



AGENDA

**PLANNING & ZONING COMMISSION SPECIAL MEETING
WEDNESDAY, JULY 17, 2024, AT 5:00 P.M.
COUNCIL CHAMBERS, CITY HALL BUILDING
100 SOUTH MONROE STREET, EAGLE PASS, MAVERICK COUNTY, TEXAS**

ESTABLISHMENT OF QUORUM

SELECTION OF CHAIRMAN

SELECTION OF VICE-CHAIRMAN

CITIZENS COMMUNICATIONS

MINUTES

1. Approval of the minutes of the June 20, 2024 meeting.

PUBLIC HEARINGS

2. Continuation of a public hearing on the request submitted by Jose Hernandez for the rezoning of Lots 2 and 3 in Block 14 of Hillcrest Addition, also known as 1338 Quarry Street, from R-1 First One-Family Dwelling District to R-3A Apartment District; closing of public hearing and possible action.
3. Public hearing on the Final Re-Plat of Lot 6 in Block 18 of Deer Run Subdivision Unit 4, including (1) a subdivision variance from Section 23-36(a) regulating preliminary plat requirements, and (2) a sidewalk waiver from Section 23-64 governing sidewalks; closing of public hearing and possible action.
4. Public hearing on the request submitted by Yara Sanchez for a Conditional Use Permit to allow for the establishment of a child day care business on property located at 2077 La Jolla Street; closing of public hearing and possible action.
5. Public hearing on the on the request submitted by Gustavo Garcia Gamez for the rezoning of Lot 101, Block 4, Range 3, also known as 515 Jefferson Street, from R-3 Duplex District to B-3 General Business District; closing of public hearing and possible action.
6. Public hearing on the on the request submitted by Jose De Luna for the rezoning of Lots 7, 8, 9, and 10, (South 18.75 feet of Lot 7) in Block 57 of Hillcrest Addition, also known as 234 Pecos Street, from R-1 First One-Family Dwelling District to R-3A Apartment District; closing of public hearing and possible action.
7. Public hearing on the request submitted by Richard and Rosa M. Garza for the rezoning of Lots 19 and 20 (West 40 feet of Lot 19 and East 25 feet of Lot 20) in Block 62 of Hillcrest Addition, also known as 2047 Hillcrest Blvd, from R-1 First One-Family Dwelling District to R-3A Apartment District; closing of public hearing and possible action.

OTHER BUSINESS

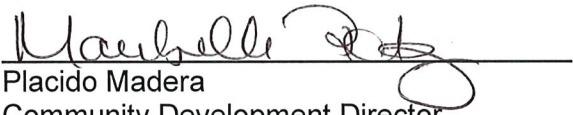
8. Discussion and possible approval of the City's Capital Improvement Plan.
9. Discussion of possible change of meeting date.

ADJOURNMENT

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

CERTIFICATION

I, THE UNDERSIGNED COMMUNITY DEVELOPMENT DIRECTOR, do hereby certify that the agenda mentioned above was posted on the Bulletin Board located in the Lobby at City Hall, 100 S. Monroe Street, Eagle Pass, Texas on July 12, 2024, at 3:30 p.m.

for 
Placido Madera
Community Development Director

Item #1

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

The Planning and Zoning Commission of the City of Eagle Pass held a special meeting on Thursday, June 20, 2024, at 5:30 p.m. in the Council Chambers, at City Hall, 100 South Monroe Street, Eagle Pass, Texas. All legal notices were duly posted in accordance with the State Code.

ESTABLISHMENT OF QUORUM

Present: Chairman, Luis Velez; Commissioners: Doris Salinas-Sanchez, and Aaron Valdez

Absent: Vice-Chairman, Kenneth Gross, and Commissioner: Tiffany Velazquez-Sanchez; City Manager, Homero Balderas; and Ex-Officio Member: Mayor, Rolando Salinas, Jr.

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

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

SELECTION OF CHAIRMAN

SELECTION OF VICE-CHAIRMAN

Commissioner Salinas-Sanchez moved to table the item. Seconded by Commissioner Valdez.

MOTION PASSES

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

CITIZENS COMMUNICATIONS

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

Mr. Johnny Ruiz, Mr. Ernesto Wueste, Mrs. Roberta Wueste, and Mr. Timoteo Chaires, respectively, spoke in opposition to Items #2, and #4.

MINUTES

1. Approval of the minutes of the May 22, 2024, meeting.

Commissioner Valdez moved to approve the minutes. Seconded by Commissioner Salinas-Sanchez. **MOTION PASSES**

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

PUBLIC HEARINGS

2. Continuation of a public hearing on the request submitted by Javier Galvan for the rezoning of Lot 2 in Block 9 of North Heights Range 3, also known as 983 Ave. A, From R-1 First One-Family Dwelling District to R-3 Duplex Dwelling District; closing of public hearing and possible action.

Chairman Velez opened the public hearing at 5:47 p.m.

Assistant Community Development Director, Mariebelle Rodriguez provided details on the item and stated that the Community Development Department's recommendations is that the Planning and Zoning Commission deny a zoning district change from R-1 First One-Family Dwelling District to R-3 Duplex District, for property legally described as Lot 2 in Block 9 North Heights Unit #3, also known as 983 Ave A, as it is not in conformance with both the goals and objectives of the Master Plan and the purpose of the City of Eagle Pass Code of Ordinances Appendix A.

Mrs. Roberta Wueste asked about neighborhood classification. Mr. Luis Rios, Mr. Ernesto Wueste, respectively, spoke in opposition of the item.

There being no further comments from the public, Chairman Velez closed the public hearing at 5:59 p.m.

Commissioner Valdez moved to proceed as recommended by the Community Development Department. Seconded by Commissioner Salinas-Sanchez. **MOTION PASSES**

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

3. Public hearing on the request submitted by Texmoramex, LTD for the rezoning of Lot 30 in Block 21 in the Hillcrest Addition (Replat), also known as 375 Trinity Street, from R-1 First One-Family Dwelling District to R-3 Duplex District; closing of public hearing and possible action.

Chairman Velez opened the public hearing at 5:59 p.m.

Community Development Director, Placido Madera provided details on the item, recommending that the Planning and Zoning Commission deny a zoning district change from R-1 Single One-Family Dwelling District to R-3 Duplex District, for property legally defined as Hillcrest Addition, Block 21, Lot 30, also known as 375 Trinity Street, as it is not in conformance with both the goals and objectives of the Master Plan and the purpose of the City of Eagle Pass Code of Ordinances Appendix A.

The applicant, Mr. Heriberto Morales, Jr. provided details on the item, along with a PowerPoint presentation.

There being no further comments from the public, Chairman Velez closed the public hearing at 6:38 p.m.

Commissioner Valdez moved to approve the item. Seconded by Commissioner Salinas-Sanchez.
MOTION PASSES

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

4. Public hearing on the request submitted by Jose Hernandez for the rezoning of Lot 3 and the north 12 feet of Lot 4 in Block 8 of North Heights Unit 3, also known as 873 Ave A, from R-1 First One-Family Dwelling District to R-3A Apartment District; closing of public hearing and possible action.

Chairman Velez opened the public hearing at 6:29 p.m.

Assistant Community Development Director Rodriguez provided details on the item, recommending that the Planning and Zoning Commission deny a zoning district change from R-1 First One-Family Dwelling District to R-3A Apartment District, for property legally described as Lot 3, and the north 12 feet of Lot 4 in Block 8 of North Heights Addition, also known as 873 Ave A, as it is not in conformance with both the goals and objectives of the Master Plan and the purpose of the City of Eagle Pass Code of Ordinances Appendix A.

Mr. Ernesto Wueste, Mr. Timoteo Chaires, and Mr. Johnny Ruiz, respectively, spoke in opposition of the item.

There being no further comments from the public, Chairman Velez closed the public hearing at 6:38 p.m.

Commissioner Salinas-Sanchez moved to approve the Community Development Department's recommendation. Seconded by Commissioner Valdez. **MOTION PASSES**

Ayes: Velez, Salinas-Sanchez, and Valdez

Nays: None
Abstained: None
Absent: Gross, and Velazquez-Sanchez

NEW BUSINESS

10. Consideration and possible action on the Master Plan of Eagle Pass Port of Entry Industrial Park composed of 11.077 acres.

Community Development Director Madera provided details on the item and recommends that the Planning and Zoning Commission grant the Master Plan for Eagle Pass Port of Entry Industrial Park incorporating 11.077 acres subject to plan to comply with the provisions of City of Eagle Pass Code of Ordinances Chapter 23 Section 23-13.1 governing subdivision plat submittal requirements.

Commissioner Salinas-Sanchez moved to approve the Community Development Department's recommendation. Seconded by Commissioner Valdez. **MOTION PASSES**

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

11. Consideration and possible action on the Final Plat of Eagle Pass Port of Entry Industrial Park Lot 2, including a subdivision variance from Section 23-36(a) regulating preliminary plat requirements.

Community Development Director Madera provided details on the item and recommends that the Planning and Zoning Commission (1) grant the subdivision variance to proceed directly to final replat without first having obtained preliminary replat approval as required by City of Eagle Pass Code of Ordinances Section 23-36(a), and (2) grant final approval of the proposed Final Replat of Lot 1 of Eagle Pass Port of Entry Industrial Park Subdivision Lot 2, subject to the plat complying with the provisions of Article III of City of Eagle Pass Code of Ordinances Chapter 23 governing procedures and specifications for Final Plats and the following condition: that the executed 30 years water and wastewater agreements be submitted to the City prior to plat recordation.

Commissioner Valdez moved to approve the Community Development Department's recommendation. Seconded by Commissioner Salinas-Sanchez. **MOTION PASSES**

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

PUBLIC HEARINGS

5. Public hearing on the request submitted by Jose Hernandez for the rezoning of Lots 2 and 3 in Block 14 of Hillcrest Addition, also known as 1338 Quarry Street, from R-1 First One-Family Dwelling District to R-3A Apartment District; closing of public hearing and possible action.

Chairman Velez opened the public hearing at 6:48 p.m.

Assistant Community Development Director Rodriguez provided details on the item and recommends that the Planning and Zoning Commission deny a zoning district change from R-1 First One-Family Dwelling District to R-3A Apartment District, for property legally described as Lots 2 and 3 in Block 14 of Hillcrest Addition , also known as 1338 Quarry Street, as it is not in conformance with both the goals and objectives of the Master Plan and the purpose of the City of Eagle Pass Code of Ordinances Appendix A.

Ms. Evangelia Macias, Mr. Luis Rios, Mr. Ernesto Wueste, and Mrs. Roberta Wueste, respectively, spoke in opposition of the item.

There being no further comments from the public, Chairman Velez closed the public hearing at 6:58 p.m.

Commissioner Valdez moved to table the item. Seconded by Commissioner Salinas-Sanchez
MOTION PASSES: Unanimously

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

6. Public hearing on the preliminary Re-Plat of Lot 1 in Block 5 of La Herradura Subdivision, including a sidewalk waiver from Section 23-64 regulating sidewalks, curb and gutter; closing of public hearing and possible action

Chairman Velez opened the public hearings at 7:01 p.m.

Assistant Community Development Director Rodriguez provided details on the item, recommending that the Eagle Pass Planning and Zoning Commission (1) grant the sidewalk waiver request and (2) grant preliminary approval of the Replat of Lot 1 in Block 5 of La Herradura Subdivision, subject to the plat complying with the provisions of Article III of City of Eagle Pass Code of Ordinances Chapter 23 governing procedures and specifications for Final Plats.

Mr. Carlo Velarde, of Cavel Engineering provided further detail on the item.

There being no further comments from the public, Chairman Velez closed the public hearing at 7:05 p.m.

Commissioner Valdez moved to grant the department's recommendation. Seconded by Commissioner Salinas-Sanchez. **MOTION PASSES:** Unanimously

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

7. Public hearing on the preliminary Re-Plat of Lot 1 in Block 20 of Loma Linda Subdivision Unit 3, including a sidewalk waiver from Section 23-64 regulating sidewalks, curb and gutter; closing of public hearing and possible action.

Chairman Velez opened the public hearing at 7:06 p.m.

Assistant Community Development Director Rodriguez provided details on the item, recommending that the Planning and Zoning Commission (1) grant the sidewalk waiver request and (2) grant preliminary approval of the Replat of Lot 1 in Block 20 of Loma Linda Subdivision Unit 3, subject to the plat complying with the provisions of Article III of City of Eagle Pass Code of Ordinances Chapter 23 governing procedures and specifications for Final Plats.

Mr. Carlo Velarde, of Cavel Engineering provided further detail on the item.

There being no further comments from the public, Chairman Velez closed the public hearing at 7:10 p.m.

Commissioner Valdez moved to proceed with the department's recommendation. Seconded by Commissioner Salinas-Sanchez. **MOTION PASSES**

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

8. Public hearing on the Final Re-Plat of Lot D in Block 11 of Townsite of Fabrica; closing of public hearing and possible action.

Chairman Velez opened the public hearing at 7:11 p.m.

Assistant Community Development Director Rodriguez provided details on the item, recommending that the Planning and Zoning Commission grant final plat approval of the proposed Replat of Lot D in Block 11 of Townsite Fabrica, subject to the plat complying with the provisions of Article III of City of Eagle Pass Code of Ordinances Chapter 23 governing procedures and specifications for Final Plats and with the condition that sidewalks be installed at the time of lot development as approved by Eagle Pass City Council at their August 1, 2023 meeting.

There being no comment from the public, Chairman Velez closed the public hearing at 7:15 p.m.

Commissioner Salinas-Sanchez moved to approve the department's recommendation. Seconded by Commissioner Valdez. **MOTION PASSES**

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

9. Public hearing in the Final Re-Plat of Lot C in Block 13 of Townsite of Fabrica; closing of public hearing and possible action.

Chairman Velez opened the public hearing at 7:15 p.m.

Assistant Community Development Director Rodriguez provided details on the item, recommending that the Planning and Zoning Commission grant final plat approval of the proposed Replat of Lot C in Block 13 of Fabrica Townsite subject to the plat complying with the provisions of Article III of City of Eagle Pass Code of Ordinances Chapter 23 governing procedures and specifications for Final Plats and with the condition that sidewalks be installed at the time of lot development as approved by Eagle Pass City Council at their October 24, 2023 meeting.

There being no comment from the public, Chairman Velez closed the public hearing at 7:18 p.m.

Commissioner Valdez moved to proceed as the Community Development Department recommended. Seconded by Commissioner Salinas-Sanchez. **MOTION PASSES**

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

OTHER BUSINESS

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

Community Development Director Madera recommended the item be tabled.

Commissioner Valdez moved to table the item. Seconded by Commissioner Salinas-Sanchez. **MOTION PASSES**

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

13. Discussion of possible action on amendment to Landscape Ordinance.

Community Development Director Madera provided information on the item, as did Assistant City Engineer Vera. No action was taken.

14. Discussion of possible action on the updated pavement design standards.

Community Development Director Madera provided information on the item, as did Assistant City Engineer Vera. No action was taken.

15. Discussion of possible action on the updated SWPPP.

Community Development Director Madera provided information on the item, as did Assistant City Engineer Vera. No action was taken.

16. Discussion of possible change of meeting date.

Commissioner Valdez moved to table the item. Seconded by Commissioner Salinas-Sanchez.

MOTION PASSES

Ayes: Velez, Salinas-Sanchez, and Valdez

Nays: None

Abstained: None

Absent: Gross, and Velazquez-Sanchez

ADJOURNMENT

Commissioner Valdez moved to adjourn the meeting at 8:30 p.m. Seconded by Commissioner Salinas-Sanchez. **MOTION PASSES**

Passed and approved on _____, 2024.

Luis Velez
Chairperson

ATTEST:

Ita A. Cortinas
Assistant City Secretary

DRAFT

Item #2



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

1338 Quarry Street Rezone Request

I. BACKGROUND

General Information

Applicant & Property Owner: Jose Hernandez

PID: 9860 and 9861

Legal Description Lots 2 and 3 in Block 14 of Hillcrest Addition

Request: Rezone parcel from R-1 First One-Family Dwelling District to R-3A Apartment District, to allow for the construction of apartments.

Subject Property Information

Total Gross Parcel Size: 15,000 square feet

Master Plan: Residential

Current Use: vacant and undeveloped

Proposed Construction: Three 2-story detached multi-family dwellings, to house 6 families.

Vicinity Data

The site is in an area that is primarily comprised of single-family developments.

Infrastructure

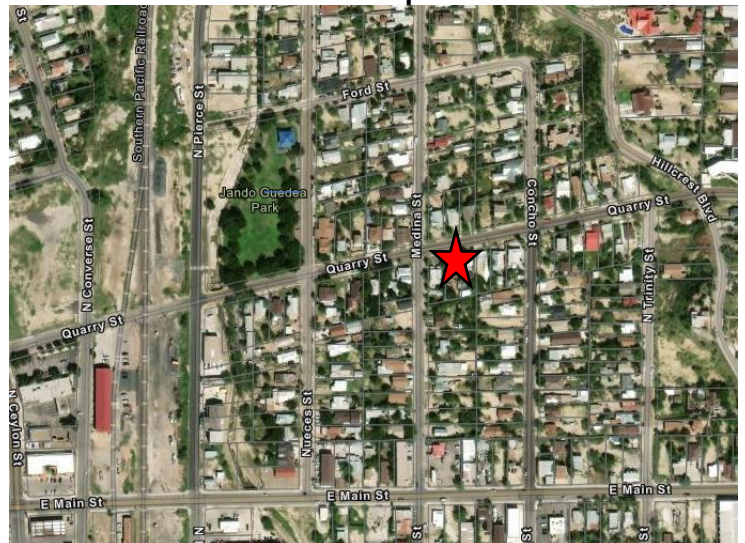
Property is currently served by public utilities/franchises, including water, sanitary sewer, storm sewer, telephone, electric service, gas, garbage, and cable.

Access to the site is provided by Quarry Street.

II. PUBLIC NOTICE

Public Notification of the Planning and Zoning Commission public hearing to consider the rezone request was completed consistent with the provisions of *Chapter 211 of the State of Texas Local Government Code Title 7*. 26 notices were mailed to the abutting property owners within the 200 foot radius from the subject property.

Aerial Map



Street View



III. RECOMMENDED FINDINGS OF FACT

A. Conclusions

1. Section 9.1(b)(4) of *Eagle Pass City Charter Article IX* authorizes the Planning and Zoning Commission to recommend or disapprove proposed changes to the *City of Eagle Pass Zoning Plan*. A request for a change in a zoning district designation for a property constitutes a change to the *Zoning Plan* and the *Zoning Plan Map*.
2. The applicant's request contains sufficient information for consideration by the Eagle Pass Planning and Zoning Commission. Information contained in this report and the Commission's associated public meeting will be used by the City Council in their consideration of the rezone request. Please refer to Attachment 1.
3. The *Master Plan* is the primary document used in the analysis as to the appropriateness of a rezone request. The *Master Plan Map* provides direction as to the areas of the City in which residential, commercial, and industrial development is to be situated.
4. The rezone, if granted, will result in construction activities that will include the enforcement of the appropriate land development regulations resulting in appropriate lot sizes, setback requirements, paved streets with curb gutters, sidewalks, and adequate utility services.

The purpose of the rezone is to allow for subsequent construction of three 2-story detached multi-family dwellings, to house 6 families, subject to conformance with all applicable city codes. If granted the applicant will also be required to file a plat amendment as the proposed construction will encroach onto the property lines of the two legal lots. Said proves required that the plat be recorded before the initial plan review and before the release of any building permits.

5. The rezone request is not consistent with the 'Land Use Development Goals' of the *City of Eagle Pass Master Plan*. The request to change from the R-1 District to R-3A District will cause disruption in the neighborhood, not retaining the community's character and scale.
6. The rezone request is not consistent with the *Master Plan's* 'Street Objectives', 'Thoroughfare Goals', and 'Thoroughfare Objectives', as the rezone site will only generate additional traffic to the neighborhood, thus causing a safety concern.
7. The rezone request does not conform to the purpose of the City's zoning code, as the subsequent development of the property will result in a use that is not consistent with intent of the *R-1 District* uses in the vicinity of the site, with a view to conserving the value of buildings and encouraging the most appropriate use of land adjacent that will have access to a public street. Please refer to Attachment 2 for a copy of the City's *Zoning District Map*.
8. The property is in an area that is primarily comprised of single-family developments and should be kept as such. Please refer to Attachment 1 for a photograph of the rezone site.
9. The rezone request is not consistent with both the goals and objectives of the *Master Plan* and the purpose of the *City of Eagle Pass Code of Ordinances Appendix A* governing zoning as set forth in Conclusion 1 through 8 of this Report. The rezone request, therefore, shall not be approved.

B. Community Development Department Recommendation

The Planning and Zoning Commission **DENY** a zoning district change from R-1 First One-Family Dwelling District to R-3A Apartment District, for property legally described as Lots 2 and 3 in Block 14 of Hillcrest Addition , also known as 1338 Quarry Street, as it is not in conformance with both the goals and objectives of the *Master Plan* and the purpose of the *City of Eagle Pass Code of Ordinances Appendix A*.

TRANSMITTED to the parties listed hereafter:

Jose Hernandez via e-mail
Planning and Zoning Commission Members via e-mail
Community Development Department Report dated June 14, 2024

Attachment 1

Application



PLANNING DEPARTMENT

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

ZONING CHANGE APPLICATION

Case No: _____

**Applicant
Information**

Name: Jose Hernandez
Mailing Address: 60 Kypwos Rd. Eagle Pass, Tx. 78852
Phone: (830) 352 4009 E-mail: jhernandez05@hotmail.com
Note: if you are not the owner of the property, you must attach a letter from the owner authorizing you to submit this application.

**Property
Owner
Information**

Name: Jose Hernandez
Mailing Address: 60 Kypwos Rd. Eagle Pass, Tx. 78852
Phone: (830) 352 4009 E-mail: jhernandez05@hotmail.com

**Property
Information**

Site Address: 1338 Quarry st. MCAD Property ID # 9860 & 9861
Legal Description: Lot(s) 283 Block 14 Subdivision Hillcrest Addition
(Property must be legally subdivided or be lot of record)
Front Yard Width (feet) 50 Rear Yard Width (feet) 50 Side Yard Width (feet) 150
each lot each lot each lot

Proposed Project

Amend Zoning Regulations contained in section 5
Amend the Official Zoning Map & Master Plan by changing 0.3444 acres of land currently zoned
R1-First One-Family to be zoned R3A-Apartment District
Conforms with the Zoning Map? ☐ Yes ☒ No
Conforms with Master Plan Designation? ☐ Yes ☒ No
☒ Vacant Land ☐ Vacant Building ☐ Single Family Dwelling ☐ Commercial
☒ Multi-Family Dwellings ☐ Industrial ☐ Other _____

Detailed Explanation of Proposed Use	
Proposed Use of Property/Reason for Change:	<u>Construction of Duplex</u>
set of 6 - 2 story apartment units - refer to enclosed plans	
Describe the character and/or nature of uses surrounding the property:	
<u>Old Houses and Apartments</u>	
Will the rezoned designation be compatible with the classification and use of adjoining lands? ☒ Yes ☐ No	
If No, how do you propose to reduce any adverse impact?	

