



AGENDA

PLANNING & ZONING COMMISSION REGULAR MEETING

THURSDAY, AUGUST 10, 2023 AT 5:30 P.M.

COUNCIL CHAMBERS, CITY HALL BUILDING

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

ESTABLISHMENT OF QUORUM

CITIZENS COMMUNICATIONS

MINUTES

1. Approval of the minutes of the June 2, 2023 meeting, the June 21, 2023 meeting, and the July 13, 2023 meeting.

PUBLIC HEARINGS

2. Continuation of the public hearing on the proposed Preliminary Re-plat of Lot A in School Block of Chula Vista Subdivision Unit V, including a waiver from Section 23-64 governing sidewalks, and curb and gutter; closing of public hearing and possible action.

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 August 7, 2023 at 4:30 p.m.

for Manuel Madera
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 a Special Meeting on Friday, June 2, 2023 at 5:30 p.m. in the Council Chambers, City Hall, 100 South Monroe Street, Eagle Pass, Texas. All legal notices were duly posted in accordance with State code.

ESTABLISHMENT OF QUORUM

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

Absent: Interim City Manager, Ivan Morua; and Ex-Officio Member: Mayor, Rolando Salinas, Jr.

Staff Present: Planning Director, Placido Madera; Assistant Planning Director, Mariebelle Rodriguez; and Legal Representative, Ruben O. Valadez; Assistant City Secretary, Ita A. Cortinas

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

CITIZENS COMMUNICATIONS

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

There were not any comments or concerns submitted.

SELECTION OF CHAIRPERSON

Vice-Chairperson Velez motioned to appoint Kenneth Gross as Chairperson. There was not a Second. **MOTION FAILS.**

Commission Member Gross moved to appoint Mr. Velez as Chairperson. Seconded by Commission Member Salinas-Sanchez. **MOTION PASSES:** Unanimously

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

SELECTION OF VICE-CHAIRPERSON

Commission Member Salinas-Sanchez moved to appoint Commission Member Gross as Vice-Chairperson. Seconded by Commission Member Valdez. **MOTION PASSES:** Unanimously

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

MINUTES

1. Approval of the minutes of the May 11, 2023 meeting.

Vice-Chairperson Velez motioned to approve the minutes, with corrections noted before the start of the meeting. Seconded by Commission Member Salinas-Sanchez. **MOTION PASSES:** Unanimously

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

NEW BUSINESS

2. Consideration and possible action on the Plat Amendment of Lots 2-7 in Block 1 of Debona Heights Addition.

Assistant Planning Director, Mariebelle Rodriguez provided details on the item and stated that the Planning and Building Department recommend that the Commission grant approval of a final plat amendment of Lots 2, 3, 4, 5, 6, and 7 in Block 1 of Debona Heights 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.

Commission Member Salinas-Sanchez motioned to approve with the recommendations of the Planning Department. Seconded by Commission Member Gross. **MOTION PASSES:** Unanimously

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

3. Consideration and possible action on the Master Plan of the Santa Maria Estates Subdivision.

Planning Director, Placido Madera provided details on the item and stated that the Planning and Zoning Department recommend that the Commission grant the Master Plan for Santa Maria

Estates Subdivision subject to plan to comply with the provisions of City of Eagle Pass Code of Ordinances Chapter 23 Section 23-13.1 governing subdivision plat submittal requirements.

Commission Member Velasquez-Sanchez motioned to approve as presented. Seconded by Commission Member Salinas-Sanchez. **MOTION PASSES:** Unanimously

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

4. Consideration and possible action on the preliminary plat of the Santa Maria Estates Subdivision Unit 2.

Assistant Planning Director, Rodriguez provided details on the item and stated that the Planning and Zoning Department recommend that the Commission recommend that the City Council grant preliminary plat approval of the Santa Maria Estates Subdivision Unit 2 subject to the final plat complying with the provisions of Article III of City of Eagle Pass Code of Ordinances Chapter 23 governing procedures and specifications for final plats.

Commission Member Salinas-Sanchez motioned to approve as presented. Seconded by Commission Member Velasquez-Sanchez. **MOTION PASSES:** Unanimously

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

OLD BUSINESS

5. Discussion of suggested revision related to the amendment of Article V of the Parkland Dedication Ordinance.

An extensive discussion ensued wherein several recommendations for further research and consideration were requested by the Commission.

Not an action item.

ADJOURNMENT

Commission Member Gross motioned to adjourn meeting at 6:40 p.m. Seconded by Commission Member Salinas-Sanchez. **MOTION PASSES:** Unanimously

Passed and Approved on: _____, 2023

ATTEST:

Luis Velez
Chairperson

Ita A. Cortinas
Assistant City Secretary

DRAFT

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

The Planning and Zoning Commission of the City of Eagle Pass held a Special Meeting on Wednesday, June 21, 2023, at 5:30 p.m. in the City Manager's Conference Room, City Hall, 100 South Monroe Street, Eagle Pass, Texas. All legal notices were duly posted in accordance with State code.

ESTABLISHMENT OF QUORUM

Present: Chairperson, Luis Velez, and Commission Members: Doris Salinas-Sanchez, and Tiffany Velasquez-Sanchez

Absent: Vice-Chairperson, Kenneth Gross, and Commission Member, Aaron Valdez; Interim City Manager, Ivan Morua; and Ex-Officio Member: Mayor, Rolando Salinas, Jr.

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

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

CITIZENS COMMUNICATIONS

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

There were not any comments or concerns submitted.

PUBLIC HEARINGS

1. Public hearing on the request submitted by Cavazos Leos Enterprises, LLC for a Conditional Use Permit, to allow the establishment of a bulk business in property legally known as Lots 4, 5, 6, 7, and 8 (north 33 feet) in Block 23 of Hillcrest Addition, closing of public hearing and possible action.

Chairperson Velez opened the public hearing at 5:38 p.m.

Planning Director, Placido Madera provided details on the item and stated that the Planning and Building Department recommend that the Commission grant the Cavazos Leos, LLC request to allow the establishment of a retail bulk business in property legally known as Lots 4, 5, 6, 7, and 8 (north 33 feet) in Block 23 of Hillcrest Addition.

Chairperson Velez closed the public hearing at 5:44 p.m.

Commission Member Salinas-Sanchez motioned to approve with the recommendations of the Planning Department. Seconded by Commission Member Velasquez-Sanchez. **MOTION PASSES:** Unanimously

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

2. Public hearing on the request submitted by PWS Holdings 23, LLC for a Conditional Use Permit to allow for a carwash establishment in property legally known as "2.114 acres located in survey 8, Abstract Number 1111, Maverick County, Texas, and being part of and out of Block A of Holly Park Subdivision Unit 5 according to the map of recorded under envelope 48, Side B of the map records of Maverick County, Texas, for reference, said 2.114 acre tract being that certain called 2.1117 acre tract conveyed from Maxey family Limited Partnership, a Texas limited partnership, to Daniel W. Hartman and wife, Irma Alicia Hartman by warranty deed with vendor's lien recorded under Book 560, Page 70 of the official public records of Maverick County, Texas, said 2.114 acre tract also being that certain called 2.117 acre tract conveyed from Kalyk Development, LLC, to Lewis E. Stock by warranty deed recorded under Book 1876, Page 460 of the official public records of Maverick County, Texas, and located at 2423 E. Main Street; closing of public hearing and possible action.

Chairperson Velez opened the public hearing at 5:46 p.m.

Planning Director, Placido Madera provided details on the item and stated that the Planning Department recommend that the Commission grant PWS Holdings 23, LLC CUP request to allow for a carwash establishment in property legally defined as 2.114 acres locates in survey 8, Abstract Number 1111, Maverick County, Texas, and being part of and out of Block A of Holly Park Subdivision Unit 5 according to the map of recorded under envelope 48, side B of the map records of Maverick County, Texas, for reference, said 2.114 acre tract being that certain called 2.117 acre tract conveyed from Maxey family Limited Partnership, a Texas limited partnership, to Daniel W. Hartman and wife, Iram Alicia Hartman by warranty deed with vendor's lien recorded under Book 560, Page 70 of the official public records of the Maverick County, Texas, said 2.114 acre tract also being that certain called 2.117 acre tract conveyed from Kalyk Development, LLC, to Lewis E. Stock by warranty deed recorded under Book 1876, Page 460 of the official public records of Maverick County, Texas, also known as 2423 E. Main Street.

Chairperson Velez closed the public hearing at 5:49 p.m.

Commission Member Velasquez-Sanchez motioned to approve as presented. Seconded by Commission Member Salinas-Sanchez. **MOTION PASSES:** Unanimously

Ayes: Velez, Salinas-Sanchez, and Velasquez-Sanchez
Nays: None
Abstained: None

Absent: Gross, and Valdez

3. Public hearing on the request submitted by Juan and Maribel Salazar for the rezoning of Lot 12 in Block 55 of Hillcrest Addition (2010 Olive Street), from R-1 First One-Family Dwelling District to R-3(A) Apartment District; closing of public hearing and possible action.

