AGENDA

PLANNING & ZONING COMMISSION SPECIAL MEETING
THURSDAY, SEPTEMBER 2, 2021 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 08, 2021 meeting.

PUBLIC HEARING(S)

2. Public hearing on the proposed final Re-Plat of Lot 174 in Chula Vista Subdivision Unit 2, including a (a) variance to proceed to final plat, (b) a waiver from constructing a sidewalk and (c) a variance from constructing a curb and gutter; closing of public hearing and possible action.

3. Public hearing on the proposed final Re-Plat of Lot 114 in Block 1 of Deer Run Subdivision Unit 2, including a (a) variance to proceed to final plat, and (b) a waiver constructing a sidewalk; closing of public hearing and possible action.

4. Public hearing on the proposed final Re-Plat of Lot 11 in Block 17 of El Pueblo Nuevo Subdivision LTD, including a (a) variance to proceed to final plat, (b) a waiver from constructing a sidewalk, and (c) a variance from constructing a curb and gutter; closing of public hearing and possible action.

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 ASSISTANT PLANNING DIRECTOR, do hereby certify that the agenda mentioned above was posted on the Bulletin Board located in the Lobby at City Hall, 100 S. Monroe Street, Eagle Pass, Texas on August 30, 2021 at 4:00 p.m.

Mariebelle Rodriguez
Assistant Planning Director

Item #1

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

The Planning and Zoning Commission of the City of Eagle Pass conducted their Regular Meeting on Thursday, July 8, 2021, at 5:30 p.m. in the Council Chambers, 100 South Monroe Street, Eagle Pass, Texas. All legal notices were duly posted in accordance with state code.

ESTABLISHMENT OF QUORUM

Present: Chairperson Enrique Montalvo, Vice-Chairperson, Rolando Jasso, and Commission Member, Rosa Villalpando.

Absent: Board Member Mario Escobar and Doris Salinas-Sanchez; Ex-Officio, Mayor Rolando Salinas, and City Manager, George Antuna.

Staff present: Planning Director, Placido Madera; Assistant Planning Director, Mariebelle Rodriguez; Assistant City Secretary, Erika A. Rodriguez.

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

CITIZENS COMMUNICATIONS

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

MINUTES

1. Approval of the minutes of the June 10, 2021, meeting.

Motion:	To approve minutes as presented.
Moved:	Jasso
Second:	Villalpando
Ayes:	3
Nays:	0
Absent:	Escobar, Salinas-Sanchez

OTHER BUSINESS

2. Consideration and possible action on the final plat of Stone Ridge Subdivision Unit 4.

Assistant Planning Director, Mariebelle Rodriguez informed the Commission on the final plat approval to plat an approximately 0.68-acre tract into five residential lots, including a variance to plat a property less that 5- acre in size that had been conveyed prior to 1984, and (b) a variance to reduce the required average width of fifty-five feet to 54 feet.

In response to a question posed by Vice-Chairperson Jasso, Planning Director, Placido Madera stated that the final engineering report concludes that that proposed plat will not impact on the current use, drainage patterns, or utilities.

Motion:	To approve the final plat of Stone Ridge Subdivision Unit 4.
Move:	Villalpando
Second:	Jasso
Ayes:	3
Nays:	0
Absent:	Escobar, Salinas-Sanchez

ADJOURNMENT

Motion:	To adjourn meeting at 5:46 p.m.
Move:	Salinas- Sanchez
Second:	Villalpando
Ayes:	5
Nays:	0
Absent:	Escobar, Salinas-Sanchez

ATTEST:

Enrique Montalvo
Chairperson

Erika Rodriguez
Assistant City Secretary

Item #2

Planning Department Executive Summary

REPORT TO THE PLANNING AND ZONING COMMISSION

Final Replat of Lot 174 in Chula Vista Subdivision Unit 2

I. BACKGROUND

A. General Information

Case #6623

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

Owner: Jesus & Dora E. Galindo
174 Crane Street
Eagle Pass, Texas 78852

Location: 174 Crane Street

Legal Description: Lot 174 in Chula Vista Subdivision Unit 2

Property ID Number: 6999

Request: Final replat approval to subdivide an approximately 0.671-acre tract into two (2) residential lots, including (a) a variance to proceed to final plat directly without first having obtained preliminary replat approval, (b) a sidewalk waiver from having to construct a sidewalk adjacent to both Crane Street and Los Sauces Road, and (c) a variance from the requirement to construct a concrete curb and gutter along the property street frontage abutting Crane Street and Los Sauces.

B. Subject Property Information

Parcel Size: 29,200–square feet

Topography: Generally flat

Vegetation: Native vegetation

Existing Use: Mobile home

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

Master Plan: Not applicable

C. Vicinity Data

The site is located within an area that features residential developments consistent with the 7,700-square foot lot size of the R-1 district.

D. Infrastructure

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

Access to the site is provided by Crane Street and Los Sauces.

II. PUBLIC NOTICE

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

III. RECOMMENDED FINDINGS OF FACT

A. Conclusions

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

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

3. *City of Eagle Pass Code of Ordinances Section 23-64* authorizes the Planning and Zoning Commission to waive the requirement for the construction of sidewalks in circumstances where the sidewalk would be unnecessary or unsafe due to the physical characteristics of the terrain in the subdivision. Please refer to Attachment 2 for a copy of the waiver application and photographs indicating the property frontage for both streets.

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

4. *City of Eagle Pass Code of Ordinances Section 23-11* states that the Planning and Zoning Commission must find that the subdivision variance, enclosed as Attachment 2, comply with the criteria in order to the grant the subdivision variance. The following is a summary of this application's compliance with the criteria:

   - *City of Eagle Pass Code of Ordinances Section 23-11(a)(1)*
   - *City of Eagle Pass Code of Ordinances Section 23-11(a)(2)*
   - *City of Eagle Pass Code of Ordinances Section 23-11(a)(3)*
   - *City of Eagle Pass Code of Ordinances Section 23-11(a)(4)*
   - *City of Eagle Pass Code of Ordinances Section 23-11(c)*

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

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 re-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 construction of a concrete curb and gutter section along Crane Street and Los Sauces Road will not be required for this project if the subdivision variance request involving the requirement is granted by the Commission.

   ✓ The re-subdivision is consistent with the *Land Use Development Goals* of the *Master Plan,* as the project is designed to provide for a building lot density that is consistent with the purpose of the *R-1 First One-Family Dwelling District*. This design will allow for the continuing development of the community while retaining the neighborhood character and scale while providing utility services in the most and efficient and equitable manner.

   ✓ The re-subdivision is consistent with the *Street Goal* of the *Master Plan*, as access to the site from both Crane Street and Los Sauces Road 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 re-subdivision is consistent with the *Thoroughfare Goals* of the *Master Plan*, as Crane Street and Los Sauces Road have been designed to be part of a safe and efficient thoroughfare system.

   ✓ The re-subdivision 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.

6. The re-subdivision design is consistent with the purpose of the *R-1 First One-Family Dwelling District*.

7. The re-subdivision 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, subject to the granting of a sidewalk waiver by the Planning and Zoning Commission

   ✓ Section 23-66 governing sanitary sewage disposal

   ✓ *Section 23-67* governing potable water supply and fire flow

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

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

8. The re-subdivision is also 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.*

9. The re-subdivision is also consistent with the parkland dedication requirements set forth in Article V in Eagle Pass Code of Ordinances Chapter 23, as the original plat in which this re-plat is located was recorded in 1978 and prior to the enactment of the City's parkland dedication requirements in 2005. As a result, the applicant will be required to provide a $1,150 per-lot fee in lieu of parkland dedication, payable to Maverick County.

10. The subdivision's conformance with the provisions of the *Master Plan* and the *Eagle Pass Code of Ordinances* will facilitate the following benefits:

    - Protect private rights while considering public health, safety and welfare.
    - Provide for efficient and economical ways to move people and goods outside the City by an adequate plan for streets and highways.
    - Guide future development in an orderly manner, by stages according to a pattern, so that the 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.

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

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

    B. The re-subdivision is in accordance with the policies of the *Master Plan* and the residential purpose of the *R-1 First One-Family Dwelling District.*

    C. The subdivision is warranted because of the necessity to create additional building lots in the *R-1 First One-Family Dwelling District*, and because the proposed development is appropriate to accomplish the reasonable use of the property.

    D. The subject property is suitable for development in general conformance with development standards of the *R-1 First One-Family Dwelling 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.

12. The final approval of this re-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 11 of this report.

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

The Eagle Pass Planning and Zoning Commission (1) **GRANT** the sidewalk waiver request, (2) **GRANT** the subdivision variance request to proceed directly to final plat approval without first having obtained preliminary plat approval, (3) **GRANT** a subdivision variance from the requirement to construct a concrete curb and gutter along the property street frontage, and (4) **GRANT** final approval of the Replat of *Lot 174 in Chula Vista Heights Subdivision Unit 2,* 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 e-mail
Maverick County Planning Department via e-mail
Eagle Pass Planning and Zoning Commission via e-mail
Planning & Zoning Commission Report dated August 3, 2021

Attachment 1
Application

PLANNING DEPARTMENT

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

SUBDIVISION APPLICATION

#6623

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

Property Legal Description: Lot 174, Chula Vista Unit #2

Maverick County Property Identification Number(s): 6999

Name of Addition: Replat Lot 174, Chula Vista Unit #2

Location of Addition: 174 Crane St.

Number of Residential Lots: 2 Number of Commercial Lots: 0 Gross Acreage: 0.671

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: 1) Variance to proceed to final Plat
2) Variance for sidewalk waiver to forgo building sidewalk due to there being no sidewalks in the area to attach to and avoid creating unsafe walking conditions.
(3) variance to not built curb & gutter.

PROPERTY OWNER:

Name: Jesus Galindo Contact: Dora Galindo
Address: 174 Crane St. Phone: 830-319-0501
City: Eagle Pass Fax: N/A
State: TX Zip: 78852 E-mail: N/A
Signature: Recently Deceased Date:

PROPERTY OWNER:

Name: Dora E. Galindo Contact: Dora Galindo
Address: 174 Crane St. Phone: 830-319-0501
City: Eagle Pass Fax: N/A
State: TX Zip: 78852 E-mail: N/A
Signature: Dora E Galindo Date: 7/14/21

APPLICANT/SUBDIVIDER:

RECEIVED 7-22-21

1

Name: TEC Services
Address: 3292 El Indio Hwy
City: Eagle Pass
State: TX Zip: 78852
Signature:

Contact: Aaron Libson
Phone: 830-773-0579
Fax: 830-773-7312
E-mail: ajlibson@terratechengineering.com
Date: 7/14/21

SURVEYOR:

Name: Francisco Gaytan
Address: 2606 Encino Park Dr.
City: Eagle Pass
State: TX Zip: 78852
Signature:

Contact: Francisco Gaytan
Phone: 830-773-8308
Fax: 830-421-7116
E-mail: fgaytan@yahoo.com
Date: 7/14/21

ENGINEER:

Name: Florentino Caballero
Address: 3292 El Indio Hwy
City: Eagle Pass
State: TX Zip: 78852
Signature:

Contact: Florentino Caballero
Phone: 830-773-0579
Fax: 830-773-7312
E-mail: fcaballero@terratechengineering.com
Date: 7/14/21

PRINCIPAL CONTACT: ○ Owner ◉ Applicant ○ Surveyor ○ Engineer

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

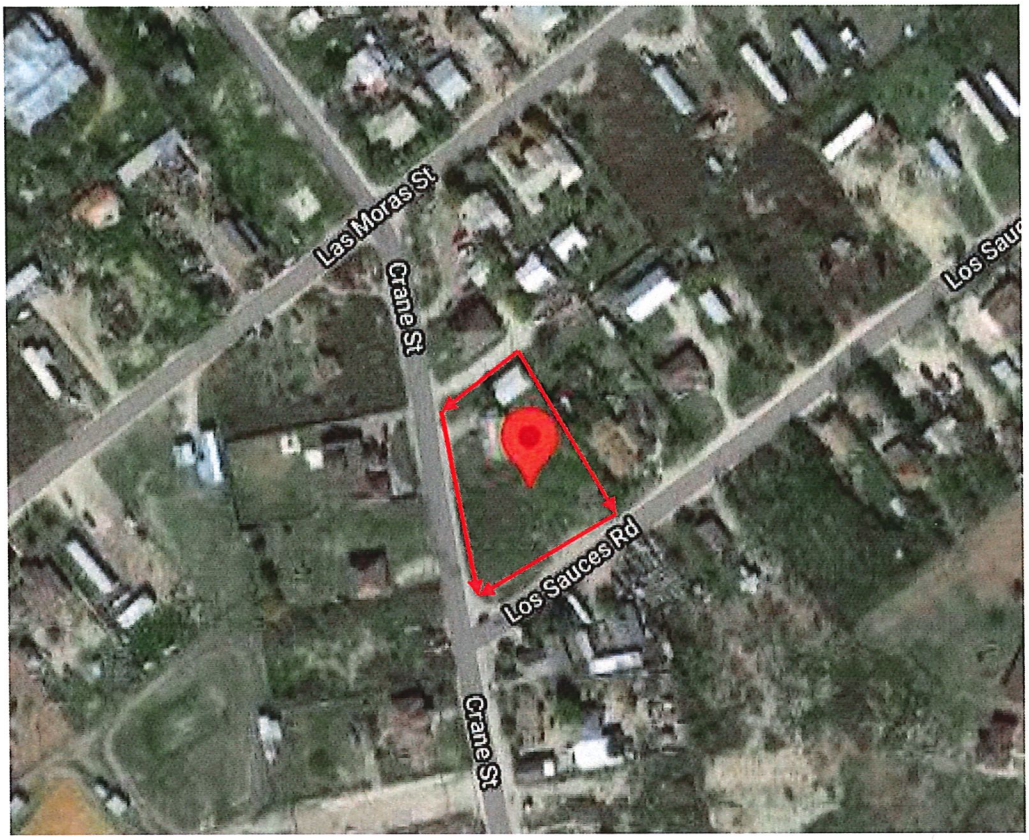
STATEMENT OF APPLICANT

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.

