot or where the contributing drainage area is less than one square mile; or areas protected by levees from the base flood as per F.E.M.A. Flood Insurance Rate Map Panel No. 480343-0005-C dated 11-02-82.

PLAT NOTES:

- REMARKS:**
1. There are no discrepancies, conflicts, shortages in area or boundary lines, encroachments, overlapping of improvements or visible or apparent easements except as shown on this plat.
 2. This survey plat is prepared in connection with Title Policy G.F. #23-8 and does not guarantee title. This survey is for the exclusive use of the client named hereon and may not be copied or transferred to another party without the express written consent of the surveyor.
 3. This survey must contain an embossed seal and an original signature to be valid as per Section 661.46 and Section 663.19 of the "The Professional Land Surveying Practices Act".
 4. This is a standard survey and does not include the location or subsurface investigation of underground utility, irrigation and/or gas lines.
 5. This property may lie within the boundaries of Hidalgo County Drainage District #1.
 6. Building setback lines as per City zoning ordinance, unless otherwise noted.
 7. Subject to any oil, gas and mineral lease of record.
 8. Bearing Basis: "S. line of Lot 12, Lincoln Heights Subdivision"

BORROWER(s): Juan Rendon Moncivais

THIS IS TO CERTIFY THAT I HAVE, THIS DATE, PREPARED A SURVEY ON THE GROUND WHICH IS LOCATED AT 416 DALLAS AVE., in MCALLEN, TEXAS, DESCRIBED AS FOLLOWS:
LOT TWELVE (12), LINCOLN HEIGHTS SUBDIVISION, AN ADDITION TO THE CITY OF McALLEN, HIDALGO COUNTY, TEXAS,
AS PER MAP OR PLAT THEREOF RECORDED IN VOLUME 11, PAGE 36, IN THE OFFICE OF THE COUNTY CLERK OF
HIDALGO COUNTY, TEXAS.

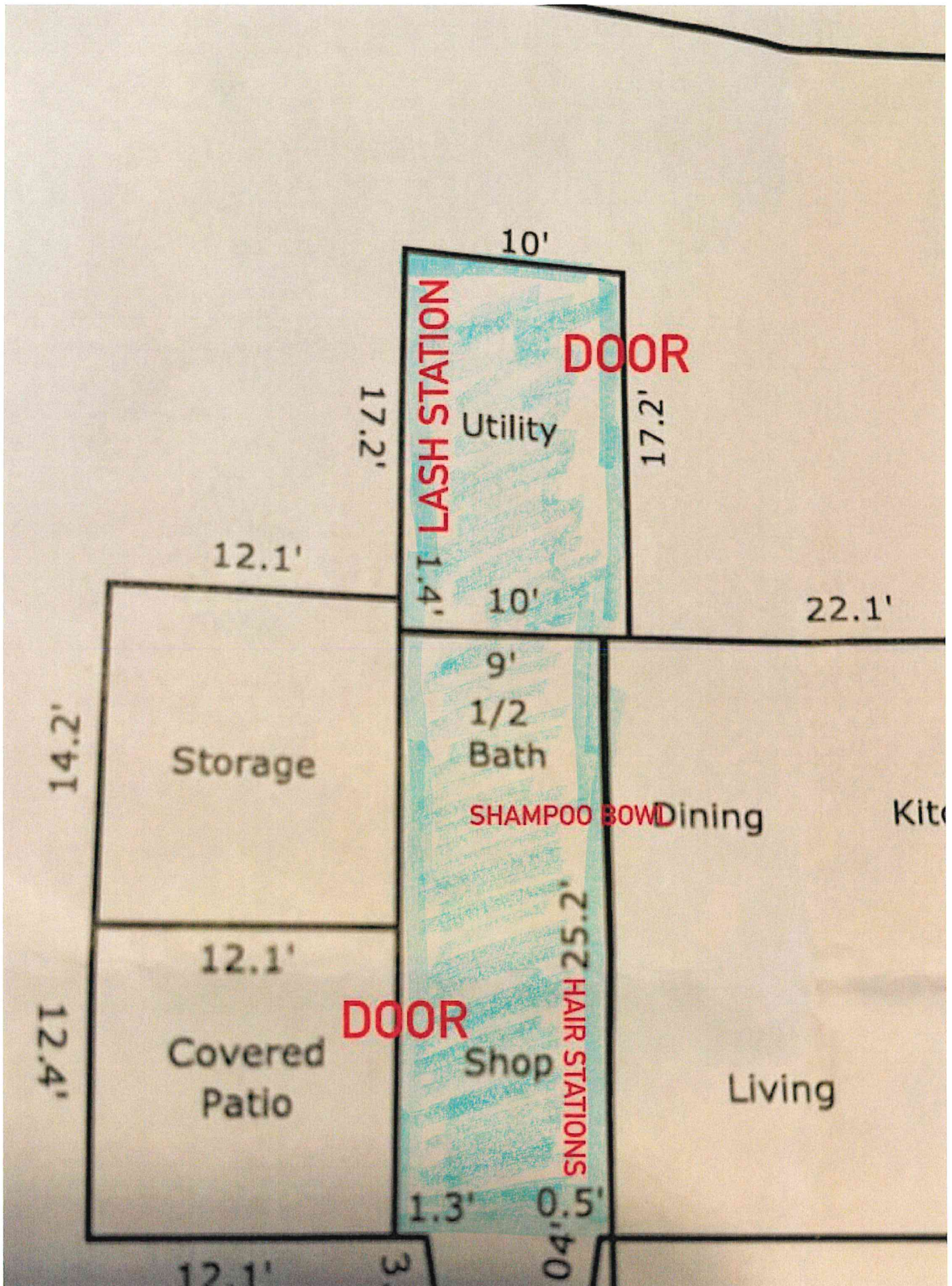
23-64518
Job No.

01-23-23
Date

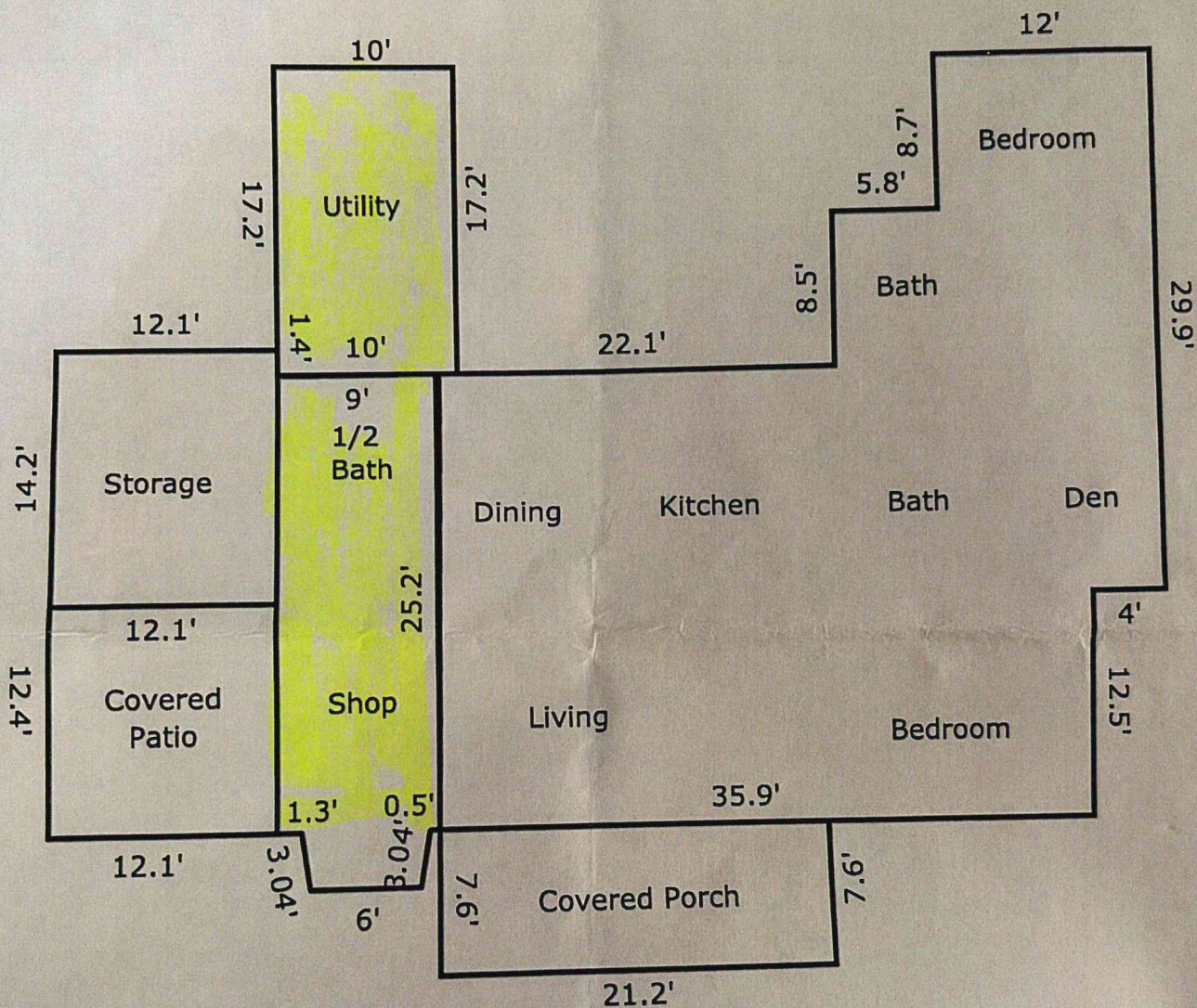
© COPYRIGHT 2023 ART SALINAS ENGINEERING INC. THIS SURVEY WAS PROVIDED IN MULTIPLE ORIGINALS SOLELY FOR THE USE OF THE BORROWER NAMED HEREON. NO LICENSE HAS BEEN CREATED, EXPRESSED OR IMPLIED TO COPY THIS SURVEY.

Registered Professional Land Surveyor No. 4802





Borrower	Juan Rendon	County	Hidalgo	State	TX
Property Address	416 Dallas Ave				
City	McAllen				
Lender/Client	Navy Army Community Credit Union				



TOTAL Sketch by a la mode, Inc.

Area Calculations Summary

Living Area			
First Floor	1211.18 Sq ft	25.2×22.1	= 556.92
		13.8×12.5	= 172.5
		17.8×21.2	= 377.36
		8.7×12	= 104.4
Total Living Area (Rounded):		1211 Sq ft	
Non-living Area			
Covered Patio	150.04 Sq ft	12.1×12.4	= 150.04
		$0.5 \times 0.5 \times 3$	= 0.75
Shop	243.33 Sq ft	$0.5 \times 3 \times 0.5$	= 0.75
		6×3	= 18
		25.1×9.8	= 246.98





NOTICE
HOME
OCCUPATION
FOR
THIS PROPERTY
CUP2023-0026
CITY OF McALLEN PLANNING DEPT.
WWW.MCALLENNET

Memo

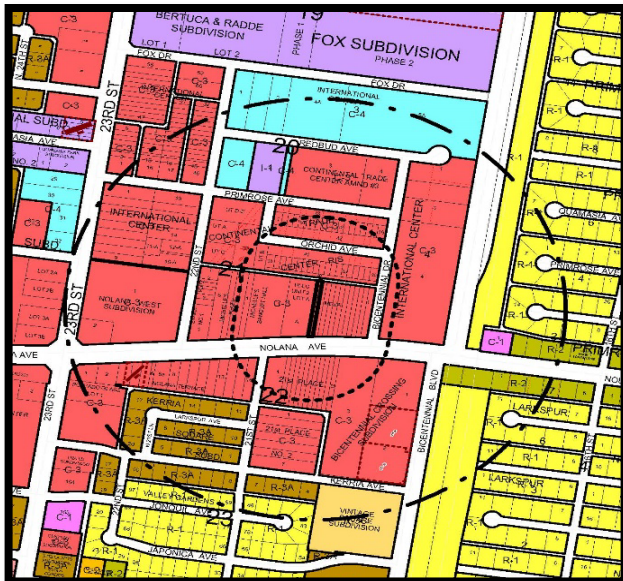
TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: March 14, 2023

SUBJECT: REQUEST OF LA TAMBORA SINALOENSE LLC, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE, FOR A BAR, AT LOT 12, MEJIA SUBDIVISION UNIT NO. 1, HIDALGO COUNTY, TEXAS; 2022 NOLANA AVENUE. (CUP2023-0027)

BRIEF DESCRIPTION: The subject property is located along the north side of Nolana Avenue, west of Bicentennial Boulevard and is zoned C-3 (general business) District. The zoning for the adjacent properties is C-3 District in all directions. Surrounding land uses include O'Reilley Auto Parts, Vintage Tile & Stone, Billy's B-B-Q, Dominos, Imelda's Beauty Salon, Ryker Powersports, Sweet Boulevard Party Place, Spin Plus Laundromat, Calandrias Patio Bar, and The International Museum of Arts & Sciences (IMAS). A bar is permitted in the C-3 District with a Conditional Use Permit and in compliance with requirements.



HISTORY: The initial Conditional Use Permit for a bar was submitted to the Planning Department on February 22, 2023. The Conditional Use Permit request is for one year.

REQUEST/ANALYSIS: According to the submitted floor plan, the applicant is proposing to use the 3,552 square foot suite for a proposed bar. The proposed days and hours of operation are Monday thru Sunday 7:00 PM thru 2:00 AM. Based on the 3,552 square foot 35 parking spaces would be required. As per the subdivision plat (Mejia Unit 1), the existing parking area is part of a common parking area for all the 12 Lots.

The Fire Department conducted an inspection and determined the property to be in compliance. The Health Department is pending to conduct the necessary inspection. The Department has not received any phone calls in opposition to the Conditional Use Permit 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 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 property is within 400 ft. of residential zones or uses; The establishment is within 400 feet of the International Museum of Arts & Science (IMAS)
- 2) The abovementioned businesses must be as close as possible to a major arterial, and shall not allow the traffic generated by such businesses onto residential streets, or allow such traffic to exit into and disrupt residential areas. The property fronts Nolana Avenue which is a principal arterial and does not generate traffic into residential areas;
- 3) The abovementioned businesses must provide parking in accordance with the city off-street parking ordinance as a minimum, and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional onsite parking. Based on the square footage of the establishment where the bar is proposing to operate, 35 parking spaces are required and are provided as part of the common parking area.
- 4) The abovementioned businesses must do everything possible to prevent the unauthorized parking by the patrons of such businesses on adjacent business or residential properties including, when necessary, the installation of fences and hedges, and the reorientation of entrances;
- 5) The abovementioned businesses should do everything possible and be designed to discourage criminal activities and vandalism, both on the site and on adjacent properties. Included would be provision of sufficient lighting and perimeter fencing, elimination of dark areas, and the orientation of the building such that it provides maximum visibility of as much as possible of the site from a public street;
- 6) The abovementioned businesses must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties;
- 7) The abovementioned businesses 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.

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

RECOMMENDATION: Staff recommends disapproval of the request based on noncompliance with requirement #1 (distance) of the Zoning Ordinance.

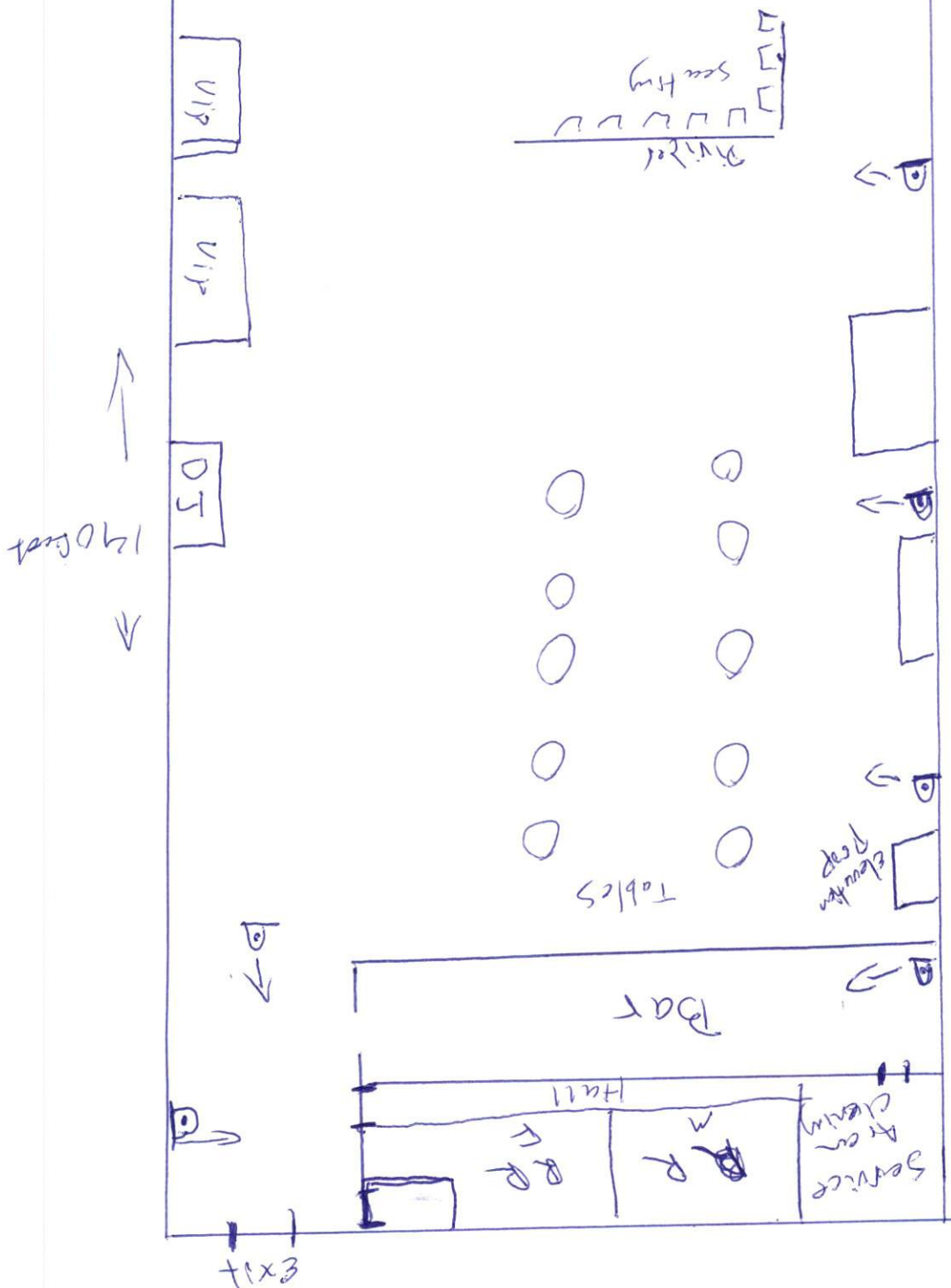




Nolova

25 ft

Entrance





STOP

Vintage
Tile & Stone

BILL

Brisket
Sausage
Chicken
Fajitas
Ribs
TO GO

FOR SALE
kw. **THE MAGGIE HARRIS TEAM**
Amazing Results in Real Estate
www.maggieharristeam.com **956-821-9990**
SHAWN MURPHY
956-289-9311

NOTICE
BAR
FOR
THIS PROPERTY
CUP2023-0027

BILLY'S BBQ
928-0211

Domino's

Amelia's Beauty Salon
CUTS, STYLING, COLOR, MAKEUP

Domino's

DOMINO'S

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

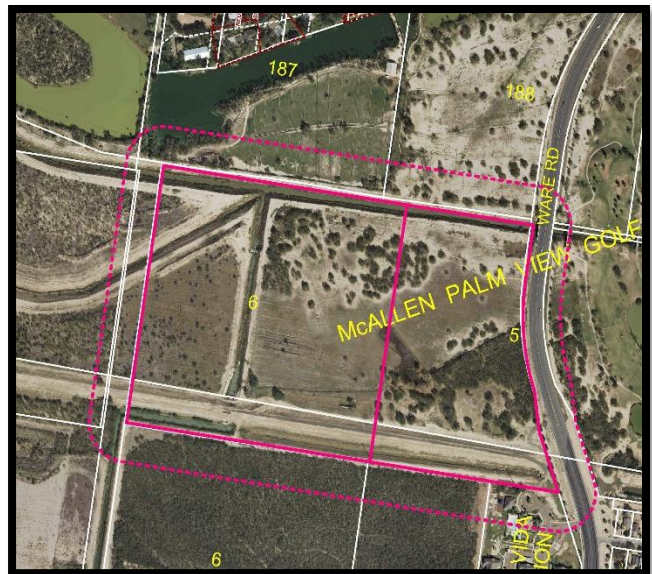
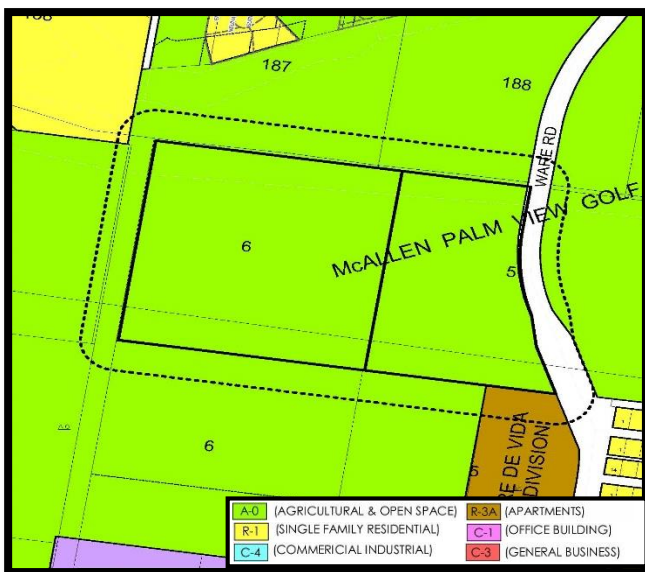
DATE: March 16, 2023

SUBJECT: REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO I-1 (LIGHT INDUSTRIAL) DISTRICT: 63.86 ACRES CONSISTING OF 23.86 ACRES OUT OF LOT 5, BLOCK 1 AND ALL OF LOT 6, BLOCK 1, RIO BRAVO PLANTATION COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS; 3500 SOUTH WARE ROAD. (REZ2023-0013)

LOCATION: The property has frontage and is located along the west side of South Ware Road. The subject property consists of an interior tract of 40 acres which is Lot 6, Block 1 and 23.86 acres out of Lot 5, Block 1 of Rio Bravo Plantation Company Subdivision.

PROPOSAL: The request is to rezone the subject property to I-1 (light industrial) District. A feasibility has not been submitted at this time.

ADJACENT ZONING: The contiguous zoning is A-O District in all directions and R-3A (multifamily residential apartments) District and R-1 (single-family residential) District to the northwest. There is I-1 District approximately 1,500 feet to the south.



LAND USE: The property is vacant. Surrounding land uses include Champion Lakes Golf Course, Padre De Vida Apartments, McAllen Sewer Plan #2, and vacant land.

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

DEVELOPMENT TRENDS: This area along South Ware Road in the past has been open space.

HISTORY: The application for a rezoning request was submitted to the Planning Department on March 07, 2023.

ANALYSIS: The subject property was previously part of the McAllen Palmview Golf Course and is currently being used as a disc golf course.

The tract is located in an area known as the Mission Inlet which is an area that is in a FEMA designated Special Flood Hazard Area (SFHA), Zone A. Any development proposed for the tract will need to comply with the flood plain ordinance.

The request is part of a larger area request for rezoning that includes the adjacent tract to the north consisting of 33.894 acres and proposed for rezoning to C-3 (general business) District.

The rezoning and development trends to the south along the west side of South Ware Road have been I-1 District, I-2 (heavy industrial) District and other commercial districts and uses.

Staff has not received any calls, letters, or emails in opposition to the rezoning request, however, one call was received seeking information on the request.

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



J.A. Garza Associates, L.L.C.

METES AND BOUNDS DESCRIPTION: TRACT 4

Being a 40.00-acre tract of land more or less, being all of Lot 6, Block 1, Rio Bravo Plantation Company Subdivision as recorded in Volume "W", Page 197 Deed Records in Hidalgo County, Texas; said tract of land being more particularly described by metes and bounds as follows;

Beginning at a set $\frac{1}{2}$ " iron rod with cap (JAG) at the Northeast corner Lot 6 and also being the Northwest corner of Lot 5 for the Northwest corner of this description for the **POINT OF BEGINNING**;

THENCE, S $08^{\circ}39'35''$ W, with and along the East line of said Lot 6, and the West line of Lot 5, a distance of 1320.00 feet to a set $\frac{1}{2}$ " iron rod with cap (JAG) for the Southeast corner and also being the Southeast corner Lot 6;

THENCE, N $81^{\circ}20'25''$ W, with and along the South line of said Lot 6, a distance of 1320.00 feet to a set $\frac{1}{2}$ " iron rod with cap (JAG) for the Southwest corner and also being the Southwest corner of said Lot 6;

THENCE, N $08^{\circ}39'35''$ E, with and along the West line of said Lot 6, a distance of 1320.00 feet to a set $\frac{1}{2}$ " iron rod with cap (JAG) for the Northwest Corner and also being the Northwest corner of said Lot 6;

THENCE, S $81^{\circ}20'25''$ E, with and along the North line of said Lot 6, and the South line of Lot 187 a distance of 1320.00 feet to a set $\frac{1}{2}$ " iron rod with cap (JAG) for the Northeast corner and the **POINT OF BEGINNING**;

Said tract of land containing 40.00 acres of land more or less.

Basis of Bearing: Found $\frac{1}{2}$ " iron rod at the Southeast corner Lot 190 La Lomita Irrigation and Construction Company and found $\frac{1}{2}$ " iron rod at the Northeast corner Lot 57 McAllen Second Suburban Citrus Groves Subdivision.

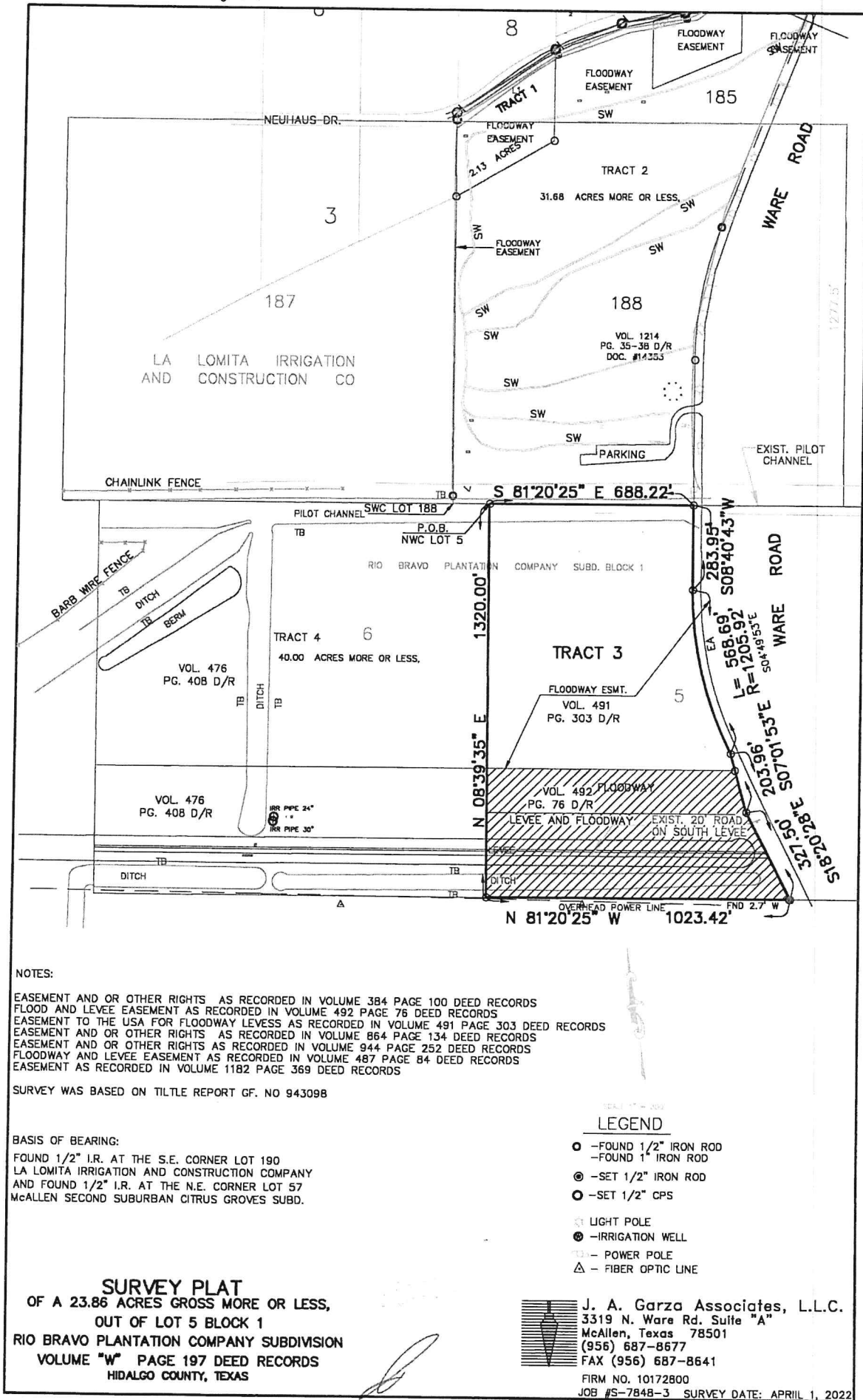
Jesus A. Garza R.P.L.S. No. 4739

Survey Date: April 1, 2022

Firm No. 10172800

Job # S 7848-4

Industrial



NOTES:

EASEMENT AND OR OTHER RIGHTS AS RECORDED IN VOLUME 384 PAGE 100 DEED RECORDS
 FLOOD AND LEVEE EASEMENT AS RECORDED IN VOLUME 492 PAGE 76 DEED RECORDS
 EASEMENT TO THE USA FOR FLOODWAY LEVEES AS RECORDED IN VOLUME 491 PAGE 303 DEED RECORDS
 EASEMENT AND OR OTHER RIGHTS AS RECORDED IN VOLUME 864 PAGE 134 DEED RECORDS
 EASEMENT AND OR OTHER RIGHTS AS RECORDED IN VOLUME 944 PAGE 252 DEED RECORDS
 FLOODWAY AND LEVEE EASEMENT AS RECORDED IN VOLUME 487 PAGE 84 DEED RECORDS
 EASEMENT AS RECORDED IN VOLUME 1182 PAGE 369 DEED RECORDS

SURVEY WAS BASED ON TITL E REPORT GF. NO 943098

BASIS OF BEARING:

FOUND 1/2" I.R. AT THE S.E. CORNER LOT 190
 LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY
 AND FOUND 1/2" I.R. AT THE N.E. CORNER LOT 57
 McALLEN SECOND SUBURBAN CITRUS GROVES SUBD.

LEGEND

- - FOUND 1/2" IRON ROD
- - FOUND 1" IRON ROD
- ⊙ - SET 1/2" IRON ROD
- ⊙ - SET 1/2" CPS
- ⊙ - LIGHT POLE
- ⊙ - IRRIGATION WELL
- ⊙ - POWER POLE
- △ - FIBER OPTIC LINE

SURVEY PLAT
 OF A 23.86 ACRES GROSS MORE OR LESS,
 OUT OF LOT 5 BLOCK 1
 RIO BRAVO PLANTATION COMPANY SUBDIVISION
 VOLUME "W" PAGE 197 DEED RECORDS
 HIDALGO COUNTY, TEXAS



J. A. Garza Associates, L.L.C.
 3319 N. Ware Rd. Suite "A"
 McAllen, Texas 78501
 (956) 687-8677
 FAX (956) 687-8641

FIRM NO. 10172800
 JOB #S-7848-3 SURVEY DATE: APRIL 1, 2022



J.A. Garza Associates, L.L.C.

METES AND BOUNDS DESCRIPTION: TRACT 3

Being 23.86 acres of land more or less out of Lot 5, Block 1, Rio Bravo Plantation Company Subdivision as recorded in Volume "W" Page 197 Deed Records of Hidalgo County, Texas; said tract of land being more particularly described by metes and bounds as follows;

Beginning at a set ½" iron rod with cap (JAG) at the Northwest corner of Lot 5, for the Northwest corner of this description for the **POINT OF BEGINNING**;

THENCE, S 81°20'25" E, with and along the North line of said Lot 5 and the South line of Lot 188, La Lomita Irrigation and Construction Company Subdivision, a distance of 688.20 feet to a set ½" iron rod with cap (JAG) for the Northeast corner and also being a point on the existing West Right-of-Way line of Ware Road;

THENCE, S 08°40'43" W, with and along the existing West Right-of-Way line of Ware Road a distance of 283.95 feet to a found ½" iron rod for corner, and the **POINT OF CURVATURE**;

THENCE, with a curve to the left having a radius of 1205.92 feet, an arc length of 568.69 feet a chord bearing of S 04°49'53" E to a set ½" iron rod with cap (JAG) for corner and the **POINT OF TANGENCY**;

THENCE, S 07°01'53" E, with and along the existing West Right-of-Way line of Ware Road, a distance of 203.96 feet to a found ½" iron rod for corner;

THENCE, S 18°20'28" E, with and along the existing West Right-of-Way line of Ware Road, a distance of 327.50 feet to a set ½" iron rod with cap (JAG) for the Southeast corner on also being a point on the South line of said Lot 5;

THENCE, N 81°20'25" W, with and along the south line of said Lot 5, a distance of 1023.42 feet to a set ½" iron rod with cap (JAG) for the Southwest corner and also being the Southwest corner of said Lot 5;

THENCE, N 08°39'35" E, with and along the West line of said Lot 5, and the East line of Lot 6, a distance of 1320.00 feet to a set ½" iron rod with cap (JAG) for the Northwest corner and the **POINT OF BEGINNING**;

Said tract of land containing 23.68 acres more or less

Basis of Bearing: Found ½" iron rod at the Southeast corner Lot 190 La Lomita Irrigation and Construction Company and found ½" iron rod at the Northeast corner Lot 57 McAllen Second Suburban Citrus Groves Subdivision.


