



AGENDA

PLANNING & ZONING COMMISSION REGULAR MEETING

THURSDAY, DECEMBER 12, 2024, AT 5:30 P.M.

COUNCIL CHAMBERS, CITY HALL BUILDING

100 SOUTH MONROE STREET, EAGLE PASS, MAVERICK COUNTY, TEXAS

ESTABLISHMENT OF QUORUM

CITIZENS COMMUNICATIONS

MINUTES

1. Approval of the minutes of the November 14, 2024 meeting and the November 21, 2024 meeting.

PUBLIC HEARING(S)

2. Public hearing on the request submitted by Jaime Flores for a Conditional Use Permit to allow for a car detail home occupation on property located at 1713 Rio Drive, as regulated by *City of Eagle Code of Ordinances Appendix A Zoning Ordinance*, particularly *Section 13(d)* governing home occupations; closing of public hearing and possible action.
3. Public hearing on the Final Re-Plat of Replat of Lot 2 in Block 12 of Loma Linda Subdivision Unit 1, including (1) a subdivision variance from Section 23-36(a) regulating preliminary plat requirements, and (2) a sidewalk waiver from Section 23-64 regulating sidewalks, curb and gutter; closing of public hearing and possible action.
4. Public hearing on the Final Replat of Lot 26 in School Block of Chula Vista Subdivision Unit V, including (1) a subdivision variance from Section 23-36(a) regulating preliminary plat requirements, and (2) a sidewalk waiver from Section 23-64 regulating sidewalks, curb and gutter; closing of public hearing and possible action.
5. Public hearing on the Final Replat Lot 1 in Block 5 of La Herradura Subdivision, including (1) a sidewalk waiver from Section 23-64 regulating sidewalks, curb and gutter; closing of public hearing and possible action.
6. Public hearing on the Final Replat of Lot 1 in Block 20 of Loma Linda Subdivision Unit 3, including (1) a sidewalk waiver from Section 23-64 regulating sidewalks, curb and gutter; closing of public hearing and possible action.

NEW BUSINESS

7. Consideration and possible action on the preliminary plat of Courtyard Subdivision, including a subdivision variance from City of Eagle Pass Code of Ordinances Section 12.1(c)(8)(i) regulating off street parking, design standards.

OTHER BUSINESS

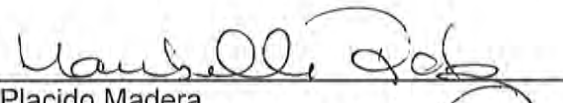
8. Consideration and possible action on the revocation of a Conditional Use Permit granted to Martha Ramos Medina on April 9, 2020, for property located at 2078 La Jolla Street as the conditions have not been met or are not being complied with as governed by Section 13 and Section 21 of the Zoning Ordinance of the City of Eagle Pass.

ADJOURNMENT

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

CERTIFICATION

I, THE UNDERSIGNED COMMUNITY DEVELOPMENT DIRECTOR, do hereby certify that the agenda mentioned above was posted on the Bulletin Board located in the Lobby at City Hall, 100 S. Monroe Street, Eagle Pass, Texas on November 9, 2024, at 3:30 p.m.

for 
Placido Madera
Community Development Director 

Item #1

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

The Planning and Zoning Commission of the City of Eagle Pass held their regular meeting on Thursday, November 14, 2024, at 5:30 p.m. in the Council Chambers, at City Hall, 100 South Monroe Street, Eagle Pass, Texas. All legal notices were duly posted in accordance with the State Code.

ESTABLISHMENT OF QUORUM

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

Absent: Chairwoman, Tiffany Velazquez-Sanchez; and Commissioner, Kenneth Gross

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

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

CITIZENS COMMUNICATIONS

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

There were no comments or concerns to be heard.

MINUTES

1. Approval of the minutes of the August 28, 2024 meeting and the October 24, 2024 meeting.

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

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

PUBLIC HEARINGS

2. Public hearing on the proposed request submitted by Terra Tech Engineering and Construction Services on behalf of Libco Enterprises, LLC to consider the establishment of

permanent zoning classification, service plan, and master plan designation on the annexation petition of the land described as Being a 42.48 acre tract of land outside of a 474.12 acre tract of land conveyed to Libco Enterprises, LLC, recorded in Volume 1745, Pages 327-337, Deed Records of Maverick County, Texas, situated in Survey 26, S.S. Sanders, Abstract 826, Survey 27, J.W. Tinsley, Abstract 840, and Survey 30A, Day Land & Cattle Co., Abstract 1238, Maverick County, Texas, and being more particularly described by metes and bounds; closing of public hearing and possible action.

Vice-Chairman Velez opened the public hearing at 5:33 p.m.

Community Development Director Madera provided details on the item, recommending that the Planning and Zoning Commission recommend that the City Council adopt an ordinance for the voluntary annexation and establishment of the permanent zoning for the approximately 42.48-acre tract as R-2 Second One-Family Dwelling District and B-1 Neighborhood Business District, with said Ordinance incorporating the following actions:

1. Amend the corporate boundary map for the City of Eagle Pass to include property legally described as mentioned in page 1 of this report.
2. Amend the City of Eagle Pass Master Plan Map to reflect a 'Residential' and "Commercial" land use designation for the tract.
3. Amend the City of Eagle Pass Zoning District Map to reflect a R-2 Second OneFamily Dwelling District and B-1 Neighborhood Business District designation for the tract.
4. Prepare a Service Plan which details the capability of providing city services to the tract.

There being no public comment, Vice-Chairman Velez closed the public hearing at 5:38 p.m.

Commissioner Salinas-Sanchez moved to approve as recommended. Seconded by Commissioner Valdez. **MOTION PASSES:** Unanimously

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

3. Public hearing on the request submitted by Alma A. Flores for a Conditional Use Permit to allow for a professional office use establishment on a property located at 164 Medina Street; closing of public hearing and possible action.

Vice-Chairman Velez opened the public hearing at 5:38 p.m.

Assistant Community Development Director Rodriguez provided details on the item, recommending that the Planning and Zoning Commission grant the Alma A. Flores request to establish a professional office use at 134 Medina Street, subject to the following conditions:

1. This Conditional Use Permit is non-transferable.

There being no public comment, Vice-Chairman Velez closed the public hearing at 5:43 p.m.

Commissioner Valdez moved to approve as recommended. Seconded by Commissioner Salinas-Sanchez. **MOTION PASSES:** Unanimously

Ayes: Velez, Salinas-Sanchez, and Valdez

Nays: None

Abstained: None

Absent: Velázquez-Sanchez, and Gross

4. Public hearing on the Final Re-Plat of Lot 139 in Chula Vista Subdivision, Unit 2, including (1) a subdivision variance from Section 23-36(a) regulating preliminary plat requirements, and (2) a sidewalk waiver, including curb and gutter from Section 23-64 governing sidewalks; closing of public hearing and possible action.

Vice-Chairman Velez opened the public hearing at 5:44 p.m.

Assistant Community Development Director Rodriguez provided details on the item, recommending that the Eagle Pass Planning and Zoning Commission (1) grant a subdivision variance from Section 23-36(a) regulating preliminary plat requirements, (2) grant a sidewalk waiver request as there are no curb or gutter improvements in the area, and (3) grant final plat approval of the Replat of Lot 139 in Chula Vista Subdivision Unit 2, subject to the plat complying with the provisions of Article III of City of Eagle Pass Code of Ordinances Chapter 23 governing procedures and specifications for Final Plats.

There being no public comment, Vice-Chairman Velez closed the public hearing at 5:47 p.m.

Commissioner Salinas-Sanchez moved to approve as recommended. Seconded by Commissioner Valdez. **MOTION PASSES:** Unanimously

Ayes: Velez, Salinas-Sanchez, and Valdez

Nays: None

Abstained: None

Absent: Velázquez-Sanchez, and Gross

OLD BUSINESS

5. Consideration and possible action on the Final Plat of Santa Maria Estates Subdivision Unit 2.

Community Development Director Madera provided details on the item and recommended that the Planning and Zoning Commission recommend that City Council grant final plat approval of the Santa Maria Estates Subdivision Unit 2 subject to the final plat complying with the provisions of Article III of City of Eagle Pass Code of Ordinances Chapter 23 governing procedures and

specifications for final plats and with the following conditions: 1. That the developer submit a maintenance bond, as regulated by Section 23-41 in Article III. The applicant's current proposed amount is \$913,000.00 and is currently under review.

Commissioner Valdez moved to approve as recommended. Seconded by Commissioner Salinas-Sanchez. **MOTION PASSES:** Unanimously

Ayes: Velez, Salinas-Sanchez, and Valdez

Nays: None

Abstained: None

Absent: Velázquez-Sanchez, and Gross

ADJOURNMENT

Commissioner Valdez moved to adjourn the meeting at 5:55 p.m. Seconded by Commissioner Salinas-Sanchez. **MOTION PASSES**

Passed and approved on _____, 2024.

Attest:

Luis Velez
Vice-Chairman

Ita A. Cortinas
Assistant City Secretary

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

The Planning and Zoning Commission of the City of Eagle Pass held a special meeting on Thursday, November 21, 2024, at 12:00 p.m. in the Council Chambers, at City Hall, 100 South Monroe Street, Eagle Pass, Texas. All legal notices were duly posted in accordance with the State Code.

ESTABLISHMENT OF QUORUM

Present: Chairwoman, Tiffany Velazquez-Sanchez, Vice-Chairman, Luis Velez; Commissioners: Doris Salinas-Sanchez, and Aaron Valdez

Absent: Commissioners Doris Salinas-Sanchez, and Kenneth Gross

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

With a quorum being present, Chairwoman Velazquez-Sanchez called the meeting to order, and the Planning & Zoning Commission considered the items in the following order:

CITIZENS COMMUNICATIONS

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

There were no comments or concerns to be heard.

NEW BUSINESS

5. Consideration and possible action on the preliminary plat of Terra Verde Estates Subdivision Unit 5.

Community Development Director Madera provided details on the item and recommended that the Planning and Zoning Commission recommend that the City Council grant preliminary plat approval of Terra Verde Estates Subdivision Unit 5, including a 3.67-acre park donation, subject to plat complying with the provisions of Article III of City of Eagle Pass Code of Ordinances Chapter 23 governing procedures and specifications for Final Plats and the following conditions:

- Resolve surface material concern for easements with Public Works Department.
- Resolve pending Engineering comments regarding: drainage analysis, elevations on plat contours, Traffic Impact Analysis (TIA).

Planning and Zoning Commission Special Meeting

November 21, 2024

Page 2

Vice-Chairman Velez moved to approve as recommended. Seconded by Commissioner Valdez. **MOTION PASSES:** Unanimously

Ayes: Velázquez-Sanchez, Velez, and Valdez

Nays: None

Abstained: None

Absent: Salinas-Sanchez, and Gross

ADJOURNMENT

Commissioner Valdez moved to adjourn the meeting at 12:26 p.m. Seconded by Vice-Chairman Velez. **MOTION PASSES.**

Passed and approved on , 2024.

Attest:

Tiffany Velázquez-Sanchez
Chairwoman

Ita A. Cortinas
Assistant City Secretary

Item #2



**Community Development Department Executive Summary
Report to the Planning & Zoning Commission**

Conditional Use Permit Request – 1713 Rio Drive

I. BACKGROUND

General Information

Applicant & Property Owner: Jaime Flores

Property ID Number: 62633

Legal Description: Lot 2, Block 1 in Rio Estates Subdivision

Parcel is an interior lot located off Rio Drive and in an area featuring residential developments.

Access to the site is provided via Rio Road and Del Rio Boulevard.

Request: A request for a Conditional Use Permit to allow for the establishment of car detailing business. See Attachment 1 for photographs of the site.

Parcel Size: 11,652-square feet (.2675 acres)

Current Use: residential dwelling

Proposed Use: car detailing business to be conducted in the garage and driveway of subject property.

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

Master Plan: Residential

II. PUBLIC NOTICE

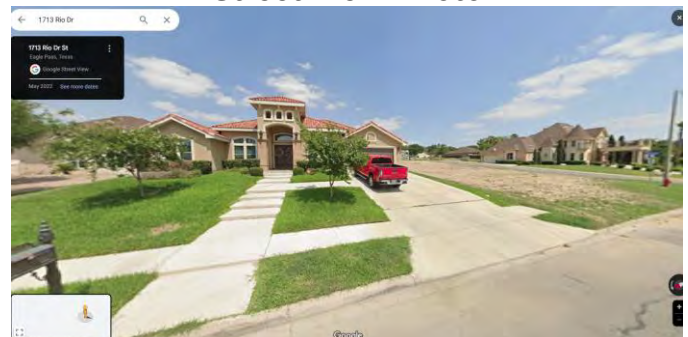
Public notification of the *Conditional Use Permit* (CUP) request before the Planning and Zoning Commission was completed consistent with the provisions of *Chapter 211* of the *State of Texas*

Local Government Code Title 7. Thirty (30) notices were mailed to the abutting property owners within a 200 feet radius of the subject property on November 26, 2024.

Aerial Map of Parcel



Street View Photo



III. RECOMMENDATION FINDINGS OF FACTS

Eagle Pass Code of Ordinances Appendix A: Zoning Ordinance

A. Conclusions

1. The application contains sufficient information upon which the Planning and Zoning Commission may render a decision. Please refer to Attachment 1 for a copy of the request.

The request involves the establishment of a car detailing home occupation. The establishment of a car detailing business in the *R-1 District* requires an application for and the issuance of a *Conditional Use Permit (CUP)* for the project.

Establishments such as this shall be permitted only with a conditional use permit, as required by [Section 21](#), Conditional Use Permits under *Eagle Pass Code of Ordinances Appendix A – Zoning Ordinance*.

2. *Section 21(d)* of *City of Eagle Pass Code of Ordinances Appendix A* states, in part, that the Planning and Zoning Commission may approve, conditionally approve or deny an application for a *Conditional Use Permit*, and in authorizing a conditional use, may impose such requirements and conditions with respect to location, construction, time period, maintenance and operation as deemed necessary for the protection of adjacent properties and the public interest when reasonably related to the use of the property

In a circumstance where the proposal is to establish a business, the primary focus should be on the project's compliance with current development codes and its compatibility (a state in which two things are able to exist or occur together without problems or conflict) with surrounding uses, especially those residential uses located in the area. The Community Development Department recommendation is to deny the *Conditional Use Permit* as the use intended does not meet code.

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

This application is not consistent with the *Plan's Land Use Development Goals*, as the establishment of a car detailing occupation will not retain the community's character and scale.

This application is also not consistent with the *Plan's Land Use Objectives*, if granted it does not provide a mechanism that allows for the development of the local capacity to monitor, evaluate, and promote the sound development of the community.

Finally, the application is also not consistent with the *Plans Short-Term Land Use Objectives*, as it does not provide a method for the city to continue enforcement of the provisions of the zoning ordinance.

4. The *Conditional Use Permit*, if granted, would not be consistent with the purpose of the zoning code.

Section 21 of the *City of Eagle Pass Code of Ordinances Appendix A* states that the purpose of the zoning code is to promote the health, safety, morals, and general welfare of the City by, (a) lessening the congestion of streets, (b) securing safety from fire, panic, or dangers, (c) providing adequate light

and air, (d) preventing the overcrowding of land, (e) avoiding undue concentration of population, (f) facilitating the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements. Please refer to Attachment 3 for a copy of the *City's Zoning District Map*.

Section 21 emphasizes the importance of the character of a specific zoning district and its peculiar suitability for uses, conserving the value of buildings, and encouraging the most appropriate use of land throughout the city. The use of the existing residential dwelling as a home business establishment will not facilitate the retention of the neighborhood's residential character.

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

5. The *Conditional Use Permit* application is consistent with the denial criteria set forth in *Section 21* of the *City of Eagle Pass Code of Ordinances Appendix A*, as detailed in Conclusion 1 through and including Conclusion 4 of this report and should be denied by the Commission.

B. Community Development Department Recommendation

The Planning and Zoning Commission **DENY** the Jaime Flores request to establish a car detailing home occupation on property located at 1713 Rio Drive, subject to the following conditions:

1. The establishment does comply with the provision of *City of Eagle Pass Code of Ordinances*.

TRANSMITTED to the parties listed hereafter:

Jaime Flores via e-mail

Eagle Pass Planning and Zoning Commission via e-mail

Eagle Pass City Manager Homero Balderas via e-mail

Eagle Pass Assistant City Manager Ivan Morua via e-mail

Eagle Pass City Secretary Erika Rodriguez via e-mail

Eagle Pass City Attorney Ana Sophia Garcia via e-mail

Eagle Pass Community Development Department Report dated December 6, 2024

Attachment 1

Application



PLANNING DEPARTMENT

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

CUP -24-001

CONDITIONAL USE PERMIT APPLICATION

Applicant Information

Name: Jaime Flores

Mailing Address: 1713 Rio Drive, Eagle Pass, TX. 78852

Phone: (830) 513-0900

E-mail: jaimeflores247@gmail.com

Note: if you are not the owner of the property, you must attach a letter from the owner authorizing you to submit this application.

Property Owner Information

Name: Jaime Flores

Mailing Address: 1713 Rio Drive, Eagle Pass, TX. 78852

Phone: (830) 513-0900

E-mail: jaimeflores247@gmail.com

Property Information

Site Address: 1713 Rio Drive MCAD Property ID # 62633

Legal Description: Lot(s) 2 Block 1 Subdivision Rio Estates
(Property must be legally subdivided or be lot of record)

Front Yard Width (feet) 75 Rear Yard Width (feet) 75 Side Yard Width (feet) 5ft each side

Current Use Home

Proposed Use Use garage to detail & ceramic coat cars as a business

Description of Project: This project is a small, home based auto detailing business operating under the name "Three Beans Auto Detailing." This business will provide professional car detailing services, including exterior washes, interior detailing and ceramic coatings, primarily to clients within the Eagle Pass Community. There will never be more than one customer's car in my property as this business is designed to operate at a low-level impact level. Work will be limited to Fridays and weekends and specifically during daylight hours only. I intend to serve a limited number of clients.

Detailed Explanation of Proposed Conditional Use

What development measures regarding location, construction, time period, maintenance, and operation will you use to protect adjacent properties from impacts from your project? Location: Washing will be done on my private driveway, which is adequately distanced from neighboring properties. Ceramic Coatings and Interiors will be performed within my enclosed garage. Construction: No changes will be made to the home's exterior, maintaining the residential appearance. Business hours will take place on Fridays and weekends during daylight hours only. Driveway and garage will be cleaned after each use to prevent build up, residue or visual impact.

All Shampoos and soaps we use will be pH Neutral to avoid harmful chemicals from spilling anywhere. Operation: Low-noise, professional grade equipment will be used for all outdoor and indoor work. Electric pressure washer will be used as it is significantly quieter than gas powered ones.

Describe how your project is reasonably related to the use of the property. This auto detailing business is a small, home based service that compliments the existing use of the property as a residence. My property's driveway and garage, which are typical features of a residential home, are ideal for light vehicle detailing. This project is designed to be low-impact and home-oriented, serving a limited number of clients by appointment only. This set up allows the property to remain residential in appearance and function, with minimal impact on neighbors and no changes to the property's structure or purpose.

Describe how your project conforms to the purpose of the zoning district in which the project will be established. This project is small scale, home-based auto detailing business that aligns with the purpose of the residential zoning district by maintaining the property's primary use as a private residence. No alterations to the structure or outward appearance of the property are necessary. All work will be by appointment only on Fridays and weekends. This operational plan ensures that the business remains compatible with the residential character of the area with minimal noise, traffic or visual impact. We will aim to preserve the residential atmosphere and supporting neighborhood integrity.

Applicant Authorization

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

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

Jain Flores
Applicant Signature

11/7/24
Date

Office Use

Date Application Accepted for Review: 11/19/24 By: MR

Contact Date for Supplemental Info: Supplemental Info Received:

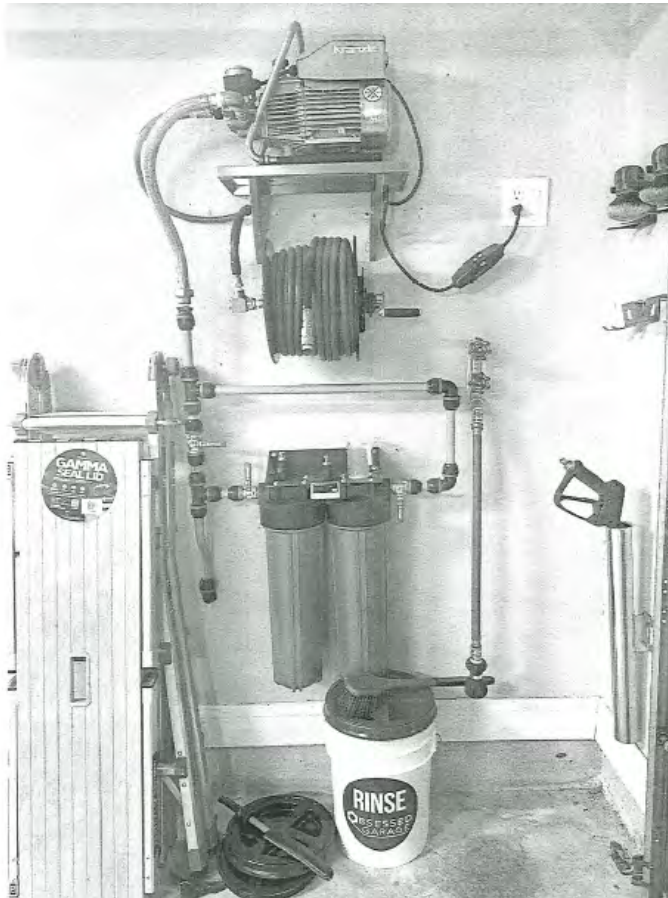
Completeness Review Date: 11/22/24 By: MR

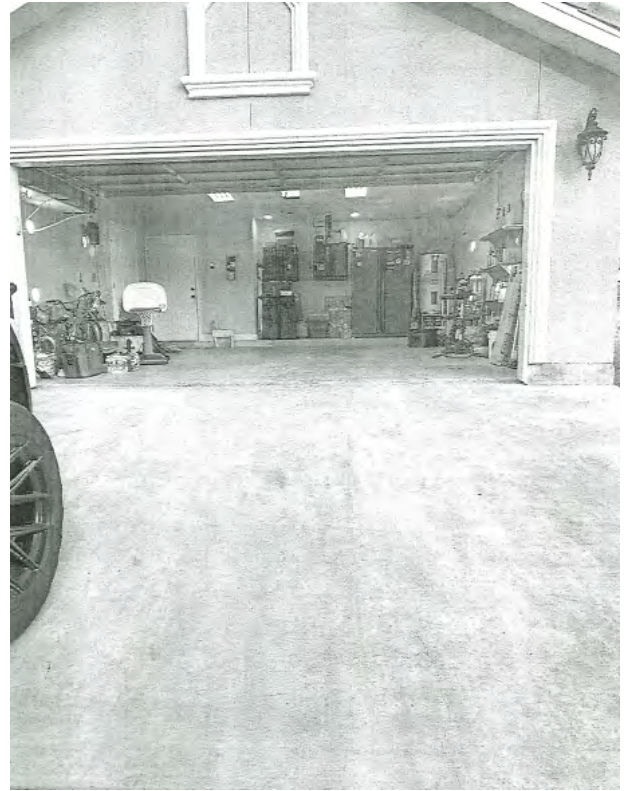
Application Returned to Applicant: (when applicable)

paid application + publication fee (cash) \$150

MR-6/2020







Attachment 2

Zoning Ordinance of the City of Eagle Pass, Texas

Sec. 2. - Purpose.

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

Sec. 3. - Definitions

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

Sec. 5. "R-1" First one-family dwelling district.

The following regulations shall apply to the "R-1" First one-family dwelling district:

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

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

Sec. 13. Home occupations.

- (a) Purpose and intent. The City of Eagle Pass recognizes the need for some citizens to use their place of residence for limited non-residential activities. However, the city believes that the need to protect the residential character of residential areas is of paramount concern. In essence, the objective of this chapter is to allow limited commercial type activity in residential areas only to the extent that such commercial activity is not obtrusive to neighbors or passersby.
- (b) *Permitted home occupations.* The following home occupations shall be permitted in any residential zone without conditional use permits providing they meet the performance standards in section e. of this chapter:
 - (1) Dressmaking, sewing and tailoring;
 - (2) Painting, sculpturing or writing;
 - (3) Telephone answering or soliciting;
 - (4) Home crafts such as model making, rug weaving and lapidary;
 - (5) Tutoring limited to two (2) students at a time;
 - (6) Home cooking and preserving;
 - (7) Computer programming.
- (c) *Prohibited home occupations.* The following home occupations are prohibited in all residential zones:
 - (1) Animal hospitals;
 - (2) Dancing studios, exercise studios;
 - (3) Mortuaries;
 - (4) Private clubs;
 - (5) Restaurants;
 - (6) Stables or kennels;
 - (7) Automobile body shops;
 - (8) Occupations involving explosives or other hazardous materials.
- (d) *Conditional use permits.* All home occupations not specifically listed in subsection (b) above shall obtain a conditional use permit from the planning and zoning commission prior to conducting any business activity. The conditional use permit shall be obtained in the manner provided in section 21 of this chapter.
- (e) *Performance standards.* In considering applications for conditional use permits for home occupations, the Planning and Zoning Commission of Eagle Pass shall be guided by the following considerations:
 - (1) The legislative intent as set forth in section 1 above; This ordinance shall be known and may be cited as the Zoning Ordinance of the City of Eagle Pass, Texas.
 - (2) No materials or equipment shall be permitted which would be detrimental to the residential use of nearby residences such as vibration, noise, dust, smoke, odor, interferences with radio or television reception and other factors detrimental to residential use;
 - (3) A home business shall not be permitted which requires frequent home deliveries for commercial purposes;
 - (4) A home business shall not be permitted which will result in the parking of customers' automobiles in a manner, frequency, or number which will cause traffic congestion or will unduly inconvenience nearby residences;
 - (5) Signs for home occupations shall be located on the lot for which the conditional use permit is issued. One (1) sign, unlighted and attached to the building which shall not exceed six square feet in area may be permitted;

- (6) Employment in a home occupation shall be limited to persons residing in the dwelling unit where the home occupation is conducted;
 - (7) No conditional use permit for a home occupation shall be granted by the planning and zoning commission unless the applicant has furnished proof of having registered with the State of Texas Comptroller's Office;
 - (8) There shall be no exterior indication of the home occupation or variation from the residential character of the principal or accessory buildings except for a sign in conformance with this chapter;
 - (9) There shall be no outside storage or display of items for sale, materials or equipment to be used in conjunction with the home occupation.
 - (10) In no case shall a home occupation be open to the public at times earlier than 7:00 a.m. nor later than 10:00 p.m.
- (f) *Pre-existing home occupations.* Any home occupation which lawfully existed on the effective date of this chapter shall be allowed to continue operation in accordance with section 16.

(Ord. No. 06-13, § 2, 7-11-2006)

Sec. 21. Conditional use permits.

- (a) *Purpose.* The purpose of this section is to allow the proper integration into the community of uses which may be suitable only in specific locations in a zoning district or only if such uses are designed or laid out on the site in a particular manner.
- (b) *Application.* A conditional use permit shall be required for all uses listed as conditional uses in the residential, commercial, and industrial land use descriptions or elsewhere in the Zoning Ordinance of the City of Eagle Pass.
 - (1) *Filing.* Application shall be made in writing by the property owner or his authorized agent, on forms provided by the planning department, and accompanied by such data and information as may be necessary to fully describe the request.
 - (2) *Fee.* The filing and investigation fee shall be one hundred dollars (\$100.00).
- (c) *Public hearing.* A public hearing shall be held in accordance with law. A notice of hearing shall be mailed at least ten calendar days prior to said hearing to all property owners, any part of whose property lies within a radius of two hundred (200) feet of the applicant's property, using for this purpose the names of such owners as shown on the last equalized assessment roll, or alternatively, from such other records of the assessor or the tax collector as contain more recent addresses. In addition, if warranted in the determination of Planning Director, notice shall be provided by conspicuously posting it on the subject property for at least ten days prior to the hearing. Failure to receive the notice required by this section shall not invalidate the action of the planning and zoning commission.
- (d) *Planning and zoning commission action.* The planning and zoning commission may approve, conditionally approve, or deny an application for a conditional use permit, and in authorizing a conditional use, may impose such requirements and conditions with respect to location, construction, time period, maintenance and operation as deemed necessary for the protection of adjacent properties and the public interest when reasonably related to the use of the property. Before granting any conditional use permit the planning director shall be satisfied that the proposed structure or use conforms to the requirements and the intent of this chapter and the general plan(s) of the City of Eagle Pass.
- (e) *Appeals.* The planning and zoning commission action on the conditional use permit shall be final unless, within fourteen (14) calendar days after the decision, the applicant, or any other person, including the city council, any individual city council member, or the city manager, not satisfied with the decision of the planning and zoning commission, may appeal to the city council. No conflict of interest shall exist solely by reason of the filing of an appeal by the city council, an individual city council member, or the city manager. Any appeal shall be filed with the city secretary's office and, except an appeal by the city council, a council member, or the city manager, shall be accompanied by a filing fee of one hundred dollars (\$100.00). The city secretary shall set a date for a public hearing and shall give notice to the appellant, the applicant and neighboring property owners in the manner provided in the zoning ordinance.
- (f) *Issuance.* No conditional use permit which has been approved by the planning and zoning commission shall be issued prior to the expiration of the appeal period as set forth in the Ordinances of the City of Eagle Pass, or the final action on an appeal to the city council.
- (g) *Expiration.* In the event the planning and zoning commission finds the use permit has not been exercised within the time limit set by the commission, or within one (1) year if no specific time limit has been set, the permit shall be null and void without further action; except that the planning director may extend the approval of a use permit for one (1) additional year, with the same conditions of approval, if circumstances have not changed. The request in writing must be received prior to the expiration of the use permit.
- (h) *Minor modification to use permit.* The planning director may approve minor modifications to an approved use permit.
- (i) *Revocation.* In the event the conditions of a use permit have not been or are not being complied with, the planning department shall give the permittee notice of intention to revoke such permit at least ten days prior to a planning and zoning commission review thereon. After the conclusion of the review, the planning and zoning commission may revoke such permit.

Attachment 3
Master Plan Map & Zoning District Map

Master Plan Map



Zoning District Map



Item #3



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

Final Replat of Lot 2 in Block 12 of Loma Linda Subdivision Unit 1

I. BACKGROUND

A. General Information

Applicant: Cavel Engineering I Eagle Pass, TX 78852

Developer: Zermeno Holdings, LLC | 887 N Bibb Ave, Eagle Pass, TX 78852

Location: 34 High Noon Blvd - Southeast to the City of Eagle Pass, within ETJ

PID Number: 12954

Legal Description: Lot 2 in Block 12 of Loma Linda Subdivision Unit 1

Request: Final replat approval to subdivide an approximately 0.34-acre tract into two residential lots, including a subdivision variance to go directly to final and a sidewalk waiver request, including curb and gutter. The installation of city utilities will be required to installed, inspected and accepted by Eagle Pass Water Works System before plat recordation.

B. Subject Property Information

Parcel Size: 15,000 square feet **Topography:** Generally flat

Vegetation: residential landscaping and native vegetation

Existing Use: Residential dwelling on lot 2A and proposed Lot 2B is vacant

Zoning: Meets or exceeds the R-2 Second One-Family Dwelling District Standards

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

C. Vicinity Data

The site is located within an area that features residential developments consistent with 5,500-square foot minimum lot size found in the subdivision.

D. Infrastructure

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

Access to the site is provided by High Noon Blvd. via Rosita Valley Road and El Indio Hwy.

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*. 40 notices were mailed to the abutting property owners within a 500 foot radius of the subject property on November 27, 2024.

III. RECOMMENDED FINDINGS OF FACT

A. Conclusions

1. The applicant's request contains sufficient information for consideration by the Eagle Pass City Council. Information contained in this report and the Commission's public meeting will be used as part of the City Council's deliberation process for the subdivision. Please refer to Attachment 1.
2. The applicant is seeking a sidewalk waiver per Section 23-64(a) of the Subdivision Ordinance as part of his application for the replat. The City and County agree that the waiver be granted as there are no curb or gutter or sidewalks in the vicinity of the subject area. See Attachment 2 for a copy of the application.

City of Eagle Pass Code of Ordinances Section 23-64 authorizes the Planning and Zoning Commission to waive the requirement for the construction of sidewalk, including curb and gutter 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 Subdivision Sidewalk Waiver Application and photographs of the property frontage adjacent to Chucho Street, Linda Vista Dr, and Wagon wheel Road.

3. 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 3, comply with the four criteria to grant the subdivision variance.

The following is a summary of this application's compliance with the criteria:

First Variance Decision Criteria

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

Second Variance Decision Criteria

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

Third Variance Decision Criteria

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

Fourth Variance Decision Criteria

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

Fifth Variance Decision Criteria

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

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

4. The property is located within the City's *Extraterritorial Territorial Jurisdiction*, and the policies of the *Master Plan Map* apply to the consideration of this subdivision. The *Master Plan* emphasizes the importance of maintaining the character of the residential neighborhoods.
 - ✓ The replat is consistent with the *Housing Goals* of the *Master Plan*, as the subdivision process will ensure appropriate land development regulation with appropriate lot sizes, paved streets with curb and gutters, and adequate utility services.
 - ✓ The replat is consistent with the *Land Use Development Goals* of the *Master Plan*, as the project is designed to provide for a building lot density that is consistent with the purpose of the *R-2 Second One-Family Dwelling District*. This design will allow for the continuing development of the community while retaining the neighborhood character and scale while providing utility services in the most efficient and equitable manner.
 - ✓ The replat is consistent with the *Street Goal* of the *Master Plan*, as access to the site from High Noon is designed to provide the residents of and visitors to Eagle Pass and Maverick County with a street system that will enable them to travel safely and conveniently.
 - ✓ The replat is consistent with the *Thoroughfare Goals* of the *Master Plan*, as High Noon has been designed to be part of a safe and efficient thoroughfare system.
 - ✓ The replat is consistent with the *Storm Drainage Goals* of the *Master Plan*, as the size of the two lots and the eventual density of 2-dwelling-units on the re-plat site will not adversely impact existing area drainage effectiveness.

5. The replat is consistent with City design and specifications, as the project is designed and conditioned to conform to the following sections of *Article IV* in *Eagle Pass Code of Ordinances Chapter 23*:
- ✓ *Section 23-61* governing street layout, right-of-way and pavement width, street names, streetlights, and road construction testing.
 - ✓ *Section 23-62* governing utility easements
 - ✓ *Section 23-64* governing sidewalks, the applicant is seeking a waiver from the requirement to construct a sidewalks.
 - ✓ *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 4 for a copy of the *Final Engineering Report* for the subdivision.
6. The replat is consistent with City design and specifications for landscape and tree preservation set forth in *Article VI* in *Eagle Pass Code of Ordinances Chapter 23*.
7. The replat will conform with the parkland dedication requirements set forth in *Article V* in *Eagle Pass Code of Ordinances Chapter 23*. Cash in lieu payment to Maverick County will be collected prior to plat recordation.
8. The replat conforms to the provisions of the *Master Plan* and the *Eagle Pass Code of Ordinances* by facilitating the following benefits:
- Protect private rights while considering public health, safety, and welfare.
 - Provide efficient and economical ways to move people and goods outside the City by an adequate plan for streets and highways.
 - Guide future development in an orderly manner, by stages according to a pattern, so that the County may have balanced land use.
 - Encourage a diversified economic base and encourage public and private investments in land and improvements.
 - Prevent and eliminate blight and slums, making the County attractive to people, commerce, and industry.
 - Create the desire for a more pleasing appearance of the County and incorporate into its physical development the basic principles of good design.
 - Protect and preserve the identity of each neighborhood through use of the guidance provided by the *Master Plan* and the *Code of Ordinances*.