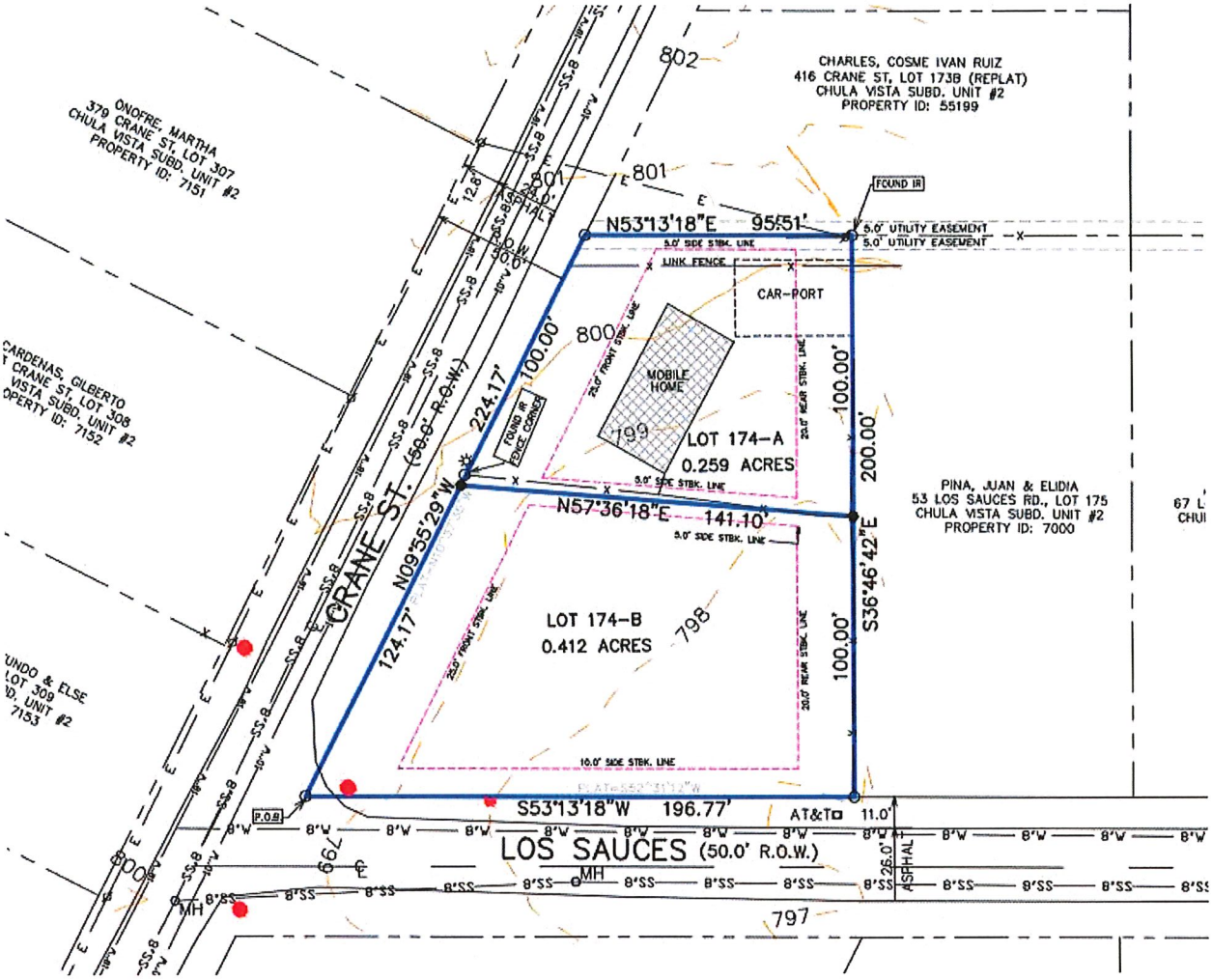
Applicant Signature

7/14/21
Date


Las Moras St
Crane St
Los Sauces Rd
Crane St

Crane St

Los Sauces Rd


CHARLES, COSME IVAN RUIZ
416 CRANE ST, LOT 173B (REPLAT)
CHULA VISTA SUBD. UNIT #2
PROPERTY ID: 55199
ONOFRE, MARTHA
379 CRANE ST, LOT 307
CHULA VISTA SUBD. UNIT #2
PROPERTY ID: 7151
CARDENAS, GILBERTO
CRANE ST, LOT 308
VISTA SUBD. UNIT #2
PROPERTY ID: 7152
PINA, JUAN & ELIDIA
53 LOS SAUCES RD., LOT 175
CHULA VISTA SUBD. UNIT #2
PROPERTY ID: 7000
N53°13'18"E 95.51'
5.0' UTILITY EASEMENT
5.0' UTILITY EASEMENT
5.0' SIDE STBK. LINE
LINK FENCE
CAR-PORT
MOBILE HOME
LOT 174-A
0.259 ACRES
100.00'
200.00'
N57°36'18"E 141.10'
S36°46'42"E
N09°55'29"W
224.17'
CRANE ST. (50.0' R.O.W.)
LOT 174-B
0.412 ACRES
124.17'
10.0' SIDE STBK. LINE
S53°13'18"W 196.77'
AT&T
11.0'
LOS SAUCES (50.0' R.O.W.)
26.0' ASPHALT
P.O.B.
FOUND IR
FOUND IR FENCE CORNER
MH
802
801
800
799
798
797

REPLAT: LOT 174
CHULA VISTA SUBDIVISION UNIT 2
EAGLE PASS, TX

BEING A 0.671 ACRE TRACT OF LAND LYING AND SITUATED IN MAVERICK COUNTY TEXAS, BEING ALL OF LOT 174, CHULA VISTA SUBDIVISION UNIT NO. 2, AS SHOWN BY PLAT OF RECORD ENVELOPE 106, SIDE B, OF THE MAVERICK COUNTY MAP RECORDS; SAID 0.671 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
(BEARINGS ACCORDING TO FOUND THE EAST RIGHT OF WAY OF CRANE STREET WITH BEARING N09°55'29"W,
CALLED TO HAVE N10°37'35"W, BY PLAT OF RECORD ENVELOPE 106, SIDE B, OF THE M.C.M.R.).

BEGINNING AT A SET 1/2" IRON ROD FOR INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF LOS SAUCES STREET, WITH THE EAST RIGHT OF WAY LINE OF CRANE STREET, BEING THE SOUTHWEST CORNER OF LOT 174, CHULA VISTA SUBDIVISION UNIT NO. 2, AND FOR SOUTHWEST CORNER OF THE HEREIN DESCRIBED 0.671 ACRES.

THENCE ALONG THE EAST RIGHT OF WAY LINE OF CRANE STREET, N09°55'29"E, 224.17 FEET TO A SET ½" IRON ROD, FOR NORTHWESTERLY CORNER OF LOT 174, AND NORTHWESTERLY CORNER OF THIS 0.671 ACRES.

THENCE ALONG THE COMMON LINE OF LOT 174 AND LOT 173, N53°13'18"E, 95.51 FEET TO A FOUND ½" IRON ROD, FOR NORTHEASTERLY CORNER OF LOT 174, AND NORTHEASTERLY CORNER OF THIS 0.671 ACRES.

THENCE ALONG THE COMMON LINE OF LOT 174 AND LOT 175, S36°46'29"E, 200.0 FEET TO A SET ½" IRON ROD, FOR SOUTHEASTERLY CORNER OF LOT 174, AND SOUTHEASTERLY CORNER OF THIS 0.671 ACRES.

THENCE ALONG THE NORTH RIGHT OF WAY LINE OF LOS SAUCES STREET, S53°13'18"W, 196.77 FEET TO THE POINT OF BEGINNING.

STATE OF TEXAS }{
COUNTY OF MAVERICK }{

OWNER'S DEDICATION, CERTIFICATION, AND ATTESTATION

The Owners of the land shown on this subdivision replat 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.

REPLAT-LOT 174, CHULA VISTA SUBDIVISION UNIT 2

SIGNATURE: ____________________

NAME: DORA E. GALINDO

STATE OF TEXAS
COUNTY OF MAVERICK

This instrument was acknowledged before me on ____________________
by JESUS GALINDO and DORA E. GALINDO.

____
Signature Notary Public State of Texas

My Commission Expires: ____________________

STATE OF TEXAS }{
COUNTY OF MAVERICK }{

I, Francisco Gaytan, a Registered Professional Land Surveyor in the State of Texas, hereby certify that this Replat and description of the Replat of Lot 174 of Chula Vista Subdivision Unit 2 was prepared from an actual survey conducted on May 02, 2021 under my supervision on the ground and the monuments shown are within the positional tolerance required by 22 TAC SEC 663.15.

____
Francisco Gaytan
Registered Professional Land Surveyor
Texas No. 5474

This instrument was acknowledged before me on the ____ day of __________, of ______ by Francisco Gaytan, 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.

