AGENDA

PLANNING & ZONING COMMISSION SPECIAL MEETING
THURSDAY, JUNE 23, 2022, AT 5:30 P.M.
COUNCIL CHAMBERS, CITY HALL BUILDING
100 SOUTH MONROE STREET, EAGLE PASS, MAVERICK COUNTY, TEXAS

ESTABLISHMENT OF QUORUM

CITIZENS COMMUNICATIONS

MINUTES

1. Approval of the minutes of the March 10, 2022, meeting and the May 12, 2022, meeting.

PUBLIC HEARING(S)

2. Public hearing on the proposed final Re-Plat of Lot 124 of Chula Vista Subdivision Unit 2, including a (a) sidewalk waiver request, (b) a subdivision variance from the requirement to construct concrete curb and gutter section parallel to FM 2030, and (c) a subdivision variance from the preliminary plat requirement as required by *City of Eagle Pass Code of Ordinances Section 23-36(a),* closing of public hearing and possible action.

NEW BUSINESS

3. Consideration and possible action on the final Plat Amendment of Lots 1 & 2 in Block 6 of Townsite of Fabrica, including a (a) a sidewalk waiver request, and (b) and a subdivision variance request to reduce the required rear yard setback area from 16 feet to 5 feet.

OLD BUSINESS

4. Consideration and possible action on the final plat of the Castle Rock Subdivision Unit 3, including a subdivision variance from the requirement to construct concrete curb and gutter section parallel to the cul-de-sacs.

5. Consideration and possible action on the final plat of the Santa Maria Estates Subdivision Unit 1.

ADJOURNMENT

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

CERTIFICATION

I, THE UNDERSIGNED PLANNING DIRECTOR, do hereby certify that the agenda mentioned above was posted on the Bulletin Board located in the Lobby at City Hall, 100 S. Monroe Street, Eagle Pass, Texas on June 17, 2022, at 4:15 p.m.

for Marisbelle Rodriguez
Placido C. Madera
Planning Director

Item 1

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

The Planning and Zoning Commission of the City of Eagle Pass its Regular Meeting on Thursday, March 10, 2022, at 5:30 p.m. 100 South Monroe Street, Eagle Pass, Texas. All legal notices were duly posted in accordance with the law.

ESTABLISHMENT OF QUORUM

Present: Chairperson, Rolando Jasso; Vice-Chairperson Luis Velez; and Commission Members, Doris Salinas-Sanchez, and Aaron Valdez.

Absent: Commission Member, Kenneth Gross; Ex-Officio, Mayor, Rolando Salinas and City Manager, George Antuna.

Staff present: Planning Director, Placido Madera; Assistant Planning Director, Mariebelle Rodriguez; City Attorney Representatives, Paul Fletcher (Via GoToMeeting); and City Secretary, Imelda B. Rodriguez.

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

OATH OF OFFICE

City Secretary, Imelda B. Rodriguez administered the oath of office to the newly appointed member Mr. Aaron Valdez prior to the meeting.

CITIZENS COMMUNICATIONS

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

MINUTES

1. Approval of the minutes of the February 24, 2022, meeting.

Commission Member Salinas-Sanchez moved to approve minutes with correction to December 2, 2021. Seconded by Vice Chairperson Velez. **MOTION PASSED** – Unanimously

AYES: Chairperson Jasso, Vice-Chairperson Velez, and Commission Members, Salinas-Sanchez, and Valdez
NAYS: None

ABSTAIN: None
ABSENT: Commission Member Gross

PUBLIC HEARING(S)

2. Continuation of a public hearing on the proposed request submitted by Ivan A. Davila forthe rezoning of Lot 18, Block 1 of the Replat of Paso Del Rio Subdivision, also known as 1953 Del Rio Boulevard, from B-2 Central Business District to R-3A Apartment District; closing of public hearing and possible action.

Chairperson Jasso opened the public hearing at 5:55 p.m.

Planning Director, Placido Madera briefed the Commission on the new details from the previous meeting. The Planning Department reviewed this and is recommending denying the zoning district change from B-2 Central Business District to R-3A Apartment District and to remain the same as B-2. Subject to the following condition:

- Subsequent development of the property shall comply with the City of Eagle Pass Code of ordinances.

In response to a question posed by Chairperson Jasso regarding in B-2 allowing construction of apartments. Mr. Madera responded it does not.

Mr. Madera informed the Commission that the applicant was advised of the outcome for tonight's meeting and was also advised he may be present and other options such as mixed use (combination of business/residential).

Commission Member Salinas-Sanchez expressed her concerns with other apartments in the near vicinity and being fair to everyone. Mr. Madera then went further into detail why apartments would not be compatible in this area. City Administration wants to continue with B-2 Central Business District in this area. Chairman Jasso interjected with seeing the views of City Administration with there being a cutoff point of businesses and then some apartments.

There being no further comments from the public. Chairperson Jasso closed the public hearing at 6:12 p.m.

Commission Member Valdez moved to approve the recommendation from the Planning Department to deny request to change from B-2 Central Business District to R-3A Apartment District. Seconded by Vice Chairperson Velez. **MOTION PASSED**

AYES: Chairperson Jasso, Vice-Chairperson Velez, and Commission Member Valdez
NAYS: None
ABSTAIN: Commission Member Salinas-Sanchez
ABSENT: Commission Member Gross

3. Consideration and possible action on the proposed request submitted by Eagle Sky RE, LLC for the rezoning of an .5229 acre lot located in Day Land and Cattle Company Survey 835 ½, Abstract 1240, (called to be located in Abstract 1111 in vesting deed) Maverick County, Texas and described in conveyance document to Eagle Sky RE LLC recorded in Document Number 2113307 of the Maverick County Official Public Records, Maverick County, Texas, also known as 2258 Garrison Street, from R-1 First One-Family Dwelling District to B-3 General Business District; closing of public hearing and possible action.

Chairperson Jasso opened the public hearing at 5:55 p.m.

Assistant Planning Director, Mariebelle Rodriguez informed the Commission on the details of the rezone request. The Planning Department reviewed this and is recommending that City Council prepare and adopt an ordinance granting the zoning district change from R-1 First One-Family DwellingDistrict to B-3 General Business District and shall comply with the City of Eagle Pass Code of Ordinances. Ms. Rodriguez stated that 5 notices were sent out to abutting property owners and none were sent back.

In response to a question posed by Chairperson Jasso regarding what will be the proposed constructed. Ms. Rodriguez stated a Smoothie Queen establishment.

There being no further comments from the public. Chairperson Jasso closed the public hearing at 6:17 p.m.

Vice Chairperson Velez moved to approve recommendation by the Planning Department to rezone from R-1 First One-Family DwellingDistrict to B-3 General Business District. Seconded by Commission Member Salinas-Sanchez. **MOTION PASSED** – Unanimously

AYES:	Chairperson Jasso, Vice-Chairperson Velez, and Commission Members Salinas-Sanchez, and Valdez
NAYS:	None
ABSTAIN:	None
ABSENT:	Commission Member Gross

4. Public hearing on the proposed request submitted by Ana M. Serrano for the rezoning of the North 66.50 feet of Lot 7 in Block 5 of Range 5, also known as 558 Madison Street, from R-1 First One-Family Dwelling District to R-3A Apartment District; closing of public hearing and possible action.

Chairperson Jasso opened the public hearing at 6:18 p.m.

Planning Director Madera informed the Commission on the details of the rezone request. The Planning Department reviewed this and is recommending denying request from R-1 First One-Family Dwelling District to R-3A Apartment District. Mr. Madera gave other possible

options the applicant could consider to be more suitable than R-3A.

There being no further comments from the public. Chairperson Jasso closed the public hearing at 6:29 p.m.

Vice Chairperson Velez moved approve recommendation from the Planning Department to deny request for from R-1 First One-Family Dwelling District to R-3A Apartment District. Seconded by Commission Member Valdez. **MOTION PASSED** – Unanimously

AYES:	Chairperson Jasso, Vice-Chairperson Velez, and Commission Members Salinas-Sanchez, and Valdez
NAYS:	None
ABSTAIN:	None
ABSENT:	Commission Member Gross

5. Public hearing on the proposed final Re-Plat of Lot F in Block 1 of Chula Vista Subdivision Unit 7, including a (a) variance to proceed to final plat and (b) a waiver from constructing a sidewalk including construction of curb and gutter; closing of public hearing and possible action.

Chairperson Jasso opened the public hearing at 6:30 p.m.

Assistant Planning Director Rodriguez informed the Commission that this is an approximately 0.86-acre tract to be subdivided into two residential lots, including a variance to proceed to final plat directly without first have obtained preliminary replat approval and a sidewalk waiver from having to construct a sidewalk, including curb and gutter. The Planning Department is recommending approval of the final replat along with the two variances that are being requested. Ms. Rodriguez stated that 41 notices were sent out to the abutting property owners and no letters were received in opposition or in favor.

In response to a question posed by Chairman Jasso regarding circumference of waterlines. Mr. Ken Dirksen stated via GoToMeetings that the waterlines are 6-inces and no drainage issues.

There being no further comments from the public. Chairperson Jasso closed the public hearing at 6:36 p.m.

Commission Member Salinas-Sanchez moved to approve the final re-plat along with two variances as recommended by the Planning Department. Seconded by Commission Member Valdez. **MOTION PASSED** – Unanimously

AYES:	Chairperson Jasso, Vice-Chairperson Velez, and Commission Members, Salinas-Sanchez, and Valdez
NAYS:	None
ABSTAIN:	None

ABSENT: Commission Member Gross

EXECUTIVE SESSION

The Commission did not go into executive session and item was not considered.

6. Executive Session pursuant to Section 551.071, Chapter 551, Texas Government Code - Consultation with legal counsel regarding Commission responsibilities, Ethics Ordinance, andStandards of Conduct; possible action in open session regarding same.

ADJOURNMENT

Commission Member Salinas-Sanchez moved to adjourn meeting at 6:37 p.m. Seconded by Commission Member Valdez. **MOTION PASSED**- Unanimously .

Passed and approved on _____, 2022

_____
Rolando Jasso
Chairperson

ATTEST:

_____
Imelda B. Rodriguez
City Secretary

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

The Planning and Zoning Commission of the City of Eagle Pass its Regular Meeting on Thursday, May 12, 2022, at 5:30 p.m. 100 South Monroe Street, Eagle Pass, Texas. All legal notices were duly posted in accordance with the law.

ESTABLISHMENT OF QUORUM

Present: Chairperson, Rolando Jasso; Vice-Chairperson Luis Velez; and Commission Members, Doris Salinas-Sanchez, and Aaron Valdez.

Absent: Commission Member, Kenneth Gross; Ex-Officio, Mayor, Rolando Salinas and City Manager, George Antuna.

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

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

CITIZENS COMMUNICATIONS

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

PUBLIC HEARING(S)

1. Public hearing on the proposed request submitted by Terra Tech Engineering & Construction Services on behalf of Libco Enterprises, LLC and South Tejas Construction, LLC to consider the establishment of permanent zoning classification and master plan designation on the annexation of the land described as approximately 26.58 acres of land lying and situated in Maverick County, Texas, being a portion of the Libco Enterprises, LLC, 472.12 acres, described by metes and bounds in Deed Record Book 1745, Page 327 of the Maverick County Official Public Records, and a portion of the Libco Enterprises, LLC, 22.82 acres, described by metes and bounds in Deed Record Book 1693, page 92 of the Maverick County Official Public Records, also known as Terra Verde Estates Subdivision Unit 3; closing of public hearing and possible action.

Chairperson Jasso opened the public hearing at 5:34 p.m.

Assistant Planning Director, Mariebelle Rodriguez briefed the Commission on the voluntary annexation application the proposed development will be consistent with the residential purpose of R-2 (Second One-Family Dwelling District). The recommendation from the Planning Department is for the Planning and Zoning Commission recommend to City Council accept the establishment of permanent zoning for the approximately 26.58-acre tract proposed for voluntary annexation as R-2.

In response to a question posed by Chairman Jasso, Ms. Rodriguez briefed on the ingress and egress being sufficient for this development.

Terra Tech President, Javier Libson approached the Council going more into the details of the development.

City Attorney, Heriberto Morales asked the applicants address the issue that this Unit 3 will not have any affect in respect to Unit 1 and 2 that are still trying to finalize and work the EPISD. Mr. Libson informed that Units 3 and 4 drainage status not contributing any storm drain water to Fletcher Boulevard Area. Mr. Morales states this was an existing problem the applicant did not initiate this issue in any matter. However, the applicant has taken the liberty working the city and EPISD and addressing the flooding issues. Mr. Morales reiterates that Mr. Libson stated there are no drainage issues for Units 3 and 4.

There being no comments from the public. Chairperson Jasso closed the public hearing at 5:44 p.m.

Chairperson Jasso reopened the public hearing at 5:45 p.m.

Mr. Elishoel Reyes approached the Commission stating his concerns with more development in the area due to flooding and sewer/foul odors issues.

There being no further comments from the public. Chairperson Jasso closed the public hearing at 5:47 p.m.

Commission Member Salinas-Sanchez stated for the record, she will be abstaining for this item, due to conflict of interest. City Attorney Morales asked for purposes on this project yes, a conflict of interest is probable and recommend to stepped down from the dais.

At this moment Commission Member Salinas-Sanchez stepped down from the dais and left the meeting.

Commission Member Valdez moved to approve the Planning Department recommendation. Seconded by Vice Chairperson Velez. **MOTION PASSED**

AYES: Chairperson Jasso, Vice-Chairperson Velez, and Commission Member Valdez
NAYS: None

ABSTAIN : Commission Member Salinas-Sanchez
ABSENT: Commission Member Gross

NEW BUSINESS

3. Consideration and possible action on the preliminary plat of the Terra Verde Estates Subdivision Unit 3.

Assistant Planning Director Rodriguez briefed the Commission on the details of the preliminary plat being a 6.05-acre tract of land. Being divided into 24 residential lots. The Planning Department reviewed this and is recommending that the Planning and Zoning Commission grant preliminary plat approval for the proposed Terra Verde Estates Subdivision Unit 3 subject to plat complying with the provision of Article III of City of Eagle Pass Code of Ordinances Chapter 23 governing procedures and specifications for final plats and allowing the developer to install required improvements.

City Attorney Morales stated for legal purposes on the recommendation of Planning Department a preliminary plat approval and will come back to the Commission for final plat approval.

Mr. Libson addressed the Council regarding Mr. Reyes concern for the sewage order and briefed on the main collector that has been there for 20-25 years.

Vice-Chairperson Velez moved to approve preliminary plat of the proposed Terra Verde Estates Subdivision Unit 3 as recommend by the Planning Department. Seconded by Commission Member Valdez. **MOTION PASSED**

AYES: Chairperson Jasso, Vice-Chairperson Velez, and Commission Member Valdez
NAYS: None
ABSTAIN: Commission Member Salinas-Sanchez
ABSENT: Commission Member Gross

Commission Member Salinas-Sanchez return to the meeting and took her place on the dais.

2. Public hearing on the proposed Final plat of the Smoothie King Subdivision, including (a) a variance to proceed to final plat directly without first having obtained preliminary replat approval, (b) a variance from City of Eagle Pass Code of Ordinances Chapter 23 Article VI Section 23-89(b)(6) regulating landscape and (c) a variance from the City of Eagle Pass Zoning Ordinance Appendix A Section 12.1(c)(3) regulating minimum improved off- street parking; closing of public hearing and possible action.

Chairperson Jasso opened the public hearing at 6:06 p.m.

Assistant Planning Director Rodriguez briefed the Commission on details of the final plat being an approximately .05229-acre tract of land to be subdivided into on commercial lot. The Planning

Department reviewed this and is recommending that the Planning and Zoning Commission grant final plat approval of the proposed Smoothie King Subdivision including (a) a variance to proceed to final plat directly without first having obtained preliminary replat approval, (b) a variance from landscaping requirement, and (c) a variance from the parking requirement and subject to plat complying with the provisions of Article III of City of Eagle Pass Code of Ordinances Chapter 23 governing procedures and specification for final plats.

Mr. Ken Dirksen of Dirksen Engineering informed on the access to the establishment.

In response to Chairman Jasso question regarding variances for landscaping and off-street parking. Mr. Dirksen responded due to the proximity of the Right-of-Way (ROW); Mr. Madera chimed in giving more details on requirements for landscaping ordinance for frontage. Mr. Madera briefed on the ordinance requirements for parking space.

Mr. Dirksen informed the Council on the drainage for establishment.

Chairman Jasso asked legal counsel for guidance on the applicant's variance (a) requested. City Attorney Morales informed there is a process in the ordinance that allows for this. Ms. Rodriguez informs this was done because all utilities are in place.

In response to question posed by Vice-Chairman Velez regarding the parking variance. Mr. Madera informed their will be total of 15-spaces and one of theses be ADA.

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

Commission Member Salinas-Sanchez moved to approve final plat of the proposed Smoothie King Subdivision, as recommended by the Planning Department. Seconded by Commission Member Valdez. **MOTION PASSED**

AYES:	Chairperson Jasso, Vice-Chairperson Velez, and Commission Members Salinas-Sanchez Valdez
NAYS:	None
ABSTAIN:	None
ABSENT:	Commission Member Gross

ADJOURNMENT

Commission Member Valdez moved to adjourn meeting at 6:23 p.m. Seconded by Commission Member Salinas-Sanchez. **MOTION PASSED**- Unanimously .

Passed and approved on _____, 2022

_____
Rolando Jasso
Chairperson

ATTEST:

_____
Imelda B. Rodriguez
City Secretary

Item 2

Planning Department Executive Summary

REPORT TO THE PLANNING AND ZONING COMMISSION

Final Replat of Lot 124 in Chula Vista Subdivision Unit 2

I. BACKGROUND

A. General Information

Applicant: Dirksen Engineering | 107 W. South St. | Uvalde, Tx 78801

Property Owner: Jorge Ortiz | Eagle Pass, Texas 78852

Location: 200 FM 2030 **Property ID Number:** 6946

Legal Description: Lot 124 in Chula Vista Subdivision Unit 2

Request: Final approval for the replatting of a 0.64-acre tract into two (2) residential lots, including a sidewalk waiver request, a subdivision variance request from the requirement to construct concrete curb and gutter section parallel to FM 2030, and a subdivision variance to proceed directly to final re-plat approval without first having obtained preliminary re-plat approval.

B. Subject Property Information

Parcel Size: 27,800–square feet **Existing Use:** single family dwelling

Topography: Generally flat

Vegetation: residential landscaping and native vegetation

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

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

C. Vicinity Data: The surrounding area is compromised of residential land uses density consistent with the 7,700-squre foot lot size of the *R-1 First One-Family Dwelling District.*

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

II. PUBLIC NOTICE

Public notification of the subdivision with variance requests before the Planning and Zoning Commission was completed consistent with the provisions of *Chapter 211* of the *State of Texas Local Government Code Title 7.* 17 notices to the abutting property owners within a 500 feet radius of the subject property were mailed on June 13, 2022.

III. RECOMMENDED FINDINGS OF FACT

A. Conclusions

1. The applicant's request contains sufficient information for consideration by the Planning and Zoning Commission. Information contained in this report and the Commission's public meeting will be used as part of the City Council's deliberation process for the re-plat. Please refer to Attachment 1.

2. Final re-plat approval is contingent upon Commission and Council approval of a subdivision sidewalk waiver request and 2 subdivision variance requests.

3. *City of Eagle Pass Code of Ordinances Section 23-64* authorizes the Planning and Zoning Commission to waive the requirement for the construction of sidewalks in circumstances where the sidewalk would be unnecessary or unsafe due to the physical characteristics of the terrain in the subdivision. Please refer to Attachment 2 for a copy of the Subdivision Sidewalk Waiver Application and photographs of the property frontage adjacent to FM 2030.

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

4. The applicant must also demonstrate that the proposal complies with the subdivision variance criteria set forth on *Section 23-11(a)* and *Section 23-11(c)*. Please refer to Attachment 3 for a copy of the subdivision variance requests.

   First Variance Decision Criteria

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

   The portion of the variance request regarding the requirement to construct concrete curb and gutter along the property frontage is also consistent with this section of the city code, as the strict application of the requirement to construct an isolated concrete curb and gutter section defeats the purpose of the improvement, which is to convey the surface drainage from a street and direct it to an appropriate location. The denial of this portion of the variance would deprive the applicant of the reasonable subdivision of their land. The construction of an isolated concrete curb and gutter section constitutes as exercise that is not warranted.

Second Variance Decision Criteria

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

That portion of the variance request regarding the requirement to construct concrete curb and gutter is also consistent with this section of the city code, as the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant. The property currently contains 1 residence, and the re-plat will allow for an exercise of the development right for the property by City code.

Third Variance Decision Criteria

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

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

Fourth Variance Decision Criteria

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

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

Fifth Variance Decision Criteria

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

That portion of the variance request regarding the requirement to construct concrete curb and gutter variance portion of the subdivision proposal is also

consistent with *Section 23-11(c),* as the granting of the variance would allow for the creation of a subdivision that was in harmony with the surrounding developed properties.

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

5. The re-subdivision site is not located within the boundary depicted on the *City of Eagle Pass Master Plan Map.* The *City of Eagle Pass Master Plan does,* however, provide direction regarding he re-plat of property both within the City and within the City's 5-mile wide *Extraterritorial Jurisdiction* (ETJ).

6. The *Master Plan* emphasizes the importance of maintaining the character of the residential and commercial neighborhoods located within the City's 5-mile wide *Extraterritorial Jurisdiction* (ETJ).

   ✓ The re-subdivision is consistent with the *Housing Goals* of the *Master Plan*, as the subdivision process will ensure appropriate land development regulation with appropriate lot sizes, paved street and adequate utility services. The construction of a sidewalk, including concrete curb and gutter section along FM 2030 will not be required for this project if the subdivision variance request involving the requirement is granted by the Commission and the City Council.

   ✓ The re-subdivision is consistent with the *Land Use Development Goals* of the *Master Plan,* as the project is designed to provide for a building lot density that is consistent with the purpose of the *R-1 First One-Family Dwelling District.* This design will allow for the continuing development of the community while retaining the neighborhood character and scale while providing utility services in the most and efficient and equitable manner.

   ✓ The re-subdivision is consistent with the *Street Goal* of the *Master Plan*, as access to the site from FM 2030 has been designed to provide the residents of and visitors to Eagle Pass and Maverick County with a street system that will enable them to travel safely and conveniently.

   ✓ The re-subdivision is consistent with the *Thoroughfare Goals* of the *Master Plan*, as FM 2030 has been designed to be part of a safe and efficient thoroughfare system.

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

7. The re-subdivision design is consistent with the purpose of the *R-1 First One-Family Dwelling District.*

8. The re-subdivision is consistent with City design and specifications, as the project is designed and conditioned to conform to the following sections of *Article IV* in *Eagle Pass Code of Ordinances Chapter 23*:

   ✓ *Section 23-62* governing utility easements

- ✓ *Section 23-64* governing sidewalks, subject to the granting of a sidewalk waiver, including curb and gutter by the Commission and Council.
- ✓ 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 proposal.

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

10. The re-subdivision will conform with the parkland dedication requirements set forth in *Article V* in *Eagle Pass Code of Ordinances Chapter 23*, as the original plat was created prior to the enactment of the City's parkland dedication requirements in 2005. As a result, the applicant will provide a $575.00 per lot fee in lieu of parkland dedication the Maverick Planning Department.

11. The re-subdivision's conformance with the provisions of the *Master Plan* and the *Eagle Pass Code of Ordinances* will facilitate the following benefits:

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

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

- The re-subdivision design bears a substantial relationship to the public's health, safety, and welfare.

- The re-subdivision is in accordance with the policies of the *Master Plan* and the residential purpose of the *R-1 First One-Family Dwelling District.*
- The re-subdivision is in accordance with the policies of the *Master Plan* and the residential purpose of the *R-1 First One-Family Dwelling District.*
- 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.
- The subject property is suitable for development in general conformance with development standards of the *R-1 First One-Family Dwelling 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.

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

B. <u>Planning Department Recommendation</u>

The Eagle Pass Planning and Zoning Commission (a) **GRANT** a sidewalk waiver request, (b) **GRANT** a subdivision variance from the requirement to construct concrete curb and gutter section parallel to FM 2030, (c) **GRANT** a variance from the preliminary plat requirement as required by *City of Eagle Pass Code of Ordinances Section 23-36(a)*, and (d) **GRANT** final approval of the replatting of property legally described as *Lot 124 in Chula Vista Subdivision Unit 2, to create two residential lots,* 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
Maverick County Planning Department via e-mail
Planning & Zoning Commission Report dated June 17, 2022

Attachment 1
Application

PLANNING DEPARTMENT

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

SUBDIVISION APPLICATION

TYPE OF SUBDIVISION (check one):
☒ Preliminary ☒ Final ☒ Replat ☐ Amendment ☐ Short Form Final

Property Legal Description: Lot 124 of Chula Vista Subdivision Unit 2

Maverick County Property Identification Number(s): 16946

Name of Addition: Chula Vista

Location of Addition: 200 FM 2030

Number of Residential Lots: 2 Number of Commercial Lots: 0 Gross Acreage: 0.64

Number of New Street Intersections 0 Linear feet of Streets 0

Is Subdivision inside city limits? Yes (✓) No ( ); If so, Zoning District: No Zoning

Existing Land Use: Residential Proposed Land Use: Residential

Requested Variances: Preliminary & Final, No Curb or Sidewalks

PROPERTY OWNER:

Name: Jorge Ortiz
Address: 200 FM 2030
City: Eagle Pass
State: TX Zip: 78852
Signature: Jorge Ortiz

Contact: Jorge Ortiz
Phone: 830-968-5824
Fax:
E-mail: rosa5972@gmail.com
Date: 05-05-2022

PROPERTY OWNER:

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

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

APPLICANT/SUBDIVIDER:

Name: Kenneth R. Derksen
Contact: Ken Derksen
Address: 107 W. South St.
Phone: 830 - 279-9447
City: Uvalde
Fax:
State: TX Zip: 78801
E-mail: Kendirksen@sbcglobal.net
Signature: Ken R. Derksen
Date: 4/19/22

SURVEYOR:

Name: Kenneth R. Dirksen
Contact: Ken Dirksen
Address: 107 W. South St.
Phone: 830 - 279-9447
City: Uvalde
Fax:
State: TX Zip: 78801
E-mail: Kendirksen@sbcglobal.net
Signature: Ken R. Dirksen
Date: 4/19/2022

ENGINEER:

Name: Kenneth R. Derksen
Contact: Ken Dirksen
Address: 107 W. South St.
Phone: 830. 279. 9447
City: Uvalde
Fax:
State: TX Zip: 78801
E-mail: Kendirksen@sbcglobal.net
Signature: Ken R. Derksen
Date: 4/19/2022

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.

Ken R. Derksen
Applicant Signature

4/19/22
Date

STATEMENT OF OWNER/SUBDIVIDER

I, the undersigned, hereby certify that: (1) I am the owner the land subject to this request for a subdivision; (2) I authorize Kenneth R. Dickson 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 Ordnance until such time as such improvements, if any, shall have been actually completed and accepted by the city.

Jorge Ortiz
Owner / Subdivider Signature

5/5/22
Date

STATE OF TEXAS §

COUNTY OF Maverick §

Before me, the undersigned authority, a notary public for the State of Texas, on this day personally appeared Jorge Ortiz (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 5 day of May 2022, 20____.

Notary Public, State of Texas

ANA D GONZALEZ
NOTARY PUBLIC
STATE OF TEXAS
MY COMM. EXP. 01/14/24
NOTARY ID 13231180-8

RE-PLAT OF LOT 124, CHULA VISTA SUBDIVISION UNIT 2

Rosalinda Driscoll and Jorge Ortiz

Being a 0.64 acre, re-plat of Lot 124 of the Chula Vista Subdivision Unit 2 as shown on the plat recorded in Envelope 106, Side B of the Maverick County Map Records and being the same Lot 124 described in conveyance documents to Rosalinda Driscoll recorded in Volume 318, Pages 308 - et seq. and Jorge Ortiz recorded in Volume 646, Pages 464-et seq., of the Maverick County Official Public Records, Maverick County, Texas and more particularly described by metes and bounds as follows: (The bearings and distances shown herein conform to the Texas Coordinate System, North American Datum 1983, Texas South Central Zone.) (All corners called for as being set are marked on the ground with ½" steel stakes with plastic identification caps stamped "DIRKSEN/2046" attached unless otherwise noted or shown.)

BEGINNING at a steel stake set (S.P.C. N:13423572.33, E:1511314.29) in the southeast line of F.M. 2030, at a common north corner of Lots 123 and 124 for the north corner of the herein described tract;

THENCE S 36°41'22" E, 199.82 feet to a steel stake set at a common south corner of said Lots 123 and 124, in the northwest line of Lot 142 for the east corner of the herein described tract;

THENCE S 53°18'38" W, 99.29 feet to a steel stake set at the common corner of Lots 124, 125, 127, and 142 for the south corner of the herein described tract;

THENCE N 58°54'13" W, 215.47 feet to a steel stake set in the southeast line of F.M. 2030, at the common north corner of Lots 124 and 125 for the west corner of the herein described tract;

THENCE N 53°12'17" E, 180.76 feet to the **POINT OF BEGINNING** containing 0.64 acre of land within the herein described tract of land as surveyed by Dirksen Engineering on March 29, 2022.

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 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 IN THIS PLAT ARE TRUE AND COMPLETE.

SIGNATURE _____ _____
Rosalinda Driscoll Jorge Ortiz

STATE OF TEXAS)(
COUNTY OF MAVERICK)(

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, ON THIS DAY PERSONALLY APPEARED, ROSALINDA DRISCOLL AND JORGE ORTIZ PROVED TO ME TO BE THE PERSONS WHOSE NAMES 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 RE-PLAT OF LOT 124, CHULA VISTA SUBDIVISION UNIT 2 WAS REVIEWED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF EAGLE PASS ON _____, ___

_____ DATE:_____
MAYOR - 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 RE-PLAT OF LOT 124, CHULA VISTA SUBDIVISION UNIT 2 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 RE-PLAT OF LOT 124, CHULA VISTA SUBDIVISION UNIT 2 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

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 MARCH 29, 2022 ON THE GROUND UNDER MY SUPERVISION AND THE MONUMENTS SHOWN ARE WITHIN THE POSITIONAL TOLERANCE REQUIRED BY 22TAC SEC 663.15.

