



AGENDA

PLANNING & ZONING COMMISSION REGULAR MEETING

THURSDAY, NOVEMBER 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 August 28, 2024 meeting and the October 24, 2024 meeting.

PUBLIC HEARINGS

2. Public hearing on the proposed request submitted by Terra Tech Engineering & Construction Services on behalf of Libco Enterprises, LLC to consider the establishment of permanent zoning classification, service plan, and master plan designation on the annexation petition of the land described as Being a 42.48 acre tract of land out of a 474.12 acre tract of land conveyed to Libco Enterprises, LLC, recorded in Volume 1745, Pages 327-337, Deed Records of Maverick County, Texas, situated in Survey 26, S.S. Sanders, Abstract 826, Survey 27, J.W. Tinsley, Abstract 840, and Survey 30A, Day Land & Cattle Co., Abstract 1238, Maverick County, Texas, and being more particularly described by metes and bounds; closing of public hearing and possible action.
3. Public hearing on the request submitted by Alma A. Flores for a Conditional Use Permit to allow for a professional office use establishment on property located at 164 Medina Street; closing of public hearing and possible action.
4. Public hearing on the Final Re-Plat of Lot 139 in Chula Vista Subdivision Unit 2, including (1) a subdivision variance from Section 23-36(a) regulating preliminary plat requirements, and (2) a sidewalk waiver, including curb and gutter from Section 23-64 governing sidewalks; closing of public hearing and possible action.

OLD BUSINESS

5. Consideration and possible action on the Final Plat of Santa Maria Estates Subdivision Unit 2.

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 November 08, 2024, at 4:00 p.m.

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 a Special Meeting on Wednesday, August 28, 2024, at 5:30 p.m. in the Council Chambers, City Hall, 100 South Monroe Street, Eagle Pass, Texas. All legal notices were duly posted in accordance with the State code.

ESTABLISHMENT OF QUORUM

Present: Chairperson, Tiffany Velazquez-Sanchez, Vice-Chairperson, Luis Velez, and Commission Member: Kenneth Gross

Absent: Commission Members: Doris Salinas Sanchez and Aaron Valdez

Staff Present: Community Development Director, Placido Madera; Assistant Community Development Director, Mariebelle Rodriguez; City Attorney, Ana Sophia Garcia; and Records Management Specialist, Sydney Rodriguez

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

CITIZENS COMMUNICATIONS

Chairperson Velazquez-Sanchez 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.

MINUTES

1. Approval of the minutes of the July 17, 2024, meeting.

Vice-Chairperson Velez moved to approve the minutes with corrections. Seconded by Commissioner Gross. **MOTION PASSES:** Unanimously

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

OLD BUSINESS

2. Consideration and possible action on the Final Plat of Benito Garcia Subdivision, including (1) a subdivision variation to proceed directly to final replat without first having obtained preliminary plat approval as require by City of Eagle Pass Code of Ordinances Section 23-36(a), and (2) a subdivision variance from Section 23-66 governing sanitary sewer.

Assistant Community Development Director, Mariebelle Rodriguez provided details on the item, recommending that the Eagle Pass Planning and Zoning Commission (1) grant the subdivision variance request to proceed directly to final plat approval without first having obtained preliminary plat approval as required by City of Eagle Pass Code of Ordinances Section 23-36(a), (2) grant the subdivision variance from Section 23-66 governing sanitary sewer and allow installation of the septic system with the understanding that property be connected to sanitary sewer when office expands, and restrooms are needed. (3) grant final plat approval of the Benito Garcia subdivision, subject to the plat complying with the provisions of Article III in City of Eagle Pass Code of Ordinances Chapter 23 governing procedures and specifications for Final Plats.

Vice-Chairperson Velez had follow-up questions on the item.

Commissioner Gross moved to approve the item based on the recommendations made by the Community Development Department. Seconded by Vice-Chairperson Velez. **MOTION PASSES:** Unanimously

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

ADJOURNMENT

Vice-Chairperson Velez motioned to adjourn the meeting at 5:42 p.m. Seconded by Commission Member Gross. **MOTION PASSES:** Unanimously.

Passed and approved on September 26, 2024.

Luis Velez
Chairperson

ATTEST:

Sydney Rodriguez
Records Management Specialist

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, October 24, 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 the State Code.

ESTABLISHMENT OF QUORUM

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

Absent: Chairwoman, Tiffany Velazquez-Sanchez, Vice-Chairman, Luis Velez; Commissioners: Kenneth Gross, Doris Salinas-Sanchez, and Aaron Valdez

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

With a quorum being present, Chairwoman Velazquez-Sanchez called the meeting to order, and the Planning & Zoning Commission considered the items in the following order:

CITIZENS COMMUNICATIONS

Chairwoman Velazquez-Sanchez 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 no comments or concerns to be heard.

MINUTES

1. Approval of the minutes of the October 10, 2024 meeting.

Commissioner Valdez moved to approve the minutes. Seconded by Vice-Chairman Velez.

MOTION PASSES: Unanimously

Ayes: Velázquez-Sanchez, Velez, Gross, Salinas-Sanchez, and Valdez

Nays: None

Abstained: None

Absent: None

PUBLIC HEARINGS

2. Public hearing on the request submitted by Cross Development for a Conditional Use Permit to allow for a carwash establishment on property located at 2421 E. Main Street; closing of public hearing and possible action.

Chairwoman Velazquez-Sanchez opened the public hearing at 5:33 p.m.

Assistant Community Development Director Rodriguez provided details on the item, recommending that The Planning and Zoning Commission grant the request to allow for a carwash establishment in property legally defined as Lot 1 in the Armadillo Subdivision, also known as 2421 E. Main Street.

There being no public comment(s), Chairwoman Velazquez-Sanchez closed the public hearing at 5:36 p.m.

Commissioner Salinas-Sanchez moved to approve as recommended. Seconded by Commissioner Valdez. **MOTION PASSES:** Unanimously

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

NEW BUSINESS

3. Consideration and possible action on the Final Plat of Jimenez Subdivision, including (1) a subdivision variance from Section 23-36(a) regulating preliminary plat requirements, and (2) a subdivision variance from Section 23-11(d) to allow the platting of a property less than 5 acres conveyed prior to 1984.

Assistant Community Development Director Rodriguez provided details on the item, recommending that the Planning and Zoning Commission (1) grant a subdivision variance from Section 23-36(a) regulating preliminary plat requirements, (2) grant a from Section 23-11(d) to allow the platting of a property less than 5 acres conveyed prior to 1984, and (3) grant final approval of the proposed Final Plat of Jimenez Subdivision, subject to the plat complying with the provisions of Article III of City of Eagle Pass Code of Ordinances Chapter 23 governing procedures and specifications for Final Plats.

Commissioner Salinas-Sanchez moved to approve as recommended. Seconded by Commissioner Valdez. **MOTION PASSES:** Unanimously

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

4. Consideration and possible action on the Final Plat of High-Country Subdivision, including (1) a subdivision variance from Section 23-36(a) regulating preliminary plat requirements, and (2) a subdivision variance from City of Eagle Pass Code of Ordinances Chapter 23 Article IV Section 23-61 (a)(4) regulating 2 points of vehicular access for ingress and egress to a subdivision.

Community Development Director Madera provided details on the item, recommending that the Planning and Zoning Commission (1) grant a subdivision variance from Section 23-36(a) regulating preliminary plat requirements, (2) grant a subdivision variance from City of Eagle Pass Code of Ordinances Chapter 23 Article IV Section 23-61(a)(4) regulating 2 points of vehicular access for ingress and egress to a subdivision, and as recommended below and (3) grant the Final Plat of High Country Subdivision, subject to the plat complying with the provisions of Article III of City of Eagle Pass Code of Ordinances Chapter 23 governing procedures and specifications for Final Plats, and with the following condition:

1. Dedicate, design, and construct a secondary vehicular access road connecting the subdivision to Veterans Boulevard or other TxDOT or City approved right-of-way within 3 years of development of Lot 1.

Commissioner Salinas-Sanchez moved to approve the Department's recommendation. Seconded by Commissioner Gross. **MOTION PASSES:** Unanimously

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

5. Consideration and possible action on a request for the abandonment of an approximate 1.46-acre easement more particularly described as being a boundary survey of 1.46 acres, more or less, lying in Maverick County, Texas, being out of and part of J. B. Roberts Survey 32, Abstract No. 794 and J. B. Roberts Survey 32, Abstract No. 793, and also being out of and part of that same certain tract called 29.62 acres described in conveyance document to Sesa Flourspar, Inc., recorded in Volume 244, Page 146 of the Maverick County Deed Records, Maverick County Texas, and located on the Industrial Spur 2 Boulevard public right-of-way.

Community Development Director Madera provided details on the item, recommending that the Planning and Zoning Commission recommend that the City Council prepare and adopt an ordinance abandoning an approximate 1.46-acre easement more particularly described as being a boundary survey of 1.46 acres, more or less, lying in Maverick County, Texas, being out of and part of J. B. Roberts Survey 32, Abstract No. 794 and J. B. Roberts Survey 32, Abstract No. 793, and also being out of and part of that same certain tract called 29.62 acres described in conveyance document to Sesa Flourspar, Inc., recorded in Volume 244, Page 146 of the Maverick County Deed Records, Maverick County Texas, and located on the Industrial Spur 2 Boulevard public right-of-way.

Commissioner Valdez moved to proceed as suggested. Seconded by Commissioner Salinas-Sanchez. **MOTION PASSES:** Unanimously

Ayes: Velázquez-Sanchez, Velez, Gross, Salinas-Sanchez, and Valdez

Nays: None

Abstained: None

Absent: None

ADJOURNMENT

Commissioner Valdez moved to adjourn the meeting at 5:57 p.m. Seconded by Commissioner Salinas-Sanchez. **MOTION PASSES**

Passed and approved on _____, 2024.

Attest:

Tiffany Velazquez-Sanchez
Chairwoman

Ita A. Cortinas
Interim City Secretary

Item #2



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

Voluntary Annexation Petition of a 42.48-acre tract

I. BACKGROUND

A. General Information

Applicant: Terra Tech Engineering & Construction Services (TEC Services) | 3292 El Indio Hwy, Eagle Pass, Texas 78852

Developer: Libco Enterprises, LLC | 2962 Texcoco Drive, Eagle Pass, Texas 78852

Location: Off Regina Drive and Nojem Drive

Property ID Number: 3987

Legal Description: Being a 42.48-acre tract of land out of a 474.12-acre tract of land conveyed to Libco Enterprises, LLC, recorded in Volume 1745, Pages 327-337, Deed Records of Maverick County, Texas, situated in Survey 26, S.S. Sanders, Abstract 826, Survey 27, J.W. Tinsley, Abstract 840, and Survey 30A, Day Land & Cattle Co., Abstract 1238, Maverick County, Texas

Request: Voluntary annexation and establishment of permanent zoning classification, service plan, and master plan designation on the annexation petition of the land described as Being a 42.48-acre tract of land.

B. Subject Property Information:

Vegetation: Cleared

Existing Use: vacant and undeveloped

Proposed Zoning: *R-2 Second One-Family Dwelling District and B-1 Neighborhood Business District*

Master Plan: No designation depicted.

C. Vicinity Data

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

D. Infrastructure

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

Access to the site is provided by El Indio Highway and County streets located in las Quintas Fronterizas Subdivision, which have access via S. Veterans Boulevard.

II. PUBLIC NOTICE

Public notification of the permanent zoning and annexation 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.

III. RECOMMENDED FINDINGS OF FACT

A. Conclusions

1. The applicant's request contains sufficient information for consideration by the Planning and Zoning Commission. The information contained in this report and the Commission's public meeting will be used as part of the City Council's deliberation process for the establishment of the permanent zoning of said 42.48 acres as proposed in the voluntary annexation petition. Please refer to Attachment 1 for a copy of the voluntary annexation petition.
2. The proposed development will be consistent with the purpose of the Master Plan.
3. The development is and 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
4. The subsequent development of the property will be 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.
5. The subsequent development will allow for a use of the property that is consistent with the Master Plan for the following reasons:
- A. The subsequent development design bears a substantial relationship to the public's health, safety, and welfare.
 - B. The subsequent development is in accordance with the policies of the Master Plan.
 - C. The subsequent development is warranted because of the necessity to create additional building lots in 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 *Master Plan*.
 - E. The subsequent development will benefit the City as a whole and will not be detrimental to nearby land uses of 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 2 for a copy of the *Master Plan* Map and a copy of the *Zoning District Map* for the City of Eagle Pass.

6. The petition for annexation for the approximately 42.48 acres of land 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 on Conclusion 1 through and including Conclusion 5 of this report.

B. Community Development Department Recommendation

The Planning and Zoning Commission recommend that the City Council **ADOPT** an Ordinance for the voluntary annexation and establishment of the permanent zoning for the approximately 42.48-acre tract as *R-2 Second One-Family Dwelling District* and *B-1 Neighborhood Business District*, with said Ordinance incorporating the following actions:

1. Amend the corporate boundary map for the City of Eagle Pass to include property legally described as mentioned in page 1 of this report.
2. Amend the City of Eagle Pass Master Plan Map to reflect a 'Residential' and "Commercial" land use designation for the tract.
3. Amend the City of Eagle Pass Zoning District Map to reflect a *R-2 Second One-Family Dwelling District* and *B-1 Neighborhood Business District* designation for the tract.
4. Prepare a Service Plan which details the capability of providing city services to the tract.

TRANSMITTED to the parties listed hereafter:

TEC Services via e-mail

City of Eagle Pass Planning and Zoning Commission via e-mail

City of Eagle Pass City Manager Homero Balderas via e-mail

City of Eagle Pass Assistant City Manager Ivan Morua via e-mail

City of Eagle Pass Interim City Secretary Ita A. Cortinas via e-mail

City of Eagle Pass Legal Counsel, Anna Sophia Garcia via e-mail

City of Eagle Pass Community Development Department Report dated November 4, 2024

Attachment 1
Voluntary Annexation Petition



PLANNING DEPARTMENT

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

APPLICATION FOR VOLUNTARY ANNEXATION

Applicant Information

Applicant (If not owner): TerraTech Engineering & Construction Services, Inc.

