#### **AGENDA**

### PLANNING & ZONING COMMISSION REGULAR MEETING TUESDAY, MARCH 4, 2025 - 3:30 PM MCALLEN CITY HALL, 1300 HOUSTON AVENUE CITY COMMISSION CHAMBERS, 3<sup>RD</sup> FLOOR

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

CALL TO ORDER -

PLEDGE OF ALLEGIANCE -

**INVOCATION -**

- 1) MINUTES:
  - a) Approval of minutes for the December 3, 2024 meeting

#### 2) PUBLIC HEARING

- a) CONDITIONAL USE PERMITS:
  - 1. Request of Sharon B. Flores on behalf of St. John's Episcopal Church & School, for a Conditional Use Permit, and adoption of an ordinance, for life of the use, for an Institutional Use (Church school) at Lot 9, Block 1, Morningside Addition Subdivision, Hidalgo County, Texas; 2601 North 8th Street. (CUP2025-0006)
  - Request of Sara C Lopez, for a Conditional Use Permit, for life of the use, for a Single Family Dwelling at Lot 1, Lopez-Torres Subdivision, Hidalgo County, Texas; 4300 South Ware Road. (CUP2025-0009)
  - Request of Rosa E. Estrada, for a Conditional Use Permit, for one year, for a Home Occupation-Home Office at Lot 6, J.W. Martin Subdivision, Hidalgo County, Texas; 817 Kerria Avenue. (CUP2025-0010)
  - **4.** Request of Melden and Hunt Inc. on behalf of Escanaba, LLC., for a Conditional Use Permit, for life of use, and adoption of an ordinance, for an Amendment to a Planned Unit Development for Harvest Coves Phase II Subdivision, Hidalgo County, Texas; 2601 North Ware Road. **(CUP2025-0011)**
  - **5.** Request of OL Beverage Holdings, LLC for a Conditional Use Permit, for one year, and adoption of an ordinance for a bar (Ojos Locos) at Lot A2, Lots A 2 & A3 Wichita Commercial Park Subdivision, Hidalgo County, Texas; 2121 South 10th Street. (CUP2025-0012)
  - 6. Request of Evelio Estrada Martinez for a Conditional Use Permit, for one year, for a portable food concession stand (snow cone stand) at Lot 9 and the W21' of Lot 10, Kendlewood Heights Subdivision No. 3, Hidalgo County, Texas; 1100 North 23d Street. (CUP2025-0013)

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

- 1. Rezone from C-3 (General Business) District to C-2 (Regional Commercial) District: Lots 15 and 16, Vida Subdivision, Hidalgo County, Texas; 7700 and 7760 North Shary Road. (REZ2025-0003)
- 2. Rezone from R-1 (Single Family Residential) District to R-2 (Medium Density Residential) District: 1.81 acre tract of land out of Lot 207, John H. Shary Subdivision, Hidalgo County, Texas; 321 South Taylor Road. (REZ2025-0004)
- **3.** Rezone from C-4 (Commercial Industrial) District to I-1 (Light Industrial) District: 15.009 acre, portion of Lot 11, Block 4, Rio Bravo Plantation Company's Subdivision, Hidalgo County, Texas; 2600 Military Highway. (**REZ2025-0005**)

#### c) SUBDIVISION:

- A resubdivision of the East Half of Lot 12, Block 26, Balboa Acres Subdivision, Hidalgo County, Texas; 3307 Covina Avenue (SUB2025-0022) (FINAL) GUADALUPE TREJO & MARIA IRENE TREJO
- A resubdivision of the West Half of Lot 12, Block 26, Balboa Acres Subdivision, Hidalgo County, Texas; 3309 Covina Avenue(SUB2025-023)(FINAL)GUADALUPE TREJO & MARIA IRENE TREJO

#### 3) CONSENT:

- a) Mtrevin Subdivision (Previously Trevino Subdivision), 4212 Lark Avenue, Maria S. Sandoval (SUB2025-0015) (FINAL) RDE
- b) Bentsen View Subdivision, 4109 Highway 83, Adryca Properties, LLC (SUB2024-0132) (FINAL) M2E

#### 4) SUBDIVISIONS:

- a) Villas at Tres Lagos Phase I Subdivision, 5300 Tres Lagos Boulevard, Rhodes Development, Inc. (SUB2025-0006) (FINAL) M&H (Tabled on 02/18/2025)
- b) Enclave on Jackson Subdivision, 2613 North Jackson Road, Vista Property Investment, LLC (SUB2024-0117) (REVISED PRELIMINARY) M&H
- c) Mesquite Cove Phase I Subdivision, 14503 North Rooth Road, Encarlen, Ltd. (SUB2025-0017) (PRELIMINARY) SEC
- d) Mesquite Cove Phase II Subdivision, 14505 North Rooth Road, Encarlen, Ltd. (SUB2025-0018) (PRELIMINARY) SEC

#### 5) INFORMATION ONLY:

#### 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, December 3, 2024 at 3:32p.m.at the McAllen City Hall, 3<sup>rd</sup> Floor Commission Chambers Room,1300 Houston Avenue, McAllen, Texas.

Present: Michael Fallek Chairperson

Gabriel Kamel Vice Chairperson

Marco Suarez Member Emilio Santos Jr Member

Absent: Jose Saldana Member

Jesse Ozuna Member Reza Badiozzamani Member

Staff Present: Evaristo Garcia Assistant City Attorney III

Michelle Rivera

Edgar Garcia

Luis Mora

Assistant City Manager
Planning Director
Deputy Director

Omar Sotelo Development Coordinator

Rodrigo Sanchez
Samuel Nunez
Saveh Forghanparast
Julio Constantino
Senior Planner
Planner III
Planner III

Hilda Tovar Planner II
Adriana Solis Planner II
Samantha Trevino Planner I

Noah Del Bosque Planner Technician I Even Gonzalez Development Engineer Magda Ramirez Administrative Assistant

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

#### PLEDGE OF ALLEGIANCE

**INVOCATION-.** Mr. Marco Suarez

#### 1) MINUTES:

a) Minutes for the October 8, 2024 meeting will be posted on the 12/17/2024 meeting

Chairperson Mr. Michael Fallek requested to go over item 2c.

\*2c) Consideration of ordinance adopting a Unified Development Code and repealing conflicting ordinances.

Mr. Edgar Garcia, Planning Director, updated the board members of the Unified Development Code.

Chairperson Mr. Michael Fallek asked if there was anyone in the audience who had questions or concerns regarding the UDC ordinance.

Citizen, Mr. Jorge Cruz Saenz (2018 Dallas, McAllen, Texas) stated his concern is that the city did not do enough public awareness of the changes of the Unified Development Code.

After a lengthy discussion, Vice Chairperson Mr. Gabriel Kamel motioned to approve proposed Unified Development Code ordinance. Mr. Marco Suarez second the motion with four members present and voting.

#### 2) PUBLIC HEARING:

#### a) CONDITIONAL USE PERMITS:

1) Request of Melden and Hunt Inc. on behalf of Escanaba, LLC., for a Conditional Use Permit, for life of use, and adoption of an ordinance, for an Amendment to a Planned Unit Development for Harvest Coves Phase I Subdivision, Hidalgo County, Texas; 2601 North Ware Road. (CUP2024-0126)

Ms. Adriana Solis stated that the subject property is located along the west side of North Ware Road and north of Warrior Drive. The property consists of 18.677 acres of vacant land. The property is zoned R-1 (Single Family Residential) District. The adjacent zoning is A-O (Agricultural and Open Space) District, R-3T (Multifamily Residential Townhomes) District, and R-1 District to the north, A-O District to the west, and R-3A (Multifamily Residential Apartments) District to the south. A Planned Unit Development (PUD) is permitted in an R-1 District with a Conditional Use Permit and in compliance with Article IV for Planned Developments of the Subdivision Ordinance.

On February 12, 2024 and March 11, 2024 the City Commission approved of a Planned Unit Development for Harvest Coves Phase I and II, which consisted of one hundred ninety-six (196) lots, and an existing detention pond to the southwest corner.

On October 24, 2024 an amendment to a previously approved Planned Unit Development (Harvest Coves Phase I) was submitted. The applicant is requesting an amendment to the PUD in order to change driveway layouts and reduce side yard setbacks from six feet to five feet. Currently, the property does is composed of vacant land.

On February 12, 2024 and March 11, 2024 the City Commission approved the following variances for the PUD at Harvest Coves Phase I and II:

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

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

1. <u>CONCEPTUAL SITE PLAN:</u> Development and use of the property must comply with the conditional use permit conceptual site plan.

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

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

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

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

structures and improvements on the recorded Subdivision Plat and PUD site plan will be required during the building permitting process.

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

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

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

Being no discussion, Mr. Marco Suarez moved to approve amendment to the Planned Unit Development as presented, for life of the use, subject to all aforementioned conditions. Mr. Emilio Santos Jr. second the motion with four members present and voting.

2) Request of Sara C. Lopez., for a Conditional Use Permit, for one year, and adoption of an ordinance, for a Food Truck Park at Lot 1, Lopez-Torres Subdivision, Hidalgo County, Texas; 4300 South Ware Road. (CUP2024-0127)

Ms. Adriana Solis stated that the subject property is located along the west side of South Ware Road and is zoned C-3 (General Business) District. The adjacent zoning is I-1 (Light Industrial) District to the west, C-3L (light commercial) District to the north and south, and R-1 (Single-Family Residential) District to the east across South Ware Road. A food truck park is permitted in a C-3 District, subject to compliance with Conditional Use Permit requirements.

The applicant is proposing to continue operating an existing food truck park on the subject property. This location was previously approved on September 29, 2023 by the City Commission for a food truck park. The previous request was approved for the seven existing vendors are part of the proposed food truck park. A stop work order was issued on May 3, 2024 by the Building Department for a carport built without a permit. The carport is currently being used for an existing car lot within the same property.

Based on the submitted site plan, the food truck park consist of seven existing food trucks and an extra space available. A total of 32 parking spaces are required, 40 parking spaces are provided on the subject property.

The food truck park's proposed days and hours of operation would be 7:00 AM to 2:00 AM, Monday through Sunday.

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

The food truck park and its vendors must comply with the requirements set forth in Section 138-118 of the Zoning Ordinance and 54-52 of the Health and Sanitation Ordinance for mobile food vendors and the following Conditional Use Permit specific requirements:

- 1) The property line of the lot must be at least 200 feet from the nearest residence or residentially zoned property;
- 2) The name, address, phone number and email address of a contact person who shall be available 24 hours per day, 7 days per week for the purposes of responding to complaints regarding the operation of the mobile food vendor court;

- 3) Mobile food vendor courts shall not operate between the hours of 2:00 AM and 7:00 AM;
- 4) Each mobile food vendor court shall provide access to a restroom on or within 600 feet of the property lines of the track of land on which it is situated;
- 5) Mobile food vendor courts must provide one (1) garbage receptacle, to hold a minimum of thirteen (13) gallons, per each vendor located on premises for public use. This requirement is in addition to the receptacles required of each individual vendor;
- 6) Mobile food vendors may not be placed or parking on unimproved surfaces;
- 7) Adequate lighting, as determined by the Health Director, to enable clear and unobstructed visibility of mobile food vendors and patrons shall be provided at all entrances and exits of the mobile food vendor court:
- 8) Mobile food vendor courts shall provide on premise parking areas sufficient to accommodate staffing needs and seating areas.

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

Staff recommends approval of the Conditional Use Permit request subject to compliance with the above mentioned requirements. The property owner must also comply with all other Building and Zoning requirements regarding all other existing and future structures.

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

Being no discussion, Mr. Emilio Santos Jr. moved to approve the conditional use permit subject to compliance with the above mentioned requirements. The property owner must also comply with all other Building and Zoning requirements regarding all other existing and future structures. Vice Chairperson, Mr. Gabriel Kamel second the motion with four members present and voting.

3) Request of Blanca Rodriguez, for a Conditional Use Permit, for one year, for a Home Occupation (beauty salon) at Lot 2, Block 3, Pecan Terrace Subdivision, Hidalgo County, Texas; 2209 Nyssa Avenue. (CUP2024-0129)

Ms. Hilda Tovar stated that the property is located on the north side of Maple Avenue, approximately 106 feet west of North 22<sup>nd</sup> Street and 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. A home occupation is permitted in an R-1 zone with a conditional use permit.

This is the initial Conditional Use Permit for a Home Occupation (beauty salon) at this location. The application for this request was submitted on October 29, 2024.

Currently, there is an existing 6,572.00 square feet residence on the property. The applicant is proposing to operate a beauty salon from the existing residence. The living room will be used as the work area for the business. The applicant stated that the hours of operation will be 9:00am to 3:00pm by appointment only.

The Fire Department has been in contact with the applicant; however, it is still pending the Fire inspection. Should the conditional use permit be approved, the applicant would be required to sign the certificate acknowledging and agreeing to the conditions of the permit. The establishment must also comply with requirements set forth in Section 138-118(1) of the Zoning Ordinance and other specific requirements as follows:

- 1) The home occupation must be clearly secondary to the residential use. The applicant lives in the residence;
- 2) No signs are permitted. No signs are proposed;
- 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 proposes no exterior display or alterations;
- 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 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. Customers will be by appointment only;
- 7) No retail sales (items can be delivered). No retail sales are being proposed;
- 8) No additions to the residence or accessory building specifically to accommodate the business. The applicant proposes no additions or accessory buildings;
- 9) The business must take place in the primary residential structure on the property rather than in a detached garage or separate accessory building;
- 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 requirements in 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 for one year subject to compliance with requirements in Section 138-118(1) of the Zoning Ordinance and Fire Department requirements. Mr. Emilio Santos Jr. second the motion with four members present and voting.

4) Request of Joseph L. Salinas on behalf of Mikada, LLC (Jose Chanin), for a Conditional Use Permit, for one year, and adoption of an ordinance for a bar (La Azotea Rooftop) at Lot 1, Mikada Subdivision, Hidalgo County, Texas; 5000 Pecan Boulevard, Building 100. (CUP2024-0131)

Ms. Samantha Trevino stated that the property is located along the north side of Pecan Boulevard and is zoned C-3 (general business) District. The adjacent zoning is C-3 District to the west and south, C-1 (office building) District to the east, R-1 (single family residential) District to the north, and C-2 (neighborhood commercial) District to the south. Surrounding land uses include offices, retail, and single family residential. A cocktail lounge is allowed in a C-3 District with a Conditional Use Permit and in compliance with requirements.

This is the initial conditional use permit request for the cocktail lounge at this location.

The applicant is proposing to operate a cocktail lounge (La Azotea Rooftop) from an existing 4,805 square foot building. The proposed hours of operation would be Monday-Thursday from 11 a.m. - 12 a.m., Friday-Saturday from 11 a.m. - 2 a.m., and Sunday from 11 a.m. - 3 p.m.

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

- 1. The property line of the Lot of the abovementioned business must be at least 400 feet from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruptions of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The establishment is within 400 ft. of a residential zone or use;
- 2. The abovementioned business must be as close as possible to a major arterial, and shall not allow the traffic generated by such businesses onto residential streets, or allow such traffic to exit into and disrupt residential areas. The establishment has direct access to Pecan Boulevard and does not generate traffic into residential areas;
- 3. The abovementioned business must provide parking in accordance with the city off-street parking ordinance as a minimum, and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional onsite parking. Based on the square footage, 15 parking spaces are required and are provided as per site plan in a shared parking lot.
- 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 has not received any phone calls, emails, or letters in opposition to the request.

Staff recommends disapproval of the request based on noncompliance with requirement of distance to a residence or residentially zoned property of Section 138-118(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 the conditional use permit with favorable recommendation based on noncompliance with requirement of distance to a residence or residentially zoned property of Section 138-118(4) of the Zoning Ordinance. Vice Chairperson, Mr. Gabriel Kamel second the motion with four members present and voting.

Request of Melden and Hunt Inc., on behalf of Synergy a Real Estate Alliance LLC., for a Conditional Use Permit, for life of the use, and adoption of an ordinance, for Planned Unit Development (Taylor Villas) at a 12.51 acre tract of land out of Lot 167, John H. Shary Subdivision, Hidalgo County, Texas; 2021 South Taylor Road. (CUP2024-0132)(TABLED)

Chairperson Mr. Michael Fallek asked if item will remain tabled. Staff announced it will remain tabled. No action required, none taken.

Request of Keaton Mai, on behalf of Justin Nowell, for a Conditional Use Permit, for life of the use, and adoption of an ordinance for a Gasoline Service Station at Lot 1, Block 2, Villa Hermosa Subdivision, Hidalgo County, Texas; 3400 South Jackson Road. (CUP2024-0128)

Ms. Samantha Trevino stated that the property is located at the southwest corner of East El Rancho Road and South Jackson Road, and is zoned C-3 (general business) District. The adjacent zoning is C-3 District to the north and south, R-3T (multifamily residential townhomes) District to the west and City of Pharr city limits is to the east across South Jackson Road. Surrounding land uses are vacant lots, and residential townhomes. A gasoline station is allowed in a C-3 district with a Conditional Use Permit and in compliance with requirements.

The applicant is proposing to operate a convenience store and gas station from the subject property. The location will offer a 5,650 square-foot convenience store and an 4,608 square feet canopy for gasoline fuel pumps. Based on the square footage of the convenience store, 18 parking spaces are required for the location and 18 are proposed. This is the initial Conditional Use Permit request for the proposed use. Changes in ownership may require a new CUP application. Any future changes may require an amendment to the CUP, subject to site plan review and/or subdivision.

The Fire and Health Departments have conducted their inspections and approved the CUP process to continue. The proposed use must comply with Sections 138-257 through 138-261, and Section 138-280 of the Zoning Ordinance and the following specific requirements:

- 1) Activities are limited to sale of gasoline, oil, and minor accessories and incidental services;
- 2) Ingress or egress shall not be permitted at locations where it will tend to create traffic hazards. Curb cuts are proposed from East El Rancho Road and South Jackson Road;
- 3) Front yard building setbacks, not including gas pumps or driveway covers (canopy), shall be 60 feet. Convenience store building is proposed to comply with required setbacks.
- 4) All lighting shall be shielded from adjacent residential districts;
- 5) A 6 ft. opaque buffer shall be provided where abutting or adjacent to residential districts;
- 6) Gasoline service stations that have facilities for the repair or servicing of automobiles shall be a minimum of 13,000 square feet. Retail outlets for gasoline, oil, and minor accessories, without repair facilities, may be permitted on lots less than 13,000 square feet. There will be no automobile servicing; The subject property is 80, 142 square feet in size.
- 7) Gas pumps/islands shall be set back at least 13 ft. from the property line or 18 ft. from the curb, whichever is greater;
- 8) Gas pump canopy shall be set back at least 9 ft. from the property line or 10 ft. from the curb, whichever is greater; and
- 9) Gas pumps shall not be located within 100 ft. of a residential district. The gas pumps are not located within 100 ft. of a residential district.

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

Staff recommends approval of the Conditional Use Permit request for life of use, subject to compliance with Sections 138-257 through 138-261, and Section 138-280, the specific conditions noted, Building Code and, Fire Department requirements, and all other relevant Zoning and Subdivision ordinances.

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 approve the conditional use permit request for life of use, subject to compliance with Sections 138-257 through 138-261, and Section 138-280, the specific conditions noted, Building Code and, Fire Department requirements, and all other relevant Zoning and Subdivision ordinances. Mr. Emilio Santos Jr. second the motion with four members present and voting.

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

1) Rezone from R-1 (single family residential) District to A-O (agricultural and open space) District: 4.00 acres out of Lot 418, save and except 0.208 acres road row, John H. Shary Subdivision, Hidalgo County, Texas; 4700 Auburn Avenue. (REZ2024-0059)

Ms. Samantha Trevion stated that the property is located along the north side of Auburn Avenue and west of North Bentsen Road. The vacant tract is comprised of 4.0 acres save and except 0.208 acres of road right of way.

The applicant is proposing to rezone the property from R-1 (single family residential) District to A-O (agricultural and open space) District in order to build a single family home, barn and have animals on the land.

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

The property is currently wooded area and is being cleared in order to develop the land for the home. Surrounding land uses include agricultural, single-family dwellings and vacant land.

The Envision McAllen Future Land Use Plan designates the future land use for this property as Mixed-Use Nodes. Duplex, Townhomes, Triplex/Quadplex, small multifamily, large multifamily, and mixed-use neighborhood scale retail and mixed-use urban Community Scale are the most appropriate developments for this type of use. This includes diverse housing options and promotes walkability.

The development trend along Auburn is mixed uses such as agricultural and single family residential. The property was zoned A-O District upon annexation in 1989, then was rezoned to R-1 District as part of the city initiated A-O rezoning project in 2015.

The requested zoning does not conform to the Future Land Use Plan designation However; the requested zoning aligns with the existing single family/ agricultural uses in that area.

The property owner intends to apply for a subdivision exemption in order to comply with subdivision requirements.

The A-O District does not exclude enforcement of environmental health issues such as weedy lots, accumulation of brush and debris that may breed mosquitos and other pests.

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

Staff recommends approval of the rezoning request to A-O (agricultural and open space) District. If approved the zoning will revert to the original A-O District designation.

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

Mr. Marco Suarez asked if there had been any rezoning requests to agriculture (AO) with any new construction. Chairperson Mr. Michael Fallek had questions regarding fencing requirements.

After a lengthy discussion, Mr. Marco Suarez moved to approve the rezoning request to A-O (agricultural and open space) District. If approved the zoning will revert to the original A-O District designation. Vice Chairperson Mr. Gabriel Kamel second the motion with four members present and voting.

#### 3) SITE PLAN

a) Site Plan approval for Lot 1, Block 2, Villa Hermosa Subdivision, Hidalgo County, Texas; 3400 South Jackson Road. (SPR2024-0041)

Ms. Hilda Tovar stated that the subject property is located on the southwest corner of El Rancho Road and South Jackson Road. The subject property is zoned C-3 (General Business) District. Adjacent zoning includes C-3 District to the north and south, and R-3T District to the west. The areas east are outside of the McAllen City Limits. Surrounding land uses include vacant land and townhomes.

The applicant is proposing to construct a 5,650 square foot building to operate a Gas Station (Circle K). Access to the site is from East El Rancho Road and South Jackson Road. There is no alley proposed.

#### Parking Requirements:

Based on 5,650 square feet that will be used for the proposed Gas Station, 18 parking spaces are required for the site and 18 parking spaces are being proposed. Moreover, one of the proposed regular parking spaces must be accessible for van accessibility with an 8-foot-wide aisle. The applicant is meeting parking requirements for the new development.

#### Landscape Requirements:

8,010 square feet of green area is required for the new development and 33,778 square feet is proposed. The tree requirement is as follows: 22 two-and-a half-inch-caliper trees, 11 four-inch caliper trees, 6 six-inch caliper trees, or 6 palm trees. A minimum 10-foot wide landscaped strip is required inside the front property line. Fifty percent of the required green area for the new development must be visible from the street or front property line, and each parking space must be within 100 feet of a landscaped area with a tree. A 6-foot buffer is required around dumpsters/compactors if visible from the street. Finally, an 8-foot masonry wall is required between commercial and residential zone/use. The applicant is meeting landscaping requirements for green area and trees.

#### Other Planning Requirements:

There is a 60-foot front yard setback and 10 foot utility easement along South Jackson Road and a 40-foot setback along El Rancho Road. The rear yard setback and side yard setbacks are as per Zoning Ordinance or greater for approved site plan or easements. No structures are permitted to be built over any easements. The new development will be complying with all required setbacks for the property.

A 4-foot-wide minimum sidewalk is required along South Jackson Road and East El Rancho Road.

The Building Permit Site Plan must comply with requirements noted on the Development Team Review sheet. Must comply with any additional comments provided by all departments during the building permit stage.

Staff recommends approval of the site plan subject to the conditions noted, Building Permit requirements, Subdivision and Zoning Ordinances.

Being no discussion, Vice Chairperson Mr. Gabriel Kamel moved to approve the site plan request. Mr. Emilio Santos Jr. second the motion which was approved with four members present and voting.

## 4) SUBDIVISIONS:

a) CXL Acres Subdivision, 11624 North 29th Street, Cesar Xavier Leal (SUB2024-0125)
 (PRELIMINARY) SE

Mr. Julio Constantino stated that the property located on State Highway 107: 86 ft. from centerline for 172 ft. total existing ROW Paving: by the state Curb & gutter: by the state. Provide how existing ROW was dedicated with document number and provide a copy for staff review, prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. N.29th Street (Rooth Road): Dedication as needed for 50 ft. from centerline for 100 ft. total ROW. Paving: 65 ft. Curb & gutter: Both Sides. Show centerline on plat to finalize dedication requirements as noted above, prior to final. Any overlap of ROW dedication and existing easements must be resolved prior to final. - Please provide how existing ROW was dedicated on plat, prior to final. Please provide a copy of any referenced document regarding existing ROW. Correct the street name to "N.29th Street (Rooth Road)", prior to final. Clarify "Variable ROW" label prior to final. Show ROW at multiple points to clarify how it varies prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. 1,200 ft. Block Length. Subdivision Ordinance: Section 134-118. ROW: 20 ft. Paving: 16 ft. Engineer must clarify if alley or service drive will be provided, prior to final. Alley or service drive cannot dead-end. If service drive is proposed a plat note stating a "A minimum 24 ft. private service drive will be established as part of the site plan and must be maintained by the lot owners and not the City of McAllen", prior to final. Alley/service drive easement required for commercial properties. Subdivision Ordinance: Section 134-106. Front (State Highway) 107/North 29th Street: In accordance with the Zoning Ordinance or greater for approved site plan or easements, or inline with existing structures, whichever is greater applies. Proposing 45 ft. or greater for easements or in line with existing structures, whichever is greater. Engineer must clarify setback, 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. Proposing 10 ft. or greater for easements. Engineer must clarify setback, 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. Proposing 45 ft. or greater for easements or or in line with existing structures, whichever is greater. Revise side setback as shown above, prior to final. Zoning Ordinance: Section 138-356. Corner: See front setback note. Include a corner setback as shown above, prior to final. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 5 ft. wide minimum sidewalk required along State Highway 107 and a 4 ft. wide minimum sidewalk required along North 29th Street (Rooth Road). Sidewalk requirements may increase to 5 ft. per Engineering Department, plat note wording to be finalized, 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. 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. 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, etc. must be maintained by the lot owners and not the City of McAllen. Include a plat note as shown above wording to be finalized, prior to final. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning

Ordinance: Section 138-356. Existing:C-3 Proposed: C-3. Zoning Ordinance: Article V. Rezoning Needed before Final 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. Any abandonments must be done by separate process not by plat, prior to final. Must comply with City's Access Management Policy. Zoning Ordinance: Article V.

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

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

## b) Matias Estates Subdivision, 11600 North 29th Street, Matias Gonzalez (SUB2024-0126) (PRELIMINARY) SE

Mr. Julio Constantino stated that the property located on N.29th Street (Rooth Road): Dedication as needed for 50 ft. from centerline for 100 ft. total ROW. Paving: 65 ft. Curb & gutter: Both Sides. Revisions needed: There are some dimensions provided along N. 29th street that need to be clarified. (i.e. dimension for 20 ft. & 10 ft. that are free floating on the West). Need to label the Total R.O.W. after any dedication prior to final. Need to clearly show location of the centerline (C.L.) on the plat to finalize dedication requirements as noted above prior to final. Any overlap of R.O.W. dedication and existing easements must be resolved prior to final. There is an encroaching easement inside the dedication of R.O.W. Please clarify prior to final. Need to determine if the easements along the dedicated R.O.W. will need to be relocated. Abandonment of easements cannot be done by plat, must be done by a separate instrument. Need to provide a copy of all Easements/R.O.W. documents for staff review prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. COM Thoroughfare Plan. 1,200 ft. Block Length. Subdivision Ordinance: Section 134-118. Front: 45 ft. or in line with average setbacks of existing structures, or greater for easements, whichever is greater applies. Zoning Ordinance: Section 138-356. Rear:10 ft. or greater for easements. Zoning Ordinance: Section 138-356. Sides: In accordance with the zoning ordinance or greater for easements. 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 along N.29th Street (Rooth Road). Sidewalks are subject to increase to 5 ft. as per Engineering Department requirements, 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 multifamily residential and commercial, and industrial zones/uses. Revise note as shown above prior to final. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along. 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. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: R-1 and C-3 Proposed: R-1. Based on the submitted documents, the north portion of the property is zoned C-3 District. The engineer needs to verify the portion zoned C-3 District and submit a rezoning application with metes and bounds and survey. The rezoning must be approved by the City Commission prior to final approval. Zoning Ordinance: Article V. Rezoning Needed Before Final Approval. Based on the submitted documents. the north portion of the property is zoned C-3 District. The engineer needs to verify the portion zoned C-3 District and submit a rezoning application with metes and bounds and survey. The rezoning must

be approved by the City Commission prior to final approval. 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. If it's only one single family home then the fee is \$700. Pending review by the Parkland Dedication Advisory Board and CC. As per Traffic Department, Trip Generation for 1 lot subdivision will be waived. Dimensions on the survey and plat don't match. Clarify the discrepancy, review and revised as applicable prior to final. Need to remove the Zone C-3 and Zone R-1 line that is being shown on the plat, this is not required as part of the plat process. Please remove plat note #13, as City of McAllen does not require notes such as this. Need to provide an updated M+B & survey for staff review prior to final. Notary signature references signature date for Year 2023. Needs to be for that current year. Please update the parcel map on the location map. Revise all street references to N. 29th Street (Rooth Road) on plat prior to final. This is a resubmittal of a plat previously processed but not recorded, owing to the fact that the previous plat exceeded the 6-month requested extension. Must comply with City's Access Management Policy.

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

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

# c) Trevino Subdivision, 4212 Lark Avenue, Maria S. Sandoval (SUB2024-0124) (PRELIMINARY) RDE

Mr. Kaveh Forghanparast stated that the property located on Lark Avenue: ROW dedication as needed for 50 ft. from centerline for total 100 ft. ROW Paving: 65 ft. Curb & gutter: both sides Revisions needed: Label centerline and show and label the existing ROW and ROW on both sides of the centerline prior to final. Reference the document number for any existing ROW and provide a copy for staff review prior to final. Show and label the ROW dedication from centerline to verify compliance prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. 1,200 ft. Block Length. Subdivision Ordinance: Section 134-118. Front: 45 ft. or greater for easements or in line with existing structures, whichever is greater. Revise the setback note as shown above prior to final. Proposing: 10 ft. or greater for easements. Based on Sec. 134-106: In residential subdivisions which have lots abutting major or minor arterials or major collectors, the residences on such lots shall not face the major or minor arterial or major collector, unless: There shall be provided, in addition to any front setback, a 20-foot planting area (as defined in chapter 110, article II, Landscaping) between such lot and the major or minor arterial or major collector; Zoning Ordinance: Section 138-356. Rear (Proposing): In Accordance with the Zoning Ordinance or greater for easements. Zoning Ordinance: Section 138-356. Sides (Proposing): In Accordance with the Zoning Ordinance or greater for easements. Zoning Ordinance: Section 138-356. Corner (Proposing): 10 ft. or greater for easements. Clarify or remove the corner setback note as the proposed lot is not a corner lot. 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 Lark Avenue. Add a plat note as shown above prior to final. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Clarify/revise plat note #10 as shown above prior to final. Proposing: 6 ft. opaque buffer required from adjacent/between multi-family

residential and commercial, and industrial zones/uses and along La Lomita (Mile 6 1/2) Road and Brazos Avenue. 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. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: R-1 Proposed: R-1. Zoning Ordinance: Article V. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per the submitted application, one single-family lot is proposed. A park fee of \$700 is required prior to recording. As per Traffic Department, Trip Generation for one-lot subdivision is waived. There is an existing subdivision in City of McAllen under the name of "Trevino Subdivision." Revise the name of the subdivision on the originally submitted application and plat prior to final. Clarify the discrepancy between the subdivision dimension on the survey and plat prior to final. Clarify the 5.91 ft. of deed overlap labeled on the survey along the west side of the property prior to final. Clarify/remove plat notes #6, #14, and #18 prior to final. Clarify/revise plat note #13 referencing United Irrigation District prior to final. The submitted application mentions that the subject property is within Irrigation District No. 1. Clarify the three dashed lines shown for the existing 20 ft. drainage easement prior to final. Clarify the unlabeled dashed lines outside this subdivision boundary prior to final. If any existing easements are shown, add the document number prior to final. It seems that some lot lines outside this subdivision are shown with solid lines and some with dashed lines. Clarify and use a consistent method, i.e. solid line, to show all lot lines prior to final. Legal Description of all adjacent lots on all sides, including the lots on the south side of Lark, is needed prior to final. Provide an ownership map for the surrounding lots prior to final to make sure no parcel will be landlocked if this property is platted. All signature blocks must comply with Section 134-61 of the subdivision ordinance prior to recording. Must comply with City's Access Management Policy.

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

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

#### **ADJOURNMENT:**

There being no further business to come before the Planning & Zoning Commission, Mr. Marco Suarez adjourned the meeting at 4:27p.m. with Mr. Emilio Santos Jr. seconding the motion with four members present and voting.

		Michael Fallek, CHAIRPERSON
ATTEST:		
	Magda Ramirez, ADMINISTRATIVE ASSISTANT	•

## **Planning Department**

## Memo

**TO:** Planning and Zoning Commission

FROM: Planning Staff

**DATE:** February 26, 2025

SUBJECT: REQUEST OF SHARON B. FLORES ON BEHALF OF ST. JOHN'S EPISCOPAL

CHURCH & SCHOOL, FOR A CONDITIONAL USE PERMIT, AND ADOPTION OF AN ORDINANCE, FOR LIFE OF THE USE, FOR AN INSTITUTIONAL USE (CHURCH SCHOOL) AT LOT 9, BLOCK 1, MORNINGSIDE ADDITION SUBDIVISION, HIDALGO COUNTY, TEXAS; 2601 NORTH 8<sup>TH</sup> STREET.

(CUP2025-0006)

## **TABLED**

#### **BRIEF DESCRIPTION:**

The property is located on the west side of North 8<sup>th</sup> Street and it is zoned R-1 (single family residential) District. The adjacent zoning is C-3 (general business) District to the west and R-1 (single family residential) District in all the other directions. Surrounding land uses include church, offices, retail stores, apartments, and single-family residence.





#### **HISTORY:**

St. John's Episcopal Church to the west of the property has an existing Conditional Use Permit for an institutional use that was approved by City Commission on June 23, 1997. There is an existing Conditional Use Permit for properties owned by the church located at Lot 1 and Lot 2, Block 6, Morningside Subdivision for a school/daycare; which was

approved by City Commission on January 8, 1987 for life of the use. A Conditional Use Permit for property located Lot 3, Block 6, Morningside Subdivision for youth gathering and meetings for the church was approved by City Commission on November 24, 2014. St. John's Episcopal Church has now acquired the subject property and is proposing to use the existing building for a school. The acquired property will have its own Conditional Use Permit; therefore, the existing Conditional Use Permits of the Church will not be affected.

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

The applicant is proposing to use the property for the purposes of conducting school classes from the existing 7,358 sq. ft. one story building on site. An institutional use is allowed in a R-1 District with a Conditional Use Permit. The one-story building will consist of \*\* classrooms and \*\* offices and play area. Based on 1.5 parking spaces per classroom and 1.5 parking spaces per admin office, \*\* parking spaces are required for the one-story building and the proposed preschool. However, based on the \*\* sq. ft. of office use, The total parking spaces required \*\*, and \*\* spaces are provided on site. Should the number of offices and classrooms increase, then additional parking will be required.

Any future changes or additions to the site will require amended of the Conditional Use Permit.

Staff has not received any oppositions to the conditional use permit request.

The Health Department and Fire Department have inspected the establishment and found the place to be in compliance to continue the CUP process. The proposed use 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 access to North 8<sup>th</sup> Street and Highland Drive;
- 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; \*\* parking spaces are required, and \*\* spaces are provided, two of which are accessible. However, four of the provided spaces are required to be accessible, one of which must be van accessible. Should the number of offices and classrooms increase, then additional parking will be required;
- 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;
- 7) Sides adjacent to residentially zoned or used properties shall be screened by a 6 ft. opaque fence.

#### **RECOMMENDATION:**

Staff recommends approval of the request, for life of the use, subject to Section 138-118 and Section 138-396 (accessible parking requirements) of the Zoning Ordinance, Building Permit, and Fire Department requirements.

THE NEST 2.0 2601 N 8<sup>TH</sup> STREET MCALLEN TX 78501 SINK DISH FRIDGE WASHER STORAGE RESTROOM CLOSET KITCHEN ISLAND STAFF RESTROOM AC CLOSET CABINET CRIB ROOM PLAY AREA CUBBIES OFFICE FRONT DECK STEP STEP JAN 3 0 2025 DRIVEWAY RAMP

THE NEST 2.0 2601 N 8<sup>TH</sup> STREET MCALLEN TX 78501 RESTROOM 12'-7" DISH SINK **FRIDGE** STORAGE 37.46 sq.ft. WASHER **CLOSET** 24.17 sq.ft. 7'-3" 10'-9" 7'- 3" 4'-10" 10'-9" HALL 50.06 sq.ft. KITCHEN 5'- 2" ISLAND STAFF RESTROOM 29.58 sq.ft. KITCHEN AREA 189.92 sq.ft. 4'-6" 5'-11" 14'- 11 1/2" 17'-8" AC **CLOSET** 17' 0 1/2" 10' - 71/2" CABINET 11'1 PLAY AREA **CRIB ROOM** 195.81 sq.ft. 346.14 sq.ft. OFFICE **CUBBIES** 16'-7" 176.20 sq.ft. 17'-8" FRONT DECK STEP STEP DRIVEWAY RAMP





# Planning Department

## Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

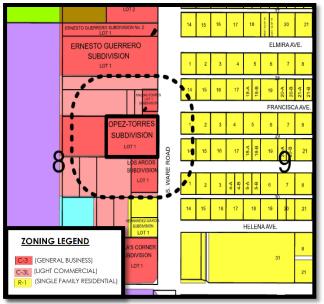
**DATE:** February 25, 2024

SUBJECT: Request of Sara C Lopez, for a Conditional Use Permit, for life of the

use, for a Single-Family Dwelling at Lot 1, Lopez-Torres Subdivision,

Hidalgo County, Texas; 4300 South Ware Road. (CUP2025-0009)

**BRIEF DESCRIPTION:** The property is located along west side of south ware road. The subject property is zoned C-3 (General Business) district. The adjacent zonings are C-3, C-3L (Light Commercial) district and, and R-1 (Single Family Residential) district. Surrounding land uses on the subject property are a Food Truck Park, Auto Sales Office, and Single-Family homes. A vaporizer store is allowed within a C-3 district with a Conditional Use Permit (CUP) and in compliance with requirements.





**HISTORY**: A Conditional Use Permit (CUP2005-47) for a single-family dwelling was approved on 2005 for the same address, the applicant is currently amending the CUP by requesting to add an enclosed canopy and a pool.

**SUMMARY/ANALYSIS:** The applicant is proposing to enclosed and existing unattached metal canopy of 45'X58" with an area of 2,610 square feet. The proposed pool has a dimension of 40'X40' with an area of 1,600 square feet.

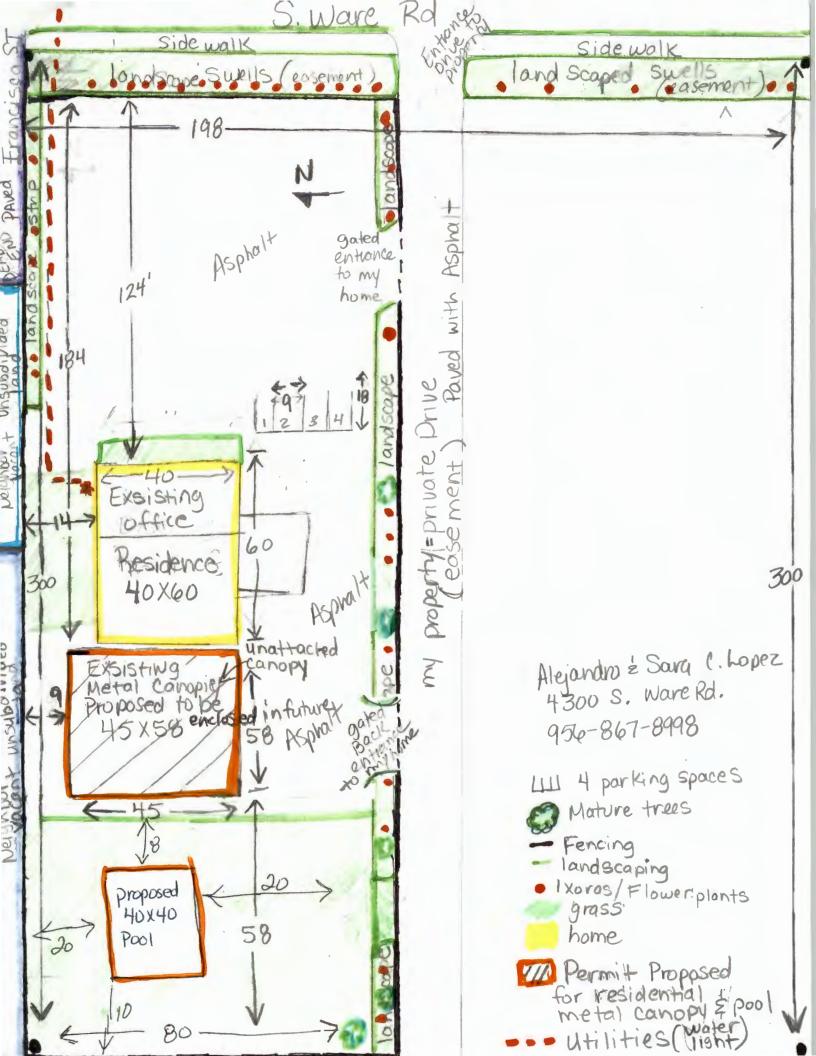
The Fire Department has inspected the location and indicated the CUP process may continue. The establishment must comply with requirements set forth in Section 138-176 of the Zoning Ordinance and specific requirements as follows:

- To provide sufficient space in a appropriate locations for residential development to meet the present and future housing needs of the city, with allowance for a diversity of sites.
- 2) To protect residential areas against pollution, environmental hazards and other objectionable influences.
- 3) To protect residential areas, as far as possible, against heavy and through traffic.
- 4) To protect residential areas against congestion, as far as possible, by managing the density of population in and around them; by providing for off-street parking spaces; and by providing open areas for rest and recreation and to break the monotony of continuous building bulk, thus providing a more desirable environment for urban living.
- 5) To provide for privacy and access of light and air to windows, as far as possible, through controls over the spacing and height of buildings and other structures.
- To promote the most desirable use of land and direction of building development not in conflict with the adopted policies of the city; to promote stability of residential development; to protect the character of the district; to conserve the value of land and buildings; and to protect the city's tax base.
- 7) 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;

If future residential additions are proposed for the property an amendment may be required. However as of July 2025, no CUP for single family-dwelling within a commercial district will be provided due to UDC's adoption. Any changes thereafter may require variances or it will be a nonconforming use

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

**RECOMMENDATION:** Staff recommends approval of the request for life of the use subject to conditions on Section 138-176 of the Zoning Ordinance.







## **Planning Department**

## Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

**DATE:** February 25, 2025

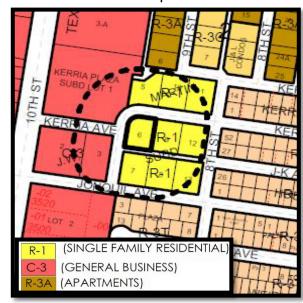
SUBJECT: Request of Rosa E. Estrada, for a Conditional Use Permit, for one year, for a

Home Occupation-Home Office at Lot 6, J.W. Martin Subdivision, Hidalgo

County, Texas; 817 Kerria Avenue. (CUP2025-0010)

#### **BRIEF DESCRIPTION:**

The property is located on the Southeast corner of Kerria Avenue and North 9<sup>th</sup> Street and it is zoned R-1 (single family residential) District. The adjacent zoning is R-1 District to the North, South, East & C-3 (general business) districts to the west. Surrounding land uses include single-family residences, townhouse, IBC bank and offices. A home occupation is permitted in an R-1 District with a conditional use permit.





#### HISTORY:

The previous Conditional Use Permit for this property was approved in November 13, 2023. The applicant applied on September 14, 2023, for a previous CUP2023-0128 for the same proposal which expired on October 17, 2024.

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

The applicant proposes to continue to operate an office for cleaning services from the existing

residence. The hours of operation are from 8:00 AM to 10:00 AM. Mondays only. The office will be used for placing orders and payroll. The applicant stated that the employees will not report to the office. Paychecks are done through direct deposit, meetings with employees will be conducted at another location.

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

- a) The home occupation shall be clearly secondary to the residential use. The applicant lives in a residence.
- b) One nameplate attached to the building not larger than two square feet is permitted in all districts except R-1 single-family residential district. No signs are proposed.
- c) No exterior display or alterations indication that the building is being used for any purpose other than residential shall be permitted.
- d) No more than one additional unrelated employee other than immediate family members residing on the premises shall be permitted.
- e) No outside storage of materials or products shall be permitted. The applicant proposed no storage of chemicals or equipment's will be at the residence.
- f) Traffic generated by the proposed use shall not exceed 10 % of the average load per hour per street.
- g) No retail sales shall be permitted. (items may be delivered)
- h) No additions to the residence or accessory building specifically to accommodate the use shall be permitted.
- i) The propose use shall take place in the primary residential structure rather than a detached garage or accessory building.
- j) The proposed use shall take place at the location specified on the permit.

Staff has not received phone calls in opposition to this cup request.