Chairperson Velez opened the public hearing at 5:50 p.m.

Planning Director, Placido Madera provided details on the item and stated that the Planning Department recommends that the Planning and Zoning Commission recommend that the City Council prepare and adopt an Ordinance granting a zoning district change from R-1 First One-Family Dwelling District to R-3(A) Apartment District for property legally defined as Lot 12 in Block 55 of Hillcrest Addition, also known 2010 Olive 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 • Appendix A governing zoning, governing fences (Section 12(d)(1)(a) & (c))

Chairperson Velez closed the public hearing at 6:03 p.m.

Maribel Salazar, requester, provided details on her intentions with the property.

Commission Member Salinas-Sanchez motioned to approve as presented. Seconded by Commission Member Velasquez-Sanchez. **MOTION PASSES:** Unanimously

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

4. Public hearing on the request submitted by Ruben De Los Santos for the rezoning of Lots 7 and 8 in Block 48 ½ of Hillcrest Addition (355 Brazos Street), from B-1 Neighborhood Business District to R-3(A) Apartment District, closing of public hearing and possible action.

Chairperson Velez opened the public hearing at 6:04 p.m.

Planning Director, Placido Madera provided details on the item and stated that the Planning Department recommend that the Planning and Zoning Commission recommend that the City Council prepare and adopt an Ordinance granting a zoning district change R-1 First One-Family Dwelling District to R-3A Apartment District for property legally defined as Lots 7 and 8 in Block 48 ½ of Hillcrest Addition, also known 355 N. Brazos 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: 3 • 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 • Appendix A governing zoning, governing fences (Section 12(d)(1)(a) & (c))

Chairperson Velez closed the public hearing at 6:07 p.m.

Commission Member Velasquez-Sanchez motioned to approve as presented. Seconded by Commission Member Salinas-Sanchez. **MOTION PASSES:** Unanimously

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

5. Public hearing on the subdivision variance request submitted by Terra Tec 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, for the preliminary plat of the Home2suites Subdivision; closing of public hearing and possible action.

Chairperson Velez opened the public hearing at 6:08 p.m.

Planning Director, Placido Madera provided details on the item and stated that the Planning Department recommend that the Planning and Zoning Commission grant a 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.

Chairperson Velez closed the public hearing at 6:14 p.m.

Commission Member Velasquez-Sanchez motioned to approve as presented. Seconded by Commission Member Salinas-Sanchez. **MOTION PASSES:** Unanimously

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

6. Public hearing on the request submitted by Ernesto Fuentes for the rezoning of Lot 6 in Block 3 of Buena Vista Unit #4 (983 Colorado Street), from R-3 Duplex District to R-3(A) Apartment District; closing of public hearing and possible action.

Chairperson Velez opened the public hearing at 6:15 p.m.

Planning Director, Placido Madera provided details on the item and stated that the Planning Department recommend that the Planning and Zoning Commission recommend that the City Council prepare and adopt an Ordinance granting a zoning district change from R-1 First One-Family Dwelling District to R-3(A) Apartment District for property legally defined as Lot 12 in Block 55 of Hillcrest Addition, also known 2010 Olive 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 23, Article VI governing landscape and tree preservation • Chapter 27 governing water and sewers, including drainage • Appendix A governing zoning, governing off-street parking • Appendix A governing zoning, governing fences

Chairperson Velez closed the public hearing at 6:19 p.m.

Commission Member Salinas-Sanchez motioned to approve as presented. Seconded by Commission Member Velasquez-Sanchez. MOTION PASSES: Unanimously

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

7. Public hearing on the request submitted by Four DLS Properties, LLC for the rezoning of property legally known as "Being 11.67 acres, the remainder of a 12.67 acres tract described in conveyance document to FOUR DLS Properties, LLC recorded in Volume 1877, Page 322 of the Maverick County Official Public Records, Maverick County, Texas from R-2 Second One-Family Dwelling District to I Industrial District; closing of public hearing and possible action.

Chairperson Velez opened the public hearing at 6:20 p.m.

Planning Director, Placido Madera provided details on the item, and stated that the Planning Department recommends that the Planning and Zoning Commission recommend that the City Council prepare and adopt an Ordinance granting a zoning district change from R-2 Second One-Family Dwelling District to I Industrial District for property legally defined as 11.67 acres, the remainder of a 12.67 acres tract described in conveyance document to FOUR DLS Properties, LLC recorded in Volume 1877, Page 322 of the Maverick County Official Public Records, Maverick County, Texas, which will also be recognized as 2027 Microstar Way.

Chairperson Velez closed the public hearing 6:29 p.m.

Project Manager O.J. De los Santos, provided details on the project.

Commission Member Salinas-Sanchez motioned to approve as presented. Seconded by Commission Member Velasquez-Sanchez. MOTION PASSES: Unanimously

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

10. Discussion and possible approval of the City's Capital Improvement Plan.

Finance Director, Jesus Rodriguez presented CIP projects and overview. City Engineer, Danny Magee spoke on drainage improvement projects that have been completed, and those that are in the works.

Commission Member Salinas-Sanchez said she would like more information before voting on the item. The Commission members agreed.

Commission Member Salinas-Sanchez motioned to table the item. Seconded by Commission Member Velasquez-Sanchez. MOTION PASSES: Unanimously

Ayes: Velez, Salinas-Sanchez, and Velasquez-Sanchez
Nays: None
Abstained: None

9. Public hearing on an amendment to Chapter 23 (Subdivisions) Article III, Section 23-94 of the City of Eagle Pass Code of Ordinances; by updating new provisions to allow new development for uniform standards regarding fences; closing of public hearing and possible action.

Chairperson Velez opened the public hearing at 7:10 p.m.

Planning Director, Placido Madera provided details on the item. A discussion regarding the pros and cons of the ordinance ensued.

Legal Counsel, Heriberto Morales spoke the action the City is able to take regarding fences, and utility easements.

Chairperson Velez closed the public hearing at 7:55 p.m.

Commission member Velasquez-Sanchez moved to approve the ordinance, with the condition that letter d be taken back to City Council for reconsideration. Seconded by Commission Member Salinas-Sanchez. MOTION PASSES: Unanimously.

Ayes: Velez, Salinas-Sanchez, and Velasquez-Sanchez
Nays: None
Abstained: None
Absent: None

8. Public hearing on an amendment to Article V of the Parkland Dedication Ordinance of the City of Eagle Pass Code of Ordinances by updating new provisions to new developments for uniform standards regarding parkland; closing of public hearing and possible action.

Commission member Velasquez-Sanchez moved to table the item. Seconded by Commission Member Salinas-Sanchez. **MOTION PASSES:** Unanimously.

Ayes: Velez, Salinas-Sanchez, and Velasquez-Sanchez
Nays: None
Abstained: None
Absent: None

ADJOURNMENT

Commission Member Velasquez-Sanchez motioned to adjourn meeting at 8:00 p.m. Seconded by Commission Member Salinas-Sanchez. **MOTION PASSES:** Unanimously

Passed and Approved on _____, 2023

Luis Velez
Chairperson

ATTEST:

Ita A. Cortinas
Assistant City Secretary

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

The Planning and Zoning Commission of the City of Eagle Pass held a Regular Meeting on Thursday, July 13, 2023, at 5:30 p.m. in the Council Chambers, City Hall, 100 South Monroe Street, Eagle Pass, Texas. All legal notices were duly posted in accordance with State code.

ESTABLISHMENT OF QUORUM

Present: Chairperson, Luis Velez, and Commission Members: Doris Salinas-Sanchez, Tiffany Velasquez-Sanchez, and Aaron Valdez

Absent: Vice- Chairperson, Kenneth Gross; Interim City Manager, Ivan Morua; and Ex-Officio Member: Mayor, Rolando Salinas, Jr.

Staff Present: Planning Director, Placido Madera; Assistant Planning Director, Mariebelle Rodriguez; Legal Representative, Ruben O. Valadez; Finance Director, Jesus R. Rodriguez; and Records Management Specialist, Sydney Rodriguez

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

CITIZENS COMMUNICATIONS

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

There were not any comments or concerns submitted.

OTHER BUSINESS

7. Discussion and possible approval of the City's Capital Improvement Plan.

Finance Director, Rodriguez provided details on the City's five-year Capital Improvement Plan.

An extensive discussion ensued with Commission Member Salinas-Sanchez; Planning Director, Madera; and Finance Director, Rodriguez on the project priority list.

Chairperson, Velez asked for more information on the CIP committee. Planning Director, Madera provided the information on the committee and details on how the project priority list is ranked.

Another extensive discussion ensued on the ranking and scoring system of the City's projects.

Commission Member Salinas-Sanchez motioned to approve the list with the suggestion of swapping the rank of park improvements and the fire station. Seconded by Commission Member Valdez. **MOTION PASSES:** Unanimously

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

NEW BUSINESS

9. Consideration and possible action on the Master Plan of Paraiso Estates Subdivision.

Planning Director, Madera provided details on the item and states that the Planning and Zoning Department recommend that the Commission grant the Master Plan for Paraiso Estates Subdivision subject to plan to comply with the provisions of City of Eagle Pass Code of Ordinances Chapter 23 Section 23- 13.1 governing subdivision plat submittal requirements.

