

CITY OF ALPINE
PLANNING & ZONING COMMISSION MEETING
September 23, 2024 – 5:30 PM

City Council Chambers, 803 W. Holland Avenue, Alpine, Texas 79830

1. CALL TO ORDER.

2. PUBLIC COMMENTS.

Each person in attendance who desires to speak to the Board on an item on the agenda shall speak during this section. Public comments may be made regarding agenda items only. Attendees must be physically present in order to address the Board. Comments by proxy are not allowed. Public Comments are limited to 3 minutes per person. Unused time may not be yielded to other attendees.

3. PUBLIC HEARINGS.

At this time, the Chair will invite members of the public to address each item listed in this section. Comments made during this section are limited to the topic of each public hearing. Attendees must be physically present in order to address the Board. Comments by proxy are not allowed. Public Comments are limited to 3 minutes per person. Unused time may not be yielded to other attendees. If more than one public hearing is being held, each person will be allowed to speak during each topic.

- A. Public Hearing to obtain citizen views and comments regarding Replat 2024-10-01, a replat allowing the applicant, Ruben Losoya, to amend lot lines to provide conformance with R-4 zoning requirements for the subject property. The subject property is located at or about 806 S. Cactus Street and is legally described as 1.482 acres out of the South 3.0 acres of the West Half (W/2) of Block 2, Means Addition "A," Brewster County, Texas, being all of that certain 1.483 acre tract described in Document no. 105626, Official Public Records of Brewster County, Texas. The property owner of record is Ruben Losoya. The Property ID of the subject property is 11311. The current zoning classification of the property is R-4 Mobile Home District. If the replat is approved the zoning classification of the subject property will remain R-4 Mobile Home District.
- B. Public Hearing to obtain citizen views and comments regarding Special Use Permit 2024-10-01, a special use permit authorizing the applicant, Perla Baeza, to obtain a (Malt Beverage) Retail Dealer's On-Premise License (BE) from the Texas Alcoholic Beverage Commission to establish a beer garden that will include malt beverage sales at the subject property. The subject property is located at the previous farmers market, 107 E. Murphy. The property owner of record is Perla Baeza. The Parcel ID of the subject property is 34500.

4. APPROVAL OF MINUTES OF PREVIOUS BOARD MEETING

5. DISCUSSION ITEMS

- A. Discussion regarding board member comments on the new proposed city zoning map. (T. Griffith, Commissioner)
- B. Discussion regarding a listing of pros and cons of the city zoning map. (T. Griffith, Commissioner)

6. ACTION ITEMS.

Action items are to be accompanied by a brief statement of facts, including where funds are coming from, if applicable. (Action items limited to 10 per meeting).

- A. Approve Replat 2024-10-01, a replat allowing the applicant, Ruben Losoya, to amend lot lines to provide conformance with R-4 zoning requirements for the subject property. The subject property is located at or about 806 S. Cactus Street and is legally described as 1.482 acres out of the South 3.0 acres of the West Half (W/2) of Block 2, Means Addition "A," Brewster County, Texas, being all of that certain 1.483 acre tract described in Document no. 105626, Official Public Records of Brewster County, Texas. The property owner of record is Ruben Losoya. The Property ID of the subject property is 11311. The current zoning classification of the property is R-4 Mobile Home District. If the replat is approved the zoning classification of the subject property will remain R-4 Mobile Home District. (G. Calderon, City Secretary)
- B. Approve Special Use Permit 2024-10-01, a special use permit authorizing the applicant, Perla Baeza, to obtain a (Malt Beverage) Retail Dealer's On-Premise License (BE) from the Texas Alcoholic Beverage Commission to establish a beer garden that will include malt beverage sales at the subject property. The subject property is located at the previous farmers market, 107 E. Murphy. The property owner of record is Perla Baeza. The Parcel ID of the subject property is 34500. (G. Calderon, City Secretary)

7. **BOARD MEMBER COMMENTS**

8. **ADJOURN.**

CERTIFICATION

I, Geoffrey R. Calderon, do hereby certify that this notice was posted at City Hall, in a convenient and readily accessible place to the general public, and on the City website at www.cityofalpine.com/agenda pursuant to Section 551.043, Texas Government Code. The said notice was posted by 5:00 P.M. on September 19, 2024, and remained so posted for at least 72 hours preceding the scheduled time of the said meeting.

WITNESS MY HAND AND SEAL
this 19th day of September, 2024



Geoffrey R. Calderon, TRMC
City Secretary & Chief Governance Officer



**PLANNING & ZONING COMMISSION AGENDA ITEM
REPORT**

September 23, 2024

Agenda Item No. 3A

Department: Board

Sponsor: Geoffrey R. Calderon, City Secretary

Memo Prepared By: Geoffrey R. Calderon, City Secretary

Staff Recommendation: None



AGENDA ITEM

Public Hearing to obtain citizen views and comments regarding Replat 2024-10-01, a replat allowing the applicant, Ruben Losoya, to amend lot lines to provide conformance with R-4 zoning requirements for the subject property. The subject property is located at or about 806 S. Cactus Street and is legally described as 1.482 acres out of the South 3.0 acres of the West Half (W/2) of Block 2, Means Addition "A," Brewster County, Texas, being all of that certain 1.483 acre tract described in Document no. 105626, Official Public Records of Brewster County, Texas. The property owner of record is Ruben Losoya. The Property ID of the subject property is 11311. The current zoning classification of the property is R-4 Mobile Home District. If the replat is approved the zoning classification of the subject property will remain R-4 Mobile Home District.

EXECUTIVE SUMMARY

None

SUPPORTING MATERIALS

None

BUDGET CONSIDERATIONS

Expenditure Required: N/A

Savings Anticipation: N/A

Current Budget FY2023-2024: N/A

Additional Funding: N/A

APPROVERS

Alex Tackett, Records Clerk

Geoffrey R. Calderon, City Secretary

Megan Antrim, City Manager

**PLANNING & ZONING COMMISSION AGENDA ITEM
REPORT**

September 23, 2024

Agenda Item No. 3B

Department: Board

Sponsor: Geoffrey R. Calderon, City Secretary

Memo Prepared By: Geoffrey R. Calderon, City Secretary

Staff Recommendation: None



AGENDA ITEM

Public Hearing to obtain citizen views and comments regarding Special Use Permit 2024-10-01, a special use permit authorizing the applicant, Perla Baeza, to obtain a (Malt Beverage) Retail Dealer's On-Premise License (BE) from the Texas Alcoholic Beverage Commission to establish a beer garden that will include malt beverage sales at the subject property. The subject property is located at the previous farmers market, 107 E. Murphy. The property owner of record is Perla Baeza. The Parcel ID of the subject property is 34500.

