



AGENDA

PLANNING & ZONING COMMISSION SPECIAL MEETING

THURSDAY, OCTOBER 27, 2022, AT 5:30 P.M.

COUNCIL CHAMBERS, CITY HALL BUILDING

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

ESTABLISHMENT OF QUORUM

CITIZENS COMMUNICATIONS

PUBLIC HEARINGS

1. Public hearing regarding the proposed Downtown Masterplan; closing of public hearing and possible action.
2. Public hearing on the proposed final Re-Plat of *Lots 5-7 in Block 9 of Hillcrest Addition*, including (a) a subdivision variance to proceed directly to final replat without first having obtained preliminary re-plat approval as required by *City of Eagle Pass Code of Ordinances Section 23-36(a)*, and (b) a variance to reduce the required front and side yard building setbacks areas as required by *Section 23-69 of Chapter 23*; closing of public hearing and possible action.
3. Public hearing on the proposed request submitted by for the rezoning of Lot 5 & 6 (south 42-feet), and 7 in Block 9 of Hillcrest Addition, also known as 387 Medina Street, from *R-3 Duplex District* to *B-1 Neighborhood Business District*; closing of public hearing and possible action.
4. Public hearing on the proposed final *Replat of Lot 3 in M. A. V. Subdivision*, including (a) a subdivision variance to proceed directly to final plat approval without first having obtained preliminary re-plat approval as required by *City of Eagle Pass Code of Ordinances Section 23-36(a)*, and (b) a subdivision variance to reduce the lot width as required by *Section 23-69 of Chapter 23*; closing of public hearing and possible action.

NEW BUSINESS

5. Consideration and possible action on a resolution regarding the proposed Downtown Masterplan.
6. Consideration and possible action on the Preliminary Plat of Terra Verde Estates Subdivision Unit 4.
7. Consideration and possible action on the final Plat Amendment of *Lots 32 and 34 in Block 1 of Loma Linda Subdivision Unit 1*, including a sidewalk waiver request.
8. Consideration and possible action on the preliminary plat of *Home2Suites Subdivision*, including a variance to process a plat that is less than 5 acres in area.

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 ASSITANT 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 October 24, 2022 at 3:10 p.m.



Mariebelle Rodriguez
Assistant Planning Director

Item #1

Item #2



Planning Department Executive Summary
REPORT TO THE PLANNING AND ZONING COMMISSION
Final Replat Approval of Lot 5-7 in Block 9 of Hillcrest Addition

I. BACKGROUND

A. General Information

Applicant: Mountain View Engineering | 2400 Veterans Blvd, Ste 8 | Del Rio, Tx 78840

Developer: Samuel & Rosa Vargas | Eagle Pass, Tx 78852

Location: 387 Medina Street & 1295 Quarry Street

Property ID Number: 9777, 9778, & 9779

Legal Description: Lots 5-7 in Block 9 of Hillcrest Addition

Request: The grant of final re-plat approval to subdivide three residential lots into two lots, including (a) a subdivision variance to proceed directly to final re-plat approval without first having obtained preliminary re-plat approval, and (b) a variance to reduce the required front and side yard building setbacks areas.

B. Subject Property Information

Parcel Size: 0.528-acres

Topography: Generally flat

Vegetation: residential landscaping and light native brush

Existing Use: Lot 6A houses a residential dwelling and Lot 7A houses a warehouse and a small residential dwelling.

Zoning: *R-3 Duplex District*

Master Plan: Residential

C. Vicinity Data

The site is located within an area that features residential and light commercial development.

D. Infrastructure

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

Access to the site is provided by Medina Street and Quarry Street.

II. PUBLIC NOTICE

Public notification of the subdivision with variance requests before the Planning and Zoning Commission was completed consistent with the provisions of *Chapter 211* of the

State of Texas Local Government Code Title 7. 33 notices were mailed to the abutting property owners within a 500 foot radius of the subject property on October 14, 2022.

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 re-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. Sidewalk will be constructed at the time of the development of Lot 7A.*
- ✓ *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 front and side yard building setback reductions 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 Engineering and Drainage Reports.

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

4. City of Eagle Pass Code of Ordinances Section 23-11 states that the Planning and Zoning Commission must find that the subdivision variances comply with the criteria to the grant the variances. 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 re-plat approval as required by *City of Eagle Pass Code of Ordinances Section 23-36(a)*.
- The subdivision variance to reduce the required front and side yard building setback areas as required by *City of Eagle Pass Code of Ordinances Section 23-69*.

Please refer to Attachment 2 for a copy of the Subdivision Variance Applications.

5. The subdivision of the property will conform to the parkland dedication requirements set forth in *Article V in Eagle Pass Code of Ordinances Chapter 23* as a one-time fee will be collected as part of any subsequent building permit issued for the property.
6. The subdivision of the property will conform to the sidewalk requirements set forth in *Section 23-64 of the Eagle Pass Code of Ordinances Chapter 23* as part of any subsequent building permit issued for the property.
7. 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 outside the City by an adequate plan for streets and highways.
 - Guide future development in an orderly manner, by stages according to a pattern, so that the City may have 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.
8. The subdivision will allow for a use of the property that is consistent with the residential purpose of the *R-3 Duplex District* for the following reasons:
 - A. The subdivision design bears a substantial relationship to the public's health, safety, and welfare.
 - B. The subdivision is in accordance with the policies of the *Master Plan* and the business purpose of the *R-3 Duplex District*.
 - C. The subdivision is warranted because of the necessity to create additional building lots in the *R-3 Duplex 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-3 Duplex 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 3 for a copy of the *Master Plan* Map and a copy of the *Zoning District Map* for the City of Eagle Pass.

9. The approval of this final replat request is warranted, as the project conforms to the *City of Eagle Pass Master Plan* and the *City of Eagle Pass Code of Ordinances* as noted in Conclusion 1 through and including Conclusion 7 of this report.

C. Planning Department Recommendation

The Planning and Zoning Commission (1) **GRANT** the subdivision variance to proceed directly to Final Replat without first having obtained Preliminary Re-plat approval as required by *City of Eagle Pass Code of Ordinances Section 23-36(a)* and (2) **GRANT** the subdivision variance to reduce the front, side, and rear yard building setbacks of Lot 6A from 25ft to 10ft, 10ft to 5ft and, from 16ft to 11ft, and Lot 7A front and side yard setbacks from 25ft to 0 ft and 5ft to 3ft and (3) **GRANT** final approval of the proposed *Replat of Lots 5-7 in Block 9 of Hilcrest Addition*, 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:
Hector Canales, P.E., Mountain View Engineering via e-mail
Eagle Pass Planning and Zoning Commission via e-mail
Planning & Zoning Commission Report dated October 18, 2022

Attachment 1 Application



PLANNING DEPARTMENT

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

SUBDIVISION APPLICATION

RECEIVED
9/22/22
complete App

TYPE OF SUBDIVISION (check one):

☒ Preliminary

☒ Final

☒ Replat

☐ Amendment

☐ Short Form Final

Property Legal Description: Lots 5, 6 & 7 Block 9 Hillcrest Addn.

Maverick County Property Identification Number(s): 9777, 9778 & 9779

Name of Addition: _____

Location of Addition: 387 Medina

Number of Residential Lots: 2 Number of Commercial Lots: _____ Gross Acreage: _____

Number of New Street Intersections _____ Linear feet of Streets _____

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

Existing Land Use: Mixed

Proposed Land Use: Commercial Lot 7A

Requested Variances: Pass preliminary and proceed straight to final replat

PROPERTY OWNER:

Name: Samuel Vargas

Address: 2416 Ralph Dr.

City: Eagle Pass

State: TX Zip: 78852

Signature: [Signature]

Contact: 830-968-3119

Phone: _____

Fax: _____

E-mail: vargaselectnc@yahoo.co

Date: 8/20/2022
19m

PROPERTY OWNER:

Name: Rosa Vargas

Address: 2416 Ralph Dr.

City: Eagle Pass

State: TX Zip: 78852

Signature: [Signature]

Contact: _____

Phone: 830-968-2191

Fax: _____

E-mail: vargas electnc@yahoo.co

Date: 8/20/2022
19m

APPLICANT/SUBDIVIDER:

Name: _____
Address: _____
City: _____
State: _____ Zip: _____
Signature: _____

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

SURVEYOR:

Name: Richard Lane + Assoc.
Address: 487 ~~El Estero del~~
City: Eagle Pass Memo Robinson
State: TX Zip: 78852
Signature: Fran O'ay

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

ENGINEER:

Name: Hector Canales
Address: 2400 Veterans #8
City: Del Rio TX 78840
State: TX Zip: 78840
Signature: _____

Contact: Hector Canales
Phone: 830 734 2991
Fax: _____
E-mail: _____
Date: _____

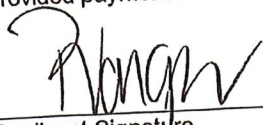
PRINCIPAL CONTACT: _____ Owner _____ Applicant _____ Surveyor ☒ Engineer

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

8/20/22
Date

STATEMENT OF OWNER/SUBDIVIDER

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

[Signature]
Owner / Subdivider Signature

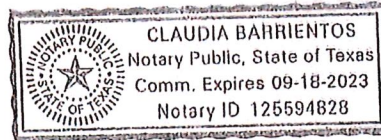
8/19/2022
Date

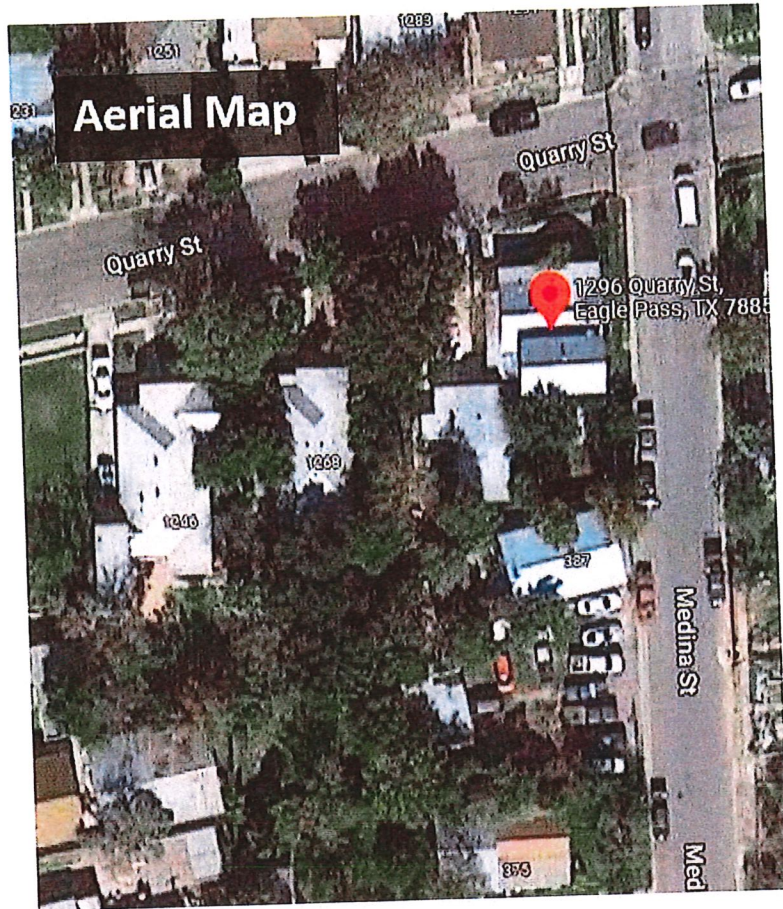
STATE OF TEXAS §
COUNTY OF Maverick §

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

Given under my hand and seal of office, this the 19th day of August, 2022.

[Signature]
Notary Public, State of Texas









Attachment 2
Subdivision Variance Application(s)



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): Samuel & Rosa Vargas / Vargas Electric LLC
Address: 2416 Ralph Dr Eagle Pass TX 78852
Phone: 830-968-2191 E-mail: vargaselectric@yahoo.com
Owner: Vargas Electric LLC
Address: 2416 Ralph Dr. Eagle Pass TX 78852
Phone: 830-968-2191 E-mail: vargaselectric@yahoo.com

Property Information

Site Address: 387 Medina MCAD Property ID No. 9779, 9778, 9777
Legal Description (from deed): Lots 5, 6, 7 Block 9 Hillcrest Addition

Description of Subdivision Variance Request

For reduction of side and front building setbacks.

Lot 6a 10' Front set back; 5' corner side set back; 11' rear set back
Lot 7A 0' Front set back; 3' side set back

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?

Building / structures were established prior to the replat process.

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

In order to comply with current rules + regulations, existing building + moved to be demolished or moved.

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.

Buildings have been in place
for many years & have not been
detrimental to the public.

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.

Property all around has already been
subdivided & will not have a negative
impact on surrounding properties

Required Application Attachments

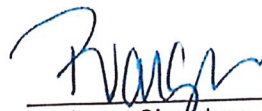
The following documentation is required to be attached to this application:

- 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

10/18/22
Date



PLANNING DEPARTMENT

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

SUBDIVISION VARIANCE APPLICATION

Applicant Information

Applicant (If not owner): Samuel & Rosa Vargas / VARGAS ELECTRIC LLC
Address: 2416 Ralph Dr. Eagle Pass TX 78852
Phone: 830-968-2191 E-mail: vargaselectric@yahoo.com
Owner: Vargas Electric LLC
Address: 2416 Ralph Dr. Eagle Pass TX 78852
Phone: 830-968-3119 E-mail: Vargas.electric@yahoo.com

Property Information

Site Address: 387 Medina MCAD Property ID No. 9779, 9778, 9777
Legal Description (from deed): LOT 5, 6, 7 Bk 9 Hillcrest Addition
W LOT 7A

Description of Subdivision Variance Request

Proceed to Final

Detailed Explanation of Subdivision Variance Request

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

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

Land was already subdivided. No
need for Preliminary.

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

To correct the improper divisions

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.

By correcting the improper divisions
of property.

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.

Land was recently purchased by applicant
and are interested in the development of
new lot created.

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

9/27/2022
Date

Attachment 3

Final Engineering Report

Mountain View Engineering

Re-Plat

Hillcrest Addition, Block 9, Lots 5, 6 & 7

Final Engineering Report

September 9, 2022



Approved by:

Hector Canales, P.E., C.F.M.



Mountain View Engineering

Mountain View Engineering (MVE) has been contracted for a Re-Plat in Maverick County TX, located at 387 Medina St, Eagle Pass TX 78852. This property is located within the City of Eagle Pass. The proposed amendment will combine Lots 5, 6 & 7 into two lots within Block 9 Hillcrest Addition.



Figure 1: Location Map

There is a 6" waterline and 6" sewer line within the Quarry Street and Medina Street that currently services the property. There is fire hydrants at the corner of Quarry Street and Medina Street. The site is also serviced with electric power from AEP who own the poles and wires.

The site is has had some development with a warehouse and small home. Storm water runoff will not increase with this re-plat. However, any future development would require to mitigate the increase of runoff

None of the property is located within FEMA regulated floodplain as shown in FEMA Firm Map 48323 C 0453 D made effective April 4, 2011. The designation of Zone "X" means the property does NOT reside within the FEMA regulated 1% chance flood zone.

Attachment Master Plan and Zoning Map

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

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

THESE MAPS ARE PRESENTED WITHOUT WARRANTY OF ANY KIND,
EXPRESS OR IMPLIED, RESPECTING THE CONTENTS OF
THESE MAPS, INCLUDING BUT NOT LIMITED TO THE ACCURACY,
LOCATION AND DIMENSIONS OF ANY FEATURES. NEITHER THE CITY
OF EAGLE PASS, NEAR HEJL, LEE AND ASSOCIATES, INC. OR ITS
REPRESENTATIVES SHALL BE LIABLE TO ANY PERSON OR ENTITY
FOR ANY LOSS, INJURY, LOSS, OR DAMAGE CAUSED OR
ALLEGED TO BE CAUSED DIRECTLY OR INDIRECTLY BY THESE MAPS.

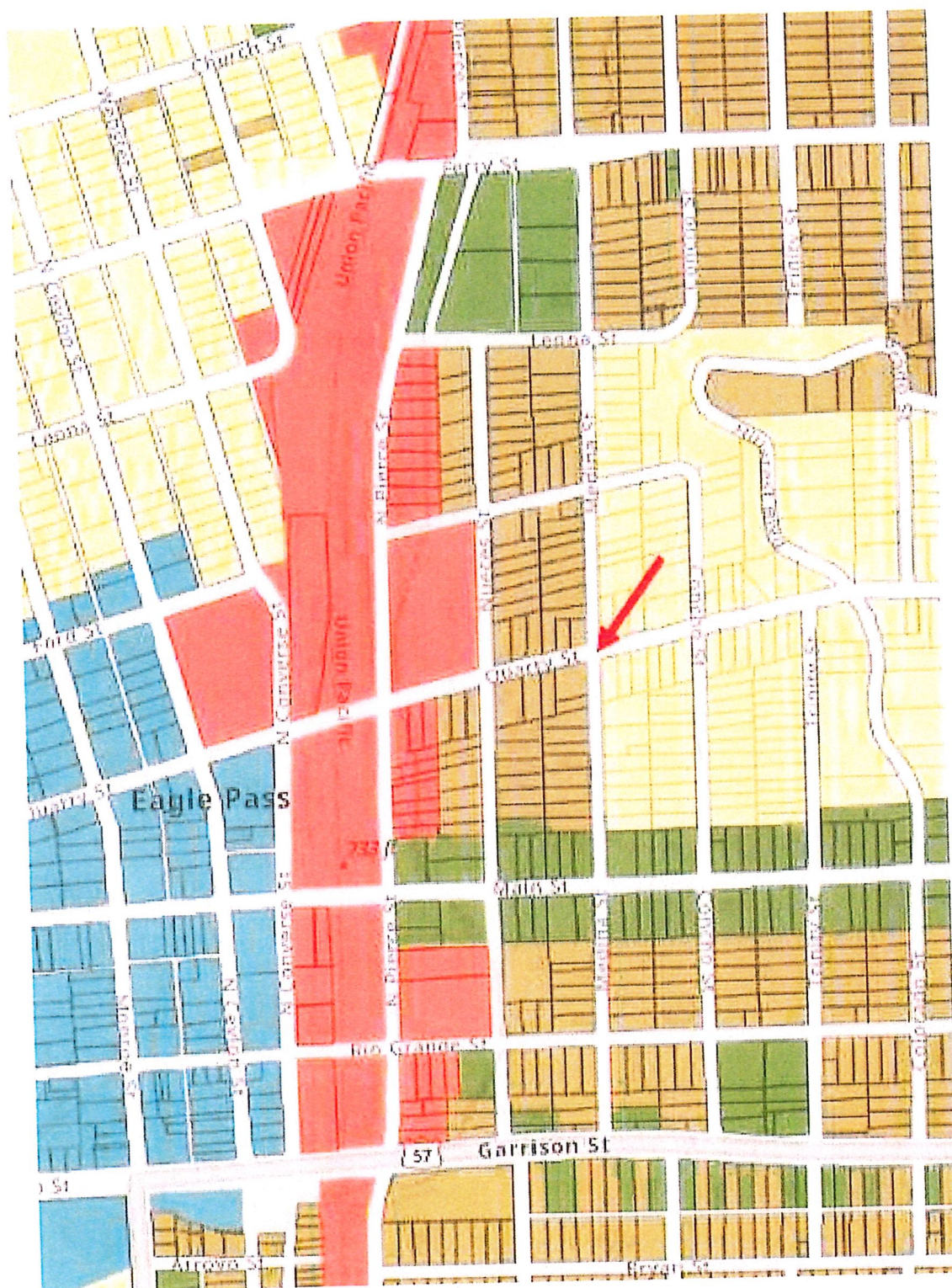
CAD DRAWING FILE: FUTURE/PLANS
DATE: 01/20/93