Commission Member Velasquez-Sanchez motioned to approve as presented. Seconded by Commission Member Salinas-Sanchez. **MOTION PASSES:** Unanimously.

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

MINUTES

1. Approval of the minutes of the May 11, 2023 meeting, June 2, 2023 meeting, and the June 21, 2023 meeting.

Assistant Planning Director, Rodriguez stated for the record that the June 2, 2023, and June 21, 2023 minutes were not available.

Commission Member Velasquez-Sanchez motioned to approve as presented. Seconded by Commission Member Salinas-Sanchez. **MOTION PASSES:** Unanimously.

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

PUBLIC HEARINGS

2. Public hearing on the proposed Preliminary Re-Plat of Lot 1 in Block 5 of Paraiso Estates Unit 3 and an 11 .67 acre tract, the remainder of a 12.67 acres tract described in conveyance document to FOUR DLS Properties, LLC recorded in Volume 1877, Page 322 of the Maverick County Official Public Records, Maverick County, Texas, including a 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; closing of public hearing and possible action.

Chairperson Velez opened the public hearing at 6:18 p.m.

Planning Director, Madera provided details on the item and stated that the Planning and Building Department recommend that the Commission to (1) grant the subdivision variance request to not have to provide a second vehicular access, and (2) grant preliminary plat approval of the Replat of Lot 1 in Block 5 of Paraiso Estates Subdivision Unit 3 and an 11.67-acre tract, the remainder of a 12.67 acres tract described in conveyance document to FOUR DLS Properties, LLC recorded in Volume 1877, Page 322 of the Maverick County Official Public Records, Maverick County, Texas, to allow the developer to install improvements.

The Planning and Building Department recommends approval with the following conditions:

- Right of way along entire south boundary including MicrostarWay to be dedicated to the City.
- Identify legal boundary descriptions of Right of Way dedication and remaining tract.
- Remove section from plat note 3 stating "0 LINEAR FEET DEDICATED AS STREET" and include note showing 60' rear setback (residential buffer).

Chairperson Velez closed the public hearing at 6:29 p.m.

Commission Member Salinas-Sanchez motioned to approve with the recommendations of the Planning and Building Department. Seconded by Commission Member Velasquez-Sanchez.
MOTION PASSES: Unanimously.

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

3. Public hearing on the proposed Preliminary Re-Plat of Lot 2 of Fort Duncan West Subdivision, including a 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; closing of public hearing and possible action.

Chairperson Velez opened the public hearing at 6:30 p.m.

Assistant Planning Director, Rodriguez provided details on the item and stated that the Planning and Building Department recommend that the Commission (1) grant the subdivision variance request to not have to provide a second vehicular access, and (2) grant preliminary plat approval of the Replat of Lot 2 in Fort Duncan West, to allow the developer to install improvements.

Chairperson Velez closed the public hearing at 6:36 p.m.

Commission Member Valdez motioned to approve as presented. Seconded by Commission Member Salinas-Sanchez. **MOTION PASSES:** Unanimously.

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

4. Public hearing on the proposed Preliminary Re-Plat of Lot D in Block 11 of Townsite Fabrica Subdivision; closing of public hearing and possible action.

Chairperson Velez opened the public hearing at 6:37 p.m.

Assistant Planning Director, Rodriguez provided details on the item and stated that the Planning and Building Department recommend that the Commission grant preliminary plat approval of the proposed Replat of Lot D in Block 11 of Townsite Fabrica Subdivision, 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.

Chairperson Velez closed the public hearing at 6:40 p.m.

Commission Member Velasquez-Sanchez motioned to approve as presented. Seconded by Commission Member Valdez. **MOTION PASSES:** Unanimously.

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

5. Public hearing on the proposed Preliminary Re-plat of Lot A in School Block of Chula Vista Subdivision Unit V, including a waiver from Section 23-64 governing sidewalks, and curb and gutter; closing of public hearing and possible action.

Chairperson Velez opened the public hearing at 6:40 p.m.

Assistant Planning Director, Rodriguez provided details on the item and stated that the Planning and Building Department recommend to (1) deny a sidewalk waiver request as it does not conform

with the criteria set forth in Section 23-64 governing sidewalks, and (2) grant preliminary plat approval of the proposed Replat of Lot A in School Block of Chula Vista Subdivision Unit V, subject to 5 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 including the following conditions(s):

- A sidewalk, including curb and gutter be installed along the perimeter of the proposed parcels, adjacent to School Circle.

Chairperson Velez asked for more detail on the denial of the sidewalk variance.

Assistant Planning Director, Rodriguez and Planning Director, Madera provided an explanation. Additionally, Planning Director, Madera recommends to table the item to verify the details of the sidewalk variance.

Chairperson Velez closed the public hearing at 6:47 p.m.

On the recommendation of Planning Director, Madera; Commission Member, Salinas-Sanchez motions to table the item. Seconded by Commission Member Velasquez-Sanchez. **MOTION PASSES:** Unanimously.

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

Item tabled.

6. Continuation of the public hearing on an amendment to Chapter 23 (Subdivisions) Article III, Section 23-94 of the City of Eagle Pass Code of Ordinances; by updating new provisions to allow new development for uniform standards regarding fences; closing of public hearing and possible action.

Chairperson Velez open the public hearing at 6:47 p.m.

Planning Director, Madera explained the recommendation to reevaluate section D in the Zoning Ordinance was taken to Council.

Council recommended that the Planning and Zoning Commission re-modify the section on the Zoning Ordinance.

Planning Director, Madera explained that it was agreed, by Council and the public, to remove the rear fence requirement.

The Planning and Building Department recommend, as per the City Council and the public to remove the requirement.

An extensive discussion ensued on different scenarios of fencing between the Commission and the Planning Director, Madera.

Chairperson Velez open the public hearing at 6:57 p.m.

On the recommendation of Planning Director, Madera; Commission Member, Salinas-Sanchez motions to table the item. Seconded by Commission Member Valdez. **MOTION PASSES:** Unanimously.

Ayes: Velez, Valdez, Salinas-Sanchez, and Velasquez-Sanchez

Nays: None

Abstained: None

Absent: None

OTHER BUSINESS

8. Consideration and possible action on the preliminary plat of Perfecto Mancha Elementary.

As per the advice of the City Attorney, Ruben Valadez, Chairperson Velez recused himself from this item at 6:58 p.m.

At 7:00 p.m., Commission Member, Salinas-Sanchez volunteered to step in as Chairperson.

Commission Member Salinas-Sanchez opened the item to the public at 7:01 p.m.

Assistant Planning Director, Rodriguez provided details on the item and stated that the Planning and Building Department recommend to grant preliminary plat approval of the Perfecto Mancha Elementary, subject to the final plat complying with the provisions of Article III of City of Eagle Pass Code of Ordinances Chapter 23 governing procedures and specifications for final plats.

Additionally, Planning Director, Madera, recommends to approve with the expansion of the pond to the required capacity based on the runoff that is directed to the pond.

Commission Member Salinas-Sanchez opened the item to the public at 7:01 p.m.

Commission Member Salinas-Sanchez motioned to approve with the recommendations of the Planning and Building Department. Seconded by Commission Member Valdez.

MOTION PASSES: Unanimously.

Ayes: Velez, Valdez, Salinas-Sanchez, and Velasquez-Sanchez

Nays: None

Abstained: None

Absent: None

At 7:06 p.m., Chairperson Velez returned to Council Chambers.

ADJOURNMENT

Commission Member Valdez motioned to adjourn meeting at 7:07 p.m. Seconded by Commission Member Velasquez-Sanchez. **MOTION PASSES:** Unanimously.

Passed and Approved on: _____, 2023

ATTEST:

Luis Velez
Chairperson

Sydney Rodriguez
Records Management Specialist

Item #2



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

Preliminary Replat of Lot A in School Block of Chula Vista Subdivision Unit V

I. BACKGROUND

A. General Information

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

Owners: Nayla Martinez and Hector Arturo Cantu

Location: 202 School Circle **Property ID Number:** 54480

Legal Description: Lot A in School Block of Chula Vista Subdivision Unit V

Request: Preliminary replat approval to subdivide an approximately 0.5214-acre tract into two residential lots, including a sidewalk waiver and curb and gutter. This is to allow the property owner to install proper city utilities and improvements before plat recordation.

B. Subject Property Information

Parcel Size: 22,710-square feet **Topography:** Generally flat

Vegetation: residential landscaping and native vegetation

Existing Use: one story residence

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

Master Plan: Not applicable as parcel is in the County (ETJ)

C. Vicinity Data

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

D. Infrastructure

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

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*.

