



**Planning & Zoning
Special Meeting
November 17, 2022**



AGENDA

PLANNING & ZONING COMMISSION SPECIAL MEETING
THURSDAY, NOVEMBER 17, 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 on the proposed final Re-Plat of Hillcrest Addition, Block 9, Lot 5 & 6, (South 42ft) & Lot, including 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)*; closing of public hearing and possible action.
2. Public hearing on the request submitted by Samuel and Rosa Vargas for the rezoning of Hillcrest Addition, Block 9, Lot 5 & 6, (South 42ft) & Lot 7, also known as 387 Medina Street, from R-3 Duplex District to B-1 Neighborhood Business District; closing of public hearing and possible action.
3. Public hearing on the proposed final *Re-plat of Lot 3 in M. A. V. Subdivision*, including 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)*; closing of public hearing and possible action.
4. Public hearing on the request submitted by TEC Services for the rezoning of 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 I. 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, also known as proposed Home2Suites Subdivision, from to B-1 Neighborhood Business District to B-3 General Business District; closing of public hearing and possible action.

NEW BUSINESS

5. Consideration and possible action on the Final Plat of Benito Garcia Subdivision, creating Lots 1 and 2, including 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 a subdivision variance request to allow for septic tank installation.
6. Consideration and possible action on the Final Plat Amendment of Lots 32 and 34 in Loma Linda Subdivision Unit 1, including a sidewalk waiver request.
7. Consideration and possible action on the Master Plan of Terra Verde Estates Subdivision Unit 4.
8. Consideration and possible action on the Preliminary Plat of Terra Verde Estates Subdivision Unit 4.

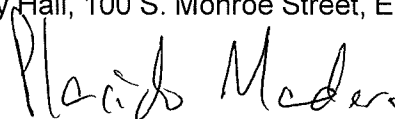
9. Consideration and possible action on the Master Plan of Isidro De Los Santos Subdivision.
10. Consideration and possible action on the Final Plat of Isidro De Los Santos Subdivision, including a subdivision variance to proceed directly to final replat without first having obtained preliminary re-plat approval as required by *City of Eagle Pass Code of Ordinances Section 23-36(a)*, and a variance from Section 23-11 to allow the platting of a property less than 5 acres.

ADJOURNMENT

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

CERTIFICATION

I, THE UNDERSIGNED PLANNING DIRECTOR, do hereby certify that the agenda mentioned above was posted on the Bulletin Board located in the Lobby at City Hall, 100 S. Monroe Street, Eagle Pass, Texas on November 14, 2022 at 4:30 p.m.

A handwritten signature in black ink, reading "Placido Madera", is written over a horizontal line.

Placido Madera
Planning Director

Item #1



**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 subdivision variance to proceed directly to final re-plat approval without first having obtained preliminary re-plat approval.

B. Subject Property Information

Parcel Size: 0.528-acres

Topography: Generally flat

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, gas, 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 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*. 33 notices were mailed to the abutting property owners within a 500 foot radius of the subject property.

III. RECOMMENDED FINDINGS OF FACT

A. Conclusions

1. The applicant's request contains sufficient information for consideration by the Planning and Zoning Commission. Information contained in this report and the Commission's public meeting will be used as part of the City Council's deliberation process for final approval of the 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
 - ✓ *Section 23-71* governing the installation and inspection of utility lines

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

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)*.

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

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 8 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** 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.

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 (X) ; If so, Zoning District: R-3

Existing Land Use: Mixed Proposed Land Use: Commercial Lot 74

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.com

Date: 8/20/2022

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.com

Date: 8/20/2022

APPLICANT/SUBDIVIDER:

Name: _____

Contact: _____

Address: _____

Phone: _____

City: _____

Fax: _____

State: _____ Zip: _____

E-mail: _____

Signature: _____

Date: _____

SURVEYOR:Name: Richard Lane + Assoc.Contact: Francisco GaytanAddress: 487 ~~Edison Del~~

Phone: _____

City: Eagle Pass Memo Robinson

Fax: _____

State: TX Zip: 78852

E-mail: _____

Signature: FRZ Bay

Date: _____

ENGINEER:Name: Hector CanalesContact: Hector CanalesAddress: 2400 Veterans #8Phone: 830 734 2991City: Del Rio TX 78840

Fax: _____

State: TX Zip: 78840

E-mail: _____

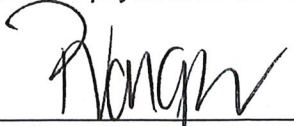
Signature: _____

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 §

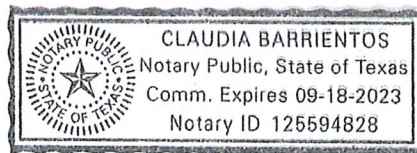
COUNTY OF Maverick §

Before me, the undersigned authority, a notary public for the State of Texas, on this day personally appeared ROSA LARGAS (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



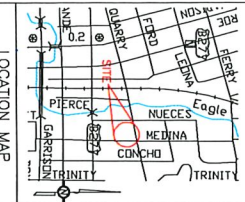






A hand-drawn map of the Eagle Pass area. The map shows several roads: RICE, FERRY, LEONA, FORD, QUARRY, PIERCE, MEDINA, CONCHO, GARRISON, and TRINITY. A red circle marks the intersection of MEDINA and CONCHO, with a red line pointing to it from the word 'SITE' written in red. A blue line represents the Nueces River, flowing through the center of the map. A north arrow is located in the bottom right corner. Other features include a scale bar labeled '0.2' and a small 'X' mark on the PIERCE road.

[illegible]



LOCATION MAP
F-15053

ENGINEERING
F-15053

CONVEYANCE
F-15053

NOTARY PUBLIC
F-15053

STATE OF TEXAS
F-15053

COUNTY OF MAVERICK
F-15053

OWNER'S DECLARATION, CERTIFICATION, AND ATTENTION
F-15053

THE OWNER OF LOTS 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 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Attachment 2
Subdivision Variance Application



PLANNING DEPARTMENT

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

SUBDIVISION VARIANCE APPLICATION

Applicant Information

Applicant (If not owner): 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: vargaselectric@yahoo.com

Property Information

Site Address: 387 Medina MCAD Property ID No. 9779, 9778, 9777
Legal Description (from deed): ~~LOTS 5, 6 & 7 BLK 9 Hillcrest Addition~~
IN 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

9/29/2022
Date

Attachment 3
Final Engineering Report

Mountain View Engineering

Re-Plat

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

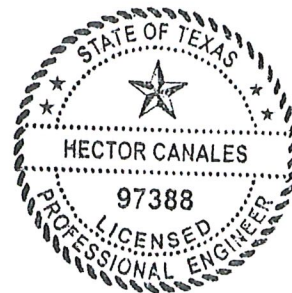
Final Engineering Report

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.

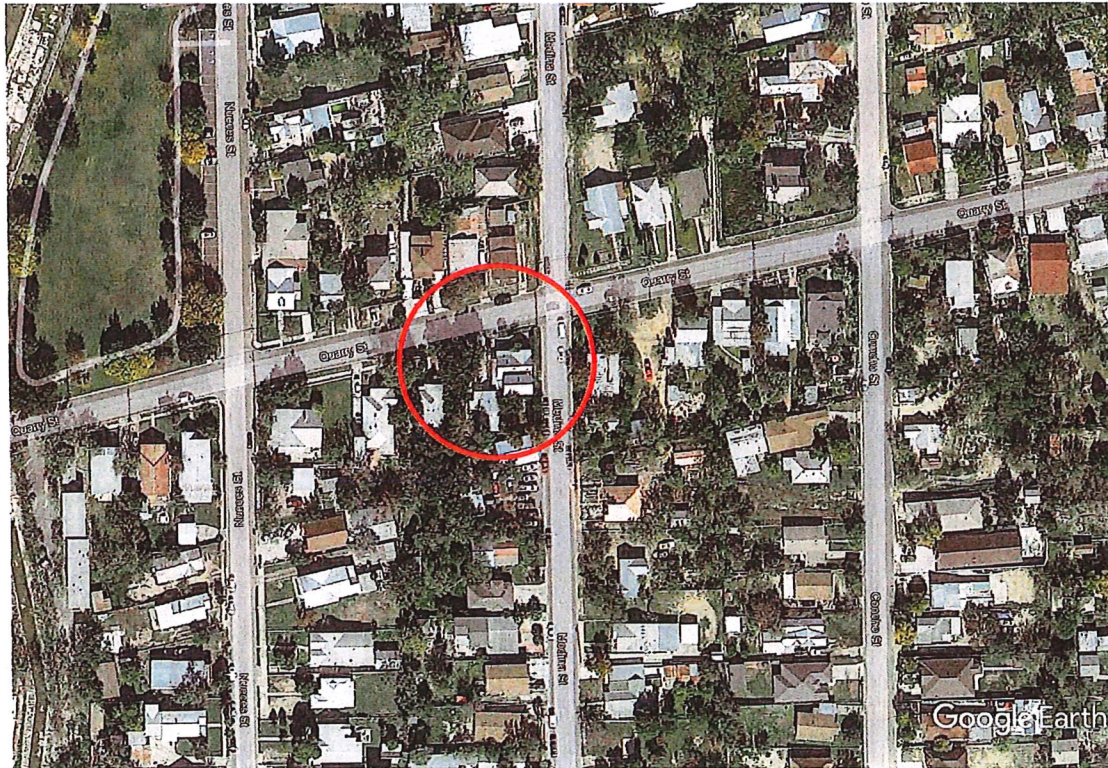


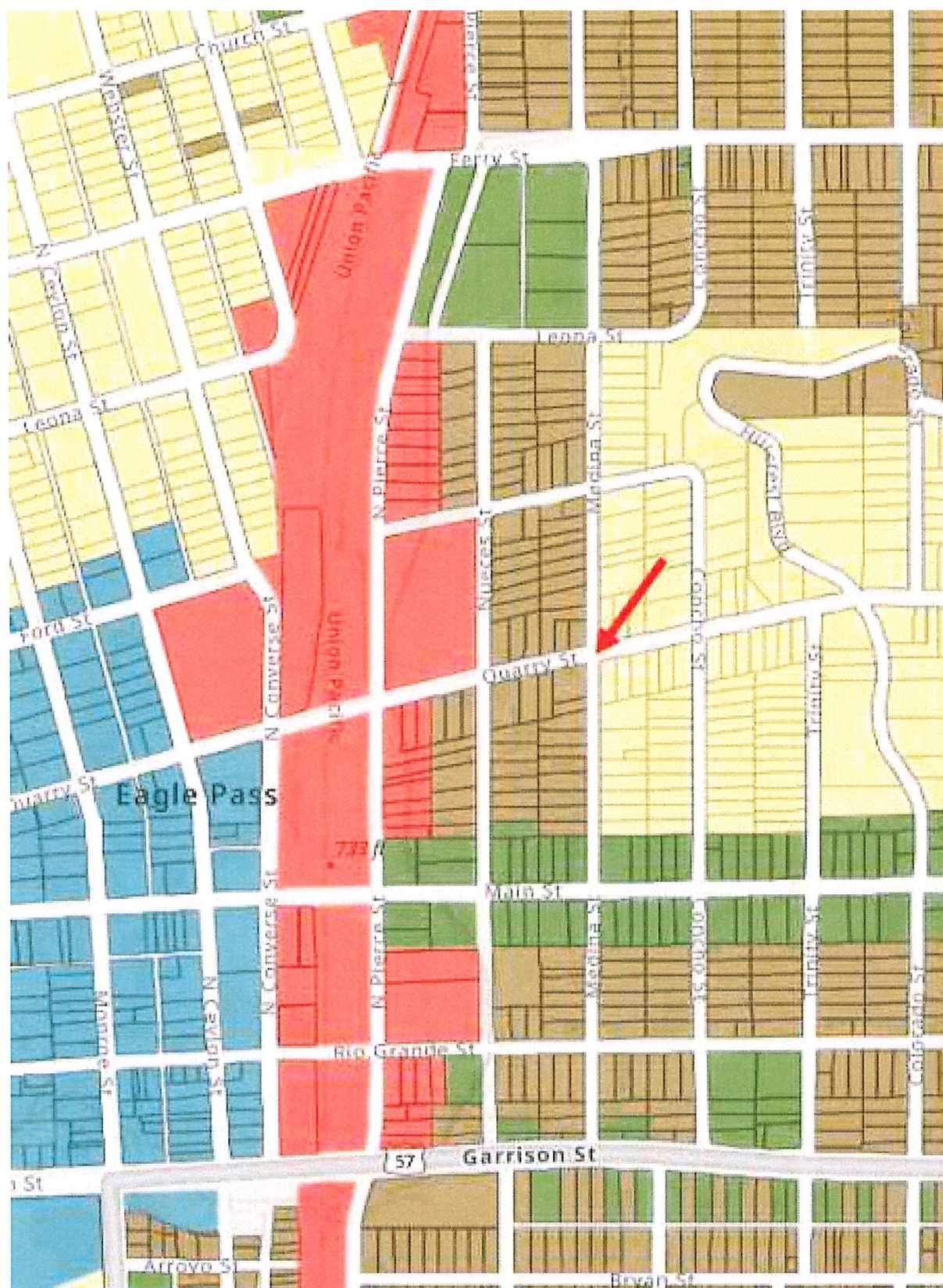
Figure 1: Location Map

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



Item #2



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: Hillcrest Addition, Block 9, Lot 5 & 6, (South 42ft) & Lot 7

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 this lot 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 feet radius from the subject property.

III. RECOMMENDED FINDINGS OF FACT

A. Conclusions

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

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

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

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

4. The 'Housing Goals' of the *Master Plan* are applicable to this rezone, as the eventual use of the site will be commercial. 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 Hillcrest Addition, Block 9, Lot 5 & 6, (South 42ft) & Lot 7, 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))
 - Appendix A governing zoning, governing yard regulations

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.eaglepasstx.us • planning@eaglepasstx.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) 159.66' 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

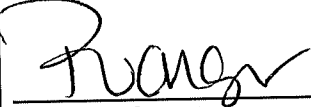
Conforms with Master Plan Designation? ☒ Yes ☐ No

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

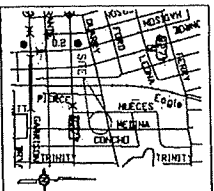
☐ Multi-Family Dwellings ☐ Industrial ☐ Other _____

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	

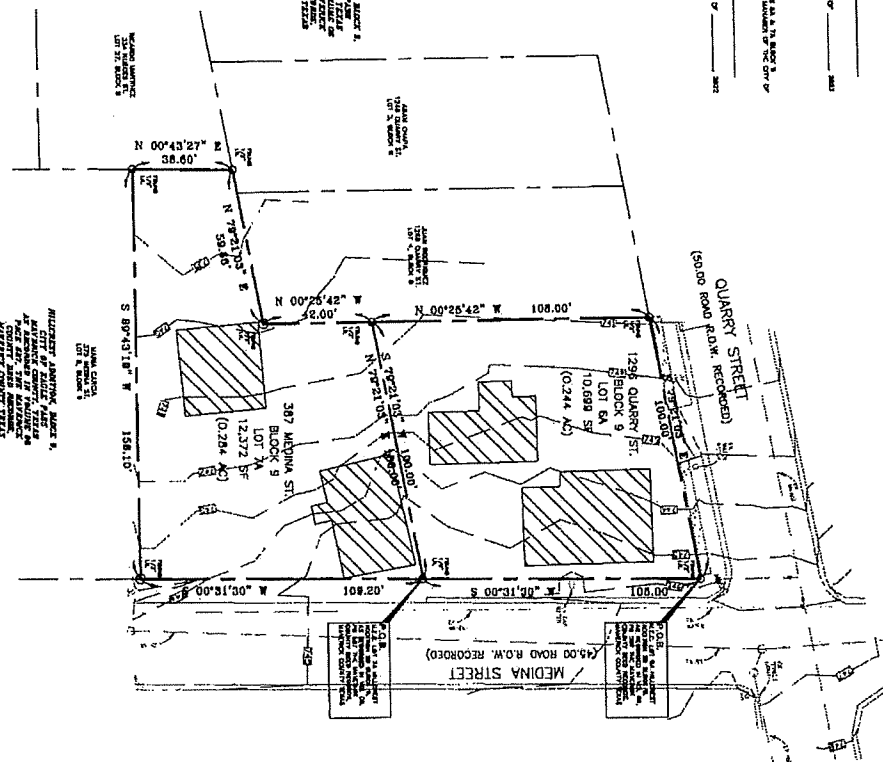


DIRECTOR
 PLUMBING CAYMAN
 ISLAND LIME AND ASPHALT
 2305 OCEANO PARK DR.
 EAST PASS, TEXAS 77643

[illegible][illegible][illegible][illegible]

1. NAME, MAIL ADDRESS, CREDIT RATING OF MEMBER COMPANY
 TITLE, BE MEMBER COMPANY NAME, PHONE NUMBER
 FIRM OR OFFICE OF THE _____ DAY OF _____
 2002 AT _____ IN THE TOWNSHIP OF SALEM COUNTY, IN
 THE BOOK OF _____ SUFF. IN TESTIMONY
 WHEREOF, WITNESSE MY HAND AND OFFICIAL SEAL OF OFFICE
 THIS 16th _____ DAY OF _____ 2002.

HERNANDEZ, JUAN MIGUEL
RAYMOND COUNTY, TEXAS



RE-PLAT OF LOTS 5, 6 & 7 BLOCK 9 HILLCREST ADDITION
BEING LOTS 5, 6 & 7 BLOCK 9 HILLCREST ADDITION CITY OF EAGLE PASS, MAVERICK COUNTY RECORDED IN
VOLUME 6, PAGE 587 OF THE MAVERICK COUNTY DEED RECORDS, MAVERICK COUNTY TEXAS

SEPT. 2022

NETS AND BOUNDS

1. 1980年12月，在《人民日报》发表《关于当前我国农村改革中几个问题的认识》，指出：“农村改革中，要特别注意处理好国家、集体、个人三者利益关系，正确处理积累与消费的关系，正确处理生产与分配的关系，正确处理国家、集体、个人三者利益关系，正确处理积累与消费的关系，正确处理生产与分配的关系。”

1. *Male*.—Length 11.5 mm. Head black, with a narrow white line on the vertex; eyes black; antennae black, with the 1st segment black and the 2nd segment white; legs black, with the 1st segment black and the 2nd segment white; wings black, with the 1st segment black and the 2nd segment white; abdomen black, with the 1st segment black and the 2nd segment white; tail black, with the 1st segment black and the 2nd segment white.