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

PREPARED BY:
HEJL, LEE & ASSOCIATES, INC.
CONSULTING ENGINEERS
2207 HANCOCK DRIVE
AUSTIN, TEXAS 78756
(512) 487-9793

- | |
|---|
| <ul style="list-style-type: none"> 1. EXISTING LAND USE 2. EXISTING HIGHWAY 3. EXISTING AIRPORT 4. EXISTING WATERWAY 5. EXISTING UTILITIES 6. EXISTING FLOODPLAIN 7. EXISTING ZONING 8. EXISTING LANDSCAPE 9. EXISTING BUILDINGS 10. EXISTING PARKS 11. EXISTING OPEN SPACE 12. EXISTING AGRICULTURE 13. EXISTING FOREST 14. EXISTING WETLANDS 15. EXISTING WILDLIFE 16. EXISTING HISTORIC 17. EXISTING CULTURAL 18. EXISTING RECREATION 19. EXISTING EDUCATION 20. EXISTING HEALTHCARE 21. EXISTING GOVERNMENT 22. EXISTING INDUSTRIAL 23. EXISTING COMMERCIAL 24. EXISTING RESIDENTIAL 25. EXISTING MIXED-USE 26. EXISTING TRANSPORTATION 27. EXISTING INFRASTRUCTURE 28. EXISTING UTILITIES 29. EXISTING LANDSCAPE 30. EXISTING BUILDINGS 31. EXISTING PARKS 32. EXISTING OPEN SPACE 33. EXISTING AGRICULTURE 34. EXISTING FOREST 35. EXISTING WETLANDS 36. EXISTING WILDLIFE 37. EXISTING HISTORIC 38. EXISTING CULTURAL 39. EXISTING RECREATION 40. EXISTING EDUCATION 41. EXISTING HEALTHCARE 42. EXISTING GOVERNMENT 43. EXISTING INDUSTRIAL 44. EXISTING COMMERCIAL 45. EXISTING RESIDENTIAL 46. EXISTING MIXED-USE 47. EXISTING TRANSPORTATION 48. EXISTING INFRASTRUCTURE 49. EXISTING UTILITIES 50. EXISTING LANDSCAPE 51. EXISTING BUILDINGS 52. EXISTING PARKS 53. EXISTING OPEN SPACE 54. EXISTING AGRICULTURE 55. EXISTING FOREST 56. EXISTING WETLANDS 57. EXISTING WILDLIFE 58. EXISTING HISTORIC 59. EXISTING CULTURAL 60. EXISTING RECREATION 61. EXISTING EDUCATION 62. EXISTING HEALTHCARE 63. EXISTING GOVERNMENT 64. EXISTING INDUSTRIAL 65. EXISTING COMMERCIAL 66. EXISTING RESIDENTIAL 67. EXISTING MIXED-USE 68. EXISTING TRANSPORTATION 69. EXISTING INFRASTRUCTURE 70. EXISTING UTILITIES 71. EXISTING LANDSCAPE 72. EXISTING BUILDINGS 73. EXISTING PARKS 74. EXISTING OPEN SPACE 75. EXISTING AGRICULTURE 76. EXISTING FOREST 77. EXISTING WETLANDS 78. EXISTING WILDLIFE 79. EXISTING HISTORIC 80. EXISTING CULTURAL 81. EXISTING RECREATION 82. EXISTING EDUCATION 83. EXISTING HEALTHCARE 84. EXISTING GOVERNMENT 85. 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Item #3



Planning Department Executive Summary
REPORT TO THE PLANNING & ZONING COMMISSION

387 Medina Street Rezone Request

I. BACKGROUND

A. General Information

Applicant: Samuel & Rosa Vargas (Vargas Electric, LLC) | Eagle Pass, Texas 78852

Location: 387 Medina Street **Property ID Number:** 9778 & 9779

Legal Description: Lot 5 & 6 (south 42-feet), and 7 in Block 9 of Hillcrest Addition

Request: Rezone parcel from R-3 Duplex District to B-1 Neighborhood Business District.

B. Subject Property Information

Parcel Size: 4,200 & 7,176

Existing Use: warehouse & small home

Zoning District: R-3 Duplex District

Master Plan: Commercial

Proposed Use: convert commercial building to accommodate a lighting and electrical supply retail store.

C. Vicinity Data

The site is located with an area that is primarily comprised of single-family dwellings, duplex dwellings, and commercial developments.

D. Infrastructure

Property is currently served by public utilities/franchises, including water, sanitary sewer, storm sewer, telephone, electric service, gas, garbage, and cable. Access to these lots is provided by Medina Street.

II. PUBLIC NOTICE

Public Notification of the Planning and Zoning Commission public hearing to consider the rezone request was completed consistent with the provisions of *Chapter 211 of the State of Texas Local Government Code Title 7*. 34 notices were mailed to the abutting property owners within the 200 foot radius from the subject property.

III. RECOMMENDED FINDINGS OF FACT

A. Conclusions

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

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

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

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

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

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

The purpose of the rezone is to allow for subsequent construction/remodel of an existing commercial building to be utilized as a lighting and electrical supply retail store, on the property. All construction will comply with all applicable local codes. Property owners will not receive a business permit and certificate of occupancy only after construction passes all required inspections if the rezone request is granted.

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

7. The rezone request conforms to the purpose of the City's zoning code, as the subsequent commercial development of the property will result in a use that is consistent with intent of the *B-1 Neighborhood Business District* and consistent with residential and commercial uses in the vicinity of the site, with a view to conserving the value of buildings and encouraging the most appropriate use of land adjacent that will have access to a public street. Please refer to Attachment 2 for a copy of the City's *Zoning District Map*.

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

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

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

C. Planning Department Recommendation

The Planning and Zoning Commission recommend that the City Council prepare and **ADOPT** an Ordinance granting a zoning district change from *R-3 Duplex District* to *B-1 Neighborhood Business District* for property legally defined as Lot 5 & 6 (south 42-feet), and 7 in Block 9 of Hillcrest Addition, also known 387 Medina Street, subject to the following condition:

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

TRANSMITTED to the parties listed hereafter:

Ivan A. Davila via e-mail
Planning and Zoning Commission Members via e-mail
Eagle Pass Planning Department Report dated October 24, 2022

Attachment 1 Application



PLANNING DEPARTMENT

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

ZONING CHANGE APPLICATION

Case No: _____

Applicant Information

Name: Samuel & Rosa Vargas

Mailing Address: 2416 Ralph Dr

Phone: 830-968-2191

E-mail: Vargaselectric@yahoo.com

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

Property Owner Information

Name: Samuel & Rosa Vargas - Vargas Electric LLC

Mailing Address: 2416 Ralph Dr.

Phone: 830-968-2191

E-mail: Vargaselectric@yahoo.com

Property Information

Site Address: 387 Medina St. MCAD Property ID # 9777, 9778, 9779

Legal Description: Lot(s) 5, 6, 7 Block 9 Subdivision Hillcrest Addition
(Property must be legally subdivided or be lot of record)

Front Yard Width (feet) 156.10' Rear Yard Width (feet) 159.60' Side Yard Width (feet) 109.20'

Proposed Project

Amend Zoning Regulations contained in section Section 7 R3 Duplex District

Amend the Official Zoning Map & Master Plan by changing 0.284 acres of land currently zoned

residential R3 to be zoned Commercial B1

Conforms with the Zoning Map? ☒ Yes ☐ No

Conforms with Master Plan Designation? ☒ Yes ☐ No

☐ Vacant Land ☐ Vacant Building ☐ Single Family Dwelling ☒ Commercial

☐ Multi-Family Dwellings ☐ Industrial ☐ Other _____

RECEIVED
9/28/22
VB

Detailed Explanation of Proposed Use	
Proposed Use of Property/Reason for Change:	
Seeking approval to convert commercial building located at the property into a lighting and electrical supply retail store.	
Describe the character and/or nature of uses surrounding the property:	
Properties surrounding consist of homes, businesses and apartments.	
Will the rezoned designation be compatible with the classification and use of adjoining lands? ☒ Yes ☐ No	
If No, how do you propose to reduce any adverse impact?	

Applicant Authorization	I authorize the City of Eagle Pass to conduct any site visits necessary to evaluate this zoning change application.
	I hereby state that I have prepared this application and that, to the best of my knowledge, the information contained herein is complete, accurate, and a true representation of the zoning change request. I further attest that I have the authority to submit this application and agree to comply with any and all conditions of the zoning change approval. I agree to provide any additional information requested by the City as they deem necessary for the processing of this application.
	 Applicant Signature <u>9/27/2022</u> Date

Office Use	Date Application Accepted for Review: <u>9/28/22</u> By: <u>VB</u>
	Contact Date for Supplemental Info: <u> </u> Supplemental Info Received: <u> </u>
	Completeness Review Date: <u>9/28/22</u> By: <u>VB/UK</u>
	Application Returned to Applicant: <u> </u> (when applicable)
MR:7/2020	

ZONING CHANGE PROCESS

ZONING ESTABLISHES THE TYPES OF LAND USES THAT ARE PERMITTED ON SPECIFIC LAND PARCELS. ZONING, GRANTED BY A CITY'S POLICE POWER ESTABLISHES DEVELOPMENT STANDARDS THAT SPECIFY THE SIZE, INTENSITY, HEIGHT, SIGNAGE, SCREENING, AND PARKING REQUIREMENTS FOR EACH ZONING DISTRICT. EAGLE PASS CONTAINS 9 ZONING DISTRICTS, WHICH ARE CATEGORIZED INTO RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL USES. THE REGULATIONS FOR EACH DISTRICT CAN BE FOUND BY REFERRING TO OUR CODE OF ORDINANCES.

General Information: Be advised that this is a 2-3 month process.

Applications will be reviewed for completeness by the Planning Division. Your application is considered accepted after being reviewed for completeness.

Planning Department Review

- Applicant has preliminary conference with the Planning Division concerning the request.
- Applicant fills out an application and submits said complete application with the following required attachment(s) and filing fee:
 - ☒ Completed application signed and dated by the owner/applicant.
 - ☒ Owner authorization letter, if application submitted by individual other than the property owner.
 - ☒ Application Fee of \$150.00. Fees is non-refundable. ✗
 - ☒ Copy of the warranty deed or copy of a purchase contract.
 - ☒ Copy of subdivision restrictions for subject property, as recorded in the Maverick County Court House. If no subdivision restrictions are available, a copy of the certificate of no restrictions will be required. This may be obtained at the office of Maverick County Clerk Sara Montemayor 500 Quarry Street or by calling (830) 773-2829.
 - ☒ Site Plan and photographs of the site.
 - ☒ The location of all tracts of land and ownership within at least 200-feet of the subject tract as it appears in the records of the Maverick County Appraisal District. This may be obtained at the Appraisal District office located at 2243 North Veterans Boulevard or by calling (830) 773-0255.

Legal Notices

- Under certain conditions, the City is required to provide legal notice of request by publication in a newspaper at least 15-days prior to the date of the public hearing.
Public Hearings: By state law public hearing notices shall be published in a newspaper with second class postage
- The City will notify property owners within a 200-foot radius at least 10-days prior to the date of the public hearing.

Publication Fee of approximately \$450 will be invoiced and be required to be paid before the first scheduled public hearing. This fee is non-refundable.

Public Hearings

Planning & Zoning Commission

- A public hearing is held before the Planning & Zoning Commission at which time the Commission makes a recommendation to the City Council.

City Council

- A public hearing is held before the City Council. An ordinance authorizing the zoning change is read and voted upon at the same meeting at which the public hearing is held. If the ordinance passes the first reading, two more readings at separate meetings are required.
- If the ordinance passes all readings, the zoning change becomes effective immediately upon the third and final reading. The applicant will be sent a copy of the ordinance signed by the Mayor, upon request.
- If the ordinance fails at any of the readings, it is considered denied at that point.

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

GENERAL WARRANTY DEED

Date: June 3, 2022

Grantor: Francisco Manuel Sanchez and wife, Silvia Kristel Gonzalez de Sanchez

Grantor's Mailing Address:

2145 point loma Dr.
Eagle Pass TX 78852
Maverick County

Grantee: Vargas Electric LLC., a Texas limited liability company

Grantee's Mailing Address:

2416 Ralph Dr.
Eagle Pass TX 78852
Maverick County

Consideration: Cash and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by Grantor.

Property (including any improvements):

Being all of Lot 7, Block 9, Hillcrest Addition and the South 42 feet of Lots 5 and 6, Block 9, Hillcrest Addition to the City of Eagle Pass, Maverick County, Texas, according to the map or plat thereof recorded in Volume 6 Page 587, Miscellaneous Records of Maverick County, Texas.

Reservations from Conveyance: None.

Exceptions to Conveyance and Warranty:

1. The rights of any ISD, College, County, City, Municipal Utility District, Flood Control District, Levee Improvement District, Water District, Water Supply District, Water Control and Improvement District or Emergency Service District of any type to levy taxes and issue bonds, and any other right, privilege and authority to use said land and/or any easement, right of way, whether dedicated or not for the installation, operation, maintenance and inspections of utilities on the herein described property.
2. All matters, easements, right of ways, setbacks, and notes described in Plat of Record.
3. Rights of Tenants, as tenants only, under all unrecorded leases or rental agreements.

4. Any portion of subject property lying within the boundaries of a public or private roadway whether dedicated or not.
5. Building, Zoning, Platting and/or Regulatory Laws and/or Ordinances and/or Statutes of any Municipality and/or other Governmental Authority.
6. Subject to any easements, pipelines, right-of ways, utility services, encroachments, roadways, square footage, rights of ingress/egress, correct legal description or any other matter that may affect the subject property that an accurate survey may disclose.
7. Any visible and apparent easements or roadways on, over or across the subject property, the existence of which does not appear of record, including but not limited to any public utility easements above or below the surface of the herein described property, possessed by any private or public companies or municipalities.

Restrictions to the Use of the Property: None of record.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

THIS CONTRACT IS AN ARM'S-LENGTH AGREEMENT BETWEEN THE PARTIES. THE PURCHASE PRICE WAS BARGAINED ON THE BASIS OF AN "AS IS, WHERE IS" TRANSACTION AND REFLECTS THE AGREEMENT OF THE PARTIES THAT THERE ARE NO REPRESENTATIONS, DISCLOSURES, OR EXPRESS OR IMPLIED WARRANTIES, EXCEPT THOSE IN THIS CONTRACT AND THE CLOSING DOCUMENTS.

BUYER IS NOT RELYING ON ANY REPRESENTATIONS, DISCLOSURES, OR EXPRESS OR IMPLIED WARRANTIES OTHER THAN THOSE EXPRESSLY CONTAINED IN THIS CONTRACT AND THE CLOSING DOCUMENTS. BUYER IS NOT RELYING ON ANY INFORMATION REGARDING THE PROPERTY PROVIDED BY ANY PERSON, OTHER THAN BUYER'S OWN INSPECTION AND THE REPRESENTATIONS AND WARRANTIES CONTAINED IN THIS CONTRACT AND THE CLOSING DOCUMENTS.

When the context requires, singular nouns and pronouns include the plural.

{signatures to follow on next page}

GRANTOR:

Francisco Manuel Sanchez

Silvia Kristel Gonzalez de Sanchez

Accepted by GRANTEE:

Vargas Electric LLC.,
A Texas limited liability company

By: Rosa

Title: Managing Member

Printed Name: ROSA VARGAS

(INDIVIDUAL ACKNOWLEDGMENT)

THE STATE OF TEXAS

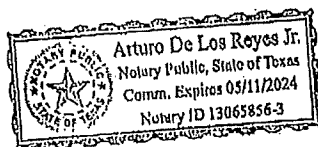
§

COUNTY OF Maverick

§

This instrument was acknowledged before me on this the 06 day of June, 2022 by Francisco Manuel Sanchez.

[Signature]
Notary Public, State of Texas
Notary seal:



(INDIVIDUAL ACKNOWLEDGMENT)

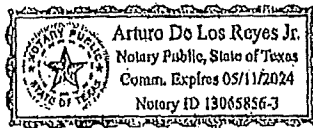
THE STATE OF TEXAS

§

COUNTY OF Maverick

§

This instrument was acknowledged before me on this the 06 day of June, 2022 by Silvia Kristel Gonzalez de Sanchez.



[Signature]
Notary Public, State of Texas
Notary seal:

(COMPANY ACKNOWLEDGMENT)

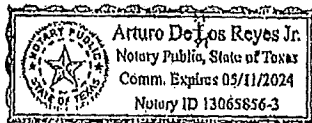
THE STATE OF TEXAS

§

COUNTY OF Maverick

§

This instrument was acknowledged before me on this the 06 day of June, 2022 by Rosa Vargas as Managing member of Vargas Electric LLC., a Texas limited liability company, as the act and on behalf of said entity.



