



**Planning & Zoning
Regular Meeting
March 10, 2022**



AGENDA

**PLANNING & ZONING COMMISSION REGULAR MEETING
THURSDAY, MARCH 10, 2022 AT 5:30 P.M.
COUNCIL CHAMBERS, CITY HALL BUILDING
100 SOUTH MONROE STREET, EAGLE PASS, MAVERICK COUNTY, TEXAS**

ESTABLISHMENT OF QUORUM

OATH OF OFFICE

CITIZENS COMMUNICATIONS

MINUTES

1. Approval of the minutes of the February 24, 2022 meeting.

PUBLIC HEARING(S)

2. Continuation of a public hearing on the proposed request submitted by Ivan A. Davila for the rezoning of Lot 18, Block 1 of the Replat of Paso Del Rio Subdivision, also known as 1953 Del Rio Boulevard, from B-2 Central Business District to R-3A Apartment District; closing of public hearing and possible action.
3. Consideration and possible action on the proposed request submitted by Eagle Sky RE, LLC for the rezoning of an .5229 acre lot located in Day Land and Cattle Company Survey 835 ½, Abstract 1240, (called to be located in Abstract 1111 in vesting deed) Maverick County, Texas and described in conveyance document to Eagle Sky RE LLC recorded in Document Number 2113307 of the Maverick County Official Public Records, Maverick County, Texas, also known as 2258 Garrison Street, from R-1 First One-Family Dwelling District to B-3 General Business District; closing of public hearing and possible action.
4. Public hearing on the proposed request submitted by Ana M. Serrano for the rezoning of the North 66.50 feet of Lot 7 in Block 5 of Range 5, also known as 558 Madison Street, from R-1 First One-Family Dwelling District to R-3A Apartment District; closing of public hearing and possible action.
5. Public hearing on the proposed final Re-Plat of Lot F in Block 1 of Chula Vista Subdivision Unit 7, including a (a) variance to proceed to final plat and (b) a waiver from constructing a sidewalk including construction of curb and gutter; closing of public hearing and possible action.

EXECUTIVE SESSION

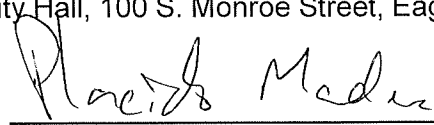
6. Executive Session pursuant to Section 551.071, Chapter 551, Texas Government Code - Consultation with legal counsel regarding Commission responsibilities, Ethics Ordinance, and Standards of Conduct; possible action in open session regarding same.

ADJOURNMENT

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

CERTIFICATION

I, THE UNDERSIGNED PLANNING DIRECTOR, do hereby certify that the agenda mentioned above was posted on the Bulletin Board located in the Lobby at City Hall, 100 S. Monroe Street, Eagle Pass, Texas on March 4, 2022 at 3:00 p.m.

A handwritten signature in black ink, appearing to read "Placido Madera", written over a horizontal line.

Placido C. Madera
Planning Director

Item #1

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

The Planning and Zoning Commission of the City of Eagle Pass conducted a Special Meeting on Thursday, February 24, 2022, at 5:30 p.m. 100 South Monroe Street, Eagle Pass, Texas. All legal notices were duly posted in accordance with the law.

ESTABLISHMENT OF QUORUM

Present: Chairperson, Rolando Jasso; Vice-Chairperson Luis Velez; and Commission Member, Kenneth Gross.

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

Staff present: Planning Director, Placido Madera; Assistant Planning Director, Mariebelle Rodriguez; City Attorney Representatives, Heriberto Morales, Kassandra Flores, and Paul Fletcher (Via GoToMeeting); and City Secretary, Imelda B. Rodriguez.

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

OATH OF OFFICE

City Secretary, Imelda B. Rodriguez administered the oath of office to the newly appointed members.

CITIZENS COMMUNICATIONS

Chairperson Jasso 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. City Secretary, Imelda B. Rodriguez stated no citizens communications were submitted.

SELECTION OF CHAIRPERSON

Commission Member Velez moved to appoint Mr. Rolando Jasso as Chairperson. Seconded by Commission Member Gross. **MOTION PASSED** - Unanimously

AYES: Commission Members Jasso, Velez, and Gross
NAYS: None
ABSTAIN: None
ABSENT: Commission Member Salinas-Sanchez

SELECTION OF VICE-CHAIRPERSON

Commission Member Gross moved to appoint Mr. Luis Velez as Vice-Chairperson. Seconded by Chairperson Jasso. **MOTION PASSED** – Unanimously

AYES: Chairperson Jasso, Commission Members, Velez, and Gross
NAYS: None
ABSTAIN: None
ABSENT: Commission Member Salinas-Sanchez

MINUTES

1. Approval of the minutes of the December 2, 2021, meeting, December 16, 2021, meeting, and the January 20, 2022, meeting.

Commission Member Gross moved to approve minutes with correction to December 2, 2021. Seconded by Vice Chairperson Velez. **MOTION PASSED** - Unanimously

AYES: Chairperson Jasso, Vice-Chairperson Velez, and Commission Member Gross
NAYS: None
ABSTAIN: None
ABSENT: Commission Member Salinas-Sanchez

EXECUTIVE SESSION

The Commission adjourned into Executive Session at 5:37 p.m. to consider the items below. The Commission reconvened in open session at 6:41 p.m. to take action as noted below.

Item number 4 was taken into Executive Session under Section 551.071, Chapter 551, Texas Government Code – Consultation with legal counsel.

5. Executive Session pursuant to Section 551.071, Chapter 551, Texas Government Code - Consultation with legal counsel regarding Commission responsibilities, Ethics Ordinance, and Standards of Conduct; possible action in open session regarding same.

No action taken.

4. Consideration and possible action on the final plat of the Terra Verde Estates Subdivision Unit 2.

Action was taken after the public hearings.

PUBLIC HEARING(S)

2. Public hearing on the proposed request submitted by Ivan A. Davila for the rezoning of Lot 18, Block 1 of Paso Del Rio Subdivision, also known as 1953 Del Rio Boulevard, from B-2 Central Business District to R-3A Apartment District; closing of public hearing.

Chairperson Jasso opened the public hearing at 6:42 p.m.

Assistant Planning Director, Mariebelle Rodriguez informed the Commission on the details of the rezone request. The Planning Department reviewed this and is recommending designating this rezone as B-3 (General Business District) to accommodate the apartments to be built and comply with building codes. Ms. Rodriguez stated that 7 notices were sent out to abutting property owners and 1 was received in opposition and is present at today's meeting.

Mr. Ortiz, who is in opposition, approached the Commission and stated his concerns with this rezone request. Ms. Rodriguez stated that a detention pond will be required as part of recommendation at the time of the development.

Planning Director, Placido Madera briefs on the general area being commercial stating that the most appropriate zoning for this area would be either B-1 (Neighborhood Business District) or B-3 (General Business District) depending on the square footage, and this would allow for apartment use.

No action was taken on this item.

There being no further comments from the public. Chairperson Jasso closed the public hearing at 6:49 p.m.

3. Public hearing on the proposed request submitted by Eagle Sky RE, LLC for the rezoning of an .5229 acre lot located in Day Land and Cattle Company Survey 835 ½, Abstract 1240, (called to be located in Abstract 1111 in vesting deed) Maverick County, Texas and described in conveyance document to Eagle Sky RE LLC recorded in Document Number 2113307 of the Maverick County Official Public Records, Maverick County, Texas, also known as 2258 Garrison Street, from R-1 First One-Family Dwelling District to B-3 General Business District; closing of public hearing.

Chairperson Jasso opened the public hearing at 6:52 p.m.

Assistant Planning Director Rodriguez informed the Commission on the details of the rezone request. The Planning Department is recommending approval. She stated that 5 notices were sent out to the abutting property owners, and none returned.

There were no comments from the public. Therefore, Chairperson Jasso closed the public hearing at 6:54 p.m.

No action on this item.

OLD BUSINESS

4. Consideration and possible action on the final plat of the Terra Verde Estates Subdivision Unit 2.

Planning Director, Placido Madera informed the Commission that this is an 11.07-acres tract being subdivide into 46 residential lots zoning of R-2 (Second One- Family Dwelling District). After further going into details of the final plat the recommendations from the Planning Department are

to grant subject to complying with the provisions of the City of Eagle Pass Coded of Ordinances governing procedures and specifications for Final Plats and the following two conditions:

- The developer provides a Maintenance Bond Agreement for the warranty period (18-months) as required by ordinance. Plat will not be recorded until received.
- Detention Stormwater Agreement that has been signed off by City Administration and Developer that discusses plans for resolving plans for some preexisting drainage issues at the intersection of Fletcher and Homer Lewis will be addressed. This through collaboration between the developer and other parties including the city and if this does not happen by April 29, 2022, then the developer will be dedicating (2) two lots that are part of this unit in order to maintain runoff and not allow the preexisting drainage issues made any worse.

Mr. Javier Libson, the developer approached the Commission briefing on the how the drainage issue will be addressed.

In response to a question posed by Vice-Chairperson Velez regarding Parkland Dedicated/Fees collected. Mr. Madera briefed on how this fee works depending on amount of lots in development they collect fee or land.

Commission Member Gross moved to approve final plat with the two conditions be met. Seconded by Vice Chairperson Velez. **MOTION PASSED** - Unanimously

AYES: Chairperson Jasso, Vice-Chairperson Velez, and Commission Member Gross
NAYS: None
ABSTAIN: None
ABSENT: Commission Member Salinas-Sanchez

ADJOURNMENT

Commission Member Gross moved to adjourn meeting at 7:07 p.m. Seconded by Vice Chairperson Velez. **MOTION PASSED**- Unanimously .

Passed and approved on March 10, 2022

Rolando Jasso
Chairperson

ATTEST:

Imelda B. Rodriguez
City Secretary

Item #2



Planning Department Executive Summary
REPORT TO THE PLANNING & ZONING COMMISSION

1953 Del Rio Boulevard Rezone Request

I. BACKGROUND

A. General Information Case No. 7435

Applicant: Ivan A. Davila | 229 N. Monroe Street PMB 335 | Eagle Pass, Texas 78852

Location: 1953 Del Rio Boulevard **Property ID Number:** 59769

Legal Description: Lot 18 in Block 1 of Paso Del Rio Subdivision Replat

Request: Rezone parcel from B-2 Central Business District to B-3 General Business District.

B. Subject Property Information

Parcel Size: 17,400 square-feet (0.3994-acres) **Existing Use:** Vacant

Zoning District: B-2 Central Business District **Master Plan:** Commercial

Proposed Use: 4 to 5 detached 2-story multi-family dwellings to accommodate 2 bedroom units.

C. Vicinity Data

The site is located with an area that is primarily comprised of commercial developments off Del Rio Boulevard and residential developments immediately to the rear of the subject site.

D. Infrastructure

Property is currently served by public utilities/franchises, including water, sanitary sewer, storm sewer, telephone, electric service, garbage, and cable. Access to this lot is provided by Del Rio Boulevard.

II. PUBLIC NOTICE

Public Notification of the Planning and Zoning Commission public hearing to consider the rezone request was completed consistent with the provisions of *Chapter 211* of the *State of Texas Local Government Code Title 7*. Eight (8) notices were mailed to the abutting property owners within the 200 feet radius from the subject property.

III. RECOMMENDED FINDINGS OF FACT

A. Conclusions

1. Section 1(b)(4) of *Eagle Pass City Charter Article IX* authorizes the Planning and Zoning Commission to recommend or disapprove proposed changes to the *City of Eagle*

Pass Zoning Plan. A request for a change in a zoning district designation for a property constitutes a change to the *zoning plan* and the *zoning plan map*.

2. The applicant's request contains sufficient information for consideration by the Eagle Pass Planning and Zoning Commission. Information contained in this report and the Commission's associated public meeting will be used by the City Council in their consideration of the rezone request. Please refer to Attachment 1.

3. The *Master Plan* is the primary document used in the analysis as to the appropriateness of a rezone request. The *Master Plan Map* provides direction as to the areas of the City in which residential, commercial, and industrial development is to be situated.

4. The 'Housing Goals' of the *Master Plan* are applicable to this rezone, as the eventual use of the site will be commercial, specifically for multi-family dwellings. The rezone, if granted, will result in construction activities that will include the enforcement of appropriate land development regulations resulting in appropriate lot sizes, paved streets with curb and gutters, and adequate utility services.

5. The rezone request is not consistent with the 'Land Use Development Goals' of the *City of Eagle Pass Master Plan*. The request to change from the *B-2 Central Business District* to *B-3 General Business District* would allow for development that is not consistent with the character and scale of the vicinity.

The purpose of the rezone is to allow for subsequent construction of multi-family dwellings, on the property.

6. The rezone request is consistent with the *Master Plan's* 'Street Objectives', 'Thoroughfare Goals', and 'Thoroughfare Objectives', as access to the rezone site will be provided by Del Rio Boulevard.

7. The rezone request does not conform to the purpose of the City's zoning code, as the subsequent multi-family residential development of the property will result in a use that is not consistent with the intent of the *B-1 Neighborhood Business District* and the commercial uses in the vicinity of the site. Please refer to Attachment 2 for a copy of the City's *Zoning District Map*.

8. The property is located in an area that contains multi-family uses. Please refer to Attachment 1 for a photograph of the rezone site.

9. The rezone request has been conditioned to insure conformance with the direction provided in the *Master Plan's* 'Storm Drainage Goals' and 'Storm Drainage Objectives'.

10. The rezone request is not consistent with the goals and objectives of the *Master Plan* and the purpose of the *City of Eagle Pass Code of Ordinances Appendix A* governing zoning as set forth in Conclusion 1 through 9 of this Report. The rezone request, therefore, should be denied.