- Locate all land uses on land best suited for their needs, arranged in such a way as to be mutually beneficial and functional, with ample area to meet long-term needs.
 - Establish a proper relationship between open space, developed areas, building bulk, light and air space, in all future development programs of land use.
 - Encourage and abet the development of civic, cultural, and other public and quasi-public buildings in harmonious and functional groupings.
9. The replat will allow for the use of the property that is consistent with the residential purpose of the *R-2 Second One-Family Dwelling District* and the surrounding neighborhood for the following reasons:
- ✓ The subdivision design bears a substantial relationship to the public's health, safety, and welfare.
 - ✓ The subdivision is in accordance with the policies of the *Master Plan* and the residential purpose of the *R-2 District*.
 - ✓ The subdivision is warranted because of the necessity to create additional building lots in the *R-2 District*, and because the proposed development is appropriate to accomplish the reasonable use of the property.
 - ✓ The subject property is suitable for development in general conformance with development standards of the *R-2 District*.
 - ✓ The subdivision will benefit the County as a whole and will not be detrimental to nearby land uses of similar nature.
 - ✓ The subdivision has been designed and conditioned to comply with all applicable subdivision criteria and standards of the City of Eagle Pass.
10. The approval of this final replat request is warranted, as the project conforms to the *City of Eagle Pass Master Plan* and the *City of Eagle Pass Code of Ordinances* as noted in Conclusion 1 through and including Conclusion 9 of this report.

B. Community Development Department Recommendation

That the Eagle Pass Planning and Zoning Commission (1) **GRANT** a subdivision variance from *Section 23-36(a)* regulating preliminary plat requirements, (2) **GRANT** a sidewalk waiver request, including curb and gutter as there are no curb or gutter improvements in the area, and (3) **GRANT** final plat approval of the *Replat of Lot 2 in Block 12 of Loma Linda Subdivision Unit 1*, subject to the plat complying with the provisions of *Article III of City of Eagle Pass Code of Ordinances Chapter 23* governing procedures and specifications for Final Plats and the following condition:

1. The Applicant provide a letter from Eagle Pass Water Works System certifying that all utilities constructed have been accepted prior to plat recordation, as regulated by *Section 23-36(d)(2)(i)*.

TRANSMITTED to the parties listed hereafter:

Cavel Engineering via e-mail

Eagle Pass Planning and Zoning Commission via e-mail

Eagle Pass City Manager Homero Balderas via e-mail

Eagle Pass Assistant City Manager Ivan Morua via e-mail

Eagle Pass City Secretary Erika Rodriguez via e-mail

Eagle Pass City Attorney Ana Sophia Garcia via e-mail

Maverick County Planning Director via email

City of Eagle Pass Community Development Department Report dated December 3, 2024

Attachment 1

Application



CITY OF EAGLE PASS APPLICATION FOR APPROVAL OF FINAL PLAT

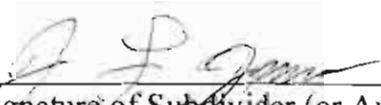
INSTRUCTIONS: This form is to be completely filled out, signed, and dated by the subdivider when the subdivider requests final plat approval.

IDENTIFICATION OF SUBDIVISION AND PLAT

I, Jose Zermeno, Zermeno Holdings LLC, hereby request final plat approval for the proposed subdivision known as Replat of Lot2, Block 12 Loma Linda Unit #1 as shown on the accompanying plat, which consists of 1 (number) sheets and which was acknowledged by me on 11/21/2024 (date).

SUBDIVIDER'S ACKNOWLEDGMENT

I understand that before the plat may be recorded I must provide to the City of Eagle Pass a financial guarantee for all unbuilt infrastructure in the amount to be set by the City Council. Otherwise, I believe that I have fulfilled the requirements under state laws and city ordinances for final plat approval by the City of Eagle Pass, based upon the plat as described above and the documents and information listed below. To the best of my knowledge the information provided on this request is true and complete.


Signature of Subdivider (or Authorized Agent)

11/21/2024

Date

PRELIMINARY PLAT APPROVAL

Check if applicable, and provide the date of City Council approval.

N/A A preliminary plat was approved by the City on a variance is requested (date).

IDENTIFICATION OF PLAT SHEETS TO BE IN COUNTY'S MAP RECORD

I request, once the City of Eagle Pass has approved the plat and I have submitted any required financial guarantees, that sheets number n/a (list sheets) of the plat be recorded in the Maverick County Map Records but that the other sheets of the plat not be recorded.

LIST OF DOCUMENTS ACCOMPANYING OR ATTACHED TO THE PLAT TO BE INCLUDED IN COUNTY'S MAP RECORD OF THE SUBDIVISION

The information below, if it is not included upon the plat itself, must be on a document signed by the subdivider and attached to or accompanying the final plat. For each item, indicate by a check mark where the information appears. The City of Eagle Pass will keep these documents (or their signed revisions) together during the subdivision review and approval process and through the recording of the subdivision with the County Clerk. If the subdivision does not have at least two or more lots of five acres or less intended for residential purposes, then the Model Rules do not apply and a final engineering report is not required.

on the final plat	attached to final plat	accompanies final plat	
_____	x _____	_____	final engineering report
x _____	_____	_____	description in English and Spanish of water and sewer facilities and easements and operable date
x _____	_____	_____	engineering certification of compliance of water and sewer facilities with Model Rules, and of estimated costs
_____	_____	_____	others (described as follows:) ----- _____ _____
_____	_____	_____	others (described as follows:) ----- _____ _____

DESCRIPTION OF SUBDIVISION INFRASTRUCTURE THAT HAS BEEN COMPLETED OR INSTALLED AS OF THE DATE OF THIS APPLICATION

NOTE: You may refer to the plat in describing the completed infrastructure -- for example, by stating, "The water lines shown on sheet 3 of the final plat have been installed." Use the back side of this page if more room is needed. The City of Eagle Pass' Subdivision Ordinance require a subdivider to enter into a Subdivision Construction Agreement secured by a financial guarantee (a bond, letter of credit, or cash deposit) for completion of streets and drainage and water and wastewater facilities not constructed or installed when the subdivider applies for final plat approval.

Streets. *(Provide names of streets and extent of their completed improvements.)*

No streets are being proposed to be constructed.

Drainage facilities. *(Describe location and nature of completed drainage facilities.)*

No drainage facilities are being proposed.

Water facilities. *(Describe installed locations and sizes of water lines, water meters, and other devices involved in providing water.)*

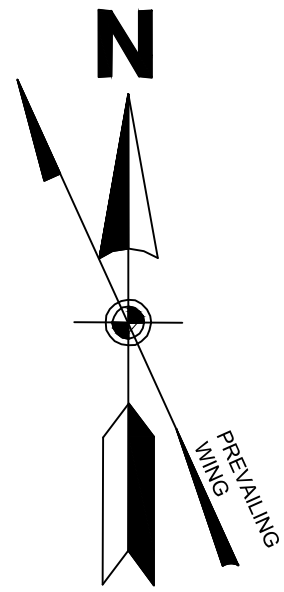
2 Water meters connected to an existing 8" water main on High Noon Street to be connected before plat recordation.

Wastewater facilities. *(Describe installed location and sizes of such items as sewer lines, septic systems, or other on-site sewerage facilities.)*

2 sanitary sewer services connected to a waste water main are currently serving the property.

SCALE IN FEET

24"x36" (ARCH D) - 1" = 40'



PROPERTY OWNER:
ZERMENO HOLDINGS LLC
887 N BIRD AVE.
EAGLE PASS, TX 78852

CONSULTING ENGINEER:
CARLOS VELARDE, PE
2373 WILLOWBRAE DR
EAGLE PASS, TX 78852

SURVEYOR:
FRANCISCO GAYTAN, RPLS
487 MEMO ROBINSON RD, APT B,
EAGLE PASS, TX 78852

COUNTY CLERKS RECORDING CERTIFICATE

I, _____, COUNTY CLERK OF MAVERICK COUNTY,
certify that the plat bearing this certificate was filed for record at _____ o'clock _____ M on _____, 2024, and was recorded in Envelope _____, side _____ of Maverick county at _____ o'clock _____ M on _____, 2024,

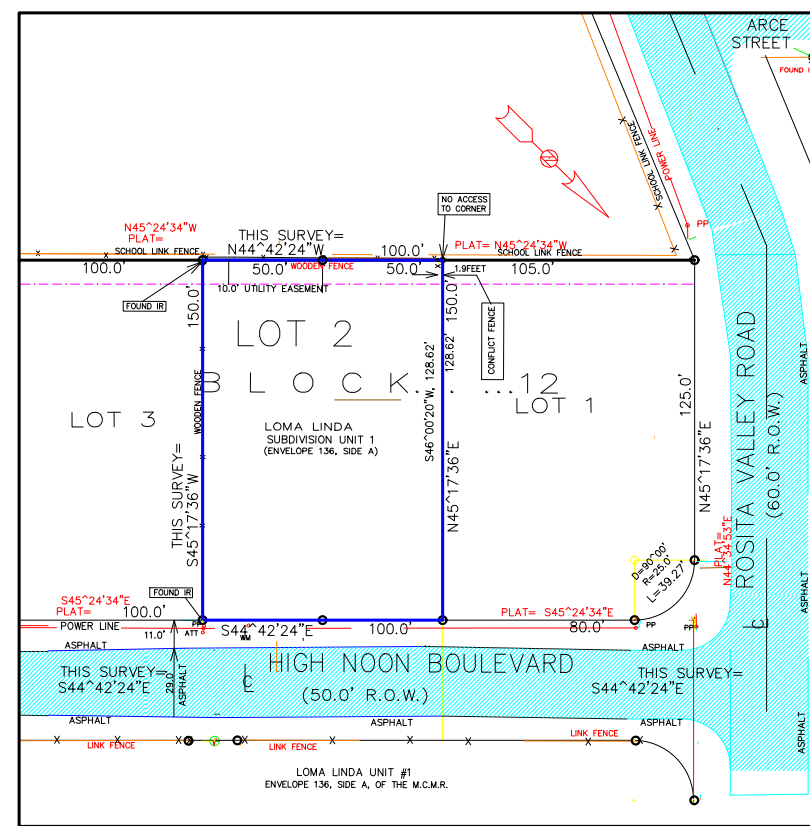
Maverick County Clerk.



LOCATION MAP
SCALE 1"=400FT

SYMBOLOLOGY

- | | | | |
|--|----------------|--|---------------------------|
| | BOUNDARY | | CONTOUR MIN EX |
| | FENCE | | CONTOUR MAJ EX |
| | WATER SUPPLY | | FOUND MONUMENTS |
| | SANITARY SEWER | | SET STAKES |
| | STORM SEWER | | WATER VALVE, FIRE HYDRANT |
| | POWER | | POWER POLE, GUY WIRE |
| | TELEPHONE | | MANHOLE |
| | ATT | | TRAFFIC LIGHT, SIGN |
| | TWC | | |



PLAT OF RECORD

24"x36" (ARCH D) - 1" = 20'

REPLAT OF LOT 2, BLOCK 12

LOMA LINDA UNIT #1

DO NOT RECORD

FLOOD PLAIN NOTE:

No portion of the property shown hereon is within Zone A, Special Flood Hazard Area as shown on Flood Hazard Boundary Community Map Panel No. 48323C0475D, dated April 4, 2011 for Maverick County as published by the Federal Insurance Administration.

PLAT NOTES AND RESTRICTIONS:

- Buildings shall be set back as follows:
From front of lot = 25 feet
Side Yard = 5 feet, Side to street = 10 feet, Rear = 16 feet
- Zoning: NO ZONING APPLIES WITHIN THE COUNTY OF MAVERICK
- The Lot areas and setbacks conform to land use R-2
- All lot corners, angle points, points of curvature and points of tangency are marked with 1/2" iron rod unless shown otherwise.
- No more than one (1) single family detached dwelling shall be located on each lot.
- This plat subdivides Lot 2, Block 2, Loma Linda Unit #1 Subdivision previously recorded in the map records of Maverick County, Envelope 136, Side A.
- The existing covenants and restrictions for Loma Linda Unit #1 recorded in the Maverick County Deed records are effective and apply to the lots created by this subdivision.
- A variance to ordinance requiring curb, gutter and sidewalk has been applied for the lots.

STATE OF TEXAS)
COUNTY OF MAVERICK)
OWNER'S DEDICATION, CERTIFICATION, AND ATTESTATION

I, _____ PRESIDENT OF ZERMENO HOLDINGS LLC, AS OWNER OF LOT 2
BLOCK 12 OF THE LOMA LINDA UNIT#1 SUBDIVISION, IN MAVERICK COUNTY, TEXAS
CERTIFY THAT :

- (A) THE WATER QUALITY AND CONNECTIONS TO THE LOTS MEET THE MINIMUM STATE STANDARDS;
(B) SEWER CONNECTIONS TO THE LOTS OR SEPTIC TANKS MEET THE MINIMUM REQUIREMENTS OF STATE STANDARDS;
(C) ELECTRICAL CONNECTIONS PROVIDED TO THE LOTS MEET THE MINIMUM STATE STANDARDS;
(D) GAS CONNECTIONS, IF AVAILABLE PROVIDED TO THE LOTS MEET, OR WILL MEET, THE MINIMUM STANDARDS, AND
I ATTEST THAT THE MATTERS ASSERTED IN THIS PLAT ARE TRUE AND COMPLETE.

ZERMENO HOLDINGS LLC

STATE OF TEXAS)
COUNTY OF MAVERICK)
BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, ON THIS DAY PERSONALLY APPEARED, _____ OWNER AND PRESIDENT OF ZERMENO HOLDINGS, LLC
PROVED TO ME THROUGH THEIR TEXAS DEPARTMENT OF PUBLIC SAFETY DRIVER LICENSES TO BE THE PERSONS WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, WHO, BEING BY ME FIRST DULY SWORN, DECLARED THAT THE STATEMENTS THEREIN ARE TRUE AND CORRECT AND ACKNOWLEDGE THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREBY EXPRESSED

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 2024.

NOTARY PUBLIC STATE OF TEXAS

STATE OF TEXAS)
COUNTY OF MAVERICK)
CERTIFICATE OF COMPLIANCE WITH MODEL RULES

I, CARLOS VELARDE, REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS (NO.134409), HEREBY CERTIFY THAT THE WATER AND SEWER SERVICES FOR THIS SUBDIVISION WERE DESIGNED IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY OF EAGLE PASS, TEXAS, THAT THESE SERVICES WILL BE CONNECTED TO THE PUBLIC WATER AND SEWER UTILITIES, THAT THESE SERVICES WILL BE OPERATED AND MAINTAINED BY THE CITY OF EAGLE PASS; ALL SHOWN ON THE DRAWINGS PRESENTED TO, AND APPROVED BY, THE CITY OF EAGLE PASS, TEXAS. THESE WATER AND SEWER DESIGNS ARE IN COMPLIANCE WITH THE MODEL RULES ADOPTED UNDER SECTION 16.343 OF THE TEXAS WATER CODE AND ARE OPERABLE AT THIS TIME.

CARLOS VELARDE
REGISTERED PROFESSIONAL ENGINEER
TEXAS NO. 134409

SWORN TO AND SUBSCRIBED BEFORE ME THIS _____ DAY OF _____, 2024.

NOTARY PUBLIC STATE OF TEXAS

STATE OF TEXAS)
COUNTY OF MAVERICK)

I, FRANCISCO GAYTAN, A REGISTERED PROFESSIONAL LAND SURVEYOR IN TEXAS, HEREBY CERTIFY THAT THE FOREGOING PLAT AND DESCRIPTION OF THE REPLAT OF LOT 2 BLOCK 12 OF THE LOMA LINDA UNIT #1, WAS PREPARED FROM A SURVEY OF THE PROPERTY MADE ON THE GROUND BY ME OR UNDER MY SUPERVISION _____, 2024.

FRANCISCO GAYTAN
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS NO. 5474

SWORN TO AND SUBSCRIBED BEFORE ME THIS _____ DAY OF _____, 2024.

NOTARY PUBLIC STATE OF TEXAS

CITY OF EAGLE PASS
CERTIFICATE OF PLAT APPROVAL

WE THE UNDERSIGNED CERTIFY THAT THIS REPLAT OF LOT 2, BLOCK 12 OUT OF LOT 2 LOMA LINDA UNIT#1 SUBDIVISION, WAS REVIEWED AND APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF EAGLE PASS, TX

CHAIRMAN OF THE CITY OF EAGLE PASS
PLANNING AND ZONING COMMISSION

SWORN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 2024.

NOTARY PUBLIC STATE OF TEXAS

CITY OF EAGLE PASS
CERTIFICATE OF PLAT APPROVAL

WE THE UNDERSIGNED CERTIFY THAT THIS REPLAT OF LOT 2, BLOCK 12 OUT OF LOT 2 LOMA LINDA UNIT#1 SUBDIVISION WAS REVIEWED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF EAGLE PASS, TEXAS.

MAYOR OF THE CITY OF EAGLE PASS

SWORN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 2024.

NOTARY PUBLIC STATE OF TEXAS

MAVERICK COUNTY
CERTIFICATE OF PLAT APPROVAL

WE THE UNDERSIGNED CERTIFY THAT THIS REPLAT OF LOT 2, BLOCK 12 OUT OF LOT 2 LOMA LINDA UNIT#1 SUBDIVISION WAS REVIEWED AND APPROVED BY THE MAVERICK COUNTY COMMISSIONERS' COURT.

MAVERICK COUNTY JUDGE _____ DATE _____
SWORN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 2024.

NOTARY PUBLIC STATE OF TEXAS



Replat of Lot 2, Block 12, Loma Linda Unit #1
Maverick County, Texas.

CAVEL ENGINEERING

ENGINEERING FIRM F-20893, TEXAS
2373 Willowbrae Dr.
Eagle Pass, Texas 78852
Phone: (830) 872-8799

JOB#RP 24-05
REV 02
December, 2024

SHEET
1 of 1

[illegible]

Aerial View



Street View



Attachment 2
Sidewalk Waiver 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 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): Jose Zermeno / Zermeno Holdings LLC

Phone: (830) 968-1077 Email: mrzcbp@gmail.com

Owner: Jose Zermeno

Owner Address: 887 N Bibb Ave City: Eagle Pass State: TX Zip: 78852

Phone: _____ Email: _____

Property Information

Site Address: 34 Hihg Noon Blvd, Eagle Pass, TX

Legal description (from deed): Loma Linda Unit #1, Block 12, Lot 2

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

Maverick County Identification Number: 12954

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

A sidewalk and curb waiver for High Noon Blvd, there is no sidewalks in the vicinity of this subdivision and no sidewalks in Rosita Valley Road.

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

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

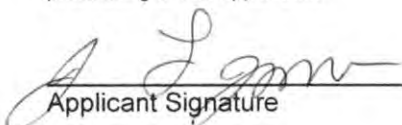
There are no sidewalks in the near vicinity of the subdivision building a sidewalk right of the property line , no curb and gutter is installed either, subdivider can build sidewalks upon the construction of the residence.

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

10/24/2024

Date

Attachment 3
Subdivision Variance Application



PLANNING DEPARTMENT

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

SUBDIVISION VARIANCE APPLICATION

Applicant Information

Applicant (If not owner): Jose Zermeno / Zermeno Holdings LLC

Address: 34 High Noon Blvd, Eagle Pass, TX

Phone: (830) 773-8308 E-mail: mrzcbp@gmail.com

Owner: Jose Zermeno / Zermeno Holdings LLC

Address: _____

Phone: _____ E-mail: _____

Property Information

Site Address: 34 High Noon Blvd. MCAD Property ID No. 12954

Legal Description (from deed): Block 12, Lot 2, Loma Linda Unit #1

Description of Subdivision Variance Request

1. Subdivision less than 5 Acres

2. Sidewalk variance

3. Preliminary approval, proceed with final

Detailed Explanation of Subdivision Variance Request

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

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

Subdivision is less than 5 Acres, there is no sidewalks
in the vicinity, and no curb and gutter either.

Preliminary approval variance has been granted in the past
with similar applications

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

Property can created additional lots keeping the same
adding 2 residential areas to the site, no sidewalks
located in the area, no curb on any of the steets

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 on any of the 2 adjacent streets

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.

No curb and no sidewalks on any of the adjacent streets

Required Application Attachments

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

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

Applicant Authorization

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

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


Applicant Signature

10/24/2024
Date

Attachment 4
Final Engineering Report

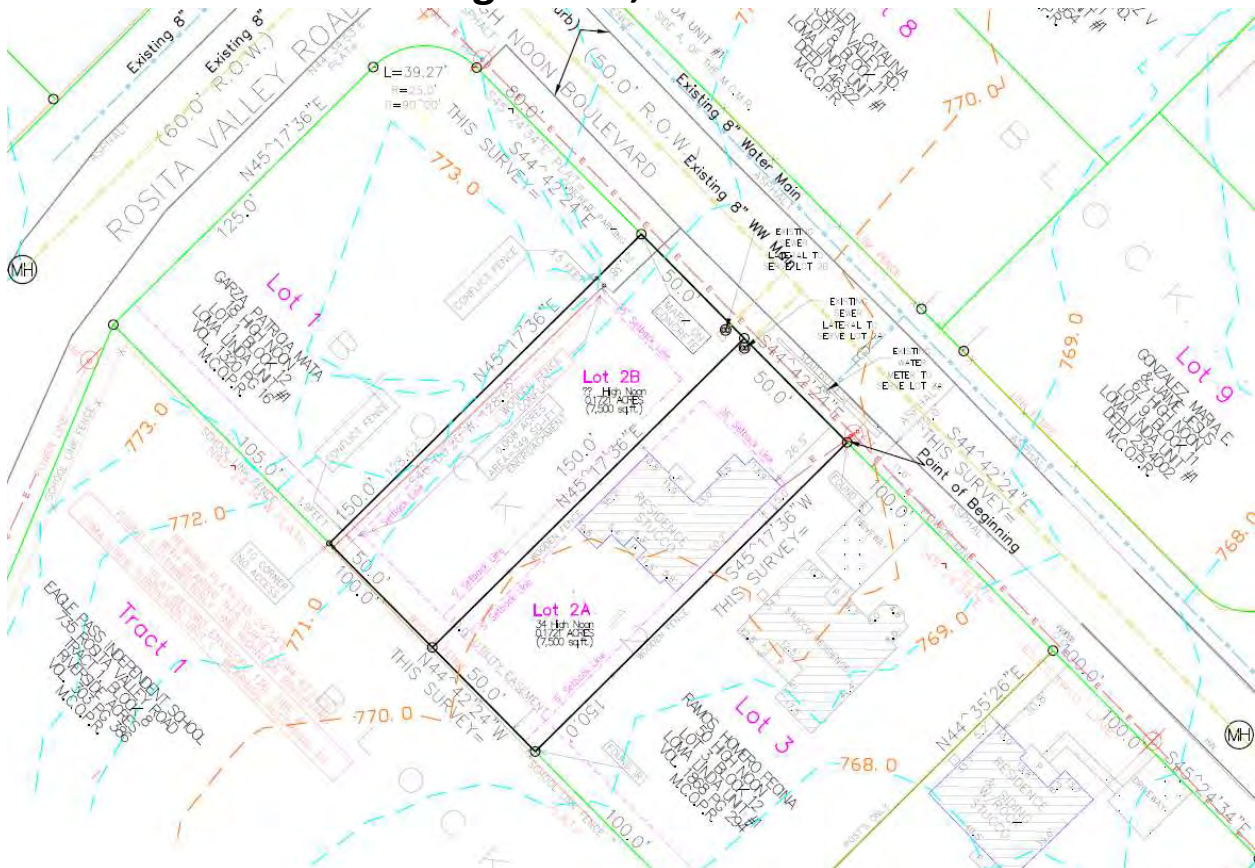
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FINAL ENGINEERING & DRAINAGE REPORT

Prepared for:

Zermeno Holdings LLC
Replat of Lot 2 Block 12
Loma Linda Unit #1
Maverick County, Texas
Eagle Pass, TX 78852



Prepared by:

Cavel Engineering
Engineering Firm #20893

Phone: (830) 872-8799

November 7, 2024

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2. – PROPERTY DESCRIPTION AND SITE PROPERTIES
3. – DRAINAGE CONDITIONS
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6. – WATER AND SANITARY SEWER CALCULATIONS
7. – FLOOD INFORMATION

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1.-INTRODUCTION

This report was prepared by Carlos Velarde, PE., for a 0.3443 Acre tract recorded as Lot 2 Block 12 of the plat of record Loma Linda #1 Subdivision, Eagle Pass, TX 78852. The property is located approximately 2.64 miles to the south east of the City of Eagle Pass City Limits. The property consists in the Lot 2 Block 12 Loma Linda Unit #1 Subdivision as shown on the plat of record on Envelope 136 Side A of the Maverick County Plat Records. The property is not currently zoned and is located to the southeast area of the extra territorial jurisdiction of the City of Eagle Pass, Tx.



Figure 1. Location Map

2.-PROPERTY DESCRIPTION AND SITE PROPERTIES

The 0.3443 Acre tract consist in Lot 2 Block 12 of the Loma Linda Unit #1 Subdivision as shown on the plat of record on Envelope 136 Side A of the Maverick County Plat Records, the land is surrounded by said subdivision to the east, west and north, and south with Riverside Acres. All of this property lies within the extra territorial jurisdiction of the City of Eagle Pass, in Maverick County, Texas.

All of this land is located in Maverick County, Texas, and there is one residential construction located in the proposed Lot 2A, proposed Lot 2B is a vacant lot, this proposed replat is to add a one residential lot to the Maverick County within the extra territorial jurisdiction of the City of Eagle Pass.

No portions of this tract of land are located within Zone A of a special flood hazard zone as shown on flood hazard boundary map panel 48323C0575D for Maverick County, Texas and incorporated areas dated April 4, 2011. As shown in the FEMA Firmette map, attached as Exhibit 1.



Figure 2. Aerial Photogrammetry of the property.

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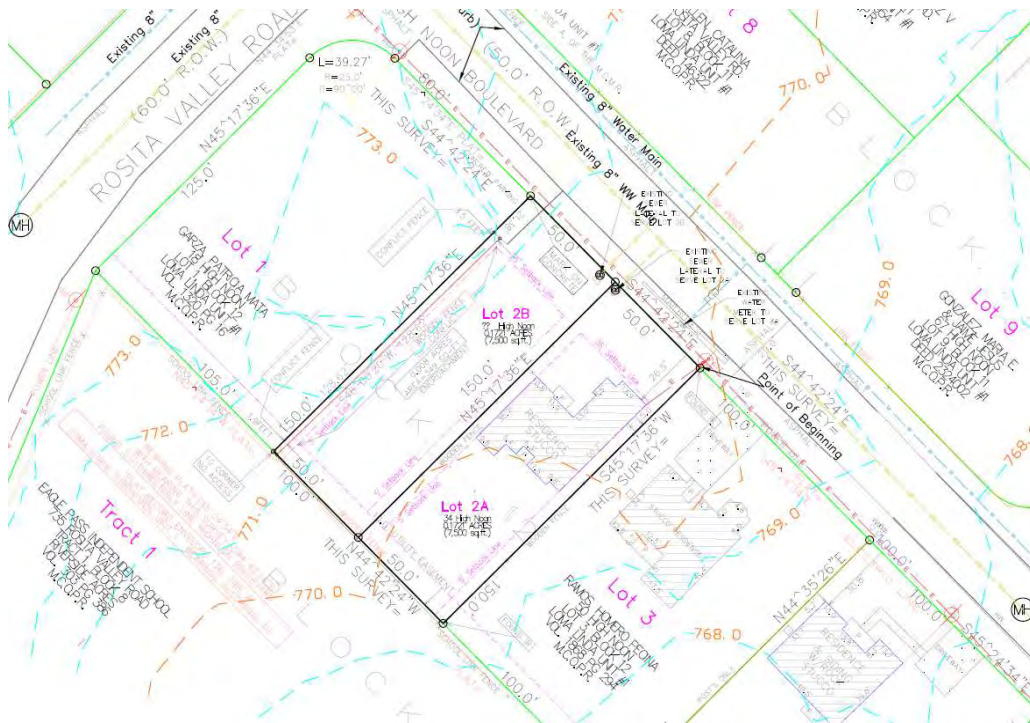


Figure 3. Excerpt from the Proposed Replat



Figure 4. Drone image from the North, showing location of the two Cleanouts serving lots and a water meter for lot 2A

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Figure 5. View from the East, showing High Noon with no curb, no sidewalk.



Figure 6. View from the South.



Figure 7. Closest Fire Hydrant located at 190 ft to the southeast.

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Figure 8. View to the West



Figure 9. Nearest intersection, showing no curb and gutter in the vicinity.

3.- DRAINAGE CONDITIONS

The site drains naturally to the southeast portion of the existing Lot 2, it is assumed that all proposed development in this replat will be constructed to maintain this drainage flow towards the southeast corner of the property. All improved conditions to match existing drainage conditions.

This property currently discharges all runoff naturally to the northeast corner of the property, there is no storm drain system in place within the vicinity of the property, there is also no expected mayor impact in the increase of runoff due to the replat, the variation will be minimal compared to existing drainage conditions and all improvements will match existing drainage patterns.

4.- DRAINAGE CALCULATIONS

EXISTING CONDITION - 10 YEAR

Q 10y= 1.1564242 10 yr- Maximun Rate of runoff (cfs) UNDEVELOPED

PROPOSED CONDITION - 10 YEAR

Q 10y= 1.8291631 10 yr- Maximun Rate of runoff (cfs) DEVELOPED

EXISTING CONDITION - 25 YEAR

Q 25y= 1.7335543 25 yr- Maximun Rate of runoff (cfs) UNDEVELOPED

PROPOSED CONDITION - 25 YEAR

Q 25y= 2.7420334 25 yr- Maximun Rate of runoff (cfs) DEVELOPED

EXISTING CONDITION - 50 YEAR

Q 50y= 1.9883672 50 yr- Maximun Rate of runoff (cfs) UNDEVELOPED

PROPOSED CONDITION - 25 YEAR

Q 50y= 3.1450813 50 yr- Maximun Rate of runoff (cfs) DEVELOPED

EXISTING CONDITION - 100 YEAR

Q 100y= 2.2404058 100 yr- Maximun Rate of runoff (cfs) UNDEVELOPED

PROPOSED CONDITION - 100 YEAR

Q 100y= 3.543741 100 yr- Maximun Rate of runoff (cfs) DEVELOPED

TOTAL AREA= 0.3442 AC.

$$Q = \frac{CIA}{Z}$$

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DEVELOPED
AREA= 0.3442 AC.

$$C_w = \frac{\sum_{j=1}^n C_j A_j}{\sum_{j=1}^n A_j}$$

RUNOFF COEFFICIENT CALCULATION (UNDEVELOPED)

C= 0.4 Weighted Runoff coeff (CW)(1.25) FOR +25 YEARS UNDEV.
C= Weighted Runoff Coefficient Undeveloped

TOTAL AREA 0.3442 Acres

	SURFACE	AREA (Ac)	COEFF.	TOTAL AREA/AREA1	C=
Building	1500 SF	0.034	0.95	10.00%	0.0950421
Asphalt/Concrete	1000 SF	0.023	0.95	6.67%	0.0633614
Native Vegetation		0.287	0.30	83.33%	0.2499778
				Cw=	0.4083814

C= 0.4083814 Weighted Runoff coefficient UNDEVELOPED

RUNOFF COEFFICIENT CALCULATION (DEVELOPED)

C= 0.6459534 Weighted Runoff coeff (CW)(1.25) FOR +25 YEARS DEV.
C= Weighted Runoff Coefficient Developed

TOTAL AREA 0.3442 Acres (PROJECTED)

	SURFACE	AREA (Ac)	COEFF.	TOTAL AREA/AREA1	C=
Building	3000 SF	0.069	0.95	20.01%	0.1900842
Asphalt/Concrete	2000 SF	0.046	0.95	13.34%	0.1267228
Native Vegetation		0.229	0.30	66.65%	0.1999557
				Cw=	0.5167627

C= 0.5167627 Weighted Runoff coefficient DEVELOPED

I 10y= 10.283723 10 yr- Average Rainfall intensity (in/hr) (calculation below)

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I 25y=	12.332771	25 yr- Average Rainfall intensity (in/hr) (calculation below)
I 50y=	14.145549	50 yr- Average Rainfall intensity (in/hr) (calculation below)
I 100y=	15.93859	100 yr- Average Rainfall intensity (in/hr) (calculation below)
A=	0.3442	Drainage Area (ac)
Z=	1	Conversion factor (1)

$$I = \frac{b}{(t_c + d)^e}$$

RAINFALL INTENSITY

I=	Design rainfall intensity (in./hr.)
tc=	Time of concentration (min)
e, b, d=	Coefficients for specific frequencies (table below)

FOR 10-YEAR

I= 10.283723 in./hr.

e = 0.8774
b = 130.75 in
d = 13.7 min

FOR 25-YEAR

I= 12.332771 in./hr.

e = 0.8792
b = 167.74 in
d = 15.03 min

FOR 50-YEAR

I= 14.145549 in./hr.

e = 0.8834
b = 203.36 in
d = 16 min

FOR 100-YEAR

I= 15.93859 in./hr.

e = 0.8844
b = 237.57 in
d = 16.78 min

tc= 4.4382368 min. (Calculation below)

Rainfall Intensity-Duration-Frequency Coefficients for Texas

Based on United States Geological Survey (USGS) Scientific Investigations Report 2004-5041

"Atlas of Depth-Duration Frequency of Precipitation Annual Maxima for Texas"

1. Select English or SI Units

English

2. Select or Enter a County

Maverick

3. Enter a Time of Conc.

Select Units

8.25 min

Coefficient	50% (2-year)	20% (5-year)	10% (10-year)	4% (25-year)	2% (50-year)	1% (100-year)
e	0.861	0.8691	0.8774	0.8792	0.8834	0.8844
b (in.)	66.16	100.56	130.75	167.74	203.36	237.57
d (min)	9.66	12.19	13.70	15.03	16.00	16.78
Intensity (in./hr)	5.09	6.80	8.13	9.89	11.44	12.97

(Spreadsheet Release Date: August 31, 2015; data table reshuffle by Asquith July 14, 2016)

Kerby-Kirpich Method for time of concentration

$$t_c = t_{ov} + t_{ch}$$

$$t_{ov} =$$

Overland flow time

$$t_{ch} =$$

Channel flow time

$$t_{ov} = K(L \times N)^{0.467} S^{-0.235}$$

$$t_{ov} =$$

Overland flow time

K=

0.828

K= A units conversion coefficient K=0.828 for traditional units

L= the overland-flow length (ft)

N= A dimensionless retardance coefficient

N=

0.02

S= Slope of terrain conveying the overland flow

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Generalized terrain description	Dimensionless retardance coefficient (N)
Pavement	0.02
Smooth, bare, packed soil	0.10
Poor grass, cultivated row crops, or moderately rough packed surfaces	0.20
Pasture, average grass	0.40
Deciduous forest	0.60
Dense grass, coniferous forest, or deciduous forest with deep litter	0.80

OVERLAND FLOW

L= 40 FT
ELEV 1 = 770 FT
ELEV 2 = 770.5 FT
S= 0.0125

$$t_{ov} = 2.0892938 \text{ minutes}$$

$$t_{ch} = KL^{0.770}S^{-0.385}$$

Channel flow time K= 0.0078

K= A units conversion coefficient K=0.0078
L= the channel flow length
S= the dimensionless main-channel slope

CHANNEL FLOW

L= 140 FT
ELEV 1 = 770 FT
ELEV 2 = 771 FT

S= 0.0071429

$$t_{ch} = 2.348943 \text{ minutes}$$

$$t_c = t_{ov} + t_{ch}$$

Max. Time of Concentration = 10 minutes

$$t_c = 4.4382368 \text{ minutes}$$

Table 4-10: Runoff Coefficients for Urban Watersheds

Type of drainage area	Runoff coefficient
Business:	
Downtown areas	0.70-0.95
Neighborhood areas	0.30-0.70
Residential:	
Single-family areas	0.30-0.50
Multi-units, detached	0.40-0.60
Multi-units, attached	0.60-0.75
Suburban	0.35-0.40
Apartment dwelling areas	0.30-0.70
Industrial:	
Light areas	0.30-0.80
Heavy areas	0.60-0.90
Parks, cemeteries	0.10-0.25
Playgrounds	0.30-0.40
Railroad yards	0.30-0.40
Unimproved areas:	
Sand or sandy loam soil, 0-3%	0.15-0.20
Sand or sandy loam soil, 3-5%	0.20-0.25
Black or loessial soil, 0-3%	0.18-0.25
Black or loessial soil, 3-5%	0.25-0.30
Black or loessial soil, > 5%	0.70-0.80
Deep sand area	0.05-0.15
Steep grassed slopes	0.7
Lawns:	
Sandy soil, flat 2%	0.05-0.10
Sandy soil, average 2-7%	0.10-0.15
Sandy soil, steep 7%	0.15-0.20
Heavy soil, flat 2%	0.13-0.17
Heavy soil, average 2-7%	0.18-0.22
Heavy soil, steep 7%	0.25-0.35

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Streets:	
Asphaltic	0.85-0.95
Concrete	0.90-0.95
Brick	0.70-0.85
Drives and walks	0.75-0.95
Roofs	0.75-0.95

5.- ACCESS TO SITE

The site can be accessed coming from Eagle Pass, TX thru El Indio Highway and then taking a right on Rosita Valley Road for approximately 0.64mi, take a left onto High Noon the site will be 200 feet to the right

6.- WATER AND SEWER CALCULATIONS

Water Supply: Description.