Applicant Authorization	I authorize the City of Eagle Pass to conduct any site visits necessary to evaluate this zoning change application.
	I hereby state that I have prepared this application and that, to the best of my knowledge, the information contained herein is complete, accurate, and a true representation of the zoning change request. I further attest that I have the authority to submit this application and agree to comply with any and all conditions of the zoning change approval. I agree to provide any additional information requested by the City as they deem necessary for the processing of this application.
	<u><i>JO Hernandez</i></u> Applicant Signature <u>12-18-23</u> Date

Office Use	Date Application Accepted for Review: <u>6/4/24</u> By: <u>RP/KV/MA</u>
	Contact Date for Supplemental Info: <u>NA</u> Supplemental Info Received: <u>NA</u>
	Completeness Review Date: <u>6/4/24</u> By: <u>MA/KV</u>
	Application Returned to Applicant: <u>NA</u> (when applicable)
<u>paid in full fee</u>	
MR:7/2020	

Subject Property Current photos



June of 2023



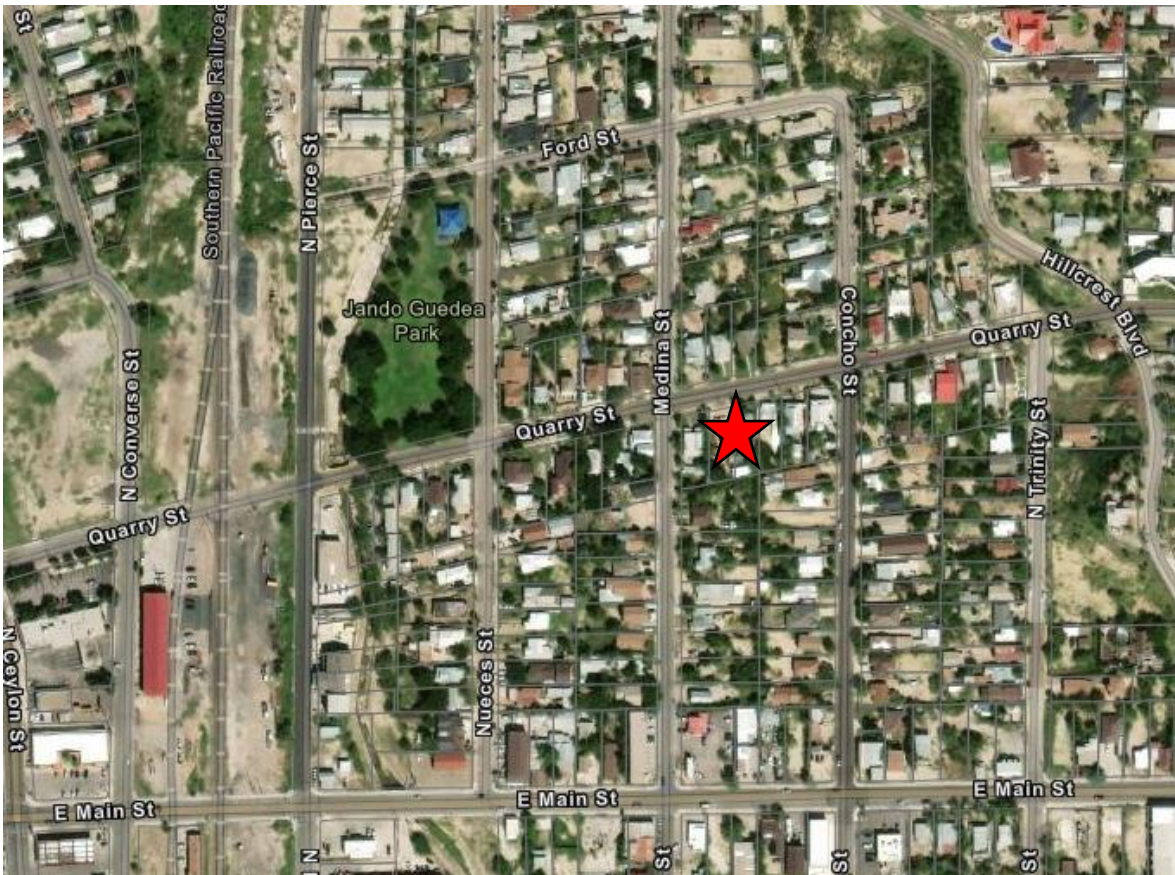
July of 2016



No apartments found in the vicinity of subject property.



Legacy Map

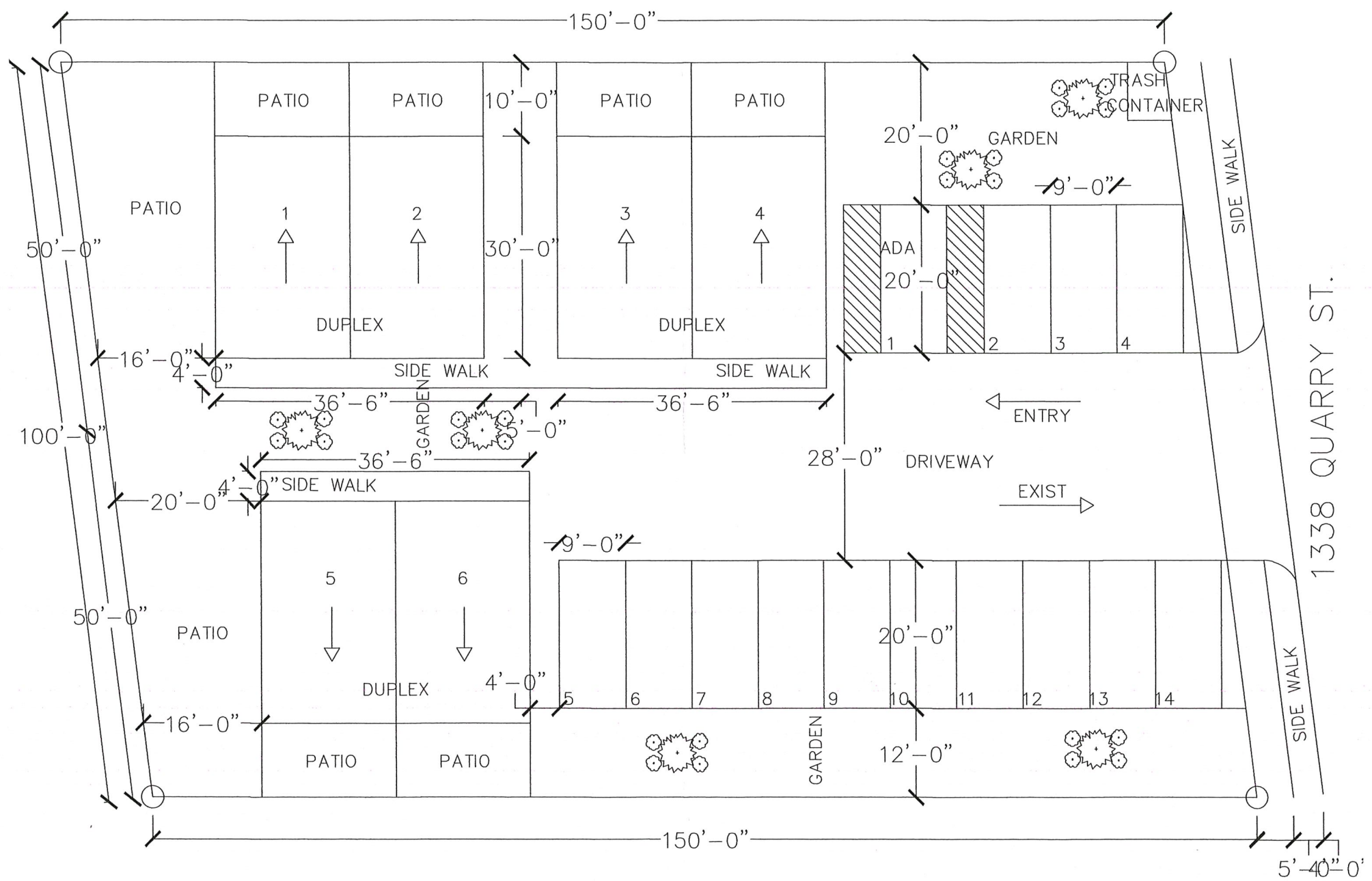




★ = B1 (Neighborhood business district)

This designation allows

- (1) any use in the R-1" One-family dwelling district or the "R-2" Second one-family dwelling district.
- (2) Two-family or duplex attached dwellings.



SITE PLANE

SCALE 1/8" = 1' - 0"

CONSTRUCTION AREAS	
FIRST FLOOR	462.00
SECOND FLOOR	534.62
TOTAL AREA	996.62 SQ. FT.

1. All construction shall conform to all local building codes.
2. All dimensions shown on floor plan are from face to face and/or stone veneer unless otherwise noted.
3. Contractor shall notify designer upon discovery of any errors or discrepancy of dimensions, clearances, or other items as shown or noted in these drawings.
4. Coordinate all window sizes and locations as noted on floor plan with selected elevation options.
5. H/VAC system shall be designed by mechanical sub-contractor and approved by designer or general contractor. System shall have a s.e.e.r. rating of 14 or as required by local building codes. Units shall be designed with two zones as directed by contractor. Provide all suction lines from units to exterior condenser units as indicated on site plan. Provide 4" thick concrete pads with rebar and reinforcing. Locate or handling units in attic space near return air chases as indicated on the floor plan.
6. House to be located within building setback lines.
7. Exact location of house to be determined at plan by builder & home owner.
8. All site work & landscaping to be designed by landscape architect & to be approved by the home owner.
9. Verify with professional engineer drainage plan. Unique Design is not responsible for any drainage issues.

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File: SITE PLAN

Project: APARTMENTS DESIGN
LOT 2 & 3
HILLOES ADDITION
1338 QUARRY STREET
MAVERICK COUNTY, TEXAS

Property: JOSE HERNANDEZ

Designer: O. Fernandez

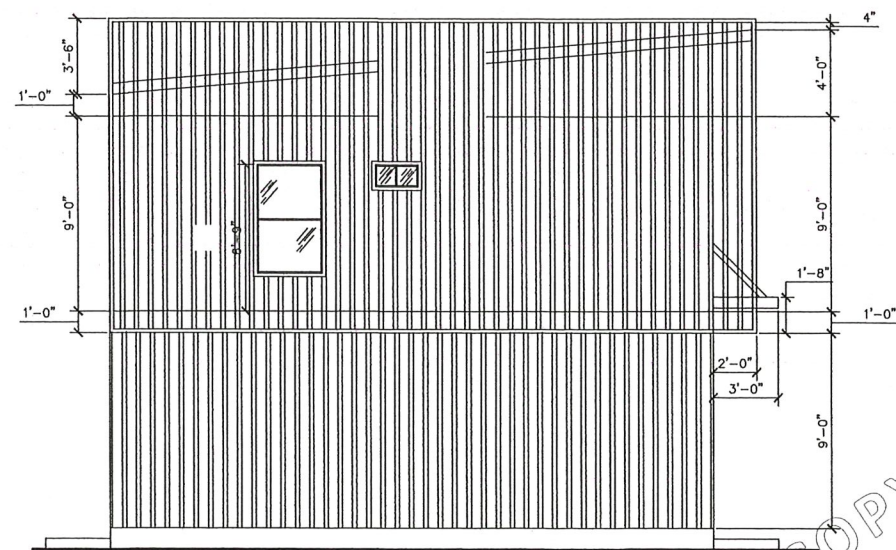
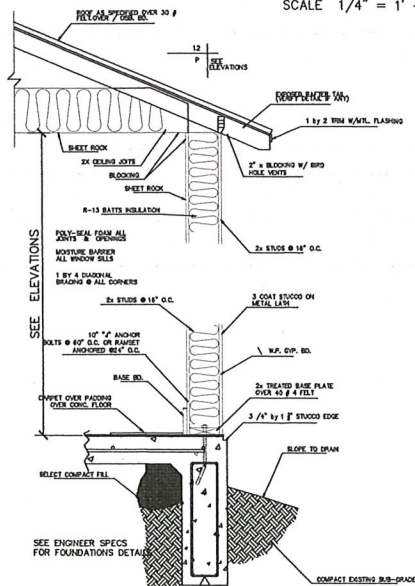
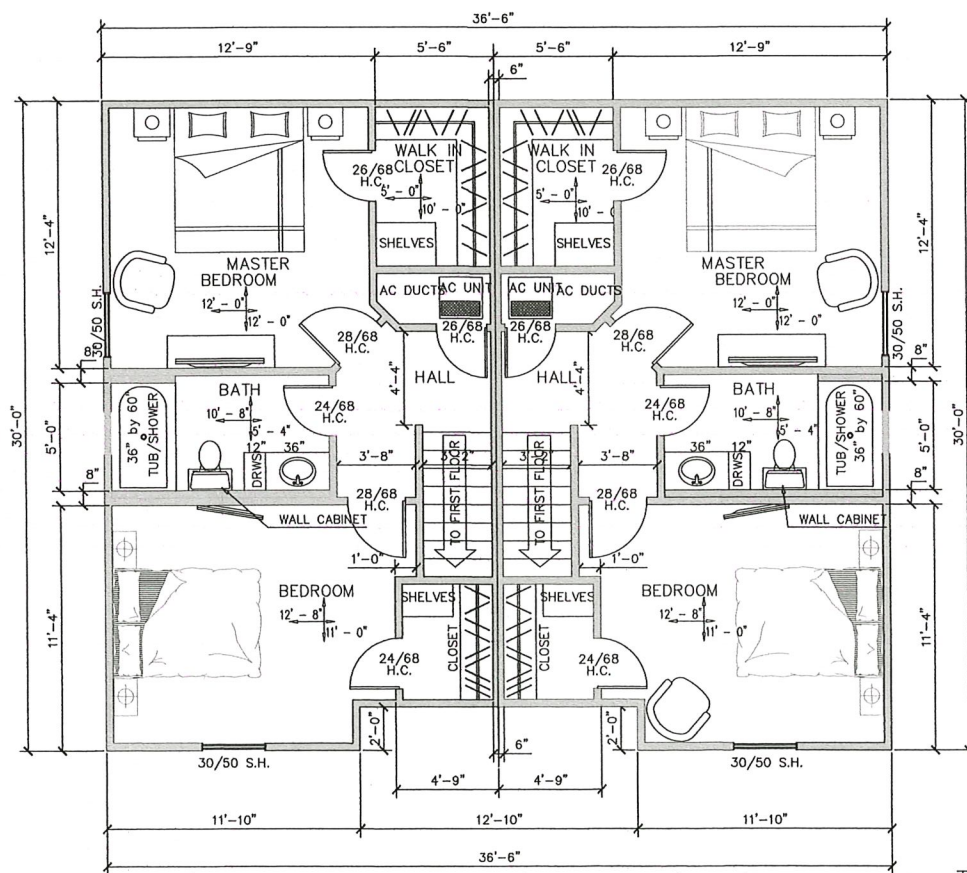
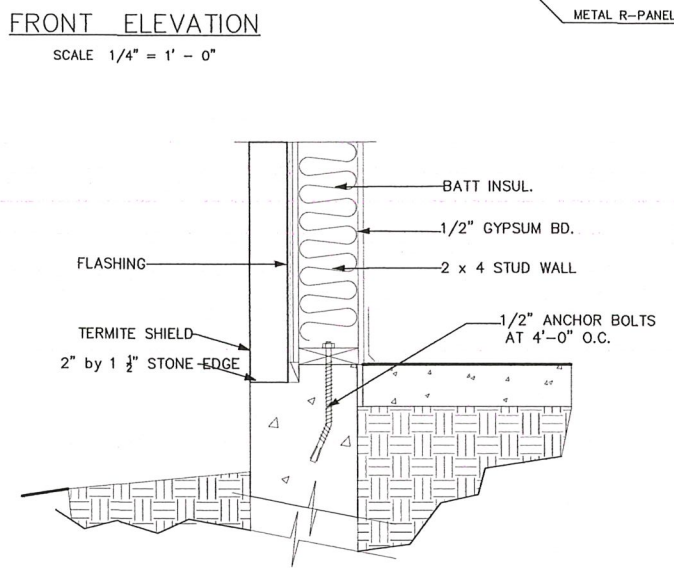
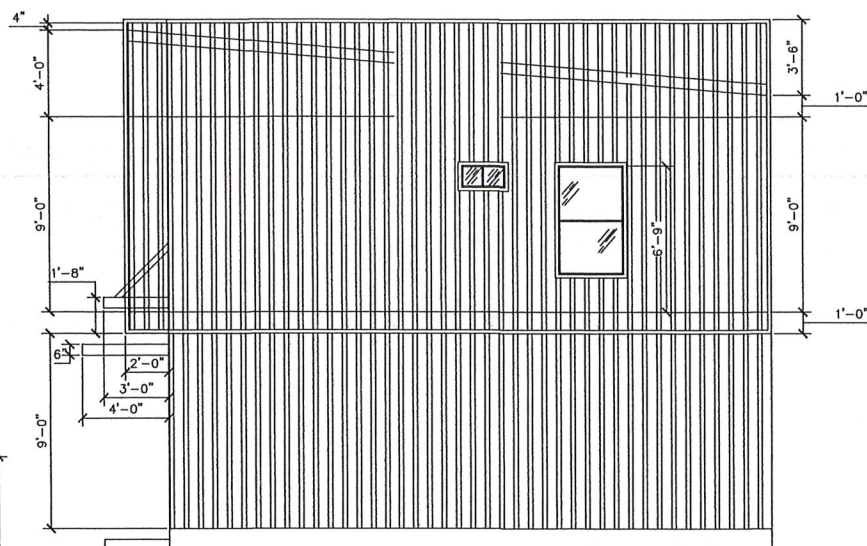
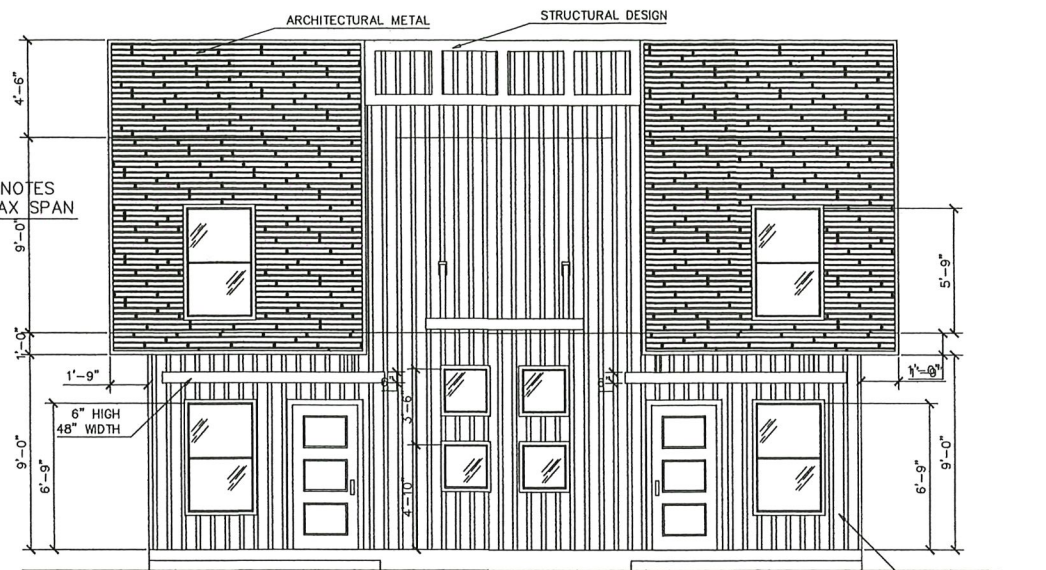
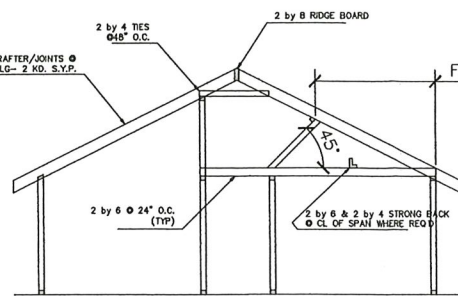
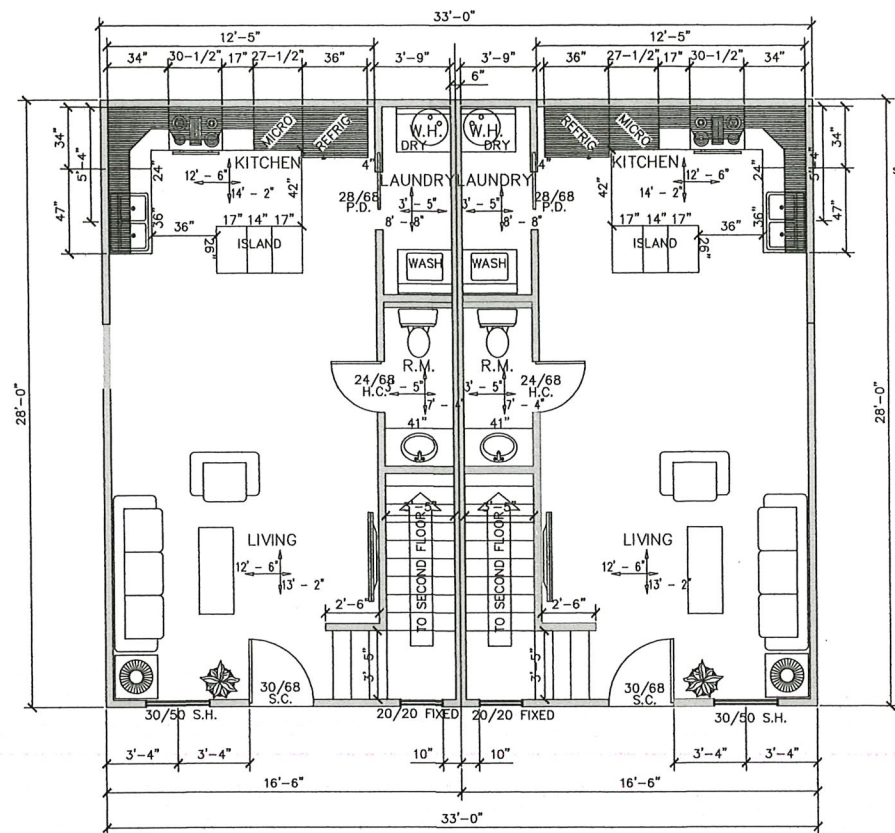
Scale: Indicate

Units: Ft - In

Date: OCT-04-2023

Sheet: A-02

COPYRIGHT



1. All construction shall conform to all local building codes.
2. All dimensions shown on floor plan are from face to face and/or stone veneer unless otherwise noted.
3. Contractor shall notify designer upon discovery of any errors or discrepancy of dimensions, clearances, or other items as shown or noted in these drawings.
4. Coordinate all window sizes and locations as noted on floor plan with selected elevation options.
5. HVAC system shall be designed by mechanical sub-contractor and approved by designer or general contractor. System shall have a s.e.e.r. rating of 14 or as required by local building codes. Units shall be designed with two zones as directed by contractor, provide all suction lines from units to exterior condenser units as indicated on site plan. Provide 4" thick concrete pads with full slab and reinforcing. Locate or handling units in attic space near return or chase as indicated on the floor plan.
6. House to be located within building setback lines.
7. Exact location of house to be determined at point by builder or home owner.
8. All site work & landscaping to be designed by landscape architect & to be approved by the home owner.
9. Verify with professional engineer drainage plan. Unique Design is not responsible for any drainage issues.

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CONSTRUCTION AREAS	
FIRST FLOOR	462.00
SECOND FLOOR	534.62
TOTAL AREA	996.62 SQ. FT.

Attachment 2
Master Plan Map & Zoning District Map

Master Plan Map



Zoning Map



Item #3



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

Final Replat of Lot 6 in Block 18 of Deer Run Subdivision Unit 4

I. BACKGROUND

A. General Information

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

Developer: Maria Teresa Guerra

Location: 3674 Elk Lane **PID Number:** 7941

Legal Description: Lot 6 in Block 18 of Deer Run Subdivision Unit 4

Request: final replat approval to subdivide an approximately 0.4132-acre tract into two residential lots, including a sidewalk waiver. The installation of city utilities has been inspected and accepted by Eagle Pass Water Works System.