[Signature]
Notary Public, State of Texas
Notary seal:

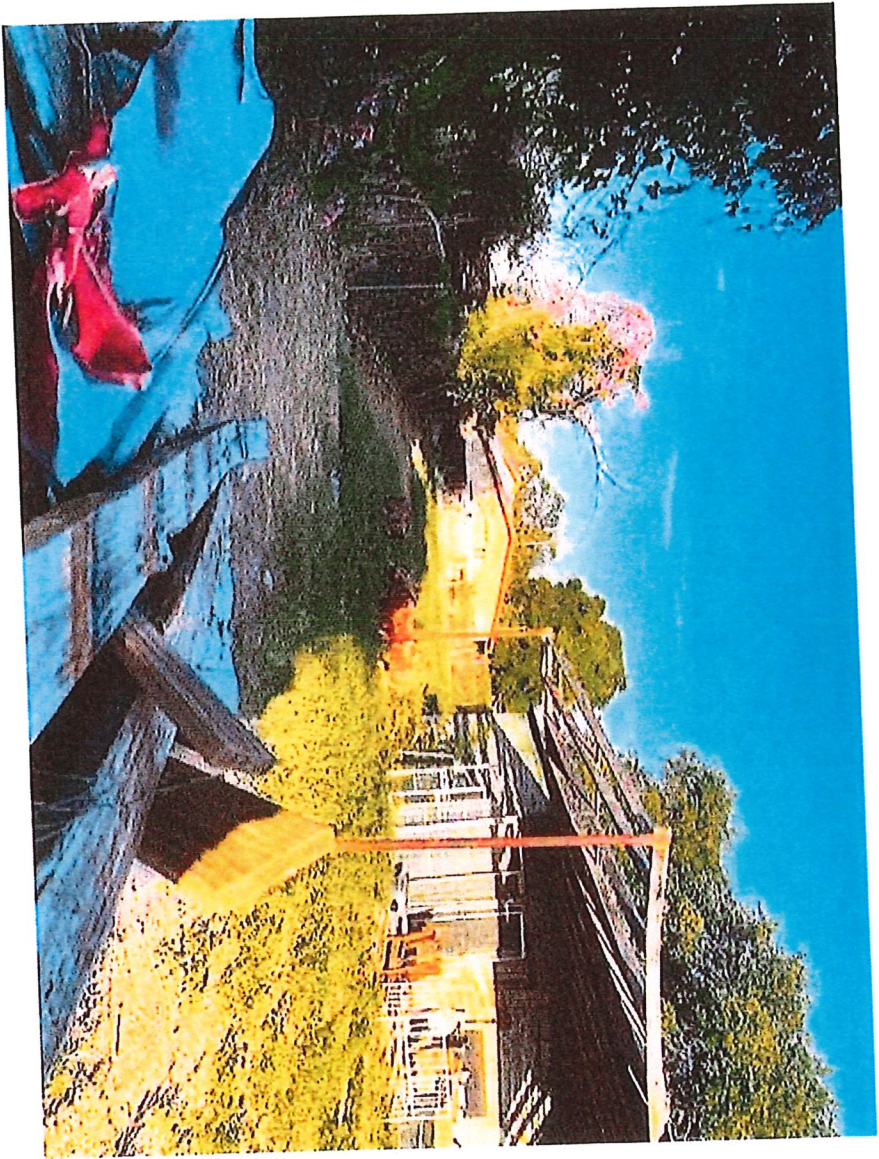
AFTER RECORDING RETURN TO:

Texas Lone Star Title, LLC.
2557 N. Veterans Blvd., Suite B
Eagle Pass, Texas 78852

Re: GF No. 22-272-EP

PREPARED IN THE LAW OFFICE OF:

LANGLEY & BANACK
Incorporated
Attorneys & Counselors at Law
401 Quarry Street
Eagle Pass, Texas 78852
Telephone No. (830) 773-6700
Fax No. (830) 757-4045







Attachment 2

Zoning Map & Master Plan

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

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

THESE MAPS ARE PREPARED WITHOUT WARRANTY OF ANY KIND.
EITHER EXPRESSED OR IMPLIED, RESPECTING THE CONTENTS OF
THESE MAPS, INCLUDING BUT NOT LIMITED TO THE ACCURACY,
LOCATION AND BOUNDARIES OF THE PROPOSED, EXISTING, THE CITY
OF EAGLE PASS, AND ALL ARE ASSOCIATED, AND THE CITY
RESPECTIVELY, SHALL BE LIABLE TO ANY PERSONS OR ENTITY
WITH RESPECT TO ANY LOSSES, DAMAGES OR OTHER
ADVERSE TO BE CAUSED DIRECTLY OR INDIRECTLY BY THESE MAPS.

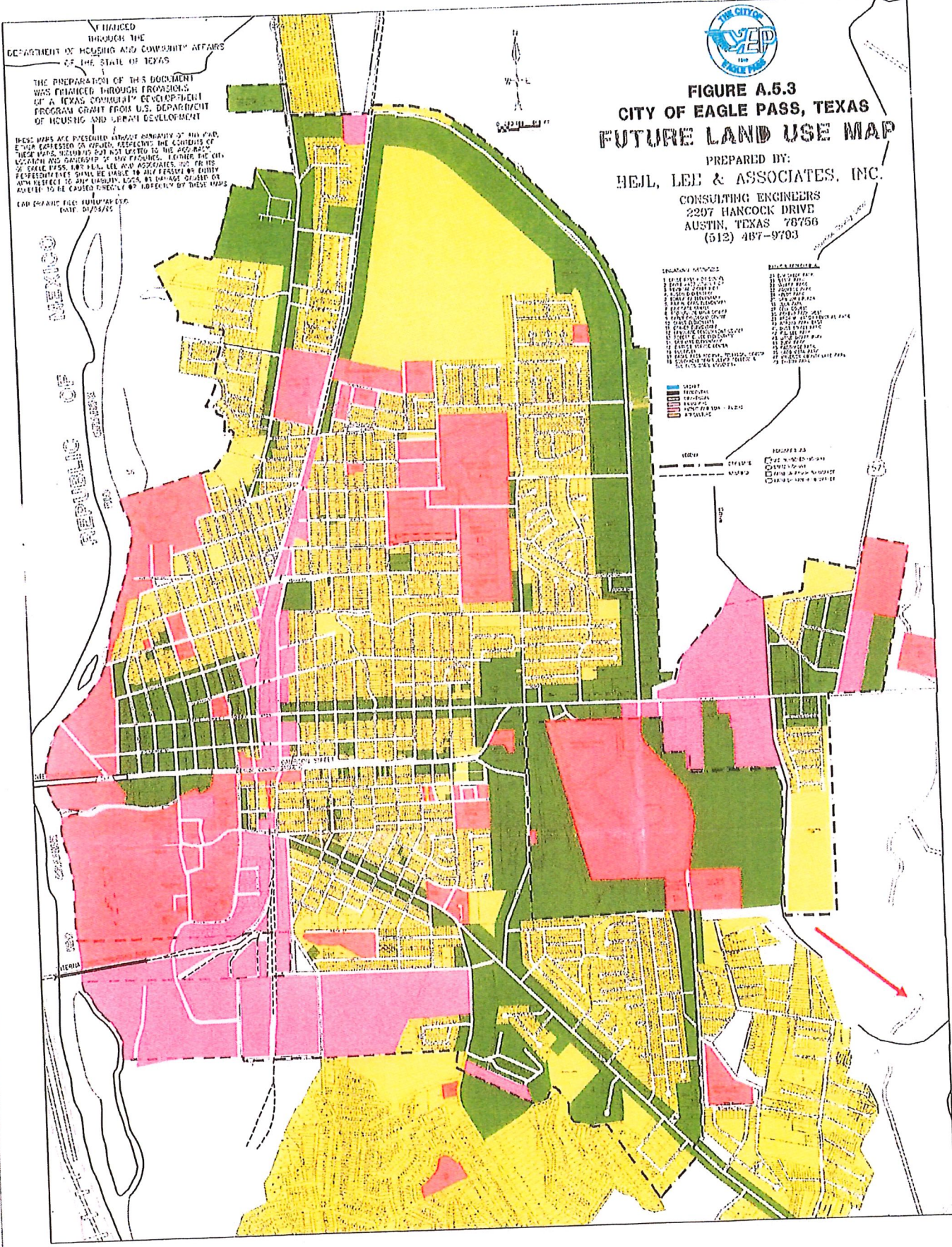
MAP DRAFTING FIRM: FUTUREPLAN, INC.
DATE: 01/25/85

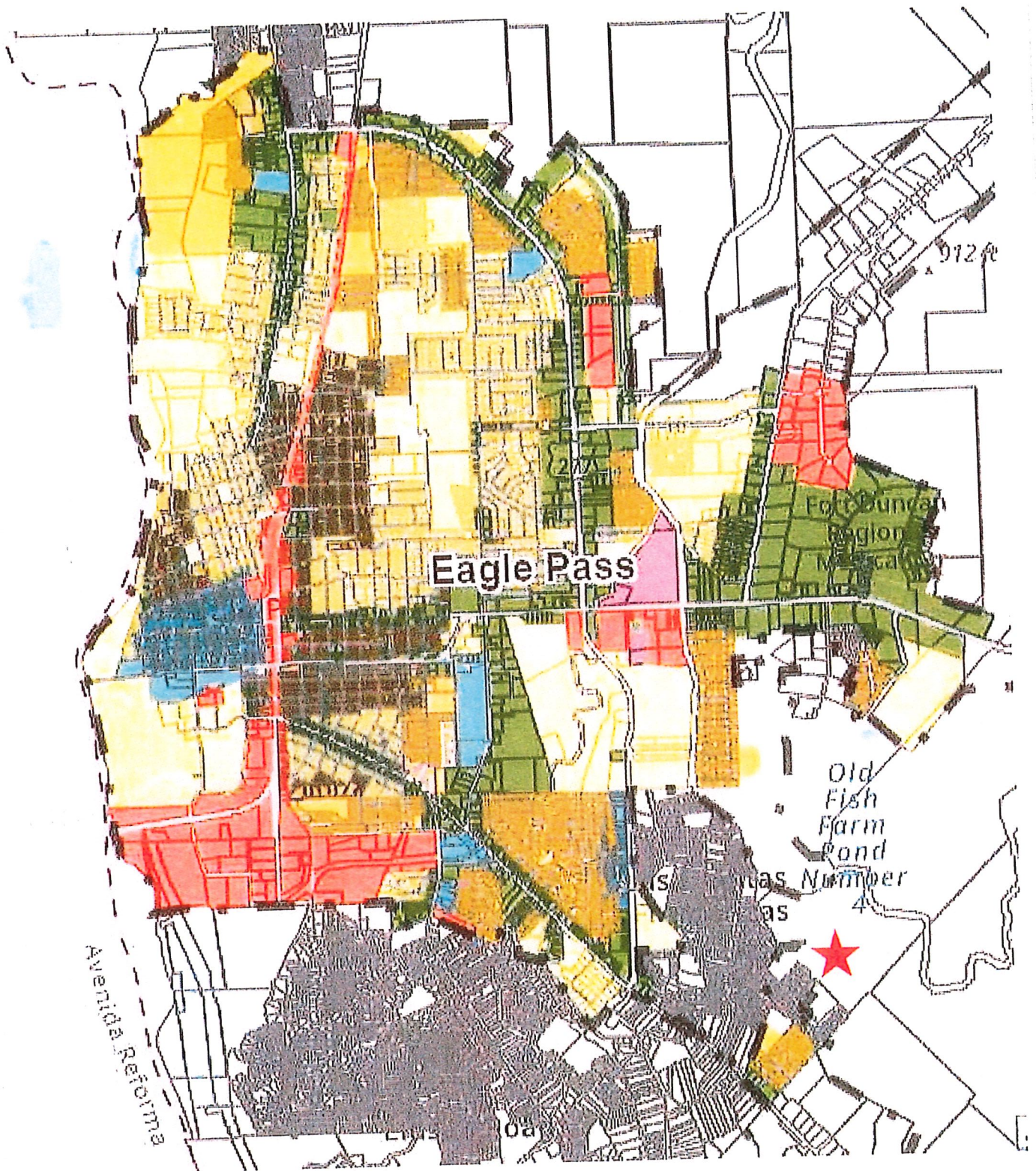


FIGURE A.5.3 CITY OF EAGLE PASS, TEXAS FUTURE LAND USE MAP

PREPARED BY:
HEIL, LEE & ASSOCIATES, INC.
CONSULTING ENGINEERS
2207 HANCOCK DRIVE
AUSTIN, TEXAS 78756
(512) 487-9703

- | LEGEND | NOTES |
|--------------------------------|---------------------------------|
| 1. RESIDENTIAL - SINGLE-FAMILY | 2. RESIDENTIAL - MEDIUM-DENSITY |
| 3. RESIDENTIAL - HIGH-DENSITY | 4. COMMERCIAL - GENERAL |
| 5. COMMERCIAL - RETAIL | 6. COMMERCIAL - OFFICE |
| 7. COMMERCIAL - INDUSTRIAL | 8. INDUSTRIAL - GENERAL |
| 9. INDUSTRIAL - HEAVY | 10. INDUSTRIAL - MEDIUM-DENSITY |
| 11. INDUSTRIAL - LOW-DENSITY | 12. AGRICULTURAL |
| 13. AGRICULTURAL - OPEN SPACE | 14. AGRICULTURAL - PASTURE |
| 15. AGRICULTURAL - FOREST | 16. AGRICULTURAL - WOODLAND |
| 17. AGRICULTURAL - RANGELAND | 18. AGRICULTURAL - WETLANDS |
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| 99. AGRICULTURAL - WETLANDS | 100. AGRICULTURAL - WETLANDS |





Item #4



**Planning Department Executive Summary
REPORT TO THE PLANNING AND ZONING COMMISSION**
Final Replat of Lot 3 in M. A. V. Subdivision

I. BACKGROUND

A. General Information

Applicant: TEC Services | 3295 El Indio Hwy | Eagle Pass, Texas 78852

Owner: Twin Torres Homes, LLC | Eagle Pass, Texas 78852

Location: 249 Garcia Drive **Property ID Number:** 13318

Legal Description: Lot 3 in M. A. V. Subdivision

Request: The grant of final approval for the re-platting of a 0.346-acre tract into a two 7,536 square foot lots, including (a) a subdivision variance to proceed directly to final re-plat approval without first having obtained preliminary re-plat approval, and (b) a subdivision variance to reduce the minimum lot width from 70-feet to 66.54-feet.

B. Subject Property Information

Parcel Size: 15,104.36 square feet

Topography: Generally flat

Vegetation: Native vegetation

Existing Use: Vacant

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

Master Plan: Not applicable as this is in the ETJ

C. Vicinity Data

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

D. Infrastructure

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

Access to the site is provided by Garcia 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*. 11 notices were mailed to the abutting property owners within a 500 foot radius of the subject property on October 14, 2022.

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 the re-subdivision. Please refer to Attachment 1.
2. Final re-plat approval is contingent upon the Commission's approval of subdivision variance request requests.
3. The applicant must demonstrate that the proposal complies with the subdivision variance criteria set forth on *Section 23-11(a)* and *Section 23-11(c)*. Please refer to Attachment 2 for a copy of the subdivision variance requests.

First Variance Decision Criteria

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

The portion of the variance request regarding the requirement to reduce the minimum lot width is also consistent with this section of the city code, as the strict application of the requirement defeats the purpose of the improvement of the lot. The denial of this portion of the variance would deprive the applicant of the reasonable subdivision of their land.

Second Variance Decision Criteria

Section 23-11(a)(2). The variance regarding final re-plat approval is also consistent with this section of the city code, as the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant. The subdivision design is consistent with the *R-1 First One-Family Dwelling District*. The residential use of the property will allow the enjoyment of a property right permitted by the City code.

That portion of the variance request regarding the requirement to reduce the lot width is also consistent with this section of the city code, as the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant. The property currently is vacant, and the re-plat will allow for an exercise of the development right for the property by City code.

Third Variance Decision Criteria

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

That portion of the variance request regarding the requirement to reduce the lot width is consistent with this section of the city code, as there is no anecdotal evidence which indicates that the granting of the variance would be detrimental to the public health, safety, or welfare, or injurious to other property in the area.

Fourth Variance Decision Criteria

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

The portion variance request regarding the requirement to reduce the lot width is consistent with this section of the city code, as there is no documentation which indicates that granting the variance would have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of *Chapter 23*.

Fifth Variance Decision Criteria

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

That portion of the variance request regarding the requirement to reduce the lot width variance portion of the subdivision proposal is also consistent with *Section 23-11(c)*, as the granting of the variance would allow for the creation of a subdivision that was in harmony with the surrounding developed properties.

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

4. The re-subdivision site is not located within the boundary depicted on the *City of Eagle Pass Master Plan Map*. The *City of Eagle Pass Master Plan* does, however, provide direction regarding the re-plat of property both within the City and within the City's 5-mile wide *Extraterritorial Jurisdiction (ETJ)*.
5. The *Master Plan* emphasizes the importance of maintaining the character of the residential and commercial neighborhoods located within the City's 5-mile wide *Extraterritorial Jurisdiction (ETJ)*.
 - ✓ The re-subdivision is consistent with the *Housing Goals* of the *Master Plan*, as the subdivision process will ensure appropriate land development regulation with appropriate lot sizes, paved streets with curb and gutters, and adequate utility services.
 - ✓ The re-subdivision is consistent with the *Land Use Development Goals* of the *Master Plan*, as the project is designed to provide for a building lot density that is consistent with the purpose of the *R-1 First One-Family Dwelling District*.

This design will allow for the continuing development of the community while retaining the neighborhood character and scale while providing utility services in the most and efficient and equitable manner.

- ✓ The re-subdivision is consistent with the *Street Goal* of the *Master Plan*, as access to the site from Garcia Drive is designed to provide the residents of

and visitors to Eagle Pass and Maverick County with a street system that will enable them to travel safely and conveniently.

- ✓ The re-subdivision is consistent with the *Thoroughfare Goals* of the *Master Plan*, as Garcia 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.
6. The re-subdivision design is consistent with the purpose of the *R-1 First One-Family Dwelling District*.
7. The re-subdivision design is consistent with City design and specifications, as the project is designed and conditioned to conform to the following sections of *Article IV* in *Eagle Pass Code of Ordinances Chapter 23*:
- ✓ *Section 23-62* governing utility easements
 - ✓ *Section 23-64* governing sidewalks, subject to the granting of a subdivision 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, subject to the granting of a reduction of the lot width 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.

8. The re-subdivision is not required to be consistent with the City design and specifications for landscape and tree preservation set forth in *Article VI* in *Eagle Pass Code of Ordinances Chapter 23* because it is located outside the city limits.
9. The re-subdivision will conform with the parkland dedication requirements set forth in *Article V* in *Eagle Pass Code of Ordinances Chapter 23*, as the original plat was created prior to the enactment of the City's parkland dedication requirements in 2005. As a result, the applicant will provide a \$575.00 per lot fee in lieu of parkland dedication the Maverick Planning Department.
10. The re-subdivision's conformance with the provisions of the *Master Plan* and the *Eagle Pass Code of Ordinances* will facilitate the following benefits:
- Protect private rights while considering public health, safety, and welfare.
 - Provide for efficient and economical ways to move people and goods outside the City by an adequate plan for streets and highways.
 - Guide future development in an orderly manner, by stages according to a pattern, so that the County may have a balanced land use.
 - Encourage a diversified economic base and encourage public and private investments in land and improvements.
 - Prevent and eliminate blight and slums, making the County attractive to people, commerce, and industry.

