



AGENDA

PLANNING & ZONING COMMISSION SPECIAL MEETING

WEDNESDAY, MAY 22, 2024, AT 5:30 P.M.

COUNCIL CHAMBERS, CITY HALL BUILDING

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

ESTABLISHMENT OF QUORUM

SELECTION OF CHAIRMAN

SELECITON OF VICE-CHAIRMAN

CITIZENS COMMUNICATIONS

MINUTES

1. Approval of the minutes of the April 25, 2024 meeting.

PUBLIC HEARINGS

2. Public hearing on the request submitted by Javier Galvan for the rezoning of Lot 2 in Block 9 of North Heights Range 3, also known as 983 Ave A, from R-1 First One-Family Dwelling District to R-3 Duplex Dwelling District; closing of public hearing and possible action.
3. Public hearing on the request submitted by Zarembo Group, LLC for the rezoning of Lot 8A in Block 1 of Rio Vista Subdivision (Replat), also known as 2425 Del Rio Highway, from B-1 Neighborhood Business District to B-3 General Business District; closing of public hearing and possible action.
4. Public hearing on the request submitted by Noema Hernandez for the rezoning of Lot 1 in Block 35 of South Heights Addition, also known as 903 Kifuri Street, from I Industrial District to R-1 First One-Family Dwelling District; closing of public hearing and possible action.
5. Public hearing on the Final Replat of Lot 54 in Block 1 of El Pueblo Nuevo Subdivision LTD; closing of public hearing and possible action.
6. Public hearing on the Final Replat of Lot A in School Block of Chula Vista Subdivision Unit V; closing of public hearing and possible action.
7. Public hearing on the Final Replat of Lot 26 in the School Block of Chula Vista Subdivision Unit V, including (1) a subdivision variance from Section 23-36(a) regulating preliminary plat requirements, and (2) a sidewalk waiver from Section 23-64 regulating sidewalks; closing of public hearing and possible action.

NEW BUSINESS

8. Consideration and possible action on the Master Plan of Maverick Business Park, encompassed by 190.4 acres.

9. Consideration and possible action on the Preliminary Plat of Maverick Business Park Unit 1, including (1) a waiver from Section 23-64 regulating sidewalks, curb, and gutter, and (2) a subdivision variance from *Section 23-61(a)(4)* regulating 2 points of vehicular access for ingress and egress to a subdivision.

OTHER BUSINESS

10. Discussion of possible action on amendment to the Landscape Ordinance.
11. Discussion of possible action on the updated pavement design standards.
12. Discussion of possible action on the updated SWPPP.
13. Discussion of possible change of meeting date.

ADJOURNMENT

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

CERTIFICATION

I, THE UNDERSIGNED COMMUNITY DEVELOPMENT DIRECTOR, do hereby certify that the agenda mentioned above was posted on the Bulletin Board located in the Lobby at City Hall, 100 S. Monroe Street, Eagle Pass, Texas on May 17, 2024, at 1:15 p.m.

Placido Madera
Community Development Director

Item #1

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

The Planning and Zoning Commission of the City of Eagle Pass held a special meeting on Thursday, April 25, 2024, at 5:30 p.m. in the Council Chambers, at City Hall, 100 South Monroe Street, Eagle Pass, Texas. All legal notices were duly posted in accordance with the State Code.

ESTABLISHMENT OF QUORUM

Present: Chairman, Luis Velez; Vice-Chairman, Kenneth Gross, and Commissioners: Doris Salinas-Sanchez

Absent: Commissioners: Tiffany Velazquez-Sanchez, and Aaron Valdez; City Manager, Homero Balderas; and Ex-Officio Member: Mayor, Rolando Salinas, Jr.

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

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

CITIZENS COMMUNICATIONS

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

Vance Huey, of Westward Environmental spoke on item # 6, providing details on the item, underlying the reason(s) for requesting the rezoning.

MINUTES

1. Approval of the minutes of the March 14, 2024, meeting and the March 28, 2024, meeting.

Vice-Chairman Gross made moved to approve the minutes. Seconded by Commissioner Salinas-Sanchez. **MOTION PASSES:** Unanimously

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

PUBLIC HEARINGS

2. Public hearing on the request submitted by Ariana Saldana for a Conditional Use Permit to allow establishment of a child day care and learning center business on property located at 1146 Lazar Drive; closing of public hearing and possible action.

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

Assistant Community Development Director, Mariebelle Rodriguez provided details on the item, recommending that the Planning and Zoning Commission grant the request to establish a childcare business on property located at 1146 Lazar Drive, subject to the following conditions: 1. The establishment comply with all state and local laws and ordinances. Note: This Conditional Use Permit is non-transferrable.

There being no comments from the public. Chairperson Velez closed the public hearing at 5:50 p.m.

Vice-Chairman Gross moved to approve the grant request as established by the Planning and Zoning Commission. Seconded by Commissioner Salinas-Sanchez.

MOTION PASSES

Ayes: Velez, Gross, and Salinas-Sanchez

Nays: None

Abstained: None

Absent: Velazquez-Sanchez, and Valdez

3. Public hearing on the request submitted by Kathryn Kluge for a Conditional Use Permit to allow the establishment of a self-storage business on property located at 2175 N. Veterans Boulevard; closing of public hearing and possible action.

Chairman Velez opened the public hearing at 5:51 p.m.

Assistant Community Development Director Rodriguez provided details on the item, recommending that the Planning and Zoning Commission grant the request to establish a self-storage facility business on property located at 2175 N. Veterans Boulevard, subject to the following conditions: 1. The establishment complies with all state and local laws and ordinances. Note: This Conditional Use Permit is non-transferrable.

Kathryn Kluge provided details on the item, underlying the reason(s) for requesting the permit.

There being no further comments from the public. Chairperson Velez closed the public hearing at 5:55 p.m.

Commissioner Salinas-Sanchez moved to approve the item. Seconded by Vice-Chairman Gross.

MOTION PASSES

Ayes: Velez, Gross, and Salinas-Sanchez

Nays: None

Abstained: None

Absent: Velazquez-Sanchez, and Valdez

4. Public hearing on the request submitted by Amanda Chavarria for the rezoning of Lot 31 in Block 21 of Carthage Place Unit #8, also known as 2665 El Indio Highway, from B-1 Neighborhood Business District to B-3 General Business District; closing of public hearing and possible action.

Chairman Velez opened the public hearing at 5:56 p.m.

Assistant Community Development Director Rodriguez provided details on the item, recommending that the Planning and Zoning Commission grant a zoning district change from B-1 Neighborhood Business District to B-3 General Business District, for property legally known as 2665 El Indio Highway, subject to the following conditions: 1. Subsequent development of the property shall comply with the following sections in the City of Eagle Pass Code of Ordinances:

- Chapter 23 governing subdivisions
- 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 23 governing landscaping and tree preservation
- Chapter 27 governing water and sewers, including drainage & stormwater
- Appendix A governing off-street parking
- Appendix A governing signs and fences

There being no comments from the public. Chairperson Velez closed the public hearing at 5:59 p.m.

Commissioner Salinas-Sanchez moved to approve the item. Seconded by Vice-Chairman Gross.

MOTION PASSES

Ayes: Velez, Gross, and Salinas-Sanchez

Nays: None

Abstained: None

Absent: Velazquez-Sanchez, and Valdez

5. Public hearing on the request submitted by Javier Galvan for the rezoning of Lot 2 in Block 9 of North Heights Unit #3, also known as 983 Ave A, from R-1 First One-Family Dwelling District to R-3 Duplex Dwelling District; closing of public hearing and possible action.

Chairman Velez opened the public hearing at 6:00 p.m.

Community Development Director, Placido Madera recommended that item be tabled.

There being no comments from the public. Chairperson Velez closed the public hearing at 6:01 p.m.

Vice-Chairman Gross moved to table the item. Seconded by Commissioner Salinas-Sanchez.

MOTION PASSES

Ayes: Velez, Gross, and Salinas-Sanchez

Nays: None

Abstained: None

Absent: Velazquez-Sanchez, and Valdez

6. Public hearing on the request submitted by Zarembo Group, LLC for the rezoning of Lot 8A in Block 1 of Rio Vista Subdivision (Replat), also known as 2425 Del Rio Highway, from B-1 Neighborhood Business District to B-3 General Business District; closing of public hearing and possible action.

8. Public hearing on the Final Replat of Lot 54 in Block 1 of El Pueblo Nuevo Subdivision LTD; closing of public hearing and possible action.

9. Public hearing on the Final Replat of Lot A in School Block of Chula Vista Subdivision Unit V; closing of public hearing and possible action.

Chairman Velez opened the public hearings at 6:03 p.m.

Vance Huey reiterated his stance on item # 6.

There being no further comments from the public. Chairperson Velez closed the public hearing at 6:04 p.m.

Vice-Chairman Gross moved to table the items. Seconded by Commissioner Salinas-Sanchez.

MOTION PASSES: Unanimously

Ayes: Velez, Gross, and Salinas- Sanchez

Nays: None

Abstained: None

Absent: Velazquez-Sanchez, and Valdez

7. Public hearing on the proposed Preliminary Replat of Lot 102 in Chula Vista Subdivision Unit 2, including a sidewalk waiver, including curb and gutter from Section 23-64 regulating sidewalks; closing of public hearing and possible action.

Chairman Velez opened the public hearing at 6:05 p.m.

Assistant Community Development Director Rodriguez provided details on the item, recommending that the Planning and Zoning Commission (1) grant a partial sidewalk waiver request along Alamo Rd. and (2) grant preliminary approval of the Replat of Lot 102 in Chula Vista Subdivision Unit 2, subject to the plat complying with the provisions of Article III of City of Eagle Pass Code of Ordinances Chapter 23 governing procedures and specifications for Final Plats.

Community Development Director Madera provided additional details on the item.

Carlos Velarde of Capital Engineering, and owner representative, provided details on the item, underlining the reason(s) for their request.

There being no further comments from the public. Chairperson Velez closed the public hearing at 6:15 p.m.

Commissioner Salinas-Sanchez moved to approve the full waiver on the condition that the sidewalk be built once construction begins. Seconded by Chairman Velez. **MOTION PASSES**

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

A minor discussion ensued between the City Attorney and the Assistant City Secretary, as to whether the item passes as voted on. The City Attorney recommended that the item be tabled to the end of the meeting.

Vice-Chairman Gross moved to table the item. Seconded by Commissioner Salinas-Sanchez. **MOTION PASSES**

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

10. Public hearing on the Final Replat of Lot 2 Fort Duncan West; closing of public hearing and possible action.

Chairman Velez opened the public hearing at 6:20 p.m.

Community Development Director Madera provided details on the item, recommending that the Planning and Zoning Commission grant the final plat approval of the Replat of Lot 2 in Fort Duncan West, subject to the plat complying with the provisions of Article III of City of Eagle Pass Code of Ordinances Chapter 23 governing procedures and specifications for Final Plats.

There being no comments from the public. Chairperson Velez closed the public hearing at 6:22 p.m.

Commissioner Salinas-Sanchez moved to approve the item. Seconded by Vice-Chairperson Gross. **MOTION PASSES**

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

NEW BUSINESS

11. Consideration and possible action on the Master Plan of Empire Industrial Park Units 1, 2, and 3.

Community Development Director Madera provided details on the item, recommending that the Planning and Zoning Commission grant the Master Plan Map for Empire Industrial Park Units 1, 2, and 3 subject to plan to comply with the provisions of City of Eagle Pass Code of Ordinances Chapter 23 Section 23-13.1 governing subdivision plat submittal requirements.

Vice-Chairman Gross moved to approve as recommended by the Community Development Department. Seconded by Commissioner Salinas-Sanchez. **MOTION PASSES**

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

12. Consideration and possible action on the Preliminary Plat of Empire Industrial Park Unit 1.

Community Development Director Madera provided details on the item, recommending that the Planning and Zoning Commission grant preliminary plat approval of the proposed Empire Industrial Park Unit 1, subject to the plat complying with the provisions of Article III of City of Eagle Pass Code of Ordinances Chapter 23 governing procedures and specifications for Final Plats, thus allowing the Developer to install required improvements.

Commissioner Salinas-Sanchez moved to approve as recommended by the Community Development Department. Seconded by Vice-Chairman Gross. **MOTION PASSES**

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

Absent: Velazquez-Sanchez, and Valdez

OLD BUSINESS

13. Consideration and possible action on the Final Plat of Terra Verde Estates Subdivision Unit 3, including a subdivision variance request from Section 23-62(a)(6) governing alleys and easements.

Community Development Director Madera provided details on the item, recommending that the Planning and Zoning Commission (1) deny the subdivision variance request as it does not conform to the criteria set forth in Section 23-62(a)(6) governing alleys and easements, and (2) grant final plat approval of Terra Verde Estates Subdivision Unit 3 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, subject to the following conditions: 1. That the developer furnishes the city with a financial guarantee before plat recordation as required by Section 23-41. 2. That the Developer comply with the Construction standards and specifications set forth in the Eagle Pass Code of Ordinances. Alleys should be constructed in accordance with the standards and specifications outlined in the master development plan of the city; provided, however, the subdivider, may, at his option, deposit with the city a sum equal to the then reasonable cost, as approved by the city manager, of paving such alleys, which deposit shall constitute full compliance with the subdivider's obligation to pave such alleys. After such deposit is made, the city shall thereafter pave such alleys at a time to be determined by the city manager.

Javier Libson, of Terra Tech engineering, who is representing Libco Enterprise, spoke on the item, underlying the reason(s) for the request.

Director of Public Works, Daniel Ibarra spoke on the item, citing concerns to the condition of City streets, should they move forward with materials being presented by the requestor.

Vice-Chairperson Gross moved to approve the final plat and grant the variance as requested by the requestor. Seconded by Commissioner Salinas-Sanchez. **MOTION PASSES**

Ayes: Gross, and Salinas-Sanchez

Nays: Velez

Abstained: None

Absent: Velazquez-Sanchez, and Valdez

14. Consideration and possible action on the Final Plat of Terra Verde Estates Subdivision Unit 4, including a subdivision variance request from Section 23-62(a)(6) governing alleys and easements.

Community Development Director Madera provided details on the item, recommending that the Planning and Zoning Commission 1) deny the subdivision variance request as it does not conform to the criteria set forth in Section 23-62(a)(6) governing alleys and easements, and (2) grant final plat approval of Terra Verde Estates Subdivision Unit 3 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, subject to the following conditions: 1. That the developer furnishes the city with a financial guarantee before plat recordation as required by Section 23-41.2. That the Developer comply with the Construction standards and specifications set forth in the Eagle Pass Code of Ordinances. Alleys should be constructed in accordance with the standards and specifications outlined in the master development plan of the city; provided, however, the subdivider, may, at his option, deposit with the city a sum equal to the then reasonable cost, as approved by the city manager, of paving such alleys, which deposit shall constitute full compliance with the subdivider's obligation to pave such alleys. After such deposit is made, the city shall thereafter pave such alleys at a time to be determined by the city manager.

Vice-Chairperson Gross moved to approve the final plat and to grant the variance as requested by the applicant. Seconded by Commissioner Salinas-Sanchez. **MOTION PASSES**

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

7. Public hearing on the proposed Preliminary Replat of Lot 102 in Chula Vista Subdivision Unit 2, including a sidewalk waiver, including curb and gutter from Section 23-64 regulating sidewalks; closing of public hearing and possible action.

City Attorney, Sophia Garcia clarified that the motion, and subsequent action did pass, initially.

Assistant City Secretary, Ita A. Cortinas was asked to repeat the initial motion, for the record, and it is as follows:

Commissioner Salinas-Sanchez moved to approve the full waiver on the condition that the sidewalk be built once construction begins. Seconded by Chairman Velez. **MOTION PASSES**

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

ADJOURNMENT

Vice-Chairman Gross moved to adjourn the meeting at 7:14 p.m. Seconded by Commissioner Salinas-Sanchez. **MOTION PASSES**

Passed and approved on _____, 2024.

Luis Velez
Chairperson

Attest:

Ita A. Cortinas
Assistant City Secretary

Item #2



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

983 Ave A Rezone Request

I. BACKGROUND

General Information

Applicant & Property Owner: Javier Galvan

Location: 983 Ave A

PID: 13972

Legal Description: Lot 2 in Block 9 North Heights Unit #3

Request: Rezone parcel from R-1 First One-Family Dwelling District to R-3 Duplex District, to allow for a duplex, to house two families.

Subject Property Information

Parcel Size: 7,000 square feet

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

Master Plan: Residential

Current Use: a single-family dwelling and a detached studio located to the rear of the property. If granted, the studio will be converted to a 1-bedroom, 1-bath living space.

Vicinity Data

The site is in an area that is primarily comprised of single-family developments.

Infrastructure

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

Access to the site is provided by Ave A.

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*. 18 notices were mailed to the abutting property owners within the 200 foot radius from the subject property.

Aerial Map



Street View



III. RECOMMENDED FINDINGS OF FACT

A. Conclusions

1. Section 9.1(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 rezone, if granted, will result in construction activities that will include the enforcement of the appropriate land development regulations resulting in appropriate lot sizes, setback requirements, paved streets with curb gutters, sidewalks, and adequate utility services.

The purpose of the rezone is to allow for subsequent conversion of an existing detached studio type construction to a living space, subject to conformance with all applicable city codes.

5. The rezone request is not consistent with the 'Land Use Development Goals' of the *City of Eagle Pass Master Plan*. The request to change from the R-1 District to R-3 District will cause disruption in the neighborhood, not retaining the community's character and scale.
6. The rezone request is not consistent with the *Master Plan's* 'Street Objectives', 'Thoroughfare Goals', and 'Thoroughfare Objectives', as the rezone site will only generate additional traffic to the neighborhood, thus causing a safety concern.
7. The rezone request does not conform to the purpose of the City's zoning code, as the subsequent development of the property will result in a use that is not consistent with intent of the *R-1 District* 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 is primarily comprised by single-family developments and should be kept as such. Please refer to Attachment 1 for a photograph of the rezone site.
9. The rezone request is not 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 8 of this Report. The rezone request, therefore, should not be approved.

B. Community Development Department Recommendation

The Planning and Zoning Commission **DENY** a zoning district change from R-1 First One-Family Dwelling District to R-3 Duplex District, for property legally described as Lot 2 in Block 9 North Heights Unit #3, also known as 983 Ave A, as it is not in conformance with both the goals and objectives of the *Master Plan* and the purpose of the *City of Eagle Pass Code of Ordinances Appendix A*.

TRANSMITTED to the parties listed hereafter:

Javier Galvan via e-mail

Planning and Zoning Commission Members via e-mail

Community Development Department Report dated April 18, 2024

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: <u>Javier Galvan</u>
	Mailing Address: <u>9684 N US Hwy 277 Eagle Pass Tx 78852</u>
	Phone: <u>830 776 8891</u> E-mail: <u>javier-gal12@hotmail.com</u>
	<u>Note</u> : if you are not the owner of the property, you must attach a letter from the owner authorizing you to submit this application.

Property Owner Information	Name: <u>Javier Galvan</u>
	Mailing Address: <u>9684 N US Hwy 277 Eagle Pass Tx 78852</u>
	Phone: <u>830 776 8891</u> E-mail: <u>javier-gal12@hotmail.com</u>

Property Information	Site Address: <u>983 Ave A.</u> MCAD Property ID # <u>13972</u>
	Legal Description: Lot(s) <u>2</u> Block <u>9</u> Subdivision <u>North Heights #3</u> (Property must be legally subdivided or be lot of record)
	Front Yard Width (feet) _____ Rear Yard Width (feet) <u>140 x 50</u> Side Yard Width (feet) <u>7000 sq ft</u>

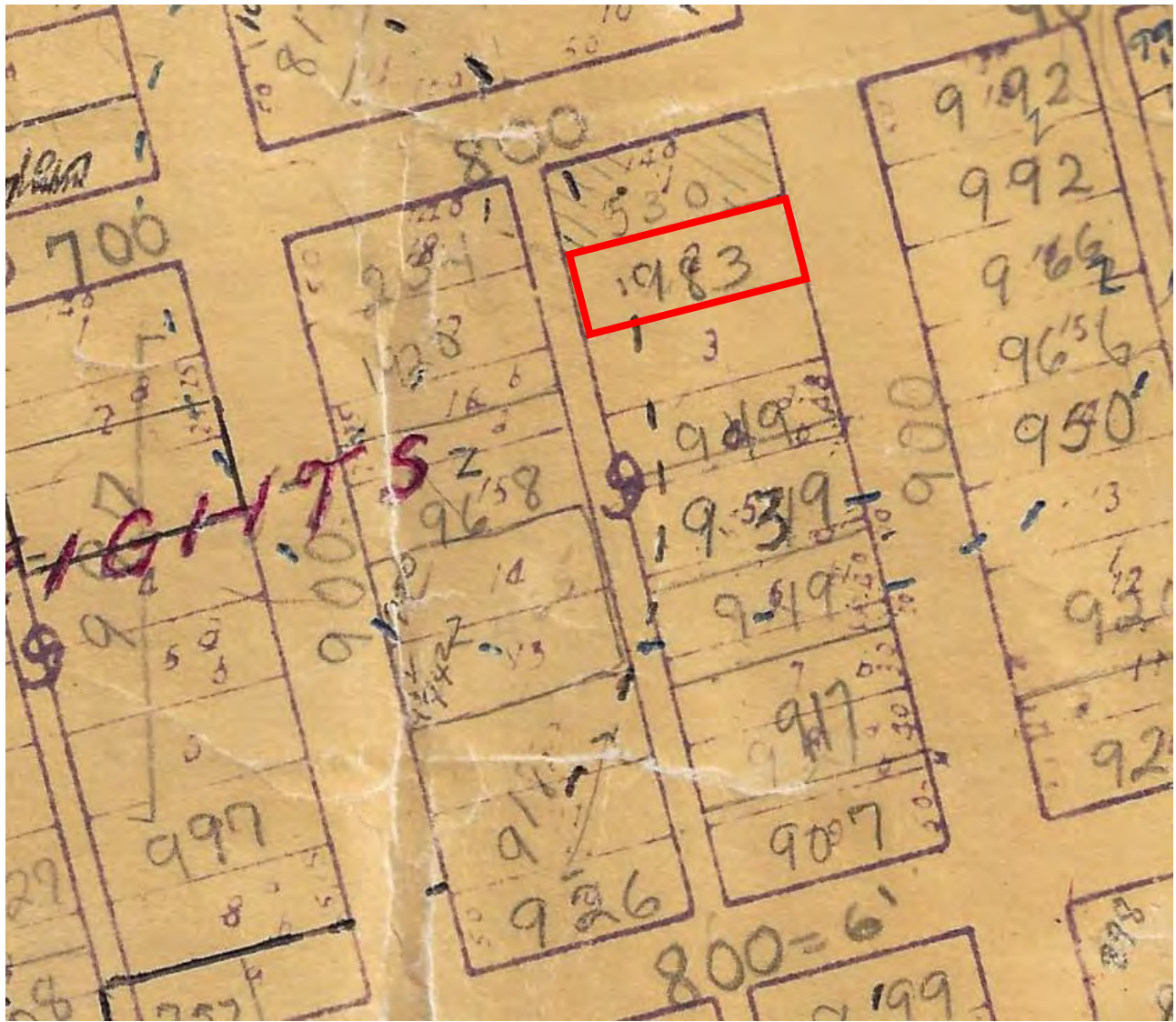
Proposed Project	Amend Zoning Regulations contained in section <u>7.1</u>
	Amend the Official Zoning Map & Master Plan by changing <u>0.1607</u> acres of land currently zoned <u>R1 First one-family</u> to be zoned <u>R-3 duplex district</u>
	Conforms with the Zoning Map? ☒ Yes ☐ No
	Conforms with Master Plan Designation? ☒ Yes ☐ No
	☒ <u>current</u> Vacant Land ☐ Vacant Building ☐ Single Family Dwelling ☐ Commercial
	☐ Multi-Family Dwellings ☐ Industrial ☐ Other _____
	<u>proposed: multi-family</u>

Detailed Explanation of Proposed Use	
Proposed Use of Property/Reason for Change:	
To make it into a multiFamily property / add a water meter	
Describe the character and/or nature of uses surrounding the property:	
Neighbor adjacent to the property is already a R3 zone and Multi Family	
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.  3/28/24 Applicant Signature Date

Office Use	Date Application Accepted for Review: <u>3/28/24</u> By: <u>UA</u>
	Contact Date for Supplemental Info: <u>UA</u> Supplemental Info Received: <u>UA</u>
	Completeness Review Date: <u>3/28/24</u> By: <u>UA</u>
	Application Returned to Applicant: <u>UA</u> (when applicable)
MR: 7/2020	

Legacy Map



Aerial View



Site Photos

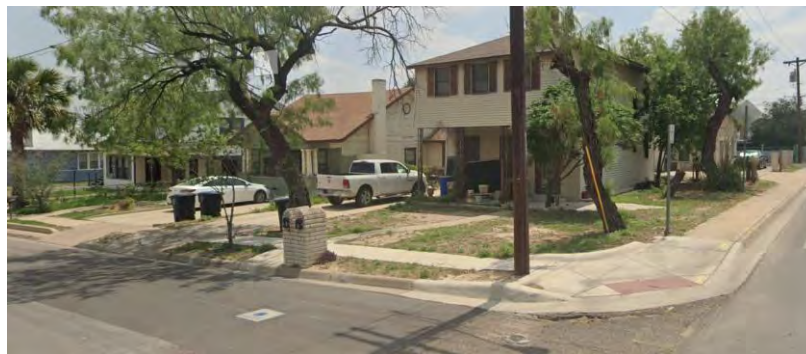




Subject Property



apartments and duplexes in the vicinity of subject property



Additional Street Photos



Attachment 2
Master Plan Map & Zoning District Map

Master Plan



Zoning Map



Item #3



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

2425 Del Rio Highway Rezone Request

I. BACKGROUND

General Information

Applicant: Zarembo Group, LLC

Property Owner: Andres F. & Ninfa Flores

PID: 56182

Legal Description: Lot 8A in Block 1 of Rio Vista Subdivision (Replat)

Request: Rezone parcel from B-1 Neighborhood Business District to B-3 General Business District, to allow for the development of an auto parts store.

Subject Property Information

Parcel Size: 1.145 acres / 49,866-sq ft

Current Zoning District: B-1 District

Master Plan: No depiction

Current Use: Car wash

Vicinity Data

The site is in an area that is primarily comprised of commercial, multi-family, and residential developments.

Infrastructure

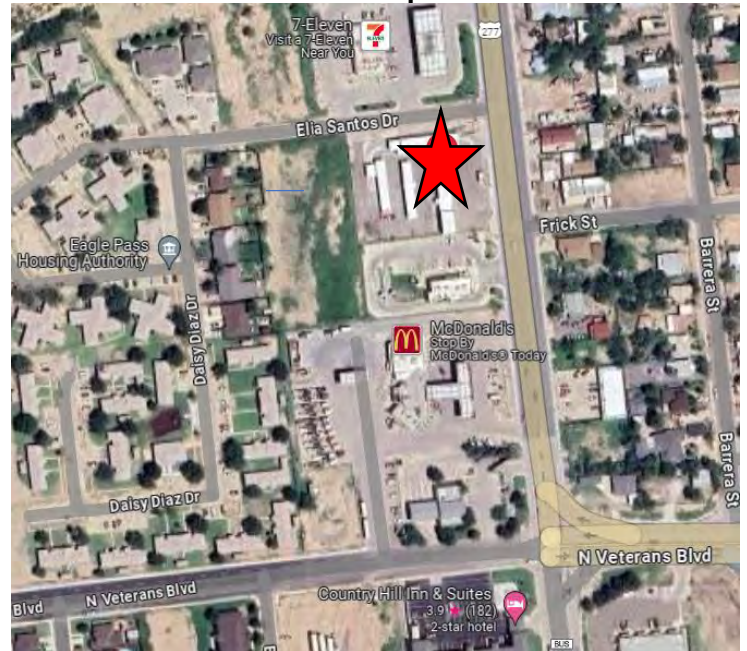
Property is currently served by public utilities/franchises, including water, sanitary sewer, storm sewer, telephone, electric service, gas, garbage, and cable.

Access to the site is provided by Del Rio Highway and Elia Santos Drive.

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*. 26 notices were mailed to the abutting property owners within the 200 foot radius from the subject property.

Aerial Map



Street View



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 rezone, if granted, will result in construction activities that will include the enforcement of the appropriate land development regulations resulting in appropriate lot sizes, paved streets with curb 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 District to B-3 District will allow for a continuation of the development in the neighborhood while retaining the community's character and scale. The change will facilitate the ultimate development of urban uses in a compatible arrangement that will make the community attractive to both residents and visitors and desirable to quality investments, while improving the residential and commercial environment of the city.

The purpose of the rezone is to allow for subsequent construction of an auto parts store, subject to conformance with all applicable city codes. What is being proposed is yet to be reviewed and accepted by the Review Team. The team consists of our City Planners, Building Official, Fire Marshall, City Engineer, Public Works, Waste Management, Eagle Pass Water Works, and TxDOT.

6. The rezone request is consistent with the *Master Plan's* 'Street Objectives', 'Thoroughfare Goals', and 'Thoroughfare Objectives', as access to the rezone site will be provided by Del Rio Highway.
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 District* and consistent with 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 in an area that is has commercial use and should allow the 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 ensure conformance with 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. Community Development Department Recommendation

The Planning and Zoning Commission **GRANT** a zoning district change from B-1 Neighborhood Business District to B-3 General Business District, for Lot 8A in Block 1 of Rio Vista Subdivision (Replat), also known as 2425 Del Rio Highway, subject to the subsequent development of the property shall comply with the City of Eagle Pass *Code of Ordinances*.

TRANSMITTED to the parties listed hereafter:

Vance Houy, PE, Senior Project Engineer via e-mail
Planning and Zoning Commission Members via e-mail
Community Development Department Report dated April 16, 2024

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: Zaremba Group, LLC.

Mailing Address: 14600 Detroit Ave., Suite 1500, Lakewood, OH 44107

Phone: 216-221-6144 E-mail: Dcox@zarembagroup.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: Andres F Flores & Ninfa Flores

Mailing Address: 2239 San Juan Dr., Eagle Pass, TX 78852

Phone: _____ E-mail: victoriasalinas230@yahoo.com

Property Information

Site Address: 2425 Del Rio Blvd., Eagle Pass, TX 78852 MCAD Property ID # 56182

Legal Description: Lot(s) 8-A Block 1 Subdivision Rio Vista
(Property must be legally subdivided or be lot of record)

Front Yard Width (feet) 200 Rear Yard Width (feet) 200 Side Yard Width (feet) 250

Proposed Project

Amend Zoning Regulations contained in section 9.1 of Appendix A of Eagle Pass COE

Amend the Official Zoning Map & Master Plan by changing 1.145 acres of land currently zoned B1 to be zoned B3

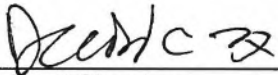
Conforms with the Zoning Map? ☒ Yes ☐ No

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: Changing zoning from B1 to B3 due to building SF exceeding 5,000 SF.	
Property to be used for an AutoZone store.	
Describe the character and/or nature of uses surrounding the property: To the North - Gas Station;	
To the South - Fast Food; To the East - Residential Single Family, Commercial Rural, Commercial City;	
To the West - Vacant	
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>Zafomba Group, LLC</u> <u>3/29/24</u> 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	

{Letterhead, if possible}

March 22, 2024

City of Eagle Pass
100 South Monroe
Eagle Pass, Texas 78852

RE: Proposed AutoZone
2425 Del Rio Blvd Eagle Pass, TX 78852
Parcel ID: 56182
LOT 8-A RE-PLAT LOT 8, BLK. 1, RIO VISTA SUBDIVISION

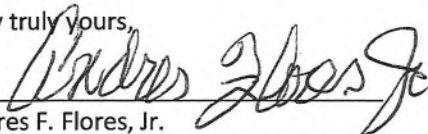
To Whom It May Concern:

The undersigned, Andres F. Flores, Jr. and Ninfa Flores, owner of the subject parcel listed above, hereby authorize Zaremba Group, LLC and Westward Environmental Inc. to submit all applications to the City of Eagle Pass necessary for the redevelopment of the parcel.

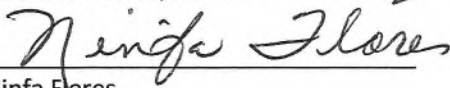
Please feel free to contact the undersigned at 830-513-0905 if you have any questions regarding this authorization.

Thank you,

Very truly yours,



Andres F. Flores, Jr.