#### RECOMMENDATION:

Staff is recommending approval of the request for one year, subject to the conditions noted on sec. 138-118(1)

9/14/23

317 l'emia auce FORT Entrace DUK o thice to the 1 citchen Room 9> xx x6 TURDOM TV ROOM SEP 1 4 2023 Entrace divided by a counter FEB **0 4** 2025 Entrace to Ratio

DA





## **Planning Department**

## Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

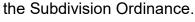
**DATE:** February 17, 2025

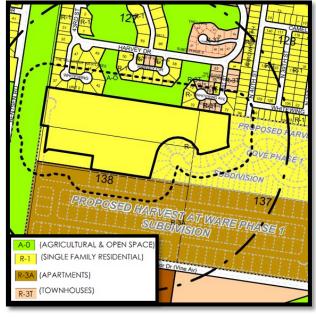
SUBJECT: REQUEST OF MELDEN AND HUNT INC. ON BEHALF OF ESCANABA,

LLC., FOR A CONDITIONAL USE PERMIT, FOR LIFE OF USE, AND ADOPTION OF AN ORDINANCE, FOR AN AMENDMENT TO A PLANNED UNIT DEVELOPMENT FOR HARVEST COVES PHASE II SUBDIVISION, HIDALGO COUNTY, TEXAS; 2601 NORTH WARE

ROAD. (CUP2025-0011)

BRIEF DESCRIPTION: The subject property is located along the west side of North Ware Road and generally 680 feet north of Warrior Drive (Vine Avenue). Harvest Cove Phase II consists of 17.438 acres of vacant land. The property is zoned R-1 (single family residential) District. The adjacent zoning is A-O (agricultural and open space) District to the north and west, R-3T (multifamily residential townhouses) District to the north, and R-1 District to the north and east. There is R-3A (multifamily residential apartments) District to the south. A Planned Unit Development (PUD) is permitted in a R-1 District with a Conditional Use Permit and in compliance with Article IV for Planned Developments of







**HISTORY:** A rezoning request from A-O District to R-1 District for this tract was approved by the City Commission on February 15, 2022. The Planning and Zoning Commission voted to approve the proposed subdivision plat in preliminary form subject to conditions noted, drainage and utilities approval on October 3, 2023 for Phase I and was approved by the City Commission at the meeting of February 12, 2024. The plat for Harvest Cove Phase II has been approved in final form at the meeting of February 4<sup>th</sup>, 2025. A request for a Planned Unit Development was submitted for Harvest Cove Phase I. On January 30, 2024 an application for a PUD - Harvest Cove Phase II was submitted. The PUD was approved at the City Commission Meeting of January 13, 2025. An Amendment for Phase II was submitted February 4<sup>th</sup>, 2025.

**REQUEST/ANALYSIS:** A request is being made for the Planned Unit Development to be reflecting the new plat conditions below. Currently, the property is vacant land. The proposed plat consists of 199 lots regarding Harvest Cove Phase I and II. The applicant is also proposing an 8 foot masonry wall as a proposed buffer for both Harvest Cove Phase I and Phase II. The applicant is proposing to develop a Planned Unit Development, which will include single family residences.

The proposed PUD for Harvest Cove Phase I and II was previously approved with the following variances:

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

The proposed PUD for Harvest Cove Phase II is requesting the follow amendment

• 5 feet side yard setbacks instead of 6 feet.

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

- 1. <u>CONCEPTUAL SITE PLAN:</u> Development and use of the property must comply with the conditional use permit conceptual site plan.
- PERMITTED USES: Permitted uses are uses permitted in the R-1 District for buildings designated as residential. The applicant is proposing single family residences and a common area.
- OFF-STREET PARKING AND LOADING: Parking should be in compliance with Chapter 134 Article VI, which requires two parking spaces per unit, with one being located beyond the front yard setback. Must provide floor plan with garage to determine if in compliance.
- 4. <u>LANDSCAPING:</u> Each lot requires 10% landscaping in an R-1 zone. Based on the lot area of 813,570.12 sq. ft., 81,357.012 sq. ft. of landscaping is required. Also,

50% of the required front yard must be landscape, including the side yard setback areas. Some lots such as lots 48, 50-52, 186 may not meet the 50% landscape requirement. A minimum of one tree is required. Must provide front landscaping area and trees to determine if in compliance. Some lots show driveway proposed to be located over a side yard setback, being not in compliance.

5. STREETS AND SETBACKS: Providing a of 60 ft. right-of-way for North 43rd Street. Provide minimum of 50 feet. right-of-way and 32 feet. of pavement for each interior street within the subdivision. Setbacks are Front: 20 ft. or greater for easements, whichever is greater; Rear: 10 feet. or greater or easements; Sides: 6 ft. or greater for easements; Corner: 10 feet. or greater for easements; and Garage: 18 feet. except where greater setback is required. An R-1 zone requires a front yard setback of 25 feet. on interior streets. The development is proposing less than 25 feet. of front yard setback and instead is proposing 20 feet. of front setback for each lot. Provide setback lines with building envelope on site plan with a 5 feet. wide minimum sidewalk required on Ware Road and a 5 feet. wide minimum sidewalk required on all interior street. Must provide sidewalk width dimension on site plan.

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

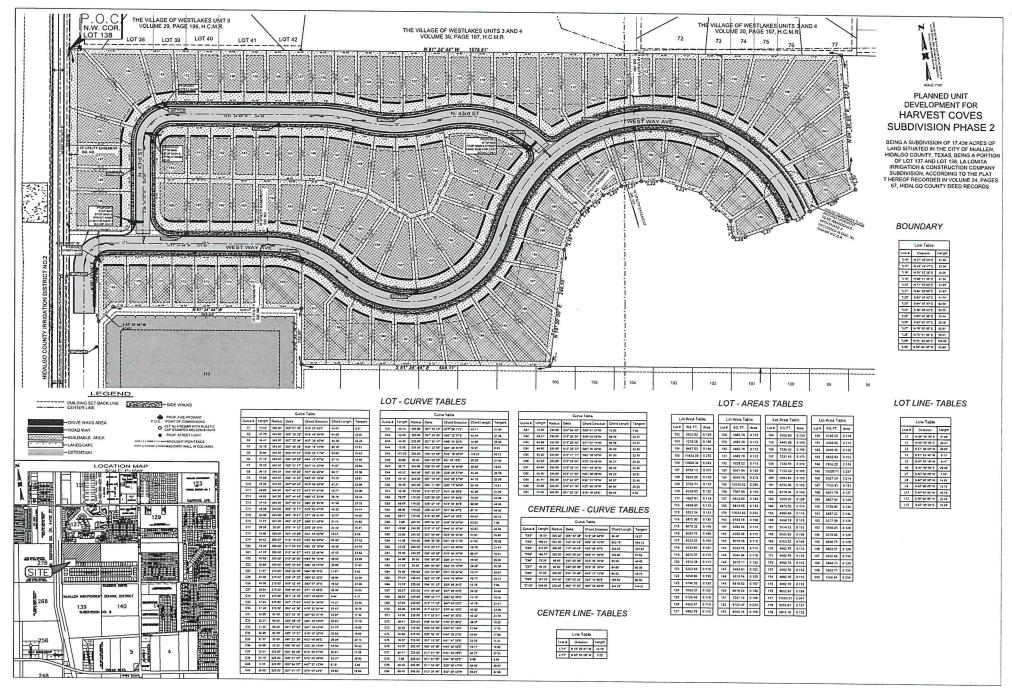
- 6. <u>DRAINAGE:</u> During the Harvest Cove Subdivision Phase I and II process final drainage detention and design and drainage plan must be submitted and in accordance with City of McAllen Standard Design Guide.
- 7. <u>ADDITIONAL PROVISIONS:</u> Conditional Use Permit site plan controls if there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

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

the building permitting process.

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

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



FEB 0 4 2025





# STATE OF TEXAS COUNTY OF HIDALGO THE OWNERS OF THE LAND SHOWN ON THIS PLANNED UNIT DEVELOPMENT SITE PLAN, HEREBY CERTIFY THAT THE CITY OF M-ALLEN HAS APPROVED OF THE PLANNED UNIT DEVELOPMENT AS DEPICTED. JEFFERY ERICKSON, MANAGER SESCAVABA LLC A TEXAS LIMITED LIABILITY COMPANY 3520 BUDDY OWENS AVENUE MCALLEN, TEXAS 78504 DATE RENE SALINAS RAMIREZ, MANAGER BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JEFFERY ERICXSON. KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCREED TO THE FORECOMED INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSED AND CONSIDERATIONS THEREIN GIPCH UNDER MY HAND AND IN-SEAL OF OFFICE, THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_\_ , 20 \_\_\_\_\_ NOTARY PUBLIC, FOR THE STATE OF TEXAS MY COMMISSION EXPIRES BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED <u>RENE SAL HAS RAWREZ</u> NIOWIN TO ME TO THE PERSON WHOSE HAWE IS SUBSCRIED TO THE FORECOME INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSED AND CONSIDERATIONS THEREIN OVER NIOMEN MY HAND AND SEAL OF OFFICE, THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_\_ . 20 \_\_\_\_\_ NOTARY PUBLIC, FOR THE STATE OF TEXAS MY COMMISSION EXPIRES STATE OF TEXAS COUNTY OF HIDALGO I, THE UNCERSIGNED, MARIO A. REYNA, A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN TO THIS SITE PLAT. MARIO A. REYNA, PROFESSIONAL ENGINEER # 117368 STATE OF TEXAS DATE PREPARED: 03-16-2023 DATE REVISED 10-01-2024 ENGINEERING JOB No. 23145 00 STATE OF TEXAS COUNTY OF HIDALGO I, THE UNDERSIGNED, ROBERTO N. TAMEZ, A REGISTERED PROFESSIONAL LAND SURVEYOR, IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE HEREIN PRESENTED SITE PLAN OF THE PLANNED UNTD DEVELOPMENT OF HAMYEST COWES SUBDIVISION HERES, "WAS PREPARADE FROM A SURVEY OF THE PROPERTY WAS CONTINUOUS BY WE OF UNDERSITY SUPERVISION ON 93-96-2023, AND THAT IT IS A TRUE AND ACCURATE REPRESENTATION OF THE SUBDIVISION OF THE

ROBERTO N. TAMEZ, REGISTERED PROFESSIONAL LAND SURVEYOR # 6238

PLANNED UNIT DEVELOPMENT FOR HARVEST COVES SUBDIVISION PHASE 2

BEING A SUBDIVISION OF 17.438 ACRES OF LAND SITUATED IN THE CITY OF MCALLEN, HIDALGO COUNTY, TEXAS, BEING A PORTION OF LOT 137 AND LOT 138, LA LOMITA IRRIGATION & CONSTRUCTION COMPANY SUBDIVISION, ACCORDING TO THE PLAT T HEREOF RECORDED IN VOLUME 24, PAGES 67, HIDALGO COUNTY DEED RECORDS.

AFRAL NOTES:
THE SITE LESS IN ZONE "C", ZONE "C" IS DEFINED AS AREAS OF MINIMAL PLOODING, ZONE "C" SHOWN
ON COMMUNITY PAREL NUMBER 4803M GHOO C MAP REVISED PROVIDENCE THE, 1942 &
COMMUNITY PAREL NUMBER 4803M GHOO C MAP REVISED NOVEMBER 2, 1942.

- 3 MINIMUM SETBACKS SHALL COMPLY WITH THE CITY OF MIGALLEN ZONING CODE

FRONT 20 FEET OR GIFATER FOR EASEMENT

FLAT OF FEET OR GENERAL FOR EASEMENT

FLETCH SIGHT. SHEET OR GENERAL FOR LASEMENT

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- COMMON RESIDENCE STATES AND THE CONTROL WHICH THE STATES AND THE CONTROL WHITE THE STATES AND THE CONTROL WAS AND THE CONTROL
- 4 NAVIEST COVES SUBDIVISION IS SUBJECT TO CITY OF MCALLEN PRONUNCE AS PER SECTION 134-122 MONAVICEST COVES SUBDIVISION PRIME RESTRICTIVE CONTENUES ROWS COMMERS ASSOCIATION BUT NOT LIMITED TO THYCH, BUT LONG ELECTRICIA, MCARCITICATION CONTINUES OF COMMERS ASSOCIATION RESTRICTIONS COOK
- HARVEST COVES SUBDIVISION RECORDED UNDER DOCUMENT NO \_\_\_\_\_\_

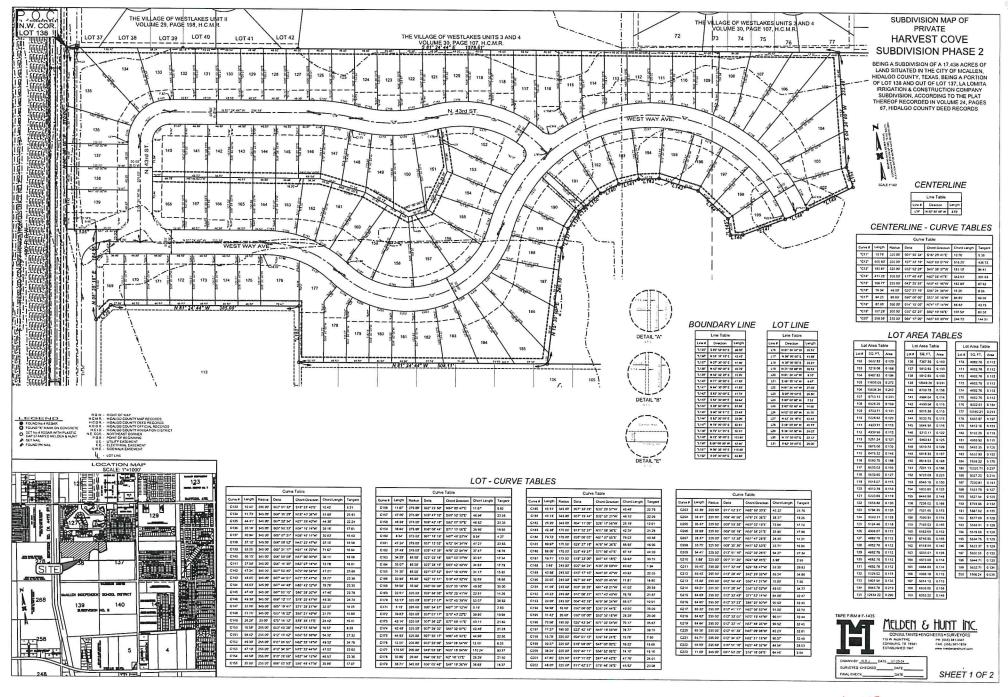
  RECORDS
- 8 NO 3 STORY BUILDINGS, MAX BUILDING HEIGHT TO BE 32
- 9 A TREE TO BE PROVIDED ON EACH LOT, EACH TREE MUST HAVE A 2.5 CALIFER MINIMUM
- 10 A 5 FT, MINIMUM SIDEWALK REQUIRED ALONG THE WEST SIDE OF WARE ROAD (F M 2220), AND A 4 FT MINIMUM SIDEWALK REQUIRED ALONG BOTH SIDES OF ALL INTERIOR STREETS.
- 11 SUBDIVISION APPROVED AS A PLANNED UNIT DEVELOPMENT (PUD) AT THE CITY COMMISSION MEETING OF FEBRUARY 12, 2024
- 12 DRIVEWAY FOR EACH LOT SHALL BE BUILT IN ACCORDANCE WITH MCALLEN ENGINEERING REQUIREMENTS WITHIN AREA.



MELDEN & HUNT INC

SHEET 2 OF 2

DRAWN BY R DE JESUS DATE 1903/23 SURVEYED, CHECKED JL G DATE 05:1873



#### SETBACK LOT DIMENSIONS TABLES

Line Table			Line Table					Line Table			1	Line Table		
Line f	Drecton	Length	Lin	.,	Direction	Length	1	Lnef	Direction	Length	1	Line 6	Direction	Length
Z135.	N 72" 37 00" E	22.07	-31	ır	H 08' 07 07' E	21.21	1	73210"	N 14" 07 1F E	11.00	1	2545	N 04" 07 07 E	20 84
3136	N ME 30 DO E	28.28	31	72	H 04. 00. 01. E	20 00	1	712117	M 34, 25, 24. E	nır	1	78248	5 08" 00" 00" W	22.00
3135	N F1" 00 00" E	47,47	31	14"	H 04.03.01.E	20.20	1	2317	N 57" 02 00" W	N2 OF	1	"\$2±0"	M 16" 2F 01" E	20.07
3135	N 90, 00, 00, E	19.M	31	75"	M 05, 00, 00. 6	21.28	1	321F	8 67 07 07 E	4367	1	"8261"	N 68" 38 18" E	21.56
2139	N 44" 00" 00" E	TT est	151	re	N 04, 00.03. F	22.91	1	2314.	M 99, 00 00, M	34 67	1	*5252"	5 CO" 35 16 W	105 57
3147	N 41' 00' 02' E	76.21	751	ır	H 04. 02 51. E	2347	1	"5215"	8 63" 07 97 E	22 907	1	"525J"	N 09' 07 07 E	21 25
"S141"	N 34" 00" 00" E	41 AF	31	75	N 04' 07 27 E	21 82	1	*\$216*	5 63" 07 07 E	23 407	1	TOM	N 41" 07 07 E	49.77
3145	N 22" 07 07 E	21.67	31	76	N 64' 07 07 E	21.45	1	3215	2 44" 30 OF E	20.0F	1	3255	H 00' 07 07 E	23.25
ZHT	N 30" 00" 00" E	28.21	'31	47	NOT OF STE	20 98	1	321F	5 24" 07 07 E	20.00		*5296*	M 09" 07 07" E	21.00
314.	N 10" 00 90" E	12.19	151	41"	N 05' 37 02' E	20.53	1	73218"	N 04, 02 03, E	22.00		"525F	N 34" 007 90" E	24.07
*S145*	N 04" 37 07" E	11.97	31	u.	N 04.03 02.M	21.75	1	*5220*	N 12" 37 OF E	20.00		'52%F	5 00' 00' 00' W	25.00
7145	N 64' 07 07 E	24.31	-31	ır	5 34" 07 07 E	29.71"	1	"3221°	N 44' 07 07 E	23.34		*8250"	HOPOTOTE	24.36
3147	N 08" 07 07 E	21.03	751	44.	5 65' 07 07 E	21.66	1	"522F"	N 44" 07 07 E	\$1.MF		*5260*	NOT OF STE	21.45
3145	N 68" 07 07 E	24.04"	31	e2.	5 81" 24" E	21.54	i	3227	N 41" 00 00" E	49.67		"5251"	H 07 37 97 E	22 57
THE	N 06, 03 02. E	11 17	31	M.	\$ 81" 07 OF E	21.67	1	"2224"	M 21' 00' 07' E	40.85		.zat.	N 00" 07 07 E	28.05
3157	N 06" 07 07 E	27.52	751	47	5 81" 00 00" E	22.21		"3225"	N 16' 07 07 E	31 6#		*5267*	N 14" 07 07 W	34.54
3131"	N 08" 07 07 E	44.0F	'51	ar.	8 81" 2F 44" E	21.72	١	"5226"	NOT OF OF E	24.47		"5254"	\$ 14" 07 07 E	94.55
312	N 04" 07 07 E	72.06	31	87	SOFOTOFW	34 18		*3227*	M CO' SE OF E	21.99		"5299"	1 29" OF OF E	60.17
3157	N 21' 00' 00" W	34.67	781	W	N 08, 79, 14, E	34.16		'8228'	H 09' 07 DT E	21.99		"5264"	1 35' 07 07 E	61.75
31M*	N 08" 07 G4" E	14.25	751	91"	\$ \$1" 00" 00" E	1977		71229"	M 04. 28. DE. E	29.32		3247	S S P OF OF E	61 547
"\$150"	N 62 34 44.E	eter	781	92	1 07 07 07 W	21.79		T130	H 09' 00' 07' E	22.17		.254.	577'08'10'E	34.77
3154	N 64" 07 01" E	41.05	31	95	5 09" 07 00" W	34.0F		.2511.	M 08.00.00.E	72 65		*320F	5 07 37 00 E	79 IF
3157	N 08' 07 01' E	12 95	751	w	2 08. 04 03. M	24 36		*1227	H 09' 00 00' E	22 65		3210	554"37.07.6	20 00
*5154F	N 04" 07 07" E	23.94	*51	95"	5 0F 07 0F W	24.65		Tim	H 08, 00. 03. E	22.99		*52/1"	5 3F 07 0F E	20.01
3155	N277244E	77 48	*51	и	5 00' 00' 53' W	22.7E		2334°	N 00" 07 93" E	24.90		*\$212*	\$ 37' 07 07 E	29.00
3150	N 08, 03.01.E	39.94T	751	er	HOT OF DE	22.61		-8235°	\$ 41" 00" 93" E	19.27		TOTT	Sperberers	20.00
310T	N 06.03.03.E	23.54	*51	or	5 00" 00" 15" W	2141		TENT	\$41" 00 00 E	18.65		*5274*	5 12" 00" 00" E	20 07
Z161°	NOT OF CITE	28.54	*51	w	H 04. 32. 14. E	21.54"		3227	2 C4" 07 07 W	21.90		"5275"	5 00" NY 00" W	20.00
316	# 04.00 CLE	21.47	*52	œ	H 0Y 07 07 E	20.45		'52XF	N 41" 24" 44" W	15.07		*5216	N 13" 27 11" E	20.00
3167	N 08. 03.03. C	21.04	*12	91"	H 04: 35: 16" E	20.74		2337	N41'24'W	15.00		*527F	NSS. PC SA. E	20.00
"S164"	MOST OF CT E	12.01	152	v.	N 12" 30" 00" E	22.45		73247	5 04" 00" 00" W	21.5F		*5277	N 38" 37 00" E	20.00
3165	NOT OF CITE	26.91"	*52	ır	H 18' 07 07 E	21.0V		3241*	N 04' 00' 07' E	21.05		*5274	N 51" 37 07 C	20.00
3165	NOT OF CE	35.26	712	14"	H 18' 00' 00" E	21.0V		3242	H 08. 32. 14. E	23.57		"1297"	H 64" 07 07 E	20.00
3167	M 04. 03.63. 6	1120	75.2	:a-	N 14' 57 54' E	27.41		324F	N 06" 00" 00" E	20,107		.2721.	N78" 07 07 E	20.37
3145"	N 04.03.03.E	22.72	73.2	×	N 04" 11" 37" E	25.45		234.	1 04' 07 97 W	21.10		332	N 71' 07 07 E	40.02
5105	NOG. OT CLE	25.77	752	27	M 00, 34.36. E	29 12		"5245"	M 09, 32, IL. E	nu	,			
3175	N 04, 04 CL.E	26.35	*52	34"	M 00, 00.00. E	32 A.F		73246"	H 64. 37. 16. E	20.16				
3171	HO4"07 67 E	31.35	78.2	7	N 00' 00' 00' E	17.17		"\$24F"	8 C8" 02 07 W	21.16				

#### GENERAL NOTES

- THE STIELDES IN ZONE "C". ZONE "C" IS DEFINED AS AREAS OF MINIMAL FLOQUING.
  ZONE "C" SHOWN ON COMMUNITY PAVEL NUMBER 480334 0400 C
  MAP REVISED NOVEMBER 18, 120
  A COMMUNITY PAVEL NUMBER 480334 0500 C
  MAP REVISED NOVEMBER 2, 130.
- MINIMUM FINISH FLOOR ELEVATION SHALL BE 18" ABOVE TOP OF CURB AT CENTER OF LOT
- 3 MINIMUM SETBACKS SHALL COMPLY WITH THE CITY OF MOALLEN ZONING CODE UNION SET STANCE SHALL COMPLY WITH THE CITY OF WALLEN DRIVING CIDE:
  FRONT PIECE OF GEGETATE FOLLOWERS OR AS SHOWN REPORT SETENCE TABLE.
  FRANK STATEON SCORE.
  FIRST OR GENERATE FOLLOWERS.
  FIRST OF GENERATING FOLLOWERS.
  FIRST OF GENERATING FOLLOWERS.
  FIRST OR GENERATING FOLLOWERS.
  FIRST OF GENERATING FOLLOWERS.

- NOTE: ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN. REQUIRED STORM SEVER RUNOFF DETENTION FOR THIS SUBDIVISION AS PER THE APPROVED DRAINAGE REPORT: 134,502 CUBIC FEET (120) AC-FT.) TO BE FROYDED WITHIN DESIGNATED DETENTION AREA.
- 6. NO STRUCTURES PERMITTED TO BE BUILT OVER EASEMENTS
- AN 5 FT, MENMAN SIDEWALK REQUIRED ALONG THE WEST SIDE OF WARE ROAD, AND A 4 FT, MREMUM SIDEWALK REQUIRED ALONG BOTH SIDES OF ALL INTERIOR STREETS AND INS COLLECTOR STREET AS ADM ICARD.
- 8 25 FT. x 25 FT. SIGHT OBSTRUCTION CLIP REQUIRED AT ALL STREET INTERSECTIONS, AND 10 FT X 10 FT SITE GBSTRUCTION CLIP REQUIRED AT ALL STREET/ALLEY INTERSECTIONS.
- 6 FT. OPAQUE SUFFER REQUIRED FROM ADJACENT/ BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL AND INDUSTRIAL ZONESUSES AND ALONG COLLECTOR STREET AS APPLICABLE.
- AN 8 FT. MASONRY WALL IS REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL INDUSTRIAL, OH MILL 11 FAMILY RESIDENTIAL ZONES ASSES.
  PERMETER BUFFFERS MUST LEE BUILT AT THAT OF SUBDIVISION IMPROVEMENTS.
- 11 SET No. 4 REBARS WITH PLASTIC CAP STAMPED MELDEN AND HUNT ON ALL LOT CORNERS
- 12 COMMON OR DETENTION AREAS, ANY PRIVATE STREETS/ALLEYS OR DRIVES, AND/OR GATES MUST BE MAINTAINED BY THE PROPERTY DWINERSHOA AND NOT THE CITY OF MAILEN
- 13. NO CURB CUT, ACCESS, OR LOT FRONTAGE PERMITTED ALONG IN WARE RD. AND OTHER STREETS AS APPLICABLE
- EXPLOYED HONEOWIETS ASSOCIATION OWNER, THEIR SUCCESSORS AND ASSIGNES. AND NOT THE CITY OF MALIN SHALL BE REPORTED AT FOR COMMUNICAL OF INSTITUTION AND MAINTENANCE AND OTHER REQUIREMENTS PER SECTION 110.72 OF THE SUBMINISH OF DEPRHAMES, MICHAEL BY LIMITED TO COMMON AREAS, AND ITS PRIVATE STREETS.
- As A PER CELAPATION OF CONTAINTS CONCINUES, AND RESTRICTIONS, FOR HARVEST COM-CONTROL SHAPE AND A PER SHAPE A

### SUBDIVISION MAP OF PRIVATE

## HARVEST COVE SUBDIVISION PHASE 2

BEING A SUBDIVISION OF A 17.438 ACRES OF LAND SITUATED IN THE CITY OF MCALLEN, HIDALGO COUNTY, TEXAS BEING A PORTION OF LOT 138 AND OUT OF LOT 137, LA LOMITA IRRIGATION & CONSTRUCTION COMPANY SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 24, PAGES 67, HIDALGO COUNTY DEED RECORDS.

#### METES AND BOUNDS DESCRIPTION:

A THAT OF LINE CONTINUES IT AS ACRES STIMITED IN THE CITY OF MALLER, COUNTY OF MINIOCOT TEAS DOES OFF OF 15 THE PROTECTION OF THE PLAT THEREOF RECORDED IN VISIALISE AS PAGE ET, HOULD COUNTY DEED RECORDED TO THE PLAT THEREOF RECORDED IN VISIALISE AS PAGE ET, HOULD COUNTY DEED RECORDED WHOM THE AT THE ACRES AS PAGE OF A CENTRAL TREAT COUNTED TO THE ACRES AS PAGE OF A CENTRAL TREAT COUNTY TO THE ACRES AS PAGE OF THE ACRES AS PAGE OF THE ACRES AS THE ACRES AS PAGE OF THE ACRES AS THE A

BEGINNING AT A NO. 4 REBAR SET ON THE NORTHWEST CORNER OF SAID LOT 136 FOR THE NORTHWEST CORNER OF THIS HEREIN DESCRIBED TRACT.

- THEORY S. SHITS HE AND THE MOTH LIKE OF BAD, OF THE AT A DETENDED OF THE METERS AND IS THE MOTHER CHARGE OF THE METERS AND IS THE MATERIAL PROPERTY OF THE METERS AND THE M
- 3 THENCE, S 09° 30' 60° W A DISTANCE OF 42.80 FEET TO A NO. 4 REBAR SET FOR THE NORTHERNMOST SOUTHEAST CORNER OF THIS TRACT;
- 4 THENCE, \$ 72" 30" OV M A DISTANCE OF 103 95 FEET TO A NO. 4 REBAR SET FOR AN OUTSIDE CORNER OF THIS TRACT;
- 5 THENCE, S 73" 51" 55" W. A DISTANCE OF 50:01 FEET TO A NO. 4 REBAR SET FOR AN OUTSIDE CORNER OF THIS TRACT.
- 6 THENCE, S 78" 07" 00" W A DISTANCE OF 92 61 FEET TO A NO. 4 REBAR SET FOR AN OUTSIDE CORNER OF THIS TRACT.
- 7. THENCE, N 82" 37 50" W. A DISTANCE OF 25 06 FEET TO A NO. 4 REBAR SET FOR AN OUTSIDE COINSER OF THIS TRACT;
- 8 THENCE, N 00" 39" 51" W.A. DISTANCE OF 33 49 FEET TO A NO. 4 REBAR SET FOR AN OUTSIDE CORNER OF THIS TRACT;
- 9 THENCE, N 38" 30" CO" W. A DISTANCE OF 83:55 FEET TO A NO. 4 REBAR SET FOR AN INSIDE CORNER OF THIS TRACT,
- 10. THENCE, N 64" 37 00" W A DISTANCE OF 83.64 FEET TO A NO. 4 REBAR SET FOR AN INSIDE CORNER OF THIS TRACT. 11. THENCE, N 83" 30" OV W A DISTANCE OF 41.74 FEET TO A NO. 4 REBAR SET FOR AN INSIDE CONNER OF THIS TRACT.
- 12. THENCE, S M\* 37 OT W A DISTANCE OF 41.93 FEET TO A NO. 4 REBAR SET FOR AN INSIDE CORNUR OF THIS TRACT. 13. THENCE, S 71" 30" OF W A DISTANCE OF 41 23 FEET TO A NO. 4 REBAR SET FOR AN INSIDE CORNER OF THIS TRACT.
- 14. THENCE, 3 56" OF 90" W. A DISTANCE OF 42 56 FEET TO A NO. 4 REBAR SET FOR AN INSIDE CORNER OF THIS TRACT,
- 15. THENCE, \$ 55" 52 27" W.A. DISTANCE OF 15:05 FEET TO A NO. 4 REBAR SET FOR AN INSIDE CORNER OF THIS TRACT.
- 16 THENCE, S 42" OF 30" W A DISTANCE OF 41.29 FEET TO A NO. 4 REBAR SET FOR AN INSIDE CORNER OF THIS TRACT.
- 17. THENCE, S 27" 30" W A DISTANCE OF 41.66 FEET TO A NO. 4 REBAR SET FOR AN INSIDE CORNER OF THIS TRACT:
- 18. THENCE, S. 15" 30" OF W. A DISTANCE OF 240 10 FEET TO A NO. 4 REBAR SET FOR THE SOUTHERNMOST SOUTHEAST CORNER OF THIS TRACT;
- 19. THENCE, N 81° 24° 44° W. A DISTANCE OF 508 10 FEET TO A NO. 4 REBAR SET FOR THE EASTERNMOST SOUTHWEST CORNER OF THIS TRACT.
- 20. THENCE, N 68" 39' 16" E. A DISTANCE OF 115:00 FEET TO A NO. 4 REBAR SET FOR AN INSIDE CORNER OF THIS TRACT.
- 21. THENCE, N 81" 24" 44" W.A. DISTANCE OF 385 00 FEET TO A NO. 4 REBAR SET FOR AN INSIDE CORNER OF THIS TRACT; 22. THENCE, S. 53\* 30: 16" W. A. DISTANCE OF 42.43 FEET TO A NO. 4 REBAR SET FOR THE WESTERNMOST SOUTHWEST CORNER OF THIS TRACT.
- 23. THENCE, N C4" 35" 16" E. A DISTANCE OF 156 35 FEET TO A NO. 4 REBAR SET FOR AN INSIDE CORNER OF THIS TRACT,
- 25. THENCE, N OS' 35' 16" E ALONG THE WEST LINE OF SAID LOT 138, A DISTANCE OF 370.00 FEET TO THE POINT OF BEGINNING AND CONTAMING 17:438 ACRES OF LAND, MORE OR LESS:

CHAIN, ADTS CONTINUE!

18 COMMON OR DETENTION MEAS, ANY PRIVATE STREET / ALLEYS OR DRIVES, AND OR GATES FOR LANDSCAPING MUST BE MAINTAINED BY THE PROPERTY OWNERS/THE HOA. AND NOT THE CITY OF MULLEN

GENERAL NOTES : CONTINUE

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

MAYOR, CITY OF Meal LEN

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.

HIDALGO COUNTY IRRIGATION DISTRICT NO. 2

THIS PLAT IS HEREBY APPROVED BY THE HIDALGO COUNTY IRRIGATION DISTRICT No. 2 ON THIS. . 20

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

SECRETARY

#### APPROVED BY DRAINAGE DISTRICT.

HIDALGO COUNTY DRAMAGE DISTRICT NO 1 HERBEY CERTIFIES THAT THE DRAMAGE PLAIS FOR THIS SUBDIVISION COUNTY WITH THE WINNIUM STANDARDS OF THE DISTRICT ADDITED UNDER TEXAS WATER CODE (#97211 (C) THE OSTRICTHAS JOINT FOREVERD AND COSE NOT CERTIFY THAT THE DRAMAGE STRUCTURES DESCRIBED ARE APPROPRIATE FOR THE SPECIFIC SUBDIVISION BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA IT IS THE RESPONSIBILITY OF THE DEVELOPER AND MISS DESCRIBET ON MARE THESE DEFENDATIONS.

HIDALGO COUNTY DRAINAGE DISTRICT NO.1

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

I (WE), THE UNDERSIGNED, LIEN HOLDERIS) (OR DULLY AUTHORIZED OFFICERS OF THE HOLDERIS)) OF A SECURITY MITERIAL TO THE AGOVE DESCRIBED REAL PROPERTY. AS SHOWN ON THIS PLAT, AND DESIGNATED HERROR AS LIMITED FOR THE PLAT, AND DESIGNATION OF THE REAL PROPERTY AS PROVIDED FOR VINCENT THE PLAT, AND DESCRIBED REAL PROPERTY AS PROVIDED FOR VINCENT THE PLAT, AND OF THE PROPERTY AS PLAT OF THE PROPERTY AS PLAT OF THE PROPERTY AS PROVIDED FOR MEETING.

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

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED MARIN J. ESPINOSA. KNOWN TO ME TO SO THE PERSON WHOSE KNAME IS SUBSCRIBED TO THE FOREOGING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXCLUTED THE SAME FOR THE PURPOSED AND CONSIDERATIONS THEREIN GREW INDER MY HAVE

SURVEYED, CHECKED \_\_\_\_\_ DATE \_\_\_ INAL CHECK

TBPE FIRM # F-1435

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

NOTARY PUBLIC, FOR THE STATE OF TEXAS MY COMMISSION EXPIRES:

I, THE UNDERSCRIED, OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS . HARVEST COVE SURDIVISION PHANE? 3 UNDERSCRIED HEREIT OF MALLEN, TEXAS, AND WHOSE NAME IS SUBSCRIED HEREITO, HEREIT OCCUPATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARCES, WITCH ARE STALLED ON WISH HE WITCH AND ALL STREETS, ALLEY AND ALLEY

JEFFERY ERICKSON, MANAGER ESCANABA, LLC
A TEXAS LIMITED LIABILITY COMPANY
3520 BUDDY OWENS AVENUE
M6ALLEN, TEXAS 78504

RENE SALINAS RAMIREZ, MANAGER

ESCANABA, LLC A TEXAS LIMITED LIABILITY COMPANY McALLEN, TEXAS 78504

STATE OF TEXAS COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIONED AUTHORITY, ON THIS DAY PERSONALLY APPEARED. EFFERY ERICKSON. KNOWN TO ME TO BEET THE PERSON WHOSE TAMBE IS SUBSCRIBED TO THE FORECOME INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE ENCURTED THE SAME FOR THE PURPOSED AND CONSECRATIONS THEREON OFFEN INCIDENT IN FAMOL AND

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

NOTARY PUBLIC, FOR THE STATE OF TEXAS

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

SEAL OF OFFICE, THIS THE DAY OF

NOTARY PUBLIC, FOR THE STATE OF TEXAS

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

MARIO A REYNA, PROFESSIONAL ENGINEER # 117388 STATE OF TEXAS DATE PREPARED: 11-16-2023 DATE REVISED: 11-10-2023



I, THE WAGERSOMES RUBHEL DE JESUS, A RIGHETIERD PROFESSIVAL DATA SURVIVOR IN THE STATE OF TEXAS, DO THEREFOR CERTIFY THAT THE REPER REPERIETE PLAT AND SECRETION OF LIBERISTIC OCCUR. THE STATE OF TEXAS, DO PREPARED FROM A SURVEY OF THE PROPERTY MADE OF THE CROUND BY ME OF TUDBER MY SUPPLY STATE OF THE ADMINISTRATION OF THE MEMORY STATE OF THE SUBMINISTRATION OF THE SUBMINISTRATION OF THE MEMORY STATE OF THE SUBMINISTRATION OF TH

RUBEN J DE JESUS, REGISTERED PROFESSIONAL LAND SURVEYOR # 6813 STATE OF TEXAS DATE SURVEYED: 12-10-2021 SURVEY JOB No. 21999 23







PISTRUMENT NUMBER OF THE MAP RECORDS OF HIDALDO COUNTY

SHEET 2 OF 2



# Memo

**TO:** Planning and Zoning Commission

FROM: Planning Staff

**DATE:** February 20, 2025

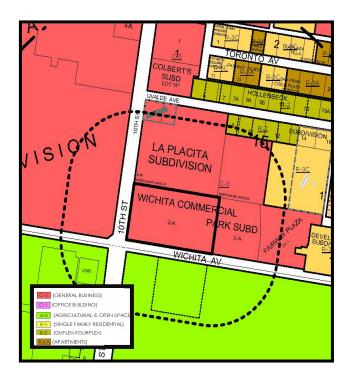
SUBJECT: REQUEST OF OL BEVERAGE HOLDINGS, LLC FOR A CONDITIONAL USE

PERMIT, FOR ONE YEAR, FOR A BAR AT LOT A2, LOTS A 2 & A3 WICHITA

COMMERCIAL PARK SUBDIVISION, HIDALGO COUNTY, TEXAS; 2121

**SOUTH 10<sup>TH</sup> STREET. (CUP2025-0012)** 

**DESCRIPTION:** The property is located on the northwest corner of South 10<sup>th</sup> Street and Wichita Avenue and is zoned C-3 (general business) District. The adjacent zoning is C-3 District to the north, west, and east, and A-O (agricultural and open space) District to the south. Surrounding land uses include McAllen Country Club, Logan's Roadhouse, Mccrery Aviation Co., La Placita retail plaza, Fairway Plaza Shopping Center, and multifamily condominiums. A bar is allowed in a C-3 District with a Conditional Use Permit and in compliance with requirements.





**HISTORY**: The initial Conditional Use Permit was approved by the City Commission on December 4, 2020 with a variance to the distance requirement of being at least 400 feet from the nearest residence or residentially zoned property, church, school, or publicly owned property. The permit has been renewed annually since 2020. The current application was submitted February 4<sup>th</sup>, 2025.

**ANALYSIS**: The applicant is proposing to continue operating the bar (Ojos Locos Sports Cantina) from the existing 6,450 square foot building. The proposed hours of operation would be from 11 a.m. to 12 a.m. Sunday through Wednesday and 11 a.m. to 2 a.m. Thursday through Saturday.

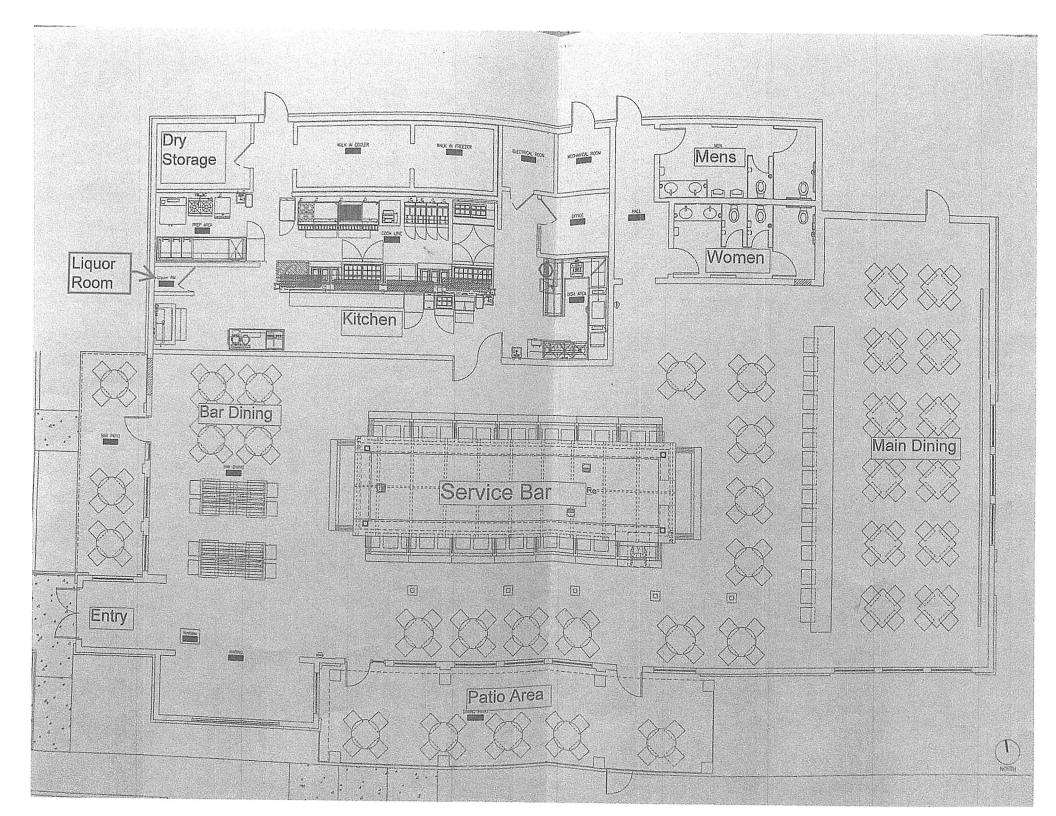
The Health Department and Fire Department have inspected the bar and determined the property to be in compliance. The establishment must also meet the requirements set forth in Section 138-118(4) of the Zoning Ordinance and specific requirements as follows:

- 1) The property line of the lot of any of the abovementioned businesses must be at least 400 feet from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruptions of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The establishment is within 400 feet. of the residential zone/use to the north;
- 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 establishment has direct access to South 10th Street;
- 3) The abovementioned businesses must provide parking in accordance with the city offstreet parking ordinance as a minimum, and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional onsite parking. 65 parking spaces are required and are provided as per site plan.
- 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 received no complaints regarding this use.

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







# Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

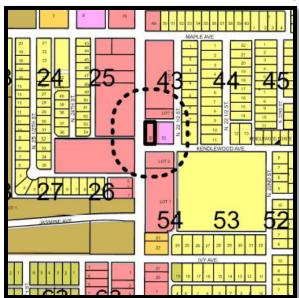
**DATE:** February 20, 2025

SUBJECT: REQUEST OF EVELIO ESTRADA MARTINEZ FOR A CONDITIONAL

USE PERMIT, FOR ONE YEAR, FOR A PORTABLE FOOD CONCESSION STAND (SNOW CONE STAND) AT LOT 9 AND THE W21' OF LOT 10, KENDLEWOOD HEIGHTS SUBDIVISION NO. 3, HIDALGO

COUNTY, TEXAS; 1100 NORTH 23RD STREET. (CUP2025-0013)

**BRIEF DESCRIPTION:** The property is located at the northeast corner of North 23rd Street and Kendlewood Ave. It is zoned C-3 (general business) District. The adjacent zoning is C-3 (general business) District to the north, west and south, and C-1 (office building) District to the east. A portable food concession stand is allowed in a C-3 District with a Conditional Use Permit and in compliance with requirements.





HISTORY: The initial conditional use permit was approved for one year by the Planning and Zoning Commission on September 3, 1996. The applicant never met requirements and the permit subsequently expired. Planning and Zoning Commission approved a new conditional use permit on March 2, 1999 for one year. The snow cone stand remained in operation; however, the conditional use permit was not renewed. On June 22, 2004, the applicant was issued a notice of violation to apply for a conditional use permit and bring the use into compliance with the zoning ordinance. Subsequently, the applicant submitted a conditional use permit application to comply with requirements of the Zoning Ordinance. They renewed

annually until 2023. No renewal was done in 2024. A new application for a conditional use permit for a portable food concession stand was submitted on February 6, 2025.

**ANALYSIS:** The applicant is proposing to continue to operate a portable food concession stand (Estradas Snow Ball) on the property. Four parking spaces are required for the snow cone stand.