Jesus A. Garza R.P.L.S. No. 4739

Survey Date: April 1, 2022

Firm No. 10172800

Job # S 7848-3

NOTICE
REZONING
FOR
THIS PROPERTY
REZ2023-0013

 CITY OF MCALLEN PLANNING DEPT.
956-481-1250
WWW.MCALLEN.NET



Planning Department

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

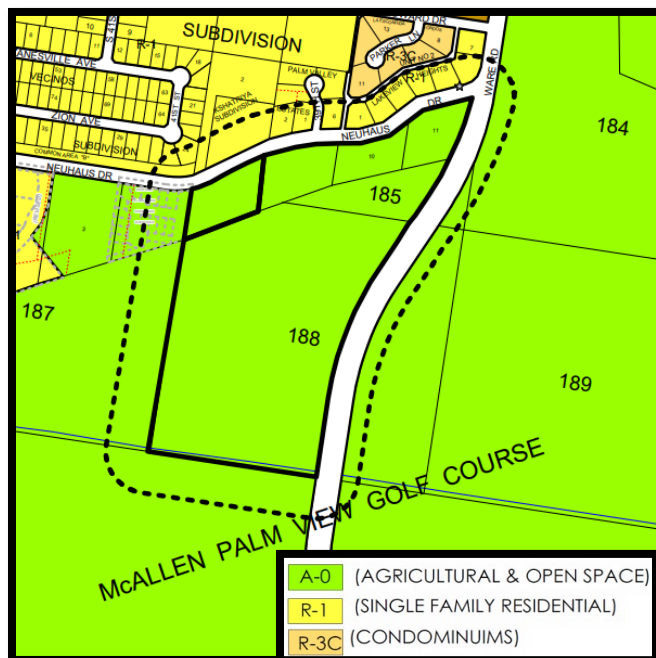
DATE: March 13, 2023

SUBJECT: REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: 33.894 ACRES CONSISTING OF 2.214 ACRES OF LOT 8, MCALLEN FIRST CITRUS GROVES SUBDIVISION AND 31.68 ACRES OUT OF LOTS 185 AND 188, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS; 2800 SOUTH WARE ROAD. (REZ2023-0014)

LOCATION: The subject property is located along the west side of South Ware Road, and the southwest intersection of Neuhaus Drive and South Ware Road.

PROPOSAL: The applicant is requesting to rezone the subject property to a C-3 (general business) District. A feasibility has not been submitted at this time.

ADJACENT ZONING: The zoning for adjacent properties are R-1 (single family residential) District to the north, and A-O (agricultural and open space) District to the east, west and south.



LAND USE: The property is currently vacant. Surrounding land uses adjacent to the tract's property lines include Champion Lakes Golf Course, Palmview Driving Range, and single family residential to the north of the subject property.

COMPREHENSIVE PLAN: The Foresight McAllen Comprehensive Plan designates the future land use for this property as City Parks.

DEVELOPMENT TRENDS: The development trend along South Ware Road for this area has been generally agricultural and open space use. Surrounding land uses include the addition of the UTRGV practice facility to the Champion Lakes Golf Course and the Palmview Community Center, a five lane road, principal arterial with large shoulder lanes of 120'.

HISTORY: The application for a rezoning request was submitted to the Planning Department on March 7, 2023.

ANALYSIS: The subject property was previously part of the McAllen Palmview Golf Course and is currently being used as a disc golf course.

The tract is located in an area known as the Mission Inlet, which is an area that is in a FEMA designated Special Flood Hazard Area (SFHA), Zone A. Any development proposed for the tract will need to comply with the flood plain ordinance.

The request is part of a larger area request for rezoning that includes the adjacent tract to the south consisting of 63.86 acres and proposed for rezoning to I-1 (light industrial) District.

The rezoning and development trends to the south along the west side of South Ware Road have been C-3 District, I-1, District, I-2 (heavy industrial) District and other commercial districts and uses.

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

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



J.A. Garza Associates, L.L.C.

METES AND BOUNDS DESCRIPTION: TRACT 1

Being 2.214 acres of land more or less out of Lot 8, McAllen First Suburban Citrus Groves Subdivision as recorded in Volume 5, Page 20 Map Records of Hidalgo County, Texas and also being out of Lots 185 and 188, La Lomita Irrigation and Construction Company Subdivision as recorded in Volume 24, Pages 67-68 Deed Records of Hidalgo County, Texas; Said tract of land being more particularly described by Metes and Bounds as follows;

Commencing for reference at the Northwest Corner of Lot 8, THENCE S 08°39'35" W, with and along the West line of said Lot 8, a distance of 631.20 feet to a found cotton picker spindle for the Northwest corner of this description for the **POINT OF BEGINNING**;

THENCE, N 65°46'02" E, (N 65°17'00" E Rec.), with and along the centerline of Neuhaus Drive a distance of 393.48 feet (395.40 Rec.) to a found cotton picker spindle for the Northeast Corner;

THENCE, S 08°39'35" W, parallel to the West line of said Lot 8, a distance of 305.18 feet to a set ½" iron rod with cap (JAG) for the Southeast corner;

THENCE, S 69°08'36" W, a distance of 379.56 feet to a set ½" iron rod with cap (JAG) for the Southwest corner, and also being a point on the West line of said Lot 8;

THENCE, N 08°39'35" E, with and along the West Line of said Lot 8, a distance of 251.81 passing the Lot line of Lots 188 and 185, and a distance of 254.74 passing a found ½" iron rod at the existing south Right-of-Way line of Neuhaus Drive and a total distance of 278.58 feet to a found cotton picker spindle for the Northwest corner and the **POINT OF BEGINNING**;

Said tract of land containing 2.214 acre more or less.

Basis of Bearing: Found ½" iron rod at the Southeast corner of Lot 190 La Lomita Irrigation and Construction Company and Found ½" iron rod at the Northeast corner Lot 57, McAllen Second Suburban Citrus Groves Subdivision

Jesus A. Garza R.P.L.S No. 4739

Survey Date: April 1, 2022

Firm No. 10172800

Job# S 7848-1





J.A. Garza Associates, L.L.C.

METES AND BOUNDS DESCRIPTION: TRACT 2

Being a 31.68 acres of land gross more or less out of Lots 185 and 188, La Lomita Irrigation and Construction Company Subdivision; as recorded in Volume 24, Pages 67-68 Deed Records of Hidalgo County, Texas; said tract of land being more particularly described by Metes and Bounds as follows;

Beginning at a set ½" iron rod with cap (JAG) at the Southwest corner of Lot 188 for the Southwest corner of this description for the **POINT OF BEGINNING**;

THENCE, N 08°39'35" E, with and along the West line of said Lot 188 and the East line of Lot 187, a distance of 1029.20 feet to a set ½" iron rod with cap (JAG) for the Northwest corner;

THENCE, N 69°08'36" E, a distance of 379.70 feet to a set ½" iron rod with cap (JAG) for the corner;

THENCE, N 08°39'35" E, parallel to the west line of said Lot 188, a distance of 305.18 feet to a found cotton picker spindle for the most northwesterly corner; and also, being the centerline of Neuhaus Drive;

THENCE, N 76°49'33" E, (N 78°17'00" E Rec.) with and along the centerline of Neuhaus Drive, a distance of 240.33 (240.00 Rec) feet to a found cotton picker spindle for corner;

THENCE, N 89°36'04" E, (N 89°27'00" E Rec.) with and along the centerline of Neuhaus Drive, a distance of 218.09 (218.00 Rec.) feet to a found cotton picker spindle for corner;

THENCE, N 74° 36'17" E, (N 74°27'00" E Rec.) with and along the centerline of Neuhaus Drive, a distance of 120.00 feet to a found cotton picker spindle for corner;

THENCE, N 52° 59'56" E, (N 52°52'00" E Rec.) with and along the centerline of Neuhaus Drive, a distance of 200.00 feet to a found cotton picker spindle for corner;

THENCE, N 75°57'56" E, (N 75°50'00" E Rec.) with and along the centerline of Neuhaus Drive, distance of 207.32 feet to a found cotton picker spindle for corner;

THENCE, S 14°02'04" E, a distance of 21.21 feet to a found ½" iron rod for the Northeast corner and also being a point on the West Right-of-Way line of Ware Road;

THENCE, with a curve to the right having a radius of 1085.92 feet, an arc length of 197.42 a chord bearing of S 25°06'31" W to a found ½" iron rod for corner and the point of tangency;

THENCE, S 30°19'00" W, continuing with the West Right-of-Way line of Ware Road, a distance of 801.10 feet to a found ½" iron rod for corner and also being the point of curvature;

THENCE, with a curve to the left, and the existing West Right-of-Way line of Ware Road having a radius of 1205.92 feet an arc length of 455.20 and a chord bearing; S 19°29'52" W to a found ½" iron rod for corner and the point of tangency;

THENCE, S 08°40'43" W, continuing on the existing West Right-of-Way line of Ware Road a distance of 487.34 feet to a set ½" iron rod with cap (JAG) for the Southeast corner and also being a point on the South line of said Lot 188;





J.A. Garza Associates, L.L.C.

THENCE, N 81°20'25" W, with and along the South line of said Lot 188, a distance of 813.22 feet to a set ½" iron rod with cap (JAG) for the Southwest corner and the **POINT OF BEGINNING**;

Said tract of land containing 31.68 acres more or less.

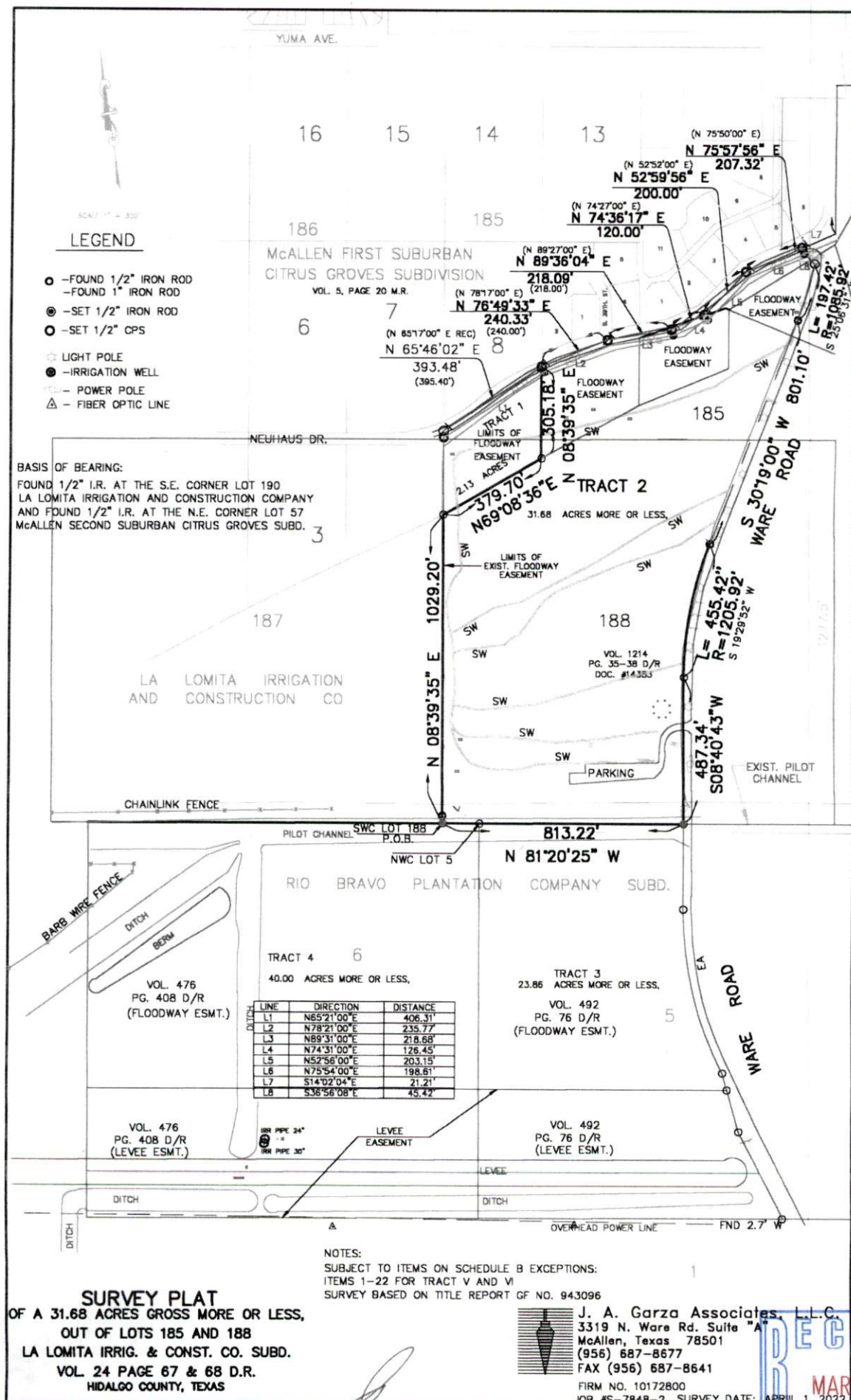
Basis of Bearing: Found ½" iron rod at the Southeast corner Lot 190 La Lomita Irrigation and Construction Company and found ½" iron rod at the Northeast corner Lot 57 McAllen Second Suburban Citrus Groves Subdivision

Jesus A. Garza R.P.L.S. No. 4739

Survey Date: April 1, 2022


Firm No. 10172800

Job # S 7848-2





NOTICE
REZONING
FOR
THIS PROPERTY
REZ2023-0014

 CITY OF PHOENIX
PLANNING DEPARTMENT
1501 NORTH CENTRAL AVENUE
SUITE 200
PHOENIX, AZ 85004-4001

Planning Department

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

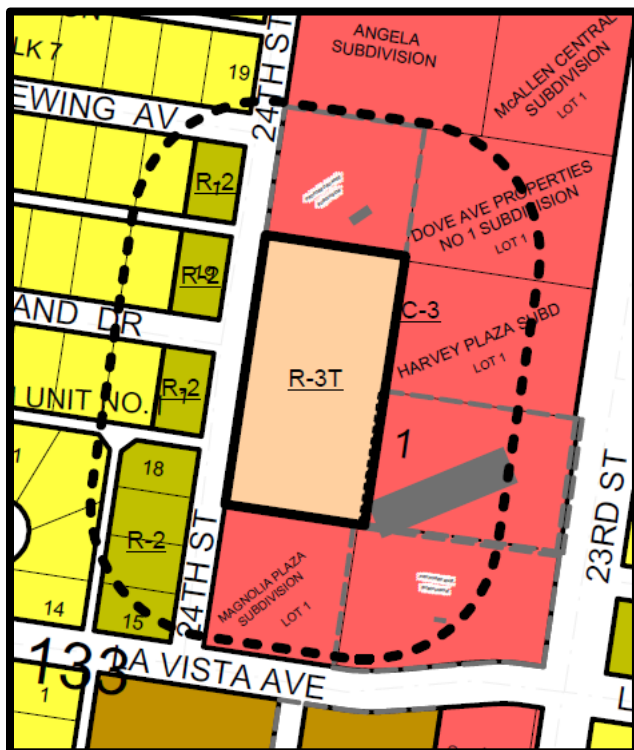
DATE: March 14, 2023

SUBJECT: REZONE FROM R-3T (MULTI-FAMILY TOWNHOUSE RESIDENTIAL) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: 1.96 ACRES OUT OF BLOCK 1, WHITEWING ADDITION UNIT NO. 1, HIDALGO COUNTY, TEXAS; 2600 NORTH 24TH STREET. (REZ2023-0008)

LOCATION: The subject property is located along the east side of North 24th Street, and is approximately 210 feet north of La Vista Avenue.

PROPOSAL: The applicant is requesting to rezone the subject property to C-3 (general business) District to develop the tract of land for an individual storage units' project. A feasibility plan has not been submitted.

ADJACENT ZONING: The zoning for adjacent properties are C-3 District to the north, east, and south, and R-2 (duplex-fourplex residential) District to the west across North 24th Street.



LAND USE: The property is currently vacant. Surrounding land uses adjacent to the tract's property lines include commercial uses, a communications tower to the south, and single family residential and duplex residential uses to the west across North 24th Street.

COMPREHENSIVE PLAN: The Foresight McAllen Comprehensive Plan designates the future land use for this property as Auto Urban Commercial, which is comparable to the requested rezoning to a C-3 District.

DEVELOPMENT TRENDS: The development trend along North 24th Street for this area is generally single-family residential and commercial uses.

HISTORY: This tract was initially zoned C-3 (general business) District during Comprehensive Zoning plans in 1979. The current zoning (R-3T District) was approved in 2018. The current owner is now requesting to rezone the property back to C-3 District for an individual storage unit development.

ANALYSIS: The requested rezoning conforms to the Auto Urban Commercial land use designation, as indicated on the Foresight McAllen Comprehensive Plan. Approval of this rezoning request would essentially help establish the surrounding area between North 24th Street and North 23rd Street as C-3 (general business) District.

A recorded subdivision plat is required prior to building and or sign permit issuance.

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

RECOMMEN DATION: Staff recommends approval of the request since the C-3 District would conform to the future land use designation provided by the Foresight McAllen Comprehensive Plan and would re-establish the C-3 District previously designated for the subject property.

EXHIBIT A
1.96 ACRES OUT OF BLOCK 1, WHITEWING ADDITION UNIT No. 1
VOLUME 17, PAGE 2
MAP RECORDS OF HIDALGO COUNTY, TEXAS
FIELD NOTES

BEING A 1.96 ACRES TRACT OF LAND, MORE OR LESS, OUT OF AND FORMING A PART OR PORTION OF BLOCK 1, WHITEWING ADDITION UNIT #1, HIDALGO COUNTY, TEXAS, RECORDED IN VOLUME 17, PAGE 2, MAP RECORDS OF HIDALGO COUNTY, TEXAS AND SAID 1.96 ACRES TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2-INCH CAPPED IRON ROD SET AT THE NORTHWEST CORNER OF THE SAID BLOCK 1, WHITEWING ADDITION UNIT #1, SAME BEING A POINT ON THE EXISTING EAST RIGHT-OF-WAY LINE OF N. 24TH STREET (AN EXISTING 50.00-FOOT-WIDE RIGHT-OF-WAY), FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT AND **POINT OF BEGINNING**;

THENCE S 81°25'33" E ALONG THE NORTH LINE OF THE SAID BLOCK 1, WHITEWING ADDITION UNIT #1, TO A POINT ON THE WEST BOUNDARY LINE OF A CALLED DOVE AVENUE PROPERTIES NO. 1 SUBDIVISION, RECORDED IN VOLUME 51, PAGE 86, MAP RECORDS OF HIDALGO COUNTY, TEXAS, A DISTANCE OF 210.57 FEET TO A 1/2-INCH CAPPED IRON ROD SET, FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 8°39'34" W SAME BEING IN PART ALONG THE WEST BOUNDARY LINE OF THE SAID DOVE AVENUE PROPERTIES NO. 1, AND SAME BEING IN PART ALONG THE WEST BOUNDARY LINE OF A CALLED HARVEY PLAZA SUBDIVISION, RECORDED IN DOCUMENT # 2416556, MAP RECORDS OF HIDALGO COUNTY, TEXAS, PASSING AT 7.00 FEET THE COMMON WEST CORNER BETWEEN THE SAID DOVE AVENUE PROPERTIES NO. 1 SUBDIVISION AND HARVEY PLAZA SUBDIVISION, PASSING AT 207.00 FEET THE WEST BOUNDARY LINE OF A CALLED 1.38 ACRES TRACT CONVEYED TO ALEYDA ENTERPRISES, LLC, RECORDED IN DOCUMENT #2365787, OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS, TO A POINT ON THE NORTH BOUNDARY LINE OF A CALLED 1.34 ACRES TRACT CONVEYED TO AGUILAR AND AGUILAR RENTALS, LLC, RECORDED IN DOCUMENT # 322484, OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS, SAME POINT BEING THE SOUTHWEST CORNER BETWEEN THE SAID HARVEY PLAZA SUBDIVISION AND THE SAID 1.38 ACRES ALEYDA ENTERPRISES TRACT, AND CONTINUING FOR A TOTAL DISTANCE OF 407.00 FEET TO A 1/2-INCH CAPPED IRON ROD SET, FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 81°25'33" W ACROSS THE SAID BLOCK 1, WHITEWING ADDITION UNIT #1, SAME BEING ALONG THE NORTH BOUNDARY LINE OF THE SAID 1.34 ACRES AGUILAR AND AGUILAR RENTALS TRACT, TO A POINT ON THE EAST BOUNDARY LINE OF A CALLED MAGNOLIA PLAZA SUBDIVISION, RECORDED IN DOCUMENT #3084265, MAP RECORDS OF HIDALGO COUNTY, TEXAS, SAME POINT BEING THE NORTHWEST CORNER OF THE SAID 1.34 ACRES AGUILAR AND AGUILAR RENTALS TRACT, A DISTANCE OF 10.00 FEET TO A 1/2-INCH CAPPED IRON ROD SET, FOR A CORNER OF THE HEREIN DESCRIBED TRACT;

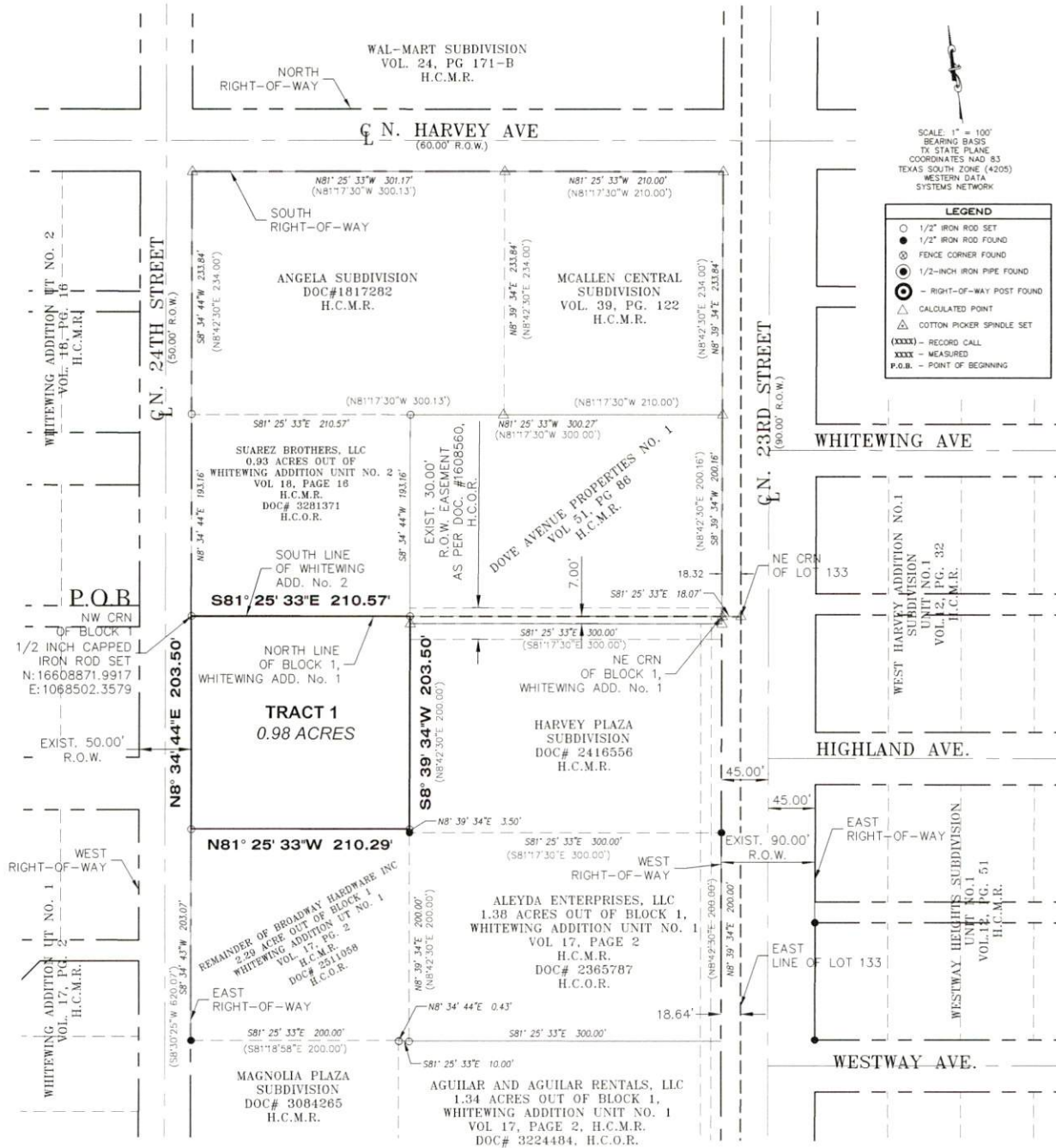
THENCE N 8°34'44" E ACROSS THE SAID BLOCK 1, WHITEWING ADDITION UNIT #1, SAME BEING ALONG THE EAST BOUNDARY LINE OF THE SAID MAGNOLIA PLAZA SUBDIVISION, TO THE NORTHEAST CORNER OF THE SAID MAGNOLIA PLAZA SUBDIVISION, A DISTANCE OF 0.43 FEET TO A 1/2-INCH CAPPED IRON ROD SET, FOR A CORNER OF THE HEREIN DESCRIBED TRACT;



THENCE N 81°25'33" W ACROSS THE SAID BLOCK 1, WHITEWING ADDITION UNIT #1, SAME BEING ALONG THE NORTH BOUNDARY LINE OF THE SAID MAGNOLIA PLAZA SUBDIVISION, TO A POINT ON THE WEST LINE OF SAID BLOCK 1, WHITEWING ADDITION UNIT #1, SAME BEING A POINT ON THE SAID EXISTING EAST RIGHT-OF-WAY LINE OF N. 24TH STREET, A DISTANCE OF 200.00 FEET TO A 1/2-INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBE TRACT;

THENCE N 8°25'33" E ALONG THE WEST LINE OF SAID BLOCK 1, WHITEWING ADDITION UNIT #1, SAME BEING ALONG THE EXISTING EAST RIGHT-OF-WAY LINE OF N. 24TH STREET, A DISTANCE OF 406.57 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 1.96 ACRES OF LAND, MORE OR LESS.

**EXHIBIT B
BOUNDARY SURVEY
TRACT 1 - 0.98 ACRES
OUT OF BLOCK 1, WHITEWING ADDITION UNIT NO. 1
VOLUME 17, PAGE 2,
MAP RECORDS OF HIDALGO COUNTY, TEXAS
TO ACCOMPANY FIELD NOTES**



SURVEYOR'S NOTES:

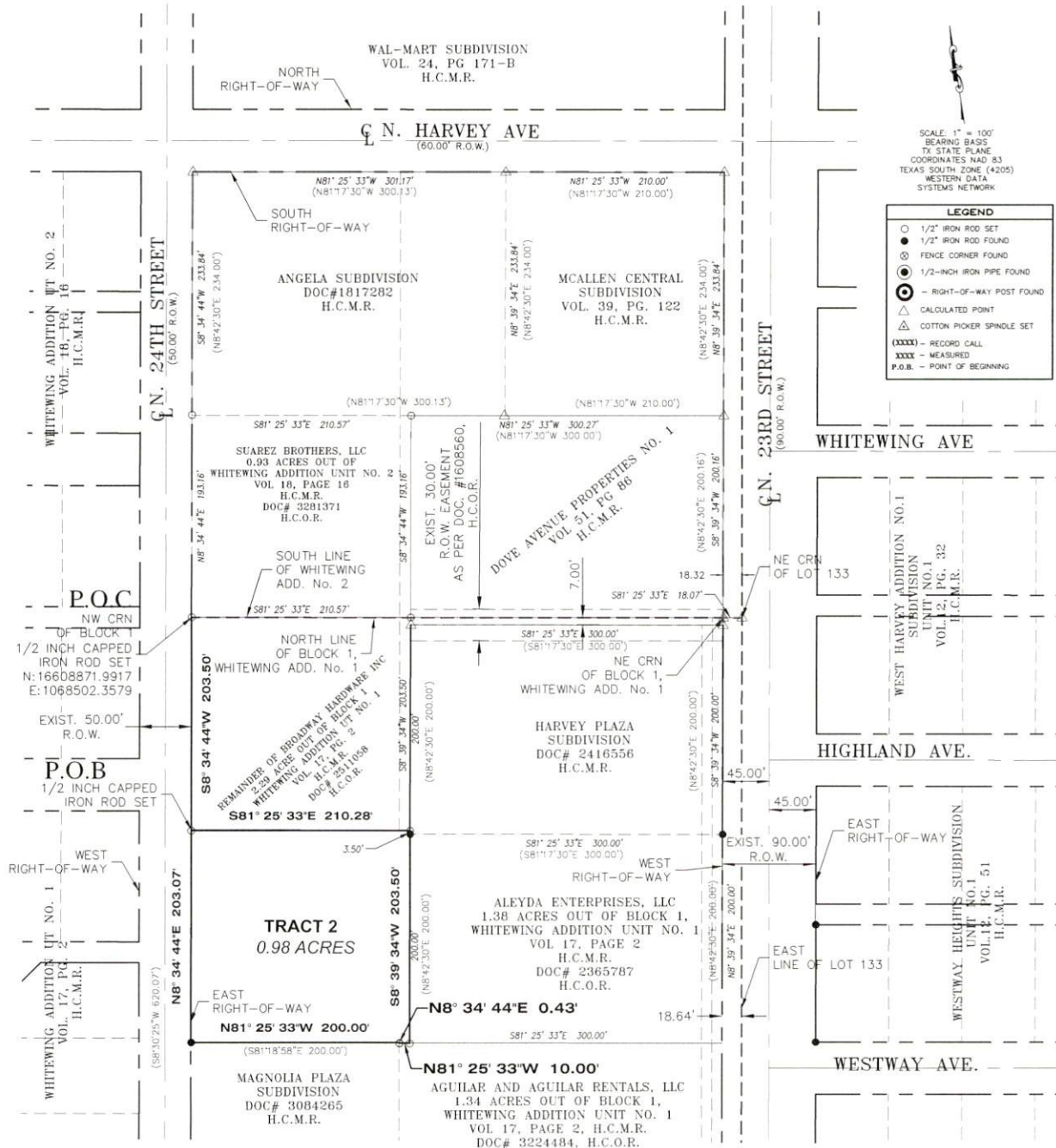
- 1) NO ADDITIONAL RESEARCH WAS PERFORMED BY RIO DELTA ENGINEERING FOR ANY ADDITIONAL EASEMENT(S) OR BUILDINGS LINES WHICH MAY OR MAY NOT AFFECT THE SUBJECT TRACT.
 - 2) THE PROPERTY SHOWN IS IN ZONE B, AREAS OF MINIMAL FLOODING, AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY AND IDENTIFIED ON FIRM MAP NO. 4803430005C, DATED NOVEMBER 2, 1982.
 - 3) SURVEY DONE WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
- I, IVAN GARCIA, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY STATE, THAT THIS SURVEY WAS MADE ON THE GROUND OF THE PROPERTY SHOWN HEREON DURING MAY 2022, UNDER MY DIRECTION AND SUPERVISION; THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE; THAT THE PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH MINIMUM STANDARD DETAIL REQUIREMENTS FOR LAND TITLE SURVEYS.

<p>RIO DELTA ENGINEERING FIRM REGISTRATION NO. F-7828 SURVEY FIRM NO. 10194027 921 S. 10TH AVENUE, EDINBURG TEXAS 78539 (TEL) 956-380-5152 (FAX) 956-380-5083</p>	DATE:	MAY 2022
	PROJECT:	SUR 22.071
	PAGE:	1 OF 1



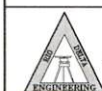
IVAN GARCIA
 REG. PROFESSIONAL LAND
 SURVEYOR NO. 6496
 DATE: 5/12/2022

**EXHIBIT B
BOUNDARY SURVEY
TRACT 2 - 0.98 ACRES
OUT OF BLOCK 1, WHITEWING ADDITION UNIT NO. 1
VOLUME 17, PAGE 2,
MAP RECORDS OF HIDALGO COUNTY, TEXAS
TO ACCOMPANY FIELD NOTES**



SURVEYOR'S NOTES:

- 1) NO ADDITIONAL RESEARCH WAS PERFORMED BY RIO DELTA ENGINEERING FOR ANY ADDITIONAL EASEMENT(S) OR BUILDINGS LINES WHICH MAY OR MAY NOT AFFECT THE SUBJECT TRACT.
 - 2) THE PROPERTY SHOWN IS IN ZONE B, AREAS OF MINIMAL FLOODING, AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY AND IDENTIFIED ON FIRM MAP NO. 4803430005C, DATED NOVEMBER 2, 1982.
 - 3) SURVEY DONE WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
- I, IVAN GARCIA, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY STATE, THAT THIS SURVEY WAS MADE ON THE GROUND OF THE PROPERTY SHOWN HEREON DURING MAY 2022, UNDER MY DIRECTION AND SUPERVISION, THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, THAT THE PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH "MINIMUM STANDARD DETAIL REQUIREMENTS FOR LAND TITLE SURVEYS".