COUNTY OF WA. CONT. X



THOMAS EDWIN
RENEGADE PARTISAN, LAW SAVORER
REC. NO. 4214

SPENCER UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____

2022

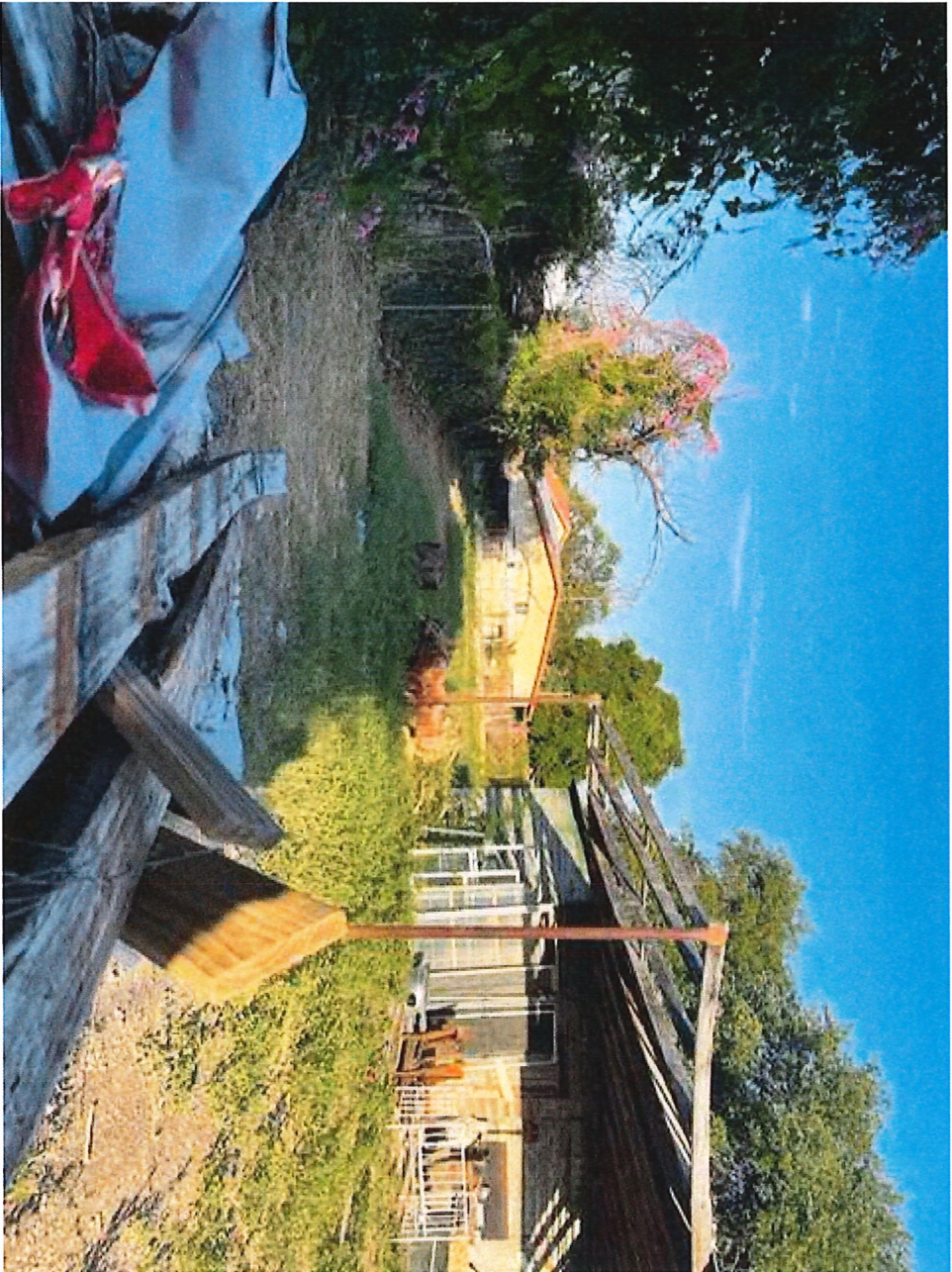
JOSEPH P. BUCKLE STATE OF TEXAS

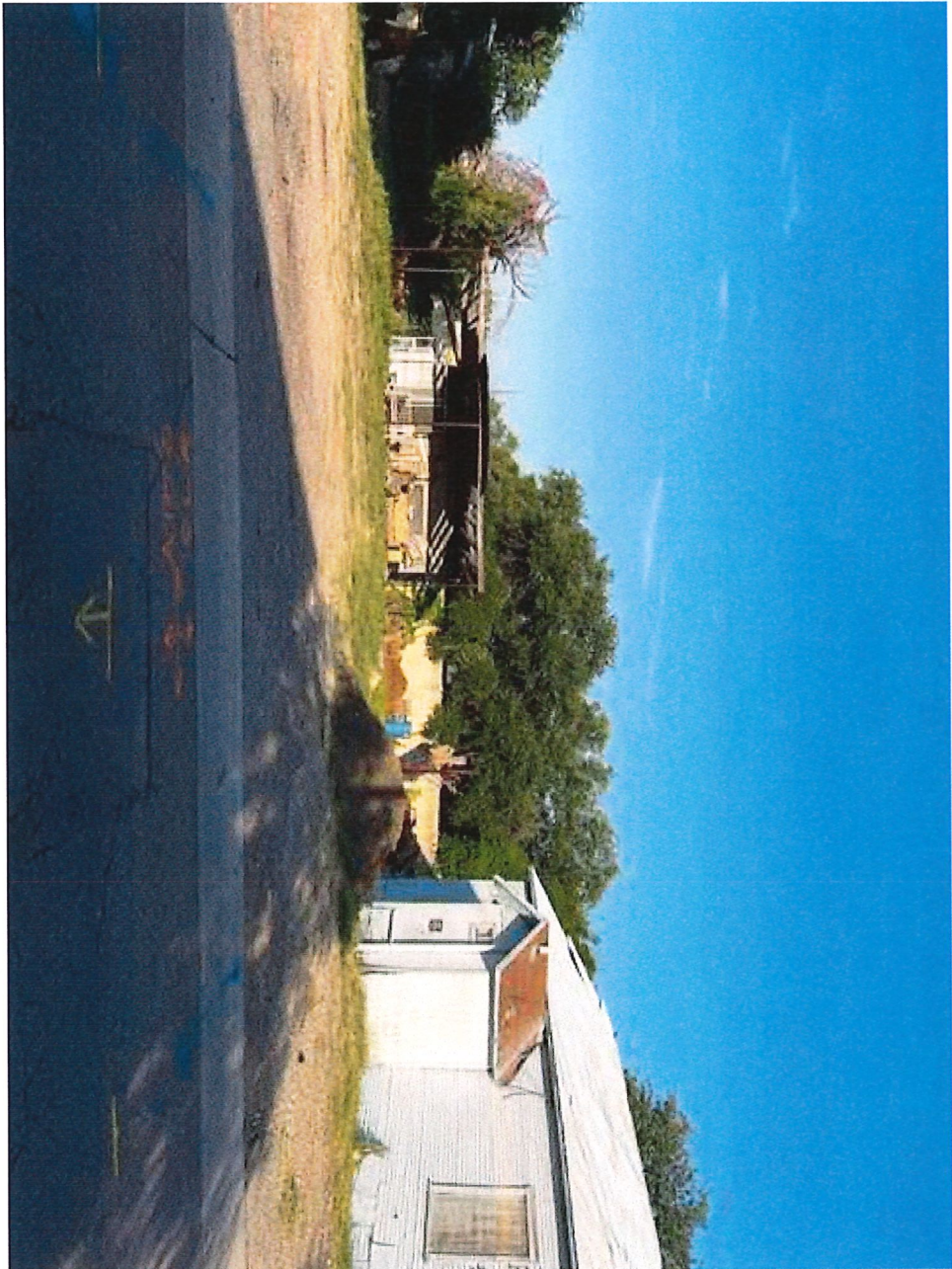
Scale: 1" = 20'

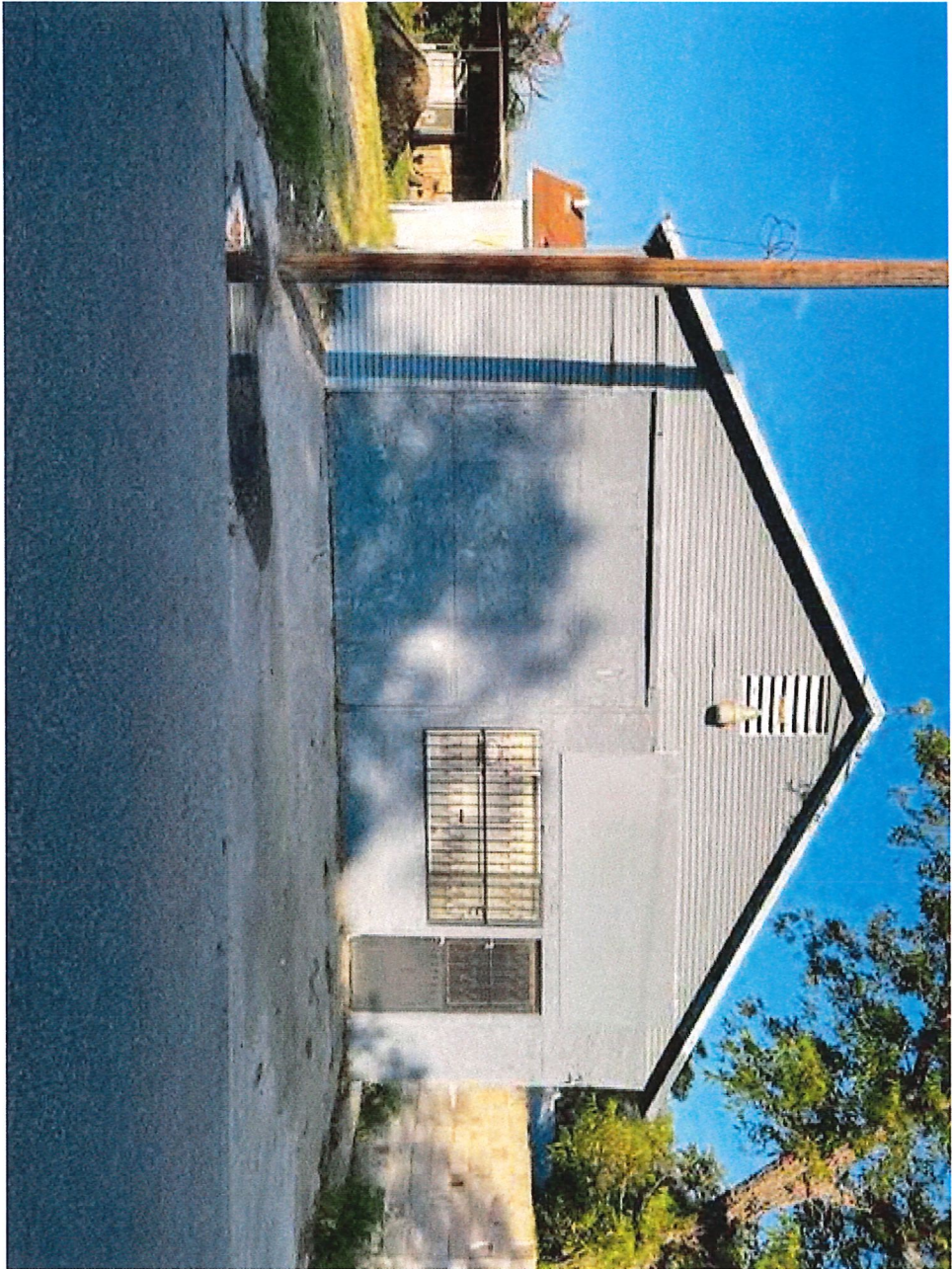
LEGEND	
	FOUND 1/2" FROM ROO
	SET 1/2" FROM ROO
	FOUND 1" PIPE
	SET 2nd - NAIL
	POINT OF BEGINNING
	1st FLOOR PLAN
	EX CONCRETE
	EX BUILDING

	PUR ROOMMATT
	BOUNDARY OTHER
	UTILITY EXCLUSION

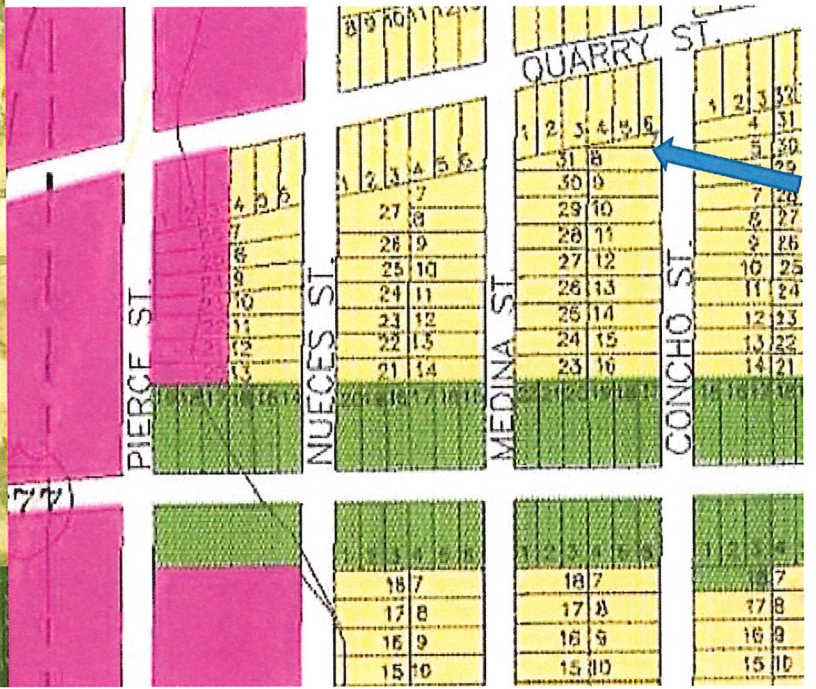








Attachment 2
Zoning Map & Master Plan



Item #3



**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 I 3295 El Indio Hwy I Eagle Pass, Texas 78852

Owner: Twin Torres Homes, LLC I 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 subdivision variance to proceed directly to final re-plat approval without first having obtained preliminary re-plat approval.

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-2 Second 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 5,000-square foot lot size of the R-2 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 feet radius of the subject property on November 4, 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.
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 request.

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.

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.

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.

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*.

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.

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

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-2 Second One-Family Dwelling District*.

This design will allow for the continuing development of the community while retaining the neighborhood character and scale while providing utility services in the most 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-2 Second 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
 - ✓ *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
 - ✓ *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-2 Second 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-2 District*.
 - C. The subdivision is warranted because of the necessity to create additional building lots in the *R-2 District*, and because the proposed development is appropriate to accomplish the reasonable use of the property.
 - D. The subject property is suitable for development in general conformance with development standards of the *R-2 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, and (2) **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:

TEC Services via e-mail
Maverick County Planning Department via e-mail
Eagle Pass Planning and Zoning Commission via e-mail
Planning & Zoning Commission Report dated November 8, 2022

Attachment 1
Application



PLANNING DEPARTMENT

3285 Bob Rogers Drive, Eagle Pass, Texas 78852 • Phone: (830) 773-770 • 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

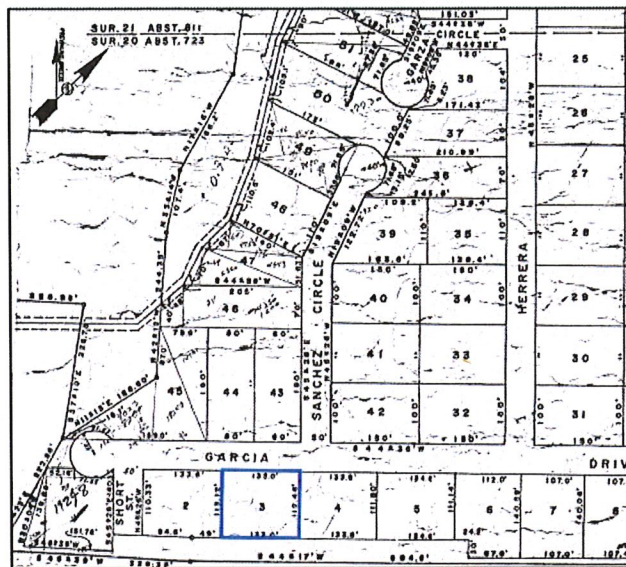
The information contained in this subdivision application contains true and accurate information provided to the best of my ability. I acknowledge that the City of Eagle Pass will use the information contained herein as the basis for the review of the subdivision application's conformance with the provisions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

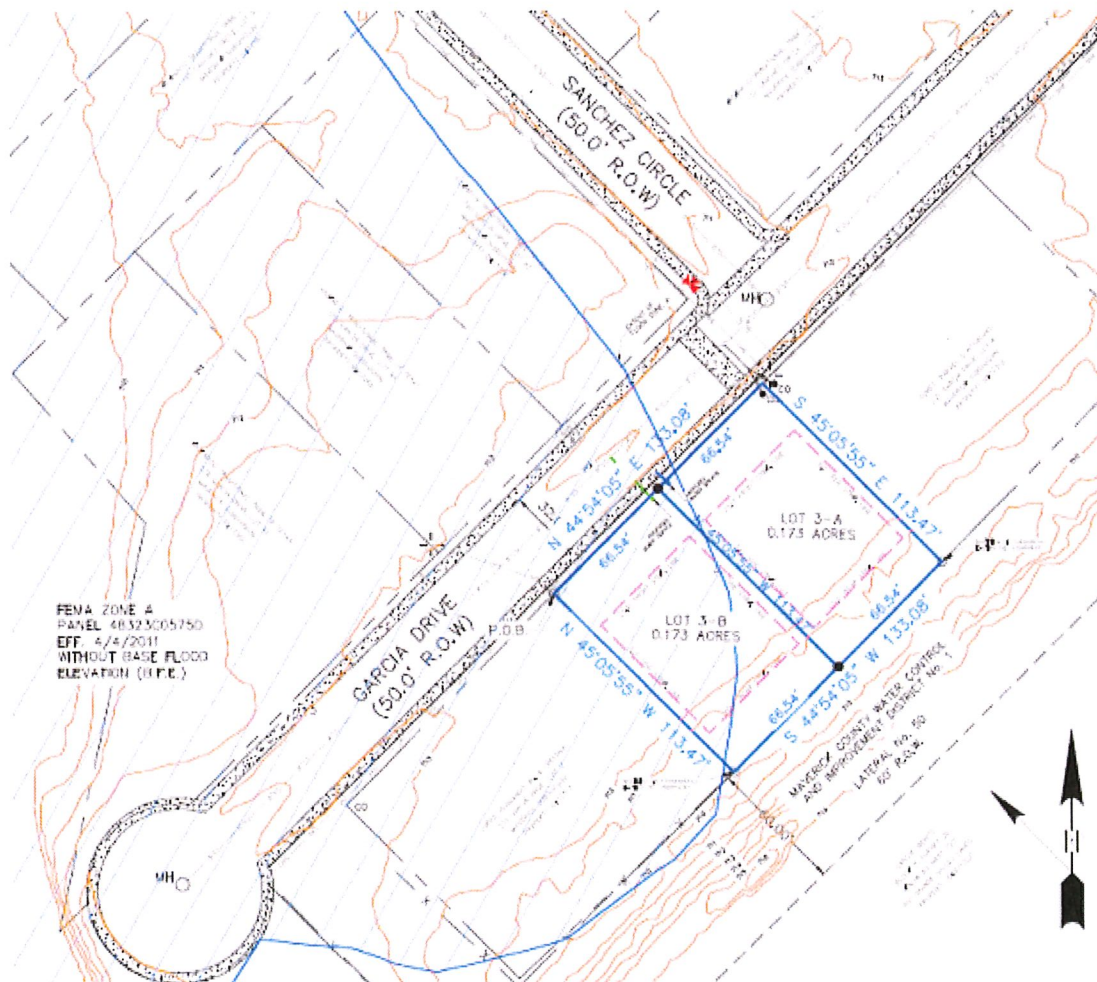
[Signature]
Applicant Signature

7/26/22
Date





ORIGINAL PLAT OF LOT 3
M.A.V. SUBDIVISION
(ENVELOPE 111, SIDE B M.C.M.R)



AGE 110-02
 YR 1 OF 1
 DEPARTMENTAL
 PLANT 024
 OFFICE: ALJ, F
 SCALE: 1" = 50'
 OCT 12, 2009

Attachment 2
Subdivision Variance Request(s)



PLANNING DEPARTMENT

3295 Bob Rogers Drive, Eagle Pass, Texas 78852 • Phone: (830) 773-776 • 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 TTT 315 B, Map Records of Maverick County, TX.

Description of Subdivision Variance Request

Variance to proceed straight to Final Plat given existing infrastructure.

Detailed Explanation of Subdivision Variance Request

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

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

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

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

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

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

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

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

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

Required Application Attachments

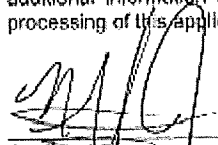
The following documentation is required to be attached to this application:

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

Applicant Authorization

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

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



Applicant Signature

7/26/22
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

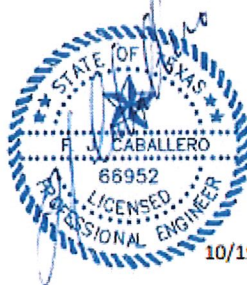
The existing and proposed use of this property is Residential. The proposed Replat will not have an impact on the current use, drainage patterns, or utilities as required infrastructure for Platting is already built-out.

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



10/19/2022



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: Arnon Libson

Printed Name: Arnon Libson

Office or Position: General Manager (TEG Services)

Date: 8/7/2022

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 Wilson

Printed Name: Aaron Wilson

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 #4



Planning Department Executive Summary REPORT TO THE PLANNING & ZONING COMMISSION

Home2Suites Rezone Request

I. BACKGROUND

A. General Information

Applicant: Applicant: EC 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 I. 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: Rezone parcel from B-1 Neighborhood Business District to B-3 General Business District

B. Subject Property Information

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

Zoning District: *B-1 Neighborhood Business District* **Master Plan:** Commercial

Proposed Use: Hotel site

C. Vicinity Data

The site is located with an area that is primarily comprised of 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 Madison Street.

II. PUBLIC NOTICE

Public Notification of the Planning and Zoning Commission public hearing to consider the rezone request was completed consistent with the provisions of *Chapter 211* of the *State of Texas Local Government Code Title 7*.

III. RECOMMENDED FINDINGS OF FACT

A. Conclusions

1. Section 1(b)(4) of *Eagle Pass City Charter Article IX* authorizes the Planning and Zoning Commission to recommend or disapprove proposed changes to the *City of Eagle Pass Zoning Plan*. A request for a change in a zoning district designation for a property constitutes a change to the *zoning plan* and the *zoning plan map*.

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

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

4. The 'Housing Goals' of the *Master Plan* are applicable to this rezone, as the eventual use of the site will be residential. The rezone, if granted, will result in construction activities that will include the enforcement of appropriate land development regulations resulting in appropriate lot sizes, paved streets with curb and gutters, 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 *B-1 Neighborhood Business District* to *B-3 General 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 of a hotel site on the property. All construction will comply with all applicable state and local codes.

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 US Highway 277.

7. The rezone request conforms to the purpose of the City's zoning code, as the subsequent development of the property will result in a use that is consistent with intent of the *B-3 General Business District* and consistent with residential uses in the vicinity of the site, with a view to conserving the value of buildings and encouraging the most appropriate use of land adjacent that will have access to a public street. Please refer to Attachment 2 for a copy of the City's *Zoning District Map*.

