



AGENDA

PLANNING & ZONING COMMISSION REGULAR MEETING THURSDAY, OCTOBER 8, 2020, AT 5:30 P. M. COUNCIL CHAMBERS, CITY HALL BUILDING 100 SOUTH MONROE STREET, EAGLE PASS, MAVERICK COUNTY, TEXAS

PURSUANT TO SECTION 551.122 OF THE TEXAS GOVERNMENT CODE AND THE DECLARATION BY GOVERNOR GREG ABBOTT ON MARCH 16, 2020, THIS MEETING OF THE PLANNING AND ZONING OF THE CITY OF EAGLE PASS, TEXAS SHALL BE OPEN AND ACCESSIBLE TO THE PUBLIC VIA THE FOLLOWING FREE-OF-CHARGE VIDEOCONFERENCE LINK: <https://www.facebook.com/OfficialCityEaglePassTexas>. AN ELECTRONIC COPY OF THE AGENDA PACKET FOR THE REGULAR MEETING OF THE PLANNING AND ZONING IS ALREADY AVAILABLE TO THE PUBLIC AT THE FOLLOWING URL: <https://www.eaglepasstx.us/AgendaCenter>. IN LIGHT OF THE ONGOING NATIONAL EMERGENCY AND URGENT THREAT TO PUBLIC HEALTH CAUSED BY THE COVID-19 PANDEMIC, MEMBERS OF THE PUBLIC ARE ENCOURAGED TO FOLLOW THE RECOMMENDATIONS OF GOVERNMENT LEADERS AND THE CDC REGARDING SOCIAL DISTANCING AND SELF-QUARANTINE.

IF YOU ARE A CITIZEN WISHING TO PARTICIPATE IN CITIZENS COMMUNICATIONS, PLEASE CALL ON THURSDAY, OCTOBER 8, 2020 FROM 2:00 PM TO 4:30 PM AT 830-773-1111 OR SEND EMAIL TO irodriguez@eaglepasstx.us

ESTABLISHMENT OF QUORUM

CITIZENS COMMUNICATIONS

MINUTES

1. Approval of the minutes of the August 13, 2020 meeting.

PUBLIC HEARING(S)

2. Consideration and possible action on the final *Re-Plat of Lot 92 in Block 1 of Las Brisas Subdivision*.

NEW BUSINESS

3. Consideration and possible action on the final plat of *BRP Pueblo Bess Subdivision*.

OLD BUSINESS

4. Consideration and possible action on the final plat of *Rio Grande Estates Subdivision Unit 1*.

OTHER BUSINESS

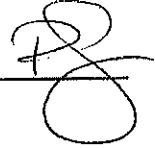
5. Consideration and possible action regarding the request submitted by TEC Services for the annexation of proposed Santa Maria Estates Subdivision Unit 1.
6. Consideration and possible action on the six (6) month extension for the preliminary plat of *Santa Maria Estates Subdivision Unit 1*.

ADJOURNMENT

NOTE: The Commission reserves the right to consider business out of the posted agenda order and reserves the right to adjourn into executive session to discuss an item(s) not listed as an executive session on the posted agenda but which qualifies to be discussed in closed session pursuant to Texas Government Code Chapter 551.

CERTIFICATION

I, THE UNDERSIGNED PLANNING DIRECTOR, do hereby certify that the agenda mentioned above was posted on the Bulletin Board located in the Lobby at City Hall, 100 S. Monroe Street, Eagle Pass, Texas on October 5, 2020 at 4:55 p.m.

for Manibelle 
Placido C. Madera
Planning Director

Item #1

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

The Planning and Zoning Commission of the City of Eagle Pass conducted their Regular Meeting on Thursday, August 13, 2020 at 5:30 p.m. in the Via Videoconference, 100 South Monroe Street, Eagle Pass, Texas. All legal notices were duly posted in accordance with state code.

ESTABLISHMENT OF QUORUM

Present: Chairperson Enrique Montalvo, Vice-Chairperson, Rolando Jasso, and Commission Members, Doris Salinas-Sanchez, and Marcos Villalpando

Absent: Commission Member, Mario Escobar, Ex-Officio, Mayor Luis Sifuentes and City Manager George Antuna.

Staff present: Planning Director, Placido Madera; Assistant Planning Director, Mariebelle Rodriguez; City Engineer, Vanessa Rosales-Herrera; and Assistant City Secretary, Erika A. Rodriguez.

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

CITIZENS COMMUNICATIONS

Chairperson Montalvo asked whether anyone in the audience wished to address the Commission on any item which did not appear on the agenda, reminding them at the same time, that although the Commission would be unable to take formal action on such items, they would be glad to take it under advisement. No one responded.

MINUTES

1. Approval of the minutes of July 9, 2020 meeting.

Motion: To approve minutes as presented.
Moved: Villalpando
Second: Jasso
Ayes: 4
Nays: 0
Absent: Escobar

PUBLIC HEARINING (S)

2. Consideration and possible action on the final Re-Plat of Lot 9 in Block 16 of El Pueblo Nuevo Subdivision LTD.

Chairperson Montalvo opened the public hearing at 5:35 pm and invited the public to express their comments.

Assistant Planning Director, Mariebelle Rodriguez informed the Commission on the final Re-plat to subdivide an approximately 0.3586- acre tract into two (2) residential lots, including a variance to proceed to final plat directly. An existing residence is constructed along Spring Wood Drive. The additional lot, 9B, is north part of Lot 9 and will have access to Karen Drive. Both streets are currently curbed, and sidewalk will be required to be constructed along the back of the curb before the plat is recorded and filed with Maverick County Clerk. Lot 9B will require water and sanitary sewer to be installed.

Assistant Planning Director Rodriguez stated for the record that 46 notices had been mailed out to the abutting property owners and none where returned in favor nor opposition. She further wanted to point out a typo on the engineering report that stated City of Del Rio, but the property was in the jurisdiction Eagle Pass.

There were no more comments from the public. Therefore, Chairperson Montalvo closed the public at 5:40 p.m.

Motion: To approve final Re- Plat of Lot 9 in Block 16 of El Pueblo Nuevo Subdivision LTD.
Move: Villalpando
Second: Salinas- Sanchez
Ayes: 4
Nays: 0
Absent: Escobar

3. Consideration and possible action on the final Re-Plat of Lot 8 and 9 in Block 1 of Crown Ridge Subdivision Unit 3.

Chairperson Montalvo opened the public hearing at 5:40 pm and invited the public to express their comments.

Assistant Planning Director Rodriguez informed the Commission on the final re-plat to subdivide an approximately 1.29- acre into six (6) commercial lots, including (1) a variance to proceed to final plat directly without first having obtained preliminary plat approval and (2) a variance to reduce the required intensity of use as specified in Appendix A- Zoning Ordinance for the B-1 Neighborhood Business District which allows for R-1, R-2, and R-3 Districts uses.

There were no more comments from the public. Therefore, Chairperson Montalvo closed the public at 5:43 p.m.

Motion: To approve final Re-Plat of Lot 8 and 9 in Block 1 of Crown Ridge Subdivision Unit 3.
Moved: Jasso
Second: Villalpando
Ayes: 4
Nays: 0
Absent: Escobar

OTHER BUSINESS

4. Discussion and possible action on the Adoption of the City of Eagle Pass Master Drainage Plan.

City Engineer, Vanessa Rosales-Herrera informed the Commission the HALFF & Associates has been working on the Drainage Master Plan for the City of Eagle Pass.

Sam Edwards, PE, CFM provided a presentation to the Commission that outlined the overview of the following:

- Drainage Master Plan Process
 - Data Collection
 - Existing Condition Modeling
 - Identify Risk Areas
 - Proposed Improvement Modeling
 - Planning Level CIP Prioritization
 - Council Adopts Drainage Master Plan
- Drainage Issues
 - 20 miles of open channel & storm drains modeled
 - Comparison made to effective FEMA Map
 - Results vetted with City Staff and compared to recent flood events.
- Project evaluation
 - Structure Alternative
 - Non- Structure Alternative
- Capital Improvement Program
 - Project ranking (7 Major Categories)
 - Public Safety
 - Economics
 - Environmental
 - Project Timing
 - Social
 - Constructability
 - Government/ Stakeholder's Impact
- Next Steps
 - Drainage Criteria Review
 - Prioritize Projects
 - Stakeholders Coordination
 - Application for funding

In response to a question posed by Councilman Villalpando regarding the number of risk areas, Mr. Edwards from HALFF stated they identified 16 at risk areas scattered around the city. The top 9 project that are recommended for the City's Capital Improvement Program costing 4 million.

Motion: To approve the Adoption of the City of Eagle Pass Master Drainage Plan as presented.

Move: Salinas-Sanchez

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Second: Jasso
Ayes: 3
Nays: Villalpando
Absent: Escobar

ADJOURNMENT

Motion: To adjourn meeting at 6:23 p.m.
Move: Villalpando
Second: Salinas-Sanchez
Ayes: 4
Nays: 0
Absent: Escobar

ATTEST:

Enrique Montalvo
Chairperson

Erika Resma
Assistant City Secretary

Item #2



Planning Department Executive Summary
REPORT TO THE PLANNING AND ZONING COMMISSION

Final Re-Plat of Lot 92 in Block 1 of Las Brisas Subdivision

I. BACKGROUND

A. General Information Case No. 4838

Applicant: Dirksen Engineering
311 N. Getty Street
Uvalde, Texas 78801

Property Owner: Joel Urrabrazo
3223 Yucca Loop
Eagle Pass, Texas 78852

Location: 3223 Yucca Loop

Legal Description: Lot 92 in Block 1 of Las Brisas Subdivision

Property ID Number: 11146

Request: (1) a request for a waiver to eliminate the installation of sidewalks along the property frontage adjacent to Yucca Loop, (2) a variance from the requirement to construct concrete curb and gutter along the property frontage adjacent to Yucca Loop, (3) a variance to proceed to final plat directly without first having obtained preliminary plat approval, and (4) final replat approval to subdivide re-subdivide an approximately 21,750-square-foot lot into two 10,873-square-foot lots.

B. Subject Property Information

Parcel Size: 0.4993 acres (21,750-square feet)

Topography: Flat

Vegetation: Grass and brush

Existing Use: Residential - Vacant

Zoning: None (County)

Master Plan: Not applicable

C. Vicinity Data

The site is located within an area that features residential development. The primary land use surrounding the subject property is single-family residential development at a density

greater than the 7,700-square-foot minimum lot size of the *R-1 First One Family Dwelling District*.

