



**Planning & Zoning
Regular Meeting
January 12, 2022**



AGENDA

PLANNING & ZONING COMMISSION REGULAR MEETING

THURSDAY, JANUARY 12, 2023, AT 5:30 P.M.

COUNCIL CHAMBERS, CITY HALL BUILDING

100 SOUTH MONROE STREET, EAGLE PASS, MAVERICK COUNTY, TEXAS

VIDEOCONFERENCE: This meeting will also be held by videoconference call. The location where the quorum of the governmental body will be physically present is in Council Chambers at 100 South Monroe, Eagle Pass, Texas, 78852 and it is the intent to have a quorum present at that location. The location where the presiding member is physically present will be open to the public during the open portions of the meeting. A member of the public may testify from a remote location by videoconference at: <https://meet.goto.com/946290837>

ESTABLISHMENT OF QUORUM

CITIZENS COMMUNICATIONS

MINUTES

1. Approval of the minutes of the December 2, 2022 meeting and the December 21, 2022 meeting.

PUBLIC HEARINGS

2. Public hearing to consider the establishment of permanent zoning classification, master plan, and proposed change to City Map on the annexations of the land described as approximately 10.05 acres located in the J.W. Tinsley, Survey 27, Abstract 840, Maverick County, Texas, described as a tract in conveyance document to the Eagle Pass Independent School District recorded in Document Number 154694 of the Maverick County Official Public Records; closing of public hearing and possible action.
3. Continuation of a public hearing and possible action on the request by Ana C. Calvillo for a Conditional Use Permit to allow the establishment of an entertainment venue on property located at 169 Ford Street.

OTHER BUSINESS

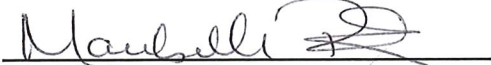
4. Presentation and discussion on parkland dedication.

ADJOURNMENT

NOTE: The Commission reserves the right to consider business out of the posted agenda order and reserves the right to adjourn into executive session to discuss an item(s) not listed as an executive session on the posted agenda, but which qualifies to be discussed in closed session pursuant to Texas Government Code Chapter 551.

CERTIFICATION

I, THE UNDERSIGNED ASSISTANT PLANNING DIRECTOR, do hereby certify that the agenda mentioned above was posted on the Bulletin Board located in the Lobby at City Hall, 100 S. Monroe Street, Eagle Pass, Texas on January 9, 2023 at 4:15 p.m.


Mariebelle Rodriguez
Planning Director

Item #1

THE STATE OF TEXAS)
COUNTY OF MAVERICK)
CITY OF EAGLE PASS)

The Planning and Zoning Commission of the City of Eagle Pass held a Special Meeting on Friday, December 2, 2022, at 5:30 p.m. in the City Council Chambers, City Hall, 100 South Monroe Street, Eagle Pass, Texas. All legal notices were duly posted in accordance with State code.

ESTABLISHMENT OF QUORUM

Present: Vice-Chairperson, Luis Velez, and Commission Members: Doris Salinas Sanchez, and Kenneth Gross

Absent: Chairperson, Rolando Jasso and Commission Member, Aaron Valdez; Interim City Manager, Ivan Morua; and Ex-Officio Member: Mayor, Rolando Salinas

Staff Present: Planning Director: Placido Madera; Assistant Planning Director, Mariebelle Rodriguez, and Assistant City Secretary, Ita A. Cortinas

With a quorum being present, Vice-Chairperson Velez called the meeting to order, and the Planning & Zoning Commission considered the following items.

CITIZENS COMMUNICATIONS

Vice-Chairperson Velez asked if anyone in the audience wished to address the Commission, on any item which did not appear on the agenda, reminding them, that although the Commission would be unable to take formal action on such items, they would be glad to take it under advisement.

There were not any comments or concerns submitted.

NEW BUSINESS

1. Consideration and possible action on the Final Plat of Benito Garcia Subdivision, creating Lots 1 and 2, including a subdivision variance to proceed directly to final replat without first having obtained preliminary re-plat approval as required by City of Eagle Pass Code of Ordinances Section 23-36(a), and a subdivision variance request to allow for septic tank installation.

Assistant Planning Director, Mariebelle Rodriguez provided the Commission with details on the item and recommends (1) the denial of the subdivision variance request to allow a septic tank (2) granting the subdivision variance request to proceed directly to final plat approval without first having obtained preliminary plat approval, as required by the City of Eagle Pass Code of Ordinances, Section 23-36(a), and (3) granting final approval of the Benito Garcia Subdivision,

subject to the plat complying with the provisions of Article III in City of Eagle Pass Code of Ordinances, Chapter 23 governing procedure and specifications for Final Plats.

TEC Services President, Javier Libson of spoke, stating that it would be an economic burden to the owner to install sewer instead of a septic tank. He asked the Commission to reconsider the Planning Department's recommendation on that regard.

Commission member Salinas-Sanchez motioned to proceed with the Planning Department's recommendation. Seconded by Commission member Gross. **MOTION PASSES:** Unanimously

Ayes: Velez, Salinas-Sanchez and Gross

Nays: None

Abstained: None

Absent: Jasso, and Valdez

2. Consideration and possible action on the Final Plat Amendment of Lots 32 and 34 in Loma Linda Subdivision Unit 1, including a sidewalk waiver variance.

Assistant Planning Director Rodriguez provided the Commission with details on the item and recommends they grant approval of a final plat amendment adjusting the property lines between Lots 32 and 34 in Block 1 of Loma Linda Subdivision Unit 1, including a sidewalk waiver request.

Commission member Salinas-Sanchez moved to approve as recommended by the Planning Department. Seconded by Commission member Gross **MOTIONS PASSES:** Unanimously

Ayes: Velez, Salinas-Sanchez, and Gross

Nays: None

Abstained: None

Absent: Jasso, and Valdez

3. Consideration and possible action on the Master Plan of Terra Verde Estates Subdivision.

Planning Director, Placido Madera provided the Commission with details on the item, stating that an amendment to an existing ordinance states that subdivisions that are being developed in phases requires having a Master Plan approved through Planning and Zoning and City Council, prior to adopting individual phases, aimed at helping the City see the big picture when a Company has a large tract of land, that is being developed in phases.

The Planning Department recommends the Commission grant the Master Plan for Terra Verde Estates Subdivision Unit 4, subject to plan to comply with the provisions of City of Eagle Pass Code of Ordinances Chapter 23 Section 23-13.1 governing subdivision plat submittal requirements.

Commission member Salinas-Sanchez moved to approve. Seconded by Commission member Gross. **MOTION PASSES:** Unanimously

Ayes: Velez, Salinas-Sanchez, and Gross
Nays: None
Abstained: None
Absent: Jasso, and Valdez

4. Consideration and possible action on the Preliminary Plat of Terra Verde Estates Subdivision, Unit 4.

Planning Director Madera provided the Commission with details on the item, stating that the Planning Department recommends the Commission grant preliminary plat approval for Terra Verde Estates, Unit 4, subject to plat complying with the provisions of Article III of City of Eagle Pass Code of Ordinances Chapter 23 governing procedures and specifications for Final Plats and allowing the developer to install required improvements.

Commission member Salinas-Sanchez motioned to approve. Seconded by Commission member Gross. **MOTION PASSES:** Unanimously

Ayes: Velez, Salinas-Sanchez, and Gross
Nays: None
Abstained: None
Absent: Jasso, and Valdez

5. Consideration and possible action on the Master Plan of Isidro De Los Santos Subdivision.

Planning Director Madera stated that the item is unnecessary, due to the details of the development.

Commission member Salinas-Sanchez motioned to table. Seconded by Commission member Gross. **MOTION PASSES:** Unanimously

Ayes: Velez, Salinas-Sanchez, and Gross
Nays: None
Abstained: None
Absent: Jasso, and Valdez

6. Consideration and possible action on the Final Plat of Isidro De Los Santos Subdivision, including a subdivision variance to proceed directly to final replat without first having obtained preliminary re-plat approval as required by City of Eagle Pass Code of Ordinances Section 23 36(a), and a variance from Section 23-11 to allow the platting of a property less than 5 acres.