PRELIMINARY DO NOT RECORD FOR ANY PURPOSE

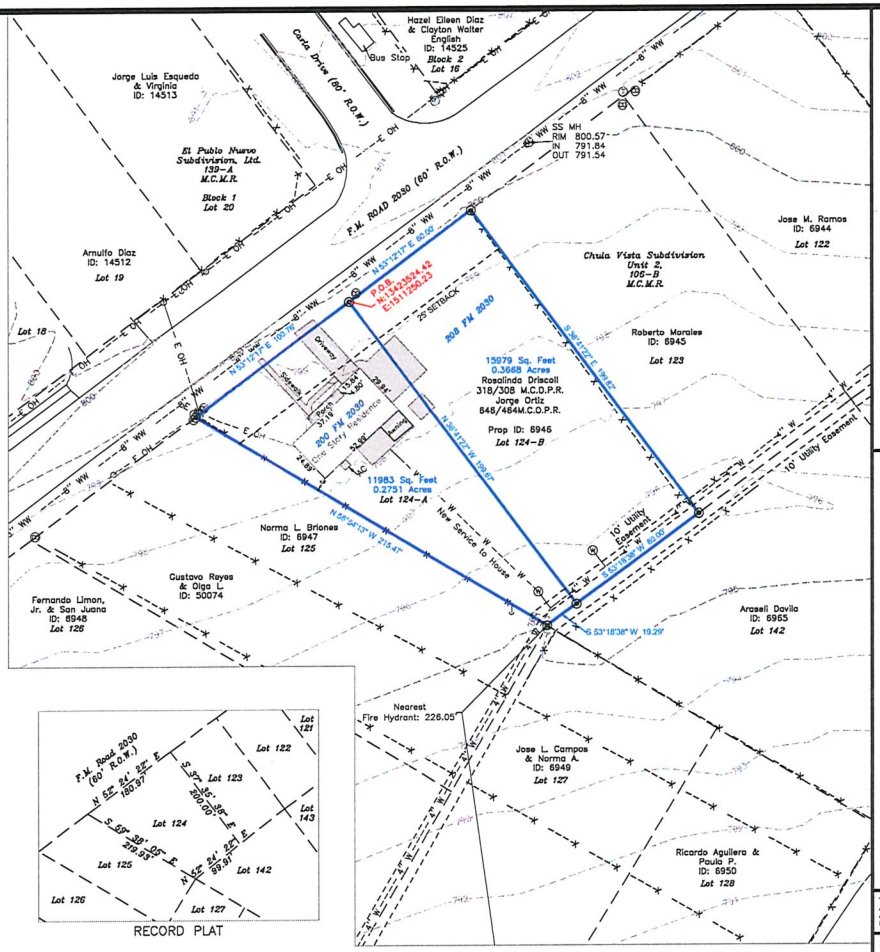
_____
KENNETH R. DIRKSEN, P.E. 82628, R.P.L.S. 6280
DIRKSEN ENGINEERING PROJECT 22-2582

STATE OF TEXAS
REGISTERED
KENNETH R. DIRKSEN
82628
PROFESSIONAL ENGINEER
SURVEYOR

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:_____



RECORD PLAT

NOTES:
1. THIS PLAT RESUBDIVIDES LOT 124 OF THE CHULA VISTA SUBDIVISION UNIT 2, OF THE PLATS PREVIOUSLY RECORDED IN THE MAP RECORDS OF MAVERICK COUNTY, ENVELOPE 106, SIDE B.
2. NO MORE THAN ONE SINGLE FAMILY DWELLING MAY BE CONSTRUCTED ON EACH LOT.
3. 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-1. FRONT YARD 25 FT. SIDE YARD 5 FT, SIDE YARD 10 FT AT STREET CORNER, REAR YARD 20 FT
4. THE SUBDIVISION SHOWN ON THIS PLAT IS LOCATED OUTSIDE OF SPECIAL FLOOD HAZARD AREAS (SFHAS) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD , AS SHOWN ON FLOOD INSURANCE RATE MAP NUMBERS 48323C0475D FOR MAVERICK COUNTY, TEXAS AND INCORPORATED AREAS BOTH DATED APRIL 4, 2011.
5. 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.
6. AN EXEMPTION TO ORDINANCE CURB, GUTTER AND SIDEWALK HAS BEEN APPLIED FOR ON LOTS 124-A AND 124-B.
7. EASEMENTS MUST BE KEPT CLEAR OF ANY OBSTRUCTIONS.

VICINITY MAP: EAGLE PASS, TX

SCALE: 1"= 2000'

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 2022.

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

PROJECT# 22-2582

PROJECT NAME & ADDRESS
RE-PLAT OF LOT 124, CHULA VISTA UNIT 2
Eagle Pass, TX

SHEET TITLE
FINAL PLAT

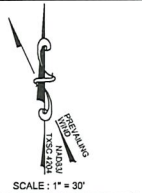
06-16-2022

PREPARED FOR:
Rosalinda Ortiz
200 FM 2030
Eagle Pass, Tx 78852

SHEET 1 OF 1 SHEETS

DES'D : KRD
DRAWN : KRD
APPV'D : KRD
DATE : 06-16-6022

RE-PLAT OF LOT 124, CHULA VISTA SUBDIVISION UNIT 2

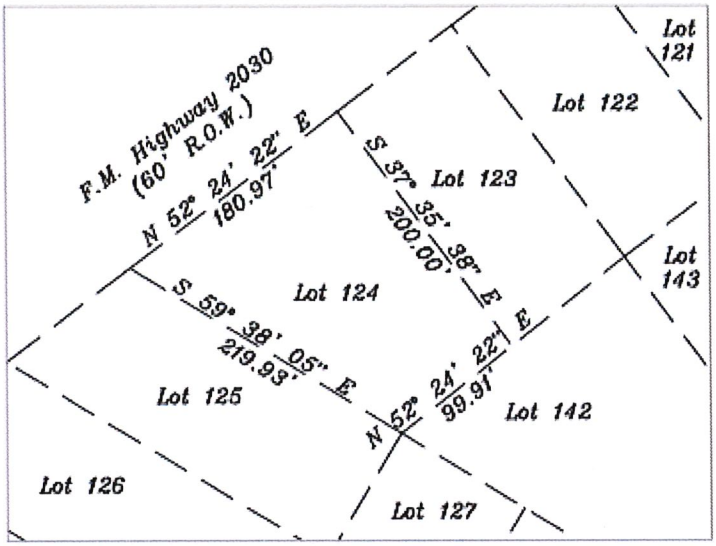


SCALE : 1" = 30'
0 30' 60' 90'

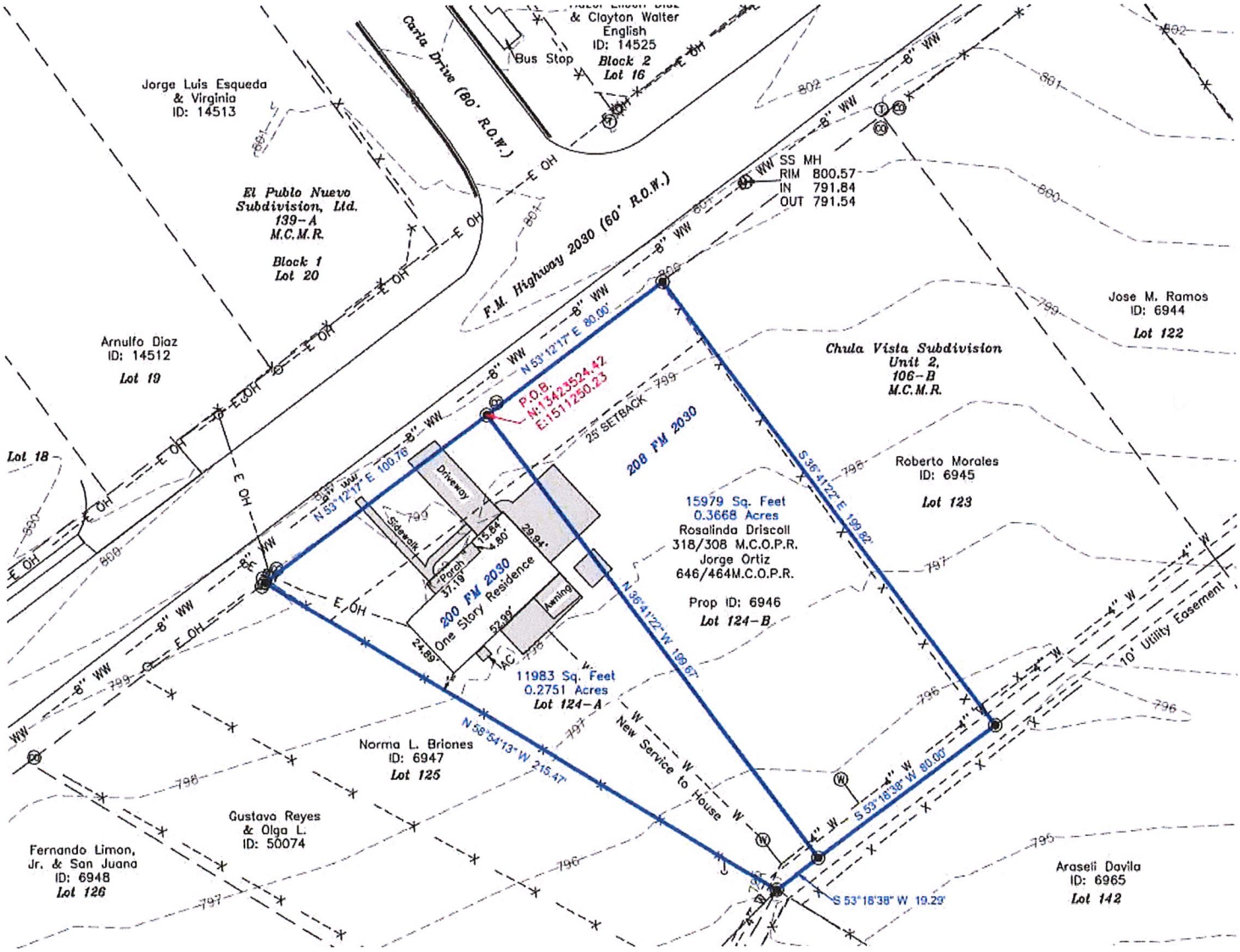
LEGEND
BOUNDARY LINE
SET 1/2" STEEL STAKE
FOUND MONUMENT
SANITARY SEWER
SEWER MANHOLE, CO
PLAT LINES
DEED LINES
EASEMENT
FENCE
GAS LINE
WATER LINE
WATER VALVE/METER
ELECTRIC
TELEPHONE
911 ADDRESS 919
FIRE HYDRANT
LUMINAIRE

RECEIVED
Re-16-22

Recorded Plat



Proposed Re-Plat



Aerial Map

Photo of Site

Attachment 2
Sidewalk Waiver Application

PLANNING DEPARTMENT

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

Subdivision Sidewalk Waiver Application

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

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

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

(2) Where a proposed sidewalk would be located adjacent to a utility easement and the land adjacent to such easement is unusable for development because of the nature of such easement, for example, a natural gas or electric utility easement or a railroad right-of-way or where a proposed sidewalk would be located adjacent to an easement and the land on the other side of the easement is of insufficient depth to allow future development on that side, provided that in either event that there is, or will be, a sidewalk on the side of the road opposite the easement; or

(3) Where a residential subdivision has double-frontage lots and the rear lots abut a collector or arterial street, a sidewalk on the side of such collector or arterial street on which the rear lot lines abut, does not have to be constructed, provided that a sidewalk is or will be, constructed on the other side of such collector or arterial street; or

(4) When the lot size in a new residential subdivision is equal to or exceeds 22,000-square-feet in area.

==========

Applicant Information

Applicant (if not owner): Kenneth R. Dirksen

Phone: 830-278-2100 Email: kendirksen@sbcglobal.net

Owner: Jorge Ortiz

Owner Address: 200 FM 2030 City: Eagle Pass State: TX Zip: 78852

Phone: 830-968-5824 Email: rossy5972@gmail.com

Property Information

Site Address: 200 FM 2030

Legal description (from deed): Chula Vista Subdivision Unit 2, Lot 124

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

Maverick County Identification Number: 6946

RECEIVED 6-16-22

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

Along the frontage of the F.M. Road 2030

Lot 124A has a total distance of 100.75'

Lot 124B has a total distance of 80.00'

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.

O 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.

O 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.

O 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 curbs or sidewalks were constructed when the original subdivision was developed. No curbs or sidewalks exist along F.M. Road 2030, adding curbs and sidewalks along F.M. Road 2030 will create a hazard to trafic.

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

6/16/2022
Date

Attachment 3
Subdivision Variance Application(s)

PLANNING DEPARTMENT

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

SUBDIVISION VARIANCE APPLICATION

Applicant Information

Applicant (If not owner): Kenneth R. Dirksen

Address: 107 W. South St.

Phone: 830-278-2100 E-mail: kendirksen@sbcglobal.net

Owner: Jorge Ortiz

Address: 200 Fm 2030, Eagle Pass, TX 78852

Phone: 830-968-5824 E-mail: rossy5972@gmail.com

Property Information

Site Address: 200 FM 2030 MCAD Property ID No. 6946

Legal Description (from deed): Lot 124 of Chula Vista Subdivision Unit 2

Description of Subdivision Variance Request

Variance according to Section 23-11 (e). Construction of curb and gutter and sidewalks shall not be required for any subdivision which is an additional unit of a subdivision wherein such construction was not previously required, and whose plat was filed for record with the County Clerk prior to 1984, and for which a valid and unexpired master plan is on filed in the permanent records of the City of Eagle Pass under the custody of the city secretary.

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?

No curbs, gutters,or sidewalks exists in the subdivision. Construction of curb, gutters, & sidewalks would negatively affect drainage outside of this re-subdivision.

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

Curb, gutter, and sidewalks at this lot would be the only construction of such on this block. Construction should be delayed until construction on entire street.

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 curb, gutter or sidewalk is currently constructed. Grade along area is .
mild and is accessible by pedestrians

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.

Construction should be delayed until construction on entire street.

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.

Kenneth R. Derksen
Applicant Signature

4/19/22
Date

PLANNING DEPARTMENT

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

SUBDIVISION VARIANCE APPLICATION

Applicant Information

Applicant (If not owner): Kenneth R. Dirksen

Address: 107 W. South St.

Phone: 830-278-2100 E-mail: kendirksen@sbcglobal.net

Owner: Jorge Ortiz

Address: 200 Fm 2030, Eagle Pass, TX 78852

Phone: 830-968-5824 E-mail: rossy5972@gmail.com

Property Information

Site Address: 200 FM 2030 MCAD Property ID No. 6946

Legal Description (from deed): Lot 124 of Chula Vista Subdivision Unit 2

Description of Subdivision Variance Request

Variance from section 23-36. Processing of the final plat to allow preliminary and final approval of the Re-Subdivision of Lot 124 of Chula Vista Unit 2 at the same meeting.

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?

All streets and utilities required by subdivision code are constructed and in place No additional construction is required before recording this re-subdivision.

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

Requiring the re-subdivision to be reviewed for preliminary and then final at a different time will place unnecessary delay to the developer.

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

The property is being used as residential and will remain residential.

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

The use of this property will not change. This property will remain residential.

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.

Kenneth R. Dickens
Applicant Signature

5-5-22
Date

Attachment 3
Final Engineering Report

Dirksen Engineering

107 W South St.
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

April 19, 2022

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

Re: "Final" Engineering and Drainage Report – Resubdivision Lot 124, Chula Vista Subdivision Unit 2

To Whom It May Concern:

Introduction:

The Resubdivision of Lot 124 of Chula Vista Subdivision Unit 2 is located at the intersection of FM 2030 at Carla Drive. The Maverick CAD id is 6946.

Development
The resubdivision is to divide the original 0.64 acre Lot 124 to create a 0.2751 acre and 0.3668 acre lot for residential purposes. The address of the original lot is 200 FM 2030 and will remain for Lot 124-A. The new address for Lot 124-B has not been assigned. The land area is shown on the attached plat.

Street Development
Both tracts have access to FM 2030 which is a rural type roadway without curb or sidewalk. A variance has been requested for both lots as no curb is constructed or proposed.

Water Development
Water service is provided by Eagle Pass Water Works in a utility easement along the back of the lot. Water service is existing to Lot 124-A. Water will be provided to Lot 124-B by water service added to the for the new lot. The 30-year water service agreement for Lot 124-B has been applied for.

Fire protection is provided by a fire hydrant located along Carla Drive at the intersection of Mari Drive. The static pressure at this fire hydrant was tested and is attached to this report.

Sanitary Sewer Facilities
Sanitary sewer is provided along FM 2030. Sanitary sewer service for Lots 124-A is existing. Service for Lot 124-B will be installed on the existing sewer main in FM 2030. The 30 year sanitary sewer service agreement has been applied for.

Drainage Development
The soil is Pryor Clay Loam which is a lean 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 southward across the lots. The land uses are residential with most houses developed. This re-subdivision will be developed by constructing a residential structure on the new 15,979 square feet lot. Runoff will increase from 2.9 cfs to 3.7 cfs in the 100 year storm. This increase is small and no additional development of storm water detention is required.

Hydraulic Calculations for the resubdivision are attached to this report.

Electric Facilities, Telephone and Cable Television
Electric service is provided by Rio Grande Electric. Electric and telecommunication utilities are available from FM 2030.

Gas Service
No gas service is required for this subdivision.

Construction Cost
No public utilities will be constructed for this project.

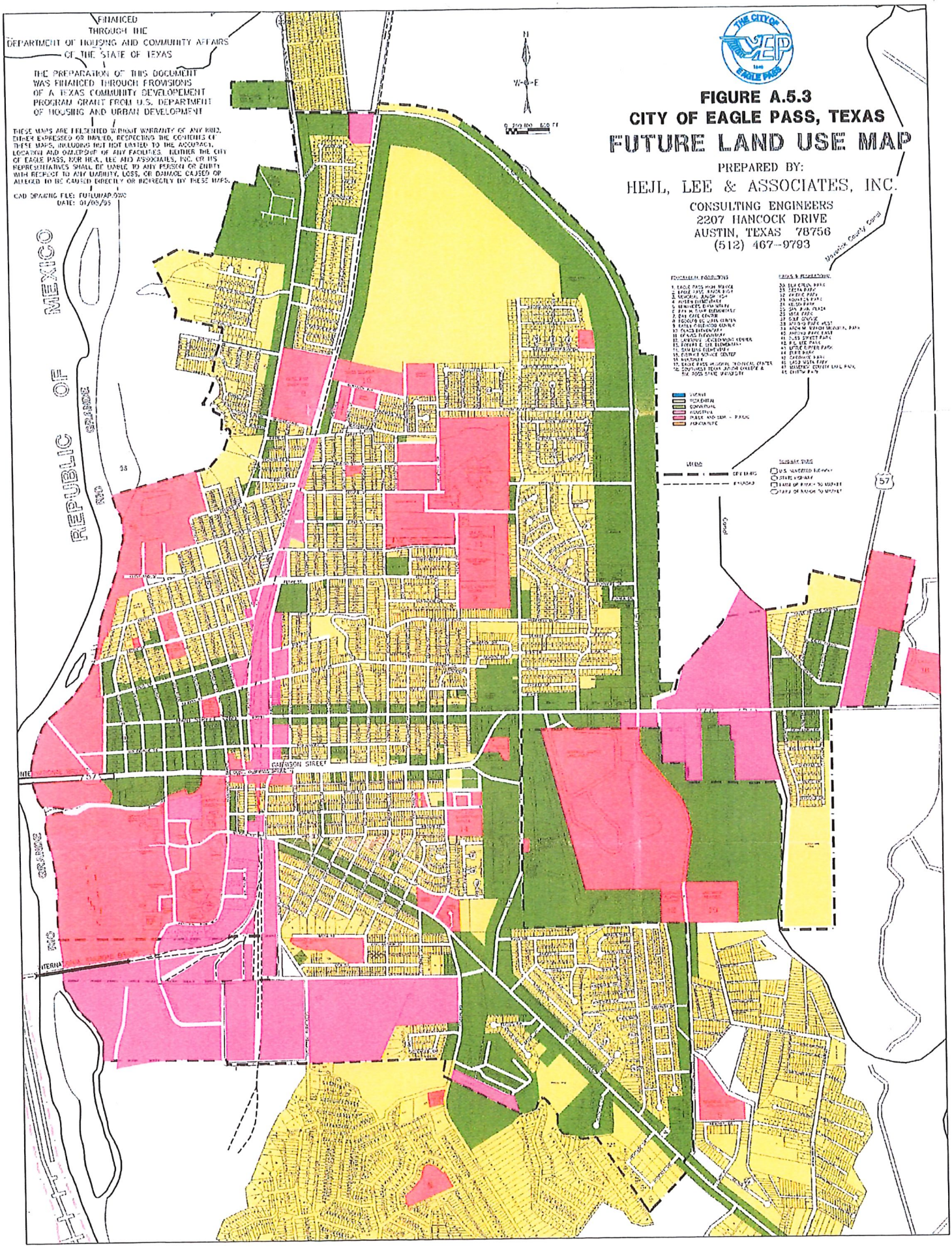
Your review of this plat application is greatly appreciated. Contact me for discussion and questions.

Sincerely,

Kenneth R. Dirksen, P. E.

Att: Re-Subdivision Plat and Application
Fire Hydrant flow tests
FEMA FIRM Map
Soils Map
Rainfall Runoff Calculations.

Attachment 4
Master Plan Map and Zoning District Map


FINANCED
THROUGH THE
DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS
OF THE STATE OF TEXAS
THE PREPARATION OF THIS DOCUMENT
WAS FINANCED THROUGH PROVISIONS
OF A TEXAS COMMUNITY DEVELOPEMENT
PROGRAM GRANT FROM U.S. DEPARTMENT
OF HOUSING AND URBAN DEVELOPMENT
THESE MAPS ARE PRESENTED WITHOUT WARRANTY OF ANY KIND,
EITHER EXPRESSED OR IMPLIED, RESPECTING THE CONTENTS OF
THESE MAPS, INCLUDING BUT NOT LIMITED TO THE ACCURACY,
LOCATION AND OWNERSHIP OF ANY FACILITIES. NEITHER THE CITY
OF EAGLE PASS, NOR HEJL, LEE AND ASSOCIATES, INC. OR ITS
REPRESENTATIVES SHALL BE LIABLE TO ANY PERSON OR ENTITY
WITH RESPECT TO ANY LIABILITY, LOSS, OR DAMAGE CAUSED OR
ALLEGED TO BE CAUSED DIRECTLY OR INDIRECTLY BY THESE MAPS.
CAD DRAWING FILE: FUTLUMAP.DWG
DATE: 01/03/95
N
W
E
FIGURE A.5.3
CITY OF EAGLE PASS, TEXAS
FUTURE LAND USE MAP
PREPARED BY:
HEJL, LEE & ASSOCIATES, INC.
CONSULTING ENGINEERS
2207 HANCOCK DRIVE
AUSTIN, TEXAS 78756
(512) 467-9793
REPUBLIC OF MEXICO
GARRISON STREET
57

Item 3

Planning Department Executive Summary

REPORT TO THE PLANNING AND ZONING COMMISSION

Final Plat Amendment of Lots 1 & 2 in Block 6 of Townsite of Fabrica

I. BACKGROUND

A. General Information

Applicant: Dirksen Engineering | 311 N. Getty St. | Uvalde, Texas 78801

Property Owner: Joluma Properties, LLC | Eagle Pass, Texas 78852

Location: 2997 Rodriguez Street and 1350 North Street

Property ID Number: 9011 and 9012

Legal Description: Lots 1 and 2 in Block 6 of Townsite of Fabrica

Request: a final plat amendment to amend the common property line between Lots 1 and 2 to reflect the existing use of the lots, including a sidewalk waiver request and a subdivision variance request to reduce the required rear yard building setback area from 16 feet to 5 feet.

B. Subject Property Information

Parcel Size: .3340-gross acreage

Topography: Generally flat

Vegetation: native vegetation

Existing Use: Residential dwelling on site

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

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

C. Vicinity Data

The surrounding area is comprised of residential land uses at a density consistent with the 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, cable, electric service, gas and garbage service.

Access to the site is provided by North Street and Rodriguez Street.

II. RECOMMENDED FINDINGS OF FACT

A. Conclusions

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

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

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

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

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

4. The development currently contains one dwelling unit. The 5,500-square foot minimum lot size and the 55-foot minimum lot width currently in place on the subdivision site and that found in the surrounding requirements of the *R-2 Second - Family Dwelling District* will continue the established dwelling unit density use of the property. It is, therefore, sufficient for the lots to meet the lot size requirements of the *R-2 District* as provided in the zoning ordinance.

5. City of Eagle Pass Code of Ordinances Section 23-11 states that the Planning and Zoning Commission must find that a subdivision variance complies with the following four criteria to the grant the subdivision variance. Please refer to Attachment 3 for a copy of the subdivision variance request.

The following is a summary of this application's compliance with the criteria:

A. *Section 23-11(a)(1).* The subdivision variance request regarding a reduction to the rear yard building setback area from 16-feet to 5-feet for the R-2 district is consistent with this section of the city code, as the strict application of the requirement provide for a lot that of a prescribed dimension for a site that currently contains all required infrastructure would deprive the applicant of the reasonable subdivision of their land.

B. *Section 23-11(a)(2).* The subdivision variance request regarding a reduction to the rear yard building setback area for the R-2 district is consistent with this section of the city code, as the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant.

C. *Section 23-11(a)(3).* The subdivision variance request regarding a reduction to the rear yard building setback area from 16-feet to 5-feet for Lot 2 is consistent with this section of the city code, as there is no anecdotal evidence which indicates that the granting of the variance would be detrimental to the public health, safety or welfare, or injurious to other property in the area.

D. *Section 23-11(a)(4).* The subdivision variance request regarding a reduction to the rear yard building setback area is consistent with this section of the city code, as there is no documentation which indicates that granting the variance would have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of *Chapter 23.*

E. And finally, the variance request regarding a reduction to the rear yard building setback area for Lot 2 is consistent with *Section 23-11(c),* as the granting of the variance would allow for the creation of a subdivision that was in harmony with the general purpose and intent of *City of Eagle Pass Code of Ordinances Chapter 23.* The subdivision contains design features which will secure the public health, safety and welfare and provide for the fair and equitable processing of the final plat amendment.

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

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

   ✓ The subdivision is consistent with the *Land Use Development Goals* of the *Master Plan,* as the project is designed to provide for a building lot density that is consistent with the purpose of the *R-2 Second One-Family Dwelling District.* This design will allow for the continuing development of the community while retaining the neighborhood character and scale while providing utility services in the most and efficient and equitable manner.

   ✓ The subdivision is consistent with the *Street Goal* of the *Master Plan*, as access to the site from Rodriguez Street and North Street have been designed to provide the residents of and visitors to Eagle Pass and Maverick County with a street system that will enable them to travel safely and conveniently.

   ✓ The subdivision is consistent with the *Thoroughfare Goals* of the *Master Plan*, as Rodriguez Street and North Street have been designed to be part of a safe and efficient thoroughfare system.

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

7. The amending plat design is consistent with the residential uses permitted in the *R-2 Second One-Family Dwelling District.*

8. The amending plat is consistent with City design and specifications, as the project is designed to conform to the following sections of *Article IV* in *Eagle Pass Code of Ordinances Chapter 23*:

    - ✓ *Section 23-62* governing utility easements
    - ✓ *Section 23-64* governing sidewalks, subject to the granting of a subdivision sidewalk waiver by the Planning and Zoning Commission.
    - ✓ Section 23-66 governing sanitary sewage disposal
    - ✓ *Section 23-67* governing potable water supply and fire flow
    - ✓ *Section 23-68* governing storm drainage
    - ✓ *Section 23-69* governing the size of building lots, including lot width, lot depth, lot orientation, and building setback areas, subject to the granting of a subdivision variance by the Planning and Zoning Commission.
    - ✓ *Section 23-71* governing the installation and inspection of utility lines

Please refer to Attachment 4 for a copy of the engineering report for the proposal.

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

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

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

    - Protect private rights while considering public health, safety and welfare.

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

12. The amending plat design is consistent with the residential uses permitted in the *R-2 Second One-Family Dwelling District.*

13. The amending plat will allow for the continued use of the property that is consistent with the residential purpose of the *R-2 Second One-Family Dwelling District*, as well as the surrounding area, for the following reasons:

    A. The subdivision design bears a substantial relationship to the public's health, safety, and welfare.
    B. The subdivision is in accordance with the policies of the *Master Plan* and the purpose of the *R-2 Second One-Family Dwelling District.*
    C. The subdivision is warranted because of the necessity to create additional lots for development and because the proposed development is appropriate to accomplish the reasonable use of the property.
    D. The subject property is suitable for development in general conformance with development standards of the *R-2 Second One-Family Dwelling District.*
    E. The subdivision will benefit the County as a whole and will not be detrimental to nearby land uses of a similar nature.
    F. The subsequent development will be designed and conditioned to comply with all applicable subdivision criteria and standards of the City of Eagle Pass.

14. The approval of the final amending plat request is warranted, as the project conforms to the *City of Eagle Pass Master Plan* and the *City of Eagle Pass Code of Ordinances* as noted in Conclusion 1 through and including Conclusion 13 of this report.

B. <u>Planning Department Recommendation</u>

The Planning and Zoning Commission **GRANT** approval of a final plat amendment adjusting the property lines between *Lots 1 and 2 in Block 6 of Townsite of Fabrica including,* a sidewalk waiver request, and a subdivision variance request to reduce the required rear yard setback area from 16 feet to 5 feet.

TRANSMITTED to the parties listed hereafter:

Dirksen Engineering via e-mail
Planning and Zoning Commission via e-mail
Maverick County Planning Department via e-mail
Eagle Pass Planning Department Report dated June 17, 2022

Attachment 1
Application

PLANNING DEPARTMENT

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

SUBDIVISION APPLICATION

TYPE OF SUBDIVISION (check one):
☐ Preliminary ☒ Final ☐ Replat ☒ Amendment ☐ Short Form Final

Property Legal Description: Townsite of Fabrica, Block 16, Lot 1 & 2

Maverick County Property Identification Number(s): 9011 & 9012

Name of Addition: Townsite of Fabrica, Block 16 Lot 1 & 2

Location of Addition: 1350 North St. Eagle Pass tx 78852

Number of Residential Lots: 2 Number of Commercial Lots: 0 Gross Acreage: 14549

Number of New Street Intersections 0 Linear feet of Streets 0

Is Subdivision inside city limits? Yes ( ) No (X); If so, Zoning District: County

Existing Land Use: Residential Proposed Land Use: Residential

Requested Variances: Variance for rear setback for existing house. And a variance for sidewalks.

