



**Planning & Zoning
Regular Meeting
December 8, 2022**



AGENDA

PLANNING & ZONING COMMISSION REGULAR MEETING

THURSDAY, DECEMBER 8, 2022, 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 October 13, 2022 meeting and the November 10, 2022 meeting.

PUBLIC HEARINGS

2. Public hearing on the proposed final Re-Plat of Hillcrest Addition, Block 9, Lot 5 & 6, (South 42ft) & Lot, 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)*; closing of public hearing and possible action.
3. Public hearing on the request submitted by Samuel and Rosa Vargas for the rezoning of Hillcrest Addition, Block 9, Lot 5 & 6, (South 42ft) & Lot 7, also known as 387 Medina Street, from R-3 Duplex District to B-1 Neighborhood Business District; closing of public hearing and possible action.
4. Public hearing on the proposed final Re-plat of Lot 3 in M. A. V. Subdivision, including a subdivision variance to proceed directly to final plat approval without first having obtained preliminary re-plat approval as required by *City of Eagle Pass Code of Ordinances Section 23-36(a)*; closing of public hearing and possible action.
5. Public hearing on the request submitted by TEC Services for the rezoning of a 2.05-acre tract of land out of Maverick Estates, recorded in Book 1220, Page 466, Map Records, Maverick County, Texas, situated in Survey 6, Abstract 1110, Fox & Byrne, Maverick County, Texas and a 1-acre tract of land, more or less, out of a 3.075-acre tract of land conveyed to Jose I. Ruiz and Carolina Ruiz, recorded in Book 666, page 130, Deed Records, Maverick County, Texas, situated in Survey 6, Abstract 1110, Fox & Byrne, Maverick County, Texas, also known as proposed Home2Suites Subdivision, from to B-1 Neighborhood Business District to B-3 General Business District; closing of public hearing and possible action.
6. Public hearing 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; closing of public hearing and possible action.
7. Public hearing on the proposed final Re-Plat of Lot 25 in Block 4 of Loma Linda Subdivision Unit 1, including (1) sidewalk waiver and curb and gutter, and (2) a subdivision variance from

the preliminary plat requirement as required by *City of Eagle Pass Code of Ordinances Chapter 23 Section 23-36(a)*; closing of public hearing and possible action.

NEW BUSINESS

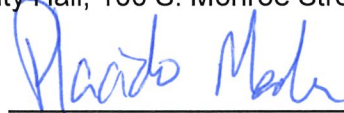
8. Consideration and possible action on the Plat Amendment of Lots 37 & 38, Block 6 in Vista Hermosa Subdivision Unit 8.

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 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 December 5, 2022 at 3:10 p.m.



Placido Madera
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 their regular meeting on Thursday, October 13, 2022, at 5:30 p.m. in the City Council Chambers of Eagle Pass City Hall, 100 S. Monroe Street. All legal notices were duly posted in accordance with the law.

ESTABLISHMENT OF QUORUM

Present: Chairperson, Rolando Jasso, Vice-Chairperson Velez, and Commission Members Kenneth Gross and Doris Salinas-Sanchez.

Absent: Vice-Chairperson Luis Velez, and Aaron Valdez, Ex-Officio, Mayor Rolando Salinas, and Interim City Manager Ivan Morua.

Staff present: Planning Director, Placido Madera; Assistant Planning Director; Mariebelle Rodriguez; Assistant City Secretary, Erika Rodriguez; Langley and Banack Representative (Via-Phone) Paul Fletcher.

CITIZENS COMMUNICATIONS

At this moment, anyone wishing to address the Board on any item, was welcome to speak, keeping in mind that, although the Board would be unable to take formal action on such item, they would be glad to take it under consideration.

There were not any citizens communication forms submitted.

MINUTES

1. Approval of the minutes of the September 22, 2022 meeting.

Commission Member Gross noted, item 4, Section 3 of the minutes the word “Replat” needed to be corrected.

Commission Member Gross moved to approve minutes with the above correction. Seconded by Commission Member Salinas-Sanchez **MOTION PASSED**- Unanimously

AYES:	Jasso, Gross, Salinas-Sanchez
NAYS:	None
ABSTAINED:	None
ABSENT:	Valdez, and Velez

NEW BUSINESS

2. Public hearing regarding the proposed Downtown Masterplan.

Chairperson Jasso opened the public hearing at 5:35 p.m.

City Attorney, Paul Fletcher explained that because this item was not published, they will not be able to act on items 2 and 3.

No further action was taken.

3. Consideration and possible action on a resolution regarding the proposed Downtown Masterplan.

No discussion or action on this item.

4. Public Hearing regarding the following variances for the Preliminary Plat of Eagle Point Ranch Estates, Phase 1 Subdivision, including (1) a variance to reduce the required 30-foot minimum pavement width to 20-feet, (2) a variance to install ribbon curbing throughout the subdivision in lieu of the traditional mountable curbs, (3) a variance to not install 96-foot diameter cul-de-sacs every 750 feet for fire apparatus on the proposed private street, Paseo del Lago, and (4) a subdivision variance from City of Eagle Pass Code of Ordinances.

Chairperson Jasso opened the public hearing at 6:03 p.m.

Planning Director, Placido Madera presented the requested for preliminary plat approval for the platting of a 66.937-acre tract into 44 residential lots each being 1-acre or larger, (1) a variance to reduce the required 30-foot minimum pavement width to 20-feet, (2) a variance to install ribbon curbing throughout the subdivision in lieu of the traditional mountable curbs, (3) a variance to not install 96-foot diameter cul-de-sacs every 750 feet for fire apparatus on the proposed private street, Paseo del Lago, and (4) a subdivision variance from City of Eagle Pass Code of Ordinances Chapter 23 Article IV Section 23-61 (a)(4) regulating 2 points of vehicular access for ingress and egress to a subdivision.

Mr. Madera, provided Eagle Point Ranch History:

- Phase 1 (Previous owners) plat recorded in 2007
- Phase 2 (Previous owners) preliminary plat approval 2015 with three variances.
- Dispute regarding water pressure and request for pump station stalled project and results in litigation.
- Development agreement in 2018 City and previous owners.
- April 2021- New owners approached City and County to coordinate the development.
- County Commissioner's Court approved item September 2022.

There were no comments from the public. Therefore, Chairperson Jasso closed the public hearing at 6:20p.m.

By the consensus of the commission, the meeting went out of order.

8. Consideration and possible action on the Preliminary Plat of Eagle Point Ranch Estates, Phase 1 Subdivision, including (1) a variance to reduce the required 30-foot minimum pavement width to 20-feet, (2) a variance to install ribbon curbing throughout the subdivision in lieu of the traditional mountable curbs, (3) a variance to not install 96-foot diameter cul-de-sacs every 750 feet for fire apparatus on the proposed private street, Paseo del Lago, and (4) a subdivision variance from City of Eagle Pass Code of Ordinances Chapter 23 Article IV Section 23-61 (a)(4) regulating 2 points of vehicular access for ingress and egress to a subdivision.

Planning Director Madera read the department's recommendations into record as followed:

GRANT a variance to reduce the required 30-foot minimum pavement width to 20-feet, (2)
GRANT a variance to install ribbon curbing throughout the subdivision in lieu of the traditional

sidewalk waiver to not have to construct sidewalks throughout the subdivision.

City Representative, Paul Fletcher asked the board if they can clarify the motion to add all variances mentioned.

Commission Member Gross moved to approve the plat with the recommendation presented by the Planning Department including all variances. Seconded by Commission Member Salinas- Sanchez
MOTION PASSED- Unanimously

AYES:	Jasso, Gross, Salinas-Sanchez
NAYS:	None
ABSTAINED:	None
ABSENT:	Valdez, and Velez

OLD BUSINESS

5. Consideration and possible action on the Final Replat of Lot 105 in Chula Vista Subdivision Unit 2, including (1) a subdivision variance from the preliminary plat requirement as required by City of Eagle Pass Code of Ordinances Chapter 23 Section 23-36(a), and (2) a variance to reduce the required lot width of 55 feet to 49.53 feet.

Planning Director Madera stated item 5,6, and 7 had been previously presented on the September 22, 2022 meeting as public hearing and will now be presenting as action items.

Assistant Planning Director, Mariebelle Rodriguez, read the planning department recommendation into record as followed:

The Eagle Pass Planning and Zoning Commission (1) GRANT the subdivision variance request to proceed directly to final plat approval without first having obtained preliminary plat approval, (2) GRANT a variance to reduce the minimum lot width from 55 feet to 49.53, and (3) GRANT final approval of the Rep/at of Lot 105 in Chula Subdivision Unit 2, subject to the plat complying with the provisions of Article III in City of Eagle Pass Code of Ordinances Chapter 23 governing procedures and specifications for Final Plats.

Commission Member Salinas-Sanchez moved to approve the final replat with the recommendation presented by the Planning Department. Seconded by Commission Member Gross **MOTION PASSED-** Unanimously

AYES:	Jasso, Gross, Salinas-Sanchez
NAYS:	None
ABSTAINED:	None
ABSENT:	Valdez, Velez

6. Consideration and possible action on the Final Replat of Lot 9 in Block 20 of Loma Linda Subdivision Unit 3, including (1) a subdivision variance from the preliminary plat requirement as required by City of Eagle Pass Code of Ordinances Chapter 23 Section 23-36(a), (2) a sidewalk waiver from the requirement to construct a sidewalk adjacent to Wagon Wheel Road, La Grande Drive, and Linda Vista Drive, and (3) a subdivision variance from the requirement to construct a concrete curb and gutter along the property street frontage abutting Wagon Wheel Road, La Grande Drive, and Linda Vista Drive.

Commission Member Gross moved to approve the final plat with the recommendation presented by the Planning Department. Seconded by Commission Member Salinas-Sanchez **MOTION PASSED-** Unanimously

AYES: Jasso, Gross, Salinas-Sanchez
NAYS: None
ABSTAINED: None
ABSENT: Valdez, Velez

7. Consideration and possible action on the Final Replat of Lot 13 in Block 8 of Deer Run Subdivision Unit 2, including (1) a subdivision variance from the preliminary plat requirement as required by City of Eagle Pass Code of Ordinances Chapter 23 Section 23-36(a), and (2) a sidewalk waiver from the requirement to construct a sidewalk adjacent to Doe Lane and El Venado Drive.

Assistant Planning Director Rodriguez, read the planning department recommendation into record as followed:

The Eagle Pass Planning and Zoning Commission (1) GRANT the sidewalk waiver request, (2) GRANT the subdivision variance request to proceed directly to final plat approval without first having obtained preliminary plat approval, and (3) GRANT final approval of the Rep/at of Lot 13 in Block 8 of Deer Run Subdivision Unit 2, subject to the plat complying with the provisions of Article III in City of Eagle Pass Code of Ordinances Chapter 23 governing procedures and specifications for Final Plats.

Commission Member Salinas-Sanchez moved to approve the final plat with the recommendation presented by the Planning Department. Seconded by Commission Member Gross **MOTION PASSED-** Unanimously

AYES: Jasso, Gross, Salinas-Sanchez
NAYS: None
ABSTAINED: None
ABSENT: Valdez, Velez

ADJOURNMENT

Commission member Gross moved to adjourn meeting at 6:29 p.m. Seconded by Commission Member Salinas-Sanchez **MOTION PASSED-** Unanimously

Passed and approved on December 6, 2022

Rolando Jasso
Chairperson

ATTEST:

Item #2



Planning Department Executive Summary REPORT TO THE PLANNING AND ZONING COMMISSION

Final Replat Approval of Lot 5-7 in Block 9 of Hillcrest Addition

I. BACKGROUND

A. General Information

Applicant: Mountain View Engineering | 2400 Veterans Blvd, Ste 8 | Del Rio, Tx 78840

Developer: Samuel & Rosa Vargas | Eagle Pass, Tx 78852

Location: 387 Medina Street & 1295 Quarry Street

Property ID Number: 9777, 9778, & 9779

Legal Description: Lots 5-7 in Block 9 of Hillcrest Addition

Request: The grant of final re-plat approval to subdivide three residential lots into two lots, including a subdivision variance to proceed directly to final re-plat approval without first having obtained preliminary re-plat approval.

B. Subject Property Information

Parcel Size: 0.528-acres

Topography: Generally flat

Existing Use: Lot 6A houses a residential dwelling and Lot 7A houses a warehouse and a small residential dwelling.

Zoning: *R-3 Duplex District*

Master Plan: Residential

C. Vicinity Data

The site is located within an area that features residential and light commercial development.

D. Infrastructure

The property is currently served by public utilities/franchises, including water, sanitary sewer, storm sewer, telephone, electric service, gas, cable, and garbage service. Access to the site is provided by Medina Street and Quarry Street.

II. PUBLIC NOTICE

Public notification of the subdivision with variance 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*. 33 notices were mailed to the abutting property owners within a 500 foot radius of the subject property.

III. RECOMMENDED FINDINGS OF FACT

A. Conclusions

1. The applicant's request contains sufficient information for consideration by the Planning and Zoning Commission. Information contained in this report and the Commission's public meeting will be used as part of the City Council's deliberation process for final approval of the re-subdivision. Please refer to Attachment 1.
2. The subdivision is consistent with City design and specifications, as the subsequent development of the site will be required to conform to the following sections of *Article IV in Eagle Pass Code of Ordinances Chapter 23*:

- ✓ *Section 23-62 governing utility easements*
- ✓ *Section 23-64 governing sidewalks. Sidewalk will be constructed at the time of the development of Lot 7A.*
- ✓ *Section 23-66 governing sanitary sewage disposal*
- ✓ *Section 23-67 governing potable water supply and fire flow*
- ✓ *Section 23-68 governing storm drainage*
- ✓ *Section 23-69 governing the size of building lots, including lot width, lot depth, lot orientation, and building setback areas*
- ✓ *Section 23-71 governing the installation and inspection of utility lines*

Please refer to Attachment 3 for a copy of the Final Engineering Report.

3. The subdivision and the subsequent development of the property is and will be consistent with City design and specifications for landscape and tree preservation set forth in *Article VI in Eagle Pass Code of Ordinances Chapter 23*.
4. City of Eagle Pass Code of Ordinances Section 23-11 states that the Planning and Zoning Commission must find that the subdivision variances comply with the criteria to the grant the variances. The following is a summary of this application's compliance with the criteria:
 - The 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)*.

Please refer to Attachment 2 for a copy of the Subdivision Variance Application.

5. The subdivision of the property will conform to the parkland dedication requirements set forth in *Article V in Eagle Pass Code of Ordinances Chapter 23* as a one-time fee will be collected as part of any subsequent building permit issued for the property.
6. The subdivision of the property will conform to the sidewalk requirements set forth in *Section 23-64 of the Eagle Pass Code of Ordinances Chapter 23* as part of any subsequent building permit issued for the property.
7. The subdivision of the property is in conformance with the provisions of the *Master Plan* and the *Eagle Pass Code of Ordinances* by facilitating the following benefits:
 - Protect private rights while considering public health, safety and welfare.
 - Provide for efficient and economical ways to move people and goods outside the City by an adequate plan for streets and highways.
 - Guide future development in an orderly manner, by stages according to a

- pattern, so that the City may have a balanced land use.
 - Encourage a diversified economic base, and encourage public and private investments in land and improvements.
 - Prevent and eliminate blight and slums, making the City attractive to people, commerce, and industry.
 - Create the desire for a more pleasing appearance of the City, and incorporate into its physical development the basic principles of good design.
 - Protect and preserve the identity of each neighborhood through use of the guidance provided by the *Master Plan* and the *Code of Ordinances*.
 - Locate all land uses on land best suited for their needs, arranged in such a way as to be mutually beneficial and functional, with ample area to meet long-term needs.
 - Establish a proper relationship between open space, developed areas, building bulk, light and air space, in all future development programs of land use.
 - Encourage and abet the development of civic, cultural, and other public and quasi-public buildings in harmonious and functional groupings.
8. The subdivision will allow for a use of the property that is consistent with the residential purpose of the *R-3 Duplex District* for the following reasons:
- A. The subdivision design bears a substantial relationship to the public's health, safety, and welfare.
 - B. The subdivision is in accordance with the policies of the Master Plan and the business purpose of the *R-3 Duplex District*.
 - C. The subdivision is warranted because of the necessity to create additional building lots in the *R-3 Duplex District*, and because the proposed development is appropriate to accomplish the reasonable use of the property.
 - D. The subject property is suitable for development in general conformance with development standards of the *R-3 Duplex District*.
 - E. The subdivision will benefit the City as a whole and will not be detrimental to nearby land uses of a similar nature.
 - F. The subsequent development will be designed and conditioned to comply with all applicable subdivision criteria and standards of the City of Eagle Pass.

Please refer to Attachment 3 for a copy of the *Master Plan* Map and a copy of the *Zoning District Map* for the City of Eagle Pass.

9. The approval of this final replat request is warranted, as the project conforms to the *City of Eagle Pass Master Plan* and the *City of Eagle Pass Code of Ordinances* as noted in Conclusion 1 through and including Conclusion 8 of this report.

C. Planning Department Recommendation

The Planning and Zoning Commission (1) **GRANT** the 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 (2) **GRANT** final approval of the proposed *Replat of Lots 5-7 in Block 9 of Hilcrest Addition*, subject to the 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.

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

SUBDIVISION APPLICATION

RECEIVED
9/22/22
complete App

TYPE OF SUBDIVISION (check one):

☒ Preliminary ☒ Final ☒ Replat ☐ Amendment ☐ Short Form Final

Property Legal Description: Lots 5, 6 & 7 Block 9 Hillcrest Addn.

Maverick County Property Identification Number(s): 9777, 9778 & 9779

Name of Addition: _____

Location of Addition: 387 Medina

Number of Residential Lots: 2 Number of Commercial Lots: _____ Gross Acreage: _____

Number of New Street Intersections _____ Linear feet of Streets _____

Is Subdivision inside city limits? Yes (☒) No (☐); If so, Zoning District: R-3

Existing Land Use: Mixed Proposed Land Use: Commercial Lot 7A

Requested Variances: Pass preliminary and proceed straight to final replat

PROPERTY OWNER:

Name: Samuel Vargas

Address: 2416 Ralph Dr.

City: Eagle Pass

State: TX Zip: 78852

Signature: [Signature]

Contact: 830-968-3119

Phone: _____

Fax: _____

E-mail: vargaselectnc@yahoo.com

Date: 8/20/2022

PROPERTY OWNER:

Name: Rosa Vargas

Address: 2416 Ralph Dr.

City: Eagle Pass

State: TX Zip: 78852

Signature: [Signature]

Contact: _____

Phone: 830-968-2191

Fax: _____

E-mail: vargas electnc@yahoo.com

Date: 8/20/2022

APPLICANT/SUBDIVIDER:

Name: _____
Address: _____
City: _____
State: _____ Zip: _____
Signature: _____

Contact: _____
Phone: _____
Fax: _____
E-mail: _____
Date: _____

SURVEYOR:

Name: Richard Lane + Assoc.
Address: 487 ~~Del Rio~~
City: Eagle Pass Memo Robinson
State: TX Zip: 78852
Signature: Franco

Contact: Francisco Gaytan
Phone: _____
Fax: _____
E-mail: _____
Date: _____

ENGINEER:

Name: Hector Canales
Address: 2400 Veterans #8
City: Del Rio TX 78840
State: TX Zip: 78840
Signature: _____

Contact: Hector Canales
Phone: 830 734 2991
Fax: _____
E-mail: _____
Date: _____

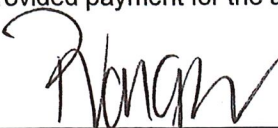
PRINCIPAL CONTACT: _____ Owner _____ Applicant _____ Surveyor ☒ Engineer

All City communication regarding the subdivision will be directed only to the designated principal contact.

STATEMENT OF APPLICANT

The information contained in this subdivision application contains true and accurate information provided to the best of my ability. I acknowledge that the City of Eagle Pass will use the information contained herein as the basis for the review of the subdivision application's conformance with the provisions of City of Eagle Pass Code of Ordinances Chapter 23.

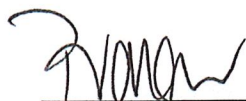
I understand that the City of Eagle Pass may use third party engineering peer review services. I acknowledge and agree that I am responsible for the payment of services attributable to my project, and that the preliminary approval process or final approval process will not proceed until and unless I have provided payment for the aforementioned services.


Applicant Signature

8/20/22
Date

STATEMENT OF OWNER/SUBDIVIDER

I, the undersigned, hereby certify that: (1) I am the owner the land subject to this request for a subdivision; (2) I authorize Hector Canales to act as my agent for all documents pertaining to this subdivision application; (3) the information contained in this subdivision 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 subdivision application or accompanying information; (5) the City will be advised in writing of any change in ownership of the property that is the subject of this subdivision application provided the change of ownership occurs prior to the recording of the final approved plat, if any; and (6) I will liable to the City of Eagle Pass for the completion of all site improvements required by Section 23 of the City's Code of Ordinance until such time as such improvements, if any, shall have been actually completed and accepted by the city.



Owner / Subdivider Signature

19th
8/20/2022

Date

STATE OF TEXAS §

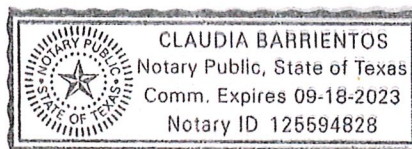
COUNTY OF Maverick §

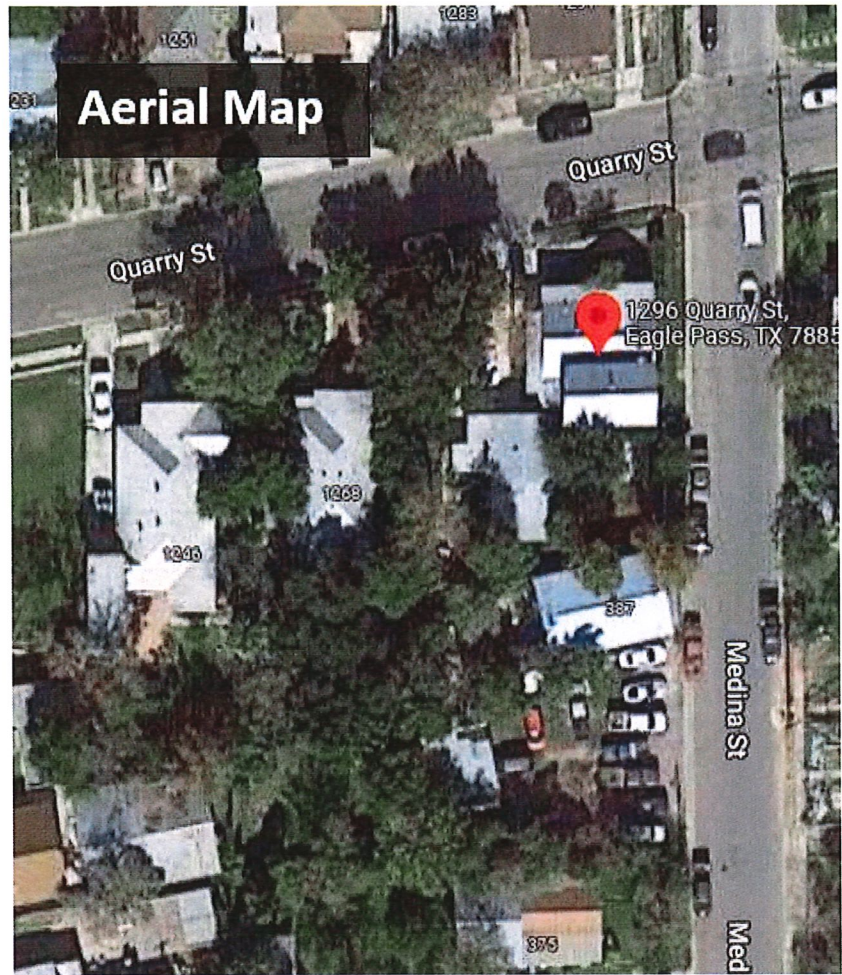
Before me, the undersigned authority, a notary public for the State of Texas, on this day personally appeared ROSA VARGAS (Name), owner (Title), known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he executed the same for the purpose and consideration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

Given under my hand and seal of office, this the 19th day of August, 2022.