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 subdivision. Please refer to Attachment 1.
2. The preliminary replat is contingent upon the approval of a sidewalk waiver request, including curb and gutter.
3. The property is located within the City's *Extraterritorial Territorial Jurisdiction*, and the policies of the *Master Plan Map* apply to the consideration of this subdivision. The *Master Plan* emphasizes the importance of maintaining the character of the residential neighborhoods.
 - ✓ The replat 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 replat 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 efficient and equitable manner.
 - ✓ The replat is consistent with the *Street Goal* of the *Master Plan*, as access to the site from School Circle 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 replat is consistent with the *Thoroughfare Goals* of the *Master Plan*, as School Circle has been designed to be part of a safe and efficient thoroughfare system.
 - ✓ The replat 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.
4. The replat conforms 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 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 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.
5. The replat design is consistent with the purpose of the *R-1 First One-Family Dwelling District*.
6. The replat 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:
- ✓ The subdivision design bears a substantial relationship to the public's health, safety, and welfare.
 - ✓ The subdivision is in accordance with the policies of the *Master Plan* and the residential purpose of the *R-1 District*.
 - ✓ 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.
 - ✓ The subject property is suitable for development in general conformance with development standards of the *R-1 District*.
 - ✓ The subdivision will benefit the County as a whole and will not be detrimental to nearby land uses of a similar nature.
 - ✓ The subdivision has been designed and conditioned to comply with all applicable subdivision criteria and standards of the City of Eagle Pass.
7. The replat 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 23-61* governing street layout, right-of-way and pavement width, street names, streetlights, and road construction testing.
 - ✓ *Section 23-62* governing utility easements
 - ✓ *Section 23-64* governing sidewalks, the applicant is seeking a waiver of the requirement to construct a sidewalk, curb and gutter adjacent to School Circle.

- ✓ 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* for the subdivision.

8. The replat is consistent with City design and specifications for landscape and tree preservation set forth in *Article VI* in *Eagle Pass Code of Ordinances Chapter 23*.
9. The replat will conform with the parkland dedication requirements set forth in *Article V* in *Eagle Pass Code of Ordinances Chapter 23*.
10. The applicant is seeking a sidewalk waiver per Section 23-64(a) of the Subdivision Ordinance as part of his application for the replat.

That sidewalk waiver and portion of the variance request regarding the requirement to construct sidewalks and concrete curb and gutter is consistent with this section of the code. However, there is no curb and gutter in place and there is no anecdotal evidence which indicated that the granting of the variance would be detrimental to the public health, safety, or welfare, or injurious to the other property in the area. Please refer to Attachment 2 for a copy of the sidewalk waiver application.

11. The approval of this preliminary 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 10 of this report.

B. Planning Department Recommendation

The Planning and Zoning Commission recommend to Eagle Pass City Council to (1) **GRANT** a sidewalk waiver request and (2) **GRANT** preliminary plat approval of the proposed *Replat of Lot A in School Block of Chula Vista Subdivision Unit V*, 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:
 Dirksen engineering via e-mail
 Eagle Pass Planning and Zoning Commission via e-mail
 Maverick County Director, Monica Cruz via email
 Planning & Zoning Commission Report dated August 7, 2023

Attachment 1

Application



PLANNING DEPARTMENT

3295 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: Chula Vista School Block, Lot A

Maverick County Property Identification Number(s): 55480

Name of Addition: Replat of Lot A, School Block, Chula Vista Subdivision Unit V

Location of Addition: 202 School Circle, Eagle Pass, Tx 78852

Number of Residential Lots 2 Number of Commercial Lots: 0 Gross Acreage: 0.5214

Number of New Street Intersections 0 Linear feet of Streets 0

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

Existing Land Use: Residential Proposed Land Use: Residential

Requested Variances: Variances from construction of curb and sidewalk

PROPERTY OWNER:

Name: Naylea Martinez

Contact: Naylea Martinez

Address: 202 School Circle

Phone: 830-213-1520

City: Eagle Pass

Fax: none

State: Tx Zip: 78852

E-mail: naylea@hotmail.com

Signature: [Signature]

Date: 05/03/2023

PROPERTY OWNER:

Name: _____

Contact: _____

Address: _____

Phone: _____

City: _____

Fax: _____

State: _____ Zip: _____

E-mail: _____

Signature: [Signature]

Date: 05/03/2023

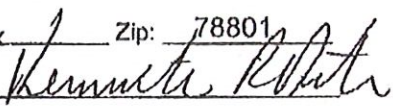


APPLICANT/SUBDIVIDER:

Name: Naylea Martinez
Address: 202 School Circle
City: Eagle Pass
State: Tx Zip: 78852
Signature: 

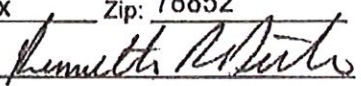
Contact: Naylea Martinez
Phone: 830-213-1520
Fax: none
E-mail: naylea@hotmail.com
Date: 05/03/23

SURVEYOR:

Name: Dirksen Engineering
Address: 441 Fort Clark Rd Suite B
City: Uvalde
State: Tx Zip: 78801
Signature: 

Contact: Kenneth Dirksen
Phone: 830-278-2100
Fax: 830-278-2102
E-mail: kendirksen@sbcglobal.net
Date: 04/27/2023

ENGINEER:

Name: Dirksen Engineering
Address: 441 Fort Clark Rd Suite B
City: Uvalde
State: Tx Zip: 78852
Signature: 

Contact: Kenneth Dirksen
Phone: 830-278-2100
Fax: 830-278-2102
E-mail: kendirksen@sbcglobal.net
Date: 04/27/2023

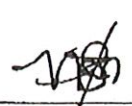
PRINCIPAL CONTACT: ☐ Owner ☐ Applicant ☐ Surveyor ☒ Engineer

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.

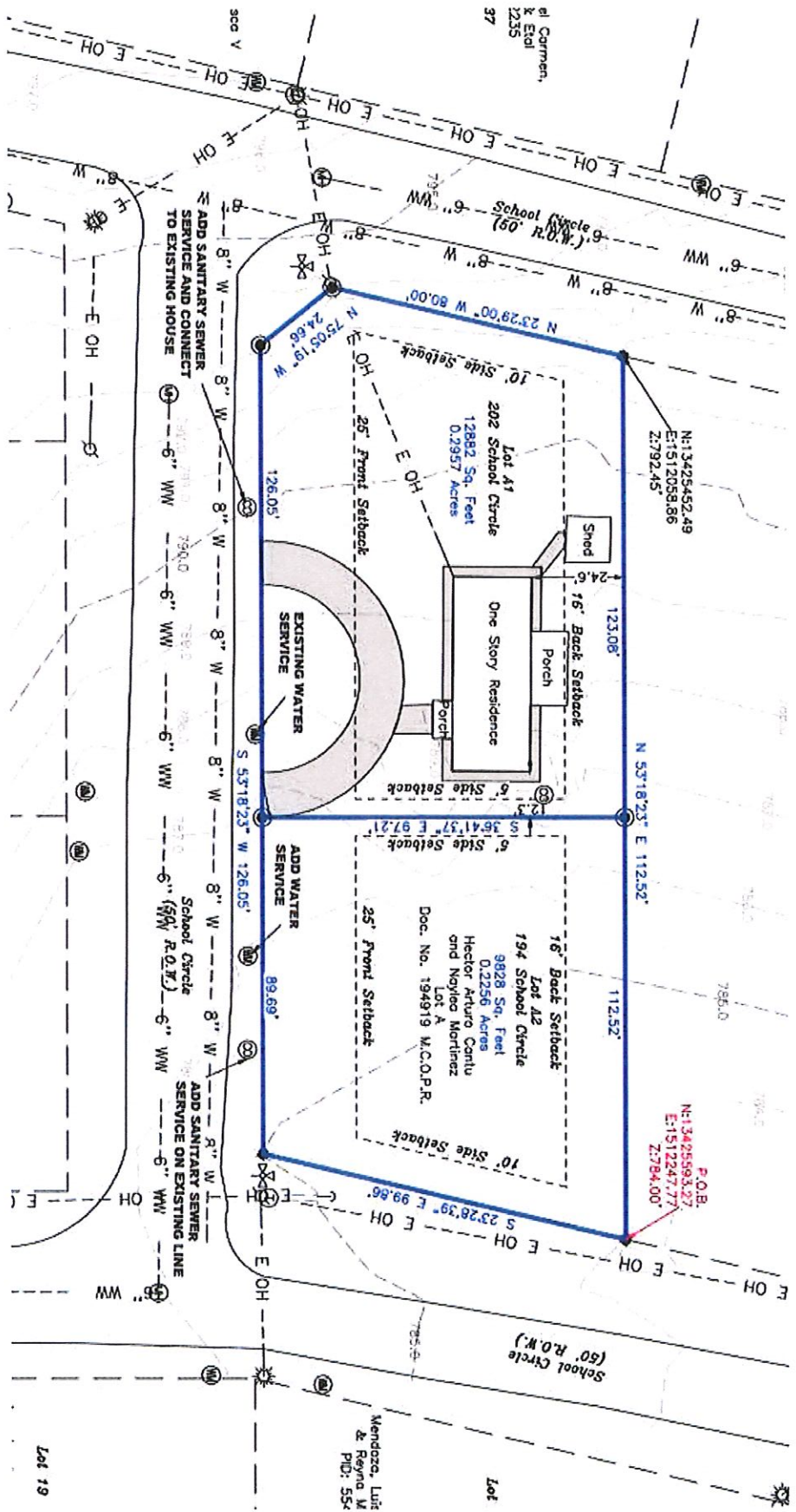
I understand that the City of Eagle Pass may use third party engineering peer review services. I acknowledge and agree that I am responsible for the payment of services attributable to my project, and that the preliminary approval process or final approval process will not proceed until and unless I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