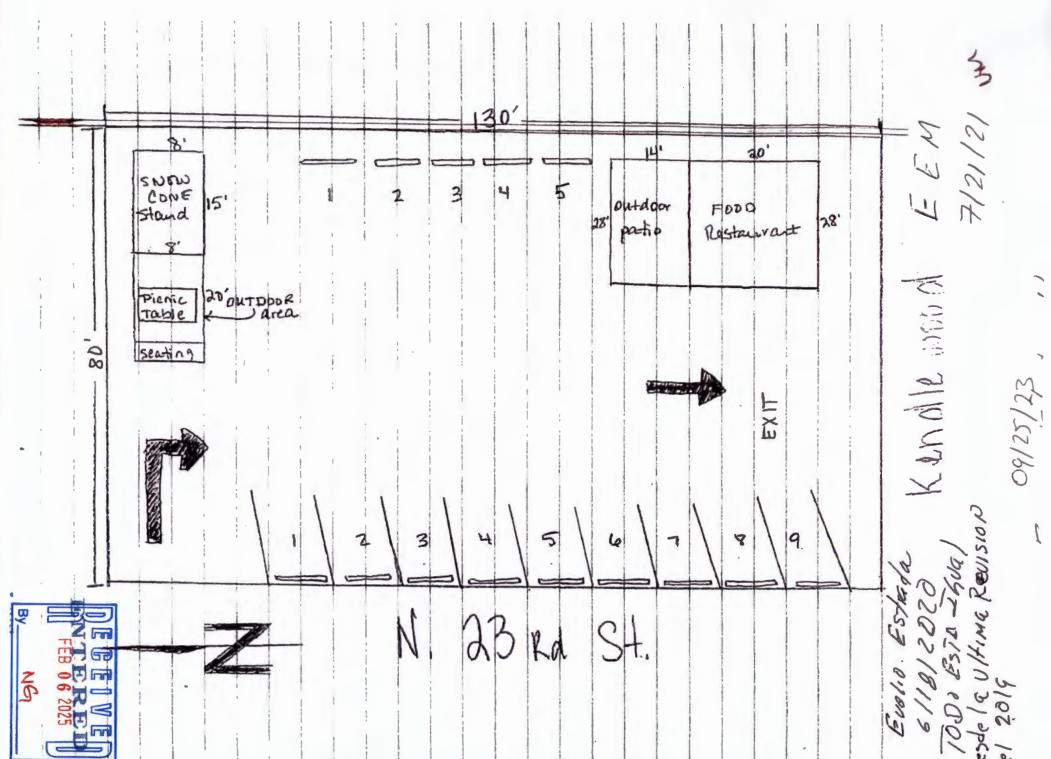
The Fire and Health Department inspections have been completed and have allowed the CUP process to continue. The portable building must also meet the requirements set forth in Section 138-118(9) of the Zoning Ordinance as follows:

- 1) The proposed use shall not be located in a residentially zoned area. Betty-Rose Subdivision is zoned C-3 District.
- 2) The proposed use must be inspected by Building Inspection Department staff and meet applicable building codes.
- Must have paved off-street parking available over and above what is required for the business to which it is adjacent; 4 parking spaces are required, and 4 parking spaces are being provided on the site plan. Section 138-400 of the Zoning Ordinance, states that the parking lot must be properly striped and free of potholes;
- 4) Portable building must be anchored to the ground properly;
- 5) Must meet setback requirements of the zoning district in which it is located; and
- 6) Water and sewer facilities shall be required to the tract and may be required to the proposed use.

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

# **RECOMMENDATION:**

Staff recommends approval of the request, for one year, subject to Section 138-118(9) of the Zoning Ordinance, and Health and Fire Department requirements.





# Memo

**TO:** Planning and Zoning Commission

FROM: Planning Staff

**DATE:** February 19, 2025

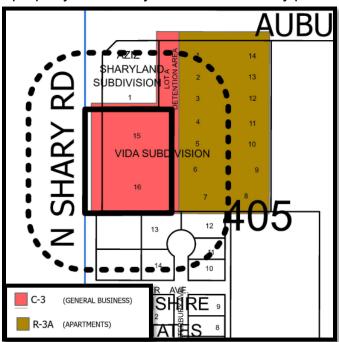
SUBJECT: REZONE FROM C-3 (GENERAL BUSINESS) DISTRICT TO C-2 (REGIONAL

COMMERCIAL) DISTRICT: LOTS 15 AND 16, VIDA SUBDIVISION, HIDALGO COUNTY, TEXAS; 7700 AND 7760 NORTH SHARY ROAD. (REZ2025-0003)

**LOCATION:** The subject properties are located along the east side of North Shary Road, approximately 260 feet south of 5 Mile Line Road. The properties are zoned C-3 (General

Business) District.

**PROPOSAL:** The applicant is requesting to rezone the properties to C-2 (Regional Commercial) District in order to construct a multi-tenant commercial building on each lot. The property is currently vacant. A feasibility plan has been submitted and is attached to the packet.





**ADJACENT ZONING:** The adjacent property to the east (Lot A – detention area) is zoned C-3 District. There is also R-3A (Multifamily Residential Apartments) District on the east side of the detention area. The surrounding properties in all other directions are outside of the McAllen City Limits.

**LAND USE:** The property is currently vacant. Surrounding uses include vacant land, single family residencies, Aziz Quick Shop, and apartments for Vida Subdivision.

**FUTURE LAND USE PLAN:** The Envision McAllen Future Land Use Plan designates the future land use for this property as Complete Communities. The designation consists of areas that are majority residential, with some office, retail, and other non-residential uses that serve residents.

**DEVELOPMENT TRENDS:** The development trend of North Shary Road and 5 Mile Line Road is a mix of commercial, agricultural, and residential uses.

**HISTORY:** The subdivision plat was recorded on January 16, 2024.

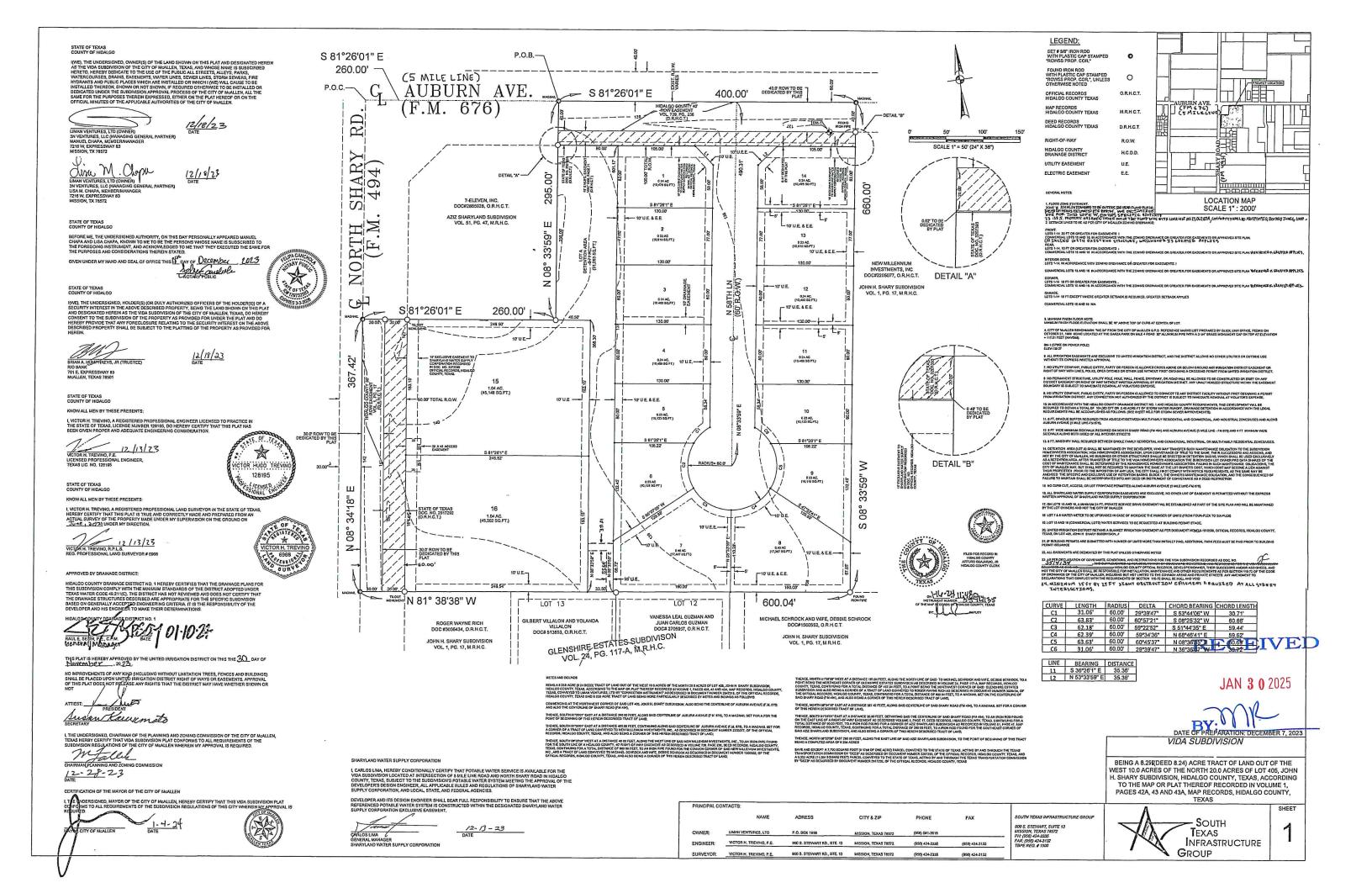
**ANALYSIS:** The requested zoning conforms to the future land use designation as shown on the Envision McAllen Future Land Use Plan. The property is currently zoned for commercial use as C-3 District. A C-3 zone is now classified as a C-2 zone under the recently adopted City of McAllen Unified Development Code (UDC). The rezoning request is to allow for processing of this proposed development under the Unified Development Code.

A site plan review may be required prior to building permit issuance for any future developments on these properties. Any future developments must comply with Zoning Ordinances, Building Permit, Fire Department, and conditional use requirements of the zoning district in which it is located.

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

**RECOMMENDATION:** Staff recommends approval of the rezoning request to C-2 (Regional Commercial) District.

PRINT THIS FORMAT IN 24" x 36" **LOT 15 LOT 16** -183.15.-10.00 EASEMENT 10'-0" 146.00 SUITE A 1731 SF SUITE B 1042 SF C 1042 SF SUITE D 1042 SF SUITE SUITE F | 1731 \$F SUITE IG 1731 SF SUITE H 1042 SF SUITE J 1042 SF 1042 SF 1042 SF 1731 SF 1042 SF 10.00 EASEMENT 10:-0" Consultant Address Address Address Phone 246.50. 246.54. Consultant Address Address Address Phone 45.00 RESIDENCE 22.50 22.50 EASEMENT ACCESS 45'-0" 811 W CLARK AVE PHARR TX PROPOSED #2 15.00 EASEMENT 15'-0" 4/12/2024 3:55:46 PM 183.15 184.05 BUILDING SUITES= 7,920.00 SQFT 1) FLOOR PLAN #2 PARKING= 110 SPACES 19 LANSCAPE AREA= 31.16% 1/16" = 1'-0" RECEIVED





# Memo

**TO:** Planning and Zoning Commission

FROM: Planning Staff

**DATE:** February 19, 2025

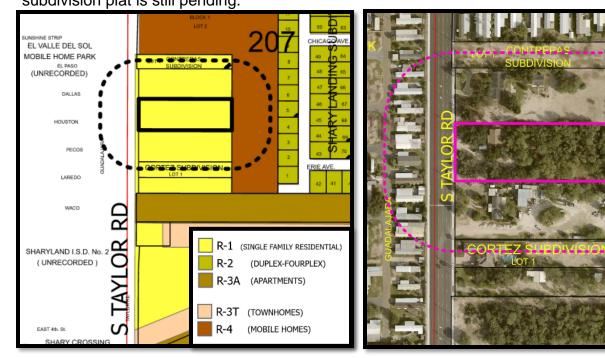
SUBJECT: REZONE FROM R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO R-2

(MEDIUM DENSITY RESIDENTIAL) DISTRICT: 1.81 ACRE TRACT OF LAND OUT OF LOT 207, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY,

TEXAS; 321 SOUTH TAYLOR ROAD. (REZ2025-0004)

**LOCATION:** The subject property is located along the east side of South Taylor Road and south of Highway 83. The tract has 162.840 feet of frontage on South Taylor Road and a depth of 485 feet, comprising 1.81 acres. The property is zoned R-1 (Single Family Residential) District.

**PROPOSAL:** The applicant is requesting to rezone the property to R-2 (Medium Density Residential) District in order to develop a 20-lot townhome subdivision if the rezoning is applicable. A feasibility plan has been submitted and attached to the packet. A submittal for a subdivision plat is still pending.



**ADJACENT ZONING:** The adjacent zoning to the north and south is R-1 (Single Family Residential) District and R-4 (Mobile Home/Modular Home) District to the east.

**LAND USE:** The property currently has an existing single family structure. Surrounding uses include single family dwellings and mobile homes.

**FUTURE LAND USE PLAN:** The Envision McAllen Future Land Use Plan designates the future land use for this property as Complete Communities. Single-family homes make up the majority of the land use category although townhomes are to be encouraged to create diversity in housing choices.

**DEVELOPMENT TRENDS:** The development trend of this area along the east side of South Taylor Road is residential uses.

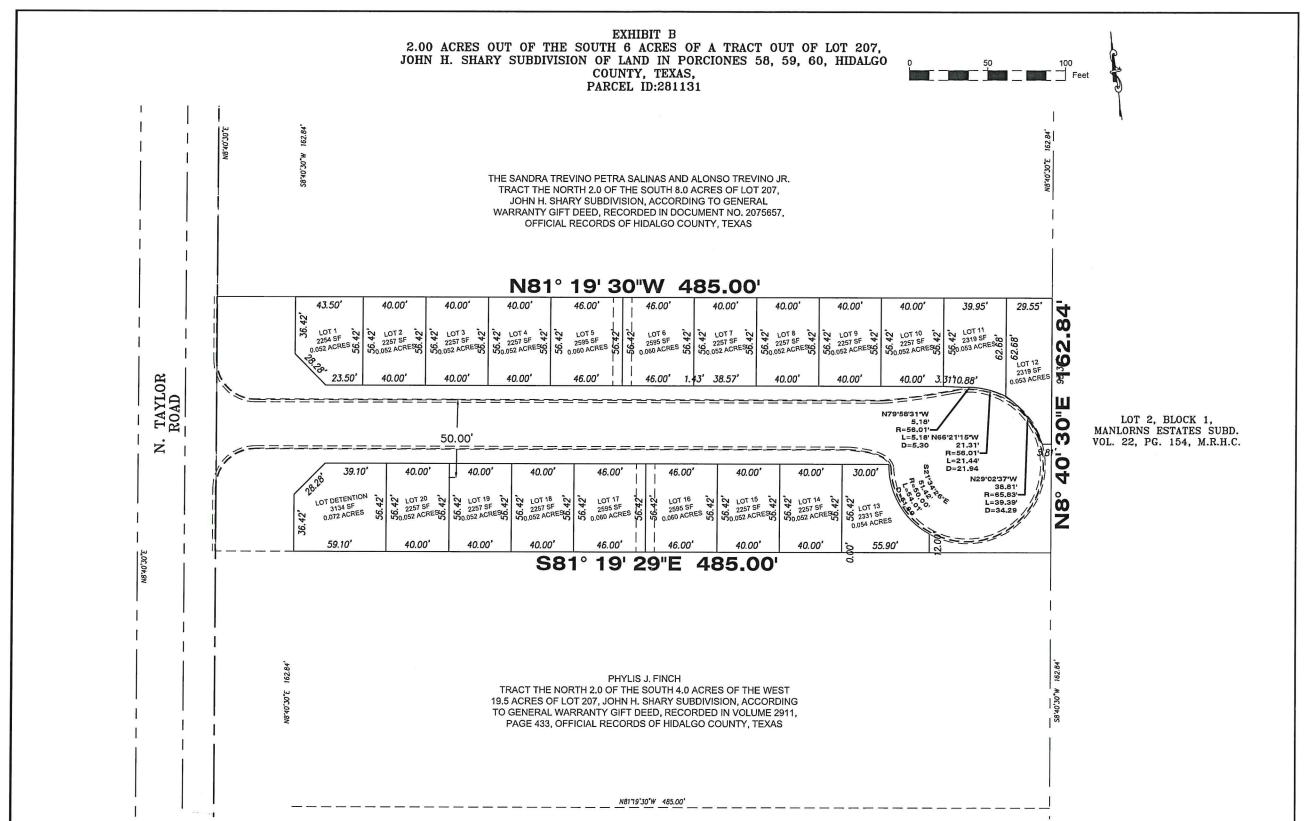
**HISTORY:** The application for this rezoning request was submitted February 3, 2025.

**ANALYSIS:** The requested zoning conforms to the future land use designation as shown on the Envision McAllen Future Land Use Plan, residential uses. It is also compatible with the existing higher density residential development along South Taylor Road.

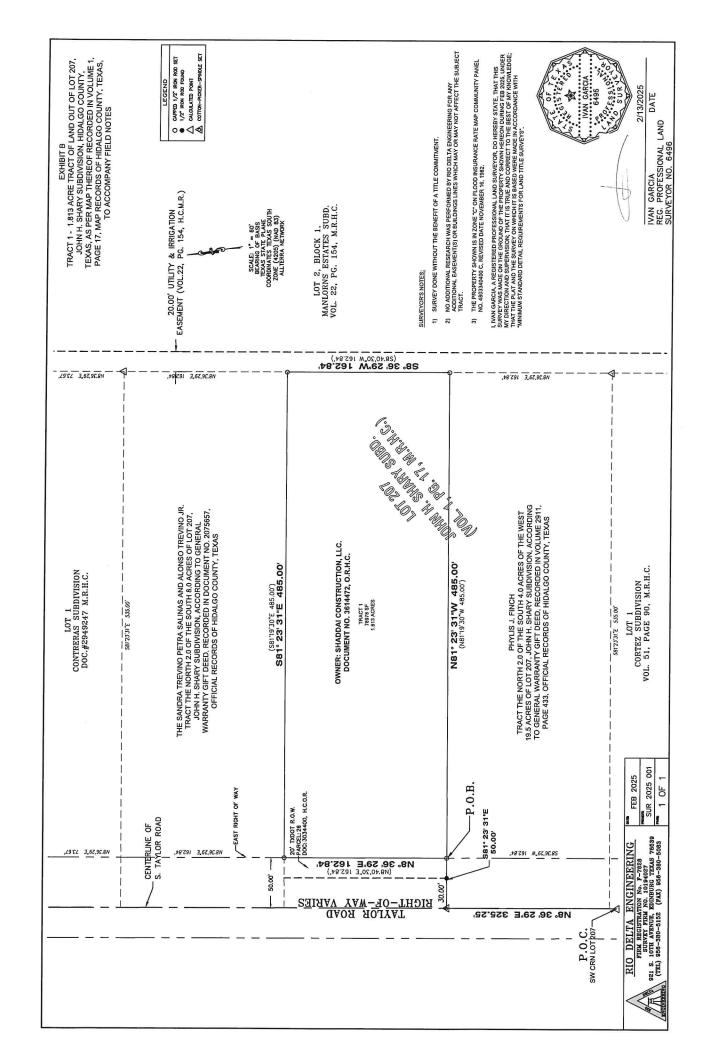
A recorded subdivision plat and site plan approval will be required prior to building permit issuance for any future developments on the subject property. Any future developments must also comply with building permit and conditional use requirements (if applicable) of the zoning district in which it is located.

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

**RECOMMENDATION:** Staff recommends approval of the rezoning request to R-2 (Medium Density) District.







# EXHIBIT A TRACT 1 – 1.813 ACRES OUT OF LOT 207, JOHN H. SHARY SUBDIVISION, VOLUME 1, PAGE 17, MAP RECORDS OF HIDALGO COUNTY, TEXAS FIELD NOTES

BEING A 1.813 ACRES TRACT OF LAND OUT OF AND FORMING A PART OR PORTION OF LOT 207, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS, RECORDED IN VOLUME 1, PAGE 17, MAP RECORDS OF HIDALGO COUNTY, TEXAS, AND SAID 1.813 ACRES TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SAID LOT 207,

THENCE N 8° 36' 29" E ALONG THE WEST LINE OF THE SAID LOT 207, SAME BEING ALONG THE CENTERLINE OF TAYLOR ROAD, A DISTANCE OF 325.25 FEET TO A CALCULATED POINT;

THENCE S 81° 23' 31" E ALONG THE NORTH BOUNDARY LINE OF A CALLED PHYLIS. J. FINCHS TRACT AS DESCRIBED IN VOLUME 2911, PAGE 433, OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS, PASSING AT 30.00 FEET A 1/2 INCH IRON ROD FOUND, AND CONTINUING FOR A TOTAL DISTANCE OF 50.00 FEET TO A 1/2 INCH CAPPED IRON ROD SET, FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT AND POINT OF BEGINNING,

THENCE, N 08° 36' 29" E, ALONG THE EXISTING EAST RIGHT OF WAY LINE OF TAYLOR ROAD (AS PER DOCUMENT NO. 3034400, OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS), A DISTANCE OF 162.84 FEET TO A 1/2 INCH CAPPED IRON ROD SET, FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

**THENCE**, S 81° 23' 31" E, ALONG THE SOUTH BOUNDARY LINE OF A CALLED SANDRA TREVINOS TRACT AS DESCRIBED IN DOCUMENT NO. 2075657, OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS, A DISTANCE OF 485.00 FEET TO A 1/2 INCH CAPPED IRON ROD SET, FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

**THENCE**, S 08° 36' 29" W, ALONG THE WEST BOUNDARY LINE OF A CALLED GRANITE SOL LUNA, LLC., TRACT AS DESCRIBED IN DOCUMENT NO. 2427288, OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS, A DISTANCE OF 162.84 FEET TO A 1/2 INCH CAPPED IRON ROD SET, FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, N 81° 23' 31" W, ALONG THE NORTH BOUNDARY LINE OF SAID PHYLIS T. FINCHS TRACT, A DISTANCE OF 485.00 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 1.813 ACRES OF LAND MORE OR LESS.

I, IVAN GARCIA, CERTIFY THAT THE ABOVE FIELDNOTES AND PLAT REPRESENT AN ACTUAL SURVEY ON THE GROUND MADE UNDER MY SUPERVISION AND THAT ALL CORNERS HAVE BEEN LOCATED AS INDICATED.

2/13/2025

**IVAN GARCIA** 

DATE

REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6496

SURVEY FIRM NO. 10194027 RIO DELTA ENGINEERING 921 S. 10<sup>TH</sup> AVENUE

EDINBURG, TEXAS 78539



# Memo

**TO:** Planning and Zoning Commission

FROM: Planning Staff

**DATE:** February 19, 2025

SUBJECT: REZONE FROM C-4 (COMMERCIAL INDUSTRIAL) DISTRICT TO I-1 (LIGHT

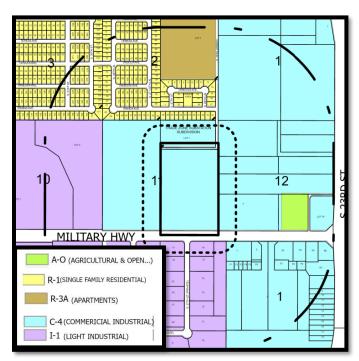
INDUSTRIAL) DISTRICT: 15.009 ACRE, PORTION OF LOT 11, BLOCK 4, RIO

BRAVO PLANTATION COMPANY'S SUBDIVISION, HIDALGO COUNTY,

TEXAS; 2600 MILITARY HIGHWAY. (REZ2025-0005)

**LOCATION:** The subject property is located along the north side of Military Highway and approximately 1,333 feet from South 23<sup>rd</sup> Street. The property is vacant land and is zoned C-4 (Commercial Industrial) District.

**PROPOSAL:** The applicant is requesting to rezone the property to I-1 (Light Industrial) District. The applicant is proposing to develop an energy storage system; however, a feasibility plan has not been submitted yet.





**ADJACENT ZONING:** The adjacent properties to the north, east, and west are zoned C-4 District. The property to the south across Military Highway is zoned I-1 District.

LAND USE: Surrounding uses include vacant land and an AEP substation to the north.

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

land use for this property as Industrial. Light Industrial Space, Manufacturing, Civic, and Open Space are the most appropriate developments for this type of use.

**DEVELOPMENT TRENDS:** The development trend for properties adjacent to Military Highway is commercial industrial and light industrial.

**HISTORY:** An application for a rezoning request was submitted February 4, 2025.

**ANALYSIS:** The requested zoning conforms to the future land use designation as shown on the Envision McAllen Future Land Use Plan. It is also comparable to the current zoning district. A C-4 zoning district is now classified as an I-1 zoning district under the McAllen Unified Development Code (UDC).

A recorded subdivision plat and site plan review will be required prior to building permit issuance for any future developments on the property. Any future developments must also comply with building permit and conditional use requirements (if applicable) of the designated zoning district.

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

**RECOMMENDATION:** Staff recommends approval of the rezoning request to I-1 (Light Industrial) District since the proposed zoning is consistent with the development trends in the area.

APN: 270365 LAND DESCRIBED IN COMMITMENT NO.# NCS-1118958TX2-CO 653,804 ± SQUARE FEET, OR 15.009 ± ACRES

PROPOSED SUBDIVISION TRACTS AS SURVEYED DESCRIPTION: 653,804 SQ.FEET, OR 15.009 ACRES ± TRACT 1: 260,195 SQ.FEET, OR5.973 ACRES ± TRACT 2: 312,606 SQ.FEET, OR 7.176 ACRES ± TRACT 3: 81,002 SQ.FEET, OR 1.860 ACRES ±

# TITLE COMMITMENT INFORMATION

THE PROPERTY HEREON DESCRIBED IS THE SAME AS THE PROPERTY DESCRIBED IN FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NO.# NCS-1118958TX2-CO BEARING AN ISSUE DATE OF MARCH 24, 2022, AT 8:00 A.M. TITLE CONTINUATION BY TITLE VEST A FIRST AMERICAN COMPANY, ORDER NO.: STX946907

# SCHEDULE A DESCRIPTION

A TRACT OF LAND CONTAINING 20.00 ACRES SITUATED IN THE CITY OF MCALLEN. HIDALGO COUNTY, TEXAS, BEING A PART OR PORTION OF LOT ELEVEN (11), BLOCK FOUR (4), RIO BRAVO PLANTATION COMPANY'S SUBDVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME "W", PAGE 197, HIDALGO COUNTY DEED RECORDS, SAID 20.00 ACRES ALSO BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT AN IRON PIPE FOUND AT THE NORTHEAST CORNER OF LOT 11, BLOCK 4 FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE. SOUTH 08 DEGREES 33 MINUTES 00 SECONDS WEST. ALONG THE EAST LINE OF SAID LOT 11. BLOCK 4. AT A DISTANCE OF 1.260.00 FEET PASS A NO. 4 REBAR FOUND FOR THE NORTH RIGHT-OF-WAY LINE OF F.M. 1016. CONTINUING A TOTAL DISTANCE OF 1.320.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 11, BLOCK 4 FOR THE SOUTHEAST CORNER OF

THENCE, NORTH 81 DEGREES 27 MINUTES 00 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LOT 11 AND WITHIN THE RIGHT-OF-WAY OF F.M. 1016, A DISTANCE OF 660.00 FEET TO THE SOUTHWEST CORNER OF THIS TRACT:

THENCE. NORTH 08 DEGREES 33 MINUTES 00 SECONDS EAST, A DISTANCE OF 60.00 FEET PASS A NO. 4 REBAR FOUND FOR THE NORTH RIGHT-OF-WAY LINE OF F.M. 1016, CONTINUING A TOTAL DISTANCE OF 1320.00 FEET TO A NO. 4 REBAR FOUND ON THE NORTH LINE OF SAID LOT 11. BLOCK 4. FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE, SOUTH 81 DEGREES 27 MINUTES 00 SECONDS EAST, ALONG THE NORTH LINE OF SAID LOT 11, BLOCK 4, A DISTANCE OF 660.00 FEET TO THE POINT OF BEGINNING, OF WHICH 0.91 OF ONE ACRE LIES IN THE RIGHT-OF-WAY OF F.M. 1016;

SAVE AND EXCEPT: A 5.0 ACRES TRACT OF LAND, PREVIOUSLY CONVEYED, AND BEING MORE PARTICULARLY DESCRIBED BY GENERAL WARRANTY DEED FROM BADA REAL ESTATE, LLC, TO AEP TEXAS, INC., DATED SEPTEMBER 5, 2018, FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK OF HIDALGO COUNTY, TEXAS, ON SEPTEMBER 12, 2018, UNDER CLERK'S FILE

# NOTES CORRESPONDING TO SCHEDULE B

- (B) EASEMENTS AS SHOWN BY INSTRUMENT DATED JANUARY 25, 1936, RECORDED IN VOLUME 418, PAGE 37, DEED RECORDS OF HIDALGO COUNTY, TEXAS. AFFECTS, BLANKET IN NATURE OVER WEST HALF OF THE SUBJECT PROPERTY; AREA OF QUIT CLAIM DEED SHOWN HEREON.)
- RIGHT-OF-WAY EASEMENT IN FAVOR OF HIDALGO COUNTY, BY INSTRUMENT DATED JANUARY 11, 1951, RECORDED IN VOLUME 716, PAGE 20, DEED RECORDS OF HIDALGO COUNTY, TEXAS. (AFFECTS, PLOTTED AND SHOWN.)
- RIGHT-OF-WAY EASEMENT IN FAVOR OF CENTRAL POWER AND LIGHT CO., BY INSTRUMENT DATED JANUARY 8, 1960, RECORDED IN VOLUME 970, PAGE 336, DEED RECORDS OF HIDALGO COUNTY, TEXAS. (AFFECTS, CONTAINS NO PLOTTABLE EASEMENT ITEMS)
- RIGHT-OF-WAY EASEMENT IN FAVOR OF STATE OF TEXAS, BY INSTRUMENT DATED JUNE 26, 1969, RECORDED IN VOLUME 1235, PAGE 414, DEED RECORDS OF HIDALGO (AFFECTS, PLOTTED AND SHOWN.)
- · CONVEYANCE OF WATER RIGHTS IN FAVOR OF ABE M. KATZ AND ROY SCHAPIRA AS SHOWN BY INSTRUMENT DATED JUNE 5, 1973, RECORDED IN VOLUME 1367, PAGE 635, DEED RECORDS OF HIDALGO COUNTY, TEXAS. (AFFECTS, BLANKET IN NATURE.)
- (G) SUPPLEMENTAL EASEMENT AND RIGHT OF WAY GRANTED TO AEP TEXAS CENTRAL COMPANY, BY BADA REAL ESTATE, LLC, DATED OCTOBER 19, 2016, FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK OF HIDALGO COUNTY, TEXAS, ON OCTOBER 12, 2016, UNDER CLERK'S FILE NO. 2757069. (AFFECTS, PLOTTED AS SHOWN)
- \_ EASEMENTS FOR ROADWAYS AND RESTRICTION AS SHOWN ON PLAT RECORDED IN VOLUME "W", PAGE 197, DEED RECORDS OF HIDALGO COUNTY, TEXAS. (AFFECTS, CONTAINS NO PLOTTABLE EASEMENT ITEMS)
- OIL, GAS AND MINERAL LEASE, TOGETHER WITH ALL RIGHTS RELATIVE THERETO. EXPRESS OR IMPLIED, DATED JANUARY 15, 1960, FROM SOTERO SALDANA AND WIFE, GREGORIA SALDANA TO DELHI-TAYLOR OIL CORP. AND MAYFAIR MINERALS, INC. RECORDED IN VOLUME 244, PAGE 690, OIL GAS LEASE RECORDS OF HIDALGO COUNTY, TEXAS. TITLE TO SAID LEASE NOT CHECKED SUBSEQUENT TO DATE OF AFORESAID INSTRUMENT. (AFFECTS, BLANKET IN NATURE)
- OIL. GAS AND MINERAL LEASE. TOGETHER WITH ALL RIGHTS RELATIVE THERETO. EXPRESS OR IMPLIED LEASE DATED MAY 4, 1977, FROM LEONARD LITTLETON TO CHARLES A. BRANDT RECORDED IN VOLUME 366, PAGE 1014, OIL GAS LEASE RECORDS OF HIDALGO COUNTY, TEXAS. TITLE TO SAID LEASE NOT CHECKED SUBSEQUENT TO DATE OF AFORESAID INSTRUMENT. (AFFECTS, BLANKET IN NATURE)
- OIL, GAS AND MINERAL LEASE, TOGETHER WITH ALL RIGHTS RELATIVE THERETO, EXPRESS OR IMPLIED DATED MAY 6, 1977, FROM PHOENIX MUTUAL LIFE INSURANCE CO. TO CHARLES A. BRANDT RECORDED IN VOLUME 367, PAGE 94, OIL GAS LEASE RECORDS OF HIDALGO COUNTY, TEXAS. TITLE TO SAID LEASE NOT CHECKED SUBSEQUENT TO DATE OF AFORESAID INSTRUMENT. (DOES NOT AFFECT, DOCUMENT DESCRIBES LOT 2, BLOCK 4 OF VOLUME "W", PAGES 196-197)
- RESERVATION OF ALL OIL, GAS, AND OTHER MINERALS, TOGETHER WITH ALL RIGHTS RELATIVE THERETO, EXPRESS OR IMPLIED, RESERVED TO GRANTOR IN THAT CERTAIN DEED RECORDED IN VOLUME 1362, PAGE 874 DEED RECORDS OF HIDALGO COUNTY, TEXAS. TITLE TO SAID INTEREST NOT CHECKED SUBSEQUENT TO THE DATE OF AFORESAID INSTRUMENT. (AFFECTS, BLANKET IN NATURE)
- TERMS, CONDITIONS, EASEMENTS, AND STIPULATIONS CONTAINED IN ACCESS EASEMENT AGREEMENT BY AND BETWEEN BADA REAL ESTATE LLC, AND AEP TEXAS, INC., DATED SEPTEMBER 12, 2018, FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK OF HIDALGO COUNTY, TEXAS, ON SEPTEMBER 12, 2018, UNDER CLERK'S FILE NO. 2949211: AND CORRECTED BY INSTRUMENT DATED MARCH 7. 2019, FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK OF HIDALGO COUNTY, TEXAS, ON MARCH 21, 2019, UNDER CLERK'S FILE NO. 2997463. (AFFECTS, PLOTTED AS SHOWN)
- TERMS, CONDITIONS, EASEMENTS, AND STIPULATIONS CONTAINED IN EASEMENT AND RIGHT OF WAY AGREEMENT BY AND BETWEEN BADA REAL ESTATE LLC, AND AEP TEXAS, INC., DATED SEPTEMBER 12, 2018, FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK OF HIDALGO COUNTY TEXAS ON SEPTEMBER 12 2018 UNDER CLERK'S FILE NO. 2949212, AND CORRECTED BY INSTRUMENT DATED MARCH 7, 2019, FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK OF HIDALGO COUNTY, TEXAS, ON MARCH 21, 2019, UNDER CLERK'S FILE NO. 2997464 (AFFECTS, PLOTTED AS SHOWN)
- TERMS, CONDITIONS, AND STIPULATIONS CONTAINED IN MEMORANDUM OF OPTION TO PURCHASE AGREEMENT BY AND BETWEEN BADA REAL ESTATE, LLC (SELLER) AND FRESH AIR ENERGY, II, LLC, (BUYER) DATED NOVEMBER 2, 2021, FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK OF HIDALGO COUNTY, TEXAS, ON JANUARY 5, 2022, UNDER CLERK'S FILE NO. 3297726. (AFFECTS, BLANKET IN NATURE)
- TITLE CONTINUATION, ORDER NO.: STX946907 1. MEMORANDUM OF RENEWAL, EXTENSION AND/OR MODIFICATION AGREEMENT MADE BY AND BETWEEN BADA REAL ESTATE LLC AND INTERNATIONAL BANK OF COMMERCE DATED 4/16/2022 AND RECORDED 5/26/2022 AS **DOCUMENT NO. 3346542**. (AFFECTS, CONTAINS NO PLOTTABLE EASEMENT ITEMS)

# ALTA/NSPS LAND TITLE SURVEY

FOR Ecoplexus, Inc. **0 WEST MILITARY HIGHWAY** 

PORTION OF LOT 11, BLOCK 4, RIO BRAVO PLANTATION COMPANY'S SUBDIVISION MCALLEN, HIDALGO COUNTY, TEXAS 78503

# AS-SURVEYED DESCRIPTION

A TRACT OF LAND CONTAINING 15.009 ACRES (653.804 SQUARE FEET) SITUATED IN THE CITY OF MCALLEN, HIDALGO COUNTY, TEXAS, BEING A PART OR PORTION OF LOT ELEVEN (11), BLOCK FOUR (4), RIO BRAVO PLANTATION COMPANY'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME "W", PAGE 197, HIDALGO COUNTY DEED RECORDS; SAID 15.009 ACRE TRACT ALSO BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS (BEARINGS DESCRIBED HEREIN ARE TEXAS STATE PLANE GRID BEARINGS (TEXAS SOUTH

COMMENCING AT AN IRON PIPE FOUND AT THE NORTHEAST CORNER OF LOT 11, BLOCK 4, THENCE RUNNING ALONG THE EAST LINE OF LOT 11, S08°29'16"W A DISTANCE OF 331.44 FEET (RECORDED AS 330.00 FEET) TO A 1/2" REBAR AT THE SOUTHFAST CORNER OF A 5 000 ACRE TRACT OF LAND (DESCRIBED BY GENERAL WARRANTY DEED FROM BADA REAL ESTATE, LLC TO AEP TEXAS, INC., DATED SEPTEMBER 5, 2018, FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK OF HIDALGO COUNTY, TEXAS, ON SEPTEMBER 12, 2018, UNDER CLERK'S FILE NO. 2949210) WHICH IS THE POINT OF BEGINNING FOR THIS PARCEL;

THENCE CONTINUING ALONG THE AFOREMENTIONED EASTERLY LINE, S08°29'16"W, A DISTANCE OF 79.68 FEET TO A FOUND 1/2" REBAR: THENCE CONTINUING TO RUN S08°29'16"W A DISTANCE OF 430.50 FEET TO A FOUND 1/2" REBAR: THENCE AGAIN CONTINUING TO RUN S08°29'16"W. A DISTANCE OF 419.88 FEET TO A FOUND 1/2" REBAR MARKING THE NORTH RIGHT-OF-WAY LINE OF F.M. 1016 AT 930.06 FEET: THENCE DEPARTING SAID RIGHT OF WAY LINE AGAIN CONTINUING TO RUN WITH SAID AFOREMENTIONED EASTERLY LINE, S08°29'16"W, A DISTANCE OF 60.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 11, BLOCK 4, SAME BEING THE SOUTHEAST CORNER OF THIS TRACT:

THENCE N81°21'09"W, ALONG THE SOUTH LINE OF SAID LOT 11 AND THE CENTERLINE OF F.M. 1016, A DISTANCE OF 661.70 FEET (RECORDED AS 660.00 FEET) TO THE SOUTHWEST

THENCE DEPARTING SAID SOUTHERLY LINE AND RUNNING NO8°34'11"E, PASSING A FOUND 1/2" REBAR MARKING NORTH RIGHT-OF-WAY LINE OF F.M. 1016 AT A DISTANCE OF 60.00 FEET, CONTINUING THENCE ALONG THE EASTERLY LINE OF THE LANDS OWNED NOW OR FORMERLY BY JOSE ANTONIO BALLESTETOS (AS EVIDENCE BY DEED DATED 12-19-1988, RECORDED IN VOLUME 2690, PAGE 589, RECORD IN THE OFFICE OF THE COUNTY CLERK OF HIDALGO COUNTY, TEXAS) A DISTANCE OF 988.20 FEET TO A 1/2" REBAR FOR A TOTAL DISTANCE TRAVERSED ALONG THE WESTERLY LINE OF 1,319.92 FEET (RECORDED AS 1,320.00 FEET) TO THE NORTHWEST CORNER OF THIS TRACT SAME BEING THE SOUTHWEST CORNER OF THE AFOREMENTIONED 5.000 ACRE AEP TEXAS, INC. TRACT OF LAND;

THENCE CONTINUING WITH THE SOUTHERLY LINE OF SAID 5.000 ACRE TRACT, S81°30'51"E A DISTANCE OF 660.28 FEET (RECORDED AS 660.00 FEET) TO A FOUND 1/2" REBAR ON THE EAST LINE OF LOT 11, BLOCK 4, TO THE POINT OF BEGINNING, OF WHICH 39,699 SQUARE FEET, OR 0.911 ACRES ± LIES IN THE RIGHT-OF-WAY OF F.M. 1016.

# SEE SHEET 2 OF 2

FOR SURVEY DEPICTION

# **ZONING INFORMATION**

ZONING INFORMATION TO BE ADDED TO SURVEY UPON RECEIPT OF CLIENT PROVIDING **ZONING REPORT OR LETTER** 

# FLOOD ZONE INFORMATION

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE "AH" OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO(S). 4803340400C & 4803430010C, WHICH BEARS AN EFFECTIVE DATE OF 11/16/1982 & 11/02/1982 RESPECTIVELY AND IS IN A SPECIAL FLOOD

ZONE "AH" - AREAS OF 100-YEAR SHALLOW FLOODING WHERE DEPTHS ARE BETWEEN ONE (1) AND THREE (3) FEET; BASE FLOOD ELEVATIONS ARE SHOWN, BUT NO FLOOD HAZARD FACTORS ARE DETERMINED.

# SIGNIFICANT OBSERVATIONS

NONE OBSERVED AT THE TIME OF THE ALTA/NSPS SURVEY.

# RECORD DOCUMENT REFERENCES

(R1) - GENERAL WARRANTY DEED FROM BADA REAL ESTATE, LLC, TO AEP TEXAS, INC.; BY ARTURO GUAJARDO JR.; DATED SEPTEMBER 5, 2018; RECORDED AS CLERK'S FILE NO.

# **UTILITY INFORMATION**

THE UTILITIES SHOWN ON THIS DRAWING HEREON HAVE BEEN LOCATED BY FIELD MEASUREMENTS, UTILITY MAP DRAWINGS, AND ONE-CALL UTILITY LOCATE REQUEST. BLEW & ASSOCIATES MAKES NO WARRANTY TO THE EXACT LOCATION OF ANY UNDERGROUND UTILITIES SHOWN OR NOT SHOWN ON THIS DRAWING. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY ANY AND ALL UTILITIES PRIOR TO CONSTRUCTION. CALL TEXAS ONE CALL AT (800) 344-8377 FOR FIELD LOCATIONS (REQUEST FOR GROUND MARKINGS) OF UNDERGROUND UTILITY LINES BEFORE DIGGING. THE ABOVE AND UNDERGROUND UTILITIES SHOW HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND MAPS PROVIDED. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. DEPTH AND HEIGHT OF LINES ARE UNKNOWN UNLESS OTHERWISE STATED.

NO OTHER UTILITY COMPANIES OR AGENCIES PROVIDED INFORMATION FOR FACILITIES, AND NO VISIBLE EVIDENCE OF GAS, PUBLIC WATER, SANITARY SEWER FACILITIES WERE OBSERVED WITHIN THE PROJECT LIMITS. THE POINTS AT WHICH THE PROPOSED FACILITIES CROSS ELECTRICAL LINES, PHONE LINES, CABLE LINES, ROADS, EASEMENTS OR RIGHTS-OF-WAY WITHIN THE PROJECT TRACTS ARE PLOTTED ON THE SURVEY.

DIG TICKET NUMBER: 2472672289

COMPANY, RESPONSE AND CONTACT:

AEP TELECOM [ELECTRIC, FIBER] PER 811 PORTAL, SITE IS CLEAR.

AEP TEXAS IELECTRICI

PER 811 PORTAL, SITE IS CLEAR.

AT&T [PHONE] PER 811 PORTAL, SITE IS CLEAR.

FIBER LIGHT, LLC [FIBER] PER 811 PORTAL, SITE IS CLEAR.

TEXAS GAS SERVICE [GAS] PER 811 PORTAL, SITE IS CLEAR.

CITY OF MCALLEN - WATER [WATER]

CITY OF MCALLEN - MPU WASTEWATER COLLECTION DEPT [SEWER]

SPECTRUM [CABLE] PER 811 PORTAL, MARKED.

AWAITING RESPONSE

AWAITING RESPONSE

VALLEY TELEPHONE COOP INC [PHONE, FIBER] PER 811 PORTAL. MARKED.

AMERICAN ELECTRIC POWER - SPP FIBER PER 811 PORTAL, SITE IS CLEAR.

# **VICINITY MAP** NOT TO SCALE

# **BASIS OF BEARING**

THE BASIS OF BEARING OF THIS SURVEY IS GRID NORTH BASED ON EAST LINE OF THE SUBJECT PROPERTY, ALSO BEING THE EAST LINE OF LOT 11, BLOCK 4 PER PLAT RECORDED IN VOLUME "W", PAGE 197. THE BEARING IS DENOTED AS S08°29'16"W PER GPS COORDINATE OBSERVATIONS TEXAS STATE PLANE, SOUTH ZONE NAD83. LATITUDE = 26°09'12.8510" LONGITUDE = -98°15'29.1927

CONVERGENCE ANGLE = 00°06'35.3525"

# **GENERAL NOTES**

- 1. SOME FEATURES SHOWN ON THIS PLAT MAY BE SHOWN OUT OF SCALE FOR CLARITY.
- DIMENSIONS ON THIS PLAT ARE EXPRESSED IN FEET AND DECIMAL PARTS THEREOF UNLESS OTHERWISE NOTED. MONUMENTS WERE FOUND AT POINTS WHERE INDICATED.
- THE DISTANCES SHOWN HEREON ARE UNITS OF GROUND MEASUREMENT.
- IN REGARD TO TABLE A ITEM 8. ALL SUBSTANTIAL FEATURES OBSERVED DURING THE FIELDWORK ARE PLOTTED HEREON. INCLUDING ANY ABOVE-GROUND UTILITIES.
- IN REGARD TO ALTA/NSPS TABLE A ITEM 9, AT THE TIME OF THE ALTA/NSPS SURVEY THERE WAS NO STRIPED PARKING OBSERVED.
- IN REGARD TO ALTA/NSPS TABLE A ITEM 10, NO VISIBLE DIVISION OR PARTY WALLS WITH RESPECT TO ADJOINING PROPERTIES WERE OBSERVED AT THE TIME THE FIELD SURVEY
- WAS PERFORMED, NOR WERE ANY DESIGNATED BY THE CLIENT. 7. IN REGARD TO ALTA/NSPS TABLE A ITEM 14. THE NEAREST INTERSECTING STREET IS THE INTERSECTION OF WEST MILITARY HIGHWAY AND SOUTH 27TH STREET, WHICH

ABUTS THE SOUTH SIDE OF THE SUBJECT PROPERTY.