Notary Public, State of Texas









A hand-drawn map of the Eagle area. The Nueces River is shown flowing from the top left towards the bottom right. Eagle Creek is a tributary flowing into the Nueces River. The map shows several towns and locations: Eagle, Medina, Concho, Garrison, Trinity, Quarry, and Ford. Roads are marked with B277 and B278. A red circle marks a 'SITE' near the intersection of Eagle Creek and the Nueces River. A north arrow is in the bottom right corner.

[illegible]

NOTARY PUBLIC STATE OF TEXAS

HILLCREST ADDITION, BLOCK 9.
CITY OF EAGLE PASS
MAVERICK COUNTY, TEXAS
AS RECORDED IN VOLUME 06
PAGE 587, THE MAVERICK
COUNTY DEED RECORDS.
MAVERICK COUNTY TEXAS

😊

LEGEND

- FOUND 1/2" IRON ROD
- SET 1/2" IRON ROD
- FOUND 1" PIPE
- SET 60-O NAIL
- POINT OF BEGINNING

P.O.B.

			
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1:1 FLOODPLAIN

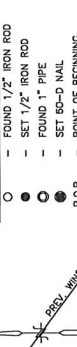
EX CONCRETE

EX BUILDING

PLAT BOUNDARY

BOUNDARY OTHER

SET BACK LINE



Scale: 1" = 20'

BEING LOTS 5, 6 & 7 BLOCK 9 HILLCREST ADDITION CITY OF EAGLE PASS, MAVERICK COUNTY RECORDED IN VOLUME 6, PAGE 587 OF THE MAVERICK COUNTY DEED RECORDS, MAVERICK COUNTY TEXAS

OCT. 2022

Attachment 2
Subdivision Variance Application



PLANNING DEPARTMENT

3295 Bob Rogers Drive, Eagle Pass, Texas 78852 • Phone: (830) 773-778 • Fax: (830) 773-7803

SUBDIVISION VARIANCE APPLICATION

Applicant Information

Applicant (If not owner): Samuel & Rosa Vargas / VARGAS ELECTRIC LLC
Address: 2416 Ralph Dr. Eagle Pass TX 78852
Phone: 830-968-2191 E-mail: vargaselectric@yahoo.com
Owner: Vargas Electric LLC
Address: 2416 Ralph Dr. Eagle Pass TX 78852
Phone: 830-968-3119 E-mail: vargaselectric@yahoo.com

Property Information

Site Address: 387 Medina MCAD Property ID No. 9779, 9778, 9777
Legal Description (from deed): ~~LOT 5, 6, 7 BIK 9 Hillcrest Addition~~
W LOT 7A

Description of Subdivision Variance Request

Proceed to Final

Detailed Explanation of Subdivision Variance Request

Please answer, on a separate sheet of paper if necessary, the following questions:

What are the special circumstances or conditions affecting the land involved such that the strict application of the provisions of the subdivision code would deprive the application of the reasonable use of their land?

Land was already subdivided. No
need for preliminary.

How is the variance necessary for the preservation and enjoyment a substantial property right of the applicant?

To correct the improper divisions

Describe how the granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other property in the area.

By correcting the improper divisions
of property.

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

Land was recently purchased by applicant
and are interested in the development of
new lot created.

Required Application Attachments

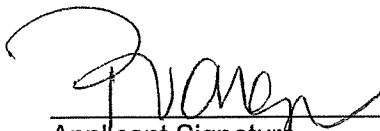
The following documentation is required to be attached to this application:

- A copy of a survey map prepared by a licensed surveyor.
- A copy of a 'run sheet' for the property detailing prior deed history, which can typically be obtained at a title company.

Applicant Authorization

I authorize the City of Eagle Pass to conduct any site visits necessary to evaluate this subdivision variance 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 subdivision variance request. I further attest that I have the authority to submit this application and agree to comply with any and all conditions if a subdivision variance approval. I agree to provide any additional information requested by the City of Eagle Pass as they deem necessary for the processing of this application.



Applicant Signature

9/29/2022
Date

Attachment 3
Final Engineering Report

Mountain View Engineering

Re-Plat

Hillcrest Addition, Block 9, Lots 5, 6 & 7

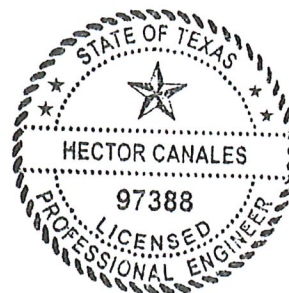
Final Engineering Report

September 9, 2022



Approved by:

Hector Canales, P.E., C.F.M.



Mountain View Engineering

Mountain View Engineering (MVE) has been contracted for a Re-Plat in Maverick County TX, located at 387 Medina St, Eagle Pass TX 78852. This property is located within the City of Eagle Pass. The proposed amendment will combine Lots 5, 6 & 7 into two lots within Block 9 Hillcrest Addition.

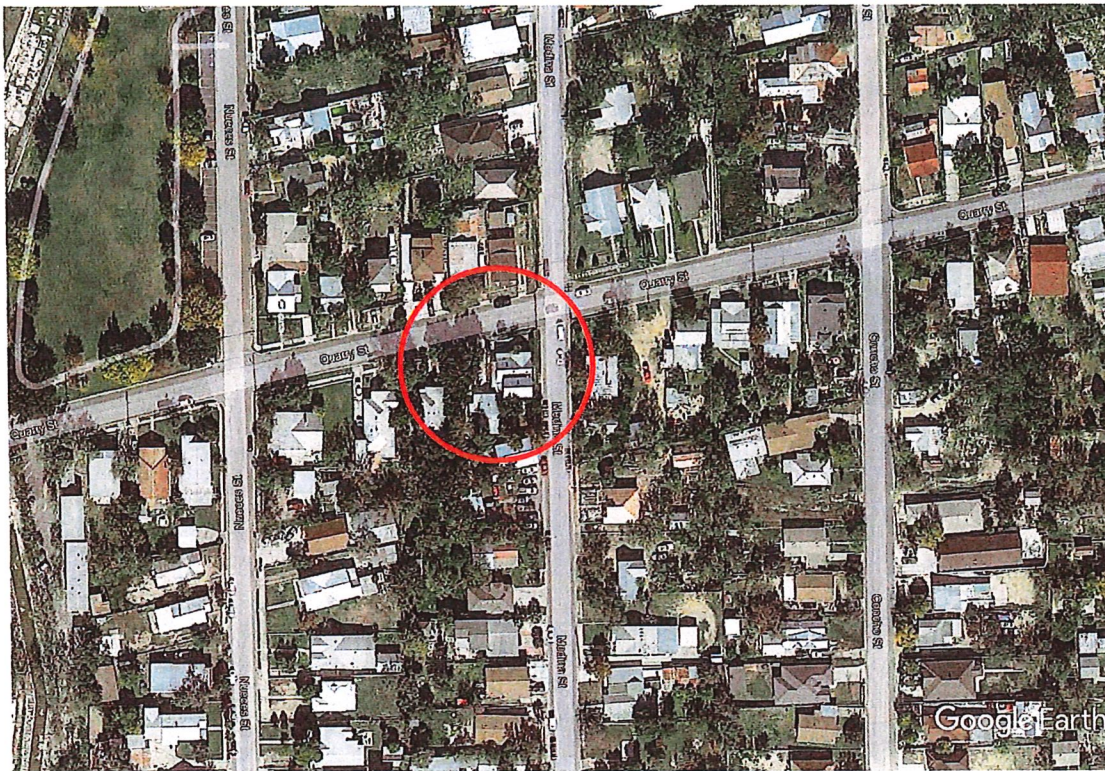


Figure 1: Location Map

There is a 6" waterline and 6" sewer line within the Quarry Street and Medina Street that currently services the property. There is fire hydrants at the corner of Quarry Street and Medina Street. The site is also serviced with electric power from AEP who own the poles and wires.

The site has had some development with a warehouse and small home. Storm water runoff will not increase with this re-plat. However, any future development would require to mitigate the increase of runoff

None of the property is located within FEMA regulated floodplain as shown in FEMA Firm Map 48323 C 0453 D made effective April 4, 2011. The designation of Zone "X" means the property does NOT reside within the FEMA regulated 1% chance flood zone.

**Attachment
Master Plan and Zoning Map**

THE PREPARATION OF THIS DOCUMENT
WAS FINANCED THROUGH PROVISIONS
OF A TEXAS COMMUNITY DEVELOPMENT
PROGRAM GRANT FROM U.S. DEPARTMENT
OF HOUSING AND URBAN DEVELOPMENT

THESE MAPS ARE PRESENTED WITHOUT WARRANTY OF ANY KIND, EITHER EXPRESSED OR IMPLIED, RESPECTING THE CONTENTS OF THESE MAPS, INCLUDING BUT NOT LIMITED TO THE ACCURACY, LOCATION AND OWNERSHIP OF ANY FACILITIES. NEITHER THE CITY OF EAGLE PASS, NOR HEUL LEE AND ASSOCIATES, INC. OR ITS REPRESENTATIVES SHALL BE LIABLE TO ANY PERSON OR ENTITY WITH RESPECT TO ANY LIABILITY, LOSS, OR DAMAGE CAUSED OR ALLEGED TO BE CAUSED DIRECTLY OR INDIRECTLY BY THESE MAPS.

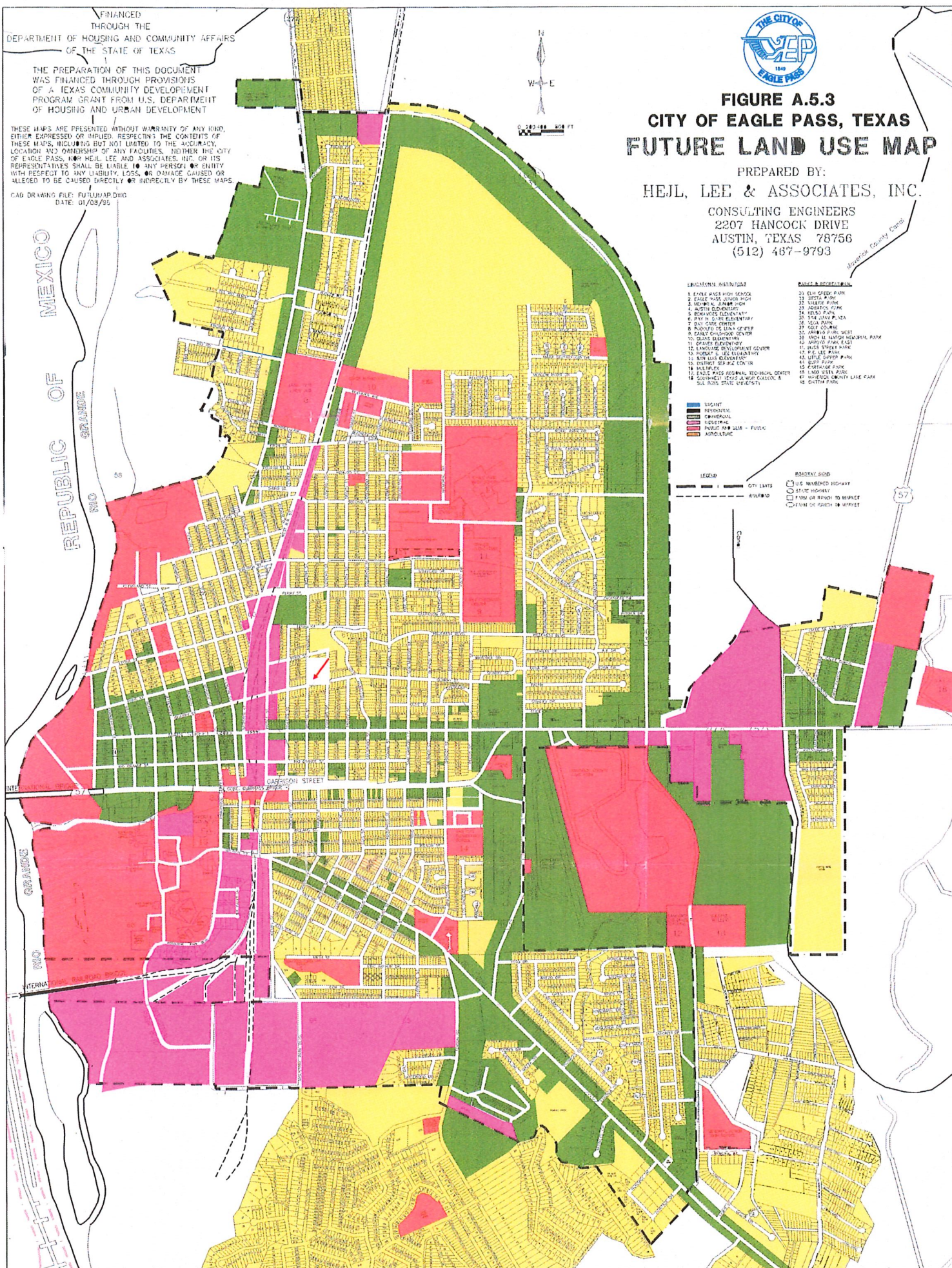
CAD DRAWING FILE: FUTLUMAP.DWG
DATE: 01/03/95

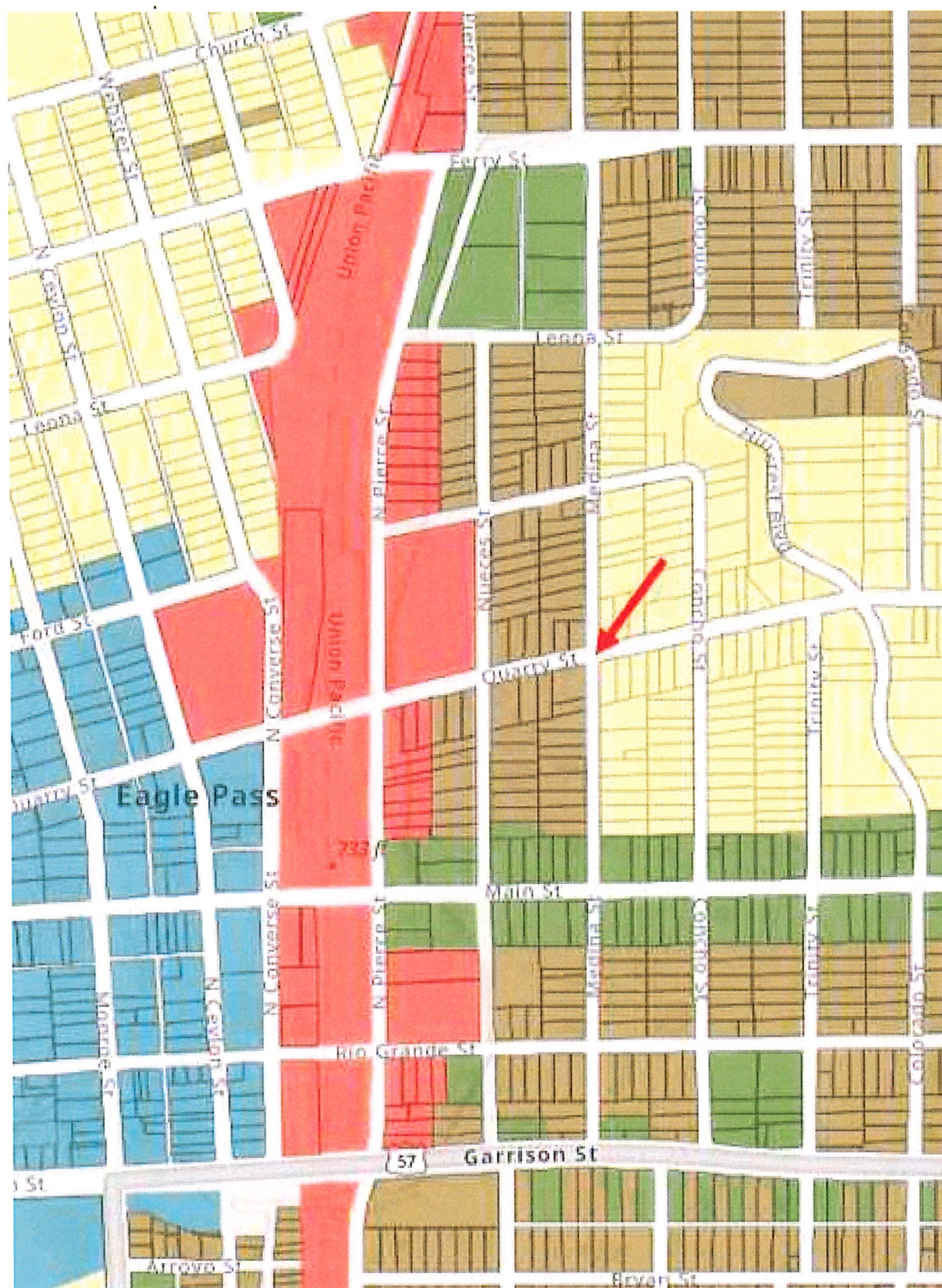


FIGURE A.5.3
CITY OF EAGLE PASS, TEXAS
FUTURE LAND USE MAP

PREPARED BY:
HEJL, LEE & ASSOCIATES, INC.

CONSULTING ENGINEERS
2207 HANCOCK DRIVE
AUSTIN, TEXAS 78756
(512) 467-9793





Item #3



Planning Department Executive Summary
REPORT TO THE PLANNING & ZONING COMMISSION

387 Medina Street Rezone Request

I. BACKGROUND

A. General Information

Applicant: Samuel & Rosa Vargas (Vargas Electric, LLC) | Eagle Pass, Texas 78852

Location: 387 Medina Street **Property ID Number:** 9778 & 9779

Legal Description: Hillcrest Addition, Block 9, Lot 5 & 6, (South 42ft) & Lot 7

Request: Rezone parcel from R-3 Duplex District to B-1 Neighborhood Business District.

B. Subject Property Information

Parcel Size: 4,200 & 7,176 **Existing Use:** warehouse & small home

Zoning District: R-3 Duplex District **Master Plan:** Commercial

Proposed Use: convert commercial building to accommodate a lighting and electrical supply retail store.

C. Vicinity Data

The site is located with an area that is primarily comprised of single-family dwellings, duplex dwellings, and commercial developments.

D. Infrastructure

Property is currently served by public utilities/franchises, including water, sanitary sewer, storm sewer, telephone, electric service, gas, garbage, and cable. Access to this lot is provided by Medina Street.

II. PUBLIC NOTICE

Public Notification of the Planning and Zoning Commission public hearing to consider the rezone request was completed consistent with the provisions of *Chapter 211* of the *State of Texas Local Government Code Title 7*. 34 notices were mailed to the abutting property owners within the 200 feet radius from the subject property.

III. RECOMMENDED FINDINGS OF FACT

A. Conclusions

1. *Section 1(b)(4) of Eagle Pass City Charter Article IX* authorizes the Planning and Zoning Commission to recommend or disapprove proposed changes to the *City of Eagle*

Pass Zoning Plan. A request for a change in a zoning district designation for a property constitutes a change to the *zoning plan* and the *zoning plan map*.

2. The applicant's request contains sufficient information for consideration by the Eagle Pass Planning and Zoning Commission. Information contained in this report and the Commission's associated public meeting will be used by the City Council in their consideration of the rezone request. Please refer to Attachment 1.

3. The *Master Plan* is the primary document used in the analysis as to the appropriateness of a rezone request. The *Master Plan Map* provides direction as to the areas of the City in which residential, commercial, and industrial development is to be situated.

4. The 'Housing Goals' of the *Master Plan* are applicable to this rezone, as the eventual use of the site will be commercial. The rezone, if granted, will result in construction activities that will include the enforcement of appropriate land development regulations resulting in appropriate lot sizes, paved streets with curb and gutters, sidewalks, and adequate utility services.

5. The rezone request is consistent with the 'Land Use Development Goals' of the *City of Eagle Pass Master Plan*. The request to change from the *R-3 Duplex District* to *B-1 Neighborhood Business District* will allow for a continuation of the development in the neighborhood while retaining the community's character and scale. The change will facilitate the ultimate development of urban uses in a compatible arrangement that will make the community attractive to both residents and visitors and desirable to quality investments, while improving the residential and commercial environment of the city.

The purpose of the rezone is to allow for subsequent construction/remodel of an existing commercial building to be utilized as a lighting and electrical supply retail store, on the property. All construction will comply with all applicable local codes. Property owners will not receive a business permit and certificate of occupancy only after construction passes all required inspections if the rezone request is granted.

6. The rezone request is consistent with the *Master Plan's* 'Street Objectives', 'Thoroughfare Goals', and 'Thoroughfare Objectives', as access to the rezone site will be provided by Medina Street.

7. The rezone request conforms to the purpose of the City's zoning code, as the subsequent commercial development of the property will result in a use that is consistent with intent of the *B-1 Neighborhood Business District* and consistent with residential and commercial uses in the vicinity of the site, with a view to conserving the value of buildings and encouraging the most appropriate use of land adjacent that will have access to a public street. Please refer to Attachment 2 for a copy of the City's *Zoning District Map*.

8. The property is located in an area that contains multi-family uses and should allow for property to be rezoned to a higher and better use. Please refer to Attachment 1 for a photograph of the rezone site.

9. The rezone request has been conditioned to insure conformance with the direction provided in the *Master Plan's* 'Storm Drainage Goals' and 'Storm Drainage Objectives'.

10. The rezone request is consistent with both the goals and objectives of the *Master Plan* and the purpose of the *City of Eagle Pass Code of Ordinances Appendix A* governing zoning as set forth in Conclusion 1 through 9 of this Report. The rezone request, therefore, should be approved.

