



AGENDA

**PLANNING & ZONING COMMISSION SPECIAL MEETING
WEDNESDAY, AUGUST 28, 2024, AT 5:30 P.M.
COUNCIL CHAMBERS, CITY HALL BUILDING
100 SOUTH MONROE STREET, EAGLE PASS, MAVERICK COUNTY, TEXAS**

ESTABLISHMENT OF QUORUM

CITIZENS COMMUNICATIONS

MINUTES

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

OLD BUSINESS

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

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 August 23, 2024, at 11:30 a.m.

A handwritten signature in blue ink that reads "Placido Madera".

Placido Madera
Community Development Director

Item #1

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

The Planning and Zoning Commission of the City of Eagle Pass held a special meeting on Wednesday, July 17, 2024, at 5:00 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; Vice-Chairman, Kenneth Gross; and Commissioners: Tiffany Velazquez-Sanchez, and Aaron Valdez

Absent: Dora Salinas-Sanchez

Staff Present: Community Development Director, Placido Madera; Assistant Community Development Director, Mariebelle Rodriguez; Assistant City Secretary, Ita A. Cortinas; City Attorney, Ana Sophia Garcia; Interim Finance Director, Jose Menchaca, and Fixed Assets Coordinator, Heber Ruiz

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

Vice-Chairman Gross moved to select Tiffany Velazquez-Sanchez as chairman. Seconded by Commissioner Valdez. **MOTION PASSES.**

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

Commissioner Velazquez-Sanchez said she would assume the Chairwoman position at the subsequent meeting.

SELECTION OF VICE-CHAIRMAN

Commissioner Velazquez-Sanchez moved to select Luis Velez as the Vice-Chairperson. Seconded by Vice-Chairperson, Gross. **MOTION PASSES:** Unanimously

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

There were no comments or concerns to be heard.

MINUTES

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

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

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

PUBLIC HEARINGS

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

Community Development Director, Placiedo Madera mentioned that the applicant asked that the item be tabled.

Vice-Chairman Gross moved to table the item. Seconded by Commissioner Velazquez-Sanchez.

MOTION PASSES: Unanimously

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

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.

Chairman Velez opened the public hearing at 5:12 p.m.

Assistant Community Development Director, Mariebelle Rodriguez provided details on the item, recommending that 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

Mr. Ken Dirksen spoke on behalf of the applicant, asking for the Commission's approval.

There being no further comments from the public, Chairman Velez closed the public hearing at 5:18 p.m.

Commissioner Velazquez-Sanchez moved to proceed with the department's recommendation Seconded by Vice-Chairman Gross. **MOTION PASSES:** Unanimously

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

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

Chairman Velez opened the public hearing at 5:19 p.m.

Assistant Community Development Director Rodriguez provided details on the item, recommending that the Planning and Zoning Commission deny the Yara Sanchez request to establish a home day care business on property located at 2077 La Jolla Street.

The applicant, Mrs. Yara Sanchez, approached the Commission and provided details of her request, asking for approval.

Ms. Maria Adame, who identified herself as the applicant's backyard neighbor approached the Commission and expressed her concern, asking that the item be denied.

Mr. Luis Rabago, spouse of the applicant, spoke to the Commission, addressing concerns that had been raised by Ms. Adame, and asked for the Commission's approval.

There being no further comments from the public, Chairman Velez closed the public hearing at 5:47 p.m.

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

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

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.

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

Assistant Community Development Director Rodriguez provided details on the item, recommending 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

There being no comments from the public, Chairman Velez closed the public hearing at 5:52 p.m.

Commissioner Valdez moved to 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. Seconded by Commissioner Velazquez-Sanchez. **MOTION PASSES:** Unanimously

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

6. Public hearing 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.

Chairman Velez opened the public hearing at 5:53 p.m.

Community Development Director Madera provided details on the item, recommending 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))

The applicant, Mr. De Luna, approached the Commission to provide details on the item, and asks for approval.

There being no comments from the public, Chairman Velez closed the public hearing at 6:01 p.m.

Commissioner Velazquez-Sanchez moved to grant the rezone. Seconded by Commissioner Valdez. **MOTION PASSES:** Unanimously

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

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.

Chairman Velez opened the public hearing at 6:01 p.m.

Community Development Director Madera 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 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.

Mr. Homero Garza, a representative of the applicants, approached the Commission to provide details on the item, and asks for approval.

There being no comments from the public, Chairman Velez closed the public hearing at 6:11 p.m.

Commissioner Velazquez-Sanchez moved to grant the rezone. Seconded by Commissioner Valdez. **MOTION PASSES**

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

NEW BUSINESS

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

Fixed Assets Coordinator, Heber Ruiz provided a PowerPoint Presentation, detailing the Capital Improvement Plan, stating the top projects are: 1. Street and sidewalks, 2. Drainage Master Plan & Improvements, 3. Remodeling Fire Station #3, 4. Fire Station with Fire Tower (Training Station), 5. Completion of Patsy Winn Blvd., 6. New Public Works Building, 7. Park improvements, 8. International Bridges Toll Booth and Lighting Improvements (I & II), 9. Bridge Realignment, 10. Truck route reconstruction, 11. Bridge I Administrative Building (Demolition and Reconstruction), 12. Riverwalk reconstruction, 13. Remodeling of City Hall, 14. New Animal Control Shelter and Offices.

Commissioner Velazquez-Sanchez moved to approve the Capital Improvement Plan. Seconded by Vice-Chairman Gross. **MOTION PASSES:** Unanimously

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

9. Discussion and possible change of meeting date.

After a small discussion, it was agreed that the meeting date would remain as-is. No action was taken.

ADJOURNMENT

Commissioner Velazquez-Sanchez moved to adjourn the meeting at 6:47 p.m. Seconded by Vice-Chairman Gross. **MOTION PASSES**

Passed and approved on _____, 2024.

Luis Velez
Chairperson

Attest:

Ita A. Cortinas
Assistant City Secretary

Item #2



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

Final Plat of Benito Garcia Subdivision

I. BACKGROUND

A. General Information

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

Owner: Benito & Rosario Berenice Garcia & Tomas Perales I Eagle Pass, Texas 78852

Location: 3401 Del Rio Blvd & 3427 Del Rio Blvd

Property ID Number: 9008915 & 51974

Legal Description: Abstract A1009, G C & S F R R CO., Survey #1, Acres 2.0 & Abstract A1009, G C & S F R R CO., Survey #1, Acres 4.0

Request: The grant of final approval for the platting of a 6-acre tract located in the ETJ into a 2-acre tract and a 4-acre tract, including (1) a subdivision variance to proceed directly to final replat without first having obtained preliminary plat approval as required by *City of Eagle Pass Code of Ordinances Section 23-36(a)*, and (2) a subdivision variance request from Section 23-66 governing sanitary sewer.

B. Subject Property Information

Parcel Size: 6-acres **Topography:** Generally flat

Existing Use: Lot 1 currently houses a commercial building and parking lot, and Lot 2 is vacant and undeveloped.

Zoning: Not applicable **Master Plan:** Not applicable

C. Vicinity Data

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

D. Infrastructure

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

Access to the site is provided by TxDOT US Highway 277.