- IN REGARD TO ALTA/NSPS TABLE A ITEM 16. THERE WAS NO OBSERVABLE EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR ADDITIONS EXCEPT AS
- 9. IN REGARD TO ALTA/NSPS TABLE A ITEM 17, THERE WERE NO KNOWN PROPOSED CHANGES IN RIGHT OF WAY LINES, RECENT STREET OR SIDEWALK CONSTRUCTION OR
- REPAIRS EXCEPT AS SHOWN HEREON.
- 10. AT THE TIME OF THE ALTA/NSPS SURVEY, THERE WAS NO OBSERVABLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP, OR SANITARY LANDFILL.
- 11. AT THE TIME OF THE ALTA/NSPS SURVEY, THERE WAS NO OBSERVABLE EVIDENCE OF SITE USE AS A CEMETERY, ISOLATED GRAVE SITE OR BURIAL GROUNDS.
- THE SUBJECT PROPERTY HAS DIRECT ACCESS TO WEST MILITARY HIGHWAY. BEING A PUBLICLY DEDICATED RIGHT-OF-WAY.
- EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT. THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT PROPERTY: EASEMENTS, OTHER THAN POSSIBLE EASEMENTS WHICH WERE VISIBLE AT THE TIME OF SURVEY; RESTRICTIVE COVENANTS; SUBDIVISION RESTRICTIONS OR OTHER LAND USE REGULATIONS; AND ANY OTHER FACTS WHICH AN ACCURATE TITLE SEARCH MAY DISCLOSE.
- 14. NO SURVEYOR OR ANY OTHER PERSON OTHER THAN A LICENSED TEXAS ATTORNEY MAY PROVIDE LEGAL ADVICE CONCERNING THE STATUS OF TITLE TO THE PROPERTY DESCRIBED IN THIS SURVEY ("THE SUBJECT PROPERTY"). THE PURPOSE OF THIS SURVEY, AND THE COMMENTS RELATED TO THE SCHEDULE B-II EXCEPTIONS, IS ONLY TO SHOW THE LOCATION OF BOUNDARIES AND PHYSICAL OBJECTIONS IN RELATION THERETO. TO THE EXTENT THAT THE SURVEY INDICATES THAT THE LEGAL INSTRUMENT "AFFECTS" THE SUBJECT PROPERTY. SUCH STATEMENT IS ONLY INTENDED TO INDICATE THAT PROPERTY BOUNDARIES INCLUDED IN SUCH INSTRUMENT INCLUDE SOME OR ALL OF THE SUBJECT PROPERTY. THE SURVEYOR DOES NOT PURPORT TO DESCRIBE HOW SUCH INSTRUMENT AFFECTS THE SUBJECT PROPERTY OR THE ENFORCEABILITY OR LEGAL CONSEQUENCES OF SUCH INSTRUMENT.
- 15. NAMES AND ADDRESSES OF ADJOINING PROPERTY OWNERS WERE TAKEN FROM THE HIDALGO COUNTY INTERACTIVE GIS WEBSITE. (https://gis.bisclient.com/hidalgocad/index.html)
- 16. THE SUBJECT PROPERTY SHOWN HEREON FORMS A MATHEMATICALLY CLOSED FIGURE AND IS CONTIGUOUS WITH THE ADJOINING PUBLIC RIGHT-OF-WAY AND/OR ADJOINING PARCELS WITH NO GAPS OR OVERLAPS.
- 17. IN REGARD TO ALTA/NSPS TABLE A ITEM 18, ANY PLOTTABLE OFFSITE (I.E., APPURTENANT) EASEMENTS DISCLOSED IN DOCUMENTS PROVIDED TO OR OBTAINED BY THE SURVEYOR HAVE BEEN SHOWN AND/OR NOTED HEREON.
- 18. IN CONJUNCTION WITH THIS TIMING OF THIS ALTA/NSPS SURVEY A SUBDIVISION APPLICATION AND PLAT IS BEING SUBMITTED WITH MCALLEN CITY AND HIDALGO COUNTY FOR THE SUBJECT PROPERTY SHOWN HEREON, AT THE CLIENTS REQUEST THIS SURVEY IS ALSO SHOWING THE PROPOSED SUBDIVISION TRACTS, AND THEIR CORRESPONDING ANNOTATIONS AND AREAS.

# SURVEYOR'S CERTIFICATE

TO: MCMEXICO ESC, LLC, FIRST AMERICAN TITLE INSURANCE COMPANY; & FRESH AIR ENERGY II, LLC:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6(A), 6(B), 7(A), 7(B)(1), 7(C), 8, 9, 10, 11(A), 13, 14, 16, 17, 18 AND 19 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON 07/29/2024.

DATE OF PLAT OR MAP: 2/17/2025



ROBERT J. WINNICKI REGISTERED PROFESSIONAL LAND SURVEYOR NO. 7051 STATE OF TEXAS TEXAS FIRM REGISTRATION NO. 10194275

	MCALLEN, HIDALGO	COUNTY,	TEXAS	78503	
<i>DRAWN BY:</i> T	LR CHECKED BY: DNC	JOB #:	24-4829	DATE:	07/31/2024
REVISED:	CLIENT COMMENTS	REVISED BY:	TLR	DATE:	08/13/2024
	AS SURVEYED DESCRIPTIONS		K.J.D.		09/12/2024
	COMMENTS		K.J.D.		02/12/2025

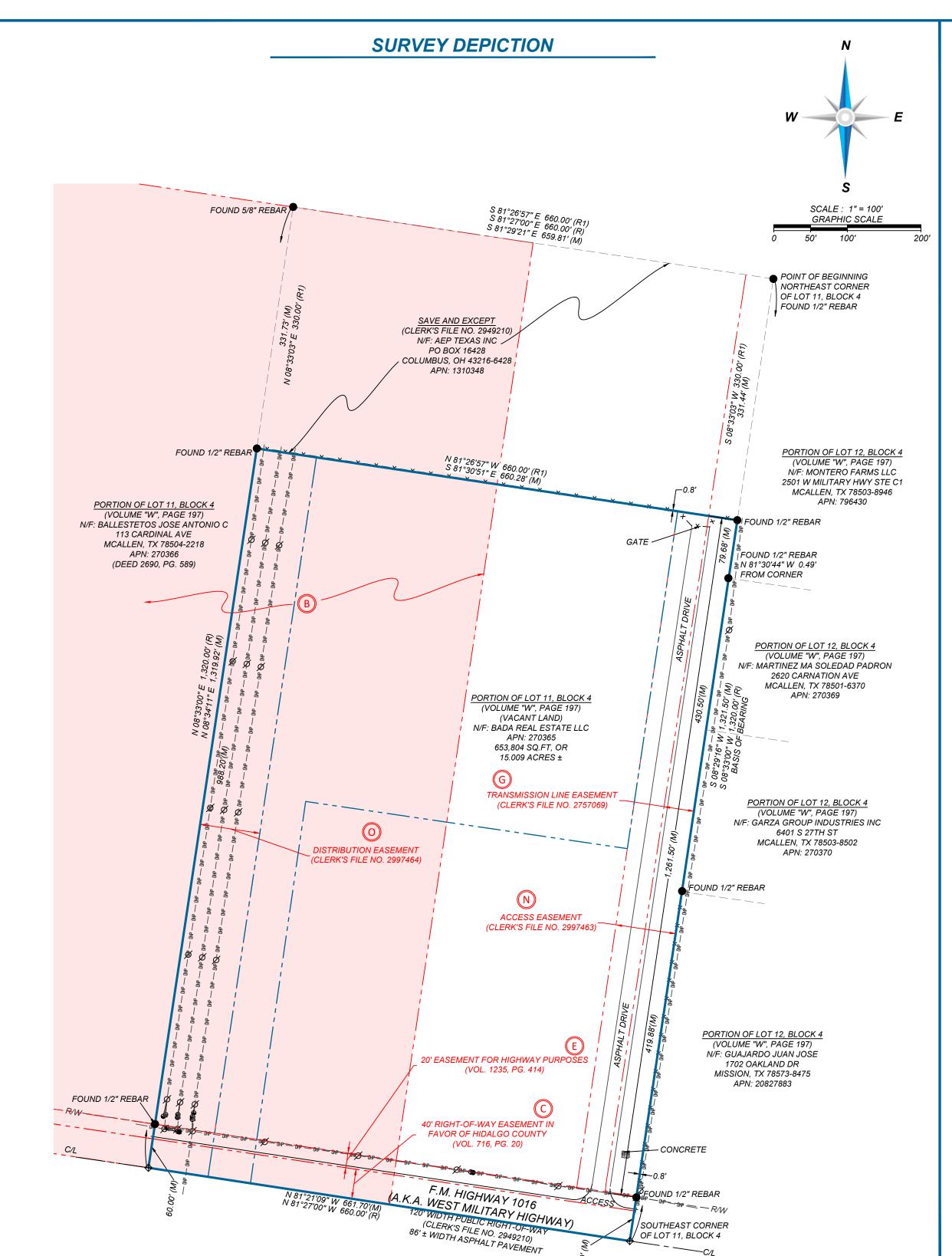
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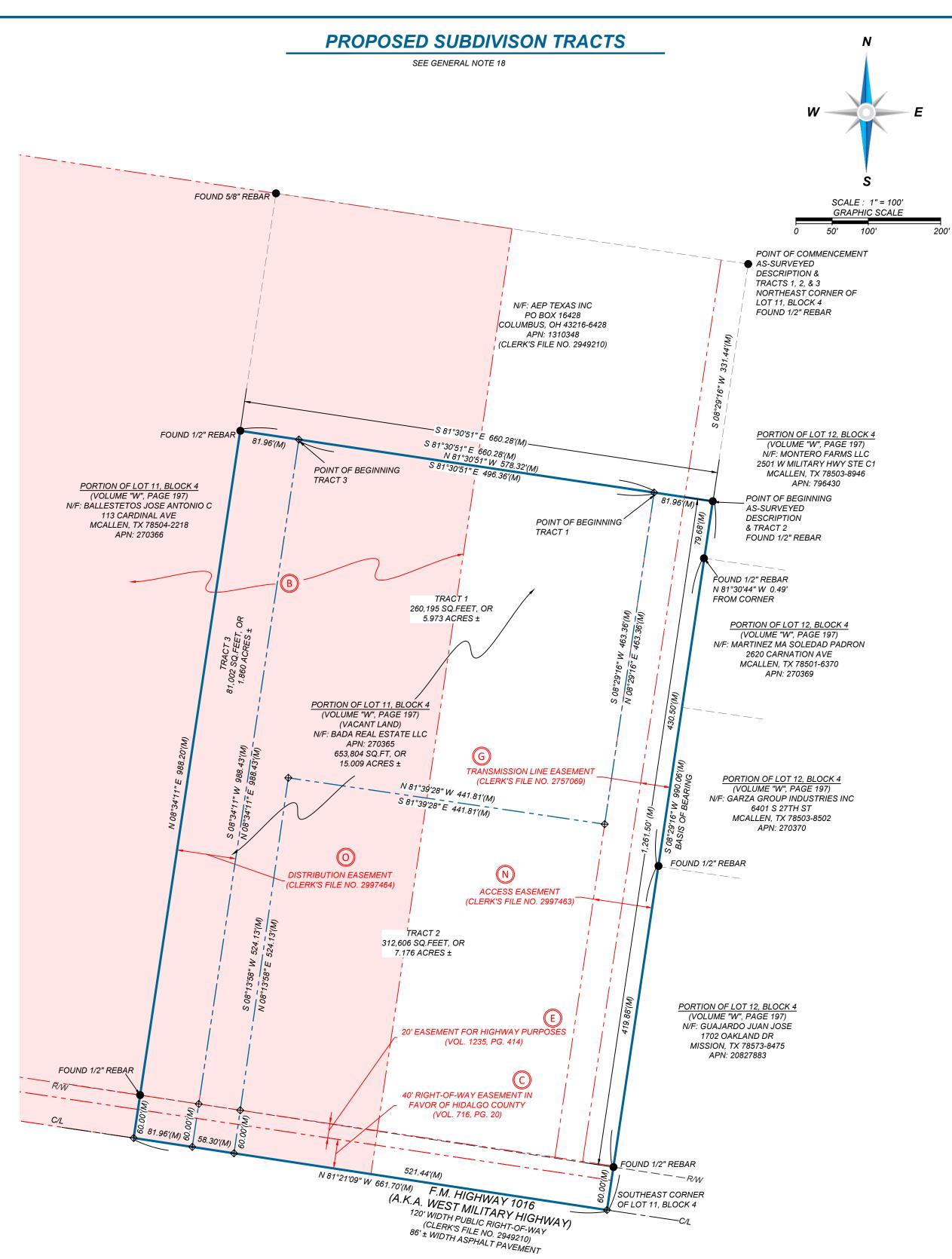
# ALTA/NSPS LAND TITLE SURVEY

FOR **Ecoplexus, Inc.**0 WEST MILITARY HIGHWAY

PORTION OF LOT 11, BLOCK 4, RIO BRAVO PLANTATION COMPANY'S SUBDIVISION

MCALLEN, HIDALGO COUNTY, TEXAS 78503





# LEGEND OF SYMBOLS & ABBREVIATIONS

ALTA/NSPS SURVEY OBSERVATIONS & EXISTING IMPROVEMENTS:

# SYMBOLS & ABBREVIATIONS: • FOUND MONUMENT AS NOTED

- ♦ COMPUTED POINTØ POWER POLE
- Ø POWER POLE

  → GUY ANCHOR
- (M) MEASURED/CALCULATED DIMENSION
  (R) RECORD DIMENSION
- (R) RECORD DIMENSION
  (R1) REFERENCED DIMENSION
- (SEE REFERENCED DOCUMENTS)
  N/F NOW OR FORMERLY

# N/F NOW OR FORMERLY

# LINETYPES & HATCHES:

PARENT PROPERTIES- PROPERTY LINE
PROPOSED INTERNAL SUBDIVISION TRACT LINES
(SEE GENERAL NOTE 18)
ADJACENT PROPERTY LINES

R/W - - - EASEMENT LINE
R/W - - - - RIGHT-OF-WAY LINE
C/L - CENTERLINE

— X — X — X — FENCE LINE — 0P — 0P — OVERHEAD POWER LINE

AREA OF QUIT CLAIM DEED (VOLUME 418, PAGE 37)

3825 NORTH SHILOH DRIVE AYETTEVILLE, ARKANSAS 72: OFFICE: 479.443.4506 FAX: 479.582.1883

BEAYE OIL Environmental

Surveying

Ecoplexus, Inc.
00 Park Offices Dr., Ste. 28
Durham, NC 27709
www.ecoplexus.com

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NNSPS LAND TITLE SURVEY

SHEET <u>2</u> OF <u>2</u>

A TRACT OF LAND CONTAINING 15.009 ACRES (653,804 SQUARE FEET) SITUATED IN THE CITY OF MCALLEN, HIDALGO COUNTY, TEXAS, BEING A PART OR PORTION OF LOT ELEVEN (11), BLOCK FOUR (4), RIO BRAVO PLANTATION COMPANY'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME "W", PAGE 197, HIDALGO COUNTY DEED RECORDS; SAID 15.009 ACRE TRACT ALSO BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS (BEARINGS DESCRIBED HEREIN ARE TEXAS STATE PLANE GRID BEARINGS (TEXAS SOUTH ZONE, NAD83) ):

COMMENCING AT AN IRON PIPE FOUND AT THE NORTHEAST CORNER OF LOT 11, BLOCK 4, THENCE RUNNING ALONG THE EAST LINE OF LOT 11, S08°29'16"W A DISTANCE OF 331.44 FEET (RECORDED AS 330.00 FEET) TO A 1/2" REBAR AT THE SOUTHEAST CORNER OF A 5.000 ACRE TRACT OF LAND (DESCRIBED BY GENERAL WARRANTY DEED FROM BADA REAL ESTATE, LLC, TO AEP TEXAS, INC., DATED SEPTEMBER 5, 2018, FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK OF HIDALGO COUNTY, TEXAS, ON SEPTEMBER 12, 2018, UNDER CLERK'S FILE NO. 2949210) WHICH IS THE POINT OF BEGINNING FOR THIS PARCEL;

THENCE CONTINUING ALONG THE AFOREMENTIONED EASTERLY LINE, S08°29'16"W, A DISTANCE OF 79.68 FEET TO A FOUND 1/2" REBAR; THENCE CONTINUING TO RUN S08°29'16"W A DISTANCE OF 430.50 FEET TO A FOUND 1/2" REBAR; THENCE AGAIN CONTINUING TO RUN S08°29'16"W, A DISTANCE OF 419.88 FEET TO A FOUND 1/2" REBAR MARKING THE NORTH RIGHT-OF-WAY LINE OF F.M. 1016 AT 930.06 FEET; THENCE DEPARTING SAID RIGHT OF WAY LINE AGAIN CONTINUING TO RUN WITH SAID AFOREMENTIONED EASTERLY LINE, S08°29'16"W, A DISTANCE OF 60.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 11, BLOCK 4, SAME BEING THE SOUTHEAST CORNER OF THIS TRACT;

THENCE N81°21'09"W, ALONG THE SOUTH LINE OF SAID LOT 11 AND THE CENTERLINE OF F.M. 1016, A DISTANCE OF 661.70 FEET (RECORDED AS 660.00 FEET) TO THE SOUTHWEST CORNER OF THIS TRACT;

THENCE DEPARTING SAID SOUTHERLY LINE AND RUNNING N08°34'11"E, PASSING A FOUND 1/2" REBAR MARKING NORTH RIGHT-OF-WAY LINE OF F.M. 1016 AT A DISTANCE OF 60.00 FEET, CONTINUING THENCE ALONG THE EASTERLY LINE OF THE LANDS OWNED NOW OR FORMERLY BY JOSE ANTONIO BALLESTETOS (AS EVIDENCE BY DEED DATED 12-19-1988, RECORDED IN VOLUME 2690, PAGE 589, RECORD IN THE OFFICE OF THE COUNTY CLERK OF HIDALGO COUNTY, TEXAS) A DISTANCE OF 988.20 FEET TO A 1/2" REBAR FOR A TOTAL DISTANCE TRAVERSED ALONG THE WESTERLY LINE OF 1,319.92 FEET (RECORDED AS 1,320.00 FEET) TO THE NORTHWEST CORNER OF THIS TRACT SAME BEING THE SOUTHWEST CORNER OF THE AFOREMENTIONED 5.000 ACRE AEP TEXAS, INC. TRACT OF LAND;

THENCE CONTINUING WITH THE SOUTHERLY LINE OF SAID 5.000 ACRE TRACT, S81°30'51"E A DISTANCE OF 660.28 FEET (RECORDED AS 660.00 FEET) TO A FOUND 1/2" REBAR ON THE EAST LINE OF LOT 11, BLOCK 4, TO THE POINT OF BEGINNING, OF WHICH 39,699 SQUARE FEET, OR 0.911 ACRES ± LIES IN THE RIGHT-OF-WAY OF F.M. 1016.

ROBERT J. WINNICKI
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 7051
STATE OF TEXAS
TEXAS FIRM REGISTRATION NO. 10194275





SUB2024-0142

# City of McAllen

# Planning Department

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

Project Information	Subdivision Name Balboa Acres  Legal Description East Half Lat 12, Block 26
	City Address or Block Number Block 26  Total No. of Lots Total Dwelling Units Gross Acres 0.25 Net Acres 0.25  Public Subdivision/ Private and Gated / Private but Not Gated within ETJ: Yes/ No  For Fee Purposes: Commercial (Acres) Residential (Lots) Replat: Yes/ No  Existing Zoning R Proposed Zoning R Applied for Rezoning No/ Yes: Date  Existing Land Use Vacant Proposed Land Use House  Irrigation District Water CCN: MPU/ Sharyland Water SC Other  Agricultural Exemption: Yes/ No Property ID:  Estimated Rollback Tax Due Tax Dept. Review
Owner	Name <u>Guadaluge Trejo d'Maria Trene Rejo</u> Phone <u>956-467-8442</u> Address <u>2700 Dey Fona Ave</u> <u>E-mail Wisi Foejo @ Aol. Com</u> City <u>McAllen</u> State <u>Tx</u> Zip <u>78503</u>
Developer	Name
Engineer	Name         Phone         DEC 2 6 2074           Address         E-mail           City         State         Zip           Contact Person
Surveyor	Name William A. Magnyum R.P.L.5. Phone 956-249-8061  Address 911 Keystone Drive E-mail Wimangum Suvering General Com  City Kissian State TX Zip 78572

# Minimum Developer's Requirements Submitted with Application

# **Proposed Plat Submittal**

# In Person Submittal Requirements

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

# **Email Submittal Requirements**

- Application Fee: \$300 + \$25/lot for residential (excluding apartment complexes) or \$400 + \$200 (0-5 acres), \$400 + \$300 (5.01-10 acres), \$400 + \$400 (10 acres or greater) for commercial, industrial, or apartment complexes
- Title Report
- Sealed Survey
- Location Map
- Plat & Reduced Plat
- Warranty Deed
- DWG File
- Letter of Authorization from the owner (if applicable)
- Proof of authority of person signing application on behalf of partnership/corporation, if applicable
- \*Documents must be submitted in separate PDF files. Each file must be less than 20 MB. No scanned documents\*
- \*Submit documents to subdivisions@mcallen.net
  - \*ORIGINAL APPLICATION & FEE MUST BE SUBMITTED IN PERSON/VIA MAIL\*

# PLAT TO SHOW:

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

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

Owner(s) Signature(s)

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

Signature Lungaline

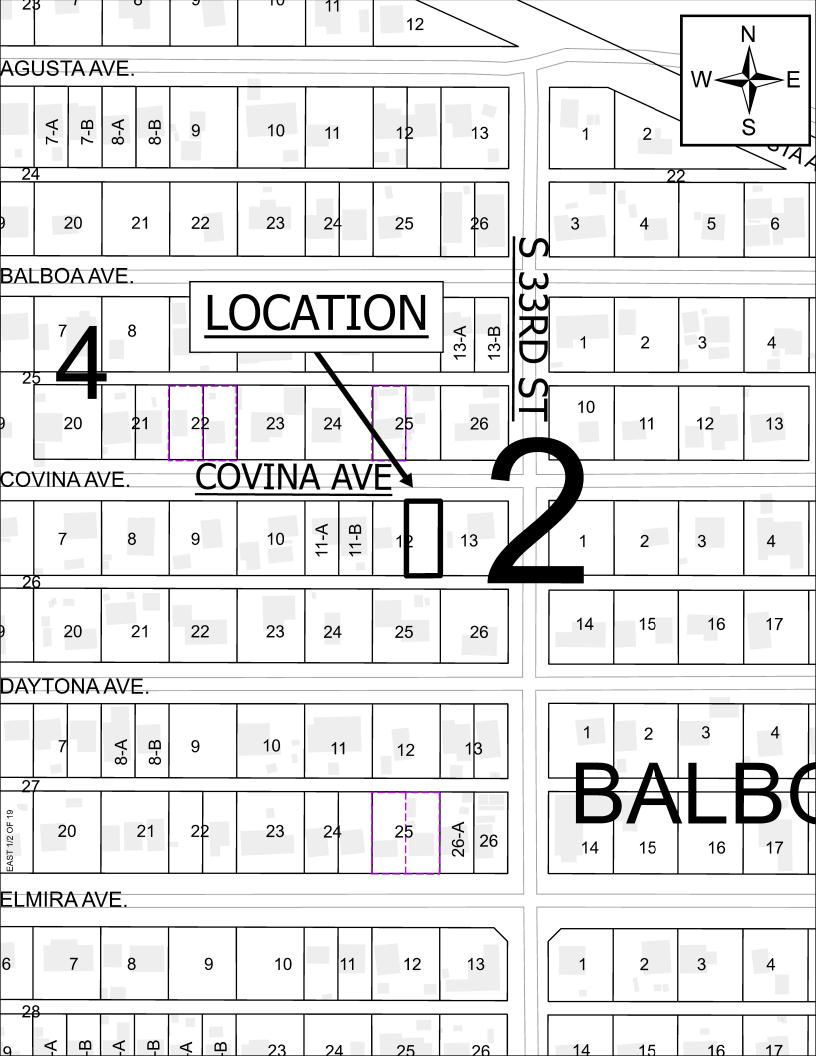
\_\_ Date\_12-26-24

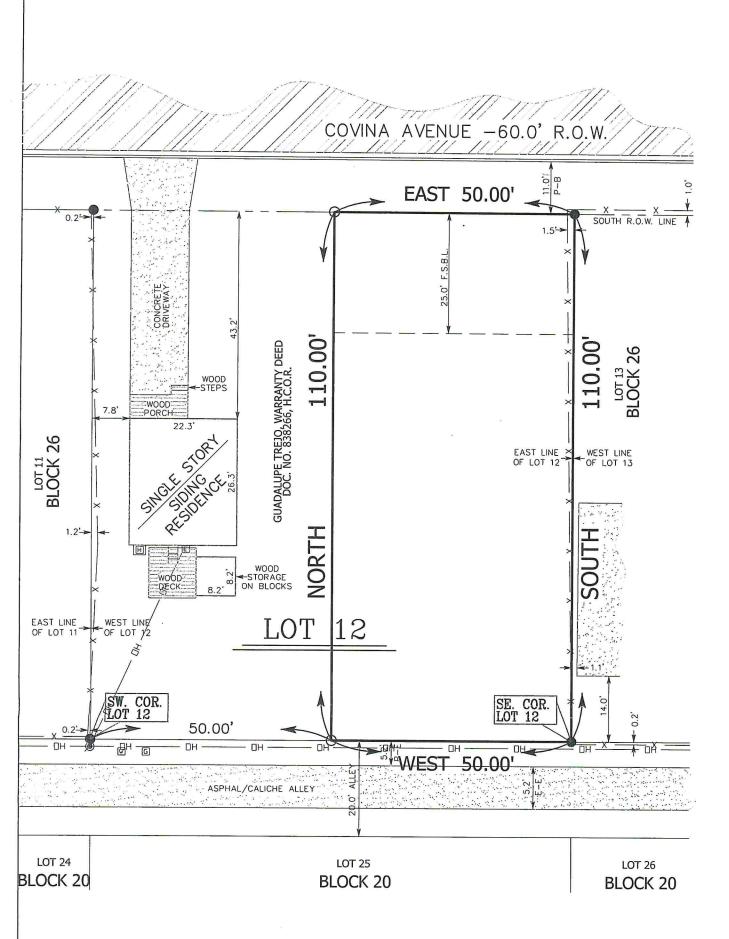
Print Name

Owner 🗆

Authorized Agent □

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





EAST SCALE:1"=20"

### LEGEND

FOUND 1/2" IRON ROD SET 1/2" IRON ROD POWER POLE GAS METER

ELECTRIC METER WATER HEATER H

W WATER METER OVERHEAD POWERLINE CHAINLINK FENCE F.S.B.L. FRONT SETBACK LINE R.O.W. RIGHT OF WAY

PROPERTY LINE TO BACK P-B PROPERTY LINE TO EDGE OF ASPHALT/CALICHE

EDGE OF ASPHALT/CALICHE TO EDGE OF ASPHALT/CALICHE HIDALGO COUNTY MAP

RECORDS

H.C.O.R. HIDALGO COUNTY OFFICIAL RECORDS

PLAT SHOWING THE EAST HALF OF LOT 12, BLOCK 26, BALBOA ACRES, AN ADDITION TO THE CITY OF McALLEN. HIDALGO COUNTY, TEXAS, VOL. 14, PG. 31, H.C.M.R.

NOTESI

1. SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR.

2. SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE POLICY, WHICH MAY SHOW ADDITIONAL EASEMENTS AFFECTING THIS LOT. SURVEYOR IS ADVISING THE RECIPIENT OF THIS PLAT THAT ADDITIONAL EASEMENTS MAY BE ON THIS LOT.

MINIMUM FLOOR ELEVATIONS, SETBACK LINES, EASEMENTS AND RESTRI-CTIONS AS SHOWN ACCORDING TO THE MAP OR PLAT OF BALBOA ACRES, THEREOF REC. IN VOL. 14, PG. 31, H.C.M.R.

4. W & L MANGUM SURVEYING NOR THE SURVEYOR OF RECORD RESEA-RCHED OR PREPARED A TITLE REPORT OR ABSTRACT OF TITLE ON THE ABOVE PROPERTY.

5. THE EXISTENCE, IF ANY UNDERGROUND GAS LINES OR OTHER UNDERGROUND UTILITIES NOT SHOWN ON THIS SURVEY SHOULD BE THROUGHLY INVESTIGATED BY THE OWNER PRIOR TO ANY CONSTRUCTION ON THIS SITE. THE SURVEYOR HAS LIMITED HIS INVESTIGATION OF UNDERGROUND UTILITIES ON THIS SITE TO THAT WHICH CAN BE SEEN.

 SUBDIVISION REGULATIONS OF THE COUNTY OF HIDALGO AND/OR ORDINA-NCE OR GOVERNMENT REGULATIONS OF THE CITY HOLDING EXTRATERRITORIAL JURISDICTION OF SAID PROPERTY.

NOTE LOCATION OF CHAINLINK FENCE IN RELATION TO THE EAST PROPERTY LINE OF LOT 12, BLOCK 26, AS SHOWN HEREON.

### FLOOD ZONE

ZONE "AH"

AREAS OF 100-YEAR SHALLOW FLOODING WHERE DEPTHS ARE BETWEEN ONE (1)
AND THREE (3) FEET; AVERAGE DEPTHS
OF INUNDATION ARE SHOWN, BUT NO FLOOD HAZARD FACTORS ARE DETERMINED.

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

THE UNDERSIGNED HEREBY STATE THAT THIS SURVEY AS DESCRIBED HEREDN, WAS MADE ON THE GROUND ON 12/05/24 UNDER MY DIRECTION, THAT GROUND ON 12/05/24 UNDER MY DIRECTION, THE THE ONLY IMPROVEMENTS ON THE GROUND ARE AS SHOWN, THAT THERE ARE NO VISIBLE ENCROACHMENTS, VISIBLE OVERLAPPING, APPARENT CONFILICTS, OR VISIBLE EASEMENTS, EXCEPT AS SHOWN HEREON.

MANGUM, RPLS WILLIAM A. NO SURVE

### W & L MANGUM SURVEYING

WILLIAM A. MANGUN

2520 BUDDY OWENS BLVD. McALLEN, TEXAS 78504 PHONE (956)249-8061 FIRM NUMBER 10113300 wlmangumsurveying@gmail.com

DATE: 12-06-24 JOB No.2024.12.07 BOOK: E, PGS. 48-49 T.B.P.L.S. PHONE NO. 512-239-5263

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02/26/2025 Page 1 of 3 SUB2025-0022



Reviewed On: 2/26/2025

SUBDIVISION NAME: BALBOA ACRES EAST HALF OF LOT 12 BLOCK 26	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
Covina Avenue: 60 ft. ROW (existing) Paving: Approximately 35 ft. existing Curb & gutter: both sides  **Subdivision Ordinance: Section 134-105  **Monies must be escrowed if improvements are required prior to recording  **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
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	NA

**Landscaping Ordinance: Section 110-46	
*Perimeter buffers must be built at time of Subdivision Improvements.	NA
OTES	
* 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
OT REQUIREMENTS	
* Lots fronting public streets **Subdivision Ordinance: Section 134-1	Applied
* Minimum lot width and lot area: Survey for the east half of Lot 12, Block 26 shows a 50 ft. width  **Zoning Ordinance: Section 138-356	Applied
ONING/CUP	
* Existing: R-1 Proposed: R-1 ***Zoning Ordinance: Article V	Applied
* Rezoning Needed Before Final Approval ***Zoning Ordinance: Article V	NA
ARKS	
* Land dedication in lieu of fee.	NA
* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording.	Required
* Pending review by the City Manager's Office.	NA
RAFFIC	
* As per Traffic Department, Trip Generation waived for one lot single family lot	Applied
* Traffic Impact Analysis (TIA) required prior to final plat.	NA
OMMENTS	
Comments: *Existing plat notes remain the same as now exist.	Applied

*Public hearing is required for the subdivision of the lot.  *Must comply with other department requirements prior to recording as may be applicable.	
RECOMMENDATION	
STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM SUBJECT TO THE CONDITIONS NOTED.	Applied



### City of McAllen Planning Department

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

	Subdivision Name Balboa Acres
	Legal Description West Half Lot 12B lock 26
Project Information	Location 3309 Coving Ave  City Address or Block Number Block 26  Total No. of Lots Total Dwelling Units Gross Acres 0.25  MPublic Subdivision/ Private and Gated / Private but Not Gated within ETJ: Pes/Mo  For Fee Purposes: Commercial ( Acres)/ Residential ( Lots) Replat: Pes/No  Existing Zoning R   Proposed Zoning R   Applied for Rezoning No/Pes: Date  Existing Land Use House Proposed Land Use Same  Irrigation District # Water CCN: MPU/ Sharyland Water SC Other
	Agricultural Exemption: □Yes/☑No Property ID:
	Estimated Rollback Tax Due Tax Dept. Review
Owner	Name <u>Guadalupe + Maria Ivenie Ivejo</u> Phone <u>956-467-8442</u> Address <u>2700 Day tona Ave</u> E-mail <u>Wiii tvejo</u> @ Aol, com  City <u>McAllen</u> State <u>TX</u> Zip <u>78503</u>
<u>.</u>	Name Same Phone
lope	Address E-mail
Developer	City State Zip
	Contact Person
	Name Phone
Engineer	Address E-mail
Engi	City State Zip
	Contact Person
yor	Name William A. Mangum R.P.L.S. Phone 956-249-8061
Surveyor	Address 911 Keystone Drive E-mail Wimangum surver Property Park
ัง	City

KF

# Minimum Developer's Requirements Submitted with Application

# Owner(s) Signature(s)

### **Proposed Plat Submittal**

### In Person Submittal Requirements

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

### **Email Submittal Requirements**

- Application Fee: \$300 + \$25/lot for residential (excluding apartment complexes) or \$400 + \$200 (0-5 acres), \$400 + \$300 (5.01-10 acres), \$400 + \$400 (10 acres or greater) for commercial, industrial, or apartment complexes
- Title Report
- Sealed Survey
- Location Map
- Plat & Reduced Plat
- Warranty Deed
- DWG File
- Letter of Authorization from the owner (if applicable)
- Proof of authority of person signing application on behalf of partnership/corporation, if applicable
- \*Documents must be submitted in separate PDF files. <u>Each file must be less than 20 MB</u>. No scanned documents\*
- \*Submit documents to subdivisions@mcallen.net
  - \*ORIGINAL APPLICATION & FEE MUST BE SUBMITTED IN PERSON/VIA MAIL\*

### PLAT TO SHOW:

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

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

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 Justaliese hypo

\_\_\_ Date 1-14-25

Print Name \_

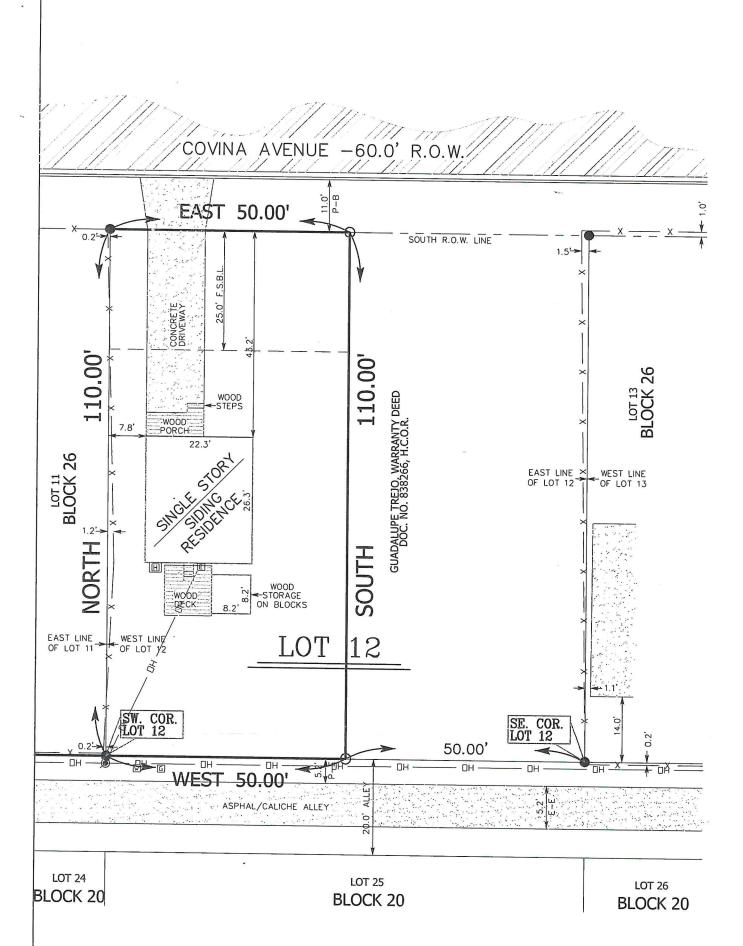
Guadalupe Iveju

Owner 🗹

Authorized Agent □

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







### LEGEND

FOUND 1/2" IRON ROD SET 1/2" IRON ROD 0 POWER POLE GAS METER

ELECTRIC METER WATER HEATER WATER METER

OVERHEAD POWERLINE -X-CHAINLINK FENCE F.S.B.L. FRONT SETBACK LINE R.O.W. RIGHT OF WAY

P-B PROPERTY LINE TO BACK OF CURB

PROPERTY LINE TO EDGE OF ASPHALT/CALICHE

EDGE OF ASPHALT/CALICHE TO EDGE OF ASPHALT/CALICHE

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

H.C.O.R. HIDALGO COUNTY OFFICIAL **RECORDS** 

PLAT SHOWING THE WEST HALF OF LOT 12. BLOCK 26, BALBOA ACRES, AN ADDITION TO THE CITY OF McALLEN HIDALGO COUNTY, TEXAS, VOL. 14, PG. 31, H.C.M.R.

### NOTES

- SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR.
- 2. SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE POLICY, WHICH MAY SHOW ADDITIONAL EASEMENTS AFFECTING THIS LOT. SURVEYOR IS ADVISING THE RECIPIENT OF THIS PLAT THAT ADDITIONAL EASEMENTS MAY BE ON THIS LOT.
- MINIMUM FLOOR ELEVATIONS, SETBACK LINES, EASEMENTS AND RESTRICTIONS AS SHOWN ACCORDING TO THE MAP OR PLAT OF BALBOA ACRES, THEREOF REC. IN VOL. 14, PG. 31, H.C.M.R.
- W & L MANGUM SURVEYING NOR THE SURVEYOR OF RECORD RESEA-RCHED OR PREPARED A TITLE REPORT OR ABSTRACT OF TITLE ON THE ABOVE PROPERTY.
- 5. THE EXISTENCE, IF ANY UNDERGROUND GAS LINES OR OTHER UNDERGROUND UTILITIES NOT SHOWN ON THIS SURVEY SHOULD BE THROUGHLY INVESTIGATED BY THE OWNER PRIOR TO ANY CONSTRUCTION ON THIS SITE.THE SURVEYOR HAS LIMITED HIS INVESTIGATION OF UNDERGROUND UTILITIES ON THIS SITE TO THAT WHICH CAN BE SEEN.
- SUBDIVISION REGULATIONS OF THE COUNTY OF HIDALGO AND/OR ORDINA-NCE OR GOVERNMENT REGULATIONS OF THE CITY HOLDING EXTRATERRITORIAL JURISDICTION OF SAID PROPERTY.
- 7. NOTE LOCATION OF CHAINLINK FENCE IN RELATION TO THE EAST PROPERTY LINE OF LOT 12, BLOCK 26, AS SHOWN HEREON.

### FLOOD ZONE

ZONE "AH"

AREAS OF 100-YEAR SHALLOW FLOODING WHERE DEPTHS ARE BETWEEN ONE (1)
AND THREE (3) FEET; AVERAGE DEPTHS
OF INUNDATION ARE SHOWN, BUT NO FLOOD HAZARD FACTORS ARE DETERMINED.