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

Phone: 830-773-0579

E-mail: ajlibson@terratechengineering.com

Owner: LIBCO ENTERPRISES, LLC

Address: 2962 Texcoco Dr., Eagle Pass, Texas 78852

Phone: 830-968-0292

E-mail: jlibson@sbcglobal.net

Property Information

Site Address: Off Regina Dr., Boris Dr., and Nojem Dr. MCAD Property ID No. 3987

Legal Description (from deed): Being a 42.48 Acre Tract of Land out of a 474.12 Acre tract...conveyed to Libco Enterprises, LLC

Acreage: 42.48

Existing Land Use: Vacant

Proposed Land Use: Residential

Existing Zoning: N/A

Proposed Zoning: R-2: SECOND ONE-FAMILY DWELLING DISTRICT & B-1: NEIGHBORHOOD BUSINESS DISTRICT

Required Application Attachments

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

____ Letter signed by the property owner, requesting annexation.

____ A warranty deed or other legal document demonstrating current ownership.

____ A \$100 check made out to the "City of Eagle Pass".

____ Twelve (12) signed and sealed surveyor's drawings (1' to 100")

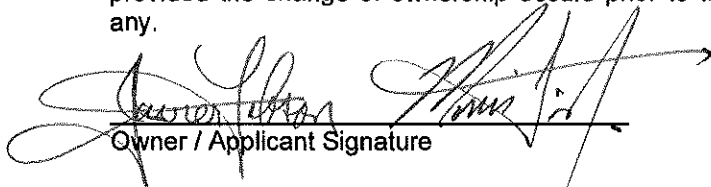
a) Drawings must be full size (24" x 36") prints, showing the current city limits and labeled within one year of the application submittal date.

____ One reduced copy (8.5" x 11") of the sealed surveyor's drawing.

____ Signed and sealed metes and bounds from surveyor.

STATEMENT OF OWNER / APPLICANT

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


Owner / Applicant Signature

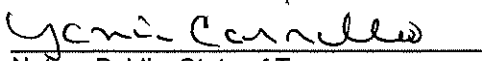
9/20/2024
Date

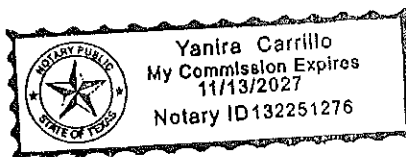
STATE OF TEXAS §

COUNTY OF MAVERICK §

Before me, the undersigned authority, a notary public for the State of Texas, on this day personally appeared JAVIER LIBSON & MORRIS LIBSON (Name), PROPERTY OWNERS (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 20th day of September, 2024.

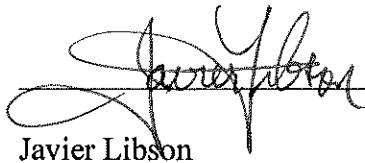

Notary Public, State of Texas





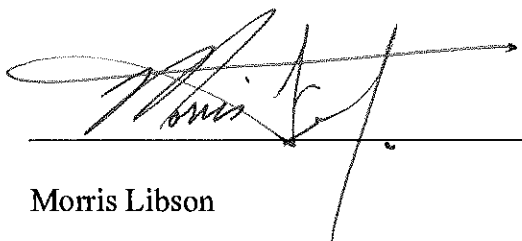
Annexation Request

This document serves as written legal notice by Libco Enterprises, LLC, property owners of 42.48 acres in Eagle Pass, TX, Maverick County, as shown in the submitted annexation drawings, intend to proceed to voluntarily annex and incorporate this area of land into the Eagle Pass City Limits, as described by metes and bounds in the accompanying surveyor's drawing.

 _____ Date: 9/20/24

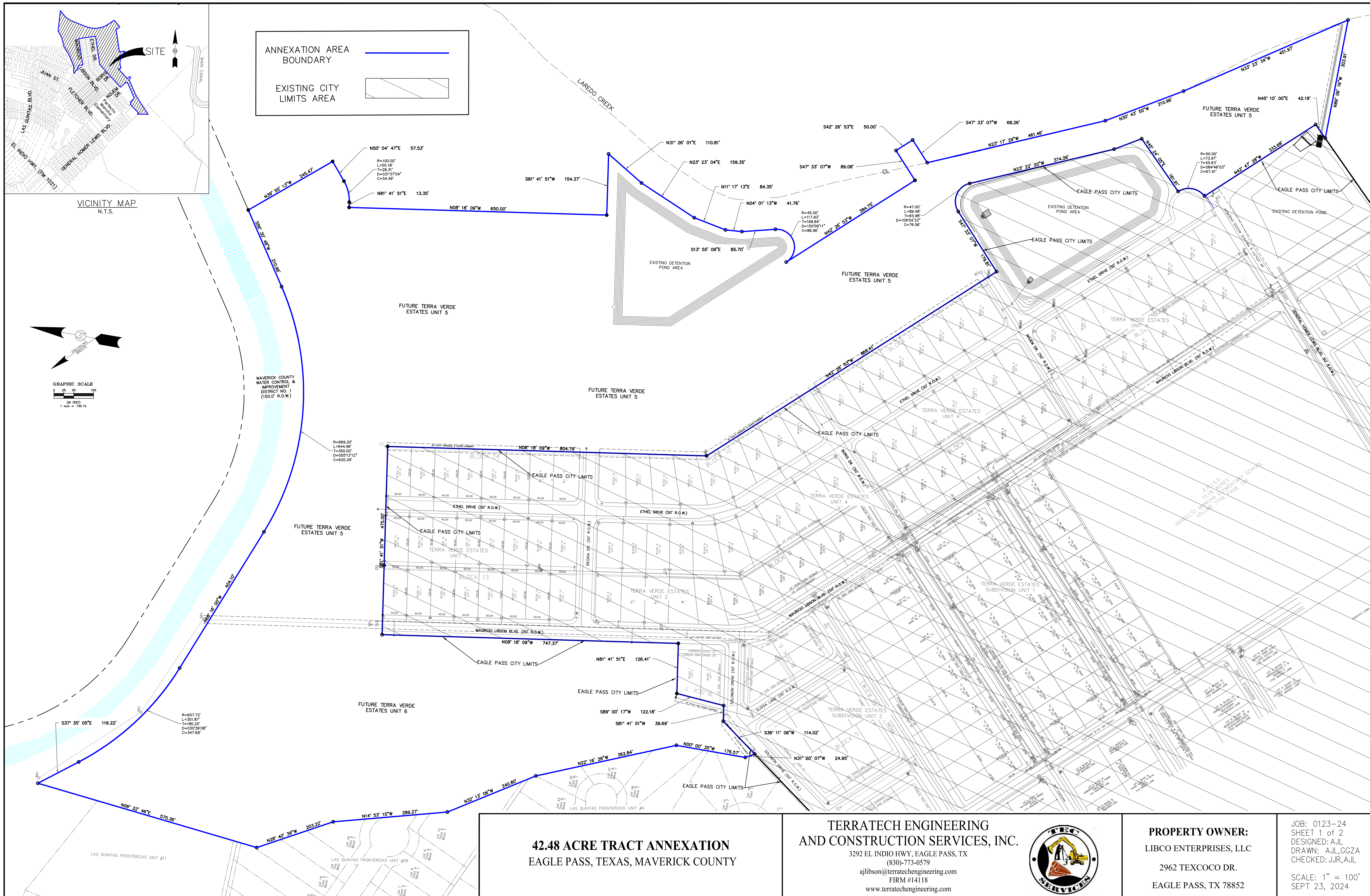
Javier Libson

Managing Member of Valorem Enterprises, LLC, as Managing Member of Libco Enterprises, LLC, a Texas Limited Liability Company

 _____ Date: 9/20/24

Morris Libson

Managing Member of MVN Enterprises, LLC, as Managing Member of Libco Enterprises, LLC, a Texas Limited Liability Company



42.48 ACRE TRACT ANNEXATION
EAGLE PASS, TEXAS, MAVERICK COUNTY

**TERRATECH ENGINEERING
AND CONSTRUCTION SERVICES, INC.**

3292 EL INDIO HWY, EAGLE PASS, TX
(830)-773-0579
ajlibson@terratechengineering.com
FIRM #14118
www.terratechengineering.com



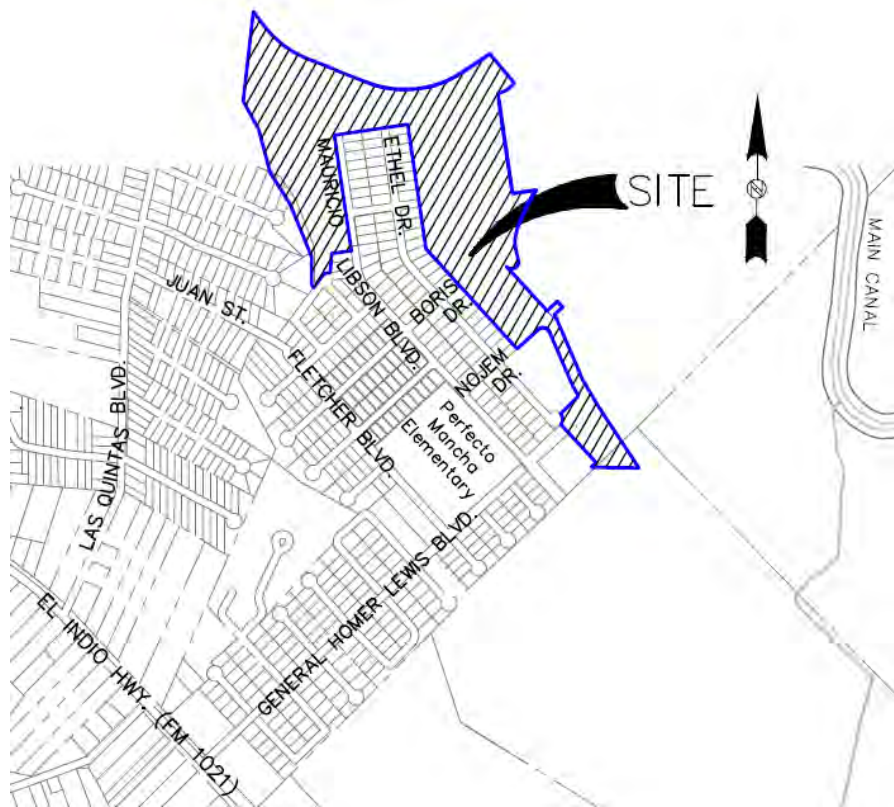
PROPERTY OWNER:
LIBCO ENTERPRISES, LLC

2962 TEXCOCO DR.
EAGLE PASS, TX 78852

JOB: 0123-24
SHEET 1 of 2
DESIGNED: AJL
DRAWN: AJL, GGZA
CHECKED: JUR, AJL

SCALE: 1" = 100'
SEPT 23, 2024

Aerial View



Item #3



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

Alma A. Flores Conditional Use Permit Request

I. BACKGROUND

A. General Information

Applicant: Alma A. Flores | Eagle Pass, Texas 78852 (Purchase contract)

Location: 164 Medina St. **Property ID Number:** 9840

Legal Description: Hillcrest Addition, Block 12, Lot 10A

Request: A request for a Conditional Use Permit to allow for establishment of professional office use.

B. Subject Property Information

Parcel Size: 8,112 sq ft **Existing Use:** Vacant and undeveloped

Current Zoning: R-3A Apartment District **Master Plan:** Residential

C. Vicinity Data

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

Medina Street provides access to the site.

D. Infrastructure

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

II. PUBLIC NOTICE

Public notification of the Planning and Zoning Commission public hearing to consider the petition request was completed consistent with the provisions of *Chapter 211* of the *State of Texas Local Government Code Title 7*. 28 notices were mailed to the abutting property owners within the 200 feet radius from the subject property on October 6, 2023.

III. RECOMMENDED FINDINGS OF FACT

A. Eagle Pass City Charter Article IX: Municipal Planning and Zoning

- **Section 9.1 Planning and zoning commission**

The city council shall appoint a city planning and zoning commission consisting of five (5) regular members who shall be residents of the City of Eagle Pass and who

own real estate within the city, and such ex-officio members as are provided herein. The regular members shall receive such compensation as the council shall prescribe by ordinance and shall hold no other elective position in the city government. The ex-officio members shall include the mayor, the city manager, and such other ex-officio members as the council may by resolution provide. Ex-officio members shall participate in the work of the commission but shall not have a vote in its official actions.

- (a) Term of office. The term of the appointive members shall be five (5) years, except that, of the five (5) members first appointed, one shall be appointed for a term of one year, one for two (2) years, one for three (3) years, and one for four (4) years.
- (b) Powers and duties. The commission shall have the power and shall be required to:
 - (1) Make, amend, extend, and add to the master plan for the physical development of the city.
 - (2) Approve or disapprove plats of proposed subdivisions submitted in accordance with section 9-2 of this article and any other applicable laws. In considering such plats, the commission shall require that the proposed subdivisions shall meet all the standards of layout and street and sidewalk construction on comparable property within the corporate limits of the City of Eagle Pass as specified in the City of Eagle Pass Construction Standards Manual. Upon approving such plats, and before they are released for recoding, the planning commission shall submit all copies of approved plats to the city council for final approval.
 - (3) Draft, and recommend to the council for adoption, an official map of the city and recommend or disapprove proposed changes in such map.
 - (4) Make, and recommend to the council for adoption, a zoning plan and recommend or disapprove proposed changes in such plan.
 - (5) Make, and recommend to the council for adoption, plans for the clearance and rebuilding of slum districts and blighted areas which may develop within the city.
 - (6) Compile, and recommend to the council for adoption, a building code, which code shall include the minimum standards of construction for buildings, the minimum standards for plumbing, and the minimum standard for wiring and gas piping.
 - (7) Submit annually to the city manager, not less than ninety (90) days prior to the beginning of the budget year, a list of recommendations for capital improvement which, in the opinion of the commission, are necessary or desirable to be constructed during the forthcoming five (5) years. Such list shall be arranged in order of preference, with recommendations as to which projects shall be constructed in which year.
 - (8) Meet not less than once each month; meetings to be held at the city hall unless prior notice of change of meeting place be given by publication in the official newspaper of the City of Eagle Pass.
 - (9) Perform such other duties and be vested with such other powers as the council shall from time to time prescribe.
- (c) Rules of procedure. The commission shall elect annually, one of its members chairman, and shall establish its own rules of procedure which shall include the following: A quorum shall consist of a majority

of the members of the commission qualified and serving. The affirmative vote of a majority of those present shall be necessary to pass upon pending questions. All meetings shall be open to the public and a record of all proceedings shall be kept, which record shall be filed with the person performing the duties of city secretary and shall be a public record.

- (d) Vacancies. Membership of the commission shall be accompanied by active participation in the activities of the commission, and any member who is absent from three (3) consecutive meetings of the commission without valid excuse, as determined by the commission, shall automatically be dismissed from membership. The commission shall at once notify the council that a vacancy in the commission exists. Vacancies occurring in the commission, for whatever reason, shall be filled within thirty (30) days by appointment by the council for the remainder of the unexpired term.

- **Section 9.3 Master Plan.**

The *Master Plan* for the physical development of the city, with the accompanying maps, plats, charts, descriptive and explanatory matter, shall show the commission's recommendations for the development of city territory, and may include, among other things, (a) the general location, character, and extent of streets, bridges, parks, waterways, and other public ways, grounds and spaces; (b) the general location of public buildings and other public property; (c) the general location and extent of public utilities, whether publicly or privately owned; (d) the removal, relocation, widening, extension, narrowing, vacation, abandonment or change of use of such existing or future public ways, grounds, spaces, buildings, property or utilities; (e) the general extent and location of public housing projects and slum-clearance projects.