Planning Director Madera provided the Commission with details on the item, and states that the Planning Department recommend the Commission (1) grant a variance to plat a property less than 5-acres in size, (2) grant a variance to proceed to final plat, and (3) grant final plat approval of the proposed Isidro De Los Santos Subdivision, subject to the final plat complying with the provisions of Article III of City of Eagle Pass Code of Ordinances Chapter 23 governing procedures and specifications for final plats.

Commission member Salinas-Sanchez motioned to approve. Seconded by Commission member Gross. **MOTION PASSES:** Unanimously

Ayes: Velez, Salinas-Sanchez, and Gross

Nays: None

Abstained: None

Absent: Jasso, and Valdez

ADJOURNMENT

Commission member Gross motioned to adjourn meeting at 6:26 p.m. Seconded by Commission member Salinas-Sanchez. **MOTION PASSES:** Unanimously

Passed and Approved on: _____, 2023

Luis Velez
Vice-Chairperson

ATTEST:

Ita A. Cortinas
Assistant City Secretary

THE STATE OF TEXAS)
COUNTY OF MAVERICK)
CITY OF EAGLE PASS)

The Planning and Zoning Commission of the City of Eagle Pass held a Special Meeting on Friday, December 21, 2022, at 5:30 p.m. in the City Council Chambers, City Hall, 100 South Monroe Street, Eagle Pass, Texas. All legal notices were duly posted in accordance with State code.

ESTABLISHMENT OF QUORUM

Present: Chairperson: Rolando Jasso; Vice-Chairperson, Luis Velez, and Commission Members: Doris Salinas-Sanchez, and Aaron Valdez

Absent: Commission Member, Kenneth Gross; Interim City Manager, Ivan Morua; and Ex-Officio Member: Mayor, Rolando Salinas

Staff Present: Planning Director: Placido Madera; Assistant Planning Director, Mariebelle Rodriguez, and Assistant City Secretary, Ita A. Cortinas

With a quorum being present, Chairperson Jasso called the meeting to order, and the Planning & Zoning Commission considered the following items.

CITIZENS COMMUNICATIONS

Chairperson Jasso asked if anyone in the audience wished to address the Commission, on any item which did not appear on the agenda, reminding them, that although the Commission would be unable to take formal action on such items, they would be glad to take it under advisement.

There were not any comments or concerns submitted.

NEW BUSINESS

1. Consideration and possible action on the final plat of Coronado Estates Subdivision Unit 3.

Assistant Planning Director, Mariebelle Rodriguez provided the Commission with details on the item and recommends the Commission grant the final plat approval of Coronado Estates.

Commission member Salinas-Sanchez motioned to proceed with the Planning Department's recommendation. Seconded by Commission member Valdez. **MOTION PASSES:** Unanimously

Ayes: Jasso, Velez, Salinas-Sanchez, Valdez
Nays: None
Abstained: None
Absent: Gross

Planning and Zoning Commission Regular Meeting

December 21, 2022

Page 2

ADJOURNMENT

Commission member Valdez motioned to adjourn meeting at 5:36 p.m. Seconded by Commission member Salinas-Sanchez. **MOTION PASSES:** Unanimously

Passed and Approved on: _____, 2023

Rolando Jasso
Chairperson

ATTEST:

Ita A. Cortinas
Assistant City Secretary

Item #2



Planning Department Executive Summary
REPORT TO THE PLANNING & ZONING COMMISSION
EPISD Voluntary Annexation Petition

I. BACKGROUND

A. General Information

Applicant: Dirksen Engineering | 107 W. South St | Uvalde, Tx 78801

Developer: Eagle Pass Independent School District | 587 Madison St | Eagle Pass, Tx 78852

Location: 3269 Fletcher Boulevard

Property ID Numbers: 8711104

Legal Description: Being Approximately 10.05 acres located in the J.W. Tinsley, Survey 27, Abstract 840, Maverick County, Texas, described as a tract in conveyance document to the Eagle Pass Independent School District recorded in Document Number 154694 of the Maverick County Official Public Records.

Request: Voluntary annexation for approximately 10.05 acres of land in Maverick County with proposed R-2 Second One-Family Dwelling District zoning designation.

B. Subject Property Information:

Vegetation: commercial landscaping

Existing Use: public school

Zoning: None

Master Plan: None

C. Vicinity Data

The site is located within an area that features residential developments that are inside city limits.

D. Infrastructure

The property is or will be served by public utilities/franchises, including water, sanitary sewer, storm drainage, telephone, electric service, gas, cable, and garbage service.

Subject property is located at the corner of Fletcher Boulevard and General Homer I. Lewis Boulevard. Access to the site is provided by Fletcher Boulevard.

II. PUBLIC NOTICE

Public notification of the permanent zoning and annexation petition by the applicant was completed consistent with the provisions of *Chapter 23* of the *State of Texas Local Government Code Chapter 23*.

III. RECOMMENDED FINDINGS OF FACT

A. Conclusions

1. Section 1–3 in the *City of Eagle Pass Charter Article I* authorizes the City Council to consider changes, by ordinance, to the boundary limits of the city and to provide, by ordinance, for the annexation of territory lying adjacent to the city.
2. The annexation petition request contains sufficient information for consideration by the Planning and Zoning Commission. Information contained in this report will be used by the Planning and Zoning Commission in their consideration of the voluntary annexation petition and recommendation of the same to the City Council. Please refer to Attachment 1 for a said application copy.
3. The annexation petition request is consistent with the land use development goals of the *City of Eagle Pass Master Plan*. The request to annex the 10.05-acre tract of land into the City municipal boundary to facilitate an existing elementary school will allow for the continuation of development in the community while retaining the community's character and scale. The annexation will create an urban use in a compatible arrangement that will make the community attractive to both residents and visitors of desirable to quality improvements, while at the same time expanding public school opportunities in the City. Please refer to Attachment 2 for a copy of the *Master Plan Map*.
4. The annexation petition conforms to the purpose of the City's zoning code, as the existing development of the property is in a use that is consistent with the permitted uses of the R-2 Second One-Family Dwelling District and its peculiar suitability for particular uses in the vicinity of the site, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City. Please refer to Attachment 3 for a copy of the *Zoning District Map*.
5. The 10.05-acre annexation site allows for the existing use with access onto El Indio Highway, which is a high visible area of the community. The annexation of the tract will allow for the highest and best use of a residentially zoned property located adjacent to a highly travelled state route.
6. The assignment of a *Master Plan* designation of "Residential" and a zoning district designation of 'R-2 Second One-Family Dwelling District' designation will be compatible with the properties located in the vicinity of the annexation property.

The proposed residential *Master Plan* and *Zoning District* designations will thus ensure a compatibility of uses.

7. The annexation tract will be subject to both state and city transportation system requirements, which ensures compliance with the direction provided by the *Master Plan's* 'Street Objectives', 'Throughfare Goals' and 'Throughfare Objectives'.
8. The annexation site will include the requirement to provide on-site drainage facilities consistent with the *City of Eagle Pass Public Works Department Specifications Manual*, which will in turn ensure conformance with the direction provided in the *Master Plan's* 'Storm Drainage Goals', 'Throughfare Goals' and 'Storm Drainage Objectives'.
9. The voluntary annexation petition is consistent with both the goals and objectives of the *Master Plan* and the purpose of the *Zoning Code*. As result, the annexation petition should be granted through the adoption of an Ordinance and Service Plan by the City Council.

B. Planning Department Recommendation

The Planning and Zoning Commission approve the Eagle Pass Independent School District voluntary petition to annex property legally defined as “Being 10.05 acres located in the J.W. Tinsley, Survey 27, Abstract 840, Maverick County, Texas, described as a tract in conveyance document to the Eagle Pass Independent School District recorded in Document Number 154694 of the Maverick County Official Public Records, subject to and incorporating the following conditions and actions:

1. Amend the corporate boundary map for City of Eagle Pass to include the property legally described in Attachment 1 of this Report.
2. Amend the *City of Eagle Pass Master Plan Map* to include the property legally described in Attachment 1 and assign a “Residential” land use designation for the tract.
3. Amend the *City of Eagle Pass Zoning District Map* to include the property legally described in Attachment 1 and assign a ‘R-2 Second One-Family Dwelling District’ classification for the tract.
4. Adopt the Service Plan prepared for annexation site, which is enclosed as Attachment 4.

