AGENDA

PLANNING & ZONING COMMISSION REGULAR MEETING
THURSDAY, MARCH 14, 2024, 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 January 11, 2024 meeting, the January 25, 2024 meeting, and the February 22, 2024 meeting.

PUBLIC HEARINGS

2. Public hearing on the proposed *Final Re-Plat of Abstract A1111 Fox, F. & J. Byrne, Survey # 8 ½, 0.6480 acres, and Holly Park Unit 5, Block A, creating Armadillo Subdivision*, including a subdivision variance from Section 23-36(a) regulating preliminary plat requirements; closing of public hearing and possible action.

3. Public hearing on the request submitted by Miguel A. Cueto for a Conditional Use Permit to allow the establishment of a child day care business on property located at 1693 S. Veterans Boulevard; closing of public hearing and possible action.

4. Public hearing on the request submitted by JCM Ventures for the rezoning of Lot 5 in Lowes of Eagle Pass Subdivision, also known as 574 S. Bibb Avenue, from B-1 Neighborhood Business District to B-3 General Business District; closing of public hearing and possible action.

5. Public hearing on the request submitted by Gregory D. Torres for the rezoning of Lot 75 (north 29.22 feet) in Block 3 of Range Unit #3 and Lot 75 ½ in Block 3 of Range Unit #3 also known as 475 Jefferson Street, from B-2 Central Business District to B-3 General Business District; closing of public hearing and possible action.

6. Public hearing on the request submitted by Mario Fuentes Bermea for the rezoning of Lot 7 in Block 2 of Castle Rock Subdivision Unit 1, also knowns as 2846 N. Veterans Boulevard, from B-1 Neighborhood Business District to B-3 General Business District; closing of public hearing and possible action.

7. Public hearing on the request submitted by Santos Limited Partnership for the rezoning of Lot 14 in Block 35 of South Heights Addition, also known as 1082 Kifuri Street, from I Industrial District to R-1 First One-Family Dwelling District; closing of public hearing and possible action.

8. Public hearing on the request submitted by Santos Limited Partnership for the rezoning of Lot 15 in Block 35 of South Heights Addition, also known as 1090 Kifuri Street, from I Industrial District to R-1 First One-Family Dwelling District; closing of public hearing and possible action.

9. Public hearing on the request submitted by Santos Limited Partnership for the rezoning of Lot 16 in Block 35 of South Heights Addition, also known as 1098 Kifuri Street, from I Industrial District to R-1 First One-Family Dwelling District; closing of public hearing and possible action.

NEW BUSINESS

10. Consideration and possible action on the final plat of the EPISD Student Activity Center Subdivision, including (1) a subdivision variance from Section 23-36(a) regulating preliminary plat requirements, and (2) a sidewalk waiver from Section 23-64 regulating sidewalks.

OTHER BUSINESS

11. Presentation and discussion of proposed sidewalk requirements.

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 COMMUNITY DEVELOPMENT 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 March 11, 2024, at 3:30 p.m.

Placido Madera

Placido Madera
Community Development Director

Item #1

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

The Planning and Zoning Commission of the City of Eagle Pass held their regular meeting on Thursday, January 11, 2024, at 5:30 p.m. in the Council Chambers, at 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, Kenneth Gross, and Commissioners: Tiffany Velasquez-Sanchez, and Doris Salinas-Sanchez

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

Staff Present: Assistant Community Development Director, Mariebelle Rodriguez; Community Development Director, Placido Madera; Assistant City Secretary, Ita A. Cortinas; City Attorney, Ana Sophia Garcia

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

CITIZENS COMMUNICATIONS

Vice-Chairperson Gross 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.

The items were considered in the following order:

MINUTES

1. Approval of the minutes of the December 4, 2023 meeting.

Commissioner Velasquez-Sanchez moved to approve the minutes. Seconded by Commissioner Salinas-Sanchez. **MOTION PASSES**: Unanimously

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

PUBLIC HEARING(S)

2. Public hearing on the request submitted by Jesus A. Nieto 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.

Vice-Chairperson Gross opened the public hearing at 5:35 p.m.

Assistant Community Development Director, Mariebelle Rodriguez informed the Commission that the address was listed incorrectly on the agenda. Assistant City Secretary, Ita A. Cortinas, and City Attorney, Ana Sophia Garcia determined that the item should be tabled, as it was incorrectly listed on the agenda and didn't provide adequate public notice.

Vice-Chairperson Gross closed the public hearing at 5:39 p.m.

Commissioner Velasquez-Sanchez moved to table the item. Seconded by Commissioner Salinas-Sanchez. **MOTIONS PASSES**: Unanimously

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

OLD BUSINESS

3. Consideration and possible action on the twelve (12) month extension request submitted by Matt Johnson on behalf of Chad Foster, Jr. for the preliminary Re-plat of Tract 21 and 22 in Block 7 of Riverside Acres Subdivision, creating Santa Rosa Subdivision.

Assistant Community Development Director Rodriguez provided details on the item and recommends that The Planning and Zoning Commission grant the extension.

Commissioner Velasquez-Sanchez moved to approve, as recommended by the Department. Seconded by Commissioner Salinas-Sanchez. **MOTION PASSES:** Unanimously

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

4. Consideration and possible action on the Master Plan of Eagle Pass Port of Entry Industrial Park.

Assistant Community Development Director Rodriguez provided details on the item, and recommends that the Commission grant the Master Plan for Eagle Pass Port of Entry Industrial

Park, 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.

Commissioner Salinas-Sanchez moved to approve, as recommended by the Department. Seconded by Commissioner Velasquez-Sanchez. **MOTION PASSES:** Unanimously

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

ADJOURNMENT

Commissioner Salinas-Sanchez moved to adjourn the meeting at 5:47 p.m. Seconded by Commissioner Velasquez-Sanchez. **MOTION PASSES**: Unanimously

Passed and approved on March 14, 2024

_____
Kenneth Gross
Vice-Chairperson

Attest:

_____
Ita A. Cortinas
Assistant City Secretary

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

The Planning and Zoning Commission of the City of Eagle Pass held a special meeting on Thursday, January 25, 2024, at 5:30 p.m. in the Council Chambers, at 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; Commissioners: Tiffany Velasquez-Sanchez, Doris Salinas-Sanchez, and Aaron Valdez

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

Staff Present: Assistant Community Development Director, Mariebelle Rodriguez; Community Development Director, Placido Madera; Assistant City Secretary, Ita A. Cortinas; City Attorney, Ana Sophia Garcia

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

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 HEARING(S)

3. Public hearing to consider the establishment of permanent zoning classification, service plan, and master plan designation on the voluntary annexations of the land legally known as being 22.79 acres, located in the I.&G.N.R.R.CO., Survey 21, Block 6, Abstract 627, Maverick County part of a 26.24 acres tract and a 53.36 acres tract both described in conveyance document to Eagle Pass Independent School district described respectively in volume 1120, pages 402-et seq., and 407-et seq., of the Maverick County Official Public Records, Maverick County, Texas and more particularly described by metes and bounds; closing of public hearing and possible action.

Chairperson Velez stepped off the dais and recused himself from the item.

Commissioner Velasquez-Sanchez opened the public hearing at 5:41 p.m.

Assistant Community Development Director, Mariebelle Rodriguez provided details on the item and suggested that the Planning and Zoning Commission recommends that City Council adopt an

Ordinance to incorporate an approximately 22.78 acres of land in the Eagle Pass City Limits and consider the establishment of permanent zoning classification to B-3 General Business District, including the service plan, and master plan designation of the annexations of land.

Commissioner Velasquez-Sanchez closed the public hearing at 5:44 p.m.

Commissioner Valdez moved to proceed with the Community Development Department's recommendation. Seconded by Commissioner Salinas-Sanchez. **MOTIONS PASSES**: Unanimously

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

Chairperson Velez assumed his position on the dais.

1. Continuation of a public hearing on the request submitted by Jesus A. Nieto for the rezoning of Lot 5 in block 35 of Hillcrest Addition, also known as 1680 Rio Grande Street, from R-3 Duplex District to R-3A Apartment District; closing of public hearing and possible action.

Chairperson Velez opened the public hearing at 5 :45 p.m.

Assistant Community Development Director Rodriguez provided details on the item and suggested that the Planning and Zoning Commission recommends 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 known as 1680 Rio Grande Street, subject to the noted conditions.

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

Commissioner Salinas-Sanchez moved to approve as recommended by the Community Development Department. Seconded by Commissioner Velasquez-Sanchez. **MOTIONS PASSES**: Unanimously

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

2. Public Hearing on the proposed Final Re-Plat of Lot 1A in Block 1 of Chorgas-Foster Unit 2, including (1) a subdivision variance from Section 23-36(a) regulating preliminary plat requirements, and (2) a sidewalk waiver from Section 23-64 regulating sidewalks; closing of public hearing and possible action.

Assistant Community Development Director Rodriguez provided details on the item and suggested that the Planning and Zoning Commission grant an extension of the final plat subdivision application and to table the public hearing.

Commissioner Valdez moved to approve the extension request. Seconded by Commissioner Velasquez-Sanchez. **MOTIONS PASSES**: Unanimously

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

ADJOURNMENT

Commissioner Velasquez-Sanchez moved to adjourn the meeting at 5:52 p.m. Seconded by Commissioner Salinas-Sanchez. **MOTION PASSES**: Unanimously

Passed and approved on March 14, 2024

_____
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 special meeting on Thursday, February 22, 2024, at 5:30 p.m. in the Council Chambers, at City Hall, 100 South Monroe Street, Eagle Pass, Texas. All legal notices were duly posted in accordance with State code.

ESTABLISHMENT OF QUORUM

Present: Chairman, Luis Velez; Vice-Chairman, Kenneth Gross, and Commissioner, Doris Salinas-Sanchez

Absent: Commissioners: Tiffany Velasquez-Sanchez, Aaron Valdez; Interim City Manager, Ivan Morua; and Ex-Officio Member: Mayor, Rolando Salinas, Jr.

Staff Present: Assistant Community Development Director, Mariebelle Rodriguez; Assistant City Secretary, Ita A. Cortinas; City Attorney, Ana Sophia Garcia

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

CITIZENS COMMUNICATIONS

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

There were not any comments or concerns submitted.

NEW BUSINESS

1. Consideration and possible action on the final plat of the EPISD Student Activity Center Subdivision, including (1) a subdivision variance from Section 23-36(a) regulating preliminary plat requirements, and (2) a sidewalk waiver from Section 23-64 regulating sidewalks.

Assistant Community Development Director, Mariebelle Rodriguez recommended the item be tabled.

Commissioner Salinas-Sanchez moved to table the item. Seconded by Vice-Chairman Gross. **MOTION PASSES**: Unanimously

Ayes: Velez, Gross, and Salinas-Sanchez
Nays: None

Abstained: None
Absent: Velasqez-Sanchez, and Valdez

OLD BUSINESS

2. Consideration and possible action on the final plat of Home2Auites Subdivision.

Assistant Community Development director Rodriguez provided details on the item and recommended that the Planning and Zoning Commission grant final plat approval of the proposed Home2Suites Subdivision, subject to the final plat complying with the provisions of Article III of City of Eagle Pass Code of Ordinances Chapter 23 governing procedures and specifications for final plats and the following stipulation: 1. That the developer submit a 3-percent inspection fee of $13,330.50 and a 25- percent maintenance bond in the amount of $22, 217.50 before plat recordation.

Chairman Gross moved to approve as recommended by the Community Development Department. Seconded by Commissioner Salinas-Sanchez. **MOTION PASSES**: Unanimously

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

OTHER BUSINESS

3. Consideration and possible action on an amendment to City of Eagle Pass Code of Ordinances Section 26-210(h) to remove a designation off an on-street disabled parking space at the southwest corner of Commercial Street and Ford Street for property located at 481 Commercial Street.

Assistant Community Development Director Rodriguez provided details on the item and suggested that the Planning and Zoning Commission recommend that the City Council amend City of Eagle Pass Code of Ordinances Section 26-210(h) to remove designation of an on-street disabled parking space at the southwest corner of Commercial Street and Ford Street for property located at 481 Commercial Street.

Commissioner Salinas-Sanchez moved to approve the removal of the disabled parking designation. Seconded by Vice-Chairman Gross. **MOTIONS PASSES**: Unanimously

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

ADJOURNMENT

Vice-Chairman Gross moved to adjourn the meeting at 5:52 p.m. Seconded by Commissioner Salinas-Sanchez. **MOTION PASSES**: Unanimously

Passed and approved on _____, 2024

_____
Luis Velez
Chairperson

Attest:

_____
Ita A. Cortinas
Assistant City Secretary

Item #2

Community Development Department Executive Summary

REPORT TO THE PLANNING AND ZONING COMMISSION

Final Re-Plat Approval of Abstract A1111 Fox, F. & J. Byrne, Survey # 8 ½, 0.6480 acres, and Holly Park Unit 5, Block A, creating Armadillo Subdivision

I. BACKGROUND

A. General Information

Applicant: Dirksen Engineering I 441 Fort Clark Rd., Ste B I Uvalde, Tx 78801

Developer: The Stock Revocable Trust I Wash Holdings 23, LLC

Location: Main Street **Property ID Number:** 4714

Request: Final replat approval to subdivide an approximately 2.114-acre tract into two (2) commercial lots, including (1) a variance to proceed to final plat directly without first having obtained preliminary replat approval.

B. Subject Property Information

Parcel Size: 2.114-acres **Topography:** Generally flat

Vegetation: very little brush **Existing Use:** Vacant and undeveloped

Zoning: B-3 General Business District **Master Plan:** Commercial

C. Vicinity Data

The site is completely inside city limits and is located within an area that features commercial developments along Main Street and multi-family directly to the rear of subject property.

D. Infrastructure

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

Access to the site is provided by Main Street.

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.* A legal notice was published in the Eagle Pass News Gram on February 29, 2024.

III. RECOMMENDED FINDINGS OF FACT

A. Conclusions

1. The applicant's request contains sufficient information for consideration by the Planning and Zoning Commission. Information contained in this report and the Commission's public meeting will be used as part of the City Council's deliberation process for final approval of the subdivision. Please refer to Attachment 1.

2. The applicant seeks a subdivision variance from Section 23-36(a) regulating preliminary plat requirements. See Attachment 3 for a copy of the application.

   The subdivision variance is consistent with the subdivision variance decision criteria set forth in *Section 23-11(a)(1)(2)(3)(4)* and *Section 23-11(c)*, as the granting of the variance will allow for the creation of a subdivision that was in harmony with the general purpose and intent of *City of Eagle Pass Code of Ordinances Chapter 23*. The subdivision contains design features which will secure public health, safety and welfare and provide for the fair and equitable processing of the final plat and therefore, should be granted.

3. The subdivision is consistent or will be consistent with City design and specifications, as the subsequent development of the site will be required to conform to the following sections of *Article IV* in *Eagle Pass Code of Ordinances Chapter 23*:

   - ✓ *Section 23-62* governing utility easements
   - ✓ *Section 23-64* governing sidewalks
   - ✓ 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.

4. The subdivision and the subsequent development of the property is or will be consistent with City design and specifications for landscape and tree preservation set forth in *Article VI* in *Eagle Pass Code of Ordinances Chapter 23.*

5. The subdivision of the property will conform to the parkland dedication requirements set forth in *Article V* in *Eagle Pass Code of Ordinances Chapter 23* as a one-time fee will be collected as part of any subsequent building permits issued for each of the proposed properties.

6. The subdivision of the property is in conformance with the provisions of the *Master Plan* and the *Eagle Pass Code of Ordinances* by facilitating the following benefits:

   - Protect private rights while considering public health, safety, and welfare.

- Provide efficient and economical ways to move people and goods outside the City by an adequate plan for streets and highways.

- Guide future development in an orderly manner, by stages according to a pattern, so that the City may have balanced land use.

- Encourage a diversified economic base and encourage public and private investments in land and improvements.

- Prevent and eliminate blight and slums, making the City attractive to people, commerce, and industry.

- Create the desire for a more pleasing appearance of the City and incorporate into its physical development the basic principles of good design.

- Protect and preserve the identity of each neighborhood through use of the guidance provided by the *Master Plan* and the *Code of Ordinances*.

- Locate all land uses on land best suited for their needs, arranged in such a way as to be mutually beneficial and functional, with ample area to meet long-term needs.

- Establish a proper relationship between open space, developed areas, building bulk, light, and air space, in all future development programs of land use.

- Encourage and abet the development of civic, cultural, and other public and quasi-public buildings in harmonious and functional groupings.

7. The subdivision will allow for a use of the property that is consistent with the residential purpose of the *B-3 General Business District* for the following reasons:

    A. The subdivision design bears a substantial relationship to the public's health, safety, and welfare.

    B. The subdivision is in accordance with the policies of the Master Plan and the business purpose of the *B-3 General Business District*.

    C. The subdivision is warranted because of the necessity to create additional building lots in the *B-3 General Business District*, and because the proposed development is appropriate to accomplish the reasonable use of the property.

    D. The subject property is suitable for development in general conformance with development standards of the *B-3 General Business District.*

    E. The subdivision will benefit the City as a whole and will not be detrimental to nearby land uses of a similar nature.

    F. The subsequent development will be designed and conditioned to comply with all applicable subdivision criteria and standards of the City of Eagle Pass.

Please refer to Attachment 4 for a copy of the *Master Plan* Map and a copy of the *Zoning District Map* for the City of Eagle Pass.

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

C. <u>Community Development Department Recommendation</u>

That the Planning and Zoning Commission (1) **GRANT** the subdivision variance to proceed directly to Final Replat without first having obtained Preliminary Replat approval as required by *City of Eagle Pass Code of Ordinances Section 23-36(a)*, and (2) **GRANT** final approval of the proposed *Replat of Abstract A1111 Fox, F. & J. Byrne, Survey # 8 ½, 0.6480 acres, and Holly Park Unit 5, Block A, creating Armadillo Subdivision,* subject to the plat comply 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
Community Development Department Report dated March 7, 2024

Attachment 1
Application

PLANNING DEPARTMENT

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

SUBDIVISION APPLICATION

TYPE OF SUBDIVISION (check one):
○ Preliminary ○ Final ◉ Replat ○ Amendment ○ Short Form Final

Property Legal Description: 2.114 Acres Abstract 1111, Holly Park Subdivison. Unit 5

Maverick County Property Identification Number(s): 4714

Name of Addition: Armadillo Subdivision

Location of Addition: 2421 & 2423 East Main ST

Number of Residential Lots: 0 Number of Commercial Lots: 2 Gross Acreage: 2.114

Number of New Street Intersections 0 Linear feet of Streets 0

Is Subdivision inside city limits? Yes ◉ No ○, If so, Zoning District: B-1 Neighborhood Business District

Existing Land Use: Commercial Proposed Land Use: Commercial

Requested Variances: Process preliminarly and final plat at same meeting.

PROPERTY OWNER:

Name: WASH HOLDINGS 23 , LLC

Address: 4609 33rd AVENUE SOUTH, SUITE 400

City: FARGO

State: ND Zip: 58104

Signature: JBrandt

Contact: TANNER BRANDT

Phone: (701) 499- 3936

Fax:

E-mail: TANNER@CHRISTIANSONCOMPANIES.COM

Date: 1/29/24

PROPERTY OWNER:

Name: THE STOCK REVOCABLE TRUST

Address: 1261 HIDDEN OAKS

City: BULVERDE

State: TX Zip: 78163

Signature:

Contact: LEWIS STOCK

Phone: (830) 776- 9359

Fax:

E-mail: MER@ALVINSTOCKLLC.COM

Date: 1-29-24

APPLICANT/SUBDIVIDER:

Name: Dirksen Engineering

Address: 441 FORT CLARK RD, STE B

City: UVALDE

State: TX Zip: 78801

Signature:

Contact: KENNETH R. DIRKSEN

Phone: (830) 278-2100

Fax: (830) 278-2102

E-mail: KENDIRKSEN@SBCGLOBAL.NET

Date: 01/29/2024

SURVEYOR:

Name: MGM

Address: 1500 S DAIRY ASHFORD RD, SUITE 280

City: HOUSTON

State: TX Zip: 77077

Signature:

Contact: BERNARD THOMAS

Phone: (281) 679-0335

Fax:

E-mail: BTHOMAS@MGM-INC.COM

Date: 01/29/24

ENGINEER:

Name: MGM

Address: 1500 S DAIRY ASHFORD RD, SUITE 280

City: HOUSTON

State: TX Zip: 77077

Signature:

Contact: BERNARD THOMAS

Phone: (281) 679-0335

Fax:

E-mail: BTHOMAS@MGM-INC.COM

Date: 01/29/24

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

02-06-2024

Date

STATEMENT OF OWNER/SUBDIVIDER

I, the undersigned, hereby certify that: (1) I am the owner the land subject to this request for a subdivision; (2) I authorize KENNETH R. DIRKSEN to act as my agent for all documents pertaining to this subdivision application; (3) the information contained in this subdivision application or accompanying information is true and correct; (4) I will advise the City in writing of any inaccurate, misleading or false statements in the subdivision application or accompanying information; (5) the City will be advised in writing of any change in ownership of the property that is the subject of this subdivision application provided the change of ownership occurs prior to the recording of the final approved plat, if any; and (6) I will liable to the City of Eagle Pass for the completion of all site improvements required by Section 23 of the City's Code of Ordnance until such time as such improvements, if any, shall have been actually completed and accepted by the city.

Owner / Subdivider Signature

1-29-24
Date

STATE OF TEXAS §

COUNTY OF Maverick §

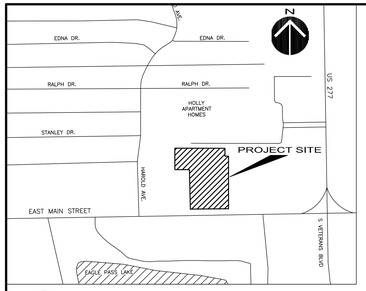
Before me, the undersigned authority, a notary public for the State of Texas, on this day personally appeared Moises Stael (Name), Owner (Title), known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he executed the same for the purpose and consideration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

Given under my hand and seal of office, this the 29 day of January, 20 24

Notary Public, State of Texas

MA ESTHER RODRIGUEZ
Notary ID #7373674
My Commission Expires
February 15, 2027

PLAT OF ARMADILLO SUBDIVISION



VICINITY MAP
SCALE: 1" = 400'

N

SCALE: 1" = 40'

0' 20' 40' 60' 80' 120'

STATE OF TEXAS)
COUNTY OF MAVERICK)

OWNER'S DEDICATION, CERTIFICATION, AND ATTESTATION

THE OWNERS OF THE LAND SHOWN ON THIS RE–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 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 IN THIS PLAT ARE TRUE AND COMPLETE.