II. RECOMMENDED FINDINGS OF FACT

A. Conclusions

1. The applicant's request contains sufficient information for consideration by the Planning and Zoning Commission. Information contained in this report and the

Commission's public meeting will be used as part of the City Council's deliberation process for final approval of the subdivision. Please refer to Attachment 1.

2. Final plat approval is contingent upon the Commission's approval of subdivision variance requests.
3. The applicant must also demonstrate that the proposal complies with the subdivision variance criteria set forth on *Section 23-11(a)* and *Section 23-11(c)*. Please refer to Attachment 2 for a copy of the subdivision variance requests.

First Variance Decision Criteria

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

Second Variance Decision Criteria

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

Third Variance Decision Criteria

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

Fourth Variance Decision Criteria

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

Fifth Variance Decision Criteria

Lastly, the variance regarding final plat approval is also consistent with *Section 23-11(c)*, as the granting of the variance will allow for the creation of a subdivision that was in harmony with the general purpose and intent of *City of Eagle Pass Code of Ordinances Chapter 23*. The subdivision contains design features which will secure public health, safety and welfare and provide for the fair and equitable processing of the final plat.

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

Eagle Pass Water Works modified its recommendation and approved the variance as follows:

Previously the variance request was denied because property is less than the distance of 200' to a sanitary sewer line. At this time, EPWWS has further reviewed the variance and will approve the installation of the septic system with the understanding that property be connected to sanitary sewer when office expands, and restrooms are needed.

4. The subdivision site is not located within the boundary depicted on the *City of Eagle Pass Master Plan Map*. The *City of Eagle Pass Master Plan* does, however, provide direction regarding plat of property both within the City and within the City's 5-mile wide *Extraterritorial Jurisdiction* (ETJ).
5. The *Master Plan* emphasizes the importance of maintaining the character of the residential and commercial neighborhoods located within the City's 5-mile wide *Extraterritorial Jurisdiction* (ETJ).
 - ✓ The subdivision is consistent with the *Housing Goals* of the *Master Plan*, as the subdivision process will ensure appropriate land development regulation with appropriate lot sizes, paved streets with curb and gutters, and adequate utility services.
 - ✓ The subdivision is consistent with the *Land Use Development Goals* of the *Master Plan*, as the project is designed to provide for a building lot density that is consistent with the purpose of the *B-3 General Business 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 subdivision is consistent with the *Street Goal* of the *Master Plan*, as access to the site from US Highway 277 has been designed to provide the residents of and visitors to Eagle Pass and Maverick County with a street system that will enable them to travel safely and conveniently.
 - ✓ The subdivision is consistent with the *Thoroughfare Goals* of the *Master Plan*, as US Highway 277 has been designed to be part of a safe and efficient thoroughfare system.
 - ✓ The subdivision is consistent with the *Storm Drainage Goals* of the *Master Plan*, as a detention pond will be required on Lot 2 at the time the property is developed.
6. The subdivision design 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 23-62* governing utility easements
 - ✓ *Section 23-64* governing sidewalks
 - ✓ *Section 23-66* governing sanitary sewage disposal, a variance request to allow septic installation

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

Please refer to Attachment 3 for a copy of the final engineering report.

7. The subdivision will be consistent with the City design and specifications for landscape and tree preservation set forth in *Article VI* in *Eagle Pass Code of Ordinances Chapter 23*.
8. The subdivision will conform with the parkland dedication requirements set forth in *Article V* in *Eagle Pass Code of Ordinances Chapter 23*, as the original plat was created prior to the enactment of the City's parkland dedication requirements in 2005. As a result, the applicant will provide cash in lieu of parkland dedication to the Maverick Planning Department, fee may be collected when securing building permits.
9. The subdivision's conformance with the provisions of the *Master Plan* and the *Eagle Pass Code of Ordinances* will facilitate the following benefits:
 - Protect private rights while considering public health, safety, and welfare.
 - Provide 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 a balanced land use.
 - Encourage a diversified economic base and encourage public and private investments in land and improvements.
 - Prevent and eliminate blight and slums, making the 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.
10. The subdivision will allow for a use of the property that is consistent with the commercial purpose of the *B-3 General Business District* and the surrounding neighborhood for the following reasons:
 - A. The subdivision design bears a substantial relationship to the public's health, safety, and welfare.
 - B. The subdivision is in accordance with the policies of the *Master Plan* and the commercial purpose of the *B-3 District*.

- C. The subdivision is warranted because of the necessity to create additional building lots in the *B-3 District*, and because the proposed development is appropriate to accomplish the reasonable use of the property.
 - D. The subject property is suitable for development in general conformance with development standards of the *B-3 District*.
 - E. The subdivision will benefit the County as a whole and will not be detrimental to nearby land uses of a similar nature.
 - F. The subdivision has been designed and conditioned to comply with all applicable subdivision criteria and standards of the City of Eagle Pass.
11. The approval of this final plat request is warranted, as the project conforms to the *City of Eagle Pass Master Plan* and the *City of Eagle Pass Code of Ordinances* as noted in Conclusion 1 through and including Conclusion 10 of this report.

B. Community Development Department Recommendation

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

TRANSMITTED to the parties listed hereafter:

TEC Services via-email
Maverick County Planning Department via e-mail
Eagle Pass Planning and Zoning Commission via e-mail
Planning & Zoning Commission Report dated August 8, 2024

Attachment 1
Application

Aerial View





PLAT ESTABLISHING LOT 1 & LOT 2
BENITO GARCIA SUBDIVISION

FIELD NOTES FOR A 6.009 ACRE TRACT OF LAND
MADE UP OF LOT 2, A 4.00 ACRE TRACT OF LAND
CONVEYED TO BENITO AND ROSARIO B. GARCIA
AND LOT 1, A 2.009 ACRE TRACT OF LAND CONVEYED TO THOMAS PERALES
MAVERICK COUNTY, TEXAS

BEING A 6.009 ACRE TRACT OF LAND MADE UP OF LOT 2, A 4.00 ACRE TRACT OF LAND
CONVEYED TO BENITO AND ROSARIO B. GARCIA RECORDED IN VOLUME 256, PAGE 237,
DEED RECORDS, MAVERICK COUNTY, TEXAS AND LOT 1, A 2.009 ACRE TRACT OF LAND
CONVEYED TO THOMAS PERALES RECORDED IN VOLUME 256, PAGE 237, DEED RECORDS,
MAVERICK COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND
BOUNDS AS FOLLOWS, TO WIT:

BEGINNING AT A 1/2" IRON ROD FOUND AT THE SOUTHEAST CORNER OF GC & SFRRCO.
SURVEY #1, ABSTRACT A1009, & ABSTRACT 1090 SURVEY #3, A TRACT OF LAND
CONVEYED TO JEAN DEBONA DULLING RECORDED IN VOLUME 1268, PAGE 365, DEED
RECORDS, MAVERICK COUNTY, TEXAS AND THE WESTERLY RIGHT OF WAY LINE OF U.S.
HIGHWAY 277 FOR THE NORTHEAST CORNER HEREOF;

THENCE, WITH THE WESTERLY RIGHT OF WAY LINE OF SAID U.S. HIGHWAY 277, SOUTH 01
DEGREES 02 MINUTES 27 SECONDS WEST, 159.48 FEET, TO A 1/2" IRON ROD FOUND FOR A
POINT OF DEFLECTION HEREOF;

