



AGENDA

PLANNING & ZONING COMMISSION REGULAR MEETING

THURSDAY, OCTOBER 12, 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

PUBLIC HEARINGS

1. Public hearing on the proposed Preliminary Re-plat of Lot 54 in Block 1 of El Pueblo Nuevo Subdivision; closing of public hearing and possible action.
2. Public hearing on the request submitted by Esperanza Contreras for a Conditional Use Permit to allow the establishment of swimming pool venue in property legally known as 110 Heritage Farms Drive; closing of public hearing and possible action.
3. Public hearing on the request submitted by Pedro Garza for the rezoning of Lot 3 in Block 11 of Hillcrest Addition, also known as 1260 Rio Grande Street, from R-3 Duplex District to R-3A Apartment District; closing of public hearing and possible action.

OLD BUSINESS

4. Presentation by Engineering Department and Public Works Department related to storm drainage city projects.

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 October 6, 2023 at 4:10 p.m.


Placido Madera
Planning Director

Item #1



Planning Department Executive Summary REPORT TO THE PLANNING AND ZONING COMMISSION

Preliminary Replat of Lot 54, Block 1 in El Pueblo Nuevo Subdivision LTD

I. BACKGROUND

A. General Information

Applicant: Dirksen Engineering | 441 Fort Clark Rd, Ste B | Uvalde, Texas 78801

Owner: Guadalupe Guanajuato

Location: 274 Pueblo Nuevo Drive **PID Number:** 50931

Legal Description: El Pueblo Nuevo Subdivision LTD, Block 1, Lot 54

Request: Preliminary replat approval to subdivide an approximately 0.3260-acre tract into two residential lots. This is to allow the property owner to install proper city utilities and improvements before plat recordation.

B. Subject Property Information

Parcel Size: 14,250-square feet **Topography:** Generally flat

Vegetation: residential landscaping and native vegetation

Existing Use: one story residence

Zoning: Meets or exceeds the *R-2 Second 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 Pueblo Nuevo Drive and Karen 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*. 65 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 the subdivision. Please refer to Attachment 1.
2. 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.
3. 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.
4. The replat design is consistent with the purpose of the *R-2 Second One-Family Dwelling District*.
 5. The replat 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:
 - ✓ 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-2 District*.
 - ✓ 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.
 - ✓ The subject property is suitable for development in general conformance with development standards of the *R-2 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.
 6. 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.
 - ✓ *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 *Engineering Report* for the subdivision.

7. 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*.
8. The replat will conform with the parkland dedication requirements set forth in *Article V* in *Eagle Pass Code of Ordinances Chapter 23*. Cash in lieu payment to Maverick County will be collected.
9. 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 8 of this report.

B. Planning Department Recommendation

The Planning and Zoning Commission recommend to Eagle Pass City Council to (1) **GRANT** preliminary plat approval of the proposed *Replat of Lot 54 in Block 1 of El Pueblo Nuevo Subdivision, LTD* 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 October 5, 2023

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

TYPE OF SUBDIVISION (check one):

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

Property Legal Description: El Pueblo Nuevo Subdivision LTD, Block 1, Lot 54

Maverick County Property Identification Number(s): 50931

Name of Addition: Replat of Lot 54, Block 1, El Pueblo Nuevo Subdivision, LTD

Location of Addition: 274 Pueblo Nuevo Drive, Eagle Pass, Tx 78852

Number of Residential Lots: 2 Number of Commercial Lots: 0 Gross Acreage 0.3260

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: None

PROPERTY OWNER:

Name: Guadalupe Guanajuato

Address: 129 Springview Dr

City: Eagle Pass

State: Tx Zip: 78852

Signature: *Guadalupe Guanajuato*

Contact: Guadalupe Guanajuato

Phone: 830-513-9867

Fax: _____

E-mail: pedro.guanajuato@yahoo.com

Date: 5/16/2023

PROPERTY OWNER:

Name: _____

Address: _____

City: _____

State: _____ Zip: _____

Signature: _____

Contact: _____

Phone: _____

Fax: _____

E-mail: _____

Date: _____

APPLICANT/SUBDIVIDER:

Name: Guadalupe Guanajuato
Address: 129 Springview Dr
City: Eagle Pass
State: Tx Zip: 78852
Signature: *Guadalupe E. Guanajuato*

Contact: Guadalupe Guanajuato
Phone: 830-513-9867
Fax: _____
E-mail: pedro.guanajuato@yahoo.com
Date: 5/16/2023

SURVEYOR:

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

Contact: Kenneth Dirksen
Phone: 830-278-2100
Fax: 830-278-2102
E-mail: kendirksen@sbcglobal.net
Date: 05-22-2023

ENGINEER:

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

Contact: Kenneth Dirksen
Phone: 830-278-2100
Fax: 830-278-2102
E-mail: kendirksen@sbcglobal.net
Date: 05-22-2023

PRINCIPAL CONTACT: _____ Owner _____ Applicant _____ Surveyor X _____ 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.

Guadalupe E. Guanajuato
Applicant Signature

5/16/2023
Date

Aerial View



Site Photos





REPLAT OF LOT 54, BLOCK 1,
El Pueblo Nuevo Subdivision, LTD

Guadalupe Guanajuato

Being a 0.3260 acre replat of Lot 54, Block 1 of the El Pueblo Nuevo Subdivision, LTD, as shown on the plat recorded in Envelope 139, Side A of the Maverick County Plat Records and described in conveyance documents to Pedro Guanajuato and Guadalupe Guanajuato, recorded in Document Number 194970 of the Maverick County Official Public Records, Maverick County, Texas and more particularly described by metes and bounds as follows:

BEGINNING at a steel stake set (S.P.C. N:13423986.01, E:1509279.80) in the south line of Pueblo Nuevo Drive at the common north corner of Lots 53 and 54 for the northeast corner of the herein described tract;

THENCE S 31°07'55" W, 150.00 feet to a steel stake set in the north line of Lot 2 as described in conveyance document to Juan Emilio Garza, et ux., recorded in Document Number 194330 for the southeast corner of the herein described tract;

THENCE N 58°51'05" W, 95.00 feet to a steel stake set in the east line of Karen Drive for the southwest corner of the herein described tract;

THENCE N 31°07'55" E, 135.00 feet to a steel stake set for the beginning of a tangent curve to the right;

THENCE Northeasterly with said tangent curve to the right having a radius of 15.00, chord N 76°08'25" E, 21.22 feet, for an arc length of 23.57 feet to a steel stake set for a northwest corner of the herein described tract;

THENCE S 58°51'05" E, 80.00 feet to the POINT OF BEGINNING containing 0.3260 acre of land within the herein described tract surveyed by Dirksen Engineering on April 27, 2023.

STATE OF TEXAS)
COUNTY OF MAVERICK)

OWNER'S DEDICATION, CERTIFICATION, AND ATTESTATION

The owners of the land shown on this subdivision plat and whose name is subscribed hereto and in person or through a duly authorized agent, acknowledges that this plat was made from an actual survey and dedicates to the use of the public forever all streets, parks, easements and public places thereon shown for the purposes and considerations therein expressed and the same are dedicated to the public of Maverick County.

The owner certifies that this plat complies with the requirements of Texas Local Government Code 212.032 and that:

- (A) The water quality and connections to the lots meet, or will meet, the minimum state standards;
(B) Sewer connections to the lots meet, or will meet, the minimum requirements of state standards;
(C) Electrical connections provided to the lots meet, or will meet, the minimum state standards, and
(D) Gas connections, if available, provided to the lots meet, or will meet, the minimum standards.
The owner attests that the matters asserted on this plat are true and complete.

Signature _____ Signature _____
Pedro Guanajuato Guadalupe Guanajuato

State of Texas)
County of Maverick)

Before me, the undersigned notary public, on this day personally appeared Pedro Guanajuato proved to me to be the persons whose name(s) are subscribed to the foregoing instrument, who being by me first duly sworn, declared that the statements therein are true and correct and acknowledged that they executed the same for the purposes and consideration thereby expressed.

Given under my hand and seal of office this _____ day of _____, 20____.

Signature Notary Public State of Texas

State of Texas)
County of Maverick)

Before me, the undersigned notary public, on this day personally appeared Guadalupe Guanajuato proved to me to be the persons whose name(s) are subscribed to the foregoing instrument, who being by me first duly sworn, declared that the statements therein are true and correct and acknowledged that they executed the same for the purposes and consideration thereby expressed.

Given under my hand and seal of office this _____ day of _____, 20____.

Signature Notary Public State of Texas

COMMISSIONERS COURT CERTIFICATION:

THIS PLAT WAS PRESENTED TO THE MAVERICK COUNTY COMMISSIONERS COURT AND APPROVED ON _____, 20____, BY THE COMMISSIONERS COURT OF MAVERICK COUNTY, TEXAS.

SIGNED THIS _____ DAY OF _____, 20____.

MAVERICK COUNTY JUDGE

ATTEST

WE THE UNDERSIGNED CERTIFY THAT REPLAT OF LOT 54, BLOCK 1, EL PUEBLO NUEVO SUBDIVISION, LTD WAS REVIEWED AND APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF EAGLE PASS ON _____, _____.

DATE: _____
CHAIRMAN - CITY OF EAGLE PASS PLANNING AND ZONING COMMISSION

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

SIGNATURE NOTARY PUBLIC STATE OF TEXAS

WE THE UNDERSIGNED CERTIFY THAT REPLAT OF LOT 54, BLOCK 1, EL PUEBLO NUEVO SUBDIVISION, LTD WAS REVIEWED AND APPROVED BY THE CITY MANAGER OF THE CITY OF EAGLE PASS ON _____, _____.