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

THE UNDERSIGNED HEREBY STATE THAT THIS SURVEY AS DESCRIBED HEREON, WAS MADE ON THE GROUND ON 12/05/24 UNDER MY DIRECTION, THAT THE UNLY IMPROVEMENTS ON THE GROUND ARE AS SHOWN, THAT THERE ARE NO VISIBLE ENCROPER MENTS, VISIBLE OVERLAPPING APPARENT CONFLICTS, OR VISIBLE EASEMENTS, EXCEPT AS SHOWN HEREON. SHOWN HEREON. 100

RPLS No. MANGUM,

### W & L MANGUM SURVEYING

4353

NO SURVE

4353 O DATE

2520 BUDDY OWENS BLVD. McALLEN, TEXAS 78504 PHONE (956)249-8061 FIRM NUMBER 10113300 wlmangumsurveying@gmail.com

JOB No.2024.12.08 BOOK: E, PGS. 48-49 DATE: 12-06-24

T.B.P.L.S. PHONE NO. 512-239-5263

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02/26/2025 Page 1 of 3 SUB2025-0023



Reviewed On: 2/26/2025

SUBDIVISION NAME: BALBOA ACRES WEST HALF LOT 12, BLOCK 26 REQUIREMENTS	
Covina Avenue: 60 ft. ROW (existing) Paving: Approximately 35 ft. existing Curb & gutter: both sides  **Subdivision Ordinance: Section 134-105  **Monies must be escrowed if improvements are required prior to recording  **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
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	NA

02/26/2025 Page 2 of 3 SUB2025-0023

**Landscaping Ordinance: Section 110-46	
*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 12, Block 26 shows a 50 ft. width	Applied
**Zoning Ordinance: Section 138-356  ZONING/CUP	
20111107001	
* 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 * There is an existing house on the west half of Lot Lot 12, Block 26. \$700 will be needed for the east half prior to recording.	Applied
* Pending review by the City Manager's Office.	NA
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 is required for the subdivision of the lot.  *Must comply with other department requirements prior to recording as may be applicable.	Applied
RECOMMENDATION	
STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM SUBJECT TO CONDITIONS NOTED.	Applied



SUBDOM-0124

## City of McAllen Planning Department

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

	Subdivision Name MTZEVINSUBDIVISION C.S. 1-3	30-25
	Legal Description A 2.88 TRACT OF LAND OUT OF LOT 78, LA LOMITA IRRIGATION AND CONSTRUCT HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP RECORDED IN VOLUME 24, PAGE 68, DEED RECORDS COUNTY CLERK OF HIDALGO COUNTY, TEXAS	ION COMPANY'S SUBDIVSION
	Location 4212 LARK AVE, MCALLEN, TX	
ion	City Address or Block Number 4212 Lark Avenue	
mati	Total No. of Lots 1 Total Dwelling Units1 _ Gross Acres _2.88	
nfor	☑Public Subdivision/□Private and Gated /□Private but Not Gated w	rithin ETJ: □Yes/⊠No
Project Information	For Fee Purposes: □Commercial ( Acres)/☑ Residential ( 1 Lots)	Replat: □Yes/⊠No
Pr	Existing Zoning $\frac{R-1}{R}$ Proposed Zoning $\frac{R-1}{R}$ Applied for Rezoning $\mathbb{Z}$ No	o/□Yes: Date
	Existing Land Use VACANT Proposed Land Use RESIDE	NTIAL LOT
	Irrigation District #1 Water CCN: ☑MPU/□Sharyland Water S	SC Other
	Agricultural Exemption: □Yes/☑No Parcel # 210 692 ☐	
	Estimated Rollback Tax Due 2,038.70 Tax Dept. Review	
MDENIE TO SE		
Jer	Name MARIA S. SANDOVAL Phone	
Owner	Address 3528 BUDDY OWENS BLVD E-mail	
	City MCALLEN State TX Zip 78504	
_	Name MARIA S. SANDOVAL Phone	
loper	- I Holle	
eveloper	Address 3528 BUDDY OWENS BLVD E-mail	
Developer	Name         MARIA S. SANDOVAL         Phone           Address         3528 BUDDY OWENS BLVD         E-mail           City         MCALLEN         State         TX         Zip         78504           Contact Person	
Developer	Address 3528 BUDDY OWENS BLVD E-mail  City MCALLEN State TX Zip 78504  Contact Person	
	Address         3528 BUDDY OWENS BLVD         E-mail	2
	Address         3528 BUDDY OWENS BLVD         E-mail	2
Engineer Developer	Address         3528 BUDDY OWENS BLVD         E-mail	2
Engineer	Address         3528 BUDDY OWENS BLVD         E-mail	2
Engineer	Address         3528 BUDDY OWENS BLVD         E-mail	2 ELTAENGINEERING.COM
	Address         3528 BUDDY OWENS BLVD         E-mail	2 ELTAENGINEERING.COM

KF

NOV 1 2 2024

# Minimum Developer's Requirements Submitted with Application

### **Proposed Plat Submittal**

### In Person Submittal Requirements

- Application Fee: \$300 + \$25/lot for residential (excluding apartment complexes) or \$400 + \$200 (0-5 acres), \$400 + \$300 (5.01-10 acres), \$400 + \$400 (10 acres or greater) for commercial, industrial, or apartment complexes
- Title Report
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- 2 Warranty Deeds (identifying owner on application)
- AutoCAD 2005 DWG file and PDF of plat
- Letter of Authorization from the owner (if applicable)
- Proof of authority of person signing application on behalf of partnership/corporation (if applicable)

### Email Submittal Requirements

- Application Fee: \$300 + \$25/lot for residential (excluding apartment complexes) or \$400 + \$200 (0-5 acres), \$400 + \$300 (5.01-10 acres), \$400 + \$400 (10 acres or greater) for commercial, industrial, or apartment complexes
- Title Report
- Sealed Survey
- Location Map
- Plat & Reduced Plat
- Warranty Deed
- DWG File
- Letter of Authorization from the owner (if applicable)
- Proof of authority of person signing application on behalf of partnership/corporation, if applicable
- \*Documents must be submitted in separate PDF files. Each file must be less than 20 MB. No scanned documents\*
- \*Submit documents to subdivisions@mcallen.net

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

### PLAT TO SHOW:

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

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

Owner(s) Signature(s)

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

Signature \_\_\_

Date 11/12/24

Print Name

PE, RPUS

Owner

Authorized Agent

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

### **Proposed Plat Submittal**

### In Person Submittal Requirements

- Application Fee: \$300 + \$25/lot for residential (excluding apartment complexes) or \$400 + \$200 (0-5 acres), \$400 + \$300 (5.01-10 acres), \$400 + \$400 (10 acres or greater) for commercial, industrial, or apartment complexes
- Title Report
- 8 ½" by 11" Original Sealed Survey showing existing structures/easements or 3 blueline copies 2 Location Maps
- 2 8 ½" by 11" copies/legible copies of plat with name & north arrow
- 6 Folded blueline prints of the proposed plat
- 2 Warranty Deeds (identifying owner on application)
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Owner(s) Signature(s)

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

Signature

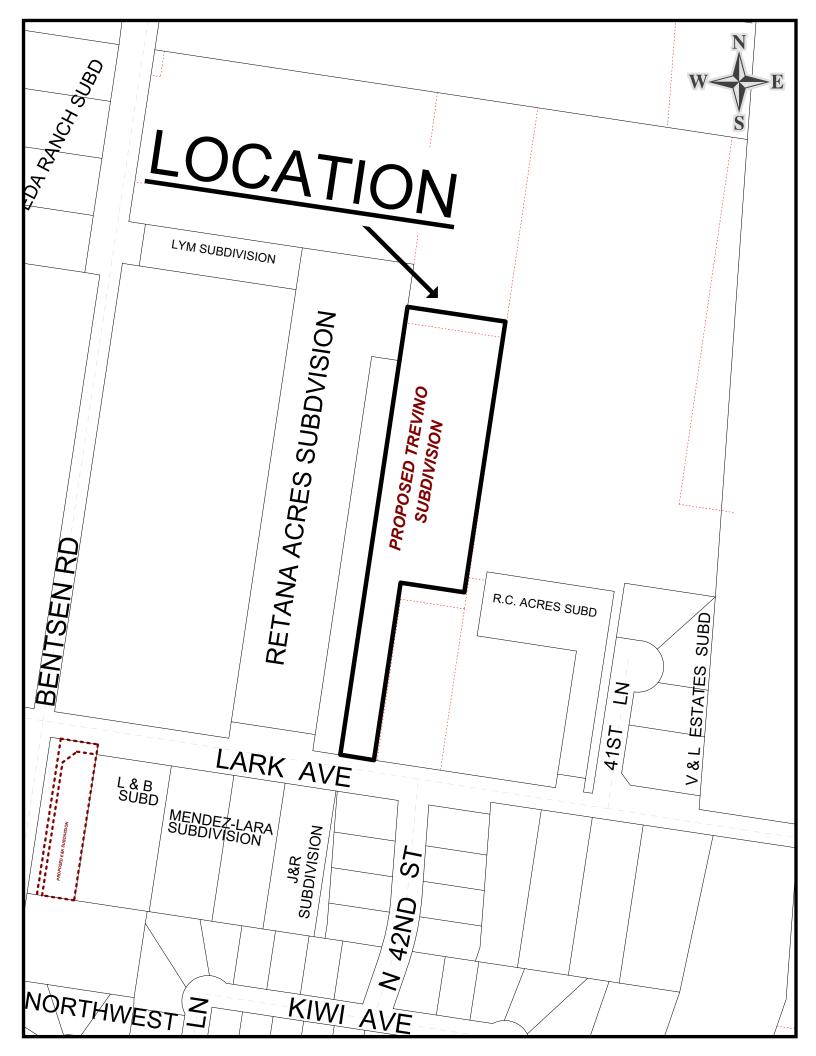
Print Name

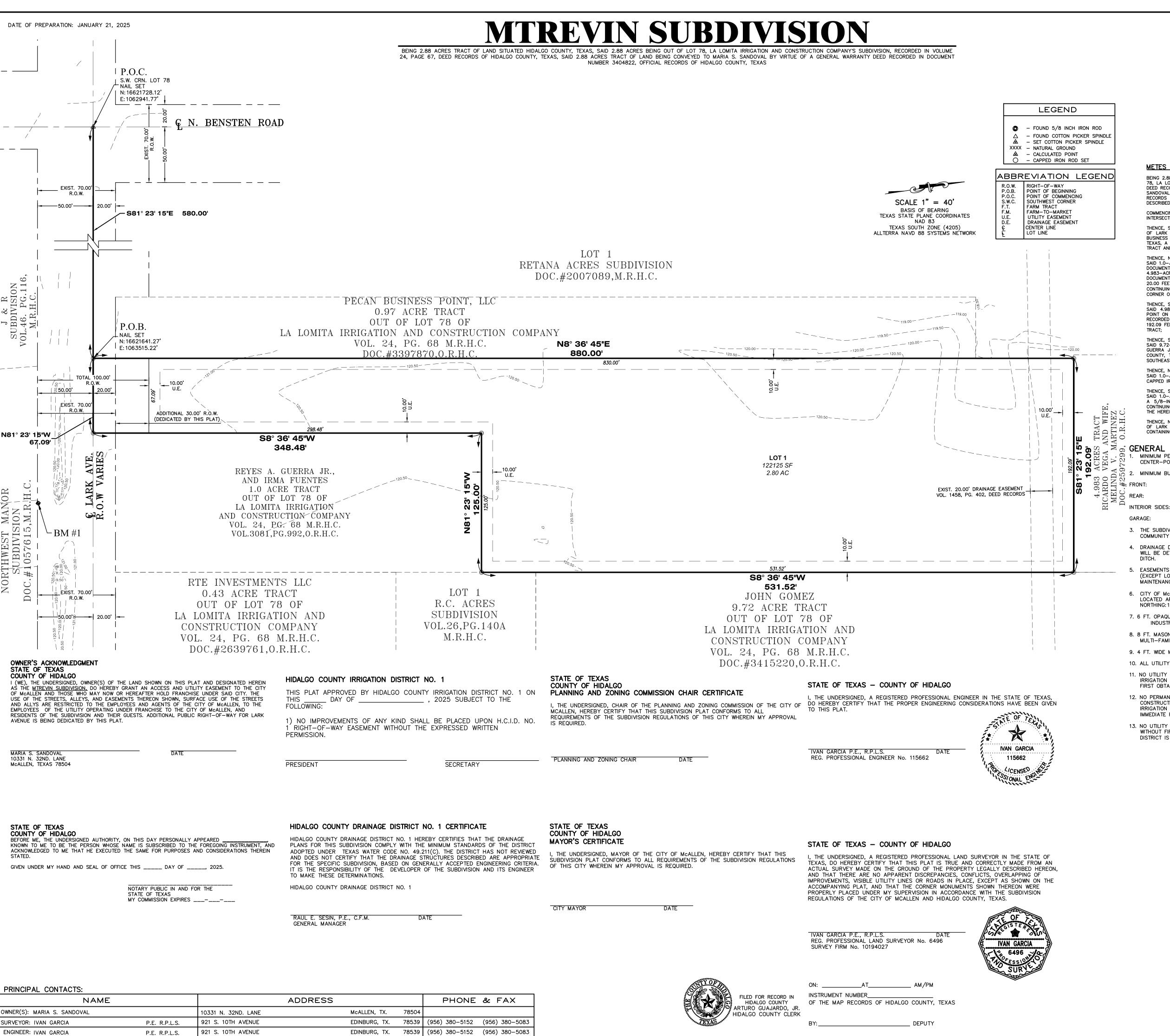
MARIA S. SANDOVAL

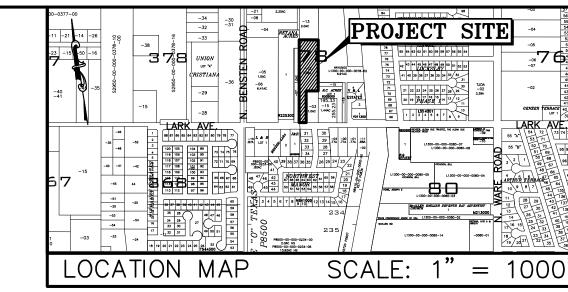
Owner 🖂

Authorized Agent

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







### METES AND BOUNDS DESCRIPTION

BEING 2.88 ACRES TRACT OF LAND SITUATED HIDALGO COUNTY, TEXAS, SAID 2.88 ACRES BEING OUT OF LOT 78, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY'S SUBDIVISION, RECORDED IN VOLUME 24, PAGE 67, DEED RECORDS OF HIDALGO COUNTY, TEXAS, SAID 2.88 ACRES TRACT OF LAND BEING CONVEYED TO MARIA S. SANDOVAL BY VIRTUE OF A GENERAL WARRANTY DEED RECORDED IN DOCUMENT NUMBER 3404822, OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS, AND SAID 2.88 ACRES TRACT OF LAND BEING PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

COMMENCING ON A NAIL SET AT THE SOUTHWEST CORNER OF SAID LOT 78, SAME BEING THE POINT OF INTERSECTION BETWEEN LARK AVENUE AND N BENSTSEN ROAD;

THENCE, S 81° 23°15"E ALONG THE SOUTH LINE OF THE SAID LOT 78, SAME BEING ALONG THE CENTERLINE OF LARK AVENUE, TO THE SOUTHEAST CORNER OF A 1.0—ACRE TRACT OF LAND CONVEYED TO PECAN BUSINESS POINT, LLC, RECORDED IN DOCUMENT NUMBER 3397870, OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS, A DISTANCE OF 580.00 FEET TO A NAIL SET FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED

THENCE, N 08° 36° 45° E ACROSS LOT 78, SAME BEING IN PART ALONG THE EAST BOUNDARY LINE OF THE SAID 1.0—ACRE TRACT OF LAND, AND THE EAST BOUNDARY LINE OF RETANA ACRES SUBDIVISION RECORDED IN DOCUMENT NUMBER 2007089, MAP RECORDS OF HIDALGO COUNTY, TEXAS, TO A CORNER POINT OF A 4.983—ACRE TRACT OF LAND CONVEYED TO RICARDO VEGA AND WIFE, MELINDA V. MARTINEZ, RECORDED IN DOCUMENT NUMBER 2597299, OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS, PASSING AT A DISTANCE OF 20.00 FEET A ½—INCH IRON ROD FOUND AT THE EXISTING NORTH RIGHT—OF—WAY LINE OF LARK AVENUE, AND CONTINUING A TOTAL DISTANCE OF 880.00 FEET TO A ½—INCH IRON ROD FOUND FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, S 81° 23'15"E ACROSS THE SAID LOT 78, SAME BEING ALONG THE SOUTH BOUNDARY LINE OF THE SAID 4.983—ACRE TRACT, TO THE SOUTHEAST CORNER OF THE SAID 4.983—ACRE TRACT, SAME BEING A POINT ON THE WEST BOUNDARY LINE OF A CALLED 9.72 ACRES TRACT OF LAND CONVEYED TO JOHN GOMEZ, RECORDED IN DOCUMENT NUMBER 3415220, OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS, A DISTANCE OF 192.09 FEET TO A ½—INCH CAPPED IRON ROD SET FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT.

THENCE, S 08° 36° 45" W ACROSS THE SAID LOT 78, SAME BEING ALONG THE WEST BOUNDARY LINE OF THE SAID 9.72—ACRE TRACT, TO THE NORTHEAST CORNER OF A CALLED 1.0—ACRE TRACT CONVEYED TO REYES A. GUERRA JR., AND IRMA FUENTES, RECORDED IN VOLUME 3081, PAGE 992, OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS, A DISTANCE OF 531.52 FEET TO A ½—INCH CAPPED IRON ROD SET FOR THE NORTHERLY SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, N 81° 23°15" W ACROSS THE SAID LOT 78, SAME BEING ALONG THE NORTH BOUNDARY LINE OF THE SAID 1.0—ACRE REYES A. GUERRA JR., AND IRMA FUENTES TRACT, A DISTANCE OF 125.00 FEET TO A ½—INCH CAPPED IRON ROD SET FOR AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, S 08° 36° 45" W ACROSS THE SAID LOT 78, SAME BEING ALONG THE WEST BOUNDARY LINE OF THE SAID 1.0—ACRE REYES A. GUERRA JR., AND IRMA FUENTES TRACT, PASSING AT A DISTANCE OF 328.48 FEET A 5/8—INCH IRON ROD FOUND AT THE EXISTING NORTH RIGHT—OF—WAY LINE OF LARK AVENUE AND CONTINUING A TOTAL DISTANCE OF 348.48 FEET TO A NAIL SET FOR THE SOUTHERLY SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, N 81° 23°15° W ALONG THE SOUTH LINE OF THE SAID LOT 78, SAME BEING ALONG THE CENTERLINE OF LARK AVENUE, A DISTANCE OF 67.09 FEET TO THE POINT AND PLACE OF BEGINNING, SAID TRACT CONTAINING 2.88 ACRES OF LAND, MORE OR LESS.

### GENERAL PLAT NOTES:

1. MINIMUM PERMISSIBLE FINISHED FLOOR ELEVATION SHALL BE 18" ABOVE TOP OF CURB IN FRONT OF THE CENTER-POINT OF THE LOT.

 $\begin{picture}(20,0) \put(0,0){\line(1,0){10}} \put(0,0$ 

FRONT: 45 FT. OR GREATER FOR EASEMENTS OR IN LINE WITH EXISTING STRUCTURES, WHICHEVER IR GRATER

REAR: IN ACCORDANCE WITH THE ZONING ORDINANCE OR GREATER FOR EASEMENT.

INTERIOR SIDES: IN ACCORDANCE WITH THE ZONING ORDINANCE OR GREATER FOR EASEMENT.

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

3. THE SUBDIVISION IS IN ZONE "C" (NON-SHADED), AREAS DETERMINED OF MINIMAL FLOODING. (NO SHADING) MAP COMMUNITY PANELS NO.: 480334 0400 C MAP REVISED: NOVEMBER 16, 1982.

4. DRAINAGE DETENTION OF <u>3.924</u> CF OR <u>0.090</u> ACRE FEET IS REQUIRED FOR THIS SUBDIVISION. CURRENT RUNOFF WILL BE DETAINED IN THE EXISTING HIDALGO COUNTY DRAINAGE DISTRICT NO.1 MISSION—MCALLEN LATERAN DRAIN

5. 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.

6. CITY OF McALLEN BENCHMARK (MC47) A 30" ALUMINUM PIPE WITH A 3¼" BRASS MONUMENT CAP ON TOP. LOCATED APPROXIMATELY 29 FEET EAST FROM NORTH TAYLOR ROAD AND 650 FEET NORTH OF MILE 5. NORTHING: 1061100.60350 EASTING: 16628009.54221 ELEV.=140.02

7. 6 FT. OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, AND INDUSTRIAL ZONES/USES.

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

9. 4 FT. WIDE MINIMUM SIDEWALK REQUIRED ON LARK AVENUE.

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

11. NO UTILITY COMPANY, PUBLIC ENTITY, PARTY OR PERSON IS ALLOWED TO CROSS ABOVE OR BELOW GROUND AN 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.

12. 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.

13. NO UTILITY COMPANY, PUBLIC ENTITY, PARTY OR PERSON IS ALLOWED TO CONNECT TO ANY DISTRICT FACILITY WITHOUT FIRST OBTAINING A PERMIT FROM IRRIGATION DISTRICT, ANY CONNECTION NOT AUTHORIZED BY THE DISTRICT IS SUBJECT TO IMMEDIATE REMOVAL AT VIOLATOR'S EXPENSE.

## DELTA

FINAL

RAT RM E I

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S. EL)

PLAT SHEET
MTREVIN SUBDIVISION
CITY OF MCALLEN
HIDALGO COUNTY, TEXAS

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:

H.G/ G.F.

SCALE:

1" = 40'

JANUARY 21, 2025

ROJECT:

SUB 24 046

EVISIONS:

PAGE NO. 1-0F-1

02/27/2025 Page 1 of 4 SUB2025-0015



Reviewed On: 2/27/2025

SUBDIVISION NAME: MTREVIN SUBDIVISION	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
Lark Avenue: R.O.W. dedication as needed for 50 ft. from centerline for total 100 ft. R.O.W. Paving: 65 ft. Curb & gutter: both sides Revisions needed: - Reference the document number for any existing R.O.W. and provide a copy for staff review prior to final/recording Show and label the R.O.W. dedication from centerline to verify compliance prior to final/recording.  **Subdivision Ordinance: Section 134-105  **Monies must be escrowed if improvements are required prior to recording.  **COM Thoroughfare Plan	Required
Paving Curb & gutter javascript:ajaxEngine.setUsersByCurrDeptOrUser('value (statusByDept)', 'value(statusByUser*gaUserID)', '0', '1');  **Subdivision Ordinance: Section 134-105  **Monies must be escrowed if improvements are required prior to final  **COM Thoroughfare Plan	NA
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	Applied
* 900 ft. Block Length for R-3 Zone Districts **Subdivision Ordinance: Section 134-118	NA
* 600 ft. Maximum Cul-de-Sac **Subdivision Ordinance: Section 134-105	NA
ALLEYS	
R.O.W.: 20 ft. Paving: 16 ft.  *Alley/service drive easement required for commercial properties  **Subdivision Ordinance: Section 134-106	NA

02/27/2025 Page 2 of 4 SUB2025-0015

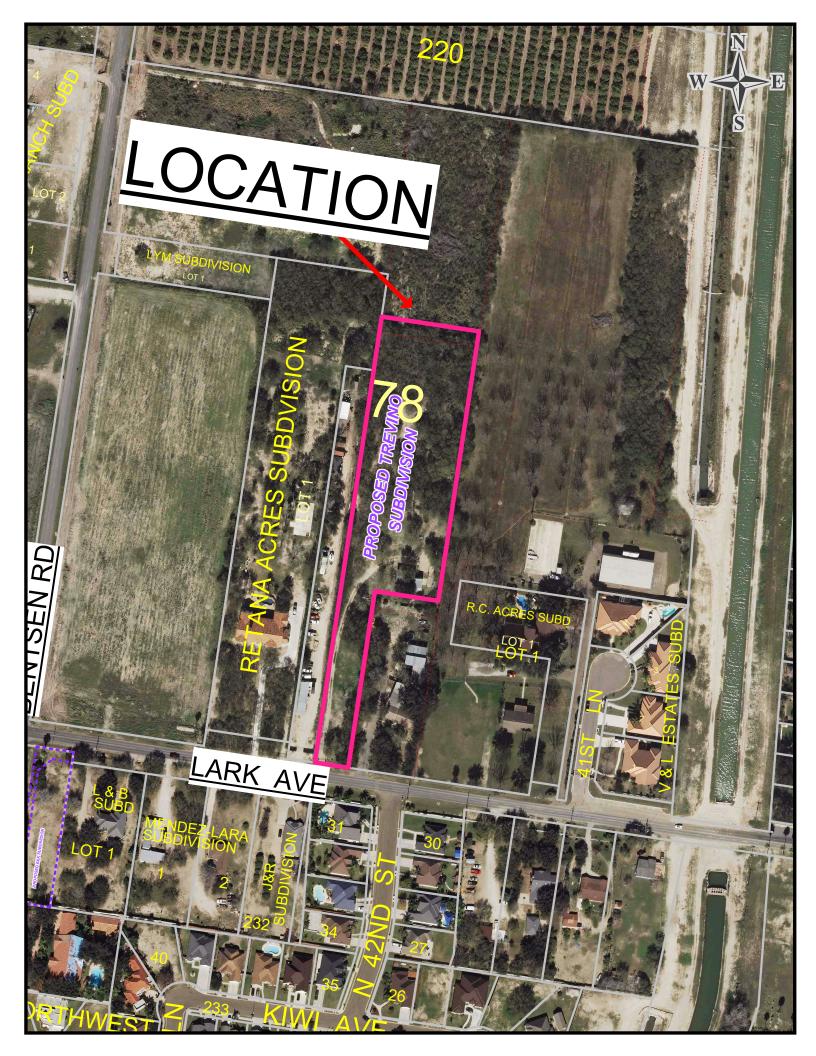
SETBACKS	
<ul> <li>* Front: 45 ft. or greater for easements or in line with existing structures, whichever is greater.</li> <li>- Revise the setback note as shown above prior to final/recording, currently there is a misspelling "Grater"</li> <li>** Disclaimer: Based on Sec. 134-106: In residential subdivisions which have lots abutting major or minor arterials or major collectors, the residences on such lots shall not face the major or minor arterial or major collector, unless: There shall be provided, in addition to any front setback, a 20-foot planting area (as defined in chapter 110, article II, Landscaping) between such lot and the major or minor arterial or major collector.</li> <li>**Zoning Ordinance: Section 138-356</li> </ul>	Required
* Rear (Proposing): In Accordance with the Zoning Ordinance or greater for easements **Zoning Ordinance: Section 138-356	Applied
* Sides (Proposing): 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	Required
SIDEWALKS	
* 4 ft. wide minimum sidewalk required on Lark Avenue.  **Subdivision Ordinance: Section 134-120	Applied
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Required
BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses **Landscaping Ordinance: Section 110-46	Applied
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses **Landscaping Ordinance: Section 110-46	Applied
*Perimeter buffers must be built at time of Subdivision Improvements.	Applied
NOTES	
* No curb cut, access, or lot frontage permitted along **Must comply with City Access Management Policy	Applied
* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.	NA
* Common Areas, 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

02/27/2025 Page 3 of 4 SUB2025-0015

* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.  **Section 110-72 applies if public subdivision is proposed.  **Section 134-168 applies if private subdivision is proposed.  **Landscaping Ordinance: Section 110-72  **Subdivision Ordinance: Section 134-168	NA
* 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.  **Section 134-168 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 **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 per the submitted application, one single-family lot is proposed. A park fee of \$700 is required prior to recording.	Required
* Pending review by the City Manager's Office.	NA
TRAFFIC	
* As per Traffic Department, Trip Generation for one-lot subdivision is waived.	Applied
* Traffic Impact Analysis (TIA) required prior to final plat.	NA
	•

02/27/2025 Page 4 of 4 SUB2025-0015

COMMENTS	
Comments:  - Clarify the unlabeled dashed lines outside this subdivision boundary prior to final. If any existing easements are shown, add the document number prior to final/recording.  - All signature blocks must comply with Section 134-61 of the subdivision ordinance prior to recording.  - Owner's signature block refers to a Private Subdivision, but the application on file refers this subdivision as a public subdivision, please clarify the plat or application prior to recording. Disclaimer: If subdivision is private, need to add the following words under the subdivision title "(Private Subdivision)" ***Please do not add the quotation marks.  - Need to correct the Planning & Zoning Commission chairman's Signature Block with correct wording, it should read;	Required
- Need to correct the Mayor's Signature Block with correct wording, it should read;	
Mayor, City of McAllen DATE	
*Must comply with City's Access Management Policy.	
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM, SUBJECT TO THE CONDITIONS NOTED.	Applied



3062023-0094

### City of McAllen Planning Department

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

	Subdivision Name Bentsen View Subdivision				
	Location Approximately 800' East of N Bentsen Rd and Business 83 intersection  City Address or Block Number 409 409 409				
Project Information	Number of Lots 2 Gross Acres 4.676 Net Acres ETJ Yes No  Existing Zoning C-3 Proposed Zoning C-3 Rezoning Applied for Yes No Date  Existing Land Use Vacant Proposed Land Use Matternia Irrigation District # 1  Replat Yes No Commercial Residential  Agricultural Exemption Yes No Estimated Rollback Tax Due  Parcel # 2106 Tax Dept. Review Mater Sc Other  Legal Description Being 4.676 Acres out of Lot 150 of La Lomita Irrigation and Construction Company  Subdivision of Porciones 61, 62, and 63, recorded in volume 24, Page 68-69 offical public deed records Hidalgo Co.				
Owner	Name         Adryca Properties, LLC         Phone956-600-8628           Address        1804 N. 23rd Street        E-mail				
Developer	Name         SAME AS OWNER         Phone           Address         E-mail         robertog20@yahoo.com           City         State         Zip           Contact Person         Roberto Garza				
Engineer	Name         M2 Engineering, PLLC         Phone         956-600-8628           Address         1810 E Griffin Parkway         E-mail         fernando@m2-engineers.com           City         Mission         State         Tx         Zip         78572           Contact Person         Fernando Estevan				
Surveyor	Name         Manual Carrizalez, RPLS         Phone         512-470-1489           Address         4807 Gondola Ave.         E-mail           City         Edinburg         State         Tx         Zip         78542				

KF

AUG 3 0 2023

# Minimum Developer's Requirements Submitted with Application

### **Proposed Plat Submittal**

### In Person Submittal Requirements

- \$225 Preliminary Review Fee and \$75 Final Approval Fee (Both fees can be combined in one payment)
- Title Report
- 8 1/2" by 11" Original Sealed Survey showing existing structures/easements or 3 blueline copies 2 Location Maps
- 28 1/2" by 11" copies/legible copies of plat with name & north arrow
- 6 Folded blueline prints of the proposed plat
- 2 Warranty Deeds (identifying owner on application)
- AutoCAD 2005 DWG file and PDF of
- 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\*

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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.

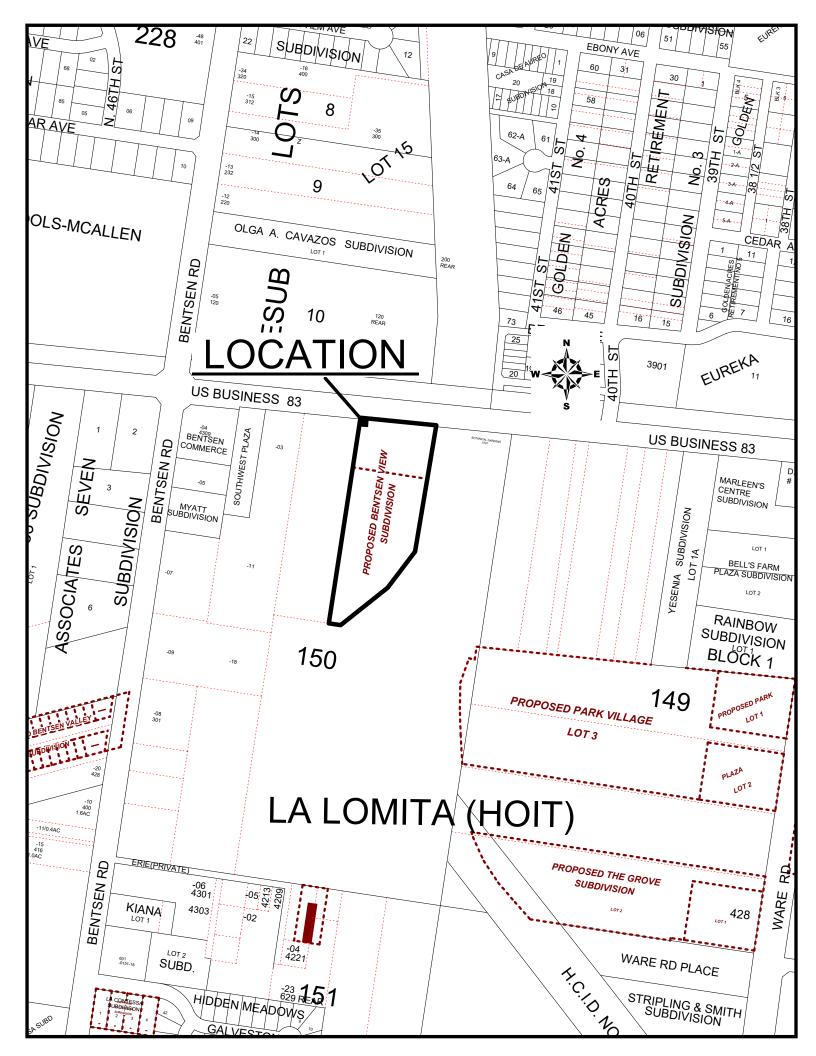
Signature

Roberto Garza **Print Name** 

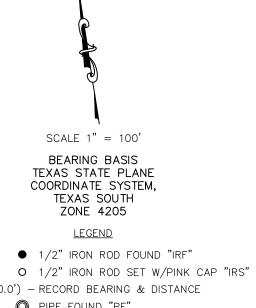
Owner

Authorized Agent

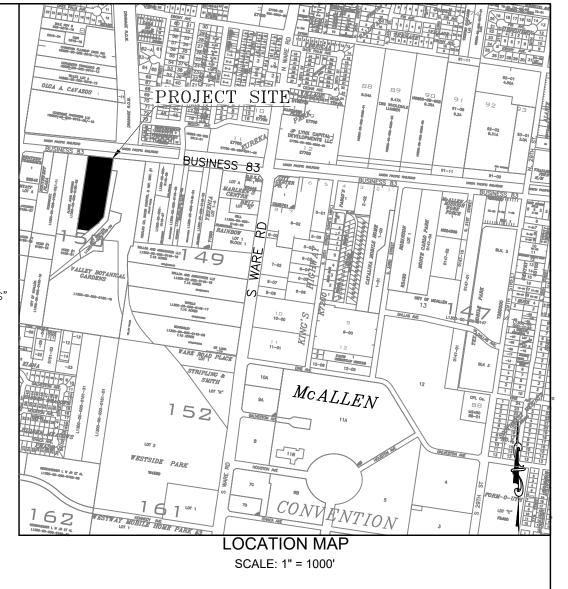
The Planning Department is now accepting DocuSign signatures on application



PREPARATION DATE: <u>FEBRUARY 7, 2025</u>				<del> </del>		
STATE OF TEXAS						
COUNTY OF HIDALGO	P.O.C.	TOGETHOUNAV 83				
OWNER'S DEDICATION, CERTIFICATION, AND ATTESTATION  I <u>ADRYCA PROPERTIES</u> , <u>LLC</u> , AS OWNER OF THE <u>4.676</u> TRACT OF LAND ENCOMPASSED WITHIN THE PROPOSED <u>BENTSEN VIEW SUBDIVISION</u> , HEREBY SUBDIVIDE THE LAND AS DEPICTED IN THIS SUBDIVISION PLAT AND DEDICATE TO PUBLIC USE THE STREETS AND EASEMENTS SHOWN HEREON.	NORTHWEST  CORNER  LOT 150  NB478'29"W	<u>Ç BUSINESS HIGHWAY 83</u> P.O.F	3.	E:1060875.157		SCALE 1" = 10  BEARING BASI
I CERTIFY THAT I HAVE COMPLIED THE REQUIREMENTS OF TEXAS LOCAL GOVERNMENT CODE 232.032 AND SECTION 134-61 (e)(5) OF THE SUBDIVISION ORDINANCE, THAT	CAL PF	S8418'29'E 217.36' N: 16601244.492 / E: 1060579.676	FUTURE (MPO) SOUTH HIGHT-OF-WAY LINE	cae		TEXAS STATE PL. COORDINATE SYS' TEXAS SOUTH
(A) THE WATER QUALITY AND CONNECTIONS TO THE LOTS MEET, OR WILL MEET THE MINIMUM STATE STANDARDS; (B) SEWER CONNECTIONS TO THE LOTS OR SEPTIC TANKS MEET OR WILL MEET THE MINIMUM REQUIREMENTS OF STATE STANDARDS; (C) ELECTRICAL CONNECTIONS PROVIDED TO THE LOTS MEET OR WILL MEET THE MINIMUM STATE STANDARDS; AND (D) GAS CONNECTIONS, IF AVAILABLE, PROVIDED TO THE LOTS MEET OR WILL MEET THE MINIMUM STATE	SOUTH RIGHT-OF-WAY LINE		DITIONAL ROW TED BY THIS PLAT	25.00' ACCESS AND UTILITY EASEMENT DEDICATED BY THIS PLAT		ZONE 4205  LEGEND  1/2" IRON ROD F  O 1/2" IRON ROD S  (S0'00'00"W 0.0') - RECORD BEARING
STANDARDS. I ATTEST THAT THE MATTERS ASSERTED IN THIS PLAT ARE TRUE AND COMPLETE.			DEDICA DEDICA SEMENT HIS PLAT		/ALLEY BOTANICAL GARDENS (CITY OF McALLEN) CALLED 14.50 ACRES	PIPE FOUND "PF"  A CALCULATED POIN
ADRYCA PROPERTIES, LLC DATE: ROBERTO GARZA, MANAGING MEMBER 1804 N. 23rd ST. MCALLEN, TEXAS 78501			\ .` <u>E</u> 6	25.00' ACCESS AND UTILITY EASEMENT ATED BY THIS PLAT	VOLUME 893, PAGE 595, O.P.R.H.C.	P.O.L. — POINT ON LINE
STATE OF TEXAS		JUAN ANTONIO ALANIZ CALLED 4.0 ACRES VOLUME 3277, PAGE 413, O.P.R.H.C.		125.00) 125.00)		
COUNTY OF HIDALGO  BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED ROBERTO GARZA, KNOWN TO ME			LOT 1 4.573 ACRES	200.6		
TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS DAY OF, 2025			IRS 199,222 SQFT	IR'S MIES		
NOTARY PUBLIC, HIDALGO COUNTY, TEXAS			725.00 6 1 10	SHE AB OF SEA LINE AS		
DATE MY COMMISSION EXPIRES			ZONE	EMENT	7.78	BEING 4.676 ACRES OUT OF AND 63, RECORDED IN VOLU BEING MORE PARTICULARLY I
STATE OF TEXAS				_/ <b>!</b> \	COUNTY STRICT S. PAGE H.C.	COMMENCING AT A CALCULAT THENCE, N84°18'29"W, ALON
CITY OF McALLEN PLANNING AND ZONING COMMISSION	IGUEZ 101			7.005%	HIDALGO NINAGE D JME 2769 O.P.R	NORTH LINE OF THE SAID LOTTHENCE, S08°37'33"W, ACRO
I THE UNDERSIGNED, CHAIRMAN OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF McALLEN HEREBY CERTIFY THIS <u>BENTSEN VIEW SUBDIVISION</u> PLAT WHICH CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THE CITY WHEREIN MY APPROVAL IS REQUIRED.	RODR ACRES . 2422		124.00 124.00 225	5.00' ACCESS AND UTILITY EASEMENT	VOL	CORNER OF A CALLED 4.0 A PUBLIC DEED RECORDS HIDA 83, FOR THE NORTHWEST CO
DATED THISDAY OF, 2025	ROBERTC LLED 5.5 MENT No O.P.R.H		DEDICATE OF THE PROPERTY OF TH	TED BY THIS PLAT		THENCE, S84°18'29"E, ALONG ROD FOUND WITH "MF" CAP DISTRICT No. 1, RECORDED
CHAIRMAN OF PLANNING AND ZONING COMMISSION	RLOS R CALL DOCUM		TEM 15.00' UTILITY DEDICATED BY	EASEMENT CAP P.O.L.		NORTHEAST CORNER OF THE
STATE OF TEXAS	O		121.00			CAP SET FOR A POINT ON L CORNER OF THE HEREIN DES
CITY OF McALLEN Mayor approval		20.00 DEDIC	D' UTILITY EASEMENT	CAL		THENCE, S37°13'27"W, ALONG WITH PINK CAP SET FOR A SET FOR AN EXTERIOR CORN
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.			120.00	N: 16600721.965 E: 1060792.487		THENCE, S51°34'05"W, ALONG IRON ROD FOUND WITH "MF"
MAYOR, CITY OF McALLEN DATE:			C EASEMEN Y THIS PL	CLS CAP P.Q.L	<b>)</b>	THENCE, N81°23'37"W, ALON FOUND THE SOUTHEAST COR
ATTESTED BY:			119.00 OUTLIT			THENCE, NO8°37'33"E, THE E CONTAINING 4.676 ACRES OF
CITY SECRETARY DATE:			/		GENERAL NOTES:	
HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 CERTIFICATE  HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 HEREBY CERTIFIES THAT THE DRAINAGE PLANS FOR THIS SUBDIVISION			118.00	CLS / O	1. FLOOD ZONE STATEMENT: ***SHOWN AT APPROX FLOOD ZONE DESIGNATION: ZONE "C" (NO SHADIN	KIMATE LOCATION BASED ON FEMA COMMUNITY—PANEL***
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				N: 16600580,665 E: 1060685/368	ZONE "C" AREAS (NO SHADING), AREAS OF MININ & FLOOD ZONE DESIGNATION: ZONE "B" (MEDIUM	
RESPONSIBILITY OF THE DEVELOPER OF THE SUBDIVISION AND ITS ENGINEER TO MAKE THESE DETERMINATIONS.  HIDALGO COUNTY DRAINAGE DISTRICT NO. 1			20.00' UTILITY EASEMENT OF DEDICATED BY THIS PLAT	2.10000033000 2.10000033000 2.10000033000 2.10000033000 2.10000033000 2.10000033000 2.10000033000	ZONE "B" AREAS (MEDIUM SHADE), AREAS DETER	MINED TO BE BETWEEN LIMITS OF THE 100—YEAR FLOOD AND  -YEAR FLOODING WITH AVERAGE DEPTHS LESS THAN ON (1) FOOT  LESS THAN ONE SQUARE MILE; OR AREAS PROTECTED BY LEVEES
RAUL E. SESIN, P.E., C.F.M. DATE			SEDICALE BY MIS TEAT AS A SA		OR WHERE THE CONTRIBUTING DRAINAGE AREA IS FROM THE BASE FLOOD, ACCORDING TO COMMU!  2. SETBACKS:	LESS THAN ONE SQUARE MILE; OR AREAS PROTECTED BY LEVEES NITY—PANEL NO. 480343 0005 C, MAP REVISED:NOVEMBER 02, 1982
GENERAL MANAGER			117.00 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0		FRONT: IN ACCORDANCE WITH ZONING OF OR IN LINE WITH AVERAGE SETBA REAR: IN ACCORDANCE WITH ZONING OF	RDINANCE, OR GREATER FOR EASEMENTS OR APPROVED SITE PLAN, ACK, WHICHEVER IS GREATER APPLIES. RDINANCE, OR GREATER FOR EASEMENTS OR APPPROVED SITE PLAN,
HIDALGO COUNTY IRRIGATION DISTRICT No. 2  THIS PLAT IS HEREBY APPROVED BY THE HIDALGO COUNTY IRRIGATION DISTRICT NO. 2			This contract the second secon	CCLS CASE	WHICHEVER IS GREATER APPLIES. SIDE: IN ACCORDANCE WITH ZONING ORDINANCE WHICHEVER IS GREATER APPLIES.	OR GREATER FOR EASEMENTS, OR APPROVED SITE PLAN,
ON THIS, THE DAY OF 20		N:16600442.215 E:1060457.972	I IRF W/MF CAP	*EN,	3. MINIMUM FINISHED FLOOR ELEVATION SHALL BE GROUND AND NO LOWER THAN THE HIGHEST FINISTIF GREATER.	24" ABOVE THE CENTER LINE OF STREET OR 24" ABOVE NATURAL SHIPLOOR IN THE SURROUNDING NEIGHBORING PROPERTY, WHICHEVER
SUBJECT TO RIGHTS OF WAY/EASEMENTS AS PER RECORD(S) VOLUME	IRF	S81'23'37"E 217.07'	N: 16600435.537 E: 1060502.093		4. THE FOLLOWING BENCHMARKS ARE IDENTIFIED PLANS.	ON THE FACE OF THE PLAT AND ON THE ATTACHED ENGINEERING
PAGE VOLUME PAGE MAP RECORDS VOLUME 16 PAGE 5, VOLUME 0 PAGE 63		(2)////////////////////////////////////		,	ON-SITE B.M. NO. 1-, TOP ATT MANHOLE Grid Northing : 16601257.	
NO IMPROVEMENTS OF ANY KIND (INCLUDING WITHOUT LIMITATION, TREES, FENCES, AND BUILDINGS) SHALL BE PLACED UPON HIDALGO COUNTY IRRIGATION DISTRICT #2 RIGHTS OF WAYS OR EASEMENTS.	115.00 IR	CALLED 2.0 ACRES DOCUMENT No. 2935636			Grid Easting: 1060627.87 Elevation: 126.82	
PRESIDENT ATTEST SECRETARY		O.P.R.H.C.	7,40,1		DEVELOPMENT WILL BE REQUIRED TO DETAIN A TO	RAINAGE DISTRICT NO. 1 AND HIDALGO COUNTY REQUIREMENTS, THIS DTAL OF <u>52.197</u> CUBIC—FEET OR <u>1.20</u> ACRE—FEET OF STORM WATER AREAS SITUATED WITHIN THE LOT AT THE PERMITTING STAGE.
STATE OF TEXAS			0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0		SHEDS, SHRUBS TREES, AND OTHER PLANTINGS (COVER, GRASS, OR FLOWERS) AND OTHER OBST	NY EASEMENT. EASEMENTS SHALL BE KEPT CLEAR OF BUILDINGS, EXCEPT LOW, LESS THAN 18 INCHES MATURE HEIGHT, GROUND RUCTIONS THAT WOULD INTERFERE WITH THE OPERATIONS AND
COUNTY OF HIDALGO  I, THE UNDERSIGNED, EMIGDIO "MILO" SALINAS, P.E., A LICENSED PROFESSIONAL ENGINEER, IN THE STATE OF TEXAS,	HIDALGO COUNTY DRAINAGE DISTRICT No.1	O COLOR	VALLEY BOTANI (CITY OF I CALLED 14.	McALLEN) .50 ACRES		FINISHED GRADE FROM THE CENTER OF THE LOT TO THE CURB  O ACCOMPLISH POSITIVE DRAINAGE. THIS IS IN ACCORDANCE WITH
DO HEREBY CERTIFY THAT THE PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN TO THIS PLAT.	CALLED 1.45 ACRES  VOLUME 2776, PAGE 75  O.P.R.H.C.		VOLUME 893, O.P.R	, PAGE 595, R.H.C.	HIDALGO COUNTY SUBDIVISION RULES APPENDIX 3	3.1.4.1.
EMIGDIO "MILO" SALINAS, P.E. DATE LICENSED PROFESSIONAL ENGINEER No. 107703					9. A 6 FOOT OPAQUE BUFFER REQUIRED FROM A INDUSTRIAL ZONES/USES.	DJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, OF
FIRM REGISTERED No. F-19545  EMIGDIO SALINAS  107703					10. AN ENGINEERED DRAINAGE DETENTION PLAN, PRIOR TO ISSUANCE OF BUILDING PERMITS.	APPROVED BY THE ENGINEERING DEPARTMENT, WILL BE REQUIRED
STATE OF TEXAS  COUNTY OF HIDALGO					MULTI-FAMILY RESIDENTIAL ZONES/USES.	IGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR
I, THE UNDERSIGNED, MANUEL CARRIZALES, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE AND IS PREPARE FROM AN ACTUAL SURVEY ON THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND AND THAT THE CORNER MONUMENTS WERE					MAINTAINED BY LOT OWNERS, NOT THE CITY OF I	ASEMENT WILL BE ESTABLISHED AS PART OF THE SITE AND WILL BE MCALLEN.  (FIRE LINE) IS THE RESPONSIBILITY OF THE OWNER AND/OR HIS
PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND AND THAT THE CORNER MONOMENTS WERE PROPERLY PLACED UNDER MY SUPERVISION AND THAT ALL ASPECTS OF IT ARE IN ACCORDANCE WITH THE CITY OF MCALLEN SUBDIVISION ORDINANCE AND ALL STATE STATUTES GOVERNING SURVEYS.					ASSIGNS. THE CITY OF MCALLEN HAS THE AUTHO	RITY TO ACCESS, MAINTAIN AND TEST FIRE HYDRANTS.
MANUEL CARRIZALES, R.P.L.S. DATE					OWNERS AND NOT THE CITY OF MCALLEN.  15. MINIMUM 24 FOOT WIDE PRIVATE SERVICE DRI	VE EASEMENT, WITH ACCESS TO BUSINESS 83 AS LOCATED ON THE
TEXAS R.P.L.S. No. 6388  TEXAS REG. SURVEYING FIRM No. 101194417  MANUEL CARRIZALES						XTENDED WESTWARD AS PROPERTIES TO THE WEST DEVELOP.



(S0°00'00"W 0.0') - RECORD BEARING & DISTANCE PIPE FOUND "PF" ▲ CALCULATED POINT "CAL"



METES AND BOUNDS

BEING 4.676 ACRES OUT OF LOT 150 OF LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY SUBDIVISION OF PORCIONES 61, 62, AND 63, RECORDED IN VOLUME 24, PAGE 68-69 OFFICIAL PUBLIC DEED RECORDS HIDALGO COUNTY, TEXAS, SAID 4.676 ACRES AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: COMMENCING AT A CALCULATED POINT, THE NORTHWEST CORNER OF THE SAID LOT 150;

THENCE, N84'18'29"W, ALONG THE NORTH LINE OF THE SAID LOT 150, A DISTANCE OF 726.10 FEET TO A CALCULATED POINT ON THE NORTH LINE OF THE SAID LOT 150,

THENCE, S08'37'33"W, ACROSS THE SAID LOT 150, A DISTANCE OF 10.04 FEET TO AN IRON PIPE FOUND FOR THE NORTHEAST CORNER OF A CALLED 4.0 ACRE TRACT CONVEYED TO JUAN ANTONIO ALANIZ, RECORDED IN VOLUME 3277, PAGE 413, OFFICIAL PUBLIC DEED RECORDS HIDALGO COUNTY, TEXAS, SAME BEING A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF BUSINESS HIGHWAY 83, FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT, AND THE POINT OF BEGINNING,

THENCE, S84\*18'29"E, ALONG THE SOUTH RIGHT-OF-WAY LINE OF BUSINESS HIGHWAY 83, A DISTANCE OF 296.94 FEET TO AN IRON ROD FOUND WITH "MF" CAP THE NORTHWEST CORNER OF A CALLED 1.45 ACRE TRACT CONVEYED TO HIDALGO COUNTY DRAINAGE DISTRICT No. 1, RECORDED IN VOLUME 2765, PAGE 778, OFFICIAL PUBLIC DEED RECORDS HIDALGO COUNTY, TEXAS, FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT,

THENCE, SO9'31'03"W, ALONG THE WEST LINE OF THE SAID DRAINAGE DISTRICT TRACT, PASSING AT 440.05 AN IRON ROD WITH PINK CAP SET FOR A POINT ON LINE, CONTINUING FOR A TOTAL DISTANCE OF 500.05 FEET TO A CALCULATED POINT FOR AN EXTERIOR CORNER OF THE HEREIN DESCRIBED TRACT,

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

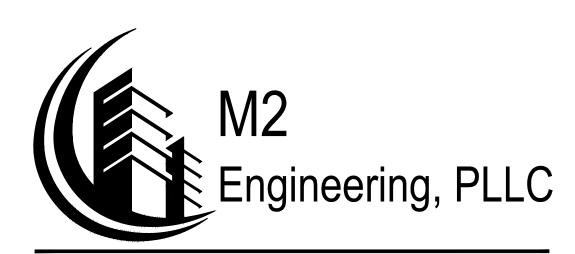
THENCE, S51°34'05"W, ALONG THE SOUTHWESTERLY LINE OF THE SAID DRAINAGE DISTRICT TRACT, A DISTANCE OF 233.96 FEET TO AN IRON ROD FOUND WITH "MF" CAP FOR AN EXTERIOR CORNER OF THE HEREIN DESCRIBED TRACT,

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

THENCE, NO8'37'33"E, THE EAST LINE OF THE SAID ALANIZ TRACT, A DISTANCE OF 811.55 FEET TO THE POINT OF BEGINNING, AND CONTAINING 4.676 ACRES OF LAND, MORE OR LESS.