RIO DELTA ENGINEERING
FIRM REGISTRATION No. F-7628
SURVEY FIRM NO. 10194027
921 S. 10TH AVENUE, EDINBURG TEXAS 78539
(TEL) 956-380-5152 (FAX) 956-380-5083

DATE: MAY 2022
PROJECT: SUR 22.071
PAGE: 1 OF 1



[Signature]

5/12/2022

IVAN GARCIA DATE
REG. PROFESSIONAL LAND
SURVEYOR NO. 6496

NOTICE
REZONING
FOR
THIS PROPERTY
REZ2023-0008



CITY OF McALLEN PLANNING DEPT.
800-451-1100
WWW.MCALLEEN.UTX



Planning Department

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

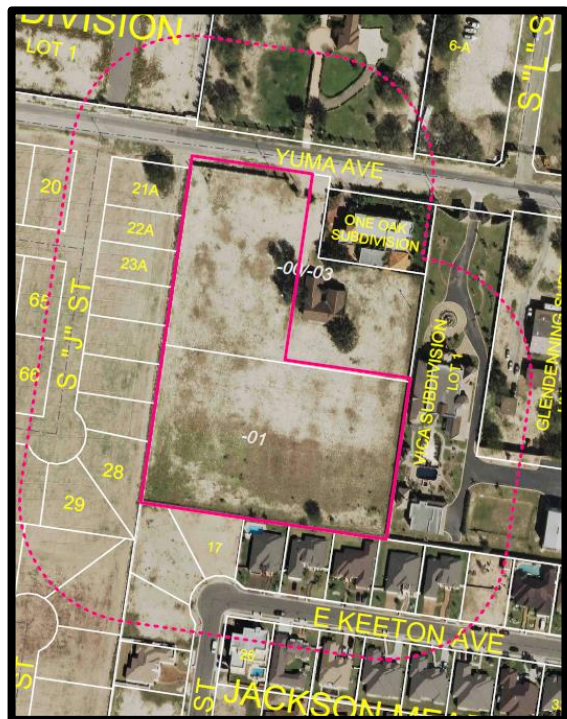
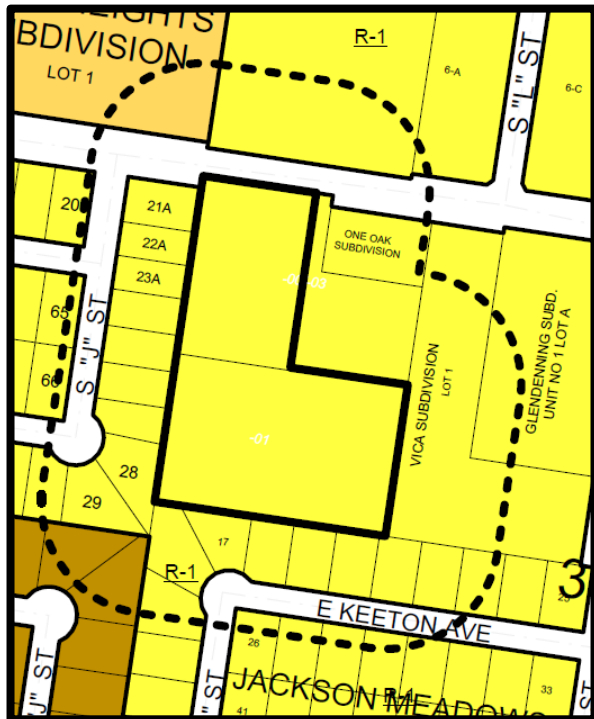
DATE: March 10, 2023

SUBJECT: REZONE FROM R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO R-3T (MULTI-FAMILY TOWNHOUSE RESIDENTIAL) DISTRICT: 3.96 ACRES OUT OF THE WEST ONE-HALF (1/2) OF THE NORTH 20 ACRES OF LOT 3, BLOCK 8, A.J. MCCOLL SUBDIVISION, HIDALGO COUNTY, TEXAS; 1200 EAST YUMA AVENUE. (REZ2023-0009)

LOCATION: The property currently fronts East Yuma Avenue, and is approximately 1,200 feet west of South Jackson Road. The tract has 201.89 feet of frontage along East Yuma Avenue.

PROPOSAL: The applicant is requesting to rezone the subject property to R-3T (multi-family townhouse residential) District for a townhouse development.

ADJACENT ZONING: The zoning for adjacent properties is R-1 (single family residential) District in all directions, with R-3C (multi-family residential condominiums) District to the northwest. There is R-3A (multi-family residential apartments) District to the southwest.



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

COMPREHENSIVE PLAN: The Foresight McAllen Comprehensive Plan designates the future land use for this property as Auto Urban Single Family, which is comparable to the R-1 (single-family residential) District. The requested rezoning to R-3T (multi-family townhouse residential) District of the subject property does not conform to this land use designation as indicated on the Foresight McAllen Comprehensive Plan.

DEVELOPMENT TRENDS: The development trend along East Yuma Avenue for this area is single-family residential and multi-family residential.

ANALYSIS: The requested rezoning to R-3T District does not conform to the Auto Urban Single Family land use designation as indicated on the Foresight McAllen Comprehensive Plan. However, the rezoning trend and development trend is multi-family, which is comparable to the requested rezoning. Moreover, an R-3T District development is comparable to single family residential since it limits one dwelling per lot.

A recorded subdivision plat is required prior to building permit issuance.

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

RECOMMEN DATION: Staff recommends approval of the rezoning request.

**EXHIBIT A
METES AND BOUNDS
3.960 ACRES**

BEING 3.960 ACRES OUT OF THE WEST ONE-HALF (1/2) OF THE NORTH 20 ACRES OF LOT 3, BLOCK 8, A.J. McCOLL SUBDIVISION, RECORDED IN VOLUME 21, PAGE 598, MAP RECORDS OF HIDALGO COUNTY, TEXAS, SAME BEING OUT OF A CALLED TRACT I AND TRACT II, DESCRIBED IN A WARRANTY DEED WITH VENDOR'S LIEN, CONVEYED TO EDGAR ESCOBEDO, RECORDED IN DOCUMENT NO. 1703073, OFFICIAL PUBLIC RECORDS OF HIDALGO COUNTY, TEXAS, SAID 3.960 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

COMMENCING AT A MAG NAIL FOUND, THE NORTHWEST CORNER OF THE SAID LOT 3, SAME BEING THE NORTHEAST CORNER OF THE HEIGHTS AT McCOLL, RECORDED IN DOCUMENT No. 2790603, MAP RECORDS OF HIDALGO COUNTY, TEXAS, SAME BEING A POINT ON THE CENTERLINE OF E. YUMA AVENUE;

THENCE, S 8° 36' 43" W, ALONG THE WEST LINE OF LOT 3, SAME BEING ALONG THE WEST LINE OF THE SAID THE HEIGHTS AT McCOLL, A DISTANCE OF 20.00 FEET TO 1/2 INCH IRON ROD WITH PINK CAP STAMPED "C.L.S. RPLS# 6388" FOUND, A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF E. YUMA AVENUE, SAME BEING A POINT ON THE NORTH LINE OF THE SADI TRACT I, FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT AND THE **POINT OF BEGINNING**;

THENCE, S 81° 27' 03" E, ACROSS SAID LOT 3, SAME BEING ALONG THE NORTH LINE OF THE SAID TRACT I, A DISTANCE OF 201.89 FEET TO A 1/2 INCH IRON ROD WITH PINK CAP STAMPED "C.L.S. RPLS# 6388" SET, A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF E. YUMA AVENUE, SAME BEING A POINT ON THE NORTH LINE OF THE SAID TRACT I, FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, S 8° 36' 43" W, ACROSS THE SAID LOT 3, SAME BEING ACROSS THE SAID TRACT I, A DISTANCE OF 313.17 FEET TO A 1/2 INCH IRON ROD WITH PINK CAP STAMPED "C.L.S. RPLS# 6388" SET, FOR AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, S 81° 32' 02" E, ACROSS THE SAID LOT 3, SAME BEING ACROSS THE SAID TRACT I, A DISTANCE OF 210.16 FEET TO A 1/2 INCH IRON ROD WITH PINK CAP STAMPED "C.L.S. RPLS# 6388" SET, A POINT ON THE WEST LINE OF VICA SUBDIVISION, RECORDED IN VOLUME 47, PAGE 148, MAP RECORDS OF HIDALGO COUNTY, TEXAS, SAME BEING A POINT ON THE EAST LINE OF THE SAID TRACT I, FOR AN EXTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;


THENCE, S 8° 36' 43" W, ACROSS THE SAID LOT 3, SAME BEING ALONG THE WEST LINE OF THE SAID VICA SUBDIVISION, SAME BEING ALONG THE EAST LINE OF THE SAID TRACT I AND THE SAID TRACT II, A DISTANCE OF 265.15 FEET TO A 1/2 INCH

IRON ROD WITH PINK CAP STAMPED "C.L.S. RPLS# 6388" FOUND, THE SOUTHWEST CORNER OF THE SAID VICA SUBDIVISION, SAME BEING A POINT ON THE NORTH LINE OF JACKSON MEADOWS SUBDIVISION, RECORDED IN VOLUME 52, PAGE 184, MAP RECORDS OF HIDALGO COUNTY, TEXAS, SAME BEING THE SOUTHEAST CORNER OF THE SAID TRACT II, FOR THE SOUTHEAST CORNER OF HEREIN DESCRIBED TRACT;

THENCE, N 81° 32' 02" W, ACROSS THE SAID LOT 3, SAME BEING ALONG THE NORTH LINE OF THE SAID JACKSON MEADOWS SUBDIVISION, SAME BEING ALONG THE SOUTH LINE OF THE SAID TRACT II, A DISTANCE OF 412.05 FEET TO A CALCULATED POINT, THE NORTHWEST CORNER OF THE SAID JACKSON MEADOWS SUBDIVISION, SAME BEING A POINT ON THE EAST LINE OF THE SAID THE HEIGHTS AT McCOLL, SAME BEING THE SOUTHWEST CORNER OF THE SAID TRACT II, FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, N 8° 36' 43" E, ALONG THE WEST LINE OF THE SAID LOT 3, SAME BEING ALONG THE EAST LINE OF THE SAID THE HEIGHTS AT McCOLL, SAME BEING ALONG THE WEST LINE OF THE SAID TRACT II AND TRACT I, PASSING AT A DISTANCE OF 560.52 FEET TO A 1/2 INCH IRON ROD WITH CAP FOUND, THE NORTHEAST CORNER OF THE HEIGHTS AT McCOLL, LOT 21A, 22A & 23A, RECORDED IN DOCUMENT No. 2898673, MAP RECORDS OF HIDALGO COUNTY, TEXAS, SAME BEING A POINT OF THE SOUTH RIGH-OF-WAY LINE OF E. YUMA AVENUE, SAME BEING A POINT ON THE WEST LINE OF THE SAID TRACT I, CONTINUING FOR A TOTAL DISTANCE OF 578.62 FEET TO THE **POINT OF BEGINNING**, AND CONTAINING 3.960 ACRES OF LAND, MORE OR LESS.

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

 11-11-2022

MANUEL CARRIZALES DATE:
REGISTERED PROFESSIONAL LAND SURVEYOR NO.6388
FIRM NO. 10194417
512-470-1489
fnfcad@gmail.com

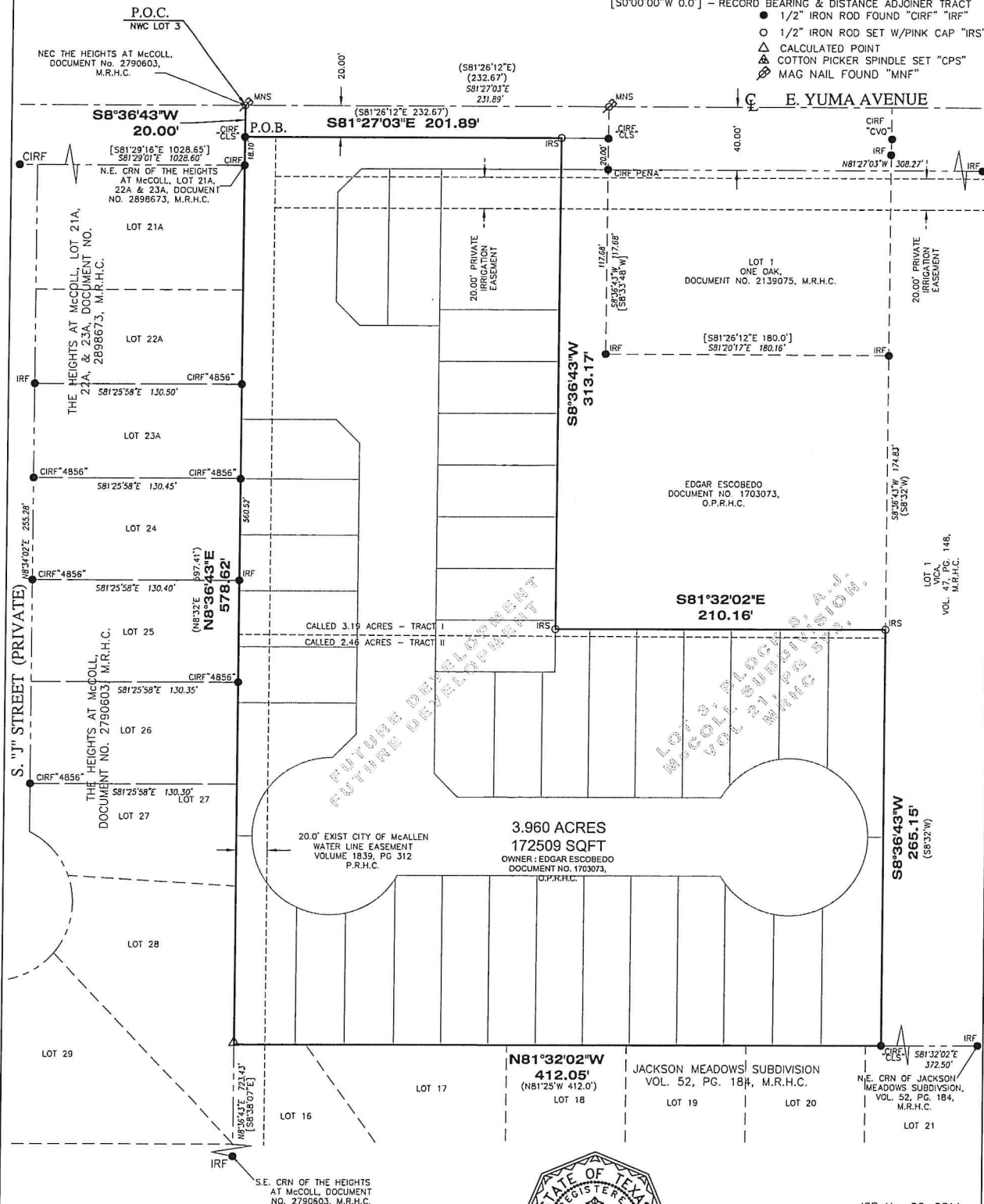


BEING 3.960 ACRES OUT OF THE WEST ONE-HALF (1/2) OF THE NORTH
20 ACRES OF LOT 3, BLOCK 8, A.J. McCOLL SUBDIVISION, RECORDED IN
VOLUME 21, PAGE 598, MAP RECORDS OF HIDALGO COUNTY, TEXAS,
SAME BEING OUT OF A CALLED TRACT I AND TRACT II, DESCRIBED IN A
WARRANTY DEED WITH VENDOR'S LIEN, CONVEYED TO EDGAR ESCOBEDO.
RECORDED IN DOCUMENT No. 1703073, OFFICIAL PUBLIC RECORDS OF
HIDALGO COUNTY, TEXAS

LEGEND

[50°00'00"W 0.0'] - RECORD BEARING & DISTANCE DESCRIBED TRACT
[50°00'00"W 0.0'] - RECORD BEARING & DISTANCE ADJOINER TRACT

- 1/2" IRON ROD FOUND "CIRF" "IRF"
- 1/2" IRON ROD SET W/PINK CAP "IRS"
- △ CALCULATED POINT
- ⊗ COTTON PICKER SPINDLE SET "CPS"
- ⊗ MAG NAIL FOUND "MNF"



1. SURVEY DONE WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
2. IMPROVEMENTS WERE LOCATED AT THE REQUEST OF THE CLIENT.
3. NO EASEMENT RESEARCH WAS PERFORMED BY THIS SURVEYOR.
4. THIS SURVEY IS ONLY VALID WITH ORIGINAL SIGNATURE.



MANUEL CARRIZALES
R.P.L.S. #6388

11-11-2022
DATE



Carrizales
Land
Surveying, LLC

Texas Registered Surveying Firm
TBPLS FIRM No:10194417
Office: 512-470-1489
fnfcad@gmail.com



NOTICE
REZONING
FOR
THIS PROPERTY
REZ2023-0009
CITY OF AGUILERA PLANNING DEPT.
11100 N. 10TH ST.
AGUILERA, TX 79401

L/300-00-000-009201



City of McAllen
Planning Department
APPLICATION FOR
SUBDIVISION PLAT REVIEW

Submittal-0056

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>DAVE Subdivision G.H. 6/2/22</u> Location: <u>1.758 Acres gross out of lot 92, The La Lomita irrigation and construction company's subdivision, Hidalgo County, Texas, recorded in volume 24, page 68, map records of Hidalgo County, Texas</u> City Address or Block Number: <u>5301 N. WARE RD</u> Number of lots: <u>1</u> Gross acres: <u>1.75</u> Net acres: <u>1.75</u> Existing Zoning: <u>A-3</u> Proposed: <u>C-3</u> Rezoning Applied For <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date: <u> </u> Existing Land Use: <u>Industrial</u> Proposed Land Use: <u>Commercial</u> Irrigation District #: <u>1</u> Residential Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Commercial Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> ETJ Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Agricultural Tax Exemption Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Estimated Rollback tax due: <u>0</u> Legal Description: <u>Being 1.758 acres gross out of lot 92, The La Lomita irrigation construction company's subdivision, Hidalgo County, Texas, according to the map recorded in volume 24, page 68, map records of Hidalgo County, Texas</u>
	Owner Name: <u>EDUARDO RIOS / Dake LLC</u> Phone: <u>(956) 522-9179</u> Address: <u>P.O. BOX 720397</u> City: <u>McAllen</u> State: <u>TX</u> Zip: <u>78504</u> E-mail: <u>DAKE LLC@HOTMAIL.COM</u>
Developer Name: <u>SAME AS ABOVE</u> Phone: <u> </u> Address: <u> </u> City: <u> </u> State: <u> </u> Zip: <u> </u> Contact Person: <u> </u> E-mail: <u> </u>	
Engineer Name: <u>MAS ENGINEERING LLC</u> Phone: <u>(956) 537-1311</u> Address: <u>3911 N 10th ST. SUITE H</u> City: <u>McALLEN</u> State: <u>TX</u> Zip: <u>78501</u> Contact Person: <u>MARIO A SALINAS</u> E-mail: <u>MSALINAS 6973@ATT.NET</u>	
Surveyor Name: <u>LEO S. BOND</u> Phone: <u> </u> Address: <u>125 LOST PINE DRIVE</u> City: <u>BASTROP</u> State: <u>TX</u> Zip: <u>71222</u> E-mail: <u> </u>	

Initial: AM

Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

- ☐ \$225 Preliminary Review Fee and \$75 Final Approval Fee
- ☐ Title Report
- ☒ 8 1/2" by 11" ~~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 DWG file of plat
- ☐ Letter of Authorization from the owner, if applicable
- ☐ Proof of authority of person signing application on behalf of partnership/corporation, if applicable

PLAT TO SHOW:

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

Note: Though the original submittal for application to process a subdivision plat does not require the drainage report or utility plans, it is advisable that they be included with the original submittal to expedite the review process. Complying with the minimum requirements for the original plat submittal does not constitute meeting the deadline for drainage and utility review by the appropriate boards. Additional information will be required during the review to properly complete the subdivision process. Any revisions would require resubmission of blueline copies prints and 8 1/2" by 11" copies/legible copy of the plat, affected by changes.

Owner's Signature

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

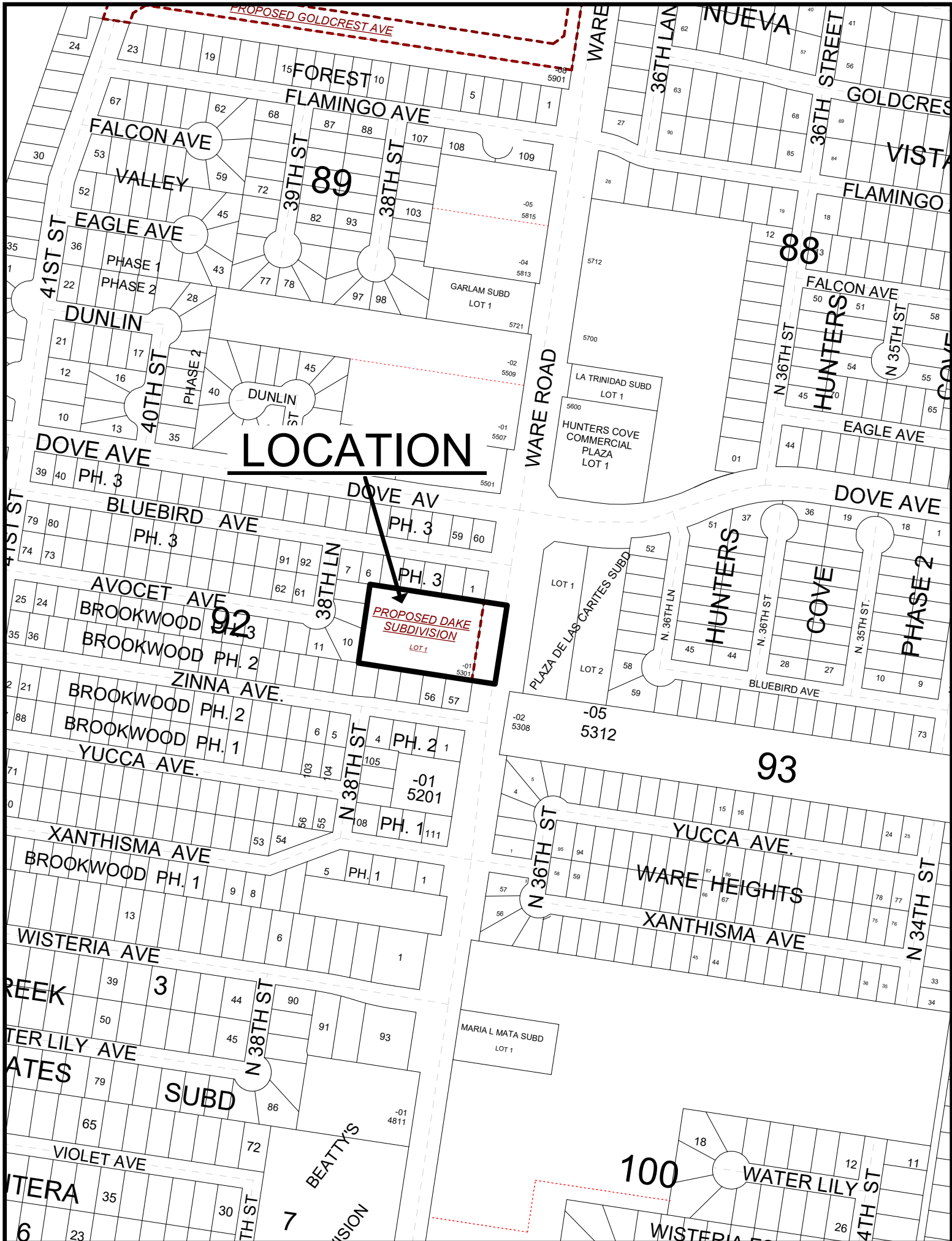
Signature  Date 5/13/22

Print Name Eduardo Rios Managing Member

Owner ☐

Authorized Agent ☐

Rev 03/11





City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 3/15/2023

SUBDIVISION NAME: DAKE SUBDIVISION

REQUIREMENTS

STREETS AND RIGHT-OF-WAYS

N. Ware Road: 13 ft. minimum dedication for 75 ft. from centerline for 150 ft. ROW
Paving: By the state Curb & gutter: By the state
Revisions needed:
- Please provide how existing ROW was dedicated on plat prior to recording. (Include document number on plat and corresponding document for staff review.)
- Label ROW dedications based status of dedication, existing, total, etc. on plat prior to recording.
***Subdivision Ordinance: Section 134-105
***Monies must be escrowed if improvements are not built 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

* 1,200 ft. Block Length.

**Subdivision Ordinance: Section 134-118

Compliance

* 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.

Revisions needed:

-Service drive easement cannot dead-end. Provide service drive easement on the plat ,if proposing a note that the private service drive easement will be established as part of the site plan, note wording must be finalized prior to recording.

-Finalize Private Service Drive Easement requirements and wording prior to recording.

-Private Service Drive Easement must be 24 ft. and in compliance with Fire and Public Works Department requirements.

*Alley/service drive easement required for commercial properties

****Subdivision Ordinance: Section 134-106

Required

SETBACKS

*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 note as shown above prior to recording.

**Proposed: N. Ware Rd.-75' or greater for easements.

***Zoning Ordinance: Section 138-356

Required

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

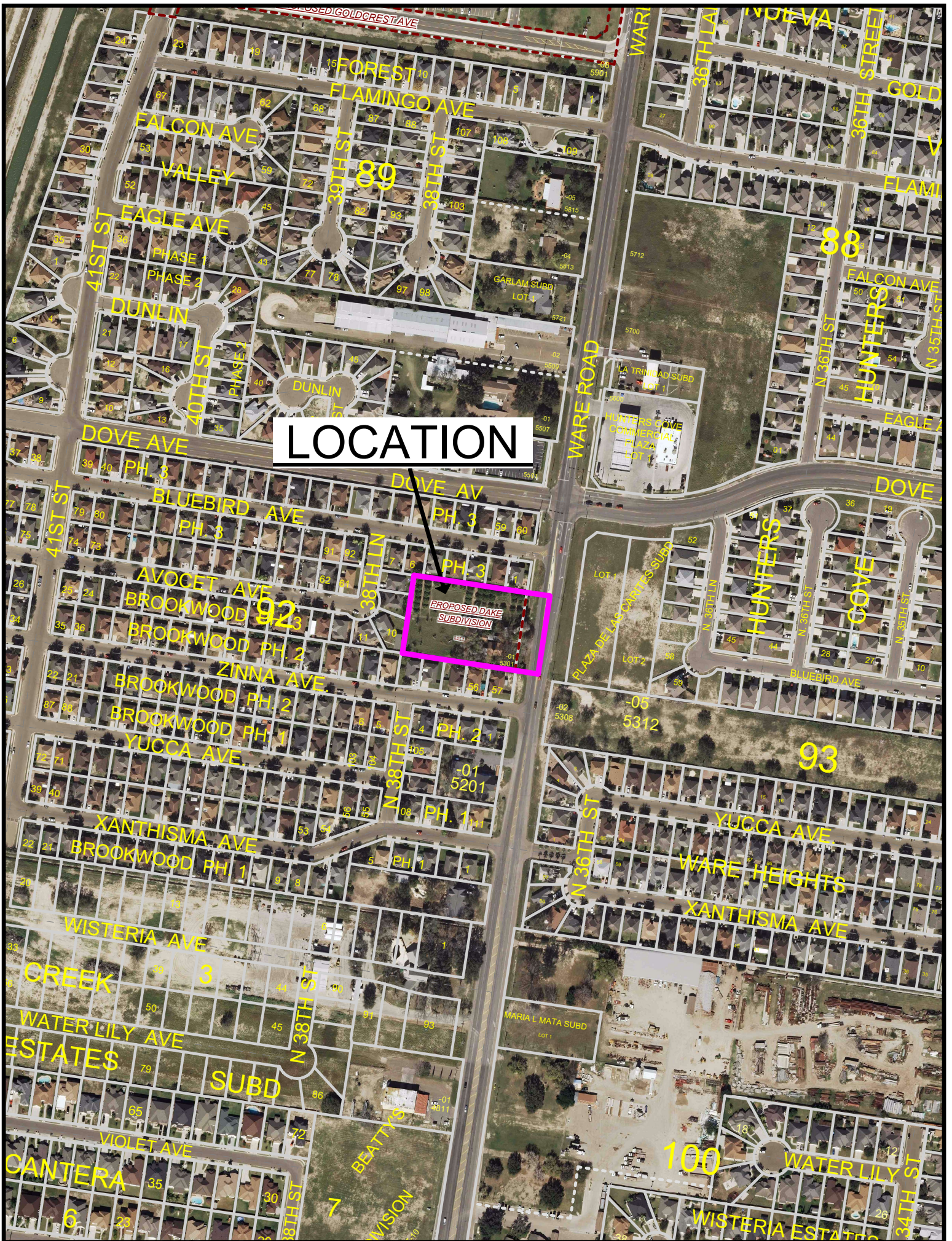
<p>*Rear: In accordance with the Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Revisions Needed: -Revise note as shown above prior to recording. **Proposed: In accordance with Zoning Ordinance or greater for easements or approved site plan. ***Zoning Ordinance: Section 138-356</p> <p>* Sides: In accordance with the Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Revisions Needed: -Revise note as shown above prior to recording. **Proposed: In accordance with Zoning Ordinance or greater for easements or approved site plan. ***Zoning Ordinance: Section 138-356</p> <p>* Corner: Interior Lot **Zoning Ordinance: Section 138-356</p> <p>* Garage: Commercial Development. **Zoning Ordinance: Section 138-356</p> <p>*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN</p>	Required
	Required
	NA
	Applied
SIDEWALKS	
<p>Sidewalk: Proposing: A Minimum 5.0 FT. Wide Sidewalk is required on North Ware Rd. * 4 ft. wide minimum sidewalk required along N. Ware Road. **Sidewalk requirements for N. Ware Rd. may increase to 5 ft. prior to recording per Engineering Department requirements. ***Please finalize plat note wording 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>	Required
	Required
BUFFERS	
<p>* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Revisions needed: - Revise plat note #7 as shown above prior to recording. **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>*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. Revisions needed: - Please remove plat note #13, it is required but not needed as a plat note, prior to recording.</p>	Applied
	Applied

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

<p>* Common Areas, any private drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Pending Items: -Note wording must be finalized prior to recording, once subdivision requirements have been finalized. **Proposing: Common Areas, Service Drive Easements, Etc. must be maintained by the lot owners and not the City of McAllen</p> <p>* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.</p> <p>Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. ***Section 134-168 applies if private subdivision is proposed. ****Section 110-72 applies if public subdivision is proposed. *****Landscaping Ordinance: Section 110-72 *****Subdivision Ordinance: Section 134-168</p> <p>* 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. *****As per conversation with Engineer on October 3rd, 2022, subdivision proposed to be a Public Subdivision, revise notes as applicable. *****Landscaping Ordinance: Section 110-72 *****Subdivision Ordinance: Section 134-168</p>	Required
	Applied
	NA
<p>* 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. *****As per conversation with Engineer on October 3rd, 2022, subdivision proposed to be a Public Subdivision, revise notes as applicable. *****Landscaping Ordinance: Section 110-72 *****Subdivision Ordinance: Section 134-168</p>	NA
	NA
	NA
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>	Compliance
	Compliance
ZONING/CUP	
<p>* Existing : C-3L(Light Commercial) District. Proposed: C-3L **Engineer has indicated that the uses proposed by the owner will be allowed in the C-3L. ***Zoning Ordinance: Article V</p> <p>* Rezoning Needed Before Final Approval **Engineer has indicated that the uses proposed by the owner will be allowed in the C-3L. ***Zoning Ordinance: Article V</p>	Compliance
	Applied
PARKS	
<p>* Land dedication in lieu of fee. As per Parks Department, Proposed use is commercial. Commercial developments do not apply to Parks.</p> <p>* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, Proposed use is commercial. Commercial developments do not apply to Parks.</p> <p>* Pending review by the City Manager's Office. As per Parks Department, Proposed use is commercial. Commercial developments do not apply to Parks.</p>	NA
	NA
	NA
TRAFFIC	
* As per Traffic Department, Trip Generation Approved, TIA has been waived	Completed

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

* Traffic Impact Analysis (TIA) required prior to final plat. **As per Traffic Department, Trip Generation Approved, TIA has been waived	NA
COMMENTS	
Comments: *Must comply with City's Access Management Policy. **The subdivision was approved in final form at the Planning and Zoning Commission meeting of March 5, 2019. Due to expiration the subdivision will be considered as a new submittal. At the Planning and Zoning Commission of June 7, 2022, the Board approved the subdivision in preliminary form subject to conditions noted in planning review, utilities and drainage approvals.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM SUBJECT TO CONDITIONS NOTED.	Applied





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>Belterra At Tres Lagos Phase 1</u>	
	Location <u>West of Escondido at Tres Lagos Phase III & East of Cascada Phase I</u>	
	City Address or Block Number <u>14301 N. SHARY RD</u>	
	Number of Lots <u>71</u>	Gross Acres <u>11.569</u> Net Acres <u> </u> ETJ <input type="checkbox"/> Yes <input type="checkbox"/> No
	Existing Zoning <u>R2</u> Proposed Zoning <u>R1</u> Rezoning Applied for <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date <u> </u>	
	Existing Land Use <u>VACANT</u> Proposed Land Use <u>Residential</u> Irrigation District # <u>U.I.D.</u>	
	Replat <input type="checkbox"/> Yes <input type="checkbox"/> No Commercial <u>N/A</u> Residential <u> </u>	
	Agricultural Exemption <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Estimated Rollback Tax Due <u>2724.95</u>	
	Parcel # <u>1075074</u> Tax Dept. Review <u> </u>	
	Water CCN <input type="checkbox"/> MPU <input checked="" type="checkbox"/> Sharyland Water SC Other <u> </u>	
Legal Description <u>11.569 Acres out of section 227 Texas-Mexican Railway Company Volume 4, Pages 142-143 H.C.D.R</u>		
Owner	Name <u>Belterra at Tres Lagos, LLC</u>	Phone <u>956-287-2800</u>
	Address <u>200 S. 10TH ST., STE. 1700</u>	E-mail <u>NICK@RHODESEENTERPRISES.COM</u>
	City <u>MCALLEN</u> State <u>TX</u> Zip <u>78502</u>	
Developer	Name <u>Belterra at Tres Lagos, LLC</u>	Phone <u>956.287-2800</u>
	Address <u>200 S. 10TH ST., STE. 1700</u>	E-mail <u>NICK@RHODESEENTERPRISE.COM</u>
	City <u>MCALLEN</u> State <u>TX</u> Zip <u>78502</u>	
	Contact Person <u>NICK RHODES</u>	
Engineer	Name <u>MELDEN & HUNT, INC.</u>	Phone <u>956.381.0981</u>
	Address <u>115 W. MCTYRE ST. - EDINBURG, TX 78541</u>	E-mail <u>MARIO@MELDENANDHUNT.COM</u>
	City <u>EDINBURG</u> State <u>TEXAS</u> Zip <u>78541</u>	
	Contact Person <u>MARIO A. REYNA</u>	
Surveyor	Name <u>MELDEN & HUNT, INC.</u>	Phone <u>956.381.0981</u>
	Address <u>115 W. MCTYRE ST. - EDINBURG, TX 78541</u>	E-mail <u>Robert@meldenandhunt.com</u>
	City <u>EDINBURG</u> State <u>TX</u> Zip <u>78541</u>	