SIGNATURE _____
KEVIN CHRISTIANSON
PRESIDENT OF WASH HOLDINGS 23, LLC

_____
LEWIS E. STOCK, TRUSTEE OF
THE STOCK REVOCABLE TRUST
(A/K/A THE STOCK REVOCABLE TRUST
DATED MAY 6, 2018)

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, ON THIS DAY PERSONALLY APPEARED KEVIN CHRISTIANSON PROVED TO ME TO BE THE PERSONS WHOSE NAMES 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 _____,____

_____
SIGNATURE NOTARY PUBLIC STATE OF NORTH DAKOTA

STATE OF TEXAS)
COUNTY OF MAVERICK)

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, ON THIS DAY PERSONALLY APPEARED LEWIS E. STOCK PROVED TO ME TO BE THE PERSONS WHOSE NAMES 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 _____,____

_____
SIGNATURE NOTARY PUBLIC STATE OF TEXAS

PLANNING AND ZONING COMMISSION CERTIFICATION:

THIS PLAT OF ARMADILLO SUBDIVISION WAS PRESENTED TO THE PLANNING AND ZONING COMMISSION AND APPROVED ON _____, 20_____, BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF EAGLE PASS, TEXAS.

SIGNED THIS _____ DAY OF _____, 20_____.

CHAIRMAN _____

CITY COUNCIL CERTIFICATION:

THIS PLAT WAS PRESENTED TO THE CITY COUNCIL OF EAGLE PASS AND APPROVED ON _____, 20_____, BY THE CITY COUNCIL OF THE CITY OF EAGLE PASS, TEXAS.

SIGNED THIS _____ DAY OF _____, 20_____.

MAYOR _____

ENGINEER'S CERTIFICATION:

STATE OF TEXAS)
COUNTY OF MAVERICK)

I CERTIFY THAT THE WATER AND WASTEWATER SERVICE FACILITIES DESCRIBED IN THE FINAL ENGINEERING REPORT ATTACHED HERETO ARE IN COMPLIANCE WITH THE MODEL SUBDIVISION RULES ADOPTED UNDER § 16.343, TEXAS WATER CODE.

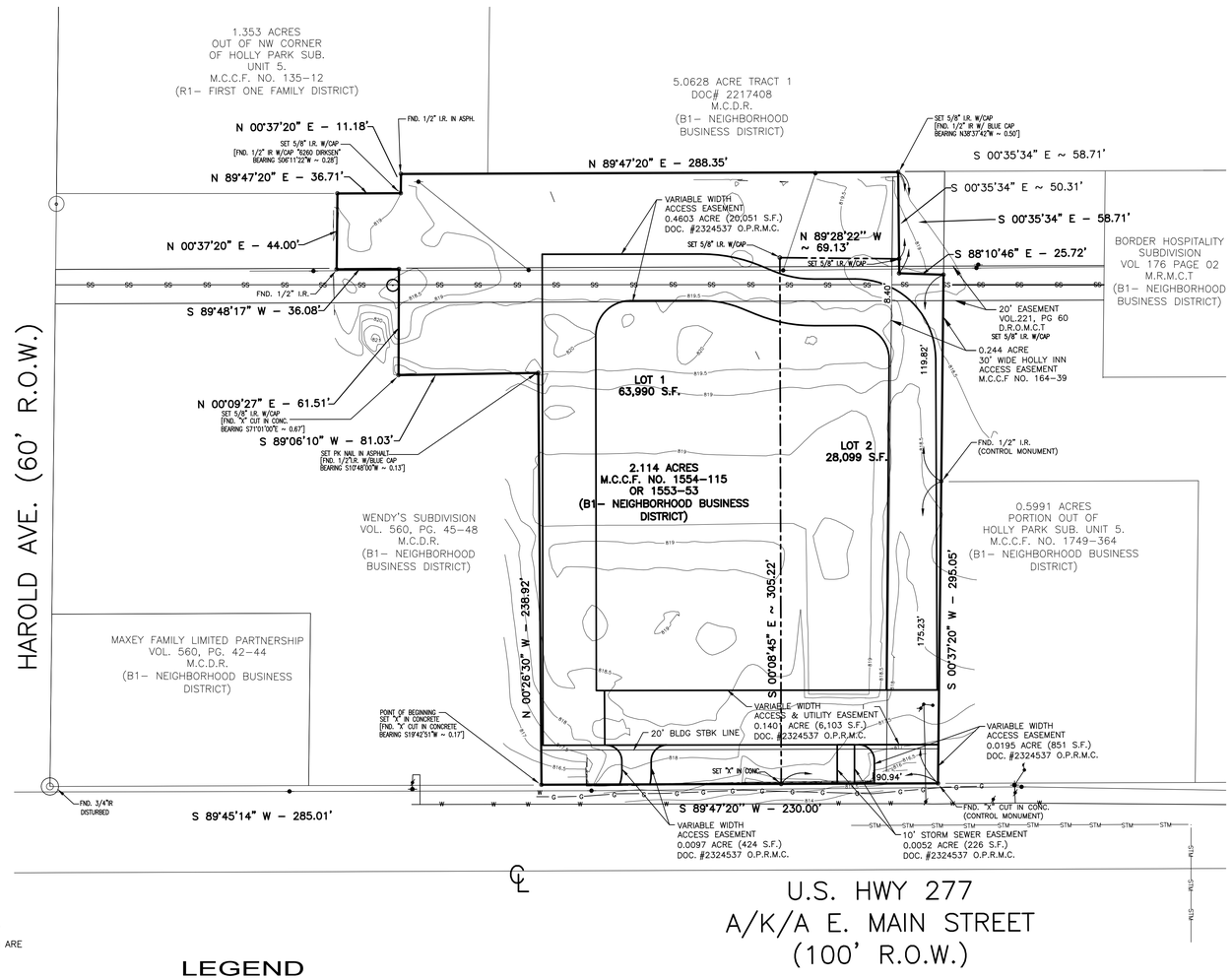
(SEAL)

SURVEYOR'S CERTIFICATION:

STATE OF TEXAS)
COUNTY OF HARRIS)

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL SURVEY CONDUCTED ON SEPTEMBER 7, 2023 UNDER MY SUPERVISION ON THE GROUND AND THE MONUMENTS SHOWN ARE WITHIN THE POSITIONAL TOLERANCE REQUIRED BY 22 TAC § 663.15.

(SEAL)



LEGEND

C.C.F.	COUNTY CLERK'S FILE		MANHOLE SANITARY
IP	IRON PIPE	—— G ——	GAS LINE
I.R.	IRON ROD	—— P ——	OVERHEAD ELECTRICAL
M.C.C.F	MAVERICK COUNTY CLERK'S FILE		
M.R.M.C.T	MAP RECORDS MAVERICK COUNTY TEXAS		
O.P.R.M.C	OFFICIAL PUBLIC RECORDS MAVERICK COUNTY	—— SS ——	SANITARY SEWER
P.R.M.C.T	PLAT RECORDS MAVERICK COUNTY TEXAS		
STBK	SETBACK	—— STM ——	STORM SEWER
SWR.	SEWER	—— W ——	WATER LINE

FEILD NOTES

BEING A TRACT OF LAND CONTAINING 2.114 ACRES (92,089 SQUARE FEET) LOCATED IN SURVEY 8, ABSTRACT NUMBER 1111, MAVERICK COUNTY, TEXAS, AND BEING PART OF AND OUT OF BLOCK "A" OF HOLLY PARK SUBDIVISION, UNIT NO. 5 ACCORDING TO THE MAP THEREOF 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, 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, SAID 2.114 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: (BEARINGS IN THIS DESCRIPTION ARE REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD 83). ALL DISTANCES ARE IN SURFACE. THE IRON RODS WITH PLASTIC CAPS NOTED AS BEING SET IN THIS DESCRIPTION HAVE THE FOLLOWING STAMPED ON SAID CAPS: MGM, INC. RPLS #4743 ALSO, BOUNDARY LINE CALL DATA SHOWN HEREIN IS AS PER THE AFOREMENTIONED LEWIS E. STOCK VESTING WARRANTY DEED WHICH REFERENCED THE SUBJECT PROPERTY'S DESCRIPTION TO THAT DESCRIBED IN THE WARRANTY DEED WITH VENDOR'S LIEN RECORDED UNDER BOOK 1554, PAGE 115 OF THE OFFICIAL PUBLIC RECORDS OF MAVERICK COUNTY, TEXAS.)

COMMENCING at a point at the intersection of the east line of Harold Avenue, 60' wide, and the north line of U.S. Highway 277, 100' wide, said point bearing S 82° 07' 48" E a distance of 0.19' from a 3/4" iron rod found disturbed;

THENCE, N 89° 47' 20" E, along the north line of said U.S. Highway 277, at a record plat distance of 150.0' pass the southernmost southwest corner of Wendy's Subdivision according to the map thereof recorded under Envelope 232, Side A in the Plat Records of Maverick County, Texas, and continuing in all for a total distance of 285.14' (call = N 89° 45' 14" E – 285.01') to an "X" cut in concrete set for the southeast corner of said Wendy's Subdivision, the southwest corner of the aforementioned Daniel W. Hartman et ux called 2.117 acre tract and the southwest corner and POINT OF BEGINNING of the 2.114 acre tract herein described, said set "X" bearing N 19° 42' 51" E a distance of 0.17' from a found "X" cut in concrete;

THENCE, N 00° 26' 30" W (call bearing = N 00° 28' 36" W), leaving the north line of said U.S. Highway 277 along the southernmost east line of said Wendy's Subdivision and the southernmost west line of said called 2.117 acre tract, a distance of 238.92' to a PK nail set in asphalt for the southernmost northeast corner of said Subdivision and a reentrant corner of the Hartman called 2.117 acre tract and the 2.114 acre tract herein described, said PK nail bearing N 10° 48' 00" E a distance of 0.13' from a found 1/2" iron rod with blue cap;

THENCE, S 89° 06' 10" W, along the easternmost north line of said Wendy's Subdivision, a distance of 81.03' (call = S 89° 04' 04" W – 80.20') to a 5/8" iron rod with plastic cap set for an a reentrant corner of said Subdivision and an interior corner of the Hartman called 2.117 acre tract and the 2.114 acre tract herein described, said iron rod bearing N 71° 01' 00" W a distance of 0.67' from a found "X" cut in concrete;

THENCE, N 00° 09' 27" E, along the northernmost east line of said Wendy's Subdivision and a west line , of the Hartman called 2.117 acre tract, a distance of 61.51' (call = N 00° 27' 26" W – 61.72') to a 1/2" iron rod found for the northernmost northeast corner of said Subdivision and a reentrant corner of said called 2.117 acre tract and the 2.114 acre tract herein described;

THENCE, S 89° 48' 17" W, along the westernmost north line of said Wendy's Subdivision, a distance of 36.08' (call = S 89° 20' 01" W – 36.12') to 1/2" iron rod found for an angle point in said north line, said iron rod also marking an interior corner of the Hartman called 2.117 acre tract and the 2.114 acre tract herein described;

THENCE, N 00° 37' 20" E (call bearing = N 00° 35' 14" E), leaving the westernmost north line of said Wendy's Subdivision along a west line of the Hartman called 2.117 acre tract, a distance of 44.00' to an "X" cut in concrete set for the southernmost northwest corner of said called 2.117 acre tract and the 2.114 acre tract herein described;

THENCE, N 89° 47' 20" E, along a north line of the Hartman called 2.117 acre tract, a distance of 36.71' (call = N 89° 45' 14" E – 36.87') to a 5/8" iron rod with plastic cap set for a reentrant corner of the Hartman called 2.117 acre tract and the 2.114 acre tract herein described, said iron rod bearing
N 06° 11' 22" E a distance of 0.28' from a found 1/2" iron rod with 6260 Dirksen cap;

THENCE, N 00° 37' 20" E, along the northernmost west line of the Hartman called 2.117 acre tract, a distance of 11.18' (call = N 00° 35' 14" E – 11.55') to a 1/2" iron rod found in asphalt pavement for the northernmost northwest corner of said called 2.117 acre tract and the 2.114 acre tract herein described;

THENCE, N 89° 47' 20" E, along the northernmost north line of the Hartman called 2.117 acre tract, a distance of 288.35' (call = N 89° 45' 14" E – 288.03') to a 5/8" iron rod with plastic cap set for the westernmost northeast corner of the Hartman called 2.117 acre tract and the 2.114 acre tract herein described, said iron rod being set along the west line of that certain called 0.036 acre tract conveyed from Holly Inn, Inc., a Texas Corporation, to Dorothy Ann Hausman by Warranty Deed recorded under Book 208, Page 75 of the Maverick County, Deed Records;

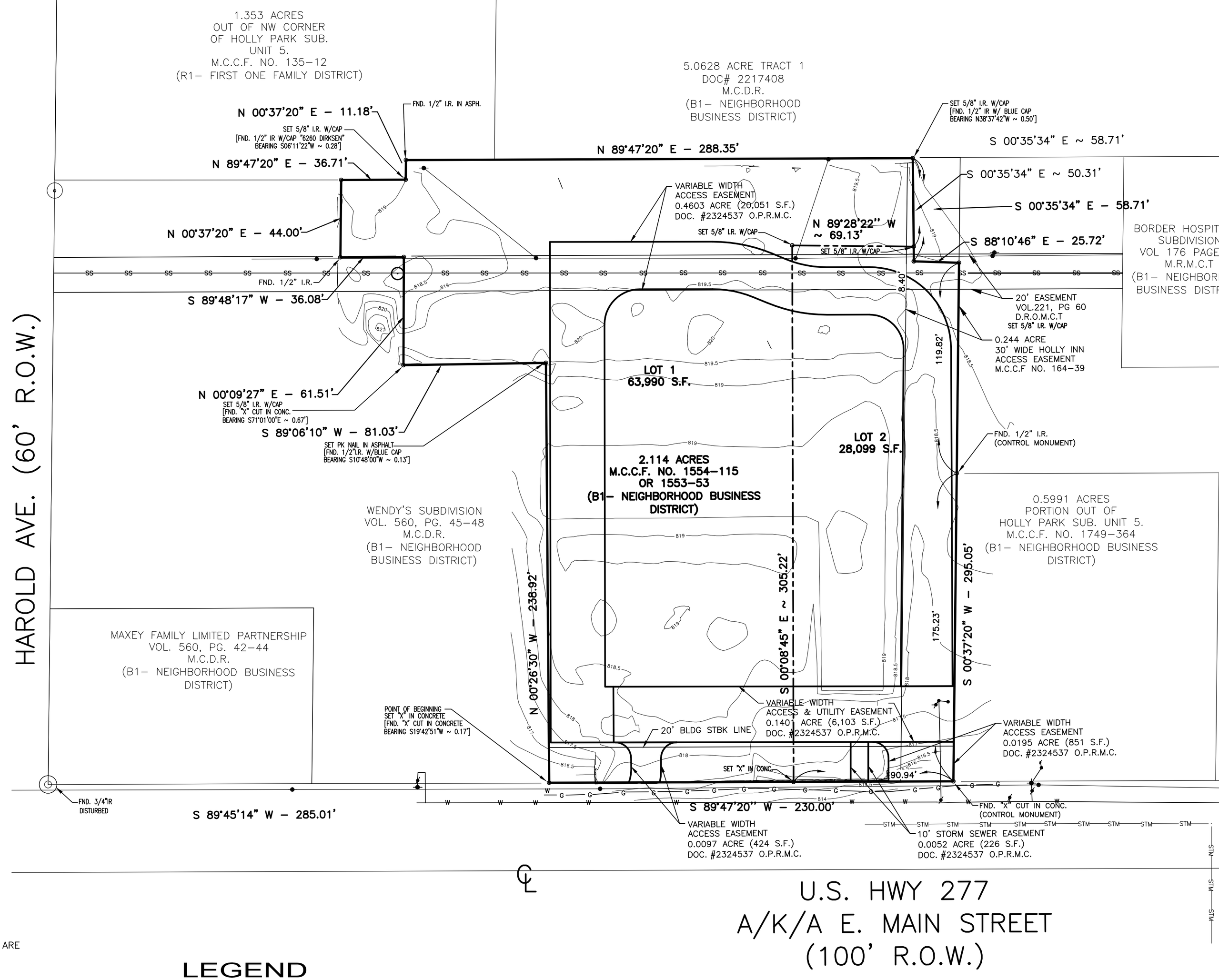
THENCE, S 00° 35' 34" E, along the west line of said called 0.036 acre tract and the westernmost east line of the Hartman called 2.117 acre tract, a distance of 58.71' (call = S 00° 36' 12" E – 59.09') to a 5/8" iron rod with plastic cap set for the southwest corner of said called 0.036 acre tract and a reentrant corner of said called 2.117 acre tract and the 2.114 acre tract herein described;

THENCE, S 88° 10' 46" E (call bearing = S 88° 11' 43" E), along the south line of said called 0.036 acre tract and the southernmost north line of the Hartman called 2.117 acre tract, a distance of 25.72' to a 5/8" iron rod with plastic cap set for the southeast corner of said called 0.036 acre tract and the easternmost northeast corner of said called 2.117 acre tract and the 2.114 acre tract herein described;

THENCE, S 00° 37' 20" W, along the easternmost east line of the Hartman called 2.117 acre tract, at a distance of 119.82' pass a 1/2" iron rod found for the northwest corner of that certain called 0.5991 acre tract conveyed from Don Robinson and Larri Ellen Seltzer Robinson, Trustees of the Westlake Heritage Trust to Don Robinson and Larri Ellen Seltzer Robinson, Trustees of the Tiger Lilly Trust by Special Warranty Deed recorded under Document #206522 of the Official Public Records of Maverick County, Texas, and continuing in all for a total distance of 295.05' (call = S 00° 34' 58" W – 294.98') to an "X" cut in concrete found along the north line of U.S. Highway 277, 100' wide, for the southwest corner of said called 0.5991 acre tract and the southeast corner of the Hartman called 2.117 acre tract and the 2.114 acre tract herein described;

THENCE, S 89° 47' 20" W, along the north line of said U.S. Highway 277 and the south line of the Hartman called 2.117 acre tract, a distance of 230.00' (call = S 89° 45' 13" W – 230.01') to the POINT OF BEGINNING and containing 2.114 acres (92,089 square feet) of land.

Martinez, Guy & Maybik, Inc.
Civil / Structural Engineering & Land Surveying
1500 S. Dairy Ashford Rd. Suite 280
Houston, TX 77077
Ph: 281-679-0335, Fax: 888-653-5510
TX. BD. P.L.S Firm Reg No. 10041500



LEGEND

C.C.F.	COUNTY CLERK'S FILE		MANHOLE SANITARY
IP	IRON PIPE	—— G ——	GAS LINE
I.R.	IRON ROD	—— P ——	OVERHEAD ELECTRICAL
M.C.C.F	MAVERICK COUNTY CLERK'S FILE		
M.R.M.C.T	MAP RECORDS MAVERICK COUNTY TEXAS		
O.P.R.M.C	OFFICIAL PUBLIC RECORDS MAVERICK COUNTY	—— SS ——	SANITARY SEWER
P.R.M.C.T	PLAT RECORDS MAVERICK COUNTY TEXAS		
STBK	SETBACK	—— STM ——	STORM SEWER
SWR.	SEWER	—— W ——	WATER LINE

Plat Zoomed In

Image © 2024 Airbus

ORDER INN
EAGLE PASS

Attachment 2
Subdivision Variance Request(s)

PLANNING DEPARTMENT

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

SUBDIVISION VARIANCE APPLICATION

Applicant Information

Applicant (If not owner): Dirksen Engineering

Address: 441 Fort Clark Rd, Ste. B, Uvalde, TX 78801

Phone: 830-278-2100 E-mail: kendirksen@sbcglobal.net

Owner: The Stock Revocable Trust

Address: 1261 Hidden Oaks, Bulverde, Tx 78163

Phone: (830) 776-9359 E-mail: MER@ALVINSTOCKLLC.COM

Property Information

Site Address: 2421 & 2423 East Main St. MCAD Property ID No. 4714

Legal Description (from deed): 2.114 Acres Abstract 1111, Holly Park Subdivision. Unit 5

Description of Subdivision Variance Request

Variance from section 23-36. Processing of the final plat to allow preliminary and final approval of the Plat at the same meeting.

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 if their land?

All streets and utilities required by subdivision code are constructed and in place. No additional construction is required before recording this Plat.

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

Requiring the Plat to be reviewed for preliminary and then final at a different time will place unnecessary delay to the developer.

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

The property is commercial and will remain commercial.

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.

The use of this property will not change. This property will remain commercial.

Required Application Attachments

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

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

Applicant Authorization

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

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

Applicant Signature

01-29-2024
Date

Attachment 3
Final Engineering Report

Dirksen Engineering

441 Ft. 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

February 7, 2024

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

Re: Armadillo Subdivision – Abstract Replat of Holly Park Subdivision Unit 5
Eagle Pass, Texas

To Whom It May Concern:

The Armadillo Subdivision is located in the former Holly Inn site on the north side of Main Street between Veterans Blvd and Harold Avenue. It is 2.114 acres located Abstract 1111 and is part of the Holly Park Subdivision, Unit 5. The Maverick CAD ID is 4714. The site is zoned for B3 – General Business District. The site is currently vacant as the Holly Inn buildings have been demolished and removed.

The site will be divided into two lots and developed into a carwash and oil change facility. The developers for each site are Wash Holdings 23, LLC and The Stock Revocable Trust.

Figure 1 – Armadillo Subdivision

Construction Cost

No public improvements will be constructed for this project. The water services will be constructed into the site for private fire protection, potable water supply and irrigation. The costs of these improvements is currently estimated at $50,000.

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

Sincerely,

Kenneth R. Dirksen, P. E.