PROPERTY OWNER:

Name: Marisela Rodriguez
Address: 1772 Rio Drive
City: Eagle Pass, Tx
State: TX Zip: 78852
Signature:

Contact: Marisela Rodriguez
Phone: 830-352-2050
Fax: 830-757-4333
E-mail: mari2erdz@yahoo.com
Date: April 20, 2022

PROPERTY OWNER:

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

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

RECEIVED
4-2-22

STATEMENT OF OWNER/SUBDIVIDER

I, the undersigned, hereby certify that: (1) I am the owner the land subject to this request for a subdivision; (2) I authorize Kenneth R. Deiksen 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 Ordnance until such time as such improvements, if any, shall have been actually completed and accepted by the city.

Owner/Subdivider Signature

April 20, 22
Date

STATE OF TEXAS §

COUNTY OF Uvalde §

Before me, the undersigned authority, a notary public for the State of Texas, on this day personally appeared Marisela Rodriguez (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 20 day of April, 2022.

Notary Public, State of Texas

AMANDA GONZALEZ
MY COMMISSION EXPIRES
November 12, 2022
NOTARY ID: 13179986-5

APPLICANT/SUBDIVIDER:

Name: _____ Contact: _____

Address: _____ Phone: _____

City: _____ Fax: _____

State: _____ Zip: _____ E-mail: _____

Signature: _____ Date: _____

SURVEYOR:

Name: Kenneth R. Dorkson Contact: Ken Dorkson

Address: 107 W. South St. Phone: 830.279.9447

City: Uvalde Fax: _____

State: TX Zip: 78801 E-mail: Kendirkson@sbcglobal.net

Signature: Ken R Dirkson Date: April 20, 2022

ENGINEER:

Name: Kenneth R. Dorkson Contact: Ken Dorkson

Address: 107 W. South St. Phone: 830.279.9447

City: Uvalde Fax: _____

State: TX Zip: 78801 E-mail: Kendirkson@sbcglobal.net

Signature: Ken R Dirkson Date: April 20, 2022

PRINCIPAL CONTACT: ____Owner ____Applicant X Surveyor ____Engineer

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

STATEMENT OF APPLICANT

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

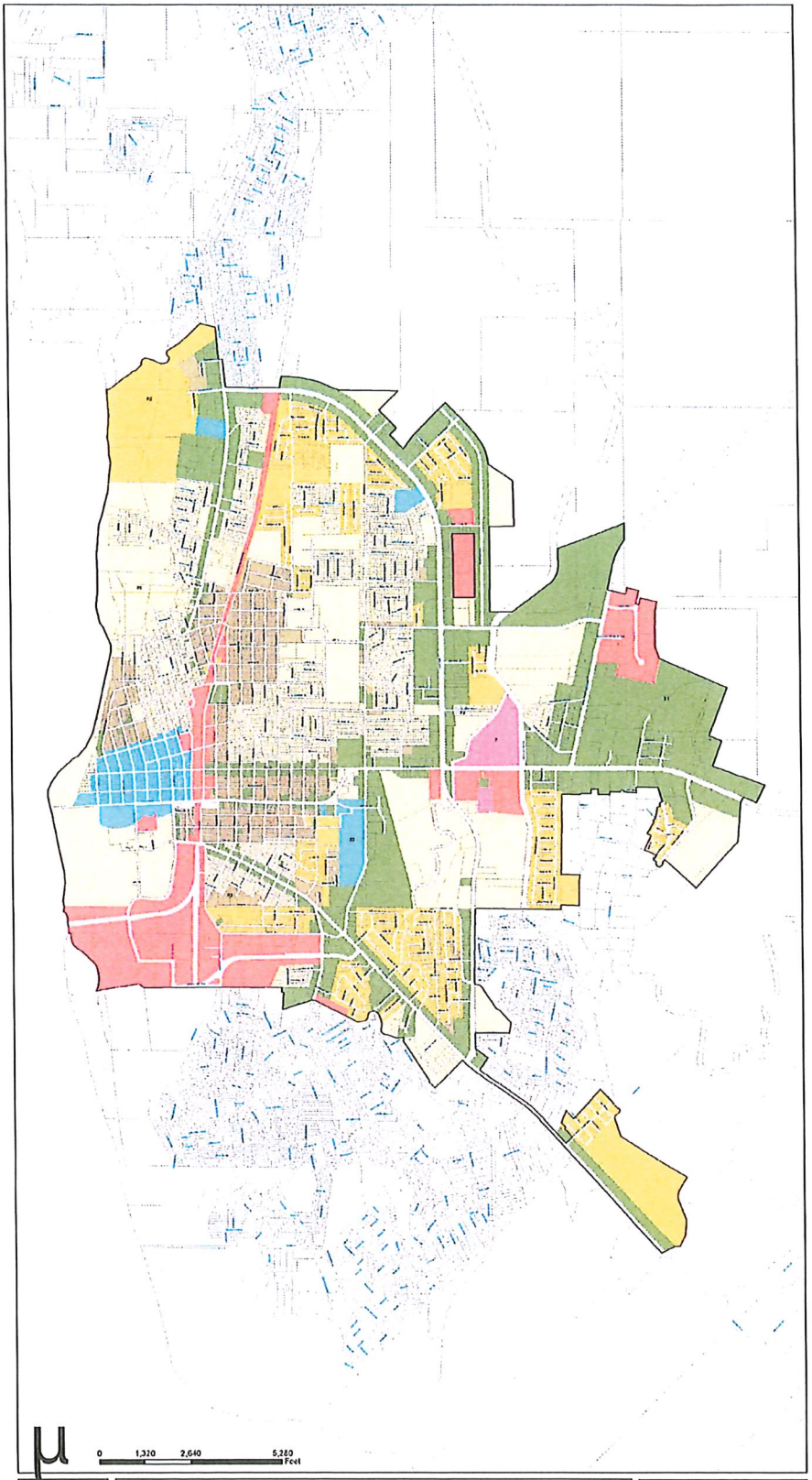
I understand that the City of Eagle Pass may use third party engineering peer review services. I acknowledge and agree that I am responsible for the payment of services attributable to my project, and that the preliminary approval process or final approval process will not proceed until and unless I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

Applicant Signature

April 20, 22
Date

Legend

- City Limits Outline
- B1 - Neighborhood Business District (<8,00 Sq Ft)
- B2 - Central Business District
- B3 - General Business District (>8,000 Sq Ft)
- I - Industrial District
- F - Floodway District
- R1 - First One-Family Dwelling District
- R2 - Second One-Family Dwelling District
- R3 - Duplex Dwelling District
- R3A - Apartment District
- R4 - Townhouse Residence District



Eagle Pass, Texas

October 1, 2021 (Updated)

TRUE AUTOMATION, INC.
2600 Technology Dr Suite 900
Phone: 972.881.1858
Fax: 972.633.0633
Plano, TX 75074
www.trueautomation.com

PLAT AMENDMENT OF LOTS 1 AND 2, BLOCK 6, TOWNSITE OF FABRICA

JOLUMA Properties, LLC

Being a 0.3340 acres Plat Amendment of Lot 1 and Lot 2, Block 6, Townsite of Fabrica as shown on Envelope 19, Side A, Maverick County Map Records, described as Lot 1 and Lot 2 in conveyance documents to JOLUMA Properties, LLC recorded in Document Number 2216294 of the Maverick County Deed Records, Maverick County, Texas and more particularly described by metes and bounds as follows:

BEGINNING at a steel stake set (S.P.C. N: 13459585.95, E: 1489407.72) in the intersection of North Street and Rodriguez Street for the northeast corner of the herein described tract;

THENCE S 05°28'02" E, 89.00 feet with the west line of Rodriguez Street to a steel stake set at a common east corner of Lot 2 and Lot 3 for the southeast corner of the herein described tract;

THENCE S 84°31'58" W, 150.00 feet to a steel stake set at a common west corner of Lot 2 and Lot 3 for the southwest corner of the herein described tract;

THENCE N 05°28'02" W, 104.99 feet to a steel stake set at the common north corner of Lot 1 and Lot 26 for the northwest corner of the herein described tract;

THENCE S 89°22'54" E, 150.85 feet with the south line of North Street to the POINT OF BEGINNING containing 0.3340 acres of land within the herein described tract surveyed by Dirksen Engineering on April 7, 2022.

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 teh 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_____
JOLUMA Properties, LLC
Agent: Maritza Rodriguez

State of Texas)(
County of Maverick)(

Before me, the undersigned notary public, on this day personally appeared Maritza Rodriguez 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 teh 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 PLAT AMENDMENT OF LOTS 1 AND 2, BLOCK 6, TOWNSITE OF FABRICA 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 PLAT AMENDMENT OF LOTS 1 AND 2, BLOCK 6, TOWNSITE OF FABRICA WAS REVIEWED AND APPROVED BY THE CITY MANAGER OF THE CITY OF EAGLE PASS ON _____, ___

_____ DATE:_____
CITY MANAGER OF THE CITY OF EAGLE PASS

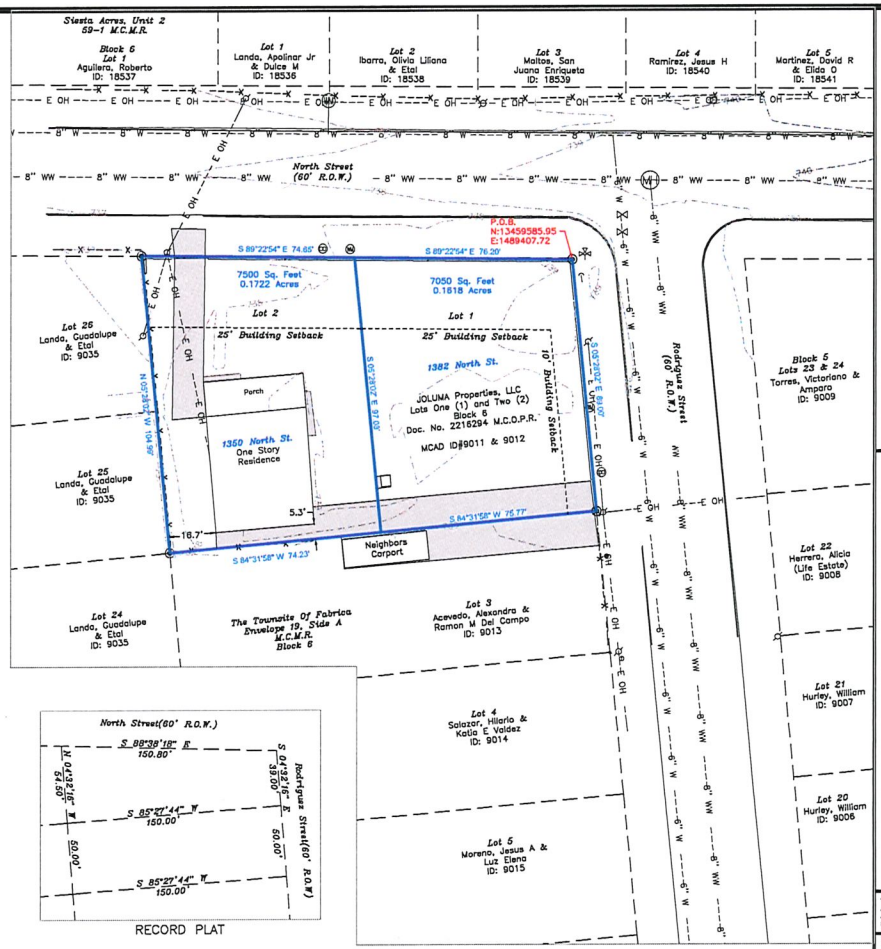
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ___ DAY OF _____, ___

_____
SIGNATURE NOTARY PUBLIC STATE OF TEXAS

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



RECORD PLAT

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 7, 2022 ON THE GROUND UNDER MY SUPERVISION AND THE MONUMENTS SHOWN ARE WITHIN THE POSITIONAL TOLERANCE REQUIRED BY 22TAC SEC 663.15.

PRELIMINARY DO NOT RECORD FOR ANY PURPOSE

_____
KENNETH R. DIRKSEN, P.E. 82628, R.P.L.S. 6260
DIRKSEN ENGINEERING PROJECT 22-2583

STATE OF TEXAS · REGISTERED · KENNETH R. DIRKSEN · 82628 · SURVEYOR

STATE OF TEXAS · REGISTERED · KENNETH R. DIRKSEN · 82628 · ENGINEER

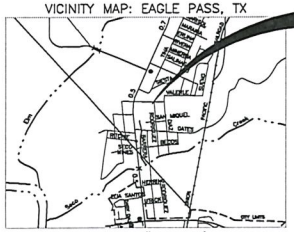
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE __ DAY OF_____ OF _____ BY KENNETH R. DIRKSEN, P.E.

_____
SIGNATURE NOTARY PUBLIC STATE OF TEXAS

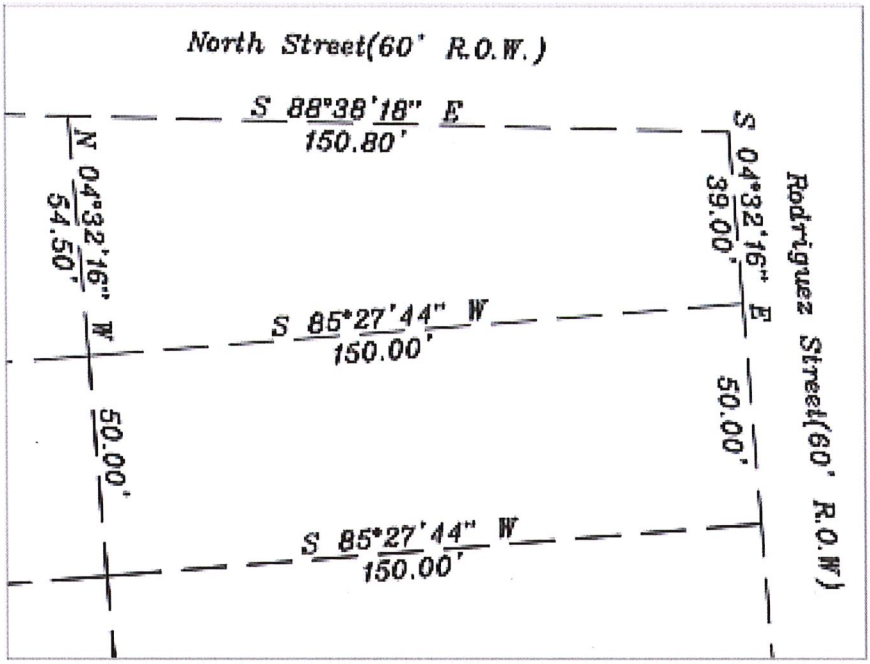
MY COMMISSION EXPIRES ON:_____

NOTES:
1. THIS PLAT AMENDS LOTS 1 AND 2, BLOCK 6, TOWNSITE OF FABRICA OF THE PLATS PREVIOUSLY RECORDED IN THE MAP RECORDS OF MAVERICK COUNTY, ENVELOPE 158, SIDE A.
2. NO MORE THAN ONE SINGLE FAMILY DWELLING MAY BE CONSTRUCTED ON EACH LOT.
3. 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-2. FRONT YARD 25 FT, SIDEYARD 5 FT, SIDE YARD 10 FT AT STREET CORNER, REAR YARD 16 FEET.
4. A VARIANCE FROM REAR YARD SETBACK REQUIREMENT HAS BEEN APPLIED FOR THE EXISTING STRUCTURE ON LOT 2 ONLY, ANY SUCCEEDING STRUCTURE WILL FOLLOW SETBACKS GIVEN IN NOTE 3 ABOVE.
5. THE SUBDIVISION SHOWN ON THIS PLAT IS LOCATED OUTSIDE OF SPECIAL FLOOD HAZARD AREAS (SFHAS) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD , AS SHOWN ON FLOOD INSURANCE RATE MAP NUMBERS 48323C0451D FOR MAVERICK COUNTY, TEXAS AND INCORPORATED AREAS BOTH DATED APRIL 4, 2011.
6. 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 22-90, 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.
7. EASEMENTS MUST BE KEPT CLEAR OF ANY OBSTRUCTIONS.

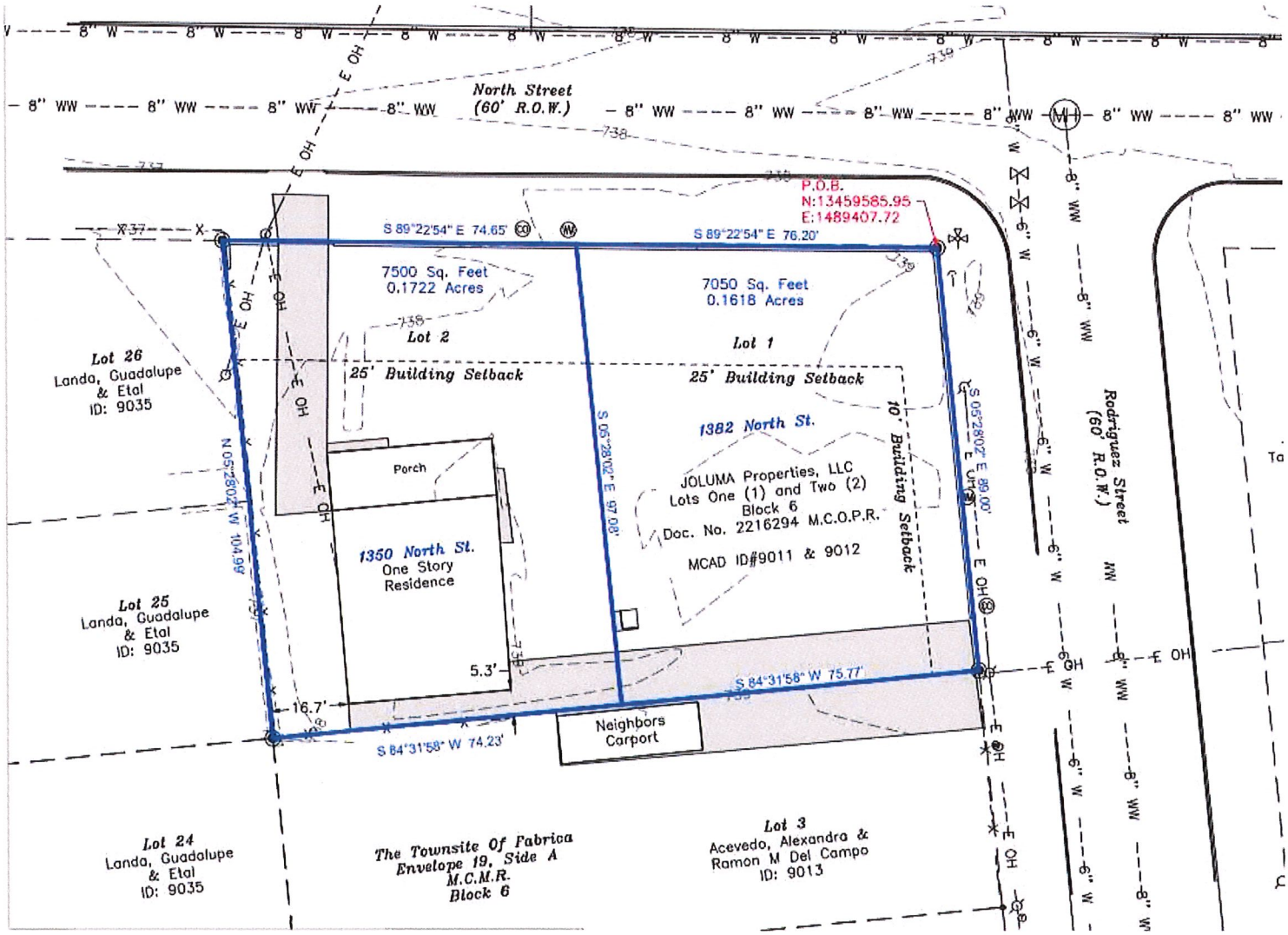
VICINITY MAP: EAGLE PASS, TX


SITE
MAVERICK
MAIN
MAIN
MAIN

Original Recorded Plat



Proposed Plat Amendment



Aerial Map

Attachment 2
Sidewalk Waiver Application

PLANNING DEPARTMENT

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

Subdivision Sidewalk Waiver Application

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

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

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

(2) Where a proposed sidewalk would be located adjacent to a utility easement and the land adjacent to such easement is unusable for development because of the nature of such easement, for example, a natural gas or electric utility easement or a railroad right-of-way or where a proposed sidewalk would be located adjacent to an easement and the land on the other side of the easement is of insufficient depth to allow future development on that side, provided that in either event that there is, or will be, a sidewalk on the side of the road opposite the easement; or

(3) Where a residential subdivision has double-frontage lots and the rear lots abut a collector or arterial street, a sidewalk on the side of such collector or arterial street on which the rear lot lines abut, does not have to be constructed, provided that a sidewalk is or will be, constructed on the other side of such collector or arterial street; or

(4) When the lot size in a new residential subdivision is equal to or exceeds 22,000-square-feet in area.

Applicant Information

Applicant (if not owner): Kenneth R. Dirksen

Phone: 830-278-2100 Email: kendirksen@sbcglobal.net

Owner: Marisela Rodriguez

Owner Address: 1772 Rio Drive City: Eagle Pass State: TX Zip: 78852

Phone: 830-352-2656 Email: marisela@herringfirm.com

Property Information

Site Address: 1350 North St.

Legal description (from deed): Townsite of Fabrica, Block 6, Lot 1 & 2

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

Maverick County Identification Number: 9011 & 9012

RECEIVED 10-11-22

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

Along the frontage of North St. and Rodriguez St.

Lot 1 has a total distance of 165.20'

Lot 2 has a total distance of 74.65'

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.

O 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.

O 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.

O 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 curbs or sidewalks were constructed when the original subdivision was developed. No curbs or sidewalks exist along North St. or Rodriguez St., adding curbs and sidewalks along North St. or Rodriguez St. will create a hazard to trafic.

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

6/16/2022
Date

Attachment 3
Variance Application

PLANNING DEPARTMENT

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

SUBDIVISION VARIANCE APPLICATION

Applicant Information

Applicant (If not owner): Kenneth R. Dirksen
Address: 107 W. South St. Uvalde, TX 78801
Phone: 830-278-2100 E-mail: kendirksen@sbcglobal.com
Owner: Marisela Rodriguez
Address: 1772 Rio Drive Eagle Pass, TX 78852
Phone: 830-352-2656 E-mail: marisela@herringfirm.com

Property Information

Site Address: 1350 North St. MCAD Property ID No. 9011 & 9012
Legal Description (from deed): Townsite of Fabrica, Block 6, Lots 1 & 2

Description of Subdivision Variance Request

Variance from rear yard setback for existing structure on Lot 2 to the amended lot

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?

Existing structure was constructed with the rear of the house set at side yard setback.

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

In requesting lot with orientation of house, the rear of the house is too close to the lot line for rear yard setback.

RECEIVED 6-2-22

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 variance is requested for existing structure only.
Any new structures will comply with current ordinance.

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

This variance will appy to existing structure on lot 2 only.

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

06-16-2022
Date

Attachment 4
Final Engineering Report

Dirksen Engineering

107 W South St.
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

June 16, 2022

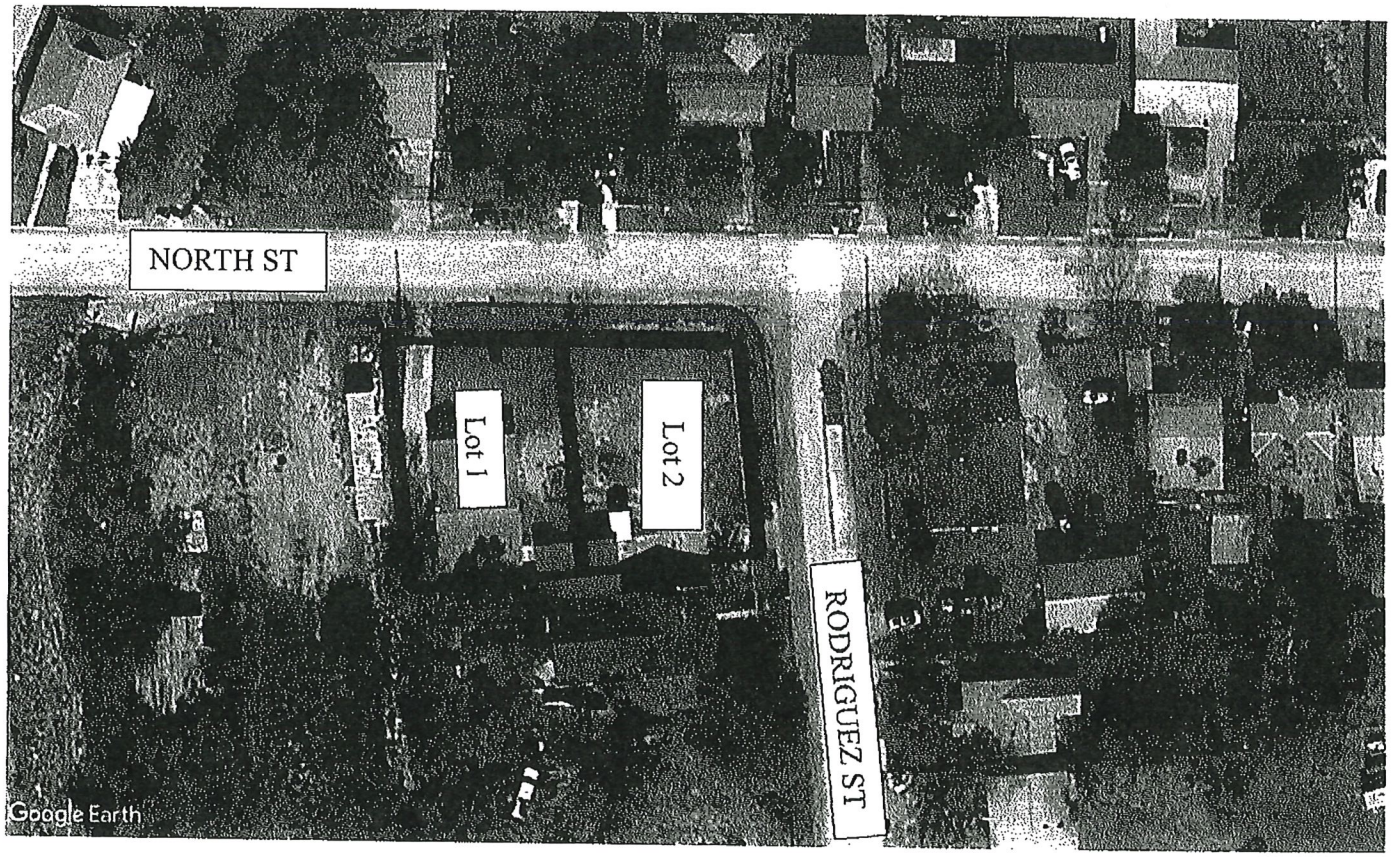
Placido Madera
Planning Director City of Eagle Pass
3295 Bob Rogers Drive
Eagle Pass, Tx 78852

Re: Final Engineering and Drainage Report – Plat Amendment Lots 1 and 2, Block 6, Townsite of Fabrica

To Whom It May Concern:

Introduction:

The Plat Amendment of Lots 1 and 2, Block 6, Townsite of Fabrica is located at the intersection of North Street and Rodriguez Street. The Maverick CAD Tax ID Numbers are Lot 1 - 9011, and Lot 2 – 9012.



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6-2-22

Development
The lots are currently developed with one residence on Lot 2. The residence was developed facing North Street instead of Rodriguez Street. The plat amendment will reorient Lots 1 and 2 to face North Street in place Rodriguez St. A single family residence will be constructed on the amended Lot 1. The land area is shown on the attached plat.

A variance is applied for to reduce the rear yard setback to 5 feet. This is narrow but there is more than ample side yard on the east side of the existing residence.

Street Development
Both tracts have access to North Street which is a curbed urban type roadway. No improvements for public rights of way will be constructed.

No sidewalk is constructed in the entire subdivision of Townsite of Fabrica. A sidewalk waiver has been submitted to keep this development in the same style as the entire subdivision.

Water Development
Water service is provided by Eagle Pass Water Works on both North Street and Rodriguez Street. Water service is existing on Rodriguez Street. A new water meter will be added along North Street for the existing residence on Lot 2. Both lots have rights to water and no additional agreements are not needed..

Fire protection is provided by a fire hydrant located at the corner of North Street and Rodriguez Street. The static pressure at this fire hydrant was tested and is attached to this report.

Sanitary Sewer Facilities
Sanitary sewer is provided along both North Street and Rodriguez Street. Sanitary sewer service for Lot 2 will have to be added along North Street to service the existing residence. Both lots have rights to sanitary sewer and no additional agreements are not needed.

Drainage Development
The soil is Pryor Clay Loam which is a lean clay soil. The drainage classification is C. The entire site is located outside the special flood hazard area shown on FEMA FIRM 48323C0451D 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 northwest across the lots. The land uses are residential with most houses developed. This re-subdivision will be developed by constructing a residential structure on the new 7500 square feet lot. Runoff will increase from 0.7 cfs to 1.2 cfs in the 100 year storm. This increase is small and no additional development of storm water detention is required.

Hydraulic Calculations for the resubdivision are attached to this report.

Electric Facilities, Telephone and Cable Television
Electric service is provided by AEP. Electric and telecommunication utilities are available from both North Street and Rodriguez Street.

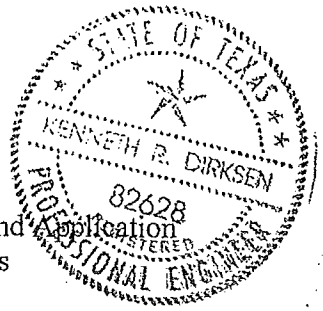
Gas Service
No gas service is required for this subdivision.

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.