AUG 29 2022

BY:

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 8-26-22

Print Name Mario A. Reyna, P.E

Owner ☐

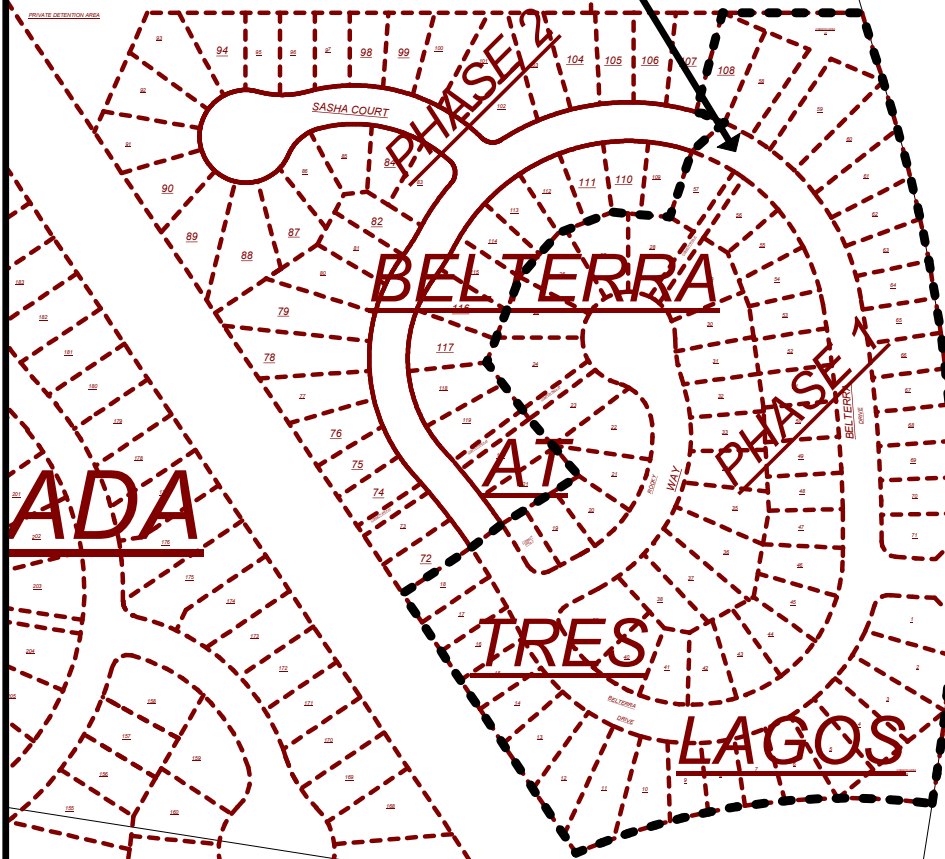
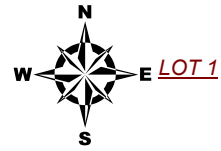
Authorized Agent ☒

BLVD

LOCATION

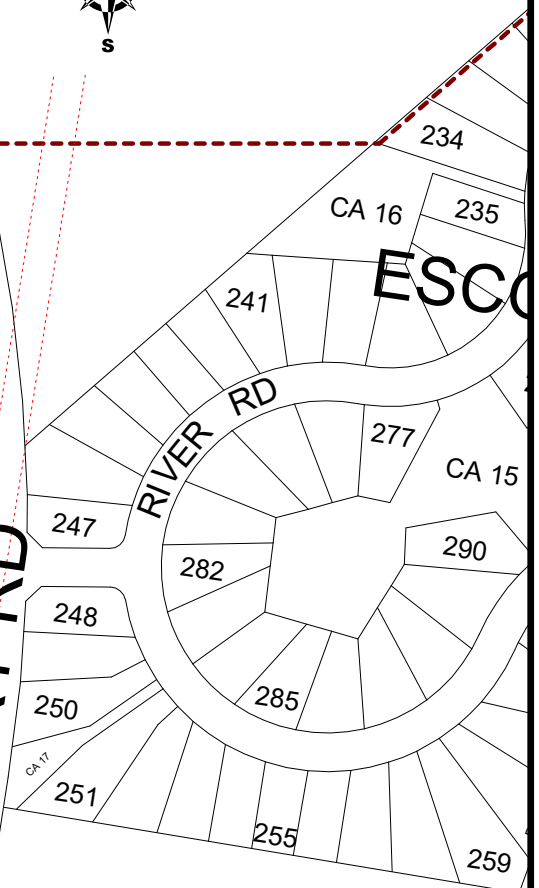
PROPOSED FAMILY CHURCH AT TRES LAGOS SUBDIVISION

PROPOSED



SHARY RD

RUSSELL ROAD



METES AND BOUNDS DESCRIPTION

A TRACT OF LAND CONTAINING 11.569 ACRES SITUATED IN THE CITY OF MCALLEN, COUNTY OF HIDALGO, TEXAS, BEING A PART OR PORTION OUT OF SECTION 227, TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 4, PAGES 142-143, HIDALGO COUNTY MAP RECORDS, SAID 11.569 ACRES OUT OF A CERTAIN TRACT CONVEYED TO M.L. RHODES, LTD. BY VIRTUE OF A WARRANTY DEED RECORDED UNDER DOCUMENT NUMBER 741019, HIDALGO COUNTY OFFICIAL RECORDS, SAID 11.569 ACRES ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING, AT A NO. 4 REBAR FOUND AT THE SOUTHEAST CORNER OF SAID SECTION 227 AND WITHIN THE EXISTING RIGHT-OF-WAY OF 9 MILE ROAD AND NORTH SHARY ROAD;

THENCE, N 08° 58' 09" E, ALONG THE EAST LINE OF SAID SECTION 227, A DISTANCE OF 194.74 FEET, WITHIN THE EXISTING RIGHT-OF-WAY OF NORTH SHARY ROAD;

THENCE, N 81° 01' 51" W, A DISTANCE OF 60.00 FEET, TO A NO. 4 REBAR SET AT AN OUTSIDE CORNER OF A CERTAIN TRACT CONVEYED TO THE CITY OF MCALLEN, TEXAS BY VIRTUE OF A SPECIAL WARRANTY DEED RECORDED UNDER DOCUMENT NUMBER 2780232, HIDALGO COUNTY OFFICIAL RECORDS AND POINT OF BEGINNING OF THIS HEREIN DESCRIBED TRACT;

- THENCE, IN A SOUTHWESTERLY DIRECTION ALONG A CURVE TO THE LEFT, WITH A CENTRAL ANGLE OF 29° 57' 23", A RADIUS OF 900.00 FEET, AN ARC LENGTH OF 470.96 FEET, A TANGENT OF 240.79 FEET AND A CHORD THAT BEARS S 82° 04' 20" W, A DISTANCE OF 465.21 FEET TO A NO. 4 REBAR SET AT AN INSIDE CORNER OF SAID CITY OF MCALLEN, TEXAS TRACT;
- THENCE, N 33° 45' 00" W, ALONG THE EAST LINE OF SAID CITY OF MCALLEN, TEXAS TRACT, A DISTANCE OF 404.01 FEET TO A NO. 4 REBAR SET, FOR THE NORTHWEST CORNER OF THIS TRACT;
- THENCE, N 33° 45' 00" W A DISTANCE OF 1,084.32 FEET TO A NO. 4 REBAR SET FOR THE NORTHWEST CORNER OF THIS TRACT;
- THENCE, N 90° 00' 00" E A DISTANCE OF 846.25 FEET TO A NO. 4 REBAR SET FOR THE NORTHERNMOST NORTHEAST OF THIS TRACT;
- THENCE, S 00° 00' 00" E A DISTANCE OF 150.00 FEET TO A NO. 4 REBAR SET FOR AN INSIDE CORNER OF THIS TRACT;
- THENCE, N 90° 00' 00" E A DISTANCE OF 170.44 FEET TO A NO. 4 REBAR SET FOR THE SOUTHERNMOST NORTHEAST OF THIS TRACT
- THENCE, S 66° 51' 59" E A DISTANCE OF 59.99 FEET TO A NO. 4 REBAR SET FOR AN OUTSIDE CORNER OF THIS TRACT;
- THENCE, S 24° 00' 00" W A DISTANCE OF 129.96 FEET TO A NO. 4 REBAR SET FOR AN OUTSIDE POINT OF THIS TRACT;
- THENCE, S 48° 49' 39" W A DISTANCE OF 56.31 FEET TO A NO. 4 REBAR SET FOR AN INSIDE CORNER OF THIS TRACT;
- THENCE, S 18° 30' 00" W A DISTANCE OF 89.36 FEET TO A NO. 4 REBAR SET FOR AN OUTSIDE CORNER OF THIS TRACT;
- THENCE, N 85° 30' 00" W A DISTANCE OF 74.99 FEET TO A NO. 4 REBAR SET FOR AN INSIDE CORNER OF THIS TRACT;
- THENCE, S 69° 00' 00" W A DISTANCE OF 74.53 FEET TO A NO. 4 REBAR SET FOR AN INSIDE CORNER OF THIS TRACT;
- THENCE, S 41° 30' 00" W A DISTANCE OF 75.75 FEET TO A NO. 4 REBAR SET FOR AN INSIDE CORNER OF THIS TRACT;
- THENCE, S 21° 00' 00" W A DISTANCE OF 118.77 FEET TO A NO. 4 REBAR SET FOR AN INSIDE CORNER OF THIS TRACT;
- THENCE, S 37° 00' 00" E A DISTANCE OF 76.49 FEET TO A NO. 4 REBAR SET FOR AN ANGLE POINT OF THIS TRACT;
- THENCE, S 37° 57' 06" E A DISTANCE OF 15.00 FEET TO A NO. 4 REBAR SET FOR AN ANGLE POINT OF THIS TRACT;
- THENCE, S 41° 00' 00" E A DISTANCE OF 97.72 FEET TO A NO. 4 REBAR SET FOR OUTSIDE CORNER OF THIS TRACT;
- THENCE, S 58° 00' 00" W A DISTANCE OF 117.98 FEET TO A NO. 4 REBAR SET FOR AN ANGLE POINT OF THIS TRACT;
- THENCE, S 52° 42' 56" W A DISTANCE OF 50.07 FEET TO A NO. 4 REBAR SET FOR AN ANGLE POINT OF THIS TRACT;
- THENCE, S 56° 00' 00" W A DISTANCE OF 106.42 FEET TO THE POINT OF BEGINNING AND CONTAINING 11.569 ACRES OF LAND, MORE OR LESS.

GENERAL NOTES :

- THIS SUBDIVISION IS LOCATED IN ZONE "X" UNSHADED ON FEMA'S FLOOD INSURANCE RATE MAP, AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN.
- MINIMUM FINISH FLOOR NOTE : MINIMUM FINISH FLOOR ELEVATION SHALL BE 18" ABOVE TOP OF CURB AT CENTER OF LOT.
- MINIMUM SETBACKS SHALL BE :
FRONT : 20 FEET MINIMUM OR AS SHOWN IN "FRONT SETBACK TABLE" SHEET 2 OF 2 (GREATER APPLIES)
REAR : 11 FEET, OR GREATER FOR EASEMENTS.
INTERIOR SIDES : 5 FEET, OR GREATER FOR EASEMENTS.
SIDE CORNER : 10 FEET OR GREATER FOR EASEMENTS.
GARAGE: 18 FEET EXCEPT WHERE GREATER SETBACK IS REQUIRED; GREATER SETBACK APPLIES.
- REQUIRED DETENTION FOR STORM SEWER RUNOFF PER THE APPROVED DRAINAGE REPORT SHALL BE 57.134 C.F. (1.312 Ac. Ft.). STORM WATER RUNOFF GENERATED FROM DEVELOPMENT SHALL BE DETAINED OFF-SITE IN THE ADJACENT DRAIN DITCHES. DESIGN OF THESE DRAIN DITCHES IS REFERENCED IN THE MASTER DRAINAGE STUDY.
- AN ENGINEERED DRAINAGE DETENTION PLAN, APPROVED BY THE ENGINEERING DEPARTMENT SHALL BE SUBMITTED AND APPROVED BY CITY OF MCALLEN PRIOR TO ISSUANCE OF BUILDING PERMIT.
- CITY OF MCALLEN BENCHMARK: NUMBER MC22, TOP OF 30" ALUMINUM PIPE WITH A 3-14" BRASS MONUMENT CAP TOP AT THE NORTHWEST CORNER OF THE INTERSECTION OF WALLACE ROAD AND 1925, GEODETIC G.P.S. TEXAS STATE PLANE GRID COORDINATE SYSTEM, NAD 83 TEXAS SOUTH 4205 ELEVATION PER NAVD 88 (GEOID 2003) N=16653575.4252, 1063531.96275, ELEV. = 135.74
- NO BUILDING ALLOWED OVER ANY EASEMENT.
- 8-FOOT MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONE/USES.
- 6 FOOT OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, AND INDUSTRIAL ZONES/USES.
- PERIMETER BUFFER WILL BE BUILT AT TIME OF SUBDIVISION IMPROVEMENTS.
- PRIVATE TECHNOLOGY EASEMENT. OWNER RESERVES UNTO RHODES DEVELOPMENT INC A TECHNOLOGY EASEMENT OVERIDENTIFIED ON THIS PLAT (THE TECHNOLOGY EASEMENT). THE TECHNOLOGY EASEMENT SHALL BE AN EXCLUSIVE EASEMENT FOR THE PURPOSE OF INSTALLING, MAINTAINING, REPLACING AND UPGRADING ANY AND ALL CABLE, FIBER, OR OTHER ANY TRANSPORT MEDIA REASONABLY NECESSARY FOR PROVIDING TECHNOLOGY SERVICES, INCLUDING BUT NOT LIMITED TO INTERNET, CABLE, SECURITY, AND RELATED SERVICES, TO THE LOTS CREATED BY THIS PLAT.
- TERMS AND CONDITIONS AND RESERVATION OF TECHNOLOGY EASEMENTS DATED AUGUST 13, 2015, FILED NOVEMBER 25, 2015, BETWEEN HIDALGO COUNTY TEXAS CORPORATION, INC., TO M.L. RHODES LTD, A TEXAS LIMITED PARTNERSHIP RECORDED UNDER CLERK'S FILE NO. 2665226, OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS. EASEMENT PROPERTY DESCRIBED IN SAID DOCUMENT IS INCOMPLETE. EASEMENT PERTAINS TO AND IS FOR THE BENEFIT OF THE OWNER/RESERVIST. NO WIDTH SPECIFIED FOR EASEMENT. THE ACTUAL EASEMENT BOUNDARY IS NOT DESCRIBED, BUT IS WITHIN THE EASEMENT PROPERTY WHICH IS INCOMPLETE. EASEMENT MAY BE REVOKED OR AMENDED BY OWNER/ RESERVER AND IS EXCLUSIVE.
- DEVELOPER / TRES LAGOS (PID) PUBLIC IMPROVEMENT DISTRICT / OWNER/HOA, THEIR SUCCESSORS AND ASSIGNEES AND NOT THE CITY OF MCALLEN SHALL BE RESPONSIBLE FOR COMPLIANCE OF INSTALLATION AND MAINTENANCE AND OTHER REQUIREMENTS PER SECTION 110-72 OF THE SUBDIVISION ORDINANCE, INCLUDING BUT NOT LIMITED TO COMMON AREAS.
- A CERTIFICATE OF OCCUPANCY WILL NOT BE ISSUED BY THE CITY OF MCALLEN FOR ANY STRUCTURE BUILT ON A LOT IDENTIFIED ON THIS PLAT UNTIL ALL INFRASTRUCTURE REQUIRED TO SERVE THE LOT HAS BEEN INSTALLED, INSPECTED, AND APPROVED BY THE APPROPRIATE AUTHORITY.
- A 25 FOOT X 25 FOOT SIGHT OBSTRUCTION EASEMENT REQUIRED AT ALL STREET INTERSECTIONS.
- ★ DENOTES CURVED SETBACK TO BE 20' MINIMUM.
- CITY OF MCALLEN ACTING BY AND THROUGH THE TRES LAGOS PUBLIC IMPROVEMENT DISTRICT (PID) DEDICATES A WALL EASEMENT FOR THE CONSTRUCTION, MAINTENANCE, REPAIR, REMOVAL, REPLACEMENT, AND OPERATION OF MASONRY WALLS PROVIDING ACCESS CONTROL AND SOUND BUFFERING WITHIN THE PID.
- INTERIOR SIDEWALKS SHALL BE INSTALLED AT BUILDING PERMIT STAGE AS PER SIDEWALK PLAN FILED WITH THE CITY BY REGISTERED ENGINEER DESIGNING THE UNIT OF DEVELOPMENT, PER AGREEMENT.
- UNITED IRRIGATION DISTRICT NOTES:
 - ALL IRRIGATION EASEMENTS ARE EXCLUSIVE TO UNITED IRRIGATION DISTRICT, AND THE DISTRICT ALLOWS NO OTHER UTILITIES OR OUTSIDE USE WITHOUT ITS EXPRESS WRITTEN APPROVAL.
 - NO UTILITY COMPANY, PUBLIC ENTITY, PARTY OR PERSON IS ALLOWED TO CROSS ABOVE OR BELOW GROUND ANY IRRIGATION DISTRICT EASEMENT OR RIGHT OF WAY WITH LINES, POLES, OPEN DITCHES OR OTHER USE WITHOUT FIRST OBTAINING A CROSSING PERMIT FROM UNITED IRRIGATION DISTRICT.
 - NO PERMANENT STRUCTURE, UTILITY POLE, HOLE, WALL, FENCE, DRIVEWAY, OR ROAD WILL BE ALLOWED TO BE CONSTRUCTED OR EXIST ON ANY DISTRICT EASEMENT OR RIGHT OF WAY WITHOUT WRITTEN APPROVAL BY IRRIGATION DISTRICT. ANY UNAUTHORIZED STRUCTURE WITHIN THE EASEMENT BOUNDARY IS SUBJECT TO IMMEDIATE REMOVAL AT VIOLATOR'S EXPENSE.
 - NO UTILITY COMPANY, PUBLIC ENTITY, PARTY OR PERSON IS ALLOWED TO CONNECT TO ANY DISTRICT FACILITY WITHOUT FIRST OBTAINING A PERMIT FROM UNITED IRRIGATION DISTRICT. ANY CONNECTION NOT AUTHORIZED BY THE DISTRICT IS SUBJECT TO IMMEDIATE REMOVAL AT VIOLATOR'S EXPENSE.
- NOTE FOR MAINTENANCE UNDER SECTION 110-72 & 134-168 CITY OF MCALLEN CODE OF ORDINANCES:

THE CITY OF MCALLEN SHALL ONLY BE RESPONSIBLE FOR MAINTAINING THOSE IMPROVEMENTS WHICH HAVE BEEN SPECIFICALLY DEDICATED TO AND ACCEPTED BY THE CITY FOR MAINTENANCE. SUCH MAINTENANCE SHALL BE PERFORMED BY AND BE THE SOLE RESPONSIBILITY OF THE TRES LAGOS PUBLIC IMPROVEMENT DISTRICT FOR THOSE IMPROVEMENTS OR RIGHT OF WAYS DEDICATED TO THE CITY ACTING BY AND THROUGH SUCH DISTRICT. PURSUANT TO SECTION 110-72 OF THE CITY OF MCALLEN CODE OF ORDINANCES MAINTENANCE OF AREAS WHICH HAVE NOT BEEN DEDICATED TO AND ACCEPTED FOR MAINTENANCE BY THE CITY SUCH AS UNDEDICATED COMMON AREAS, AREAS NOT INCLUDED IN SPECIFIC LOTS, AND THOSE AREAS ADJACENT TO THE SUBDIVISION AND THAT ARE UNIMPROVED AND LIE BETWEEN THE SUBDIVISION AND ADJACENT PAVED PUBLIC STREETS (THE "UNDEDICATED COMMON AREAS") SHALL BE THE RESPONSIBILITY OF THE DEVELOPER/HOMEOWNER'S ASSOCIATION/OWNERS, THEIR SUCCESSORS AND/OR ASSIGNEES AS PER DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR BELTERRA AT TRES LAGOS PHASE I SUBDIVISION, RECORDED AS DOCUMENT NUMBER _____, AND THE MASTER DECLARATION OF COVENANTS AND CONDITIONS FOR TRES LAGOS RESIDENTIAL DEVELOPMENT RECORDED AS DOCUMENT NUMBER 2821589, HIDALGO COUNTY, DEED RECORDS (COLLECTIVELY THE "DECLARATIONS"), PURSUANT TO SECTION 134-168 OF THE CITY OF MCALLEN CODE OF ORDINANCES MAINTENANCE OF ANY PRIVATE STREETS, PRIVATE STREET LIGHTING, PRIVATE TRAFFIC CONTROL DEVICES AND PRIVATE SIDEWALKS AND PRIVATE COMMON AREAS OF THE SUBDIVISION WHICH HAVE NOT BEEN DEDICATED TO AND ACCEPTED FOR MAINTENANCE BY THE TRES LAGOS PUBLIC IMPROVEMENT DISTRICT (THE "PRIVATE COMMON AREAS") SHALL BE THE RESPONSIBILITY OF THE SUBDIVIDER/DEVELOPER/OWNER OR THE HOMEOWNER'S ASSOCIATION PURSUANT TO THE REQUIREMENTS OF SECTION 134-168, AS APPLICABLE. THE CITY OF MCALLEN SHALL NOT BE RESPONSIBLE FOR THE MAINTENANCE OF SAID UNDEDICATED COMMON AREAS OR PRIVATE COMMON AREAS. ANY AMENDMENT TO THE DECLARATIONS THAT CONFLICTS WITH THE REQUIREMENTS OF SAID SECTION 110-72 OR SECTION 134-168 SHALL BE NULL AND VOID.
- ALL INTERIOR LOT CORNERS WILL HAVE A NO.4 REBAR SET WITH PLASTIC CAP STAMPED MELDEN & HUNT, INC.
- A BLANKET EASEMENT IN FAVOR OF UNITED IRRIGATION DISTRICT SURROUNDS THIS PLAT, INCLUDING THE ADJOINING DRAINAGE AND STREET RIGHT OF WAYS, WHERE IT HAS NOT BEEN PREVIOUSLY RELEASED.
- ALL SHARYLAND WATER SUPPLY CORPORATION EASEMENTS ARE EXCLUSIVE. NO OTHER USE OF THE EASEMENTS IS PERMITTED WITHOUT THE EXPRESS WRITTEN APPROVAL OF SHARYLAND WATER SUPPLY CORPORATION.
- NO CURB CUT, ACCESS, OR LOT FRONTAGE PERMITTED ALONG N. SHARY ROAD.
- COMMON AREAS MUST BE MAINTAINED BY THE LOT OWNERS AND NOT THE CITY OF MCALLEN.
- 4-FOOT WIDE SIDEWALK REQUIRED ON N. SHARY ROAD.

SUBDIVISION MAP OF
BELTERRA AT TRES LAGOS
SUBDIVISION PHASE I

METES AND BOUNDS DESCRIPTION
11.569 ACRES
OUT OF SECTION 227
TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY
VOLUME 4, PAGES 142-143, H.C.D.R.
CITY OF MCALLEN,
HIDALGO COUNTY, TEXAS

APPROVED BY DRAINAGE DISTRICT:

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

HIDALGO COUNTY DRAINAGE DISTRICT NO.1

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

DATE

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

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

ATTEST: PRESIDENT SECRETARY

ALL SHARYLAND WATER SUPPLY CORPORATION EASEMENTS ARE EXCLUSIVE. NO OTHER USE OF THE EASEMENTS IS PERMITTED WITHOUT THE EXPRESS WRITTEN APPROVAL OF SHARYLAND WATER SUPPLY CORPORATION.

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

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

SHERILYN DAHLBERG
GENERAL MANAGER
SHARYLAND WATER SUPPLY CORPORATION

DATE

STATE OF TEXAS
COUNTY OF HIDALGO

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

RHODES DEVELOPMENT, INC. DATE:
NICK RHODES, PRESIDENT
200 S. 10TH ST., STE. 1700
MCALLEN, TEXAS 78501
HIDALGO COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED NICK RHODES KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE ____ DAY OF _____, 20 ____.

NOTARY PUBLIC, HIDALGO COUNTY, TEXAS
MY COMMISSION EXPIRES:

TRES LAGOS PUBLIC IMPROVEMENT DISTRICT HEREBY CERTIFIES AND APPROVES THIS PLAT AND ACCEPTS RESPONSIBILITIES AND NOTES INDICATED HEREIN.

MIKE RHODES
CHAIRMAN OF PUBLIC IMPROVEMENT DISTRICT
200 S. 10TH ST., STE. 1700
MCALLEN, TEXAS 78501
HIDALGO COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED MIKE RHODES, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE ____ DAY OF _____, 20 ____.

NOTARY PUBLIC, HIDALGO COUNTY, TEXAS
MY COMMISSION EXPIRES:

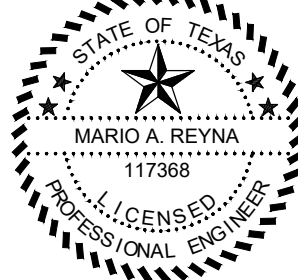
STATE OF TEXAS
COUNTY OF HIDALGO

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

DATED THIS THE ____ DAY OF _____, 20 ____.

MARIO A. REYNA, PROFESSIONAL ENGINEER No. 117368
STATE OF TEXAS
DATE PREPARED: 11/11/22
ENGINEERING JOB # 22125.0

MELDEN & HUNT, INC.
TEXAS REGISTRATION F-1435



STATE OF TEXAS
COUNTY OF HIDALGO

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

DATED THIS THE ____ DAY OF _____, 20 ____.

ROBERT N. TAMEZ, PROFESSIONAL LAND SURVEYOR No. 6238
STATE OF TEXAS

DATE SURVEYED: 07/29/2019
SURVEY JOB # 22587.08



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

MAYOR, CITY OF MCALLEN

ATTESTED BY:

CITY SECRETARY DATE

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

CHAIRMAN, PLANNING AND ZONING COMMISSION DATE



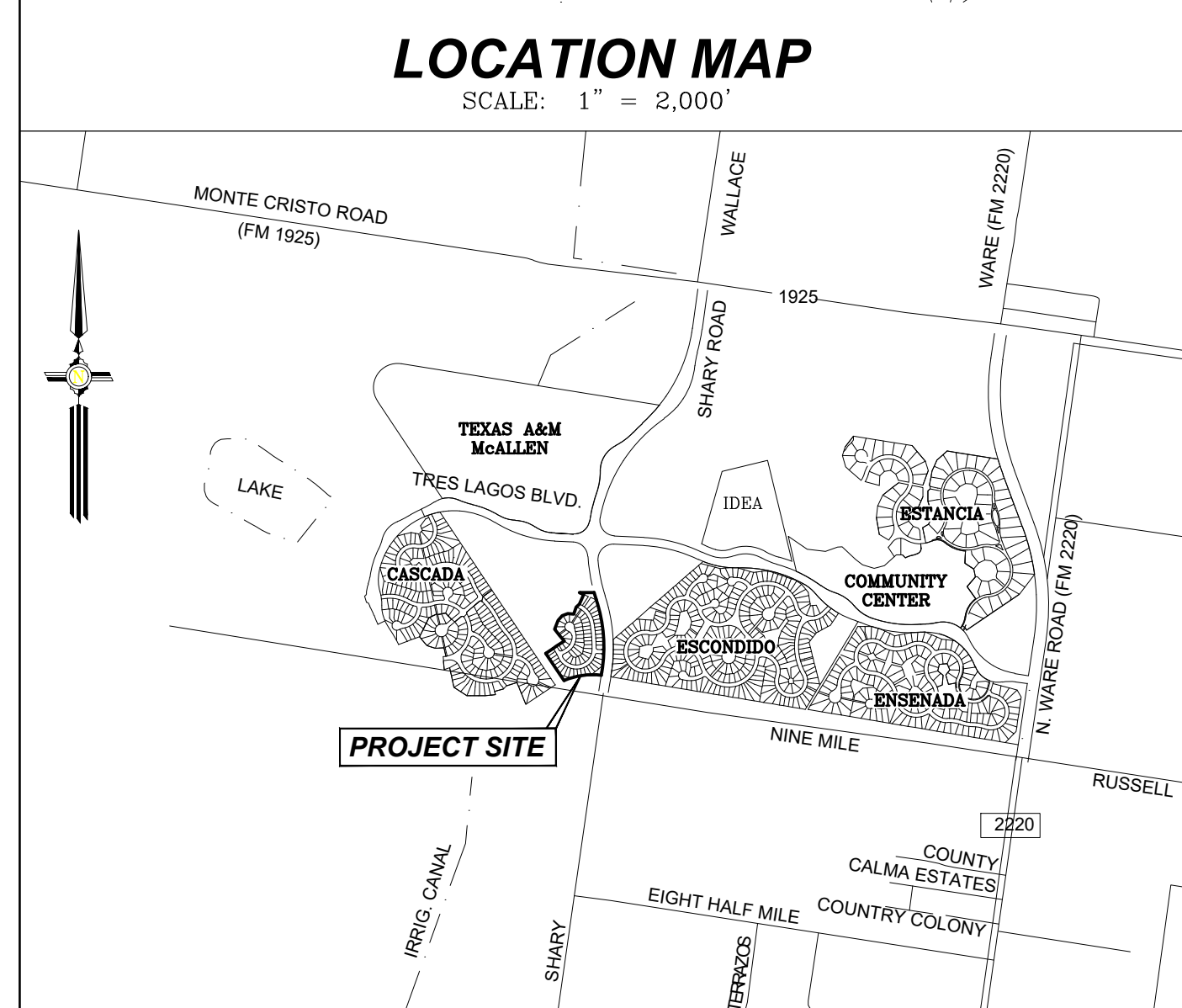
FILED FOR RECORD IN
HIDALGO COUNTY
ARTURO GUAJARDO, JR.
HIDALGO COUNTY CLERK

ON: ____ AT ____ AM/PM

INSTRUMENT NUMBER ____
OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS

BY: ____ DEPUTY

SHEET 1 OF 3



METES AND BOUNDS DESCRIPTION
11.569 ACRES
OUT OF SECTION 227
TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY
VOLUME 4, PAGES 142-143, H.C.D.R.
CITY OF McALLEN,
HIDALGO COUNTY, TEXAS

- SET NO 4 REBAR WITH PLASTIC CAP STAMPED MELDEN & HUNT
- P.O.C. - POINT OF COMMENCEMENT
- P.O.B. - POINT OF BEGINNING
- H.C.R.D. - HIDALGO COUNTY OFFICIAL RECORDS
- H.C.R.D. - HIDALGO COUNTY DEED RECORDS
- R.O.W. - RIGHT-OF-WAY
- S.E. COR. - SOUTHEAST CORNER
- S.F. - SQUARE FEET
- U.E. - UTILITY EASEMENT DEDICATED BY THIS PLAT
- U.&E. - UTILITY & WALL EASEMENT DEDICATED BY THIS PLAT
- D.E. - DRAINAGE EASEMENT DEDICATED BY THIS PLAT
- T.E. - TECHNOLOGY EASEMENT DEDICATED BY THIS PLAT
- E.E. - ELECTRICAL EASEMENT DEDICATED BY THIS PLAT
- F&S & SW - FENCE & SIDEWALK SETBACK LINE & SIDEWALK EASE.
- N.T.S. - NOT TO SCALE-DETAILS
- ⤿ - ROAD CENTER LINE
- * - CURVED SETBACK LINE
- - INDICATOR FOR BEGIN AND END CURVE

Front Setback Lines		
Line #	Length	Direction
S23	31.20'	S41° 00' 00"E
S24	40.00'	N12° 00' 00"E
S25	76.83'	S78° 00' 00"E
S26	39.99'	S99° 00' 00"E
S27	44.34'	S49° 00' 00"E
S28	42.36'	S40° 00' 00"E
S29	38.01'	S00° 00' 00"E
S30	29.25'	S15° 00' 00"E
S31	23.37'	S09° 00' 00"E
S32	23.60'	S06° 00' 00"E
S33	28.51'	S40° 51' 10"E
S34	38.40'	S15° 00' 00"E
S35	42.43'	S42° 30' 00"W
S36	37.06'	S36° 00' 00"W
S37	28.17'	S49° 00' 00"W
S38	22.23'	S56° 00' 00"W
S39	24.06'	S56° 00' 00"W
S40	29.71'	S55° 00' 00"W
S41	26.71'	S56° 00' 00"W
S42	30.05'	S56° 00' 00"W
S43	24.05'	S56° 00' 00"W
S44	25.06'	S56° 16' 37"W
S45	20.51'	N32° 00' 00"W
S46	20.01'	N36° 30' 00"W
S47	20.02'	N81° 49' 23"W
S48	33.65'	S53° 00' 00"W
S49	43.32'	S53° 00' 00"W
S50	39.03'	S56° 00' 00"W
S51	42.05'	S04° 00' 00"E
S52	22.09'	S53° 33' 41"W
S53	25.57'	S53° 45' 18"W
S54	25.80'	S90° 00' 00"E
S55	28.45'	N61° 44' 55"W
S56	26.84'	N30° 00' 36"W
S57	28.30'	N00° 00' 58"W
S58	28.72'	N32° 50' 34"W
S59	29.86'	N34° 00' 00"E
S60	29.89'	N68° 00' 00"E
S61	29.89'	N79° 26' 19"E
S62	26.47'	N81° 53' 59"E
S63	22.38'	N85° 00' 00"E
S64	25.26'	N89° 00' 00"E
S65	33.93'	S84° 00' 00"E
S66	43.86'	S66° 37' 02"E
S67	45.05'	S49° 58' 58"E
S68	30.08'	S50° 00' 00"E
S69	24.79'	S43° 30' 00"E
S70	25.51'	S42° 00' 00"E
S71	72.75'	S60° 14' 59"W
S72	49.90'	S28° 00' 00"E
S73	10.94'	S00° 28' 22"W
S74	20.01'	N87° 30' 00"W
S75	20.00'	S88° 30' 00"W
S76	20.00'	S87° 00' 00"W
S77	20.00'	S85° 35' 14"W
S78	20.00'	S84° 30' 00"W
S79	20.00'	S83° 00' 00"W
S80	20.00'	S81° 03' 05"W
S81	30.78'	N09° 16' 55"W
S82	37.97'	N24° 00' 00"E
S83	38.60'	N34° 00' 00"E
S84	38.60'	N34° 00' 00"E
S85	39.90'	N45° 00' 00"E
S86	38.63'	N52° 00' 00"E
S87	33.12'	N63° 00' 00"E
S88	27.96'	N70° 00' 00"E
S89	22.59'	N77° 58' 13"E
S90	20.68'	N80° 59' 17"E
S91	20.98'	N81° 30' 00"E
S92	21.59'	N82° 30' 00"E
S93	22.49'	N84° 00' 00"E
S94	22.90'	N85° 57' 52"E
S95	22.83'	N87° 00' 00"E
S96	23.06'	N89° 00' 00"E
S97	40.00'	S00° 00' 00"E
S98	65.12'	N90° 00' 00"E

BOUNDARY Line Table		
Line #	Length	Direction
L1	106.42'	N56° 00' 00"W
L2	50.07'	N52° 42' 56"W
L3	117.98'	N58° 00' 00"W
L4	97.72'	N41° 00' 00"W
L5	15.00'	N37° 57' 06"W
L6	76.49'	N31° 00' 00"W
L7	118.77'	N27° 00' 00"W
L8	75.75'	N41° 30' 00"W
L9	74.53'	N69° 00' 00"W
L10	74.99'	S85° 30' 00"W
L11	89.36'	N18° 30' 00"W
L12	56.31'	N48° 49' 39"W
L13	129.96'	N24° 00' 00"W
L14	59.99'	N66° 51' 59"W
L15	180.16'	N90° 00' 00"W
L16	38.83'	S08° 58' 09"W

Common Area Table		
Lot #	SQ. FT.	AC.
40	7,249.18	0.166
41	2,877.20	0.066
42	1,588.37	0.036
43	2,926.80	0.067
44	12,099.26	0.278

Line #	Length	Direction
L17	34.74'	N43° 24' 14"W
L21	21.11'	N85° 30' 00"W
L22	36.12'	N58° 00' 00"W



City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 3/17/2023

SUBDIVISION NAME: BELTERRA AT TRES LAGOS PHASE I SUBDIVISION

REQUIREMENTS

STREETS AND RIGHT-OF-WAYS

N. Shary Road: 60 ft. from centerline for 120 ft. ROW

Paving: 65 ft. Curb & gutter: both sides

Revisions needed:

- Label how existing R.O.W was dedicated, 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: 50 ft. ROW

Paving: 32 ft. Curb & gutter: both sides

Revisions needed:

- Street names will be finalized prior to recording.