B. Subject Property Information

Parcel Size: 18,000-square feet **Topography:** Generally flat

Vegetation: residential landscaping and native vegetation

Existing Use: one story residence

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

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

C. Vicinity Data

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

D. Infrastructure

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

The parcel is located at the corner of Elk Lane and Fallow Lane and given access by both streets.

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*. 59 notices were mailed to the abutting property owners within a 500 foot radius of the subject property on July 3, 2024.

III. RECOMMENDED FINDINGS OF FACT

A. Conclusions

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

- ✓ Section 23-66 governing sanitary sewage disposal
- ✓ Section 23-67 governing potable water supply and fire flow
- ✓ Section 23-68 governing storm drainage
- ✓ Section 23-69 governing the size of building lots, including lot width, lot depth, lot orientation, and building setback areas
- ✓ Section 23-71 governing the installation and inspection of utility lines

Please refer to Attachment 3 for a copy of the *Engineering Report* for the subdivision.

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

9. The replat will allow for a use of the property that is consistent with the residential purpose of the *R-1 First One-Family Dwelling District* and the surrounding neighborhood for the following reasons:
- ✓ The subdivision design bears a substantial relationship to the public's health, safety, and welfare.
 - ✓ The subdivision is in accordance with the policies of the *Master Plan* and the residential purpose of the *R-1 District*.
 - ✓ The subdivision is warranted because of the necessity to create additional building lots in the *R-1 District*, and because the proposed development is appropriate to accomplish the reasonable use of the property.
 - ✓ The subject property is suitable for development in general conformance with development standards of the *R-1 District*.
 - ✓ The subdivision will benefit the County as a whole and will not be detrimental to nearby land uses of a similar nature.
 - ✓ The subdivision has been designed and conditioned to comply with all applicable subdivision criteria and standards of the City of Eagle Pass.
10. The approval of this preliminary replat request is warranted, as the project conforms to the *City of Eagle Pass Master Plan* and the *City of Eagle Pass Code of Ordinances* as noted in Conclusion 1 through and including Conclusion 9 of this report.

B. City Council action taken for preliminary plat at their September 5, 2023 meeting

1. **GRANTED** a sidewalk waiver request for Lot 6B with the condition that (a) the developer construct the sidewalk along the perimeter of said lot within 18 months after plat recordation (b) construct the sidewalk for Lot 6A before plat recordation.
2. **GRANTED** preliminary replat approval subject to the plat complying with the provisions of *Article III of City of Eagle Pass Code of Ordinances Chapter 23* governing procedures and specifications for Final Plats.

C. Community Development Department Recommendation

That the Eagle Pass Planning and Zoning Commission (1) **GRANT** a sidewalk waiver request with the condition that the developer construct the sidewalk along the street frontage of Lots 6A and 6B, when Lot 6B is developed or within 18 months after plat recordation, whichever comes first; and (2) **GRANT** final plat approval of the *Replat of Lot 6 in Block 19 in Deer Run Subdivision Unit 4*, subject to the plat complying with the provisions of *Article III of City of Eagle Pass Code of Ordinances Chapter 23* governing procedures and specifications for Final Plats.

TRANSMITTED to the parties listed hereafter:

Dirksen Engineering via e-mail

Eagle Pass Planning and Zoning Commission via e-mail

Maverick County Planning Director Angel Salas via email

Planning & Zoning Commission Report dated July 12, 2024

Attachment 1
Application



PLANNING DEPARTMENT

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

SUBDIVISION APPLICATION

TYPE OF SUBDIVISION (check one):

☐ Preliminary

☒ Final

☐ Replat

☐ Amendment

☐ Short Form Final

Property Legal Description: Deer Run Unit # 4, Block 18, Lot 6

Maverick County Property Identification Number(s): 7941

Name of Addition: Replat of Lot 6, Block 18, Deer Run Subdivision, Unit IV

Location of Addition: 3674 Elk Lane, Eagle Pass, Tx 78852

Number of Residential Lots: 2 Number of Commercial Lots: 0 Gross Acreage: 0.428

Number of New Street Intersections 0 Linear feet of Streets 0

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

Existing Land Use: Residential

Proposed Land Use: Residential

Requested Variances: Sidewalk

PROPERTY OWNER:

Name: Maria Teresa Guerra

Contact: Maria Teresa Guerra

Address: P.O Box 5705

Phone: 830-335-9732

City: Eagle Pass

Fax: _____

State: Tx Zip: 78853

E-mail: abigail._g@live.com

Signature: _____

Date: _____

PROPERTY OWNER:

Name: _____

Contact: _____

Address: _____

Phone: _____

City: _____

Fax: _____

State: _____ Zip: _____

E-mail: _____

Signature: _____

Date: _____

APPLICANT/SUBDIVIDER:

Name: Maria Teresa Guerra
Address: P.O Box 5705
City: Eagle Pass
State: Tx Zip: 78853
Signature: _____

Contact: Maria Teresa Guerra
Phone: 830-335-9732
Fax: _____
E-mail: abigail._g@live.com
Date: _____

SURVEYOR:

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

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

ENGINEER:

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

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

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

Date

STATEMENT OF OWNER/SUBDIVIDER

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

Owner / Subdivider Signature

Date

STATE OF TEXAS §

COUNTY OF _____ §

Before me, the undersigned authority, a notary public for the State of Texas, on this day personally appeared _____ (Name), _____ (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 _____ day of _____,
20____.

Notary Public, State of Texas

REPLAT OF LOT 6, BLOCK 18,
DEER RUN SUBDIVISION, UNIT IV

Maria Teresa Guerra

Being a 0.4126 acre replat of Lot 6, Block 18, Deer Run Subdivision, Unit IV as shown on the plat recorded on Envelope 113, Side A of the Maverick County Plat Records, and being the same Lot 6 described in conveyance documents to Maria Teresa Guerra, recorded in Document Number 2217609 of the Maverick County Official Public Records, Maverick County, Texas and more particularly described by metes and bounds as follows:

BEGINNING at a steel stake found (S.P.C. N:13466491.92, E:1492069.21) in the south line of Fallow Lane at the northwest corner of Lot 7 for the northeast corner of the herein described tract;

THENCE S 03°16'33" W, 101.05 feet to a steel stake found in the west line of Lot 7 at the northeast corner of Lot 5 for the southeast corner of the herein described tract;

THENCE N 86°52'42" W, 199.87 feet to a steel stake found in the east line of Elk Lane at the northwest corner of Lot 5 for a southwest corner of the herein described tract;

THENCE N 03°17'34" W, 53.00 feet with the east line of Elk Street to a steel stake found for a west corner of the herein described tract;

THENCE Northeasterly with a tangent curve to the right having a radius of 27.77 feet, chord N 42°56'16" E, 38.63 feet, for an arc length of 42.72 feet to a steel stake found in the south line of Fallow Lane for a north corner of the herein described tract;

THENCE N 87°08'04" E, 176.21 feet to the **POINT OF BEGINNING** containing 0.4126 acres of land within the herein described tract surveyed by Dirksen Engineering on April 4, 2023.

STATE OF TEXAS)
COUNTY OF MAVERICK)

OWNER'S DEDICATION, CERTIFICATION, AND ATTESTATION

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

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

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

Signature _____
Maria Teresa Guerra

State of Texas)
County of Maverick)

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

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

Signature Notary Public State of Texas

COMMISSIONERS COURT CERTIFICATION:

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

SIGNED THIS _____ DAY OF _____, 20_____.

MAVERICK COUNTY JUDGE

ATTEST

WE THE UNDERSIGNED CERTIFY THE REPLAT OF LOT 6, BLOCK 18, DEER RUN SUBDIVISION, UNIT IV WAS REVIEWED AND APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF EAGLE PASS ON _____, _____

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

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

SIGNATURE NOTARY PUBLIC STATE OF TEXAS

WE THE UNDERSIGNED CERTIFY THE REPLAT OF LOT 6, BLOCK18, DEER RUN SUBDIVISION, UNIT IV WAS REVIEWED AND APPROVED BY THE CITY MANAGER OF THE CITY OF EAGLE PASS ON _____, _____

DATE: _____
CITY MANAGER OF THE CITY OF EAGLE PASS

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

SIGNATURE NOTARY PUBLIC STATE OF TEXAS

WE THE UNDERSIGNED CERTIFY THE REPLAT OF LOT 6, BLOCK18, DEER RUN SUBDIVISION, UNIT IV WAS REVIEWED AND APPROVED BY THE MAYOR OF THE CITY OF EAGLE PASS ON _____, _____

DATE: _____
MAYOR OF THE CITY OF EAGLE PASS

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

SIGNATURE NOTARY PUBLIC STATE OF TEXAS

COUNTY CLERK'S RECORDING CERTIFICATE

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

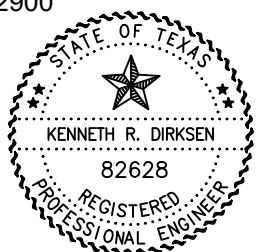
MAVERICK COUNTY CLERK

STATE OF TEXAS)
COUNTY OF MAVERICK)

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

I CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL SURVEY CONDUCTED ON April 4, 2023 ON THE GROUND UNDER MY SUPERVISION AND THE MONUMENTS SHOWN ARE WITHIN THE POSITIONAL TOLERANCE REQUIRED BY 22TAC SEC 663.15.

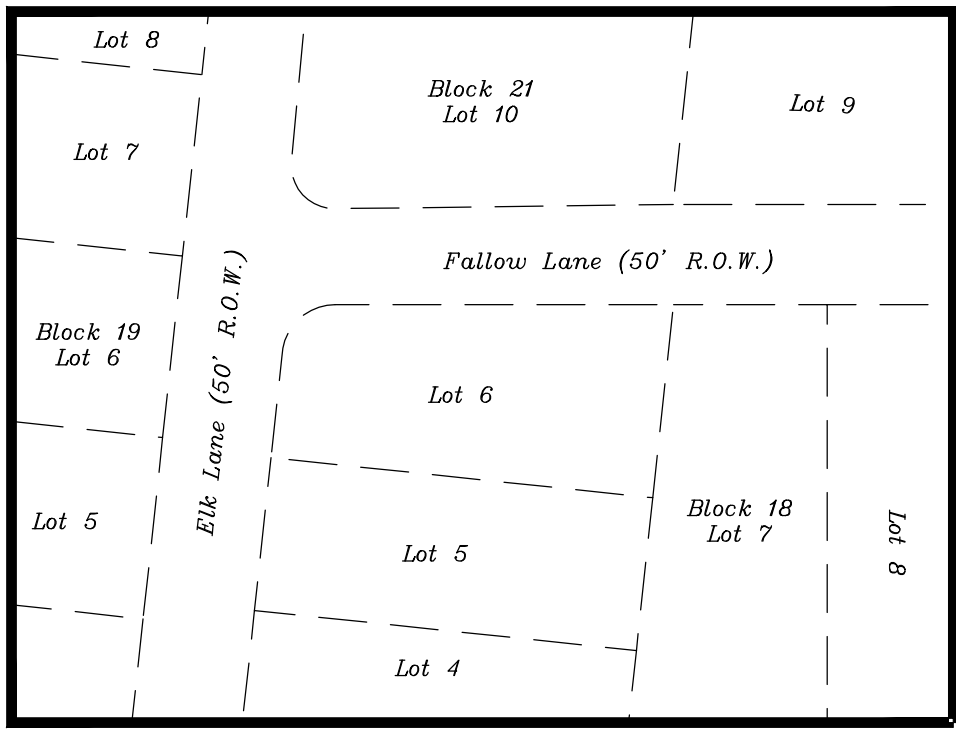
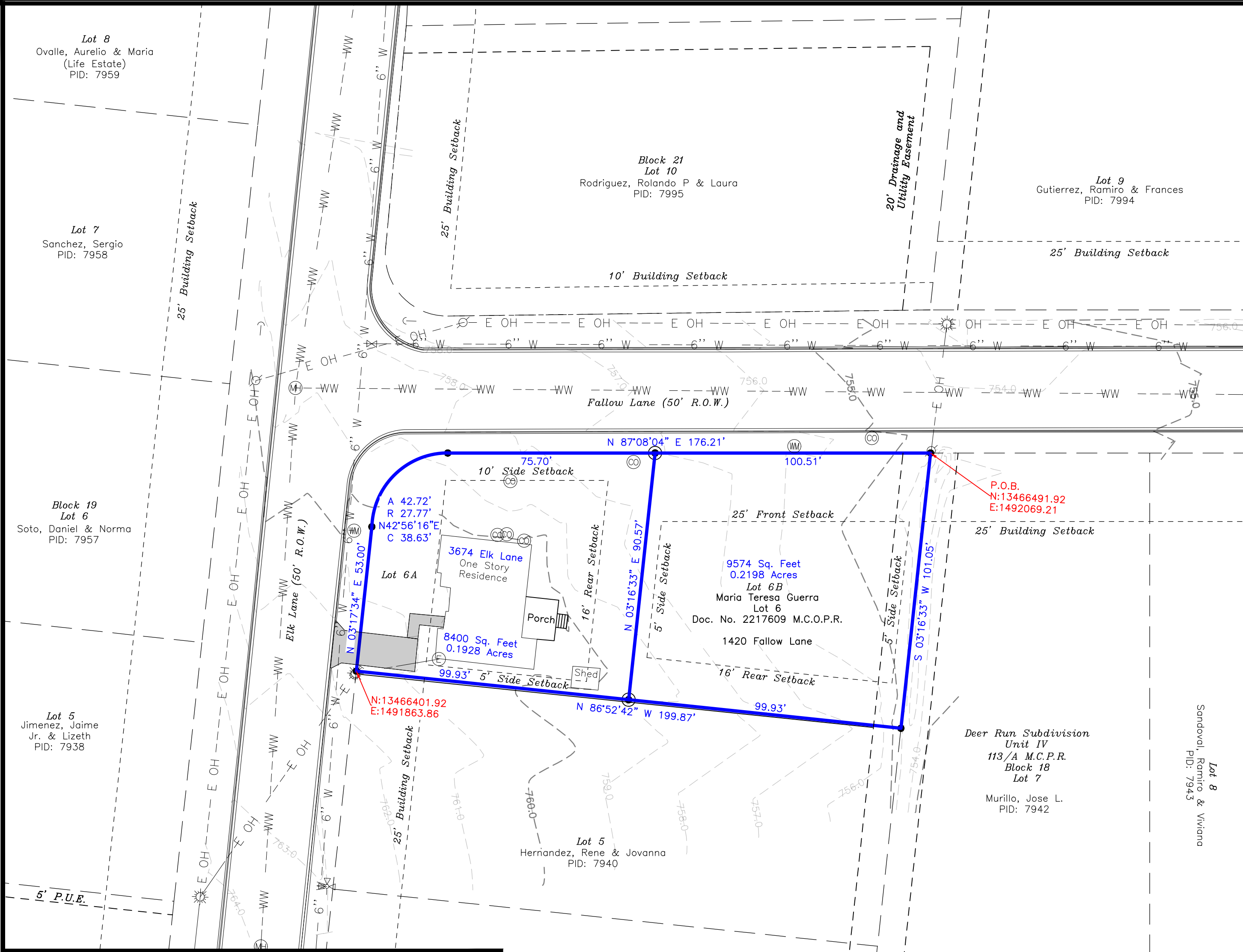
KENNETH R. DIRKSEN, P.E. 82628, R.P.L.S. 6260
DIRKSEN ENGINEERING PROJECT 23-2900



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

SIGNATURE NOTARY PUBLIC STATE OF TEXAS

MY COMMISSION EXPIRES ON: _____

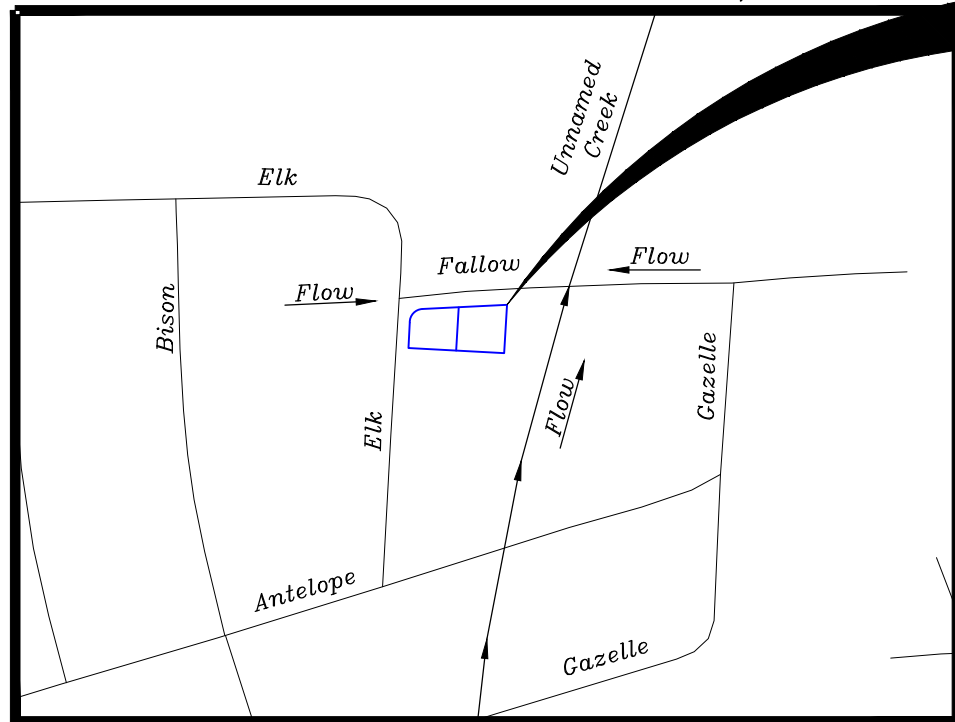


PLAT

NOTES:

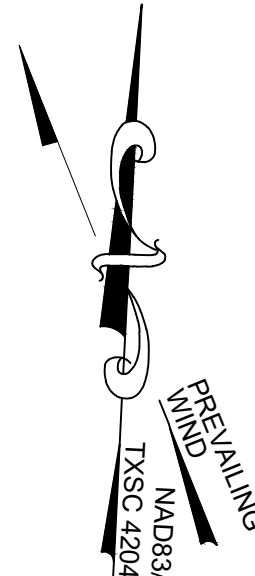
- THIS PLAT AMENDS LOT 6, BLOCK 18, DEER RUN SUBDIVISION, UNIT IV OF THE PLAT PREVIOUSLY RECORDED IN THE PLAT RECORDS OF MAVERICK COUNTY, ENVELOPE 113, SIDE A. NO COVENANT EXIST.
- THE LAND SHOWN ON THIS PLAT IS IN THE ETJ OF CITY OF EAGLE PASS IN MAVERICK COUNTY, NO ZONING EXISTS. FRONT YARD 25 FT, SIDEYARD 5 FT, SIDE YARD 10 FT AT STREET CORNER, REAR YARD 16 FEET.
- THE SUBDIVISION SHOWN ON THIS PLAT IS LOCATED OUTSIDE OF SPECIAL FLOOD HAZARD AREAS (SFHAS) AND INSIDE THE AREA OF MINIMUM FLOOD HAZARD, ZONE X, AS SHOWN ON FLOOD INSURANCE RATE MAP NUMBER 48323C0350D FOR MAVERICK COUNTY, TEXAS AND INCORPORATED AREAS BOTH DATED APRIL 4, 2011.
- THE SUBSEQUENT RE-PLATTING OR CONSTRUCTION DEVELOPMENT OF ANY LOT SHALL BE SUBJECT TO THE RESPECTIVE PARKLAND REQUIREMENTS OF EAGLE PASS CODE OF ORDINANCES SECTION 23-79 AND EAGLE PASS CODE OF ORDINANCES SECTION 23-80, WITH FEE PAYMENT FOR CONSTRUCTION DEVELOPMENT DUE AT THE TIME OF THE COUNTY INSPECTION OF AN ELECTRICAL SERVICE CONNECTION OR THE COUNTY INSPECTION OF A SEWER SERVICE CONNECTION.
- EASEMENTS MUST BE KEPT CLEAR OF ANY OBSTRUCTIONS.
- SIDEWALK MUST BE BUILT AT THE DEVELOPMENT OF LOT 6B OR WITHIN 18 MONTHS OF RECORDING THE PLAT.

VICINITY MAP: EAGLE PASS, TX



SCALE: 1"=400'

REPLAT OF LOT 6, BLOCK 18,
DEER RUN SUBDIVISION,
UNIT IV



SCALE: 1" = 30'

LEGEND	
BOUNDARY LINE	---
SET 1/2" STEEL STAKE	●
FOUND MONUMENT	●
SANITARY SEWER	--- WW ---
SEWER MANHOLE, CO	⊕ ⊗
PLAT LINES	---
DEED LINES	---
EASEMENT	--- X --- X ---
FENCE	---
GAS LINE	--- G --- G ---
WATER LINE	--- W --- W ---
WATER VALVE/METER	⊕ ⊗
ELECTRIC	--- E OH ---
TELEPHONE	--- T --- T ---
911 ADDRESS	3674
FIRE HYDRANT	⊕ ⊗
LUMINAIRE	⊕ ⊗

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FIRM NAME & ADDRESS



PROJECT# 23-2900

PROJECT NAME & ADDRESS

REPLAT OF LOT 6, BLOCK 18, DEER
RUN SUBDIVISION, UNIT IV
Eagle Pass, TX

SHEET TITLE

FINAL PLAT

11-29-2023

PREPARED FOR:
Maria T. Guerra
P.O. Box 5705
Eagle Pass, Tx 78853

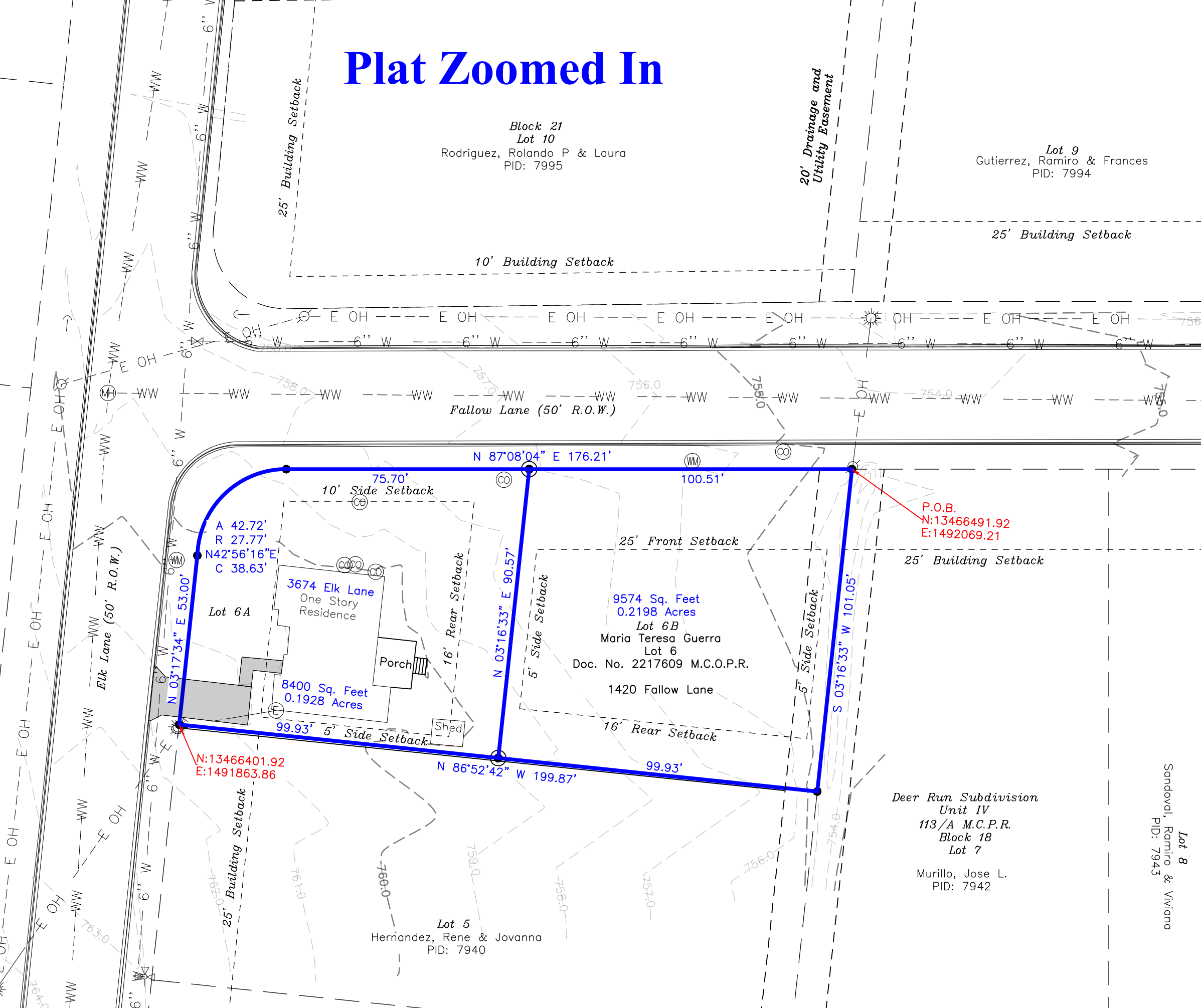
SHEET

1

OF 1 SHEETS

DES'D : KRD
DRAWN : KRD
APP'VD : KRD
DATE : 8-10-23

Plat Zoomed In



Block 21
Lot 10
Rodriguez, Rolando P & Laura
PID: 7995

Lot 9
Gutierrez, Ramiro & Frances
PID: 7994

Fallow Lane (50' R.O.W.)