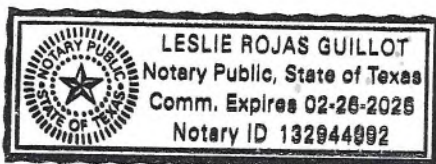


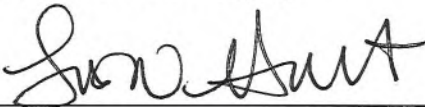
Ninfa Flores

ACKNOWLEDGMENT CERTIFICATE

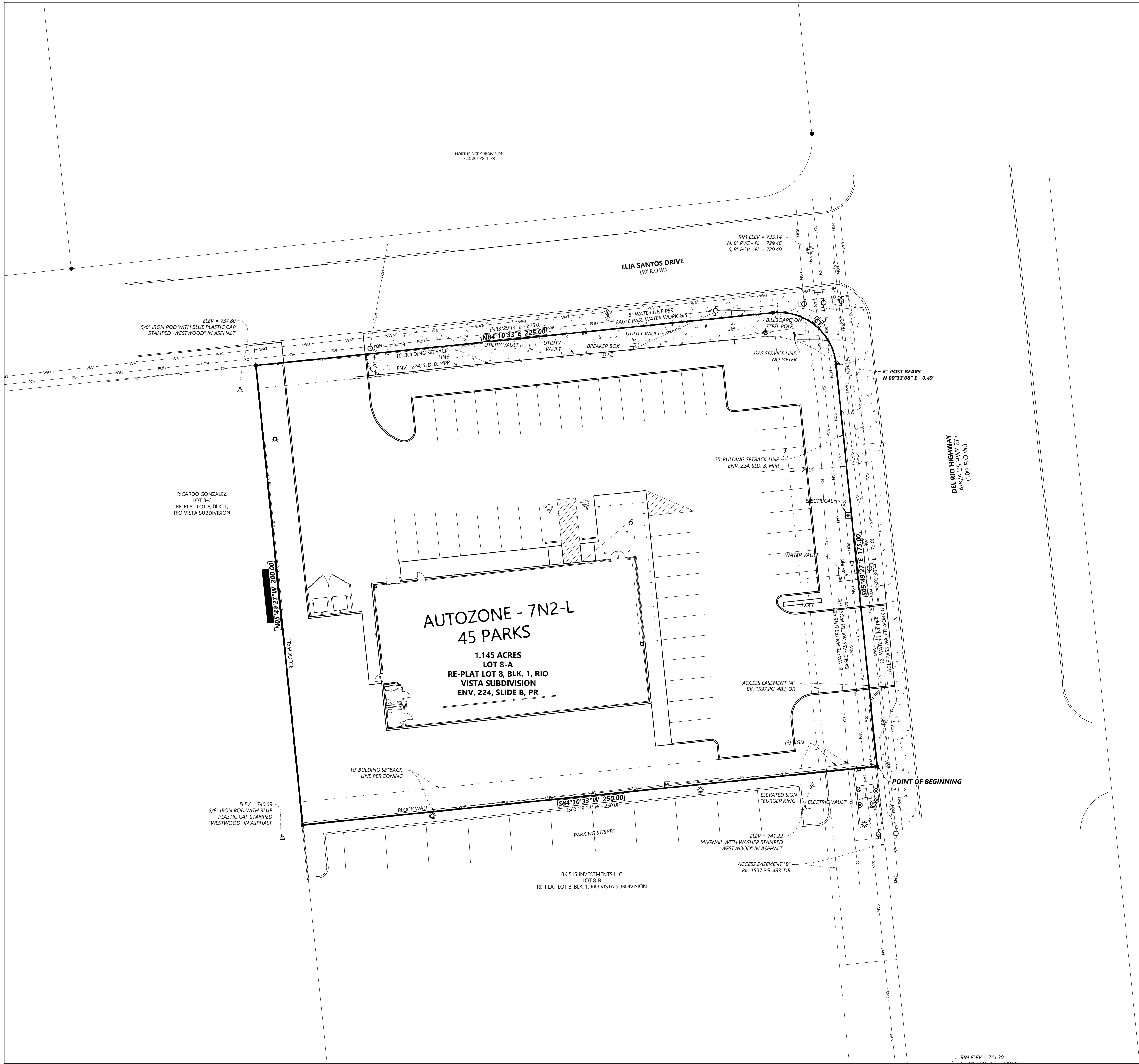
State of Texas, County of MAURICK
The foregoing instrument was acknowledged before me on this 24 MARCH 2024 (date) by
Leslie Guillot (name of persons acknowledging).

(Notary Seal)





Signature of Notary Public – State of Texas
My commission expires: 2/26/25 (date)

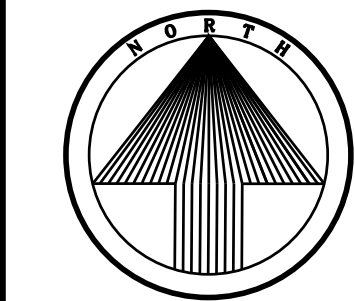


© COPYRIGHT 2003

ARCHITECT:

AutoZone STORE DEVELOPMENT

PREPARED FOR:



SCALE: 1" =

REVISIONS

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.

ARCHITECT:

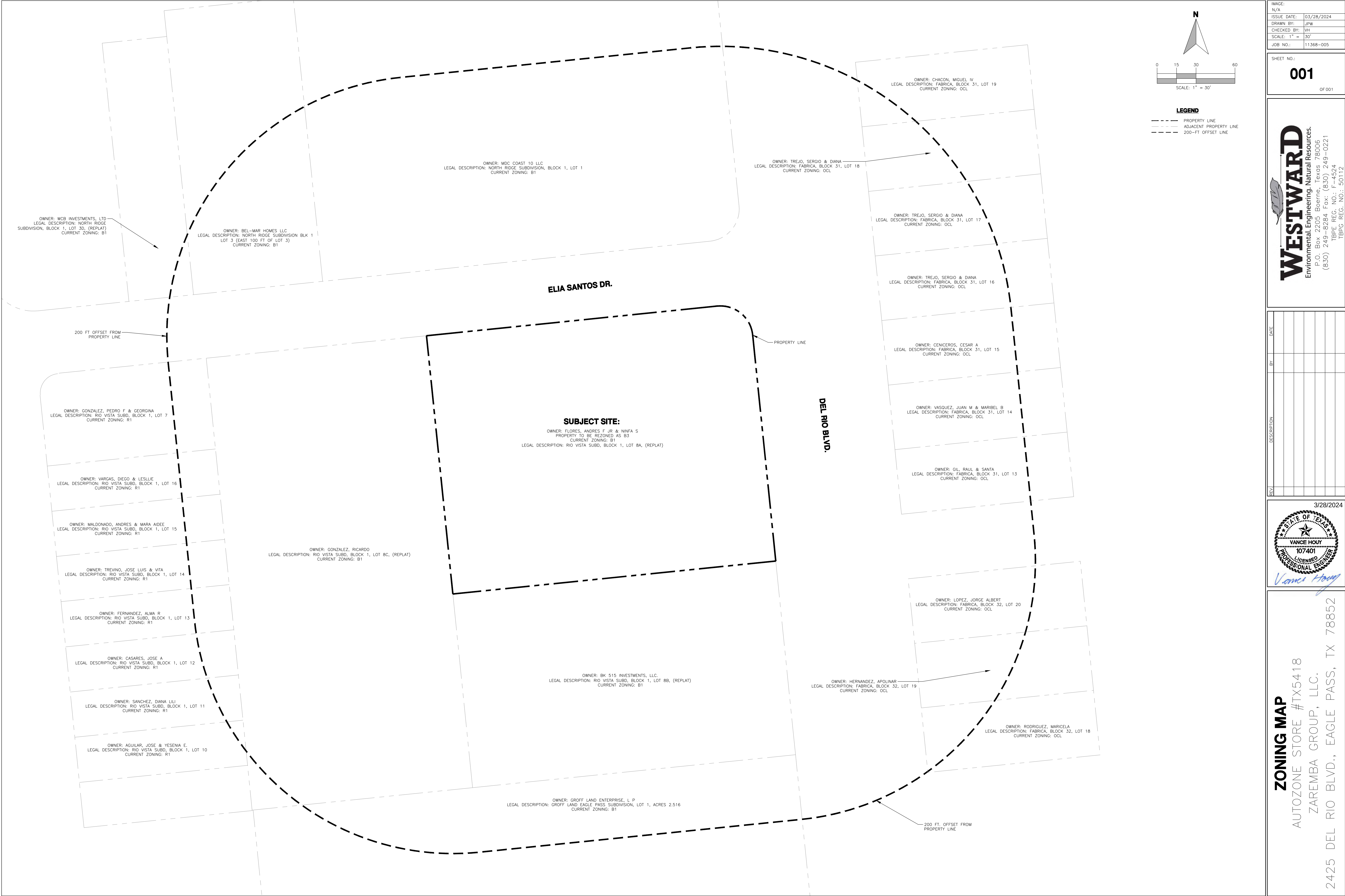
DRAFTSMAN:

CHECKED BY:

PERMIT DATE

PROTOTYPE SIZE

123 SOUTH FRONT STREET
MEMPHIS, TENNESSEE 38103
TEL.: (901) 495-8757 FAX: (901) 495-8901







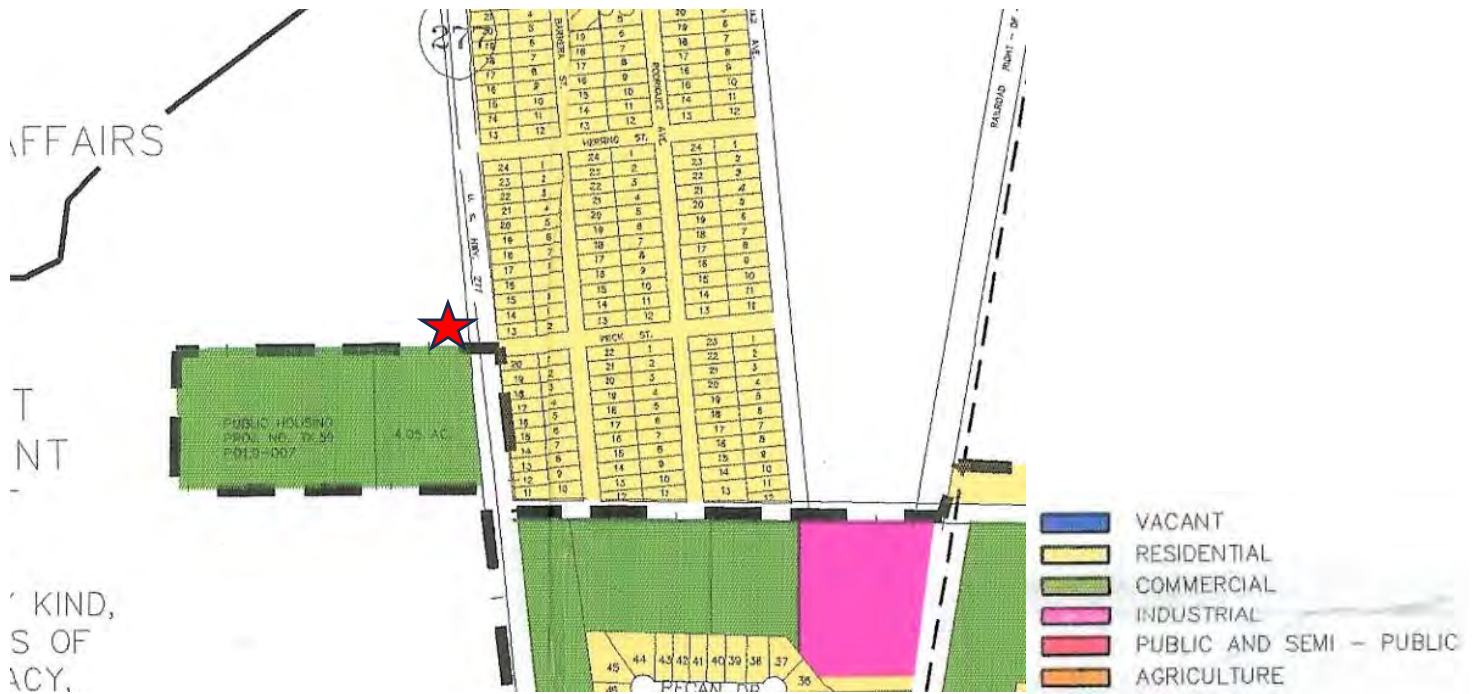




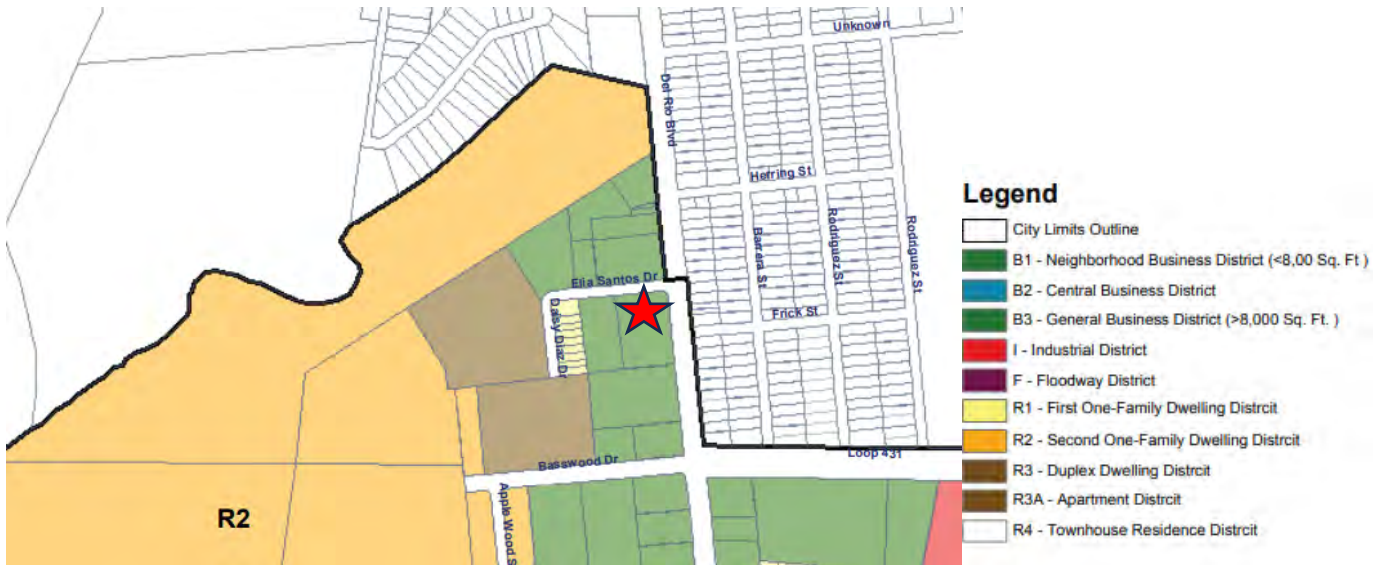


Attachment 2
Master Plan Map & Zoning District Map

Master Plan



Zoning Map



Item #4



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

903 Kifuri Street Rezone Request

I. BACKGROUND

General Information

Applicant & Property Owner: Noema Hernandez

Location: 903 Kifuri Street **PID:** 19434

Legal Description: Lot 1 in Block 35 of South Heights Addition

Request: Rezone parcel from I-Industrial District to R-1 First One-Family Dwelling District.

Subject Property Information

Current Use: Vacant and undeveloped

Proposed Use: Single-Family Dwelling

Parcel Size: 9,000-square feet

Current Zoning District: I-Industrial

Master Plan: Industrial

Vicinity Data

The site is in an area that is primarily comprised of single-family dwellings and industrial businesses.

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 Kifuri Street.

Aerial Map



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*. Six (6) notices were mailed to the abutting property owners within the 200 foot radius from the subject property on May 8, 2024.

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 still will be residential. The rezone, if granted, will result in construction activities that will include the enforcement of the appropriate land development regulations resulting in appropriate lot sizes, paved streets with curb 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 I-Industrial District to R-1 First One-Family Dwelling 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 the construction of a single-family dwelling.

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 Kifuri Street.
7. The rezone request conforms to the purpose of the City's zoning code, as the subsequent development of the property will result in a use that is consistent with intent of the *R-1 District* and consistent with residential and multi-family 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 has residential use and should allow the property to be rezoned to an appropriate use. Please refer to Attachment 1 for a photograph of the rezone site.
9. The rezone request has been conditioned to ensure conformance with direction provided in the *Maste 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. Community Development Department Recommendation

The Planning and Zoning Commission recommend that the City Council prepare and **ADOPT** an Ordinance granting a zoning district change from I-Industrial District to R-1 First One-Family Dwelling District for property legally defined as Lot 1 in Block 35 of South Heights Addition, also known 903 Kifuri Street.

TRANSMITTED to the parties listed hereafter:

Noema Hernandez via e-mail

Planning and Zoning Commission Members via e-mail

Eagle Pass Community Development Department Report dated May 16, 2024

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: _____
	Mailing Address: _____
	Phone: _____ E-mail: _____
	<u>Note:</u> if you are not the owner of the property, you must attach a letter from the owner authorizing you to submit this application.

Property Owner Information	Name: _____
	Mailing Address: _____
	Phone: _____ E-mail: _____

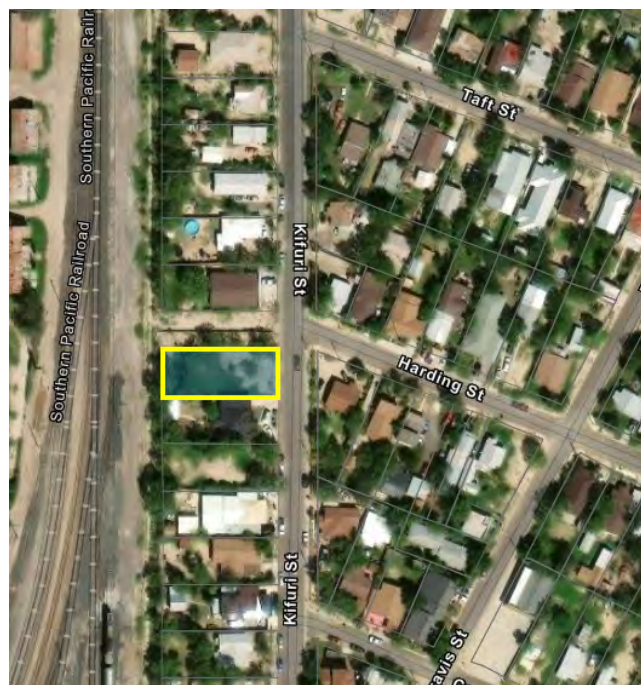
Property Information	Site Address: _____ MCAD Property ID # _____
	Legal Description: Lot(s) _____ Block _____ Subdivision _____ (Property must be legally subdivided or be lot of record)
	Front Yard Width (feet) _____ Rear Yard Width (feet) _____ Side Yard Width (feet) _____

Proposed Project	Amend Zoning Regulations contained in section _____
	Amend the Official Zoning Map & Master Plan by changing _____ acres of land currently zoned _____ to be zoned _____
	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 _____

Site Photos



Aerial View

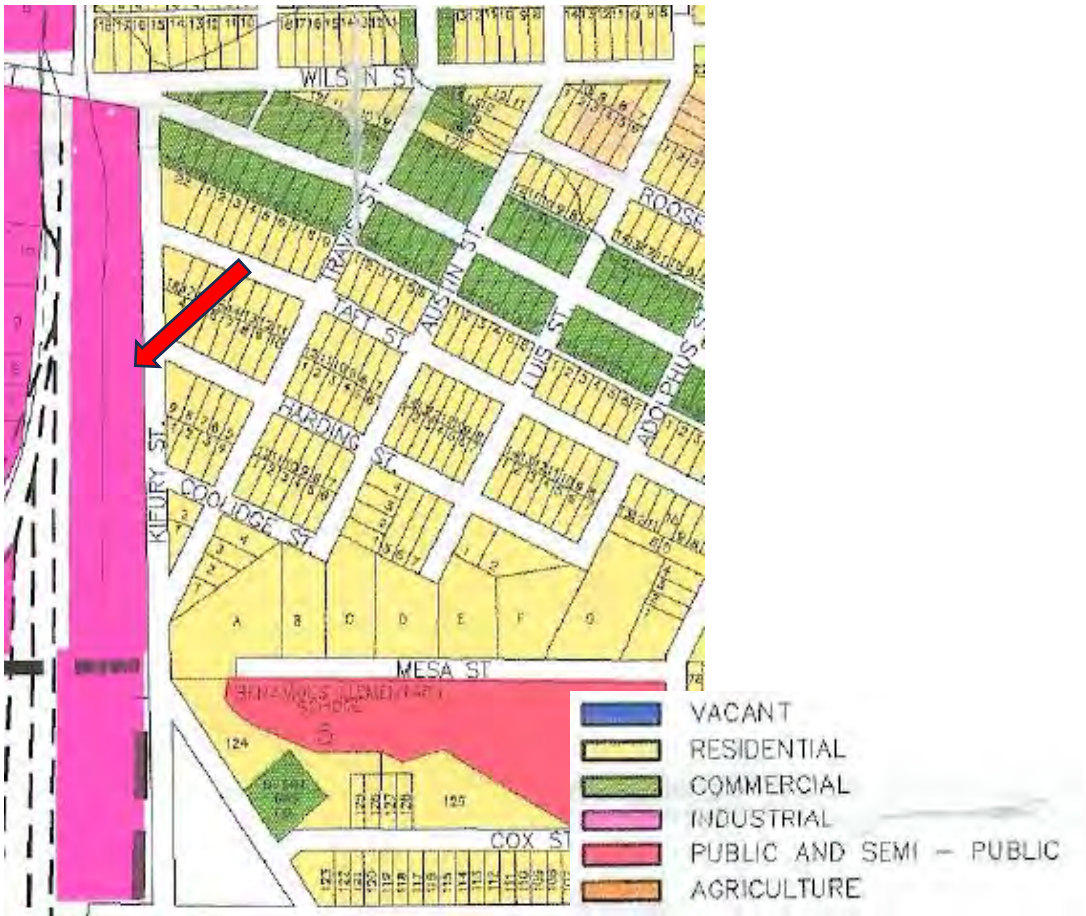


Attachment 2
Master Plan & Zoning Map

Zoning Map



Master Plan



Item #5



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

Final Replat of Lot 54, Block 1 in El Pueblo Nuevo Subdivision LTD

I. BACKGROUND

A. General Information

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

Owner: Guadalupe Guanajuato

Location: 274 Pueblo Nuevo Drive

PID Number: 50931

Legal Description: El Pueblo Nuevo Subdivision LTD, Block 1, Lot 54

Request: Final replat approval to subdivide an approximately 0.3260-acre tract into two residential lots. The property owner has installed the water and sewer improvements, which have been inspected and approved by Eagle Pass Water Works System.

B. Subject Property Information

Parcel Size: 14,250-square feet

Topography: Generally flat

Vegetation: residential landscaping and minimal vegetation

Existing Use: One story residence

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

Master Plan: Not in City

C. Vicinity Data

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

D. Infrastructure

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

Access to the site is provided by Pueblo Nuevo Drive and Karen 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*. 61 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 the subdivision. Please refer to Attachment 1.
2. The property is located within the City's *Extraterritorial Territorial Jurisdiction*, and the policies of the *Master Plan Map* apply to the consideration of this subdivision. The *Master Plan* emphasizes the importance of maintaining the character of the residential neighborhoods.
 - ✓ The replat is consistent with the *Housing Goals* of the *Master Plan*, as the subdivision process will ensure appropriate land development regulation with appropriate lot sizes, paved streets with curb and gutters, and adequate utility services.
 - ✓ The replat is consistent with the *Land Use Development Goals* of the *Master Plan*, as the project is designed to provide for a building lot density that is consistent with the purpose of the *R-1 First One-Family Dwelling District*. This design will allow for the continuing development of the community while retaining the neighborhood character and scale while providing utility services in the most efficient and equitable manner.
 - ✓ The replat is consistent with the *Street Goal* of the *Master Plan*, as access to the site from School Circle is designed to provide the residents of and visitors to Eagle Pass and Maverick County with a street system that will enable them to travel safely and conveniently.
 - ✓ The replat is consistent with the *Thoroughfare Goals* of the *Master Plan*, as School Circle has been designed to be part of a safe and efficient thoroughfare system.
 - ✓ The replat is consistent with the *Storm Drainage Goals* of the *Master Plan*, as the size of the two lots and the eventual density of 2-dwelling-units on the re-plat site will not adversely impact existing area drainage effectiveness.
3. The re-subdivision design is consistent with the purpose of the *R-2 Second One-Family Dwelling District*.
4. The replat is consistent with City design and specifications, as the project is designed and conditioned to conform to the following sections of *Article IV* in *Eagle Pass Code of Ordinances Chapter 23*:
 - ✓ *Section 23-61* governing street layout, right-of-way and pavement width, street names, streetlights, and road construction testing.
 - ✓ *Section 23-62* governing utility easements
 - ✓ *Section 23-64* governing sidewalks.
 - ✓ *Section 23-66* governing sanitary sewage disposal

- ✓ *Section 23-67* governing potable water supply and fire flow
- ✓ *Section 23-68* governing storm drainage
- ✓ *Section 23-69* governing the size of building lots, including lot width, lot depth, lot orientation, and building setback areas
- ✓ *Section 23-71* governing the installation and inspection of utility lines

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

5. 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*.
6. 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, by the Maverick County Planning Department.
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 efficient and economical ways to move people and goods outside the City by an adequate plan for streets and highways.
 - Guide future development in an orderly manner, by stages according to a pattern, so that the County may have balanced land use.
 - Encourage a diversified economic base and encourage public and private investments in land and improvements.
 - Prevent and eliminate blight and slums, making the County attractive to people, commerce, and industry.
 - Create the desire for a more pleasing appearance of the County and incorporate into its physical development the basic principles of good design.
 - Protect and preserve the identity of each neighborhood through use of the guidance provided by the *Master Plan* and the *Code of Ordinances*.
 - Locate all land uses on land best suited for their needs, arranged in such a way as to be mutually beneficial and functional, with ample area to meet long-term needs.
 - Establish a proper relationship between open space, developed areas, building bulk, light and air space, in all future development programs of land use.
 - Encourage and abet the development of civic, cultural, and other public and quasi-public buildings in harmonious and functional groupings.

8. The replat will allow for a use of the property that is consistent with the residential purpose of the *R-2 Second One-Family Dwelling District* 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 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 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.
9. The approval of this preliminary 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.

B. Community Development Department Recommendation

The Planning and Zoning Commission recommend to Eagle Pass City Council to **GRANT** final plat approval of the *Replat of Lot 54 in Block 1 of El Pueblo Nuevo Subdivision, LTD* subject to the plat complying with the provisions of *Article III of City of Eagle Pass Code of Ordinances Chapter 23* governing procedures and specifications for Final Plats.

TRANSMITTED to the parties listed hereafter:

Dirksen Engineering via e-mail

Eagle Pass Planning and Zoning Commission via e-mail

Eagle Pass Community Development Department Report dated April 17, 2024

Attachment 1

Application



CITY OF EAGLE PASS
APPLICATION FOR APPROVAL OF FINAL PLAT

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

IDENTIFICATION OF SUBDIVISION AND PLAT

I, Kenneth R. Dirksen, hereby request final plat approval for the proposed subdivision known as Replat of Lot 54, Block 1, El Pueblo Nuevo Subdivision, LTD as shown on the accompanying plat, which consists of 1 (number) sheets and which was acknowledged by me on _____ (date).

SUBDIVIDER'S ACKNOWLEDGMENT

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

Kenneth R. Dirksen
 Signature of Subdivider (or Authorized Agent)

03/26/2024
 Date

PRELIMINARY PLAT APPROVAL

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

☒ A preliminary plat was approved by the City on _____ (date).

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

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

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

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

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

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

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

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

N/A

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

N/A

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

N/A

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

N/A

REPLAT OF LOT 54, BLOCK 1,
El Pueblo Nuevo Subdivision, LTD

Guadalupe Guanajuato

Being a 0.3260 acre replat of Lot 54, Block 1 of the El Pueblo Nuevo Subdivision, LTD, as shown on the plat recorded in Envelope 139, Side A of the Maverick County Plat Records and described in conveyance documents to Pedro Guanajuato and Guadalupe Guanajuato, recorded in Document Number 194970 of the Maverick County Official Public Records, Maverick County, Texas and more particularly described by metes and bounds as follows:

BEGINNING at a steel stake set (S.P.C. N:13423986.01, E:1509279.80) in the south line of Pueblo Nuevo Drive at the common north corner of Lots 53 and 54 for the northeast corner of the herein described tract;

THENCE S 31°07'55" W, 150.00 feet to a steel stake set in the north line of Lot 2 as described in conveyance document to Juan Emilio Garza, et ux., recorded in Document Number 194330 for the southeast corner of the herein described tract;

THENCE N 58°51'05" W, 95.00 feet to a steel stake set in the east line of Karen Drive for the southwest corner of the herein described tract;

THENCE N 31°07'55" E, 135.00 feet to a steel stake set for the beginning of a tangent curve to the right;

THENCE Northeasterly with said tangent curve to the right having a radius of 15.00, chord N 76°08'25" E, 21.22 feet, for an arc length of 23.57 feet to a steel stake set for a northwest corner of the herein described tract;

THENCE S 58°51'05" E, 80.00 feet to the POINT OF BEGINNING containing 0.3260 acre of land within the herein described tract surveyed by Dirksen Engineering on April 27, 2023.

STATE OF TEXAS)
COUNTY OF MAVERICK)

OWNER'S DEDICATION, CERTIFICATION, AND ATTESTATION

The owners of the land shown on this subdivision plat and whose name is subscribed hereto and in person or through a duly authorized agent, acknowledges that this plat was made from an actual survey and dedicates to the use of the public forever all streets, parks, easements and public places thereon shown for the purposes and considerations therein expressed and the same are dedicated to the public of Maverick County.

The owner certifies that this plat complies with the requirements of Texas Local Government Code 212.032 and that:

- (A) The water quality and connections to the lots meet, or will meet, the minimum state standards;
(B) Sewer connections to the lots meet, or will meet, the minimum requirements of state standards;
(C) Electrical connections provided to the lots meet, or will meet, the minimum state standards, and
(D) Gas connections, if available, provided to the lots meet, or will meet, the minimum standards.
The owner attests that the matters asserted on this plat are true and complete.

Signature _____ Signature _____
Pedro Guanajuato Guadalupe Guanajuato

State of Texas)
County of Maverick)

Before me, the undersigned notary public, on this day personally appeared Pedro Guanajuato proved to me to be the persons whose name(s) are subscribed to the foregoing instrument, who being by me first duly sworn, declared that the statements therein are true and correct and acknowledged that they executed the same for the purposes and consideration thereby expressed.

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

Signature Notary Public State of Texas

State of Texas)
County of Maverick)

Before me, the undersigned notary public, on this day personally appeared Guadalupe Guanajuato proved to me to be the persons whose name(s) are subscribed to the foregoing instrument, who being by me first duly sworn, declared that the statements therein are true and correct and acknowledged that they executed the same for the purposes and consideration thereby expressed.

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

Signature Notary Public State of Texas

COMMISSIONERS COURT CERTIFICATION:

THIS PLAT WAS PRESENTED TO THE MAVERICK COUNTY COMMISSIONERS COURT AND APPROVED ON _____, 20____, BY THE COMMISSIONERS COURT OF MAVERICK COUNTY, TEXAS.

SIGNED THIS _____ DAY OF _____, 20____.

MAVERICK COUNTY JUDGE

ATTEST

WE THE UNDERSIGNED CERTIFY THAT REPLAT OF LOT 54, BLOCK 1, EL PUEBLO NUEVO SUBDIVISION, LTD WAS REVIEWED AND APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF EAGLE PASS ON _____, _____.

DATE: _____
CHAIRMAN - CITY OF EAGLE PASS PLANNING AND ZONING COMMISSION

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

SIGNATURE NOTARY PUBLIC STATE OF TEXAS

WE THE UNDERSIGNED CERTIFY THAT REPLAT OF LOT 54, BLOCK 1, EL PUEBLO NUEVO SUBDIVISION, LTD WAS REVIEWED AND APPROVED BY THE CITY MANAGER OF THE CITY OF EAGLE PASS ON _____, _____.