STATE OF TEXAS ★ F. J. CABALLERO 66952 LICENSED PROFESSIONAL ENGINEER

____
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: ____________________

COMMISSIONERS COURT CERTIFICATION

This Replat 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

CITY OF EAGLE PASS
CERTIFICATE OF PLAT APPROVAL

WE, THE UNDERSIGNED, CERTIFY THAT THE REPLAT OF LOT 174, CHULA VISTA SUBDIVISION UNIT 2 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 THE REPLAT OF LOT 174, CHULA VISTA SUBDIVISION UNIT 2 was reviewed and approved by the Planning and Zoning Commission of the City of Eagle Pass on ____________________

____________________ Chairman—City of Eagle Pass Planning and Zoning Commission ____________ Date

Given under my hand and seal of office this ____ day of ____________, 202_

____
Signature Notary Public State of Texas

WE, THE UNDERSIGNED, CERTIFY THAT THE REPLAT OF LOT 174, CHULA VISTA SUBDIVISION UNIT 2 was reviewed and approved by the City Manager of the City of Eagle Pass on ____________________

____________________ City Manager of the City of Eagle Pass ____________ Date

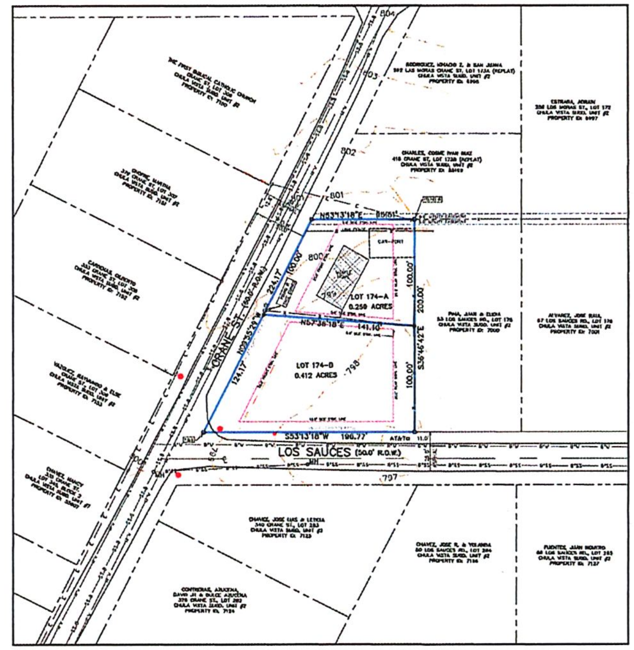
Given under my hand and seal of office this ____ day of ____________, 202_

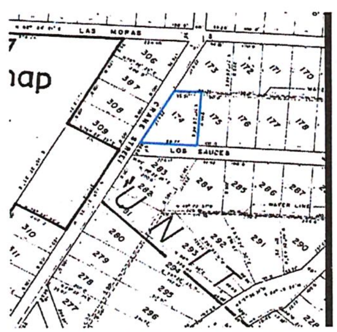
____
Signature Notary Public State of Texas

COUNTY CLERK'S RECORDING CERTIFICATE

I, ____________________, COUNTY CLERK OF MAVERICK COUNTY, certify that the replat bearing this certificate was filed for record at ____ o'clock __M on ____________, 202__ and was recorded in Envelope ____ Side __ in the Map Records of Maverick County at ____ o'clock __M on ____________, 202_

____
Maverick County Clerk





THE AREA BEING REPLATTED HAS BEEN PREVIOUSLY PLATTED ON A PLAT WHICH IS RECORDED IN ENVELOPE 106, SIDE B, AS LOT 174, CHULA VISTA SUBDIVISION UNIT 2

BEARINGS ACCORDING TO PLAT OF RECORD ENVELOPE 106, SIDE B OF THE M.C.M.R. FOUND EAST LINE OF CRANE STREET WITH BEARING N09°55'29"W (THIS SURVEY) PLAT=N10°37'35"W

DRAWING SCALE: 1"=50'

0 25 50 Feet

REPLAT SUBDIVISION LOT INFORMATION		
LOT	AREA	911 ADDRESS
174-A	11,295 SQ.FT.	380 CRANE ST.
174-B	17,934 SQ.FT.	356 CRANE ST.

LEGEND

- 1/2" IRON ROD (I.R.)
- NEW PROPERTY CORNER
- EXISTING LUMINAIRE
- EXISTING POWER POLE
- EXISTING SEWER MANHOLE
- EXISTING FIRE HYDRANT
- EXISTING STOP SIGN
- REPLAT BOUNDARY
- PROPERTY LINE
- SETBACK LINE
- EASEMENT LINE
- EXISTING WATER MAIN
- EXISTING SEWER MAIN
- EXISTING ELECTRIC LINE
- FENCE

VICINITY MAP
NOT-TO-SCALE

NOTES:

1. THE AREA BEING REPLATTED HAS BEEN PREVIOUSLY PLATTED ON A PLAT WHICH IS RECORDED IN ENVELOPE 106, SIDE B, MAVERICK COUNTY PLAT AND DEED RECORDS, AS LOT 174, CHULA VISTA SUBDIVISION UNIT 2.
2. THE TOTAL AREA OF THIS REPLAT IS 0.671 ACRES.
3. THIS REPLAT DOES NOT ALTER, AMEND, OR REMOVE ANY COVENANTS OR RESTRICTIONS.
4. HOUSING CERTIFICATION: NO MORE THAN ONE (1) SINGLE-FAMILY DETACHED DWELLING SHALL BE LOCATED ON EACH LOT.
5. SET ½" I.R. AT ALL CORNERS EXCEPT INDICATED.
6. THE ZONING FOR THIS REPLAT WILL REMAIN AS RESIDENTIAL. SINCE PROPERTY IS LOCATED OUTSIDE CITY LIMITS WITH NO OFFICIAL ZONING, ZONING WILL BE CLASSIFIED AS R-1 FIRST ONE-FAMILY DWELLING DISTRICT.
7. FOR USES PERMITTED IN THE R-1 FIRST ONE-FAMILY DWELLING DISTRICT: A FRONT YARD SETBACK OF 25 FEET IS REQUIRED; A REAR YARD SETBACK OF 20 FEET IS REQUIRED; A SIDE YARD SETBACK OF 5 FEET IS REQUIRED, WHERE THERE IS A CORNER LOT, A SIDE YARD SETBACK OF 10 FEET IS REQUIRED.
8. THE AREA OF THIS SUBDIVISION LIES OUTSIDE THE LIMITS OF THE CITY OF EAGLE PASS, TX.
9. NO PORTION OF THE PROPERTY SHOWN HEREON IS WITHIN ZONE AE, SPECIAL FLOOD HAZARD AREA AS SHOWN ON FLOOD INSURANCE RATE MAP NO. 48323C0475D, DATED APRIL 4, 2011 FOR MAVERICK COUNTY, TEXAS AND INCORPORATED AREAS.
10. ALL EASEMENTS SHALL BE KEPT CLEAR OF FENCES, BUILDING, PLANTINGS, AND OTHER OBSTRUCTIONS.
11. VERIFY ALL UNDERGROUND UTILITY SERVICE LINES AS REQUIRED, PRIOR TO ANY EXCAVATION.
12. 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.

SUBDIVISION REPLAT
LOT 174 - CHULA VISTA SUBDIVISION UNIT 2
EAGLE PASS, TEXAS
MAVERICK COUNTY, TEXAS

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

PROPERTY OWNER:
DORA E. GALINDO
1004 ANEZO DR.
EAGLE PASS, TX 78852

JOB: 0120-21
SHEET 1 OF 1
DESIGNED: AJL
DRAWN: AJL
CHECKED: AJL,FJC

SCALE: 1" = 50'
AUG. 27, 2021

REVISED 8|27|21

Attachment 2
Subdivision Variance Request(s)
Sidewalk Waiver

Subdivision Variance Application

Applicant Information

Applicant (if not owner): TerraTech Engineering & Construction Services

Phone: 830-773-0579 e-mail: ajlibson@terratechengineering.com

Owner: Jesus Galindo & Dora E. Galindo

Owner Address: 174 Crane St. City Eagle Pass State TX Zip 78852

Phone: 830-319-0501 e-mail: ajlibson@terratechengineering.com

Property Information

Site Address: 174 Crane St.

Legal description (from deed): Lot 174, Chula Vista Unit #2
(Property must be legally subdivided or be lot of record)

Maverick County Identification Number: 6999

Description of Subdivision Variance Request

1) Request to proceed to final Plat process
2) Request for sidewalk waiver
3) Curb & gutter request for variance

Detailed Explanation of Subdivision Variance Request

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

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

  1) Property has all required infrastructure to proceed to final plat.
  2) There are no existing sidewalks to attach to and would create an unsafe walking surface if built.

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

  This variance is necessary to proceed with the replat process.

1

- 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.

  Granting of this variance will not be detrimental, it will actually be create a safe walking environment by not building a sidewalk.

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

  There is no curb & gutter to attach to so granting of this variance will result in the orderly subdivision of other land in area and provide uniformity.

Applicant Authorization

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

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

Applicant Signature

7/14/21
Date

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

PLANNING DEPARTMENT

3295 Bob Rogers Drive, Eagle Pass, Texas 78852 • Phone: (830) 773-7781 • 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): TerraTech Engineering & Construction Services

Phone: 830-773-0579 Email: ajlibson@terratechengineering.com

Owner: Jesus & Dora E. Galindo

Owner Address: 174 Crane St. City: Eagle Pass State: TX Zip: 78852

Phone: 830-319-0501 Email: N/A

Property Information

Site Address: 174 Crane St.

Legal description (from deed): Lot 174 Chula Vista Unit #2

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

Maverick County Identification Number: 6999

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

This waiver applies to the entire frontage of the subject property located at 174 Crane St. and totalling approximately 421 linear feet, including all length that abuts existing R.O.W.s on Crane St. & Los Saucos road.

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

✓ Where construction of a sidewalk by a subdivider on either or both sides of a street or a portion of a street would be either unnecessary or unsafe due to the particular physical characteristics of the terrain in the subdivision, the safety and necessity of which shall be determined by the Planning and Zoning Commission; however, such waiver may only be granted if the Commission determines that either sound engineering or safety considerations dictate that a sidewalk should not be constructed, for example, where a proposed sidewalk would cross an arroyo, creek or steep embankment.

O Where a proposed sidewalk would be located adjacent to a utility easement and the land adjacent to such easement is unusable for development because of the nature of such easement, for example, a natural gas or electric utility easement or a railroad right-of-way or where a proposed sidewalk would be located adjacent to an easement and the land on the other side of the easement is of insufficient depth to allow future development on that side, provided that in either event that there is, or will be, a sidewalk on the side of the road opposite the easement.

O Where a residential subdivision has double-frontage lots and the rear lots abut a collector or arterial street, a sidewalk on the side of such collector or arterial street on which the rear lot lines abut, does not have to be constructed, provided that a sidewalk is or will be, constructed on the other side of such collector or arterial street.

O When the lot size in a new residential subdivision is equal to or exceeds 22,000-square-feet in area.

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

There is no curb and gutter to connect to in the existing street R.O.W. Making the property owner build a sidewalk would create unsafe walking conditions since there is no sidewalk or existing curb & gutter to connect to.

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

7/14/21
Date

Attachment 3
Final Engineering Report

TerraTech Engineering and Construction Services
PO Box 556
Eagle Pass, Texas 78853-0556
TBPE Firm # 14118
"Developing Communities and Enhancing People's Lives through Experience and Integrity"

To: Placido Madera

City of Eagle Pass Planning Director

From: Florentino Caballero, P.E.

Date: Aug. 27, 2021

Reference: Final Engineering Report for Replat of Lot 174, Chula Vista Subdivision Unit 2

Mr. Madera,

Mrs. Dora Galindo, owner of property legally described as 'Lot 174, Chula Vista Unit 2, has requested that TerraTech Engineering and Construction Services (TEC Services) prepare a Rep lat of this property to legally subdivide it into (2) Two Residential Lots. This property is located at 174 Crane St. The property is located outside the Eagle Pass City Limits, but within the 2-mile Extra-Territorial Jurisdiction (E.T.J.) and is currently Platted as One (1) Residential Lot. The property has an existing home and mobile home trailer, 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 0.671 Acres and measures approximately 150' x 200' (see attached Replat Sheet for reference). The subject tract will be Replatted as (2) Lots, Lot 174-A and Lot 174-B, each approximately 0.259 acres and 0.412 acres, respectively. The property has frontage towards Crane St., and has access to paved streets. All utility infrastructure including water, sewer, electricity, and cable mains is already existing along the frontage of the property. This Replat 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, but is situated within a residential neighborhood area. Given that it is within the 2-Mile E.T.J., the proposed zoning will be R-1: First One-Family Dwelling District.

Drainage

General Drainage Description

This Plat area of this subdivision is not located within a special flood hazard area. The highest point on this tract is along the Western portion of the property. The subject lot drains from the West towards the East side of the property. Given that this property is already platted as part of a residential subdivision, and is already developed, no drainage improvements will be required. For platting purposes, Hydraulic Calculations are provided below only as reference. Since the property is already developed as a residential lot, only one set of calculations will be provided.

830-773-0579 - Phone email: jalibson@terratechengineering.com 830-773-7312 - Fax
www.terratechengineering.com

REVISED 8/27/21

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:

$$Q = CIA$$

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
tc	5 min
Cd	0.60
I10	7.43 in/hr
I100	10.32 in/hr
Watershed Area, A	0.671 acres

The peak rates of runoff for the existing undeveloped lots are

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

$$Q_{10} = 0.60 \times 7.43 \times 0.671 = 2.99\ cfs$$

$$Q100 = 1.25\ X\ Cd\ X\ I_{100}\ X\ A$$

$$Q_{100} = 1.25\ X\ 0.60 \times 10.32 \times 0.671 = 5.19\ cfs$$

The estimated runoff for the entirety of the residential property for a ten (10) and one hundred (100) year return period are 2.99 cfs and 5.19 cfs, respectively.

The calculations provided in this report are simply for Platting purposes. No drainage improvements are required.

Street

This property has paved street access along Los Sauces and Crante St. Luminaries are visible along the property. Please refer to Replat sheet for locations.