Lot 6A

3674 Elk Lane
One Story
Residence

Porch

8400 Sq. Feet
0.1928 Acres

Shed

9574 Sq. Feet
0.2198 Acres

Lot 6B
Maria Teresa Guerra
Lot 6
Doc. No. 2217609 M.C.O.P.R.
1420 Fallow Lane

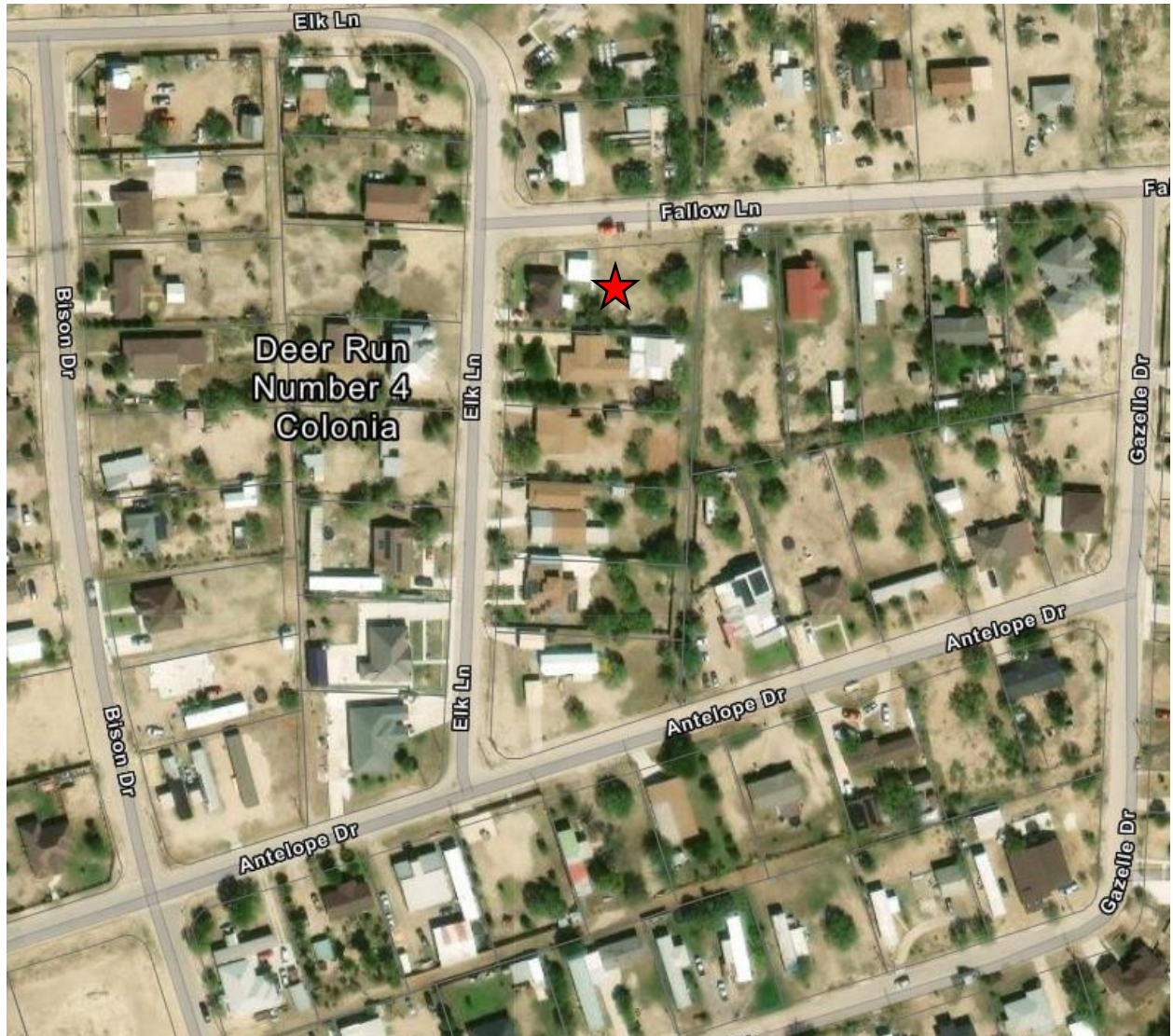
Deer Run Subdivision
Unit IV
113/A M.C.P.R.
Block 18
Lot 7

Murillo, Jose L.
PID: 7942

Lot 5
Hernandez, Rene & Jovanna
PID: 7940

Lot 8
Sandoval, Ramiro & Viviana
PID: 7943

Aerial View



Street View





Attachment 2
Sidewalk Waiver Application



PLANNING DEPARTMENT

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

Subdivision Sidewalk Waiver Application

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

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

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

=====

Applicant Information

Applicant (if not owner): Kenneth Dirksen STBC GLOBAL - NET
Phone: 830-278-2100 Email: kendirksen@icloud.com
Owner: Maria Teresa Guerra
Owner Address: PO Box 5705 City: Eagle Pass State: Tx Zip: 78853
Phone: 830-335-9732 Email: abigail._g@live.com

Property Information

Site Address: 3674 Elk Lane, E.P., Tx 78852
Legal description (from deed): Deer Run Unit #4, Block 18, Lot 6
(Property must be legally subdivided or be lot of record)
Maverick County Identification Number: 7941

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

WAIVER TO NOT CONSTRUCT SIDEWALK ALONG BLK LANE
AND FALLOW LANE. NO SIDEWALK IS PRESENT IN THE
SUBDIVISION

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

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

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

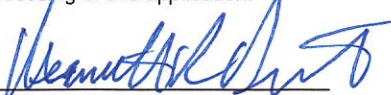
NO SIDEWALK IS CONSTRUCTED IN THE SUBDIVISION

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

04-29-2023
Date

Attachment 3
Final Engineering Report

Dirksen Engineering

441 Fort Clark St, Ste B.

Uvalde, TX 78801

TBPE FIRM #F-8848

TBPLS FIRM #10193741

Phone: 830-278-2100

Fax: 830-278-2102

Cell: (830) 279-9447

kendirksen@sbcglobal.net

August 10, 2023

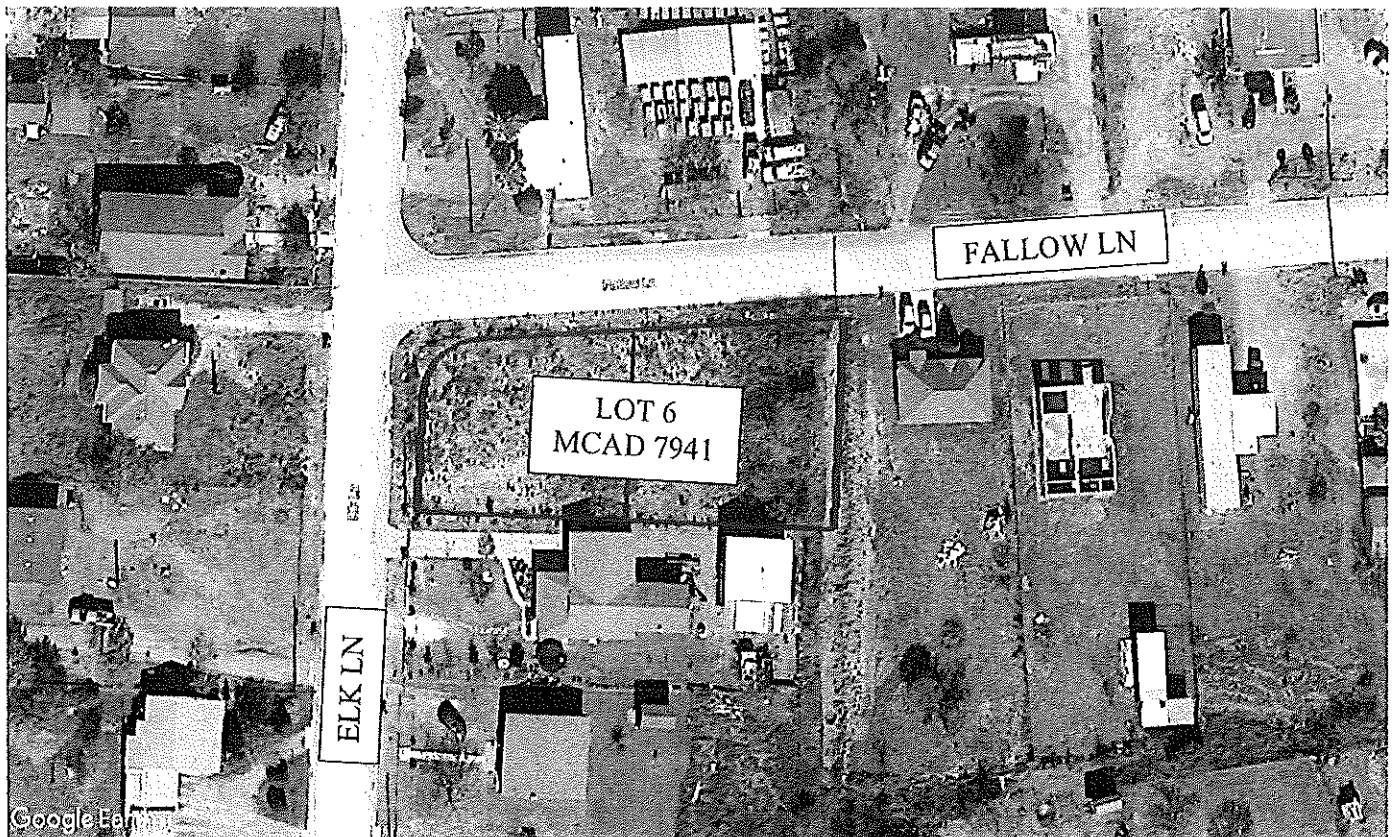
Placido Madera
Planning Director City of Eagle Pass
3295 Bob Rogers Drive
Eagle Pass, Tx 78852

Re: Final Engineering and Drainage Report – Replat of Lot 6, Block 18, Deer Run Subdivision, Unit 4

To Whom It May Concern:

Introduction:

The Re-Plat of Lot 6, Block 18, Deer Run Subdivision, Unit IV is located along at the intersection of FM 2030 and Fallow Lane. The Lot will be divided into two halves east and west. The Maverick CAD Tax ID Number is 7941.



REVISED
8-21-23

Development

Deer Run Unit 4 was platted in 1980. The subdivision was platted without deed restrictions or covenants.

A residence has been constructed on the west half and it is now desired to construct a residence on the east half. The re-plat is required for construction of the new residence. No zoning exists in the county. The desired setbacks are set by this re-plat.

Street Development

Both tracts have access to paved public streets. Elk Lane and Fallow Lane have curb along the boundaries of this tract. Sidewalks will be constructed along the existing curb when Lot 6B is developed.

Water Development

Water service is provided to Lot 6A along Elk Lane. An additional service will be added on Fallow Lane for Lot 6B

Fire protection is provided by a fire hydrant located Elk Lane at the southwest corner of Lot 5. The static pressure at this fire hydrant was tested and is attached to this report.

Sanitary Sewer Facilities

Sanitary sewer is provided to Lot 6A along Fallow Ln. Sanitary sewer service for Lot 6B will be installed along Fallow Ln.

Drainage Development

The soil is Catarina clay association which is a fat clay soil. The drainage classification is D. The entire site is located outside the special flood hazard area shown on FEMA FIRM 48323C0350D dated April 4, 2011. The Soil Report and a Firmette of the flood plane panel are attached to this report.

Drainage from this site is east across the lots to a drainage easement immediately east of Lot 6B. The drainage area is the land inside the curb. No water from Elk or Fallow enters the subject lot. No water from the adjacent lot enters this lot.

The land uses are residential with most houses developed. The C values are taken from the City of Eagle Pass Ordinance for Drainage. The 25 year and 100 year storm are multiplied by 1.1 and 1.25 as required by the ordinance. This re-subdivision will be developed by constructing a residential structure on Lot 6B. Runoff increase from pre-development conditions to developed is 0.9 cfs to 2.1 cfs in the 100 year storm. This increase is small and no additional development of storm water detention is required.

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

Electric Facilities, Telephone and Cable Television

Electric service is provided by AEP. Electric and telecommunication utilities are available from Elk Ln and Fallow Ln.

Gas Service

No gas service is required for this subdivision.

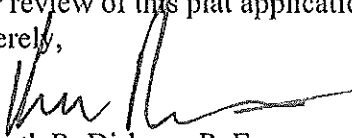
Re-Plat Lot 6, Block 18
Deer Run Subdivision
Eagle Pass, TX

Page 3 of 3

Construction Cost

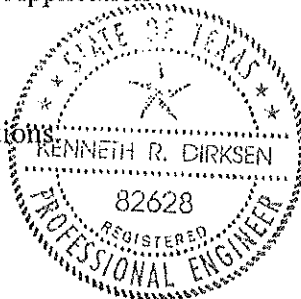
No public utilities will be constructed for this project.

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

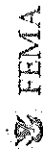


Kenneth R. Dirksen, P. E.

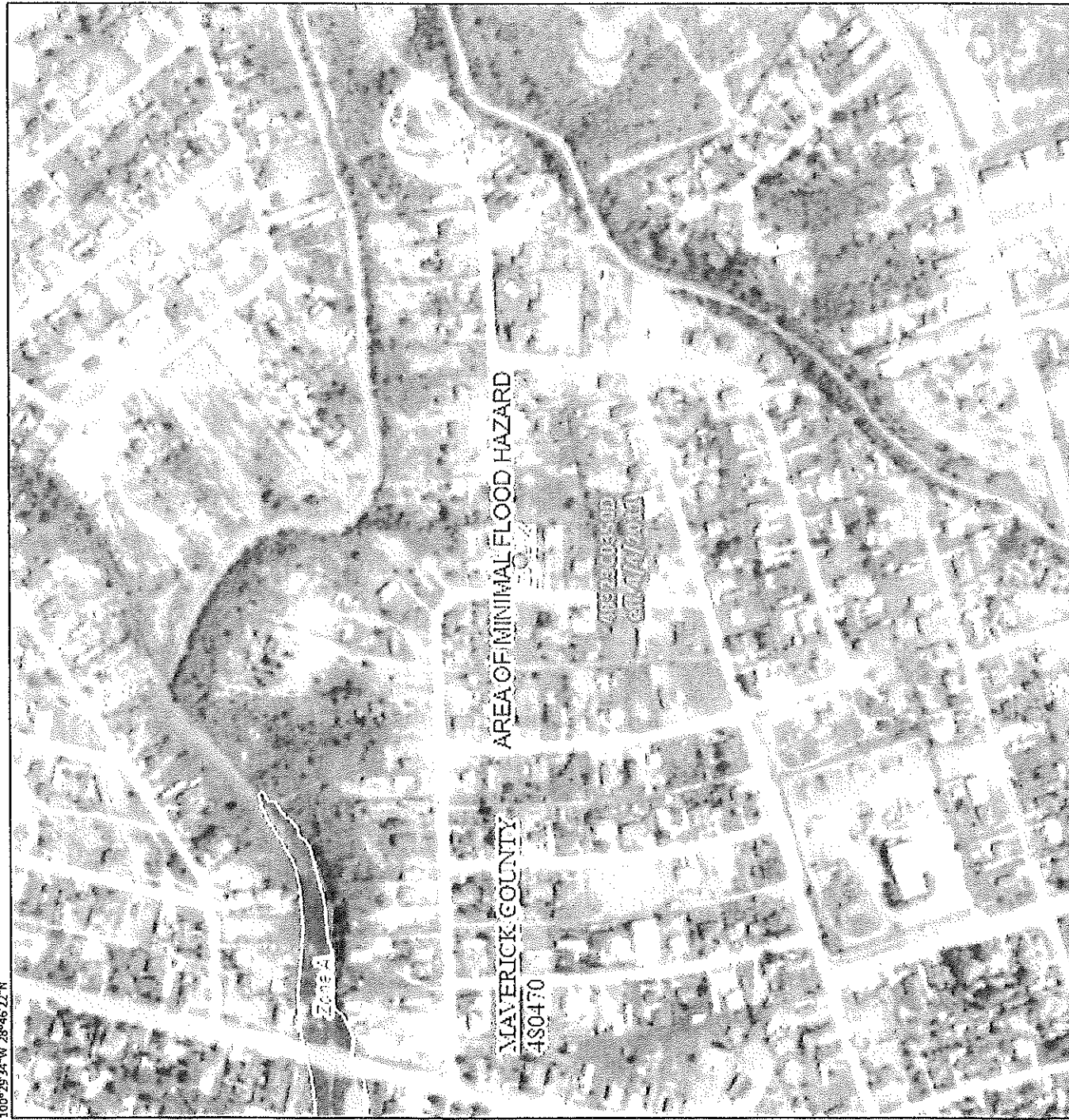
Att: Re-Subdivision Plat and Application
Fire Hydrant flow tests
FEMA FIRM Map
Soils Map
Rainfall Runoff Calculations



National Flood Hazard Layer FIRMette



100°29'34"W 28°46'22"N



100°28'57"W 28°45'51"N

Feet 1:6,000

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS	Without Base Flood Elevation (BFE) <i>Zone A, V, AE, AP</i>
	With BFE or Depth <i>Zone AE, AO, AH, VE, AP</i>
	Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD	0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with draining areas of less than one square mile <i>Zone X</i>
	Future Conditions 1% Annual Chance Flood Hazard <i>Zone Y</i>
	Area with Reduced Flood Risk due to Levee, See Notes <i>Zone Z</i>
	Area with Flood Risk due to Levee <i>Zone Q</i>

OTHER AREAS	NO SCREEN
	Area of Minimal Flood Hazard <i>Zone X</i>
GENERAL STRUCTURES	Effective LOMRS
	Area of Undetermined Flood Hazard <i>Zone A</i>
GENERAL STRUCTURES	Channel, Culvert, or Storm Sewer
	Levee, Dike, or Floodwall

OTHER FEATURES	Cross Sections with 1% Annual Chance Water Surface Elevation
	Coastal Transect
OTHER FEATURES	Base Flood Elevation Line (BFE)
	Limit of Study
OTHER FEATURES	Jurisdiction Boundary
	Coastal Transect Baseline
OTHER FEATURES	Profile Baseline
	Hydrographic Feature

MAP PANELS	Digital Data Available
	No Digital Data Available
	Unmapped

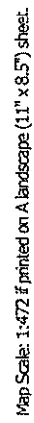
The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 4/4/2023 at 10:19 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for

Soil Map—Maverick County, Texas
(Lot 6, Block 18)



Maverick County, Texas

CAB—Catarina clay, association, 0 to 5 percent slopes

Map Unit Setting

National map unit symbol: 2t12g
Elevation: 170 to 930 feet
Mean annual precipitation: 18 to 24 inches
Mean annual air temperature: 70 to 74 degrees F
Frost-free period: 280 to 320 days
Farmland classification: Not prime farmland

Map Unit Composition

Catarina and similar soils: 90 percent
Minor components: 10 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Catarina

Setting

Landform: Ridges
Landform position (two-dimensional): Toeslope
Landform position (three-dimensional): Base slope
Down-slope shape: Linear
Across-slope shape: Concave
Parent material: Calcareous, saline clayey alluvium

Typical profile

A - 0 to 12 inches: clay
Bnssy - 12 to 22 inches: clay
Bknssyz - 22 to 52 inches: clay
BCknyz - 52 to 80 inches: clay

Properties and qualities

Slope: 0 to 5 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Moderately well drained
Runoff class: Very high
Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately low (0.00 to 0.06 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 20 percent
Gypsum, maximum content: 10 percent
Maximum salinity: Moderately saline to strongly saline (8.0 to 16.0 mmhos/cm)
Sodium adsorption ratio, maximum: 35.0
Available water supply, 0 to 60 inches: Low (about 4.8 inches)

Interpretive groups

Land capability classification (irrigated): 6s
Land capability classification (nonirrigated): 6s
Hydrologic Soil Group: D
Ecological site: R083BY015TX - Saline Clay
Hydric soil rating: No

Minor Components

Maverick

Percent of map unit: 4 percent
Landform: Ridges
Landform position (two-dimensional): Backslope
Landform position (three-dimensional): Side slope
Down-slope shape: Linear
Across-slope shape: Convex
Ecological site: R083BY015TX - Saline Clay
Hydric soil rating: No

Montell

Percent of map unit: 2 percent
Landform: Stream terraces
Landform position (three-dimensional): Tread
Microfeatures of landform position: Circular gilgai
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: R083BY025TX - Clay Loam
Hydric soil rating: No

Pryor

Percent of map unit: 2 percent
Landform: Ridges
Landform position (two-dimensional): Shoulder, backslope
Landform position (three-dimensional): Side slope
Down-slope shape: Linear
Across-slope shape: Convex
Ecological site: R083BY025TX - Clay Loam
Hydric soil rating: No

Zapata

Percent of map unit: 2 percent
Landform: Ridges
Landform position (two-dimensional): Summit, shoulder, backslope
Landform position (three-dimensional): Interfluvium
Down-slope shape: Linear
Across-slope shape: Convex
Ecological site: R083BY002TX - Shallow Ridge

Dirksen Engineering, 107 W South St, Uvalde, TX 78801
 TBPE Firm F-8848, TBPLS Firm #10193741

Project # : 23-2900
 Project : Lot 6, Block 18, Deer Run 4
 Eagle Pass, Texas

HYDRAULIC CALCULATIONS

Drainage Calculations per City of TxDOT Hydraulic Manual

All Calculations are by the Rational Method.
 Tables and Values were taken from TxDOT Hydraulic Manual

Drainage Area ROW 530.00 SF 0.01 Ac
 Drainage Area 18364.00 SF 0.42 Ac

Rainfall Intensity $T_c \text{ (Kirby)} = K \times L^{0.770} \times S^{0.385}$
 Pre-development i Tsc 1.52 Min
 Tc= 10 min K 0.0078
 Post Development L 222 Ft
 Tc= 10 min S 0.036 ft/ft
 Use 10 min a practice minimum Tc.