DATE: _____

CITY MANAGER OF THE CITY OF EAGLE PASS

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

SIGNATURE NOTARY PUBLIC STATE OF TEXAS

WE THE UNDERSIGNED CERTIFY THAT REPLAT OF LOT 54, BLOCK 1, EL PUEBLO NUEVO SUBDIVISION, LTD WAS REVIEWED AND APPROVED BY THE COUNCIL OF THE CITY OF EAGLE PASS ON _____, _____.

DATE: _____
MAYOR OF THE CITY OF EAGLE PASS

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

SIGNATURE NOTARY PUBLIC STATE OF TEXAS

COUNTY CLERK'S RECORDING CERTIFICATE

I, _____, COUNTY CLERK OF MAVERICK COUNTY, CERTIFY THAT THE PLAT BEARING THIS CERTIFICATE WAS FILED FOR RECORD AT _____ O'CLOCK _____ M. ON _____ AND WAS RECORDED IN ENVELOPE _____, SIDE _____ IN THE MAP RECORDS OF MAVERICK COUNTY AT _____ O'CLOCK _____ M. ON _____.

MAVERICK COUNTY CLERK

STATE OF TEXAS)
COUNTY OF MAVERICK)

I HEREBY CERTIFY THAT THE WATER AND SEWER FOR THIS SUBDIVISION WERE DESIGNED IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY OF EAGLE PASS AND MAVERICK COUNTY, TEXAS, THAT THESE SERVICES WILL BE CONNECTED TO THE PUBLIC WATER AND SEWER UTILITIES OPERATED AND MAINTAINED BY THE CITY OF EAGLE PASS, TEXAS, ALL AS SHOWN ON THE DRAWINGS PRESENTED TO, AND APPROVED BY, THE CITY OF EAGLE PASS, TEXAS. THESE WATER AND SEWER DESIGNS ARE IN COMPLIANCE WITH THE MODEL RULES ADOPTED UNDER SECTION 16.343 OF THE TEXAS WATER CODE.

I CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL SURVEY CONDUCTED ON April 27, 2023 ON THE GROUND UNDER MY SUPERVISION AND THE MONUMENTS SHOWN ARE WITHIN THE POSITIONAL TOLERANCE REQUIRED BY 22TAC SEC 663.15.

KENNETH R. DIRKSEN, P.E. 82628, R.P.L.S. 6260
DIRKSEN ENGINEERING PROJECT 23-2932

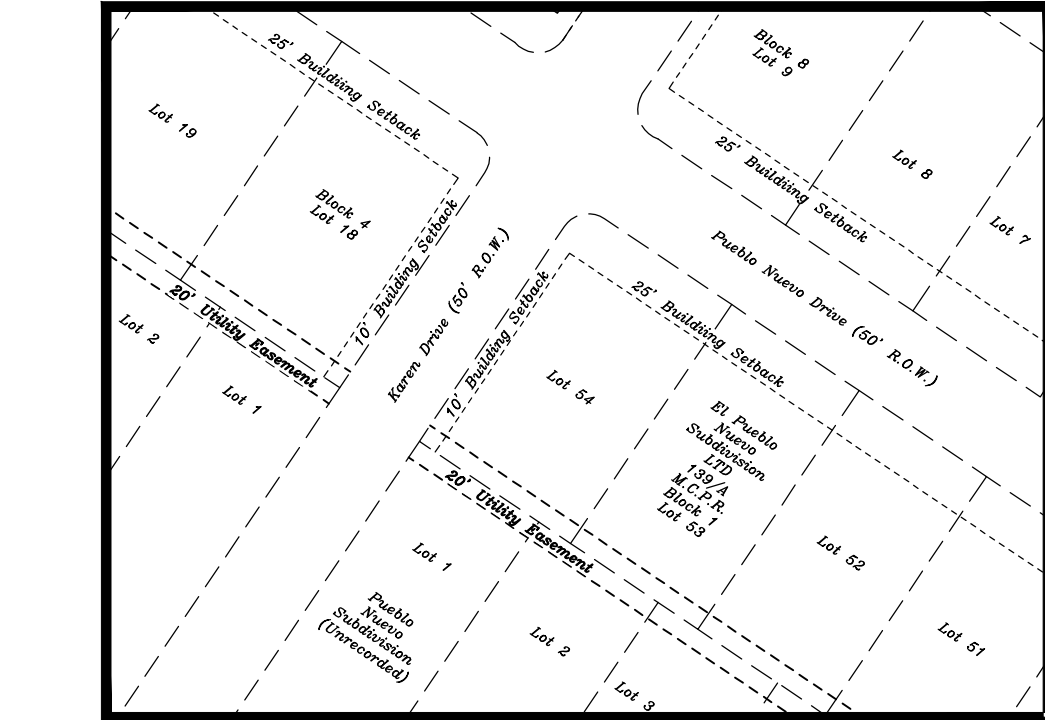
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE ____ DAY OF _____, OF _____ BY KENNETH R. DIRKSEN, P.E.

SIGNATURE NOTARY PUBLIC STATE OF TEXAS

MY COMMISSION EXPIRES ON: _____

NOTES:

- THIS PLAT AMENDS LOT 54, BLOCK 1, EL PUEBLO NUEVO SUBDIVISION, LTD OF THE PLAT PREVIOUSLY RECORDED IN THE PLAT RECORDS OF MAVERICK COUNTY, ENVELOPE 139, SIDE A THE RESTRICTIONS FILED IN VOLUME 860, PAGE 482 M.C.D.R. APPLIES TO THIS RESUBDIVISION.
- THE LAND SHOWN ON THIS PLAT IS IN THE ETJ OF CITY OF EAGLE PASS IN MAVERICK COUNTY, NO ZONING EXISTS. THE LOT AREAS AND SETBACKS CONFORM TO LAND USE R-3. FRONT YARD 25 FT, SIDE YARD 5 FT, CORNER LOT SIDE YARD 10 FT AT STREET CORNER, REAR YARD 16 FEET.
- THE SUBDIVISION SHOWN ON THIS PLAT IS LOCATED OUTSIDE OF SPECIAL FLOOD HAZARD AREAS (SFHAS) AND INSIDE THE AREA OF MINIMUM FLOOD HAZARD, ZONE X, AS SHOWN ON FLOOD INSURANCE RATE MAP NUMBER 48323C0475D FOR MAVERICK COUNTY, TEXAS AND INCORPORATED AREAS BOTH DATED APRIL 4, 2011.
- THE SUBSEQUENT RE-PLATTING OR CONSTRUCTION DEVELOPMENT OF ANY LOT SHALL BE SUBJECT TO THE RESPECTIVE PARKLAND REQUIREMENTS OF EAGLE PASS CODE OF ORDINANCES SECTION 23-79 AND EAGLE PASS CODE OF ORDINANCES SECTION 23-80, WITH FEE PAYMENT FOR CONSTRUCTION DEVELOPMENT DUE AT THE TIME OF THE COUNTY INSPECTION OF AN ELECTRICAL SERVICE CONNECTION OR THE COUNTY INSPECTION OF A SEWER SERVICE CONNECTION.
- EASEMENTS MUST BE KEPT CLEAR OF ANY OBSTRUCTIONS.



Aerial View



Site Photos



Attachment 2
Engineering Report and related correspondence

Dirksen Engineering

441 Fort Clark St, Ste B.

Uvalde, TX 78801

TBPE FIRM #F-8848

TBPLS FIRM #10193741

Phone: 830-278-2100

Fax: 830-278-2102

Cell: (830) 279-9447

kendirksen@sbcglobal.net

October 2, 2023

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

Re: Final Engineering and Drainage Report – Replat of Lot 54, Block 1, Pueblo Nuevo Subdivision

To Whom It May Concern:

Introduction:

The Re-Plat of Lot 54, Block 1, Pueblo Nuevo Subdivision is located along at the intersection of Pueblo Nuevo and Karen St. The Lot will be divided into two halves, north and south. The Maverick CAD Tax ID Number is 50931.



Development

Pueblo Nuevo was platted in 1988. The subdivision was platted with deed restrictions filed in volume 860, page 482 M.C.D.R. The restrictions apply to this replat.

A residence has been constructed on the north half and it is now desired to construct a duplex on the south half. The southern side is occupied by manufactured housing which will be removed and replaced by a duplex.

No zoning exists in the county. The desired setbacks are set by this re-plat.

Street Development

Both tracts have access to paved public streets. Pueblo Nuevo and Karen Drive have curb and sidewalks along both roadways.

Water Development

Water service is provided to Lot 54A along Pueblo Nuevo. An additional service will be added to Lot 54B onto a 4 inch water main in the 20 feet wide utility easement on the south side.

Fire protection is provided by a fire hydrant located at the north corner of Karen Drive and Pueblo Nuevo. The static pressure at this fire hydrant was tested and is attached to this report.

Sanitary Sewer Facilities

Sanitary sewer is provided to Lot 54A Pueblo Nuevo. Sanitary sewer service for Lot 54B will be installed onto the 6 inch waste water line in the 20 feet wide utility easement on the south side.

Drainage Development

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

Drainage from this site is south across the lots to a utility easement immediately south of Lot 54B. The drainage area is the land inside the curb. No water from Karen or Pueblo Nuevo enters the subject lot. No water from the adjacent lot enters this lot.

The land uses are residential with most houses developed. The C values are taken from the City of Eagle Pass Ordinance for Drainage. A C value of 0.60 is used for multifamily use. The 25 year and 100 year storm are multiplied by 1.1 and 1.25 as required by the ordinance. This re-subdivision will be developed by constructing a residential structure on Lot 6B. Runoff increase from pre-development conditions to developed is 1.1 cfs to 3.4 cfs in the 100 year storm. This increase is small and no additional development of storm water detention is required.

Hydraulic Calculations for the re-subdivision are attached to this report.

Electric Facilities, Telephone and Cable Television

Electric service is provided by AEP. Electric and telecommunication utilities are available from Karen Drive and Pueblo Nuevo

Gas Service

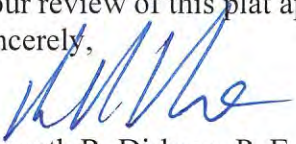
No gas service is required for this re-subdivision.

Construction Cost

No public utilities will be constructed for this project.

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

Sincerely,



Kenneth R. Dirksen, P. E.

Att: Rainfall Runoff Calculations.



Project # : 23-2932
Project : Lot 54, Block 1, Pueblo Nuevo Subdivision
Eagle Pass, Texas

All Calculations are by the Rational Method.
Tables and Values were taken from TxDOT Hydraulic Manual

Drainage Area ROW	1430.00 SF	0.03 Ac
Drainage Area	14202.00 SF	0.33 Ac

Rainfall Intensity		Tc (Kirby) = $K \times L^{0.770} \times S^{-0.385}$
Pre-development	i	Tsc 2.03 Min
Tc=	5 min	K 0.0078
Post Development		L 185 Ft
Tc=	5 min	S 0.010 ft/ft
Use 10 min a practicle minimum Tc.		

Rainfall Intensity from EBDLKUP-2015V2.1.xls

I10=	7.43 in/hr	I25 =	8.56 in/hr	I100 =	10.32 in/hr
------	------------	-------	------------	--------	-------------

Existing	C	Acres	CA	Proposed	Single Family Areas	
Clay Loam	0.17	0.33	0.06	0.6	0.42	0.25
Pavement	0.95	0.03	0.03	0.95	0.01	0.01
Ave C=	0.24	CA=	0.09	0.61	CA=	0.26

Runoff Calculation Q-CIA

	Existing			Proposed		
	Qe 10	Qe 25	Qe100	Qp 10	Qp25	Qp100
DA1	0.6	0.8	1.1 CFS	1.9	1.1	3.4 CFS
DA2	0.0	0.0	0.0 CFS	0.0	0.0	0.0 CFS

Storage Volume Required

Drainage Area ROW	$Q = (Q_{p100} - Q_{e100}) * 60 * T_c =$	677 CF	0.02 Acre Ft
Drainage Area	$Q = (Q_{p100} - Q_{e100}) * 60 * T_c =$	- CF	- Acre Ft



AGREEMENT REGARDING WATER SERVICE FOR THE PROPOSED
Replat of Lot 54, Block 1, El Pueblo Nuevo LTD 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 Guadalupe Guanajuato, 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 54, Block 1, El Pueblo Nuevo Subdivision LTD.

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

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

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

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

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

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

This Agreement is effective on JUNE 26, 2023.

The Utility

By: [Signature]

Printed Name: Jose Zorro

Office or Position: Gen'l Mgr

Date: 6-26-23

The Subdivider

By: [Signature]

Printed Name: Gradalpe Guzman

Office or Position: Owner

Date: 05/17/2023

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 Subdtvision Rules, Revised July 1996.



**AGREEMENT REGARDING WASTEWATER TREATMENT SERVICE FOR THE
PROPOSED Replat of Lot 54, Block 1, El Pueblo Nuevo LTD 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 Guadalupe Guanajuato, 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 54, Block 1, El Pueblo Nuevo Subdivision LTD.

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 280 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 JUNE 26, 2023.

The Utility

By: [Signature]

Printed Name: Jorge Murillo

Office or Position: General Manager

Date: 6-26-23

The Subdivider

By: [Signature]

Printed Name: Guadalupe Guanzuati

Office or Position: Owner

Date: 05/17/2023

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



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

Final Replat of Lot A in School Block of Chula Vista Subdivision Unit V

I. BACKGROUND

A. General Information

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

Owners: Nayla Martinez and Hector Arturo Cantu

Location: 202 School Circle

Property ID Number: 54480

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

Request: Final replat approval to subdivide an approximately 0.5214-acre tract into two residential lots. The property owner has installed the water and sewer improvements, which have been inspected and approved by Eagle Pass Water Works System.

B. Subject Property Information

Parcel Size: 22,710-square feet **Topography:** Generally flat

Vegetation: residential landscaping and native vegetation

Existing Use: One story residence

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

Master Plan: Not in City

C. Vicinity Data

The site is located within an area that features residential developments.

D. Infrastructure

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

Access to the site is provided by School Circle.

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*. 67 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 the subdivision. Please refer to Attachment 1.
2. The property is located within the City's *Extraterritorial Territorial Jurisdiction*, and the policies of the *Master Plan Map* apply to the consideration of this subdivision. The *Master Plan* emphasizes the importance of maintaining the character of the residential neighborhoods.
 - ✓ The replat is consistent with the *Housing Goals* of the *Master Plan*, as the subdivision process will ensure appropriate land development regulation with appropriate lot sizes, paved streets with curb and gutters, and adequate utility services.
 - ✓ The replat is consistent with the *Land Use Development Goals* of the *Master Plan*, as the project is designed to provide for a building lot density that is consistent with the purpose of the *R-1 First One-Family Dwelling District*. This design will allow for the continuing development of the community while retaining the neighborhood character and scale while providing utility services in the most efficient and equitable manner.
 - ✓ The replat is consistent with the *Street Goal* of the *Master Plan*, as access to the site from School Circle is designed to provide the residents of and visitors to Eagle Pass and Maverick County with a street system that will enable them to travel safely and conveniently.
 - ✓ The replat is consistent with the *Thoroughfare Goals* of the *Master Plan*, as School Circle has been designed to be part of a safe and efficient thoroughfare system.
 - ✓ The replat is consistent with the *Storm Drainage Goals* of the *Master Plan*, as the size of the two lots and the eventual density of 2-dwelling-units on the re-plat site will not adversely impact existing area drainage effectiveness.
3. The replat is consistent with City design and specifications, as the project is designed and conditioned to conform to the following sections of *Article IV* in *Eagle Pass Code of Ordinances Chapter 23*:
 - ✓ *Section 23-61* governing street layout, right-of-way and pavement width, street names, streetlights, and road construction testing.
 - ✓ *Section 23-62* governing utility easements
 - ✓ ***Section 23-64* governing sidewalks, the applicant was granted a sidewalk waiver by Eagle Pass City Council at their September 5, 2023 meeting.**
 - ✓ *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 2 for a copy of the *Final Engineering Report* for the subdivision.

4. 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*.
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, by the Maverick County Planning Department.
6. The replat conforms to the provisions of the *Master Plan* and the *Eagle Pass Code of Ordinances* by facilitating the following benefits:
 - Protect private rights while considering public health, safety, and welfare.
 - Provide efficient and economical ways to move people and goods outside the City by an adequate plan for streets and highways.
 - Guide future development in an orderly manner, by stages according to a pattern, so that the County may have balanced land use.
 - Encourage a diversified economic base and encourage public and private investments in land and improvements.
 - Prevent and eliminate blight and slums, making the County attractive to people, commerce, and industry.
 - Create the desire for a more pleasing appearance of the County and incorporate into its physical development the basic principles of good design.
 - Protect and preserve the identity of each neighborhood through use of the guidance provided by the *Master Plan* and the *Code of Ordinances*.
 - Locate all land uses on land best suited for their needs, arranged in such a way as to be mutually beneficial and functional, with ample area to meet long-term needs.
 - Establish a proper relationship between open space, developed areas, building bulk, light and air space, in all future development programs of land use.
 - Encourage and abet the development of civic, cultural, and other public and quasi-public buildings in harmonious and functional groupings.
7. The replat design is consistent with the purpose of the *R-1 First One-Family Dwelling District*.

8. The replat will allow for a use of the property that is consistent with the residential purpose of the *R-1 First One-Family Dwelling District* and the surrounding neighborhood for the following reasons:
- ✓ The subdivision design bears a substantial relationship to the public's health, safety, and welfare.
 - ✓ The subdivision is in accordance with the policies of the *Master Plan* and the residential purpose of the *R-1 District*.
 - ✓ The subdivision is warranted because of the necessity to create additional building lots in the *R-1 District*, and because the proposed development is appropriate to accomplish the reasonable use of the property.
 - ✓ The subject property is suitable for development in general conformance with development standards of the *R-1 District*.
 - ✓ The subdivision will benefit the County as a whole and will not be detrimental to nearby land uses of a similar nature.
 - ✓ The subdivision has been designed and conditioned to comply with all applicable subdivision criteria and standards of 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. Community Development Department Recommendation

The Planning and Zoning Commission recommend to Eagle Pass City Council to **GRANT** final plat approval of the *Replat of Lot A in School Block of Chula Vista Subdivision Unit V*, subject to the plat complying with the provisions of *Article III of City of Eagle Pass Code of Ordinances Chapter 23* governing procedures and specifications for Final Plats.

TRANSMITTED to the parties listed hereafter:

Dirksen Engineering via e-mail

Eagle Pass Planning and Zoning Commission via e-mail

Eagle Pass Community Development Department Report dated April 17, 2024

Attachment 1

Application



CITY OF EAGLE PASS APPLICATION FOR APPROVAL OF FINAL PLAT

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

IDENTIFICATION OF SUBDIVISION AND PLAT

I, Kenneth R. Dirksen, hereby request final plat approval for the proposed subdivision known as Replat of Lot A, School Block, Chula Vista Subdivision Unit V as shown on the accompanying plat, which consists of 1 (number) sheets and which was acknowledged by me on _____ (date).

SUBDIVIDER'S ACKNOWLEDGMENT

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

Kenneth R. Dirksen
Signature of Subdivider (or Authorized Agent)

03/26/2024
Date

PRELIMINARY PLAT APPROVAL

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

☒ A preliminary plat was approved by the City on _____ (date).

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

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

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

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

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

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

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

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

N/A

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

N/A

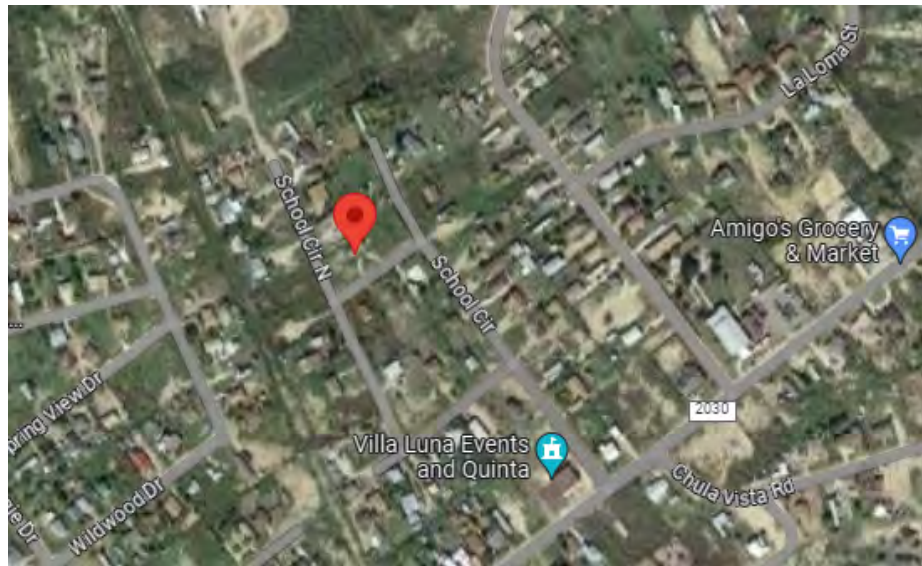
Water facilities. *(Describe installed locations and sizes of water lines, water meters, and other devices involved in providing water.)*

N/A

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

N/A

Site Photos



Attachment 2
Final Engineering Report

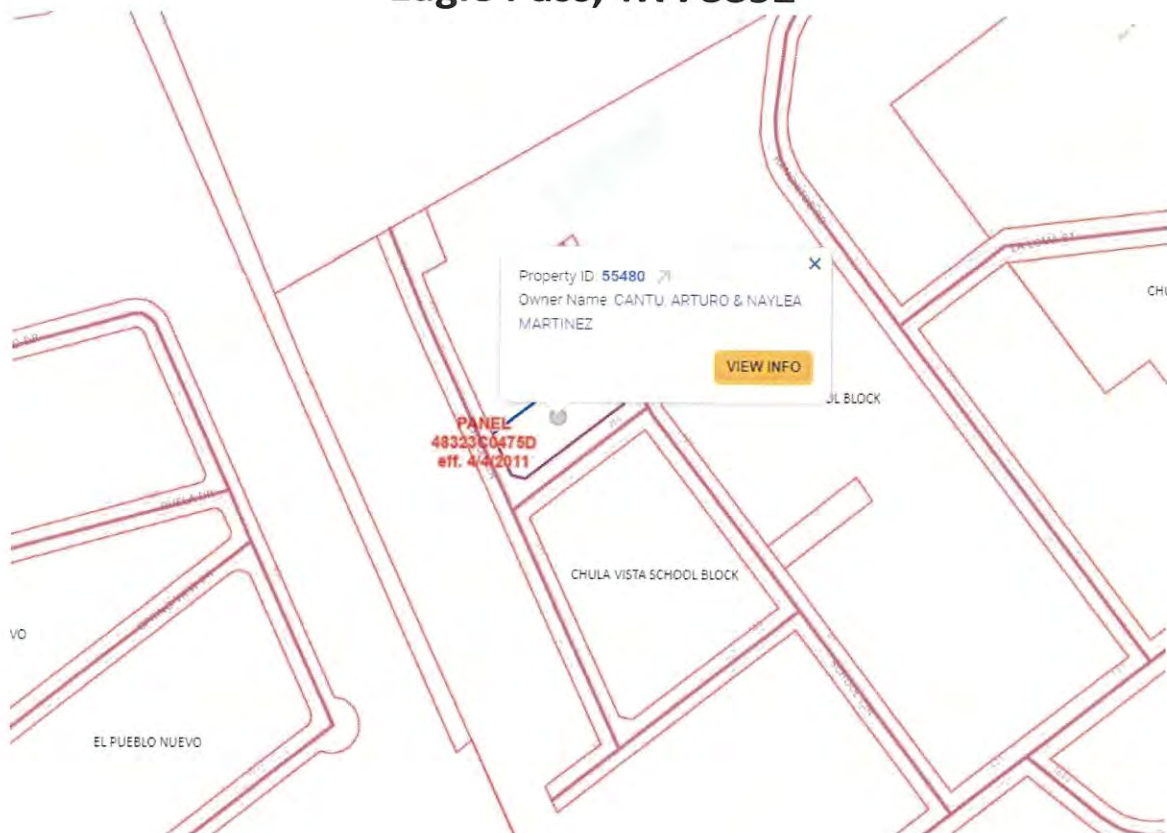
CAVEL ENGINEERING

Civil engineering and drone mapping

Final ENGINEERING & DRAINAGE REPORT

Prepared for:

**Dirksen Engineering
Plat Amendment of Lot A, School Block,
Chula Vista Subdivision Unit V
Maverick County, Texas
Eagle Pass, TX 78852**



Prepared by:

**Cavel Engineering
Engineering Firm #20893
2373 Willowbrae Dr, Eagle Pass, TX
Phone: (830) 872-8799
May 10, 2023**

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1.-INTRODUCTION

This report was prepared by Carlos Velarde, PE., for a 0.5214 Acre property located at 202 School Circle, Eagle Pass, TX 78852. The property is located approximately 3 miles to the southeast of the City of Eagle Pass City Limits. The property consists in the Lot A, School Block of the Chula Vista Subdivision Unit V, as shown on the plat of record on Envelope 160 Side A of the Maverick County Plat Records. The property is not currently zoned and is located to the southeast area of the extra territorial jurisdiction of the City of Eagle Pass, Tx.

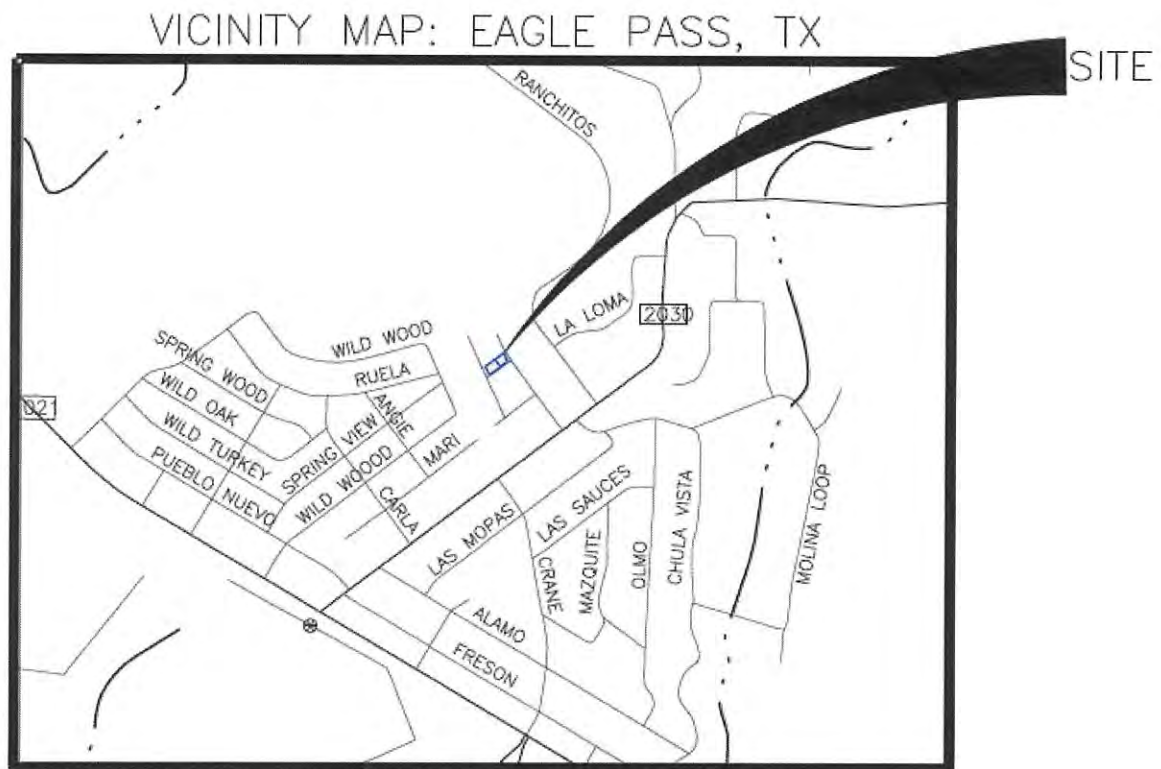


Figure 1. Location Map

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2.-PROPERTY DESCRIPTION AND SITE PROPERTIES

The 0.5214 Acre property consist in Lot A, School Block of the Chula Vista Subdivision Unit V, as shown on the plat of record on Envelope 160 Side A of the Maverick County Plat Records, the land is surrounded by said subdivision. All of this property lies within the extra territorial jurisdiction of the City of Eagle Pass, in Maverick County, Texas.

All of this land is located in Maverick County, Texas, a one-story single-family dwelling is built on the area for the proposed Lot A1, and the area of the proposed Lot A2 is undeveloped. The property is used as a single-family dwelling residence and this proposed replat is to add a new residential lot to the Maverick County within the extra territorial jurisdiction of the City of Eagle Pass.



Figure 2. View from the Southeast corner of the tract

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Figure 3. View from the east side of the property on School Drive.



Figure 4. Intersection of School Circle and same School Circle, to the South of the property

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Figure 5. View of the northeast corner of the property.



Figure 6. Existing residence on proposed Lot A1, view from the southeast

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3.- DRAINAGE CONDITIONS

The site drains naturally to the northwest corner of the property to School Circle most northeasterly end, it is assumed that all proposed development in this replat will be constructed to maintain this drainage flow towards the northwest corner of the property.

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

4.- DRAINAGE CALCULATIONS

EXISTING CONDITION - 10 YEAR

Q 10y= 1.4074008 10 yr- Maximun Rate of runoff (cfs) UNDEVELOPED

PROPOSED CONDITION - 10 YEAR

Q 10y= 2.2161913 10 yr- Maximun Rate of runoff (cfs) DEVELOPED

EXISTING CONDITION - 25 YEAR

Q 25y= 2.1363472 25 yr- Maximun Rate of runoff (cfs) UNDEVELOPED

PROPOSED CONDITION - 25 YEAR

Q 25y= 3.3640412 25 yr- Maximun Rate of runoff (cfs) DEVELOPED

EXISTING CONDITION - 50 YEAR

Q 50y= 2.4689925 50 yr- Maximun Rate of runoff (cfs) UNDEVELOPED

PROPOSED CONDITION - 25 YEAR

Q 50y= 3.8878476 50 yr- Maximun Rate of runoff (cfs) DEVELOPED

EXISTING CONDITION - 100 YEAR

Q 100y= 2.7990632 100 yr- Maximun Rate of runoff (cfs) UNDEVELOPED

PROPOSED CONDITION - 100 YEAR

Q 100y= 4.4076 100 yr- Maximun Rate of runoff (cfs) DEVELOPED

TOTAL AREA= 0.5214 AC.

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

DEVELOPED
AREA= 0.5214 AC.

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

RUNOFF COEFFICIENT CALCULATION (UNDEVELOPED)

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

TOTAL AREA 0.5214 Acres

	SURFACE	AREA (Ac)	COEFF.	TOTAL AREA/AREA1	C=
Building	1500 SF	0.034	0.95	6.60%	0.0627417
Asphalt/Concrete		0.050	0.95	9.59%	0.0911009
Native Vegetation		0.437	0.30	83.81%	0.2514181
				Cw=	0.4052607

C= 0.4052607 Weighted Runoff coefficient UNDEVELOPED

RUNOFF COEFFICIENT CALCULATION (DEVELOPED)

C= 0.6381517 Weighted Runoff coeff (CW)(1.25) FOR +25 YEARS DEV.
C= Weighted Runoff Coefficient Developed

TOTAL AREA 0.5214 Acres

	SURFACE	AREA (Ac)	COEFF.	TOTAL AREA/AREA1	C=
Building	3000 SF	0.069	0.95	13.21%	0.1254833
Asphalt/Concrete		0.100	0.95	19.18%	0.1822018
Native Vegetation		0.353	0.30	67.61%	0.2028363

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Cw= 0.5105214

C=	0.5105214	Weighted Runoff coefficient	DEVELOPED
I 10y=	8.3257295	10 yr- Average Rainfall intensity (in/hr) (calculation below)	
I 25y=	10.110354	25 yr- Average Rainfall intensity (in/hr) (calculation below)	
I 50y=	11.684611	50 yr- Average Rainfall intensity (in/hr) (calculation below)	
I 100y=	13.246685	100 yr- Average Rainfall intensity (in/hr) (calculation below)	
A=	0.5214	Drainage Area (ac)	
Z=	1	Conversion factor (1)	

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

RAINFALL INTENSITY

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

FOR 10-YEAR

I= 8.3257295 in./hr.

e = 0.8774
b = 130.75 in
d = 13.7 min

FOR 25-YEAR

I= 10.110354 in./hr.

e = 0.8792
b = 167.74 in
d = 15.03 min

FOR 50-YEAR

I= 11.684611 in./hr.