This tract of land is provided with potable water by means of a main water line running along High Noon to the front, there is an existing water meter on the proposed lot 2A, developer is responsible to install the water meter on Lot 2B prior to plat recordation.

All inside this unit, water improvements for development on this land will comply with City of Eagle Pass regulations. Service lines and meter boxes will be paid for by the developer and installed to City Standards.

Sewage Facilities: Description.

Sewage from this subdivision will be disposed of through the sanitary sewer collection system of the City of Eagle Pass. Two of the proposed lots are already connected to the available sanitary sewer collection system to a 8" Waste water main located at the center line of High Noon.

All improvements required to discharge wastewater to the sanitary sewer system will be paid for by the developer and installed following City Standards.

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Water Calculations

RESIDENTIAL USE

2 Dwellings. For total development

$$2 \text{ units} \times \frac{4 \text{ Persons}}{\text{Per unit}} \times \frac{100 \text{ Gallons}}{\text{Person-Day}} \times \frac{1 \text{ day}}{24 \text{ hours}} \times \frac{1 \text{ Hour}}{60 \text{ minutes}} = 0.555 \text{ GPM}$$

$$\text{Peak demand} = 2.5 \text{ peak factor} \times 0.555 \text{ GPM} \approx 1.388 \text{ GPM}$$

Sanitary Sewer Calculations

RESIDENTIAL USE

2 Dwellings. For total development

$$2 \text{ Units} \times \frac{4 \text{ Persons}}{\text{Per Room}} \times \frac{80 \text{ Gallons}}{\text{Person-Day}} \times \frac{1 \text{ day}}{24 \text{ hours}} \times \frac{1 \text{ Hour}}{60 \text{ minutes}} = 0.444 \text{ GPM}$$

Infiltration and Inflow Factor = 0.5

Peak Demand Factor = 2.0

$$\text{Peak Demand} = 2.5 \text{ Combined Factor} \times 0.444 \text{ GPM} = 1.11 \text{ GPM} \approx 0.002475 \text{ CFS.}$$

Note: 1 CFS = 448.83 GPM.

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6.- FLOOD INFORMATION

Portions of this tract of land are located inside of a special flood hazard zone as shown on flood hazard boundary map panel 48323C0475D for Maverick County, Texas and incorporated areas dated April 4, 2011. As shown in the image below (excerpt from the proposed replat)

7.- CONCLUSIONS

The existing and proposed use of the property is residential, this proposed replat will not have an impact on the current use of the property and surroundings, drainage patterns and utilities as required for platting purposes are already available to this subdivision of land.

If you have any questions or need more information, contact me at (830) 872-8799 or to my email cavel2us@gmail.com.



Carlos Arturo Velarde Fernandez, P.E.
Professional Engineer, License No. 134409, Texas.
Eagle Pass, Texas, November 7, 2024.

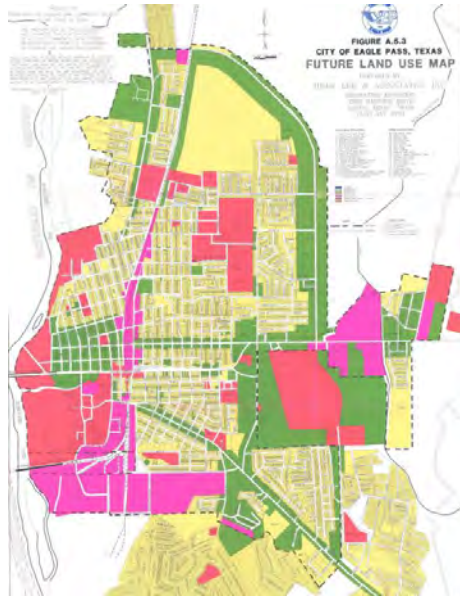
List of Exhibits:

- 1.- FEMA Firmette for Site.**
- 2.- EPWW Water and sewer Infrastructure**

Attachment 5
Master Plan Map and Zoning District Map

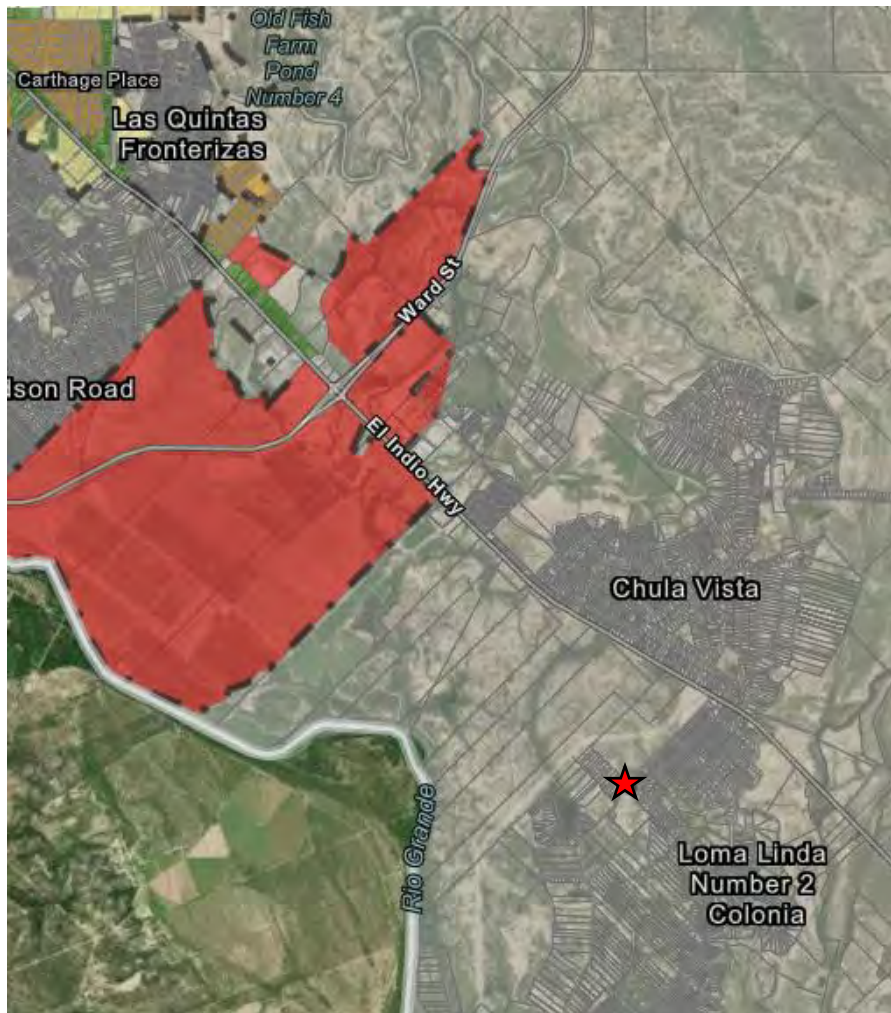
Master Plan Map

Not depicted within map boundaries



Zoning District Map

(Within ETJ)



Item #4



Community Development Department Executive Summary
REPORT TO THE PLANNING AND ZONING COMMISSION
Final Re-Plat of Lot 26 in School Block of Chula Vista Subdivision Unit V

I. BACKGROUND

A. General Information

Applicant: Cavel Engineering I Eagle Pass, Tx 78852

Developer: Juan M. & Graciela Vasquez I Eagle Pass, Texas 78852

Location: 65 School Circle

Property ID Number: 7245

Legal Description: Lot 26 in School Block of Chula Vista Subdivision Unit V

Request: Final replat approval to subdivide an approximately 0.465-acre tract into three (3) residential lots, including (1) a variance to proceed to final plat directly without first having obtained preliminary replat approval, and (2) a sidewalk waiver request, including curb and gutter. The installation of city utilities will be required to be installed, inspected and accepted by Eagle Pass Water Works System before plat recordation.

B. Subject Property Information

Parcel Size: 20,000 square feet **Topography:** Generally flat **Vegetation:** cleared

Existing Use: lot houses two residential dwellings and one lot remains undeveloped.

Zoning: Meets or exceeds the *R-2 Second One-Family Dwelling District* Standards

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

C. Vicinity Data

The site is located within an area that features residential developments consistent with 5,500-square foot minimum lot size found in the subdivision.

D. Infrastructure

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

Access to the site is provided by School Circle via FM 2030 and El Indio Highway.

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*. A legal notice was published in the Eagle Pass News Gram on November 28, 2024, and seventy-eight (78) notices were mailed to the abutting property owners within a 500 foot 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. The applicant is seeking a sidewalk waiver, including curb and gutter per Section 23-64(a) of the Subdivision Ordinance as part of his application for the replat. Both the City and County agree that the waiver be granted as there are no curb or gutter or sidewalks in the vicinity of the subject area. See Attachment 2 for a copy of the application.

City of Eagle Pass Code of Ordinances Section 23-64 authorizes the Planning and Zoning Commission to waive the requirement for the construction of sidewalk, including curb and gutter 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 Subdivision Sidewalk Waiver Application and photographs of the property frontage.

3. 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 3, comply with the four criteria to grant the subdivision variance.

The following is a summary of this application's compliance with the criteria:

First Variance Decision Criteria

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

Second Variance Decision Criteria

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

Third Variance Decision Criteria

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

Fourth Variance Decision Criteria

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

Fifth Variance Decision Criteria

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

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

4. The property is located within the City's *Extraterritorial Territorial Jurisdiction*, and the policies of the *Master Plan Map* apply to the consideration of this subdivision. The *Master Plan* emphasizes the importance of maintaining the character of the residential neighborhoods.
 - ✓ The replat is consistent with the *Housing Goals* of the *Master Plan*, as the subdivision process will ensure appropriate land development regulation with appropriate lot sizes, paved streets with curb and gutters, and adequate utility services.
 - ✓ The replat is consistent with the *Land Use Development Goals* of the *Master Plan*, as the project is designed to provide for a building lot density that is consistent with the purpose of the *R-2 Second One-Family Dwelling District*. This design will allow for the continuing development of the community while retaining the neighborhood character and scale while providing utility services in the most efficient and equitable manner.
 - ✓ The replat is consistent with the *Street Goal* of the *Master Plan*, as access to the site from School Circle is designed to provide the residents of and visitors to Eagle Pass and Maverick County with a street system that will enable them to travel safely and conveniently.
 - ✓ The replat is consistent with the *Thoroughfare Goals* of the *Master Plan*, as School Circle has been designed to be part of a safe and efficient thoroughfare system.
 - ✓ The replat is consistent with the *Storm Drainage Goals* of the *Master Plan*, as the size of the two lots and the eventual density of 3-dwelling-units on the re-plat site will not adversely impact existing area drainage effectiveness.
5. The subdivision is consistent with City design and specifications, as the subsequent development of the site will be required to conform to the following sections of *Article IV in Eagle Pass Code of Ordinances Chapter 23*:
 - ✓ *Section 23-61* governing street layout, right-of-way and pavement width, street names, streetlights, and road construction testing.

- ✓ *Section 23-62* governing utility easements
- ✓ *Section 23-64* governing sidewalks. Applicant requested a waiver.
- ✓ *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 4 for a copy of the *Final Engineering Report* for the subdivision.

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

- Encourage and abet the development of civic, cultural, and other public and quasi-public buildings in harmonious and functional groupings.
9. The replat will allow for a use of the property that is consistent with the residential purpose of the *R-2 Second One-Family Dwelling District* for the following reasons:
- A. The subdivision design bears a substantial relationship to the public's health, safety, and welfare.
 - B. The subdivision is in accordance with the policies of the Master Plan and the business purpose of the *R-2 Second One-Family Dwelling District*.
 - C. The subdivision is warranted because of the necessity to create additional building lots in the *R-2 Second 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-2 Second One-Family Dwelling District*.
 - E. The subdivision will benefit the City as a whole and will not be detrimental to nearby land uses of a similar nature.
 - F. The subsequent development will be designed and conditioned to comply with all applicable subdivision criteria and standards of the City of Eagle Pass.

Please refer to Attachment 5 for a copy of the *Master Plan Map* and a copy of the *Zoning District Map* for the City of Eagle Pass.

10. The approval of this final replat request is warranted, as the project conforms to the *City of Eagle Pass Master Plan* and the *City of Eagle Pass Code of Ordinances* as noted in Conclusion 1 through and including Conclusion 9 of this report.

B. Community Development 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 request, including curb and gutter as there are no curb or gutter improvements in the area, and (3) **GRANT** final plat approval of the *Replat of Lot A in School Block of Chula Vista Subdivision Unit V*, subject to the plat comply with the provisions of *Article III of City of Eagle Pass Code of Ordinances Chapter 23* governing procedures and specifications for Final Plats with the following condition:

- 1. The Applicant provides a letter from Eagle Pass Water Works System certifying that all utilities constructed have been accepted prior to plat recordation, as regulated by Section 23-36(d)(2)(i).

TRANSMITTED to the parties listed hereafter:

Cavel Engineering via e-mail

Eagle Pass Planning and Zoning Commission via e-mail

Eagle Pass City Manager Homero Balderas via e-mail

Eagle Pass Assistant City Manager Ivan Morua via e-mail

Eagle Pass City Secretary Erika Rodriguez via e-mail

Eagle Pass City Attorney Ana Sophia Garcia via e-mail

Maverick County Planning Director via e-mail

Eagle Pass Community Development Department Report dated December 3, 2024

Attachment 1

Application



CITY OF EAGLE PASS
APPLICATION FOR APPROVAL OF FINAL PLAT

INSTRUCTIONS: This form is to be completely filled out, signed, and dated by the subdivider when the subdivider requests final plat approval.

IDENTIFICATION OF SUBDIVISION AND PLAT

I, Juan M & Graciela Vazquez, hereby request final plat approval for the proposed subdivision known as Replat Lot26 School Block Chula Vista V as shown on the accompanying plat, which consists of 1 (number) sheets and which was acknowledged by me on 11/21/2024 (date).

SUBDIVIDER'S ACKNOWLEDGMENT

I understand that before the plat may be recorded I must provide to the City of Eagle Pass a financial guarantee for all unbuilt infrastructure in the amount to be set by the City Council. Otherwise, I believe that I have fulfilled the requirements under state laws and city ordinances for final plat approval by the City of Eagle Pass, based upon the plat as described above and the documents and information listed below. To the best of my knowledge the information provided on this request is true and complete.

Juan M Vazquez Graciela Vazquez
 Signature of Subdivider (or Authorized Agent)

11/21/2024

Date

PRELIMINARY PLAT APPROVAL

Check if applicable, and provide the date of City Council approval.

N/A A preliminary plat was approved by the City on a variance is requested (date).

IDENTIFICATION OF PLAT SHEETS TO BE IN COUNTY'S MAP RECORD

I request, once the City of Eagle Pass has approved the plat and I have submitted any required financial guarantees, that sheets number n/a (list sheets) of the plat be recorded in the Maverick County Map Records but that the other sheets of the plat not be recorded.

LIST OF DOCUMENTS ACCOMPANYING OR ATTACHED TO THE PLAT TO BE INCLUDED IN COUNTY'S MAP RECORD OF THE SUBDIVISION

The information below, if it is not included upon the plat itself, must be on a document signed by the subdivider and attached to or accompanying the final plat. For each item, indicate by a check mark where the information appears. The City of Eagle Pass will keep these documents (or their signed revisions) together during the subdivision review and approval process and through the recording of the subdivision with the County Clerk. If the subdivision does not have at least two or more lots of five acres or less intended for residential purposes, then the Model Rules do not apply and a final engineering report is not required.

on the final plat	attached to final plat	accompanies final plat	
_____	x _____	_____	final engineering report
x _____	_____	_____	description in English and Spanish of water and sewer facilities and easements and operable date
x _____	_____	_____	engineering certification of compliance of water and sewer facilities with Model Rules, and of estimated costs
_____	_____	_____	others (described as follows:) ----- 
_____	_____	_____	others (described as follows:) ----- 

DESCRIPTION OF SUBDIVISION INFRASTRUCTURE THAT HAS BEEN COMPLETED OR INSTALLED AS OF THE DATE OF THIS APPLICATION

NOTE: You may refer to the plat in describing the completed infrastructure -- for example, by stating, "The water lines shown on sheet 3 of the final plat have been installed." Use the back side of this page if more room is needed. The City of Eagle Pass' Subdivision Ordinance require a subdivider to enter into a Subdivision Construction Agreement secured by a financial guarantee (a bond, letter of credit, or cash deposit) for completion of streets and drainage and water and wastewater facilities not constructed or installed when the subdivider applies for final plat approval.

Streets. *(Provide names of streets and extent of their completed improvements.)*

No streets are being proposed to be constructed.

Drainage facilities. *(Describe location and nature of completed drainage facilities.)*

No drainage facilities are being proposed.

Water facilities. *(Describe installed locations and sizes of water lines, water meters, and other devices involved in providing water.)*

2 Water meters are already connected to a main water line located at School Circle, a third meeting to be connected before plat recordation.

Wastewater facilities. *(Describe installed location and sizes of such items as sewer lines, septic systems, or other on-site sewerage facilities.)*

2 Sanitary sewer services are already connected to a main sewer line located at School Circle, a third service to be connected before plat recordation.

Plat Zoomed In

The map displays a section of a larger plat, focusing on Lots 26C, 26B, and 26A. These lots are situated along School Circle (50.0' R.O.W.). Lot 26C is 0.1377 Acres (6,000 sq.ft.), Lot 26B is 0.1606 Acres (7,000 sq.ft.), and Lot 26A is 0.1606 Acres (7,000 sq.ft.). The map includes various easements, including a 10' Setback Line, a 5' Setback Line, and a 10' Utility Easement. It also shows existing water and sewer mains, and a proposed sewer lateral to serve Lot 26B. The map is labeled with 'Lot 26C', 'Lot 26B', and 'Lot 26A' in pink. Other lots shown include Lot 24A and Lot 25. The map is titled 'Plat Zoomed In' in large blue letters.

Aerial View



Site Photos





Attachment 2
Sidewalk Waiver Request



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 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): Juan M & Graciela Vazquez
Phone: (830) 325-8182 Email: juavas2323@gmail.com
Owner: Juan M & Graciela Vazquez
Owner Address: 65 School Circle City: Eagle Pass State: TX Zip: 78852
Phone: _____ Email: _____

Property Information

Site Address: 65 School Circle, Eagle Pass, TX
Legal description (from deed): Lot 26 Chula Vista School Block
(Property must be legally subdivided or be lot of record)
Maverick County Identification Number: 7245

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

A sidewalk and curb waiver for School Circle (corner lot)
there are no sidewalks in the vicinity of this subdivision.

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

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

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

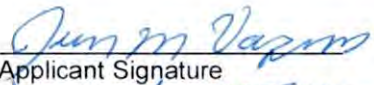
There are no sidewalks in the near vicinity of the subdivision
building a sidewalk right of the property line , no curb and gutter
~~is installed either, subdivider can build sidewalks upon the construction~~
of the residence.

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


10/22/2024

Date

Attachment 3
Subdivision Variance Application



PLANNING DEPARTMENT

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

SUBDIVISION VARIANCE APPLICATION

Applicant Information

Applicant (If not owner): Juan M & Graciela Vazquez

Address: 65 School Circle, Eagle Pass, TX

Phone: (830) 325-8182 E-mail: juavas2323@gmail.com

Owner: Juan M. & Graciela Vazquez

Address: _____

Phone: _____ E-mail: _____

Property Information

Site Address: 65 School Circle MCAD Property ID No. 7245

Legal Description (from deed): Lot 26, Chula Vista School Block

Description of Subdivision Variance Request

1. Subdivision less than 5 Acres
2. Sidewalk variance
3. Preliminary approval, proceed with final

Detailed Explanation of Subdivision Variance Request

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

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

Subdivision is less than 5 Acres, there is no sidewalks
in the vicinity, and no curb and gutter either.

Preliminary approval variance has been granted in the past
with similar applications

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

Property can created additional lots keeping the same
adding 3 residential areas to the site, no sidewalks
located in the area, no curb on any of the steets

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 on any of the 2 adjacent streets

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.

No curb and no sidewalks on any of the adjacent streets

Required Application Attachments

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

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

Applicant Authorization

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

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


Applicant Signature


10/22/2024
Date

Attachment 4
Final Engineering Report

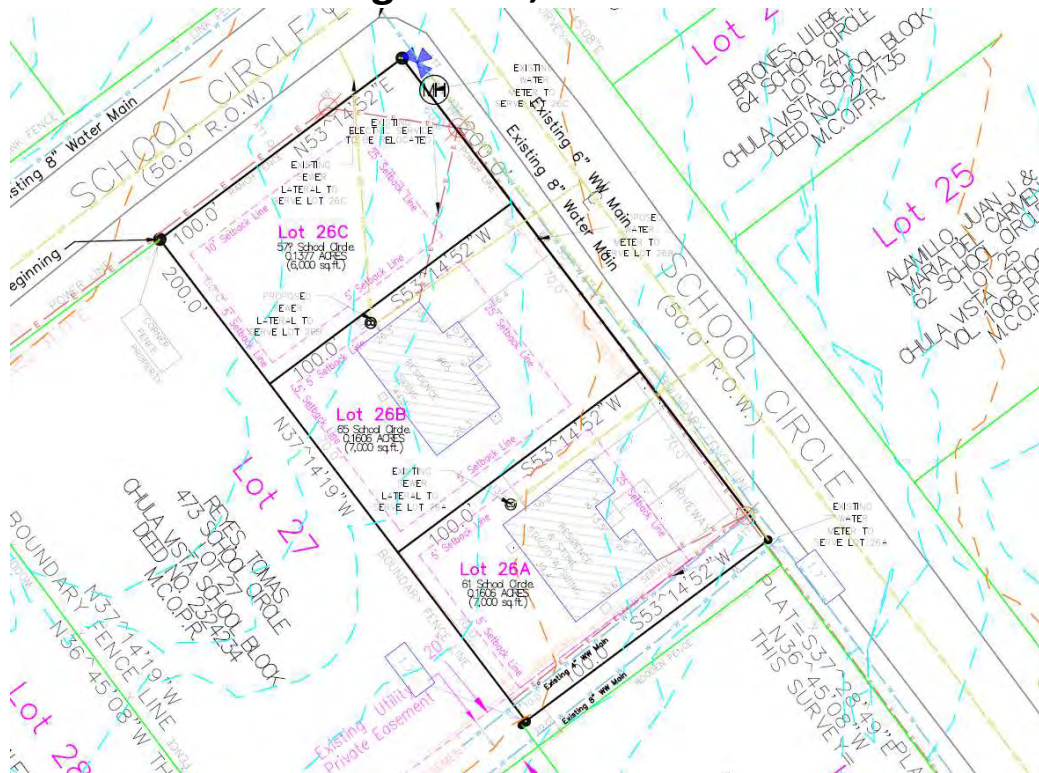
CAVEL ENGINEERING

Civil engineering and drone mapping

ENGINEERING & DRAINAGE REPORT

Prepared for:

**Juan Manuel Vasquez &
Graciela Vasquez
Replat of Lot 26 School Block
Chula Vista Unit V
Maverick County, Texas
Eagle Pass, TX 78852**



Prepared by:

**Cavel Engineering
Engineering Firm #20893**

Phone: (830) 872-8799

October 30, 2024

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1. - INTRODUCTION
2. – PROPERTY DESCRIPTION AND SITE PROPERTIES
3. – DRAINAGE CONDITIONS
4. – DRAINAGE CALCULATIONS
5. – ACCESS TO SITE
6. – WATER AND SANITARY SEWER CALCULATIONS
7. – FLOOD INFORMATION

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Civil engineering and drone mapping

1.-INTRODUCTION

This report was prepared by Carlos Velarde, PE., for a 0.459 Acre tract recorded as Lot 26, School Block of the plat of record Chula Vista Unit V Subdivision, Eagle Pass, TX 78852. The property is located approximately 2.80 miles to the south east of the City of Eagle Pass City Limits. The property consists in the Lot 26 School Block of the Chula Vista Unit V as shown on the plat of record on Envelope 160 Side A of the Maverick County Plat Records. The property is not currently zoned and is located to the southeast area of the extra territorial jurisdiction of the City of Eagle Pass, Tx.

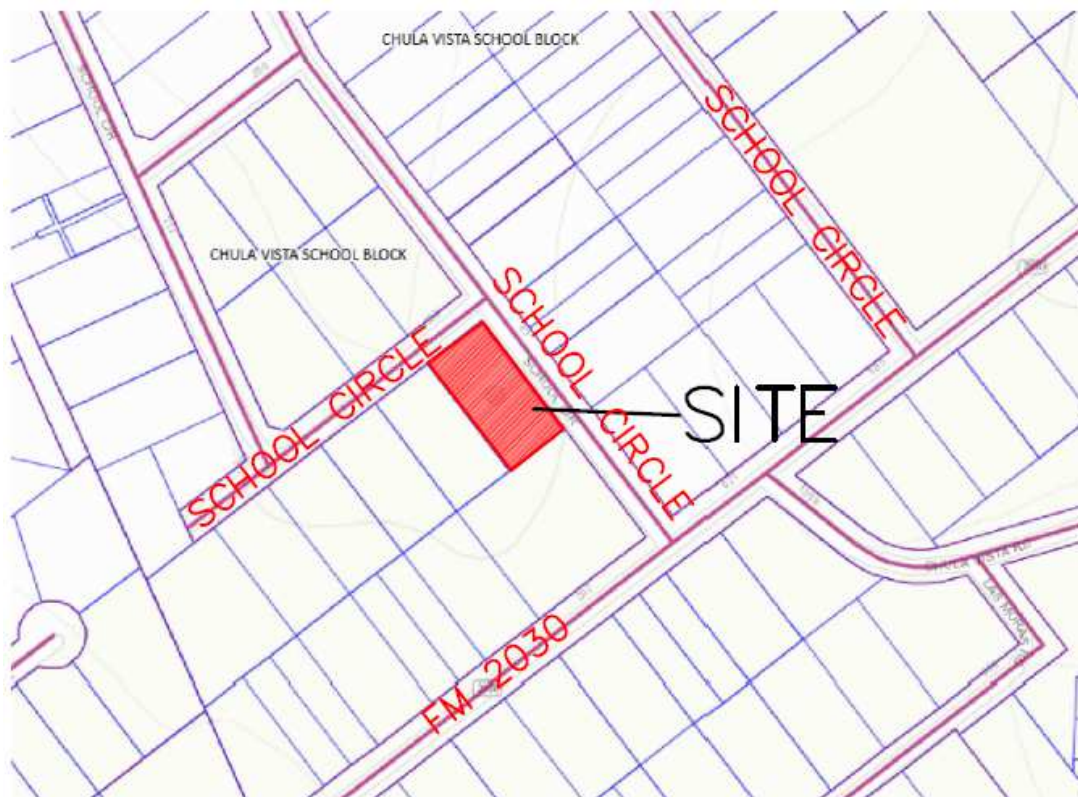


Figure 1. Location Map

2.-PROPERTY DESCRIPTION AND SITE PROPERTIES

The 0.459 Acre tract consist in Lot 26 School Block of the Chula Vista Unit V Subdivision as shown on the plat of record on Envelope 160 Side A of the Maverick County Plat Records, the land is surrounded by said subdivision. All of this property lies within the extra territorial jurisdiction of the City of Eagle Pass, in Maverick County, Texas.

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All of this land is located in Maverick County, Texas, and there is two residential construction located in the proposed Lot 26A and Lot 26B, lot 26A has a current Maverick County building permit obtained in 2023, the proposed Lot 26C is a vacant lot, this proposed replat is to add a two residential lot to the Maverick County within the extra territorial jurisdiction of the City of Eagle Pass.

No portions of this tract of land are located within Zone A of a special flood hazard zone as shown on flood hazard boundary map panel 48323C0575D for Maverick County, Texas and incorporated areas dated April 4, 2011. As shown in the FEMA Firmette map, attached as Exhibit 1.



Figure 2. Aerial Photogrammetry of the property.

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Civil engineering and drone mapping

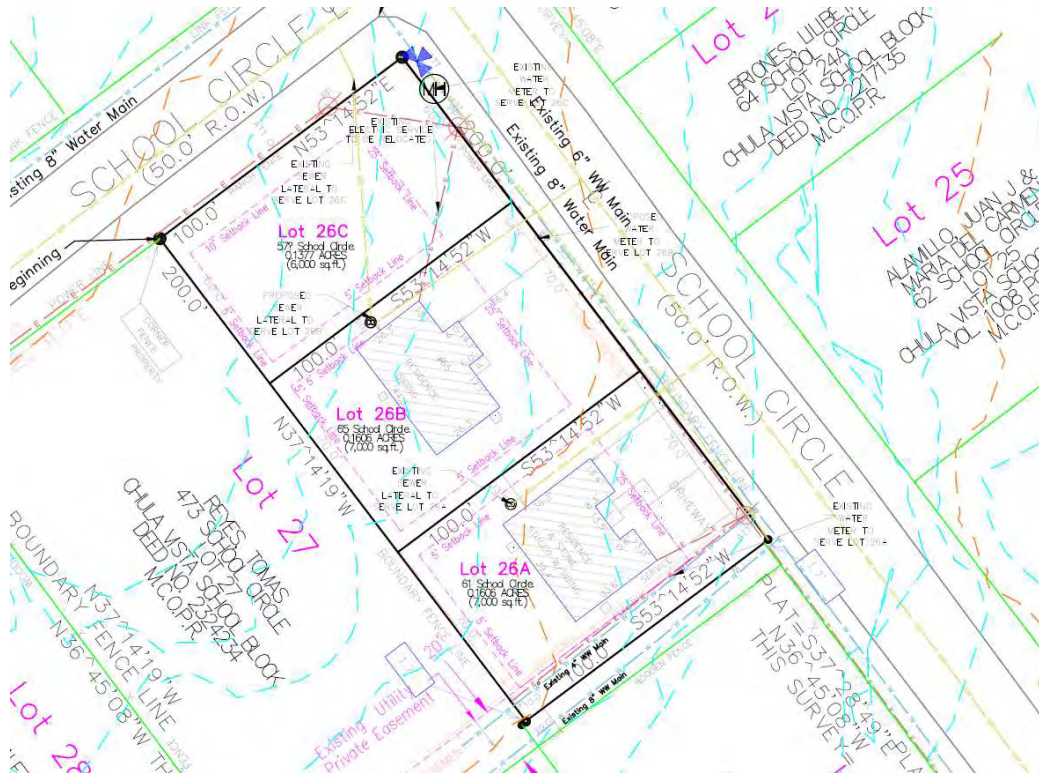


Figure 3. Excerpt from the Proposed Replat



Figure 4. 20' Existing easement located to the southeast of the property

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Civil engineering and drone mapping



Figure 5. View from the Southeast of School Circle (50 ft R.O.W.)



Figure 6. Recently built residence on proposed Lot 26A

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Civil engineering and drone mapping



Figure 7. North corner of the property, Fire Hydrant located within the ROW



Figure 8. View from the West, School Circle (50 ft ROW)

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Civil engineering and drone mapping



Figure 9. Most westerly corner of the proposed Lot 26C



Figure 10. Nearest intersection, showing no curb and gutter in the vicinity.

CAVEL ENGINEERING

Civil engineering and drone mapping

3.- DRAINAGE CONDITIONS

The site drains naturally to the northwest portion of the existing Lot 26, it is assumed that all proposed development in this replat will be constructed to maintain this drainage flow towards the southeast corner of the property. All improved conditions to match existing drainage conditions.

This property currently discharges all runoff naturally to the northwest corner of the property, there is no storm drain system in place within the vicinity of the property, there is also no expected mayor impact in the increase of runoff due to the replat, the variation will be minimal compared to existing drainage conditions and all improvements will match existing drainage patterns.

4.- DRAINAGE CALCULATIONS

EXISTING CONDITION - 10 YEAR

Q 10y= 1.3146811 10 yr- Maximun Rate of runoff (cfs) UNDEVELOPED

PROPOSED CONDITION - 10 YEAR

Q 10y= 2.3439606 10 yr- Maximun Rate of runoff (cfs) DEVELOPED

EXISTING CONDITION - 25 YEAR

Q 25y= 1.9821439 25 yr- Maximun Rate of runoff (cfs) UNDEVELOPED

PROPOSED CONDITION - 25 YEAR

Q 25y= 3.5339879 25 yr- Maximun Rate of runoff (cfs) DEVELOPED

EXISTING CONDITION - 50 YEAR

Q 50y= 2.2814026 50 yr- Maximun Rate of runoff (cfs) UNDEVELOPED

PROPOSED CONDITION - 25 YEAR

Q 50y= 4.0675398 50 yr- Maximun Rate of runoff (cfs) DEVELOPED

EXISTING CONDITION - 100 YEAR

Q 100y= 2.5777494 100 yr- Maximun Rate of runoff (cfs) UNDEVELOPED

PROPOSED CONDITION - 100 YEAR

Q 100y= 4.5959 100 yr- Maximun Rate of runoff (cfs) DEVELOPED

TOTAL AREA= 0.459 AC.