STATE OF TEXAS
KENNETH R. DIRKSEN
82628
REGISTERED
PROFESSIONAL ENGINEER

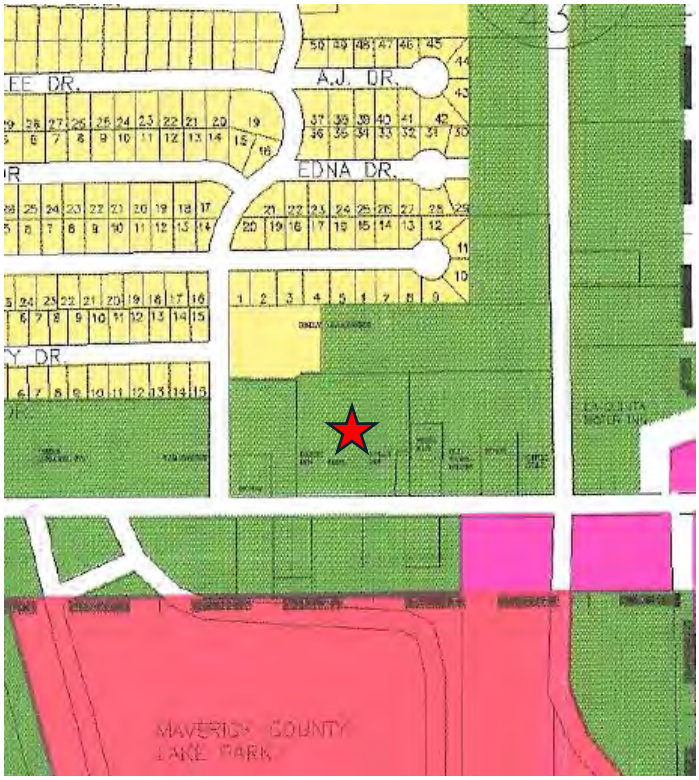
Attach:

Armadillo Subdivision Application
Tommy Car Wash Civil Plans
Take 5 Oil Change Civil Plans

Attachment 4
Master Plan Map
Zoning District Map

Zoning Map

Master Plan Map



Item #3

Planning Department Executive Summary
Report to the Planning & Zoning Commission

Conditional Use Permit Request – 1693 S. Veterans Boulevard

I. BACKGROUND

General Information

Applicant & Property Owner: Miguel A. Cueto

Property ID Number: 57204

Legal Description: Carthage Place Unit 20, Block 38, Lot 1

Parcel is located at the corner of S. Veterans Blvd and Monte Vista Drive and in an area featuring residential developments directly to the rear and commercial development along Veterans Blvd.

Access to the site is provided by Monte Vista Drive.

Request: A request for a Conditional Use Permit to allow for the establishment of a child day care business. See Attachment 1 for floor plan.

Parcel Size: 22,550-square feet (.05176 acres)

Current Use: commercial building

Proposed Use: continue the use of an existing child day care and be allowed to expand the floor plan.

Current Zoning: B-1 Neighborhood Business District (Attachment 2)

Master Plan: Commercial (Attachment 2)

II. PUBLIC NOTICE

Public notification of the *Conditional Use Permit* (CUP) request before the Planning and Zoning Commission was completed consistent with the provisions of *Chapter 211* of the *State of Texas Local Government Code Title 7*. Twenty-two (22) notices were mailed to the abutting property owners within a 200 feet radius of the subject property on March 1, 2024.

Aerial Map

Aerial Map of Parcel

Street View Photo

III. RECOMMNEDATION 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.

   The request involves the establishment of a child day care business. The establishment of a childcare business in the *B-1 District* requires an application for and the issuance of a *Conditional Use Permit (CUP)* for the project.

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

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

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

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

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

   This application is consistent with the *Plan's Land use Development Goals*, as the establishment of a childcare business will allow for continued development of the community while retaining the community's character and scale.

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

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

4. The *Conditional Use Permit*, if granted, would be consistent with the purpose of the zoning code. *Section 2*1 of the *City of Eagle Pass Code of Ordinances Appendix A* states that the purpose of the zoning code is to promote the health, safety, morals, and general welfare of the City by, (a) lessening

the congestion of streets, (b) securing safety from fire, panic, or dangers, (c) providing adequate light and air, (d) preventing the overcrowding of land, (e) avoiding undue concentration of population, (f) facilitating the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements. Please refer to Attachment 2 for a copy of the *City's Zoning District Map*.

Section 21 emphasizes the importance of the character of a specific zoning district and its peculiar suitability for uses, conserving the value of buildings, and encouraging the most appropriate use of land throughout the city. The use of the existing commercial structure as a day care establishment will facilitate the retention of the neighborhood's commercial character.

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

5. The *Conditional Use Permit* application is consistent with the approval criteria set forth in *Section 21* of the *City of Eagle Pass Code of Ordinances Appendix A,* as detailed in Conclusion 1 through and including Conclusion 4 of this report and should be granted by the Commission.

B. <u>Planning Department Recommendation</u>

The Planning and Zoning Commission **GRANT** the Miguel A. Cueto request to establish a child day care on property located at subject property, subject to the following conditions:

1. The establishment comply with the provision of *City of Eagle Pass Code of Ordinances*.

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

TRANSMITTED to the parties listed hereafter:

Miguel A. Cueto via e-mail
Eagle Pass Planning and Zoning Commission Members via e-mail
Eagle Pass Planning Department Report dated March 6, 2024

Attachment 1

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: MIGUEL A CUETO

Mailing Address: 1693 S. VETERANS BLVD.

Phone: 830 498 1981 E-mail: miguelcueto64@gmail.com

Note: if you are not the owner of the property, you must attach a letter from the owner authorizing you to submit this application.

Property Owner Informationn

Name: MIGUEL A CUETO

Mailing Address: 1693 S. VETERANS BLVD.

Phone: 830 498 1981 E-mail: miguelcueto64@gmail.com

Property Information

Site Address: 1693 S. VETERANS MCAD Property ID #

Legal Description: Lot(s) Block Subdivision
(Property must be legally subdivided or be lot of record)

Front Yard Width (feet) 100 Rear Yard Width (feet) 113 Side Yard Width (feet) 200

Current Use LICENCE CHILD CARE CENTER

Proposed Use CHILD CARE SERVICES

Description of Project:

TO Build THREE Additional Rooms To ACCOMMODATE OUR GROWING CHILD CARE SERVICES.

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? LITTLE ARTIST Learning Center an stablish operating in our community since 2015 and so far has not encountered any negative impact from adjacent properties Thus far. We strive To maintain a positive and Harmonious relationship with our Neighbors.

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

IS GREATLY Benefit low income families in OUR THE AREA WHERE WE ARE LOCATED. MORE Than 25% of these families RESIDES in THE VICINITY of LOS QUINTAS! Loma Bonita, Rosita Valley, and APROXIMATELY 80% QUALIFY WITH THE ECPS PROGRAM.

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

OUR CENTER Aligns perfectly with the purpose of the Zoning DISTRICTS in which is STAblished. OUR locations is in close proximity to notable educational CENTERS such as LBC, MEMORIAL JR. HIGH.

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

feb-19-2024
Date

Office Use

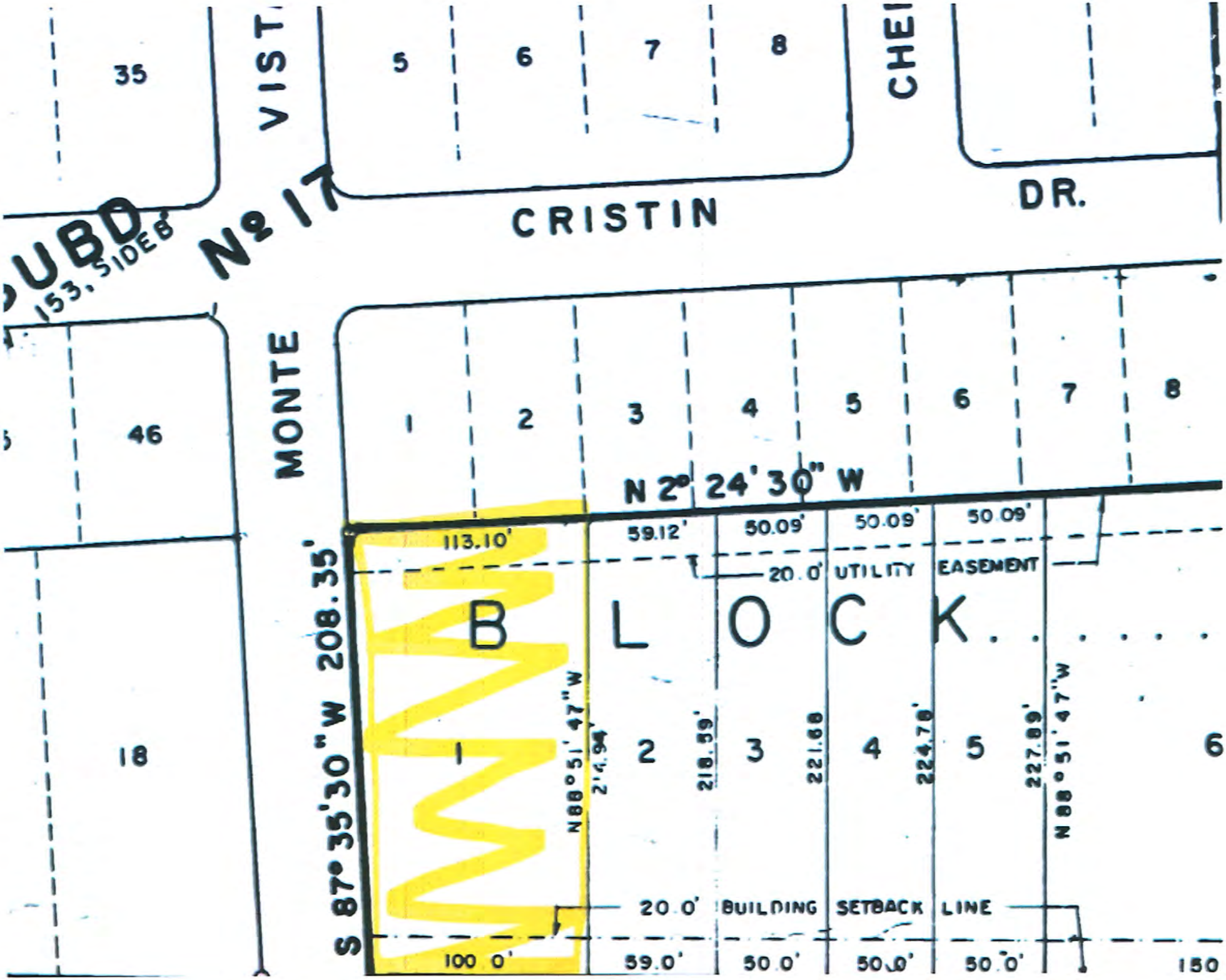
Date Application Accepted for Review: _____ By: _____

Contact Date for Supplemental Info: _____ Supplemental Info Received: _____

Completeness Review Date: _____ By: _____

Application Returned to Applicant: _____ (when applicable)

MR:6/2020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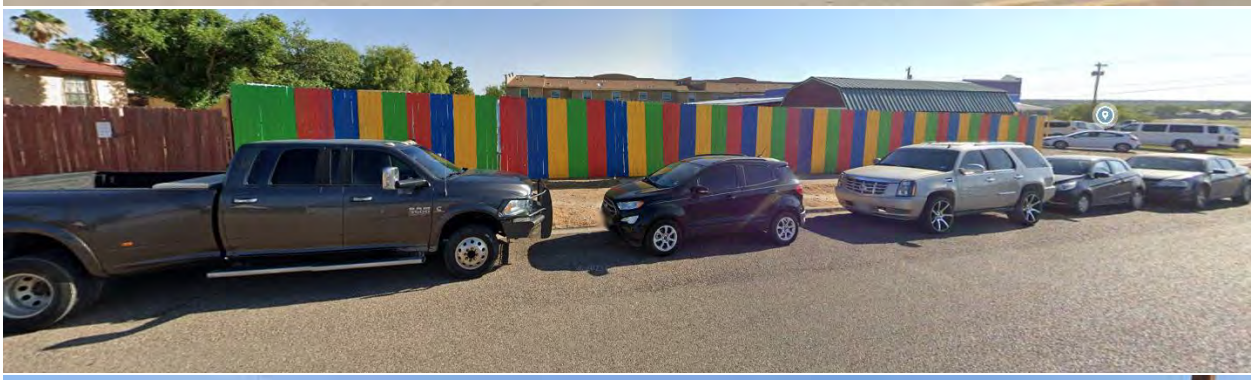
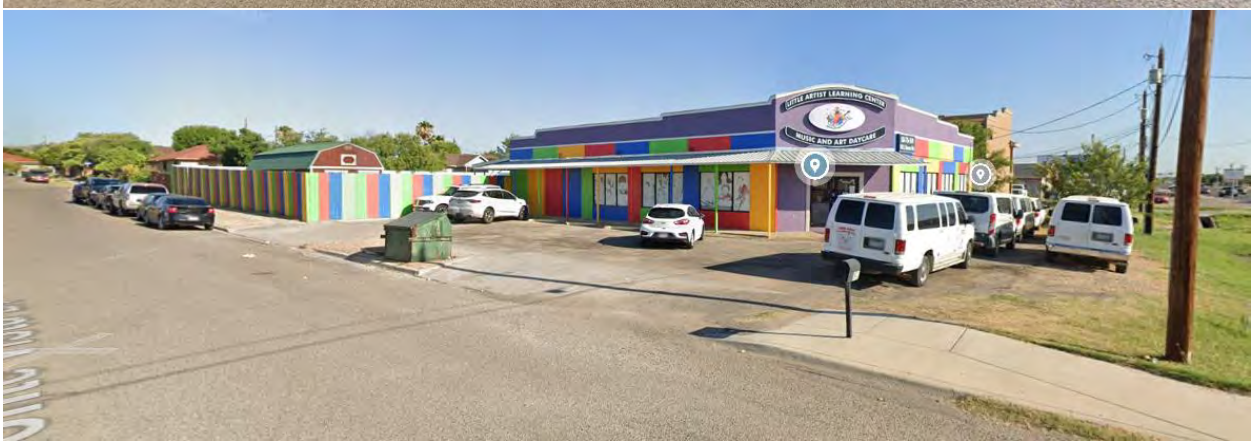
218.59'
221.88
224.78'
227.89'
N 88° 51' 47" W
20.0' BUILDING SETBACK LINE
100.0'
59.0'
50.0'
50.0'
50.0'
150

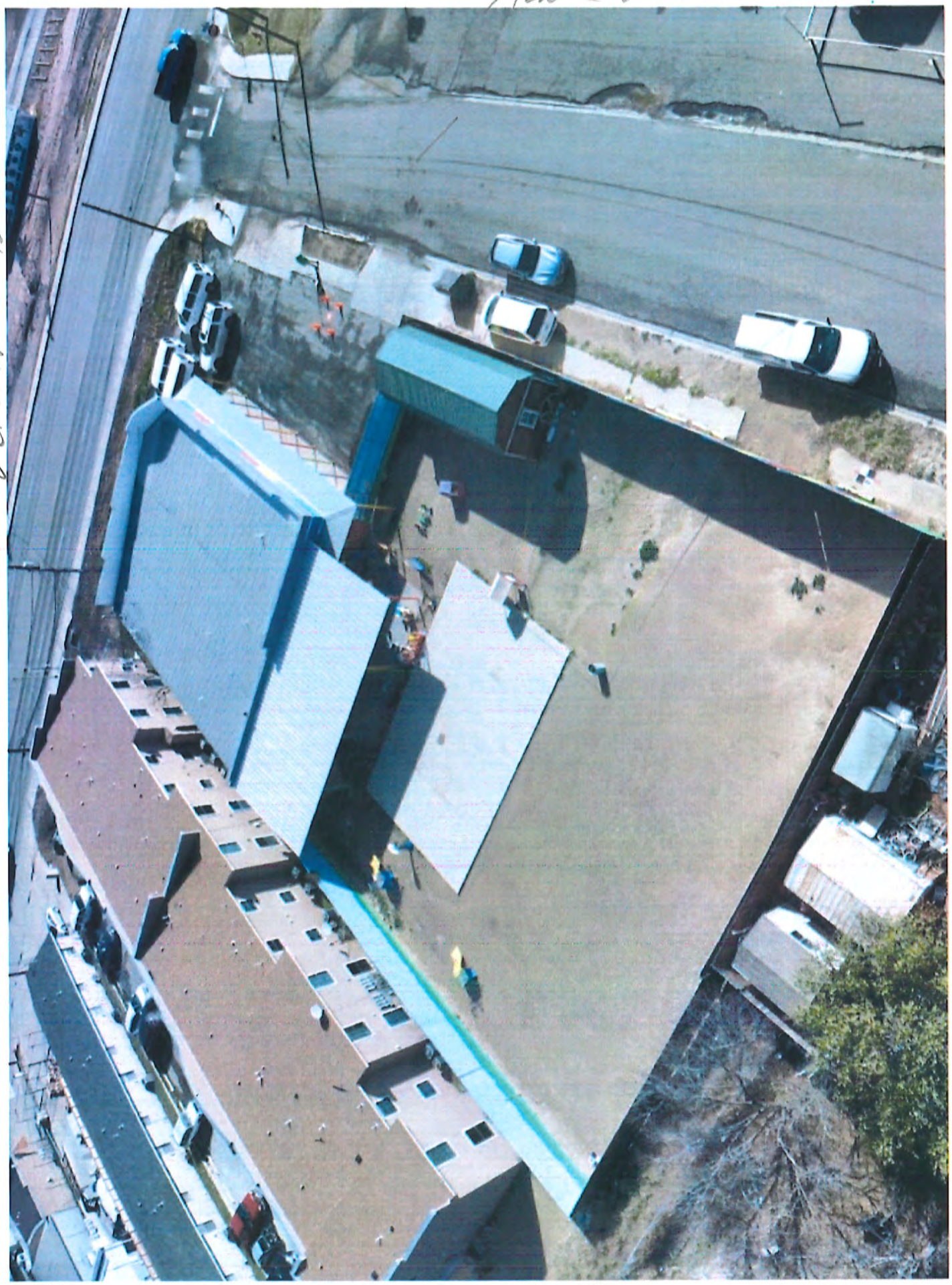
Little Artist
Learning Center
Cristin Dr
S Veterans Blvd
Monte Vista Dr
Eagle Used Cars
Used car dealer
Memorial Jr High Tennis
and Football locker room
Memorial Junior
High School
Maverick County
Tax Assessor/...

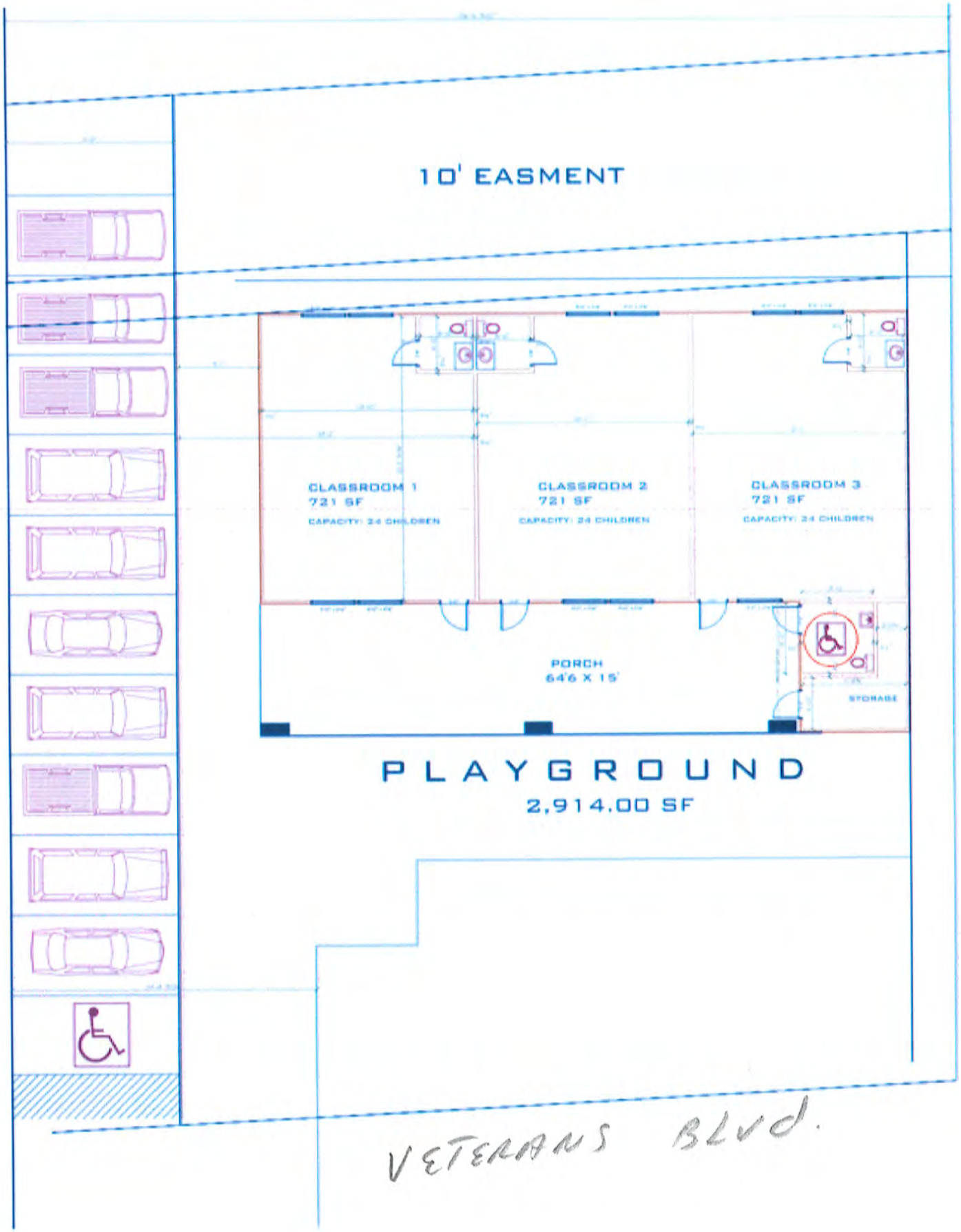



LITTLE ARTIST LEARNING CENTER
MUSIC AND ART DAYCARE

MONTE VISTA.

VETERANS BLVD





Front Site Visit

Item #4

Community Development Department Executive Summary

REPORT TO THE PLANNING & ZONING COMMISSION

574 S. Bibb Ave (Lot 5 of the Lowes of Eagle Pass Subdivision Unit 1)
Rezone Request

I. BACKGROUND

General Information

Applicant: JCM Ventures

Property Owner: Eagle Pass Crossing, LLC

Location: 574 S. Bibb Ave

PID: 8709813

Request: Rezone parcel from B-1 Neighborhood Business District to B-3 General Business District, to allow for the construction of apartments.

Subject Property Information

Parcel Size: 5.095 acres

Current Zoning District: B-1 District

Master Plan: Commercial

Current Use: Vacant and undeveloped

Proposed use: propose to develop affordable housing composed of multi-family units. Sixty-Six (66) units total; 33 1-bedroom units; and 33 2-bedroom units

Vicinity Data

The site is in an area that is primarily comprised of commercial uses and residential developments to the rear of the subject area.

Infrastructure

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

Access to the site is provided by Bibb Ave via an access easement to the Lowes Store.