C. Planning Department Recommendation

The Planning and Zoning Commission recommend that the City Council prepare and **ADOPT** an Ordinance granting a zoning district change from *R-3 Duplex District* to *B-1 Neighborhood Business District* for property legally defined as Hillcrest Addition, Block 9, Lot 5 & 6, (South 42ft) & Lot 7, also known 387 Medina Street, subject to the following condition:

1. Subsequent development of the property shall comply with the following sections in the *City of Eagle Pass Code of Ordinances*:

- Chapter 8 governing buildings
- Chapter 12 governing the electrical code
- Chapter 13 governing the fire code
- Chapter 14 governing garbage and rubbish
- Chapter 21 governing plumbing
- Chapter 16 governing health and sanitation
- Chapter 22 governing streets, sidewalks and other public places
- Chapter 27 governing water and sewers, including drainage
- Appendix A governing zoning, governing off-street parking
- Appendix A governing zoning, governing fences (Section 12(d)(1)(a) & (c))
- Appendix A governing zoning, governing yard regulations

TRANSMITTED to the parties listed hereafter:

Ivan A. Davila via e-mail

Planning and Zoning Commission Members via e-mail

Eagle Pass Planning Department Report dated October 24, 2022

Attachment 1
Application



PLANNING DEPARTMENT

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

ZONING CHANGE APPLICATION

Case No: _____

Applicant
Information

Name: Samuel & Rosa Vargas
Mailing Address: 2416 Ralph Dr
Phone: 830-968-2191 E-mail: Vargaselectric@yahoo.com
Note: if you are not the owner of the property, you must attach a letter from the owner authorizing you to submit this application.

Property
Owner
Information

Name: Samuel & Rosa Vargas - Vargas Electric LLC
Mailing Address: 2416 Ralph Dr.
Phone: 830-968-2191 E-mail: Vargaselectric@yahoo.com

Property
Information

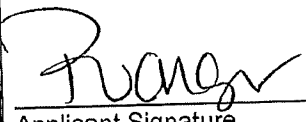
Site Address: 387 Medina St. MCAD Property ID # 9777, 9778, 9779
Legal Description: Lot(s) 5, 6, 7 Block 9 Subdivision Hillcrest Addition
(Property must be legally subdivided or be lot of record)
Front Yard Width (feet) 156.10' Rear Yard Width (feet) 159.66' Side Yard Width (feet) 109.20'

Proposed Project

Amend Zoning Regulations contained in section Section 7 R3-Duplex District
Amend the Official Zoning Map & Master Plan by changing 0.284 acres of land currently zoned
residential R3 to be zoned Commercial B1
Conforms with the Zoning Map? ☒ Yes ☐ No
Conforms with Master Plan Designation? ☒ Yes ☐ No
☐ Vacant Land ☐ Vacant Building ☐ Single Family Dwelling ☒ Commercial
☐ Multi-Family Dwellings ☐ Industrial ☐ Other _____

RECEIVED
9/28/22 VB

Detailed Explanation of Proposed Use	
Proposed Use of Property/Reason for Change:	
Seeking approval to convert commercial building located at the property into a lighting and electrical supply retail store.	
Describe the character and/or nature of uses surrounding the property:	
Properties surrounding consist of homes, businesses and apartments.	
Will the rezoned designation be compatible with the classification and use of adjoining lands? ☒ Yes ☐ No	
If No, how do you propose to reduce any adverse impact?	

Applicant Authorization	I authorize the City of Eagle Pass to conduct any site visits necessary to evaluate this zoning change 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 zoning change request. I further attest that I have the authority to submit this application and agree to comply with any and all conditions of the zoning change approval. I agree to provide any additional information requested by the City as they deem necessary for the processing of this application.
	 Applicant Signature 9/27/2022 Date

Office Use	Date Application Accepted for Review: 9/28/22 By: VB
	Contact Date for Supplemental Info: — Supplemental Info Received: —
	Completeness Review Date: 9/28/22 By: VB/uk
	Application Returned to Applicant: — (when applicable)
MR:7/2020	



ENGINEERING
F-150033

STATE OF TEXAS
COUNTY OF MAVERICK
CITY OF EAGLE PASS
MOUNTAIN VIEW
F-150033

OWNER: [Name]
PROJECT: [Name]
SUBJECT: [Name]
[Detailed description of the project and the land being surveyed, including references to previous surveys and legal descriptions.]

ACRES: [Value]
[Additional survey data and notes.]

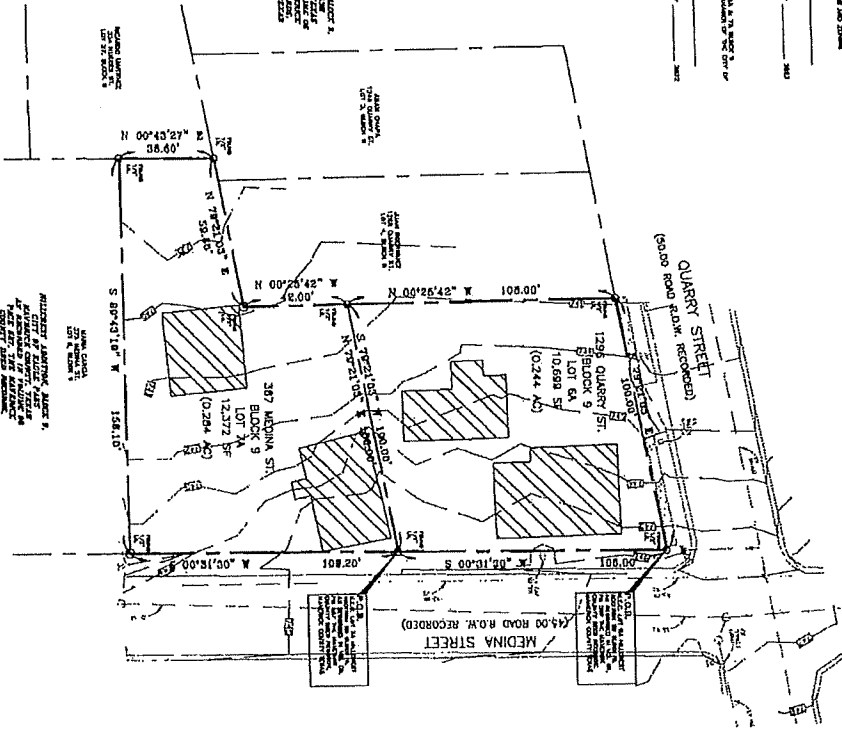
SECTION: [Value]
[Additional survey data and notes.]

1. THE SURVEYOR HAS REVIEWED THE CITY MAPS OF EAGLE PASS, TEXAS, AND HAS DETERMINED THAT THE CITY MAPS ARE CORRECT AND ACCURATE.
2. THE SURVEYOR HAS REVIEWED THE CITY MAPS OF EAGLE PASS, TEXAS, AND HAS DETERMINED THAT THE CITY MAPS ARE CORRECT AND ACCURATE.
3. THE SURVEYOR HAS REVIEWED THE CITY MAPS OF EAGLE PASS, TEXAS, AND HAS DETERMINED THAT THE CITY MAPS ARE CORRECT AND ACCURATE.

CITY OF EAGLE PASS
CITY CLERK
[Name]
[Address]
[City, State, Zip]
[Phone Number]
[Fax Number]

CITY OF EAGLE PASS
CITY CLERK
[Name]
[Address]
[City, State, Zip]
[Phone Number]
[Fax Number]

MAVERICK COUNTY CLERK
[Name]
[Address]
[City, State, Zip]
[Phone Number]
[Fax Number]



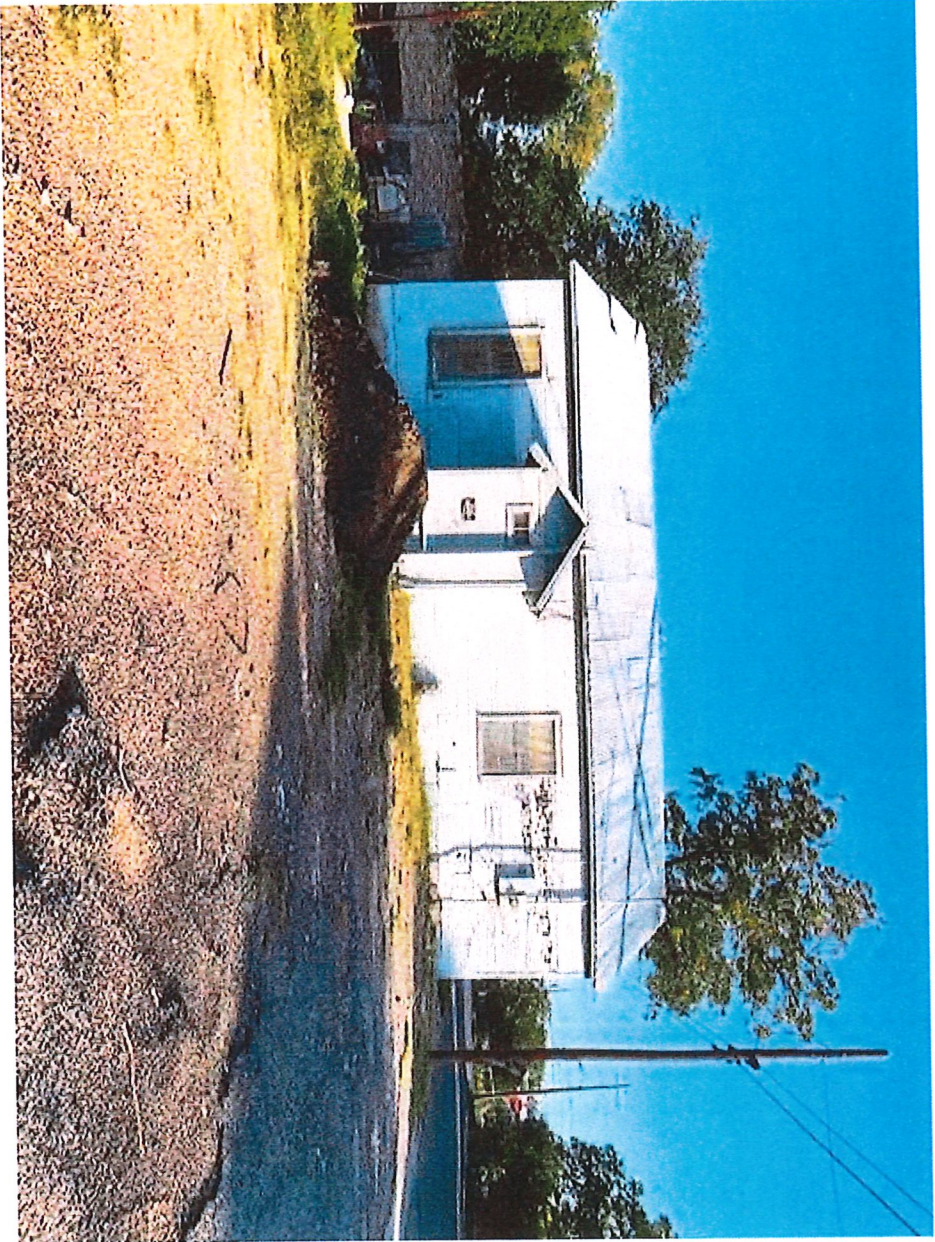
RE-PLAT OF LOTS 5, 6 & 7 BLOCK 9 HILLCREST ADDITION CITY OF EAGLE PASS, MAVERICK COUNTY TEXAS
VOLUME 6, PAGE 587 OF THE MAVERICK COUNTY DEED RECORDS, MAVERICK COUNTY TEXAS

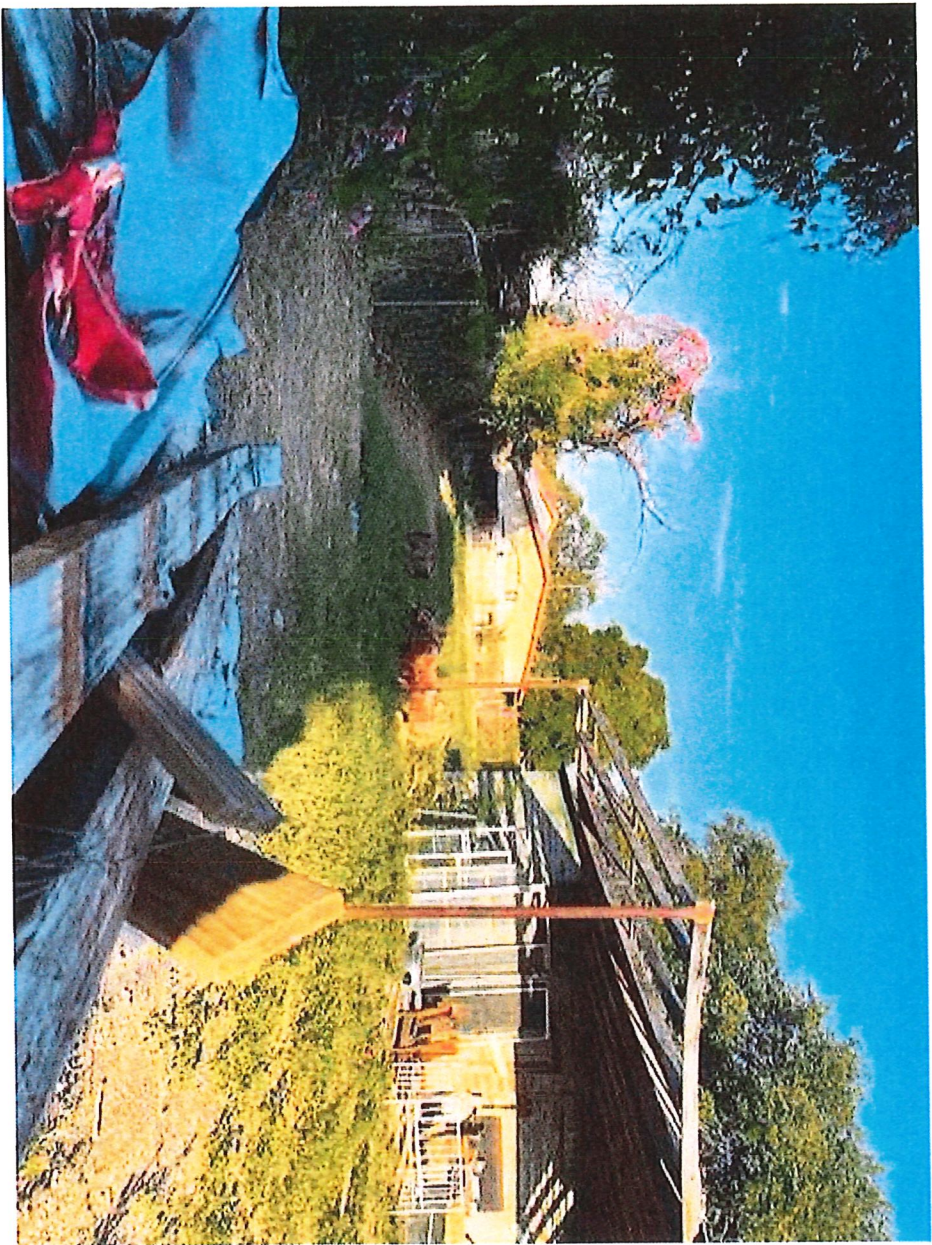
NOTES AND REMARKS
[Detailed notes regarding the survey, including references to previous surveys and legal descriptions.]

STATE OF TEXAS
COUNTY OF MAVERICK
CITY OF EAGLE PASS
[Name]
[Address]
[City, State, Zip]
[Phone Number]
[Fax Number]

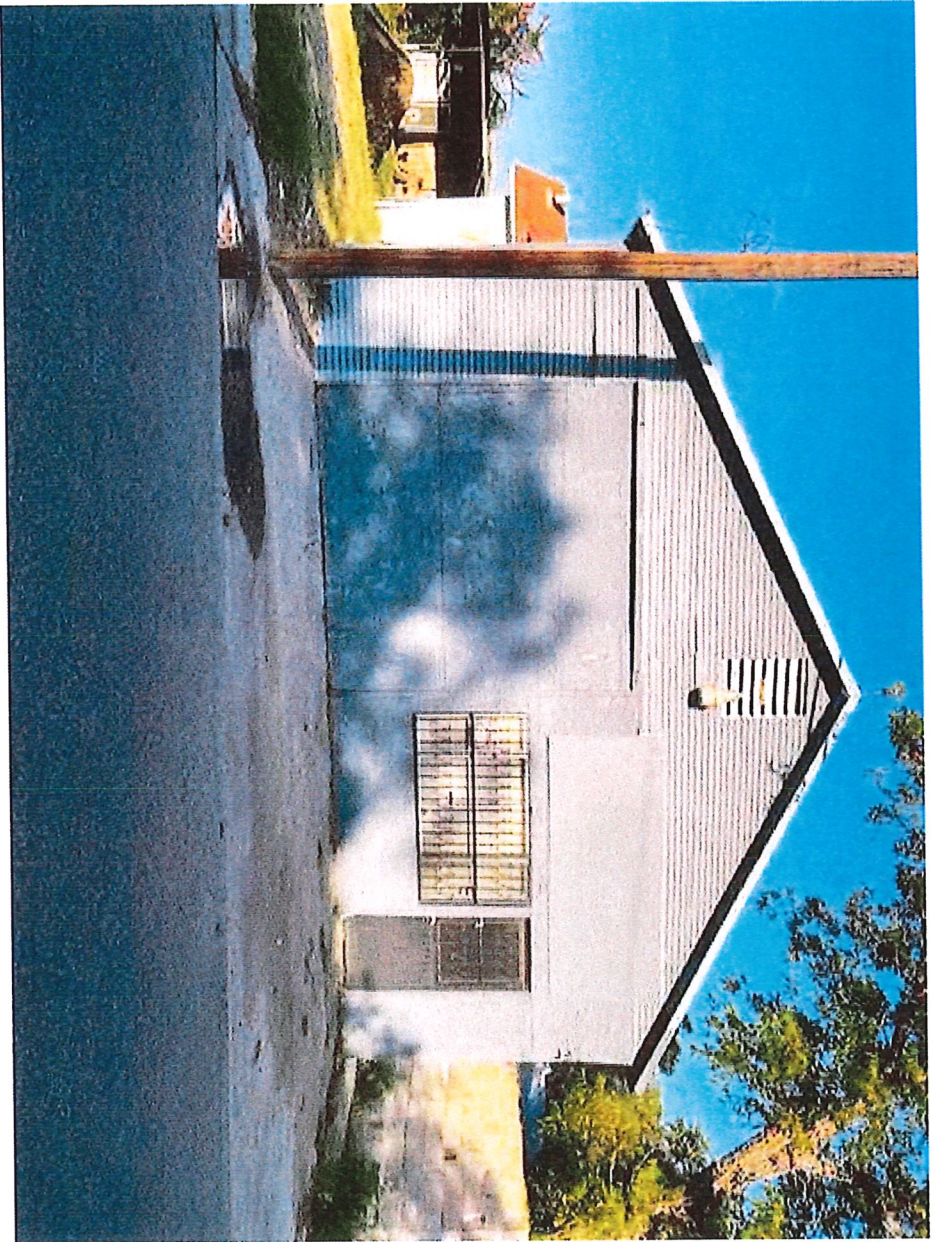
STATE OF TEXAS
COUNTY OF MAVERICK
CITY OF EAGLE PASS
[Name]
[Address]
[City, State, Zip]
[Phone Number]
[Fax Number]

SEPT. 2022

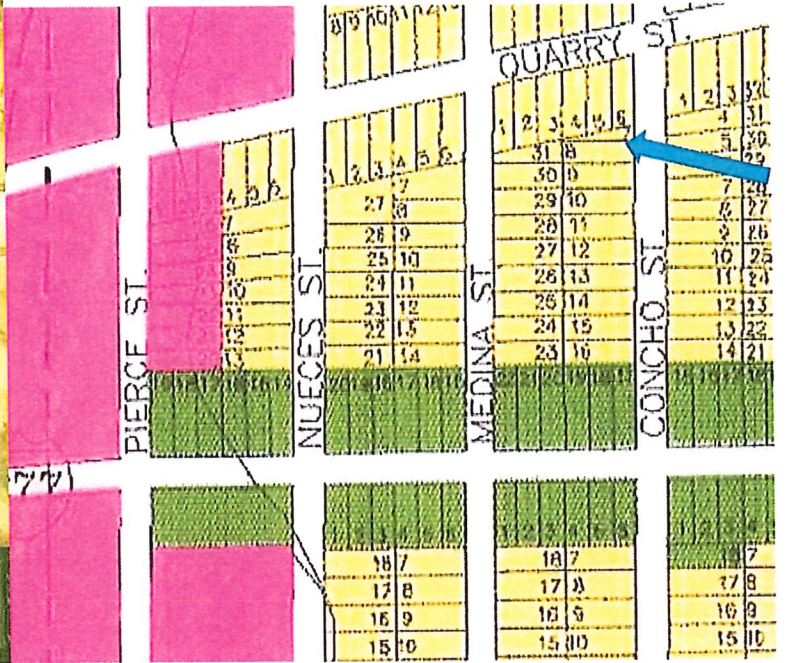








Attachment 2
Zoning Map & Master Plan



Item #4



**Planning Department Executive Summary
REPORT TO THE PLANNING AND ZONING COMMISSION**

Final Replat of Lot 3 in M. A. V. Subdivision

I. BACKGROUND

A. General Information

Applicant: TEC Services I 3295 El Indio Hwy I Eagle Pass, Texas 78852

Owner: Twin Torres Homes, LLC I Eagle Pass, Texas 78852

Location: 249 Garcia Drive **Property ID Number:** 13318

Legal Description: Lot 3 in M. A. V. Subdivision

Request: The grant of final approval for the re-platting of a 0.346-acre tract into a two 7,536 square foot lots, including a subdivision variance to proceed directly to final re-plat approval without first having obtained preliminary re-plat approval.

B. Subject Property Information

Parcel Size: 15,104.36 square feet

Topography: Generally flat

Vegetation: Native vegetation

Existing Use: Vacant

Zoning: Meets or exceeds the *R-2 Second One-Family Dwelling District* Standards

Master Plan: Not applicable as this is in the ETJ

C. Vicinity Data

The site is located within an area that features residential developments consistent with the 5,000-square foot lot size of the R-2 district.

D. Infrastructure

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

Access to the site is provided by Garcia Drive.

II. PUBLIC NOTICE

Public notification of the subdivision with variance requests 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*. 11 notices were mailed to the abutting property owners within a 500 foot radius of the subject property on November 4, 2022.

III. RECOMMENDED FINDINGS OF FACT

A. Conclusions

1. The applicant's request contains sufficient information for consideration by the Planning and Zoning Commission. Information contained in this report and the Commission's public meeting will be used as part of the City Council's deliberation process for the re-subdivision. Please refer to Attachment 1.
2. Final re-plat approval is contingent upon the Commission's approval of subdivision variance request.
3. The applicant must demonstrate that the proposal complies with the subdivision variance criteria set forth on *Section 23-11(a)* and *Section 23-11(c)*. Please refer to Attachment 2 for a copy of the subdivision variance request.

