



**Planning & Zoning
Special Meeting
November 29, 2021**



AGENDA

**PLANNING & ZONING COMMISSION SPECIAL MEETING
MONDAY, NOVEMBER 29, 2021 AT 5:30 P.M.
COUNCIL CHAMBERS, CITY HALL BUILDING
100 SOUTH MONROE STREET, EAGLE PASS, MAVERICK COUNTY, TEXAS**

ESTABLISHMENT OF QUORUM

CITIZENS' COMMUNICATIONS

MINUTES

1. Approval of the minutes of the October 14, 2021 meeting.

PUBLIC HEARING(S)

2. Public hearing on the proposed final Re-Plat of Lot 121 in Chula Vista Subdivision Unit 2; closing of public hearing and possible action.
3. Public hearing on the proposed final Re-Plat of Lot C in Block 11 of Townsite of Fabrica; closing of public hearing and possible action.
4. Public hearing on the proposed final Re-Plat of Lot 3 in Block 20 of Deer Run Subdivision Unit 4; closing of public hearing and possible action.

NEW BUSINESS

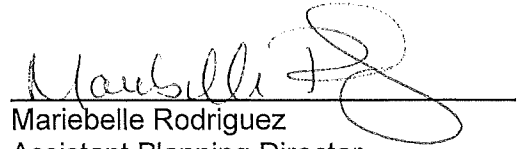
5. Consideration and possible action on the final plat of the Eagle Pass Port of Entry Industrial Park.

ADJOURNMENT

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

CERTIFICATION

I, THE UNDERSIGNED ASSISTANT PLANNING DIRECTOR, do hereby certify that the agenda mentioned above was posted on the Bulletin Board located in the Lobby at City Hall, 100 S. Monroe Street, Eagle Pass, Texas on November 24, 2021 at 3:45 p.m.


Mariebelle Rodriguez
Assistant Planning Director

Item #1

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

The Planning and Zoning Commission of the City of Eagle Pass conducted its Regular Meeting on Thursday, October 14, 2021, at 5:30 p.m. 100 South Monroe Street, Eagle Pass, Texas. All legal notices were duly posted in accordance with the law.

ESTABLISHMENT OF QUORUM

Present: Chairperson, Enrique Montalvo; Vice-Chairperson Rolando Jasso; Commission Member, Mario Escobar, and City Manager, George Antuna.

Absent: Commission Members, Rosa Villalpando and Doris Salinas-Sanchez; Ex-Officio, Mayor, Rolando Salinas.

Staff present: Planning Director, Placido Madera; Assistant Planning Director, Mariebelle Rodriguez; and City Secretary, Imelda B. Rodriguez.

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

CITIZENS COMMUNICATIONS

Chairperson Montalvo asked whether anyone in the audience wished to address the Commission on any item which did not appear on the agenda, reminding them at the same time, that although the Commission would be unable to take formal action on such items, they would be glad to take it under advisement. City Secretary, Imelda B. Rodriguez stated no citizens communications were submitted.

MINUTES

1. Approval of the minutes of the September 2, 2021, meeting and the September 16, 2021, meeting.

Chairperson Jasso moved to approve the minutes. Seconded by Commission Member Escobar.
MOTION PASSED - Unanimously

AYES: Chairperson Montalvo, Vice-Chairperson Jasso, and Commission Member Escobar
NAYS: None
ABSTAIN: None
ABSENT: Commission Members, Villalpando and Salinas-Sanchez

PUBLIC HEARING(S)

2. Public hearing on the proposed final Re-Plat of Lot 1A in Block 1 of the M & A

Investments Subdivision, creating Lot 2 in Block 1 of the M & A Investments Subdivision, including a (a) variance to proceed to final plat and (b) a variance to plat a property less than five acres; closing of public hearing and possible action.

Chairperson Montalvo opened the public hearing at 5:31 p.m. and invited the public to express their comments. After comments from the public Chairperson Montalvo closed the public hearing at 5:44 p.m.

Planning Director, Placido Madera informed the Commission that this final replat approval to subdivide an approximately 4.10-acre tract into two (2) commercial lots, including (1) a variance to proceed to final plat directly without first having obtained preliminary replat approval and (2) a variance to plat a property being less than 5 acres. The Planning Department is recommending granting the subdivision final replat with the following condition: 1. That the developer provide a financial guarantee for water and wastewater improvements as reflected in the cost estimate provided by Melden & Hunt Inc. and accepted by EPWWS.

In response to questions posed by Vice Chairperson Jasso regarding subdividing of property and development of less than one acre. Mr. Madera briefed on this replat, and previous, and current owner does not have interest parties at this point. Mr. Jasso expressed concerns with the possibility of a residential /apartments due to possible drainage and sewer issues. The Commission expressed concerns with the absence of a masterplan.

Mario Reyna with Melden & Hunt, Inc. Engineering addressed the Commission by stating this property is being marketed as one big lot. He further informed the Commission on the access through Veterans Boulevard and Second Street for all users. Mr. Reyna stated he believe this will not be residential this will be commercial use.

City Manager, George Antuna addressed the Commission and stated that they did confirm that their will be consecutively throughout the whole project.

Chairperson Jasso moved to approve the final Re-Plat. Seconded by Commission Member Escobar. **MOTION PASSED** - Unanimously

AYES: Chairperson Montalvo, Vice-Chairperson Jasso, and Commission Member Escobar
NAYS: None
ABSTAIN: None
ABSENT: Commission Members, Villalpando and Salinas-Sanchez

OLD BUSINESS

3. Consideration and possible action on the Plat Amendment of Lot 91 in Stone Ridge Subdivision Unit 1; Lots 88, 89, 90 in Stone Ridge Subdivision Unit 2; and Lots 1, 2, and 48 in Encino Park Subdivision Unit 3, including a variance to reduce the front yard building setback area from 25- feet to 15-feet for property located at 2791 Stone Hedge Drive.

Assistant Planning Director, Mariebelle Rodriguez informed the Commission that they are bring

back this item. She gave the details of the amendment, dedication of Stone Way Drive to the city and building of sidewalks.

In response to question posed by Chairperson Montalvo regarding Lot 88 and use of this area. Mr. Madera stated that they have reached out to local AEP Representatives and certain things are permitted, but a lot is prohibited due to safety it depends on the voltage and how high the lines are.

TEC Services Engineer, Aaron Libson, addressed the Commission stating they are just moving lot lines the only construction is the sidewalk due to existing homes along lots 91 and 2 and dedication of Stone Way Drive to the city to have this legalized. City Manager Antuna interjected that the city does currently maintain Stone Way Drive, but this does belong to the developer the city is going to work with the developer to make sure that it is up to city standard.

City Attorney Representative, Paul Fletcher stated that he wanted to get clarification on the ownership of Lot 89 and 88 are these being dedicated to the city? Mr. Libson responded that Lot 89 will stay as part of the developer's acreage and whatever portion is outside of the existing electrical right-of-way between Lot 88 it was actual recorded as a Lot but its unusable its going to be labeled an outlot; this will not be used it will stay under his ownership but will not be able to develop or build on it. Mr. Antuna interjects that legal counsel makes a good point since this will be the responsibility of the developer to maintain this portion of property.

Assistant Planning Director Rodriguez than read the recommendation of the Planning Department as follows: to grant amendment of the property legally described as Lot 91 in Stone Ridge Subdivision Unit 1; Lots 88, 89, 90, in Stone Ridge Subdivision Unit 21 and Lots 1, 2, 46 in Encino Park Subdivision Unit 3, including a variance request to reduce the front yard building setback area from 25-feet to 15-feet due to an electrical easement that partially crosses property located at 2791 Stone Hedge Drive, also known as Lot 89 and also with the following conditions:

1. That the sidewalk be constructed along Stone Way Drive adjacent to Lots 91, 2, and 89 before plat recordation.
2. Depict Lot 88 as "Outlot" as it not buildable due to overhead utility lines.

Vice-Chairperson Jasso moved to approve the recommendation of the Planning Department as stated above. Seconded by Commission Member Escobar. **MOTION PASSED** - Unanimously

AYES: Chairperson Montalvo, Vice-Chairperson Jasso, and Commission Member Escobar
NAYS: None
ABSTAIN: None
ABSENT: Commission Members, Villalpando and Salinas-Sanchez

ADJOURNMENT

Vice-Chairperson Jasso moved to adjourn meeting at 6:00 p.m. Seconded by Commission Member Escobar. **MOTION PASSED** - Unanimously

Planning & Zoning Regular Meeting

October 14, 2021

Page 4

Passed and approved on _____, 2021

Enrique Montalvo
Chairperson

ATTEST:

Imelda B. Rodriguez
City Secretary

Item #2



Planning Department Executive Summary
REPORT TO THE PLANNING AND ZONING COMMISSION

Final Replat of Lot 121 in Chula Vista Subdivision Unit 2

I. BACKGROUND

A. General Information

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

Owner: Manuel & Fidelia J. Daniel
1914 Hoover Street
Eagle Pass, Texas 78852

Location: FM 2030

Property ID Number: 6943

Legal Description: Lot 121 in Chula Vista Subdivision Unit 2

Request: Final replat approval to subdivide an approximately 0.459-acre tract into two (2) residential lots, including (a) a variance to proceed to final plat directly without first having obtained preliminary replat approval (b) a variance to reduce the average 70 feet width of the lots (c) a sidewalk waiver from having to construct a sidewalk, including curb and gutter along the property street frontage abutting FM 2030.

B. Subject Property Information

Parcel Size: 20,000–square feet **Existing Use:** 2 mobile homes

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

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

Master Plan: Not applicable

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

D. Infrastructure: The property is currently served by public utilities/franchises, including water, sanitary sewer, storm sewer, telephone, cable, electric service, gas and garbage service. Access to the site is provided by FM 2030.

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*. 53 notices to the abutting property owners within a 500 feet radius of the subject property and as of November 24, 2021 The Planning Department has not received any letters in favor or opposition of the request.

III. RECOMMENDED FINDINGS OF FACT

A. Conclusions

1. The applicant's request contains sufficient information for consideration by the Planning and Zoning Commission. Information contained in this report and the Commission's public meeting will be used as part of the City Council's deliberation process for final approval of the subdivision. Please refer to Attachment 1.
2. *City of Eagle Pass Code of Ordinances Section 23-64(d)(1)* authorizes the Planning and Zoning Commission to waive the requirement for the construction of sidewalks in circumstances where the sidewalk would be unnecessary or unsafe due to the physical characteristics of the terrain in the subdivision. Please refer to Attachment 2 for a copy of the waiver application and photographs indicating the property frontage for subject road.

The construction of sidewalks along the property frontage parallel to FM 2030 would create a unsafe condition, as sidewalks are not in place in the immediate vicinity of the subdivision. The construction of a sidewalk would incorrectly create the assumption that sidewalks were in place throughout the area when, in fact, this is not the case. This assumption creates an unsafe condition and, as such meets the criteria for granting a sidewalk waiver by the Commission.

3. *City of Eagle Pass Code of Ordinances Section 23-11* states that the Planning and Zoning Commission must find that the subdivision variances, enclosed as Attachment 2, comply with the criteria in order to the grant the subdivision variances. The following is a summary of this application's compliance with the criteria:
 - *City of Eagle Pass Code of Ordinances Section 23-11(a)(1)*
 - *City of Eagle Pass Code of Ordinances Section 23-11(a)(2)*
 - *City of Eagle Pass Code of Ordinances Section 23-11(a)(3)*
 - *City of Eagle Pass Code of Ordinances Section 23-11(a)(4)*
 - *City of Eagle Pass Code of Ordinances Section 23-36(a)*
 - *City of Eagle Pass Code of Ordinances Section 5(d)(1) of Appendix A of the Zoning Ordinance*

The aforementioned subdivision variances are consistent with the subdivision variance decision criteria and therefore, should be granted.

4. The *Master Plan* emphasizes the importance of maintaining the character of the residential and commercial neighborhoods located within the City's 5-mile wide *Extraterritorial Jurisdiction* (ETJ).
 - ✓ The re-subdivision is consistent with the *Housing Goals* of the *Master Plan*, as the subdivision process will ensure appropriate land development regulation with appropriate lot sizes, paved streets with curb and gutters, and adequate utility services. The construction of a concrete curb and gutter section along FM 2030 will not be required for this project if the subdivision variance request involving the requirement is granted by the Commission.
 - ✓ The re-subdivision is consistent with the *Land Use Development Goals* of the *Master Plan*, as the project is designed to provide for a building lot density that is consistent with the purpose of the *R-1 First One-Family Dwelling*

District. This design will allow for the continuing development of the community while retaining the neighborhood character and scale while providing utility services in the most and efficient and equitable manner. The intensity of use will not be met as the average lot width is not met if the subdivision variance request involving the requirement is granted by the Commission.

- ✓ The re-subdivision is consistent with the *Street Goal* of the *Master Plan*, as access to the site from FM 2030 has been designed to provide the residents of and visitors to Eagle Pass and Maverick County with a street system that will enable them to travel safely and conveniently.
 - ✓ The re-subdivision is consistent with the *Thoroughfare Goals* of the *Master Plan*, as FM 2030 has been designed to be part of a safe and efficient thoroughfare system.
 - ✓ The re-subdivision is consistent with the *Storm Drainage Goals* of the *Master Plan*, as the size of the two lots and the eventual density of 2-dwelling-units on the re-plat site will not adversely impact existing area drainage effectiveness.
5. The re-subdivision design is consistent with the purpose of the *R-1 First One-Family Dwelling District*.
6. The re-subdivision is consistent with City design and specifications, as the project is designed and conditioned to conform to the following sections of *Article IV* in *Eagle Pass Code of Ordinances Chapter 23*:
- ✓ *Section 23-62* governing utility easements
 - ✓ *Section 23-64* governing sidewalks, subject to the granting of a sidewalk waiver, including curb and gutter by the Planning and Zoning Commission
 - ✓ *Section 23-66* governing sanitary sewage disposal
 - ✓ *Section 23-67* governing potable water supply and fire flow
 - ✓ *Section 23-68* governing storm drainage
 - ✓ *Section 23-69* governing the size of building lots, including lot width, lot depth, lot orientation, and building setback areas, subject to the granting of a lot width reduction by the Planning and Zoning Commission
 - ✓ *Section 23-71* governing the installation and inspection of utility lines

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

7. The re-subdivision is also consistent with the City design and specifications for landscape and tree preservation set forth in *Article VI* in *Eagle Pass Code of Ordinances Chapter 23*.
8. The re-subdivision is also consistent with the parkland dedication requirements set forth in *Article V* in *Eagle Pass Code of Ordinances Chapter 23*.
9. The subdivision's conformance with the provisions of the *Master Plan* and the *Eagle Pass Code of Ordinances* will facilitate the following benefits:
- Protect private rights while considering public health, safety and welfare.

- Provide for efficient and economical ways to move people and goods outside the City by an adequate plan for streets and highways.
- Guide future development in an orderly manner, by stages according to a pattern, so that the County may have a balanced land use.
- Encourage a diversified economic base, and encourage public and private investments in land and improvements.
- Prevent and eliminate blight and slums, making the County attractive to people, commerce, and industry.
- Create the desire for a more pleasing appearance of the County, and incorporate into its physical development the basic principles of good design.
- Protect and preserve the identity of each neighborhood through use of the guidance provided by the *Master Plan* and the *Code of Ordinances*.
- Locate all land uses on land best suited for their needs, arranged in such a way as to be mutually beneficial and functional, with ample area to meet long-term needs.
- Establish a proper relationship between open space, developed areas, building bulk, light and air space, in all future development programs of land use.
- Encourage and abet the development of civic, cultural, and other public and quasi-public buildings in harmonious and functional groupings.

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

- A. The re-subdivision design bears a substantial relationship to the public's health, safety, and welfare.
- B. The re-subdivision is in accordance with the policies of the *Master Plan* and the residential purpose of the *R-1 First One-Family Dwelling District*.
- C. The subdivision is warranted because of the necessity to create additional building lots in the *R-1 First One-Family Dwelling District*, and because the proposed development is appropriate to accomplish the reasonable use of the property.
- D. The subject property is suitable for development in general conformance with development standards of the *R-1 First One-Family Dwelling District*.
- E. The subdivision will benefit the County as a whole and will not be detrimental to nearby land uses of a similar nature.
- F. The subdivision has been designed and conditioned to comply with all applicable subdivision criteria and standards of the City of Eagle Pass.

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

B. Planning Department Recommendation

The Planning and Zoning Commission (1) **GRANT** the subdivision variance to proceed directly to Final Replat without first having obtained Preliminary Replat approval as required by *City of Eagle Pass Code of Ordinances Section 23-36(a)*, (2) **GRANT** the subdivision variance to reduce the required 70-foot lot width to 50-feet, (3) **GRANT** a sidewalk waiver, including curb and gutter, and (4) recommend that City Council **GRANT** final approval of the proposed Final Replat of *Lot 121 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.

TRANSMITTED to the parties listed hereafter:

TEC Services via e-mail

Maverick County Planning Department via e-mail

Eagle Pass Planning and Zoning Commission via e-mail

Planning & Zoning Commission Report dated November 24, 2021

Attachment 1 Application



PLANNING DEPARTMENT

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

SUBDIVISION APPLICATION

TYPE OF SUBDIVISION (check one):

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

Property Legal Description: CHULA VISTA UNIT # 2, LOT 121

Maverick County Property Identification Number(s): 6943

Name of Addition: REPLAT: CHULA VISTA SUBDIVISION UNIT # 2, LOT 121-A & 121-B

Location of Addition: FM 2030

Number of Residential Lots: 2 Number of Commercial Lots: 0 Gross Acreage: 0.46

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

Is Subdivision inside city limits? Yes ☐ No ☒ If so, Zoning District: N/A

Existing Land Use: RESIDENTIAL Proposed Land Use: RESIDENTIAL

Requested Variances: 1) VARIANCE TO PROCEED TO FINAL PLAT

(2) variance to reduce the required 10-foot lot width to 50 feet.