### BENTSEN VIEW SUBDIVISION

BEING 4.676 ACRES OUT OF LOT 150 OF LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY SUBDIVISION OF PORCIONES 61, 62, AND 63, RECORDED IN VOLUME 24, PAGE 68-69 OFFICIAL PUBLIC DEED RECORDS HIDALGO COUNTY, TEXAS,



TBPELS FIRM REGISTRATION F-19545

1810 E. GRIFFIN PARKWAY MISSION TX 78572 956-600-8628

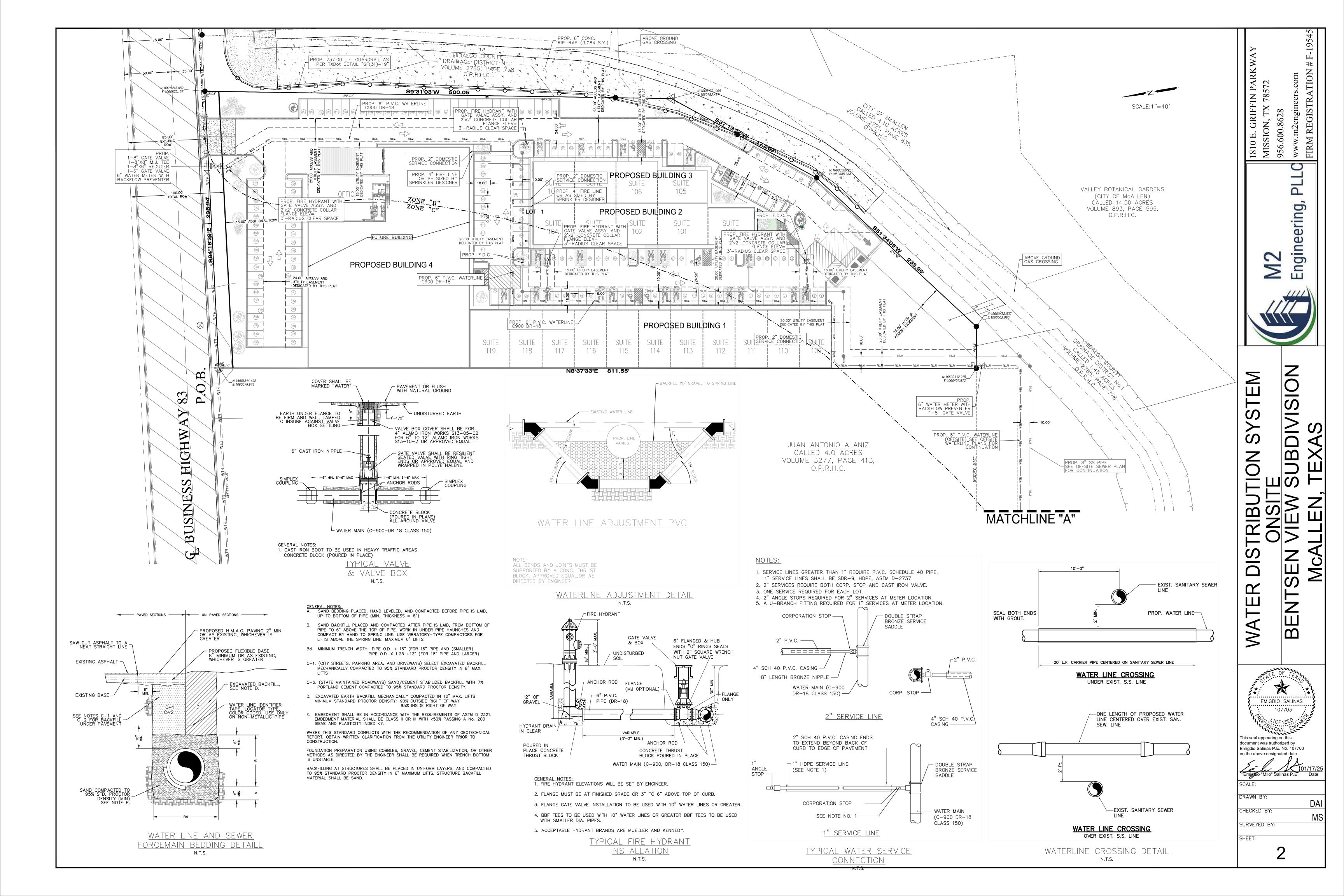


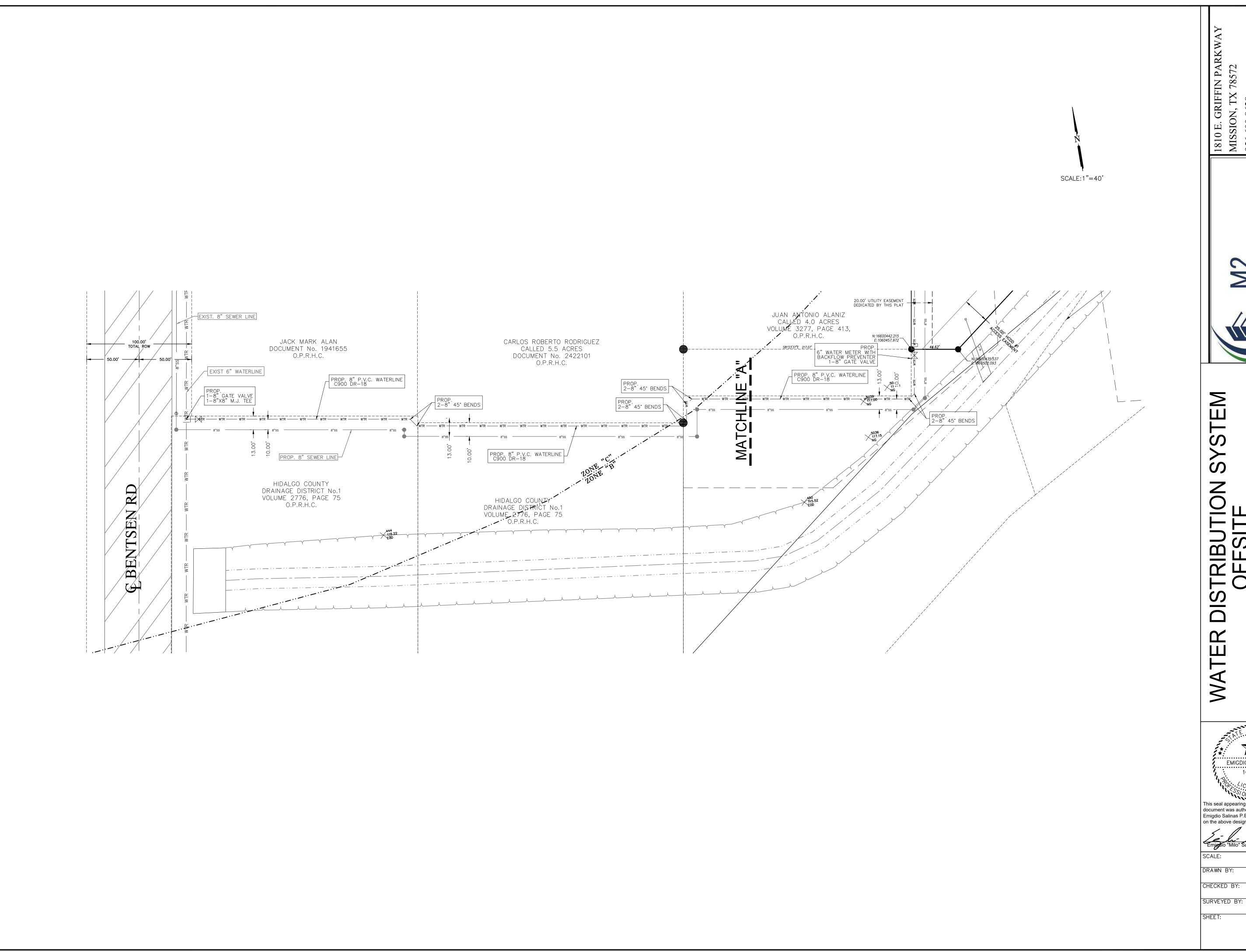
FILED FOR RECORD IN HIDALGO COUNTY ARTURO GUAJARDO, JR. HIDALGO COUNTY CLERK

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

\_\_\_\_ DEPUTY

OWNER:	NAME ROBERTO GARZA	ADDRESS 1804 N. 23rd STREET	CITY & ZIP MCALLEN, TEXAS 78501	PHONE (956) -
ENGINEER: _	EMIGDIO "MILO" SALINAS, P.E.	1810 E. GRIFFIN PARKWAY	MISSION, TEXAS 78572	(956) 600-8628
SURVEYOR:_	MANUEL CARRIZALES, R.P.L.S.	4807 GONDOLA AVE.	EDINBURG, TEXAS 78542	(512) 470-1489





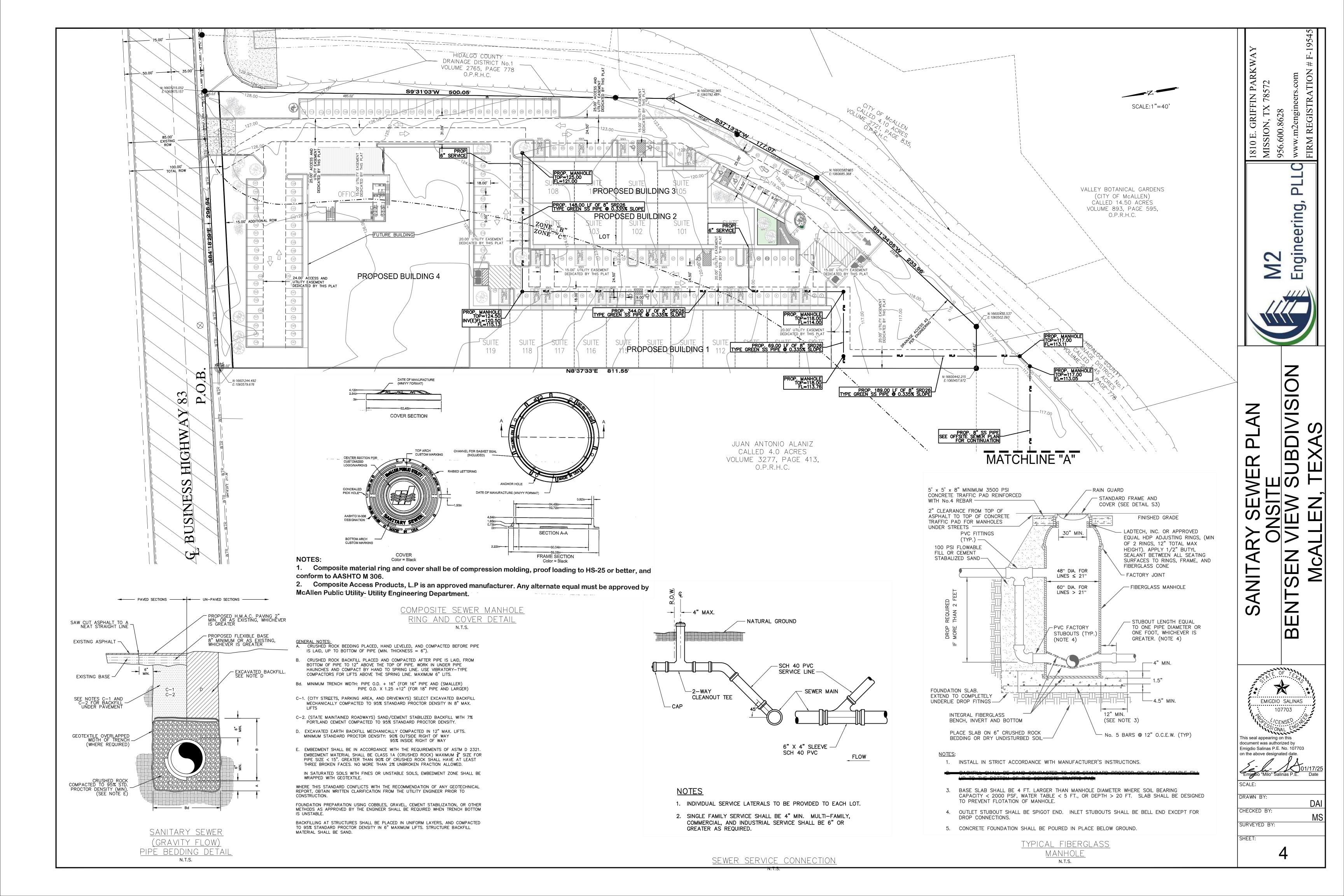


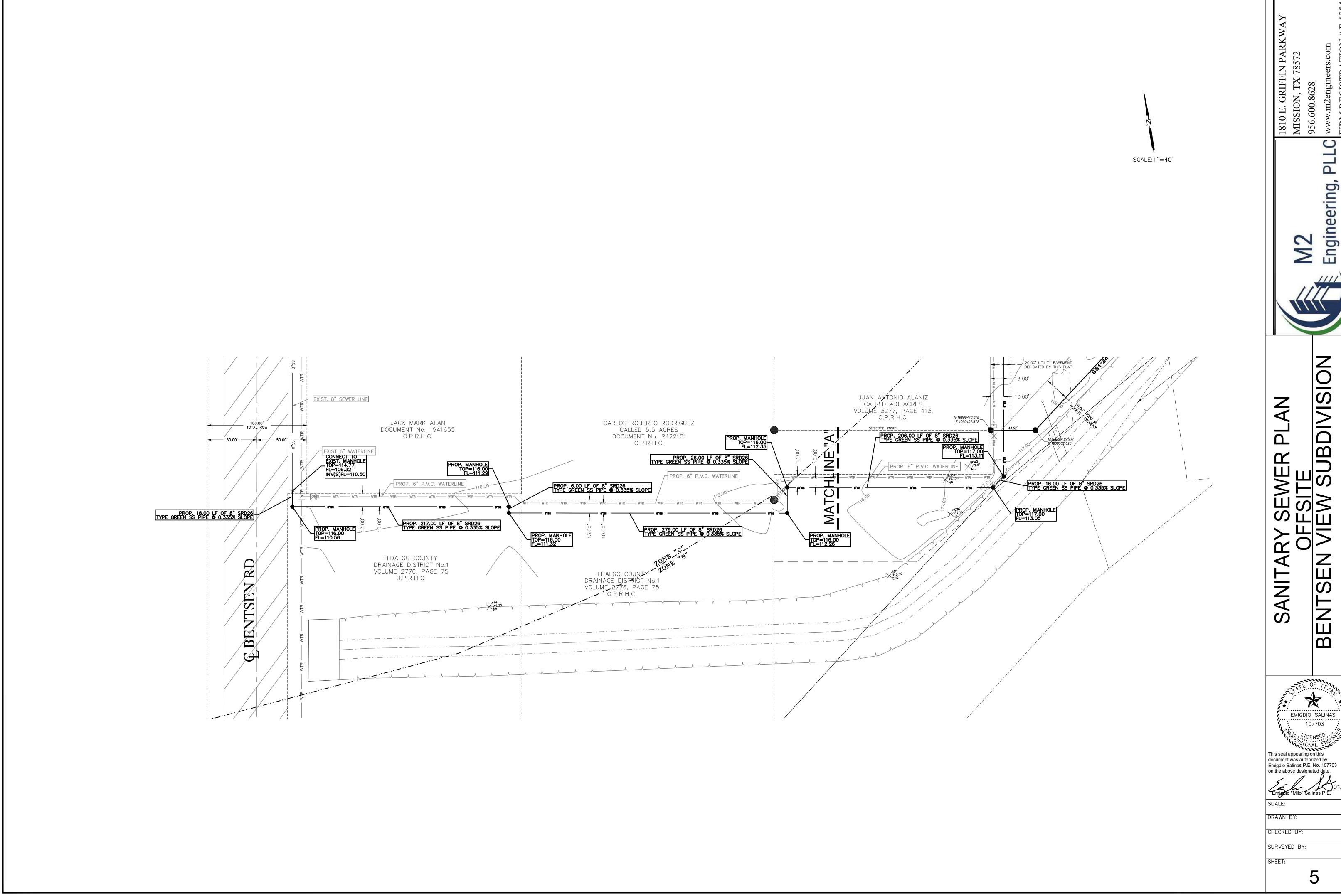
**WATER** This seal appearing on this document was authorized by Emigdio Salinas P.E. No. 107703 on the above designated date.

UBDIVISION EXAS

PLLC Engineering, I

1810 E. GRIFFIN PARKWAY MISSION, TX 78572 956.600.8628





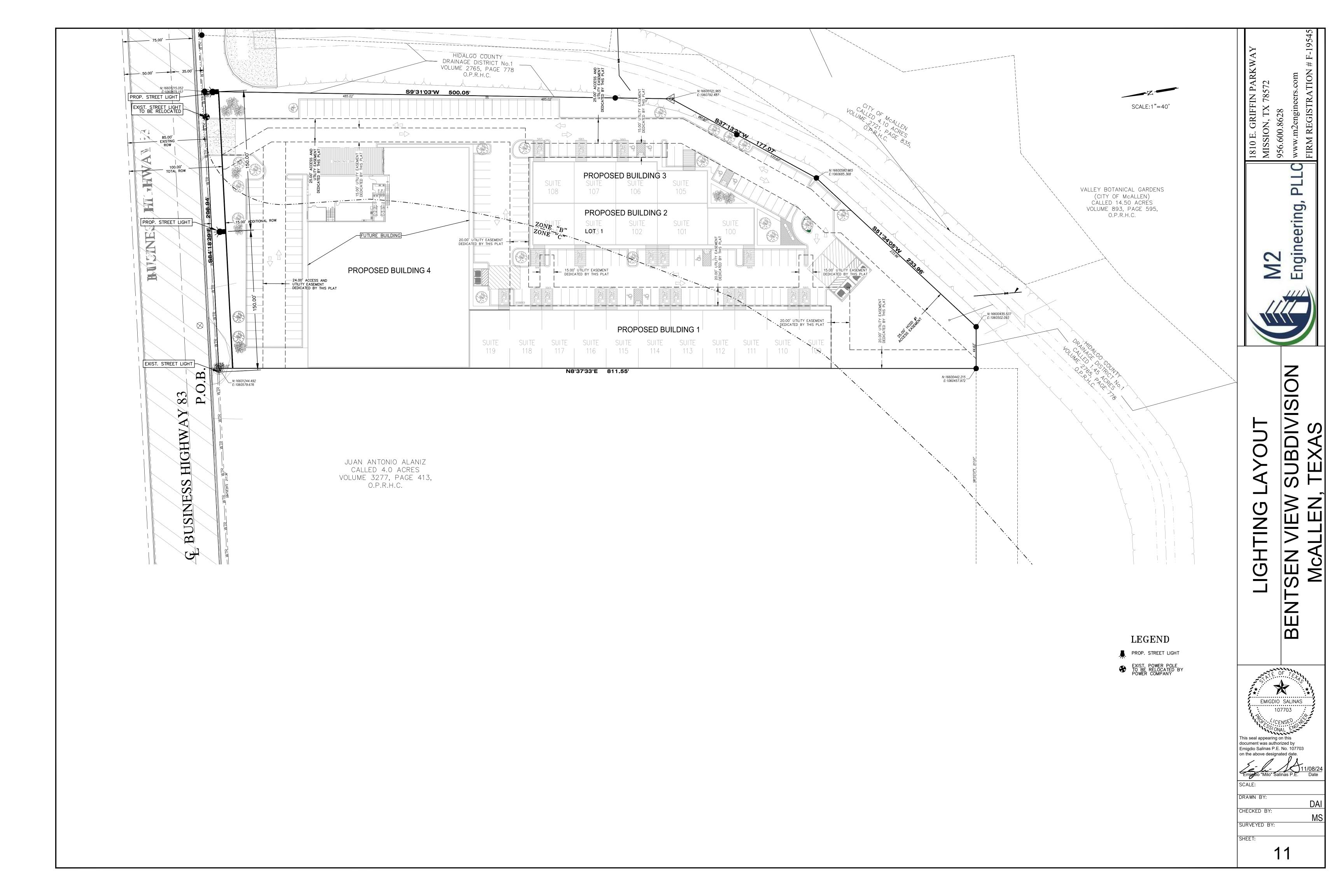
RPL SANITARY

EMIGDIO SALINAS

Engineering, I

1810 E. GRIFFIN PARKWAY
MISSION, TX 78572
956.600.8628

PLLC



02/28/2025 Page 1 of 4 SUB2024-0132



Reviewed On: 2/28/2025

SUBDIVISION NAME: BENTSEN VIEW SUBDIVISION	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
U.S. Business Highway 83 (Loop 374): 50 ft. ROW required from centerline for 100 ft. total ROW Paving: by the state Curb & gutter: by the state **Subdivision Ordinance: Section 134-105 **Monies must be escrowed if improvements are not built prior to recording. **COM Thoroughfare Plan	Applied
Paving Curb & gutter  **Subdivision Ordinance: Section 134-105  **Monies must be escrowed if improvements are required prior to final  **COM Thoroughfare Plan	Applied
* 1,200 ft. Block Length  **Subdivision Ordinance: Section 134-118	Applied
* 900 ft. Block Length for R-3 Zone Districts  **Subdivision Ordinance: Section 134-118	NA
* 600 ft. Maximum Cul-de-Sac **Subdivision Ordinance: Section 134-105	NA
ALLEYS	
ROW: 20 ft. Paving: 16 ft.  *Alley/service drive easement required for commercial properties and multi-family properties.  - As per plat submitted November 8, 2024 plat provides for note as follows: "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."  **Subdivision Ordinance: Section 134-106	Applied
SETBACKS	
* Front: In accordance with zoning ordinance, or greater for easements or approved site plan, or in line with average setback, whichever is greater applies.  **Zoning Ordinance: Section 138-356	Applied
* Rear: In accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies.  **Zoning Ordinance: Section 138-356	Applied
*Sides: In accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies.  **Zoning Ordinance: Section 138-356	Applied
* Corner **Zoning Ordinance: Section 138-356	NA
* Garage **Zoning Ordinance: Section 138-356	NA

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

02/28/2025 Page 2 of 4 SUB2024-0132

*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
EWALKS	
* 4 ft. wide minimum sidewalk required on U.S. Business Highway 83. *Sidewalk requirements may increase to 5 ft. prior to final per Engineering Department requirements, wording to be finalized prior to recording. *Proposing: A 5 foot wide minimum sidewalk required on U.S Business Highway 83. ***Subdivision Ordinance: Section 134-120	Required
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Required
FFERS	
* 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
TES	
**Must comply with City Access Management Policy	Applied
* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.	Applied
* Common Areas, any private service drive/access easements, etc. must be maintained by the lot owners and not the City of McAllen.	Applied
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	Applied
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.  **Section 134-168 applies if private subdivision is proposed.  ***Section 110-72 applies if public subdivision is proposed.  ****Landscaping Ordinance: Section 110-72  *****Subdivision Ordinance: Section 134-168	NA
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.  **Homeowner's Association Covenants must be submitted for staff review, prior to recording.  ***Section 134-168 applies if private subdivision is proposed.  ****Section 110-72 applies if public subdivision is proposed.  *****Landscaping Ordinance: Section 110-72  *****Subdivision Ordinance: Section 134-168	NA
TREQUIREMENTS	
* Lots fronting public streets **Subdivision Ordinance: Section 134-1	Applied
* Minimum lot width and lot area	Applied

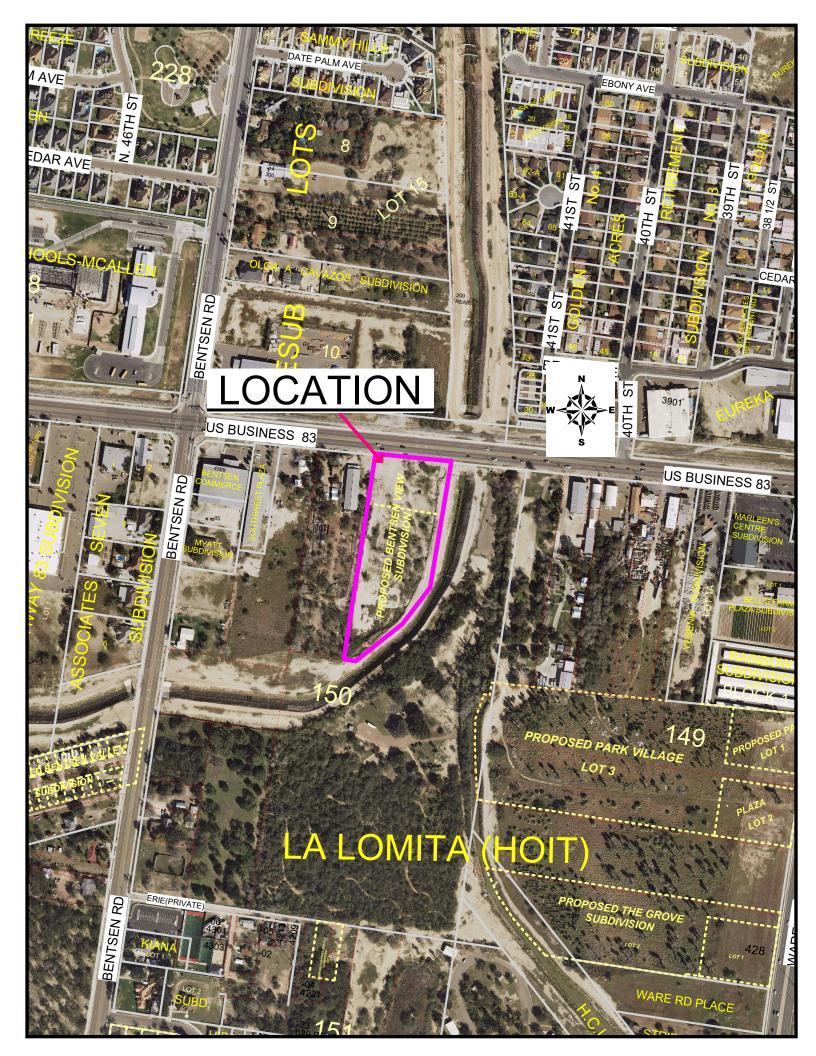
02/28/2025 Page 3 of 4 SUB2024-0132

ONING/CUP	
* Existing: C-4 (commercial industrial) District Proposed: C-4 (commercial industrial) District **Rezoning to R-3A for a portion on the rear was approved by Planning and Zoning Commission at their meeting of December 06, 2022 and by City Commission on January 9, 2023.	Applied
***Rezoning to C-4 for the entire tract was approved by Planning and Zoning Commission at their meeting of December 19, 2023 and by City Commission on January 22, 2024.  ***Zoning Ordinance: Article V	
* Rezoning Needed Before Final Approval  **Rezoning to R-3A for a portion on the rear was approved by Planning and Zoning  Commission at their meeting of December 6, 2022 and by City Commission on January 9, 2023.	Applied
***Rezoning to C-4 for the entire tract was approved by Planning and Zoning Commission at their meeting of December 19, 2023 and by City Commission on January 22, 2024.  ***Zoning Ordinance: Article V	
RKS	
* Land dedication in lieu of fee. Commercial developments do not apply to Parks.	NA
* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. Proposed land use is C-4 (commercial industrial) District. Commercial developments do not apply to Parks	NA
* Pending review by the City Manager's Office. Proposed land use is C-4 (commercial industrial) District. Commercial developments do not apply to Parks.	NA
AFFIC	
* As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat.	Applied
<ul> <li>As per Traffic Department updated Trip Generation has been approved, no TIA required.</li> <li>* Traffic Impact Analysis (TIA) required prior to final plat.</li> </ul>	NA
DMMENTS	107
Comments:	Applied
*Must comply with City's Access Management Policy.  - Any abandonments must be done by separate process, not by plat, any abandonments by separate instrument must be finalized prior to recording.  - Clarify use of the 25 ft. dedication to Hidalgo County Drainage District #1, will it be an easement or ROW, revise and review as applicable. Easement appears to dead-end and must clarify overlap/transition of 25 ft. access and utility easement as it goes southwest easement is then labeled for the Drainage District.  - There are some easements annotations shown on plat but no line work is shown engineer must clarify location of said easements.	
<ul> <li>Access easement cannot dead-end and must loop within the property the location and dimensions must be finalized, prior to recording.</li> <li>Application states 2 lots and revised plat shows as a 1 lot subdivision. A rezoning was approved for the entire tract by City Commission on January 22, 2024, submit a revised application with corresponding information as applicable.</li> <li>At the Planning &amp; Zoning Commission meeting of February 7th, 2023, the board voted to approve the preliminary 6-month extension subject to conditions noted, drainage, and utility approvals. Subdivision approval extension expired therefore new submittal was submitted.</li> <li>At the Planning and Zoning meeting of September 19th,2023, the subdivision was approved in Preliminary form subject to conditions noted in the Planning Review.</li> </ul>	

02/28/2025 Page 4 of 4 SUB2024-0132

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

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



SUB2024-0077

# City of McAllen Planning Department

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

	Subdivision Name Villas at Tres Lagos Phase I			
Project Information	Legal Description 12.235 acres out of Section 227 and 232, Texas Mexican Railway Company Survey			
	according to the patent issued by the State of Texas recorded in Volume 4, Pages 142-143, HCDR			
	Location Northeast corner of Shary Road and Tres Lagos Boulevard			
	City Address or Block Number 5300 Tres Co	agas Blud		
	Total No. of Lots 63 Total Dwelling Units 63	Gross Acres 12.235 Net Acres		
	☑Public Subdivision/□Private and Gated /□Private bu	t Not Gated within ETJ: □Yes/☑No		
	For Fee Purposes: □Commercial ( Acres)/☑ Reside	ential ( <u>63</u> Lots) Replat: □Yes/⊠No		
	Existing Zoning R-31, Proposed Zoning R-3T App	lied for Rezoning ⊠No/□Yes: Date		
	Existing Land Use Propos	ed Land Use Townhomes		
	Irrigation District #UID Water CCN: □MP	U/⊠Sharyland Water SC Other		
	Agricultural Exemption: ☑Yes/□No Parcel #10750	073		
	Estimated Rollback Tax Due 1, 866.43			
	Estimated Rollback Tax Due 1, 800.45	Tax Dept. Neview		
10	Name Rhodes Enterprises Inc	Phone (956) 287-2800		
Owner	Address 200 S 10th Street, Suite 1700	E-mail bfrisby@rhodes.com		
0	City McAllen State TX	Zip <u>78501</u>		
٢	Name Rhodes Development, Inc	Phone (956) 287-2800		
Developer	Address 200 S 10th Street, Suite 1700	E-mail bfrisby@rhodes.com		
eve	City McAllen State TX	Zip 78501		
О	Contact Person Brad Frisby, VP			
	Name Melden & Hunt, Inc	Phone (956) 381-0981		
eer	Address 115 West McIntyre Street	mario@meldenandhunt.com / beto@meldenandhunt.com drobles@meldenandhunt.com		
Engineer	City Edinburg State TX	Zip 78541		
Ш	Contact Person Mario A. Reyna, Beto De La Ga			
or	Name Melden & Hunt, Inc	Phone (956) 381-0981		
>				
Ve	Address 115 West McIntyre Street	E-mail robert@meldenandbunt.com		
Surveyor	Address 115 West McIntyre Street  City Edinburg State TX	E-mail_robert@meldenandbunt.com  Zip 78541 JUL 2 2 2024		

# Minimum Developer's Requirements Submitted with Application

### Proposed Plat Submittal

### In Person Submittal Requirements

- Application Fee: \$300 + \$25/lot for residential (excluding apartment complexes) or \$400 + \$200 (0-5 acres), \$400 + \$300 (5.01-10 acres), \$400 + \$400 (10 acres or greater) for commercial, industrial, or apartment complexes
- Title Report
- 8 1/2" by 11" Original Sealed Survey showing existing structures/easements or 3 blueline copies 2 Location Maps
- 28 1/2" by 11" copies/legible copies of plat with name & north arrow
- 6 Folded blueline prints of the proposed
- 2 Warranty Deeds (identifying owner on application)
- AutoCAD 2005 DWG file and PDF of
- Letter of Authorization from the owner (if applicable)
- Proof of authority of person signing application on behalf of partnership/corporation (if applicable)

### **Email Submittal Requirements**

- Application Fee: \$300 + \$25/lot for residential (excluding apartment complexes) or \$400 + \$200 (0-5 acres), \$400 + \$300 (5.01-10 acres), \$400 + \$400 (10 acres or greater) for commercial, industrial, or apartment complexes
- Title Report
- Sealed Survey
- Location Map
- Plat & Reduced Plat
- Warranty Deed
- **DWG File**
- Letter of Authorization from the owner (if applicable)
- Proof of authority of person signing application on behalf of partnership/corporation, if applicable
- Documents must be submitted in separate PDF files. Each file must be less than 20 MB. No scanned documents\*
- Submit documents to subdivisions@mcallen.net
  - \*ORIGINAL APPLICATION & FEE MUST BE SUBMITTED IN PERSON/VIA MAIL\*

### PLAT TO SHOW:

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

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

Owner(s) Signature(s)

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

Signature

Date 07.11.2024

Print Name Mario A Reyna, P.E.

Owner

Authorized Agent Z

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

# City of McAllen

# Planning Department **VARIANCE TO SUBDIVISION**

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

	FROCESS AFFEIGATION		
Project	Legal Description 12.243 acres out of Section 227 and 232, Texas Mexican Railway Company Sur according to Vol 4, Pg 142-142, H.C.D.R., City of McAllen, Hidalgo County, Texas Street Address  Number of lots 62 ft 2/3  Existing Zoning R-3T ft 2/3  Existing Land Use Vacant  Current Survey and Metes and Bounds (if the legal description of the tract is a portion of a lot) is required		
Applicant	Name Rhodes Development Inc.  Address 200 South 10th Street, Suite 1700  City McAllen  State Texas  Phone (956) 287-2800  E-mail  bfrisby@rhodes.com  E-mail  Zip 7850		
Owner	Name Rhodes Development Inc.  Address 200 South 10th Street. Suite 1700  City McAllen  Phone c/o 956-381-0981  E-mail drobles@meldenandhunt.com / beto@meldenandhunt.com / drobles@meldenandhunt.com  Zip 78504		
Authorization	To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated?  Yes  No I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable) OR I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.  Signature  Date January 31, 2025  Print Name Mario A. Reyna, P.E.  Owner  Authorized Agent		
Office	Accepted by J.C. Payment received by Date FEB 0 3 2025		

# City of McAllen Planning Department REASON FOR APPEAL

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

***Applicar	on provided here by the applicant does not guarantee that the Commission will grant a variance.  It should include all information they determine is relevant, but it is not required to provide responses to all sections
listed belov	Describe the special circumstances or conditions affecting the land involved such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of his land.
	Please view attached letter.
	<ol> <li>Described how the variance is necessary for the preservation and enjoyment of the legal property rights of its owner.</li> </ol>
<del>-</del>	Please view attached letter.
pes	
. Ap	
for	
Reason for Appeal	<ol> <li>Describe how the variance will not be detrimental to the public health, safety or welfare or injurious to the legal rights other property owners enjoy in the area.</li> </ol>
Re	The variance will not be detrimental to the public health, safety, or welfare or injurious to the legal rights that
	other property owners may enjoy within the proposed area.
	Describe how the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of this chapter.
	The variance will not have any negative effect or prevent the orderly subdivision of other lands within the area
	in accordance with the provisions of this chapter and the City of McAllen.





February 3, 2025

City of McAllen Planning Dept. Attn: Luis Mora, Interim Director 311 N. 15th St. McAllen, TX 78501

Re: VILLAS AT TRES LAGOS SUBDIVISION PHASE I - Variance Request to City of

McAllen

Dear Mr. Mora:

On behalf of the developer, Rhodes Development Inc., Melden & Hunt, Inc. as Engineer's on record respectfully request a variance for the following items:

### 1. INTERNAL ROW AND PAVING WIDTH:

Requirement. 60 ft. ROW with 40 ft. of paving

**Proposal**: 32 ft. ROW/ 32 ft. paving with "10 ft. Utility and Sidewalk Easements" along both sides of all internal road. This private townhome subdivision within the Tres Lagos Community will be very similar to the existing Villas on Freddy Development located on the NEC of Bicentennial Blvd and Freddy Gonzalez Road.

This subdivision will be private and maintained by the HOA. Parking spaces will be provided throughout the development that will serve as parking for common areas and visitors parking.

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

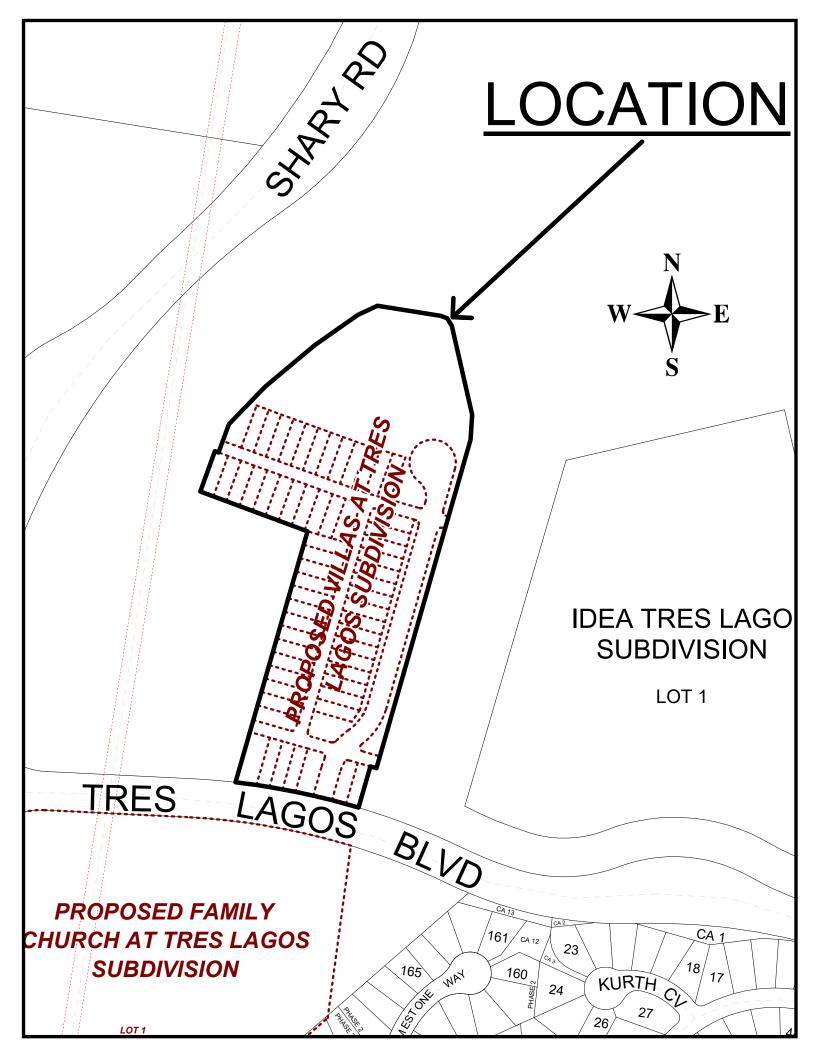
Respectfully,

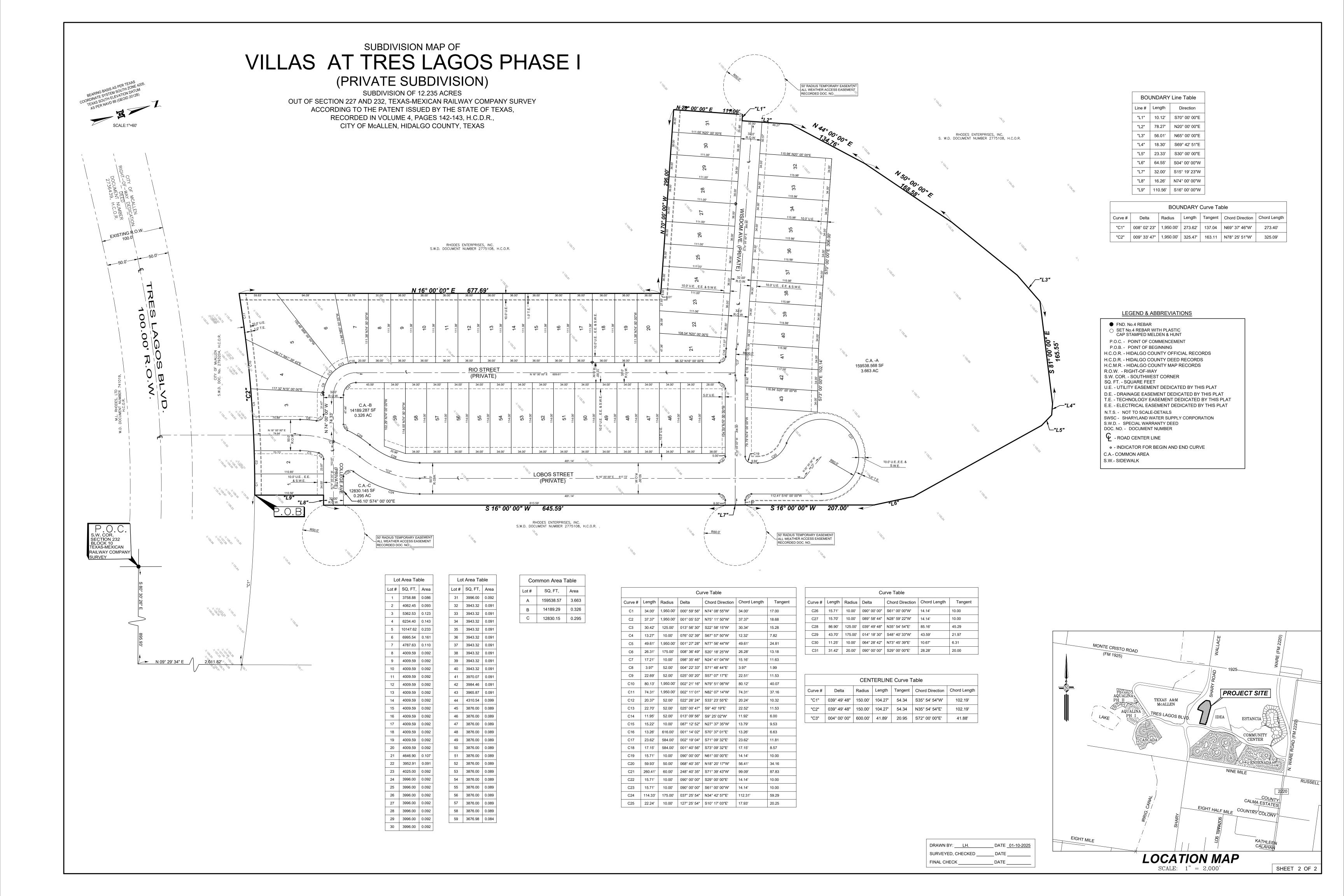
Mario A. Reyna, P.E.

President

Melden & Hunt, Inc.