FOR 100-YEAR

I= 13.246685 in./hr.

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e = 0.8834 e = 0.8844
b = 203.36 in b = 237.57 in
d = 16 min d = 16.78 min
tc = 9.3749311 min. (Calculation below)

Rainfall Intensity-Duration-Frequency Coefficients for Texas

Based on United States Geological Survey (USGS) Scientific Investigations Report 2004-5041
"Atlas of Depth-Duration Frequency of Precipitation Annual Maxima for Texas"

1. Select English or SI Units

English

2. Select or Enter a County

Maverick

3. Enter a Time of Conc.
Select Units

8.25 min

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

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

Kerby-Kirpich Method for time of concentration

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

t_{ov} = Overland flow time

t_{ch} = Channel flow time

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

t_{ov} =

Engineering and drainage Report, Replat of Lot A, School Block
Chula Vista Subdivision, Unit V, Eagle Pass, TX

June 8 2023

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Overland flow time $K = 0.828$
 A units conversion coefficient $K = 0.828$ for traditional units
 $L =$ the overland-flow length (ft)
 $N =$ A dimensionless retardance coefficient $N = 0.02$
 $S =$ Slope of terrain conveying the overland flow

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

CHANNEL FLOW

$L = 622$ FT
 $ELEV\ 1 = 784$ FT
 $ELEV\ 2 = 794$ FT
 $S = 0.0160772$

$$t_{ov} = 7.0933632 \text{ minutes}$$

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

Channel flow time $K = 0.0078$

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

OVERLAND FLOW

Engineering and drainage Report, Replat of Lot A, School Block
 Chula Vista Subdivision, Unit V, Eagle Pass, TX

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

June 8 2023

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L= 172 FT

ELEV 1 = 792 FT

ELEV 2 = 794 FT

Max. tc = 10 minutes

S= 0.0116279

$t_{ch} =$
2.281568 minutes

$t_c =$
9.37493112 Min

Table 4-10: Runoff Coefficients for Urban Watersheds

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

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Steep grassed slopes	0.7
Lawns:	
Sandy soil, flat 2%	0.05-0.10
Sandy soil, average 2-7%	0.10-0.15
Sandy soil, steep 7%	0.15-0.20
Heavy soil, flat 2%	0.13-0.17
Heavy soil, average 2-7%	0.18-0.22
Heavy soil, steep 7%	0.25-0.35
Streets:	
Asphaltic	0.85-0.95
Concrete	0.90-0.95
Brick	0.70-0.85
Drives and walks	0.75-0.95
Roofs	0.75-0.95

5.- ACCESS TO SITE

The site can be accessed thru School Circle, traveling southeast on El Indio Highway from the City of Eagle Pass City Limits, right after passing loop 480 and approximately 2.06 miles, take a left on FM 2030, travel 0.60 miles to the northeast and take a left on School Circle, travel 0.17 miles to the northwest to get to the northeast corner of the property.

6.- WATER AND SEWER CALCULATIONS

Water Supply: Description.

This tract of land is provided with potable water by means of a main water line running along School Circle.

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

Sewage Facilities: Description.

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Sewage from this subdivision will be disposed of through the sanitary sewer collection system of the City of Eagle Pass. The existing Lot A1 is already connected to the sanitary sewer collection system, and the proposed lot A2 will be connected to the sanitary sewer collection system discharging to an existing sanitary sewer line located at School Circle R.O.W.

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

Water Calculations

RESIDENTIAL USE

2 Dwellings. For total development

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

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

Sanitary Sewer Calculations

RESIDENTIAL USE

2 Dwellings. For total development

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

Infiltration and Inflow Factor = 0.5

Peak Demand Factor = 2.0

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

Note: 1 CFS = 448.83 GPM.

6.- FLOOD INFORMATION

This tract of land is located outside any special flood hazard zone as shown on flood hazard boundary map panel 48323C0475D for Maverick County, Texas and incorporated areas dated April 4, 2011.

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7.- CONCLUSIONS

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

If you have any questions or need more information, contact me at (830) 872-8799 or to my email cavel2@gmail.com.



Digitally signed by Carlos Velarde
DN: cn=Carlos Velarde, o=Cavel
Engineering, ou=Cavel,
email=cavel2@gmail.com, c=US
Date: 2023.06.08 18:45:14 -05'00'

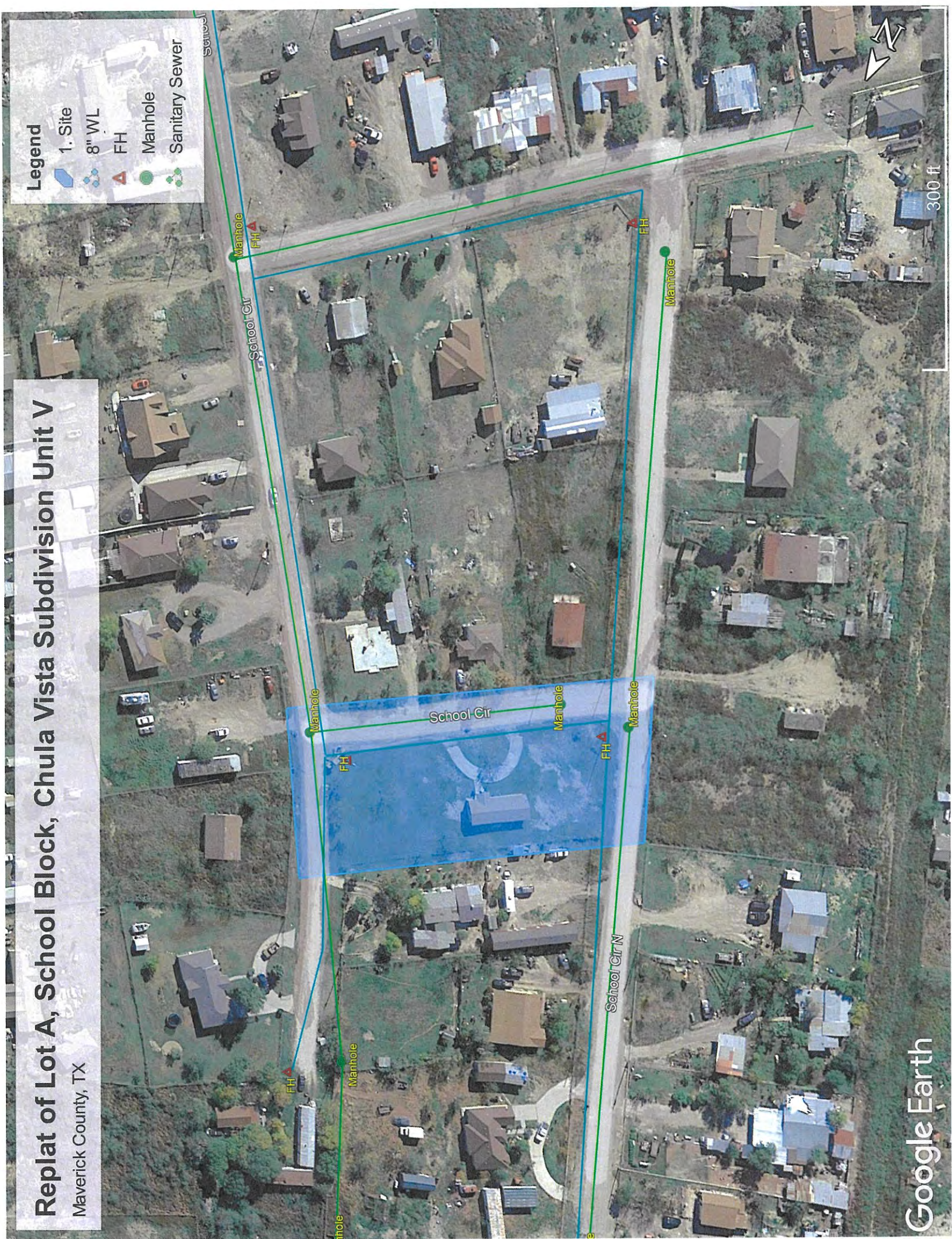
Carlos Arturo Velarde Fernandez, P.E.
Professional Engineer, License No. 134409, Texas.
Eagle Pass, Texas, June 8, 2023.

Replat of Lot A, School Block, Chula Vista Subdivision Unit V

Maverick County, TX

Legend

- 1. Site
- 8" WL
- FH
- Manhole
- Sanitary Sewer





AGREEMENT REGARDING WATER SERVICE FOR THE PROPOSED

Replat of Lot A, School Block, Chula Vista Unit 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 Naylea Martinez, 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 A, School Block, Chula Vista Unit 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
400 gallons daily.

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

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

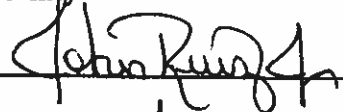
The above provisions notwithstanding, this Agreement shall no longer be in effect if the plat of the Subdivision is not approved by Maverick County and the City of Eagle Pass.

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

This Agreement is effective on MAY 24, 2023.

The Utility

By:



Printed Name: JOHNNY RUIZ

Office or Position: VICE-CHAIRMAN

Date: 5/24/2023

The Subdivider

By:

Naylea Martinez

Printed Name: Naylea Martinez

Office or Position: Owner

Date: 5/3/23

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



AGREEMENT REGARDING WASTEWATER TREATMENT SERVICE FOR THE

PROPOSED Replat of Lot A, School Block, Chula Vista Unit 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 Naylea Martinez, 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 A, School Block, Chula Vista Unit 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 280 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 MAY 24, 2023.

The Utility

By: [Signature]

Printed Name: JOHNNY RUIZ

Office or Position: VICE-CHAIRMAN

Date: 5/24/2023

The Subdivider

By: Naylea Martinez

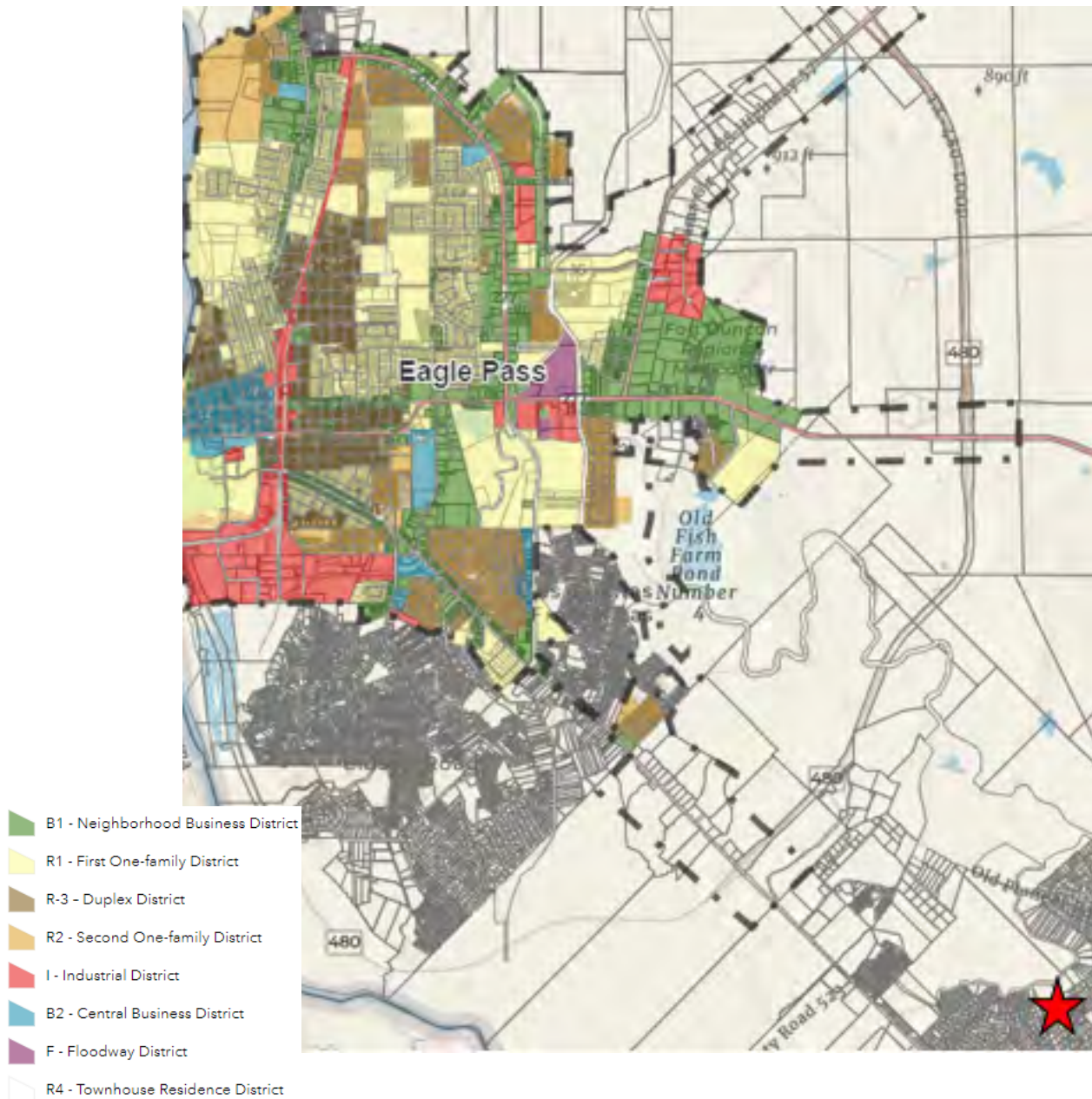
Printed Name: Naylea Martinez

Office or Position: Owner

Date: 5/3/23

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.

Zoning District Map



Item #7



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

I. BACKGROUND

A. General Information

Applicant: Mountain View Engineering I 2107 Veterans Blvd, Ste 4 I Del Rio, Tx 78840

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

Location: 65 School Circle **Property ID Number:** 7245

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

Request: Final replat approval to subdivide an approximately 0.456-acre tract into two (2) residential lots, including (1) a variance to proceed to final plat directly without first having obtained preliminary replat approval, and (2) a sidewalk waiver request.

B. Subject Property Information

Parcel Size: 20,000 square feet

Topography: Generally flat

Vegetation: cleared

Existing Use: Vacant and undeveloped

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

Master Plan: Not in City

C. Vicinity Data

The site is in the 5-mile ETJ and is located within an area that features residential developments.

D. Infrastructure

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

Access to the site is provided by School Circle.

II. PUBLIC NOTICE

Public notification of the subdivision with variance requests before the Planning and Zoning Commission was completed consistent with the provisions of *Chapter 211* of the *State of Texas Local Government Code Title 7*. A legal notice was published in the Eagle Pass News Gram on May 8, 2024. 75 notices were mailed to the abutting property owners within a 500 feet radius of the subject property.

III. RECOMMENDED FINDINGS OF FACT

A. Conclusions

1. The applicant's request contains sufficient information for consideration by the Planning and Zoning Commission. Information contained in this report and the Commission's public meeting will be used as part of the City Council's deliberation process for final approval of the subdivision. Please refer to Attachment 1.
2. The property is located within the City's *Extraterritorial Territorial Jurisdiction*, and the policies of the *Master Plan Map* apply to the consideration of this subdivision. The *Master Plan* emphasizes the importance of maintaining the character of the residential neighborhoods.
 - ✓ The replat is consistent with the *Housing Goals* of the *Master Plan*, as the subdivision process will ensure appropriate land development regulation with appropriate lot sizes, paved streets with curb and gutters, and adequate utility services.
 - ✓ The replat is consistent with the *Land Use Development Goals* of the *Master Plan*, as the project is designed to provide for a building lot density that is consistent with the purpose of the *R-2 Second One-Family Dwelling District*. This design will allow for the continuing development of the community while retaining the neighborhood character and scale while providing utility services in the most efficient and equitable manner.
 - ✓ The replat is consistent with the *Street Goal* of the *Master Plan*, as access to the site from School Circle is designed to provide the residents of and visitors to Eagle Pass and Maverick County with a street system that will enable them to travel safely and conveniently.
 - ✓ The replat is consistent with the *Thoroughfare Goals* of the *Master Plan*, as School Circle has been designed to be part of a safe and efficient thoroughfare system.
 - ✓ The replat is consistent with the *Storm Drainage Goals* of the *Master Plan*, as the size of the two lots and the eventual density of 2-dwelling-units on the re-plat site will not adversely impact existing area drainage effectiveness.
3. The applicant is seeking a sidewalk waiver per Section 23-64(a) of the Subdivision Ordinance as part of his application for the replat. See Attachment 2 for a copy of the application.

City Staff recommends granting of sidewalk waiver and recommend that the sidewalk and curb and gutter be installed at the time of lot development.

4. The applicant seeks a subdivision variance from Section 23-36(a) regulating preliminary plat requirements. See Attachment 3 for a copy of the application.

The subdivision variance is consistent with the subdivision variance decision criteria set forth in *Section 23-11(a)(1)(2)(3)(4)* and *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 public health, safety and welfare and provide for the fair and equitable processing of the final plat and therefore, should be granted.

4. 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. Applicant requested a waiver.
- ✓ *Section 23-66* governing sanitary sewage disposal
- ✓ *Section 23-67* governing potable water supply and fire flow
- ✓ *Section 23-68* governing storm drainage
- ✓ *Section 23-69* governing the size of building lots, including lot width, lot depth, lot orientation, and building setback areas
- ✓ *Section 23-71* governing the installation and inspection of utility lines

Please refer to Attachment 4 for a copy of the *Final Engineering Report* for the subdivision.

5. The subdivision and the subsequent development of the property will be consistent with City design and specifications for landscape and tree preservation set forth in *Article VI in Eagle Pass Code of Ordinances Chapter 23*.
6. 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 permits issued for each of the proposed properties.
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 efficient and economical ways to move people and goods outside the City by an adequate plan for streets and highways.
 - Guide future development in an orderly manner, by stages according to a pattern, so that the City and County may have balanced land use.
 - Encourage a diversified economic base and encourage public and private investments in land and improvements.
 - Prevent and eliminate blight and slums, making the City and County attractive to people, commerce, and industry.
 - Create the desire for a more pleasing appearance of the City and County and incorporate into its physical development the basic principles of good design.
 - Protect and preserve the identity of each neighborhood through use of the guidance provided by the *Master Plan* and the *Code of Ordinances*.

- Locate all land uses on land best suited for their needs, arranged in such a way as to be mutually beneficial and functional, with ample area to meet long-term needs.
 - Establish a proper relationship between open space, developed areas, building bulk, light, and air space, in all future development programs of land use.
 - Encourage and abet the development of civic, cultural, and other public and quasi-public buildings in harmonious and functional groupings.
8. The subdivision will allow for a use of the property that is consistent with the residential purpose of the *R-1 First One-Family Dwelling District* 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-1 First One-Family Dwelling District*.
 - C. The subdivision is warranted because of the necessity to create additional building lots in the *R-1 First One-Family Dwelling District*, and because the proposed development is appropriate to accomplish the reasonable use of the property.
 - D. The subject property is suitable for development in general conformance with development standards of the *R-1 First One-Family Dwelling District*.
 - E. The subdivision will benefit the City as a whole and will not be detrimental to nearby land uses of a similar nature.
 - F. The subsequent development will be designed and conditioned to comply with all applicable subdivision criteria and standards of the City of Eagle Pass.

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

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.

B. Community Development Department Recommendation

The Planning and Zoning Commission (1) **GRANT** the subdivision variance to proceed directly to Final Replat without first having obtained Preliminary Replat approval as required by *City of Eagle Pass Code of Ordinances Section 23-36(a)*, (2) **GRANT** the sidewalk waiver request and install the sidewalk, curb and gutter at the time of lot development, and (3) **GRANT** final plat approval of the *Replat of Lot A in School Block of Chula Vista Subdivision Unit V*, subject to the plat comply with the provisions of *Article III of City of Eagle Pass Code of Ordinances Chapter 23* governing procedures and specifications for Final Plats with the following stipulation:

1. That utilities be constructed prior to plat approval and plat recordation as required by Eagle Pass Water Works System.

TRANSMITTED to the parties listed hereafter:
Mountain View Engineering via e-mail
Eagle Pass Planning and Zoning Commission via e-mail
Community Development Department Report dated May 13, 2024

Attachment 1

Application



PLANNING DEPARTMENT

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

SUBDIVISION APPLICATION

TYPE OF SUBDIVISION (check one):

☐ Preliminary

☒ Final

☒ Replat

☐ Amendment

☐ Short Form Final

Property Legal Description: Lot 26 Chula Vista School Block

Maverick County Property Identification Number(s): ~~5544~~ 7245

Name of Addition: _____

Location of Addition: 65 School Circle

Number of Residential Lots: 2 Number of Commercial Lots: 0 Gross Acreage: 0.956 AC

Number of New Street Intersections NA Linear feet of Streets NA

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

Existing Land Use: Residential Proposed Land Use: Residential

Requested Variances: Proceed To final & Sidewalks

PROPERTY OWNER:

Name: Juan M Vasquez

Contact: _____

Address: 65 School Circle

Phone: 830-325-8182

City: Eagle Pass

Fax: _____

State: Texas Zip: 78852

E-mail: _____

Signature: Juan M Vasquez

Date: 2-20-24

PROPERTY OWNER:

Name: Graciela Vasquez

Contact: _____

Address: P.O. Box 1779

Phone: 830-776-1208

City: Eagle Pass

Fax: _____

State: TX Zip: 78853

E-mail: _____

Signature: Graciela Vasquez

Date: 5-14-2024

RECEIVED
4/29/2024

APPLICANT/SUBDIVIDER:

Name: Hector Canales
Address: 2107 Veterans #4
City: Del Rio
State: TX Zip: 78840
Signature: [Signature]

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

SURVEYOR:

Name: Richard Lamed Assoc.
Address: ~~2107~~ 487 Memo Robinson
City: Eagle Pass
State: TX Zip: 78852
Signature: Fr Guy

Contact: Francisco Gaytan
Phone: 830 773 8308
Fax: _____
E-mail: _____
Date: _____

ENGINEER:

Name: Hector Canales
Address: 2107 Veterans Bld #4
City: Del Rio
State: TX Zip: 78840
Signature: [Signature]

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

PRINCIPAL CONTACT: _____ Owner _____ Applicant _____ Surveyor ☒ Engineer

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

STATEMENT OF APPLICANT

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

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

[Signature]
Applicant Signature

4/16/2024
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.

Juan M Vasquez
Owner / Subdivider Signature

20th February 2024
Date

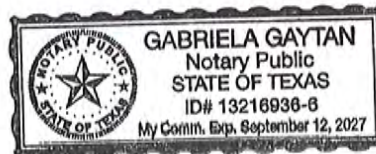
STATE OF TEXAS §

COUNTY OF Maverick §

Before me, the undersigned authority, a notary public for the State of Texas, on this day personally appeared Juan Manuel Vasquez (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 20th day of February, 20 24.

[Signature]
Notary Public, State of Texas



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

WARRANTY DEED

Date: February 24, 2011

Grantor: Gregoria G. Chavez, a widow

Grantor's Mailing Address:

5823 Picardy St.
Lansing, Michigan
48911

Grantee: Juan Manuel Vasquez and Graciela Vasquez

Grantee's Mailing Address:

3293 Fresno Loop
Eagle Pass, Maverick
County, Texas 78852

Consideration: TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration

Property (including any improvements):

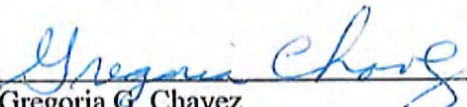
Being Lot 26, in the School Block, Chula Vista Subdivision, Unit V, in Maverick County, Texas, as shown on the plat of said Unit V, which is of record in Envelope 160, Side A, Map Records of Maverick County, Texas, being the same land described in that certain Deed dated August 6, 1985, from M. E. Gary to Jesus S. Chavez and wife, Gregoria G. Chavez, recorded in Vol. 229, Page 85, Deed Records of Maverick County, Texas, reference being here made to said deed and the record thereof for a further description of said land and for all purposes.

Reservations from and Exceptions to Conveyance and Warranty:

1. Subject to any easements, rights-of-way, roadways, encroachments, etc., which a survey or physical inspection might disclose.
2. Any visible and apparent roadway or easement over or across the subject property, the existence of which does not appear of record.

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

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

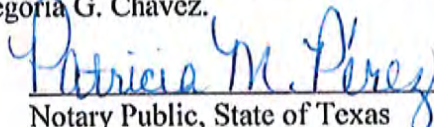

Gregoria G. Chavez

(ACKNOWLEDGMENT)

STATE OF TEXAS §

COUNTY OF MAVERICK §

This instrument was acknowledged before me on this the 14th day of March, 2011, by Gregoria G. Chavez.


Notary Public, State of Texas

Notary Seal:

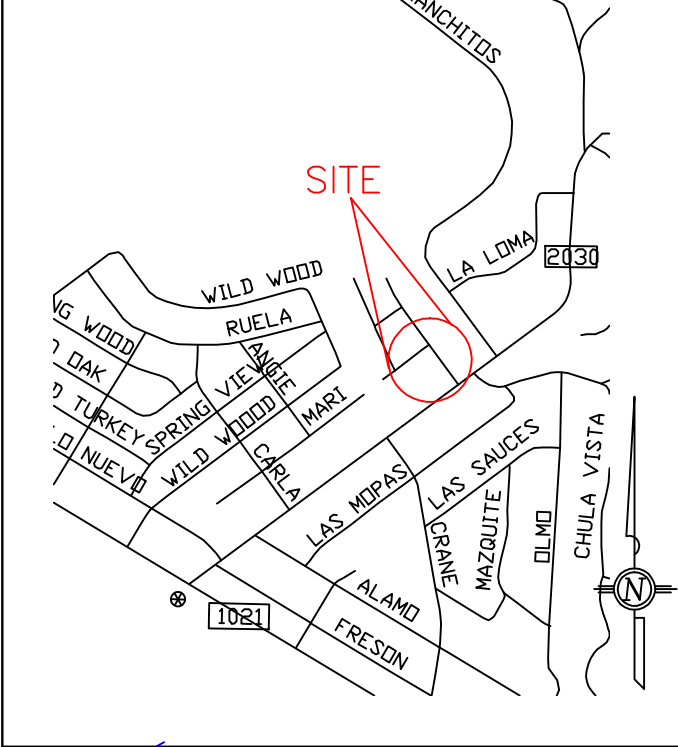


AFTER RECORDING RETURN TO:

GF No. 12110639

PREPARED IN THE LAW OFFICE OF:

BRIAN T. BURRIS
THE BURRIS LAW FIRM
680 Quarry Street
Eagle Pass, Texas 78852



LOCATION MAP
NOT TO SCALE

MOUNTAIN VIEW
ENGINEERING F-15053

CONSULTING ENGINEER:
HECTOR CANALES, P.E.
2107 VETERANS BLVD SUITE 4
DEL RIO, TEXAS 78840

SURVEYOR:
FRANSICO GAYTAN
RICHARD LANE AND ASSOCIATES
2605 ENOHO PARK DR.
EAGLE PASS, TEXAS 78852

STATE OF TEXAS)
COUNTY OF MAVERICK)

OWNER'S DEDICATION, CERTIFICATION, AND ATTESTATION

THE OWNERS OF LOT 26 CHULA VISTA SCHOOL BLOCK SUBDIVISION UNIT V, AND WHOSE NAMES ARE SUBSCRIBED HERETO AND IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, HEREBY DEDICATE TO PUBLIC USE THE STREET AND EASEMENTS SHOWN HEREIN, AND FURTHER CERTIFY THAT THIS PLAT COMPLIES WITH THE REQUIREMENTS OF TEXAS LOCAL GOVERNMENT CODE 212.032 AND THAT:

(A) THE WATER QUALITY AND CONNECTION TO THE LOT(S) WILL MEET THE MINIMUM STATE STANDARDS
(B) THE SEWER CONNECTION TO THE LOT(S) WILL MEET THE MINIMUM REQUIREMENTS OF THE STATE
(C) ELECTRICAL CONNECTION PROVIDED TO THE LOT(S) MEETS THE MINIMUM STATE STANDARDS
(D) THE GAS CONNECTIONS, IF AVAILABLE PROVIDED TO THE LOT(S) MEET OR WILL MEET THE MINIMUM STANDARDS, AND;

WE ATTEST THAT THE MATTERS ASSERTED IN THIS PLAT ARE TRUE AND COMPLETE

REPLAT CERTIFICATION (RESIDENTIAL DEED RESTRICTIONS)
I, JUAN & GRICELA VASQUEZ, THE OWNERS OF LOT 26, CHULA VISTA SCHOOL BLOCK SUBDIVISION UNIT V, AS SHOWN ON THIS REPLAT HEREBY CERTIFY THAT THIS REPLAT DOES NOT ALTER, AMEND OR REMOVE ANY COVENANTS OR RESTRICTIONS; I FURTHER CERTIFY THAT NO PORTION OF THE PROPOSED AREA TO BE REPLATED WAS LIMITED WITHIN THE IMMEDIATE PRECEDING FIVE YEARS BY ANY INTERIM OR PERMANENT ZONING CLASSIFICATION TO RESIDENTIAL USE FOR NOT MORE THAN ONE RESIDENTIAL UNIT PER LOT; WE FURTHER CERTIFY THAT NO LOT COVERED BY THE REPLAT OF LOT 26, CHULA VISTA SCHOOL BLOCK SUBDIVISION V, APPROVED BY THE PLANNING COMMISSION IN THE PAST, WAS LIMITED BY DEED RESTRICTION TO RESIDENTIAL USE FOR NOT MORE THAN ONE RESIDENTIAL UNIT PER LOT.

JUAN VASQUEZ GRICELA VASQUEZ

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

BY JUAN VASQUEZ
SIGNATURE NOTARY PUBLIC STATE OF TEXAS

MY COMMISSION EXPIRES: _____

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

BY GRICELA VASQUEZ
SIGNATURE NOTARY PUBLIC STATE OF TEXAS

MY COMMISSION EXPIRES: _____

PLAT NOTES:

- THIS SUBDIVISION IS LOCATED OUTSIDE THE CITY LIMITS OF EAGLE PASS, TEXAS BUT WITHIN THE 5 MILE E.T.J.
- THIS SUBDIVISION IS NOT LOCATED WITHIN THE FEMA REGULATED 1% ANNUAL FLOODPLAIN AS DEPICTED ON FIRM PANEL #48323C 04530, EFFECTIVE APRIL 4, 2011.
- THE LOTS IN THE SUBDIVISION ARE CURRENTLY SERVED BY A PUBLIC WATER SYSTEM OWNED, OPERATED, AND MAINTAINED BY EAGLE PASS WATER WORKS.
- THE LOTS IN THE SUBDIVISION ARE CURRENTLY SERVED BY A PUBLIC SEWER SYSTEM OWNED, OPERATED, AND MAINTAINED BY EAGLE PASS WATER WORKS.
- THE LOTS IN THE SUBDIVISION ARE CURRENTLY SERVED ELECTRICITY PROVIDED BY AMERICAN ELECTRIC POWER, A PUBLIC UTILITY OPERATED UNDER THE LAWS AND REGULATIONS OF THE STATE OF TEXAS.
- LOTS ARE ZONED RESIDENTIAL.
- AS PER MAVERICK COUNTY THERE ARE NO RESTRICTIONS ASSOCIATED WITH THE LOTS WITHIN THIS SUBDIVISION.
- NO MORE THAN ONE (1) SINGLE FAMILY DETACHED DWELLING SHALL BE LOCATED ON EACH LOT.
- FRONT, REAR AND SIDE SET BACKS SHALL ADHERE TO APPENDIX A, ZONING ORD., SECTION 6.

CITY OF EAGLE PASS
CERTIFICATE OF PLAT APPROVAL

I, THE UNDERSIGNED, CERTIFY THAT THIS REPLAT ESTABLISHING LOTS 26A & 26B, CHULA VISTA SCHOOL BLOCK SUBDIVISION UNIT V, WAS REVIEWED AND APPROVED BY THE CITY COUNCIL OF EAGLE PASS AND APPROVED ON _____, 2024, BY THE CITY COUNCIL OF THE CITY OF EAGLE PASS, TEXAS.