PROPERTY OWNER:

Name: MANUEL DANIEL

Address: 1914 HOOVER ST

City: EAGLE PASS

State: TX Zip: 78852

Signature: Manuel R Daniel

Contact: FRANCISCO IBARRA

Phone: 830-968-1375

Fax: N/A

E-mail: francisco.ibarra49@gmail.com

Date: 10/26/21

PROPERTY OWNER:

Name: FIDELIA J. DANIEL

Address: 1914 HOOVER ST

City: EAGLE PASS

State: TX Zip: 78852

Signature: Fidelia J. Daniel

Contact: FRANCISCO IBARRA

Phone: 830-968-1375

Fax: n/a

E-mail: francisco.ibarra49@gmail.com

Date: 10/26/21

APPLICANT/SUBDIVIDER:

1

RECEIVED
11/4/21

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

Contact: Aaron Libson
Phone: 830-773-0579
Fax: 830-773-7312
E-mail: ajlibson@terratechengineering.com
Date: 10/26/21

SURVEYOR:

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

Contact: Francisco Gaytan
Phone: 830-773-8308
Fax: 830-421-7116
E-mail: fgaytan@yahoo.com
Date: 10/26/21

ENGINEER:

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

Contact: Florentino Caballero
Phone: 830-773-0579
Fax: 830-773-7312
E-mail: fcaballero@terratechengineering.com
Date: 10/26/21

PRINCIPAL CONTACT: ☐ Owner ☒ Applicant ☐ Surveyor ☐ Engineer

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

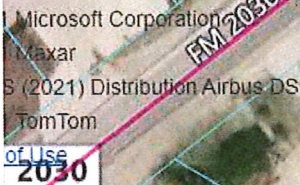
STATEMENT OF APPLICANT

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

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

Applicant Signature: [Signature]

Date: 10/26/21





[illegible][illegible]

BEHAR, JAMES
 NAME: JAMES BEHAR
 STATE OF TEXAS
 COUNTY OF MADISON
 This instrument was acknowledged before me on _____
 by JAMES BEHAR.

 Notary Public for the State of Texas
 My Commission Expires _____

STATE OF TEXAS

COUNTY OF BARRICK

I, _____
Notary Public,
do hereby certify that the within and foregoing is the true
and correct copy of the original as shown to me by _____
of the County of _____ State of _____
who claims to be the owner thereof.

In testimony whereof, I have hereunto set my hand and seal
this _____ day of _____ A.D. 19____ at _____
Texas.

My Commission Expires _____

Commission Court Certification

This Report was transmitted to the Municipal County Commissioners Court and approved as
_____ by the Commissioners Court of Maricopa County, Arizona.

Signed this _____ day of _____, 20____
County Judge _____

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

Clerk of Court _____ State of Arizona

CITY OF DALLAS PASADENA, ARIZONA

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COUNTY CLERK'S RECORDS DEPARTMENT

COUNTY CLERK OF HANCOCK COUNTY, hereby certifies that the within and foregoing is a true and correct copy of the original recording of the same as the same is on file in the office of the County Clerk of Hancock County, Maine.

Witness my hand and seal of office at Bangor, Maine, this 1st day of June, 1908.

County Clerk

CITY OF TAMPA
COUNTY OF HARRIS

President, California, P.E.
Registered Professional Engineer #68922

This instrument was acknowledged before me on the _____ day of _____ at _____
by President, California, P.E.

Signature History Public Storm of Texas
No Commission Expires

SUBDIVISION DEPT
LOT 2, BLOCK 74
CHULA VISTA HEIGHTS SUBDIVISION,
EAGLE PASS, TEXAS
HARRIS COUNTY, TEXAS

TECHNICAL ENGINEERING
AND CONSTRUCTION SERVICES
15001 BAYVIEW BLVD., SUITE 100
BAYVIEW, MI 48064
417/717-1001
and for more information contact
602/913-1000
and 602/913-1001



PROPERTY OWNER
JUAN MATA
JAMES HENSON
EVALUATION PASS, TX 78052

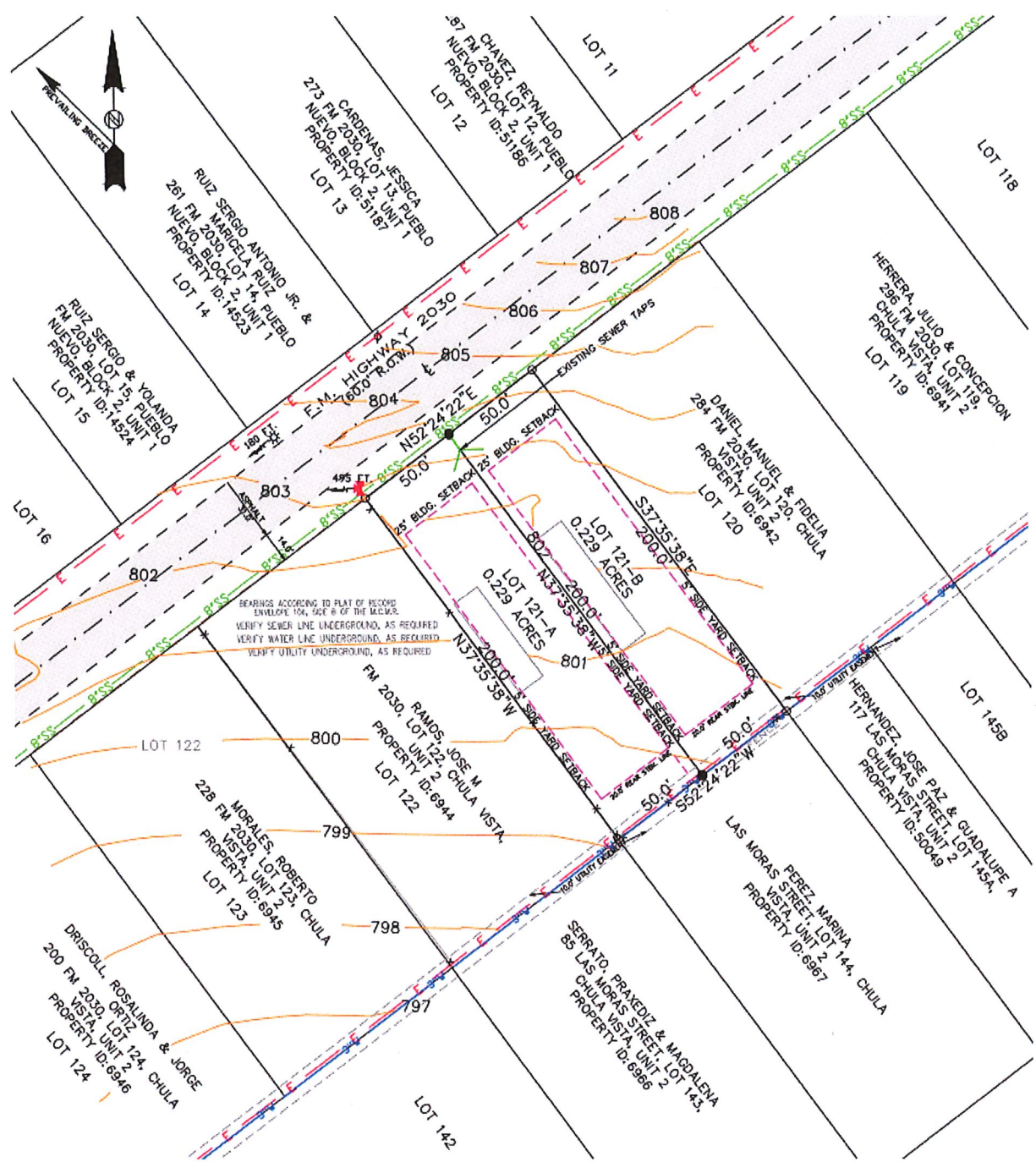
JOB: 0003-37
SHEET 1 OF 1
DESIGNED:
DRAWN: ACM
CHECKED: JAL
SCALE: 1" = 30'
MAY 02, 2001



DRAWING SCALE: 1"=50'

APPLANT SUBSTANCES LOT INFORMATION		
LOT	AREA	MT STORAGE
101A	PLANT PLANT	100 MT STORAGE
101B	PLANT PLANT	100 MT STORAGE

[illegible]



Attachment 2

Subdivision Variance Request(s)

Sidewalk Waiver



PLANNING DEPARTMENT

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

SUBDIVISION VARIANCE APPLICATION

Applicant Information

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

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

Phone: 830-773-0579

E-mail: ajlibson@terratechengineering.com

Owner: Francisco Ibarra & Fidelia Daniel

Address: FM 2030

Phone: 830-968-1375

E-mail: N/A

Property Information

Site Address: FM 2030

MCAD Property ID No. 6943

Legal Description (from deed): Lot 121, Chula Vista Unit #2

Description of Subdivision Variance Request

Variance to proceed straight to Final Plat given existing infrastructure.

Detailed Explanation of Subdivision Variance Request

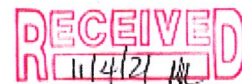
Please answer, on a separate sheet of paper if necessary, the following questions:

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?

This variance is required to proceed straight to final plat, since existing infrastructure such as utility mains and paved street access are already existing, the preliminary plat process has essentially already been completed and can proceed to final.

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

This variance is necessary for the property owner to proceed to final plat and be able to replat/subdivide their property and obtain the proper utility services to their respective properties.



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

The granting of this variance will not be detrimental to public health, safety, or injurious to other property in the area as it is just paperwork required to be able to proceed to the final plat process.

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

This variance is required of all property owners seeking to replat an existing platted lot to be able to legally finalize their proposed re-subdivision. This should not effect the orderly subdivision of other land in the area.

Required Application Attachments

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

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

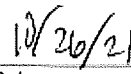
Applicant Authorization

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

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



Applicant Signature



Date



PLANNING DEPARTMENT

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

Subdivision Sidewalk Waiver Application

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

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

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

=====

Applicant Information

Applicant (if not owner): TerraTech Engineering and Construction Services
Phone: 830-773-0579 Email: ajlibson@terratechengineering.com
Owner: Francisco Ibarra & Fidelia Daniel
Owner Address: FM 2030 City: Eagle Pass State: TX Zip: 78852
Phone: 830-968-1375 Email: N/A

Property Information

Site Address: FM 2030
Legal description (from deed): Lot 121, Chula Vista Unit #2
(Property must be legally subdivided or be lot of record)
Maverick County Identification Number: 6943



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

Due to there being no existing sidewalks in neighborhood to connect to, building approximately 100 linear feet of sidewalk could create safety hazards due to uneven surfaces. Moreover, FM 2030 is TxDOT owned and has no curb/gutter or sidewalks and cars travelling at high velocity.

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

Constructing 100 linear feet of sidewalk along the frontage of the entire lot would create unsafe walking conditions for walking and being a FM 2030, there is no curb/gutter or existing sidewalks to connect to. Vehicles travel along this road at high velocity as well.

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

10/26/21
Date

Attachment 3

Final Engineering Report



To: Placido Madera

City of Eagle Pass Planning Director

From: Florentino Caballero, P.E.

Date: October 20, 2021

Reference: Final Engineering Report for Replat of Lot 121, Chula Vista Subdivision Unit 2

Mr. Madera,

Manuel Daniel and Fidelia J. Daniel, owners of property legally described as 'Lot 121, Chula Vista Unit 2, have requested that TerraTech Engineering and Construction Services (TEC Services) prepare a Replat of this property to legally subdivide it into (2) Two Residential Lots. This property is located at FM 2030 Drive. The property is located outside the Eagle Pass City Limits, but within the 2-mile Extra-Territorial Jurisdiction (E.T.J.) and is currently Platted as One (1) Residential Lot. The property has two existing homes, and has access to existing water, sewer, cable, and electric utilities. As a result, we are proceeding straight to the Final Plat process given the existing conditions.

General Description

The subject Plat has a total area of 0.459 Acres and measures approximately 100' x 200' (see attached Replat Sheet for reference). The subject tract will be Replatted as (2) Lots, Lot 121-A and Lot 121-B, each approximately .223 acres (9,718.88 Sq.Ft) in area. The property has frontage towards F.M. Highway 2030 and has access to paved streets. All utility infrastructure including water, sewer, electricity, and cable mains is already existing along the back end and frontage of the property. This Replat will be presented to proceed straight to Final due to the existing conditions. This property is located outside the Eagle Pass City Limits and is not currently zoned but is situated within a residential neighborhood area. Given that it is within the 2-Mile E.T.J., the proposed zoning will be R-1: First One-Family Dwelling District.

Drainage

General Drainage Description

This Plat area of this subdivision is not located within a special flood hazard area. The highest point on this tract is along the North Eastern portion of the property. The subject lot drains from the Northeast towards the Southwest side of the property. Given that this property is already platted as part of a residential subdivision, and is already developed, no drainage improvements will be required. For



platting purposes, Hydraulic Calculations are provided below only as reference. Since the property is already developed as a residential lot, only one set of calculations will be provided.

Existing Drainage Conditions

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

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

where C = runoff coefficient

I = average rainfall intensity in inches per hour

A = tributary drainage area in acres

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

Table 1. Existing & Developed Drainage Parameters

Parameter	Value
t_c	5 min
C_d	0.60
I_{10}	7.43 in/hr
I_{100}	10.32 in/hr
Watershed Area, A	0.459 acres

The peak rates of runoff for the existing undeveloped lots are

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

$$Q_{10} = 0.60 \times 7.43 \times 0.459 = 2.05 \text{ cfs}$$

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

$$Q_{100} = 1.25 \times 0.60 \times 10.32 \times 0.459 = 3.55 \text{ cfs}$$

The estimated runoff for the entirety of the residential property for a ten (10) and one hundred (100) year return period are 2.05 cfs and 3.55 cfs, respectively.

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

Street

This property has paved street access and Luminaries along FM Highway 2030. Please refer to Replat sheet for locations.

There is an existing fire hydrant located on FM Highway 2030 along the frontage of the subject property. Please refer to Replat Sheet for location.

Water Service

There is an existing 3" Water Main that runs along the back end of this property. Please refer to the replat for details. A new water service will be extended to the new lot created as part of this replat. All Water Mains in this area are operated by Eagle Pass Water Works.

Sanitary Sewer Service

There is an existing 8" Sanitary Sewer Main that runs along the frontage of the property. This property has access to (2) two sewer service laterals from the existing sewer main, already left prepared for the existing and new proposed replatted lot. Please see Replat for reference All sanitary sewer lines in this area are operated by Eagle Pass Water Works.

Other Utilities

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

Conclusion

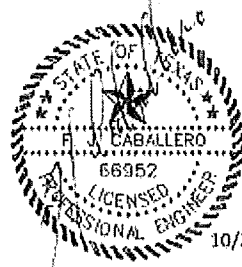
The existing and proposed use of this property is Residential. The proposed Replat will not have an impact on the current use, drainage patterns, or utilities as required infrastructure for Platting is already built-out.

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

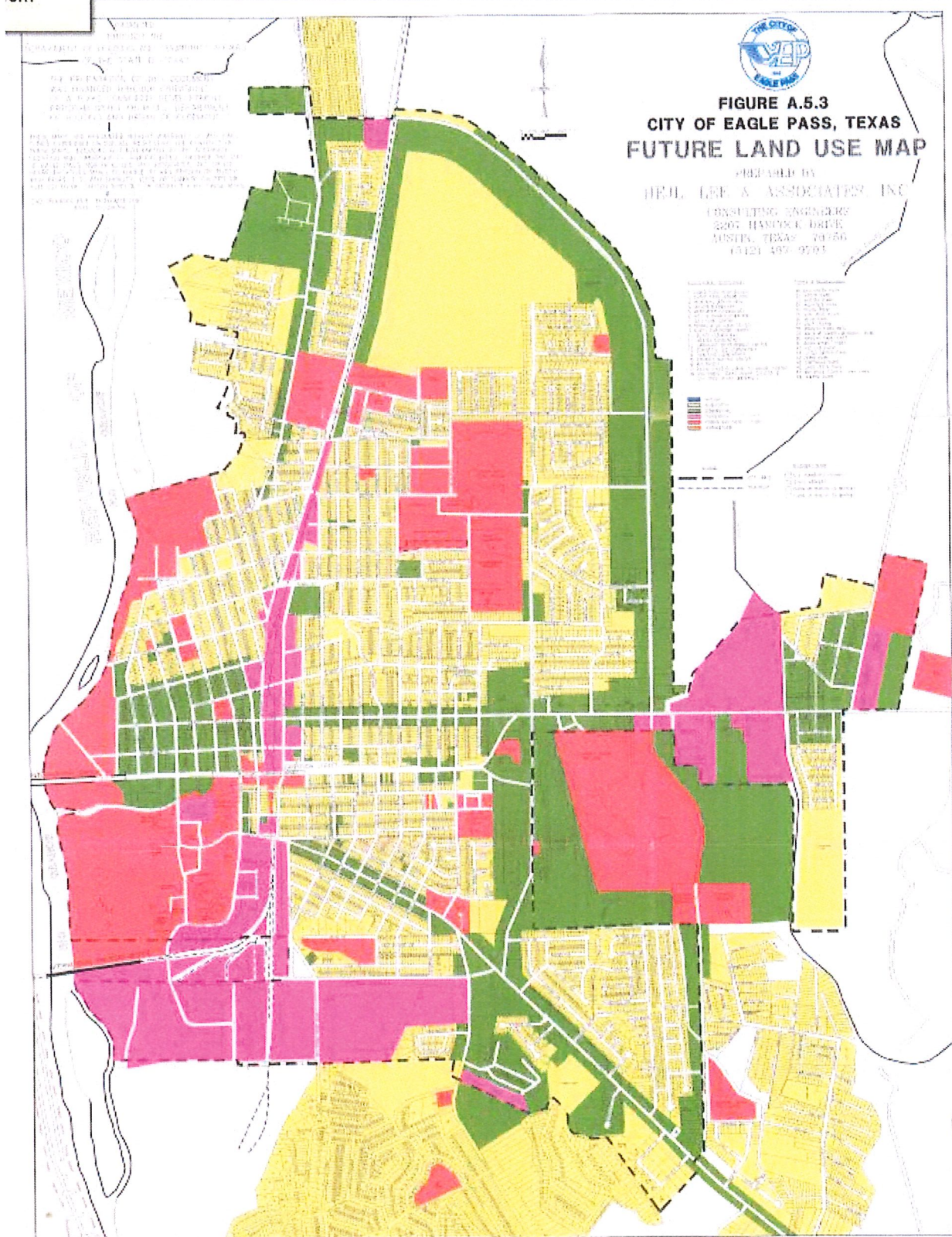
Sincerely,

Florentino Caballero, P.E.