- Clarify/label width of entry street from N. Shary Road - ROW and paving prior to final.

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

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

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: Common areas and access walks/drives provide per agreement.

**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: 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.

**Paving must be 96 ft. in diameter face to face and if an island is proposed the island must meet 32 ft. paving all around and must be fire lane striped, as applicable.

***Provide paved temporary turnaround at street ends if phase II won't be built out simultaneously, finalize prior to recording.

****Subdivision Ordinance: Section 134-105

Applied

Required

NA

Compliance

NA

Required

ALLEYS

ROW: 20 ft. Paving: 16 ft.

*Alley/service drive easement required for commercial properties and multi-family properties.

**Subdivision Ordinance: Section 134-106

NA

SETBACKS

* Proposing: Front: 20 ft. minimum or as shown in "Front Setback Table" sheet 2 of 2 (greater applies)

**Zoning Ordinance: Section 138-356

* Rear: 11 ft. or greater for easements.

**Zoning Ordinance: Section 138-35

Applied

Applied

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

<ul style="list-style-type: none"> * Sides: 5 ft. or greater for easements. **The proposed subdivision complies with minimum setback requirements, as per agreement. **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
SIDEWALKS	
<ul style="list-style-type: none"> * 4 ft. wide minimum sidewalk required on: 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. **4 ft. wide minimum sidewalk required on N. Shary Road. Revisions needed: <ul style="list-style-type: none"> -Plat note #18 and 26 can be combined, please refer to note in recorded plat Escondido At Tres Lagos Phase III, finalize note wording prior to recording. **5 ft. sidewalk might be required on N. Shary Road by Engineering Department **Subdivision Ordinance: Section 134-120 * Perimeter sidewalks must be built or money escrowed if not built at this time. 	Required
	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 N. Shary Road. Revisions Needed: <ul style="list-style-type: none"> -Revise note#9 as shown above, prior to recording. **Landscaping Ordinance: Section 110-46 * 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. **Landscaping Ordinance: Section 110-46 *Perimeter buffers must be built at time of Subdivision Improvements. 	Required
	Applied
	Required
NOTES	
<ul style="list-style-type: none"> * No curb cut, access, or lot frontage permitted along N. Shary Road. **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 streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Pending Items: <ul style="list-style-type: none"> -Note wording for note#25 must be finalized prior to recording, once subdivision requirements have been finalized. **Proposing: 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. 	Applied
	NA
	Required
	NA

<ul style="list-style-type: none"> * 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 	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 	Required
LOT REQUIREMENTS	
<ul style="list-style-type: none"> * Lots fronting public streets. **Subdivision Ordinance: Section 134-1 	Compliance
<ul style="list-style-type: none"> * Minimum lot width and lot area. **Lots are in compliance as per resolution No. 2023-01-01. ***Zoning Ordinance: Section 138-356 	Compliance
ZONING/CUP	
<ul style="list-style-type: none"> * Existing: R-1 (single-family residential) Proposed: R-1 (single-family residential) ***Rezoning to R-1 approved by Planning and Zoning Board at their P&Z meeting of August 16, 2022 and by City Commission on August 12, 2022. ***Zoning Ordinance: Article V 	Compliance
<ul style="list-style-type: none"> * Rezoning Needed Before Final Approval ***Rezoning to R-1 approved by Planning and Zoning Board at their P&Z meeting of August 16, 2022 and by City Commission on August 12, 2022. ***Zoning Ordinance: Article V 	Compliance
PARKS	
<ul style="list-style-type: none"> * 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 pf 10/30/2014, as per agreement. 	Applied
<ul style="list-style-type: none"> * 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 pf 10/30/2014, as per agreement. 	Applied
<ul style="list-style-type: none"> * 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 pf 10/30/2014, as per agreement. 	Applied
TRAFFIC	
<ul style="list-style-type: none"> * Must comply with Trip Generation and any TIA requirements as applicable prior to recording. 	Required
<ul style="list-style-type: none"> * Must comply with Trip Generation and any TIA requirements as applicable prior to recording. 	Required
COMMENTS	
<ul style="list-style-type: none"> Comments: *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 FINAL FORM SUBJECT TO CONDITIONS NOTED.	Applied

BLVD

LOCATION

PROPOSED FAMILY
CHURCH AT TRES L
SUBDIVISION



PROPOSED

PHASE 2

BELTERRA

AT

PHASE 1

TRES

LAGOS

SHARY RD

RUSSELL ROAD

RIVER RD

CA 16

E

241

27

247

248

282

285

250

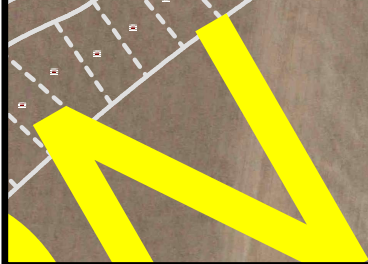
251

255

CA 17

SE 2

CADA



Sub 2022-0060



City of McAllen
Planning Department
**APPLICATION FOR
SUBDIVISION PLAT REVIEW**

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

Project Description	<p>Subdivision Name <u>HINAJOSA COMMERCIAL PLAZA</u></p> <p>Location <u>APPROX. 300FT. N. OF LA VISTA OFF W. SIDE OF 23RD</u></p> <p>City Address or Block Number <u>2413 N. 23RD ST</u></p> <p>Number of lots <u>1</u> Gross acres <u>1.38</u> Net acres <u>1.33</u></p> <p>Existing Zoning <u>C-3</u> Proposed <u>C-3</u> Rezoning Applied For <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____</p> <p>Existing Land Use <u>OPEN</u> Proposed Land Use <u>RETAIL</u> Irrigation District # <u>1</u></p> <p>Residential Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Commercial Replat Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> ETJ Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Agricultural Tax Exempt Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Estimated Rollback tax due <u>0-MK</u></p> <p>Parcel No. <u>720851</u> Tax Dept. Review _____</p> <p>Legal Description <u>WHITEWING ADDITION UT NO. 1 BLK NO. 1</u> <u>A 1.38 AC TRACT</u></p>
Owner	<p>Name <u>ALEYDA ENTERPRISES LLC</u> Phone <u>956-867-4730</u></p> <p>Address <u>4021 PALMETTO PALM DR</u></p> <p>City <u>PALMHURST</u> State <u>TX</u> Zip <u>78573</u></p> <p>E-mail <u>ALEYDAQH77@HOTMAIL.COM</u></p>
Developer	<p>Name <u>SAME AS OWNER</u> Phone _____</p> <p>Address <u>ALEYDA HINAJOSA</u></p> <p>City _____ State _____ Zip _____</p> <p>Contact Person _____</p> <p>E-mail _____</p>
Engineer	<p>Name <u>SALINAS ENGINEERING</u> <u>DAVID OMAR SALINAS</u> Phone <u>956-682-9081</u></p> <p>Address <u>2221 DAFFODIL AVE</u></p> <p>City <u>MCALLEN</u> State <u>TX</u> Zip <u>78501</u></p> <p>Contact Person <u>DAVID SALINAS</u></p> <p>E-mail <u>DSALINAS@SALINASENGINEERING.COM</u></p>
Surveyor	<p>Name <u>SAME AS ENGINEER</u> Phone _____</p> <p>Address <u>DAVID SALINAS</u></p> <p>City _____ State _____ Zip _____</p>

ENTERED
MAR 27 2022
Cm

Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

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

PLAT TO SHOW:

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

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

Owner's Signature

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

Signature  Date 6/26/22

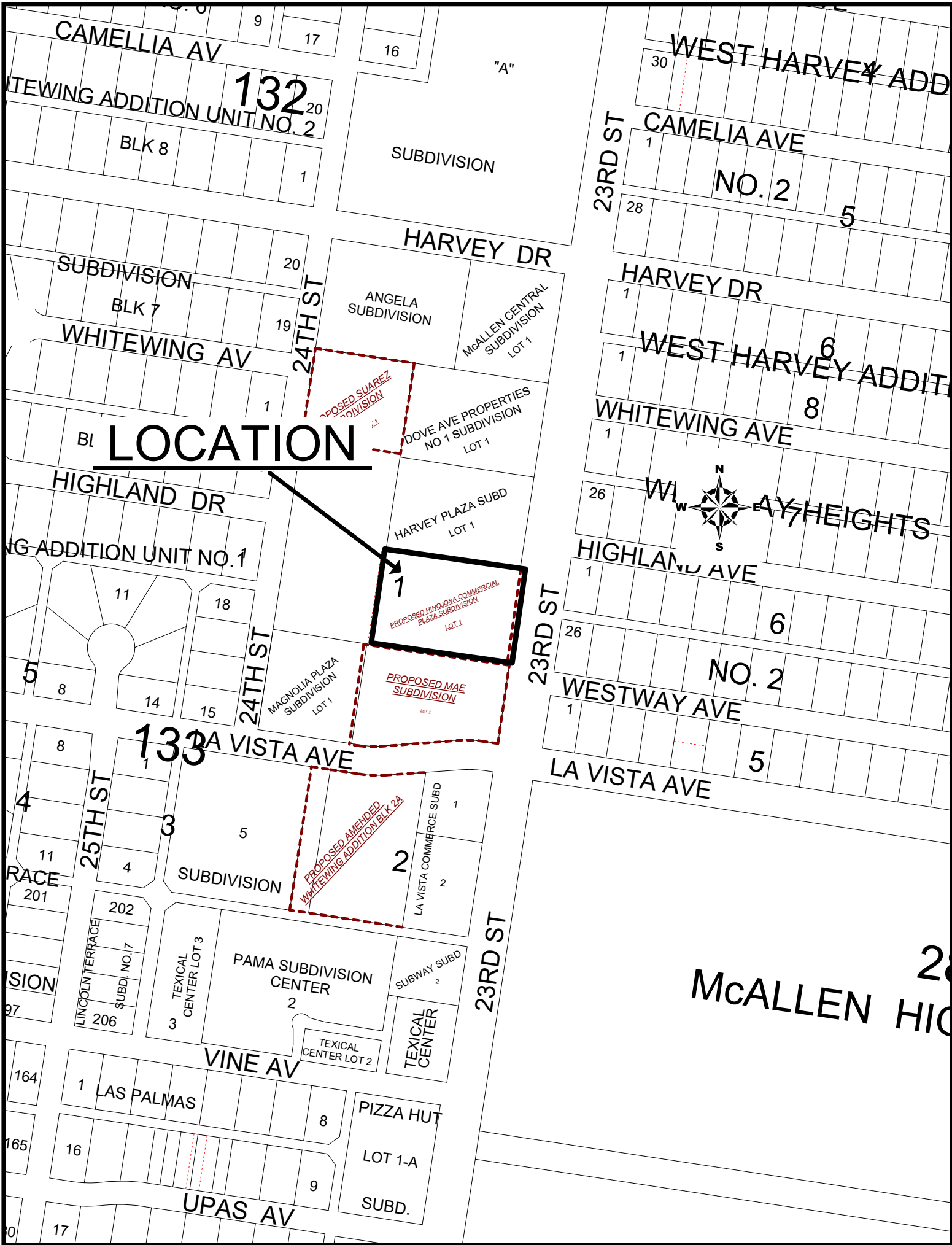
Print Name David D Owen Salinas

Owner ☐

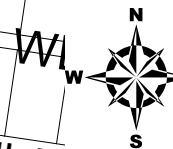
Authorized Agent ☒

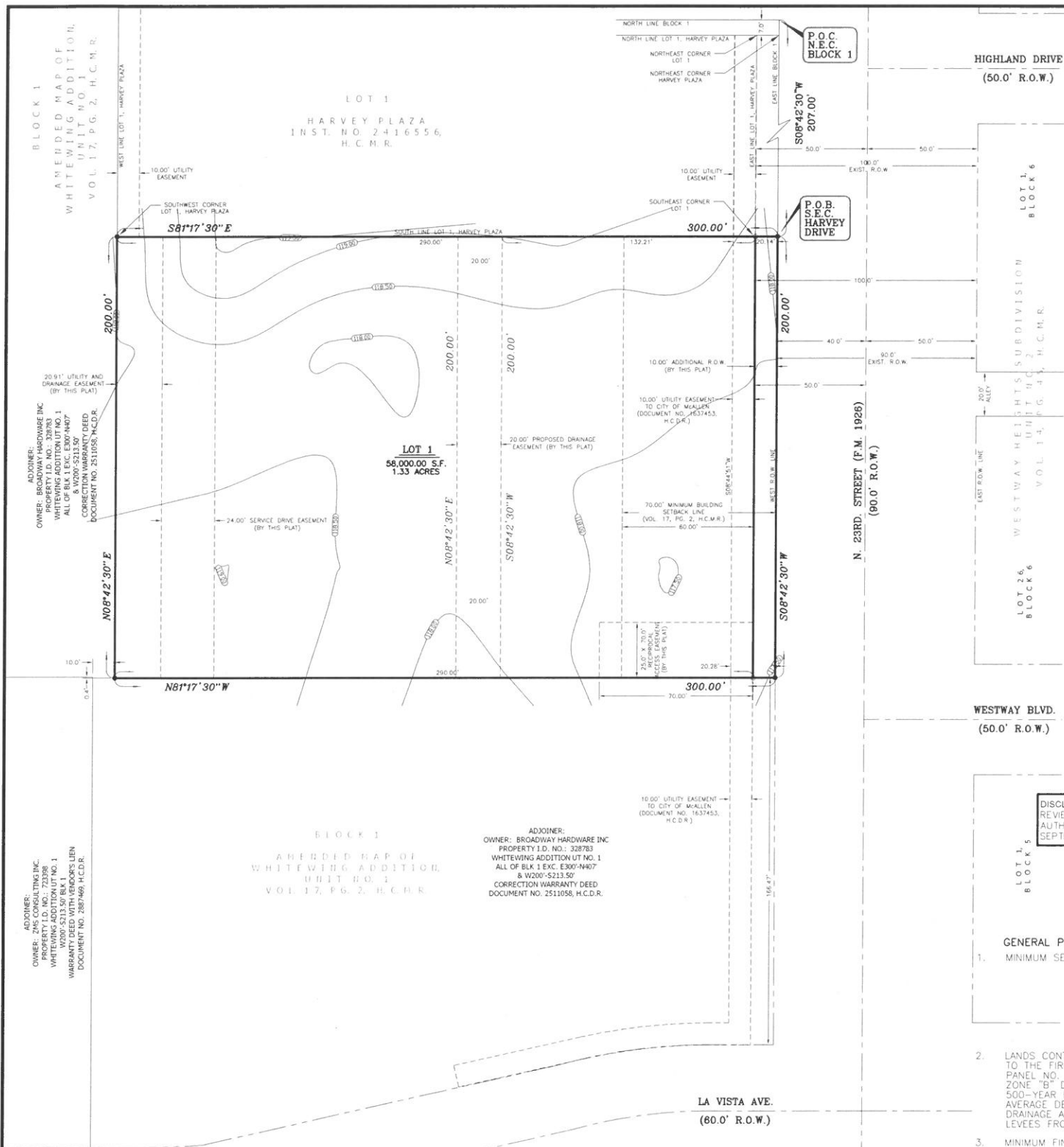
10/19

L.G.



LOCATION





HINOJOSA COMMERCIAL PLAZA SUBDIVISION

AN ADDITION TO THE CITY OF McALLEN,
HIDALGO COUNTY, TEXAS

BEING A 1.38 ACRE TRACT OF LAND, MORE OR LESS, OUT OF A PART OF BLOCK 1, AMENDED MAP OF
WHITING ADDITION UNIT NO. 1, AN ADDITION TO THE CITY OF McALLEN, AS PER THE MAP OR PLAT THEREOF
RECORDED IN VOLUME 17, PAGE 2, MAP RECORDS OF HIDALGO COUNTY, TEXAS.

PRINCIPAL CONTACTS				
NAME	ADDRESS	CITY & ZIP	PHONE	FAX
OWNER: ALEYDA ENTERPRISES, LLC, A TEXAS LIMITED LIABILITY CO. ALEYDA HINOJOSA, OWNER	4021 PALMETTO PALM DR	PALMHURST, TEXAS 78573	(956) 867-4730	NONE
ENGINEER: DAVID O. SALINAS	2221 DAFFODIL AVE.	McALLEN, TEXAS 78501	(956) 682-9081	(956) 686-1489
SURVEYOR: DAVID O. SALINAS	2221 DAFFODIL AVE.	McALLEN, TEXAS 78501	(956) 682-9081	(956) 686-1489

GENERAL PLAT NOTES:

- MINIMUM SETBACK LINES = FRONT: 60.0 FT. OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS.
SIDE: IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER FOR EASEMENTS.
REAR: IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER FOR EASEMENTS.
- LANDS CONTAINED WITHIN THIS SUBDIVISION LIE IN ZONE "B" ACCORDING TO THE FIRM (FLOOD INSURANCE RATE MAP) DATED 11/02/82, COMMUNITY PANEL NO. 480343 0005 C.
ZONE "B" DEFINED AS AREAS BETWEEN LIMITS OF THE 100-YEAR FLOOD AND 500-YEAR FLOOD; OR CERTAIN AREAS SUBJECT TO 100-YEAR FLOODING WITH AVERAGE DEPTHS LESS THAN ONE (1) FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN ONE SQUARE MILE; OR AREAS PROTECTED BY LEVEES FROM THE BASE FLOOD. (MEDIUM SHADING)
- MINIMUM FINISHED FLOOR ELEVATION ON ALL NEW CONSTRUCTION SHALL BE A MINIMUM OF 18.0 INCHES ABOVE THE TOP OF THE ROAD AS MEASURED FROM THE CENTER OF THIS LOT ALONG KINGDOM AVE.
- MINIMUM 5 FT. WIDE SIDEWALK IS REQUIRED ON N. 23RD. STREET (F.M. 1926).
- THIS SUBDIVISION PLAT SHALL BE REQUIRED TO DETAIN A TOTAL OF 15,862.54 CUBIC FEET, OR, 0.36 ACRE-FOOT OF DRAINAGE RUNOFF VOLUME.
- THE CONSTRUCTION OF ANY STRUCTURES ON OR WITHIN ANY EASEMENTS SHALL BE PROHIBITED.
- A 6' OPAQUE BUFFER IS REQUIRED FROM ANY ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL OR INDUSTRIAL ZONE/USE.
AN 8' MASONRY WALL IS REQUIRED BETWEEN SINGLE-FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL OR MULTI-FAMILY RESIDENTIAL ZONE/USE.
- AN ENGINEERED DRAINAGE DETENTION PLAN, APPROVED BY THE ENGINEERING DEPARTMENT, IS REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMITS.
- BENCHMARK: McALLEN SURVEY CONTROL POINT NO. 65, LOCATED AT THE NORTHWEST CORNER OF THE N. 23RD. STREET AND MILE 2 NORTH ROAD (DAFFODIL AVE.) INTERSECTION. IT IS 103 FEET WEST FROM THE CENTER LINE OF N. 23RD. STREET AND 8 FEET NORTH THE BACK OF CURB OF MILE 2 NORTH ROAD (DAFFODIL AVE.) ELEV. = 120.15.
- 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.

STATE OF TEXAS COUNTY OF HIDALGO

WE, THE UNDERSIGNED, OWNERS OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS **HINOJOSA COMMERCIAL PLAZA SUBDIVISION**, TO THE CITY OF McALLEN, TEXAS, AND WHOSE NAMES ARE SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS, WATER LINES, SEWER LINES, STORM SEWERS, FIRE HYDRANTS AND PUBLIC PLACES WHICH ARE INSTALLED OR WHICH 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.

OWNER: ALEYDA ENTERPRISES, LLC., A TEXAS LIMITED LIABILITY COMPANY
ALEYDA HINOJOSA, OWNER
4021 PALMETTO PALM DR.
PALMHURST, TEXAS 78573

STATE OF TEXAS COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED ALEYDA HINOJOSA, KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE _____ DAY
OF _____, 2019.

NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS
MY COMMISSION EXPIRES: _____

STATE OF TEXAS CITY OF McALLEN

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

MAYOR _____ DATE _____

STATE OF TEXAS CITY OF McALLEN

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

CHAIRMAN,
PLANNING AND ZONING COMMISSION

DATE _____

STATE OF TEXAS COUNTY OF HIDALGO

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

DAVID OMAR SALINAS, P.E.
REG. PROFESSIONAL ENGINEER #71973

DATE _____

STATE OF TEXAS COUNTY OF HIDALGO

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

DAVID O. SALINAS, R.P.L.S.
REG. PROFESSIONAL LAND SURVEYOR #5782

DATE _____

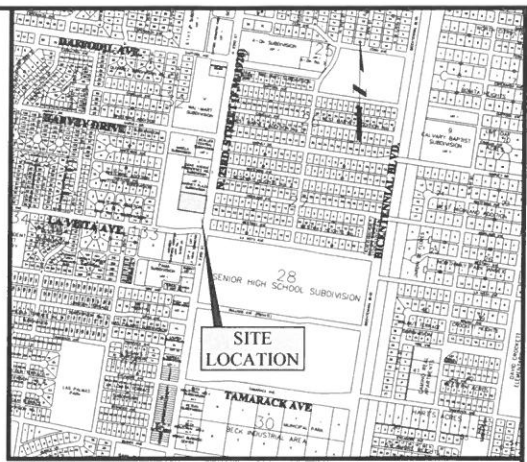
APPROVED BY DRAINAGE DISTRICT:

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

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

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

DATE _____



LOCATION MAP

SCALE: 1" = 1000'

METES AND BOUNDS DESCRIPTION

BEING A 1.38 ACRE TRACT OF LAND, MORE OR LESS, LOCATED IMMEDIATELY SOUTH OF AND ADJACENT TO THOSE LANDS PLATTED AS HARVEY PLAZA. AN ADDITION TO THE CITY OF McALLEN, AS PER THE MAP OR PLAT THEREOF RECORDED IN INSTRUMENT NO. 2416556, MAP RECORDS OF HIDALGO COUNTY, TEXAS, AND BEING OUT OF A PART OF BLOCK 1, AMENDED MAP OF WHITING ADDITION UNIT NO. 1, AN ADDITION TO THE CITY OF McALLEN, AS PER THE MAP OR PLAT THEREOF RECORDED IN VOLUME 17, PAGE 2, MAP RECORDS OF HIDALGO COUNTY, TEXAS. SAID 1.38 ACRE TRACT OF LAND IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID BLOCK 1, THENCE, AS FOLLOWS:

SOUTH 08 DEGREES 42 MINUTES 30 SECONDS WEST, COINCIDENT WITH THE EAST LINE OF SAID BLOCK 1, A DISTANCE OF 7.0 FEET PASS THE NORTHEAST CORNER OF SAID HARVEY PLAZA, CONTINUING COINCIDENT WITH THE EAST LINE OF SAID HARVEY PLAZA, A DISTANCE OF 207.0 FEET IN ALL TO A 1/2 INCH DIAMETER IRON ROD FOUND ON THE SOUTHEAST CORNER OF SAID HARVEY PLAZA FOR THE NORTHEAST CORNER AND POINT OF BEGINNING, OF THIS HEREIN DESCRIBED TRACT.

- THENCE, SOUTH 08 DEGREES 42 MINUTES 30 SECONDS WEST, A DISTANCE OF 200.0 FEET TO A 1/2 INCH DIAMETER IRON ROD FOUND FOR THE SOUTHEAST CORNER OF THIS HEREIN DESCRIBED TRACT.
- THENCE, NORTH 81 DEGREES 17 MINUTES 30 SECONDS WEST, ALONG A LINE PARALLEL TO THE SOUTH LINE OF SAID HARVEY PLAZA, A DISTANCE OF 300.0 FEET TO A 1/2 INCH DIAMETER IRON ROD FOUND FOR THE SOUTHWEST CORNER OF THIS HEREIN DESCRIBED TRACT.
- THENCE, NORTH 08 DEGREES 42 MINUTES 30 SECONDS EAST, A DISTANCE OF 200.0 FEET TO A 1/2 INCH DIAMETER IRON ROD FOUND ON THE SOUTHWEST CORNER OF SAID HARVEY PLAZA FOR THE NORTHWEST CORNER OF THIS HEREIN DESCRIBED TRACT.
- THENCE, SOUTH 81 DEGREES 17 MINUTES 30 SECONDS EAST, COINCIDENT WITH THE SOUTH LINE OF SAID HARVEY PLAZA, A DISTANCE OF 300.0 FEET TO THE PLACE OF BEGINNING, CONTAINING 1.38 ACRES OF LAND, MORE OR LESS.

BASIS OF BEARING: HARVEY PLAZA, McALLEN, H.C.T.
N. SUBDIVISION PLATS HINOJOSA COMMERCIAL PLAZA SUB 1.38.041218

HINOJOSA COMMERCIAL PLAZA SUBDIVISION

PREPARED BY: SALINAS ENGINEERING & ASSOC.
DATE OF PREPARATION: SEPTEMBER 02, 2022
JOB NUMBER: SP-18-23829

OWNER: ALEYDA ENTERPRISES, LLC.,
A TEXAS LIMITED LIABILITY COMPANY
ALEYDA HINOJOSA, OWNER
4021 PALMETTO PALM DR.
PALMHURST, TEXAS 78573

SEA

SALINAS ENGINEERING & ASSOC.

(F-6675) (TBPLS-10065700)
CONSULTING ENGINEERS & SURVEYORS
2221 DAFFODIL McALLEN, TEXAS 78501
(956) 682-9081 (956) 686-1489 (FAX)



City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 3/17/2023

SUBDIVISION NAME: HINOJOSA COMMERCIAL PLAZA

REQUIREMENTS

STREETS AND RIGHT-OF-WAYS

N. 23rd Street: 10 ft. ROW dedication for 50 ft. from centerline for 100 ft. ROW
Paving: by the state Curb & gutter: by the state

Revisions Needed:

-Label centerline on plat prior to recording.

**Subdivision Ordinance: Section 134-105

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

**COM Thoroughfare Plan

Required

Paving _____ Curb & gutter _____

**Subdivision Ordinance: Section 134-105

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

**COM Thoroughfare Plan

NA

* 1,200 ft. Block Length

**Subdivision Ordinance: Section 134-118

* 900 ft. Block Length for R-3 Zone Districts

**Subdivision Ordinance: Section 134-118

Compliance

* 600 ft. Maximum Cul-de-Sac

**Subdivision Ordinance: Section 134-105

NA

NA

ALLEYS

ROW: 20 ft. Paving: 16 ft.

Revisions needed:

-Private Paved Service Drive Easements must be minimum 24 ft., finalize requirements prior to recording.

- Dedication as needed for minimum 24 ft. Private Paved Service Drive, ensure that alignment and dedications from adjoining properties are finalized prior to recording. If dedication by adjoining properties is being utilized dedication by separate instrument may be required.

Finalize Private Service Drive Easement requirements prior to recording.

*Alley/service drive easement required for commercial properties

**Subdivision Ordinance: Section 134-106

Required

SETBACKS

* Front : As shown on plat or greater for easements or approved site plan, whichever is greater applies.

Revisions Needed:

-Revise note as shown above prior to recording.

*Plat presents 60.00 ft. dimension from new property line to 70.0 Front Building Setback line.