- (a) Adoption of *Master Plan*. The commission may adopt the master plan as a whole by single resolution or may by successive resolutions adopt successive parts of the plan, said parts corresponding to major geographical sections of the city or to functional divisions of the subject matter of the plan, and may adopt any amendment or extension thereof or addition thereto. The adoption of the plan, or of any part, amendment, extension or addition, shall be by resolution carried by the affirmative votes of not less than a majority of the commission, but before the adoption of the plan or any such part or any modification, extension or addition, the commission shall hold at least one public hearing on the proposed action. An attested copy of the plan or part thereof shall be certified to the council.
- (b) Legal effect of *Master Plan*. No street, park, or other public way, ground or space, no public building or structure and no public utility whether publicly or privately owned, shall be constructed or authorized in the city, nor shall any real property be acquired by the city, until and unless the location and extent thereof shall have been submitted to and approved by the commission; provided that, in case of disapproval, the commission shall communicate its reasons to the council, which shall have the power by 2/3 vote to overrule such disapproval, and, upon such overruling, the council or the appropriate office, department or agency shall have power to proceed. The widening, narrowing, relocation, vacation or change in the use of any street or other public way or ground or the sale of any public building or real property shall be subject to similar submission and approval, and failure to approve may be similarly overruled by the council. The failure of the commission to act within thirty (30) days after the date of official submission to the commission shall be

deemed approval, unless a longer period be granted by the council or the submitting official.

Land Use Development

The formulation of a land use development plan includes establishing goals and objectives, broad goals for land uses and achievable objectives for the implementation of the desired development.

The following land use development goals and objectives were proposed in the *Master Plan*, on page A-43 through and including page A-45, after local participation in the planning process for the *Master Plan*.

Land Use Development Goals

- The sound development of the local land resources to achieve a balance between the man-made and natural environments.
- The continuing development of the community while retaining the community's character and scale.
- The ultimate development of urban uses in a compatible arrangement which will make the community attractive to residents and visitors, and desirable to quality investments.
- Provision and use of utility services in the most efficient and equitable manner.
- Preservation of natural and man-made beauty of Eagle Pass.
- Improvement of business and commercial district condition.

Land Use Objectives

- Development of the local capacity to monitor, evaluate, and promote the sound development of the community.
- Promotion of development standards and guidelines to minimize wasteful land subdivision and to improve local resource utilization in a compatible land use relationship.
- Coordination with area-wide, county, and state agencies which deal with land and resource utilization to eliminate substandard development in the Extra Territorial Jurisdiction (ETJ) and beyond, and to improve existing substandard areas.

Short-Term Land Use Objectives

- Establish the planning process as a continuing municipal function.
- Review planning studies and material from agencies, such as the American Planning Association, the Texas Municipal League, and the Texas Department of Housing and Community Affairs, that can be applicable to the City of Eagle Pass.
- Continue enforcement of the provisions of the zoning and subdivision ordinances.

- Strict review of proposed subdivisions, particularly those located in environmentally sensitive areas such as sloping areas or those areas with soils which pose limitation to development.
- Annex colonia areas located within the City's Extra Territorial Jurisdiction which affect to the City.

B. Eagle Pass Code of Ordinances Appendix A: Zoning Ordinance

- **Section 1: Title.**

This Ordinance shall be known, and may be cited, as the Zoning Ordinance for the City of Eagle Pass, Texas.

- **Section 2: Purpose.**

The zoning regulations and districts herein established have been made in accordance with a comprehensive plan for the purpose of promoting health, safety, morals, and the general welfare of the City of Eagle Pass, Texas. They have been designed to lessen the congestion of streets; to secure safety from fire, panic, or other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; and to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements. They have been made with reasonable consideration, among other things, to the character of the district and its peculiar suitability for particular uses, and with the view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City of Eagle Pass, Texas.

- **Section 3 Definitions.**

For the purpose of this ordinance, certain terms and words are hereby defined. Words used in the present tense shall include the future; the singular number shall include the plural and the plural the singular. The word 'building' shall include the word 'structure'; the word 'lot' includes the word 'plot'; and the word 'shall' is mandatory and not merely permissive or directory.

- (20) Home occupation. Any occupation or profession engaged in by the occupants of a dwelling not involving the conduct of a retail business, and not including any occupation conducted in any building on the premises excepting the building which is used by the occupant as his or her private dwelling. Home occupations shall include, in general, personal services such as furnished by an architect, lawyer, physician, dentist, musician, artist, and seamstress, when performed by the person occupying the building as his or her private dwelling and not including a partnership or the employment of more than one (1) assistant in the performance of such services.

- **Section 4 Districts.**

For the purpose of regulating and restricting the height and size of buildings and other structures, the percentage of the lot that may be occupied, the size of yards, the other open spaces, the density of population, and the location and use of buildings, structures, and land for trade, industry, residence, or other purpose, the City of Eagle Pass, Texas is hereby divided into districts, of which there shall be seven classes in number, and shall be known as:

- R-1 First One-Family Dwelling District
 - R-2 Second One-Family Dwelling District
 - R-3 Duplex District
 - R-3(A) Apartment District
 - R-4 Townhouse Residence District
 - B-1 Neighborhood Business District
 - B-2 Central Business District
 - B-3 General Business District
 - I Industrial District
 - F Floodway District
- ...Except as hereinafter provided:

- (1) No building shall be erected, converted, enlarged, reconstructed, or structurally altered, and no building or land shall be used for any purpose that is not permitted in the district in which the building or land is situated.

Sec. 7.1 "R-3(A)" Apartment district.

The following regulations shall apply to the "*R-3A*" District:

- A. Use regulations: A building or premises shall be used only for the following purposes:
 - (1) Apartment houses or multiple-family dwellings.
 - (2) Institution of a religious, educational or philanthropic nature, with conditional use permit.

Sec. 8. "B-1" Neighborhood business district.

The following regulations shall apply to the "*B-1*" District:

- A. Use regulations: A building or premises shall be used only for the following purposes:
 - (1) Any use permitted in the "R-1," "R-2," and "R-3" districts.
 - (2) Advertising signs which advertise the building on this same property, on-premises signs shall be limited to one (1) per establishment. See section 15 for additional sign information.
 - (3) Automobile parking lots with spaces for rent.
 - (4) Bakery.
 - (5) Bank.
 - (6) Barbershop.
 - (7) Beauty parlor.
 - (8) Doctor's office or small clinic, but not exceeding five thousand (5,000) square feet in size.
 - (9) Filling station, service station, provided all storage tanks for gasoline shall be below the surface of the ground, and not including auto repair, and only with a conditional use permit as specified by section 21.
 - (10) Job printing.
 - (11) Dry cleaning, and Laundromats.

(12) Medical offices.

(13) Funeral home.

(14) Offices up to a total building size of ten thousand (10,000) square feet.

(15) Radio repair and sales shop.

(16) Restaurant, cafe, cafeteria.

(17) Studio.

(17a) Used car lot.

(18) Any retail business, not to exceed five thousand (5,000) square feet for each individual retail establishment, and provided that such use is not noxious or offensive by reason of vibrations, smoke, odor, dust, gas, or noise, and which is not prohibited by the City Charter.

B. Height regulations: No building shall exceed two and one-half (2½) stories or thirty-five (35) feet in height.

C. Yard regulations:

(1) *Front yard.* For use permitted in the "R-3(A)" District, the front yard requirements for the "R-3(A)" District shall apply. For other uses permitted in this district a front yard of twenty (20) feet in depth is required.

(2) *Side yards.* For uses permitted in the "R-3(A)" District, the side yard requirements for the "R-3(A)" District shall apply. For other uses a ten-foot side yard is required.

(3) *Rear yard.* For uses permitted in the "R-3(A)" District, the "R-3(A)" District regulations shall apply. There are no rear yard regulations for other uses.

(4) *Depth of lot.* The lot shall have a minimum depth of one hundred ten (100) feet.

D. Intensity of use: For uses permitted in the "R-3(A)" District the minimum lot area and minimum lot width shall be the same as the "R-3(A)" District. For other uses a maximum lot area of eight thousand (8,000) square feet is required.

E. Parking regulations:

(1) Parking shall be provided as required in section 12.1, Parking Requirements Ordinance.

F. *Additional use, height, and area regulations:* Additional use, height, and area regulations and exceptions are found in section 12 herein.

- **Section 12.1: Parking Requirements.**

(a) Authority and purpose. This ordinance is adopted for the purpose of providing an adequate number of parking spaces for residential, commercial, institutional and industrial uses in the City of Eagle Pass. This ordinance is enacted in accordance with the home rule powers of the city, granted under the Texas Constitution, and the Statutes of the State of Texas.

(b) Parking regulations and requirements.

- (2) Parking required. In all districts there shall be provided at the time any building permit or structure is erected or structurally altered, off-street parking and maneuvering spaces in accordance with the minimum requirements set out in this ordinance. All parking and maneuvering space shall be provided on private property unless otherwise stated in this Ordinance. When, in the opinion of the city, the provisions of this ordinance are not adequate, such additional requirements as may be necessary and desirable may be required.
- (5) Rules for computing parking requirements. In the interpretation of the parking requirements set out in this ordinance, the following rules shall apply:
- i. "Floor area" shall mean the gross floor area of the specific use. "Use" shall mean any use of the specific floor area.
 - ii. Where fractional spaces result, the parking spaces required shall be construed to be the next largest whole.
 - iii. The parking space required for a use not specifically mentioned in this ordinance shall be the same as required for a use of similar nature.
 - iv. After the effective date of the ordinance from which this chapter is derived, whenever a property is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity or otherwise, to create a need for an increase to 25-percent or more in the number of existing spaces, such additional spaces shall be provided on the basis of the enlargement or change. Whenever a building or use existing prior to the effective date of the ordinance from which this chapter is derived is enlarged to the extent of 50-percent or more in floor area used, such building or use shall then and thereafter comply with the parking requirements set forth in this ordinance.
 - v. In the case of mixed uses, the parking spaces required in this ordinance shall equal the sum of the requirements of the various uses computed separately.
 - vi. Where none of the foregoing rules are applicable to an existing fact situation, the method for computing the parking requirement shall be based on other parking data from acceptable publications.

- **Section 13: Home Occupations.**

- (a) Purpose and intent. The City of Eagle Pass recognizes the need for some citizens to use their place of residence for limited nonresidential activities. However, the city believes that the need to protect the residential character of residential areas is of paramount concern. In essence, the objective of this chapter is to allow limited commercial type activity in residential areas only to the extent that such commercial activity is not obtrusive to neighbors or passersby.
- (b) Permitted home occupations. The following home occupations shall be permitted in any residential zone without conditional use permits providing they meet the performance standards in Section 13(e):

- (1) Dressmaking, sewing and tailoring;
 - (2) Painting, sculpturing or writing;
 - (3) Telephone answering or soliciting;
 - (4) Home crafts such as model making, rug weaving and lapidary;
 - (5) Tutoring limited to two (2) students at a time;
 - (6) Home cooking and preserving;
 - (7) Computer programming.
- (c) Prohibited home occupations. The following home occupations are prohibited in all residential zones:
- (1) Animal hospitals;
 - (2) Dancing studios, exercise studios;
 - (3) Mortuaries;
 - (4) Private clubs;
 - (5) Restaurants;
 - (6) Stables or kennels;
 - (7) Automobile body shops;
 - (8) Occupations involving explosives or other hazardous materials.
- (d) Conditional use permits. All home occupations not specifically listed in subsection (b) above shall obtain a conditional use permit from the planning and zoning commission prior to conducting any business activity. The conditional use permit shall be obtained in the manner provided in section 21 of this chapter.
- (e) Performance standards. In considering applications for conditional use permits for home occupations, the Planning and Zoning Commission of Eagle Pass shall be guided by the following considerations:
- (1) The legislative intent as set forth in section 1 above;
 - (2) No materials or equipment shall be permitted which would be detrimental to the residential use of nearby residences such as vibration, noise, dust, smoke, odor, interferences with radio or television reception and other factors detrimental to residential use;
 - (3) A home business shall not be permitted which requires frequent home deliveries for commercial purposes;
 - (4) A home business shall not be permitted which will result in the parking of customers' automobiles in a manner, frequency, or number which will cause traffic congestion or will unduly inconvenience nearby residences.
 - (5) Signs for home occupations shall be located on the lot for which the conditional use permit is issued. One (1) sign, unlighted and attached to the building which shall not exceed six square feet in area may be permitted.

- **Section 21: Conditional Use Permits.**

- (a) Purpose. The purpose of this section is to allow the proper integration into the community of uses which may be suitable only in specific locations in a zoning district or only if such uses are designed or laid out on the site in a particular manner.
- (b) Application. A conditional use permit shall be required for all uses listed as conditional uses in the residential, commercial and industrial land use descriptions or elsewhere in the Zoning Ordinance of the City of Eagle Pass.
 - (1) Filing. Application shall be made in writing by the property owner or his authorized agent, on forms provided by the planning department, and accompanied by such data and information as may be necessary to fully describe the request.
 - (2) Fee. The filing and investigation fee shall be \$100.00.
- (c) Public hearing. A public hearing shall be held in accordance with law. A notice of hearing shall be mailed at least ten calendar days prior to said hearing to all property owners, any part of whose property lies within a radius of two hundred 200-feet of the applicant's property, using for this purpose the names of such owners as shown on the last equalized assessment roll, or alternatively, from such other records of the assessor or the tax collector as contain more recent addresses. In addition, if warranted in the determination of Planning Director, notice shall be provided by conspicuously posting it on the subject property for at least ten days prior to the hearing. Failure to receive the notice required by this section shall not invalidate the action of the planning and zoning commission.
- (d) Planning and zoning commission action. The planning and zoning commission may approve, conditionally approve or deny an application for a *Conditional Use Permit*, and in authorizing a conditional use, may impose such requirements and conditions with respect to location, construction, time period, maintenance and operation as deemed necessary for the protection of adjacent properties and the public interest when reasonably related to the use of the property. Before granting any conditional use permit the planning director shall be satisfied that the proposed structure or use conforms to the requirements and the intent of this chapter and the general plan(s) of the City of Eagle Pass.
- (e) Appeals. The planning and zoning commission action on the conditional use permit shall be final unless, within fourteen (14) calendar days after the decision, the applicant or any other person, including the city council, any individual city council member, or the city manager, not satisfied with the decision of the planning and zoning commission, may appeal to the city council. No conflict of interest shall exist solely by reason of the filing of an appeal by the city council, an individual city council member, or the city manager. Any appeal shall be filed with the city secretary's office and, except an appeal by the city council, a council member, or the city manager, shall be accompanied by a filing fee \$100.00. The city secretary shall set a date for a public hearing and shall give notice to the appellant, the applicant and neighboring property owners in the manner provided in the zoning ordinance.
- (f) Issuance. No conditional use permit which has been approved by the planning and zoning commission shall be issued prior to the expiration of the appeal period as set forth in the Ordinances of the City of Eagle Pass, or the final action on an appeal to the city council.
- (g) Expiration. In the event the planning and zoning commission finds the use permit has not been exercised within the time limit set by the commission, or

within one 1-year if no specific time limit has been set, the permit shall be null and void without further action; except that the planning director may extend the approval of a use permit for one 1-additional year, with the same conditions of approval, if circumstances have not changed. The request in writing must be received prior to the expiration of the use permit.