THENCE, CONTINUING ALONG THE WESTERLY RIGHT OF WAY LINE OF SAID U.S. HIGHWAY 277,
SOUTH 05 DEGREES 55 MINUTES 27 SECONDS WEST, 203.90 FEET, TO A 1/2" IRON ROD SET
FOR A POINT OF DEFLECTION HEREOF;

THENCE, CONTINUING ALONG THE WESTERLY RIGHT OF WAY LINE OF SAID U.S. HIGHWAY 277,
SOUTH 12 DEGREES 33 MINUTES 27 SECONDS WEST, PASSING THE NORTHEAST CORNER OF
LOT 1 AT 30.00 FEET, IN ALL A TOTAL DISTANCE OF 233.01 FEET, TO A 1/2" IRON ROD SET
FOR A POINT OF DEFLECTION HEREOF;

THENCE, CONTINUING ALONG THE WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 277,
SOUTH 13 DEGREES 20 MINUTES 00 SECONDS WEST, 31.02 FEET, TO A 1/2" IRON ROD SET
AT THE NORTHEAST CORNER OF LOT 6, MON-SA SUBDIVISION, A PROPERTY CONVEYED TO
JUMPSTOP TRAMPOLINE PARK LLC RECORDED IN VOLUME 1805, PAGE 351, DEED RECORDS,
MAVERICK COUNTY, TEXAS FOR THE SOUTHEAST CORNER HEREOF;

THENCE, WITH THE NORTHERLY LINE OF SAID LOT 6, NORTH 66 DEGREES 22 MINUTES 20
SECONDS WEST, PASSING THE NORTHEAST CORNER OF LOT 7, MON-SA SUBDIVISION, A
PROPERTY CONVEYED TO MONSA, LTD., RECORDED IN VOLUME 708, PAGE 353, DEED
RECORDS, MAVERICK COUNTY, TEXAS IN ALL A TOTAL DISTANCE OF 470.13 FEET, TO A 1/2"
IRON ROD FOUND FOR THE SOUTHWEST CORNER HEREOF;

THENCE, WITH THE EASTERLY LINE OF SAID DEBONA TRACT, NORTH 00 DEGREES 14
MINUTES 29 SECONDS EAST, 433.62 FEET, TO A 1/2" IRON ROD FOUND AT THE SOUTHWEST
CORNER OF AFOREMENTIONED GC & SFRRCO. SURVEY #1, ABSTRACT A1009, & ABSTRACT
1090 SURVEY #3 FOR THE NORTHWEST CORNER HEREOF;

THENCE, WITH THE SOUTHERLY LINE OF GC & SFRRCO. SURVEY #1, ABSTRACT A1009, &
ABSTRACT 1090 SURVEY #3 SOUTH 89 DEGREES 45 MINUTES 34 SECONDS EAST, 510.62
FEET TO THE POINT OF BEGINNING AND CONTAINING 6.009 ACRES OF LAND, MORE OR LESS.

BASIS OF BEARINGS: TEXAS SOUTH CENTRAL ZONE — 4204 — NAD 83

CITY OF EAGLE PASS
CERTIFICATE OF PLAT APPROVAL

WE, THE UNDERSIGNED, CERTIFY THAT BENITO GARCIA SUBDIVISION WAS REVIEWED AND APPROVED BY
THE CITY COUNCIL OF EAGLE PASS ON _____

MAYOR OF THE CITY OF EAGLE PASS _____ DATE _____
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 202__.

SIGNATURE NOTARY PUBLIC STATE OF TEXAS _____

WE, THE UNDERSIGNED, CERTIFY THAT BENITO GARCIA SUBDIVISION WAS REVIEWED AND APPROVED BY
THE PLANNING AND ZONING COMMISSION OF THE CITY OF EAGLE PASS ON _____

CHAIRMAN—CITY OF EAGLE PASS _____ DATE _____
PLANNING AND ZONING COMMISSION
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 202__.

SIGNATURE NOTARY PUBLIC STATE OF TEXAS _____

WE, THE UNDERSIGNED, CERTIFY THAT BENITO GARCIA SUBDIVISION WAS REVIEWED AND APPROVED BY
THE CITY MANAGER OF THE CITY OF EAGLE PASS ON _____

CITY MANAGER OF THE CITY OF EAGLE PASS _____ DATE _____
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 202__.

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
OF MAVERICK COUNTY AT _____ O'CLOCK ____M ON _____, 202__.

MAVERICK COUNTY CLERK _____

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____.

COUNTY JUDGE _____

SWORN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 202__.

NOTARY PUBLIC _____ STATE OF TEXAS _____

STATE OF TEXAS)(
COUNTY OF MAVERICK)(

OWNER'S DEDICATION, CERTIFICATION, AND ATTESTATION

THE OWNERS OF THE LAND SHOWN ON THIS SUBDIVISION PLAT AND WHOSE NAME IS SUBSCRIBED
HERETO AND IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, ACKNOWLEDGES THAT THIS
PLAT WAS MADE FROM AN ACTUAL SURVEY AND DEDICATES TO THE USE OF THE PUBLIC FOREVER
ALL STREETS, PARKS, EASEMENTS, AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSES AND
CONSIDERATIONS THEREIN EXPRESSED, AND THE SAME ARE DEDICATED TO THE CITY OF EAGLE
PASS.
THE OWNER CERTIFIES THAT THIS PLAT COMPLIES WITH THE REQUIREMENTS OF TEXAS LOCAL
GOVERNMENT 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
STANDARD; AND
(D) GAS CONNECTION, IF AVAILABLE, PROVIDED TO THE LOTS MEET, OR WILL MEET, THE MINIMUM
STANDARDS.

THE OWNER ATTESTS THAT THE MATTERS ASSERTED IN THIS PLAT ARE TRUE AND COMPLETE.

BENITO GARCIA SUBDIVISION—LOT 1

SIGNATURE: _____

NAME: TOMAS PERALES

STATE OF TEXAS
COUNTY OF MAVERICK

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON _____

BY TOMAS PERALES

SIGNATURE NOTARY PUBLIC STATE OF TEXAS _____

MY COMMISSION EXPIRES: _____

BENITO GARCIA SUBDIVISION—LOT 2

SIGNATURE: _____

NAME: BENITO GARCIA

SIGNATURE: _____

NAME: ROSARIO BERENICE GARCIA

STATE OF TEXAS
COUNTY OF MAVERICK

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON _____

BY BENITO GARCIA AND ROSARIO BERENICE GARCIA

SIGNATURE NOTARY PUBLIC STATE OF TEXAS _____

MY COMMISSION EXPIRES: _____

STATE OF TEXAS)(
COUNTY OF MAVERICK)(

I, JULIAN JAVIER RUIZ, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE
STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT AND DESCRIPTION OF AMIGOS
SUBDIVISION WAS PREPARED FROM AN ACTUAL SURVEY CONDUCTED ON APRIL 21,
2022 UNDER MY SUPERVISION ON THE GROUND AND THE MONUMENTS SHOWN ARE
WITHIN THE POSITIONAL TOLERANCE REQUIRED BY 22 TAC SEC 663.15.