TRANSMITTED to the parties listed hereafter:

Dirksen Engineering via e-mail
Eagle Pass Planning and Zoning Commission via e-mail
Eagle Pass Planning Department Report dated January 5, 2023

Attachment 1
Voluntary Annexation Petition



PLANNING DEPARTMENT

3295 Bob Rogers Drive, Eagle Pass, TX 78852 • Telephone: (830) 773-7781 • Fax: (830) 773-7803
www.eaglepasstx.us • planning@eaglepasstx.us

APPLICATION FOR VOLUNTARY ANNEXATION

Applicant Information

Applicant (If not owner): Dirksen Engineering
Address: 107 W. South Street
Phone: 830-279-9447 E-mail: kendirksen@sbcglobal.net
Owner: Eagle Pass ISD
Address: 587 Madison St. Eagle Pass, TX 78852
Phone: 830-773-5181 E-mail: samijares@eaglepassisd.net

Property Information

Site Address: 3269 Fletcher Boulevard MCAD Property ID No. 8711104
Legal Description (from deed): Abstract A0840, Tinsley, James W., Survey #2
Acreage: 10.05 Acres 10.06
Existing Land Use: Elementary School
Proposed Land Use: Elementary School
Existing Zoning: none
Proposed Zoning: R-2

Required Application Attachments

The following documentation is required to be attached to this application:

- ☒ Letter signed by the property owner, requesting annexation.
- ☒ A warranty deed or other legal document demonstrating current ownership.
- ☒ A \$100 check made out to the "City of Eagle Pass".
- ☒ Twelve (12) signed and sealed surveyor's drawings (1' to 100")
 - a) Drawings must be full size (24" x 36") prints, showing the current city limits and labeled within one year of the application submittal date.
- ☒ One reduced copy (8.5" x 11") of the sealed surveyor's drawing.
- ☒ Signed and sealed metes and bounds from surveyor.

STATEMENT OF OWNER / APPLICANT

I, the undersigned, hereby certify that: (1) I am the owner the land subject to this request for annexation; (2) I authorize DIRKSEN ENGINEERING to act as my agent for all documents pertaining to this annexation application; (3) the information contained in this annexation application or accompanying information is true and correct; (4) I will advise the City in writing of any inaccurate, misleading or false statements in the annexation application or accompanying information; and (5) the City will be advised in writing of any change in ownership of the property that is the subject of this annexation application provided the change of ownership occurs prior to the recording of the final approved annexation plan, if any.

[Signature]
Owner / Applicant Signature

11/28/22
Date

STATE OF TEXAS §

COUNTY OF MAVERICK §

Before me, the undersigned authority, a notary public for the State of Texas, on this day personally appeared SAMUEL MIJARES (Name), SUPERINTENDENT (Title), known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he executed the same for the purpose and consideration therein expressed.

Given under my hand and seal of office, this the 28 day of NOVEMBER, 20 22.

[Signature]
Notary Public, State of Texas





EAGLE PASS INDEPENDENT SCHOOL DISTRICT

SAMUEL MIJARES, SUPERINTENDENT OF SCHOOLS

November 28, 2022

Placido Madera
Planning Director – City of Eagle Pass
3295 Bob Rogers Drive
Eagle Pass, TX 78852

Re: Annexation of 10.05 Acres, Abstract 840, Maverick County, Texas

To Whom It May Concern:

The Eagle Pass ISD is platting the Perfecto Mancha Elementary School in Lewis Farms Estates at the intersection of Fletcher and Gen Homer Lewis Blvd.

It is requested that 10.05 acres Abstract 840 be annexed into the City of Eagle Pass. The land is located adjacent to Tierra Verde Subdivisions. The requested zoning is R-2 Second Residential District.

The drawing and field notes are attached to this letter and application for Voluntary Annexation.

Sincerely



Samuel Mijares
Superintendent
Eagle Pass ISD

WARRANTY DEED

Notice of Confidentiality Rights: If you are a natural person, you may remove or strike any or all of the following information from this instrument before it is filed for record in the public records: your Social Security number or your driver's license number.

Date: May 13, 2009

Grantor: Maverick Mi Tierra Development, Ltd., a Texas Limited Partnership
Grantor's Mailing Address (including county): PO Box 2280, Eagle Pass, Maverick County, Texas, 78853-2280

Grantee: Eagle Pass Independent School District, a Texas Political Subdivision
Grantee's Mailing Address (including county): 1420 Eidson Road, Eagle Pass, Maverick County, Texas, 78852

Consideration: Ten dollars and other good and valuable consideration, receipt of which is hereby acknowledged and confessed.

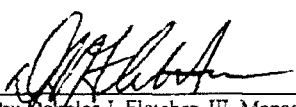
Property (including any improvements): All that certain tract or parcel of land lying and being situated in Maverick County, Texas, described as: 10.06 acres of land, more or less, out of Survey No. 27, Section No. 13, Abstract No. 840, James W. Tinsley Original Grantee and being out of 460.96 acre tract conveyed to Homer I. Lewis in Volume 56, Page 125-127, and being described in Volume 44, Pages 568-572, Deed Records of Maverick County, Texas, and called 420.755 acres in Temporary Administrator's Special Warranty Deed dated August 13, 2007, to J.P. Morgan Chase Bank, N.A. Trustee of The Dorothy Lewis Marital Trust, recorded in Volume 1042, Page 158, Official Public Records of Maverick County, Texas, said 10.06 acre tract and being more particularly described by metes and bounds attached hereto as Exhibit "A".

Reservations from and Exceptions to Conveyance and Warranty:

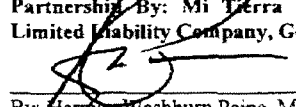
1. All oil, gas, and mineral of every character in and under the herein described property, reserved by Rio Bravo Oil Company, in instrument dated May 1, 1940, recorded in Volume 32, Page 79, of the Deed Records of Maverick County, Texas;
2. Any visible and apparent roadway or easement over or across the subject property, the existence of which does not appear of record;
3. Subject to any easement, right of way, roadways, encroachments, etc., which a survey or physical inspection might disclose.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor hereby binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations and exceptions to warranty.

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

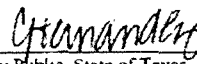

 By: Douglas J. Fletcher, III, Manager

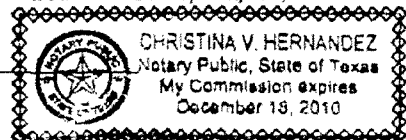
Maverick Mi Tierra Development, Ltd., a Texas Limited Partnership By: Mi Tierra Enterprises, L.L.C., a Texas Limited Liability Company, General Partner


 By: Herman Washburn Paine, Manager

STATE OF TEXAS
 COUNTY OF MAVERICK

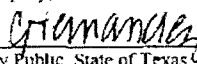
This instrument was acknowledged before me on May 13, 2009, by Douglas J. Fletcher, III, Manager, Manager of Mi Tierra Enterprises, L.L.C., a Texas Limited Liability Company, General Partner of Maverick Mi Tierra Development, Ltd., a Texas Limited Partnership

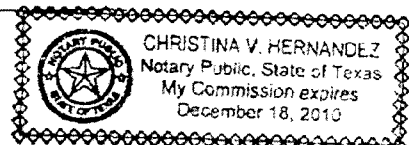

 Notary Public, State of Texas



STATE OF TEXAS
 COUNTY OF MAVERICK

This instrument was acknowledged before me on May 13, 2009, by Herman Washburn Paine, Manager, Manager of Mi Tierra Enterprises, L.L.C., a Texas Limited Liability Company, General Partner of Maverick Mi Tierra Development, Ltd., a Texas Limited Partnership


 Notary Public, State of Texas



Prepared in the Law Office of
 Crawford Adams Rhodes
 P.O. Box 4490
 Eagle Pass, Texas, 78853
 (830) 773 3611

THENCE S47°28'13"W for a distance of 620.00 feet to the POINT OF BEGINNING containing 10.06 acres of land within the herein described boundary as surveyed by D. G. Smyth & Co., Inc. on February 11, 2009.