Aerial Map

Street View

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*. 8 notices were mailed to the abutting property owners within the 200 feet radius from the subject property on March 1, 2024.

III. RECOMMENDED FINDINGS OF FACT

A. <u>Conclusions</u>

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 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 B-1 District to B-3 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 apartments on the property, subject to conformance with all applicable city and state codes. What is being proposed is yet to be reviewed and accepted by the Review Team. The Team consists of our City Planner, Building Official, Fire Marshall, City Engineer, Public Works, Waste Management, and Eagle Pass Water Works, and any third-party Engineer or Plan Reviewer.

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 Bibb Ave via access easement for the Lowe's Store.

7. The rezone request conforms to the purpose of the City's zoning code, as the subsequent development of the property will result in a use that is consistent with intent of the *B-3 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 *Master Plan's* Storm Drainage Goals' and 'Storm Drainage Objectives'.

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

B. <u>Community Development Department Recommendation</u>

The Planning and Zoning Commission recommend that the City Council prepare and **ADOPT** an Ordinance granting a zoning district change from B-1 Neighborhood Business District to B-3 General Business District, for property legally known as 574 S. Bibb Ave or Lot 5 of the Lowes of Eagle Pass Subdivision Unit 1, 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 & stormwater
   - Appendix A governing off-street parking
   - Appendix A governing signs and fences

TRANSMITTED to the parties listed hereafter:

JCM Ventures via e-mail
Planning and Zoning Commission Members via e-mail
Community Development Department Report dated March 7, 2024

Attachment 1
Application

PLANNING DEPARTMENT

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

ZONING CHANGE APPLICATION

Case No:_____

Applicant Information

Name: JCM Ventures

Mailing Address: 705 Wenonga Cir Leawood, KS 6621

Phone: (913) 638-2500 E-mail: jake@jcm.ventures

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 Informationn

Name: Eagle Pass Crossing LLC

Mailing Address: 7800 Washington Avenue, Suite 800 Houston, TX 77007

Phone: (713) 268-3719 E-mail: llevine@levcor.com

Property Information

Site Address: ~~574~~ 580 S Bibb Ave MCAD Property ID # 8709813

Legal Description: Lot(s) 5 Block _____ Subdivision Lowes of Eagle Pass
(Property must be legally subdivided or be lot of record)

Front Yard Width (feet) n/a Rear Yard Width (feet) n/a Side Yard Width (feet) n/a

Proposed Project

Amend Zoning Regulations contained in section _____

Amend the Official Zoning Map & Master Plan by changing 5.095 acres of land currently zoned B1-Neighborhood Business District to be zoned B-3 General Business District

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:
We propose to develop an Affordable Housing Development composed of multifamily units
Describe the character and/or nature of uses surrounding the property:
Commercial use to the north and west, parkland to the north, single family use to the south, and vacant lots to the east.
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.

_____ 2/9/2024

Applicant Signature Date

Office Use

Date Application Accepted for Review: _____ By: _____

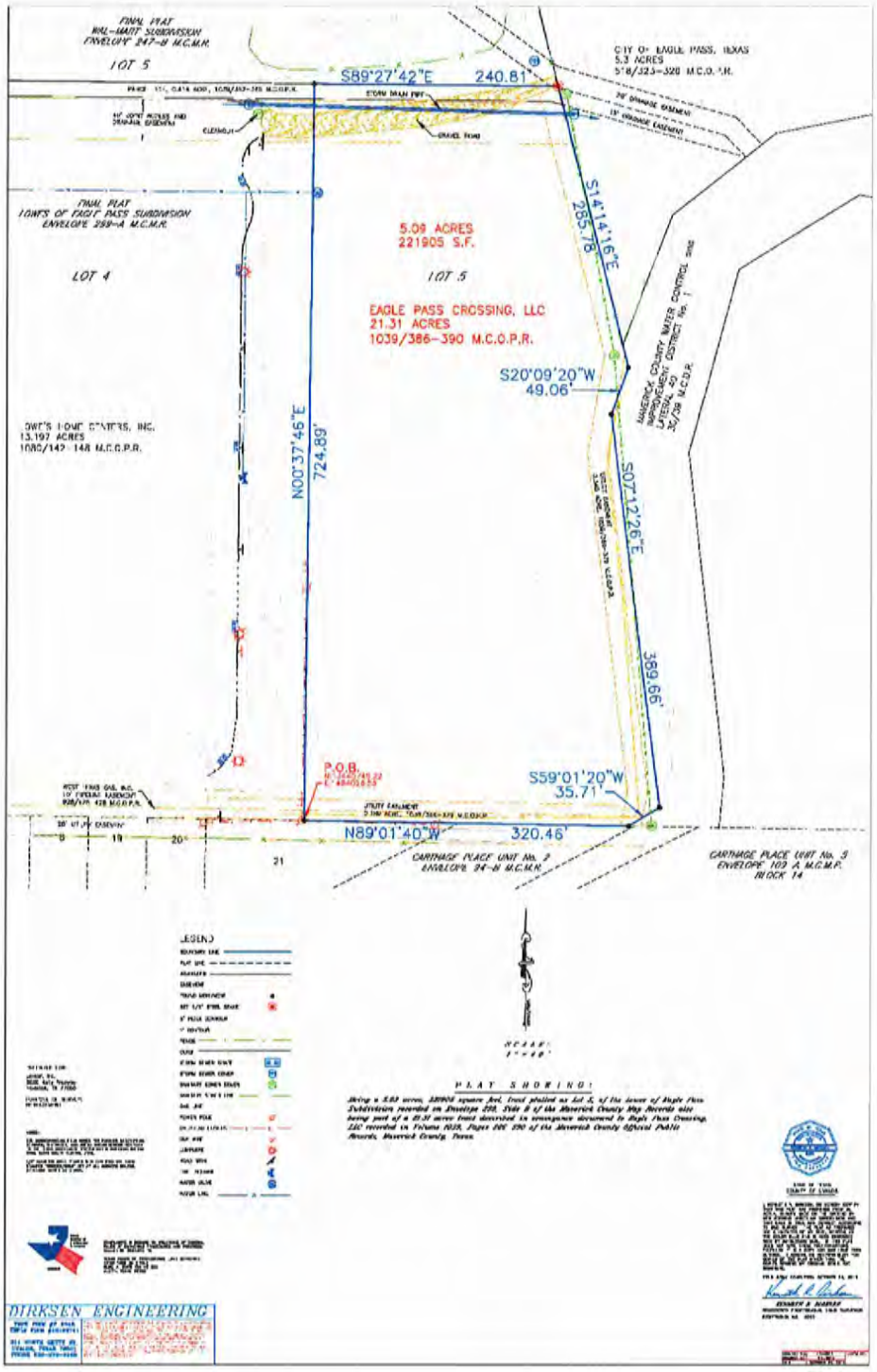
Contact Date for Supplemental Info: _____ Supplemental Info Received: _____

Completeness Review Date: _____ By: _____

Application Returned to Applicant: _____ (when applicable)

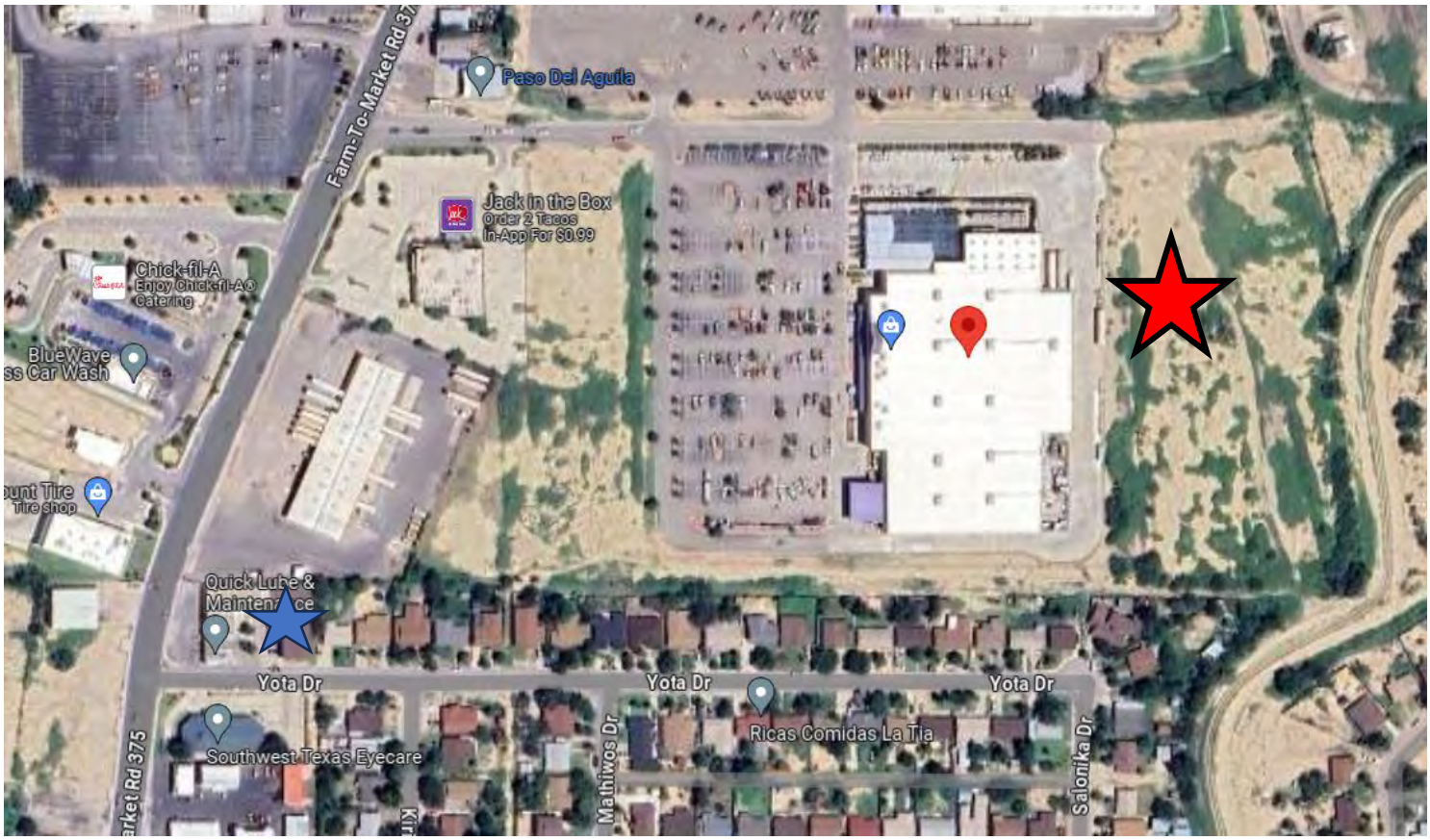
MR:7/2020

Exhibit A-1


FINAL PLAT
WAL-MART SUBDIVISION
ENVELOPE 247-B M.C.M.R.
LOT 5
S89°27'42"E
240.81'
CITY OF EAGLE PASS, TEXAS
5.3 ACRES
518/323-328 M.C.O.P.R.
FINAL PLAT
LOWE'S OF EAGLE PASS SUBDIVISION
ENVELOPE 259-A M.C.M.R.
LOT 4
5.09 ACRES
221905 S.F.
LOT 5
EAGLE PASS CROSSING, LLC
21.31 ACRES
1039/386-390 M.C.O.P.R.
S14°14'16"E
285.78'
S20°09'20"W
49.06'
MAVERICK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT No. 1
LATERAL 40
30/208 M.C.O.P.R.
LOWE'S HOME CENTERS, INC.
13.197 ACRES
1080/142-148 M.C.O.P.R.
N00°37'46"E
724.89'
S07°12'26"E
389.66'
P.O.B.
S59°01'20"W
35.71'
N89°01'40"W
320.46'
CARTHAGE PLACE UNIT No. 2
ENVELOPE 24-B M.C.M.R.
CARTHAGE PLACE UNIT No. 3
ENVELOPE 102 A M.C.M.R.
BLOCK 14
LEGEND
SCALE:
1"=40'
PLAT SHOWING:
DIRKSEN ENGINEERING

66 UNITS TOTAL
33 1-BR UNITS
33 2-BR UNITS
105 PARKING SPOTS

LEVCOR
EAGLE PASS
CROSSING
NOW LEASING
713.952.0166
LEVCOR.COM



Nearby multi-family use off Flowers St via Veterans Blvd

Attachment 2
Master Plan Map & Zoning District Map

Master Plan

Zoning Map

Item #5

Community Development Department Executive Summary

REPORT TO THE PLANNING & ZONING COMMISSION

Lot 75 (north 29.22 feet) in Block 3 of Range Unit #3, and Lot 75 ½ in Block 3 of Range Unit #3, also known as 475 Jefferson Street Rezone Request

I. BACKGROUND

General Information

Applicant & Property Owner: Gregory D. Torres

Location: 475 Jefferson St.

PID: 16685 & 16687

Legal Description: Range Unit #3, Block 3, Lot 75 (north 29.22 feet) and Range Unit #3, Block 3, Lot 75 ½

Request: Rezone parcel from B-2 Central Business District to B-3 General Business District, to allow for the construction of apartments.

Subject Property Information

Parcel Size: 4,383 sq ft & 11,250 sq ft

Current Zoning District: B-2 Central Business District

Master Plan: Commercial

Current Use: Commercial Building that will be demolished.

Proposed Use: Construction of apartments

Vicinity Data

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

Infrastructure

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

Access to the site is provided by Jefferson Street.

Aerial Map & Street View

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*. 31 notices were mailed to the abutting property owners within the 200 feet radius from the subject property on March 1, 2024.

III. RECOMMENDED FINDINGS OF FACT

A. <u>Conclusions</u>

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 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 B-2 Central Business District to B-3 General Business District will allow for a continuation of the development in the neighborhood while retaining the community's character and scale. The change will facilitate the ultimate development of urban uses in a compatible arrangement that will make the community attractive to both residents and visitors and desirable to quality investments, while improving the residential and commercial environment of the city.

   The purpose of the rezone is to allow for subsequent construction of apartments in 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 Jeffeson 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 *B-3 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 *Master Plan's* Storm Drainage Goals' and 'Storm Drainage Objectives'.

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

B. <u>Community Development Department Recommendation</u>

That the Planning and Zoning Commission recommend that the City Council prepare and **ADOPT** an Ordinance granting a zoning district change from B-2 Central Business District to B-3 Commercial Business District, for property legally known Lot 75 (north 29.22 feet) in Block 3 of Range Unit #3, and Lot 75 ½ in Block 3 of Range Unit #3, also known as 475 Jefferson 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:

Gregory D. Torres via e-mail
Planning and Zoning Commission Members via e-mail
Eagle Pass Community Development Department Report dated March 7, 2024

Attachment 1
Application

PLANNING DEPARTMENT

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

ZONING CHANGE APPLICATION

Case No: _____

Applicant Information

Name: Gregory D. Torres

Mailing Address: 454 Jefferson St.

Phone: 830-776-9732 E-mail: g-torres-law@hotmail.com

Note: if you are not the owner of the property, you must attach a letter from the owner authorizing you to submit this application.

Property Owner Informationn

Name: Same As Above

Mailing Address: _____

Phone: _____ E-mail: _____

Property Information

Site Address: 475 Jefferson St. MCAD Property ID # 16685-16687

Legal Description: Lot(s) _____ Block _____ Subdivision Refer to property ID
(Property must be legally subdivided or be lot of record)

Front Yard Width (feet) _____ Rear Yard Width (feet) _____ Side Yard Width (feet) _____

Proposed Project

Amend Zoning Regulations contained in section _____

Amend the Official Zoning Map & Master Plan by changing _____ acres of land currently zoned

_____ to be zoned _____

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: Apartment Complex
8 Two Bedroom Apts. / Four two Floor Buildings
Describe the character and/or nature of uses surrounding the property:
commeccial Buildings, residential, Multi Family Dwellings
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 _____ Date 2/20/24

Office Use

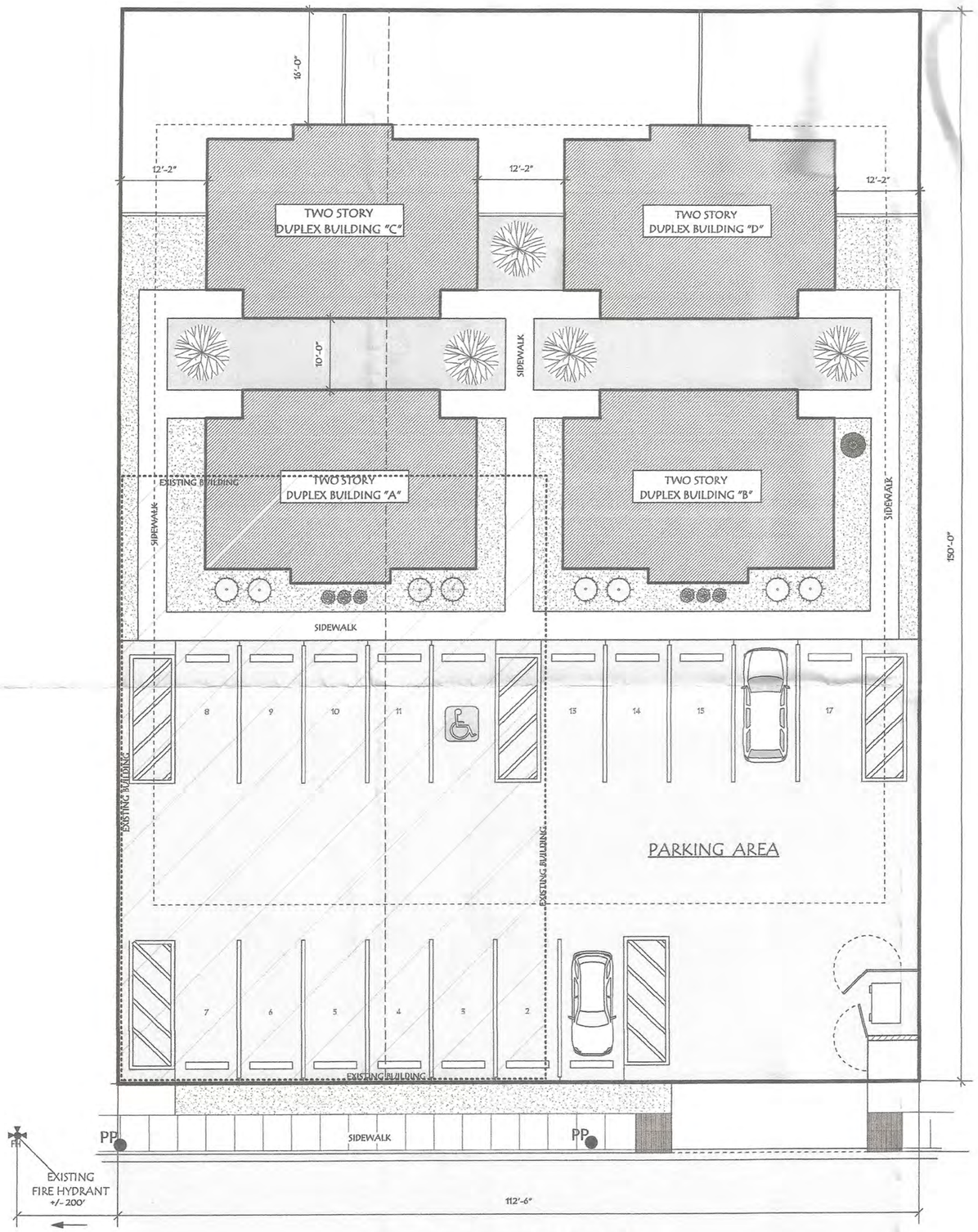
Date Application Accepted for Review: _____ By: _____

Contact Date for Supplemental Info: _____ Supplemental Info Received: _____

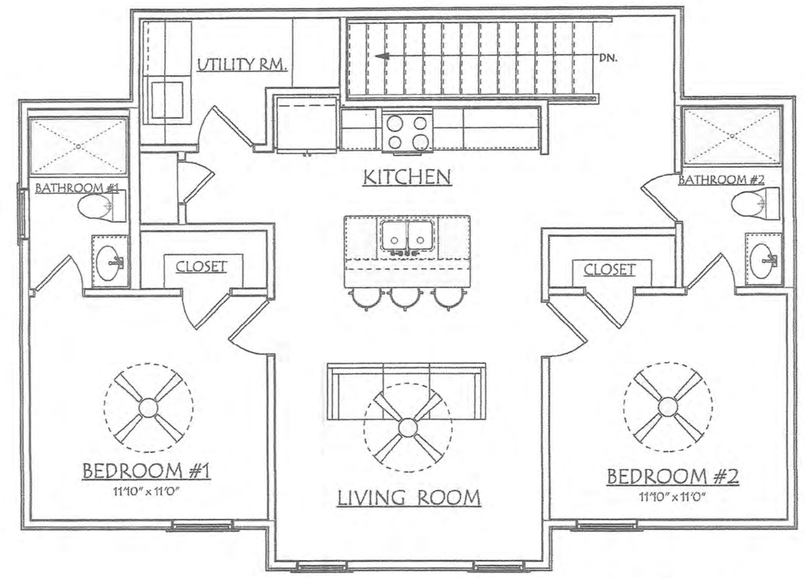
Completeness Review Date: _____ By: _____

Application Returned to Applicant: _____ (when applicable)

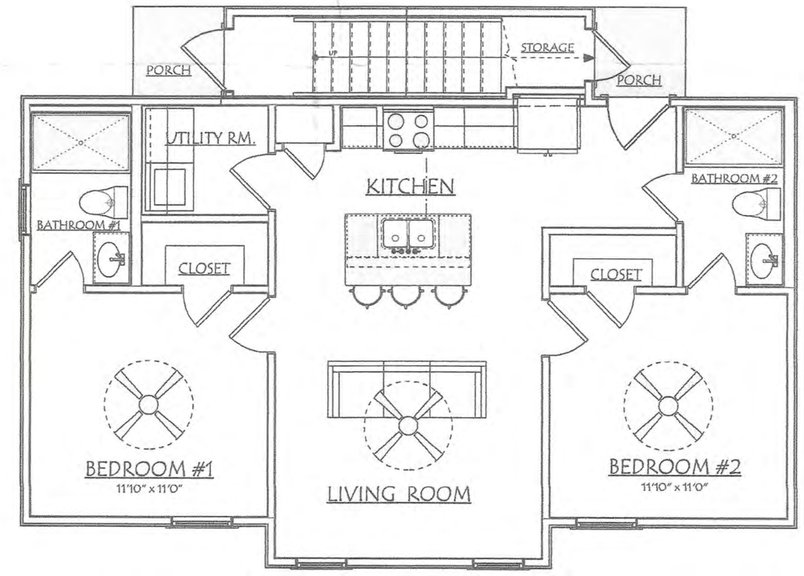
MR:7/2020



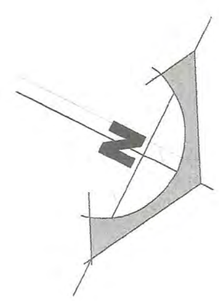
475 JEFFERSON ST.