JULIAN JAVIER RUIZ
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS NO. 5304

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE _____ DAY OF _____,
OF _____ BY JULIAN JAVIER RUIZ, R.P.L.S.

SIGNATURE NOTARY PUBLIC STATE OF TEXAS _____

MY COMMISSION EXPIRES: _____

STATE OF TEXAS)(
COUNTY OF MAVERICK)(

I, FLORENTINO CABALLERO, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE
OF TEXAS (NO. 66952), HEREBY CERTIFY THAT THE WATER AND WASTEWATER
FACILITIES FOR THIS SUBDIVISION WERE DESIGNED IN ACCORDANCE WITH THE
REQUIREMENTS OF THE CITY OF EAGLE PASS, TEXAS, THAT THESE SERVICES ARE
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.

FLORENTINO CABALLERO, P.E.
REGISTERED PROFESSIONAL ENGINEER 66952

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE _____ DAY OF _____,
OF _____ BY FLORENTINO CABALLERO, P.E.

SIGNATURE NOTARY PUBLIC STATE OF TEXAS _____

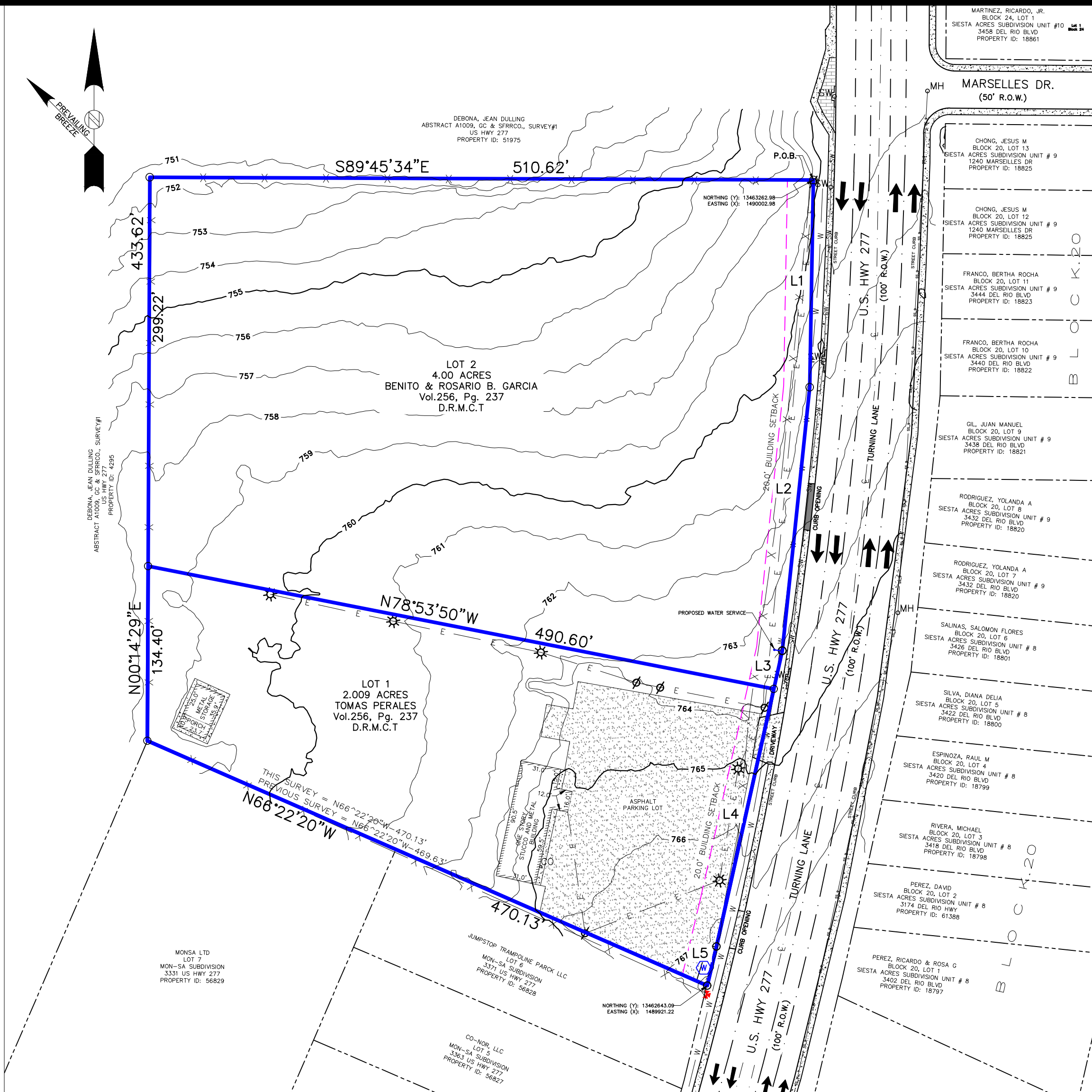
MY COMMISSION EXPIRES: _____



PLAT SUBDIVISION LOT INFORMATION		
LOT	AREA	911 ADDRESS
1	2.009 ACRES	3401 DEL RIO BLVD.
2	4.00 ACRES	3427 DEL RIO BLVD.

LINE AND BEARING TABLE		
LINE	SURVEY BEARING	SURVEY DISTANCE
L1	S01°02'27"W	159.48 FT
L2	S05°55'27"W	203.90 FT
L3	S12°33'27"W	30.00 FT
L4	S12°33'27"W	203.01 FT
L5	S13°20'00"W	31.02 FT

LEGEND	
○	SET 1/2" IRON ROD (I.R.)
○	FOUND 1/2" IRON ROD (I.R.)
●	NEW PROPERTY CORNER
☼	EXISTING LUMINAIRE
⊘	EXISTING POWER POLE
○MH	EXISTING SEWER MANHOLE
✕	EXISTING FIRE HYDRANT
●	EXISTING STOP SIGN
⊙	EXISTING WATER METER
—	REPLAT BOUNDARY
—	PROPERTY LINE
- - -	SETBACK LINE
- - -	EASEMENT LINE
—8"W—8"W—8"W—	EXISTING WATER MAIN
—6"SS—	EXISTING SEWER MAIN
— E — E —	EXISTING OVERHEAD ELECTRIC LINE
— X — X — X —	EXISTING CHAIN LINK FENCE



BEARINGS, DISTANCES, AND AREAS ARE BASED ON THE
NORTH AMERICAN DATUM OF 1983, TEXAS COORDINATE
SYSTEM ESTABLISHED FOR SOUTH CENTRAL ZONE.
ELEVATIONS SHOWN ARE BASED ON NAVD 88,
GEOID 18A.