C. Planning Department Recommendation

The Planning and Zoning Commission recommend that the City Council deny a zoning district change from *B-2 Central Business District* to *R3-A* or *B-3 General Business District* for property legally defined as Lot 18 in Block 1 of Paso Del Rio Subdivision Replat, also known 1953 Del Rio Boulevard, subject to the following condition:

1. Subsequent development of the property shall comply with the following sections in the *City of Eagle Pass Code of Ordinances*:

- Chapter 8 governing buildings
- Chapter 12 governing the electrical code
- Chapter 13 governing the fire code
- Chapter 14 governing garbage and rubbish
- Chapter 21 governing plumbing
- Chapter 16 governing health and sanitation
- Chapter 22 governing streets, sidewalks and other public places
- Chapter 23 governing subdivisions, including landscaping and fences
- Chapter 27 governing water and sewers, including drainage
- Appendix A governing zoning, including off-street parking

TRANSMITTED to the parties listed hereafter:

Ivan A. Davila via e-mail
Planning and Zoning Commission Members via e-mail
Eagle Pass Planning Department Report dated March 3, 2022

Attachment 1
Application



PLANNING DEPARTMENT

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

ZONING CHANGE APPLICATION

Case No: 7435

Applicant Information	Name: <u>Ivan Alejandro Davila</u> Mailing Address: <u>229 N Adams St PMB 335</u> Phone: <u>(210) 394-7133</u> E-mail: <u>idavila@mxminerals.com</u> <u>Note:</u> if you are not the owner of the property, you must attach a letter from the owner authorizing you to submit this application.
Property Owner Information	Name: <u>Ivan Davila & Nicole Bres</u> Mailing Address: <u>229 N Adams St PMB 335</u> Phone: <u>(210) 394-7133</u> E-mail: <u>idavila@mxminerals.com</u>
Property Information	Site Address: <u>1953 Del Rio Blvd</u> MCAD Property ID # <u>59769</u> Legal Description: Lot(s) <u>18</u> Block <u>1</u> Subdivision <u>Paso Del Rio</u> (Property must be legally subdivided or be lot of record) Front Yard Width (feet) <u>100</u> Rear Yard Width (feet) <u>100.23</u> Side Yard Width (feet) <u>176.70'</u> <u>vacant land</u> <u>172.18'</u>
Proposed Project	Amend Zoning Regulations contained in section _____ Amend the Official Zoning Map & Master Plan by changing <u>0.3994</u> acres of land currently zoned <u>B2-Central Business</u> to be zoned <u>R3A-Apartment District</u> Conforms with the Zoning Map? ☒ Yes ☐ No Conforms with Master Plan Designation? ☒ Yes ☐ No ☐ Vacant Land ☐ Vacant Building ☐ Single Family Dwelling ☒ Commercial - multi-family ☒ Multi-Family Dwellings ☐ Industrial ☐ Other _____



- Describe the character and/or nature of uses surrounding the property.
Retail (Dollar General) at one side

Residential on the rear of the property

Elderly related housing/office currently in construction at another side

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

☒ Yes ☐ No

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

Applicant Authorization

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

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

Applicant Signature

Date

[Handwritten Signature]

Jan 17, 2022 Jan 17, 2022

Office Use

Application Accepted for Review: Date: _____ By: _____

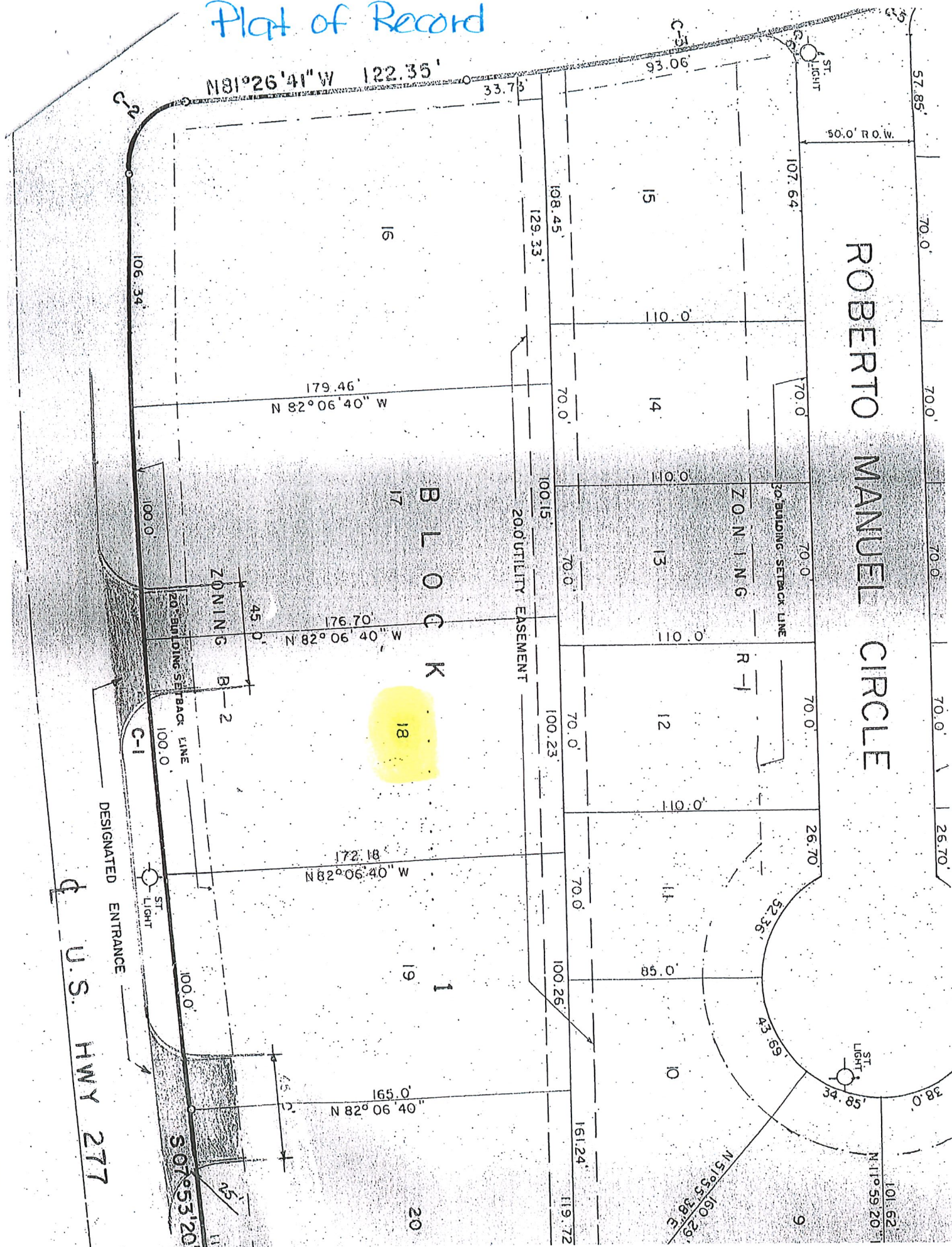
Contact Date for Supplemental Info: _____ Supplemental Info Received: _____

Completeness Review By: _____ Date: _____

Fee Processing Date _____ Check # _____ Receipt # _____

Application Returned to Applicant: _____

ROBERTO MANUEL CIRCLE



AERIAL MAP



Preliminary plan
not to scale

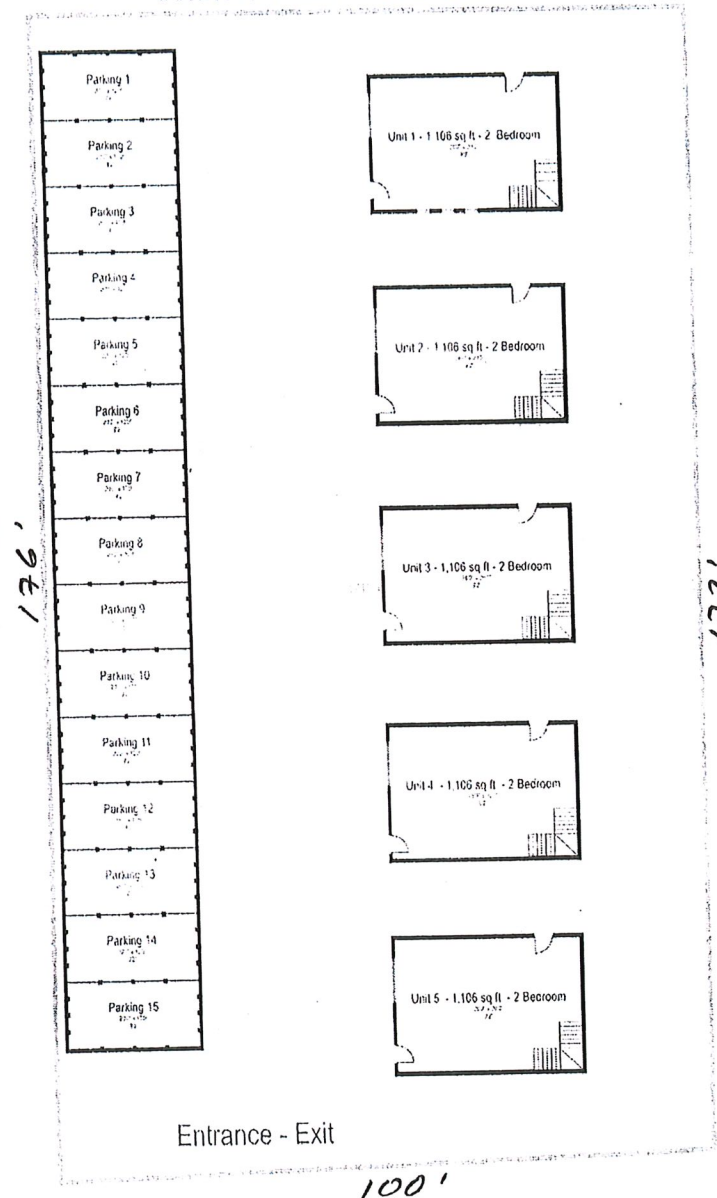
5 Single Family Units

1,106 sq ft each

2 Bedrooms - 1 Office - 1.5 Baths - 2 Floors



Dollar General

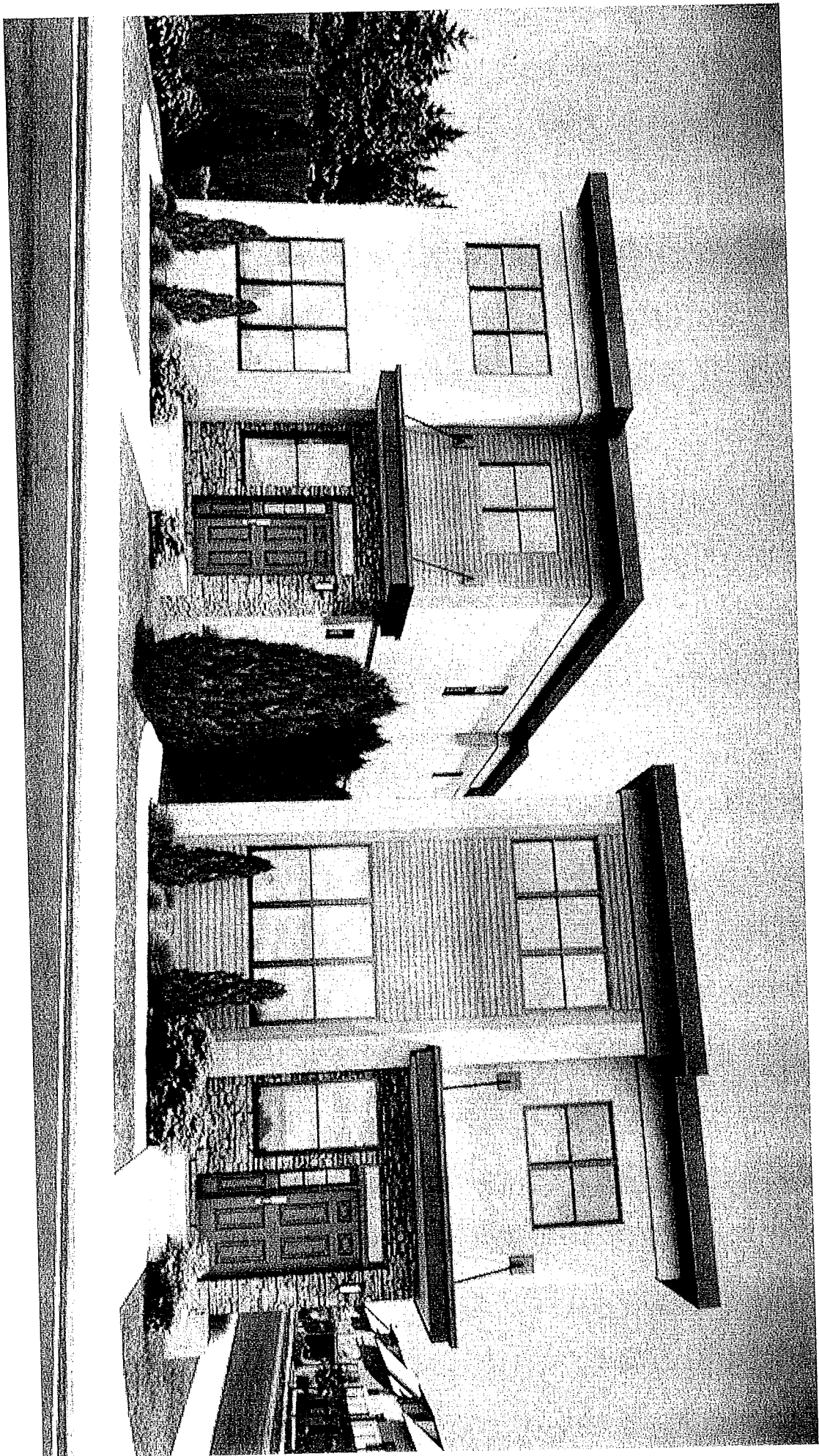


Del Rio Boulevard

IVAN DAVILA - NICOLE BRES

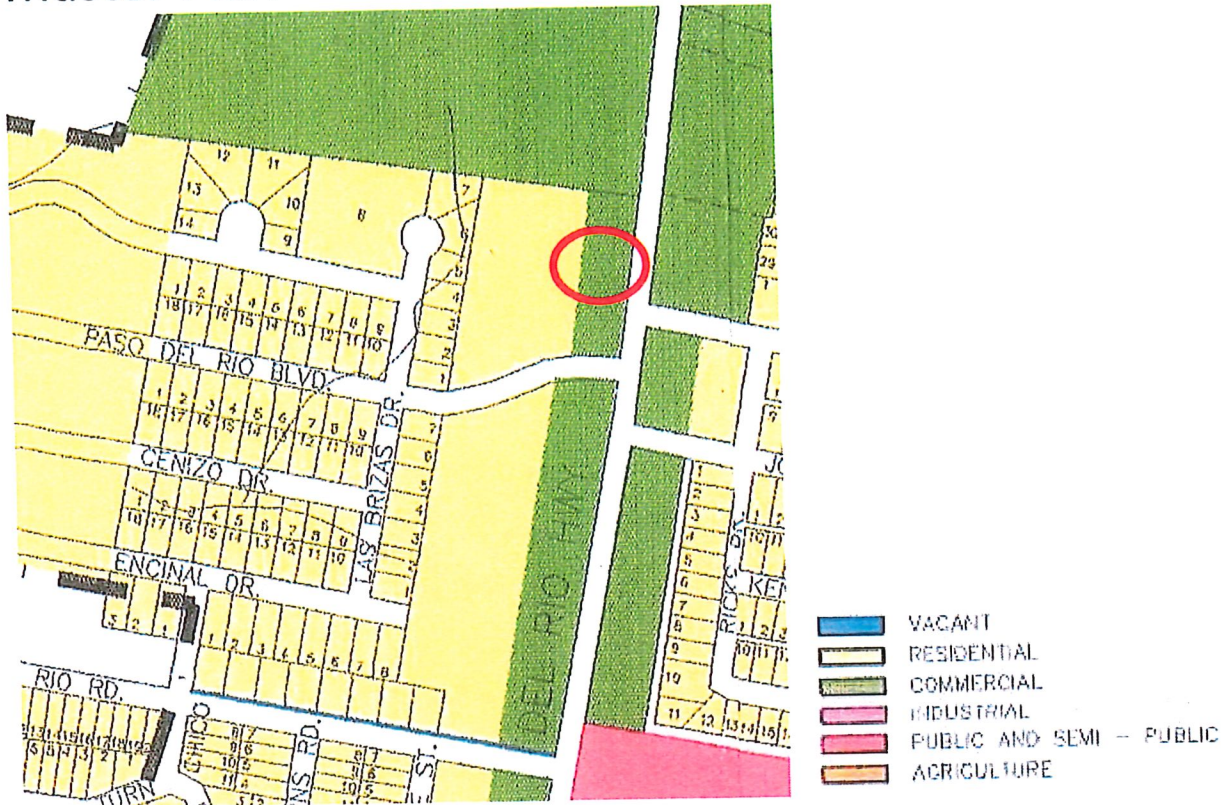
Internal - 5800ft²
External - 6426ft²
Overall - 26.55yd x 51.90yd





Attachment 2
Zoning Map & Master Plan

Master Plan



Zoning Map



Item #3



Planning Department Executive Summary
REPORT TO THE PLANNING & ZONING COMMISSION

2258 Garrison Street Rezone Request

I. BACKGROUND

A. General Information Case No. 7502

Applicant and Property Owner: Eagle Sky RE, LLC | 1 Sky Way | Uvalde, Tx 78801

Location: 2258 Garrison Street

Property ID Number: 4672 & 4680

Legal Description: .5229 acre lot located in Day Land and Cattle Company Survey 835 ½, Abstract 1240, (called to be located in Abstract 1111 in vesting deed) Maverick County, Texas and described in conveyance document to Eagle Sky RE LLC recorded in Document Number 2113307 of the Maverick County Official Public Records, Maverick County, Texas.