UPPER LEVEL NTS



LOWER FLOOR NTS



4-DUPLEX APARTMENTS

2-Bedrooms per Unit

1830 sf per Building

Aerial View

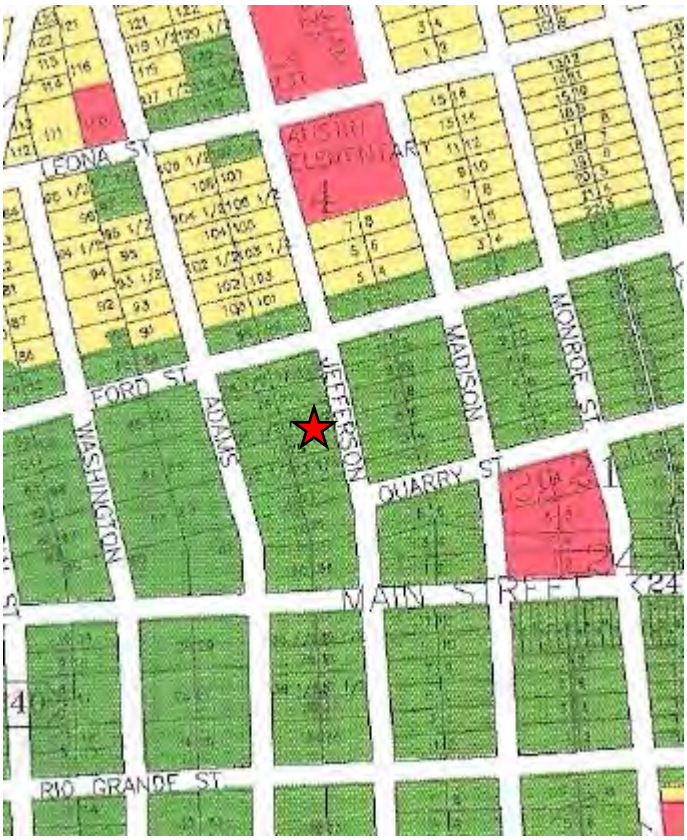
Site Photo

Attachment 2
Master Plan & Zoning Map

Zoning Map

- B1 - Neighborhood Business District
- R1 - First One-family District
- R-3 - Duplex District
- R2 - Second One-family District
- I - Industrial District
- B2 - Central Business District
- F - Floodway District
- R4 - Townhouse Residence District

Master Plan



- VACANT
- RESIDENTIAL
- COMMERCIAL
- INDUSTRIAL
- PUBLIC AND SEMI – PUBLIC
- AGRICULTURE

Item #6

Community Development Department Executive Summary

REPORT TO THE PLANNING & ZONING COMMISSION

2846 N. Veterans Blvd (Lot 7 in Block 2 of Castle Rock Subdivision Unit 1)
Rezone Request

I. BACKGROUND

General Information

Applicant: Mario Fuentes Bermea

Property Owner: David Gutierrez

Location: 2846 N. Veterans Blvd

PID: 8708493

Request: Rezone parcel from B-1 Neighborhood Business District to B-3 General Business District, to allow for the construction of apartments.

Subject Property Information

Parcel Size: 34,048 sq ft (0.7816 acres)

Current Zoning District: B-1 District

Master Plan: Commercial

Current Use: Vacant and undeveloped

Proposed use: Six (6) 2-story apartment buildings with a total of twelve (12) 2-bedrooom units.

Vicinity Data

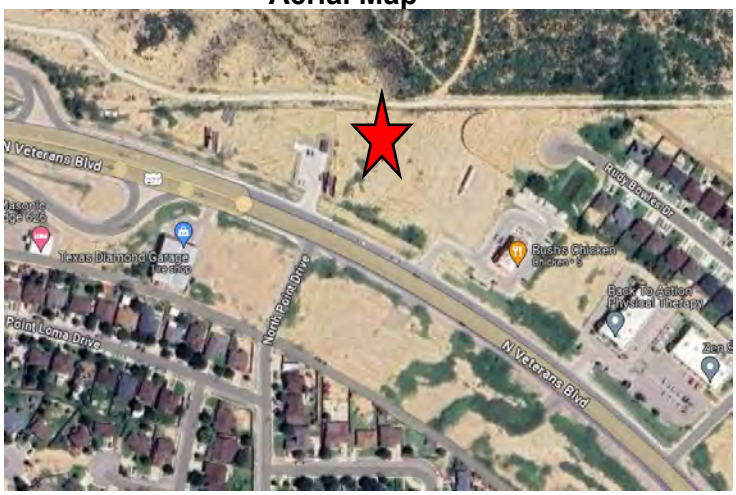
The site is in an area that is primarily comprised of commercial uses along Veterans and residential developments in the area.

Infrastructure

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

Access to the site is provided by Veterans Blvd.

Aerial Map



Street View

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*. 8 notices were mailed to the abutting property owners within the 200 feet radius from the subject property on March 1, 2024.

III. RECOMMENDED FINDINGS OF FACT

A. <u>Conclusions</u>

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 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 B-1 District to B-3 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 apartments on the property, subject to conformance with all applicable city and state codes. What is being proposed is yet to be reviewed and accepted by the Review Team. The Team consists of our City Planner, Building Official, Fire Marshall, City Engineer, Public Works, Waste Management, and Eagle Pass Water Works, and any third-party Engineer or Plan Reviewer.

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 Veterans Blvd.

7. The rezone request conforms to the purpose of the City's zoning code, as the subsequent development of the property will result in a use that is consistent with intent of the *B-3 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 *Master Plan's* Storm Drainage Goals' and 'Storm Drainage Objectives'.

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

B. <u>Community Development Department Recommendation</u>

The Planning and Zoning Commission recommend that the City Council prepare and **ADOPT** an Ordinance granting a zoning district change from B-1 Neighborhood Business District to B-3 General Business District, for property legally known 2846 N. Veterans Boulevard or Lot 7 in Block 2 of Castle Rock Subdivision Unit 1, 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 & stormwater
   - Appendix A governing off-street parking
   - Appendix A governing signs and fences

TRANSMITTED to the parties listed hereafter:

Mario F. Bermea via e-mail
Planning and Zoning Commission Members via e-mail
Community Development Department Report dated March 7, 2024

Attachment 1
Application

City.

PLANNING DEPARTMENT

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

ZONING CHANGE APPLICATION

Case No: _____

Applicant Information

Name: MARIO FUENTES BERMEA

Mailing Address: P. O. BOX 6068

Phone: 830-513-4716 E-mail: mario.fuentes29@hotmail.com

Note: if you are not the owner of the property, you must attach a letter from the owner authorizing you to submit this application.

Property Owner Informationn

Name: DAVID GUTIERREZ

Mailing Address: 2132 Hicks COVE

Phone: 830-776-0922 E-mail: dg.papalote@gmail.com

Property Information

Site Address: 2846 N. VETERANS BLVD MCAD Property ID # 8708493

Legal Description: Lot(s) 7 Block 2 Subdivision CASTLE ROCK SUBDIVISION
(Property must be legally subdivided or be lot of record)

Front Yard Width (feet) 84.2 Rear Yard Width (feet) 202.10' Side Yard Width (feet) 218.63' (LEFT)
284.41' (RIGHT)

Proposed Project

Amend Zoning Regulations contained in section _____

Amend the Official Zoning Map & Master Plan by changing .78 acres of land currently zoned COMMERCIAL to be zoned MULTIPLE FAMILY

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: (2) FLOORS
TO BUILD (6) DUPLEX
BUILDINGS
Describe the character and/or nature of uses surrounding the property:
COMMERCIAL
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 Date

Office Use

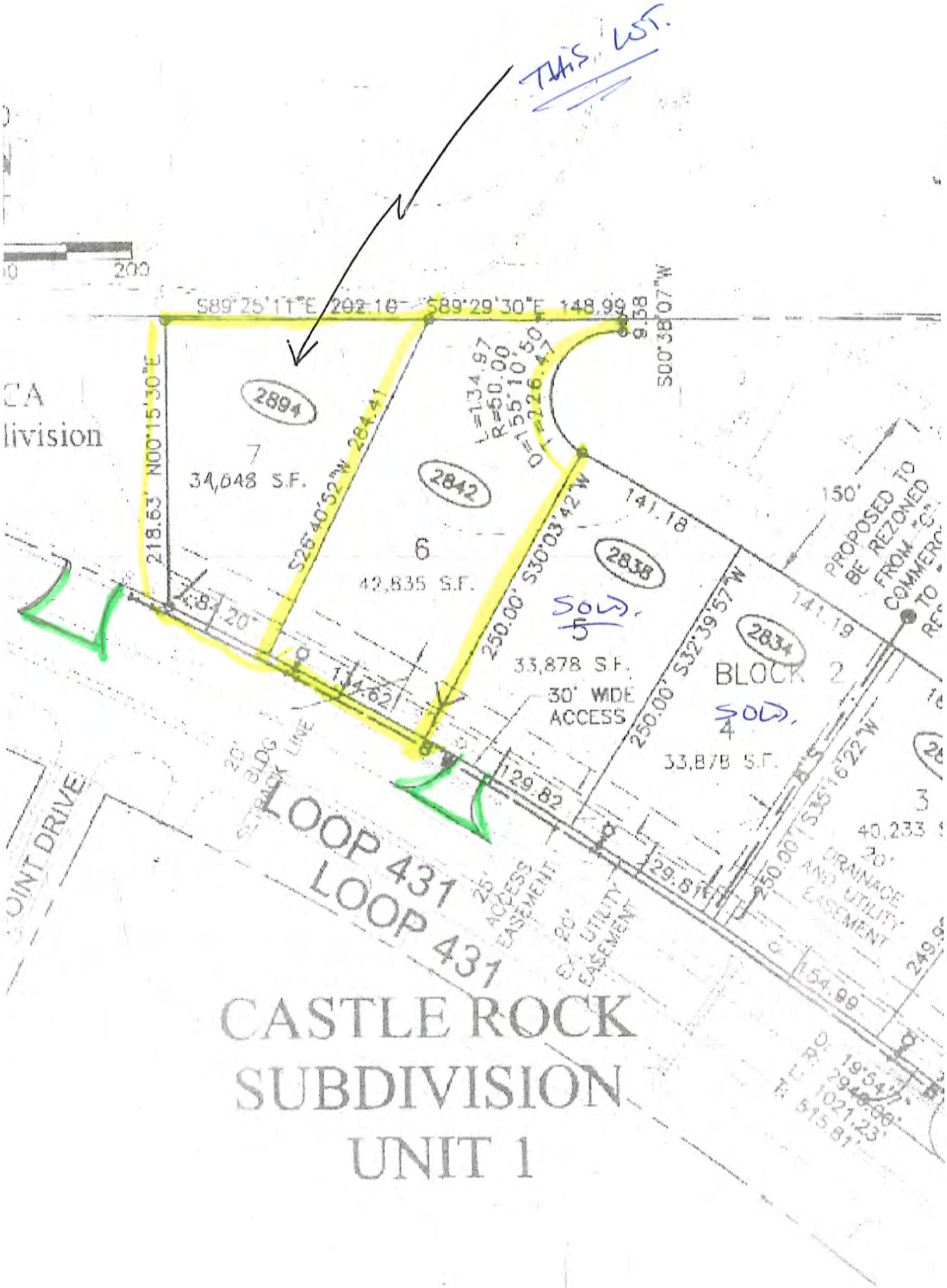
Date Application Accepted for Review: _____ By: _____

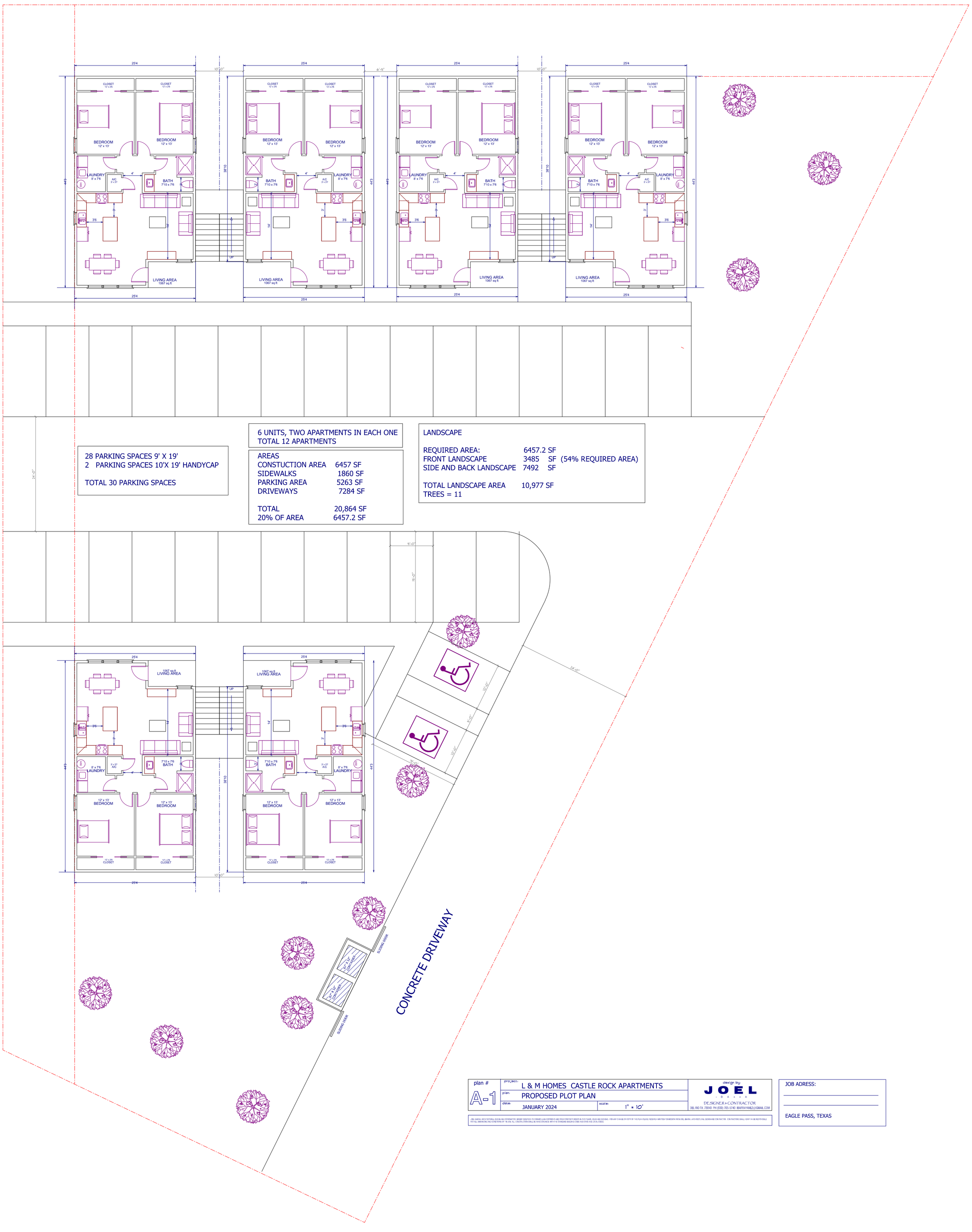
Contact Date for Supplemental Info: _____ Supplemental Info Received: _____

Completeness Review Date: _____ By: _____

Application Returned to Applicant: _____ (when applicable)

MR:7/2020


THIS LOT.
200
S89°25'11"E 202.10'
S89°29'30"E 148.99
S00°38'07"W
9.58
N00°15'30"E
218.63'
2894
7
34,648 S.F.
S26°40'52"W 284.41
2842
6
42,835 S.F.
L=134.97
R=60.00
D=155°10'50"
L=226.47
141.18
2838
SOLD.
5
33,878 S.F.
30' WIDE ACCESS
250.00' S30°03'42"W
250.00' S32°39'57"W
2834
BLOCK 2
SOLD.
4
33,878 S.F.
141.18
150'
PROPOSED TO BE REZONED FROM "C" COMMERC TO
20'
114.62
129.82
29.81
250.00' S35°16'22"W
154.99
40,233
3
20' DRAINAGE AND UTILITY EASEMENT
20' BLDG SETBACK LINE
LOOP 431
LOOP 431
25' ACCESS EASEMENT
20' UTILITY EASEMENT
POINT DRIVE
CA
livision
CASTLE ROCK
SUBDIVISION
UNIT 1



28 PARKING SPACES 9' X 19'
2 PARKING SPACES 10'X 19' HANDYCAP

TOTAL 30 PARKING SPACES

6 UNITS, TWO APARTMENTS IN EACH ONE
TOTAL 12 APARTMENTS

AREAS	
CONSTUCTION AREA	6457 SF
SIDEWALKS	1860 SF
PARKING AREA	5263 SF
DRIVEWAYS	7284 SF
TOTAL	20,864 SF
20% OF AREA	6457.2 SF

LANDSCAPE

REQUIRED AREA:	6457.2 SF	
FRONT LANDSCAPE	3485 SF	(54% REQUIRED AREA)
SIDE AND BACK LANDSCAPE	7492 SF	
TOTAL LANDSCAPE AREA	10,977 SF	

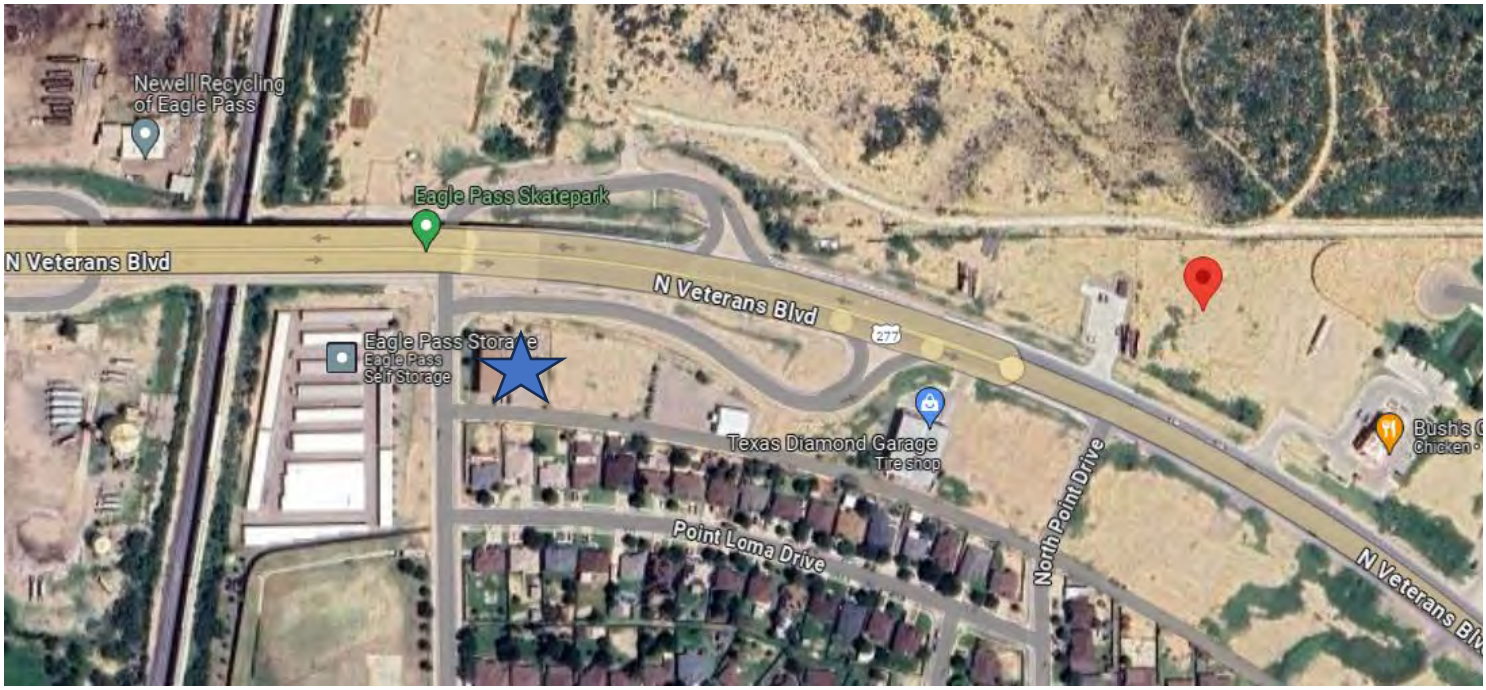
TREES = 11

plan #	project:	design by
A-1	L & M HOMES CASTLE ROCK APARTMENTS	JOEL IBARRA
	plan: PROPOSED PLOT PLAN	DESIGNER & CONTRACTOR
	date: JANUARY 2024 / scale: 1" = 10'	DEL RIO TX. 78840 PH (830) 765-5740 IBARRAYANEZ@GMAIL.COM

JOEL IBARRA, ARCHITECTURAL DESIGN AND CONTRACTOR HEREBY RESERVES ITS COMMON LAW COPYRIGHT AND OTHER PROPERTY RIGHTS IN THIS PLANS, IDEAS AND DESIGNS. FOR ANY CHANGE OR COPY OF THIS PLAN PLEASE REQUIRE A WRITTEN PERMISSION FROM JOEL IBARRA, ARCHITECTURAL DESIGN AND CONTRACTOR. CONTRACTORS SHALL VERIFY AN BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS OF THE JOB. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE STANDARD BUILDING CODE AND STATE AND LOCAL CODES.