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

NOTARY PUBLIC _____ STATE OF TEXAS

I, THE UNDERSIGNED, CERTIFY THAT THIS REPLAT ESTABLISHING LOTS 26A & 26B, CHULA VISTA SCHOOL BLOCK SUBDIVISION V, WAS REVIEWED AND APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF EAGLE PASS, TEXAS

CHAIRMAN OF THE CITY OF EAGLE PASS
PLANNING AND ZONING COMMISSION _____ DATE _____

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

NOTARY PUBLIC _____ STATE OF TEXAS

CITY OF EAGLE PASS
CERTIFICATE OF PLAT APPROVAL

I, THE UNDERSIGNED, CERTIFY THAT THIS REPLAT ESTABLISHING LOTS 26A & 26B CHULA VISTA SCHOOL BLOCK SUBDIVISION UNIT V, WAS REVIEWED AND APPROVED BY THE CITY MANAGER OF THE CITY OF EAGLE PASS, TEXAS

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

NOTARY PUBLIC _____ STATE OF TEXAS

STATE OF TEXAS
COUNTY OF MAVERICK

I, HON. SARA MONTEMAYOR, COUNTY CLERK OF MAVERICK COUNTY, TEXAS, DO HEREBY CERTIFY THAT THIS PLAT WAS

FILED IN MY OFFICE ON THE _____ DAY OF _____
2024 AT _____ IN THE RECORDS OF SAID COUNTY, IN
THE BOOK END _____, SLIDE _____ IN TESTIMONY
WHEREOF WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE
THIS THE _____ DAY OF _____, 2024.

HON. SARA MONTEMAYOR
MAVERICK COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF MAVERICK
WE THE UNDERSIGNED, CERTIFY THAT THIS RE-PLAT OF LOT 26 CHULA VISTA SCHOOL BLOCK SUBDIVISION UNIT V, WAS REVIEWED AND APPROVED BY THE COUNTY COMMISSIONER'S COURT OF THE COUNTY OF MAVERICK, TEXAS

MAVERICK COUNTY JUDGE _____ DATE _____
SWORN TO AND SUBSCRIBED BEFORE ME THIS _____ DAY OF _____, 2024.

NOTORARY PUBLIC, STATE OF TEXAS

METES AND BOUNDS

A TRACT OF LAND CONTAINING 0.458 ACRES (20,000 SF), LOT 26, CHULA VISTA SCHOOL BLOCK SUBDIVISION UNIT V, ACCORDING TO THE ORIGINAL PLAT THEREOF RECORDED IN ENVELOPE 160, SIDE A OF THE MAP RECORDS OF THE COUNTY CLERK OF MAVERICK COUNTY, TEXAS, (REFERENCE TO WHICH IS HERE MADE FOR ALL PURPOSES), SAID IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

POINT OF BEGINNING (P.O.B.) BEING AT A 1/2-INCH IRON ROD FOUND FOR THE APPARENT NORTH CORNER OF SAID LOT 26 AND BEING THE APPARENT EXISTING SOUTHEAST R.O.W. LINE OF SCHOOL CIRCLE AND BEING THE P.O.B. OF SAID 0.458 ACRE TRACT HEREIN DESCRIBED;

THENCE, S 37°28'49" E, WITH THE SAID NORTHWEST LOT LINE OF LOT 26 AND SOUTHEAST R.O.W. LINE OF SCHOOL CIRCLE, A DISTANCE OF 200.00' FEET TO A 1/2-INCH IRON ROD FOUND;

THENCE, S 52°31'11" W, A DISTANCE OF 100.00 FEET TO A 1/2-INCH IRON ROD FOUND;

THENCE, N 37°28'49" W, A DISTANCE OF 200.00 FEET TO A 1/2-INCH IRON ROD FOUND;

THENCE, N 52°31'11" E, A DISTANCE OF 100.00 FEET TO A 1/2-INCH IRON ROD FOUND; ALSO BEING THE P.O.B. CONTAINING 0.458 ACRES.

STATE OF TEXAS)
COUNTY OF VAL VERDE)

I, HECTOR CANALES, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS (NO. 97833), HEREBY CERTIFY THAT THE WATER AND WASTEWATER SERVICES FOR THIS PLAT WERE DESIGNED IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY OF EAGLE PASS, TEXAS, THAT THESE SERVICES ARE CONNECTED TO A PUBLIC WATER AND SEWER UTILITIES OPERATED AND MAINTAINED BY THE CITY OF EAGLE PASS, TEXAS. THESE WATER AND SEWER DESIGNS ARE IN COMPLIANCE WITH THE MODEL SUBDIVISION RULES ADOPTED UNDER 16.343, TEXAS WATER CODE.

HECTOR CANALES, P.E. _____ DATE _____
REGISTERED PROFESSIONAL ENGINEER

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

NOTARY PUBLIC _____ STATE OF TEXAS

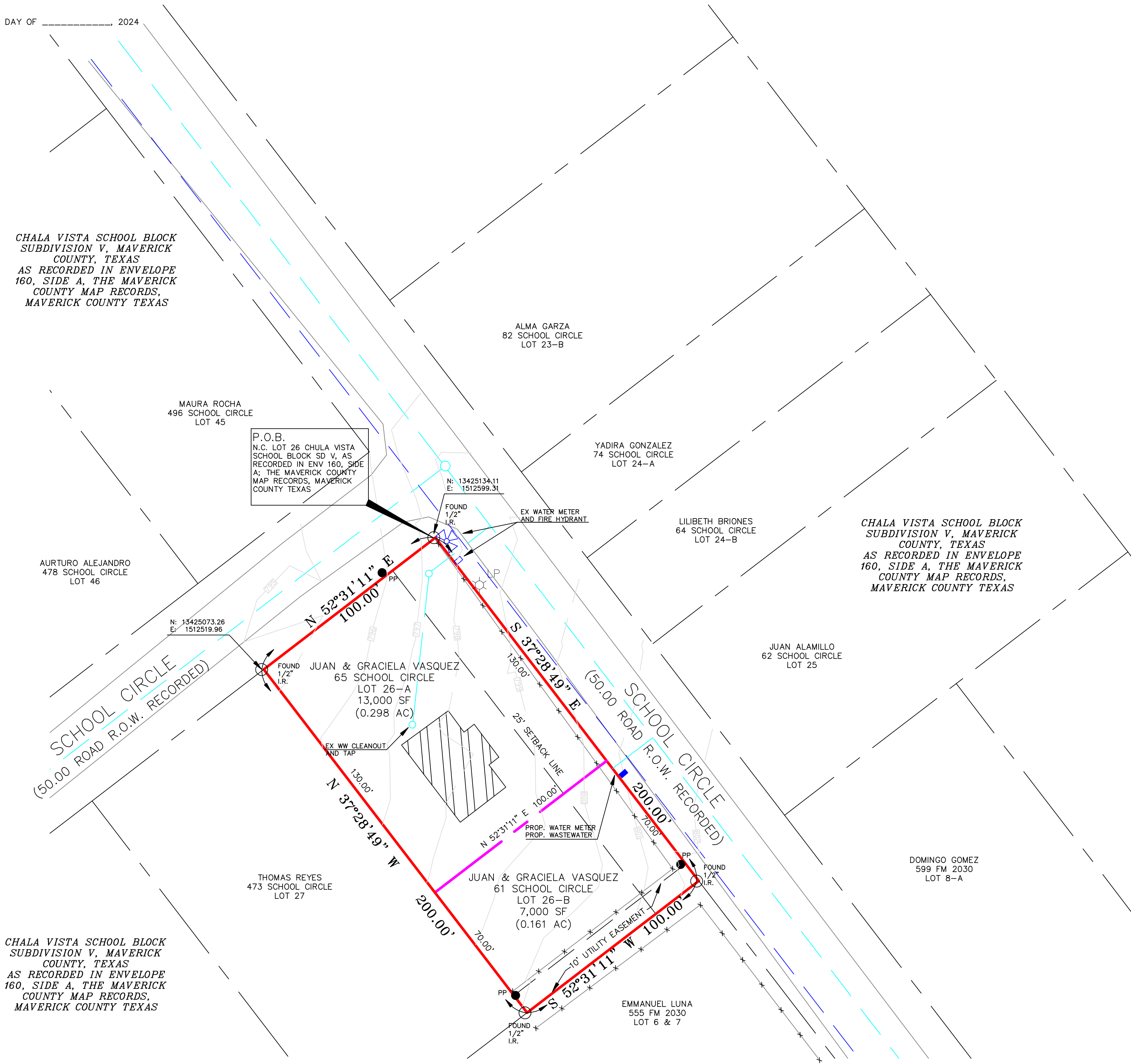
STATE OF TEXAS)
COUNTY OF MAVERICK)

I, FRANCISCO GAYTAN, A REGISTERED PROFESSIONAL LAND SURVEYOR IN TEXAS, HEREBY CERTIFY THAT THE FOREGOING PLAT AND DESCRIPTION OF THE REPLAT LOT 26, CHULA VISTA SCHOOL BLOCK SUBDIVISION UNIT V, WAS PREPARED FROM A SURVEY OF THE PROPERTY MADE ON THE GROUND BY ME OR UNDER MY SUPERVISION.

FRANCISCO GAYTAN _____ DATE _____
REGISTERED PROFESSIONAL LAND SURVEYOR
REG. NO. 5474

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

NOTARY PUBLIC _____ STATE OF TEXAS

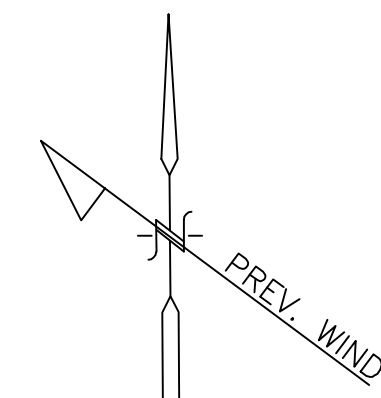


CHALA VISTA SCHOOL BLOCK
SUBDIVISION V, MAVERICK
COUNTY, TEXAS
AS RECORDED IN ENVELOPE
160, SIDE A, THE MAVERICK
COUNTY MAP RECORDS,
MAVERICK COUNTY TEXAS

CHALA VISTA SCHOOL BLOCK
SUBDIVISION V, MAVERICK
COUNTY, TEXAS
AS RECORDED IN ENVELOPE
160, SIDE A, THE MAVERICK
COUNTY MAP RECORDS,
MAVERICK COUNTY TEXAS

LEGEND

- - FOUND 1/2" IRON ROD
- ⊗ - SET 1/2" IRON ROD
- - FOUND 1" PIPE
- - SET 60-D NAIL
- P.O.B. - POINT OF BEGINNING
- + + + + 1% FLOODPLAIN
- EX CONCRETE
- EX BUILDING
- EX LIGHT POLE
- EX FIRE HYDRANT
- PLAT BOUNDARY
- PLAT INTERIOR BOUNDARY
- BOUNDARY OTHER
- UTILITY EASEMENT
- EX WASTE WATER LINE
- EX WATER LINE
- EX FENCE LINE



Scale: 1" = 30'

RE-PLAT OF LOT 26 CHULA VISTA SCHOOL BLOCK SUBDIVISION UNIT V

BEING LOT 26 CHULA VISTA SCHOOL BLOCK SUBDIVISION UNIT V, MAVERICK COUNTY RECORDED IN ENVELOPE 160, SIDE A; OF THE MAVERICK COUNTY MAP RECORDS, MAVERICK COUNTY TEXAS

REPLAT PREPARED:
MAY 14, 2024

CHALA VISTA SCHOOL BLOCK
SUBDIVISION V, MAVERICK
COUNTY, TEXAS
AS RECORDED IN ENVELOPE
160, SIDE A, THE MAVERICK
COUNTY MAP RECORDS,
MAVERICK COUNTY TEXAS

ALMA GARZA
82 SCHOOL CIRCLE
LOT 23-B

MAURA ROCHA
496 SCHOOL CIRCLE
LOT 45

P.O.B.
N.C. LOT 26 CHULA VISTA
SCHOOL BLOCK SD V, AS
RECORDED IN ENV 160, SIDE
A; THE MAVERICK COUNTY
MAP RECORDS, MAVERICK
COUNTY TEXAS

YADIRA GONZALEZ
74 SCHOOL CIRCLE
LOT 24-A

LILIBETH BRIONES
64 SCHOOL CIRCLE
LOT 24-B

CHALA VISTA SCHOOL BLOCK
SUBDIVISION V, MAVERICK
COUNTY, TEXAS
AS RECORDED IN ENVELOPE
160, SIDE A, THE MAVERICK
COUNTY MAP RECORDS,
MAVERICK COUNTY TEXAS

AURTURO ALEJANDRO
478 SCHOOL CIRCLE
LOT 46

N: 13425073.26
E: 1512519.96

N: 13425134.11
E: 1512599.31

EX WATER METER
AND FIRE HYDRANT

JUAN ALAMILLO
62 SCHOOL CIRCLE
LOT 25

DOMINGO GOMEZ
599 FM 2030
LOT 8-A

CHALA VISTA SCHOOL BLOCK
SUBDIVISION V, MAVERICK
COUNTY, TEXAS
AS RECORDED IN ENVELOPE
160, SIDE A, THE MAVERICK
COUNTY MAP RECORDS,
MAVERICK COUNTY TEXAS

THOMAS REYES
473 SCHOOL CIRCLE
LOT 27

JUAN & GRACIELA VASQUEZ
65 SCHOOL CIRCLE
LOT 26-A
13,000 SF
(0.298 AC)

EX WW CLEANOUT
AND TAP

JUAN & GRACIELA VASQUEZ
61 SCHOOL CIRCLE
LOT 26-B
7,000 SF
(0.161 AC)

PROP. WATER METER
PROP. WASTEWATER

EMMANUEL LUNA
555 FM 2030
LOT 6 & 7

RE-PLAT OF LOT 26 CHULA VISTA SCHOOL BLOCK SUBDIVISION U

BEING LOT 26 CHULA VISTA SCHOOL BLOCK SUBDIVISION UNIT V, MAVERICK COUNTY RECORDED IN ENVELOPE 160, SIDE A; OF THE MAVERICK COUNTY MAP RECORDS MAVERICK COUNTY TEXAS

Aerial View



Site Photos





Attachment 2
Sidewalk Waiver Request



PLANNING DEPARTMENT

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

Subdivision Sidewalk Waiver Application

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

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

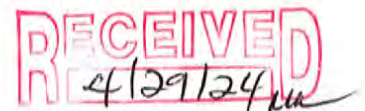
- (1) Where construction of a sidewalk by a subdivider on either or both sides of a street or a portion of a street would be either unnecessary or unsafe due to the particular physical characteristics of the terrain in the subdivision, the safety and necessity of which shall be determined by the Planning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

Applicant Information

Applicant (if not owner): Hector Canales
Phone: 830 734 2991 Email: hcanales1963@yahoo.com
Owner: Juan Vasquez
Owner Address: 65 School Cir. City: Eagle Pass State: TX Zip: 78852
Phone: 830 325 8182 Email: _____

Property Information

Site Address: 65 School Circle EPTX 78852
Legal description (from deed): ATTACHED
(Property must be legally subdivided or be lot of record)
Maverick County Identification Number: 7245



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

Replat Doc. attached with information

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

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

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

No Side walks are currently in place
through out The SD. No curbs exist as well

Applicant Authorization

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

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

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


Applicant Signature

4/17/2024
Date

Attachment 3
Subdivision Variance Request



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): Hector Canales
Address: 2107 Veterans #4 Del Rio TX 78840
Phone: 830 734 2491 E-mail: hcanales1463@yahoo.com
Owner: Juan Vasquez
Address: 65 School Circle Eagle Pass TX 78842
Phone: 830 325 8182 E-mail: _____

Property Information

Site Address: 65 School Circle MCAD Property ID No. 7245
Legal Description (from deed): ATTACHED

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 is platted & is being replatted to divide the lot

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

No affect will occur



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

No affect will occur

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.

Many Replats of Lots have occurred ~~at~~
within the SD

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

4/17/2024

Date

Attachment 4
Final Engineering Report

Mountain View Engineering

Re-Plat Lot 26
Chula Vista School Block SD Unit V

Final Engineering Report

May 14, 2024



Approved by:

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

Mountain View Engineering

Mountain View Engineering (MVE) has been contracted for a Re-Plat of Lot 26 School Circle SD Unit V in Maverick County TX, located at 65 School Circle. This property is not located within the City of Eagle Pass but within the ETJ.

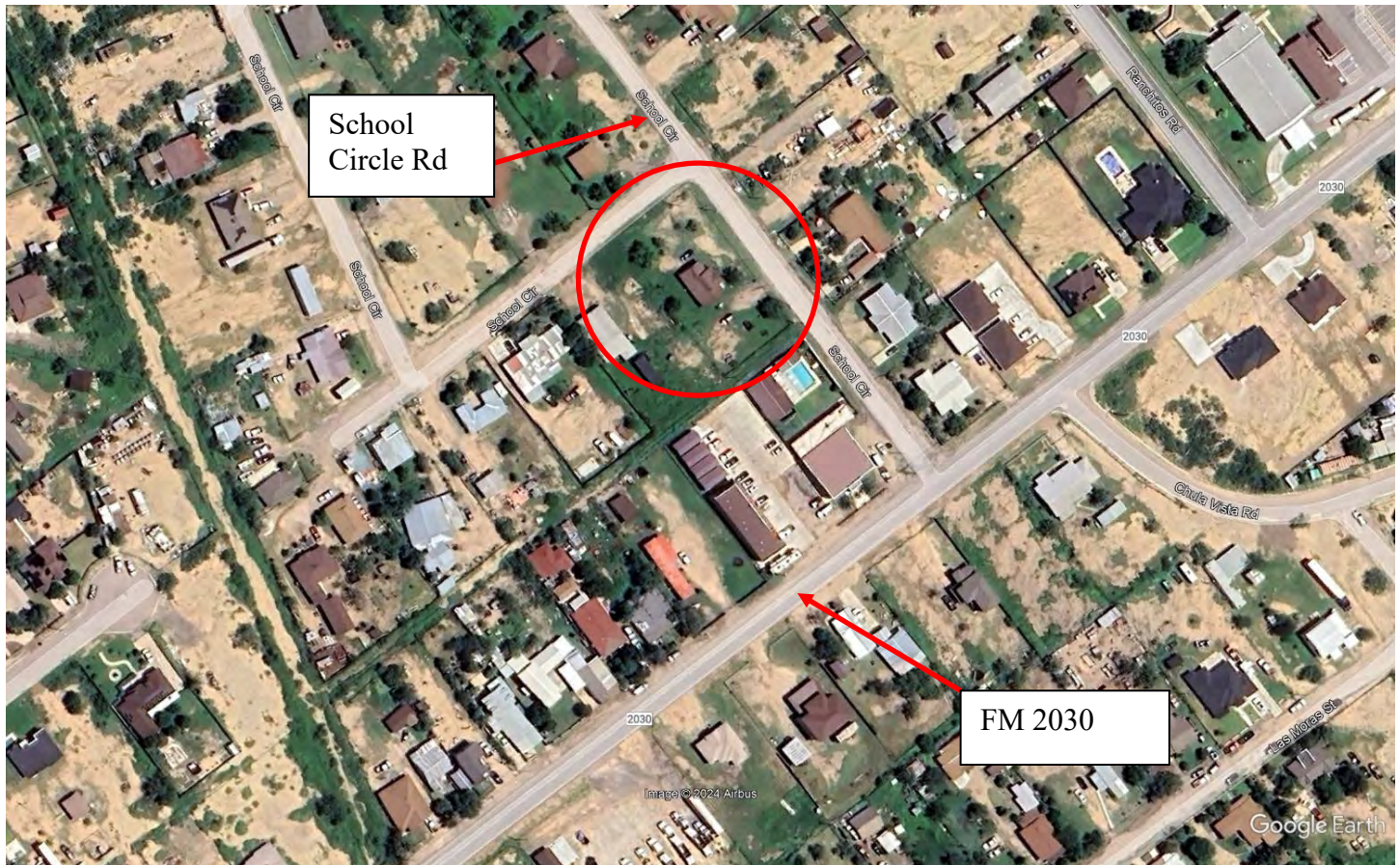


Figure 1: Location Map

There is a 8" waterline within the School Circle and Sanitary Sewer line within the same street that currently services the property. There is a fire hydrant at the corner of the property. The site is also serviced with electric power from AEP who own the poles and wires.

The proposed lots have roadway access via School Circle. No new streets will be constructed with this plat.

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.

There is no improved storm drainage system within the subdivision and all the stormwater runs off onto the existing streets.

X 78840



AGREEMENT REGARDING WATER SERVICE FOR THE PROPOSED

Replat Lot 26 Chula Vista School Block SD

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 Hector Canales, 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 Lot 26 Chula Vista School Block SD.

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
60 Gal Per Lot 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 02/21/2024.

The Utility

By: Johnny Ruiz

Printed Name: JOHNNY RUIZ

Office or Position: VICE-CHAIRMAN

Date: 02/21/2024

The Subdivider

By: Hector Canales

Printed Name: Hector Canales

Office or Position: Engineer

Date: February 12, 2024

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 Lot 26 Chula Vista School Block SD **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 Hector Canales, 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 Lot 26 Chula Vista School Block SD.

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 60 Gal Per Lot 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 02/21/2024.

The Utility

By:

Johnny Ruiz

Printed Name: JOHNNY RUIZ

Office or Position: VICE-CHAIRMAN

Date: 02/21/2024

The Subdivider

By:

Hector Canales

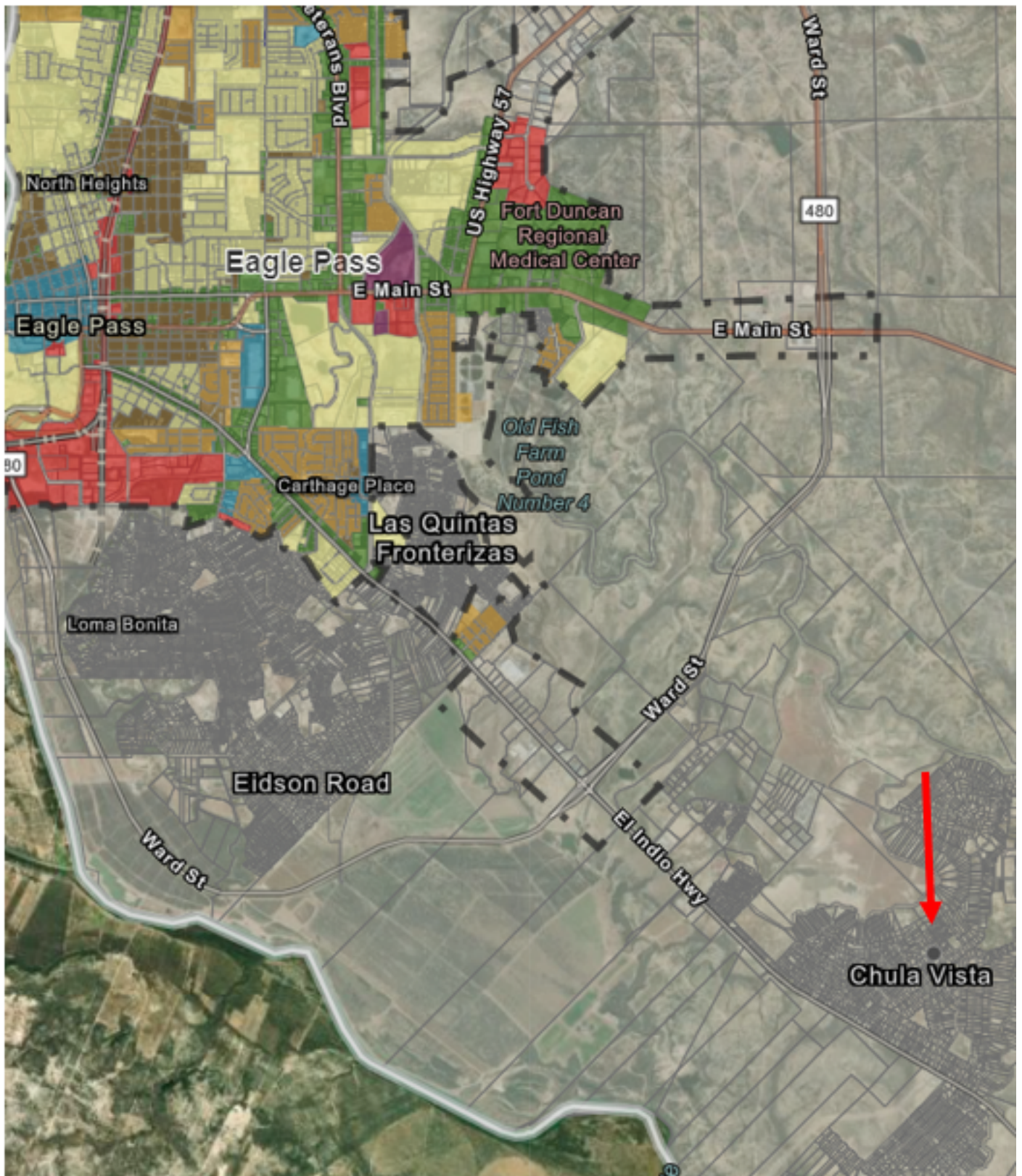
Printed Name: Hector Canales

Office or Position: Engineer

Date: February 12, 2024

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

Attachment 5
Zoning District Map



Item #8



Community Development Department Executive Summary REPORT TO PLANNING AND ZONING COMMISSION

Master Plan Map of Maverick Business Park – 190.4 acres

I. BACKGROUND

A. General Information

Engineer of Record: Dirksen Engineering I 441 Fort Clark, Ste B I Uvalde, TX 78801

Developer: NOP Maverick 500, LP & NOP Maverick 5200, LP

Location: Property is in east corner of US Hwy 57 and Loop 480 and partially inside city limits.

PID: 2872 & 90008922

Number of proposes lots: 14 (commercial)

Number of new street intersections: 4

Linear feet of streets: 8,447

Request: Approval of the Master Plan Map for Maverick Business Park consisting of 190.4 acres.

B. Infrastructure

Public utilities/franchises, including water, sanitary sewer, storm drainage, telephone, electric service, gas, cable, and garbage service are available to serve the proposed master plan.

Proposed access to the site to be provided by Loop 480 and Hwy 57.

C. Vicinity Data

This site is located off Loop 480 and Highway 57 and surrounded by undeveloped land.

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 Master Plan approval.
2. The subdivision of the property is in conformance with the provisions of the *Master Plan* and the *Eagle Pass Code of Ordinances* by facilitating the following benefits:
 - Protect private rights while considering public health, safety, and welfare.
 - Provide efficient and economical ways to move people and goods outside the City by an adequate plan for streets and highways.

- Guide future development in an orderly manner, by stages according to a pattern, so that the City may have balanced land use.
 - Encourage a diversified economic base and encourage public and private investments in land and improvements.
 - Prevent and eliminate blight and slums, making the City attractive to people, commerce, and industry.
 - Create the desire for a more pleasing appearance of the City and incorporate into its physical development the basic principles of good design.
 - Protect and preserve the identity of each neighborhood through use of the guidance provided by the *Master Plan* and the *Code of Ordinances*.
 - Locate all land uses on land best suited for their needs, arranged in such a way as to be mutually beneficial and functional, with ample area to meet long-term needs.
 - Establish a proper relationship between open space, developed areas, building bulk, light and air space, in all future development programs of land use.
 - Encourage and abet the development of civic, cultural, and other public and quasi-public buildings in harmonious and functional groupings.
3. The approval of this Master Plan 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 2 of this report.

B. Community Development Department Recommendation

The Planning and Zoning Commission **GRANT** the Master Plan Map for Maverick Business Park incorporating 190.4 acres subject to plan to comply with the provisions of *City of Eagle Pass Code of Ordinances Chapter 23* Section 23-13.1 governing subdivision plat submittal requirements.

TRANSMITTED to the parties listed hereafter:

Dirksen Engineering via e-mail
 Eagle Pass Planning and Zoning Commission via e-mail
 Eagle Pass Community Development Department Report dated May 13, 2024

Attachment 1

Application



COMMUNITY DEVELOPMENT DEPARTMENT

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

SUBDIVISION APPLICATION

TYPE OF SUBDIVISION (check one):

- ☐ Preliminary Plat ☐ Final Plat ☐ Replat ☐ Amended Plat
☐ Short Form Final ☐ Vacating Plat ☒ Master Plan

Name of Subdivision: Maverick Business Park

Property Legal Description: 190.4 acres located in Abstracts 358, 359, 417 Maverick County, Texas

Maverick County Property Identification Number(s): 2872 & 9008922

Location of Addition: East corner of US 57/Loop 480

Number of Residential Lots: 0 Number of Commercial Lots: 14 Gross Acreage: 190.4

Number of New Street Intersections 4 Linear feet of Streets 8447lf

Is Subdivision inside city limits? Yes ☒ No ☐; Zoning District: BUSINESS

Existing Land Use: residential

Proposed Land Use: commercial/industrial

Do you propose deed restrictions? Yes ☐ No ☒ (If yes, please attach copy)

Requested Variances: _____

PROPERTY OWNER:

NAME: NOP Maverick 500, LP and
NOP Maverick 5200, LP

Address: 100 NE Loop 410, Suite 775

City: San Antonio

State: TX Zip: 78216

Signature: *Ronald McDonald*

Contact: R.W.McDonald

Phone: 512-695-3532

Fax: _____

E-mail: RW4@nxstep.com

Date: 04-29-2024

RECEIVED
4/30/24

Pending approval TIA
from TxDOT & community permit
we

PROPERTY OWNER:

Name: _____

Address: _____

City: _____

State: _____ Zip: _____

Signature: _____

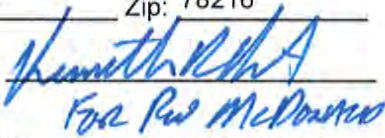
Contact: _____

Phone: _____

Fax: _____

E-mail: _____

Date: _____

APPLICANT:NOP Maverick 500, LP and
Name: NOP Maverick 5200, LPAddress: 100 NE Loop 410, Suite 775City: San AntonioState: TX Zip: 78216Signature: Contact: R.W.McDonaldPhone: 512-695-3532

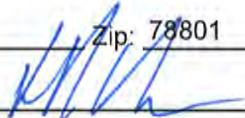
Fax: _____

E-mail: RW4@nxstep.com

Date: _____

SURVEYOR:Name: Dirksen EngineeringAddress: 441 Fort Clark, Ste BCity: UvaldeState: TX Zip: 78801Signature: Contact: Kenneth DirksenPhone: 830-279-9447

Fax: _____

E-mail: kendirksen@sbcglobal.netDate: 04-29-2024**ENGINEER:**Name: Dirksen EngineeringAddress: 441 Fort Clark, Ste BCity: UvaldeState: TX Zip: 78801Signature: Contact: Kenneth DirksenPhone: 830-279-9447

Fax: _____

E-mail: kendirksen@sbcglobal.netDate: 04-29-2024**PRINCIPAL CONTACT:** _____ Owner _____ Applicant X Surveyor _____ EngineerAll City communication regarding the subdivision will be directed only to the designated principal contact.