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

C. **Conclusions**

1. The application contains sufficient information upon which the Planning and Zoning Commission may render a decision. Please refer to Attachment 1 for a copy of the *Conditional Use Permit* (CUP) application.
2. The request involves the establishment of a professional office use business.
3. *Section 21(d) of City of Eagle Pass Code of Ordinances Appendix A* states, in part, that the Planning and Zoning Commission may approve, conditionally approve or deny an application for a *Conditional Use Permit*, and in authorizing a conditional use, may impose such requirements and conditions with respect to location, construction, time period, maintenance and operation as deemed necessary for the protection of adjacent properties and the public interest when reasonably related to the use of the property.
4. *Section 21(d) of City of Eagle Pass Code of Ordinances Appendix A* further states, in part, that before granting any *Conditional Use Permit*, The Community Development 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 Community Development Department utilizes the *City of Eagle Pass Master Plan* as guidance in providing a recommendation to the Planning and Zoning Commission on their consideration of land use issues, including those involving a *Conditional Use Permit* application.

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

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

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

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

5. The *Conditional Use Permit*, if granted, would be consistent with the purpose of the zoning code. Section 2 of the *City of Eagle Pass Code of Ordinances Appendix*

A states that the purpose of the zoning code is to promote the health, safety, morals, and general welfare of the City by, (a) lessening the congestion of streets, (b) securing safety from fire, panic, or dangers, (c) providing adequate light and air, (d) preventing the overcrowding of land, (e) avoiding undue concentration of population, (f) facilitating the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements.

Section 2 emphasizes the importance of the character of a specific zoning district and its peculiar suitability for particular uses, conserving the value of buildings, and encouraging the most appropriate use of land throughout the City. The proposed use will facilitate the retention of the character of the neighborhood.

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

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

6. The *Conditional Use Permit* application is consistent with the approval criteria set forth in Section 21 of the *City of Eagle Pass Code of Ordinances Appendix* for the reasons set forth above in Conclusion 1 through and including Conclusion 5 and should be granted by the Commission.

D. Planning Department Recommendation

The Planning and Zoning Commission **GRANT** the Alma A. Flores request to establish a professional office use at 134 Medina Street, subject to the following conditions:

1. This *Conditional Use Permit* is non-transferable.

TRANSMITTED to the parties listed hereafter:

Alma A. Flores via e-mail
City of Eagle Pass Planning and Zoning Commission Members via e-mail
City of Eagle Pass City Manager Homero Balderas via e-mail
City of Eagle Pass Assistant City Manager Ivan Morua via e-mail
City of Eagle Pass Legal Counsel Anna Sophia Garcia via e-mail
City of Eagle Pass Interim City Secretary Ita A. Cortinas via e-mail
City of Eagle Pass Community Development Department Report dated November 4, 2024

Attachment 1

Application



PLANNING DEPARTMENT

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

CONDITIONAL USE PERMIT APPLICATION

Applicant Information	Name: <u>Alma A Flores</u>
	Mailing Address: <u>2210 N Veterans blvd Ste 140 Eagle Pass TX 78852</u>
	Phone: <u>830 968 2044</u> E-mail: <u>manager@floresgonzalezllc.org</u>
	Note: if you are not the owner of the property, you must attach a letter from the owner authorizing you to submit this application.

Property Owner Information	Name: <u>Flores Gonzalez LLC</u>
	Mailing Address: <u>2210 N Veterans Blvd Ste 140 Eagle Pass TX 78852</u>
	Phone: <u>830 968 2044</u> E-mail: <u>manager@floresgonzalezllc.org</u>

Property Information	Site Address: <u>164 Medina St</u> MCAD Property ID # <u>9840</u>
	Legal Description: Lot(s) <u>10A</u> Block <u>12</u> Subdivision <u>Hillcrest Addition</u> (Property must be legally subdivided or be lot of record)
	Front Yard Width (feet) <u>48</u> Rear Yard Width (feet) <u>48</u> Side Yard Width (feet) <u>169</u>
	Current Use <u>Multi family</u>
	Proposed Use <u>Commercial - office building</u>

Description of Project:
<u>Personal Office for Flores Gonzalez LLC, is a company</u>
<u>dedicate it to resolve business issues and guide them</u>
<u>to do business in USA, most of our customers are from</u>
<u>Mexico.</u>

Detailed Explanation of Proposed Conditional Use
What development measures regarding location, construction, time period, maintenance, and operation will you use to protect adjacent properties from impacts from your project?
<u>First we can build a fence, and the business time of the</u>
<u>office will be 9-6 pm and we don't have many walks in</u>
<u>at the office, most of our service are remote or online, and</u>
<u>we are only 2 persons at the office, it can reduce the noise</u>
<u>of the office and also the vehicle traffic.</u>

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

Is a personal office and the time of service of the office will be 9-6 pm.

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

The lot is located at high traffic area and in front of the lot, there's a Car Business and less than a block from the lot there's another business, our business is a Business Office Solutions and Notary Public Services we can contribute within the commercial area.

Applicant Authorization

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

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



Applicant Signature

10-21-2024
Date

Office Use

Date Application Accepted for Review: 10/21/24 By: MK/KV

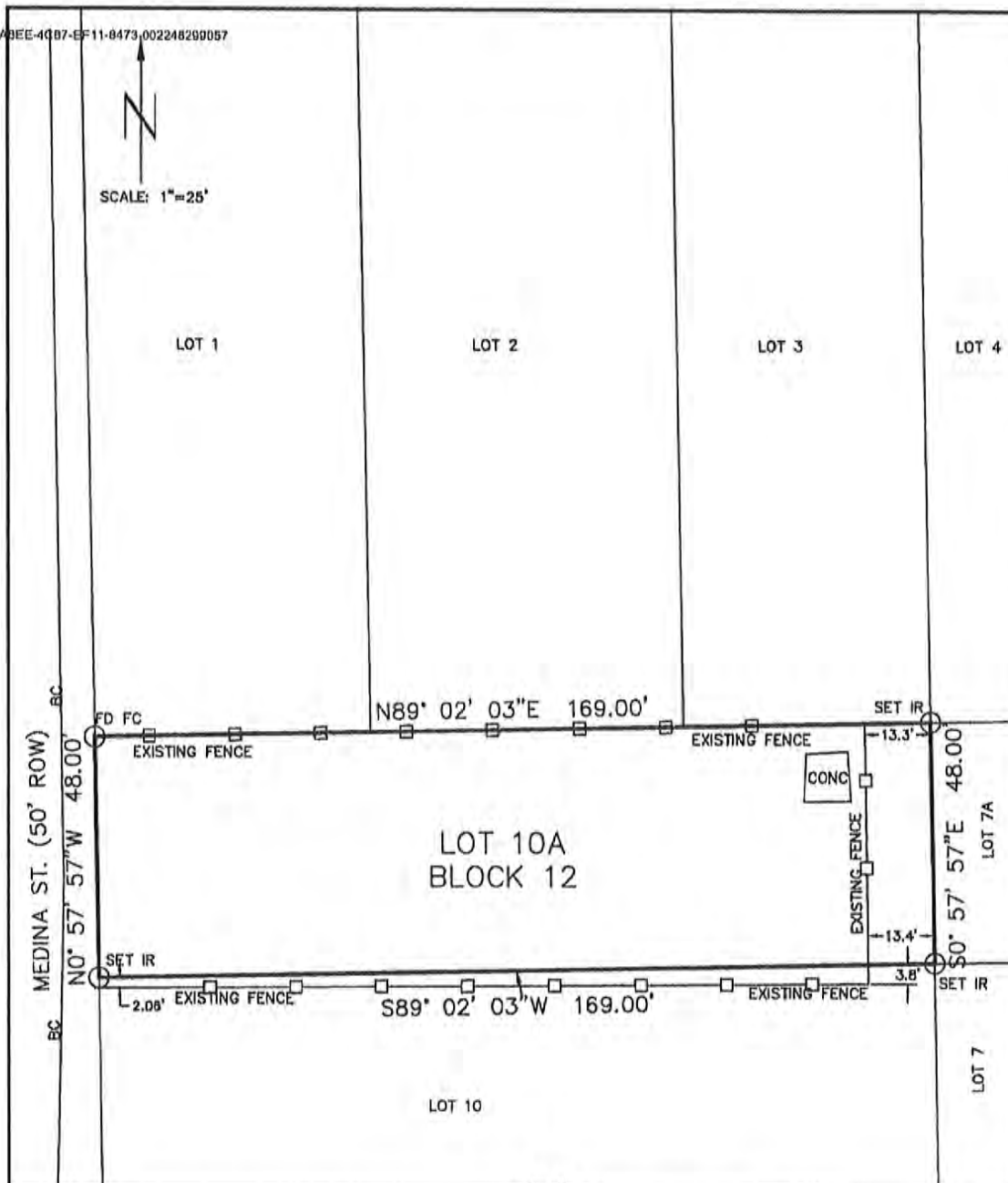
Contact Date for Supplemental Info: — Supplemental Info Received: —

Completeness Review Date: 10/21/24 By: MK

Application Returned to Applicant: — (when applicable)

paid application & PH notice \$155 check # 1030

MR:6/2020



CERTIFICATE OF SURVEYOR

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY STATE THAT THE FOREGOING PLAT OF SURVEY WAS PREPARED FROM AN ACTUAL SURVEY OF THE SUBJECT PROPERTY ON THE GROUND UNDER MY SUPERVISION. THIS WORK IS PROTECTED BY COPYRIGHT LAW AND SHALL ONLY BE USED / DISTRIBUTED FOR ITS INTENDED PURPOSES.

ATM
ALFREDO T. GUERRA, R.P.L.S. No. 5702



02/09/2023
DATE:

**GUERRA ENGINEERING
& SURVEYING CO.**

LAREDO, TX 78041
956-718-2600
fred_ges@abcglobal.net
ENGINEERING FIRM No. 0484
SURVEY FIRM No. 100173-00

NOTES:

1. BASIS OF BEARING TAKEN FROM RECORDED PLAT
 2. THIS SURVEY WAS PERFORMED WITH THE BENEFIT OF A TITLE COMMITMENT.
- FILE NO. 2300258-28 ISSUED DATE: 07-FEB-2023

**SURVEY OF LOT 10A, BLOCK 12
HILLCREST ADDITION TO THE CITY OF EAGLE PASS
AS PER VOL. 6, PG. 587
MISCELLANEOUS RECORDS OF NAVERICK COUNTY, TX
SITUATED AT 164 MEDINA ST., EAGLE PASS, TX**



AAF

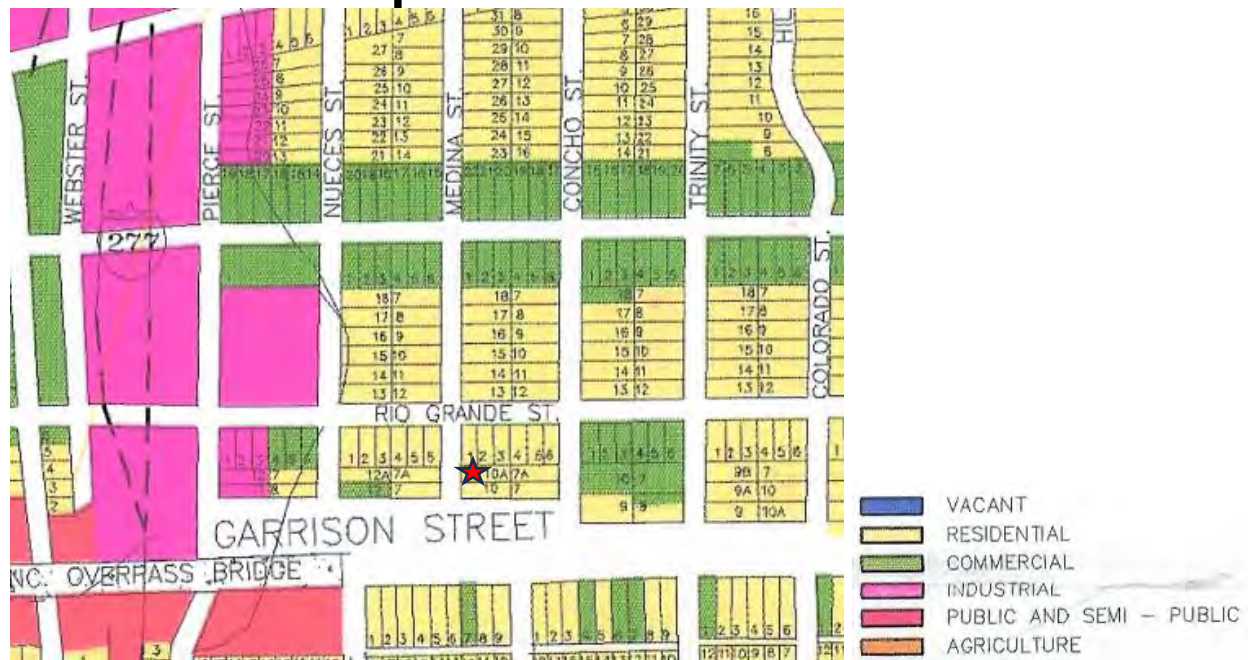
SEP

Street View of subject property



Attachment 2
Master Plan & Zoning Maps

Master Plan Map



Zoning Map



Item #4



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

Final Replat of Lot 139 in Chula Vista Subdivision Unit 2

I. BACKGROUND

A. General Information

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

Developer: Alma Delia Guzman and Maria J. Hernandez

Location: 291 and 301 Alamo Street **PID Number:** 6961 and 6962

Legal Description: Lot 139 in Chula Vista Subdivision Unit 2

Request: Final replat approval to subdivide an approximately 0.459-acre tract into two residential lots, including a subdivision variance to go directly to final and a sidewalk waiver request. The installation of city utilities will be required to be installed, inspected and accepted by Eagle Pass Water Works System before plat recordation.

B. Subject Property Information

Parcel Size: 20,000-square feet **Topography:** Generally flat

Vegetation: residential landscaping and native vegetation

Existing Use: the site houses a home on lot 139A and a mobile home on Lot 139B

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

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

C. Vicinity Data

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

D. Infrastructure

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

The parcel is given access via Alamo 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*. 64 notices were mailed to the abutting property owners within a 500 foot radius of the subject property on November 1, 2024.

III. RECOMMENDED FINDINGS OF FACT

A. Conclusions

1. The applicant's request contains sufficient information for consideration by the Eagle Pass City Council. Information contained in this report and the Commission's public meeting will be used as part of the City Council's deliberation process for the subdivision. Please refer to Attachment 1.
2. The applicant is seeking a sidewalk waiver per Section 23-64(a) of the Subdivision Ordinance as part of his application for the replat. The City and County agree that the waiver be granted as there are no curb or gutter or sidewalks in the vicinity of the subject area. See Attachment 2 for a copy of the application.
3. City of Eagle Pass Code of Ordinances Section 23-11 states that the Planning and Zoning Commission must find that the subdivision variances, enclosed as Attachment 3, comply with the four criteria to grant the subdivision variance.