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

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

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

B. Planning Department Recommendation

The Planning and Zoning Commission recommend that the City Council prepare and **ADOPT** an Ordinance granting a zoning district change *B-1 Neighborhood Business District* to *B-3 General Business District* for property legally defined as 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 I. 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, also known 3386 E. Main 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 22 governing streets, sidewalks and other public places
 - Chapter 27 governing water and sewers, including drainage
 - Appendix A governing zoning, governing off-street parking

TRANSMITTED to the parties listed hereafter:

TEC Services 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.eaglepasstx.us • planning@eaglepasstx.us

ZONING CHANGE APPLICATION

Case No: _____

Applicant Information

Name: DNS Hospitality, LLC

Mailing Address: 6403 W Highway 290, Austin, TX 78735

Phone: 512-630-0825 E-mail: vjpatel13@gmail.com

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

Property Owner Information

Name: DNS Hospitality, LLC

Mailing Address: 6403 W Highway 290, Austin, TX 78735

Phone: 512-630-0825 E-mail: vjpatel13@gmail.com

Property Information

Site Address: 1939 N Veterans Blvd MCAD Property ID # 53454

Legal Description: Lot(s) 4 Block _____ Subdivision DNS Hospitality Subdivision
(Property must be legally subdivided or be lot of record)

Front Yard Width (feet) 25 Rear Yard Width (feet) 458 Side Yard Width (feet) 347

Proposed Project

Amend Zoning Regulations contained in section B-3

Amend the Official Zoning Map & Master Plan by changing 3.01 acres of land currently zoned B-3 to be zoned B-3

Conforms with the Zoning Map? ☒ Yes ☐ No

Conforms with Master Plan Designation? ☒ Yes ☐ No

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

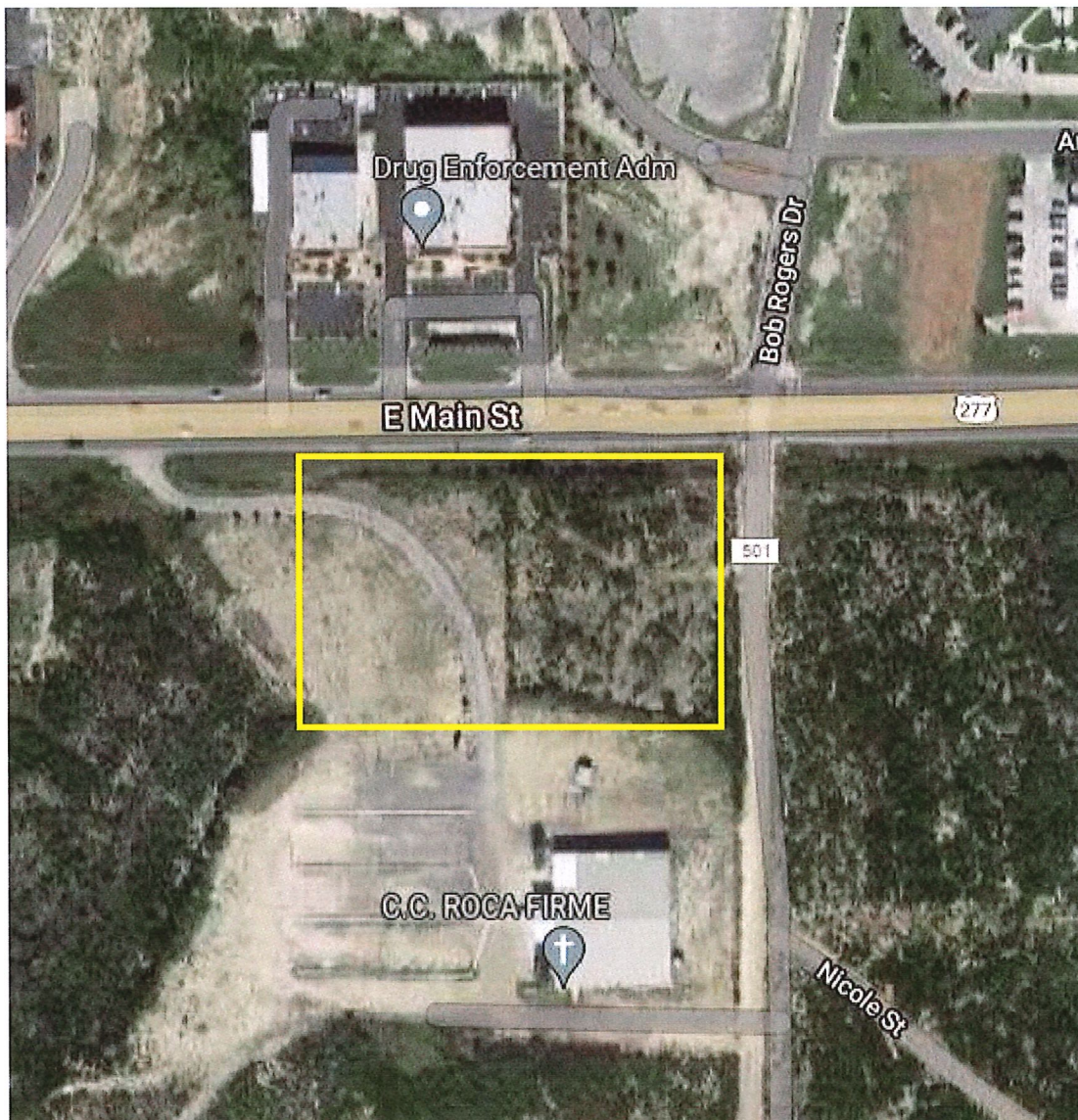
☐ Multi-Family Dwellings ☐ Industrial ☐ Other _____

Detailed Explanation of Proposed Use	
Proposed Use of Property/Reason for Change:	
Commercial Likely Hotel	
Describe the character and/or nature of uses surrounding the property:	
B1 Surround The Lot	
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?	
DNS Hospitality owns the land around the site.	

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 11/3/2022 Date

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





Attachment 2
Zoning Map & Master Plan

Item #5



Planning Department Executive Summary REPORT TO THE PLANNING AND ZONING COMMISSION

Final Plat of Benito Garcia Subdivision

I. BACKGROUND

A. General Information

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

Owner: Benito & Rosario Berenice Garcia & Tomas Perales I Eagle Pass, Texas 78852

Location: 3401 Del Rio Blvd & 3427 Del Rio Blvd

Property ID Number: 9008915 & 51974

Legal Description: Abstract A1009, G C & S F R R CO., Survey #1, Acres 2.0 & Abstract A1009, G C & S F R R CO., Survey #1, Acres 4.0

Request: The grant of final approval for the platting of a 6-acre tract into a 2-acre tract and a 4-acre tract, including a subdivision variance to proceed directly to final plat approval without first having obtained preliminary plat approval, and a subdivision variance request to allow for septic tank installation.

B. Subject Property Information

Parcel Size: 6-acres **Topography:** Generally flat

Existing Use: Lot 1 currently houses a commercial building and parking lot, and Lot 2 is vacant and undeveloped.

Zoning: Not applicable **Master Plan:** Not applicable

C. Vicinity Data

The site is located within an area that features some residential with mostly commercial developments.

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 TxDOT US Highway 277 Lot 1 has an existing driveway. The plat has been conditioned with the following plat note per TxDOT: A TxDOT Driveway Permit must be secured prior to any development of Lot 2.

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 final approval of the subdivision. Please refer to Attachment 1.
2. Final plat approval is contingent upon the Commission's approval of a subdivision variance requests.
3. The applicant must also 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 plat approval is consistent with this section of the city code, as the strict application of the requirement to receive preliminary plat approval for a 2-lot subdivision that currently contains all required supporting public infrastructure would deprive the applicant of the reasonable subdivision of their land. A review of the preliminary plat by both the Planning and Zoning Commission and City Council constitutes a procedural exercise that is not warranted.

Second Variance Decision Criteria

Section 23-11(a)(2). The variance regarding final 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 *Commercial District*. The commercial use of the property will allow the enjoyment of a property right permitted by the City code.

Third Variance Decision Criteria

Section 23-11(a)(3). The variance regarding final 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.

Fourth Variance Decision Criteria

Section 23-11(a)(4). The portion of the variance regarding final 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*.

Fifth Variance Decision Criteria

Lastly, the variance regarding final 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.

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

The second variance is not consistent with the subdivision variance criteria set forth in *Section 23-11(a)* and *Section 23-11(c)* and, therefore, should not be granted. Eagle Pass Water Works is requiring that the sewer line be bored under the highway.

4. The 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 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 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 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 and efficient and equitable manner.
 - ✓ The subdivision is consistent with the *Street Goal* of the *Master Plan*, as access to the site 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 a detention pond will be required on Lot 2 at the time the property is developed.
6. The subdivision design is consistent with the purpose of the *B-3 General Business District*.
7. The 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
 - ✓ *Section 23-66* governing sanitary sewage disposal, a variance had been submitted to not have to connect to the Sewer and be allowed to install septic
 - ✓ *Section 23-67* governing potable water supply and fire flow
 - ✓ *Section 23-68* governing storm drainage
 - ✓ *Section 23-69* governing the size of building lots, including lot width, lot depth, lot orientation, and building setback areas.
 - ✓ *Section 23-71* governing the installation and inspection of utility lines

Please refer to Attachment 3 for a copy of the final engineering report for the proposal.

8. The 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 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 cash in lieu of parkland dedication to the Maverick Planning Department, fee may be collected when securing building permit.
10. The subdivision's conformance with the provisions of the *Master Plan* and the *Eagle Pass Code of Ordinances* will facilitate the following benefits:
 - Protect private rights while considering public health, safety, and welfare.
 - Provide for efficient and economical ways to move people and goods outside the City by an adequate plan for streets and highways.
 - Guide future development in an orderly manner, by stages according to a pattern, so that the County may have a balanced land use.
 - Encourage a diversified economic base and encourage public and private investments in land and improvements.
 - Prevent and eliminate blight and slums, making the County attractive to people, commerce, and industry.
 - Create the desire for a more pleasing appearance of the County and incorporate into its physical development the basic principles of good design.
 - Protect and preserve the identity of each neighborhood through use of the guidance provided by the *Master Plan* and the *Code of Ordinances*.
 - Locate all land uses on land best suited for their needs, arranged in such a way as to be mutually beneficial and functional, with ample area to meet long-term needs.
 - Establish a proper relationship between open space, developed areas, building bulk, light and air space, in all future development programs of land use.
 - Encourage and abet the development of civic, cultural, and other public and quasi-public buildings in harmonious and functional groupings.
11. The subdivision will allow for a use of the property that is consistent with the commercial purpose of the *B-3 General Business District* and the surrounding neighborhood 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 commercial purpose of the *B-3 District*.
 - C. The subdivision is warranted because of the necessity to create additional building lots in the *B-3 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 District*.
 - E. The subdivision will benefit the County as a whole and will not be detrimental to nearby land uses of a similar nature.
 - F. The subdivision has been designed and conditioned to comply with all applicable subdivision criteria and standards of the City of Eagle Pass.

12. The final approval of this 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) **DENY** the subdivision variance request to allow a septic tank (2) **GRANT** the subdivision variance request to proceed directly to final plat approval without first having obtained preliminary plat approval as required by *City of Eagle Pass Code of Ordinances Section 23-36(a)*, (3) **GRANT** final approval of the *Benito Garcia 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:

TEC Services via-email
Maverick County Planning Department via e-mail
Eagle Pass Planning and Zoning Commission via e-mail
Planning & Zoning Commission Report dated November 8, 2022

Attachment 1 Application



PLANNING DEPARTMENT

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

SUBDIVISION APPLICATION

TYPE OF SUBDIVISION (check one):

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

Property Legal Description: Abstract A1009, G C & S F R R CO., SURVEY #1, ACRES 6.0

Maverick County Property Identification Number(s): 9008915; 51974

Name of Addition: Benito Garcia Subdivision

Location of Addition: 3401 North US HWY 277, Eagle Pass, TX

Number of Residential Lots: 0 Number of Commercial Lots: 2 Gross Acreage: 6.00

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

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

Existing Land Use: Commercial Proposed Land Use: Commercial

Requested Variances: 1) Variance to proceed straight to final plat given existing improvements.

PROPERTY OWNER:

Name: Benito Garcia & Rosario Berenice Garcia

Address: 292 Alazan Dr.

City: Eagle Pass

State: TX Zip: 78852

Signature: [Signature]

Contact: Benito Garcia

Phone: (830)-773-0407

Fax: 830-757-6757

E-mail: begapavinginc@aol.com

Date: 7/11/22

PROPERTY OWNER:

Name: Tomas Perales

Address: P.O. Box 4040

City: Eagle Pass

State: TX Zip: 78853

Signature: [Signature]

Contact: Benito Garcia

Phone: (830)-773-0407

Fax: 830-757-6757

E-mail: begapavinginc@aol.com

Date: 7/11/22

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: 7/1/22

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: 7/1/22

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: 7/1/22

PRINCIPAL CONTACT: ☐ Owner ☒ Applicant ☐ Surveyor ☐ Engineer

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

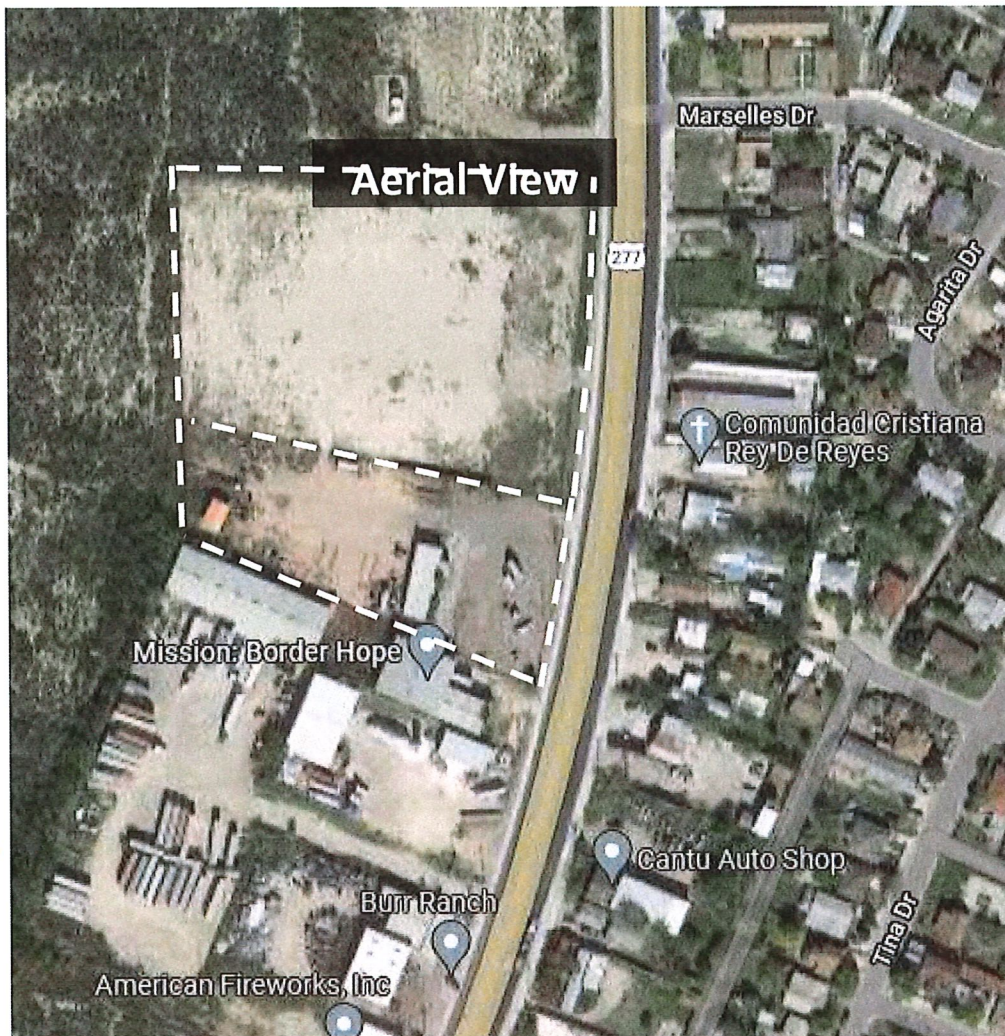
STATEMENT OF APPLICANT

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.

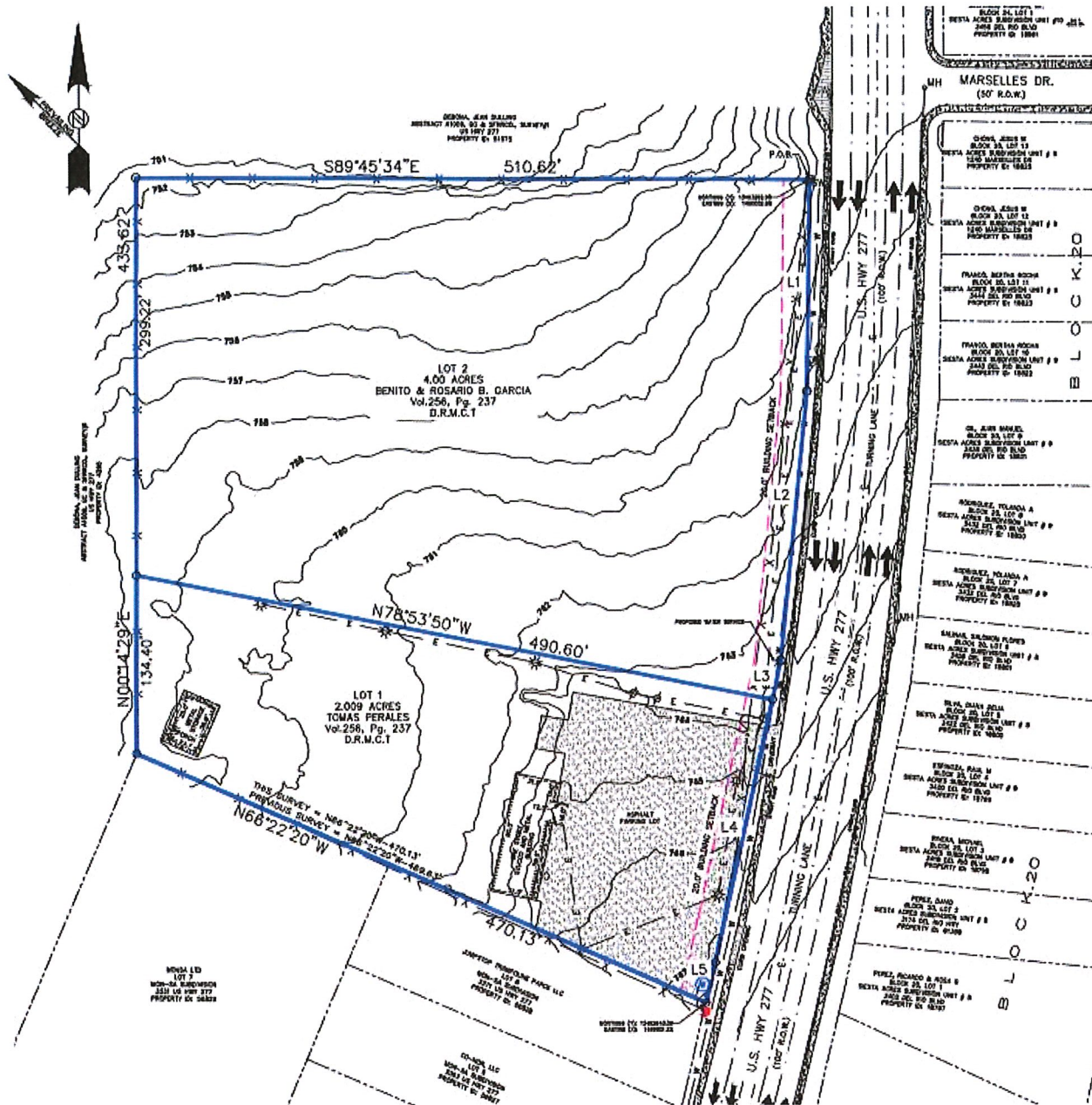
Applicant Signature: [Signature]

Date: 7/1/22





Zoomed in – Plat



10. A DETENTION POND WILL BE CONSTRUCTED ON LOT 2, AT THE TIME THE PROPERTY IS DEVELOPED. THE DESIGNING ENGINEER OF THE SITE WILL SIZE AND DESIGN THE DETENTION POND ACCORDING TO THE PROPOSED IMPROVEMENTS.

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: Benito Garcia & Rosario Berenice Garcia & Tomas Perales

Address: 292 Alazan Dr.

Phone: 830-773-0407 E-mail: bugapavingline@aol.com

Property Information

Site Address: 3401 N US HWY 277 MCAD Property ID No. 9008015;51974

Legal Description (from deed): 6.00 acre tract of land, made up of Lot 2, a 4.00 acre tract of land conveyed to Rosario & Benito Garcia in Vol 256 Pg 237, and Lot 1 of 2.00 acre tract of land conveyed to Tomas Perales in Vol 256 Pg 237 Deed Records, Maverick Co., TX.

Description of Subdivision Variance Request

- Variance to proceed straight to Final Plat given existing infrastructure. (Sect. 23, Subdivision Ord.)
 - Variance to let Property Owner Install a Septic Tank on Lot 2 to be able to provide sanitary sewer service to subject property, while still being within 200' of existing sanitary sewer line located across US HWY 277.
- COEP Code of Ordinances Sect. 23-66-Sewer

Detailed Explanation of Subdivision Variance Request

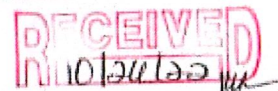
Please answer, on a separate sheet of paper if necessary, the following questions:

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?

Those variances are required to proceed with plat process in a timely and cost effective manner. (please see attached sheet for detailed descriptions)

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(s) to proceed to final plat and be able to legally subdivide the subject tracts, 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 the variances being requested are in line with the surrounding adjacent properties that have been developed in the same way.