EXECUTIVE SUMMARY

None

SUPPORTING MATERIALS

None

BUDGET CONSIDERATIONS

Expenditure Required: N/A

Savings Anticipation: N/A

Current Budget FY2023-2024: N/A

Additional Funding: N/A

APPROVERS

Alex Tackett, Records Clerk

Geoffrey R. Calderon, City Secretary

Megan Antrim, City Manager

**PLANNING & ZONING COMMISSION AGENDA ITEM
REPORT**

September 23, 2024

Agenda Item No. 5A

Department: Board

Sponsor: Thomas Griffith, Commissioner

Memo Prepared By: Geoffrey R. Calderon, City Secretary

Staff Recommendation: None



AGENDA ITEM

Discussion regarding board member comments on the new proposed city zoning map. (T. Griffith, Commissioner)

EXECUTIVE SUMMARY

None

SUPPORTING MATERIALS

None

BUDGET CONSIDERATIONS

Expenditure Required: N/A

Savings Anticipation: N/A

Current Budget FY2023-2024: N/A

Additional Funding: N/A

APPROVERS

Alex Tackett, Records Clerk

Geoffrey R. Calderon, City Secretary

Megan Antrim, City Manager

PLANNING & ZONING COMMISSION AGENDA ITEM REPORT

September 23, 2024

Agenda Item No. 5B

Department: Board

Sponsor: Thomas Griffith, Commissioner

Memo Prepared By: T. Griffith, Commissioner

Staff Recommendation: None



AGENDA ITEM

Discussion regarding a listing of pros and cons of the city zoning map. (T. Griffith, Commissioner)

EXECUTIVE SUMMARY

1. PROS-

- The current map produced by the COG up to date
- The current one used by the City of Alpine is dated 2013(?)
- When the City of Alpine awards the Comprehensive Plan study, the contractor has a much better starting point with the COG map.
- The COG work is being provide free to the City of Alpine.
- The comprehensive plan will most likely require edits to the map.
- The City of Alpine can provide the contractor with COG's data. This should translate to a cost reduction for the comprehensive plan effort.
- The COG has the only current geospatial data. This will also be provided free of charge.
- The rationale for delaying until the comprehensive plan is complete may require further discussion. The plan could take 18-24 months to complete. Meanwhile, the COG's map can be used regardless of future edits. Questionable zoning boundaries may be handled on a case-by-case basis

2. CONS –

- May have to constrain any boundary edits until the comprehensive plan is complete
- Contractor may not accept geospatial data.
- Surveys may result in many edits. Requires coordination with the City of Alpine's Administration, The Planning and Zoning Commission, and possibly the COG.
- City Council may have exceptions to the current COG map's boundaries.

SUPPORTING MATERIALS

None

BUDGET CONSIDERATIONS

Expenditure Required: N/A
Savings Anticipation: N/A
Current Budget FY2023-2024: N/A
Additional Funding: N/A

APPROVERS

Alex Tackett, Records Clerk
Geoffrey R. Calderon, City Secretary
Megan Antrim, City Manager

PLANNING & ZONING COMMISSION AGENDA ITEM REPORT

September 23, 2024

Agenda Item No. 6A

Department: Building Services

Sponsor: Geoffrey R. Calderon, City Secretary

Memo Prepared By: Geoffrey R. Calderon, City Secretary

Staff Recommendation: Approve



AGENDA ITEM

Approve Replat 2024-10-01, a replat allowing the applicant, Ruben Losoya, to amend lot lines to provide conformance with R-4 zoning requirements for the subject property. The subject property is located at or about 806 S. Cactus Street and is legally described as 1.482 acres out of the South 3.0 acres of the West Half (W/2) of Block 2, Means Addition "A," Brewster County, Texas, being all of that certain 1.483 acre tract described in Document no. 105626, Official Public Records of Brewster County, Texas. The property owner of record is Ruben Losoya. The Property ID of the subject property is 11311. The current zoning classification of the property is R-4 Mobile Home District. If the replat is approved the zoning classification of the subject property will remain R-4 Mobile Home District. (G. Calderon, City Secretary)

EXECUTIVE SUMMARY

Ruben Losoya is requesting a replat of his property because under the current plat and current zoning designation, the subject property is considered "non-conforming." The replat will allow the applicant to plat the property in a way that will provide him the means to insert new mobile homes on the property in the spaces that he desires. The current plat does not provide adequate setback requirements for new mobile homes to replace the grandfathered mobile homes.

SUPPORTING MATERIALS

1. Replat 2024-10-01 - Rueben Losoya_Redacted
2. Replat 2024-10-01

BUDGET CONSIDERATIONS

Expenditure Required: N/A
Savings Anticipation: N/A
Current Budget FY2023-2024: N/A
Additional Funding: N/A

APPROVERS

Alex Tackett, Records Clerk
Geoffrey R. Calderon, City Secretary
Megan Antrim, City Manager



APPLICATION FOR PLAT

Building Services Department
309 WEST SUL ROSS AVENUE, ALPINE, TEXAS 79830
(432) 837-3281

CHECK ONE: ☐ Master Plan ☐ Prelim. /Final Plat ☐ Prelim. Plat ☒ Final Plat ☐ Replat ☐ Amended ☐ Minor

- PROPOSED SUBDIVISION NAME: Caclus St. Mobile Home Park UNIT NO. _____
LOCATION DESCRIPTION/ NEAREST INTERSECTION: Means A. Block 2 lot: S W/2 Means A Addn.
ACREAGE: 1.483 NO. OF LOTS: EXISTING 12 change to _____ PROPOSED 8 lots
REASON(S) FOR PLATTING/REPLATTING Replattng for restrictions and city agreement
- OWNER/APPLICANT*: Ruben Losoya
(*if applicant is person other than owner, a letter of authorization must be proved from owner. *)
ADDRESS: _____ Ste. _____
TELEPHONE: _____ FAX: _____ MOBILE: _____ EMAIL: _____
- LICENSED ENGINEER/SURVEYOR: Kevin Mueller - Sawtooth surveying
ADDRESS: 105 N. Cockrell St. Alpine Texas 79830 Ste. _____
TELEPHONE: _____ FAX: _____ MOBILE: _____ EMAIL: _____
Kevin.mueller@sawtoothsurvey.com
- LIST ANY VARIANCES REQUESTED: _____
- REASON FOR REQUEST (LIST ANY HARDSHIPS): _____
- CITY LIMITS: IN ☐ OUT ☐ IS ANY PART OF THE PROPERTY IN A FLOOD PLAIN? YES ☐ NO ☐
- Is the property subject to any liens, encumbrances, or judgments? If so, give details. (Provide separate sheet if needed.) Permission from any lien holders and/or removal of any encumbrances or judgments will be necessary

REQUIRED ITEMS FOR SUBMITTAL PACKAGE:

Completed application, including signature of owner/applicant and signed waiver.

- ☒ Fee. (see reverse) \$ 230⁰⁰
- ☐ TIA worksheet, reviewed by City of Alpine's Building Official, and appropriate Level TIA (If required).
- ☒ 3 copies of the plat (accepted size: 18"x 24"), collated and folded so that the subdivision name is visible and 1 Digital copy.
- ☐ 1 copy of preliminary plan of the water system showing the approximate location and size of onsite and offsite existing and proposed water lines and fire hydrants. 1 copy of preliminary drainage plan (If required)..
- ☒ Tax Certificate from Brewster County showing that no delinquent taxes are due on the property (Texas Local Government Code Sec 12.002).
- ☒ Current deed restrictions for Vacating Plats, and Townhouse and Zero Lot Line Subdivisions.
- ☒ Survey Showing any existing structures on the subject property.
- ☐ List of approved street names by the appropriate county.

PLEASE READ "IMPORTANT NOTES" ON THE REVERSE SIDE OF THIS APPLICATION

I agree to comply with all platting and subdivision requirements of the City of Alpine. I understand that the plat will NOT be forwarded to the Planning Commission unless staff comments are satisfactorily addressed by the plat corrections due date. I do not object to consideration of the plat on 6/18/2024 (date of Planning Commission meeting). This waiver expires after _____ (date of Planning Commission meeting). (The waiver statement above is not applicable to Minor Plats).

6/18/2024

Date

Ruben Losoya

Print Name & Title

Ruben Losoya
Signature of Owner/Applicant

(If applicant is person other than owner, a letter of authorization must be provided from owner.) Signature indicates authorization for plat application and acceptance of waiver statement.