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

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

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

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

B. Planning Department Recommendation

The Eagle Pass Planning and Zoning Commission (1) **GRANT** the subdivision variance request to proceed directly to final plat approval without first having obtained preliminary re-plat approval, (2) **GRANT** a subdivision variance to reduce the lot width from 70-feet to 66.54-feet, and (3) **GRANT** final approval of the *Replat of Lot 3 in M. A. V. Subdivision*, subject to the plat complying with the provisions of *Article III* in *City of Eagle Pass Code of Ordinances Chapter 23* governing procedures and specifications for Final Plats.

TRANSMITTED to the parties listed hereafter:

Dirksen Engineering via e-mail
 Maverick County Planning Department via e-mail
 Eagle Pass Planning and Zoning Commission via e-mail
 Planning & Zoning Commission Report dated October 18, 2022

Attachment 1 Application



PLANNING DEPARTMENT

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

SUBDIVISION APPLICATION

TYPE OF SUBDIVISION (check one):

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

Property Legal Description: Lot No. 3, in the M.A.V. Subdivision

Maverick County Property Identification Number(s): 13318

Name of Addition: Replat Lot 3 M.A.V. Subdivision

Location of Addition: 249 Garcia Dr., Eagle Pass, TX 78852

Number of Residential Lots: 2 Number of Commercial Lots: 0 Gross Acreage: 0.345

Number of New Street Intersections 0 Linear feet of Streets 0

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

Existing Land Use: Residential Proposed Land Use: Residential

Requested Variances: Variance to proceed to Final Plat given existing street and utility improvements.

PROPERTY OWNER:

Name: Twin Torres Homes, LLC

Address: 2860 Memorial Jr. High Dr.

City: Eagle Pass

State: TX Zip: 78852

Signature: _____

PROPERTY OWNER:

Name: Twin Torres Homes, LLC

Address: 2860 Memorial Jr. High Dr.

City: Eagle Pass

State: TX Zip: 78852

Signature: _____

APPLICANT/SUBDIVIDER:

Contact: Jonathon Torres

Phone: 830-872-9673

Fax: N/A

E-mail: matorres@15094@hotmail.com

Date: 3/24/22

Contact: Marco Antonio Torres

Phone: 830-872-9673

Fax: N/A

E-mail: matorres@15094@hotmail.com

Date: 3-24-22

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: 7/26/22

SURVEYOR:

Name: J.J. Ruiz
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: 7/26/22

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: 7/26/22

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

7/26/22
Date

STATEMENT OF OWNER/SUBDIVIDER

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

[Signature]
Owner / Subdivider Signature

3-24-22
Date

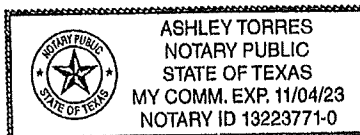
STATE OF TEXAS §

COUNTY OF Maverick §

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

Given under my hand and seal of office, this the 24th day of March, 2022.

[Signature]
Notary Public, State of Texas

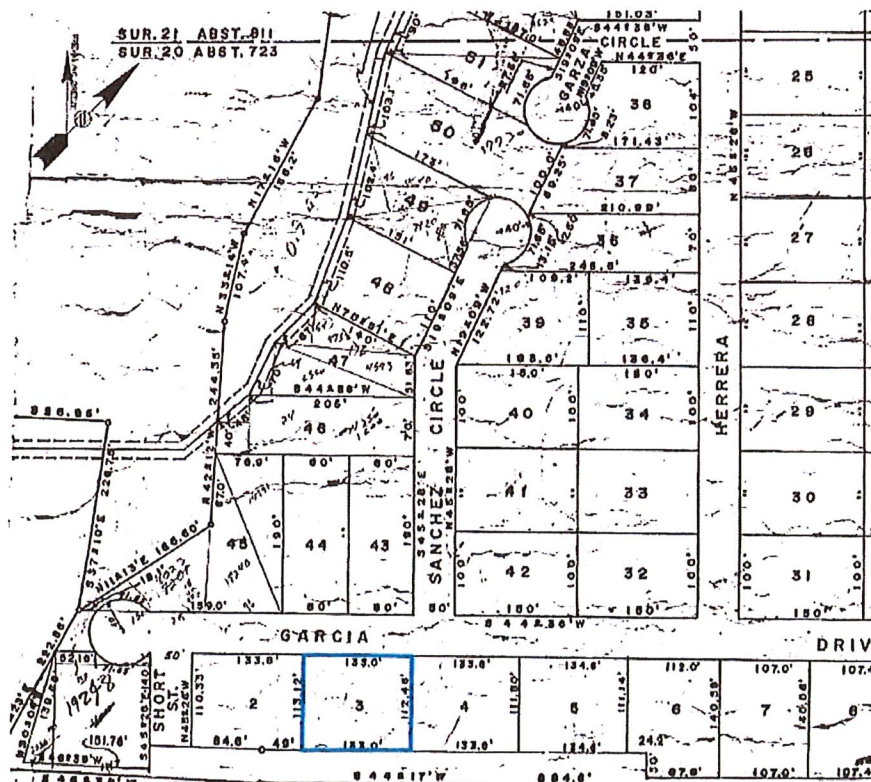








Recorded Plat



FEMA ZONE A
PANEL 40323005750
EFF. 4/4/2011
WITHOUT BASE FLOOD
ELEVATION (B.F.E.)

JOB: 0102-22
SHEET 1 OF 1
DESIGNED: AJL
DRAWN: GZA
CHECKED: AJL,FJC
SCALE: 1" = 50'
OCT. 19, 2022

Attachment 2
Subdivision Variance Request(s)



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: Twin Torres Homes, LLC
Address: 2860 Memorial Jr. High Drive Eagle Pass, TX 78852
Phone: 830-872-9673 E-mail: matorres15094@hotmail.com

Property Information

Site Address: 249 Garcia Dr. Eagle Pass, TX 78852 MCAD Property ID No. 13318
Legal Description (from deed): Being all that certain tract or parcel of land, together with all improvements thereon, lying and being situated in Maverick County, Texas and described as Lot 3, in M.A.V Subdivision in Maverick County, Texas which is of Record in Envelope 111 Side B, Map Records of Maverick County, TX.

Description of Subdivision Variance Request

-Variance to proceed straight to Final Plat given existing infrastructure.
-Variance to allow reduction in Lot Width and Lot Area, from 70' to 66.54' and from 7,700 S.F. to 7,536 S.F., respectively, to comply with R1 Zoning requirements, which is the default zoning for County properties.

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

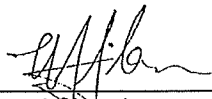
The following documentation is required to be attached to this application:

- 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

10-19-2022

Date

Attachment 3
Final Engineering Report



To: Placido Madera

City of Eagle Pass Planning Director

From: Florentino Caballero, P.E.

Date: October 19, 2022

Reference: Final Engineering Report for Replat of Lot 3, MAV Subdivision

Mr. Madera,

Twin Torres Home , LLC, owner of property legally described as 'Lot 3, M.A.V. Subdivision', 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 249 Garcia Drive. The property is located outside the Eagle Pass City Limits, but within the 5-mile Extra-Territorial Jurisdiction (E.T.J.) and is currently Platted as One (1) Residential Lot. The property was illegally subdivided by metes and bounds, and as a result there is currently (3) three different property owners with deeds in their allocated portions that currently reside on this 5 acre property of which two already have homes and/or trailers on the premises. 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 0.346 Acres and measures approximately 114' x 133' (see attached Replat Sheet for reference). The subject tract will be Replatted into (2) equal Lots, Lot 3-A and Lot 3-B, each measuring approximately 7,536 Square Feet in area. The property has frontage towards Garcia Drive and has access to paved streets. All utility infrastructure including water, sewer, electricity, and cable 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 5-Mile E.T.J., the proposed zoning will be R-1: First One-Family Dwelling District.

Drainage

General Drainage Description

A portion of the replat area of this subdivision is located within a FEMA Special Flood Hazard area Zone A as shown on the replat sheet. The subject property is generally flat, but towards the middle to rear lot line, starts sloping from the Northwest to the Southeast direction. Given that this property is already platted as part of a residential subdivision, and is already developed, no drainage improvements will be required. For platting purposes, Hydraulic Calculations are provided 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	0.346 acres

The peak rates of runoff for the existing undeveloped lots are

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

$$Q_{10} = 0.60 \times 7.43 \times 0.346 = 1.54 \text{ cfs}$$

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

$$Q_{100} = 1.25 \times 0.60 \times 10.32 \times 0.346 = 2.67 \text{ cfs}$$

The estimated runoff for the entirety of the residential property for a ten (10) and one hundred (100) year return period are 1.54 cfs and 2.67 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 Garcia Drive. Luminaries are visible along the property. Please refer to Replat sheet for locations.

There is an existing fire hydrant located along Sanchez Circle across the subject property. Please refer to Replat Sheet for location.

Water Service

There is an existing 8" Water Main that runs along the frontage of this property. Please refer to the replat for details. Proposed Lot 3-B has an existing water service from when it was originally platted. A new water service will be extended to Proposed Lot 3-A when developed. 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. Proposed Lot 3-A has an existing sewer service from when it was originally platted. A new sewer service will be extended to Proposed Lot 3-B when developed. All Sewer Mains in this area are operated by Eagle Pass Water Works.

Other Utilities

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

Conclusion

The existing and proposed use of 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





AGREEMENT REGARDING WATER SERVICE FOR THE PROPOSED

Replat of Lot 3, M.A.V. **SUBDIVISION**

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

"The Subdivider is TerraTech Engineering & Construction Services, who is the owner, or
the authorized agent of the owner, of a tract of land in Maverick County, Texas, that has been
proposed to be divided into a subdivision ("the Subdivision") known as _____
Replat of Lot 3, M.A.V. Subdivision.

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

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

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

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

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

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

This Agreement is effective on AUGUST 17, 2022.

The Utility

By:

MARCO SALINAS

Printed Name: MARCO SALINAS

Office or Position: CHAIRMAN

Date: 8/17/2022

The Subdivider

By:

Aaron Libson

Printed Name: Aaron Libson

Office or Position: General Manager (TEC Services)

Date: 6/7/2022

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



AGREEMENT REGARDING WASTEWATER TREATMENT SERVICE FOR THE
PROPOSED _____ **Replat of Lot 3, M.A.V.** _____ **SUBDIVISION**

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

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

Replat of Lot 3, M.A.V. Subdivision _____.

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

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

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

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

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

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

This Agreement is effective on August 17, 2022.

The Utility

By:

Marco Salinas

Printed Name: MARCO SALINAS

Office or Position: CHAIRMAN

Date: 8/17/2022

The Subdivider

By:

Aaron Libson

Printed Name: Aaron Libson

Office or Position: General Manager (TEG Services)

Date: 6/7/2022

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

Item #5

Item #6



Planning Department Executive Summary

REPORT TO THE PLANNING AND ZONING COMMISSION

Preliminary Plat Approval of the Terra Verde Estates Subdivision Unit 4

I. BACKGROUND

A. General Information

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

Property Owner: Libco Enterprises, LLC I Eagle Pass, Texas 78852

Location: Off Mauricio Libson Boulevard and is adjacent to Terra Verde Estates Subdivision Units 2 and 3.

Legal Description: Being a 18.99 acre tract of land lying and situated in Maverick County, Texas, out of the J. W. Tinsley Survey 27, Abstract 840, and being a portion of the Libco Enterprises, LLC 472.12 acres, described by metes and bounds in Deed Record Book 1745, Page 327 of the Maverick County Official Public Records.

Property ID Number: 3987

Request: Preliminary plat approval to subdivide an approximately 18.99-acre tract into 56 residential lots to allow for the developer to begin construction of all required improvements.

B. Subject Property Information

Parcel Size: 18.99-acres **Topography:** A decrease in elevation from west to east

Vegetation: Native vegetation **Existing Use:** Vacant

Zoning: R-2 Second One-Family Dwelling District

Master Plan: R-2 Second One-Family Dwelling District

C. Vicinity Data

The site is located within an area that features vacant land to the north, west and east, and residential development to the south where the proposed plat area is to connect to Unit 3 of Terra Verde Estates Subdivision.

D. Infrastructure

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

Access to the site is provided by Mauricio Libson Boulevard and Las Quintas Fonterizas Subdivision.

II. PUBLIC NOTICE

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

III. RECOMMENDED FINDINGS OF FACT

A. 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 preliminary 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 23-61* governing streets and two points of vehicular access for ingress and egress to the subdivision
 - ✓ *Section 23-62* governing alleys and easements
 - ✓ *Section 23-63* specific use easements
 - ✓ *Section 23-64* governing sidewalks
 - ✓ *Section 23-66* governing sanitary sewage disposal system
 - ✓ *Section 23-67* governing potable water supply and fire flow
 - ✓ *Section 23-68* governing storm drainage
 - ✓ *Section 23-69* governing the size, width, depth, shape and orientation of lots, and the minimum building setback lines
 - ✓ *Section 23-71* governing the installation and inspection of utility lines
 - ✓ *Sec. 23-94* governing fences for all new subdivisions

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

3. The subdivision of the property will conform to the parkland dedication requirements set forth in *Article V* in *Eagle Pass Code of Ordinances Chapter 23*. The City will collect cash contribution in lieu of parkland dedication.
4. The subdivision and the subsequent development of the property is consistent with City design and specifications for landscape and tree preservation set forth in *Article VI* in *Eagle Pass Code of Ordinances Chapter 23*.
5. The subdivision of the property 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 outside the City by an adequate plan for streets and highways.
 - Guide future development in an orderly manner, by stages according to a pattern, so that the City may have 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 residential purpose of the *R-2 Second One-Family Dwelling District* for the following reasons:
- A. The subdivision design bears a substantial relationship to the public's health, safety, and welfare.
 - B. The subdivision is in accordance with the policies of the Master Plan and the business purpose of the *R-2 Second One-Family Dwelling District*.
 - C. The subdivision is warranted because of the necessity to create additional building lots in the *R-2 Second One-Family Dwelling District*, and because the proposed development is appropriate to accomplish the reasonable use of the property.
 - D. The subject property is suitable for development in general conformance with development standards of the *R-2 Second One-Family Dwelling District*.
 - E. The subdivision will benefit the City as a whole and will not be detrimental to nearby land uses of a similar nature.
 - F. The subsequent development will be designed and conditioned to comply with all applicable subdivision criteria and standards of the City of Eagle Pass.

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

7. The approval of this preliminary plat request is warranted, as the project conforms to the *City of Eagle Pass Master Plan* and the *City of Eagle Pass Code of Ordinances* as noted in Conclusion 1 through and including Conclusion 6 of this report.

B. Planning Department Recommendation

The Planning and Zoning Commission **GRANT** preliminary plat approval of the proposed *Terra Verde Estates Subdivision Unit 4* subject to plat complying with the provisions of *Article III* of *City of Eagle Pass Code of Ordinances Chapter 23* governing procedures and specifications for Final Plats and allowing the developer to install required improvements.

TRANSMITTED to the parties listed hereafter:

TEC Services via e-mail
 Planning and Zoning Commission via e-mail
 Eagle Pass Planning Department Report dated October 17, 2022

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: Being 18.99 Acre Tract...being a portion of Libco Enterprises, LLC, 472.12 Acres... recorded in book 1693, pg 92.

Maverick County Property Identification Number(s): 3987

Name of Addition: Terra Verde Estates Subdivision Unit 4

Location of Addition: Off Mauricio Libson Blvd.

Number of Residential Lots 56 Number of Commercial Lots 0 Gross Acreage 18.99

Number of New Street Intersections 1 Linear feet of Streets 2,942

Is Subdivision inside city limits? Yes ☒ No ☐ If so, Zoning District: R2

Existing Land Use: Vacant Proposed Land Use: Residential

Requested Variances: N/A

PROPERTY OWNER:

Name: LIBCO ENTERPRISES, LLC

Address: 2962 TEXCOCO DR.

City: EAGLE PASS

State: TX Zip: 78852

Signature: [Signature]

PROPERTY OWNER:

Name: LIBCO ENTERPRISES, LLC

Address: 2962 TEXCOCO DR.

City: EAGLE PASS

State: TX Zip: 78852

Signature: [Signature]

APPLICANT/SUBDIVIDER:

Contact: Javier Libson

Phone: 830-968-0292

Fax: N/A

E-mail: jalibson@sbcglobal.net

Date: 10/6/22

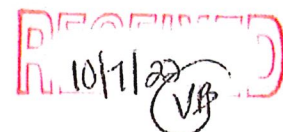
Contact: Morris Libson

Phone: 830-968-6268

Fax: N/A

E-mail: morrislj@sbcglobal.net

Date: 10/6/2022



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: 10/6/22

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: 10/6/22

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: 10/6/22

PRINCIPAL CONTACT: ☐ Owner ☒ Applicant ☐ Surveyor ☐ Engineer

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

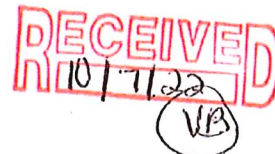
STATEMENT OF APPLICANT

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.

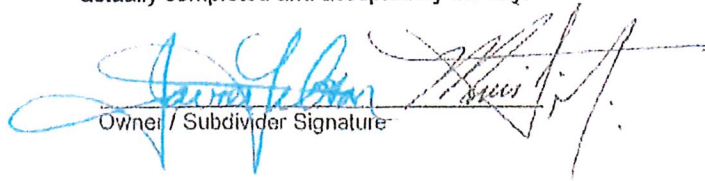
[Signature]
Applicant Signature

10/6/22
Date



STATEMENT OF OWNER/SUBDIVIDER

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


Owner / Subdivider Signature

10/6/2022
Date

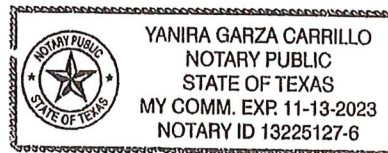
STATE OF TEXAS §

COUNTY OF MAVERICK §

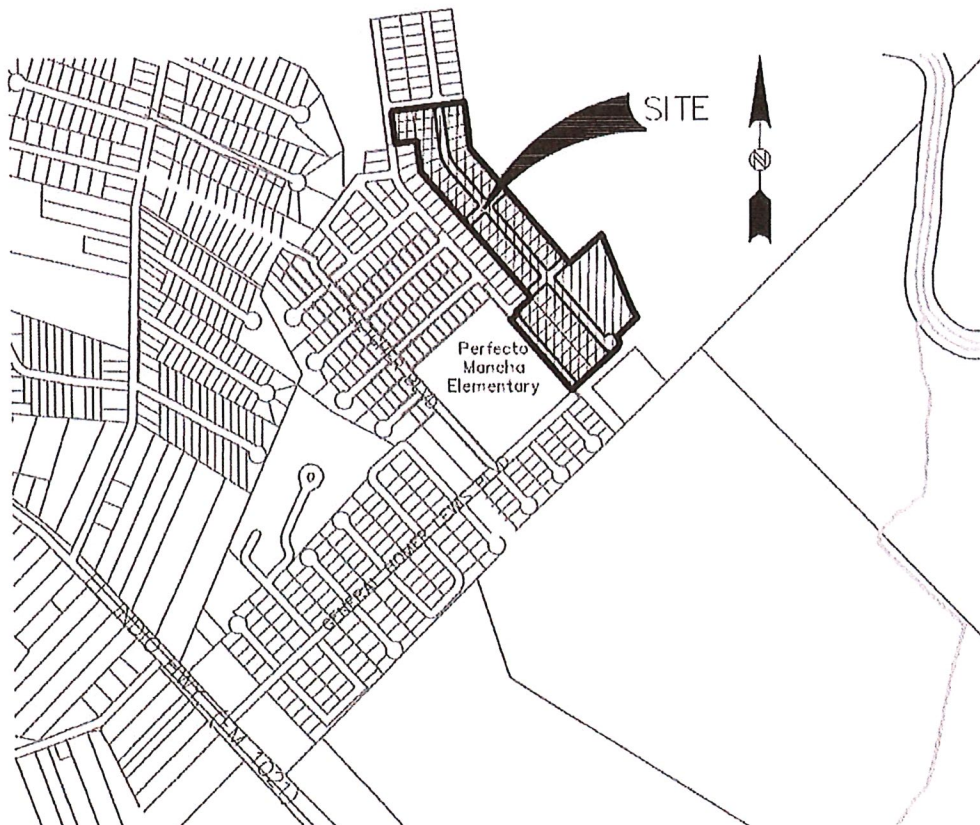
Before me, the undersigned authority, a notary public for the State of Texas, on this day personally appeared Javier Libson and Morris Libson (Name), Property Owners (Title), known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he executed the same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

Given under my hand and seal of office, this the 6th day of October, 2022.