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 their property to be able to legally subdivide their property and obtain the required utility services. 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

10/20/2022
Date



Benito Garcia Subdivision Plat

Lot 1 & 2

Variance Request Summary

In order for this Plat to get processed and recorded, the Owner of Lot 2 must install sewer and water services prior to the Final Plat being recorded (the owner of Lot 1 already has sewer and water to his property). EP Water Works states that by ordinance, if the property is within 200' of an existing sanitary sewer main line, that the property owner must obtain a service from there. That is the case for Lot 2 of this subdivision, but the only difference is the existing 6" sanitary sewer main is located across TxDOT US HWY 277. In order to do this construction to obtain a sanitary sewer service, we're talking about a major construction job involving obtaining TxDOT permits, construction plans, installing (2) sanitary sewer manholes, breaking and replacing TxDOT pavement as required, and major traffic control involved in doing this. The property owner has stated that he does not have the economic means to do this type of construction to obtain a simple sanitary sewer connection, across the highway. All the properties that are adjacent to Lot 2 and that are located on the West side of US HWY 277 (including Lot 1 of this subdivision) are connected to septic tanks for sanitary sewer service, because there are no existing lines on this side of the highway of which to tap off into the existing main sewer line, and boring across the highway is too expensive to justify obtaining a service. We estimate that proceeding the way EP Water Works is requesting to bore across the highway, will cost over \$70,000, and will take months to do as TxDOT permits have to be obtained and construction plans have to be produced. This would kill this subdivision plat because the property owner has stated he does not have the economic means to do this construction. The only thing he is asking is that this variance gets approved, and he is allowed to install a septic tank to provide sanitary sewer service to his property just like all the other adjacent properties have been allowed to do. This would allow him to proceed with the final plat process and obtain a recorded plat to legalize his property. Furthermore, Lot 2 is 4.00 acres in area, well above the minimum TCEQ requirement of 0.5 acres in order to be able to install a septic tank. Installing a septic tank would be the most cost effective way to service his property, and would be line with what all the adjacent properties have done to obtain a sanitary sewer service, since there are no main lines located on the West side of US HWY 277 along this 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.



10/20/2022

Attachment 3
Final Engineering Report
30-Year Agreements



To: Placido Madera

City of Eagle Pass Planning Director

From: Florentino Caballero, P.E.

Date: Oct. 19, 2022

Reference: Final Engineering Report for 6.009 Acre Plat of Benito Garcia Subdivision

Mr. Madera,

Mr. Tomas Perales and Benito & Rosario B. Garcia, owners of a 2.009 acre tract and 4.00 acre tract, respectively, for property legally described as being a 6.009 acre tract of land made up of a 4.00 acre tract of land conveyed to Benito and Rosario B. Garcia recorded in volume 256, page 237 and a 2.009 acre tract of land conveyed to Tomas Perales recorded in volume 256, page 237 of the Maverick County Deed Records, have requested that TerraTech Engineering and Construction Services (TEC Services) prepare a Plat of this property to legally subdivide it into (2) Two Commercial Lots. This property is located at 3401 U.S. Hwy 277 in Eagle Pass, TX. The property is located outside the Eagle Pass City Limits, but within the 5-mile Extra-Territorial Jurisdiction (E.T.J.) and is currently unplatted as one (1) 6.009 acre tract. The 2.009 acre portion has an existing building and parking lot, while the 4.00 acre tract is vacant. The property 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 6.009 acres and is irregularly shaped (see attached Plat Sheet for reference). The subject tract will be Platted into (2) commercial Lots, Lot 1 and Lot 2, Benito Garcia Subdivision as shown in the attached Plat Sheet. The property has frontage towards U.S. Hwy 277 and has existing driveways to access both properties off TxDOT Hwy US 277. All utility infrastructure including water, sewer, electricity, and cable is already existing along the frontage of the property. This Plat will be presented to proceed straight to Final due to the existing conditions. This property is located outside the Eagle Pass City Limits and is not currently zoned. The property will be zoned as B-3: General Business District.

Drainage

General Drainage Description

No portion of the Plat area of this subdivision is located within a FEMA special flood hazard area as shown on the Plat sheet. The subject property slopes/drains from the Southeast towards the Northwest direction. Given that this property is technically already developed and has all the required infrastructure that would classify it as a Platted property such as utilities and street access, no drainage improvements are required at this time. For platting purposes, Hydraulic Calculations are provided

below only as reference. Since the property is technically already developed, runoff values will assume fully developed conditions and only one set of calculations will be provided. Since there are no proposed improvements for the property at this time, a detention pond will not be required until the time of development of the property. The designing engineer of the site will size and design the detention pond according to the proposed improvements, at the time of development.

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	0.90
I_{10}	7.43 in/hr
I_{100}	10.32 in/hr
Watershed Area, A	6.009 acres

The peak rates of runoff for the existing undeveloped lots are

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

$$Q_{10} = 0.90 \times 7.43 \times 6.009 = 40.18 \text{ cfs}$$

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

$$Q_{100} = 0.90 \times 10.32 \times 6.009 = 55.81 \text{ cfs}$$

The estimated runoff for the entirety of the property for a ten (10) and one hundred (100) year return period are 40.18 cfs and 55.81 cfs, respectively.

The calculations provided in this report are simply for Platting purposes. No drainage improvements are required at this time, until the property is to be fully developed, of which hydraulics will be analyzed by the designing engineer of the site, at the time of development.

Street

This property has paved street access of TxDOT Hwy US 277 also commonly referred to as Del Rio Blvd. Luminaries are visible along the property. Please refer to Replat sheet for locations.

There is an existing fire hydrant located along the Southern most property corner of the subject 6.009 acre property. Please refer to Plat Sheet for location.

Water Service

There is an existing 8" Water Main that runs along the frontage of this property. Please refer to the Plat sheet for details. Lot 1 has an existing Water service and meter. Lot 2 will have to obtain a separate Water Service from the existing line that runs along the frontage of the property. Please refer to Plat sheet for approximate location of proposed water service. This location can be modified during construction as needed, if approved by Water Inspector on site. All Water Mains in this area are operated by Eagle Pass Water Works.

Sanitary Sewer Service

There is an existing 6" Sanitary Sewer Main that runs along the opposite side of the US HWY 277 frontage of this property. Proposed Lot 1 already has an existing septic tank that services this property. Proposed Lot 2 will obtain a separate sewer service from one of two ways, the existing 6" sewer line across the highway, or given the 4 acre area, could also install a septic tank, at the time of development, based on how adjacent properties located on the West Side of US HWY 277 are being serviced. Given Water Works requirement that properties must tap into existing sewer system if within 200', a variance will be submitted to allow the property owner to install a septic tank to obtain sanitary sewer service, given that the property falls within TCEQ septic tank requirements due to the size of the property, and the cost to bore across the highway to obtain a sewer service on TxDOT owned property where the existing 6" sewer line is located, will cause an economic hardship for the owner, and not allow him to proceed with the plat of his property. 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 these properties is Commercial. There will be no improvements at this time, other than the required water/sewer services for Lot 2. The property owners are simply platting to legalize their properties.

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



10/19/2022



AGREEMENT REGARDING WATER SERVICE FOR THE PROPOSED

Benito Garcia Subdivision 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 TernaTech 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 **Benito Garcia 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
1,650 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 SEPTEMBER 21, 2022.

The Utility

By: Marco Salinas

Printed Name: MARCO SALINAS

Office or Position: CHAIRMAN

Date: 9/21/2022

The Subdivider

By: Aaron Libson

Printed Name: Aaron Libson

Office or Position: General Manager (TEC Services)

Date: 9/12/2022

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 Benito Garcia Subdivision 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
Benito Garcia 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 1,000 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 SEPTEMBER 21, 2022.

The Utility

By: Marcos Salinas

Printed Name: MARCOS SALINAS

Office or Position: CHAIRMAN

Date: 9/21/2022

The Subdivider

By: Aaron Libson

Printed Name: Aaron Libson

Office or Position: General Manager (TEC Services)

Date: 9/12/2022

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

Item #6



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:

TEC Services via e-mail

Planning and Zoning Commission via e-mail

Maverick County Planning Department via e-mail

Eagle Pass Planning Department Report dated November 8, 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
Sidewalk Waiver Request

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.

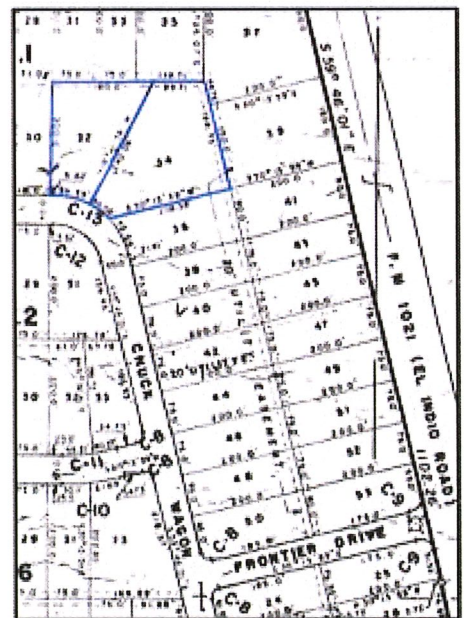
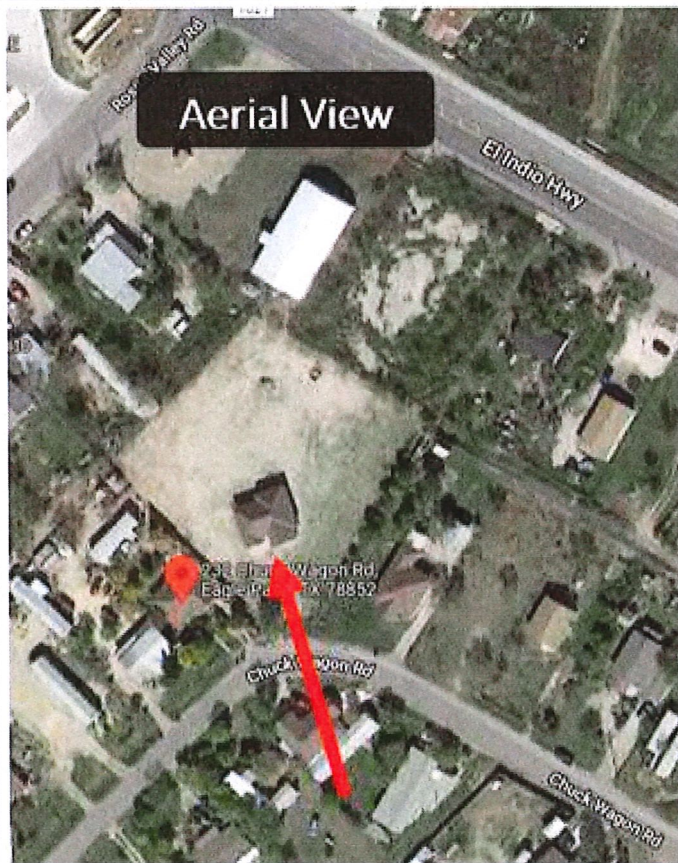
STATEMENT OF APPLICANT

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.

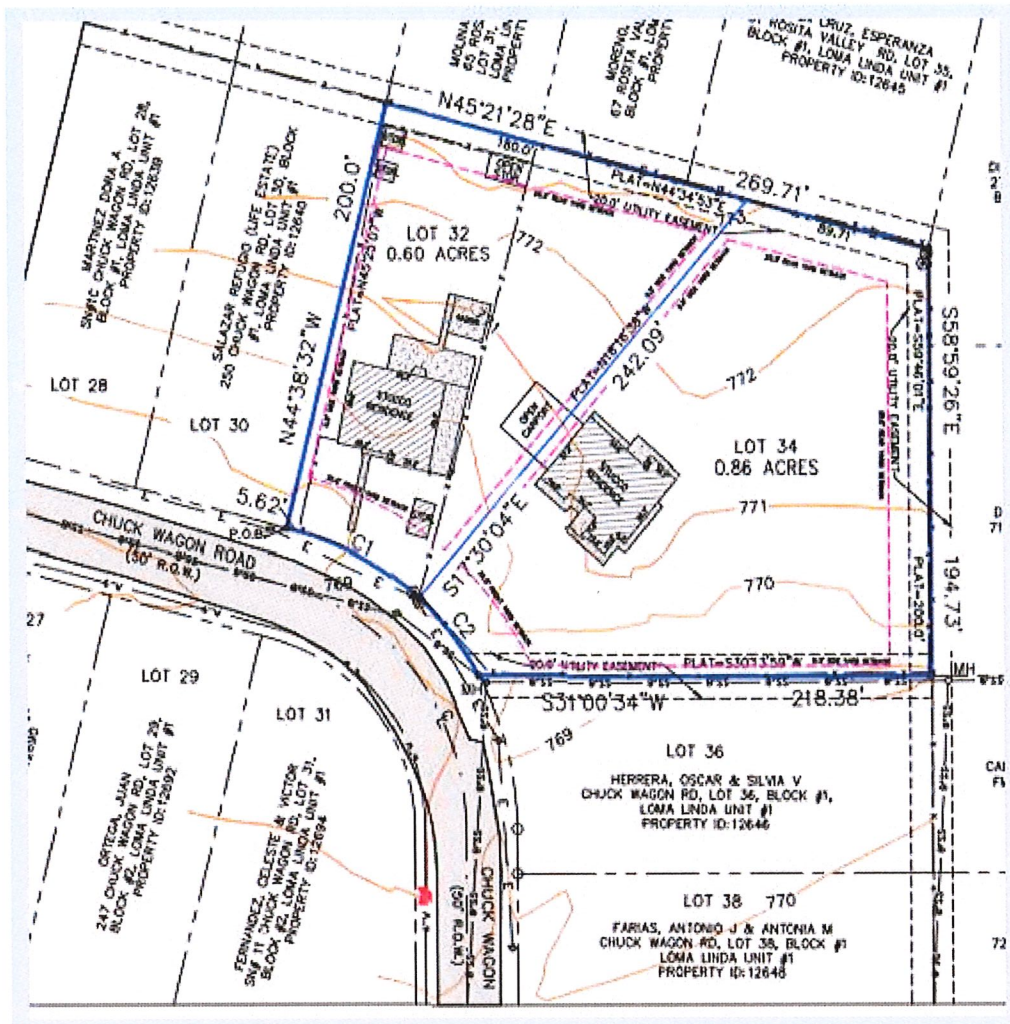
I understand that the City of Eagle Pass may use third party engineering peer review services. I acknowledge and agree that I am responsible for the payment of services attributable to my project, and that the preliminary approval process or final approval process will not proceed until and unless I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

[Signature]
Applicant Signature

4/1/22
Date



ORIGINAL PLAT OF LOT 32 & 34
LOMA LINDA SUBDIVISION, UNIT #1
(ENVELOPE 136, SIDE A M.C.M.R)



LOT 32 & LOT 34, BLOCK 1
LOMA LINDA SUBDIVISION UNIT 7

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RESEARCH DESIGN AND METHODS

NOTES

THE UNIVERSITY OF CHICAGO

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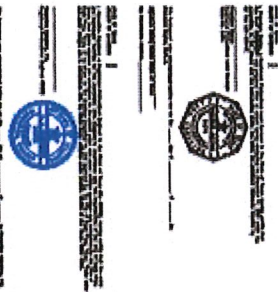
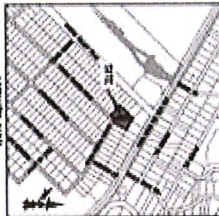
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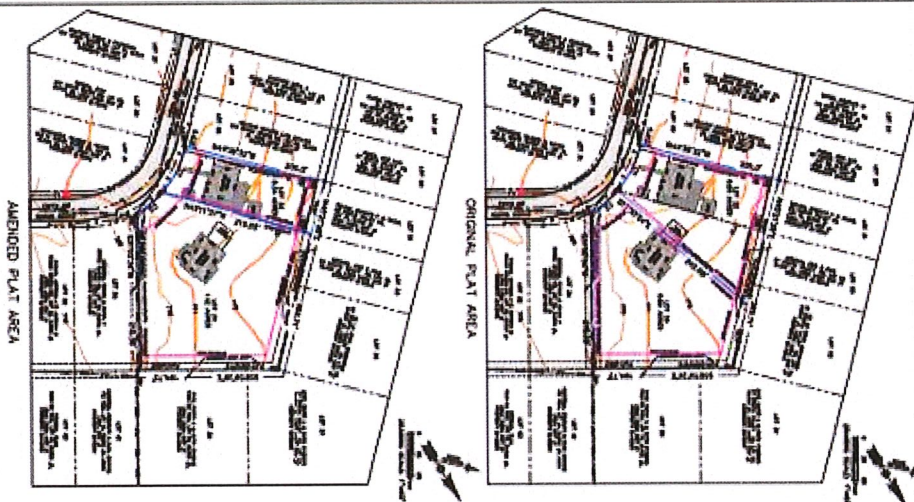
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C#	CURE	EX. 13	APPROX.
20	21	2700' 30"	44.50'
26	22	1870' 30"	44.50'

Sl. No.	Particulars	Amount	Total
1	Salaries and Wages	10000	10000
2	Gratuity	5000	5000
3	Provident Fund	2000	2000
4	Income Tax	1000	1000
5	Other Deductions	1000	1000
6	Net Payable	8000	8000

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此乃一書之目，其書之內容，則在書中。其書之內容，則在書中。

1. **What is the main purpose of the passage?**
 2. **Which of the following is NOT a reason for the decline in the number of people who are interested in the study of history?**
 3. **What does the author think is the main reason for the decline in the number of people who are interested in the study of history?**
 4. **What is the author's attitude towards the decline in the number of people who are interested in the study of history?**
 5. **What is the author's suggestion for the decline in the number of people who are interested in the study of history?**



ALUMINUM PLAT AREA

CHIGANKA PLANT AREA

PROPERTY OWNERS:
LOT 12: Luis A. Salazar & Irma L. Salazar
LOT 18: Manuel A. Sarmiento
Engle Pass, TX, Maverick County



**TERRATECH ENGINEERING
AND CONSTRUCTION SERVICES**
2015 E. 10th Ave., Suite 100
Denver, CO 80202
303.733.1111
www.terra-tech.com

PLAT AMENDMENT
LOT 32 & LOT 34, BLOCK 1
LOMA LINDA SUBDIVISION UNIT 1
EAGLE PASS, TEXAS

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 二、
 三、
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Attachment 2
Sidewalk Waiver Application



PLANNING DEPARTMENT

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

Subdivision Sidewalk Waiver Application

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

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

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

=====

Applicant Information

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

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

Owner: Luis & Irma Salazar and Manuel A. Sarimiento

Owner Address: 232 Chuck Wagon Rd. City: Eagle Pass State: TX Zip: 78852

Phone: 830-776-7644 Email: amartinez@lklawtx.com

Property Information

Site Address: 232 Chuck Wagon Rd.

Legal description (from deed): Lot 32, Blk 1, Colonia Loma Linda Subd. & Lot 34, Blk 1, Loma Linda Subd. Unit 1
(Property must be legally subdivided or be lot of record)

Maverick County Identification Number: 12642 & 12644

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

There is no existing sidewalk to attach to in the subdivision or
anywhere along this street.

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

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

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

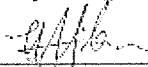
Requiring only the property owners that are part of this plat amendment to
build a sidewalk would create unsafe walking hazards since there is no existing
sidewalk to connect to to create a smooth walking surface.

Applicant Authorization

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

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

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



Applicant Signature

11-8-2022

Date

Attachment 3
Summary 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

30-Year Agreements are NOT required for Plat Amendments

Item #7

Item #8



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: jolibson@sbcglobal.net

Date: 10/6/22

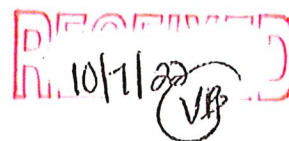
Contact: Morris Libson

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.

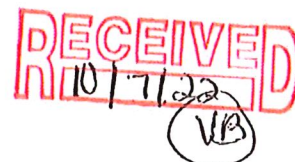
STATEMENT OF APPLICANT

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.