There is an existing fire hydrant located along Los Sauces Street adjacent to the subject property. Please refer to Replat Sheet for location.

Water Service

There is an existing 8" Water Main that runs along the frontage of this property. Please refer to the replat for details. A new water service will be extended to Proposed Lot 174-B. All Water Mains in this area are operated by Eagle Pass Water Works.

Sanitary Sewer Service

There is an existing 8" Sanitary Sewer Main that runs along the frontage of the property. This property has access to a sewer service lateral from the existing sewer main. Please see Replat for reference. A new sewer service will be extended towards Lot 174-B. All sanitary sewer lines in this area are operated by Eagle Pass Water Works.

Other Utilities

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

Conclusion

The existing and proposed use of this property is Residential. The proposed Replat will not have an impact on the current use, drainage patterns, or utilities as required infrastructure for Platting is already built-out.

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

STATE OF TEXAS
F. J. CABALLERO
66952
LICENSED
PROFESSIONAL ENGINEER

07/12/2021

AGREEMENT REGARDING WATER SERVICE FOR THE PROPOSED
Replat of Lot 174, Chula Vista Subdivision Unit 2

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 and 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 Replat of Lot 174 Chula Vista Subdivision Unit 2

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

The Subdivider plans to construct for the Subdivision a drinking water distribution system to be connected to the Utility's water supply system. The Utility has reviewed the plans for this subdivision ("the Plans") and has estimated the drinking water flow anticipated to be needed by the Subdivision under fully built-out conditions ("the estimated water flow") to be approximately 660 gallons daily.

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

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

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

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

This Agreement is effective on JULY 28, 2021.

The Utility	The Subdivider
By:	By:
Printed Name: MARCO SALINAS	Printed Name: Aaron Libsay
Office or Position: VICE CHAIRMAN	Office or Position: TEC Services
Date: 7/28/2021	Date: 7/7/21

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

AGREEMENT REGARDING WASTEWATER TREATMENT SERVICE FOR THE

PROPOSED Replat of Lot 174, Chula Vista Subdivision Unit 2

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 and 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 Replat of Lot 174, Chula Vista Subdivision Unit 2.

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

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

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

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

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

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

This Agreement is effective on July 28, 2021.

The Utility	The Subdivider
By:	By:
Printed Name: MARCO SALINAS	Printed Name: Aaron Libson
Office or Position: VICE CHAIRMAN	Office or Position: TEC Services
Date: 7/28/2021	Date: 7/7/21

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

Item #3

Planning Department Executive Summary

REPORT TO THE PLANNING AND ZONING COMMISSION

Final Replat of Lot 114 in Block 1of Deer Run Subdivision Unit 2

I. BACKGROUND

A. General Information

Case #6622

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

Owner: Roberto & Raul Monsivais
357 Trinity Street
Eagle Pass, Texas 78852

Location: 1102 El Venado Drive

Legal Description: Lot 114 in Block 1 of Deer Run Subdivision Unit 2

Property ID Number: 7660

Request: Final replat approval to subdivide an approximately 0.76-acre tract into two (2) residential lots, including (a) a variance to proceed to final plat directly without first having obtained preliminary replat approval, (b) a sidewalk waiver from having to construct a sidewalk adjacent to both El Venado Drive and Deer Run Boulevard.

B. Subject Property Information

Parcel Size: 33,105–square feet

Topography: Generally flat

Vegetation: Native vegetation

Existing Use: Mobile home (2)

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

Master Plan: Not applicable

C. Vicinity Data

The site is located within an area that features residential developments consistent with the 7,700-square foot lot size of the R-1 district.

D. Infrastructure

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

Access to the site is provided by El Venado Drive and Deer Run Boulevard.

II. PUBLIC NOTICE

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

III. RECOMMENDED FINDINGS OF FACT

A. Conclusions

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

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

3. *City of Eagle Pass Code of Ordinances Section 23-64* authorizes the Planning and Zoning Commission to waive the requirement for the construction of sidewalks in circumstances where the sidewalk would be unnecessary or unsafe due to the physical characteristics of the terrain in the subdivision. Please refer to Attachment 2 for a copy of the waiver application and photographs indicating the property frontage for both streets.

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

4. *City of Eagle Pass Code of Ordinances Section 23-11* states that the Planning and Zoning Commission must find that the subdivision variance, enclosed as Attachment 2, comply with the criteria in order to the grant the subdivision variance. The following is a summary of this application's compliance with the criteria:

   - *City of Eagle Pass Code of Ordinances Section 23-11(a)(1)*
   - *City of Eagle Pass Code of Ordinances Section 23-11(a)(2)*
   - *City of Eagle Pass Code of Ordinances Section 23-11(a)(3)*
   - *City of Eagle Pass Code of Ordinances Section 23-11(a)(4)*
   - *City of Eagle Pass Code of Ordinances Section 23-11(c)*

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

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 re-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 re-subdivision is consistent with the *Land Use Development Goals* of the *Master Plan,* as the project is designed to provide for a building lot density that is consistent with the purpose of the *R-1 First One-Family Dwelling District.* This design will allow for the continuing development of the community while retaining the neighborhood character and scale while providing utility services in the most and efficient and equitable manner.

   - ✓ The re-subdivision is consistent with the *Street Goal* of the *Master Plan*, as access to the site from both El Venado Drive and Deer Run Boulevard 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 re-subdivision is consistent with the *Thoroughfare Goals* of the *Master Plan*, as El Venado Drive and Deer Run Boulevard have been designed to be part of a safe and efficient thoroughfare system.

   - ✓ The re-subdivision 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.

6. The re-subdivision design is consistent with the purpose of the *R-1 First One-Family Dwelling District.*

7. The re-subdivision 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, subject to the granting of a sidewalk waiver by the Planning and Zoning Commission

   - ✓ Section 23-66 governing sanitary sewage disposal

   - ✓ *Section 23-67* governing potable water supply and fire flow

   - ✓ *Section 23-68* governing storm drainage

- ✓ *Section 23-69* governing the size of building lots, including lot width, lot depth, lot orientation, and building setback areas

- ✓ *Section 23-71* governing the installation and inspection of utility lines

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

8. The re-subdivision is also 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.*

9. The re-subdivision is also consistent with the parkland dedication requirements set forth in Article V in Eagle Pass Code of Ordinances Chapter 23, as the original plat in which this re-plat is located was recorded in 1980 and prior to the enactment of the City's parkland dedication requirements in 2005. As a result, the applicant will be required to provide a $1,150 per-lot fee in lieu of parkland dedication, payable to Maverick County.

10. The subdivision's conformance with the provisions of the *Master Plan* and the *Eagle Pass Code of Ordinances* will facilitate the following benefits:

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

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

    - Guide future development in an orderly manner, by stages according to a pattern, so that the 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.

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

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

    B. The re-subdivision is in accordance with the policies of the *Master Plan* and the residential purpose of the *R-1 District.*

    C. 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.

    D. The subject property is suitable for development in general conformance with development standards of the *R-1 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.

12. The final approval of this re-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 11 of this report.

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

The Eagle Pass Planning and Zoning Commission (1) **GRANT** the sidewalk waiver request, (2) **GRANT** the subdivision variance request to proceed directly to final plat approval without first having obtained preliminary plat approval, and (3) **GRANT** final approval of the Replat of *Lot 114 in Block 1 of Deer Run Subdivision Unit 2,* 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 e-mail
Maverick County Planning Department via e-mail
Eagle Pass Planning and Zoning Commission via e-mail
Planning & Zoning Commission Report dated August 30, 2021

Attachment 1
Application

PLANNING DEPARTMENT

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

SUBDIVISION APPLICATION

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

Property Legal Description: LOT 114, BLOCK 1, DEER RUN UNIT #2

Maverick County Property Identification Number(s): 7660

Name of Addition: REPLAT: LOT 114, BLOCK 1, DEER RUN UNIT #2

Location of Addition: 1102 EL VENADO DRIVE, EAGLE PASS, TX 78852

Number of Residential Lots: 2 Number of Commercial Lots: 0 Gross Acreage: 0.76

Number of New Street Intersections 0 Linear feet of Streets 0

Is Subdivision inside city limits? Yes ○ No ◉; If so, Zoning District: N/A

Existing Land Use: RESIDENTIAL Proposed Land Use: RESIDENTIAL

Requested Variances: 1) VARIANCE TO PROCEED TO FINAL PLAT
2) VARIANCE TO BUILD SIDEWALKS AT THE TIME OF HOME CONSTRUCTION SINCE PROPERTY IS VACANT

PROPERTY OWNER:

Name: ROBERTO MONSIVAIS
Address: 357 TRINITY ST
City: EAGLE PASS
State: TX Zip: 78852
Signature: Roberto Monsivais

Contact: ROBERTO MONSIVAIS
Phone: 830-971-5672
Fax: N/A
E-mail: ROBEMONSI12@GMAIL.COM
Date: 5/18/21

PROPERTY OWNER:

Name: RAUL MONSIVAIS
Address: 357 TRINITY ST
City: EAGLE PASS
State: TX Zip: 78852
Signature: Raul Monsivais

Contact: ROBERTO MONSIVAIS
Phone: 830-971-5672
Fax: N/A
E-mail: N/A
Date: 5/18/21

APPLICANT/SUBDIVIDER:

RECEIVED 7-22-21

Name: TEC Services
Address: 3292 El Indio Hwy
City: Eagle Pass
State: TX Zip: 78852
Signature:

Contact: Aaron Libson
Phone: 830-773-0579
Fax: 830-773-7312
E-mail: ajlibson@terratechengineering.com
Date: 7/1/21

SURVEYOR:

Name: Francisco Gaytan
Address: 2606 Encino Park Dr.
City: Eagle Pass
State: TX Zip: 78852
Signature: Frz Gay

Contact: Francisco Gaytan
Phone: 830-773-8308
Fax: 830-421-7116
E-mail: fgaytan@yahoo.com
Date: 7/1/21

ENGINEER:

Name: Florentino Caballero
Address: 3292 El Indio Hwy
City: Eagle Pass
State: TX Zip: 78852
Signature: F Caballero

Contact: Florentino Caballero
Phone: 830-773-0579
Fax: 830-773-7312
E-mail: fcaballero@terratechengineering.com
Date: 7/1/21