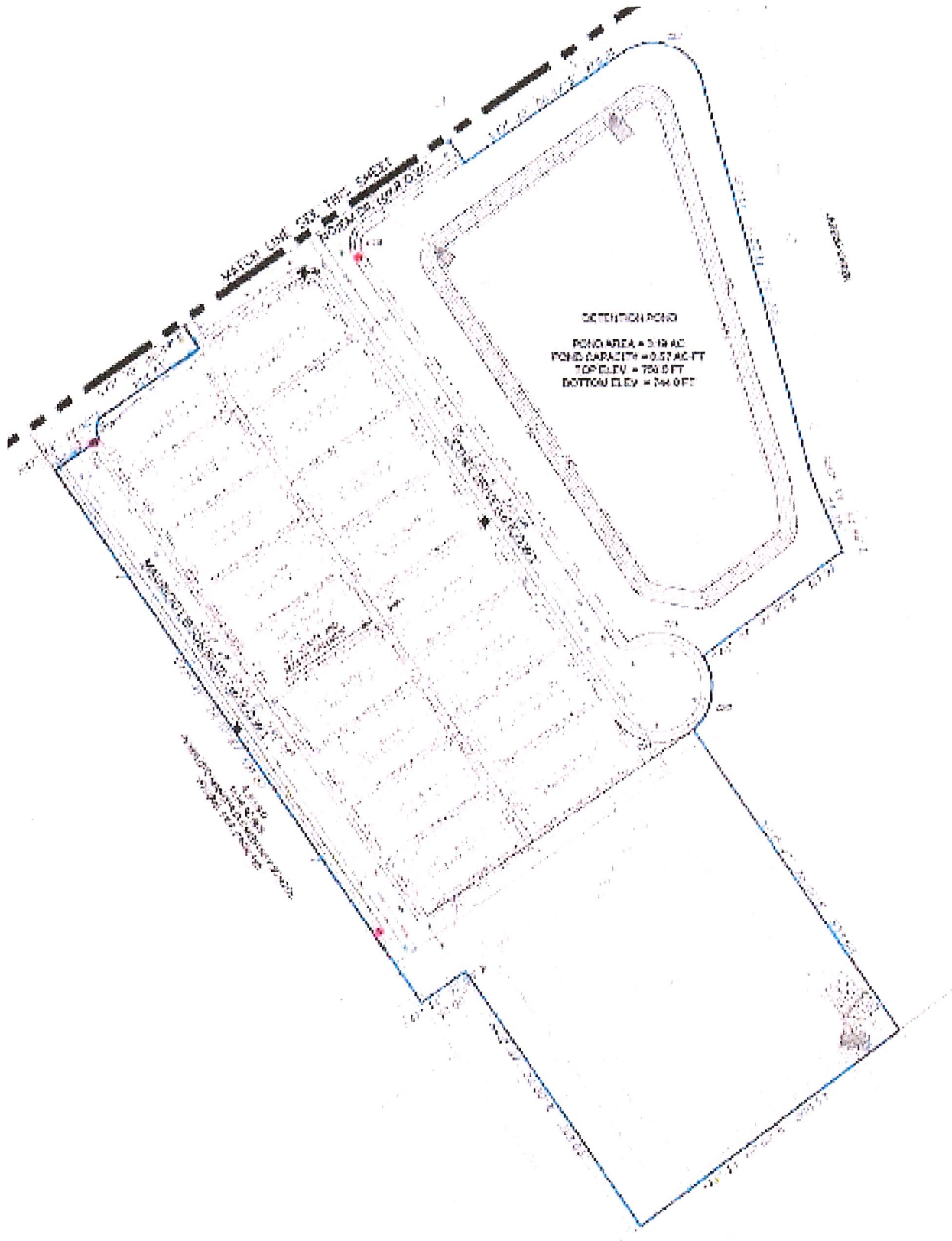

Notary Public, State of Texas

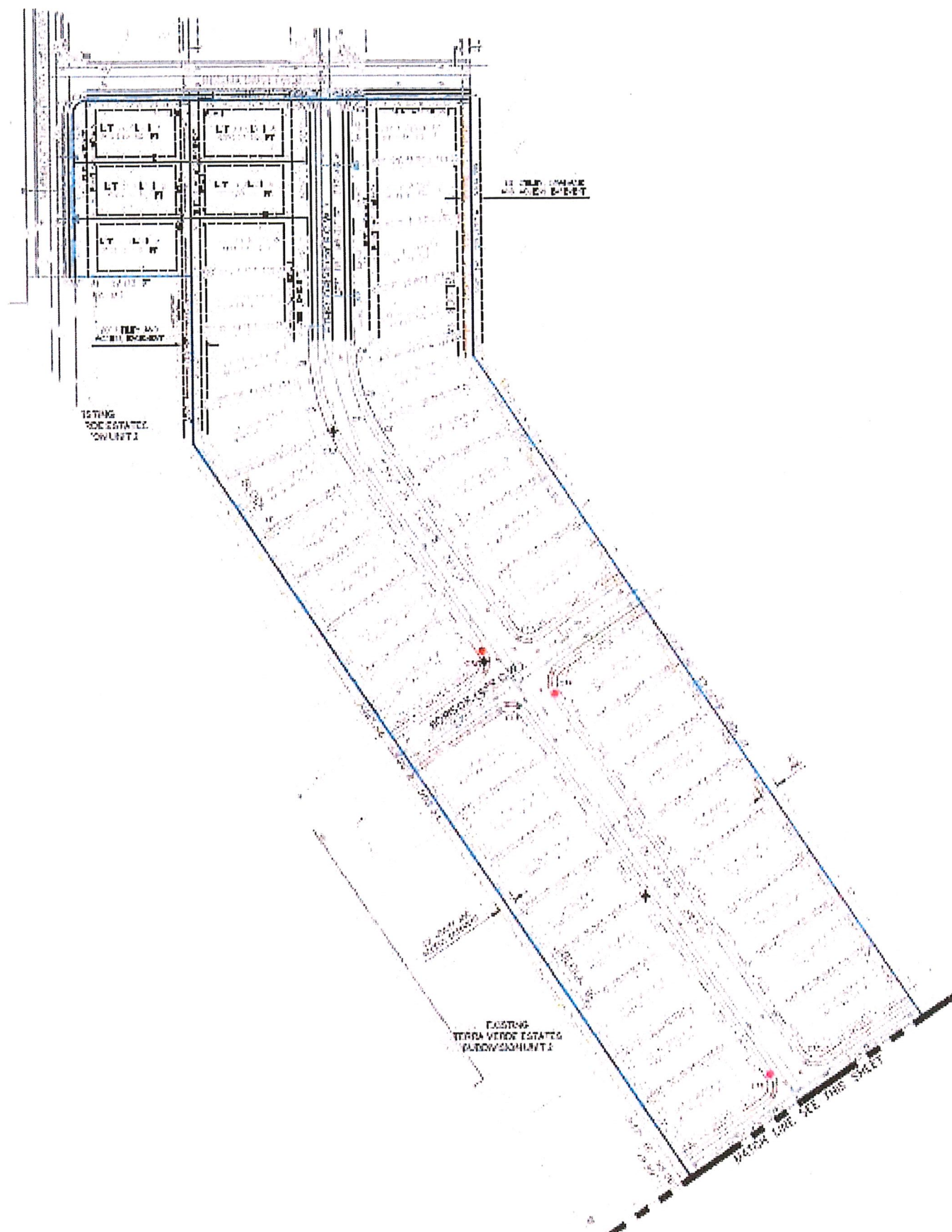


Vicinity Map



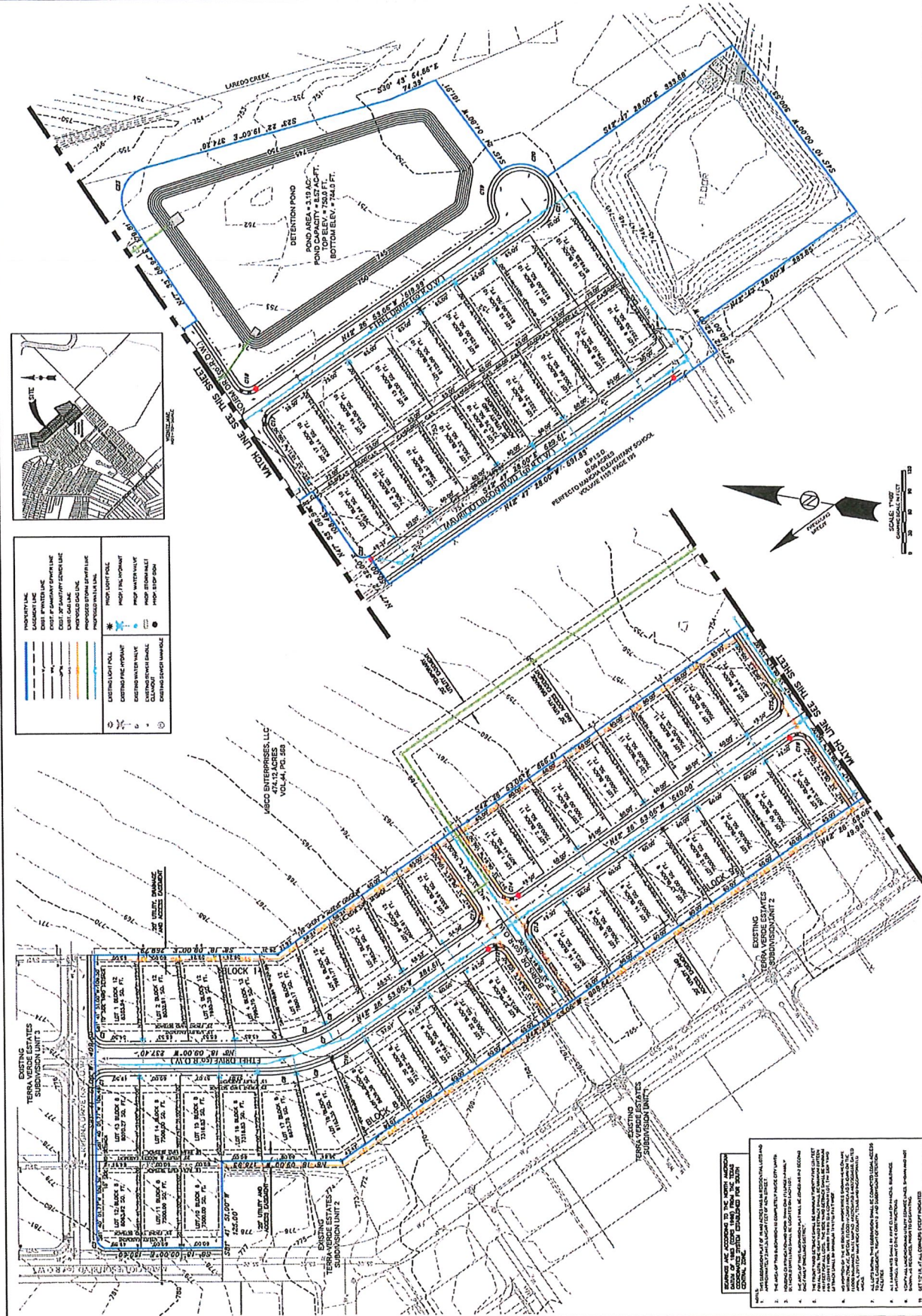
Plat - Zoomed In







JOB : 21203
DESIGN : RDE
DRAWN : RDE
CHECKED : AJ, PJG
SCALE : 1" = 60'
DATE : 01/2/2012

[illegible]

Attachment 2 Engineering Report



To: Mr. Placido Madera

City of Eagle Pass Planning Director

From: Florentino J. Caballero, P.E.

Date: October 3, 2022

Reference: *Preliminary Engineering Report for Terra Verde Estates Subdivision Unit 4*

Mr. Madera,

Libco Enterprises, LLC, owner of a tract of land legally described as '*Being a 18.99 acre tract of land lying and situated in Maverick County, Texas, out of the J.W. Tinsley Survey 27, Abstract 840, and being a portion of the Libco Enterprises, LLC 472.12 acres, described by metes and bounds in Deed Record Book 1745, Page 327 of the Maverick County Official Public Records*', has requested the services of TerraTech Engineering and Construction Services (TEC Services) to Plat and subdivide the subject 18.99 acres into 56 Residential lots. This tract of land is located off Mauricio Libson Blvd. and is adjacent to proposed Terra Verde Estates Subdivision Unit 3 in Eagle Pass, Texas.

General Description

The proposed Plat of fifty-six (56) residential lots has a total area of 18.99 Acres and is adjacent to proposed Terra Verde Estates Subdivision Unit 3. The average and smallest lot size is approximately 7,500 Sq. Ft. with lot areas ranging from 7,500 to 9,375 Sq. Ft. in area. The proposed zoning of this subdivision will be classified as R-2: second one-family dwelling district, based on the zoning classifications as stipulated in Sect. 7.4, Appendix A-Zoning Ordinance, of the Eagle Pass Code of Ordinances. The subject development area has been fully annexed, and is inside the Eagle Pass City limits. A total of (56) fifty-six new residential lots and approximately 2,942 linear feet of new street 50' R.O.W., will be created as part of this Subdivision Plat.

Drainage

General Drainage Description

The proposed land use for this tract of land is residential with no portion of the proposed Platted property being within a special flood hazard area as indicated by FEMA. The Western portion of this property is the highest elevation point of the tract, as runoff naturally drains from the West towards the Eastern direction. Please reference sheets 7-9 in the Terra Verde Estates Unit 4 construction plans for layout, details, and summarized calculations. The SCS TR-55 hydrology method was used for the hydrological analysis of this development. The peak rate of runoff, Q, in cubic feet per second (cfs), of

various storm durations, was calculated using the rational method for street capacity runoff calculations, as outlined below.

Drainage Conditions

The existing drainage conditions of this tract of land is undeveloped and was analyzed using the SCS TR-55 method for the determination of storage volume for a 100-yr return frequency storm (pg. 29, COEP Division G-Construction Specifications Manual), and the Rational Method was used to determine runoff quantities for street capacity to accommodate peak runoff from a 10-yr return frequency storm (pg. 20, COEP Division G-Construction Specifications Manual).

The peak rate of runoff for the Rational Method, Q , in cubic feet per second (cfs) 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

10-YEAR PRE-DEVELOPMENT RUNOFF INFORMATION						
RAINFALL DETAILS	CALCULATION METHOD	RETURN PERIOD	LOCATION	RAINFALL DEPTH (IN)	RAINFALL DISTRIBUTION	
	SCS TR-55	10-YEAR	MAVERICK COUNTY, TEXAS	5.80	SCS TYPE III 24-HR	
SUBBASIN SUMMARY	AREA (AC)	WEIGHTED CURVE NUMBER	TIME OF CONCENTRATION (MIN)	TOTAL RUNOFF (IN)	TOTAL RUNOFF VOLUME (AC-IN)	PEAK RUNOFF (CFS)
	23.27	48	40.80	0.91	21.25	9.16

100-YEAR POST-DEVELOPMENT RUNOFF INFORMATION (SCS TR-55 METHOD)						
RAINFALL DETAILS	CALCULATION METHOD	STORM EVENT / RETURN PERIOD	LOCATION	RAINFALL DEPTH (IN)	RAINFALL DISTRIBUTION	
	SCS TR-55	100-YEAR	MAVERICK COUNTY, TEXAS	9.00	SCS TYPE III 24-HR	
SUBBASIN SUMMARY	AREA (AC)	WEIGHTED CURVE NUMBER	TIME OF CONCENTRATION (MIN)	TOTAL RUNOFF (IN)	TOTAL RUNOFF VOLUME (AC-IN)	PEAK RUNOFF (CFS)
	25.15	76.96	21.65	6.19	155.78	118.48

STORM RUNOFF CALCULATIONS (RATIONAL METHOD, Q=CU)