DATE: _____
CITY MANAGER OF THE CITY OF EAGLE PASS

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

SIGNATURE NOTARY PUBLIC STATE OF TEXAS

WE THE UNDERSIGNED CERTIFY THAT REPLAT OF LOT 54, BLOCK 1, EL PUEBLO NUEVO SUBDIVISION, LTD WAS REVIEWED AND APPROVED BY THE COUNCIL OF THE CITY OF EAGLE PASS ON _____, _____.

DATE: _____
MAYOR OF THE CITY OF EAGLE PASS

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

SIGNATURE NOTARY PUBLIC STATE OF TEXAS

COUNTY CLERK'S RECORDING CERTIFICATE

I, _____, COUNTY CLERK OF MAVERICK COUNTY, CERTIFY THAT THE PLAT BEARING THIS CERTIFICATE WAS FILED FOR RECORD AT _____ O'CLOCK _____ M. ON _____ AND WAS RECORDED IN ENVELOPE _____, SIDE _____ IN THE MAP RECORDS OF MAVERICK COUNTY AT _____ O'CLOCK _____ M. ON _____.

MAVERICK COUNTY CLERK

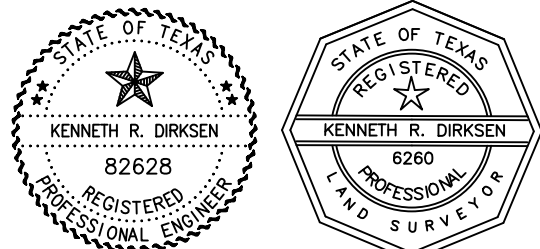
STATE OF TEXAS)
COUNTY OF MAVERICK)

I HEREBY CERTIFY THAT THE WATER AND SEWER FOR THIS SUBDIVISION WERE DESIGNED IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY OF EAGLE PASS AND MAVERICK COUNTY, TEXAS, THAT THESE SERVICES WILL BE CONNECTED TO THE PUBLIC WATER AND SEWER UTILITIES OPERATED AND MAINTAINED BY THE CITY OF EAGLE PASS, TEXAS, ALL AS SHOWN ON THE DRAWINGS PRESENTED TO, AND APPROVED BY, THE CITY OF EAGLE PASS, TEXAS. THESE WATER AND SEWER DESIGNS ARE IN COMPLIANCE WITH THE MODEL RULES ADOPTED UNDER SECTION 16.343 OF THE TEXAS WATER CODE.

I CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL SURVEY CONDUCTED ON April 27, 2023 ON THE GROUND UNDER MY SUPERVISION AND THE MONUMENTS SHOWN ARE WITHIN THE POSITIONAL TOLERANCE REQUIRED BY 22TAC SEC 663.15.

PRELIMINARY DO NOT RECORD FOR ANY PURPOSE

KENNETH R. DIRKSEN, P.E. 82628, R.P.L.S. 6260
DIRKSEN ENGINEERING PROJECT 23-2932



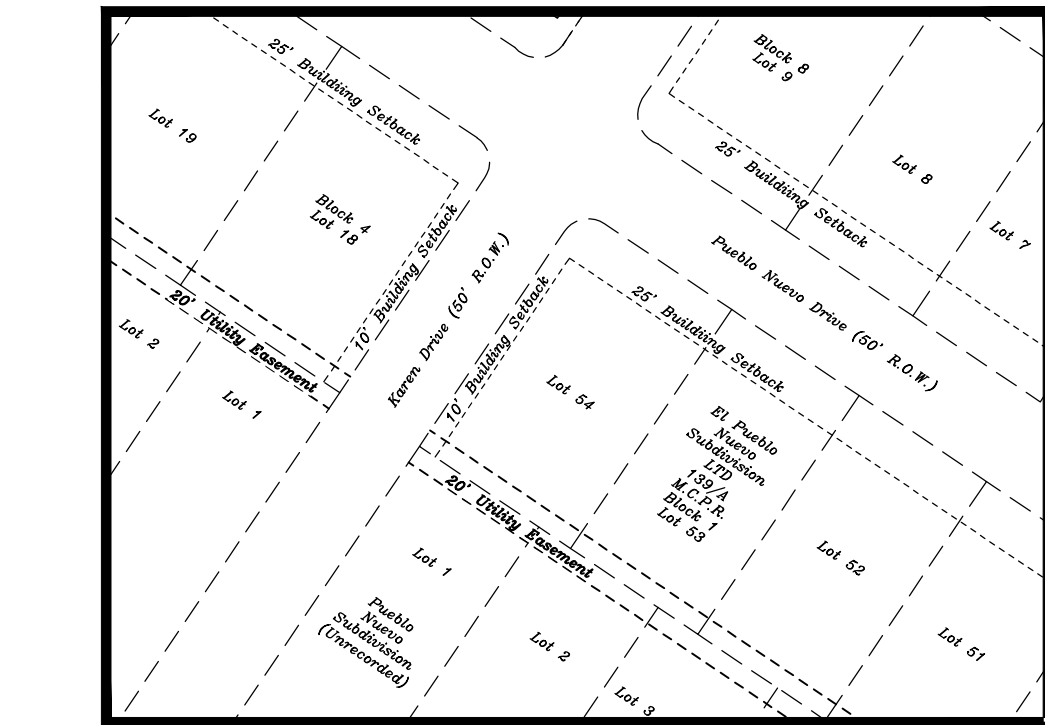
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE ____ DAY OF _____, OF _____ BY KENNETH R. DIRKSEN, P.E.

SIGNATURE NOTARY PUBLIC STATE OF TEXAS

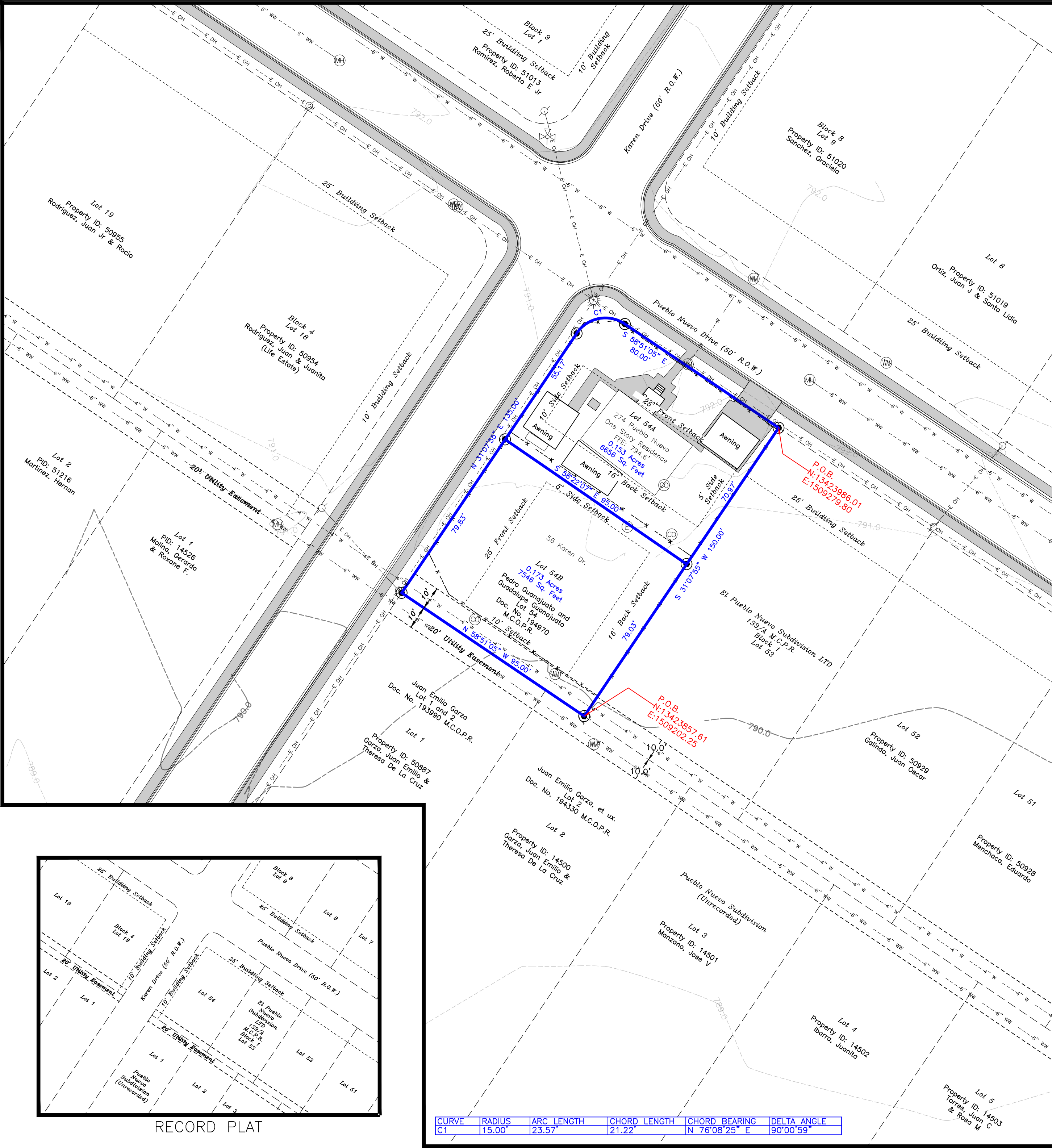
MY COMMISSION EXPIRES ON: _____

NOTES:

- THIS PLAT AMENDS LOT 54, BLOCK 1, EL PUEBLO NUEVO SUBDIVISION, LTD OF THE PLAT PREVIOUSLY RECORDED IN THE PLAT RECORDS OF MAVERICK COUNTY, ENVELOPE 139, SIDE A THE RESTRICTIONS FILED IN VOLUME 860, PAGE 482 M.C.D.R. APPLIES TO THIS RESUBDIVISION.
- THE LAND SHOWN ON THIS PLAT IS IN THE ETJ OF CITY OF EAGLE PASS IN MAVERICK COUNTY, NO ZONING EXISTS. THE LOT AREAS AND SETBACKS CONFORM TO LAND USE R-3. FRONT YARD 25 FT, SIDE YARD 5 FT, CORNER LOT SIDE YARD 10 FT AT STREET CORNER, REAR YARD 16 FEET.
- THE SUBDIVISION SHOWN ON THIS PLAT IS LOCATED OUTSIDE OF SPECIAL FLOOD HAZARD AREAS (SFHAS) AND INSIDE THE AREA OF MINIMUM FLOOD HAZARD, ZONE X, AS SHOWN ON FLOOD INSURANCE RATE MAP NUMBER 48323C0475D FOR MAVERICK COUNTY, TEXAS AND INCORPORATED AREAS BOTH DATED APRIL 4, 2011.
- THE SUBSEQUENT RE-PLATTING OR CONSTRUCTION DEVELOPMENT OF ANY LOT SHALL BE SUBJECT TO THE RESPECTIVE PARKLAND REQUIREMENTS OF EAGLE PASS CODE OF ORDINANCES SECTION 23-79 AND EAGLE PASS CODE OF ORDINANCES SECTION 23-80, WITH FEE PAYMENT FOR CONSTRUCTION DEVELOPMENT DUE AT THE TIME OF THE COUNTY INSPECTION OF AN ELECTRICAL SERVICE CONNECTION OR THE COUNTY INSPECTION OF A SEWER SERVICE CONNECTION.
- EASEMENTS MUST BE KEPT CLEAR OF ANY OBSTRUCTIONS.

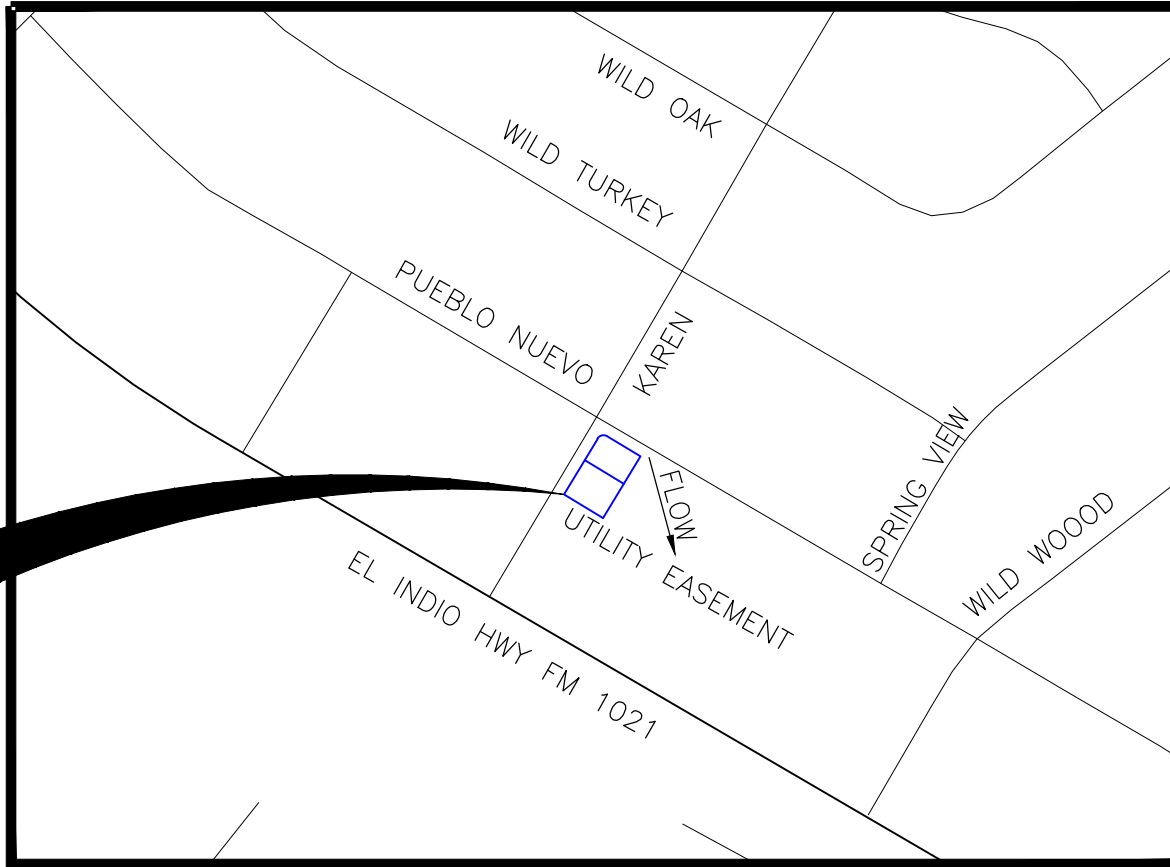


RECORD PLAT



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	115.00'	23.57'	21.22'	N 76°08'25" E	90°00'59"

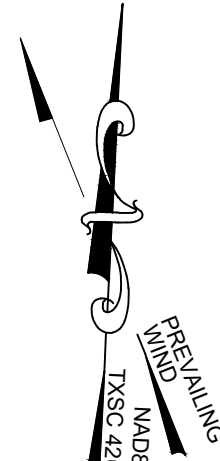
VICINITY MAP: EAGLE PASS, TX



SITE

SCALE: 1"= 400'

REPLAT OF
LOT 54, BLOCK 1,
EL PUEBLO NUEVO
SUBDIVISION, LTD



SCALE: 1" = 30'

LEGEND	
BOUNDARY LINE	SET 1/2" STEEL STAKE
FOUND MONUMENT	SANITARY MANHOLE, CO
PLAT LINES	DEED LINES
EASEMENT LINES	SETBACK LINES
FENCE LINES	WATER METER
ELEC. OVERHEAD	POWER POLE
911 ADDRESS	FIRE HYDRANT
LUMINAIRE	TELEPHONE PEDESTAL
METER POLE	CONCRETE

THESE DRAWINGS ARE THE PROPERTY OF DIRKSEN ENGINEERING AND SHALL NOT BE USED ON OTHER WORK WITHOUT THEIR APPROVAL. IF THIS SHEET DOES NOT MEASURE 24"X36" IT HAS BEEN MODIFIED. COPYRIGHT 2023.