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$$Q = \frac{CIA}{Z}$$

DEVELOPED
AREA= 0.459 AC.

$$C_w = \frac{\sum_{j=1}^n C_j A_j}{\sum_{j=1}^n A_j}$$

RUNOFF COEFFICIENT CALCULATION (UNDEVELOPED)

C= 0.4 Weighted Runoff coeff (CW)(1.25) FOR +25 YEARS UNDEV.
C= Weighted Runoff Coefficient Undeveloped

TOTAL AREA 0.459 Acres

	SURFACE	AREA (Ac)	COEFF.	TOTAL AREA/AREA1	C=
Building	1500 SF	0.034	0.95	7.50%	0.0712712
Asphalt/Concrete	1000 SF	0.023	0.95	5.00%	0.0475142
Native Vegetation		0.402	0.30	87.50%	0.2624888
				Cw=	0.3812742

C= 0.3812742 Weighted Runoff coefficient UNDEVELOPED

RUNOFF COEFFICIENT CALCULATION (DEVELOPED)

C= 0.6797783 Weighted Runoff coeff (CW)(1.25) FOR +25 YEARS DEV.
C= Weighted Runoff Coefficient Developed

TOTAL AREA 0.459 Acres (PROJECTED)

	SURFACE	AREA (Ac)	COEFF.	TOTAL AREA/AREA1	C=
Building	4500 SF	0.103	0.95	22.51%	0.2138137
Asphalt/Concrete	3000 SF	0.069	0.95	15.00%	0.1425425
Native Vegetation		0.287	0.30	62.49%	0.1874665
				Cw=	0.5438227

C= 0.5438227 Weighted Runoff coefficient DEVELOPED

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I 10y=	9.3903184	10 yr- Average Rainfall intensity (in/hr) (calculation below)
I 25y=	11.326222	25 yr- Average Rainfall intensity (in/hr) (calculation below)
I 50y=	13.036224	50 yr- Average Rainfall intensity (in/hr) (calculation below)
I 100y=	14.729587	100 yr- Average Rainfall intensity (in/hr) (calculation below)
A=	0.459	Drainage Area (ac)
Z=	1	Conversion factor (1)

$$I = \frac{b}{(t_c + d)^e}$$

RAINFALL INTENSITY

I=	Design rainfall intensity (in./hr.)
tc=	Time of concentration (min)
e, b, d=	Coefficients for specific frequencies (table below)

FOR 10-YEAR

I= 9.3903184 in./hr.

e = 0.8774
b = 130.75 in
d= 13.7 min

FOR 25-YEAR

I= 11.326222 in./hr.

e = 0.8792
b = 167.74 in
d= 15.03 min

FOR 50-YEAR

I= 13.036224 in./hr.

e = 0.8834
b = 203.36 in
d= 16 min

FOR 100-YEAR

I= 14.729587 in./hr.

e = 0.8844
b = 237.57 in
d= 16.78 min

tc= 6.4177926 min. (Calculation below)

Rainfall Intensity-Duration-Frequency Coefficients for Texas

Based on United States Geological Survey (USGS) Scientific Investigations Report 2004-5041

"Atlas of Depth-Duration Frequency of Precipitation Annual Maxima for Texas"

1. Select English or SI Units

English

2. Select or Enter a County

Maverick

3. Enter a Time of Conc.

Select Units

8.25 min

Coefficient	50% (2-year)	20% (5-year)	10% (10-year)	4% (25-year)	2% (50-year)	1% (100-year)
e	0.861	0.8691	0.8774	0.8792	0.8834	0.8844
b (in.)	66.16	100.56	130.75	167.74	203.36	237.57
d (min)	9.66	12.19	13.70	15.03	16.00	16.78
Intensity (in./hr)	5.09	6.80	8.13	9.89	11.44	12.97

(Spreadsheet Release Date: August 31, 2015; data table reshuffle by Asquith July 14, 2016)

Table 4-10: Runoff Coefficients for Urban Watersheds

Type of drainage area	Runoff coefficient
Business:	
Downtown areas	0.70-0.95
Neighborhood areas	0.30-0.70
Residential:	
Single-family areas	0.30-0.50
Multi-units, detached	0.40-0.60
Multi-units, attached	0.60-0.75
Suburban	0.35-0.40
Apartment dwelling areas	0.30-0.70
Industrial:	
Light areas	0.30-0.80
Heavy areas	0.60-0.90
Parks, cemeteries	0.10-0.25
Playgrounds	0.30-0.40
Railroad yards	0.30-0.40
Unimproved areas:	
Sand or sandy loam soil, 0-3%	0.15-0.20
Sand or sandy loam soil, 3-5%	0.20-0.25

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Black or loessial soil, 0-3%	0.18-0.25
Black or loessial soil, 3-5%	0.25-0.30
Black or loessial soil, > 5%	0.70-0.80
Deep sand area	0.05-0.15
Steep grassed slopes	0.7
Lawns:	
Sandy soil, flat 2%	0.05-0.10
Sandy soil, average 2-7%	0.10-0.15
Sandy soil, steep 7%	0.15-0.20
Heavy soil, flat 2%	0.13-0.17
Heavy soil, average 2-7%	0.18-0.22
Heavy soil, steep 7%	0.25-0.35
Streets:	
Asphaltic	0.85-0.95
Concrete	0.90-0.95
Brick	0.70-0.85
Drives and walks	0.75-0.95
Roofs	0.75-0.95

Kerby-Kirpich Method for time of concentration

$$t_c = t_{ov} + t_{ch}$$

$$t_{ov} =$$

Overland flow time

$$t_{ch} =$$

Channel flow time

$$t_{ov} = K(L \times N)^{0.467} S^{-0.235}$$

$$t_{ov} =$$

Overland flow time

K= 0.828

K= A units conversion coefficient K=0.828 for traditional units

CAVEL ENGINEERING

Civil engineering and drone mapping

L= the overland-flow length (ft)
 N= A dimensionless retardance coefficient N= 0.02
 S= Slope of terrain conveying the overland flow

Generalized terrain description	Dimensionless retardance coefficient (N)
Pavement	0.02
Smooth, bare, packed soil	0.10
Poor grass, cultivated row crops, or moderately rough packed surfaces	0.20
Pasture, average grass	0.40
Deciduous forest	0.60
Dense grass, coniferous forest, or deciduous forest with deep litter	0.80

OVERLAND FLOW

L= 71 FT
 ELEV 1 = 798 FT
 ELEV 2 = 801 FT
 S= 0.0422535

$t_{ov} =$
 2.0514985 minutes

$$t_{ch} = KL^{0.770}S^{-0.385}$$

Channel flow time K= 0.0078

K= A units conversion coefficient K=0.0078
 L= the channel flow length
 S= the dimensionless main-channel slope

CHANNEL FLOW

L= 325 FT
 ELEV 1 = 795.5 FT
 ELEV 2 = 798 FT

$$t_c = t_{ov} + t_{ch}$$

Max. Time of Concentration = 10 minutes

CAVEL ENGINEERING

Civil engineering and drone mapping

$$t_{ch} = \frac{S}{4.3662941} = 0.0076923 \text{ minutes}$$
$$t_c = \frac{S}{6.4177926} = 0.0012466 \text{ minutes}$$

5.- ACCESS TO SITE

The site can be accessed coming from Eagle Pass, TX thru El Indio Highway and then taking a left on FM2030 for approximately 0.60mi, take a left onto School Circle the site will be 260 feet from the intersection of FM2030 and School Circle, to the left for the southeast corner of the existing Lot 26.

6.- WATER AND SEWER CALCULATIONS

Water Supply: Description.

This tract of land is provided with potable water by means of a main water line running along School Circle to the front and to the side..

All inside this unit, water improvements for development on this land will comply with City of Eagle Pass regulations. Service lines and meter boxes will be paid for by the developer and installed to City Standards.

Sewage Facilities: Description.

Sewage from this subdivision will be disposed of through the sanitary sewer collection system of the City of Eagle Pass. Two of the proposed lots are already connected to the available sanitary sewer collection system. As additional note, the contractor to verify existing sewer line depth and elevation of new buildings to be located above available sewer line to have all sewer flowing by gravity. The sewer tabs for the proposed Lot 26C to be connected to the 8" Sanitary sewer main line on School Circle before plat recordation.

All improvements required to discharge wastewater to the sanitary sewer system will be paid for by the developer and installed following City Standards.

CAVEL ENGINEERING

Civil engineering and drone mapping

Water Calculations

RESIDENTIAL USE

3 Dwellings. For total development

$$3 \text{ units} \times \frac{4 \text{ Persons}}{\text{Per unit}} \times \frac{100 \text{ Gallons}}{\text{Person-Day}} \times \frac{1 \text{ day}}{24 \text{ hours}} \times \frac{1 \text{ Hour}}{60 \text{ minutes}} = 0.833 \text{ GPM}$$

$$\text{Peak demand} = 2.5 \text{ peak factor} \times 0.833 \text{ GPM} \approx 2.083 \text{ GPM}$$

Sanitary Sewer Calculations

RESIDENTIAL USE

3 Dwellings. For total development

$$3 \text{ Units} \times \frac{4 \text{ Persons}}{\text{Per Room}} \times \frac{80 \text{ Gallons}}{\text{Person-Day}} \times \frac{1 \text{ day}}{24 \text{ hours}} \times \frac{1 \text{ Hour}}{60 \text{ minutes}} = 0.666 \text{ GPM}$$

Infiltration and Inflow Factor = 0.5

Peak Demand Factor = 2.0

$$\text{Peak Demand} = 2.5 \text{ Combined Factor} \times 0.666 \text{ GPM} = 1.666 \text{ GPM} \approx 0.0037125 \text{ CFS.}$$

Note: 1 CFS = 448.83 GPM.

CAVEL ENGINEERING

Civil engineering and drone mapping

6.- FLOOD INFORMATION

Portions of this tract of land are located inside of a special flood hazard zone as shown on flood hazard boundary map panel 48323C0475D for Maverick County, Texas and incorporated areas dated April 4, 2011. As shown in the image below (excerpt from the proposed replat)

7.- CONCLUSIONS

The existing and proposed use of the property is residential, this proposed replat will not have an impact on the current use of the property and surroundings, drainage patterns and utilities as required for platting purposes are already available to this subdivision of land.

If you have any questions or need more information, contact me at (830) 872-8799 or to my email cavel2us@gmail.com.



Carlos Arturo Velarde Fernandez, P.E.
Professional Engineer, License No. 134409, Texas.
Eagle Pass, Texas, October 30, 2024

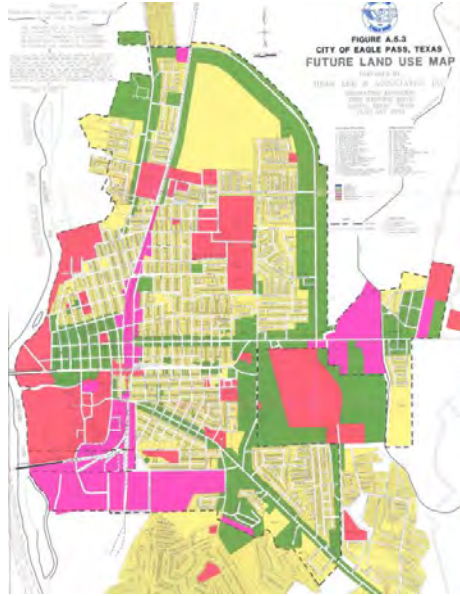
List of Exhibits:

- 1.- FEMA Firmette for Site.**
- 2.- EPWW Water and sewer Infrastructure**

Attachment 5
Master Plan Map & Zoning District Map

Master Plan Map

Not depicted within map boundaries



Zoning District Map

(Within ETJ)



Item #5



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

Final Replat of Lot 1 in Block 5 of La Herradura Subdivision

I. BACKGROUND

A. General Information

Applicant: Cavel Engineering | Eagle Pass, TX 78852

Developer: Ernie Leija & Evelia Lopez | 153 County Rd 253, Eagle Pass, TX 78852

Location: 1003 Erika Street – corner of Erika and La Herradura Road

PID Number: 11532

Legal Description: Lot 1 in Block 5 of La Herradura Subdivision

Request: Final replat approval to subdivide an approximately 0.396-acre tract into two residential lots, including a subdivision variance to go directly to final and a sidewalk waiver request, including curb and gutter. The installation of city utilities will be required to be installed, inspected and accepted by Eagle Pass Water Works System before plat recordation.

B. Subject Property Information

Parcel Size: 17,300-square feet **Topography:** Generally flat

Vegetation: residential landscaping and native vegetation

Existing Use: Residential

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

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

C. Vicinity Data

The site is located within an area that features residential developments consistent with the 7,700 square foot minimum lot size found in the subdivision.

D. Infrastructure

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

Access to the site is provided by Erika Street via Eidson Road and La Herradura Road.

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*. 19 notices were mailed to the abutting property owners within a 500 foot radius of the subject property on November 26, 2024.

III. RECOMMENDED FINDINGS OF FACT

A. Conclusions

1. The applicant's request contains sufficient information for consideration by the Eagle Pass City Council. Information contained in this report and the Commission's public meeting will be used as part of the City Council's deliberation process for the subdivision. Please refer to Attachment 1.
2. The applicant is seeking a sidewalk waiver per Section 23-64(a) of the Subdivision Ordinance as part of his application for the replat. The City and County agree that the waiver be granted as there are no curb or gutter or sidewalks in the vicinity of the subject area. See Attachment 2 for a copy of the application.

City of Eagle Pass Code of Ordinances Section 23-64 authorizes the Planning and Zoning Commission to waive the requirement for the construction of sidewalk, including curb and gutter 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 Subdivision Sidewalk Waiver Application and photographs of the property frontage.

3. 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 3, comply with the four criteria to grant the subdivision variance.

The following is a summary of this application's compliance with the criteria:

First Variance Decision Criteria

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

Second Variance Decision Criteria

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

Third Variance Decision Criteria

Section 23-11(a)(3). The variances are also consistent with this section of the city code, as there is no anecdotal evidence which indicates that the granting of the

variance would be detrimental to the public health, safety, or welfare, or injurious to other property in the area.

Fourth Variance Decision Criteria

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

Fifth Variance Decision Criteria

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

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

4. The property is located within the City's *Extraterritorial Territorial Jurisdiction*, and the policies of the *Master Plan Map* apply to the consideration of this subdivision. The *Master Plan* emphasizes the importance of maintaining the character of the residential neighborhoods.
 - ✓ The replat is consistent with the *Housing Goals* of the *Master Plan*, as the subdivision process will ensure appropriate land development regulation with appropriate lot sizes, paved streets with curb and gutters, and adequate utility services.
 - ✓ The replat is consistent with the *Land Use Development Goals* of the *Master Plan*, as the project is designed to provide for a building lot density that is consistent with the purpose of the *R-1 First One-Family Dwelling District*. This design will allow for the continuing development of the community while retaining the neighborhood character and scale while providing utility services in the most efficient and equitable manner.
 - ✓ The replat is consistent with the *Street Goal* of the *Master Plan*, as access to the site from Erika Street, La Herradura Road, and Mariza Street is designed to provide the residents of and visitors to Eagle Pass and Maverick County with a street system that will enable them to travel safely and conveniently.
 - ✓ The replat is consistent with the *Thoroughfare Goals* of the *Master Plan*, as Erika Street, La Herradura Road, and Mariza Street has been designed to be part of a safe and efficient thoroughfare system.
 - ✓ The replat is consistent with the *Storm Drainage Goals* of the *Master Plan*, as the size of the two lots and the eventual density of 2-dwelling-units on the re-plat site will not adversely impact existing area drainage effectiveness.
5. The replat is consistent with City design and specifications, as the project is designed and conditioned to conform to the following sections of *Article IV* in *Eagle Pass Code of Ordinances Chapter 23*:

- ✓ *Section 23-61* governing street layout, right-of-way and pavement width, street names, streetlights, and road construction testing.
- ✓ *Section 23-62* governing utility easements
- ✓ *Section 23-64* governing sidewalks, the applicant is seeking a waiver from the requirement to construct a sidewalks.
- ✓ *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 4 for a copy of the *Final Engineering Report* for the subdivision.

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

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

B. Community Development Department Recommendation

That the Eagle Pass Planning and Zoning Commission (1) **GRANT** a subdivision variance from *Section 23-36(a)* regulating preliminary plat requirements, (2) **GRANT** a sidewalk waiver request, including curb and gutter as there are no curb or gutter improvements in the area, and (3) **GRANT** final plat approval of the *Replat of Lot 1 in Block 5 of La Herradura Subdivision*, subject to the plat complying with the provisions of *Article III of City of Eagle Pass Code of Ordinances Chapter 23* governing procedures and specifications for Final Plats and the following condition.

1. The Applicant provide a letter from Eagle Pass Water Works System certifying that all utilities constructed have been accepted prior to plat recordation, as regulated by *Section 23-36(d)(2)(i)*.

TRANSMITTED to the parties listed hereafter:

Cavel Engineering via e-mail
 Eagle Pass Planning and Zoning Commission via e-mail
 Eagle Pass City Manager Homero Balderas via e-mail
 Eagle Pass Assistant City Manager Ivan Morua via e-mail
 Eagle Pass City Secretary Erika Rodriguez via e-mail
 Eagle Pass City Attorney Ana Sophia Garcia via e-mail
 Maverick County Planning Director via email
 City of Eagle Pass Community Development Department Report dated December 3, 2024

Attachment 1

Application



CITY OF EAGLE PASS
APPLICATION FOR APPROVAL OF FINAL PLAT

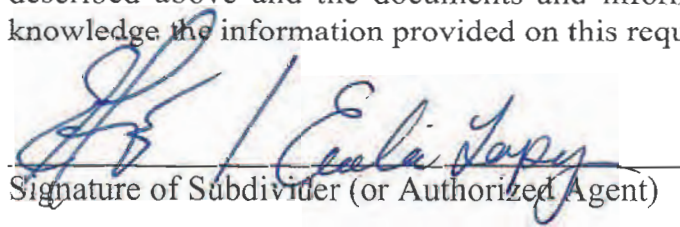
INSTRUCTIONS: This form is to be completely filled out, signed, and dated by the subdivider when the subdivider requests final plat approval.

IDENTIFICATION OF SUBDIVISION AND PLAT

I, Ernie Leija and Evelia Lopez, hereby request final plat approval for the proposed subdivision known as Replat of Lot1, Block 5 La Herradura as shown on the accompanying plat, which consists of 1 (number) sheets and which was acknowledged by me on 11/22/2024 (date).

SUBDIVIDER'S ACKNOWLEDGMENT

I understand that before the plat may be recorded I must provide to the City of Eagle Pass a financial guarantee for all unbuilt infrastructure in the amount to be set by the City Council. Otherwise, I believe that I have fulfilled the requirements under state laws and city ordinances for final plat approval by the City of Eagle Pass, based upon the plat as described above and the documents and information listed below. To the best of my knowledge the information provided on this request is true and complete.


 Signature of Subdivider (or Authorized Agent)

11/22/2024
 Date

PRELIMINARY PLAT APPROVAL

Check if applicable, and provide the date of City Council approval.

X A preliminary plat was approved by the City on July 2, 2024 (date).

IDENTIFICATION OF PLAT SHEETS TO BE IN COUNTY'S MAP RECORD

I request, once the City of Eagle Pass has approved the plat and I have submitted any required financial guarantees, that sheets number n/a (list sheets) of the plat be recorded in the Maverick County Map Records but that the other sheets of the plat not be recorded.

LIST OF DOCUMENTS ACCOMPANYING OR ATTACHED TO THE PLAT TO BE INCLUDED IN COUNTY'S MAP RECORD OF THE SUBDIVISION

The information below, if it is not included upon the plat itself, must be on a document signed by the subdivider and attached to or accompanying the final plat. For each item, indicate by a check mark where the information appears. The City of Eagle Pass will keep these documents (or their signed revisions) together during the subdivision review and approval process and through the recording of the subdivision with the County Clerk. If the subdivision does not have at least two or more lots of five acres or less intended for residential purposes, then the Model Rules do not apply and a final engineering report is not required.

on the final plat	attached to final plat	accompanies final plat	
	x		final engineering report
x			description in English and Spanish of water and sewer facilities and easements and operable date
x			engineering certification of compliance of water and sewer facilities with Model Rules, and of estimated costs
			others (described as follows:) ----- _____ _____
			others (described as follows:) ----- _____ _____

DESCRIPTION OF SUBDIVISION INFRASTRUCTURE THAT HAS BEEN COMPLETED OR INSTALLED AS OF THE DATE OF THIS APPLICATION

NOTE: You may refer to the plat in describing the completed infrastructure -- for example, by stating, "The water lines shown on sheet 3 of the final plat have been installed." Use the back side of this page if more room is needed. The City of Eagle Pass' Subdivision Ordinance require a subdivider to enter into a Subdivision Construction Agreement secured by a financial guarantee (a bond, letter of credit, or cash deposit) for completion of streets and drainage and water and wastewater facilities not constructed or installed when the subdivider applies for final plat approval.

Streets. (Provide names of streets and extent of their completed improvements.)
No streets are being proposed to be constructed.

Drainage facilities. (Describe location and nature of completed drainage facilities.)
No drainage facilities are being proposed.

Water facilities. (Describe installed locations and sizes of water lines, water meters, and other devices involved in providing water.)

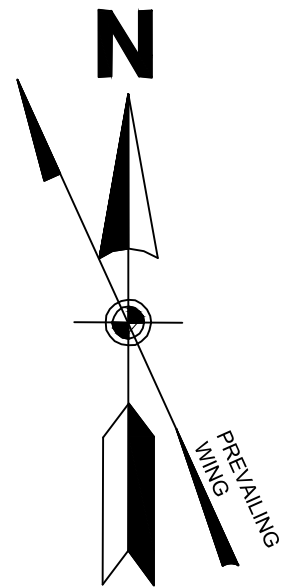
2 Water meters one on Erika Street and one on Mariza Street
to be connected, fees already paid to EPWWS.

Wastewater facilities. (Describe installed location and sizes of such items as sewer lines, septic systems, or other on-site sewerage facilities.)

2 Sanitary sewer connections one on Erika Street and one on Mariza
Street to be connected, fees already paid to EPWWS..

SCALE IN FEET

24"x36" (ARCH D) - 1" = 40'



PROPERTY OWNER:
ERNIE LEIJA &
EVELIA LOPEZ
153 COUNTY ROAD 263
EAGLE PASS, TX 78852

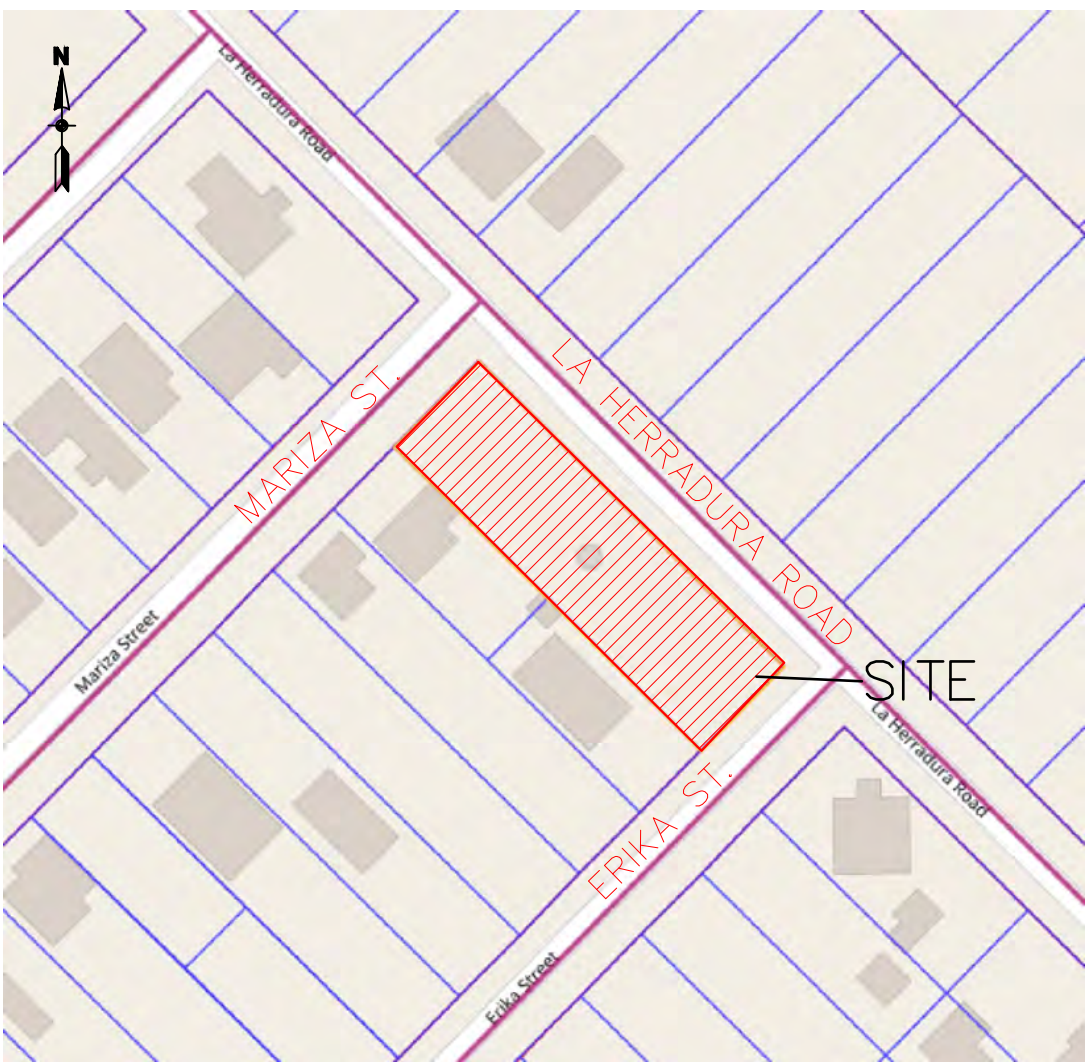
CONSULTING ENGINEER:
CARLOS VELARDE, P.E.
2373 WILLOWBRAE DR
EAGLE PASS, TX 78852

SURVEYOR:
FRANCISCO GAYTAN, RPLS
487 MEMO ROBINSON RD, APT B,
EAGLE PASS, TX 78852

COUNTY CLERKS RECORDING CERTIFICATE

I, _____, COUNTY CLERK OF MAVERICK COUNTY,
certify that the plat bearing this certificate was filed for record at _____ o'clock _____ M on _____, 2024, and was recorded in Envelope _____, side _____, in the Plat Records
of Maverick county at _____ o'clock _____ M on _____, 2024,

Maverick County Clerk.



LOCATION MAP
N.T.S.

SYMBOLOLOGY

- | | | | |
|--|----------------|--|---------------------------|
| | BOUNDARY | | CONTOUR MIN EX |
| | FENCE | | CONTOUR MAJ EX |
| | WATER SUPPLY | | FOUND MONUMENTS |
| | SANITARY SEWER | | SET STAKES |
| | STORM SEWER | | WATER VALVE, FIRE HYDRANT |
| | POWER | | POWER POLE, GUY WIRE |
| | TELEPHONE | | MANHOLE |
| | ATT | | TRAFFIC LIGHT, SIGN |
| | TWC | | |

METES AND BOUNDS FOR LOT 1A BLOCK 5, LA HERRADURA SUBDIVISION

Situated in Maverick County, Texas and being a 0.199 Acres and being a portion of Lot 1, Block 5 of the La Herradura Subdivision, as shown in the plat of record in Envelope 145, Side B of the Maverick County Map records, said 0.199 Acres tract being more particularly described by metes and bounds as follows:

BEGINNING at the common northerly corner of Lot 1 and Lot 2, Block 5 of said subdivision, said point falling on the southerly line of a 50 foot street, the south right of way line of Mariza Street for the northwest corner of this tract and POINT OF BEGINNING (P.O.B.);

THENCE, N 45°19'41"E, 69.70 feet along the ROW of Mariza Street to an iron pin set falling on the West ROW of a 50 foot street, the west right of way of La Herradura Road, for a corner of this tract;

THENCE, S 44°27'04"E, 125.00 feet along the ROW of La Herradura Road, to an iron pin set for a corner of this tract;

THENCE, S 45°19'41"W, 69.22 feet, to an iron pin set for a corner of this tract;

THENCE, N 44°40'19"W, 125.00 feet along the line that divides Lot 1 and Lot 2, Block 5 of said subdivision to the POINT OF BEGINNING, and containing 0.199 Acres of land more or less.

METES AND BOUNDS FOR LOT 1B BLOCK 5, LA HERRADURA SUBDIVISION

Situated in Maverick County, Texas and being a 0.197 Acres and being a portion of Lot 1, Block 5 of the La Herradura Subdivision, as shown in the plat of record in Envelope 145, Side B of the Maverick County Map records, said 0.197 Acres tract being more particularly described by metes and bounds as follows:

BEGINNING at the point that bears S 44°40'19"E, 125.00 feet from the common northerly corner of Lot 1 and Lot 2, Block 5 of said La Herradura Subdivision, for the northwest corner of this tract and POINT OF BEGINNING (P.O.B.);

THENCE, N 45°19'41"E, 69.22 to a corner of this tract falling in the west ROW of a 50 foot street La Herradura Road;

THENCE, S 44°27'04"E, 125.00 feet along the ROW of La Herradura road to an iron pin set for the southeasterly corner of this tract, falling on the north ROW of a 50 foot street, Erika street;

THENCE, S 45°19'41"W 68.74 feet along the ROW of Erika Street to the common southerly point of Lot 1 and Lot 2, Block 5 of said subdivision for an iron pin set for a corner of this tract;

THENCE, N 44°40'19"W, 125.00 feet along the line that divides Lot 1 and Lot 2, Block 5 of said subdivision to the POINT OF BEGINNING, and containing 0.197 Acres of land more or less.

FINAL WATER AND SEWER UTILITY REPORT:

WATER AND SEWER FACILITIES: DESCRIPCION, COSTS ALREADY PURCHASED AND OPERABILITY DATES: The replat will be provided with potable water and sewer by a system owned, operated and maintained by the City of Eagle Pass Water Works System, the estimated cost of the fees already paid to provide water to this subdivision is: \$4,796.00. This including the service line to each lot, one water meter and one sewer service to each lot.

REPORTE FINAL DE SERVICIOS DE AGUA Y SERVICIOS SANITARIOS

SERVICIOS DE AGUA Y DRENAJE: DESCRIPCION, COSTOS REALIZADOS Y FECHAS DE OPERACION: Los lotes producidos en esta subdivision seran proveidos por agua potable y servicio de drenaje por un sistema establecido, operado y mantenido por el sistema de agua y drenaje de la Ciudad de Eagle Pass, Texas, el costo estimado de costo de conexon (realizada antes del registro de la subdivision) es de \$4,796.00. Esto incluyendo la linea de servicio de cada lote, un medidor de agua y un servicio sanitario para cada lote.

ERNIE LEIJA

EVELIA LOPEZ

REPLAT OF LOT 1, BLOCK 5,
LA HERRADURA SUBDIVISION

STATE OF TEXAS)
COUNTY OF MAVERICK)
OWNER'S DEDICATION, CERTIFICATION, AND ATTESTATION

I, AS OWNER OF LOT 1 BLOCK 5 OF THE LA HERRADURA SUBDIVISION, IN MAVERICK COUNTY, TEXAS
CERTIFY THAT :

- (A) THE WATER QUALITY AND CONNECTIONS TO THE LOTS MEET THE MINIMUM STATE STANDARDS;
(B) SEWER CONNECTIONS TO THE LOTS OR SEPTIC TANKS MEET THE MINIMUM REQUIREMENTS OF STATE STANDARDS;
(C) ELECTRICAL CONNECTIONS PROVIDED TO THE LOTS MEET THE MINIMUM STATE STANDARDS;
(D) GAS CONNECTIONS, IF AVAILABLE PROVIDED TO THE LOTS MEET, OR WILL MEET, THE MINIMUM STANDARDS, AND
I ATTEST THAT THE MATTERS ASSERTED IN THIS PLAT ARE TRUE AND COMPLETE.

ERNIE LEIJA

EVELIA LOPEZ

STATE OF TEXAS)
COUNTY OF MAVERICK)

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, ON THIS DAY PERSONALLY APPEARED, ERNIE LEIJA & EVELIA LOPEZ, PROVED TO ME THROUGH THEIR TEXAS DEPARTMENT OF PUBLIC SAFETY DRIVER LICENSES TO BE THE PERSONS WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, WHO, BEING BY ME FIRST DULY SWORN, DECLARED THAT THE STATEMENTS THEREIN ARE TRUE AND CORRECT AND ACKNOWLEDGE THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREBY EXPRESSED

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 2024.

NOTARY PUBLIC STATE OF TEXAS

STATE OF TEXAS)
COUNTY OF MAVERICK)

CERTIFICATE OF COMPLIANCE WITH MODEL RULES

I, CARLOS VELARDE, REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS (NO.134409), HEREBY CERTIFY THAT THE WATER AND SEWER SERVICES FOR THIS SUBDIVISION WERE DESIGNED IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY OF EAGLE PASS, TEXAS, THAT THESE SERVICES WILL BE CONNECTED TO THE PUBLIC WATER AND SEWER UTILITIES, THAT THESE SERVICES WILL BE OPERATED AND MAINTAINED BY THE CITY OF EAGLE PASS; ALL SHOWN ON THE DRAWINGS PRESENTED TO, AND APPROVED BY, THE CITY OF EAGLE PASS, TEXAS. THESE WATER AND SEWER DESIGNS ARE IN COMPLIANCE WITH THE MODEL RULES ADOPTED UNDER SECTION 16.343 OF THE TEXAS WATER CODE AND ARE OPERABLE AT THIS TIME.

CARLOS VELARDE
REGISTERED PROFESSIONAL ENGINEER
TEXAS NO. 134409

SWORN TO AND SUBSCRIBED BEFORE ME THIS _____ DAY OF _____, 2024.

NOTARY PUBLIC STATE OF TEXAS

STATE OF TEXAS)
COUNTY OF MAVERICK)

I, FRANCISCO GAYTAN, A REGISTERED PROFESSIONAL LAND SURVEYOR IN TEXAS, HEREBY CERTIFY THAT THE LA HERRADURA SUBDIVISION, WAS PREPARED FROM A SURVEY OF THE PROPERTY MADE ON THE GROUND BY ME OR UNDER MY SUPERVISION
ON _____, 2024.

FRANCISCO GAYTAN
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS NO. 5474

SWORN TO AND SUBSCRIBED BEFORE ME THIS _____ DAY OF _____, 2024.

NOTARY PUBLIC STATE OF TEXAS

CITY OF EAGLE PASS
CERTIFICATE OF PLAT APPROVAL

WE THE UNDERSIGNED CERTIFY THAT THIS REPLAT OF LOT 1, BLOCK 5 OUT OF LOT 1 LA HERRADURA SUBDIVISION, WAS REVIEWED AND APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF EAGLE PASS, TX

CHAIRMAN OF THE CITY OF EAGLE PASS
PLANNING AND ZONING COMMISSION

SWORN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 2024.

NOTARY PUBLIC STATE OF TEXAS

CITY OF EAGLE PASS
CERTIFICATE OF PLAT APPROVAL

WE THE UNDERSIGNED CERTIFY THAT THIS REPLAT OF LOT 1, BLOCK 5 OUT OF LOT 1 LA HERRADURA SUBDIVISION, WAS REVIEWED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF EAGLE PASS, TEXAS.

MAYOR OF THE CITY OF EAGLE PASS

SWORN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 2024.

NOTARY PUBLIC STATE OF TEXAS

MAVERICK COUNTY
CERTIFICATE OF PLAT APPROVAL

I, THE UNDERSIGNED CERTIFY THAT THIS REPLAT OF LOT 1, BLOCK 5 OUT OF LOT 1 LA HERRADURA SUBDIVISION, WAS REVIEWED AND APPROVED BY THE MAVERICK COUNTY COMMISSIONERS' COURT.

MAVERICK COUNTY JUDGE

DATE

SWORN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 2024.

NOTARY PUBLIC STATE OF TEXAS

Replat of Lot 1 Block 5, La Herradura Subdivision,
Maverick County, Texas.

CAVEL ENGINEERING

ENGINEERING FIRM F-20893, TEXAS
2373 Willowbrae Dr.
Eagle Pass, Texas 78852
Phone: (830) 872-8799

JOB#RP 0124-03
REV 04
Dec 6, 2024

SHEET
1 of 1

Plat Zoomed In

The map displays Block 5, which is divided into five lots. Lot 1 is 0.197 acres (8,622.54 sq. ft.), Lot 1B is 0.197 acres (8,622.54 sq. ft.), Lot 2 is 0.197 acres (8,622.54 sq. ft.), Lot 3 is 0.197 acres (8,622.54 sq. ft.), and Lot 4 is 0.197 acres (8,622.54 sq. ft.). Lot 5 is 0.197 acres (8,622.54 sq. ft.). The map also shows Lot 1A, Lot 1B, Lot 2, Lot 3, Lot 4, and Lot 5. The streets shown are Mariza Street, Herradura Road, and Erika Street. The map includes various utility lines such as water, sewer, and electric. The map also shows the location of the block within the surrounding area, including the location of the block relative to the surrounding streets and the location of the block relative to the surrounding lots.

Aerial View



Site Photos





Attachment 2
Sidewalk Waiver 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 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): Ernie Leija & Evelia Lopez
Phone: (830) 352-5513 Email: leija_83@yahoo.com
Owner: Ernie Leija & Evelia Lopez
Owner Address: 153 County Rd 253 City: Eagle Pass State: TX Zip: 78852
Phone: _____ Email: _____

Property Information

Site Address: 1003 Erika Street, Eagle Pass, TX
Legal description (from deed): Lot 1 Block 5, La Herradura Subdivision
(Property must be legally subdivided or be lot of record)
Maverick County Identification Number: 11532

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

A sidewalk and curb waiver for the 250' fronting La Herradura Rd and 68.74' fronting Erika Street, and 69.70' fronting Mariza St there are no sidewalks in the vicinity of this subdivision. the edge of asphalt is 1.5 feet away from the property corner, (both intersections) by building a sidewalk the turning radius would be reduces.

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

There are no sidewalks in the near vicinity of the subdivision building a sidewalk right of the property line can conflict the intersection of both Mariza Street and Erika Street with La Herradura Road.

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

10/22/2024

Date

Attachment 3
Final Engineering Report

CAVEL ENGINEERING

Civil engineering and drone mapping

FINAL ENGINEERING & DRAINAGE REPORT

Prepared for:

Ernie Leija & Evelia Lopez
Replat of Lot 1 Block 5
La Herradura Subdivision
Maverick County, Texas
Eagle Pass, TX 78852



Prepared by:

Cavel Engineering
Engineering Firm #20893

Phone: (830) 872-8799

November 5, 2024

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- 1. - INTRODUCTION
- 2. – PROPERTY DESCRIPTION AND SITE PROPERTIES
- 3. – DRAINAGE CONDITIONS
- 4. – DRAINAGE CALCULATIONS
- 5. – ACCESS TO SITE
- 6. – WATER AND SANITARY SEWER CALCULATIONS
- 7. – FLOOD INFORMATION

1.-INTRODUCTION

This report was prepared by Carlos Velarde, PE., for a 0.396 Acre tract recorded as Lot 1 Block 5 of the La Herradura Subdivision of the plat of record La Herradura Subdivision, Eagle Pass, TX 78852. The property is located approximately 1.10 miles to the south east of the City of Eagle Pass City Limits. The property consists in the Lot 1 Block 5 of the La Herradura Subdivision as shown on the plat of record on Envelope 145 Side B of the Maverick County Plat Records. The property is not currently zoned and is located to the southeast area of the extra territorial jurisdiction of the City of Eagle Pass, Tx.