PRINCIPAL CONTACT: O Owner ◉ Applicant O Surveyor O Engineer

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

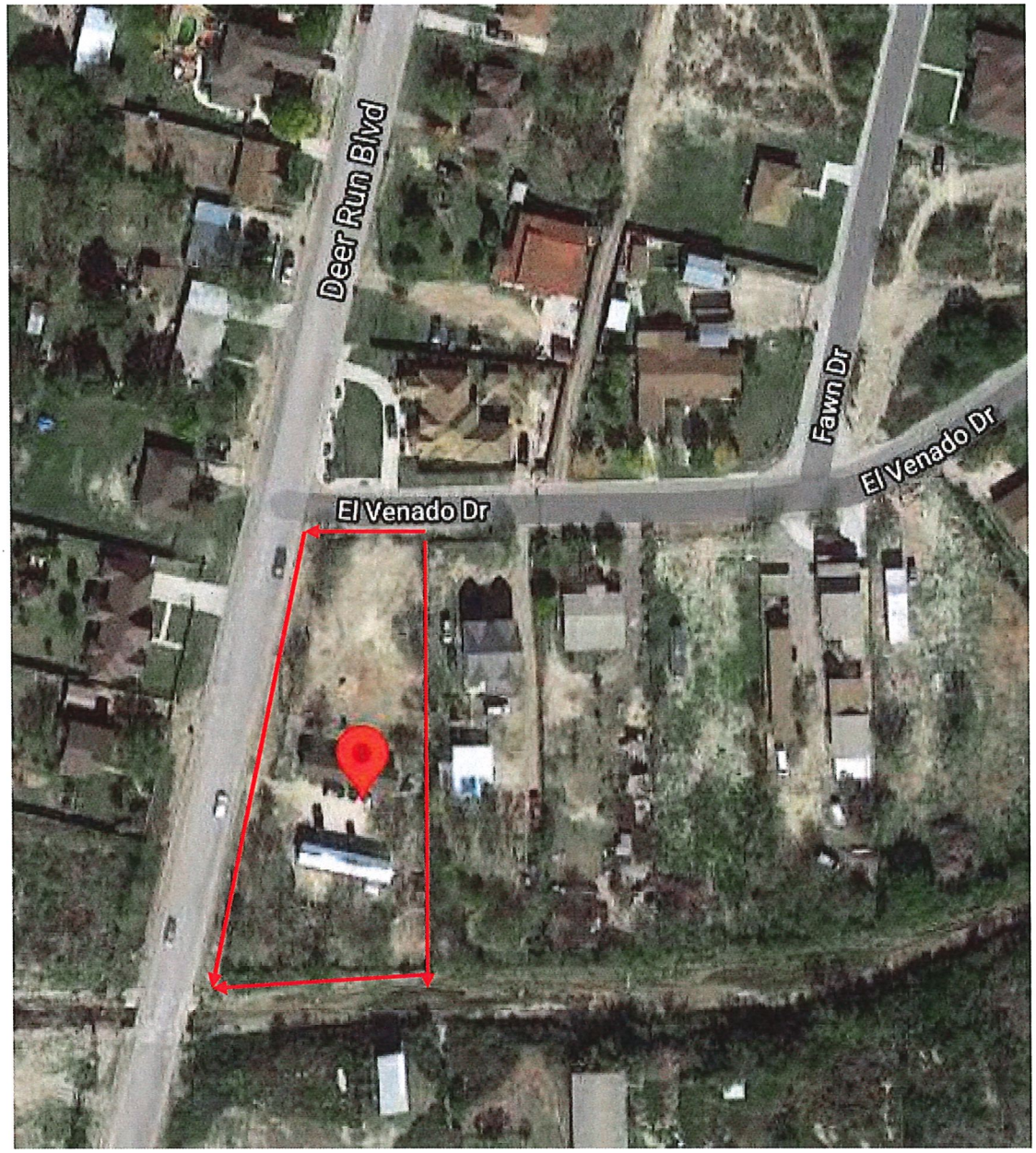
STATEMENT OF APPLICANT

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

7/1/21
Date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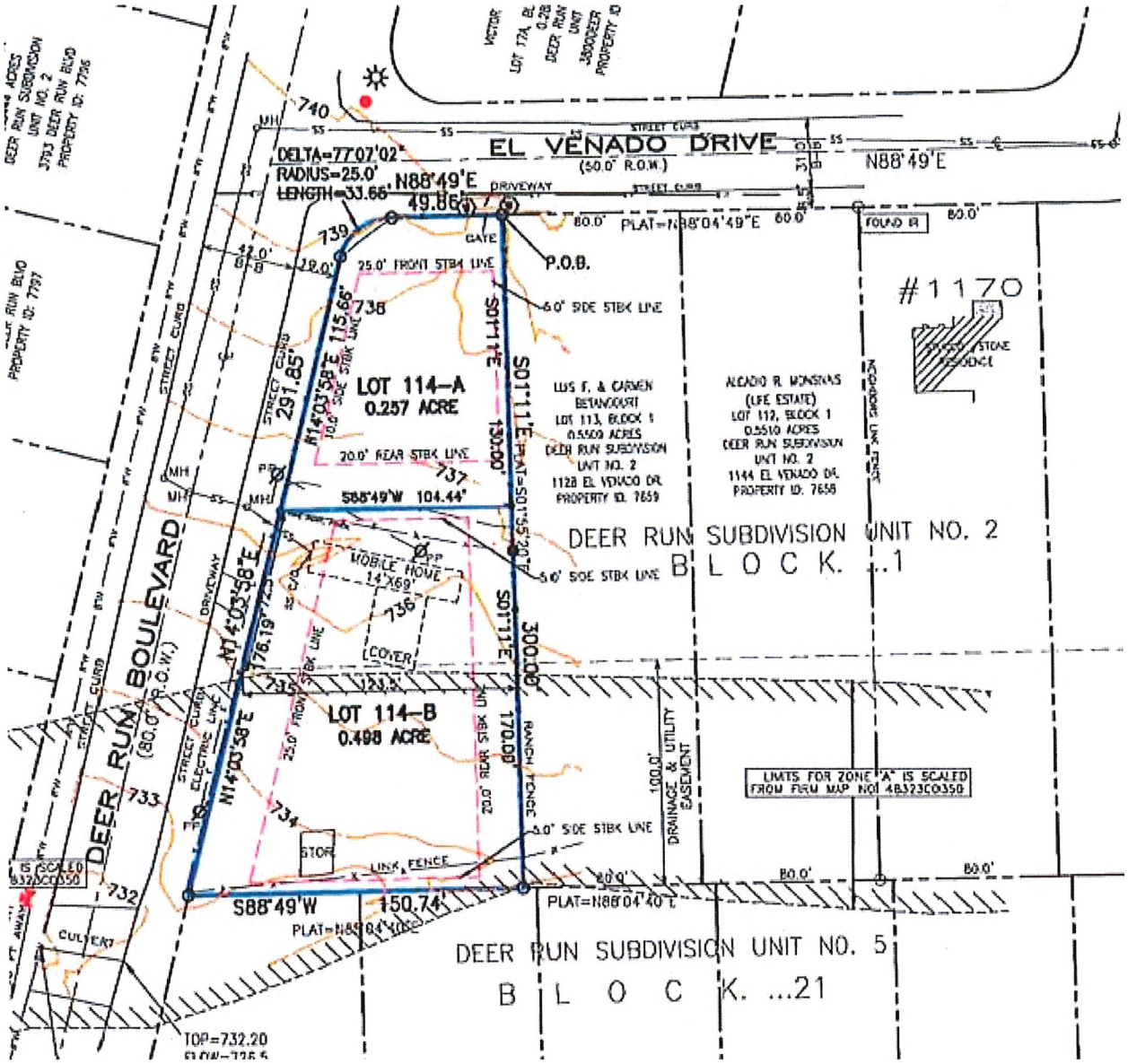
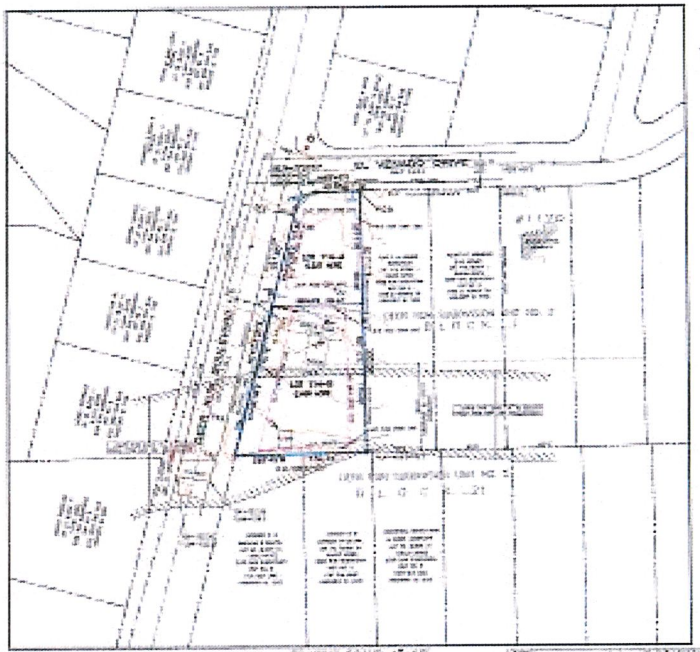
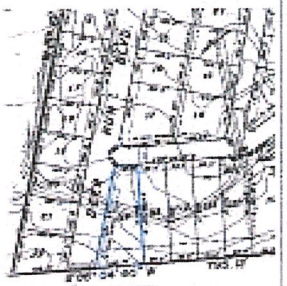
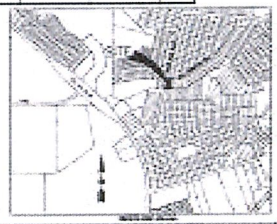
El Venado Dr
El Venado Dr


EL VENADO DRIVE
(50.0' R.O.W.)
DELTA=77.07'02"
RADIUS=25.0'
LENGTH=33.66'
N88°49'E
49.86'
P.O.B.
PLAT=N88°04'49"E
#1170
LOT 114-A
0.257 ACRE
LOT 114-B
0.498 ACRE
S88°49'W 104.44'
S88°49'W
150.74'
PLAT=N88°04'40"E
DEER RUN BOULEVARD
(80.0' R.O.W.)
DEER RUN SUBDIVISION UNIT NO. 2
B L O C K. ..1
DEER RUN SUBDIVISION UNIT NO. 5
B L O C K. ...21
LUIS F. & CARMEN BETANCOURT
LOT 113, BLOCK 1
0.5500 ACRES
DEER RUN SUBDIVISION
UNIT NO. 2
1128 EL VENADO DR.
PROPERTY ID. 7659
ALCADIO R. MONSIVAIS
(LIFE ESTATE)
LOT 112, BLOCK 1
0.5510 ACRES
DEER RUN SUBDIVISION
UNIT NO. 2
1144 EL VENADO DR.
PROPERTY ID. 7658
25.0' FRONT STBK LINE
20.0' REAR STBK LINE
6.0' SIDE STBK LINE
MOBILE HOME
14'X69'
COVER
STOR
LINK FENCE
RANCH FENCE
100.0' DRAINAGE & UTILITY EASEMENT
LIMITS FOR ZONE "A" IS SCALED FROM FIRM MAP NO. 48323C0350
CULVERT
TOP=732.20

REPLAT: LOT 114, BLOCK 1,
DEER RUN SUBDIVISION UNIT 2
EAGLE PASS, TEXAS







SUBDIVISION REPLAT
LOT 114, BLOCK 1,
DEER RUN SUBDIVISION UNIT 2
EAGLE PASS, TEXAS

TERLATICH ENGINEERING
AND CONSTRUCTION SERVICES

PROPERTY OWNERS
ROBERTO MONSIVAIS &
RACHEL MONSIVAIS
1144 EL VENADO DR.
Eagle Pass, Texas 78852

JOB: 2021-28
SHEET 1 OF 1
DRAWN: RGM
CHECKED: M.
SCALE: 1" = 60'
DEC. 21, 2021

REVISED

Attachment 2
Subdivision Variance Request(s)
Sidewalk Waiver Application
1102 El Venado Drive

PLANNING DEPARTMENT

3296 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: ROBERTO MONSIVAIS , RAUL MONSIVAIS

Address: 357 TRINITY ST

Phone: 830-971-5672 E-mail: ROBEMONSI12@GMAIL.COM

Property Information

Site Address: 1144 EL VENADO DR MCAD Property ID No. 7660

Legal Description (from deed): LOT 114, BLOCK 1, DEER RUN SUBDIVISION, UNIT 2

Description of Subdivision Variance Request

1) VARIANCE TO PROCEED TO FINAL PLAT GIVEN EXISTING INFRASTRUCTURE

2) VARIANCE TO BUILD SIDEWALKS AT TIME OF HOME CONSTRUCTION IF REQUESTED, SINCE PROPERTY IS VACANT, otherwise will be submitting sidewalk waiver given existing conditions.

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?

THE PROPOSED SUVDIVISION IS ALREADY PLATTED AND DOES NOT NEED TO GO THROUGH THE FULL PLAT PROCESS GIVEN THE EXISTING INFRASTRUCTURE

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

THE OWNER/SUBDIVIDER WANTS TO SUBDIVIDE THEIR PROPERTY BY REPLATTING IT, SINCE IT HAS ALL THE NECESSARY UTILITY IMPROVEMENTS THAT WOULD QUALIFY IT FOR A PLAT

1

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.

GRANTING OF THIS VARIANCE WOULD NOT BE DETRIMENTAL TO THE PUBLIC HEALTH

GIVEN THE EXISTING INFRASTRUCTURE

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

THE GRANTING OF THIS VARIANCE WOULD NOT PREVENT THE ORDERLY SUBDIVISION OF OTHER

LAND IN THE AREA AS ADJACENT PROPERTIES HAVE ALREADY BEEN DEVELOPED IN A SIMILAR

MANNER

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

7/1/21
Date

PLANNING DEPARTMENT

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

Subdivision Sidewalk Waiver Application

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

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

(1) Where construction of a sidewalk by a subdivider on either or both sides of a street or a portion of a street would be either unnecessary or unsafe due to the particular physical characteristics of the terrain in the subdivision, the safety and necessity of which shall be determined by the Planning and Zoning Commission; however, such waiver may only be granted if the Commission determines that either sound engineering or safety considerations dictate that a sidewalk should not be constructed, for example, where a proposed sidewalk would cross an arroyo, creek or steep embankment; or

(2) Where a proposed sidewalk would be located adjacent to a utility easement and the land adjacent to such easement is unusable for development because of the nature of such easement, for example, a natural gas or electric utility easement or a railroad right-of-way or where a proposed sidewalk would be located adjacent to an easement and the land on the other side of the easement is of insufficient depth to allow future development on that side, provided that in either event that there is, or will be, a sidewalk on the side of the road opposite the easement; or

(3) Where a residential subdivision has double-frontage lots and the rear lots abut a collector or arterial street, a sidewalk on the side of such collector or arterial street on which the rear lot lines abut, does not have to be constructed, provided that a sidewalk is or will be, constructed on the other side of such collector or arterial street; or

(4) When the lot size in a new residential subdivision is equal to or exceeds 22,000-square-feet in area.