STATEMENT OF OWNER/SUBDIVIDER

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

[Signature]
Owner / Subdivider Signature

Feb 17, 2024
Date

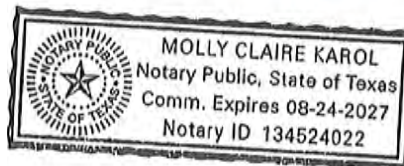
STATE OF TEXAS §

COUNTY OF TRAVIS §

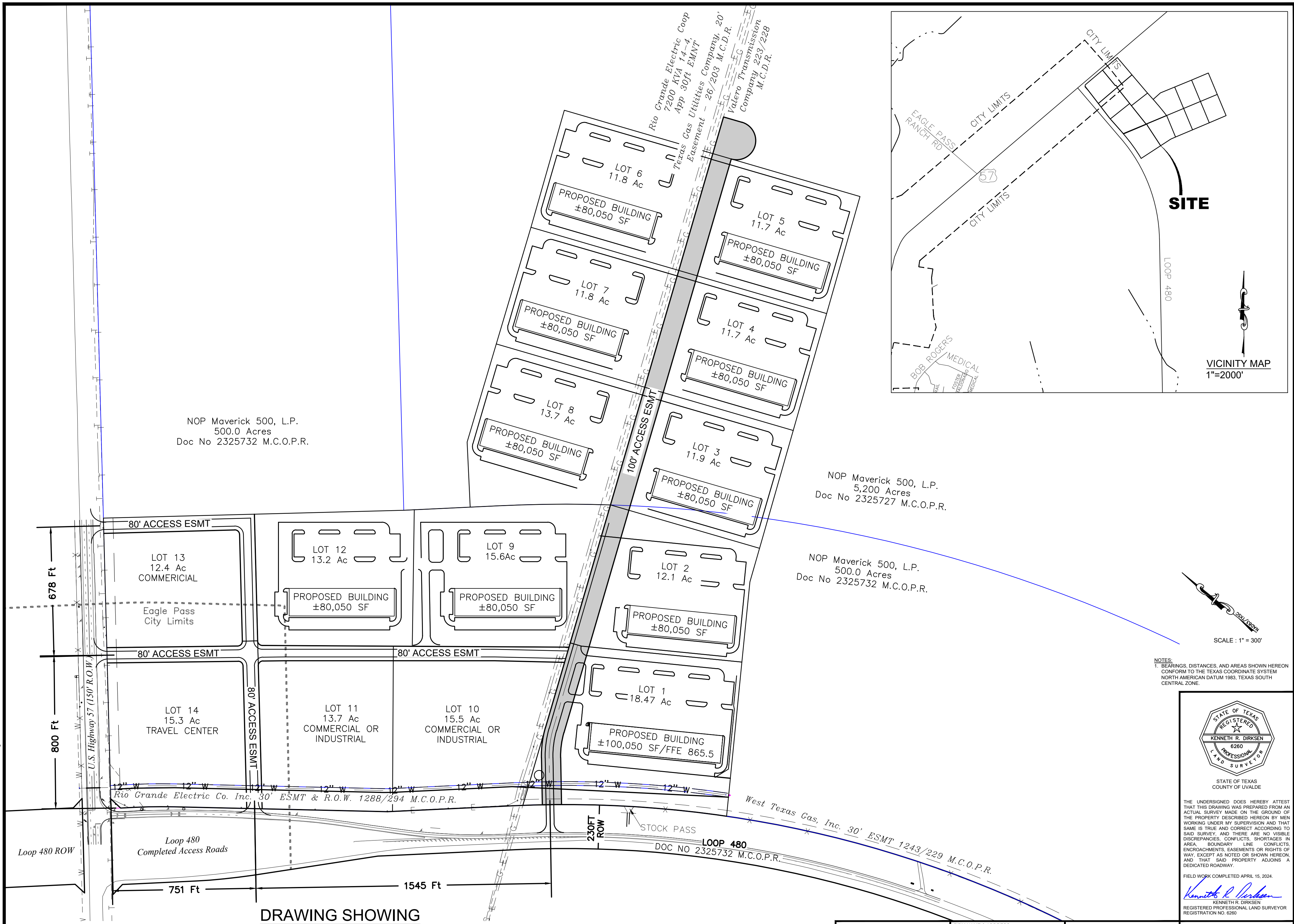
Before me, the undersigned authority, a notary public for the State of Texas, on this day personally appeared Kevin McDonald, Jr. (Name), Manager (Title), known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he executed the same for the purpose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

Given under my hand and seal of office, this the 17th day of February, 2024.

[Signature]
Notary Public, State of Texas



LODRN: KRS
PLOT DATE: 03/06/2024 1:43 PM
PEN STYLE: DRK:2B
SHEET SET: 23-3046-MP-4pg
FILE LOCATION: S:\COMPLETE\23-3046 MASTERP\DWG\23-3046-MP-4pg



NOP Maverick 500, L.P.
500.0 Acres
Doc No 2325732 M.C.O.P.R.

NOP Maverick 500, L.P.
5,200 Acres
Doc No 2325727 M.C.O.P.R.

NOP Maverick 500, L.P.
500.0 Acres
Doc No 2325732 M.C.O.P.R.

NOTES:
1. BEARINGS, DISTANCES, AND AREAS SHOWN HEREON CONFORM TO THE TEXAS COORDINATE SYSTEM NORTH AMERICAN DATUM 1983, TEXAS SOUTH CENTRAL ZONE.



THE UNDERSIGNED DOES HEREBY ATTEST THAT THIS DRAWING WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND OF THE PROPERTY DESCRIBED HEREON BY MEN WORKING UNDER MY SUPERVISION AND THAT SAME IS TRUE AND CORRECT ACCORDING TO SAID SURVEY, AND THERE ARE NO VISIBLE DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS, EASEMENTS OR RIGHTS OF WAY, EXCEPT AS NOTED OR SHOWN HEREON, AND THAT SAID PROPERTY ADJOINS A DEDICATED ROADWAY.

FIELD WORK COMPLETED APRIL 15, 2024.
Kenneth R. Dirksen
KENNETH R. DIRKSEN
REGISTERED PROFESSIONAL LAND SURVEYOR
REGISTRATION NO. 6260

DRAWING SHOWING

Masterplan of Maverick Business Park located northeast of Eagle Pass at the intersection of US 57/Loop 480.
Total Land encompassed by this masterplan is 190.4 acres.
Not a boundary survey.

THIS GRAPHIC WORK REPRESENTS THE RESULTS OF A SURVEY BEING PROVIDED BY DIRKSEN ENGINEERING SOLELY FOR THE EXCLUSIVE USE OF THE PARTIES SHOWN HEREON AND FOR THE PURPOSE SHOWN ABOVE. THE GRAPHIC REPRESENTATION SHOWN HEREON DEPICTS CERTAIN CONDITIONS FOUND EXISTING AS OF THE DATE OF THE ACTUAL SURVEY AND IS LIMITED TO THESE CONDITIONS FOUND AT THAT TIME. NO LICENSE HAS BEEN CREATED, EXPRESSED OR IMPLIED, TO COPY THIS GRAPHIC WORK. ALL RIGHTS RESERVED, COPYRIGHT 2024, DIRKSEN ENGINEERING.

FIRM NAME & ADDRESS
 DIRKSEN ENGINEERING
TBD FIRM #F-8849 UVALDE EAGLE PASS
441 FORT CLARK ROAD, SUITE B, UVALDE, TX - 78801
PH: (830) 278-2100, FAX: (830) 278-2102
EMAIL: KENDIRSEN@DIRKSEN.COM
WEBSITE: WWW.DIRKSEN.COM

PREPARED FOR:
NusSTEP Opportunity Partners
100 NE Loop 410, Suite 775
San Antonio, TX 78216

PURPOSE OF SURVEY:
MASTERPLAN

PROJECT#
23-3046

DRAWING NO.
23-3046-MP

DATE: 4-15-24

Aerial View



Site Photos



Item #9



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

Preliminary Plat of Maverick Business Park Unit 1

I. BACKGROUND

A. General Information

Engineer of Record: Dirksen Engineering I 441 Fort Clark, Ste B I Uvalde, TX 78801

Developer: NOP Maverick 500, LP & NOP Maverick 5200, LP

Location: Property is in the east corner of US Hwy 57 and Loop 480 and in the 5-mile ETJ.

PID: 2970 & 2872

Legal Description: Being 18.47 acres, located in the following original surveys in Maverick County:

Original Grantee	Block	Survey	Abstract	Acres
I.&G.N.RR.Co.	7	221	358	0.30
I.&G.N.RR.Co.	7	252	417	18.17
			TOTAL	18.47 acres

Part of a 500.0 acres tract described in conveyance document to NOP Maverick 500, L. P. recorded in Document Number 2325732 of the Maverick County Official Public Records, Maverick County, Texas and being further described by metes and bounds.

Request: Preliminary plat approval to subdivide an 18.47-acre tract into 1 Industrial lot, including (1) a waiver from Section 23-64 regulating sidewalks, curb, and gutter, and (2) a subdivision variance from *Section 23-61(a)(4)* regulating 2 points of vehicular access for ingress and egress to a subdivision. This is to allow the Developer to install all required improvements.

B. Subject Property Information

Vegetation: native brush

Existing Use: Vacant and undeveloped

Current Zoning: No designation - ETJ

Master Plan: No depiction

Proposed Zoning: Industrial

C. Vicinity Data

The site is located within an area that features undeveloped tracts of land.

D. Infrastructure

The property is completely inside city limits and 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 will be provided by Loop 480

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 preliminary approval of the subdivision. Please refer to Attachment 1.
2. The preliminary approval of this subdivision rests entirely upon whether the applicant has demonstrated that the proposal complies with the subdivision variance criteria. The development complied with all the criteria set forth in the below Section of the Code, therefore the variance request shall be granted. Please refer to Attachment 3 for a copy of the subdivision variance application.

Section 23-11 regulating variances states that (a) the Commission may authorize a variance from these regulations when, in its opinion, undue hardship will result from requiring strict compliance. In granting a variance, the commission shall prescribe only conditions that it deems necessary or desirable to the public interest. In making the findings hereinbelow required, the commission shall consider the nature and the proposed use of the land involved and existing uses of land in the vicinity, the number of persons who will reside or work in the proposed subdivision, and the probable effect of such variance upon traffic conditions and upon the public health, safety, convenience, and welfare in the vicinity. No such variance shall be granted unless the commission finds:

- (1) That there are special circumstances or conditions affecting the land involved such that strict application of the provisions of this chapter would deprive the applicant of the reasonable use of his land.
- (2) That the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant.
- (3) That the granting of the variance will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area.
- (4) That the granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of this chapter.

The request conforms to the criteria mentioned above and shall be granted.

3. The property is located within the City's *Extraterritorial Territorial Jurisdiction*, and the policies of the *Master Plan Map* apply to the consideration of this subdivision. The *Master Plan* emphasizes the importance of maintaining the character of the industrial developments.
 - ✓ The plat 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 *Industrial 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 plat is consistent with the *Street Goal* of the *Master Plan*, as access to the site from Loop 480 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 plat is consistent with the *Thoroughfare Goals* of the *Master Plan*, as Loop 480 has been designed to be part of a safe and efficient thoroughfare system.

- ✓ The plat is consistent with the *Storm Drainage Goals* of the *Master Plan*, as the development counts with onsite detention ponds.
4. The subdivision design is consistent with the purpose of the *Industrial District*.
 5. The subdivision is consistent with City design and specifications, as the subsequent development of the site will be required to conform to the following sections of *Article IV* in *Eagle Pass Code of Ordinances Chapter 23*:
 - ✓ *Section 23-61* governing streets and two points of vehicular access for ingress and egress to the subdivision – a variance has been requested.
 - ✓ *Section 23-62* governing alleys and easements
 - ✓ *Section 23-63* specific use easements
 - ✓ *Section 23-64* governing sidewalks - a waiver has been requested.
 - ✓ *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 4 for a copy of the *Preliminary Engineering Report* for the subdivision.

6. The subdivision and the subsequent development of the property will be consistent with City design and specifications for landscape and tree preservation set forth in *Article VI* in *Eagle Pass Code of Ordinances Chapter 23*.
7. The 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 permits issued for each of the proposed properties by Maverick County Planning Department.
8. The subdivision of the property is in conformance with the provisions of the *Master Plan* and the *Eagle Pass Code of Ordinances* by facilitating the following benefits:
 - Protect private rights while considering public health, safety, and welfare.
 - Provide efficient and economical ways to move people and goods outside the City by an adequate plan for streets and highways.
 - Guide future development in an orderly manner, by stages according to a pattern, so that the City may have balanced land use.
 - Encourage a diversified economic base and encourage public and private investments in land and improvements.
 - Prevent and eliminate blight and slums, making the City attractive to people, commerce, and industry.
 - Create the desire for a more pleasing appearance of the City and incorporate into its physical development the basic principles of good design.

- Protect and preserve the identity of each neighborhood through use of the guidance provided by the *Master Plan* and the *Code of Ordinances*.
 - Locate all land uses on land best suited for their needs, arranged in such a way as to be mutually beneficial and functional, with ample area to meet long-term needs.
 - Establish a proper relationship between open space, developed areas, building bulk, light, and air space, in all future development programs of land use.
 - Encourage and abet the development of civic, cultural, and other public and quasi-public buildings in harmonious and functional groupings.
9. The subdivision will allow for a use of the property that is consistent with the purpose of the *I Industrial 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 *I Industrial District*.
 - C. The subdivision is warranted because of the necessity to create additional lots for development adjacent to Loop 480, and because the proposed development is appropriate to accomplish the reasonable use of the property.
 - D. The subject property is suitable for development in general conformance with development standards of the *I Industrial District*.
 - E. The subdivision will benefit the City as a whole and will not be detrimental to nearby land uses of a similar nature.
 - F. The subsequent development will be designed and conditioned to comply with all applicable subdivision criteria and standards of the City of Eagle Pass.

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

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

B. Community Development Department Recommendation

That the Planning and Zoning Commission (1) **DENY** the sidewalk waiver request regulated by Section 23-64, (2) **GRANT** the subdivision variance from *Section 23-61(a)(4)* regulating 2 points of vehicular access for ingress and egress to a subdivision, and (3) **GRANT** preliminary plat approval of the proposed *Maverick Business Park Unit 1*, subject to the plat complying with the provisions of *Article III* of *City of Eagle Pass Code of Ordinances Chapter 23* governing procedures and specifications for Final Plats, thus allowing the Developer to install required improvements, and with the following stipulations:

- 1. That the sidewalk be installed at the time of lot development along the perimeter of the property line.
- 2. Dedicate, design, and construct a secondary vehicular access road connecting the subdivision to Highway 57 or other City or TxDOT approved right of way upon the development of Phase II of the subdivision or three (3) years after the sale of 8 of the 14 of the units included in Phase II or the Master Plan encompassing 190.4 acres, whichever comes first.
- 3. Provide cross connectivity for Lot 1 to future development to the East.

TRANSMITTED to the parties listed hereafter:

Dirksen Engineering via e-mail

Eagle Pass Planning and Zoning Commission via e-mail

Eagle Pass Community Development Department Report dated May 16, 2024

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: 18.47 Acres Abstract 358 and 417, Maverick County

Maverick County Property Identification Number(s): 2970 & 2872

Name of Addition: Maverick Business Park, unit 1

Location of Addition: Loop 480

Number of Residential Lots: 0 Number of Commercial Lots: 1 Gross Acreage: 18.47 Acres

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: Agriculture/ Vacant Proposed Land Use: Industrial

Requested Variances: None

PROPERTY OWNER:

Name: NOP Maverick 500, LP

Contact: R.W. McDonald

Address: 100 NE Loop 410, Suite 775

Phone: _____

City: San Antonio

Fax: _____

State: TX Zip: 78216

E-mail: rw4@nxstep.com

Signature: [Signature]

Date: _____

PROPERTY OWNER: R.W. McDonald, IV

Name: _____

Contact: _____

Address: _____

Phone: _____

City: _____

Fax: _____

State: _____ Zip: _____

E-mail: _____

Signature: _____

Date: _____

Received: 4/29/2024mr

APPLICANT/SUBDIVIDER:

Name: NOP Maverick 500, LP
Address: 100 NE Loop 410, Suite 775
City: San Antonio
State: TX Zip: 78216
Signature: [Signature]

Contact: R.W. McDonald
Phone: _____
Fax: _____
E-mail: rw4@nxstep.com
Date: Feb. 19, 2024

SURVEYOR:

Name: Dirksen Engineering
Address: 441 Fort Clark Rd
City: Uvalde
State: TX Zip: 78801
Signature: [Signature]

Contact: Kenneth R. Dirksen
Phone: (830) 278-2100
Fax: _____
E-mail: KENDIRKSEN@SBCGLOBAL.NET
Date: 02-27-2024

ENGINEER:

Name: Langan
Address: 9606 North Mopac HWY #110
City: Austin
State: TX Zip: 78759
Signature: [Signature]

Contact: Emily Mahoney, PE
Phone: (281) 675-7900
Fax: _____
E-mail: emahoney@langan.com
Date: 02/27/2024

PRINCIPAL CONTACT: ☐ Owner ☐ Applicant ☒ Surveyor ☐ Engineer

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

STATEMENT OF APPLICANT

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

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

[Signature]
Applicant Signature

[Signature]
Date: Feb. 19, 2024

STATEMENT OF OWNER/SUBDIVIDER

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

[Signature]
Owner / Subdivider Signature

Feb 17, 2024
Date

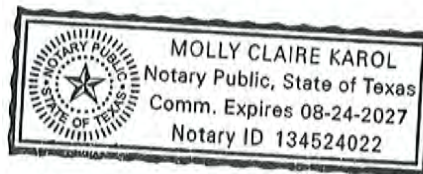
STATE OF TEXAS §

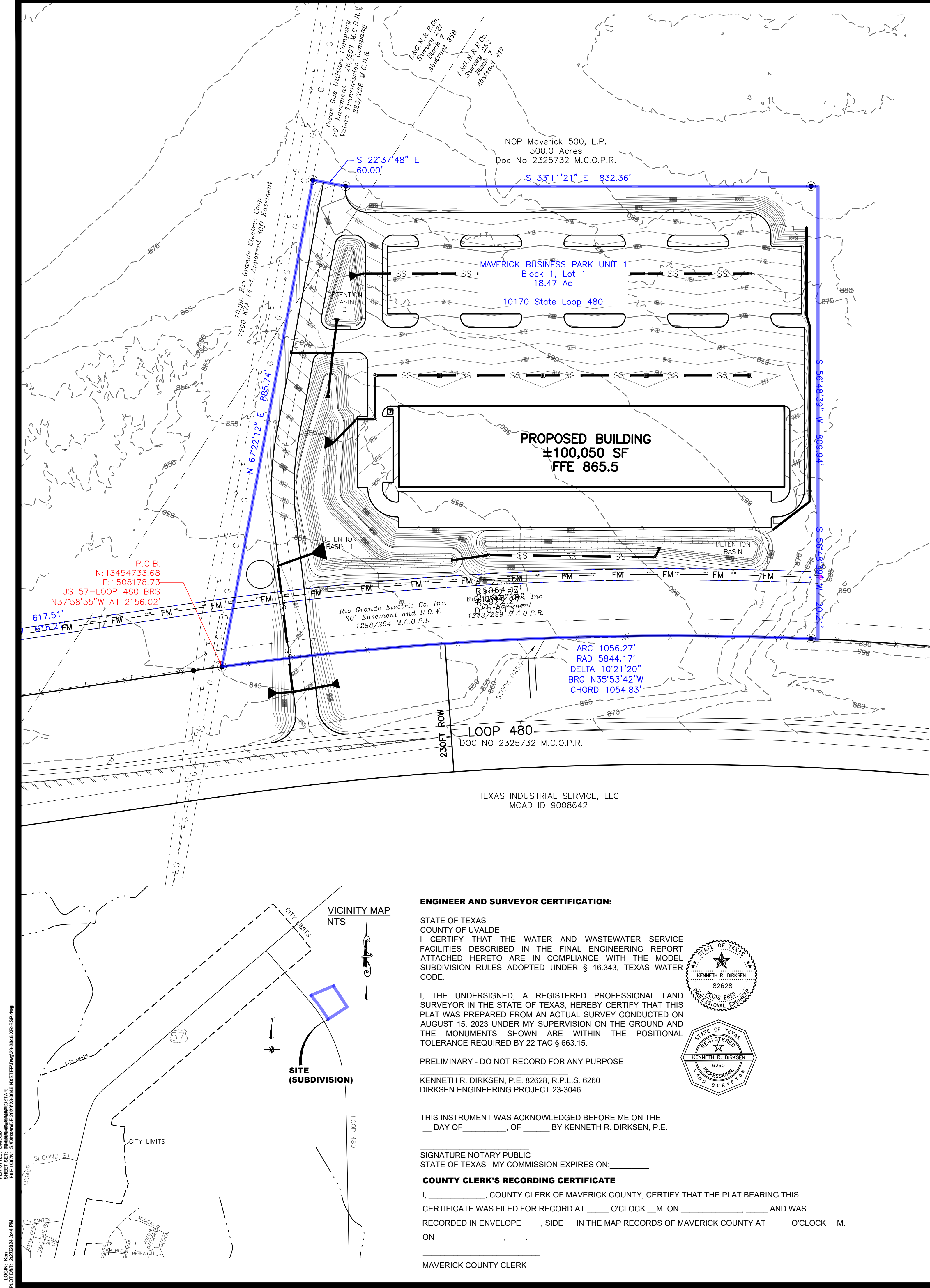
COUNTY OF IRVING §

Before me, the undersigned authority, a notary public for the State of Texas, on this day personally appeared Richard Donald Ty (Name), Manager (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.

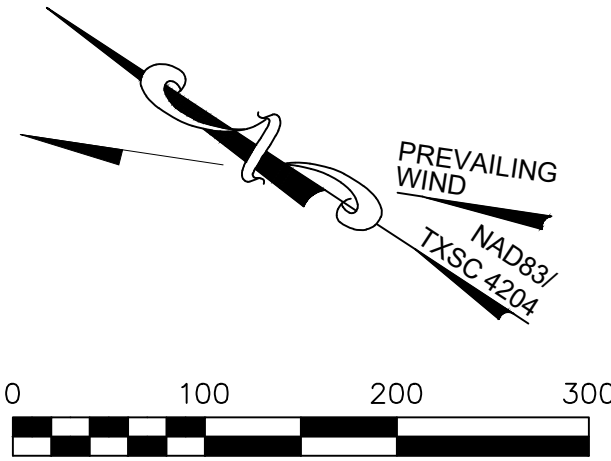
Given under my hand and seal of office, this the 17th day of February, 2024.

[Signature]
Notary Public, State of Texas





MAVERICK BUSINESS PARK, UNIT 1
MAVERICK COUNTY, TEXAS



LEGEND	
BOUNDARY LINE	_____
EASEMENT	_____
SET 1/2" STEEL STAKE	●
FOUND MONUMENT	○
SANITARY SEWER	--- WW ---
SEWER MANHOLE, CO	⊕ ⊗
PLAT LINES	_____
DEED LINES	_____
EASEMENT	_____
FENCE	--- X --- X --- X ---
GAS LINE	--- G --- G --- G ---
WATER LINE	--- W --- W --- W ---
WATER VALVE/METER	⊕ ⊗
ELECTRIC	--- E --- E --- E ---
TELEPHONE	--- T --- T --- T ---
911 ADDRESS	919
FIRE HYDRANT	⊕ ⊗
LUMINAIRE	⊕ ⊗

THESE DRAWINGS ARE THE PROPERTY OF DIRKSEN ENGINEERING AND SHALL NOT BE USED ON OTHER WORK WITHOUT THEIR APPROVAL. IF THIS SHEET DOES NOT MEASURE 24"x36" IT HAS BEEN MODIFIED. COPYRIGHT 2024.

FIRM NAME & ADDRESS
DIRKSEN ENGINEERING
UVALDE EAGLE PASS
TBPE FIRM #F-8848, TBPLS FIRM #10193741
107 W SOUTH ST., UVALDE, TX - 78801
PH: (830) 278-2100, FAX: (830) 278-2102
EMAIL: KENDIRKSEN@SBCGLOBAL.NET
WEBSITE: WWW.DIRKENG.COM

PROJECT# 23-3046

PROJECT NAME & ADDRESS
MAVERICK BUSINESS PARK UNIT 1
EAGLE PASS, TX

SHEET TITLE

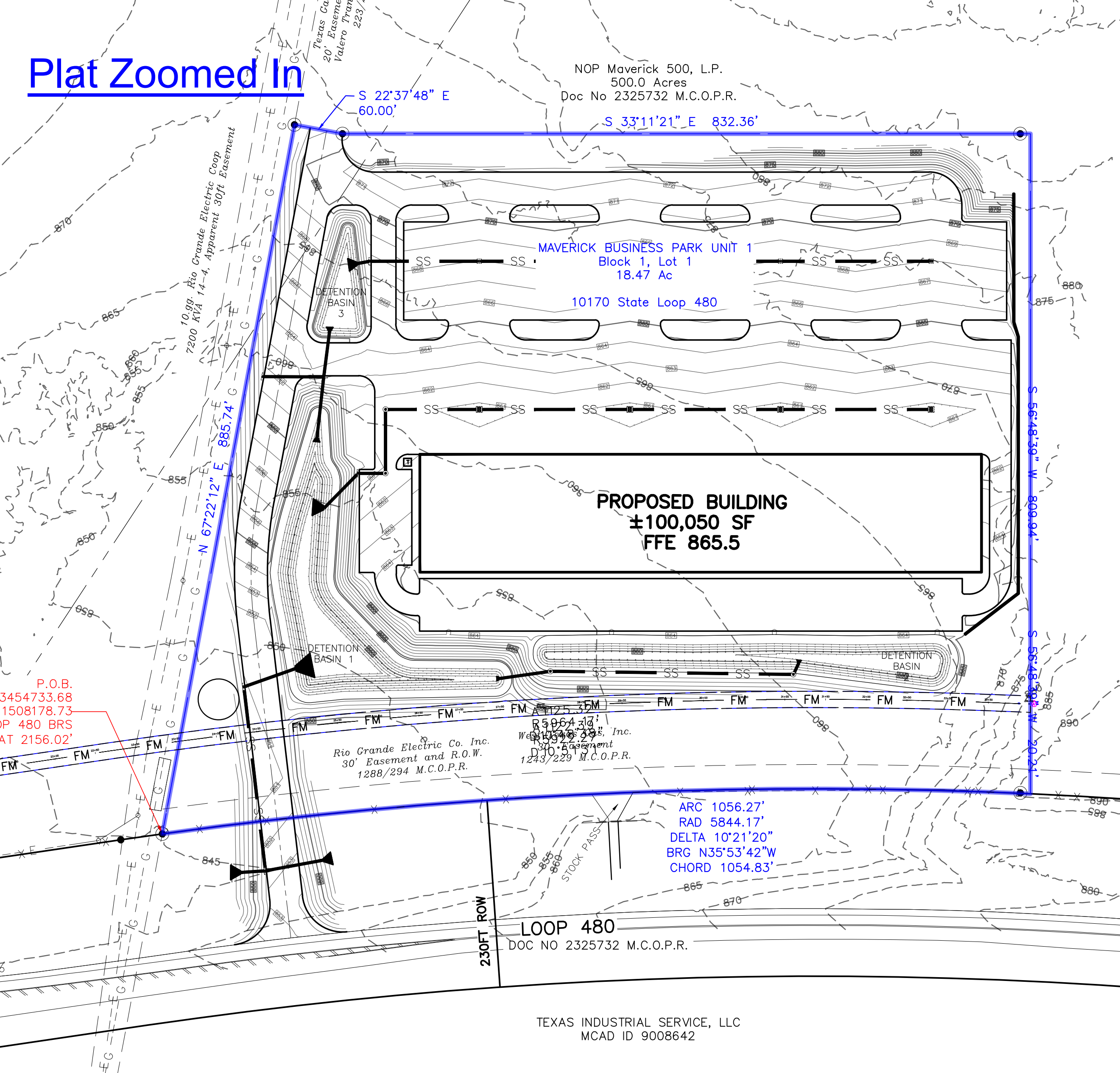
PLAT



SHEET
C1
OF 17 SHEETS

DES'D : KRD
DRAWN : KRD
APPVD : KRD
DATE : 2024-02-15

Plat Zoomed In



NOP Maverick 500, L.P.
500.0 Acres
Doc No 2325732 M.C.O.P.R.

S 22°37'48" E
60.00'

S 33°11'21" E 832.36'

MAVERICK BUSINESS PARK UNIT 1
Block 1, Lot 1
18.47 Ac

10170 State Loop 480

PROPOSED BUILDING
±100,050 SF
FFE 865.5

S 56°48'39" W 809.94'
S 56°48'39" W 20.21'

N 67°22'12" E 885.74'

P.O.B.
3454733.68
1508178.73
OP 480 BRS
AT 2156.02'

Rio Grande Electric Co. Inc.
30' Easement and R.O.W.
1288/294 M.C.O.P.R.

R5064.10'
R10546.38"
R10546.38"
D10.51931
1243/229 M.C.O.P.R.

ARC 1056.27'
RAD 5844.17'
DELTA 10°21'20"
BRG N35°53'42"W
CHORD 1054.83'

LOOP 480

DOC NO 2325732 M.C.O.P.R.

TEXAS INDUSTRIAL SERVICE, LLC
MCAD ID 9008642

Aerial View



Site Photos



Attachment 2
Sidewalk Waiver Application



PLANNING DEPARTMENT

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

Subdivision Sidewalk Waiver Application

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

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

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

=====

Applicant Information

Applicant (if not owner): NOP Maverick 500, L.P.

Phone: 512-695-3532 Email: rw4@nxstep.com

Owner: NOP Maverick 500, L.P.

Owner Address: 100 Congress Ave City: Austin State: TX Zip: 78701

Phone: 512-695-3532 Email: rw4@nxstep.com

Property Information

Site Address: 10170 State Loop 480, Eagle Pass, Tx

Legal description (from deed): 18.47 Acres Abstracts 358 & 417
(Property must be legally subdivided or be lot of record)

Maverick County Identification Number: 2970

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

Maverick Business Park Unit 1 will be developed as industrial/commercial for warehousing and light manufacturing. The site is set approximately 100 feet off right of way to allow room for future expansion of right of way.

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

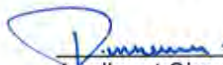
The site is set approximately 100 feet off right of way to allow room for future expansion of right of way.

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

5/14/24
Date

Attachment 3
Subdivision Variance 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

SUBDIVISION VARIANCE APPLICATION

Applicant Information

Applicant (If not owner): NOP Maverick 500, L.P.

Address: 100 Congress Avenue, Austin, TX 78701

Phone: 512-695-3532 E-mail: RW4@nxstep.com

Owner: NOP Maverick 500, L.P.

Address: 100 Congress Avenue, Austin, TX 78701

Phone: _____ E-mail: _____

Property Information

Site Address: 10170 State Loop 480 MCAD Property ID No. 2970

Legal Description (from deed): 18.47 acres Abstracts 358 & 252 Maverick County, Tx

Description of Subdivision Variance Request

Variance from requirement to have two access points to public right of way.

Detailed Explanation of Subdivision Variance Request

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

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

Access on Loop 480 is limited by spacing. A second access will be provided
on subsequent units in the master plan.

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

Two access points would require development of more frontage than possible
at this time. The current unit is to construct one warehouse. Subsequent
units will construct the second access.

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

This unit will be privately developed for commercial use. It will be operated in a controlled manner. A second access will be constructed on subsequent units.

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 unit is part of an overall master plan that complies with the City of Eagle Pass Standards.

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

5-14-2024

Date



Exhibit "5"

PLAT CERTIFICATION
(COVENANTS)

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

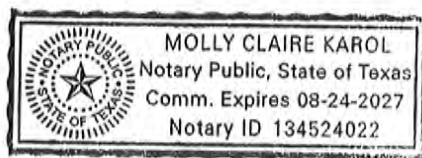
I (we), the owner(s) of the property described as Maverick Business Park, Unit 1,
hereby certify that this plat ☐ does ☒ does not have covenants or restrictions.

NOP Maverick 500, L.P.

Owner

R. W. McDonald, IV
Owner's Duly Authorized Agent

Sworn to and subscribed before me this the 14th day of Jan, 2024.



Molly Karol
Notary Public, State of Texas

My commission expires: 8/24/27

Attachment 4
Engineering Report

Dirksen Engineering

441 Ft. Clark St, Ste B

Uvalde, TX 78801

TBPE FIRM #F-8848

TBPLS FIRM #10193741

Phone: 830-278-2100

Fax: 830-278-2102

Cell: (830) 279-9447

kendirksen@sbcglobal.net

February 27, 2024

Placido Madera
Planning Director – City of Eagle Pass
3295 Bob Rogers Drive
Eagle Pass, TX 78852

Re: Maverick Business Park Unit 1 – Engineering and Drainage Report
Eagle Pass, Texas

To Whom It May Concern:

The Maverick Business Park Unit 1 is 18.47 acres located in Abstracts 358 and 417, Maverick County, Texas. The site is located at 10170 State Loop 480 on the northeast side of Loop 480 approximately 0.5 miles southeast of US 57.

The land is mostly agricultural use. The soils are a Catarina clay and Maverick Association which are clayey soils and classified in hydraulic group D. The slopes are rolling to steep at 2% to 10% and drain to toward Loop 480 to the southwest. A soils map is attached to this letter report.



Figure 1 – Fort Duncan West Subdivision

Land Development

The development is for a 100,000 square foot building and truck parking. The subdivision will be one lot with access to Loop 480.

Street Development

Access to this property is from Loop 480. Access to 480 is being developed with the Texas Department of Transportation and Loop 480. No public roadway will be developed. Access through the site will be granted by easement.

Water Development

Water service to the site is by a 12-inch water main extended from the northwest side of US 57. The water main will be placed approximately 100 feet off the northeast right of way right of way to the site. Hydraulic distribution design has been submitted to Eagle Pass Water Works for review. The design report and fire flow test are attached to this letter report. Plan and profiles of the water main are shown on the attached plan and profile sheets.