THE STATE OF TEXAS:
COUNTY OF UVALDE:

It is hereby certified that the foregoing field note description and Attached plat were prepared from an actual on the ground survey Made by personnel working under my direct supervision and that Same are true and correct according to same said survey.



D. G. Smyth - Registered Professional Land Surveyor/
Licensed State Land Surveyor-No. 2046

JOB NO. 09-3678

Doc# 154694
Book: 1159
Pages: 0199 - 0201
Filed & Recorded
03/15/2009 10:28AM
SARA MONTEMAYOR
COUNTY CLERK
MAVERICK
RECORDING FEE \$ 13.00
RECORDS PRESERVATION \$ 5.00
COURTHOUSE SECURITY \$ 3.00
H8370 - REC MGT \$ 5.00
NORMAN Deputy

STATE OF TEXAS
COUNTY OF MAVERICK
I hereby certify that this instrument was filed
on the date and time stamped thereon
by me and was duly recorded in the
OFFICIAL PUBLIC RECORDS of
Maverick County, Texas.



COUNTY CLERK MAVERICK COUNTY

Any provisions herein which restricts
the sale, rental or use of the described real p
roperty because of color or race
is invalid and unenforceable under
federal law.

Special Flood Hazard Area
Zone A
FEMA FIRMette 48323C0475L
eff. 4/4/2011

Being a 10.05 acres tract of land located in the J.W. Tinsley, Survey 27, Abstract 840, Maverick County, Texas described as a 10.06 acres tract in conveyance document to Eagle Pass Independent School District recorded in Document Number 154694 of the Maverick County Official Public Records, Maverick County, Texas and more particularly described by metes and bounds as follows:

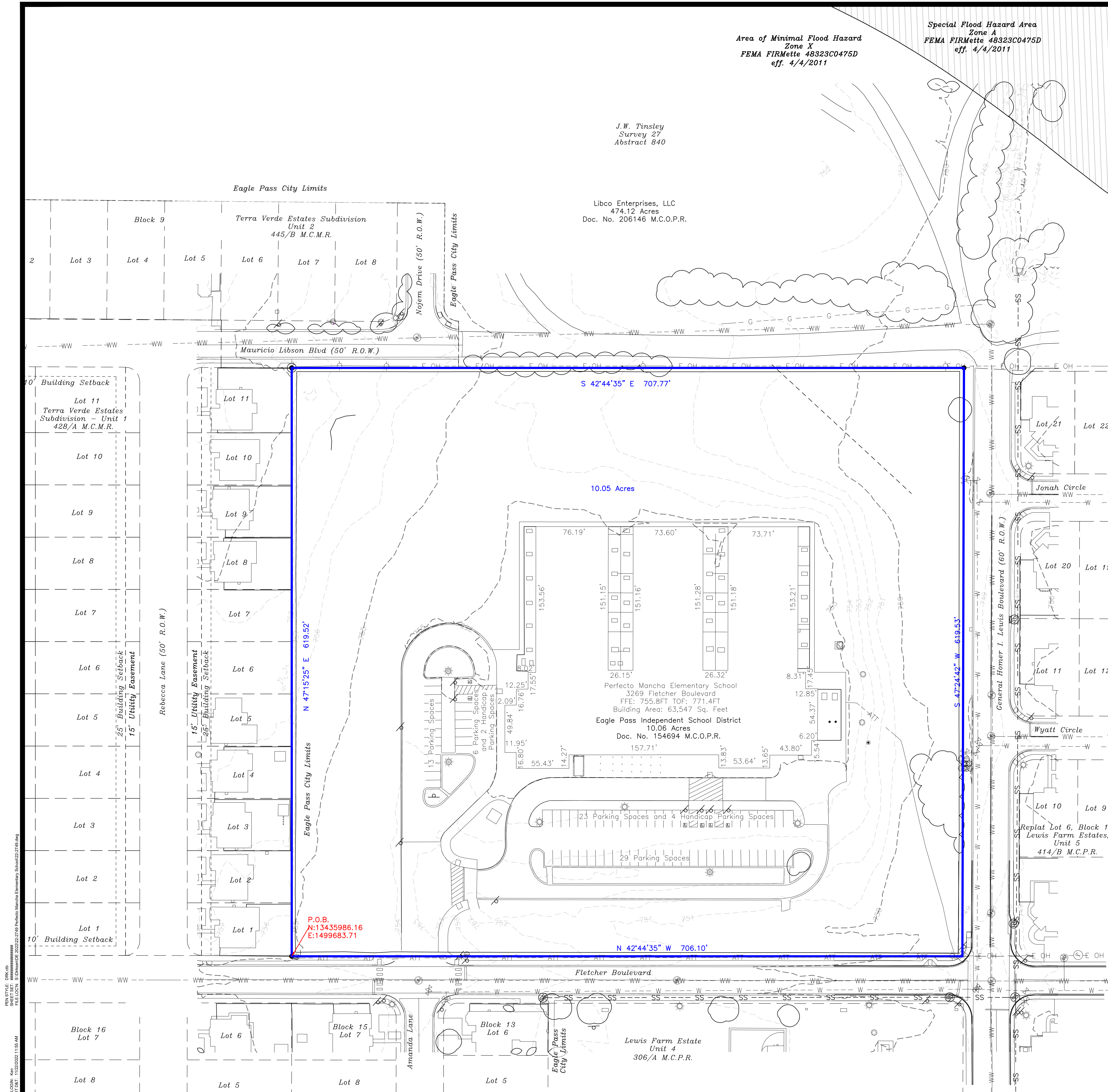
BEGINNING at a steel stake found N:13435986.16, E:1499683.71) in the northeast line of Fletcher Boulevard, at the south corner of a Lot 1 of the Terra Verde Estates Subdivision Unit 1 as shown on the plat recorded in Envelope 428, Side A of the Maverick County Map Records for the west corner of the herein described tract;

THENCEN 47°15'25" E, 619.52 feet to a steel stake set in the southwest line of Mauricio Libson Boulevard, at the east corner of a Lot 11 of the Terra Verde Estates Subdivision Unit 1 for the north corner of the herein described tract;

THENCES 42°44'35" E, 707.77 feet to a steel stake found in the northwest line of the General Homer I. Lewis Boulevard for the east corner of the herein described tract;

THENCES 47°24'42" W, 619.53 feet to an "x" set in concrete at the north intersection of General Homer I. Lewis Boulevard with Fletcher Boulevard for the south corner of the herein described tract;

THENCEN 42°44'35" W, 706.10 feet to the POINT OF BEGINNING containing 10.05 acres within the herein described tract as surveyed by Dirksen Engineering on October 6, 2022.



NOTES:

1. SEE CORRESPONDING FIELD NOTES FOR FURTHER DESCRIPTION, BEARINGS, DISTANCES, AND AREAS SHOWN HEREON CONFORM TO THE TEXAS COORDINATE SYSTEM NORTH AMERICAN DATUM 1983, TEXAS SOUTH CENTRAL ZONE. ELEVATIONS SHOWN CONFORM TO NAVD 88, GEOID 18.
2. THE TRACT SHOWN HEREON IS LOCATED OUTSIDE SPECIAL FLOOD HAZARD ZONE A AS SHOWN ON FEMA FIRMATIC 48323-00475D EFFECTIVE APRIL 4, 2011.
3. 1/2" DIAMETER STEEL STAKES WITH IDENTIFICATION CAPS STAMPED "DIRKSEN/2600" SET AT ALL CORNERS UNLESS OTHERWISE NOTED OR SHOWN.
4. NO CASH OR OTHER FILES WERE OBSERVED ON THE DATE OF SURVEY.
5. NO EVIDENCE OF FLOOD MOVING WAS OBSERVED ON THE DATE OF SURVEY.