==========

Applicant Information

Applicant (if not owner): TerraTech Engineering & Construction Services

Phone: 830-773-0579 Email: ajlibson@terratechengineering.com

Owner: Roberto & Raul Monsivais

Owner Address: 1102 El Venado Dr. City: Eagle Pass State: TX Zip: 78852

Phone: 830-971-5672 Email: robemonsi12@gmail.com

Property Information

Site Address: 1102 El Venado Dr.

Legal description (from deed): Lot 114, Block 1, Deer Run Unit 2

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

Maverick County Identification Number: 7660

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

This side walk waiver applies to the entire portion of property bordering street ROW which is approximately 375 feet. There is no existing sidewalk to connect to which could potentially create a walking safety hazard due to an uneven surface if built especially for people walking at night.

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

✓ Where construction of a sidewalk by a subdivider on either or both sides of a street or a portion of a street would be either unnecessary or unsafe due to the particular physical characteristics of the terrain in the subdivision, the safety and necessity of which shall be determined by the Planning and Zoning Commission; however, such waiver may only be granted if the Commission determines that either sound engineering or safety considerations dictate that a sidewalk should not be constructed, for example, where a proposed sidewalk would cross an arroyo, creek or steep embankment.

O Where a proposed sidewalk would be located adjacent to a utility easement and the land adjacent to such easement is unusable for development because of the nature of such easement, for example, a natural gas or electric utility easement or a railroad right-of-way or where a proposed sidewalk would be located adjacent to an easement and the land on the other side of the easement is of insufficient depth to allow future development on that side, provided that in either event that there is, or will be, a sidewalk on the side of the road opposite the easement.

O Where a residential subdivision has double-frontage lots and the rear lots abut a collector or arterial street, a sidewalk on the side of such collector or arterial street on which the rear lot lines abut, does not have to be constructed, provided that a sidewalk is or will be, constructed on the other side of such collector or arterial street.

O When the lot size in a new residential subdivision is equal to or exceeds 22,000-square-feet in area.

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

Due to there being no existing sidewalks in this area,building a sidewalk could potentially create a walking safety hazard, especially at night for pedestrians due to uneven walking surface since there is not another existing sidewalk to tie into.

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

7/1/21
Date

Attachment 3
Final Engineering Report

TerraTech Engineering and Construction Services
PO Box 556
Eagle Pass, Texas 78853-0556
TBPE Firm # 14118
"Developing Communities and Enhancing People's Lives through Experience and Integrity"

To: Placido Madera

City of Eagle Pass Planning Director

From: Florentino Caballero, P.E.

Date: Aug. 27, 2021

Reference: Final Engineering Report for Replat of Lot 114, Block 1 Deer Run Subd. Unit 2

Mr. Madera,

Mr. Roberto Monsivais and Raul Monsivais., owners of property legally described as 'Lot 114, Block 1, Deer Run Subdivision Unit 2', has requested that TerraTech Engineering and Construction Services (TEC Services) prepare a Replat of this property to legally subdivide it into (2) Two Residential Lots. This property is located along El Venado Dr. and Deer Run Blvd. at 1102 El Venado Dr. The property is located outside the Eagle Pass City Limits, but within the 2-mile Extra-Territorial Jurisdiction (E.T.J.) and is currently Platted as One (1) Residential Lot. The property 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 replat has a total area of0.755 Acres and measures approximately 84' x 300' (see attached Replat Sheet for reference). The subject tract will be Replatted as (2) two Lots, Lot 114-A and Lot 114-B, being 0.257 acres and 0.498 acres, respectively. The property has frontage towards El Venado Dr., and has access to paved streets. All utility infrastructure including water, sewer, electricity, and cable mains is already existing along the R.O.W.'s of the property. This Replat 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, but is situated within a residential neighborhood area. Given that it is within the 2-Mile E.T.J., the proposed zoning by default will be R-1: First One-Family Dwelling District.

Drainage

General Drainage Description

A portion of the re plat area of this subdivision which encompasses proposed Lot 114-B is located within special flood hazard area Zone A as per FEMA Firm Map No. 48323C0350. The highest point on this tract is along the Northern portion of the property and drains towards the Southern direction. Given that this property is already platted as part of a residential subdivision, and is already developed, no drainage improvements will be required. For platting purposes, Hydraulic Calculations are provided only as

830-773-0579 - Phone email: jalibson@terratechengineering.com 830-773-7312 - Fax
www.terratechengineering.com

REVISED 8/27/21

reference. Since the property is already developed as a residential lot, only one set of calculations will be provided.

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:

$$Q = CIA$$

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
tc	5 min
Cd	0.60
I10	7.43 in/hr
I100	10.32 in/hr
Watershed Area, A	0.755 acres

The peak rates of runoff for the existing undeveloped lots are

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

$$Q_{10} = 0.60 \times 7.43 \times 0.755 = 3.37\ cfs$$

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

$$Q_{100} = 1.25 \times 0.60 \times 10.32 \times 0.755 = 5.84\ cfs$$

The estimated runoff for the entirety of the residential property for a ten (10) and one hundred (100) year return period are 3.37 cfs and 5.84 cfs, respectively.

The calculations provided in this report are simply for Platting purposes. No drainage improvements are required.

Street

This property has paved street access along Deer Run Blvd. and El Venado Dr. Luminaries are visible along the street R.O.W. Please refer to Replat sheet for locations.

There is an existing fire hydrant located within 350 ft of property along Deer Run Blvd. Please refer to Replat Sheet for location.

Water Service

There is an existing Water Main that runs along both Deer Run Blvd. and El Venado Dr. Please refer to the replat sheet for details. A new water service will be extended to proposed Lot 114-B. All Water Mains in this area are operated by Eagle Pass Water Works.

Sanitary Sewer Service

There is an existing Sanitary Sewer Main that runs along both Deer Run Blvd and El Venado Dr. Please see Replat sheet for details. A new sewer service will be extended to proposed Lot 114-B.All sanitary sewer lines in this area are operated by Eagle Pass Water Works.

Other Utilities

The subject property has access to other utilities such as electricity, phone, and cable via existing street R.O.W.'s.

Conclusion

The existing and proposed use of this property is Residential. The proposed Replat will not have an impact on the current use, drainage patterns, or utilities as required infrastructure for Platting is already built-out.

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

STATE OF TEXAS
F. J. CABALLERO
66952
LICENSED
PROFESSIONAL ENGINEER

07/12/2021

AGREEMENT REGARDING WATER SERVICE FOR THE PROPOSED
Replat of Lot 114, Block 1, Deer Run Subdivision Unit 2

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 and 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 Replat of Lot 114 Block 1, Deer Run Subdivision Unit 2

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

The Subdivider plans to construct for the Subdivision a drinking water distribution system to be connected to the Utility's water supply system. The Utility has reviewed the plans for this subdivision ("the Plans") and has estimated the drinking water flow anticipated to be needed by the Subdivision under fully built-out conditions ("the estimated water flow") to be approximately 660 gallons daily.

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

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

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

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

This Agreement is effective on JULY 28, 2021.

The Utility	The Subdivider
By:	By:
Printed Name: MARCO SALINAS	Printed Name: Aaron Libsm
Office or Position: VICE CHAIRMAN	Office or Position: TEC Services
Date: 7/28/2021	Date: 9/7/21

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

AGREEMENT REGARDING WASTEWATER TREATMENT SERVICE FOR THE

PROPOSED Replat of Lot 114, Block 1,Deer Run Subdivision Unit 2

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 and 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 Replat of Lot 114, Block 1, Deer Run Subdivision Unit 2.

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

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

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

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

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

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

This Agreement is effective on JULY 28, 2021.

The Utility	The Subdivider
By:	By:
Printed Name: MARCO SALINAS	Printed Name: Aaron Libson
Office or Position: VICE CHAIRMAN	Office or Position: TEC Services
Date: 7/28/2021	Date: 7/7/21

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

Item #4

Planning Department Executive Summary

REPORT TO THE PLANNING AND ZONING COMMISSION

Final Replat of Lot 11 in Block 17 of El Pueblo Nuevo Subdivision LTD

I. BACKGROUND

A. General Information

Case #6587

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

Owner: Ruben Menchaca Jr.
P.O. Box 5557
Eagle Pass, Texas 78853-5557

Location: 292 Wild Wood Drive

Legal Description: Lot 11 in Block 17 of El Pueblo Nuevo Subdivision LTD

Property ID Number: 51148

Request: Final replat approval to subdivide an approximately 0.413-acre tract into two (2) residential lots, including (a) a variance to proceed to final plat directly without first having obtained preliminary replat approval, (b) a sidewalk waiver from having to construct a sidewalk adjacent to both Wild Wood Drive and Spring Wood Drive, and (c) a variance from the requirement to construct a concrete curb and gutter along the property street frontage abutting Wild Wood Drive and Spring Wood Drive.

B. Subject Property Information

Parcel Size: 18,031–square feet

Topography: Generally flat

Vegetation: Native vegetation

Existing Use: Vacant

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

Master Plan: Not applicable

C. Vicinity Data

The site is located within an area that features residential developments consistent with the 7,700-square foot lot size of the R-1 district.

D. Infrastructure

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

Access to the site is provided by Wild Wood Drive and Spring Wood Drive.

II. PUBLIC NOTICE

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

III. RECOMMENDED FINDINGS OF FACT

A. Conclusions

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

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

3. *City of Eagle Pass Code of Ordinances Section 23-64* authorizes the Planning and Zoning Commission to waive the requirement for the construction of sidewalks in circumstances where the sidewalk would be unnecessary or unsafe due to the physical characteristics of the terrain in the subdivision. Please refer to Attachment 2 for a copy of the waiver application and photographs indicating the property frontage for both streets.

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

4. *City of Eagle Pass Code of Ordinances Section 23-11* states that the Planning and Zoning Commission must find that the subdivision variance, enclosed as Attachment 2, comply with the criteria in order to the grant the subdivision variance. The following is a summary of this application's compliance with the criteria:

   - *City of Eagle Pass Code of Ordinances Section 23-11(a)(1)*
   - *City of Eagle Pass Code of Ordinances Section 23-11(a)(2)*
   - *City of Eagle Pass Code of Ordinances Section 23-11(a)(3)*

- *City of Eagle Pass Code of Ordinances Section 23-11(a)(4)*
- *City of Eagle Pass Code of Ordinances Section 23-11(c)*

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

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 re-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 construction of a concrete curb and gutter section along Wild Wood Drive and Spring Wood Drive will not be required for this project if the subdivision variance request involving the requirement is granted by the Commission.

   ✓ The re-subdivision is consistent with the *Land Use Development Goals* of the *Master Plan,* as the project is designed to provide for a building lot density that is consistent with the purpose of the *R-1 First One-Family Dwelling District.* This design will allow for the continuing development of the community while retaining the neighborhood character and scale while providing utility services in the most and efficient and equitable manner.

   ✓ The re-subdivision is consistent with the *Street Goal* of the *Master Plan*, as access to the site from both Wild Wood Drive and Spring Wood Drive 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 re-subdivision is consistent with the *Thoroughfare Goals* of the *Master Plan*, as Wild Wood Drive and Spring Wood Drive have been designed to be part of a safe and efficient thoroughfare system.

   ✓ The re-subdivision 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.

6. The re-subdivision design is consistent with the purpose of the *R-1 First One-Family Dwelling District.*

7. The re-subdivision 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, subject to the granting of a sidewalk waiver by the Planning and Zoning Commission

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

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

8. The re-subdivision is also 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.*

9. The re-subdivision is also consistent with the parkland dedication requirements set forth in Article V in Eagle Pass Code of Ordinances Chapter 23, as the original plat in which this re-plat is located was recorded in 1988 and prior to the enactment of the City's parkland dedication requirements in 2005. As a result, the applicant will be required to provide a $1,150 per-lot fee in lieu of parkland dedication, payable to Maverick County.