D. Infrastructure

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

Access to the site is provided by Yucca Loop.

II. PUBLIC NOTICE

Public notification of the subdivision with variance requests before the Planning and Zoning Commission was completed consistent with the provisions of *Chapter 211* of the *State of Texas Local Government Code Title 7*.

III. RECOMMENDED FINDINGS OF FACT

A. Conclusions

1. The applicant's request contains sufficient information for consideration by the Planning and Zoning Commission. Information contained in this report and the Commission's public meeting will be used as part of the City Council's deliberation process for final approval of the subdivision. Please refer to Attachment 1.
2. The grant of final re-plat approval is predicated upon the grant of a sidewalk waiver by the Planning and Zoning Commission. Please refer to Attachment 2 for a copy of the sidewalk waiver application.

City of Eagle Pass Code of Ordinances Section 23-64 authorizes the Planning and Zoning Commission to waive the requirement for the construction of sidewalks in circumstances where the sidewalk would be unnecessary or unsafe due to the physical characteristics of the terrain in the subdivision.

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

3. The grant of final re-plat approval is also predicated upon the grant of three separate variances by the Planning and Zoning Commission. Please refer to Attachment 2 for copies of the variance applications.

City of Eagle Pass Code of Ordinances Section 23-61 (m)(3)(a) requires that all vehicle access to a subdivision site be improved by City standards, *City of Eagle Pass Code of Ordinances Section 23-61(n)* requires that concrete curb and gutter sections be constructed along all property lines abutting a public street.

The portion of Yucca Loop located adjacent to the subdivision does have a paved asphalt surface as required by City Code, but no curb and gutter sections along the property lines adjacent to Yucca Loop. Please refer to Attachment 2 for copies of the variance applications.

4. *City of Eagle Pass Code of Ordinances Section 23-11* states that the Planning and Zoning Commission must find that a subdivision variance complies with the following four criteria in order to grant the subdivision variance:
 - A. *Section 23-11(a)(1)*. That portion of the variance request regarding the requirement to construct concrete curb and gutter is consistent with this section of the city code, as the strict application of the requirement to construct an isolated concrete curb and gutter section defeats the purpose of the improvement, which is to convey the surface drainage from a street and direct it to an appropriate location. The denial of this portion of the variance would deprive the applicant of the reasonable use of their land. The construction of an isolated concrete curb and gutter section constitutes an exercise that is not warranted.
 - B. *Section 23-11(a)(2)*. That portion of the variance request regarding the requirement to construct concrete curb and gutter is consistent with this section of the city code, as the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant.
 - C. *Section 23-11(a)(3)*. That portion of the variance request regarding the requirement to construct concrete curb portion of the subdivision proposal regarding plat approval is consistent with this section of the city code, as there is no anecdotal evidence which indicates that the granting of the variance would be detrimental to the public health, safety or welfare, or injurious to other property in the area.
 - D. *Section 23-11(a)(4)*. That portion of the variance request regarding the requirement to construct concrete curb variance portion of the subdivision proposal regarding the plat approval is consistent with this section of the city code, as there is no documentation which indicates that granting the variance would have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of *Chapter 23*.
 - E. Finally, that portion of the variance request regarding the requirement to construct concrete curb and gutter variance portion of the subdivision proposal is also consistent with *Section 23-11(c)*, as the granting of the variance would allow for the creation of a subdivision that was in harmony with the surrounding developed properties.
5. The property is located within the *City's Extra Territorial Jurisdiction*, and the policies of the Master Plan apply to the consideration of this subdivision. The *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 completion of the project will result in an increase in the inventory of available housing while creating appropriate lot sizes, paved streets with curb and gutters, and adequate utility services. It would not provide curb and gutters if the variance requests are granted by the Commission.
 - ✓ 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*, as *Section 23-69 (b)(2)(b)* states that residential lots outside the city limits shall conform to the lot size requirements of the *R-1 District* as provided in the zoning ordinance.

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

- ✓ The subdivision is consistent with the *Street Goal* of the *Master Plan*, as access to the site from Yucca Loop 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 Yucca Loop 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 lot will not impact the development.
6. The subdivision design is consistent with the purpose of the *R-1 First One-Family Dwelling District* found in *Eagle Pass Code of Ordinances Appendix A*.
7. The subdivision is consistent with City design and specifications, as the project is designed, except for the infrastructure subject to the variance requests, to conform to the following section of *Article IV* in *Eagle Pass Code of Ordinances Chapter 23*:
- ✓ *Section 23-62* governing utility easements
 - ✓ *Section 23-64* governing sidewalks, if the Commission grants the requested sidewalk waiver as part of the final approval process.
 - ✓ *Section 23-66* governing sanitary sewage disposal
 - ✓ *Section 23-67* governing potable water supply and fire flow
 - ✓ *Section 23-68* governing storm drainage
 - ✓ *Section 23-69* governing the size of building lots, including lot width, lot depth, lot orientation, and building setback areas
 - ✓ *Section 23-71* governing the installation and inspection of utility lines

Please refer to Attachment 3 for a copy of the *Final Engineering Report* for the re-plat.

8. The re-plat is subject to the parkland fee in-lieu of dedication requirement set forth in *Article V* in *Eagle Pass Code of Ordinances Chapter 23*, as Las Brisas Subdivision was recorded before 2005. This recording predates the 2005 adoption of the parkland dedication section of *Chapter 23*.
9. The subdivision's conformance with the provisions of the Master Plan and the Eagle Pass Code of Ordinances will facilitate the following benefits:
- Protect private rights while considering public health, safety and welfare.
 - Provide for efficient and economical ways to move people and goods outside the City by an adequate plan for streets and highways.

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

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

- A. The subdivision design bears a substantial relationship to the public's health, safety, and welfare.
- B. The subdivision is in accordance with the policies of the *Master Plan* and the purpose of the *R-1 First One-Family Dwelling District*.
- C. The subdivision is warranted because of the necessity to create additional 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 District*.
- E. The subdivision will benefit the City as a whole and will not be detrimental to nearby land uses of a similar nature.
- F. The subdivision has been designed and conditioned to comply with all applicable subdivision criteria and standards of the City of Eagle Pass.

11. The approval of this final replat request is warranted, as the project conforms to the *City of Eagle Pass Code of Ordinances* as noted in Conclusion 1 through and including Conclusion 10 of this report.

B. Planning Department Recommendation

The Planning and Zoning Commission (1) **GRANT** a sidewalk waiver request from the requirement to construct concrete sidewalks along the property frontage, (2) **GRANT** a subdivision variance request from the requirement to construct curb and gutter sections parallel to the adjacent public right-of-ways, (3) **GRANT** the subdivision variance to proceed directly to final plat without first having obtained preliminary plat approval as required by *City of Eagle Pass Code of Ordinances Section 23-36(a)*, (4) **GRANT** final approval of the proposed *Re-plat of Lot 92 in Block 1 of Las Brisas Subdivision*, subject to the following conditions:

1. The Final Replat shall comply with the provisions of *Article III of City of Eagle Pass Code of Ordinances Chapter 23* governing procedures and specifications for Final Plats.

TRANSMITTED to the parties listed hereafter:

Dirksen Engineering via e-mail

Eagle Pass Planning and Zoning Commission via e-mail

Maverick County Engineer Hector Canales via e-mail

Maverick County Planning Director April Rodriguez via e-mail

Planning & Zoning Commission Report dated October 2, 2020

Attachment 1 Application



PLANNING DEPARTMENT

3295 Bob Rogers Drive, Eagle Pass, Texas 78852 • Phone: (830) 773-776 • Fax: (830) 773-7803

SUBDIVISION APPLICATION

TYPE OF SUBDIVISION (check one):

☐ Preliminary

☐ Final

☒ Replat

☐ Amendment

☐ Short Form Final

Property Legal Description: Replat Lot 92, Block 1 Las Brisas Subdivision

Maverick County Property Identification Number(s): 11146

Name of Addition: Las Brisas Subdivision

Location of Addition: 3229 Yucca Loop

Number of Residential Lots: 2 Number of Commercial Lots: 0 Gross Acreage: 0.5

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

Is Subdivision inside city limits? Yes ☐ No ☒ If so, Zoning District: None

Existing Land Use: Residential Proposed Land Use: Residential

Requested Variances: _____

PROPERTY OWNER:

Name: Joel Urrabrazo

Address: 3223 Yucca Loop

City: Eagle Pass

State: TX Zip: 78852

Signature: _____

Contact: Joel Urrabrazo

Phone: 830-469-6388

Fax: _____

E-mail: msalazar517@hotmail.com

Date: _____

PROPERTY OWNER:

Name: _____

Address: _____

City: _____

State: _____ Zip: _____

Signature: _____

Contact: _____

Phone: _____

Fax: _____

E-mail: _____

Date: _____

APPLICANT/SUBDIVIDER:

RECEIVED
08/25/201

Name: Dirksen Engineering
Address: 311 N. Getty St.
City: Uvalde
State: TX Zip: 78801
Signature: _____

Contact: Ken Dirksen
Phone: 830-278-2100
Fax: 830-278-2102
E-mail: kendirksen@sbcglobal.net
Date: _____

SURVEYOR:

Name: Dirksen Engineering
Address: 311 N. Getty St.
City: Uvalde
State: TX Zip: 78801
Signature: _____

Contact: Ken Dirksen
Phone: 830-278-2100
Fax: 830-278-2102
E-mail: kendirksen@sbcglobal.net
Date: _____

ENGINEER:

Name: Dirksen Engineering
Address: 311 N. Getty St.
City: Uvalde
State: TX Zip: 78801
Signature: _____

Contact: Ken Dirksen
Phone: 830-278-2100
Fax: 830-278-2102
E-mail: kendirksen@sbcglobal.net
Date: _____

PRINCIPAL CONTACT: ☐ Owner ☐ Applicant ☐ Surveyor ☐ Engineer

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

STATEMENT OF APPLICANT

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

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

JOEL URRABAZO
Applicant Signature

06-18-2020
Date

STATEMENT OF OWNER/SUBDIVIDER

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

JOEL URRASAZO
Owner / Subdivider Signature

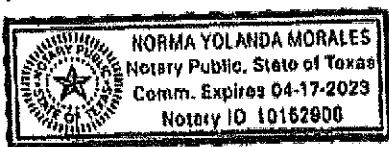
06-18-2020
Date

STATE OF TEXAS §
COUNTY OF Maverick §

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

Given under my hand and seal of office, this the 18th day of June, 2020.