	FOUND MONUMENT		FFE FINISHED FLOOR ELEVATION
	SET MONUMENT		TOF TOP OF FACADE
	<u>BOUNDARY LINE</u>		① TELECOMMUNICATIONS PEDESTAL
	DEED LINE		CONCRETE BALLARD
	PLAT LINE		④ SANITARY SEWER MANHOLE
	FENCE LINE		⑤ STORM SEWER MANHOLE
	GAS LINE		LUMINAIRE
	SS STORM SEWER LINE		⑥ WATER METER
	WW SANITARY SEWER LINE		⑦ FIRE HYDRANT
	W WATER LINE		⑧ WATER VALVE
	ATT UNDERGROUND AT&T FIBER OPTIC LINE		⑨ SIGN
	E OH OVERHEAD ELEC./POWER POLE		⑩ TRANSFORMER
	↓ GUY WIRE		

THIS GRAPHIC WORK REPRESENTS THE RESULTS OF SURVEY BEING PROVIDED BY DIXSEN ENGINEERS SOLELY FOR THE EXCLUSIVE USE OF THE PARTIES SHOWN HEREON AND FOR THE PURPOSE SHOWN ABOVE. THE GRAPHIC REPRESENTATION SHOWN HEREON DEPICTS CERTAIN CONDITIONS FOUND EXISTING AS OF THE DATE OF THE ACTUAL SURVEY IS LIMITED TO THESE CONDITIONS FOUND AT THAT NO LICENSE HAS BEEN CREATED, EXPRESSED OR IMPLIED, TO COPY THIS GRAPHIC WORK. ALL RIGHTS RESERVED. COPYRIGHT 2022 DIXSEN ENGINEERING

FIRM NAME & ADDRESS
 **DIRKSE**
ENGINEERING
 UVALDE EAGLE PASS
 TBPE FIRM #F-8848, TBPLS FIRM #1019374
 107 W. SOUTH STREET, UVALDE, TX 78801
 PH: (830) 276-2100, FAX: (830) 276-2101
 EMAIL: KENDRICKSEN@SBCC.ORG,AL.NET

PREPARED FOR:
Pablo Vasquez
Eagle Pass I.S.D.
587 Madison Street
Eagle Pass, TX 78852

PURPOSE OF SURVEY
TOPOGRAPHY

STATE OF TEXAS
REGISTERED
KENNETH R. DIRKSEN
6260
PROFESSIONAL
LAND SURVEYOR

STATE OF TEXAS
COUNTY OF UVALDE

THE UNDERSIGNED DOES HEREBY ATTEST
THAT THE DRAWING WAS PREPARED FROM A
ACTUAL SURVEY MADE ON THE GROUND OF
THE PROPERTY DESCRIBED HEREON BY ME
WORKING UNDER MY SUPERVISION AND THAT
THE SAME IS TRUE AND CORRECT ACCORDING
TO SAID SURVEY, AND THERE ARE NO VISIBLE
DISCREPANCIES, CONFLICTS, SHORTAGES IN
AREA, BOUNDARY LINE CONFLICTS,
ENCROACHMENTS, EASEMENTS OR RIGHTS OF
WAY, EXCEPT AS NOTED OR SHOWN HEREON.

FIELD WORK COMPLETED OCTOBER 6, 2022


KENNETH R. DIRKSEN
REGISTERED PROFESSIONAL LAND SURVEYOR
REGISTRATION NO. 10000

PROJECT#		22-2749
DESIGN : KRD	DRAWING	
DRAWN : FJL	22-274	
APP'D : KRD		
DATE : 10/6/2022		

PEN STYLE: DRK,dib
SHEET SET: #####
LOGIN: Ken
FILE LOC: S:\Driscoll\DE 2022\22_2749 Perfecto Mancha Elementary School\22_2749_4en
PRINT DT: 11/22/2022 11:55 AM

S 42°44'35" E 707.77'
 10.05 Acres
 76.19' 73.60' 73.71'
 151.15' 151.16' 151.28' 151.18' 153.56' 153.21'
 26.15' 26.32' 8.31' 17.45' 12.85' 54.37' 6.20' 15.54' 43.80' 13.65' 53.64' 13.83' 14.27' 55.43' 16.80' 11.95' 49.84' 2.09' 16.76' 17.55' 12.25'
 Perfecto Mancha Elementary School
 3269 Fletcher Boulevard
 FFE: 755.8FT TOF: 771.4FT
 Building Area: 63,547 Sq. Feet
 Eagle Pass Independent School District
 10.06 Acres
 Doc. No. 154694 M.C.O.P.R.
 13 Parking Spaces
 6 Parking Spaces and 2 Handicap Parking Spaces
 23 Parking Spaces and 4 Handicap Parking Spaces
 29 Parking Spaces
 N 42°44'35" W 706.10'
 N 47°15'25" E 619.52'
 S 47°24'42" W 619.53'
 P.O.B.
 N:13435986.16
 E:1499683.71
 Libson Blvd (50' R.O.W.)
 Fletcher Boulevard
 Eagle Pass City Limits

DIRKSEN ENGINEERING

107 W. SOUTH ST. Uvalde, Texas 78801

TBPE FIRM # F-8848

TBPLS FIRM # 10193741

Office Tel. (830) 278-2100

Fax (830) 278-2102

FIELD NOTES FOR A 10.05 ACRE RETRACEMENT SURVEY COMPLETED ON OCTOBER 6, 2022

Being a 10.05 acres tract of land located in the J.W. Tinsley, Survey 27, Abstract 840, Maverick County, Texas described as a 10.06 acres tract in conveyance document to Eagle Pass Independent School District recorded in Document Number 154694 of the Maverick County Official Public Records, Maverick County, Texas and more particularly described by metes and bounds as follows:

BEGINNING at a steel stake found N:13435986.16, E:1499683.71) in the northeast line of Fletcher Boulevard, at the south corner of a Lot 1 of the Terra Verde Estates Subdivision Unit 1 as shown on the plat recorded in Envelope 428, Side A of the Maverick County Map Records for the west corner of the herein described tract;

THENCE N 47°15'25" E, 619.52 feet to a steel stake set in the southwest line of Mauricio Libson Boulevard, at the east corner of a Lot 11 of the Terra Verde Estates Subdivision Unit 1 for the north corner of the herein described tract;

THENCE S 42°44'35" E, 707.77 feet to a steel stake found in the northwest line of the General Homer I. Lewis Boulevard for the east corner of the herein described tract;

THENCE S 47°24'42" W, 619.53 feet to an "x" set in concrete at the north intersection of General Homer I. Lewis Boulevard with Fletcher Boulevard for the south corner of the herein described tract;

THENCE N 42°44'35" W, 706.10 feet to the POINT OF BEGINNING containing 10.05 acres within the herein described tract as surveyed by Dirksen Engineering on October 6, 2022.

THE STATE OF TEXAS:
COUNTY OF UVALDE:

It is hereby certified that the foregoing field note description and attached plat were prepared from an actual on the ground survey made by personnel working under my direct supervision and that same are true and correct according to same said survey.