**Zoning Ordinance: Section 138-356

Required

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

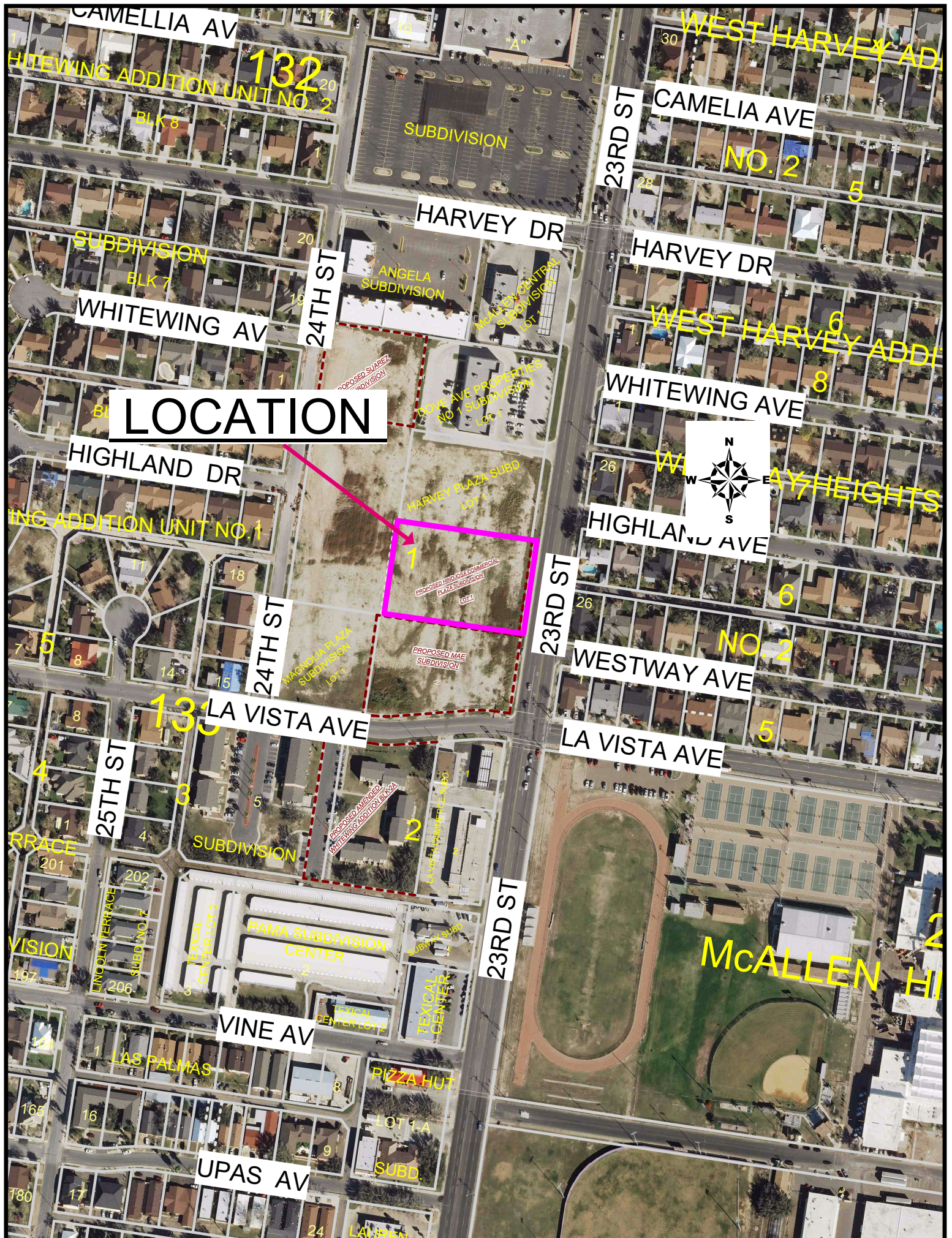
<p>* Rear: In accordance with the Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Revisions Needed: -Revise note as shown above prior to recording. **Proposing: In accordance with the zoning ordinance or greater for easements. ***Zoning Ordinance: Section 138-356</p> <p>* Interior Sides: In accordance with the 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: In accordance with the zoning ordinance or greater for easements. ***Zoning Ordinance: Section 138-356</p> <p>* Corner: Interior Lot **Zoning Ordinance: Section 138-356</p> <p>* Garage: Commercial Development. **Zoning Ordinance: Section 138-356</p> <p>*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN</p>	Required
	Required
	NA
	NA
	Applied
SIDEWALKS	
<p>* 5 ft. wide minimum sidewalk required on N. 23rd Street (F.M. 1926) ***5 ft. sidewalk required as per Engineering Department. **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. Revisions needed: -Revise note#7 as shown above, prior to recording. **Proposing: A 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, or industrial zones/uses. ***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. Revisions Needed: -Revise note as shown above prior to recording. **Proposing: An 8 ft. masonry wall is 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
	Required
	Required
NOTES	
<p>* No curb cut, access, or lot frontage permitted along **Reciprocal access easements for access on N.23rd street must be recorded with document number on plat prior to plat recording. ***Per Traffic Department, access spacing for 23rd Street is 360 feet and one shared access between corner lot and subdivision is preferred. If spacing can't be met, please submit a variance request. ***Must comply with City Access Management Policy</p> <p>* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.</p>	Required
	Required

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

<p>* Common Areas, any private service drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen.</p> <p>Pending Items:</p> <p>-Include note, note wording must be finalized prior to recording, once subdivision requirements have been finalized.</p> <p>* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.</p> <p>* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.</p> <p>**Section 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>	Required
	Applied
	NA
	NA
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: C-3 (General Business) District Proposed: C-3 (General Business) District</p> <p>**If a CUP is required. Application needs to be reviewed by P&Z Board and approved by City Commission.</p> <p>***Zoning Ordinance: Article V</p> <p>* Rezoning Needed Before Final Approval</p> <p>***Zoning Ordinance: Article V</p>	Compliance
	NA
PARKS	
<p>* Land dedication in lieu of fee. As per application dated May27,2022 proposed land use is C-3 General Business, commercial developments do not apply to Parks.</p> <p>* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per application dated May27,2022 proposed land use is C-3 General Business, commercial developments do not apply to Parks.</p> <p>* Pending review by the City Manager's Office. As per application dated May27,2022 proposed land use is C-3 General Business, commercial developments do not apply to Parks.</p>	NA
	NA
	NA
TRAFFIC	
<p>* As per Traffic Department, Trip Generation honored no TIA required.</p> <p>* Traffic Impact Analysis (TIA) required prior to final plat.</p> <p>**As per Traffic Department, Trip Generation honored 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.-Reciprocal access easements for access on N.23rd street must be recorded with document number on plat prior to plat recording.-Must comply with Fire Department requirements regarding continued access with the property to the north, and secondary access as it relates to N. 23rd Street.-If a CUP is required. Application needs to be reviewed by P&Z Board and approved by City Commission.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM SUBJECT TO CONDITIONS NOTED.	Applied



LOCATION



L130000000016620
L130000000016606

City of McAllen
Planning Department
**APPLICATION FOR
SUBDIVISION PLAT REVIEW**

Subarea-0044
1300 Houston Avenue
McAllen, TX 78501
P. O. Box 220
McAllen, TX 78505-0220
(956) 972-7050
(956) 972-7046 (fax)

Project Description

Subdivision Name RMZ Development Subdivision
LOCATED AT THE NORTHWEST CORNER OF 29TH STREET AND
Location COLBATH AVENUE.
City Address or Block Number 2901 COLBATH RD
Number of lots 1 Gross acres 2.78 Net acres _____
Existing Zoning C-4 Proposed C-4 Rezoning Applied For Yes ☐ No ☐ Date _____
Existing Land Use VACANT Proposed Land Use COMMERCIAL INDUSTRIAL
Residential Replat Yes ☐ No ☐ Commercial Replat Yes ☐ No ☐ ETJ Yes ☐ No ☐ (u)
Agricultural Tax Exemption Yes ☐ No ☐ Estimated Rollback tax due No Rollback Tax
Legal Description BEING A 2.78 ACRE TRACT OUT OF LOT 166, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY'S SUBDIVISION OF PORCIONES 61, 62 AND 63, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOPLUME 20 PAGE 67 AND 68 HIDALGO COUNTY, TEXAS.

Owner

Name RMZ INVESTMENTS, LLC Phone 956 310 2633
Address 1809 SOUTH ERICA ST
City PHARR State TEXAS Zip 78577
E-mail ramireztrading@hotmail.com 1809 SOUTH ERICA ST

Developer

Name RMZ INVESTMENTS, LLC Phone 956 310 2633
Address 1809 SOUTH ERICA ST
City PHARR State TEXAS Zip 78577
Contact Person Monica Ramirez
E-mail ramireztrading@hotmail.com

Engineer

Name IVAN GARCIA P.E., R.P.L.S.- RIO DELTA ENGINEERING Phone (956) 380-5152
Address 921 S. 10TH AVENUE
City EDINBURG State TEXAS Zip 78539
Contact Person IVAN GARCIA P.E., R.P.L.S.
E-mail riodelta2004@yahoo.com

Surveyor

Name IVAN GARCIA P.E., R.P.L.S.- RIO DELTA ENGINEERING Phone (956) 380-5152
Address 921 S. 10TH AVENUE
City EDINBURG State TEXAS Zip 78539
E-mail riodelta2004@yahoo.com

ENTERED

APR 12 2022

Initial: Am

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" 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 DWG file of plat
- _____ Letter of Authorization from the owner, if applicable
- _____ Proof of authority of person signing application on behalf of
partnership/corporation, if applicable

PLAT TO SHOW:

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

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

Owner's Signature

I certify that I am the actual owner of the property described above and 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 03/30/22

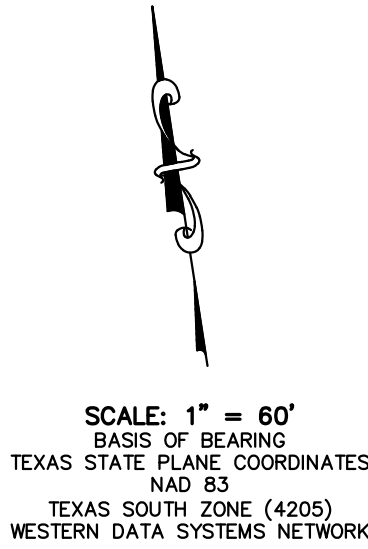
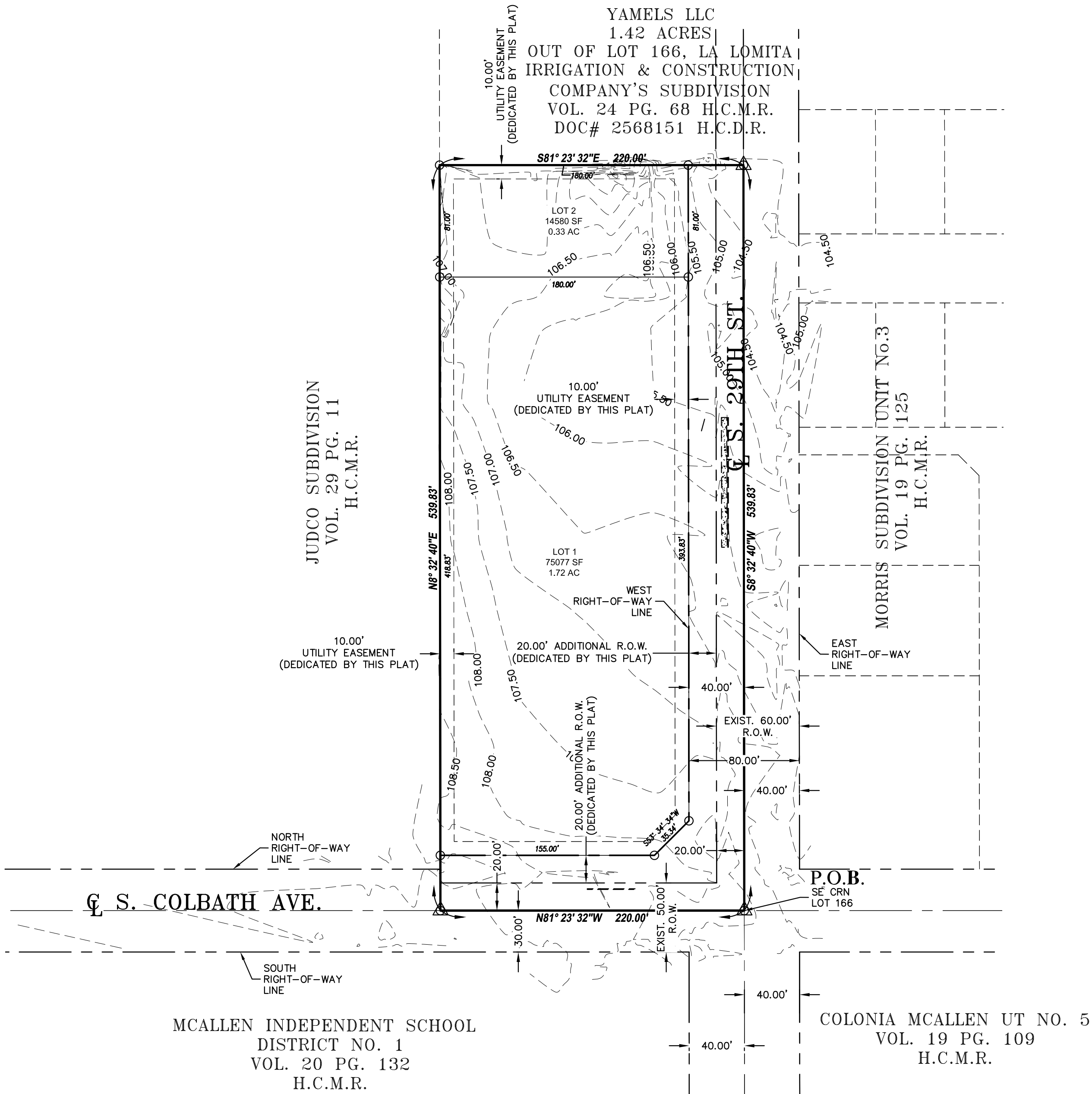
Print Name Monica Ramirez

Owner ☐

Authorized Agent ☐

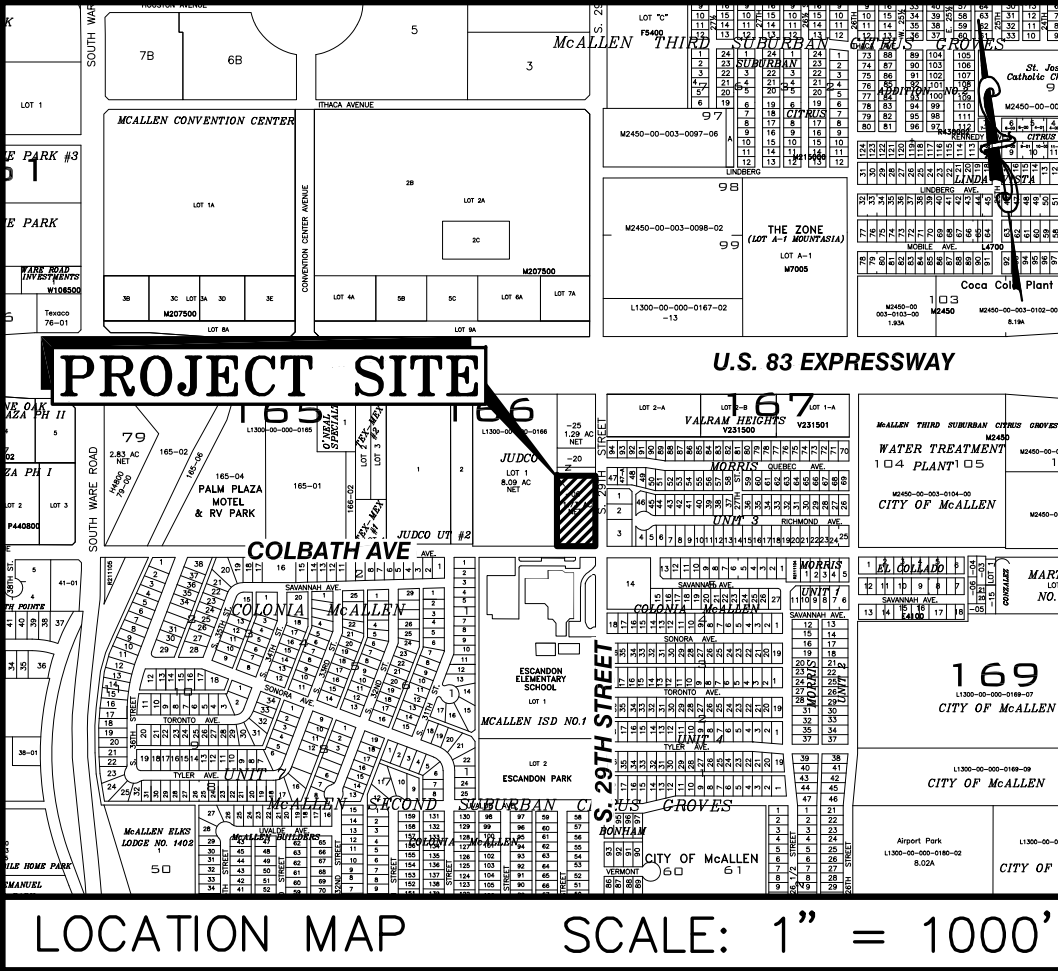
RMZ DEVELOPMENT SUBDIVISION

BEING A 2.73 ACRES TRACT OF LAND OUT OF LOT 166, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY'S SUBDIVISION OF PORCIONES 61, 62 AND 63, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 20 PAGE 67 AND 68 HIDALGO COUNTY, TEXAS.



ABBREVIATION LEGEND	
R.O.W.	RIGHT-OF-WAY
P.O.B.	POINT OF BEGINNING
N.W.C.	NORTHWEST CORNER
F.T.	FARM TRACT
F.M.	FARM-TO-MARKET
U.E.	UTILITY EASEMENT
C	CENTER LINE
L	LOT LINE

LEGEND	
○	CAPPED 1/2" IRON ROD SET
●	1/2" IRON ROD FOUND
△	CALCULATED POINT
△	COTTON PICKER SPINDLE SET
X	"X" MARK SET IN CONCRETE
○	5/8" IRON ROD FOUND



METES AND BOUNDS DESCRIPTION:

BEING A 2.73 ACRES TRACT OF LAND OUT OF LOT 166, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY'S SUBDIVISION OF PORCIONES 61, 62 AND 63, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 20 PAGE 67 AND 68 HIDALGO COUNTY, TEXAS, AND SAID 2.73 ACRES TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A COTTON PICKER SPINDLE SET ON THE SOUTHEAST CORNER OF THE SAID LOT 166, FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT AND THE **POINT OF BEGINNING**:

THENCE N 81°23'32" W ALONG THE SOUTH BOUNDARY LINE OF THE SAID LOT 166, SAME BEING ALONG THE CENTERLINE OF S. COLBATH AVENUE, A DISTANCE OF 220.00' TO A COTTON PICKER SPINDLE SET, FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 8°32'40" E ACROSS THE SAID LOT 166, PASSING AT 20.00 FEET A 1/2-INCH CAPPED IRON ROD SET ON THE EXISTING NORTH RIGHT-OF-WAY OF S. COLBATH AVENUE (EXISTING 60.00 FOOT RIGHT-OF-WAY), AND CONTINUING FOR A TOTAL DISTANCE OF 539.83 FEET TO A 1/2-INCH CAPPED IRON ROD SET, FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 81°23'32" E ACROSS THE SAID LOT 166, PASSING AT 200.00 FEET A 1/2-INCH CAPPED IRON ROD SET ON THE EXISTING WEST RIGHT-OF-WAY OF S. 29TH STREET (EXISTING 60.00 FOOT RIGHT-OF-WAY), AND CONTINUING FOR A TOTAL DISTANCE OF 220.00 FEET TO A COTTON PICKER SPINDLE SET, FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 8°32'40" W ALONG THE EAST BOUNDARY LINE OF THE SAID LOT 166, SAME BEING ALONG THE CENTERLINE OF S. 29TH STREET (EXISTING 60.00 FOOT RIGHT-OF-WAY), A DISTANCE OF 539.83 FEET TO THE **POINT AND PLACE OF BEGINNING**, SAID TRACT CONTAINING 2.73 ACRES OF LAND, MORE OR LESS.

GENERAL PLAT NOTES:

- MINIMUM PERMISSIBLE FINISHED FLOOR ELEVATION SHALL BE 18" ABOVE TOP OF CURB IN FRONT OF THE CENTER-POINT OF THE LOT.
- MINIMUM BUILDING SETBACKS SHALL BE AS FOLLOWS:
FRONT: IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER FOR EASEMENTS OR APPROVED SITE PLAN.
REAR: IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER FOR EASEMENTS OR APPROVED SITE PLAN.
SIDES: IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER FOR EASEMENTS OR APPROVED SITE PLAN.
- THE SUBDIVISION IS IN ZONE "B" (SHADED), AREAS BETWEEN LIMITS OF 100-YEAR FLOOD AND 500-YEAR FLOOD, MAP COMMUNITY PANELS NO.: 480343 0005 C MAP REVISED: NOVEMBER 2, 1982.
- A DRAINAGE DETENTION OF **20.574** CF OR **0.472** ACRE FEET IS REQUIRED FOR THE SUBDIVISION. DETENTION SHALL COMPLY WITH MASTER DRAINAGE PLAN. THE CITY OF McALLEN WILL NOT MAINTAIN DETENTION AREA.
- ENGINEERED DRAINAGE DETENTION PLAN, APPROVED BY THE ENGINEERING DEPARTMENT, PRIOR TO ISSUANCE OF BUILDING PERMIT. GRADING MUST COMPLY WITH MASTER PLAN.
- EASEMENTS SHALL BE KEPT CLEAR OF FENCES, BUILDINGS, SHEDS, SHRUBS, TREES, AND OTHER PLANTINGS (EXCEPT LOW GROUND COVER, GRASS OR FLOWERS) AND OTHER OBSTRUCTIONS TO THE OPERATIONS AND MAINTENANCE OF THE EASEMENT.
- THE CITY OF McALLEN TO HAVE A 25'X25' CORNER CLIP EASEMENT AT STREET INTERSECTIONS MEASURED FROM STREET CURB INTERSECTION.
- 5 FT. WIDE MINIMUM SIDEWALK REQUIRED ALONG SOUTH 29TH STREET & COLBATH AVENUE.
- CITY OF McALLEN BENCHMARK (MCSB_1) SET BY ARANDA & ASSOC. 30" ALUMINUM PIPE WITH A 3-1/4" BRASS MONUMENT CAP ON TOP LOCATED AT THE NORTH BOUND OF N WARE RD. CLOSE TO BUDDY OWENS BLVD. NAVD 88
- 8 FT. MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONES/USES.
- 6 FT. OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, AND INDUSTRIAL ZONES/USES.
- PERIMETER BUFFERS MUST BE BUILT AT TIME OF SUBDIVISION IMPROVEMENTS
- ALL UTILITY AND DRAINAGE EASEMENTS TO BE DEDICATED BY THIS PLAT, UNLESS STATED OTHERWISE.
- A PRIVATE SERVICE DRIVE EASEMENT WILL BE ESTABLISHED AS PART OF THE SITE PLAN AND WILL BE MAINTAINED BY THE LOT OWNER AND NOT THE CITY OF McALLEN.
- SITE PLAN MUST BE APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENTS 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
- COMMON AREAS FOR COMMERCIAL DEVELOPMENTS PROVIDE FOR COMMON PARKING, ACCESS, SETBACKS, LANDSCAPING, ETC.

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

MONICA RAMIREZ
RMZ INVESTMENTS, LLC
1809 SOUTH ERICA ST
PHARR, TEXAS 78577

STATE OF TEXAS
COUNTY OF HIDALGO
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED **MONICA RAMIREZ**, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR PURPOSES AND CONSIDERATIONS THERIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ DAY OF ____ 2022.

NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS
MY COMMISSION EXPIRES ____-____-____

LIENHOLDER'S ACKNOWLEDGMENT

STATE OF TEXAS
COUNTY OF HIDALGO
I (WE), THE UNDERSIGNED, HOLDERS(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 THE DESIGNATED HEREIN AS THE **RMZ DEVELOPMENT SUBDIVISION**, OF THE CITY OF McALLEN, TEXAS, DO HEREBY CONSENT TO THE SUBDIVISION OF THE PROPERTY AS PROVIDED FOR UNDER THE PLAT AND DO HEREBY PROVIDE THAT ANY FORECLOSURE RELATING TO THE SECURITY INTEREST ON THE ABOVE DESCRIBED PROPERTY SHALL BE SUBJECT TO THE PLATTING OF THE PROPERTY AS PROVIDED FOR HEREIN.

GREATER STATE BANK
3300 N. 10TH STREET
McALLEN, TEXAS 78501

STATE OF TEXAS
COUNTY OF HIDALGO
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED **MONICA RAMIREZ**, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR PURPOSES AND CONSIDERATIONS THERIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ DAY OF ____ 2022.

NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS
MY COMMISSION EXPIRES ____-____-____

HIDALGO COUNTY IRRIGATION DISTRICT NO. 1

THIS PLAT IS HEREBY APPROVED BY THE HIDALGO COUNTY IRRIGATION DISTRICT NO. 1 ON THIS, THE 29____ SUBJECT TO THE FOLLOWING

NO IMPROVEMENTS OF ANY KIND (INCLUDING WITHOUT LIMITATION, TREES, FENCES, AND BUILDINGS) SHALL BE PLACED UPON HIDALGO COUNTY IRRIGATION DISTRICT NO. 1 RIGHT OF WAY EASEMENTS WITH OUT THE EXPRESSED WRITTEN.

____ SECRETARY _____ PRESIDENT _____

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.
GENERAL MANAGER

STATE OF TEXAS COUNTY OF HIDALGO MAYOR'S CERTIFICATE

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

____ CITY MAYOR _____ DATE _____

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

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

____ PLANNING AND ZONING CHAIR _____ DATE _____

STATE OF TEXAS – COUNTY OF HIDALGO

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

IVAN GARCIA P.E., R.P.L.S.
REG. PROFESSIONAL ENGINEER No. 115662

STATE OF TEXAS – COUNTY OF HIDALGO

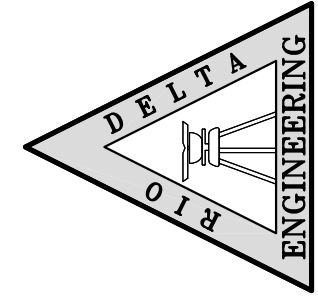
I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE FROM AN ACTUAL SURVEY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON, AND THAT THERE ARE NO APPARENT DISCREPANCIES, CONFLICTS, OR LAPPING OF IMPROVEMENTS,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

IVAN GARCIA P.E., R.P.L.S.
REG. PROFESSIONAL LAND SURVEYOR No. 6496
SURVEY FIRM No. 10194027

PRINCIPAL CONTACTS:			
NAME	ADDRESS	PHONE & FAX	
OWNER(S): RMZ INVESTMENTS, LLC	1809 SOUTH ERICA ST	PHARR, TX. 78577	
SURVEYOR: IVAN GARCIA	P.E. R.P.L.S. 921 S. 10TH AVENUE	EDINBURG, TX. 78539	(956) 380-5152 (956) 380-5083
ENGINEER: IVAN GARCIA	P.E. R.P.L.S. 921 S. 10TH AVENUE	EDINBURG, TX. 78539	(956) 380-5152 (956) 380-5083

RIO DELTA ENGINEERING

FIRM REGISTRATION No. F-7628
SURVEY FIRM No. 10194027
921 S. 10TH AVENUE EDINBURG, TEXAS 78539
(TEL) 956-380-5152 (FAX) 956-380-5083



ISSUED FOR:
FINAL

PLAT SHEET

RMZ DEVELOPMENT SUBDIVISION

CITY OF McALLEN, TEXAS

HIDALGO COUNTY, TEXAS

PROJECT :	ENGINEER:
	IVAN GARCIA P.E. R.P.L.S.
	SURVEYOR:
	IVAN GARCIA P.E. R.P.L.S.
	CHECKED:
	IVAN GARCIA P.E. R.P.L.S.
	DRAWN:
	EDWIN PENA
	SCALE:
	1" = 60'
	DATE:
	FEBRUARY 14, 2023
	INSTRUMENT NUMBER
	OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS
	REVISIONS:
	SUB 22 018
	PAGE NO.
	1-OF-1



City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 3/15/2023

SUBDIVISION NAME: RMZ DEVELOPMENT SUBDIVISION

REQUIREMENTS

STREETS AND RIGHT-OF-WAYS

South 29th Street: 20 ft. dedication for 40 ft. from centerline for 80 ft. total R.O.W.
Paving __65 ft.__ Curb & gutter __Both Sides__
****As per the Foresight Comprehensive Map, S. 29th Street is projected to be a minor arterial 100 ft. ROW.
***Initial plat submittal on April 12, 2022, demonstrated compliance with ROW requirement
***Engineer submitted variance request on July 15, 2022 to reduce the ROW requirement from 100 ft. ROW to 80 ft. ROW. At the Planning and Zoning Commission meeting of August 16, 2022, the board recommended approval of the request and was approved at the City Commission meeting of September 12, 2022.
**Subdivision Ordinance: Section 134-105
**Monies must be escrowed if improvements are not built prior to recording.
**COM Thoroughfare Plan

Colbath Road: 20 ft. dedication for 40 ft. from centerline for 80 ft. total R.O.W.
Paving _52 ft._ Curb & gutter __Both Sides__
Revisions Needed:
-Revise street name as shown above prior to recording.
- Include and Label dedication and dimension from new property line to existing across Colbath Road as Total, prior to recording.
**Subdivision Ordinance: Section 134-105
**Monies must be escrowed if improvements are not built prior to recording.
**COM Thoroughfare Plan

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

* 1,200 ft. Block Length.
**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

Applied

Compliance

NA

NA

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

ALLEYS	
<p>ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties. **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. As per plat submitted February 14th, 2023, there is a plat note proposed. Revisions Needed: -Revise plat note #14 as shown prior to recording: "A minimum 24 ft. private service drive easement will be established as part of the site plan and will be maintained by the lot owners and not the city of McAllen." **Proposing: A private service drive easement will be established as part of the site plan and will be maintained by the lot owner and not the City of McAllen **Subdivision Ordinance: Section 134-106</p>	Required
SETBACKS	
<p>* Front:S.29th Street /Colbath Road: In accordance with zoning ordinance, or greater for easements or approved site plan, or in line with average setback, whichever is greater applies. Revisions Needed: -Revise plat note as shown above prior to recording.</p>	Required
<p>**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 plat note as shown above prior to recording. ***Zoning Ordinance: Section 138-356</p>	Required
<p>Sides: In accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Revisions Needed: -Revise plat note as shown above prior to recording. **Zoning Ordinance: Section 138-356</p>	Required
<p>* Corner: See front setback section above. Revisions Needed: -Add note as shown prior to recording. **Zoning Ordinance: Section 138-356</p>	Required
<p>* Garage: Proposed Commercial Development. **Zoning Ordinance: Section 138-356</p>	NA
<p>*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN</p>	Applied
SIDEWALKS	
<p>*Proposing:5 ft. wide minimum sidewalk required along S.29th Street and Colbath Road. ** 4 ft. wide minimum sidewalk required along S.29th Street and Colbath Road. ***Sidewalk requirements might increase to 5 ft. prior to recording subject to Engineering Department requirements. ****Please finalize plat note prior to recording. *****Subdivision Ordinance: Section 134-120</p>	Required
<p>* Perimeter sidewalks must be built or money escrowed if not built at this time.</p>	Required

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

BUFFERS	
<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 	Applied
<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. Revisions Needed: -Remove note #12 as it is a requirement not a required plat note, prior to recording. 	Required
NOTES	
<ul style="list-style-type: none"> * No curb cut, access, or lot frontage permitted. **Must comply with City Access Management Policy. ***Plat notes as may be required regarding Variance request to be established as applicable prior to recording. 	Required
<ul style="list-style-type: none"> * Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Revisions Needed: -Please remove plat note #15 prior to recording, as it is a requirement not a required plat note. 	Required
<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. Pending Items: -Note wording for note#16 must be finalized prior to recording, once subdivision requirements have been finalized. **Proposing: Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. 	Required
<ul style="list-style-type: none"> * Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Revisions Needed: -Please remove plat note #17 prior to recording, as it is a requirement not a required plat note. 	Required
<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 subdivision is proposed to be public. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168 	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 	Compliance
<ul style="list-style-type: none"> * Minimum lot width and lot area. **Zoning Ordinance: Section 138-356 	Compliance

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

ZONING/CUP	
* Existing: C-4(Commercial-Industrial) District Proposed: C-4(Commercial-Industrial) District ***Zoning Ordinance: Article V	Compliance
* Rezoning Needed Before Final Approval ***Zoning Ordinance: Article V	NA
PARKS	
* Land dedication in lieu of fee. As per Parks Department, Commercial developments do not apply to Parks	NA
* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, Commercial developments do not apply to Parks.	NA
* Pending review by City Manager's Office. As per Parks Department, Commercial developments do not apply to Parks.	NA
TRAFFIC	
* As per Traffic Department, Trip Generation is waived for warehouse/industrial.	Completed
* Traffic Impact Analysis (TIA) required prior to final plat. **As per Traffic Department, Trip Generation is waived for warehouse/industrial.	NA
COMMENTS	
Comments: *Must comply with City's Access Management Policy. **Provide a site plan for lot to ensure existing building will comply setback requirements prior to recording, any setback changes in the future may require for subdivision to be presented before the Planning and Zoning Commission. ***The subdivision approved in Final form at the Planning and Zoning Commission meeting of November 16th,2022, as a 1-lot commercial development. As per plat submitted on February 14th,2023 2-lot subdivision proposed within original approved subdivision boundary.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED FINAL FORM SUBJECT TO CONDITIONS NOTED.	Applied

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



LOCATION

COLBATH RD

ESCANDON
ELEMENTARY
SCHOOL

ESCANDON
PARK

UVALDE AVE.