TEC Services

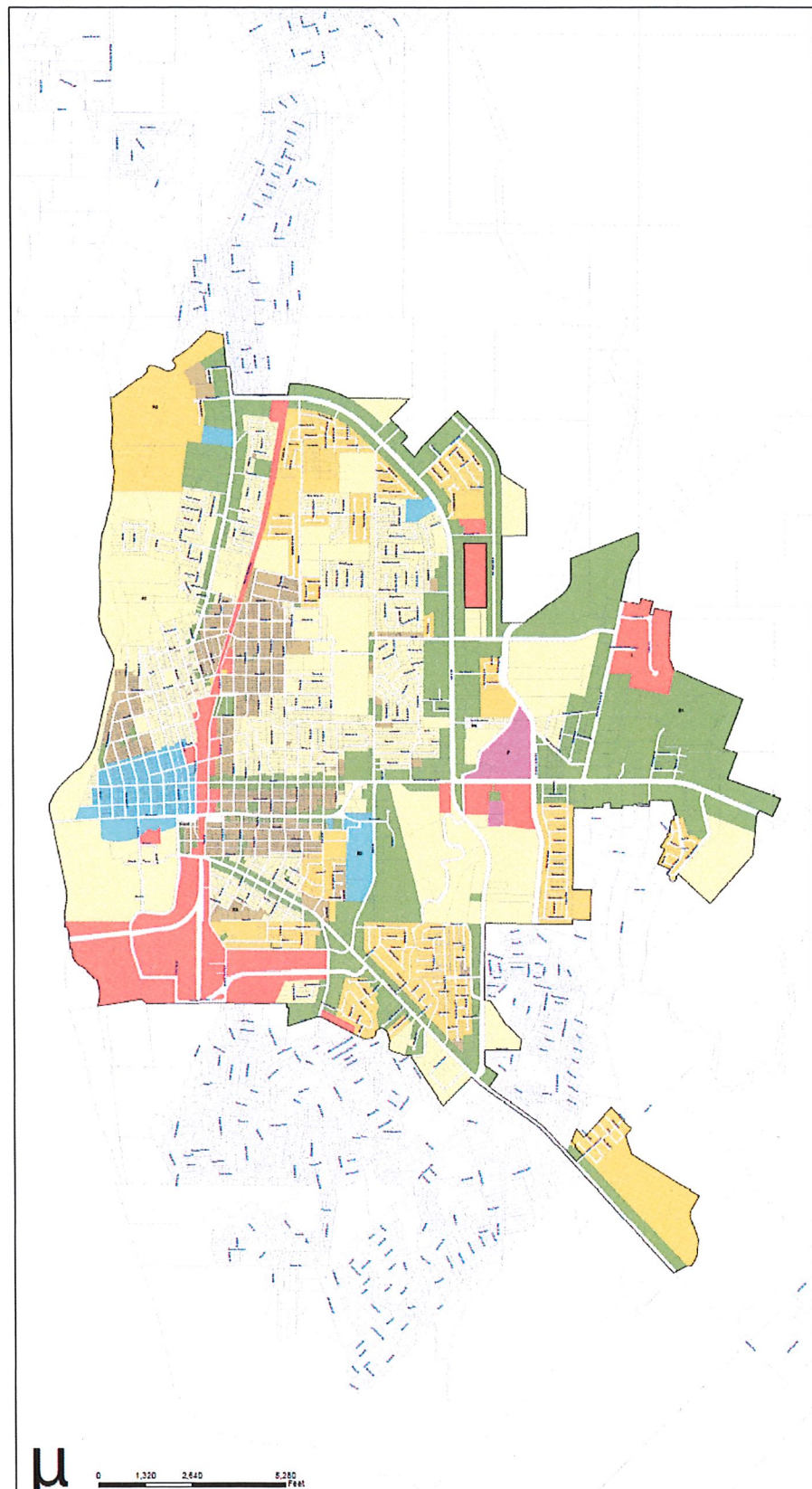


Attachment 4 Master Plan Map Zoning District Map



Legend

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



Eagle Pass, Texas
 Eagle Pass, Texas is a city in Brewster County, Texas, United States. It is the county seat of Brewster County. The city is located on the Rio Grande, which forms the border between the United States and Mexico. The city has a population of approximately 1,500 people.



TRUE AUTOMATION, INC.
 2600 Technology Dr Suite 800
 Phoenix, AZ 85001
 Phone: 602.431.1558
 Fax: 602.431.1553
 Email: sales@trueautomation.com
 Website: www.trueautomation.com

Item #3



Planning Department Executive Summary
REPORT TO THE PLANNING AND ZONING COMMISSION

Final Replat of Lot C in Block 11 of Townsite of Fabrica

I. BACKGROUND

A. General Information

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

Owner: Noemi Gonzalez & Cesar R. Ortega
1194 Avenue C
Eagle Pass, Texas 78852

Location: 1528 Dr. Gates Drive

Property ID Number: 9143

Request: Final replat approval to subdivide an approximately 0.98-acre tract into five (5) residential lots, including (a) a variance to proceed to final plat directly without first having obtained preliminary replat approval (b) a variance to reduce the average 70 feet width of the lot (c) a sidewalk waiver from having to construct a sidewalk along the property street frontage abutting Dr. Gates Drive and Diaz Drive.

B. Subject Property Information

Parcel Size: 42,819.48–square feet

Existing Use: vacant

Topography: Generally flat

Vegetation: native brush

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

Master Plan: Not applicable

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

D. Infrastructure: The property is currently served by public utilities/franchises, including water, sanitary sewer, storm sewer, telephone, cable, electric service, gas and garbage service. Access to the site is provided by Dr Gates Drive and Diaz Drive.

II. PUBLIC NOTICE

Public notification of the subdivision with variance requests before the Planning and Zoning Commission was completed consistent with the provisions of *Chapter 211* of the *State of Texas Local Government Code Title 7*. 66 notices to the abutting property owners within a 500 feet radius of the subject property and as of November 24, 2021 The Planning Department has not received any letters in favor or opposition of the request.

III. RECOMMENDED FINDINGS OF FACT

A. Conclusions

1. The applicant's request contains sufficient information for consideration by the Planning and Zoning Commission. Information contained in this report and the Commission's public meeting will be used as part of the City Council's deliberation process for final approval of the subdivision. Please refer to Attachment 1.
2. *City of Eagle Pass Code of Ordinances Section 23-64(d)(1)* authorizes the Planning and Zoning Commission to waive the requirement for the construction of sidewalks in circumstances where the sidewalk would be unnecessary or unsafe due to the physical characteristics of the terrain in the subdivision. Please refer to Attachment 2 for a copy of the waiver application and photographs indicating the property frontage for subject road.

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

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 2, comply with the criteria in order to the grant the subdivision variances. The following is a summary of this application's compliance with the criteria:

- *City of Eagle Pass Code of Ordinances Section 23-11(a)(1)*
- *City of Eagle Pass Code of Ordinances Section 23-11(a)(2)*
- *City of Eagle Pass Code of Ordinances Section 23-11(a)(3)*
- *City of Eagle Pass Code of Ordinances Section 23-11(a)(4)*
- *City of Eagle Pass Code of Ordinances Section 23-36(a)*
- *City of Eagle Pass Code of Ordinances Section 5(d)(1) of Appendix A of the Zoning Ordinance*

The aforementioned subdivision variances are consistent with the subdivision variance decision criteria and therefore, should be granted.

4. The *Master Plan* emphasizes the importance of maintaining the character of the residential and commercial neighborhoods located within the City's 5-mile wide *Extraterritorial Jurisdiction (ETJ)*.
 - ✓ The re-subdivision is consistent with the *Housing Goals* of the *Master Plan*, as the subdivision process will ensure appropriate land development regulation with appropriate lot sizes, paved streets with curb and gutters, and adequate utility services.
 - ✓ The re-subdivision is consistent with the *Land Use Development Goals* of the *Master Plan*, as the project is designed to provide for a building lot density that is consistent with the purpose of the *R-1 First One-Family Dwelling District*. This design will allow for the continuing development of the community while retaining the neighborhood character and scale while providing utility services in the most and efficient and equitable manner. The intensity of use will not be met as the average lot width is not met if the subdivision variance request involving the requirement is granted by the Commission.

- ✓ The re-subdivision is consistent with the *Street Goal* of the *Master Plan*, as access to the site from Dr. Gates Drive and Diaz Drive have been designed to provide the residents of and visitors to Eagle Pass and Maverick County with a street system that will enable them to travel safely and conveniently.
 - ✓ The re-subdivision is consistent with the *Thoroughfare Goals* of the *Master Plan*, as Dr. Gates Drive and Diaz Drive have been designed to be part of a safe and efficient thoroughfare system.
 - ✓ The re-subdivision is consistent with the *Storm Drainage Goals* of the *Master Plan*, as the size of the five lots and the eventual density of 1-dwelling-units on the re-plat site will not adversely impact existing area drainage effectiveness.
5. The re-subdivision design is consistent with the purpose of the *R-1 First One-Family Dwelling District*.
6. The re-subdivision is consistent with City design and specifications, as the project is designed and conditioned to conform to the following sections of *Article IV* in *Eagle Pass Code of Ordinances Chapter 23*:
- ✓ *Section 23-62* governing utility easements
 - ✓ *Section 23-64* governing sidewalks, subject to the granting of a sidewalk waiver by the Planning and Zoning Commission
 - ✓ *Section 23-66* governing sanitary sewage disposal
 - ✓ *Section 23-67* governing potable water supply and fire flow
 - ✓ *Section 23-68* governing storm drainage
 - ✓ *Section 23-69* governing the size of building lots, including lot width, lot depth, lot orientation, and building setback areas, subject to the granting of a lot width reduction by the Planning and Zoning Commission
 - ✓ *Section 23-71* governing the installation and inspection of utility lines

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

7. The re-subdivision is also consistent with the City design and specifications for landscape and tree preservation set forth in *Article VI* in *Eagle Pass Code of Ordinances Chapter 23*.
8. The re-subdivision is also consistent with the parkland dedication requirements set forth in *Article V* in *Eagle Pass Code of Ordinances Chapter 23*.
9. The subdivision's conformance with the provisions of the *Master Plan* and the *Eagle Pass Code of Ordinances* will facilitate the following benefits:
- Protect private rights while considering public health, safety and welfare.
 - Provide for efficient and economical ways to move people and goods outside the City by an adequate plan for streets and highways.
 - Guide future development in an orderly manner, by stages according to a pattern, so that the County may have a balanced land use.
 - Encourage a diversified economic base, and encourage public and private investments in land and improvements.

- Prevent and eliminate blight and slums, making the County attractive to people, commerce, and industry.
 - Create the desire for a more pleasing appearance of the County, and incorporate into its physical development the basic principles of good design.
 - Protect and preserve the identity of each neighborhood through use of the guidance provided by the *Master Plan* and the *Code of Ordinances*.
 - Locate all land uses on land best suited for their needs, arranged in such a way as to be mutually beneficial and functional, with ample area to meet long-term needs.
 - Establish a proper relationship between open space, developed areas, building bulk, light and air space, in all future development programs of land use.
 - Encourage and abet the development of civic, cultural, and other public and quasi-public buildings in harmonious and functional groupings.
10. The re-subdivision will allow for a use of the property that is consistent with the residential purpose of the *R-1 First One-Family Dwelling District* and the surrounding neighborhood for the following reasons:
- A. The re-subdivision design bears a substantial relationship to the public's health, safety, and welfare.
 - B. The re-subdivision is in accordance with the policies of the *Master Plan* and the residential purpose of the *R-1 First One-Family Dwelling District*.
 - C. The subdivision is warranted because of the necessity to create additional building lots in the *R-1 First One-Family Dwelling District*, and because the proposed development is appropriate to accomplish the reasonable use of the property.
 - D. The subject property is suitable for development in general conformance with development standards of the *R-1 First One-Family Dwelling District*.
 - E. The subdivision will benefit the County as a whole and will not be detrimental to nearby land uses of a similar nature.
 - F. The subdivision has been designed and conditioned to comply with all applicable subdivision criteria and standards of the City of Eagle Pass.
11. The final approval of this re-plat request is warranted, as the project conforms to the *City of Eagle Pass Master Plan* and the *City of Eagle Pass Code of Ordinances* as noted in Conclusion 1 through and including Conclusion 10 of this report.

B. Planning Department Recommendation

The Planning and Zoning Commission (1) **GRANT** the subdivision variance to proceed directly to Final Replat without first having obtained Preliminary Replat approval as required by *City of Eagle Pass Code of Ordinances Section 23-36(a)*, (2) **GRANT** the subdivision variance to reduce the required 70-foot lot width to 50-feet, (3) **GRANT** a sidewalk waiver and (4) recommend that City Council **GRANT** final approval of the proposed Final Replat of *Lot C in Block 11 of Townsite of Fabrica*, subject to the plat complying with the provisions of *Article III of City of Eagle Pass Code of Ordinances Chapter 23* governing procedures and specifications for Final Plats.

TRANSMITTED to the parties listed hereafter:

TEC Services via e-mail

Maverick County Planning Department via e-mail

Eagle Pass Planning and Zoning Commission via e-mail

Planning & Zoning Commission Report dated November 24, 2021

Attachment 1 Application



PLANNING DEPARTMENT

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

SUBDIVISION APPLICATION

TYPE OF SUBDIVISION (check one):

☐ Preliminary

☐ Final

☒ Replat

☐ Amendment

☐ Short Form Final

Property Legal Description: 0.98 acre tract... being a portion of Lot C, Block 11, Townsite of Fabrica

Maverick County Property Identification Number(s): 9143

Name of Addition: REPLAT: Lot C, Block 11, Townsite of Fabrica

Location of Addition: 1528 Dr. Gates Drive

Number of Residential Lots: 5 Number of Commercial Lots: 0 Gross Acreage: 0.98

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

Is Subdivision inside city limits? Yes ☐ No ☒ If so, Zoning District: N/A

Existing Land Use: RESIDENTIAL Proposed Land Use: RESIDENTIAL

Requested Variances: 1) VARIANCE TO PROCEED TO FINAL PLAT

2) variance to reduce the required 70 foot lot width to 59.84 feet.

PROPERTY OWNER:

Name: VELEZ, NOEMI GONZALEZ

Address: 1194 AVENUE C

City: EAGLE PASS

State: TX Zip: 78852

Signature: [Signature]

Contact: VELEZ, NOEMI GONZALEZ

Phone: 830-513-9357

Fax: N/A

E-mail: ZIP78853@GMAIL.COM

Date: 10/28/21

PROPERTY OWNER:

Name: Cesar R. Ortega

Address: 1194 Avenue C

City: Eagle Pass

State: TX Zip: 78852

Signature: [Signature]

Contact: VELEZ, NOEMI GONZALEZ

Phone: 830-513-9357

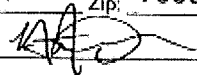
Fax: N/A

E-mail: ZIP78853@GMAIL.COM

Date: 10/28/21

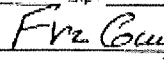
APPLICANT/SUBDIVIDER:

RECEIVED
11/4/21

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

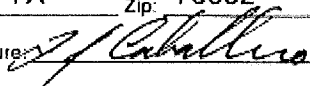
Contact: Aaron Libson
Phone: 830-773-0579
Fax: 830-773-7312
E-mail: ajlibson@terratechengineering.com
Date: 10/22/21

SURVEYOR:

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

Contact: Francisco Gaytan
Phone: 830-773-8308
Fax: 830-421-7116
E-mail: fgaytan@yahoo.com
Date: 10/22/21

ENGINEER:

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

Contact: Florentino Caballero
Phone: 830-773-0579
Fax: 830-773-7312
E-mail: fcaballero@terratechengineering.com
Date: 10/22/21