Fire hydrants will be constructed at 300 ft intervals for fire protection of future development. Fire protection in the site will include a ground storage tank dedicated for storage of water for fire protection.

Sanitary Sewer Facilities

Sanitary sewer will be handled by on-site septic facilities. The design for OSSF is attached to this report.

Drainage Development

Existing drainage from the development is generally southwest toward Loop 480.

The entirety of the site is located outside the 1% chance and 0.2% annual chance flood hazard on FEMA FIRM 48323C0475D.

The site will be developed with storm drainage and detention ponds to maintain or reduce the calculated 100 year runoff from the site. Three detention ponds will be developed to reduce the runoff from existing flow rate of 528.07 cfs to 464.79 cfs. The calculations are shown on sheet CG701 of the civil plan set.

Electric Facilities, Telephone and Cable Television

Electric service will be provided by RGEC from the transmission main adjacent to the subdivision. Telephone and Cable Television service may be provided by ATT and Spectrum.

Gas Service

Gas Service may be provided, if needed, by installing a substation on the gas main adjacent to the site.

Construction Cost

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

Public Water – construction of 12 inch water main \$430,000

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

Sincerely,



Kenneth R. Dirksen, P. E.



Attach:

Maverick Business Park Unit 1 Civil Plans
Maverick Business Park Unit 1 Water Plan and Profile
Water distribution calculations
Soil Map
FEMA Firmette

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

National Flood Hazard Layer FIRMette



00°26'25"W 28°44'26"N

Legend

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

Without Base Flood Elevation (BFE)
Zone A, V, A99



With BFE or Depth
Zone AE, AO, AH, VE, AR



Regulatory Floodway



0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile
Zone X



Future Conditions 1% Annual Chance Flood Hazard
Zone X



Area with Reduced Flood Risk due to Levee. See Notes.
Zone X



Area with Flood Risk due to Levee
Zone D



OTHER AREAS OF FLOOD HAZARD



NO SCREEN



Area of Minimal Flood Hazard
Zone X



Effective LOMRs



Area of Undetermined Flood Hazard
Zone X



Channel, Culvert, or Storm Sewer



Levee, Dike, or Floodwall



Cross Sections with 1% Annual Chance



Water Surface Elevation



Coastal Transect



Base Flood Elevation Line (BFE)



Limit of Study



Jurisdiction Boundary



Coastal Transect Baseline



Profile Baseline



Hydrographic Feature



Digital Data Available



No Digital Data Available



Unmapped



MAP PANELS

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

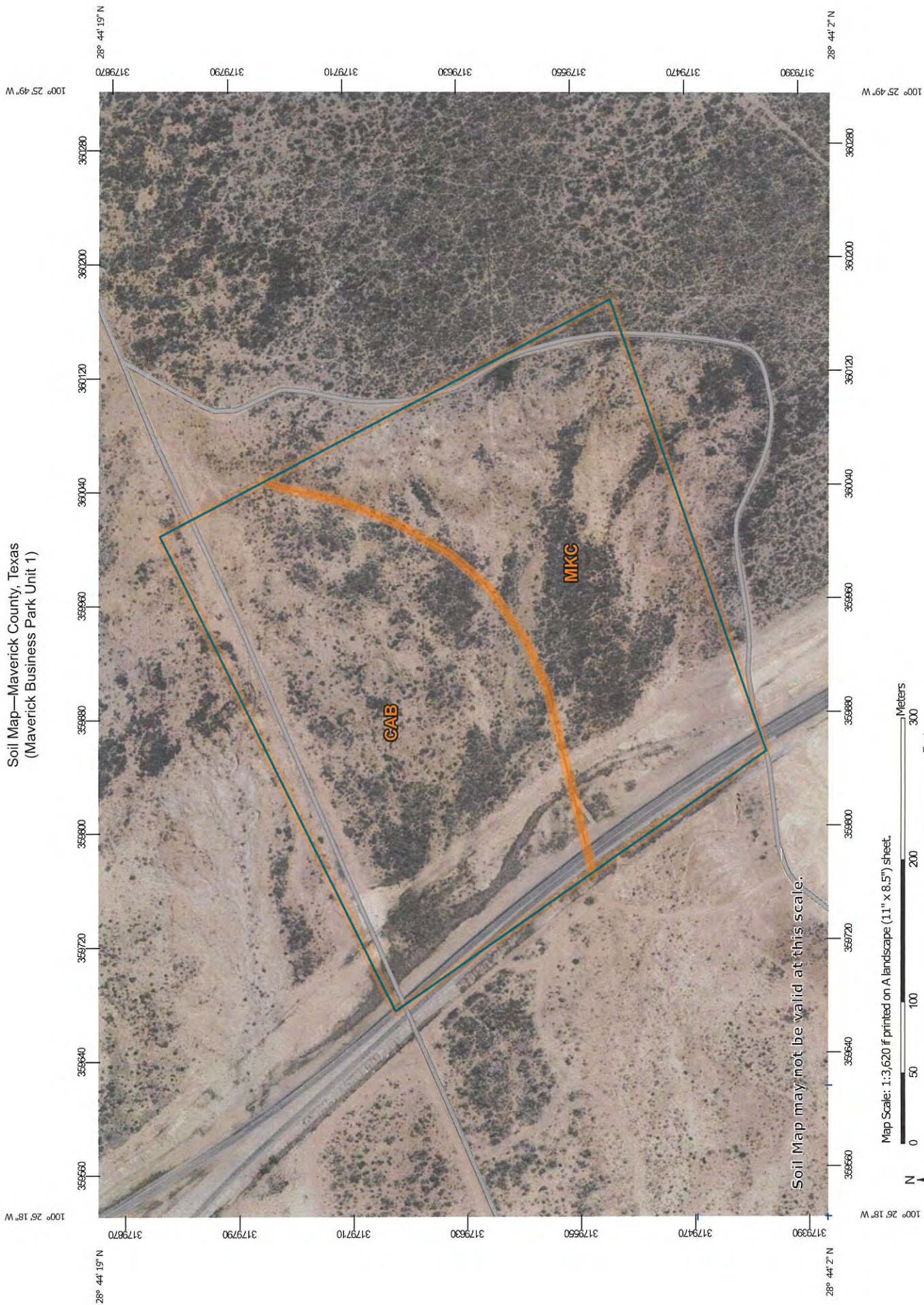
This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 2/15/2024 at 7:48 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

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

100°25'48"W 28°43'54"N

Soil Map—Maverick County, Texas
(Maverick Business Park Unit 1)



Map Scale: 1:3,620 if printed on A landscape (11" x 8.5") sheet.



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

MAP LEGEND

- Area of Interest (AOI)**

 - Area of Interest (AOI)
- Soils**

 - Soil Map Unit Polygons
 - Soil Map Unit Lines
 - Soil Map Unit Points
- Special Point Features**

 - Blowout
 - Borrow Pit
 - Clay Spot
 - Closed Depression
 - Gravel Pit
 - Gravelly Spot
 - Landfill
 - Lava Flow
 - Marsh or swamp
 - Mine or Quarry
 - Miscellaneous Water
 - Perennial Water
 - Rock Outcrop
 - Saline Spot
 - Sandy Spot
 - Severely Eroded Spot
 - Sinkhole
 - Slide or Slip
 - Sodic Spot
- Water Features**

 - Streams and Canals
- Transportation**

 - Rails
 - Interstate Highways
 - US Routes
 - Major Roads
 - Local Roads
- Background**

 - Aerial Photography
- Special Line Features**

 - Spill Area
 - Stony Spot
 - Very Stony Spot
 - Wet Spot
 - Other

MAP INFORMATION

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

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

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

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

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

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

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

Soil Survey Area: Maverick County, Texas
Survey Area Data: Version 21, Sep 5, 2023

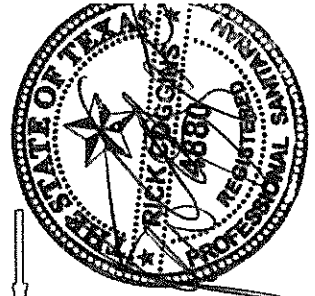
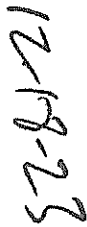
Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Data not available.

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

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
CAB	Catarina clay, association, 0 to 5 percent slopes	15.3	52.4%
MKC	Maverick association, undulating	13.9	47.6%
Totals for Area of Interest		29.2	100.0%



12-18-23

Item #10

Sec. XX-XX. Landscape and buffer plan approval.

- (a) Before a building permit is issued appropriate plans showing proposed landscape material and placement, including figures to show compliance with this article, shall be submitted to the city. A plot plan drawn to scale not more than one inch equals 50 feet shall include dimensions and distances, and clearly delineate both the existing and proposed landscape material. Such plot plan shall also include detailed drawings of the entire offstreet parking area and the location of proposed buildings.
- (b) The plan required by this section must be signed by the owner and authorized city staff as approved prior to issuance of a building permit and is attached and made a part of the conditions for the building permit.
- (c) Prior to construction of buffers, complete plans showing type of material, depth of beam, and structural support shall be submitted to the building permit office for analysis to determine whether or not:
 - (1) The screen will withstand the pressures of time and nature.
 - (2) The screen adequately accomplishes the purpose for which it was intended.

Sec. 110-48. Required landscape area.

- (a) A minimum of ten percent of the area of any lot or parcel shall be devoted to landscape material and comply with the intent and purpose of this article and 50 percent of such landscaped area for nonresidential lots shall be visible from the street fronting the developed property.
- (b) Landscape areas located within the street and alley rights-of-way shall not be credited towards meeting the minimum landscape area requirement. However, right-of-way areas shall be landscaped.
- (c) Landscape areas associated with drainage detention facilities located on the lot or parcel may be credited towards the landscape area requirement, as determined by the Community Development Director.
- (d) A minimum of 50 percent of the area within the required front yard of any residential parcel shall be devoted to landscape material.
- (e) The portion of the front yard for any residential parcel located between the property line and the extension of the side yard setback line shall be devoted to landscape material.

Sec. 110-49. Landscape buffers.

- (a) A buffer shall be provided where a nonresidential use has a side or rear area property line in common with any residential use or zone. A masonry screen eight feet in height shall be required where a commercial, industrial or multifamily use has a side or rear property line in common with a single family use or zone. Where such use has 200 feet or less in common with any residential use or zone, the buffer shall be eight feet in height but may be cedar planks.
- (b) A buffer shall be provided where a multifamily use of four or more dwelling units per structure has a side or rear area property line in common with any single-family residential use.
- (c) A buffer shall be no closer to the street than the property line or landscape strip area, whichever is greater. The buffer shall respect visibility triangle area to avoid sight obstructions where it is intersected by a street or alley.
- (d) A landscape strip area with a minimum width of ten feet shall be provided along and within the property lines of all nonresidential and multifamily uses contiguous to a public street, excluding driveway entrances and exits. For properties having a lot depth of less than 200 feet, the landscaped strip may be reduced to a minimum width of five feet with a landscape hedge not exceeding three feet in height.

-
- (e) A wood or masonry or combination of wood and masonry buffer shall be provided along rear property lines of residential uses contiguous to a public street. Rear and side access to a residential use from a public street is prohibited where such residential use has access to a public street along the front property line. The buffer shall be constructed prior to final acceptance of the subdivision development improvements or prior to issuance of a certificate of occupancy for properties with an approved subdivision plat prior to the effective date of this ordinance. The buffer is required to be maintained by property owners of the subdivision or by the subdivision homeowners association.
 - (f) A buffer shall be provided to screen refuse areas (including refuse dumpsters, compactors and contained compactors), outdoor storage areas and loading docks from public streets. Refuse containers are prohibited in front yard areas of a property.

Sec. 110-50. Location of landscape areas.

- (a) Landscape areas with trees shall be located within 50 feet of any parking space.
- (b) Landscape areas within public and private rights-of-way, stormwater detention facilities, medians and islands shall comply with the specifications of the department of engineering. Landscape areas within rights-of-way shall be maintained in perpetuity by the property owners as common area.
- (c) Trees located in landscape areas within street rights-of-way shall not be planted closer than six feet from the back of the curb, or three feet from the edge of an existing or future sidewalk. Trees shall be spaced 20 feet apart. Spacing may be modified to accommodate site features and driveways as approved by the Community Development Director.
- (d) For street rights-of-way owned by the State of Texas, approval from the Texas Department of Transportation is also required for any proposed landscape improvements.

Sec. 110-51. Credit for trees.

For all non-single-family residential development, a minimum of one tree of at least two and one-half-inch caliper in size and ten feet in height shall be included and replaced as necessary as per the following ratios:

- (1) When the required area being landscaped is from one to 2,000 square feet a minimum of one tree for every 250 square feet of landscape area shall be required.
- (2) When the required area being landscaped is from 2,001 to 10,000 square feet a minimum of eight trees for the first 2,000 square feet and one tree for every 500 square feet over 2,000 square feet of landscape area shall be required.
- (3) When the required area being landscaped is from 10,001 to 20,000 square feet a minimum of 24 trees for the first 10,000 square feet and one tree for every 1,000 square feet over 10,000 square feet of landscape area shall be required.

When the required area being landscaped is 20,001 or greater square feet a minimum of 34 trees for the first 20,000 square feet and one tree for every 1,500 square feet over 20,000 square feet of landscape area shall be required.
- (4) Two palm trees with a minimum of six feet of clear trunk is the equivalent of one two and one-half-inch caliper tree. The number of palm trees shall not exceed 75 percent of the total number of trees required.

(5) Credit for trees:

Trees excluding palm trees:

Caliper*	Number of trees
Greater than or equal to eight-inch caliper	6 trees credit
Greater than or equal to six-inch caliper	4 trees credit
Greater than or equal to four-inch caliper	2 trees credit

(6) In order to encourage the preservation of existing trees, credit shall be given to existing trees according to the following schedule:

Existing trees excluding palm trees:

Credit for trees:

Caliper*	Number of trees
Greater than or equal to 20-inch caliper	12 trees credit
Greater than or equal to 16-inch caliper	10 trees credit
Greater than or equal to 12-inch caliper	8 trees credit
Greater than or equal to eight-inch caliper	6 trees credit
Greater than or equal to four-inch caliper	4 trees credit

- (7) The minimum planting area shall be one-half the radius of the crown spread for an existing tree measured from the trunk center, or not less than a radius of two and one-half feet, measured from the center of the tree trunk to the near edge of the planting area whichever is greater. The ground surface within the planting areas shall be maintained in a porous or vegetative cover. Plastic underliners shall not be permitted.
- (8) Single-family and duplex residential development shall provide a minimum of one non-palm tree for the first 55 feet of lot frontage and one additional non-palm tree for each additional 25 feet of lot frontage. Trees required for single-family residential development shall be located within the front yard.
- (9) A native, non-palm tree, as listed in section 110-56(j) with a minimum caliper of two inches and a minimum height of six feet shall be the equivalent of one and one-half required trees. Native tree credit is in addition to credit for large caliper and existing tree credit. Of the vegetation required by this chapter, the use of ten percent native plant material is encouraged.

Sec. 110-52. Applicability to developments or redevelopment.

- (a) The requirements and standards for the installation and maintenance of landscape material and site improvements as set forth in this division shall apply to all lots or parcels with developed property within the city. All new development, construction or reconstruction shall be in full compliance with the provisions of this article.
- (b) If the zoning ordinances of the city would otherwise permit developed property to exceed 90 percent of the lot or parcel's total land coverage, the provisions of this article shall supersede and prevail over such other requirements. In no event, except as expressly permitted in this article, shall more than 90 percent of a lot or parcel's area be covered by developed property.
- (c) If a principal nonresidential use and some or all of the parking area (required or otherwise provided) serving the principal nonresidential use are located on separate lots or parcels, the landscape installation required in this article shall apply.

Sec. 110-53. Applicability to existing development areas; nonconformance; when compliance required.

- (a) All property with existing development on the effective date of the ordinance from which this article is derived which is not in compliance with the provisions of this article shall be considered nonconforming, and allowed to continue until such time as a building permit is granted to enlarge, or reconstruct a structure on the property. Whenever a nonresidential or multifamily building or use existing prior to the effective date of the ordinance is enlarged to the extent of ten percent or more in floor area, the same percentage of existing paved areas shall be brought into compliance with this article and all new paved areas shall be brought into compliance with this article. Whenever a building or use existing prior to the effective date of the ordinance is enlarged to the extent of 50 percent or more in floor area, the existing as well as the new paved areas shall be brought into compliance with this article. A plan showing existing and new development and the proposed landscaping shall be submitted to the Community Development Department.
- (b) No structure existing on the effective date of the ordinance from which this article is derived shall be required to be altered or moved in order to comply with the provisions of this article except in the event of reconstruction.

Sec. 110-54. Installation of materials.

All landscape materials shall be installed properly in a sound workmanlike manner and according to commonly accepted horticultural practices.

Sec. 110-55. Maintenance requirements; when tree removal is prohibited.

- (a) The owner of the lot or parcel or the manager or agent, shall be responsible for the maintenance of all landscape areas, which shall be maintained so as to present a healthy, neat and orderly appearance at all times and shall be kept free from refuse and debris. All landscaped areas shall be irrigated and shall be watered regularly to ensure continuous healthy growth and development. Maintenance shall include the replacement of all dead plant material.
- (b) No trees over 20 inches in DBH (diameter at breast height) shall be removed without, in the case of any existing or proposed commercial development, submitting to the director of Community Development for review a survey of the property in question which includes all trees with a DBH of over 20 inches.
- (c) The director of Community Development shall expeditiously review the submitted survey and work with the landowner/developer in pre-development conference to preserve as many existing trees over 20 inches DBH which said preserved trees shall serve as a credit to the landowner/developer's total aggregate number of caliper inches that they are required to plant as per the city's existing landscaping ordinance.
- (d) In the case of an existing commercial development, no trees may be removed from the development's existing landscape plan without first submitting a replacement landscaping plan for review, consideration and approval by the city; or, in the case of an issue involving three trees or less, the submission of a one page application to remove any tree that has become a hazard to the existing development with a plan to immediately replace it with another tree or trees of an equivalent caliper inch. Applications to remove and replace three trees or less shall be deemed automatically approved unless the city objects in writing within five business days of filing.
- (e) Nothing in this section shall require any application from or permit to any public utility provider prior to removing a tree whenever it has determined the tree poses a hazard, or interferes with restoration or continuation of utility services.
- (f) Violations of this section shall be punishable by a fine not to exceed \$1,000.00 per occurrence.

Sec. 110-56. Planting criteria.

- (a) *Trees.* Trees planted for credit under section 110-51 should be a minimum of ten feet in height from ground level to top of crown when measured immediately after planting. In the case of palms, the required measurement should be six feet from ground level to base of live palm fronds. Trees should be of a species having an average mature crown spread of greater than 15 feet in the Middle Rio Grande Area (excepting palms) and having trunks which can be maintained in a clean condition for over six feet of clear wood measured from the ground. Trees having an average mature crown spread less than 15 feet may be substituted by grouping such trees so as to create the equivalent of a 15-foot crown spread.
- (b) *Shrubs.* Shrubs should be a minimum of one foot in height when measured immediately after planting and maintained at a height not to exceed three feet.
- (c) *Vines.* Vines should be a minimum of 30 inches in height one year after planting and may be used in conjunction with fences, screens or walls to meet buffer requirements and specifications.
- (d) *Ground covers.* Ground covers other than grass should be planted in such a manner as to present a finished appearance and reasonably complete coverage within one year after planting.
- (e) *Lawn grass.* Grass areas should be planted in species normally grown as permanent lawns in the city. Grass areas may be sodded, plugged, sprigged or seeded except that solid sod shall be used in swales or other areas subject to erosion.
- (f) *Synthetic lawns or plants.* Synthetic or artificial lawns or plants shall not be used in lieu of plant requirements in this section.
- (g) *Architectural planters.* The use of architectural planters may be permitted in fulfillment of landscape requirements.
- (h) A list of trees, shrubs, vines, and ground covers native to the Middle Rio Grande Area shall be provided by the Community Development Department.
- (i) *Landscape irrigation requirements for nonresidential and multifamily uses:*
 - (1) The owner shall be responsible for the irrigation of all landscape areas and plant materials, utilizing one or a combination of the following methods:
 - a. An automatic underground irrigation system (conventional spray, bubbler, and the like);
 - b. An automatic water-saving irrigation system (drip, porous pipe, leaky pipe, and the like); or
 - (2) The irrigation method used shall:
 - a. Provide a moisture level in an amount and frequency adequate to sustain growth of the plant materials on a permanent basis;
 - b. Be in place and operational at the time of the landscape inspection for certificate of occupancy unless an alternative method is approved; and
 - c. Be maintained and kept operational at all times to provide for efficient water distribution.
 - (3) Landscape areas utilizing xeriscape plants and installation plants and installation techniques, including areas planted with native grasses and wildflowers, may use a temporary and aboveground system and shall be required to provide irrigation for the first two growing seasons and thereafter must maintain viability of plant material.
 - (4) Landscape plants shall indicate, by a detail, a drawing, or by specification in a note on the site plan, the nature and location of irrigation which will be used; these should be specific enough to show that adequate irrigation will be provided to all required landscape areas and plant material.
 - (5) No irrigation shall be required for undisturbed natural areas or undisturbed existing trees.

-
- (j) Xeriscape areas shall provide a minimum of 50 percent of the landscaped areas with ground cover or grasses. Xeriscape areas not covered by grasses or ground cover shall be mulched. Ground cover areas installed to meet the landscaping requirements shall not utilize plastic underliners or any impervious material. A list of indigenous plant species for xeriscape areas shall be provided by the department of Community Development.
 - (k) When landscaped areas are used for stormwater detention, tree and shrub plantings shall not adversely affect volumetric and/or conveyance characteristics.

Item #11

Appendix A: City of Eagle Pass Pavement Design Standards

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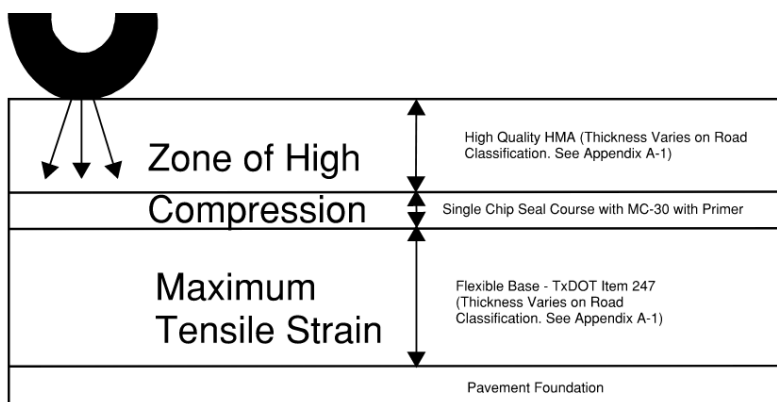
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1. Pavement Design Standards

The allowable pavement structures for City-maintained roadways include both flexible and rigid structures, as defined by the American Association of State Highway and Transportation Officials (AASHTO) guide for the design of pavement structures, the latest approved edition. Pavement design must be completed and signed and sealed by a Texas Licensed Professional Engineer, unless conforming to the predetermined pavement sections provided herein. Perpetual pavements (*see Figure 1.1-1*), which are considered long-life structures utilizing premium hot-mixed asphalt (HMA) mixtures that require periodic maintenance to renew the surface, are also acceptable pavement structures. The selection of pavement type shall be based upon project conditions, economics, and long-term performance or as directed by the City. If necessary, a life-cycle cost analysis (LCCA) shall be conducted for pavement type selection.

Figure 1.1-1: Perpetual Pavement Design - Typical Cross Section



1.1 Pavement Design

Flexible and rigid pavements shall be designed for a twenty-year (20) and thirty-year (30) service life, respectively.

1.2 Traffic Load, Reliability and Structural Number/Slab Thickness

Design traffic load input for pavement design will be based upon the cumulative expected 18-Kip equivalent single axle loads (ESAL) for the pavement's service life. The City has predetermined 20-year flexible pavement ESAL values for street classifications and 30-year predetermined ESAL values. Both values are shown below along with the Reliability Level, Flexible Pavement Structural Number, and Rigid Pavement Slab Thickness.

Table 1.2-1: Traffic Load, Reliability, and Structural Number/ Slab Thickness

Table 1.2-1: Traffic Load, Reliability, and Structural Number/ Slab Thickness						
Roadway Functional Classification	Flexible Pavement 18-kip ESALs	Rigid Pavement 18-kip ESALs	Reliability Level	Flexible Pavement Structural Number		Rigid Pavement Slab Thickness (in)
				Minimum	Maximum	
Arterial	3,000,000	4,500,000	95	4.32	5.37	10.0
Collector streets	2,000,000	3,000,000	90	3.81	4.86	9.0
Minor Street	1,000,000	1,500,000	70	2.86	3.63	7.0
Marginal Street	100,000	150,000	70	2.00	2.56	5.5

In most cases, the ESAL values shown above will be appropriate for design. However, it is important for the designer to understand if other site-specific circumstances are present that will cause the predetermined ESAL values to be inappropriate. A review of the Traffic Impact Analysis (TIA) by the pavement designer should be conducted to determine if a modification to the predetermined ESAL values is justified. The predetermined ESAL values will not be lowered in any circumstances unless specifically allowed by the City Engineer. In situations where the design number of ESALs needs to be determined by the pavement designer, the 1993 AASHTO method for conversion of traffic to ESALs shall be utilized. ESALs are determined by:

Equation 1.2-1: ESAL Determination Equation

$$ESAL = (ADT) \times (ESAL \text{ Factor}) \times DD \times LDF \times \%Trucks \times TFGR \times TVGR \times 365days \times design \text{ years}$$

Utilizing the following parameters:

- **ADT:** Two-Way Daily Traffic in terms of the number of vehicles per day
- **ESAL Factor:** Average Initial Truck Factor (ESALs/Truck) which can range from 0.85 to 4.35 depending on the traffic mix
- **DD:** % of Trucks in Design Direction (typically 50%; however, a directional distribution factor should be applied if the traffic is unevenly distributed between the two directions, e.g. if one side services an industrial facility)
- **LDF:** % of All Trucks in Design Lane (*Table 1.2-2* provides the City's recommended lane distribution factors or LDFs)
- **%Trucks:** % of Heavy Trucks (typically FHWA vehicle classes 4 through 13)
- **TFGR:** Annual Truck Factor Growth Rate
- **TVGR:** Annual Truck Volume Growth Rate

Table 1.2-2: Recommended Lane Distribution Factors (from TxDOT Pavement Design Guide, October 2006 Edition)

Table 1.2-2: Recommended Lane Distribution Factors (from TxDOT Pavement Design Guide, October 2006 Edition)	
Total Number of Lanes in Both Directions	LDF
≤ 4	1.0
6	0.7
$\geq 8^*$	0.6

* Unless field observations show otherwise

1.3 Pavement Materials

Alternative pavement materials may be used where the existing soil or subsurface conditions, or the alternative materials, provide comparable or better pavement performance compared to the materials otherwise required by this section. Proposals for alternative pavement materials with supporting engineering documentation may be submitted to the city for consideration. The combination of the following materials may be allowed to develop pavement structures:

- Cement Treated Subgrade
- Cement Treated Base
- Flexible Base (Type A-B, Grades 1 or 2 are recommended in most situations)
- Prime Coat (non-structural)
- Tack Coat (non-structural)
- One-Course Surface Treatment – Single Chip Seal Course with MC-30 Primer (non-structural)
- Hot Mixed Asphaltic Concrete Pavement (HMAC)
 - Dense Graded Surface Course
 - Dense Graded Base Course
 - Premium Mixtures for Surface Course (with approval by the City Engineer)
- Jointed Plain Concrete Pavement (JPCP) with Dowels and Tie Bars as needed
- Continuously Reinforced Concrete Pavements (with approval by the City Engineer)
- Base Reinforcement (Geogrids)

HMAC premium mixtures shall include stone-matrix asphalt, Superpave, ultra-thin bonded wearing courses, and porous friction courses. Premium mixtures with high permeability shall not be used on streets with integral curb and gutters unless approved by the City Engineer.

1.4 Flexible Pavement Structural Coefficients

Structural layer coefficients for flexible pavement design are recommended as follows:

- Cement Treated Subgrade – 0.08
- Cement Treated Base
 - Target 7-day unconfined compressive strength = 150 psi – 0.12
 - Target 7-day unconfined compressive strength = 300 psi – 0.18
- Flexible Base
 - Type A-B Grades 1 or 2 – 0.14
 - Type A-B Grades 1 or 2 (With base reinforcement within the flexible base, geogrids) – 0.17
 - Type A Grade 3 – 0.10 (Use of Grade 3 must be approved by the City Engineer)
- Hot Mixed Asphaltic Concrete Pavement (HMAC)
 - Dense Graded Surface Course – 0.44
 - Dense Graded Base Course – 0.38
 - Premium Mixtures for Surface Course – 0.4812

1.5 Typical Pavement Sections

All proposed streets must adhere to the material specifications and minimum compacted thickness outlined in *Table 1.5-1*, as detailed below according to their respective classifications. The proposed streets are required to conform to predefined sections specified in *Appendix A-1* for their respective classifications. Any deviation from the provided pavement sections in *Table 1.5-1* and *Appendix A-1* necessitates submission of a pavement design, signed and sealed by a Texas Licensed Professional Engineer, for review and approval by the City's engineer. The pavement design must adhere to all requirements provided herein, including but not limited to specifications listed in *Table 1.2-1*. All proposed street classifications must align with the City's most recent Master Thoroughfare Plan, subject to review and approval by the City's Engineer. Upon submittal of pavement design for review and approval, applicant shall be responsible for pavement design review fee of two thousand dollars (\$2,000).

Table 1.5-1: Minimum Compacted Layer Thickness

Table 1.5-1: Minimum Compacted Layer Thickness				
Pavement Layer	Minimum Thickness			
	Marginal (in)	Minor (in)	Collector (in)	Arterial (in)
Hot Mixed Asphaltic Concrete	2	3	5	6
Single Chip Seal Course with MC-30 Primer	Required			
Flexible (Granular) and Treated Base	12	16.5	19	19.5

1.6 Overall Standard Deviation

Overall standard deviation accounts for both chance variation in traffic prediction and normal variation in pavement performance prediction for a given traffic level. The AASHTO Design Guide recommends a range of values for S_0 based on the data analysis from the AASHTO Road Test as follows: 0.40 - 0.50 for Flexible Pavements and 0.30 - 0.40 for Rigid Pavements. Higher values represent more variability; thus, pavement thickness increases with higher overall standard deviations. Designs conducted for the City shall utilize a standard deviation (S_0) as follows: 0.45 for flexible pavements and 0.35 for rigid pavements.

1.7 Serviceability

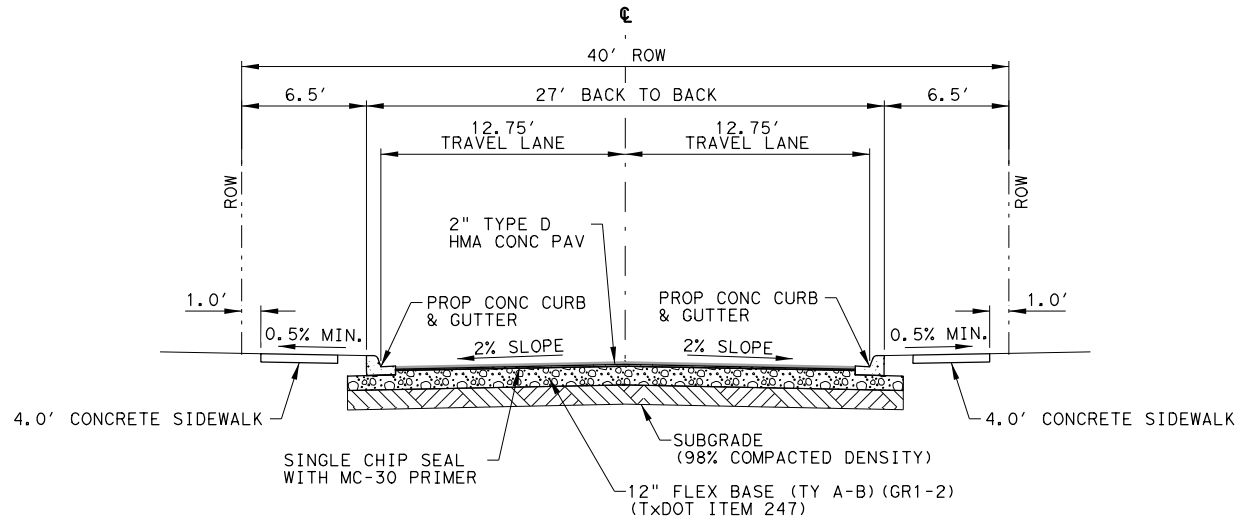
The serviceability of a pavement is defined as the pavement's ride quality and its ability to serve the type of traffic (automobiles and trucks) that uses the facility. The initial serviceability index (P_0) for flexible pavements shall be 4.2, and for rigid pavements, it shall be 4.5. The minimum terminal serviceability index (P_t) for local streets shall be 2.0, and for collectors and arterials, it shall be 2.5.