APPLICATION FEES

TYPE OF PLAT/ACREAGE	TYPE I (Not previously platted, in R-3, C or M zoning, or Non-residential plat)	TYPE II (replat requiring public hearing in platted residential subdivision in any zone)	TYPE III (amending plat; corrections without vacating plat)	MASTER PLAN
Less than 1 acre	\$200.00 Plus \$2 per lot or \$4 per acre, whichever is greater	\$200.00 Plus \$2 per lot or \$4 per acre, whichever is greater	\$100.00	\$100.00 base fee + \$1.00 per lot or \$2.00 per acre, whichever is greater
1 to 4.99 acres	\$200.00 Plus \$2 per lot or \$4 per acre, whichever is greater	\$230.00 Plus \$2 per lot or \$4 per acre, whichever is greater	\$100.00	
5 to 10 acres	\$225.00 Plus \$2 per lot or \$4 per acre, whichever is greater	\$345.00 Plus \$2 per lot or \$4 per acre, whichever is greater	\$100.00	
More than 10	\$300.00 Plus \$2 per lot or \$4 per acre, whichever is greater	\$460.00 Plus \$2 per lot or \$4 per acre, whichever is greater	\$100.00	

All filing fees for plats are payable at time of initial submittal.
****All signature spots showing the recording on the document: Planning & Zoning, City Secretary, Mayor, County Clerk to sign off. **All documents must indicate "replat", "amended" in the title if being revised.**

Open space fees are due at time of final plat submittal. If public improvements are required, open space fees are due prior to construction plan approval.

IMPORTANT NOTES:

- All staff comments must be addressed by the plat correction due date. If not, the plat will NOT be forwarded to the Planning Commission until staff comments have been satisfied
- For plats on TxDOT right-of-way, it is highly recommended that a permit be submitted to TxDOT prior to submitting the plat application.
- All new plats and master plans must be reviewed by the Parks Planner for park dedication requirements.

FOR OFFICE USE ONLY:

Date Application Fee Received: 06/18/2024 Received By: mmi
 Receipt No. 24-007689 Cash/Check No. 1202 Amount Recd. \$ 23000

☒ 3 copies ☒ street names appr. list ☒ TxDOT approval letter

☒ letter of authorization ☒ proof of ownership ☒ HOA document

Plat review meeting date: _____ Planning Commission meeting date: _____

COUNTY CLERK RECORDING REQUIRED:

1.483 ACRES
FN 18-002 LOSOYA
5 Mar 2018

EXHIBIT "A"

CMA ENGINEERING, INC.
SURVEY FIRM NO. 10193988
1864-055

1.483 Acres

FIELD NOTE DESCRIPTION OF 1.483 ACRES OF LAND OUT OF BLOCK 2, MEANS ADDITION SUBDIVISION "A", BREWSTER COUNTY, TEXAS, AS RECORDED IN ENVELOPE NO. 63, PLAT RECORDS OF BREWSTER COUNTY, TEXAS, SAID 1.483 ACRE TRACT BEING A PORTION OF THAT CERTAIN 3.0 ACRE TRACT DESCRIBED AS THE SOUTH 3.0 ACRES OF THE WEST 1/2 OF BLOCK 2, AS RECORDED IN VOLUME 36, PAGE 410, OFFICIAL PUBLIC RECORDS OF BREWSTER COUNTY, TEXAS, SAID 1.483 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 2 inch pipe found for the southeast corner of the west 1/2 of said Block 2, also being the southeast corner of said 3.0 acre tract for the **POINT OF COMMENCEMENT**;

THENCE with the east line of said 3.0 acre tract, **N 17°59'32" W**, a distance of **199.64 feet** to a capped 1/2 inch iron rod [CMA 5911] set for the southeast corner and **POINT OF BEGINNING** of the herein described tract;

THENCE over and across said 3.0 acre tract, **S 72°06'17" W**, a distance of **330.28 feet** to a capped 1/2 inch iron rod [CMA 5911] set in the east line of South Cactus Street, for the southwest corner of the herein described tract, from which a 1/2 inch iron rod found for the southwest corner of said 3.0 acre tract bears, **S 18°00'00" E**, a distance of **201.14 feet**;

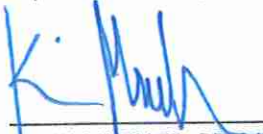
THENCE with the east line of said South Cactus Street, **N 18°00'00" W**, a distance of **195.83 feet** to a 1/2 inch iron rod found for the northwest corner of said 3.0 acre tract and northwest corner of the herein described tract;

THENCE with the north line of said 3.0 acre tract, **N 72°11'31" E**, a distance of **330.31 feet** to a capped 1/2 inch iron rod [Walker] found for the northeast corner of said 3.0 acre tract and northeast corner of herein described tract;

THENCE with the east line of said 3.0 acre tract, **S 17°59'32" E**, a distance of **195.33 feet** to the **POINT OF BEGINNING**, containing **1.483 acres** more or less.

BEARINGS ARE BASED ON THE RECORD EAST LINE OF SAID 3.0 ACRE TRACT.

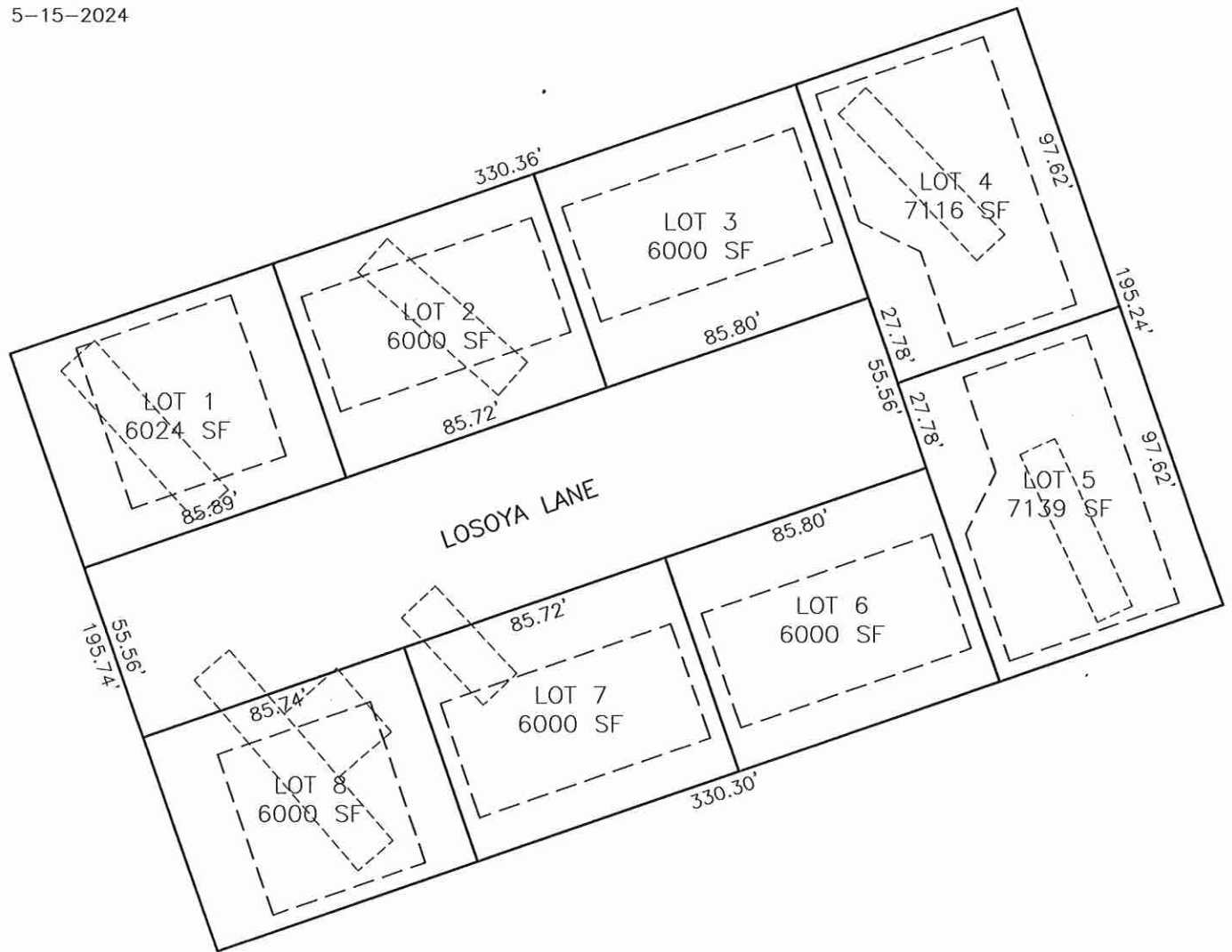
I, Kevin Mueller, do hereby certify that this description was prepared from a survey performed under my supervision during March of 2018, and is true and correct to the best of my knowledge.