Norma Yolanda Morales
Notary Public, State of Texas



Property

Account

Property ID:11146

Geographic ID:L3000010009200

Type:Real

Property Use Code:

Property Use Description:

Legal Description:LAS BRISAS, BLOCK 1, LOT 92

Zoning:

Agent Code:

Location

Address:3229 YUCCA LOOP
TX

Neighborhood:

Neighborhood CD:

Mapsco:

Map ID:

Owner

Name:URRABAZO, JOEL & ETAL

Mailing Address:3223 YUCCA LOOP
EAGLE PASS, TX 78852

Owner ID:113703

% Ownership:100.000000000000%

Land

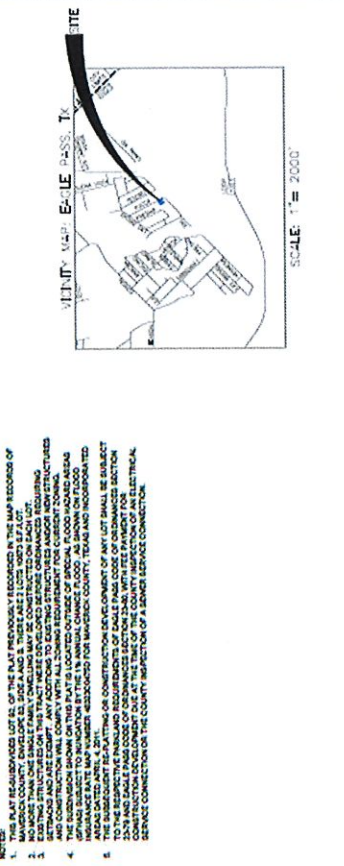
#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	RS	RES SINGLE FAMILY	0.4993	21750.00	145.00	150.00	\$34,800	\$0



FOR MORE INFORMATION:

MAURICK COUNTY CLERK

PRINT NAME & ADDRESS D K E E ENGINEERING UNALASKA CIRCLE ROAD TALLAHASSEE, FL 32310 TEL: 904-876-1100 FAX: 904-876-1101 311 N. GARY STREET, SUITE 200, TAMPA, FL 33601 (813) 281-1100 FAX: (813) 281-1101 WWW.DKENGINEERING.COM		PROJECT NO. 20-1980 PROJECT NAME & ADDRESS REPLAT LOT 92, BLOCK 1 LAS BRISAS SUBDIVISION Eagle Pass, TX		SHEET TITLE PRELIMINARY	
PROJECT SHEETS		20-1980		SHEET 1	
PREPARED FOR JESSI URRABAGO 5225 LINDEN AVE TAMPA, FL 33610		DESIGNED BY JESSI URRABAGO 5225 LINDEN AVE TAMPA, FL 33610		DATE JAN 17, 2020	



Attachment 2

Subdivision Variance Request(s)

Subdivision Sidewalk Waiver Request



Subdivision Variance Application

Applicant Information

Applicant (if not owner): Dirksen Engineering

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

Owner: Joel Urrabrazo

Owner Address: 3223 Yucca Loop City: Eagle Pass State: TX Zip 78852

Phone: 830-469-6388 E-mail msalazar517@hotmail.com

Property Information

Site Address: 3229 Yucca Loop
Eagle Pass, TX 78852

Maverick County Identification Number: 11146

Description of Subdivision Variance Request

Variance for Preliminary & Final Plat Approval.

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 applicant of the reasonable use of their land?
There are no public improvements to this property, and there is no need to delay approval.
- How is the variance necessary for the preservation and enjoyment of a substantial property right of the applicant?
There are no improvements to this property, and a delay in processing would require additional 3 months.

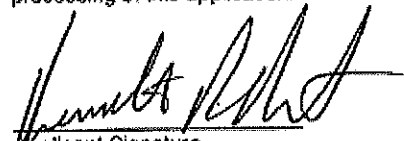


- o Describe how the granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other property in the area.
This property is in use as residential, and the use will not change.
- o Describe how the granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of the subdivision code.
The Property has been residential, and will not change.

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 of 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

07-08-2020
Date

City of Eagle Pass Planning Department
3295 Bob Rogers Drive
Eagle Pass, Texas 78852
(830)773-7781
(830)773-7803 fax



PLANNING DEPARTMENT

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

SUBDIVISION VARIANCE APPLICATION

Applicant Information

Applicant (If not owner): Dirksen Engineering
Address: 107 W. South St, Uvalde, TX 78801
Phone: 830-278-2100 E-mail: kendirksen@sbcglobal.net
Owner: Joel Urrabazo
Address: 3223 Yucca Loop, Eagle Pass, TX 78852
Phone: 830 469 6388 E-mail: msalazar517@hotmail.com

Property Information

Site Address: 3227 and 3229 Yucca Loop MCAD Property ID No. 11146
Legal Description (from deed): Las Brisas, Block 1, Lot 92

Description of Subdivision Variance Request

Section 23-61 (n) Curbs. This variance requests that construction of curb and gutter be
delayed until curb and gutter is constructed on the entirety of Yucca Loop

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?

Yucca Loop is asphalt paved without curb and gutter. Curb and gutter at
this location would be the only curb and gutter on the block.

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

Constructing curb and gutter at this time will create an obstacle for traffic
and a barrier for proper street drainage.

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9-9-20
via email

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.

Constructing curb and gutter at this time will create an obstacle for traffic
and a barrier for proper street drainage. When curb and gutter will be
better constructed when built on the entire street.

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

Curb and gutter will be better constructed when built on the entire street.

Required Application Attachments

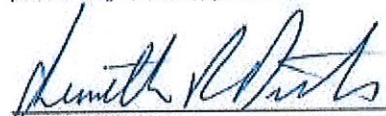
The following documentation is required to be attached to this application:

- 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

09-09-2020
Date



PLANNING DEPARTMENT

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

Subdivision Sidewalk Waiver Application

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

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

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

Applicant Information

Applicant (If not owner): Dirksen Engineering

Phone: 830-278-2100

Email: kendirksen@sbcglobal.net

Owner: Joel Urrabazo

Owner Address: 3223 Yucca Loop City: Eagle Pass State: TX Zip: 78852

Phone: 830-469-6388

Email: msalazar517@hotmail.com

Property Information

Site Address: 3227 and 3229 Yucca Loop

Legal description (from deed): Las Brisas, Block 1, Lot 92

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

Maverick County Identification Number: 11146

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11-0-20
email

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

Along the frontage of Lot 92, Block 1 Las Brisas at 3227 and 3229 Yucca
the total distance is 145 feet.

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

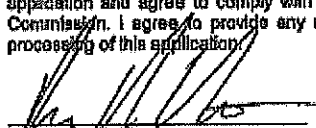
Yucca Loop is asphalt paved to county specification for rural road. No curb
exists on Yucca Loop. Adding curb and sidewalk in only this area will
create a hazard to traffic.

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 of 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 10-months after plat recordation and it shall be the responsibility of the subdivider to see that this deadline is met. If the sidewalks are not in place within 18-months after recordation, the subdivider of the property will be assessed the full cost of constructing the sidewalks plus \$100.00 per month for each month beyond the 18-month period during which said construction remained uncompleted.

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


Applicant Signature

10/02/2020
Date

Attachment 3

Final Engineering Report

Dirksen Engineering

311 N. Getty St.

Uvalde, TX 78801

TBPE FIRM #F-8848

TBPLS FIRM #10193741

Phone: 830-278-2100

Fax: 830-278-2102

Cell: (830) 279-9447

kendirksen@sbcglobal.net

October 2, 2020

Placido Maduro

Planning Director City of Eagle Pass

3295 Bob Rogers Drive

Eagle Pass, Tx 78852

Re: Final Engineering Report – Resubdivision of Lot 92, Block 1 of Las Brisas Subdivision.

To Whom It May Concern:

Introduction:

The Resubdivision of Lot 92, Block 1 of Las Brisas Subdivision is located 3229 Yucca Circle. The lot is located outside the City of Eagle Pass but in the ETJ. The lots are part of the Las Brisas Subdivision Subdivision Ltd. The land is titled to Joel Urrabazo et al. Maverick County Tax ID is 11146.



 **REVISED**
10-2-20
small

Development

This re-subdivision is to divide existing Lot 92 into two lots for residential development. The lots will be sized to meet or exceed R-1 Standards adopted by City of Eagle Pass.

Street Development

Both Lots have access to Yucca Loop. Yucca Loop is paved but not curbed. Curb and sidewalk will interfere with drainage on the site and not be constructed until the street is repaved. An application for sidewalk waiver is submitted with this subdivision.

Water Development

Water service is provided to the residence on Lot 92B. A water tap will have to be purchased for Lot 92A. The 30 year agreements are submitted to Eagle Pass Water Works.

Fire protection is provided by a fire hydrant located at the north corner of Lot 91 and at the south corner of Lot 86. Fire flow test for the hydrant at 3211 Yucca, Lot 86, is attached. The fire hydrant was flow tested and show pressure to flow 580 gal/min at 20 psi. Fire flows are lower than expected. However, there are proposed capital improvements for the Las Brisas Subdivision as part of the cast iron pipe replacement project.

Sanitary Sewer Facilities

Sanitary sewer is provided from Yucca Loop. Lots 92B is provided sanitary sewer to previous existing structure. Lot 92A will require sanitary sewer service be installed. The 30 year agreement is submitted to Eagle Pass Water Works.

Drainage Development

The soils for this area are El Indio Silty Clay Loam. The soils have relatively slow permeability. The entire site is located outside the 100 year flood plain of Elm Creek as shown on FEMA FIRM map 48323C0475D.

Drainage from this site is southeast across the lot to Yucca Loop. The land uses are residential with most houses developed. Lot 92 will be developed by constructing a residences on the lots. Runoff will increase from 2.6 cfs to 4.4 cfs in the 100 year storm. This increase is small and not additional development of storm water detention is required.

Electric Facilities, Telephone and Cable Television

Electric service is provided by American Electric Power. Electric power is available from Yucca Loop

Gas Service

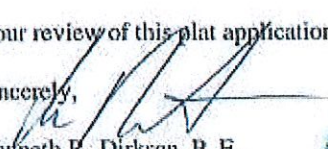
No gas service is required for this subdivision.