GRAPHIC SCALE
0 35 70
IN FEET
1 inch = 70 FT

NOTES:

- THE TOTAL AREA OF THIS SUBDIVISION PLAT IS 6.009 ACRES AND CONTAINS TWO (2)
COMMERCIAL LOTS.
- THE AREA OF THIS SUBDIVISION PLAT LIES OUTSIDE THE CITY LIMITS OF EAGLE PASS, TX.
- SET 1/2" I.R. AT ALL CORNERS EXCEPT INDICATED.
- THE ZONING FOR THIS PLAT WILL BE B-3: GENERAL BUSINESS DISTRICT.
- AS PER B-3 ZONING DISTRICT, LOTS 1 AND 2 OF THIS SUBDIVISION PLAT ARE SUBJECT TO A
TWENTY (20') FOOT WIDE FRONT YARD SETBACK. NO SIDE OR REAR YARD SETBACKS ARE REQUIRED.
- NO PORTION OF THE SUBDIVISION SHOWN ON THIS PLAT IS WITHIN SPECIAL FLOOD HAZARD AREAS
THAT ARE SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD, AS SHOWN ON FLOOD
INSURANCE RATE MAP NO. 48323C0350D, DATED APRIL 4, 2011 FOR MAVERICK COUNTY, TEXAS AND
INCORPORATED AREAS.
- ALL LOTS WITHIN THIS SUBDIVISION SHALL BE CONVEYED LEGAL ACCESS TO ALL EASEMENTS,
RIGHT-OF-WAYS, AND ANY PUBLIC DETENTION FACILITIES.
- ALL EASEMENTS SHALL BE KEPT CLEAR OF FENCES, BUILDINGS, PLANTINGS,
AND ANY OTHER OBSTRUCTIONS.
- VERIFY ALL UNDERGROUND UTILITY SERVICE LINES AS REQUIRED, PRIOR
TO ANY EXCAVATION.
- A DETENTION POND WILL BE CONSTRUCTED ON LOT 2, AT THE TIME THE PROPERTY IS DEVELOPED.
THE DESIGNING ENGINEER OF THE SITE WILL SIZE AND DESIGN THE DETENTION POND ACCORDING TO
THE PROPOSED IMPROVEMENTS. AS PER THE COUNTY ENGINEER, THIS PLAT WILL BE AMENDED DURING
CONSTRUCTION TO INCLUDE A DRAINAGE EASEMENT AROUND PERIMETER OF DETENTION POND.
- A TXDOT DRIVEWAY PERMIT MUST BE SECURED PRIOR TO ANY DEVELOPMENT OF THE LOTS.
- THE SUBSEQUENT DEVELOPMENT OF ALL LOTS SHOWN WITHIN THIS
SUBDIVISION PLAT SHALL COMPLY WITH THE CITY OF EAGLE PASS CODE OF ORDINANCES PERTAINING
TO THE PROVISIONS OF CHAPTER 23, ARTICLES IV, V, AND VI, GOVERNING SUBDIVISION DESIGN AND
CONSTRUCTION STANDARDS; CHAPTER 27 GOVERNING WATER SERVICES, SEWER SERVICES, AND
SURFACE WATER MANAGEMENT; AND CHAPTER 13 GOVERNING FIRE PROTECTION.

FINAL SUBDIVISION PLAT
BENITO GARCIA SUBDIVISION
EAGLE PASS, TEXAS, MAVERICK COUNTY

TERRATECH ENGINEERING
AND CONSTRUCTION SERVICES
3292 EL INDIO HWY, EAGLE PASS, TX
(830)-773-0579
ajilbso@terratechengineering.com
FIRM #14118
www.terratechengineering.com



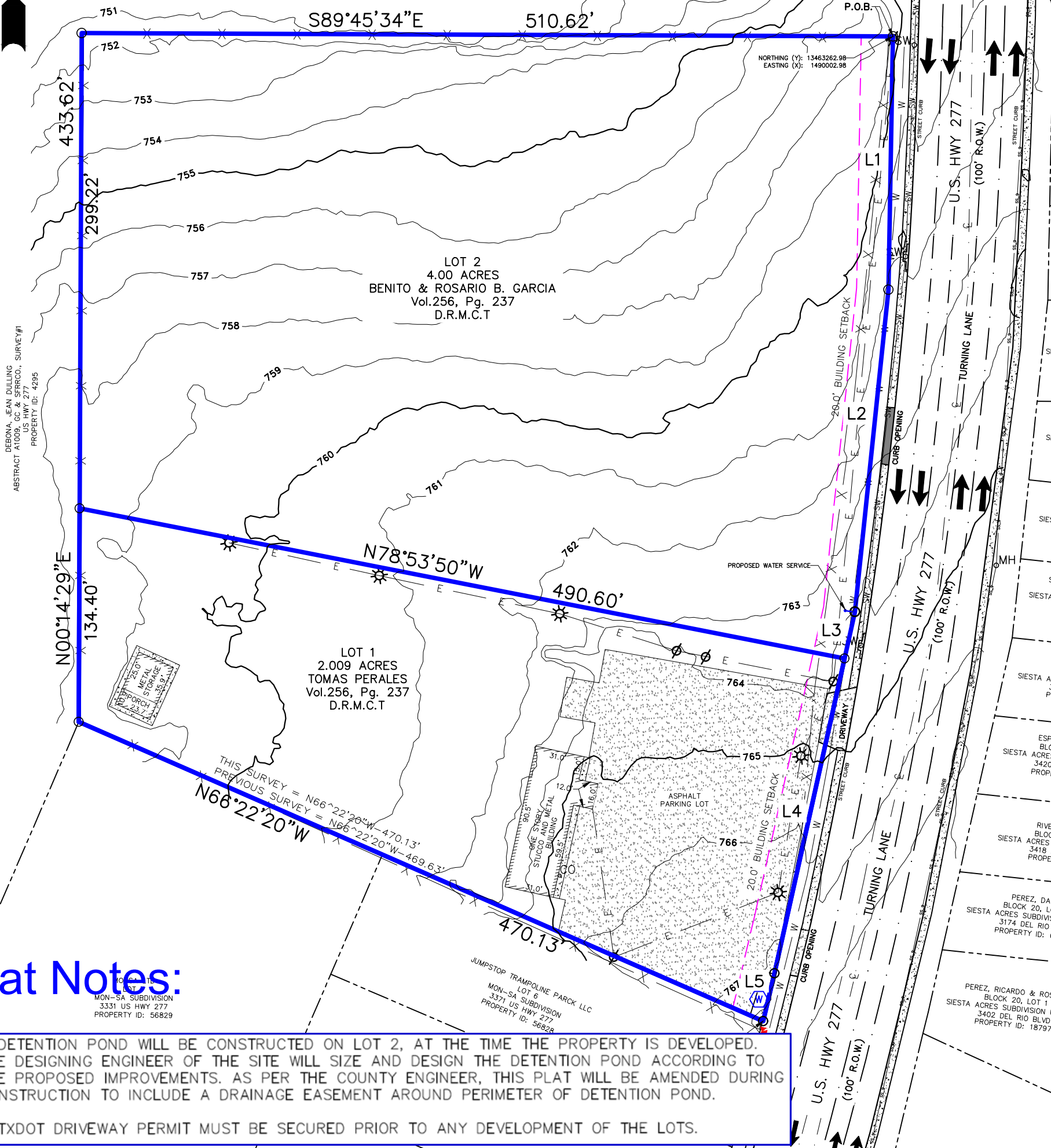
PROPERTY OWNER:
Benito and Rosario B. Garcia
Tomas Perales
EAGLE PASS, TX 78852

JOB: 0119-22
SHEET 1 OF 1
DESIGNED:FJC
DRAWN: GZA
CHECKED: AJL,FJC

SCALE: 1" = 70'
JULY 23, 2024

Plat Zoomed In

DEBONA, JEAN DULLING
ABSTRACT A1009, GC & SFRRCO., SURVEY#1
US HWY 277
PROPERTY ID: 51975



Plat Notes:

10. A DETENTION POND WILL BE CONSTRUCTED ON LOT 2, AT THE TIME THE PROPERTY IS DEVELOPED. THE DESIGNING ENGINEER OF THE SITE WILL SIZE AND DESIGN THE DETENTION POND ACCORDING TO THE PROPOSED IMPROVEMENTS. AS PER THE COUNTY ENGINEER, THIS PLAT WILL BE AMENDED DURING CONSTRUCTION TO INCLUDE A DRAINAGE EASEMENT AROUND PERIMETER OF DETENTION POND.
11. A TXDOT DRIVEWAY PERMIT MUST BE SECURED PRIOR TO ANY DEVELOPMENT OF THE LOTS.