Request: Rezone parcel from R-1 First One-Family Dwelling District to B-3 General Business District.

B. Subject Property Information

Parcel Size: approximate 22,699-square-feet

Existing Use: Vacant

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

Master Plan: Commercial

C. Vicinity Data

The site is located with an area that is primarily comprised of commercial developments. Parcel is adjacent to the Burger King and Consulado De Mexico.

D. Infrastructure

Property is currently served by public utilities/franchises, including water, sanitary sewer, storm sewer, telephone, electric service, garbage, and cable. Access to this lot is provided by Garrison Street.

II. PUBLIC NOTICE

Public Notification of the Planning and Zoning Commission public hearing to consider the rezone request was completed consistent with the provisions of *Chapter 211* of the *State of Texas Local Government Code Title 7*. Five (5) notices were mailed to the abutting property owners within the 200 feet radius from the subject property.

III. RECOMMENDED FINDINGS OF FACT

A. Conclusions

1. Section 1(b)(4) of *Eagle Pass City Charter Article IX* authorizes the Planning and Zoning Commission to recommend or disapprove proposed changes to the *City of Eagle*

Pass Zoning Plan. A request for a change in a zoning district designation for a property constitutes a change to the *zoning plan* and the *zoning plan map*.

2. The applicant's request contains sufficient information for consideration by the Eagle Pass Planning and Zoning Commission. Information contained in this report and the Commission's associated public meeting will be used by the City Council in their consideration of the rezone request. Please refer to Attachment 1.

3. The *Master Plan* is the primary document used in the analysis as to the appropriateness of a rezone request. The *Master Plan Map* provides direction as to the areas of the City in which residential, commercial, and industrial development is to be situated.

4. The 'Housing Goals' of the *Master Plan* are applicable to this rezone, as the eventual use of the site will be residential. The rezone, if granted, will result in construction activities that will include the enforcement of appropriate land development regulations resulting in appropriate lot sizes, paved streets with curb and gutters, and adequate utility services.

5. The rezone request is consistent with the 'Land Use Development Goals' of the *City of Eagle Pass Master Plan*. The request to change from the *R-1 district* to the *B-3 district* will allow for a continuation of the development in the neighborhood while retaining the community's character and scale. The change will facilitate the ultimate development of urban uses in a compatible arrangement that will make the community attractive to both residents and visitors and desirable to quality investments, while improving the commercial environment of the city.

The purpose of the rezone is to allow for the conformance with several sections in the City of Eagle Pass Code of Ordinances prior to any construction of the restaurant known as Smoothie King at subject property.

6. The rezone request is consistent with the *Master Plan's* 'Street Objectives', 'Thoroughfare Goals', and 'Thoroughfare Objectives', as access to the rezone site will be provided by Garrison Street.

7. The rezone request conforms to the purpose of the City's zoning code, as the subsequent development of the property will result in a use that is consistent with the permitted uses of the district and its peculiar suitability for particular uses in the vicinity of the site, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City. Please refer to Attachment 2 for a copy of the City's *Zoning District Map*.

8. The property is located in a neighborhood that contains commercial uses and should allow for property to be rezoned to a higher and better use. Please refer to Attachment 1 for a photograph of the rezone site.

9. The rezone request has been conditioned to insure conformance with the direction provided in the *Master Plan's* 'Storm Drainage Goals' and 'Storm Drainage Objectives'.

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

B. Planning and Zoning Commission Recommendation

The Planning and Zoning Commission recommend that the City Council prepare an **ADOPT** an Ordinance granting a zoning district change from *R-1 First One-Family Dwelling District*

to *B-3 General Business District* for property legally defined as an .5229-acre lot located in Day Land and Cattle Company Survey 835 ½, Abstract 1240, (called to be located in Abstract 1111 in vesting deed) Maverick County, Texas and described in conveyance document to Eagle Sky RE, LLC recorded in Document Number 2113307 of the Maverick County Official Public Records, Maverick County, Texas, also known as 2258 Garrison Street, subject to the following condition:

1. Subsequent development of the property shall comply with the following sections in the City of Eagle Pass *Code of Ordinances*:
 - Chapter 8 governing buildings
 - Chapter 12 governing the electrical code
 - Chapter 13 governing the fire code
 - Chapter 14 governing garbage and rubbish
 - Chapter 21 governing plumbing
 - Chapter 16 governing health and sanitation
 - Chapter 22 governing streets, sidewalks and other public places
 - Chapter 23 governing subdivisions, including landscaping
 - Chapter 27 governing water and sewers, including drainage
 - Appendix A governing zoning, including off-street parking

TRANSMITTED to the parties listed hereafter:

Eagle Sky RE, LLC via e-mail
Planning and Zoning Commission Members via e-mail
Eagle Pass Planning Department Report dated March 3, 2022

Attachment 1
Application



PLANNING DEPARTMENT

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

ZONING CHANGE APPLICATION

Case No: 4502

Applicant Information	Name: <u>Eagle Sky RE, LLC</u>
	Mailing Address: <u>1 Sky Way Uvalde, TX 78801</u>
	Phone: <u>830 591 4750</u> E-mail: <u>mark@airhuff.com</u>
	Note: if you are not the owner of the property, you must attach a letter from the owner authorizing you to submit this application.

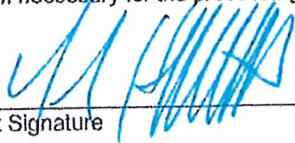
Property Owner Information	Name: <u>Eagle Sky RE, LLC</u>
	Mailing Address: <u>1 Sky Way Uvalde, TX 78801</u>
	Phone: <u>830 591 4750</u> E-mail: <u>mark@airhuff.com</u>

Property Information	Site Address: <u>2258 Garrison St.</u> MCAD Property ID # <u>4672, 4680</u>	
	Legal Description: Lot(s) <u>1</u> Block <u> </u> Subdivision <u>ABSTRACT A1111, FOX, F. & J. BYRNE, SURVEY #8 1/2.</u>	
	(Property must be legally subdivided or be lot of record)	
	Front Yard Width (feet) <u>20 ft</u> Rear Yard Width (feet) <u>0</u> Side Yard Width (feet) <u>0</u>	

Proposed Project	Amend Zoning Regulations contained in section <u> </u>
	Amend the Official Zoning Map & Master Plan by changing <u>0.5229</u> acres of land currently zoned <u>R-1</u> to be zoned <u>B-3</u>
	Conforms with the Zoning Map? ☒ Yes ☐ No
	Conforms with Master Plan Designation? ☒ Yes ☐ No
	☐ Vacant Land ☐ Vacant Building ☐ Single Family Dwelling ☒ Commercial
	☐ Multi-Family Dwellings ☐ Industrial ☐ Other <u> </u>

RECEIVED
11/26/22

Detailed Explanation of Proposed Use	
Proposed Use of Property/Reason for Change: This property will be used as a commercial restaurant, Smoothie King	
Describe the character and/or nature of uses surrounding the property: All surrounding property is used for commercial purposes.	
Will the rezoned designation be compatible with the classification and use of adjoining lands? ☒ Yes ☐ No	
If No, how do you propose to reduce any adverse impact?	

Applicant Authorization	I authorize the City of Eagle Pass to conduct any site visits necessary to evaluate this zoning change application.
	I hereby state that I have prepared this application and that, to the best of my knowledge, the information contained herein is complete, accurate, and a true representation of the zoning change request. I further attest that I have the authority to submit this application and agree to comply with any and all conditions of the zoning change approval. I agree to provide any additional information requested by the City as they deem necessary for the processing of this application.
	 Applicant Signature 1/26/22 Date

Office Use	Date Application Accepted for Review: _____ By: _____
	Contact Date for Supplemental Info: _____ Supplemental Info Received: _____
	Completeness Review Date: _____ By: _____
	Application Returned to Applicant: _____ (when applicable)
MR-7/2020	

DIRKSEN ENGINEERING

107 W. SOUTH ST. Uvalde, Texas 78801

TBPE FIRM # F-8848

TBPLS FIRM # 10193741

Office Tel. (830) 278-2100

Fax (830) 278-2102

FIELD NOTES FOR 0.5229 ACRE BOUNDARY SURVEY COMPLETED ON OCTOBER 14, 2021

Being 0.5229 acre located in Day Land and Cattle Company Survey 35 ½, Abstract 1240, (called to be located in Abstract 1111 in vesting deed) Maverick County, Texas and described in conveyance document to Eagle Sky RE LLC recorded in Document Number 2113307 of the Maverick County Official Public Records, Maverick County, Texas and more particularly described by metes and bounds as follows: (The bearings and distances shown herein conform to the Texas Coordinate System, North American Datum 1983, Texas South Central Zone.) (All corners called for as being set are marked on the ground with ½ inch steel stakes with plastic identification caps stamped "DIRKSEN/6260" attached unless otherwise noted or shown.)

BEGINNING at a steel stake found in concrete (S.P.C. N:13444215.27, E:1492667.00) in the north line of the Texas State Bank Subdivision recorded in Envelope 279, Side B of the Maverick County Map Records at the southwest corner of a 60 ft wide road easement for the southeast corner of the herein described tract;

THENCE N 89°31'55" W, 280.39 feet with the north line of said Texas State Bank Subdivision to a steel stake set in the east right of way of Garrison Street for the southwest corner of the herein described tract;

THENCE With the east right of way of Garrison Street for the following two (2) calls:

1. N 28°44'35" E, 146.96 feet to a steel stake found for an angle point;
2. N 35°54'30" E, 51.02 feet to a steel stake found at the southwest corner of said 0.0144 acre tract save and excepted in conveyance document to Summit Property Holdings, LLC recorded in Document Number 211063 of the Maverick County Official Public Records for the northwest corner of the herein described tract;

THENCE N 89°28'08" E, 30.21 feet to a steel stake found at the southeast corner of said 0.0144 acre tract and in the west line of a 0.8157 acre tract described in conveyance document to Tokaz, Inc. recorded in volume 243, Pages 403- et seq. of the Maverick County Deed Records for the northeast corner of the herein described tract;

THENCE With the west and south line of said Tokaz, Inc. Tract for the following two (2) calls:

1. S 00°11'59" W, 113.95 feet to a steel stake found for a reentrant corner;
2. S 89°18'13" E, 149.73 feet to a steel stake found in the west right of way of said 60 feet wide road easement for a northeast corner of the herein described tract;

THENCE S 00°15'41" E, 56.97 feet to the POINT OF BEGINNING containing 0.5229 acre of land within the herein described boundary as surveyed by Dirksen Engineering on October 14, 2021.

THE STATE OF TEXAS:
COUNTY OF UVALDE:

It is hereby certified that the foregoing field note description and attached plat were prepared from an actual on the ground survey made by personnel working under my direct supervision and that same are true and correct according to same said survey.



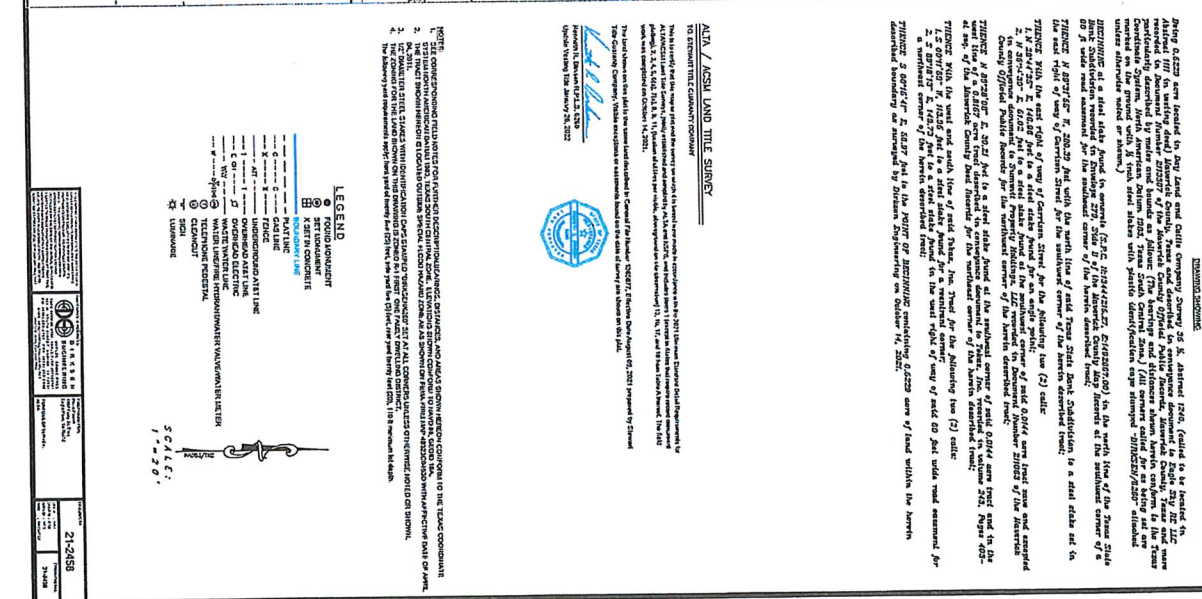
Kenneth R. Dirksen, P.E., R.P.L.S.
Registered Professional Land Surveyor No. 6260