 **3-5-18**

KEVIN MUELLER, RPLS No. 5911
CMA ENGINEERING, INC.
235 LEDGE STONE DRIVE
AUSTIN, TX 78737
PHONE (512) 432-1000



PRELIM LAYOUT A
5-15-2024



2024 Notice of Appraised Value

Do Not Pay From
This Notice

BREWSTER COUNTY APPRAISAL DISTRICT
1604 W. HWY 90
ALPINE, TX 79830
Phone: 432-837-2558 Fax: 432-837-3871

Property ID: 11311
Ownership %: 100.00
Geo ID: 972800020000000240
Legal: MEANS A, BLOCK 2 LOT: S W/2 MEANS A ADDN
Legal Acres: 1.483
Situs: 806 S CACTUS STREET ALPINE, TX
Owner ID: 35773
EFILE PIN: y99KckgMwCrSy99KckgMwCrS

DATE OF NOTICE: May 6, 2024



Property ID: 11311 - 972800020000000240
LOSOYA RUBEN
PAIGE H LOSOYA
205 ROSEBUD ST
BOERNE, TX 78006

Dear Property Owner,

We have appraised the property listed above for the tax year 2024. As of January 1, our appraisal is outlined below.

Appraisal Information			Last Year - 2023	Proposed - 2024	
Market Value of Improvements (Structures / Buildings, etc.)					137,148
Market Value of Non Ag/Timber Land					42,879
Market Value of Ag/Timber Land					0
Market Value of Personal Property/Minerals					0
Total Market Value					180,027
Productivity Value of Ag/Timber Land					0
Appraised Value					180,027
Homestead Cap Value/Circuit Breaker Limitation					0
Exemptions (DV - Disabled Vet; DP-Disabled Person; HS-Homestead; OV65-Over 65)					
2023 Exemption Amount	2023 Taxable Value	Taxing Unit	2024 Proposed Appraised Value	2024 Exemption Amount	2024 Taxable Value
0	170,654	Brewster County	180,027	0	180,027
0	170,654	Big Bend Regional Hospital	180,027	0	180,027
0	170,654	City of Alpine	180,027	0	180,027
0	170,654	Alpine ISD	180,027	0	180,027
0	170,654	Central Appraisal District	180,027	0	180,027

The difference between the 2019 appraised value and the 2024 appraised value is 83.94%.

An (*) next to the Taxing Unit name indicates a tax ceiling exists for the taxing unit.

The Texas Legislature does not set the amount of your local taxes. Your property tax burden is decided by your locally elected officials, and all inquiries concerning your taxes should be directed to those officials.

If you qualified your home for an age 65 or older or disabled person homestead exemption, the school taxes on that property cannot increase as long as you own and live in that home. The tax ceiling is the amount you pay in that year that you qualified for the age 65 or older or disabled person exemption. The school taxes on your home may not go above the amount of the ceiling, unless you improve the home (other than normal repairs or maintenance).

The governing body of each taxing unit decides whether taxes on the property will increase, and the appraisal district only determines the property's value.

LOCAL PROPERTY TAX DATABASE

Visit [Texas.gov/PropertyTaxes](https://www.texas.gov/PropertyTaxes) to find a link to your local property tax database on which you can easily access information regarding your property taxes, including information regarding the amount of taxes that each entity that taxes your property will impose if the entity adopts its proposed tax rate. Your local property tax database will be updated regularly during August and September as local elected officials propose and adopt the property tax rates that will determine how much you pay in property taxes.

A property owner may request from the county assessor-collector for the county in which the property is located or, if the county assessor-collector does not assess taxes for the county, the person who assesses taxes for the county under Section 6.24(b), contact information for the assessor for each taxing unit in which the property is located, who must provide the information described by this subsection to the owner on request.

County Tax Assessor-Collector: Brewster County Tax Assessor/Collector's Office 107 W. Ave. E #1, Alpine, TX 79830 432-837-6200

A property owner may register on the appraisal district's internet website, if the appraisal district maintains an internet website, to have notifications regarding updates to the property tax database delivered to the owner by e-mail.

You may qualify for the real property other than residence homestead circuit breaker limitation if your property's appraised value is not more than the amount determined under Tax Code Section 23.231 Subsection (j) for the tax year in which the property first qualified. Under Section 23.231, Tax Code, for the 2024, 2025, and 2026 tax years, the appraised value of real property other than a residence homestead for ad valorem tax purposes may not be increased by more than 20 percent each year, with certain exceptions. The circuit breaker limitation provided under Section 23.231, Tax Code, expires December 31, 2026. Unless this expiration date is extended by the Texas Legislature, beginning in the 2027 tax year, the circuit breaker limitation provided under Section 23.231, Tax Code, will no longer be in effect and may result in an increase in ad valorem taxes imposed on real property previously subject to the limitation.

Visit the appraisal district's website to elect to exchange communications with a tax official electronically under Subsection (a-2) of Tax Code Section 1.085.

To file a protest, complete the notice of protest form following the instructions included in the form and no later than the deadline below, mail or deliver the form to the appraisal review board at the following address: 1604 W. Hwy 90, Alpine, TX 79830

Deadline for filing a protest: June 6, 2024

Location of Hearings: 1604 W. Hwy 90, Alpine, TX 79830

ARB will begin hearings: June 10, 2024

Enclosed are copies of the following documents published by the Texas Comptroller of Public Accounts: (1) Taxpayer Assistance Pamphlet and (2) notice of protest.

Property owners who file a notice of protest with the appraisal review board (ARB) may request an informal conference with the appraisal district to attempt to resolve a dispute prior to a formal ARB hearing. In counties with populations of 1 million or more, property owners may request an ARB special panel for certain property protests.

Contact your appraisal district for further information.

Chief Appraiser

Issued By:

Brewster County Tax Office
107 W Ave E #1 432-837-2214
Alpine, TX 79830

Property Information

Property ID: 34892 Geo ID: 972800020000000241
Legal Acres: 1.5200
Legal Desc: MEANS A, BLOCK 2 LOT: S W/2 MEANS A ADDN
Situs: Alpine,
DBA:
Exemptions:

Owner ID: 35773 100.00%
LOSOYA RUBEN
PAIGE H LOSOYA
205 ROSEBUD ST
BOERNE, TX 78006

For Entities

Alpine ISD
Big Bend Regional Hospital District
Brewster County
City of Alpine

Value Information

Improvement HS:	0
Improvement NHS:	0
Land HS:	43,240
Land NHS:	0
Productivity Market:	0
Productivity Use:	0
Assessed Value	43,240

Current/Delinquent Taxes

This is to certify that, after a careful check of the tax records of this office, the following delinquent taxes, penalties, interest and any known costs and expenses as provided by Tax Code §33.48, are due on the described property for the following taxing unit(s):

Year	Entity	Taxable	Tax Due	Disc./P&I	Attorney Fee	Total Due
Totals:			0.00	0.00	0.00	0.00

Effective Date: 07/09/2024

Total Due if paid by: 07/31/2024 0.00

Tax Certificate Issued for:	Taxes Paid in 2023
Brewster County	158.49
Big Bend Regional Hospital District	28.58
City of Alpine	197.84
Alpine ISD	424.83

If applicable, the above-described property has/is receiving special appraisal based on its use, and additional rollback taxes may become due based on the provisions of the special appraisal (Comptroller Rule 9.3040) or property omitted from the appraisal roll as described under Tax Code Section 25.21 is not included in this certificate [Tax Code Section 31.08(b)].