Rainfall Intensity from EBDLKUP-2015V2.1.xls
 I10= 6.2 in/hr I25 = 7.15 in/hr I100 = 8.63 in/hr

Existing	C	Acres	CA	Proposed	Single Family Areas	
Clay Loam	0.17	0.42	0.07	0.45	0.42	0.19
Pavement	0.95	0.01	0.01	0.95	0.01	0.01
Ave C=	0.19	CA=	0.08	0.46	CA=	0.20

Runoff Calculation Q-CIA

	Existing			Proposed		
	Qe 10	Qe 25	Qe100	Qp 10	Qp25	Qp100
DA1	0.5	0.7	0.9 CFS	1.2	0.3	2.1 CFS
DA2	0.0	0.0	0.0 CFS	0.0	0.0	0.0 CFS

Storage Volume Required

Drainage Area ROW $Q = (Q_{p100} - Q_{e100}) \times 60 \times T_c =$ 746 CF 0.02 Acre Ft
 Drainage Area $Q = (Q_{p100} - Q_{e100}) \times 60 \times T_c =$ - CF - Acre Ft



FIRE FLOW TEST REPORT

PROJECT INFORMATION:

Project Name: _____

Street Address: 3674 Elk Lane

City, State, Zip Code: Eagle Pass, TX 78852

FIRE FLOW TESTING COMPANY INFORMATION:

Name of individual preparing this report: Isaac Bernal

Company represented: Allegiance Fire Protection

Street Address: PO Box 34504

City, State, Zip Code: San Antonio, TX 78265

Telephone number: (210) - 493-2850

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

Isaac Bernal

Date of this report: 3/29/23

WITNESS INFORMATION:

Name of individual witnessing flow test: Raul Guadalupe

Company Represented: EPWWS

Telephone Number: 830-773-2351

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

[Signature]

FIRE FLOW INFORMATION:

Date and time of flow test: 3/29/23 12:30 PM

Location of "flow" hydrant(s): A

Location of "test" hydrant: A

***Theoretical fire flow (gpm) available at twenty-five (25) psi: 1026

***For Building Permit Application

FIRE FLOW TEST DATA SHEET

PROJECT INFORMATION:

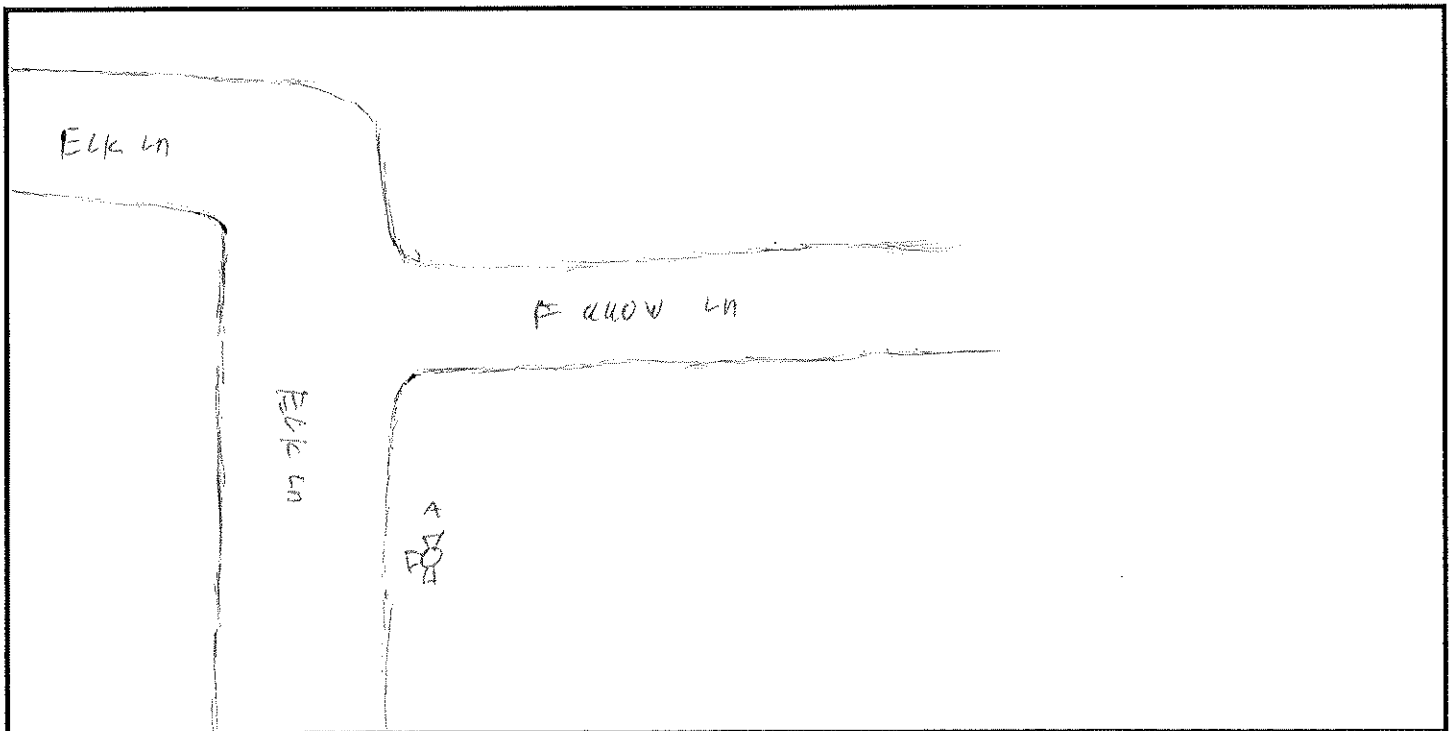
Project Name: _____

Street Address: 3674 Elk Lane

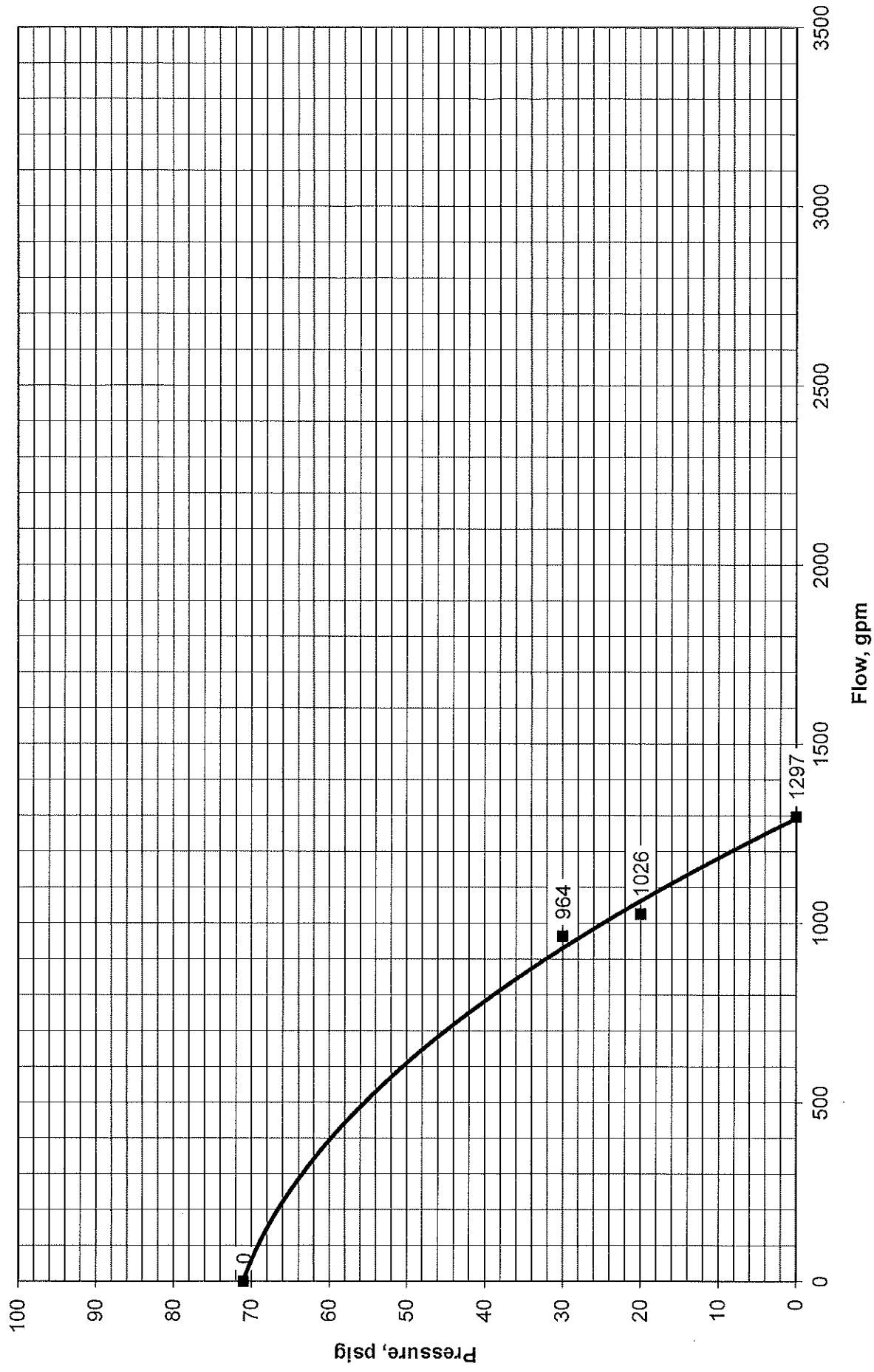
City, State, Zip Code: Eagle Pass, TX 78852

DATE	TIME AM (PM)	TEST HYDRANT		FLOWING HYDRANT					FLOWING HYDRANT					TOTAL FLOW	
		STATIC (psi)	RESI- DUAL (psi)	PITOT (psi)	DIA (in)	THEOR FLOW (gpm)	HYD COEF	ACTUAL FLOW (gpm)	PITOT (psi)	DIA (in)	THEOR FLOW (gpm)	HYD COEF	ACTUAL FLOW (gpm)	ACTUAL (gpm)	AT 25 psi (gpm)
3/22	12:30	71	30	33	2.5	1071	0.9	964						964	1026

SKETCH FLOW TEST LOCATION:

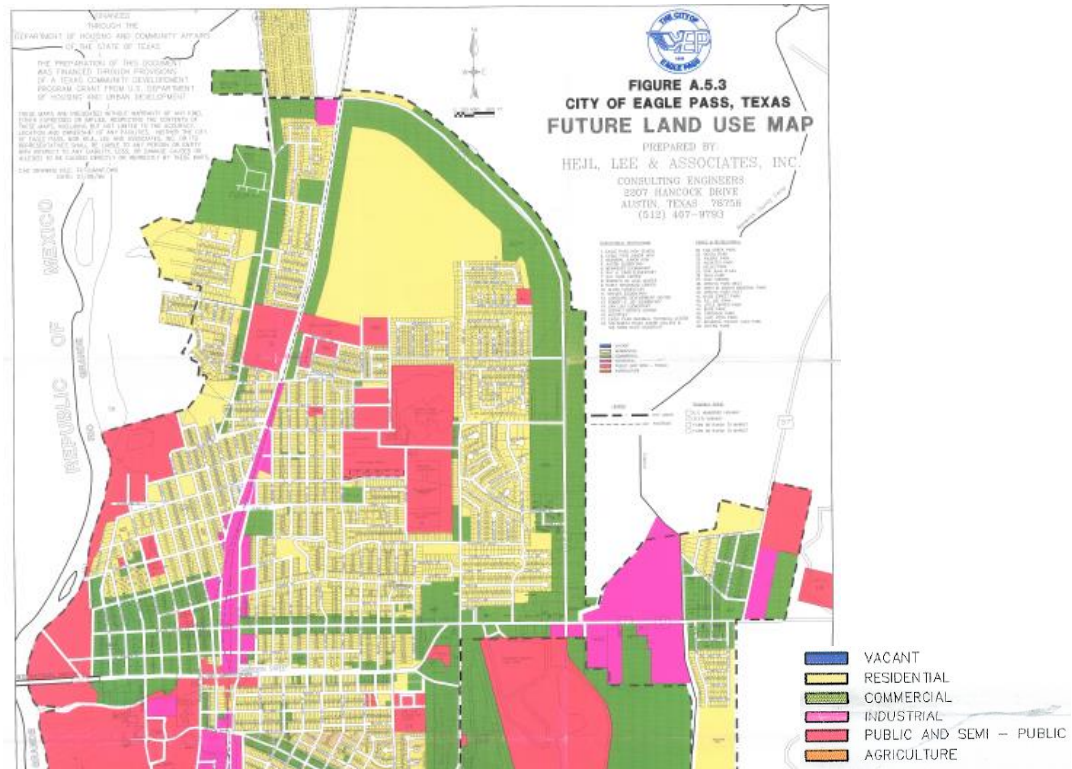


WATER FLOW TEST CHART



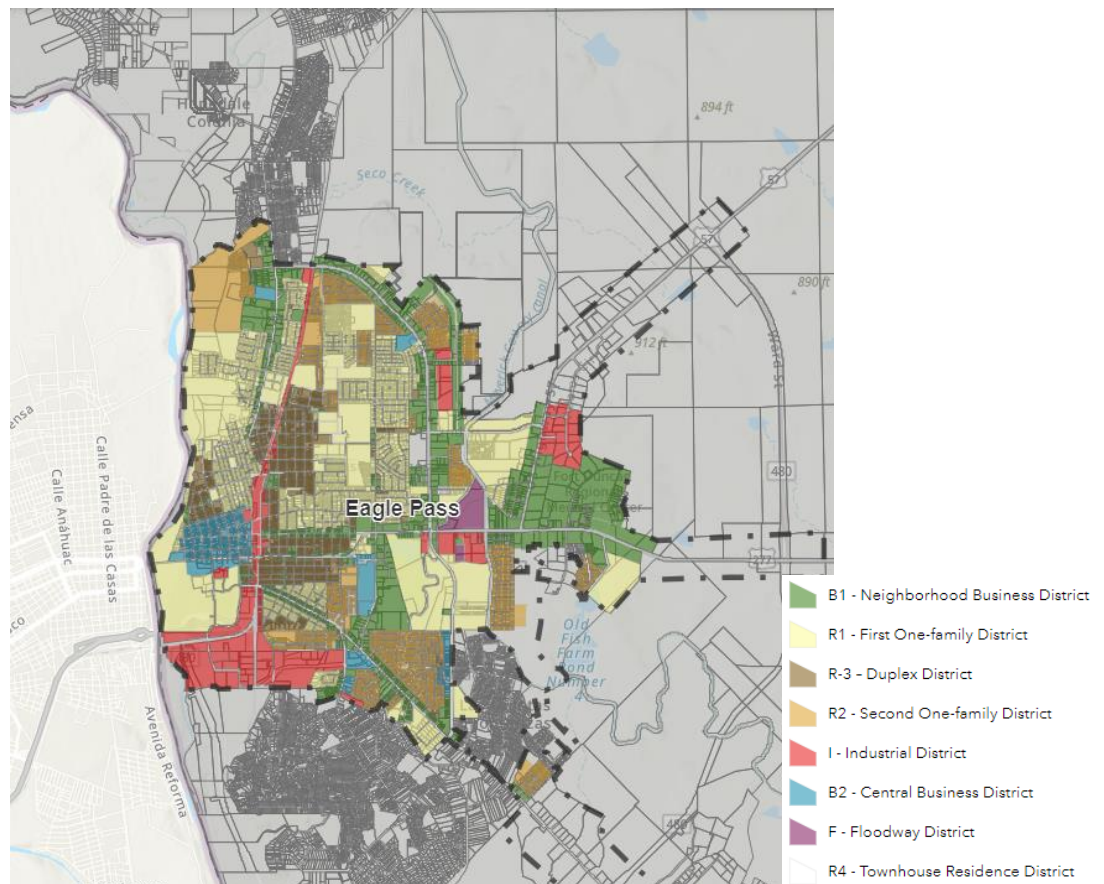
Attachment 4
Master Plan Map and Zoning District Map

Master Plan Map



Zoning Map

(Outside City Limits within ETJ)



Item #4



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

Yara Sanchez Conditional Use Permit Request

I. BACKGROUND

A. General Information

Applicant: Yara Sanchez | Eagle Pass, Texas 78852

Location: 2077 La Jolla Street

Property ID Number: 8706884

Legal Description: Lot 11 in Block 3 of Treasure Hills II Unit 4

Request: A request for a Conditional Use Permit to allow for the establishment of a home day care business.

B. Subject Property Information

Parcel Size: 5,848-square-feet

Existing Use: Single-family residence

Zoning: R-2 Second One-Family Dwelling District

Master Plan: Residential

C. Vicinity Data

The property is located within an area featuring residential development at a density consistent with the 5,500-square-foot minimum lot size of the *R-2 District*.

La Jolla Street provides access to the site.

D. Infrastructure

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

II. PUBLIC NOTICE

Public notification of the Planning and Zoning Commission public hearing to consider the petition request was completed consistent with the provisions of *Chapter 211* of the *State of Texas Local Government Code Title 7*. 34 notices were mailed to the abutting property owners within the 200 foot radius from the subject property.

III. RECOMMENDED FINDINGS OF FACT

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

- **Section 9.1 Planning and zoning commission**

The city council shall appoint a city planning and zoning commission consisting of five (5) regular members who shall be residents of the City of Eagle Pass and who own real estate within the city, and such ex-officio members as are provided

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

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

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

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

- **Section 9.3 Master Plan.**

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

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

Land Use Development

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

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

Land Use Development Goals

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

Land Use Objectives

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

Short-Term Land Use Objectives

- Establish the planning process as a continuing municipal function.
- Review planning studies and material from agencies, such as the American Planning Association, the Texas Municipal League, and the Texas Department of Housing and Community Affairs, that can be applicable to the City of Eagle Pass.
- Continue enforcement of the provisions of the zoning and subdivision ordinances.
- Strict review of proposed subdivisions, particularly those located in environmentally sensitive areas such as sloping areas or those areas with soils which pose limitation to development.

- Annex colonia areas located within the City's Extra Territorial Jurisdiction which affect to the City.

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

- **Section 1: Title.**

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

- **Section 2: Purpose.**

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

- **Section 3 Definitions.**

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

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

- **Section 4 Districts.**

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

- R-1 First One-Family Dwelling District
- R-2 Second One-Family Dwelling District
- R-3 Duplex District
- R-3(A) Apartment District

- R-4 Townhouse Residence District
- B-1 Neighborhood Business District
- B-2 Central Business District
- B-3 General Business District
- I Industrial District
- F Floodway District

...Except as hereinafter provided:

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

- **Section 6: R-2 Second One-Family Dwelling District.**

The following regulations shall apply to the "R-2" *Second One-Family Dwelling District*:

- A. Use regulations: A building or premises shall be used only for the following purposes:

- (1) Any use permitted in the "R-1" *First One-Family Dwelling District*.

- **Section 5: R-1 First One-Family Dwelling District.**

The following regulations shall apply to the "R-1" *First One-Family Dwelling District*:

- A. Use regulations: A building or premises shall be used only for the following purposes:

- (1) Single-family dwellings.
 - (2) Boardinghouse with a conditional-use permit.
 - (3) Church except temporary revival, with *Conditional Use Permit*.
 - (4) School, public or private, having a curriculum equal to a public elementary, high school, or institution of higher learning, but shall require a *Conditional Use Permit*.
 - (5) Public parks, playgrounds, golf courses except miniature golf.
 - (6) Police and fire stations only as required for safety requirements.
 - (7) Customary home occupations, as permitted by *Section 13 Home Occupations* and with a *Conditional Use Permit*.
 - (8) Accessory buildings and accessory uses, customarily incident to the above uses not involving the conduct of a business, when located on the same lot, including a private garage for one (1) or more cars. Accessory buildings shall not be used for rent or used for commercial purposes.
 - (9) Temporary sales office.

- B. Height regulations: No building shall exceed two and one-half (2½) stories or thirty-five (35) feet in height except as provided in section 12 hereof.

- C. Area regulations:

- (1) Front yard. There shall be a front yard along the front line of the lot. The minimum depth of such front yard shall be twenty-five (25) feet.

- (2) Side yards. There shall be a side yard on each side of a building and shall not be less than five (5) feet in width. Where there is a corner lot, side yard shall not be less than ten (10) feet from the side of the building to the property line running adjacent to any street.
 - (3) Rear yard. The depth of the rear yard shall be at least twenty-five (25) feet in depth.
 - (4) Depth of lot. The lot shall have a minimum depth of one hundred ten (110) feet.
- D. Intensity of use: Every lot or tract of land shall have an area of not less than seven thousand seven hundred (7,700) square feet and an average width of not less than seventy (70) feet, except that if a lot or tract should have less area or width than is herein required and its boundary lines along their entire length should touch lands under other ownership on the effective date of this ordinance and shall not have been changed since said date, such parcel of land may be used for a single-family dwelling.
- E. Parking regulations: Off-street parking shall be provided on a basis of two (2) concrete surfaced off-street parking spaces per dwelling. Other standards contained in *Section 12.1 Parking Requirements* shall also apply.

- **Section 12.1: Parking Requirements.**

- (a) Authority and purpose. This ordinance is adopted for the purpose of providing an adequate number of parking spaces for residential, commercial, institutional and industrial uses in the City of Eagle Pass. This ordinance is enacted in accordance with the home rule powers of the city, granted under the Texas Constitution, and the Statutes of the State of Texas.
- (b) Parking regulations and requirements.
 - (2) Parking required. In all districts there shall be provided at the time any building permit or structure is erected or structurally altered, off-street parking and maneuvering spaces in accordance with the minimum requirements set out in this ordinance. All parking and maneuvering space shall be provided on the private property unless otherwise stated in this Ordinance. When, in the opinion of the city, the provisions of this ordinance are not adequate, such additional requirements as may be necessary and desirable may be required.
 - (5) Rules for computing parking requirements. In the interpretation of the parking requirements set out in this ordinance, the following rules shall apply:
 - i. "Floor area" shall mean the gross floor area of the specific use. "Use" shall mean any use of the specific floor area.
 - ii. Where fractional spaces result, the parking spaces required shall be construed to be the next largest whole.
 - iii. The parking space required for a use not specifically mentioned in this ordinance shall be the same as required for a use of similar nature.

- iv. After the effective date of the ordinance from which this chapter is derived, whenever a property is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity or otherwise, to create a need for an increase to 25-percent or more in the number of existing spaces, such additional spaces shall be provided on the basis of the enlargement or change. Whenever a building or use existing prior to the effective date of the ordinance from which this chapter is derived is enlarged to the extent of 50-percent or more in floor area used, such building or use shall then and thereafter comply with the parking requirements set forth in this ordinance.
- v. In the case of mixed uses, the parking spaces required in this ordinance shall equal the sum of the requirements of the various uses computed separately.
- vi. Where none of the foregoing rules are applicable to an existing fact situation, the method for computing the parking requirement shall be based on other parking data from acceptable publications.

- **Section 13: Home Occupations.**

- (a) Purpose and intent. The City of Eagle Pass recognizes the need for some citizens to use their place of residence for limited nonresidential activities. However, the city believes that the need to protect the residential character of residential areas is of paramount concern. In essence, the objective of this chapter is to allow limited commercial type activity in residential areas only to the extent that such commercial activity is not obtrusive to neighbors or passersby.
- (b) Permitted home occupations. The following home occupations shall be permitted in any residential zone without conditional use permits providing they meet the performance standards in Section 13(e):
 - (1) Dressmaking, sewing and tailoring;
 - (2) Painting, sculpturing or writing;
 - (3) Telephone answering or soliciting;
 - (4) Home crafts such as model making, rug weaving and lapidary;
 - (5) Tutoring limited to two (2) students at a time;
 - (6) Home cooking and preserving;
 - (7) Computer programming.
- (c) Prohibited home occupations. The following home occupations are prohibited in all residential zones:
 - (1) Animal hospitals;
 - (2) Dancing studios, exercise studios;
 - (3) Mortuaries;
 - (4) Private clubs;
 - (5) Restaurants;
 - (6) Stables or kennels;
 - (7) Automobile body shops;
 - (8) Occupations involving explosives or other hazardous materials.