21-2458



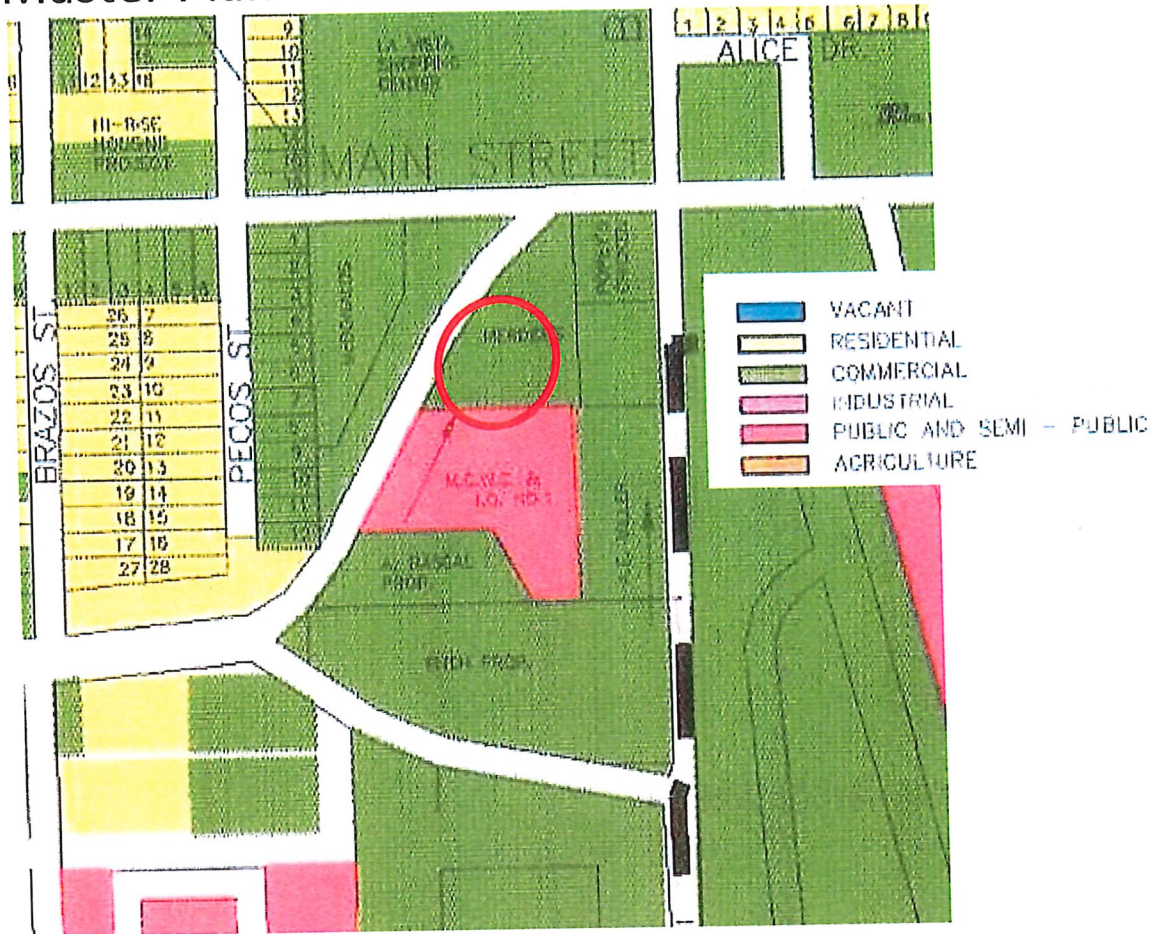
AERIAL MAP



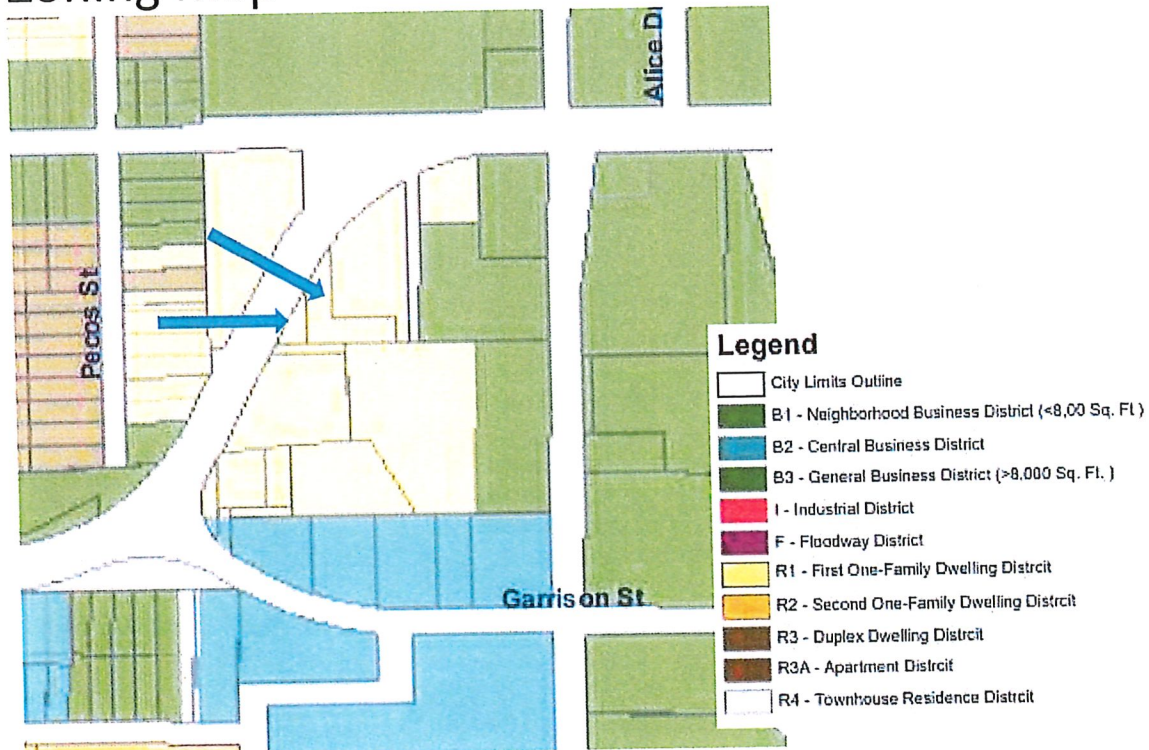


Attachment 2
Master Plan & Zoning Map

Master Plan



Zoning Map



Item #4



**Planning Department Executive Summary
REPORT TO THE PLANNING & ZONING COMMISSION**

558 Madison Street Rezone Request

I. BACKGROUND

A. General Information Case No. 7499

Applicant: Anna M. Serrano | 1304 Katy Drive | Eagle Pass, Tx 78852

Legal Description: Being the North 66.50 feet of Lot 7 in Block 5 of Range 5

Property ID Number: 16916

Request: Rezone parcel from *R-1 First One-Family Dwelling District* to *R-3A Apartment District* to accommodate multi-family dwelling(s).

B. Subject Property Information

Parcel Size: 9,900 square-feet (0.2273-acres)

Existing Use: Vacant

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

Master Plan: Residential

C. Vicinity Data

The site is located with an area that is primarily comprised of residential and commercial developments and adjacent to the Eagle Pass Independent School District Central Office and San Juan Plaza.

D. Infrastructure

Property is currently served by public utilities/franchises, including water, sanitary sewer, storm sewer, telephone, electric service, garbage, and cable. Access to this lot is provided by Madison Street.

II. PUBLIC NOTICE

Public Notification of the Planning and Zoning Commission public hearing to consider the rezone request was completed consistent with the provisions of *Chapter 211* of the *State of Texas Local Government Code Title 7*. Seventeen (17) notices were mailed to the abutting property owners within a 200-foot radius.

III. RECOMMENDED FINDINGS OF FACT

A. Conclusions

1. *Section 1(b)(4)* of *Eagle Pass City Charter Article IX* authorizes the Planning and Zoning Commission to recommend or disapprove proposed changes to the *City of Eagle Pass*

Zoning Plan. A request for a change in a zoning district designation for a property constitutes a change to the *zoning plan* and the *zoning plan map*.

2. The applicant's request contains sufficient information for consideration by the Eagle Pass Planning and Zoning Commission. Information contained in this report and the Commission's associated public meeting will be used by the City Council in their consideration of the rezone request. Please refer to Attachment 1.

3. The *Master Plan* is the primary document used in the analysis as to the appropriateness of a rezone request. The *Master Plan Map* provides direction as to the areas of the City in which residential, commercial, and industrial development is to be situated.

4. The 'Housing Goals' of the *Master Plan* are applicable to this rezone, as the eventual use of the site will be residential. The rezone, if granted, will result in construction activities that will include the enforcement of appropriate land development regulations resulting in appropriate lot sizes, paved streets with curb and gutters, and adequate utility services.

5. The rezone request is consistent with the 'Land Use Development Goals' of the *City of Eagle Pass Master Plan*. The request to change from the *R-1 First One-Family Dwelling District* to *R-3A Apartment District* will allow for a continuation of the development in the neighborhood while retaining the community's character and scale. The change will facilitate the ultimate development of urban uses in a compatible arrangement that will make the community attractive to both residents and visitors and desirable to quality investments, while improving the residential environment of the city.

The purpose of the rezone is to allow for subsequent construction of multi-family dwelling units on the property.

6. The rezone request is consistent with the *Master Plan's* 'Street Objectives', 'Thoroughfare Goals', and 'Thoroughfare Objectives', as access to the rezone site will be provided by Madison Street.

7. The rezone request conforms to the purpose of the City's zoning code, as the subsequent residential development of the property will result in a use that is consistent with intent of the *R3-A Apartment District* and consistent with residential uses in the vicinity of the site, with a view to conserving the value of buildings and encouraging the most appropriate use of land adjacent that will have access to a public street. Please refer to Attachment 2 for a copy of the City's *Zoning District Map*.

8. The property is located in a neighborhood that contains residential uses and should allow for property to be rezoned to a higher and better use. Please refer to Attachment 1 for a photograph of the rezone site.

9. The rezone request has been conditioned to insure conformance with the direction provided in the *Master Plan's* 'Storm Drainage Goals' and 'Storm Drainage Objectives'.

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

B. Planning Department Recommendation

The Planning and Zoning Commission recommend that the City Council prepare and **ADOPT** an Ordinance granting a zoning district change from *R-1 First One-Family Dwelling District* to *R-3A Apartment District* for property legally defined as the North 66.50 feet of Lot 7 in Block 5 of Range 5, subject to the following condition:

1. Subsequent development of the property shall comply with the following sections in the City of Eagle Pass *Code of Ordinances*:

- Chapter 8 governing buildings
- Chapter 12 governing the electrical code
- Chapter 13 governing the fire code
- Chapter 14 governing garbage and rubbish
- Chapter 21 governing plumbing
- Chapter 16 governing health and sanitation
- Chapter 22 governing streets, sidewalks and other public places
- Chapter 23 governing subdivisions, including landscaping and fences
- Chapter 27 governing water and sewers, including drainage
- Appendix A governing zoning, including off-street parking

TRANSMITTED to the parties listed hereafter:

Ana M. Serrano via e-mail
Planning and Zoning Commission Members via e-mail
Eagle Pass Planning Department Report dated March 3, 2022

Attachment 1
Application



PLANNING DEPARTMENT

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

ZONING CHANGE APPLICATION

Case No: 7499

Applicant Information	Name: <u>ANA M SERRANO</u>
	Mailing Address: <u>1304 KATY DR EAGLE PASS TX 78852</u>
	Phone: <u>(830)968-0398</u> E-mail: <u>anacristina6738yahoo.com</u>
	<u>Note: if you are not the owner of the property, you must attach a letter from the owner authorizing you to submit this application.</u>

Property Owner Information	Name: <u>ANA M SERRANO</u>
	Mailing Address: <u>1304 KATY DR EAGLE PASS TX 78852</u>
	Phone: <u>(830) 968-0398</u> E-mail: <u>anacristina6738@yahoo.com</u>

Property Information	Site Address: <u>558 madison st</u> MCAD Property ID # <u>16916</u>
	Legal Description: Lot(s) <u>7</u> Block <u>5</u> Subdivision <u>Range Unit #5</u> (Property must be legally subdivided or be lot of record) <u>(North 46.541)</u>
	Front Yard Width (feet) <u>66.6</u> Rear Yard Width (feet) <u>66.6</u> Side Yard Width (feet) <u>150</u>

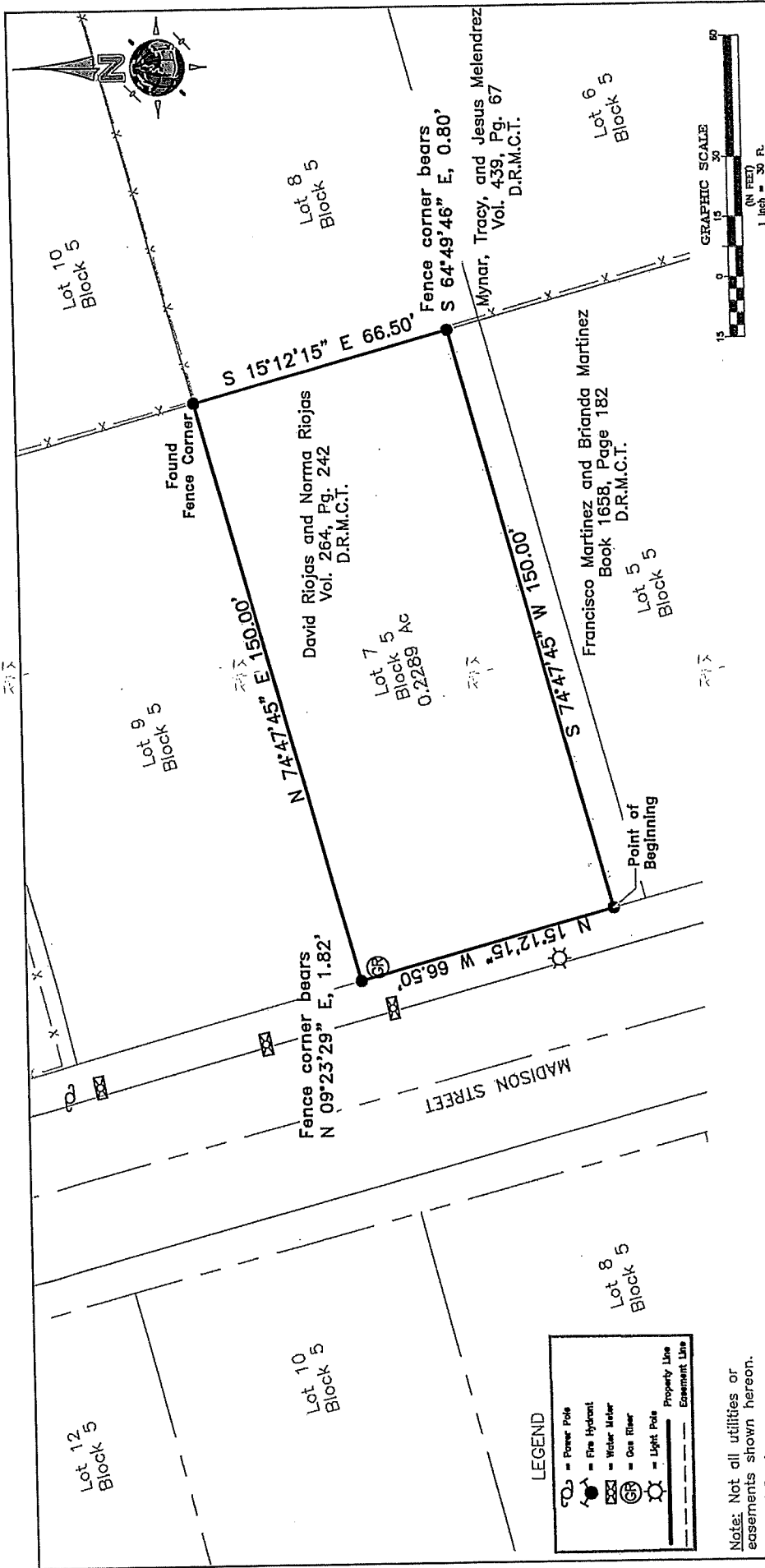
Proposed Project	Amend Zoning Regulations contained in section <u>5 of the Zoning Ordinance</u>
	Amend the Official Zoning Map & Master Plan by changing <u>0.2273</u> acres of land currently zoned <u>R1 First one Family Dwelling</u> to be zoned <u>R3A Apartment District</u>
	Conforms with the Zoning Map? ☒ Yes ☐ No
	Conforms with Master Plan Designation? ☒ Yes ☐ No
	☐ Vacant Land ☐ Vacant Building ☐ Single Family Dwelling ☐ Commercial
	☒ Multi-Family Dwellings ☐ Industrial ☐ Other <u>currently</u>

RECEIVED
2/10/22

Detailed Explanation of Proposed Use	
Proposed Use of Property/Reason for Change: to build a (4) dual plex apartments	
Describe the character and/or nature of uses surrounding the property:	
apartments and duplexes found/established in the surrounding area	
Will the rezoned designation be compatible with the classification and use of adjoining lands? ☒ Yes ☐ No	
If No, how do you propose to reduce any adverse impact?	