The following is a summary of this application's compliance with the criteria:

First Variance Decision Criteria

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

Second Variance Decision Criteria

Section 23-11(a)(2). The variances are also consistent with this section of the city code, as the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant. The subdivision design is consistent with the *Commercial District*. The commercial use of the property will allow the enjoyment of property rights permitted by the City code.

Third Variance Decision Criteria

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

Fourth Variance Decision Criteria

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

Fifth Variance Decision Criteria

Lastly, the variances are also consistent with *Section 23-11(c)*, as the granting of the variances 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.

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

4. The property is located within the City's *Extraterritorial Territorial Jurisdiction*, and the policies of the *Master Plan Map* apply to the consideration of this subdivision. The *Master Plan* emphasizes the importance of maintaining the character of the residential neighborhoods.
 - ✓ The replat is consistent with the *Housing Goals* of the *Master Plan*, as the subdivision process will ensure appropriate land development regulation with appropriate lot sizes, paved streets with curb and gutters, and adequate utility services.
 - ✓ The replat is consistent with the *Land Use Development Goals* of the *Master Plan*, as the project is designed to provide for a building lot density that is consistent with the purpose of the *R-1 First One-Family Dwelling District*. This design will allow for the continuing development of the community while retaining the neighborhood character and scale while providing utility services in the most efficient and equitable manner.
 - ✓ The replat is consistent with the *Street Goal* of the *Master Plan*, as access to the site from School Circle is designed to provide the residents of and visitors to Eagle Pass and Maverick County with a street system that will enable them to travel safely and conveniently.
 - ✓ The replat is consistent with the *Thoroughfare Goals* of the *Master Plan*, as School Circle has been designed to be part of a safe and efficient thoroughfare system.
 - ✓ The replat is consistent with the *Storm Drainage Goals* of the *Master Plan*, as the size of the two lots and the eventual density of 2-dwelling-units on the re-plat site will not adversely impact existing area drainage effectiveness.
5. The replat is consistent with City design and specifications, as the project is designed and conditioned to conform to the following sections of *Article IV* in *Eagle Pass Code of Ordinances Chapter 23*:
 - ✓ *Section 23-61* governing street layout, right-of-way and pavement width, street names, streetlights, and road construction testing.
 - ✓ *Section 23-62* governing utility easements
 - ✓ *Section 23-64* governing sidewalks, the applicant is seeking a waiver from the requirement to construct a sidewalk along Alamo Street.
 - ✓ *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 *Engineering Report* for the subdivision.

6. The replat is consistent with City design and specifications for landscape and tree preservation set forth in *Article VI* in *Eagle Pass Code of Ordinances Chapter 23*.
7. The replat will conform with the parkland dedication requirements set forth in *Article V* in *Eagle Pass Code of Ordinances Chapter 23*. Cash in lieu payment to Maverick County will be collected prior to plat recordation.
8. The replat conforms to the provisions of the *Master Plan* and the *Eagle Pass Code of Ordinances* by facilitating the following benefits:
 - Protect private rights while considering public health, safety, and welfare.
 - Provide efficient and economical ways to move people and goods outside the City by an adequate plan for streets and highways.
 - Guide future development in an orderly manner, by stages according to a pattern, so that the County may have balanced land use.
 - Encourage a diversified economic base and encourage public and private investments in land and improvements.
 - Prevent and eliminate blight and slums, making the County attractive to people, commerce, and industry.
 - Create the desire for a more pleasing appearance of the County and incorporate into its physical development the basic principles of good design.
 - Protect and preserve the identity of each neighborhood through use of the guidance provided by the *Master Plan* and the *Code of Ordinances*.
 - Locate all land uses on land best suited for their needs, arranged in such a way as to be mutually beneficial and functional, with ample area to meet long-term needs.
 - Establish a proper relationship between open space, developed areas, building bulk, light and air space, in all future development programs of land use.
 - Encourage and abet the development of civic, cultural, and other public and quasi-public buildings in harmonious and functional groupings.
9. The replat will allow for a use of the property that is consistent with the residential purpose of the *R-1 First One-Family Dwelling District* and the surrounding neighborhood for the following reasons:

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

10. 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 9 of this report.

B. Community Development Department Recommendation

That the Eagle Pass Planning and Zoning Commission (1) **GRANT** a subdivision variance from *Section 23-36(a)* regulating preliminary plat requirements, (2) **GRANT** a sidewalk waiver request as there are no curb or gutter improvements in the area, and (3) **GRANT** final plat approval of the *Replat of Lot 139 in Chula Vista Subdivision Unit 2*, subject to the plat complying with the provisions of *Article III of City of Eagle Pass Code of Ordinances Chapter 23* governing procedures and specifications for Final Plats.

TRANSMITTED to the parties listed hereafter:

Mountain View Engineering via e-mail

City of Eagle Pass Planning and Zoning Commission via e-mail

City of Eagle Pass City Manager Homero Balderas via e-mail

City of Eagle Pass Assistant City Manager Ivan Morua via e-mail

City of Eagle Pass Interim City Secretary Ita A. Cortinas via e-mail

City of Eagle Pass Legal Counsel, Anna Sophia Garcia via e-mail

Maverick County Planning Director Angel Salas via email

City of Eagle Pass Community Development Department Report dated November 4, 2024

Attachment 1
Application



CITY OF EAGLE PASS APPLICATION FOR APPROVAL OF FINAL PLAT

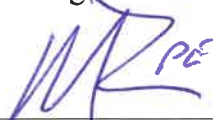
INSTRUCTIONS: This form is to be completely filled out, signed, and dated by the subdivider when the subdivider requests final plat approval.

IDENTIFICATION OF SUBDIVISION AND PLAT

I, Hector Canales, hereby request final plat approval for the proposed subdivision known as Replat Lot 139 Chula Vista #2 as shown on the accompanying plat, which consists of 1 (number) sheets and which was acknowledged by me on 10/15/2024 (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.


Signature of Subdivider (or Authorized Agent)

10/15/2024
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

I request, once the City of Eagle Pass has approved the plat and I have submitted any required financial guarantees, that sheets number # 1 (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	
_____	_____	<u>X</u>	final engineering report
_____	_____	_____	description in English and Spanish of water and sewer facilities and easements and operable date
<u>X</u>	_____	_____	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 AS OF THE DATE OF THIS APPLICATION

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.)

NA

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

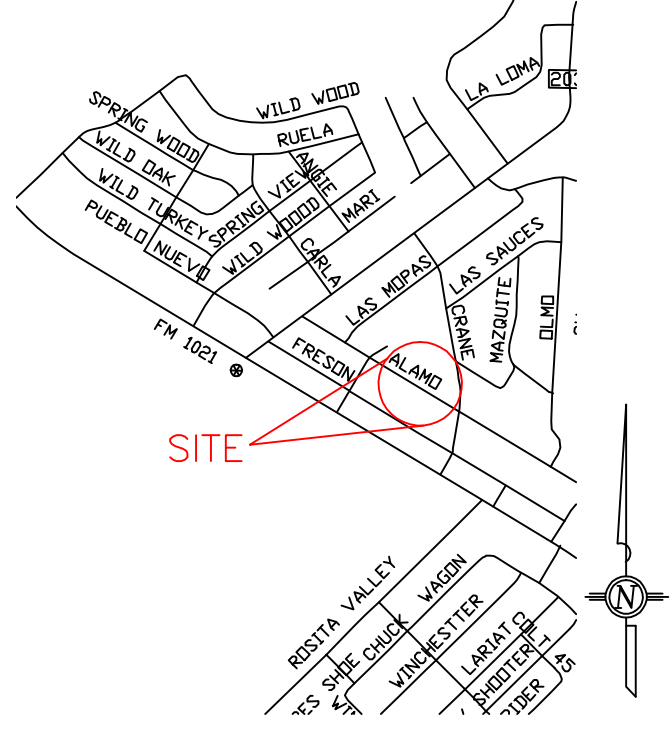
NA

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

One water meter will be installed & shown
on plat Document

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

One WW service will be installed & shown
on plat Document



LOCATION MAP
NOT TO SCALE

MOUNTAIN VIEW
ENGINEERING F-15053

CONSULTING ENGINEER:
HECTOR CANALES, P.E.
2400 VETERANS BLVD SUITE 8
DEL RIO, TEXAS 78840

SURVEYOR:
FRANCISCO GAYTAN
RICHARD LANE AND ASSOCIATES
2605 ENGINO PARK DR.
EAGLE PASS, TEXAS 78852

STATE OF TEXAS)
COUNTY OF MAVERICK)

OWNER'S DEDICATION, CERTIFICATION, AND ATTESTATION

THE OWNERS OF LOT 139 CHULA VISTA UNIT 2 SUBDIVISION AND WHOSE NAMES ARE SUBSCRIBED HERETO AND IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, HEREBY DEDICATE TO PUBLIC USE THE STREET AND EASEMENTS SHOWN HEREIN, AND FURTHER CERTIFY THAT THIS PLAT COMPLIES WITH THE REQUIREMENTS OF TEXAS LOCAL GOVERNMENT CODE 212.032 AND THAT:

- (A) THE WATER QUALITY AND CONNECTION TO THE LOT(S) WILL MEET THE MINIMUM STATE STANDARDS
- (B) THE SEWER CONNECTION TO THE LOT(S) WILL MEET THE MINIMUM REQUIREMENTS OF THE STATE
- (C) ELECTRICAL CONNECTION PROVIDED TO THE LOT(S) MEETS THE MINIMUM STATE STANDARDS
- (D) THE GAS CONNECTIONS, IF AVAILABLE PROVIDED TO THE LOT(S) MEET OR WILL MEET THE MINIMUM STANDARDS, AND;

WE ATTEST THAT THE MATTERS ASSERTED IN THIS PLAT ARE TRUE AND COMPLETE

REPLAT CERTIFICATION (RESIDENTIAL DEED RESTRICTIONS)
I, JESUS & ALM DELIA GUZMAN, THE OWNERS OF LOT 139B, CHULA VISTA UNIT 2 SUBDIVISION, AS SHOWN ON THIS REPLAT HEREBY CERTIFY THAT THIS REPLAT DOES NOT ALTER, AMEND OR REMOVE ANY COVENANTS OR RESTRICTIONS; I FURTHER CERTIFY THAT NO PORTION OF THE PROPOSED AREA TO BE REPLATED WAS LIMITED WITHIN THE IMMEDIATE PRECEDING FIVE YEARS BY ANY INTERIM OR PERMANENT ZONING CLASSIFICATION TO RESIDENTIAL USE FOR NOT MORE THAN ONE RESIDENTIAL UNIT PER LOT; WE FURTHER CERTIFY THAT NO LOT COVERED BY THE REPLAT OF LOT 139, CHULA VISTA UNIT 2 SUBDIVISION, APPROVED BY THE PLANNING COMMISSION IN THE PAST, WAS LIMITED BY DEED RESTRICTION TO RESIDENTIAL USE FOR NOT MORE THAN ONE RESIDENTIAL UNIT PER LOT.

JESUS GUZMAN (LOT 139B) ALMA DELIA GUZMAN (LOT 139B)

EXEMPT

SANDRA RAMIREZ (LOT 139A)

SWORN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____ 2024

BY JESUS GUZMAN

SIGNATURE NOTARY PUBLIC STATE OF TEXAS

MY COMMISSION EXPIRES: _____

SWORN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____ 2024

BY ALMA DELIA GUZMAN

SIGNATURE NOTARY PUBLIC STATE OF TEXAS

MY COMMISSION EXPIRES: _____

CHULA VISTA UNIT #2 SD LOT 137

CHULA VISTA UNIT #2 SD LOT 138

CHULA VISTA UNIT #2 SD LOT 139
291 ALAMO ST.
EAGLE PASS, TX

CHULA VISTA UNIT #2 SD LOT 140

CHULA VISTA UNIT #2 SD LOT 141

CHULA VISTA UNIT #2 SD LOT 142

CHULA VISTA UNIT #2 SD LOT 143

CHULA VISTA UNIT #2 SD LOT 144

CHULA VISTA UNIT #2 SD LOT 145

CHULA VISTA UNIT #2 SD LOT 146

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CHULA VISTA UNIT #

CHULA VISTA UNIT 2
MAVERICK COUNTY, TEXAS
AS RECORDED IN ENVELOPE
106, SIDE B, THE MAVERICK
COUNTY MAP RECORDS,
MAVERICK COUNTY TEXAS

LIMITS OF EAGLE

MA REGULATED 1%
48323C 0475D,

TRVED BY A PUBLIC
BY EAGLE PASS

ERVED BY A PUBLIC
BY EAGLE PASS

ERVED ELECTRICITY
UTILITY OPERATED
OF TEXAS.

DWELLING SHALL BE

CHULA VISTA UNIT 2
MAVERICK COUNTY, TEXAS
AS RECORDED IN ENVELOPE
106, SIDE B, THE MAVERICK
COUNTY MAP RECORDS,
MAVERICK COUNTY TEXAS

ADRIANA MARITINEZ
281 ALAMO ST.
LOT 138

~~SANDRA RAMIREZ
291 ALAMO ST
LOT 139A
10,000 SF
(0.229 AC)~~

P.O.B.
S.W.C. LOT 139 CHULA VISTA
UNIT 2, AS RECORDED IN
ENV 106, SIDE B THE
MAVERICK COUNTY MAP
RECORDS, MAVERICK COUNTY
TEXAS

JESUS GUZMAN
301 ALAMO ST
LOT 139B
10,000 SF
(0.229 AC)

MARIA HERNANDEZ
313 ALAMO ST.
LOT 140

CHULA VISTA UNIT 2
MAVERICK COUNTY, TEXAS
AS RECORDED IN ENVELOPE
106, SIDE B, THE MAVERICK
COUNTY MAP RECORDS,
MAVERICK COUNTY TEXAS

CHULA VISTA UNIT 2
MAVERICK COUNTY, TEXAS
AS RECORDED IN ENVELOPE
106, SIDE B, THE MAVERICK
COUNTY MAP RECORDS,
MAVERICK COUNTY TEXAS

REYNA HERNADEZ
334 ALAMO ST.
LOT 86

ETAL TALAMANTES
278 ALAMO ST.
LOT 84

Aerial View



Site Photos



Attachment 2
Sidewalk Waiver Application



PLANNING DEPARTMENT

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

Subdivision 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): Hector Canales
Phone: 830 734 2991 Email: hcanales1463@yahoo.com
Owner: Alma Delia Guzman
Owner Address: 301 Alamo City: Del Rio State: TX Zip: 78852
Phone: _____ Email: _____

Property Information

Site Address: 301 Alamo
Legal description (from deed): Lot 139 B (50' x 200') Chula Vista #2
(Property must be legally subdivided or be lot of record)

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

301 + 291 Alamo Street

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

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

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

Alamo Street does not have curbs
and Sidewalks

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

5/20/2023
Date

Attachment 3
Subdivision Variance Application



PLANNING DEPARTMENT

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

SUBDIVISION VARIANCE APPLICATION

Applicant Information

Applicant (If not owner): Hector Canales
Address: 2107 Veterans Blvd Suite 4 Del Rio TX 78840
Phone: 830 734 2991 E-mail: hcanales1463@yahoo.com
Owner: Alma Delia Guzman
Address: 301 Alamo Eagle Pass TX 78852
Phone: _____ E-mail: _____

Property Information

Site Address: 301 Alamo MCAD Property ID No. 6961 & 6912
Legal Description (from deed): Lot 139 B (50'x200') Chula Vista #2

Description of Subdivision Variance Request

Proceed To Final Plat

Detailed Explanation of Subdivision Variance Request

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

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

Correcting The Division of lot 139
by ~~the~~ forming two official lots

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

Preliminary plat is not needed

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.