10. The subdivision's conformance with the provisions of the *Master Plan* and the *Eagle Pass Code of Ordinances* will facilitate the following benefits:

    - Protect private rights while considering public health, safety and welfare.
    - Provide for efficient and economical ways to move people and goods outside the City by an adequate plan for streets and highways.
    - Guide future development in an orderly manner, by stages according to a pattern, so that the 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.

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

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

    B. The re-subdivision is in accordance with the policies of the *Master Plan* and the residential purpose of the *R-1 First One-Family Dwelling District.*

    C. The subdivision is warranted because of the necessity to create additional building lots in the *R-1 First One-Family Dwelling District*, and because the proposed development is appropriate to accomplish the reasonable use of the property.

    D. The subject property is suitable for development in general conformance with development standards of the *R-1 First One-Family Dwelling 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.

12. The final approval of this re-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 11 of this report.

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

The Eagle Pass Planning and Zoning Commission (1) **GRANT** the sidewalk waiver request, (2) **GRANT** the subdivision variance request to proceed directly to final plat approval without first having obtained preliminary plat approval, (3) **GRANT** a subdivision variance from the requirement to construct a concrete curb and gutter along the property street frontage, and (4) **GRANT** final approval of the Replat of *Lot 11 in Block 17 of El Pueblo Nuevo Subdivision LTD,* 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 e-mail
Maverick County Planning Department via e-mail
Eagle Pass Planning and Zoning Commission via e-mail
Planning & Zoning Commission Report dated August 30, 2021

Attachment 1
Application

PLANNING DEPARTMENT

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

SUBDIVISION VARIANCE APPLICATION

Applicant Information

Applicant (If not owner): TERRATECH ENGINEERING AND CONSTRUCTION SERVICES

Address: 3292 EL INDIO HWY, EAGLE PASS, TX 78852

Phone: 830-773-0579 E-mail: AJLIBSON@TERRATECHENGINEERING.COM

Owner: RUBEN MENCHACA, JR.

Address: 292 WILD WOOD

Phone: 830-352-5569 E-mail: DISENOCULTURAL@YAHOO.COM

Property Information

Site Address: 292 WILD WOOD MCAD Property ID No. 51148

Legal Description (from deed): EL PUEBLO NUEVO SUBDIVISION LTD, BLK 17, LOT 11

Description of Subdivision Variance Request

1) VARIANCE TO PROCEED TO FINAL PLAT GIVEN EXISTING INFRASTRUCTURE

2) VARIANCE TO ALLOW PROPERTY OWNER TO BUILD SIDEWALKS AT THE TIME OF HOME CONSTRUCTION DUE TO THE LOT BEING PRESENTLY VACANT, IF REQUIRED,

3) curb & gutter variance request.

otherwise, a sidewalk waiver will be submitted given existing conditions.

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?

THE PROPOSED SUVDIVISION IS ALREADY PLATTED AND DOES NOT NEED TO GO THROUGH THE FULL PLAT PROCESS GIVEN THE EXISTING INFRASTRUCTURE

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

THE OWNER/SUBDIVIDER WANTS TO SUBDIVIDE THEIR PROPERTY BY REPLATTING IT, SINCE IT HAS ALL THE NECESSARY UTILITY IMPROVEMENT THAT WOULD QUALIFY IT FOR A PLAT

Name: TEC Services
Address: 3292 El Indio Hwy
City: Eagle Pass
State: TX Zip: 78852
Signature:

Contact: Aaron Libson
Phone: 830-773-0579
Fax: 830-773-7312
E-mail: ajlibson@terratechengineering.com
Date: 7/16/21

SURVEYOR:

Name: Francisco Gaytan
Address: 2606 Encino Park Dr.
City: Eagle Pass
State: TX Zip: 78852
Signature: Fra Gay

Contact: Francisco Gaytan
Phone: 830-773-8308
Fax: 830-421-7116
E-mail: fgaytan@yahoo.com
Date: 7/16/21

ENGINEER:

Name: Florentino Caballero
Address: 3292 El Indio Hwy
City: Eagle Pass
State: TX Zip: 78852
Signature: F Caballero

Contact: Florentino Caballero
Phone: 830-773-0579
Fax: 830-773-7312
E-mail: fcaballero@terratechengineering.com
Date: 7/16/21

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

7/16/21
Date

2

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Spring Wood Dr
Spring Wood Dr

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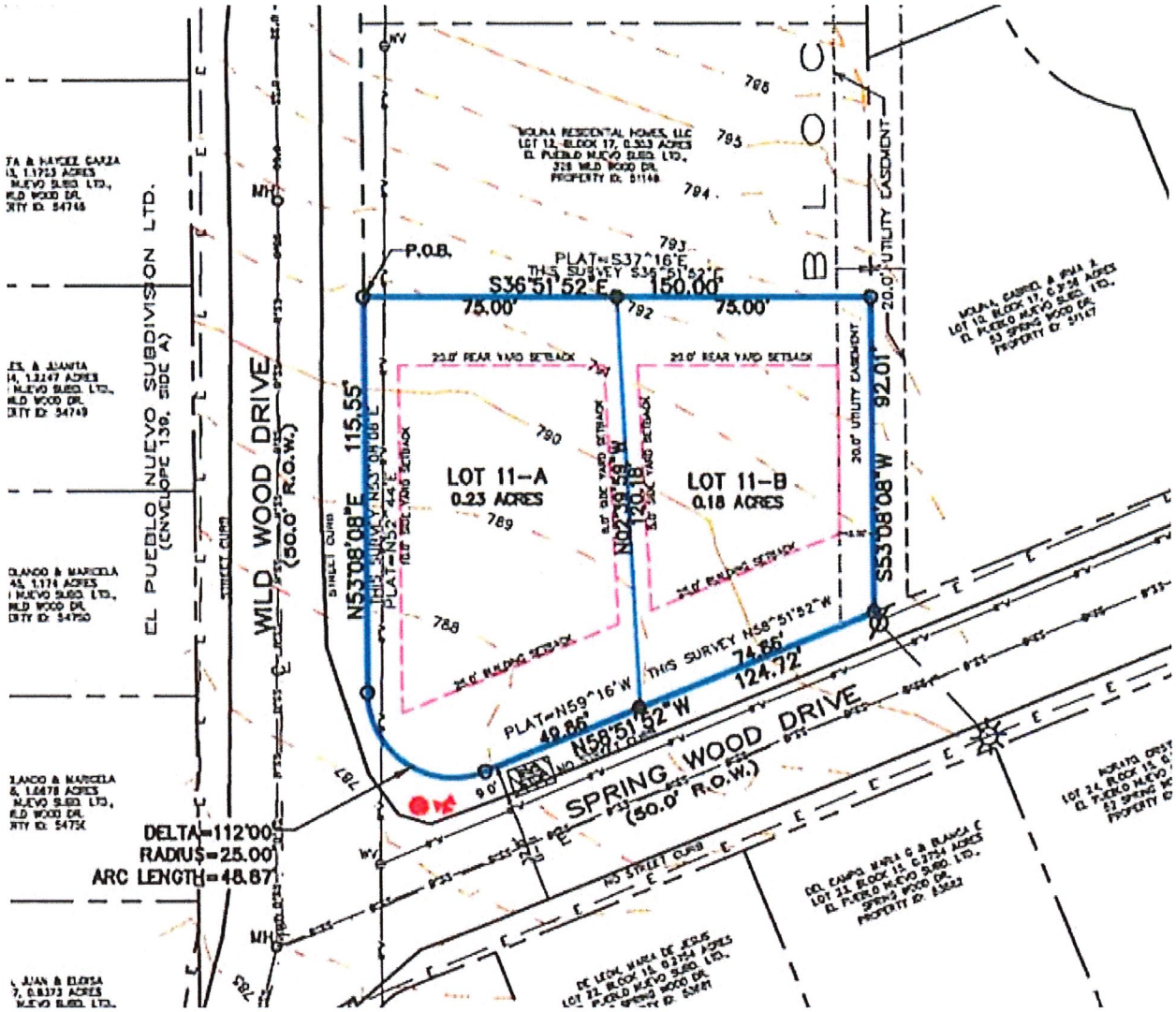
Spring Wood Dr


EL PUEBLO NUEVO SUBDIVISION LTD.
(ENVELOPE 139, SIDE A)
WILD WOOD DRIVE
(50.0' R.O.W.)
P.O.B.
PLAT=S37°16'E
THIS SURVEY S36°51'52"E
S36°51'52"E 150.00'
75.00'
75.00'
20.0' UTILITY EASEMENT
20.0' REAR YARD SETBACK
20.0' REAR YARD SETBACK
N53°08'08"E 115.55'
N02°39'59"W 120.18'
S53°08'08"W 92.01'
LOT 11-A
0.23 ACRES
LOT 11-B
0.18 ACRES
24.0' BUILDING SETBACK
24.0' BUILDING SETBACK
THIS SURVEY N58°51'52"W
74.86'
124.72'
PLAT=N59°16'W
49.86'
N58°51'52"W
SPRING WOOD DRIVE
(50.0' R.O.W.)
DELTA=112°00'
RADIUS=25.00'
ARC LENGTH=48.87'
NO STREET CURB
BLOCK

REPLAT: LOT 11, BLOCK 17
EL PUEBLO NUEVO SUBDIVISION LTD.

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STATE OF TEXAS
COUNTY OF MAVERICK

OWNER'S DEDICATION, CERTIFICATION, AND ATTESTATION

The Owners of the land shown on this subdivision and whose name is subscribed hereto and in person or through a duly authorized agent, acknowledged 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 land complies with the requirements of Texas Local Government CHAPTER 212 and that:

(A) the area quality and connections to the sewer main, or will meet the minimum state requirements;
(B) water connections to the city main, 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 connection, if available, provided to the lots meet, or will meet, the minimum standards.

The Owner affirms that the matters contained in this Plat are true and complete.

REPLAT: LOT 11, BLOCK 17, EL PUEBLO NUEVO SUBDIVISION LTD.

SIGNATURE: _____

NAME: [illegible] NEROHACIA, JR.

STATE OF TEXAS
COUNTY OF MAVERICK

This instrument was acknowledged before me on _____ by [illegible] NEROHACIA, JR.

_____
Signature Notary Public State of Texas

My Commission Expires: _____

STATE OF TEXAS
COUNTY OF MAVERICK

I, Francisco Cayten, a Registered Professional Land Surveyor in the State of Texas, hereby certify that the metes and bounds description of the Replat of Lot 11, Block 17 of El Pueblo Nuevo Subdivision LTD. was prepared from an actual survey conducted on December 13, 2020 under my supervision on the ground and the monuments shown are within the specified tolerance required by 22 TAC 663.13.

_____
Francisco Cayten
Registered Professional Land Surveyor
Texas No. 5474

The instrument was acknowledged before me on the _____ day of _____ of _____ by Francisco Cayten, RPLS.

_____
Signature Notary Public State of Texas

My Commission Expires: _____

COMMISSIONERS COURT CERTIFICATION

This Plat was presented to the Maverick County Commissioners Court and approved on _____ by the Commissioners Court of Maverick County, Texas.

Signed this _____ day of _____, 20__.

County Judge _____

Given under my hand and seal of office this _____ day of _____, 20__.

_____
Notary Public State of Texas

CITY OF EAGLE PASS
CERTIFICATE OF PLAT APPROVAL

WE, THE UNDERSIGNED, CERTIFY THAT THE REPLAT OF LOT 11, BLOCK 17 OF EL PUEBLO NUEVO SUBDIVISION LTD. 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 _____, 20__.

_____
Signature Notary Public State of Texas

WE, THE UNDERSIGNED, CERTIFY THAT THE REPLAT OF LOT 11, BLOCK 17 OF EL PUEBLO NUEVO SUBDIVISION LTD. 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 _____, 20__.

_____
Signature Notary Public State of Texas

WE, THE UNDERSIGNED, CERTIFY THAT REPLAT OF LOT 11, BLOCK 17 OF EL PUEBLO NUEVO SUBDIVISION LTD. 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 _____, 20__.