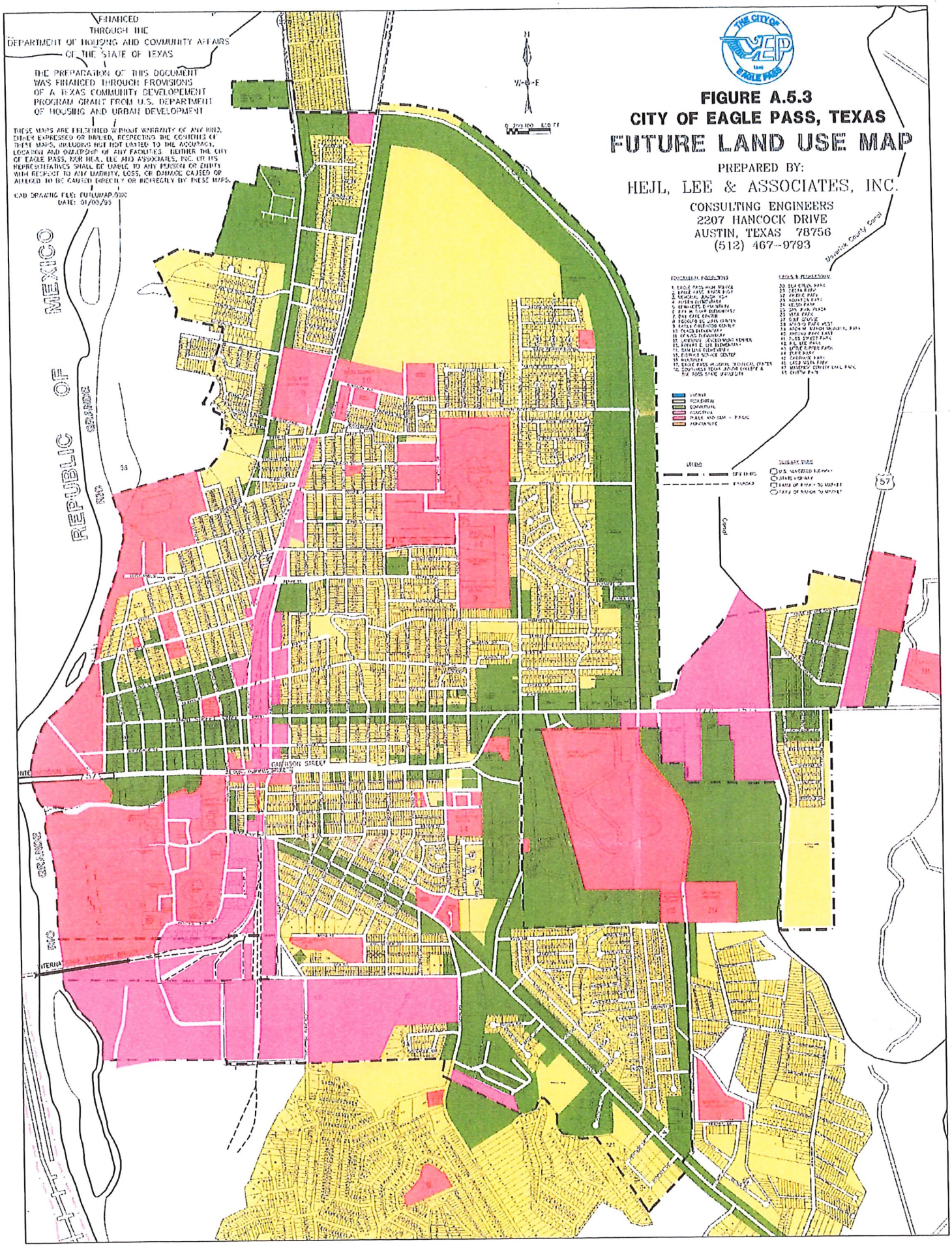
Sincerely,

Kenneth R. Dirksen, P. E.



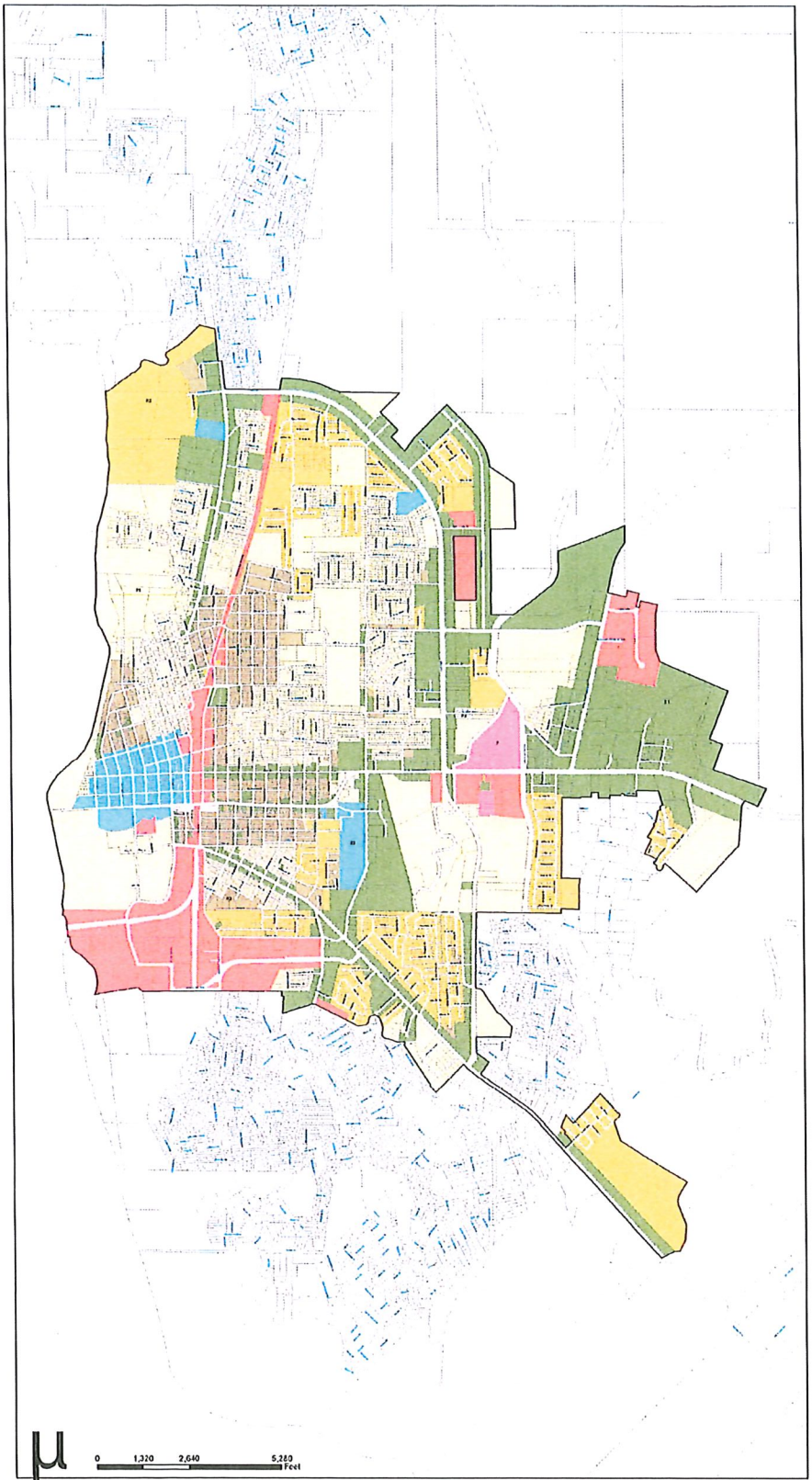
Att: Re-Subdivision Plat and Application
Fire Hydrant flow tests
FEMA FIRM Map
Soils Map
Rainfall Runoff Calculations.

Attachment 5
Master Plan Map
Zoning District Map


FINANCED
THROUGH THE
DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS
OF THE STATE OF TEXAS
THE PREPARATION OF THIS DOCUMENT
WAS FINANCED THROUGH PROVISIONS
OF A TEXAS COMMUNITY DEVELOPEMENT
PROGRAM GRANT FROM U.S. DEPARTMENT
OF HOUSING AND URBAN DEVELOPMENT
THESE MAPS ARE PRESENTED WITHOUT WARRANTY OF ANY KIND,
EITHER EXPRESSED OR IMPLIED, RESPECTING THE CONTENTS OF
THESE MAPS, INCLUDING BUT NOT LIMITED TO THE ACCURACY,
LOCATION AND OWNERSHIP OF ANY FACILITIES. NEITHER THE CITY
OF EAGLE PASS, NOR HEJL, LEE AND ASSOCIATES, INC. OR ITS
REPRESENTATIVES SHALL BE LIABLE TO ANY PERSON OR ENTITY
WITH RESPECT TO ANY LIABILITY, LOSS, OR DAMAGE CAUSED OR
ALLEGED TO BE CAUSED DIRECTLY OR INDIRECTLY BY THESE MAPS.
CAD DRAWING FILE: FUTLUMAP.DWG
DATE: 01/05/95
N
W-0-E
FIGURE A.5.3
CITY OF EAGLE PASS, TEXAS
FUTURE LAND USE MAP
PREPARED BY:
HEJL, LEE & ASSOCIATES, INC.
CONSULTING ENGINEERS
2207 HANCOCK DRIVE
AUSTIN, TEXAS 78756
(512) 467-9793
REPUBLIC OF MEXICO
GRANDE
RIO
GARRISON STREET
57

Legend

- City Limits Outline
- B1 - Neighborhood Business District (<8,00 Sq Ft)
- B2 - Central Business District
- B3 - General Business District (>8,000 Sq Ft)
- I - Industrial District
- F - Floodway District
- R1 - First One-Family Dwelling District
- R2 - Second One-Family Dwelling District
- R3 - Duplex Dwelling District
- R3A - Apartment District
- R4 - Townhouse Residence District



Eagle Pass, Texas

October 1, 2017 (Updated)

TRUE AUTOMATION, INC.
2609 Technology Dr Suite 900
Phone: 972.881.1858
Fax: 972.633.0533
Plano, TX 75074
www.trueautomation.com

Item 4

Planning Department Executive Summary Report

TO THE PLANNING AND ZONING COMMISSION

Final Plat Approval of the Castle Rock Subdivision Unit 3

I. BACKGROUND

A. General Information

Applicant: Dirksen Engineering | 311 N. Getty Street | Uvalde, Texas 78801

Developer: DWC Creative Homes Dr. | Eagle Pass, Texas 78852

Location: At the end of Frank Chisum Street

Property ID Number: 84130, 83155, and 83112

Legal Description: Being a 5.29 acres tract, located in the G.C. & S.F.R.R. Co, Survey 1, Abstract A1047, Maverick County and being a portion of that certain 20.593 acres described by metes and bounds and conveyed to Benavides Holdings, L.P. by deed recorded in Volume 796, Page 388, Official Public Records of Maverick County, Texas.

Request: Final plat approval subdividing an approximately 5.29-acre tract into 29 residential lots, including a subdivision variance from the requirement to construct concrete curb and gutter section parallel to the cul-de-sacs.

B. Subject Property Information

Parcel Size: 5.29-acres **Vegetation:** light brush **Existing Use:** The site is undeveloped

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

C. Vicinity Data

The site is located within an area that features residential and commercial development to the southwest and undeveloped tracts to the north.

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 Frank Chisum Street.

II. RECOMMENDED FINDINGS OF FACT

A. Conclusions

1. The applicant's request contains sufficient information for consideration by the Planning and Zoning Commission. Information contained in this report and the

Commission's public meeting will be used as part of the City Council's deliberation process for final approval of the subdivision. Please refer to Attachment 1.

2. The Planning and Zoning Commission granted preliminary plat approval, including a variance to reduce the rear yard building setback area from 25-feet to 10-feet on December 6, 2019. The City Council granting approval on January 7, 2020.

3. The Planning and Zoning Commission granted a zoning change from R-1 to R-2 on January 9, 2020. The City Council granting preliminary plat approval on February 4, 2020.

4. The *City of Eagle Pass Master Plan Map* provides direction to both Planning and Zoning Commission and the City Council in their deliberation of a subdivision. Please refer to Attachment 2 for a copy of the *Master Plan Map*.

5. The *Master Plan* emphasizes the importance of maintaining the character of the City's neighborhoods. The following is a summary of the applicable sections of the *Master Plan* to the plat.

   ✓ The subdivision is consistent with the *Housing Goals* of the *Master Plan*, as the subdivision process will ensure appropriate land development regulation with appropriate lot sizes, paved streets with curb and gutters, and adequate utility services.

   ✓ The subdivision is consistent with the *Land Use Development Goals* of the *Master Plan,* as the project is designed to provide for a building lot density that is consistent with the purpose of the *R-2 Second One-Family Dwelling District.* This design will allow for the development of the community while providing utility services in the most efficient and equitable manner.

   ✓ The subdivision is consistent with the *Street Goal* of the *Master Plan*, as access to the lots from Frank Chisum Street has been designed to provide the residents of and visitors to Eagle Pass with a street system that will enable them to travel safely and conveniently.

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

   ✓ The subdivision is consistent with the *Storm Drainage Goals* of the *Master Plan*, as the drainage for the proposed lots will be conveyed into a proposed private detention facility.

6. The subdivision of the property is in conformance with the provisions of the *Master Plan* and the *Eagle Pass Code of Ordinances* by facilitating the following benefits:

   - Protect private rights while considering public health, safety, and welfare.
   - Provide for efficient and economical ways to move people and goods outside the city by an adequate plan for streets and highways.
   - Guide future development in an orderly manner, by stages according to a pattern, so that the city may have a balanced land use.
   - Encourage a diversified economic base and encourage public and private investments in land and improvements.
   - Prevent and eliminate blight and slums, making the city attractive to people, commerce, and industry.

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

7. The subdivision design is consistent with the residential purpose of the *R-2 Second One-Family welling District.*

8. The subdivision is consistent with City design and specifications, as the subsequent development of the site will be required to conform to the following sections of *Article IV* in *Eagle Pass Code of Ordinances Chapter 23*:

   - ✓ *Section 23-61* governing streets 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 *Final Engineering Report* for the subdivision.

9. 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.*

10. The developer has complied with cash payment in-lieu of parkland as set forth in *Article V* in *Eagle Pass Code of Ordinances Chapter 23.*

11. The subdivision will allow for a use of the property that is consistent with the residential purpose of the *R-2 Second One-Family Dwelling District* for the following reasons:

    A. The subdivision design bears a substantial relationship to the public's health, safety, and welfare.
    B. The subdivision is in accordance with the policies of the Master Plan and the business purpose of the *R-2 Second One-Family Dwelling District.*
    C. The subdivision is warranted because of the necessity to create additional building lots in the *R-2 Second One-Family Dwelling District*, and because the proposed development is appropriate to accomplish the reasonable use of the property.
    D. The subject property is suitable for development in general conformance with development standards of the *R-2 Second One-Family Dwelling District.*

E. The subdivision will benefit the City as a whole and will not be detrimental to nearby land uses of a similar nature.
F. The subsequent development will be designed and conditioned to comply with all applicable subdivision criteria and standards of the City of Eagle Pass.

Please refer to Attachment 2 for a copy of the *Master Plan* Map and a copy of the *Zoning District Map* for the City of Eagle Pass.

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

B. Planning Department Recommendation

The Planning and Zoning Commission (1) **DENY** the curb and gutter subdivision variance request and (2) **GRANT** approval of the proposed Final Plat of *Castle Rock Subdivision Unit* 3, subject to the final plat shall comply with the provisions of *Article III* of *City of Eagle Pass Code of Ordinances Chapter 23* governing procedures and specifications for final plats and subject to the following conditions prior to plat recordation:

1. Complete grading of lots or provide a new drainage design for lots 12-16 that have portions to the rear that grade toward the abutting properties in Castle Rock Unit 2. The approved design has all lots grading toward the street.

2. Incorporate the cul-de-sacs into the boundaries of plat drawing and construct concrete to city standards.

3. Provide Fire Flow Test that is compliant, as required by *Appendix B Fire-Flow Requirements* for buildings in *Section 105B* of the *2018 International Fire Code (IFC)* adopted by City Council.

TRANSMITTED to the parties listed hereafter:

Dirksen Engineering via e-mail
Planning and Zoning Commission via e-mail
Eagle Pass Planning Department Report dated June 17, 2022

Attachment 1
Subdivision Application
Variance 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: 5.29acres, Abstract 1047, Maverick County

Maverick County Property Identification Number(s): 83155, 83112, 84130

Name of Addition: Castle Rock Unit 3

Location of Addition: Frank Chisum Drive

Number of Residential Lots: 29 Number of Commercial Lots: 0 Gross Acreage: 5.29ac

Number of New Street Intersections 1 Linear feet of Streets 1272

Is Subdivision inside city limits? Yes (•) No ( ); If so, Zoning District: R-2

Existing Land Use: VACANT Proposed Land Use: Residential

Requested Variances: _____

PROPERTY OWNER:

Name: DWC Creative Homes, LLC Contact: Richard L. Chisum

Address: 800 Vista Hermosa Dr. Phone: 830-968-2489

City: Eagle Pass Fax: _____

State: TX Zip: 78852 E-mail: _____

Signature: Richard Chisum Date: April 24, 2019

PROPERTY OWNER:

Name: _____ Contact: _____

Address: _____ Phone: _____

City: _____ Fax: _____

State: _____ Zip: _____ E-mail: _____

Signature: _____ Date: _____

APPLICANT/SUBDIVIDER:

RECEIVED 5/8/19 GMC

Name: Dirksen Engineering
Address: 311 N. Getty St.
City: Uvalde
State: TX Zip: 78801
Signature:

Contact: Ken Dirksen
Phone: 830-278-2100
Fax: 830-278-2102
E-mail: kendirksen@sbcglobal.net
Date: 04-18 2019

SURVEYOR:

Name: Dirksen Engineering
Address: 311 N. Getty St.
City: Uvalde
State: TX Zip: 78801
Signature:

Contact: Ken Dirksen
Phone: 830-278-2100
Fax: 830-278-2102
E-mail: kendirksen@sbcglobal.net
Date: 04-18-2019

ENGINEER:

Name: Dirksen Engineering
Address: 311 N. Getty St.
City: Uvalde
State: TX Zip: 78801
Signature:

Contact: Ken Dirksen
Phone: 830-278-2100
Fax: 830-278-2102
E-mail: kendirksen@sbcglobal.net
Date: 04-18-2019

PRINCIPAL CONTACT: ○ Owner ○ Applicant ○ Surveyor ● Engineer

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

STATEMENT OF APPLICANT

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

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

Applicant Signature

April 24, 2019
Date

RECEIVED
5/8/19 GH

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 Ordnance until such time as such improvements, if any, shall have been actually completed and accepted by the city.

Richard Chisum
Owner / Subdivider Signature

April 24, 2019
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 Richard Chisum (Name), developer (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 24 day of April 2019, 2019.

Marielle Rodriguez
Notary Public, State of Texas

MARIEBELLE RODRIGUEZ
NOTARY PUBLIC - STATE OF TEXAS
NOTARY ID# 12534018-4
My Comm. Exp. June 22, 2021

RECEIVED
5/21/19 EMC

Subdivision Variance Application

Applicant Information

Applicant (if not owner): Dirksen Engineering

Phone: 830-278-2100 e-mail: kendirksen@sbcglobal.net

Owner: Ricky Chisum

Owner Address: 800 Vista Hermosa City Eagle Pass State TX Zip 78852

Phone: (830) 968-2489 e-mail: N/A

Property Information

Site Address: At the end of Frank Chisum Drive

5.29 Acres, Abstract 1047, Maverick County
(Property must be legally subdivided or be lot of record)

Maverick County Identification Number: 83155, 83112, 84130

Description of Subdivision Variance Request

Section 23-61 Streets (h) Cul-de-sac Streets. Requirement that cul-de-sac, with curb and gutter, be dedicated and constructed at the end of streets longer than a short street.

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 applicant of the reasonable use of their land?

  The subdivision was originally designed, reviewed, and approved with temporary cul-de-sac at the end of the streets. This is typical construction in Eagle Pass where a street will be extended by future construction. The temporary cul-de-sac, as constructed, have the proper radius and the same pavement surface as the subdivision. The temporary cul-de-sac will remain in service until such time as the streets are extended by future construction.

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

  The cul-de-sac were planned as temporary and preliminary approved. This is in keeping with standard practice of construction in Eagle Pass. The temporary cul-de-sac was accepted on Castle Rock Unit 2 at the end of Rudy Bowles Street. Requiring dedication of the cul-de-sac and construction of curb and gutter at the end of this project unnecessary burden.

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

  The cul-de-sac are paved and have correct radius for public and emergency services. The cul-de-sac are functional as currently built. The temporary cul-de-sac at the end of Rudy Bowles Drive has had no problems.

- Describe how 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 the subdivision code.

  Temporary cul-de-sac are a typical construction feature and have been successfully used for years in Eagle Pass.

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 of 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.

for Ricky Chisum
Applicant Signature

08-09-2022
Date

City of Eagle Pass Planning Department
3295 Bob Rogers Drive
Eagle Pass, Texas 78852
(830)773-7781
(830)773-7803 fax

CASTLE ROCK SUBDIVISION UNIT 3

DWC CREATOVE HOMES, LLC DEVELOPER

Being a 5.29 acres tract located in G.C.&S.F.RR.Co. Survey 1, Abstract 1047, Maverick County, Texas and composed of a 1.61 acres tract described in conveyance to DWC Creative Homes, LLC recorded in Volume 2110542, part of a 7.3 acres tract described in conveyance to DWC Creative Home, LLC recorded in Volume 796, Pages 377 - et seq. and a 0.79 acres tract described in conveyance to DWC Creative Homes, LLC recorded in Document Number 2110541, all of the Maverick County Official Public Records, Maverick County, Texas and Lot 5, Block 3 of Castle Rock Unit 2 recorded in Envelope 424, Side A of the Maverick County Plat Records and more particularly described by metes and bounds as follows:

BEGINNING at a steel stake found (S.P.C. N:13454833.38, E:1493436.43) at the south corner of said Block 3, Lot 5 of the Castle Rock Subdivision Unit 2 for a south corner of the herein described subdivision;

THENCE N44°38'02"W, 150.66 feet to a steel stake found in the southeast line of Frank Chisum Street as platted in the Castle Rock Subdivision Unit 2 at the west corner of said Lot 5 for a west corner of the herein described subdivision;

THENCE With the platted boundary of Frank Chisum Drive for the following three (3) calls:
1. N.45°21'58"E, 55.00 feet to a reentrant corner;
2. 2.N44°38'02"W, 50.00 feet to a reentrant corner;
3. 3.S45°21'58"W. 5.29 feet to the east corner of Lot 12, Block 2 of the Castle Rock Subdivision Unit 2 for a south corner of the herein described subdivision;

THENCE Northwesterly with the boundary of the Castle Rock Subdivision Unit 2 along a curve to the left having a radius of 3460 feet, chord bearing N47°41'21"W, chord distance of 284.38 feet for an arc distance of 284.38 feet to a steel stake set at a southeast corner of the remainder of a 6.1511 acres tract described in conveyance document to Chisum Development, LLC, formerly known as JP Austin Development, LLC recorded in Volume 1062, Pages 353 - et seq. of the Maverick County Official Public Records for the west most corner of the herein described subdivision;

THENCE with the west, north and east lines of the herein described subdivision for the following nine (9) calls:
1. N39°57'23"E, 150.00 feet to a steel stake set for a north corner;
2. Southeasterly with a curve to the right having a radius of 3610.00 feet, chord bearing S48°19'32"E, chord distance of 14.16 feet, passing the northeast line of the remainder of said 7.3 acres and continuing for an arc distance of 14.16 feet to a steel stake set for a reentrant corner;
3. N40°10'52"E, 100.00 feet to a steel stake set for the northmost corner;
4. Southeasterly with a curve to the right having a radius of 3710.00 feet, chord bearing S49°55'53"E, chord distance of 193.38 feet for an arc distance of 193.40 feet to a steel stake set for a reentrant corner;
5. N45°21'58"E, 112.50 feet to a steel stake set for north corner;
6. S44°38'02"E, 250.00 feet to a steel set for the easmost corner;
7. S45°21'58"W, 58.84 feet to a steel stake set for a reentrant corner;
8. S44°25'15"E, 331.07 feet, crossing a northwest line of the remainder of a 3.7121 acres tract described in conveyance document to DW Chisum Holdings, Ltd. Recorded in Volume 858, Pages 18 - et seq. of the Maverick County Official Public Records and continuing to a steel stake set for an east corner;
9. S45°34'45"W, 250.00 feet to a steel stake set in the northeast line of the North Hills Commercial Subdivision recorded in Envelope 274, Side B of the Maverick County Plat Records for a west corner of the herein described subdivision;

THENCE N44°31'10"W, 279.48 feet to a steel stake found the northwest corner of the remainder of a 1.241 acres tract described in Volume 1579, Pages 182 - et seq. of the Maverick County Official Public Records for a reentrant corner of the herein described tract;

THENCE S45°21'41"W, 100.23 feet to the POINT OF BEGINNING containing 5.29 acres of land within the herein described boundary surveyed by Dirksen Engineering on June 7, 2021.

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 City of Eagle Pass.
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 in this plat are true and complete.

CASTLE ROCK SUBDIVISION UNIT 3

Signature_____
Name Richard L Chisum, President,
DWC Creative Homes, LLC.,
800 Vista Hermosa, Eagle Pass, TX 78852

STATE OF TEXAS)(
COUNTY OF MAVERICK)(

BEFORE ME, the undersigned notary public, on this day personally appeared, Richard L Chisum, proved to me to be the person whose name is subscribed to the foregoing instrument, who, being by me first duly sworn, declared that the statements therein are true and correct and acknowledged that he 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

CITY OF EAGLE PASS
CERTIFICATE OF PLAT APPROVAL

WE THE UNDERSIGNED CERTIFY that CASTLE ROCK SUBDIVISION UNIT 3 was reviewed and approved by the City Council 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

WE THE UNDERSIGNED CERTIFY that CASTLE ROCK SUBDIVISION UNIT 3 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 _____, ____

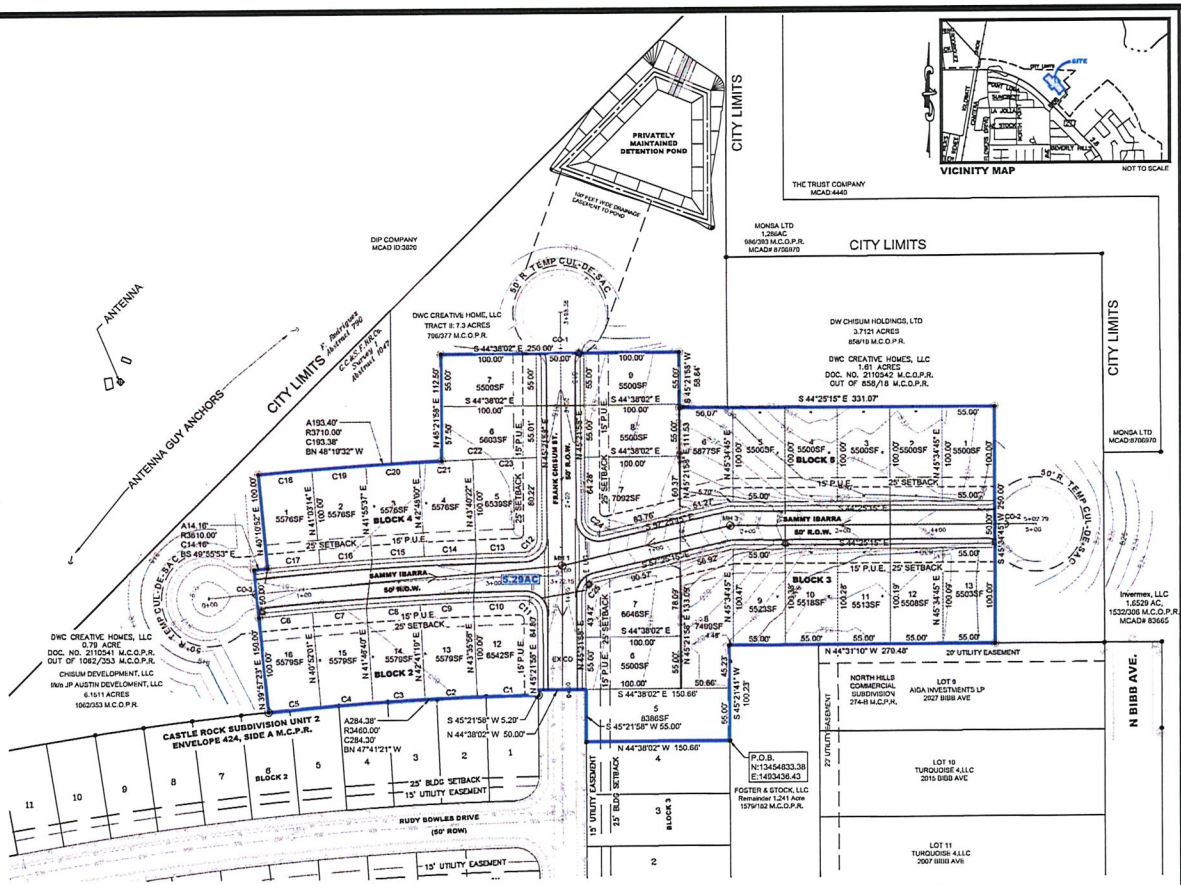
_____
Signature Notary Public State of Texas

WE THE UNDERSIGNED CERTIFY that CASTLE ROCK SUBDIVISION UNIT 3 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



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	3460.00'	84.38'	84.38'	N 45°59'03" W
C2	3460.00'	50.00'	50.00'	N 46°41'22" W
C3	3460.00'	50.00'	50.00'	N 47°48'00" W
C4	3460.00'	50.00'	50.00'	N 48°40'37" W
C5	3460.00'	50.00'	50.00'	N 49°35'18" W
C6	3610.00'	58.58'	58.58'	S 48°36'39" E
C7	3610.00'	58.58'	58.58'	S 48°26'10" E
C8	3610.00'	58.58'	58.58'	S 47°46'00" E
C9	3610.00'	58.58'	58.58'	S 46°51'22" E
C10	3610.00'	32.22'	32.22'	S 45°58'49" E
C11	3610.00'	21.36'	21.36'	S 45°20'32" E
C12	15.00'	23.74'	21.34'	N 89°19'03" E
C13	3610.00'	84.21'	84.21'	S 45°38'12" E
C14	3610.00'	55.00'	55.00'	S 46°45'40" E
C15	3610.00'	55.00'	55.00'	S 47°38'12" E
C16	3610.00'	55.00'	55.00'	S 48°30'34" E
C17	3610.00'	55.00'	55.00'	S 49°23'07" E
C18	3710.00'	56.59'	56.59'	S 49°55'53" E
C19	3710.00'	56.59'	56.59'	S 49°48'39" E
C20	3710.00'	56.59'	56.59'	S 49°41'25" E
C21	3710.00'	56.59'	56.59'	S 49°34'11" E
C22	3710.00'	56.59'	56.59'	S 49°26'57" E
C23	3710.00'	100.03'	100.03'	S 49°03'30" E
C24	3710.00'	87.34'	87.34'	S 48°08'28" E
C25	15.00'	23.31'	21.04'	N 09°01'39" W
C26	15.00'	12.21'	11.72'	N 83°58'21" E

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 UVALDE)(

I hereby certify that the water and sewer for this subdivision were designed in accordance with the requirements of the City of Eagle Pass, 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 15, 2019 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. 82828, R.P.L.S. 6280
DIRKSEN ENGINEERING PROJECT 18-1615

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:
1. THERE ARE 30 LOTS, 5.29 ACRES, WITH 1272 LINEAR FEET STREETS.
2. ZONING IS R2-RESIDENTIAL.
3. ALL LOTS ARE SUBJECT TO A 25 FEET WIDE FRONT YARD BUILDING SET BACK, 5 FEET SIDE YARD SETBACK AND 10 FEET REAR YARD BUILDING SET BACK IS REQUIRED. FOR CORNER LOTS THE SIDE YARD SETBACK IS 10 FEET MINIMUM.
4. NO MORE THAN ONE (1) SINGLE-FAMILY DETACHED DWELLING MAY BE CONSTRUCTED ON EACH LOT.
5. THE SUBDIVISION SHOWN ON THIS PLAT IS LOCATED WITHIN ZONE X, (AREA DETERMINED TO BE OUTSIDE THE 0.2% CHANCE FLOODPLAIN), AS SHOWN ON FLOOD INSURANCE RATE MAP NUMBER 48323C0451D, MAVERICK COUNTY, EFFECTIVE DATE OF APRIL 04, 2011.
6. 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 CITY INSPECTION OF AN ELECTRICAL SERVICE CONNECTION OR THE CITY INSPECTION OF A SEWER SERVICE CONNECTION.
7. THE SUBSEQUENT DEVELOPMENT OF ALL LOTS SHALL COMPLY WITH THE PROVISION OF CHAPTER13 GOVERNING FIRE PROTECTION, CHAPTER 27 GOVERNING WATER SERVICES, SEWER SERVICES, AND SURFACE WATER MANAGEMENT AND CHAPTER 23 ARTICLE IV ARTICLE V AND ARTICLE VI GOVERNING SUBDIVISION DESIGN AND CONSTRUCTION STANDARDS.
8. ALL LOTS WITHIN THIS SUBDIVISION SHALL BE CONVEYED LEGAL ACCESS TO ALL EASEMENTS, RIGHT-OF-WAYS AND SUBDIVISION DETENTION FACILITIES, INCLUDING PONDS.
9. ALL EASEMENTS SHALL BE KEPT CLEAR OF FENCES, BUILDINGS PLANTINGS AND OTHER OBSTRUCTIONS.
10. VERIFY ALL UNDERGROUND UTILITY SERVICE LINES AS REQUIRED, PRIOR TO ANY EXCAVATION.
11. THE RETAINING WALL CONSTRUCTED ALONG THE SOUTH LINE OF BLOCK 2 LOTS 13-16 WILL BE PRIVATELY MAINTAINED.