Applicant Authorization	I authorize the City of Eagle Pass to conduct any site visits necessary to evaluate this zoning change application. I hereby state that I have prepared this application and that, to the best of my knowledge, the information contained herein is complete, accurate, and a true representation of the zoning change request. I further attest that I have the authority to submit this application and agree to comply with any and all conditions of the zoning change approval. I agree to provide any additional information requested by the City as they deem necessary for the processing of this application.
	 Applicant Signature <u>02/09/22</u> Date

Office Use	Date Application Accepted for Review: <u>2/10/22</u> By: <u>LV/MR</u>
	Contact Date for Supplemental Info: <u>NA</u> Supplemental Info Received: <u>NA</u>
	Completeness Review Date: <u>2/10/22</u> By: <u>LV</u>
	Application Returned to Applicant: <u>NA</u> (when applicable)
MR:7/2020	



LEGEND

	Power Pole
	Fire Hydrant
	Water Meter
	Gas Meter
	Light Pole
	Property Line
	Easement Line

Note: Not all utilities or easements shown hereon.

Basis of Bearings:
Texas South Central Zone - 4204 - NAD 83

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THE FOREGOING SURVEY WAS MADE AND WAS PREPARED FROM A RECENT AND ACCURATE SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION, AND THAT THE CORNER MONUMENTS SHOWN WERE PROPERLY PLACED OR LOCATED.

JULIAN JAVIER RUIZ
5304
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5304

2-4-22
CURRENT DATE

Julian Javier Ruiz, R.P.L.S. No. 5304

SURVEY

of The North 66.50' feet, Lot 7, Block 5, Range 5, on Addition to the City of Eagle Pass Recorded in Volume 264, Page 242 Map Records, Maverick County, Texas

Address: 558 Madison Street, Eagle Pass, Texas

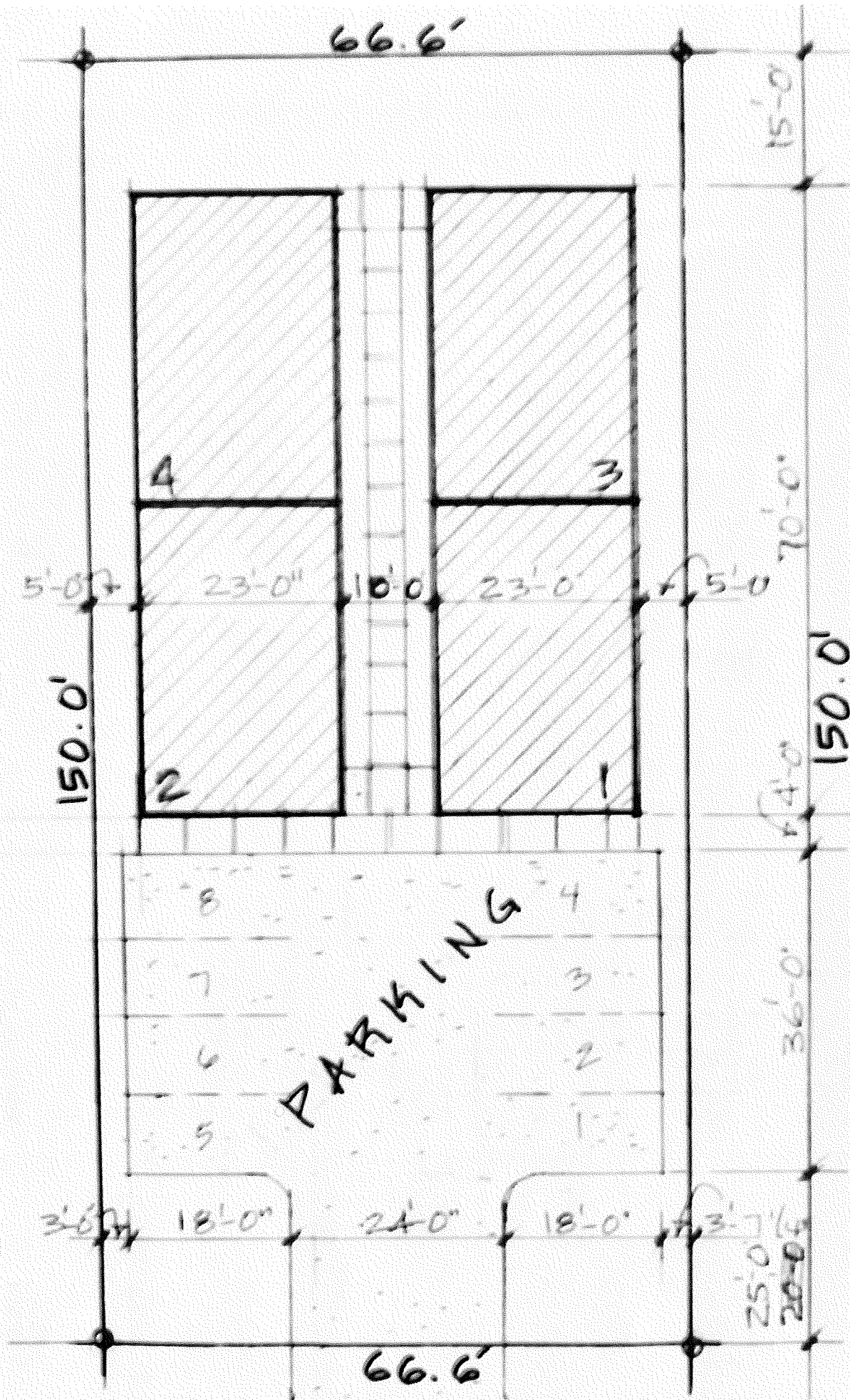


TERRATECH LAND SURVEYING

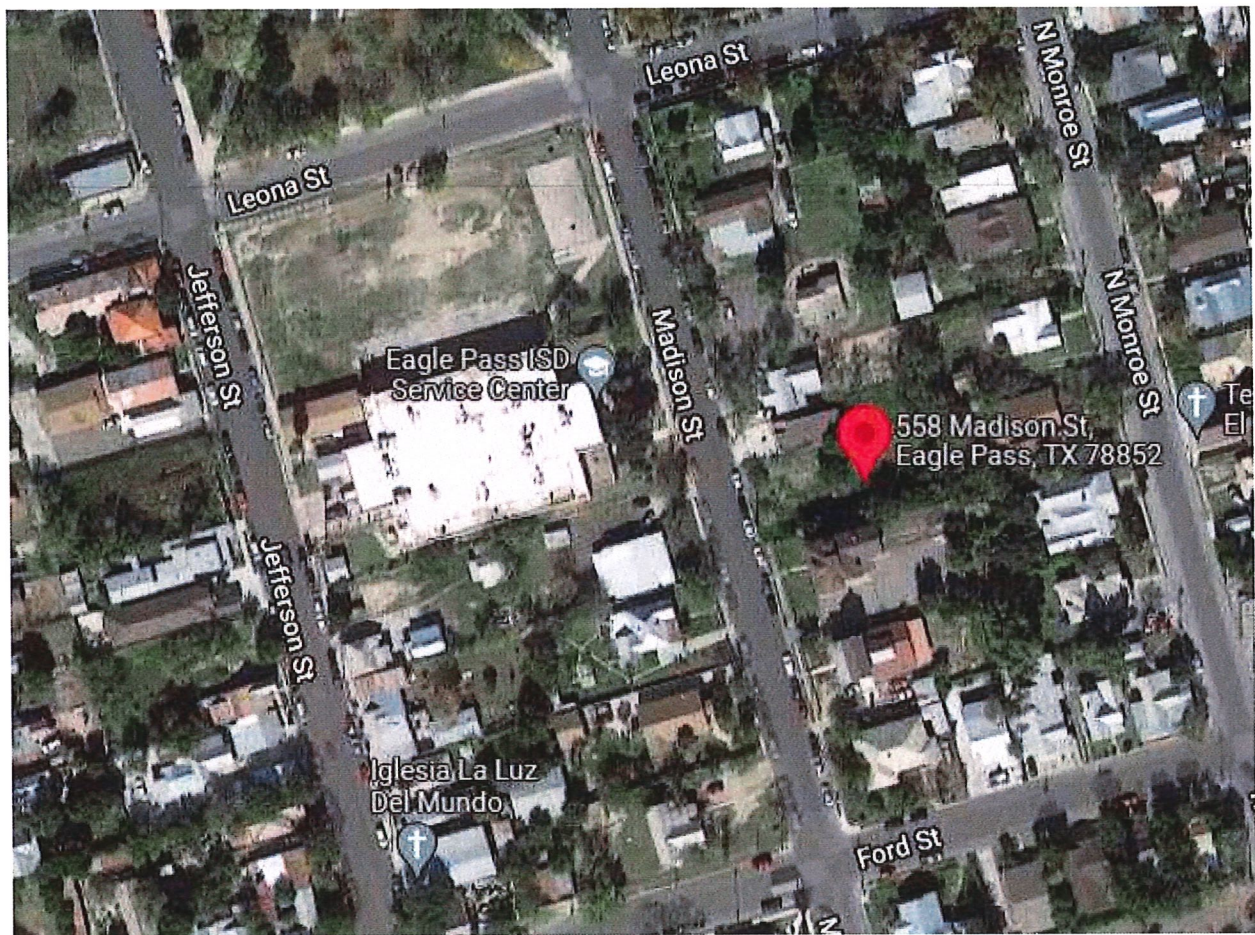
3292 EL INDIO HWY, EAGLE PASS, TX
(830) 205-2101
tjrb@tcrtechsurveying.com
FIRM # 10194726
www.tcrtechsurveying.com

TECH: NUL, GSZA
O.C.: JUR
JOB No. 2019-22
DATE: 2-4-22
F.B.: 000
PG.: 000
SHEET: 1 OF 2

[Handwritten signature]