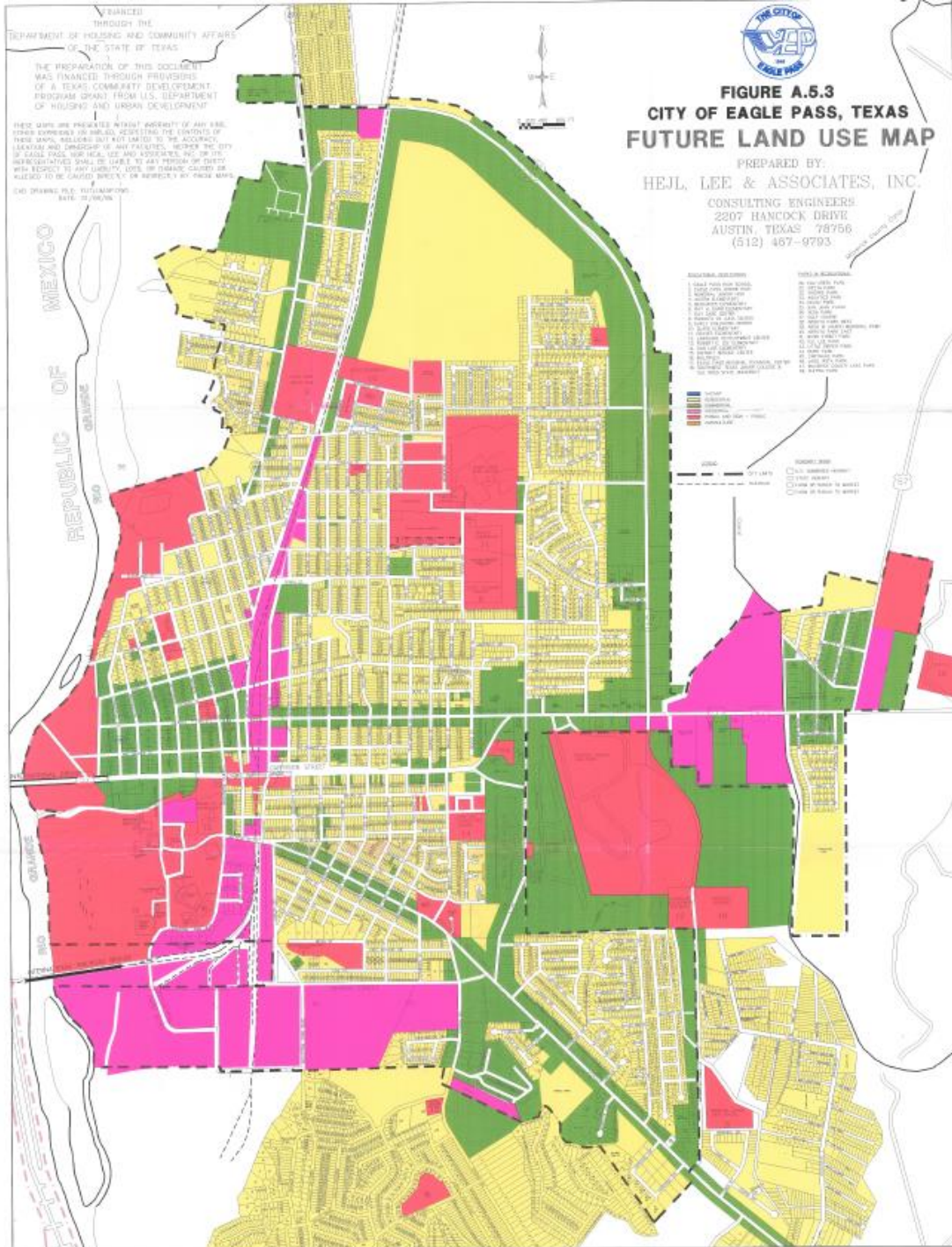
Kenneth R. Dirksen, P.E., R.P.L.S.

Registered Professional Land Surveyor No. 6260

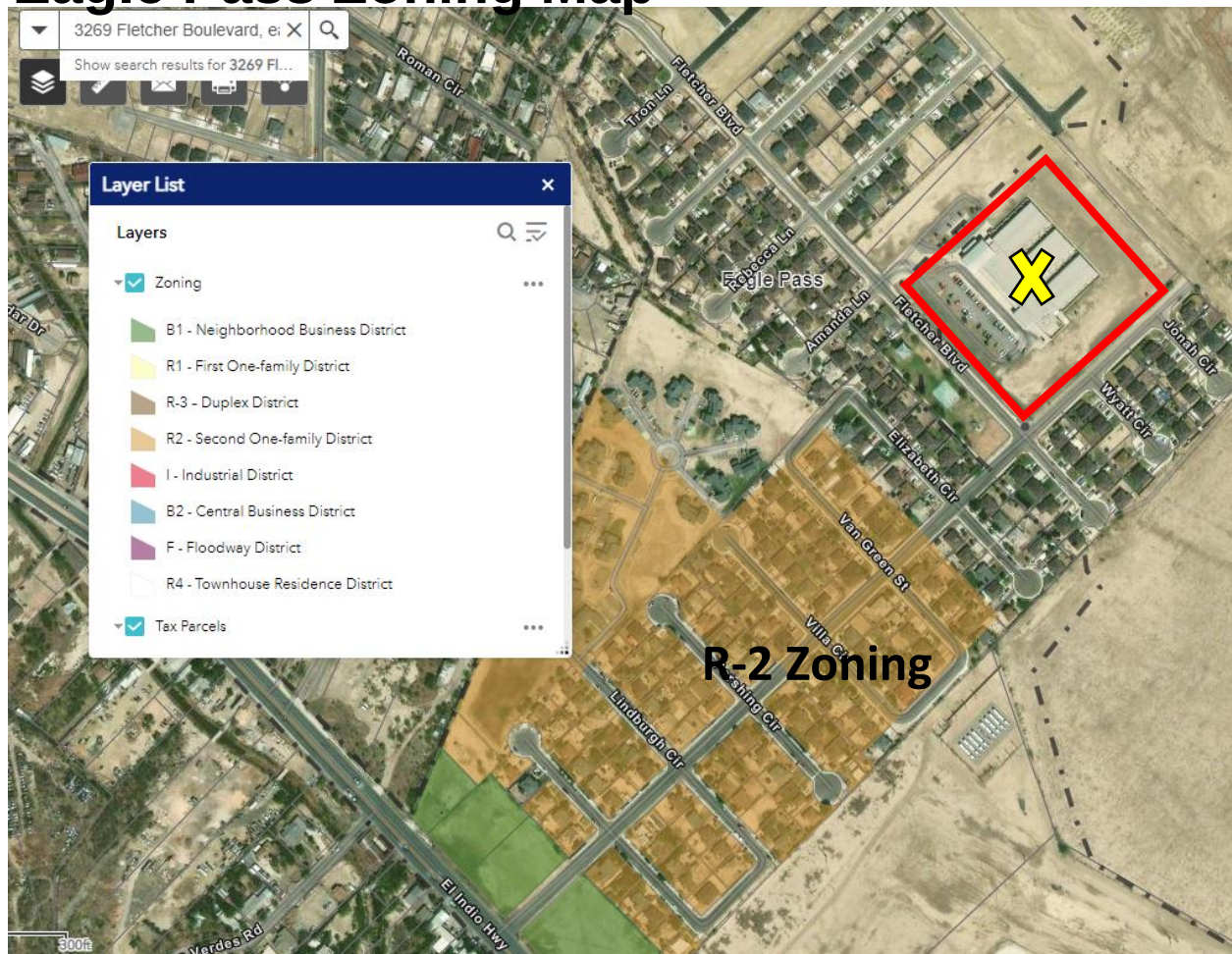
22-2749



Attachment 2
Mater Plan Map
Zoning District Map



Eagle Pass Zoning Map



Item #3



Planning Department Executive Summary Report to the Planning & Zoning Commission

Ana C. Calvillo Conditional Use Permit Request

I. BACKGROUND

A. General Information

Applicant: Ana Cesiah Calvillo | Eagle Pass, Texas 78852

Location: 169 Ford Street

Property ID Number: 50065

Legal Description: Range Unit #1, Block 4, Lot 85, (West ½ of South 70ft)

Request: A request for a Conditional Use Permit to allow for the establishment of an events hall with an occupancy load of 50 people.

B. Subject Property Information

Parcel Size: 5,250-square feet (.1205-acres)

Existing Use: Commercial building

Zoning District: B2-Central Business District

Master Plan: Commercial

C. Vicinity Data

The property is located within an area featuring both commercial and residential developments.

D. Infrastructure

The property is currently served by public utilities/franchises, including water, sanitary sewer, telephone, electric service, and garage. Access to the site is provided by Ford Street.

II. PUBLIC NOTICE

Public notification of the *Conditional Use Permit* (CUP) request before the Planning and Zoning Commission was completed consistent with the provisions of *Chapter 211* of the *State of Texas Local Government Code Title 7*. Twenty-six (26) notices were mailed to the abutting property owners within a 200 feet radius of the subject property.