LEGEND-PROFILE
PROPOSED GRADE CL
EXISTING GRADE CL
EXISTING GRADE LT
EXISTING GRADE RT

LEGEND-PLAN

EXISTING/ DEMOLISH		PROPOSED
	BOUNDARY	
	EASEMENT	
	SETBACK	
	LOTS	
	ABSTRACT	
	DEED	
	FENCE	X
W	WATER SUPPLY	W
WW	SANITARY SEWER	WW
SS	STORM SEWER	SS
E	POWER	E
T	TELEPHONE	T
ATT	ATT	ATT
TWC	TWC	TWC
G	GAS	G
	CONDUIT	C
SF	SILT FENCE	SF
FR	FIBER ROLL	FR
	CONTOUR MINOR	
	CONTOUR MAJOR	

LEGEND-SYMBOLS
- FOUND MONUMENT
- FOUND MONUMENT-CONC
- SET 1/2" STEEL STAKE
- WATER VALVE
- FIRE HYDRANT
- POWER POLE
- LUMINAIRE
- GUY WIRE
- FENCE CORNER POST
- SPOT ELEVATION / BM
- MAIL BOX
- BOLLARD
- BACKFLOW PREVENTER
- TELEPHONE PEDESTAL
- GAS SERVICE
- SANITARY MANHOLE
- CLEAN OUT
- DOUBLE CLEAN OUT
- STORM SEWER MANHOLE
- WATER SERVICE
- ELEC SERVICE
- SHRUB
- TREE
- SIGN
- TRAFFIC SIGNAL
- REVISION NO.
- 2936 911 ADDRESS

LEGEND-MATCH
ASPHALT
CONCRETE

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 2022.

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

PROJECT# 18-1615

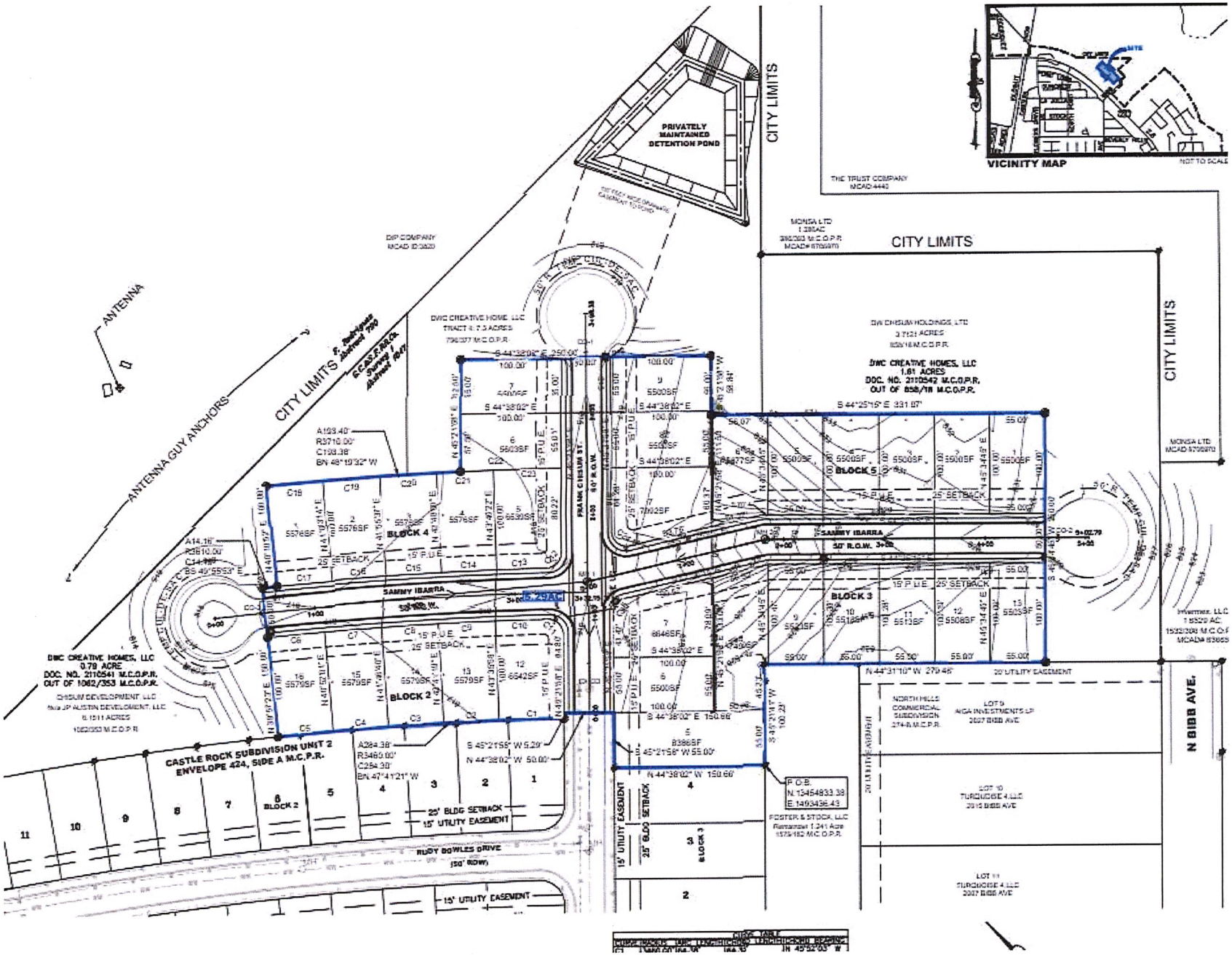
PROJECT NAME & ADDRESS
CASTLE ROCK SUBDIVISION UNIT 3
EAGLE PASS, TX

SHEET TITLE
FINAL PLAT

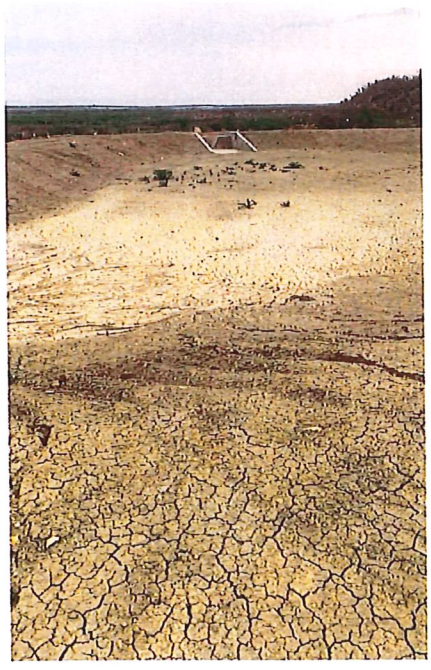
STATE OF TEXAS KENNETH R. DIRKSEN 82828 REGISTERED PROFESSIONAL ENGINEER
06-08-2022

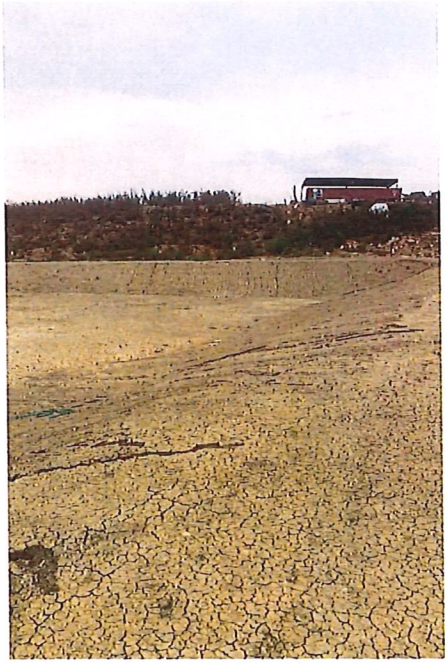
SHEET 1 OF 12 SHEETS

DES'D : KRD
DRAWN : KRD
APP'V'D : KRD
DATE : 06-08-2022

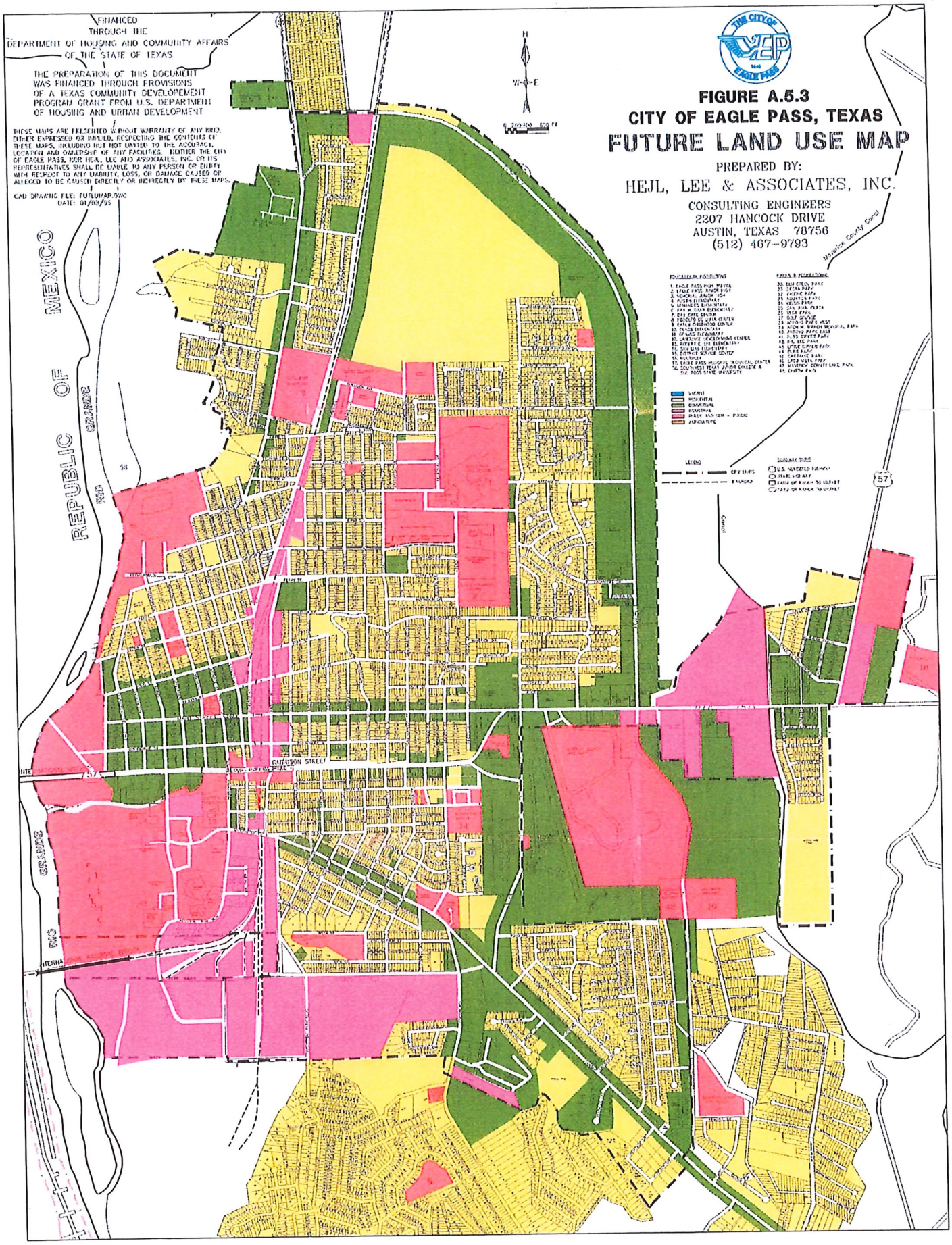

PRIVATELY MAINTAINED DETENTION POND
CITY LIMITS
CITY LIMITS
CITY LIMITS
VICINITY MAP
NOT TO SCALE
THE TRUST COMPANY
MCAD 4440
MONSA LTD
1.286AC
MCAD# 8709970
DIP COMPANY
MCAD ID 3620
ANTENNA
ANTENNA GUY ANCHORS
F. Rodriguez Abstract 790
C.C.S.F.R.R.Co. Survey Abstract 1047
DWC CREATIVE HOME, LLC
TRACT II: 7.5 ACRES
736037 M.C.O.P.R.
DW CHESUM HOLDINGS, LTD
3.7121 ACRES
858/18 M.C.O.P.R.
DWC CREATIVE HOMES, LLC
1.61 ACRES
DOC. NO. 2112542 M.C.O.P.R.
OUT OF 858/18 M.C.O.P.R.
S 44°25'15" E 331.87'
MONSA LTD
MCAD 8709970
BLOCK 4
BLOCK 5
BLOCK 3
BLOCK 2
FRANK CHESUM ST.
SAMMY IBARRA
30' R.O.W.
A103.40'
R3710.00'
C103.38'
BN 48°19'32" W
A14.16'
R3810.00'
C14.16'
BS 49°55'53" E
DWC CREATIVE HOMES, LLC
0.79 ACRE
DOC. NO. 2110541 M.C.O.P.R.
OUT OF 1062/353 M.C.O.P.R.
CHESUM DEVELOPMENT, LLC
fka JP AUSTIN DEVELOPMENT, LLC
0.1511 ACRES
1062/353 M.C.O.P.R.
CASTLE ROCK SUBDIVISION UNIT 2
ENVELOPE 424, SIDE A M.C.P.R.
A284.38'
R3460.00'
C284.30'
BN 47°41'21" W
25' BLDG SETBACK
15' UTILITY EASEMENT
RUDY BOWLES DRIVE
(50' ROW)
15' UTILITY EASEMENT
20' UTILITY EASEMENT
P.O.B.
N 13454833.38
E 1493436.43
FOSTER & STOCK, LLC
Remainder 1.241 Acre
1575/182 M.C.O.P.R.
NORTH HILLS COMMERCIAL SUBDIVISION
274-B M.C.P.R.
LOT 9
MGA INVESTMENTS LP
2007 BIBB AVE
LOT 10
TURQUOISE 4 LLC
2015 BIBB AVE
LOT 11
TURQUOISE 4 LLC
2007 BIBB AVE
N BIBB AVE.
Invermex, LLC
1.9529 AC.
1532/208 M.C.O.P.
MCAD# 839659
N 44°31'10" W 270.46'
LINE TABLE

Sammy Ybarra



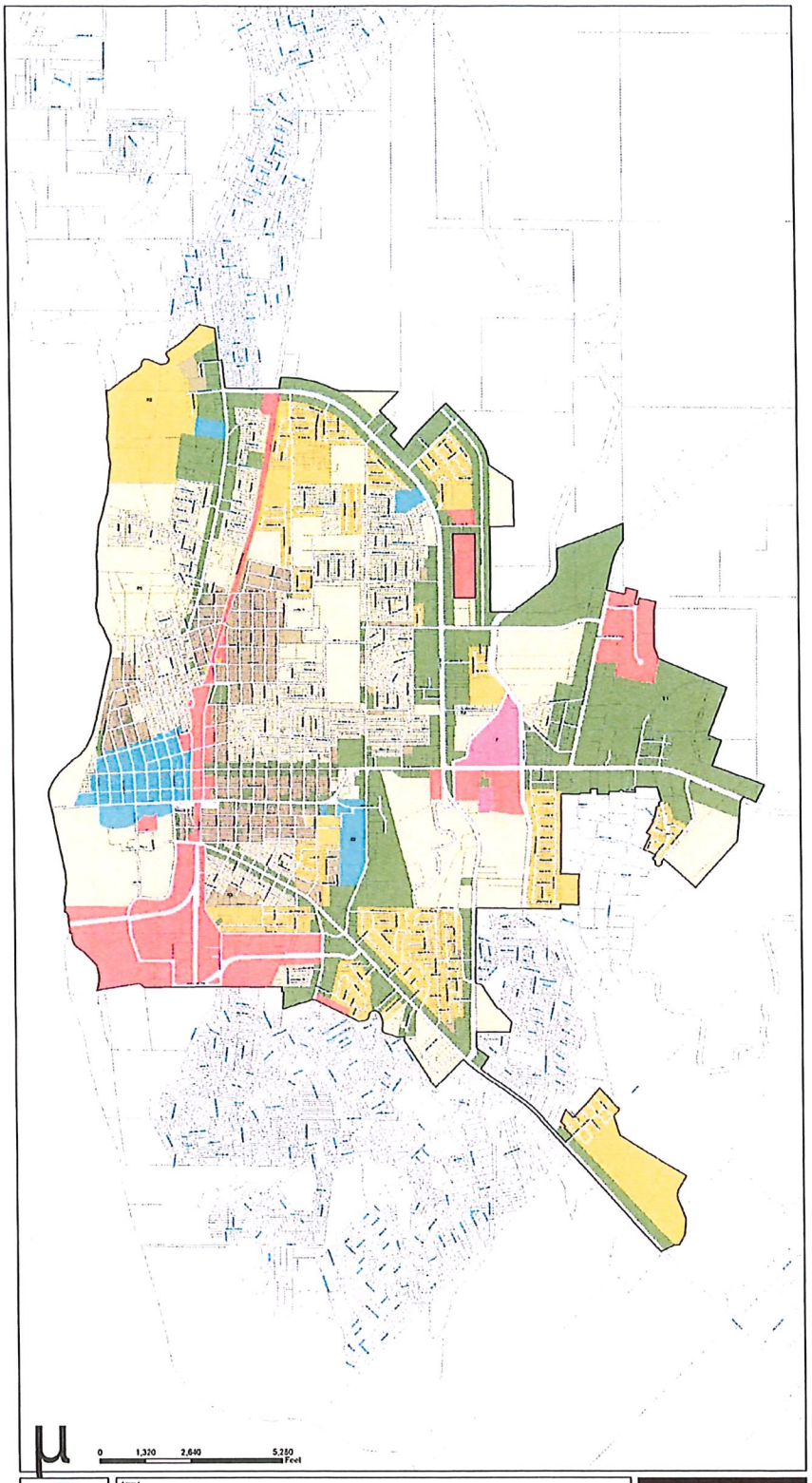


Attachment 2
Master Plan Map
Zoning District Map


FINANCED
THROUGH THE
DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS
OF THE STATE OF TEXAS
THE PREPARATION OF THIS DOCUMENT
WAS FINANCED THROUGH PROVISIONS
OF A TEXAS COMMUNITY DEVELOPEMENT
PROGRAM GRANT FROM U.S. DEPARTMENT
OF HOUSING AND URBAN DEVELOPMENT
THESE MAPS ARE PRESENTED WITHOUT WARRANTY OF ANY KIND,
EITHER EXPRESSED OR IMPLIED, RESPECTING THE CONTENTS OF
THESE MAPS, INCLUDING BUT NOT LIMITED TO THE ACCURACY,
LOCATION AND OWNERSHIP OF ANY FACILITIES. NEITHER THE CITY
OF EAGLE PASS, NOR HEJL, LEE AND ASSOCIATES, INC. OR ITS
REPRESENTATIVES SHALL BE LIABLE TO ANY PERSON OR ENTITY
WITH RESPECT TO ANY LIABILITY, LOSS, OR DAMAGE CAUSED OR
ALLEGED TO BE CAUSED DIRECTLY OR INDIRECTLY BY THESE MAPS.
CAD DRAWING FILE: FUTLUMAP.DWG
DATE: 01/09/95
FIGURE A.5.3
CITY OF EAGLE PASS, TEXAS
FUTURE LAND USE MAP
PREPARED BY:
HEJL, LEE & ASSOCIATES, INC.
CONSULTING ENGINEERS
2207 HANCOCK DRIVE
AUSTIN, TEXAS 78756
(512) 467-9793
REPUBLIC OF MEXICO
GARRISON STREET
57

Legend

- City Limits Outline
- B1 - Neighborhood Business District (<8,00 Sq Ft)
- B2 - Central Business District
- B3 - General Business District (>8,000 Sq Ft)
- I - Industrial District
- F - Floodway District
- R1 - First One-Family Dwelling District
- R2 - Second One-Family Dwelling District
- R3 - Duplex Dwelling District
- R3A - Apartment District
- R4 - Townhouse Residence District



Eagle Pass, Texas

October 1, 2019 Updated

TRUE AUTOMATION, INC.
2600 Technology Dr Suite 900
Phone: 972.881.1650
Fax: 972.633.0533
Plano, TX 75074
www.trueautomation.com

Attachment 3
Engineering Report

DIRKSEN ENGINEERING
TBPE FIRM #F-8848, TBPLS FIRM #10193741
107 W South St. UVALDE, TX 78801
PHONE: 830-278-2100, FAX: 830-278-2102

April 12, 2022

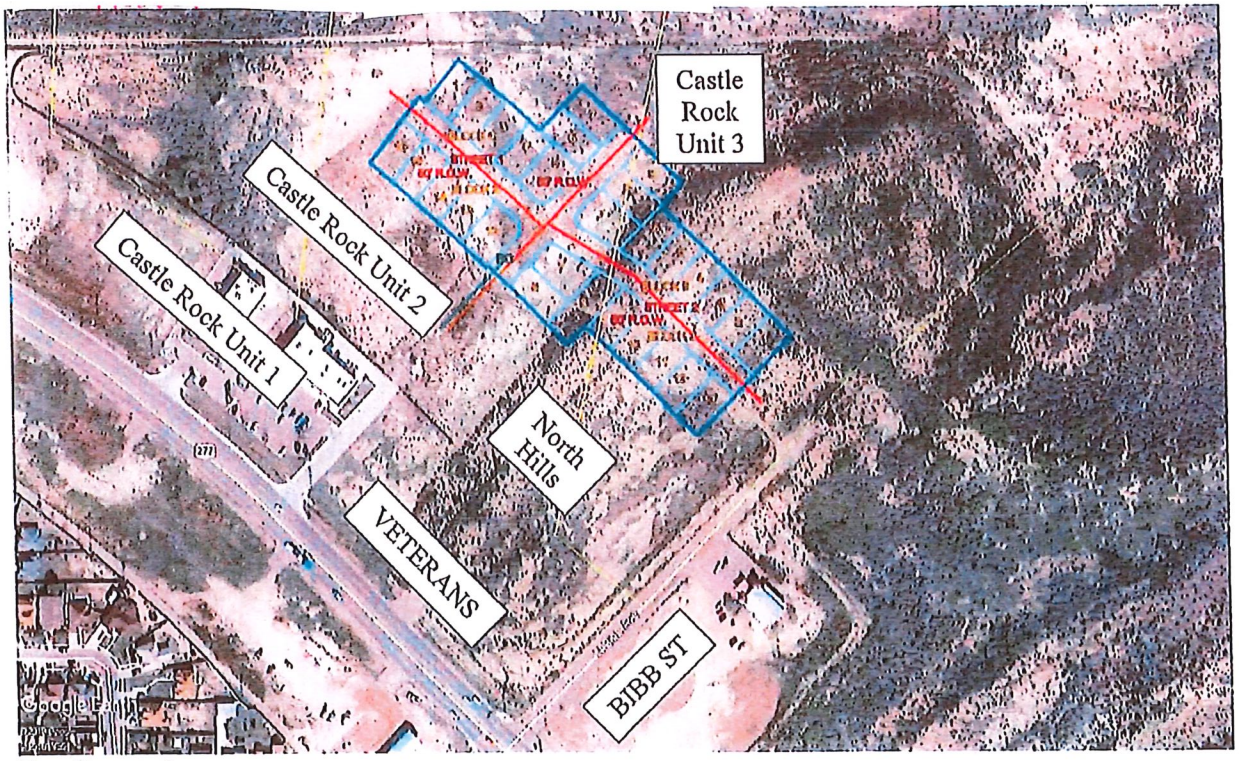
Placido Madura
Planning Director – City of Eagle Pass
3295 Bob Rogers Drive
Eagle Pass, TX 78852

Re: Final Engineering Report – Castle Rock Unit 3

To Whom It May Concern:

Introduction:

The subdivision of Castle Rock Unit 3 is 5.29 acres located in G.C.&S.F.,RR,Co., Survey 1, Abstract 1047. The 5.29 acres is parts of three tracts owned by JP Austin Development, LLC, DWC Creative Home, LLC, DW Chisum Holdings, Ltd. The MCAD Tax ID's are 83155, 83112, 84130 respectively. The land is within the corporate boundary of the City of Eagle Pass and is Zoned R-2.



Development

The development is for 30 residential lots within this sub-division boundary. The subdivision will develop 29 new lots. Lot 5, Block 3 located within Castle Rock Unit 2 is included to modify the north boundary line. This subdivision unit adjoins Castle Rock Unit 2 on the northeast side.

Street Development

Access to this property is by the extension of Frank Chisum Drive approximately 400 feet to the north. Two new streets will be constructed east and west of Frank Chisum Drive with a combined length of approximately 800 feet.

Water Development

Water service is provided to this development by extending the 8-inch water main from the end of Frank Chisum Drive through the subdivision. Water services will be installed for each lot. See the attached utility plan and plan and profiles for details of the proposed water route and details. A water service agreement has been submitted to Eagle Pass Water Works for approval.

Fire hydrants will be installed on the new 8-inch water main at 500 feet maximum hoselay.

The hydraulic analysis of the water distribution system has been made and is attached to this report.

Sanitary Sewer Facilities

Sanitary sewer service is provided by a 8-inch main to be extended from the end of Frank Chisum Drive through the subdivision. Waste water cleanouts will be developed through the subdivision for each lot.

Drainage Development

Drainage from this subdivision is northeast. A detention pond will be built at the northeast corner of the property to detain water to predevelopment flows for the 100-year storm.

Electric Facilities, Telephone and Cable Television

Electric service will be provided by AEP. Lighting will be provided along both Frank Chisum Drive and the new roads.

Telephone and Cable Television service may be provided by ATT and Spectrum.

Gas Service

Gas Service will not be provided.

Construction Cost

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

Paving	$341,889
Sanitary Sewer	$134,935
Public Water	$121,907
Electric Dist	$76,885
Detention	$16,500
Total Cost	$692,116

The public improvements total $615,231. A performance bond for $153,810 made to the City of Eagle Pass will be submitted by the contractor for maintenance.

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

Sincerely,

Kenneth R. Dirksen, P. E.

AGREEMENT REGARDING WATER SERVICE FOR THE PROPOSED

Castle Rock Unit III 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 DWC Creative Home, LLC, 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 Castle Rock Unit III 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 11,600 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.

RECEIVED 10/15/22 via email

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 15, 2022.

The Utility	The Subdivider
By: John Ruiz Jr.	By: Richard Chisum
Printed Name: JOHN RUIZ JR.	Printed Name: Richard Chisum
Office or Position: VICE-CHAIRMAN	Office or Position: OWNER
Date: 6/15/2022	Date: April 24, 2019

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 Castle Rock Unit III 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 DWC Creative Homes, LLC, 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 Castle Rock Unit III 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 6,960 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.

RECEIVED
12/15/22
via email

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 15, 2022.

The Utility	The Subdivider
By: John Ruiz Jr.	By: Richard Chisum
Printed Name: JOHN RUIZ JR.	Printed Name: Richard Chisum
Office or Position: VICE-CHAIRMAN	Office or Position: Owner
Date: 6/15/2022	Date: April 24, 2019

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 5

Planning Department Executive Summary

REPORT TO THE PLANNING AND ZONING COMMISSION

Final Plat Approval of the Santa Maria Estates Subdivision Unit 1

I. BACKGROUND

A. General Information

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

Property Owner: MVN Enterprises, LLC | Eagle Pass, Texas 78852

Location: Subject property is adjacent located south of the Latigo Apartments and Legacy Villas off Legacy Boulevard and north of 57 Heights Subdivision.

Legal Description: Being a 7.92-acre tract, out of Survey 3, Abstract 1007, Survey 6, Abstract 1110, Survey 5, Abstract 1030, in Maverick County, Texas; said 32.884 Acre tract being the same land described by metes and bounds in that certain Exchange Warranty Deed by the Jack Robert Chittim Trust, etal to Maverick County Investments, Ltd., Recorded in Volume 690, Page 13, Official Public Records, Maverick County, Texas, also knows as Santa Maria Estates Subdivision Unit 1.

Property ID Number: 82295 and 82296

Request: final plat approval for the subdivision of a 7.92-acre tract into 29 residential lots.

B. Subject Property Information

Parcel Size: 7.92-acres **Topography:** A decrease in elevation from north to west.

Vegetation: Native light brush **Existing Use:** The site is undeveloped

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

C. Vicinity Data

The site is located south of the Latigo Apartments and Legacy Villas off Legacy Boulevard, and north of 57 Heights 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 Legacy Boulevard and Spur 16, also known as the Extension of Second Street.