Applicant Signature

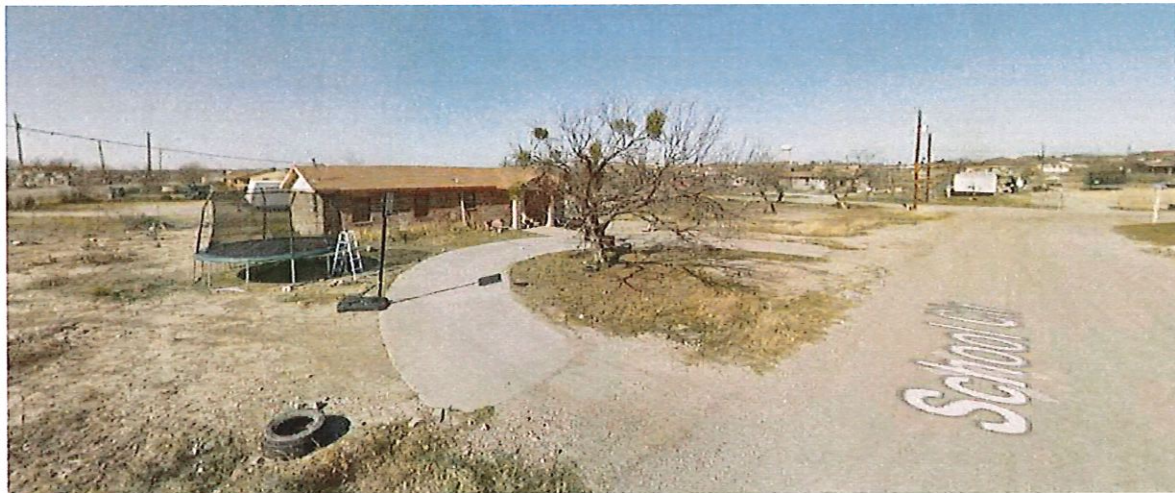
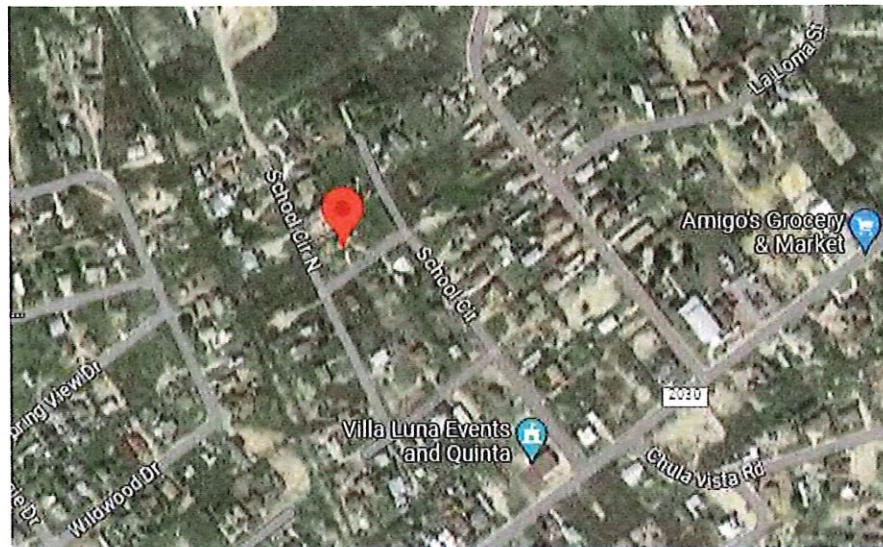
5/3/23
Date



Zoomed in Plat



Site Photos



Attachment 2
Sidewalk Waiver 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): Kenneth Dirksen

Address: 441 Fort Clark Rd, Suite B, Uvalde, Tx 78801

Phone: 830-278-2100 E-mail: kendirksen@icloud.com

Owner: Hector Arturo Cantu and Naylea Martinez

Address: 202 School Circle, E.P., Tx 78852

Phone: 830-213-1520 E-mail: naylea@hotmail.com

Property Information

Site Address: 202 School Circle MCAD Property ID No. 55480

Legal Description (from deed): Chula Vista School Block, Lot A

Description of Subdivision Variance Request

VARIANCE REQUESTED FROM REQUIREMENT TO CONSTRUCT
CURB + GUTTER

Detailed Explanation of Subdivision Variance Request

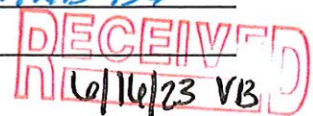
Please answer, on a separate sheet of paper if necessary, the following questions:

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?

NO CURB CONSTRUCTED IN THIS NEIGHBORHOOD
BUILDING CURB AT THIS LOT ONLY WOULD BE A
HAZARD

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

BUILDING CURB AND SIDEWALK AT THIS LOT
ONLY WOULD DISTURB DRAINAGE AND BE
A HAZARD TO TRAFFIC.



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.

NO CURB IS CONSTRUCTED IN THIS NEIGHBORHOOD
CONDITIONS WILL NOT CHANGE

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.

CURB CAN BE CONSTRUCTED WHEN REMAINDER
OF SUBDIVISION IS CURBED

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.

Shemith RWA

Applicant Signature

04-28-2023

Date





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): Kenneth Dirksen

Phone: 830-278-2100 Email: kendirksen@sbcglobal.net

Owner: Hector Arturo Cantu and Naylea Martinez

Owner Address: 202 School Circle City: Eagle Pass State: Tx Zip: 78852

Phone: 830-213-1520 Email: naylea@hotmail.com

Property Information

Site Address: 202 School Circle, Eagle Pass, Tx 78852

Legal description (from deed): Chula Vista School Block, Lot A

(Property must be legally subdivided or be lot of record)

Maverick County Identification Number: 55480

RECEIVED
4/16/23 VB

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

NO CURB ON SCHOOL CIRCLE, CONSTRUCTING CURB AND
SIDEWALK WILL BE AN OBSTACLE ON THIS LAND IF
CONSTRUCTED ON THIS LOT ONLY

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

NO CURB AND SIDEWALKS ARE CONSTRUCTED IN THE
NEIGHBORHOOD.

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.

Memith R. A.
Applicant Signature

04-28-2023
Date



Attachment 3 Engineering Report

CAVEL ENGINEERING

Civil engineering and drone mapping

ENGINEERING & DRAINAGE REPORT

Prepared for:

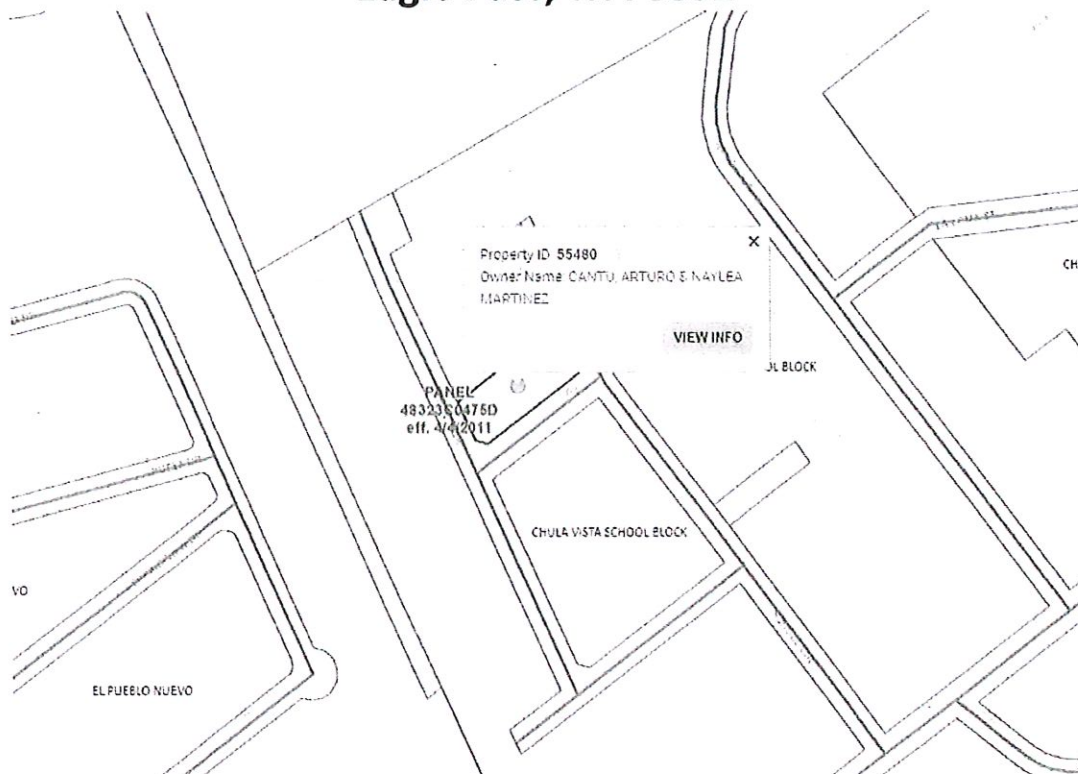
Dirksen Engineering

Plat Amendment of Lot A, School Block,

Chula Vista Subdivision Unit V

Maverick County, Texas

Eagle Pass, TX 78852



Prepared by:

Cavel Engineering

Engineering Firm #20893

2373 Willowbrae Dr, Eagle Pass, TX

Phone: (830) 872-8799

May 10, 2023

RECEIVED
6/16/23 VB

CAVEL ENGINEERING

Civil engineering and drone mapping

TABLE OF CONTENTS

1. - INTRODUCTION
2. - PROPERTY DESCRIPTION AND SITE PROPERTIES
3. - DRAINAGE CONDITIONS
4. - DRAINAGE CALCULATIONS
5. - ACCESS TO SITE
6. - WATER AND SANITARY SEWER CALCULATIONS
7. - FLOOD INFORMATION

CAVEL ENGINEERING

Civil engineering and drone mapping

1.-INTRODUCTION

This report was prepared by Carlos Velarde, PE., for a 0.5214 Acre property located at 202 School Circle, Eagle Pass, TX 78852. The property is located approximately 3 miles to the southeast of the City of Eagle Pass City Limits. The property consists in the Lot A, School Block of the Chula Vista Subdivision Unit V, as shown on the plat of record on Envelope 160 Side A of the Maverick County Plat Records. The property is not currently zoned and is located to the southeast area of the extra territorial jurisdiction of the City of Eagle Pass, Tx.

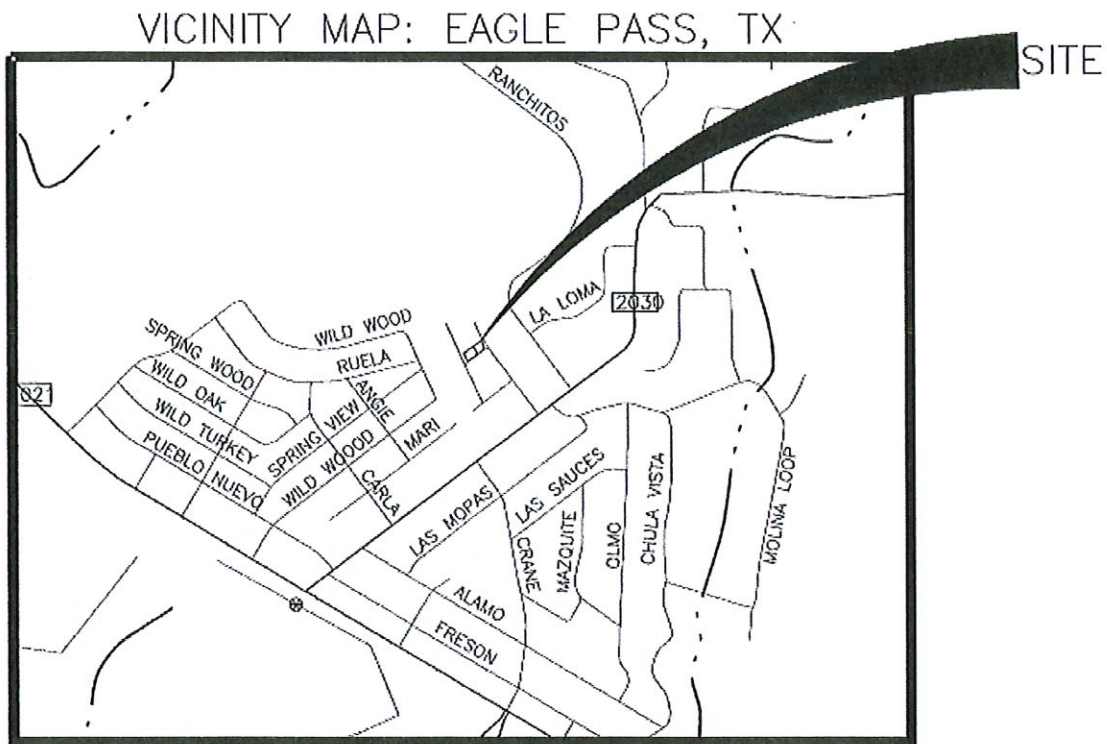


Figure 1. Location Map

CAVEL ENGINEERING

Civil engineering and drone mapping

2.-PROPERTY DESCRIPTION AND SITE PROPERTIES

The 0.5214 Acre property consist in Lot A, School Block of the Chula Vista Subdivision Unit V, as shown on the plat of record on Envelope 160 Side A of the Maverick County Plat Records, the land is surrounded by said subdivision. All of this property lies within the extra territorial jurisdiction of the City of Eagle Pass, in Maverick County, Texas.

All of this land is located in Maverick County, Texas, a one-story single-family dwelling is built on the area for the proposed Lot A1, and the area of the proposed Lot A2 is undeveloped. The property is used as a single-family dwelling residence and this proposed replat is to add a new residential lot to the Maverick County within the extra territorial jurisdiction of the City of Eagle Pass.

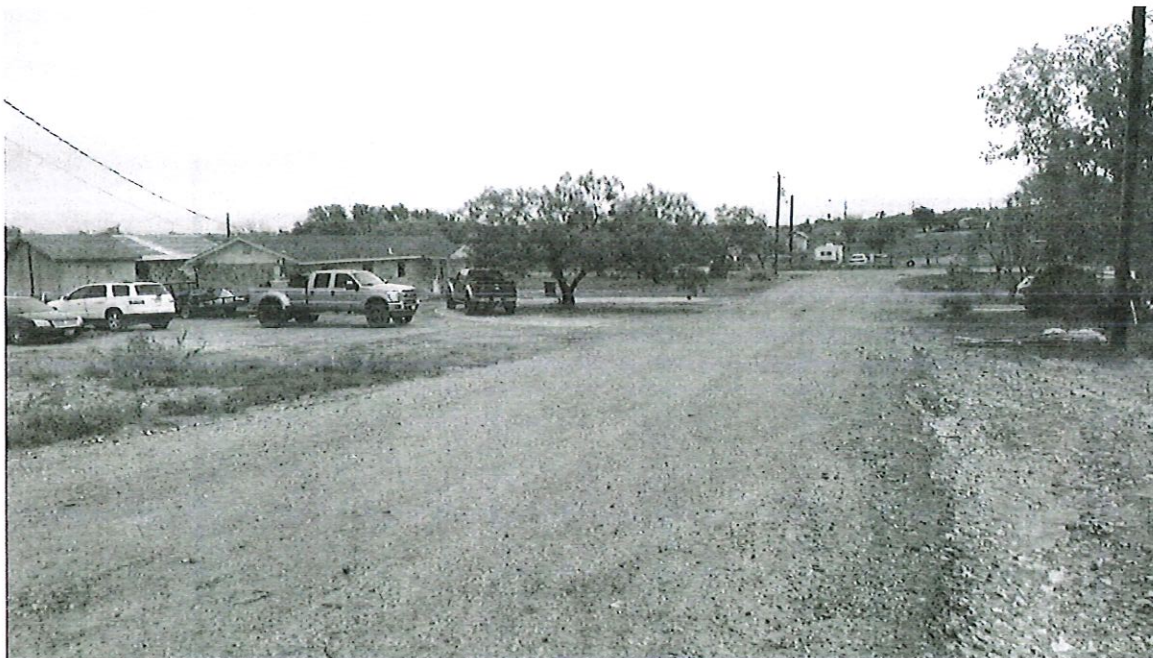


Figure 2. View from the Southeast corner of the tract

CAVEL ENGINEERING

Civil engineering and drone mapping



Figure 3. View from the east side of the property on School Drive.



Figure 4. Intersection of School Circle and same School Circle, to the South of the property

CAVEL ENGINEERING

Civil engineering and drone mapping



Figure 5. View of the northeast corner of the property.



Figure 6. Existing residence on proposed Lot A1, view from the southeast

CAVEL ENGINEERING

Civil Engineering and drone mapping

3.- DRAINAGE CONDITIONS

The site drains naturally to the northwest corner of the property to School Circle most northeasterly end, it is assumed that all proposed development in this replat will be constructed to maintain this drainage flow towards the northwest corner of the property.