- (d) Conditional use permits. All home occupations not specifically listed in subsection (b) above shall obtain a conditional use permit from the planning and zoning commission prior to conducting any business activity. The conditional use permit shall be obtained in the manner provided in section 21 of this chapter.
- (e) Performance standards. In considering applications for conditional use permits for home occupations, the Planning and Zoning Commission of Eagle Pass shall be guided by the following considerations:
 - (1) The legislative intent as set forth in section 1 above;
 - (2) No materials or equipment shall be permitted which would be detrimental to the residential use of nearby residences such as vibration, noise, dust, smoke, odor, interferences with radio or television reception and other factors detrimental to residential use;
 - (3) A home business shall not be permitted which requires frequent home deliveries for commercial purposes;
 - (4) A home business shall not be permitted which will result in the parking of customers' automobiles in a manner, frequency, or number which will cause traffic congestion or will unduly inconvenience nearby residences;
 - (5) Signs for home occupations shall be located on the lot for which the conditional use permit is issued. One (1) sign, unlighted and attached to the building which shall not exceed six square feet in area may be permitted;

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

- (a) Purpose. The purpose of this section is to allow the proper integration into the community of uses which may be suitable only in specific locations in a zoning district or only if such uses are designed or laid out on the site in a particular manner.
- (b) Application. A conditional use permit shall be required for all uses listed as conditional uses in the residential, commercial and industrial land use descriptions or elsewhere in the Zoning Ordinance of the City of Eagle Pass.
 - (1) Filing. Application shall be made in writing by the property owner or his authorized agent, on forms provided by the planning department, and accompanied by such data and information as may be necessary to fully describe the request.
 - (2) Fee. The filing and investigation fee shall be \$100.00.
- (c) Public hearing. A public hearing shall be held in accordance with law. A notice of hearing shall be mailed at least ten calendar days prior to said hearing to all property owners, any part of whose property lies within a radius of two hundred 200-feet of the applicant's property, using for this purpose the names of such owners as shown on the last equalized assessment roll, or alternatively, from such other records of the assessor or the tax collector as contain more recent addresses. In addition, if warranted in the determination of Planning Director, notice shall be provided by conspicuously posting it on the subject property for at least ten days prior to the hearing. Failure to receive the notice required by this section shall not invalidate the action of the planning and zoning commission.

- (d) Planning and zoning commission action. The planning and zoning commission may approve, conditionally approve or deny an application for a *Conditional Use Permit*, and in authorizing a conditional use, may impose such requirements and conditions with respect to location, construction, time period, maintenance and operation as deemed necessary for the protection of adjacent properties and the public interest when reasonably related to the use of the property. Before granting any conditional use permit the planning director shall be satisfied that the proposed structure or use conforms to the requirements and the intent of this chapter and the general plan(s) of the City of Eagle Pass.
- (e) Appeals. The planning and zoning commission action on the conditional use permit shall be final unless, within fourteen (14) calendar days after the decision, the applicant or any other person, including the city council, any individual city council member, or the city manager, not satisfied with the decision of the planning and zoning commission, may appeal to the city council. No conflict of interest shall exist solely by reason of the filing of an appeal by the city council, an individual city council member, or the city manager. Any appeal shall be filed with the city secretary's office and, except an appeal by the city council, a council member, or the city manager, shall be accompanied by a filing fee \$100.00. The city secretary shall set a date for a public hearing and shall give notice to the appellant, the applicant and neighboring property owners in the manner provided in the zoning ordinance.
- (f) Issuance. No conditional use permit which has been approved by the planning and zoning commission shall be issued prior to the expiration of the appeal period as set forth in the Ordinances of the City of Eagle Pass, or the final action on an appeal to the city council.
- (g) Expiration. In the event the planning and zoning commission finds the use permit has not been exercised within the time limit set by the commission, or within one 1-year if no specific time limit has been set, the permit shall be null and void without further action; except that the planning director may extend the approval of a use permit for one 1-additional year, with the same conditions of approval, if circumstances have not changed. The request in writing must be received prior to the expiration of the use permit.
- (h) Minor modification to use permit. The planning director may approve minor modifications to an approved use permit.
- (i) Revocation. In the event the conditions of a use permit have not been or are not being complied with, the planning department shall give the permittee notice of intention to revoke such permit at least ten days prior to a planning and zoning commission review thereon. After the conclusion of the review, the planning and zoning commission may revoke such permit.

C. Conclusions

- 1. The application contains sufficient information upon which the Planning and Zoning Commission may render a decision. Please refer to Attachment 1 for a copy of the *Conditional Use Permit* (CUP) application.
- 2. The request involves the establishment of a home day care business in an existing single-family residence.
- 3. *Section 21(d) of City of Eagle Pass Code of Ordinances Appendix A* states, in part, that the Planning and Zoning Commission may approve, conditionally approve or deny an application for a *Conditional Use Permit*, and in authorizing a conditional use, may impose such requirements and conditions with respect to location, construction, time period, maintenance and operation as deemed necessary for

the protection of adjacent properties and the public interest when reasonably related to the use of the property.

In a circumstances where a home day care business is proposed to be established in a single-family residential neighborhood, the primary issues that need to be examined should focus on the number of children, the hours of operation, the availability of parking, and parent drop-off and pick-up of the children.

To address these issues, the Planning Department recommendation to approve the *Conditional Use Permit* conditions contain intended to address these concerns.

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

The Planning Department utilizes the *City of Eagle Pass Master Plan* and the associated *Master Plan* as guidance in providing a recommendation to the Planning and Zoning Commission on their consideration of land use issues, including those involving a *Conditional Use Permit* application.

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

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

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

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

5. The *Conditional Use Permit*, if granted, would be consistent with the purpose of the zoning code. Section 2 of the *City of Eagle Pass Code of Ordinances Appendix A* states that the purpose of the zoning code is to promote the health, safety, morals, and general welfare of the City by, (a) lessening the congestion of streets, (b) securing safety from fire, panic, or dangers, (c) providing adequate light and air, (d) preventing the overcrowding of land, (e) avoiding undue concentration of population, (f) facilitating the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements.

Section 2 emphasizes the importance of the character of a specific zoning district and its peculiar suitability for particular uses, conserving the value of buildings, and encouraging the most appropriate use of land throughout the City. The use of the single-family residence as a home child day care will facilitate the retention of the character of the neighborhood.

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

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

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

D. Planning Department Recommendation

The Planning and Zoning Commission **GRANT** the Yara Sanchez request to establish a home day care business on property located at 2077 La Jolla Street, subject to the following conditions:

1. The number of children attending the home day care business shall be limited to 12.
2. The hours of operation for the home day care business shall be limited to 7:00 a.m. to 6:00 p.m. Monday through Friday.
3. To minimize on-street parking impacts, parent vehicle drop-off and pick-up shall be limited to 5-minutes.
4. Only 1 exterior sign advertising the home day care shall be permitted, provided that the sign shall be unlighted, shall be attached to the face of the building, and shall not exceed 6-feet in area.
5. Non-resident workers are not permitted to be employed in the home day care business.
6. This *Conditional Use Permit* is non-transferrable.

TRANSMITTED to the parties listed hereafter:

Yara Sanchez via e-mail
Planning and Zoning Commission Members via e-mail
Eagle Pass Planning Department Report dated July 7, 2024

Attachment 1
Application



PLANNING DEPARTMENT

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

CONDITIONAL USE PERMIT APPLICATION

Applicant Information	Name: <u>Yara Sanchez</u>
	Mailing Address: <u>2077 la Jolla St.</u>
	Phone: <u>830 968-1376</u> E-mail: <u>KidzRFunEaglePassTX.@ymail.com</u>
	Note: if you are not the owner of the property, you must attach a letter from the owner authorizing you to submit this application.

Property Owner Information	Name: <u>Luis Rabago & Yara Sanchez</u>
	Mailing Address: <u>2077 la Jolla St.</u>
	Phone: <u>830 968 1376</u> E-mail: <u>Luisnyara@yahoo.com</u>

Property Information	Site Address: <u>2077 la Jolla St.</u> MCAD Property ID # <u>8706884</u>
	Legal Description: Lot(s) <u>11</u> Block <u>3</u> Subdivision <u>Treasure Hills II Unit 4</u> (Property must be legally subdivided or be lot of record)
	Front Yard Width (feet) <u>55'</u> Rear Yard Width (feet) <u>55'</u> Side Yard Width (feet) <u>106.32'</u> <u>5,848 sq ft</u>
	Current Use <u>residence in the R-2 district</u>
	Proposed Use <u>Home based business - child day care</u>

Description of Project:
<u>Childcare and Preschool service.</u>

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

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

In home childcare

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

~~My childcare business~~ My childcare business is licensed by the State of Texas. I get unannounced ~~inspect~~ inspections to assure the safety and well being of the children under our care.

Applicant Authorization

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

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

Applicant Signature

Date

Date Application Accepted for Review: 6/5/2024 By: mr

Contact Date for Supplemental Info: NA Supplemental Info Received: NA

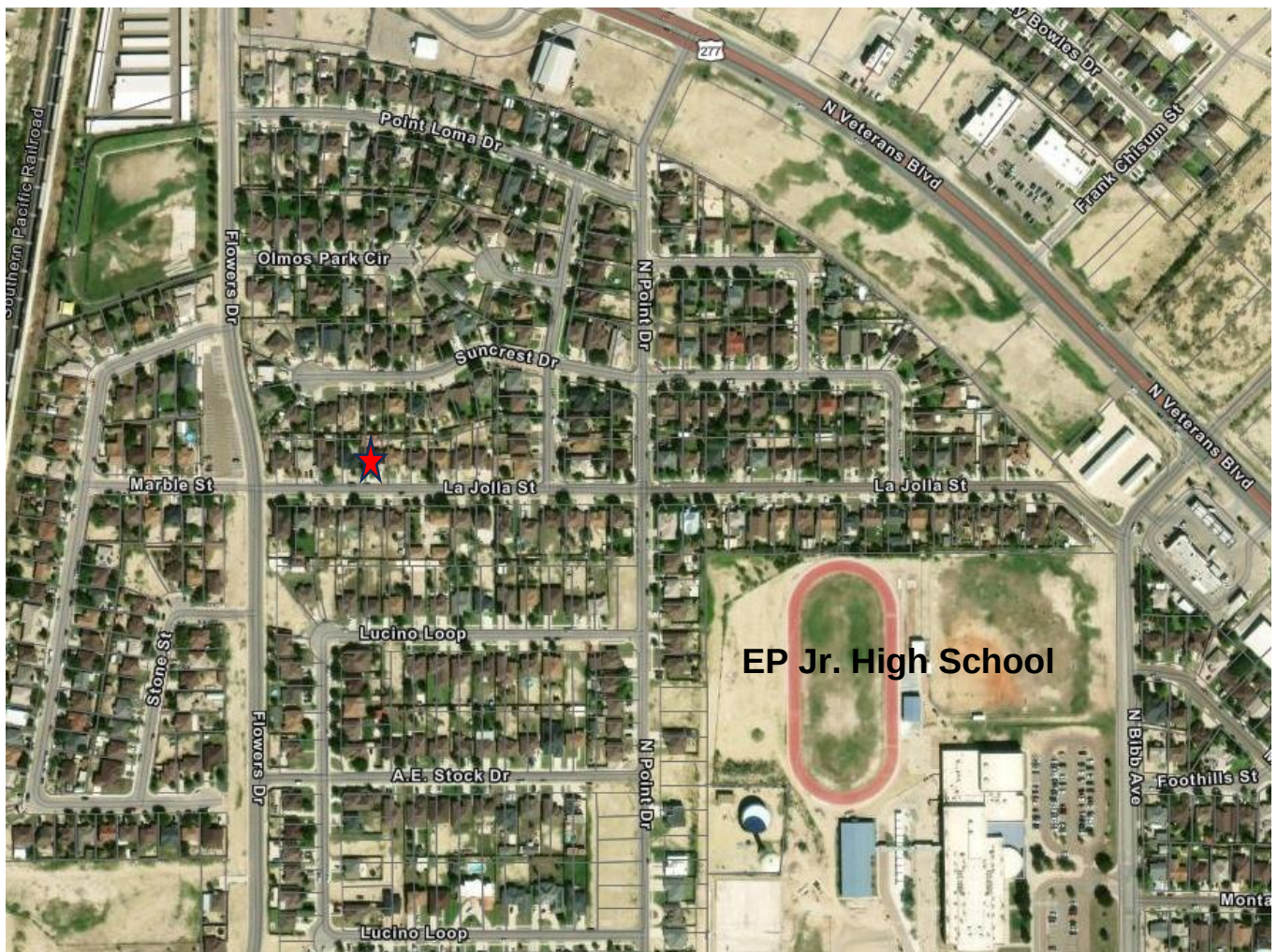
Completeness Review Date: 6/5/2024 By: MR

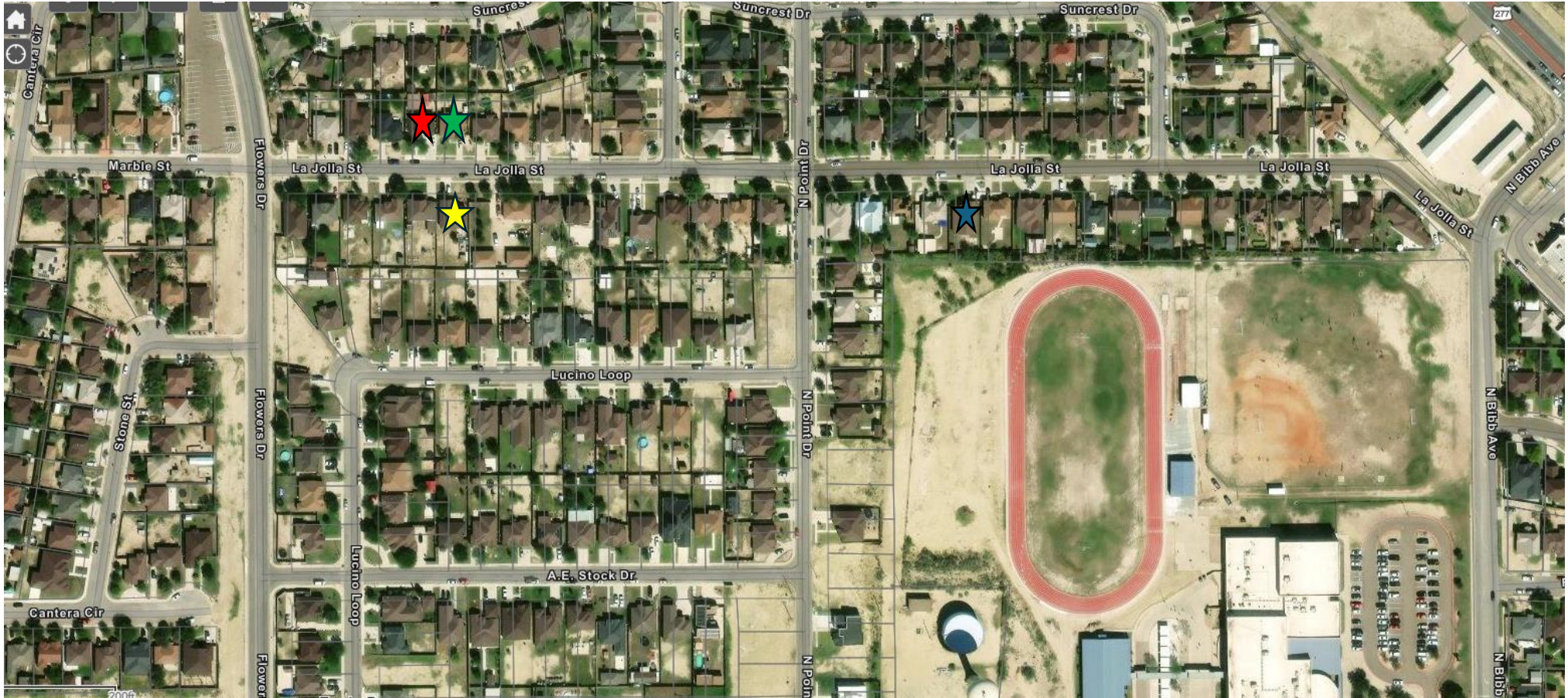
Application Returned to Applicant: NA (when applicable)

Paid application fee and publication fee on 6/5/2024

MR:6/2020

Street View of subject property



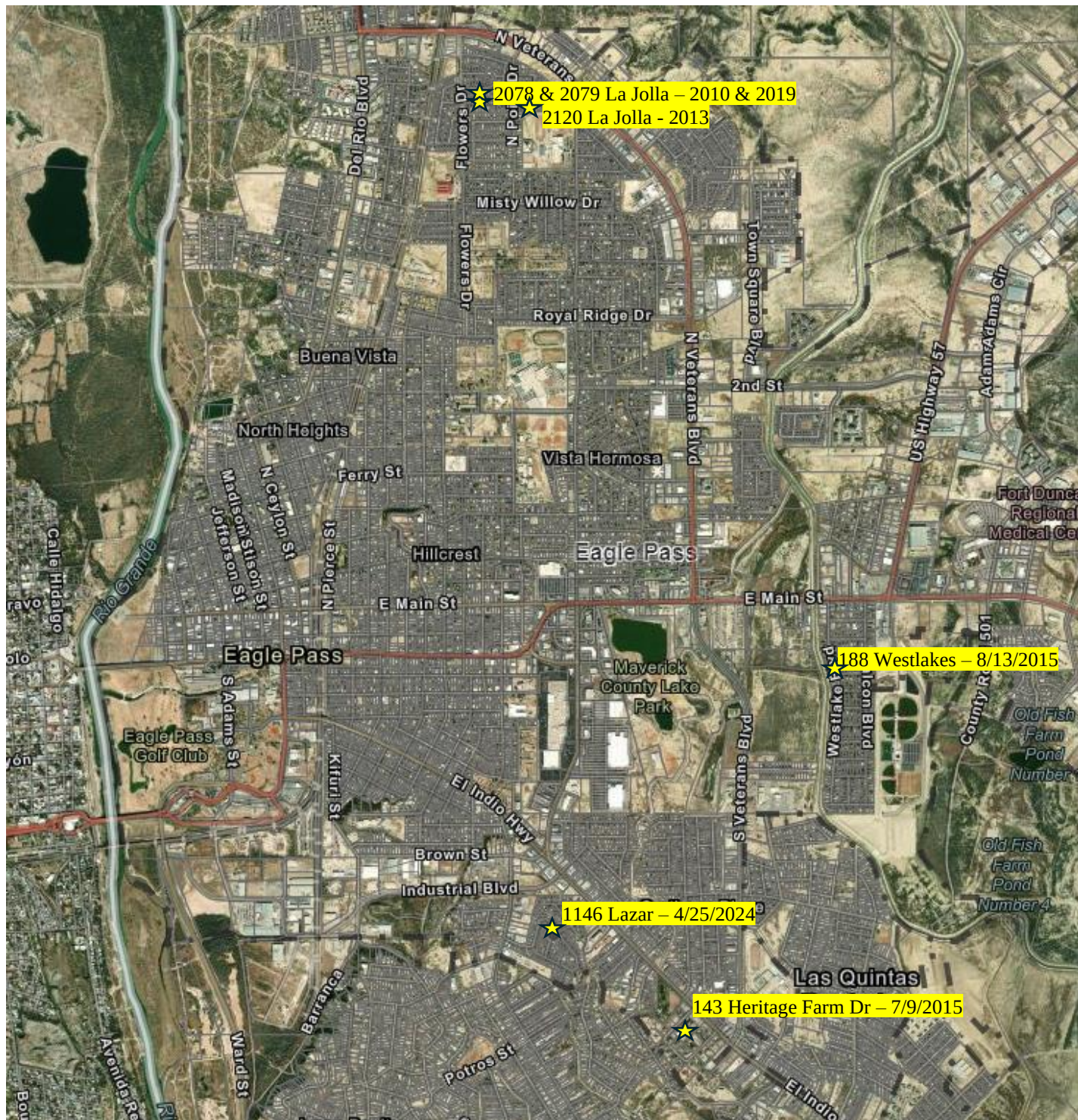


★ 2120 La Jolla - Approved 11/14/2013

★ 2077 La Jolla – Subject Lot

★ 2079 La Jolla – Approved 12/9/2010

★ 2078 La Jolla – Approved 4/9/2019



★ 2078 & 2079 La Jolla - 2010 & 2019

★ 2120 La Jolla - 2013

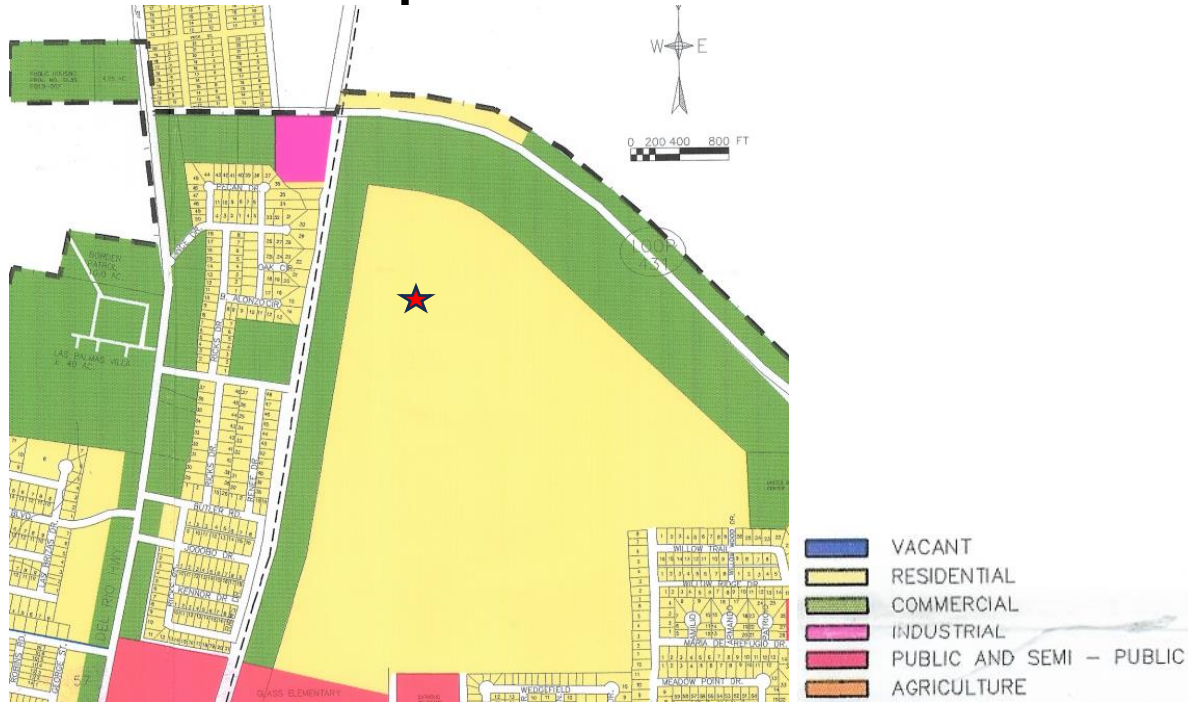
★ 188 Westlakes - 8/13/2015

★ 1146 Lazar - 4/25/2024

★ 143 Heritage Farm Dr - 7/9/2015

Attachment 2
Master Plan & Zoning Maps

Master Plan Map



Zoning Map



Item #5



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

515 Jefferson Street Rezone Request

I. BACKGROUND

General Information

Applicant & Property Owner: Gustavo Garcia Gamez

Location: 515 Jefferson Street

PID: 16700

Legal Description: Lot 101 in Block 4 of Range 3

Request: Rezone parcel from R-3 Duplex District to B-3 General Business District.