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 Council's deliberation process for final approval of the subdivision. Please refer to Attachment 1.

2. The Planning and Zoning Commission granted preliminary plat approval on March 14, 2020. The City Council granting preliminary plat approval on May 19, 2022.

   The Commission subsequently granted an extension of the preliminary approval on October 8, 2020. The Commission's grant of extension was affirmed by the City Council on October 20, 2022.

3. Both the Commission and City Council found, as part of a permanent zoning and voluntary annexation approval of March 22, 2022, that it was sufficient for the lots to meet the 5,500 square foot minimum lot size requirements of the *R-2 District*.

4. The *City of Eagle Pass Master Plan Map* provides direction to both Planning and Zoning Commission and the City Council in their deliberation of a subdivision. Please refer to Attachment 2 for a copy of the *Master Plan Map*.

5. The *Master Plan* emphasizes the importance of maintaining the character of the City's neighborhoods. The following is a summary of the applicable sections of the *Master Plan* to the plat.

   - ✓ The subdivision is consistent with the *Housing Goals* of the *Master Plan*, as the subdivision process will ensure appropriate land development regulation with appropriate lot sizes, paved streets with curb and gutters, and adequate utility services.

   - ✓ The subdivision is consistent with the *Land Use Development Goals* of the *Master Plan,* as the project is designed to provide for a building lot density that is consistent with the purpose of the *R-2 Second One-Family Dwelling District*. This design will allow for the development of the community while providing utility services in the most efficient and equitable manner.

   - ✓ The subdivision is consistent with the *Street Goal* of the *Master Plan*, as access to the lots from Legacy Boulevard has been designed to provide the residents of and visitors to Eagle Pass with a street system that will enable them to travel safely and conveniently.

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

   - ✓ The subdivision is consistent with the *Storm Drainage Goals* of the *Master Plan*, as the drainage for the proposed lots will be conveyed into a proposed surface water detention facility.

6. The subdivision of the property is in conformance with the provisions of the *Master Plan* and the *Eagle Pass Code of Ordinances* by facilitating the following benefits:

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

7. The subdivision design is consistent with the residential purpose of the *R-2 Second One-Family welling District.*

8. The subdivision is consistent with City design and specifications, as the subsequent development of the site will be required to conform to the following sections of *Article IV* in *Eagle Pass Code of Ordinances Chapter 23*:

   - ✓ *Section 23-61* governing street layout, right-of-way and pavement width, street names, streetlights, and road construction testing
   - ✓ *Section 23-62* governing utility easements
   - ✓ *Section 23-63 governing alleys and easements*
   - ✓ *Section 23-64* governing sidewalks
   - ✓ Section 23-66 governing sanitary sewage disposal
   - ✓ *Section 23-67* governing potable water supply and fire flow
   - ✓ *Section 23-68* governing storm drainage
   - ✓ *Section 23-69* governing the size of building lots, including lot width, lot depth, lot orientation, and building setback areas
   - ✓ *Section 23-71* governing the installation and inspection of utility lines

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

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

10. The developer has complied with cash payment in-lieu of parkland as set forth in *Article V* in *Eagle Pass Code of Ordinances Chapter 23.*

11. The subdivision will allow for a use of the property that is consistent with the residential purpose of the *R-2 Second One-Family Dwelling District* for the following reasons:

A. The subdivision design bears a substantial relationship to the public's health, safety, and welfare.
B. The subdivision is in accordance with the policies of the Master Plan and the residential purpose of the *R-2 Second One-Family Dwelling District.*
C. The subdivision is warranted because of the necessity to create additional building lots in the *R-2 Second One-Family Dwelling District*, and because the proposed development is appropriate to accomplish the reasonable use of the property.
D. The subject property is suitable for development in general conformance with development standards of the *R-2 Second-One Family Dwelling District.*
E. The subdivision will benefit the city as a whole and will not be detrimental to nearby land uses of a similar nature.
F. The subsequent development will be designed and conditioned to comply with all applicable subdivision criteria and standards of the City of Eagle Pass.

Please refer to Attachment 2 for a copy of the *Zoning Map*.

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

B. Planning Department Recommendation

The Planning and Zoning Commission **GRANT** final plat approval of the *Santa Maria Estates Subdivision Unit 1* subject to the final plat complying with the provisions of *Article III* of *City of Eagle Pass Code of Ordinances Chapter 23* governing procedures and specifications for final plats and the following conditions:

1. Provide Fire Flow Test that is compliant, as required by *Appendix B Fire-Flow Requirements* for buildings in *Section 105B* of the *2018 International Fire Code (IFC)* adopted by City Council.

2. Deceleration lane contribution (not to exceed $15,000 total, divided into four equal payments, paid annually beginning on June 1, 2022)

3. Dedicate, design and construct a secondary vehicular access road connecting the subdivision to Calle de Los Santos or other City approved right of way upon the development of Phase II of the subdivision or three (3) years after the sale of 23 of 29 of the units included in Phase I, whichever comes first.

TRANSMITTED to the parties listed hereafter:

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

Attachment 1
Application

PLANNING DEPARTMENT

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

SUBDIVISION APPLICATION

TYPE OF SUBDIVISION (check one):
○ Preliminary ◉ Final ○ Replat ○ Amendment ○ Short Form Final

Property Legal Description: Abstract A1007, Survey #3 Acres 7.884, Abstract A1110, Survey #6 Acres 25

Maverick County Property Identification Number(s): 82295, 82296

Name of Addition: Santa Maria Estates Subdivision Unit 1

Location of Addition: Off of Legacy Blvd.

Number of Residential Lots: 29 Number of Commercial Lots: 0 Gross Acreage: 8.05

Number of New Street Intersections 3 Linear feet of Streets 1,530

Is Subdivision inside city limits? Yes ◉ No ○; If so, Zoning District: R-2

Existing Land Use: Vacant Proposed Land Use: Residential

Requested Variances: N/A

PROPERTY OWNER:

Name: MVN Enterprises, LLC
Address: 2205 Zacatecas Dr.
City: Eagle Pass
State: TX Zip: 78852
Signature:

Contact: Morris Libson
Phone: 830-968-6268
Fax: 830-773-7312
E-mail: morrislj@sbcglobal.net
Date: 6/6/22

PROPERTY OWNER:

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

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

APPLICANT/SUBDIVIDER:

RECEIVED 6-15-22

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

Contact: Aaron Libson
Phone: 830-773-0579
Fax: 830-773-7312
E-mail: ajlibson@terratechengineering.com
Date: 6/6/22

SURVEYOR:

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

Contact: Francisco Gaytan
Phone: 830-773-8308
Fax: 830-421-7116
E-mail: fgaytan@yahoo.com
Date: 6/6/22

ENGINEER:

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

Contact: Florentino Caballero
Phone: 830-773-0579
Fax: 830-773-7312
E-mail: fcaballero@terratechengineering.com
Date: 6/6/22

PRINCIPAL CONTACT: ○ Owner ◉ Applicant ○ Surveyor ○ Engineer

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

STATEMENT OF APPLICANT

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

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

Applicant Signature

6/6/22
Date

STATEMENT OF OWNER/SUBDIVIDER

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

Owner / Subdivider Signature

6/6/22
Date

STATE OF TEXAS §

COUNTY OF MAVERICK §

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

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

Notary Public, State of Texas

PLEASE RECYCLE

SANTA MARIA ESTATES SUBDIVISION

MVN ENTERPRISES, LLC, CITY OF EAGLE PASS, TEXAS

Being a 8.05 Acre Tract of land lying and situated in Maverick County Texas, out of Survey 3, Abstract 1007, and Survey 6, Abstract 1110, said 8.05 Acre Tract being portion of that 32.884 Acre Tract, conveyed from Maverick County Investments, LTD., to MVN ENTERPRISES, LLC, by Deed record Book 1884, page 158 of the Official Public Records of Maverick County. Said 8.050 acres being more particularly described by metes and bounds as follows:
(Bearings according to found the South boundary line of the Fairfield Addition, as shown by plat of record Envelope 410, Side A, of the Maverick County Map Records, with bearing S89°11'21"E).

Beginning at found 1/2" iron rod being the southeast corner of said Fairfield Addition, falling on the north boundary line of the said MVN ENTERPRISES, LLC, 32.884 acres,

THENCE continuing along the north boundary line of the MVN ENTERPRISES, LLC, 32.884 acres, a common line with remaining area of that Charlie Nicholas 44.74 Acres, as recorded in Volume 1122, page 140 of the Maverick County Deed Records. S89°49'48"E, 404.81 feet, to a ½" iron rod, falling on the west boundary line of that Larry Robinson Property as recorded in Volume 312, page 85 of the Maverick County Deed Records, and for northeast corner of this 8.05 acres.

THENCE continuing with fence along the west boundary line of Larry Robinson,
S12°31'45"W, 442.98 feet, to a ½" iron rod, falling on the north boundary line of that Central Freight Lines, Inc., Property as recorded in Volume 269, page 331 of the Maverick County Deed Records, and for a corner of this 8.05 acres.

THENCE along fence, the boundary line of that Central Freight Lines, Inc., Property,
N77°01'32"W, 237.46 feet, to a ½" iron rod, the northwest corner of said Central Freight Lines, Inc., Property, and for a corner of this 8.05 acres.
THENCE departing said west boundary line of Central Freight Lines, Inc., Property, now across said MVN ENTERPRISES, LLC, 32.884 acres,
N77°07'05"W, 120.0 feet, to a ½" iron rod, for a corner of this 8.05 acres,
N12°52'55"E, 54.30 feet, to a ½" iron rod, for a corner of this 8.05 acres,
N77°07'05"W, 50.0 feet, to a ½" iron rod, for a corner of this 8.05 acres,
N89°11'21"W, 621.58 feet, to a ½" iron rod, for a corner of this 8.05 acres,
N00°48'39"E, 95.13 feet, to a ½" iron rod, being the pc of curve with delta angle of 89°47'09" radius of 25.0 feet, an arc length of 39.18 feet, and a chord of N44°04'53"W, 35.29 feet, to pt.

THENCE along said curve 39.18 feet to the pt, for a corner of this 8.05 acres.

THENCE continuing across said MVN ENTERPRISES, LLC, 32.884 acres,
N88°58'30"W, 5.62 feet, to a ½" iron rod, for a corner of this 8.05 acres.

N01°01'30"E, 50.0 feet, to a ½" iron rod, being the pc of curve with delta angle of 90°12'51" radius of 25.0 feet, an arc length of 39.36 feet, and a chord of N45°55'35"E, 35.42 feet, to the pt.

THENCE along said curve 39.36 feet to the pt, for a corner of this 8.05 acres.
THENCE N00°48'39"E, 94.86 feet, to a ½" iron rod, falling on the south boundary line of the Fairfield Addition, also the north boundary line of the MVN ENTERPRISES, LLC, 32.884 acres,

THENCE along the common line with said Fairfield Addition, S89°11'21"E, 701.53 feet, to the Point of Beginning.

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 City of Eagle Pass.
The Owner certifies that this plat complies with the requirements of Texas Local Government 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 standard; and
(D) gas connection, if available, provided to the lots meet, or will meet, the minimum standards.

The Owner attests that the matters asserted in this plat are true and complete.

SANTA MARIA ESTATES SUBDIVISION

SIGNATURE:_____

NAME: MORRIS LIBSON
OWNER OF MVN ENTERPRISES, LLC
MANAGING MEMBER OF MVN ENTERPRISES, LLC

STATE OF TEXAS
COUNTY OF MAVERICK

This Instrument was acknowledged before me on _____ by Morris Libson, Owner and Managing Member of MVN ENTERPRISES, LLC, a Texas Limited Liability Company, on behalf of said Company.

_____
Signature Notary Public State of Texas

My Commission Expires:_____

CITY OF EAGLE PASS
CERTIFICATE OF PLAT APPROVAL

WE, THE UNDERSIGNED, CERTIFY that SANTA MARIA ESTATES SUBDIVISION was reviewed and approved by the City Council of Eagle Pass on _____

_____ _____
Mayor of the City of Eagle Pass Date

Given under my hand and seal of office this ____ day of _____, 202_

_____
Signature Notary Public State of Texas

WE, THE UNDERSIGNED, CERTIFY THAT SANTA MARIA ESTATES SUBDIVISION was reviewed and approved by the Planning and Zoning Commission of the City of Eagle Pass on _____

_____ _____
Chairman-City of Eagle Pass Date
Planning and Zoning Commission

Given under my hand and seal of office this ____ day of _____, 202_

_____
Signature Notary Public State of Texas

WE, THE UNDERSIGNED, CERTIFY THAT SANTA MARIA ESTATES SUBDIVISION was reviewed and approved by the City Manager of the City of Eagle Pass on _____

_____ _____
City Manager of the City of Eagle Pass Date

Given under my hand and seal of office this ____ day of _____, 202_

_____
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 _____, 201_, and was recorded in Envelope ____, Side __ in the Map Records of Maverick County at ____ o'clock __M on _____, 202_

_____
Maverick County Clerk

STATE OF TEXAS)(
COUNTY OF MAVERICK)(

I, Francisco Gaytan, a Registered Professional Land Surveyor in the State of Texas, hereby certify that this Plat and description of Santa Maria Estates Subdivision was prepared from an actual survey conducted on June 1, 2018 under my supervision on the ground and the monuments shown are within the positional tolerance required by 22 TAC SEC 663.15.

_____
Francisco Gaytan
Registered Professional Land Surveyor
Texas No. 5474

This Instrument was acknowledged before me on the ____ day of _____ of _____ by Francisco Gaytan, R.P.L.S.

_____
Signature Notary Public State of Texas

My Commission Expires:_____

STATE OF TEXAS)(
COUNTY OF MAVERICK)(

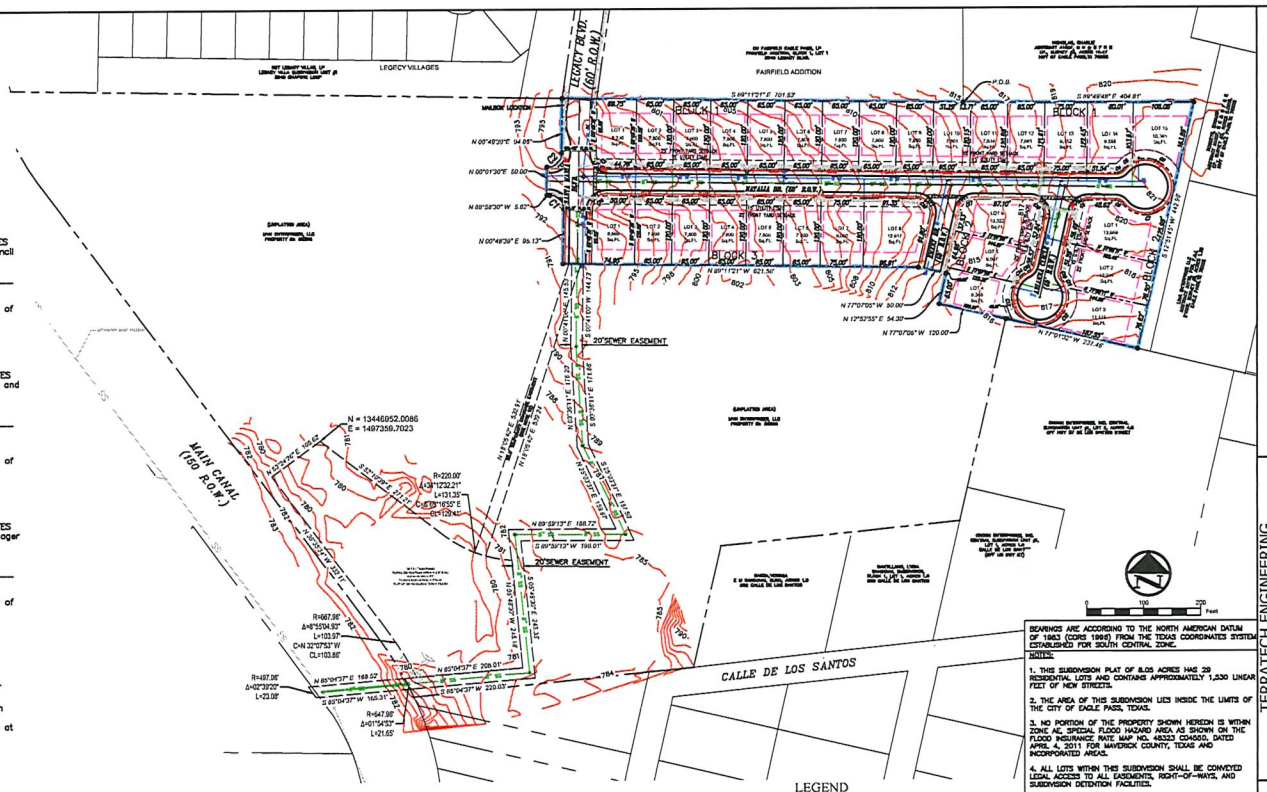
I, Florentino Caballero, a Registered Professional Engineer in the State of Texas (No. 66952), hereby certify that the water and wastewater facilities for this subdivision were designed in accordance with the requirements of the City of Eagle Pass, Texas, that these services are connected to the public 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.

_____
Florentino Caballero, P.E.
Registered Professional Engineer 66952

This Instrument was acknowledged before me on the ____ day of _____ of _____ by Florentino Caballero, P.E.

_____
Signature Notary Public State of Texas

My Commission Expires:_____



LEGEND

PROPERTY LINE	UNDERGROUND ELECTRIC
EASEMENT LINE	FIBER OPTIC LINE
EXISTING WATER LINE	COMMUNICATION LINE
EXISTING SAN. SEWER LINE	
PROPOSED GAS LINE	
PROPOSED SAN. SEWER LINE	
PROPOSED WATER LINE	
EXISTING LIGHT POLE	PROP. LIGHT POLE
EXISTING FIRE HYDRANT	PROP. FIRE HYDRANT
EXISTING WATER VALVE	PROP. WATER VALVE
EXISTING SEWER SINGLE CLEANOUT	PROP. SEWER SINGLE CLEANOUT
EXISTING SEWER MANHOLE	PROP. SEWER MANHOLE
FIBER OPTIC BOX	
ELECTRIC BOX	
COMMUNICATION BOX	
PROP. GAS VALVE	

BEARINGS ARE ACCORDING TO THE NORTH AMERICAN DATUM OF 1983 (CORS 1996) FROM THE TEXAS COORDINATES SYSTEM ESTABLISHED FOR SOUTH CENTRAL ZONE.

NOTES:

1. THIS SUBDIVISION PLAT OF 8.05 ACRES HAS 29 RESIDENTIAL LOTS AND CONTAINS APPROXIMATELY 1,530 LINEAR FEET OF NEW STREETS.
2. THE AREA OF THIS SUBDIVISION LIES INSIDE THE LIMITS OF THE CITY OF EAGLE PASS, TEXAS.
3. NO PORTION OF THE PROPERTY SHOWN HEREON IS WITHIN ZONE AE, SPECIAL FLOOD HAZARD AREA AS SHOWN ON THE FLOOD INSURANCE RATE MAP NO. 48323 C0450D, DATED APRIL 4, 2011 FOR MAVERICK COUNTY, TEXAS AND INCORPORATED AREAS.
4. ALL LOTS WITHIN THIS SUBDIVISION SHALL BE CONVEYED LEGAL ACCESS TO ALL EASEMENTS, RIGHT-OF-WAYS, AND SUBDIVISION DETENTION FACILITIES.
5. ALL EASEMENTS SHALL BE KEPT CLEAR OF FENCES, BUILDINGS, PLANTINGS, AND ANY OTHER OBSTRUCTIONS.
6. HOUSING CERTIFICATION-NO MORE THAN ONE (1) SINGLE-FAMILY DETACHED DWELLING SHALL BE LOCATED ON EACH LOT.
7. VERIFY ALL UNDERGROUND UTILITY SERVICE LINES AS REQUIRED, PRIOR TO EXCAVATING.
8. THIS SUBDIVISION PLOT WILL BE ZONED AS R2: SECOND ONE-FAMILY DWELLING DISTRICT.
9. THE FRONT YARD SETBACK IS 25 FEET FOR ALL LOTS.
10. THE REAR YARD SETBACK IS 25 FEET FOR ALL LOTS. THE SIDE YARD SETBACK IS 5 FEET FOR ALL MIDDLE LOTS, AND 10 FEET FOR ALL CORNER LOTS.
11. SET 1/2" I.R. AT ALL CORNERS EXCEPT INDICATED.
12. 20' DRAINAGE EASEMENT IS TEMPORARY AND SHALL BE VACATED UPON THE DEVELOPMENT OF THE SUBJECT PROPERTY.

CURVE TABLE

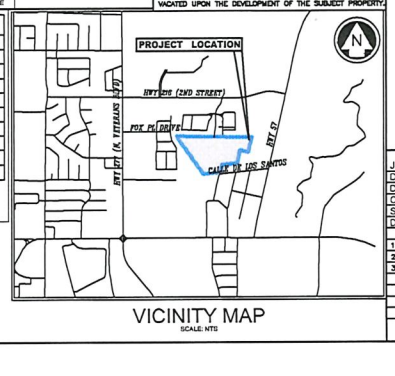
CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	LONG CHORD
C1	25.00'	89°47'09"	39.18'	N 44°04'53" W, 35.29'
C2	25.00'	90°12'51"	39.36'	N 45°55'35" E, 35.42'
C3	30.00'	24°23'23"	21.26'	S 31°11'42" W, 21.12'
C4	30.00'	129°10'34"	112.73'	N 32°01'19" W, 90.32'
C7	30.00'	130°13'10"	113.69'	N 77°25'23" E, 90.65'
C8	15.50'	51°48'01"	14.02'	N 83°17'46" W, 13.54'
C9	25.00'	77°36'34"	34.01'	S 31°30'12" W, 31.45'
C10	15.50'	52°22'41"	14.21'	S 13°24'42" E, 13.72'
C11	30.00'	19°54'17"	17.37'	N 28°45'48" W, 17.29'
C12	30.00'	121°40'23"	106.18'	N 42°01'32" E, 87.33'
C13	30.00'	107°34'28"	93.88'	S 23°21'14" E, 80.68'
C14	30.00'	34°14'10"	29.88'	S 47°33'09" W, 29.43'
C15	15.50'	51°48'24"	14.02'	N 38°16'43" E, 13.54'
C16	25.00'	102°57'09"	44.93'	N 38°09'37" W, 38.87'
C17	25.00'	77°36'46"	34.00'	S 31°30'37" W, 31.44'
C18	25.00'	102°04'18"	44.54'	S 38°09'13" E, 38.88'
C19	25.00'	89°53'34"	39.22'	N 45°45'54" E, 35.32'

LOT / BLOCK ANALYSIS

LOT	BLOCK	SQUARE FEET	ACRES	911 PHYSICAL ADDRESS
1	BLOCK 1	8,236	0.188	2705 NATALIA DR.
2	BLOCK 1	7,800	0.179	2709 NATALIA DR.
3	BLOCK 1	7,800	0.179	2713 NATALIA DR.
4	BLOCK 1	7,800	0.179	2717 NATALIA DR.
5	BLOCK 1	7,800	0.179	2721 NATALIA DR.
6	BLOCK 1	7,800	0.179	2725 NATALIA DR.
7	BLOCK 1	7,800	0.179	2729 NATALIA DR.
8	BLOCK 1	7,800	0.179	2733 NATALIA DR.
9	BLOCK 1	7,800	0.179	2737 NATALIA DR.
10	BLOCK 1	7,801	0.179	2741 NATALIA DR.
11	BLOCK 1	7,634	0.180	2745 NATALIA DR.
12	BLOCK 1	7,581	0.181	2749 NATALIA DR.
13	BLOCK 1	8,152	0.210	2753 NATALIA DR.
14	BLOCK 1	8,585	0.220	2757 NATALIA DR.
15	BLOCK 1	10,345	0.237	2761 NATALIA DR.
1	BLOCK 2	13,839	0.314	1905 ARIANNA CIR.
2	BLOCK 2	12,244	0.281	1909 ARIANNA CIR.
3	BLOCK 2	11,115	0.255	1913 ARIANNA CIR.
4	BLOCK 2	8,334	0.191	1912 ARIANNA CIR.
5	BLOCK 2	9,007	0.207	1908 ARIANNA CIR.

LOT / BLOCK ANALYSIS

LOT	BLOCK	SQUARE FEET	ACRES	911 PHYSICAL ADDRESS
6	BLOCK 2	10,322	0.237	1904 ARIANNA CIR.
1	BLOCK 3	8,850	0.203	2706 NATALIA DR.
2	BLOCK 3	7,800	0.179	2710 NATALIA DR.
3	BLOCK 3	7,800	0.179	2714 NATALIA DR.
4	BLOCK 3	7,800	0.179	2718 NATALIA DR.
5	BLOCK 3	7,800	0.179	2722 NATALIA DR.
6	BLOCK 3	7,800	0.179	2726 NATALIA DR.
7	BLOCK 3	9,000	0.207	2730 NATALIA DR.
8	BLOCK 3	12,917	0.297	2734 NATALIA DR.



VICINITY MAP
SCALE: NTS

FINAL PLAT
SANTA MARIA ESTATES SUBDIVISION - UNIT 1
CITY OF EAGLE PASS, MAVERICK COUNTY, TEXAS

TERRATECH ENGINEERING
AND CONSTRUCTION SERVICES
3292 EL INDIO HWY., EAGLE PASS, TEXAS
(830)773-0579
AJLIBSON@TERRATECHENGINEERING.COM
www.terratechengineering.com
FIRM # 14118

PROPERTY OWNER:
MVN ENTERPRISES, LLC
EAGLE PASS, TEXAS 78852

JOB : 0137-18
DESIGN : FJC
DRAWN : BIDS
CHECKED : XXX
SCALE : 1" = 80'
DATE : 05/31/22

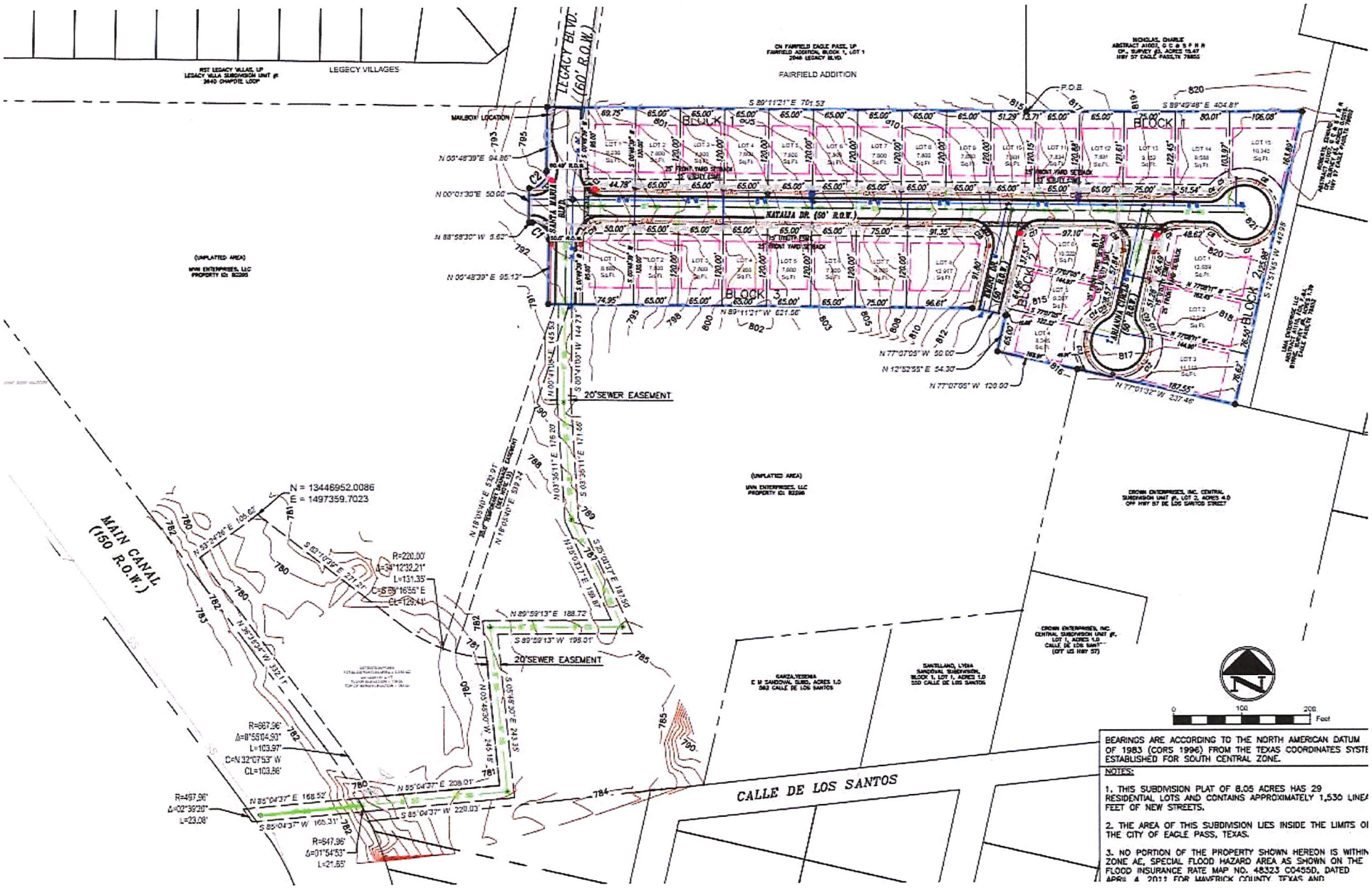
1	8/8/2022	REVISED PER CITY COMMENTS, REVISED PER CITY COMMENTS
2	8/31/2022	CITY COMMENTS
3	9/21/2022	AS-BUILTS