_____
Signature Notary Public State of Texas

COUNTY CLERK'S RECORDING CERTIFICATE

_____ COUNTY CLERK OF MAVERICK COUNTY, certify that the foregoing this certificate was filed for record at _____ o'clock ___M on _____, 20__, and was recorded in Envelope _____ Slide ____ in the Plat Records of Maverick County at _____ o'clock ___M on _____, 20__.

_____
Maverick County Clerk

STATE OF TEXAS
COUNTY OF MAVERICK

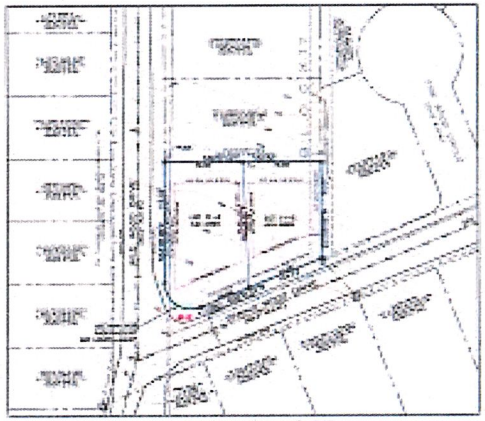
I, Florentino Cardenas, a Registered Professional Engineer in the State of Texas (the ENGINEER), hereby certify that the water and wastewater facilities for this subdivision were designed in accordance with the requirements of the City of Eagle Pass, Texas, that those facilities are connected to the 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. Those water and sewer designs are in compliance with the Water Rules adopted under Section 16.343 of the Texas Water Code.

_____
Florentino Cardenas, P.E.
Registered Professional Engineer 86652

The instrument was acknowledged before me on the _____ day of _____, 20__ by Florentino Cardenas, P.E.

_____
Signature Notary Public State of Texas

My Commission Expires: _____



DRAWING SCALE: 1"=50'

VICINITY MAP
NOT TO SCALE

THE AREA BEING REPLATTED HAS BEEN PREVIOUSLY PLATTED AS A PORTION OF REPLAT OF EMPLEADO LTD. (WITH THIS, AS LOT 11, BLOCK 17, EL PUEBLO NUEVO SUBDIVISION LTD.

REPLAT COORDINATES FOR PERIMETER		
POINT	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]

LOT BOUNDARY LINE
LOT BOUNDARY CORNER
PROPERTY LINE
PROPERTY CORNER
BUILDING SETBACK LINE
BUILDING CORNER
EASEMENT
EXISTING WATER LINE
EXISTING WATER VALVE
EXISTING WASTEWATER LINE
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EXISTING WASTEWATER CLEANOUT
EXISTING WATER VALVE

NOTES:

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SUBDIVISION REPLAT
LOT 11, BLOCK 17
EL PUEBLO NUEVO SUBDIVISION LTD.
EAGLE PASS, TEXAS

TERRATECH ENGINEERING AND CONSTRUCTION SERVICES

PROPERTY OWNER
Ruben Nerohacia, Jr.
P.O. Box 5927
Eagle Pass, TX 78853
Maverick County

JOB: 0906-20
SHEET 1 OF 1
DESIGNED: FJC
DRAWN: AJL
CHECKED: FJC/JAL

SCALE: 1" = 50'
AUG. 10, 2021

REVISED 8-13-21

Attachment 2
Subdivision Variance Request(s)
Sidewalk Waiver

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: RUBEN MENCHACA, JR.

Address: 292 WILD WOOD

Phone: 830-352-5569 E-mail: DISENOCULTURAL@YAHOO.COM

Property Information

Site Address: 292 WILD WOOD MCAD Property ID No. 51148

Legal Description (from deed): EL PUEBLO NUEVO SUBDIVISION LTD, BLK 17, LOT 11

Description of Subdivision Variance Request

1) VARIANCE TO PROCEED TO FINAL PLAT GIVEN EXISTING INFRASTRUCTURE

2) VARIANCE TO ALLOW PROPERTY OWNER TO BUILD SIDEWALKS AT THE TIME OF HOME CONSTRUCTION DUE TO THE LOT BEING PRESENTLY VACANT, IF REQUIRED, otherwise, a sidewalk waiver will be submitted given existing conditions.

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?

THE PROPOSED SUVDIVISION IS ALREADY PLATTED AND DOES NOT NEED TO GO THROUGH THE FULL PLAT PROCESS GIVEN THE EXISTING INFRASTRUCTURE

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

THE OWNER/SUBDIVIDER WANTS TO SUBDIVIDE THEIR PROPERTY BY REPLATTING IT, SINCE IT HAS ALL THE NECESSARY UTILITY IMPROVEMENT THAT WOULD QUALIFY IT FOR A PLAT

1

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.

GRANTING OF THIS VARIANCE WOULD NOT BE DETRIMENTAL TO THE PUBLIC HEALTH GIVEN THE EXISTING INFRASTRUCTURE

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

THE GRANTING OF THIS VARIANCE WOULD NOT PREVENT THE ORDERLY SUBDIVISION OF OTHER LAND IN THE AREA AS ADJACENT PROPERTIES HAVE ALREADY BEEN DEVELOPED IN A SIMILAR MANNER

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

7/16/21
Date

PLANNING DEPARTMENT

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

Subdivision Sidewalk Waiver Application

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

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

(1) Where construction of a sidewalk by a subdivider on either or both sides of a street or a portion of a street would be either unnecessary or unsafe due to the particular physical characteristics of the terrain in the subdivision, the safety and necessity of which shall be determined by the Planning and Zoning Commission; however, such waiver may only be granted if the Commission determines that either sound engineering or safety considerations dictate that a sidewalk should not be constructed, for example, where a proposed sidewalk would cross an arroyo, creek or steep embankment; or

(2) Where a proposed sidewalk would be located adjacent to a utility easement and the land adjacent to such easement is unusable for development because of the nature of such easement, for example, a natural gas or electric utility easement or a railroad right-of-way or where a proposed sidewalk would be located adjacent to an easement and the land on the other side of the easement is of insufficient depth to allow future development on that side, provided that in either event that there is, or will be, a sidewalk on the side of the road opposite the easement; or

(3) Where a residential subdivision has double-frontage lots and the rear lots abut a collector or arterial street, a sidewalk on the side of such collector or arterial street on which the rear lot lines abut, does not have to be constructed, provided that a sidewalk is or will be, constructed on the other side of such collector or arterial street; or

(4) When the lot size in a new residential subdivision is equal to or exceeds 22,000-square-feet in area.

==========

Applicant Information

Applicant (if not owner): TerraTech Engineering & Construction Services

Phone: 830-773-0579 Email: ajlibson@terratechengineering.com

Owner: Ruben Menchaca Jr.

Owner Address: PO Box 5557 City: Eagle Pass State: TX Zip: 78852

Phone: 830-352-5569 Email: disenocultural@yahoo.com

Property Information

Site Address: 292 Wild Wood Dr.

Legal description (from deed): Lot 2, Block H, Chula Vista Heights Unit 3

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

Maverick County Identification Number: 51148

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.

GRANTING OF THIS VARIANCE WOULD NOT BE DETRIMENTAL TO THE PUBLIC HEALTH GIVEN THE EXISTING INFRASTRUCTURE

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.

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Applicant Signature

7/16/21
Date

Attachment 3
Final Engineering Report

TerraTech Engineering and Construction Services
PO Box 556
Eagle Pass, Texas 78853-0556
TBPE Firm # 14118
"Developing Communities and Enhancing People's Lives through Experience and Integrity"

To: Placido Madera

City of Eagle Pass Planning Director

From: Florentino Caballero, P.E.

Date: Aug. 27, 2021

Reference: Final Engineering Report for Replat of Lot 11, Block 17 El Pueblo Nuevo Subd. Ltd.

Mr. Madera,

Mr. Ruben Menchaca, Jr., owner of property legally described as 'Lot 11, Block 17, El Pueblo Nuevo Subd. Ltd., has requested that TerraTech Engineering and Construction Services (TEC Services) prepare a Re plat of this property to legally subdivide it into (2) Two Residential Lots. This property is located along Wild Wood Dr. & Spring Wood Dr. at 292 Wild Wood Dr. The property is located outside the Eagle Pass City Limits, but within the 2-mile Extra-Territorial Jurisdiction (E.T.J.) and is currently Platted as One (1) Residential Lot. The property 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 re plat has a total area of 0.413 Acres and measures approximately 125' x 116' (see attached Replat Sheet for reference). The subject tract will be Replatted as (2) two Lots, Lot 11-A and Lot 11-B, being 0.237 acres and 0.176 acres, respectively. The property has frontage towards Wild Wood Dr. and Springwood Dr., and has access to paved streets. All utility infrastructure including water, sewer, electricity, and cable mains is already existing along the frontage of the property. This Re 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, but is situated within a residential neighborhood area. Given that it is within the 2-Mile E.T.J., the proposed zoning by default will be R-1: First One-Family Dwelling District.

Drainage

General Drainage Description

This Plat area of this subdivision is not located within a special flood hazard area. The highest point on this tract is along the Western portion of the property and drains toward the East direction. Given that this property is already platted as part of a residential subdivision, and is already developed, no drainage improvements will be required. For platting purposes, Hydraulic Calculations are provided only as

830-773-0579 - Phone email: jalibson@terratechengineering.com 830-773-7312 - Fax
www.terratechengineering.com

REVISED 8/27/21

reference. Since the property is already developed as a residential lot, only one set of calculations will be provided.

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:

$$Q = C x I x A$$

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	5min
C_d	0.60
I_{10}	7.43 in/hr
I_{100}	10.32 in/hr
Watershed Area, A	0.413 acres

The peak rates of runoff for the existing undeveloped lots are

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

$$Q_{10} = 0.60 \text{ x } 7.43 \text{ x } 0.413 = 1.84 \text{ cfs}$$

$$Q_{100} = 1.25 \text{ X } C_d \text{ X } I_{100} \text{ X } A$$

$$Q_{100} = 1.25 \text{ x } 0.60 \text{ x } 10.32 \text{ x } 0.413 = 3.20 \text{ cfs}$$

The estimated runoff for the entirety of the residential property for a ten (10) and one hundred (100) year return period are 1.84 cfs and 3.20 cfs, respectively.

The calculations provided in this report are simply for Platting purposes. No drainage improvements are required.

Street

This property has paved street access along Spring Wood Dr. and Wild Wood Dr. Luminaries are visible along the street R.O.W. Please refer to Replat sheet for locations.

There is an existing fire hydrant located along the frontage of the property on Spring Wood Dr. Please refer to Replat Sheet for location.

Water Service

There is an existing 8" Water Main that runs along both Spring Wood Dr. and Wild Wood Dr. Please refer to the replat sheet for details. All Water Mains in this area are operated by Eagle Pass Water Works.

Sanitary Sewer Service

There is an existing 8" Sanitary Sewer Main that runs along both Spring Wood Dr. and Wild Wood Dr. Please see Replat sheet for details. All sanitary sewer lines in this area are operated by Eagle Pass Water Works.

Other Utilities

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

Conclusion

The existing and proposed use of this property is Residential. The proposed Replat will not have an impact on the current use, drainage patterns, or utilities as required infrastructure for Platting is already built-out.

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

STATE OF TEXAS
F. J. CABALLERO
66952
LICENSED
PROFESSIONAL ENGINEER

03/22/2021

AGREEMENT REGARDING WATER SERVICE FOR THE PROPOSED

REPLAT: LOT 11, BLOCK 17, EL PUEBLO NUEVO SUBDIVISION LTD **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 REPLAT: LOT 11, BLOCK 17, EL PUEBLO NUEVO SUBDIVISION LTD.

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 560 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 APRIL 21, 2021.

The Utility	The Subdivider
By:	By:
Printed Name: MARCO SALINAS	Printed Name: AARON LIBSON
Office or Position: VICE CHAIRMAN	Office or Position: TEC SERVICES
Date: 4/21/2021	Date: 02/19/2021

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

AGREEMENT REGARDING WASTEWATER TREATMENT SERVICE FOR THE

PROPOSED REPLAT: LOT 11, BLOCK 17, EL PUEBLO NUEVO SUBDIVISION LTD **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 REPLAT: LOT 11, BLOCK 17, EL PUEBLO NUEVO SUBDIVISION LTD.

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

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

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

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 APRIL 21, 2021.

The Utility	The Subdivider
By:	By:
Printed Name: MARCO SALINAS	Printed Name: AARON LIBSON
Office or Position: VICE CHAIRMAN	Office or Position: TEC SERVICES
Date: 4/21/2021	Date: 02/19/2021

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