Subject Property Information

Parcel Size: 11,250 square feet

Master Plan: Residential

Current Use: two detached residential developments

Proposed Use: business on each structure including multi-family or duplex uses

Vicinity Data

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

Infrastructure

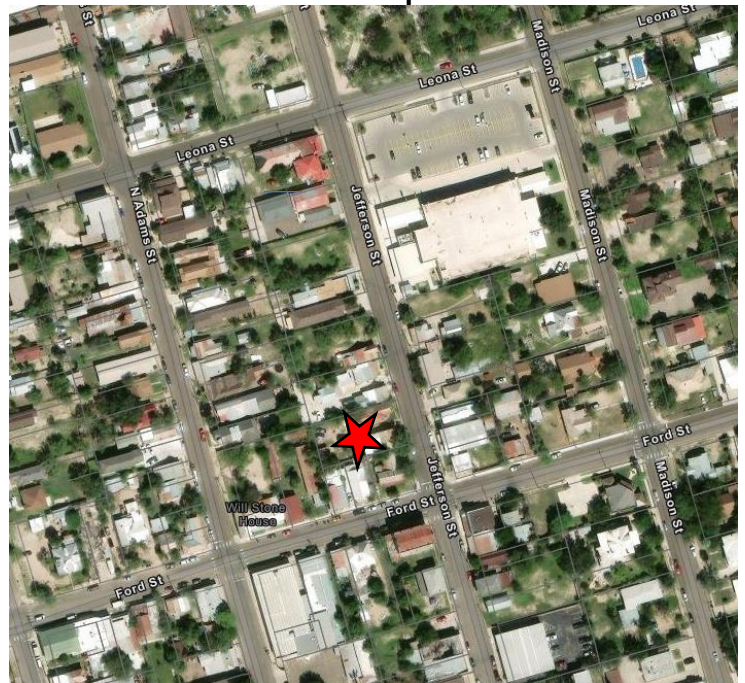
Property is currently served by public utilities/franchises, including water, sanitary sewer, storm sewer, telephone, electric service, gas, garbage, and cable.

II. PUBLIC NOTICE

Access to the site is provided by Jefferson Street.

Public Notification of the Planning and Zoning Commission public hearing to consider the rezone request was completed consistent with the provisions of *Chapter 211 of the State of Texas Local Government Code Title 7*. 36 notices were mailed to the abutting property owners within the 200 foot radius from the subject property.

Aerial Map



Street View



III. RECOMMENDED FINDINGS OF FACT

A. Conclusions

1. Section 1(b)(4) of *Eagle Pass City Charter Article IX* authorizes the Planning and Zoning Commission to recommend or disapprove proposed changes to the *City of Eagle Pass Zoning Plan*. A request for a change in a zoning district designation for a property constitutes a change to the *Zoning Plan* and the *Zoning Plan Map*.
2. The applicant's request contains sufficient information for consideration by the Eagle Pass Planning and Zoning Commission. Information contained in this report and the Commission's associated public meeting will be used by the City Council in their consideration of the rezone request. Please refer to Attachment 1.
3. The *Master Plan* is the primary document used in the analysis as to the appropriateness of a rezone request. The *Master Plan Map* provides direction as to the areas of the City in which residential, commercial, and industrial development is to be situated.
4. The rezone, if granted, will result in construction activities that will include the enforcement of the appropriate land development regulations resulting in appropriate lot sizes, paved streets with curb gutters, sidewalks, and adequate utility services.
5. The rezone request is consistent with the 'Land Use Development Goals' of the *City of Eagle Pass Master Plan*. The request to change from the R-3 District to B-3 District will not allow for a continuation of the development in the neighborhood and will not retain the community's character and scale.

Staff believes that the R3A district is a more compatible use and recommends it as will facilitate the ultimate development of urban uses in a compatible arrangement that will make the community attractive to both residents and visitors and desirable to quality investments, while improving the residential and commercial environment of the city.

The purpose of the rezone is to allow for subsequent remodel to develop a multi-family use, subject to conformance with all applicable city codes. What is being proposed is yet to be reviewed and accepted by the Review Team. The team consists of our City Planners, Building Official, Fire Marshall, City Engineer, Public Works, Waste Management, and Eagle Pass Water Works.

6. The rezone request is consistent with the *Master Plan's* 'Street Objectives', 'Thoroughfare Goals', and 'Thoroughfare Objectives', as access to the rezone site will be provided by Jefferson Street.
7. The rezone request conforms to the purpose of the City's zoning code, as the subsequent development of the property will result in a use that is consistent with intent of the *R3A District* and consistent with the uses in the vicinity of the site, with a view to conserving the value of buildings and encouraging the most appropriate use of land adjacent that will have access to a public street. Please refer to Attachment 2 for a copy of the City's *Zoning District Map*.
8. The property is in an area that has multi-family use and should allow the property to be rezoned to a higher and better use. Please refer to Attachment 1 for a photograph of the rezone site.
9. The rezone request is consistent with both the goals and objectives of the *Master Plan* and the purpose of the *City of Eagle Pass Code of Ordinances Appendix A* governing zoning as

set forth in Conclusion 1 through 8 of this Report. The rezone request, therefore, should be approved.

B. Community Development Department Recommendation

That the Planning and Zoning Commission **GRANT** a zoning district change from R-3 Duplex District to R-3A Apartment District, for property legally described as Lot 101 in Block 4 in Range 3, also known as 515 Jefferson Street, subject to the following conditions:

1. Subsequent development of the property shall comply with the following sections in the City of Eagle Pass *Code of Ordinances*:
 - Chapter 23 governing subdivisions
 - Chapter 8 governing buildings
 - Chapter 12 governing the electrical code
 - Chapter 13 governing the fire code
 - Chapter 14 governing garbage and rubbish
 - Chapter 21 governing plumbing
 - Chapter 22 governing streets, sidewalks, and other public places
 - Chapter 23 governing landscaping and tree preservation
 - Chapter 27 governing water and sewers, including drainage & stormwater
 - Appendix A governing off-street parking
 - Appendix A governing signs and fences

TRANSMITTED to the parties listed hereafter:

Gustavo Garcia Gamez via e-mail
Planning and Zoning Commission Members via e-mail
Community Development Department Report dated July 12, 2024

Attachment 1
Application



PLANNING DEPARTMENT

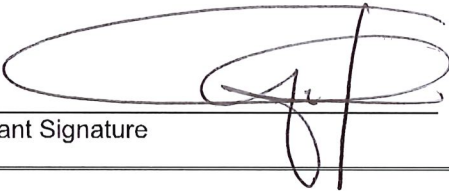
3295 Bob Rogers Drive, Eagle Pass, Texas 78852 • Telephone: (830) 773-7781 • Fax: (830) 773-7803
www.eaglepasstx.us • planning@eaglepasstx.us

ZONING CHANGE APPLICATION

Case No: _____

Applicant Information	Name: <u>Gustavo Garcia Gámez</u> Mailing Address: <u>515 Jefferson St TX 78852</u> Phone: <u>830 872 8017</u> E-mail: <u>gustavoagg25@gmail.com</u> Note: if you are not the owner of the property, you must attach a letter from the owner authorizing you to submit this application.
Property Owner Information	Name: <u>Gustavo Garcia Gámez</u> Mailing Address: <u>515 Jefferson St TX 78852</u> Phone: <u>830 872 8017</u> E-mail: <u>gustavoagg@gmail.com</u>
Property Information	Site Address: <u>515 Jefferson</u> MCAD Property ID # <u>16700</u> Legal Description: Lot(s) <u>101</u> Block <u>4</u> Subdivision <u>Range unit #3</u> (Property must be legally subdivided or be lot of record) Front Yard Width (feet) _____ Rear Yard Width (feet) _____ Side Yard Width (feet) _____
Proposed Project	Amend Zoning Regulations contained in section <u>7</u> Amend the Official Zoning Map & Master Plan by changing <u>0.2583</u> acres of land currently zoned <u>R-3 Duplex District</u> to be zoned <u>Business</u> B3 General Business District Conforms with the Zoning Map? ☐ Yes ☒ No Conforms with Master Plan Designation? ☐ Yes ☒ No ☐ Vacant Land ☐ Vacant Building ☒ Single Family Dwelling ☐ Commercial ☒ Multi-Family Dwellings ☐ Industrial ☐ Other _____

Detailed Explanation of Proposed Use	
Proposed Use of Property/Reason for Change:	
jewelry one sub & other P.O. Boxes and mail	
Describe the character and/or nature of uses surrounding the property:	
commercial, duplexes, multi-family uses	
Will the rezoned designation be compatible with the classification and use of adjoining lands? ☒ Yes ☐ No	
If No, how do you propose to reduce any adverse impact?	

Applicant Authorization	I authorize the City of Eagle Pass to conduct any site visits necessary to evaluate this zoning change application.
	I hereby state that I have prepared this application and that, to the best of my knowledge, the information contained herein is complete, accurate, and a true representation of the zoning change request. I further attest that I have the authority to submit this application and agree to comply with any and all conditions of the zoning change approval. I agree to provide any additional information requested by the City as they deem necessary for the processing of this application.  Applicant Signature Date <u>June 12 24</u>

Office Use	Date Application Accepted for Review: <u>6-12-24</u> By: <u>mm</u>
	Contact Date for Supplemental Info: <u>NA</u> Supplemental Info Received: <u>NA</u>
	Completeness Review Date: <u>6-12-24</u> By: <u>mm</u>
	Application Returned to Applicant: <u>—</u> (when applicable)
application & publication fees paid <u>mm</u> MR:7/2020	

Aerial View





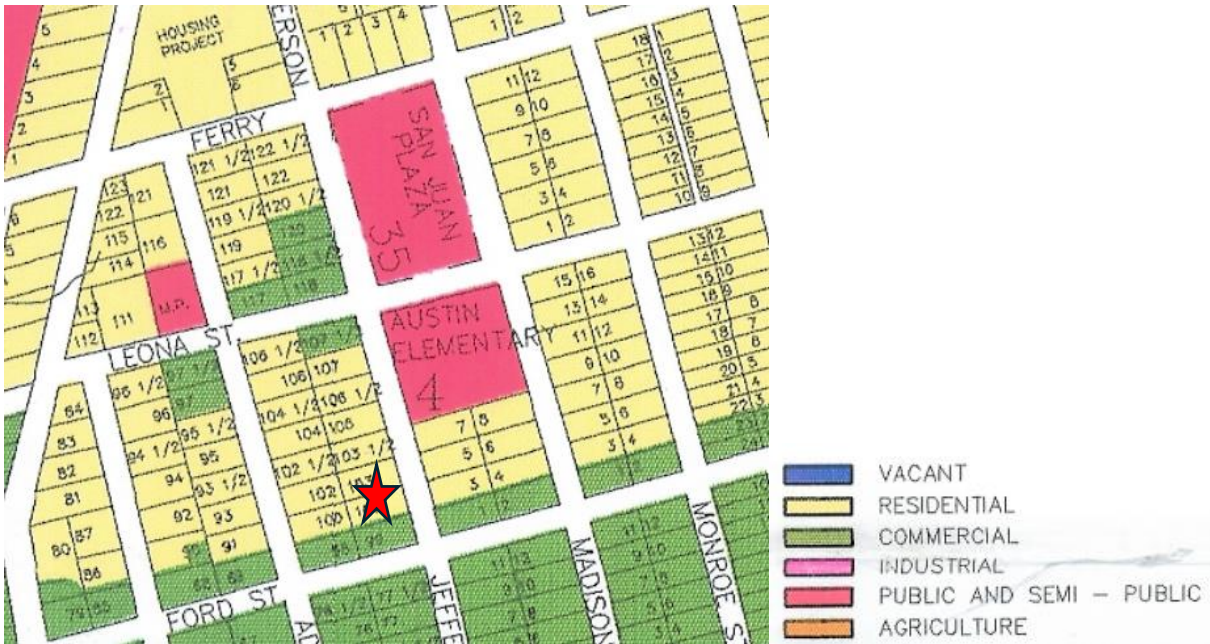


Attachment 2
Master Plan Map & Zoning District Map

Zoning Map



Master Plan



Item #6



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

234 Pecos Street Rezone Request

I. BACKGROUND

General Information

Applicant & Property Owner: Jose De Luna

PID: 10497

Legal Description: of Lot 7, 8, 9, and 10, (South 18.75 feet of Lot 7) in Block 57 of Hillcrest Addition

Request: Rezone parcel from R-1 First One-Family Dwelling District to R3-A Apartment District, to allow for the construction of apartments.

Subject Property Information

Parcel Size: 33,541 square feet / 0.77 acres

Master Plan: Commercial

Current Use: A single-family dwelling.

Proposed Use: Construction of apartments

Vicinity Data

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

Infrastructure

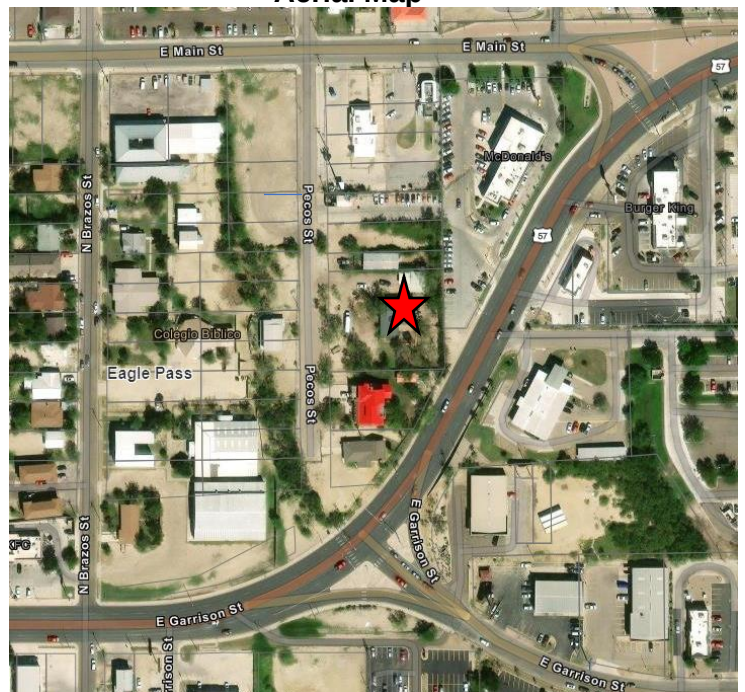
Property is currently served by public utilities/franchises, including water, sanitary sewer, storm sewer, telephone, electric service, gas, garbage, and cable.

Access to the site is provided by Pecos Street.

II. PUBLIC NOTICE

Public Notification of the Planning and Zoning Commission public hearing to consider the rezone request was completed consistent with the provisions of *Chapter 211 of the State of Texas Local Government Code Title 7*. 26 notices were mailed to the abutting property owners within the 200 foot radius from the subject property.

Aerial Map



III. RECOMMENDED FINDINGS OF FACT

A. Conclusions

1. Section 9.1(b)(4) of *Eagle Pass City Charter Article IX* authorizes the Planning and Zoning Commission to recommend or disapprove proposed changes to the *City of Eagle Pass Zoning Plan*. A request for a change in a zoning district designation for a property constitutes a change to the *Zoning Plan* and the *Zoning Plan Map*.
2. The applicant's request contains sufficient information for consideration by the Eagle Pass Planning and Zoning Commission. Information contained in this report and the Commission's associated public meeting will be used by the City Council in their consideration of the rezone request. Please refer to Attachment 1.
3. The *Master Plan* is the primary document used in the analysis as to the appropriateness of a rezone request. The *Master Plan Map* provides direction as to the areas of the city in which residential, commercial, and industrial development is to be situated.
4. The rezone, if granted, will result in construction activities that will include the enforcement of the appropriate land development regulations resulting in appropriate lot sizes, setback requirements, paved streets with curb gutters, sidewalks, and adequate utility services.
5. The "Housing Goals" of the *Master Plan* are applicable to this rezone, as the eventual use will be residential. The rezone, if granted, will result in construction activities that will include the enforcement of the appropriate land development regulations resulting in appropriate lot sizes, paved streets with curb gutters, sidewalks, and adequate utility services.
6. The rezone request is consistent with the 'Land Use Development Goals' of the *City of Eagle Pass Master Plan*. The request to change from the R-1 First One-Family Dwelling District to R3A Apartment District will allow for a continuation of the development in the neighborhood while retaining the community's character and scale. The change will facilitate the ultimate development of urban uses in a compatible arrangement that will make the community attractive to both residents and visitors and desirable to quality investments, while improving the residential and commercial environment of the city.

The purpose of the rezone is to allow for subsequent construction of apartments on the property, subject to conformance with all applicable codes.

7. The rezone request is consistent with the *Master Plan's* 'Street Objectives', 'Thoroughfare Goals', and 'Thoroughfare Objectives', as access to the rezone site will be provided by Pecos Street via Main Street.
8. The rezone request conforms to the purpose of the City's zoning code, as the subsequent development of the property will result in a use that is consistent with intent of the *R3A District* and consistent with residential and commercial uses in the vicinity of the site, with a view to conserving the value of buildings and encouraging the most appropriate use of land adjacent that will have access to a public street. Please refer to Attachment 2 for a copy of the City's *Zoning District Map*.
9. The property is in an area that is primarily comprised of single-family developments but also near to commercial developments, located closer to Main Street and should allow the property to be rezoned to a higher and better use. Please refer to Attachment 1 for photographs of the rezone site, including developments in the immediate area.

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

B. Community Development Department Recommendation

That the Planning and Zoning Commission **GRANT** a zoning district change from R-1 First One-Family Dwelling District to R-3A Apartment District, for property legally described as Lot 7, 8, 9, and 10, (South 18.75 feet of Lot 7) in Block 57 of Hillcrest Addition, also known as 234 Pecos Street, subject to the following conditions:

1. Subsequent development of the property shall comply with the following sections in the *City of Eagle Pass Code of Ordinances*:
 - Chapter 8 governing buildings
 - Chapter 12 governing the electrical code
 - Chapter 13 governing the fire code
 - Chapter 14 governing garbage and rubbish
 - Chapter 21 governing plumbing
 - Chapter 22 governing streets, sidewalks and other public places
 - Chapter 23 governing landscaping and tree preservation
 - Chapter 27 governing water and sewers, including drainage
 - Appendix A governing zoning, governing off-street parking
 - Appendix A governing zoning, governing fences (Section 12(d)(1)(a) & (c))

TRANSMITTED to the parties listed hereafter:

Jose De Luna via e-mail
Planning and Zoning Commission Members via e-mail
Community Development Department Report dated July 12, 2024

Attachment 1
Application



ZONING CHANGE APPLICATION

Planning Department
3295 Bob Rogers Drive
Eagle Pass, TX 78852
(830) 773-7781
(830) 773-7803 fax
www.eaglepasstx.us

Applicant Information	Name	JOSE DE LUNA		
	Phone	830-968-1000	E-mail	PPDELUNA@MAIL.COM
	767 RIO RD	EAGLE PASS	TX	78852
	Mailing Address	City	State	Zip
<i>Note: if you are not the owner of the property, you must attach a letter from the owner giving you permission to submit this application.</i>				
Property Owner Information	Name	JOSE DE LUNA		
	Phone	830-968-1000	E-mail	PPDELUNA@GMAIL.COM
	767 RIO RD	EAGLE PASS	TX	78852
	Mailing Address	City	State	Zip
Property Information	Site Address	234 PECOS		
	Legal Description (from deed): Lot(s)	7,8,9,10	Block	57
	Subdivision HILLCREST ADDITION (Property must be legally subdivided or be lot of record)			
	Survey Name(s)	***SEE ATTACHED SURVEY***		
	Abstract No(s)	Tract(s)		
	Maverick County Identification #	10497	Total Acreage & Square Feet	.77 / 33.541 SQFT
Proposed Project	Front Yard Width (feet)	Rear Yard Width (feet)		
	Side Yard Width (feet)			
	width = 168.47; width = 166.8; side width = 203.9; side width = 199.6			
	Amend Zoning Regulations contained in section <u>5</u> (R1 First one-family dwelling district)			
	Amend the Official Zoning Map & Master Plan by changing <u>.77</u> acres of land currently zoned			
	R1 to be zoned R3A			
Conforms with the Zoning Map? ☒ Yes ☐ No				
Conforms with Master Plan Designation? ☐ Yes ☒ No				
☐ Vacant Land ☐ Vacant Building ☐ Single Family Dwelling ☐ Commercial				
☒ Multi-Family Dwellings ☐ Industrial ☐ Other				

Detailed Explanation of Proposed Use

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

- Proposed Use of Property/Reason for Change

TO BUILD APARTMENT COMPLEX

- Describe the character and/or nature of uses surrounding the property.

MOSTLY COMMERCIAL, WITH ONLY 2 RESIDENTIAL HOMES TO THE SOUTH OF THE
SUBJECT PROPERTY, AND 1 DUPLEX TO THE SOUTH OF THE SUBJECT PROPERTY

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

☒ Yes ☐ No

If No, how do you propose to reduce any adverse impact?

Applicant Authorization

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

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

James A. Turner
 Applicant Signature

06/12-2024
 Date

Office Use

Application Accepted for Review: Date: 6/12/24 By: ME

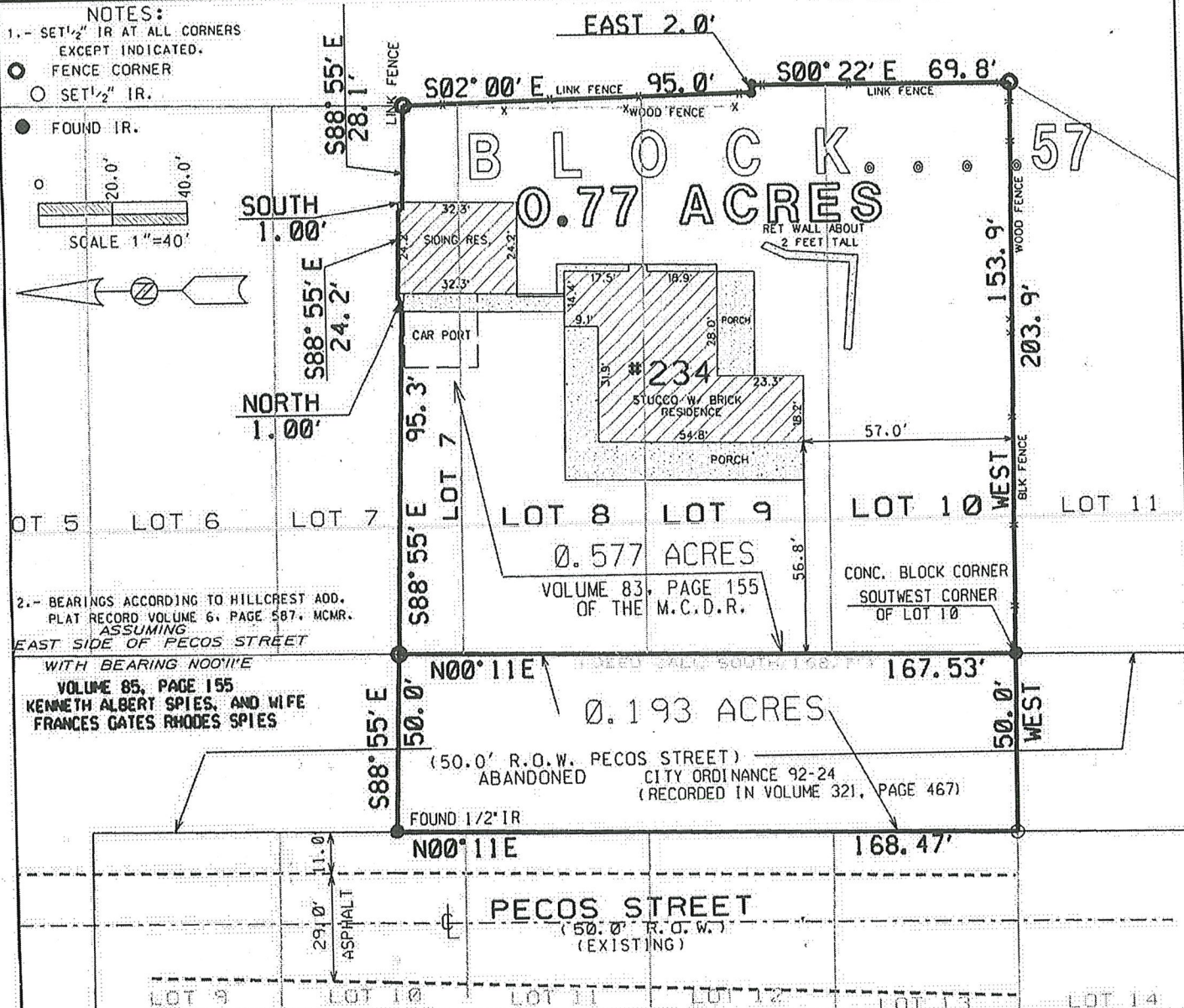
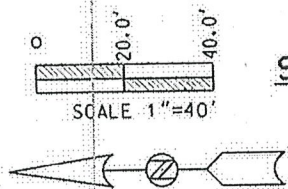
Contact Date for Supplemental Info: NA Supplemental Info Received: NA

Completeness Review By: ME Date: 6/12/24

Fee Processing Date ✓ Check # ✓ Receipt # —

Application Returned to Applicant: paid application + publication fees.