Owner will be able to have utilities

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.

Other properties have been granted
This process

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

5/20/2023

Date

Attachment 4
Final Engineering Report

Mountain View Engineering

Re-Plat
Lot 139 Chula Vista SD Unit 2

Final Engineering Report

September 16, 2024



Approved by:

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



Mountain View Engineering

Mountain View Engineering (MVE) has been contracted for a Re-Plat in Maverick County TX, located at 313 Alamo St, Eagle Pass TX 78852. This property is located in Maverick County but within the City of Eagle Pass ETJ. The proposed re-plat will divide Lot 139 into two lots within Chula Vista Unit 2 Subdivision recorded in Envelope 106 Side B of the Map Records of Maverick County.



Figure 1: Location Map

There is a 6" waterline and 6" sewer line within the Alamo Street that currently services the property. There is a fire hydrant approximately 200 feet southeast of the property on Alamo St. The site is also serviced with electric power from AEP who own the poles and wires.

The two proposed lots have roadway access via Alamo Street. The subdivision has no curbs and sidewalks along Alamo Street and a sidewalk variance will be applied for approval. No new streets will be constructed with this re-plat.

The site is has had some development with a small home located on lot 139A and a mobile home located on lot 139B. Storm water runoff will not increase significantly with this re-plat.

None of the property is located within FEMA regulated floodplain as shown in FEMA Firm Map 48323 C 045 D made effective April 4, 2011. The designation of Zone "X" means the property does NOT reside within the FEMA regulated 1% chance flood zone.



AGREEMENT REGARDING WATER SERVICE FOR THE PROPOSED

Replat of Lot 139, Chula Vista Unit II 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 Hector Canales, who is the owner, or
the authorized agent of the owner, of a tract of land in Maverick County, Texas, that has been
proposed to be divided into a subdivision ("the Subdivision") known as _____
Replat of Lot 139, Chula Vista Subdivision Unit II.

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
60 gallons daily.

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

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

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

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

This Agreement is effective on FEBRUARY 16, 2023

The Utility	The Subdivider
By: <u>[Signature]</u>	By: <u>[Signature]</u>
Printed Name: <u>BHNNY RUIZ</u>	Printed Name: <u>Hector Canales</u>
Office or Position: <u>VICE-CHAIRMAN</u>	Office or Position: <u>Engineer</u>
Date: <u>2/16/2023</u>	Date: <u>2/6/2023</u>

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



**AGREEMENT REGARDING WASTEWATER TREATMENT SERVICE FOR THE
PROPOSED Replat of Lot 139, Chula Vista Unit II 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 Hector Canales, who is the owner, or
the authorized agent of the owner, of a tract of land in Maverick County, Texas, that has been
proposed to be divided into a subdivision ("the Subdivision") known as
Replat of Lot 139, Chula Vista Subdivision Unit II.

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 40 gallons daily.

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

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

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

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

This Agreement is effective on FEBRUARY 16, 2023.

The Utility

By: Johnny Ruiz

Printed Name: JOHNNY RUIZ

Office or Position: VICE-CHAIRMAN

Date: 2/16/2023

The Subdivider

By: Hector Canales

Printed Name: Hector Canales

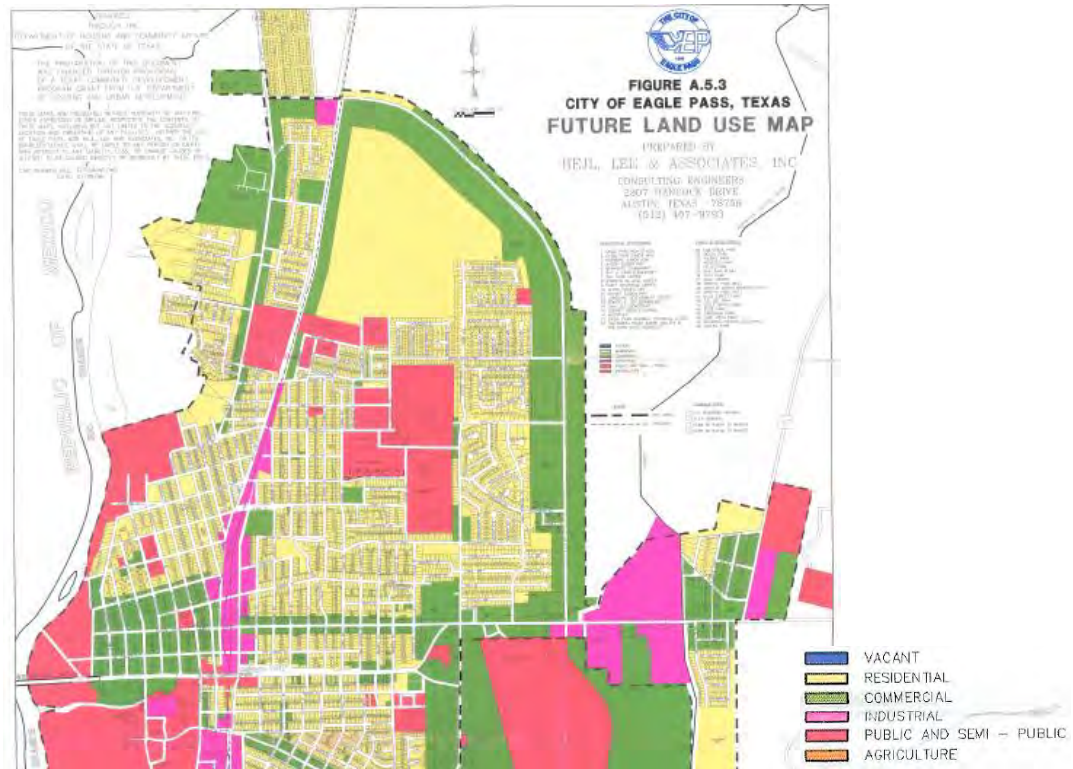
Office or Position: Engineer

Date: 2/6/2023

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

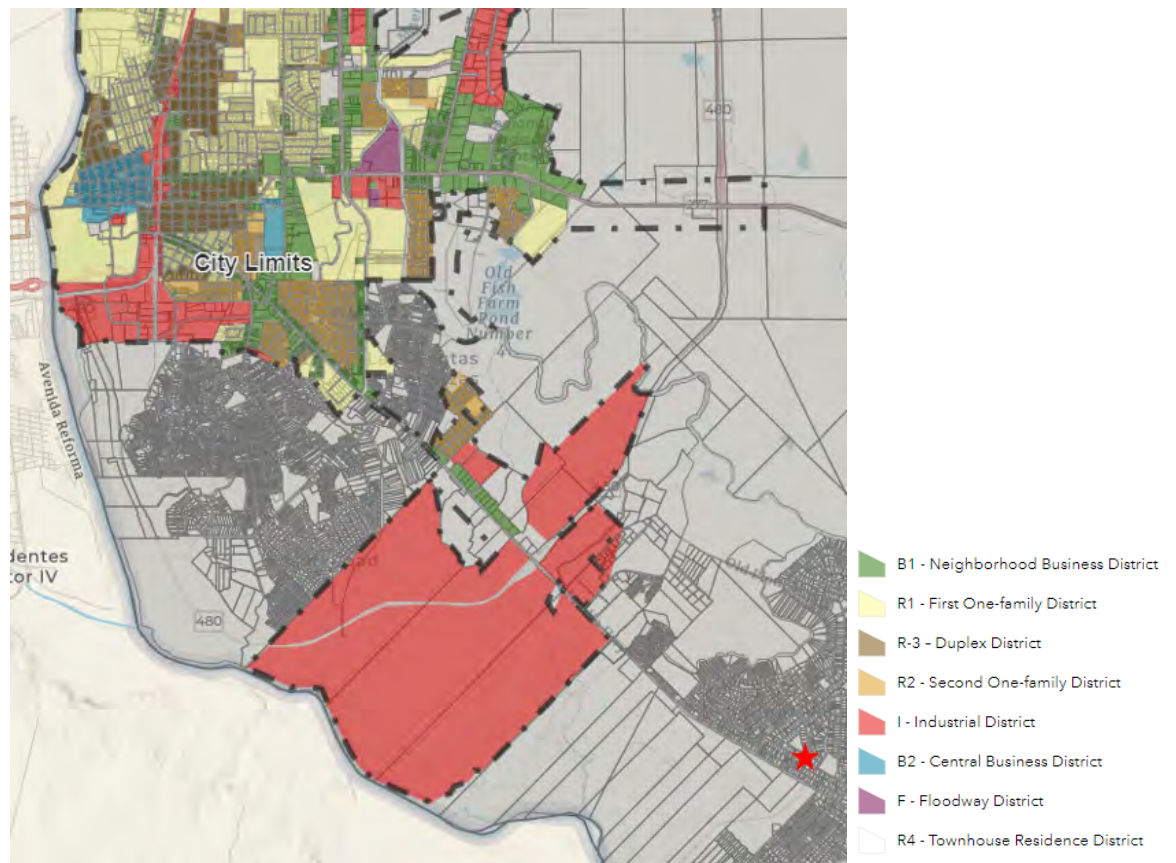
Attachment 5
Master Plan Map and Zoning District Map

Master Plan Map



Zoning Map

(Outside City Limits within ETJ)



Item #5



Planning Department Executive Summary Report TO THE PLANNING AND ZONING COMMISSION

Final Plat Approval of the Santa Maria Estates Subdivision Unit 2

I. BACKGROUND

A. General Information

Applicant: TEC Services I 3292 El Indio Highway I Eagle Pass, Texas 78852

Property Owner: MVN Enterprises, LLC I Eagle Pass, Texas 78852

Location: Subject property is adjacently located south of the Latigo Apartments and Legacy Villas off Legacy Boulevard, and north of 57 Heights Subdivision.

Property ID Number: 82295 and 82296

Legal Description: Being a 10.26-acre tract of land out of a 32.884 tract of land conveyed to MVN Enterprises, LLC, recorded in Volume 1664, Page 158-163, deed records, Maverick County, Texas, situated in Survey 3, G. C. & S. F. R. CO, Abstract 1007, and Survey 6, Fox & Bryne, Abstract 1110

Request: final plat approval to subdivide an approximately 10.26-acre tract into 28 residential lots and 2 multi-family lots.

B. Subject Property Information

Topography: The highest point on this property is near the northeastern portion of the subject property. Runoff from proposed subdivision naturally drains towards the Southwestern portion of the property where it is captured by an existing detention pond that was sized for all proposed future developed units (total of 32 plus acres) and was constructed during the first unit.

Vegetation: Native light brush

Existing Use: Vacant and undeveloped

Current Zoning: R-1 First One-Family Dwelling District

Proposed Zoning: Lot 1 in Block 5 and Lot 1 in Block 6 will be petitioned to be rezoned from R-1 First One-Family Dwelling District to R-3(A) Apartment District and the remainder of the lots will be petitioned to be rezoned from *R-1 First One-Family Dwelling District* to *R-2 Second One-Family Dwelling District*.

Master Plan: No depiction

C. Vicinity Data

The site is located south of the Latigo Apartments and Legacy Villas off Legacy Boulevard, and north of 57 Heights Subdivision.

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 Legacy Boulevard and Spur 16, also known as the Extension of Second Street. This phase will also connect to Calle De Los Santos located in the 57 Heights Subdivision.

II. RECOMMENDED FINDINGS OF FACT

A. Conclusions

1. The applicant's request contains sufficient information for consideration by the Planning and Zoning Commission. The information contained in this report and the Commission's public meeting will be used as part of the Commission's deliberation process for final approval of the subdivision. Please refer to Attachment 1.
2. The site is located within the boundary of the *City of Eagle Pass Master Plan Map*. Please refer to Attachment 3 for a copy of the *Master Plan Map*. The *City of Eagle Pass Master Plan* emphasizes the importance of maintaining the character of the City's residential and commercial neighborhoods.
 - ✓ The subdivision is consistent with the *Housing Goals* of the *Master Plan*, as the subdivision process will ensure appropriate land development regulation with appropriate lot sizes, paved streets with curb and gutters, and adequate utility services.
 - ✓ The subdivision is consistent with the *Land Use Development Goals* of the *Master Plan*, as the project is designed to provide for a building lot density that is consistent with the purpose of the *R-1 First One-Family Dwelling District*. This design will allow for the development of the community 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 lots from Legacy Boulevard and Calle Carr has been designed to provide the residents of and visitors to Eagle Pass 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 Legacy Boulevard has been designed to be part of a safe and efficient thoroughfare system.
 - ✓ The subdivision is consistent with the *Storm Drainage Goals* of the *Master Plan*, as the drainage for the proposed lots will be conveyed into an existing detention pond constructed in the development of unit 1.
3. The subdivision design is consistent with the residential purpose of the *R-1 First One-Family Dwelling District*.
4. 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 23-61* governing street layout, right-of-way and pavement width, street names, streetlights, and road construction testing, two points of access

- ✓ *Section 23-62* governing alleys and utility easements
- ✓ *Section 23-64* governing sidewalks
- ✓ *Section 23-65* governing cross-walkways
- ✓ *Section 23-66* governing sanitary sewage disposal system
- ✓ *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, building setback areas, and lot grading.
- ✓ *Section 23-71* governing the installation and inspection of utility lines.
- ✓ *Section 23-94* governing fences

Please refer to Attachment 2 for a copy of the *Final Engineering Report* for the subdivision.