Drainage Area No.	Drainage Area (A) (sq ft)	Drainage Area (A) (ac)	Time of Concentration, Tc (min)	Runoff Coefficient, C	2-Year Design Storm		5-Year Design Storm		10-Year Design Storm		25-Year Design Storm		50-Year Design Storm		100-Year Design Storm	
					**Intensity, I (in/hr)	Runoff, Q (cfs)	**Intensity, I (in/hr)	Runoff, Q (cfs)	**Intensity, I (in/hr)	Runoff, Q (cfs)	**Intensity, I (in/hr)	Runoff, Q (cfs)	**Intensity, I (in/hr)	Runoff, Q (cfs)	**Intensity, I (in/hr)	Runoff, Q (cfs)
A1	144,997	2.33	10.00	0.60	5.11	10.21	6.65	13.30	8.03	16.04	0.65	10.00	21.97	0.72	11.70	28.04
A2	61,926	1.42	10.00	0.60	5.11	4.36	6.65	5.68	8.03	6.85	0.65	10.00	9.38	0.72	11.70	11.98
A3	108,624	2.48	10.00	0.60	5.11	7.64	6.65	9.96	8.03	12.00	0.65	10.00	16.44	0.72	11.70	20.99
A4	53,475	1.23	10.00	0.60	5.11	3.76	6.65	4.91	8.03	5.91	0.65	10.00	8.10	0.72	11.70	10.34
A5	97,959	2.25	10.00	0.60	5.11	6.50	6.65	8.99	8.03	10.84	0.65	10.00	14.85	0.72	11.70	18.95
A6	80,437	1.85	10.00	0.60	5.11	5.66	6.65	7.39	8.03	8.90	0.65	10.00	12.19	0.72	11.70	15.56
A7	13,271	0.30	10.00	0.60	5.11	0.93	6.65	1.22	8.03	1.47	0.65	10.00	2.01	0.72	11.70	2.57
F1	129,200	2.97	10.00	0.60	5.11	9.09	6.65	11.85	8.03	14.29	0.65	10.00	19.58	0.72	11.70	24.99
F2	159,633	3.66	10.00	0.60	5.11	11.23	6.65	14.64	8.03	17.65	0.65	10.00	24.17	0.72	11.70	30.66
E1	18,497	0.42	10.00	0.60	5.11	1.30	6.65	1.70	8.03	2.05	0.65	10.00	2.80	0.72	11.70	3.58
E2	6,000	0.14	10.00	0.60	5.11	0.42	6.65	0.55	8.03	0.68	0.65	10.00	0.91	0.72	11.70	1.16
E3	95,787	2.20	10.00	0.60	5.11	6.74	6.65	8.79	8.03	10.59	0.65	10.00	14.51	0.72	11.70	18.62
E4	80,501	1.85	10.00	0.60	5.11	5.67	6.65	7.38	8.03	8.90	0.65	10.00	12.20	0.72	11.70	15.57
E5	7,723	0.18	10.00	0.95	5.11	0.86	6.65	1.12	8.03	1.35	1.05	10.00	1.85	1.14	11.70	2.37

Reference Storm Drainage and Sewerage Control Appendix Tables 1 and 2
Reference HDM-2015-11, Volume 11, Version 2

DROP INLET CALCULATIONS

Inlet	Drainage Area	# Grates	Type	Q Inlet (cfs)	Clogging Factor	Q Capacity (cfs)	Q10 (cfs)	Q Bypass (cfs)
I-1	A1, A2, E1, E2, E3	3	III	42.39	0.50	21.19	18.10	0.00
I-2	A1, A2, E1, E2, E3	3	III	42.39	0.50	21.19	18.10	0.00
I-3	A3, A4, E4	3	III	42.39	0.50	21.19	13.41	0.00
I-4	A3, A4, E4	3	III	42.39	0.50	21.19	13.41	0.00
FUT I-1	F2	3	III	42.39	0.50	21.19	17.65	0.00
FUT I-2	F1	3	III	42.39	0.50	21.19	14.29	0.00

Detention Pond Storage

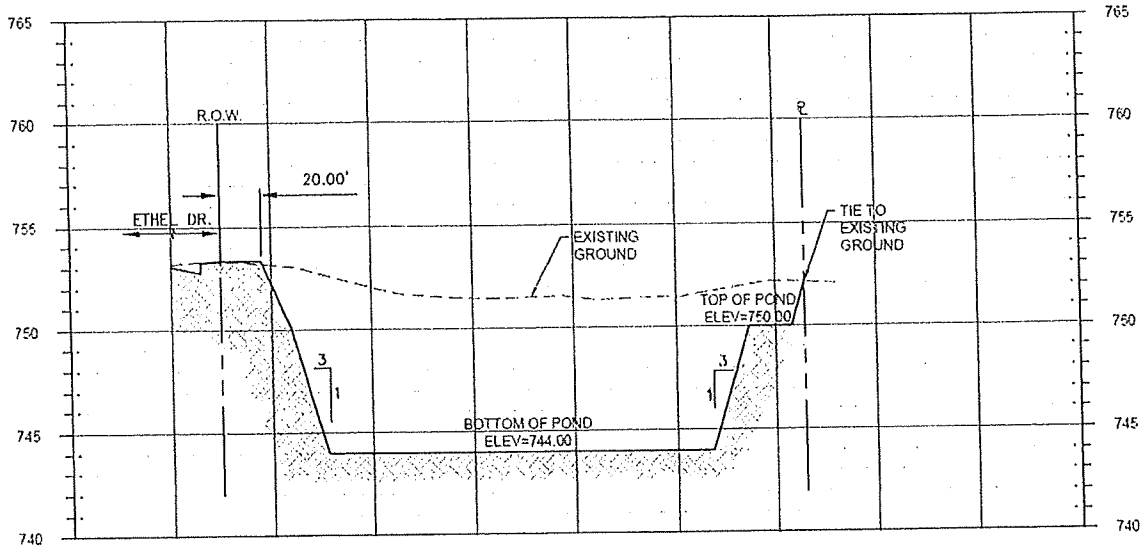
POND AND WEIR SUMMARY

POND DETAILS	BOTTOM OF POND (FT)	TOP OF POND (FT)	PEAK INFLOW (CFS)	PEAK OUTFLOW (CFS)	MAX HGL ELEVATION (FT)
	744	750	118.36	9.18	749.37
WEIR DETAILS	TYPE	LENGTH (FT)	HEIGHT (FT)	DISCHARGE COEFFICIENT	BOTTOM OF WEIR ELEVATION (FT)
	RECTANGULAR	12.5	1	3.33	749

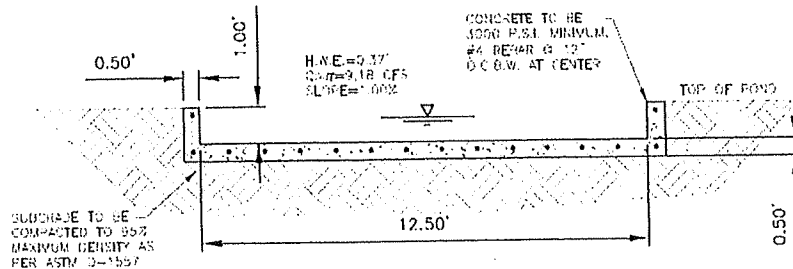
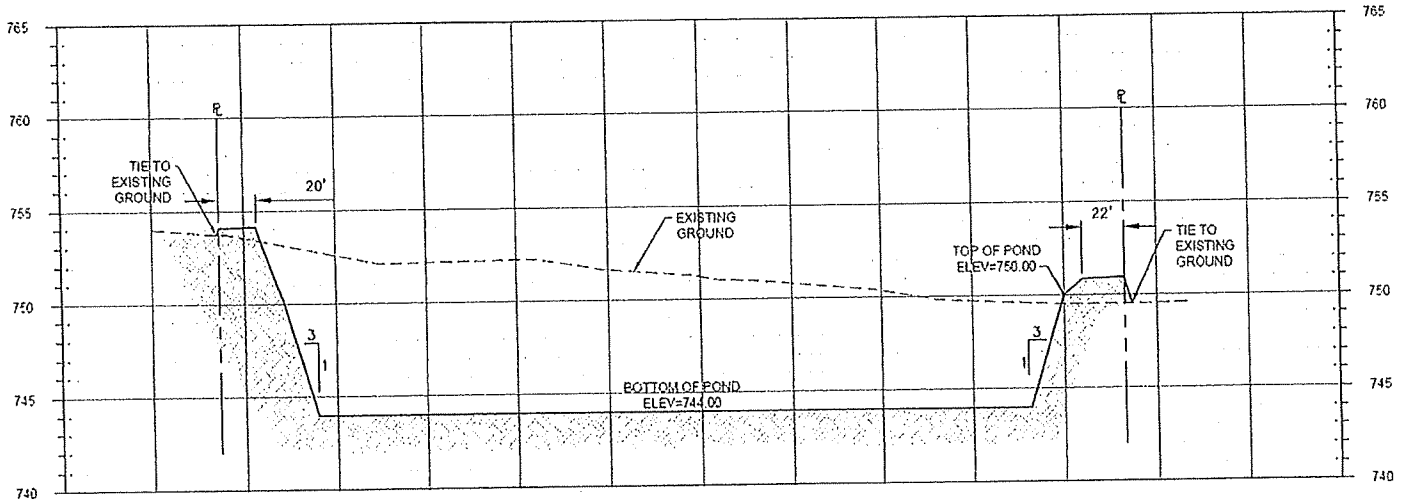
STORAGE AREA VOLUME CURVES

DEPTH	STORAGE AREA (SQ. FT)	STORAGE VOLUME (CU FT)
0	66163.23	0.00
1	69501.88	67832.55
2	72896.08	139031.53
3	76345.81	213652.48
4	79851.09	291750.93
5	83411.91	373382.43
6	87028.27	456602.52

SECTION 'A'



SECTION 'B'



CONCRETE RECTANGULAR WEIR DETAIL
N.T.S.

*Please reference Sheets 7-9 of the Construction Plans for more detailed pond information

Drainage Conclusions and Recommendations

All drainage for the proposed development will be captured by the proposed underground storm drainage system which is routed to convey runoff directly into the proposed detention pond. Please reference construction plans for further drainage details.

Street

There will be approximately 2,942 linear feet of new street 50' R.O.W. constructed for this development. The proposed streets will be centered within a 50' R.O.W. and will have a 31' distance from back to back of curb. Terra Verde Estates Subdivision Unit 4 will have access via Fletcher Blvd, General Homer Lewis Blvd., Juan Dr., and Mauricio Libson Blvd. The Proposed Streets will be constructed with six (6) inches of sub-grade native soil, scarified and compacted to 95% proctor density, followed by eight (8) inches of type "B" stabilized base material compacted to 98% proctor density, and sealed with two (2) inches of type D asphalt pavement, compacted to a minimum of 96% marshal density, and a two (2) foot wide concrete curb and gutter system. This design exceeds City of Eagle Pass minimum street standards and was determined by a paving design that was completed for this project based on the geotechnical soil findings of the area. The geotechnical soil report and paving design is attached to the end of this report for reference.

Water Service

Terra Verde Estates Subdivision Unit 4 will be serviced and connected to an existing eight (8) inch Water Main stubb-out located off the continuation of Terra Verde Estates Unit 3 and Mauricio Libson Blvd. All lots in Unit 4 will be serviced by an eight (8) inch PVC Water Main as per construction plans. All water lines in this area are owned and operated by Eagle Pass Water Works. Five (5) Fire Hydrants will be installed as part of this development. Residential spacing requirements of 500 linear ft between hydrants has been verified with existing hydrants in the area. Please reference construction plans for further details.

Sanitary Sewer Service

Terra Verde Estates Subdivision 4 will be serviced from an 8" PVC Sanitary Sewer line that is to be constructed as an offsite expense from approved construction plans of Terra Verde Estates Subdivision Unit 3. All lots part of this subdivision will be serviced from a dedicated 20' Utility Easement that is located at the rear of each of the lots in an alley. All lots in Unit 4 will be serviced by an eight (8) inch PVC Sewer Main as per construction plans. All sanitary sewer lines in this area are operated by Eagle Pass Water Works. Please reference construction plans for further details.

Electrical Service

Rio Grande Electric Coop. will provide the electrical infrastructure to service this development. There will be a total of six (6) street lights for this development as per construction plans. All electrical lines, transformers, and junction boxes in this area are operated by Rio Grande Electrical Coop.

Other Utilities

Terra Verde Estates Subdivision Unit 4 will have access to other utilities such as Telephone, Fiber, and Internet Service (Spectrum & AT&T) which will be extended via continuation lines left from Terra Verde Estates Unit 3, and will be located in the same ditch as the electrical conduit that will service the subdivision. Natural gas service mains will be provided throughout the entirety of the proposed

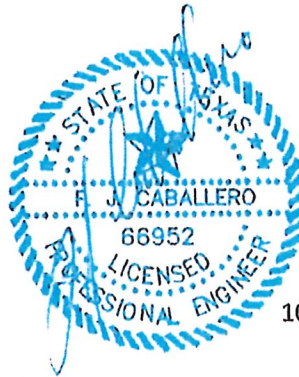
subdivision and will be extended from continuation lines left from Terra Verde Estates Unit 3. All Natural Gas lines in this area are owned and operated by Texas State Natural Gas.

Conclusion

The proposed land use for this development is residential. The current use of adjacent tracts is also residential. The proposed plat will not have an impact on the current drainage patterns or utilities given the proposed infrastructure to be built. If you have any additional questions concerning this report, please contact Florentino Caballero, P.E. at 830-773-0579 or Aaron Libson at ajlibson@terratechengineering.com

Sincerely,

Florentino J. Caballero, P.E.



10/03/2022

Terra Verde Estates Subdivision Unit 4 Development Cost Estimate

BID ITEM	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL
1	Street System 2" Asphalt Type D	SY	9290	\$ 25.00	\$ 232,250.00
2	Street System 8" Flexible Base Type B	SY	9290	\$ 7.00	\$ 65,030.00
3	Street System 6" Subgrade Preparation	SY	9290	\$ 3.00	\$ 27,870.00
4	Street System 2' Curb & Gutter	LF	5688	\$ 20.00	\$ 113,760.00
5	Sanitary Sewer System 8" PVC SDR-26 (installed in Unit 3)	LF	0	\$ -	\$ -
9	Water System 8" PVC C900 DR-18	LF	3400	\$ 45.00	\$ 153,000.00
10	Water System 1" P.E. Single Service Line	EA	8	\$ 1,000.00	\$ 8,000.00
11	Water System 2" P.E. Double Service Line	EA	24	\$ 2,000.00	\$ 48,000.00
12	Water System Fire Hydrant	EA	5	\$ 5,500.00	\$ 27,500.00
13	Electrical Infrastructure (By Rio Grande Electric Coop.)	LS	1	\$ 176,014.00	\$ 176,014.00
Total Estimated Cost					\$ 851,424.00

Notes: a) This is an Estimation, prices may vary based on vendor and contractor.
b) The bid items shown serve as the list of improvements to be bonded.

**Attachment 3
Master Plan Map
Zoning District Map**

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

THESE MAPS ARE PRESENTED WITHOUT WARRANTY OF ANY KIND, EITHER EXPRESSED OR IMPLIED, RESPECTING THE CONTENTS OF THESE MAPS, INCLUDING BUT NOT LIMITED TO THE ACCURACY, LOCATION AND OWNERSHIP OF ANY FACILITIES, WITHIN THE CITY OF SINGLE PASS, NOR HELL, LEE AND ASSOCIATES, INC. OR ITS REPRESENTATIVES SHALL BE LIABLE TO ANY PERSON OR ENTITY WITH RESPECT TO ANY LIABILITY, LOSS, OR DAMAGE CAUSED OR ALLEGED TO BE CAUSED DIRECTLY OR INDIRECTLY BY THESE MAPS.

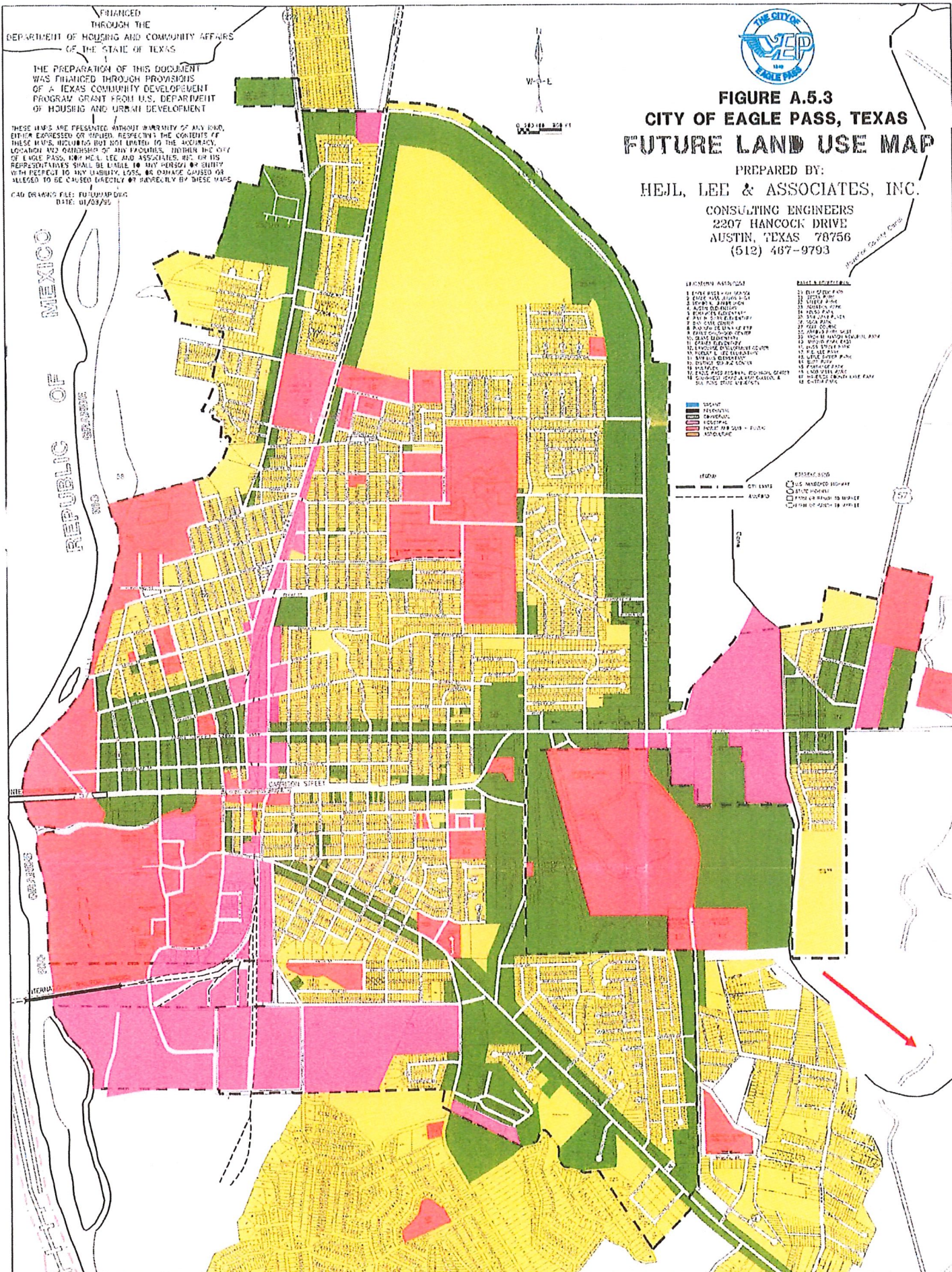
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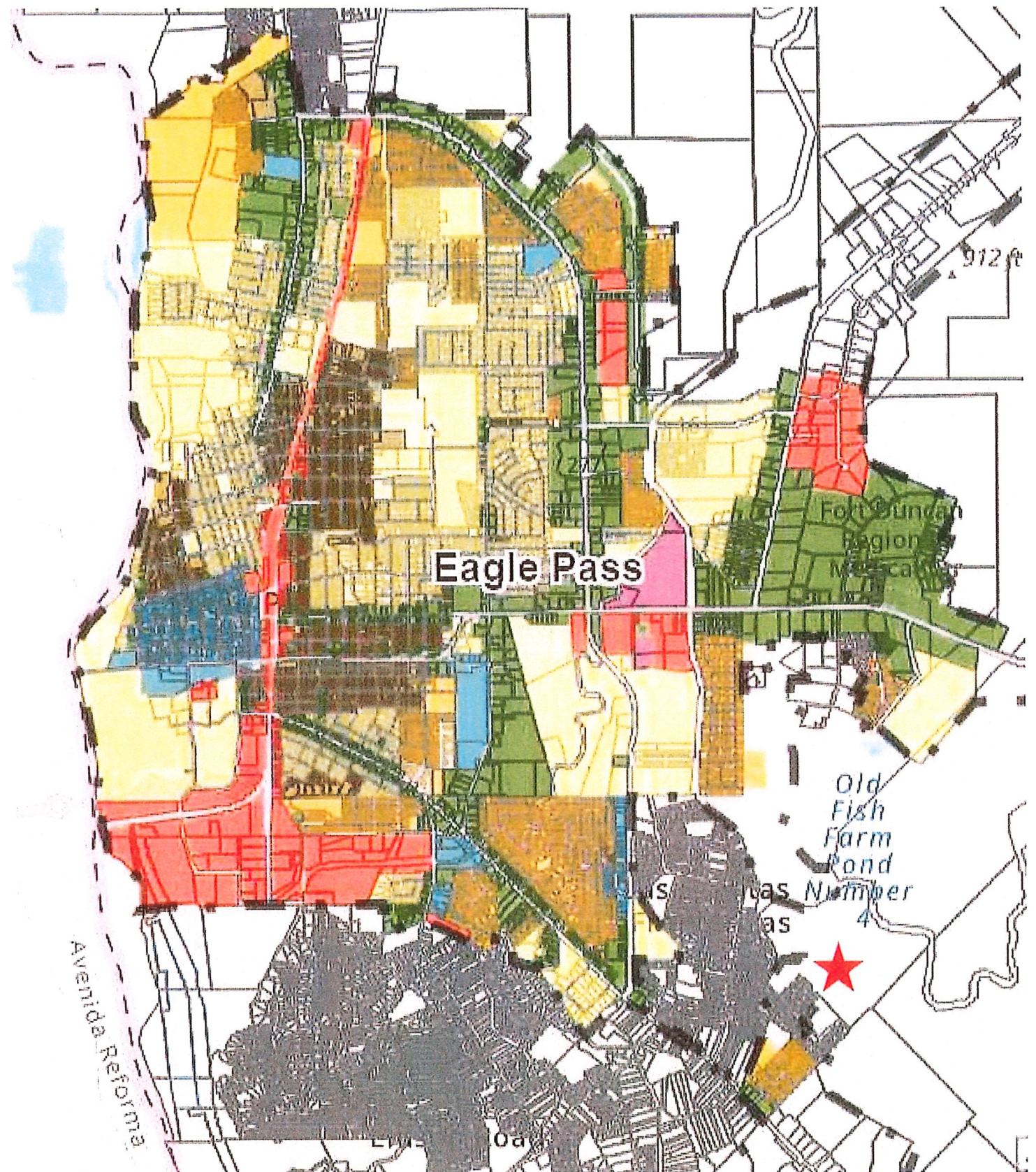