1.8 One-Course Surface Treatment

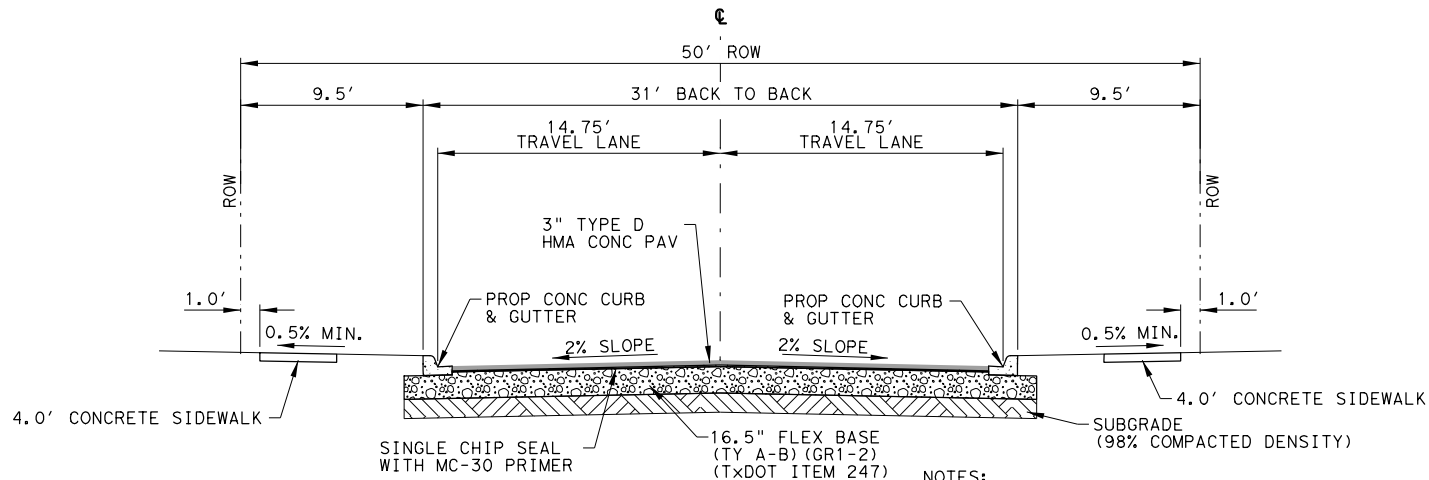
A one-course surface treatment consisting of a single chip seal course with MC-30 primer shall be utilized as preventative maintenance between the proposed base and the flexible pavement.



CITY OF EAGLE PASS, TEXAS
**APPENDIX A-1 : TYPICAL
 MARGINAL AND MINOR
 STREET SECTIONS**



MARGINAL STREET SECTION
 SCALE: NTS



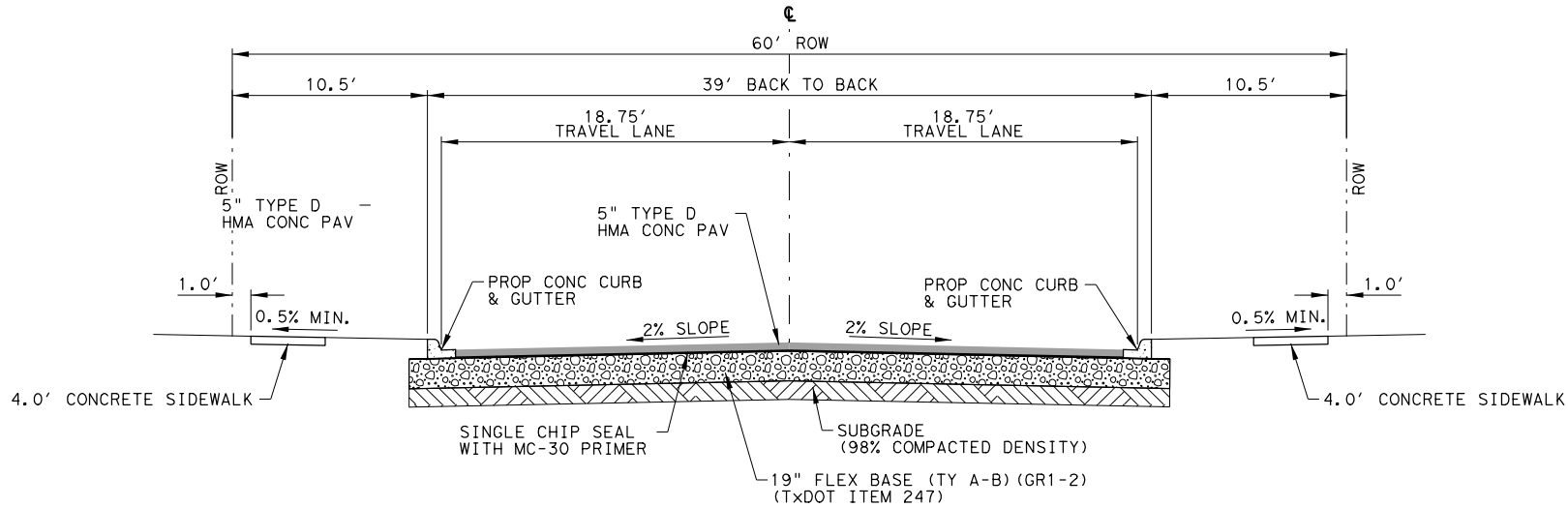
MINOR STREET SECTION
 SCALE: NTS

NOTES:

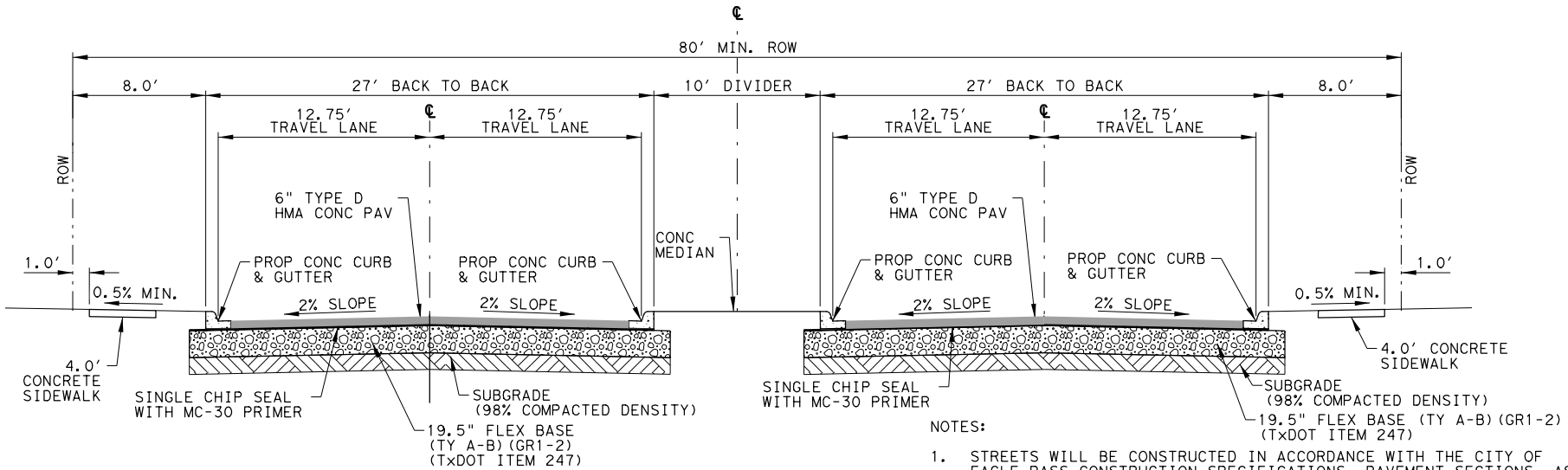
1. STREETS WILL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF EAGLE PASS CONSTRUCTION SPECIFICATIONS. PAVEMENT SECTIONS, AS DETERMINED BY GEOTECHNICAL ENGINEERING REPORT, MUST BE IN ACCORDANCE WITH ENGINEERED DESIGN AND "APPENDIX A" OF THE CONSTRUCTION SPECIFICATIONS MANUAL PROVIDED HEREIN, AND MUST MEET THE SUBDIVISION REGULATIONS. SUBSURFACE, SOIL INVESTIGATIONS, GEOTECHNICAL ENGINEERING REPORT, AND PAVEMENT DESIGN TO BE COMPLETED BY AN INDEPENDENT ACCREDITED, AND TEXAS REGISTERED TESTING LABORATORY. ALL COSTS WILL BE BORNE BY DEVELOPER.
2. SINGLE CHIP SEAL WATERPROOFING COURSE MUST BE INCORPORATED INTO STREET SECTION AS PREVENTATIVE MAINTENANCE AND IN ACCORDANCE WITH CITY OF EAGLE PASS CONSTRUCTION SPECIFICATIONS.
3. FOR RIGID PAVEMENT SECTION INFORMATION, REFER TO APPENDIX A PAVEMENT DESIGN MANUAL.



CITY OF EAGLE PASS, TEXAS
**APPENDIX A-1: TYPICAL
 COLLECTOR AND ARTERIAL
 STREET SECTIONS**



COLLECTOR STREET SECTION
 SCALE: NTS

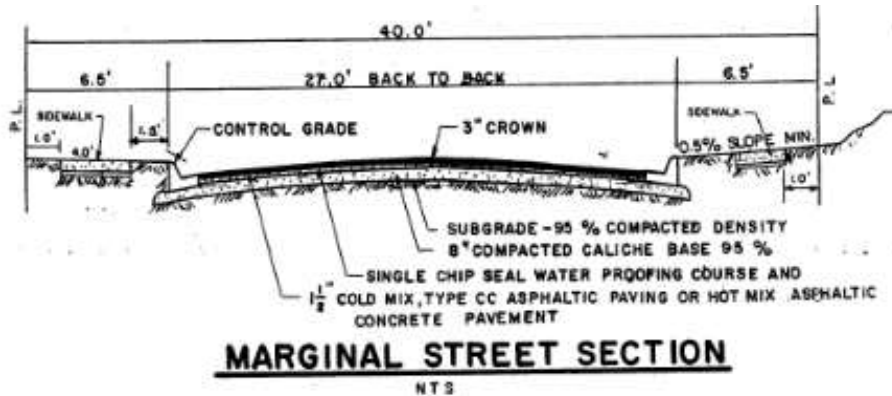


ARTERIAL STREET SECTION
 SCALE: NTS

NOTES:

1. STREETS WILL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF EAGLE PASS CONSTRUCTION SPECIFICATIONS. PAVEMENT SECTIONS, AS DETERMINED BY GEOTECHNICAL ENGINEERING REPORT, MUST BE IN ACCORDANCE WITH ENGINEERED DESIGN AND "APPENDIX A" OF THE CONSTRUCTION SPECIFICATIONS MANUAL PROVIDED HEREIN, AND MUST MEET THE SUBDIVISION REGULATIONS. SUBSURFACE, SOIL INVESTIGATIONS, GEOTECHNICAL ENGINEERING REPORT, AND PAVEMENT DESIGN TO BE COMPLETED BY AN INDEPENDENT ACCREDITED, AND TEXAS REGISTERED TESTING LABORATORY. ALL COSTS WILL BE BORNE BY DEVELOPER.
2. SINGLE CHIP SEAL WATERPROOFING COURSE MUST BE INCORPORATED INTO STREET SECTION AS PREVENTATIVE MAINTENANCE AND IN ACCORDANCE WITH CITY OF EAGLE PASS CONSTRUCTION SPECIFICATIONS.
3. FOR RIGID PAVEMENT SECTION INFORMATION, REFER TO APPENDIX A PAVEMENT DESIGN MANUAL.

COST COMPARISON- MARGINAL PAVEMENT SECTION

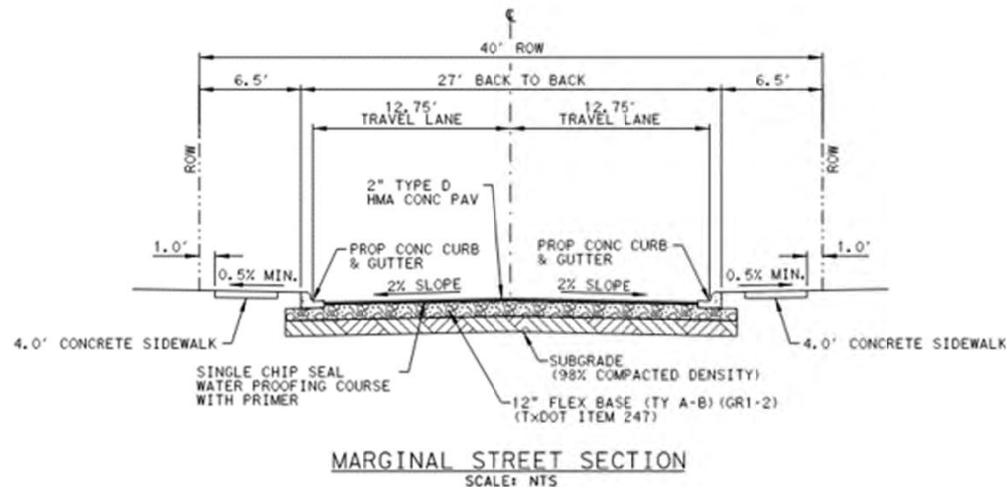


Existing Marginal Street Section:

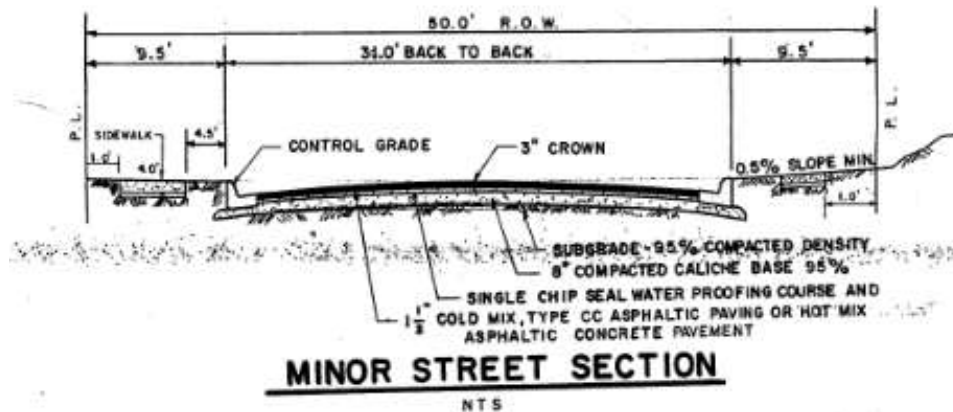
- 1.5" HMA TY D
- Chip Seal
- 8" Flex Base
- Cost per Linear Foot: \$110 + \$52 (City Reconstruction)

Proposed Marginal Street Section:

- 2" HMA TY D
- Chip Seal
- 12" Flex Base
- Cost per Linear Foot: \$150



COST COMPARISON- MINOR PAVEMENT SECTION

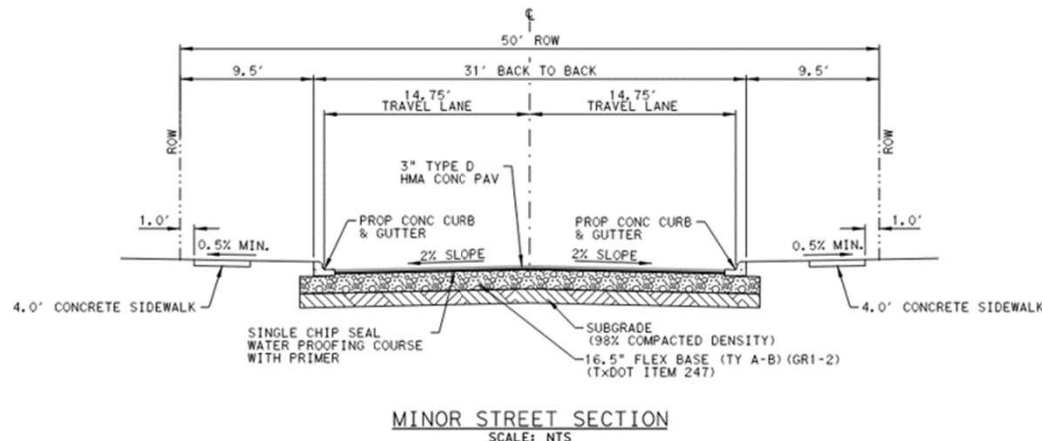


Existing Minor Street Section:

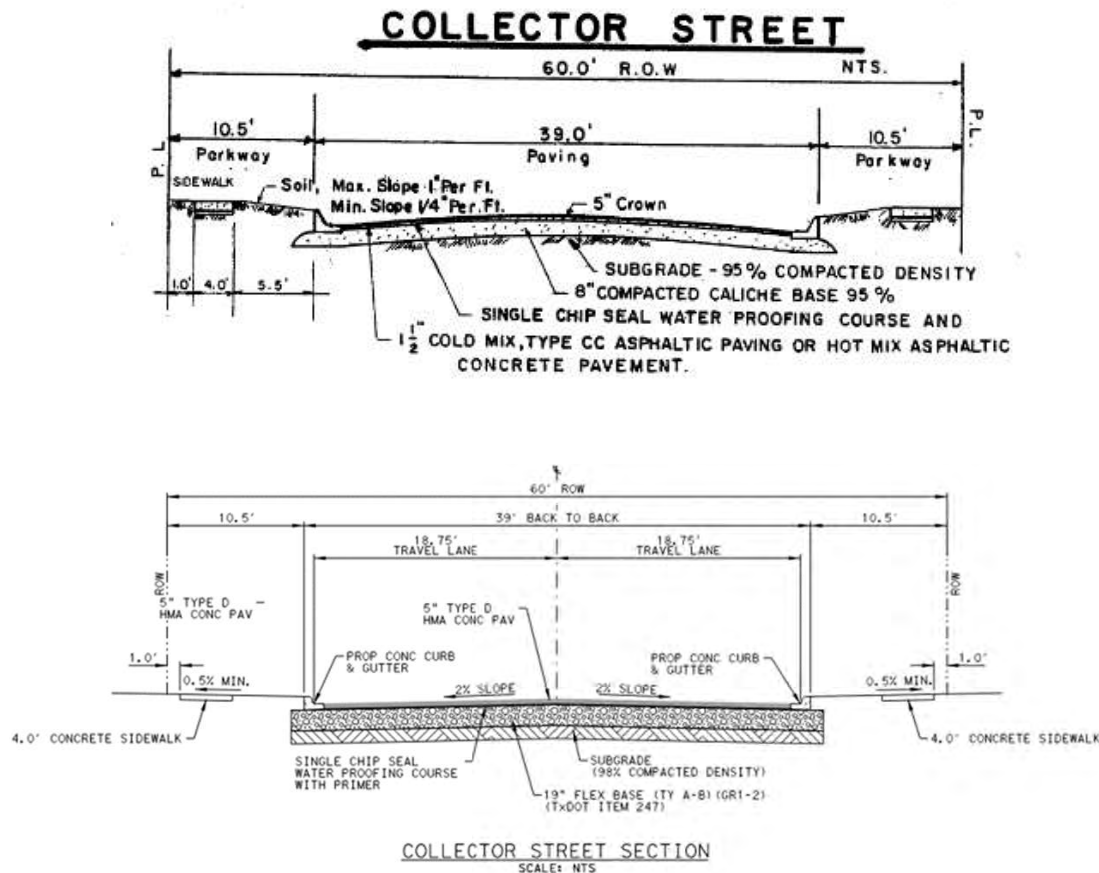
- 1.5" HMA TY D
- Chip Seal
- 8" Flex Base
- Cost per Linear Foot: \$130 + \$59.50
(City Reconstruction)

Proposed Minor Street Section:

- 3" HMA TY D
- Chip Seal
- 16.5" Flex Base
- Cost per Linear Foot: \$230



COST COMPARISON- COLLECTOR PAVEMENT SECTION



Existing Collector Street Section:

- 1.5" HMA TY D
- Chip Seal
- 8" Flex Base
- Cost per Linear Foot: \$160

Proposed Collector Street Section:

- 5" HMA TY D
- Chip Seal
- 19" Flex Base
- Cost per Linear Foot: \$380

Item #12

ARTICLE VIII. STORMWATER COMPLIANCE FOR CONSTRUCTION ACTIVITY

Sec. 23-95. Statement of purpose.

- (a) The intent of this article is to satisfy conditions imposed by the State on the city within the city's Texas Pollutant Discharge Elimination System (TPDES) permit.
- (b) All construction addressed by this article is intended to conform to best management practices. Applicable best management practices (BMPs) are presently outlined in the Texas Commission on Environmental Quality (TCEQ) TPDES General Permit Number TXR150000 Relating To Stormwater Discharges Associated With Construction Activities. These sources constitute recommended guides only. Choice of any technique or BMP is at the option of the responsible party.

(Ord. No. XXXXX)

Sec. 23-96. Definitions.

When used in this article, the following terms shall have the following meanings:

- (a) *Best management practices (BMP)*. A series of structural and non-structural techniques and practices which, when used in an erosion control plan or considered as part of a construction site's housekeeping efforts, are proven to be effective in controlling construction-related runoff, erosion, sedimentation, and associated pollutants.
- (b) *Construction activity*. Clearing or grading of land; dozing or mechanical removal of trees which dozing or mechanical removal disturbs the soil; excavation for installation of utility lines, streets, and drainage facilities; site preparation for housing and commercial development; and on-going construction activities which produce waste products.
- (c) *EPA*. The United States Environmental Protection Agency.
- (d) *Erosion*. The wearing away of the ground surface as a result of the movement of wind, water, and/or ice.
- (e) *Final inspection*. Occurs after a responsible party meets the definition of final stabilization and files a notice of termination, if required by state or federal law. At such time, the City of Eagle Pass will conduct a final inspection to verify compliance with final stabilization and the removal of temporary BMPs.
- (f) *Final stabilization*. Reference TPDES General Permit for Stormwater Discharges for Construction Activities standards located within Region 6 of the EPA. All soil disturbing activities at the site have been completed and a uniform perennial vegetative cover with a density of 70 percent of the native background vegetative cover for the area has been established on all unpaved areas and areas not covered by permanent structures or equivalent permanent stabilization measures have been employed.
- (g) *Grade*. The vertical location of the ground surface.
- (h) *Grading*. Any land disturbance or land fill, or any combination thereof.
- (i) *Improved*. Altered by manmade conditions.
- (j) *Land disturbance/land-disturbing activities*. Any moving or removing, by manual or mechanical means, of the soil mantle or top six inches of soil, whichever is shallower, including, but not limited to, excavations.
- (k) *Land fill*. Any human activity involving the disposition of soil, earth, or other earthen or aggregate materials.

- (l) *Measurable Volume*. A volume of material that is capable of being truly and correctly depicted in a photograph, motion picture, or video recording of the sediment, soil, soil material, or pollutant in question.
- (m) *Municipal (City of Eagle Pass) Storm Sewer System*. The system of conveyances, including, but not limited to, roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, creeks, streams, tributaries, manmade channels, and/or storm drains, which:
 - (1) Provide for the collection and conveyance of stormwater, rain water, flood water, or other surface water; and
 - (2) Are located on public property; and
 - (3) Are not designed and intended to be part of the collection system of a sanitary sewer system utilized by a publicly-owned treatment works (POTW), as defined in Title 40 C.F.R. 122.2; and
 - (4) Are located within the corporate limits of the City of Eagle Pass, Texas.
- (n) *Notice of intent (NOI)*. Notice of Intent filed by a responsible party with the Texas Commission on Environmental Quality (TCEQ). An NOI is required under State regulation for certain construction activity. The NOI is part of the federal general permit process for construction activity concerning projects or runoff deemed to potentially impact waters of the United States of America.
- (o) *Notice of termination (NOT)*. The notice required by TCEQ for sizeable projects within the jurisdiction of any agency that verifies "final stabilization" of the site has been achieved, as described above.
- (p) *National Pollutant Discharge Elimination System (NPDES)*. A permit program that controls water pollution by regulating point sources that discharge pollutants into waters of the United States.
- (q) *Entity*. Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or other legal entity, or the legal representatives, agents, or assigns thereof.
- (r) *Pollutant*. Any substance introduced into the environment that adversely affects a resource. Pollutants include, but are not limited to, soils, soil materials, sediments, human wastes, other wastes, and debris generated at construction sites.
- (s) *Responsible party*. Any person or legal entity, individual or corporate, including the owner, operator, contractor, or subcontractor, any or all of whom may be engaged in, consent to, or actually perform a construction project or construction activity.
- (t) *Sediment*. Earth material deposited by water, wind, or ice.
- (u) *Site*. The location of construction activity within the corporate limits of the city.
- (v) *Soil and/or soil material*. Naturally occurring superficial deposits of earth mantle overlaying bedrock or clay; any naturally occurring surface deposit of sand, gravel, silt, clay; or any mixture thereof.
- (w) *Stormwater*. Stormwater runoff, snow melt runoff, and surface runoff and drainage, as per TPDES Permit No. TXR040000.
- (x) *Stormwater pollution prevention plan (SWPPP)*. The state or federally required plan for identifying and implementing appropriate measures to reduce pollutants in stormwater that discharges into the city's municipal storm sewer system including eroded sediments. Protective measures include, but are not limited to, natural and manmade collection components, good housekeeping for site maintenance, and other commonsensical actions, all frequently referred to as best management practices (BMP).
- (y) *Texas Commission on Environmental Quality (TCEQ)*. An agency of the State of Texas.
- (z) *Unimproved*. Natural conditions that are unaltered.

(Ord. No. XXXXX)

Sec. 23-97. Applicability; declaration of nuisance for violation; no culpable mental state required.

- (a) Within the corporate limits of the city, no entity shall perform construction activities that violate provisions of this article. Construction activities violating this article are hereby declared unlawful.
- (b) Violations committed within the corporate limits of the city shall constitute a public nuisance, as further provided below. Violations of any provision of this article within the city's corporate limits shall be deemed a criminal Class C misdemeanor. Violations of any provision of this article within the city's corporate limits shall be further subject to a civil enforcement option, more particularly described below.
- (c) No culpable mental state is required of any responsible party in order to constitute a violation of this article. Some of the requirements of this article may be generally characterized as good housekeeping protocols and those expected to be employed by a reasonably prudent contractor, operator, owner, or other person having responsibilities for various activities on a construction site. Where State and federal permits require the site operator, owner, or other responsible party to make a stormwater pollution prevention plan (SWPPP), such Plans must be readily available for city inspection.

(Ord. No. XXXXX)

Sec. 23-98. General prohibition against construction pollution within the municipal separate storm sewer system; measurable volumes for violation.

- (a) It is unlawful for any entity to engage in construction activity which results in a measurable volume of sediment, soils, soil material, or pollutants entering the city's storm sewer system.
- (b) Nothing in this section shall diminish or change the general prohibitions against storm sewer pollution found in this chapter.
- (c) The responsible party shall use best management practices (BMP) to prevent sediment, soils, soil materials, and pollutants from entering the city's storm sewer system.
- (d) It is unlawful for any person to engage in construction activity without employing BMP necessary to protect the city's storm sewer system from runoff or other media capable of transporting sediment, soil, soil material, and pollutants into the city's storm sewer system.

(Ord. No. XXXXX)

Sec. 23-99. Additional federal and state requirements generally applicable to responsible parties associated with five-acre tract or larger projects; proper custody of federal or state stormwater pollution prevention plans (SWPPP); applicable to parties required to provide notice of intent (NOI) to EPA or TCEQ; requirement to post NOI at site; requirement to make SWPPP available to city inspector; copy of notice of termination required by EPA or TCEQ.

- (a) Concerning projects for which the EPA or TCEQ have permitting authority, the responsible party shall post at the site, as required by federal and State regulations, a true and correct copy of the NOI. A copy of the NOI shall also be sent to the City of Eagle Pass.
- (b) The responsible party shall have available on site for City inspection the stormwater pollution prevention plan (SWPPP) imposed by EPA or TCEQ when the site in question is subject to such plans imposed by federal or State law.

- (c) The responsible party shall make the SWPPP available to the city inspector on reasonable request made during normal working hours.
 - (d) Failure, refusal, or inability to provide such plan for inspection, when the plan is required under state or federal law, constitutes a violation of this article.
 - (e) It shall be unlawful for any person to engage in construction activity in violation of the elements of an applicable SWPPP.
 - (f) The responsible party shall provide the City of Eagle Pass a true and correct copy of any notice of termination (NOT) necessary to close out a project regulated by the EPA or TCEQ. The NOT shall be sent to the City of Eagle Pass at the time it is sent to the EPA or TCEQ.
 - (g) Where permanent improvements have been constructed, the final inspection shall verify whether or not the "final stabilization" criteria have been met.
 - (h) Where no permanent improvements are planned, temporary BMPs shall continue to be maintained until the site has reached final stabilization.
 - (i) A site shall continue to be regulated until final stabilization is achieved, and, where applicable to state and federally-regulated sites, until a "notice of termination" (NOT) has been filed.
 - (j) Where the site has met final stabilization requirements but the controls or measures implemented thereafter fail, each discharge of construction-related contamination by the responsible party shall constitute a violation of this article.
 - (k) Removal of temporary BMPs shall be required after the site achieves final stabilization.
- (Ord. No. XXXXX)

Sec. 23-100. Enforcement procedures.

- (a) Upon observation of an alleged violation or condition an inspector believes constitutes a violation of this article, the inspector shall issue a field correction notice to a responsible party. The field correction notice shall be personally delivered to a responsible party if such person is available on site, or, in the absence of such person, shall be posted at the construction site. Field correction notices shall afford two 24-hour periods to correct the violation alleged. The first 24-hour period should be used to remediate and remove the offending material, if any, from the city's storm sewer system. A second 24-hour grace period shall follow immediately to allow the responsible party to appropriately install or repair corrective BMP which was lacking or failed to protect the city's storm sewer system.
- (b) If the violation is cured within 48 hours, as described above, no further City action is required.
- (c) If correction is not made timely, the inspector may issue a stop work order.
- (d) If a stop work order is not honored at the site and/or corrective action is not timely accomplished to protect the city's storm sewer system, citations may be issued or civil injunctive remedies with appropriate penalties may be pursued.
- (e) Additional or cumulative enforcement action may be taken as the seriousness of the alleged pollutant encroachment into the city's storm sewer system escalates.
- (f) Additional compliance time may be afforded if, within the judgment and discretion of the inspector, municipal obligations to environmental health and safety and municipal stormwater compliance obligations to enforcement agencies are not comprised.

(Ord. No. XXXXX)

Sec. 23-101. Criminal and civil enforcement.

- (a) A penalty is hereby established whereby any entity that shall violate any provision of this article shall be deemed to be guilty of a misdemeanor and shall, upon conviction, be fined a minimum of not less than \$200.00 per violation and a maximum amount of not more than \$2,000.00 per violation. Each day of violation shall constitute a separate offense for purposes of the enforcement of this article. A culpable mental state is not required to prove an offense under this article.
- (b) The city attorney is hereby authorized to pursue all legal, equitable, and criminal remedies appropriate to enforce all provisions of this article, including, but not limited to, the authority granted under the V.T.C.A., Local Government Code ch. 54, providing for injunctive relief and court imposed civil penalties up to \$5,000 a day for violation of ordinances relating to the discharge of a pollutant into a storm sewer system controlled by a municipality.
- (c) Upon the written direction of the city administrator advising of an alleged violation of any section of this article, the city attorney is authorized to petition any court of competent jurisdiction for an injunction to enjoin the continuance of such violation and to secure any all civil penalties within the jurisdiction of the appropriate court. This remedy shall be cumulative of and in addition to all other enforcement remedies available to the city.
- (d) The authority set out above shall in no way diminish the authority and responsibility of the city attorney to diligently prosecute violations of this article through municipal court.

(Ord. No. XXXXX)