Pursuant to Tax Code Section 31.08, if a person transfers property accompanied by a tax certificate that erroneously indicates that no delinquent taxes, penalties or interest are due a taxing unit on the property or that fails to include property because of its omission from an appraisal roll, the unit's tax lien on the property is extinguished and the purchaser of the property is absolved of liability to the unit for delinquent taxes, penalties or interest on the property or for taxes based on omitted property. The person who was liable for the tax for the year the tax was imposed or the property was omitted remains personally liable for the tax and for any penalties or interest.

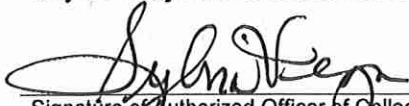
A tax certificate issued through fraud or collusion is void.

This certificate does not clear abuse of granted exemptions as defined in Section 11.43 Paragraph(1) of the Texas Property Tax Code.

May Be Subject to Court Costs if Suit is Pending

Date of Issue: 07/09/2024
Requested By: LOSOYA RUBEN JR
Fee Amount: 10.00
Reference #:

Page: 1


Signature of Authorized Officer of Collecting Office

Through Tax Year
2023

TAX CERTIFICATE

Certificate #
13423

Issued By:

Brewster County Tax Office
107 W Ave E #1 432-837-2214
Alpine, TX 79830

Property Information

Property ID: 11311 Geo ID: 972800020000000240
Legal Acres: 1.4830
Legal Desc: MEANS A, BLOCK 2 LOT: S W/2 MEANS A ADDN
Situs: 806 S CACTUS STREET ALPINE, TX
DBA:
Exemptions:

Owner ID: 35773 100.00%
LOSOYA RUBEN
PAIGE H LOSOYA
205 ROSEBUD ST
BOERNE, TX 78006

For Entities

Alpine ISD
Big Bend Regional Hospital District
Brewster County
City of Alpine

Value Information

Improvement HS: 127,775
Improvement NHS: 0
Land HS: 42,879
Land NHS: 0
Productivity Market: 0
Productivity Use: 0
Assessed Value 170,654

Current/Delinquent Taxes

This is to certify that, after a careful check of the tax records of this office, the following delinquent taxes, penalties, interest and any known costs and expenses as provided by Tax Code §33.48, are due on the described property for the following taxing unit(s):

Year	Entity	Taxable	Tax Due	Disc./P&I	Attorney Fee	Total Due
Totals:			0.00	0.00	0.00	0.00

Effective Date: 07/09/2024

Total Due if paid by: 07/31/2024

0.00

Tax Certificate Issued for:	Taxes Paid in 2023
Brewster County	625.53
Big Bend Regional Hospital District	112.79
City of Alpine	780.84
Alpine ISD	1,676.67

If applicable, the above-described property has/is receiving special appraisal based on its use, and additional rollback taxes may become due based on the provisions of the special appraisal (Comptroller Rule 9.3040) or property omitted from the appraisal roll as described under Tax Code Section 25.21 is not included in this certificate [Tax Code Section 31.08(b)].

Pursuant to Tax Code Section 31.08, if a person transfers property accompanied by a tax certificate that erroneously indicates that no delinquent taxes, penalties or interest are due a taxing unit on the property or that fails to include property because of its omission from an appraisal roll, the unit's tax lien on the property is extinguished and the purchaser of the property is absolved of liability to the unit for delinquent taxes, penalties or interest on the property or for taxes based on omitted property. The person who was liable for the tax for the year the tax was imposed or the property was omitted remains personally liable for the tax and for any penalties or interest.

A tax certificate issued through fraud or collusion is void.

This certificate does not clear abuse of granted exemptions as defined in Section 11.43 Paragraph(1) of the Texas Property Tax Code.

May Be Subject to Court Costs if Suit is Pending

Date of Issue: 07/09/2024
Requested By: LOSOYA RUBEN JR
Fee Amount: 10.00
Reference #:

Page: 1

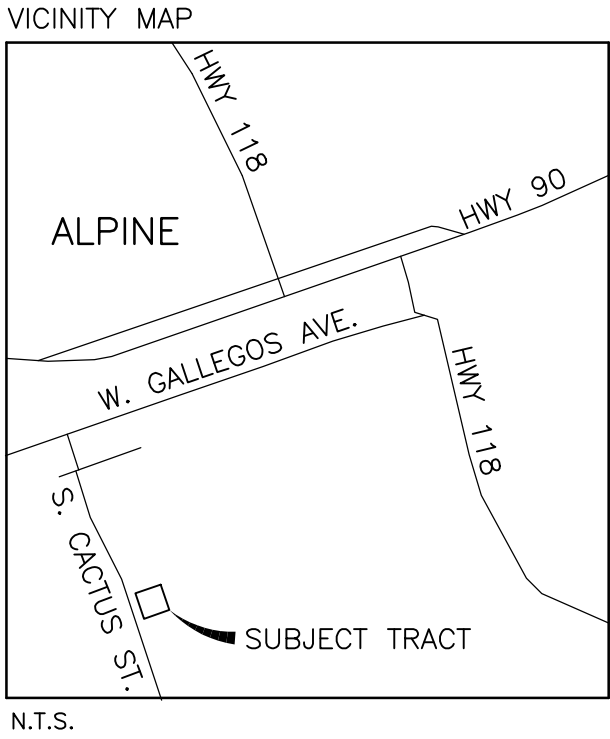
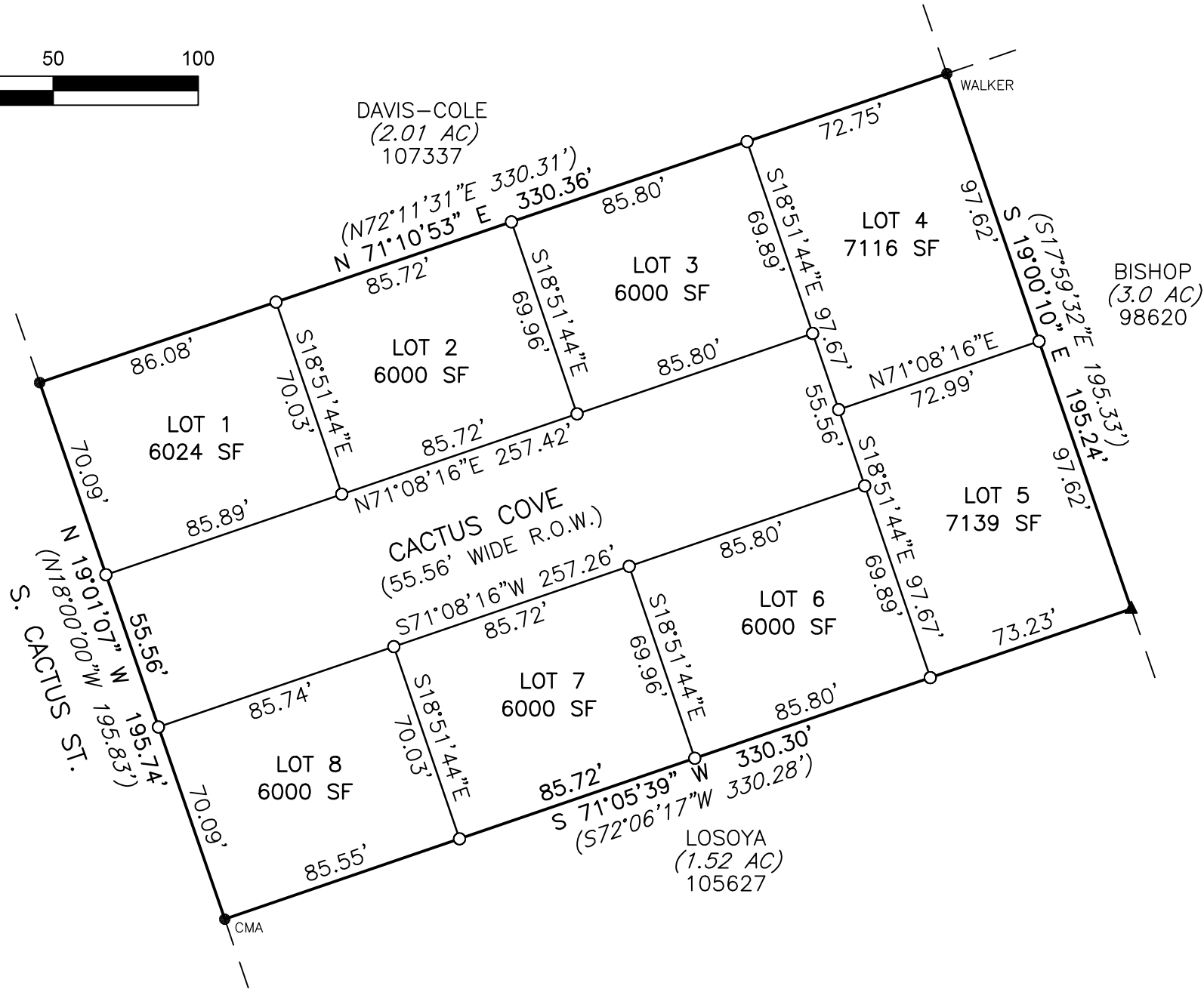
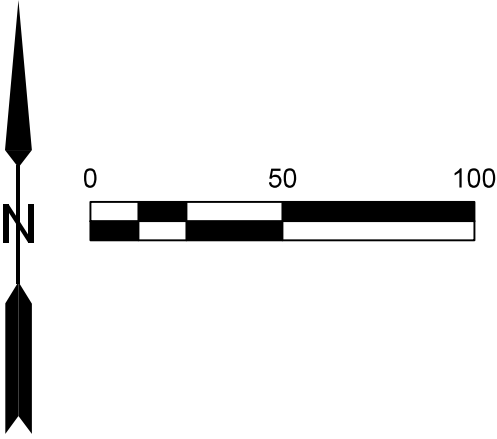
Signature of Authorized Officer or Collecting Office