FIGURE A.5.3
CITY OF EAGLE PASS, TEXAS
FUTURE LAND USE MAP

PREPARED BY:
HEJL, LEE & ASSOCIATES, INC.

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





Item #7



Planning Department Executive Summary
REPORT TO THE PLANNING AND ZONING COMMISSION

Final Plat Amendment of Lots 32 & 34 in Block 1 of Loma Linda Subdivision Unit 1

I. BACKGROUND

A. General Information

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

Property Owner: Luis A. & Irma L. Salazar | Eagle Pass, Texas 78852

Location: 232 Chuck Wagon Road

Property ID Number: 12644 and 12644

Legal Description: Lots 32 and 34 in Block 1 of Loma Linda Subdivision Unit 1

Request: a final plat amendment to amend the common property line between Lots 32 and 34 to reflect the existing use of the lots, including a sidewalk waiver request.

B. Subject Property Information

Parcel Size: 1.46 acres

Topography: Generally flat

Vegetation: native vegetation

Existing Use: 2 residential dwellings

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

Master Plan: Not applicable as the parcel is in the ETJ

C. Vicinity Data

The surrounding area is comprised of residential land uses at a density consistent with the 7,700 square foot minimum lot size found in the subdivision.

D. Infrastructure

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

Access to the site is provided by Chuck Wagon Road.

II. RECOMMENDED FINDINGS OF FACT

A. Conclusions

1. The applicant's request contains sufficient information for consideration by the Planning and Zoning Commission. Please refer to Attachment 1.

2. Final plat amendment approval is contingent upon the Commission's approval of a subdivision sidewalk waiver request.

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

The construction of sidewalks along the property frontage parallel to Chuck Wagon Road would create an unsafe condition, as sidewalks are not in place in the immediate vicinity of the subdivision. The construction of a sidewalk would incorrectly create the assumption that sidewalks were in place throughout the area when, in fact, this is not the case.

This assumption creates an unsafe condition and, as such meets the criteria for granting a sidewalk waiver by the Commission.

4. The *Master Plan* emphasizes the importance of maintaining the character of the City's and County's residential neighborhoods. The following is a summary of the applicable sections of the Master Plan to the amending plat:

- ✓ The subdivision is consistent with the *Housing Goals* of the *Master Plan*, as the plat amendment process will advance new housing purchase and construction activities through the enforcement of appropriate land development regulation with appropriate lot sizes, paved streets with curb and gutters, and adequate utility services.

- ✓ The subdivision is consistent with the *Land Use Development Goals* of the *Master Plan*, as the project is designed to provide for a building lot density that is consistent with the purpose of the *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 subdivision is consistent with the *Street Goal* of the *Master Plan*, as access to the site Chuck Wagon Road has been designed to provide the residents of and visitors to Eagle Pass and Maverick County with a street system that will enable them to travel safely and conveniently.

- ✓ The subdivision is consistent with the *Thoroughfare Goals* of the *Master Plan*, as Chuck Wagon Road has been designed to be part of a safe and efficient thoroughfare system.

- ✓ The subdivision is consistent with the *Storm Drainage Goals* of the *Master Plan*, as the size of the two lots and the eventual density of 2-dwelling-units on the plat site will not adversely impact existing area drainage effectiveness.

5. The amending plat design is consistent with the residential uses permitted in the *R-1 First One-Family Dwelling District*.

6. The amending plat is consistent with City design and specifications, as the project is designed 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 subdivision sidewalk waiver by the Planning and Zoning Commission.
- ✓ *Section 23-66* governing sanitary sewage disposal
- ✓ *Section 23-67* governing potable water supply and fire flow
- ✓ *Section 23-68* governing storm drainage
- ✓ *Section 23-69* governing the size of building lots, including lot width, lot depth, lot orientation, and building setback areas
- ✓ *Section 23-71* governing the installation and inspection of utility lines

Please refer to Attachment 3 for a copy of a summary of the summary for the proposal.

7. The subdivision is not required to be consistent with the City design and specifications for landscape and tree preservation set forth in *Article VI* in *Eagle Pass Code of Ordinances Chapter 23* because it is located outside the city limits.

8. The subdivision may be required to provide an in-lieu of parkland dedication fee of \$575 to Maverick County Planning Department as set forth in *Article V* in *Eagle Pass Code of Ordinances Chapter 23*.

9. The amended plat will conform to the provisions of the *Master Plan* and the *Eagle Pass Code of Ordinances* by facilitating the following benefits:

- Protect private rights while considering public health, safety, and welfare.
- Provide 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 balance land use.
- Encourage a diverse 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 the 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 amending plat design is consistent with the residential uses permitted in the *R-1 First One-Family Dwelling District*.

11. The amending plat will allow for the continued use of the property that is consistent with the residential purpose of the *R-1 First One-Family Dwelling District*, as well as the surrounding area, 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 purpose of the *R-1 First One-Family Dwelling District*.
- C. The subdivision is warranted because of the necessity to create additional lots for development 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 subsequent development will be designed and conditioned to comply with all applicable subdivision criteria and standards of the City of Eagle Pass.

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

B. Planning Department Recommendation

The Planning and Zoning Commission **GRANT** approval of a final plat amendment adjusting the property lines between *Lots 32 and 34 in Block 1 of Loma Linda Subdivision Unit 1*, including a sidewalk waiver request.

TRANSMITTED to the parties listed hereafter:

Dirksen Engineering via e-mail
Planning and Zoning Commission via e-mail
Maverick County Planning Department via e-mail
Eagle Pass Planning Department Report dated October 18, 2022

Attachment 1

Application



PLANNING DEPARTMENT

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

SUBDIVISION APPLICATION

TYPE OF SUBDIVISION (check one):

☐ Preliminary

☐ Final

☐ Replat

☒ Amendment ☐ Short Form Final

Property Legal Description: Lot 32, Block 1, Colonia Loma Linda Subd. & Lot 34, Block 1, Loma Linda Subd. No. 1

Maverick County Property Identification Number(s): 12642 & 12644

Name of Addition: Plat Amendment Lot 32 & Lot 34, Block 1, Loma Linda Subd. No. 1

Location of Addition: 232 Chuck Wagon Rd.

Number of Residential Lots: 2 Number of Commercial Lots: 0 Gross Acreage: 1.46

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: N/A

PROPERTY OWNER: 830 319 6025

Name: Luis Alberto Salazar & Irma L. Salazar

Address: P.O. Box 2328

City: Eagle Pass

State: TX Zip: 78852

Signature: [Signature]

PROPERTY OWNER: [Signature]

Name: Manuel A. Sarmiento

Address: 1377 Wagon Wheel

City: Eagle Pass

State: TX Zip: 78852

Signature: [Signature]

APPLICANT/SUBDIVIDER:

Contact: Anabel Martinez

Phone: 830-776-7644

Fax: 830-776-7636

E-mail: amartinez@lklawtx.com

Date: 4/1/22

Contact: Anabel Martinez

Phone: 830-776-7644

Fax: 830-776-7636

E-mail: amartinez@lklawtx.com

Date: 4/1/22

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: 4/1/22

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: 4/1/22

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: 4/1/22

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

4/1/22
Date

STATEMENT OF OWNER/SUBDIVIDER

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

Manuel Sarmiento
Luis Salas
Owner / Subdivider Signature

4/11/2022.
Date

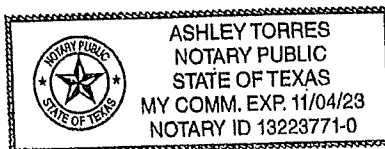
STATE OF TEXAS §

COUNTY OF MAVERICK §

Before me, the undersigned authority, a notary public for the State of Texas, on this day personally appeared Luis A. Salazar & Irma L. Salazar ; Manuel A. Sarmiento (Name), Property Owners (Title), known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he executed the same for the purpose and consideration therein expressed.

Given under my hand and seal of office, this the 1st day of April, 2022.

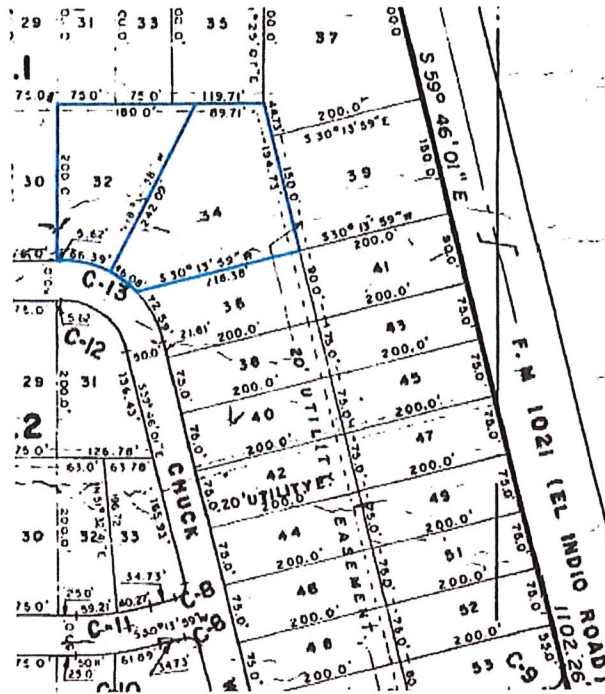
[Signature]
Notary Public, State of Texas



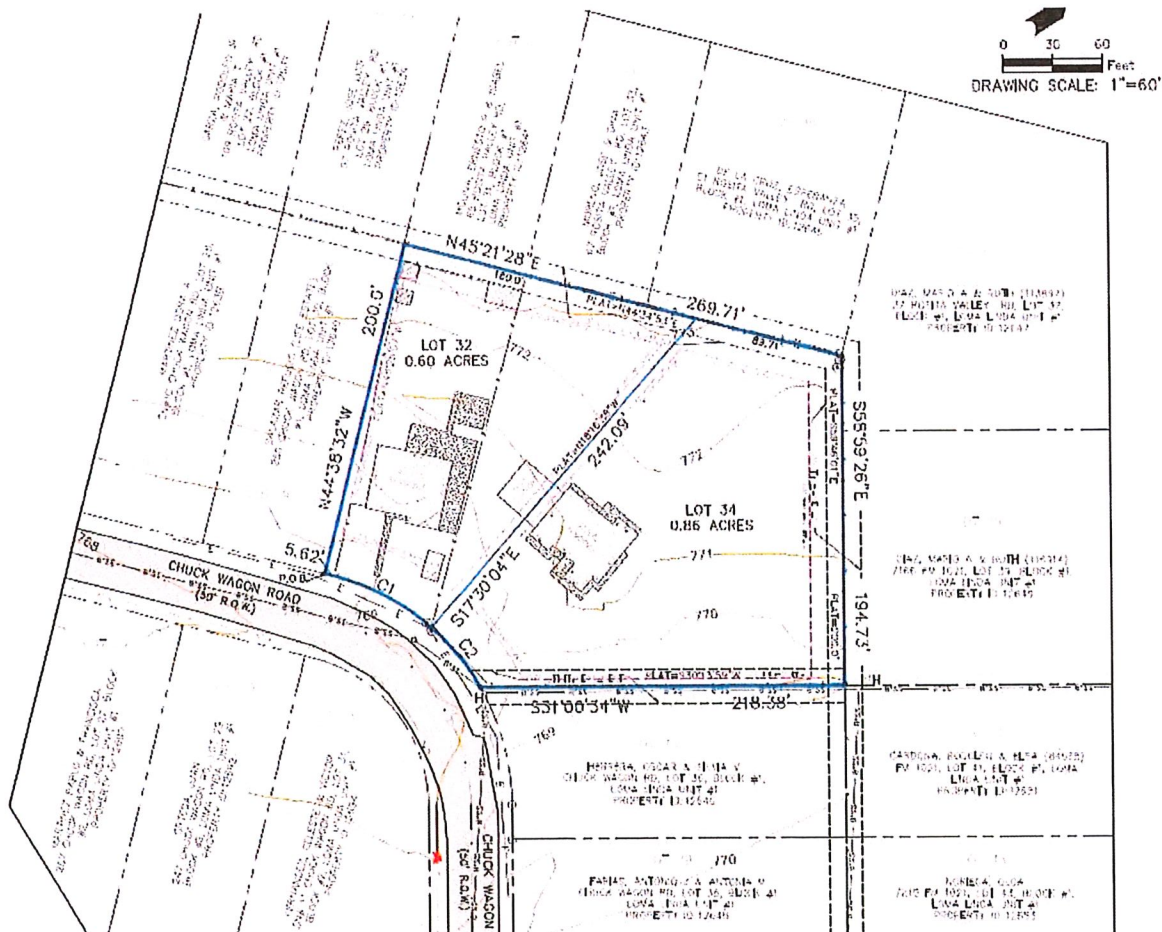




Recorded Plat



Plat - Zoomed In



Attachment 2
Sidewalk Waiver Application

Attachment 3
Final Engineering Report



PLAT AMENDMENT

Lot 32 & 34, Block 1

Loma Linda Subdivision Unit 1

The proposed Plat Amendment will modify the existing adjacent lot line for Lot 32 & 34, Block 1 of Loma Linda Subdivision Unit 1.

No new lots will be created as part of this Plat Amendment and existing covenants (if any) or restrictions will not be altered, amended, or removed.

The purpose for this Plat Amendment is to correct a construction error that occurred when the existing home for Lot 34 was built. A portion of the home that was built on Lot 34 encroaches over the legal lot line of Lot 32, by approximately 12 feet, as shown on the Plat Amendment drawing above the "Original Plat Area" heading. In order to correct this, and comply with City side setback regulations, the rear portion lot distance of Lot 34 that abuts Lot 32 was increased from 89.71 feet to 194.71 feet, and the rear lot distance of Lot 32 that abuts Lot 34 was decreased from 180 feet to 75 feet. Please reference the Plat Amendment drawing above the "Amended Plat Area" heading to show the newly amended proposed area.

In summary, the area of Lot 32 was decreased from 26,136 S.F. (0.60 Acres) to 14,811 S.F. (0.34 Acres) and the area of Lot 34 was increased from 37,462 S.F. (0.86 Acres) to 48,787 S.F. (1.12 Acres).

Please refer to the Plat Amendment Sheet showing exact areas, bearings, and distances that are being modified, and how the Amended Plat area will look like in reference to the Original Platted area.

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

Florentino Caballero, P.E.



6/30/22



LETTER OF CERTIFICATION

Sewer Service Availability

Subdivision Name: Lot 32 & 34, Block 1, Loma Linda Subd. No. 1

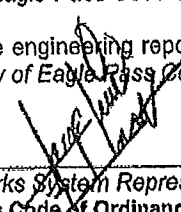
Maverick County Property Identification Number: 12642 & 12644

+++++

We have reviewed the above-referenced application for development and have determined that:

- ☒ Adequate wastewater service is available for the development.
- ☐ Adequate wastewater service is available for the development, subject to the following condition(s):

- ☐ Adequate wastewater service is not available for the development.
- ☐ The project does or will comply with the sewer requirements set forth in *City of Eagle Pass Code of Ordinances Section 23-66*.
- ☐ The project does not or will not comply with the sewer requirements set forth in *City of Eagle Pass Code of Ordinances Section 23-67*.
- ☐ The engineering report for the project does comply with the requirements of *City of Eagle Pass Code of Ordinances Section 23-35(a)(4)(c)*.
- ☐ The engineering report for the project does not comply with the requirements of *City of Eagle Pass Code of Ordinances Section 23-35(a)(4)(c)*.