III. RECOMMENDATION FINDINGS OF FACTS

Eagle Pass Code of Ordinances Appendix A: Zoning Ordinance

A. Conclusions

1. The application contains sufficient information upon which the Planning and Zoning Commission may render a decision. Please refer to Attachment 1 for a copy of the *Conditional Use Permit* (CUP) application.
2. The request involves the establishment of an events hall venue, which is considered an amusement establishment under *Section 10(a)(12)*. The establishment of the

events hall in the *B-2 District* requires an application for and the issuance of a *Conditional Use Permit (CUP)* for the project.

Amusement establishments such as this shall be permitted only with a conditional use permit, as required by *Section 21*, Conditional Use Permits under *Eagle Pass Code of Ordinances Appendix A – Zoning Ordinance*.

3. *Section 21(d)* of *City of Eagle Pass Code of Ordinances Appendix A* states, in part, that the Planning and Zoning Commission may approve, conditionally approve or deny an application for a *Conditional Use Permit*, and in authorizing a conditional use, may impose such requirements and conditions with respect to location, construction, time period, maintenance and operation as deemed necessary for the protection of adjacent properties and the public interest when reasonably related to the use of the property.

In a circumstance where the proposal is to establish a business, the primary focus should be the on the project's compliance with current development codes and its compatibility with surrounding uses, especially those residential uses located in the area. To address these issues, The Planning Department recommendation to approve the *Conditional Use Permit* contains conditions intended to address these issues.

4. *Section 21(d)* of *City of Eagle Pass Code of Ordinances Appendix A* further states, in part, that before granting any *Conditional Use Permit*, The Planning Department shall be satisfied that the proposed structure or use conforms to the requirements and the intent of this chapter and the general plans(s) of the City of Eagle Pass.

The Planning Department utilizes the *City of Eagle Pass Master Plan* and the associated *Master Plan* as guidance in providing a recommendation to the Planning and Zoning Commission on their consideration of land use issues, including those involving a *Conditional Use Permit Application*. Please refer to Attachment 2 for a copy of the *City's Master Plan Map*.

This application is consistent with the *Plan's Land use Development Goals*, as the establishment of an entertainment venue will allow for continued development of the community while retaining the community's character and scale created by its proximity to other venues in the area, throughout the downtown area.

This application is also consistent with the *Plan's Land Use Objectives*, as the approval of the *Conditional Use Permit* provides a mechanism that will allow for the development of the local capacity to monitor, evaluate, and promote the sound development of the community.

Finally, the application is also consistent with the *Plans Short-Term Land Use Objectives*, as it provides a method for the city to continue enforcement of the provisions of the zoning ordinance.

5. The *Conditional Use Permit*, if granted, would be consistent with the purpose of the zoning code. *Section 2* of the *City of Eagle Pass Code of Ordinances Appendix A* states that the purpose of the zoning code is to promote the health, safety, morals, and general welfare of the City by, (a) lessening the congestion of streets, (b) securing safety from fire, panic, or dangers, (c) providing adequate light and air, (d) preventing the overcrowding of land, (e) avoiding undue concentration of population, (f) facilitating the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements. Please refer to Attachment 3 for a copy of the *City's Zoning District Map*.

Section 2 empathizes the importance of the character of a specific zoning district and its peculiar suitability for particular uses, conserving the value of buildings, and encouraging the most appropriate use of land throughout the City. The use of the existing commercial structure as an amusement establishment will facilitate the retention of the neighborhood's commercial character.

The *Conditional Use Permit*, if granted by the Commission will not constitute any change in the City's zoning district map, it will not impair an adequate supply of light and air to adjacent property, it will not materially increase the congestion in public streets, it will not increase the public danger of fires and safety, it will not materially diminish or impair established property values within the surrounding area, and it will not impair the public health, safety, comfort, morals and welfare of the City of Eagle Pass, Texas.

6. The establishment of an events hall facility does require off-street parking as per *Section 12.1(2)(d)* of the *City of Eagle Pass Code of Ordinances Appendix A*.

(d) Improved off-street parking facilities are not required within the Historic Building Preservation District. In the event that a residence or business elects to construct improved off-street parking facilities within the district, the facilities shall comply with the provisions of this chapter, except as to the required number of parking spaces set forth herein.

7. The *Conditional Use Permit* application is consistent with the approval criteria set forth in *Section 21* of the *City of Eagle Pass Code of Ordinances Appendix A*, as detailed in Conclusion 1 through and including Conclusion 6 of this report, and should be granted by the Commission.

B. Planning Department Recommendation

The Planning and Zoning Commission **GRANT** the Ana Cesiah Calvillo request to establish an events hall on property located at 169 Ford Street subject to the following conditions:

1. The establishment comply with the provision of *City of Eagle Pass Code of Ordinances*.
2. On-site drainage shall be directed away from any adjacent properties.
3. The establishment be restricted to comply with hours operation as follows:
 - Weekdays to close 10:00 p.m.
 - Weeknights to close 11:00 p.m.

Note: This *Conditional Use Permit* is non-transferrable.

TRANSMITTED to the parties listed hereafter:

Ana Cesiah Calvillo via e-mail
Eagle Pass Planning and Zoning Commission Members via e-mail
Eagle Pass Planning Department Report dated January 5, 2022

Attachment 1 Application



PLANNING DEPARTMENT

3295 Bob Rogers Drive, Eagle Pass, TX 78852 • Telephone: (830) 773-7781 • Fax: (830) 773-7803
www.eaglepasstx.us • planning@eaglepasstx.us

CONDITIONAL USE PERMIT APPLICATION

Applicant Information	Name: <u>Ana Cesiah Calvillo</u>
	Mailing Address: <u>1609 Ford St</u>
	Phone: <u>(830) 421-2929</u> E-mail: <u>Cesiah15@hotmail.com</u>
	<u>Note: if you are not the owner of the property, you must attach a letter from the owner authorizing you to submit this application.</u>

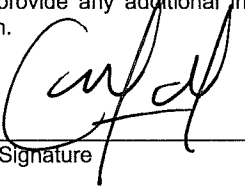
Property Owner Information	Name: <u>Ana Cesiah Calvillo</u>
	Mailing Address: <u>1609 Ford St.</u>
	Phone: <u>(830) 421-2929</u> E-mail: <u>Cesiah15@hotmail.com</u>

Property Information	Site Address: <u>1609 Ford St</u> MCAD Property ID # <u>50065</u>
	Legal Description: Lot(s) <u>85</u> Block <u>4</u> Subdivision <u>Range Unit 1, Block 4, Lot 85</u> (Property must be legally subdivided or be lot of record) <u>(West 1/2 of South 70 ft)</u>
	Front Yard Width (feet) _____ Rear Yard Width (feet) _____ Side Yard Width (feet) _____
	Current Use <u>renovated commercial building.</u>
	Proposed Use <u>events hall to accommodate 50 people.</u>
	<u>hours: deeper hours of operation noted below.</u>

Description of Project:
<u>Days & hours of operation are M</u>
<u>Hours of operation are from 8am to 10pm, daily,</u>
<u>any day of the week.</u>

Detailed Explanation of Proposed Conditional Use
What development measures regarding location, construction, time period, maintenance, and operation will you use to protect adjacent properties from impacts from your project?
<u>the building have been remodeled.</u>

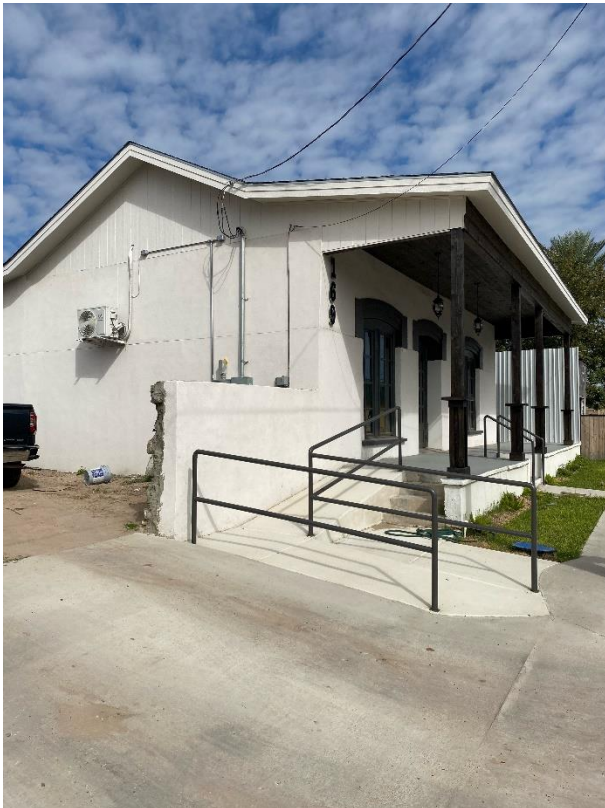
Describe how your project is reasonably related to the use of the property.
The project is consistent with the development in the vicinity.
Describe how your project conforms to the purpose of the zoning district in which the project will be established.
As a mixed use exists in the area you can find commercial, residential developments.