JOB ADRESS:

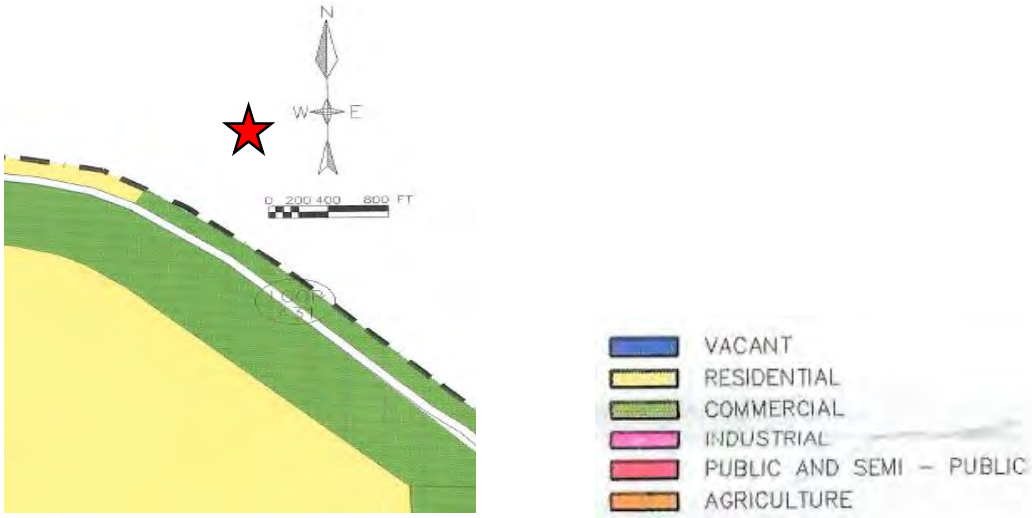
EAGLE PASS, TEXAS



Nearby multi-family use off Flowers St via Veterans Blvd

Attachment 2
Master Plan Map & Zoning District Map

Master Plan



Zoning Map

Item #7

Community Development Department Executive Summary
REPORT TO THE PLANNING & ZONING COMMISSION

1082 Kifuri Street Rezone Request

Aerial Map

I. BACKGROUND

General Information

Applicant & Property Owner: Santos Limited Partnership

Location: 1082 Kifuri Street **PID:** 19447

Legal Description: Lot 14 in Block 35 of South Heights

Request: Rezone parcel from I-Industrial District to R-1 First One-Family Dwelling District.

Subject Property Information

Current Use: Vacant and undeveloped

Proposed Use: Single-Family Dwelling

Parcel Size: 7,500-square feet

Current Zoning District: I-Industrial

Master Plan: Industrial

Vicinity Data

The site is in an area that is primarily comprised of single-family dwellings, duplex dwellings, and industrial businesses.

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 Kifuri 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*. 12 notices were mailed to the abutting property owners within the 200 feet radius from the subject property on March 1, 2024.

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 I-Industrial District to R-1 First One-Family Dwelling 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 the construction of a single-family dwelling.

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 Kifuri 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-1 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 residential use and should allow the property to be rezoned to an appropriate 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. Community Development Department Recommendation

The Planning and Zoning Commission recommend that the City Council prepare and **ADOPT** an Ordinance granting a zoning district change from I-Industrial District to R-1 First One-Family Dwelling District for property legally defined as Lot 14 in Block 35 of South Heights, also known 1082 Kifuri Street.

TRANSMITTED to the parties listed hereafter:

Santos Limited Partnership via e-mail
Planning and Zoning Commission Members via e-mail
Eagle Pass Community Development Department Report dated March 7, 2024

Attachment 1
Application

PLANNING DEPARTMENT

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

ZONING CHANGE APPLICATION

Case No:_____

Applicant Information

Name: Santos Limited Partnership

Mailing Address: 222 Idaho St, Laredo, TX 78041-3213

Phone: 956-725-5449 E-mail: salsantos222@hotmail.com

Note: if you are not the owner of the property, you must attach a letter from the owner authorizing you to submit this application.

Property Owner Informationn

Name: Salvador G. Santos- General and Limited Partner

Mailing Address: 222 Idaho St., Laredo, TX 78041-3213

Phone: 956-725-5449 E-mail: salsantos222@hotmail.com

Property Information

Site Address: 1082 Kifuri MCAD Property ID # 19447

Legal Description: Lot(s) 14 Block 35 Subdivision South Heights
(Property must be legally subdivided or be lot of record)

Front Yard Width (feet) 50 Rear Yard Width (feet) 50 Side Yard Width (feet) 150

Proposed Project

Amend Zoning Regulations contained in section _____

Amend the Official Zoning Map & Master Plan by changing Lot 14 acres of land currently zoned Industrial to be zoned Residential

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:
A 'Residential' zoning is necessary because the owner would like to build single-family houses on each of the three
lots. When developed, these lots were originally zoned as 'Residential'.
Describe the character and/or nature of uses surrounding the property:
These three lots are platted with 50-foot frontages because they were intended for residential construction, as can be
seen to conform with the rest of the residential properties along Kifuri street. Lot 16 is the last in the line.
Will the rezoned designation be compatible with the classification and use of adjoining lands? X 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.

Salvador G. Santos

Salvador G. Santos

Applicant Signature - General and Limited Partner

February 10, 2024

Date

Office Use

Date Application Accepted for Review: _____ By: _____

Contact Date for Supplemental Info: _____ Supplemental Info Received: _____

Completeness Review Date: _____ By: _____

Application Returned to Applicant: _____ (when applicable)

MR:7/2020

Plat of Record

Kifuri St
Travis St
Austin St
Luis St
Taft St
Coolidge St
Luis St
Benavides Elementary School
ick County
orporation
T.H. Gonzalez, Inc
ER Richer

Site Photos

Attachment 2
Master Plan & Zoning Map

Zoning Map

Master Plan

Item #8

PLANNING DEPARTMENT

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

ZONING CHANGE APPLICATION

Case No:_____

Applicant Information

Name: Santos Limited Partnership

Mailing Address: 222 Idaho St, Laredo, TX 78041-3213

Phone: 956-725-5449 E-mail: salsantos222@hotmail.com

Note: if you are not the owner of the property, you must attach a letter from the owner authorizing you to submit this application.

Property Owner Informationn

Name: Salvador G. Santos- General and Limited Partner

Mailing Address: 222 Idaho St., Laredo, TX 78041-3213

Phone: 956-725-5449 E-mail: salsantos222@hotmail.com

Property Information

Site Address: 1090 Kifuri MCAD Property ID # 19447

Legal Description: Lot(s) 15 Block 35 Subdivision South Heights
(Property must be legally subdivided or be lot of record)

Front Yard Width (feet) 50 Rear Yard Width (feet) 50 Side Yard Width (feet) 150

Proposed Project

Amend Zoning Regulations contained in section _____

Amend the Official Zoning Map & Master Plan by changing Lot 15 acres of land currently zoned Industrial to be zoned Residential

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:

A 'Residential' zoning is necessary because the owner would like to build single-family houses on each of the three lots. When developed, these lots were originally zoned as 'Residential'.

Describe the character and/or nature of uses surrounding the property:

These three lots are platted with 50-foot frontages because they were intended for residential construction, as can be seen to conform with the rest of the residential properties along Kifuri street. Lot 16 is the last in the line.

Will the rezoned designation be compatible with the classification and use of adjoining lands? X 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.

Salvador G. Santos

Salvador G. Santos

Applicant Signature - General and Limited Partner

February 10, 2024

Date

Office Use

Date Application Accepted for Review: _____ By: _____

Contact Date for Supplemental Info: _____ Supplemental Info Received: _____

Completeness Review Date: _____ By: _____

Application Returned to Applicant: _____ (when applicable)

MR:7/2020

Plat of Record

Kifuri St
Travis St
Austin St
Luis St
Taft St
Coolidge St
Luis St
Benavides Elementary School
ick County
orporation
T.H. Gonzalez, Inc
ER Richer

Site Photos

Attachment 2
Master Plan & Zoning Map

Zoning Map

Master Plan

Item #9

PLANNING DEPARTMENT

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

ZONING CHANGE APPLICATION

Case No:_____

Applicant Information

Name: Santos Limited Partnership

Mailing Address: 222 Idaho St, Laredo, TX 78041-3213

Phone: 956-725-5449 E-mail: salsantos222@hotmail.com

Note: if you are not the owner of the property, you must attach a letter from the owner authorizing you to submit this application.

Property Owner Informationn

Name: Salvador G. Santos- General and Limited Partner

Mailing Address: 222 Idaho St., Laredo, TX 78041-3213

Phone: 956-725-5449 E-mail: salsantos222@hotmail.com

Property Information

Site Address: 1098 Kifuri MCAD Property ID # 19447

Legal Description: Lot(s) 16 Block 35 Subdivision South Heights
(Property must be legally subdivided or be lot of record)

Front Yard Width (feet) 50 Rear Yard Width (feet) 50 Side Yard Width (feet) 150

Proposed Project

Amend Zoning Regulations contained in section _____

Amend the Official Zoning Map & Master Plan by changing Lot 16 acres of land currently zoned Industrial to be zoned Residential

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:

A 'Residential' zoning is necessary because the owner would like to build single-family houses on each of the three lots. When developed, these lots were originally zoned as 'Residential'.

Describe the character and/or nature of uses surrounding the property:

These three lots are platted with 50-foot frontages because they were intended for residential construction, as can be seen to conform with the rest of the residential properties along Kifuri street. Lot 16 is the last in the line.

Will the rezoned designation be compatible with the classification and use of adjoining lands? X 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.

Salvador G. Santos

Salvador G. Santos

Applicant Signature - General and Limited Partner

February 10, 2024

Date

Office Use

Date Application Accepted for Review: _____ By: _____

Contact Date for Supplemental Info: _____ Supplemental Info Received: _____

Completeness Review Date: _____ By: _____

Application Returned to Applicant: _____ (when applicable)

MR:7/2020

Plat of Record

Kifuri St
Travis St
Austin St
Luis St
Taft St
Coolidge St
Luis St
Benavides Elementary School
ick County
orporation
T.H. Gonzalez, Inc
ER Richer

Site Photos

Attachment 2
Master Plan & Zoning Map

Zoning Map

Master Plan

Item #10

Community Development Department Executive Summary

REPORT TO THE PLANNING AND ZONING COMMISSION

Final Plat of the EPISD Student Activity Center Subdivision

I. BACKGROUND

A. General Information

Applicant: Dirksen Engineering | 441 Fort Clark Rd. Ste B I Uvalde, Tx 78801

Developer: Eagle Pass Independent School District

Location: 5021 E. Main Street (northwest corner of intersection of US 277 and Loop 480)

Property ID Numbers: 8711285 and 8711286

Legal Description: Being 79.92 acres, located in the L. H. Townsend, Survey 513, Abstract 627, Maverick County composed of a 26.24 acres tract and a 53.36 acres tract both described in conveyance document to Eagle Pass Independent School District described respectively in Volume 1120, Pages 402-et seq., and Volume 1120, Pages 407-et seq., of the Maverick County Official Public Records, Maverick County, Texas.

1. **Request:** Approval of the final plat of the EPISD Student Activity Center Subdivision, including (1) a subdivision variance from Section 23-36(a) regulating preliminary plat requirements, and (2) a sidewalk waiver from Section 23-64 regulating sidewalks, including curb and gutter.

B. Subject Property Information:

Vegetation: commercial landscaping

Existing Use: fully developed student sports activity center

Current & Proposed Zoning: B-3 General Business District

Master Plan: No designation depicted.

C. Vicinity Data

The site is surrounded by large undeveloped land and located across from the Texas Department of Public Safety on US Highway 277 and Loop 480.

D. Infrastructure

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

Access to the site is provided by Main Street, also known as US Highway 277 and Loop 480.

II. 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 approval of the subdivision's final plat. Please refer to Attachment 1 for a copy of the application.

2. Final plat approval is contingent upon the Commission's approval of a sidewalk waiver request and subdivision variance request.

   The final plat is contingent upon the approval of a sidewalk waiver request, including curb and gutter. The applicant is seeking a sidewalk waiver per Section 23-64(a) of the Subdivision Ordinance as part of his application for the final plat.

   Staff recommends that the sidewalk be installed before plat recordation as the property is fully developed or place a bond for the improvement. Please refer to Attachment 2 for a copy of the sidewalk waiver application.

3. The applicant demonstrated that the proposal complies with the subdivision variance criteria set forth on *Section 23-11(a)* and *Section 23-11(c)* and, therefore, should be granted. Please refer to Attachment 3 for a copy of the subdivision variance request.

4. The City of Eagle Pass Master Plan provides direction to the Planning and Zoning Commission in their deliberation of a plat.

   The plat site is located within an area designated as Commercial on a Master Plan Map. Please refer to Attachment 5 for a copy of the Master Plan Map.

   The use of the plat site for commercial business operations is consistent with the Master Plan Map. The policies of the Master Plan provide direction regarding the creation of a 79.92-acre lot.

5. The *Master Plan* emphasizes the importance of maintaining the character of the City's commercial neighborhoods. The following is a summary of the applicable sections of the Master Plan to the preliminary plat:

   - ✓ The subdivision is consistent with the *Land Use Development Goals* of the *Master Plan,* as the project is designed to provide for a building lot density that is consistent with the purpose of the *B-3 District*. This design will allow for the continuing development of the community while retaining the commercial character and scale while providing utility services in the most efficient and equitable manner.

   - ✓ The subdivision is consistent with the *Street Goal* of the *Master Plan*, as access to the lot from US Highway 277 and Lopp 480 have been designed to provide the residents of and visitors to Eagle Pass and Maverick County with a street system that will enable them to travel safely and conveniently.

   - ✓ The subdivision is consistent with the *Thoroughfare Goals* of the *Master Plan*, as US Highway 277 and Lopp 480 have been designed to be part of a safe and efficient thoroughfare system.

   - ✓ The subdivision is consistent with the *Storm Drainage Goals* of the *Master Plan*, as there is currently drainage infrastructure in place that

meet City specifications. Drainage from this site is south towards US 277 and east toward Loop 480. Detention Ponds are developed along YS 277 at the access point and the soccer fields at the southwest corner. Hydraulic design for the site was performed by Tetra Tech when the project was constructed in 2008. The report and hydraulic calculations were submitted for review and acceptance.

6. The subdivision of the property is in conformance with the provisions of the *Master Plan* and the *Eagle Pass Code of Ordinances* by facilitating the following benefits:

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

7. The subdivision design is consistent with the commercial uses permitted in the *B-3 General Business District*. Please refer to Attachment 5 for a copy of the City Zoning Map.

8. The plat will allow for use of the property that is consistent with the commercial purpose of the *B-3 General Business District,* as well as the surrounding, for the following reasons:

    A. The subdivision design bears a substantial relationship to the public's health, safety, and welfare.

    B. The subdivision will be in accordance with the policies of the Master Plan and the business purpose of the *B-3 General Business District*.

    C. The subdivision is warranted because of the necessity to create additional building lots in the *B-3 General Business District*, and because the

proposed development is appropriate to accomplish the reasonable use of the property.

D. The subject property is suitable for development in general conformance with development standards of the *B-3 General Business District.*

E. The subdivision will benefit the city as a whole and will not be detrimental to nearby land uses of a similar nature.

F. The Subdivision will be designed and conditioned to comply with all applicable subdivision criteria and standards of the City of Eagle Pass.

9. The subdivision is consistent with City design and specifications, as the subsequent development of the site will be required to conform to the following sections of *Article IV* in *Eagle Pass Code of Ordinances Chapter 23*:

   - ✓ *Section 23-62* governing utility easements
   - ✓ *Section 23-64* governing sidewalks
   - ✓ 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 4 for a copy of the *Final Engineering Report* for the subdivision.

10. The subdivision and the subsequent development of the property will conform to the landscaping and tree preservation requirements set forth in *Article VI* in *Eagle Pass Code of Ordinances Chapter 23.*

11. The final plat will conform to the parkland dedication requirements set forth in *Article V* in *Eagle Pass Code of Ordinances Chapter 23*, as future development of the site will be subject to a one-time building permit parkland fee assessment.

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

B. <u>Community Development Department Recommendation</u>

The Planning and Zoning Commission (1) **DENY** a sidewalk waiver request from Section 23-64, (2) **GRANT** a subdivision variance from Section 23-36(a) regulating preliminary plat requirements, and (3) **GRANT** final plat approval of the proposed *EPISD Sports Activity Center Subdivision,* subject to the final plat complying with the provisions of *Article III* of *City of Eagle Pass Code of Ordinances Chapter 23* governing procedures and specifications for final plats and the following stipulations before plat recordation:

1. That the Developer submit payment of a $12,000.00 filing fee, payable to the City of Eagle Pass.

2. That the hydraulic report submitted to the City of Eagle Pass be accepted by the City Engineering Department.

3. That a sidewalk be installed or place a bond for the improvement.

TRANSMITTED to the parties listed hereafter:

Eagle Pass Independent School District c/o Samuel Mijares via e-mail
Planning and Zoning Commission via e-mail
Eagle Pass Community Development Department Report dated February 16, 2024

Attachment 1
Application

Exhibit "11"

CITY OF EAGLE PASS
APPLICATION FOR APPROVAL OF FINAL PLAT

INSTRUCTIONS: This form is to be completely filled out, signed, and dated by the subdivider when the subdivider requests final plat approval.

IDENTIFICATION OF SUBDIVISION AND PLAT

I, KENNETH R DERUSSEN, hereby request final plat approval for the proposed subdivision known as EPISD STUDENT ACTIVITY CENTER ____ as shown on the accompanying plat, which consists of ____ (*number*) sheets and which was acknowledged by me on 1/16/2024 (*date*).

SUBDIVIDER'S ACKNOWLEDGMENT

I understand that before the plat may be recorded I must provide to the City of Eagle Pass a financial guarantee for all unbuilt infrastructure in the amount to be set by the City Council. Otherwise, I believe that I have fulfilled the requirements under state laws and city ordinances for final plat approval by the City of Eagle Pass, based upon the plat as described above and the documents and information listed below. To the best of my knowledge the information provided on this request is true and complete.

Kenneth R Derussen — 01-16-2024

Signature of Subdivider (or Authorized Agent) — Date

PRELIMINARY PLAT APPROVAL

Check if applicable, and provide the date of City Council approval.

____ A preliminary plat was approved by the City on _____(*date*).

IDENTIFICATION OF PLAT SHEETS TO BE IN COUNTY'S MAP RECORD

RECEIVED 2/16/24 HR
correction to subd. name

I request, once the City of Eagle Pass has approved the plat and I have submitted any required financial guarantees, that sheets number _____(*list sheets*) of the plat be recorded in the Maverick County Map Records but that the other sheets of the plat not be recorded.

LIST OF DOCUMENTS ACCOMPANYING OR ATTACHED TO THE PLAT TO BE INCLUDED IN COUNTY'S MAP RECORD OF THE SUBDIVISION

The information below, if it is not included upon the plat itself, must be on a document signed by the subdivider and attached to or accompanying the final plat. For each item, indicate by a check mark where the information appears. The City of Eagle Pass will keep these documents (or their signed revisions) together during the subdivision review and approval process and through the recording of the subdivision with the County Clerk. If the subdivision does not have at least two or more lots of five acres or less intended for residential purposes, then the Model Rules do not apply and a final engineering report is not required.

on the final plat	attached to final plat	accompanies final plat	
_____	_____	_____	final engineering report
_____	_____	_____	description in English and Spanish of water and sewer facilities and easements and operable date
_____	_____	_____	engineering certification of compliance of water and sewer facilities with Model Rules, and of estimated costs
_____	_____	_____	others (*described as follows:*) ---------- _____ _____
_____	_____	_____	others (*described as follows:*) ---------- _____ _____

DESCRIPTION OF SUBDIVISION INFRASTRUCTURE THAT HAS BEEN COMPLETED OR INSTALLED <u>AS OF THE DATE OF THIS APPLICATION</u>

NOTE: You may refer to the plat in describing the completed infrastructure -- for example, by stating, "The water lines shown on sheet 3 of the final plat have been installed." Use the back side of this page if more room is needed. The City of Eagle Pass' Subdivision Ordinance require a subdivider to enter into a Subdivision Construction Agreement secured by a financial guarantee (a bond, letter of credit, or cash deposit) for completion of streets and drainage and water and wastewater facilities not constructed or installed when the subdivider applies for final plat approval.

Streets. (*Provide names of streets and extent of their completed improvements.*)

_____

_____

_____

_____

_____

Drainage facilities. (*Describe location and nature of completed drainage facilities.*)

_____

_____

_____

_____

_____

Water facilities. (*Describe installed locations and sizes of water lines, water meters, and other devices involved in providing water.*)

_____

_____

_____

_____

_____

Wastewater facilities. (*Describe installed location and sizes of such items as sewer lines, septic systems, or other on-site sewerage facilities.*)

_____

_____

_____

_____

LIST OF DOCUMENTS AND OTHER INFORMATION SUBMITTED DURING SUBDIVISION REVIEW CONSTITUTING BASIS FOR FULFILLING REQUIREMENTS FOR FINAL PLAT APPROVAL

I believe that I have submitted to the City of Eagle Pass all the documents and other information required for final plat approval, except any financial guarantee(s). OTHER THAN THE DOCUMENTS AND INFORMATION ALREADY LISTED ABOVE, those required documents and other information and the dates they were submitted are as follows:

Description of Document	Date Submitted	# of Item on City Submittal Log

(attach additional sheet if needed)

EPISD STUDENT ACTIVITY CENTER

EAGLE PASS INDEPENDENT SCHOOL DISTRICT

Being 79.92 acres, located in the L.H. Townsend, Survey 513, Abstract 1139 and the I.&G.N.R.R.CO., Survey 21, Block 6, Abstract 627, Maverick County composed of a 26.64 acres tract and a 53.36 acres tract both described in conveyance document to Eagle Pass Independent School District described respectively in Volume 1120, Pages 402-et seq., and Volume 1120, Pages 407-et seq., of the Maverick County Official Public Records, Maverick County, Texas.

ENGINEER AND SURVEYOR CERTIFICATION:

STATE OF TEXAS
COUNTY OF UVALDE
I CERTIFY THAT THE WATER AND WASTEWATER SERVICE FACILITIES DESCRIBED IN THE FINAL ENGINEERING REPORT ATTACHED HERETO ARE IN COMPLIANCE WITH THE MODEL SUBDIVISION RULES ADOPTED UNDER § 16.343, TEXAS WATER CODE.

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL SURVEY CONDUCTED ON MAY 9, 2023 UNDER MY SUPERVISION ON THE GROUND AND THE MONUMENTS SHOWN ARE WITHIN THE POSITIONAL TOLERANCE REQUIRED BY 22 TAC § 663.15.