Water Works System Representative
Eagle Pass Code of Ordinances Section 23-66: Sewer

6/22/2022
Date



Preliminary Plat or Preliminary Re-Plat Water Service Certification

Subdivision Name: Lot 32 & 34, Block 1, Loma Linda Subd. No. 1

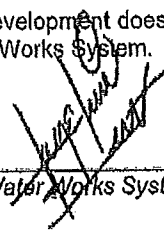
Maverick County Property Identification Number(s): 12642 & 12644

+++++

We have reviewed the above-referenced preliminary plat application or preliminary re-plat application for development and have determined that (check only one):

- ☒ The development complies with the service standards of the Eagle Pass Water Works system.
- ☐ The development will comply with the service standards of the Eagle Pass Water Works System, provided that the following actions are undertaken by the developer:

- ☐ The development does not comply with the service standards of the Eagle Pass Water Works System.



Eagle Pass Water Works System Representative

6/22/2022

Date

+++++

Eagle Pass Code of Ordinances Section 23-25(f)(17)(a): Certification that the preliminary plat has been reviewed by and conforms to the requirements of the school district, the gas, electricity, water, telephone, television cable companies, and the postal authorities. In addition, for subdivisions outside of the city limits of Eagle Pass, the subdivlder shall provide certification that the plat has been reviewed by the county inspector and the sheriff's department.

Item #8



Planning Department Executive Summary

REPORT TO THE PLANNING AND ZONING COMMISSION

Preliminary Plat Approval of Home2Suites Subdivision

I. BACKGROUND

A. General Information

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

Developer: H2EP, LLC | Eagle Pass, Texas 78852

Location: 3386 E. Main Street (US Hwy 277) **Property ID Number:** 52474 & 52476

Legal Description: Being a 2.05-acre tract of land out of Maverick Estates, recorded in Book 1220, Page 466, Map Records, Maverick County, Texas, situated in Survey 6, Abstract 1110, Fox & Byrne, Maverick County, Texas and a 1-acre tract of land, more or less, out of a 3.075-acre tract of land conveyed to Jose J. Ruiz and Carolina Ruiz, recorded in Book 666, page 130, Deed Records, Maverick County, Texas, situated in Survey 6, Abstract 1110, Fox & Byrne, Maverick County, Texas.

Request: The grant of preliminary plat approval for the subdivision of and approximately 3.05-acre tract into one commercial lot, including a variance from Section 23-11 to allow the platting of a property less than 5 acres.

B. Subject Property Information

Parcel Size: 3.05-acre tract **Topography:** Runoff drains from south to north

Vegetation: minimal native brush **Existing Use:** vacant commercial

Zoning District: B-3 General Business District **Master Plan:** Commercial

C. Vicinity Data

The surrounding area is comprised of commercial development along US Hwy 277. Site is located at the intersection of US Hwy 277 and Bob Rogers Drive.

D. Infrastructure

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

Access to the lots will be provided via US Hwy through an existing driveway that may require and upgrade at the time of the development of the lot.

II. RECOMMENDED FINDINGS OF FACT

A. Conclusions

1. The applicant's request contains sufficient information for consideration by the Planning and Zoning Commission. Information contained in this report and the Commission's public meeting will be used as part of the City Council's deliberation process for approval of the subdivision's preliminary plat. Please refer to Attachment 1 for a copy of the application.
2. The City of Eagle Pass Code of Ordinances Section 23-11(d) allows for what constitutes an administrative variance in circumstances where a tract of land has been sold to bona fide purchasers and for which deeds of transfer have been executed prior to 1984.
3. The City of Eagle Pass Master Plan provides direction to the Planning and Zoning Commission in their deliberation of a plat.

The plat site is located within an area designated as Commercial on a Master Plan Map. Please refer to Attachment 4 for a copy of the Master Plan Map.

The use of the plat site for commercial business operations is consistent with the Master Plan Map. The policies of the Master Plan provide direction regarding the creation of one acre tract from a 2.05.06-acre lot and a 1-acre lot.

4. The *Master Plan* emphasizes the importance of maintaining the character of the City's commercial neighborhoods. The following is a summary of the applicable sections of the Master Plan to the preliminary plat:
 - ✓ The subdivision is consistent with the *Land Use Development Goals* of the *Master Plan*, as the project is designed to provide for a building lot density that is consistent with the purpose of the *B-3 General Business District*. This design will allow for the continuing development of the community while retaining the neighborhood character and scale while providing utility services in the most efficient and equitable manner.
 - ✓ The subdivision is consistent with the *Street Goal* of the *Master Plan*, as access to the lot from US Highway 277 has been designed to provide the residents of and visitors to Eagle Pass and Maverick County with a street system that will enable them to travel safely and conveniently.
 - ✓ The subdivision is consistent with the *Thoroughfare Goals* of the *Master Plan*, as US Highway 277 has been designed to be part of a safe and efficient thoroughfare system.
 - ✓ The subdivision is consistent with the *Storm Drainage Goals* of the *Master Plan*, as there is currently drainage infrastructure in place that meet City specifications located at the City's Sports Complex.
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 outside the City by an adequate plan for streets and highways.

- Guide future development in an orderly manner, by stages according to a pattern, so that the City may have 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 design is consistent with the commercial uses permitted in the *B-3 General Business District*. Please refer to Attachment 5 for a copy of the City Zoning Map.
7. The plat will allow for use of the property that is consistent with the commercial purpose of the *B-3 General Business District*, as well as the surrounding, for the following reasons:
- A. The subdivision design bears a substantial relationship to the public's health, safety, and welfare.
 - B. The subdivision is in accordance with the policies of the Master Plan and the business purpose of the *B-3 General Business District*.
 - C. The subdivision is warranted because of the necessity to create additional building lots in the *B-3 General Business District*, and because the proposed development is appropriate to accomplish the reasonable use of the property.
 - D. The subject property is suitable for development in general conformance with development standards of the *B-3 General Business District*.
 - E. The subdivision will benefit the city as a whole and will not be detrimental to nearby land uses of a similar nature.
 - F. The Subdivision will be designed and conditioned to comply with all applicable subdivision criteria and standards of the City of Eagle Pass.

8. 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 *Engineering Report* for the subdivision.

9. The subdivision and the subsequent development of the property will conform to the landscaping and tree preservation requirements set forth in *Article VI* in *Eagle Pass Code of Ordinances Chapter 23*.
10. The final plat will conform to the parkland dedication requirements set forth in *Article V* in *Eagle Pass Code of Ordinances Chapter 23*, as future development of the site will be subject to a one-time building permit parkland fee assessment.
11. The granting of preliminary 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 10 of this report.

B. Planning Department Recommendation

The Planning and Zoning Commission (1) **GRANT** a variance to plat a property less than 5-acres in size that had been conveyed prior to 1984 and (2) **GRANT** preliminary plat approval of the proposed *Home2Suites Subdivision*, subject to the final plat complying with the provisions of *Article III* of *City of Eagle Pass Code of Ordinances Chapter 23* governing procedures and specifications for final plats

TRANSMITTED to the parties listed hereafter:

TEC Services via e-mail
City of Eagle Pass Planning and Zoning Commission via e-mail
City of Eagle Pass Planning Department Report dated October 24, 2022

Attachment 1 Application



PLANNING DEPARTMENT

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

SUBDIVISION APPLICATION

TYPE OF SUBDIVISION (check one):

☒ Preliminary

☐ Final

☐ Replat

☐ Amendment

☐ Short Form Final

Being all of Lot 1-A, and Lot 1-B, a 2.05 acre tract...out of Maverick Estates, recorded in Book 1220, Page 466, Map Records, Maverick County.
Property Legal Description: Being a 1.00 acre tract...out of a 3.075 acre tract of land conveyed to Jose J. Ruiz and Carolina Ruiz, recorded in Book 666, Page 130, Deed Records, Maverick County.

Maverick County Property Identification Number(s): 52474, 52476

Name of Addition: Home2Suites Subdivision

Location of Addition: 3386 E. Main St., Eagle Pass, TX 78852

Number of Residential Lots: 0 Number of Commercial Lots: 1 Gross Acreage: 3.05

Number of New Street Intersections 0 Linear feet of Streets 0

Is Subdivision inside city limits? Yes ☒ No ☐; If so, Zoning District: B1- Neighborhood Business District but will be modified to B3- General Business District during Plat Process

Existing Land Use: Vacant Proposed Land Use: Commercial

Requested Variances: 1) Variance to Plat a Property under 5 Acres (COEP Code of Ordinances Section 23-11)

PROPERTY OWNER:

Name: H2EP, LLC

Contact: Vipal Patel

Address: 3301 E. Main St.

Phone: 575-937-1954

City: Eagle Pass

Fax: N/A

State: TX Zip: 78852

E-mail: vipal.m.patel@gmail.com

Signature: Vipal Patel

Date: 10/10/2022

PROPERTY OWNER:

Name: _____

Contact: _____

Address: _____

Phone: _____

City: _____

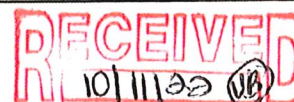
Fax: _____

State: _____ Zip: _____

E-mail: _____

Signature: _____

Date: _____



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: 10/11/22

SURVEYOR:

Name: J.J. Ruiz
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: 10/11/22

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: 10/11/22

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

10/11/22
Date

STATEMENT OF OWNER/SUBDIVIDER

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

Vipal Patel
Owner / Subdivider Signature

10/10/2022
Date

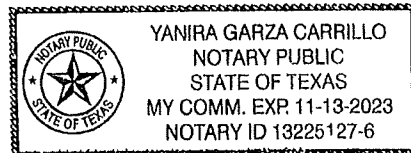
STATE OF TEXAS §

COUNTY OF Maverick §

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

Given under my hand and seal of office, this the 10th day of October, 2022.

Yanira G Carrillo
Notary Public, State of Texas



Attachment 2
Variance Application(s)



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, Inc.

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

Phone: 830-773-0579

E-mail: ajlibson@terratechengineering.com

Owner: H2EP, LLC c/o Vipal Patel

Address: 3301 E. Main St., Eagle Pass, TX 78852

Phone: 575-937-1954

E-mail: vipal.m.patel@gmail.com

Property Information

Site Address: 3386 E. Main St.

MCAD Property ID No. 52474, 52476

Legal Description (from deed): Being Lot 1-A and Lot 1-B, out of Maverick Estates, recorded in Book 1220, Pg. 466

Being a 1 acre tract...out of a 3.075 acre tract, recorded in Book 666, Pg. 130, deed records, Maverick County.

Description of Subdivision Variance Request

-Variance to Plat a property less than 5 Acres

Detailed Explanation of Subdivision Variance Request

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

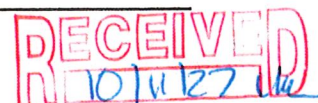
What are the special circumstances or conditions affecting the land involved such that the strict application of the provisions of the subdivision code would deprive the application of the reasonable use of their land?

This variance is required to proceed with the preliminary plat process

as per the EP Code of Ordinances that stipulate a property has to minimum 5 acres in area to be platted if deeded after a certain year.

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 with the plat process and be able to 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 with the 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 plat an existing tract to be able to legally finalize their proposed subdivision. This should not effect the orderly subdivision of other land in the area.

Required Application Attachments

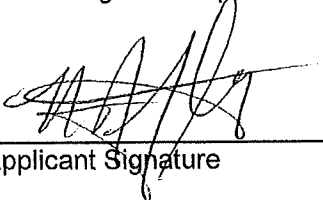
The following documentation is required to be attached to this application:

- 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

10/11/22
Date

Attachment 3 Engineering Report



To: Mr. Placido Madera

City of Eagle Pass Planning Director

From: Florentino J. Caballero, P.E.

Date: October 03, 2022

Reference: **Preliminary Engineering Report for Home2Suites Subdivision**

Mr. Madera,

H2EP, LLC, owner of a tract of land legally described as 'Being a 3.05 acre tract, made up of all of Lot 1-A, a 1.0254 acre tract of land out of Maverick Estates, recorded in Book 1220, page 466; and Lot 1-B, a 1.0254 acre tract out of Manges Estates, recorded in Book 1220, page 466; and a portion of Lot 1-C, a 3.075 acre tract of land out of Maverick Estates, recorded in Book 666, page 130, deed records, Maverick County', has requested the services of TerraTech Engineering and Construction Services (TEC Services) to Plat and subdivide a 3.05 acre portion tract into (1) one Commercial Lot. This tract of land is located inside the Eagle Pass City Limits, and is physically located at 3386 E. Main St.

General Description

The proposed Plat will have (1) One Commerical lot being 3.05 acres in area. The proposed plat is located inside the Eagle Pass City Limits and is located at the intersection of US HWY 277/ County Rd. 501 with 911 address location of 3386 E. Main St. The existing zoning of this subdivision as classified by the City Zoning Map is B1-Neighborhood Business District, but given that this property will be developed into a hotel, the proposed new zoning for this subdivision will be B3- General Business District, which will be modified during the platting process. The property will be subject to a 20' wide front yard setback. No side or rear setbacks are required as per the zoning ordinance for Commercial lots in the B3 zoning district. The property has access to existing utilities such as internet, telephone, electrical, and natural gas and via the frontage of the property. The subject property has paved street access and a TxDOT permit will be submitted to obtain driveway access off of US HWY 277.

Drainage

General Drainage Description

The proposed land use for this 3.05 acre tract of land is Commercial, with no portion of the platted property being within a FEMA Special Flood Hazard Area, as indicated by the Plat Sheet. Runoff naturally drains from the South towards the North direction. The designing Civil Engineer (if not TEC Services) of the 3.05 acre site will analyze the hydraulics and calculate the required detention area (if

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required by the City) at the time of development. For platting purposes, hydraulic calculations are provided only as reference, in order for the property owner to legally Plat the property, and move forward with the platting process. Once the property is legally platted and recorded, the developer will move forward with hiring a Civil Engineer to analyze and design the hydraulics of the property for development purposes, which will include detention pond areas if required by the City. To clarify, there are no drainage improvements required at this time, for platting purposes, as the subject tract will remain undeveloped until the property owner is able to obtain a final recorded plat or until the owner possibly submits building permitting documents that include the Civil design and subsequent hydraulic analysis of the property. This 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. Undeveloped & Developed Drainage Parameters

Parameter	Value
t_c	5 min
C_U	0.30
C_D	0.90
I_{10}	7.43 in/hr
I_{100}	10.32 in/hr
Watershed Area, A	3.05 acres

The peak rates of runoff for the 10-year and 100-year storm periods from undeveloped to developed conditions are as followed:

$$Q_{10,U} = C_U \times I_{10} \times A$$

$$Q_{10,U} = 0.30 \times 7.43 \times 3.05 = 6.80 \text{ cfs}$$

$$Q_{10,D} = C_D \times I_{10} \times A$$

$$Q_{10,D} = 0.90 \times 7.43 \times 3.05 = 20.40 \text{ cfs}$$

$$Q_{100,U} = C_U \times I_{100} \times A$$

$$Q_{100,U} = 0.30 \times 10.32 \times 3.05 = 9.44 \text{ cfs}$$

$$Q_{100,D} = C_D \times I_{100} \times A$$

$$Q_{100,D} = 0.90 \times 10.32 \times 3.05 = 28.33 \text{ cfs}$$

The estimated increase in runoff for the entirety of the property for a ten (10) and one hundred (100) year return period are 13.60 cfs and 18.89 cfs, respectively.

Drainage Conclusions

The calculations provided in this report are simply for Platting purposes. Once the properties are developed, the designing engineer of the development of the proposed lots can design the internal drainage systems and/or detention pond areas as required.

Street

No new street improvements will be required as part of this Plat, other than a TxDOT Driveway off of US HWY 277. TxDOT Driveway permit drawings for this property are currently being worked on, and will be submitted to TxDOT for their approval within the next 2-4 weeks from the date shown on this report.

Water Service

There is no existing water lines within the immediate vicinity to service this property. (2) Two new- 8" Water Lines (Water Service & Fire Line), approximately 170' in length each, will be bored under and across US Hwy 277 in order to service the future hotel development of this property. A TxDOT Utility permit will be provided to TxDOT for approval prior to utility construction. In addition, a new 12" Water line will be constructed across the frontage of the platted property, and will be located in a 20' Utility easement along the frontage of the property, for future water line continuation. Please reference Plat sheet for proposed locations.

Sanitary Sewer Service

There is no existing sanitary sewer lines within the immediate vicinity to service this property. A new- 8" Sanitary Sewer Line, approximately 180' in length, will be bored under and across US Hwy 277 in order to service the future hotel development of this property. A TxDOT Utility permit will be provided to TxDOT for approval prior to utility construction. The proposed sewer line and new proposed manhole will be located in a 20' Utility easement located along the frontage of the property. Please reference Plat sheet for proposed locations.

Electrical Service

Electrical service will be supplied by AEP who has existing electrical infrastructure along the frontage the proposed platted property. The electrical service for any future development of the subject area will be obtained at the time of development.

Other Utilities

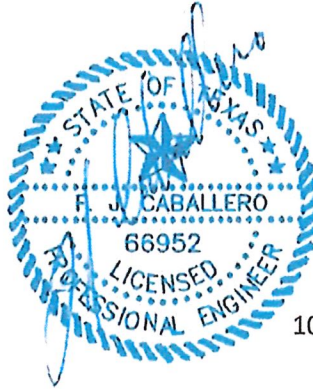
The subject Plat area will have access to other utilities such as, phone, cable, internet service (Spectrum & AT&T), and Natural Gas as required during the time of the lot development. These utilities are presently located frontage of the property.

Conclusion

The proposed future land use for this development is Commercial. The current use of adjacent tracts is also Commercial. The proposed plat will not have an impact on the current drainage patterns or utilities given the existing infrastructure in place around the subject property. If you have any additional questions concerning this report, please contact Florentino Caballero, P.E. at 830-773-0579 or Aaron Libson at ajlibson@terratechengineering.com

Sincerely,

Florentino J. Caballero, P.E.



10/03/2022

Home2Suites Subdivision Development Cost Estimate

BID ITEM	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL
1	Sanitary Sewer System 8" PVC SDR-26	LF	180	\$ 80.00	\$ 14,400.00
2	Sanitary Sewer Manholes	EA	2	\$ 9,500.00	\$ 19,000.00
3	Water System 8" PVC C900 DR-18	LF	340	\$ 70.00	\$ 23,800.00
4	Water System 12" PVC C900 DR-18	EA	354	\$ 95.00	\$ 33,630.00
5	Water System Fire Hydrant	EA	1	\$ 6,500.00	\$ 6,500.00
Total Estimated Cost					\$ 97,330.00

Notes: a) This is an Estimation, prices may vary based on vendor and contractor.
b) The bid items shown serve as the list of improvements to be bonded.

Attachment 4
Master Plan Map
Zoning District Map