Construction Cost

No public utilities will be constructed for this project.

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

Sincerely,


Kenneth R. Dirksen, P. E.

Att: Drainage Calculations
Soils Map



Attachment 4

Water and Sewer Agreements



AGREEMENT REGARDING WATER SERVICE FOR THE PROPOSED Replat of Lot 92, Block 1, Las Brisas 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 Joel Urrabazo, 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 92,
Block 1, Las Brisas Subdivision.

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

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

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



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 July 15, 2020.

The Utility

The Subdivider

By:

Marco Salinas

By:

Joel Urraza

Printed Name: MARCO SALINAS

Printed Name: JOEL URRAZA

Office or Position: VICE CHAIRMAN

Office or Position: OWNER

Date: 7/15/2020

Date: 06-18-2020

Note: The above form of agreement may be used when required under Model Rule Sections 2.2 (a) (2) and 3.2 (a) (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 92, Block 1, Las Brisas 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 Joel Urrabazo, 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 92, Block 1, Las Brisas Subdivision

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

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

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

RECEIVED
08-25-2010

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 July 15, 2020.

The Utility

By:



Printed Name: MARCO SALINAS

Office or Position: VICE CHAIRMAN

Date: 7/15/2020

The Subdivider

By:

JOEL URRASALO

Printed Name: JOEL URRASALO

Office or Position: OWNER

Date: 06-18-2020

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.

Item #3



Planning Department Executive Summary
REPORT TO THE PLANNING & ZONING COMMISSION

Final Plat of BRP Pueblo Bess Subdivision

I. BACKGROUND

A. General Information

Case No. 4837

Applicant:

Dirksen Engineering
107 W. South Street
Uvalde, Texas 78801

Property Owner:

De Los Santos Childrens Trust
c/o Jaime De Los Santos
P. O. Box 823
Eagle Pass, Texas 78853-0823

Location:

2189 Microstar Way

Legal Description:

A 1.0000 acre severance located in Samuel S. Sanders Survey 26, Abstract 826, Maverick County, Texas and out of the remainder of a 81.55 acres tract described in conveyance document to De Los Santos Childrens Trust recorded in Volume 623, Pages 386 of the Maverick County Official Public Records, Maverick County, Texas

Property ID Number:

52352

Request:

(1) a request for a waiver to eliminate the installation of sidewalks along the property frontage adjacent to Microstar Way, (2) a variance from the requirement to construct concrete curb and gutter along the property frontage adjacent to Microstar Way, (3) a variance to proceed to final plat directly without first having obtained preliminary plat approval, (4) a variance to plat a property less than 5-acres in size that had been conveyed prior to 1984, and (5) final replat approval to subdivide an approximately 1-acre tract into one commercial lot.

B. Subject Property Information

Parcel Size:

43,560-square-feet

Existing Use:

Vacant – Native brush

Zoning District:

B-3 General Business District

Master Plan:

Residential/Commercial

C. Vicinity Data

The site is located with an area that is compromised of commercial, industrial and residential uses.

D. Infrastructure

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

Access to this lot will be provided by Microstar Way off El Highway Highway and through Van Green Street located at Lewis Farms Estates Subdivision for emergency purposes only.

II. RECOMMENDED FINDINGS OF FACT

A. Conclusions

1. The applicant's request contains sufficient information for consideration by the Planning and Zoning Commission. Information contained in this report and the Commission's public meeting will be used as part of the City Council's deliberation process for final approval of the subdivision. Please refer to Attachment 1.
2. The subdivision is consistent with City design and specifications, as the subsequent development of the site will be required to conform to the following sections of *Article IV in Eagle Pass Code of Ordinances Chapter 23*:
 - ✓ *Section 23-62 governing utility easements*
 - ✓ *Section 23-64 governing sidewalks*
 - ✓ *Section 23-66 governing sanitary sewage disposal, if the Commission grants the requested variance as part of the final approval process.*
 - ✓ *Section 23-67 governing potable water supply and fire flow, if the Commission grants the requested variance as part of the final approval process.*
 - ✓ *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 2 for a copy of the *Final Engineering Report* for the subdivision.

3. 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*.
4. 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 2, comply with the criteria in order to the grant the subdivision variance. The following is a summary of this application's compliance with the criteria:
 - The subdivision variance allows for the platting of a property less than 5-acres in size that was conveyed prior to 1984, as set forth in *City of Eagle Pass Code of Ordinances Chapter 23-11(d)* is, in essence, an administrative decision.
 - The subdivision variance to proceed directly to Final plat without first having obtained Preliminary plat approval as required by *City of Eagle Pass Code of Ordinances Section 23-36(a)*.

- The subdivision variance from the requirement that all vehicle access *or service roads* to a subdivision site shall be improved to City standards as required by *City of Eagle Pass Code of Ordinances Section 23-61(m)(3)(a)*, *City of Eagle Pass Code of Ordinances Section 23-61(n)* requires that concrete curb and gutter sections be constructed along all property lines abutting a public street.

That portion of Microstar Way located adjacent to the subdivision does not have a paved asphalt surface as required by City code, nor are the concrete curb and gutter section along the property lines adjacent to Microstar Way.

On the other hand Van Green Street will be in conformance to City Code and specifications as required.

- The subdivision variance from the requirement that all subdivisions shall be provided with water supply and water distribution systems approved by the TCEQ and the City of Eagle Pass Water Works System as required by *City of Eagle Pass Code of Ordinances Section 23-66*.
 - The subdivision variance from the requirement that all subdivisions within the planning area shall be provided with an approved sanitary sewer disposal system. The sanitary sewer collection system shall be designed in accordance with the master development plan and the Eagle Pass Waterworks and Sewer System Design Standards and Construction Specifications Manual, as adopted and amended. Connection with the sanitary sewer system shall be required, except where the city manager determines that such connection will require unreasonable expenditure as required by *City of Eagle Pass Code of Ordinances Section 23-67*.
5. The subdivision site is located within the *City of Eagle Pass Master Plan Map*. The *City of Eagle Pass Master Plan* does, however, provide direction regarding the subdivision of property both within the City and within the City's 5-mile wide *Extraterritorial Jurisdiction (ETJ)*.
 6. The subdivision of the property is in conformance with the provisions of the *Master Plan* and the *Eagle Pass Code of Ordinances* by facilitating the following benefits:
 - Protect private rights while considering public health, safety and welfare.
 - Provide for efficient and economical ways to move people and goods outside the City by an adequate plan for streets and highways.
 - Guide future development in an orderly manner, by stages according to a pattern, so that the City may have a balanced land use.
 - Encourage a diversified economic base, and encourage public and private investments in land and improvements.
 - Prevent and eliminate blight and slums, making the City attractive to people, commerce, and industry.
 - Create the desire for a more pleasing appearance of the City, and incorporate into its physical development the basic principles of good design.
 - Protect and preserve the identity of each neighborhood through use of the guidance provided by the *Master Plan* and the *Code of Ordinances*.
 - Locate all land uses on land best suited for their needs, arranged in such a way as to be mutually beneficial and functional, with ample area to meet long-term needs.

- Establish a proper relationship between open space, developed areas, building bulk, light and air space, in all future development programs of land use.
- Encourage and abet the development of civic, cultural, and other public and quasi-public buildings in harmonious and functional groupings.

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

- A. The subdivision design bears a substantial relationship to the public's health, safety, and welfare.
- B. The subdivision is in accordance with the policies of the *Master Plan* and the business purpose of the *B-3 General Business District*.
- C. The subdivision is warranted because of the necessity to create additional building lots in the *B-3 General Business District*, and because the proposed development is appropriate to accomplish the reasonable use of the property.
- D. The subject property is suitable for development in general conformance with development standards of the *B-3 General Business District*.
- E. The subdivision will benefit the City as a whole and will not be detrimental to nearby land uses of a similar nature.
- F. The subsequent development will be designed and conditioned to comply with all applicable subdivision criteria and standards of the City of Eagle Pass.

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

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

B. Planning Department Recommendation

The Planning and Zoning Commission (1) **GRANT** a sidewalk waiver request from the requirement to construct concrete sidewalks along the property frontage, (2) **GRANT** a subdivision variance request from the requirement to construct curb and gutter sections parallel to the adjacent public right-of-way, (3) **GRANT** the subdivision variance to proceed directly to final plat without first having obtained preliminary plat approval as required by *City of Eagle Pass Code of Ordinances Section 23-36(a)*, (4) **GRANT** a variance to plat a property less than 5-acres in size that had been conveyed prior to 1984, (5) **GRANT** final approval of the proposed *BRP Pueblo Bess Subdivision*, subject to the following conditions:

- 1. The Final Replat shall comply with the provisions of *Article III of City of Eagle Pass Code of Ordinances Chapter 23* governing procedures and specifications for Final Plats.

TRANSMITTED to the parties listed hereafter:

Dirksen Engineering via e-mail

Eagle Pass Planning and Zoning Commission via e-mail

Planning & Zoning Commission Report dated October 5, 2020

Attachment 1 Application



PLANNING DEPARTMENT

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

SUBDIVISION APPLICATION

4837

TYPE OF SUBDIVISION (check one):

☐ Preliminary

☒ Final

☐ Replat

☐ Amendment

☐ Short Form Final

Property Legal Description: Paraiso Estates Unit #2, Block 4, Lot 5

Maverick County Property Identification Number(s): 52352

Name of Addition: BRP PUEBLO BESS Subdivision

Location of Addition: 3301 El Indio Hwy Microstar Way

Number of Residential Lots: 0 Number of Commercial Lots: 1 Gross Acreage: 1.000

Number of New Street Intersections 0 Linear feet of Streets 0

Is Subdivision inside city limits? Yes ☐ No ☒ If so, Zoning District: None

Existing Land Use: Commercial Proposed Land Use: Commercial

Requested Variances: Water, Sanitary Sewer, Street & No Sidewalk Variances

PROPERTY OWNER:

Name: De Los Santos Childrens Trust

Address: P.O. Box 823

City: Eagle Pass

State: TX Zip: 78852

Signature: _____

Contact: Jamie De Los Santos

Phone: 830-773-0311

Fax: _____

E-mail: jsantos@partsservice.com

Date: _____

PROPERTY OWNER:

Name: _____

Address: _____

City: _____

State: _____ Zip: _____

Signature: _____

Contact: _____

Phone: _____

Fax: _____

E-mail: _____

Date: _____

APPLICANT/SUBDIVIDER:

RECEIVED
08/25/2010

Name: Dirksen Engineering
Address: 107 W. South St.
City: Uvalde
State: TX Zip: 78801
Signature: _____

Contact: Ken Dirksen
Phone: 830-278-2100
Fax: 830-278-2102
E-mail: kendirksen@sbcglobal.net
Date: _____

SURVEYOR:

Name: Dirksen Engineering
Address: 107 W. South St.
City: Uvalde
State: TX Zip: 78801
Signature: _____

Contact: Ken Dirksen
Phone: 830-278-2100
Fax: 830-278-2102
E-mail: kendirksen@sbcglobal.net
Date: _____

ENGINEER:

Name: Dirksen Engineering
Address: 107 W. South St.
City: Uvalde
State: TX Zip: 78801
Signature: _____

Contact: Ken Dirksen
Phone: 830-278-2100
Fax: 830-278-2102
E-mail: kendirksen@sbcglobal.net
Date: _____

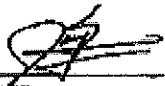
PRINCIPAL CONTACT: ☐ Owner ☐ Applicant ☐ Surveyor ☒ Engineer

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

STATEMENT OF APPLICANT

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

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


Applicant Signature

08/20/2020
Date

STATEMENT OF OWNER/SUBDIVIDER

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

[Signature]
Owner / Subdivider Signature

08/21/2022
Date

STATE OF TEXAS §

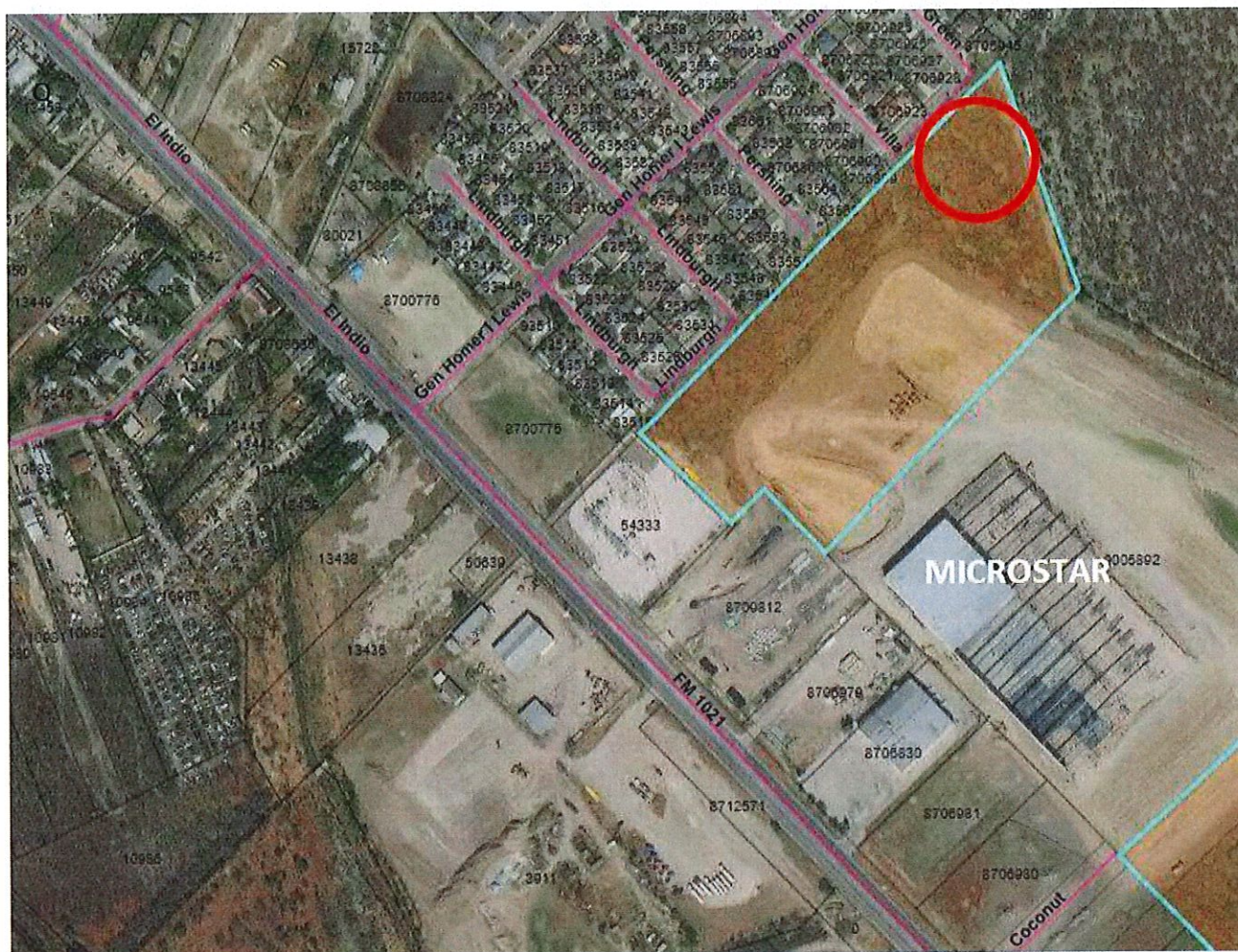
COUNTY OF MAVERICK §

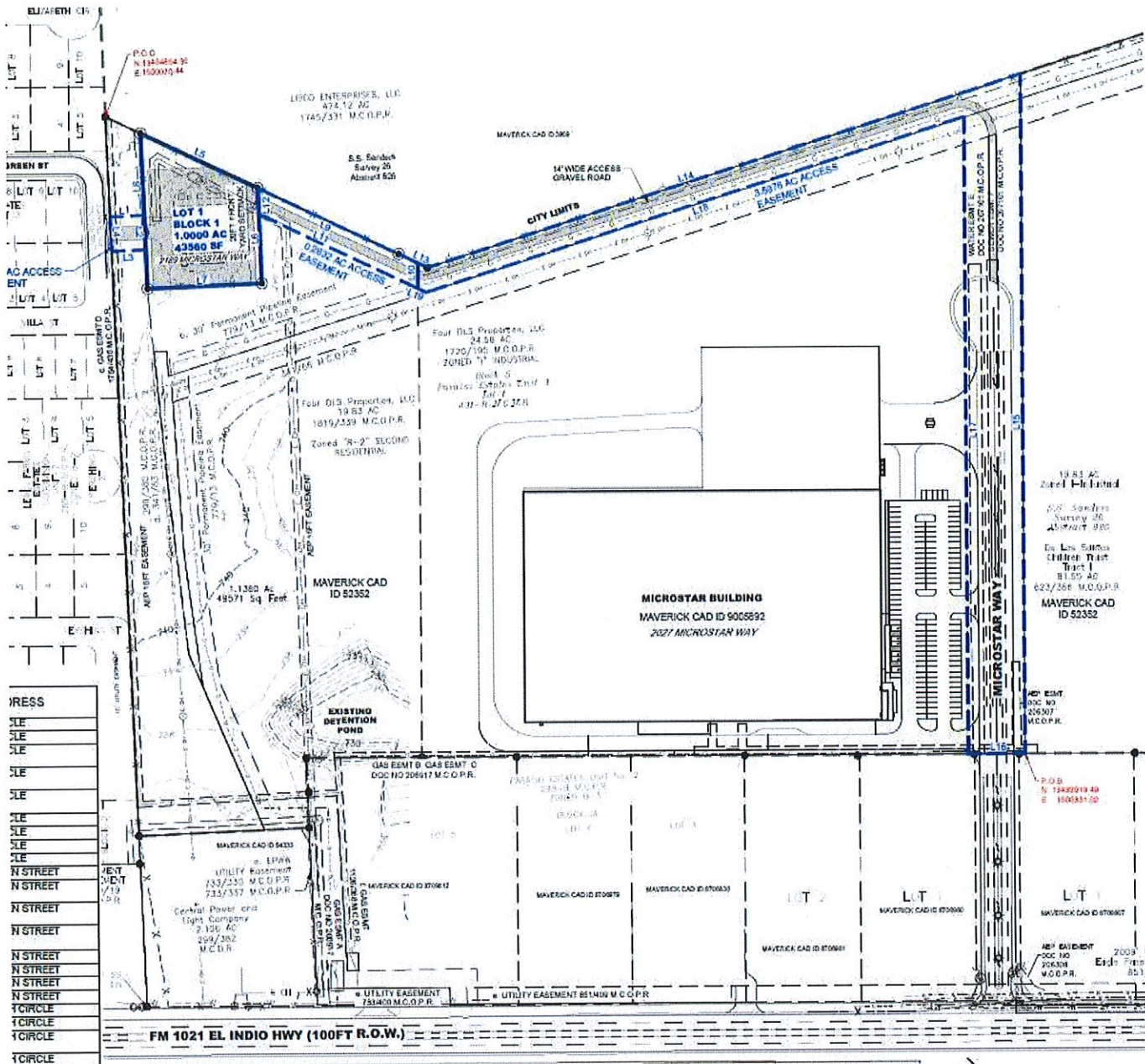
Before me, the undersigned authority, a notary public for the State of Texas, on this day personally appeared JAIME DE LOS SAUCEDOS (Name), TRUSTEE (Title), known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he executed the same for the purpose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

Given under my hand and seal of office, this the 21st day of AUGUST, 2022.

[Signature]
Notary Public, State of Texas







Attachment 2

Sidewalk Waiver Application

Subdivision Variance Applications



PLANNING DEPARTMENT

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

Subdivision Sidewalk Waiver Application

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

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

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

Applicant Information

Applicant (if not owner): Dirksen Engineering

Phone: 8302782100 Email: kendirksen@sbcglobal.net

Owner: De Los Santos Children's Trust

Owner Address: P.O. BOX 823 City: Eagle Pass State: TX Zip: 78853

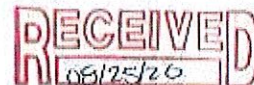
Phone: 830-773-0311 Email: jsantos@partsservice.com

Property Information

Site Address: 3304-El Indio Highway 2189 Microstar Way

Legal description (from deed): 1.000 Acre located in Abstract 826
(Property must be legally subdivided or be lot of record)

Maverick County Identification Number: 52352



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

Development is a commercial development located in north corner of
De Los Santos Childrens Trust adjacent to Lewis Farms Estates.