Attachment 2
Subdivision Variance Request



PLANNING DEPARTMENT

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

SUBDIVISION VARIANCE APPLICATION

Applicant Information

Applicant (If not owner): TerraTech Engineering and Construction Services

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

Phone: 830-773-0579

E-mail: ajlibson@terratechengineering.com

Owner: Benito Garcia & Rosario Berenice Garcia & Tomas Perales

Address: 292 Alazan Dr.

Phone: 830-757-0407

E-mail: begapavinginc@aol.com

Property Information

Site Address: 3401 N US HWY 277

MCAD Property ID No. 9008915;51974

Legal Description (from deed): 6.00 acre tract of land, made up of Lot 2, a 4.00 acre tract of land conveyed to Rosario & Benito Garcia in Vol 256 Pg 237...and Lot 1 of 2.00 acre tract of land conveyed to Tomas Perales in Vol 256 Pg 237 Deed Records, Maverick Co., TX.

Description of Subdivision Variance Request

- Variance to proceed straight to Final Plat given existing infrastructure. (Sect. 23, Subdivision Ord.)
- Variance to let Property Owner Install a Septic Tank on Lot 2 to be able to provide sanitary sewer service to subject property, while still being within 200' of existing sanitary sewer line located across COEP Code of Ordinances Sect. 23-66-Sewer

US HWY
277.

Detailed Explanation of Subdivision Variance Request

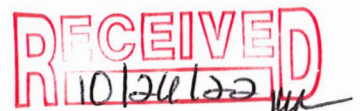
Please answer, on a separate sheet of paper if necessary, the following questions:

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

These variances are required to proceed with plat process in a timely and cost effective manner. (please see attached sheet for detailed descriptions)

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

This variance is necessary for the property owner(s) to proceed to final plat and be able to legally subdivide the subject tracts, and obtain the proper utility services to their respective properties.



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

The granting of this variance will not be detrimental to public health, safety, or injurious to other property in the area as the variances being requested are in line with the surrounding adjacent properties that have been developed in the same way.

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

This variance is required of all property owners seeking to plat their property to be able to legally subdivide their property and obtain the required utility services
This should not effect the orderly subdivision of other land in the area.

Required Application Attachments

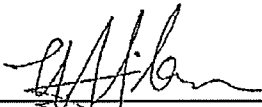
The following documentation is required to be attached to this application.

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

Applicant Authorization

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

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



Applicant Signature

10/20/2022

Date



Benito Garcia Subdivision Plat

Lot 1 & 2

Variance Request Summary

In order for this Plat to get processed and recorded, the Owner of Lot 2 must install sewer and water services prior to the Final Plat being recorded (the owner of Lot 1 already has sewer and water to his property). EP Water Works states that by ordinance, if the property is within 200' of an existing sanitary sewer main line, that the property owner must obtain a service from there. That is the case for Lot 2 of this subdivision, but the only difference is the existing 6" sanitary sewer main is located across TxDOT US HWY 277. In order to do this construction to obtain a sanitary sewer service, we're talking about a major construction job involving obtaining TxDOT permits, construction plans, installing (2) sanitary sewer manholes, breaking and replacing TxDOT pavement as required, and major traffic control involved in doing this. The property owner has stated that he does not have the economic means to do this type of construction to obtain a simple sanitary sewer connection, across the highway. All the properties that are adjacent to Lot 2 and that are located on the West side of US HWY 277 (including Lot 1 of this subdivision) are connected to septic tanks for sanitary sewer service, because there are no existing lines on this side of the highway of which to tap off into the existing main sewer line, and boring across the highway is too expensive to justify obtaining a service. We estimate that proceeding the way EP Water Works is requesting to bore across the highway, will cost over \$70,000, and will take months to do as TxDOT permits have to be obtained and construction plans have to be produced. This would kill this subdivision plat because the property owner has stated he does not have the economic means to do this construction. The only thing he is asking is that this variance gets approved, and he is allowed to install a septic tank to provide sanitary sewer service to his property just like all the other adjacent properties have been allowed to do. This would allow him to proceed with the final plat process and obtain a recorded plat to legalize his property. Furthermore, Lot 2 is 4.00 acres in area, well above the minimum TCEQ requirement of 0.5 acres in order to be able to install a septic tank. Installing a septic tank would be the most cost effective way to service his property, and would be line with what all the adjacent properties have done to obtain a sanitary sewer service, since there are no main lines located on the West side of US HWY 277 along this area.

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

Florentino Caballero, P.E.



10/20/2022

Attachment 3
Final Engineering Report



To: Placido Madera

City of Eagle Pass Planning Director

From: Florentino Caballero, P.E.

Date: Oct. 19, 2022

Reference: Final Engineering Report for 6.009 Acre Plat of Benito Garcia Subdivision

Mr. Madera,

Mr. Tomas Perales and Benito & Rosario B. Garcia, owners of a 2.009 acre tract and 4.00 acre tract, respectively, for property legally described as being a 6.009 acre tract of land made up of a 4.00 acre tract of land conveyed to Benito and Rosario B. Garcia recorded in volume 256, page 237 and a 2.009 acre tract of land conveyed to Tomas Perales recorded in volume 256, page 237 of the Maverick County Deed Records, have requested that TerraTech Engineering and Construction Services (TEC Services) prepare a Plat of this property to legally subdivide it into (2) Two Commercial Lots. This property is located at 3401 U.S. Hwy 277 in Eagle Pass, TX. The property is located outside the Eagle Pass City Limits, but within the 5-mile Extra-Territorial Jurisdiction (E.T.J.) and is currently unplatted as one (1) 6.009 acre tract. The 2.009 acre portion has an existing building and parking lot, while the 4.00 acre tract is vacant. The property and has access to existing sewer, water, cable, and electric utilities. As a result, we are proceeding straight to the Final Plat process given the existing conditions.

General Description

The subject Plat has a total area of 6.009 acres and is irregularly shaped (see attached Plat Sheet for reference). The subject tract will be Platted into (2) commercial Lots, Lot 1 and Lot 2, Benito Garcia Subdivision as shown in the attached Plat Sheet. The property has frontage towards U.S. Hwy 277 and has existing driveways to access both properties off TxDOT Hwy US 277. All utility infrastructure including water, sewer, electricity, and cable is already existing along the frontage of the property. This Plat will be presented to proceed straight to Final due to the existing conditions. This property is located outside the Eagle Pass City Limits and is not currently zoned. The property will be zoned as B-3: General Business District.