Figure 1. Location Map

2.-PROPERTY DESCRIPTION AND SITE PROPERTIES

The 0.396 Acre tract consist in Lot 1 Block 5 , of the La Herradura Subdivision as shown on the plat of record on Envelope 145 Side B of the Maverick County Plat Records, the land is surrounded by said subdivision. All of this property lies within the extra territorial jurisdiction of the City of Eagle Pass, in Maverick County, Texas.

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All of this land is located in Maverick County, Texas, the property is currently vacant, there are no structures located at the property, this proposed replat is to add a new residential lot to the Maverick County within the extra territorial jurisdiction of the City of Eagle Pass.

No portions of this tract of land are located within Zone A of a special flood hazard zone as shown on flood hazard boundary map panel 48323C0475D for Maverick County, Texas and incorporated areas dated April 4, 2011. As shown in the FEMA Firmette map, attached as Exhibit 1.



Figure 2. Aerial Photogrammetry of the property.

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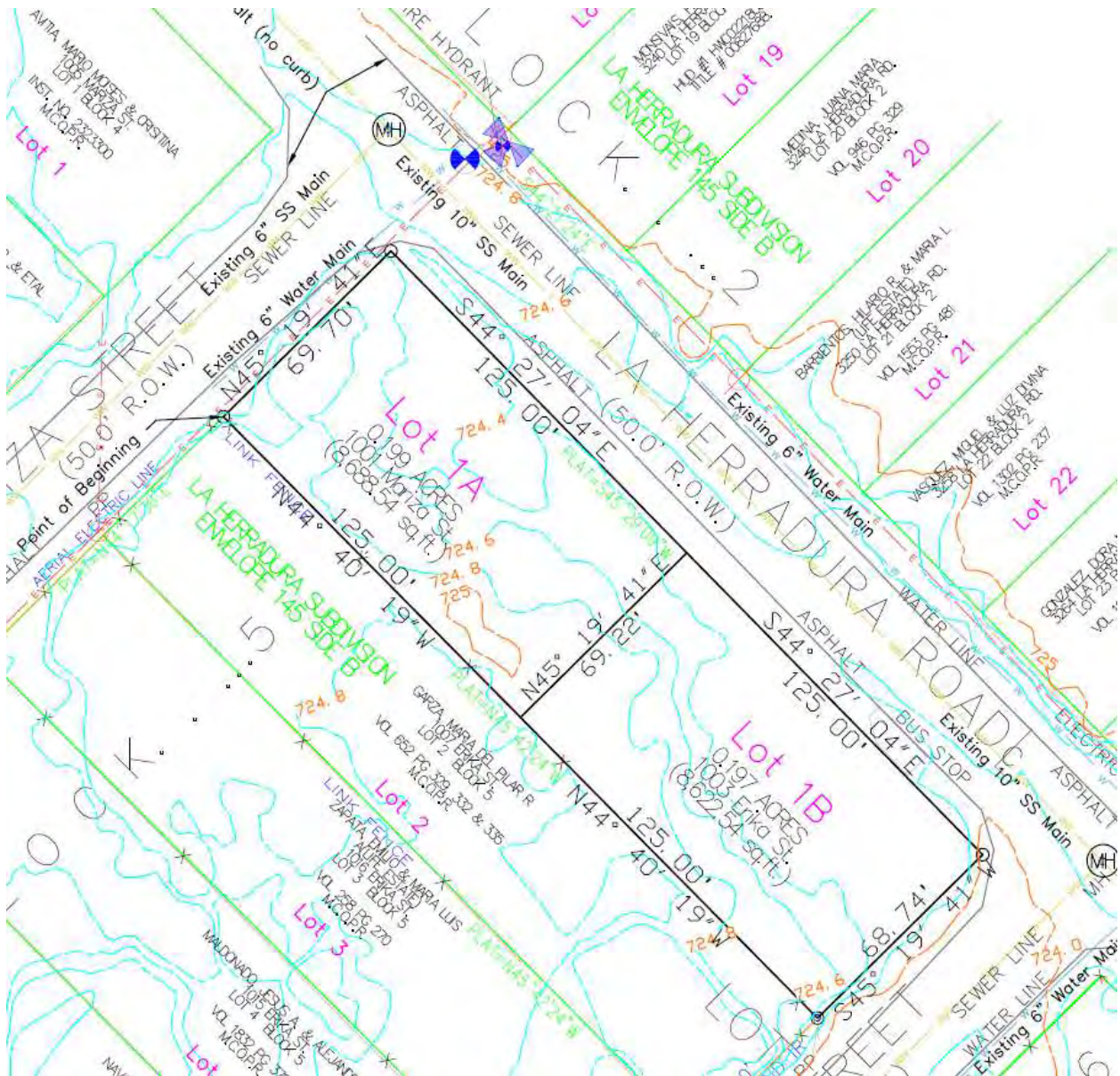


Figure 3. Excerpt from the Proposed Replat

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Figure 3. View from the Southeast corner of the property, (3d Point Cloud) Intersection of La Herradura Road and Erika Street



Figure 4. Intersection of Mariza street and La Herradura road, no curb and no sidewalks on the subdivision.



Figure 5. View from the south of La Herradura road, the no curb and no sidewalks within the vicinity of the property.

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Figure 6. Ground control point established for aerial photogrammetry.

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Figure 7. Ground control point established for aerial photogrammetry.



Figure 8. View from the East of the property. (3D Point Cloud)



Figure 9. Fire Hydrant located across La Herradura road, on the northeast corner of the property

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Figure 10. Fire Hydrant located across La Herradura road, on the southeast corner of the property

3.- DRAINAGE CONDITIONS

The site drains naturally to the southeast portion of the existing Lot 1, it is assumed that all proposed development in this replat will be constructed to maintain this drainage flow towards the southeast corner of the property. All improved conditions to match existing drainage conditions.

This property currently discharges all runoff naturally to the southeast corner of the property, to the intersection of Erika Street and La Herradura Road there is no storm drain system in place within the vicinity of the property, there is also no expected mayor impact in the increase of runoff due to the replat, the variation will be minimal compared to existing drainage conditions and all improvements will match existing drainage patterns.

4.- DRAINAGE CALCULATIONS

EXISTING CONDITION - 10 YEAR

Q 10y= 0.7345505 10 yr- Maximun Rate of runoff (cfs) UNDEVELOPED

PROPOSED CONDITION - 10 YEAR

Q 10y= 1.6607981 10 yr- Maximun Rate of runoff (cfs) DEVELOPED

EXISTING CONDITION - 25 YEAR

Q 25y= 1.1152228 25 yr- Maximun Rate of runoff (cfs) UNDEVELOPED

PROPOSED CONDITION - 25 YEAR

Q 25y= 2.5214875 25 yr- Maximun Rate of runoff (cfs) DEVELOPED

EXISTING CONDITION - 50 YEAR

Q 50y= 1.2890259 50 yr- Maximun Rate of runoff (cfs) UNDEVELOPED

PROPOSED CONDITION - 25 YEAR

Q 50y= 2.9144516 50 yr- Maximun Rate of runoff (cfs) DEVELOPED

EXISTING CONDITION - 100 YEAR

Q 100y= 1.4614959 100 yr- Maximun Rate of runoff (cfs) UNDEVELOPED

PROPOSED CONDITION - 100 YEAR

Q 100y= 3.3044014 100 yr- Maximun Rate of runoff (cfs) DEVELOPED

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$$Q = \frac{CIA}{Z}$$

TOTAL AREA= 0.369 AC.

DEVELOPED
AREA= 0.369 AC.

$$C_w = \frac{\sum_{j=1}^n C_j A_j}{\sum_{j=1}^n A_j}$$

RUNOFF COEFFICIENT CALCULATION (UNDEVELOPED)

C= 0.4 Weighted Runoff coeff (CW)(1.25) FOR +25 YEARS UNDEV.
C= Weighted Runoff Coefficient Undeveloped

TOTAL AREA 0.369 Acres

	SURFACE	AREA (Ac)	COEFF.	TOTAL AREA/AREA1	C=
Building		0.000	0.95	0.00%	0
Asphalt/Concrete		0.000	0.95	0.00%	0
Native Vegetation		0.369	0.30	100.00%	0.3
				Cw=	0.3

C= 0.3 Weighted Runoff coefficient UNDEVELOPED

RUNOFF COEFFICIENT CALCULATION (DEVELOPED)

C= 0.6782916 Weighted Runoff coeff (CW)(1.25) FOR +25 YEARS UNDEV.
C= Weighted Runoff Coefficient Developed

TOTAL AREA 0.369 Acres (PROJECTED)

	SURFACE	AREA (Ac)	COEFF.	TOTAL AREA/AREA1	C=
Building	3500 SF	0.080	0.95	21.77%	0.2068604
Asphalt/Concrete	2500 SF	0.057	0.95	15.55%	0.1477574
Native Vegetation		0.231	0.30	62.67%	0.1880154

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Cw= 0.5426333

C=	0.5426333	Weighted Runoff coefficient	DEVELOPED
I 10y=	8.2943824	10 yr- Average Rainfall intensity (in/hr) (calculation below)	
I 25y=	10.07428	25 yr- Average Rainfall intensity (in/hr) (calculation below)	
I 50y=	11.644317	50 yr- Average Rainfall intensity (in/hr) (calculation below)	
I 100y=	13.202312	100 yr- Average Rainfall intensity (in/hr) (calculation below)	
A=	0.369	Drainage Area (ac)	
Z=	1	Conversion factor (1)	

$$I = \frac{b}{(t_c + d)^e}$$

RAINFALL INTENSITY

I=	Design rainfall intensity (in./hr.)
tc=	Time of concentration (min)
e, b, d=	Coefficients for specific frequencies (table below)

FOR 10-YEAR

FOR 25-YEAR

I= 8.2943824 in./hr.

I= 10.07428 in./hr.

e =	0.8774
b =	130.75 in
d =	13.7 min

e =	0.8792
b =	167.74 in
d =	15.03 min

FOR 50-YEAR

FOR 100-YEAR

I= 11.644317 in./hr.

I= 13.202312 in./hr.

e =	0.8834
b =	203.36 in

e =	0.8844
b =	237.57 in

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d= 16 min d= 16.78 min

tc= 9.4743505 min. (Calculation below)

Rainfall Intensity-Duration-Frequency Coefficients for Texas

Based on United States Geological Survey (USGS) Scientific Investigations Report 2004-5041

"Atlas of Depth-Duration Frequency of Precipitation Annual Maxima for Texas"

1. Select English or SI Units

English

2. Select or Enter a County

Maverick

3. Enter a Time of Conc.

Select Units

8.25 min

Coefficient	50% (2-year)	20% (5-year)	10% (10-year)	4% (25-year)	2% (50-year)	1% (100-year)
e	0.861	0.8691	0.8774	0.8792	0.8834	0.8844
b (in.)	66.16	100.56	130.75	167.74	203.36	237.57
d (min)	9.66	12.19	13.70	15.03	16.00	16.78
Intensity (in./hr)	5.09	6.80	8.13	9.89	11.44	12.97

(Spreadsheet Release Date: August 31, 2015; data table reshuffle by Asquith July 14, 2016)

Kerby-Kirpich Method for time of concentration

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$$t_c = t_{ov} + t_{ch}$$

t_{ov} =
Overland flow time

t_{ch} =
Channel flow time

$$t_{ov} = K(L \times N)^{0.467} S^{-0.235}$$

t_{ov} = Overland flow time K= 0.828

K= A units conversion coefficient K=0.828 for traditional units
L= the overland-flow length (ft)

N= A dimensionless retardance coefficient N= 0.02

S= Slope of terrain conveying the overland flow

Generalized terrain description	Dimensionless retardance coefficient (N)
Pavement	0.02
Smooth, bare, packed soil	0.10
Poor grass, cultivated row crops, or moderately rough packed surfaces	0.20
Pasture, average grass	0.40
Deciduous forest	0.60
Dense grass, coniferous forest, or deciduous forest with deep litter	0.80

OVERLAND FLOW

L= 30 FT
ELEV 1 = 724.4 FT
ELEV 2 = 724.6 FT
S= 0.0066667

t_{ov} =
2.1174269 minutes

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$$t_{ch} = KL^{0.770}S^{-0.385}$$

Channel flow time

K=

0.0078

K= A units conversion coefficient K=0.0078

L= the channel flow length

S= the dimensionless main-channel slope

CHANNEL FLOW

L= 220 FT

ELEV 1 = 724.4 FT

ELEV 2 = 724.6 FT

S= 0.0009091

$$t_{ch} = 7.3569237 \text{ minutes}$$

$$t_c = t_{ov} + t_{ch}$$

Max. Time of Concentration = 10 minutes

$$t_c =$$

9.4743505 minutes

Table 4-10: Runoff Coefficients for Urban Watersheds

Type of drainage area	Runoff coefficient
Business:	
Downtown areas	0.70-0.95
Neighborhood areas	0.30-0.70
Residential:	
Single-family areas	0.30-0.50
Multi-units, detached	0.40-0.60
Multi-units, attached	0.60-0.75
Suburban	0.35-0.40
Apartment dwelling areas	0.30-0.70
Industrial:	
Light areas	0.30-0.80
Heavy areas	0.60-0.90
Parks, cemeteries	0.10-0.25
Playgrounds	0.30-0.40

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Railroad yards	0.30-0.40
Unimproved areas:	
Sand or sandy loam soil, 0-3%	0.15-0.20
Sand or sandy loam soil, 3-5%	0.20-0.25
Black or loessial soil, 0-3%	0.18-0.25
Black or loessial soil, 3-5%	0.25-0.30
Black or loessial soil, > 5%	0.70-0.80
Deep sand area	0.05-0.15
Steep grassed slopes	0.7
Lawns:	
Sandy soil, flat 2%	0.05-0.10
Sandy soil, average 2-7%	0.10-0.15
Sandy soil, steep 7%	0.15-0.20
Heavy soil, flat 2%	0.13-0.17
Heavy soil, average 2-7%	0.18-0.22
Heavy soil, steep 7%	0.25-0.35
Streets:	
Asphaltic	0.85-0.95
Concrete	0.90-0.95
Brick	0.70-0.85
Drives and walks	0.75-0.95
Roofs	0.75-0.95

5.- ACCESS TO SITE

The site can be accessed thru El Indio Highway and then taking a right on Memo Robinson Drive for approximately 0.68mi, take a left onto Eidson road for 0.64 miles and take a left onto La Herradura Road until the intersection of Mariza St and La Herradura road Rd for the northeast corner of the property.

6.- WATER AND SEWER CALCULATIONS

Water Supply: Description.

This tract of land is provided with potable water by means of a main water line running along Mariza Street, La Herradura road and Erika Street.

All inside this unit, water improvements for development on this land will comply with City of Eagle Pass regulations. Service lines and meter boxes will be paid for by the developer and installed to City Standards.

Sewage Facilities: Description.

Sewage from this subdivision will be disposed of through the sanitary sewer collection system of the City of Eagle Pass. Both proposed lots to be connected to the available sanitary sewer collection system. As additional note, the contractor to verify existing sewer line depth and elevation of new buildings to be located above available sewer line to have all sewer flowing by gravity. This tract of land is provided with Sanitary sewer lines by means of a main sewer line running along Mariza Street, La Herradura road and Erika Street.

All improvements required to discharge wastewater to the sanitary sewer system will be paid for by the developer and installed following City Standards.

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Water Calculations

RESIDENTIAL USE

2 Dwellings. For total development

$$2 \text{ units} \times \frac{4 \text{ Persons}}{\text{Per unit}} \times \frac{100 \text{ Gallons}}{\text{Person-Day}} \times \frac{1 \text{ day}}{24 \text{ hours}} \times \frac{1 \text{ Hour}}{60 \text{ minutes}} = 0.555 \text{ GPM}$$

$$\text{Peak demand} = 2.5 \text{ peak factor} \times 0.555 \text{ GPM} \approx 1.388 \text{ GPM}$$

Sanitary Sewer Calculations

RESIDENTIAL USE

2 Dwellings. For total development

$$2 \text{ Units} \times \frac{4 \text{ Persons}}{\text{Per Room}} \times \frac{80 \text{ Gallons}}{\text{Person-Day}} \times \frac{1 \text{ day}}{24 \text{ hours}} \times \frac{1 \text{ Hour}}{60 \text{ minutes}} = 0.444 \text{ GPM}$$

Infiltration and Inflow Factor = 0.5

Peak Demand Factor = 2.0

$$\text{Peak Demand} = 2.5 \text{ Combined Factor} \times 0.444 \text{ GPM} = 1.11 \text{ GPM} \approx 0.002475 \text{ CFS.}$$

Note: 1 CFS = 448.83 GPM.

CAVEL ENGINEERING

Civil engineering and drone mapping

6.- FLOOD INFORMATION

No portions of this tract of land are located inside of a special flood hazard zone as shown on flood hazard boundary map panel 48323C0475D for Maverick County, Texas and incorporated areas dated April 4, 2011.

7.- CONCLUSIONS

The existing and proposed use of the property is residential, this proposed replat will not have an impact on the current use of the property and surroundings, drainage patterns and utilities as required for platting purposes are already available to this subdivision of land. There are no curbs and no sidewalks within the vicinity of the property, a variance for curbs and sidewalks is being requested as part of the proposal.

If you have any questions or need more information, contact me at (830) 872-8799 or to my email cavel2us@gmail.com.



Carlos Arturo Velarde Fernandez, P.E.
Professional Engineer, License No. 134409, Texas.
Eagle Pass, Texas, November 5, 2024.

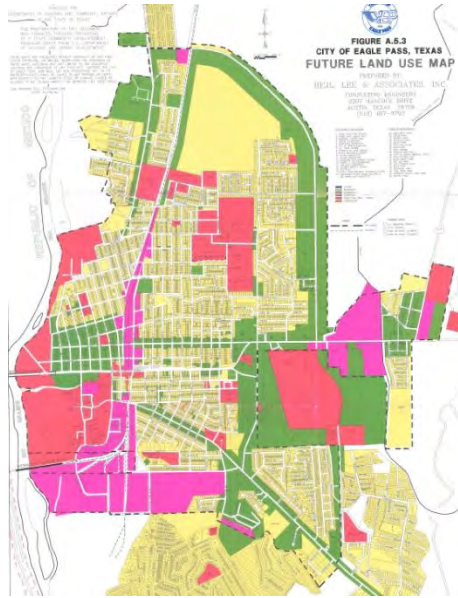
List of Exhibits:

- 1.- FEMA Firm Map for Site.**
- 2.- EPWW Water and sewer Infrastructure on La Herradura Road, Erika St and Mariza St.**

Attachment 5
Master Plan Map and Zoning District Map

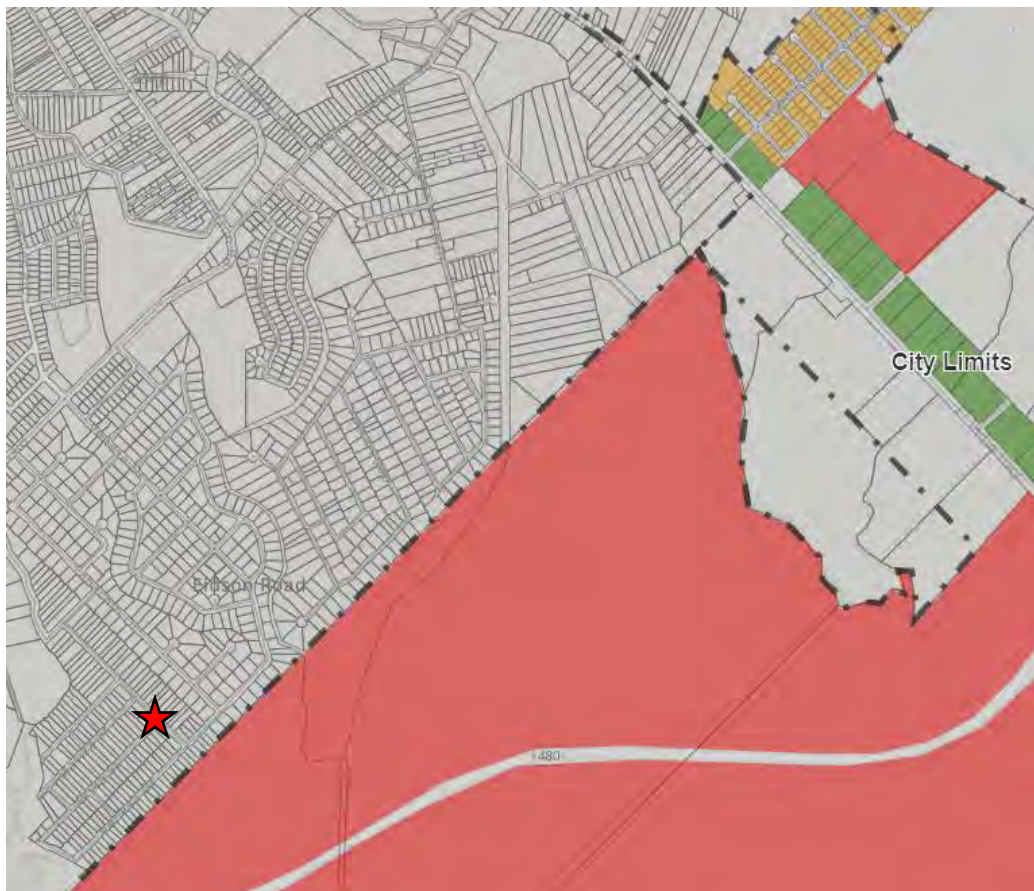
Master Plan Map

Not depicted within map boundaries



Zoning District Map

(Within ETJ)



Item #6



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

Final Replat of Lot 1 in Block 20 of Loma Linda Subdivision Unit 3

I. BACKGROUND

A. General Information

P&Z Meeting of 12/12/2024

Applicant: Cavel Engineering I Eagle Pass, Tx 78852

Developer: Reynaldo & Cynthia Menchaca I Eagle Pass, TX 78852

Location: 1451 Wagon Wheel Road (Corner of Wagon Wheel Road and Chucho Dr.)

PID Number: 56554

Legal Description: Lot 1 in Block 20 of Loma Linda Subdivision Unit 3

Request: Final replat approval to subdivide an approximately 0.501-acre tract into two residential lots, including a subdivision variance to go directly to final and a sidewalk waiver request, including curb and gutter. The installation of city utilities will be required to be installed, inspected and accepted by Eagle Pass Water Works System before plat recordation.

B. Subject Property Information

Parcel Size: 21,900 **Topography:** Generally flat

Vegetation: native vegetation

Existing Use: Vacant and undeveloped

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

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

C. Vicinity Data

The site is located within an area that features residential developments consistent with 7,700-square foot minimum lot size found in the subdivision.

D. Infrastructure

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

Access to the site is provided by Linda Vista Drive and Wagon Wheel Road via Rosita Valley Road and El Indio Highway.

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. 60 notices were mailed to the abutting property owners within a 500 feet radius of the subject property on November 26, 2024.

III. RECOMMENDED FINDINGS OF FACT

A. Conclusions

1. The applicant's request contains sufficient information for consideration by the Eagle Pass City Council. Information contained in this report and the Commission's public meeting will be used as part of the City Council's deliberation process for the subdivision. Please refer to Attachment 1.
2. The applicant is seeking a sidewalk waiver per Section 23-64(a) of the Subdivision Ordinance as part of his application for the replat. The City and County agree that the waiver be granted as there are no curb or gutter or sidewalks in the vicinity of the subject area.

City of Eagle Pass Code of Ordinances Section 23-64 authorizes the Planning and Zoning Commission to waive the requirement for the construction of sidewalk, including curb and gutter 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 Subdivision Sidewalk Waiver Application and photographs of the property frontage.

3. 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 3, comply with the four criteria to grant the subdivision variance.

The following is a summary of this application's compliance with the criteria:

First Variance Decision Criteria

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

Second Variance Decision Criteria

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

Third Variance Decision Criteria

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

Fourth Variance Decision Criteria

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

Fifth Variance Decision Criteria

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

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

4. The property is located within the City's *Extraterritorial Territorial Jurisdiction*, and the policies of the *Master Plan Map* apply to the consideration of this subdivision. The *Master Plan* emphasizes the importance of maintaining the character of the residential neighborhoods.
 - ✓ The replat is consistent with the *Housing Goals* of the *Master Plan*, as the subdivision process will ensure appropriate land development regulation with appropriate lot sizes, paved streets with curb and gutters, and adequate utility services.
 - ✓ The replat is consistent with the *Land Use Development Goals* of the *Master Plan*, as the project is designed to provide for a building lot density that is consistent with the purpose of the *R-1 First One-Family Dwelling District*. This design will allow for the continuing development of the community while retaining the neighborhood character and scale while providing utility services in the most efficient and equitable manner.
 - ✓ The replat is consistent with the *Street Goal* of the *Master Plan*, as access to the site from Wagon Wheel Road is designed to provide the residents of and visitors to Eagle Pass and Maverick County with a street system that will enable them to travel safely and conveniently.
 - ✓ The replat is consistent with the *Thoroughfare Goals* of the *Master Plan*, as Wagon Wheel Road has been designed to be part of a safe and efficient thoroughfare system.
 - ✓ The replat is consistent with the *Storm Drainage Goals* of the *Master Plan*, as the size of the two lots and the eventual density of 2-dwelling-units on the re-plat site will not adversely impact existing area drainage effectiveness.
5. The replat is consistent with City design and specifications, as the project is designed and conditioned to conform to the following sections of *Article IV* in *Eagle Pass Code of Ordinances Chapter 23*:
 - ✓ *Section 23-61* governing street layout, right-of-way and pavement width, street names, streetlights, and road construction testing.
 - ✓ *Section 23-62* governing utility easements

- ✓ *Section 23-64* governing sidewalks, the applicant is seeking a waiver from the requirement to construct a sidewalks.
- ✓ *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 4 for a copy of the *Final Engineering Report* for the subdivision.

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

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

B. Community Development Department Recommendation

That the Eagle Pass Planning and Zoning Commission (1) **GRANT** a subdivision variance from *Section 23-36(a)* regulating preliminary plat requirements, (2) **GRANT** a sidewalk waiver request, including curb and gutter as there are no curb or gutter improvements in the area, and (3) **GRANT** final plat approval of the *Replat of Lot 1 in Block 20 of Loma Linda Subdivision Unit 3*, subject to the plat complying with the provisions of *Article III of City of Eagle Pass Code of Ordinances Chapter 23* governing procedures and specifications for Final Plats and the following condition:

1. The Applicant provide a letter from Eagle Pass Water Works System certifying that all utilities constructed have been accepted prior to plat recordation, as regulated by *Section 23-36(d)(2)(i)*.

TRANSMITTED to the parties listed hereafter:

Cavel Engineering via e-mail

Eagle Pass Planning and Zoning Commission via e-mail

Eagle Pass City Manager Homero Balderas via e-mail

Eagle Pass Assistant City Manager Ivan Morua via e-mail

Eagle Pass City Secretary Erika Rodriguez via e-mail

Eagle Pass City Attorney Ana Sophia Garcia via e-mail

Maverick County Planning Director via email

City of Eagle Pass Community Development Department Report dated December 3, 2024

Attachment 1

Application



CITY OF EAGLE PASS
APPLICATION FOR APPROVAL OF FINAL PLAT

INSTRUCTIONS: This form is to be completely filled out, signed, and dated by the subdivider when the subdivider requests final plat approval.

IDENTIFICATION OF SUBDIVISION AND PLAT

I, Reynaldo Menchaca, hereby request final plat approval for the proposed subdivision known as Replat of Lot1, Block 20 Loma Linda Unit3 as shown on the accompanying plat, which consists of 1 (number) sheets and which was acknowledged by me on 11/23/2024 (date).

SUBDIVIDER'S ACKNOWLEDGMENT

I understand that before the plat may be recorded I must provide to the City of Eagle Pass a financial guarantee for all unbuilt infrastructure in the amount to be set by the City Council. Otherwise, I believe that I have fulfilled the requirements under state laws and city ordinances for final plat approval by the City of Eagle Pass, based upon the plat as described above and the documents and information listed below. To the best of my knowledge the information provided on this request is true and complete.


 Signature of Subdivider (or Authorized Agent)

11/23/2024
 Date

PRELIMINARY PLAT APPROVAL

Check if applicable, and provide the date of City Council approval.

☒ A preliminary plat was approved by the City on July 2, 2024 (date).

IDENTIFICATION OF PLAT SHEETS TO BE IN COUNTY'S MAP RECORD

I request, once the City of Eagle Pass has approved the plat and I have submitted any required financial guarantees, that sheets number n/a (list sheets) of the plat be recorded in the Maverick County Map Records but that the other sheets of the plat not be recorded.

LIST OF DOCUMENTS ACCOMPANYING OR ATTACHED TO THE PLAT TO BE INCLUDED IN COUNTY'S MAP RECORD OF THE SUBDIVISION

The information below, if it is not included upon the plat itself, must be on a document signed by the subdivider and attached to or accompanying the final plat. For each item, indicate by a check mark where the information appears. The City of Eagle Pass will keep these documents (or their signed revisions) together during the subdivision review and approval process and through the recording of the subdivision with the County Clerk. If the subdivision does not have at least two or more lots of five acres or less intended for residential purposes, then the Model Rules do not apply and a final engineering report is not required.

on the final plat	attached to final plat	accompanies final plat	
<u> </u>	<u> x </u>	<u> </u>	final engineering report
<u> x </u>	<u> </u>	<u> </u>	description in English and Spanish of water and sewer facilities and easements and operable date
<u> x </u>	<u> </u>	<u> </u>	engineering certification of compliance of water and sewer facilities with Model Rules, and of estimated costs
<u> </u>	<u> </u>	<u> </u>	others (described as follows:) ----- _____ _____
<u> </u>	<u> </u>	<u> </u>	others (described as follows:) ----- _____ _____

DESCRIPTION OF SUBDIVISION INFRASTRUCTURE THAT HAS BEEN COMPLETED OR INSTALLED AS OF THE DATE OF THIS APPLICATION

NOTE: You may refer to the plat in describing the completed infrastructure -- for example, by stating, "The water lines shown on sheet 3 of the final plat have been installed." Use the back side of this page if more room is needed. The City of Eagle Pass' Subdivision Ordinance require a subdivider to enter into a Subdivision Construction Agreement secured by a financial guarantee (a bond, letter of credit, or cash deposit) for completion of streets and drainage and water and wastewater facilities not constructed or installed when the subdivider applies for final plat approval.

Streets. (Provide names of streets and extent of their completed improvements.)

No streets are being proposed to be constructed.

Drainage facilities. (Describe location and nature of completed drainage facilities.)

No drainage facilities are being proposed.

Water facilities. (Describe installed locations and sizes of water lines, water meters, and other devices involved in providing water.)

2 Water meters are already connected to both properties. fees already paid to EPWWS.

Wastewater facilities. (Describe installed location and sizes of such items as sewer lines, septic systems, or other on-site sewerage facilities.)

2 Sanitary sewer connections are installed already in Wagon Wheel Road, fees paid to EPWWS.

SCALE IN FEET

24"x36" (ARCH D) - 1" = 30'

PROPERTY OWNER:
REYNALDO MENCHACA &
CYNTHIA MENCHACA (DECEASED)
PO BOX 4501
EAGLE PASS, TX 78853

CONSULTING ENGINEER
CAVEL ENGINEERING
CARLOS VELARDE, PE
2373 WILLOWBRAE DR
EAGLE PASS, TX 78852

SURVEYOR:
FRANCISCO GAYTAN, RPLS
487 MIAMI ROBINSON RD, APT B,
EAGLE PASS, TX 78852

REPLAT OF LOT 1, BLOCK 20,
LOMA LINDA SUBDIVISION UNIT 3

SYMBOLOLOGY

BOUNDARY	CONTOUR MIN EX
FENCE	CONTOUR MAJ EX
WATER SUPPLY	FOUND MONUMENTS
SANITARY SEWER	SET STAKES
STORM SEWER	WATER VALVE, FIRE HYDRANT
POWER	POWER POLE, GUY WIRE
TELEPHONE	MANHOLE
ATT	TRAFFIC LIGHT, SIGN
TWC	CLEAN OUT

STATE OF TEXAS
COUNTY OF MAVERICK
OWNER'S DEDICATION, CERTIFICATION, AND ATTESTATION
I, AS OWNER OF LOT 1 OF THE LOMA LINDA SUBDIVISION UNITS, IN MAVERICK COUNTY, TEXAS
CERTIFY THAT:

- (A) THE WATER QUALITY AND CONNECTIONS TO THE LOTS MEET THE MINIMUM STATE STANDARDS;
(B) SEWER CONNECTIONS TO THE LOTS OR SEPTIC TANKS MEET THE MINIMUM REQUIREMENTS OF STATE STANDARDS;
(C) ELECTRICAL CONNECTIONS PROVIDED TO THE LOTS MEET THE MINIMUM STATE STANDARDS;
(D) GAS CONNECTIONS, IF AVAILABLE PROVIDED TO THE LOTS MEET, OR WILL MEET, THE MINIMUM STANDARDS, AND
I ATTEST THAT THE MATTERS ASSERTED IN THIS PLAT ARE TRUE AND COMPLETE.

REYNALDO MENCHACA
CYNTHIA MENCHACA (DECEASED)

STATE OF TEXAS
COUNTY OF MAVERICK
BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, ON THIS DAY PERSONALLY APPEARED, REYNALDO MENCHACA
PROVED TO ME, THROUGH THEIR TEXAS DEPARTMENT OF PUBLIC
SAFETY DRIVER LICENSES TO BE THE PERSONS WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT,
WHO, BEING BY ME FIRST DULY SWORN, DECLARED THAT THE STATEMENTS THEREIN ARE TRUE AND CORRECT
AND ACKNOWLEDGE THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREBY EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 2024.

NOTARY PUBLIC STATE OF TEXAS

STATE OF TEXAS
COUNTY OF MAVERICK

CERTIFICATE OF COMPLIANCE WITH THE MODEL RULES
I, CARLOS VELARDE, REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS (NO.134409), HEREBY
CERTIFY THAT THE WATER AND SEWER SERVICES FOR THIS SUBDIVISION WERE DESIGNED IN ACCORDANCE WITH
THE REQUIREMENTS OF THE CITY OF EAGLE PASS, TEXAS, THAT THESE SERVICES WILL BE CONNECTED TO THE
PUBLIC WATER AND SEWER UTILITIES, THAT THESE SERVICES WILL BE OPERATED AND MAINTAINED BY THE CITY
OF EAGLE PASS, ALL SHOWN ON THE PLAT AND APPROVED BY THE CITY OF EAGLE PASS, TEXAS. THESE WATER AND SEWER DESIGNS ARE IN COMPLIANCE WITH THE MODEL RULES ADOPTED UNDER
SECTION 16.543 OF THE TEXAS WATER CODE AND ARE OPERABLE AT THIS TIME.

CARLOS VELARDE
REGISTERED PROFESSIONAL ENGINEER
TEXAS NO. 134409

SWORN TO AND SUBSCRIBED BEFORE ME THIS _____ DAY OF _____, 2024.

NOTARY PUBLIC STATE OF TEXAS

STATE OF TEXAS
COUNTY OF MAVERICK

I, FRANK GAYTAN, A REGISTERED PROFESSIONAL LAND SURVEYOR IN TEXAS, HEREBY CERTIFY THAT THE
FOREGOING PLAT AND DESCRIPTION OF THE REPLAT OF LOT 1, BLOCK 20 OUT OF LOT 1
LOMA LINDA SUBDIVISION UNIT 3, WAS PREPARED FROM A SURVEY OF THE PROPERTY MADE ON
THE GROUND BY ME OR UNDER MY SUPERVISION
ON _____, 2024.

FRANK GAYTAN
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS NO. 5474

SWORN TO AND SUBSCRIBED BEFORE ME THIS _____ DAY OF _____, 2024.

NOTARY PUBLIC STATE OF TEXAS

CITY OF EAGLE PASS
CERTIFICATE OF PLAT APPROVAL
WE, THE UNDERSIGNED CERTIFY THAT THIS REPLAT OF LOT 1, BLOCK 20 OUT OF LOT 1
LOMA LINDA SUBDIVISION UNIT 3, WAS REVIEWED AND APPROVED BY THE PLANNING AND ZONING COMMISSION
OF THE CITY OF EAGLE PASS, TX.

CHAIRMAN OF THE CITY OF EAGLE PASS
PLANNING AND ZONING COMMISSION
SWORN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 2024.

NOTARY PUBLIC STATE OF TEXAS

CITY OF EAGLE PASS
CERTIFICATE OF PLAT APPROVAL
WE, THE UNDERSIGNED CERTIFY THAT THIS REPLAT OF LOT 1, BLOCK 20 OUT OF LOT 1
LOMA LINDA SUBDIVISION UNIT 3, WAS REVIEWED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF EAGLE PASS, TEXAS.
AS FOLLOWS:

MAYOR OF THE CITY OF EAGLE PASS
SWORN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 2024.