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

Lot size is greater than 22,000 square feet.

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

8/25/2020
Date



PLANNING DEPARTMENT

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

SUBDIVISION VARIANCE APPLICATION

Applicant Information

Applicant (If not owner): Dirksen Engineering
Address: 107 W. South St, Uvalde, TX 78801
Phone: 830-278-2100 E-mail: kendirksen@sbcglobal.net
Owner: De Los Santos Childrens Trust
Address: P.O. Box 826, Eagle Pass, TX 78853
Phone: 830-773-0311 E-mail: jsantos@partsservice.com

Property Information 2189 Microster Way

Site Address: 3301-EHndio Highway MCAD Property ID No. 52352
Legal Description (from deed): 1.0000 Acre Abstract 826

Description of Subdivision Variance Request

Variance from Sec 23-61 Streets, 23-66 Sewer, 23-67 Water Supply & Distribution
requirements to construct typical street, water and sanitary sewer.

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?

The project is to develop electric battery station for whole sale of electricity
on the electric grid. Employees only will attend site. The site will not have an office
or habitable dwelling. The site will be "dry". No water and sewer is required.

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

This subdivision is a special application of development. No water and
sewer are required. The remainder of the land will remain un-platted.
Extending utilities will burden the remaining land with unnecessary improvement.



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.

This site will be developed with electricity only. The site will be dry without
office or restrooms. No water or sewer are required. The site will be
accessed by employees only. No public, non employee will enter the site.

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

This project is a special development that will not be replicated.

Required Application Attachments

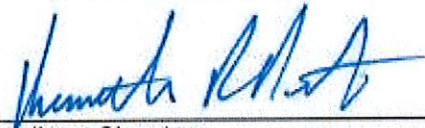
The following documentation is required to be attached to this application:

- 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

8/25/2020
Date



PLANNING DEPARTMENT

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

SUBDIVISION VARIANCE APPLICATION

Applicant Information

Applicant (If not owner): Dirksen Engineering

Address: 107 W. South St, Uvalde, TX 78801

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

Owner: De Los Santos Childrens Trust

Address: P.O. Box 826, Eagle Pass, TX 78853

Phone: 830-773-0311 E-mail: jsantos@partsservice.com

Property Information 2189 Microstar Way

Site Address: 3301 E-Indio Highway MCAD Property ID No. 52352

Legal Description (from deed): 1.0000 Acre Abstract 826

Description of Subdivision Variance Request

Variance from Sec 23-10 Scope to plat a parcel under 5 acres.

Detailed Explanation of Subdivision Variance Request

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

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

This tract is being developed for a special purpose to serve electric distribution infrastructure. One acre only is needed for this project. The remainder of the land will be platted in the future when developed.

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

To plat the entire area will require infrastructure improvements that are not required. No plans to develop the remaining land at this time.



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

The remaining land will be developed at a future time

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

The remaining land will be developed at a future time

Required Application Attachments

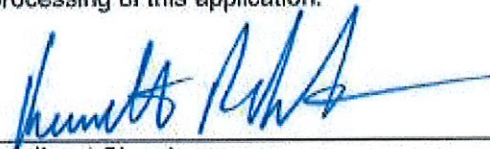
The following documentation is required to be attached to this application:

- 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

8/25/2020
Date



PLANNING DEPARTMENT

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

SUBDIVISION VARIANCE APPLICATION

Applicant Information

Applicant (If not owner): Dirksen Engineering

Address: 107 W. South St, Uvalde, TX 78801

Phone: 830-278-2100

E-mail: kendirksen@sbcglobal.net

Owner: De Los Santos Childrens Trust

Address: P.O. Box 826, Eagle Pass, TX 78853

Phone: 830-773-0311

E-mail: jsantos@partsservice.com

Property Information 2189 Mickeystar Way

Site Address: 3301 El Indio Highway MCAD Property ID No. 52352

Legal Description (from deed): 1.0000 Acre Abstract 826

Description of Subdivision Variance Request

Variance from Sec 23-36 Processing of the Final Plat, (a) Preliminary Plat Required
to relax the requirement for preliminary plat before final.

Detailed Explanation of Subdivision Variance Request

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

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

This tract is being developed for a special purpose to serve electric
distribution infrastructure. No public infrastructure will be developed.

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

The subdivision can be constructed earlier. Requiring preliminary plat delay construction of improvements.



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

The land will be developed as commercial if regardless of the time farm;

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

This project will be self contained and will not affect development of the
remainder of the land.

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

8/25/2020
Date

Attachment 3

Final Engineering Report

Dirksen Engineering

311 N. Getty St.

Uvalde, TX 78801

TBPE FIRM #F-8848

TBPLS FIRM #10193741

Phone: 830-278-2100

Fax: 830-278-2102

Cell: (830) 279-9447

kendirksen@sbcglobal.net

August 18, 2020

Placido Maduro

Planning Director City of Eagle Pass

3295 Bob Rogers Drive

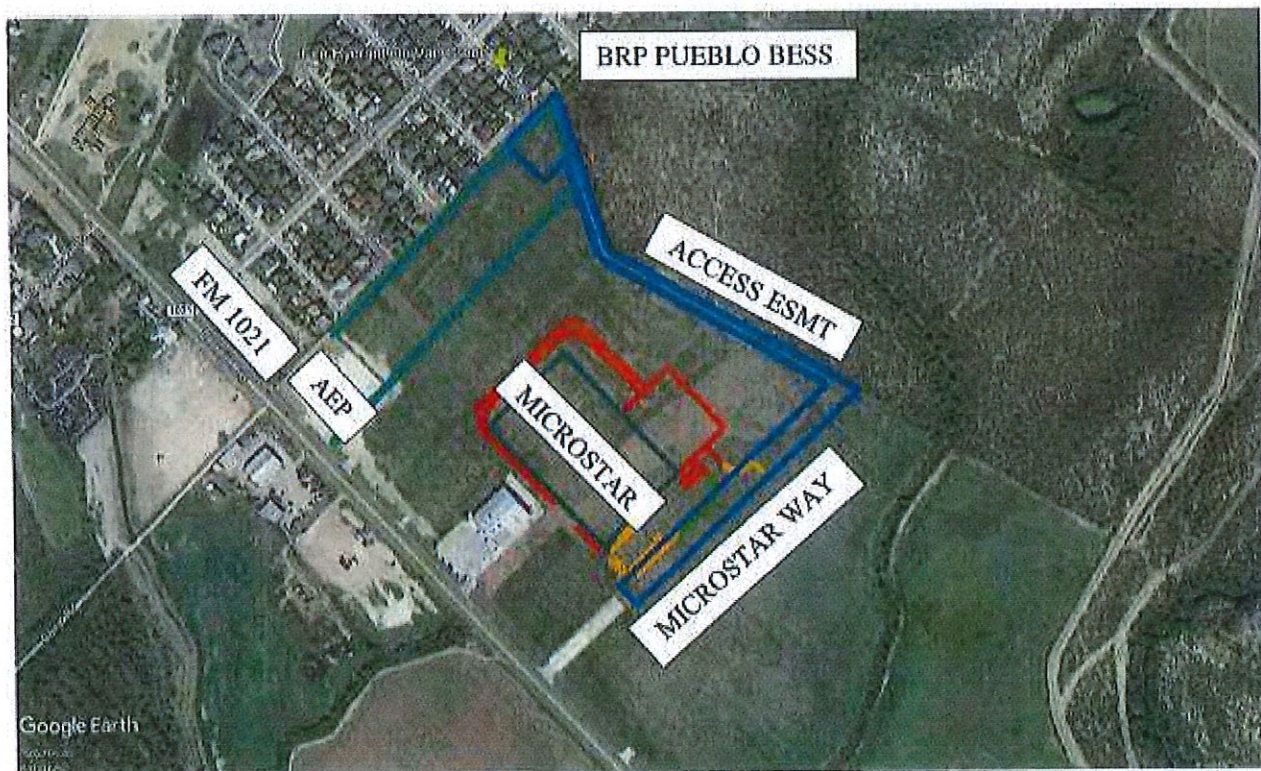
Eagle Pass, Tx 78852

Re: ^{Final} Engineering Report -Broadreach BRP Pueblo BESS

To Whom It May Concern:

Introduction:

The Plat of BRP Pueblo BESS is one acre of land located in S.S. Sanders, Survey 26, Abstract 826 in the north corner of a remainder of the De Los Santos Childrens Trust. The land is located in the City of Eagle Pass in Maverick CAD ID 523523dp. The land is vacant and in the process of being rezoned from R-2 to B-3.



RECEIVED
08/25/20 WJ

Development

This subdivision will be developed for battery storage modules which will be connected to the Pueblo substation operated by AEP. The development will not require water or sanitary sewer. All commercial sales occur via the power lines from the batteries to substation. The site will be accessed by service technicians only. Variance exceptions will be applied for water, sanitary sewer, paved access and sidewalk.

Street Development

Access to the site will be from the end of Microstar Way to the site by a gravel surface road constructed in a 40 feet wide access easement. The gravel surface will have emulsified asphalt applied to bind the surface and dust control. The site will be accessed approximately once per month. Fire protection will be facilitated by a second entrance constructed onto Van Green St in Lewis Farms Estates that will be for emergency access only.

Water and Sanitary Sewer Development

Water and sanitary sewer service is not required for this development. Variances will be processed so this subdivision can be developed as a "dry site".

Fire Protection

The equipment being installed are self-contained on metal skids similar to shipping containers. The equipment is fully enclosed with internal fire protection system. Fire Department may spray water to cool the outside of the container. After a fire is suppressed, the fire department may pump water in through an FDC to spray water to cool the equipment inside the container.

A fire hydrant is located on Van Green Street and can be used for fire suppression. A gate will be installed allow access by emergency services.

Drainage Development

The Soil for this area is El Indio silty clay loam. The soils have relatively high permeability. The entire site is located outside the 100-year flood plain as shown on the FEMA FIRM map 48323C0475D

Drainage from this site is south toward a detention pond developed for Microstar. The site is included in the drainage area considered for design of the detention pond on the west side of Microstar. The detention pond was designed to accept increased runoff from the entire 12.9-acre drainage area when developed as business/industrial. No additional detention is required.

Electric Facilities, Telephone and Cable Television

Electric service is provided by AEP. No telephone or cable television service will be required.

Gas Service

No gas service is required for this subdivision.

Construction Cost

No public utilities will be constructed for this project.