Drainage

General Drainage Description

No portion of the Plat area of this subdivision is located within a FEMA special flood hazard area as shown on the Plat sheet. The subject property slopes/drains from the Southeast towards the Northwest direction. Given that this property is technically already developed and has all the required infrastructure that would classify it as a Platted property such as utilities and street access, no drainage improvements are required at this time. For platting purposes, Hydraulic Calculations are provided

below only as reference. Since the property is technically already developed, runoff values will assume fully developed conditions and only one set of calculations will be provided. Since there are no proposed improvements for the property at this time, a detention pond will not be required until the time of development of the property. The designing engineer of the site will size and design the detention pond according to the proposed improvements, at the time of development.

Existing Drainage Conditions

The existing drainage conditions of this developed tract of land can be analyzed using the Rational Method. The peak rate of runoff, Q , in cubic feet per second is calculated as follows:

$$Q = C \times I \times A$$

where C = runoff coefficient

I = average rainfall intensity in inches per hour

A = tributary drainage area in acres

The parameters used in the analysis of the existing drainage of this developed tract are presented in Table 1 below.

Table 1. Existing & Developed Drainage Parameters

Parameter	Value
t_c	5 min
C_d	0.90
I_{10}	7.43 in/hr
I_{100}	10.32 in/hr
Watershed Area, A	6.009 acres

The peak rates of runoff for the existing undeveloped lots are

$$Q_{10} = C_d \times I_{10} \times A$$

$$Q_{10} = 0.90 \times 7.43 \times 6.009 = 40.18 \text{ cfs}$$

$$Q_{100} = 1.25 \times C_d \times I_{100} \times A$$

$$Q_{100} = 0.90 \times 10.32 \times 6.009 = 55.81 \text{ cfs}$$

The estimated runoff for the entirety of the property for a ten (10) and one hundred (100) year return period are 40.18 cfs and 55.81 cfs, respectively.

The calculations provided in this report are simply for Platting purposes. No drainage improvements are required at this time, until the property is to be fully developed, of which hydraulics will be analyzed by the designing engineer of the site, at the time of development.

Street

This property has paved street access of TxDOT Hwy US 277 also commonly referred to as Del Rio Blvd. Luminaries are visible along the property. Please refer to Replat sheet for locations.

There is an existing fire hydrant located along the Southern most property corner of the subject 6.009 acre property. Please refer to Plat Sheet for location.

Water Service

There is an existing 8" Water Main that runs along the frontage of this property. Please refer to the Plat sheet for details. Lot 1 has an existing Water service and meter. Lot 2 will have to obtain a separate Water Service from the existing line that runs along the frontage of the property. Please refer to Plat sheet for approximate location of proposed water service. This location can be modified during construction as needed, if approved by Water Inspector on site. All Water Mains in this area are operated by Eagle Pass Water Works.

Sanitary Sewer Service

There is an existing 6" Sanitary Sewer Main that runs along the opposite side of the US HWY 277 frontage of this property. Proposed Lot 1 already has an existing septic tank that services this property. Proposed Lot 2 will obtain a separate sewer service from one of two ways, the existing 6" sewer line across the highway, or given the 4 acre area, could also install a septic tank, at the time of development, based on how adjacent properties located on the West Side of US HWY 277 are being serviced. Given Water Works requirement that properties must tap into existing sewer system if within 200', a variance will be submitted to allow the property owner to install a septic tank to obtain sanitary sewer service, given that the property falls within TCEQ septic tank requirements due to the size of the property, and the cost to bore across the highway to obtain a sewer service on TxDOT owned property where the existing 6" sewer line is located, will cause an economic hardship for the owner, and not allow him to proceed with the plat of his property. All Sewer Mains in this area are operated by Eagle Pass Water Works.

Other Utilities

The subject property has access to other utilities such as electricity, phone, cable, and natural gas via the frontage and ROW of the property.

Conclusion

The existing and proposed use of these properties is Commercial. There will be no improvements at this time, other than the required water/sewer services for Lot 2. The property owners are simply platting to legalize their properties.

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

Sincerely,

Florentino Caballero, P.E.

TEC Services



10/19/2022



LETTER OF CERTIFICATION

Fire Service Availability

Subdivision Name: Lot 1 & Lot 2 Benito Garcia Subdivision

Maverick County Property Identification Number: 9008915 & 51974

+++++

We have reviewed the above-referenced application for development, including the layout showing the locations of utilities, street lights, fire hydrants, and sidewalks, and have determined that:

- ☒ Adequate fire and emergency services are available for the development.
- ☐ Adequate fire and emergency services are available for the development, subject to the following condition(s):

- ☐ Adequate fire and emergency services are not available for the development.
- ☒ The project does or will comply with the fire hydrant requirements set forth in *City of Eagle Pass Code of Ordinances Section 23-67(g)(2)*.
- ☐ The project does not or will not comply with the fire hydrant requirements set forth in *City of Eagle Pass Code of Ordinances Section 23-67(g)(2)*.



Fire Department Representative

09/30/2022

Date

Eagle Pass Code of Ordinances Section 23-35: Final Plat Contents

- **Eagle Pass Code of Ordinances Section 23-35(b)(1)(c): Accompanying Data**

To the Fire Department, one copy of the plat layout showing the proposed location for the utilities, street lights, fire hydrants, and sidewalks.

- **Eagle Pass Code of Ordinances Section 23-36(d)(4): Certificate of the Fire Department**

Letter of certification stating that the Fire Department has received and approved or disapproved the data required *by Section 23-35*.



AGREEMENT REGARDING WATER SERVICE FOR THE PROPOSED

Benito Garcia Subdivision SUBDIVISION

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

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

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

The Subdivider plans to construct for the Subdivision a drinking water distribution system to be connected to the Utility's water supply system. The Utility has reviewed the plans for this subdivision ("the Plans") and has estimated the drinking water flow anticipated to be needed by the Subdivision under fully built-out conditions ("the estimated water flow") to be approximately
1,650 gallons daily.

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

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

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

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

This Agreement is effective on SEPTEMBER 21, 2022.

The Utility

By: Marco Salinas

Printed Name: MARCO SALINAS

Office or Position: CHAIRMAN

Date: 9/21/2022

The Subdivider

By: Aaron Libson

Printed Name: Aaron Libson

Office or Position: General Manager (TEC Services)

Date: 9/12/2022

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



AGREEMENT REGARDING WASTEWATER TREATMENT SERVICE FOR THE

PROPOSED Benito Garcia Subdivision **SUBDIVISION**

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

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

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

The Subdivider plans to construct for the Subdivision a wastewater collection system to be connected to the Utility's wastewater treatment system. Such wastewater will consist of domestic sewage, i.e., waterborne human waste and waste from domestic activities such as bathing, washing, and food preparation. The Utility has reviewed the plans for this subdivision ("the Plans") and has estimated the wastewater flow projected by the Subdivision under fully built-out conditions ("the projected wastewater flow") to be approximately 1,000 gallons daily.

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

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

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

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

This Agreement is effective on SEPTEMBER 21, 2022.