- NOTES:
- 1.- SET 1/2" IR AT ALL CORNERS EXCEPT INDICATED.
 - FENCE CORNER
 - SET 1/2" IR.
 - FOUND IR.



8 PROPERTY SURVEY SHOWING IMPROVEMENTS ON A 0.77 ACRES BEING 0.577 ACRES PORTION OF LOTS 7, 8, 9, AND 10, BLOCK 57, HILLCREST ADDITION, AND 0.193 ACRES PORTION OF THE ABANDONED R.O.W. OF PECOS STREET BY CITY ORDINANCE 92-24 RECORDED IN VOLUME 321, PAGE 467. ALL IN THE CITY OF EAGLE PASS, MAVERICK COUNTY, TEXAS.

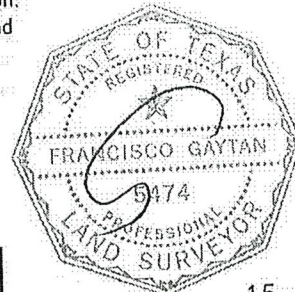
FEBRUARY 2015 VOLUME 83, PAGE 155 SCALE 1"=40'

I, Francisco Gaytan, Registered Professional Land Surveyor, hereby certify that the foregoing plat was prepared from a survey conducted on the ground under my supervision on February 24, 2015; that it correctly shows the boundaries, line and location of said property as shown in VOLUME 83, PAGE 155 of the Deed Records of Maverick County, Texas; and that there are no encroachments, protrusions or conflicts between the improvements and the boundaries of record except as shown above, and said property has access to and from a dedicated roadway, except as shown hereon. And that this professional service conforms to the current Texas Surveyors Association Standards and Specifications for a Category 1A, Condition II, Survey.

This property is not in the 100 year flood plain as published by the Federal Flood Insurance Program.

EXHIBIT "B"

Fr. Gay 02/26/2015
 Francisco Gaytan
 Registered Professional Land Surveyor
 Texas No. 5474



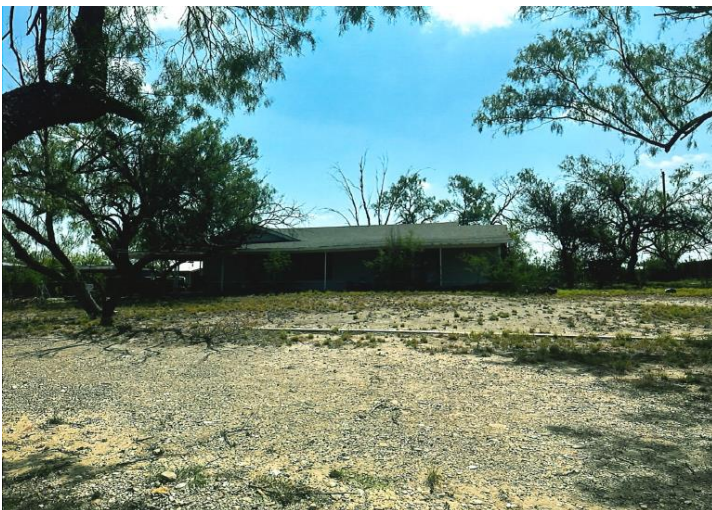
2606 Encino Park Drive RICHARD N. LANE & ASSOCIATES Phone 830-773-8308
 Eagle Pass, Texas. 78852 CONSULTING LAND SURVEY SERVICES fax 830-773-8590

15-146

Aerial View



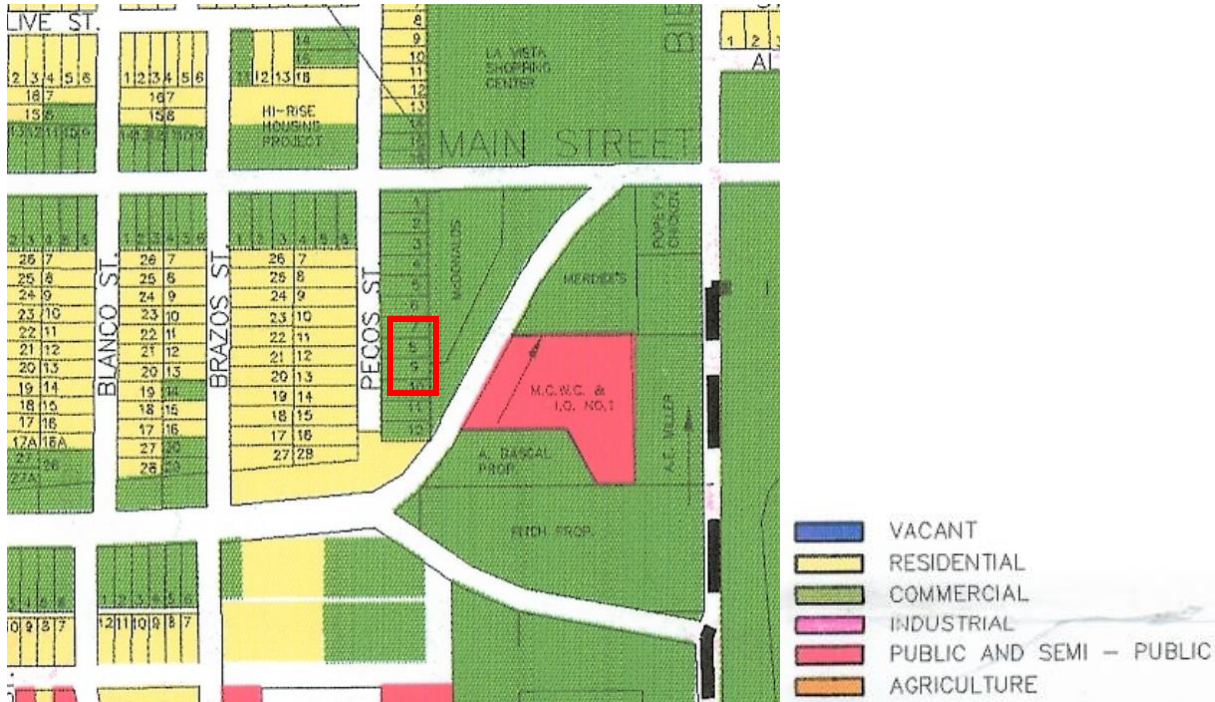
Street View





Attachment 2
Master Plan Map & Zoning District Map

Master Plan



Zoning Map



Item #7



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

2047 Hillcrest Boulevard Rezone Request

I. BACKGROUND

General Information

Applicant & Property Owner: Richard & Rosa M. Garza

PID: 10577

Legal Description: Lot 19 and 20 (West 40 feet of Lot 19 and East 25 feet of Lot 20) in Block 62 of Hillcrest Addition

Request: Rezone parcel from R-1 First One-Family Dwelling District to R3-A Apartment District, to allow for the construction of apartments.

Subject Property Information

Parcel Size: 12,675 square feet / 0.2910 acres

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

Master Plan: Residential

Current Use: vacant and undeveloped

Vicinity Data

The site is in an area that is primarily comprised of single-family developments.

Infrastructure

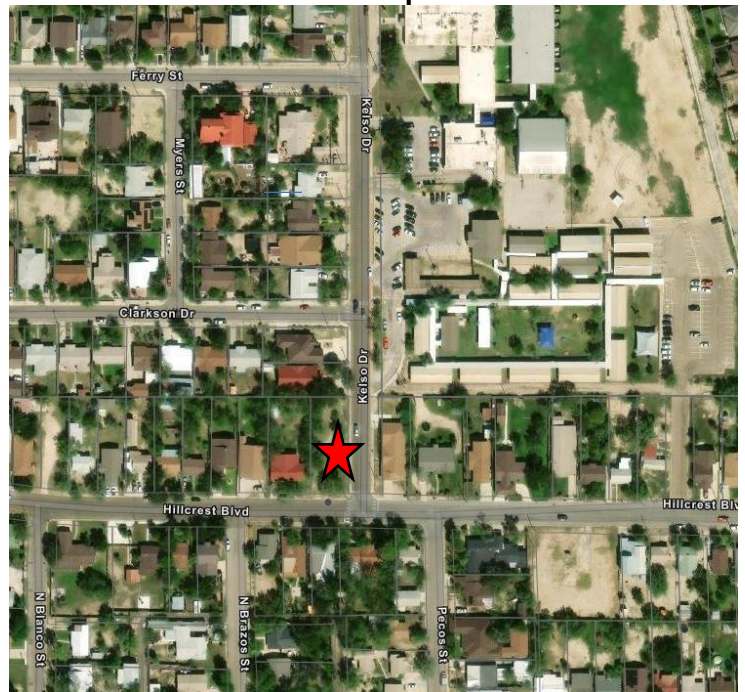
Property is currently served by public utilities/franchises, including water, sanitary sewer, storm sewer, telephone, electric service, gas, garbage, and cable.

Access to the site is provided by Hillcrest Boulevard.

II. PUBLIC NOTICE

Public Notification of the Planning and Zoning Commission public hearing to consider the rezone request was completed consistent with the provisions of *Chapter 211 of the State of Texas Local Government Code Title 7. 27* notices were mailed to the abutting property owners within the 200 foot radius from the subject property.

Aerial Map



Street View



III. RECOMMENDED FINDINGS OF FACT

A. Conclusions

1. Section 9.1(b)(4) of *Eagle Pass City Charter Article IX* authorizes the Planning and Zoning Commission to recommend or disapprove proposed changes to the *City of Eagle Pass Zoning Plan*. A request for a change in a zoning district designation for a property constitutes a change to the *Zoning Plan* and the *Zoning Plan Map*.
2. The applicant's request contains sufficient information for consideration by the Eagle Pass Planning and Zoning Commission. Information contained in this report and the Commission's associated public meeting will be used by the City Council in their consideration of the rezone request. Please refer to Attachment 1.
3. The *Master Plan* is the primary document used in the analysis as to the appropriateness of a rezone request. The *Master Plan Map* provides direction as to the areas of the city in which residential, commercial, and industrial development is to be situated.
4. The rezone, if granted, will result in construction activities that will include the enforcement of the appropriate land development regulations resulting in appropriate lot sizes, setback requirements, paved streets with curb gutters, sidewalks, and adequate utility services.

The purpose of the rezone is to allow for subsequent construction of a multi-family development.

5. The rezone request is not consistent with the 'Land Use Development Goals' of the *City of Eagle Pass Master Plan*. The request to change from the R-1 District to R-3A District will cause disruption in the neighborhood, not retaining the community's character and scale.
6. The rezone request is not consistent with the *Master Plan's* 'Street Objectives', 'Thoroughfare Goals', and 'Thoroughfare Objectives', as the rezone site will only generate additional traffic to the neighborhood, thus causing a safety concern.
7. The rezone request does not conform to the purpose of the City's zoning code, as the subsequent development of the property will result in a use that is not consistent with intent of the *R-1 District* uses in the vicinity of the site, with a view to conserving the value of buildings and encouraging the most appropriate use of land adjacent that will have access to a public street. Please refer to Attachment 2 for a copy of the City's *Zoning District Map*.
8. The property is in an area that is primarily comprised of single-family developments. Please refer to Attachment 1 for photographs of the rezone site, including developments in the immediate area.
9. The rezone request is not consistent with both the goals and objectives of the *Master Plan* and the purpose of the *City of Eagle Pass Code of Ordinances Appendix A* governing zoning as set forth in Conclusion 1 through 8 of this Report. The rezone request, therefore, shall not be approved.

B. Community Development Department Recommendation

That the Planning and Zoning Commission **DENY** a zoning district change from R-1 First One-Family Dwelling District to R-3A Apartment District, for property legally described as Lot 19 and 20 (West 40 feet of Lot 19 and East 25 feet of Lot 20) in Block 62 of Hillcrest Addition, as it is not in conformance with both the goals and objectives of the *Master Plan* and the purpose of the *City of Eagle Pass Code of Ordinances Appendix A*.

TRANSMITTED to the parties listed hereafter:

Richard & Rosa M. Garza via e-mail
Planning and Zoning Commission Members via e-mail
Community Development Department Report dated July 9, 2024

Attachment 1

Application



PLANNING DEPARTMENT

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

ZONING CHANGE APPLICATION

Case No: _____

Applicant Information	Name: <u>Richard & Rosa M. Garza</u>
	Mailing Address: <u>3407 Cathleen</u>
	Phone: <u>(830) 776-3740</u> E-mail: <u>fivegtransports@yahoo.com</u>
	Note: if you are not the owner of the property, you must attach a letter from the owner authorizing you to submit this application.

Property Owner Information	Name: <u>Richard & Rosa M. Garza</u>
	Mailing Address: <u>3407 Cathleen</u>
	Phone: <u>(830) 776-3740</u> E-mail: <u>fivegtransports@yahoo.com</u>

Property Information	Site Address: <u>2047 Hillcrest Blvd.</u> MCAD Property ID # <u>10577</u>
	Legal Description: Lot(s) <u>19/20</u> Block <u>62</u> Subdivision <u>Hillcrest addn</u> (Property must be legally subdivided or be lot of record)
	Front Yard Width (feet) <u>194</u> Rear Yard Width (feet) <u>194</u> Side Yard Width (feet) <u>65</u>

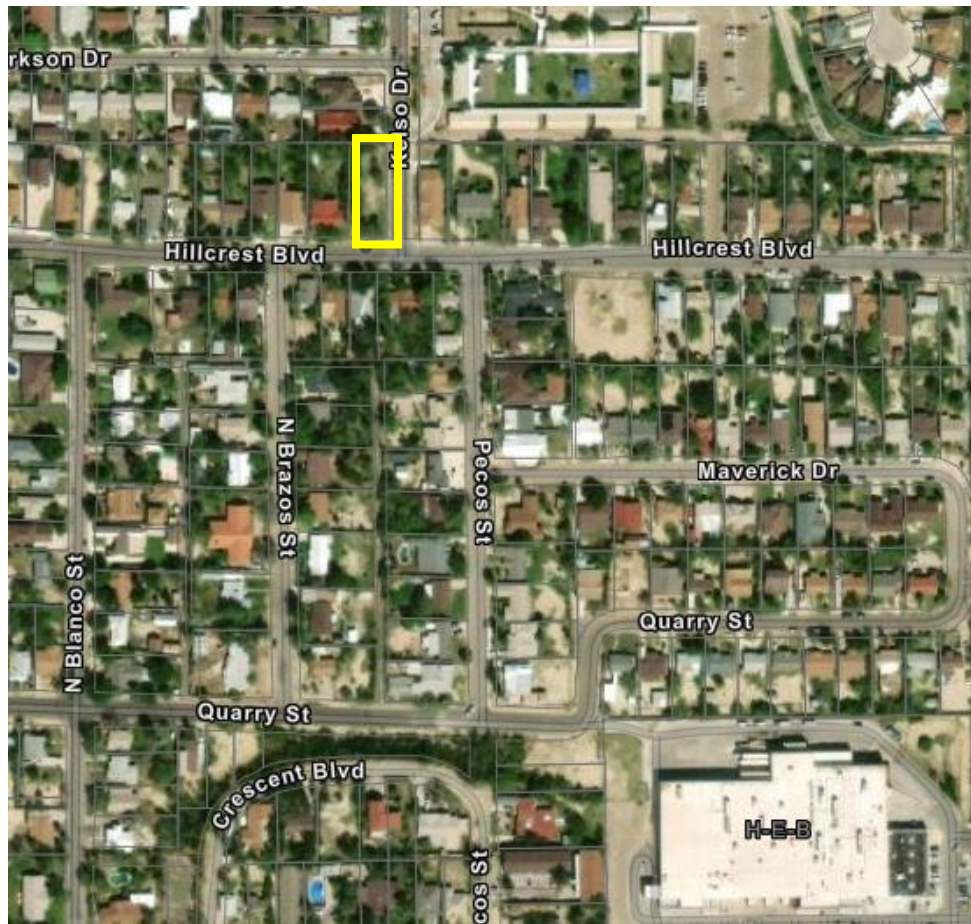
Proposed Project	Amend Zoning Regulations contained in section <u>5 (R1 First one-family dwelling district)</u>
	Amend the Official Zoning Map & Master Plan by changing <u>0.291</u> acres of land currently zoned <u>single family dwelling</u> to be zoned <u>multi-family dwelling</u>
	Conforms with the Zoning Map? ☒ Yes ☐ No
	Conforms with Master Plan Designation? ☒ Yes ☐ No
	☐ Vacant Land ☐ Vacant Building ☐ Single Family Dwelling ☐ Commercial
	☒ Multi-Family Dwellings ☐ Industrial ☐ Other _____

Detailed Explanation of Proposed Use	
Proposed Use of Property/Reason for Change:	<u>Construction of 3 duplexes</u>
Describe the character and/or nature of uses surrounding the property:	<u>Residential</u>
Will the rezoned designation be compatible with the classification and use of adjoining lands?	☒ Yes ☐ No
If No, how do you propose to reduce any adverse impact?	

Applicant Authorization	I authorize the City of Eagle Pass to conduct any site visits necessary to evaluate this zoning change application. I hereby state that I have prepared this application and that, to the best of my knowledge, the information contained herein is complete, accurate, and a true representation of the zoning change request. I further attest that I have the authority to submit this application and agree to comply with any and all conditions of the zoning change approval. I agree to provide any additional information requested by the City as they deem necessary for the processing of this application.
	 Applicant Signature <u>6-12-24</u> Date

Office Use	Date Application Accepted for Review: <u>6/12/24</u> By: <u>NA</u>
	Contact Date for Supplemental Info: <u>NA</u> Supplemental Info Received: <u>NA</u>
	Completeness Review Date: <u>6/12/24</u> By: <u>NA</u>
	Application Returned to Applicant: <u>NA</u> (when applicable)
<u>paid \$155 on 6/12/24</u>	
MR:7/2020	

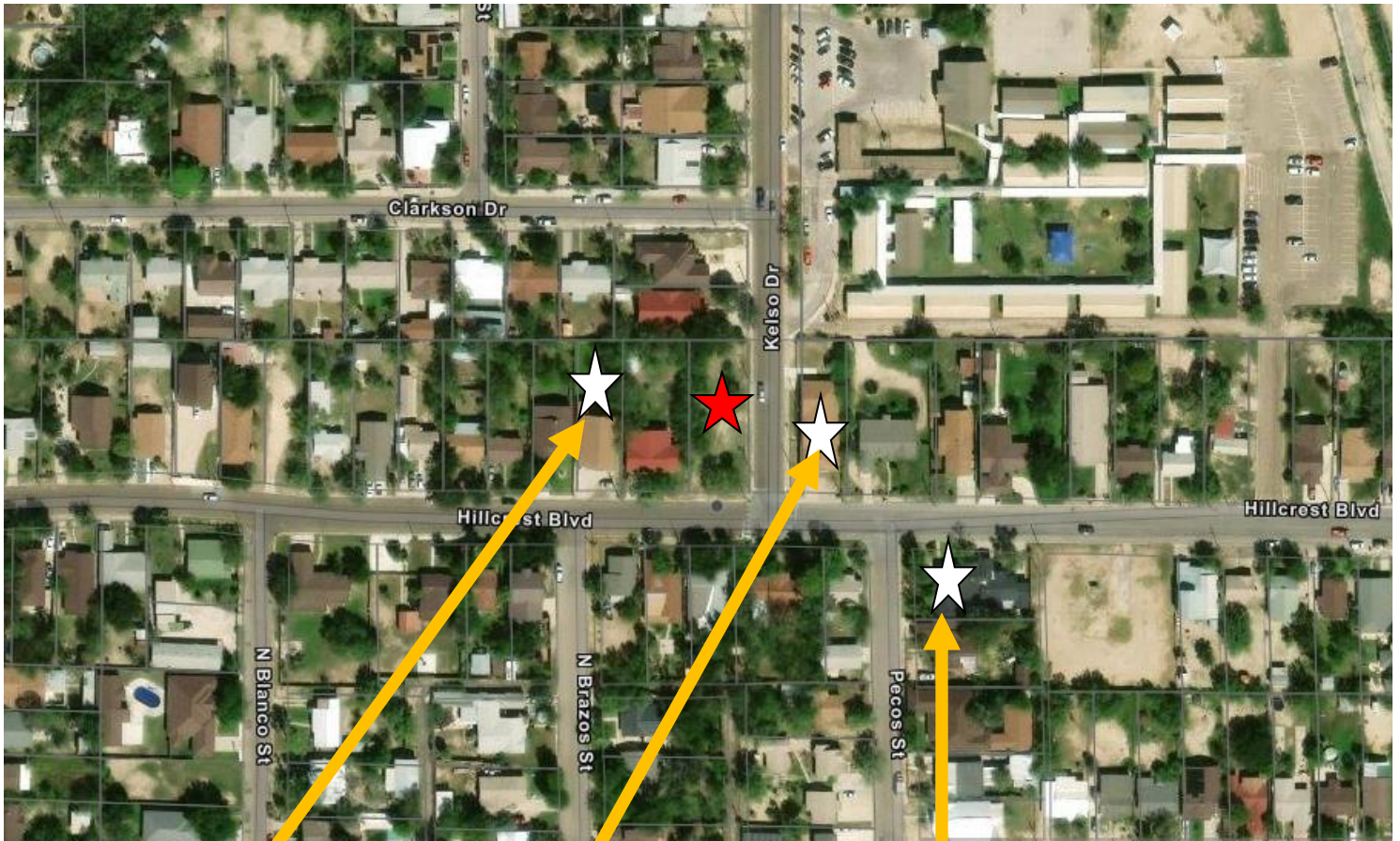
Aerial View



Street View







★ These properties appear to be duplexes or multi-family but are not in conformance with the zoning code, as they have not gone through the proper rezone process.

Attachment 2
Master Plan Map & Zoning District Map

Item #8

Will provide at later date

Item #9

Will provide at later date