PRINCIPAL CONTACT: ☐ Owner ☒ Applicant ☐ Surveyor ☐ Engineer

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

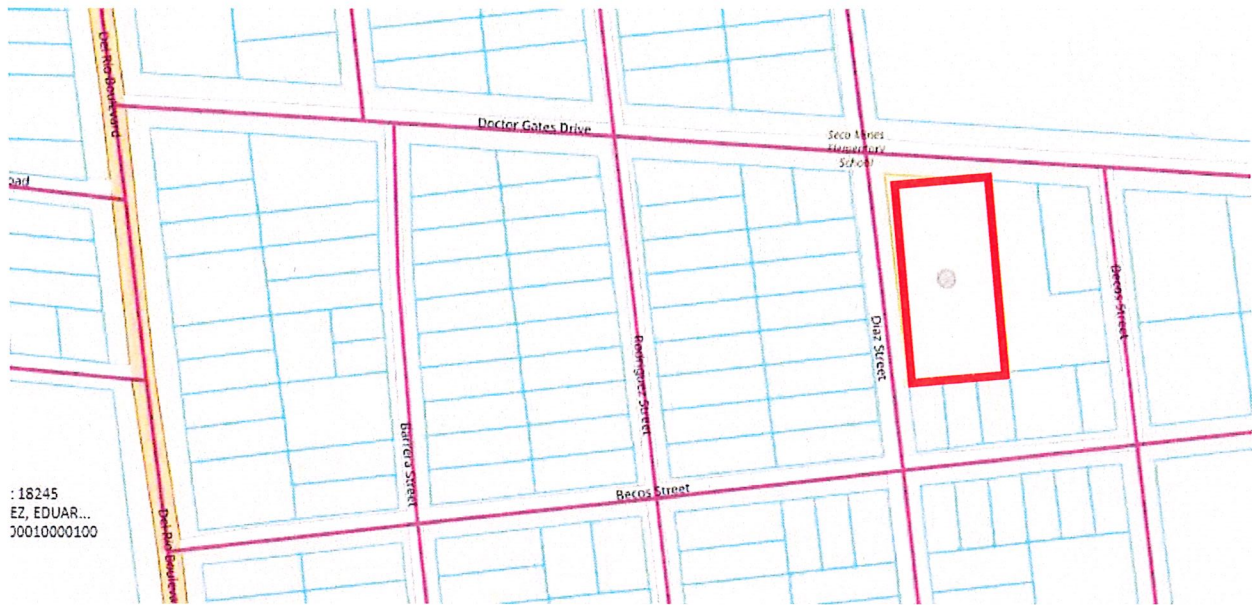
STATEMENT OF APPLICANT

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

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


Applicant Signature

10/22/21
Date

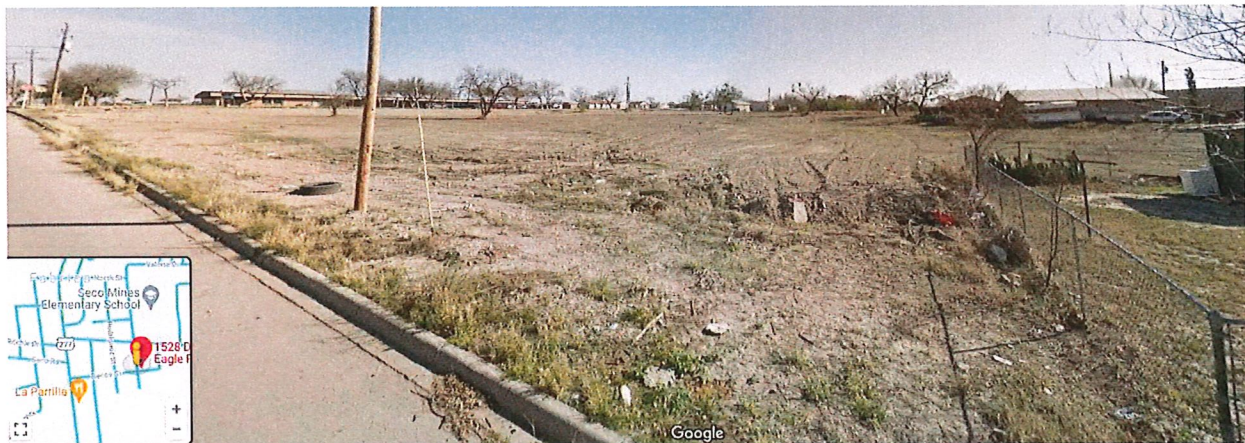




Dr. Gates Drive



Diaz Drive



Diaz Drive

Attachment 2

Subdivision Variance Request(s)

Sidewalk Waiver



PLANNING DEPARTMENT

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

SUBDIVISION VARIANCE APPLICATION

Applicant Information

Applicant (If not owner): TerraTech Engineering and Construction Services
Address: 3292 El Indio Hwy, Eagle Pass, TX, 78852
Phone: 830-773-0579 E-mail: ajlibson@terratechengineering.com
Owner: Noemi & Cesar R. Gonzalez
Address: 1194 Avenue C
Phone: 830-513-9357 E-mail: zip78853@gmail.com

Property Information

Site Address: 1528 Dr. Gates Dr. MCAD Property ID No. 9143
Legal Description (from deed): Lot C, Block 11, Townsite of Fabrica

Description of Subdivision Variance Request

Variance to proceed straight to Final Plat given existing infrastructure.

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?

This variance is required to proceed straight to final plat, since existing infrastructure such as utility mains and paved street access are already existing, the preliminary plat process has essentially already been completed and can proceed to final.

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

This variance is necessary for the property owner to proceed to final plat and be able to replat/subdivide their property and obtain the proper utility services to their respective properties.



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

The granting of this variance will not be detrimental to public health, safety, or injurious to other property in the area as it is just paperwork required to be able to proceed to the final plat process.

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

This variance is required of all property owners seeking to replat an existing platted lot to be able to legally finalize their proposed re-subdivision. This should not effect the orderly subdivision of other land in the area.

Required Application Attachments

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

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

Applicant Authorization

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

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



Applicant Signature

10/28/21
Date



PLANNING DEPARTMENT

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

Subdivision Sidewalk Waiver Application

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

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

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

Applicant Information

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

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

Owner: Noemi & Cesar R. Gonzalez

Owner Address: 1194 Avenue C City: Eagle Pass State: TX Zip: 78852

Phone: 830-513-9357 Email: zip78853@gmail.com

Property Information

Site Address: 1528 Dr. Gates Dr.

Legal description (from deed): Lot C, Block 11, Townsite of Fabrica

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

Maverick County Identification Number: 9143



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

Due to there being no existing sidewalks in neighborhood to connect to, building approximately 300 linear feet of sidewalk could create safety hazards due to uneven surfaces. Moreover, there is no existing improvements on site. Sidewalks are built at the time of construction.

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

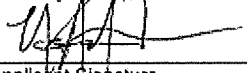
Constructing 300 linear feet of sidewalk along the frontage of the entire lot would create unsafe walking conditions for walking, and being there is no improvements on property, sidewalks are usually built at the time of home construction to account for driveways, etc.

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

10/28/21
Date

Attachment 3

Final Engineering Report



To: Placido Madera

City of Eagle Pass Planning Director

From: Florentino Caballero, P.E.

Date: October 18, 2021

Reference: Final Engineering Report for Replat of Lot C, Block 11, Townsite Fabrica

Mr. Madera,

Mrs. Noemi Gonzalez and Cesar Ortega, owners of property legally described as 'Lot C, Townsite of Fabrica, has requested that TerraTech Engineering and Construction Services (TEC Services) prepare a Replat of this property to legally subdivide it into (5) Five Residential Lots. This property is located on Diaz Avenue. The property is located outside the Eagle Pass City Limits, but within the 2-mile Extra-Territorial Jurisdiction (E.T.J.) and is currently Platted as One (1) Residential Lot. The property is vacant, and has access to existing sewer, water, cable, and electric utilities. As a result, we are proceeding straight to the Final Plat process given the existing conditions.

General Description

The subject Plat has a total area of 0.98 Acres and measures approximately 299' x 150' (see attached Replat Sheet for reference). The subject tract will be Replatted as (5) Lots, Lot C-1, Lot C-2, Lot C-3, Lot C-4, and Lot C-5, each approximately 8,565.59 Sq.Ft. in area. The property has frontage towards Diaz Avenue and has access to paved streets. All utility infrastructure including water, sewer, electricity, and cable mains is already existing along the frontage of the property. This Replat will be presented to proceed straight to Final due to the existing conditions. This property is located outside the Eagle Pass City Limits and is not currently zoned but is situated within a residential neighborhood area. Given that it is within the 2-Mile E.T.J., the proposed zoning will be R-1: First One-Family Dwelling District.

Drainage

General Drainage Description

A portion of the Platted area of this subdivision is located within FEMA special flood hazard area Zone A. Please refer to Replat Sheet for reference. The highest point on this tract is along the Northern portion of the property. The subject lot drains from the North towards the South side of the property. Given that this property is already platted as part of a residential subdivision, and is already developed, no drainage improvements will be required. For platting purposes, Hydraulic Calculations are provided below only as

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

Existing Drainage Conditions

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

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

where C = runoff coefficient

I = average rainfall intensity in inches per hour

A = tributary drainage area in acres

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

Table 1. Existing & Developed Drainage Parameters

Parameter	Value
t_c	5 min
C_d	0.60
i_{10}	7.43 in/hr
i_{100}	10.32 in/hr
Watershed Area, A	0.98 acres

The peak rates of runoff for the existing undeveloped lots are

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

$$Q_{10} = 0.60 \times 7.43 \times 0.98 = 4.37 \text{ cfs}$$

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

$$Q_{100} = 1.25 \times 0.60 \times 10.32 \times 0.98 = 7.59 \text{ cfs}$$

The estimated runoff for the entirety of the residential property for a ten (10) and one hundred (100) year return period are 4.37 cfs and 7.59 cfs, respectively.

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

Street

This property has paved street access along Diaz Avenue and Luminaries are visible along the property. Please refer to Replat sheet for locations.

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

Water Service

There is an existing 8" Water Main that runs adjacent to the property. Please refer to the replat for details. A new water service will be extended towards all new lots created as part of this replat. All Water Mains in this area are operated by Eagle Pass Water Works.

Sanitary Sewer Service

There is an existing 8" Sanitary Sewer Main that runs along the frontage R.O.W. of the property. This property has access to a sewer service lateral from the existing sewer main. Please see Replat for reference. A new sewer service will be extended towards all new lots created as part of this replat. All sanitary sewer lines in this area are operated by Eagle Pass Water Works.

Other Utilities

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

Conclusion

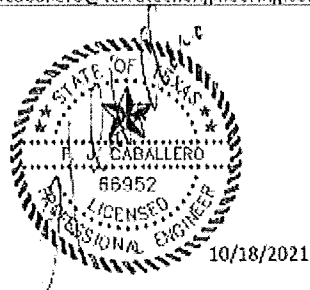
The existing and proposed use of this property is Residential. The proposed Replat will not have an impact on the current use, drainage patterns, or utilities as required infrastructure for Platting is already built-out.

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

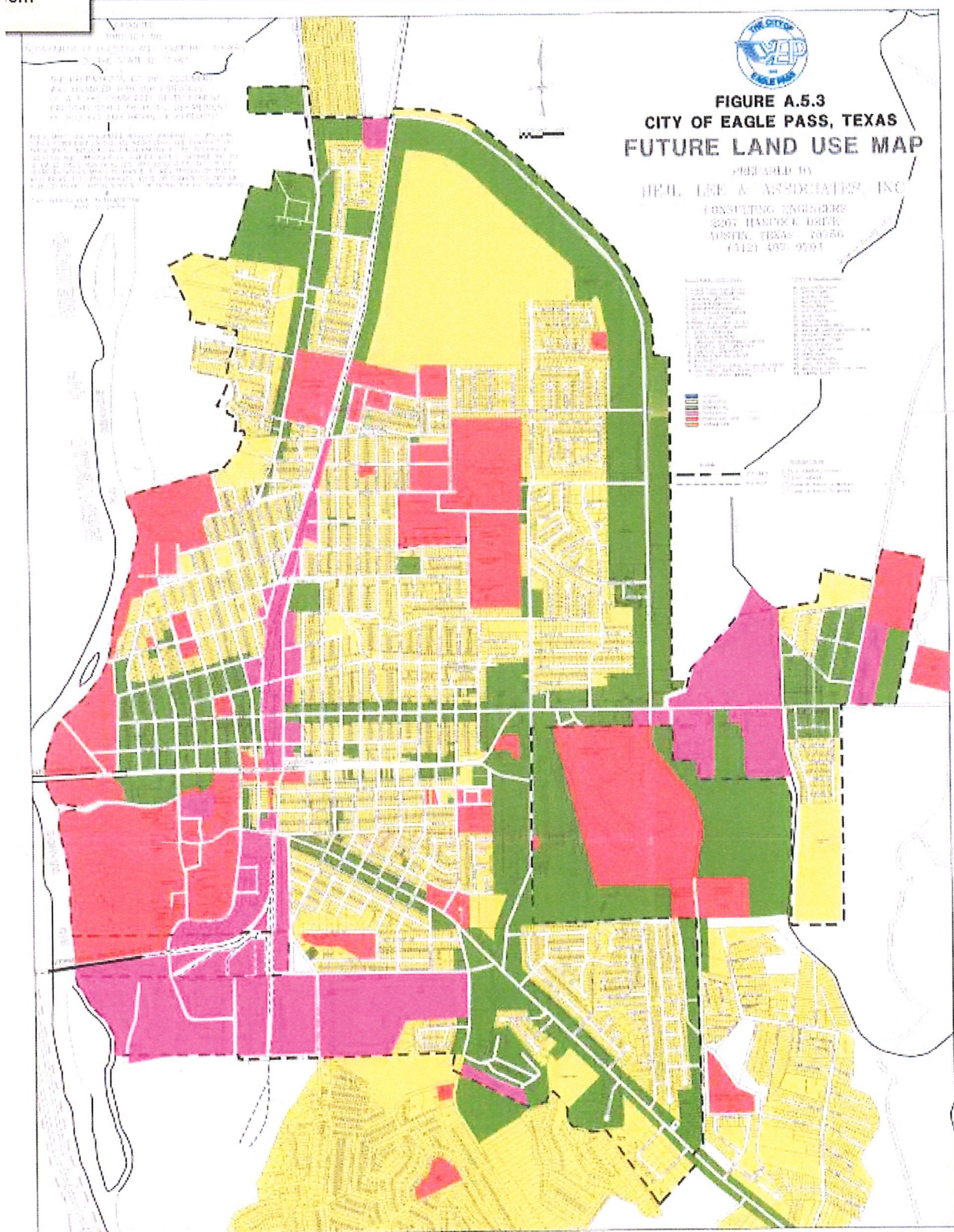
Sincerely,

Florentino Caballero, P.E.

TEC Services

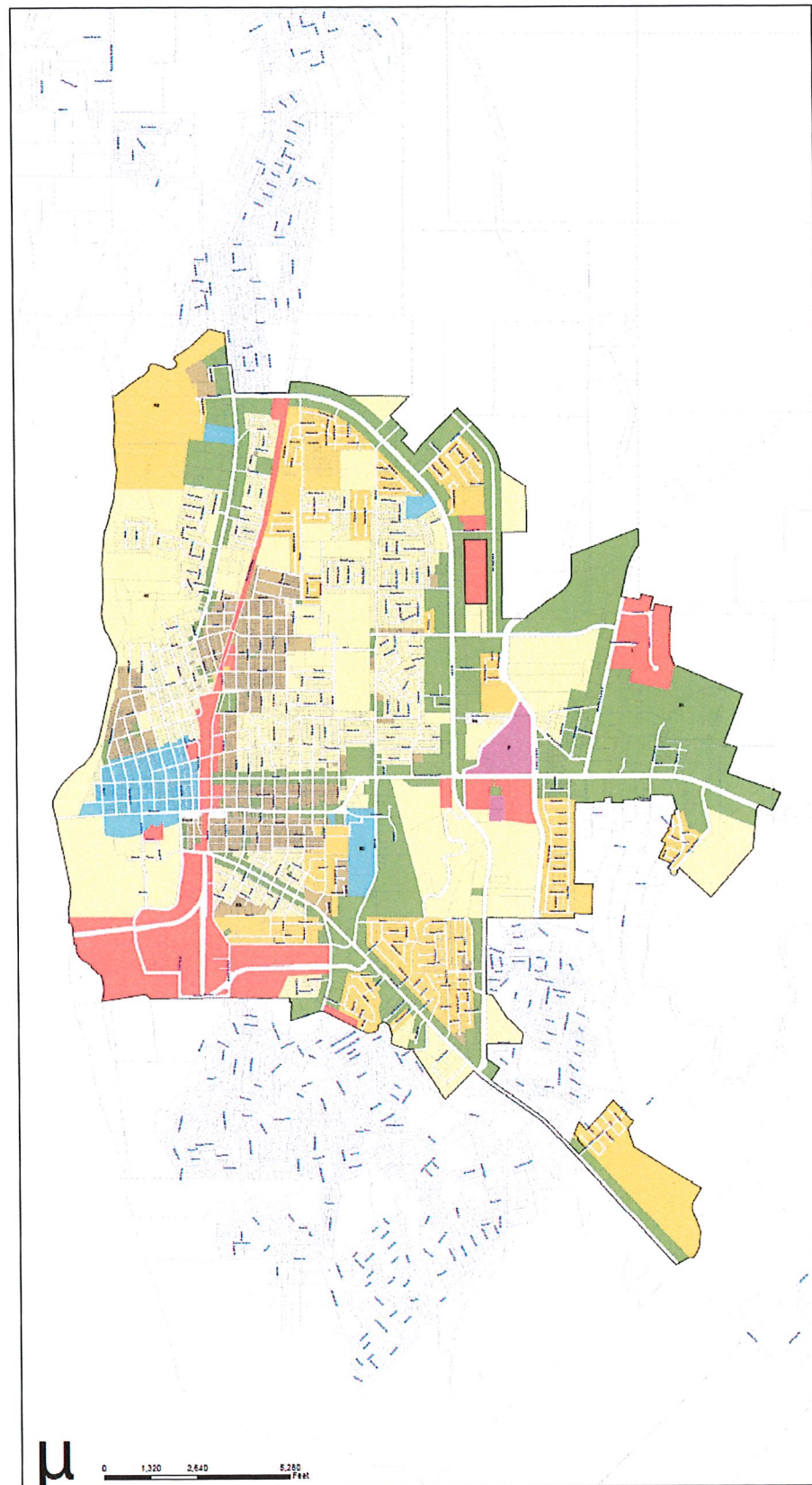


Attachment 4 Master Plan Map Zoning District Map



Legend

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



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

Eagle Pass, Texas

Eagle Pass, Texas is a city in Brewster County, Texas, United States. The city is located on the border of the state of Texas and Mexico. The city is known for its historic architecture and its proximity to the Rio Grande.

October 1, 2017 (Updated)



TRUE AUTOMATION, INC.

2000 Technology Dr Suite 800
 Phoenix, AZ 85001
 Phone: 602.881.1656
 Fax: 602.881.1653
 Email: info@trueautomation.com
 Website: www.trueautomation.com



Item #4



Planning Department Executive Summary
REPORT TO THE PLANNING AND ZONING COMMISSION

Final Replat of Lot 3 in Block 20 of Deer Run Subdivision Unit 4

I. BACKGROUND

A. General Information

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

Owner: Bertha Enriquez
3621 Bison Drive
Eagle Pass, Texas 78852

Location: 3621 Bison Drive

Property ID Number: 7971

Request: Final replat approval to subdivide an approximately 0.4014-acre tract into two (2) residential lots, including (a) a variance to proceed to final plat directly without first having obtained preliminary replat approval (b) a variance to reduce the average 70 feet width of the lot (c) a sidewalk waiver from having to construct a sidewalk, along the property street frontage abutting Bison Drive.