First Variance Decision Criteria

Section 23-11(a)(1). The variance regarding the final re-plat approval is consistent with this section of the city code, as the strict application of the requirement to receive preliminary re-plat approval for a 2-lot subdivision that currently contains all required supporting public infrastructure, including easements, would deprive the applicant of the reasonable subdivision of their land. A review of the preliminary plat by both the Planning and Zoning Commission and City Council constitutes a procedural exercise that is not warranted.

Second Variance Decision Criteria

Section 23-11(a)(2). The variance regarding final re-plat approval is also consistent with this section of the city code, as the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant. The subdivision design is consistent with the *R-1 First One-Family Dwelling District*. The residential use of the property will allow the enjoyment of a property right permitted by the City code.

Third Variance Decision Criteria

Section 23-11(a)(3). The variance regarding final re-plat approval is also consistent with this section of the city code, as there is no anecdotal evidence which indicates that the granting of the variance would be detrimental to the public health, safety, or welfare, or injurious to other property in the area.

Fourth Variance Decision Criteria

Section 23-11(a)(4). The portion of the variance regarding final re-plat approval is also consistent with this section of the city code, as there is no documentation which indicates that granting the variance would have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of *Chapter 23*.

Fifth Variance Decision Criteria

Lastly, the variance regarding final re-plat approval is also consistent with *Section 23-11(c)*, as the granting of the variance will allow for the creation of a subdivision that was in harmony with the general purpose and intent of *City of Eagle Pass Code of Ordinances Chapter 23*. The subdivision contains design features which will secure the public health, safety and welfare and provide for the fair and equitable processing of the final plat.

The subdivision variance is consistent with the subdivision variance decision criteria set forth in *Section 23-11(a)* and *Section 23-11(c)* and, therefore, should be granted.

4. The re-subdivision site is not located within the boundary depicted on the *City of Eagle Pass Master Plan Map*. The *City of Eagle Pass Master Plan* does, however, provide direction regarding the re-plat of property both within the City and within the City's 5-mile wide *Extraterritorial Jurisdiction (ETJ)*.
5. The *Master Plan* emphasizes the importance of maintaining the character of the residential and commercial neighborhoods located within the City's 5-mile wide *Extraterritorial Jurisdiction (ETJ)*.

- ✓ The re-subdivision is consistent with the *Housing Goals* of the *Master Plan*, as the subdivision process will ensure appropriate land development regulation with appropriate lot sizes, paved streets with curb and gutters, and adequate utility services.

- ✓ The re-subdivision is consistent with the *Land Use Development Goals* of the *Master Plan*, as the project is designed to provide for a building lot density that is consistent with the purpose of the *R-2 Second One-Family Dwelling District*.

This design will allow for the continuing development of the community while retaining the neighborhood character and scale while providing utility services in the most and efficient and equitable manner.

- ✓ The re-subdivision is consistent with the *Street Goal* of the *Master Plan*, as access to the site from Garcia Drive is designed to provide the residents of

and visitors to Eagle Pass and Maverick County with a street system that will enable them to travel safely and conveniently.

- ✓ The re-subdivision is consistent with the *Thoroughfare Goals* of the *Master Plan*, as Garcia Drive has been designed to be part of a safe and efficient thoroughfare system.

- ✓ The re-subdivision is consistent with the *Storm Drainage Goals* of the *Master Plan*, as the size of the two lots and the eventual density of 2-dwelling-units on the re-plat site will not adversely impact existing area drainage effectiveness.

6. The re-subdivision design is consistent with the purpose of the *R-2 Second One-Family Dwelling District*.
7. The re-subdivision design is consistent with City design and specifications, as the project is designed and conditioned to conform to the following sections of *Article IV* in *Eagle Pass Code of Ordinances Chapter 23*:

- ✓ *Section 23-62* governing utility easements
- ✓ *Section 23-64* governing sidewalks
- ✓ *Section 23-66* governing sanitary sewage disposal
- ✓ *Section 23-67* governing potable water supply and fire flow
- ✓ *Section 23-68* governing storm drainage
- ✓ *Section 23-69* governing the size of building lots, including lot width, lot depth, lot orientation
- ✓ *Section 23-71* governing the installation and inspection of utility lines

Please refer to Attachment 3 for a copy of the final engineering report for the proposal.

8. The re-subdivision is not required to be consistent with the City design and specifications for landscape and tree preservation set forth in *Article VI* in *Eagle Pass Code of Ordinances Chapter 23* because it is located outside the city limits.
9. The re-subdivision will conform with the parkland dedication requirements set forth in *Article V* in *Eagle Pass Code of Ordinances Chapter 23*, as the original plat was created prior to the enactment of the City's parkland dedication requirements in 2005. As a result, the applicant will provide a \$575.00 per lot fee in lieu of parkland dedication the Maverick Planning Department.
10. The re-subdivision's conformance with the provisions of the *Master Plan* and the *Eagle Pass Code of Ordinances* will facilitate the following benefits:
 - Protect private rights while considering public health, safety, and welfare.
 - Provide for efficient and economical ways to move people and goods outside the City by an adequate plan for streets and highways.
 - Guide future development in an orderly manner, by stages according to a pattern, so that the County may have a balanced land use.
 - Encourage a diversified economic base and encourage public and private investments in land and improvements.
 - Prevent and eliminate blight and slums, making the County attractive to people, commerce, and industry.
 - Create the desire for a more pleasing appearance of the County and incorporate into its physical development the basic principles of good design.
 - Protect and preserve the identity of each neighborhood through use of the guidance provided by the *Master Plan* and the *Code of Ordinances*.
 - Locate all land uses on land best suited for their needs, arranged in such a way as to be mutually beneficial and functional, with ample area to meet long-term needs.
 - Establish a proper relationship between open space, developed areas, building bulk, light and air space, in all future development programs of land use.
 - Encourage and abet the development of civic, cultural, and other public and quasi-public buildings in harmonious and functional groupings.
11. The re-subdivision will allow for a use of the property that is consistent with the residential purpose of the *R-2 Second One-Family Dwelling District* and the surrounding neighborhood for the following reasons:
 - A. The re-subdivision design bears a substantial relationship to the public's health, safety, and welfare.
 - B. The re-subdivision is in accordance with the policies of the *Master Plan* and the residential purpose of the *R-2 District*.
 - C. The subdivision is warranted because of the necessity to create additional building lots in the *R-2 District*, and because the proposed development is appropriate to accomplish the reasonable use of the property.
 - D. The subject property is suitable for development in general conformance with development standards of the *R-2 District*.
 - E. The re-subdivision will benefit the County as a whole and will not be detrimental to nearby land uses of a similar nature.
 - F. The re-subdivision has been designed and conditioned to comply with all applicable subdivision criteria and standards of the City of Eagle Pass.

12. The final approval of this re-plat request is warranted, as the project conforms to the *City of Eagle Pass Master Plan* and the *City of Eagle Pass Code of Ordinances* as noted in Conclusion 1 through and including Conclusion 11 of this report.

B. Planning Department Recommendation

The Eagle Pass Planning and Zoning Commission (1) **GRANT** the subdivision variance request to proceed directly to final plat approval without first having obtained preliminary re-plat approval, and (2) **GRANT** final approval of the *Replat of Lot 3 in M. A. V. Subdivision*, subject to the plat complying with the provisions of *Article III* in *City of Eagle Pass Code of Ordinances Chapter 23* governing procedures and specifications for Final Plats.

TRANSMITTED to the parties listed hereafter:

TEC Services via e-mail

Maverick County Planning Department via e-mail

Eagle Pass Planning and Zoning Commission via e-mail

Planning & Zoning Commission Report dated November 8, 2022

Attachment 1
Application



PLANNING DEPARTMENT

3295 Bob Rogers Drive, Eagle Pass, Texas 78852 • Phone: (830) 773-778 • Fax: (830) 773-7803

SUBDIVISION APPLICATION

TYPE OF SUBDIVISION (check one):

☐ Preliminary ☒ Final ☐ Replat ☐ Amendment ☐ Short Form Final

Property Legal Description: Lot No. 3, in the M.A.V. Subdivision

Maverick County Property Identification Number(s): 13318

Name of Addition: Replat Lot 3 M.A.V. Subdivision

Location of Addition: 249 Garcia Dr., Eagle Pass, TX 78852

Number of Residential Lots: 2 Number of Commercial Lots: 0 Gross Acreage: 0.345

Number of New Street Intersections: 0 Linear feet of Streets: 0

Is Subdivision inside city limits? Yes ☐ No ☒ If so, Zoning District: _____

Existing Land Use: Residential Proposed Land Use: Residential

Requested Variances: Variance to proceed to Final Plat given existing street and utility improvements.

PROPERTY OWNER:

Name: Twin Torres Homes, LLC

Address: 2860 Memorial Jr. High Dr.

City: Eagle Pass

State: TX Zip: 78852

Signature: _____

Contact: Jonathon Torres

Phone: 830-872-9673

Fax: N/A

E-mail: matorres@15094@hotmail.com

Date: 3/24/22

PROPERTY OWNER:

Name: Twin Torres Homes, LLC

Address: 2860 Memorial Jr. High Dr.

City: Eagle Pass

State: TX Zip: 78852

Signature: _____

Contact: Marco Antonio Torres

Phone: 830-872-9673

Fax: N/A

E-mail: matorres@15094@hotmail.com

Date: 3-24-22

APPLICANT/SUBDIVIDER:

Name: TEC Services
Address: 3292 El Indio Hwy
City: Eagle Pass
State: TX Zip: 78852
Signature: [Signature]

Contact: Aaron Libson
Phone: 830-773-0579
Fax: 830-773-7312
E-mail: ajlibson@terratechengineering.com
Date: 7/26/22

SURVEYOR:

Name: J.J. Ruiz
Address: 3292 El Indio Hwy
City: Eagle Pass
State: TX Zip: 78852
Signature: [Signature]

Contact: Aaron Libson
Phone: 830-773-0579
Fax: 830-773-7312
E-mail: ajlibson@terratechengineering.com
Date: 7/26/22

ENGINEER:

Name: Florentino Caballero
Address: 3292 El Indio Hwy
City: Eagle Pass
State: TX Zip: 78852
Signature: [Signature]

Contact: Florentino Caballero
Phone: 830-773-0579
Fax: 830-773-7312
E-mail: fcaballero@terratechengineering.com
Date: 7/26/22

PRINCIPAL CONTACT: ☐ Owner ☒ Applicant ☐ Surveyor ☐ Engineer

All City communication regarding the subdivision will be directed only to the designated principal contact.

STATEMENT OF APPLICANT

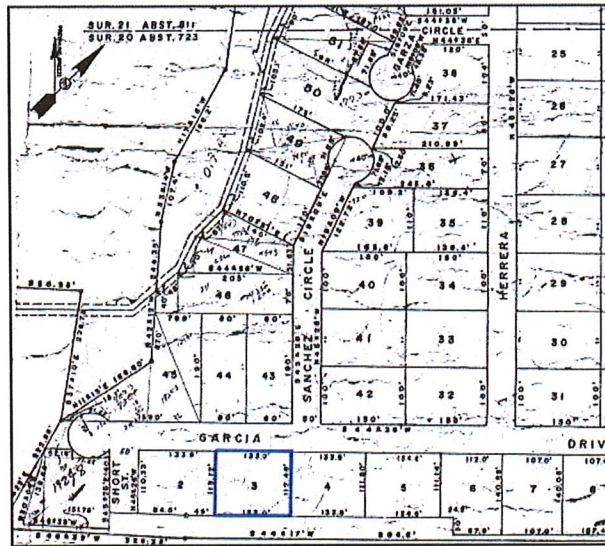
The information contained in this subdivision application contains true and accurate information provided to the best of my ability. I acknowledge that the City of Eagle Pass will use the information contained herein as the basis for the review of the subdivision application's conformance with the provisions of City of Eagle Pass Code of Ordinances Chapter 23.

I understand that the City of Eagle Pass may use third party engineering peer review services. I acknowledge and agree that I am responsible for the payment of services attributable to my project, and that the preliminary approval process or final approval process will not proceed until and unless I have provided payment for the aforementioned services.

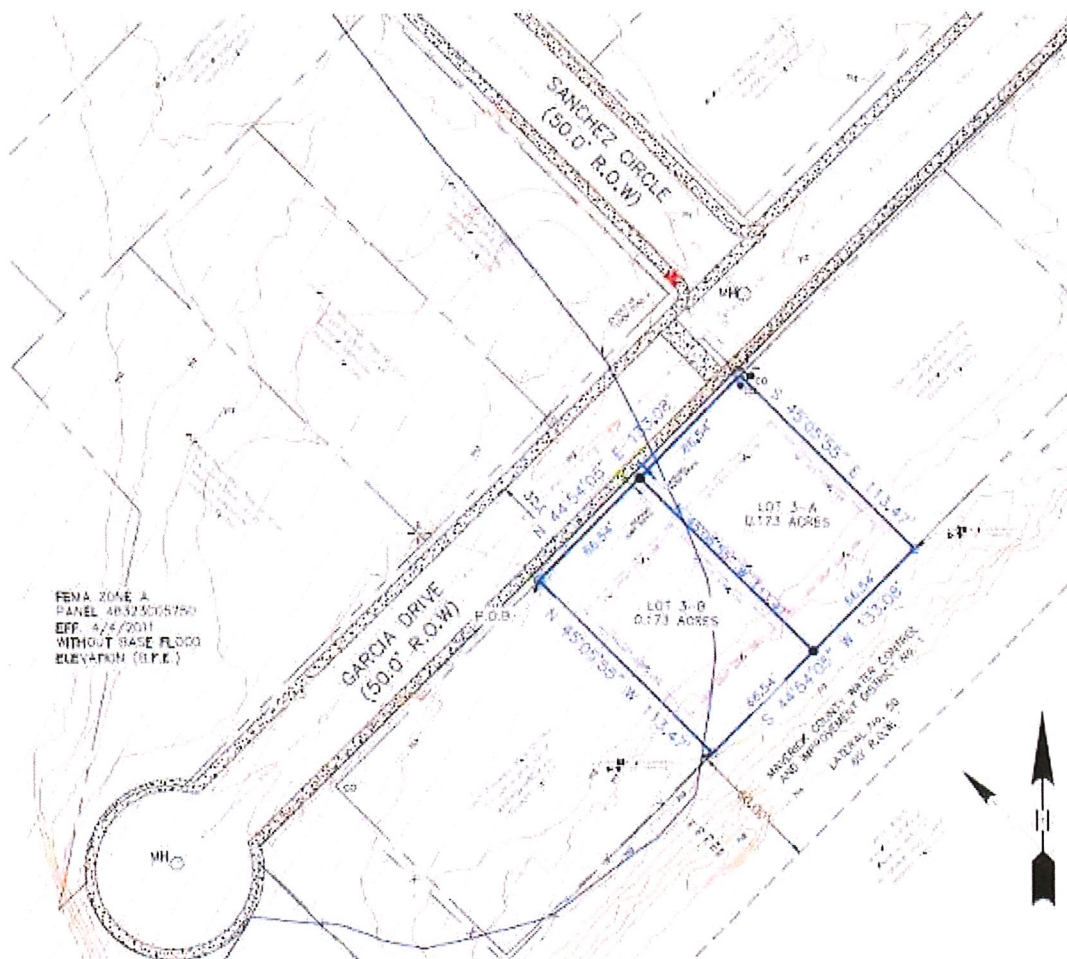
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Applicant Signature

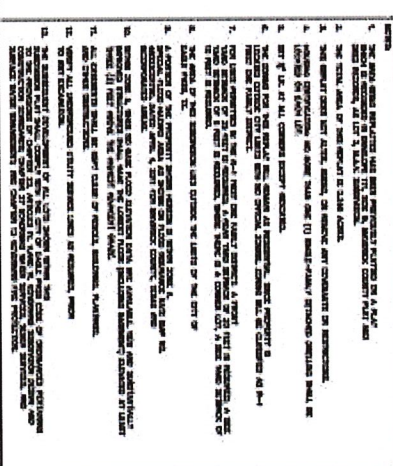
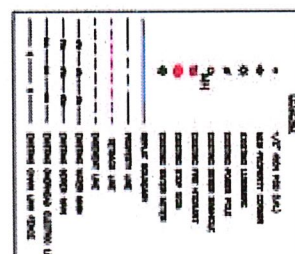
7/26/22
Date





ORIGINAL PLAT OF LOT 3
M.A.V. SUBDIVISION
(ENVELOPE 111, SIDE B M.C.M.R)



[illegible]

JDE 5103-22
 SHEET 1 OF 1
 DEPARTMENTAL
 DIVISION 02A
 CREWING ALJ/M

Attachment 2
Subdivision Variance Request(s)



PLANNING DEPARTMENT

3295 Bob Rogers Drive, Eagle Pass, Texas 78852 • Phone: (830) 773-776 • Fax: (830) 773-7863

SUBDIVISION VARIANCE APPLICATION

Applicant Information

Applicant (If not owner): TerraTech Engineering and Construction Services

Address: 3292 El Indio Hwy, Eagle Pass, TX, 78852

Phone: 830-773-0579

E-mail: ajlibson@terratechengineering.com

Owner: Twin Torres Homes, LLC

Address: 2860 Memorial Jr. High Drive Eagle Pass, TX 78852

Phone: 830-872-9673

E-mail: matorres15094@hotmail.com

Property Information

Site Address: 249 Garcia Dr. Eagle Pass, TX 78852 MCAD Property ID No. 13318

Legal Description (from deed): Being all that certain tract or parcel of land, together with all improvements thereon, lying and being situated in Maverick County, Texas and described as Lot 3, in M.A.V. Subdivision in Maverick County, Texas which is of Record in Envelope 111 395 B, Map Records of Maverick County, TX.

Description of Subdivision Variance Request

Variance to proceed straight to Final Plat given existing infrastructure.

Detailed Explanation of Subdivision Variance Request

Please answer, on a separate sheet of paper if necessary, the following questions:

What are the special circumstances or conditions affecting the land involved such that the strict application of the provisions of the subdivision code would deprive the application of the reasonable use of their land?

This variance is required to proceed straight to final plat, since existing infrastructure such as utility mains and paved street access are already existing, the preliminary plat process has essentially already been completed and can proceed to final.

How is the variance necessary for the preservation and enjoyment a substantial property right of the applicant?

This variance is necessary for the property owner to proceed to final plat and be able to replat/subdivide their property and obtain the proper utility services to their respective properties.

Describe how the granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other property in the area.

The granting of this variance will not be detrimental to public health, safety, or injurious to other property in the area as it is just paperwork required to be able to proceed to the final plat process.

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

This variance is required of all property owners seeking to replat an existing platted lot to be able to legally finalize their proposed re-subdivision. This should not effect the orderly subdivision of other land in the area.

Required Application Attachments

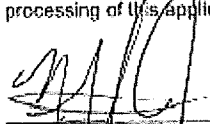
The following documentation is required to be attached to this application:

- A copy of a survey map prepared by a licensed surveyor.
- A copy of a 'run sheet' for the property detailing prior deed history, which can typically be obtained at a title company.

Applicant Authorization

I authorize the City of Eagle Pass to conduct any site visits necessary to evaluate this subdivision variance 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 subdivision variance request. I further attest that I have the authority to submit this application and agree to comply with any and all conditions if a subdivision variance approval. I agree to provide any additional information requested by the City of Eagle Pass as they deem necessary for the processing of this application.



Applicant Signature

7/26/22
Date

Attachment 3
Final Engineering Report



To: Placido Madera

City of Eagle Pass Planning Director

From: Florentino Caballero, P.E.

Date: October 19, 2022

Reference: Final Engineering Report for Replat of Lot 3, MAV Subdivision

Mr. Madera,

Twin Torres Home, LLC, owner of property legally described as 'Lot 3, M.A.V. Subdivision', has requested that TerraTech Engineering and Construction Services (TEC Services) prepare a Replat of this property to legally subdivide it into (2) Two Residential Lots. This property is located at 249 Garcia Drive. The property is located outside the Eagle Pass City Limits, but within the 5-mile Extra-Territorial Jurisdiction (E.T.J.) and is currently Platted as One (1) Residential Lot. The property was illegally subdivided by metes and bounds, and as a result there is currently (3) three different property owners with deeds in their allocated portions that currently reside on this 5 acre property of which two already have homes and/or trailers on the premises. Is vacant, and has access to existing sewer, water, cable, and electric utilities. As a result, we are proceeding straight to the Final Plat process given the existing conditions.

General Description

The subject Plat has a total area of 0.346 Acres and measures approximately 114' x 133' (see attached Replat Sheet for reference). The subject tract will be Replatted into (2) equal Lots, Lot 3-A and Lot 3-B, each measuring approximately 7,536 Square Feet in area. The property has frontage towards Garcia Drive and has access to paved streets. All utility infrastructure including water, sewer, electricity, and cable is already existing along the frontage of the property. This Replat will be presented to proceed straight to Final due to the existing conditions. This property is located outside the Eagle Pass City Limits and is not currently zoned, but is situated within a residential neighborhood area. Given that it is within the 5-Mile E.T.J., the proposed zoning will be R-1: First One-Family Dwelling District.

Drainage

General Drainage Description

A portion of the replat area of this subdivision is located within a FEMA Special Flood Hazard area Zone A as shown on the replat sheet. The subject property is generally flat, but towards the middle to rear lot line, starts sloping from the Northwest to the Southeast direction. Given that this property is already platted as part of a residential subdivision, and is already developed, no drainage improvements will be required. For platting purposes, Hydraulic Calculations are provided below only as reference. Since the property is already developed as a residential lot, only one set of calculations will be provided.

Existing Drainage Conditions

The existing drainage conditions of this developed tract of land can be analyzed using the Rational Method. The peak rate of runoff, Q , in cubic feet per second is calculated as follows:

$$Q = C \times I \times A$$

where C = runoff coefficient

I = average rainfall intensity in inches per hour

A = tributary drainage area in acres

The parameters used in the analysis of the existing drainage of this developed tract are presented in Table 1 below.

Table 1. Existing & Developed Drainage Parameters

Parameter	Value
t_c	5 min
C_d	0.60
I_{10}	7.43 in/hr
I_{100}	10.32 in/hr
Watershed Area, A	0.346 acres

The peak rates of runoff for the existing undeveloped lots are

$$Q_{10} = C_d \times I_{10} \times A$$

$$Q_{10} = 0.60 \times 7.43 \times 0.346 = 1.54 \text{ cfs}$$

$$Q_{100} = 1.25 \times C_d \times I_{100} \times A$$

$$Q_{100} = 1.25 \times 0.60 \times 10.32 \times 0.346 = 2.67 \text{ cfs}$$

The estimated runoff for the entirety of the residential property for a ten (10) and one hundred (100) year return period are 1.54 cfs and 2.67 cfs, respectively.