Page 15 of 30

CACTUS COVE SUBDIVISION

REPLAT OF 1.482 ACRES OUT OF THE SOUTH 3.0 ACRES OF THE WEST HALF (W/2) OF BLOCK 2, MEANS ADDITION "A", BREWSTER COUNTY, TEXAS,
PLAT ON FILE IN ENVELOPE 63, PLAT RECORDS OF BREWSTER COUNTY, TEXAS

BEING ALL OF THAT CERTAIN 1.483 ACRE TRACT DESCRIBED IN DOCUMENT NO. 105626
OFFICIAL PUBLIC RECORDS OF BREWSTER COUNTY, TEXAS



- LEGEND
- IRON ROD FOUND [CAPPED AS NOTED]
 - ▲ NAIL FOUND
 - CAPPED IRON ROD SET [5911]
 - () RECORD INFORMATION
- BEARING BASIS: WGS 84

STATE OF TEXAS

COUNTY OF BREWSTER

I, RUBEN LOSOYA, AND MY WIFE, PAIGE H. LOSOYA, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE HEREON DESCRIBED TRACT, AS RECORDED IN DOCUMENT NO. 105626, OFFICIAL PUBLIC RECORDS OF BREWSTER COUNTY, TEXAS, AND DO HEREBY DEDICATE TO THE PUBLIC THE RIGHT-OF-WAY SHOWN HEREON AND REPLAT SAID TRACT TO BE KNOWN AS:

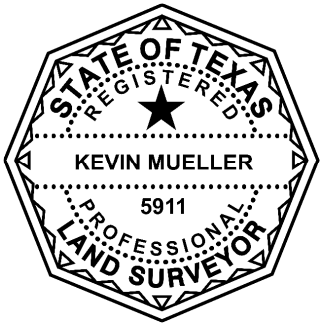
CACTUS COVE SUBDIVISION

RUBEN LOSOYA
205 ROSEBUD
BOERNE, TX 78006

PAIGE H. LOSOYA
205 ROSEBUD
BOERNE, TX 78006

NOTES:

1. ACCORDING TO FEMA FIRM MAP PANEL 4800850002B, DATED 11/16/1990, THIS TRACT LIES WITHIN ZONE X [AREAS OUTSIDE THE 500-YR FLOODPLAIN].
2. THIS TRACT IS LOCATED WITHIN THE FULL-PURPOSE JURISDICTION OF THE CITY OF ALPINE.



I HEREBY CERTIFY THAT THIS PLAT IS BASED ON AN ACTUAL ON THE GROUND SURVEY AND THAT THE LINES AND CORNERS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

8-14-2024

KEVIN MUELLER
105 N. COCKRELL ST.
(432) 538-2115
KEVIN.MUELLER@SAWTOOTHSURVEY.COM

SAW TOOTH SURVEY
P.O. BOX 1751
ALPINE, TX 79831

WHEREAS THE PLANNING AND ZONING COMMISSION OF THE CITY OF ALPINE, TEXAS VOTED AFFIRMATIVELY ON THIS ____ DAY OF _____, 20____, TO APPROVE THIS PLAT.

STATE OF TEXAS

COUNTY OF _____

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED, RUBEN LOSOYA, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND HAVE ACKNOWLEDGED TO ME THAT HE HAS EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ____DAY OF _____, 20____.

NOTARY PUBLIC'S SIGNATURE

STATE OF TEXAS

COUNTY OF _____

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED, PAIGE H. LOSOYA, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND HAVE ACKNOWLEDGED TO ME THAT SHE HAS EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ____DAY OF _____, 20____.

NOTARY PUBLIC'S SIGNATURE

CHAIRMAN, PLANNING AND ZONING COMMISSION

CITY COUNCIL APPROVAL

WHEREAS THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS VOTED AFFIRMATIVELY ON THIS ____ DAY OF _____, 20____, TO APPROVE THIS PLAT.

MAYOR, CITY OF ALPINE

ATTEST: CITY SECRETARY

FILED FOR RECORD THIS ____ DAY OF _____, 20____, AT _____.
RECORDED THIS ____ DAY OF _____, 20____, IN PLAT ENVELOPE NO. _____.
_____, BREWSTER COUNTY PLAT RECORDS.

SARAH VASQUEZ
BREWSTER COUNTY CLERK

PLANNING & ZONING COMMISSION AGENDA ITEM REPORT

September 23, 2024

Agenda Item No. 6B

Department: Building Services

Sponsor: Geoffrey R. Calderon, City Secretary

Memo Prepared By: Geoffrey R. Calderon, City Secretary

Staff Recommendation: Approve



AGENDA ITEM

Approve Special Use Permit 2024-10-01, a special use permit authorizing the applicant, Perla Baeza, to obtain a (Malt Beverage) Retail Dealer's On-Premise License (BE) from the Texas Alcoholic Beverage Commission to establish a beer garden that will include malt beverage sales at the subject property. The subject property is located at the previous farmers market, 107 E. Murphy. The property owner of record is Perla Baeza. The Parcel ID of the subject property is 34500. (G. Calderon, City Secretary)

EXECUTIVE SUMMARY

The applicant has applied for a special use permit to establish a beer garden at the subject property.