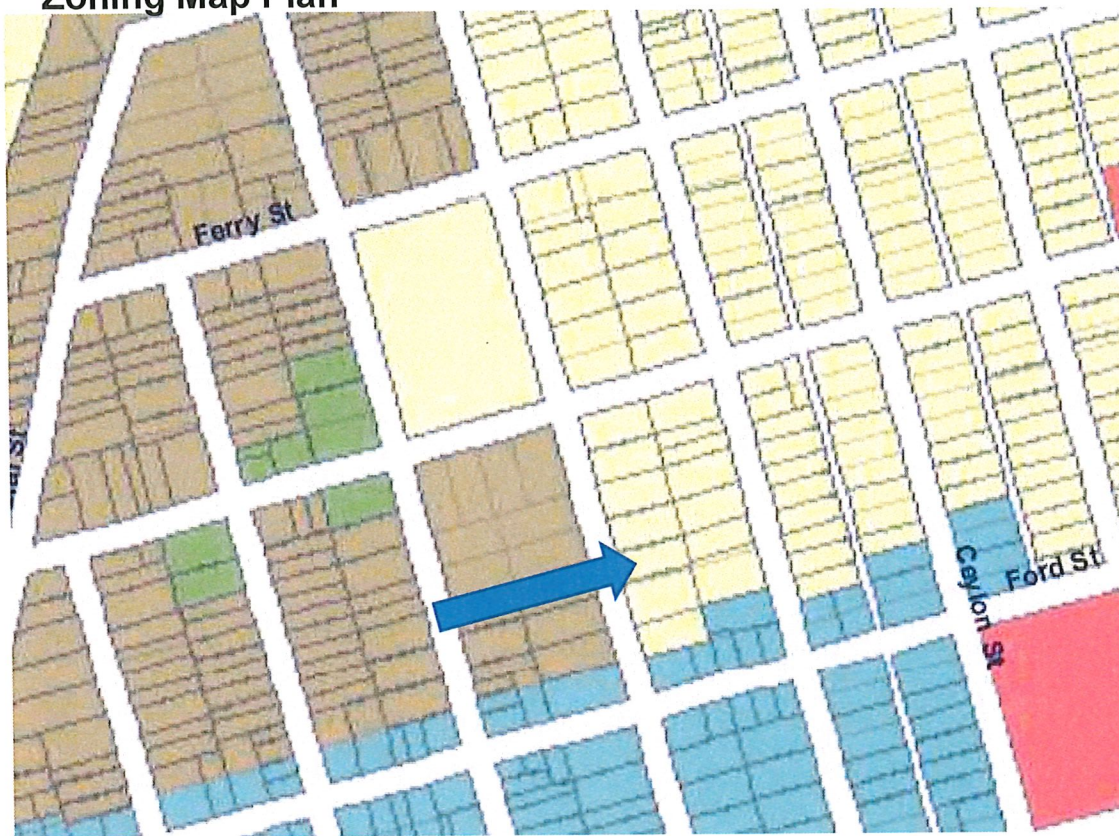


A&H SPECTACULAR HOMES LLC

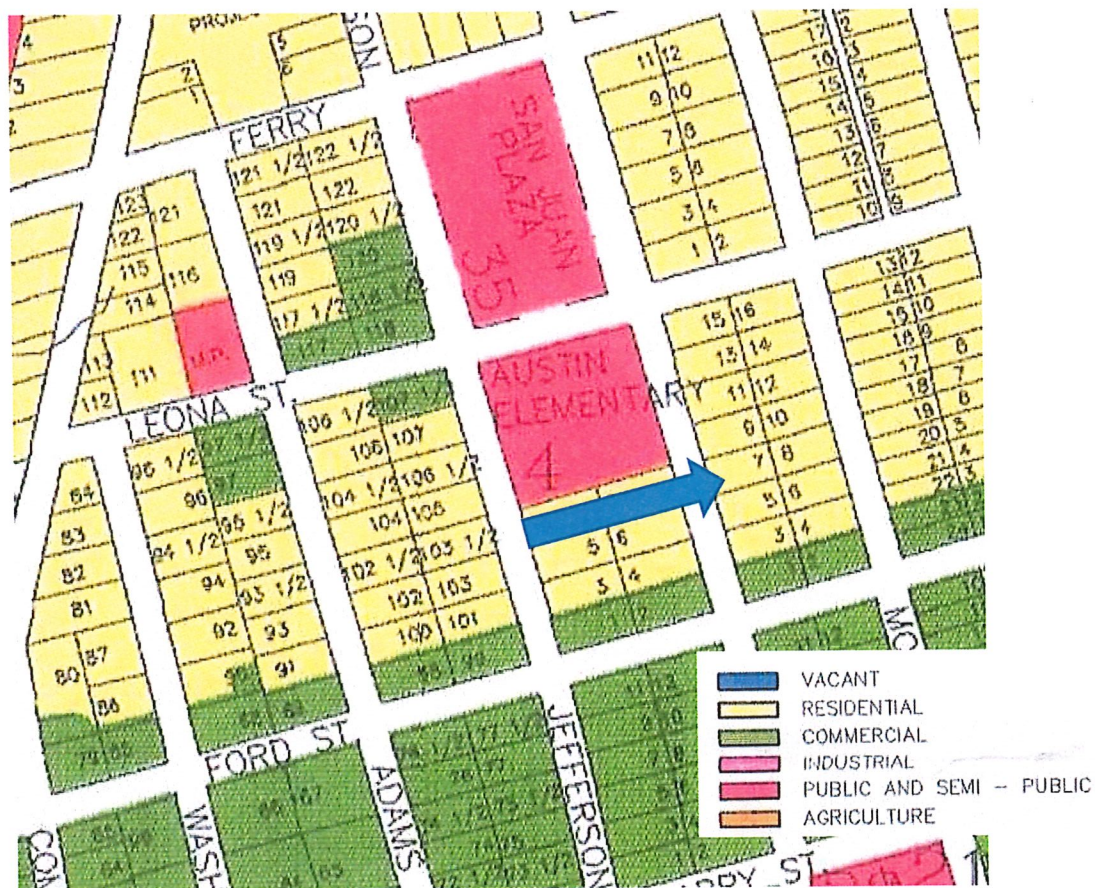


Attachment 2
Zoning Map & Master Plan

Zoning Map Plan



Master Plan Map



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

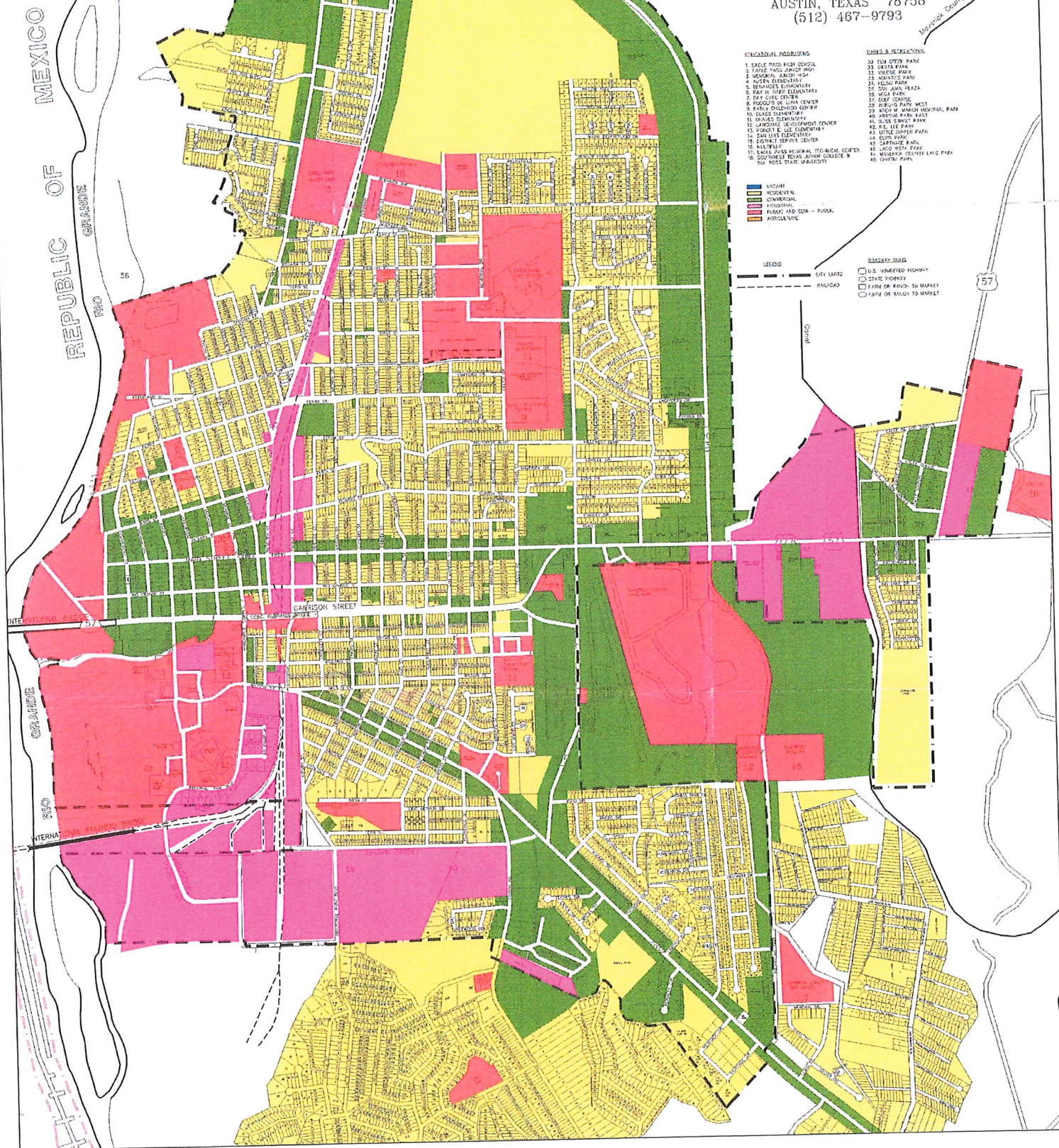
THESE MAPS ARE PRESENTED WITHOUT WARRANTY OF ANY KIND, EITHER EXPRESSED OR IMPLIED, RESPECTING THE CONTENTS OF THESE MAPS, INCLUDING BUT NOT LIMITED TO THE ACCURACY, LOCATION AND OWNERSHIP OF ANY FACILITIES. NEITHER THE CITY OF EAGLE PASS, NOR HEIL, LEE AND ASSOCIATES, INC. OR ITS REPRESENTATIVES SHALL BE LIABLE TO ANY PERSON OR ENTITY WITH RESPECT TO ANY LIABILITY, LOSS, OR DAMAGE CAUSED OR ALLEGED TO BE CAUSED DIRECTLY OR INDIRECTLY BY THESE MAPS.

CAD DRAWING FILE: FUTLUMAP.DWG
DATE: 01/08/96



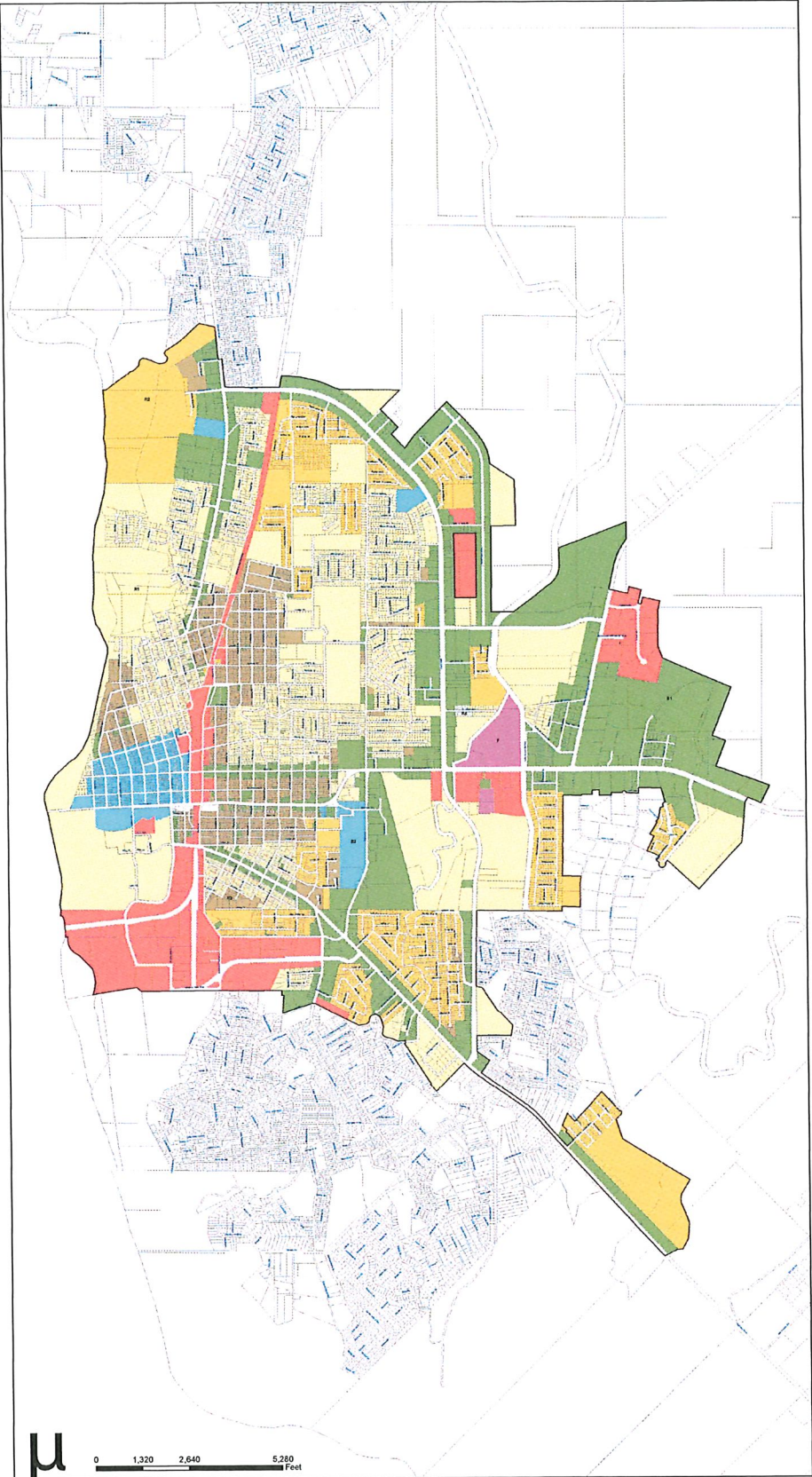
FIGURE A.5.3
CITY OF EAGLE PASS, TEXAS
FUTURE LAND USE MAP

PREPARED BY:
HEJL, LEE & ASSOCIATES, INC.
CONSULTING ENGINEERS
2207 HANCOCK DRIVE
AUSTIN, TEXAS 78756
(512) 467-9793



Legend

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



- City Limits Outline
- B1 - Neighborhood Business District (<8,000 Sq. Ft.)
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- R3A - Apartment District
- R4 - Townhouse Residence District

Eagle Pass, Texas
WIS, WIS, Eagle Pass, Texas, Eagle Pass, Texas, Eagle Pass, Texas
Eagle Pass, Texas, Eagle Pass, Texas, Eagle Pass, Texas, Eagle Pass, Texas
October 1, 2007 (Updated)



TRUE AUTOMATION, INC.
2600 Technology Dr Suite 900
Phone: 972.631.1550
Fax: 972.633.0533
Plano, TX 75074
www.trueautomation.com

Item #5



Planning Department Executive Summary
REPORT TO THE PLANNING AND ZONING COMMISSION

Final Replat of Lot F in Block 1 in Chula Vista Subdivision Unit 7

I. BACKGROUND

A. General Information

Applicant: Dirksen Engineering | 107 W. South St. | Uvalde, Tx 78801

Location: 951 Chula Vista Road

Property ID Number: 55600

Legal Description: Lot F in Block 1 of Chula Vista Subdivision Unit 7

Request: Final replat approval to subdivide an approximately 0.86-acre tract into two (2) residential lots, including (a) a variance to proceed to final plat directly without first having obtained preliminary replat approval and (b) a sidewalk waiver from having to construct a sidewalk, including curb and gutter along the property street frontage abutting Chula Vista Road and Candelario Montalvo Jr. Street.

B. Subject Property Information

Parcel Size: 37,440—square feet **Existing Use:** single family dwelling

Topography: Generally flat **Vegetation:** residential landscaping

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

Master Plan: Not applicable as the parcel in the ETJ

C. Vicinity Data: The site is located within an area that features residential developments.

D. Infrastructure: The property is currently served by public utilities/franchises, including water, sanitary sewer, storm sewer, telephone, cable, electric service, gas and garbage service. Access to the site is provided by Chula Vista Road and Candelario Montalvo Jr. Street.

II. PUBLIC NOTICE

Public notification of the subdivision with variance requests before the Planning and Zoning Commission was completed consistent with the provisions of *Chapter 211* of the *State of Texas Local Government Code Title 7*. 41 notices to the abutting property owners within a 500 feet radius of the subject property.

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. *City of Eagle Pass Code of Ordinances Section 23-64(d)(1)* 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.

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

3. *City of Eagle Pass Code of Ordinances Section 23-11(e)* authorized the Planning and Zoning Commission to grant a variance from the requirement of the construction of curb and gutter and sidewalks shall not be required for any subdivision which is an additional unit of a subdivision wherein such construction was not previously required and whose plat was filed for record with the county clerk prior to 1984, and for which a valid and unexpired master plan is on file in the permanent records of the City of Eagle Pass under the care and custody of the city secretary. Please refer to Attachment 2 for a copy of the variance applications.

These improvements currently do not exist in the area and should be delayed until construction of the entire street(s) occurs. Grade along area is mild and is accessible by pedestrians.

4. *City of Eagle Pass Code of Ordinances Section 23-11* states that the Planning and Zoning Commission must find that the subdivision variances, enclosed as Attachment 2, comply with the criteria in order to the grant the subdivision variances. 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 23-36(a)* and *23-11(e)*

The aforementioned subdivision variances are consistent with the subdivision variance decision criteria 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 Chula Vista Road and Candelario Montalvo Jr. Street 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 Chula Vista Road and Candelario Montalvo Jr. Street 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 Chula Vista Road and Candelario Montalvo Jr. Street 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, including curb and gutter 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*.

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. Planning Department Recommendation

The Planning and Zoning Commission (1) **GRANT** the subdivision variance to proceed directly to Final Replat without first having obtained Preliminary Replat approval as required by *City of Eagle Pass Code of Ordinances Section 23-36(a)*, (2) **GRANT** a sidewalk waiver, including curb and gutter, and (3) recommend that City Council **GRANT** final approval of the proposed Final Replat of *Lot F in Block 1 of Chula Vista Subdivision Unit 7*, subject to the plat complying with the provisions of *Article III of City of Eagle Pass Code of Ordinances Chapter 23* governing procedures and specifications for Final Plats.

TRANSMITTED to the parties listed hereafter:

Dirksen Engineering via e-mail

Maverick County Planning Department via e-mail

Eagle Pass Planning and Zoning Commission via e-mail

Planning & Zoning Commission Report dated March 3, 2022

Attachment 1 Application



PLANNING DEPARTMENT

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

SUBDIVISION APPLICATION

TYPE OF SUBDIVISION (check one):

☐ Preliminary

☒ Final

☒ Replat

☐ Amendment

☐ Short Form Final

Property Legal Description: Chula Vista Unit #7, Block 1, Lot F

Maverick County Property Identification Number(s): 55600

Name of Addition: Martinez Re-Plat of Lot F, Block 1, Chula Vista Unit #7

Location of Addition: 951 Chula Vista Rd.

Number of Residential Lots: 2 Number of Commercial Lots: 0 Gross Acreage: 0.86

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

Is Subdivision inside city limits? Yes () No (X) If so, Zoning District: NA-ETJ

Existing Land Use: Residential Proposed Land Use: Residential

Requested Variances: yes (enclosed)

PROPERTY OWNER:

Name: Yessenia D. Sifuentes

Address: 951 Chula Vista Rd.

City: Eagle Pass

State: TX Zip: 78852

Signature: Y Sifuentes

Contact: _____

Phone: _____

Fax: _____

E-mail: _____

Date: 8/12/2021

PROPERTY OWNER:

Name: _____

Address: _____

City: _____

State: _____ Zip: _____

Signature: _____

Contact: _____

Phone: _____

Fax: _____

E-mail: _____

Date: _____

APPLICANT/SUBDIVIDER:

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

Contact: _____
Phone: _____
Fax: _____
E-mail: _____
Date: _____

SURVEYOR:

Name: Dirksen Engineering
Address: 107 W. South St.
City: Waldo
State: TX Zip: 78801
Signature: [Signature]

Contact: Kenneth R. Dirksen
Phone: 830.278.2100
Fax: 830.278.2102
E-mail: Kendirksen@stcglobal.net
Date: Aug 11, 2021

ENGINEER:

Name: Dirksen Engineering
Address: 107 W. South St.
City: Waldo
State: TX Zip: 78801
Signature: [Signature]

Contact: Kenneth R. Dirksen
Phone: 830.278.2100
Fax: 830.278.2102
E-mail: Kendirksen@stcglobal.net
Date: Aug 11, 2021

PRINCIPAL CONTACT: _____ Owner _____ Applicant X 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.