C-2

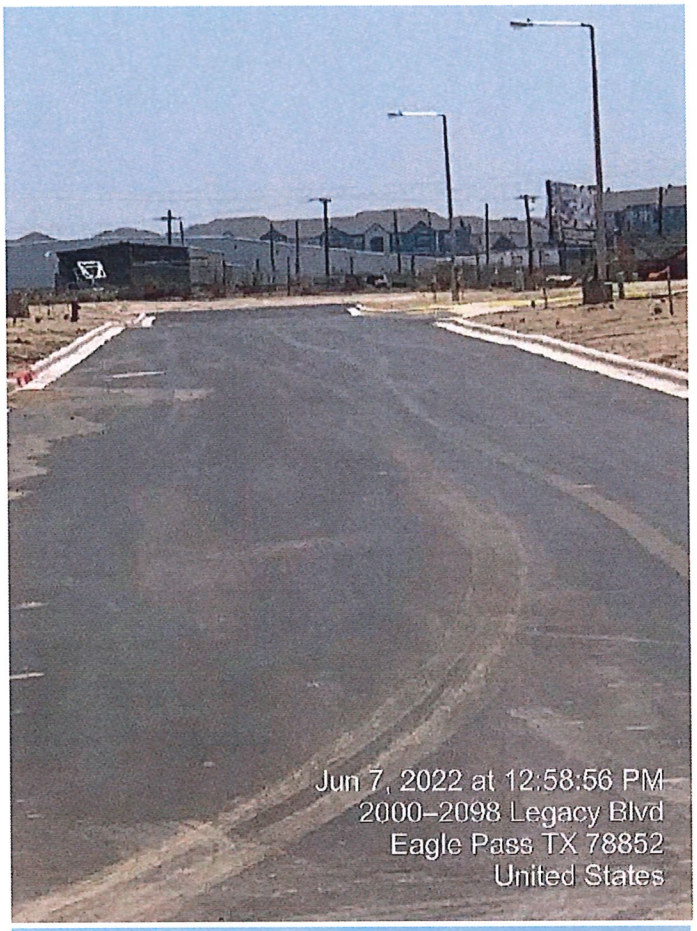
SANTA MARIA ESTATES SUBDIVISION

SANTA MARIA ESTATES SUBDIVISION

Plat Drawing

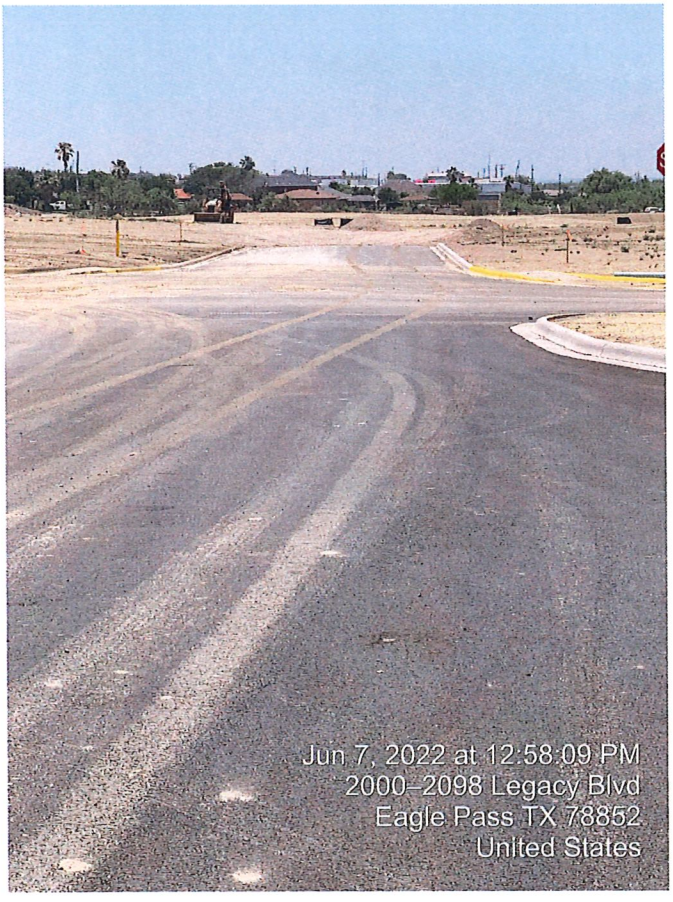


Improvements completed and accepted

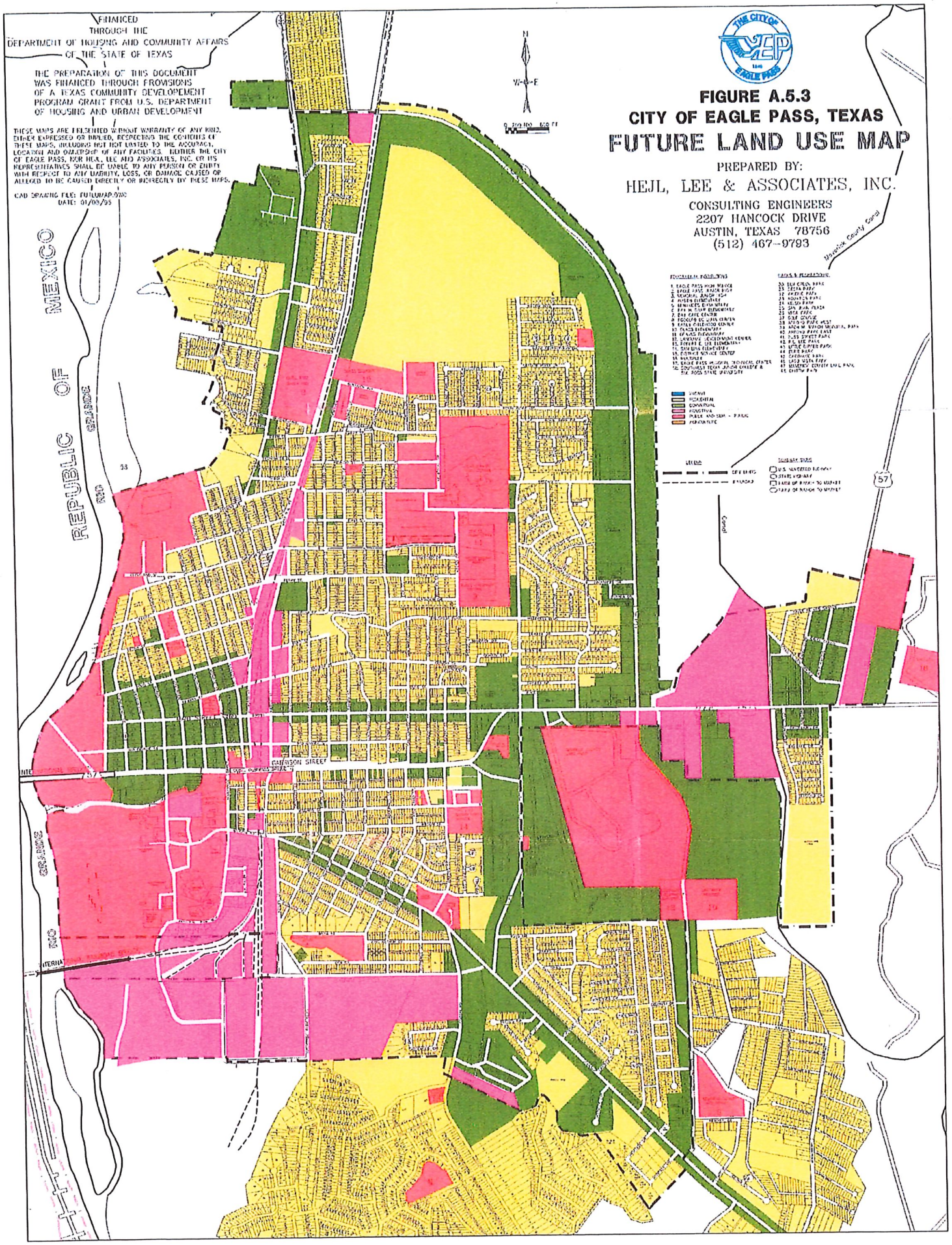


NATALIA
Jun 7, 2022 at 1:02:02 PM
Eagle Pass TX 78852
United States

Jun 7, 2022 at 1:00:54 PM
Eagle Pass TX 78852
United States


Jun 7, 2022 at 12:58:09 PM
2000–2098 Legacy Blvd
Eagle Pass TX 78852
United States

Attachment 2
Master Plan
Zoning Map


FINANCED
THROUGH THE
DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS
OF THE STATE OF TEXAS
THE PREPARATION OF THIS DOCUMENT
WAS FINANCED THROUGH PROVISIONS
OF A TEXAS COMMUNITY DEVELOPMENT
PROGRAM GRANT FROM U.S. DEPARTMENT
OF HOUSING AND URBAN DEVELOPMENT
THESE MAPS ARE FURNISHED WITHOUT WARRANTY OF ANY KIND,
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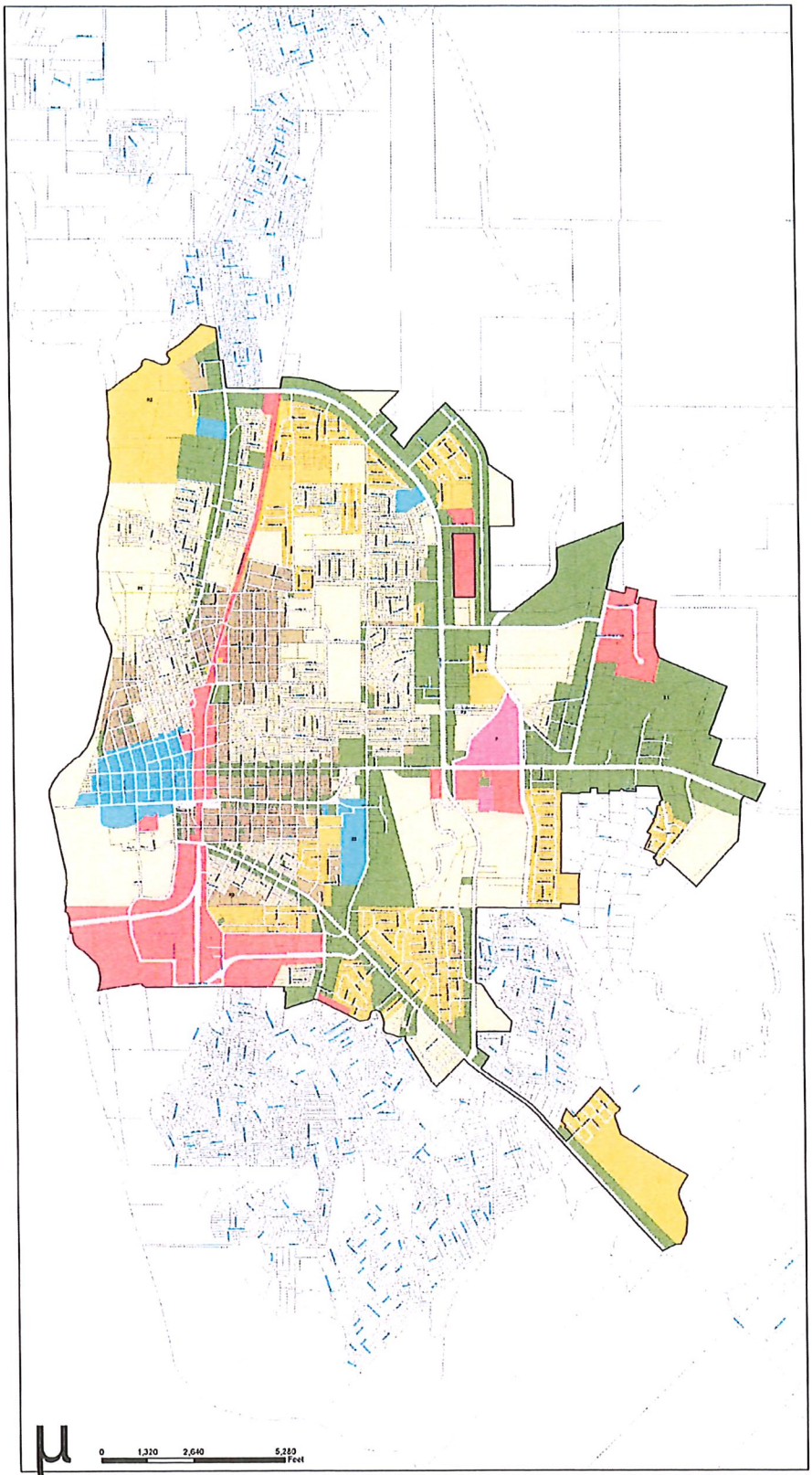
LOCATION AND OWNERSHIP OF ANY FACILITIES. NEITHER THE CITY
OF EAGLE PASS, NOR HEJL, LEE AND ASSOCIATES, INC. OR ITS
REPRESENTATIVES SHALL BE LIABLE TO ANY PERSON OR ENTITY
WITH RESPECT TO ANY LIABILITY, LOSS, OR DAMAGE CAUSED OR
ALLEGED TO BE CAUSED DIRECTLY OR INDIRECTLY BY THESE MAPS.
CAD DRAWING FILE: FUTLUMAP.DWG
DATE: 01/03/95
FIGURE A.5.3
CITY OF EAGLE PASS, TEXAS
FUTURE LAND USE MAP
PREPARED BY:
HEJL, LEE & ASSOCIATES, INC.
CONSULTING ENGINEERS
2207 HANCOCK DRIVE
AUSTIN, TEXAS 78756
(512) 467-9793
REPUBLIC OF MEXICO
GRANDE
RIO
GRANDE
RIO
GARRISON STREET
57
83
Maverick County Canal

Legend

- City Limits Outline
- B1 - Neighborhood Business District (<8,00 Sq Ft)
- B2 - Central Business District
- B3 - General Business District (>8,000 Sq Ft)
- I - Industrial District
- F - Floodway District
- R1 - First One-Family Dwelling District
- R2 - Second One-Family Dwelling District
- R3 - Duplex Dwelling District
- R3A - Apartment District
- R4 - Townhouse Residence District



Eagle Pass, Texas

October 9, 2007 (Updated)

TRUE AUTOMATION, INC.
2600 Technology Dr Suite 900
Phone: 972.811.1818
Fax: 972.633.0533
Plano, TX 75074
www.trueautomation.com

Attachment 3
Engineering Report

To: Placido Madera

City of Eagle Pass Planning Director

From: Florentino Caballero, P.E.

Date: June 06, 2022

Reference: **Final Engineering Report for Santa Maria Estates Subdivision Unit 1**

Dear Mr. Madera,

Mr. Morris Libson, owner of a tract of land legally described as 'Being a 32.884 Acre Tract, out of Survey 3, Abstract 1007, Survey 6, Abstract 1110, Survey 5, Abstract 1030' in Eagle Pass, Maverick County, Texas, requested the services of TerraTech Engineering and Construction Services (TEC Services) to process and design a residential subdivision Plat of the subject property. Although the deed describes the total acreage as being 32.884 acres, our surveyor has legally and physically confirmed that the actual total acreage of the developer's property is 32.70 acres. Out of the total acreage, 8.05 acres have been subdivided into 29 Residential lots to be known as Santa Maria Estates Subdivision Unit 1. The subject property is adjacently located south of the Latigo Apartments and Legacy Villas off of Legacy Blvd., and North of 57 Heights Subdivision in Eagle Pass, Texas.

General Description

The proposed subdivision has a total area of 8.05 Acres and contains 29 residential lots. This property has been developed and construction of all proposed street and utility improvements has been completed.

The proposed development is located inside the Eagle Pass City Limits and will be zoned as R-2: Second one-family dwelling district. The owner of this property is requesting authorization to proceed with the Final plat of Santa Maria Estates Subdivision Unit 1, given the completed improvements. Dimensions for the proposed lots are indicated in the Final Plat sheet.

Drainage

General Drainage Description

The proposed use of these lots are residential with no portion of this property being within a special flood hazard area. The highest point on this property is near the Northwestern property line. (Refer to the topography on the attached Plat). Runoff from the proposed subdivision naturally drains to the

RECEIVED
6-15-22

Southwest corner of the property where a proposed detention pond will be situated for the development of this property.

Existing Drainage Conditions

Drainage calculations shown below were calculated for the entirety of the owner's property, since the developer has decided to build-out the required detention pond storage for all his future development of the property with the 1st unit of Santa Maria Estates Subdivision. Moreover, the detention pond that will be built-out with the 1st Unit of this proposed subdivision will serve the entire 32.70 acres when fully developed.

Rainfall Intensity-Duration-Frequency Coefficients data for the Maverick County/Eagle Pass area of Texas (provided by FHA) was used for the hydraulic calculations.

The hydraulic calculations were analyzed using the TR-55 and SCS Runoff Method. A summary of the hydraulic calculations used to size the proposed detention pond for the entire 32.70 Acres is shown on the following pages.

Hyd. No. 1
32.7 AC PRE-DEVELOPED

Description	A		B		C		Totals
Sheet Flow							
Manning's n-value	= 0.400		0.011		0.011		
Flow length (ft)	= 250.0		0.0		0.0		
Two-year 24-hr precip. (in)	= 2.20		0.00		0.00		
Land slope (%)	= 2.79		0.00		0.00		
Travel Time (min)	= 47.18	+	0.00	+	0.00	=	47.18
Shallow Concentrated Flow							
Flow length (ft)	= 1300.00		0.00		0.00		
Watercourse slope (%)	= 2.79		0.00		0.00		
Surface description	= Unpaved		Paved		Paved		
Average velocity (ft/s)	=2.69		0.00		0.00		
Travel Time (min)	= 8.04	+	0.00	+	0.00	=	8.04
Channel Flow							
X sectional flow area (sqft)	= 0.00		0.00		0.00		
Wetted perimeter (ft)	= 0.00		0.00		0.00		
Channel slope (%)	= 0.00		0.00		0.00		
Manning's n-value	= 0.015		0.015		0.015		
Velocity (ft/s)	=0.00						
			0.00				
					0.00		
Flow length (ft)	((0))0.0		0.0		0.0		
Travel Time (min)	= 0.00	+	0.00	+	0.00	=	0.00
Total Travel Time, Tc							55.20 min

Hyd. No. 2
32.70 AC POST-DEVELOPED

Description	A		B		C		Totals
Sheet Flow							
Manning's n-value	= 0.150		0.011		0.011		
Flow length (ft)	= 150.0		0.0		0.0		
Two-year 24-hr precip. (in)	= 2.20		0.00		0.00		
Land slope (%)	= 1.00		0.00		0.00		
Travel Time (min)	= 21.57	+	0.00	+	0.00	=	21.57
Shallow Concentrated Flow							
Flow length (ft)	= 0.00		2200.00		0.00		
Watercourse slope (%)	= 0.00		1.63		0.00		
Surface description	= Unpaved		Paved		Paved		
Average velocity (ft/s)	=0.00		2.60		0.00		
Travel Time (min)	= 0.00	+	14.13	+	0.00	=	14.13
Channel Flow							
X sectional flow area (sqft)	= 0.00		0.00		0.00		
Wetted perimeter (ft)	= 0.00		0.00		0.00		
Channel slope (%)	= 0.00		0.00		0.00		
Manning's n-value	= 0.015		0.015		0.015		
Velocity (ft/s)	=0.00						
			0.00				
					0.00		
Flow length (ft)	((0))0.0		0.0		0.0		
Travel Time (min)	= 0.00	+	0.00	+	0.00	=	0.00
Total Travel Time, Tc							35.70 min

Time of Concentration (TC) for Pre- and Post- Development Conditions

5-Year Storm Return Period (SCS Runoff Method)

Hydrograph Summary Report

Hydraflow Hydrographs Extension for AutoCAD® Civil 3D® 2018 by Autodesk, Inc. v2018.3

Hyd. No.	Hydrograph type (origin)	Peak flow (cfs)	Time interval (min)	Time to Peak (min)	Hyd. volume (cuft)	Inflow hyd(s)	Maximum elevation (ft)	Total strge used (cuft)	Hydrograph Description
1	SCS Runoff	13.38	2	750	109,023	------	------	------	32.7 AC PRE-DEVELOPED
2	SCS Runoff	57.99	2	736	266,697	------	------	------	32.70 AC POST-DEVELOPED
3	Reservoir	16.42	2	768	265,615	2	779.26	110,923	POST-DEVELOPED ROUTED

25-Year Storm Return Period (SCS Runoff Method)

Hydrograph Summary Report

Hydraflow Hydrographs Extension for AutoCAD® Civil 3D® 2018 by Autodesk, Inc. v2018.3

Hyd. No.	Hydrograph type (origin)	Peak flow (cfs)	Time interval (min)	Time to Peak (min)	Hyd. volume (cuft)	Inflow hyd(s)	Maximum elevation (ft)	Total strge used (cuft)	Hydrograph Description
1	SCS Runoff	55.21	2	748	358,227	------	------	------	32.7 AC PRE-DEVELOPED
2	SCS Runoff	135.46	2	734	613,934	------	------	------	32.70 AC POST-DEVELOPED
3	Reservoir	49.74	2	762	613,345	2	780.90	264,698	POST-DEVELOPED ROUTED

100-Year Storm Return Period (SCS Runoff Method)

Hydrograph Summary Report

Hydraflow Hydrographs Extension for AutoCAD® Civil 3D® 2018 by Autodesk, Inc. v2018.3

Hyd. No.	Hydrograph type (origin)	Peak flow (cfs)	Time interval (min)	Time to Peak (min)	Hyd. volume (cuft)	Inflow hyd(s)	Maximum elevation (ft)	Total strge used (cuft)	Hydrograph Description
1	SCS Runoff	119.20	2	748	739,404	------	------	------	32.7 AC PRE-DEVELOPED
2	SCS Runoff	233.77	2	734	1,072,301	------	------	------	32.70 AC POST-DEVELOPED
3	Reservoir	61.21	2	762	1,072,205	2	783.00	438,976	POST-DEVELOPED ROUTED

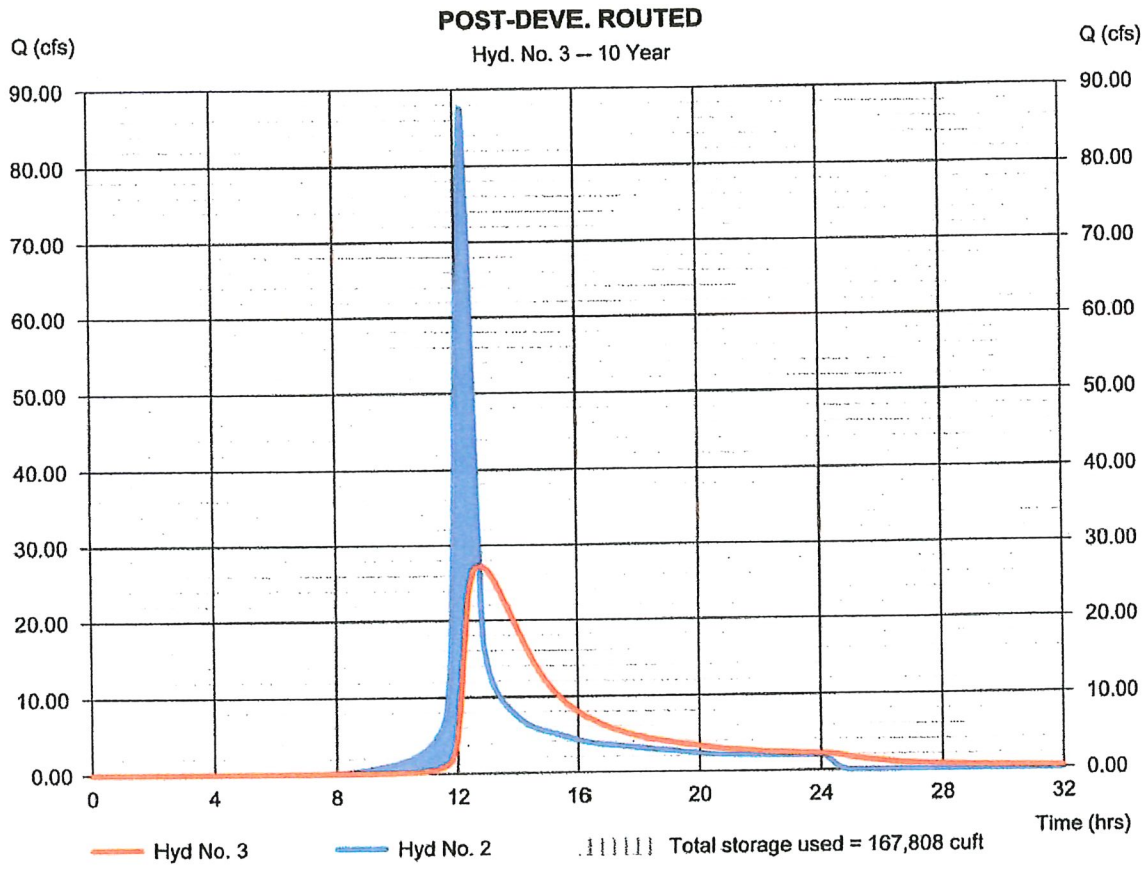
Hydrologic Summary Report for Pre- and Post- Development Conditions

Hyd. No. 3

POST-DEVE. ROUTED

Hydrograph type	= Reservoir	Peak discharge	= 27.20 cfs
Storm frequency	= 10 yrs	Time to peak	= 12.83 hrs
Time interval	= 2 min	Hyd. volume	= 397,098 cuft
Inflow hyd. No.	= 2 - 32.70 AC POST-DEVE	Max. Elevation	= 779.91 ft
Reservoir name	= DETENTION POND	Max. Storage	= 167,808 cuft

Storage Indication method used.



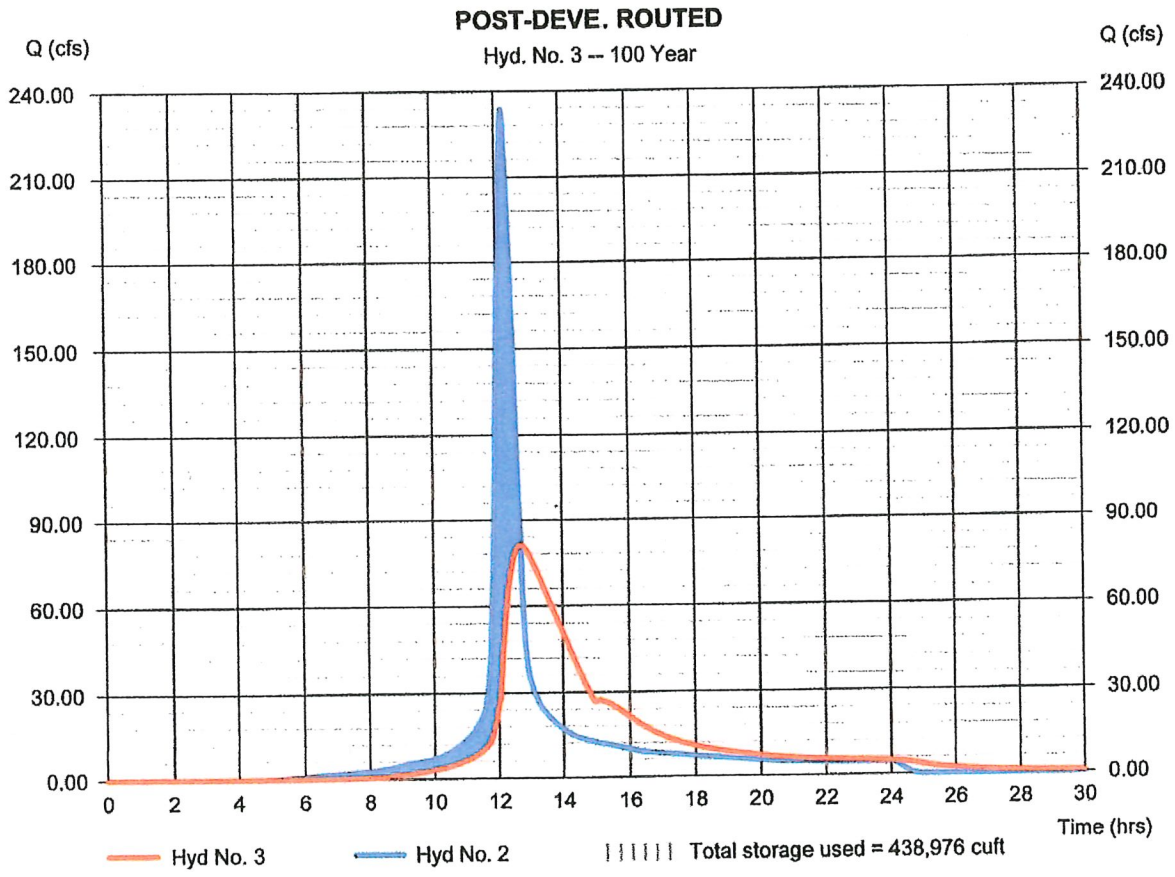
10-Yr Storm Hydrograph for Developed Conditions

Hyd. No. 3

POST-DEVE. ROUTED

Hydrograph type	= Reservoir	Peak discharge	= 81.21 cfs
Storm frequency	= 100 yrs	Time to peak	= 12.70 hrs
Time interval	= 2 min	Hyd. volume	= 1,072,205 cuft
Inflow hyd. No.	= 2 - 32.70 AC POST-DEVE	Max. Elevation	= 783.00 ft
Reservoir name	= DETENTION POND	Max. Storage	= 438,976 cuft

Storage Indication method used.