SUPPORTING MATERIALS

1. SUP 2024-10-01_Redacted

BUDGET CONSIDERATIONS

Expenditure Required: N/A

Savings Anticipation: N/A

Current Budget FY2023-2024: N/A

Additional Funding: N/A

APPROVERS

Alex Tackett, Records Clerk

Geoffrey R. Calderon, City Secretary

Megan Antrim, City Manager

**BUILDING SERVICES**

309 W SUL ROSS AVE

ALPINE, TX 79830

(432) 837-3281

FOR STAFF USE ONLY

PERMIT # 24-007708

TOTAL FEE: \$350.00 (non-refundable)

DATE: 8-26-24**CONDITIONAL/SPECIAL USE PERMIT**Name of applicant/agent/company/contact: Perla Baeza

Street address of applicant/agent: [REDACTED]

City/State/Zip Code of applicant / agent: Alpine, TX 79830

Telephone number of applicant/agents:

[REDACTED]

Fax number of applicant/agents:

Email address of applicant /agent:

Mobile phone of applicant/agent:

[REDACTED]

PART 2. PROPERTY INFORMATIONStreet address of public property: 107 E Murphy*Legal description of subject property (metes and bounds must be described on 8 1/2 x 11 paper)*

Lot:

Block: 9, Sec 42 TR-1

Addition:

Size of subject property:

Square footage:

[REDACTED]

Acres:

0.028

Present zoning classification:

Industrial

Proposed use of the property:

Beer Garden

Zoning ordinance provision requiring a conditional use (description & hours of operation):

Opening date Sep 13th for an outdoor beer garden
providing family fun and entertainment for the whole family
Hours of operation 4pm - 12am Mon-Sat.
Live music will be presented during Special Events
Refreshments and beer will be sold along with snacks.
All will be handouts nothing to be prepared
on site.

NO Illumination Signs**PART 3. PROPERTY OWNER INFORMATION**Name of current property owner: Perla Baeza

Street address of property owner: [REDACTED]

City/State/Zip code of property owner: Alpine TX 79830

Telephone number of property owner:

[REDACTED]

Fax number of property owner:

**PAID**
143



ACKNOWLEDGEMENT

All conditional Use and Special Use Applications are assumed to be complete when filed and will be placed on the agenda for public hearing at the discretion of the staff.

Based on the size of the agenda, your application may be scheduled to a later date.

All public hearings will be opened, and testimony given by the applicants and interested citizenry. Public hearings may be continued to the next public hearing. Public hearings will not be tabled.

Any changes to a site plan (no matter how minor or major) approved with a conditional use or special use permit can only be approved by city council through the public hearing process.

Any application for a change in zoning or for an amendment to the zoning ordinance shall have, from the date of submittal, a period of four months to request and be scheduled on an agenda before the Planning and Zoning Commission and City Council. If after said period of four months an application has not been scheduled before the commission and city council said application, along with the required filing fee may be resubmitted any time thereafter for reconsideration. Delays in scheduling applications before the Planning and Zoning Commission and City Council created by city staff shall not be considered a part of the four month period.

APPROVAL DOES NOT AUTHORIZE ANY WORK IN CONFLICT WITH ANY CODES OR ORDINANCES

I have read and understand all the requirements as set forth by the application for conditional use or special use permit and acknowledge that all requirements of this application have been met at the time of submittal.

Owner/Agent Print	Perla Baeza	Date:	08/01/2024
Owner/Agent Signature			



Submit a letter describing the proposed conditional use and note the request on the site plan document

In the same letter:

1. Describe or show on the site plan, and conditional requirements or conditions imposed upon the conditional use by applicable district regulations (example: buffer yards, distance between users).
2. Describe whether the proposed conditional use will, or will not cause substantial harm to the value, use, or enjoyment of the other property in the neighborhood.
3. Describe how the proposed conditional use will add to the value, use or enjoyment of other property in the neighborhood.

SIGNATURE TO AUTHORIZE CONDITIONAL USE REQUEST AND LACE A CONDITIONAL USE REQUEST SIGN ON THE SUBJECT PROPERTY

Perla Baeza

Print Applicants Name

[Signature]

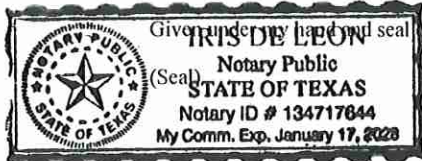
Applicant Signature

The State of Texas

County Of Brewster

Before Me Iris DeLeon on this day personally appeared Perla Baeza
(notary) (applicant)

Known to me (or proved to me on the oath of card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.



Given under my hand and seal of office this 1st day of August, A.D. 2024

(Seal) **IRIS DE LEON**
Notary Public
STATE OF TEXAS
Notary ID # 134717644
My Comm. Exp. January 17, 2028

[Signature]

Notary in And for State of Texas

Perla Baeza

Print Property Owners Name

[Signature]

Property Owners Signature

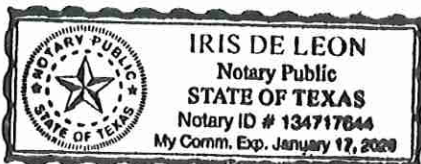
The State Of Texas

County Of Brewster

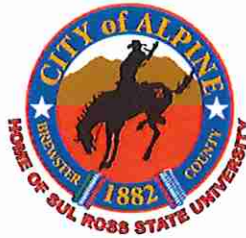
Before Me Iris DeLeon on this day personally appeared Perla Baeza
(Notary) (Applicant)

Known to me (or proved to me on the oath of card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same for the purposes and consideration therein expressed.

(Seal) Given under my hand and seal of office this 1st day of August, A.D. 2024
Notary in And for State of Texas.



[Signature]



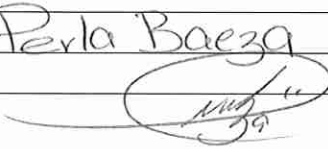
ILLUMINATION PLAN

An illumination plan to include a site photometric (including illuminated signs) and all fixture details shall be submitted as part of the site plan review process.

Applications will not be accepted without this requirement.

[Chapter 18 - BUILDINGS AND BUILDING REGULATIONS](#) | [Code of Ordinances](#) | [Alpine, TX](#) | [Municode Library](#) "Outdoor Lighting Ordinance."

I hereby acknowledge that an illumination plan has been included as part of this submittal.

Owner/Agent Print	Perla Baeza	Date:	08/01/2024
Applicant Signature			

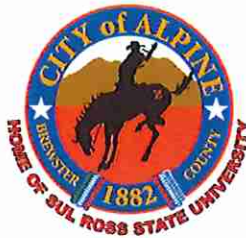
PLATTING VERIFICATION

This verification statement must be signed prior to the submittal of this conditional use Application.

☐ It has been determined that the property described below does require platting or replatting and the applicant has been instructed on this procedure.

☐ It has been determined that the property described below is currently platted or does not require platting or replatting at this time.

Address of subject property:	
Legal description of subject property:	



STAFF USE ONLY:

Building Services Department Signature:

X	Date
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This form is signed by the building services department and submitted along with a completed application to the planning and zoning department of building services.