NOTARY PUBLIC STATE OF TEXAS

MAVERICK COUNTY
CERTIFICATE OF PLAT APPROVAL
I, THE UNDERSIGNED CERTIFY THAT THIS REPLAT OF LOT 1, BLOCK 20 OUT OF LOT 1
LOMA LINDA SUBDIVISION UNIT 3, WAS REVIEWED AND APPROVED BY THE MAVERICK COUNTY
COMMISSIONERS' COURT.

MAVERICK COUNTY JUDGE
DATE
SWORN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 2024.

NOTARY PUBLIC STATE OF TEXAS

METES AND BOUNDS FOR LOT 1A BLOCK LOMA LINDA SUBDIVISION UNIT 3

Situated in Maverick County, Texas and being a 0.245 Acres and being a portion of Lot 1, Block 20 of the Loma Linda Subdivision Unit 3, as shown in the
plot of record in Envelope 160, Side B of the Maverick County Map records; said 0.245 Acres tract being more particularly described by metes and bounds
as follows:

BEGINNING at the common northerly corner of Lot 1 and Lot 2, Block 20 of said subdivision, said point falling on the southerly line of a 50 foot street,
the south right of way line of Wagon Wheel Road for the northeast corner of this tract and POINT OF BEGINNING (P.O.B.);
THENCE, N 39°40'30"E, 73.00 feet along the ROW of Wagon Wheel Road to an iron pin set falling on the West ROW of a 50 foot street, the west right
of way of Chucho drive, for a corner of this tract;
THENCE, S 50°19'30"E, 146.55 feet along the ROW of Chucho drive, to an iron pin set for a corner of this tract;
THENCE, S 40°01'27"W, 73.00 feet along the ROW of Chucho drive, to an iron pin set for a corner of this tract;
THENCE, N 50°19'30"W, 146.10 feet along the line that divides Lot 1 and Lot 2, Block 20 of said subdivision to the POINT OF BEGINNING, and containing
0.245 Acres of land more or less.

METES AND BOUNDS FOR LOT 1B BLOCK LOMA LINDA SUBDIVISION UNIT 3

Situated in Maverick County, Texas and being a 0.256 Acres and being a portion of Lot 1, Block 20 of the Loma Linda Subdivision Unit 3, as shown in the
plot of record in Envelope 160, Side B of the Maverick County Map records; said 0.256 Acres tract being more particularly described by metes and bounds
as follows:

BEGINNING at the point that bears S 50°19'30"E, 146.10 feet from the common northerly corner of Lot 1 and Lot 2, Block 20 of said Loma Linda
Subdivision Unit 3, for the northeast corner of this tract and POINT OF BEGINNING (P.O.B.);
THENCE, N 40°01'27"E, 73.00 to a corner of this tract falling in the west ROW of a 50 foot street Chucho drive;
THENCE, S 50°19'30"E, 138.45 feet along the ROW of Chucho drive, to an iron pin set falling on a curve having a delta angle of 90° and a radius of 15.00
feet;
THENCE, 23.56 feet along the arc of said curve to an iron pin set falling on the ROW of a 50 foot street, for the north ROW of Loma Vista drive;
THENCE, S 39°40'30"W, 58.00 feet along the ROW of Loma Vista drive to the common southerly point of Lot 1 and Lot 2, Block 20 of said subdivision for
an iron pin set for a corner of this tract;
THENCE, N 50°19'30"W, 153.90 feet along the line that divides Lot 1 and Lot 2, Block 20 of said subdivision to the POINT OF BEGINNING, and containing
0.256 Acres of land more or less.

COUNTY CLERKS RECORDING CERTIFICATE

I, _____, COUNTY CLERK OF MAVERICK COUNTY,
certify that the plat bearing this certificate was filed for record at _____ o'clock _____ M on _____
side _____ of the Plat Records
of Maverick county at _____ o'clock _____ M on _____, 2024.

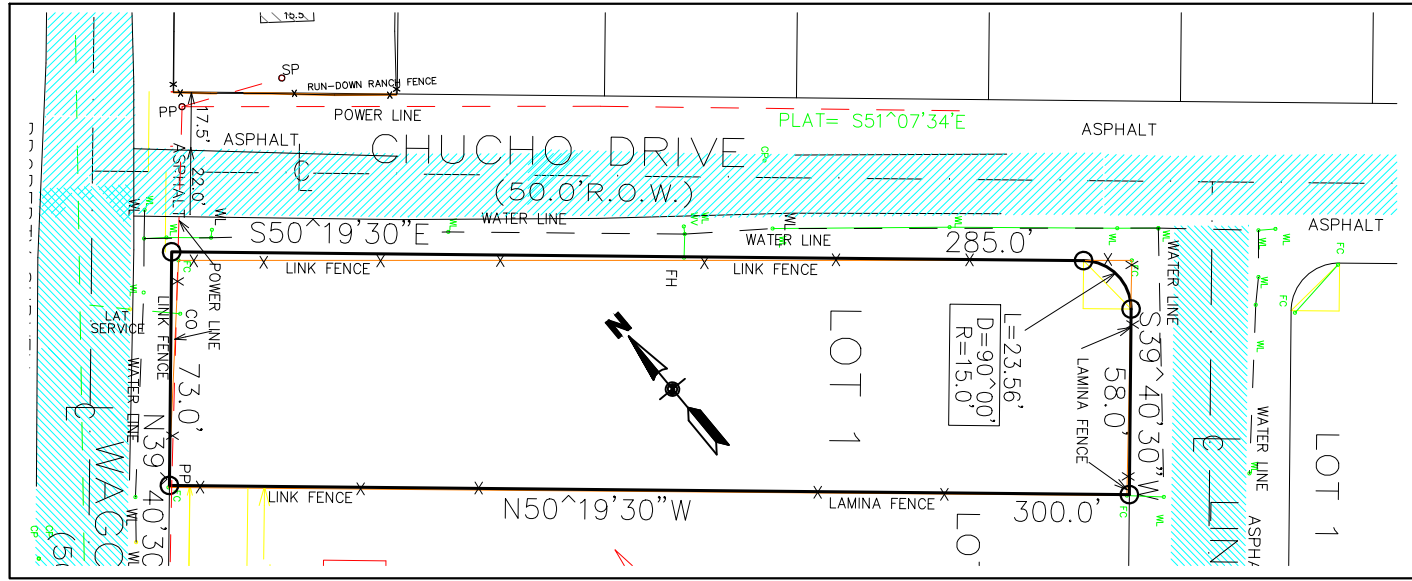
Maverick County Clerk.

FLOOD PLAN NOTE:

No portion of the property shown hereon is within Zone A, Special Flood Hazard Area as
shown on Flood Hazard Boundary Community Map Panel No. 4832005760, dated April
4, 2011 for Maverick County as published by the Federal Insurance Administration.

PLAT NOTES AND RESTRICTIONS:

- Buildings shall be set back as follows:
Front 10' or 15' (whichever is greater), Side 5' or 10' (whichever is greater), Rear 10' or 20' (whichever is greater).
- Zoning: NO ZONING APPLIES WITHIN THE COUNTY OF MAVERICK
- The lot areas and setbacks conform to land use R-1 (First One-Family Dwelling District)
- All lot corners, angle points, points of curvature and points of tangency are marked with
1/2" iron rod unless shown otherwise.
- No more than one (1) single family detached dwelling shall be located on each lot.
- This plat subdivides Lot 1, Block 20 of the Loma Linda Subdivision Unit 3, of the plat
previously recorded in the map records of Maverick County, Envelope 106, Side B.
- The covenants for Loma Linda Unit 3 are recorded in Volume 458, Page 204 -ET SED
of the Maverick County Deed records. The covenants are effective and apply to the lots
created by this subdivision.
- The utility easement crossing Lot 1A is a private easement to service sanitary sewer lot 1B.
- A variance to ordinance requiring curb, gutter and sidewalk has been applied for the lots.



PLAT OF RECORD
SCALE 1" = 60'

Point of Beginning

1495 sq
Ft. Lot 1A
and
Residence



LOCATION MAP
N.T.S.

FINAL WATER AND SEWER UTILITY REPORT:

WATER AND SEWER FACILITIES: DESCRIPTION, COSTS ALREADY PURCHASED AND OPERABILITY DATES:

The replat will be provided with potable water and sewer by a system owned, operated and maintained by the City of Eagle Pass
Water Works System, the estimated cost of the fees already paid to provide water to this subdivision is \$5,200. This including the
service line to each lot, one water meter and one sewer service to each lot.

REPORTE FINAL DE SERVICIOS DE AGUA Y SERVICIOS SANITARIOS

SERVICIOS DE AGUA Y DRENAJE: DESCRIPCION, COSTOS REALIZADOS Y FECHAS DE OPERACION:

Los lotes producidos en esta subdivision seran proveedidos por agua potable y servicio de drenaje por un sistema establecido, operado
y mantenido por el sistema de agua y drenaje de la Ciudad de Eagle Pass, Texas. el costo estimado de costo de conexión (realizado
antes del registro de la subdivision) es de \$5,200. Esto incluyendo la linea de servicio de cada lote, un medidor de agua y un
servicio sanitario para cada lote.

REYNALDO MENCHACA

CYNTHIA MENCHACA (DECEASED)

Replat Lot 1, Block 20 of the Loma Linda Subdivision Unit 3,
Maverick County, Texas.

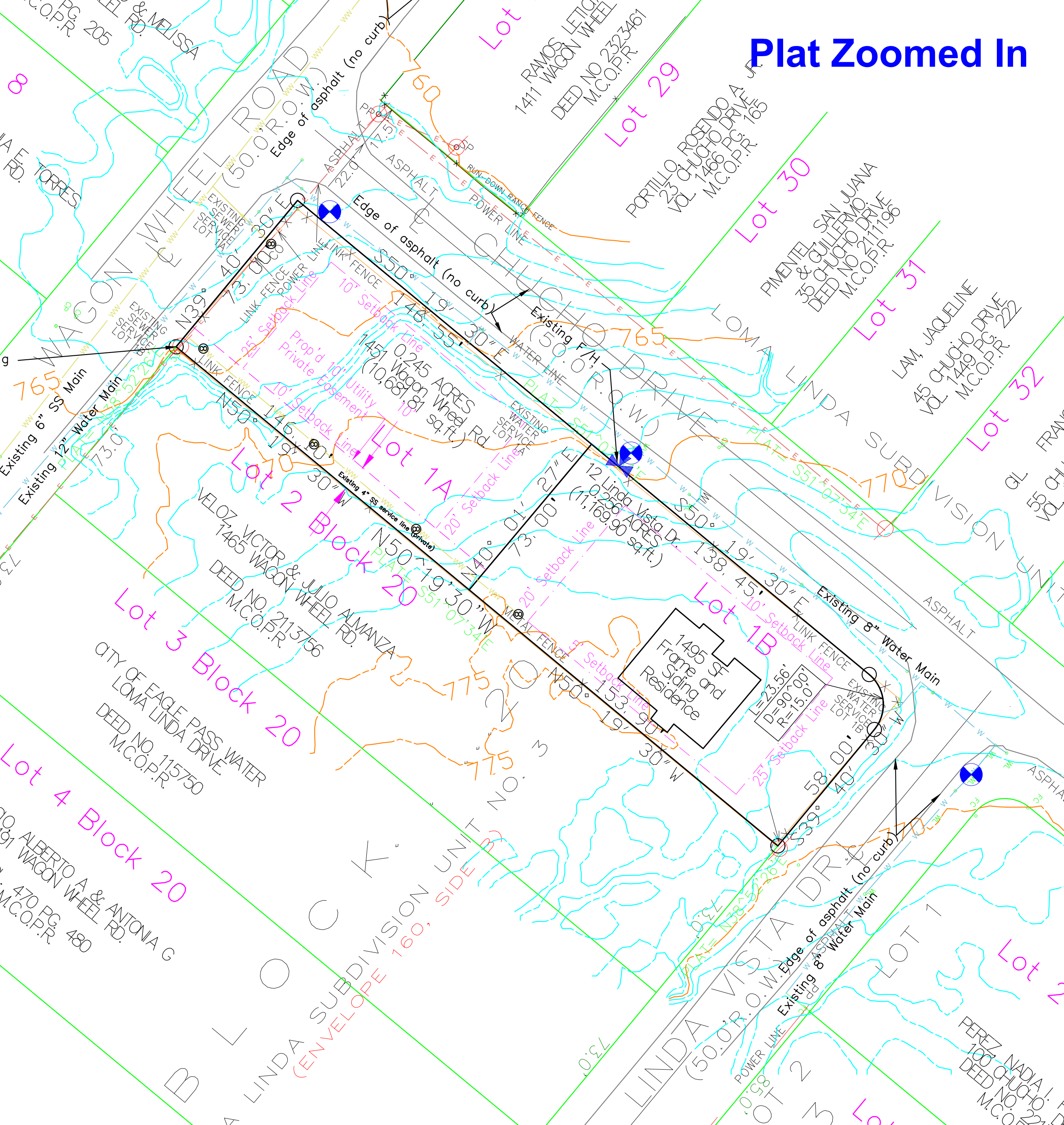
CAVEL ENGINEERING

ENGINEERING FIRM F-20893, TEXAS
2373 Willowbrae Dr.
Eagle Pass, Texas 78852
Phone: (830) 872-8799

JOB#R 0124-02
REV 02
Dec. 6, 2024

SHEET
1 of 1

Plat Zoomed In



Aerial View



Site Photos





Attachment 2
Sidewalk Waiver 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 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): Reynaldo Menchaca
Phone: (830) 335-3525 Email: rogermenchaca8@gmail.com
Owner: Reynaldo Menchaca
Owner Address: PO BOX 4501 City: Eagle Pass State: TX Zip: 78852
Phone: _____ Email: _____

Property Information

Site Address: 1451 Wagon Wheel Rd, Eagle Pass, TX
Legal description (from deed): Lot 1 Block 20, Loma Linda Unit 3
(Property must be legally subdivided or be lot of record)
Maverick County Identification Number: 56554

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

A sidewalk and curb waiver for the 285' Chucho Drive
and 81.56' fronting Linda Vista Dr , and 73.00' fronting Wagon Wheel
~~there are no sidewalks in the vicinity of this subdivision.~~

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

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

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

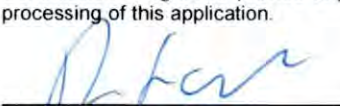
There are no sidewalks in the near vicinity of the subdivision
building a sidewalk right of the property line , no curb and gutter
~~is installed either, subdivider can build sidewalks upon the construction~~
~~of the residence.~~

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

10/22/2024

Date

Attachment 3
Subdivision Variance Application



PLANNING DEPARTMENT

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

SUBDIVISION VARIANCE APPLICATION

Applicant Information

Applicant (If not owner): Reynaldo Menchaca

Address: PO BOX 4501

Phone: (830) 335-3525 E-mail: rogermenchaca8@gmail.com

Owner: Reynaldo Menchaca

Address: _____

Phone: _____ E-mail: _____

Property Information

Site Address: 1451 Wagon Wheel Rd MCAD Property ID No. 56554

Legal Description (from deed): Lot 1 Block 20 Loma Linda Unit 3

Description of Subdivision Variance Request

1. Subdivision less than 5 Acres

2. Sidewalk variance

Detailed Explanation of Subdivision Variance Request

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

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

Subdivision is less than 5 Acres, there are no sidewalks
in the vicinity, and no curb and gutter either

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

Property can create additional lots keeping the same
adding two residential areas to the site, no sidewalks
located in the area, no curb on any of the streets

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 on any of the 3 adjacent streets

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.

No curb and no sidewalks on any of the adjacent streets

Required Application Attachments

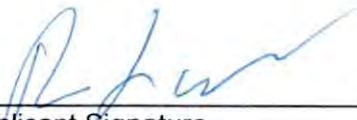
The following documentation is required to be attached to this application:

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

Applicant Authorization

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

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



Applicant Signature

10/22/2024

Date

Attachment 4
Final Engineering Report

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FINAL ENGINEERING & DRAINAGE REPORT

Prepared for:

Reynaldo Menchaca
Replat of Lot 1 Block 20
Loma Linda Subdivision Unit 3
Maverick County, Texas
Eagle Pass, TX 78852



Prepared by:

Cavel Engineering
Engineering Firm #20893

Phone: (830) 872-8799

November 5, 2024

TABLE OF CONTENTS

- 1. - INTRODUCTION
- 2. – PROPERTY DESCRIPTION AND SITE PROPERTIES
- 3. – DRAINAGE CONDITIONS
- 4. – DRAINAGE CALCULATIONS
- 5. – ACCESS TO SITE
- 6. – WATER AND SANITARY SEWER CALCULATIONS
- 7. – FLOOD INFORMATION

1.-INTRODUCTION

This report was prepared by Carlos Velarde, PE., for a 0.501 Acre tract recorded as Lot 1 Block 20 of the Loma Linda Subdivision unit 3 of the plat of record Loma Linda Subdivision Unit 3, Eagle Pass, TX 78852. The property is located approximately 2.80 miles to the south east of the City of Eagle Pass City Limits. The property consists in the Lot 1 Block 20 of the Loma Linda Subdivision Unit 3 as shown on the plat of record on Envelope 160 Side B of the Maverick County Plat Records. The property is not currently zoned and is located to the southeast area of the extra territorial jurisdiction of the City of Eagle Pass, Tx.



Figure 1. Location Map

2.-PROPERTY DESCRIPTION AND SITE PROPERTIES

The 0.501 Acre tract consist in Lot 1 Block 20 , of the Loma Linda Subdivision Unit 3 as shown on the plat of record on Envelope 160 Side B of the Maverick County Plat Records, the land is

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surrounded by said subdivision. All of this property lies within the extra territorial jurisdiction of the City of Eagle Pass, in Maverick County, Texas.

All of this land is located in Maverick County, Texas, and there is one residential construction located on the southeast portion of this property, on the proposed lot 1B, the construction has a current Maverick County building permit obtained in 2023, the rest of the property is vacant lot, this proposed replat is to add a new residential lot to the Maverick County within the extra territorial jurisdiction of the City of Eagle Pass.

No portions of this tract of land are located within Zone A of a special flood hazard zone as shown on flood hazard boundary map panel 48323C0575D for Maverick County, Texas and incorporated areas dated April 4, 2011. As shown in the FEMA Firmette map, attached as Exhibit 1.



Figure 2. Aerial Photogrammetry of the property.

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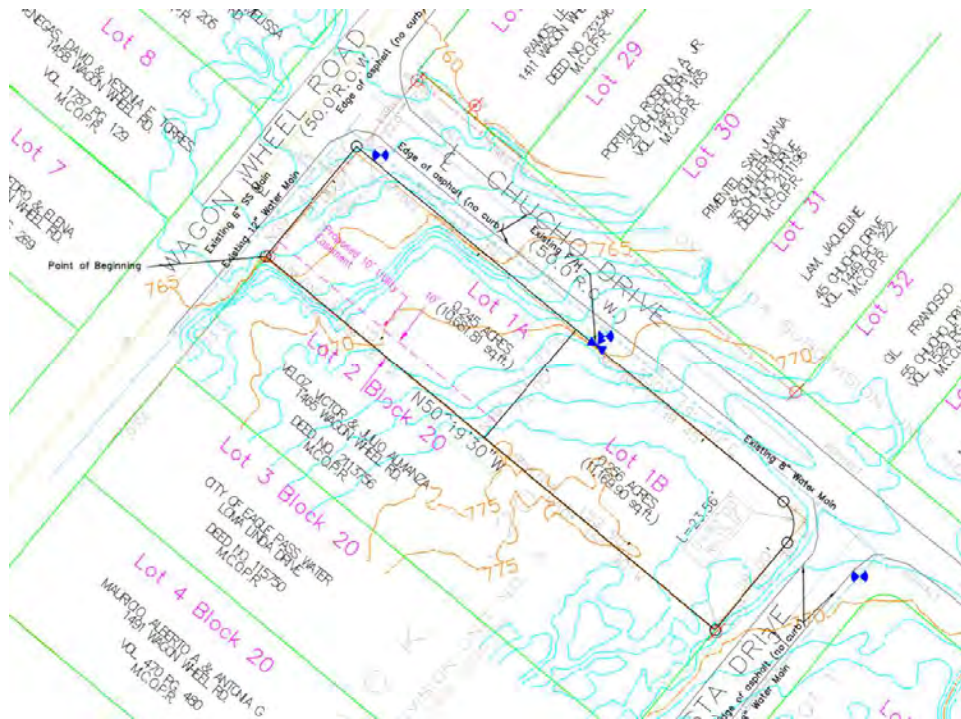


Figure 3. Excerpt from the Proposed Replat



Figure 3. View from the Southeast corner of the property, Intersection of Chulo Street and Linda Vista Drive

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Figure 4. Intersection of Linda Vista and Chucho Dr, no curb and no sidewalks on the subdivision.



Figure 5. View from the south of Chucho Drive, the no curb and no sidewalks within the vicinity of the property.

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Figure 6. Ground control point established for aerial photogrammetry.



Figure 7. Ground control point established for aerial photogrammetry.

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Figure 8. View from the East of the property.



Figure 9. Fire Hydrant located on the east boundary of Lot 1

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Figure 10. View from the Northeast



Figure 10. Northeast corner of the property, intersection of Wagon Wheel Dr and Chucho Dr.

3.- DRAINAGE CONDITIONS

The site drains naturally to the northwest portion of the existing Lot 1, it is assumed that all proposed development in this replat will be constructed to maintain this drainage flow towards the southeast corner of the property. All improved conditions to match existing drainage conditions.

This property currently discharges all runoff naturally to the northwest corner of the property, there is no storm drain system in place within the vicinity of the property, there is also no expected mayor impact in the increase of runoff due to the replat, the variation will be minimal compared to existing drainage conditions and all improvements will match existing drainage patterns.

4.- DRAINAGE CALCULATIONS

EXISTING CONDITION - 10 YEAR

Q 10y= 1.1544441 10 yr- Maximun Rate of runoff (cfs) UNDEVELOPED

PROPOSED CONDITION - 10 YEAR

Q 10y= 2.1593955 10 yr- Maximun Rate of runoff (cfs) DEVELOPED

EXISTING CONDITION - 25 YEAR

Q 25y= 1.7382052 25 yr- Maximun Rate of runoff (cfs) UNDEVELOPED

PROPOSED CONDITION - 25 YEAR

Q 25y= 3.2513246 25 yr- Maximun Rate of runoff (cfs) DEVELOPED

EXISTING CONDITION - 50 YEAR

Q 50y= 1.999 50 yr- Maximun Rate of runoff (cfs) UNDEVELOPED

PROPOSED CONDITION - 25 YEAR

Q 50y= 3.7391431 50 yr- Maximun Rate of runoff (cfs) DEVELOPED

EXISTING CONDITION - 100 YEAR

Q 100y= 2.2571751 100 yr- Maximun Rate of runoff (cfs) UNDEVELOPED

PROPOSED CONDITION - 100 YEAR

Q 100y= 4.2220613 100 yr- Maximun Rate of runoff (cfs) DEVELOPED

TOTAL AREA= 0.501 AC.

$$Q = \frac{CIA}{Z}$$

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DEVELOPED
AREA= 0.501 AC.

$$C_w = \frac{\sum_{j=1}^n C_j A_j}{\sum_{j=1}^n A_j}$$

RUNOFF COEFFICIENT CALCULATION (UNDEVELOPED)

C= 0.4 Weighted Runoff coeff (CW)(1.25) FOR +25 YEARS UNDEV.
C= Weighted Runoff Coefficient Undeveloped

TOTAL AREA 0.501 Acres

	SURFACE	AREA (Ac)	COEFF.	TOTAL AREA/AREA1	C=
Building		0.000	0.95	0.00%	0
Asphalt/Concrete		0.000	0.95	0.00%	0
Native Vegetation		0.501	0.30	100.00%	0.3
				Cw=	0.3

C= 0.3 Weighted Runoff coefficient UNDEVELOPED

RUNOFF COEFFICIENT CALCULATION (DEVELOPED)

C= 0.561152 Weighted Runoff coeff (CW)(1.25) FOR +25 YRS DEVELOPED
C= Weighted Runoff Coefficient Developed

TOTAL AREA 0.501 Acres (PROJECTED)

	SURFACE	AREA (Ac)	COEFF.	TOTAL AREA/AREA1	C=
Building	3000 SF	0.069	0.95	13.75%	0.1305928
Asphalt/Concrete	2000 SF	0.046	0.95	9.16%	0.0870619
Native Vegetation		0.386	0.30	77.09%	0.2312669
				Cw=	0.4489216

C= 0.4489216 Weighted Runoff coefficient DEVELOPED

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I 10y=	9.6011653	10 yr- Average Rainfall intensity (in/hr) (calculation below)
I 25y=	11.564905	25 yr- Average Rainfall intensity (in/hr) (calculation below)
I 50y=	13.300067	50 yr- Average Rainfall intensity (in/hr) (calculation below)
I 100y=	15.017798	100 yr- Average Rainfall intensity (in/hr) (calculation below)
A=	0.501	Drainage Area (ac)
Z=	1	Conversion factor (1)

$$I = \frac{b}{(t_c + d)^e}$$

RAINFALL INTENSITY

I=	Design rainfall intensity (in./hr.)
tc=	Time of concentration (min)
e, b, d=	Coefficients for specific frequencies (table below)

FOR 10-YEAR

I= 9.6011653 in./hr.

e = 0.8774
b = 130.75 in
d= 13.7 min

FOR 25-YEAR

I= 11.564905 in./hr.

e = 0.8792
b = 167.74 in
d= 15.03 min

FOR 50-YEAR

I= 13.300067 in./hr.

e = 0.8834
b = 203.36 in
d= 16 min

FOR 100-YEAR

I= 15.017798 in./hr.

e = 0.8844
b = 237.57 in
d= 16.78 min

tc= 5.9150394 min. (Calculation below)

Rainfall Intensity-Duration-Frequency Coefficients for Texas

Based on United States Geological Survey (USGS) Scientific Investigations Report 2004-5041

"Atlas of Depth-Duration Frequency of Precipitation Annual Maxima for Texas"

1. Select English or SI Units

English

2. Select or Enter a County

Maverick

3. Enter a Time of Conc.

Select Units

8.25 min

Coefficient	50% (2-year)	20% (5-year)	10% (10-year)	4% (25-year)	2% (50-year)	1% (100-year)
e	0.861	0.8691	0.8774	0.8792	0.8834	0.8844
b (in.)	66.16	100.56	130.75	167.74	203.36	237.57
d (min)	9.66	12.19	13.70	15.03	16.00	16.78
Intensity (in./hr)	5.09	6.80	8.13	9.89	11.44	12.97

(Spreadsheet Release Date: August 31, 2015; data table reshuffle by Asquith July 14, 2016)

Kerby-Kirpich Method for time of concentration

$$t_c = t_{ov} + t_{ch}$$

$$t_{ov} =$$

Overland flow time

$$t_{ch} =$$

Channel flow time

$$t_{ov} = K(L \times N)^{0.467} S^{-0.235}$$

$$t_{ov} =$$

Overland flow time

K=

0.828

K= A units conversion coefficient K=0.828 for traditional units the overland-flow length

L= (ft)

N= A dimensionless retardance coefficient

N=

0.02

S= Slope of terrain conveying the overland flow

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Generalized terrain description	Dimensionless retardance coefficient (N)
Pavement	0.02
Smooth, bare, packed soil	0.10
Poor grass, cultivated row crops, or moderately rough packed surfaces	0.20
Pasture, average grass	0.40
Deciduous forest	0.60
Dense grass, coniferous forest, or deciduous forest with deep litter	0.80

OVERLAND FLOW

L= 65 FT
 ELEV 1 = 764 FT
 ELEV 2 = 774 FT
 S= 0.1538462

$$t_{ov} = 1.4530365 \text{ minutes}$$

$$t_{ch} = KL^{0.770}S^{-0.385}$$

Channel flow time K= 0.0078

K= A units conversion coefficient K=0.0078
 L= the channel flow length
 S= the dimensionless main-channel slope

CHANNEL FLOW

L= 244 FT
 ELEV 1 = 773 FT
 ELEV 2 = 774 FT
 S= 0.0040984

$$t_c = t_{ov} + t_{ch}$$

Max. Time of Concentration = 10 minutes

$$t_{ch} = 4.4620029 \text{ minutes} \quad t_c = 5.9150394 \text{ minutes}$$

Table 4-10: Runoff Coefficients for Urban Watersheds

Type of drainage area	Runoff coefficient
Business:	
Downtown areas	0.70-0.95
Neighborhood areas	0.30-0.70
Residential:	
Single-family areas	0.30-0.50
Multi-units, detached	0.40-0.60
Multi-units, attached	0.60-0.75
Suburban	0.35-0.40
Apartment dwelling areas	0.30-0.70
Industrial:	
Light areas	0.30-0.80
Heavy areas	0.60-0.90
Parks, cemeteries	0.10-0.25
Playgrounds	0.30-0.40
Railroad yards	0.30-0.40
Unimproved areas:	
Sand or sandy loam soil, 0-3%	0.15-0.20
Sand or sandy loam soil, 3-5%	0.20-0.25
Black or loessial soil, 0-3%	0.18-0.25
Black or loessial soil, 3-5%	0.25-0.30
Black or loessial soil, > 5%	0.70-0.80
Deep sand area	0.05-0.15
Steep grassed slopes	0.7
Lawns:	
Sandy soil, flat 2%	0.05-0.10
Sandy soil, average 2-7%	0.10-0.15
Sandy soil, steep 7%	0.15-0.20
Heavy soil, flat 2%	0.13-0.17
Heavy soil, average 2-7%	0.18-0.22

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Heavy soil, steep 7%	0.25-0.35
Streets:	
Asphaltic	0.85-0.95
Concrete	0.90-0.95
Brick	0.70-0.85
Drives and walks	0.75-0.95
Roofs	0.75-0.95

5.- ACCESS TO SITE

The site can be accessed thru El Indio Highway and then taking a right on Rosita Valley Drive for approximately 0.70mi, take a left onto High Noon St for 0.70 miles and take a right onto Wagon Wheel Road until the intersection of Chucho Drive and Wagon Wheel Rd for the north corner of the property.

6.- WATER AND SEWER CALCULATIONS

Water Supply: Description.

This tract of land is provided with potable water by means of a main water line running along Wagon Wheel Drive, Chucho Drive and Loma Linda Dr.

All inside this unit, water improvements for development on this land will comply with City of Eagle Pass regulations. Service lines and meter boxes will be paid for by the developer and installed to City Standards.

Sewage Facilities: Description.

Sewage from this subdivision will be disposed of through the sanitary sewer collection system of the City of Eagle Pass. Both proposed lots to be connected to the available sanitary sewer collection system. As additional note, the contractor to verify existing sewer line depth and elevation of new buildings to be located above available sewer line to have all sewer flowing by gravity. The sewer tabs to be connected to existing sanitary sewer line located at the ROW of Wagon Wheel Road, there is a proposed 10 feet utility easement on the southwesterly line of the proposed Lot 1A to serve sanitary sewer to Lot 1B.

All improvements required to discharge wastewater to the sanitary sewer system will be paid for by the developer and installed following City Standards.

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Water Calculations

RESIDENTIAL USE

2 Dwellings. For total development

$$2 \text{ units} \times \frac{4 \text{ Persons}}{\text{Per unit}} \times \frac{100 \text{ Gallons}}{\text{Person-Day}} \times \frac{1 \text{ day}}{24 \text{ hours}} \times \frac{1 \text{ Hour}}{60 \text{ minutes}} = 0.555 \text{ GPM}$$

$$\text{Peak demand} = 2.5 \text{ peak factor} \times 0.555 \text{ GPM} \approx 1.388 \text{ GPM}$$

Sanitary Sewer Calculations

RESIDENTIAL USE

2 Dwellings. For total development

$$2 \text{ Units} \times \frac{4 \text{ Persons}}{\text{Per Room}} \times \frac{80 \text{ Gallons}}{\text{Person-Day}} \times \frac{1 \text{ day}}{24 \text{ hours}} \times \frac{1 \text{ Hour}}{60 \text{ minutes}} = 0.444 \text{ GPM}$$

Infiltration and Inflow Factor = 0.5

Peak Demand Factor = 2.0

$$\text{Peak Demand} = 2.5 \text{ Combined Factor} \times 0.444 \text{ GPM} = 1.11 \text{ GPM} \approx 0.002475 \text{ CFS.}$$

Note: 1 CFS = 448.83 GPM.

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6.- FLOOD INFORMATION

Portions of this tract of land are located inside of a special flood hazard zone as shown on flood hazard boundary map panel 48323C0475D for Maverick County, Texas and incorporated areas dated April 4, 2011. As shown in the image below (excerpt from the proposed replat)

7.- CONCLUSIONS

The existing and proposed use of the property is residential, this proposed replat will not have an impact on the current use of the property and surroundings, drainage patterns and utilities as required for platting purposes are already available to this subdivision of land.

If you have any questions or need more information, contact me at (830) 872-8799 or to my email cavel2us@gmail.com.



Carlos Arturo Velarde Fernandez, P.E.
Professional Engineer, License No. 134409, Texas.
Eagle Pass, Texas, November 5, 2024

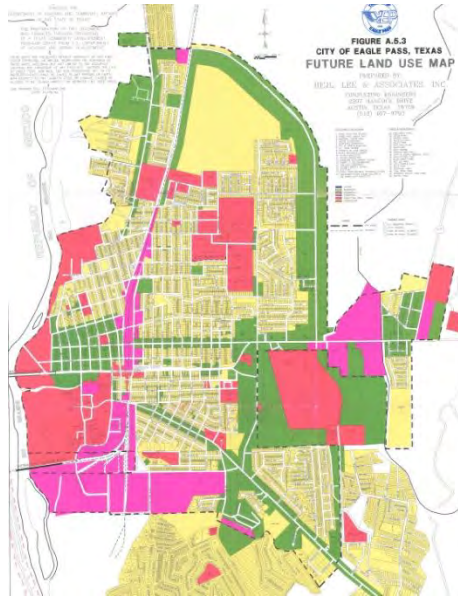
List of Exhibits:

- 1.- FEMA Firmette for Site.**
- 2.- EPWW Water and sewer Infrastructure on Wagon Wheel Rd and Chucho**

Attachment 5
Master Plan Map and Zoning District Map

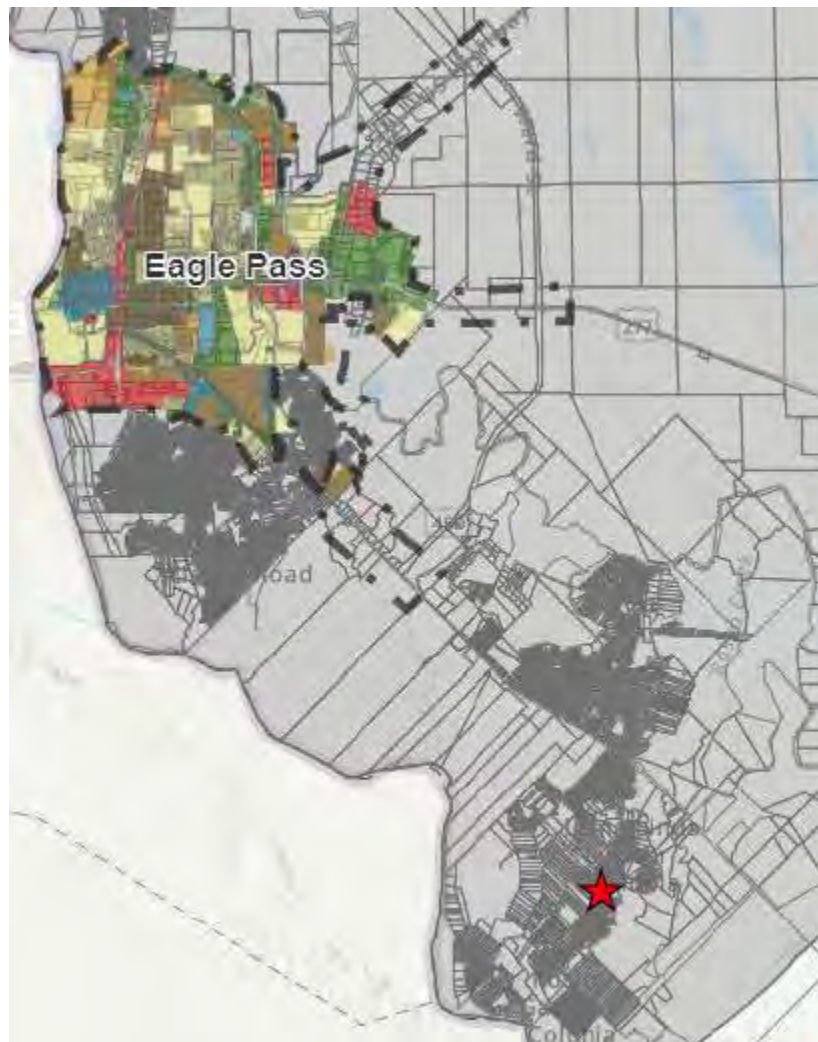
Master Plan Map

Not depicted within map boundaries



Zoning District Map

(Within ETJ)



Item #7



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

Preliminary Plat of Courtyard Subdivision

I. BACKGROUND

A. General Information

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

Owner: MRT Eagle Pass, LLC | Eagle Pass, Texas 78852

Location: 3154 E. Main Street along the south line of US 277 east of Patsy Winn Boulevard and east of Amigos Subdivision

Property ID Number: 9060071

Legal Description: Being 3.643 acres, located in the Fox & Byrne, Survey 6, Abstract 1110, Maverick County, Texas, described in conveyance document to MRT Eagle Pass, LLC, recorded in Document Number 2324054 of the Maverick County Official Public Records, Maverick County, Texas and more particularly described by metes and bounds.