FIRM NAME & ADDRESS



PROJECT# 23-2932

PROJECT NAME & ADDRESS

REPLAT OF LOT 54, BLOCK 1,
EL PUEBLO NUEVO SUBDIVISION, LTD
Eagle Pass, TX

SHEET TITLE

PRELIMINARY

10-02-2023

PREPARED FOR:
Guadalupe Guanajuato
274 Pueblo Nuevo Drive
Eagle Pass, Tx 78852

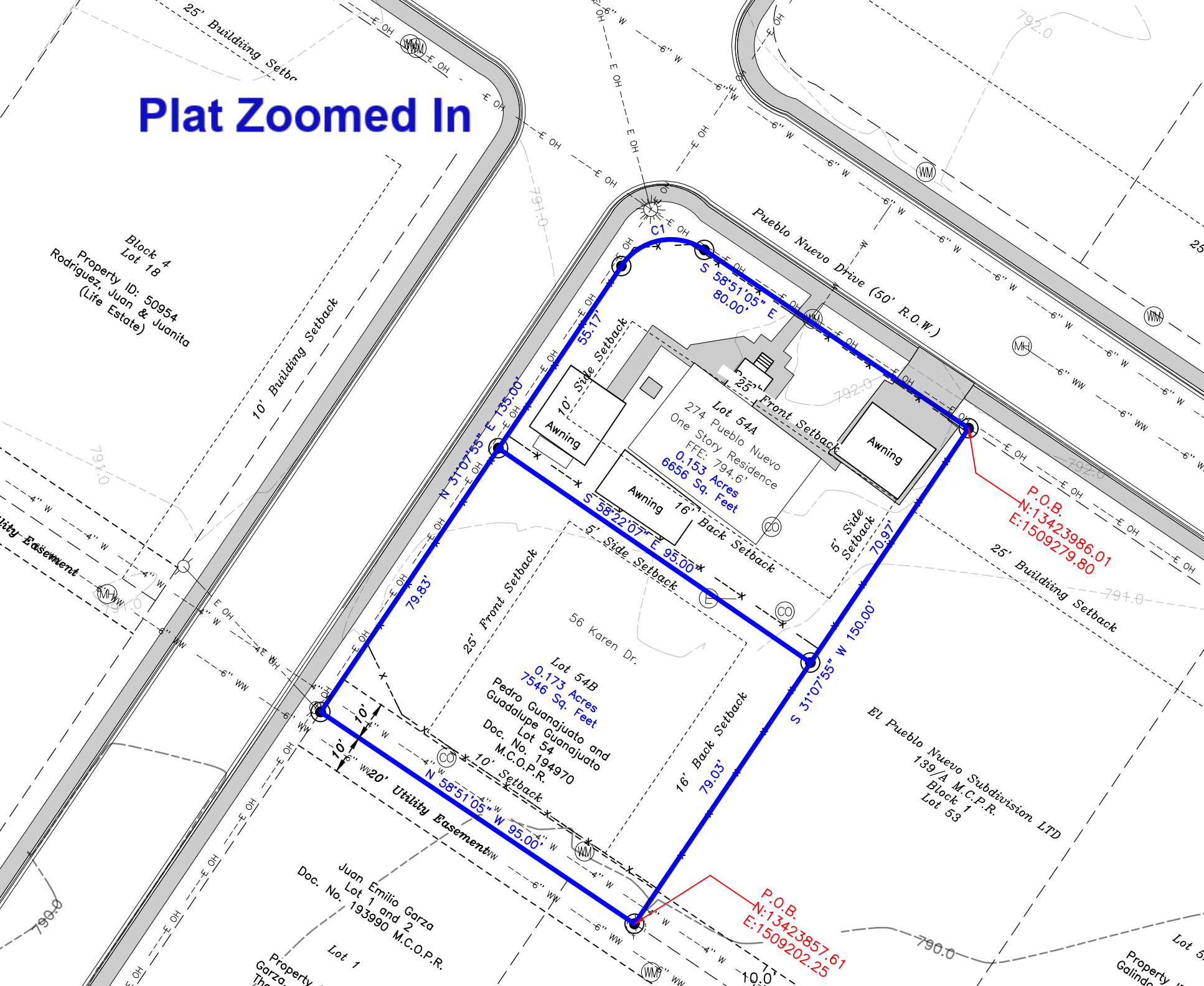
SHEET

1

OF 1 SHEETS

DES'D : KR
DRAWN : KR
APP'VD : KR
DATE : 10-02-23

Plat Zoomed In



Attachment 2
Engineering Report

Dirksen Engineering

441 Fort Clark St, Ste B.

Uvalde, TX 78801

TBPE FIRM #F-8848

TBPLS FIRM #10193741

Phone: 830-278-2100

Fax: 830-278-2102

Cell: (830) 279-9447

kendirksen@sbcglobal.net

October 2, 2023

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

Re: Final Engineering and Drainage Report – Replat of Lot 54, Block 1, Pueblo Nuevo Subdivision

To Whom It May Concern:

Introduction:

The Re-Plat of Lot 54, Block 1, Pueblo Nuevo Subdivision is located along at the intersection of Pueblo Nuevo and Karen St. The Lot will be divided into two halves, north and south. The Maverick CAD Tax ID Number is 50931.



Development

Pueblo Nuevo was platted in 1988. The subdivision was platted with deed restrictions filed in volume 860, page 482 M.C.D.R. The restrictions apply to this replat.

A residence has been constructed on the north half and it is now desired to construct a duplex on the south half. The southern side is occupied by manufactured housing which will be removed and replaced by a duplex.

No zoning exists in the county. The desired setbacks are set by this re-plat.

Street Development

Both tracts have access to paved public streets. Pueblo Nuevo and Karen Drive have curb and sidewalks along both roadways.

Water Development

Water service is provided to Lot 54A along Pueblo Nuevo. An additional service will be added to Lot 54B onto a 4 inch water main in the 20 feet wide utility easement on the south side.

Fire protection is provided by a fire hydrant located at the north corner of Karen Drive and Pueblo Nuevo. The static pressure at this fire hydrant was tested and is attached to this report.

Sanitary Sewer Facilities

Sanitary sewer is provided to Lot 54A Pueblo Nuevo. Sanitary sewer service for Lot 54B will be installed onto the 6 inch waste water line in the 20 feet wide utility easement on the south side.

Drainage Development

The soil is Prior Clay Loam which is a heavy clay soil. The drainage classification is C. The entire site is located outside the special flood hazard area shown on FEMA FIRM 48323C0475D dated April 4, 2011. The Soil Report and a Firmette of the flood plane panel are attached to this report.

Drainage from this site is south across the lots to a utility easement immediately south of Lot 54B. The drainage area is the land inside the curb. No water from Karen or Pueblo Nuevo enters the subject lot. No water from the adjacent lot enters this lot.

The land uses are residential with most houses developed. The C values are taken from the City of Eagle Pass Ordinance for Drainage. A C value of 0.60 is used for multifamily use. The 25 year and 100 year storm are multiplied by 1.1 and 1.25 as required by the ordinance. This re-subdivision will be developed by constructing a residential structure on Lot 6B. Runoff increase from pre-development conditions to developed is 1.1 cfs to 3.4 cfs in the 100 year storm. This increase is small and no additional development of storm water detention is required.

Hydraulic Calculations for the re-subdivision are attached to this report.

Electric Facilities, Telephone and Cable Television

Electric service is provided by AEP. Electric and telecommunication utilities are available from Karen Drive and Pueblo Nuevo

Gas Service

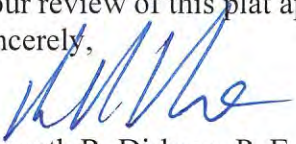
No gas service is required for this re-subdivision.

Construction Cost

No public utilities will be constructed for this project.

Your review of this plat application is greatly appreciated. Contact me for discussion and questions.

Sincerely,



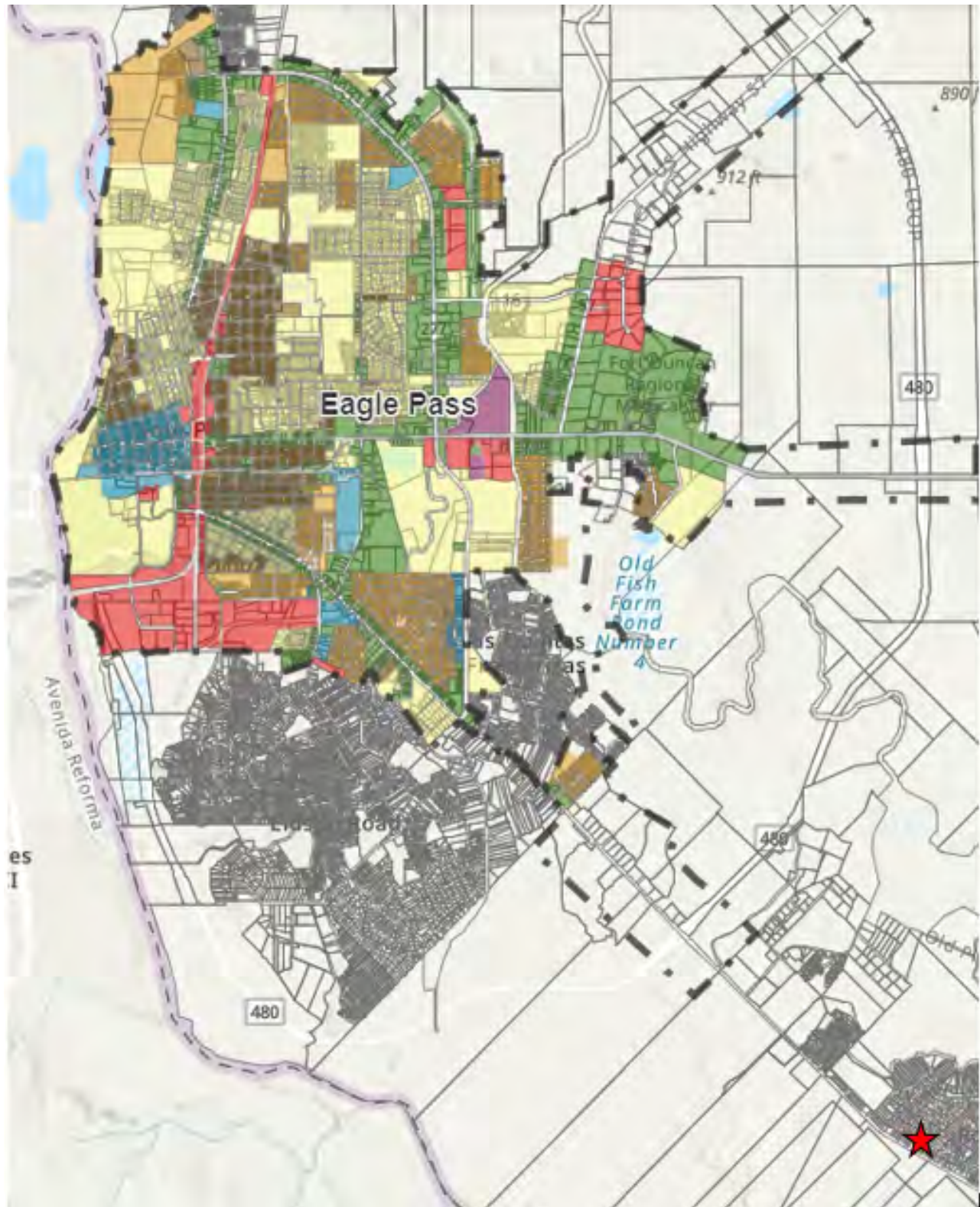
Kenneth R. Dirksen, P. E.

Att: Rainfall Runoff Calculations.



Attachment 4
Master Plan and Zoning Map

Zoning Map



Item #2



Planning Department Executive Summary Report to the Planning & Zoning Commission

Esperanza Contreras Conditional Use Permit Request – 110 Heritage Farms Dr

Aerial Map



I. BACKGROUND

General Information

Applicant/Property Owner: Esperanza Contreras

PID Number: 9609

Legal Description: Lot 1B in Heritage Farms Subdivision

Parcel is located off Heritage Farms Drive and within an area featuring residential developments.