This property currently discharges all runoff naturally to School Circle, there is no storm drain system in place within the vicinity of the property, there is also no expected mayor impact in the increase of runoff due to the replat, the variation will be minimal compared to existing drainage conditions and all improvements will match existing drainage patterns.

4.- DRAINAGE CALCULATIONS

EXISTING CONDITION - 10 YEAR

Q 10y= 1.4074008 10 yr- Maximun Rate of runoff (cfs) UNDEVELOPED

PROPOSED CONDITION - 10 YEAR

Q 10y= 2.2161913 10 yr- Maximun Rate of runoff (cfs) DEVELOPED

EXISTING CONDITION - 25 YEAR

Q 25y= 2.1363472 25 yr- Maximun Rate of runoff (cfs) UNDEVELOPED

PROPOSED CONDITION - 25 YEAR

Q 25y= 3.3640412 25 yr- Maximun Rate of runoff (cfs) DEVELOPED

EXISTING CONDITION - 50 YEAR

Q 50y= 2.4689925 50 yr- Maximun Rate of runoff (cfs) UNDEVELOPED

PROPOSED CONDITION - 25 YEAR

Q 50y= 3.8878476 50 yr- Maximun Rate of runoff (cfs) DEVELOPED

EXISTING CONDITION - 100 YEAR

Q 100y= 2.7990632 100 yr- Maximun Rate of runoff (cfs) UNDEVELOPED

PROPOSED CONDITION - 100 YEAR

Q 100y= 4.4076 100 yr- Maximun Rate of runoff (cfs) DEVELOPED

TOTAL AREA= 0.5214 AC.

CAVEL ENGINEERING

Civil engineering and drone mapping

$$Q = \frac{CIA}{Z}$$

DEVELOPED

AREA= 0.5214 AC.

$$C_w = \frac{\sum_{j=1}^n C_j A_j}{\sum_{j=1}^n A_j}$$

RUNOFF COEFFICIENT CALCULATION (UNDEVELOPED)

C= 0.4 Weighted Runoff coeff (CW)(1.25) FOR +25 YEARS UNDEV.
C= Weighted Runoff Coefficient Undeveloped

TOTAL AREA 0.5214 Acres

	SURFACE	AREA (Ac)	COEFF.	TOTAL AREA/AREA1	C=
Building	1500 SF	0.034	0.95	6.60%	0.0627417
Asphalt/Concrete		0.050	0.95	9.59%	0.0911009
Native Vegetation		0.437	0.30	83.81%	0.2514181
				Cw=	0.4052607

C= 0.4052607 Weighted Runoff coefficient UNDEVELOPED

RUNOFF COEFFICIENT CALCULATION (DEVELOPED)

C= 0.6381517 Weighted Runoff coeff (CW)(1.25) FOR +25 YEARS DEV.
C= Weighted Runoff Coefficient Developed

TOTAL AREA 0.5214 Acres

	SURFACE	AREA (Ac)	COEFF.	TOTAL AREA/AREA1	C=
Building	3000 SF	0.069	0.95	13.21%	0.1254833
Asphalt/Concrete		0.100	0.95	19.18%	0.1822018
Native Vegetation		0.353	0.30	67.61%	0.2028363

CAVEL ENGINEERING

Civil engineering and drone mapping

Cw= 0.5105214

C=	0.5105214	Weighted Runoff coefficient	DEVELOPED
I 10y=	8.3257295	10 yr- Average Rainfall intensity (in/hr) (calculation below)	
I 25y=	10.110354	25 yr- Average Rainfall intensity (in/hr) (calculation below)	
I 50y=	11.684611	50 yr- Average Rainfall intensity (in/hr) (calculation below)	
I 100y=	13.246685	100 yr- Average Rainfall intensity (in/hr) (calculation below)	
A=	0.5214	Drainage Area (ac)	
Z=	1	Conversion factor (1)	

$$I = \frac{b}{(t_c + d)^e}$$

RAINFALL INTENSITY

I=	Design rainfall intensity (in./hr.)
t _c =	Time of concentration (min)
e, b, d=	Coefficients for specific frequencies (table below)

FOR 10-YEAR

FOR 25-YEAR

I= 8.3257295 in./hr.

I= 10.110354 in./hr.

e = 0.8774

e = 0.8792

b = 130.75 in

b = 167.74 in

d = 13.7 min

d = 15.03 min

FOR 50-YEAR

FOR 100-YEAR

I= 11.684611 in./hr.

I= 13.246685 in./hr.

CAVEL ENGINEERING

Civil engineering and drone mapping

e = 0.8834 e = 0.8844
b = 203.36 in b = 237.57 in
d = 16 min d = 16.78 min
tc = 9.3749311 min. (Calculation below)

Rainfall Intensity-Duration-Frequency Coefficients for Texas

Based on United States Geological Survey (USGS) Scientific Investigations Report 2004-5041
"Atlas of Depth-Duration Frequency of Precipitation Annual Maxima for Texas"

1. Select English or SI Units

English

2. Select or Enter a County

Maverick

3. Enter a Time of Conc.

Select Units

8.25 min

Coefficient	50% (2-year)	20% (5-year)	10% (10-year)	4% (25-year)	2% (50-year)	1% (100-year)
e	0.861	0.8691	0.8774	0.8792	0.8834	0.8844
b (in.)	66.16	100.56	130.75	167.74	203.36	237.57
d (min)	9.66	12.19	13.70	15.03	16.00	16.78
Intensity (in./hr)	5.09	6.80	8.13	9.89	11.44	12.97

(Spreadsheet Release Date: August 31, 2015; data table reshuffle by Asquith July 14, 2016)

Kerby-Kirpich Method for time of concentration

$$t_c = t_{ov} + t_{ch}$$

$$t_{ov} =$$

Overland flow time

$$t_{ch} =$$

Channel flow time

$$t_{ov} = K(L \times N)^{0.467} S^{-0.235}$$

$$t_{ov} =$$

Engineering and drainage Report, Plat Amendment of Lot A, School Block
Chula Vista Subdivision, Unit V, Eagle Pass, TX

May 10, 2023

CAVEL ENGINEERING

Civil engineering and drone mapping

Overland flow time $K = 0.828$
 A units conversion coefficient $K = 0.828$ for traditional
 units
 $L =$ the overland-flow length (ft)
 $N =$ A dimensionless retardance coefficient $N = 0.02$
 $S =$ Slope of terrain conveying the overland flow

Generalized terrain description	Dimensionless retardance coefficient (N)
Pavement	0.02
Smooth, bare, packed soil	0.10
Poor grass, cultivated row crops, or moderately rough packed surfaces	0.20
Pasture, average grass	0.40
Deciduous forest	0.60
Dense grass, coniferous forest, or deciduous forest with deep litter	0.80

CHANNEL FLOW

$L = 622$ FT
 $ELEV\ 1 = 784$ FT
 $ELEV\ 2 = 794$ FT
 $S = 0.0160772$

$$t_{ov} = 7.0933632 \text{ minutes}$$

$$t_{ch} = KL^{0.770}S^{-0.385}$$

Channel flow time $K = 0.0078$
 $K =$ A units conversion coefficient $K = 0.0078$
 $L =$ the channel flow length
 $S =$ the dimensionless main-channel slope

OVERLAND FLOW

Engineering and drainage Report, Plat Amendment of Lot A, School Block
 Chula Vista Subdivision, Unit V, Eagle Pass, TX

$t_c = t_{ov} + t_{ch}$
 May 10, 2023

CAVEL ENGINEERING

Civil engineering and drone mapping

L= 172 FT
ELEV 1 = 792 FT
ELEV 2 = 794 FT

Max. tc = 10 minutes

S= 0.0116279

$t_{ch} =$

2.281568 minutes

$t_c =$

9.37493112 Min

Table 4-10: Runoff Coefficients for Urban Watersheds

Type of drainage area	Runoff coefficient
Business:	
Downtown areas	0.70-0.95
Neighborhood areas	0.30-0.70
Residential:	
Single-family areas	0.30-0.50
Multi-units, detached	0.40-0.60
Multi-units, attached	0.60-0.75
Suburban	0.35-0.40
Apartment dwelling areas	0.30-0.70
Industrial:	
Light areas	0.30-0.80
Heavy areas	0.60-0.90
Parks, cemeteries	0.10-0.25
Playgrounds	0.30-0.40
Railroad yards	0.30-0.40
Unimproved areas:	
Sand or sandy loam soil, 0-3%	0.15-0.20
Sand or sandy loam soil, 3-5%	0.20-0.25
Black or loessial soil, 0-3%	0.18-0.25
Black or loessial soil, 3-5%	0.25-0.30
Black or loessial soil, > 5%	0.70-0.80
Deep sand area	0.05-0.15

CAVEL ENGINEERING

Civil engineering and drone mapping

Steep grassed slopes	0.7
Lawns:	
Sandy soil, flat 2%	0.05-0.10
Sandy soil, average 2-7%	0.10-0.15
Sandy soil, steep 7%	0.15-0.20
Heavy soil, flat 2%	0.13-0.17
Heavy soil, average 2-7%	0.18-0.22
Heavy soil, steep 7%	0.25-0.35
Streets:	
Asphaltic	0.85-0.95
Concrete	0.90-0.95
Brick	0.70-0.85
Drives and walks	0.75-0.95
Roofs	0.75-0.95

5.- ACCESS TO SITE

The site can be accessed thru School Circle, traveling southeast on El Indio Highway from the City of Eagle Pass City Limits, right after passing loop 480 and approximately 2.06 miles, take a left on FM 2030, travel 0.60 miles to the northeast and take a left on School Circle, travel 0.17 miles to the northwest to get to the northeast corner of the property.