The calculations provided in this report are simply for Platting purposes. No drainage improvements are required.

Street

This property has paved street access along Garcia Drive. Luminaries are visible along the property. Please refer to Replat sheet for locations.

There is an existing fire hydrant located along Sanchez Circle across the subject property. Please refer to Replat Sheet for location.

Water Service

There is an existing 8" Water Main that runs along the frontage of this property. Please refer to the replat for details. Proposed Lot 3-B has an existing water service from when it was originally platted. A new water service will be extended to Proposed Lot 3-A when developed. All Water Mains in this area are operated by Eagle Pass Water Works.

Sanitary Sewer Service

There is an existing 8" Sanitary Sewer Main that runs along the frontage of the property. This property has access to a sewer service lateral from the existing sewer main. Proposed Lot 3-A has an existing sewer service from when it was originally platted. A new sewer service will be extended to Proposed Lot 3-B when developed. All Sewer Mains in this area are operated by Eagle Pass Water Works.

Other Utilities

The subject property has access to other utilities such as electricity, phone, cable, and natural gas via the frontage and ROW of the property.

Conclusion

The existing and proposed use of this property is Residential. The proposed Replat will not have an impact on the current use, drainage patterns, or utilities as required infrastructure for Platting is already built-out.

Should you have any additional questions concerning this report, please contact Florentino Caballero, P.E. at (830) 773-0579 or fcaballero@terratechengineering.com or ajlibson@terratechengineering.com

Sincerely,

Florentino Caballero, P.E.

TEC Services



10/19/2022



AGREEMENT REGARDING WATER SERVICE FOR THE PROPOSED

Replat of Lot 3, M.A.V. SUBDIVISION

PARTIES: This Agreement is by and between "the Utility" and "the Subdivider", to wit:
"The Utility" is the governing board or owner of a supplier of drinking water known as EAGLE
PASS WATER & WASTEWATER SYSTEM.

"The Subdivider is TerraTech Engineering & Construction Services, who is the owner, or
the authorized agent of the owner, of a tract of land in Maverick County, Texas, that has been
proposed to be divided into a subdivision ("the Subdivision") known as _____
Replat of Lot 3, M.A.V. Subdivision.

TERMS: This Agreement is entered into in partial satisfaction of requirements under the
Texas Water Development's Board Economically Distressed Areas Program "Model
Subdivision Rules". The Subdivider has prepared a plat of the Subdivision for
submission to Maverick County and the City of Eagle Pass for their respective approval.

The Subdivider plans to construct for the Subdivision a drinking water distribution
system to be connected to the Utility's water supply system. The Utility has reviewed the
plans for this subdivision ("the Plans") and has estimated the drinking water flow
anticipated to be needed by the Subdivision under fully built-out conditions ("the
estimated water flow") to be approximately
660 gallons daily.

The Utility warrants that necessary arrangements have been made to supply the
anticipated water flow for at least thirty years (30). The Utility covenants that it has or
will have the capacity to provide the anticipated water flow, and that it will provide that
water flow. The covenants will be in effect until thirty years (30) after the plat of the
Subdivision has been recorded and the Subdivision's water distribution has been
connected to the Utility's water supply system.

The Subdivider covenants that the water distribution system be constructed as shown in the Plans and as provided for through the plat approval process so that the residents of the lots of the Subdivision may receive drinking water service from the Utility. Upon completion of the water distribution system and upon its approval and acceptance by the Utility, the Subdivider will convey to the Utility all right and title to the water distribution system.

The above provisions notwithstanding, this Agreement shall no longer be in effect if the plat of the Subdivision is not approved by Maverick County and the City of Eagle Pass.

By affixing his or her signature to the Agreement, the person signing for the Utility warrants that he or she is authorized to sign this Agreement on behalf of the Utility. By affixing his or her signature to this Agreement, the person signing for the Subdivider warrants that he or she is authorized to sign this Agreement on behalf of the Subdivider.

This Agreement is effective on August 17, 2022.

The Utility

By: Marco Salinas

Printed Name: MARCO SALINAS

Office or Position: CHAIRMAN

Date: 8/17/2022

The Subdivider

By: Aaron Libson

Printed Name: Aaron Libson

Office or Position: General Manager (TEC Services)

Date: 8/7/2022

Note: The above form of agreement may be used when required under Model Rule Sections 2.2 (a) (2) and 3.2 (c) (1), which appear respectively as Sections 4.2.2.A.2 and 4.3.4.C.1 in both Title A and Title B of the Maverick County Subdivision Rules, Revised July 1996.



AGREEMENT REGARDING WASTEWATER TREATMENT SERVICE FOR THE

PROPOSED Replat of Lot 3, M.A.V. **SUBDIVISION**

PARTIES: This Agreement is by and between "the Utility" and "the Subdivider", to wit:

"The Utility" is the governing board or owner of a provider of wastewater treatment known as

EAGLE PASS WATER & WASTEWATER SYSTEM.

"The Subdivider is TerraTech Engineering & Construction Services, who is the owner, or

the authorized agent of the owner, of a tract of land in Maverick County, Texas, that has been

proposed to be divided into a subdivision ("the Subdivision") known as

Replat of Lot 3, M.A.V. Subdivision

TERMS: This Agreement is entered into in partial satisfaction of requirements under the Texas Water Development's Board Economically Distressed Areas Program "Model Subdivision Rules". The Subdivider has prepared a plat of the Subdivision for submission to Maverick County and the City of Eagle Pass for their respective approval.

The Subdivider plans to construct for the Subdivision a wastewater collection system to be connected to the Utility's wastewater treatment system. Such wastewater will consist of domestic sewage, i.e., waterborne human waste and waste from domestic activities such as bathing, washing, and food preparation. The Utility has reviewed the plans for this subdivision ("the Plans") and has estimated the wastewater flow projected by the Subdivision under fully built-out conditions ("the projected wastewater flow") to be approximately 400 gallons daily.

The Utility warrants that necessary arrangements have been made to supply the anticipated water flow for at least thirty years (30). The Utility covenants that it has or will have the capacity to provide the anticipated water flow, and that it will provide that water flow. The covenants will be in effect until thirty years (30) after the plat of the Subdivision has been recorded and the Subdivision's water distribution has been connected to the Utility's water supply system.

The Subdivider covenants that the wastewater collection system be constructed as shown in the Plans and as provided for through the plat approval process so that the residents of the lots of the Subdivision may receive wastewater treatment service from the Utility. Upon completion of the wastewater collection system and upon its approval and acceptance by the Utility, the Subdivider will convey all right and title to the wastewater collection system.

The above provisions notwithstanding, this Agreement shall no longer be in effect if the plat of the Subdivision is not approved by Maverick County and the City of Eagle Pass.

By affixing his or her signature to the Agreement, the person signing for the Utility warrants that he or she is authorized to sign this Agreement on behalf of the Utility. By affixing his or her signature to this Agreement, the person signing for the Subdivider warrants that he or she is authorized to sign this Agreement on behalf of the Subdivider.

This Agreement is effective on August 17, 2022.

The Utility

By: Marco Salinas

Printed Name: MARCO SALINAS

Office or Position: CHAIRMAN

Date: 8/17/2022

The Subdivider

By: Arnon Libson

Printed Name: Arnon Libson

Office or Position: General Manager (TEC Services)

Date: 8/17/2022

Note: The above form of agreement may be used when required under Model Rule Sections 2.2 (a) (2) and 3.2 (c) (1), which appear respectively as Sections 4.2.2.A.2 and 4.3.4.C.1 in both Title A and Title B of the Maverick County Subdivision Rules, Revised July 1996.

Item #5



Planning Department Executive Summary REPORT TO THE PLANNING & ZONING COMMISSION

Home2Suites Rezone Request

I. BACKGROUND

A. General Information

Applicant: Applicant: EC Services | 3292 El Indio Highway | Eagle Pass, Texas 78852

Developer: H2EP, LLC | Eagle Pass, Texas 78852

Location: 3386 E. Main Street (US Hwy 277) **Property ID Number:** 52474 & 52476

Legal Description: Being a 2.05-acre tract of land out of Maverick Estates, recorded in Book 1220, Page 466, Map Records, Maverick County, Texas, situated in Survey 6, Abstract 1110, Fox & Byrne, Maverick County, Texas and a 1-acre tract of land, more or less, out of a 3.075-acre tract of land conveyed to Jose I. Ruiz and Carolina Ruiz, recorded in Book 666, page 130, Deed Records, Maverick County, Texas, situated in Survey 6, Abstract 1110, Fox & Byrne, Maverick County, Texas.

Request: Rezone parcel from B-1 Neighborhood Business District to B-3 General Business District

B. Subject Property Information

Parcel Size: 3.05-acre tract **Existing Use:** Runoff drains from south to north

Zoning District: *B-1 Neighborhood Business District* **Master Plan:** Commercial

Proposed Use: Hotel site

C. Vicinity Data

The site is located with an area that is primarily comprised of commercial developments.

D. Infrastructure

Property is currently served by public utilities/franchises, including water, sanitary sewer, storm sewer, telephone, electric service, gas, garbage, and cable. Access to the site will be provided by Main Street, also known as US Hwy 277.

II. PUBLIC NOTICE

Public Notification of the Planning and Zoning Commission public hearing to consider the rezone request was completed consistent with the provisions of *Chapter 211 of the State of Texas Local Government Code Title 7*.

III. RECOMMENDED FINDINGS OF FACT

A. Conclusions

1. Section 1(b)(4) of *Eagle Pass City Charter Article IX* authorizes the Planning and Zoning Commission to recommend or disapprove proposed changes to the *City of Eagle Pass Zoning Plan*. A request for a change in a zoning district designation for a property constitutes a change to the *zoning plan* and the *zoning plan map*.

2. The applicant's request contains sufficient information for consideration by the Eagle Pass Planning and Zoning Commission. Information contained in this report and the Commission's associated public meeting will be used by the City Council in their consideration of the rezone request. Please refer to Attachment 1.

3. The *Master Plan* is the primary document used in the analysis as to the appropriateness of a rezone request. The *Master Plan Map* provides direction as to the areas of the City in which residential, commercial, and industrial development is to be situated.

4. The 'Housing Goals' of the *Master Plan* are applicable to this rezone, as the eventual use of the site will be residential. The rezone, if granted, will result in construction activities that will include the enforcement of appropriate land development regulations resulting in appropriate lot sizes, paved streets with curb and gutters, sidewalks, and adequate utility services.

5. The rezone request is consistent with the 'Land Use Development Goals' of the *City of Eagle Pass Master Plan*. The request to change from the *B-1 Neighborhood Business District* to *B-3 General Business District* will allow for a continuation of the development in the neighborhood while retaining the community's character and scale. The change will facilitate the ultimate development of urban uses in a compatible arrangement that will make the community attractive to both residents and visitors and desirable to quality investments, while improving the residential and commercial environment of the city.

The purpose of the rezone is to allow for subsequent construction of a hotel site on the property. All construction will comply with all applicable state and local codes.

6. The rezone request is consistent with the *Master Plan's* 'Street Objectives', 'Thoroughfare Goals', and 'Thoroughfare Objectives', as access to the rezone site will be provided by US Highway 277.

7. The rezone request conforms to the purpose of the City's zoning code, as the subsequent development of the property will result in a use that is consistent with intent of the *B-3 General Business District* and consistent with residential uses in the vicinity of the site, with a view to conserving the value of buildings and encouraging the most appropriate use of land adjacent that will have access to a public street. Please refer to Attachment 2 for a copy of the City's *Zoning District Map*.

8. The property is in an area that contains commercial uses and should allow for property to be rezoned to a higher and better use. Please refer to Attachment 1 for a photograph of the rezone site.

9. The rezone request has been conditioned to insure conformance with the direction provided in the *Master Plan's* 'Storm Drainage Goals' and 'Storm Drainage Objectives'.

10. The rezone request is consistent with both the goals and objectives of the *Master Plan* and the purpose of the *City of Eagle Pass Code of Ordinances Appendix A* governing zoning as set forth in Conclusion 1 through 9 of this Report. The rezone request, therefore, should be approved.

B. Planning Department Recommendation

The Planning and Zoning Commission recommend that the City Council prepare and **ADOPT** an Ordinance granting a zoning district change *B-1 Neighborhood Business District* to *B-3 General Business District* for property legally defined as a 2.05-acre tract of land out of Maverick Estates, recorded in Book 1220, Page 466, Map Records, Maverick County, Texas, situated in Survey 6, Abstract 1110, Fox & Byrne, Maverick County, Texas and a 1-acre tract of land, more or less, out of a 3.075-acre tract of land conveyed to Jose I. Ruiz and Carolina Ruiz, recorded in Book 666, page 130, Deed Records, Maverick County, Texas, situated in Survey 6, Abstract 1110, Fox & Byrne, Maverick County, Texas, also known 3386 E. Main Street, subject to the following condition:

1. Subsequent development of the property shall comply with the following sections in the City of Eagle Pass *Code of Ordinances*:
 - Chapter 8 governing buildings
 - Chapter 12 governing the electrical code
 - Chapter 13 governing the fire code
 - Chapter 14 governing garbage and rubbish
 - Chapter 21 governing plumbing
 - Chapter 22 governing streets, sidewalks and other public places
 - Chapter 27 governing water and sewers, including drainage
 - Appendix A governing zoning, governing off-street parking

TRANSMITTED to the parties listed hereafter:

TEC Services via e-mail
Planning and Zoning Commission Members via e-mail
Eagle Pass Planning Department Report dated October 24, 2022

Attachment 1
Application



PLANNING DEPARTMENT

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

ZONING CHANGE APPLICATION

Case No: _____

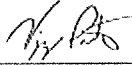
Applicant Information	Name: <u>DNS Hospitality, LLC</u>
	Mailing Address: <u>6403 W Highway 290, Austin, TX 78735</u>
	Phone: <u>512-630-0825</u> E-mail: <u>vjpatel13@gmail.com</u>
	Note: If you are not the owner of the property, you must attach a letter from the owner authorizing you to submit this application.

Property Owner Information	Name: <u>DNS Hospitality, LLC</u>
	Mailing Address: <u>6403 W Highway 290, Austin, TX 78735</u>
	Phone: <u>512-630-0825</u> E-mail: <u>vjpatel13@gmail.com</u>

Property Information	Site Address: <u>1939 N Veterans Blvd</u> MCAD Property ID # <u>53454</u>
	Legal Description: Lot(s) <u>4</u> Block _____ Subdivision <u>DNS Hospitality Subdivision</u> (Property must be legally subdivided or be lot of record)
	Front Yard Width (feet) <u>25</u> Rear Yard Width (feet) <u>458</u> Side Yard Width (feet) <u>347</u>

Proposed Project	Amend Zoning Regulations contained in section <u>B-3</u>
	Amend the Official Zoning Map & Master Plan by changing <u>3.01</u> acres of land currently zoned <u>B-3</u> to be zoned <u>B-3</u>
	Conforms with the Zoning Map? ☒ Yes ☐ No
	Conforms with Master Plan Designation? ☒ Yes ☐ No
	☒ Vacant Land ☐ Vacant Building ☐ Single Family Dwelling ☐ Commercial
	☐ Multi-Family Dwellings ☐ Industrial ☐ Other _____

Detailed Explanation of Proposed Use	
Proposed Use of Property/Reason for Change:	
Commercial Likely Hotel	
Describe the character and/or nature of uses surrounding the property:	
B1 Surround The Lot	
Will the rezoned designation be compatible with the classification and use of adjoining lands? ☒ Yes ☐ No	
If No, how do you propose to reduce any adverse impact?	
DNS Hospitality owns the land around the site.	

Applicant Authorization	I authorize the City of Eagle Pass to conduct any site visits necessary to evaluate this zoning change 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 zoning change request. I further attest that I have the authority to submit this application and agree to comply with any and all conditions of the zoning change approval. I agree to provide any additional information requested by the City as they deem necessary for the processing of this application.
	 _____ 11/3/2022 Applicant Signature Date

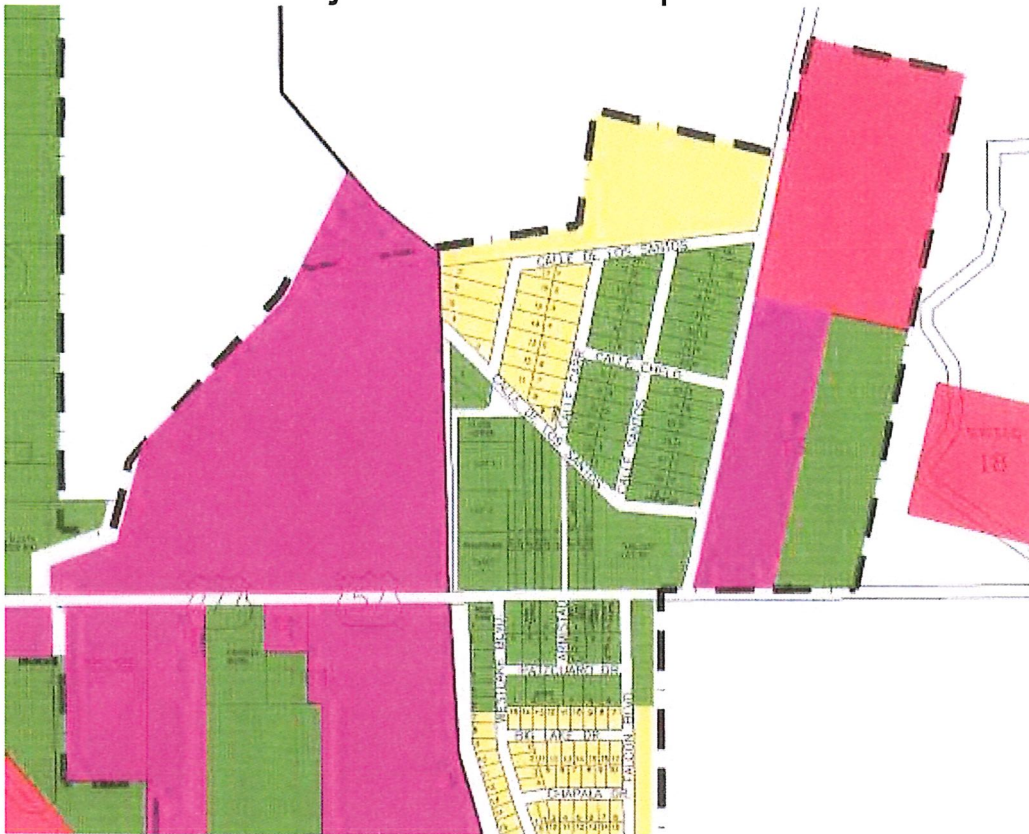
Office Use	Date Application Accepted for Review: _____ By: _____
	Contact Date for Supplemental Info: _____ Supplemental Info Received: _____
	Completeness Review Date: _____ By: _____
	Application Returned to Applicant: _____ (when applicable)

MR 7/2/03

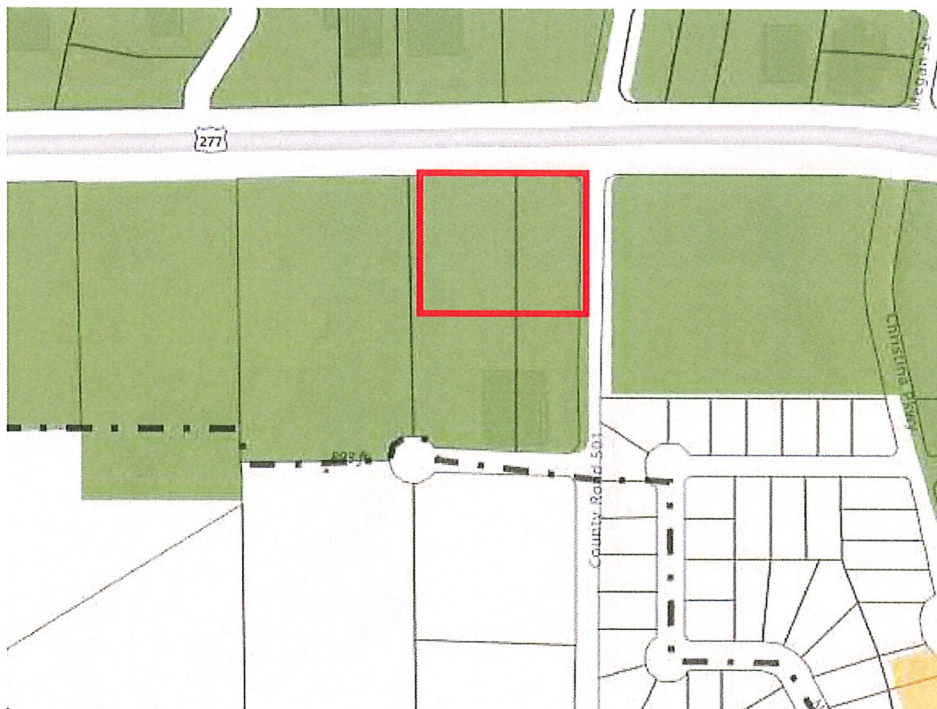
Attachment 2
Zoning Map & Master Plan

Master Plan Map

subject area not depicted



Zoning District Map



Item #6



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: Request for a Conditional Use Permit to allow for the establishment of an events hall, on property located at 169 Ford Street.

B. Subject Property Information

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

Existing Use: Commercial building
Occupancy load: 50 people

Zoning: B2-Central Business District

Master Plan: Commercial

C. Vicinity Data

The property is located within an area featuring commercial and residential at approximately 95.57 feet.

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 foot radius of the subject property on November 23, 2022.

II. 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)* Uses permitted in the B-1, B-2 and B-3 Districts are permitted.

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 an entertainment venue is proposed to be established in an industrial and commercial neighborhood, the primary issues that need to be examined should focus on the hours of operation, the availability of parking, landscaping, storm water, and meeting fire code requirements.

To address these issues, the Planning Department recommendation to approve the *Conditional Use Permit* contains conditions intended to address these concerns among all city and state regulations.

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*.

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.

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.

Please refer to Attachment 2 for a copy of the *Master Plan Map*.

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.

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 character of the neighborhood.

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.

Please refer to Attachment 2 for a copy of the *City of Eagle Pass Zoning District Map*.

6. 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* for the reasons set forth above in Conclusion 1 through and including Conclusion 5 and should be granted by the Commission.