Request: for a Conditional Use Permit to allow the establishment of a swimming pool venue for a home occupation not listed under Section 13(b) of the Zoning Ordinance

Section 13. – Home occupations.

https://library.municode.com/tx/eagle_pass/codes/code_of_ordinances?nodeId=PTIICOOR_APXAZO_OR_S13HOOC

Parcel Size: 27,443-square feet

Current Use: residential dwelling

Proposed Use: operate a home business by renting the resident's pool area to the general public.

Zoning District: R-1 (First One-Family Dwelling District)

Master Plan: Residential

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*. Nine (9) notices were mailed to the abutting property owners within a 200 foot radius of the subject property on September 29, 2023.

Street View Photos



III. RECOMMENDATION FINDINGS OF FACTS

Eagle Pass Code of Ordinances Appendix A: Zoning Ordinance

A. Conclusions

1. The application contains sufficient information upon which the Planning and Zoning Commission may render a decision. Please refer to Attachment 1 for a copy of the request.
2. The request involves the establishment of a home business in which the swimming pool area in the residence will be rented to the public, allowing parties or events. All home occupations not specifically listed in *subsection (b) of Section 13* regulating home occupations shall obtain a conditional use permit from the planning and zoning commission prior to conducting any business activity. The conditional use permit shall be obtained in the manner provided in *Section 21* (below link) under *Eagle Pass Code of Ordinances Appendix A – Zoning Ordinance*.

https://library.municode.com/tx/eagle_pass/codes/code_of_ordinances?nodeId=PTIICOOR_APXAZOOR_S21COUSPE

Section 13 regulating home occupations recognizes the need for some citizens to use their place of residence for limited nonresidential activities. However, the city believes that the need to protect the residential character of residential areas is of paramount concern. In essence, the objective of this chapter is to allow limited commercial type activity in residential areas only to the extent that such commercial activity is not obtrusive to neighbors or passersby.

Section e(4) states that a home business shall not be permitted which will result in the parking of customers' automobiles in a manner, frequency, or number which will cause traffic congestion or will unduly inconvenience nearby residences.

Section e(7) states that a conditional use permit for a home occupation shall be granted by the Planning and Zoning Commission unless the applicant has furnished proof of having registered with the State of Texas Comptrollers Office.

Section e(10) states that in case shall a home occupation be open to the public at times earlier than 7:00 a.m. nor later than 10:00 p.m.

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.

It further states, in part, that before granting any *Conditional Use Permit*, the Planning Department shall be satisfied that the proposed use conforms to the requirements and the intent of this chapter and the general plans(s) of the City of Eagle Pass.

In a circumstance where the proposal is to establish a business, the primary focus should be on the project's compliance with current development codes and its compatibility with surrounding uses, especially those residential uses located in the area. The Planning Department's recommendation to deny the *Conditional Use Permit* is warranted as the primary use of the abutting properties are single one-family dwellings and the proposed use does not conform to the requirements and the intent of this chapter and the general plan(s) of the City of Eagle Pass.

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

This application is not consistent with the *Plan's Land use Development Goals*, as the establishment of a swimming pool venue will not retain the community's character and scale.

Finally, the application is not consistent with the *Plans Short-Term Land Use Objectives*, as it will not provide a method for the city to continue enforcement of the provisions of the zoning ordinance.

5. The *Conditional Use Permit* application is not consistent with the criteria set forth in the *City of Eagle Pass Code of Ordinances Appendix A*, as detailed in Conclusion 1 through and including Conclusion 4 of this report and should not be granted by the Commission.

B. Planning Department Recommendation

The Planning and Zoning Commission **DENY** the Esperanza Contreras request to establish a home business allowing the rental of the swimming pool in property located at 110 Heritage Farms Drive.

TRANSMITTED to the parties listed hereafter:

Esperanza Contreras via telephone and regular mail
Eagle Pass Planning and Zoning Commission Members via e-mail
Eagle Pass Planning Department Report dated October 5, 2023

Attachment 1
Application



PLANNING DEPARTMENT

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

CONDITIONAL USE PERMIT APPLICATION

Applicant Information	Name: <u>Esperanza Contreras</u>
	Mailing Address: <u>110 Heritage farms. Eagle Pass, TX. 78852</u>
	Phone: <u>(830) 352-2295</u> E-mail: <u>peradiera 79@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>Esperanza Contreras</u>
	Mailing Address: <u>110 Heritage Farms dr. Eagle Pass, TX. 78852</u>
	Phone: <u>(830) 352-2295</u> E-mail: <u>peradiera 79@gmail.com</u>

Property Information	Site Address: <u>110 Heritage Farms</u> MCAD Property ID # <u>9609</u>
	Legal Description: Lot(s) <u>1B</u> Block _____ Subdivision <u>Heritage Farms</u> (Property must be legally subdivided or be lot of record)
	Front Yard Width (feet) <u>140</u> Rear Yard Width (feet) <u>140.55</u> Side Yard Width (feet) <u>203.36 (R) 190.91 (L)</u>
	Current Use _____
	Proposed Use _____

Description of Project:
<u>see attached document</u>

Detailed Explanation of Proposed Conditional Use
What development measures regarding location, construction, time period, maintenance, and operation will you use to protect adjacent properties from impacts from your project?
<u>See attached document</u>

Describe how your project is reasonably related to the use of the property.

See attached document

Describe how your project conforms to the purpose of the zoning district in which the project will be established.

see attached document.

Aplicant Authorization

I authorize the City of Eagle Pass to conduct any site visits necessary to evaluate this conditional use permit application.

I hereby state that I have prepared this application and that, to the best of my knowledge, the information contained herein is complete, accurate, and a true representation of the conditional use permit request. I further attest that I have the authority to submit this application and agree to comply with any and all conditions of the conditional use permit approval. I agree to provide any additional information requested by the City as they deem necessary for the processing of this application.

Applicant Signature

Date

09-15-23

Office Use

Date Application Accepted for Review: 9/19/23 By: ME

Contact Date for Supplemental Info: 9/19/23 Supplemental Info Received: 9/21/23
200 ft. radius UST

Completeness Review Date: 9/19/23 By: ME

Application Returned to Applicant: — (when applicable)

\$100 processing fee will be invoiced along with publication fee

MR:8/2020

Description of Project.

The project is a family-oriented recreational area inside the city limits that includes a Pool, Waterslide, Palapa, Gazebo, built-in grill, Portable grill, Patio furniture, Refrigerator, 50" smart TV, Internet, Bar with sink, Barstools, Full restroom, grown-up trees, and decorated with lights for the cozy look, all in a fully fenced lot located at 110 Heritage Farms subdivision.

Detailed Explanation of Proposed Conditional Use

What development measures regarding location, construction, time period, maintenance, and operation will you use to protect adjacent properties from impacts from your project?

The project is located on a fully fenced (140.0' front, 203.36' right side, 140.55' back, 190.91' left side) lot located at 110 Heritage Farms Dr. The construction consists of a palapa, fully fenced pool, the time period if you give me the opportunity will be as follows, 5 hrs. weekdays, latest 10:00 pm, 6 hrs. weekends latest 11:00 pm. The maintenance will be done by my husband and me and it will be done daily including cutting grass and cleaning the area. The operation to protect adjacent properties will be; at the time of the events no car will be parked blocking any neighbor's driveway, and no trash will be thrown outside of the property. Due to the measurements of the lots I strongly believe no noise will disturb any neighbors at the latest hours of the night.

Describe how your project is reasonably related to the use of the property.

My project is located in the backyard of my house and access will be granted through the left side of the property where the gate is located

Describe how your project conforms to the purpose of the zoning district in which the project will be established.

Due to the zoning where the project is located, I would like to respectfully request a conditional use permit and do the proper integration into the community.

Attention

PLANNING DEPARTMENT

Hello,

My name is Esperanza Contreras. The reason for this letter is to respectfully ask for a conditional permit for the use of my backyard as a recreational area, where the community would enjoy, relax and have quality and family time.

The area sits on almost an acre, and it includes.

Palapa, gazebo, 2 grills, 50" smart TV, full restroom, tables and patio chairs, patio umbrellas, internet, 3 fans, bar with sink, bar stools, refrigerator, trash cans, grown-up trees, 48,000 gallons pool, water slide, and also fully fenced with a garden where the kids can play and entertain with family and friends, as well as lights that gave it the cozy look and feeling.

I strongly consider the importance of having recreational areas such as this one inside the city limits because it is very close to everything in the city, also for the convenience of the guests by not going so far from the city to have fun and build memories with their loved ones, at The Pool.

As a citizen of Eagle Pass, I have noticed that there are not too many options inside the city to have a relaxing and joyful time with family and friends. If you give me the opportunity, I am willing to offer our Eagle Pass families a pleasant time in a place where they can grill out, refresh from this Texas weather, and enjoy almost an acre of fun at The Pool.

Sadly I believe that because of COVID our community lost family members, friends, parents, and siblings, and now we are not the same without them in our lives but if you give me the opportunity, I would love to be part of a new chapter in their life

where they can be able to remember and honor their memory and also make new and funny stories to tell in the future, at The Pool.

This project of mine also came out for the love of our Eagle Pass kids by providing a place where they can explore the outside other than phones, computers, or video games (not against them) but they can be able to swim and have a great evening with friends, family, sport teams, at The Pool.