B. Subject Property Information

Parcel Size: 17,490–square feet **Existing Use:** 2 residential homes

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

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

Master Plan: Not applicable

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

D. Infrastructure: The property is currently served by public utilities/franchises, including water, sanitary sewer, storm sewer, telephone, cable, electric service, gas and garbage service. Access to the site is provided by Bison Drive.

II. PUBLIC NOTICE

Public notification of the subdivision with variance requests before the Planning and Zoning Commission was completed consistent with the provisions of *Chapter 211* of the *State of Texas Local Government Code Title 7*. 54 notices to the abutting property owners within a 500 foot radius of the subject property and as of November 24, 2021 the Planning Department has not received one letter as undeliverable.

III. RECOMMENDED FINDINGS OF FACT

A. Conclusions

1. The applicant's request contains sufficient information for consideration by the Planning and Zoning Commission. Information contained in this report and the Commission's public meeting will be used as part of the City Council's deliberation process for final approval of the subdivision. Please refer to Attachment 1.
2. *City of Eagle Pass Code of Ordinances Section 23-64(d)(1)* authorizes the Planning and Zoning Commission to waive the requirement for the construction of sidewalks in circumstances where the sidewalk would be unnecessary or unsafe due to the physical characteristics of the terrain in the subdivision. Please refer to Attachment 2 for a copy of the waiver application and photographs indicating the property frontage for subject road.

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

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 2, comply with the criteria in order to the grant the subdivision variances. The following is a summary of this application's compliance with the criteria:
 - *City of Eagle Pass Code of Ordinances Section 23-11(a)(1)*
 - *City of Eagle Pass Code of Ordinances Section 23-11(a)(2)*
 - *City of Eagle Pass Code of Ordinances Section 23-11(a)(3)*
 - *City of Eagle Pass Code of Ordinances Section 23-11(a)(4)*
 - *City of Eagle Pass Code of Ordinances Section 23-36(a)*
 - *City of Eagle Pass Code of Ordinances Section 5(d)(1) of Appendix A of the Zoning Ordinance*

The aforementioned subdivision variances are consistent with the subdivision variance decision criteria and therefore, should be granted.

4. The *Master Plan* emphasizes the importance of maintaining the character of the residential and commercial neighborhoods located within the City's 5-mile wide *Extraterritorial Jurisdiction (ETJ)*.
 - ✓ The re-subdivision is consistent with the *Housing Goals* of the *Master Plan*, as the subdivision process will ensure appropriate land development regulation with appropriate lot sizes, paved streets with curb and gutters, and adequate utility services. The construction of a concrete curb and gutter section along Bison Drive will not be required for this project if the subdivision variance request involving the requirement is granted by the Commission.
 - ✓ The re-subdivision is consistent with the *Land Use Development Goals* of the *Master Plan*, as the project is designed to provide for a building lot density that is consistent with the purpose of the *R-1 First One-Family Dwelling District*. This design will allow for the continuing development of the community while retaining the neighborhood character and scale while providing utility services in the most and efficient and equitable manner. The intensity of use will not be

met as the average lot width is not met if the subdivision variance request involving the requirement is granted by the Commission.

- ✓ The re-subdivision is consistent with the *Street Goal* of the *Master Plan*, as access to the site from Bison Drive has been designed to provide the residents of and visitors to Eagle Pass and Maverick County with a street system that will enable them to travel safely and conveniently.
 - ✓ The re-subdivision is consistent with the *Thoroughfare Goals* of the *Master Plan*, as Bison Drive has been designed to be part of a safe and efficient thoroughfare system.
 - ✓ The re-subdivision is consistent with the *Storm Drainage Goals* of the *Master Plan*, as the size of the two lots and the eventual density of 2-dwelling-units on the re-plat site will not adversely impact existing area drainage effectiveness.
5. The re-subdivision design is consistent with the purpose of the *R-1 First One-Family Dwelling District*.
6. The re-subdivision is consistent with City design and specifications, as the project is designed and conditioned to conform to the following sections of *Article IV* in *Eagle Pass Code of Ordinances Chapter 23*:
- ✓ *Section 23-62* governing utility easements
 - ✓ *Section 23-64* governing sidewalks, subject to the granting of a sidewalk waiver, including curb and gutter by the Planning and Zoning Commission
 - ✓ *Section 23-66* governing sanitary sewage disposal
 - ✓ *Section 23-67* governing potable water supply and fire flow
 - ✓ *Section 23-68* governing storm drainage
 - ✓ *Section 23-69* governing the size of building lots, including lot width, lot depth, lot orientation, and building setback areas, subject to the granting of a lot width reduction by the Planning and Zoning Commission
 - ✓ *Section 23-71* governing the installation and inspection of utility lines

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

7. The re-subdivision is also consistent with the City design and specifications for landscape and tree preservation set forth in *Article VI* in *Eagle Pass Code of Ordinances Chapter 23*.
8. The re-subdivision is also consistent with the parkland dedication requirements set forth in *Article V* in *Eagle Pass Code of Ordinances Chapter 23*.
9. The subdivision's conformance with the provisions of the *Master Plan* and the *Eagle Pass Code of Ordinances* will facilitate the following benefits:
- Protect private rights while considering public health, safety and welfare.
 - Provide for efficient and economical ways to move people and goods outside the City by an adequate plan for streets and highways.
 - Guide future development in an orderly manner, by stages according to a pattern, so that the County may have a balanced land use.

- Encourage a diversified economic base, and encourage public and private investments in land and improvements.
- Prevent and eliminate blight and slums, making the County attractive to people, commerce, and industry.
- Create the desire for a more pleasing appearance of the County, and incorporate into its physical development the basic principles of good design.
- Protect and preserve the identity of each neighborhood through use of the guidance provided by the *Master Plan* and the *Code of Ordinances*.
- Locate all land uses on land best suited for their needs, arranged in such a way as to be mutually beneficial and functional, with ample area to meet long-term needs.
- Establish a proper relationship between open space, developed areas, building bulk, light and air space, in all future development programs of land use.
- Encourage and abet the development of civic, cultural, and other public and quasi-public buildings in harmonious and functional groupings.

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

- A. The re-subdivision design bears a substantial relationship to the public's health, safety, and welfare.
- B. The re-subdivision is in accordance with the policies of the *Master Plan* and the residential purpose of the *R-1 First One-Family Dwelling District*.
- C. The subdivision is warranted because of the necessity to create additional building lots in the *R-1 First One-Family Dwelling District*, and because the proposed development is appropriate to accomplish the reasonable use of the property.
- D. The subject property is suitable for development in general conformance with development standards of the *R-1 First One-Family Dwelling District*.
- E. The subdivision will benefit the County as a whole and will not be detrimental to nearby land uses of a similar nature.
- F. The subdivision has been designed and conditioned to comply with all applicable subdivision criteria and standards of the City of Eagle Pass.

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

B. Planning Department Recommendation

The Planning and Zoning Commission (1) **GRANT** the subdivision variance to proceed directly to Final Replat without first having obtained Preliminary Replat approval as required by *City of Eagle Pass Code of Ordinances Section 23-36(a)*, (2) **GRANT** the subdivision variance to reduce the required 70-foot lot width to 50-feet, (3) **GRANT** a sidewalk waiver and (4) recommend that City Council **GRANT** final approval of the proposed Final Replat of *Lot 3 in Block 20 of Deer Run Subdivision Unit 4*, subject to the

plat complying with the provisions of *Article III of City of Eagle Pass Code of Ordinances Chapter 23* governing procedures and specifications for Final Plats.

TRANSMITTED to the parties listed hereafter:

TEC Services via e-mail

Maverick County Planning Department via e-mail

Eagle Pass Planning and Zoning Commission via e-mail

Planning & Zoning Commission Report dated November 24, 2021

Attachment 1 Application



PLANNING DEPARTMENT

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

SUBDIVISION APPLICATION

TYPE OF SUBDIVISION (check one):

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

Property Legal Description: DEER RUN UNIT # 4, BLOCK 20, LOT 3

Maverick County Property Identification Number(s): 7971

Name of Addition: REPLAT: DEER RUN UNIT # 4, BLOCK 20, LOT 3

Location of Addition: 3621 BISON DRIVE

Number of Residential Lots: 2 Number of Commercial Lots: 0 Gross Acreage: 0.4014

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

Is Subdivision inside city limits? Yes ☐ No ☒ If so, Zoning District: N/A

Existing Land Use: RESIDENTIAL Proposed Land Use: RESIDENTIAL

Requested Variances: 1) VARIANCE TO PROCEED TO FINAL PLAT

2) variance to reduce the required 75-foot lot width to 56 feet

PROPERTY OWNER:

Name: ENRIQUEZ, BERTHA

Address: 3621 BISON DRIVE

City: EAGLE PASS

State: TX Zip: 78852

Signature: Bertha Enriquez

Contact: Bertha Enriquez

Phone: 830-968-0737

Fax: N/A

E-mail: N/A

Date: 10/27/21

PROPERTY OWNER:

Name: _____

Address: _____

City: _____

State: _____ Zip: _____

Signature: _____

Contact: _____

Phone: _____

Fax: _____

E-mail: _____

Date: _____

APPLICANT/SUBDIVIDER:

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11/2/21

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

Contact: Aaron Libson
Phone: 830-773-0579
Fax: 830-773-7312
E-mail: ajlibson@terratechengineering.com
Date: 10/27/21

SURVEYOR:

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

Contact: Francisco Gaytan
Phone: 830-773-8308
Fax: 830-421-7116
E-mail: fgaytan@yahoo.com
Date: 10/27/21

ENGINEER:

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

Contact: Florentino Caballero
Phone: 830-773-0579
Fax: 830-773-7312
E-mail: fcaballero@terratechengineering.com
Date: 10/27/21

PRINCIPAL CONTACT: ☐ Owner ☒ Applicant ☐ Surveyor ☐ Engineer

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

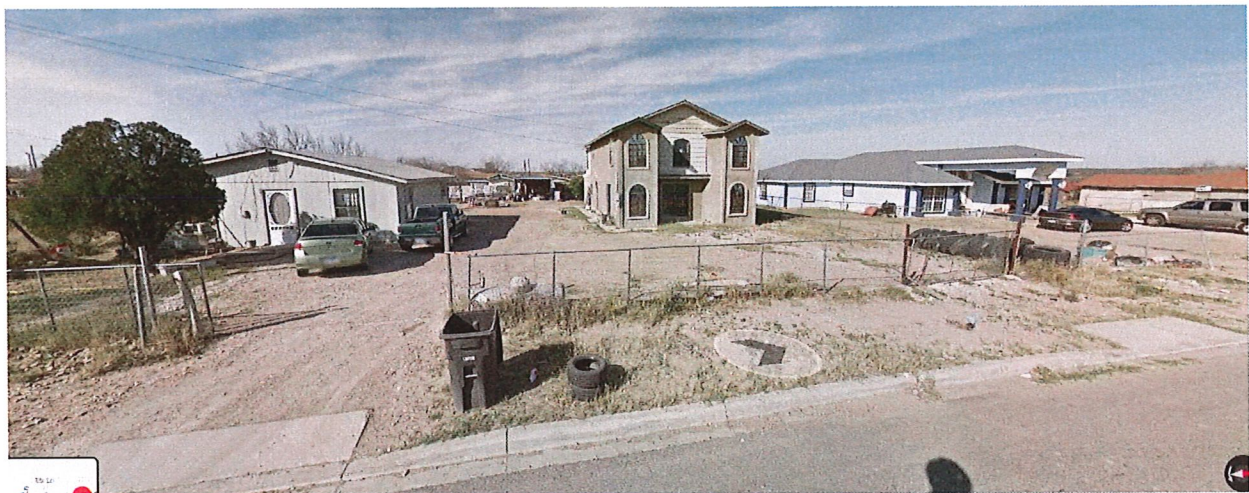
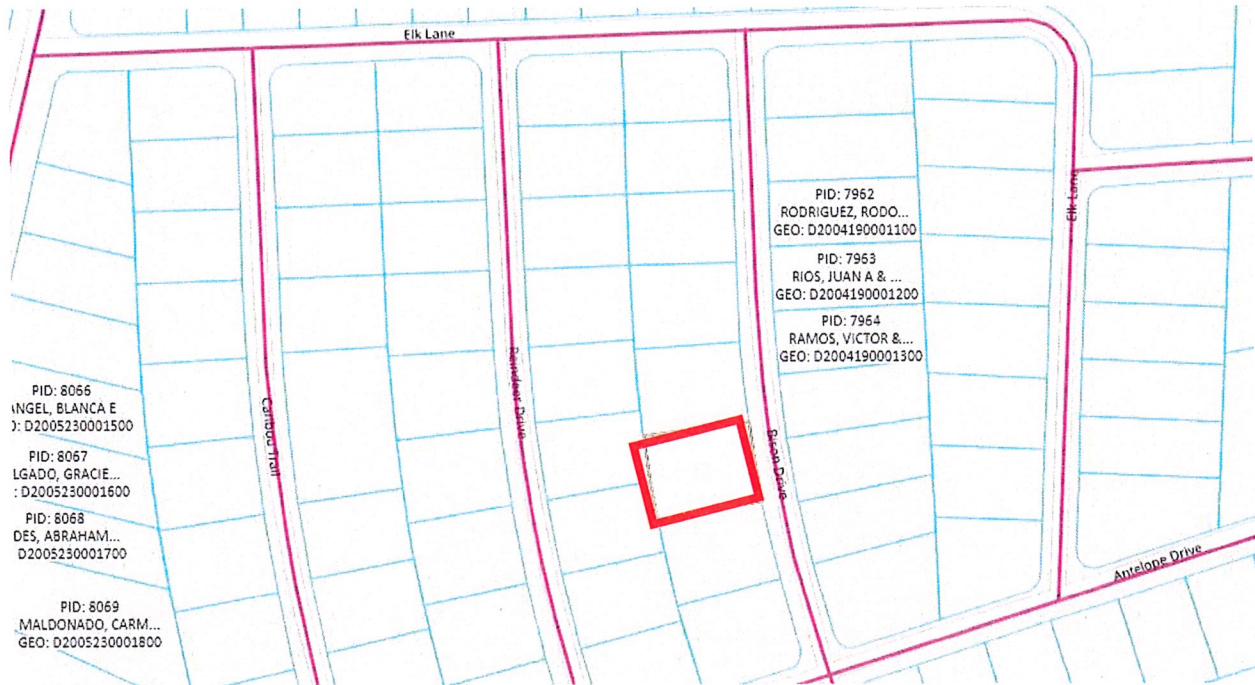
STATEMENT OF APPLICANT

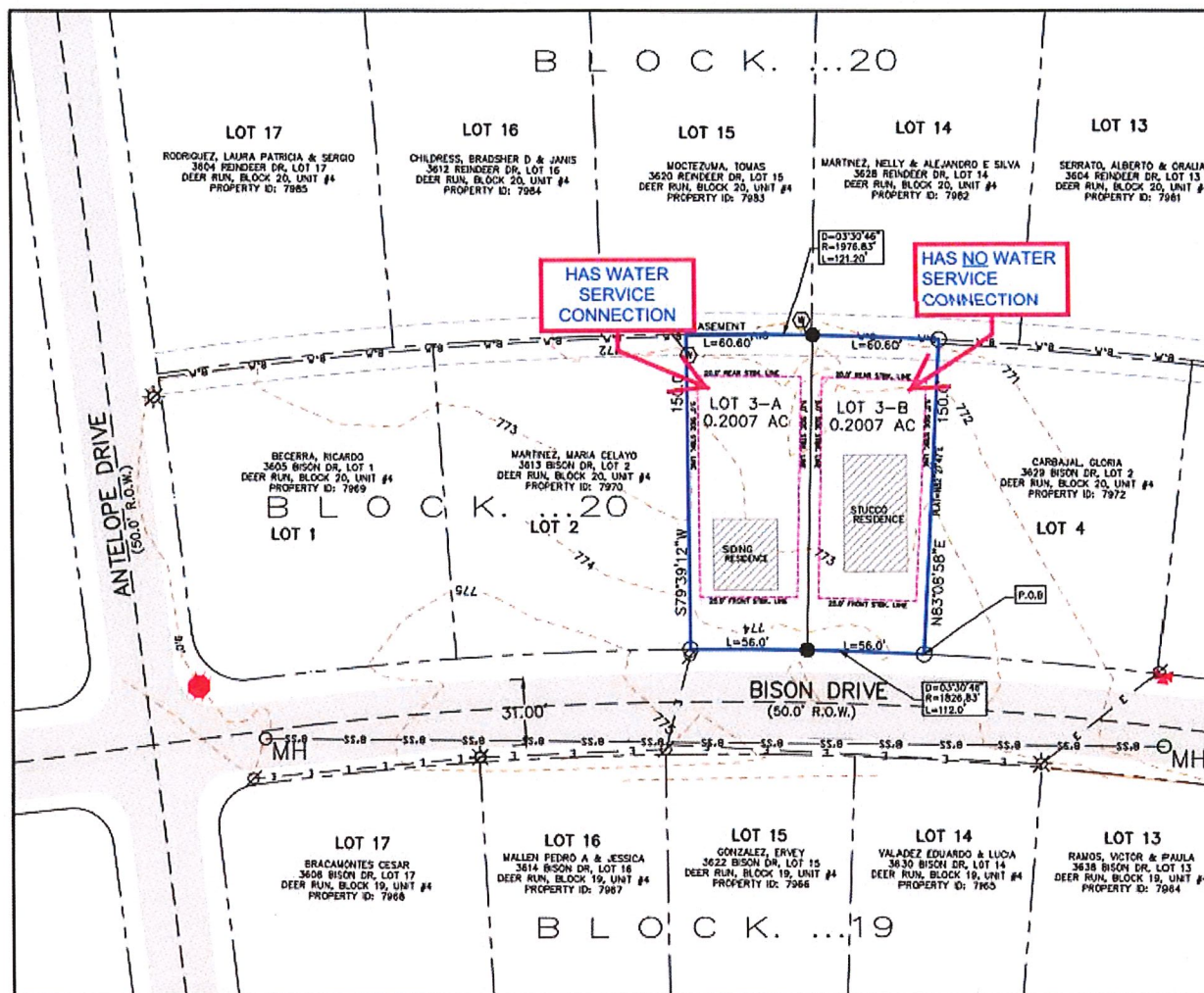
The information contained in this subdivision application contains true and accurate information provided to the best of my ability. I acknowledge that the City of Eagle Pass will use the information contained herein as the basis for the review of the subdivision application's conformance with the provisions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

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

[Signature]
Applicant Signature

10/27/21
Date





Attachment 2

Subdivision Variance Request(s)

Sidewalk Waiver



PLANNING DEPARTMENT

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

SUBDIVISION VARIANCE APPLICATION

Applicant Information

Applicant (If not owner): TerraTech Engineering and Construction Services
Address: 3292 El Indio Hwy, Eagle Pass, TX, 78852
Phone: 830-773-0579 E-mail: ajlibson@terratechengineering.com
Owner: Bertha Enriquez
Address: 3621 Bison Dr.
Phone: 830-968-0737 E-mail: N/A

Property Information

Site Address: 3621 Bison Dr. MCAD Property ID No. 7971
Legal Description (from deed): Lot 3, Block 20, Deer Run Unit #4

Description of Subdivision Variance Request

Variance to proceed straight to Final Plat given existing infrastructure.