[Signature]
Applicant Signature

8/12/2021
Date

STATEMENT OF OWNER/SUBDIVIDER

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

M Sifuentes
Owner / Subdivider Signature

8/12/2021
Date

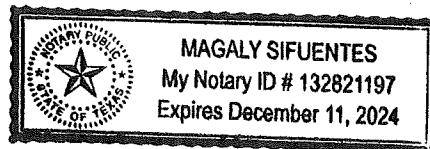
STATE OF TEXAS §

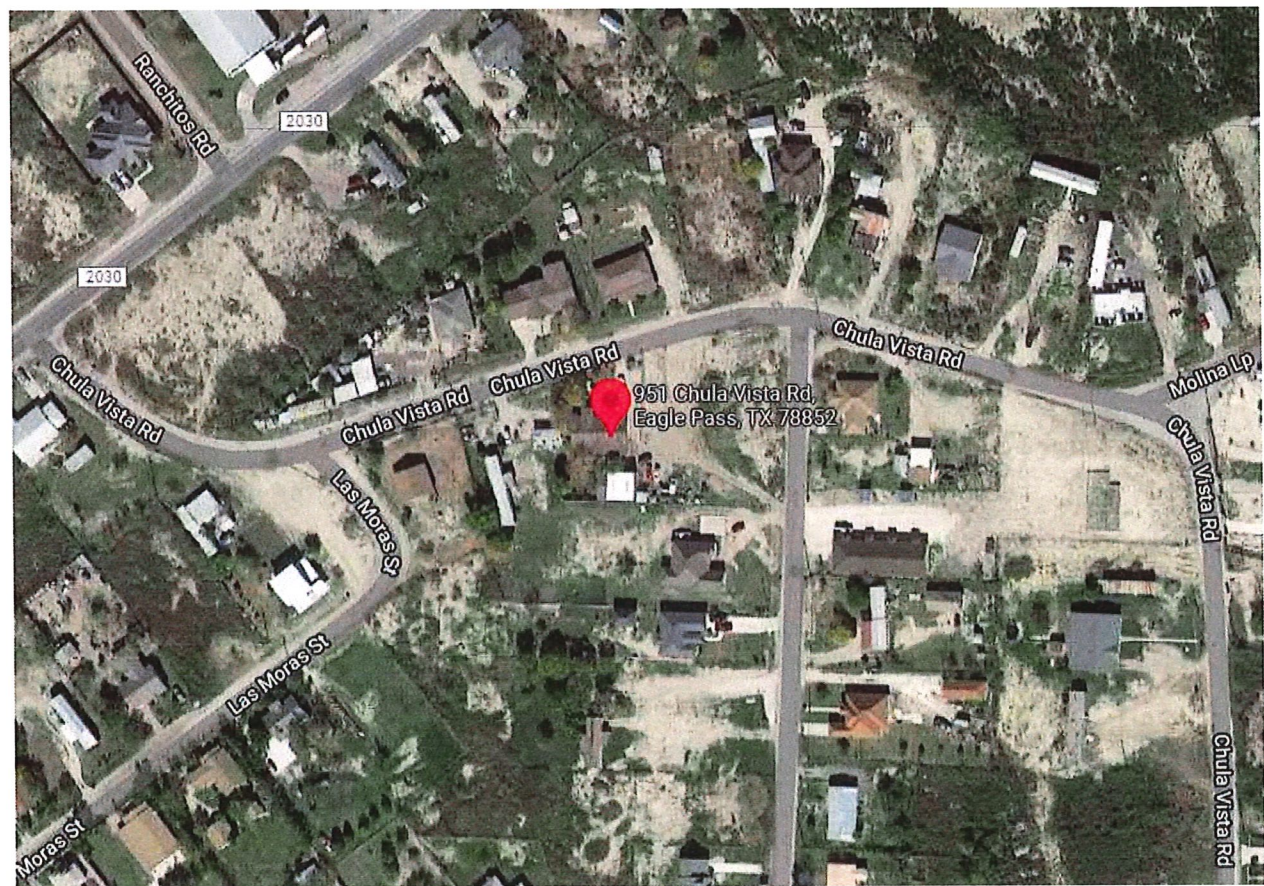
COUNTY OF Maverick §

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

Given under my hand and seal of office, this the 12th day of August, 2021.

Notary Public, State of Texas





Attachment 2
Sidewalk Waiver Application
Subdivision Variance Application(s)



PLANNING DEPARTMENT

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

Subdivision Sidewalk Waiver Application

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

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

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

Applicant Information

Applicant (if not owner): Dirksen Engineering
Phone: 830-278-2100 Email: kendirksen@sbcglobal.net
Owner: Yessenia D. Sifuentes
Owner Address: 951 Chula Vista Rd. City: Eagle Pass State: Tx Zip: 78852
Phone: _____ Email: _____

Property Information

Site Address: 951 Chula Vista Rd.
Legal description (from deed): Chula Vista Unit #7, Block 1, Lot F
(Property must be legally subdivided or be lot of record)
Maverick County Identification Number: 55600

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

Along the frontage of Chula Vista Rd. & Candelario Montalvo St.

Lot F-1 has a total distance of 140.72'

Lot F-2 has a total distance of 98.56'

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

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

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

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

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

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

No curbs or sidewalks were constructed when the original subdivision was developed.

No curbs or sidewalks exist along Chula Vista or Candelario Montalvo St., adding curbs and sidewalks along Chula Vista or Candelario Montalvo St. will create a hazard to traffic.

Applicant Authorization

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

I further understand that provisions of *City of Eagle Pass Code of Ordinances Section 23-64* apply to all subdivisions within the city limits and all subdivisions outside the city limits. For subdivisions outside the city limits, a guarantee of performance for sidewalks as set out in *Section 23-40* shall be furnished prior to plat approval. For subdivisions inside the city limits, sidewalks shall be required as a condition 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

11/20/2021
Date



PLANNING DEPARTMENT

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

SUBDIVISION VARIANCE APPLICATION

Applicant Information

Applicant (If not owner): Kenneth R. Dirksen

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

Phone: 830-278-2100

E-mail: 830-278-2101

Owner: Yessenia D Sifuentes

Address: 951 Chula Vista Eagle Pass, TX 78852

Phone: _____

E-mail: _____

Property Information

Site Address: 951 Chula Vista MCAD Property ID No. 55600

Legal Description (from deed): Chula Vista Unit #7, Block 1, Lot F

Description of Subdivision Variance Request

Variance for Preliminary & Final Plat Approval

Detailed Explanation of Subdivision Variance Request

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

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

There are no public improvements to this property there is no need to delay approval.

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

There are no improvements to the property and a delay in processing would require an additional 3 months.

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

This property is in use as residential, and the use will not change.

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

This property has been residential, and will not change.

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

3/3/2022
Date



PLANNING DEPARTMENT

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

SUBDIVISION VARIANCE APPLICATION

Applicant Information

Applicant (If not owner): Kenneth R. Dirksen

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

Phone: 830-278-2100

E-mail: kendirksen@sbcglobal.net

Owner: Yessenia D. Sifuentes

Address: 951 Chula Vista Eagle Pass, TX 78852

Phone: _____

E-mail: _____

Property Information

Site Address: 951 Chula Vista Rd. MCAD Property ID No. 55600

Legal Description (from deed): Chula Vista Unit #7, Block 1, Lot F

Description of Subdivision Variance Request

Variance according to Section 23-11 (e). Construction of curb and gutter and sidewalks shall not be required for any subdivision which is an additional unit of a subdivision wherein such construction was not previously required and whose plat was filed for record with the county clerk prior to 1984, and for which a valid and unexpired master plan is on file in the permanent records of the City of Eagle Pass under the care and custody of the city secretary.

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?

No curbs, gutter, or sidewalks exists on Candelario Montalvo Jr. St. Construction of curb, gutter, and sidewalks would negatively affect drainage along Candelario Montalvo Jr. St. , Candelario Montalvo Jr. St. was originally platted as Los Olmos St. in 1980.

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

Curb, gutter, and sidewalks at this lot would be the only

construction on Candelario Montalvo Jr. St..

Construction should be delayed until construction on the entire street.

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.

No curb, gutter, or sidewalk is currently constructed.

Grade along area is mild and is accessible by pedestrians.

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.

Construction of curb, gutter, and sidewalk should be delayed until construction on the entire street.

Required Application Attachments

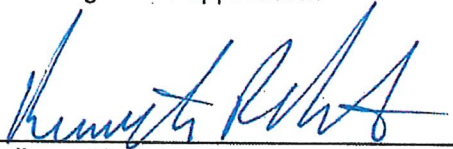
The following documentation is required to be attached to this application:

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

Applicant Authorization

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

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


Applicant Signature

02-03-2022
Date

Attachment 3
Final Engineering Report

Dirksen Engineering

107 W South St.

Uvalde, TX 78801

TBPE FIRM #F-8848

TBPLS FIRM #10193741

Phone: 830-278-2100

Fax: 830-278-2102

Cell: (830) 279-9447

kendirksen@sbcglobal.net

February 5, 2022

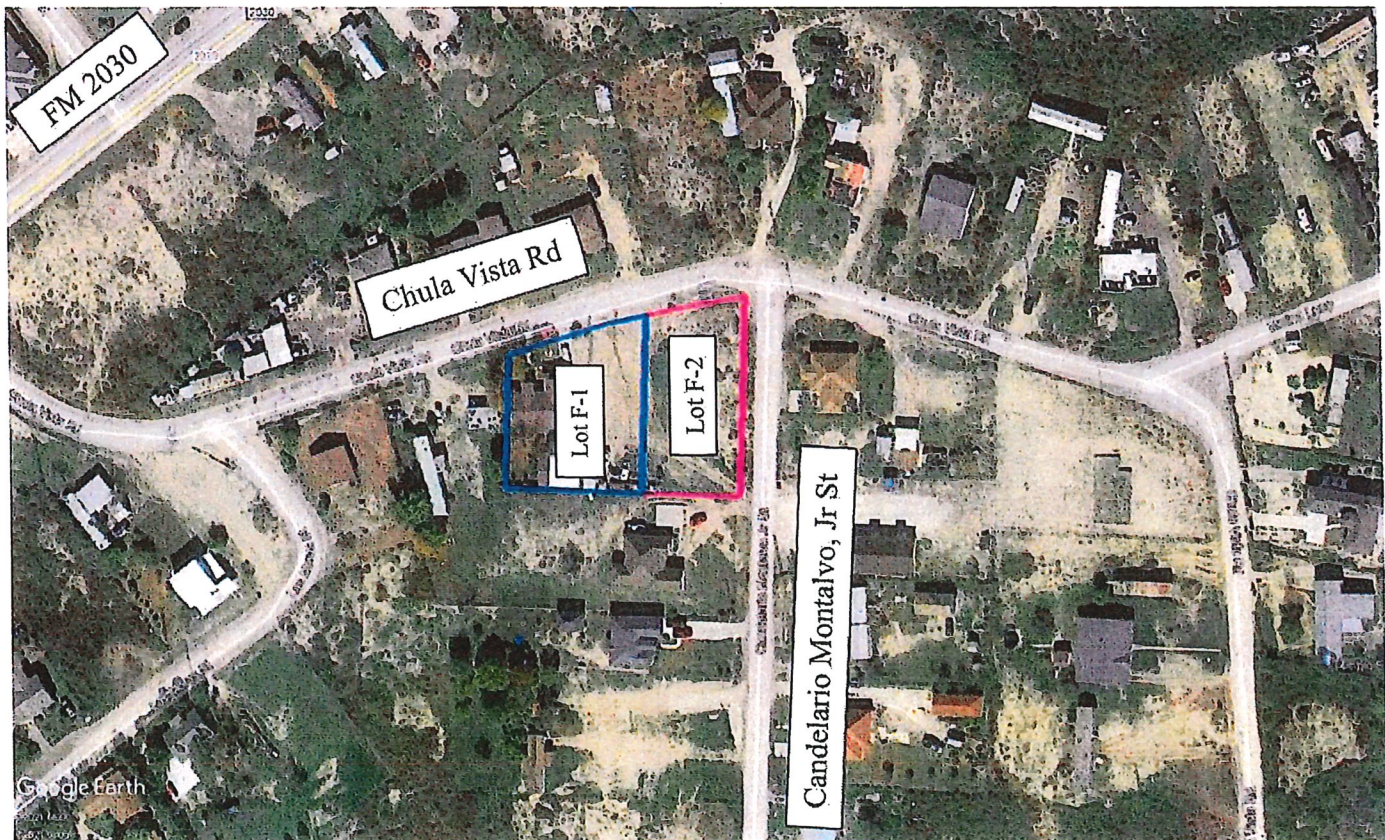
Placido Maduro
Planning Director City of Eagle Pass
3295 Bob Rogers Drive
Eagle Pass, Tx 78852

Re: Engineering and Drainage Report – Resubdivision of Lot F, Block 1, Chula Vista Subdivision No. 7

To Whom It May Concern:

Introduction:

The plat amendment of Lot F, Block 1, Chula Vista Subdivision No. 7 located at the intersection of Chula Vista Rd with Candelario Montalvo, Jr St southeast of FM 2030. The Maverick CAD id is 55600.



LED
02-08-2022

Development

The resubdivision is to divide the original 0.89 acre Lot F to create a new 0.3999 acre lot for residential purposes. The address of the original lot is 951 Chula Vista Rd and the new address for Lot F-2 is 593 Candelario Montalvo, Jr. Street. The land area is shown on the attached plat.

Street Development

Both tracts have access to Chula Vista Rd. The proposed Lot F-2 fronts on Candelario Montalvo, Jr. St. Chula Vista Rd is curbed. Sidewalk is not constructed on either of the streets. A variance has been requested for Lot F-2 as no curb is constructed along Candelario Montalvo, Jr. Street.

Water Development

Water service is provided by Eagle Pass Water Works on both Chula Vista and Candelario Montalvo, Jr. St. Water service to Lot F-1 is along Chula Vista. Water will be provided to Lot F-2 from Chula Vista. The 30-year water service agreement for Lot F-2 has been applied for..

Fire protection is provided by a fire hydrant located along Candelario Montalvo, Jr St.

Sanitary Sewer Facilities

Sanitary sewer is provided along Chula Vista Rd and Candelario Montalvo, Jr. St. Sanitary sewer services for Lots F-1 and F-2 will be installed on the existing sewer main in Chula Vista. The 30 year sanitary sewer service agreement has been applied for.

Drainage Development

The soil is Maverick Association which is a salty clay soil. The drainage classification is D. The entire site is located outside the special flood hazard area shown on FEMA FIRM 48323C0475D dated April 4, 2011. The Soil Report and a Firmette of the flood plane panel are attached to this report.

Drainage from this site is southeast across the lots toward Candelario Montalvo, Jr. St. The land uses are residential with most houses developed. This re-subdivision will be developed by constructing a residential structure on the new 17,422 square feet lot. Runoff will increase from 2.0 cfs to 4.2 cfs in the 100 year storm. This increase is small and no additional development of storm water detention is required.

Hydraulic Calculations for the resubdivision are attached to this report.

Electric Facilities, Telephone and Cable Television

Electric service is provided by Rio Grande Electric. Electric power is available from both Chula Vista and Candelario Montalvo, Jr St.

Gas Service

No gas service is required for this subdivision.

KRP
02-05-2022

Resubdivision Lot F
Chula Vista
Eagle Pass, TX

Page 3 of 3

Construction Cost

No public utilities will be constructed for this project.