Request: The grant of preliminary approval for the platting of a 3.643-acre tract into a commercial lot to allow the construction of a hotel and a future restaurant, including a subdivision variance from City of Eagle Pass Code of Ordinances Section 12.1(c)(8)(i) regulating off street parking, design standards. This preliminary approval process would allow the developer to install the required improvements to service the parcel.

B. Subject Property Information

Topography: Generally flat

Vegetation: Minimum native vegetation

Existing Use: Vacant

Proposed Use: Hotel & future restaurant site

Master Plan: No depiction

Zoning District: Staff believes that the parcel is zoned B-1 Neighborhood Business District. Once zoning is verified if the property is in fact in the B-1 district the developer will be required to rezone the parcel to a B-3 General Business District in which the proposed uses are allowed.

C. Vicinity Data

The area is comprised of commercial development. The subdivision is bounded on the west by the Amigos Subdivision, on the south by unplatted land retained by Weco & Associates and the east by unplatted land. The nearest residential development is Westlakes Subdivision.

D. Infrastructure

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

Access to the property will be provided by Mian Street, also known as US 277. Access will also be developed to Patsy Winn Boulevard.

Existing drainage from the development is westward toward Amigo Subdivision. The drainage area, this site is in, drains to a detention pond located south of the City's Sports Center, particularly known as Good Neighbor Subdivision. No onsite detention is required. The site will be drained by storm sewer which will convey storm water to Patsy Winn Blvd by an access and utility easement south of the Amigo Subdivision.

II. RECOMMENDED FINDINGS OF FACT

A. Conclusions

1. The applicant's request contains sufficient information for consideration by the Planning and Zoning Commission. The information contained in this report and the Commission's public meeting will be used as part of the City Council's deliberation process for approval of the subdivision's preliminary plat. Please refer to attachment 1 for a copy of the application.
2. City of Eagle Pass Code of Ordinances Section 23-11 states that the Planning and Zoning Commission must find that the subdivision variance, enclosed as Attachment 2, comply with the four criteria to grant the subdivision variances.

Cross access between parking areas:

For safety, firefighting purposes, and better vehicular circulation, cross access between parking areas of adjacent commercially zoned parcels shall be provided.

The following is a summary of this application's compliance with the criteria:

First Variance Decision Criteria

Section 23-11(a)(1). The variance is not consistent with this section of the city code, as the requirement to leave cross access for safety, firefighting purposes, and better vehicular circulation is not met.

Second Variance Decision Criteria

Section 23-11(a)(2). The variance is also not consistent with this section of the city code. Although the subdivision design is consistent with the *Commercial District* and the commercial use of the property the cross access between the commercial lots is not being met.

Third Variance Decision Criteria

Section 23-11(a)(3). The variance is also not consistent with this section of the city code, as there is anecdotal evidence which indicates that the granting of the variance would be detrimental to the public health, safety, or welfare, or injurious to other property in the area and our community for emergency purposes.

Fourth Variance Decision Criteria

Section 23-11(a)(4). The variance is also not consistent with this section of the city code, as there is documentation which indicates that granting the variance would have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of *Chapter 23*.

Fifth Variance Decision Criteria

Lastly, the variance is not also consistent with *Section 23-11(c)*, as the granting of the variance will allow for the creation of a subdivision that was in not harmony with the general purpose and intent of *City of Eagle Pass Code of Ordinances Chapter 23*. The subdivision contains design features which will secure public health, safety and welfare and provide for the fair and equitable processing of the plat.

The variance is not consistent with the subdivision variance criteria set forth in *Section 23-11(a)* and *Section 23-11(c)* and, therefore, should not be granted.

3. The subdivision is consistent with City design and specifications, as the subsequent development of the site will be required to conform to the following sections of *Article IV* in *Eagle Pass Code of Ordinances Chapter 23*:
 - ✓ *Section 23-61* governing streets and two points of vehicular access for ingress and egress to the subdivision
 - ✓ *Section 23-62* governing alleys and easements
 - ✓ *Section 23-63* specific use easements
 - ✓ *Section 23-64* governing sidewalks, to be installed at the time of lot development
 - ✓ *Section 23-66* governing sanitary sewage disposal system
 - ✓ *Section 23-67* governing potable water supply and fire flow
 - ✓ *Section 23-68* governing storm drainage, to be installed at the time of lot development
 - ✓ *Section 23-69* governing the size, width, depth, shape and orientation of lots, and the minimum building setback lines
 - ✓ *Section 23-71* governing the installation and inspection of utility lines
 - ✓ *Sec. 23-94* governing fences for all new subdivisions
 - ✓ *City of Eagle Pass Code of Ordinances Section 12.1(c)(8)(i)* regulating off street parking, design standards.

Please refer to Attachment 2 for a copy of the *Engineering Report* for the subdivision.

4. The subdivision and the subsequent development of the property is consistent with City design and specifications for landscape and tree preservation set forth in *Article VI* in *Eagle Pass Code of Ordinances Chapter 23*.

5. The subdivision of the property will conform to the parkland dedication requirements set forth in *Article V* in *Eagle Pass Code of Ordinances Chapter 23*, as a one-time fee will be collected as part of any subsequent building permit issued for the property.
6. The subdivision of the property is in conformance with the provisions of the *Master Plan* and the *Eagle Pass Code of Ordinances* by facilitating the following benefits:
 - Protect private rights while considering public health, safety and welfare.
 - Provide efficient and economical ways to move people and goods outside the City by an adequate plan for streets and highways.
 - Guide future development in an orderly manner, by stages according to a pattern, so that the City may have balanced land use.
 - Encourage a diversified economic base and encourage public and private investments in land and improvements.
 - Prevent and eliminate blight and slums, making the City attractive to people, commerce, and industry.
 - Create the desire for a more pleasing appearance of the City and incorporate into its physical development the basic principles of good design.
 - Protect and preserve the identity of each neighborhood through use of the guidance provided by the *Master Plan* and the *Code of Ordinances*.
 - Locate all land uses on land best suited for their needs, arranged in such a way as to be mutually beneficial and functional, with ample area to meet long-term needs.
 - Establish a proper relationship between open space, developed areas, building bulk, light and air space, in all future development programs of land use.
 - Encourage and abet the development of civic, cultural, and other public and quasi-public buildings in harmonious and functional groupings.
7. The subdivision will allow for the use of the property that is consistent with the commercial purpose of the *B-1 Neighborhood Business District* for the following reasons:
 - A. The subdivision design bears a substantial relationship to the public's health, safety, and welfare.
 - B. The subdivision is in accordance with the policies of the Master Plan and the business purpose of the *B-1 Neighborhood Business District*.
 - C. The subdivision is warranted because of the necessity to create additional building lots in the *B-1 Neighborhood Business District*, and because the proposed development is appropriate to accomplish the reasonable use of the property.

- D. The subject property is suitable for development in general conformance with development standards of the *B-1 Neighborhood Business District*.
- E. The subdivision will benefit the City as a whole and will not be detrimental to nearby land uses of a similar nature.
- F. The subsequent development will be designed and conditioned to comply with all applicable subdivision criteria and standards of the City of Eagle Pass.

The parcel may have to be rezoned to a B-3 to allow the proposed hotel and restaurant use. The zoning is pending to be verified by Staff.

Please refer to Attachment 3 for a copy of the *Master Plan* Map and a copy of the *Zoning District Map* for the City of Eagle Pass.

- 8. The *Master Plan* emphasizes the importance of maintaining the character of the industrial and commercial neighborhoods located within the City.
 - ✓ The subdivision is consistent with the *Land Use Development Goals* of the *Master Plan*, as the project is designed to provide for a building lot density that is consistent with the purpose of the *Commercial District*.
 - ✓ This design will allow for the continuing development of the community while retaining the neighborhood character and scale while providing utility services in the most efficient and equitable manner.
 - ✓ The subdivision is consistent with the *Street Goal* of the *Master Plan*, as access to the site from Main Street is designed to provide the residents and visitors to Eagle Pass with a street system that will enable them to travel safely and conveniently.
 - ✓ The subdivision is consistent with the *Thoroughfare Goals* of the *Master Plan*, as Main Street has been designed to be part of a safe and efficient thoroughfare system.
 - ✓ The subdivision is consistent with the *Storm Drainage Goals* of the *Master Plan*, as the development will drain by storm sewer which will convey storm water to Patsy Winn Blvd by an access and utility easement south of the Amigos Subdivision.
- 9. The subdivision design is consistent with the purpose of the *Commercial District*.
- 10. The approval of this preliminary 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 9 of this report.

B. Community Development Department Recommendation

That the Planning and Zoning Commission (1) **DENY** a subdivision variance from City of Eagle Pass Code of Ordinances Section 12.1(c)(8)(i) regulating off street parking, design standards, and (2) **GRANT** preliminary approval of the proposed *Courtyard Subdivision*, subject to the plat complying with the provisions of *Article III* of *City of Eagle Pass Code of Ordinances Chapter 23* governing procedures and specifications for Final Plats.

TRANSMITTED to the parties listed hereafter:

Dirksen Engineering via e-mail
Eagle Pass Planning and Zoning Commission via e-mail
Eagle Pass City Manager Homero Balderas via e-mail
Eagle Pass Assistant City Manager Ivan Morua via e-mail
Eagle Pass Assistant City Secretary Ita Cortinas via e-mail
Eagle Pass City Attorney Ana Sophia Garcia via e-mail
Eagle Pass Community Development Department Report dated December 5, 2024

Attachment 1

Application



PLANNING DEPARTMENT

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

SUBDIVISION APPLICATION

TYPE OF SUBDIVISION (check one):

☒ Preliminary ☐ Final ☐ Replat ☐ Amendment ☐ Short Form Final

Property Legal Description: Fox & Byrne, Survey 6, Abstract 1110, Maverick County

Maverick County Property Identification Number(s): 9060071

Name of Addition: Courtyard Subdivision

Location of Addition: United States Highway 277

Number of Residential Lots: 0 Number of Commercial Lots: 1 Gross Acreage: 3.643 Acres

Number of New Street Intersections 0 Linear feet of Streets 0

Is Subdivision inside city limits? Yes ☒ No () ; If so, Zoning District: B-3 General Business District

Existing Land Use: Vacant Proposed Land Use: Commercial

Requested Variances: N/A

PROPERTY OWNER:

Name: MRT EAGLE PASS, LLC

Address: 3109 N. ST. MARY'S

City: SAN ANTONIO

State: TX Zip: 78212

Signature: [Signature]

PROPERTY OWNER:

Name: _____

Address: _____

City: _____

State: _____ Zip: _____

Signature: _____

Contact: Sanjay Misra

Phone: 210-386-0254

Fax: _____

E-mail: sanjay@qpmenterprises.com

Date: 10/21/24

Contact: _____

Phone: _____

Fax: _____

E-mail: _____

Date: _____

APPLICANT/SUBDIVIDER:

Name: MRT EAGLE PASS, LLC

Address: 3109 N. ST. MARY'S

City: SAN ANTONIO

State: Tx Zip: 78212

Signature: [Signature]

Contact: Sanjay Misra

Phone: 210-386-0254

Fax: _____

E-mail: sanjay@qpmenterprises.com

Date: 10/21/24

SURVEYOR:

Name: Dirksen Engineering

Address: 441 Fort Clark Rd, Ste B

City: Uvalde

State: Tx Zip: 78801

Signature: [Signature]

Contact: Kenneth R Dirksen

Phone: 830-278-2100

Fax: 830-278-2102

E-mail: kendirksen@sbcglobal.net

Date: 11-06-2024

ENGINEER:

Name: Dirksen Engineering

Address: 441 Fort Clark Rd, Ste B

City: Uvalde

State: Tx Zip: 78801

Signature: [Signature]

Contact: Kenneth R Dirksen

Phone: 830-278-2100

Fax: 830-278-2102

E-mail: kendirksen@sbcglobal.net

Date: 11-06-2024

PRINCIPAL CONTACT: ☐ Owner ☐ Applicant ☐ Surveyor ☒ Engineer

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

STATEMENT OF APPLICANT

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

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

Applicant Signature

Date

10/21/24

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.

[Signature]
Owner / Subdivider Signature

10/21/24
Date

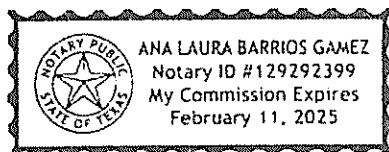
STATE OF TEXAS §

COUNTY OF Bexar §

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

Given under my hand and seal of office, this the 21 day of October, 2024.

[Signature]
Notary Public, State of Texas



Aerial View



Street View





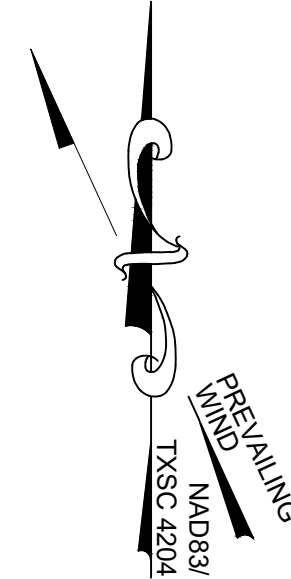
MAVERICK COUNTY CLERK

COURTYARD SUBDIVISION
MRT EAGLE PASS, LLC

STATE OF TEXAS MY COMMISSION EXPIRES ON: _____



COURTYARD SUBDIVISION



LEGEND

BOUNDARY LINE	_____
EASEMENT	_____
SET 1/2" STEEL STAKE	●
FOUND MONUMENT	●
SANITARY SEWER	--- WW --- WW --- (SS)
SEWER MANHOLE, CO	(M) (24)
PLAT LINES	_____
DEED LINES	_____
EASEMENT	_____
FENCE	- X - X - X - X - X -
GAS LINE	--- G --- G ---
WATER LINE	--- W --- W ---
WATER VALVE/METER	⌞ E OH
ELECTRIC	--- E ---
TELEPHONE	--- T --- T ---
911 ADDRESS	919
FIRE HYDRANT	⊗
LUMINAIRE	⊙

THESE DRAWINGS ARE THE PROPERTY OF DIRKSEN ENGINEERING
AND SHALL NOT BE USED ON OTHER WORK WITHOUT THEIR
APPROVAL. IF THIS SHEET DOES NOT MEASURE 24"X36" IT HAS
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**DIRKSEN
ENGINEERING**
UVALDE EAGLE PASS
TBPE FIRM #F-8848, TBPLS FIRM #10193741
107 W. SOUTH STREET, UVALDE, TX 78801
PH: (830) 278-2100, FAX: (830) 278-2102
EMAIL: KENDIRKSEN@SBCGLOBAL.NET
WEBSITE: WWW.DIRKSENENGINEERING.COM

COURTYARD SUBDIVISION

Eagle Pass, TX

SHEET TITLE

PLAT

PREPARED
NOVEMBER 6, 2024
FOR
MRT Eagle Pass, LLC
3109 N St Mary's
San Antonio, Tx 7821

SHEET

C0.1

DES'D : KRD
DRAWN : KRD
APPV'D : KRD
DATE : 2024-10-30

UNITED STATES HIGHWAY 277

SET STEEL STAKE
N:13444639.81
E:1499749.04
Z:828.72

N:13444647.5
E:1500001.60

Jose J Ruiz and
Carolina Ruiz
5.112 AC
797/391
M.C.O.P.R.

MRT Eagle Pass, LLC.
3.643 Acres
Doc No 2324054 M.C.O.P.R.

3.643 Ac
MCID 9060071

Plat Zoomed In

OUND SS
44637.20
9373.88
Z:817.72

-12" W

CROSS ACCESS
PERMITTED

20.0' UTILITY EASEMENT

N01°08'25"E 251.56'

CROSS ACCESS
PERMITTED

20FT UTILITY EASEMENT

20' UTILITY EASEMENT
20' BUILDING SETBACK

35FT ACCESS & UTILITY EASEMENT

20FT UTILITY EASEMENT

S00°23'24"E 251.47'

SUBDIVISION
LOT 3

OS SUBDIVISION
S/A M.C.P.R.
LOT 3

Weco & Associates, LTD.
7.822 AC
1017/222 M.C.O.P.R.

Weco & Associates, LTD.
2.41 AC
561/58 M.C.O.P.R.

WECO & Associates, Ltd.
2339.7639 acres
429/098 M.C.O.P.R.

S89°36'19"W 634.45'

STA 1+43

STA 0+83

STA 2+00

STA 1+00

STA 1+50

STA 2+00

Attachment 2
Subdivision Variance Application



COMMUNITY DEVELOPMENT DEPARTMENT

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

SUBDIVISION VARIANCE APPLICATION

Applicant Information

Applicant (If not owner): Dirksen Engineering

Address: 441 Fort Clark Rd, STE B, Uvalde, Tx 78801

Phone: 830-278-2100

E-mail: kendirksen@sbcglobal.net

Owner: Sanjay Misra

Address: 3109 N. ST. Mary's, San Antonio, Tx 78212

Phone: 210-386-0254

E-mail: sanjay@qpmenterprises.com

Property Information

Site Address: United States Highway 277 MCAD Property ID No. 9060071

Legal Description (from deed): Fox & Byrne, Survey 6, Abstract 1110, Maverick County

Description of Subdivision Variance Request

Sec 12.1 off street parking requirement (C) 8 (I) design standard requiring cross access
on east side of site.

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?

East Side of site will require retaining walls.

Cannot accommodate cross access.

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

Cannot physically provide cross access from east side of site.

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.

Cross Access provided to west and south.

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.

Cross Access provided where possible on the East & South side of the Site.

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

12/5/2024

Date

Attachment 3
Engineering Report

Dirksen Engineering

441 Ft. Clark St, Ste B

Uvalde, TX 78801

TBPE FIRM #F-8848

TBPLS FIRM #10193741

Phone: 830-278-2100

Fax: 830-278-2102

Cell: (830) 279-9447

kendirksen@sbcglobal.net

October 30, 2024

Placido Madera

Planning Director – City of Eagle Pass

3295 Bob Rogers Drive

Eagle Pass, TX 78852

Re: Courtyard Subdivision – Eagle Pass

To Whom It May Concern:

The Courtyard Subdivision is located at 3154 E Main St along the south line of Main Street (US 277) east of Patsy Winn Blvd and East of the Amigo Subdivision. The plat is for the development of a hotel and future restaurant site. This subdivision is bounded on the west by the Amigo Subdivision, on the south by un-platted land retained by Weco & Associates and the east by un platted land.

The land is vacant and is zoned B3 – General Business District.

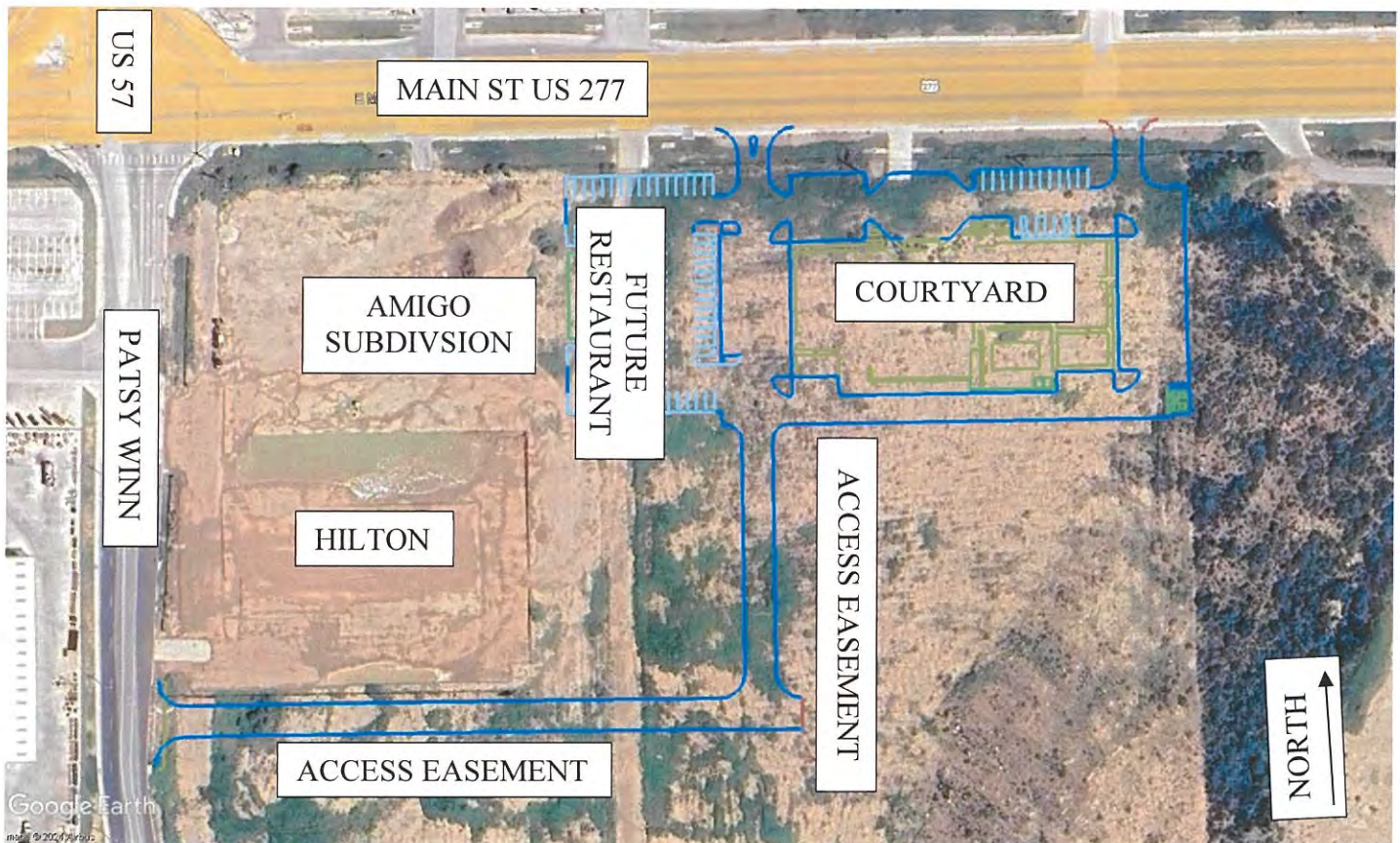


Figure 1 – COURTYARD SUBDIVISION

Land Development

The development is for a Courtyard hotel. Future development will include a restaurant for which utilities will be installed with this project.

Street Development

Access to this property is From Main Street. Access will also be developed to Patsy Winn Blvd. All new pavement is proposed to be concrete.

Water Development

Water service is from a 12 inch water main along the south line of Main St. The water main will be extended from the Amigo Subdivision on the west side of the site to the east side of the site. Water will be extended south through the site through an access and utility easement. Water being extended through the site will be privately maintained to supply the hotel for fire and cold water supply.

Fire hydrants will be installed on the new 12-inch water main on the south line of Main Street and from the 8-inch water main extended south through the site. The existing fire hydrant at the intersection of Main Street and Patsy Winn Blvd was tested to determine quantity of flow available for fire protection and the report is attached to this report.

Sanitary Sewer Facilities

Sanitary Sewer will be extended from the Amigo Subdivision on the west side of the site to service both the hotel and future restaurant.

Drainage Development

Existing drainage from the development is westward toward the Amigo Subdivision. The soils of the site are Maverick Association (MKC) which is a hydrological group D and Copita sandy clay loam which is a hydrological group C. The slopes are rolling with slopes greater than 5%. The drainage area, this site is located in, drains to a detention pond located south of the sports center. No onsite detention is required. The site will be drained by storm sewer which will convey storm water to Patsy Winn Blvd by an access and utility easement south of the Amigo Subdivision. The drainage report for design of the storm sewer is attached to this letter.

No portion of the site is mapped as part of the 1% chance and 0.2% annual chance flood hazard on FEMA FIRM 48323C0455D.

Electric Facilities, Telephone and Cable Television

Electric service will be provided by Rio Grande Electric from Main Street. Site lighting will be provided around the building and will be privately maintained.

Telephone and Cable Television service may be provided by ATT and Spectrum.

Gas Service

Gas Service will be provided from Main St into the site to serve the hotel and restaurant.

Construction Cost

The final cost of the construction costs for public improvements are as follows:

Public Water – Extension of 12 inch water main \$73,320

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

Sincerely,



Kenneth R. Dirksen, P. E.



Attach:

Plat and Plans for Courtyard Subdivision
Hydraulic Report by Cavel Engineering
FEMA Firmette
Soil Map
Fire Flow Test

Cc w/Attach: Sam Edwards, Halff & Associates, Inc.

FIRE FLOW TEST REPORT

***For Building Permit Application

PROJECT INFORMATION:

Project Name: Marriot Hotel @ Patsy Winn Blvd

Street Address: _____

City, State, Zip Code: EAGLE PASS, TX

FIRE FLOW TESTING COMPANY INFORMATION:

Name of individual preparing this report: _____

Company represented: 1st FP SERVICES, LLC

Street Address: 11550 N. NORTH LOOP RD

City, State, Zip Code: SAN ANTONIO, TX 78216

Telephone number: 210-377-3473

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

Date of this report: _____

WITNESS INFORMATION:

Name of individual witnessing flow test: Francisco Escalante

Company Represented: EP Water Worker

Telephone Number: 830 325 1228

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

FIRE FLOW INFORMATION:

Date and time of flow test: _____

Location of "flow" hydrant(s): HYDRANT "A"

Location of "test" hydrant: HYDRANT "B"

***Theoretical fire flow (gpm) available at twenty- (20) psi: _____

2313.6 gpm

FIRE FLOW TEST DATA SHEET

PROJECT INFORMATION:

Project Name: Marriot Hotel @ Patsy Winn Blvd
Street Address:
City, State, Zip Code: EAGLE PASS, TX

DATE	TIME  PM	TEST HYDRANT		FLOWING HYDRANT					FLOWING HYDRANT					TOTAL FLOW	
		STATIC (psi)	RESI- DUAL (psi)	PITOT (psi)	DIA (in)	THEOR FLOW (gpm)	HYD COEF	ACTUAL FLOW (gpm)	PITOT (psi)	DIA (in)	THEOR FLOW (gpm)	HYD COEF	ACTUAL FLOW (gpm)	ACTUAL (gpm)	AT 20psi (gpm)
2/30/20	9:30	46	40	39	2.5	1164	.9	1048						1048	2313

SKETCH FLOW TEST LOCATION:

WATER FLOW TEST REPORT



FIRE HYDRANT FLOW TEST

Phone: 210-377-3473 Fax: 210-366-3473
11550 N. NORTH LOOP RD SAN ANTONIO TX 78216
Texas SCR-G-1751143

HYDRANT # & LOCATION: Hydrant A and Hydrant B DATE: 8/30/2023

TEST BY: 1st FP Services Day or Week: Wed TIME OF DAY: 9:30AM MINUTES FLOWED 2

WITNESSED BY: Francisco Escalante

WATER SUPPLIED BY: EP Water Works

PURPOSE OF TEST: ☒ DESIGN ☒ BID ☐ OTHER

DATA

FLOW HYDRANT(S)	A1	A2	A3
SIZE OPENING:	<u>2.5</u>	<u> </u>	<u> </u>
COEFFICIENT:	<u>0.9</u>	<u> </u>	<u> </u>
PITOT READING:	<u>39</u>	<u> </u>	<u> </u>
GPM:	<u>1048</u>	<u>0</u>	<u>0</u>

TOTAL FLOW DURING TEST: 1048 GPM

STATIC READING: 46 PSI

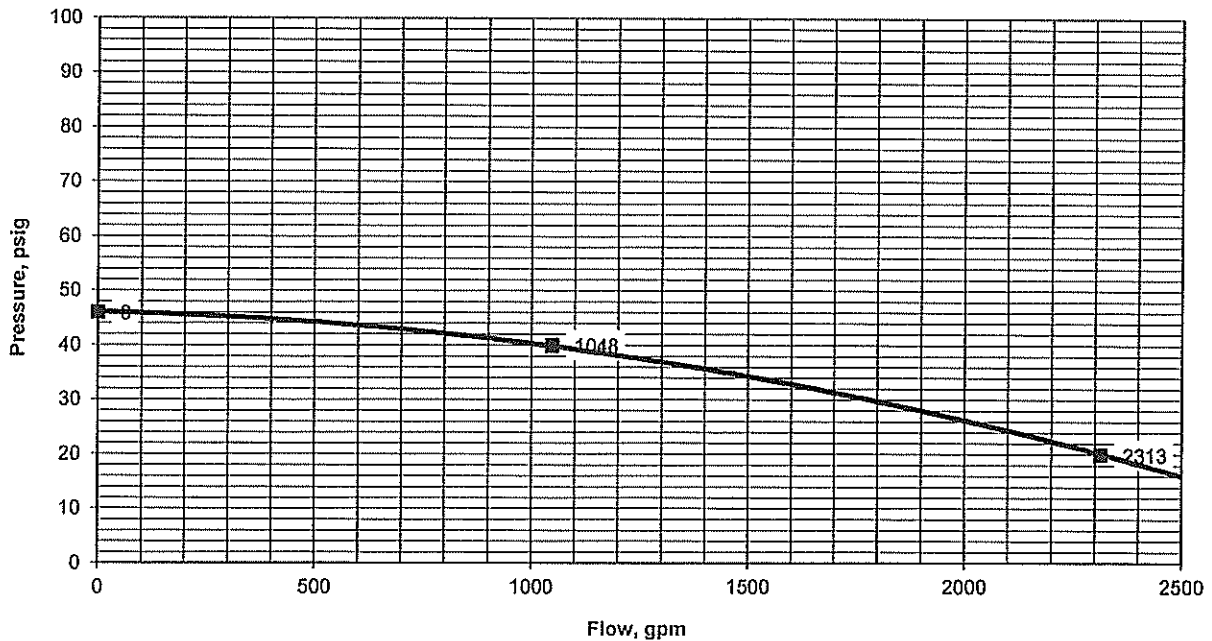
RESIDUAL: 40 PSI

RESULTS: AT 20 PSI RESIDUAL 2313 GPM

AT 0 PSI 3148 GPM

ESTIMATED CONSUMPTION: 2096 GAL.

REMARKS:



National Flood Hazard Layer FIRMette

28°14'W 28°42'48"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 drainage areas of less than one square mile Zone X
- 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

- 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

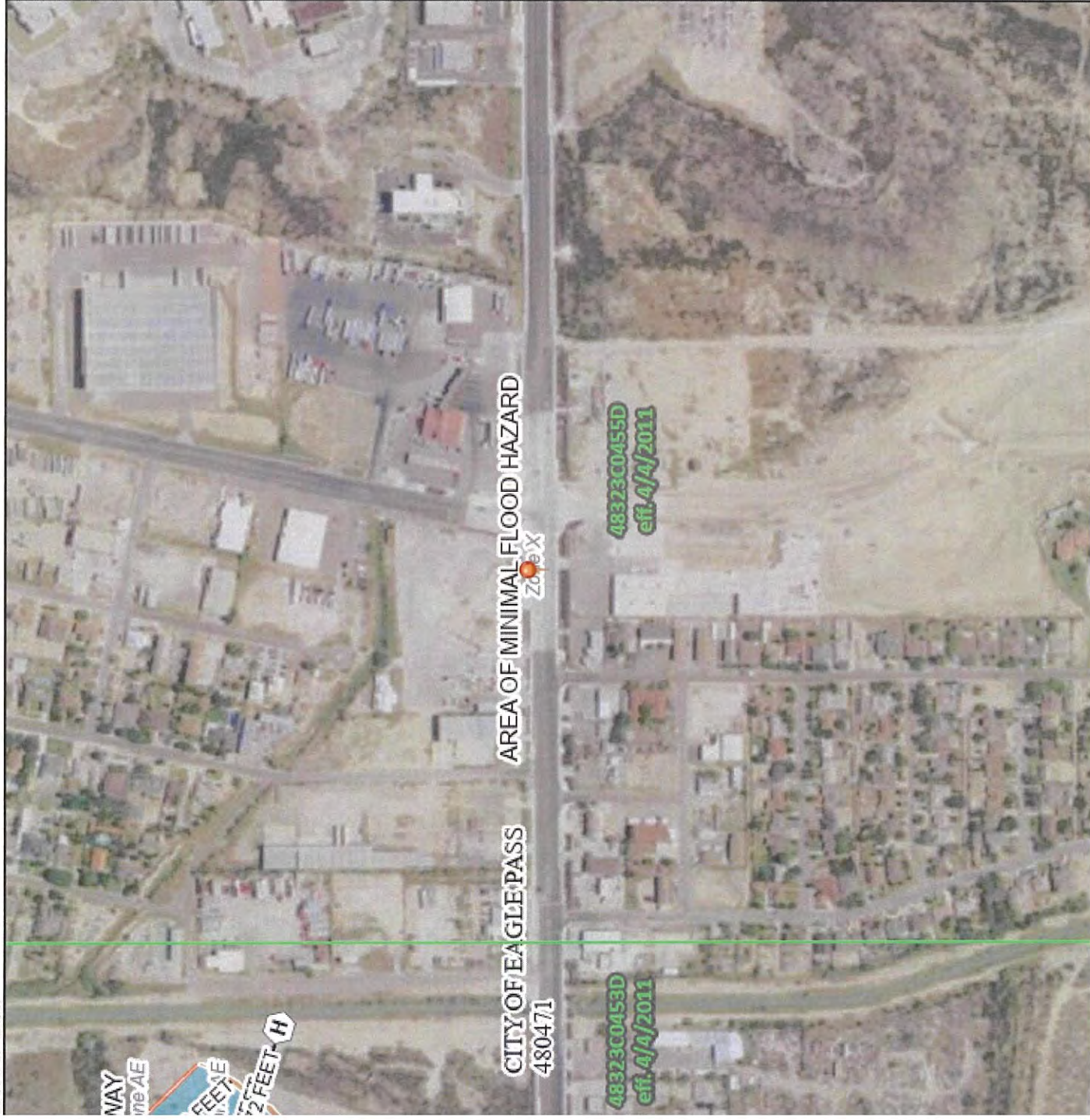
- Digital Data Available
- No Digital Data Available
- Unmapped

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

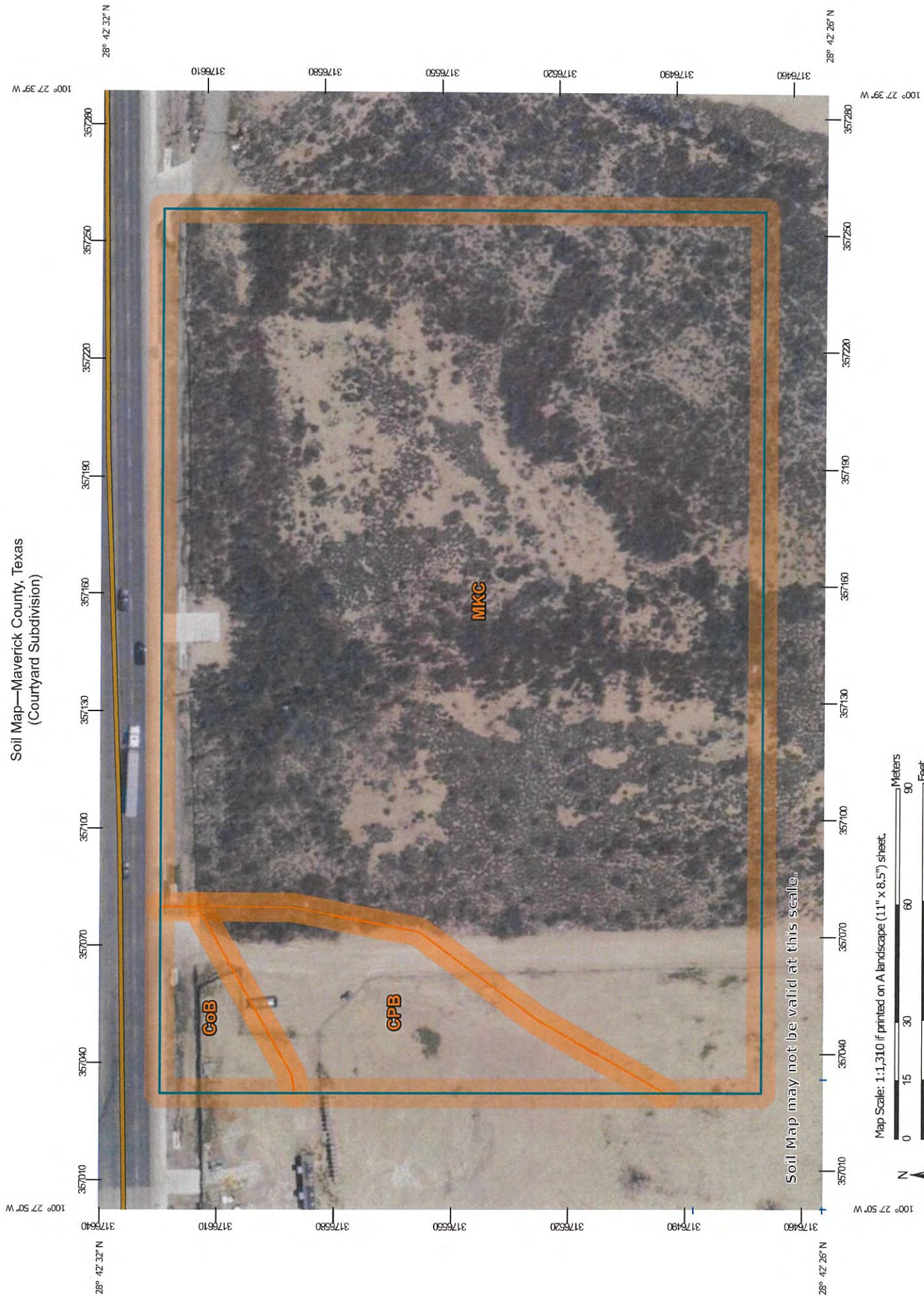
This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 10/30/2024 at 9:57 PM 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.