29TH ST

29TH ST



SHOPS AT 29TH
SUBDIVISION

VALRAM HEIGHTS

MORRIS

QUEBEC AV

RICHMOND AV

SUBDIVISION UNIT NO. 3

SAVANNAH AV

MORRIS

SONORA AV

COLONIA McALLEN

TORONTO AV

TYLER AV

26 1/2 ST

26TH ST

29TH ST

31ST ST

SUBDIVISION UNIT NO. 1

SUB2021-0004



City of McAllen
Planning Department
**APPLICATION FOR
SUBDIVISION PLAT REVIEW**

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

Project Description	Subdivision Name <u>North Park on 107</u> Location <u>107 St approx 0.18 miles of 23 Rd.</u> City Address or Block Number <u>2501 SW 107</u> Number of lots <u>1</u> Gross acres <u>19.67</u> Net acres <u>19.67</u> Existing Zoning <u>R3A</u> Proposed <u>R3A</u> Rezoning Applied For <input type="checkbox"/> Yes <input type="checkbox"/> No Date _____ Existing Land Use <u>Agriculture</u> Proposed Land Use <u>Residential</u> Irrigation District # _____ 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 type="checkbox"/> Agricultural Tax Exempt Yes <input type="checkbox"/> No <input type="checkbox"/> Estimated Rollback tax due _____ Parcel No. _____ Tax Dept. Review <u>Yvonne</u> Legal Description <u>19.67 Acres out of Lot II, Section 280 Texas - Mexican railway company survey subdivision Hidalgo County Texas</u>
Owner	Name <u>Robert H. Begian & Michele C. Begian</u> Phone _____ Address <u>2501 W. State Highway 107</u> City <u>McAllen</u> State <u>TX</u> Zip <u>78504</u> E-mail _____
Developer	Name <u>Urban City Developers, LLC</u> Phone <u>(210) 540-4792</u> Address <u>4501 Expressway 83, Ste 10</u> City <u>McAllen</u> State <u>TX</u> Zip <u>78501</u> Contact Person <u>Marco Lopez</u> E-mail <u>mlopez@urbancitytx.com</u>
Engineer	Name <u>Trevino Engineering</u> Phone <u>(956) 283-8847</u> Address <u>200 S. 10th St. Ste 1303</u> City <u>McAllen</u> State <u>TX</u> Zip <u>78501</u> Contact Person <u>Iden Trevino / Karime Farachala</u> E-mail <u>ident@trevinoengineering.com, karime@trevinoengineering.com</u>
Surveyor	Name <u>Homero Gutierrez</u> Phone <u>(956) 369-0988</u> Address <u>PO Box 548</u> City <u>McAllen</u> State <u>TX</u> Zip <u>78505</u>

JAN 26 2021

RECEIVED
By CM

Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

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

PLAT TO SHOW:

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

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

Owner's Signature

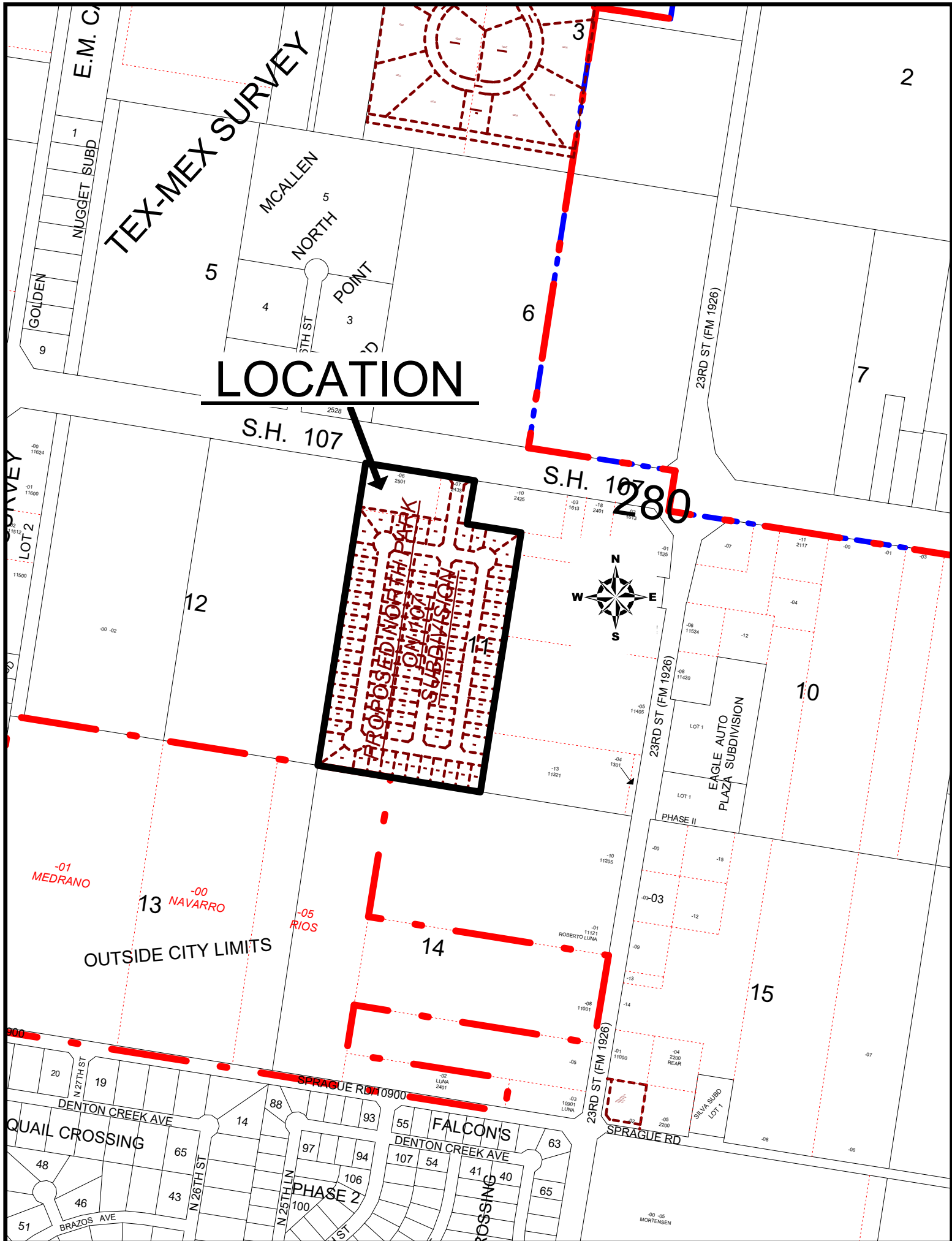
I certify that I am the actual owner of the property described above and (include corporate name if applicable); or I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

Signature _____ Date 1-26-21

Print Name ROXANA LOPEZ

Owner ☐

Authorized Agent ☐





City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 3/17/2023

SUBDIVISION NAME: NORTH PARK ON 107

REQUIREMENTS

STREETS AND RIGHT-OF-WAYS

State Highway 107: 150 ft. ROW
Paving: By the state Curb & gutter: By the state
Revisions needed:
-Please show centerline on plat prior to recording.
-Please provide how existing ROW was dedicated on plat prior to recording.
-Label existing ROW dedications, from centerline, total, etc. on both sides.
-Please provide copy of the document where ROW was dedicated to verify if any additional ROW dedication is required prior to recording.
-Finalize ROW requirements 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.

Hondo Avenue, E/W Quarter Mile Collector (south boundary): 60 ft. ROW
Paving: 40 ft. Curb & gutter: Both sides
Revisions Required:
-Revise street name from "Olivia Place" to "Hondo Avenue", prior to recording.
*Road will have to be extended east and west when adjacent properties develop.
**Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan
**Monies must be escrowed if improvements are not constructed prior to recording.

North 25th Street/North 25th Lane, N/S Quarter Mile Collector (west boundary): 60 ft. ROW
Paving: 40 ft. Curb & gutter: Both sides
Revisions Required:
-Revise street name from "Haven Place" to "North 25th Street", prior to recording.
-Revise street name from "Markland Place" to "North 25th Lane", prior to recording.
*Road to be extended south when adjacent properties develop.
**Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan
**Monies must be escrowed if improvements are not constructed prior to recording.

North 24th Lane and North 24th Street (Interior Streets): 60 ft. ROW
Paving: 40 ft. Curb & gutter: Both sides
Revisions Required:
-Revise street name from "Landon Place" to "North 24th Lane", prior to recording.
-Revise street name from "Preston Place" to "North 24th Street", prior to recording.
*Road to be extended south when adjacent properties develop.
**Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan
**Monies must be escrowed if improvements are not constructed prior to recording.

Paving _____ Curb & gutter _____

* 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

Required

Required

Required

Required

Applied

NA

Compliance

Applied

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

ALLEYS	
<p>ROW: 20 ft. Paving: 16 ft. Revisions Needed: -If alley is being dedicated as a public alley, labeling should be revised from "alley easement" to "alley", if alley is proposed to be private labeling should be revised to "Private alley" finalize alley/ service drive easement requirements and note wording prior to recording. -Any changes of dedication to proposed 20' Alley Easement , may require Planning and Zoning Commission action in the future. -20 ft. by 20 ft. Corner Clip required at alley intersections. *Must comply with Public Works Department waste collection service requirements for the R-3A lots prior to recording. **Alley/service drive easement required for commercial and multi-family properties. ***Subdivision Ordinance: Section 134-106</p>	Required
SETBACKS	
<p>* Front: 20 ft. or greater for easements or approved site plan, whichever is greater applies. Revisions needed: -Revise note as shown above prior to recording. *Proposing Front:20 feet or greater for easements. **Any changes to setbacks may require Planning and Zoning Commission action in the future. ****Zoning Ordinance: Section 138-356</p>	Required
<p>* 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:10 feet or greater for easements. ****Zoning Ordinance: Section 138-356</p>	Required
<p>* 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 Front:6 feet or greater for easements. ****Zoning Ordinance: Section 138-356</p>	Required
<p>* 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 easements. ****Zoning Ordinance: Section 138-356</p>	Required
<p>* Garage: 18 ft. except where greater setback is required; greater setback applies. Revisions needed: -Add note as shown above prior to recording. **Zoning Ordinance: Section 138-356</p>	Required
<p>*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN</p>	Applied
SIDEWALKS	
<p>* 5 ft. wide minimum sidewalk required along State Highway 107 and 4 ft. wide minimum sidewalk required on both sides of all interior streets. Revisions needed: -Revise note as shown above prior to recording. *Proposing:4 ft. wide minimum sidewalk required on both sides of all interior streets. A 5 ft. wide minimum sidewalk required along State Highway 107 ***Subdivision Ordinance: Section 134-120</p>	Required

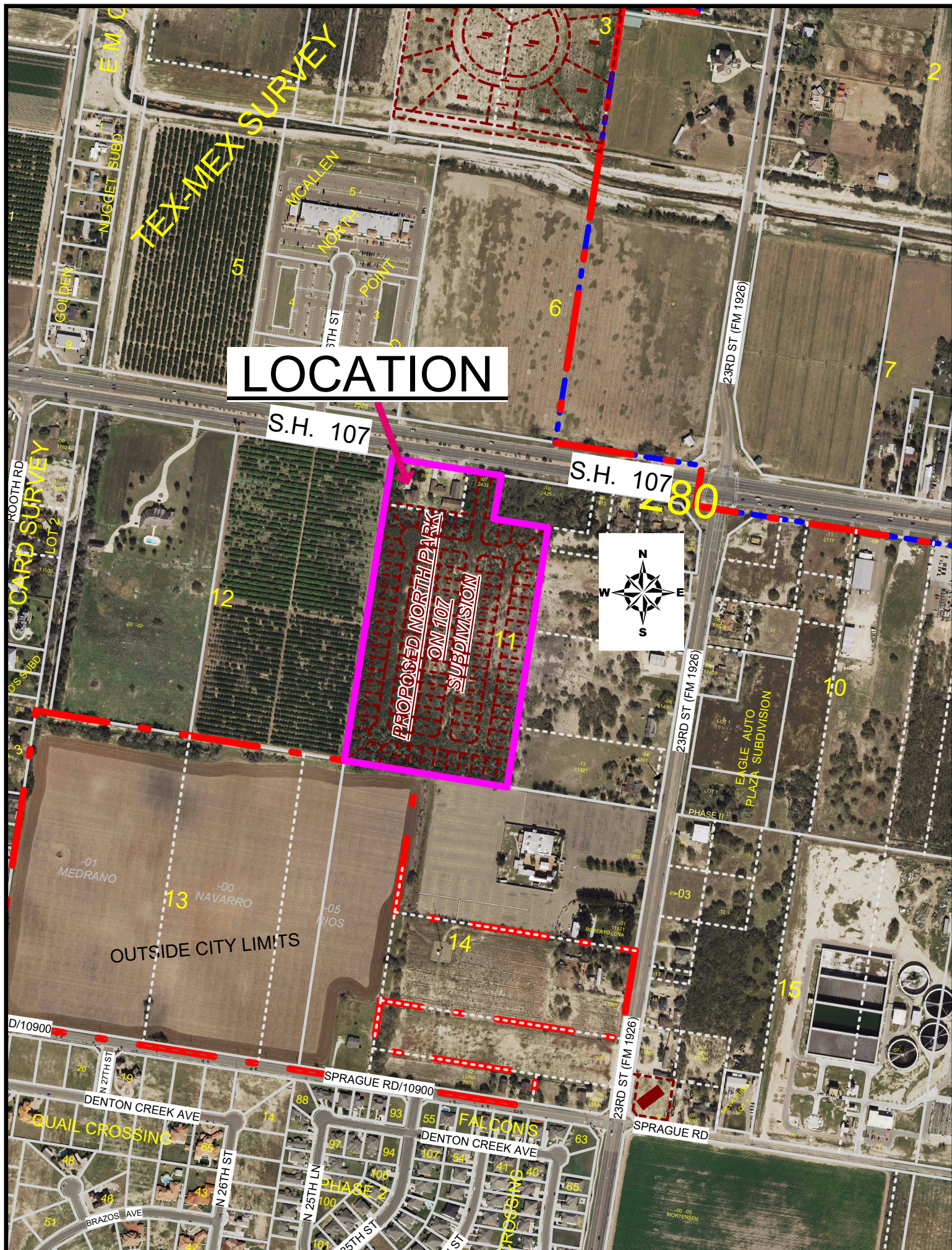
These comments are for subdivision requirements only – additional requirements may apply at time of site plan review

* Perimeter sidewalks must be built or money escrowed if not built at this time.	Required
BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. **Landscaping Ordinance: Section 110-46	Applied
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. **Landscaping Ordinance: Section 110-46	Applied
*Perimeter buffers must be built at time of Subdivision Improvements.	Required
NOTES	
*Must comply with City Access Management Policy	Applied
* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.	Required
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	NA
* Common Areas, any private streets/drives, detention areas/ponds, and/or gates must be maintained by the lot owners and not the City of McAllen. Pending Items: -Note wording must be finalized prior to recording, once subdivision requirements have been finalized. **Proposing: Common Areas, and/or Detention areas/ponds, must be maintained by the lot owners and not the City of McAllen. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168	Required
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. **Section 110-72 applies if subdivision is proposed to be public. ***As per conversation with Engineer on March 16th,2023, subdivision proposed to be public. ****Landscaping Ordinance: Section 110-72 *****Subdivision Ordinance: Section 134-168	Required
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. **Homeowner's Association Covenants must be submitted for staff review, prior to recording. ***Section 134-168 applies if private subdivision is proposed. ****Section 110-72 applies if public subdivision is proposed. *****As per conversation with Engineer on March 16th,2023, subdivision proposed to be public. *****Landscaping Ordinance: Section 110-72 *****Subdivision Ordinance: Section 134-168	Required
LOT REQUIREMENTS	
* Minimum lot width and lot area. **Zoning Ordinance: Section. 138-356	Compliance
* Lots fronting public streets. **Zoning Ordinance: 138-1	Compliance

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

ZONING/CUP	
<p>* Existing: R-3A(apartment residential) District Proposed: R-3A(apartment residential) District **Rezoning to R-3A approved at P&Z meeting of August 16, 2022 and at City Commission on ***Zoning Ordinance: Section 138-176</p> <p>* Rezoning Needed Before Final Approval. **Rezoning to R-3A approved at P&Z meeting of August 16, 2022 and at City Commission on September 12, 2022. ***Zoning Ordinance: Section 138-176</p>	Compliance
	NA
PARKS	
<p>* Land dedication in lieu of fee. As per Parks Department, a new variance request letter must be filed if requesting fees in lieu of land due to land use change to multi family, along with clarification on the number of units. Finalize parkland requirements prior to recording. **Original single-family home subdivision was subject to City Manager's Office review because land dedication was over an acre. Subdivision went through the review process and the requested variance of fees in lieu of land was approved.</p> <p>* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, a new variance request letter must be filed if requesting fees in lieu of land due to land use change to multi family, along with clarification on the number of units. Finalize parkland requirements prior to recording. **Original single-family home subdivision was subject to City Manager's Office review because land dedication was over an acre. Subdivision went through the review process and the requested variance of fees in lieu of land was approved.</p> <p>* Pending review by the City Manager's Office. As per Parks Department, a new variance request letter must be filed if requesting fees in lieu of land due to land use change to multi family, along with clarification on the number of units. Finalize parkland requirements prior to recording. **Original single-family home subdivision was subject to City Manager's Office review because land dedication was over an acre. Subdivision went through the review process and the requested variance of fees in lieu of land was approved.</p>	Required
	Required
	Required
TRAFFIC	
<p>*As per Traffic Department, Trip Generation approved; TIA previously waived.</p> <p>* Traffic Impact Analysis (TIA) required prior to final plat. **As per Traffic Department, Trip Generation approved; TIA previously waived.</p>	Completed
	NA

COMMENTS	
<p>Comments:</p> <ul style="list-style-type: none">-Must comply with City's Access Management Policy-As per Fire department secondary access required, temporary access if secondary right away has not been developed, must comply with fire department requirements prior to recording.-Remove "Proposed" reference from all utility easements and add "dedicated by this plat" wherever is applicable-Please submit a site plan with the proposed number of units per lot, prior to recording-Any changes to setbacks may require Planning and Zoning Commission action in the future.-As per Parks Department, a new variance request letter must be filed if requesting fees in lieu of land due to land use change to multi family, along with clarification on the number of units. <p>Finalize parkland requirements prior to recording.</p> <p>-At the Planning and Zoning Commission meeting of April 19th,2022, the subdivision was approved in Final form as a single family development, as per plat submitted on September 29th, 2022 multi-family subdivision now proposed. At the Planning and Zoning Commission meeting of October 18, 2022, the board approved the subdivision in Revised Preliminary form subject to conditions noted.</p>	Required
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF SUBDIVISION IN FINAL FORM SUBJECT TO CONDITIONS NOTED AND DRAINAGE APPROVALS.	Applied





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>Vista Acres</u>	
	Location <u>Southwest corner of intersection of Jackson Rd. and Las Vista Ave.</u>	
	City Address or Block Number <u>2209 N. JACKSON RD</u>	
	Number of Lots <u>2</u> Gross Acres <u>5.74</u> Net Acres <u>5.39</u> ETJ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
	Existing Zoning <u>C3</u> Proposed Zoning <u>C3</u> Rezoning Applied for <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____	
	Existing Land Use <u>AG</u> Proposed Land Use <u>C3</u> Irrigation District # <u>1</u>	
	Replat <input type="checkbox"/> Yes <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>0</u>	
	Parcel # _____ Tax Dept. Review <u>10</u>	
	Water CCN <input checked="" type="checkbox"/> MPU <input type="checkbox"/> Sharyland Water SC Other _____	
Legal Description <u>Being 5.74 acres out of a Part or Portion out of Lot 3, Blk 5, AJ McColl Subdivision, Hidalgo County, Maps Volume 21, page 598.</u>		
Owner	Name <u>EBE Development LTD, Enrique Garza Jr. (President)</u> Phone <u>956-551-7664</u>	
	Address <u>1100 Tanglewood N</u> E-mail <u>egarza@ebmerit.com</u>	
	City <u>Weslaco</u> State <u>TX</u> Zip <u>78596</u>	
Developer	Name <u>EBE Development, Ltd</u> Phone <u>956-551-7664</u>	
	Address <u>1100 Tanglewood N</u> E-mail _____	
	City <u>Weslaco</u> State <u>TX</u> Zip <u>78596</u>	
	Contact Person <u>Enrique Garza</u>	
Engineer	Name <u>CHLH Engineering LLC</u> Phone <u>956-222-5423</u>	
	Address <u>701 S. 15th Street</u> E-mail <u>chinojosa@clhengineeringinc.com</u>	
	City <u>McAllen</u> State <u>TX</u> Zip <u>78501</u>	
	Contact Person <u>Cloromiro Hinojosa Jr., P.E.</u>	
Surveyor	Name <u>Jose Mario Gonzalez</u> Phone <u>956-380-5154</u>	
	Address <u>24593 FM 88</u> E-mail <u>mario@riodeltasurveying.com</u>	
	City <u>Monte Alto</u> State <u>TX</u> Zip <u>78588</u>	

MAR 06 2023

ICP

Initial: PM

Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

In Person Submittal Requirements

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

Email Submittal Requirements

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

Documents must be submitted in PDF format. No scanned documents

*Please submit documents to subdivisions@mcallen.net

ORIGINAL APPLICATION & FEE MUST BE SUBMITTED IN PERSON

PLAT TO SHOW:

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

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

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 1/10/2023

Print Name Enrique Garza Jr. (President)

Owner ☒ Authorized Agent ☐

The Planning Department is now accepting DocuSign signatures on application

2

-03
2701

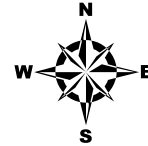
-04
2613

-00
2601

-01
2501

-10
1199

-00



LOCATION

LA VISTA AVE

LOT 1

MCALLEN EXPANSION
SUBDIVISION

LOT 2

3
PROPOSED VISTA ACRES
SUBDIVISION

20

21A

UPAS AV

NORTHEAST

JACKSON RD

INDUSTRIAL
SUBDIVISION

1

-10

1225
(1201)

-19

1209

-18

-05

1213/1217

-27

1311

-04

1313

-03

1321

-02

1429

-07

1429

-15

PROPOSED
O.T.
INDUSTRIAL

TAMARACK AV

-13

1212

-01

1220

-09

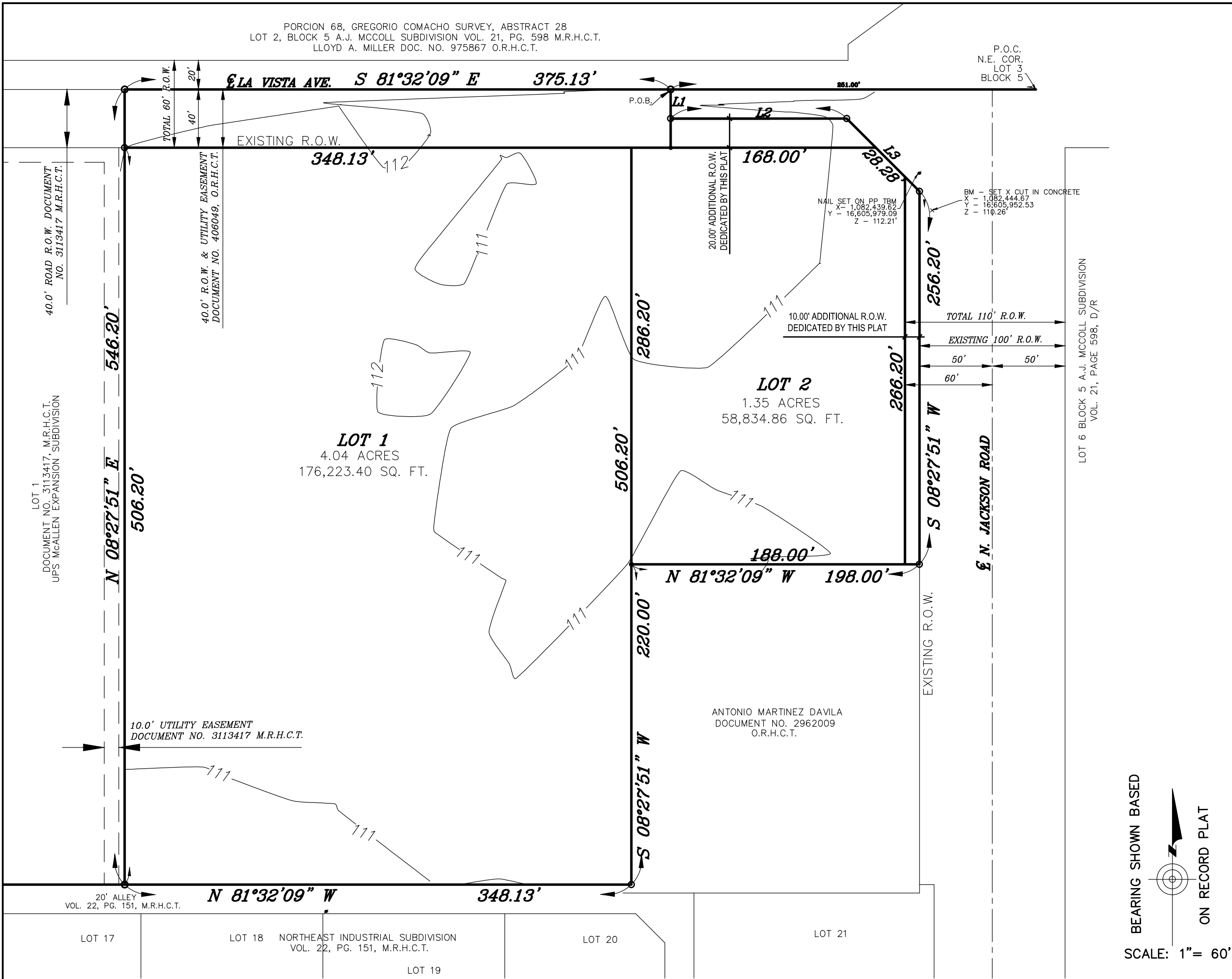
1300

-06

1302

-28

1304



SUBDIVISION PLAT OF
 VISTA ACRES SUBDIVISION
 MCALLEN, TEXAS

BEING 5.74 ACRES OUT OF A PART OR PORTION OUT OF LOT 3, BLOCK 5, A.J. McCOLL SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER MAP RECORDED IN VOLUME 21, PAGE 598, DEED RECORDS OF HIDALGO COUNTY, TEXAS.

GENERAL NOTES:

1. FINISHED FLOOR ELEVATION TO BE 18" INCHES ABOVE TOP OF CURB OR BASE FLOOD ELEVATION, WHICHEVER IS HIGHER.
 2. THIS PROPERTY IS LOCATED IN: FLOOD ZONE "B"
 AREAS BETWEEN LIMITS OF THE 100-YR & 500-YR FLOOD; OR CERTAIN AREAS SUBJECT TO 100-YR FLOODING WITH AVERAGE DEPTHS LESS THAN (1) FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN 1 SQUARE MILE; OR AREAS PROTECTED BY LEVEES FROM THE BASE FLOOD. COMMUNITY PANEL No. 480334 0425 C, MAP REVISED NOVEMBER 16 1982.
 3. A 5 FT WIDE MINIMUM SIDEWALK REQUIRED ON NORTH JACKSON ROAD, AND 4 FT WIDE MINIMUM SIDEWALK REQUIRED ALONG LA VISTA AVE, AND BOTH SIDES OF ALL INTERIOR STREETS.
 4. MIN. BUILDING SETBACK LINES SHALL BE AS FOLLOWS:
 FRONT: IN ACCORDANCE WITH ZONING ORDINANCE, GREATER FOR EASEMENTS, APPROVED SITE PLAN, OR IN LINE WITH EXISTING STRUCTURES, WHICHEVER IS GREATER.
 REAR: IN ACCORDANCE WITH ZONING ORDINANCE OR GREATER FOR EASEMENTS OR APPROVED SITE PLAN.
 SIDES: IN ACCORDANCE WITH ZONING ORDINANCE OR GREATER FOR APPROVED SITE PLAN OR EASEMENT.
 CORNER: SIDE: 10 FT. OR GREATER FOR EASEMENTS, OR APPROVED SITE PLAN, WHICHEVER IS GREATER.
 5. BENCHMARK: LOCATED SOUTHWEST CORNER OF THE INTERSECTION OF JACKSON RD. & PECAN BLVD., TYPE OF MARK: 30" ALUMINUM PIPE WITH A 3-1/4" BRASS MONUMENT CAP ON TOP
 NORTHINGS: 16603371.48887, EASTINGS: 1081946.94964, ELEVATION: 114.49 (STATION NAME: MC 74) (VERTICAL DATUM: NAVD 88)
 6. MAINTENANCE OF ALL LANDSCAPE AND DETENTION AREAS IS THE RESPONSIBILITY OF THE LOT OWNER.
 7. ALL CONSTRUCTION SHALL COMPLY WITH STORM WATER POLLUTION PREVENTION PLAN (SW3P) REQUIREMENTS.
 8. ADDITIONAL FIRE PROTECTION MAY BE REQUIRED AT BUILDING PERMIT STAGE INCLUDING NECESSARY EASEMENTS.
 9. NO PERMANENT STRUCTURES SHALL BE ALLOWED WITHIN, UTILITY EASEMENTS, GAS EASEMENTS, OR IRRIGATION EASEMENTS AND LOT LINES.
 10. AN ENGINEERED DETENTION PLAN APPROVED BY THE ENGINEERING DEPARTMENT IS REQUIRED PRIOR TO ISSUANCE OF A BUILDING PERMIT.
 11. DRAINAGE DETENTION REQUIRED FOR THIS PROPERTY IS AS FOLLOWS:
 TOTAL 00000 CF (0.00000 AC-FT)
 12. NO STRUCTURES SHALL BE BUILT OVER ANY EASEMENTS.
 13. 6 FT OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, AND INDUSTRIAL ZONES/USES
 14. 8 FT. MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONES/USES.
 15. COMMON AREAS, SERVICE DRIVES, ETC. MUST BE MAINTAINED BY THE LOT OWNERS AND NOT THE CITY OF MCALLEN.
 16. 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.
 17. MINIMUM 25 FT x 25 FT SIGHT OBSTRUCTION EASEMENT REQUIRED AT ALL STREET INTERSECTIONS AND A MINIMUM 10 FT x 10 FT SIGHT OBSTRUCTION EASEMENT REQUIRED AT ALL ALLEY/STREET INTERSECTIONS..
 18. NO CURB CUT, ACCESS, OR LOT FRONTAGE PERMITTED ALONG JACKSON ROAD



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

PRINCIPAL CONTACTS		ADDRESS	PHONE
ENGINEER: CLH ENGINEERING, INC.	CLOROMIRO HINOJOSA, JR.	701 S. 15TH STREET, MCALLEN, TX 78501	(956) 687-5560
SURVEYOR: RIO DELTA SURVEYING	JOSE MARIO GONZALEZ	24593 FM 88, MONTE ALTO, TX 78538	(956) 380-5154

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

METES & BOUNDS:

A 5.74 ACRE TRACT OF LAND OUT OF A PART OR PORTION OUT OF LOT 3, BLOCK 5, A.J. McCOLL SUBDIVISION, HIDALGO COUNTY, TEXAS AS PER MAP RECORDED IN VOLUME 21 PAGE 598, DEED RECORDS OF HIDALGO COUNTY, TEXAS, SAID 5.74 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 3, BLOCK 5, WITHING THE RIGHT OF WAY OF JACKSON ROAD, THENCE, N 81°32'09" W, ALONG THE NORTH LINE OF SAID LOT 3, BLOCK 5, A DISTANCE OF 251.00' TO A 1/2 INCH IRON ROD W/A RED CAP STAMPED 'RIO DELTA SURVEYING' SET, FOR THE NORTHERN MOST NORTHEAST CORNER OF THIS TRACT OF LAND AND THE POINT OF BEGINNING;

THENCE S 08°27'51" W, ALONG THE EAST LINE OF SAID 5.74 ACRE TRACT, A DISTANCE OF 20.00', TO A 1/2 INCH IRON ROD FOUND ON THE SOUTH RIGHT OF WAY OF LA VISTA AVENUE, FOR AN INTERIOR CORNER OF THIS TRACT OF LAND;

THENCE S 81°32'09" E, ALONG THE SOUTH RIGHT OF WAY LINE OF LA VISTA AVENUE, A DISTANCE OF 121.00', TO A 1/2 INCH IRON ROD FOUND ON THE WEST RIGHT OF WAY LINE OF SAID JACKSON ROAD, FOR AN EXTERIOR CORNER OF THIS TRACT OF LAND;

THENCE S 36°32'09" E, ALONG THE WEST RIGHT OF WAY LINE OF SAID JACKSON ROAD, A DISTANCE OF 70.71', TO A 1/2 INCH IRON ROD FOUND, FOR AN INTERIOR CORNER OF THIS TRACT OF LAND;

THENCE S 08°27'51" W, CONTINUING ALONG THE WEST RIGHT OF WAY LINE OF SAID JACKSON ROAD, A DISTANCE OF 256.20', TO A 1/2 INCH IRON ROD FOUND ON THE NORTHEAST CORNER OF A TRACT OF LAND CONVEYED TO ANTONIO MARTINEZ DAVILA, AS RECORDED IN DOCUMENT NO. 2962009, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, FOR THE NORTHERN MOST SOUTHEAST CORNER OF THIS TRACT OF LAND;

THENCE N 81°32'09" W, ALONG THE NORTH LINE OF SAID MARTINEZ DAVILA TRACT OF LAND, DEPARTING THE WEST RIGHT OF WAY LINE OF SAID JACKSON ROAD, A DISTANCE OF 198.00', TO A 1/2 INCH IRON ROD W/A RED CAP STAMPED 'RIO DELTA SURVEYING' SET ON THE NORTHWEST CORNER OF SAID MARTINEZ DAVILA TRACT OF LAND, FOR AN INTERIOR CORNER OF THIS TRACT OF LAND;

THENCE S 08°27'51" W, ALONG THE WEST LINE OF SAID MARTINEZ DAVILA TRACT OF LAND, A DISTANCE OF 220.00', TO A 1/2 INCH IRON ROD FOUND ON THE SOUTHWEST CORNER OF SAID MARTINEZ DAVILA TRACT OF LAND AND THE NORTH LINE OF NORTHEAST INDUSTRIAL SUBDIVISION, AS RECORDED IN VOLUME 22, PAGE 151, MAP RECORDS HIDALGO COUNTY, TEXAS, FOR THE SOUTHERN MOST SOUTHEAST CORNER OF THIS TRACT OF LAND;

THENCE N 81°32'09" W, ALONG THE NORTH LINE OF SAID NORTHEAST INDUSTRIAL SUBDIVISION, A DISTANCE OF 348.13', TO A 1/2 INCH IRON ROD W/A RED CAP STAMPED 'RIO DELTA SURVEYING' SET ON THE SOUTHEAST CORNER OF LOT 1, UPS McALLEN EXPANSION SUBDIVISION, AS RECORDED IN DOCUMENT NO. 3113417, MAP RECORDS HIDALGO COUNTY, TEXAS, FOR THE SOUTHWEST CORNER OF THIS TRACT OF LAND;

THENCE N 08°27'51" E, ALONG THE EAST LINE OF SAID LOT 1, UPS McALLEN EXPANSION SUBDIVISION, A DISTANCE OF 546.20' TO THE POINT OF BEGINNING CONTAINING 5.74 ACRES OF LAND, MORE OR LESS.

STATE OF TEXAS
 COUNTY OF HIDALG

I (WE) THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS THE "VISTA ACRES" 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 OFFICIAL MINUTES OF THE APPLICABLE AUTHORITIES OF THE CITY OF MCALLEN.

 DATE

STATE OF TEXAS
 COUNTY OF HIDALG

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

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

NOTARY PUBLIC

HIDALGO COUNTY, TEXAS

NOTARY PUBLIC

STATE OF TEXAS
 COUNTY OF HIDALGO

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 _____ OF THE CITY OF MCALLEN, TEXAS, DO HEREBY CONSENT TO THE SUBDIVISION OF THE PROPERTY AS PROVIDED FOR UNDER THE PLAT AND DO HEREBY PROVIDE THAT ANY FORCLOSURE RELATING TO THE SECURITY INTEREST ON THE ABOVE DESCRIBED PROPERTY SHALL BE SUBJECT TO THE PLATTING OF THE PROPERTY AS PROVIDED FOR HEREIN.