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

Sincerely,

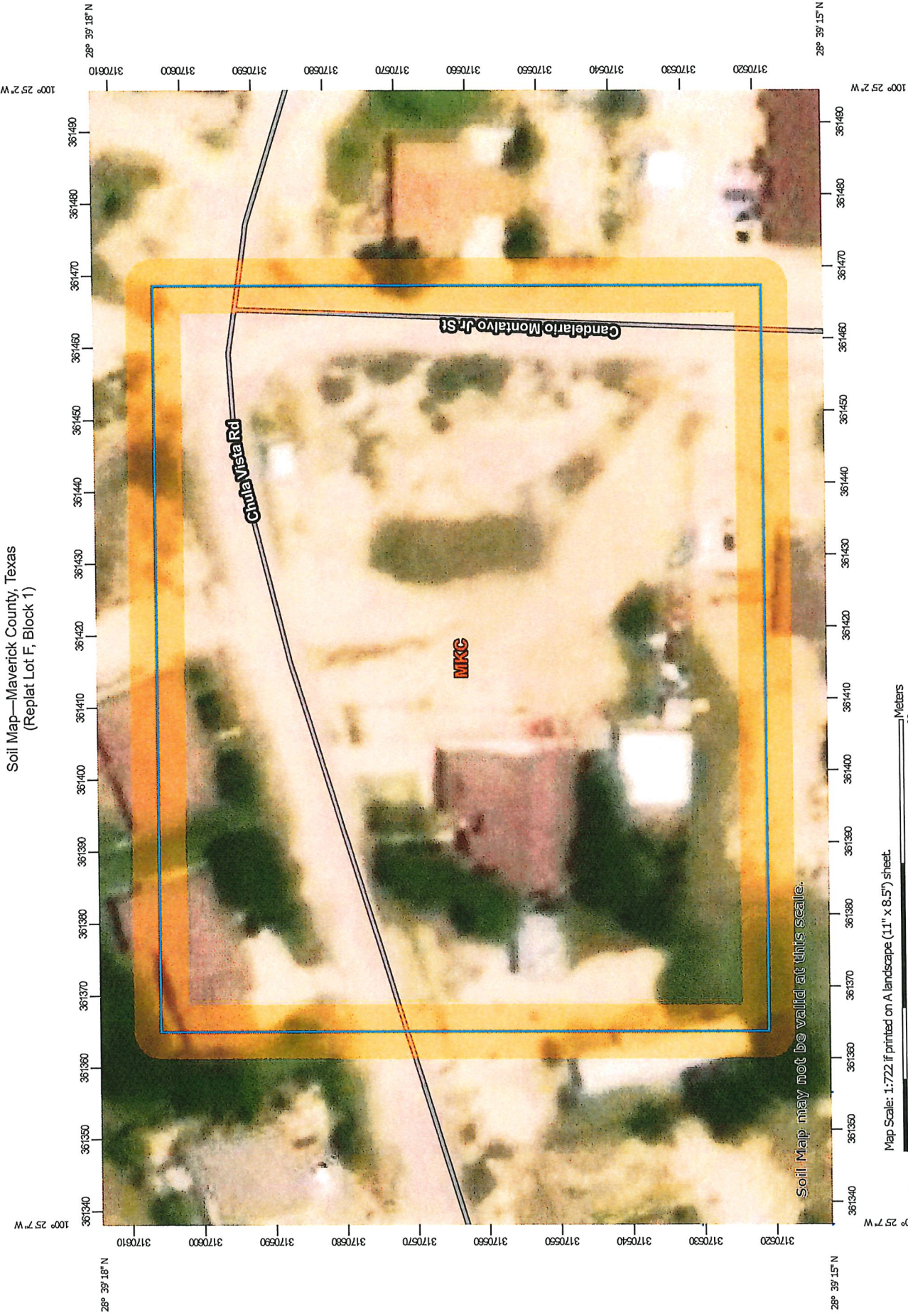


Kenneth R. Dirksen, P. E.

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



Soil Map—Maverick County, Texas
(Replat Lot F, Block 1)



Map Scale: 1:722 if printed on A landscape (11" x 8.5") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 14N WGS84



MAP LEGEND

Area of Interest (AOI)		Area of Interest (AOI)		Spoil Area	
Soils		Soil Map Unit Polygons		Stony Spot	
		Soil Map Unit Lines		Very Stony Spot	
		Soil Map Unit Points		Wet Spot	
Special Point Features		Water Features		Other	
Blowout		Streams and Canals		Special Line Features	
Borrow Pit		Transportation			
Clay Spot		Rails			
Closed Depression		Interstate Highways			
Gravel Pit		US Routes			
Gravelly Spot		Major Roads			
Landfill		Local Roads			
Lava Flow		Background			
Marsh or swamp		Aerial Photography			
Mine or Quarry					
Miscellaneous Water					
Perennial Water					
Rock Outcrop					
Saline Spot					
Sandy Spot					
Severely Eroded Spot					
Sinkhole					
Slide or Slip					
Sodic Spot					

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Maverick County, Texas
Survey Area Data: Version 18, Jun 11, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jan 21, 2016—Jun 15, 2017

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
MKC	Maverick association, undulating	2.2	100.0%
Totals for Area of Interest		2.2	100.0%



National Flood Hazard Layer FIRMette



100°25'23"W 28°39'34"N

Legend

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

SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE)
Zone A, V, A99
- With BFE or Depth Zone AE, AO, AH, VE, AR
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD

- 0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with draining areas of less than one square mile Zone:
- Future Conditions 1% Annual Chance Flood Hazard Zone X
- Area with Reduced Flood Risk due to Levee. See Notes. Zone X
- Area with Flood Risk due to Levee Zone D

OTHER AREAS GENERAL STRUCTURES

- NO SCREEN
- Area of Minimal Flood Hazard Zone X
- Effective LOMRs
- Area of Undetermined Flood Hazard Zone
- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES

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

MAP PANELS

- Digital Data Available
- No Digital Data Available
- Unmapped



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

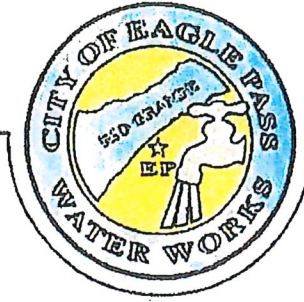
This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 9/14/2021 at 10:57 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

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



1:6,000



**AGREEMENT REGARDING WATER SERVICE FOR THE PROPOSED
Martinez Replat of Lot F, Block 1 Chula Vista Unit 7**

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 Yessenia D. Sifuentes, 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 Martinez Replat of
Lot F, Block 1 Chula Vista Unit 7.

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

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

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

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

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

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

This Agreement is effective on OCTOBER 20, 2021.

The Utility

By: Marco Salinas

Printed Name: MARCO SALINAS

Office or Position: VICE-CHAIRMAN

Date: 10/20/2021

The Subdivider

By: Jessenia D. Silfuentes

Printed Name: Jessenia D. Silfuentes

Office or Position: Owner

Date: 9-15-21

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, Martinez Replat of Lot F, Block 1 Chula Vista Unit 7**

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 Yessenia D. Sifuentes, 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
Martinez Replat of Lot F, Block 1 Chula Vista Unit 7.

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 OCTOBER 20, 2021.

The Utility

By:

Marco Salinas

Printed Name: MARCO SALINAS

Office or Position: VICE - CHAIRMAN

Date: 10/20/2021

The Subdivider

By:

Gessenia D. Sifuentes

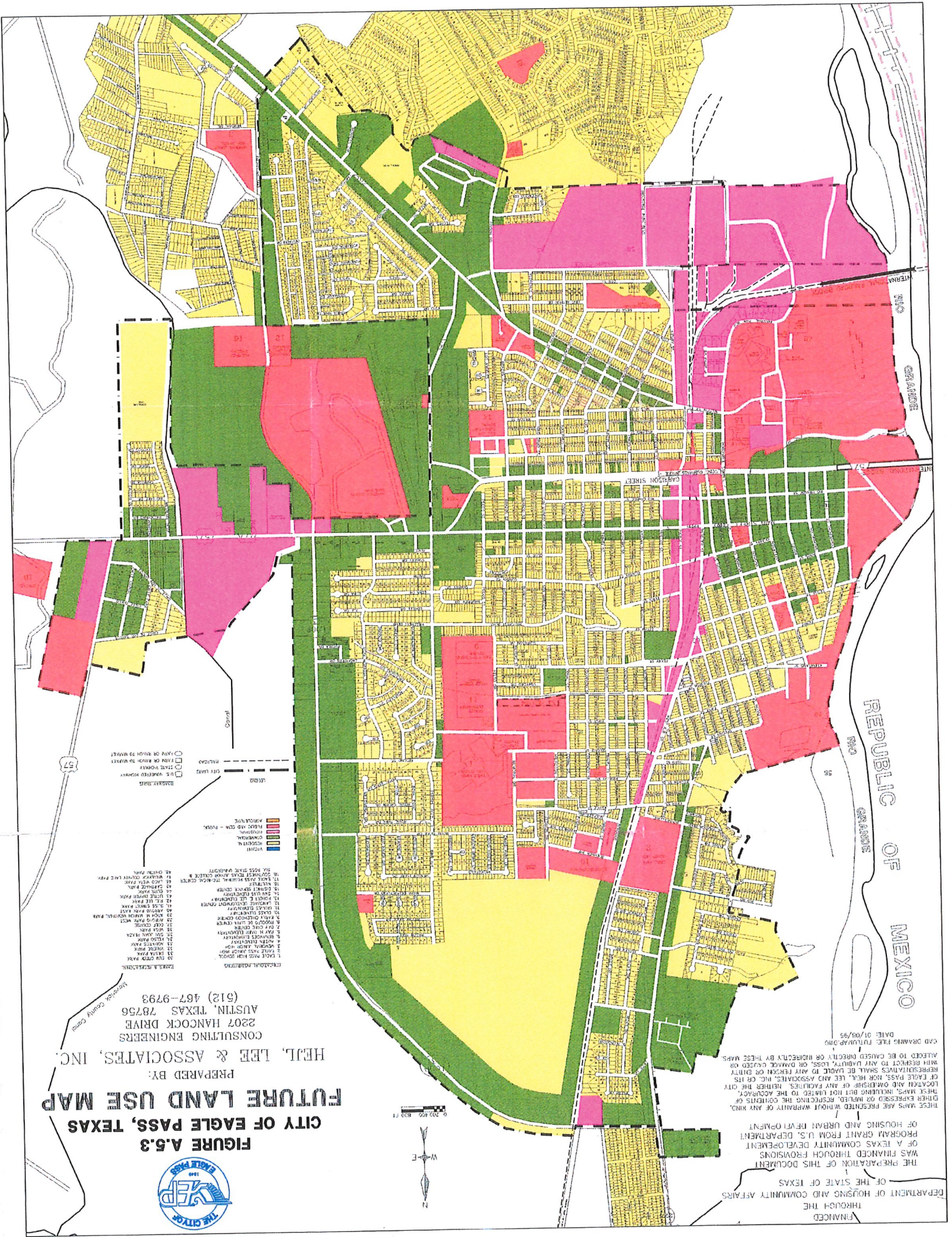
Printed Name: Gessenia D. Sifuentes

Office or Position: Owner

Date: 9-15-21

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.

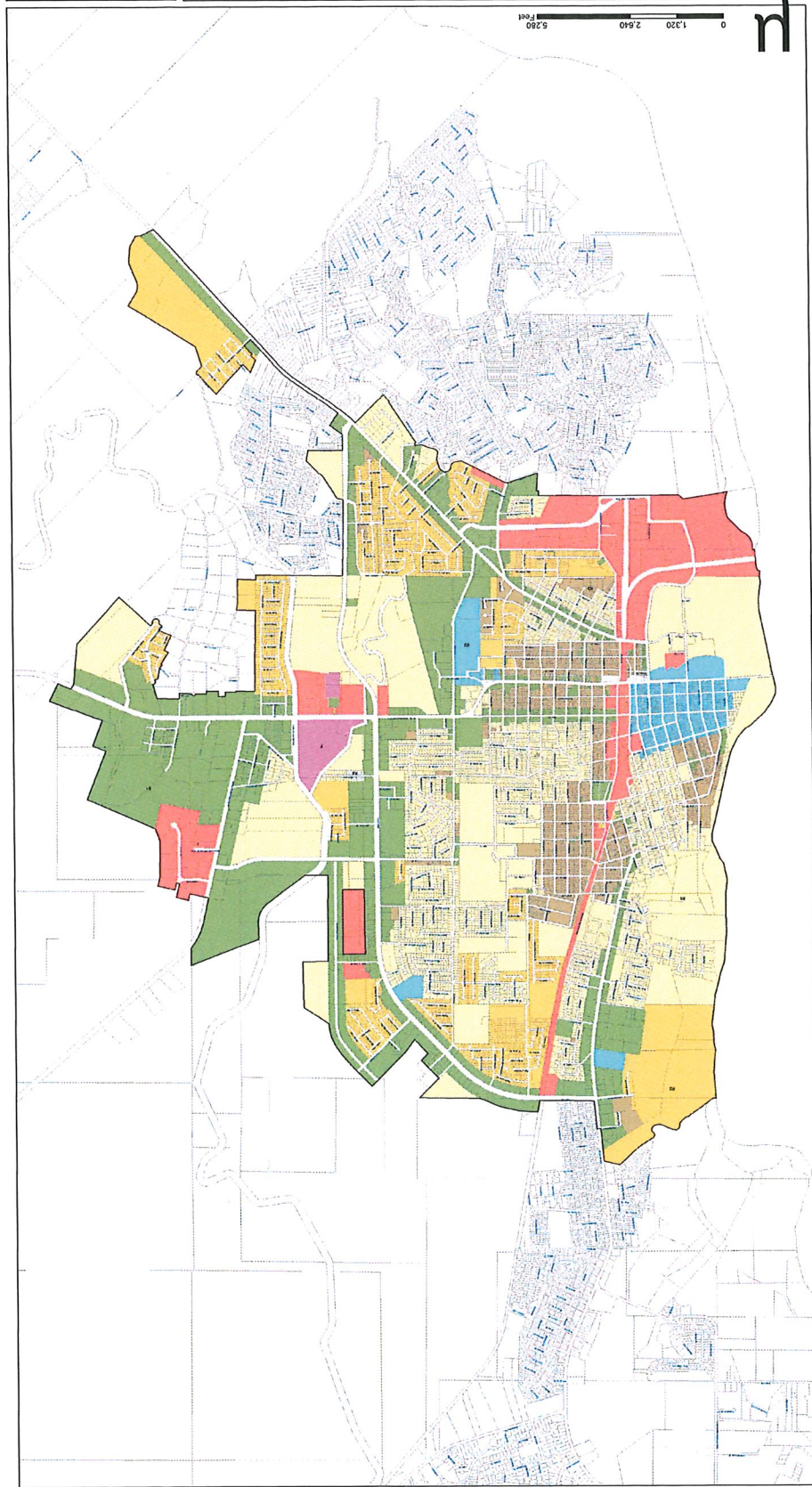
Attachment 4
Master Plan Map and Zoning District Map





Eagle Pass, Texas
Adopted: 1, 2007 (10-03-07)

- City Limits Outline
- Neighborhood Business District (<8,00 Sq. Ft.)
- General Business District (>8,000 Sq. Ft.)
- Industrial District
- Floodway District
- First One-Family Dwelling District
- Second One-Family Dwelling District
- Duplex Dwelling District
- Apartment District
- Townhouse Residence District



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