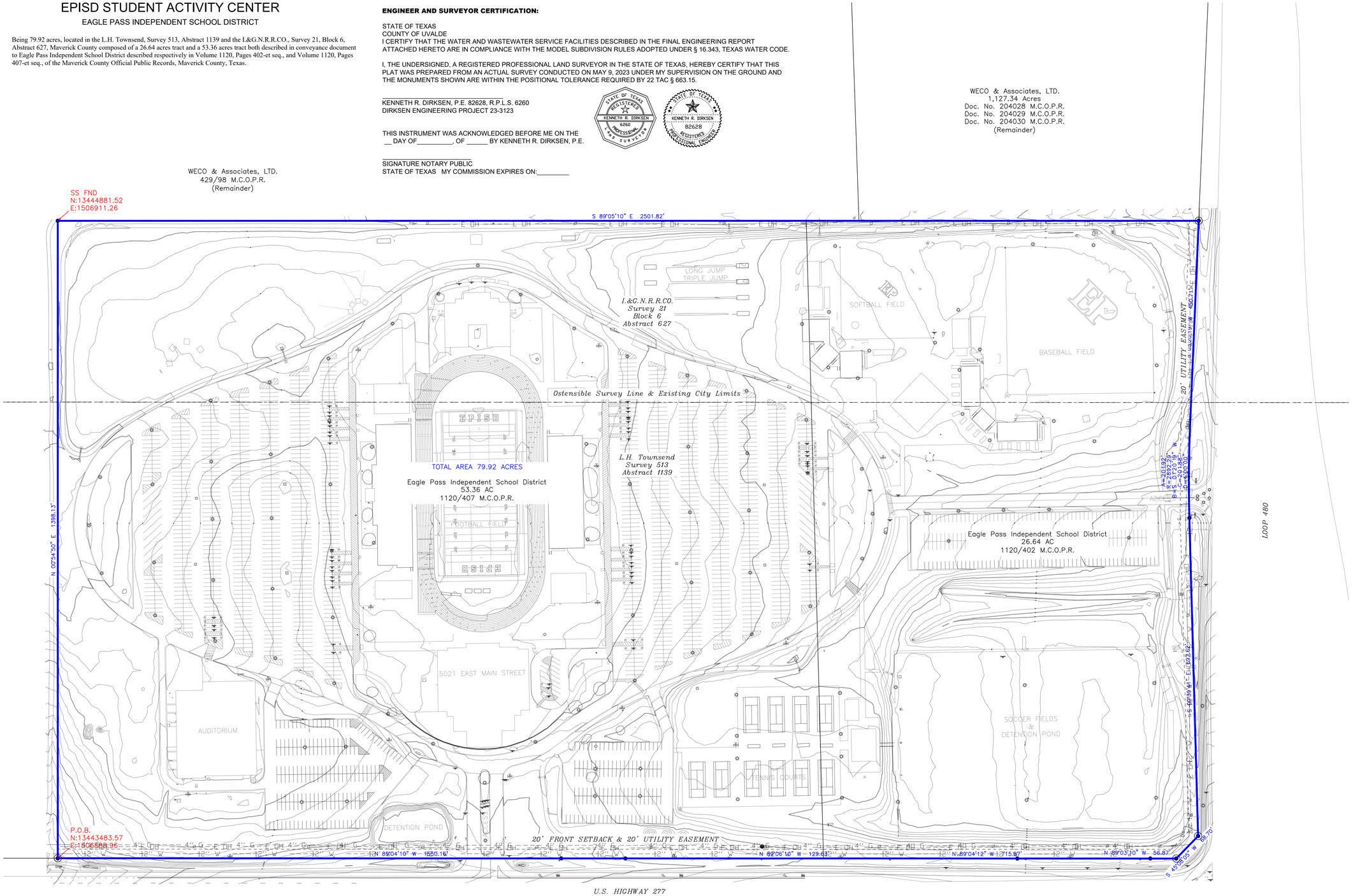
_____
KENNETH R. DIRKSEN, P.E. 82628, R.P.L.S. 6260
DIRKSEN ENGINEERING PROJECT 23-3123

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

STATE OF TEXAS KENNETH R. DIRKSEN 82628 REGISTERED PROFESSIONAL ENGINEER

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:_____



EPISD STUDENT ACTIVITY CENTER

PREVAILING WIND
NAD83/
TXSC 4204

SCALE: 1 to 100

LEGEND
BOUNDARY LINE
SET 1/2" STEEL STAKE
FOUND MONUMENT
SANITARY SEWER SEWER
MANHOLE, CO
PLAT LINES
DEED LINES
EASEMENT
FENCE
GAS LINE
WATER LINE
WATER VALVE/METER
ELECTRIC
TELEPHONE
911 ADDRESS 919
FIRE HYDRANT
LUMINAIRE

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FIRM NAME & ADDRESS
DIRKSEN ENGINEERING
UVALDE EAGLE PASS
TBPE FIRM #F-8848, TBPLS FIRM #10193741
107 W. SOUTH STREET, UVALDE, TX 78801
PH: (830) 278-2100, FAX: (830) 278-2102
EMAIL: KENDIRKSEN@SBCGLOBAL.NET
WEBSITE: WWW.DIRKSENENGINEERING.COM

PROJECT# 23-3123

PROJECT NAME & ADDRESS
EPISD STUDENT ACTIVITY CENTER
Eagle Pass, TX

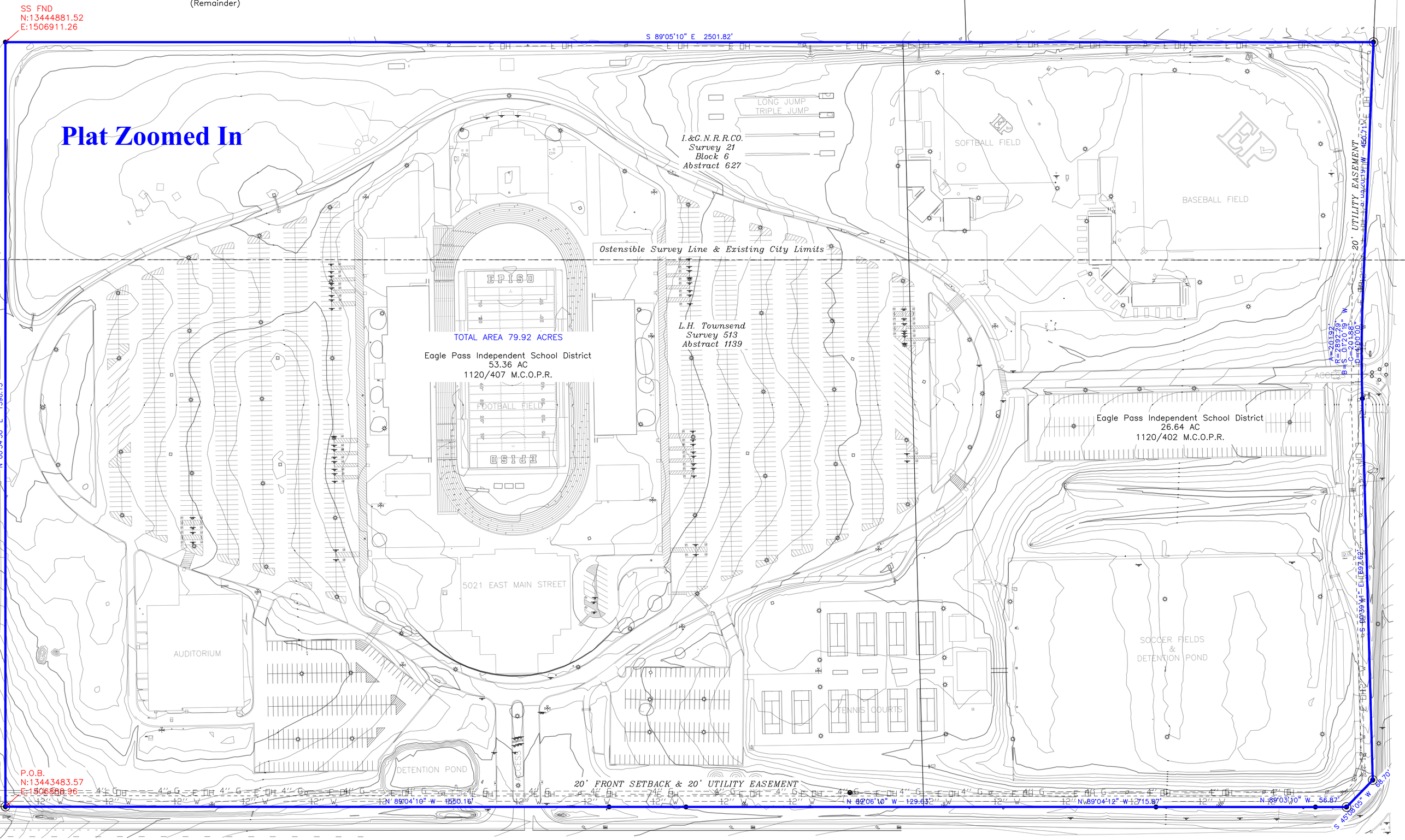
SHEET TITLE
PLAT

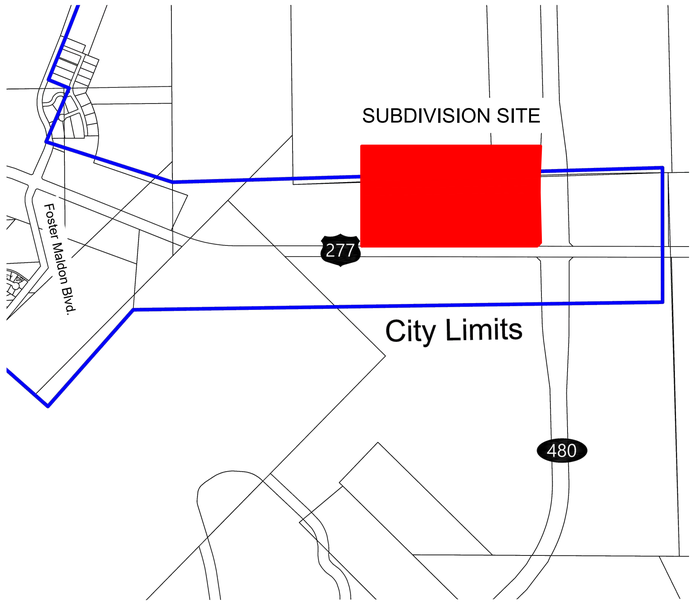
PREPARED FOR:
Samuel Mijares
Eagle Pass I.S.D.
1654 Veterans Blvd.
Eagle Pass, Tx 78852

SHEET
1 of 2

DES'D : KRD
DRAWN : WMS
APPV'D : KRD
DATE : 2024-02-09

Plat Zoomed In





EPISD STUDENT ACTIVITY CENTER

EAGLE PASS INDEPENDENT SCHOOL DISTRICT

Being 79.92 acres, located in the L.H. Townsend, Survey 513, Abstract 1139 and the I.&G.N.R.R.CO., Survey 21, Block 6, Abstract 627, Maverick County composed of a 26.64 acres tract and a 53.36 acres tract both described in conveyance document to Eagle Pass Independent School District described respectively in Volume 1120, Pages 402-et seq., and Volume 1120, Pages 407-et seq., of the Maverick County Official Public Records, Maverick County, Texas and more particularly described by metes and bounds as follows: (The bearings and distances shown herein conform to the Texas Coordinate System, North American Datum 1983, Texas South Central Zone.) (All corners called for as being set are marked on the ground with ½ inch steel stakes with plastic identification caps stamped "DIRKSEN/6260" attached unless otherwise noted or shown.)

BEGINNING at a steel stake set (S.P.C. N:13443483.57, E:1506888.96) in the north line of U.S. Highway 277, at the remainder of a southeast corner of a tract described in conveyance document to WECO & Associates, LTD recorded in Volume 429, Pages 98-et seq., for the southwest corner of the herein described tract;

THENCE N 00°54'50" E, 1398.13 feet to a steel stake found for the northwest corner of the herein described tract;

THENCE S 89°05'10" E, 2501.82 feet to a steel stake found in the west line of Loop 480, at a southeast corner of a remainder of a 1127.34 acres tract described in conveyance document to WECO & Associates, LTD recorded in Document Numbers 204028, 204029, and 204030 for the northeast corner of the herein described tract;

THENCE With the west line of Loop 480 for the following four (4) calls;
1. S 03°20'19" W, 450.71 feet to a point;
2. Southwesterly with a curve to the left having a radius of 2892.29 feet, chord S 01°20'19" W, 201.88 feet, central angle of 4°00'00", for an arc length of 201.92 feet to a right of way monument found;
3. S 00°39'41" E, 697.62 feet to a steel stake set;
4. S 45°08'05" W, 68.70 feet to a steel stake set in the north line of U.S. Highway 277 for a southeast corner of the herein described tract;

THENCE With the north line of U.S. Highway 277 for the following four (4) calls;
1. N 89°03'10" W, 56.87 feet to a steel stake found;
2. N 89°04'12" W, 715.87 feet to a point;
3. N 89°06'10" W, 129.63 feet to a point;
4. N 89°04'10" W, 1550.16 feet to the **POINT OF BEGINNING** containing 79.92 acres of land within the herein described boundary surveyed by Dirksen Engineering on December 6, 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 CITY OF EAGLE PASS.
THE OWNER CERTIFIES THAT THIS PLAT COMPLIES WITH THE REQUIREMENTS OF TEXAS LOCAL GOVERNMENT CODE 212.032 AND THAT:
(A) THE WATER QUALITY AND SERVICE TO THE LOTS MEET, OR WILL MEET, THE STATE STANDARDS;
(B) SANITARY SEWER SERVICE TO THE LOTS MEET OR WILL MEET STATE STANDARDS;
(C) ELECTRIC SERVICE PROVIDED TO THE LOTS MEET, OR WILL MEET, THE STATE STANDARDS
(D) GAS SERVICE PROVIDED TO THE LOTS MEET, OR WILL MEET, MINIMUM STANDARDS.
THE OWNER ATTESTS THAT THE MATTERS ASSERTED IN THIS PLAT ARE TRUE AND COMPLETE.

Eagle Pass Independent School District

SIGNATURE : _____

Samuel Mijares

STATE OF TEXAS
COUNTY OF MAVERICK
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON _____ BY Samuel Mijares on behalf of said Eagle Pass Independent School District.

_____
SIGNATURE NOTARY PUBLIC STATE OF TEXAS
MY COMMISSION EXPIRES ON: _____

PLANNING & ZONING COMMISSION CERTIFICATION:

THIS SUBDIVISION OF EPISD STUDENT ACTIVITY CENTER SUBDIVISION WAS PRESENTED TO THE PLANNING AND ZONING COMMISSION AND APPROVED ON _____, 20_____, BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF EAGLE PASS, TEXAS.
SIGNED THIS ____ DAY OF _____, 20_____.

CHAIRMAN_____

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

_____
SIGNATURE NOTARY PUBLIC STATE OF TEXAS
MY COMMISSION EXPIRES ON: _____

CITY COUNCIL CERTIFICATION:

THIS SUBDIVISION OF EPISD STUDENT ACTIVITY CENTER SUBDIVISION WAS PRESENTED TO THE CITY COUNCIL OF EAGLE PASS AND APPROVED ON _____, 20____, BY THE CITY COUNCIL OF THE CITY OF EAGLE PASS, TEXAS.
SIGNED THIS _____DAY OF _____, 20___.

MAYOR_____
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ___ DAY OF _____, ____

_____
SIGNATURE NOTARY PUBLIC STATE OF TEXAS
MY COMMISSION EXPIRES ON: _____

CITY MANAGER CERTIFICATION:

WE THE UNDERSIGNED CERTIFY THAT THIS SUBDIVISION OF THE EPISD STUDENT ACTIVITY CENTER 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 _____, ____

_____
SIGNATURE NOTARY PUBLIC STATE OF TEXAS
MY COMMISSION EXPIRES ON: _____

ENGINEER AND SURVEYOR CERTIFICATION:

STATE OF TEXAS
COUNTY OF UVALDE
I CERTIFY THAT THE WATER AND WASTEWATER SERVICE FACILITIES DESCRIBED IN THE FINAL ENGINEERING REPORT ATTACHED HERETO ARE IN COMPLIANCE WITH THE MODEL SUBDIVISION RULES ADOPTED UNDER § 16.343, TEXAS WATER CODE.

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL SURVEY CONDUCTED ON MAY 9, 2023 UNDER MY SUPERVISION ON THE GROUND AND THE MONUMENTS SHOWN ARE WITHIN THE POSITIONAL TOLERANCE REQUIRED BY 22 TAC § 663.15.

STATE OF TEXAS
KENNETH R. DIRKSEN
82628
REGISTERED
PROFESSIONAL ENGINEER

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

_____
KENNETH R. DIRKSEN, P.E. 82628, R.P.L.S. 6260
DIRKSEN ENGINEERING PROJECT 23-3123

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:_____

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

NOTES:
1. THIS PLAT CREATES THE EPISD SPORTS CENTER SUBDIVISION.
2. THE LAND SHOWN ON THIS PLAT IS ENTIRELY WITHIN THE CITY LIMITS OF EAGLE PASS, TEXAS.
3. PROPOSED ZONING IS B3.
4. THE SUBDIVISION SHOWN ON THIS PLAT IS NOT LOCATED IN SPECIAL FLOOD HAZARD AREAS (SFHAS) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD , AS SHOWN ON FLOOD INSURANCE RATE MAPS NUMBER 48323C0455D AND 48323C0475D FOR MAVERICK COUNTY, TEXAS AND INCORPORATED AREAS DATED APRIL 4, 2011. ANY CONSTRUCTION WITHIN A FLOOD PLAIN WILL REQUIRE A FLOOD PLAIN DEVELOPMENT PERMIT FROM CITY OF EAGLE PASS.

EPISD STUDENT ACTIVITY CENTER

PREVAILING WIND NAD83/ TXSC 4204

SCALE: 1 to 1000

LEGEND
BOUNDARY LINE
SET 1/2" STEEL STAKE
FOUND MONUMENT
SANITARY SEWER SEWER
MANHOLE, CO
PLAT LINES
DEED LINES
EASEMENT
FENCE
GAS LINE
WATER LINE
WATER VALVE/METER
ELECTRIC
TELEPHONE
911 ADDRESS 919
FIRE HYDRANT
LUMINAIRE

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FIRM NAME & ADDRESS
DIRKSEN ENGINEERING
UVALDE EAGLE PASS
TBPE FIRM #F-8848, TBPLS FIRM #10193741
107 W. SOUTH STREET, UVALDE, TX 78801
PH: (830) 278-2100, FAX: (830) 278-2102
EMAIL: KENDIRKSEN@SBCGLOBAL.NET
WEBSITE: WWW.DIRKSENENGINEERING.COM

PROJECT# 23-3123

PROJECT NAME & ADDRESS
EPISD SPORTS CENTER
Eagle Pass, TX

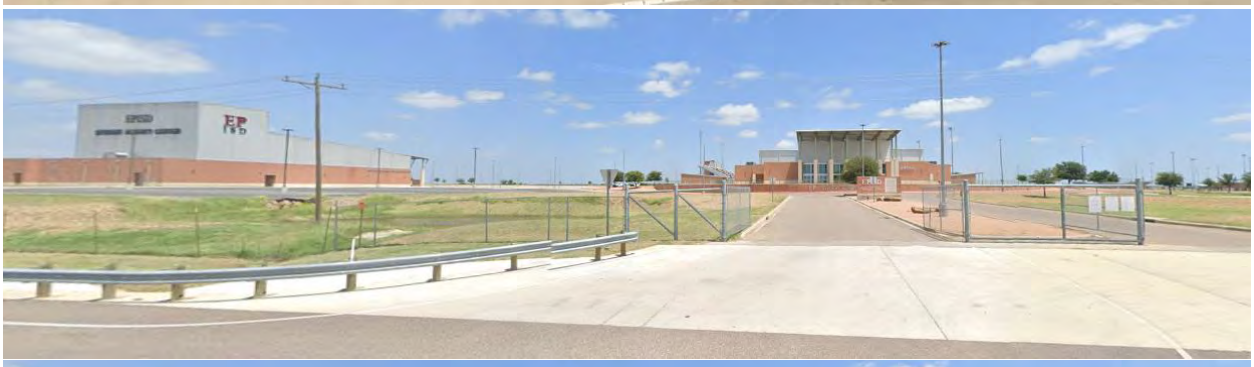
SHEET TITLE
PLAT

PREPARED FOR:
Samuel Mijares
Eagle Pass I.S.D.
1654 Veterans Blvd.
Eagle Pass, Tx 78852

SHEET
2 of 2

DES'D : KRD
DRAWN : WMS
APPV'D : KRD
DATE : 12-06-2023

Eagle Pass Independent
School District...
Leopoldo "Polo"
Moncada Baseball...
Lynn Purcell Student
Activities Center
Eagle Pass SAC VB Gym
E Main St
277
480
277
Texas Department
of Public Safety



Attachment 2
Sidewalk Waiver

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): Ken Dirksen dba Dirksen Engineering

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

Owner: Eagle Pass ISD

Owner Address: 1420 Eidson Rd City: Eagle Pass State: TX Zip: 78852

Phone: 830-773-5181 Email: samijares@eaglepassisd.net

Property Information

Site Address: 5021 E. Main St., Eagle Pass, TX 78852

Legal description (from deed): EPISD STUDENT ACTIVITY CENTER

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

Maverick County Identification Number: 8711285 & 8711286

RECEIVED 2/16/24 MM

correction to subd. name

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

Waiver of Sidewalk requirementat EPISD STUDENT ACTIVITY CENTER

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.

O 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.

O 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.

O 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

EPISD STUDENT ACTIVITY CENTER is accessed by vehicle only. Sidewalk along US 277 & Coop 480 is impracticable. Sidewalk would be under authority of TX DOT.

Applicant Authorization

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

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

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

Applicant Signature

01-09-2024
Date

Attachment 3
Variance Application

PLANNING DEPARTMENT

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

SUBDIVISION VARIANCE APPLICATION

Applicant Information

Applicant (If not owner): Ken Dirksen dba Dirksen Engineering

Address: 441 Fort Clark Rd, Ste. B, Uvalde, TX 78801

Phone: 830-278-2100 E-mail: kendirksen@sbcglobal.net

Owner: Eagle Pass ISD

Address: 1420 Eidson Rd, Eagle Pass, TX 78852

Phone: 830-773-5181 E-mail: samijares@eaglepassisd.net

Property Information

Site Address: 5021 E. Main St., Eagle Pass MCAD Property ID No. 8711285& 8711286

Legal Description (from deed): EPISD STUDENT ACTIVITY CENTER

Description of Subdivision Variance Request

Variance from section 23-36. Processing of the final plat to allow preliminary and final approval of the Plat at the same meeting.

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 if their land?

All streets and utilities required by subdivision code are constructed and in place. No additional construction is required before recording this Plat.

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

Requiring the Plat to be reviewed for preliminary and then final at a different time will place unnecessary delay to the developer.

RECEIVED 2/16/24 [illegible] correction to subd. name

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

The property is being used as a school sports center and will remain.

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.

The use of this property will not change. This property will remain a school sports center.