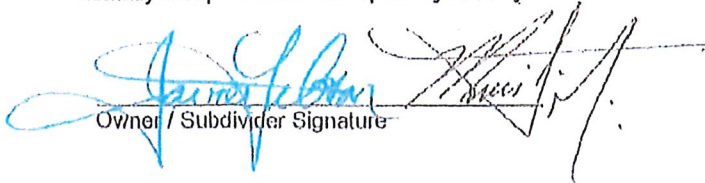
[Signature]
Applicant Signature

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

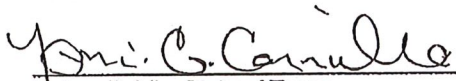
10/6/2022
Date

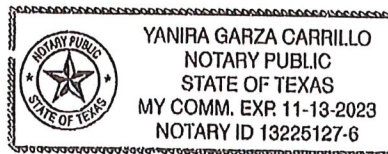
STATE OF TEXAS §

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



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-CIA)

Drainage Area No.	Drainage Area (sq ft)	Drainage Area (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	144,097	3.33	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	81,920	1.87	10.00	0.60	5.11	4.36	6.65	9.06	8.03	12.00	0.65	10.00	16.44	0.72	11.70	20.99
A3	108,924	2.49	10.00	0.60	5.11	7.04	6.65	9.06	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	3.70	6.65	4.91	8.03	5.91	0.65	10.00	9.10	0.72	11.70	10.34
A5	97,099	2.25	10.00	0.60	5.11	6.90	6.65	9.06	8.03	12.00	0.65	10.00	14.85	0.72	11.70	18.95
A6	80,437	1.85	10.00	0.60	5.11	5.60	6.65	7.38	8.03	8.90	0.65	10.00	12.19	0.72	11.70	15.06
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	159,653	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	30.56
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	3.59
E2	6,000	0.14	10.00	0.60	5.11	0.42	6.65	0.55	8.03	0.69	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	18.52
E4	80,501	1.85	10.00	0.60	5.11	6.07	6.65	7.38	8.03	8.90	0.65	10.00	12.20	0.72	11.70	15.57
E5	7,729	0.18	10.00	0.60	5.11	0.60	6.65	0.80	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 Atlas 14, 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

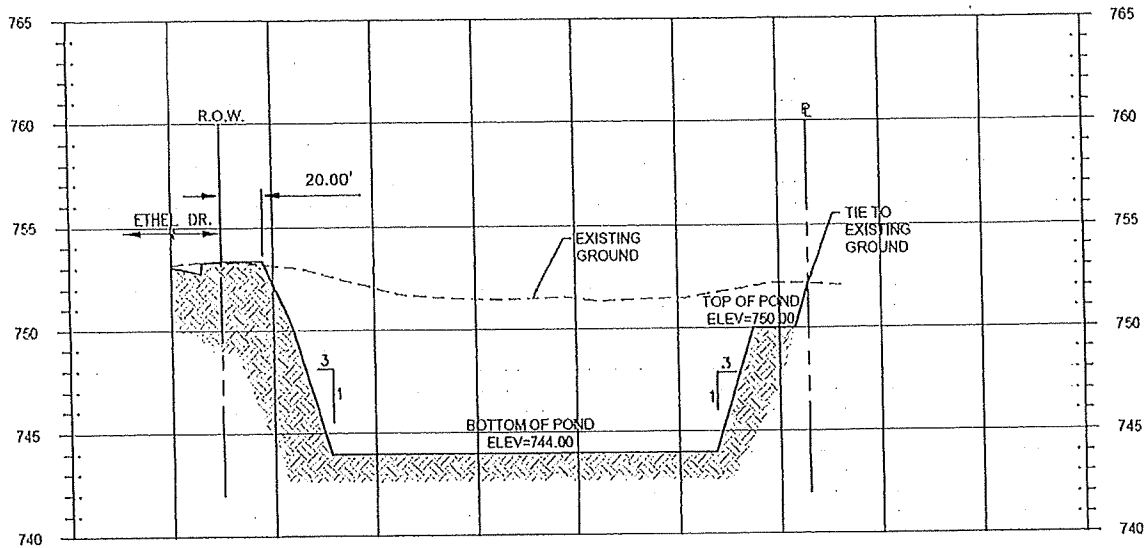
POND AND WEIR SUMMARY

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

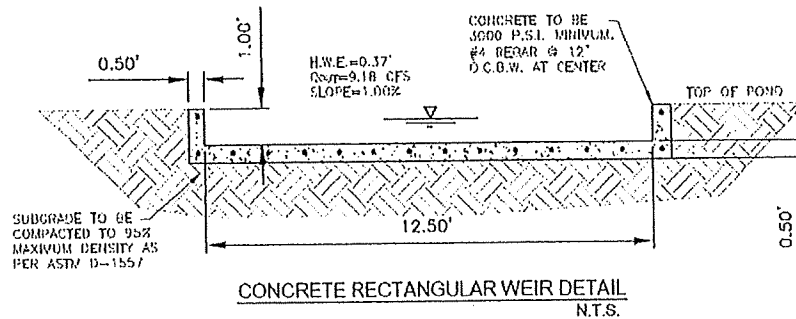
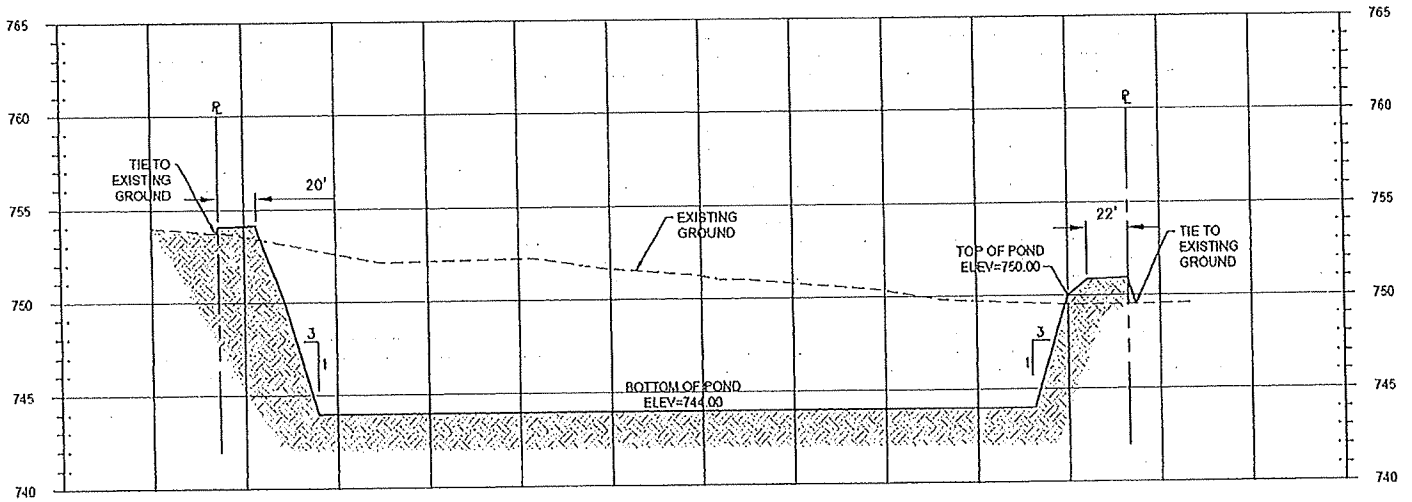
STORAGE AREA VOLUME CURVES

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	458602.52

SECTION 'A'



SECTION 'B'



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

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.

GEOTECHNICAL
ENGINEERING STUDY

TERRA VERDE ESTATES, UNIT 4
EAGLE PASS, TEXAS
PAVEMENT DESIGN

FROST GEOSCIENCES, INC. PROJECT NO.: FGS-G 22001A

FEBRUARY 15, 2022

Prepared Exclusively for:

Mr. Javier Libson
TEC Services
3292 El Indio Hwy
Eagle Pass, Texas 78852

The logo for Frost GeoSciences features a large, stylized, dark blue 'F' that curves around the company name. The name 'Frost GeoSciences' is written in a bold, italicized, sans-serif font. 'Frost' is in a light blue color, while 'GeoSciences' is in a dark blue color. Below the company name, the text 'Construction Materials • Forensics' and 'Environmental • Geotechnical' is written in a smaller, italicized, sans-serif font, separated by a horizontal line.

Frost GeoSciences
Construction Materials • Forensics
Environmental • Geotechnical



Frost GeoSciences

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Helotes, Texas 78023
Office (210)-372-1315
Fax (210)-372-1318

www.frostgeosciences.com

TBPE Firm Registration # F-9227
TBPG Firm Registration # 50040

February 15, 2022

Mr. Javier Libson
TEC Services
3292 El Indio Hwy.
Eagle Pass, Texas 78852

SUBJECT:

Geotechnical Engineering Services
Terra Verde Estates, Unit 4
Eagle Pass, Texas 78852
FGS Project No: FGS-G22101A

Dear Mr. Libson:

Frost GeoSciences, Inc. (FGS) is a geotechnical engineering company registered with the Texas Board of Professional Engineers, with registration No. F-9227, and is pleased to submit the results of our Geotechnical Engineering Study for the above referenced project. This report includes the results of field and laboratory testing along with our recommendations for use in preparation of the appropriate design and construction documents for this project.

We appreciate the opportunity to be of service to you in this phase of your project and future projects. If you have any questions pertaining to this report, or if we may be of further service, please contact our office.

Respectfully submitted,
Frost GeoSciences, Inc.



F. J. Caballero

F. J. Caballero, P.E.
Project Engineer

Copies Submitted:

- i. One (1) Electronic: Mr. Javier Libson, TEC Services, Eagle Pass, Texas
- ii. One (1) File

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PROJECT INFORMATION

Project Authorization:

Frost GeoSciences, Inc. (FGS) has completed a geotechnical engineering study for new pavements to be constructed in the Terra Verde Estates, Unit 4 in Eagle Pass, Texas. This project was authorized by Mr. Javier Libson of TEC Services, through acceptance of Frost GeoSciences Proposal No.: FGS-P-G21183 dated December 29, 2021. Our scope of services for this project is as outlined in that proposal.

Project Description:

We understand that the Terra Verde Estates, Unit 4 Development involves the design and construction of Local Residential Streets. Since the City of Eagle Pass does not have a Pavement Design Criteria at this time, we will use the Design Criteria used by other cities in the surrounding area. A Vicinity Map showing the location of the project is included in the section of this report entitled Illustrations

Purpose and Scope of Services:

The purpose of the geotechnical investigation is to evaluate the subsurface conditions at the project site and develop geotechnical engineering recommendations and guidelines for use in preparing the appropriate design and other related construction documents for this project. Therefore, our scope of services for this project include the following:

- Drill borings and excavate test pits at selected locations within the project limits to evaluate subsurface conditions and to observe the potential presence of subsurface water;
- Perform geotechnical engineering laboratory tests on selected samples recovered during our field activities to evaluate their physical and engineering properties;
- Perform Engineering analyses to develop the appropriate geotechnical engineering recommendations and guidelines, to include:
 - Appropriate pavement section thickness recommendations;
 - Pavement section material requirements and specifications;
 - General site and subgrade preparation within the construction limits; and
 - General comments regarding construction methods, sequences and potential difficulties that may arise during overall construction as it relates to the geotechnical engineering aspects of this project.

- Prepare a written report that includes a boring location plan, boring log at each bore site, and results of the laboratory testing program, descriptions of the subsurface conditions encountered and our geotechnical engineering recommendations and guidelines developed for this project.

Our scope of services for this project did not include the assessment of any potential environmental concerns at this site. Therefore, such concerns are not addressed in this report.

SITE AND SUBSURFACE CONDITIONS

Site Description:

The site conditions were assessed using a combination of aerial photography and observations made by the FGS personnel during our field operations. The following site conditions were noted:

- The site is the Terra Verde Estates, Unit 4 in Eagle Pass, Texas.

Site Geology:

According to the United States Geologic Survey the Site is located on the Quaternary Fluvatile terrace deposits (Qt) and the Escondido Formation (Kes).

- **The Quaternary Fluvatile terrace deposits (Qt)** consist of gravel, sand, silt, and clay. The gravel is predominantly limestone, dolostone, and chert. These low terrace deposits are mostly above the flood level along entrenched streams. The fluvatile morphology is well preserved with point bars, oxbows, and abandoned channel segments.
- **The Escondido Formation (Kes):** consists of clay, sandstone, siltstone and limestone. It is fine grained and yellowish gray colored. The soil is medium to thick bedded, ripple marked and forms cuestas. The thickness of the formation is about 200-875 feet southward.

Soil Description:

According to the United States Department of Agricultural (USDA) Natural Resources Conservation Service (NRCS) Soil Survey of Maverick County (1962), the Site is located on the following soils:

- **The Maverick Association (MKC)** Slopes are mainly convex. The slopes average 3 percent, but range from 1 to 5 percent. Maverick soils consist of moderately deep undulating, calcareous, saline clayey soils. These soils formed in marine shale and clay. Maverick soils are very slowly permeable. Runoff is rapid and the hazard of erosion is moderate. Maverick soils are well drained and available water capacity is medium.

- **Elindio silty clay loam (EdA)** 0 to 1 percent slopes. This nearly level soil is in areas that are irregular in shape and are mainly about 75 acres in size. Slopes are plane to convex. Runoff is slow and the hazard of erosion is slight.
- **Elindio silty clay loam (EdB)** 1 to 3 percent slopes. This gently sloping soil is in areas that are longer than they are wide and follow the slope contours above the drainage ways. Slopes are convex. Soil areas are mainly 75 acres in size. Runoff is medium and the hazard of erosion is moderate.

Subsurface Conditions:

Subsurface conditions at the site were evaluated by drilling a total of **Three (3)** soil borings to a depth of **Fifteen (15)** feet and **One (1)** test pit to approximately **two (2) feet depth** were excavated to obtain **soil samples to determine the California Bearing Ratio (CBR)** of the soil samples. The number of borings and test pits, their locations and their depths were selected by FGS. The borings and test pits were located in the field by FGS personnel using Global Positioning System (GPS) technology. The borings were advanced using solid flight auger drilling methods and soil samples were routinely obtained during the drilling process; the test pits are routinely excavated to the appropriate depth. Drilling and sampling techniques were accomplished in general accordance with ASTM procedures. Logs of the borings are presented in the Appendix section at the end of the report. A Borehole Location Plan with the location of each boring is presented in the Illustrations section of this report.

The soil samples obtained during our field exploration were transported to our laboratory where they were reviewed by qualified geotechnical engineering personnel. Representative samples were selected and tested to determine pertinent engineering properties and characteristics for use in evaluating the project site. Laboratory testing and soil classification were accomplished in general accordance with ASTM procedures.

Based on the field and laboratory data, it is determined that the stratigraphy of the site is generally as follows:

Stratum	Range of Depth, (feet)	Stratum Description and Classification
I	0.0 to 5.0	Clay (CL), Brown
II	5.0 to 15.0	Clay (CL), Tan

The subsurface descriptions shown above are general in nature and highlight major subsurface stratification features and material types. The boring logs included in Appendix A should be reviewed for specific information such as soil or rock material descriptions, stratifications, sampling depths and intervals, field test data and laboratory test data. The stratifications shown on each boring log only represent the conditions and approximate boundaries between strata at that actual boring location. The actual transitions between strata may be gradual. Variations will occur and should be expected at locations away from each boring location. Subsurface water level observations made during field operations are also shown on the boring logs. The indicated stratum depths and any subsurface water levels are measured from the ground surface and are estimated to the nearest one-half (½) foot. Portions of any samples that are not altered or consumed by laboratory testing will be retained for 30 days

from the date of issuance of this report. Unless otherwise requested by the client and/or depending upon project requirements, all soil samples will be discarded after that retention period.

The P.I. values obtained from the soil samples taken near the surface ranged from 15 to 16 in the CLAY subgrade soil. Due to the characteristics of the materials found in the area, FGS is of the opinion that the Plastic Index (P.I.) value of the material near the surface will Not pose a problem if not treated with LIME or replaced with a more suitable material.

Soil Corrosiveness:

Soil Corrosiveness testing was not performed at this site.

Subsurface Water Information:

The borings were advanced using dry drilling techniques to the depth at which they were terminated due to auger refusal in an attempt to detect the potential presence of subsurface water in the material. Subsurface water was not encountered in any of the borings upon completion of drilling operations, however it must be kept in mind that subsurface water levels are generally influenced by seasonal and climatic conditions that result in fluctuations of subsurface water levels over time.

ENGINEERING ANALYSIS AND RECOMMENDATIONS

Pavement Design:

Flexible pavements should be designed and constructed in accordance with the requirements established by local municipalities and the American Association of State Highway and Transportation Officials (AASHTO) "Guide for Design of Pavement Structures", for this project, the Bexar County Flexible Pavement Design Criteria was used.

Below are the Flexible Pavement Design Criteria, which was used in the design of the proposed street sections for this project:

18-KIP ESAL VALUE -----	50,000
RELIABILITY LEVEL -----	R - 70
MINIMUM PAVEMENT STRUCTURE -----	SN - 1.54
MAXIMUM PAVEMENT STRUCTURE -----	SN - 3.18
INITIAL SERVICEABILITY INDEX (p ₀) -----	(P ₀) - 4.2
MINIMUM TERMINAL SERVICEABILITY INDEX (P _t) -----	(P _t) - 2.0
STANDARD DIVIATION (S _o) -----	(S _o) - 0.45
LAYOR COEFFICIENT FOR HMAC SURFACE, (Type D) -----	0.44
LAYOR COEFFICIENT FOR FLEXIBLE BASE, -----	0.14
CHANGE IN SERVICEABILITY -----	-2.2

In addition to the parameters shown above, the soil resilient modulus, M_R , of the subgrade soil, must be determined. Typically, this value is obtained through California Bearing Ratio (CBR) testing. Field investigations show that all the soil samples obtained within the subgrade at the site are very similar with very similar (CBR) values. These soils are **Brown Clay with CBR values ranging between 5.3 to 5.5**. We will use a CBR of 5.3 for our pavement design values our pavement sections. Information regarding the moisture density relationships of the bulk samples of subgrade soil collected at this site and the CBR test results are presented in the Appendix section of this report.

For the purposes of developing layer thicknesses for the pavement sections shown below, we have used the following structural coefficients in the calculation of pavement structural numbers:

Material Type	Structural Coefficient	Drainage Coefficient	Minimum Thickness (inches)
TXDOT Item 340, Hot Mixed Asphaltic Concrete	0.44	1.00	2.0
TXDOT Items 292 or 340, Asphalt Treated Base	0.38	1.00	4.0
TXDOT Item 247, Flexible Base	0.14	1.00	8.0
Moisture Conditioned Subgrade	0.00	0.00	6.0

THE NEW TENSAR PROGRAM CALCULATE THE RESILIENT MODULUS (MR) VALUE WITH THE USE OF THE LABORATORY CALIFORNIA BEARING RATIO, (CBR). In this case the MR value calculates to 7,950 psi.

WE WILL USE MR=7,800 PSI FOR OUR PAVEMENT DESIGN.

In accordance with the Proposed design parameters, we have developed the following flexible pavement recommendations for a "Local Street" on a Clay subgrade.

COMPONENT	FLEXIBLE DESIGN SECTION (inches)			
	Local Street			
	Option # 1	Option # 2	Option # 3	Option # 4
Type D HMAC Surface	2.0 inches	2.0 inches		
Flexible Base, (Type A or Type B, Grade 2)	8.0 inches	8.0 inches		
TENSAR GEOGRID (TX-5)	NO	YES		
Design ESAL Value	50,000	50,000		
Actual ESAL Value	97,000	857,700		

Pavement Analysis:

The pavement designs presented in the previous paragraphs DOES NOT include designs for lime stabilized subgrade and lime treated subgrade, to be used on pavement sections with a Clay subgrade and a P.I. value greater than 20. In the case that subgrade fill is required to bring the subgrade elevation up to final grade, fills should be made with flexible base, on-site Chalk millings or other material approved by the Project Engineer. Fill material compaction shall be in accordance with subgrade compaction requirement for Eagle Pass, Texas.

Pavement Material Specifications:

The following guidelines have been prepared for use in the selection and preparation of various materials that may be used to construct the pavement sections. Submittals should be made for each pavement material and should be reviewed by the Geotechnical Engineer and other appropriate members of the design team. The submittals should provide the test information necessary to verify full compliance of the materials with the recommended or specified material properties.

Fill Material - If fill is used to raise the grade, approved fill material underneath the pavement should be used. The fill should be free of deleterious material with a **minimum CBR value of 5.0** and preferably a **Plastic Index below 19**. If the material has a PI greater than 20 the lime application rates should be re-evaluated and sulfate content tested for the fill material. The material should be placed as per applicable city or county guidelines.

Hot-Mix Asphaltic Surface Course – Asphaltic concrete should be plant mixed, hot laid, **Type D** meeting the 2014 TX DOT Standard Specification Item 340. Mix should be compacted to between 92 and 97 percent of the maximum theoretical density as determined by TEX-227-F.

Asphalt Treated Base – Asphalt treated base should be placed in **maximum six (6) inch compacted lifts**. These materials should conform to the requirements of the 2014 TX DOT Standard Specification Item 292, Grade 1 or Item 340, Type A or B.

Flexible Base Course – Flexible base materials should be placed in **maximum eight (8) inch compacted lifts**. The base materials should be compacted to at least 95 percent of the maximum dry density as determined by ASTM D 1557. Flexible base materials should be moisture conditioned to between plus or minus two (+-2) percentage points of the optimum moisture content. Flexible base materials should meet all requirements specified in 2014 TX DOT Standard Specification Item 247, Type A or B, Grade 1 or 2.

Geogrid – Tensar TX5 or TX7 geogrid may be used to provide additional structural support to flexible base materials. The geogrid should be placed as per manufacturer's recommendations at the interface between the flexible base and subgrade.

Moisture Conditioned Subgrade – Exposed subgrade soils that do not need to be stabilized or treated should be scarified and moisture conditioned to between plus or minus three (+-3) percentage points of optimum to a depth of at least six (6) inches. The soils should then be compacted to at least 95 percent of the maximum dry density as determined by ASTM D 698.

Subgrade Preparation:

The pavement alignment should be stripped of topsoil, vegetation, roots, loose or soft soils and any other deleterious materials. The stripped materials should be removed from the site and properly disposed of or used elsewhere on site. Upon completion of stripping operations, the alignment may be either excavated or filled as

necessary to achieve the desired pavement elevation. Prior to the placement of any fill for grade adjustments or the construction of the pavement section, the exposed subgrade should be proof rolled with appropriate construction equipment weighing at least 20 tons. Unstable or non-uniform areas should be removed to expose stable soils and may be replaced with clean, properly compacted flexible base material or other more suitable material approved by the Project Engineer. All fill placed within the paved areas should be free of any deleterious materials and should not contain stones larger than the maximum lift thickness. The fill materials should be placed on prepared surfaces in lifts not to exceed eight (8) inches compacted measure. All fill materials placed in paved areas should be moisture conditioned to between plus or minus three (+3) percentage points of the optimum moisture content and compacted to at least 95 percent of the maximum dry density as determined by ASTM D 698.