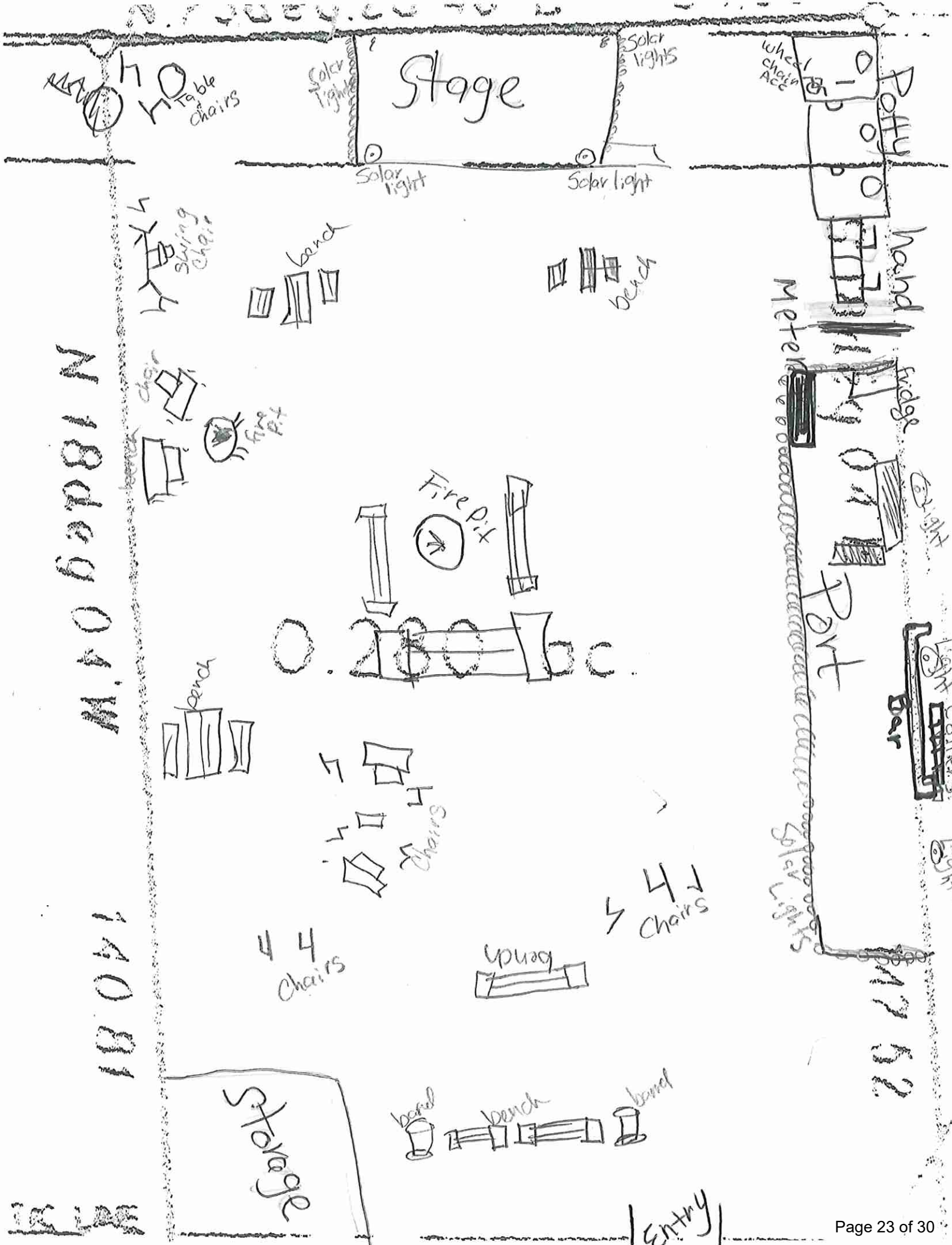
Mayor Signature:

X	Date
---	------

City Secretary Signature:

X	Date
---	------

CASE NAME:	CASE NUMBER:	LOCATION:



N 18deg 04' W

140 81

177 52

Entry

Beer Garden:

Hours: 4pm - 12am Monday - Saturday

Beers and soft drinks will be sold. No hard liquor.

Food trucks and live music will be allowed with restriction on sound.

Electrical Outlets, refrigerator, port a potties and hand washing stations are available.

Fire pit is available only when city burn bans have been lifted.

BYOB - Reminder this is a family venue please drink responsibly and respect all laws.

08/01/2024

Chairman, and Planning Board Members

RE: Request for Site Plan Waiver for 107 E Murphy St Alpine, TX 79830

Dear Chairman and Board Members:

I own the Property at 107 East Murphy St where the Famers Market used to be. It is my understanding that this property sits in an industrial zone. I was told the zoning code requires site plan approval for the area. I am submitting this request because I want to open a beer garden, as a family gathering spot. The intension here is to bring the community together.

It will all be completely outdoors therefore; no changes will be made to the property in terms of adding a structure so there will be no negative visual impact on the neighborhood or region. "The Backyard" would be just that, like going to a neighbor for a backyard gathering. There is plenty of sitting areas under the multiple shady trees, the stage will provide light music and occasional live music. There is a covered port area for additional shade and where the bar will be located. Coolers will be brought in to keep beer and other refreshments chilled. Snacks will also be available everything will be hand out nothing that would have to be prepared on site. The lighting is mostly solar and set at 25% illumination, and security lights are set as motion sensors and will only turn on as needed. At the time I am currently renting local port a potties, and pump action wash stations are available reducing city water intake.

I believe my venue would benefit the community greatly by offering a private, enclosed park setting. Parents would be able to enjoy themselves without the worry of children running to the street or fear of them leaving the premises, as long as the gates are closed.

In time I will be needing employees to help with necessary cleaning and tending to guest providing employment for the residents of Alpine.

It is currently ready for business and I hope the Planning Board can consider this request at its earliest possible date. Thank you for your consideration of this matter.

Attached: Proposed flier with times and days of operation

Sincerely,

Perla Baeza





Notice of Confidentiality Rights: If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your social security number or your driver's license number.

GENERAL WARRANTY DEED

Date: June 26, 2024

Grantor: DEBORAH TOUT and MARK R. FOSTER

Grantor's Mailing Address: 614 Mountain Side Dr
Alpine, TX 79830-6700
Brewster County, Texas

Grantee: PERLA BAEZA

Grantee's Mailing Address: P.O. Box 2241
Alpine, TX 79831
Brewster County, Texas

Consideration: Cash and other valuable Consideration

Property (including any improvements):

A 0.280 acre tract of land, more or less, out of a 1.03 acre tract described in Volume 203, Page 393, Official Public Records, and being out of the Union Pacific Right-of-Way, City of Alpine, Brewster County, Texas, more particularly described in Survey Exhibit "A" by Steven F. Walker R.P.L.S. No. 4425, dated November 2, 2015, attached hereto and incorporated herein for all purposes.

Reservations from Conveyance:

None

Exceptions to Conveyance and Warranty:

Subject to the underground fiber optic line, gas line, overhead utility line and water line, as shown on the Survey attached hereto as Exhibit "A".

Subject to validly existing easements and rights-of-way, whether of record or not; and taxes for 2024, which have been prorated and adjusted in cash as of the date hereof, the payment of which Grantee assumes.

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

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

EXECUTED by Grantor as of the date first above written.

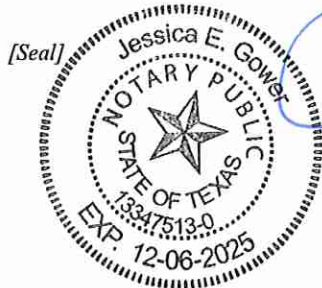

DEBORAH TOUT

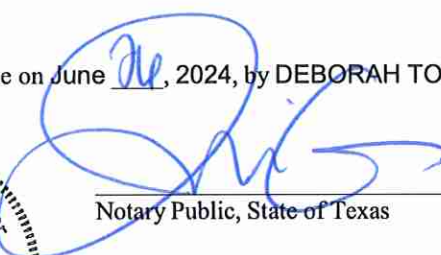

MARK R. FOSTER

(Acknowledgment)

STATE OF TEXAS §
 ss
COUNTY OF BREWSTER §

This instrument was acknowledged before me on June 26, 2024, by DEBORAH TOUT and MARK R. FOSTER.




Notary Public, State of Texas

AFTER RECORDING RETURN TO:

ELLYSON ABSTRACT
P.O. BOX 418
ALPINE, TX 79831
GF# 202405167

PREPARED IN THE LAW OFFICE OF:

JOSEPH P. JAMES
ATTORNEY AT LAW
729 MADILYNN CT
FREDERICKSBURG, TX 78624