I also strongly believe that everything is changing and moving as well as our community. If you give me the opportunity it would be an honor to be part of these changes and be able to make my dream project become a reality and help my community.

Attached you will also find a usb and pictures of the area, also I took the initiative of asking some of the people who have had the opportunity to enjoy my backyard (The Pool) for their experience at The Pool, It would be truly appreciated if you please take their opinion into consideration at the time of your decision, because it is the community speaking up.

Thank you so much for your time. If you have any further questions or if you would like to visit the area I am at your service.

Sincerely, Esperanza Contreras

(830) 352-2295

peradiera79@gmail.com

110 Heritage Farms, dr.

Eagle Pass, Tx. 78852







Attachment 2
Master Plan Map & Zoning District Map

The map displays a residential area with several streets: Morales Cir, Calle Conchita, Calle Gaitana, and Heritage Dr. A red circle highlights a specific lot on Heritage Dr. The legend indicates that yellow areas are residential, green areas are commercial, and blue areas are vacant. The highlighted lot is surrounded by other residential lots, some of which are labeled with acreage and lot numbers.

Color	Land Use Type
Blue	VACANT
Yellow	RESIDENTIAL
Green	COMMERCIAL
Pink	INDUSTRIAL
Red	PUBLIC AND SEMI - PUBLIC
Orange	AGRICULTURE

The screenshot displays the ArcGIS Online web application interface. On the left, the 'Layer List' panel is open, showing a list of layers. The 'Zoning' layer is selected and expanded, revealing several zoning districts: B1 - Neighborhood Business District (green), R1 - First One-family District (yellow), R-3 - Duplex District (brown), R2 - Second One-family District (orange), I - Industrial District (red), B2 - Central Business District (blue), F - Floodway District (purple), and R4 - Townhouse Residence District (light green). Below these, the 'Historic Preservation' layer is listed but not selected. The main map area shows an aerial view of a suburban area with various streets labeled, including 'El Indio Hwy', 'Marilyn Dr', 'Carmichael Dr', 'Heritage Farms Dr', 'El Indio Blvd', 'S Veterans Blvd', 'Calle Calico', and 'Calle Oaxaca'. A search result popup is visible over the map, showing the address '110 Heritage Farms Dr, Eagle Pass, TX, 78852, USA' and a 'Zoom to' button.

Attachment 3

Zoning Codes

Sec. 21. Conditional use permits.

- (a) *Purpose.* The purpose of this section is to allow the proper integration into the community of uses which may be suitable only in specific locations in a zoning district or only if such uses are designed or laid out on the site in a particular manner.
- (b) *Application.* A conditional use permit shall be required for all uses listed as conditional uses in the residential, commercial, and industrial land use descriptions or elsewhere in the Zoning Ordinance of the City of Eagle Pass.
 - (1) *Filing.* Application shall be made in writing by the property owner or his authorized agent, on forms provided by the planning department, and accompanied by such data and information as may be necessary to fully describe the request.
 - (2) *Fee.* The filing and investigation fee shall be one hundred dollars (\$100.00).
- (c) *Public hearing.* A public hearing shall be held in accordance with law. A notice of hearing shall be mailed at least ten calendar days prior to said hearing to all property owners, any part of whose property lies within a radius of two hundred (200) feet of the applicant's property, using for this purpose the names of such owners as shown on the last equalized assessment roll, or alternatively, from such other records of the assessor or the tax collector as contain more recent addresses. In addition, if warranted in the determination of Planning Director, notice shall be provided by conspicuously posting it on the subject property for at least ten days prior to the hearing. Failure to receive the notice required by this section shall not invalidate the action of the planning and zoning commission.
- (d) *Planning and zoning commission action.* 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. Before granting any conditional use permit the planning director shall be satisfied that the proposed structure or use conforms to the requirements and the intent of this chapter and the general plan(s) of the City of Eagle Pass.
- (e) *Appeals.* The planning and zoning commission action on the conditional use permit shall be final unless, within fourteen (14) calendar days after the decision, the applicant, or any other person, including the city council, any individual city council member, or the city manager, not satisfied with the decision of the planning and zoning commission, may appeal to the city council. No conflict of interest shall exist solely by reason of the filing of an appeal by the city council, an individual city council member, or the city manager. Any appeal shall be filed with the city secretary's office and, except an appeal by the city council, a council member, or the city manager, shall be accompanied by a filing fee of one hundred dollars (\$100.00). The city secretary shall set a date for a public hearing and shall give notice to the appellant, the applicant and neighboring property owners in the manner provided in the zoning ordinance.
- (f) *Issuance.* No conditional use permit which has been approved by the planning and zoning commission shall be issued prior to the expiration of the appeal period as set forth in the Ordinances of the City of Eagle Pass, or the final action on an appeal to the city council.
- (g) *Expiration.* In the event the planning and zoning commission finds the use permit has not been exercised within the time limit set by the commission, or within one (1) year if no specific time limit has been set, the permit shall be null and void without further action; except that the planning director may extend the approval of a use permit for one (1) additional year, with the same conditions of approval, if circumstances have not changed. The request in writing must be received prior to the expiration of the use permit.
- (h) *Minor modification to use permit.* The planning director may approve minor modifications to an approved use permit.

- (i) *Revocation.* In the event the conditions of a use permit have not been or are not being complied with, the planning department shall give the permittee notice of intention to revoke such permit at least ten days prior to a planning and zoning commission review thereon. After the conclusion of the review, the planning and zoning commission may revoke such permit.

Sec. 13. Home occupations.

- (a) *Purpose and intent.* The City of Eagle Pass recognizes the need for some citizens to use their place of residence for limited nonresidential activities. However, the city believes that the need to protect the residential character of residential areas is of paramount concern. In essence, the objective of this chapter is to allow limited commercial type activity in residential areas only to the extent that such commercial activity is not obtrusive to neighbors or passersby.
- (b) *Permitted home occupations.* The following home occupations shall be permitted in any residential zone without conditional use permits providing they meet the performance standards in section e. of this chapter:
 - (1) Dressmaking, sewing and tailoring;
 - (2) Painting, sculpturing or writing;
 - (3) Telephone answering or soliciting;
 - (4) Home crafts such as model making, rug weaving and lapidary;
 - (5) Tutoring limited to two (2) students at a time;
 - (6) Home cooking and preserving;
 - (7) Computer programming.
- (c) *Prohibited home occupations.* The following home occupations are prohibited in all residential zones:
 - (1) Animal hospitals;
 - (2) Dancing studios, exercise studios;
 - (3) Mortuaries;
 - (4) Private clubs;
 - (5) Restaurants;
 - (6) Stables or kennels;
 - (7) Automobile body shops;
 - (8) Occupations involving explosives or other hazardous materials.
- (d) *Conditional use permits.* All home occupations not specifically listed in subsection (b) above shall obtain a conditional use permit from the planning and zoning commission prior to conducting any business activity. The conditional use permit shall be obtained in the manner provided in section 21 of this chapter.
- (e) *Performance standards.* In considering applications for conditional use permits for home occupations, the Planning and Zoning Commission of Eagle Pass shall be guided by the following considerations:
 - (1) The legislative intent as set forth in section 1 above;
 - (2) No materials or equipment shall be permitted which would be detrimental to the residential use of nearby residences such as vibration, noise, dust, smoke, odor, interferences with radio or television reception and other factors detrimental to residential use;
 - (3) A home business shall not be permitted which requires frequent home deliveries for commercial purposes;
 - (4) A home business shall not be permitted which will result in the parking of customers' automobiles in a manner, frequency, or number which will cause traffic congestion or will unduly inconvenience nearby residences;

- (5) Signs for home occupations shall be located on the lot for which the conditional use permit is issued. One (1) sign, unlighted and attached to the building which shall not exceed six square feet in area may be permitted;
 - (6) Employment in a home occupation shall be limited to persons residing in the dwelling unit where the home occupation is conducted;
 - (7) No conditional use permit for a home occupation shall be granted by the planning and zoning commission unless the applicant has furnished proof of having registered with the State of Texas Comptrollers Office;
 - (8) There shall be no exterior indication of the home occupation or variation from the residential character of the principal or accessory buildings except for a sign in conformance with this chapter;
 - (9) There shall be no outside storage or display of items for sale, materials or equipment to be used in conjunction with the home occupation.
 - (10) In no case shall a home occupation be open to the public at times earlier than 7:00 a.m. nor later than 10:00 p.m.
- (f) *Pre-existing home occupations.* Any home occupation which lawfully existed on the effective date of this chapter shall be allowed to continue operation in accordance with section 16.

(Ord. No. 06-13, § 2, 7-11-2006)

Item #3



Planning Department Executive Summary REPORT TO THE PLANNING & ZONING COMMISSION

1260 Rio Grande Street Rezone Request

Aerial Map



I. BACKGROUND

General Information

Applicant & Property Owner: Pedro Garza

Location: 1260 Rio Grande St. **PID:** 9817

Legal Description: Hillcrest Addition, Block 11, Lot 3

Request: Rezone parcel from R-3 Duplex District to R-3A Apartment District, to allow for the construction of apartments.

Subject Property Information

Current Use: Single Family Dwelling

Proposed Use: Multi-Family Dwelling

Parcel Size: 0.1722 (7,500 sq ft)

Current Zoning District: R-3 Duplex District

Master Plan: Residential

Vicinity Data

The site is in an area that is primarily comprised of single-family dwellings and multi-family dwellings.