Drainage:

Proper pavement perimeter drainage should be provided and maintained to minimize the infiltration of surface water into the pavement section from surrounding unpaved areas. The infiltration of water into the pavement section typically results in the accelerated degradation of the section with time as vehicular traffic traverses the infiltrated area. Curbs used in paved areas should extend at least three (3) inches into the base materials to help reduce the potential for water infiltration into the pavement section. Prefabricated strip drains or small "French" drains may also be installed behind curbs to intercept and remove water from the pavement perimeter before water infiltrates the pavement section. Furthermore, all concrete and asphalt interfaces should be sealed using a sealant that is compatible with both asphalt and concrete.

Proper pavement drainage is a critical component in the long-term performance of a pavement section. The pavement section recommendations shown above are based on generally recognized structural coefficients. These coefficients reflect the relative strength of each pavement material type and their contribution to the structural integrity of the pavement. The infiltration of water into these pavement materials will generally weaken the materials and result in the degradation of the pavement's performance. Therefore, proper drainage of the pavement should be carefully considered by the project design team to ensure that water rapidly drains from the pavement and does not pond on or around the pavement.

Utilities:

Care should be exercised to make sure that utility lines do not serve as conduits that transmit water beneath foundations or pavements at this site. Secondary backfill for utility lines that are located beneath pavement, sidewalk and building areas should consist of lean clay (CL), flowable fill or other material in accordance with local municipality or utility provider specifications. Proper compaction of trench backfill is essential in pavement areas where settlement of the trench backfill can cause significant distress to the overlying pavement. Flowable fill materials should be as described in the American Concrete Institute ACI 229R. Granular materials such as sand or gravel are not recommended as secondary backfill in utility trenches located in building pad or pavement areas.

Excavations:

As was discussed previously, these materials that are penetrated by geotechnical augers can generally be excavated with conventional earthmoving equipment. It should be noted that excavation equipment varies and field conditions may vary. Generally, geologic processes (such as faulting, weathering, etc.) are erratic and large variations can occur in small lateral distances. Details regarding "means and methods" to accomplish the work (such as excavation equipment and technique selection) are the sole responsibility of the project contractor.

The Occupational Safety and Health Administration (OSHA) Safety and Health Standards (29 CFR Part 1926, Revised October 1989), require that excavations be constructed in accordance with the current OSHA guidelines. Furthermore, the State of Texas requires that detailed plans and specifications meeting OSHA standards be prepared for trench and excavation retention systems used during construction. The contractor is solely responsible for designing and constructing stable, temporary excavations and should shore, slope, or bench the sides of the excavations as required to maintain stability of both the excavation sides and bottom. The contractor's "responsible person", as defined in 29 CFR Part 1926, should evaluate the soil exposed in the excavation as part of the contractor's safety procedures.

In no case should slope height, slope inclination or excavation depth exceed those specified in local, state and Federal safety regulations. OSHA addresses the construction of slopes in large excavations that are less than 20 feet

deep on OSHA Table B-1. We have provided this information solely as a service to our client. The OSHA regulations and OSHA Table B-1 should be consulted prior to any excavations that would be subject to OSHA regulations. FGS does not assume responsibility for construction site safety or the contractor's or other parties' compliance with local, state and Federal safety or other regulations.

QUALITY CONTROL

Document Review:

Due to the uniqueness of each project and construction site, it is important that all engineering reports, drawings, specifications, change orders and other related documents accurately reflect the recommendations intended by the respective design professionals involved in the project. The performance of the pavements planned for this project will depend on the correct interpretation and implementation of our geotechnical engineering report and guidelines. We should be provided the opportunity to review the final design and construction documents to check that our geotechnical recommendations are properly interpreted and implemented in these documents. This review is not a part of our scope of services for this project and would be an additional service. We cannot be responsible for misinterpretation of our geotechnical recommendations if we have not had an opportunity to review these documents.

Construction Materials Testing:

As the Geotechnical Engineer of Record, we recommend that Frost GeoSciences be retained to monitor the pavement installation and earthwork related activities for this project. Due to our familiarity with this project, it is

important that FGS provide these services to make certain that our geotechnical recommendations are interpreted properly and to make certain that actual field conditions are those described in our geotechnical report. We believe this technical overview and on-site surveillance during these activities is essential to provide well-constructed pavements and to check that the intent of these geotechnical recommendations is met.

REPORT LIMITATIONS

The recommendations and guidelines submitted in this report are based on the available subsurface information developed by FGS and project information provided by the client. If there are any changes in the nature, design or location of the project, the opinions, conclusions, recommendations and guidelines submitted in this report should not be used until we are able to review the changes and respond in writing as to whether the information contained within this report remains applicable.

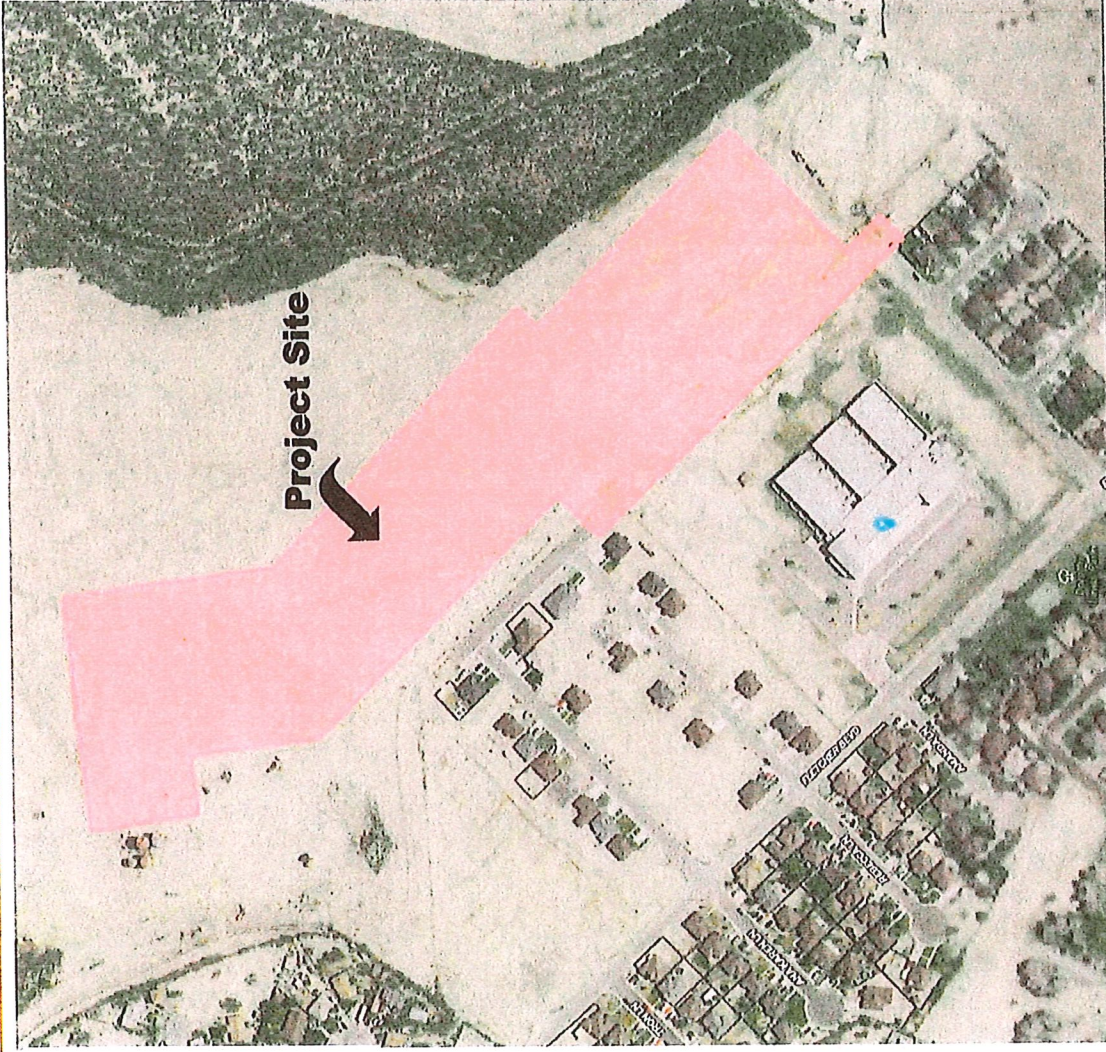
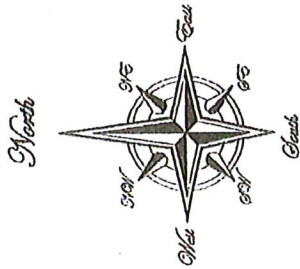
Subsurface conditions at this site have been observed and interpreted at the Boring Locations only. Substantial variations in subsurface materials resulting from local geologic conditions or previous site use may occur away from the boring locations. These variations may not become evident until construction begins. Therefore, any conditions that vary significantly from those described in our report should be reported to FGS immediately. FGS will then determine whether our conclusions, opinions and recommendations remain valid or whether additional investigation and/or engineering analysis is required.

This study has been performed in accordance with accepted geotechnical engineering practice using the standard of care and skill currently exercised by geotechnical engineers practicing in this area. No warranty, expressed or implied, is made or intended. This report has been prepared exclusively for the specified client; project and client's authorized project team for use in preparing the appropriate design and construction documents for this project. This report may be included in the construction documents for this project provided the report is reproduced in its entirety. This report shall not be reproduced or used for any other purpose without the express written consent of Frost GeoSciences, Inc.

ILLUSTRATIONS

Vicinity Map
Boring Location Plan

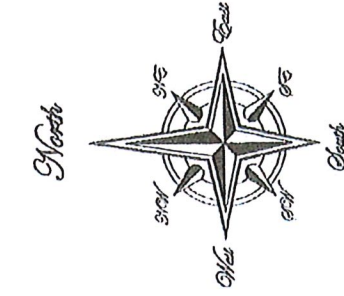
VICINITY MAP



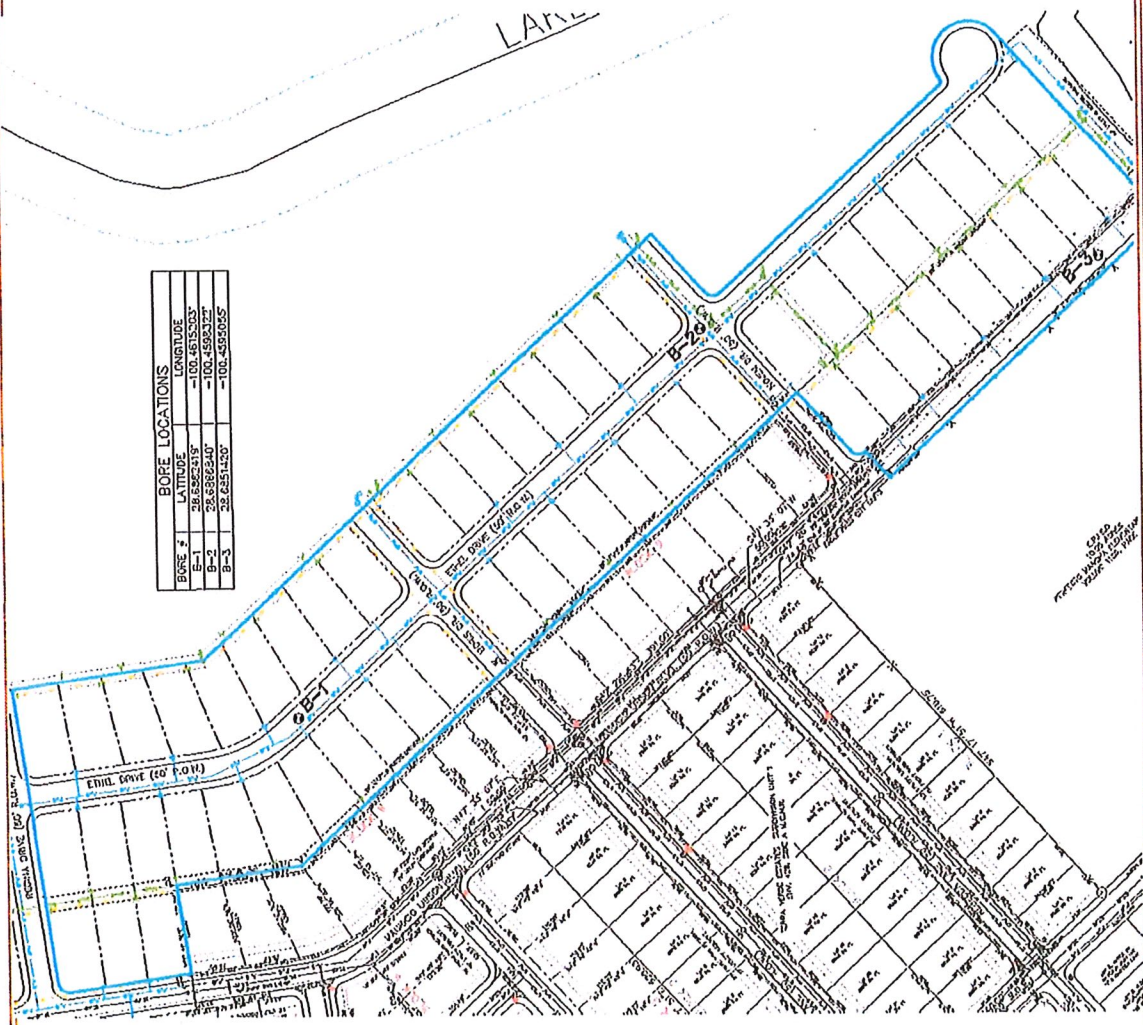
Vicinity Map

PROJECT NAME:
Terra Verde Estates Subd. Unit 4
Eagle Pass, Texas

PROJECT NO.: FGS-G-22101A
DATE: February 15, 2022



BORE LOCATIONS		
BORE #	LATITUDE	LONGITUDE
B-1	28.4522315°	-100.4615203°
B-2	28.45862340°	-100.4593277°
B-3	28.4531420°	-100.4554005°



Boring Plan 1 inch = 500 feet

PROJECT NO.: **FGS-G-22101A** DATE: **February 15, 2022**

PROJECT NAME:
Terra Verde Estates Subd. Unit 4
Eagle Pass, Texas

FIGURE 2

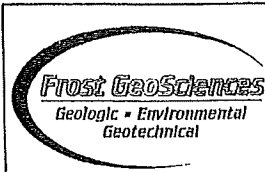
APPENDIX "A"

**Boring Logs
PVR Values
Symbol Key Sheet**

BORING PLAN

BORING LOGS

LOG OF BORING



PROJECT: TERRA VERDE ESTATES, UNIT 4
Eagle Pass, Texas

PROJECT NO.: FGS-G-22101-A
BORING NO.: B-01
DRILLING DATE: 1/13/2022
SURFACE ELEVATION:

CLIENT: Tec Services

PAGE 1 of 1

FIELD DATA				LABORATORY DATA							DRILLING METHOD(S): Dry auger drilling techniques were used to the termination depth of the boring.	
SOIL SYMBOL	DEPTH (FT)	SAMPLES N: BLOWS/FT P: TONS/SQ.FT T: BLOWS R: % RQD: %	MOISTURE CONTENT (%)	ATTERBERG LIMITS			DRY DENSITY POUNDS/CU.FT	COMPRESSIVE STRENGTH (TONS/SQ.FT)	FAILURE STRAIN (%)	CONFINING PRESSURE (POUNDS/SQ.IN)	MINUS NO. 200 SIEVE (%)	SUBSURFACE WATER INFORMATION: Subsurface water was not encountered either during or upon completion of drilling operations and subsurface water observations.
				LL LIQUID LIMIT	PL PLASTIC LIMIT	PI PLASTICITY INDEX						
DESCRIPTION OF STRATUM												
			5	28	12	16						Light Brown Silty Clay
			6									
	5		5	33	11	22						
			6									Light Brown, Tan Silty Clay at 7'
	10		6	30	11	19						
	15											Boring Terminated at 15 foot of Depth
	20											
N - STANDARD PENETRATION TEST RESISTANCE P - POCKET PENETROMETER RESISTANCE T - TXDOT CONE PENETRATION RESISTANCE R - ROCK CORE RECOVERY RQD - ROCK QUALITY DESIGNATION												REMARKS: GPS 0357213 3174319

FROST LOG FGS-G-22101.GPJ FROST.GDT 1/21/22

This log is not valid if separated from the report.

LOG OF BORING

		PROJECT: TERRA VERDE ESTATES, UNIT 4 Eagle Pass, Texas		PROJECT NO.: FGS-G-22101-A BORING NO.: B-02 DRILLING DATE: 1/13/2022 SURFACE ELEVATION:							
		CLIENT: Tec Services		PAGE 1 of 1							
SOIL SYMBOL	FIELD DATA		LABORATORY DATA					DRILLING METHOD(S): Dry auger drilling techniques were used to the termination depth of the boring.			
	DEPTH (FT)	SAMPLES N: BLOWS/FT P: TONS/SQ.FT T: BLOWS R: % RQD: %	MOISTURE CONTENT (%)	ATTERBERG LIMITS LIQUID LIMIT PLASTIC LIMIT PLASTICITY INDEX			DRY DENSITY POUNDS/CU.FT	COMPRESSIVE STRENGTH (TONS/SQ.FT)	FAILURE STRAIN (%)	CONFINING PRESSURE (POUNDS/SQ.IN)	MINUS NO. 200 SIEVE (%)
SUBSURFACE WATER INFORMATION: Subsurface water was not encountered either during or upon completion of drilling operations and subsurface water observations.											
DESCRIPTION OF STRATUM											
			4								Light Brown Silty Clay
			9	33	12	21					
	5		6								
			6	28	13	15					Light Brown, Tan Silty Clay at 6.5'
	10										
			6								
	15										Boring Terminated at 15 foot of Depth
	20										
N - STANDARD PENETRATION TEST RESISTANCE P - POCKET PENETROMETER RESISTANCE T - TXDOT CONE PENETRATION RESISTANCE R - ROCK CORE RECOVERY RQD - ROCK QUALITY DESIGNATION											REMARKS: GPS 0357379 3174142

This log is not valid if separated from the report.

LOG OF BORING

 Frost GeoSciences Geologic • Environmental Geotechnical		PROJECT: TERRA VERDE ESTATES, UNIT 4 Eagle Pass, Texas		PROJECT NO.: FGS-G-22101-A BORING NO.: B-03 DRILLING DATE: 1/13/2022 SURFACE ELEVATION:							
		CLIENT: Tec Services		PAGE 1 of 1							
FIELD DATA		LABORATORY DATA					DRILLING METHOD(S): Dry auger drilling techniques were used to the termination depth of the boring.				
SOIL SYMBOL	DEPTH (FT)	SAMPLES N: BLOWS/FT P: TONS/SQ.FT T: BLOWS R: % RQD: %	ATTERBERG LIMITS			DRY DENSITY POUNDS/CU.FT	COMPRESSIVE STRENGTH (TONS/SQ.FT)	FAILURE STRAIN (%)	CONFINING PRESSURE (POUNDS/SQ.IN)	MINUS NO. 200 SIEVE (%)	SUBSURFACE WATER INFORMATION: Subsurface water was not encountered either during or upon completion of drilling operations and subsurface water observations.
			LIQUID LIMIT LL	PLASTIC LIMIT PL	PLASTICITY INDEX PI						
											DESCRIPTION OF STRATUM
			6	29	14	15					Light Brown Silty Clay
			9								
	5		4	31	10	21					Light Brown, Tan Silty Clay at 6'
			4								
	10		6	30	11	19					
	15										Boring Terminated at 15 foot of Depth
	20										
N - STANDARD PENETRATION TEST RESISTANCE P - POCKET PENETROMETER RESISTANCE T - TXDOT CONE PENETRATION RESISTANCE R - ROCK CORE RECOVERY RQD - ROCK QUALITY DESIGNATION											REMARKS: GPS 0357408 3173975

FROST LOG FGS-G-22101.GPJ FROST.GDT 1/21/22

This log is not valid if separated from the report.

PVR VALUES

PVR Results	
PVR =	0.54 inches
Effective Plasticity Index	
BRAB	19 PCI 19
Soil Support Index	
BRAB	0.96 PCI 0.96
Soil/Climatic Rating Factor	
1 - C _w =	0.04

RULES
1.) Depths should not extend greater than 15 feet. 2.) Use only one moisture condition per stratum. 3.) Moisture conditions must be selected using an "X". 4.) Integers or one-half foot intervals must be used. 5.) Use PI = 8 for none expansive layers. 6.) DO NOT USE PI = 0 FOR NON-EXPANSIVE LAYERS. 7.) Error checking is limited.