B. Planning Department Recommendation

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

1. The establishment comply with all state and local laws and ordinances.

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

TRANSMITTED to the parties listed hereafter:

Ana Cesiah Clavillo via e-mail

Planning and Zoning Commission Members via e-mail

Eagle Pass Planning Department Report dated December 5, 2022

Attachment 1

Application



PLANNING DEPARTMENT

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

ZONING CHANGE APPLICATION

Case No: _____

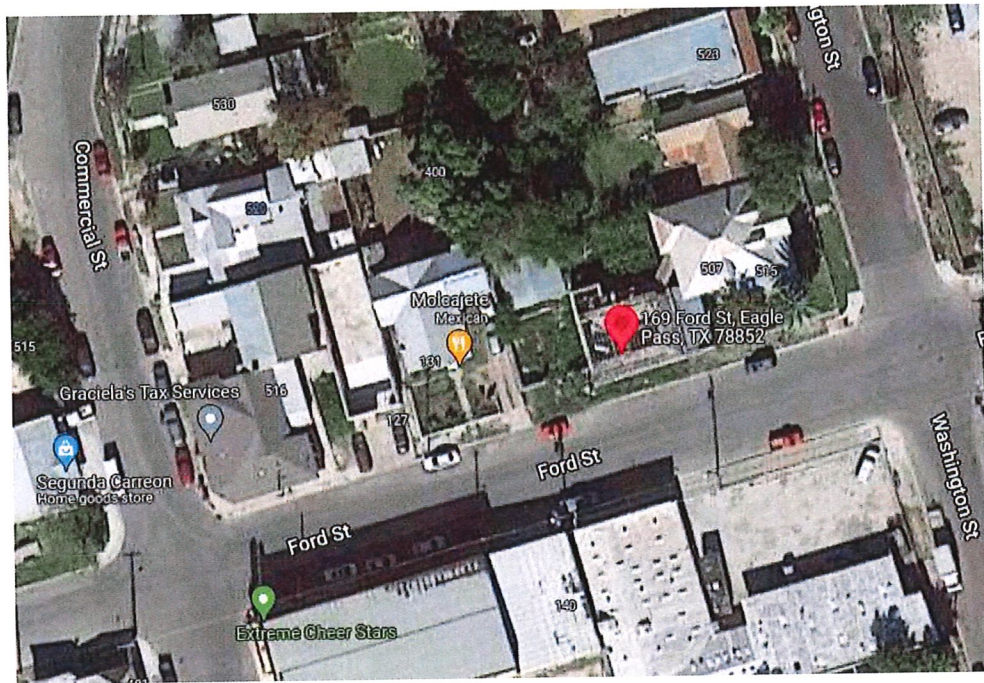
Applicant Information	Name: <u>Ana Cesiah Calvillo</u>
	Mailing Address: <u>1609 Ford St.</u>
	Phone: <u>(830) 421-2929</u> E-mail: <u>Cesiah15@hotmail.com.</u>
	Note: If you are not the owner of the property, you must attach a letter from the owner authorizing you to submit this application.

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>Lot 85 (West 1/2 of South 70-ft)</u> (Property must be legally subdivided or be lot of record) <u>Block 4 in Range Unit 1</u>
	Front Yard Width (feet) _____ Rear Yard Width (feet) _____ Side Yard Width (feet) _____

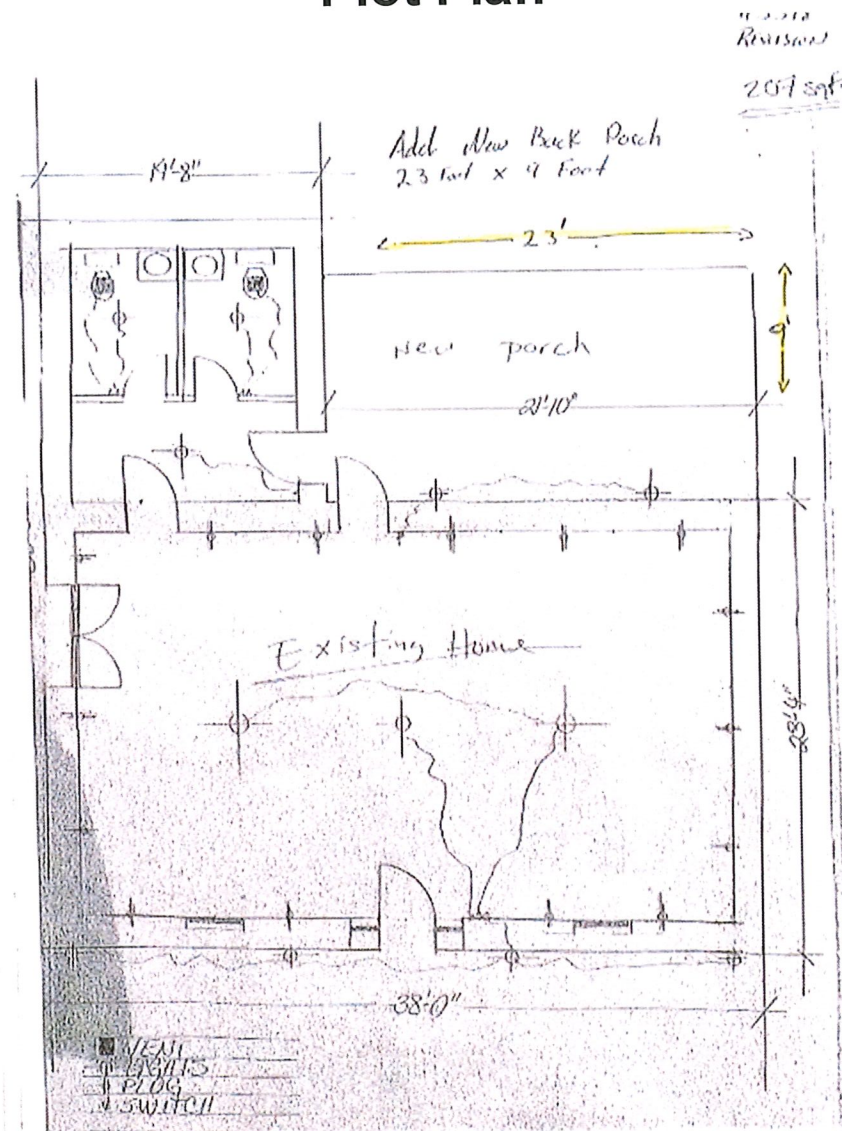
Proposed Project	Amend Zoning Regulations contained in section <u>9</u>
	Amend the Official Zoning Map & Master Plan by changing <u>.1205</u> acres of land currently zoned <u>B-2 Central Bus. Dist.</u> to be zoned <u>B3 General Bus. District</u>
	Conforms with the Zoning Map? ☒ Yes ☐ No
	Conforms with Master Plan Designation? ☒ Yes ☐ No
	☐ Vacant Land ☐ Vacant Building ☐ Single Family Dwelling ☒ Commercial
	☐ Multi-Family Dwellings ☐ Industrial ☐ Other <u>events hall</u>

Aerial Map & Photos of Site



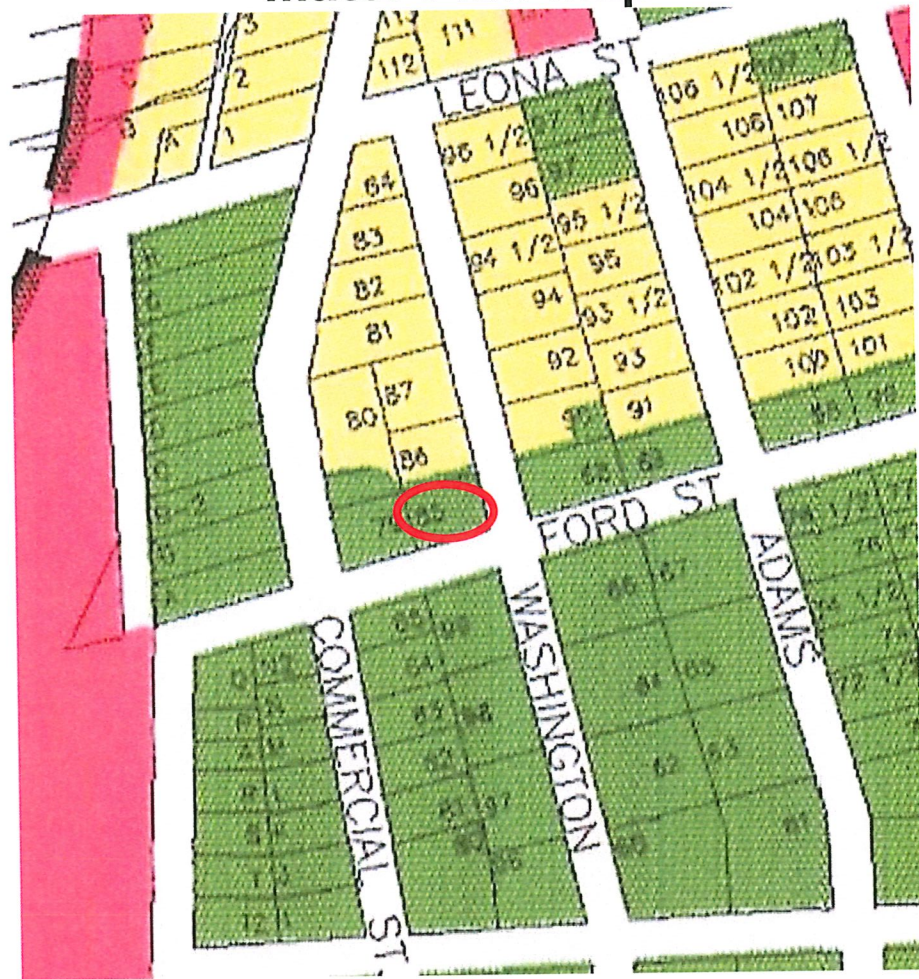


Plot Plan

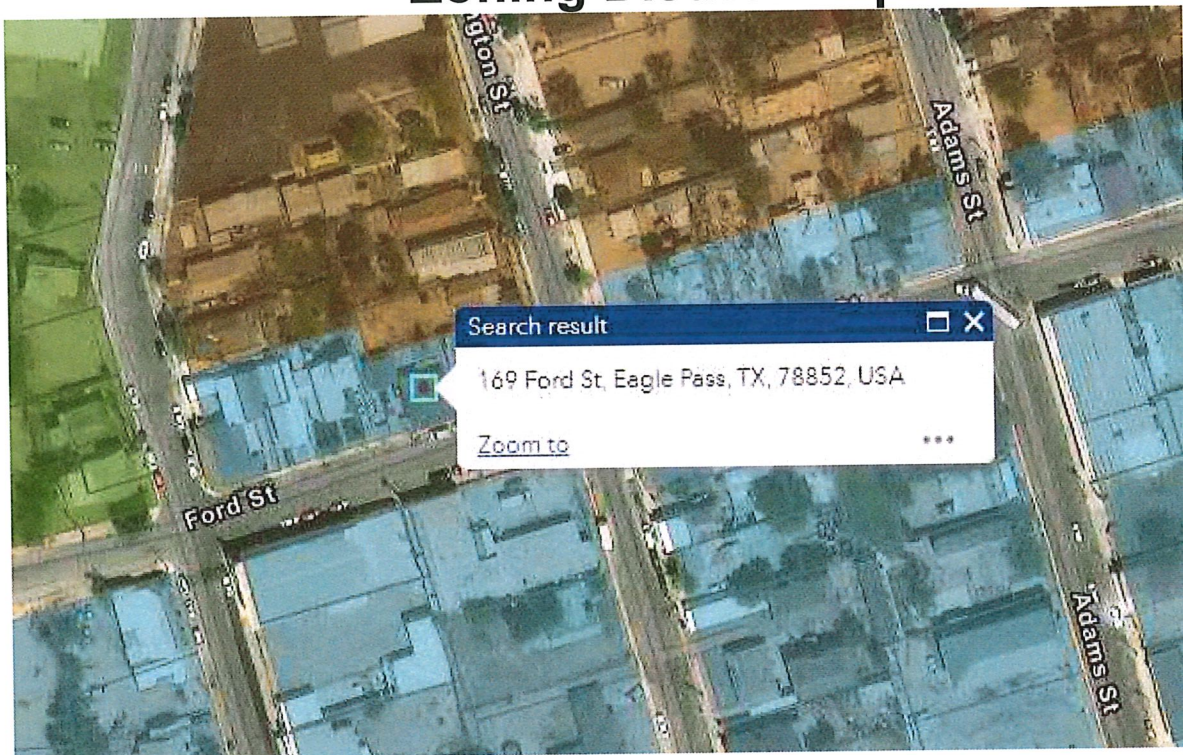


Attachment 2
Mater Plan Map
Zoning District Map

Mater Plan Map



Zoning District Map



Item #7



**Planning Department Executive Summary
REPORT TO THE PLANNING AND ZONING COMMISSION**

Final Replat Approval of Lot 25 in Block 4 of Loma Linda Subdivision Unit 1

I. BACKGROUND

A. General Information

Applicant: TEC Services | 3292 El Indio Hwy | Eagle Pass, TX 78852

Developer: Jesus Artiaga | Eagle Pass, Tx 78852

Location: 69 Windmill Dr. **Property ID Number:** 12741

Legal Description: Lots 25 in Block 4 of Loma Linda Unit 1

Request: The grant of final re-plat of Lot 25 in Block 4 of Loma Linda Subdivision Unit 1, including (1) sidewalk waiver and curb and gutter, and (2) a subdivision variance from the preliminary plat requirement as required by City of Eagle Pass Code of Ordinances Chapter 23 Section 23-36(a); closing of public hearing and possible action.

B. Subject Property Information

Parcel Size: 0.417-acres **Topography:** Generally flat **Existing Use:** Vacant

Zoning: Meets or exceeds the R-1 First One-Family Dwelling District Standards

Master Plan: Not applicable as the parcel in the ETJ

C. Vicinity Data

The site is located within an area that features residential development.

D. Infrastructure

The property is currently served by public utilities/franchises, including water, sanitary sewer, storm sewer, telephone, electric service, gas, cable, and garbage service. Access to the site is provided by Windmill Dr and Winchester Rd.

II. PUBLIC NOTICE

Public notification of the subdivision with variance 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*. 56 notices were mailed to the abutting property owners within a 500 feet radius of the subject property.

III. RECOMMENDED FINDINGS OF FACT

A. Conclusions

1. The applicant's request contains sufficient information for consideration by the Planning and Zoning Commission. Information contained in this report and the

Commission's public meeting will be used as part of the City Council's deliberation process for final approval of the re-subdivision. Please refer to Attachment 1.

2. Final re-plat approval is contingent upon the Commission's approval of a subdivision sidewalk waiver request and subdivision variance requests.
3. City of Eagle Pass Code of Ordinances Section 23-64(d)(1) authorizes the Planning and Zoning Commission to waive the requirement for the construction of sidewalks in circumstances where the sidewalk would be unnecessary or unsafe due to the physical characteristics of the terrain in the subdivision. Please refer to Attachment 2 for a copy of the waiver application.

The construction of sidewalks along the property frontage parallel to Windmill Dr. and Winchester Rd. would create an unsafe condition, as sidewalks are not in place in the immediate vicinity of the subdivision. The construction of a sidewalk would incorrectly create the assumption that sidewalks were in place throughout the area when, in fact, this is not the case. This assumption creates an unsafe condition and, as such meets the criteria for granting a sidewalk waiver by the Commission.

4. The applicant must also demonstrate that the proposal complies with the subdivision variance criteria set forth on *Section 23-11(a)* and *Section 23-11(c)*. Please refer to Attachment 3 for a copy of the subdivision variance requests.

First Variance Decision Criteria

Section 23-11(a)(1). The variance regarding the final re-plat approval is consistent with this section of the city code, as the strict application of the requirement to receive preliminary plat approval for a 2-lot subdivision that currently contains all required supporting public infrastructure, including easements, would deprive the applicant of the reasonable subdivision of their land. A review of the preliminary plat by both the Planning and Zoning Commission and City Council constitutes a procedural exercise that is not warranted.

The portion of the variance request regarding the requirement to construct concrete curb and gutter along the property frontage is also consistent with this section of the city code, as the strict application of the requirement to construct an isolated concrete curb and gutter section defeats the purpose of the improvement, which is to convey the surface drainage from a street and direct it to an appropriate location. The denial of this portion of the variance would deprive the applicant of the reasonable subdivision of their land. The construction of an isolated concrete curb and gutter section constitutes as exercise that is not warranted.

Second Variance Decision Criteria

Section 23-11(a)(2). The variance regarding final re-plat approval is also consistent with this section of the city code, as the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant. The subdivision design is consistent with the *R-1 First One-Family Dwelling District*. The residential use of the property will allow the enjoyment of a property right permitted by the City code.

That portion of the variance request regarding the requirement to construct concrete curb and gutter is also consistent with this section of the city code, as the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant. The property currently is vacant, and the re-plat will allow for an exercise of the development right for the property by City code.

Third Variance Decision Criteria

Section 23-11(a)(3). The variance regarding final re-plat approval is also consistent with this section of the city code, as there is no anecdotal evidence which indicates that the granting of the variance would be detrimental to the public health, safety, or welfare, or injurious to other property in the area.

That portion of the variance request regarding the requirement to construct concrete curb and gutter is consistent with this section of the city code, as there is no anecdotal evidence which indicates that the granting of the variance would be detrimental to the public health, safety, or welfare, or injurious to other property in the area.

Fourth Variance Decision Criteria

Section 23-11(a)(4). The portion of the variance regarding final re-plat approval is also consistent with this section of the city code, as there is no documentation which indicates that granting the variance would have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of *Chapter 23*.

The portion variance request regarding the requirement to construct concrete curb and gutter is consistent with this section of the city code, as there is no documentation which indicates that granting the variance would have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of *Chapter 23*.

Fifth Variance Decision Criteria

Lastly, the variance regarding final re-plat approval is also consistent with *Section 23-11(c)*, as the granting of the variance will allow for the creation of a subdivision that was in harmony with the general purpose and intent of *City of Eagle Pass Code of Ordinances Chapter 23*. The subdivision contains design features which will secure the public health, safety and welfare and provide for the fair and equitable processing of the final plat.

That portion of the variance request regarding the requirement to construct concrete curb and gutter variance portion of the subdivision proposal is also consistent with *Section 23-11(c)*, as the granting of the variance would allow for the creation of a subdivision that was in harmony with the surrounding developed properties.

The subdivision variances are consistent with the subdivision variance decision criteria set forth in *Section 23-11(a)* and *Section 23-11(c)* and, therefore, should be granted.

5. The re-subdivision site is not located within the boundary depicted on the *City of Eagle Pass Master Plan Map*. The *City of Eagle Pass Master Plan* does, however, provide direction regarding the re-plat of property both within the City and within the City's 5-mile wide *Extraterritorial Jurisdiction (ETJ)*.
6. The *Master Plan* emphasizes the importance of maintaining the character of the residential and commercial neighborhoods located within the City's 5-mile wide *Extraterritorial Jurisdiction (ETJ)*.

- ✓ The re-subdivision is consistent with the *Housing Goals* of the *Master Plan*, as the subdivision process will ensure appropriate land development regulation with appropriate lot sizes, paved streets with curb and gutters, and adequate utility services.
 - ✓ The re-subdivision is consistent with the *Land Use Development Goals* of the *Master Plan*, as the project is designed to provide for a building lot density that is consistent with the purpose of the *R-1 First One-Family Dwelling District*. This design will allow for the continuing development of the community while retaining the neighborhood character and scale while providing utility services in the most and efficient and equitable manner.
 - ✓ The re-subdivision is consistent with the *Street Goal* of the *Master Plan*, as access to the site from Wagon Wheel Road and Linda Vista Drive has been designed to provide the residents of and visitors to Eagle Pass and Maverick County with a street system that will enable them to travel safely and conveniently.
 - ✓ The re-subdivision is consistent with the *Thoroughfare Goals* of the *Master Plan*, as Wagon Wheel Road and Linda Vista Drive have been designed to be part of a safe and efficient thoroughfare system.
 - ✓ The re-subdivision is consistent with the *Storm Drainage Goals* of the *Master Plan*, as the size of the two lots and the eventual density of 2-dwelling-units on the re-plat site will not adversely impact existing area drainage effectiveness.
7. The re-subdivision design is consistent with the purpose of the *R-1 First One-Family Dwelling District*.
8. The re-subdivision design is consistent with City design and specifications, as the project is designed and conditioned to conform to the following sections of *Article IV* in *Eagle Pass Code of Ordinances Chapter 23*:
- ✓ *Section 23-62* governing utility easements
 - ✓ *Section 23-64* governing sidewalks, subject to the granting of a subdivision sidewalk waiver by the Planning and Zoning Commission
 - ✓ *Section 23-66* governing sanitary sewage disposal
 - ✓ *Section 23-67* governing potable water supply and fire flow
 - ✓ *Section 23-68* governing storm drainage
 - ✓ *Section 23-69* governing the size of building lots, including lot width, lot depth, lot orientation.
 - ✓ *Section 23-71* governing the installation and inspection of utility lines

Please refer to Attachment 4 for a copy of the final engineering report for the proposal.

9. The re-subdivision is not required to be consistent with the City design and specifications for landscape and tree preservation set forth in *Article VI* in *Eagle Pass Code of Ordinances Chapter 23* because it is located outside the city limits.
10. The re-subdivision will conform with the parkland dedication requirements set forth in *Article V* in *Eagle Pass Code of Ordinances Chapter 23*, as the original plat was created prior to the enactment of the City's parkland dedication requirements in 2005. As a result, the applicant will provide a \$575.00 per lot fee in lieu of parkland dedication the Maverick Planning Department.

11. The re-subdivision's conformance with the provisions of the *Master Plan* and the *Eagle Pass Code of Ordinances* will facilitate the following benefits:

- Protect private rights while considering public health, safety, and welfare.
- Provide for efficient and economical ways to move people and goods outside the City by an adequate plan for streets and highways.
- Guide future development in an orderly manner, by stages according to a pattern, so that the County may have a balanced land use.
- Encourage a diversified economic base and encourage public and private investments in land and improvements.
- Prevent and eliminate blight and slums, making the County attractive to people, commerce, and industry.
- Create the desire for a more pleasing appearance of the County and incorporate into its physical development the basic principles of good design.
- Protect and preserve the identity of each neighborhood through use of the guidance provided by the *Master Plan* and the *Code of Ordinances*.
- Locate all land uses on land best suited for their needs, arranged in such a way as to be mutually beneficial and functional, with ample area to meet long-term needs.
- Establish a proper relationship between open space, developed areas, building bulk, light and air space, in all future development programs of land use.
- Encourage and abet the development of civic, cultural, and other public and quasi-public buildings in harmonious and functional groupings.

12. The re-subdivision will allow for a use of the property that is consistent with the residential purpose of the *R-1 First One-Family Dwelling District* and the surrounding neighborhood for the following reasons:

- A. The re-subdivision design bears a substantial relationship to the public's health, safety, and welfare.
- B. The re-subdivision is in accordance with the policies of the *Master Plan* and the residential purpose of the *R-1 District*.
- C. The subdivision is warranted because of the necessity to create additional building lots in the *R-1 District*, and because the proposed development is appropriate to accomplish the reasonable use of the property.
- D. The subject property is suitable for development in general conformance with development standards of the *R-1 District*.
- E. The subdivision will benefit the County as a whole and will not be detrimental to nearby land uses of a similar nature.
- F. The subdivision has been designed and conditioned to comply with all applicable subdivision criteria and standards of the City of Eagle Pass.