Detailed Explanation of Subdivision Variance Request

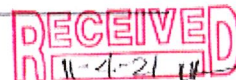
Please answer, on a separate sheet of paper if necessary, the following questions:

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?

This variance is required to proceed straight to final plat, since existing infrastructure such as utility mains and paved street access are already existing, the preliminary plat process has essentially already been completed and can proceed to final.

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

This variance is necessary for the property owner to proceed to final plat and be able to replat/subdivide their property and obtain the proper utility services to their respective properties.



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

The granting of this variance will not be detrimental to public health, safety, or injurious to other property in the area as it is just paperwork required to be able to proceed to the final plat process.

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

This variance is required of all property owners seeking to replat an existing platted lot to be able to legally finalize their proposed re-subdivision. This should not effect the orderly subdivision of other land in the area.

Required Application Attachments

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

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

Applicant Authorization

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

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



Applicant Signature

10/27/21

Date



PLANNING DEPARTMENT

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

Subdivision Sidewalk Waiver Application

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

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

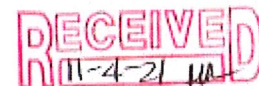
- (1) Where construction of a sidewalk by a subdivider on either or both sides of a street or a portion of a street would be either unnecessary or unsafe due to the particular physical characteristics of the terrain in the subdivision, the safety and necessity of which shall be determined by the Planning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

Applicant Information

Applicant (if not owner): TerraTech Engineering and Construction Services
Phone: 830-773-0579 Email: ajlibson@terratechengineering.com
Owner: Bertha Enriquez
Owner Address: 3621 Bison Dr. City: Eagle Pass State: TX Zip: 78852
Phone: 830-968-0737 Email: N/A

Property Information

Site Address: 3621 Bison Dr.
Legal description (from deed): Lot 3, Block 20, Deer Run Unit #4
(Property must be legally subdivided or be lot of record)
Maverick County Identification Number: 7971



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

Due to there being no existing sidewalks in neighborhood to connect to, building
approximately 112 linear feet of sidewalk would create uneven walking surfaces,
and create possible tripping safety hazards for pedestrians walking at night.

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

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

Constructing 112 linear feet of sidewalk along the frontage of the entire lot
would create unsafe walking conditions at night for pedestrians due to the uneven
walking surfaces created as a result of there being no existing sidewalks to connect to.

Applicant Authorization

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

I further understand that provisions of *City of Eagle Pass Code of Ordinances Section 23-64* apply to all subdivisions within the city limits and all subdivisions outside the city limits. For subdivisions outside the city limits, a guarantee of performance for sidewalks as set out in *Section 23-40* shall be furnished prior to plat approval. For subdivisions inside the city limits, sidewalks shall be required as a condition at the time the building permits are obtained and no guaranty of performance shall be required as set out in *Section 23-40*. However, inside the city limits, all sidewalks must be in place within 18-months after plat recordation and it shall be the responsibility of the subdivider to see that this deadline is met. If the sidewalks are not in place within 18-months after recordation, the subdivider of the property will be assessed the full cost of constructing the sidewalks plus \$100.00 per month for each month beyond the 18-month period during which said construction remained uncompleted.

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


Applicant Signature

10/27/21
Date

Attachment 3

Final Engineering Report



To: Placido Madera

City of Eagle Pass Planning Director

From: Florentino Caballero, P.E.

Date: October 18, 2021

Reference: Final Engineering Report for Replat of Lot 3, Block 20, Deer Run Subdivision Unit 4

Mr. Madera,

Mrs. Bertha Enriquez, owner of property legally described as 'Lot 3, Deer Run Unit 4, has requested that TerraTech Engineering and Construction Services (TEC Services) prepare a Replat of this property to legally subdivide it into (2) Two Residential Lots. This property is located at 3621 Bison Drive. The property is located outside the Eagle Pass City Limits, but within the 2-mile Extra-Territorial Jurisdiction (E.T.J.) and is currently Platted as One (1) Residential Lot. The property has two existing homes, and has access to existing sewer, water, cable, and electric utilities. As a result, we are proceeding straight to the Final Plat process given the existing conditions.

General Description

The subject Plat has a total area of 0.40 Acres and measures approximately 112' x 150' (see attached Replat Sheet for reference). The subject tract will be Replatted as (2) Lots, Lot 3-A and Lot 3-B, each approximately .2007 acres (8,742.49 Sq.Ft) in area. The property has frontage towards Bison Drive and has access to paved streets. All utility infrastructure including water, sewer, electricity, and cable mains is already existing along the back end and frontage of the property. This Replat will be presented to proceed straight to Final due to the existing conditions. This property is located outside the Eagle Pass City Limits and is not currently zoned but is situated within a residential neighborhood area. Given that it is within the 2-Mile E.T.J., the proposed zoning will be R-1: First One-Family Dwelling District.

Drainage

General Drainage Description

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

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Existing Drainage Conditions

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

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

where C = runoff coefficient

I = average rainfall intensity in inches per hour

A = tributary drainage area in acres

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

Table 1. Existing & Developed Drainage Parameters

Parameter	Value
t_d	5 min
C_d	0.60
I_{10}	7.43 in/hr
I_{100}	10.32 in/hr
Watershed Area, A	0.4 acres

The peak rates of runoff for the existing undeveloped lots are

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

$$Q_{10} = 0.60 \times 7.43 \times 0.4 = 1.78 \text{ cfs}$$

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

$$Q_{100} = 1.25 \times 0.60 \times 10.32 \times 0.4 = 3.10 \text{ cfs}$$

The estimated runoff for the entirety of the residential property for a ten (10) and one hundred (100) year return period are 1.78 cfs and 3.10 cfs, respectively.

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

Street

This property has paved street access and luminaries along Bison Drive. Please refer to Replat sheet for locations.

There is an existing fire hydrant located on Bison Drive to the North of the subject property. Please refer to Replat Sheet for location.

Water Service

There is an existing 8" Water Main that runs along the back end of this property. Please refer to the replat for details. A new water service will be extended to the new lot created as part of this replat. All Water Mains in this area are operated by Eagle Pass Water Works.

Sanitary Sewer Service

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

Other Utilities

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

Conclusion

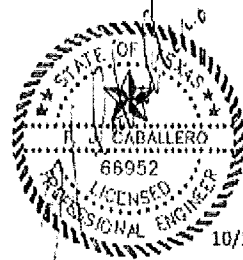
The existing and proposed use of this property is Residential. The proposed Replat will not have an impact on the current use, drainage patterns, or utilities as required infrastructure for Platting is already built-out.

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

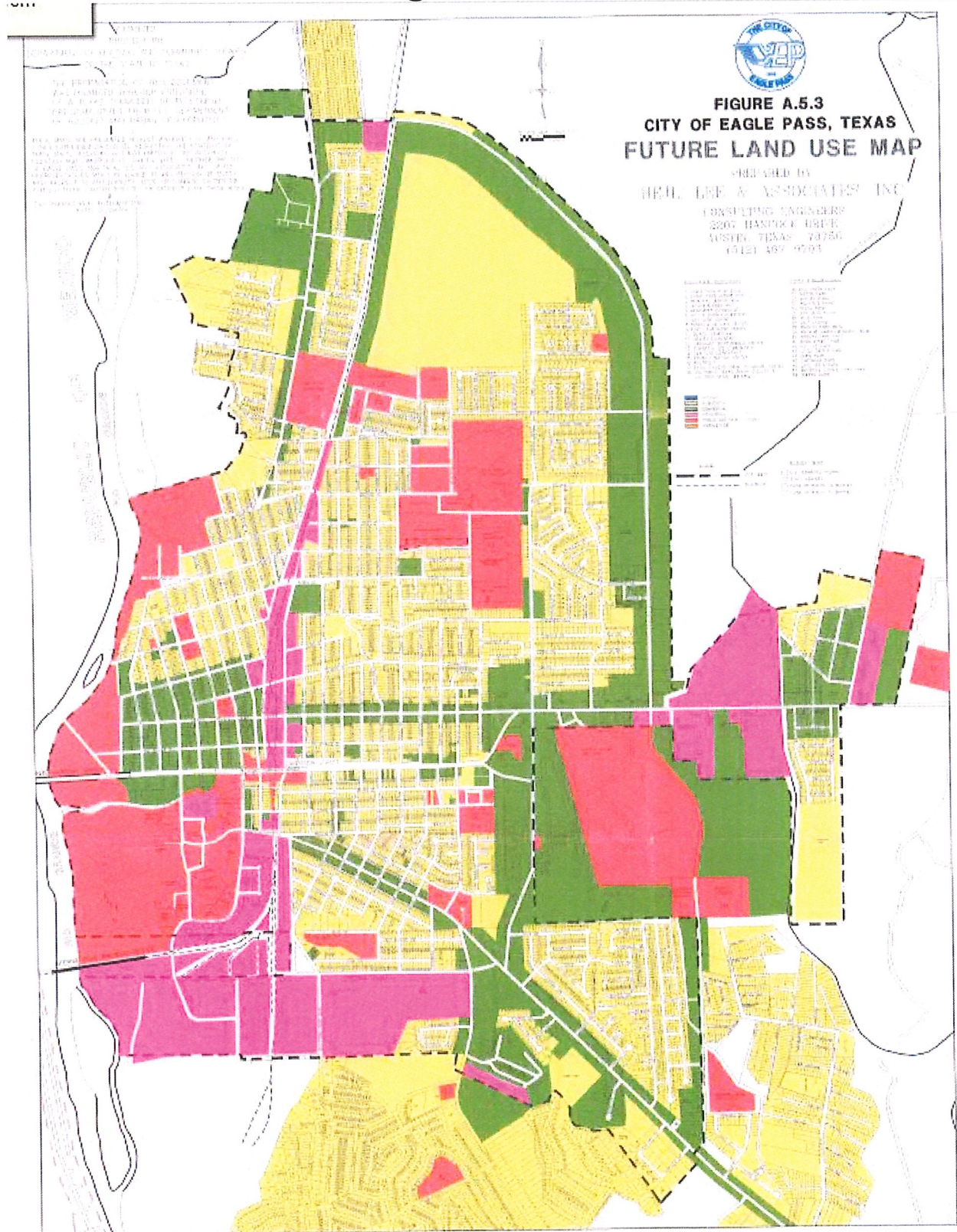
Sincerely,

Florentino Caballero, P.E.

TEC Services

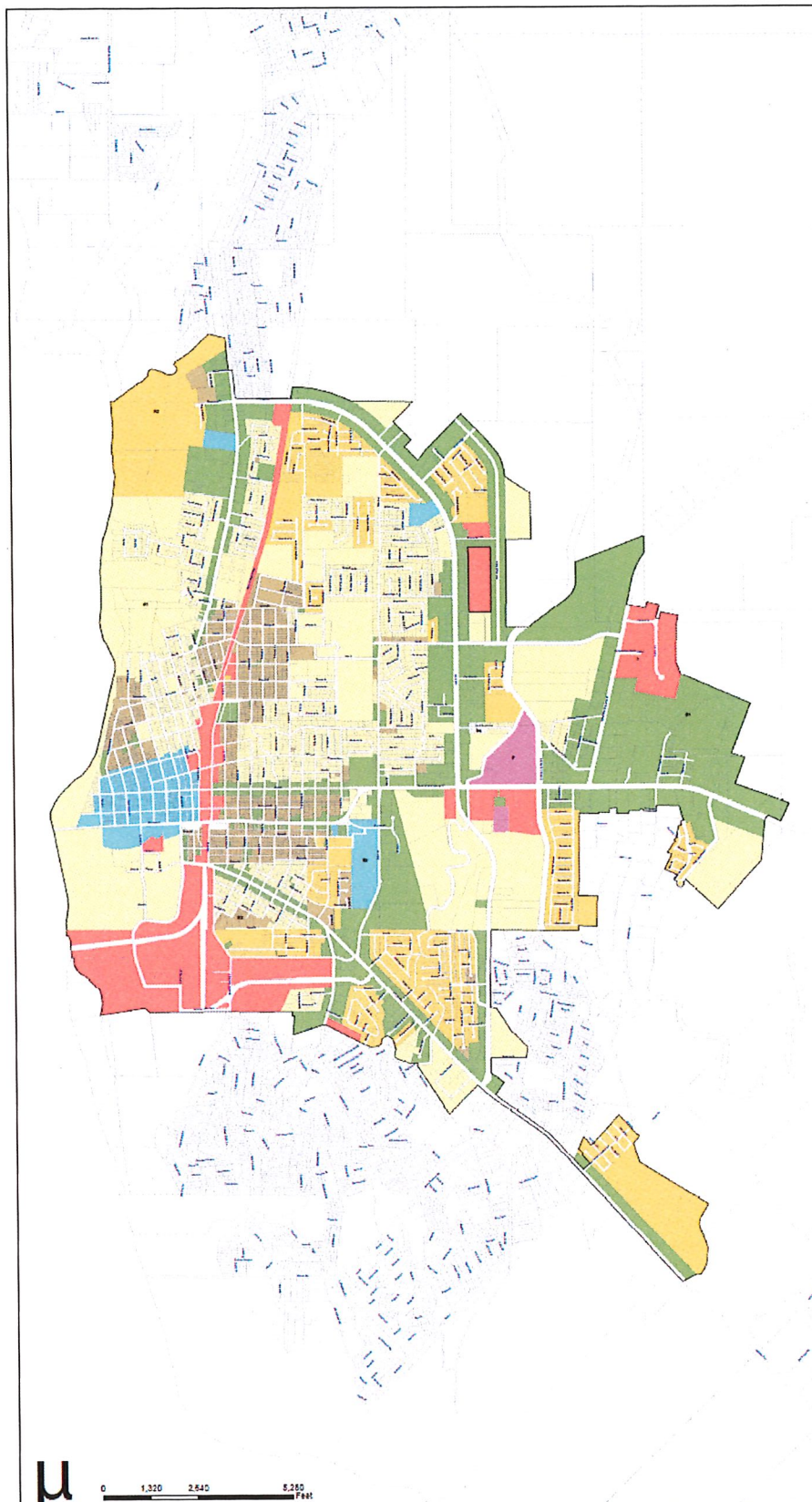


Attachment 4 Master Plan Map Zoning District Map



Legend

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



Eagle Pass, Texas
 Eagle Pass, Texas is a city in Brewster County, Texas, United States. The population was 1,000 at the 2010 census. The city is located on the border of the state of Texas and the state of New Mexico. The city is known for its scenic views of the Chisos Mountains and the Rio Grande. The city is also known for its historic architecture and its proximity to the border with Mexico.



TRUE AUTOMATION, INC.
 2600 Technology Dr Suite 900
 Phoenix, AZ 85016
 Phone: 602.811.1858
 Fax: 602.811.1853
 Email: info@trueautomation.com
 Website: www.trueautomation.com

Item #5



Planning Department Executive Summary
REPORT TO THE PLANNING AND ZONING COMMISSION

Final Plat Approval of the Eagle Pass Port of Entry Industrial Park

I. BACKGROUND

A. General Information

Applicant: Site & Street Engineers, LLC **Owner:** Texas Industrial, LLC
13523 Pear Woods Ct Richard Flores
Houston, TX 77059 Mission, TX 78577

Location: 1188 Industrial Blvd., corner of Industrial Blvd and Industrial Spur 2

Property ID Number: 3659

Legal Description: Being an 3.439 acre tract of land lying and situated in Maverick County, Texas, out of the J.B. Roberts, Survey 32, and the Pointdexter and Burns Survey 31, Abstract 783, and being a portion of the Maverick County Development Corporation 188.44 acres, as is described by deed recorded in Volume 124 Page 369-373 of the Maverick County, deed Records, said 7.3 acre tract being more particularly described by metes and bounds. Being a 2.7 acre tract of land lying and situated in Maverick County, Texas, out of the J.B. Roberts, Survey 32, Abstract 794, and being a portion of the Maverick County Development Corporation 188.44 acres, as is described by deed recorded in Volume 124 Page 369-373 of the Maverick County, Deed Records, said 2.7 acre tract being more particularly described by metes and bounds

Request: Final plat approval to subdivide an approximately 3.439-acre tract into on industrial lot, including a variance to proceed to final plat directly without first having obtained preliminary plat approval.