02/27/2025 Page 1 of 4 SUB2025-0006



Reviewed On: 2/27/2025

SUBDIVISION NAME: VILLAS AT TRES LAGOS PHASE I	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
Tres Lagos Blvd. 100 ft. R.O.W. Paving: 65 ft. B-B Curb & gutter: both sides Revisions needed: - Based on the submitted plat, the subdivision does not appear to have any access to the Tres Lagos Blvd. and would be considered 'landlocked.' Clarify/submit additional documents prior to final/recording.  **Subdivision Ordinance: Section 134-105  **Monies must be escrowed if improvements are required prior to recording.  **COM Thoroughfare Plan	Required
Interior Streets: Dedications as needed for 60 ft. minimum R.O.W. Paving: 40 ft. Curb & gutter: both sides Revisions needed: - Interior streets show 32 ft50 ft. ROW. Revise the subdivision layout to provide ROW for interior street as needed above prior to final/recording Submitted master layout shows islands within the streets and cul-de-sac. Paving layout must comply with all Development Departments conditions, including fire apparatus maneuvering, no parking fire lane marking, etc Street names will be established prior to final/recording. Submit master layout with proposed street names for staff review prior to final/recording Provide paved temporary turnaround document number and a copy for staff review prior to final/recording. **Subdivision Ordinance: Section 134-105  **Monies must be escrowed if improvements are required prior to recording.  **COM Thoroughfare Plan	Required
*** Interior streets show 32 ft50 ft. R.O.W. A variance application (VAR2025-0005) has submitted to request approval for the ROW as shown on plat. For the streets with 32 ft. ROW, 32 ft. paving and 10 ft. sidewalk and utility easement is proposed on both sides. If the request is approved, it will be subject to the Development Departments conditions, which may include sidewalk and utility easement on all lots fronting any streets with ROW less than 60 ft., no parking fire lane marking on both sides, etc.	Angliad
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	Applied
* 600 ft. Maximum Cul-de-Sac **Subdivision Ordinance: Section 134-105	Applied

02/27/2025 Page 2 of 4 SUB2025-0006

LLEYS	
ROW: 20 ft. Paving: 16 ft.  *Alley/service drive easement required for commercial and multi-family properties Finalize the Public Works Department's requirements prior to final/recording.  **Subdivision Ordinance: Section 134-106	Required
ETBACKS	
* Front: 10 ft. or greater for easements. Revisions Needed: - Revise the setback note as shown above prior to final/recording Proposing: "10 ft. minimum or (greater for easement)"	Required
* Rear (proposing): 11 ft. 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: 10 ft. or greater for easements **Zoning Ordinance: Section 138-356	Applied
* Garage: 18 ft. except where greater setback is required, greater setback applies. **Zoning Ordinance: Section 138-356	Applied
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
DEWALKS	
* 4 ft. wide minimum sidewalk required on Tres Lagos Blvd., and both sides of all interior streets.  Revisions Needed: - Proposing plat note #16, to be in accordance with agreement for interior streets. Submit sidewalk plan prior to final/recording to establish requirements. Any revisions needed by sfatt must be finalized prior to final/recording.  **Subdivision Ordinance: Section 134-120	Required
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Required
JFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses Prior to final/recording, buffer requirements along Tres Lagos Blvd. must be established Note is subject to change once lot frontage requirements have been finalized. **Landscaping Ordinance: Section 110-46	Required
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses **Landscaping Ordinance: Section 110-46	Applied
*Perimeter buffers must be built at time of Subdivision Improvements.	Required
DTES	
* No curb cut, access, or lot frontage permitted along Tres Lagos Blvd.  **Must comply with City Access Management Policy	Applied
* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.	NA

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

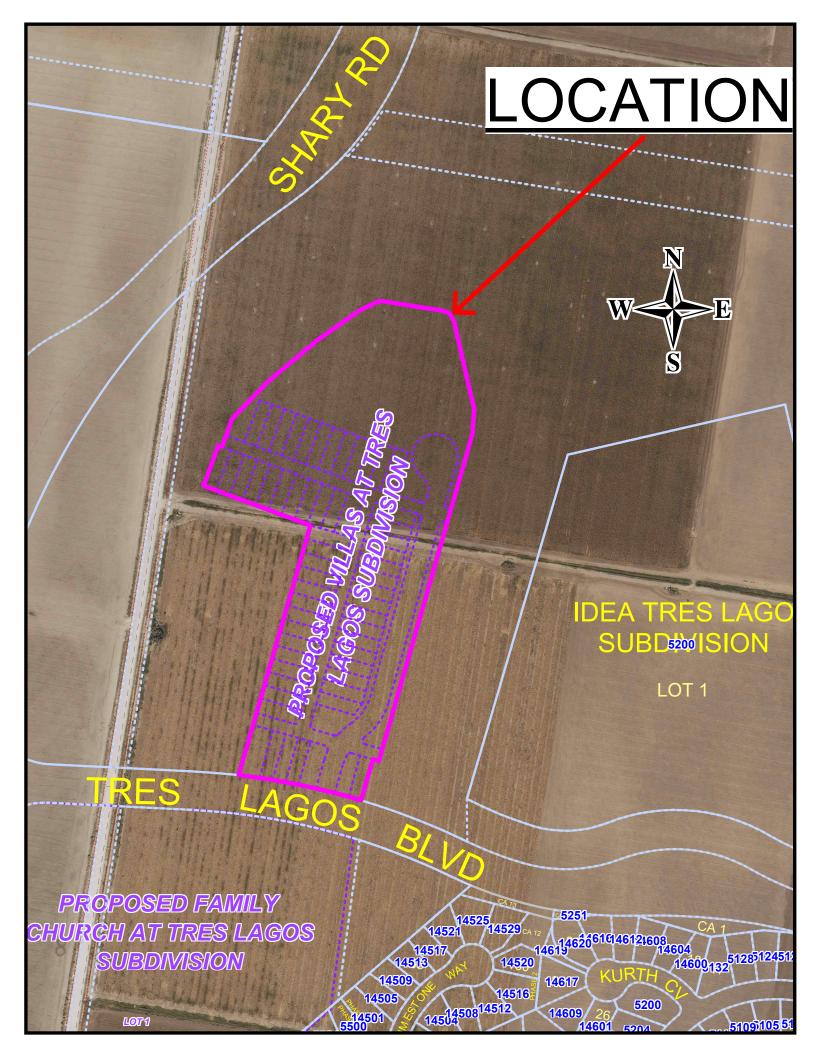
02/27/2025 Page 3 of 4 SUB2025-0006

* Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Revisions Needed: - Note #26 Proposing: "Common Areas 1,2, & 3 will maintained by the property owner/HOA	Required
and no City of McAllen." Note must be finalized prior to final/recording.	
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	NA
*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. Revisions Needed:  - Revise Plat note #12 as shown above prior to final/recording.  **Section 134-168 applies if private subdivision is proposed.  **Section 110-72 applies if public subdivision is proposed.  **Landscaping Ordinance: Section 110-72	Required
**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	Required
LOT REQUIREMENTS	
* Lots fronting public streets	Applied
**Subdivision Ordinance: Section 134-1	, тррпос
* Minimum lot width and lot area **Zoning Ordinance: Section 138-356	Applied
ZONING/CUP	
* Existing: R-3T, R-3A, and C-4 Proposed: R-3T  ** Two rezoning applications (REZ2024-0064 & REZ2024-0065) to rezone the property from C-4 and R-3A Districts to R-3T District were approved by the City Commission on January 27, 2025.  **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/recording.  ***Zoning Ordinance: Article V	Required
* Rezoning Needed Before Final Approval  ** Two rezoning applications (REZ2024-0064 & REZ2024-0065) to rezone the property from C-4 and R-3A Districts to R-3T District were approved by the City Commission on January 27, 2025.  **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/recording.	Required
***Zoning Ordinance: Article V PARKS	
* Land dedication in lieu of fee As per Parks Department, Waiver granted through Waivers and Exceptions to the City of McAllen Platting Regulations, EXHIBIT "D", Item 6 Page 24, per agreement.	NA
* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording - As per Parks Department, Waiver granted through Waivers and Exceptions to the City of McAllen Platting Regulations, EXHIBIT "D", Item 6 Page 24, per agreement.	NA

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

02/27/2025 Page 4 of 4 SUB2025-0006

* Pending review by the City Manager's Office As per Parks Department, Waiver granted through Waivers and Exceptions to the City of McAllen Platting Regulations, EXHIBIT "D", Item 6 Page 24, per agreement.	NA
TRAFFIC	
* As per Traffic Department, TIA level I was waived with conditions. Must follow the conditions prior to final/recording.	Required
* As per Traffic Department, TIA level I was waived with conditions. Must follow the conditions prior to final/recording.	Required
COMMENTS	
Comments:  * Must comply with City's Access Management Policy.  - Missing Plat note #23. Revise the notes numbering prior to recording.  - Proposed Private subdivision. Correct wording for private subdivisions must be used prior to recording.  - Submit referenced documents for staff review prior to final/recording.  - Revise the application for the Number of Dwelling units prior to final/recording.  - Gate details submitted on February 13, 2025, is under review to verify all details fit in the right-of-way. If additional ROW is needed, the plat layout must be revised prior to recording.  - Clarify the use of C.A. A and C.A. B prior to final/recording. A plat note to clarify the use may be needed prior to final/recording.  **** Interior streets show 32 ft50 ft. R.O.W. A variance application (VAR2025-0005) has submitted to request approval for the ROW as shown on plat. For the streets with 32 ft. ROW, 32 ft. paving and 10 ft. sidewalk and utility easement is proposed on both sides. If the request is approved, it will be subject to the Development Departments conditions, which may include sidewalk and utility easement on all lots fronting any streets with ROW less than 60 ft., no parking fire lane marking on both sides, etc.  **** The project engineer requested the plat to be presented to the Planning and Zoning Commission for final approval consideration, subject to the variance approval.  **** At the Planning and Zoning Commission meeting of February 18, 2025, staff recommended disapproval of the variance request. After a brief discussion, the board unanimously tabled the item so that the engineer and staff meet to discuss the issues with the variance request. There were five members present and voting.	Required
RECUMINIENDATION	
RECOMMENDATION: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM, SUBJECT TO THE CONDITIONS NOTED AND THE BOARD'S CLARIFICATION ON THE REQUESTED VARIANCE.	Applied



SUB2024-0117

# City of McAllen Planning Department

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

	Subdivision Name Enclave on Jackson  Legal Description 8.168 +/- out of Block 5, of A.J McColl Subdivision , Volume 21, Page 597-598 Hidaglo County , Texas
on	Location N Jackson Rd
	City Address or Block Number 26/3 North Jackson Road
mati	Total No. of Lots 80 Total Dwelling Units 78 Gross Acres 8.168 Net Acres 8.168
Project Information	□Public Subdivision/□Private and Gated /图Private but Not Gated within ETJ: □Yes/图No
	For Fee Purposes: □Commercial ( Acres)/④ Residential ( 80 Lots) Replat: □Yes/④No
	Existing Zoning AO&C3 Proposed Zoning R-3T Applied for Rezoning 图No/□Yes: Date
	Existing Land Use Vacant Proposed Land Use Town Homes
	Irrigation District #HCID #2 Water CCN: MPU/□Sharyland Water SC Other
	Agricultural Exemption: □Yes/ᡌNo Parcel #231040
	Estimated Rollback Tax Due Tax Dept. Review
-	
Owner	Name Ronald M. Beamsley Family Trust & Dorothy M. Beamsley Phone c/o 956-381-0981
O	Address 2613 N Jackson Rd E-mail_mlopez@urbancitytx.com
_	City McAllen State TX Zip 78504
ī.	Name Vista Property Investment LLC Phone c/o 956-381-0981
Developer	Address 601 Pecan, Suite 150 E-mail_mlopez@urbancitytx.com
Deve	City McAllen State TX Zip 78504
	Contact Person Marco Lopez
	Name Melden & Hunt, Inc. Phone (956) 381-0981
Engineer	mario@meldenandhunt.com, beto@meldenandhunt.com  Address 115 West McIntyre Street, Edinburg, Texas 7 E-mail and valeria@meldenandhunt.com
ngi	City Edinburg State Texas Zip 78541
	Contact Person Mario A. Reyna, P.E., Beto De La Garza, and Valeria Garza
or	Name Melden & Hunt, Inc. Phone (956) 381-0981 [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [
Surveyor	Address 115 West McIntyre Street, Edinburg, Texas E-mail robert@meldenandhunt.com
Su	City Edinburg State Texas Zip 78541

# Minimum Developer's Requirements Submitted with Application

### **Proposed Plat Submittal**

### In Person Submittal Requirements

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

### **Email Submittal Requirements**

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

  <u>Each file must be less than 20 MB</u>. No scanned documents\*
- \*Submit documents to subdivisions@mcallen.net

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

### PLAT TO SHOW:

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

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

Owner(s) Signature(s)

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

Signature ///

Date 10/25/2024

Print Name Mario A. Reyna, P.E.

Owner

Authorized Agent 49

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



MARIO A. REYNA · ALLAN F. BOOE · ROBERTO N. TAMEZ · RUBEN JAMES DE JESUS · MICHAEL HERNANDEZ

January 23, 2025

City of McAllen Planning Dept. Attn: Luis Mora, Interim Director 311 N. 15th St. McAllen, TX 78501

Re: ENCLAVE ON JACKSON SUBDIVISION (Private Subdivision) - Variance Request to

City of McAllen

Dear Mr. Mora:

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

### 1. N. JACKSON ROAD ROW DEDICATION:

Requirement: 75 ft. from centerline for 150 ft. total ROW

Proposal: The developer is requesting to only dedicate 10 ft. of ROW for 60 ft. from centerline for a total ROW of 120 ft. All subdivisions in the area only dedicated ROW for 60' from centerline, therefore, dedicating ROW for 150' will not be feasible since most areas along Jackson Road have been developed. RGVMPO Map categorizes.

### 2. **BLOCK LENGTH:**

Requirement: Max. allowed 1,200 ft.

Proposal: The east/west block length is 1,300 ft. approximately. This subdivision is proposed to be private, and they will have their main access off Sprague Road, and an exit gate off N. K Center Street.

### INTERNAL ROW AND PAVING WIDTH: 3.

Requirement: 60 ft. ROW/ 40 ft. paving

Proposal: 50 ft. ROW/ 40 ft. paving with 10 ft. sidewalks and utility easements along both sides of the internal road. This will be a private subdivision, and all roads will be maintained by HOA.

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

Respectfully,

Mario A. Reyna, P.E.

President

Melden & Hunt, Inc.





# City of McAllen

## Planning Department **VARIANCE TO SUBDIVISION**

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

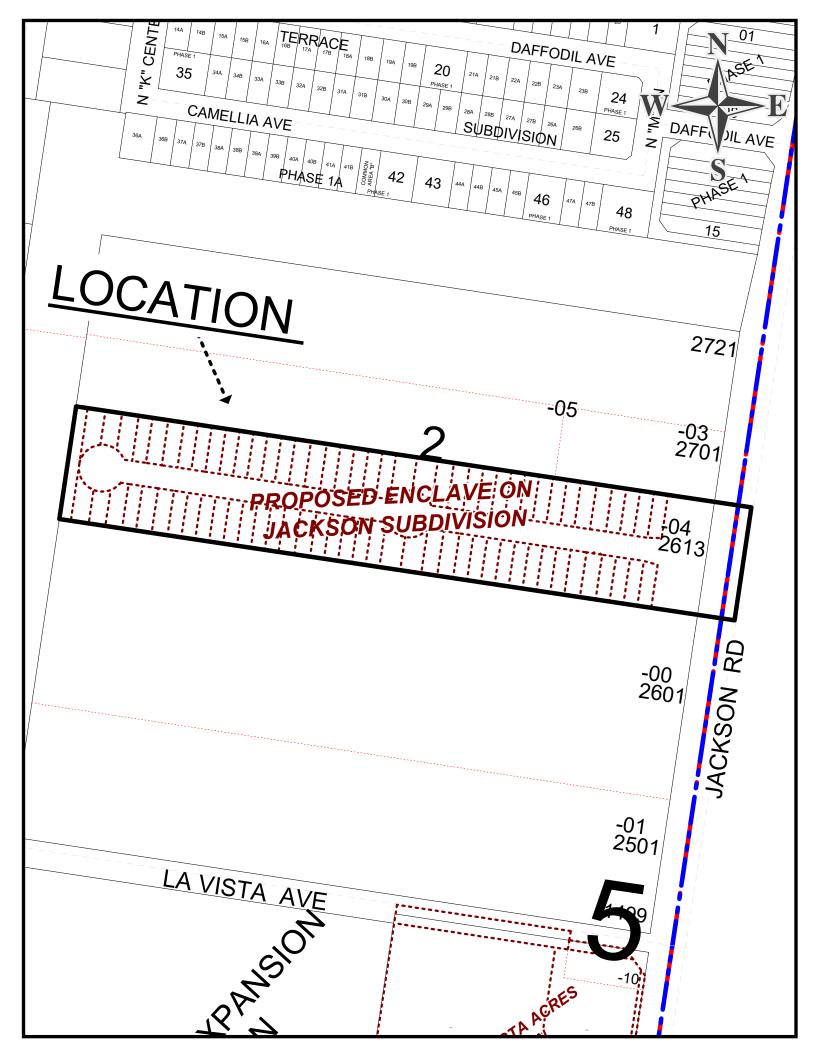
	PROCESS APPLICATION
t	Legal Description 7.721 acres, being a part or portion out of Lot 2, Block 5, of A.J McColl Subdivision,  Volume 21, Page 597-598, H.C.D.R., City of McAllen, Hidalgo County, Texas.
<u>e</u>	Street Address 2613 North Jackson Road
Project	Number of lots 80 Gross acres 7.721
<u>α</u>	Existing Zoning R-3T Existing Land Use Vacant
	<ul> <li>Current Survey and Metes and Bounds (if the legal description of the tract is a portion of a lot) is required</li> </ul>
ij	Name Vista Property Investment LLC Phone c/o 956-381-0981
Applicant	Address 601 Pecan, Suite 150 E-mail drobles@meldenandhunt.com / beto@meldenandhunt.com / beto@me
Арр	City McAllen State Texas Zip 78501
	Ronald M. Beamsley Family Trust & Dorothy M.
Owner	Name Beamsley Living Trust Phone c/o 956-381-0981  Address 3613 N. Jackson Pd
×C	Address 2613 N Jackson Rd E-mail drobles@meldenandhunt.com
0	City McAllen State Texas Zip 78504
	To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated?
io	Yes No
horization	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
Po	attached written evidence of such authorization.
\ut	Signature Date January 23, 2025
4	Print Name Mario A. Reyna, P.E.   Owner Authorized Agent
0	W E 2025
<u></u>	3 20
Office	Accepted by KF Payment received by Date
	Rev 10/18

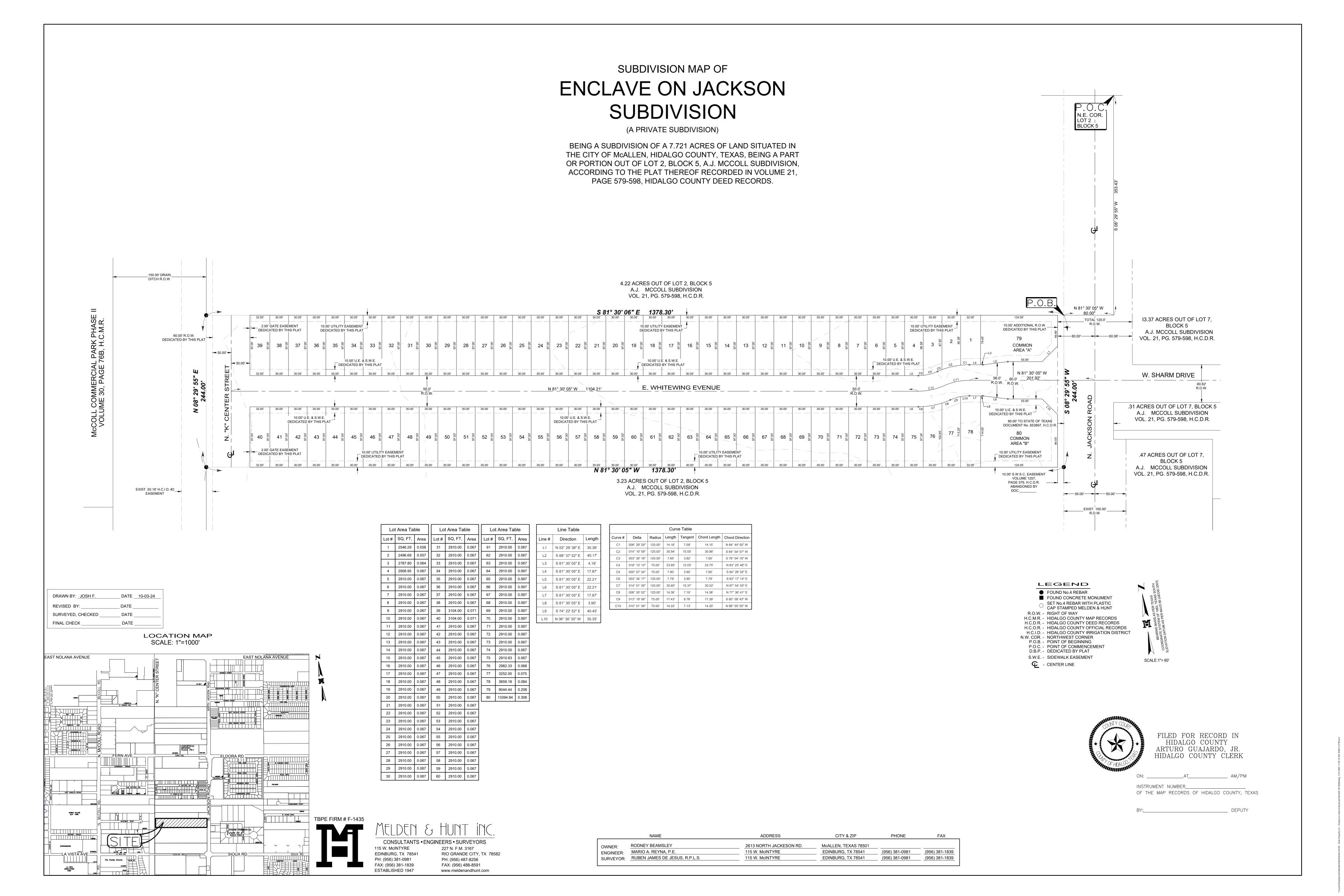


Notes: As per McAllen Code of Ordinances Sec. 134-6, financial hardships alone are not an eligible standing for a variance. Please submit for consideration and review any combination of the following: (If necessary, please use an additional page to

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

1.	Describe the special circumstances or conditions affecting the land involved such that the application of the provisions of this chapter would deprive the applicant of the reasonable usuand.
Ple	ease view attached letter.
	That he is not something the second of the s
10070	and the state of t
 Y.,	and the company of th
2.	Described how the variance is necessary for the preservation and enjoyment of the legal rights of its owner.
Ple	ease view attached letter.
73.27	
3.	Describe how the variance will not be detrimental to the public health, safety or welfare or injuthe legal rights other property owners enjoy in the area.
The	e variance will not be detrimental to the public health, safety, or welfare or injurious to the legal rights t
oth	er property owners may enjoy within the proposed area.
-	
4.	Describe how the variance will not have the effect of preventing the orderly subdivision of oth in the area in accordance with the provisions of this chapter.
The	e variance will not have any negative effect or prevent the orderly subdivision of other lands within the
in a	accordance with the provisions of this chapter and the City of McAllen.
	9





02/26/2025 Page 1 of 6 SUB2024-0117



Reviewed On: 2/26/2025

SUBDIVISION NAME: ENCLAVE ON JACKSON		
REQUIREMENTS		
STREETS AND RIGHT-OF-WAYS		
N. Jackson Road: Dedication needed for 75 ft. from centerline for 150 ft. total ROW Paving: By State Curb & gutter: by State Revisions needed:  - Provide a copy of referenced documents for staff review prior to final.  - Existing ROW in front of Common Area "A" is shown 120 ft. but 60 ft. on one side and 60.06 ft. on the other sides of the centerline. Submit documents and clarify the discrepancy or revise as applicable prior to final.  - Show ROW dedication requirement as shown above prior to final.  - Ensure that ROW complies with State plans for N .Jackson Road, any acquisitions should be included with document number, dimensions, and labeling, finalize prior to final.  **Subdivision Ordinance: Section 134-105  **Monies must be escrowed if improvements are required prior to recording.  **COM Thoroughfare Plan	Non-compliance	
*** Project engineer submitted a variance application (VAR2025-0002) on behalf of the developer with the following requests:  1. Request to dedicate 60 ft. from centerline to N. Jackson Road for total 120 ft. in lieu of 75 ft. for total 150 ft. required ROW.  2. Request to approve the proposed block length (approximately 1,340 ft.) in lieu of 900 ft. block length.  3. Request to allow interior street with 50 ft. ROW, 40 ft. paving, and 10 ft. sidewalk and utility easement on both sides, in lieu of 60 ft. ROW with 40 ft. paving.		
N/S quarter mile collector (on the west side): Dedication as needed for 60 ft. total ROW Paving: 40 ft. Curb & gutter: both sides Revisions needed:  - Label the dimension of the sliver of land with HCID No.2 easement, shown on the west side of ROW dedication for the N/S collector, and clarify if it will be dedicated to the District prior to final.  - Provide the document number for the HCID No. 2 easement on the plat and a copy for staff review prior to final.  - Name of the street will be finalized prior to final.  **Subdivision Ordinance: Section 134-105  **Monies must be escrowed if improvements are required prior to recording.  **COM Thoroughfare Plan	Non-compliance	

02/26/2025 Page 2 of 6 SUB2024-0117

Interior Street: Dedication as needed for 60 ft. total ROW

Paving: 40 ft. Curb & gutter: both sides

Revisions needed:

- Show the distance between the centerline of the proposed interior street and the existing street on the east side. It seems that the centerline shown on W. Sharm Street is not drawn on the center. Clarify and revise prior to final. As per Sec. 134-105, Street jogs with centerline offsets of less than 125 feet shall be avoided.
- Name of the street will be finalized prior to final.
- As per the submitted application, the subdivision will be private but not gated. Add "(Private Street)" label under the name of the interior street when finalized. If the subdivision is gated, the submitted application must be revised and gate details must be submitted for staff review prior to final.
- \*\*Subdivision Ordinance: Section 134-105
- \*\*Monies must be escrowed if improvements are required prior to recording.
- \*\*COM Thoroughfare Plan
- \*\*\* Project engineer submitted a variance application (VAR2025-0002) on behalf of the developer with the following requests:
- 1. Request to dedicate 60 ft. from centerline to N. Jackson Road for total 120 ft. in lieu of 75 ft. for total 150 ft. required ROW.
- 2. Request to approve the proposed block length (approximately 1,340 ft.) in lieu of 900 ft. block length.
- 3. Request to allow interior street with 50 ft. ROW, 40 ft. paving, and 10 ft. sidewalk and utility easement on both sides, in lieu of 60 ft. ROW with 40 ft. paving.
- \*\*\* Planning and Zoning Commission approved the subdivision is Revised Preliminary form, subject to the conditions noted, drainage and utilities approvals on February 18, 2025; The Board recommended approval for variance requests No. 2 & 3 (block length & interior street ROW of 50 ft. with 40 ft. paving and 10 ft. sidewalk and utility easement on both sides); however, the Board did not act on the variance request No.1 (60 ft. ROW dedication from centerline to N. Jackson Road in lieu of 75 ft. from centerline) so that the engineer/staff can prepare a vicinity map showing the approved ROW for N. Jackson Road in other properties fronting N. Jackson Road

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

**Applied** 

Non-compliance

NA

02/26/2025 Page 3 of 6 SUB2024-0117

* 900 ft. Block Length for R-3T & R-3C Zone Districts - Revise the layout to comply with the maximum block length requirement. **Subdivision Ordinance: Section 134-118	Applied
*** Project engineer submitted a variance application (VAR2025-0002) on behalf of the developer with the following requests:	
<ol> <li>Request to dedicate 60 ft. from centerline to N. Jackson Road for total 120 ft. in lieu of 75 ft. for total 150 ft. required ROW.</li> <li>Request to approve the proposed block length (approximately 1,340 ft.) in lieu of 900 ft.</li> </ol>	
block length.  3. Request to allow interior street with 50 ft. ROW, 40 ft. paving, and 10 ft. sidewalk and utility easement on both sides, in lieu of 60 ft. ROW with 40 ft. paving.	
*** Planning and Zoning Commission approved the subdivision is Revised Preliminary form, subject to the conditions noted, drainage and utilities approvals on February 18, 2025; The Board recommended approval for variance requests No. 2 & 3 (block length & interior street ROW of 50 ft. with 40 ft. paving and 10 ft. sidewalk and utility easement on both sides); however, the Board did not act on the variance request No.1 (60 ft. ROW dedication from centerline to N. Jackson Road in lieu of 75 ft. from centerline) so that the engineer/staff can prepare a vicinity map showing the approved ROW for N. Jackson Road in other properties fronting N. Jackson Road	
* 600 ft. Maximum Cul-de-Sac - Revised layout does not show a cul-de-sac anymore. **Subdivision Ordinance: Section 134-105	NA
ALLEYS	
ROW: 20 ft. Paving: 16 ft.  - As per Public Works Department curbside collection was approved by Public Works Director subject to conditions. Must follow the conditions prior to final/recording.  *Alley/service drive easement required for commercial and multifamily properties.  **Subdivision Ordinance: Section 134-106	Applied
SETBACKS	
* Front: 10 ft. or greater for easements. **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 or approved site plan **Zoning Ordinance: Section 138-356	Applied
* Corner: 10 ft. or greater for easements **Zoning Ordinance: Section 138-356	Applied
* Garage: 18 ft. except where greater setback is required, greater setback applies **Zoning Ordinance: Section 138-356	Applied
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
SIDEWALKS	
* 5 ft. wide minimum sidewalk required on N. Jackson Road and 4 ft. wide minimum sidewalk required on both sides of all interior streets and N/S quarter mile collector as applicable Plat note will be finalized once ROW dedication and street name for N/S quarter mile collector is finalized.  **Subdivision Ordinance: Section 134-120	Required

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

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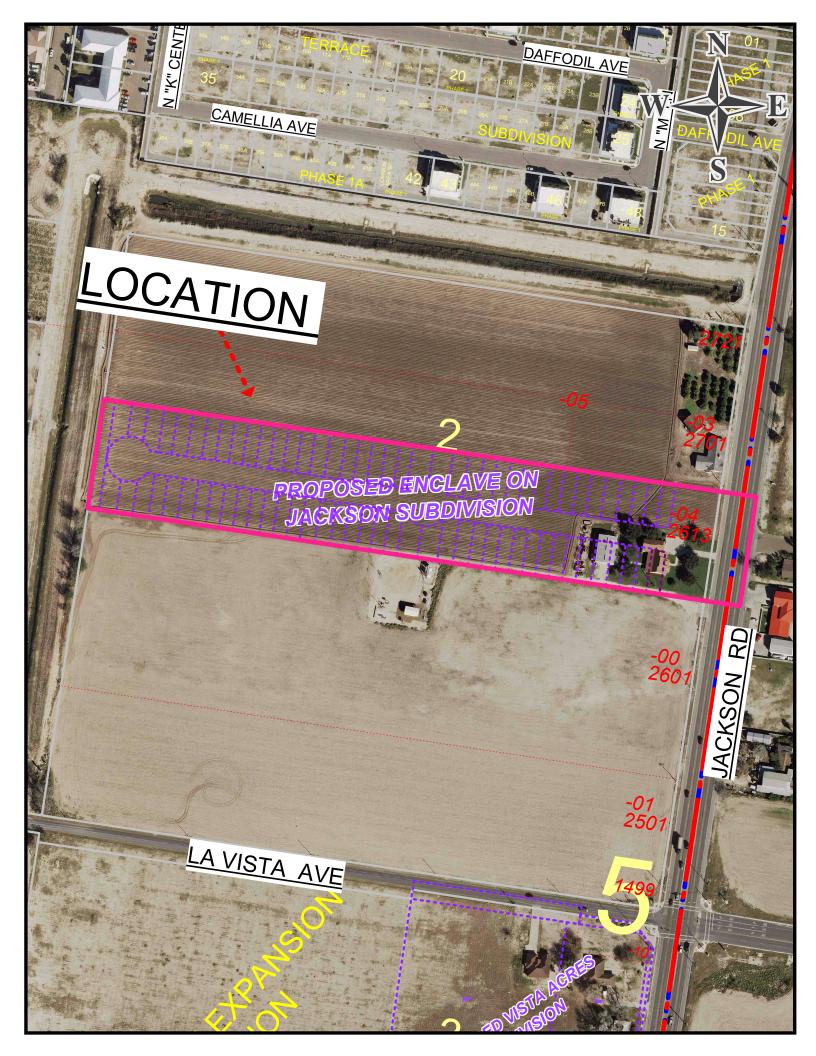
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Required
FFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses AND along N. Jackson Road and the quarter mile collector as applicable.  - Plat note will be finalized once ROW dedication and street name for N/S quarter mile collector is finalized.	Required
**Landscaping Ordinance: Section 110-46  * 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.  **Landscaping Ordinance: Section 110-46	Applied
*Perimeter buffers must be built at time of Subdivision Improvements.	Required
DTES	
* No curb cut, access, or lot frontage permitted along N. Jackson Road and the quarter mile collector as applicable Plat note will be finalized once ROW dedication and street name for N/S quarter mile collector is finalized.  **Must comply with City Access Management Policy	Required
* Site plan must be approved by the Planning and Development Departments prior to building permit issuance for five or more attached dwelling units.  **Section 138-210 requires that 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.  - A site plan is recommended to be submitted prior to final to verify compliance with city codes including parking, landscaping, etc.	Applied
* Common Areas, any private streets/drives, etc. must be maintained by the lot owners/HOA and not the City of McAllen.  - Based on the submitted application, the subdivision is private but not gated. Clarify/remove any reference regarding gate areas from plat note #11 prior to final.  - If the subdivision is gated, the submitted application must be revised and gate details must be submitted for staff review prior to final.	Non-compliance
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	NA
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 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	Applied
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.  - Submit a copy of the draft HOA document prior to recording.  **Section 110-72 applies if public subdivision is proposed.  **Section 134-168 applies if private subdivision is proposed.  **Landscaping Ordinance: Section 110-72  **Subdivision Ordinance: Section 134-168	Required

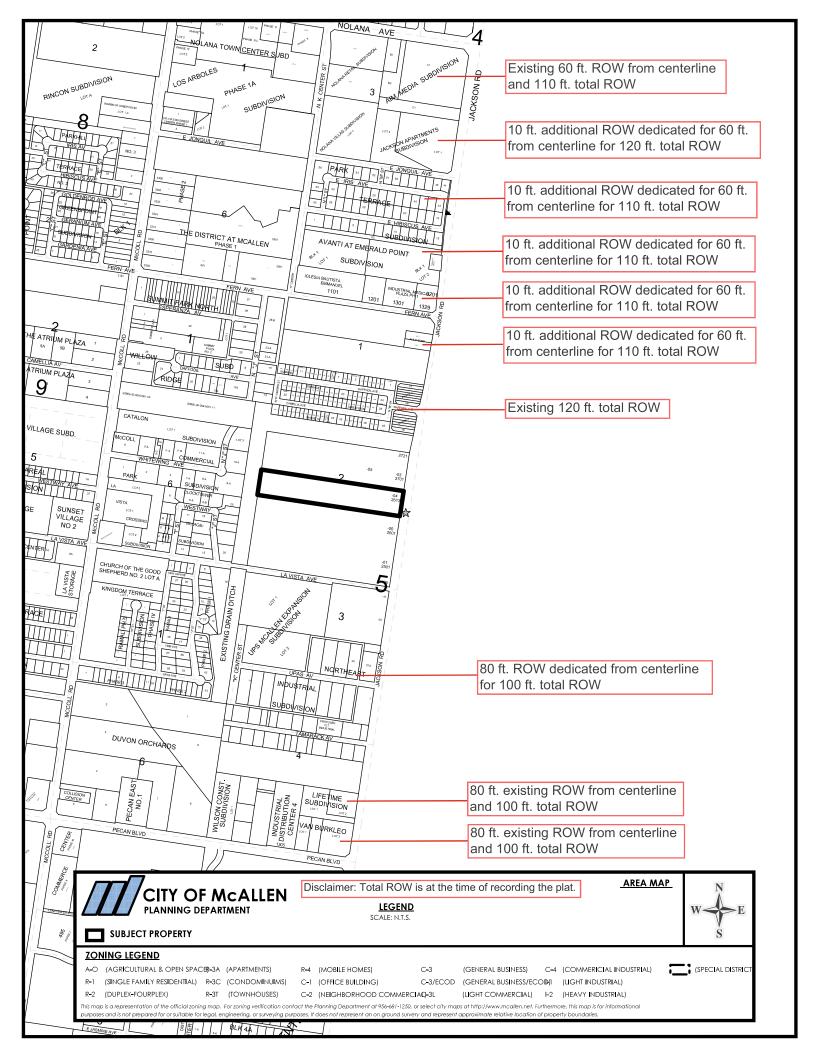
02/26/2025 Page 5 of 6 SUB2024-0117

LOT REQUIREMENTS	
* Lots fronting public/private streets **Subdivision Ordinance: Section 134-1	Applied
* Minimum lot width and lot area **Zoning Ordinance: Section 138-356	Applied
ZONING/CUP	
* Existing: A-O & C-3 Proposed: R-3T - Two rezoning requests (REZ2024-0068 & REZ2024-0069) for the subject property to rezone A-O and C-3 Districts to R-3T was approved by the City Commission on 01/27/2025. The project engineer must verify if the lots boundaries are within the R-3T zone prior to final. ***Zoning Ordinance: Article V	Required
* Rezoning Needed Before Final Approval - Two rezoning requests (REZ2024-0068 & REZ2024-0069) for the subject property to rezone A-O and C-3 Districts to R-3T was approved by the City Commission on 01/27/2025. The project engineer must verify if the lots boundaries are within the R-3T zone prior to final. ***Zoning Ordinance: Article V	Required
PARKS	
* Land dedication in lieu of fee Based on the submitted application and plat, 78 townhomes are proposed. As per Parks Department, park land dedication of 1.24 acres will be required prior to final. If park fee in lieu of park land dedication is proposed, a letter must be submitted to the Planning Director and reviewed by the City Manager prior to final.	Required
* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording Based on the submitted application and plat, 78 townhomes are proposed. As per Parks Department, park land dedication of 1.24 acres will be required prior to final. If park fee in lieu of park land dedication is proposed, a letter must be submitted to the Planning Director and reviewed by the City Manager prior to final.	Required
<ul> <li>* Pending review by the City Manger's Office.</li> <li>- If park fee in lieu of park land dedication is proposed, it must be reviewed by the City Manager's Office.</li> </ul>	Applied
TRAFFIC	
* As per Traffic Department, Trip Generation was approved and no TIA is required.	Applied
* Traffic Impact Analysis (TIA) required prior to final plat.	NA

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COMMENTS	
Comments:  - Add the document number for HCID #2 and provide a copy prior to final.  - Any abandonment must be done by a separate process, not by plat.  - All lots may have only one number/letter. Correct any lots with two labels prior to final (e.g. Lot 79/Common Area "A" & Lot 80/Common Area "B").  - A portion of the subdivision on the west side of ROW dedication for N/S Collector on the west side of the subdivision is not labeled. Clarify and revise prior to final.  - Use a bold line for original subdivision boundary prior to final.  *Must comply with City's Access Management Policy.  *** Project engineer submitted a variance application (VAR2025-0002) on behalf of the	Non-compliance
developer with the following requests:  1. Request to dedicate 60 ft. from centerline to N. Jackson Road for total 120 ft. in lieu of 75 ft. for total 150 ft. required ROW.  2. Request to approve the proposed block length (approximately 1,340 ft.) in lieu of 900 ft. block length.  3. Request to allow interior street with 50 ft. ROW, 40 ft. paving, and 10 ft. sidewalk and utility easement on both sides, in lieu of 60 ft. ROW with 40 ft. paving.	
*** Planning and Zoning Commission approved the subdivision is Revised Preliminary form, subject to the conditions noted, drainage and utilities approvals on February 18, 2025; The Board recommended approval for variance requests No. 2 & 3 (block length & interior street ROW of 50 ft. with 40 ft. paving and 10 ft. sidewalk and utility easement on both sides); however, the Board did not act on the variance request No.1 (60 ft. ROW dedication from centerline to N. Jackson Road in lieu of 75 ft. from centerline) so that the engineer/staff can prepare a vicinity map showing the approved ROW for N. Jackson Road in other properties fronting N. Jackson Road	
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED PRELIMINARY FORM, SUBJECT TO THE CONDITIONS NOTED, DRAINAGE, AND UTILITIES APPROVAL, AND THE BOARD'S CLARIFICATION ON THE REQUESTED VARIANCE.	Applied





54B 2025-0017

# City of McAllen Planning Department

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

	Subdivision Name Mesquite Cove Subdivision Phase I  Legal Description 2.83 acres out of Block 2, M and M Subdivision		
Project Information	Location 1/4 mile N. of Russell Road along the west side of Rooth Road		
Owner	Name         Encarlen, Ltd.         Phone         956-605-2127           Address         1212 Northgate Lane         E-mail         rpac1212@aol.com           City         McAllen         State         TX         Zip         78504		
Developer	Name         Same as Owner         Phone           Address         E-mail           City         State         Zip           Contact Person         Ruben or Maria Del Carmen Pacheco		
Engineer	Name Spoor Engineering Consultants, Inc.  Address 510 So. Broadway Street  City McAllen State TX Zip 78501  Contact Person Stephen Spoor, P.E.		
Surveyor	Name Robles & Associates, RPLS; Reynaldo Robles  Address 107 W. Huisache Street  City Weslaco  State TX  Zip 78596		

### **Proposed Plat Submittal**

### In Person Submittal Requirements

- Application Fee: \$300 + \$25/lot for residential (excluding apartment complexes) or \$400 + \$200 (0-5 acres), \$400 + \$300 (5.01-10 acres), \$400 + \$400 (10 acres or greater) for commercial, industrial, or apartment complexes
- Title Report
- 8 1/2" by 11" Original Sealed Survey showing existing structures/easements or 3 blueline copies 2 Location Maps
- 28 1/2" by 11" copies/legible copies of plat with name & north arrow
- 6 Folded blueline prints of the proposed plat
- 2 Warranty Deeds (identifying owner on application)
- AutoCAD 2005 DWG file and PDF of
- Letter of Authorization from the owner (if applicable)
- Proof of authority of person signing application on behalf of partnership/corporation (if applicable)

### **Email Submittal Requirements**

- Application Fee: \$300 + \$25/lot for residential (excluding apartment complexes) or \$400 + \$200 (0-5 acres), \$400 + \$300 (5.01-10 acres), \$400 + \$400 (10 acres or greater) for commercial, industrial, or apartment complexes
- Title Report
- Sealed Survey
- Location Map
- Plat & Reduced Plat
- Warranty Deed
- DWG File
- Letter of Authorization from the owner (if applicable)
- Proof of authority of person signing application on behalf of partnership/corporation, if applicable
- Documents must be submitted in separate PDF files. Each file must be less than 20 MB. No scanned documents\*
- Submit documents to subdivisions@mcallen.net

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

### PLAT TO SHOW:

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

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

Owner(s) Signature(s)

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

Signature

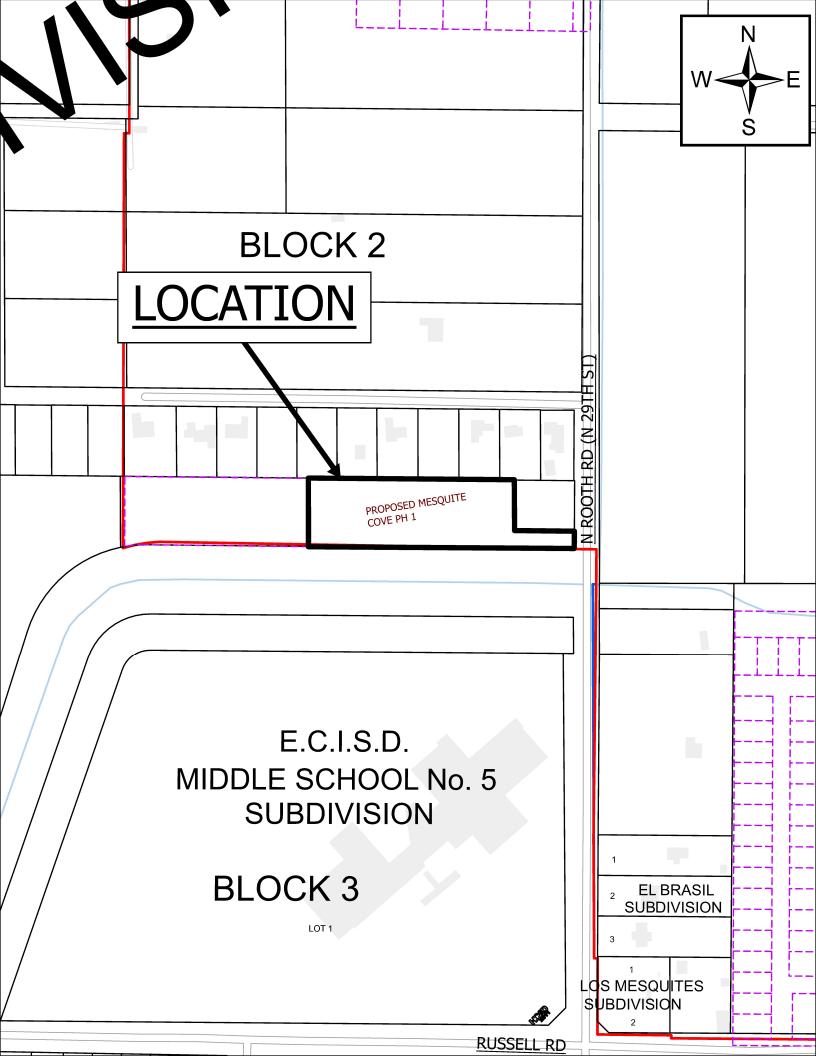
Date 02-03-25

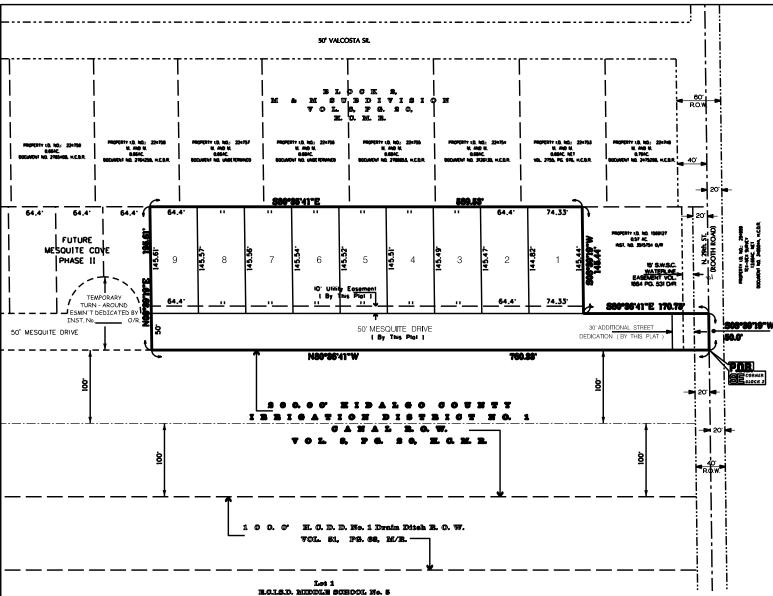
Print Name Stephen Spoor, P.E.

Owner

Authorized Agent Ø

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





Dos. # 2128789, M/R.

U. MINIMUM FINISHED FLOOR ELEVATION SHALL BE 18 INCHES ABOVE TOP OF CURB MEASURED AT FRONT CENTER OF LOT.

- 2.) THIS PROPERTY FALLS IN ZONE "X" UNSHADED OF THE FLOOD INSURANCE RATE MAPS, COMMUNITY PANEL NO. 480334 0325 D. REVISED JUNE 6, 2000.
- 3.) MINIMUM BUILDING SETBACK LINE SHALL AS FOLLOWS AND IS SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLANFFRONT - 25 FEET OR GREATER FOR EASEMENTS REAR - 10 FEET OR GREATER FOR EASEMENTS SIDE - IN ACCORDANCE WITH ZONING ORDINANCE OR GREATER FOR EASEMENTS.

GARAGE - 30 FEET EXCEPT WHERE GREATER SETBACK IS REOUIRED, GREATER SETBACK APPLIES.