5. The subdivision and the subsequent development of the property is consistent with City design and specifications for landscape and tree preservation set forth in *Article VI* in *Eagle Pass Code of Ordinances Chapter 23*.
6. The subdivision is subject to cash contribution in lieu of land dedication. The rate shall be set at a rate of \$1,150.00 per dwelling unit for single-family.
7. The subdivision of the property is in conformance with the provisions of the *Master Plan* and the *Eagle Pass Code of Ordinances* by facilitating the following benefits:
 - Protect private rights while considering public health, safety, and welfare.
 - Provide 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.
8. The subdivision will allow for the use of property that is consistent with the residential purpose of the *R-1 First One-Family Dwelling 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 residential purpose of the *R-1 First One-Family Dwelling District*.
 - C. The subdivision is warranted because of the necessity to create additional building lots in the *R-1 First One-Family Dwelling District*, and because the proposed development is appropriate to accomplish the reasonable use of the property.
 - D. The subject property is suitable for development in general conformance with development standards of the *R-1 First One-Family Dwelling*.
 - E. The subdivision will benefit the City as a whole and will not be detrimental to nearby land uses of a similar nature.
 - F. The subsequent development will be designed and conditioned to comply with all applicable subdivision criteria and standards of the City of Eagle Pass.

Please refer to Attachment 3 for a copy of the *Zoning Map*.

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

B. Community Development Department Recommendation

The Planning and Zoning Commission recommend that City Council **GRANT** final plat approval of the *Santa Maria Estates Subdivision Unit 2* subject to the final plat complying with the provisions of *Article III of City of Eagle Pass Code of Ordinances Chapter 23* governing procedures and specifications for final plats and with the following conditions:

- 1. That the developer submit a maintenance bond, as regulated by Section 23-41 in Article III. The applicant's current proposed amount is \$913,000.00 and is currently under review.

TRANSMITTED to the parties listed hereafter:

TEC Services via e-mail

City of Eagle Pass Planning and Zoning Commission via e-mail

City of Eagle Pass City Manager Homero Balderas via e-mail

City of Eagle Pass Assistant City Manager Ivan Morua via e-mail

City of Eagle Pass Interim City Secretary Ita A. Cortinas via e-mail

City of Eagle Pass Legal Counsel, Anna Sophia Garcia via e-mail

City of Eagle Pass Community Development Department Report dated November 7, 2024

Attachment 1

Application



CITY OF EAGLE PASS
APPLICATION FOR APPROVAL OF FINAL PLAT

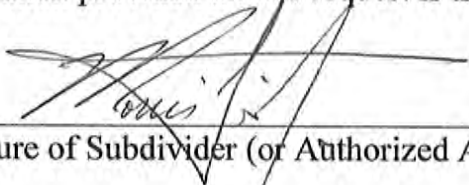
INSTRUCTIONS: This form is to be completely filled out, signed, and dated by the subdivider when the subdivider requests final plat approval.

IDENTIFICATION OF SUBDIVISION AND PLAT

I, Morris Libson, hereby request final plat approval for the proposed subdivision known as Santa Maria Estates Subdivision Unit 2 as shown on the accompanying plat, which consists of 2 (number) sheets and which was acknowledged by me on 10/31/24 (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.


 Signature of Subdivider (or Authorized Agent)

10/31/24
 Date

PRELIMINARY PLAT APPROVAL

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

☒ A preliminary plat was approved by the City on June 2023 (date).

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

I request, once the City of Eagle Pass has approved the plat and I have submitted any required financial guarantees, that sheets number 1 & 2 (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	
<u> </u>	<u> </u>	<u> x </u>	final engineering report
<u> x </u>	<u> </u>	<u> </u>	description in English and Spanish of water and sewer facilities and easements and operable date
<u> x </u>	<u> </u>	<u> </u>	engineering certification of compliance of water and sewer facilities with Model Rules, and of estimated costs
<u> </u>	<u> </u>	<u> </u>	others (described as follows:) <u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	others (described as follows:) <u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>

DESCRIPTION OF SUBDIVISION INFRASTRUCTURE THAT HAS BEEN COMPLETED OR INSTALLED AS OF THE DATE OF THIS APPLICATION

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.)

There was a total of 2,567 linear feet of new street constructed as part of this subdivision plat including new streets Emery Dr., Kash Dr., and the extension of Santa Maria Blvd.

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

Underground storm sewer system was installed as part of this subdivision plat. Approximately 420 linear feet of storm sewer pipe was installed, including (2) two curb inlet boxes. Please refer to construction plans for further reference.

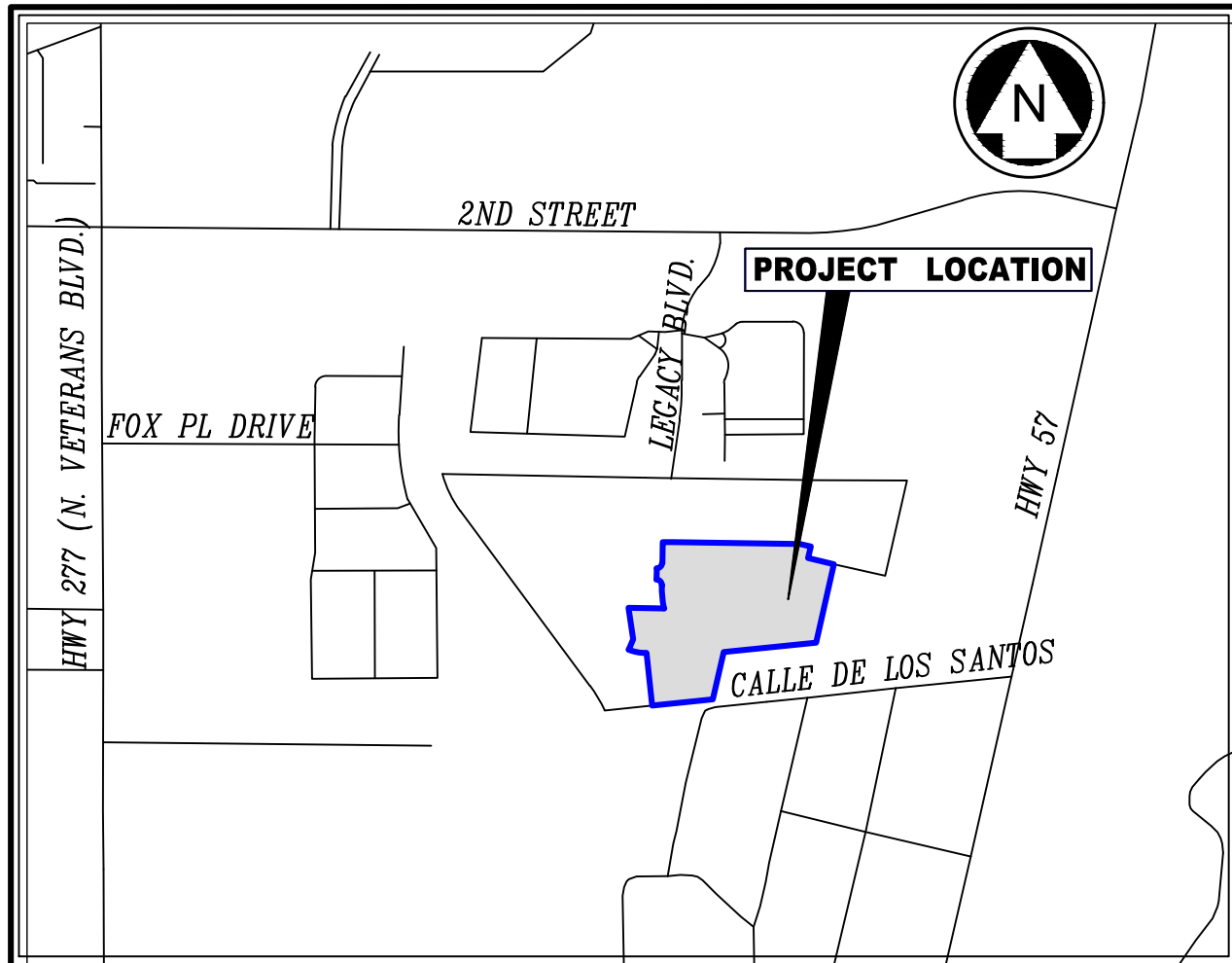
Water facilities. (Describe installed locations and sizes of water lines, water meters, and other devices involved in providing water.)

Approximately 2,357 linear feet of new water line was installed as part of this subdivision plat, including (4) four new fire hydrants. Please refer to construction plans for further reference.

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

Approximately 1,540 linear feet of new wastewater line was installed as part of this subdivision plat, including (4) four new wastewater manholes. Please refer to construction plans for further reference.

**LIST OF DOCUMENTS AND OTHER INFORMATION SUBMITTED DURING
SUBDIVISION REVIEW CONSTITUTING BASIS FOR FULFILLING**

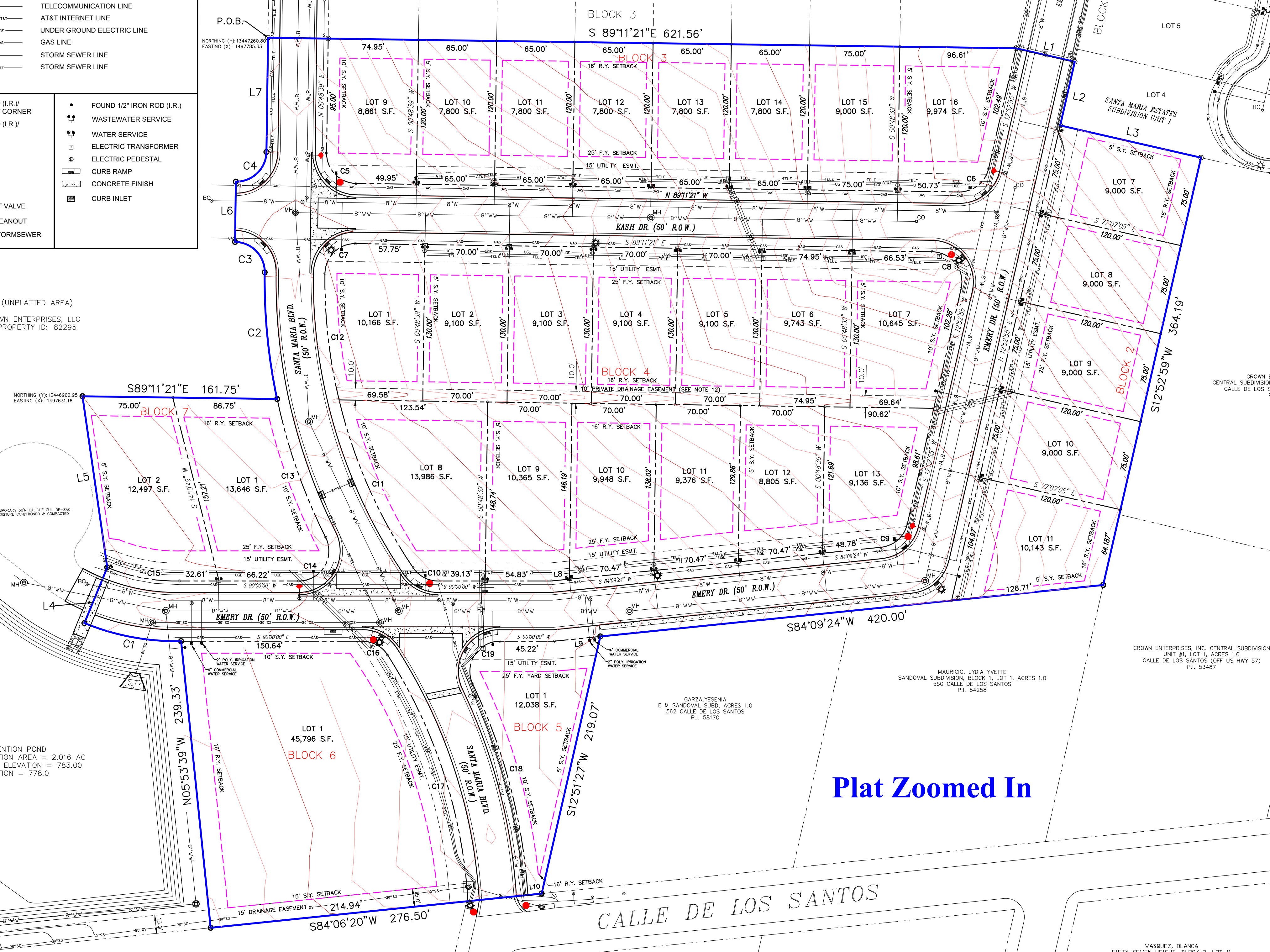


Line #	Length	Bearing
L1	50.00'	S 77°07'02" E
L2	54.30'	S 1°52'30" E
L3	120.00'	S 77°07'05" E
L4	50.00'	N 22°22'43" E
L5	143.68'	N 08°45'56" W
L6	50.00'	N 00°46'54" E
L7	95.00'	N 00°48'39" E
L8	15.28'	S 84°09'24" W
L9	38.41'	S 84°09'24" E
L10	11.52'	S 84°06'20" W

Curve #	Length	Radius	Chord Bearing	Chord Distance
C1	82.30'	200.38'	N 79°23'16" W	81.13'
C2	105.91'	475.00'	N 05°24'21" W	105.69'
C3	39.28'	25.00'	N 44°16'04" W	35.36'
C4	39.27'	25.00'	N 45°48'39" E	35.36'
C5	39.27'	25.00'	N 44°11'21" W	35.36'
C6	34.00'	25.00'	S 51°50'47" W	31.44'
C7	39.24'	25.00'	N 45°50'34" E	35.34'
C8	44.54'	25.00'	S 38°09'13" E	38.88'
C9	31.10'	25.00'	S 48°31'09" W	29.13'
C10	24.36'	25.00'	N 62°04'50" W	23.41'
C11	153.34'	425.00'	S 2°49'42" E	152.51'
C12	106.13'	425.00'	N 06°20'19" W	105.83'
C13	122.17'	475.00'	S 19°19'40" E	121.83'
C14	50.92'	25.00'	S 31°39'07" W	42.96'
C15	61.77'	150.36'	N 79°23'18" W	61.33'
C16	25.00'	25.00'	S 61°21'51" E	23.96'
C17	217.50'	425.00'	S 18°04'06" E	215.12'
C18	182.03'	475.00'	N 14°38'57" W	180.92'
C19	50.45'	25.00'	N 32°11'10" E	42.92'

LOT SUMMARY TABLE				
LOT	BLOCK	SQUARE FEET	ACRES	911 PHYSICAL ADDRESS
7	BLOCK 2	9,000	0.207	1917 EMERY DR.
8	BLOCK 2	9,000	0.207	1921 EMERY DR.
9	BLOCK 2	9,000	0.207	1925 EMERY DR.
10	BLOCK 2	9,000	0.207	1929 EMERY DR.
11	BLOCK 2	10,143	0.233	1933 EMERY DR.
12	BLOCK 3	8,860	0.203	2707 KASH DR.
13	BLOCK 3	7,800	0.179	2709 KASH DR.
11	BLOCK 3	7,800	0.179	2713 KASH DR.
12	BLOCK 3	7,800	0.179	2717 KASH DR.
13	BLOCK 3	7,800	0.179	2721 KASH DR.
14	BLOCK 3	7,800	0.179	2725 KASH DR.
15	BLOCK 3	9,000	0.207	2729 KASH DR.
16	BLOCK 3	9,973	0.229	2733 KASH DR.
1	BLOCK 4	10,168	0.233	2708 KASH DR.
2	BLOCK 4	9,100	0.209	2712 KASH DR.
3	BLOCK 4	9,100	0.209	2716 KASH DR.
4	BLOCK 4	9,100	0.209	2720 KASH DR.
5	BLOCK 4	9,100	0.209	2724 KASH DR.
6	BLOCK 4	9,743	0.224	2728 KASH DR.
7	BLOCK 4	10,645	0.244	2732 KASH DR.
8	BLOCK 4	13,886	0.321	1956 EMERY DR.
9	BLOCK 4	10,365	0.238	1955 EMERY DR.
10	BLOCK 4	9,948	0.228	1948 EMERY DR.
11	BLOCK 4	9,376	0.215	1944 EMERY DR.
12	BLOCK 4	8,805	0.202	1940 EMERY DR.
13	BLOCK 4	9,136	0.210	1936 EMERY DR.
14	BLOCK 5	12,038	0.276	1963 EMERY DR.
15	BLOCK 5	45,798	1.051	1967 EMERY DR.
1	BLOCK 7	13,646	0.313	1960 EMERY DR.
2	BLOCK 7	12,496	0.287	1964 EMERY DR.