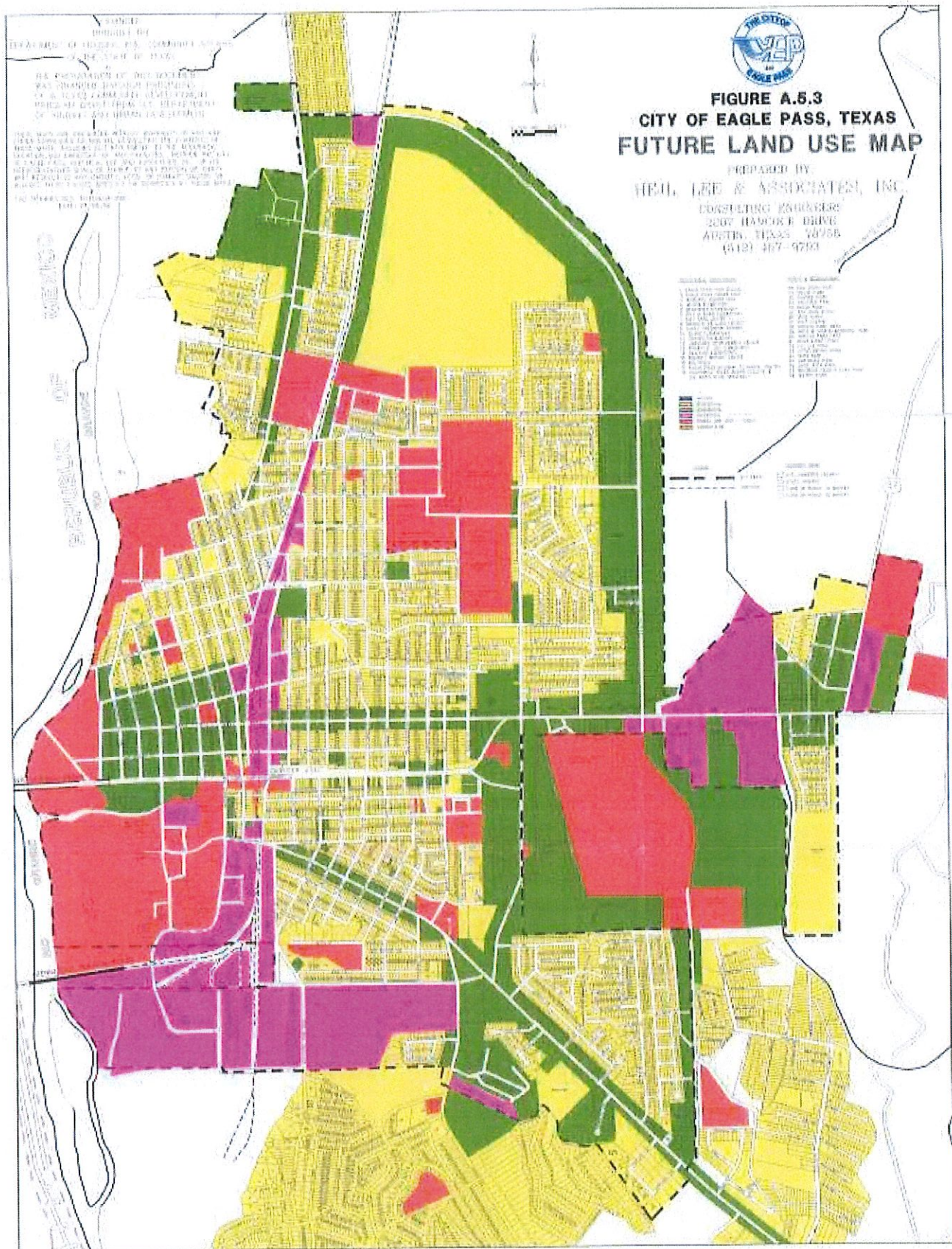
Your review of this plat application is greatly appreciated. Contact me for discussion and questions.

Sincerely,

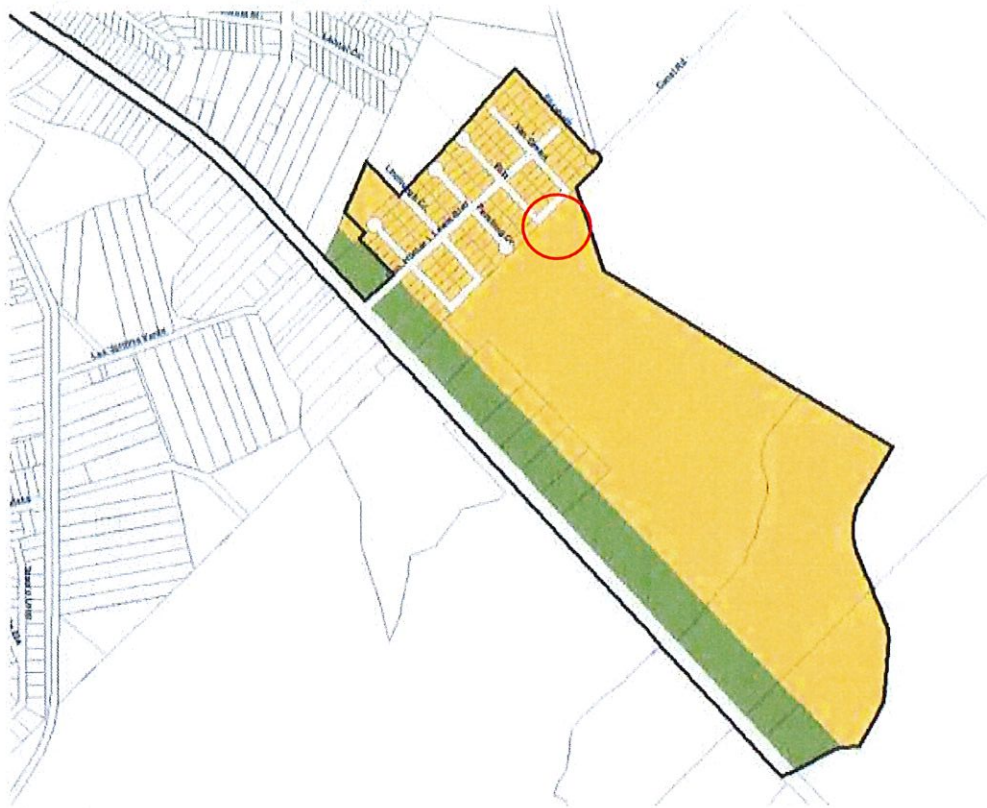
Kenneth R. Dirksen, P. E.

Attachment 2

Master Plan (Land Use) & Zoning Map



Eagle Pass Zoning Map



Legend

-  City Limits Outline
-  B1 - Neighborhood Business District (<8,00 Sq. Ft.)
-  B2 - Central Business District
-  B3 - General Business District (>8,000 Sq. Ft.)
-  I - Industrial District
-  F - Floodway District
-  R1 - First One-Family Dwelling District
-  R2 - Second One-Family Dwelling District
-  R3 - Duplex Dwelling District
-  R3A - Apartment District
-  R4 - Townhouse Residence District

Item #4

Has been withdrawn by the Engineer of Record.

Item #5



Planning Department REPORT TO THE PLANNING AND ZONING COMMISSION

Voluntary Annexation of the Santa Maria Estates Subdivision Unit 1

I. APPLICANT & PROPERTY INFORMATION

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

Developer: MVN Enterprises, LLC
Morris Libson
2205 Zacatecas Drove
Eagle Pass, Texas 78852

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

Access to the site is provided by Legacy Boulevard and Spur 16, also known as the Extension of Second Street.

Legal Desc: Being a 7.92 acre tract, out of Survey 3, Abstract 1007, Survey 6, Abstract 1110, Survey 5, Abstract 1030, in Maverick County, Texas; said 32.884 Acre tract being the same land described by metes and bounds in that certain Exchange Warranty Deed by the Jack Robert Chittim Trust, etal to Maverick County Investments, Ltd., Recorded in Volume 690, Page 13, Official Public Records, Maverick County, Texas.

MCAD PIN: 82295 and 82296

Existing Use: Vacant and undeveloped

Zoning: R-2 Second One-Family Dwelling District

Request: Voluntary annexation and establishment of the permanent zoning for the approximately 7.92-acre tract proposed as part of the *Santa Maria Estates Subdivision Unit 1* as *R-2 Second One-Family Dwelling District*.

II. STAFF ANALYSIS

1. The applicant's request contains sufficient information for consideration by the Planning and Zoning Commission. Information contained in this report and the Commission's public meeting will be used as part of the City Council's deliberation process for establishment of the permanent zoning of *Santa Maria Estates Subdivision Unit 1* as proposed in the voluntary annexation petition.

2. The annexation petition is consistent with the land use development goals of the *City of Eagle Pass Master Plan*. The request will allow for a continuation of development in the community while retaining the community's character and scale. The change will facilitate the ultimate development of urban uses in a compatible arrangement that will make the community attractive to both residents and visitors as desirable to quality investments, while improving the residential, business and commercial environment of the city.
3. The placement of a *Master Plan* designation of Residential and a zoning district of "R-2 Second One-Family Dwelling District" designation will be compatible with the residential designation of properties located in the vicinity of the site. The proposed residential *Master Plan* and *Zoning Code* designations will ensure a compatibility of uses.
4. The *Master Plan's* 'Housing Goals' and 'Housing Strategies' are applicable to this voluntarily annexation petition.
5. The subsequent development of the annexation tract will be subject to both state and city transportation system requirements, which insures conformance with the direction provided by the *Master Plan's* 'Street Objectives', 'Thoroughfare Goals', and 'Thoroughfares Objectives'.
6. The subsequent development of the site will include a requirement to provide on-site drainage facilities consistent with the *City of Eagle Pass Public Works Department Construction Specifications Manual*, which will ensure conformance with the direction provided in the *Master Plan's* 'Storm Drainage Goals' and 'Storm Drainage Objectives'.
7. The voluntary annexation petition is consistent with both the goals and objectives of the *Master Plan* and the purpose of the *Zoning Code*. As a result, the annexation petition should be granted through the adoption of an Ordinance by the City Council.

B. Planning Department Recommendation

The Planning and Zoning Commission recommend that City Council accept the voluntary annexation petition proposed as part of the *Santa Maria Estates Subdivision Unit 1*.