13. The final approval of this re-plat request is warranted, as the project conforms to the *City of Eagle Pass Master Plan* and the *City of Eagle Pass Code of Ordinances* as noted in Conclusion 1 through and including Conclusion 12 of this report.

C. Planning Department Recommendation

The Planning and Zoning Commission (1) **GRANT** the 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 (2) **GRANT** final approval of the proposed *Replat of Lots 5-7 in Block 9 of Hilcrest Addition*, subject to the 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.

TRANSMITTED to the parties listed hereafter:

Aaron Libson, TEC Services via e-mail

Maverick County Planning Department via e-mail

Eagle Pass Planning and Zoning Commission via e-mail

Planning & Zoning Commission Report dated December 05, 2022

Attachment 1

Application



PLANNING DEPARTMENT

3295 Bob Rogers Drive, Eagle Pass, Texas 78852 • Phone: (830) 773-778 • Fax: (830) 773-7803

RECEIVED
11/11/22 VB
complete application

SUBDIVISION APPLICATION

TYPE OF SUBDIVISION (check one):

☐ Preliminary

☒ Final

☐ Replat

☐ Amendment

☐ Short Form Final

Property Legal Description: Lot 25, Block 4, a 0.417 acre tract of land in Loma Linda Subd. Unit 1, recorded Env. 136, side A

Maverick County Property Identification Number(s): 12741

Name of Addition: Replat Lot 25, Block 4, Loma Linda Subdivision Unit 1

Location of Addition: 69 Windmill Dr.

Number of Residential Lots: 2 Number of Commercial Lots: 0 Gross Acreage: 0.417

Number of New Street Intersections: 0 Linear feet of Streets: 0

Is Subdivision inside city limits? Yes ☐ No ☒ If so, Zoning District: N/A

Existing Land Use: Residential Proposed Land Use: Residential

Requested Variances: -Variance to proceed straight to final given existing infrastructure

- Sidewalk Waiver Variance; including curb & gutter

PROPERTY OWNER:

Name: Jesus Artiaga

Address: 649 Canal Dr.

City: Eagle Pass

State: TX Zip: 78852

Signature:

Contact: Jesus Artiaga

Phone: 830-200-5257

Fax: N/A

E-mail: jimenezleyda@yahoo.com

Date: 10/28/22

PROPERTY OWNER:

Name: _____

Address: _____

City: _____

State: _____ Zip: _____

Signature: _____

Contact: _____

Phone: _____

Fax: _____

E-mail: _____

Date: _____

APPLICANT/SUBDIVIDER:

RECEIVED
11/11/22 VB
complete

Name: TEC Services
Address: 3292 El Indio Hwy
City: Eagle Pass
State: TX Zip: 78852
Signature: [Signature]

Contact: Aaron Libson
Phone: 830-773-0579
Fax: 830-773-7312
E-mail: ajlibson@terratechengineering.com
Date: _____

SURVEYOR:

Name: Francisco Gaytan
Address: 2606 Encino Park Dr.
City: Eagle Pass
State: TX Zip: 78852
Signature: [Signature]

Contact: Francisco Gaytan
Phone: 830-773-8308
Fax: 830-421-7116
E-mail: fgaytan@yahoo.com
Date: _____

ENGINEER:

Name: Florentino Caballero
Address: 3292 El Indio Hwy
City: Eagle Pass
State: TX Zip: 78852
Signature: [Signature]

Contact: Florentino Caballero
Phone: 830-773-0579
Fax: 830-773-7312
E-mail: fcaballero@terratechengineering.com
Date: _____

PRINCIPAL CONTACT: ☐ Owner ☒ Applicant ☐ Surveyor ☐ Engineer

All City communication regarding the subdivision will be directed only to the designated principal contact.

STATEMENT OF APPLICANT

The information contained in this subdivision application contains true and accurate information provided to the best of my ability. I acknowledge that the City of Eagle Pass will use the information contained herein as the basis for the review of the subdivision application's conformance with the provisions of City of Eagle Pass Code of Ordinances Chapter 23.

I understand that the City of Eagle Pass may use third party engineering peer review services. I acknowledge and agree that I am responsible for the payment of services attributable to my project, and that the preliminary approval process or final approval process will not proceed until and unless I have provided payment for the aforementioned services.

[Signature]
Applicant Signature

10/28/22
Date

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STATEMENT OF OWNER/SUBDIVIDER

I, the undersigned, hereby certify that: (1) I am the owner the land subject to this request for a subdivision; (2) I authorize TerraTech Engineering & Construction Services (TEC Services) to act as my agent for all documents pertaining to this subdivision application; (3) the information contained in this subdivision 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 subdivision application or accompanying information; (5) the City will be advised in writing of any change in ownership of the property that is the subject of this subdivision application provided the change of ownership occurs prior to the recording of the final approved plat, if any; and (6) I will liable to the City of Eagle Pass for the completion of all site improvements required by Section 23 of the City's Code of Ordinance until such time as such improvements, if any, shall have been actually completed and accepted by the city.

[Signature]
Owner, Subdivider Signature

10/28/22
Date

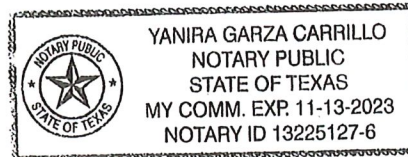
STATE OF TEXAS §

COUNTY OF MAVERICK §

Before me, the undersigned authority, a notary public for the State of Texas, on this day personally appeared Jesus Arlaga (Name), Property Owner (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.

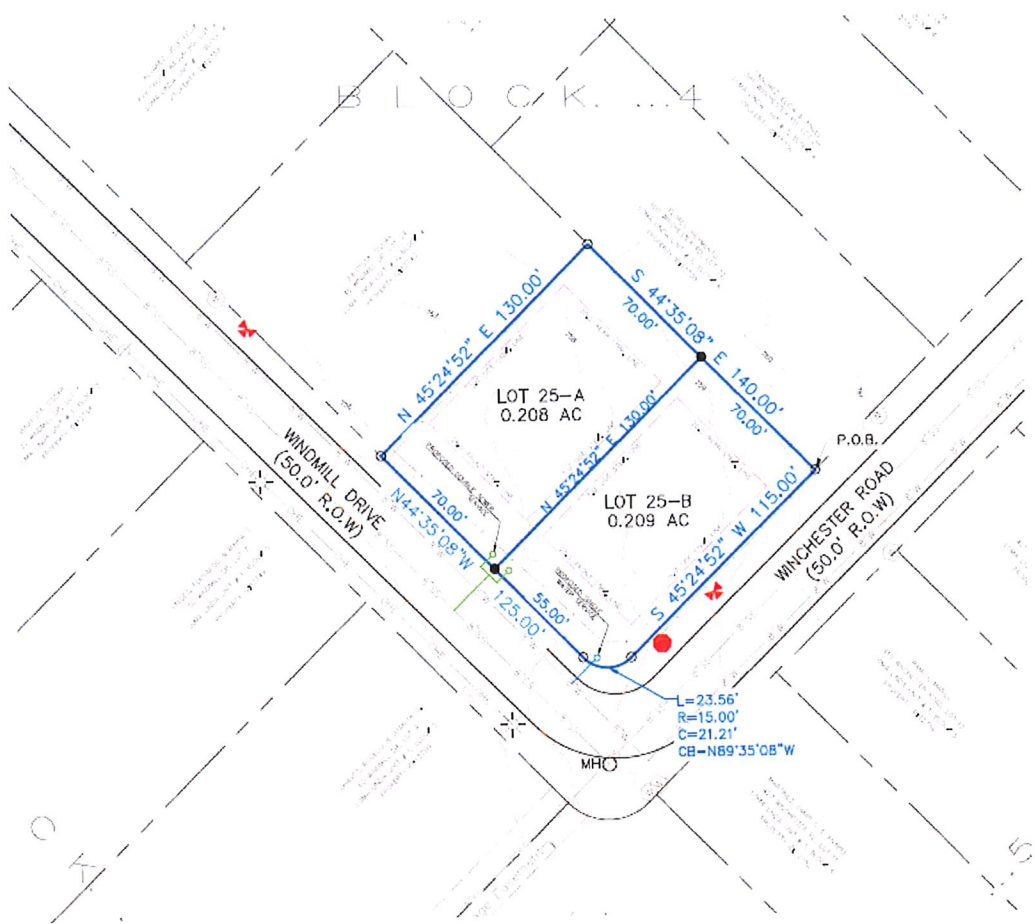
Given under my hand and seal of office, this the 28th day of October, 2022.

[Signature]
Notary Public, State of Texas



RECEIVED
11/1/22
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Incomplete

Plat - Zoomed In



Attachment 2
Sidewalk Waiver Application



PLANNING DEPARTMENT

3295 Bob Rogers Drive, Eagle Pass, Texas 78852 • Phone: (830) 773-7781 • Fax: (830) 773-7803

Subdivision Sidewalk Waiver Application

City of Eagle Pass Code of Ordinances Section 23-64(a). Concrete sidewalks shall be required to be constructed in all residential, commercial, industrial, public and multi-family subdivision sites. Sidewalks shall have a minimum width of 4-feet and a minimum thickness of 4-inches and shall be required to be placed adjacent and/or contiguous to the property line within the streets right-of-way. Sidewalks shall be required on the subdivision side of adjacent or perimeter streets and on both sides of interior streets.

City of Eagle Pass Code of Ordinances Section 23-64(d). The Planning and Zoning Commission may waive the requirement for sidewalks in any of the following situations or circumstances:

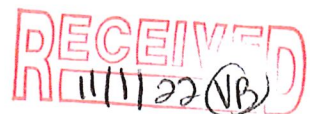
- (1) Where construction of a sidewalk by a subdivider on either or both sides of a street or a portion of a street would be either unnecessary or unsafe due to the particular physical characteristics of the terrain in the subdivision, the safety and necessity of which shall be determined by the Planning and Zoning Commission; however, such waiver may only be granted if the Commission determines that either sound engineering or safety considerations dictate that a sidewalk should not be constructed, for example, where a proposed sidewalk would cross an arroyo, creek or steep embankment; or
- (2) Where a proposed sidewalk would be located adjacent to a utility easement and the land adjacent to such easement is unusable for development because of the nature of such easement, for example, a natural gas or electric utility easement or a railroad right-of-way or where a proposed sidewalk would be located adjacent to an easement and the land on the other side of the easement is of insufficient depth to allow future development on that side, provided that in either event that there is, or will be, a sidewalk on the side of the road opposite the easement; or
- (3) Where a residential subdivision has double-frontage lots and the rear lots abut a collector or arterial street, a sidewalk on the side of such collector or arterial street on which the rear lot lines abut, does not have to be constructed, provided that a sidewalk is or will be, constructed on the other side of such collector or arterial street; or
- (4) When the lot size in a new residential subdivision is equal to or exceeds 22,000-square-feet in area.

Applicant Information

Applicant (if not owner): TerraTech Engineering & Construction Services
Phone: 830-773-0579 Email: ajlibson@terratechengineering.net
Owner: Jesus Artiaga
Owner Address: 649 Canal Rd. City: Eagle Pass State: TX Zip: 78852
Phone: 830-200-5257 Email: jimenezleyda@yahoo.com

Property Information

Site Address: 69 Windmill Drive
Legal description (from deed): Lot 25 Block 4, a 0.417 acre tract of land in Loma Linda Subdivision Unit 1, Recorded in Envelope 136, Side A Map Records Maverick Co Texas.
(Property must be legally subdivided or be lot of record)
Maverick County Identification Number: 12741



Description of Subdivision Sidewalk Waiver Request, including exact location and distance

There is no curb and gutter existing to tie into.

Please check one or more of the following code sections under which you are requesting the waiver

☒ Where construction of a sidewalk by a subdivider on either or both sides of a street or a portion of a street would be either unnecessary or unsafe due to the particular physical characteristics of the terrain in the subdivision, the safety and necessity of which shall be determined by the Planning and Zoning Commission; however, such waiver may only be granted if the Commission determines that either sound engineering or safety considerations dictate that a sidewalk should not be constructed, for example, where a proposed sidewalk would cross an arroyo, creek or steep embankment.

☐ Where a proposed sidewalk would be located adjacent to a utility easement and the land adjacent to such easement is unusable for development because of the nature of such easement, for example, a natural gas or electric utility easement or a railroad right-of-way or where a proposed sidewalk would be located adjacent to an easement and the land on the other side of the easement is of insufficient depth to allow future development on that side, provided that in either event that there is, or will be, a sidewalk on the side of the road opposite the easement.

☐ Where a residential subdivision has double-frontage lots and the rear lots abut a collector or arterial street, a sidewalk on the side of such collector or arterial street on which the rear lot lines abut, does not have to be constructed, provided that a sidewalk is or will be, constructed on the other side of such collector or arterial street.

☐ When the lot size in a new residential subdivision is equal to or exceeds 22,000-square-feet in area.

Describe how your waiver request complies with the section or sections checked above

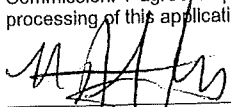
Since there is no existing curb & gutter along the ROW, there is no curb and gutter to attach to, and requiring the owner to install a sidewalk would create unsafe walking conditions.

Applicant Authorization

I authorize the City of Eagle Pass to conduct any site visits necessary to evaluate this subdivision sidewalk waiver application.

I further understand that provisions of *City of Eagle Pass Code of Ordinances Section 23-64* apply to all subdivisions within the city limits and all subdivisions outside the city limits. For subdivisions outside the city limits, a guarantee of performance for sidewalks as set out in *Section 23-40* shall be furnished prior to plat approval. For subdivisions inside the city limits, sidewalks shall be required as a condition at the time the building permits are obtained and no guaranty of performance shall be required as set out in *Section 23-40*. However, inside the city limits, all sidewalks must be in place within 18-months after plat recordation and it shall be the responsibility of the subdivider to see that this deadline is met. If the sidewalks are not in place within 18-months after recordation, the subdivider of the property will be assessed the full cost of constructing the sidewalks plus \$100.00 per month for each month beyond the 18-month period during which said construction remained uncompleted.

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 subdivision variance request. I further attest that I have the authority to submit this application and agree to comply with any and all conditions of subdivision sidewalk waiver approval by the Planning and Zoning Commission. I agree to provide any additional information requested by the City of Eagle Pass as they deem necessary for the processing of this application.


Applicant Signature

10/28/22
Date

Attachment 3
Subdivision Variance Application(s)



PLANNING DEPARTMENT

3295 Bob Rogers Drive, Eagle Pass, Texas 78852 • Phone: (830) 773-778 • Fax: (830) 773-7803

SUBDIVISION VARIANCE APPLICATION

Applicant Information

Applicant (If not owner): TerraTech Engineering and Construction Services

Address: 3292 El Indio Hwy, Eagle Pass, TX, 78852

Phone: 830-773-0579 E-mail: ajlibson@terratechengineering.com

Owner: Jesus Artiaga

Address: 649 Canal Dr.

Phone: 830-200-5257 E-mail: jimenezleyda@yahoo.com

Property Information

Site Address: 69 Windmill Drive MCAD Property ID No. 12741

Legal Description (from deed): Lot 25 Block 4, a 0.417 acre tract of land in Loma Linda Subdivision Unit 1, Recorded in Envelope 136, Side A Map Records Maverick Co Texas.

Description of Subdivision Variance Request

-Variance to proceed straight to Final Plat given existing infrastructure.

-Sidewalk waiver variance

Detailed Explanation of Subdivision Variance Request

Please answer, on a separate sheet of paper if necessary, the following questions:

What are the special circumstances or conditions affecting the land involved such that the strict application of the provisions of the subdivision code would deprive the application of the reasonable use of their land?

This variance is required to proceed straight to final plat, since existing infrastructure such as utility mains and paved street access are already existing, the preliminary plat process has essentially already been completed and can proceed to final.

How is the variance necessary for the preservation and enjoyment of a substantial property right of the applicant?

This variance is necessary for the property owner to proceed to final plat and be able to replat/subdivide their property and obtain the proper utility services to their respective properties.

RECEIVED

Describe how the granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other property in the area.

The granting of this variance will not be detrimental to public health, safety, or injurious to other property in the area as it is just paperwork required to be able to proceed to the final plat process.

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

This variance is required of all property owners seeking to replat an existing platted lot to be able to legally finalize their proposed re-subdivision. This should not effect the orderly subdivision of other land in the area.

Required Application Attachments

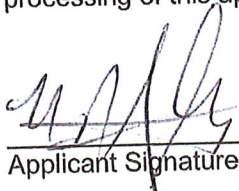
The following documentation is required to be attached to this application:

- A copy of a survey map prepared by a licensed surveyor.
- A copy of a 'run sheet' for the property detailing prior deed history, which can typically be obtained at a title company.

Applicant Authorization

I authorize the City of Eagle Pass to conduct any site visits necessary to evaluate this subdivision variance 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 subdivision variance request. I further attest that I have the authority to submit this application and agree to comply with any and all conditions if a subdivision variance approval. I agree to provide any additional information requested by the City of Eagle Pass as they deem necessary for the processing of this application.



Applicant Signature

10/28/22
Date



Attachment 4
Final Engineering Report



To: Placido Madera

City of Eagle Pass Planning Director

From: Florentino Caballero, P.E.

Date: June 30th, 2022

Reference: Final Engineering Report for Replat of Lot 25, Block 4, Loma Linda Subdivision Unit 1

Mr. Madera,

Jesus Artiaga, owner of property legally described as 'Lot 25, Block 4 of Loma Linda Subdivision Unit 1', has requested that TerraTech Engineering and Construction Services (TEC Services) prepare a Replat of this property to legally subdivide it into (2) Two Residential Lots. This property is located at the intersection of Windmill Drive and Winchester Road. The property is located outside the Eagle Pass City Limits, but within the 5-mile Extra-Territorial Jurisdiction (E.T.J.) and is currently Platted as One (1) Residential Lot. At the time this property was surveyed, the property was vacant and has access to existing sewer, water, cable, and electric utilities. As a result, we are proceeding straight to the Final Plat process given the existing conditions.

General Description

The subject Plat has a total area of 0.417 Acres and measures approximately 130' x 140' (see attached Replat Sheet for reference). The subject property will be Replated into (2) Lots, Lot 25-A, and Lot 25-B, each approximately 9,061 S.F. and 9,104 S.F., respectively. The property is a corner lot and has frontage access towards Windmill Drive and Winchester Road with access to paved streets. All utility infrastructure including water, sewer, electricity, and cable mains is already existing along the frontage of the property. This Replat will be presented to proceed straight to Final due to the existing conditions. This property is located outside the Eagle Pass City Limits and is not currently zoned, but is situated within a residential neighborhood area. Given that it is within the 5-Mile E.T.J., the proposed zoning will be R-1: First One-Family Dwelling District.

Drainage

General Drainage Description

This Plat area of this subdivision is not located within a FEMA special flood hazard area. The highest point on this tract is along the Northeastern portion of the property. The subject lot drains from the East towards the West direction along the property. Given that this property is already platted as part of a residential subdivision, and is already developed, no drainage improvements will be required. For

platting purposes, Hydraulic Calculations are provided below only as reference. Since the property is already developed as a residential lot, only one set of calculations will be provided.

Existing Drainage Conditions

The existing drainage conditions of this developed tract of land can be analyzed using the Rational Method. The peak rate of runoff, Q , in cubic feet per second is calculated as follows:

$$Q = C \times I \times A$$

where C = runoff coefficient

I = average rainfall intensity in inches per hour

A = tributary drainage area in acres

The parameters used in the analysis of the existing drainage of this developed tract are presented in Table 1 below.

Table 1. Existing & Developed Drainage Parameters

Parameter	Value
t_c	5 min
C_d	0.60
I_{10}	7.43 in/hr
I_{100}	10.32 in/hr
Watershed Area, A	0.417 acres

The peak rates of runoff for the existing undeveloped lots are

$$Q_{10} = C_d \times I_{10} \times A$$

$$Q_{10} = 0.60 \times 7.43 \times 0.417 = 1.86 \text{ cfs}$$

$$Q_{100} = 1.25 \times C_d \times I_{100} \times A$$

$$Q_{100} = 1.25 \times 0.60 \times 10.32 \times 0.417 = 3.23 \text{ cfs}$$

The estimated runoff for the entirety of the residential property for a ten (10) and one hundred (100) year return period are 1.86 cfs and 3.23 cfs, respectively.

The calculations provided in this report are simply for Platting purposes. No drainage improvements are required.

Street

This property has paved street access along Windmill Drive and Winchester Road. Luminaries are visible along the property. Please refer to Replat sheet for locations.

There is an existing fire hydrant located along Winchester Road across the subject property. Please refer to Replat Sheet for location.

Water Service

There is an existing 8" Water Main that runs along the frontage of this property. Proposed Lot 25-A should have access to (1) water service connection. A new water service will be extended to Proposed Lot 25-B. Please refer to the replat for details. All Water Mains in this area are operated by Eagle Pass Water Works.

Sanitary Sewer Service

There is an existing 8" Sanitary Sewer Main that runs along the frontage of the property. This property has access to a sewer service lateral from the existing sewer main. Proposed Lot 25-A should have access to (1) sewer service connection. A new sewer service will be extended to proposed Lot 25-B. Please refer to the replat for details. All sanitary sewer lines in this area are operated by Eagle Pass Water Works.

Other Utilities

The subject property has access to other utilities such as electricity, phone, and cable via the frontage and ROW of the property.

Conclusion

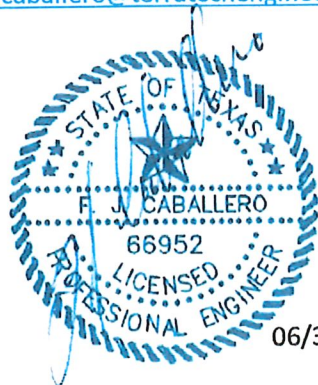
The existing and proposed use of this property is Residential. The proposed Replat will not have an impact on the current use, drainage patterns, or utilities as required infrastructure for Platting is already built-out.

Should you have any additional questions concerning this report, please contact Florentino Caballero, P.E. at (830) 773-0579 or fcaballero@terratechengineering.com or ajlibson@terratechengineering.com

Sincerely,

Florentino Caballero, P.E.

TEC Services



06/30/2022



AGREEMENT REGARDING WATER SERVICE FOR THE PROPOSED
Replat of Lot 25, Block 4, Loma Linda Unit I SUBDIVISION

PARTIES: This Agreement is by and between "the Utility" and "the Subdivider", to wit:
"The Utility" is the governing board or owner of a supplier of drinking water known as EAGLE
PASS WATER & WASTEWATER SYSTEM.