PVR Calculator					
Frost GeoSciences, Inc. 13402 Western Oak Helotes, Texas 78023					
Project Name:	TERRA VERDE ESTATES, UNIT 4				
Project Location:	TERRA VERDE ESTATES				
Project City:	EAGLE PASS, TEXAS				
Project Number:	FGS-G22101A				
Boring Number:	B - 1				
Surcharge Pressure: 1.00 psi Climatic Rating, C _w : 16					
Stratum	Plasticity Index	Bottom Depth (feet)	Moisture Condition		
			Dry	Average	Optimum
I	16	2.0	X		
II	16	4.0	X		
III	22	6.0		X	
IV	22	10.0		X	
V	19	15.0			X
VI					
VII					
VIII					

PVR Calculator				
Frost GeoSciences, Inc. 13402 Western Oak Helotes, Texas 78023				
Project Name:	TERRA VERDE ESTATES, UNIT 4			
Project Location:	TERRA VERDE ESTATES			
Project City:	EAGLE PASS, TEXAS			
Project Number:	FGS-G22101A			
Boring Number:	B - 2			
Surcharge Pressure: 1.00 psi Climatic Rating, C _v : 16				
Stratum	Plasticity Index	Bottom Depth (feet)	Moisture Condition	
			Dry	Average Optimum
I	21	2.0	X	
II	21	4.0	X	
III	15	6.0		X
IV	15	10.0		X
V	15	15.0		X
VI				
VII				
VIII				

PVR Results	
PVR =	0.65 inches
Effective Plasticity Index	
BRAB	21 PCI 17
Soil Support Index	
BRAB	0.93 PCI 0.98
Soil/Climatic Rating Factor	
1 - C _w = 0.02	

RULES
1.) Depths should not extend greater than 15 feet.
2.) Use only one moisture condition per stratum.
3.) Moisture conditions must be selected using an "X".
4.) Integers or one-half foot intervals must be used.
5.) Use PI = 8 for none expansive layers.
6.) DO NOT USE PI = 0 FOR NON-EXPANSIVE LAYERS.
7.) Error checking is limited.

PVR Calculator				
Frost GeoSciences, Inc. 13402 Western Oak Helotes, Texas 78023				
Project Name:	TERRA VERDE ESTATES, UNIT 4			
Project Location:	TERRA VERDE ESTATES			
Project City:	EAGLE PASS, TEXAS			
Project Number:	FGS-G22101A			
Boring Number:	B - 3			
Surcharge Pressure: 1.00 psi Climatic Rating, C _w : 16				
Stratum	Plasticity Index	Bottom Depth (feet)	Moisture Condition	
			Dry	Average Optimum
I	15	2.0	X	
II	15	4.0	X	
III	21	6.0		X
IV	21	10.0		X
V	19	15.0		X
VI				
VII				
VIII				

PVR Results	
PVR =	0.45 inches
Effective Plasticity Index	
BRAB	18 PCI
Soil Support Index	
BRAB	0.97 PCI
Soil/Climatic Rating Factor	
1 - C _w = 0.03	

RULES
1.) Depths should not extend greater than 15 feet.
2.) Use only one moisture condition per stratum.
3.) Moisture conditions must be selected using an "X".
4.) Integers or one-half foot intervals must be used.
5.) Use PI = 8 for none expansive layers.
6.) DO NOT USE PI = 0 FOR NON-EXPANSIVE LAYERS.
7.) Error checking is limited.

SYMBOL KEY

Symbol Key Sheet

Material Symbols

	"FILL"		Clay (CH)		Sandy Clay (CL)		Silty Clay (CL)		Gravelly Clay (CL)
	Asphalt		Clayey Sand (SC)		Sand (SP)		Silty Sand (SM)		Gravelly Sand (SP)
	Base		Clayey Silt (ML)		Sandy Silt (ML)		Silt (ML)		Gravelly Silt (ML)
	Concrete		Clayey Gravel (GC)		Sandy Gravel (GP)		Silty Gravel (GM)		Gravel (GP or GW)
	Conglomerate		Limestone		Marl		Sandstone		Shale

Strength of Cohesive Soils

Consistency	Undrained Shear Strength, KSF
Very Soft	less than 0.25
Soft	0.25 to 0.50
Firm	0.50 to 1.00
Stiff	1.00 to 2.00
Very Stiff	2.00 to 4.00
Hard	greater than 4.00

Soil Plasticity

Degree of Plasticity	Plasticity Index (PI)
None	0 to 5
Low	5 to 10
Moderate	10 to 20
Plastic	20 to 40
Highly Plastic	more than 40

Density of Granular Soils

Descriptive Term	SPT Blow Count (blows/ft)
Very Loose	less than 4
Loose	4 to 10
Medium Dense	10 to 30
Dense	30 to 50
Very Dense	more than 50

Standard Penetration Test (ASTM D 1586) Driving Record

Note: Driving is limited to 50 blows per interval, or 25 blows for 0.25 inch advancement, whichever controls. This is done to avoid damaging sampling tools.

Blows Per Foot

25

75/8"

Ref/2"

Description

Sampler was seated 6 inches, then 25 blows were required to advance the sampler 12 inches.

Sampler was seated 6 inches, 25 blows were required for the second 6 inch increment and the 50 blow limit was reached at 2 inches of the last increment.

Sampler could only be driven 2 inches of the 6 inch seating penetration before the 50 blow limit was reached.

Terms Characterizing Structure

Soil Terms

Blocky
Calcareous
Fissured

Interbedded
Laminated
Nodules
Partings
Pockets
Seams
Slickensided

Streaks or Stains

Description

Contains cracks or failure planes resulting in rough cubes of material.

Contains appreciable quantities of calcium carbonate.

Contains shrinkage cracks, which are frequently filled with fine sand or silt. The fissures are usually near vertical in orientation.

Composed of alternating layers of different soil types.

Composed of thin layers of varying color and texture.

Secondary inclusions that appear as small lumps about 0.1 to 0.3 inch in diameter.

Inclusion of different material less than 1/8 inch thick extending through the sample.

Inclusion of different material that is smaller than the diameter of the sample.

Inclusion of different material between 1/8 and 3 inches thick, and extends through the sample.

Has inclined planes of weakness that are slick and glossy in appearance. Slickensides are commonly thought to be randomly oriented.

Stains of limited extent that appear as short stripes, spots or blotches.

Rock Terms

Bedding Plane
Fracture
Joint
% Recovery
RQD - Rock Quality Designation
Weathering

A surface parallel to the surface of deposition, generally marked by changes in color or grain size.

A natural break in rock along which no displacement has occurred.

A natural break along which no displacement has occurred, and which generally intersects primary surfaces.

The ratio of total length of recovery to the total length of core run, expressed as a percentage.

The ratio of total recovered length of fragments longer than 4 inches to the total run length, expressed as a percentage.

The process by which rock is broken down and decomposed.

Sampler Symbols



Flight Auger



Core Barrel (NX)



Disturbed Sample



No Recovery



Piston Sampler



Shelby Tube (3")



Split Barrel (SPT)

APPENDIX "B"

**Moisture Density Relationship
CBR Test Results
Tensor Pavement Design**

MOISTURE DENSITY



13406 Western Oak
Helotes, TX 78023
(210) 372-1315 phone (210) 372-1318 fax

Project #: FGS-G-22101A

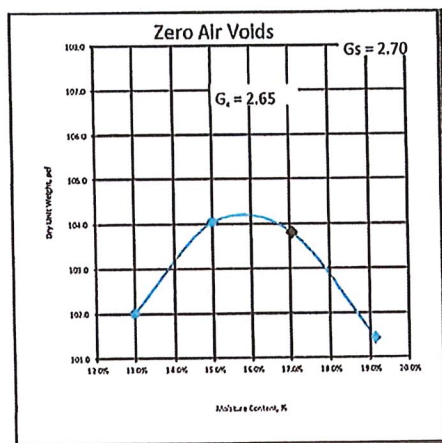
Project: TERRA VERDE ESTATES, UNIT 4

Report Date: 2/16/2022
Sample Date: 4/29/2021

Client: Mann Creative Group
Report: ASTM - Standard Proctor
Material: Subgrade

LAB NO: 4102
Report #: S1

Moisture-Density Relationship -
Subgrade Soil



Test Results

% Moisture

13.0%
15.0%
17.1%
19.1%

Dry Density Lbs./ft³

102.0
104.0
103.8
101.4

Optimum = 15.8

Maximum = 104.3

Sieve	% Passing
3 inch	100.0%
3/4 inch	100.0%
3/8 inch	100.0%
No. 4	100.0%
No. 10	94.3%
No. 40	91.1%
No. 100	88.4%
No. 200	88.2%

Color: Light Brown
Description: Silty Clay

Liquid Limit: 29
Plastic Limit: 13
Plasticity Index: 16

Desc of Rammer: Mechanical
Preparation Method: Dry
Remarks: No comments at this time.

Location: Project Site

Test Method (As Applicable): ASTM D-698 A
ASTM D-4318

Respectfully Submitted,
Frost GeoSciences, Inc.


F.J. Capallero, P. E., Project Manager

THIS REPORT APPLIES ONLY TO THE STANDARDS OR PROCEDURES INDICATED AND TO THE SAMPLE(S) TESTED AND/OR OBSERVED AND ARE NOT NECESSARILY INDICATIVE OF THE QUALITIES OF APPARENTLY IDENTICAL OR SIMILAR PRODUCTS OR PROCEDURES, NOR DO THEY REPRESENT AN ONGOING QUALITY ASSURANCE PROGRAM UNLESS SO NOTED. THESE REPORTS ARE FOR THE EXCLUSIVE USE OF THE ADDRESSED CLIENT AND ARE NOT TO BE REPRODUCED WITHOUT PERMISSION.

CBR RESULTS

Frost GeoSciences, Inc.
13406 Western Oak
Helotes, Texas 78023

CBR (California Bearing Ratio)
ASTM D1883

Project Name: **TERRA VERDE, UNIT 4, EAGLE PASS**
Soil Desc. **Light Brown Silty Clay CBR #1**
Tested By: **Miguel Gonzalez Jr.**

Project #: **FGS-G-22101-A**

Test Date: **01/20/22**

Compaction Energy: Rammer: **5.5** lbs. # layers: **3** Blows: **56**
w at compaction: **15.80%** Mold Dia. **6** in. Soil Ht. **4.584** in.
Volume **0.075** ft.³ Opt. M.C. **15.8**
Opt. Dry Unit wt. **104.3**
Date/Time **01/20/22 8:00am** **01/24/22 8:15am** **%S**
Swell Data **0.000** **0.45** **9.82**
Mold # **1**
Surcharge, lbs. **10**
Initial mass of wet soil + mold, lbs. **27.21**
Final mass of wet soil + mold, lbs. **27.372**
Mass of Mold, lbs. **18.052**
Initial mass of wet soil, lbs. **9.158**

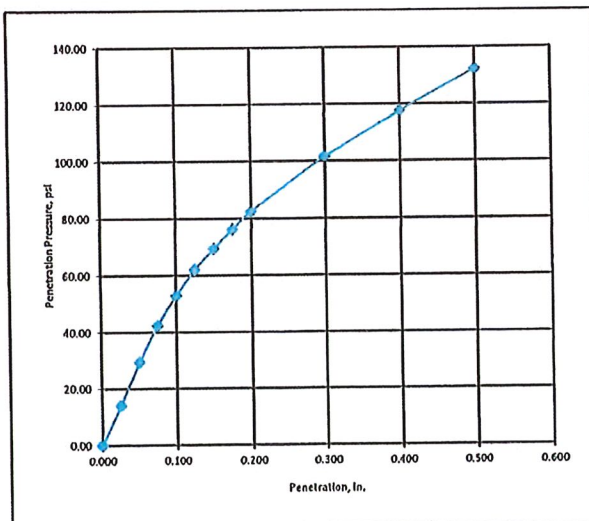
Dry density = **105.5** Comp. **1.01191**
Moisture = **15.7** Points Opt. **-0.10586**

ASTM D2216 Moisture Content

Compaction	Project #	Can No.	Wet Wt. (1)	Dry Wt. (2)	Tare Wt. (3)	(1) - (2) = A	(2) - (3) = B	%MC = A/B*100
Before	GS-G-22101		669.65	578.49	128.07	91.16	450.42	20.23889
After	GS-G-22101		721.61	662.07	128.05	59.54	534.02	11.1494

ASTM D1883 Date: **1/24/2022**
Time: **8:45am**

Strain, in.	Load, lbs	Stress, psi	CBR
0.000	0.00	0.00	
0.025	42.00	14.00	
0.050	88.00	29.33	
0.075	127.00	42.33	
0.100	159.00	53.00	5.3
0.125	186.00	62.00	
0.150	208.00	69.33	
0.175	228.00	76.00	
0.200	247.00	82.33	5.5
0.300	305.00	101.67	
0.400	353.00	117.67	
0.500	397.00	132.33	



TENSAR DESIGN

LOCAL STREET



Pavement Optimization Design Analysis

Parameters

Project Information

Subgrade resilient modulus	Target ESALs	Reliability	Standard deviation	Serviceability	
				Initial	Terminal
7,950 psi	50,000	70%	0.45	4.2	2

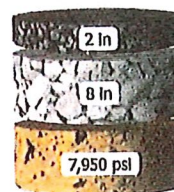
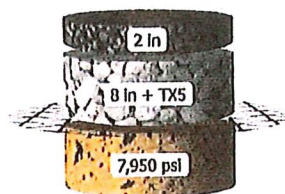
Results

TriAx Stabilized Pavement Section

	Thickness	Coeff.	SN
HMA layer 1	2 in	0.440	0.880
Mechanically stabilized layer	8 in	0.243	1.944
Structural number (SN)			2.824
Calculated traffic (ESALs)			857,700

Unstabilized Pavement Section

	Thickness	Coeff.	SN
HMA layer 1	2 in	0.440	0.880
Aggregate base	8 in	0.140	1.120
Structural number (SN)			2.000
Calculated traffic (ESALs)			97,000



Limitations of this Report

The designs, illustration, and other content included in this report are necessarily general and conceptual in nature and do not constitute engineering advice or any design intended for actual construction. Specific design recommendations can be provided as the project develops.

Design	Local Street, February 15, 2022-1	Project	TERRA VERDE, UNIT 4
Company	FROST GEOSCIENCES, Inc.	Location	Eagle Pass, TX 78852, USA
Designer	FLORENTINO CABALLERO, P. E.	Date	2/16/2022

**Attachment 3
Master Plan Map
Zoning District 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 PREPARED WITHOUT WARRANTY OF ANY KIND,
EXPRESS OR IMPLIED, RESPECTING THE CONTENTS OF
THESE MAPS, DRAWINGS OR NOT LIMITED TO THE ACCURACY,
LOCATION AND DIMENSIONS OF ANY FACILITIES. NEITHER THE CITY
OF EAGLE PASS, NOR HEJL, LEE & ASSOCIATES, INC. OR ITS
REPRESENTATIVES SHALL BE LIABLE TO ANY PERSON OR ENTITY
WITH RESPECT TO ANY LIABILITY, LOSS, OR DAMAGE CAUSED OR
ALLEGED TO BE CAUSED DIRECTLY OR INDIRECTLY BY THESE MAPS.

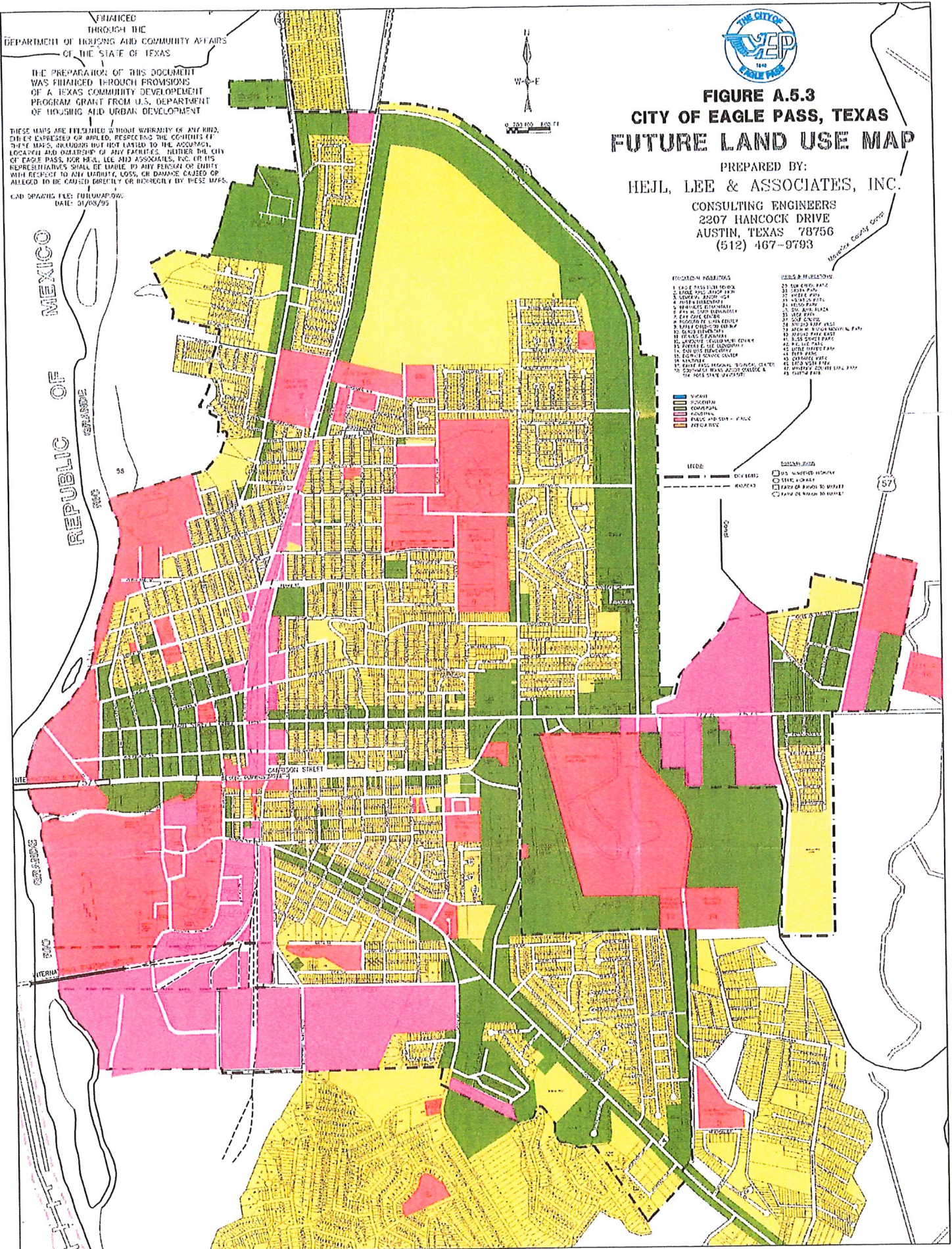
CAD DRAWING FILE: FUTUREMAP.DWG
DATE: 01/08/95



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 #9

Item #10



Planning Department Executive Summary

REPORT TO THE PLANNING AND ZONING COMMISSION

Final Plat of Isidro De Los Santos Subdivision

I. BACKGROUND

A. General Information

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

Developer: Isidro de Los Santos, Jr & De Los Santos Children Trust

Location: 3662 El Indio Hwy **Property ID Number:** 53827 & 52355

Legal Description:

Being a 1.00 Acre lying and situated in Maverick County, Texas, out of Survey 26, Abstract 826, Samuel S. Sanders, Original Grantee, and being a portion of a 70.87 Acre Tract surveyed by Hugh M. Coston, Jr., Registered Public Surveyor No. 4346, in December 1987, said 1.00 Acre being the same land more particularly described by metes and bounds in deed from Wildman Ranch, Inc. to De Los Santos Children Trust recorded in Volume 870, Page 460, Official Public Records of Maverick County, Texas, reference being her made to said deed and the record thereof for a further description of said land and for all purposes.

Request: The grant of final plat approval for the subdivision of and approximately 1.784-acre tract into one commercial lot, including a variance to proceed directly to final plat, and a variance from Section 23-11 to allow the platting of a property less than 5 acres.

B. Subject Property Information

Parcel Size: 1.784-acre tract

Topography: property drains from northeast towards the southwest direction. A portion of the plat is located with FEMA Special Flood Hazard Area Zone A, as a result when the property is developed, it will be required to obtain a base flood elevation certificate.

Vegetation: minimal native brush

Existing Use: vacant

Zoning District: B-3 General Business District

Master Plan: Commercial

C. Vicinity Data

The surrounding area is comprised of commercial development along El Indio Hwy. Site is located off TxDOT ROW at FM 1021.

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 lot will be provided via El Indio Hwy, also known as FM 1021. A driveway is in existence currently.

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 final 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. Please refer to attachment 2 for a copy of the application.

The subdivision variance to bypass preliminary plat and go directly to final plat is consistent with the subdivision variance decision criteria set forth in *Section 23-11(a)* and *Section 23-11(c)* and, therefore, should be granted.

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 a 1.784-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 final 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 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 El Indio Hwy 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 El Indio Highway 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 plat has been conditioned to conform with the required detention at the time of the development of the lot.

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

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

- 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, (2) **GRANT** a variance to proceed directly to final plat, and (4) **GRANT** final plat approval of the proposed *Isidro Del Los Santos 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 November 8, 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 a 1.00 Acre...out of Survey 26, Abstract 826, Samuel S. Sanders,... being a portion of a 70.87 Acre Tract...recorded in Volume 870, Page 460

Property Legal Description: Being 70.87 Acres...within Survey 26, Abstract 826, S. Samuel Sanders...recorded in Volume 253, Page 35

Maverick County Property Identification Number(s): 53827, 52355

Name of Addition: Isidro De Los Santos Subdivision

Location of Addition: 3662 El Indio Hwy., Eagle Pass, TX, 78852

Number of Residential Lots: 0 Number of Commercial Lots: 1 Gross Acreage: 1.784

Number of New Street Intersections 0 Linear feet of Streets 0

Is Subdivision inside city limits? Yes ☒ No ☐; If so, Zoning District: None B3

Existing Land Use: Vacant Proposed Land Use: Commercial

Requested Variances: 1) Variance to proceed straight to final plat given existing improvements.