6.- WATER AND SEWER CALCULATIONS

Water Supply: Description.

This tract of land is provided with potable water by means of a main water line running along School Circle.

All inside this unit, water improvements for development on this land will comply with City of Eagle Pass regulations. Service lines and meter boxes will be paid for by the developer and installed to City Standards.

Sewage Facilities: Description.

CAVEL ENGINEERING

Civil engineering and drone mapping

Sewage from this subdivision will be disposed of through the sanitary sewer collection system of the City of Eagle Pass. The existing Lot A1 is already connected to the sanitary sewer collection system, and the proposed lot A2 will be connected to the sanitary sewer collection system discharging to an existing sanitary sewer line located at School Circle R.O.W.

All improvements required to discharge wastewater to the sanitary sewer system will be paid for by the developer and installed following City Standards.

Water Calculations

RESIDENTIAL USE

2 Dwellings. For total development

$$2 \text{ units} \times \frac{4 \text{ Persons}}{\text{Per unit}} \times \frac{100 \text{ Gallons}}{\text{Person-Day}} \times \frac{1 \text{ day}}{24 \text{ hours}} \times \frac{1 \text{ Hour}}{60 \text{ minutes}} = 0.555 \text{ GPM}$$

$$\text{Peak demand} = 2.5 \text{ peak factor} \times 0.555 \text{ GPM} \approx 1.388 \text{ GPM}$$

Sanitary Sewer Calculations

RESIDENTIAL USE

2 Dwellings. For total development

$$2 \text{ Units} \times \frac{4 \text{ Persons}}{\text{Per Room}} \times \frac{80 \text{ Gallons}}{\text{Person-Day}} \times \frac{1 \text{ day}}{24 \text{ hours}} \times \frac{1 \text{ Hour}}{60 \text{ minutes}} = 0.444 \text{ GPM}$$

Infiltration and Inflow Factor = 0.5

Peak Demand Factor = 2.0

$$\text{Peak Demand} = 2.5 \text{ Combined Factor} \times 0.444 \text{ GPM} = 1.11 \text{ GPM} \approx 0.002475 \text{ CFS.}$$

Note: 1 CFS = 448.83 GPM.

6.- FLOOD INFORMATION

This tract of land is located outside any special flood hazard zone as shown on flood hazard boundary map panel 48323C0475D for Maverick County, Texas and incorporated areas dated April 4, 2011.

CAVEL ENGINEERING

Civil engineering and drone mapping

7.- CONCLUSIONS

The existing and proposed use of the property is residential, this proposed replat will not have an impact on the current use of the property and surroundings, drainage patterns and utilities as required for platting purposes are already available to this subdivision of land.

If you have any questions or need more information, contact me at (830) 872-8799 or to my email cavel2@gmail.com.

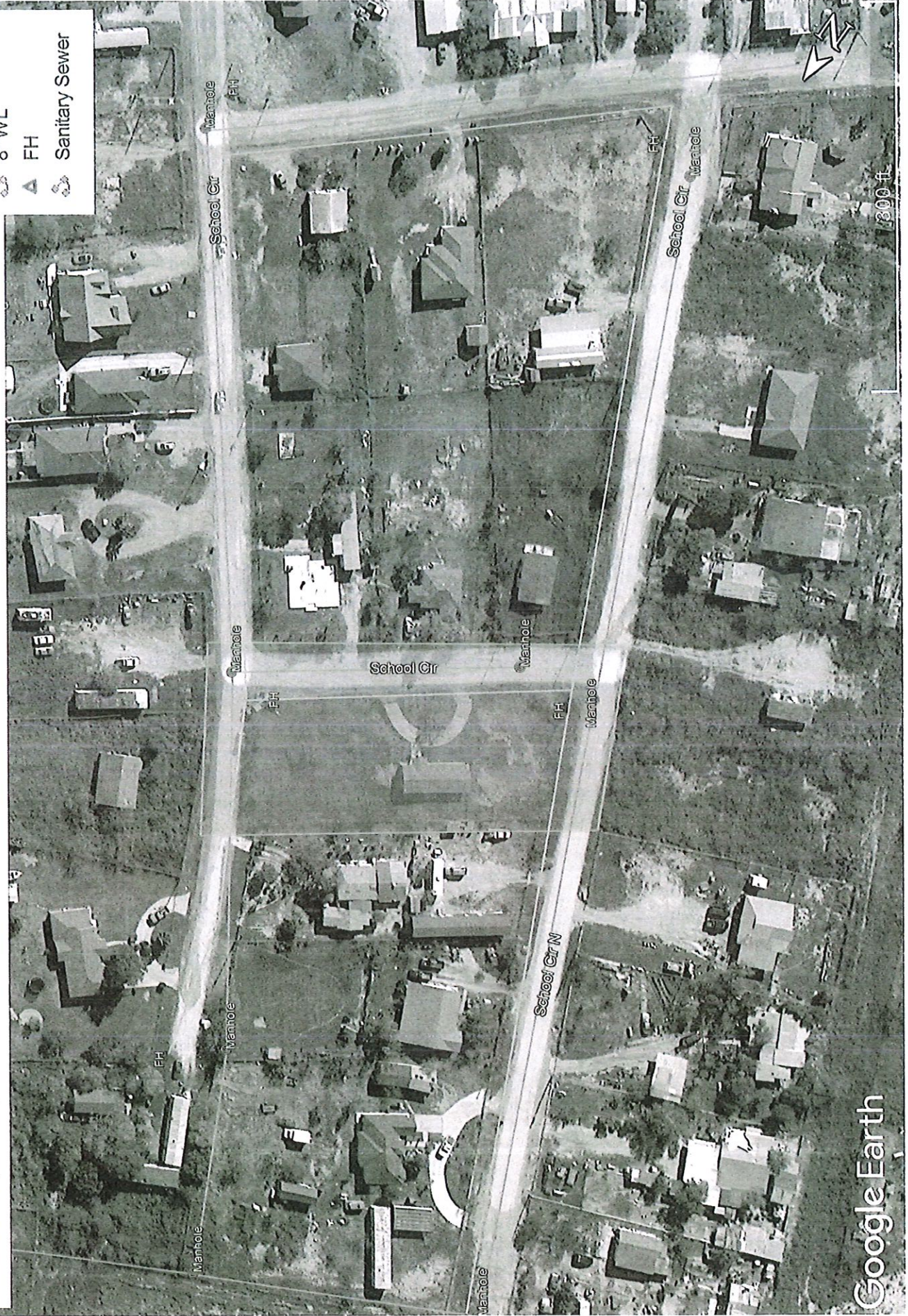


Carlos Arturo Velarde Fernandez, P.E.
Professional Engineer, License No. 134409, Texas.
Eagle Pass, Texas, May 10, 2023.

Plat Amendment of Lot A, School Block, Chula Vista Subdivision Unit V

Write a description for your map.

- Legend**
- 1. Site
 - 8" WL
 - FH
 - Sanitary Sewer





AGREEMENT REGARDING WATER SERVICE FOR THE PROPOSED

Replat of Lot A, School Block, Chula Vista Unit 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 Naylea Martinez, 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 A, School Block, Chula Vista Unit 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
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
6/16/23 VB

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.

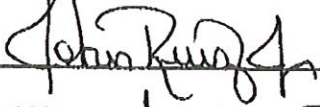
The above provisions notwithstanding, this Agreement shall no longer be in effect if the plat of the Subdivision is not approved by Maverick County and the City of Eagle Pass.

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 MAY 24, 2023.

The Utility

The Subdivider

By: 

By: Naylea Martinez

Printed Name: JOHNNY RUIZ

Printed Name: Naylea Martinez

Office or Position: VICE-CHAIRMAN Office or Position: Owner

Date: 5/24/2023

Date: 5/3/23

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 A, School Block, Chula Vista Unit 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 Naylea Martinez, 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 A, School Block, Chula Vista Unit 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 280 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
11/16/23 VB

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 MAY 24, 2023.

The Utility

By: Johnny Ruiz Jr.

Printed Name: JOHNNY RUIZ

Office or Position: VICE-CHAIRMAN

Date: 5/24/2023

The Subdivider

By: Naylea Martinez

Printed Name: Naylea Martinez

Office or Position: Owner

Date: 5/3/23

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.

Attachment 4
Master Plan and Zoning Map

Zoning District Map