Applicant Authorization	I authorize the City of Eagle Pass to conduct any site visits necessary to evaluate this conditional use permit application.
	I hereby state that I have prepared this application and that, to the best of my knowledge, the information contained herein is complete, accurate, and a true representation of the conditional use permit request. I further attest that I have the authority to submit this application and agree to comply with any and all conditions of the conditional use permit approval. I agree to provide any additional information requested by the City as they deem necessary for the processing of this application.  Applicant Signature _____ Date <u>10-31-22</u>

Office Use	Date Application Accepted for Review: _____ By: _____
	Contact Date for Supplemental Info: _____ Supplemental Info Received: _____
	Completeness Review Date: _____ By: _____
	Application Returned to Applicant: _____ (when applicable)

MR:6/2020

Aerial Map & Photos of Site

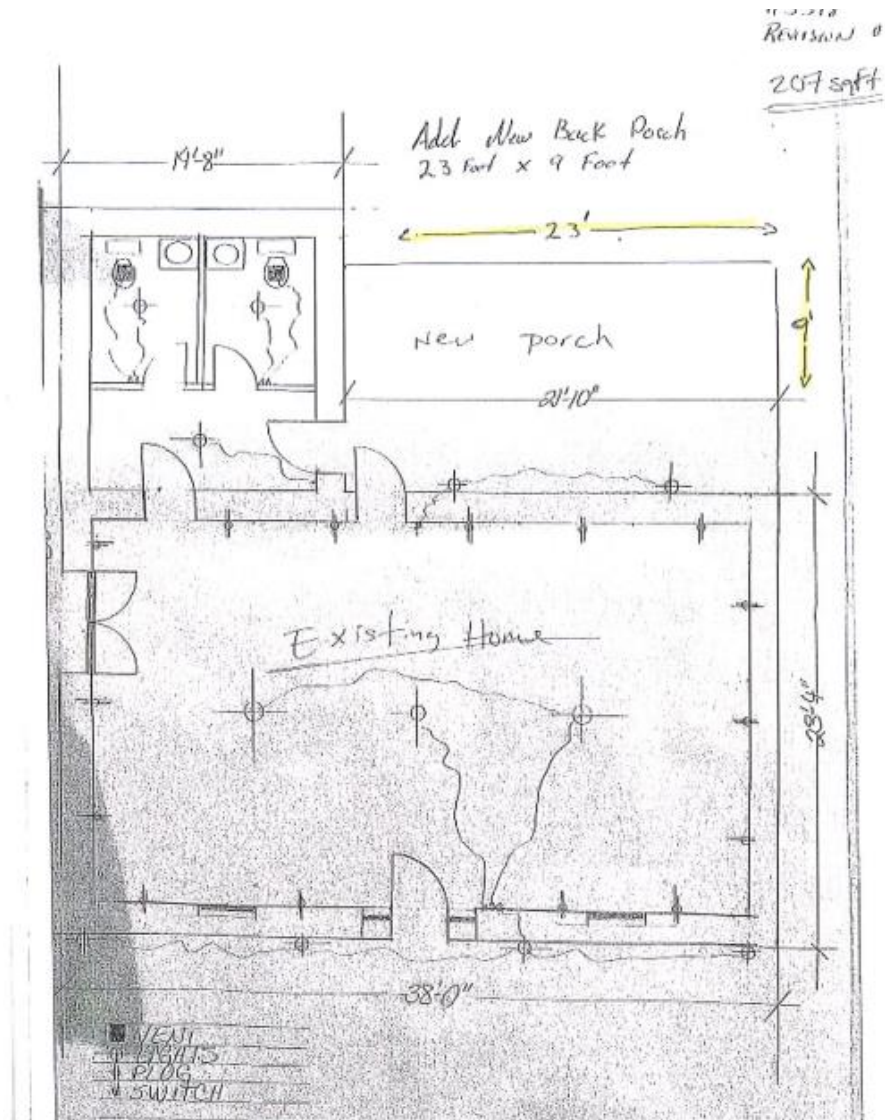






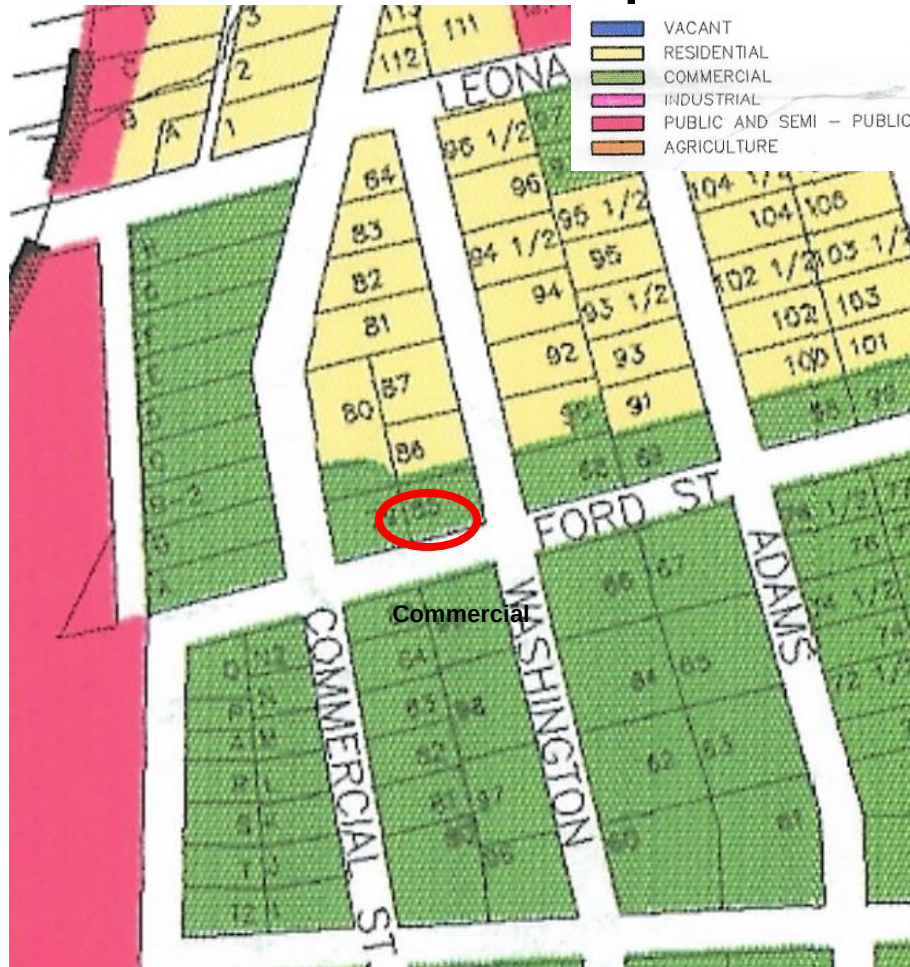


Plot Plan



Attachment 2
Mater Plan Map
Zoning District Map

Mater Plan Map



Zoning District Map



Item #4

Presentation to be given at meeting