2) Variance to Plat a property less than 5 Acres (COEP Code of Ordinances Section 23-11)

3) Sidewalk Variance Waiver

PROPERTY OWNER:

Name: Isidro De Los Santos, Jr.

Contact: Isidro De Los Santos, Jr.

Address: 2464 AJ Drive

Phone: 830-968-4432

City: Eagle Pass

Fax: N/A

State: TX Zip: 78852

E-mail: N/A

Signature: [Signature]

Date: 9/26/22

PROPERTY OWNER:

Name: De Los Santos Children Trust

Contact: Oscar De Los Santos

Address: P.O. Box 823

Phone: 830-773-0311

City: Eagle Pass

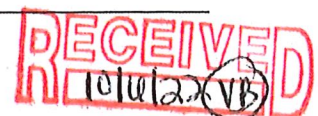
Fax: N/A

State: TX Zip: 78853

E-mail: osantos@partsservice.com

Signature: [Signature]

Date: 9/26/22



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: 9-26-22

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: 9-26-22

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: 9-26-22

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.

Applicant Signature [Signature]

Date 9-26-22



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

9/26/22
Date

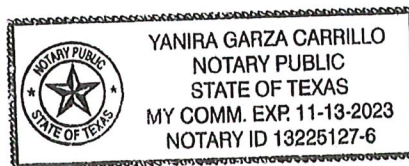
STATE OF TEXAS §

COUNTY OF MAVERICK §

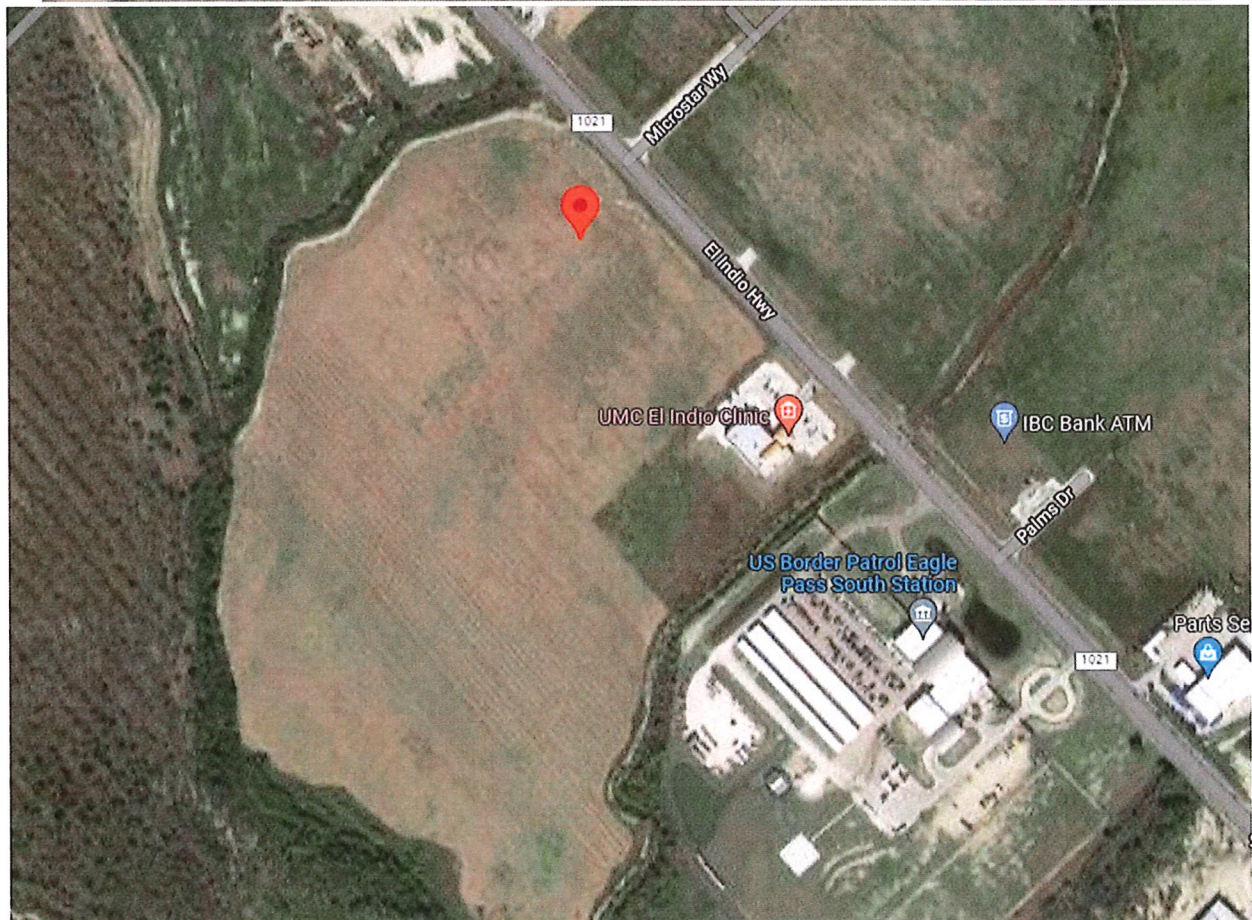
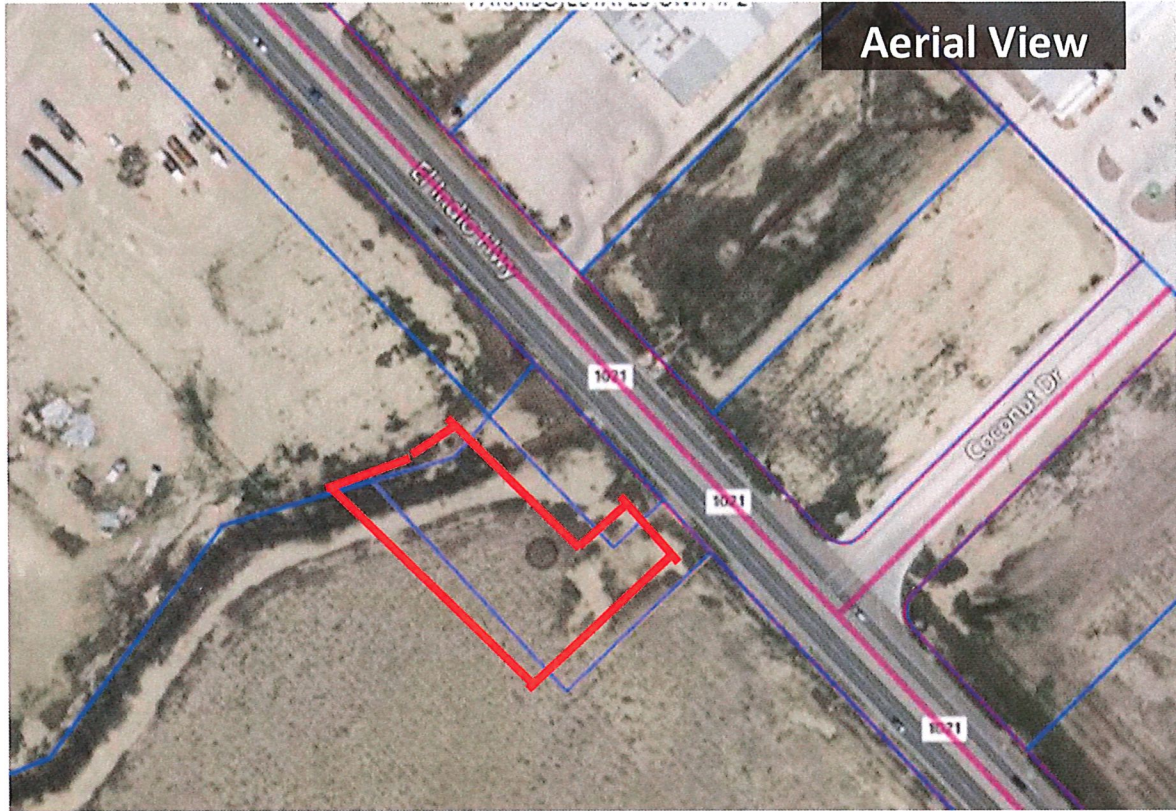
Before me, the undersigned authority, a notary public for the State of Texas, on this day personally appeared Isidro De Los Santos, Jr. & Oscar De Los Santos (Name), Property Owners (Title), known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he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

Given under my hand and seal of office, this the 26 day of September, 2022.

[Signature]
Notary Public, State of Texas



RECEIVED





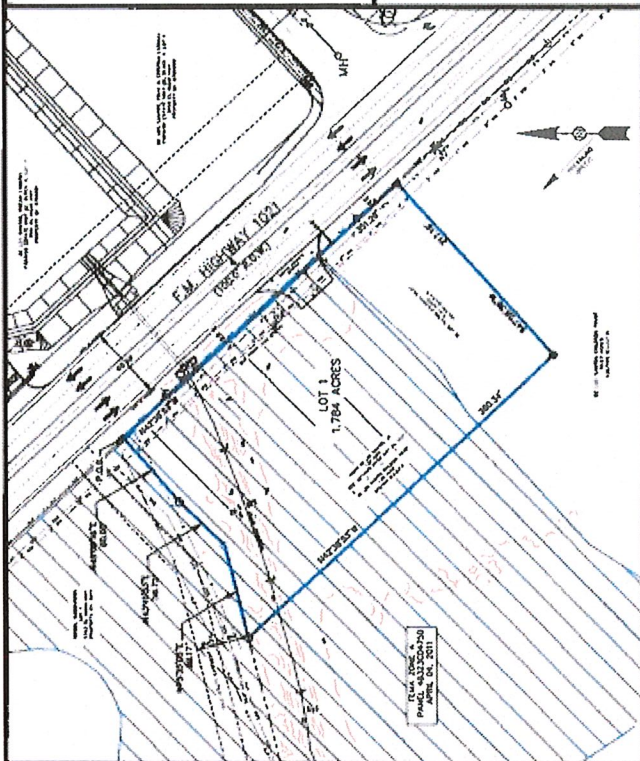
ISIDRO DEL OS SANTOS SUBDIVISION PLAT
EAGLE PASS, TEXAS, MAVERICK COUNTY

TERATECH ENGINEERING
AND CONSTRUCTION SERVICES
2071 EL PASO AVENUE, SUITE 100, DALLAS, TEXAS 75201
PHONE: 214-635-1111
WWW.TERATECHENGINEERING.COM



PROPERTY OWNER:
ISIDRO DEL OS SANTOS, JR.
3662 EL PASO HWY
EAGLE PASS, TX 78852

JOB: 011-22
SHEET: 1 OF 1
DATE: 08/15/2022
DRAWN: GZA
CHECKED: ALJ
SCALE: 1" = 50'
AUGUST 15, 2022



PLAT SUBDIVISION INFORMATION		
LOT	AREA	511 ADDRESS
1	1.784 ACRES	3662 EL PASO HWY

- NOTES:
1. THE TOTAL AREA OF THIS SUBDIVISION PLAT IS 1.784 ACRES AND CONTAINS ONE (1) COMMERCIAL LOT.
 2. THE AREA OF THIS SUBDIVISION PLAT LIES WITHIN THE EAGLE PASS CITY LIMITS.
 3. SET 1/4" 1/8" AT ALL CORNERS EXCEPT NOTED.
 4. THE ZONING FOR THIS PLAT WILL BE R-1.5 GENERAL BUSINESS DISTRICT.
 5. AS PER 8-3.1 ZONING DISTRICT, LOT 1 OF THIS SUBDIVISION PLAT IS SUBJECT TO A "SEVENTY (70) FOOT FRONT YARD SETBACK, NO SIDE OR REAR YARD SETBACKS ARE REQUIRED.
 6. A PORTION OF THE SUBDIVISION SHOWN ON THIS PLAT IS WITHIN SPECIAL FLOOD HAZARD AREAS. THE FLOOD HAZARD AREAS ARE SHOWN ON THE FLOOD INSURANCE RATE MAP (FIRM) FOR MAVERICK COUNTY, TEXAS AND ARE INCORPORATED HEREIN.
 7. ALL LOTS WITHIN THIS SUBDIVISION SHALL BE CONVEYED (LEGAL) ACCESS TO ALL EASEMENTS.
 8. ALL LOTS WITHIN THIS SUBDIVISION SHALL BE CONVEYED (LEGAL) ACCESS TO ALL EASEMENTS.
 9. VERIFY ALL UNDERGROUND UTILITY SERVICE LINES AS REQUIRED, MOOR TO ANY EVIDENCE.
 10. THE SUBDIVISION DEVELOPMENT OF ALL LOTS SHOWN WITHIN THE EAGLE PASS CITY LIMITS IS SUBJECT TO THE PROVISIONS OF CHAPTER 21, ARTICLES 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

LEGEND	
○	SET 1/4" 1/8" 1/16" 1/32" 1/64" 1/128" 1/256" 1/512" 1/1024" 1/2048" 1/4096" 1/8192" 1/16384" 1/32768" 1/65536" 1/131072" 1/262144" 1/524288" 1/1048576" 1/2097152" 1/4194304" 1/8388608" 1/16777216" 1/33554432" 1/67108864" 1/134217728" 1/268435456" 1/536870912" 1/1073741824" 1/2147483648" 1/4294967296" 1/8589934592" 1/17179869184" 1/34359738368" 1/68719476736" 1/137438953472" 1/274877906944" 1/549755813888" 1/1099511627776" 1/2199023255552" 1/4398046511104" 1/8796093022208" 1/17592186044416" 1/35184372088832" 1/70368744177664" 1/140737488355328" 1/281474976710656" 1/562949953421312" 1/1125899906842624" 1/2251799813685248" 1/4503599627370496" 1/9007199254740992" 1/18014398509481984" 1/36028797018963968" 1/72057594037927936" 1/144115188075855872" 1/288230376151711744" 1/576460752303423488" 1/1152921504606846976" 1/2305843009213693952" 1/4611686018427387904" 1/9223372036854775808" 1/18446744073709551616" 1/36893488147419103232" 1/73786976294838206464" 1/147573952589676412928" 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Attachment 2
Variance Application(s)
Sidewalk Waiver



PLANNING DEPARTMENT

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

SUBDIVISION VARIANCE APPLICATION

Applicant Information

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

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

Phone: 830-773-0579

E-mail: ajlibson@terratechengineering.com

Owner: Isidro De Los Santos, Jr.

Address: 2464 AJ Drive, Eagle Pass, TX 78852

Phone: 830-968-4432

E-mail: N/A

Property Information

Site Address: 3662 El Indio Hwy MCAD Property ID No. 53827, 52355

Legal Description (from deed): Being a portion of a 70.87 acre tract...recorded in Vol. 870, Pg 460.

Description of Subdivision Variance Request

-Variance to proceed straight to Final Plat given existing infrastructure.

-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 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 of 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 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

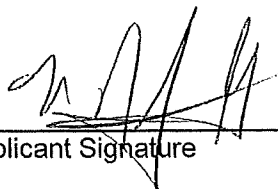
The following documentation is required to be attached to this application:

- 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.

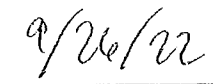
Applicant Authorization

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



Date

Attachment 3 Engineering Report



To: Placido Madera

City of Eagle Pass Planning Director

From: Florentino Caballero, P.E.

Date: September 19, 2022

Reference: Final Engineering Report for Isidro De Los Santos Subdivision

Mr. Madera,

Mr. Isidro De Los Santos, Jr., owner of a 1 acre tract and a 0.784 acre portion out of 70.87 acre tract, that are abutting, and legally described as being a '1.00 acre,...out of Survey 26, Abstract 826,..and being a portion of a 70.87 acre tract' and 'being a 70.87 acres of land,...recorded in Vol. 253, page 35, deed records of Maverick County', respectively. The property owner has requested that TerraTech Engineering and Construction Services (TEC Services) prepare a Plat of this property to legally subdivide it into (1) One Commercial Lot. This property is located at 3662 El Indio Hwy, in Eagle Pass, TX. The property is located inside the Eagle Pass City Limits, as per the current Eagle Pass GIS City Limits Map. The property is currently vacant but has access to existing sewer, water, cable, and electric utilities via the El Indio Hwy R.O.W. (FM 1021). 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 1.784 acres and has a TxDOT approved driveway access off FM 1021 El Indio Hwy, as well as existing utilities along the R.O.W. to service this property in the future when developed (see attached Plat Sheet for reference). The subject tract will be Platted into (1) one commercial Lot, Lot 1 of Isidro De Los Santos Subdivision, as shown on the attached Plat Sheet. The property has frontage towards F.M. 1021 (El Indio Hwy) and is inside the Eagle Pass City Limits. This Plat will be presented to proceed straight to Final due to the existing conditions. The property will be zoned as B-3: General Business District.

Drainage

General Drainage Description

A portion of the Plat area of this subdivision is located within FEMA Special Flood Hazard Area Zone A, as shown on the Plat sheet. When the property is to be developed, the property owner will obtain a base flood elevation certificate for the proposed improvements at the time of development. The subject property slopes/drains from the Northeast towards the Southwest direction. Given that this property is technically already developed and has all the required infrastructure that would classify it as a Platted property such as utilities and street access, no drainage improvements are required at this time, as there is no planned development yet. The property owner wants to ensure the property is legally platted prior

to planning any development on the subject property. For platting purposes, Hydraulic Calculations are provided below only as reference. Whenever the property is developed, the Engineer who is taking care of the project can verify and update the hydraulics accordingly to the proposed design of the property.

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 Drainage Parameters

Parameter	Value
t_c	5 min
C_d	0.30
I_{10}	7.43 in/hr
I_{100}	10.32 in/hr
Watershed Area, A	1.784 acres

The peak rates of runoff for the existing undeveloped lots are

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

$$Q_{10} = 0.30 \times 7.43 \times 1.784 = 3.98 \text{ cfs}$$

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

$$Q_{100} = 1.25 \times 0.30 \times 10.32 \times 1.784 = 6.90 \text{ cfs}$$

Table 2. Developed Drainage Parameters

Parameter	Value
t_c	5 min
C_d	0.80
I_{10}	7.43 in/hr
I_{100}	10.32 in/hr
Watershed Area, A	1.784 acres

The peak rates of runoff for the existing undeveloped lots are

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

$$Q_{10} = 0.80 \times 7.43 \times 1.784 = 10.60 \text{ cfs}$$

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

$$Q_{100} = 1.25 \times 0.80 \times 10.32 \times 1.784 = 18.41 \text{ cfs}$$

The estimated increase in runoff for the entirety of the residential property from undeveloped to developed conditions, for a ten (10) and one hundred (100) year return period are 6.62 cfs and 11.51 cfs, respectively.

The calculations provided in this report are simply for Platting purposes. No drainage improvements are required at this time since the property will remain undeveloped until it is legally platted.

Street

This property has a TxDOT approved concrete driveway off of F.M. 1021 (El Indio Hwy) that provides access into the property. Luminaries are visible along the R.O.W. Please refer to Plat sheet for locations.

Water Service

There is an existing 8" Water Main that runs along the frontage of this property. Please refer to the Plat sheet for details. The property owner will be able to obtain a water service/meter from the existing main line. 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 this property. Please refer to the Plat sheet for details. The property owner will be able to obtain a waste water service from the existing main line. All Sanitary 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 which will be able to service any development in the future.

Conclusion

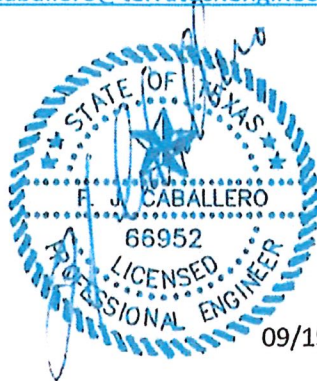
The proposed use of this property is Commercial. The proposed Plat will not have an impact on the current use, drainage patterns, or utilities.

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



09/19/2022



AGREEMENT REGARDING WASTEWATER TREATMENT SERVICE FOR THE

PROPOSED ISIDRO DE LOS SANTOS SUBDIVISION **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

ISIDRO DE LOS SANTOS 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 2,000 gallons daily.

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

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

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

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

This Agreement is effective on OCTOBER 18, 2022.

The Utility

By:

John Ruiz Jr.

Printed Name: JOHN RUIZ JR.

The Subdivider

By:

Aaron Libson

Printed Name: Aaron Libson

Office or Position: VICE-CHAIRMAN Office or Position: General Manager (TEC Services)

Date: 10/18/2022

Date: 8/24/2022

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



AGREEMENT REGARDING WATER SERVICE FOR THE PROPOSED

ISIDRO DE LOS SANTOS SUBDIVISION **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 ISIDRO DE LOS SANTOS 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 3,300 gallons daily.

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

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

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

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

This Agreement is effective on OCTOBER 18, 2022.

The Utility

By: John Ruiz Jr.

Printed Name: JOHN RUIZ JR.

The Subdivider

By: Aaron Libson

Printed Name: Aaron Libson

Office or Position: VICE-CHAIRMAN Office or Position: General Manager (TEC Services)

Date: 10/18/2022

Date: 8/24/2022

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

Master Plan Map
subject area not depicted

Zoning District Map

**Attachment 4
Master Plan Map
Zoning District Map**

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

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

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



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

PREPARED BY:
HEJL, LEE & ASSOCIATES, INC.

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