TRANSMITTED to the parties listed hereafter:

TEC Services via e-mail
Planning and Zoning Commission via e-mail
Eagle Pass Planning Department Report dated October 6, 2020

NOE STUDIES SHOW SEVERAL CONCLUSIONS

С. П. КОЗЛОВ

[illegible]

Item #6



Planning Department REPORT TO THE PLANNING AND ZONING COMMISSION

Request to Extend the 6-Month Extension Preliminary Plat Approval Period for the Santa Maria Estates Subdivision Unit 1

I. APPLICANT & PROPERTY INFORMATION

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

Developer: MVN Enterprises, LLC
Morris Libson
2205 Zacatecas Drove
Eagle Pass, Texas 78852

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

Access to the site is provided by Legacy Boulevard and Spur 16, also known as the Extension of Second Street.

Legal Desc: Being a 7.92 acre tract, out of Survey 3, Abstract 1007, Survey 6, Abstract 1110, Survey 5, Abstract 1030, in Maverick County, Texas; said 32.884 Acre tract being the same land described by metes and bounds in that certain Exchange Warranty Deed by the Jack Robert Chittim Trust, etal to Maverick County Investments, Ltd., Recorded in Volume 690, Page 13, Official Public Records, Maverick County, Texas.

MCAD PIN: 82295 and 82296

Existing Use: Vacant and undeveloped

Zoning: R-2 Second One-Family Dwelling District

Request: A request to extend the 6-month preliminary plat approval period granted on May 19, 2020 by the Eagle Pass City Council including, the following terms:

- Annexation of land
- Notarized affidavit guaranteeing 2nd ingress and egress
- Deceleration lane contribution (7.5% of cost, not to exceed \$15,000 total, divided into payments at each phase of development)
- upon the development of Phase II of the subdivision or three (3) years after the sale of 80% of the units included in Phase I, whichever comes first.

II. STAFF ANALYSIS

The request to extend the 6-month preliminary plat approval period contains sufficient information for consideration by the Planning and Zoning Commission.

City of Eagle Pass Code of Ordinances Section 23-25(g)(4)(c) states that a preliminary plat shall be disproved if the conditions of preliminary approval have not been satisfied with 6-months from the date of preliminary approval.

Additionally, *City of Eagle Pass Code of Ordinances Section 23-25(g)(4)(a)* states, in part, that the preliminary approval of a subdivision shall be considered null and void if the final plat is not submitted for approval with 6-months from the date of preliminary approval.

The Planning and Zoning Commission granted preliminary plat approval on May 14, 2020, with City Council granting approval on May 19, 2020.

The applicant submitted their extension request on August 11, 2020 in conformance with *City of Eagle Pass Code of Ordinances Section 23-25(g)(4)(a)*.

An extension is necessary due to unforeseen financial issues associated with the construction of the development.

This inadvertent delay due to financial issues associated with the construction of the development warrants an approval for an extension of the 6-month preliminary plat approval period until June 2020 to allow the applicant to begin construction for the development.

Staff Recommendation

The Planning and Zoning Commission **GRANT** a 6-month extension of the original June 7, 2020 preliminary plat approval for the *Santa Maria Estates Subdivision Unit 1*, including the following terms:

- Annexation of land
- Notarized affidavit guaranteeing 2nd ingress and egress
- Deceleration lane contribution (7.5% of cost, not to exceed \$15,000 total, divided into payments at each phase of development)
- Upon the development of Phase II of the subdivision or three (3) years after the sale of 80% of the units included in Phase I, whichever comes first.

TRANSMITTED to the parties listed hereafter:

TEC Services via e-mail

Planning and Zoning Commission via e-mail

Eagle Pass Planning Department Report dated October 6, 2020

Attachment 1 Preliminary Plat

SANTA MARIA ESTATES SUBDIVISION
M/N ENTERPRISES, LLC, CITY OF EAGLE PASS, TEXAS

PRELIMINARY PLAT
CITY OF EAGLE PASS, HARRIS COUNTY, TEXAS

AND CONSTRUCTION SERVICES
ALBINO TRUSTEES TO HARRIS COUNTY
(800) 777-0099
3292 E. LINDA HWY., EAGLE PASS, TEXAS

TERATECH ENGINEERING
3292 E. LINDA HWY., EAGLE PASS, TEXAS
WWW.TERATECHENGINEERING.COM
PHONE: (800) 777-0099

PROPERTY OWNER:
M/N ENTERPRISES, LLC
EAGLE PASS, TEXAS 75852

DATE:
JULY 1, 2011

LEGEND

- 1. ALL DIMENSIONS ARE IN FEET AND INCHES.
- 2. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD OR RAILROAD.
- 3. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE LOT OR TRACT.
- 4. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE LOT OR TRACT.
- 5. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE LOT OR TRACT.
- 6. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE LOT OR TRACT.
- 7. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE LOT OR TRACT.
- 8. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE LOT OR TRACT.
- 9. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE LOT OR TRACT.
- 10. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE LOT OR TRACT.

PROJECT LOCATION

VICINITY MAP

TABLE 1: LOT DATA

LOT	AREA (SQ. FT.)	AREA (AC.)
1	10,000	0.23
2	10,000	0.23
3	10,000	0.23
4	10,000	0.23
5	10,000	0.23
6	10,000	0.23
7	10,000	0.23
8	10,000	0.23
9	10,000	0.23
10	10,000	0.23
11	10,000	0.23
12	10,000	0.23
13	10,000	0.23
14	10,000	0.23
15	10,000	0.23
16	10,000	0.23
17	10,000	0.23
18	10,000	0.23
19	10,000	0.23
20	10,000	0.23
21	10,000	0.23
22	10,000	0.23
23	10,000	0.23
24	10,000	0.23
25	10,000	0.23
26	10,000	0.23
27	10,000	0.23
28	10,000	0.23
29	10,000	0.23
30	10,000	0.23
31	10,000	0.23
32	10,000	0.23
33	10,000	0.23
34	10,000	0.23
35	10,000	0.23
36	10,000	0.23
37	10,000	0.23
38	10,000	0.23
39	10,000	0.23
40	10,000	0.23
41	10,000	0.23
42	10,000	0.23
43	10,000	0.23
44	10,000	0.23
45	10,000	0.23
46	10,000	0.23
47	10,000	0.23
48	10,000	0.23
49	10,000	0.23
50	10,000	0.23
51	10,000	0.23
52	10,000	0.23
53	10,000	0.23
54	10,000	0.23
55	10,000	0.23
56	10,000	0.23
57	10,000	0.23
58	10,000	0.23
59	10,000	0.23
60	10,000	0.23
61	10,000	0.23
62	10,000	0.23
63	10,000	0.23
64	10,000	0.23
65	10,000	0.23
66	10,000	0.23
67	10,000	0.23
68	10,000	0.23
69	10,000	0.23
70	10,000	0.23
71	10,000	0.23
72	10,000	0.23
73	10,000	0.23
74	10,000	0.23
75	10,000	0.23
76	10,000	0.23
77	10,000	0.23
78	10,000	0.23
79	10,000	0.23
80	10,000	0.23
81	10,000	0.23
82	10,000	0.23
83	10,000	0.23
84	10,000	0.23
85	10,000	0.23
86	10,000	0.23
87	10,000	0.23
88	10,000	0.23
89	10,000	0.23
90	10,000	0.23
91	10,000	0.23
92	10,000	0.23
93	10,000	0.23
94	10,000	0.23
95	10,000	0.23
96	10,000	0.23
97	10,000	0.23
98	10,000	0.23
99	10,000	0.23
100	10,000	0.23

TABLE 2: LOT DATA

LOT	AREA (SQ. FT.)	AREA (AC.)
101	10,000	0.23
102	10,000	0.23
103	10,000	0.23
104	10,000	0.23
105	10,000	0.23
106	10,000	0.23
107	10,000	0.23
108	10,000	0.23
109	10,000	0.23
110	10,000	0.23
111	10,000	0.23
112	10,000	0.23
113	10,000	0.23
114	10,000	0.23
115	10,000	0.23
116	10,000	0.23
117	10,000	0.23
118	10,000	0.23
119	10,000	0.23
120	10,000	0.23
121	10,000	0.23
122	10,000	0.23
123	10,000	0.23
124	10,000	0.23
125	10,000	0.23
126	10,000	0.23
127	10,000	0.23
128	10,000	0.23
129	10,000	0.23
130	10,000	0.23
131	10,000	0.23
132	10,000	0.23
133	10,000	0.23
134	10,000	0.23
135	10,000	0.23
136	10,000	0.23
137	10,000	0.23
138	10,000	0.23
139	10,000	0.23
140	10,000	0.23
141	10,000	0.23
142	10,000	0.23
143	10,000	0.23
144	10,000	0.23
145	10,000	0.23
146	10,000	0.23
147	10,000	0.23
148	10,000	0.23
149	10,000	0.23
150	10,000	0.23
151	10,000	0.23
152	10,000	0.23
153	10,000	0.23
154	10,000	0.23
155	10,000	0.23
156	10,000	0.23
157	10,000	0.23
158	10,000	0.23
159	10,000	0.23
160	10,000	0.23
161	10,000	0.23
162	10,000	0.23
163	10,000	0.23
164	10,000	0.23
165	10,000	0.23
166	10,000	0.23
167	10,000	0.23
168	10,000	0.23
169	10,000	0.23
170	10,000	0.23
171	10,000	0.23
172	10,000	0.23
173	10,000	0.23
174	10,000	0.23
175	10,000	0.23
176	10,000	0.23
177	10,000	0.23
178	10,000	0.23
179	10,000	0.23
180	10,000	0.23
181	10,000	0.23
182	10,000	0.23
183	10,000	0.23
184	10,000	0.23
185	10,000	0.23
186	10,000	0.23
187	10,000	0.23
188	10,000	0.23
189	10,000	0.23
190	10,000	0.23
191	10,000	0.23
192	10,000	0.23
193	10,000	0.23
194	10,000	0.23
195	10,000	0.23
196	10,000	0.23
197	10,000	0.23
198	10,000	0.23
199	10,000	0.23
200	10,000	0.23

NOTES:

1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD OR RAILROAD.
3. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE LOT OR TRACT.
4. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE LOT OR TRACT.
5. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE LOT OR TRACT.
6. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE LOT OR TRACT.
7. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE LOT OR TRACT.
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9. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE LOT OR TRACT.
10. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE LOT OR TRACT.

[illegible]