100-Yr Storm Hydrograph for Developed Conditions

Pond No. 1 - DETENTION POND

Pond Data

Contours -User-defined contour areas. Conic method used for volume calculation. Begining Elevation = 778.00 ft

Stage / Storage Table

Stage (ft)	Elevation (ft)	Contour area (sqft)	Incr. Storage (cuft)	Total storage (cuft)
0.00	778.00	87,841	0	0
1.00	779.00	87,841	87,832	87,832
2.00	780.00	87,841	87,832	175,664
3.00	781.00	87,841	87,832	263,497
4.00	782.00	87,841	87,832	351,329
5.00	783.00	87,841	87,832	439,161

Culvert / Orifice Structures

	[A]	[B]	[C]	[PrfRsr]
Rise (in)	= 24.00	Inactive	Inactive	Inactive
Span (in)	= 24.00	0.00	0.00	0.00
No. Barrels	= 3	1	0	0
Invert El. (ft)	= 778.00	778.00	0.00	0.00
Length (ft)	= 40.00	73.00	0.00	0.00
Slope (%)	= 0.90	1.90	0.00	n/a
N-Value	= .022	.022	.013	n/a
Orifice Coeff.	= 0.60	0.60	0.60	0.60
Multi-Stage	= n/a	No	No	No

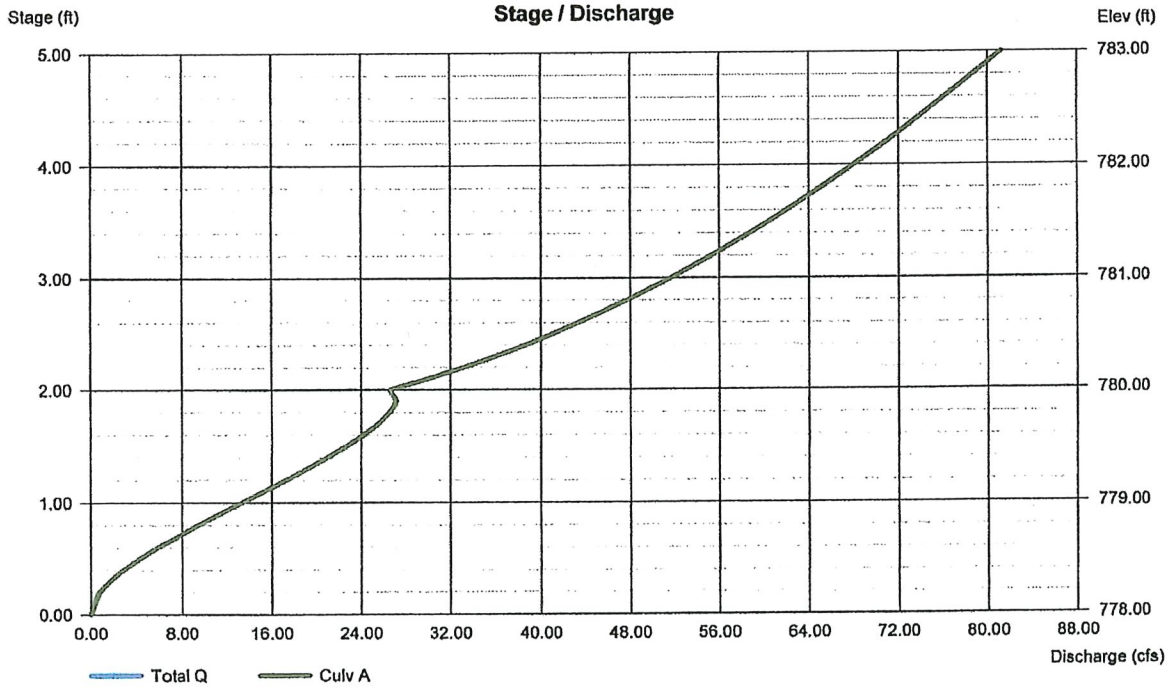
Weir Structures

	[A]	[B]	[C]	[D]
Crest Len (ft)	Inactive	Inactive	Inactive	Inactive
Crest El. (ft)	= 0.00	0.00	0.00	0.00
Weir Coeff.	= 3.33	3.33	3.33	3.33
Weir Type	= ---	Rect	Rect	---
Multi-Stage	= No	Yes	Yes	No

Exfil.(in/hr) = 0.000 (by Contour)

TW Elev. (ft) = 0.00

Note: Culvert/Orifice outflows are analyzed under inlet (ic) and outlet (oc) control. Weir risers checked for orifice conditions (ic) and submergence (s).



Stage/Storage/Discharge Table & Outlet Structure Parameters

As per the hydrologic calculations on the previous pages, the required minimum storage volume for the entire development is 438,976 cubic feet. The proposed detention pond will hold a total storage of 439,161 cubic feet which is above the required total storage. The proposed detention storage for the entirety of the 32.70 acres will be 439,161 cubic feet which will encompass approximately 2.016 acres of total area. Please refer to Sheet C-11 of the construction Plans for Santa Maria Estates Subdivision for additional details related to the proposed detention pond.

The proposed outlet devices which are 3-24" corrugated metal pipes w/ concrete headwalls on the detention pond are designed to release at a rate not to exceed the predevelopment 10-year, 25-Year, and 100-Yr rainfall event.

Drainage Conclusions and Recommendations

The proposed detention pond will be sufficient to capture the developed runoff from the entirety of the developed 32.7 acres of Santa Maria Estates Subdivision Unit 1 and all future units fully built-out. The pond has been built-out and completed as per the design. A temporary offsite 20' drainage ditch/easement was constructed to convey runoff from Unit 1 of Santa Maria Estates to the constructed detention pond. This temporary drainage easement will be vacated and removed once future phases are developed and public drainage facilities are designed and constructed to convey runoff to the detention pond. Please refer to as-built construction plans for location of drainage structures and/or any additional drainage details.

Street

Access to this subdivision will be via existing 60' R.O.W. Legacy Blvd. The proposed streets are asphalt paved with 2' wide concrete curb and gutter as per city specifications or better. Approximately 1,530 linear feet of new streets has been constructed as part of Santa Maria Estates Subdivision Unit 1. Please refer to as-built construction plans for street details.

Luminaries are visible along the newly constructed improvements of Santa Maria Estates Subdivision Unit 1. Fire hydrants are also present along the newly constructed improvements of Santa Maria Estates Subdivision Unit 1. Please refer to as-built construction plans for details.

Water Service

The proposed development be served from an existing 8" water line located along Legacy Blvd. Lots in Unit 1 of Santa Maria Estates Subdivision are served by an 8" water line that was extended from Legacy Blvd. All water lines in this area are operated and owned by Eagle Pass Water Works. Please refer to as-built construction plans for details.

Sanitary Sewer Service

The proposed development will be served by a proposed 8" sanitary sewer line as per the construction plans that has already been constructed. There was no existing sewer line within the immediate vicinity of this development, the closest collector line is a 36" Sanitary Sewer line located across the Main Canal which is adjacent to this development. A bore was completed under the main canal to connect to the existing sewer collector to serve this development. Necessary offsite sewer main lines were constructed in order to properly serve the sanitary sewer needs of this development and were left prepared to serve the future units of this area. Please refer to the as-built construction plans for details related to the

proposed sanitary sewer distribution system. All sanitary sewer lines in this area are operated and owned by Eagle Pass Water Works.

Other Utilities

This development will have access to other utilities such as electrical, phone, cable, and natural gas. The proposed lots will have access to all utilities as per the plat sheet and as-built construction plans.

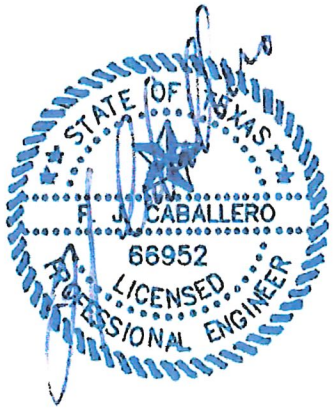
Conclusion

The proposed use of the subject Plat area is residential. The proposed improvements will not have an impact on the current drainage patterns or utilities given the improvements that have been built-out.

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

Sincerely,

Florentino Caballero, P.E.
TerraTech Engineering & Construction Services (TEC Services)



06/6/2022

AGREEMENT

WHEREAS, MVN Enterprises, LLC ("Developer" or "Owner") has submitted a preliminary plat for the Santa Maria Estates Subdivision Unit #1 ("Unit 1"), to the City of Eagle Pass, Texas ("City") for approval, attached and incorporated herein as Exhibit 1;

WHEREAS, as a condition to final plat approval, the City has requested Developer to provide certain financial assurances related to Developer's proportionate share of the costs of a deceleration lane on Spur 16 leading up to Legacy Blvd ("Deceleration Lane").; and

WHEREAS, as a further condition of final plat approval, the City has requested Developer to design and construct a second ingress/egress right of way as a condition precedent for the final plat approval for any additional future units of the Santa Maria Estates Subdivision in order to connect the Santa Maria Estates Subdivision, Unit 1 to Calle De Los Santos Street or other right of way approved by the City Council (Secondary Access Road); and

WHEREAS, City has agreed to construct the Deceleration Lane on Spur 16 leading up to Legacy Blvd.; and

WHEREAS, Developer owns Unit 1 depicted on Exhibit 1 and land known as the Santa Maria Subdivision depicted on Exhibit 2; and

WHEREAS, Developer agrees to (i) contribute to the cost of the Deceleration Lane and (ii) design and construct a Secondary Access Road; and

WHEREAS, Developer and City desire to enter into an agreement related to the Deceleration Lane on Spur 16 leading up to Legacy Blvd. and the Secondary Access Road;

NOW THEREFORE, for the mutual promises contained herein, the sufficiency of which is hereby acknowledged by Developer and City, the parties agree as follows:

Developer will pay to City a total of $15,000.00 for Developer's proportionate share of the expenses associated with the construction of the Deceleration Lane (Deceleration Lane Costs). Said payment for the Deceleration Lane by Developer will be paid to City in four equal annual payments in the amount of $3,750.00 beginning on June 1, 2022 and continuing annually every June 1st until paid in full.

If the City has not constructed the deceleration lane within five (5) years from the execution date of this agreement, all paid Deceleration Lane Costs referenced in this agreement will be returned to Developer, as its sole and exclusive remedy.

Developer and Owner certify, attest, promise, and agree to dedicate, design and construct Secondary Access Road, on the unplatted property owned by MVN Enterprises LLC known as the Santa Maria Subdivision (depicted on Exhibit 2 attached and incorporated herein), in order to connect the Santa Maria Estates Subdivision, Unit 1 to Calle De Los Santos Street or other right of way approved by the City Council. The aforementioned Secondary Access Road must be: (i)

designed as a condition of preliminary plat approval for any future plats or subdivisions in the Subdivision; and (ii) constructed and operational as a condition of final plat approval of for any future plats or subdivisions in the Subdivision. Notwithstanding anything to the contrary or the preceding sentence, the Secondary Access Road must be constructed and operational within 3 years from the day and time that 23 of the 29 Unit 1 lots are sold.

The WHEREAS clauses set forth above are incorporated into the terms of this Agreement, as if fully set forth herein, and they are intended to be used to construe the terms of this Agreement and binding.

Developer covenants and agrees, to indemnify, hold harmless, and defend the City against any and all legal claims, demands, damages brought by any person relating to this Agreement.

The benefits and burdens of this Agreement are personal obligations of the Developer and also are binding on the heirs, successors, and assigns of the Developer. The Subdivider's obligations under this Agreement may not be assigned without the express written approval of the City. The City's written approval may not be withheld if the Developer's assignee explicitly assumes all obligations of the Developer under this Agreement. The City, in its sole discretion, may assign some or all of its rights under this Agreement, and any such assignment shall be effective upon notice to the Subdivider and the Issuer.

Any person who sells or conveys any portion of the Santa Maria Estates Subdivision shall, prior to such sale or conveyance, give written notice of this Agreement to the prospective purchaser or grantee, and shall give written notice of the sale or conveyance to the City Manager and Director of Planning with a copy to the City Attorney.

If any part, term, or provision of this Agreement is held by the courts to be illegal, invalid, or otherwise unenforceable, such illegality invalidity, or enforceability shall not affect the validity of any other part, term, or provision, and the rights of the parties will be constructed as if the part, term, or provision was never part of this Agreement.

This Agreement does not waive, excuse, amend or modify compliance with any provision of the City Code of Ordinance for the City of Eagle Pass or its construction standards for any future plats or subdivisions in the Subdivision or elsewhere.

This Agreement is not intended to confer any rights, privileges or causes of action upon any third party. The relationship of the parties under this Agreement is not and shall not be construed or interpreted to create or be a partnership, joint venture, agency or any other business combination, or special or fiduciary relationship between the parties. No party shall have the authority to make any statements, representations or commitments of any kind, or to take any action, which shall be binding on the other parties.

This agreement was entered into and effective for all purposes on the _____ day of _____, 2021.

The City of Eagle Pass, Texas,
a Texas municipal corporation

By: _____
Printed name: George Antuna

Developer and Owner
MVN Enterprises, LLC

By: _____
Morris Libson, Jr., Manager

ACKNOWLEDGEMENTS

Before me, George Antuna, the undersigned authority, on this day personally appeared George Antuna (City Official), known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to that he/she executed the same for the purposed and consideration therein expressed.

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

SANDRA D. GARCIA
Notary Public, State of Texas
My Commission expires
August 3, 2025
ID # 12943811-6

_____
Notary Public
State of Texas, County of Maverick

Before me, Morris Libson, Jr., the undersigned authority, on this day personally appeared Morris Libson, Jr., as Manager of MVN Enterprises, LLC loper), known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to that that he/she executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 12th day of July, 2021.

CYNTHIA ANN FLORES
Notary Public, State of Texas
Comm. Expires 06-23-2025
Notary ID 10856256

_____
Notary Public
State of Texas, County of Maverick

AGREEMENT REGARDING WATER SERVICE FOR THE PROPOSED

Santa Maria Estates Subdivision Unit 1 **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 MVN Enterprises, LLC, 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 Santa Maria Estates Subdivision Unit 1.

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 19,140 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 4/22/2020.

The Utility	The Subdivider
By: M. L. Salinas	By:
Printed Name: MARCO SALINAS	Printed Name: Morris Libson
Office or Position: VICE CHAIRMAN	Office or Position: Owner of MVN Enterprises, LLC
Date: 4/22/2020	Date: APRIL 2, 2020

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 Santa Maria Estates Subdivision Unit 1 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 MVN Enterprises, LLC, 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 Santa Maria Estates Subdivision Unit 1.

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 11,600 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 4/22/2020.

The Utility	The Subdivider
By:	By:
Printed Name: MARCO SALINAS	Printed Name: Morris Libson
Office or Position: VICE CHAIRMAN	Office or Position: Owner of MVN Enterprises,LLC
Date: 4/22/2020	Date: APRIL 2, 2020

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.

SANTA MARIA ESTATES SUBDIVISION

MVN ENTERPRISES, LLC, CITY OF EAGLE PASS, TEXAS

Being a 7.92 Acre Tract of land lying and situated in Maverick County Texas, out of Survey 3, Abstract 1007, and Survey 6, Abstract 1110, said 7.92 Acre Tract being portion of that 32.884 Acre Tract, conveyed from Maverick County Investments, LTD., to MVN ENTERPRISES, LLC, by Deed record Book 1664, page 158 of the Official Public Records of Maverick County.

Said 7.92 acres being more particularly described by metes and bounds as follows:
(Bearings according to found the South boundary line of the Fairfield Addition, as shown by Plat of Record Envelope 410, Side A, of the Maverick County Map Records, with bearing S89°11'21"E)

Beginning at found 1/2" iron rod being the Southeast corner of said Fairfield Addition, falling on the North boundary line of the said MVN ENTERPRISES, LLC, 32.884 acres,

THENCE continuing along the North boundary line of the MVN ENTERPRISES, LLC, 32.884 acres, a common line with remaining area of that Charlie Nicholas 44.74 Acres, as recorded in Volume 1122, page 140 of the Maverick County Deed Records. S89°49'48"E, 404.81 feet, to a ½" iron rod, falling on the West boundary line of that Larry Robinson Property as recorded in Volume 512, page 65 of the Maverick County Deed Records, and for Northeast corner of this 7.92 acres.

THENCE continuing with fence along the West boundary line of Larry Robinson,
S12°51'45"W, 442.98 feet, to a ½" iron rod, falling on the North boundary line of that Central Freight Lines, Inc., Property as recorded in Volume 269, page 331 of the Maverick County Deed Records, and for a corner of this 7.92 acres.

THENCE along fence, the boundary line of that Central Freight Lines, Inc., Property,
N77°01'32"W, 237.46 feet, to a ½" iron rod, the Northwest corner of Said Central Freight Lines, Inc., Property, and for a corner of this 7.92 acres,
Now across said MVN ENTERPRISES, LLC, 32.884 acres,
N77°07'05"W, 120.0 feet, to a ½" iron rod, for a corner of this 7.92 acres,
N12°52'55"E, 146.10 feet, to a ½" iron rod, for a corner of this 7.92 acres,
N77°07'05"W, 50.0 feet, to a ½" iron rod, for a corner of this 7.92 acres,
S12°52'55"W, 91.60 feet, to a ½" iron rod, for a corner of this 7.92 acres,
N89°11'21"W, 621.56 feet, to a ½" iron rod, for a corner of this 7.92 acres,
N00°48'39"E, 95.12 feet, to a ½" iron rod, being the PC (Point of Curvature) of curve with delta angle of 89°47'10" radius of 25.0 feet, an arc length of 39.18 feet, and a chord of N44°04'53"W, 35.29 feet, to PT (Point of Tangency).

THENCE along said curve 39.18 feet to the PT, for a corner of this 7.92 acres.

THENCE continuing across said MVN ENTERPRISES, LLC, 32.884 acres,
N00°35'48"E, 50.0 feet, to a ½" iron rod, being the PC of curve with delta angle of 90°12'50" radius of 25.0 feet, an arc length of 39.36 feet, and a chord of N45°55'35"E, 35.42 feet, to the PT.

THENCE along said curve 39.36 feet to the PT, for a corner of this 7.92 acres.

And N00°48'39"E, 94.88 feet, to a ½" iron rod, falling on the south boundary line of the Fairfield Addition, also the North boundary line of the MVN ENTERPRISES, LLC, 32.884 acres.

THENCE along the common line with said Fairfield Addition, S89°11'21"E, 696.29 feet, to the Point of Beginning.

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 City of Eagle Pass.
The Owner certifies that this plat complies with the requirements of Texas Local Government 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 standard; and
(D) gas connection, if available, provided to the lots meet, or will meet, the minimum standards.
The Owner attests that the matters asserted in this plat are true and complete.

SANTA MARIA ESTATES SUBDIVISION

SIGNATURE:_____

NAME: MORRIS LIBSON
OWNER OF MVN ENTERPRISES, LLC
MANAGING MEMBER OF MVN ENTERPRISES, LLC

STATE OF TEXAS
COUNTY OF MAVERICK

This instrument was acknowledged before me on _____ by Morris Libson, Owner and Managing Member of MVN ENTERPRISES, LLC, a Texas Limited Liability Company, on behalf of said Company.

_____
Signature Notary Public State of Texas

My Commission Expires:_____

CITY OF EAGLE PASS
CERTIFICATE OF PLAT APPROVAL

WE, THE UNDERSIGNED, CERTIFY that SANTA MARIA ESTATES SUBDIVISION was reviewed and approved by the City Council of Eagle Pass on _____

_____ _____
Mayor of the City of Eagle Pass Date

Given under my hand and seal of office this _____ day of _____, 202_

_____
Signature Notary Public State of Texas

WE, THE UNDERSIGNED, CERTIFY THAT SANTA MARIA ESTATES SUBDIVISION was reviewed and approved by the Planning and Zoning Commission of the City of Eagle Pass on _____

_____ _____
Chairman–City of Eagle Pass Date
Planning and Zoning Commission

Given under my hand and seal of office this _____ day of _____, 202_

_____
Signature Notary Public State of Texas

WE, THE UNDERSIGNED, CERTIFY THAT SANTA MARIA ESTATES SUBDIVISION was reviewed and approved by the City Manager of the City of Eagle Pass on _____

_____ _____
City Manager of the City of Eagle Pass Date

Given under my hand and seal of office this _____ day of _____, 202_

_____
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 _____, 201__, and was recorded in Envelope _____, Side ___ in the Map Records of Maverick County at _____ o'clock __M on _____, 202_.

_____
Maverick County Clerk

STATE OF TEXAS)(
COUNTY OF MAVERICK)(

I, Francisco Gaytan, a Registered Professional Land Surveyor in the State of Texas, hereby certify that this Plat and description of Santa Maria Estates Subdivision was prepared from an actual survey conducted on June 1, 2018 under my supervision on the ground and the monuments shown are within the positional tolerance required by 22 TAC SEC 663.15.

_____
Francisco Gaytan
Registered Professional Land Surveyor
Texas No. 5474

This instrument was acknowledged before me on the _____ day of _____ of _____ by Francisco Gaytan, R.P.L.S.

_____
Signature Notary Public State of Texas

My Commission Expires:_____

STATE OF TEXAS)(
COUNTY OF MAVERICK)(

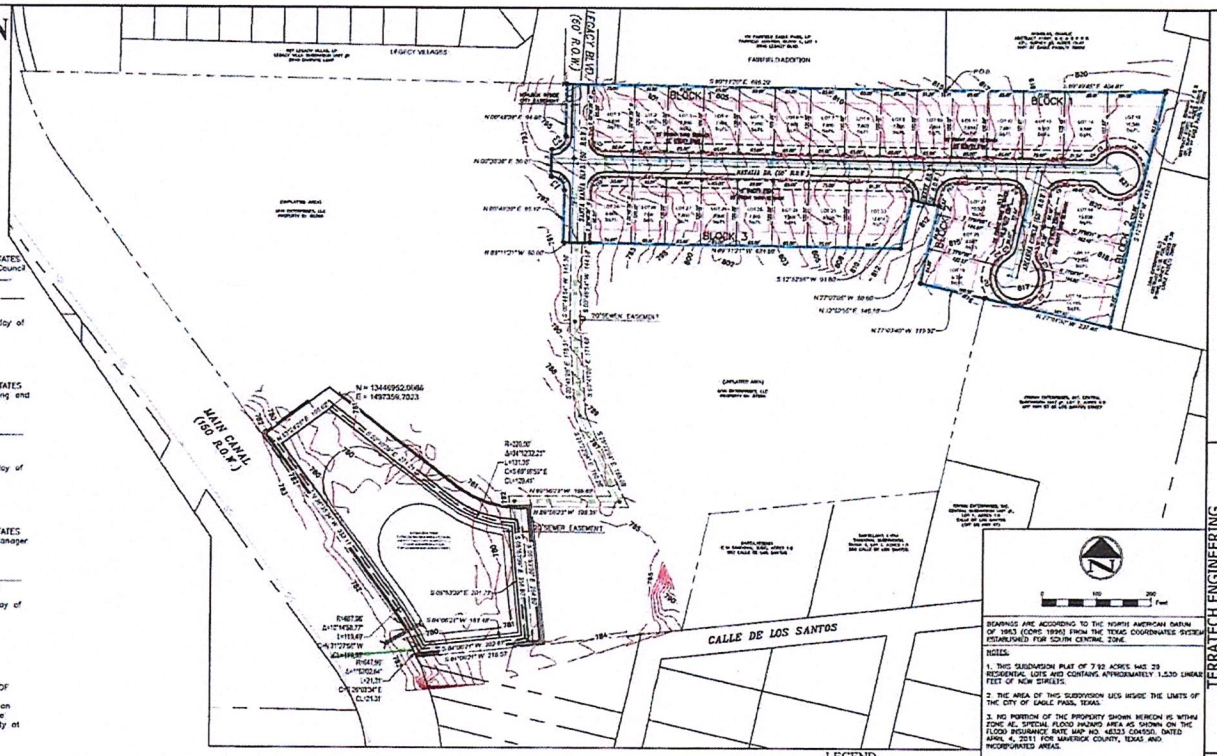
I, Florentino Caballero, a Registered Professional Engineer in the State of Texas (No. 66952), hereby certify that the water and wastewater facilities for this subdivision were designed in accordance with the requirements of the City of Eagle Pass, Texas, that these services are connected to the public 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.

_____
Florentino Caballero, P.E.
Registered Professional Engineer 66952

This instrument was acknowledged before me on the _____ day of _____ of _____ by Florentino Caballero, P.E.

_____
Signature Notary Public State of Texas

My Commission Expires:_____



BEARINGS ARE ACCORDING TO THE NORTH AMERICAN DATUM OF 1983 (CORS 1996) FROM THE TEXAS COORDINATES SYSTEM ESTABLISHED FOR SOUTH CENTRAL ZONE.

NOTES:

1. THIS SUBDIVISION PLAT OF 7.92 ACRES HAS 28 RESIDENTIAL LOTS AND CONTAINS APPROXIMATELY 1,530 LINEAL FEET OF NEW STREETS.
2. THE AREA OF THIS SUBDIVISION LIES INSIDE THE LIMITS OF THE CITY OF EAGLE PASS, TEXAS.
3. NO PORTION OF THE PROPERTY SHOWN HEREON IS WITHIN ZONE AE, SPECIAL FLOOD HAZARD AREA AS SHOWN ON THE FLOOD INSURANCE RATE MAP NO. 48323 C0455D, DATED APRIL 4, 2011 FOR MAVERICK COUNTY, TEXAS AND INCORPORATED AREAS.
4. ALL LOTS WITHIN THIS SUBDIVISION SHALL BE CONVEYED LEGAL ACCESS TO ALL EASEMENTS, RIGHT-OF-WAYS, AND SUBDIVISION DETENTION FACILITIES.
5. ALL EASEMENTS SHALL BE KEPT CLEAR OF FENCES, BUILDINGS, PLANTINGS, AND ANY OTHER OBSTRUCTIONS.
6. HOUSING CERTIFICATION–NO MORE THAN ONE (1) SINGLE–FAMILY DETACHED DWELLING SHALL BE LOCATED ON EACH LOT.
7. VERIFY ALL UNDERGROUND UTILITY SERVICE LINES AS REQUIRED, PRIOR TO EXCAVATING.
8. THIS SUBDIVISION PLAT WILL BE ZONED AS R2: SECOND ONE–FAMILY DWELLING DISTRICT.
9. THE FRONT YARD SETBACK IS 25 FEET FOR ALL LOTS
10. THE REAR YARD SETBACK IS 25 FEET FOR ALL LOTS THE SIDE YARD SETBACK IS 5 FEET FOR ALL MIDDLE LOTS, AND 10 FEET FOR ALL CORNER LOTS
11. SET 1/2" I.R. AT ALL CORNERS EXCEPT INDICATED.

LEGEND

PROPERTY LINE	EXISTING LIGHT POLE
EASEMENT LINE	EXISTING FIRE HYDRANT
EXISTING WATER LINE	EXISTING WATER VALVE
EXISTING SAN. SEWER LINE	EXISTING SEWER SINGLE CLEANOUT
PROPOSED GAS LINE	EXISTING SEWER MANHOLE
PROPOSED SAN. SEWER LINE	PROP. LIGHT POLE
PROPOSED WATER LINE	PROP. FIRE HYDRANT
	PROP. WATER VALVE
	PROP. SEWER SINGLE CLEANOUT
	PROP. SEWER MANHOLE

CURVE TABLE

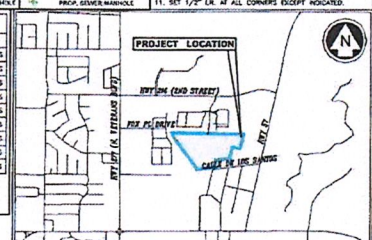
CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	LONG CHORD
C1	25.00'	89°47'10"	39.18'	N 44°04'53" W, 35.29'
C2	25.00'	90°12'50"	39.36'	N 45°55'35" E, 35.42'
C3	25.00'	89°32'29"	39.24'	S 44°58'37" E, 35.35'
C4	15.50'	51°48'22"	14.01'	N 61°51'51" E, 13.54'
C5	30.00'	242°23'22"	31.36'	S 31°11'42" W, 21.51'
C6	50.00'	129°36'24"	112.13'	N 32°09'18" W, 90.32'
C7	30.00'	130°03'08"	113.60'	N 11°28'25" E, 80.65'
C8	15.50'	51°48'22"	14.01'	N 63°17'46" W, 13.54'
C9	25.00'	77°36'34"	34.01'	S 51°30'17" W, 31.49'
C10	15.50'	52°22'44"	14.21'	S 12°24'43" E, 13.72'
C11	30.00'	193°47'17"	113.31'	N 28°45'48" E, 17.28'
C12	30.00'	121°49'25"	106.41'	N 47°01'25" E, 87.32'
C13	30.00'	109°34'26"	57.38'	S 23°27'19" E, 85.66'
C14	30.00'	241°19'01"	39.88'	S 41°23'07" W, 29.43'
C15	15.50'	51°48'22"	14.01'	N 38°43'43" E, 13.54'
C16	25.00'	102°03'08"	44.53'	N 38°28'37" W, 38.87'
C17	25.00'	77°36'34"	34.01'	S 51°30'17" W, 31.49'
C18	25.00'	102°03'08"	44.54'	S 38°28'17" E, 38.88'
C19	25.00'	89°32'34"	39.22'	N 45°45'54" E, 35.32'

LOT / BLOCK ANALYSIS

LOT	BLOCK	SQUARE FEET	ACRES	911 PHYSICAL ADDRESS
1	BLOCK 3	8,865	0.204	911 PHYSICAL ADDRESS
2	BLOCK 1	7,600	0.179	911 PHYSICAL ADDRESS
3	BLOCK 1	7,600	0.179	911 PHYSICAL ADDRESS
4	BLOCK 1	7,600	0.179	911 PHYSICAL ADDRESS
5	BLOCK 1	7,600	0.179	911 PHYSICAL ADDRESS
6	BLOCK 1	7,600	0.179	911 PHYSICAL ADDRESS
7	BLOCK 1	7,600	0.179	911 PHYSICAL ADDRESS
8	BLOCK 1	7,600	0.179	911 PHYSICAL ADDRESS
9	BLOCK 1	7,600	0.179	911 PHYSICAL ADDRESS
10	BLOCK 1	7,601	0.179	911 PHYSICAL ADDRESS
11	BLOCK 1	7,634	0.180	911 PHYSICAL ADDRESS
12	BLOCK 1	7,681	0.181	911 PHYSICAL ADDRESS
13	BLOCK 1	9,152	0.265	911 PHYSICAL ADDRESS
14	BLOCK 1	9,589	0.220	911 PHYSICAL ADDRESS
15	BLOCK 1	10,345	0.237	911 PHYSICAL ADDRESS
16	BLOCK 2	13,859	0.314	911 PHYSICAL ADDRESS
17	BLOCK 2	12,244	0.281	911 PHYSICAL ADDRESS
18	BLOCK 2	11,115	0.255	911 PHYSICAL ADDRESS
19	BLOCK 2	8,334	0.191	911 PHYSICAL ADDRESS
20	BLOCK 2	9,007	0.207	911 PHYSICAL ADDRESS

LOT / BLOCK ANALYSIS

LOT	BLOCK	SQUARE FEET	ACRES	911 PHYSICAL ADDRESS
21	BLOCK 2	10,322	0.237	911 PHYSICAL ADDRESS
22	BLOCK 3	12,917	0.297	911 PHYSICAL ADDRESS
23	BLOCK 3	9,000	0.207	911 PHYSICAL ADDRESS
24	BLOCK 3	7,800	0.179	911 PHYSICAL ADDRESS
25	BLOCK 3	7,800	0.179	911 PHYSICAL ADDRESS
26	BLOCK 3	7,800	0.179	911 PHYSICAL ADDRESS
27	BLOCK 3	7,800	0.179	911 PHYSICAL ADDRESS
28	BLOCK 3	7,800	0.179	911 PHYSICAL ADDRESS
29	BLOCK 3	8,882	0.203	911 PHYSICAL ADDRESS



PRELIMINARY PLAT
SANTA MARIA ESTATES SUBDIVISION - UNIT 1
CITY OF EAGLE PASS, MAVERICK COUNTY, TEXAS

TERRATECH ENGINEERING AND CONSTRUCTION SERVICES
3292 EL INDIO HWY., EAGLE PASS, TEXAS
(830)773-0579
AJLIBSON@TERRATECHENGINEERING.COM
www.terratechengineering.com
FIRM # 14118

PROPERTY OWNER:
MVN ENTERPRISES, LLC
EAGLE PASS, TEXAS 78852

JOB : 0137-18
DESIGN : FJC
DRAWN : RDS
CHECKED : XXX
SCALE : 1" = 80'
DATE : 01/22/20

C-2

SANTA MARIA ESTATES SUBDIVISION

PLEASE RECYCLE