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 Rio Grande 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*. 24 notices were mailed to the abutting property owners within the 200 foot radius from the subject property on September 29, 2023

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 still will be residential. The rezone, if granted, will result in construction activities that will include the enforcement of the appropriate land development regulations resulting in appropriate lot sizes, paved streets with curb 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 R-3A Apartment 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 an apartment dwelling to house from four to seven families on the property, subject to conformance with all applicable 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 Rio Grande Street.
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 *R-3A District* and consistent with residential and multi-family 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 has multi-family residential use and should allow the 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 ensure conformance with direction provided in the *Maste 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 from R-3 Duplex District to R-3A Apartment District for property legally defined as Lot 3 in Block 11 of Hillcrest Addition, also known as 1260 Rio Grande Street, subject to the following conditions:

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 governing landscaping 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 (Section 12(d)(1)(a) & (c))

TRANSMITTED to the parties listed hereafter:

Pedro Garza via e-mail
Planning and Zoning Commission Members via e-mail
Eagle Pass Planning Department Report dated October 6, 2023

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: 9605

Applicant Information	Name: <u>Pedro Garza</u>	
	Mailing Address: <u>2149 Nicolas St. Eagle Pass, TX 78852</u>	
	Phone: <u>7372280111</u>	E-mail: <u>the.pedro.garza@gmail.com</u>
	<u>Note: if you are not the owner of the property, you must attach a letter from the owner authorizing you to submit this application.</u>	

Property Owner Information	Name: <u>Pedro Garza</u>	
	Mailing Address: <u>2149 Nicolas St. Eagle Pass, TX 78852</u>	
	Phone: <u>7372280111</u>	E-mail: <u>the.pedro.garza@gmail.com</u>

Property Information	Site Address: <u>1260 Rio Grande St.</u>	MCAD Property ID # <u>9817</u>
	Legal Description: Lot(s) <u>3</u> Block <u>11</u> Subdivision <u>Hillcrest Addn</u>	
	(Property must be legally subdivided or be lot of record)	
	Front Yard Width (feet) <u>50</u>	Rear Yard Width (feet) <u>150</u>

Proposed Project	Amend Zoning Regulations contained in section <u>Appendix A, Section 7.0 & 7.1</u>
	Amend the Official Zoning Map & Master Plan by changing <u>0.172</u> acres of land currently zoned <u>R3</u> to be zoned <u>R3A</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:	
The proposed use of the property is to develop it into a multi family property comprising between 4-7 apartments	
Describe the character and/or nature of uses surrounding the property:	
There are several properties, including adjoining ones as well as across the street, being used as multi family.	
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?	

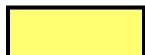
Applicant Authorization	I authorize the City of Eagle Pass to conduct any site visits necessary to evaluate this zoning change application. I hereby state that I have prepared this application and that, to the best of my knowledge, the information contained herein is complete, accurate, and a true representation 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 08/09/2023 _____ Date

Office Use	Date Application Accepted for Review: <u>9/15/23</u> By: <u>VB</u>
	Contact Date for Supplemental Info: <u>9/15/23</u> Supplemental Info Received: <u>9/21/23</u>
	Completeness Review Date: <u>9/21/23</u> By: <u>VB</u>
	Application Returned to Applicant: _____ (when applicable)
MR:7/2020	