B. Subject Property Information

Parcel Size: 3.439-acres **Vegetation:** Industrial vegetation

Topo: Slopes from east to west **Existing Use:** Vacant

Zoning: I - Industrial **Master Plan:** None

C. Vicinity Data

The site is located within an area that features Industrial al development. The proposed lot is being designed for construction of an approximate 36,000-square foot warehouse facility having access driveways off Industrial Spur on the east side and Industrial Boulevard on the west side.

D. Infrastructure

The property is currently served by public utilities/franchises, including water, sanitary sewer, storm sewer, telephone, electric service, and garbage service. Access to the site is provided by Industrial Spur and Industrial Boulevard. The proposed development will comply with access driveways, parking lots, detention basins and landscaping, and all other applicable City Codes. The increase in storm water runoff from this subdivision will be mitigated by the development of detention basin provided for Lot 1, the detention volume has been labeled on the plat.

II. PUBLIC NOTICE

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

III. RECOMMENDED FINDINGS OF FACT

A. Conclusions

1. The applicant's request contains sufficient information for consideration by the Planning and Zoning Commission. Information contained in this report and the Commission's public meeting will be used as part of the City Council's deliberation process for final approval of the subdivision. Please refer to Attachment 1.
2. 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 23-62 governing utility easements*
 - ✓ *Section 23-64 governing 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 3 for a copy of the *Final Engineering Report* for the subdivision.

3. 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*.
4. City of Eagle Pass Code of Ordinances Section 23-11 states that the Planning and Zoning Commission must find that the subdivision variances, enclosed as Attachment 2, comply with the four criteria in order to the grant the subdivision variance. The following is a summary of this application's compliance with the criteria:
 - 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)*.

5. 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 for efficient and economical ways to move people and goods 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 a balanced land use.
 - Encourage a diversified economic base, and encourage public and private investments in land and improvements.
 - Prevent and eliminate blight and slums, making the 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.
6. The subdivision will allow for a use of the property that is consistent with the industrial purpose of the *I-Industrial 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 *I-Industrial District*.
 - C. The subdivision is warranted because of the necessity to create additional building lots in the *I-Industrial 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 *I-Industrial 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 4 for a copy of the *Master Plan* Map and a copy of the *Zoning District Map* for the City of Eagle Pass.

7. The granting of final approval of this subdivision 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 6 of this report.

B. Planning Department Recommendation

The Planning and Zoning Commission (1) **GRANT** the subdivision variance to proceed directly to Final Plat without first having obtained Preliminary Replat approval as required by *City of Eagle Pass Code of Ordinances Section 23-36(a)*, and (2) **GRANT** Final plat approval of the proposed *Eagle Pass Port of Entry Industrial Park*, subject to the plat complying with the provisions of *Article III* in *City of Eagle Pass Code of Ordinances Chapter 23* governing procedures and specifications for final plats.

TRANSMITTED to the parties listed hereafter:

Site & street Engineers, LLC via e-mail
Planning and Zoning Commission via e-mail
Eagle Pass Planning Department Report dated November 24, 2021

Attachment 1 Application



PLANNING DEPARTMENT

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

SUBDIVISION APPLICATION

TYPE OF SUBDIVISION (check one):

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

Property Legal Description: Meeker & Bonds on plat

Maverick County Property Identification Number(s): 3655

Name of Addition: Eagle Pass Part of East Industrial Park

Location of Addition: Corner of Industrial Park Blvd & Industrial Spur 2

Number of Residential Lots: 0 Number of Commercial Lots: 1 Gross Acreage: 3.439

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

Is Subdivision inside city limits? Yes ☒ No ☐ If so, Zoning District: Industrial

Existing Land Use: Industrial Proposed Land Use: Industrial

Requested Variances: go directly to final

PROPERTY OWNER:

Name: Texas Industrial LLC

Address: 811 Rio Grand Dr

City: Mission

State: TX Zip: 78572

Signature: [Signature]

Contact: Richard Flores

Phone: 956-878-6045

Fax: _____

E-mail: _____

Date: Oct 21, 21

PROPERTY OWNER:

Name: _____

Address: _____

City: _____

State: _____ Zip: _____

Signature: _____

Contact: _____

Phone: _____

Fax: _____

E-mail: _____

Date: _____

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11/4/21

APPLICANT/SUBDIVIDER:

Name: Paco Mondrago
 Address: 2741 Glen Hill
 City: Eagle Pass
 State: TX Zip: 78852
 Signature: [Signature]

Contact: Paco Mondrago
 Phone: 830-352-6186
 Fax:
 E-mail: paco@bitexns.com
 Date: Oct 17, 21

SURVEYOR:

Name: Francisco Goyla
 Address: 2606 Encino Dr
 City: Eagle Pass
 State: TX Zip: 78852
 Signature:

Contact: Francisco Goyla
 Phone: 830-773-8308
 Fax:
 E-mail:
 Date: Oct 17, 21

ENGINEER:

Name: Site & Street Engineers, LLC
 Address: 13523 Pear Woods Ct
 City: Houston
 State: TX Zip: 77059
 Signature: [Signature]

Contact: Karen Arnold
 Phone: (713) 240-3404
 Fax:
 E-mail: sitestreetengineers@gmail.com
 Date: 10-21-21

PRINCIPAL CONTACT: Owner ☒ Applicant ☐ Surveyor ☒ Engineer

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

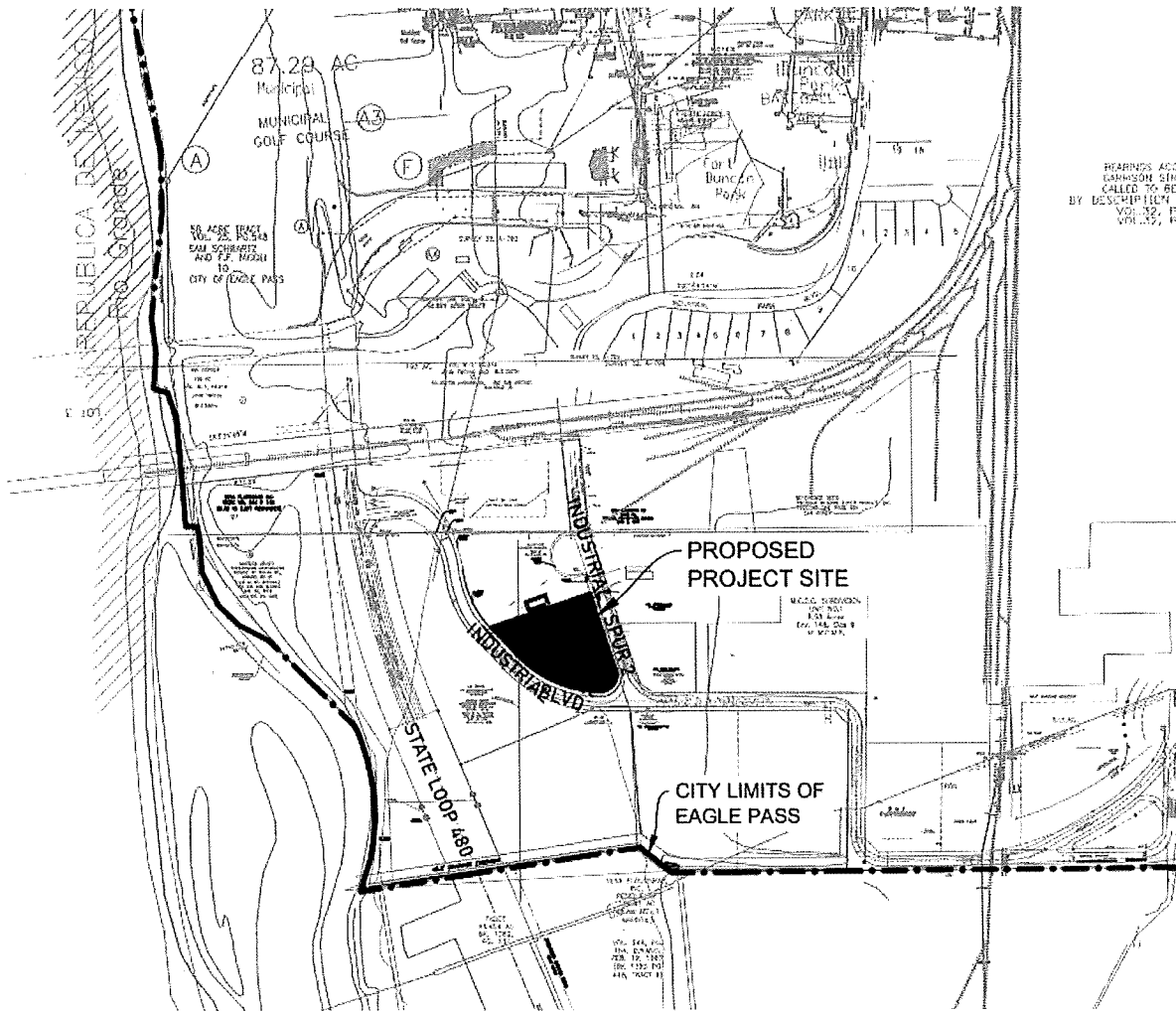
STATEMENT OF APPLICANT

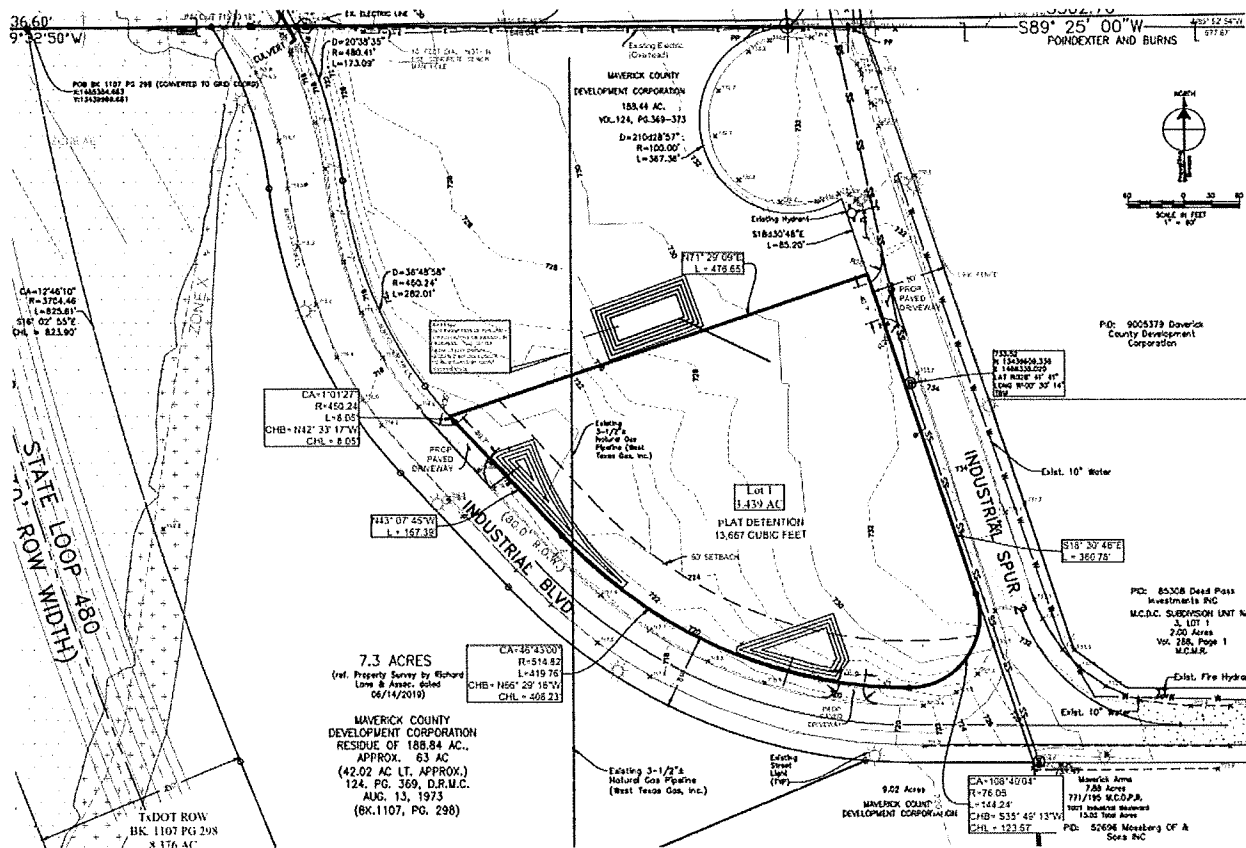
The information contained in this subdivision application contains true and accurate information provided to the best of my ability. I acknowledge that the City of Eagle Pass will use the information contained herein as the basis for the review of the subdivision application's conformance with the provisions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

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

[Signature]
 Applicant Signature

Oct 17, 21
 Date





Notes:

1. There is one Industrial Lot.
2. Zoning Classification is Industrial.
3. The Eagle Pass Port of Entry Industrial Park Subdivision Declaration of Covenants, Conditions and Declarations recorded in Volume <<XX>>, Page <<XX>> of the Maverick County Official Public Records apply to this plat.
4. Building shall be set back as required by the City of Eagle Pass Code of Ordinances Appendix A.
5. All utility easements shall be kept clear of any obstruction that would interfere with the utilities.
6. All drainage easements shall be kept clear of any obstruction that would interfere with drainage of subdivision.
7. The subsequent re-platting or construction development of any lot will not be allowed unless approved by subdivision developer.
8. All lots within this subdivision shall be conveyed legal access to all easements, right-of-ways and subdivision detention facilities, including ponds.
9. Detention ponds will be constructed by the property owner at the time the lot is developed and will be constructed in accordance with the plans and specifications approved by the City of Eagle Pass.
10. This subdivision plat is located completely inside the city limits of Eagle Pass.
11. Each property owner is required to present a drainage plan and will issue a drainage easement with the consent of developer in order to adequately drain and control their watershed.

Attachment 2

Subdivision Variance Application



PLANNING DEPARTMENT

3295 Bob Rogers Drive, Eagle Pass, Texas 78852 • Telephone: (830) 773-7781 • Fax: (830) 773-7603
www.eaglepasstx.us • planning@eaglepasstx.us

SUBDIVISION VARIANCE APPLICATION

Applicant Information

Applicant (If not owner): Site & Street Engineers, LLC
Address: 13523 Pear Woods Ct, Huston, TX 77059
Phone: 713-240-3404 E-mail: sitestreetengineers@gmail.com
Owner: Texas Industrial, LLC
Address: 811 Rio Grand Drive, Mission TX 78572
Phone: 956-878-6045 E-mail: _____

Property Information

Site Address: 1188 Industrial Blvd MCAD Property ID No. 3659
Legal Description (from deed): Reference Subdivision Application enclosed

Description of Subdivision Variance Request

1) Variance to proceed directly to final given the existing infrastructure

Detailed Explanation of Subdivision Variance Request

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

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

The plat is merely a formality in order to obtain city utilities and city building permits

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

The owner wishes to plat the parcel since it has all the necessary and required infrastructure and utility improvements that would qualify it for a plat.

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

Granting if the variance would not be detrimental to the public health given the existing infrastructure.

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

the granting of the variance will not prevent the orderly subdivision of other land in the area as adjacent properties have already been developed in a similar manner.

Required Application Attachments

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

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

Applicant Authorization

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

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

Applicant Signature

Date

Attachment 3

Final Engineering Report

EAGLE PASS PORT OF ENTRY INDUSTRIAL PARK, LOT 1 FINAL ENGINEERING DRAINAGE REPORT

PREPARED FOR:



Planning Department

PREPARED BY:

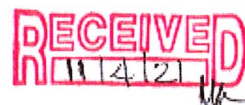


Texas Registration Number: F-16290

October 2021



11-08-2021



INTRODUCTION

Project Overview

Site & Street Engineers, LLC has been contracted to prepare a drainage study for the 3.439 acre proposed Lot 1 found at the northwest corner of Industrial Park Boulevard and Industrial Spur 2, located in the Poindexter and Burns Survey 31, Abstract 785 in Maverick County, TX. The property is located within the City limits of the City of Eagle Pass. The proposed lot is being designed for construction of a warehouse facility having access driveways off Industrial Spur 2 on the east side and Industrial Park Boulevard on the west side.

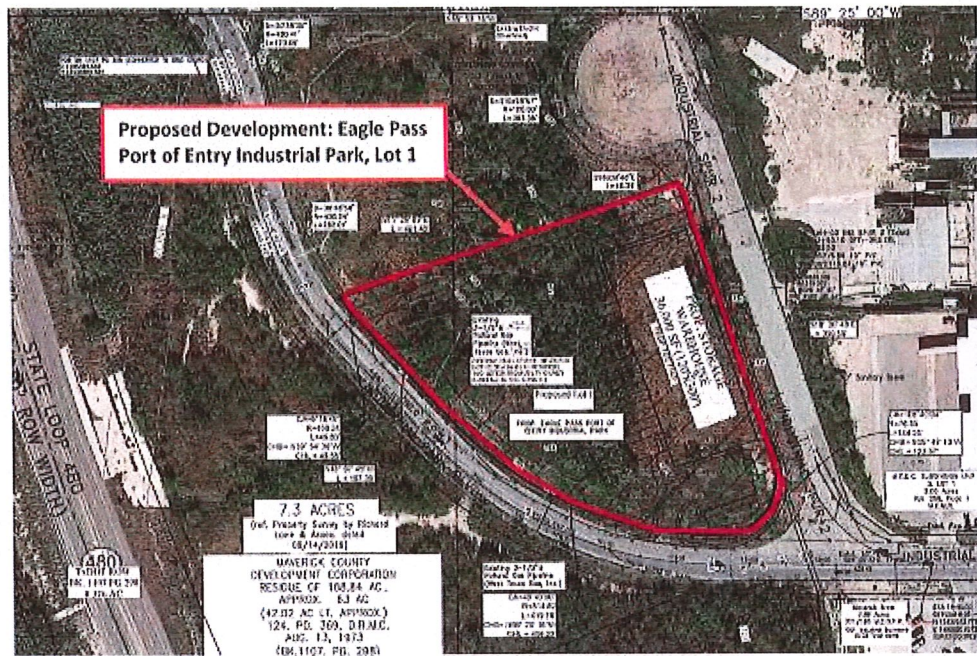


Figure 1 – Partially cleared site at northwest corner of Industrial Park Boulevard and Industrial Spur 2

EXISTING CONDITIONS

Pre-Development Conditions

The site is in its natural state, it does not contain any development. Overhead electric utility lines by American Electric Power (AEP) are located along the west side of Industrial Spur 2. An underground natural gas pipeline of West Texas Gas, Inc. appears on the Texas Railroad Commission's database and it is to be confirmed whether that pipe line is active or abandoned. The property slopes from the east to west being from Industrial Spur 2 to

Industrial Park Boulevard (elevation 732 to 720). Industrial Park Boulevard is a curbed asphalt roadway which then slopes downhill in a north to west route to the intersection with State Loop 480.