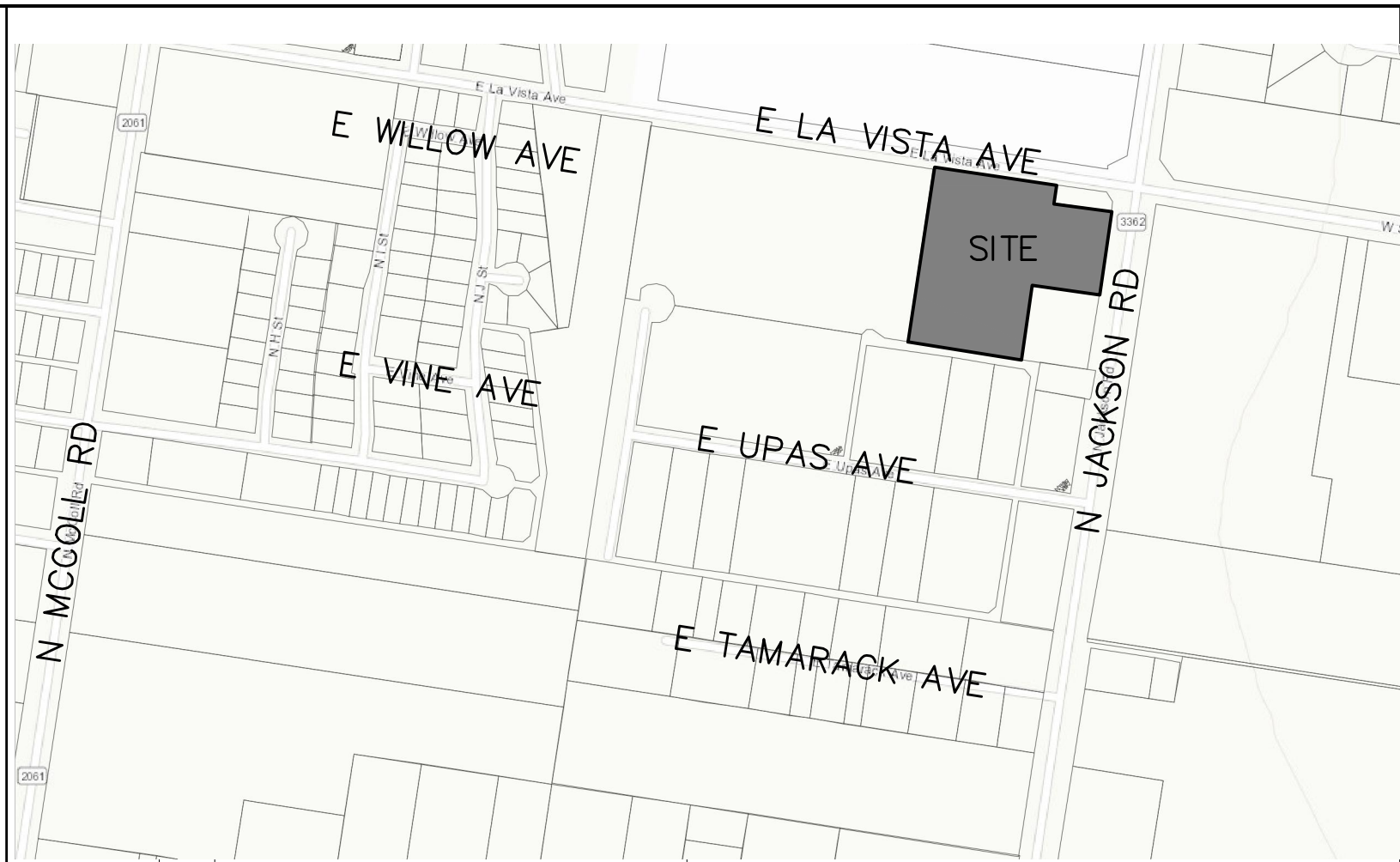
SECURITY INTEREST HOLDER: _____ DATE _____
 TEXAS NATIONAL BANK
 4908 S. JACKSON RD., EDINBURG, TX 78539

STATE OF TEXAS
 COUNTY OF HIDALGO

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

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

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



LOCATION MAP SCALE: 1:500

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

MAYOR, CITY OF MCALLEN _____ DATE: _____

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

CHAIRMAN, PLANNING AND ZONING
 COMMISSION, CITY OF MCALLEN

DATE:

THIS PLAT IS HEREBY APPROVED BY THE HIDALGO COUNTY IRRIGATION NO. 1,
 ON THIS ____ DAY OF _____ 20____

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

NO IMPROVEMENTS OF ANY KIND SHALL BE PLACED UPON THE HOID#1 RIGHT-OF-WAYS OR EASEMENTS.
 WITHOUT THE EXPRESSED WRITTEN PERMISSION OF Hcid#1.

PRESIDENT

SECRETARY

APPROVED BY DRAINAGE DISTRICT:

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

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

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

STATE OF TEXAS
 COUNTY OF HIDALGO

I, (SURVEYOR), 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____

REGISTERED PROFESSIONAL SURVEYOR (SEAL)
 IVAN GARCIA
 REGISTERED PROFESSIONAL PUBLIC SURVEYOR No. 6496
 921 SOUTH 10TH AVENUE EDINBURG, TEXAS 78539

No. _____ STATE OF TEXAS.

STATE OF TEXAS
 COUNTY OF HIDALGO

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

REGISTERED PROFESSIONAL ENGINEER (SEAL)
 CLOROMIRO HINOJOSA, JR.
 CLH ENGINEERING, INC.
 701 S. 15TH STREET, MCALLEN, TX 78501
 (TEL)956-687-5560 (FAX)956-687-5561

No. _____ STATE OF TEXAS.

CLH
 ENGINEERING, INC.
 TSPE FIRM No. F-8719
 701 S. 15th STREET McALLEN, TX. 78501
 (956) 687-5560 (956) 687-5561 FAX



City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 3/17/2023

SUBDIVISION NAME: VISTA ACRES

REQUIREMENTS

STREETS AND RIGHT-OF-WAYS

N. Jackson Road: 10 ft. dedication for 60 ft. from center line for 120 ft. ROW

Paving: 65 ft. Curb & gutter: both sides

*ROW dedication being reviewed to determine requirement prior to final

*Clarify if this section of N. Jackson Road is a state road, if so provide designation to finalize paving/curb & gutter requirements prior to final

**Subdivision Ordinance: Section 134-105

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

**COM Thoroughfare Plan

Non-compliance

E. La Vista Ave.: min. 20 ft. dedication for 40 ft. from centerline for 80 ft. ROW

Paving: 52 - 65 ft. Curb & gutter: both sides

*provide copy of document referenced for E. La Vista Ave. to finalize dedication requirements 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

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

NA

* 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

*If proposing a private service drive easement - minimum 24 ft. pavement and cannot dead-end; maintained by owner, etc., clarify/finalize prior to final

*Subdivision Ordinance: Section 134-106

Non-compliance

SETBACKS

* N. Jackson Road/E. La vista Ave.: In accordance with zoning ordinance, or greater for easements or approved site plan, or in line with average setback, whichever is greater applies.

Revisions Needed:

-Revise plat note as shown above prior to final.

**Proposing In accordance with zoning ordinance ,or greater for easements, approved site plan, or in line with existing structure, whichever is greater.

***Zoning Ordinance: Section 138-356

Non-compliance

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

<p>*Rear: In accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Revisions Needed: -Revise plat note as shown above prior to final. **Proposing: In accordance with zoning ordinance or greater for easements or approved site plan. **Zoning Ordinance: Section 138-356</p> <p>*Sides: In accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Revisions Needed: -Revise plat note as shown above prior to final. **Proposing: In accordance with zoning ordinance or greater for approved site plan or easement. ***Zoning Ordinance: Section 138-356</p> <p>* Corner: see setbacks noted above for N. Jackson Road and E. La Vista Ave. Revisions needed: -Finalize note wording prior to final. **Proposing: 10 ft. or greater for easements, or approved site plan, whichever is greater. **Zoning Ordinance: Section 138-356</p> <p>* Garage: *Property proposed for commercial use. **Zoning Ordinance: Section 138-356</p> <p>*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN</p>	Non-compliance
	Non-compliance
	Non-compliance
	NA
	Applied
SIDEWALKS	
<p>* 4 ft. wide minimum sidewalk required on N. Jackson Road and E. La Vita Ave. *Subject to increase to 5 ft. per engineering prior to final *Once finalized, plat note needed prior to final **Subdivision Ordinance: Section 134-120</p> <p>* Perimeter sidewalks must be built or money escrowed if not built at this time.</p>	Non-compliance
	Applied
BUFFERS	
<p>* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses; may apply to E. La Vista Ave. prior to final *Once finalize, plat note will be required prior to final **Landscaping Ordinance: Section 110-46</p> <p>* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses _____ **Landscaping Ordinance: Section 110-46</p> <p>*Perimeter buffers must be built at time of Subdivision Improvements.</p>	Non-compliance
	Applied
	Applied
NOTES	
<p>* No curb cut, access, or lot frontage permitted along *Plat note required once finalized, prior to final **Must comply with City Access Management Policy</p> <p>* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.</p> <p>* Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen.</p>	TBD
	Required
	Applied

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 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 	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 **Zoning Ordinance: Section 138-356 	Compliance
	Compliance
ZONING/CUP	
<ul style="list-style-type: none"> * Existing: C-3 Proposed: C-3 ***Zoning Ordinance: Article V * Rezoning Needed Before Final Approval *If uses change, rezoning required as needed. ***Zoning Ordinance: Article V 	Applied
	TBD
PARKS	
<ul style="list-style-type: none"> * Land dedication in lieu of fee. If uses changes, would be required as needed * Park Fee of \$700 per lot/dwelling unit to be paid prior to recording *If uses changes, park fees will apply as needed * Pending review by the Parkland Dedication Advisory Board and CC. *If uses changes, will apply as may be needed. 	NA
	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	
Comments: <ul style="list-style-type: none"> *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 PLAT IN PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED AN UTILITY AND DRAIGNAGE APPROVALS	Applied

LOCATION

LA VISTA AVE

3
PROPOSED VISTA ACRES
SUBDIVISION

LOT 1
LOT 2
MCCALLEN EXPANSION
SUBDIVISION

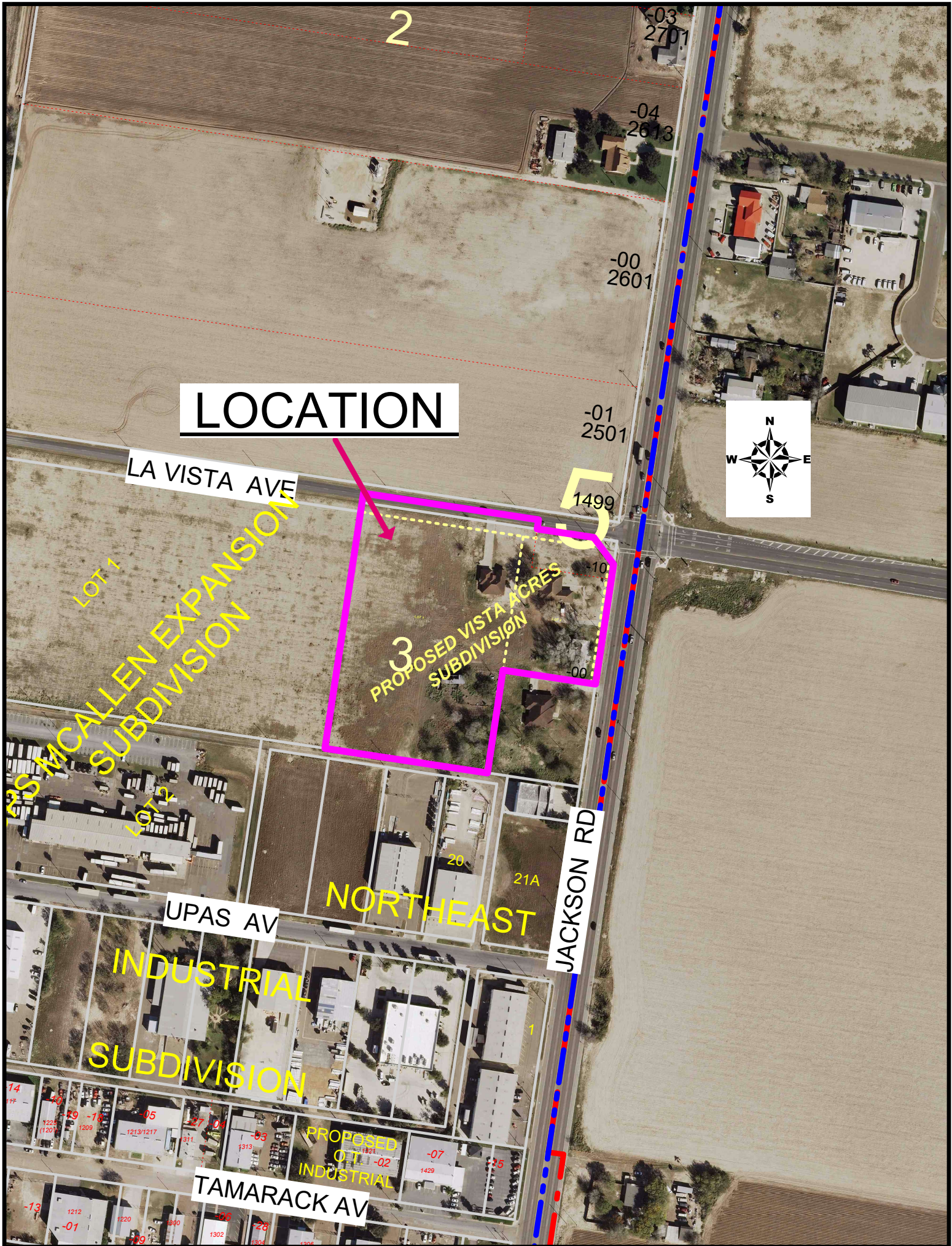
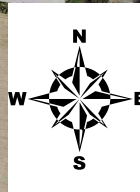
UPAS AV
INDUSTRIAL
SUBDIVISION

NORTHEAST

JACKSON RD

TAMARACK AV

PROPOSED
INDUSTRIAL



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>Balboa Acres Lot 25 B1K 25</u> Location <u>3308 Covina Ave. McAllen TX 78503</u> City Address or Block Number <u>Lot 25 B1K 25 / 3310 COVINA AVE</u> Number of Lots <u>1</u> Gross Acres <u>0.12</u> Net Acres _____ ETJ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Existing Zoning <u>R-1</u> Proposed Zoning <u>R-1</u> Rezoning Applied for <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____ Existing Land Use <u>Single Family</u> Proposed Land Use <u>Single Family</u> Irrigation District # _____ Replat <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Commercial _____ Residential <input checked="" type="checkbox"/> Agricultural Exemption <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Estimated Rollback Tax Due <u>0</u> Parcel # <u>0032</u> Tax Dept. Review <u>MCB</u> <u>120780</u> Water CCN <input type="checkbox"/> MPU <input type="checkbox"/> Sharyland Water SC Other _____ Legal Description <u>Balboa Acres Lot 25 B1K 25</u>
Owner	Name <u>Margarita Torres / Eliana Zamora</u> Phone <u>(956) 884-8821</u> Address <u>3310 Covina Ave.</u> E-mail <u>maggie.zamora0214@gmail.com</u> City <u>McAllen</u> State <u>Texas</u> Zip <u>78503</u>
Developer	Name <u>Margarita Torres</u> Phone <u>(956) 884-8821</u> Address <u>3310 Covina Ave.</u> E-mail <u>maggie.zamora0214@gmail.com</u> City <u>McAllen</u> State <u>Texas</u> Zip <u>78503</u> Contact Person <u>Margarita Torres</u>
Engineer	Name <u>Same Engineering & Surveying</u> Phone <u>(956) 702-8880</u> Address <u>200 S. 10th St. Suite 1500</u> E-mail _____ City <u>McAllen</u> State <u>Texas</u> Zip <u>78501</u> Contact Person <u>Samuel David Maldonado</u>
Surveyor	Name <u>Same Engineering & Surveying</u> Phone <u>(956) 702-8880</u> Address <u>200 S. 10th Suite 1500</u> E-mail _____ City <u>McAllen</u> State <u>Texas</u> Zip <u>78501</u>

ENTERED

FEB 27 2023

Initial: MM

Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

In Person Submittal Requirements

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

Email Submittal Requirements

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

Documents must be submitted in PDF format. No scanned documents

*Please submit documents to subdivisions@mcallen.net

ORIGINAL APPLICATION & FEE MUST BE SUBMITTED IN PERSON

PLAT TO SHOW:

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

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

Owners Signature

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

Signature Margarita Torres Date 2-27-23

Print Name Margarita Torres

Owner ☒ Authorized Agent ☐

The Planning Department is now accepting DocuSign signatures on application

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ORIGINAL APPLICATION & FEE MUST BE SUBMITTED IN PERSON

PLAT TO SHOW:

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

Owners Signature

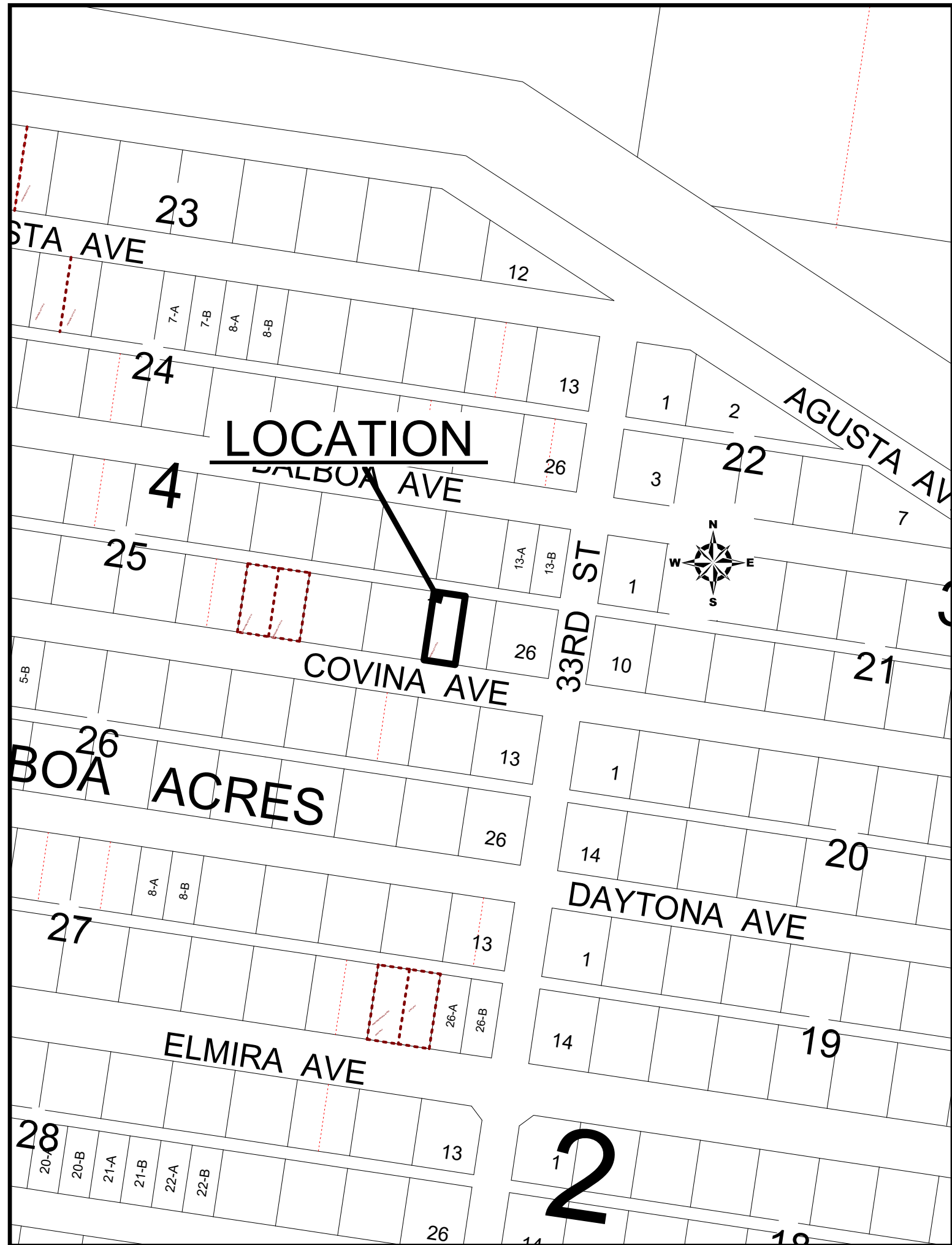
I certify that I am the actual owner of the property described above and (include corporate name if applicable); or I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

Signature Eliaz Zamora Date 2-27-23

Print Name ELIAZAMORA

Owner ☒ Authorized Agent ☐

The Planning Department is now accepting DocuSign signatures on application



LOCATION

SALBOA AVE

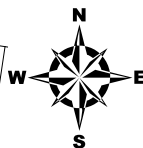
COVINA AVE

BOA ACRES

ELMIRA AVE

DAYTONA AVE

AGUSTA AVE



33RD ST

STA AVE

2

23

24

25

26

27

28

22

21

20

19

12

13

13-A

13-B

26

13

26

13

13

26

1

2

3

7

1

10

1

14

1

14

1

14

7-A

7-B

8-A

8-B

4

8-A

8-B

26-A

26-B

21-A

21-B

22-A

22-B

10



SCALE: 1"=20'

REVISION NOTES 1 01/05/23:

1. REVISED BOUNDARY

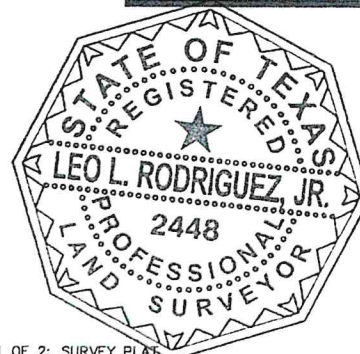
REVISION NOTES 2 02/07/23:

1. REVISED DISTANCES OF HOUSE TO BOUNDARY
2. REVISED BOUNDARY ALIGNMENT

NOTE:

THIS SURVEY PLAT IS NOT A SUBDIVISION OF PROPERTY AND SHOULD NOT BE CONSIDERED MEETING THE REGULATORY REQUIREMENTS OF A PROPERTY SUBDIVISION.

P.O.B.
X: 1061709.5845
Y: 16587784.6371
S.W. CORNER OF LOT 25,
BLOCK 25,
BALBOA ACRES,
VOL. 14, PG. 31, H.C.M.R.

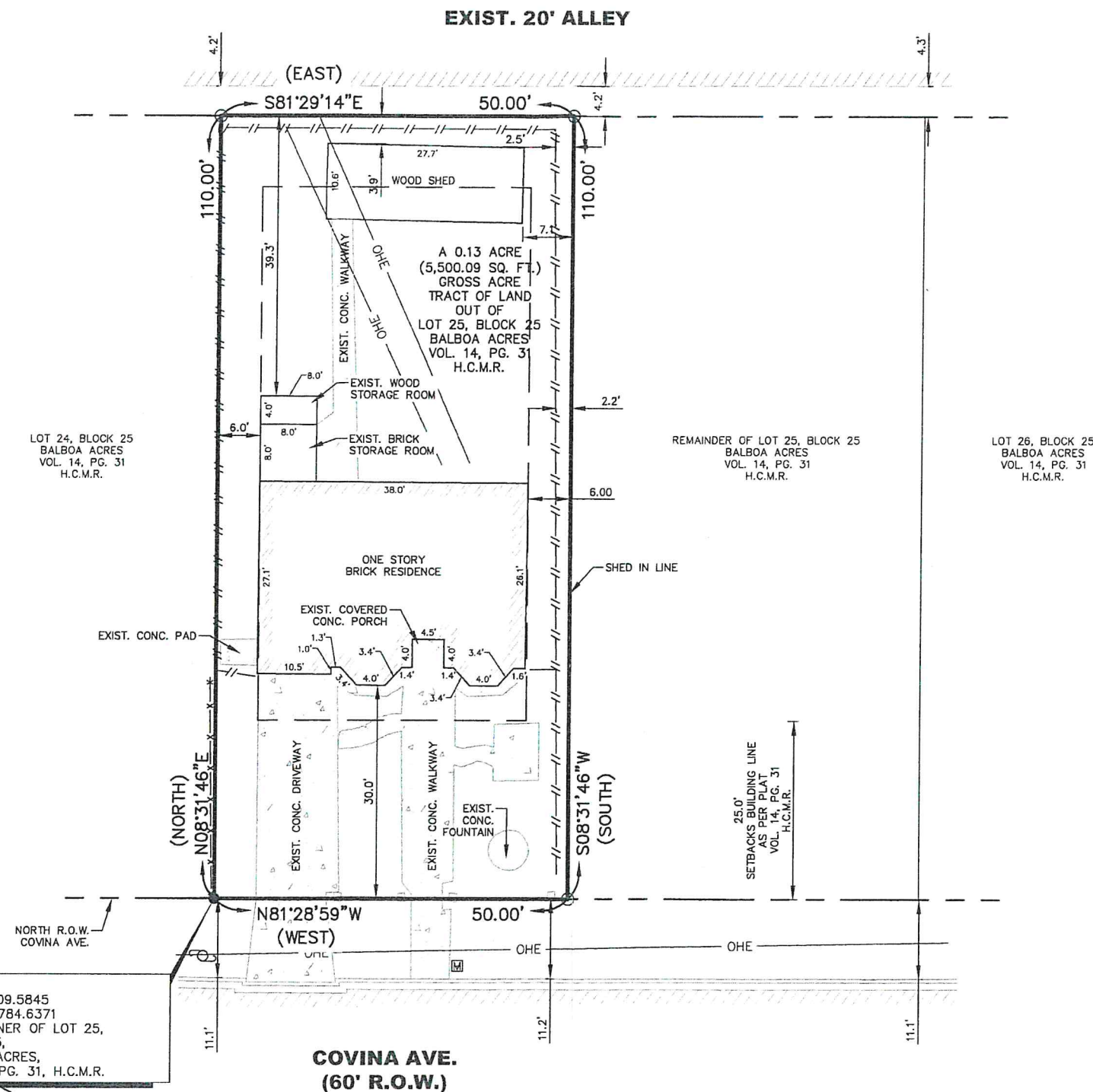


I, LEO L. RODRIGUEZ JR., CERTIFY THAT THE ABOVE PLAT IS AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION AND THAT THIS SURVEY CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY AND MEETS THE MINIMUM SURVEY STANDARDS.

LEO L. RODRIGUEZ JR. DATE 02/07/23 REVISION 2
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6027

JOB NUMBER	DRAWN BY	RVWD. BY	DATE
SUR 20.234	J.S.	LL.R.	02/07/2023

SHEET 1 OF 2: SURVEY PLAT



LEGEND	
●	FND. 1/2" IRON ROD
○	SET 1/2" IRON ROD W/PLASTIC CAP STAMPED "SAMES"
⊙	POWER POLE
Ⓜ	MAIL BOX
—□—	CMU FENCE LINE
—O—	OVERHEAD ELECTRIC LINE
—X—	CHAINLINK FENCE LINE
—//—	CEDAR FENCE LINE
EXIST.	EXISTING
CONC.	CONCRETE
ASPH.	ASPHALT
CONC.	CONCRETE
H.C.M.R.	HIDALGO COUNTY MAP RECORDS
H.C.D.R.	HIDALGO COUNTY DEED RECORDS
O.R.H.C.	OFFICIAL RECORDS OF HIDALGO COUNTY
R.O.W.	RIGHT OF WAY
FND.	FOUND

SETBACK NOTES:
SETBACKS AS PER ORDINANCE OF CITY OF MCALLEN.

GENERAL NOTES:

ADDRESS: 3310 COVINA AVE., MCALLEN, TEXAS, 78503
SURVEYED: JUNE 8, 2020
REQUESTED BY: NATALLY TORRES
PROPERTY OWNER: ELEAZAR ZAMORA

FLOOD ZONE DESIGNATION: "ZONE A" - NO BASE FLOOD ELEVATIONS DETERMINED.

COMMUNITY-PANEL NUMBER: 480343 0010 C
MAP REVISED: NOVEMBER 2, 1982

SURVEY NOTES:

1. BASIS OF BEARING THE NORTH LINE OF LOT 25, BLOCK 25, BALBOA ACRES, AS PER THE MAP OR PLAT THEREOF RECORDED IN VOLUME 14, PAGE 31, MAP RECORDS OF HIDALGO COUNTY, TEXAS.

2. BEARINGS SHOWN ARE BASED ON BALBOA ACRES, AS PER THE MAP OR PLAT THEREOF RECORDED IN VOLUME 14, PAGE 31, MAP RECORDS OF HIDALGO COUNTY, TEXAS.

2. ALL COORDINATES, BEARINGS, AND DISTANCES, ARE BASED ON THE TEXAS COORDINATE SYSTEM, (NAD 83), TEXAS STATE PLANES, SOUTH ZONE, US SURVEY FEET, GRID. BEARINGS AND DISTANCES SHOWN IN PARENTHESIS ARE BASED ON RECORDED DOCUMENT.

3. ALL HORIZONTAL CONTROL ON THIS PROJECT WAS ESTABLISHED UTILIZING RTK GPS METHODS.


4. THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE. THERE MAY BE EASEMENTS OR OTHER MATTERS THAT ARE NOT SHOWN.

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

5. SUBJECT TO THE SUBDIVISION RULES AND REGULATIONS OF THE COUNTY OF HIDALGO AND/OR ORDINANCES OR GOVERNMENTAL REGULATIONS OF THE CITY IN WHICH THE PROPERTY MAY BE LOCATED OR HOLDING EXTRA TERRITORIAL JURISDICTION OF SAID PROPERTY.

PLAT SHOWING

A 0.13 ACRE (5,500.09 SQ. FT.) GROSS, TRACT OF LAND OUT LOT 25, BLOCK 25, BALBOA ACRES, AN ADDITION TO THE CITY OF MCALLEN, HIDALGO COUNTY, TEXAS, AS PER MAP OR PLAT THEREOF RECORDED IN VOLUME 14, PAGE 31, MAP RECORDS OF HIDALGO COUNTY, TEXAS.



SAM Engineering & Surveying
200 S. 10TH STREET, SUITE 1500 TEL: (956) 702-8880
MCALLEN, TEXAS 78501 FAX: (956) 702-8883
SURVEY FIRM REG. No. 101416-00



City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 3/15/2023

SUBDIVISION NAME: BALBOA ACRES	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
Covina Ave.: 60 ft. ROW Paving: Approximately 35 ft. existing Curb & gutter: both sides **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	NA
* 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: existing conditions remain *Alley/service drive easement required for commercial properties **Subdivision Ordinance: Section 134-106	Applied
SETBACKS	
* Front: 25 ft. **Zoning Ordinance: Section 138-356	Applied
* Rear: In accordance with the Zoning Ordinance or greater for easements **Zoning Ordinance: Section 138-356	Applied
* Sides: In accordance with the Zoning Ordinance or greater for easements **Zoning Ordinance: Section 138-356	Applied
* Corner **Zoning Ordinance: Section 138-356	NA
* 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 **Subdivision Ordinance: Section 134-120	NA
* Perimeter sidewalks must be built or money escrowed if not built at this time.	NA

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

BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses **Landscaping Ordinance: Section 110-46	NA
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses **Landscaping Ordinance: Section 110-46	NA
*Perimeter buffers must be built at time of Subdivision Improvements.	NA
NOTES	
* No curb cut, access, or lot frontage permitted along **Must comply with City Access Management Policy	NA
* Site plan must be approved by the Planning and Development Departments 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.	NA
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	NA
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. **Section 110-72 applies if private subdivision is proposed. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168	NA
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. **Section 110-72 applies if private subdivision is proposed. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168	NA
LOT REQUIREMENTS	
* Lots fronting public streets **Subdivision Ordinance: Section 134-1	Applied
* Minimum lot width and lot area: Survey for the west half of Lot 25, Block 25 show a 50 ft. width **Zoning Ordinance: Section 138-356	Applied
ZONING/CUP	
* Existing: R-1 Proposed: R-1 ***Zoning Ordinance: Article V	Applied
* Rezoning Needed Before Final Approval ***Zoning Ordinance: Article V	NA
PARKS	
* Land dedication in lieu of fee.	NA
* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording as may be applicable.	Applied
* Pending review by the Parkland Dedication Advisory Board and CC.	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 waived for one lot single family lot	Applied
* Traffic Impact Analysis (TIA) required prior to final plat.	NA
COMMENTS	
Comments: Existing plat notes remain the same as now exist *Public hearing required for the subdivision of the lot *Must comply with other department requirements prior to recording as may be applicable	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED, AND DRAINAGE AND UTILITY APPROVALS.	Applied







PLANNING DEPARTMENT

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



2023 CALENDAR

Meetings:





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

Deadlines:





D- Zoning/CUP Application N - Public Notification

* **Holiday** - Office is closed





JANUARY 2023

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





FEBRUARY 2023

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





MARCH 2023

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





APRIL 2023

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

MAY 2023

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



JUNE 2023

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

Deadlines and Meeting Dates are subject to change at any time. Please contact the Planning Department at (956) 681-1250 if you have any questions.

2023 CALENDAR








Meetings:

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









Deadlines:

- D- Zoning/CUP Application
- N - Public Notification
- * **Holiday** - Office is closed









JULY 2023

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









AUGUST 2023

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











SEPTEMBER 2023

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






OCTOBER 2023

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

NOVEMBER 2023

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

DECEMBER 2023

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

PLANNING DEPARTMENT

2023 Calendar

SUBDIVISION AND UTILITY REVIEW CALENDAR

SUBDIVISION/UTILITY MEETING							CITY MEETING							DEADLINE AT 5:00P.M.						
<div>Subdivision Review Meeting - 8:30 a.m.</div> <div>Review with staff, developers and engineers</div>							<div>City Commission</div> <div>Planning and Zoning</div> <div>Public Utility Board</div>							<div>Changes to subdivision/site plans</div> <div>Required to be placed on following review meeting</div>						
<div>Staff Project Review - 8:30 a.m.</div> <div>Review of plats, utilities and drainage and site plans</div>														<div>Deadline for New Plats</div> <div>New Plats with all supporting information and fees</div>						
JANUARY 2023							FEBRUARY 2023													
Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat							
1	2	3	4	5	6	7				1	2	3	4							
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22	23	24	25	26	27	28	19	20	21	22	23	24	25							
29	30	31					26	27	28											
MARCH 2023							APRIL 2023													
Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat							
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5	6	7	8	9	10	11	2	3	4	5	6	7	8							
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26	27	28	29	30	31		23	24	25	26	27	28	29							
							30													
MAY 2023							JUNE 2023													
Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat							
	1	2	3	4	5	6					1	2	3							
7	8	9	10	11	12	13	4	5	6	7	8	9	10							
14	15	16	17	18	19	20	11	12	13	14	15	16	17							
21	22	23	24	25	26	27	18	19	20	21	22	23	24							
28	29	30	31				25	26	27	28	29	30								

*Deadlines & meeting dates are subject to change based on staff's availability. Contact the Planning Dept. (956) 681-1250 if you have any questions.



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