Site Photos

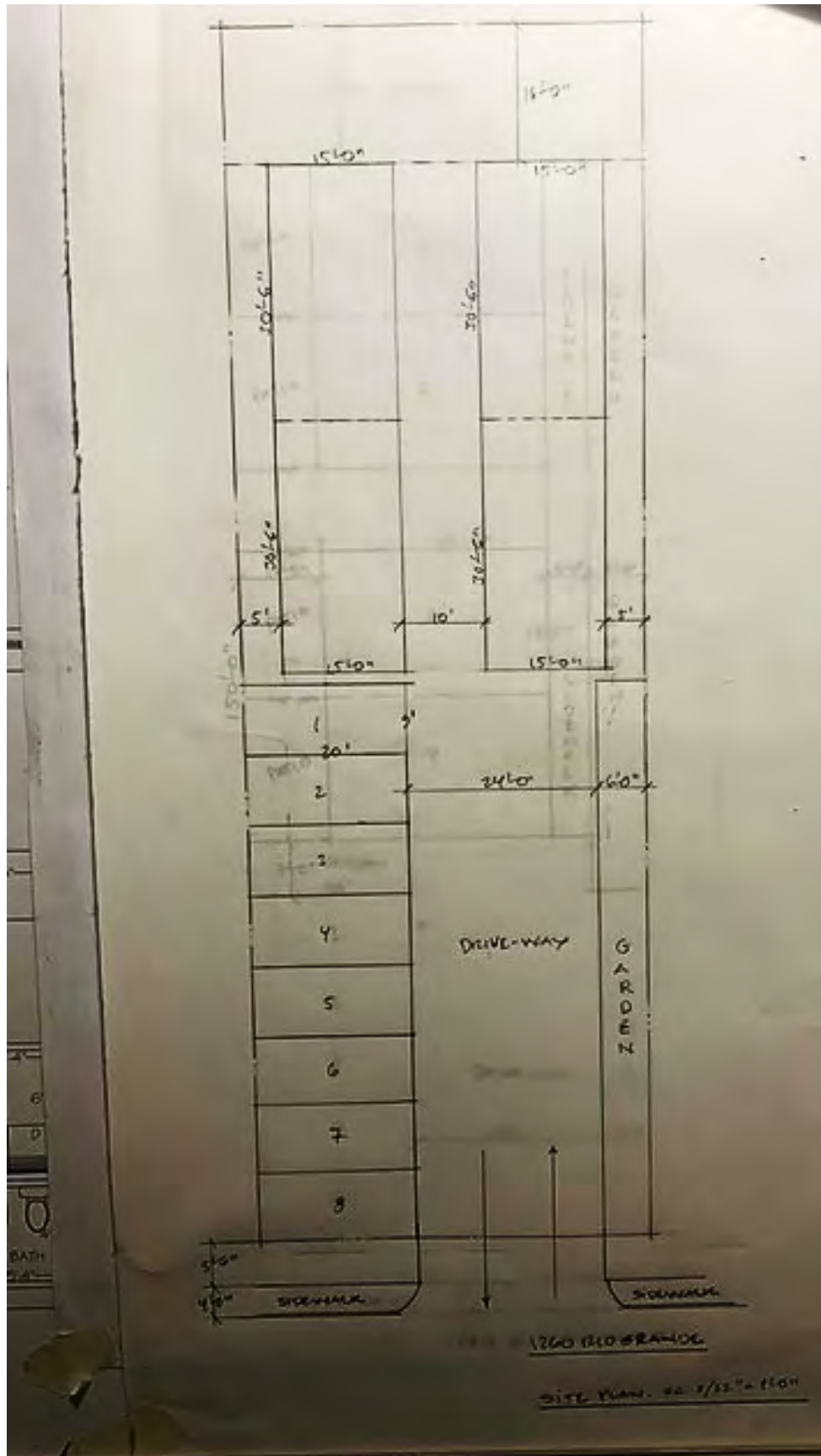


Apartments in Vicinity



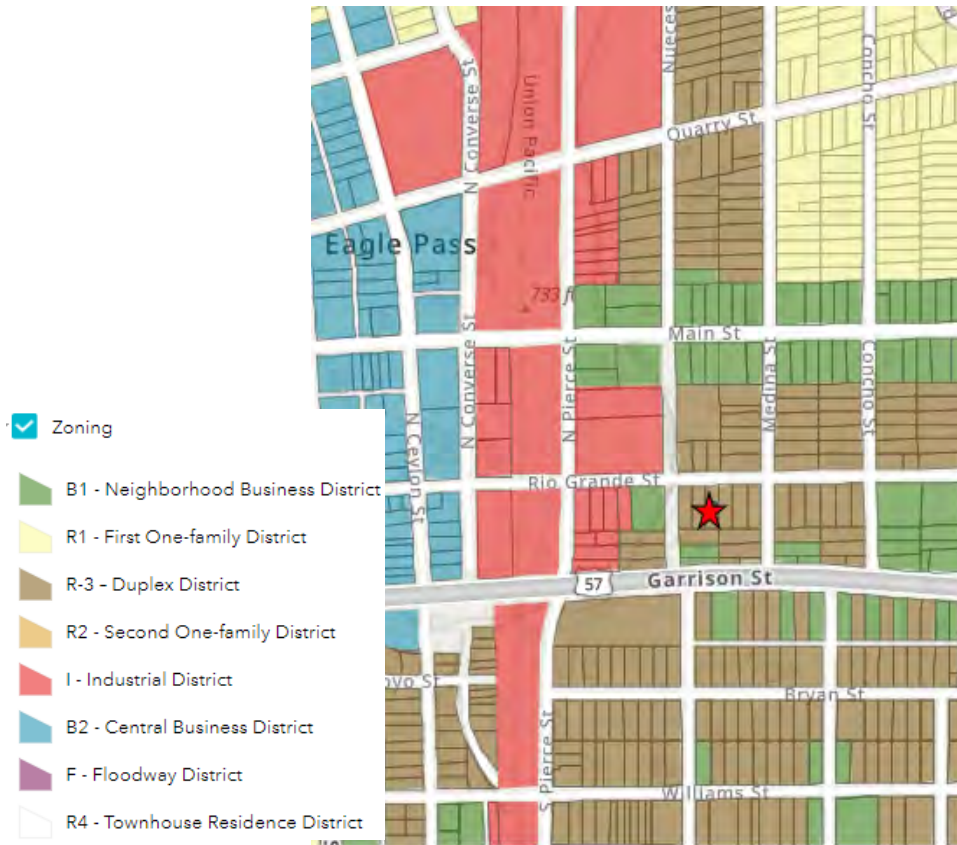
Nearby Apartments

Site Plan

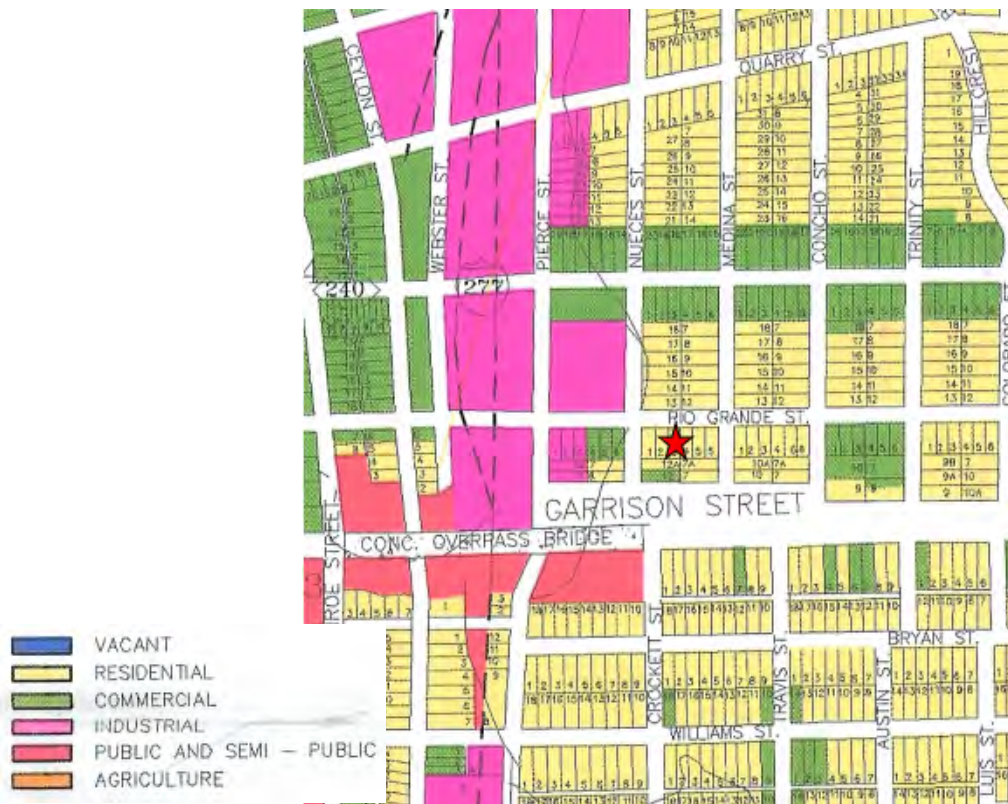


Attachment 2
Master Plan & Zoning Map

Zoning District Map



Master Plan



Item #4

Drainage Master Plan

City of Eagle Pass, Texas

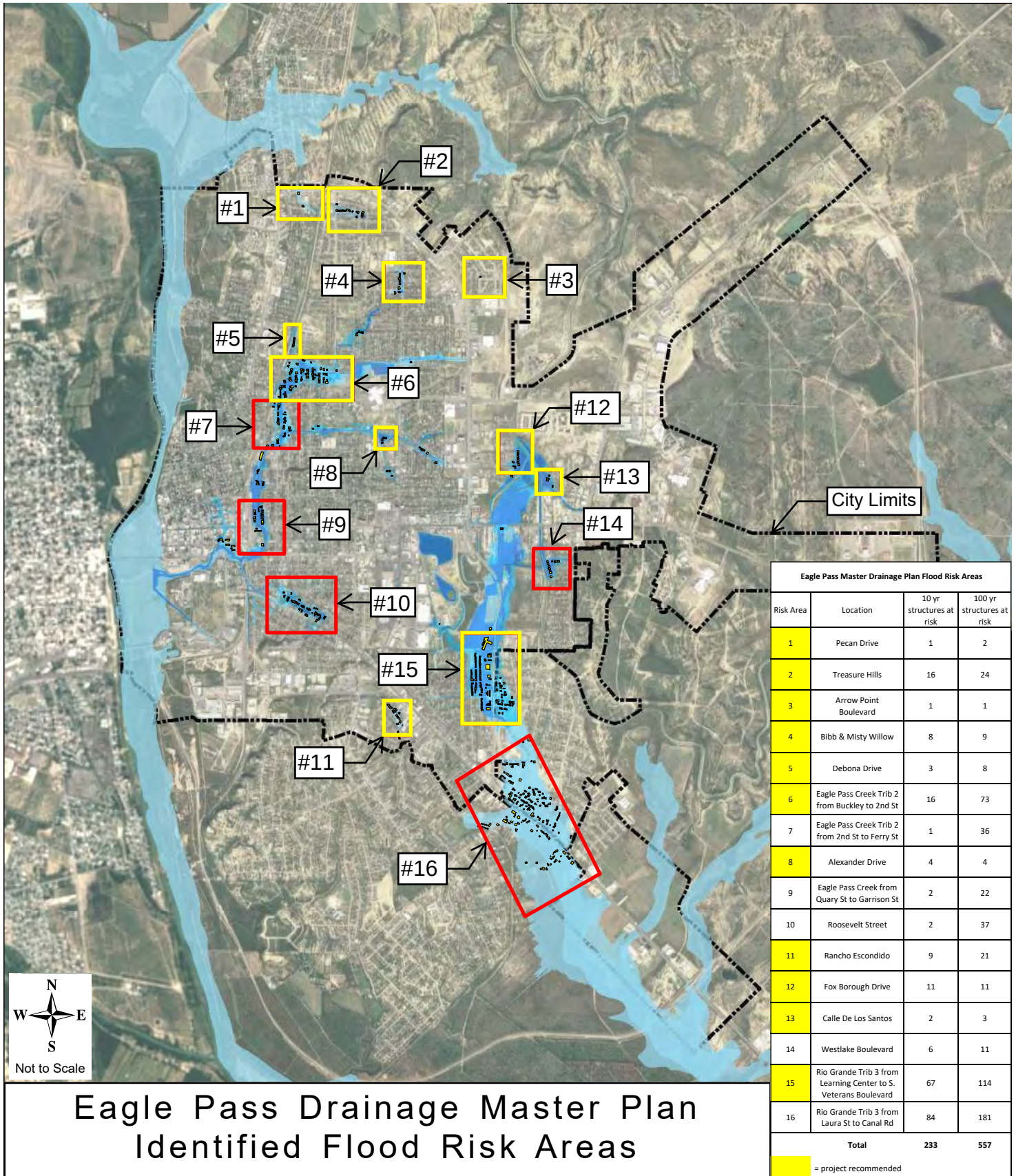
September 10, 2020

AVO 35362.001



100 NE Loop 410, Suite 200
San Antonio, TX 78216

1. Identified Flood Risk Areas



**Eagle Pass Drainage Master Plan
Identified Flood Risk Areas**

2. Project Recommendations

Ranking	Alternative	Probable Cost	Incremental Cost	Notes
1	Trib 2 bypass & detention at Eagle Pass High School fields (Risk Area #6)	\$870K	\$870K	50 structures removed from the 100-year floodplain (\$18K/structure). Coordination with EPISD required.
2	Trib 3 Detention at Main Street (Risk Area #15)	\$753K	\$1.6M	61 structures removed from the 100-year floodplain (\$12K/structure) and 67 removed from the 10-year floodplain. Floodplain removal along South Veterans increases potential for development. Property acquisition required.
3	Tributary 2 channel widening near Alexander Drive (Risk Area #8)	\$73K	\$1.7M	4 structures removed from the 10- & 100-year floodplain (\$18K/structure). Simple project, some coordination with EPISD.
4	Arrow Point Boulevard (Risk Area #3)	\$48K	\$1.75M	1 structure removed from flood risk. Simple project, drainage easement required and coordination with residential properties.
5	Celle De Los Santos neighborhood. Additional culvert under irrigation canal. (Risk Area #13)	\$165K	\$1.9M	2 structures removed from the 10- & 100-year floodplain (\$82K/structure). Simple project, some coordination with Eagle Pass Water Works. Removes nuisance flooding from several residential lots.
6	Bibb & Misty Willow storm drain (Risk Area #4)	\$288K	\$2.2M	9 structures removed from the 100-year floodplain (\$32K/structure) and nuisance flooding removed from busy intersection on major street. **Design plans already completed.**
7	Debona Drive (Risk Area #5)	\$327K	\$2.5M	14 properties removed from floodplain (\$23K/structure). Easy access and quick construction. **Design plans already completed.**
8	Rancho Escondido (Risk Area #11)	\$829K	\$3.3M	Removes 13 structures from floodplain (\$63K/structure). Recurring flood victims on Nancy Dr. **Design plans already completed.**
9	Pecan Drive (Risk Area #1)	\$543K	\$4.0M	Removes 2 structures from the floodplain.
10*	Treasure Hills (Risk Area #2)	\$1.1M	\$5M	Removes 22 structures from floodplain (\$49K/structure). Design plans already completed
11*	Fox Borough Drive (Risk Area #12)	\$1.1M	\$6.1M	Removes 10 structures from floodplain (\$110K/structure). Land acquisition required

 Shovel Ready! Design plans already completed
 Minimal design efforts needed to get ready for construction

* Additional funds may be needed.