- 4.) A 4.0' WIDE MINIMUM SIDEWALK REQUIRED ALONG N. 29TH STREET AND ALONG THE NORTH SIDE OF MESOUITE DRIVE.
- 5.) A 6 FT. OPAQUE BUFFER IS REQUIRED FROM ADJACENT / BETWEEN MULTI - FAMILY RESIDENTIAL AND COMMERCIAL OR INDUSTRIAL ZONES / USES, AN 8 FT, MASONRY WALL IS REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONES / USES.
- 6.) DRAINAGE DETENTION OF 0.5 AC-FT ( 21780 C.F.) IS REQUIRED FOR THIS PROPERTY.
- 7), AN ENGINEERED DETENTION PLAN APPROVED BY CITY'S ENGINEERING DEPT IS REQUIRED PRIOR TO APPLICATION FOR BUILDING PERMIT.
- 8.) THE DEVELOPER SHALL BE RESPONSIBLE FOR DETAINING AND ACCOMMODATING MORE THAN THE DETAINED VOLUME SHOWN ON THIS PLAT IF IT IS DETERMINED, AT THE PERMIT STAGE, THAT THE DETENTION REQUIREMENTS ARE GREATER THAN STATED ON THIS PLAT, DUE TO THE IMPERVIOUS AREA BEING GREATER THAN THE PLAT ENGINEER CONSIDERED IN THE HYDRAULIC CALCULATIONS FOR THIS SUBDIVISION.

### METES & BOUNDS-

A 283 ACRE TRACT OF LAND OUT OF PLOCK 2, MIAND MISLEDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO PLAT RECORDED IN VOLUME 8, PAGE 20, MAP RECORDS, HIDALGO COUNTY, TEXAS.

BEGINNING at the Southeast corner of Block 2, for the Southeast corner of the following described tract of land, said point being in N. 29th Street (Rooth Road), said point located on the north line of 200 foot canal Right of Way (H.C.I.D. No. I).

THENCE, with the South line of Block 2 and the North line of said canal Right of Way, North 80 Deg. 36 Min, 41 Sec. West, at 20 lest pass the West line of North 29th Street, and at 760.33 lest a point for the Southwest corner hereof.

THENCE, parallel to the East line of Block 2, North 08 Dec. 39 Min. 19 Sec. East, 195.61 feet to a point for the Northwest corner hereof, said point being on the North line of a 9,646 acre tract out of Lot 11, Block 4, and out of Block 2, M and M Subdivision, as described in Special Warranty Deed with Vendor's Lien recorded in Instrument Number 3406044 Official Records.

THENCE, with the North line of said 9,646 acre tract, South 80 dec. 35 Min. 4I Sec. East, 589,53 feet to a point for the most northerly Northeast corner hereol, said point being the Northwest corner of a certain 0.57 acre tract out of Block 2, M and M Subdivision, recorded in Instrument Number 35/5754, Official Records-

THENCE, with the West line of said 0.57 acre tract, South 08 Dec. 39 Min, 19 Sec. West, M5.44 feet to the Southwest corner of said 0.57 acre tract, for an interior corner hereof-

THENCE, with the South line of said 0.57 acre tract, South 80 Dec, 36 Min, 41 Sec. East, at 150.75 feet pass the west line of North 29th Street, and at 170.75 feet, a point on the East line of Block 2, for the most southerly Northeast corner hereof,

THENCE, with the East line of Block 2, in N. 29th Street, South 08 Deg. 39 Min, 19 Sec. West, 50.0 feet to the POINT OF BEGINNING, containing 2.83 acres of land, more or less, of which the EAST 20.0 feet, comprising 0.02 acres, lies in North 29th



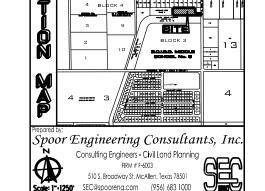
# 

## **MESQUITE COVE** PHASE I



T parads

BEING A SUBDIVSION OF A 2.83 ACRE TRACT OF LAND OUT OF BLOCK 2, M AND M SUBDIVSION, HIDALGO COUNTY, TEXAS. ACCORDING TO PLAT RECORDED IN VOLUME 8. PAGE 20, MAP RECORDS, HIDALGO COUNTY, TEXAS



STATE OF TEXAS: COUNTY OF HIDALGO!

MESQUITE I, THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED AS COVE . SUBDIVISION TO THE CITY OF MCALLEN, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS, WATER LINES, 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 INCALLEN, 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.

Encorien, Ltd. a Texas Limited Partnership Androbet, Inc., a Texas Corporation its General Partner

a Texas Limited Partnership Androbel, Inc., a Texas Corporation its General Partner

Encorien, Ltd.

Ruben Pocheco, President 1212 Northgale Lone McAllen, Texos 78504

Mario del Carmen Pacheco, Secretary 1212 Northgale Lone McAllen, Texos 785O4

COUNTY OF HIDALGO: BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED MARIA DEL CARMEN PACHECO, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREN STATED, GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE\_

NOTARY PUBLIC

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

STATE OF TEXAS: COUNTY OF HIDALGO:

STATE OF TEXAS:

CHARMAN, PLANNING AND ZONING COMMISSION

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR = 4032 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 DESCREED HEREON, AND THAT THERE ARE NO DISCREPANCES, CONFLICTS, OVERLAPPING OF IMPROVEMENTS, VISBLE UTILITY LINES OR ROADS IN PLACE, EXCEPT AS SHOWN ON THE ACCOMPANYING PLAT, AND THAT THE CORNER MONUMENTS SHOW THEREON WERE PROPERLY PLACED UNDER MY SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF MICALLEN, TEXAS,

REYNALDO POBLES, RPLS = 4032 POBLES AND ASSOCIATE, PLLC 107 W. HUSACHE ST, WESLACO, TEXAS 78596

DATE

STATE OF TEXAS: COUNTY OF HIDALGO!

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

REGISTERED PROFESSIONAL ENGINEER

I, THE UNDERSIGNED MAYOR OF THE CITY OF MCALLEN, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL RECURREMENTS OF SUBDIVISION REGULATIONS OF THIS CITY WHERE IN MY APPROVAL IS RECURRED.

MAYOR, CITY OF MCALLEN

HOALGO COUNTY DRANAGE DISTRICT NO. I HEREBY CERTIFIES THAT THE DRANAGE PLANS FOR THIS SUBDIVISION COMPLY WITH THE MINIMUM STANDARDS OF THE DISTRICT ADOPTED UNDER TEX, WATER CODE 49.2%;) THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAMAGE STRUCTURES DESCREED ARE APPROPRIATE FOR THE SPECIFIC SUBDIVISION, BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA, IT IS THE RESPONSIBILITY OF THE DEVELOPER OF THE SUBDIVISION AND ITS ENGNEER TO MAKE THESE DETERMINATIONS. LIDALGO COLINTY DRAINAGE DISTRICT NO. I

DATE

BY: RAUL E. SESN, P.E., C.F.M.

02/28/2025 Page 1 of 4 SUB2025-0017



Reviewed On: 2/28/2025

SUBDIVISION NAME: MESQUITE COVE SUBDIVISION PHASE I	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
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  - Provide document numbers for existing ROW dedications, and provide a copy for staff review prior to final.  - Clarify and resolve the overlap of the 15 ft. SWSC easement on the ROW dedication prior to final. ROW dedication may not overlap an easement to SWSC.  **Subdivision Ordinance: Section 134-105  ***Subdivision Ordinance: Section 134-104  **Monies must be escrowed if improvements are required prior to final  **COM Thoroughfare Plan	Non-compliance
Interior Street: Dedication as needed for 50 ft. total ROW. Paving: 32 ft. Curb & gutter: Both sides - City Street names will be established prior to final and plat will need to be revised accordingly Temporary turnaround easement is being shown as dedicated by separate instrument and must be paved and recorded before recording of the subdivision. Dimensions and details of turnaround will need to be clarified and finalized, prior to final Clarify and resolve the overlap of the 15 ft. SWSC easement on the ROW dedication prior to final. ROW dedication may not overlap an easement to SWSC. **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	Applied
* 900 ft. Block Length for R-3 Zone Districts  **Subdivision Ordinance: Section 134-118	NA
* 600 ft. Maximum Cul-de-Sac **Subdivision Ordinance: Section 134-105	NA
ROW: 20 ft. Paving: 16 ft.  *Alley/service drive easement required for commercial and multi-family properties  **If use other than single-family is proposed, requirements for alley, etc. will be reviewed.	Applied

02/28/2025 Page 2 of 4 SUB2025-0017

SETBACKS	
* Front: Proposing: 25 feet or greater for easements Clarify proposed setback and ensure compliance with minimum setback requirements for City and County, finalize wording prior to final. **Zoning Ordinance: Section 138-356	Non-compliance
<ul> <li>* Rear: Proposing 10 feet or greater for easements</li> <li>- Clarify proposed setback and ensure compliance with minimum setback requirements for City and County, finalize wording prior to final.</li> <li>**Zoning Ordinance: Section 138-356</li> </ul>	Non-compliance
* Sides: Proposing In accordance with the Zoning Ordinance or greater for easements - Clarify proposed setback and ensure compliance with minimum setback requirements for City and County, finalize wording prior to final.  **Zoning Ordinance: Section 138-356	Non-compliance
* Corner - If layout is revised and include corner lots, setbacks will be established, prior to final. **Zoning Ordinance: Section 138-356	Applied
* Garage: Proposing: 30 ft. except were greater setback is required, greater setback applies Clarify proposed setback, prior to final. **Zoning Ordinance: Section 138-356	Non-compliance
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
SIDEWALKS	
* 4 ft. wide minimum sidewalk required on North 29th Street and both sides of interior streets Sidewalk requirements may increase to 5 ft. per Engineering Department, plat note wording to be finalized, prior to final.  **Subdivision Ordinance: Section 134-120	Non-compliance
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Required
BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses  **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	
* No curb cut, access, or lot frontage permitted along **Must comply with City Access Management Policy	TBD
* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.	NA
* Common Areas, etc. must be maintained by the lot owners and not the City of McAllen Include a plat note as shown above, wording to be finalized prior to final.	Non-compliance
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	NA

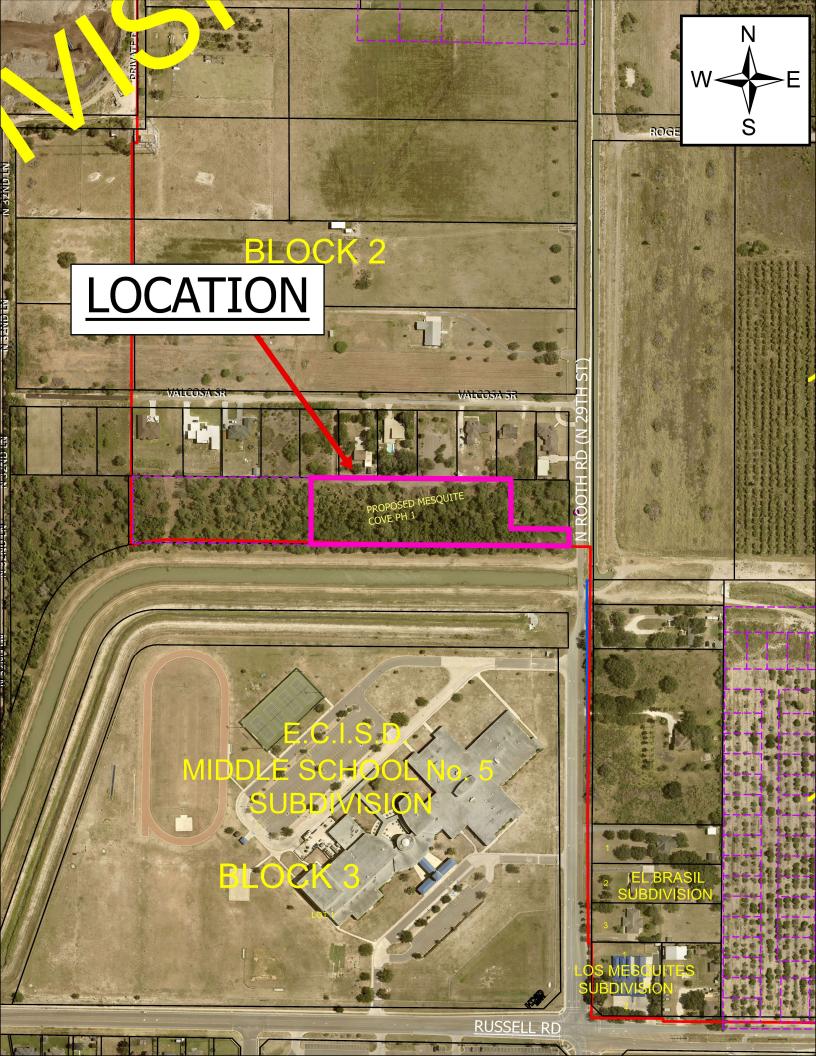
02/28/2025 Page 3 of 4 SUB2025-0017

**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 138-168 applies if public subdivision is proposed.  **Section 138-168 applies if public subdivision is proposed.  **Landscaping Ordinance: Section 134-168  **Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.  **Section 110-72 applies if public subdivision is proposed.  **Section 110-72 applies if public subdivision is proposed.  **Section 110-72 applies if public subdivision is proposed.  **Section 134-168 applies if private subdivision is proposed.  **Subdivision Ordinance: Section 134-168  **Lots fronting public streets  **Subdivision Ordinance: Section 134-168  **Park Ferus of Stroposed: ETJ  - Engineer must clarify annexation status, prior to final.  **Tand dedication in lieu of fee.  - Application dated February 4, 2025 proposes a 9 lot single-family subdivision that is not within City limits (ETJ) therefore City of McAllen Park Land Dedication and Park Development Fees Ordinance does not apply unless annexed. Engineer must clarify annexation status, prior to final.  **Park Fee of \$700 per lot/dwelling unit to be paid prior to reco		
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final plat.	TRAFFIC	
		Required
		TBD

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

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COMMENTS	
Comments: - Any abandonment must be done by separate process, not by plat, prior to recording Temporary turnaround easement is being shown as dedicated by separate instrument and must be paved and recorded before recording of the subdivision. Dimensions and details of turnaround will need to be clarified and finalized, prior to final. *Must comply with City's Access Management Policy.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM SUBJECT TO THE CONDITIONS NOTED, DRAINAGE, AND UTILITY APPROVAL.	Applied



Sub2025-0018

# City of McAllen Planning Department

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

	Subdivision Name Mesquite Cove Subd	division Phase II													
	Legal Description 2.63 acres out of Block	k 2, M and M Subdivision													
	Location 1/4 mile N. of Russell Road alor	ong the west side of Rooth Road													
uo	City Address or Block Number 14505 North Rooth Road														
nati	Total No. of Lots 9 Total Dwelling Units 9 Gross Acres 2.63 Net Acres 2.63														
Jor	☑Public Subdivision/□Private and Gated /□Private but Not Gated within ETJ: 🛩 es/ No														
Project Information	For Fee Purposes: □Commercial ( Acres)/☑ Residential ( 9 _ Lots) Replat: ☑Yes/□No														
Proje	Existing Zoning N/A Proposed Zoning N/A Applied for Rezoning ☑No/□Yes: Date														
-	Existing Land Use Vacant/open														
			-												
	Irrigation District #1 Water CCN: □MPU/☑Sharyland Water SC Other  Agricultural Exemption: □Yes/☑No Parcel #224749														
			-												
	Estimated Rollback Tax Due	Tax Dept. Review	_												
10	Name Encarlen, Ltd.	Phone 956-605-2127	_												
Owner	Address 1212 Northgate Lane	E-mailrpac1212@aol.com	_												
0	City McAllen	State Zip													
	2														
_	Name Same as Owner	Phone													
obe	Traine	E-mail	_												
evelope	Address	E-mail	-												
Developer	Address	E-mail _ State Zip	_												
Develope	Address  City  Contact Person Ruben or Maria Del	E-mail  State Zip el Carmen Pacheco													
	Address  City  Contact Person Ruben or Maria Del  Name Spoor Engineering Consultan	E-mail  State Zip el Carmen Pacheco  nts, Inc Phone 956-683-1000													
	Address  City  Contact Person Ruben or Maria Del  Name Spoor Engineering Consultan  Address 510 So. Broadway Street	E-mail  State Zip  el Carmen Pacheco  nts, Inc. Phone 956-683-1000  E-mail SEC@SpoorEng.com													
Engineer Develope	Address  City  Contact Person Ruben or Maria Del  Name Spoor Engineering Consultan  Address 510 So. Broadway Street  City McAllen	E-mail													
Engineer	Address  City  Contact Person Ruben or Maria Del  Name Spoor Engineering Consultan  Address 510 So. Broadway Street  City McAllen  Contact Person Stephen Spoor, P.E.	E-mail  State Zip  el Carmen Pacheco  nts, Inc. Phone 956-683-1000  E-mail SEC@SpoorEng.com  State TX Zip 78501													
Engineer	City Contact Person Ruben or Maria Del Name Spoor Engineering Consultan Address 510 So. Broadway Street City McAllen Contact Person Stephen Spoor, P.E. Name Robles & Associates, RPLS; Reyna	E-mail  State Zip													
	Address  City  Contact Person Ruben or Maria Del  Name Spoor Engineering Consultan  Address 510 So. Broadway Street  City McAllen  Contact Person Stephen Spoor, P.E.	E-mail  State Zip  el Carmen Pacheco  nts, Inc. Phone 956-683-1000  E-mail SEC@SpoorEng.com  State TX Zip 78501													

KF

FEB 0 4 2025

BY:\_

# Owner(s) Signature(s)

### **Proposed Plat Submittal**

### In Person Submittal Requirements

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

### **Email Submittal Requirements**

- Application Fee: \$300 + \$25/lot for residential (excluding apartment complexes) or \$400 + \$200 (0-5 acres), \$400 + \$300 (5.01-10 acres), \$400 + \$400 (10 acres or greater) for commercial, industrial, or apartment complexes
- Title Report
- Sealed Survey
- Location Map
- Plat & Reduced Plat
- Warranty Deed
- DWG File
- Letter of Authorization from the owner (if applicable)
- Proof of authority of person signing application on behalf of partnership/corporation, if applicable
- Documents must be submitted in separate PDF files. Each file must be less than 20 MB. No scanned documents\*
- \*Submit documents to subdivisions@mcallen.net
  - \*ORIGINAL APPLICATION & FEE MUST BE SUBMITTED IN PERSON/VIA MAIL\*

#### PLAT TO SHOW:

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

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

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

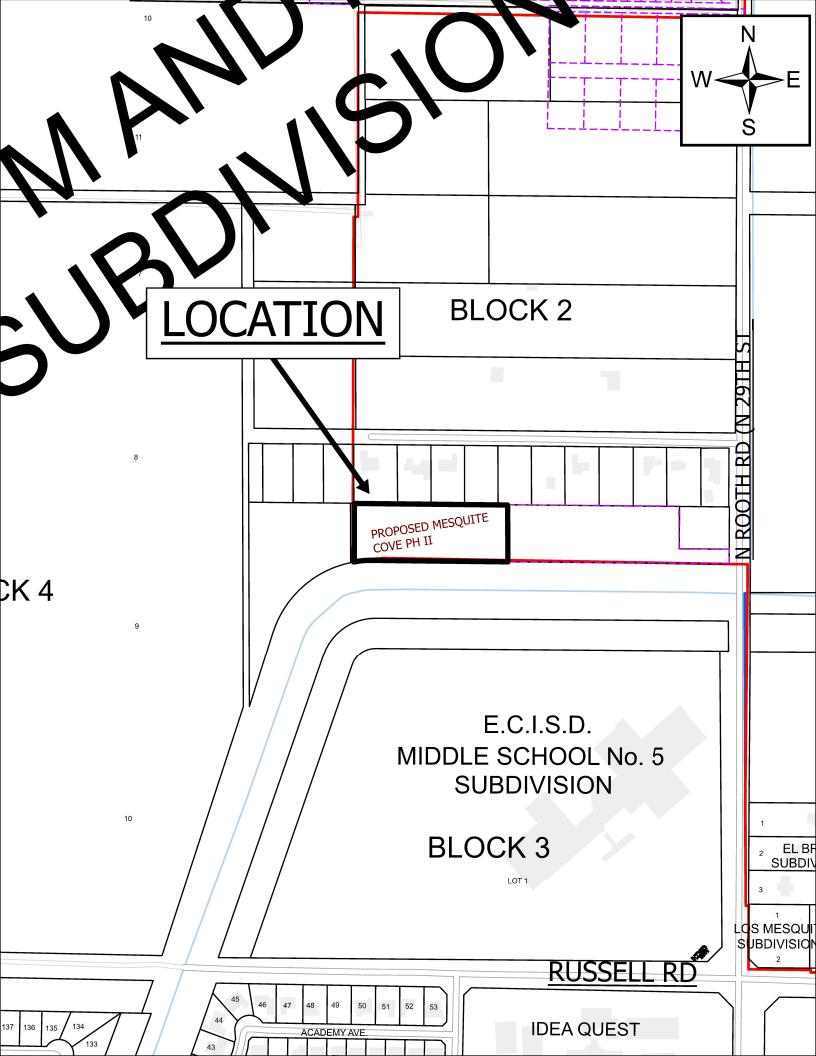
Signature

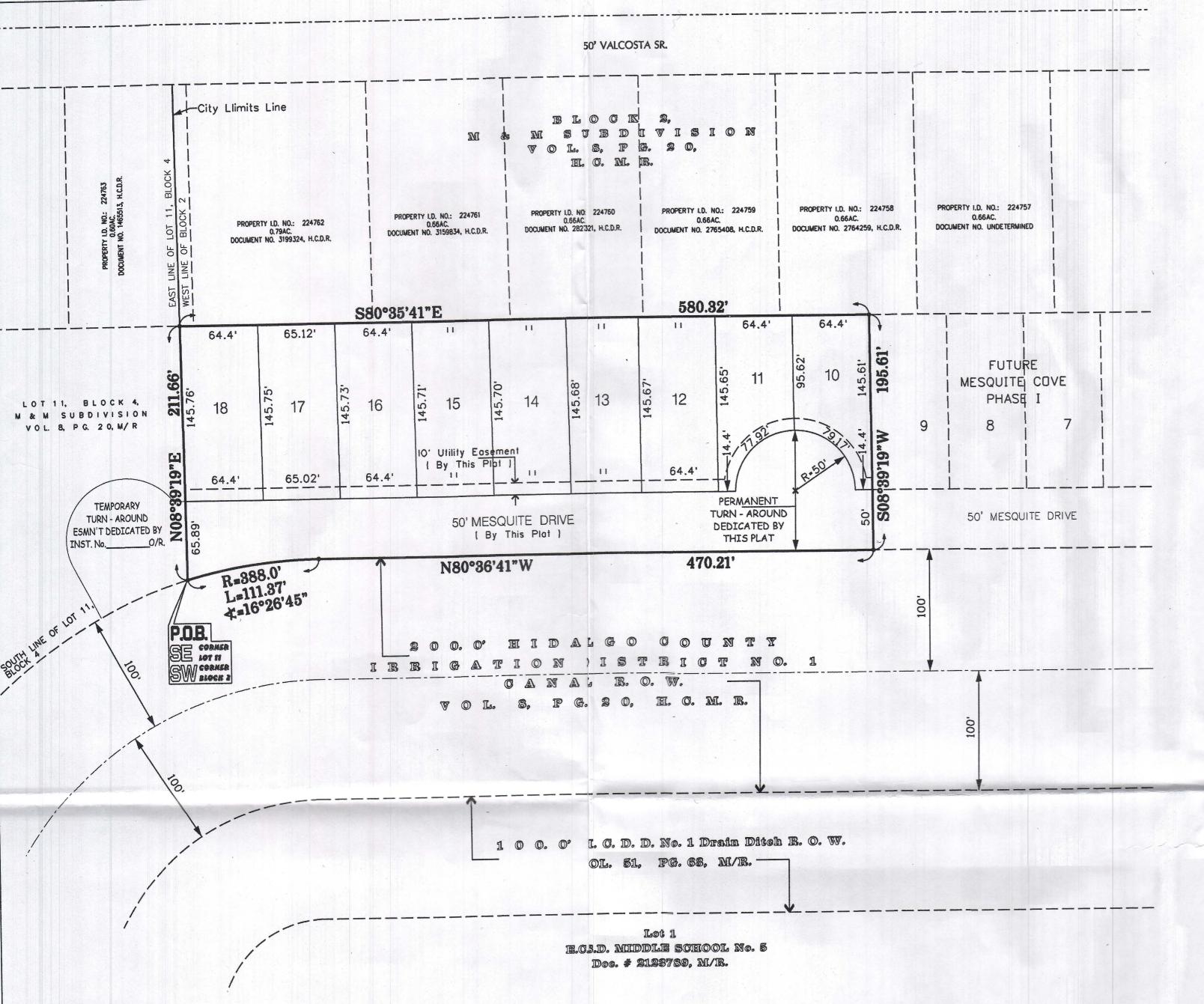
Date ()2-03-25

Print Name Stephen Spoor, P.E.

Owner

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





NOTES:

1.) MINIMUM FINISHED FLOOR ELEVATION SHALL BE 18 INCHES ABOVE TOP OF CURB MEASURED AT FRONT CENTER OF LOT.

2.) THIS PROPERTY FALLS IN ZONE "X" UNSHADED OF THE FLOOD INSURANCE RATE MAPS, COMMUNITY PANEL NO. 480334 0325 D, REVISED JUNE 6, 2000.

3.) MINIMUM BUILDING SETBACK LINE SHALL AS FOLLOWS AND IS SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN: FRONT - 25 FEET OR GREATER FOR EASEMENTS REAR - 10 FEET OR GREATER FOR EASEMENTS SIDE - IN ACCORDANCE WITH ZONING ORDINANCE OR GREATER FOR EASEMENTS.

GARAGE - 30 FEET EXCEPT WHERE GREATER SETBACK IS REQUIRED, GREATER SETBACK APPLIES.

4.) A 4.0' WIDE MINIMUM SIDEWALK REQUIRED ALONG N. 29TH STREET AND ALONG THE NORTH SIDE OF MARBLE AVENUE.

5.) A 6 FT. OPAQUE BUFFER IS REQUIRED FROM ADJACENT / BETWEEN MULTI - FAMILY RESIDENTIAL AND COMMERCIAL OR INDUSTRIAL ZONES / USES. AN 8 FT. MASONRY WALL IS REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONES / USES.

6.) DRAINAGE DETENTION OF 0.40 AC-FT (17,424 C.F.) IS REQUIRED FOR THIS PROPERTY.

7). AN ENGINEERED DETENTION PLAN APPROVED BY CITY'S ENGINEERING DEPT IS REQUIRED PRIOR TO APPLICATION FOR BUILDING PERMIT.

8.) THE DEVELOPER SHALL BE RESPONSIBLE FOR DETAINING AND ACCOMMODATING MORE THAN THE DETAINED VOLUME SHOWN ON THIS PLAT IF IT IS DETERMINED, AT THE PERMIT STAGE, THAT THE DETENTION REQUIREMENTS ARE GREATER THAN STATED ON THIS PLAT, DUE TO THE IMPERVIOUS AREA BEING GREATER THAN THE PLAT ENGINEER CONSIDERED IN THE HYDRAULIC CALCULATIONS FOR THIS SUBDIVISION.

## METES & BOUNDS

A 2.63 ACRE TRACT OF LAND OUT OF BLOCK 2, M AND M SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO PLAT RECORDED IN VOLUME 8, PAGE 20, MAP RECORDS, HIDALGO COUNTY, TEXAS.

BEGINNING at the southwest corner of Block 2, for the southwest corner of the following described tract of land said point located on the North line of 200 foot canal right of way (H.C.I.D. No. 1); said point being on a curve to the left;

THENCE, with the West line of Block 2, North 08 Deg. 39 Min, 19 Sec. East, 211.66 feet to a point for the northwest corner hereof; said point being on the North line of a 9.646 acre tract out of Lot 11, Block 4, and out of Block 2, M & M Subdivision;

THENCE, with the North line of said 9.464 acre tract, South 80 Deg. 35 Min, 41 Sec. East, 580.32 feet to a point for the northeast corner hereof:

THENCE, parallel to the East line of Block 2, South 08 Deg. 39 Min. 19 Sec. West, 195.61 feet to a point on the South line of Block 2, for the southeast corner hereof; said point being on the North line of said canal right of way;

THENCE, with the South line of Block 2, and the North line of said canal right of way, North 80 Deg. 36 Min. 41 Sec. West, 47021 feet to the point of beginning of a curve to the left, for a point on the South line hereof:

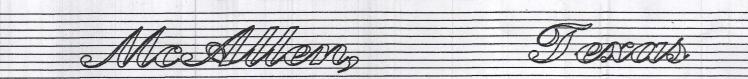
THENCE, continue with the South line of Block 2, and the North line of said canal right of way, with said curve to the left, in a southwesterly direction, on a radius of 388.0 feet, through an arc of 16 Deg. 26 Min. 45 Sec., and a distance of 11.37 feet to the POINT OF BEGINNING; containing 2.63 acres of land, more or less.



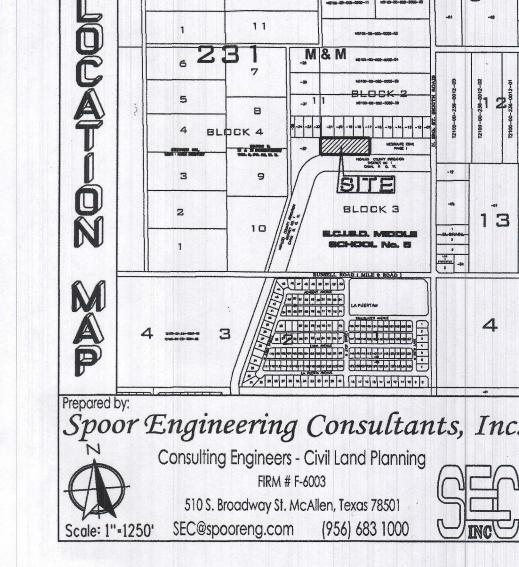
# MAP

OF

# MESQUITE COVE PHASE II



BEING A SUBDIVSION OF A 2.63 ACRE TRACT OF LAND OUT OF BLOCK 2, M AND M SUBDIVSION, HIDALGO COUNTY, TEXAS, ACCORDING TO PLAT RECORDED IN VOLUME 8, PAGE 20, MAP RECORDS, HIDALGO COUNTY, TEXAS



STATE OF TEXAS: COUNTY OF HIDALGO:

" MESQUITE

I, THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED AS COVE " SUBDIVISION TO THE CITY OF MCALLEN, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS, WATER LINES, 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.

Encarlen, Ltd.
a Texas Limited Partnership

By: Androbet, Inc., a Texas Corporation
its General Partner

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a Texas Limited Partnership
By: Androbet, Inc., a Texas Corporation
its General Partner

By: Ruben Pacheco, President 1212 Northgate Lane McAllen, Texas 78504 y: Maria del Carmen Pacheco, Secretary 1212 Northgate Lane McAllen, Texas 78504

COUNTY OF HIDALGO:

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED MARIA DEL CARMEN PACHECO, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE \_\_\_\_\_\_ DAY OF \_\_\_\_\_\_\_\_, 2025.

NOTARY PUBLIC

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

STATE OF TEXAS: COUNTY OF HIDALGO:

STATE OF TEXAS:

CHAIRMAN, PLANNING AND ZONING COMMISSION

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR # 4032 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 DISCREPANCIES, CONFLICTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, EXCEPT AS SHOWN ON THE ACCOMPANYING PLAT, AND THAT THE CORNER MONUMENTS SHOW THEREON WERE PROPERLY PLACED UNDER MY SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF MCALLEN, TEXAS.

REYNALDO ROBLES, RPLS # 4032 ROBLES AND ASSOCIATE, PLLC IO7 W. HUISACHE ST. WESLACO, TEXAS 78596 TBPELS FIRM No. IOO96700 DATE

STATE OF TEXAS: COUNTY OF HIDALGO:

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

REGISTERED PROFESSIONAL ENGINEER
P. E. REGISTRATION No. 56752

STEPHEN SPOOR

56752

GISTERE

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

MAYOR, CITY OF MCALLEN

DATE

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

HIDALGO COUNTY DRAINAGE DISTRICT NO. I

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

FEB 0 4 2025

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Reviewed On: 2/28/2025

SUBDIVISION NAME: MESQUITE COVE PHASE II	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
Interior Street: Dedication as needed for 50 ft. total ROW. Paving: 32 ft. Curb & gutter: Both sides - City Street names will be established prior to final and plat will need to be revised accordingly Temporary turnaround easement is being shown as dedicated by separate instrument and must be paved and recorded before recording of the subdivision. Dimensions and details of turnaround will need to be clarified and finalized, prior to final Clarify and resolve the overlap of the 15 ft. SWSC easement on the ROW dedication prior to final. ROW dedication may not overlap an easement to SWSC Clarify permanent turnaround dedicated by this plat. **Subdivision Ordinance: Section 134-105 **Monies must be escrowed if improvements are required prior to final **COM Thoroughfare Plan	Non-compliance
Paving Curb & gutter  **Subdivision Ordinance: Section 134-105  **Monies must be escrowed if improvements are required prior to final  **COM Thoroughfare Plan	Applied
Paving Curb & gutter  **Subdivision Ordinance: Section 134-105  **Monies must be escrowed if improvements are required prior to final  **COM Thoroughfare Plan	Applied
* 1,200 ft. Block Length  **Subdivision Ordinance: Section 134-118	Applied
* 900 ft. Block Length for R-3 Zone Districts  **Subdivision Ordinance: Section 134-118	NA
* 600 ft. Maximum Cul-de-Sac **Subdivision Ordinance: Section 134-105	NA
ALLEYS	
ROW: 20 ft. Paving: 16 ft.  *Alley/service drive easement required for commercial and multi-family properties  **If use other than single-family is proposed, requirements for alley, etc. will be reviewed.  **Subdivision Ordinance: Section 134-106	Applied
SETBACKS	
* Front: Proposing: 25 feet or greater for easements Clarify proposed setback and ensure compliance with minimum setback requirements for City and County, finalize wording prior to final. **Zoning Ordinance: Section 138-356	Non-compliance

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

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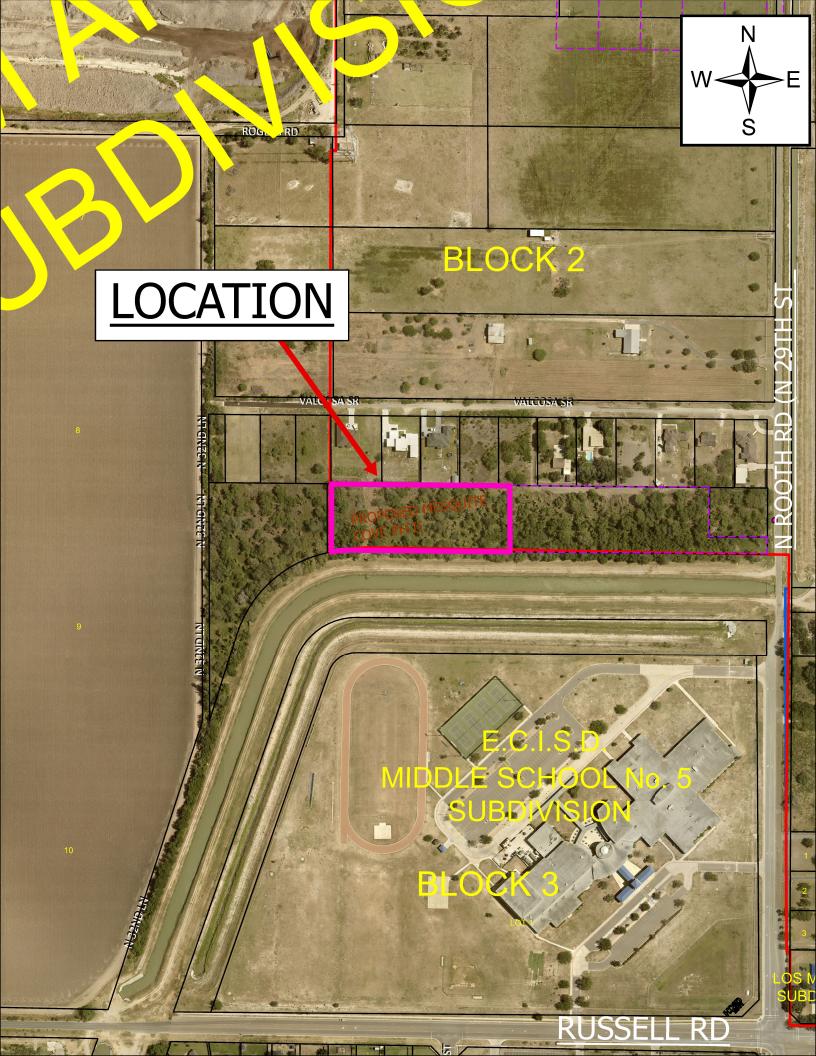
* Rear: Proposing 10 feet or greater for easements - Clarify proposed setback and ensure compliance with minimum setback requirements for City and County, finalize wording prior to final.  **Zoning Ordinance: Section 138-356	Non-compliance
* Sides: Proposing In accordance with the Zoning Ordinance or greater for easements - Clarify proposed setback and ensure compliance with minimum setback requirements for City and County, finalize wording prior to final.  **Zoning Ordinance: Section 138-356	Applied
<ul> <li>* Corner</li> <li>- If layout is revised and include corner lots, setbacks will be established, prior to final.</li> <li>**Zoning Ordinance: Section 138-356</li> </ul>	Applied
* Garage: Proposing: 30 ft. except were greater setback is required, greater setback applies Clarify proposed setback, prior to final. **Zoning Ordinance: Section 138-356	Non-compliance
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
SIDEWALKS	
* 4 ft wide minimum eidewellt required on both eiden of interior etreet	Non compliance
<ul> <li>* 4 ft. wide minimum sidewalk required on both sides of interior street.</li> <li>- Sidewalk requirements may increase to 5 ft. per Engineering Department, plat note wording to be finalized, prior to final.</li> <li>**Subdivision Ordinance: Section 134-120</li> </ul>	Non-compliance
* Perimeter sidewalks must be built or money escrowed if not built at this time.	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	
* No curb cut, access, or lot frontage permitted along **Must comply with City Access Management Policy	TBD
* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.	NA
* Common Areas, etc. must be maintained by the lot owners and not the City of McAllen Include a plat note as shown above, wording to be finalized prior to final.	Non-compliance
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	NA
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.  **Section 110-72 applies if public subdivision is proposed.  **Section 138-168 applies if private subdivision is proposed.  **Landscaping Ordinance: Section 110-72  **Subdivision Ordinance: Section 134-168	Applied

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* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording Submit a copy of the draft HOA document, prior to recording. **Section 110-72 applies if public subdivision is proposed. **Section 134-168 applies if private subdivision is proposed. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168	Required
LOT REQUIREMENTS	
* Lots fronting public streets **Subdivision Ordinance: Section 134-1	Applied
* Minimum lot width and lot area **Zoning Ordinance: Section 138-356	Applied
ZONING/CUP	
* Existing: ETJ Proposed: ETJ - Engineer must clarify annexation status, prior to final. ***Zoning Ordinance: Article V	Non-compliance
* Rezoning Needed Before Final Approval - Engineer must clarify annexation status, prior to final. ***Zoning Ordinance: Article V	Non-compliance
PARKS	
* Land dedication in lieu of fee Application dated February 4, 2025 proposes a 9 lot single-family subdivision that is not within City limits (ETJ) therefore City of McAllen Park Land Dedication and Park Development Fees Ordinance does not apply unless annexed. Engineer must clarify annexation status, prior to final.	NA
* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording Application dated February 4, 2025 proposes a 9 lot single-family subdivision that is not within City limits (ETJ) therefore City of McAllen Park Land Dedication and Park Development Fees Ordinance does not apply unless annexed. Engineer must clarify annexation status, prior to final.	NA
* Pending review by the City Manager's Office Application dated February 4, 2025 proposes a 9 lot single-family subdivision that is not within City limits (ETJ) therefore City of McAllen Park Land Dedication and Park Development Fees Ordinance does not apply unless annexed. Engineer must clarify annexation status, prior to final.	NA
TRAFFIC	
* 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.	TBD

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COMMENTS	
Comments: - Any abandonment must be done by separate process, not by plat, prior to recording Temporary turnaround easement is being shown as dedicated by separate instrument and must be paved and recorded before recording of the subdivision. Dimensions and details of turnaround will need to be clarified and finalized, prior to final Mesquite Cove Phase II may not be recorded before Mesquite Cove Phase I, since access to North 29th Street is pending the ROW dedication and improvements for Mesquite Cove Phase I.  *Must comply with City's Access Management Policy.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM SUBJECT TO THE CONDITIONS NOTED, DRAINAGE, AND UTILITY APPROVAL.	Applied



Р	PRESENT
Α	ABSENT
MC	MEETING CANCELLED
LQ	LACK OF QUORUM
SM	SPECIAL MEETING

2025 ATTENDANCE RECORD FOR PLANNING AND ZONING COMMISSION MEETINGS																									
	01/07/25	01/21/25	02/04/25	02/18/25	03/04/25	03/18/25	04/01/25	04/22/25	05/06/25	05/20/25	92/50/90	06/17/25	07/08/25	07/22/25	08/05/25	08/19/25	9/10/25	09/24/25	09/24/25	10/07/25	10/21/25	11/04/25	11/18/25	12/02/25	12/16/25
Michael Fallek	Р	Р	Р	Р																					
Gabriel Kamel	Р	Α	Α	Α																					
Jose B. Saldana	Α	Α	Р	Р																					
Marco Suarez	Α	Р	Р	Р																					
Emilio Santos Jr.	Р	Α	Р	Р																					
Jesse Ozuna	Р	Р	Α	Α																					
Reza Badiozzamani	Α	Р	Α	Α																					

### 2024 ATTENDANCE RECORD FOR PLANNING AND ZONING COMMISSION WORKSHOPS

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Michael Fallek													
Gabriel Kamel													
Jose B. Saldana													
Marco Suarez													
Emilio Santos Jr.													
Jesse Ozuna													
Reza Badiozzamani													





### **PLANNING DEPARTMENT**

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

### 2025 P&Z CALENDAR

_		I	Weetings:				Deadlines:										
	City Commi	ssion	Plan	ıning & Zor	ning Boa	ard	D- Z	Zoning/CUP A	pplication	N - Pu	blic Notif	ication	ĭ				
	Public Utility	Board	Zoni	ng Board	of Adjust	tment											
HPC	- Historic Pre	s Council					* Ho	liday - Office	is closed								
		JU	LY 2025						AUGU	ST 2025							
Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat				
		1	2	3	HOLIDAY	5						1	2				
6	7	8	9 D - 8/5 & 8/6	10	11	12	3	4	5	6 D-9/10 & 9/11	7	8	9				
13	A-7/22 & 7/23	15	N- 7/22 & 7/23	17	18	19	10	A-8/19 & 8/20	12	N-8/19 & 8/20	14	15	16				
	•	<b>A</b>						P									
20	A-8/5 & 8/6	22	23 D-8/19 & 8/20 N- 8/5 & 8/6	24	25	26	17	18	19	20 D-9/24 & 9/25	21	22	23				
27	28	29	30	31			24	25	26	27 HPC	28	29	30				
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	HOLIDAY	2	3	4	5	6				1	2	3	4				
7	A-9/24 & 9/25	9	10 D- 10/7 & 10/8 N-9/24 & 9/25	11	12	13	5	6 A-10/21&10/22	7	8 D-11/4 & 11/5 N-10/21&10/22	9	10	11				
14	15	16	17	18	19	20	12	13	14	15	16	17	18				
21	22	23	24 D-10/21 &10/22	25	26	27	19	20	21	22 D-11/18&11/19	23	24	25				
28	A-10/7 & 10/8	30	N-10/7 & 10/8				26	A-11/4 &11/5 27_	28	N-11/4 & 11/5	30	31	<del> </del>				
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						1		A-12/16 &12/17	2	3 D-TBA N-12/16 & 12/17	4	5	6				
	3 A-11/18 & 11/19	4	5 D-12/2 & 12/3 N-11/18&11/19	6	7	8	7	8	9	10	11	12	13				
	10	11	12	13	14	15	14	15 A-TBA	16	17 D-TBA N-TBA	18	19	20				
6	17	18	19	20	21	22	21	22	23	24 HOLIDAY			27				
	A-12/2 & 12/3		D-12/16&12/17 N-12/2 & 12/3						1	HOLIDA	HOLIDAY						



### PLANNING DEPARTMENT



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

### 2025 P&Z CALENDAR

Meetings: Deadlines: City Commission Planning & Zoning Board D- Zoning/CUP Application N - Public Notification **Public Utility Board** Zoning Board of Adjustment ' Holiday - Office is closed HPC - Historic Pres Council **JANUARY 2025** FEBRUARY 2025 Tue Thu Mon Wed Fri Sat Mon Tue Wed Thu Sun Pri Sat HOLIDAY 10 D- 2/4 & 2/5 D- 3/4 & 3/5 A-1/21 & 1/22 N-1/21 & 1/22 A-2/18 & 2/19 N-2/18 & 2/19 12 15 19 24 25 20 22 D-2/18 & 2/19 A-2/4 2/5 N- 2/4 & 2/5 A-3/4 & 3/5 N- 3/4 & 3/5 26 27 28 **HPC HPC MARCH 2025 APRIL 2025** Tue Wed Sun Mon Thu Fri Sat Sun Mon Tue Wed Thu Fri Sat D-5/6 & 5/7 10 12 D-4/1 & 4/2 A-3/18 & 3/19 N-3/18 & 3/19 A-4/22 & 4/23 N-4/22 & 4/23 MOLIDAY 19 10 12 15 16 D-5/21 & 5/22 17 18 16 20 20 22 26 D- 4/22 & 4/23 A-4/1 & 4/2 N-4/1 - 4/2 A-5/6 & 5/7 N-5/6 & 5/7 30 **HPC HPC MAY 2025 JUNE 2025** Tue Wed Thu Sun Mon Fri Sat Mon Tue Wed Thu Fri Sat 4 D-7/8 - 7/9 A-6/17 & 6/18 A-6/17 & 6/18 10 12 10 13 14 D-6/3 & 6/4 A-5/20 & 5/21 N-5/20 & 5/21 12 17 15 16 20 21 26 28 D-6/17 &6/18 D-7/22 & 7/23 N-6/3 & 6/4 A-7/8 & 7/9 A-6/3 & 6/4 D-7/8 & 7/9 31 28 29 25 30 HOLIDAY HPC HPC 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.