FEMA Floodplain

The property is located within Zone "X" of FEMA Firm Map 48323C0434D made effective April 4, 2011. The designation of Zone "X" means the property lies outside the FEMA regulated 1% annual chance flood zone. FEMA map panel attached to this report.

PROPOSED CONDITIONS

Post-Development Conditions

The proposed development will plat the 3.439 acre lot with 39-foot wide access driveways and generally 26-foot curb returns to accommodate tractor trailer truck traffic at the proposed facility. Site improvements include proposed paving, construction of a warehouse with accommodation for tractor trailer loading/unloading and detention basins to mitigate for increased stormwater runoff. Water service will extend from the existing 10-inch water line on Industrial Spur 2 and include installation of a new fire hydrant. Sanitary sewer service will connect to an existing sanitary manhole on the west side of Industrial Spur 2.

Method of Analysis

Initial step established the drainage area limits for the existing (Pre-Development) and proposed (Post-Development) conditions. Longest flow paths relative to Time of Concentration was found for the existing and proposed site conditions. SCS TR-55 method was used to establish the time of concentration based on Manning "n", slope, length and type of flow (sheet, shallow concentrated or channel).

Hydrologic soil groups were identified for the site by referencing Natural Resources Conservation Service (NRCS) maps for Maverick County. Composite SCS Curve Numbers (CN) values determined for existing and proposed conditions. NRCS storm data for Maverick County was used with a Type II rainfall distribution for a 24-hour design storm.

Hydrographs were generated from TR-55 for both the 10-year Pre-Development and 100-year Post-Development site conditions. The required detention storage volume was computed from the greatest difference between the 100-year Post-Development less the 10-year Pre-Development flows for a period of time no less than the time of concentration computed earlier.

PROPOSED DRAINAGE ANALYSIS

In the proposed Eagle Pass Port of Entry Industrial Park Lot 1, the time of concentration was computed as 0.167 hours (10.0 minutes) and the time periods with the greatest differences between the 100-year Post-

Development less the 10-year Pre-Development flows was found during hour 11.876 through hour 12.045 for a duration of 0.169 hours (10.1 minutes) and therefore utilized as the critical time to size the required detention basin capacity. The critical time is the time during which a waterway and/or location will be impacted the most during a rainfall event. During the critical hours, post-development runoff volume should be less than or equal to the pre-development runoff volume for the time period 11.876 through hour 12.045 for the 24-hour design storm for the 100-year return period.

WinTR-55 Output Hydrograph

Project: Lot 1_36K sf Warehouse

10/13/2021

Subarea: (Lot 1 DA) Storm: 10-Yr

D:\Bentley\Bentley Engineering\Projects\2020\11_16_Dishman\WinTR-55\WinTR-55_Alt Warehouse 1_36K Warehouse_Prd Development_A55

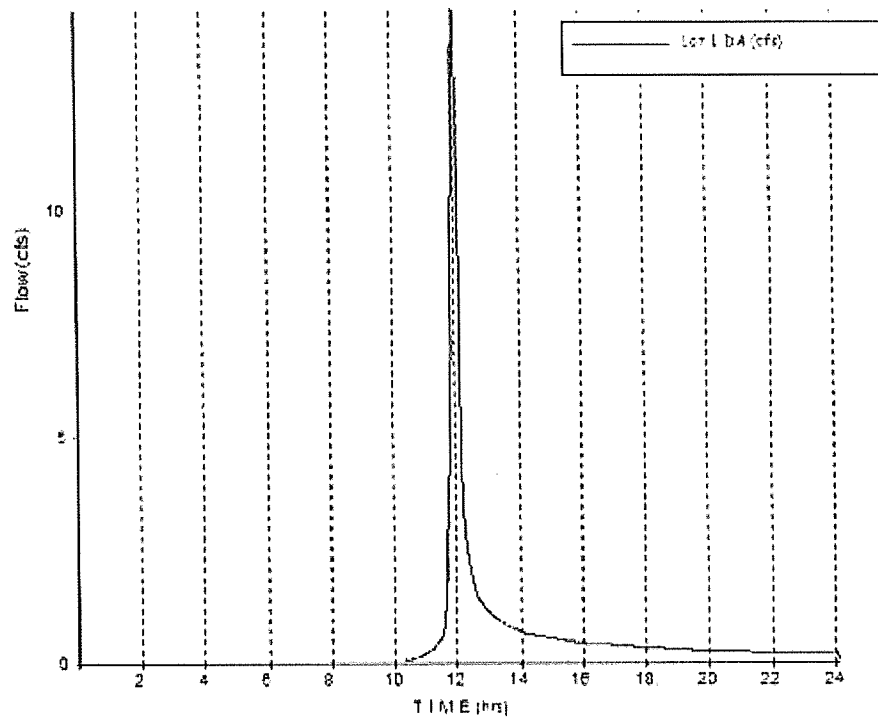


Figure 1 – 10 year Undeveloped Storm Hydrograph, Peak Flow $Q_u(10) = 14.47$ cfs

WinTR-65 Output Hydrograph **Project: Lot 1, 36K sf Warehouse** 10/13/2021
Subareas: (Lot 1 -dev, Undev area) **Storm: 100-Yr**
 D:\5265 Sites\Engineer\Projects\2020\11-15_D\Kierulff\Projects\5265\00_Design\T4_15_20_Warehouse\Lot 1\36K Warehouse_Peak Flow.xmr, x55

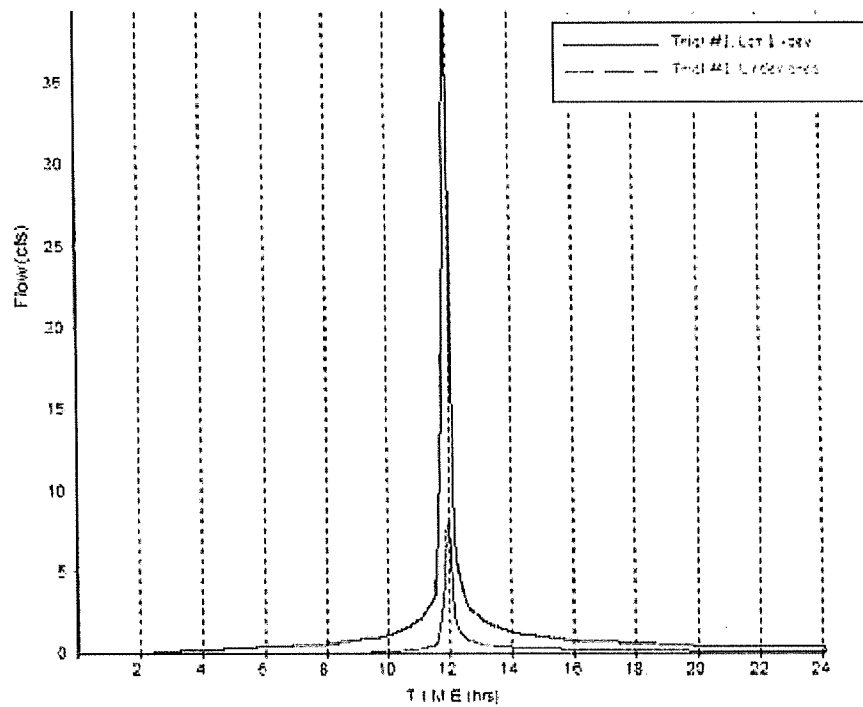


Figure 2 – 100 year Post-Development Storm Hydrograph, Peak Flow $Q_u(10)$ = 39.54 cfs

	<u>Hrs</u>	<u>Mins</u>
Total duration (above shaded cells) =	0.2	10.1
1, 36K sf Warehouse drainage area =	0.2	10.0

Ok, Chosen duration > Time Conc of Drainage Area

Figure 3 – Critical Time check versus Time of Concentration

A flow up to the 10-year Pre-Development Peak flow, $Q_{10}(10)$, was subtracted from the 100-year Post-Development flow multiplied by the time increment for the critical time period to determine the volume of storage (detention) required for the Lot 1 site.

EXISTING 10YR (Pre-Development)			PROPOSED 100YR (Post-Development)			Check T900:T10	Q100 Flow, A/d/d for 10YR Time (cfs)	Calculated Flow, Subtract up to the Q10 peak from the	Storage Volume (cf)	Storage Volume Used for Capacity (cf)
Time (hr)	Increment (hr)	Q10 Flow (cfs)	Time (hr)	Increment (hr)	Q100 Flow (cfs)					
11:537	0.011	2.0	11:553	0.008	15.6					
11:528	0.031	2.5	11:560	0.008	16.4					
11:739	0.011	2.9	11:568	0.008	17.2					
11:749	0.011	3.1	11:576	0.008	18.0	N	15.3	1	31	
11:760	0.011	3.4	11:584	0.008	18.8	N	16.3	2	71	
11:770	0.011	3.7	11:591	0.008	19.5	N	17.4	3	113	
11:781	0.011	4.0	11:599	0.008	20.2	N	18.7	4	160	
11:791	0.011	4.3	11:607	0.008	20.9	N	19.6	5	192	
11:802	0.011	4.7	11:614	0.008	21.6	N	20.4	6	226	
11:813	0.011	5.0	11:622	0.008	22.3	N	21.2	7	259	
11:823	0.011	5.4	11:630	0.008	23.1	N	22.2	8	295	
11:834	0.011	5.8	11:639	0.008	24.1	N	23.6	9	342	
11:844	0.011	6.3	11:646	0.008	25.3	N	25.1	11	405	
11:855	0.011	6.9	11:653	0.008	26.7	Y	27.1	10	479	
11:865	0.011	7.6	11:661	0.008	28.2	Y	28.2	15	562	
11:875	0.011	8.3	11:669	0.008	29.9	Y	31.4	17	648	648
11:887	0.011	9.1	11:676	0.008	31.6	Y	33.6	19	728	728
11:897	0.011	9.9	11:684	0.008	33.1	Y	35.6	21	803	803
11:908	0.011	10.7	11:692	0.008	34.6	Y	37.2	23	867	867
11:918	0.011	11.5	11:699	0.008	35.9	Y	38.5	24	914	914
11:929	0.011	12.3	11:707	0.008	37.2	Y	39.3	25	944	944
11:939	0.011	12.9	11:915	0.008	38.2	Y	39.5	25	954	954
11:950	0.011	13.5	11:922	0.008	38.9	Y	39.4	25	948	948
11:961	0.011	13.9	11:930	0.008	39.4	Y	38.6	24	918	918
11:971	0.011	14.2	11:938	0.008	39.8	Y	37.7	23	884	884
11:982	0.011	14.3	11:946	0.008	39.4	Y	36.7	22	846	846
11:992	0.011	14.4	11:953	0.008	39.1	Y	35.7	21	808	808
12:003	0.011	14.5	11:961	0.008	38.6	Y	34.0	20	772	772
12:013	0.011	14.4	11:969	0.008	37.9	Y	33.6	19	735	735
12:024	0.011	14.3	11:976	0.008	37.2	Y	32.7	18	693	693
12:035	0.011	14.1	11:984	0.008	36.5	Y	31.3	17	639	639
12:045	0.011	13.8	11:992	0.008	35.7	Y	29.4	15	568	568
12:056	0.011	13.3	12:000	0.008	35.1	Y	27.0	13	476	
12:066	0.011	12.7	12:007	0.008	34.4	Y	24.3	10	375	
12:077	0.011	12.0	12:015	0.008	33.6	Y	21.6	7	271	
12:087	0.011	11.2	12:023	0.008	32.8	Y	19.0	4	171	
12:098	0.011	10.3	12:030	0.008	31.9	Y	16.6	2	82	
12:109	0.011	9.5	12:038	0.008	30.7					
12:119	0.011	8.6	12:046	0.008	29.3					
12:130	0.011	7.3	12:054	0.008	27.5					
			12:061	0.008	25.6					
			12:069	0.008	23.6					
			12:077	0.008	21.6					
			12:084	0.008	19.7					
			12:092	0.008	17.9					
			12:108	0.015	14.6					

*bold value is the $Q_{10}(10)$ peak 10-year flow

Total Lot 1, 36K sf Warehouse Storage required, (cf) = 13,667

Figure 4 – Detention Calculation (shaded cells are critical time)

Lot No.	Area Lot, [Ac]	Percent Lot /Site	Adjusted Percent Lot	Detention Required per Lot, [cf]	Preliminary Basin Dimensions			Check, vol of Prefri. Basins
					Depth	Width	Length	
1,000	3.439	1.0	N/A	13,667	4.0	100	34	13,667
Totals	9.439	1.0	0.000	13,667				

Figure 5 – Required (minimum) Detention Basin volumes for Lot 1, with Preliminary Basin dimensions

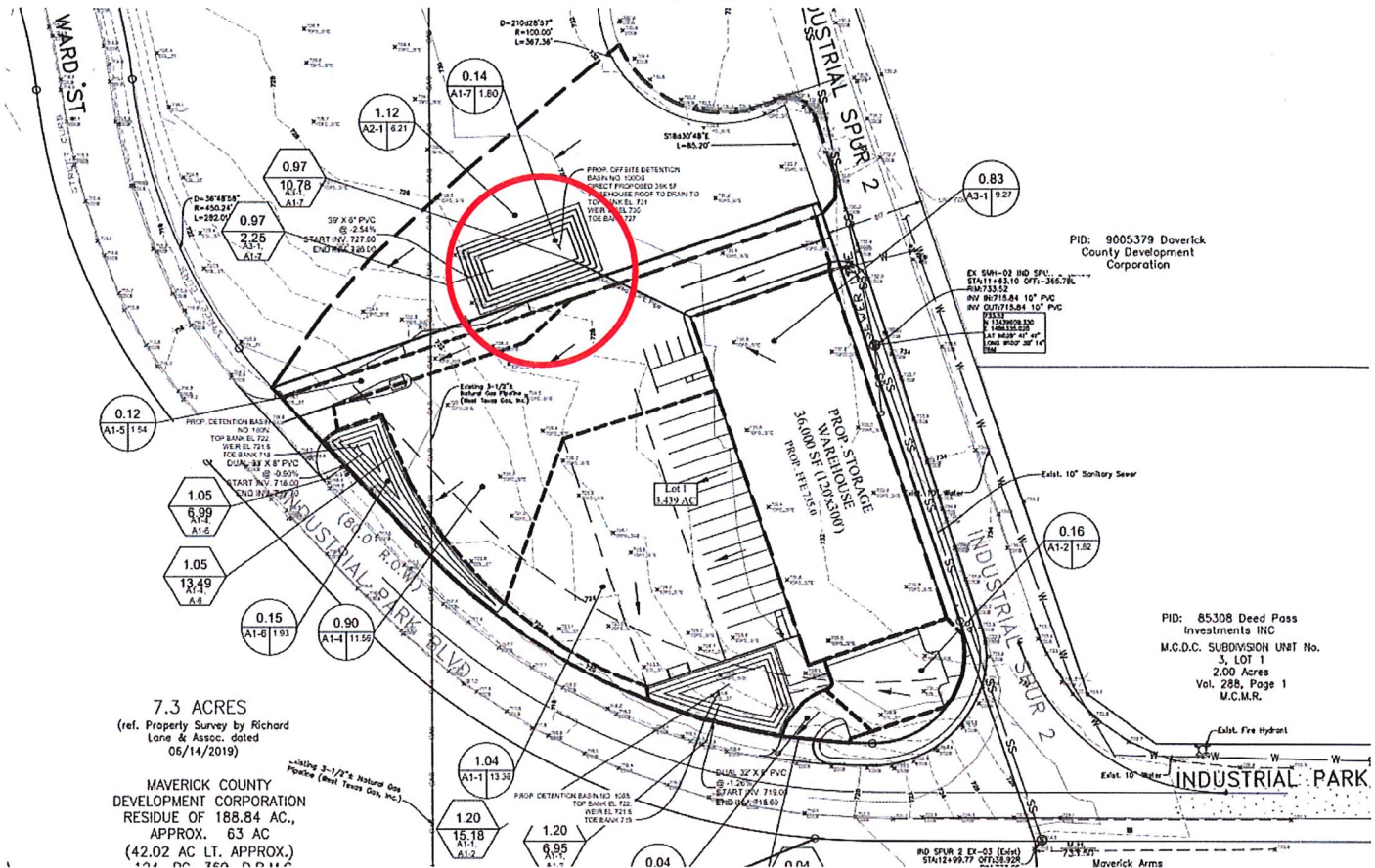
CONCLUSIONS AND RECOMMENDATIONS

The proposed development will take bare ground to developed commercial tract with private access driveways, parking lots, building, detention basins, and vegetation. The increase in storm water runoff from this subdivision will be mitigated by the development of detention basin provided for Lot 1.

The drainage calculations for this detention basin is included in the following pages, additionally this detention volume has been labeled on the plat.

TR-55 output for the 10-year Pre-Development and 100-year Post-Development is attached to this report, for reference.

Detention Basin



Attachment 3 Master Plan Map Zoning District Map