"The Subdivider is TerraTech Engineering & Construction Services, who is the owner, or
the authorized agent of the owner, of a tract of land in Maverick County, Texas, that has been
proposed to be divided into a subdivision ("the Subdivision") known as _____
Replat of Lot 25, Block 4, Loma Linda Subdivision Unit I

TERMS: This Agreement is entered into in partial satisfaction of requirements under the
Texas Water Development's Board Economically Distressed Areas Program "Model
Subdivision Rules". The Subdivider has prepared a plat of the Subdivision for
submission to Maverick County and the City of Eagle Pass for their respective approval.

The Subdivider plans to construct for the Subdivision a drinking water distribution
system to be connected to the Utility's water supply system. The Utility has reviewed the
plans for this subdivision ("the Plans") and has estimated the drinking water flow
anticipated to be needed by the Subdivision under fully built-out conditions ("the
estimated water flow") to be approximately
660 gallons daily.

The Utility warrants that necessary arrangements have been made to supply the
anticipated water flow for at least thirty years (30). The Utility covenants that it has or
will have the capacity to provide the anticipated water flow, and that it will provide that
water flow. The covenants will be in effect until thirty years (30) after the plat of the
Subdivision has been recorded and the Subdivision's water distribution has been
connected to the Utility's water supply system.

RECEIVED

The Subdivider covenants that the water distribution system be constructed as shown in the Plans and as provided for through the plat approval process so that the residents of the lots of the Subdivision may receive drinking water service from the Utility. Upon completion of the water distribution system and upon its approval and acceptance by the Utility, the Subdivider will convey to the Utility all right and title to the water distribution system.

The above provisions notwithstanding, this Agreement shall no longer be in effect if the plat of the Subdivision is not approved by Maverick County and the City of Eagle Pass.

By affixing his or her signature to the Agreement, the person signing for the Utility warrants that he or she is authorized to sign this Agreement on behalf of the Utility. By affixing his or her signature to this Agreement, the person signing for the Subdivider warrants that he or she is authorized to sign this Agreement on behalf of the Subdivider.

This Agreement is effective on August 17, 2022.

The Utility

By: Marc Salinas

Printed Name: MARCO SALINAS

Office or Position: CHAIRMAN

Date: 8/17/2022

The Subdivider

By: Aaron Libson

Printed Name: Aaron Libson

Office or Position: General Manager (TEC Services)

Date: 6/7/2022

Note: The above form of agreement may be used when required under Model Rule Sections 2.2 (a) (2) and 3.2 (c) (I), which appear respectively as Sections 4.2.2.A.2 and 4.3.4.C.1 in both Title A and Title B of the Maverick County Subdivision Rules, Revised July 1996.



**AGREEMENT REGARDING WASTEWATER TREATMENT SERVICE FOR THE
PROPOSED Replat of Lot 25, Block 4, Loma Linda Unit I SUBDIVISION**

PARTIES: This Agreement is by and between "the Utility" and "the Subdivider", to wit:
"The Utility" is the governing board or owner of a provider of wastewater treatment known as
EAGLE PASS WATER & WASTEWATER SYSTEM.

"The Subdivider is TerraTech Engineering & Construction Services, who is the owner, or
the authorized agent of the owner, of a tract of land in Maverick County, Texas, that has been
proposed to be divided into a subdivision ("the Subdivision") known as
Replat of Lot 25, Block 4, Loma Linda Subdivision Unit I.

TERMS: This Agreement is entered into in partial satisfaction of requirements under the
Texas Water Development's Board Economically Distressed Areas Program "Model
Subdivision Rules". The Subdivider has prepared a plat of the Subdivision for
submission to Maverick County and the City of Eagle Pass for their respective approval.

The Subdivider plans to construct for the Subdivision a wastewater collection system to
be connected to the Utility's wastewater treatment system. Such wastewater will consist
of domestic sewage, i.e., waterborne human waste and waste from domestic activities
such as bathing, washing, and food preparation. The Utility has reviewed the plans for
this subdivision ("the Plans") and has estimated the wastewater flow projected by the
Subdivision under fully built-out conditions ("the projected wastewater flow") to be
approximately 400 gallons daily.

The Utility warrants that necessary arrangements have been made to supply the
anticipated water flow for at least thirty years (30). The Utility covenants that it has or
will have the capacity to provide the anticipated water flow, and that it will provide that
water flow. The covenants will be in effect until thirty years (30) after the plat of the
Subdivision has been recorded and the Subdivision's water distribution has been
connected to the Utility's water supply system.

RECEIVED

The Subdivider covenants that the wastewater collection system be constructed as shown in the Plans and as provided for through the plat approval process so that the residents of the lots of the Subdivision may receive wastewater treatment service from the Utility. Upon completion of the wastewater collection system and upon its approval and acceptance by the Utility, the Subdivider will convey all right and title to the wastewater collection system.

The above provisions notwithstanding, this Agreement shall no longer be in effect if the plat of the Subdivision is not approved by Maverick County and the City of Eagle Pass.

By affixing his or her signature to the Agreement, the person signing for the Utility warrants that he or she is authorized to sign this Agreement on behalf of the Utility. By affixing his or her signature to this Agreement, the person signing for the Subdivider warrants that he or she is authorized to sign this Agreement on behalf of the Subdivider.

This Agreement is effective on August 17, 2022.

The Utility

By:

Marco Salinas

Printed Name:

MARCO SALINAS

Office or Position: CHAIRMAN

Date:

8/17/2022

The Subdivider

By:

Aaron Libson

Printed Name:

Aaron Libson

Office or Position:

General Manager (TEC Services)

Date:

Note: The above form of agreement may be used when required under Model Rule Sections 2.2 (a) (2) and 3.2 (c) (1), which appear respectively as Sections 4.2.2.A.2 and 4.3.4.C.1 in both Title A and Title B of the Maverick County Subdivision Rules, Revised July 1996.

Item #8



Planning Department Executive Summary Report TO THE PLANNING AND ZONING COMMISSION

Plat Amendment of Lots 37 & 38 in Block 6 of Vista Hermosa Subdivision
Unit 8

I. BACKGROUND

A. General Information

Applicant: TEC Services | 3292 El Indio Hwy | Eagle Pass, Texas 78852

Property Owner: R. Samuel Juve & Pete Marquez, Jr. | Eagle Pass, Texas 78852

Location: 2245 Saltillo Circle & 2239 Saltillo Circle

Property ID Number: 19988, 19989, 83779, and 19990

Legal Description: Lots 37 & 38 in Block 6 of Vista Hermosa Subdivision Unit 8

Request: approval to amend the common property line between Lots 32 and 34 to reflect the existing use of the lots.

B. Subject Property Information

Parcel Size: 0.6182 gross acres

Topography: Generally flat

Vegetation: residential landscaping

Existing Use: 2 residential dwellings

Zoning: R-1 First One-Family Dwelling District

Master Plan: Residential

C. Vicinity Data

The surrounding area is comprised of residential land uses at a density consistent with the 7,700 square foot minimum lot size found in the subdivision.

D. Infrastructure

The property is currently served by public utilities/franchises, including water, sanitary sewer, storm sewer, telephone, cable, electric service, gas, and garbage service. Access to the site is provided by Saltillo Circle.

II. RECOMMENDED FINDINGS OF FACT

A. Conclusions

1. The applicant's request contains sufficient information for consideration by the Planning and Zoning Commission. Please refer to Attachment 1.

2. The *Master Plan* emphasizes the importance of maintaining the character of the City's and County's residential neighborhoods. The following is a summary of the applicable sections of the Master Plan to the amending plat:

- ✓ The subdivision is consistent with the *Housing Goals* of the *Master Plan*, as the plat amendment process will advance new housing purchase and construction activities through the enforcement of appropriate land development regulation with appropriate lot sizes, paved streets with curb and gutters, and adequate utility services.
- ✓ The subdivision is consistent with the *Land Use Development Goals* of the *Master Plan*, as the project is designed to provide for a building lot density that is consistent with the purpose of the *R-1 First One-Family Dwelling District*. This design will allow for the continuing development of the community while retaining the neighborhood character and scale while providing utility services in the most and efficient and equitable manner.
- ✓ The subdivision is consistent with the *Street Goal* of the *Master Plan*, as access to the site Saltillo Circle has been designed to provide the residents of and visitors to Eagle Pass and Maverick County with a street system that will enable them to travel safely and conveniently.
- ✓ The subdivision is consistent with the *Thoroughfare Goals* of the *Master Plan*, as Saltillo Circle has been designed to be part of a safe and efficient thoroughfare system.
- ✓ The subdivision is consistent with the *Storm Drainage Goals* of the *Master Plan*, as the size of the two lots and the eventual density of 2-dwelling-units on the plat site will not adversely impact existing area drainage effectiveness.

3. The amending plat design is consistent with the residential uses permitted in the *R-1 First One-Family Dwelling District*.

4. The amending plat is consistent with City design and specifications, as the project is designed to conform to the following sections of *Article IV* in *Eagle Pass Code of Ordinances Chapter 23*:

- ✓ *Section 23-62* governing utility easements
- ✓ *Section 23-64* governing sidewalks
- ✓ *Section 23-66* governing sanitary sewage disposal
- ✓ *Section 23-67* governing potable water supply and fire flow
- ✓ *Section 23-68* governing storm drainage
- ✓ *Section 23-69* governing the size of building lots, including lot width, lot depth, lot orientation, and building setback areas
- ✓ *Section 23-71* governing the installation and inspection of utility lines

5. The amended plat will conform to the provisions of the *Master Plan* and the *Eagle Pass Code of Ordinances* by facilitating the following benefits:

- Protect private rights while considering public health, safety, and welfare.
- Provide for efficient and economical ways to move people and goods outside the city by an adequate plan for streets and highways.
- Guide future development in an orderly manner, by stages according to a pattern, so that the County may have a balance land use.
- Encourage a diverse economic base and encourage public and private investments in land and improvements.

- Prevent and eliminate blight and slums, making the County attractive to people, commerce, and industry.
- Create the desire for a more pleasing appearance of the County and incorporate into its physical development the basic principles of good design.
- Protect and preserve the identity of each neighborhood through use of the guidance provided by the *Master Plan* and the *Code of Ordinances*.
- Locate all land uses on the land best suited for their needs, arranged in such a way as to be mutually beneficial and functional, with ample area to meet long-term needs.
- Establish a proper relationship between open space, developed areas, building bulk, light, and air space, in all future development programs of land use.
- Encourage and abet the development of civic, cultural, and other public and quasi-public buildings in harmonious and functional groupings.

6. The amending plat design is consistent with the residential uses permitted in the *R-1 First One-Family Dwelling District*.

7. The amending plat will allow for the continued use of the property that is consistent with the residential purpose of the *R-1 First One-Family Dwelling District*, as well as the surrounding area, for the following reasons:

- A. The subdivision design bears a substantial relationship to the public's health, safety, and welfare.
- B. The subdivision is in accordance with the policies of the *Master Plan* and the purpose of the *R-1 First One-Family Dwelling District*.
- C. The subdivision is warranted because of the necessity to create additional lots for development and because the proposed development is appropriate to accomplish the reasonable use of the property.
- D. The subject property is suitable for development in general conformance with development standards of the *R-1 First One-Family Dwelling District*.
- E. The subdivision will benefit the County as a whole and will not be detrimental to nearby land uses of a similar nature.
- F. The subsequent development will be designed and conditioned to comply with all applicable subdivision criteria and standards of the City of Eagle Pass.

8. The approval of the final amending plat request is warranted, as the project conforms to the *City of Eagle Pass Master Plan* and the *City of Eagle Pass Code of Ordinances* as noted in Conclusion 1 through and including Conclusion 7 of this report.

B. Planning Department Recommendation

The Planning and Zoning Commission **GRANT** approval of a final plat amendment adjusting the property lines between *Lots 37 and 38 in Block 6 of Vista Hermosa Subdivision Unit 8*.

TRANSMITTED to the parties listed hereafter:

TEC Services via e-mail
 Planning and Zoning Commission via e-mail
 Eagle Pass Planning Department Report dated December 5, 2022

Attachment 1
Application



PLANNING DEPARTMENT

3255 Bob Rogers Drive, Eagle Pass, TX 78852 • Telephone: (830) 773-7781 • Fax: (830) 773-7803
www.eaglepass.tx.us • planning@eaglepass.tx.us

SUBDIVISION APPLICATION

TYPE OF SUBDIVISION (check one):

☐ Preliminary ☐ Final ☐ Replat ☒ Amendment ☐ Short Form Final

Property Legal Description: (1) Vista Hermosa Unit #8, Block 6, lot 37, (2) Vista Hermosa Unit #8, Block 6, lot 38, 7488 SF of lot 38, (3) Vista Hermosa Unit #8, Block 6, lot 38, the north part of lot 38

Maverick County Property Identification Number(s): (1) 19988 (2) 19989 (3) 83779, 19990

Name of Addition: Plot Amendment lot 37 & lot 38, Block 6, Vista Hermosa Unit 8

Location of Addition: 2245 Saltillo Circle, 2239 Saltillo Circle

Number of Residential Lots: 2 Number of Commercial Lots: 0 Gross Acreage: 0.6182

Number of New Street Intersections: 0 Linear feet of Streets: 0

Is Subdivision inside city limits? Yes () No () If so, Zoning District: R1

Existing Land Use: Residential Proposed Land Use: Residential

Requested Variances:

PROPERTY OWNER:

Name: R. Samuel Juve

Contact: _____

Address: 2245 Saltillo Circle

Phone: _____

City: Eagle Pass

Fax: _____

State: TX Zip: 78852

E-mail: _____

Signature: R. Samuel Juve

Date: _____

PROPERTY OWNER:

Name: Pete Marquez, Jr.

Contact: _____

Address: 2239 Saltillo Circle

Phone: _____

City: Eagle Pass

Fax: _____

State: TX Zip: 78852

E-mail: _____

Signature: Pete Marquez

Date: _____

Name: TEC Services
Address: 3292 El Indio Hwy
City: Eagle Pass
State: TX Zip: 78852
Signature: [Signature]

Contact: Aaron Libson
Phone: 830-773-0579
Fax: 830-773-7312
E-mail: ajlibson@terratechengineering.com
Date: 11/17/22

SURVEYOR:

Name: J.J. Ruiz
Address: 3292 El Indio Hwy
City: Eagle Pass
State: TX Zip: 78852
Signature: [Signature]

Contact: Aaron Libson
Phone: 830-773-0579
Fax: 830-773-7312
E-mail: ajlibson@terratechengineering.com
Date: 11/17/22

ENGINEER:

Name: Florentino Caballero
Address: 3292 El Indio Hwy
City: Eagle Pass
State: TX Zip: 78852
Signature: [Signature]

Contact: Florentino Caballero
Phone: 830-773-0579
Fax: 830-773-7312
E-mail: fcaballero@terratechengineering.com
Date: 11/17/22

PRINCIPAL CONTACT: ☐ Owner ☒ Applicant ☐ Surveyor ☐ Engineer

All City communication regarding the subdivision will be directed only to the designated principal contact.

STATEMENT OF APPLICANT

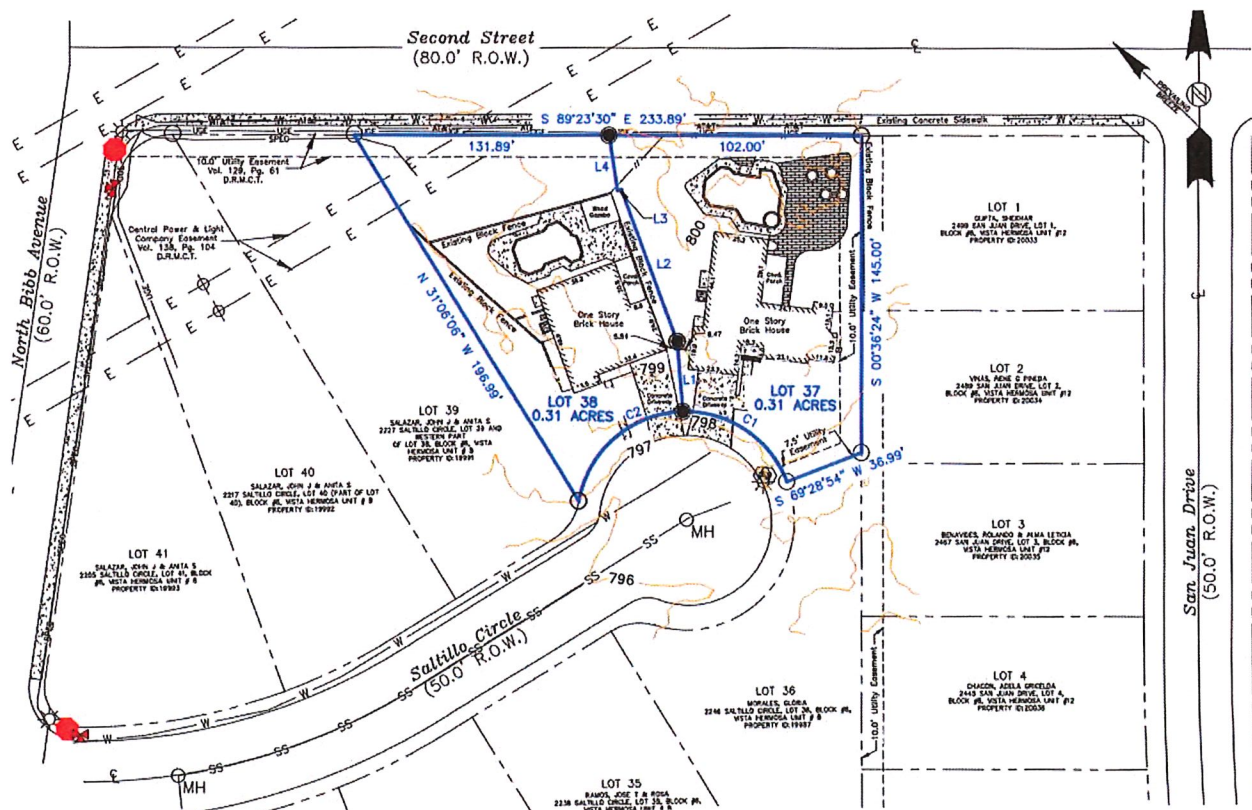
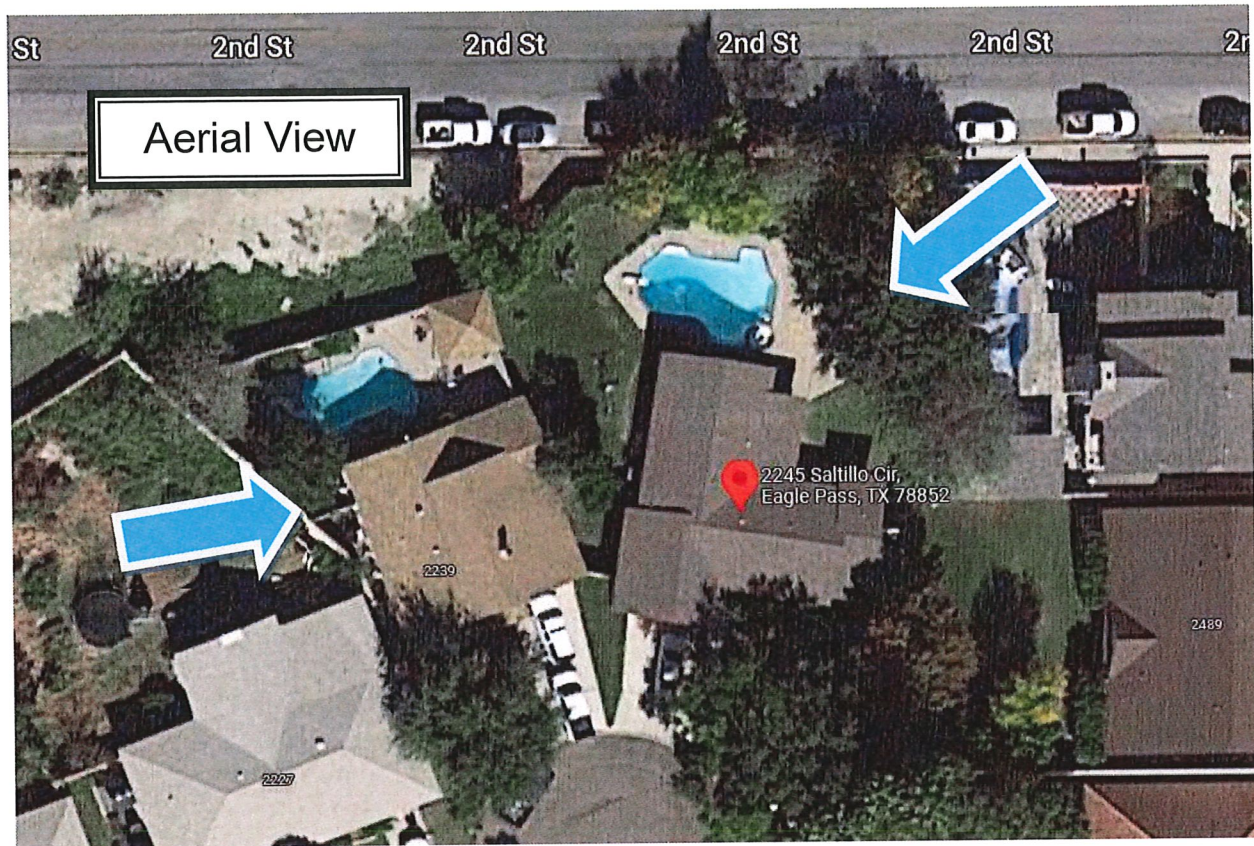
The information contained in this subdivision application contains true and accurate information provided to the best of my ability. I acknowledge that the City of Eagle Pass will use the information contained herein as the basis for the review of the subdivision application's conformance with the provisions of City of Eagle Pass Code of Ordinances Chapter 23.

I understand that the City of Eagle Pass may use third party engineering peer review services. I acknowledge and agree that I am responsible for the payment of services attributable to my project, and that the preliminary approval process or final approval process will not proceed until and unless I have provided payment for the aforementioned services.

[Signature]
Applicant Signature

11/17/22
Date





Attachment 2
Mater Plan and Zoning Map

The City of Eagle Pass, Texas, is a city and home rule municipality. The City is located in Brewster County, Texas, and is situated on the Rio Grande. The City is bounded by the Rio Grande to the west and south, and by the City of El Paso to the north and east. The City is a part of the El Paso Metropolitan Area. The City is a part of the El Paso County. The City is a part of the El Paso County. The City is a part of the El Paso County.



FIGURE A.5.3 **CITY OF EAGLE PASS, TEXAS** **FUTURE LAND USE MAP**

PREPARED BY
 HENL, LEE & ASSOCIATES, INC.
 CONSULTING ENGINEERS
 3007 MAGNOLIA DRIVE
 AUSTIN, TEXAS 78704
 (512) 407-9551

Legend	Notes
- Residential Single-Family - Residential Medium-Density - Residential High-Density - Commercial - Industrial - Office - Public - Open Space - Water - Transportation	- Future Land Use - Current Land Use - City Limits - County Lines - State Lines - Water - Transportation