RETENTION POND
RETENTION AREA = 2.016 AC
ELEVATION = 783.00
RETENTION = 778.0



Aerial View



Site Photos





Attachment 2
Engineering Report



To: Placido Madera

City of Eagle Pass Planning Director

From: Aaron J. Libson, P.E.

Date: October 24, 2024

Reference: **Final Engineering Report for Santa Maria Estates Subdivision Unit 2**

Dear Mr. Madera,

Santa Maria Subdivision, LLC, owner of a tract of land legally described as 'Being a 10.26 Acre tract of land out a 32.70 acre tract...recorded in Vol. 1664, page 158-163, D.R.M.C.', in Eagle Pass, Maverick County, Texas, has requested the services of TerraTech Engineering and Construction Services, Inc. (TEC Services) to design and process the new subdivision known as Santa Maria Estates Subdivision Unit 2, of which construction has been completed, and is ready to proceed with the Final Plat process.

General Description

The total plat area will be 10.26 acres and will be subdivided into (28) twenty-eight residential lots and (2) two multi-family lots. This subdivision is the 2nd Unit of the overall development and will be known as Santa Maria Estates Subdivision Unit 2. The subject property is adjacently located south of the Latigo Apartments and Legacy Villas off of Legacy Blvd., and North of 57 Heights Subdivision in Eagle Pass, Texas. The subject property is inside the Eagle Pass City Limits.

All Lots in Blocks 2,3,4, & 7 that are part of this Subdivision Plat will be zoned as R-2: Second one-family dwelling district. Lot 1 of Block 5 and Lot 1 of Block 6 will be zoned as R-3(A): Apartment District. Please see the Final Plat sheet for reference.

Drainage

General Drainage Description

The proposed use of these lots are for residential (28 lots) and multi-family (2 Lots) purposes with no portion of this property being within a FEMA special flood hazard area as shown on flood insurance rate map NO. 48323C0455D, dated April 4, 2011. The highest point on this property is near the Northeastern portion of the subject property. (Refer to the topography on the attached Plat sheet). Runoff from the proposed subdivision naturally drains towards the Southwestern portion of the property where it is captured by an existing detention pond that was sized for all of the proposed future developed units (total of 32+ acres) and was constructed during the 1st unit development.

Drainage Conditions

Drainage calculations shown below are for the area pertaining to the 2nd Unit development of Santa Maria Estates Subdivision Unit 2 of which an underground storm sewer system was designed and installed to convey runoff into the existing detention pond that was constructed in the Unit 1 development of Santa Maria Estates. The existing detention pond that was constructed during the 1st unit development was sized for the entirety of the property (32+ acres) with developed runoff conditions, of which the proposed 10.26 acre area of this 2nd unit are included. No detention pond calculations are shown in this report given the pond was approved by the City of Eagle Pass during the preliminary and final platting stages of the 1st unit development. The existing detention pond will remain private until the last phase of this area is developed, of which the pond will be included in the Plat area and become part of the City's public drainage infrastructure.

The hydraulic calculations were analyzed using the Rational Method ($Q=CiA$). A summary of the hydraulic calculations used to size the proposed underground storm sewer system for this new development are shown below:

Pre- Development Conditions

STORM RUNOFF CALCULATIONS (RATIONAL METHOD, Q=CIA)										
					2-Year Design Storm		5-Year Design Storm		10-Year Design Storm	
Drainage Area No.	Drainage Area (sf)	Drainage Area (Ac)	Time of Concentration, T _c (min)	*Runoff Coefficient, C	**Intensity, I (in/hr)	Runoff, Q (cfs)	**Intensity, I (in/hr)	Runoff, Q (cfs)	**Intensity, I (in/hr)	Runoff, Q (cfs)
PRE-DVLD	915,584	21.02	10.00	0.33	5.11	35.44	6.66	46.20	8.03	55.70

*Reference Storm Drainage and Sediment Control Appendix, Tables 1 and 2

**Reference NOAA Atlas 14, Volume 11, Version 2

Post- Development Conditions

STORM RUNOFF CALCULATIONS (RATIONAL METHOD, Q=CIA)										
					2-Year Design Storm		5-Year Design Storm		10-Year Design Storm	
Drainage Area No.	Drainage Area (sf)	Drainage Area (Ac)	Time of Concentration, T _c (min)	*Runoff Coefficient, C	**Intensity, I (in/hr)	Runoff, Q (cfs)	**Intensity, I (in/hr)	Runoff, Q (cfs)	**Intensity, I (in/hr)	Runoff, Q (cfs)
A1	183,763	4.22	10.00	0.60	5.11	12.93	6.66	16.86	8.03	20.33
A2	198,350	4.55	10.00	0.60	5.11	13.96	6.66	18.20	8.03	21.94
A3	3,398	0.08	10.00	0.60	5.11	0.24	6.66	0.31	8.03	0.38
A4	45,797	1.05	10.00	0.80	5.11	4.30	6.66	5.60	8.03	6.75
A5	11,046	0.25	10.00	0.60	5.11	0.78	6.66	1.01	8.03	1.22
A6	3,584	0.08	10.00	0.60	5.11	0.25	6.66	0.33	8.03	0.40
E1	15,133	0.35	10.00	0.60	5.11	1.07	6.66	1.39	8.03	1.67
E2	3,254	0.07	10.00	0.60	5.11	0.23	6.66	0.30	8.03	0.36

*Reference Storm Drainage and Sediment Control Appendix, Tables 1 and 2

**Reference NOAA Atlas 14, Volume 11, Version 2

Storm Sewer Conduit Table

CONDUIT TABLE													
LINE ID	INLET ID	LINE SIZE	LINE LENGTH	LINE SLOPE	FLOW RATE	CAPACITY FULL	VELOCITY AVE.	INVERT UP	INVERT DOWN	RIM ELEV UP	RIM ELEV DOWN	HGL UP	HGL DOWN
		(IN)	(FT)	(%)	(CFS)	(CFS)	(FT/S)	(FT)	(FT)	(FT)	(FT)	(FT)	(FT)
A1	MH-1	30	50.19	0.74	25.70	38.93	5.24	778.37	778.00	783.64	783.00	782.11	781.95
A2	MH-2	30	189.35	0.76	25.70	38.54	5.24	779.81	778.37	785.64	783.64	783.16	782.52
A3	I-1	30	116.58	0.83	25.70	39.95	5.24	780.78	779.81	786.06	785.64	783.99	783.59
A4	I-2	24	27.50	1.02	12.85	24.72	4.09	781.56	781.28	786.06	786.06	784.70	784.63

***Please reference Sheet 16 of Plans for Storm Sewer Trajectory and Line Profiles showing Capacity**

Drainage Conclusions and Recommendations

The proposed underground storm sewer system was sized according to parameters specified in Division G of the Eagle Pass Public Works Specifications Manual pertaining to stormwater runoff. The proposed system and the existing detention pond have been verified and will be able to handle the developed runoff from the proposed development. Please refer to construction plans for location of drainage structures and/or any additional details.

Street

Access to this subdivision will be via existing Legacy Blvd and Calle De Los Santos (off 57 Heights Subdivision). The street improvements have been completed and there is now (2) two points of ingress/egress that can be utilized for traffic which complies with the City of Eagle Pass ordinance requirement and Master Plan Vision on promoting interconnectivity throughout the City and its many developments. The proposed streets are asphalt pavement with 2' wide concrete curb and gutter as per city specifications or better. Approximately 2,567 linear feet of new streets was constructed as part of Santa Maria Estates Subdivision Unit 2. A geotechnical report that was completed and submitted to the City during the 1st unit development is attached to the submittals for this project as a reference for the proposed street design. Please refer to construction plans for street trajectory and details.

Luminaries have been installed throughout the subdivision and spaced as per City ordinance requirements. Please refer to Final Plat or As-Built construction plans for locations and details.

Water Service

The proposed development will be served from an existing 8" water main line that's located off the continuation of Santa Maria Estates Blvd., and was left for future continuation during the 1st unit development of Santa Maria Estates Unit 1. The water line was constructed as per construction plans and looped with the existing 6" line at Calle De Los Santos which will further help the system with pressure and volume requirements. Fire hydrants have also been installed as per City ordinance requirements. All water lines in this area are operated and owned by Eagle Pass Water Works System. Please refer to Final Plat or As-Built construction plans for location of all services, hydrants, valves, and main line trajectory.

Sanitary Sewer Service

The proposed development will be served by an existing 8" wastewater line that was left for future connection during the construction of Santa Maria Estates Unit 1. The wastewater line was constructed

as per construction plans for this development. Please refer to the As-Built construction plans for details related to the proposed wastewater distribution system, including location of all proposed manholes and wastewater services. All wastewater main lines in this area are operated and owned by Eagle Pass Water Works System.

Other Utilities

This development has access to other utilities such as electrical, internet/phone, and natural gas. The proposed lots will have access to all utilities as shown on the As-Built construction plans. Natural gas service will be provided by Texas State Natural Gas and electricity will be provided by AEP. Spectrum and/or AT&T will provide phone/internet utility services. All natural gas lines in this area are owned and operated by Texas State Natural Gas. All other proposed utilities are owned and operated by the specific utility company handling such services.

Conclusion

The proposed use of the subject Plat area is mainly residential with some multi-family mixed in. The proposed improvements will not have an impact on the current drainage patterns or present utilities given the existing infrastructure in place, and the new improvements that have been completed as part of this new unit.

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

Sincerely,

Aaron J. Libson, P.E.

TerraTech Engineering & Construction Services, Inc. (TEC Services)



10/24/2024

**Santa Maria Estates Subdivision Unit 2
Development Cost Estimate**

Summary

1) Street ROW System...	\$414,000
2) Water Distribution...	\$192,000
3) Wastewater System...	\$167,000
4) Underground Stormwater System...	\$90,000
5) Electrical & Street Light System...	\$50,000

TOTAL:	\$913,000
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NOTE: This is an Estimation; Prices may vary based on vendor, contractor, and market conditions.



AGREEMENT REGARDING WATER SERVICE FOR THE PROPOSED

SANTA MARIA ESTATES SUBDIVISION UNIT 2 SUBDIVISION

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

"The Subdivider is TerraTech Engineering & Construction Services, who is the owner, or
the authorized agent of the owner, of a tract of land in Maverick County, Texas, that has been
proposed to be divided into a subdivision ("the Subdivision") known as _____
SANTA MARIA ESTATES SUBDIVISION UNIT 2

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
25,740 gallons daily.

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

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

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

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

This Agreement is effective on MARCH 22, 2023.

The Utility

By: [Signature]

Printed Name: MARCO SALINAS

Office or Position: CHAIRMAN

Date: 3/22/2023

The Subdivider

By: [Signature]

Printed Name: Aaron Libson

Office or Position: General Manager (TEC Services)

Date: 2/17/2023

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 SANTA MARIA ESTATES SUBDIVISION UNIT 2 **SUBDIVISION**

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

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

EAGLE PASS WATER & WASTEWATER SYSTEM.

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

SANTA MARIA ESTATES SUBDIVISION UNIT 2.

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 15,600 gallons daily.

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

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

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

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

This Agreement is effective on MARCH 22, 2023.

The Utility

By: Marc Sounas

Printed Name: MARCO SOUNAS

Office or Position: CHAIRMAN

Date: 3/22/2023

The Subdiyder

By: Aaron Libson

Printed Name: Aaron Libson

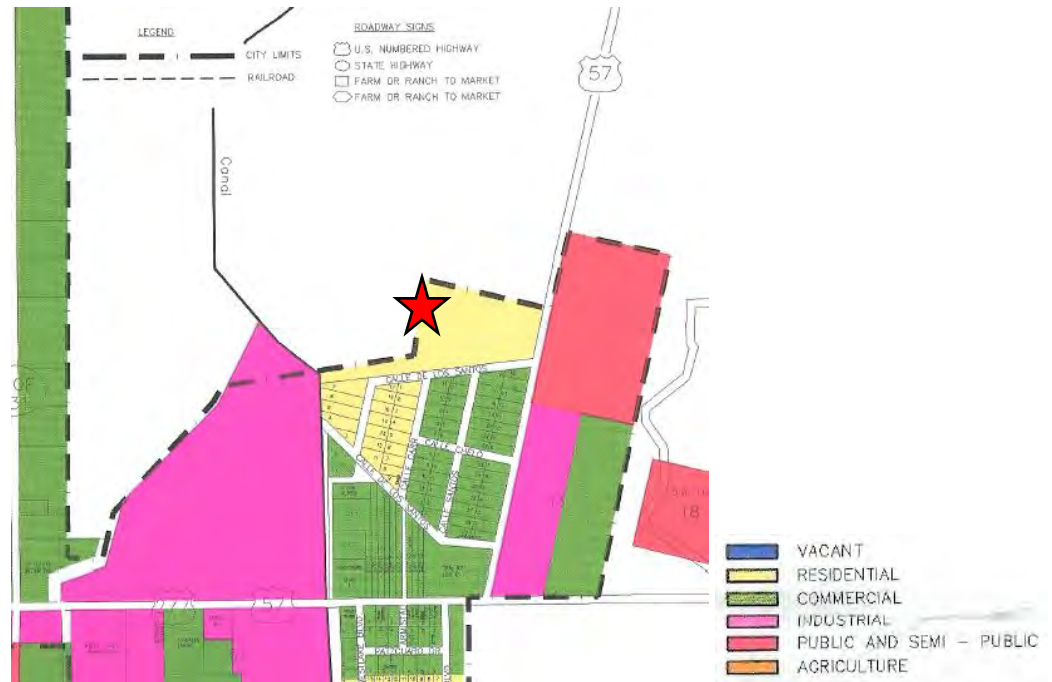
Office or Position: General Manager (TEC Services)

Date: 2/17/2023

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 3
Master Plan & Zoning Map

Master Plan Map



Zoning Map