Required Application Attachments

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

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

Applicant Authorization

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

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

Applicant Signature

12-18-2023
Date

Attachment 4
Final 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

December 15, 2023

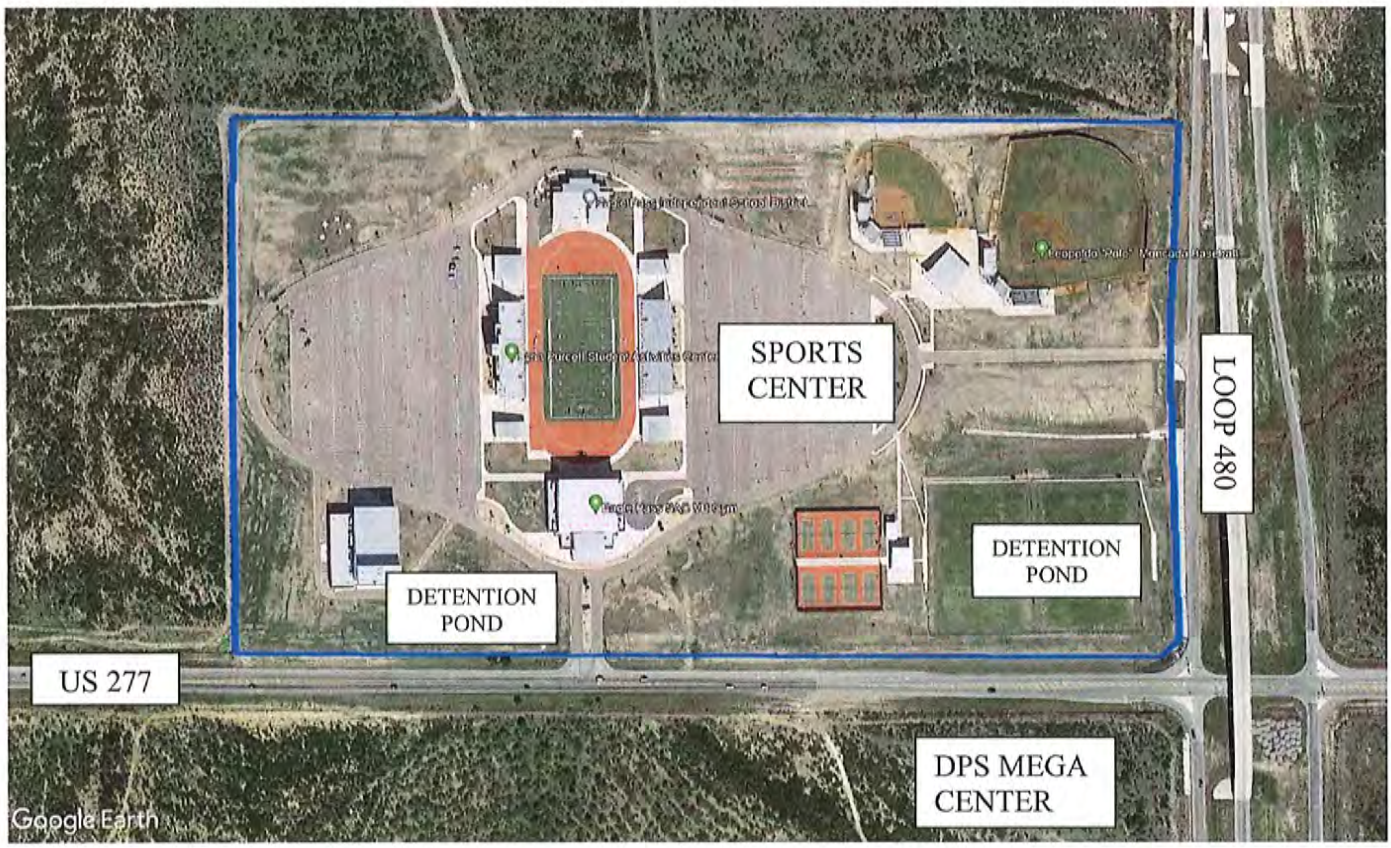
Placido Madera
Planning Director City of Eagle Pass
3295 Bob Rogers Drive
Eagle Pass, Tx 78852

Re: Final Engineering and Drainage Report – EPISD STUDENT ACTIVITY CENTER

To Whom It May Concern:

Introduction:

EPISD STUDENT ACTIVITY CENTER is 79.92 acres located in Abstract 627 and 1139 at the northwest corner of the intersection of US 277 and Loop 480. The Maverick CAD Tax ID Number is 8711285 and 8711286.



RECEIVED
2/16/24
Correction to subd. name

Development
The activity center was first constructed in 2008. The development has direct access to US 277 and the south bound frontage road of Loop 480. The site is nearly fully developed as a activity center. Two parking lots have been added since the activity center was constructed.

Part of the activity center is located within the City Limits of Eagle Pass. A voluntary annexation has been submitted to annex the remaining part into the City of Eagle Pass. Zoning is B-3 General Business.

Street Development
The activity center has direct access to US 277 and the south bound frontage road of Loop 480. No additional roadway development is proposed.

Water Development
Water service is provided to the site by a 12 inch water main on the north side of US 277. No additional water development is proposed.

Fire protection is provided by existing fire hydrants. No additional fire protection is proposed.

Sanitary Sewer Facilities
Sanitary sewer is provided by public sewer which crosses under US 277 and flows south and west toward Quintas Fronterizas.

Drainage Development
The soils are Zapata Association, El Indio Association and Maverick Association. The drainage classification is C and D. The entire site is located outside the special flood hazard area shown on FEMA FIRM 48323C0455D and 48323C0475
D 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 toward US 277 and east toward Loop 480. Detention ponds are developed along US 277 at the access point and the soccer fields at the southeast corner.

Hydraulic design for the site was performed by Tetra Tech when the project was constructed. The report and hydraulic calculations are attached to this report.

Electric Facilities, Telephone and Cable Television
Electric service is provided by AEP.

Gas Service
Gas service is provided by Texas State Natural Gas..

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: EPISD activity Center Plat
Web Soil Survey Soil Map
FEMA Firmette
Hydraulic Calculations by Tetra Tech dated 11-20-2008

FIRE FLOW TEST REPORT

PROJECT INFORMATION:

Project Name: EPISD ACTIVITY CENTER

Street Address: US 277 & LOOP 480

City, State, Zip Code: EAGLE PASS, TX 78852

FIRE FLOW TESTING COMPANY INFORMATION:

Name of individual preparing this report: JOSE BARRA

Company represented: ALLEGIANCE FIRE PROTECTION

Street Address: PO BOX 34504

City, State, Zip Code: SAN ANTONIO, TX 78265

Telephone number: (210)493-2890

Signature of the individual preparing report attesting to the accuracy of data contained herein:

Date of this report: 1/25/24

WITNESS INFORMATION:

Name of individual witnessing flow test: RAÚL Guardiola

Company Represented: EPWWS

Telephone Number: 830-773-235

Signature of the witness attesting to the accuracy of data in this report:

FIRE FLOW INFORMATION:

Date and time of flow test: 1/25/24 @ 1:00 PM

Location of "flow" hydrant(s): SEE CHART (A)

Location of "test" hydrant: SEE CHART (B)

***Theoretical fire flow (gpm) available at **twenty-five (25) psi:** 2995 GPM

***For Building Permit Application

FIRE FLOW TEST DATA SHEET

PROJECT INFORMATION:

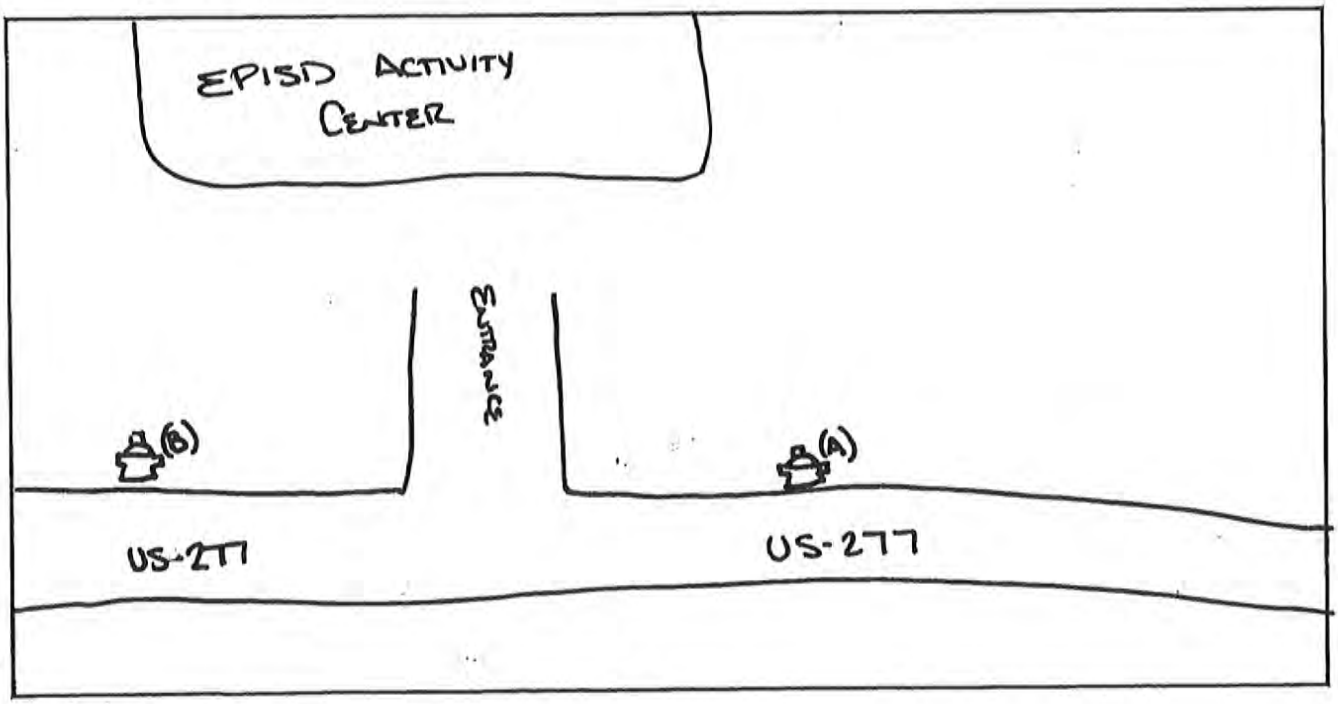
Project Name: EPISD ACTIVITY CENTER

Street Address: US 277 & LOOP 480

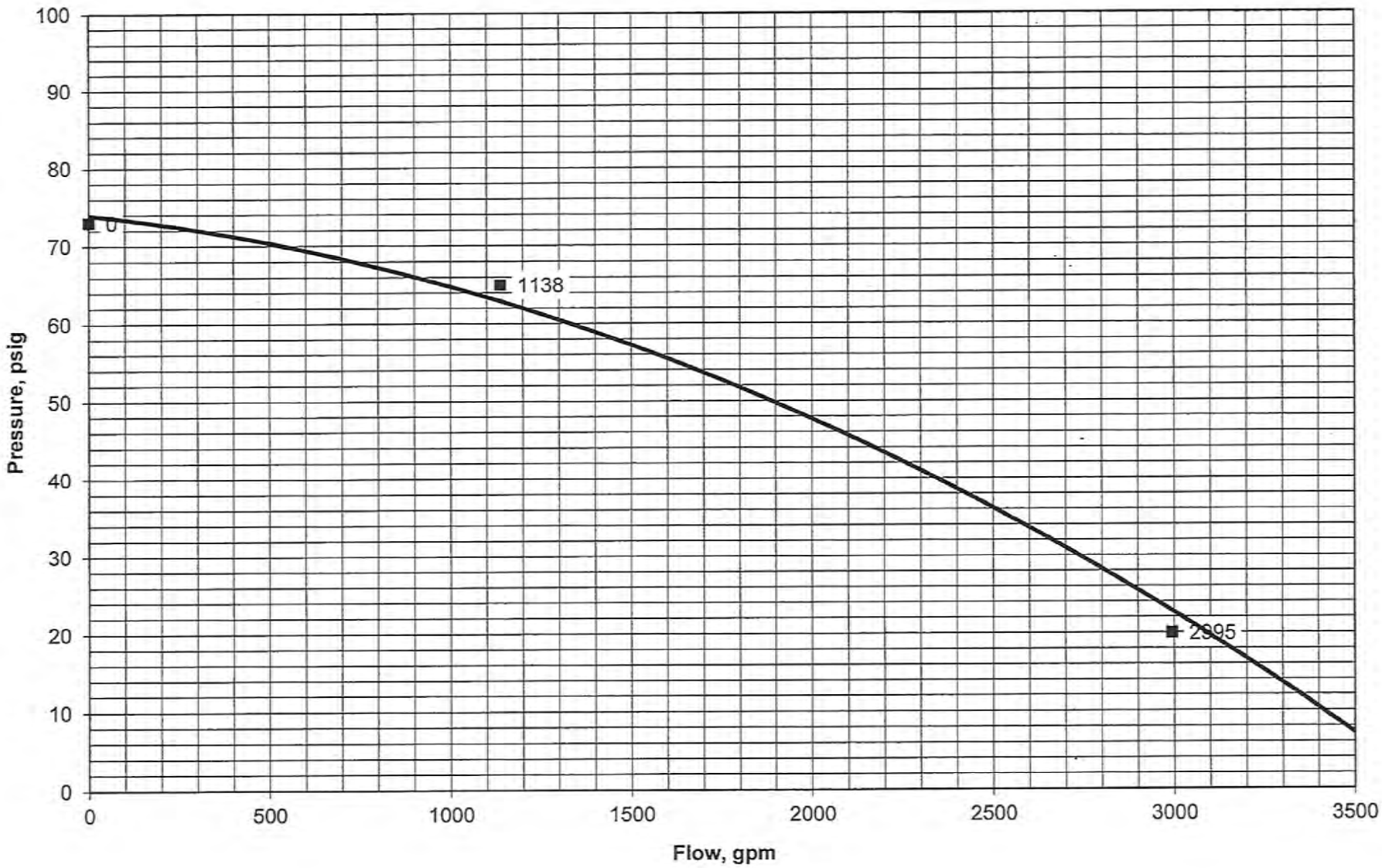
City, State, Zip Code: EAGLE PASS, TX 78852

DATE	TIME AM (PM)	TEST HYDRANT		FLOWING HYDRANT					FLOWING HYDRANT					TOTAL FLOW	
		STATIC (psi)	RESI-DUAL (psi)	PITOT (psi)	DIA (in)	THEOR FLOW (gpm)	HYD COEF	ACTUAL FLOW (gpm)	PITOT (psi)	DIA (in)	THEOR FLOW (gpm)	HYD COEF	ACTUAL FLOW (gpm)	ACTUAL (gpm)	AT 25 psi (gpm)
1/25	1:00	73	65	46	2.5"	1264	.9	1138							2995

SKETCH FLOW TEST LOCATION:



WATER FLOW TEST CHART



AGREEMENT REGARDING WATER SERVICE FOR THE PROPOSED

EPISD STUDENT ACTIVITY CENTER **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 Eagle Pass ISD, 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 EPISD STUDENT ACTIVITY CENTER.

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 10,000 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 2/16/24 LK
correction to subd. name

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 DEC. 19, 2023.

The Utility	The Subdivider
By:	By:
Printed Name: MARCO SALINAS	Printed Name: Samuel Mijares
Office or Position: CHAIRMAN	Office or Position: Superintendent
Date: 12/19/2023	Date: 12/12/23

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

AGREEMENT REGARDING WASTEWATER TREATMENT SERVICE FOR THE

PROPOSED EPISD STUDENT ACTIVITY CENTER **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 Eagle Pass ISD, 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 EPISD STUDENT ACTIVITY CENTER.

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 6,000 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 2/16/24 ML

Correction to subd. name

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 DEC 19, 2023.

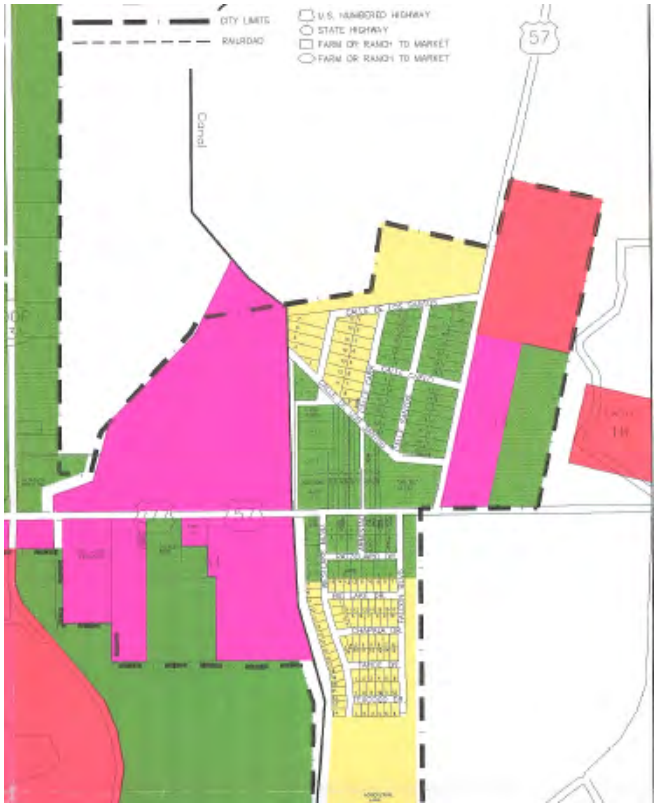
The Utility	The Subdivider
By:	By:
Printed Name: MARCO SALINAS	Printed Name: Samuel Mijares
Office or Position: CHAIRMAN	Office or Position: Superintendent
Date: 12/19/2023	Date: 12/12/23

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

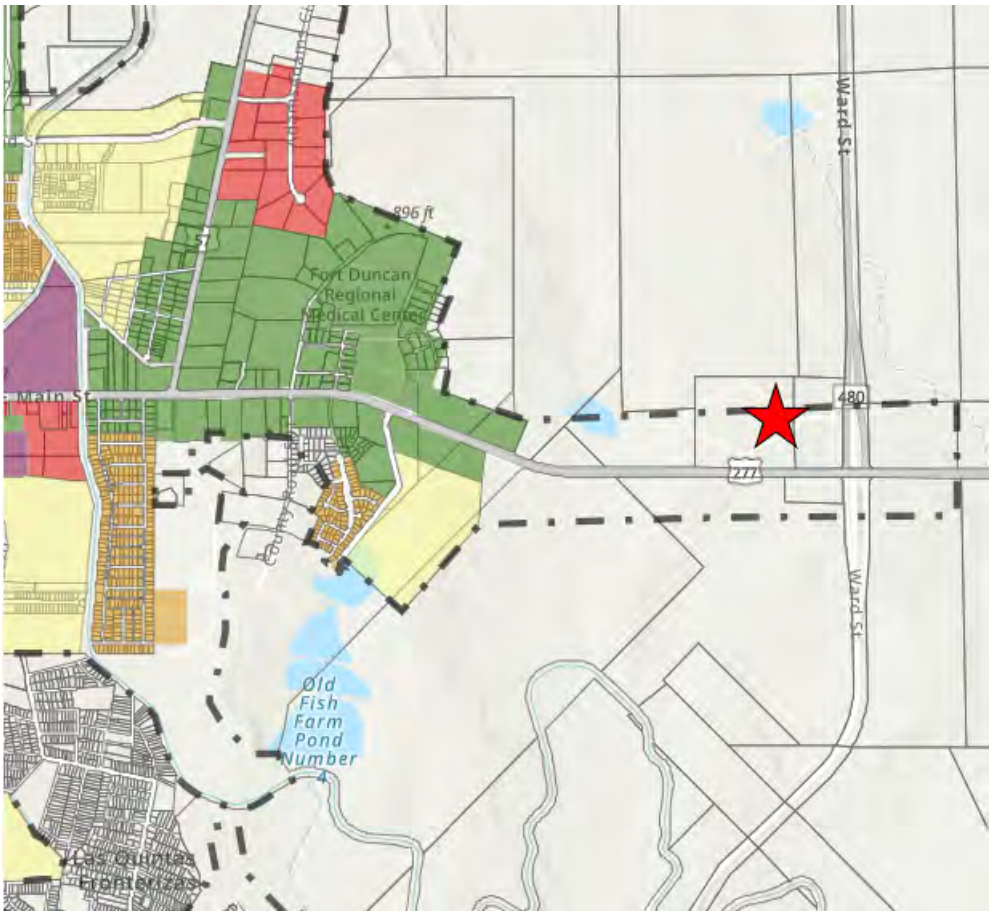
Attachment 5
Master Plan & Zoning District Map

Master Plan Map

subject area not depicted



Zoning District Map



Item #11

Sidewalks: Key Items for consideration:

- Widen from 4' to 5'
- Non residential areas, adjacent to property line (not adjacent to back of curb for safety buffer)
- ADA standards
- Move specifications to Construction Specifications Manual from City Ordinance.
- No zoning area exceptions. Sidewalk connectivity throughout City.
- Sidewalk construction required for any property if a driveway is modified or if a new driveway is constructed.

Sec. 23-64. Sidewalks.

(a) ~~(a)~~ Concrete sidewalks shall be required to be constructed in all residential, commercial, industrial, public and multi-family subdivision sites.

(b) Sidewalks shall ~~have a minimum width of four (4) feet and a minimum thickness of four (4) inches~~conform to the specifications prescribed within the Public Works Construction Specifications Manual.

(c) ~~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.~~

(b) All sidewalks shall be constructed ~~with ramps for the handicapped constructed at street corners~~in compliance with Texas Accessibility Standards and include accessible ramps at street corners.

~~(c) Exceptions. The following are excepted from these requirements pertaining to sidewalks:~~

~~(1) Sidewalks are not required along those streets in an industrial park, where:~~

~~a. The industrial park is not adjacent to an R (residential) District or within two hundred (200) feet thereof; or~~

~~b. The streets in the industrial park are not the most direct pedestrian route from a residential area to a school, park, shopping area, other public facilities, or other residential area. The director of planning will consider every residential area, planned and/or proposed, and all existing and/or proposed streets leading into the proposed industrial park subdivision.~~

(d) The planning 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 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

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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 twenty-two thousand (22,000) square feet in area.

(e) The provisions of this section shall 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 of this chapter 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 of this chapter. However, inside the city limits, all sidewalks must be in place within eighteen (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 eighteen (18) months after recordation, the subdivider of the property will be assessed the full cost of constructing the sidewalks plus one hundred dollars ($100.00) per month for each month beyond the eighteen (18) month period during which said construction remained uncompleted.

(Ord. No. 05-22, § 1, 8-2-2005)