Soil Map—Maverick County, Texas
(Courtyard Subdivision)



Maverick County, Texas

MKC—Maverick association, undulating

Map Unit Setting

National map unit symbol: f5lx

Elevation: 200 to 700 feet

Mean annual precipitation: 18 to 25 inches

Mean annual air temperature: 70 to 73 degrees F

Frost-free period: 270 to 310 days

Farmland classification: Not prime farmland

Map Unit Composition

Maverick and similar soils: 100 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Maverick

Setting

Landform: Interfluves on ridges

Landform position (two-dimensional): Summit

Landform position (three-dimensional): Interfluve

Down-slope shape: Linear

Across-slope shape: Convex

Parent material: Calcareous, saline clayey residuum weathered from shale

Typical profile

H1 - 0 to 5 inches: clay

H2 - 5 to 21 inches: clay

H3 - 21 to 26 inches: clay

H4 - 26 to 72 inches: clay

Properties and qualities

Slope: 1 to 5 percent

Depth to restrictive feature: 20 to 30 inches to densic bedrock

Drainage class: Well drained

Runoff class: High

Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately low (0.00 to 0.06 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum content: 25 percent

Gypsum, maximum content: 15 percent

Maximum salinity: Moderately saline to strongly saline (8.0 to 16.0 mmhos/cm)

Sodium adsorption ratio, maximum: 16.0

Available water supply, 0 to 60 inches: Very low (about 2.8 inches)

Interpretive groups

Land capability classification (irrigated): 4e
Land capability classification (nonirrigated): 6e
Hydrologic Soil Group: D
Ecological site: R083BY015TX - Saline Clay
Hydric soil rating: No

Data Source Information

Soil Survey Area: Maverick County, Texas
Survey Area Data: Version 22, Aug 30, 2024

Maverick County, Texas

CPB—Copita sandy clay loam, 0 to 3 percent slopes

Map Unit Setting

National map unit symbol: 30flm

Elevation: 500 to 800 feet

Mean annual precipitation: 17 to 26 inches

Mean annual air temperature: 70 to 74 degrees F

Frost-free period: 265 to 320 days

Farmland classification: Not prime farmland

Map Unit Composition

Copita and similar soils: 80 percent

Minor components: 20 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Copita

Setting

Landform: Low hills

Landform position (two-dimensional): Summit, shoulder, backslope

Landform position (three-dimensional): Interfluvial, side slope

Down-slope shape: Linear

Across-slope shape: Convex

Parent material: Calcareous loamy residuum weathered from sandstone

Typical profile

A - 0 to 9 inches: sandy clay loam

Bk - 9 to 35 inches: sandy clay loam

Crk - 35 to 80 inches: cemented bedrock

Properties and qualities

Slope: 0 to 3 percent

Depth to restrictive feature: 20 to 40 inches to paralithic bedrock

Drainage class: Well drained

Runoff class: Low

Capacity of the most limiting layer to transmit water

(Ksat): Moderately high (0.20 to 0.57 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum content: 35 percent

Gypsum, maximum content: 2 percent

Maximum salinity: Very slightly saline to moderately saline (2.0 to 8.0 mmhos/cm)

Sodium adsorption ratio, maximum: 12.0

Available water supply, 0 to 60 inches: Low (about 4.1 inches)

Interpretive groups

Land capability classification (irrigated): 3s

Land capability classification (nonirrigated): 3s

Hydrologic Soil Group: C

Ecological site: R083BY019TX - Gray Sandy Loam

Hydric soil rating: No

Minor Components**Pryor**

Percent of map unit: 5 percent

Landform: Ridges

Landform position (two-dimensional): Footslope, toeslope

Landform position (three-dimensional): Base slope

Down-slope shape: Convex, linear

Across-slope shape: Linear, convex

Ecological site: R083BY025TX - Clay Loam

Hydric soil rating: No

Zapata

Percent of map unit: 5 percent

Landform: Ridges

Landform position (two-dimensional): Summit

Landform position (three-dimensional): Interfluve

Down-slope shape: Linear

Across-slope shape: Linear

Ecological site: R083BY002TX - Shallow Ridge

Hydric soil rating: No

Verick

Percent of map unit: 5 percent

Landform: Ridges

Landform position (two-dimensional): Summit, shoulder

Landform position (three-dimensional): Interfluve

Down-slope shape: Convex

Across-slope shape: Convex

Ecological site: R083BY002TX - Shallow Ridge

Hydric soil rating: No

Mavco

Percent of map unit: 5 percent

Landform: Paleoterraces

Landform position (three-dimensional): Tread

Down-slope shape: Linear

Across-slope shape: Linear

Ecological site: R083BY025TX - Clay Loam

Hydric soil rating: No

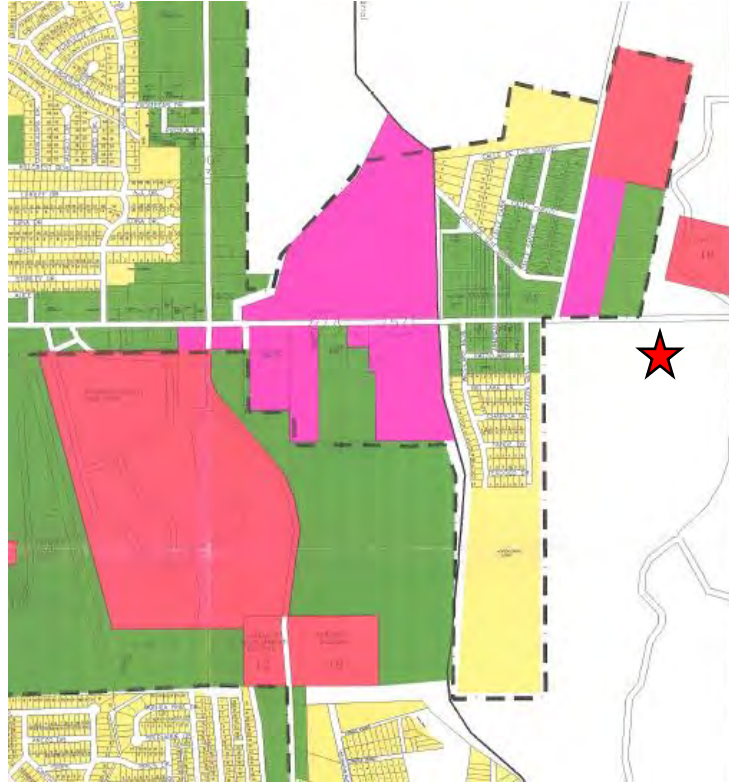
Data Source Information

Soil Survey Area: Maverick County, Texas

Survey Area Data: Version 22, Aug 30, 2024

Attachment 4
Master Plan Map
Zoning District Map

Master Plan Map



Zoning District Map



Item #8



Community Development Department Executive Summary Report to the Planning & Zoning Commission

Martha Ramos Medina Conditional Use Permit Revocation

I. BACKGROUND

A. General Information

Portioner: Eagle Pass Community Development Department

Applicant: Martha Ramos Medina | 2078 La Jolla Street | Eagle Pass, Texas 78852

Location: 2078 La Jolla Street

Legal Description: Lot 11 in Block 1 of Treasure Hills II Unit 4

Property ID Number: 8706873

Request: A request for revocation of a Conditional Use Permit allowed for the establishment of a home day care business due to noncompliance with City of Eagle Pass Code of Ordinances. The home occupation was granted approval by the Planning and Zoning Commission at their April 9, 2020.

B. Subject Property Information

Parcel Size: 7,968-square-feet

Topography: Flat

Vegetation: Residential landscaping

Existing Use: Single-family dwelling

Zoning: *R-2 Second One-Family Dwelling District* **Master Plan:** Residential

C. Vicinity Data

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

La Jolla Street provides access to the site.

D. Infrastructure

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

II. PUBLIC NOTICE

Public notification of the *Conditional Use Permit* (CUP) request before the Planning and Zoning Commission was completed consistent with the provisions of *Chapter 211* of the *State of Texas Local Government Code Title 7*.

III. RECOMMENDED FINDINGS OF FACT

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

- **Section 9.1 Planning and zoning commission**

The city council shall appoint a city planning and zoning commission consisting of five (5) regular members who shall be residents of the City of Eagle Pass and who own real estate within the city, and such ex-officio members as are provided herein. The regular members shall receive such compensation as the council shall prescribe by ordinance and shall hold no other elective position in the city government. The ex-officio members shall include the mayor, the city manager, and such other ex-officio members as the council may by resolution provide. Ex-officio members shall participate in the work of the commission, but shall not have a vote in its official actions.

- (a) Term of office. The term of the appointive members shall be five (5) years, except that, of the five (5) members first appointed, one shall be appointed for a term of one year, one for two (2) years, one for three (3) years, and one for four (4) years.
- (b) Powers and duties. The commission shall have the power and shall be required to:
 - (1) Make, amend, extend, and add to the master plan for the physical development of the city.
 - (2) Approve or disapprove plats of proposed subdivisions submitted in accordance with section 9-2 of this article and any other applicable laws. In considering such plats, the commission shall require that the proposed subdivisions shall meet all the standards of layout and street and sidewalk construction on comparable property within the corporate limits of the City of Eagle Pass as specified in the City of Eagle Pass Construction Standards Manual. Upon approving such plats, and before they are released for recoding, the planning commission shall submit all copies of approved plats to the city council for final approval.
 - (3) Draft, and recommend to the council for adoption, an official map of the city and recommend or disapprove proposed changes in such map.
 - (4) Make, and recommend to the council for adoption, a zoning plan and recommend or disapprove proposed changes in such plan.
 - (5) Make, and recommend to the council for adoption, plans for the clearance and rebuilding of slum districts and blighted areas which may develop within the city.
 - (6) Compile, and recommend to the council for adoption, a building code, which code shall include the minimum standards of construction for buildings, the minimum standards for plumbing, and the minimum standard for wiring and gas piping.
 - (7) Submit annually to the city manager, not less than ninety (90) days prior to the beginning of the budget year, a list of recommendations for capital improvement which, in the opinion of the commission, are necessary or desirable to be constructed

during the forthcoming five (5) years. Such list shall be arranged in order of preference, with recommendations as to which projects shall be constructed in which year.

- (8) Meet not less than once each month; meetings to be held at the city hall unless prior notice of change of meeting place be given by publication in the official newspaper of the City of Eagle Pass.
- (9) Perform such other duties and be vested with such other powers as the council shall from time to time prescribe.
- (c) Rules of procedure. The commission shall elect annually, one of its members chairman, and shall establish its own rules of procedure which shall include the following: A quorum shall consist of a majority of the members of the commission qualified and serving. The affirmative vote of a majority of those present shall be necessary to pass upon pending questions. All meetings shall be open to the public and a record of all proceedings shall be kept, which record shall be filed with the person performing the duties of city secretary and shall be a public record.
- (d) Vacancies. Membership of the commission shall be accompanied by active participation in the activities of the commission, and any member who is absent from three (3) consecutive meetings of the commission without valid excuse, as determined by the commission, shall automatically be dismissed from membership. The commission shall at once notify the council that a vacancy in the commission exists. Vacancies occurring in the commission, for whatever reason, shall be filled within thirty (30) days by appointment by the council for the remainder of the unexpired term.

- **Section 9.3 Master Plan.**

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

- (a) Adoption of *Master Plan*. The commission may adopt the master plan as a whole by single resolution, or may by successive resolutions adopt successive parts of the plan, said parts corresponding to major geographical sections of the city or to functional divisions of the subject matter of the plan, and may adopt any amendment or extension thereof or addition thereto. The adoption of the plan, or of any part, amendment, extension or addition, shall be by resolution carried by the affirmative votes of not less than a majority of the commission, but before the adoption of the plan or any such part or any modification, extension or addition, the commission shall hold at least one public hearing on the proposed action. An attested copy of the plan or part thereof shall be certified to the council.

- (b) Legal effect of *Master Plan*. No street, park, or other public way, ground or space, no public building or structure and no public utility whether publicly or privately owned, shall be constructed or authorized in the city, nor shall any real property be acquired by the city, until and unless the location and extent thereof shall have been submitted to and approved by the commission; provided that, in case of disapproval, the commission shall communicate its reasons to the council, which shall have the power by 2/3 vote to overrule such disapproval, and, upon such overruling, the council or the appropriate office, department or agency shall have power to proceed. The widening, narrowing, relocation, vacation or change in the use of any street or other public way or ground or the sale of any public building or real property shall be subject to similar submission and approval, and failure to approve may be similarly overruled by the council. The failure of the commission to act within thirty (30) days after the date of official submission to the commission shall be deemed approval, unless a longer period be granted by the council or the submitting official.

Land Use Development

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

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

Land Use Development Goals

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

Land Use Objectives

- Development of the local capacity to monitor, evaluate, and promote the sound development of the community.

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

Short-Term Land Use Objectives

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

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

- **Section 1: Title.**

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

- **Section 2: Purpose.**

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

- **Section 3 Definitions.**

For the purpose of this ordinance, certain terms and words are hereby defined. Words used in the present tense shall include the future; the singular number shall

include the plural and the plural the singular. The word 'building' shall include the word 'structure'; the word 'lot' includes the word 'plot'; and the word 'shall' is mandatory and not merely permissive or directory.

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

• **Section 4 Districts.**

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

- R-1 First One-Family Dwelling District
 - R-2 Second One-Family Dwelling District
 - R-3 Duplex District
 - R-3(A) Apartment District
 - R-4 Townhouse Residence District
 - B-1 Neighborhood Business District
 - B-2 Central Business District
 - B-3 General Business District
 - I Industrial District
 - F Floodway District
- ...Except as hereinafter provided:

(1)

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

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

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

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

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

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

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

- A. Use regulations: A building or premises shall be used only for the following purposes:
 - (1) Single-family dwellings.
 - (2) Boardinghouse with a conditional-use permit.
 - (3) Church except temporary revival, with *Conditional Use Permit*.
 - (4) School, public or private, having a curriculum equal to a public elementary, high school, or institution of higher learning, but shall require a *Conditional Use Permit*.
 - (5) Public parks, playgrounds, golf courses except miniature golf.
 - (6) Police and fire stations only as required for safety requirements.
 - (7) Customary home occupations, as permitted by *Section 13 Home Occupations* and with a *Conditional Use Permit*.
 - (8) Accessory buildings and accessory uses, customarily incident to the above uses not involving the conduct of a business, when located on the same lot, including a private garage for one (1) or more cars. Accessory buildings shall not be used for rent or used for commercial purposes.
 - (9) Temporary sales office.
- B. Height regulations: No building shall exceed two and one-half (2½) stories or thirty-five (35) feet in height except as provided in section 12 hereof.
- C. Area regulations:
 - (1) Front yard. There shall be a front yard along the front line of the lot. The minimum depth of such front yard shall be twenty-five (25) feet.
 - (2) Side yards. There shall be a side yard on each side of a building and shall not be less than five (5) feet in width. Where there is a corner lot, side yard shall not be less than ten (10) feet from the side of the building to the property line running adjacent to any street.
 - (3) Rear yard. The depth of the rear yard shall be at least twenty-five (25) feet in depth.
 - (4) Depth of lot. The lot shall have a minimum depth of one hundred ten (110) feet.
- D. Intensity of use: Every lot or tract of land shall have an area of not less than seven thousand seven hundred (7,700) square feet and an average width of not less than seventy (70) feet, except that if a lot or tract should have less area or width than is herein required and its boundary lines along their entire length should touch lands under other ownership on the effective date of this ordinance and shall not have been changed since said date, such parcel of land may be used for a single-family dwelling.
- E. Parking regulations: Off-street parking shall be provided on a basis of two (2) concrete surfaced off-street parking spaces per dwelling. Other

standards contained in *Section 12.1 Parking Requirements* shall also apply.

- **Section 12.1: Parking Requirements.**

(a) Authority and purpose. This ordinance is adopted for the purpose of providing an adequate number of parking spaces for residential, commercial, institutional and industrial uses in the City of Eagle Pass. This ordinance is enacted in accordance with the home rule powers of the city, granted under the Texas Constitution, and the Statutes of the State of Texas.

(b) Parking regulations and requirements.

(2) Parking required. In all districts there shall be provided at the time any building permit or structure is erected or structurally altered, off-street parking and maneuvering spaces in accordance with the minimum requirements set out in this ordinance. All parking and maneuvering space shall be provided on the private property unless otherwise stated in this Ordinance. When, in the opinion of the city, the provisions of this ordinance are not adequate, such additional requirements as may be necessary and desirable may be required.

(5) Rules for computing parking requirements. In the interpretation of the parking requirements set out in this ordinance, the following rules shall apply:

i. "Floor area" shall mean shall mean the gross floor area of the specific use. "Use" shall mean any use of the specific floor area.

ii. Where fractional spaces result, the parking spaces required shall be construed to be the next largest whole.

iii. The parking space required for a use not specifically mentioned in this ordinance shall be the same as required for a use of similar nature.

iv. After the effective date of the ordinance from which this chapter is derived, whenever a property is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity or otherwise, to create a need for an increase to 25-percent or more in the number of existing spaces, such additional spaces shall be provided on the basis of the enlargement or change. Whenever a building or use existing prior to the effective date of the ordinance from which this chapter is derived is enlarged to the extend of 50-percent or more in floor area used, such building or use shall then and thereafter comply with the parking requirements set forth in this ordinance.

v. In the case of mixed uses, the parking spaces required in this ordinance shall equal the sum of the requirements of the various uses computed separately.

vi. Where none of the foregoing rules are applicable to an existing fact situation, the method for computing the parking requirement shall be based on other parking data from acceptable publications.

- **Section 13: Home Occupations.**

- (a) Purpose and intent. The City of Eagle Pass recognizes the need for some citizens to use their place of residence for limited nonresidential activities. However, the city believes that the need to protect the residential character of residential areas is of paramount concern. In essence, the objective of this chapter is to allow limited commercial type activity in residential areas only to the extent that such commercial activity is not obtrusive to neighbors or passersby.
- (b) Permitted home occupations. The following home occupations shall be permitted in any residential zone without conditional use permits providing they meet the performance standards in Section 13(e):
 - (1) Dressmaking, sewing and tailoring;
 - (2) Painting, sculpturing or writing;
 - (3) Telephone answering or soliciting;
 - (4) Home crafts such as model making, rug weaving and lapidary;
 - (5) Tutoring limited to two (2) students at a time;
 - (6) Home cooking and preserving;
 - (7) Computer programming.
- (c) Prohibited home occupations. The following home occupations are prohibited in all residential zones:
 - (1) Animal hospitals;
 - (2) Dancing studios, exercise studios;
 - (3) Mortuaries;
 - (4) Private clubs;
 - (5) Restaurants;
 - (6) Stables or kennels;
 - (7) Automobile body shops;
 - (8) Occupations involving explosives or other hazardous materials.
- (d) Conditional use permits. All home occupations not specifically listed in subsection (b) above shall obtain a conditional use permit from the planning and zoning commission prior to conducting any business activity. The conditional use permit shall be obtained in the manner provided in section 21 of this chapter.
- (e) Performance standards. In considering applications for conditional use permits for home occupations, the Planning and Zoning Commission of Eagle Pass shall be guided by the following considerations:
 - (1) The legislative intent as set forth in section 1 above;

- (2) No materials or equipment shall be permitted which would be detrimental to the residential use of nearby residences such as vibration, noise, dust, smoke, odor, interferences with radio or television reception and other factors detrimental to residential use;
- (3) A home business shall not be permitted which requires frequent home deliveries for commercial purposes;
- (4) A home business shall not be permitted which will result in the parking of customers' automobiles in a manner, frequency, or number which will cause traffic congestion or will unduly inconvenience nearby residences;
- (5) Signs for home occupations shall be located on the lot for which the conditional use permit is issued. One (1) sign, unlighted and attached to the building which shall not exceed six square feet in area may be permitted;
- (6) Employment in a home occupation shall be limited to persons residing in the dwelling unit where the home occupation is conducted;
- (7) No conditional use permit for a home occupation shall be granted by the planning and zoning commission unless the applicant has furnished proof of having registered with the State of Texas Comptrollers Office;
- (8) There shall be no exterior indication of the home occupation or variation from the residential character of the principal or accessory buildings except for a sign in conformance with this chapter;
- (9) There shall be no outside storage or display of items for sale, materials or equipment to be used in conjunction with the home occupation.
- (10) In no case shall a home occupation be open to the public at times earlier than 7:00 a.m. nor later than 10:00 p.m.

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

- (a) Purpose. The purpose of this section is to allow the proper integration into the community of uses which may be suitable only in specific locations in a zoning district or only if such uses are designed or laid out on the site in a particular manner.
- (b) Application. A conditional use permit shall be required for all uses listed as conditional uses in the residential, commercial and industrial land use descriptions or elsewhere in the Zoning Ordinance of the City of Eagle Pass.
 - (1) Filing. Application shall be made in writing by the property owner or his authorized agent, on forms provided by the planning department, and accompanied by such data and information as may be necessary to fully describe the request.
 - (2) Fee. The filing and investigation fee shall be \$100.00.

- (c) Public hearing. A public hearing shall be held in accordance with law. A notice of hearing shall be mailed at least ten calendar days prior to said hearing to all property owners, any part of whose property lies within a radius of two hundred 200-feet of the applicant's property, using for this purpose the names of such owners as shown on the last equalized assessment roll, or alternatively, from such other records of the assessor or the tax collector as contain more recent addresses. In addition, if warranted in the determination of Planning Director, notice shall be provided by conspicuously posting it on the subject property for at least ten days prior to the hearing. Failure to receive the notice required by this section shall not invalidate the action of the planning and zoning commission.
- (d) Planning and zoning commission action. The planning and zoning commission may approve, conditionally approve or deny an application for a *Conditional Use Permit*, and in authorizing a conditional use, may impose such requirements and conditions with respect to location, construction, time period, maintenance and operation as deemed necessary for the protection of adjacent properties and the public interest when reasonably related to the use of the property. Before granting any conditional use permit the planning director shall be satisfied that the proposed structure or use conforms to the requirements and the intent of this chapter and the general plan(s) of the City of Eagle Pass.
- (e) Appeals. The planning and zoning commission action on the conditional use permit shall be final unless, within fourteen (14) calendar days after the decision, the applicant or any other person, including the city council, any individual city council member, or the city manager, not satisfied with the decision of the planning and zoning commission, may appeal to the city council. No conflict of interest shall exist solely by reason of the filing of an appeal by the city council, an individual city council member, or the city manager. Any appeal shall be filed with the city secretary's office and, except an appeal by the city council, a council member, or the city manager, shall be accompanied by a filing fee \$100.00. The city secretary shall set a date for a public hearing and shall give notice to the appellant, the applicant and neighboring property owners in the manner provided in the zoning ordinance.
- (f) Issuance. No conditional use permit which has been approved by the planning and zoning commission shall be issued prior to the expiration of the appeal period as set forth in the Ordinances of the City of Eagle Pass, or the final action on an appeal to the city council.
- (g) Expiration. In the event the planning and zoning commission finds the use permit has not been exercised within the time limit set by the commission, or within one 1-year if no specific time limit has been set, the permit shall be null and void without further action; except that the planning director may extend the approval of a use permit for one 1-additional year, with the same conditions of approval, if circumstances have not changed. The request in writing must be received prior to the expiration of the use permit.
- (h) Minor modification to use permit. The planning director may approve minor modifications to an approved use permit.
- (i) Revocation. In the event the conditions of a use permit have not been or are not being complied with, the planning department shall give the permittee notice of intention to revoke such permit at least ten days prior to a planning and zoning commission review thereon. After the conclusion of the review, the planning and zoning commission may revoke such permit.

C. Conclusions

1. The petition contains sufficient information upon which the Planning and Zoning Commission may render a decision. Please refer to Attachment 1 for a copy of the revocation notice and related correspondence.
2. The request involves the revocation of an establishment of a home day care business that was granted approval in 2020 in an existing single-family residence. Please refer to Attachment 1 for a copy of the minutes of the meeting.
3. *Section 21(d) of City of Eagle Pass Code of Ordinances Appendix A* states, in part, that the Planning and Zoning Commission may approve, conditionally approve or deny an application for a *Conditional Use Permit*, and in authorizing a conditional use, may impose such requirements and conditions with respect to location, construction, time period, maintenance and operation as deemed necessary for the protection of adjacent properties and the public interest when reasonably related to the use of the property.

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

To address these issues, the Community Development Department recommend revoking the *Conditional Use Permit* intended to address these concerns. Staff also learned that the child day care home occupation failed to register or renew their license with Texas Child Care Licensing.

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

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

5. The *Conditional Use Permit* is not consistent with the purpose of the zoning code. Section 2 empathizes with the importance of the character of a specific zoning district and its peculiar suitability for particular uses, conserving the value of buildings, and encouraging the most appropriate use of land throughout the City.

The *Conditional Use Permit* has materially increased the congestion in public streets, it will increase the public safety, it has materially diminished or impaired established property values within the surrounding area, and has impaired the public health, safety, comfort, morals and welfare of the City of Eagle Pass, Texas.

6. The *Conditional Use Permit* application is not consistent with the criteria set forth in Section 21 of the *City of Eagle Pass Code of Ordinances Appendix* for the reasons set forth above in Conclusion 1 through and including Conclusion 5 and should be revoked by the Commission.

D. Community Development Department Recommendation

The Planning and Zoning Commission **REVOKE** the Martha Ramos Medina Conditional Use Permit that established a home day care business on property located at 2078 La Jolla Street, subject to the criteria set forth in the report and that the business owner failed to register or renew the license with Texas Child Care Licensing.

TRANSMITTED to the parties listed hereafter:

Martha Ramos Medina via e-mail and hand delivered
Eagle Pass Planning and Zoning Commission via e-mail
Eagle Pass City Manager Homero Balderas via e-mail
Eagle Pass Assistant City Manager Ivan Morua via e-mail
Eagle Pass City Secretary Erika Rodriguez via e-mail
Eagle Pass City Attorney Ana Sophia Garcia via e-mail
Eagle Pass Community Development Department Report dated December 9, 2024

Attachment 1

Application



CITY OF EAGLE PASS

COMMUNITY

DEVELOPMENT SERVICES DEPARTMENT

3295 BOB ROGERS DR, EAGLE PASS, TEXAS 78852 830-773-7781

NOTICE OF INTENTION TO REVOKE CONDITIONAL USE PERMIT

Date: 11/15/2024

Sent by certified mail 70220410000318117586

Ramos, Victor Hugo & Adelaida Medina

Address: 2078 La Jolla Street

RE: Revocation of Conditional Use Permits for Ramos, Victor Hugo & Adelaida Medina.

The City of Eagle Pass issued a conditional use permit on April 09, 2020, for the operation of a home daycare service at 2078 La Jolla Street, Eagle Pass, Texas. Deviations from the plans, specifications, and conditions outlined in the permit. Therefore, in accordance with the Sec. 13.5, 13.8 & 13.9 Home occupations and Sec. 21. is Conditional use permits of the Eagle Pass City Code, your conditional use permits dated April 09, 2020, is hereby intended for revoke. This revocation will become final after a hearing scheduled by the Planning and Zoning Regular Meeting on December 19, 2024, at 5:30 p.m., during which you will have the chance to present your case for why the permit should remain valid. For your records, we will provide all of the City of Eagle Pass Ordinance's sections. Please ensure to review each section thoroughly to understand the requirements and obligations associated with holding a conditional use permit. If you have any questions or need further clarification regarding the ordinance or the revocation process, feel free to reach out to the Community Development Department. We are committed to assisting you in ensuring compliance with all local regulations and look forward to resolving this matter amicably.

The conditional use permit included the following conditions:

Sec. 13. - Home occupations.

(5) Signs for home occupations shall be located on the lot for which the conditional use permit is issued. One (1) sign, unlighted and attached to the building which shall not exceed six square feet in area may be permitted.

(8) There shall be no exterior indication of the home occupation or variation from the residential character of the principal or accessory buildings except for a sign in conformance with this chapter.

(9) There shall be no outside storage or display of items for sale, materials or equipment to be used in conjunction with the home occupation.

Sec. 21. - Conditional use permits

Martha Valeria Ramos Medina

For references, please see exhibits 1,2 & 3.

Exhibit 1: Planning and Zoning Approve minutes.



**Planning & Zoning
Commission
Regular Meeting
May 14, 2020**

Exhibit 1- Registered Providers in Maverick County (inside and outside City limits)
 Information source: <https://childcare.hhs.texas.gov/Public/ChildCareSearchResults>

Operation #	Operation/Caregiver Name	Address	City
1695251	Little Disciples Home Daycare	2077 LA JOLLA ST	EAGLE PASS
1547202	Just 4 Kids Express	2169 SUNCREST DR	EAGLE PASS
1732124	Precious Moment Home Daycare	2204 MALIBU BLVD	EAGLE PASS
931046	Sunshine Daycare	2280 DEL RIO BLVD STE B	EAGLE PASS
1624177	Eden Learning Center LLC.	2435 N VETERANS BLVD	EAGLE PASS
1579277	Educare Preschool and Child Care Center	1110 BONNET AVE	EAGLE PASS
1531461	Kids and Tots Unlimited	1011 N BIBB AVE	EAGLE PASS
1716685	CPLC MSHS Eagle Pass 2	2990 DIAZ ST	EAGLE PASS
1581554	Tots Come First Day Care	1098 3RD ST	EAGLE PASS
1578217	Kids Are First (KAF) Head Start - Seco Mines	2917 SANCHEZ AVE	EAGLE PASS
415464	Eagle Pass ISD Daycare	904 KELSO DR	EAGLE PASS
1531460	Kids and Tots Unlimited Too Learning Center and Day Care	2495 2ND ST	EAGLE PASS
195177	Sesame Place Daycare Center	817 AVENUE B	EAGLE PASS
1638747	Big Hearts Little Hands Early Learning Academy, LLC	2072 N VETERANS BLVD	EAGLE PASS
532727	Redeemer Preschool	648 MADISON ST	EAGLE PASS
1583676	Totally Kids Home Daycare	188 WESTLAKE BLVD	EAGLE PASS
1801621	Blanquita's Nursery and Child Care, LLC	1571 S VETERANS BLVD	EAGLE PASS
812467	Gabriela Morantes	1055 SALONIKA DR	EAGLE PASS
1597656	ABC Academy Day Care and Learning Center	2337 EL INDIO HWY	EAGLE PASS
1701883	Sesame Daycare and Learning Center	1631 S VETERANS BLVD	EAGLE PASS
1578236	Kids Are First (KAF) Head Start - Lyndon B. Johnson	590 LINARES	EAGLE PASS
1578182	Kids Are First (KAF) Head Start - Las Colonias	2500 EL INDIO HWY	EAGLE PASS
1674208	Little Artist Learning Center Music and Art Daycare LLC	1693 S VETERANS BLVD	EAGLE PASS
1728134	Smart Angels Daycare and Preschool	1538 B EIDSON ROAD	EAGLE PASS
1716686	CPLC MSHS Eagle Pass EHS	302 BALCONES BLVD	EAGLE PASS

Should you have any questions regarding this matter, please feel free to contact Mariebelle Rodriguez, Community Development Assistant Director at 830-773-7781.

Sincerely,

Maribelle Rodriguez
 for Placido Madera

Community Development Director



Exhibit 2: Pictures of the property 2078 La Jolla St.





AGENDA

PLANNING & ZONING COMMISSION REGULAR MEETING THURSDAY, MAY 14, 2020, AT 5:30 P. M. COUNCIL CHAMBERS, CITY HALL BUILDING

100 SOUTH MONROE STREET, EAGLE PASS, MAVERICK COUNTY, TEXAS

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

If you are a citizen wishing to participate in Citizens Communications, please call on Thursday May 14, 2020 from 12:00 pm to 2:00 pm at 830-773-1111.

ESTABLISHMENT OF QUORUM

CITIZENS COMMUNICATIONS

MINUTES

1. Approval of the minutes of the February 13, 2020 meeting and the April 9, 2020 meeting.

OLD BUSINESS

2. Consideration and possible action on the final plat of the *Elm Creek Ranch Subdivision Unit 2*.

NEW BUSINESS

3. Consideration and possible action on the preliminary plat of the *Santa Maria Estates Subdivision*.

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 May 11, 2020 at 1:30 p.m.

Placido C. Madara
Planning Director

There were no comments from the public. Therefore, Chairperson Montalvo closed the public hearing at 6:05 p.m.

Motion: To approve the Conditional Use Permit Application submitted by Ernesto Gonzalez
Moved: Salinas-Sanchez
Second: Escobar
Ayes: 4
Nays: 0
Absent: Villalpando

6. Public hearing on the proposed Conditional Use Permit Application submitted by Martha Ramos Medina to allow for the establishment of a home child day care business located at 2078 La Jolla Street.

Chairperson Montalvo opened the public hearing at 6:05 p.m. and invited the public to express their comments.

Planning Director Madern informed the Commission on the details of Conditional Use Permits submitted by Martha Ramos Medina. He further stated the business was already in operation at the time the Planning Department was made aware, due to a sign they had on property. They are now going through the process to legitimize and get the proper permitting that is required. Mr. Madern stated that the owner does have the State license for the Daycare that is required and now are going through the process of what they need through the City to be legally operating. The recommendation from the Planning Department is for approval subject to number of children must be limited to 12; hours of operation 7:00 a.m., to 6:00p.m.; minimize on-street parking, parent vehicle drop-off and pick-up shall be limited to 5-minutes; only 1 sign advertising the home daycare shall be permitted-exterior; Non-resident worker are not permitted to be employed in the home daycare; and this CUP is non-transferrable.

City Secretary, Inesha D. Rodriguez read into the record a letter submitted via email on behalf of Mr. Julio A. and Mrs. Celia Valdes in favor of this Conditional Use Permit being approved by the Commission.

There were no comments from the public. Therefore, Chairperson Montalvo closed the public hearing at 6:13 p.m.

Motion: To approve the Conditional Use Permits submitted by Martha Ramos Medina
Moved: Escobar
Second: Salinas-Sanchez
Ayes: 4
Nays: 0
Absent: Villalpando

NEW BUSINESS