The Utility

By: Marco L. Salinas

Printed Name: MARCO SALINAS

Office or Position: CHAIRMAN

Date: 9/21/2022

The Subdivider

By: Aaron Libson

Printed Name: Aaron Libson

Office or Position: General Manager (TEC Services)

Date: 9/12/2022

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

FINANCED
THROUGH THE
DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS
OF THE STATE OF TEXAS

THE PREPARATION OF THIS DOCUMENT
WAS FINANCED THROUGH PROVISIONS
OF A TEXAS COMMUNITY DEVELOPEMENT
PROGRAM GRANT FROM U.S. DEPARTMENT
OF HOUSING AND URBAN DEVELOPMENT

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THESE MAPS, INCLUDING BUT NOT LIMITED TO THE ACCURACY,
LOCATION AND OWNERSHIP OF ANY FACILITIES. NEITHER THE CITY
OF EAGLE PASS, NOR HEJL, LEE AND ASSOCIATES, INC. OR ITS
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CAD DRAWING FILE: FUTLUMAP.DWG
DATE: 01/08/96



FIGURE A.5.3 CITY OF EAGLE PASS, TEXAS FUTURE LAND USE MAP

PREPARED BY:

HEJL, LEE & ASSOCIATES, INC.

CONSULTING ENGINEERS
2207 HANCOCK DRIVE
AUSTIN, TEXAS 78756
(512) 467-9793

EDUCATIONAL INSTITUTIONS

1. EAGLE PASS HIGH SCHOOL
2. EAGLE PASS JUNIOR HIGH
3. MEMORIAL JUNIOR HIGH
4. AUSTIN ELEMENTARY
5. BENAVIDES ELEMENTARY
6. RAY H. DARR ELEMENTARY
7. DAY CARE CENTER
8. RODOLFO DE LUNA CENTER
9. EARLY CHILDHOOD CENTER
10. GLASS ELEMENTARY
11. GRAVES ELEMENTARY
12. LANGUAGE DEVELOPMENT CENTER
13. ROBERT E. LEE ELEMENTARY
14. SAN LUIS ELEMENTARY
15. DISTRICT SERVICE CENTER
16. MULTIPLEX
17. EAGLE PASS REGIONAL TECHNICAL CENTER
18. SOUTHWEST TEXAS JUNIOR COLLEGE & SUL ROSS STATE UNIVERSITY

PARKS & RECREATIONAL

30. ELM CREEK PARK
33. SIESTA PARK
32. VALERIE PARK
33. AQUATICS PARK
34. KILSO PARK
35. SAN JUAN PLAZA
36. VEGA PARK
37. GOLF COURSE
38. ARROYO PARK WEST
39. ARCH M. MARCH MEMORIAL PARK
40. ARROYO PARK EAST
41. BUSS STREET PARK
42. R.E. LEE PARK
43. LITTLE DIPPER PARK
44. BURR PARK
45. CARTHAGE PARK
46. LAGO VISTA PARK
47. MAVERICK COUNTY LAKE PARK
48. CHITTM PARK

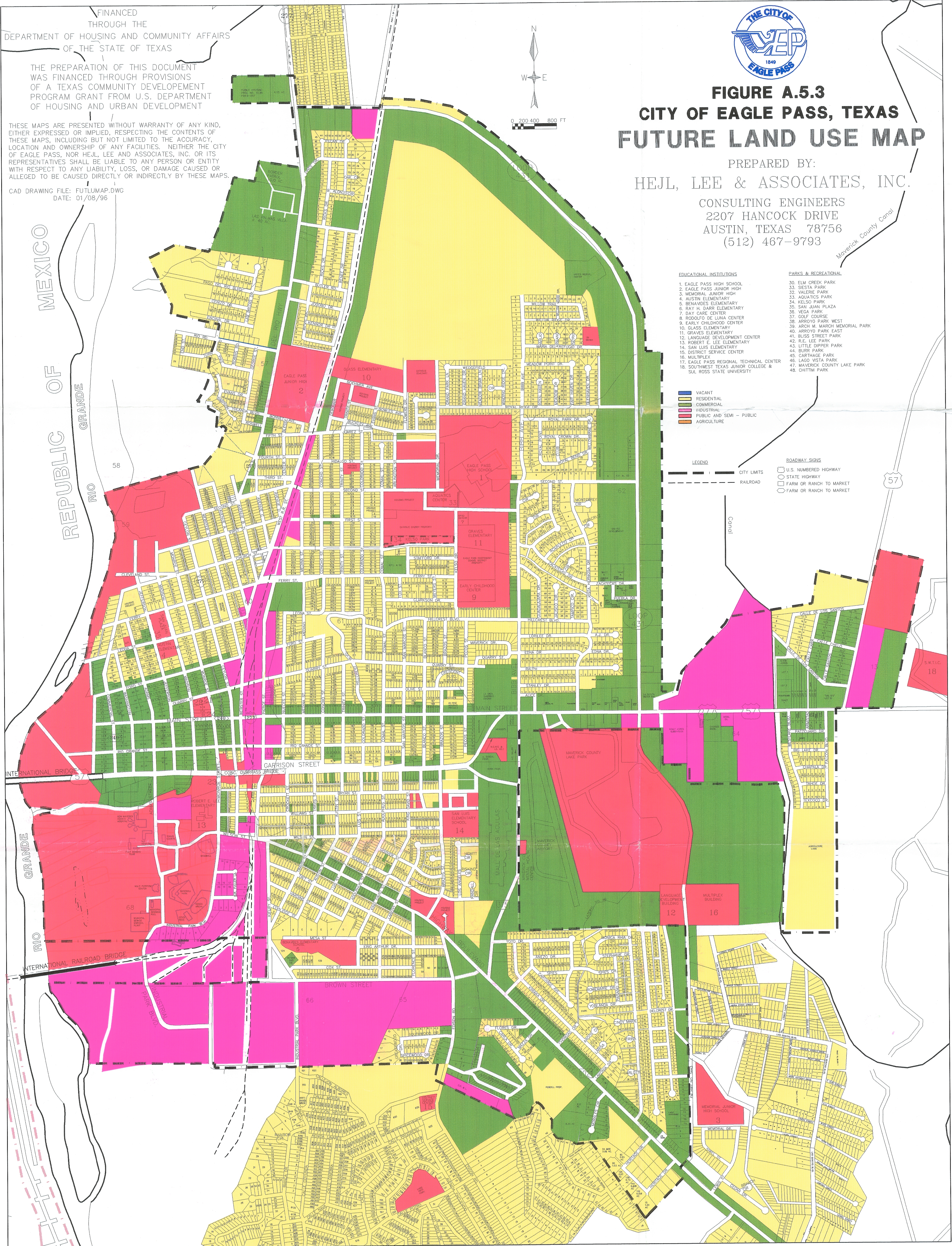
- VACANT
- RESIDENTIAL
- COMMERCIAL
- INDUSTRIAL
- PUBLIC AND SEMI - PUBLIC
- AGRICULTURE

LEGEND

- CITY LIMITS
- RAILROAD

ROADWAY SIGNS

- U.S. NUMBERED HIGHWAY
- STATE HIGHWAY
- FARM OR RANCH TO MARKET
- FARM OR RANCH TO MARKET



Zoning Map

